Town of Indian Trail

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

PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT
PLANNING BOARD MINUTES
June 16, 2015
6:30 P.M.

CALL TO ORDER Acting Chair Cathi Higgins called the meeting to order at 6:30pm.

ROLL CALL The following members of the governing body were present:
Board Members: Cathi Higgins, Kelly D'Onofrio, Alan Rosenberg, Steve Long, Sidney Sandy, and Jorge Aponte.
Members Present but not Voting: None.

Absent: Patricia Cowan, Larry Miller, Jan Brown, and Dr Shamir Ally.

Staff Members: Rox Burhans-Planning Director, Kevin Icard-Senior Planner, Gretchen Coperine- Senior Planner, Donna Cook-Associate Planner, Lindze Small-Planner/GIS Technician, Pam Good- Board Secretary

APPROVAL OF MINUTES - May 19, 2015
Motion to approve minutes by Member Long. Seconded by Member Sandy. Approval was unanimous.

PUBLIC ITEMS
A. CZ2011-002M Modification to a conditional rezoning. Staff Icard was presenting and gave the background of the request. He showed the aerial image of site which was also in the staff report. Staff Icard showed the Zoning Map to the board members. Site photographs were shown as well as a sub regional map which showed other auto related businesses in the area.

Comments from Outside Agencies The Town routed plans to solicit comments from the Union County Fire Marshal, Union County Public Works, and North Carolina Department of Transportation. Representatives from each department have responded that they did not have any comments or concerns with the proposed rezoning request. Adjacent owners were notified and no concerns were noted.

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

Land Use and Housing Goal #1:
The proposed amendment to the existing conditional zoning district will avoid potential land use conflicts and reductions to property values based on the Impact Statement prepared by a licensed real property appraiser stating that the use will not be detrimental to adjacent properties.

Economic Development Goal #1:
The proposed modification to the existing conditional zoning district will create a more balanced tax base by promoting the occupancy of a previously vacant building in an existing business park. It will also expand the list of possible business types that could locate on the large commercial development site.
The request for this modification to the existing 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 area of Land Use and Economic Development and is consistent with the adopted plans within the Town.

Draft Conditions
Staff is suggesting the following conditions for **CZ2011-002 Conditional Zoning Regional Business District (CZ-RBD) 140 Corporate Boulevard and 123 Associates Lane**

Revised Draft Conditions

1. All conditions approved in CZ2011-002 shall continue to apply except as modified in Condition 2.c below related to Motor Vehicle Repair Shop uses at 123 Associates Lane.
2. All uses currently allowed "By Right" and "Special Use" in the Regional Business District (RBD) be allowed for the subject parcels as a CZ-RBD except for (please reference UDO 520.020G Allowed Uses Table and Standards):
    a) Adult Use
    b) Light Equipment Sales
    c) Motor Vehicle Repair Shop *(140 Corporate Blvd only.)*
    d) RV and Boat Storage
    e) Vehicle Storage and Towing

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

Board discussion:
Member Long asked how to recycle waste and anti-freeze. That question would be answered when the applicant stepped forward. Member Rosenberg asked what type of fencing will be on the site. Staff Icard replied that it could be wood or PVC, powder coated, or vinyl coated but not the typical galvanized, chain link fence or barbed wire. Member Rosenberg asked if there are requirement for any type of screening. Staff Icard answered that it is an existing site and there would be no further requirements.

Opening of Public Comments:
Jerry Roach of 3701 Gribble Rd and Owner of East Carolina Automotive stated that he has been in business for 10 yrs and has outgrown the present facility. He stated that he is planning to put screening on the inside of the fencing. He also stated that he did have the impact statement done and the use is comparable to other businesses already in the area. He mentioned his business uses a company called "Renewed Resource" that collects waste antifreeze and a company called "Crystal Clean" that collects the waste oil.
Member Sandy asked if Mr. Roach was moving his complete operation from Gribble Rd. He answered in the affirmative.
Tripp Melton of 2007 Terrapin St. who is with Syndicate Real Estate, spoke about working with the applicant and that Mr. Roach wanted to stay in Indian Trail. The building suits the applicant's needs.
Chris Wannamaker, broker for Stuart White, of 333 W. 7th St. Charlotte spoke that he has not been the only automotive business to look at the building.

Closed Public comment

Board Discussion:
Board was unanimous in positive comments about this request.

Alan Rosenberg made a motion to approve CZ2011-002M. Seconded by Sidney Sandy. Board voted unanimously in favor of the motion.

B. ZM2015-001was a request to rezone a parcel of land (approx. 16.82 acres) to the Regional Business District. A majority of the site was annexed in 2013 from Union County. The reaming portion was originally within the Town of Indian Trail. The existing zoning is a combination of SF-1, Single Family (1.48 acres) and R-20, Union County Residential (15.34 acres). The 2013 annexation approval incorporated a deferred effective date, which is the reason this request is being brought before the Board at this time.

Staff Coperine gave the background and showed the board a map of the site property. She indicated that this is not a conceptual plan but a zoning map designation application. Staff Coperine also stated that it is consistent in use with the area around it.
Staff Coperine showed a power point of a list of possible uses for the subject property.
Acting Chair Higgins asked how far the Chestnut Square playground would be from the subject property. Staff Coperine answered approximately 500 feet.
A community meeting was held on May 14, 2015 at the Town of Indian Trail's Civic Building. No members of the public attended and no public comments were received before or after the community meeting.

