



P.O. Box 2430  
Indian Trail, North Carolina 28079

PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT

## Conditional Zoning Staff Report

<b>Case: CZ 2013-009</b>			
<b>Reference Name</b>	Plyler Road Community		
<b>Request</b>	Proposed Zoning	Conditional Zoning-Multi-Family Residential District (MFR-CZ)	
	Proposed Uses	378-unit Multi-Family Residential Community	
<b>Existing Site Characteristics</b>	Existing Zoning	Light Industrial - LI	
	Existing Use	Abandon Laminate Manufacturing	
	Site Acreage	27.15 acres (approximately)	
<b>Applicant</b>	Plyler Road Partners		
<b>Submittal Date</b>	November 18, 2013		
<b>Location</b>	100 Plyler Road – corner of Plyler and Unionville-Indian Trail Road		
<b>Tax Map Number(s)</b>	07-084-336		
<b>Plan Consistency</b>	Comprehensive Plan	Designation	US 74 Corridor West
		Consistent with Request	Yes
<b>Recommendations &amp; Comments</b>	Planning Staff	Recommend Conditional Approval	

### Project Summary

This is a request to rezone an existing 27.15 acre property from Light Industrial (LI) to a Conditional Multi-Family Residential Zoning District. The intent is to redevelop the abandoned industrial site to a multi-family residential community (378-units) consisting of eight (8) six-plex units proposed at the periphery of the community, and eleven (11) garden style apartment buildings within the interior of the property. The community includes two-story garage storage buildings, an amenity facility surrounded by a central lawn and tree bosque area, small pocket parks/open space areas, and security fencing placed at adjacent properties and the railroad right-of-way. Access is provided at driveway locations on Unionville-Indian Trail Road and Plyler Road with associated roadway improvements.

### Recommendation

Staff is of the opinion the necessary findings can be made to support this Conditional Zoning request.

## Analysis

### ***Background- Location Characteristics and Surrounding Zoning***

The subject property is an abandoned light industrial site, previously home to Genwove U.S. Ltd., located at the southwest corner of Unionville-Indian Trail Road and Plyler Road. The prior industrial use manufactured hardwood veneer and lumber products and had approximately 170 employees at its peak of operation. It is believed the facility closed down in 2008, sold and dismantled in 2009. The property has been for sale since 2009 by its current owners – Coldwater Veneer, Indian Trail, LLC. The image below was taken in 1993 which shows the lack of single family residential use found today within the area.



The image below provides a current 2013 aerial view of the site. Much of the original warehouse structures were removed in 2009.



The subject property still maintains a fair amount of warehouse space (approx. 145,000 sq. ft) which appears to be in a state of disrepair. There are two areas on the property that house small stands of trees. The first area is adjacent to an existing pond located at the southwest corner of the property and the second area is located adjacent to the existing driveway located on Unionville-Indian Trail Road. Based on information provided by a veteran employee of Genwove (employed 39-years at the facility), the water from the pond was used to keep the logs wet for the veneer manufacturing process.

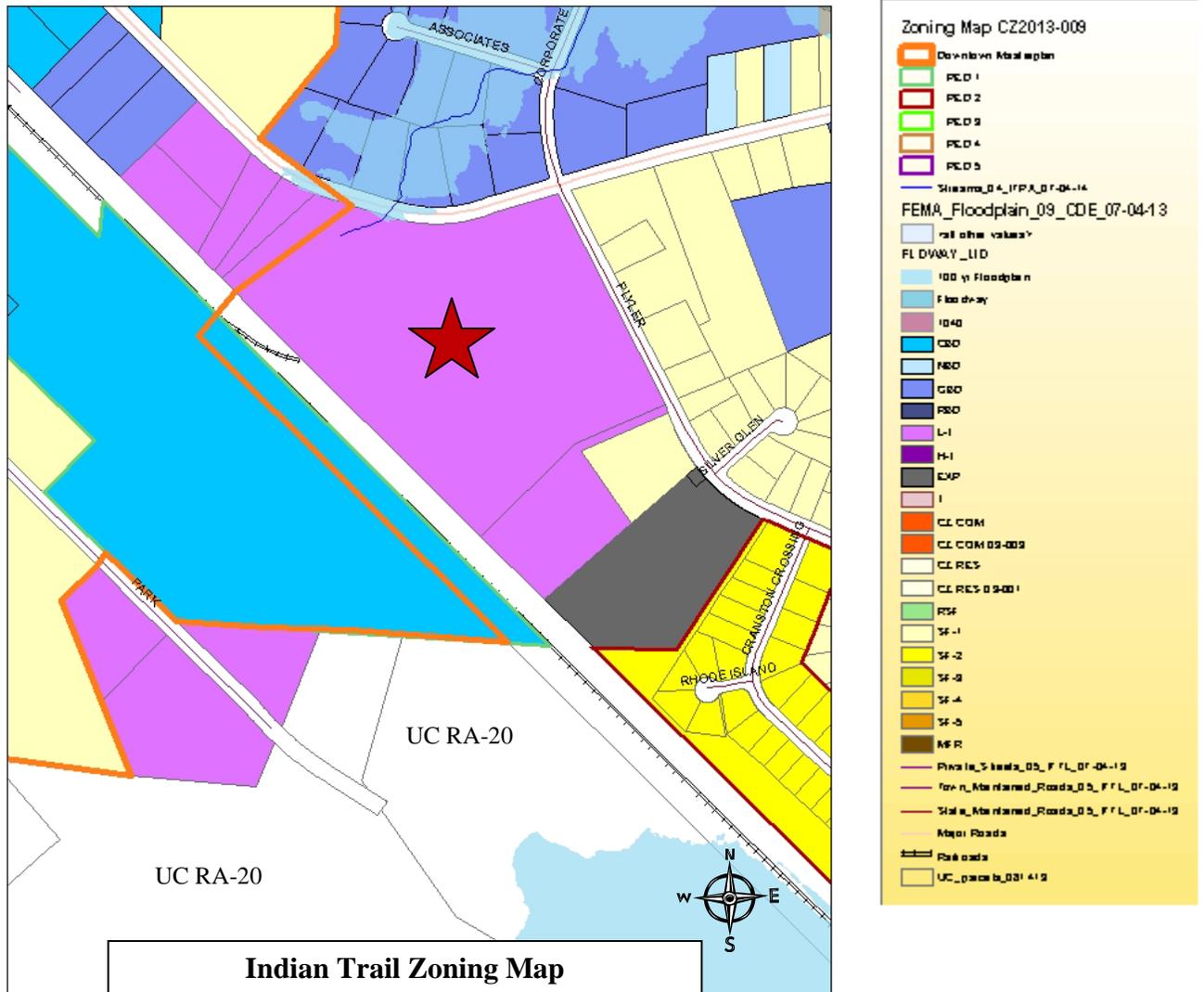


Land uses in the area vary from single-family residential to office warehouse use. The uses are as follows:

Direction	Current Use
North	Commercial/Office Warehouse/Animal Hospital- on Unionville-IT Road –
West	Residential & Commercial, light agriculture, Library
South	Railroad ROW/Future Town Center Project/ Agricultural Use/ Single- Family Residential to the southeast.
East	Coating Technologies; Single-family Residential along Plyler Rd,

The residential uses in the area are a mix of individual dwelling on larger tracts and two residential subdivisions on Plyler Road (Cranston Crossing (2001) & Ridgefield Phase I & II (1993-1997)). The Ridgefield subdivision phases are located on both sides of Plyler Road. The commercial businesses in the area vary as well from office to light manufacturing. This area is considered one of the gateways into the historic downtown area from Hwy 74.

## Area Zoning



Zoning in the area varies from single-family residential, commercial, to light industrial.

Direction	Zone Classification	Use
North	General Business District- GBD	Commercial- Office Warehouse
West	Light Industrial General Business Downtown Overlay District	Residential, Commercial Office
South	Conditional District- Town Center -PUD Union County RA-20 Light Industrial (SE Corner) Downtown Overlay District	Vacant/ Light Agriculture/ Residential/ Light Industrial
East	SF-1 –Single Family Residential	Residential Use

## Proposed Project/ Concept Plan

The applicant is proposing to redevelop this 27 + acre site to establish a multi-family residential community. The residential units are a mix of six-plex units (big house design units) and three-story garden style apartment buildings resulting in a total of 378 units for a total density of 14 units per acre. The residential community includes two-story garage/storage units located adjacent to the south and east property line adjacent to the railroad right-of-way. The community also includes a clubhouse and pool adjacent to a central lawn and tree bosque area, a small pocket park and courtyard greens between structures. Infrastructure improvements include curb, gutter, sidewalk, street lights and street trees adjacent to the street frontages, sidewalk connections throughout the community, and traffic calming bulb-outs throughout the site.



