



P.O. Box 2430  
 Indian Trail, North Carolina 28079  
 PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT

### Conditional Zoning Staff Report

<b>Case: CZ 2016-001</b>			
<b>Reference Name</b>	Church of the Redeemer		
<b>Request</b>	Proposed Zoning	CZ Institutional	
	Proposed Uses	Religious Assembly	
<b>Existing Site Characteristics</b>	Existing Zoning	Single Family (SF-4)	
	Existing Use	Vacant	
	Site Acreage	Approximately 8 Acres (subject portion)	
<b>Applicant</b>	Douglas Helms, MCT General Contractors Inc		
<b>Submittal Date</b>	January 20, 2016		
<b>Location</b>	North side of Wesley Chapel Road		
<b>Tax Map Number(s)</b>	Rezoning: Portion of Parcel 07123001F		
<b>Plan Consistency</b>	Comprehensive Plan		
<b>Recommendations &amp; Comments</b>	Planning Staff	Designation	Sun Valley, Medium Density Residential
		Consistent with Request	Yes

#### Project Summary

This is a request to reclassify a portion of parcel 07123001F, totaling approximately 8 acres. The rezoning is from Single Family (SF-4) to Institutional with a conditional zoning district. The intent of this request is to allow a religious assembly use to develop on the site. There are no plans for a school or other development. However, a condition of approval has been added in the event there are future plans to develop a school. The remainder of the parcel will continue to be SF-4, with no intended development at this time.

The subject parcel was originally part of the Taylor Glenn/Sheridan Master Plan. The property is located on the north side of Wesley Chapel Road. (See Attachment 1, Application and Map 1 below).

#### 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**

#### ***Background***

The subject property was included in the original master plan for the Taylor Glenn/Sheridan subdivision. Taylor Glenn/Sheridan was approved as a Special Use Permit, under which the approved uses consisted of residential and office uses. (See Attachment 2, Original SUP and Master Plan). A church was not included as a permitted use. For that reason, a Conditional Rezoning is necessary to allow a church to be built on the subject property.

With regard to the subject property as it pertains to Sheridan's density and open space requirements, staff's analysis confirms that the subject property was included in the site plan for Sheridan as an out parcel. This means that the subject property was not used for open space requirements or density calculations for Sheridan. In conclusion, Sheridan continues to meet the open space as well as density requirements without the subject property.

***Current Use and Zoning***

The property is currently zoned SF-4, in keeping with the Sheridan subdivision zoning district. It is currently vacant. See below Map 2: Current Zoning.

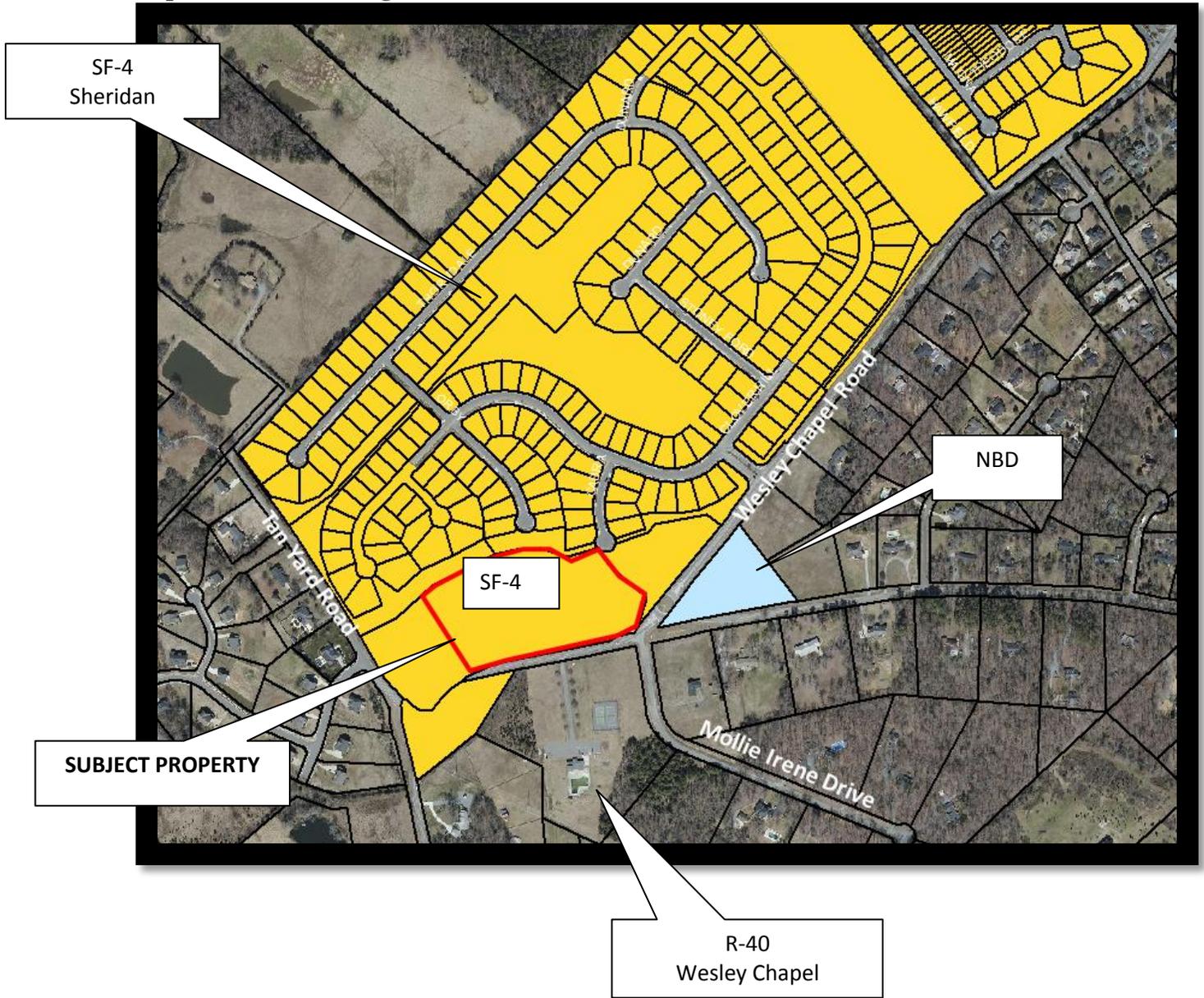
***Location Characteristics and Surrounding Zoning***

