Town of Indian Trail

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PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT
PLANNING BOARD MINUTES
October 20, 2015
06:30 P.M.

CALL TO ORDER- Chair Cowan called the meeting to order.

ROLL CALL -The following members of the governing body were present:

Board Members:	Patricia Cowan, Cathi Higgins, Alan Rosenberg, and Dr Shamir Ally.
Members Present but not Voting:	None.
Absent:	Larry Miller, Jan Brown, Steve Long, Sidney Sandy, and Jorge Aponte.
Staff Members:	Rox Burhans-Planning Director, Gretchen Coperine- Senior Planner, Lindze Small-Planner/GIS Technician, and Pam Good- Board Secretary

APPROVAL OF MINUTES- September 15, 2015
Motion to approve as written by Member Rosenberg, seconded by Member Higgins. Vote to approve was unanimous.

SWEARING IN OF REAPPOINTMENT TO BOARD
Member Cathi Higgins was reappointed to the board for an additional 3 year term.

PUBLIC ITEMS CZ2015-004 Austin Village: This is a rezone request to establish a Conditional Zoning Single Family district for 51 single-family units on a parcel approximately 14 acres. The proposed project is intended to be a senior housing concept development.

The case was presented by Senior Planner, Gretchen Coperine. She began her presentation by giving an overview and history of the project. The subject property is part of the approximately 70 acre Austin Village Master Plan, originally approved under RZ2000-002 (approximately 9.51acres), RZ2000-003 (approximately 20.7 acres) and RZ2000-004 (approximately 39.3 acres), which allows a mix of commercial uses including retail, office, live/work buildings, and other uses. It is located within a Village Center Overlay District in Austin Village. The subject property is bordered on the north side by the Town of Stallings.

The subject property underwent a rezoning request for a Conditional Use District filed in September of 2000. This request rezoned 31.3 acres of the 70.3 acres from R-20 (Union County Residential) to B-4 (current Town zoning General Business District), 8 acres from R-20 (Union County Residential) to B-3 (current Town zoning Neighborhood Business District), and the remaining 31 acres was not included in the application; therefore remains SF-1.

Staff Coperine showed power points with various details of the Conceptual Plan of the development.

Comments from outside agencies were noted from: NCDOT, UC Public Works, UC Public Schools (IT Elementary School, Sun Valley Middle and High Schools), UC Fire Marshall, UC Sheriff, Army Corp of Engineers were addressed and listed in the Staff Report provided.

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, 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 PoppySeeds Bagels on October 8, 2015 from 3pm-5pm and the second was held at the Town's Civic Building from 6pm-8pm that same day. Staff Coperine provided the board with details of the various comments from the two community meetings.

Conditions of approval by staff recommendation were pointed out by Staff Coperine on the power point as well as included in the Staff Report.

Draft Conditions

Conditions of approval have been developed in order to ensure the proposed rezoning is consistent with the Comprehensive Plan and any existing relevant conditions of approval for the Austin Village Master Plan. The applicant has agreed to comply with the conditions noted below.

1. *Consistency with RZ 2000-003, Rezoning for Austin Village Master Plan:* Unless otherwise stated in the requirements herein, the proposed site shall be subject to all relevant conditions approved with the Austin Village Master Plan (RZ 2000-003). Exhibit 1
2. *Subject Parcels:* Rezoning – a portion of 07147130 to CZ-SF-5, within a Village Center Overlay District.
3. *Permitted Uses:* The permitted use on the subject property is single-family detached residential and accessory uses as permitted the UDO.
4. *Permitted Number of Units:* The maximum number of units on the subject development shall not exceed 53 single-family detached dwelling units.
5. *Lot Frontage, Setbacks and Height:* Lots shall provide 50' width, as generally referenced on the concept plan (Exhibit 2-included in Staff Report)
6. *Conceptual Plan:* The proposed single-family development and associated improvements shall comply with the conceptual plan attached herein as Exhibit 2.
   a. *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 other details, shall be built on lots adjacent to or directly across from each other.
   b. *On-street parking*: on-street parking shall be provided at key locations as generally depicted on the Conceptual Plan.
   c. *Open Space:* A minimum of 1/35 of an acre of open space shall be provided for each dwelling unit. All open space areas shall be generally consistent with the layout reflected in Exhibit 2 and shall contain a combination of ornamental landscaping including trees and shrubs, as well as passive recreation fixtures where feasible.
   Note: Lot 39 shall contain a strip of open space, as feasible, along the northern property line.
7. *Streetscape along Chestnut Lane:* An enhanced streetscape along Chestnut Lane shall include, at a minimum, enhanced and ornamental landscaping, lighting and pedestrian zone improvements as