The Concept Plan provided above is a required element of the conditional rezoning application submittal. The following will provide a brief overview of key elements of the Concept Plan (Attachment 2).

1. *Site Layout:* Site access is provided on Unionville-Indian Trail Road and on Plyler Road. The six-plex units, (8-big-house design units), have been placed at the periphery of the community to mimic the existing single-family dwelling units located across the street on Plyler Road. The front facades of these units appear to be single-story while the backside of the units facing the interior reach two stories in height. There are three-story, garden-style apartment buildings (11 buildings) proposed and placed within the interior of the community. The closest garden-style building to the street frontage is approximately 200-feet. There are two-story garage/storage buildings (16 units) proposed at the south and east property line providing a buffer and sound attenuation. The applicant has restructured the bedroom mix to reduce the potential family units. The units will be divided as follows:

	Number of units	Parking Requirements	Percent
<b>330- garden apartment units</b>			
1-bedrooms	66	99 spaces	17%
2-bedrooms	215*	430 spaces*	57%
3-bedrooms	49*	122 spaces*	13%
<b>48- Six-plex units</b>			
2-bedrooms	48	96 spaces	13%
<b>TOTALS</b>	<b>378 units</b>	<b>747 parking spaces*</b>	
Guest parking (1 sp/per 4 spaces)		186 parking spaces*	
<b>*Applicant Reduced the number of 3-bedroom units</b>			
Total Parking Required	933 spaces		
Total Provided On-street and within garages	<b>762 spaces</b>		

As stated above, the information provided in the table above has been modified (\*) from its original submittal based on feedback from Town staff regarding the mix of unit types and family use. Based on the information provided above, seventy (70) percent of the overall units will be two-bedroom units, seventeen (17) percent will be one-bedroom units, and thirteen (13) percent will be three-bedroom units.

2. *Frontage Improvements:* Unionville-Indian Trail Road will be improved with curb, gutter, 6-ft. wide sidewalk, decorative pedestrian street lights, and street trees. Plyler Road frontage will be improved with curb, gutter, 6-ft wide sidewalk, decorative pedestrian street lights, and street trees. There is required right-of-way (ROW) dedication on both Unionville-Indian Trail Road and Plyler Road to meet a 2-lane boulevard design identified within the Comprehensive Plan. There are required turn-lanes into the access driveway which will be addressed within the Traffic Study Summary below.

The applicant has also committed to construct an enhanced pedestrian crossing at the intersection of Plyler/Corporate and Unionville-Indian Trail Road. This will provide pedestrian access to sidewalk located on the north side of Unionville-Indian Trail Road which continues into the historic downtown area. The crossing shall be in compliance with NCDOT and Town regulations.

3. *Interior Circulation and Parking Improvements:* Circulation within the development is provided by access drives, accompanied with parking, forming a semi-grid pattern around the buildings. Bulb-outs have been provided at intersecting drives to aid in traffic calming. The access drives will be built to emergency services circulation requirements. The project, as proposed, provides the required amount of parking spaces for the residential units (747 parking spaces required), however does not meet the additional “guest parking” required within Chapter 1020 of the Unified Development Ordinance which is one additional space per four required spaces (See table above). Therefore, the applicant is requesting the Board consider a reduction in the guest parking requirement. Town staff recently brought the Town’s parking ratio regulations to the Planning Board attention, citing recent ordinance research, drawn from experienced jurisdictions with these types of developments. Attachment 3 of this report provides a summary of our research that indicates that the Town’s parking ratio per bedroom is on the high end for the region and we are the only jurisdiction within the region that requires guest parking. Based on staff’s research, we would support the applicants request for a reduction because:

- *Our ratio per bedroom exceeds the standard for the area and the three bedroom units are limited to 13% of total units; and*
- *Our guest parking ratio represents a 25% increase to required parking which is not required by experienced jurisdictions; and*
- *The proposed garage units are designed with storage units above to meet residents' storage needs reducing the potential of residents using garages as storage.*

If the board is uncomfortable with the parking provided, parking can be gained by reducing the number of storage/garage units located at the rear and side property line. The reduction of each garage/storage unit gains 4 additional spaces. Therefore, reducing garage units could gain additional guest parking to the 15 provided, However, the community would lose the screen/sound attenuation from the railroad right-of-way and light industrial use (southeast corner) provided by the units.

4. *Open Space/Tree Retention:* The community is designed with various open space areas throughout the site. A one acre central amenity area with a central green and tree bosque area is proposed within the center of the community. There is a small pocket park ( $\approx 1/3$  acre) proposed adjacent to Plyler Road; a fountain water feature proposed at the corner of Plyler and Unionville-Indian Trail Road (slightly larger than  $1/3$  acre); a larger pond/detention feature located at the southwest corner of the community ( $\approx 1.5$  acres); another acre buffer area adjacent to the south property line adjacent to the railroad ROW; courtyard greens between the six-plex units, and smaller landscaped open areas for a total of 5-acres of open space (approximate). The development is conditioned to comply with Chapter 830- Tree Preservation Ordinance of the UDO which identifies a 15% Tree Canopy coverage requirement on the property. A tree survey and tree canopy plan is required within the site plan review process.
5. *Architectural Design (Attachment 2):* The applicant is proposing a big-house design- six plex style units in an arts & craft style with feature elements such as low pitch-gabled roofs, porch covered entryways with tapered columns, multi-paned windows, and dormers. The façade material will be a mix brick at the base, fiber cement siding (such as Hardie Board), and accent material such as vinyl cedar shake within gable areas and dormers. The three-story-garden style apartment buildings are proposed to mimic the arts in craft style with gables, tapered columns, and multi-paned windows. The exterior building material is proposed to be primarily fiber cement siding (such as Hardie Board) and brick material at the base and projection areas. These brick areas are reflected as a maroon color within the renderings. The garage/storage units are proposed to be constructed of fiber cement siding.
6. *Traffic Impact Study:* A Traffic Impact study was prepared by Davenport Engineering. This study is still under review pending final comments from NCDOT and the Town. In summary, the study identifies roadway improvements (based on projected traffic volumes), as follows:
  - a. Right-turn lane with 100-ft storage at the Access -1 location on Plyler Road;
  - b. A left-turn lane at Access-2 on Unionville-Indian Trail Road with 100-ft storage.

The study also identified the need for “background improvements” at the intersection of Matthews-Indian Trail and Indian Trail Road citing queuing issues which are due to lack of capacity for left and right turn moments. Auxiliary turn lanes are recommend at this intersection due to background traffic, and not as a result of the proposed development (Attachment 4). The Traffic Engineer will be at the meetings to explain and answer questions regarding the analysis.

The Town has had further discussions with the applicant and has requested participation in the future improvements (auxiliary turn lanes) at the intersection of Matthews-Indian Trail

and Indian Trail Road. The applicant has committed a payment of \$38,000 to be placed in an intersection improvement fund. The payment is proposed to be paid to the Town in installments over a maximum of a three year term or in full by the close of the project whichever comes first. This proposed commitment is included in the conditions of approval for the Board's consideration in addition to: the applicant is required to construct improvements identified within the Traffic Impact Analysis prepared by Davenport as approved by NCDOT and the Town of Indian Trail.

