



PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT

PLANNING BOARD MINUTES

June 17, 2014

6:30 P.M.

CALL TO ORDER – Chairman Cowan called the meeting to order.

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

Board Members: Patricia Cowan- Chair, Larry Miller-Vice Chair, Jan Brown, Cathi Higgins, Kelly D'Onofrio, Alan Rosenberg, Cheryl Mimy (Alternate 1)

Members Present but not Voting Steve Long

Absent Robert Rollins, Sydney Sandy

Staff Members: Shelley DeHart-Planning Director, Pam Good

APPROVAL OF MINUTES- Member Cathi Higgins made the motion to accept March 18th March 20th and April 24th minutes with the amendment of Robert Rollins to be shown as present at the March 20th Special Meeting.

Member Rosenberg seconded the motion.

The motion was unanimous. Minutes Approved as amended.

PUBLIC ITEMS:

CZ2014-001 Waste Pro - Planning Director, Shelley DeHart, presented the proposed request to establish a Light Industrial Conditional Zoning District (map amendment) on an 8.6 acre property for the purpose of developing the site for a solid waste service provider. This property is currently zoned Union County Light Industrial currently in an unincorporated area of the county. The property owner is processing a voluntary annexation petition concurrent with this request. The applicant is Waste Pro USA, LLC whose location is an undeveloped property located across from 1901 Valley Parkway- 09-366-022) that is heavily wooded. There is other development in the area which is light industrial use across the street as well as behind the subject property.

The intent of the request is to develop the site for solid waste collection and disposal contracting office. The applicant is Waste Pro who is the solid waste provider for the Town of Indian Trail. As part of their contract agreement with the Town in 2012, they committed to establishing a local facility within Indian Trail's jurisdiction. Waste Pro is currently operating from a leased property on Gribble Rd. Zoning in the area is primarily Light Industrial.

The project area has a mix of zoning, both unincorporated Union County zoning and Town zoning. There is residential zoning to the west of the property and south of property to Roger's Road. Uses in the area generally match the zoning classification.

Planner DeHart spoke defined Waste Pro's operations collections and disposal service contractor who do not dispose on site. As well as providing solid waste and recycling collections service that is disposed of at offsite locations, Waste Pro also provides portable restrooms as a service and would be storing some units in a storage area on site near the rear of the property. The intention is to develop this site with a structure of approximately 14,600 square feet with 8400 feet of office space, 2 story, 4 vehicle bays, an outdoor storage component to be able to expand their fleet to 60 vehicles so will have parking for 60 collection trucks, as well as a storage area for such things as roll-off disposal bins.

The site plan includes roadway improvements along their frontage as required by the Town, including curbs, gutters, and sidewalks. The site plan includes the ability to expand parking to accommodate up to 124 potential employees as the need arises. Office area will face the street at the front of the property.

Construction on the property will use materials that will meet the requirements of Division 1300 which houses the non-residential architectural requirements. Staff conditioned that if the bay area are visible from the right of way, the metal will be required to be treated with another material. The project has been routed to the various agencies and is subject to compliance with all federal, state, and local rules and regulations of the appropriate agencies.

Also, an added condition is that the site be served by public water and sewer as regulated by Union County Public Works. Board was presented with a modified draft ordinance reflecting the added conditions for compliance.

Two public community meetings were held regarding this project, one on site on June 2, 2014 and one in the Civic building on June 3. DeHart reiterated that Waste Pro is not a transfer station but a contracting service so no garbage or recycle items will be brought back to the site for disposal.

Community discussions involved construction materials, traffic patterns, security, as well as refueling considerations which is not proposed at this time.

The Comprehensive Plan map shows that the proposed project is consistent with the perimeters outlined in the Plan.

Staff is of the opinion that the goals of the Comprehensive Plan are satisfied and recommend approval of this project:

Land Use and Housing - The proposed conditional district provides for an appropriate light industrial land use at an appropriate location in compliance with the Rogers Village Plan thus avoiding land use conflicts.

Mobility and Transportation - The proposed conditional district includes the construction of curb, gutter, and sidewalk enhancing multi-modal mobility in the area and construction of roadway improvements (turn-lane and storage) in compliance with NCDOT.

Economic Development-The proposed conditional district will expand light industrial land use within the town supporting a more balanced tax base and employment opportunities.

Infrastructure-The proposed conditional district will expand utilities in the area, and will evaluate storm water needs to avoid potential impacts with adjacent properties.

The request for this conditional zoning district is a reasonable request and is in the public interest because it promotes the goals of the adopted Comprehensive Plan in the areas of land use, mobility and transportation, economic development, and infrastructure.