depicted in Exhibit 2. Where feasible, such streetscape may also include benches, street furniture, and mid-block crosswalks connecting to the Harris Teeter site on the south side of Chestnut Lane.

8. *Architecture:*
   a. All homes shall be built in general accordance with the Tudor style architectural elevations in Exhibit 3 and shall be mainly constructed of a combination brick, stone, wood, shake, or Hardie siding, with such features as decorative shutters and ornamented garage doors, as depicted in Exhibit 3. The use of vinyl is prohibited. The side building walls shall not be constructed with highly flammable building materials such as natural, cedar shakes or wood siding and similar materials.
   b. All elevations shall contain a roof pitch greater than or equal to 6:12 for the primary roof; eves with a minimum 10-inch projection on all sides; and front entry facing the front lot line.
   There shall be no blank walls on any side elevations. Side elevations shall include, at a minimum, one window.
   c. All units shall provide the master bedroom located on the first floor to support the age-targeted marketing concept.
9. *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.
10. *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. 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, benches, knee walls, and appropriate littoral plantings. The size of the facility separation and/or its screening may be increased by the Planning Director based on the final proposed design and its likely increased visual impact to adjacent properties or existing or future ROW. A minimum 10 foot separation shall be provided between the facility and any existing or future ROW line.
11. *Screening along the western property line:* A dense screening buffer, including but not limited to ornamental trees, shrubs and ground covers, shall be provided along the western property line and a portion of the northern property line to minimize the visual impact of the proposed western water quality measure to the neighboring community.
12. *Chestnut Lane 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 Chestnut Lane:
    - The **eastern access** shall be a full movement access. The existing taper shall be re-striped and a left turn lane with appropriate stacking shall be provided to serve the property.
    - The **western access** shall be a right in/right out access, with a 150 foot long median, measuring 5 feet in width designed to impede a left turn out of the development. In the future event the parcel(s) on the south side of Chestnut Lane develops, the median may be removed and the appropriate turn lanes, stacking and tapers may be installed per NCDOT and Town Engineering standards, at the expense of the developer.

    All required roadway improvements shall be constructed and any associated public ROW dedicated prior to the issuance of Town Zoning Compliance for any home unless a phasing plan is approved by the Town of Indian Trail Engineer and the North Carolina Department of Transportation (NCDOT). All roadway improvements shall be constructed to the Town of Indian Trail and NCDOT standards.

13. *Chestnut Lane Frontage Improvements:* Frontage improvements along Chestnut Lane shall be provided and include an 8' sidewalk, street trees, decorative street lights (i.e., Duke Energy Deluxe Acorn fixture or similar) and curb/gutter. A minimum ROW measured 57.5 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 unless a phasing plan is approved by the Town of Indian Trail Engineer and NCDOT.
14. *Fencing:* Where feasible, an agricultural style fence or similar mimicking the existing fence shall be incorporated within the community and/or along the property on Chestnut Lane so as to preserve the existing character of that corridor.
15. *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, sidewalks on each side, 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. The intersection of the interior road and the western access road shall provide 3-way stop conditions and raised intersection. All roadways shall be constructed in accordance with Town Engineering Standards.
16. *Revocation:* The Town Council may act to revoke the conditional zoning district designation if the applicant fails to meet the terms of the district.

