



Town of
INDIAN TRAIL
north carolina

P.O. Box 2430

Indian Trail, North Carolina 28079

Telephone (704) 821-5401

PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT

Rezoning Staff Report

Case: ZM2011-002 Price Rezoning- Old Monroe Rd.			
Reference Name	Price Rezoning		
Request	Proposed Zoning	SF-5 Single-Family Residential/ Village Center Overlay	
	Proposed Uses	Single Family Residential	
Existing Site Characteristics	Existing Zoning	SF-1 Single-Family Residential/ Village Center Overlay	
	Existing Uses	Single Family Residential	
	Site Acreage	1.856	
Applicant	Sharon Price		
Submittal Date	9/19/11		
Location	5635; 5649; 5651 Old Monroe Rd.		
Tax Map Number(s)	07-087-014		
Plan Consistency	Comprehensive Plan	Designation	Suburban Mix Village Old Monroe Corridor
		Consistent with Request	Yes
Recommendations & Comments	Planning Staff	Recommends approval of SF-5 Single-Family Residential Zoning District	

Project Summary

The subject property for the rezone request comprises 1.856 acres of land located on Old Monroe Rd. The parcel contains three single-family residential structures, developed in the 1960s, and is currently zoned SF-1 Single-Family Residential District/ Village Center Overlay. The rezoning request is to rezone the parcel to SF-5 Single-Family Residential District/ Village Center Overlay. The rezone request was submitted by the property owner Sharon Price as a preceding action to be able to subdivide the property into three separate parcels, each containing a separate residential unit.

Recommendation

Staff is of the opinion the required findings can be made to support the rezoning request.

