



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

PLANNING AND DEVELOPMENT DEPARTMENT

## Conditional Zoning Staff Report

<b>Case: CZ 2009-003A 215 Rowell Drive</b>		
<b>Reference Name</b>	Rowell Drive Architectural Modification	
<b>Request</b>	Proposed Zoning	Conditional Zoning - Regional Business District (CZ – RBD)
	Proposed Use	Commercial
<b>Existing Site Characteristics</b>	Existing Zoning	Conditional Zoning - Regional Business District (CZ – RBD)
	Existing Use	Vacant Building under construction
	Site Acreage	3.16 acres
<b>Applicant</b>	Rick Strawn	
<b>Submittal Date</b>	7/26/12	
<b>Location</b>	215 Rowell Drive	
<b>Tax Map Number</b>	07-084-405G	
<b>Plan Consistency</b>	Town of Indian Trail Comprehensive Plan	Highway 74 Corridor
		Consistent with Request
<b>Recommendations &amp; Comments</b>	Planning Staff	Recommends approval for CZ2009-003A Modification

### Project Summary

Request: To modify the original conditional rezone (CZ2009-003) of the parcel at 215 Rowell Drive. The request is a modification to the approved architectural elevation for the property currently under development.

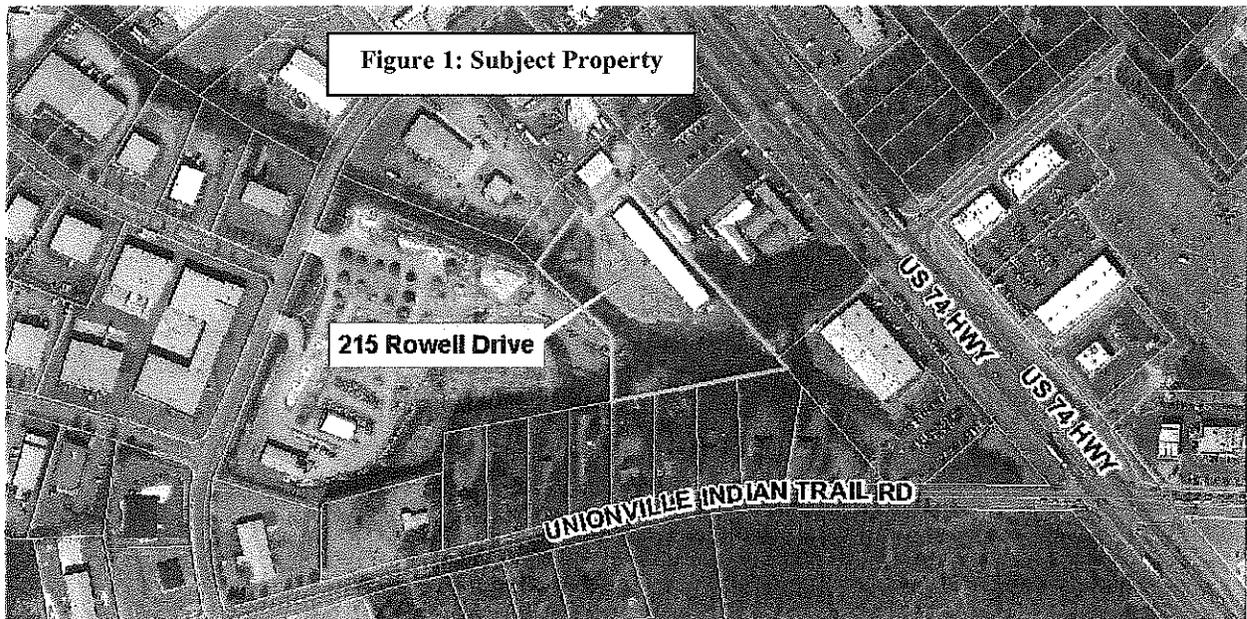
### Staff Recommendation

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

## General Information

The subject property is approximately 3.16 acres located at the end of Rowell Drive. There are a variety of businesses in close proximity including restaurants, auto repair, recreation, office, and assorted retail sales. Rowell Drive is a private road situated adjacent to Highway 74 off of Corporate Boulevard (Figure 1). The site plan was approved in March 2009 and a Conditional Zoning CZ2009-003 was approved in May 2010. Both approvals included an architectural rendering consisting of brick, glass and stucco along the 300 foot façade facing the parking lot (Figure 2, Attachment 2).