Board member Jan Brown asked about the possibility of putting some type of landscaping between the bay doors as show in the artist's conception of the building appearance. Staff replied that it can be assessed if that is able to be done with Waste Pro's operations. Enhanced landscaping will be done in front of the office area. Board member Cathi Higgins commented that condition 9 protect the possibility of viewing the bay area of the proposed property from the frontage road. Staff added that a rendering would be done that is a site cross section. An engineer will present a diagram to show amount of visibility from the right of way. Member Higgins also asked what would happen if the applicant would not meet the conditions of the district. Staff stated that the applicant must meet all the terms of the conditions of approval to operate. Member Higgins also asked about the community meeting discussion about the roads, what is the condition of the road leading to the proposed site and why would the Town have discussed the possibility of taking over the maintenance of the Valley Parkway Road. The discussed road is currently a private road with no maintenance agreement between property owners/current businesses that need the road in good repair. The Town currently has a Road Acceptance Policy, and the possibility of the Town to take over the maintenance would be a Town Council decision. Staff added that the concern is with no maintenance agreement, if the road falls into disrepair, it will affect the economic development of the area. The affected businesses of private roads are encouraged to form a Business Association to address such issues as a mutual road use and repairs. Member Higgins also stated she felt that it would be in the Town's best interest to encourage the businesses versus the Town of Indian Trail to have the responsibility of road maintenance for Valley Parkway. Staff agreed that this would be the preferred solution.

Vice Chair Larry Miller asked clarification of the road as seen from the recent tour the Board took of the area. Staff showed the referred road on the power point map. Chair Patricia Cowan asked if it was possible to add a condition that the business has a road management agreement put in place. Staff replied as the area is both incorporated and unincorporated land, the question would need to be presented to legal. Chair Cowen stated that this applicant is a good fit for the light industrial zoning area and expressed appreciation for the job Waste Pro does in a variety of ways for the Town.

Chair Cowan opened the meeting to public comment.

John Ross of Eagle Engineering stated he was available to answer questions regarding the case. He also commented that the zoning petition and annexation will allow the business to make a substantial investment in the community. This request is consistent with the Comprehensive Land Use Plan and Light Industrial classification. He said that he feels the proposed project will be a positive addition to the Town.

Member Alan Rosenberg verified that there is no wash bay proposed in the property plan.

Jennifer Herring of Waste Pro explained that a contractor does the washing on site but reclaims the water so no water is discharged on the site. Member Higgins questioned whether the access and egress has provision for large vehicles that need to turn that may back up traffic on Old Charlotte Highway. Mr. Ross stated NC DOT has assessed the project and have made a requirement that a turn lane will be in place on Old Charlotte Highway to accommodate the turn onto Valley Parkway. There was not a comprehensive traffic study required for this project. Jennifer Herring, Division Manager of Waste Pro, presently of Gribble Rd. Indian Trail, came to the podium for further questions. She explained the truck schedule leaving and returning to the property in staggered time frames. The vehicles are cleaned every other week. Port-a-potties are not cleaned on site. Ms Herring stated that Waste Pro is following the guidelines as mandated by their contract with Indian Trail that they own property in the town limits. Member Higgins asked about the contract between Waste Pro and the Town and what would be done if the

contract was not renewed. Waste Pro will service other towns from the proposed property site, as well.

John Ross answered additional questions from Member Higgins regarding the mitigation of Heritage trees on the property. Ross stated they would try to work around as many as possible and would follow the ordinance regulations. The stream on the southwest corner will be provided with buffers.

Jerry Morse gave comment on several concerns, one with what would happen if the contract with the Town is not renewed. The other concern was to have measures in place to protect the environment surrounding the site. Mr. Morse had positive remarks about the project going forward.

David Casper commented that he has nearby property and wanted to be assured that the grading and storm water would not affect his property.

Michael Faulkenberry stated this is a good project. He suggested a sign at the intersection of Old Charlotte Highway and Valley Parkway that states that trucks will be entering the intersection, and that the trucks leaving the facility in the mornings would be staggered.

Board Deliberation- Vice Chair Larry Miller stated that the project is in best interest of the Town. Member Mimy stated it is a wonderful opportunity to create more jobs in the community, only concern was to continue to practice a good neighbor policy to those near the site. Member D'Onofrio was also in favor of the project.

Chair Patricia Cowan questioned the amount of present employees and the number of possible future employees with potential growth. Ms DeHart replied that Waste Pro presently employs 32 employees but have provided room for potential growth to 124 employees. Member Jan Brown stated both Waste Pro and the Town would both benefit from the project going forward. Member Higgins was also in favor of the project but reiterated that she didn't want the Town to take over management of the private road in connection with it. Member Rosenberg was also in favor of the project.

Vice Chair Larry Miller made the motion to recommend approval to Town Council of the draft conditions, seconded by Jan Brown. The board vote was unanimous in favor.

OTHER BUSINESS-None

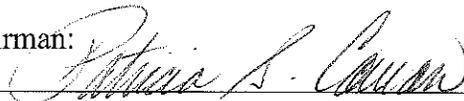
Chair Cowan read responses from several offices in reference to letters sent regarding House Bill 150/ SB139 Zoning and Design Aesthetic Controls. Senator Jeffrey Tart acknowledged the letter from the Planning Board of Indian Trail in opposition to the two Bills. Chair Cowan also read a reply from House Representative Dean Arp.

PLANNING REPORT- Staff stated there was none.

ADJOURN –

Member Larry Miller made a motion to adjourn, seconded by Board member Cheryl Mimy. Board voted unanimously in favor of the motion.

Chairman:



Secretary:

