



Town of INDIAN TRAIL
north carolina

Indian Trail, North Carolina 28079

Telephone 704-821-5401

Fax 704-821-9045

PLANNING BOARD TRANSMITTAL

Planning Board Transmittal for the February 22nd, 2011 Town Council Meeting

Reference Name	Case: ZM 2010-004 Al-Hassan Rezone		
PB Meeting Date	January 18, 2011		
Members Present	Chair Whitehurst <input checked="" type="checkbox"/>	Gary Vaughn <input checked="" type="checkbox"/>	Larry Miller <input checked="" type="checkbox"/>
	Vice-Chair Cowan <input checked="" type="checkbox"/>	Kathy Broom <input checked="" type="checkbox"/>	Robert Rollins <input type="checkbox"/>
	Sidney Sandy <input checked="" type="checkbox"/>	Cathi Higgins <input checked="" type="checkbox"/> Alternate	John Simulcik <input type="checkbox"/> Alternate
	Vacant Seat <input type="checkbox"/>		
Case Found Complete	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Motion	Recommend approval as transmitted		
Member making the motion	Board member Cowan		
Second the motion	Board member Sandy		
Vote	7-0		

Background

The property owner has requested to rezone three parcels totaling approximately 9.19 acres from Light Industrial (LI) to General Business District (GBD) zoning classification. The Planning Board heard this request on January 18th, 2011 and transmits a recommendation to approve this zoning map amendment.

Town Council Action: Receive transmittal report and public testimony and:

1. Concur with the findings and transmittal of the Planning Board to approve; or
2. Do not make the findings and disapprove the zoning map amendment; or
3. Table and remand for further consideration by the Planning Board.

Planning Board Meeting

The Planning Board heard this item at its January 18, 2011 regular meeting (see Attachment 1 for the Staff Report). The zoning map amendment request is to rezone approximately 9.19 acres of land located along Waxhaw Indian Trail Road from Light Industrial (LI) to General Business District (GBD). The three parcels are located within a Village Center intended for commercial uses and a sense of place that is typically not compatible with an industrial classification. The rezone request would bring the area in general conformity with the Indian Trail Comprehensive Plan.

Planning Board Discussion:

The discussion among the Planning Board members involved several questions. First, potential uses were considered. Specifically some members questioned whether a restaurant was an allowable use and what type of department store would be allowed. Staff responded that they are permissible uses with the GBD zoning but the size is restricted due to village center limitations. Second, the village center concept was discussed in relation to zoning. It was explained a village center is intended for retail services with accommodations for pedestrians. Third, there was a concern about traffic in the area, but staff replied a traffic study would be required for any new development and one board member stated there could be a traffic increase regardless of industrial or commercial use. Lastly, the Board felt it was a good decision to forego the market study for this project since it is a downzoning request.

Following this discussion, the Planning Board unanimously recommended this rezone for approval by the Town Council, along with making the following required findings:

Draft Findings:

1. The following findings were made consistent with the Comprehensive Plan:

Goal 1.3.2 Land Use: A more balanced tax base by promoting the development of office parks, businesses, retail centers, and industrial parks:

The rezone to General Business District would reduce Industrial zoning from a village that does not allow it and a village center that is not intended for industrial uses. Furthermore, the request would allow uses that are consistent with existing conditions and surrounding properties. It also promotes the opportunity to establish a more balanced tax base by promoting commercial development.

2. The request for this zoning reclassification is a reasonable request and is in the public interest because it promotes the goals of the adopted Indian Trail Comprehensive Plan in the area of Land Use and is consistent with the adopted plans within the Town.

Project Contact

Craig Thomas

Junior Planner

cat@planning.indiantrail.org

Town Council Attachments:

TC Attachment 1 – Planning Board Staff Report

**TC ATTACHMENT 1:
Planning Board Staff Report**



**Town of
INDIAN TRAIL**
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P.O. Box 2430
 Indian Trail, North Carolina 28079
 Telephone (704) 821-5401
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PLANNING AND DEVELOPMENT DEPARTMENT

Zoning Map Amendment Staff Report

Case: ZM 2010-004 Al-Hassan Rezone Petition		
Reference Name	1014 and 1016 Waxhaw Indian Trail Road	
Request	Proposed Zoning	General Business District Village Center Overlay (GBD/O-VC)
Existing Site Characteristics	Existing Zoning	Light Industrial Village Center Overlay (L-I/O-VC)
	Existing Use	Office/Vacant
	Site Acreage	9.19 acres
Applicant	Claudia Al-Hassan	
Submittal Date	10/27/2010	
Location	Waxhaw Indian Trail Road near intersection of Old Monroe Road	
Tax Map Number(s)	07-114-038, 07-114-038M, and 07-114-038V	
Plan Consistency	Town of Indian Trail Comprehensive Plan	Designation: "Austin Village" village center
		Consistent with Request
Recommendations & Comments	Planning Staff	Recommends Approval for a General Business District (GBD) classification

Project Summary

Request: to rezone three parcels (approximately 9.19 acres) from Light Industrial (L-I) to General Business District (GBD). Subject parcels are along Waxhaw Indian Trail Road approximately 450 feet from the Old Monroe Road intersection (Figure 1).