The site began development in 2010 and is nearing completion. The building was built with a brick and stucco finish along the shorter side facing Rowell Drive, but the majority of the long side facing the parking lot was constructed with metal siding. The applicant has submitted photographs of the building as an updated elevation for consideration of approval (Attachment 1).



of the properties were ever to expand. It would also bring an existing non-conforming lot into conformity for the front and side setbacks on Lot A (Table 2)

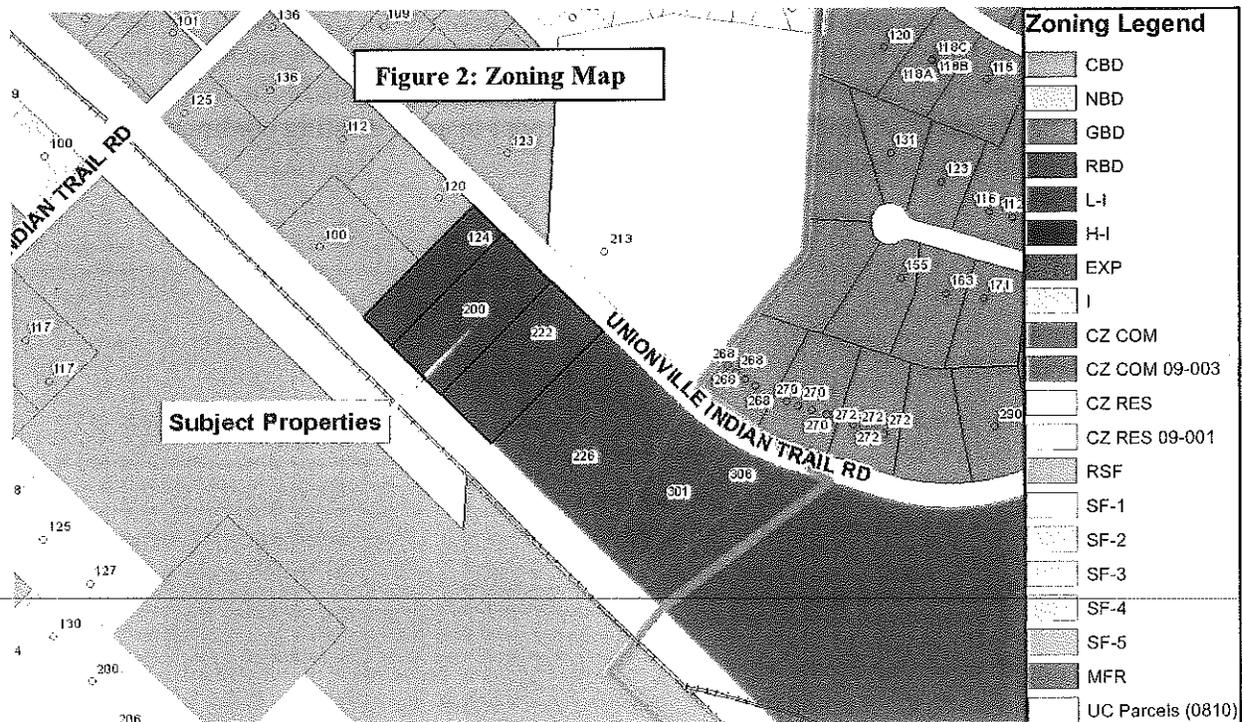
**TABLE 1: DIMENSIONAL REQUIREMENT COMPARISON**

	<b>Light Industrial</b>	<b>General Business District</b>
Lot Width (feet)	100	60
Front Setback (feet)	50	25
Rear Setback (feet)	50	12.5
Side Yard (feet)	20 (not abutting residential)	10 (not abutting residential)

**TABLE 2: APPROXIMATE DIMENSIONS OF SUBJECT PROPERTIES**

	<b>Lot A</b>	<b>Lot B</b>	<b>Lot C</b>
Lot Width (feet)	100	170	175
Front Setback (feet)	35	190	100
Rear Setback (feet)	210	110	180
Side Yard (feet)	35 and 20	40 and 65	25 and 75

There are a variety of land uses and zoning classifications in the surrounding area, including Central Business District to the west, Residential (SF-1) to the north, and Light Industrial to the east (Figure 2). The rezoning request is actually a “down zoning” from a more intense classification to less intense. The result is a smoother transition from the downtown area to more intense uses associated with and located closer to the Highway 74 corridor.



