



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.

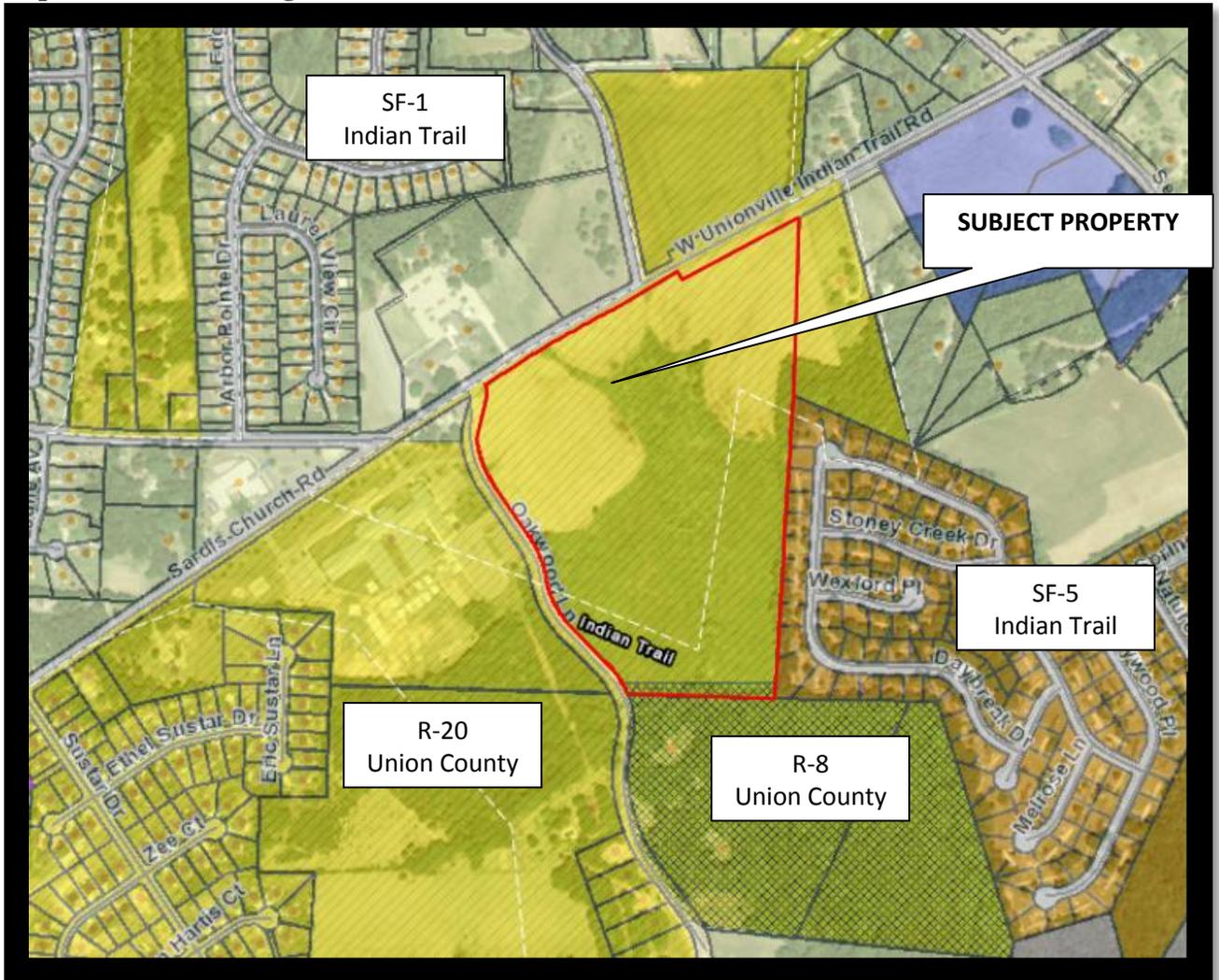
Location Characteristics and Surrounding Zoning

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

CL 3136 \$1988.25



PLANNING AND NEIGHBORHOOD SERVICES

PO Box 2430

Indian Trail, NC 28079

Telephone (704) 821-5401

Fax (704) 821-9045

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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 (2-3)

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 Trail 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