Staff Recommendation

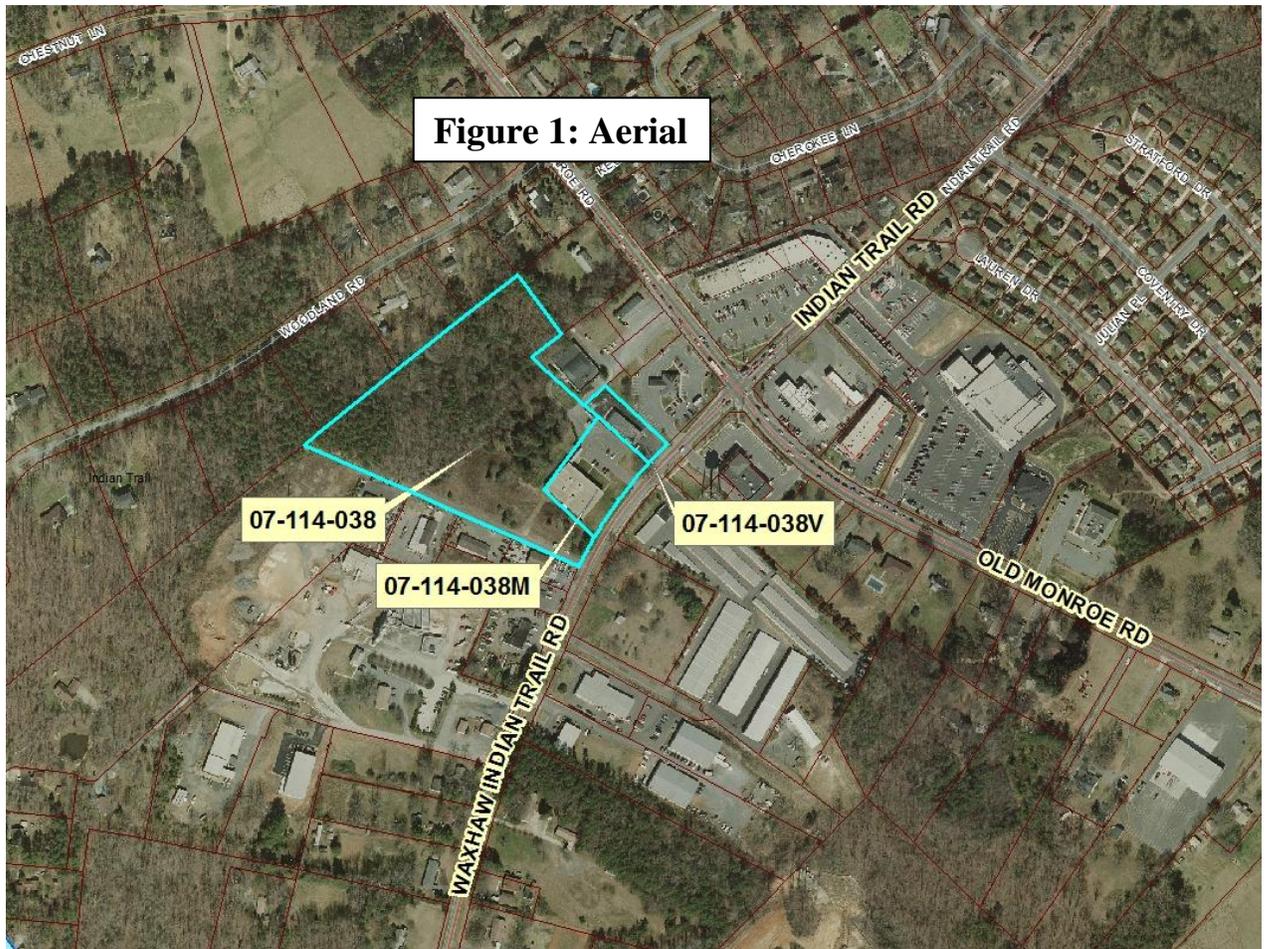
Staff recommends the Planning Board receive report, public comments, and recommend approval to Council as presented.

General Information

The properties in question currently are zoned Light Industrial (L-I) zoning classification. The subject properties are:

Parcel Number	Address	Acreeage	Current Use
07-114-038	Waxhaw Indian Trail Rd	7.6	Vacant
07-114-038M	1014 Waxhaw Indian Trail Rd	1.18	Office
07-114-038V	1016 Waxhaw Indian Trail Rd	0.41	Office

The subject properties are located on Waxhaw Indian Trail Road near the Old Monroe intersection (Figure 1).