The current zoning for the surrounding area is mainly single family residential. The surrounding development consists of single-family residential to the north, recreation to the south, and vacant property to the east, south and west. See table below summarizing the surrounding zoning and uses.

**Summary of Adjacent Zoning and Uses**

<b>Surrounding Subject Property</b>	<b>Municipality</b>	<b>Zoning</b>	<b>Use</b>
North	Town of Indian Trail	Single Family (SF-4)	Single Family homes (Sheridan)
East	Town of Indian Trail	Single Family (SF-4)	Vacant (Sheridan)
South	Village of Wesley Chapel;	R-40	Recreation
South	Town of Indian Trail	Single-Family (SF-4)	Vacant (Sheridan)
West	Town of Indian Trail	Single Family (SF-4)	Vacant (Sheridan)

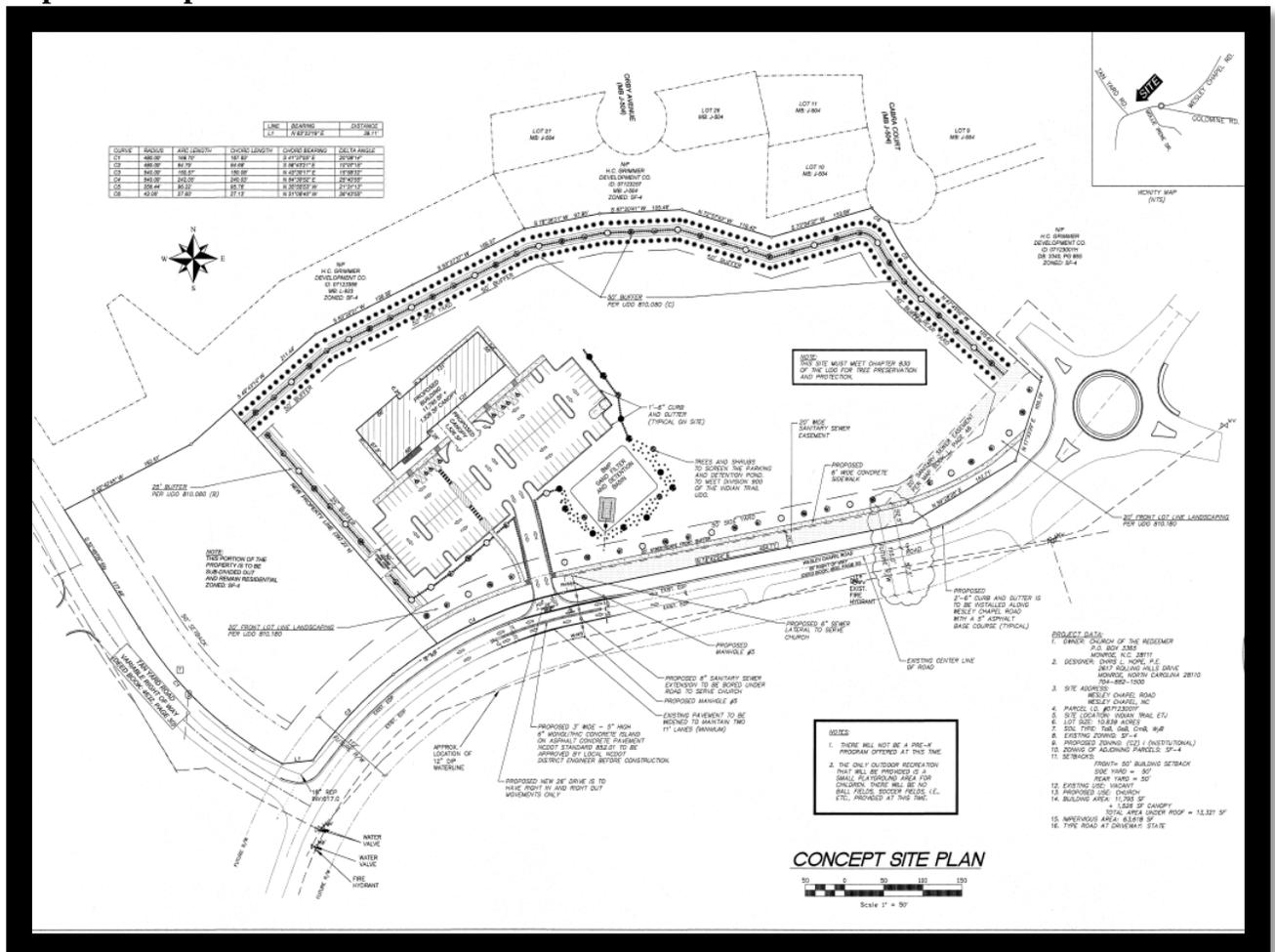
**Map 2: Current Zoning**



## Concept Plan

The Conceptual Plan, included in Attachment 3 (also, see below Map 3: Concept Plan) reflects development of a religious institution (approximately 11,795 square feet). The following will provide a brief overview of key elements of the Concept Plan.

### Map 3: Concept Plan



**Site Layout:** The Concept Plan contemplates a religious institution approximately 11,795 square feet, appropriate parking, detention ponds, sidewalk along Wesley Chapel, and a connection point to any future development on the parcel to the west.

**Site Access:** Access to the site will be provided by a right in/right out access point on Wesley Chapel Road, as approved by the North Carolina Department of Transportation (NCDOT). NCDOT has indicated that if a full movement access is desired, one would be feasible as long as certain requirements are met with regard to separation from the roundabout, turn lanes and stacking distances.

**Architectural Design:** The building will provide a mix of brick and EIFS on the front and side elevations. The rear will provide prefinished metal siding. All colors will be neutral to blend with the natural environment. The use of vinyl is prohibited.

### ***Compatibility with Surrounding Area***

The Institutional district is intended to be a good transition from residential areas. It is a complementary zoning designation to the residential zoning districts because it allows such uses as schools and churches to locate in close proximity to residential areas, providing shorter commuting distances between uses.

Please note, religious assembly uses are permitted in the current underlying zoning designation. However, because there are no intended residential uses for the subject parcel, the most appropriate underlying zoning designation is the proposed Institutional district.

### ***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 Union West Regional Library on April 28, 2016 from 3pm-5pm and the second was held at the Town's Cultural Arts Center 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.

- *3pm-5pm Meeting:* This meeting was attended by 6 members of the public, the applicant's team, and Town staff. General questions were raised regarding the design of the building and the timing for the project.