Analysis

Site Characteristics

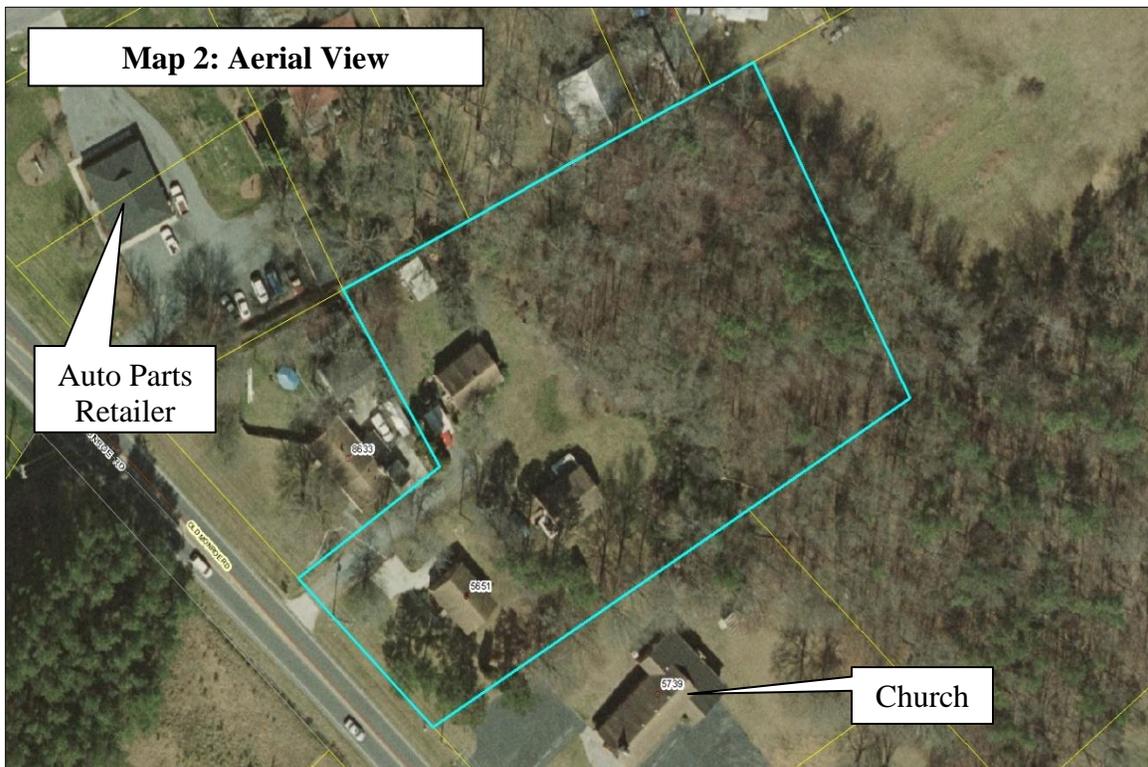
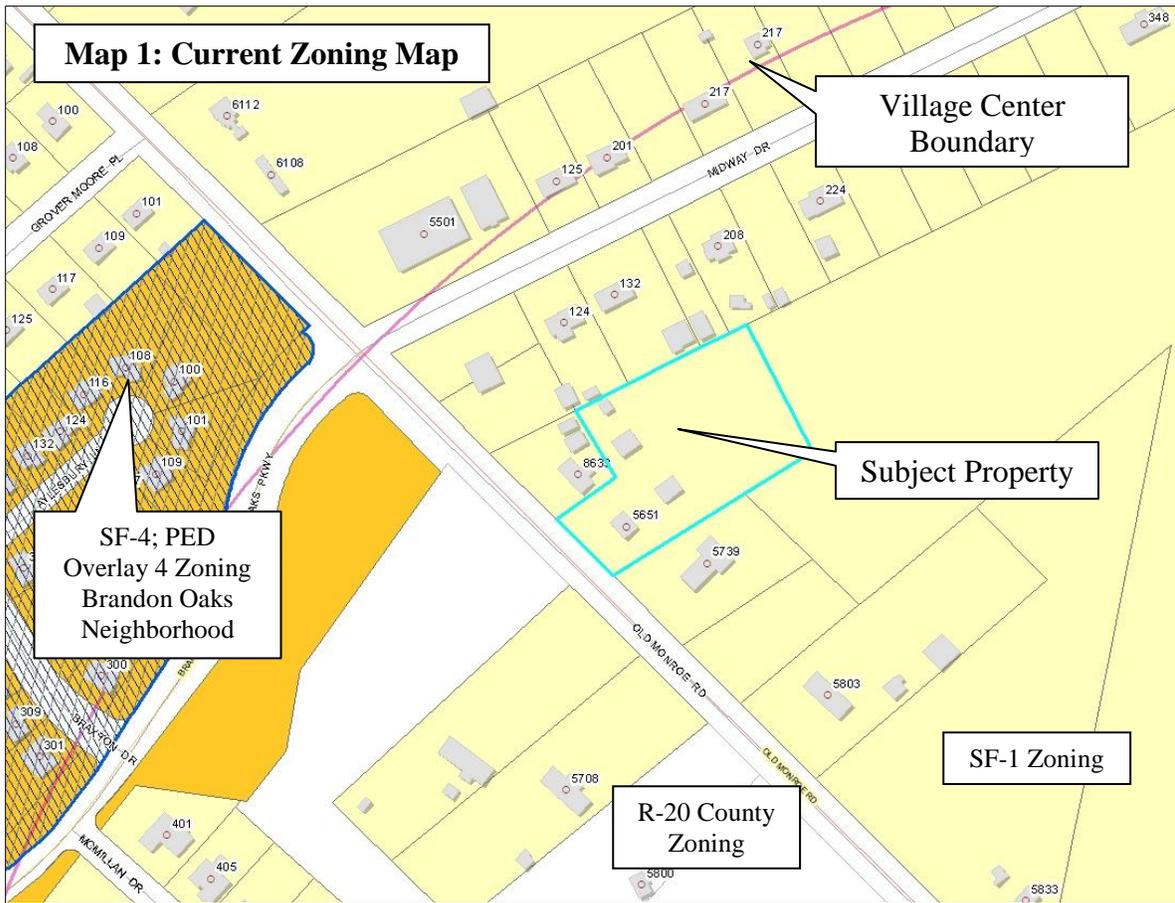
The subject property consists of 1.856 acres and has approximately 130 feet of road frontage along Old Monroe Road. The property is heavily wooded towards the rear of the parcel, with the three detached single family residential units situated toward the front (Map 2). Currently, all three residential units use a shared driveway off of Old Monroe Rd. Uses surrounding the property are vastly residential with an exception of the property directly adjacent to the southeast, which is a church. There is also a small auto parts retailer 200 ft. to the northwest. The property is located less than 500 ft. from the entrance of the Brandon Oaks neighborhood.