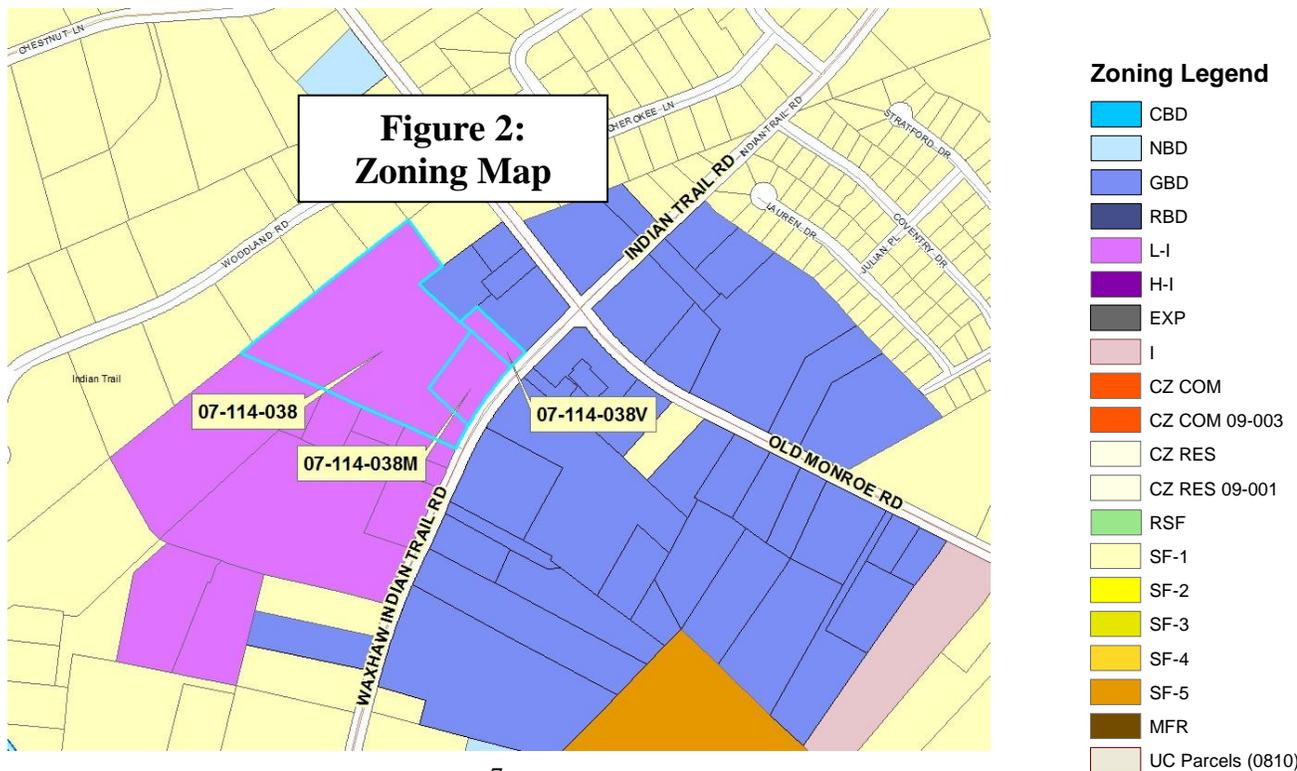
Zoning Information

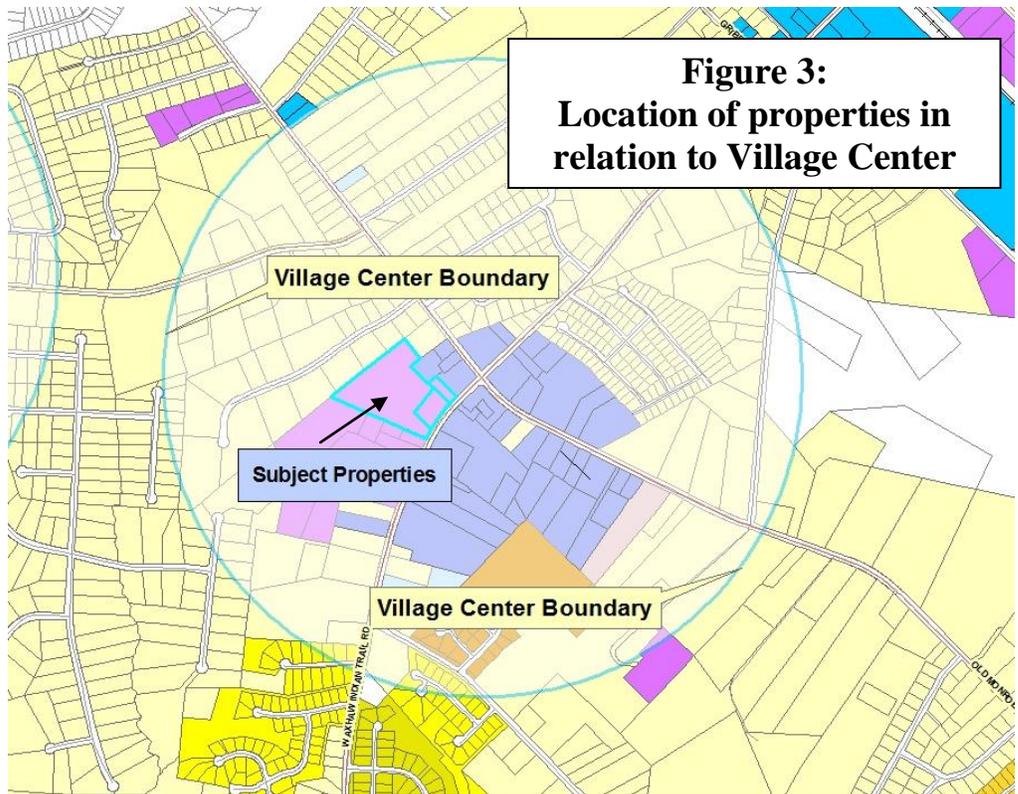
All three of the subject properties are zoned Light Industrial (L-I) and are located within a Village Center Overlay. Permissible uses within the Light Industrial zoning classification are some of the more intense in town. The allowable uses for Light Industrial (Attachment 2) include manufacturing, warehousing, office, and equipment servicing. These uses are typically located in industrial parks and not within a village center.

Conversely, the Village Center Overlay is intended to provide a variety of land uses including mixed-use, retail, and office. Densities may be higher in the Village Centers than elsewhere in town. This helps provide an area where people may live, work, and shop in close proximity and promote alternative means of transportation (i.e. walking).

Considering the location of the three subject properties in a village center, the potential uses are limited to offices and some sales. The applicant is requesting to voluntarily