CONDITIONAL ZONING APPLICATION

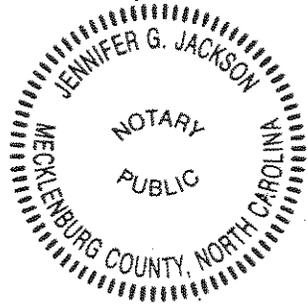
Applicant's Certification

Signature W. Martin Davis Date 3/15/16

Printed Name/Title MARTY DAVIS - DIRECTOR OF DEVELOPMENT

Signature of Notary Public [Signature] Date 3/15/16
Exp 11-12-19

Notary Seal



Property Owner's Certification

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

Printed Name/Title Frank W Honey Alison S. Howey

Signature of Notary Public [Signature] Date 3/14/2016
My commission expires 2-27-2017



TOWN OF INDIAN TRAIL OFFICE USE ONLY

CASE NUMBER: CZ 2016-004

DATE RECEIVED: 3.18.16

AMOUNT OF FEE: \$1988.25

RECEIVED BY: [Signature]

RECEIPT #: [Signature]

SCHEDULE

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.



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 Trail, 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.

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

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03-13-16 P04:44 IN



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

Attention: Town of Indian Trail
Mr. Gretchen Coperine

hand deliver

Date: 03-18-2016
 EEI Job Number: 5666
 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 Built 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)607-2000

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[Print a Pre-Populated Annual Report form](#)

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

STATE OF NORTH CAROLINA)
)
TOWN OF INDIAN TRAIL)

ORDINANCE # **DRAFT**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF INDIAN TRAIL REZONING PARCEL 07045001 FROM SINGLE FAMILY DISTRICT R-20 UNION COUNTY TO CZ- SF-5 SINGLE FAMILY DISTRICT WITHIN CROOKED CREEK VILLAGE, IN THE TOWN OF INDIAN TRAIL, UNION COUNTY, NORTH CAROLINA

WHEREAS, the applicant M/I Homes of Charlotte, LLC., on behalf of the property owner Franklin W. Howey, petitioned to rezone parcel 07045001 from Single Family District R-20 Union County to a Conditional Zoning District CZ-SF-5 Single Family District for the purpose of developing 92 single family detached units; and

WHEREAS, this Conditional Zoning Amendment (CZ2016-004) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, two community meetings were held on June 7, 2016; and

WHEREAS, a public meeting was held by the Planning Board on June __, 2016 to consider this conditional zoning request; and

WHEREAS, the Planning Board after hearing the case and public comments found the proposed map amendment is consistent with the following goals of the Comprehensive Plan:

- *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 it 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.

WHEREAS, after making the draft findings the Planning Board **approved/denied** __ to __ the motion to transmit a recommendation to approve as conditioned to the Town Council; and

WHEREAS, the Town Council held a public hearing on **July __, 2016** to consider said request 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 Council of the Town of Indian Trail, North Carolina that it hereby takes the following action:

Section 1 – Approves CZ 2016-004 Conditional Zoning Petition thereby granting the Zoning Map amendment to establish Conditional Zoning District of CZ-SF-5 for the purpose developing 92 single family residential detached units and subject to the following conditions:

1. *Subject Parcel:* 07045001
2. *Permitted Uses:* The permitted use on the subject property is single-family detached residential and accessory uses as permitted the UDO.
3. *Permitted Number of Units:* The maximum number of units on the subject development shall not exceed 92 single-family detached dwelling units.
4. *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	8,000 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.				

5. *Conceptual Plan:* The proposed single-family development and associated improvements shall comply with the conceptual plan attached herein as Exhibit 1.
 - a. *Open Space:* All open space areas shall be generally consistent with the layout reflected in Exhibit 1 and shall contain trees and shrubs, as well as passive recreation fixtures where feasible.
6. *Architecture:*
 - a. All homes shall be built in general accordance with the elevations in Exhibit 2. Exterior elevations shall contain a mix of least two of the following building materials:
 - Brick or stone
 - Shake details
 - Board and batten
 - Horizontal siding
 - *Vinyl siding and synthetic stucco is prohibited. Vinyl may be used in soffits or in widow framing and similar trim areas.
 - b. Exterior elevations shall also contain at least two of the following architectural details:
 - Decorative porch columns

Upgraded decorative front doors with glass on top to meet the intent of a transom
Grill between glass (GBG) windows on the front elevation
Window pediments
Gable brackets
Shutters

- c. All homes shall have a minimum of 8” wrap of brick or stone materials at the base on the front and sides of any exposed mono foundation.
 - d. *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 details, shall be built on lots adjacent to or directly across from each other.
 - c. There shall be no blank walls on any side elevations. Side elevations must contain at least one window.
 - e. *Mailboxes:* A decorative cluster mailbox must be provided, as generally depicted in the conceptual plan.
7. *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.
8. *Perimeter Landscape Buffer:* A 20 foot perimeter landscape buffer including trees and shrubs shall be provided as generally depicted on the concept plan (Exhibit 1).
9. *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 including littoral plantings. 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.