### **Comments from Outside Agencies**

- *North Carolina Department of Transportation (NCDOT):* NCDOT has provided preliminary comments in agreement with the traffic study, however, they have stated the document is still under review and has not been approved. Staff hopes to have a letter from NCDOT for the Board meeting.
- *Union County Public Works (UCPW):* The UCPW comment letter dated January 29th, 2014 that water and sewer capacity presently exists in their treatment plants to meet the projected water and sewer demands of the Development.
- *Union County Public Schools (UCPS):* UCPS has provided two comment letters, one prior to the redistricting and the second after the redistricting. The latter dated 3/10/2014 stated the following: This large multi-family development will be in the current Sardis Elementary School, Porter Ridge Middle School, and Porter Ridge High School districts. Sardis ES is below the watch level and is expected to remain so for the foreseeable future. However, both Porter Ridge MS and Porter Ridge HS are close to the watch levels. Our forecast indicates they will remain so for some time. This Fall's forecast may change for Porter Ridge, as we do not yet know how many students will take advantage of the grandfathering offered by the Board of Education. Because these two schools are near the watch level, a large development runs the risk of pushing them near or above the cap levels. This could create over-capacity problems, such as mobile classrooms, inadequate capacity for food service and restroom facilities, rationing of access to the library, insufficient parking and queuing space for parents to safely deliver or pick up their children, and inadequate planning/meeting space for additional staff.
- *Union County Fire Marshal (UCFM) & Union County Inspections Office (UCIO):* UCFM attended the community meeting with Stalling Fire Chief Charlie Porter and Hemby Bridge Fire Chief Johnny Blythe. The comments received were regarding the garage/storage unit indicating they may need to be equipped with sprinklers/and or firewall construction, the stairwells into the three story building- are recommended to be metal, they recommended hardy board wall cladding (no wood/vinyl), and the fire department connection locations and hydrant locations. *The project is condition to comply with fire construction regulations to the satisfaction of the Union County Fire Marshal's Office. They will also be required to comply with North Carolina Fire and Building Codes.*
- *Union County Sherriff Office (UCSO):* UCSO voiced concern regarding an adequate barrier between the community and the railroad right of way, adequate parking, and roadway improvements. *The applicant has proposed and the project is conditioned to provide a fence barrier around the property, the project proposes 762 parking spaces, and the project is conditioned to comply an approved Traffic Study to the satisfaction of the Town and NCDOT.*

### **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 within 500 feet (approx. 52-addresses), and posting signs on both street frontages. The first community meeting was held on-site (Genwove warehouse) on March 5, 2014 from 2:00 p.m. to 4:00 p.m. The second community meeting was held on February 19,

2014 at the Indian Trail Civic Building from 6 p.m. to 8 p.m. The following will provide a brief summary of the Town required community meetings.

- *Daytime Meeting:* This meeting was attended by approximately 15-members of the public. Discussion at the meeting focused on traffic improvements which were addressed by the Davenport Traffic Engineer, infrastructure improvements (curb, gutter, sidewalk) – residents expressed a need for sidewalks on Plyler Road, school impacts, impacts to property values, construction access on Plyler Road, impacts to properties based on the location of access driveway on Plyler and environmental questions such as possible gold mine. The minutes can be found in Attachment 5 of this report.
- *Evening Meeting:* This meeting was attended by approximately 10-members of the public. Questions raised at this meeting were similar to questions raised at the day time meeting. Additional questions were asked related to phasing of the projects, amenities, emergency plan for evacuation in case of a train derailment, security and fencing, the overall esthetics of the community, and the type of tenants this project is trying to attract. These minutes can also be found in Attachment 5 of this report.

#### **Applicant response to public comments:**

- The applicant has agreed to a construction access plan based on phasing for the Plyler Road Access location. The project will be conditioned to prohibit construction (excluding emergencies) access on Plyler Road until phase II of the project.
- The applicant is meeting with property owners located across from the Plyler Road access driveway to discuss options to limit impacts (vehicle lights, etc) associated with the driveway location. The terms have not been determined at the time of the writing of this report. The applicant will provide an update.
- The applicant is consulting with various agencies regarding evacuation process in the event of a train derailment.
- The details of the building materials have been included in the conditions of approval to include brick, fiber cement siding on all buildings.
- The applicant is seeking a determination letter from an appraisal company regarding potential negative impacts to adjacent property values as a result from a multi-family development.

#### **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 Multi-Family Residential District.

1. *Concept Plan and Architectural Requirements:* The development shall be designed and constructed consistent with the concept site plan and conditions of approval found herein. The concept plan shall be attached to the approval documents for CZ2013-009 and recorded at the Union County Records of Deeds office.
  - a. The structures shall be built in compliance with applicable fire and building codes as reviewed and approved by the Union County Fire Marshal and Building Inspectors.
  - b. The multi-family units shall be constructed with sound-attenuating wall materials to achieve a “average rating” of NC25-30 (37dB(A)) as defined within HUD Guidelines. – This guideline is used for the sole purpose of a measurable performance standard and is not associated with any funding or status of this development.
  - c. The entire property shall be fenced. The fence style may be altered adjacent to the railroad right-of-way and in screened areas to ensure an appropriate barrier is achieved. Highly visible fencing shall be decorative. Fencing adjacent to the ROW shall be an appropriate height in the arts and craft style community.

- d. The community shall be developed as a market-rate multi-family community.
  - e. The storage units located within the garage structures may not be use as habitable or office space use. Use of storage areas is restricted to tenants of the community.
2. *Exterior Wall Siding Materials:* The exterior wall materials shall consist of fiber cement siding, brick, vinyl shake as accent. The use of vinyl as a wall siding is prohibited.
  3. *Multi-family units:* The maximum dwelling units is capped at 378 units and shall be limited to the following mix:

<b><i>Garden apartment units-330 units</i></b>	
1-bedrooms	66
2-bedrooms	215
3-bedrooms	49
<b><i>48- Six-plex units</i></b>	
2-bedrooms	48

The three bedroom units may be reduced however no additional units beyond the 378 units may result from such a reduction. The maximum density is 14 du/acre on the subject property.

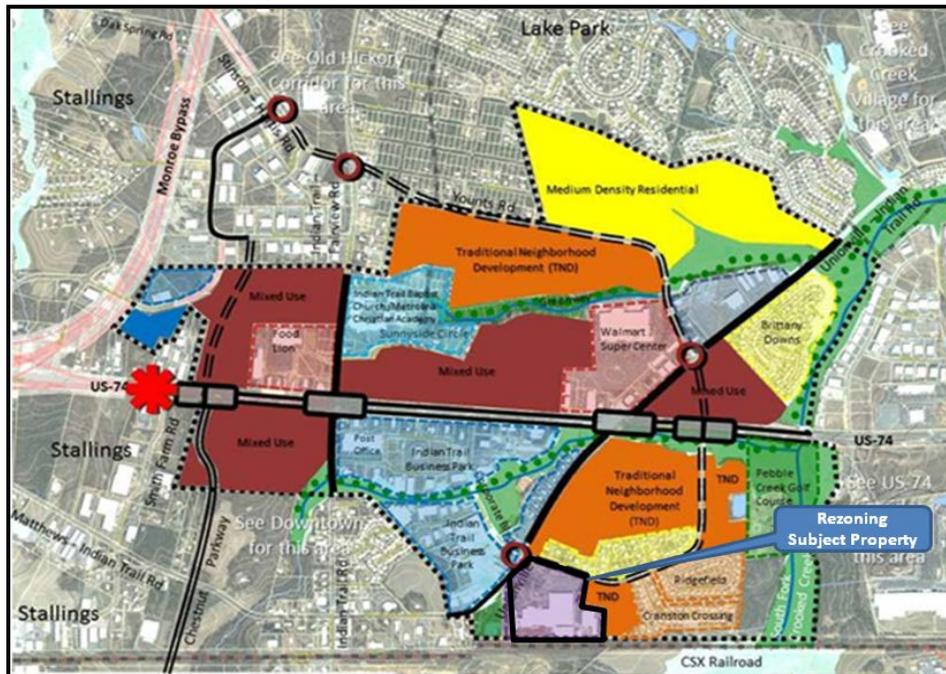
4. *Building Setbacks:* Building setbacks shall comply with the requirements of Chapter 510.040 B for the Multi-family Residential District. The proposed accessory garage/storage units shall maintain the minimum 5-ft from property line on the east property consistent with regulations for accessory structures. However, a potential of a 3-foot setback may be authorized within this area only based on request from adjacent light industrial use property owner and building and fire codes.
5. *Frontage Improvements:*
  - a. Unionville-Indian Trail Road will be improved with curb, gutter, 6-ft. wide sidewalk, decorative pedestrian street lights, and street trees. Plyler Road frontage will be improved with curb, gutter, 6-ft wide sidewalk, decorative pedestrian street lights, and street trees.
  - b. Right-of-way (ROW) dedication is required on both Unionville-Indian Trail Road and Plyler Road to meet a 2-lane boulevard design identified within the Comprehensive Plan.
  - c. The applicant shall construct an enhanced pedestrian crossing at the intersection of Plyler/Corporate and Unionville-Indian Trail Road. This will provide pedestrian access to sidewalk on the north side of Unionville-Indian Trail Road which continues into the historic downtown area. The crossing shall be in compliance with NCDOT and Town regulations.
  - d. Construction equipment associated with this development shall have restricted access on Plyler Road. The construction access for phase I of the development shall be located on Unionville-Indian Trail Road- the access on Plyer Road may only be used in the event of an emergency. Construction access for phase II may be at the Plyler Road access point. Any damage to the existing roadway as a result of said construction equipment shall be repaired prior to final occupancy of the last two buildings of the community. The roads shall remain clear of debris during construction.
6. *Traffic Study Improvements:* The applicant is required to construct required improvements as identified in the Traffic Study prepared by Davenport (10/7/2013) and by the Town and NCDOT based on their final approval of required TIA. The applicant has also committed a cash payment of \$38,000 to be placed in an intersection improvement fund for the construction of auxiliary lanes at the intersection of Indian Trail Road and Matthews-Indian Trail Road. The payment is proposed to be paid to the Town in installments over a maximum of a three year term or in full by the close of the project whichever comes first. The first installment shall be paid upon release of site plan approval.