rezone the subject properties base zone from L-I to the less intense General Business District (GBD) classification. The Village Center Overlay will remain. The intent is to provide allowable uses related to goods, services, and a variety of commercial and office uses. The service area of businesses in the GBD will be primarily from residents of the Town. The standards that apply in the district are intended to create and maintain an appealing environment which is in harmony with the Village Center Overlay District.

Adjacent uses and zoning classifications in the subject area are Light Industrial (L-I) Single Family Residential (SF-1) and Commercial (GBD). Figure 2 is the official zoning map for the area and Figure 3 delineates the location of the Village Center.

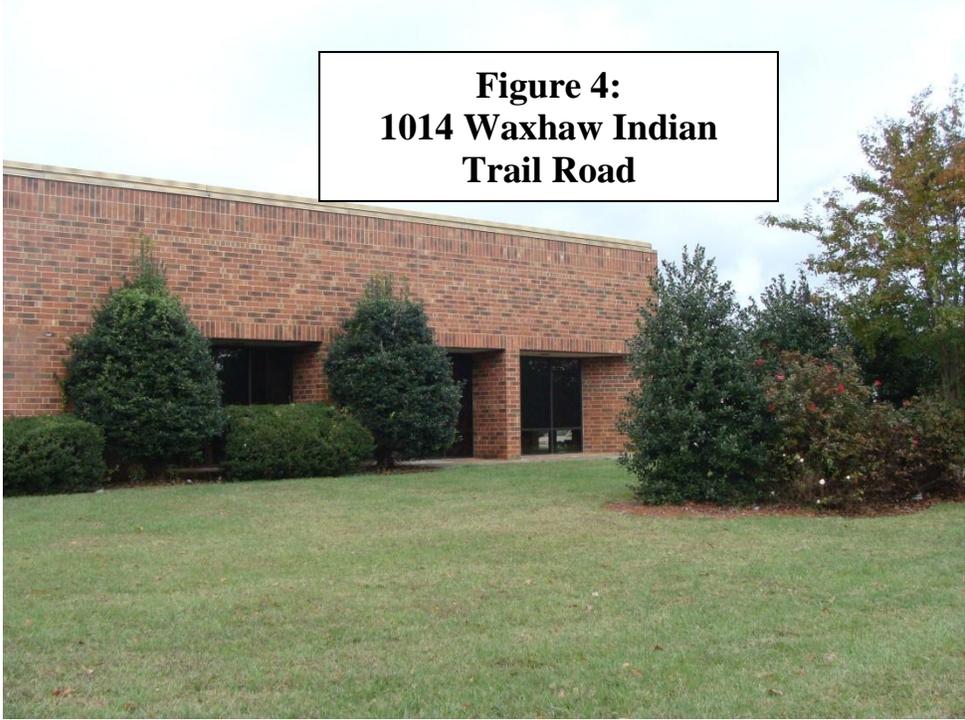




**Figure 3:
Location of properties in
relation to Village Center**

Site Characteristics

The subject properties total of 9.19 acres. The large parcel is undeveloped, and the two remaining parcels currently have office buildings.