10. *NCDOT 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.

The developer, its successors or assigns 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, its successors or assigns 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.
- 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.

All required roadway improvements shall be constructed and any associated public ROW dedicated prior to the issuance of Town Zoning Compliance for any home. All roadway improvements shall be constructed to the Town of Indian Trail and NCDOT standards.

11. *Frontage Improvements Unionville Indian Trail Road:* Frontage improvements along Unionville Indian Trail Road shall be provided including sidewalk, curb/gutter and street lights. A minimum ROW measured 57.6 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.
12. *Frontage Improvements Oakwood Lane:* Frontage improvements along Unionville Indian Trail Road shall be provided and include a 6' sidewalk, and street lights and curb/gutter. A minimum ROW measured 30 feet from the center line of the existing road shall be provided and dedicated to the Town of Indian Trail 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.
13. *Offsite Sidewalk Improvement on Sardis Elementary School:* If feasible and approved by Union County Public School (UCPS), a sidewalk, walkway or similar improvement shall be built on the Sardis Elementary School property that provides pedestrian connectivity between the subject development and the school entrance. The exact location and length of the sidewalk, walkway or similar improvement shall be determined at the Site Plan

review phase of the project and must be deemed acceptable by UCPS. This condition shall be deemed void if UCPS does not approve of the pedestrian improvements located on school property or if the developer is unable to build same due to the cost of constructing the amenity.

14. *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, 5-ft wide sidewalks, 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. All roadways shall be constructed in accordance with Town Engineering Standards.
15. *Sketch Plan Approval from Union County Public Works prior to site plan submittal.*
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.

Section 2 – This ordinance shall be effective immediately upon adoption.

AND IT IS SO ORDAINED this __ day of July, 2016.

TOWN OF INDIAN TRAIL COUNCIL

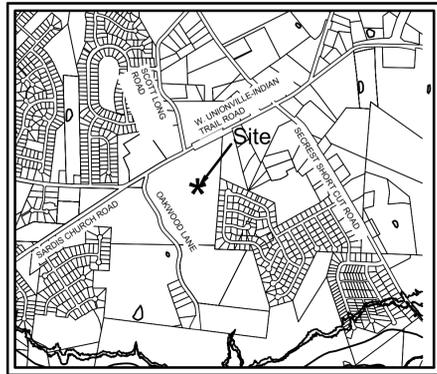
Attest:

Kelley Southward, Town Clerk

Michael Alvarez, Mayor

APPROVED AS TO FORM:

TOWN ATTORNEY



Vicinity Map
NOT TO SCALE



PROJECT ENGINEER: JOHN H. ROSS, P.E.
 DESIGN FIRM: EAGLE ENGINEERING
 STREET ADDRESS: 2013A VAN BUREN AVENUE
 CITY, STATE, ZIP: INDIAN TRAIL, NC 28079
 PHONE: 704.882.4222
 FAX: 866.775.0329

DEVELOPER: MI HOMES OF CHARLOTTE, LLC
 STREET ADDRESS: 5350 SEVENTY-SEVEN CENTER DR SUITE 100
 CITY, STATE, ZIP: CHARLOTTE, NC 28217
 PHONE: 1.704.597.4571
 FAX:
 EMAIL: MDAVIS@MIHOMES.COM
 CONTACT: MARTY DAVIS

OWNER: FRANKLIN W & ALISON S HOWEY
 STREET ADDRESS: PO BOX 426
 CITY, STATE, ZIP: MONROE, NC 28079

PROJECTED CONSTRUCTION SCHEDULE

BEGIN CONSTRUCTION	SEPTEMBER 1, 2016
END CONSTRUCTION	SEPTEMBER 1, 2018

PARCEL DATA

TAX ID #	07045001
OWNER	FRANKLIN W & ALISON S HOWEY PO BOX 426 MONROE, NORTH CAROLINA
DEED BOOK AND PAGE	DB 5025 PG 806
TOTAL ACRES	39.569 ACRES (PER FILED PLAT)
ACRES IN R/W	2.953 ACRES (PER FILED PLAT)
NET ACREAGE	36.616 ACRES (PER FILED PLAT)

ZONING INFORMATION

PROPOSED ZONING	SF-5
MIN. LOT AREA	8,000 SQ. FT.
MIN. LOT WIDTH REQUIRED	60 FT.
TYPICAL LOT WIDTH	64 FT.
FRONT SETBACK	22 FT.
REAR SETBACK	30 FT.
SIDE SETBACK	7 FT.
TOTAL LOTS	92
LF OF STREET	4,613 FT.
OPEN SPACE REQUIRED	3.5 ACRES
OPEN SPACE PROVIDED	7.75 ACRES