7. *Interior Improvements:* The development shall include decorative pedestrian lighting, passive park furniture, sidewalks throughout the community, mail-box center, and enhanced trash enclosures. An amenity center with pool shall be constructed consistent with concept plan.
8. *Perimeter Landscaping:* Perimeter landscaping is required along the site frontage on Unionville-Indian Trail Road and Plyler Road. The applicant shall work with property owner located directly across from the Plyler Road access driveway to provide a healthy screen buffer to mitigate potential impacts.
9. *Open Space and Tree Retention:* The proposed community has been designed with approximately five acres of open space. The open space area shall include pedestrian lights, benches, and poop bag stations (if pets are allowed) throughout the community. Chapter 830-Tree Preservation Ordinance of the UDO identifies a 15% Tree Canopy coverage requirement on the property. A tree survey and tree canopy plan is required within the site plan review process.
10. *Stormwater Detention Pond:* The applicant shall comply with Town regulations for stormwater detention and water quality. The applicant shall consider the use of fencing around the large pond located at the southwest corner if not used as an amenity such as a fishing pond. This will be determined at the site plan review process.
11. *Overhead Utilities:* All utilities shall be placed underground within the community. Every effort shall be made to place utilities located adjacent to Plyler Road and Unionville-Indian Trail Road.
12. *Compliance with various agencies:* The project shall comply with local, state, and federal permitting regulations.
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 Consistency**

The Comprehensive Plan identifies the rezoning subject property as being within the US-74 West Corridor that generally extends between Smith Farm Road and Crooked Creek (see map below). This corridor underwent a master planning process as part of the US-74 Corridor Revitalization Study, which was a multijurisdictional study involving the North Carolina Dept. of Transportation, Union County, the Towns of Indian Trail and Stallings, and the City of Monroe. The overall goal for the study was to create a unified plan/vision for this vital corridor that would make long term improvements in the areas of transportation, land use, economic development, aesthetics, and civic identity. The study's recommendations were incorporated into the future land use map of the recently updated Indian Trail Comprehensive Plan.

## US-74 WEST CORRIDOR FUTURE LAND USE



As referenced in the above map, the CZ2013-009 subject property is identified as being within an existing Industrial land use classification (halo purple color). This classification recognizes an existing or previous industrial use and envisions its future continuation in light of consistency with existing zoning, scale of existing infrastructure, and similar considerations. At the time this land use classification was designated, continuing industrial type development on the subject property seemed probable in light of the investment made in 2009 to environmentally remediate the site, the scale of the existing manufacturing and warehousing buildings, and other site infrastructure. Previous redevelopment inquiries at the time were also exclusively of an industrial nature.

In examining the US-74 West Corridor for an appropriate non-industrial future land use classification for the subject property, the most appropriate classification would be Traditional Neighborhood Development (TND). This land use classification envisions higher density residential uses intermingled with limited amounts of office, retail, and institutional type uses to help create a lively, walkable environment that is primarily of a residential character. The higher density residential uses within this classification are intended to locate close to a Town Center or Downtown environment and act as a buffer for single-family uses. The TND land use classification abuts the rezoning subject property to the east and generally characterizes this area within the US-74 West Corridor. The subject property's location and proposed use as an apartment community lends itself to serving as a prominent gateway into the Indian Trail Downtown, while also serving as a buffer to the Ridgefield and Cranson Crossing neighborhoods.

Residential density within the TND classification generally ranges between 7 to 18 units per-acre with the highest end of this density being appropriate for properties more closely oriented towards US-74. The proposed density of approximately 14-units per-acre contemplated by CZ2013-009 would be appropriate given the project's location at intersecting arterial and collector roads and due to its proximity to existing non-residential development and an active railroad corridor.

Both the Indian Trail Comprehensive Plan and the US-74 Revitalization Study recognize the overall US-74 Corridor as being primarily intended for future retail, service, and other employment-generating type uses. Residential uses (of all types) should generally be limited to 15% of the total land use with multifamily residential comprising approximately 5% of this amount. The table below will provide an approximation of the corridor acreage relative to existing and proposed multifamily residential land uses. This information demonstrates the rezoning proposal’s consistency with the residential use parameters of the US-74 Corridor.

<b>US 74 CORRIDOR MULTIFAMILY LAND USE SUMMARY</b>	
Total Approx. US 74 Corridor Acreage	2,200 Acres (Indian Trail only)
Existing Multifamily Land Use in Corridor	15.59 Acres (Meridian/Hawthorne Apts.)
Proposed Multifamily Land Use in Corridor	27.15 Acres (CZ2013-009)
<b>Total Multifamily Acreage</b>	<b>42.74 Acres or 1.9% of Total Corridor</b>

### **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:

*Goal – Land Use and Housing* - The proposed conditional district provides for quality multi-family residential use at an appropriate location providing a more appropriate transition between land uses than the existing abandoned light industrial use.

*Goal- Mobility and Transportation* – The proposed conditional district includes the construction of curb, gutter, and sidewalk enhancing mobility in the area, construction of a roadway improvements (turn-lane and storage), construction of a enhanced pedestrian crossing, a cash contribution for intersection improvements, and dedication of right-of-way on adjacent roadways to meet the future transportation needs of our community.

*Goal- Infrastructure*-The proposed conditional district will expand utilities in the area, underground overhead utilities where feasible.

The request for this conditional zoning district is a reasonable request and is in the public interest because it eliminates an abandoned light industrial site, establishes an more appropriate transitional use between the single-family community, creates a mix of housing sizes within the US 74-West corridor provides expanded housing opportunities for Indian Trail citizens and business owners, includes transportation and utility infrastructure investment, and is in general conformity of the Comprehensive Plan.

### **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 & Economic Impact
- Attachment 2** – Concept Plans
- Attachment 3** – Staff Research on Multi-Family Parking Regulations
- Attachment 4** – Traffic Study Summary
- Attachment 5** – Minutes from Community Meeting
- Attachment 6** –Draft Ordinance

**Staff Contact**  
 Shelley DeHart  
 704 821-5401  
 Srd@planning.indiantrail.org

**PB Attachment 1**  
Application and Associate Documents

# CONDITIONAL ZONING APPLICATION

## Submittal Requirements

- Completed Application
- Notarized signatures of applicant and property owner
- Letter of Intent
- 8 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 100 Plyler Rd  
City INDIAN TRAIL State NC Zip 28079  
Tax Parcel ID 07084336 Zoning Designation LIGHT MANUFACTURING  
Total Acres 27.15 Impervious Area ~~1300,000~~ 24%  
Project Description 330 APARTMENTS + 35 DETACHED APT. HOMES

## Contact Information – Applicant

Name Plyler Rd. PARTNERS  
Address 5615 POTTER Rd  
City MATTHEWS State NC Zip 28104  
Phone 704-821-8020 Fax 704-821-6045  
Email rdeanharrell@aol.com

## Contact Information – Property Owner

Name COLDWATER VENEER INDIAN TRAIL, LLC  
Address 548 RACE STREET  
City COLDWATER State MI Zip 49036  
Phone 517-278-5676 Fax 517-279-7104  
Email djbookman@coldwaterveneer.com