**Figure 4:
1014 Waxhaw Indian
Trail Road**

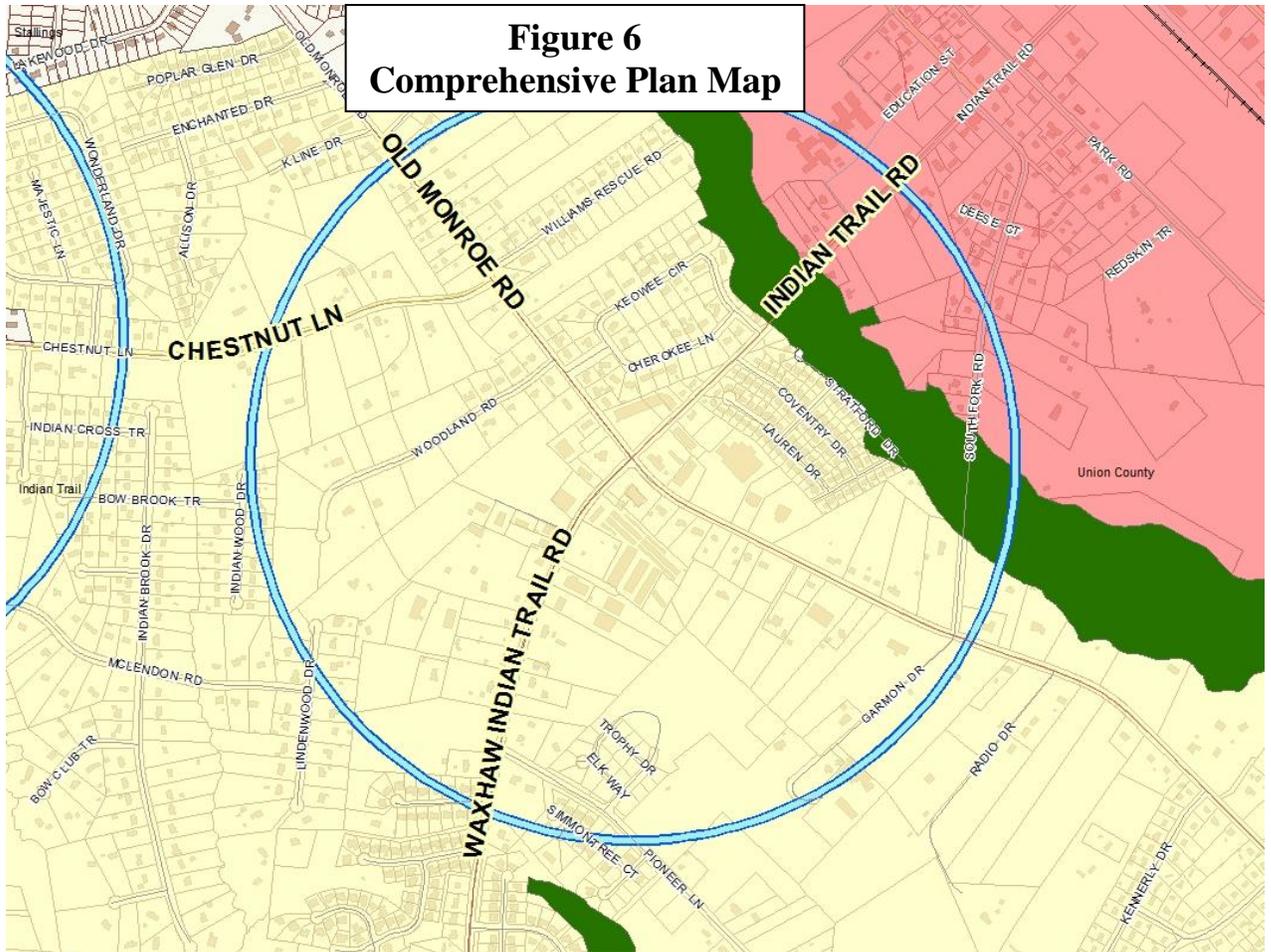


Plan Consistency

Comprehensive Plan

The Village Center wherein the properties lie is called Austin Village. This village is designated as a Suburban Mix Village land use area in the Indian Trail Comprehensive Plan.

A Village Center is intended to concentrate higher-intensity commercial uses and higher-density residential around the intersections of boulevards and thoroughfares. A Village Center benefits both residential and commercial uses. The co-location of more intense uses creates opportunities for a sense of place not possible in a more sprawling pattern of commercial uses along an arterial. The commercial core of a Village Center would include retail, office, entertainment, and public facilities.