Currently, the zoning of the property is SF-1 Single-Family Residential with a Village Center Overlay. The property is situated at the edge of a Village Center, approximately 0.37 miles to the very center of that area. The property is nonconforming in that it contains three individual dwellings on one shared property. The SF-1 zoning district is intended to provide for low density areas for single-family dwellings, generally classified as one dwelling unit per acre. The proposed zoning of SF-5, Single-Family Residential is intended to accommodate a variety of moderate to high intensity residential uses, including single-family detached and single-family attached uses. It should be noted that the uses allowed by right in the SF-5 district are virtually identical to the SF-1 district with the exception of Townhomes are permitted by Special Use Permit in the SF-5 District. Please see attachment 5 for the residential use table, as outlined in UDO 510.020.

Typical densities for this zoning district consist of four to five dwelling units per acre. Please see the table below for the associated setbacks for both the SF-1 and SF-5 zoning districts.

	SF-1	SF-5
Minimum Lot Size (sq. ft.)	20,000	8,000
Front Setback (Boulevards & Thoroughfares)	50	30
Front Setback (All other streets)	40	25
Rear Setback	40	30
Side Setback	15	10

The majority of the area surrounding the property is SF-1 residential zoning, with the mostly residential uses, with a church and small auto parts retailers shop being the exception (Map 2).



Comments from Outside Agencies

The Town routed plans to receive comments from external agencies such as the Union County Fire Marshal, Union County Public Works, Union County Environmental Health and the North Carolina Department of Transportation. NCDOT and the Union County Fire Marshal office have responded that they did not have any comments or concerns with the proposed rezoning request. Union County Environmental Health acknowledged the property is served by septic. Union County Public Works stated that no additional sewer or water is available to the parcel and that existing taps may be used to serve the property.

Plan Consistency

The property is located in the Old Monroe Corridor within the Suburban Mix Village as classified by the Indian Trail Comprehensive Plan. The Suburban Mix Village is defined by the predominate land use of single family residential with commercial uses concentrated within the Village Center core. The Comprehensive Plan sets forth location criteria which provide guidance for the location of potential land uses within the Suburban Mix Village. Location Criteria # 6 (LC6), states that high density and multi-family residential uses should be located within a village center. The subject property is located within a Village Center (Map 1) and would therefore be consistent with Location Criteria #6 for this particular village.

In reference to the recommended land use calculations for the Old Monroe Corridor, the proposed zoning of SF-5 would classify the subject property as high density residential. This addition of 1.856 acres of high density residential would keep the total for high density residential in the Old Monroe Corridor at 2%. The recommended high density residential use amount for the area is 8%. Note that the current calculations for medium density for the Corridor are 68.3%, which exceeds the recommended base of 60%.

Staff also finds consistency with the overall goals of the Comprehensive Plan, specifically, Goal 1.3.1 Quality of Life relating to the establishment of a diverse range of housing options. This includes varying densities of residential development in order to provide for a wide range of living opportunities for the residents of Indian Trail. Additionally, consistency can be found with Goal 1.3.2 Land Use in that the proposed rezoning provides a mix of land uses, avoiding the potential land use conflicts.

If the Board determines that consistency is made with both the location criteria for the Suburban Mix Village and the Goals of the Comprehensive Plan, staff believes that the proposed rezoning can be supported.

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 1.3.1 Quality of Life: A diverse range of housing options, including varying densities of single family, multi-family, traditional neighborhood development (TND), and mixed-use communities in order to provide affordable living opportunities for a wide range of residents.

Goal 1.3.1 Land Use: A mix of different types of land uses and the avoidance of potential land use conflicts between neighboring properties and surrounding municipalities.

Location Criteria #6 (LC6): The proposed rezoning will meet the location criteria goal by locating high density residential uses within a Village Center.