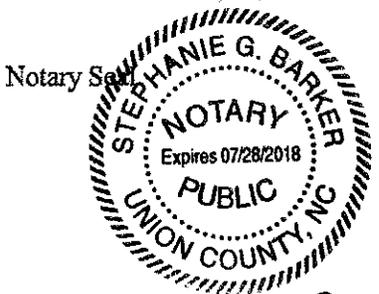
CONDITIONAL ZONING APPLICATION

Applicant's Certification

Signature R. Dean Harrell Date Nov Oct 14/13

Printed Name/Title R. Dean Harrell

Signature of Notary Public Stephanie G. Barker Date 11/14/13



Property Owner's Certification

Signature David B. Johnston Date 11-14-13

Printed Name/Title David B. Johnston, CFO

Signature of Notary Public Darla J. Pohl Date Nov. 14, 2013

Notary Seal Darla J. Pohl  
Notary Public, State of Michigan, County of Branch  
My commission expires: 9/02/2019  
Acting in the County of Branch MI

TOWN OF INDIAN TRAIL OFFICE USE ONLY  
CASE NUMBER: C-2013-009 / R-000490 + notification  
DATE RECEIVED: 11-18-2013 AMOUNT OF FEE: \$ 800  
RECEIVED BY: [Signature] RECEIPT #:

SCHEDULE

# Plyler Road Partners

5615 Potter Road

Mathews, NC 28104

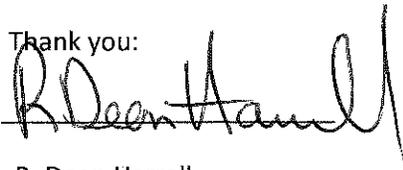
Ms. Shelley DeHart

Town Of Indian Trail, NC

Ms. DeHart,

This letter is accompanying our Conditional Zoning Application for the property at 100 Plyler Rd. (former Genwove site) in Indian Trail. Our intent is to create a mixed used community consisting of approx. ~~330~~ one, two and 3 bedroom apartments and approximately 35 detached Bungalow homes on the property. We have completed all the required background work to submit the application. We would anticipate a start date of June, 2014 with a build out completion date of December, 2016. We look forward to working closely with the Town of Indian Trail to make this a signature community.

Thank you:



R. Dean Harrell

# CONDITIONAL ZONING APPLICATION



**PLANNING AND NEIGHBORHOOD SERVICES**  
**PO Box 2430**  
**Indian Trail, NC 28079**  
**Telephone (704) 821-5401**  
**Fax (704) 821-9045**

11-18-13 A09:54 IN

**ONLY COMPLETE APPLICATIONS ACCEPTED**

Processing Fee \$800.00

Notification Fee \$2.50 per adjoining property owner

Date Received 11-18-2013



## Bleakly Advisory Group

**To:** Tommy Price  
Plyler Road Partners

**From:** Ken Bleakly & Geoff Koski  
Bleakly Advisory Group

**Date:** February 20, 2014

**Re:** Economic Impacts of Towne Centre Apartments, Indian Trail, NC,

Plyler Road Partners proposes to build a total of 378 rental residential units near the intersection of Unionville-Indian Trail Road and Plyler Road in Indian Trail, NC and asked Bleakly Advisory Group (BAG) to analyze the potential economic impacts of the project, known as Towne Centre Apartments. This memo summarizes the results of that analysis and is based on the current build-out assumptions for the property supplied to BAG by Plyler Road Partners.

The Town of Indian Trail is located approximately 15 miles southeast of Charlotte in Union County, NC, which was the fastest growing county in North Carolina during the last decade. Indian Trail grew by 185% from 2000-2010 to 33,518 people. According to demographic data provider Nielsen, the city

Figure 1: Towne Centre Apartments Conceptual Master Plan



6000 Lake Forrest Drive • Suite 108 • Atlanta, GA 30328

Tel: 404-845-3550 • Fax: 404-795-0707 • Cell: 404-316-8990 • Email: ken@blagroup.com

is expected to add nearly 700 residents per year over the next five years.

The Towne Centre Apartments development proposes to offer current and future Indian Trail residents rental housing options in both garden apartment and unique “6-plex” configurations. The current Towne Centre Apartments land use assumptions, as provided by Plyler Road Partners, are as follows:

<b>Garden-style Apartments - 1 Bedroom</b>	66 units
<b>Garden-style Apartments - 2 Bedroom</b>	165 units
<b>Garden-style Apartments - 3 Bedroom</b>	99 units
<b><u>6-plex 2-bedrooms</u></b>	<u>48 units</u>
<b>TOTAL</b>	<b>378 units</b>

### **Economic Impact Conclusions**

---

**Towne Centre Apartments are expected to be valued at over \$48.5 million, generate 356 construction jobs over the course of the build-out, and provide an estimated \$426,000 in total annual local funds, including property taxes and stormwater fees.**

- Towne Centre Apartments will be valued at an estimated \$48,555,000, based on today’s real estate development prices and recent local market comparable sales, in today’s dollars.
- The local property tax rate in Union County is .66 per \$100 of assessed property tax value and in Indian Trail it is .185 per \$100. Given these rates, upon completion Towne Centre Apartments will generate \$320,000 to Union County and \$90,000 to Indian Trail in annual property tax revenues for a total of \$410,000.
  - The property taxes collected at Towne Centre Apartments would equate to a 2% increase to Indian Trail’s total annual property tax collections, which are \$3.63 million based on the 2013-2014 adopted municipal budget.
- The 378 residential units at Town Centre each will each incur \$3.54 per month/\$42.48 per year in stormwater fees to be paid to the Town of Indian Trail. Therefore the town will increase stormwater fee collections by over \$16,000 annually.
- With wages totaling over \$13 million, the Towne Centre Apartments construction project will bring over 350 construction jobs over the course of the build-out period.
- The construction process will introduce approximately \$29 million into the local economy.
- Assuming an estimated \$1,500 per unit annually for upkeep, maintenance and other operating costs, upon completion the Towne Centre units will generate an additional \$550,000 annually in local economic activity.
- Over the course of 10 years, the on-going operation of the apartments will benefit the Town of Indian Trial by contributing over \$1 million in property taxes and stormwater fees, and will benefit Union County by contributing \$3.2 million in property taxes.

Figure 2: Impact Summary

ECONOMIC IMPACTS OF PROPOSED TOWNE CENTRE APARTMENTS: INDIAN TRAIL, NORTH CAROLINA							
Residential	Units/SF Rooms	Avg. Value Per Unit	Market Value	Construction Cost	Labor Costs	Construction Employment	
Garden-style Apartments - 1 Bedroom	66	\$ 100,000	\$ 6,600,000	\$ 5,063,492	\$ 2,278,571	62	
Garden-style Apartments - 2 Bedroom	165	\$ 125,000	\$ 20,625,000	\$ 12,658,730	\$ 5,696,429	156	
Garden-style Apartments - 3 Bedroom	99	\$ 150,000	\$ 14,850,000	\$ 7,595,238	\$ 3,417,857	93	
6-plex 2-bedrooms	48	\$ 135,000	\$ 6,480,000	\$ 3,682,540	\$ 1,657,143	45	
<b>Total Development/ Employment</b>	<b>378</b>	<b>\$ 128,500</b>	<b>\$ 48,555,000</b>	<b>\$ 29,000,000</b>	<b>\$ 13,050,000</b>	<b>356</b>	
Union County Property Tax @ .66/\$100	\$ 320,463						
Indian Trail Property Tax @ .185/\$100	\$ 89,827						
Indian Trail Stormwater Fees							
Tier 1: less than 2,000 sf/unit @ \$42.48	\$ 16,057						
<b>TOTAL ANNUAL TAXES/FEEES TO INDIAN TRAIL</b>	<b>\$ 105,884</b>						
<b>TOTAL ANNUAL TAXES/FEEES TO TOWN &amp; COUNTY</b>	<b>\$ 426,347</b>						

\* Construction employment figures reflect jobs created over the course of the project build-out.

Notes:

\* Unit values estimated based on current market for similar for-sale units and recent sale of nearby apartment complex, assuming depreciation.

Thursday, February 20, 2014

Mr. Tommy Price  
Plyler Road Partners  
5615 Potter Road  
Matthews, NC 28104

**Re: Need for Apartments- Indian Trail, NC**

Tommy,

The purpose of this document is to examine the need for apartments in Indian Trail, NC. The methodology will be to utilize both quantitative analysis and also qualitative analysis to reach a conclusion.