All Villages within the Comprehensive plan identify a future land use make-up. The table below provides the current make-up and future build out.

Suburban Mix Village - Existing Land Use Calculations for Austin Village

Land Use	Current Base	Percent Base	Flexibility Factor
Low Density Residential	0%	7%	+2
Medium Density Residential	55.48%	60%	-5
High Density Residential	12.17%	8%	+/-2
Multi-Family Residential	0.73%	3%	+/-1
Parks/Open Space/ Agriculture/ Forest	0%	6%	-
Institutional	0.13%	7%	+2
Retail	3.92%	2%	-
Office	0.73%	2%	-
Boulevards/Thoroughfares	4.44%	5%	-
Industrial	2.37%	-	-

The table below examines the specific land uses (Industrial, Office, and Retail) for the proposed petition. The three parcels consist of 9.19 acres of which two are developed and one is vacant. The two developed parcels are currently office/warehouse buildings. The one undeveloped lot represents 7.6 acres and the majority of the acreage for the rezoning request.

Land Use	Current Base	Percent Base Allowed	Proposed Base After Rezoning
Industrial	2.37%	0%	1.71%
Office	0.73%	2%	0.85%
Retail	3.92%	2%	4.36%

*NOTE: In determining the percentages, the future land use make-up is unknown. An assumption of 80% retail and 20% office distribution was used based on the two developed parcels being office and the vacant parcel developing as retail.

INDUSTRIAL

The voluntary rezone request is from an intense industrial land use classification to a less intense commercial land use classification (i.e. downzoning). The downzone request is an attempt to bring the land uses into more compliance with the Comprehensive Plan in that the Industrial uses, of which this village is intended to have 0%, is being reduced from 2.37% to 1.71%.

OFFICE

The additional acreage of office use is within the allowable percentages.

RETAIL

The increase acreage to the retail category adds an additional percentage that exceeds the allowed base. In a situation such as this, a market study is required to verify the market can support the proposed change.

Market Study

Staff is of the opinion the Town should forgo the market study requirement for this case for the following reasons:

- The rezone request is a voluntary downzone initiated by the applicant.
- The market study would have created an undue financial burden for the applicant since they would have had to hire a professional real estate appraiser to conduct the study.
- The voluntary downzone prevents a potential nonconforming industrial use for the large undeveloped parcel.
- The proposed zoning classification is much more consistent with the Comprehensive Plan's definition of a village center.
- If the properties are rezoned, the undeveloped 7.6 acre parcel may be developed in harmony with the village center concept and fulfill the vision of the Comprehensive Plan.

Staff did not request the market study be prepared prior to the Planning Board meeting; however, if the Board is of the opinion a market study would help with their decision, they may ask for the study to be conducted prior to making their recommendation.

Action Required

The Planning Board must make findings prior to motioning 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 goal of the Comprehensive Plan are satisfied as follows:

Goal 1.3.2 Land Use: A more balanced tax base by promoting the development of office parks, businesses, retail centers, and industrial parks:

The rezone to General Business District would reduce Industrial zoning from a village that does not allow it and a village center that is not intended for industrial uses. Furthermore, the request would allow uses that are consistent with existing conditions and surrounding properties. It also promotes the opportunity to establish a more balanced tax base by promoting commercial development.

The request for this zoning reclassification is a reasonable request and is in the public interest because it promotes the goals of the adopted Indian Trail Comprehensive Plan in the area of Land Use and is consistent with the adopted plans within the Town of Indian Trail.

Recommendation

The Planning Staff believes that the findings can be made to support the petition requesting a rezone to a General Business zoning classification for the subject properties.

Staff Contact

Craig Thomas
Junior Planner
(704) 821-5401 ext. 238
cat@planning.indiantrail.org

Attachment 1 – Application

Attachment 2 – Use Table and Standards for L-I and GBD

Attachment 3 – Draft Ordinance

Planning Board Attachment One Application

R-000218

ZONING MAP AMENDMENT APPLICATION



Town of
**INDIAN
TRAIL**
north carolina

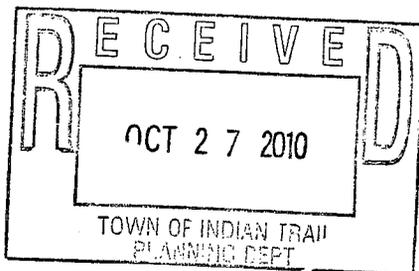
PLANNING AND DEVELOPMENT DEPARTMENT

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DEADLINE: THE FIRST DAY OF THE EACH MONTH

ONLY COMPLETE APPLICATIONS ACCEPTED

Processing Fee \$500.00 (WAIVED)