ESTIMATED CONSUMPTIONS

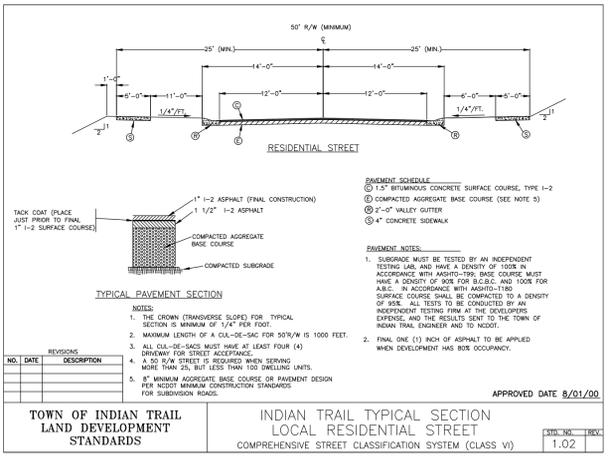
WATER	
92 SINGLE FAMILY HOMES	36,800 GPD
92-3/4" METER	
2.7 ACRES OF IRRIGATION*	4,900 GPD
1-1" METER	
SEWER	
92 SINGLE FAMILY HOMES	26,220 GPD
FIRE FLOW	
	1000 GPM AT 20 PSI

*ASSUMES ONE HALF INCH IRRIGATION OVER 2.7 ACRES WEEKLY

WATER FLOW ASSUMES 400 GALLONS PER DAY PER RESIDENTIAL UNIT

SEWER FLOW ASSUME 285 GALLONS PER DAY PER RESIDENTIAL UNIT

92 LOTS - SINGLE FAMILY RESIDENTIAL
 WATER = 92 LOTS x 400 GALLONS PER DAY
 SEWER = 92 LOTS x 285 GALLONS PER DAY (DOMESTIC SEWAGE)



REVISIONS

NO.	DATE	DESCRIPTION

TAX PID: 07045001D
 OWNER: SARDIS BAPTIST CHURCH
 DEED REFERENCE: 4154/155

TAX PID: 07045001A & 070450014
 OWNER: SARDIS BAPTIST CHURCH
 DEED REFERENCE: 177/078,
 209/470, 269/295, 820/171, & PLAT
 CAB E-110

TAX PID: 07024044
 OWNER: STAMEY NANCY ELLEN TRUSTEE
 DEED REFERENCE: 5316/879

TAX PID: 07027372
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: 07027373
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: 07027371
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: 07027374
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: 07027370
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: 07027355
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: 07027354
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: 07027353
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: 07027343
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: 07027342
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: 07027341
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: 07027331
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: 07027330
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: 07027329
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: 07027328
 OWNER: F.W. HUNTLEY CONSTRUCTION COMPANY

TAX PID: K7048019C
 OWNER: VICTORIA A. MEDFORD
 DEED REFERENCE: 235/386

Call Before You Dig!!!
 North Carolina One Call
 1-800-632-4949
 IT'S THE LAW
 http://www2.ncocc.org

GRAPHIC SCALE
 1 inch = 100 ft.



NO.	DATE	BY	ISSUE
1.	05/18/16	CAC	ADDRESS UC/PW COMMENTS
2.	06/01/16	ALR	ADDRESS UC/PW COMMENTS

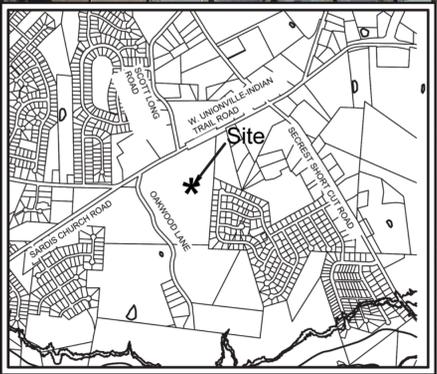
VIRGINIA TRACE
 UNIONVILLE - INDIAN TRAIL
 ROAD PROPERTY

CONCEPT PLAN

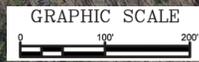
DESIGNED BY: ALR
 DRAWN BY: ALR
 CHECKED BY: JHR
 DATE: 02-26-16
 JOB NUMBER: 5666