Staff Coperine then read the consistency of findings with the comprehensive plan into the record. The recommendation from Staff was that findings can be made to support a conditional zoning for the subject property. Staff Coperine concluded the presentation.

Board Questions:
Member Rosenberg asked if any fencing was required in the rear of the properties. Staff Coperine answered that there were no requirements. It would be up to the owner of the property to erect a fence, if they chose to do so. Chair Cowan asked if there was more information on feedback from meetings on the subject of the Town's tree ordinance. Staff Coperine explained that the project would need to meet the requirements of the present Tree Ordinance at this time and would be addressed at the site plan approval phase. No further questions from board.

Eric Sowers from the development team introduced Larry and Scott Vickery, owners of the subject property. Members of the team as well as Caprock, LLC and addresses are as follows:

Eric Sowers-6309 Highview Rd. Weddington, NC (with Caprock)
Larry Vickery- 1400 Chestnut Ln. Indian Trail, NC (owner of property)
Scott Vickery- PO Box 186 Indian Trail, NC (owner of property)
Tom Wright- 2009 Nolan Park Ln. Charlotte, NC (architect)
Brian Smith- 1318 Central Ave. Charlotte, NC (engineer of the site)
Ryan Lambert- 2714 Normandy Rd. Charlotte, NC (with Caprock)
Kyle DiPretoro- 2401 Dunavant St. Charlotte, NC (with Caprock)
Andrew Cox- 2401 Dunavant St. Charlotte, NC (with Caprock)

Opened Public Comment
All members of the development team stated that they were available for questions. There were no additional questions from the Board.
Closed Public Comments

Board discussion:
Chair Higgins asked if residents would be allowed golf carts. Staff Burhans stated that absent of a local law allowing such, golf carts are not permitted on public streets under North Carolina State Regulations.

Residents were present that support the project. Board Member Higgins stated that at the Community Meetings she spoke with the residents present at Planning Board meeting and they stated to her they preferred residential development instead of commercial development entitled the property. All board members present spoke in support of the project.

Motion:
Motion to recommend approval with draft conditions by Dr. Shamir Ally, seconded by Chair Cowan. Vote was unanimous.

PLANNING REPORT
The Planning Report was given by Planning Director Rox Burhans.

- Trunk or Treat Festival will be held Oct 23rd at Chestnut Square Park.
- Dog Park at Crooked Creek Park will open Nov 30. It will have secure access. Rules and procedures for it can be found on the Town website.
- Old Monroe Road widening project- have committed to completion of the project in one single phase. 2020 -2022 is the current time frame for right of way acquisition to completion of the project.
- US 74 superstreet project- start in Spring of 2016.
- Replacement of the bridge on Indian Trail Rd near IT Elementary School is planned for the Spring of 2016.
- Plyler Rd Town Homes- construction plans will be submitted in the next several weeks.
- Town and NCDOT are looking at Sardis Church Rd and Unionville-Indian Trail Rd to reconfigure and signalize the intersection.

Staff Burhans will research how long the bridge replacement project will take, any additional further information for Indian Trail residents, checking particularly for residents on Keowee Circle and the area neighborhood to see if they will still have access at their other entrance on Old Monroe Rd.

Chair Cowan mentioned that it busy at the Walmart location on US 74 and is not well-lit at night at the construction area site. The fencing at the site has some gaps. Staff Burhans ensured Planning staff would reach out to the construction team of Murphy Oil project to make sure the issues are addressed.

Chair Higgins added that the Centralina Council of Governments workshop was well attended by Indian Trail Staff and board members. Indian Trail was setting the precedent in procedures and ordinances. Member Ally stated that packets and data are provided well ahead of meetings.

ADJOURN
Motion to adjourn by Member Rosenberg, seconded by Member Higgins. Vote to adjourn was unanimous. Meeting adjourned at 7:38pm

Chairman: Patricia S. Cowan

Date: 12-15-2015

Secretary: Pamela L Dowd