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 1014 WAXHAW INDIAN TRAIL RD
1016 WAXHAW INDIAN TRAIL RD
 City ACREAGE
INDIAN TRAIL State NC Zip 28079
 Tax Parcel ID 07114038M (BLDG# 1014)
07114038V (BLDG# 1016) Zoning Designation L-I
07114038 (ACREAGE)
 Total Acres 9.19 acres Impervious Area _____
 Project Description To be zoned: BUSINESS AND COMMERCIAL DISTRICT

Contact Information - Applicant

Name CLAUDIA AL-HASSAN
 Address 1014 WAXHAW INDIAN TRAIL RD
 City INDIAN TRAIL State NC Zip _____
 Phone 704-517-2198 Fax 704-821-7058
 Email claudia@alpha-omegainc.com

Contact Information - Property Owner

Name CLAUDIA AL-HASSAN
 Address P.O Box 3196
 City MATTHEWS State NC Zip 28106
 Phone 704-517-2198 Fax 704-821-7058
 Email claudia@alpha-omegainc.com

ZONING MAP AMENDMENT APPLICATION



Applicant's Certification

Signature CA Hassan Date October 26, 2010

Printed Name/Title CLAUDIA S. AL-HASSAN

Signature of Notary Public Julie Baker Date 10-26-10
Julie T Baker



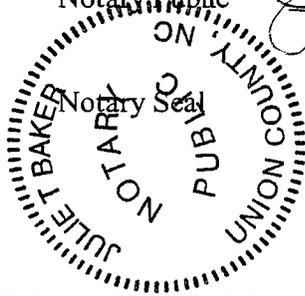
My Commission Expires Nov. 18, 2013

Property Owner's Certification

Signature CA Hassan Date October 26, 2010

Printed Name/Title CLAUDIA S. AL-HASSAN

Signature of Notary Public Julie Baker Date 10-26-10
Julie T Baker



My Commission Expires Nov. 18, 2013

TOWN OF INDIAN TRAIL OFFICE USE ONLY

Case Number: ZM 2010-004

Date Received: 10/27/10 Amount of Fee: \$0

Received By: CA Receipt #: NA

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.

**Planning Board Attachment Two
Use Table and Standards**

Base Zoning Districts

520.020 Allowed Uses

A. Permitted Uses

Uses identified with a "P" are permitted by-right in the subject zoning district, subject to compliance with all other applicable standards of this UDO.

B. Special Uses

Uses identified with an "S" may be allowed if reviewed and approved in accordance with the special use procedures of Chapter 360, subject to compliance with all other applicable standards of this UDO.

C. Planned Developments

Uses identified with a "PD" may be allowed if reviewed and approved in accordance with the planned development procedures of Chapter 340.

D. Prohibited Uses

Uses identified with a "-" are expressly prohibited. Uses that are not listed in the table are also prohibited.

E. Use Standards

The use standards column of the following Use Table identifies use-specific standards that apply to some uses. Compliance with such standards is required regardless of whether the use is "Permitted" or a "Special Use".

F. Parking Standards

The "parking standards" column of the following Use Table contains a reference to the applicable off-street parking ratio for the listed use. Off-street parking regulations are contained in DIVISION 1000.

G. Use Table and Standards

USE GROUP Use Category	Business and Commercial Districts						Use Standard
	CBD	NBD	GBD	RBD	O-VCD	O-DD	
Specific Use Type							
Adult Use	-	-	-	P	-	-	See Chapter 720
Animal Services							
Shelter/Boarding Kennel	-	-	S	S	-	-	
Sales and Grooming	P	P	P	P	P	S	
Veterinary	S	S	S	S	-	-	
Artist Work/Sales Space							
Art galleries	P	P	P	P	P	P	
Artist Studio	P	P	P	P	P	P	
Body Art Services							
Body Piercing				S			
Tattooing	-	-	-	S	-	-	At least 500 feet from any school
Building Maintenance Services							
Janitorial	-	-	P	P	-	-	
Landscaping Maintenance	-	-	S	S			
Window Cleaning Service	-	-	P	P	-	-	
Exterminator Services	-	-	-	S	S		