**Quantitative Analysis of Need:**

The Office of State Budget and Management for the State of North Carolina is projecting that the population of Union County will increase by 12,643 over the next five years (2014-2019), resulting in an average annual population increase of 2,528.6. In today's environment, approximately 30% of new household formations are renter households. Therefore, an average of 758.58 persons per year are anticipated to need to rent housing in Union County annually.

Demand for renter households is anticipated to be greater in certain areas and less in others:

1. Locations that are closer to the Charlotte metropolitan area will have greater demand for renter households than locations that are further away from the Charlotte metropolitan area.
2. Locations that are more urbanized, providing favorable access to employment, retail, restaurants, and recreation will experience greater renter demand than areas that are less urbanized.
3. The political barriers to entry that certain municipalities within Union County, such as Weddington, Marvin, and Waxhaw, have erected against multifamily rental housing will create more demand for renter households in other areas that have similar proximity to Charlotte and urbanized characteristics, such as Indian Trail.

Therefore, from a quantitative analysis standpoint, there is definitely a need for more apartments in Indian Trail, NC.

February 26, 2014

**Qualitative Analysis of Need:**

1. 56% of the apartment communities in Union County are 16 to 30 years of age.
2. Only 24% are 6 to 15 years of age.
3. There has not been a new apartment community developed in all of Union County in over a decade (Hawthorne at the Trail, formerly known as Meridian Apartments, was completed in 2003, 11 years ago).

Therefore, from a qualitative analysis standpoint, there is definitely a need for newer, higher quality rental housing in Indian Trail, especially in urbanized areas with favorable access to employment, retail, restaurants, and recreation.

**Conclusion:**

In conclusion, both from a quantitative analysis standpoint and also from a qualitative standpoint, there is definitely a need for both more apartments in Indian Trail, NC and especially a need for newer, higher quality rental housing in Indian Trail, NC, particularly in urbanized areas with favorable access to employment, retail, restaurants, and recreation.



Terrence Llewellyn

**PB Attachment 2**  
Concept Plan & Renderings

SEE SEPARATE DIGITAL FILE

**PB Attachment 3**  
Multi-Family Parking Regulation Research

<b>Town of Indian Trail</b>	<b>1-bedroom-1.5 space 2-bedroom-2 spaces 3-bedroom-2.5 Guest 1/per 4 spaces</b>
Raleigh	<b>1-bedroom-1.5 space 2-bedroom-2 spaces 3-bedroom-2.5 Guest – 0</b>
Huntersville	<b>1-bedroom-1 space More than 1-bedroom – 1.5 space Guest -0</b>
Mooresville	<b>1 to 2 bedroom- 1.5 space 3+ bedroom- 2 space Guest -0</b>
Rockhill	<b>1 to 2 bedroom- 1.5 space 3+ bedroom- 2 space Guest-0</b>
Matthews	<b>*Based on square footage of units Starts at .75 up to a maximum of 2 spaces per unit Guest -0</b>
Greensboro	<b>1-bedroom- 1.25 space 2-bedroom- 1.5 space 3-bedroom +- 2 space Guest-0</b>
Concord	<b>1.5 space per unit Maximum 2.5 per unit Guest-0</b>
Charlotte	<b>1.5 space per unit Guest-0</b>

**PB Attachment 4**  
Traffic Study Summary



## 6.0 Summary and Conclusion

The proposed Plyler Road Site is located on the southeast corner of the intersection of Plyler Road and Unionville-Indian Trail Road in Indian Trail, North Carolina. As currently planned, the development will consist of 387 multifamily units. The site plan shows one (1) driveway on Unionville Indian Trail Road and one (1) driveway on Plyler Road. Figure 1 shows the site plan.

DAVENPORT was retained to determine the potential traffic impacts of this development and the transportation improvements that may be required to accommodate these impacts. Based on trip generation equations published in Trip Generation (Institute of Transportation Engineers, 8<sup>th</sup> Edition, 2008), the proposed development has a trip generation potential of 194 AM peak trips and 231 PM peak trips.

Based on projected traffic volumes, a right turn lane is warranted at the proposed Site Access 1 on Plyler Road. We also recommend a left turn lane at Site Access 2 on Unionville Indian Trail Road. Additionally, we have identified the need for background improvements at the signalized intersection of Indian Trail Road and Matthews Indian Trail Road. There are queuing issues at this intersection, which are mainly due to lack of capacity for left and right turn movements, since the intersection has single lane approaches on all four legs. Hence we have recommended auxiliary turn lanes at this intersection due to background traffic, and not as a result of the proposed development. The recommended improvements are illustrated in Figure 9.

In conclusion, this study has reviewed the impacts of both background traffic and this development traffic, and has determined that with the recommended improvements in place, there will be adequate capacity to accommodate future traffic. We recommend that the site driveways should be constructed to comply with NCDOT design standards where applicable.



**MEMORANDUM**

To: Tommy Price  
From: John Townsend, PE  
Date: January 22, 2014  
Re: Trip Generation Comparison – Plyler Road Site, Indian Trail, NC  
(DAVENPORT Project Number 13-633)

The purpose of this memorandum is to summarize the trip generation potential of the Plyler Road Site under existing and proposed zoning conditions.

The Plyler Road Site is currently zoned L-I: Light Industrial and could support up to 350,000 square feet of general office development. Based upon the Institute of Transportation Engineers' Trip Generation Manual 9<sup>th</sup> Edition, 350,000 square feet of general office development could generate 3,402 trips per day, 521 trips during the AM peak hour, and 470 trips during the PM peak hour. The detailed trip generation calculations are attached for reference.

The proposed development is expected to consist of up to 387 apartments. An apartment development with 387 dwelling units could generate 2,469 trips per day, 193 trips during the AM peak hour, and 231 trips during the PM peak hour. The detailed trip generation calculations are attached for reference.

Trip Generation Comparison							
Scenario	Daily	AM			PM		
		In	Out	Total	In	Out	Total
Existing Zoning (350,000 SF General Office)	3,402	458	63	521	80	390	470
Proposed Zoning (387 DU Apartments)	2,469	39	154	193	150	81	231

Under the proposed zoning, the Plyler Road Site is expected to generate 27% fewer trips per day, 63% fewer trips during the AM peak hour, and 51% fewer trips during the PM peak hour than under the existing zoning.

Trip Generation Summary - Alternative 1  
Average Weekday Driveway Volumes

Project: Plyler Rd. Site  
Alternative: Alternative 1

Open Date: 1/21/2014  
Analysis 1/21/2014

ITE	Land Use	Average Daily Trips			AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
710	OFFICEGENERAL 1 350 Gross Floor Area 1000 SF	1701	1701	3402	458	63	521	80	390	470
Unadjusted Driveway Volume		1701	3402	5103	458	63	521	80	390	470
Unadjusted Pass-By Trips		0	0	0	0	0	0	0	0	0
Internal Capture Trips		0	0	0	0	0	0	0	0	0
Adjusted Driveway Volume		1701	3402	5103	458	63	521	80	390	470
Adjusted Pass-By Trips		0	0	0	0	0	0	0	0	0
Adjusted Volume Added to Adjacent Streets		1701	3402	5103	458	63	521	80	390	470

Total AM Peak Hour Internal Capture = 0 Percent

Total PM Peak Hour Internal Capture = 0 Percent

Trip Generation Summary - Alternative 2  
Average Weekday Driveway Volumes

Project: Plyler Rd. Site  
Alternative: Alternative 2

Open Date: 1/21/2014  
Analysis 1/21/2014

ITE	Land Use	Average Daily Trips			AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
220	APT 1	1235	1234	2469	39	154	193	150	81	231
	387 Dwelling Units									
Unadjusted Driveway Volume		1235	2469	3704	39	154	193	150	81	231
Unadjusted Pass-By Trips		0	0	0	0	0	0	0	0	0
Internal Capture Trips		0	0	0	0	0	0	0	0	0
Adjusted Driveway Volume		1235	2469	3704	39	154	193	150	81	231
Adjusted Pass-By Trips		0	0	0	0	0	0	0	0	0
Adjusted Volume Added to Adjacent Streets		1235	2469	3704	39	154	193	150	81	231

Total AM Peak Hour Internal Capture = 0 Percent

Total PM Peak Hour Internal Capture = 0 Percent

**PB Attachment 5**  
Community Meeting Minutes

March 5, 2014

## Conditional use public meetings

Existing “Genwove” industrial site

100 Plyler Road

Indian Trail, NC

### Agenda

1. Introductions
2. Project overview
3. Questions and Answer session

Thank you for attending the public meeting today. We hope that we have answered your questions about this project and look forward to any creative comments or suggestions that you may have.