### **Site Characteristics**

The subject properties total 4.88 acres in size. They range in size from almost 1 acre to just more than 2 acres. There are three adjacent parcels that all back up to the railroad. The sites are fully developed and utilized in a mostly office environment, uses that are typically suited for business zoning rather than industrial. The subject properties are somewhat distinct in that the orientation of the parking is to the side (Lot A), front (Lot B), or rear (Lot C) depending on the parcel.

	<b>Property Owner/Land Use</b>
124 Unionville Indian Trail Road	Souder Properties/Multi-Tenant Office
200 Unionville Indian Trail Road	Spartan Properties/Office
222 Unionville Indian Trail Road	Simpson Electric/Office

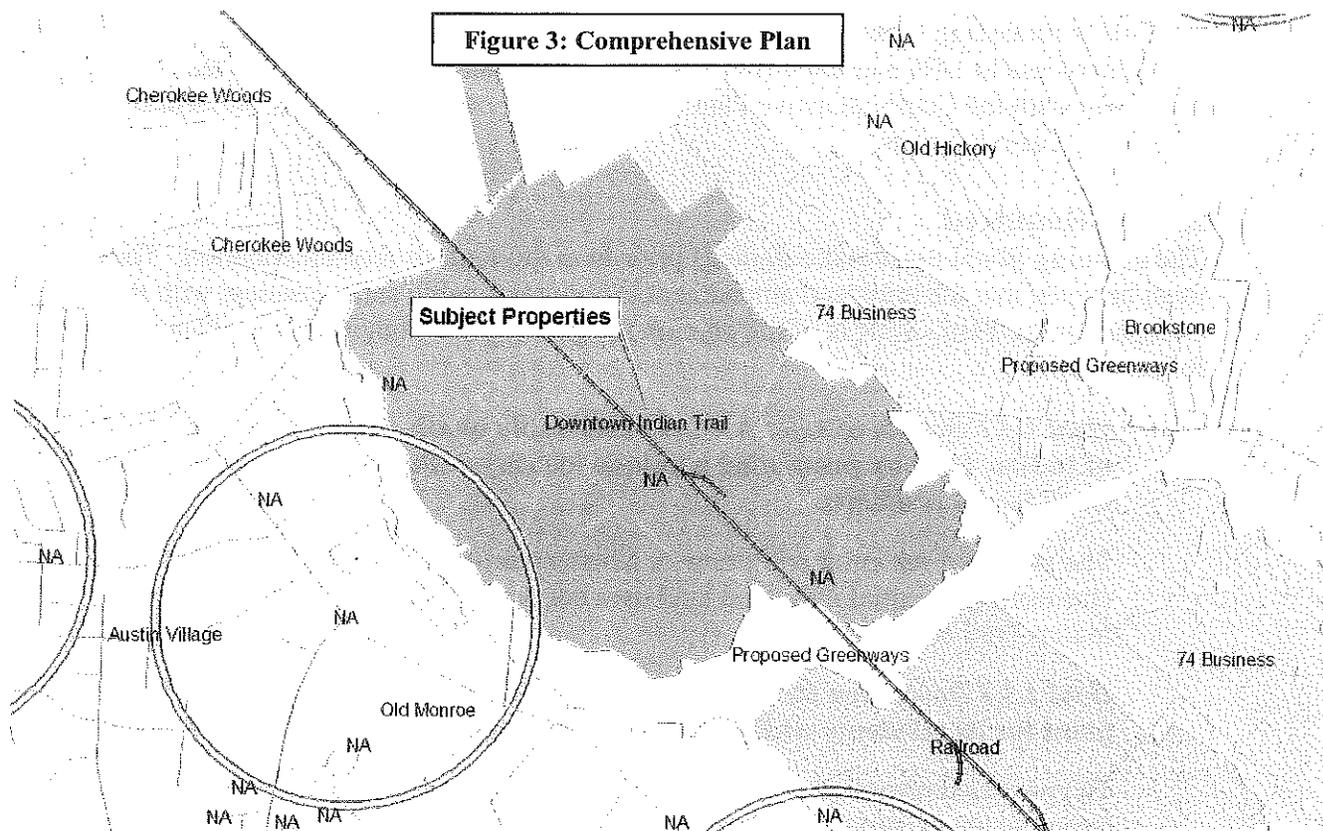
### **Letters of support**

We have received letters of support from two of the property owners (Attachment 2) and are awaiting written documentation from the third. Based on conversations staff has had and the letters of support, each property owner is in full support of the rezoning request.

### **Plan Consistency**

#### *Comprehensive Plan*

The property is located within Downtown Indian Trail land use area of the Indian Trail Comprehensive Plan (see Figure 3). This village is an area of town where the goal is to create a distinct core to represent the town's identity. The intent of the Downtown Village is to incorporate common urban designs to attract its residents while recognizing the importance of economic development. Some of the general principles applicable to the Downtown Village are to provide a variety of land uses, direct development toward existing communities, and make fair and predictable land use decisions.



All Villages within the Comprehensive Plan identify a future land use make-up. The table below provides the current make-up and future build out.

**Downtown Village Land Use Calculations**

Land Use	Current Base	Percent Base	Flexibility Factor
Medium Density Residential	42.42%	22%	
High Density Residential	4.95%	22%	
Multi-Family Residential	0%	12%	+3
Parks/Open Space/ Agriculture/ Forest	0.46%	10%	
Institutional	1.50%	8%	
Retail	14.66%	3%	+/-1
Office	0.56%	3%	+/-1
Boulevards/Thoroughfares	3.29%	5%	
Industrial	14.57%	15%	-3

This particular village calls for some industrial in the future land use, however not in this particular location. These three parcels are located in the southwest portion of the Downtown Village, but the Comprehensive Plan states industrial uses should be limited to the northeast area of the village. The proposed petition, if approved, would decrease the amount of industrial land

uses while remaining within the office threshold. The current base for the Industrial land use would decrease to 14% and the Office land use would increase to 1.1%. The rezone request is consistent with the Comprehensive Plan in the land use calculation areas and location criteria for commercial development.

### **Action Required**

The Planning Board must make findings prior to motioning for recommendation. The findings 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:

***Goal 1.3.1 Quality of Life: A more sustainable quality of life to the residents of Indian Trail by promoting a unique identity within the Town of Indian Trail for all residents.***

The proposed rezoning will promote a better quality of life for our residents by eliminating potential industrial land uses not compatible with the downtown Indian Trail environment.

***Goal 1.3.4 Downtown Revitalization: The downtown area should be a focal point for its residents while promoting existing and future businesses.***

The proposed rezoning to GBD within the O-DD Overlay will more closely resemble the existing land uses and be more compatible with the location criteria designated for the Downtown Village.

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 *Quality of Life* and *Downtown Revitalization* and is consistent with the adopted plans within the Town of Indian Trail.

### **Recommendation**

Planning Staff believes that the findings can be made to support the petition requesting a rezone from Light Industrial to General Business District within the Downtown Overlay.

### **Staff Contact**

Craig Thomas  
Junior Planner  
(704) 821-5401 ext. 238  
[cat@planning.indiantrail.org](mailto:cat@planning.indiantrail.org)

Attachment 1 - Application  
Attachment 2 - Letters of Support  
Attachment 3 - Draft Ordinance

---

**Attachment One**  
Application

ZONING MAP AMENDMENT APPLICATION



**Submittal Requirements**

- Completed Application
- Notarized signatures of applicant and property owner
- Letter of Intent
- Fees associated with review

**General Information**

Project Address 200 Unionville-Indian Trail Road

City Indian Trail State NC Zip 28079

Tax Parcel ID 07-105-012B Zoning Designation LI

Total Acres 1.92 Impervious Area \_\_\_\_\_

Project Description Rezone to GBD

**Contact Information – Applicant**

Name Town of Indian Trail

Address P.O. Box 2430

City Indian Trail State NC Zip 28079

Phone 704-821-5401 Fax 704-821-9045

Email cat@planning.indiantrail.org

**Contact Information – Property Owner**

Name Spartan Properties, LLC

Address 200 W. Unionville-Indian Trail Road

City Indian Trail State NC Zip 28079

Phone 704-821-5599 Fax 704-821-5597

Email dhelfrich@cwv-development.com

ZONING MAP AMENDMENT APPLICATION

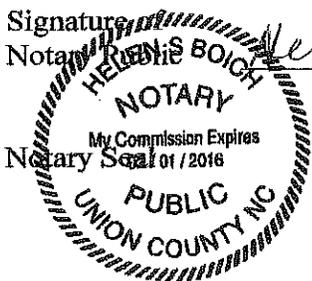


Applicant's Certification

Signature [Signature] Date 7/31/2012

Printed Name/Title Keith Sorensen, Planning Technician

Signature [Signature] Date 7/31/2012

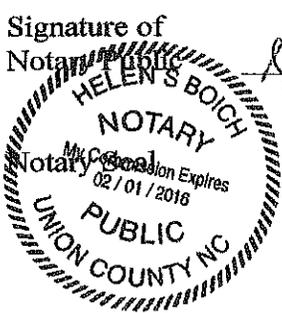


Property Owner's Certification

Signature [Signature] Date 7-31-12

Printed Name/Title JANET HELFRICH, Secretary

Signature of Notary [Signature] Date 7/31/2012



TOWN OF INDIAN TRAIL OFFICE USE ONLY

Case Number: ZM2012-003

Date Received: 7/31/2012 Amount of Fee: Exempt

Received By: K. Sorensen Receipt #: \_\_\_\_\_

---

**Attachment Two**  
Letters of Support

SPARTAN PROPERTIES, LLC  
200 Unionville-Indian Trail Rd. W.  
Indian Trail, NC 28079-9509

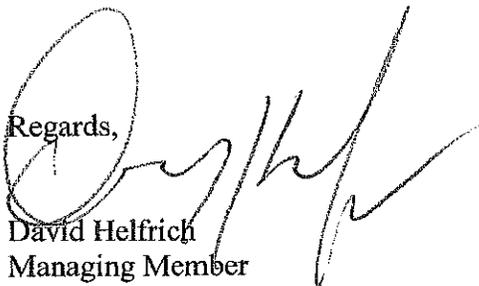
July 30,2012

Town of Indian Trail  
Planning and Development Department  
PO Box 2430  
Indian Trail, NC 28079

I, manager of Spartan Properties, LLC, am in support of the proposed rezoning to the General Business District (GBD) and do not have any concerns with the Town of Indian Trail pursuing the proposed rezoning to GBD.

Regards,

David Helfrich  
Managing Member

A handwritten signature in black ink, appearing to read 'D. Helfrich', is written over the typed name and title.

August 2, 2012

Rox Burhans, Senior Planner  
Town of Indian Trail  
P.O. Box 2430  
Indian Trail, North Carolina 28079

**Re: Rezoning of 124 Unionville-Indian Trail Rd. To General Business District (GBD)**

Dear Mr. Burhans:

This is a follow up to our earlier conversation regarding the Town's proposed rezoning along Unionville-Indian Trail Road. I am the owner of the property located at 124 Unionville-Indian Trail Road (parcel 0711007A) and fully support the Town's proposed rezoning of my property from Light Industrial (LI) to GBD.

Please feel free to contact me at 704-293-3686 should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Souder', written in a cursive style.

Steve Souder  
Souder Properties Inc.

---

**Attachment Three**  
Draft Ordinance



Trail Comprehensive Plan in the areas of Quality of Life and Downtown Revitalization and is consistent with the adopted plans within the Town of Indian Trail.

WHEREAS, the Town Council held a public hearing on October 9, 2012 to consider said request, received public testimony, and recommendation of approval from the Planning Board; and

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

**NOW, THEREFORE, IT SHALL BE ORDAINED** by the Town of Indian Trail Town Council that:

Section 1      ZM 2012-003 rezone petition be granted and the Zoning Map shall be amended to reflect the General Business District/Downtown Overlay (GBD/O-DD) zoning designation for parcels 07-111-007A, 07-105-012, and 07-105-012B.

**AND IT IS SO ORDAINED** this 9<sup>th</sup> day of October, 2012.

TOWN OF INDIAN TRAIL COUNCIL

\_\_\_\_\_  
Honorable Michael Alvarez, Mayor

Attest:

\_\_\_\_\_  
Peggy Piontek, Town Clerk