PRELIMINARY
 NOT FOR
 CONSTRUCTION

Sheet
 EXHIBIT



Vicinity Map
NOT TO SCALE



NO.	DATE	BY	ISSUE
1.	06/18/16	CAC	ADDRESS UCPW COMMENTS
2.	06/01/16	ALR	ADDRESS UCPW COMMENTS

VIRGINIA TRACE
UNIONVILLE - INDIAN TRAIL
ROAD PROPERTY

CONCEPT PLAN

DESIGNED BY	ALR	CHECKED BY	JHR
DRAWN BY	ALR	DATE	02-26-16
AS SHOWN		JOB NUMBER	5666

PRELIMINARY
NOT FOR
CONSTRUCTION

Sheet
EXHIBIT

Sample Elevations



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
LOCATION: Sardis Baptist Church - 3602 Unionville Indian Trail Road West, Room B-112, Indian Trail, NC
TIME: 2:00pm - 4:00pm

M/I Homes of Charlotte, LLC
Parcel 07045001

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	<i>Barbara Bourance</i>	<i>5913 Oakwood Ln Indian Trail, NC 28079</i>	<i>barblourance@gmail.com</i>	<i>704 907 6576</i>
5	<i>Victory Medpe</i>	<i>5914 Oakwood Ln Indian Trail, NC</i>		<i>704-882-1297</i>
6	<i>Paul Hunter</i>	<i>5919 Oakwood Ln Indian Trail, NC 28079</i>		<i>704.882.1615</i>
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COMMUNITY MEETING

DATE: Tuesday, June 7, 2016
LOCATION: Indian Trail Cultural Arts Center Building, 100 Navajo Trail, Indian Trail, NC
TIME: 6:00pm - 8:00pm

M/I Homes of Charlotte, LLC
Parcel 07045001

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.

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3	<i>RB</i> Rox Burhans	Town of Indian Trail P.O. Box 2430 Indian Trail, NC 28079	RBurhans@planning.indiantrail.org	704-821-5401
4	Scott Herr	5350 77 Center Drive, Suite 100 Charlotte, NC	sherr@MIHOMES.com	704-376-9800
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Introduction

The focus of this report is to ascertain the impact of the 92 single family detached housing unit Virginia Trace subdivision on the elementary, middle school and high enrollment for the school years 2020-21 and 2025-26. The affected schools would be Sardis Elementary, Porter Ridge Middle School and Porter Ridge High School (given the attendance area boundaries in place for the 2016-17 school year).

These calculations assume the following:

- A. The subdivision will be built out and sold over a 3 year period (2017 through 2019) with roughly one third of the homes sold and occupied each year.
- B. The home will sell in the mid to upper \$200,000 range.
- C. The U.S. 74 bypass is completed by the end on 2018.
- D. There are no water or sewer restrictions implemented over the next 4 years.
- E. The 30 year fixed home mortgage rate stays below 5% over the next 4 years.

Methods and Data

Using single year of age data from the 2010 census and geo-coded student information by grade from the Union County Schools, yield factors by age were calculated for subdivisions in the Union County area that have similar housing unit types and sale prices (N=625 housing units) as the proposed Virginia Trace subdivision. The calculated average yield factors by housing unit were then summed into four categories, preschool (age 0-4), elementary (age 5-10), middle school (ages 11-13) and high school (ages 14-17). These yield factors were then applied to the proposed 92 housing units to be built in the Virginia trace subdivision to establish the estimated number of school age and preschool students living in the area for the 2020-21 school year. These results were then aged forward to estimate the total student impact by school for the 2025-26 school year.

Results

The results of the yield calculations by categories are as follows: Preschool - 0.32 average child per housing unit, elementary - 0.36, middle school - 0.11 and high school - 0.04.

When these yield rates were applied to the Virginia Trace subdivision, the results for the 2020-21 school year was as follows: 29 preschool students, 33 elementary, 10 middle school and 4 high school, for a total of 47 students. (see Table 1)

Given the housing unit type and price range of the Virginia Trace subdivision, the development will contain a relatively large number of preschool students by 2020. Thus the full impact of the development on school enrollment will not be seen until the 2025-26 school year.

To establish the full impact, the estimated number of students was aged forward from 2020-21 school year to 2025-26. The total estimated impact for 2025-26 is 61 students.

Table 1: Enrollment Impact

Virginia Trace Subdivision (92 units total)

Grade Level	Yield Factor	2020-21 School Year	2025-26 School Year
Preschool	0.32	29	9
K-5	0.36	33	30
6-8	0.11	10	17
9-12	0.04	4	14
Total K-12		47	61

Respectfully,

Jerome N. McKibben, Ph. D.

Senior Demographer, McKibben Demographic Research