---

Plyler Road Partners

Community Meeting

3/5/2014 @ 2 pm

CZ 2012-009 Plyler Road Community

Please sign your name, mailing address, and email for future correspondence on this case

NAME	ADDRESS	EMAIL
------	---------	-------

1. Shelley Deltart, Town of Indian Trail
2. Jon Williams, Union County Deputy Fire Marshal
3. John Killman, Silver Glen Ln J-Killman@johnc.com
4. R. Dean Harrell, 5615 Potter Rd. Matthews
5. Tommy Price, 5615 Potter Rd. Matthews
6. John Townsend, jtownsend@davenportworld.com
7. Charlie Summs, 309 Plyler Rd
8. Charles E. Pottery, 309 " "
9. Joye Hunt, 103 Silver Glen Ln.
10. Jan McArthur, 214 Plyler Road
11. Joye Cindy Summs, 102 Silver Glen Lane

12. Alme Jhuista Colwater, Mi

13. PAISLEY GORDON

14. Charlie Porter Fire Chief Stallings FD

15. Jeff Hill 304 Plyler Rd. Indian Trail, NC 28079

16. Hunter Tabony, Indian Trail Animal Hospital, 160 Corporate Blvd Indian Trail NC 28079

17. Kelly Barnhardt, Town of IT

18. Tommy Lee & Kenneth Long 1012 Cross Keys Xing, P, FT NC 28079

19. \_\_\_\_\_

20. \_\_\_\_\_

21. \_\_\_\_\_

22. \_\_\_\_\_

23. \_\_\_\_\_

24. \_\_\_\_\_

25. \_\_\_\_\_

26. \_\_\_\_\_

Community Meeting

3/5/2014 @ 6:00 PM

CZ 2012-009 Plyler Road Community

Please sign your name, mailing address, and email for future correspondence on this case

NAME	ADDRESS	EMAIL
------	---------	-------

1. GREG FRANKLIN PLYLER RD INDIAN TRAIL

\* 2. SHILEY HOWE CLEARWATER DR " "

3. K. Howe Clearwater Dr Indian Trail

\* 4. Jeff & Lisa Bratton <sup>1125</sup> Cape Rd. (Bratton4@gmail.com)

\* 5. Jerry & Sheryl Morse Rd. 271 Unionville - Indian Trail

6. \_\_\_\_\_

7. \_\_\_\_\_

8. \_\_\_\_\_

9. \_\_\_\_\_

10. \_\_\_\_\_

11. \_\_\_\_\_

other people were in attendance however did not sign in.

## **Question & Answer session**

### **On site meeting 3/5/2014 2-4pm**

Q- Are we going to have input?

A- If there is something external you don't like; we'll consider input.

Q- Plyler road has traffic, can we consider a sidewalk?

A- Often when projects come on we can fill in the gaps between projects. Where are sidewalks being requested? - Sidewalks requested along Plyler rd., right now there are none.

Q-(continuing about traffic issues, multiple questions regarding traffic and possible traffic issues getting worse due to apartments)

A- Traffic studies were done (specialist brought up), no improvements were needed to be done. A right turn lane and a left turn lane at the entry way of the apartments are recommended.

Q-All of the issues that we are having with our children and schools, will the new apartments cause further issues with the crowding of schools?

A- We only have 49 3 Bedroom units going in and wouldn't make a drastic impact on the schools.

Q- Will this bring down the property value of my home?

A- This is an "a" type apartment & should not take the value of your homes down.

Q- Will there be background checks done on tenants?

A- Yes, background & financial. It will also be nationally managed.

Q- Are they going to consider more police officers?

A- It is a possibility, however it will be up to the town as it grows to accommodate for the needs.

Q- The current ratio is 1/21. I feel that we will be at higher risk for more crime with this many more people in such a small place.

Q- Can anything be done for noise / dust while the project is being done, possible privacy fence?

A- Water can keep the dust down, probably no privacy fence could be built, but 2 story garages will serve as a buffer once they are up.

Q- Is it possible for left only turn onto Plyler Rd? feel it's unsafe.

A- That would mess up traffic distribution.

Q- During construction, how will the roads since they are made of rock / asphalt not be torn up (Plyler Rd)?

A- Those roads are built to handle certain weight limits and we will look into those weight limits.

Q-When is construction supposed to start?

A- Late fall hopefully, but by early next year.

Q- Will this meet all codes and turn radius for emergency vehicles?

A- Yes.

Q- Will this go up in phases?

A- Yes, it will go up in two phases (showed on map the two phases)

Q-When the second phase starts, will the first phase be available for rental?

A- Yes, as they come along we will make them available to rent.

Q-Are the apartment's one level?

A- Yes

Q- Will this be a gated community?

A- No, only a fence around the property.

Q- What is the sq. ft. of the garage?

A- 286

Q- What is the parking ratio?

A- Based on the number of units, bedrooms and additional parking for guests

Q- A product vs. B & C, what is the standard?

A- Investment, rental incomes, amenities, architecture, etc.

Q-Why can we not see the fence on the renderings?

A- Hard to show, but will be there.

Q-What's the target people we are trying to attract?

A- Professionals, older & empty nest

Q-When this is computed, how many people will live there?

A- 773 residents figured

Q- Since this land was owned by a veneering company, has the land been tested?

A- Yes, and had a clear report

Q- Is there a lake on the property?

A- Yes, a pond, will be torn out and rebuilt.

Q- My concern is when you build these apartments, the traffic will be worse?

A- If another industrial site went in, it would generate more traffic than the apartments. (according to traffic study)

Q- When will the final summary of report be on the website?

A- Goal is a couple of weeks

Q- Does the traffic study have to do with 2 entrances?

A- Yes and it shows two exits are adequate for this project.

Q-(continuing about traffic issues, multiple questions regarding traffic and possible traffic issues getting worse due to apartments)

A- Traffic studies were done (specialist brought up), no improvements were needed to be done. A right turn lane and a left turn lane at the entry way of the apartments are recommended.

Q- Does the RR have any effect on the study of traffic?

A- No operational impacts from the RR

Q- It has been rumored that this could be section 8 housing?

A- No. absolutely not. This is a type A project and will not at all be section 8.

Q- Will this meet all codes and turn radius for emergency vehicles?

A- Yes.

Q-What's the next legal step?

A- Planning board on 3/18/14 and then the town council on 3/25/14.

## **Question & Answer session** **Civic Center Meeting 3/5/2014 6-8pm**

Q- How many children will come out of the apartments and how will it affect the density in the schools and overcrowding?

A- Average children per 3 bedroom apartment is 1.4 children. We only have 49 3 bedroom apartments going up.

(discussion of schools and children and redistricting)

Q- What is the ration between garage parking and regular parking?

A- There is 80 garage spaces. I don't have the exact ratio of garage spaces to regular parking places.

Q- What is the sq. ft. of the garage?

A- 286

Q- What is the parking ratio?

A- Based on the number of units, bedrooms and additional parking for guests

Q- If there was a Home Depot, would it generate less traffic?

A- No

Q- What keeps this an A type product 20 years from now?

A- The initial investment, you can't afford to let the rents dip. Even in the downturn of the economy; apartments get busier.

Q-(continuing about traffic issues, multiple questions regarding traffic and possible traffic issues getting worse due to apartments)

A- Traffic studies were done (specialist brought up), no improvements were needed to be done. A right turn lane and a left turn lane at the entry way of the apartments are recommended.

Q- Would a brick veneer make this sustain its value longer?

A- To build an all brick product in this area would be impossible, we have multiple textures including brick to make it architecturally interesting.

Q- What amenities do the apartments offer?

A- Walking sidewalks, high impact landscaping, if allowed; an aerial crossing, state of the art clubhouse, smart boards, computer area, Wi-Fi, stainless steel dog wash stations, a pool, some equipment for children, a park, retention pond, walking area, dog park

Statement from Plyler Road partners: One of the reasons this site was chosen was when the Down Towner Center is built; I believe those people living here will walk over to eat, shop... this would further decrease traffic.

Q- Will there be a separate entrance while the construction is going on?