- *6pm-8pm Meeting:* There were approximately 2 members of the public in attendance in addition to the applicant's team and Town staff. General questions were raised regarding the design of the building. See Attachment 4 for Meeting Notes.

In general, attendees were receptive of the building design and overall project.

### ***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 Sun Valley Village of the Comprehensive Plan. See Map 4 below. This Village is intended to consist of mixed uses as well as medium density residential. The proposed future land use of the subject property is Medium Density Residential. Residential designations are intended to accommodate complementary uses such as religious institutions. Therefore the proposed Institutional zoning district to accommodate the religious institution is consistent with the future land use map. Staff is of the opinion that the proposal is consistent with the goals of the Comprehensive Plan.

**Map 4: Future Land Use Map**



**Subject Property  
Existing Medium Residential  
(Sun Valley Village)**

***Draft Conditions***

See the attached draft Ordinance with the recommended Conditions of Approval.

**Comments from Outside Agencies**

- *North Carolina Department of Transportation (NCDOT)*: NCDOT has provided the following comments:  
NCDOT does not have any issues with the proposed right in/right out access to the site. However, if the applicant is interested in a full movement access, the following would need to be provided:

Left turn lane, with 100 foot stacking  
500 foot sight distance in each direction

A minimum 600 foot distance from the roundabout to the ROW line

- *Union County Public Works (UCPW)*: Approval of sketch plan provided.
- *Union County Public Schools (UCPS)*: No comments at this time:
- *Union County Fire Marshal (UCFM)*: No issues at this time.
- *Union County Sheriff*: No issues at this time.

## **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 and 5*: The proposed project promotes compatibility of land uses between neighboring properties and residential properties within surrounding jurisdictions and proposes high quality design to promote attractive land development; and
- *Mobility and Transportation Goal #3*: The proposed development incorporates pedestrian connectivity through the use of sidewalks along Wesley Chapel Road, as well as opportunity to connect to any future development directly west of this development.

The request for this conditional zoning district (Institutional) 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 and land use.

## **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** – Original SUP and Master Plan

**Attachment 3** – Draft Ordinance with attached Exhibits

**Attachment 4** – Community Meeting Minutes

## **Staff Contact**

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**PB Attachment 1- Application**