The request for this zoning district is a reasonable request and is in the public interest because it promotes the goal of the adopted Comprehensive Plan in the area of Quality of Life and Land Use and is consistent with the adopted plans within the Town.

Recommendation

Staff is of the opinion that the findings can be made to support a SF-5 zoning district for the subject property. The proposed rezone is consistent with the town's Comprehensive Plan.

Attachment 1 – Application

Attachment 2 – Letter of Intent

Attachment 3 – Site Pictures

Attachment 4 – Boundary Survey

Attachment 5 – Residential Use Table

Attachment 6 – Draft Resolution

Staff Contact

Hillary Pace

Environmental Planner

(704) 821-5401 ext 223

hkp@planning.indiantrail.org

PB Attachment 1
Application

R-000314

RECEIVED
Date: 9-2-2011

ZONING MAP AMENDMENT APPLICATION



Town of
**INDIAN
TRAIL**
north carolina

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

DEADLINE: THE FIRST DAY OF THE EACH MONTH

ONLY COMPLETE APPLICATIONS ACCEPTED

Processing Fee \$500.00

Notification Fee \$2.50 per adjoining property owner

ZONING MAP AMENDMENT APPLICATION



Submittal Requirements

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

General Information

Project Address 5635 5649 5651 Old Monroe Rd.
City Indian Trail State N.C. Zip
Tax Parcel ID 07-087-014 Zoning Designation
Total Acres 1.856 Ac Impervious Area
Project Description Rezoning to SF-5

Contact Information - Applicant

Name Sharon J. Price
Address 6425 Old Monroe Rd
City Indian Trail State N.C. Zip 28029
Phone 704-907-6460 Fax 704-289-4303
Email Spruce@Images4uLLC.com

Contact Information - Property Owner

Name
Address
City State Zip
Phone Fax
Email



ZONING MAP AMENDMENT APPLICATION

Applicant's Certification

Signature [Signature] Date 9-2-11

Printed Name/Title Sharon L. Price

Signature of Notary Public [Signature] Date 9-2-11



Property Owner's Certification

Signature [Signature] Date 9-2-11

Printed Name/Title Sharon V. Price

Signature of Notary Public [Signature] Date 9-2-11



TOWN OF INDIAN TRAIL OFFICE USE ONLY

Case Number: _____

Date Received: 9-2-2011 Amount of Fee: 500⁰⁰

Received By: HB Receipt #: CR # 5011

ZONING MAP AMENDMENT APPLICATION



SCHEDULE

1. Submit Application

- The deadline for this application is the first of the month each month.
- Once an application is submitted it will be placed on the Planning Board Agenda for the following month.

2. Planning Board

- Reviews application to ensure it is consistent with the Comprehensive Plan and UDO as well as all other adopted town plans.
- Meets the 3rd Tuesday of every month.

3. Town Council

- Legislative action to approve, approve with modifications, deny approval, or submit to the Planning Board for further study.
- Meets 2nd and 4th Tuesday of every month.

PB Attachment 2

Letter of Intent

*Sharon Price
6425 Old Monroe road
Indian Trail NC 28079*

Hillary, thank for your reminder to get my letter in for changing the rezoning of my Property. As you and I discussed my property is currently zoned S71 and I would like it to be changed to S75. As I explained to you I have approximately two acres with three houses on the two acre track. I would like to have each house on a property of its own. The property adjoining me is S75 and this property would make sense to be zoned the same way. This would allow at some point to develop the rest of the property that is not in use. It also helps when the property is passed down to my children

Have a blessed day and as always thanks for all of your help!

*Sharon V. Price
704-907-6460*

PB Attachment 3

Site Pictures



View from front of property



View from right side of property



View of shared driveway (from Old Monroe Rd.)

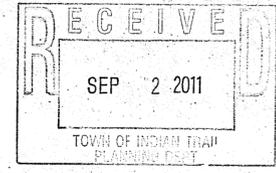
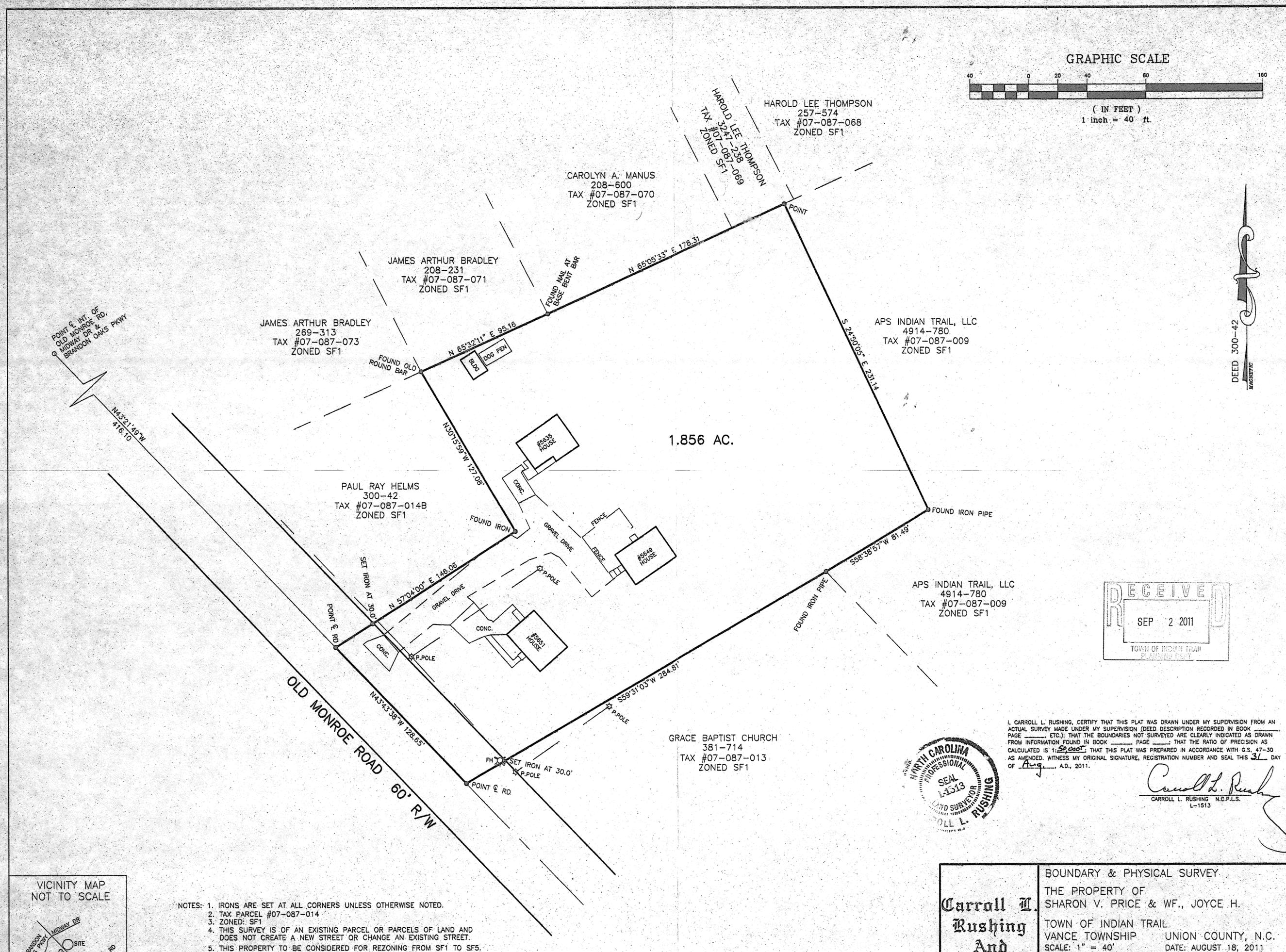
GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.



1.856 AC.



I, CARROLL L. RUSHING, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE _____ ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____ PAGE _____; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:2000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 31 DAY OF Aug, A.D., 2011.