A- We would limit to one entrance during the first phase of construction to limit the construction traffic that you see from Plyler Rd.

Q- Do you have an emergency evacuation plan in case of train derailment?

A- We will certainly work with local emergency depts. And find out if we should have a plan.

Q- When would the project be finished?

A- The project would take about 3 years to finish. Goal was December 2016, but things would have to go perfect to complete by then, so we are giving ourselves 3 years to complete it.

Developer stated that there could be an opportunity for an easement to the town for access to the Towne Center, but it may require variance to set backs to establish.

**PB Attachment 6**  
Draft Ordinance

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 07-084-336. LOCATED AT 100 PLYLER ROAD FROM LIGHT INDUSTRIAL TO CZ-MFR (CONDITIONAL ZONING MULTI-FAMILY RESIDENTIAL) IN THE TOWN OF INDIAN TRAIL, UNION COUNTY, NORTH CAROLINA**

WHEREAS, the property owners Coldwater Veneer Indian Trail, LLC. and the designated applicant Plyler Road Partners, petitioned to rezone tax parcel 07-084-336 from Light Industrial to CZ-MFR (Conditional Zoning Multi-Family Residential District) with the intent of developing a 378-unit multi-family community; and

WHEREAS, this Conditional Zoning Amendment (CZ2013-009) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, two community meetings were held on March 5, 2014; and

WHEREAS, a public meeting was held by the Planning Board on March 18, 2014 to consider this conditional zoning request; and

WHEREAS, the Planning Board found the proposed map amendment, as conditioned, **is consistent** with the following goal of the Comprehensive Plan:

*Goal – Land Use and Housing* - The proposed conditional district provides for quality multi-family residential use at an appropriate location providing a more appropriate transition between land uses than the existing abandoned light industrial use.

*Goal- Mobility and Transportation* – The proposed conditional district includes the construction of curb, gutter, and sidewalk enhancing mobility in the area, construction of a roadway improvements (turn-lane and storage), construction of a enhanced pedestrian crossing, a cash contribution for intersection improvements, and dedication of right-of-way on adjacent roadways to meet the future transportation needs of our community.

*Goal- Infrastructure*-The proposed conditional district will expand utilities in the area, underground overhead utilities where feasible.

WHEREAS, request for this conditional zoning district is a reasonable request and is in the public interest because it eliminates an abandoned light industrial site, establishes a more appropriate transitional use between the single-family community, creates a mix of housing sizes within the US 74-West corridor provides expanded housing opportunities for Indian Trail citizens and business owners, includes transportation and utility infrastructure investment, and is in general conformity of the Comprehensive Plan.

WHEREAS, after making the draft findings the Planning Board the motion to transmit a recommendation to as conditioned to the Town Council; and

WHEREAS, the Town Council held a public hearing on **March 25, 2014** 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 hereby takes the following action:

**Section 1** – Approves CZ 2013-009 Conditional Zoning Petition thereby granting the Zoning Map amendment to establish a Conditional Multi-Family Residential District on parcel number 07-084-336 subject to the following conditions:

1. *Concept Plan and Architectural Requirements:* The development shall be designed and constructed consistent with the concept site plan and conditions of approval found herein. The concept plan shall be attached to the approval documents for CZ2013-009 and recorded at the Union County Records of Deeds office.
  - a. The structures shall be built in compliance with applicable fire and building codes as reviewed and approved by the Union County Fire Marshal and Building Inspectors.
  - b. The multi-family units shall be constructed with sound-attenuating wall materials to achieve a “average rating” of NC25-30 (37dB(A)) as defined within HUD Guidelines. – This guideline is used for the sole purpose of a measurable performance standard and is not associated with any funding or status of this development.
  - c. The entire property shall be fenced. The fence style may be altered adjacent to the railroad right-of-way and in screened areas to ensure an appropriate barrier is achieved. Highly visible fencing shall be decorative. Fencing adjacent to the ROW shall be an appropriate height in the arts and craft style community.
  - d. The community shall be developed as a market-rate multi-family community.
  - e. The storage units located within the garage structures may not be use as habitable or office space use. Use of storage areas is restricted to tenants of the community.
2. *Exterior Wall Siding Materials:* The exterior wall materials shall consist of fiber cement siding, brick, vinyl shake as accent. The use of vinyl as a wall siding is prohibited.
3. *Multi-family units:* The maximum dwelling units is capped at 378 units and shall be limited to the following mix:

<b><i>Garden apartment units-330 units</i></b>	
1-bedrooms	66
2-bedrooms	215
3-bedrooms	49
<b><i>48- Six-plex units</i></b>	
2-bedrooms	48

The three bedroom units may be reduced however no additional units beyond the 378 units may result from such a reduction. The maximum density is 14 du/acre on the subject property.

4. *Building Setbacks:* Building setbacks shall comply with the requirements of Chapter 510.040 B for the Multi-family Residential District. The proposed accessory garage/storage units shall maintain the minimum 5-ft from property line on the east property consistent with regulations for accessory structures. However, a potential of a 3-foot setback may be authorized within this area only based on request from adjacent light industrial use property owner and building and fire codes.
5. *Frontage Improvements:*

- a. Unionville-Indian Trail Road will be improved with curb, gutter, 6-ft. wide sidewalk, decorative pedestrian street lights, and street trees. Plyler Road frontage will be improved with curb, gutter, 6-ft wide sidewalk, decorative pedestrian street lights, and street trees.
  - b. Right-of-way (ROW) dedication is required on both Unionville-Indian Trail Road and Plyler Road to meet a 2-lane boulevard design identified within the Comprehensive Plan.
  - c. The applicant shall construct an enhanced pedestrian crossing at the intersection of Plyler/Corporate and Unionville-Indian Trail Road. This will provide pedestrian access to sidewalk on the north side of Unionville-Indian Trail Road which continues into the historic downtown area. The crossing shall be in compliance with NCDOT and Town regulations.
  - d. Construction equipment associated with this development shall have restricted access on Plyler Road. The construction access for phase I of the development shall be located on Unionville-Indian Trail Road- the access on Plyer Road may only be used in the event of an emergency. Construction access for phase II may be at the Plyler Road access point. Any damage to the existing roadway as a result of said construction equipment shall be repaired prior to final occupancy of the last two buildings of the community. The roads shall remain clear of debris during construction.
6. *Traffic Study Improvements:* The applicant is required to construct required improvements as identified in the Traffic Study prepared by Davenport (10/7/2013) and by the Town and NCDOT based on their final approval of required TIA. The applicant has also committed a cash payment of \$38,000 to be placed in an intersection improvement fund for the construction of auxiliary lanes at the intersection of Indian Trail Road and Matthews-Indian Trail Road. The payment is proposed to be paid to the Town in installments over a maximum of a three year term or in full by the close of the project whichever comes first. The first installment shall be paid upon release of site plan approval.
7. *Interior Improvements:* The development shall include decorative pedestrian lighting, passive park furniture, sidewalks throughout the community, mail-box center, and enhanced trash enclosures. An amenity center with pool shall be constructed consistent with concept plan.
8. *Perimeter Landscaping:* Perimeter landscaping is required along the site frontage on Unionville-Indian Trail Road and Plyler Road. The applicant shall work with property owner located directly across from the Plyler Road access driveway to provide a healthy screen buffer to mitigate potential impacts.
9. *Open Space and Tree Retention:* The proposed community has been designed with approximately five acres of open space. The open space area shall include pedestrian lights, benches, and poop bag stations (if pets are allowed) throughout the community. Chapter 830- Tree Preservation Ordinance of the UDO identifies a 15% Tree Canopy coverage requirement on the property. A tree survey and tree canopy plan is required within the site plan review process.
10. *Stormwater Detention Pond:* The applicant shall comply with Town regulations for stormwater detention and water quality. The applicant shall consider the use of fencing around the large pond located at the southwest corner if not used as an amenity such as a fishing pond. This will be determined at the site plan review process.

11. *Overhead Utilities*: All utilities shall be placed underground within the community. Every effort shall be made to place utilities located adjacent to Plyler Road and Unionville-Indian Trail Road.
12. *Compliance with various agencies*: The project shall comply with local, state, and federal permitting regulations.
13. 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 25<sup>nd</sup> day of March, 2014.

**TOWN OF INDIAN TRAIL COUNCIL**

Attest:

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

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

APPROVED AS TO FORM:

\_\_\_\_\_  
TOWN ATTORNEY