Required Consistency Findings
Staff recommends the following findings be made:
Land Use and Housing Goal #1: The proposed rezoning allows businesses that would benefit the immediate area as well as neighboring communities.
Land Use and Housing Goal #4: The proposed rezoning is consistent with land uses and transportation improvements along Highway 74 that promote mixed uses in keeping with sustainable land development principles.
Mobility and Transportation Goal #5 and Economic Development Goal #1: The proposed Regional Business District (RBD) zoning designation allows businesses to develop along Highway 74 which support and foster continued economic growth along the corridor as envisioned in the U.S. 74 Corridor Revitalization Study.
Economic Development Goal #5: The subject property serves as a gateway to Downtown Indian Trail and the proposed zoning promotes business uses which would attract patrons into Downtown.
The request for this zoning reclassification is a reasonable request and is in the public interest because it promotes the goals of the adopted Indian Trail Comprehensive Plan in the areas of *Land Use and Housing, Mobility and Transportation, and Economic Development* and is consistent with the adopted plans within the Town of Indian Trail.

Staff Recommendation Staff recommends the Planning Board receive the report and recommend approval to the Town Council as presented.

Staff Coperine concluded her presentation with the statement that the applicant does have an application which was mistakenly left out of the staff report packet previously handed out to the board members.

Board questions:
Member Long asked if this was part of the Lemmon property. Staff answered yes.
Discussion about the delay in zoning and Staff explanation about the reasoning followed.

Open and close of public comments

Acting Chair Higgins mentioned the tax benefit to the Town. The change will take the tax burden from residential to commercial.
Member Long made a motion to approve ZM2015-001 as read into the record. Member Sandy seconded the motion. The vote for approval was unanimous.

C. ZM2015-002 Matthews-Indian Trail Rd-proposed rezoning for a 14.5 acre property to Institutional Zoning District.
Staff Burhans was presenting and proceeded to give a power point presentation overview of the site property.

Project Area Zoning
Staff Burhans also gave street view of site property. He showed a 1960's aerial map of the subject property which was used for agricultural purposes at that time. Staff Burhans also showed an image from thr year approximately 2011 what is now Chestnut Square Park which included mix of active and passive play. This was part of a master plan. Present subject property hasn't been developed. A community center type use was envisioned. Staff Burhans showed a present plan that would include a Town Hall which would also be used as a community center.

Staff Burhans gave an Institutional District Overview. He gave examples of types of uses and stated that it is generally not commercial business such as retail stores.

The Town held a community meeting on June 2nd in which five citizens attended. A lively discussion was held on various topics, but there were no comments related to the institutional zoning district.

Comprehensive Plan The subject property is located within the Downtown area of the Indian Trail Comprehensive Plan. The Downtown Master Plan was adopted in 2006 with considerable citizen feedback and support. It is envisioned that Downtown Indian Trail could be the centerpiece of the Indian Trail and western Union County area. The Downtown Village contemplates an active mix of office, commercial, dense residential and civic/public uses. The Comprehensive Plan update specifically contemplated the future use of the rezoning subject property for civic/public uses. The rezoning of the subject property from Single Family Residential to Institutional District would be consistent with the Downtown area plan.

Staff Burhans read the draft findings into the record.

Recommendation Planning Staff believes that the findings can be made to support the petition requesting a rezone to an Institutional Zoning Classification on the subject property.

Board Questions:
Member Long asked about the option 2 plan that was on a comment sheet from the community meeting. Staff Burhans rendered a guess about the comment.
Member Long and Member Higgins stated that both recognize the present rendering as the one they remember.
Member D'Onofrio asked if there were any responses from area neighbors. Staff Burhans responded that one neighboring business owner and a neighboring property owner and seemed to have positive sentiment about the changes. One person expressed concerns about the location of the Town Hall versus other potential sites.
Staff Burhans spoke about the potential opportunities for community space for public groups to use.
He also stated that the board is only approving a zoning change; not committing to a certain building on the property.

Acting Chair Higgins asked if anything on the list under industrial zoning could be built in the event of rezoning. Staff Burhans answered in the affirmative.
Staff Burhans stated that the Town is subject to the same requirements as other non-residential development plan. Acting Chair Higgins asked about the property and potential taxes. Staff Burhans replied that no taxes are paid since the Town has already purchased the property.

Opened and closed public comment.

Member Long made a motion for approve ZM2015-002 as recommended. Member Rosenberg seconded the motion. Approval was unanimous.

PLANNING REPORT

-Donna Cook, Associate Planner, was introduced.
-Grand Opening of Crooked Creek Park which was a successful event.
-Town's Website: created Public Notices link on the main page
-Design Standard's Legislation SB#25 takes away ability of local government to design standards
-Comprehensive Plan and zoning-initial discussion about general inquires as in 7103 Oak Springs Rd. which is currently zoned SF-1, a potential buyer is interested in changing zoning of property light industrial zoning.
Also, because of Monroe Bypass coming near, Staff was seeking initial thoughts about a reconsideration of zoning.
Board discussion followed.
Acting Chair Higgins would rather see the zoning changed to light industrial than SF1 to SF4 or 5 where it would affect the schools for more children. Questions followed about where would someone get to the interchange, or if there were any other light industrial touching the property. Staff Burhans stated that there is no natural creek as divider. Member Rosenberg stated that rezoning as light industrial would be a good thing as value of property will increase around it. Acting Chair Higgins stated that we will never see it get developed as SF1. Member Long would be good for IT tax base. Board generally felt positive about the rezoning.

ADJOURN

Member Rosenberg made a motion to adjourn. Seconded by Member Aponte. Approval was unanimous.
Meeting adjourned at 8:30pm

Chairman: Patricia S. Cowan

Secretary: Pamela J. Bond