Carroll L. Rushing
CARROLL L. RUSHING N.C.P.L.S.
L-1513

GRACE BAPTIST CHURCH
381-714
TAX #07-087-013
ZONED SF1

APS INDIAN TRAIL, LLC
4914-780
TAX #07-087-009
ZONED SF1

JAMES ARTHUR BRADLEY
269-313
TAX #07-087-073
ZONED SF1

PAUL RAY HELMS
300-42
TAX #07-087-014B
ZONED SF1

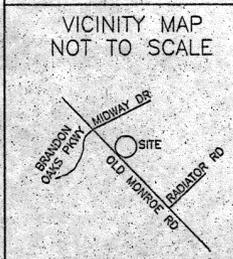
JAMES ARTHUR BRADLEY
208-231
TAX #07-087-071
ZONED SF1

CAROLYN A. MANUS
208-600
TAX #07-087-070
ZONED SF1

HAROLD LEE THOMPSON
257-574
TAX #07-087-068
ZONED SF1

HAROLD LEE THOMPSON
TAX #07-087-069
ZONED SF1

- NOTES: 1. IRONS ARE SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
2. TAX PARCEL #07-087-014
3. ZONED: SF1
4. THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
5. THIS PROPERTY TO BE CONSIDERED FOR REZONING FROM SF1 TO SF5.



Carroll L. Rushing And Company	BOUNDARY & PHYSICAL SURVEY
	THE PROPERTY OF SHARON V. PRICE & WF., JOYCE H.
	TOWN OF INDIAN TRAIL VANCE TOWNSHIP UNION COUNTY, N.C. SCALE: 1" = 40' DATE: AUGUST 18, 2011 DEED REF: 4593-042
	Carroll L. Rushing N.C.P.L.S. (704) 289-5747 103 South Hayne Street, Monroe, N.C. 28112 Dwg. File: c:\sdsk\proj\5651omrd Coord. File: survey\data\5651omrd

PB Attachment 5
Residential Use Table- UDO

PB Attachment 6
Draft Ordinance

STATE OF NORTH CAROLINA)

TOWN OF INDIAN TRAIL)

ORDINANCE #

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF INDIAN TRAIL REZONING PARCEL 07-087-014 FROM SF-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT)/ VILLAGE OVERLAY TO SF-5 (SINGLE-FAMILY RESIDENTIAL DISTRICT)/ VILLAGE OVERLAY IN THE TOWN OF INDIAN TRAIL, UNION COUNTY, NORTH CAROLINA

WHEREAS, the property owner Sharon Price, petitioned to rezone tax parcel 07-097-014 from SF-1 (Single-Family Residential District)/ Village Center Overlay to SF-5 (Single-Family Residential District)/ Village Center Overlay; and

WHEREAS, this Zoning Amendment (ZM2011-002) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, a public meeting was held by the Planning Board on October 18th, 2011 to consider this rezoning request; and

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

Goal 1.3.1 Quality of Life: A diverse range of housing options, including varying densities of single family, multi-family, traditional neighborhood development (TND), and mixed-use communities in order to provide affordable living opportunities for a wide range of residents.

Goal 1.3.1 Land Use: A mix of different types of land uses and the avoidance of potential land use conflicts between neighboring properties and surrounding municipalities.

Location Criteria: The proposed rezoning will meet the location criteria goal by locating high density residential uses within a Village Center.

WHEREAS, the Planning Board further finds the request for this rezoning is a reasonable request and is in the public interest because it promotes the goals of the adopted Comprehensive Plan in the area of Quality of Life and Land Use and is consistent with the adopted plans within the Town.

WHEREAS, the Planning Board voted to recommend approval to the Town Council and therefore transmits its recommendation, and

WHEREAS, the Town Council held a public hearing on November 8th, 2011 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 on November 8th, 2011 by the Town Council of the Town of Indian Trail, North Carolina hereby takes the following action:

Section 1 - ZM 2011-002 Zoning Petition be granted and the Zoning Map shall be amended to reflect an SF-5 (Single-Family Residential District)/ Village Center Overlay zoning designation for 07-097-014.

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

AND IT IS SO ORDAINED this 8th day of November, 2011.

TOWN OF INDIAN TRAIL COUNCIL

Attest:

Peggy Piontek, Town Clerk

John J. Quinn, Mayor

APPROVED AS TO FORM:

TOWN ATTORNEY