Base Zoning Districts

520.020 Allowed Uses

USE GROUP Use Category	Business and Commercial Districts						Use Standard
	CBD	NBD	GBD	RBD	O-VCD	O-DD	
Specific Use Type							
Business Equipment Sales and Service							
Office Equipment and Supply	P	P	P	P	P	P	See Size Limitations of Section 520.040
Small Business Machine Repair	P	P	P	P	P	P	
Hotel Equipment and Supply	-	-	P	P	-	-	
Business Support Services							
Blueprint Services	P	P	P	P	P	P	
Business or Trade Schools	S	S	S	P	S	S	
Day Labor Employment	-	-	-	P	-	-	
Employment Agency	P	P	P	P	P	P	
Secretarial Services	P	P	P	P	P	-	
Telephone Answering Service	P*	P*	P*	P*	P*	P*	See Size Limits Sec. 520.040
Communication Service Establishment							
Recording Studios	S	P	P	P	P	S	
Television and Radio Studios	-	-	P	P	-	-	
Telecom Sales/Service Centers	P	P	P	P	P	P	
Construction Sales and Service							
Building Material Sales	-	-	P	P	P*	P*	*See Size Limits Sec. 520.040
Contractor/Construction Storage Yard	-	-	-	S	-	-	
Tool Equipment Sales or Rental	-	-	-	S	-	-	
Building Contracting/Construction Office	P	P	P/S	P/S	P	P	SUP is for any outdoor operations
Drive-Through Facility (restaurants, banks, drug stores)	S	S	P	P	P	S	
Eating and Drinking Establishments							
Restaurants	P	P	P	P	P	P	
Private Club/Tavern	-	-	S	S	-	-	
Entertainment Sports (indoor basketball, hockey, soccer, batting)							

Base Zoning Districts
520.020 Allowed Uses

USE GROUP Use Category	Business and Commercial Districts						Use Standard
	CBD	NBD	GBD	RBD	O- VCD	O- DD	
Specific Use Type							
Small	-	-	P	P	P	S	
Medium	-	-	S	P	P	S	
Large	-	-	-	S	S	-	
Financial Services							
Banks	P	P	P	P	P	P	
Consumer Investment Services	P	P	P	P	P	P	
Consumer Loan Offices	P	P	P	P	P	P	
Payday Loan Stores	-	-	S	S	-	-	
Pawn Shop	-	-	S	S	-	-	
Savings and Loan Association	P	P	P	P	P	P	
Flea Market							
Flea Market	-	-	-	S	-	-	
Food and Beverage Retail Sales							
Bakery	P	P	P	P	P	P	
Delicatessen	P	P	P	P	P	P	
Ice Cream Store	P	P	P	P	P	P	
Grocery store	P	P	P	P	P	P	
Liquor Sales (accessory to hotel, motel, country club)				P			
Fortune Telling Service							
Fortune Telling Service	-	-	-	S	-	-	
Funeral and Internment Service							
Cemetery, mausoleum, columbarium	P	P	P	P	P	P	
Cremating	-	-	S	S	-	-	
Undertaking	S	S	P	P	S	-	
Gas Stations							
Gas Stations	-	-	P	P	S	-	
Lodging							
Bed and Breakfast	P	-	P	P	P	P	
Hotel/Motel	-	-	-	P	-	-	
Medical Services							
Government-operated health center	-	-	-	P	-	-	
Health maintenance organizations	-	-	-	P	-	-	

Base Zoning Districts
520.020 Allowed Uses

USE GROUP Use Category	Business and Commercial Districts						Use Standard
	CBD	NBD	GBD	RBD	O-VCD	O-DD	
Specific Use Type							
Medical/Dental Labs	P	P	P	P	P	P/S*	*If 0-1,500 sq. ft., then permitted by-right; if greater than 1,500 sq. ft., SUP is required.
Medical/Dental Offices	P	P	P	P	P	P	
Offices							
Administrative	P	P	P	P	P	P	
Professional	P	P	P	P	P	P	
High-technology Offices/Labs			P	P			
Legal	P	P	P	P	P	P	
Parking, Non-Accessory	S	-	-	-	S	S	
Personal Service							
Dance Studios	P	P	P	P	P	P	
Day Care Center	P	P	P	P	P	P	
Driving Schools	-	P	P	P	P	-	
Hair or Nail Salon/Barbershop	P	P	P	P	P	P	
Martial Arts Studio	P	P	P	P	P	P	
Other High-Volume Traffic Generating Uses	P	P	P	P	P	P	
Other Low-Volume Traffic Generating Uses	P	P	P	P	P	P	
Religious Assembly	P	P	P	P	P	P	Storefront location only- located within a multi-tenant structure
Yoga Studio	P	P	P	P	P	P	
Repair Service, Consumer							
Appliance Repair Shops		-	P	P	-	-	
Locksmiths	P	P	P	P	P	P	
Musical Instrument Repair	P	P	P	P	P	P	
Other High-Volume Traffic Generating Uses	P	P	P	P	P	P	
Other Low-Volume Traffic Generating Uses	P	P	P	P	P	P	
Shoe and Apparel Repair	P	P	P	P	P	P	
Retail Sales, General							
ABC Stores	P	P	P	P	P	P	Subject to UDO Chapter 7190

Base Zoning Districts

520.020 Allowed Uses

USE GROUP Use Category	Business and Commercial Districts						Use Standard
	CBD	NBD	GBD	RBD	O-VCD	O-DD	
Specific Use Type							
Antique Shops	P	P	P	P	P	P	
Appliance Stores	-	-	P	P	P	-	
Bait Shop, Live	-	-	-	P	-	-	
Beauty Supply Stores	-	P	P	P	P	-	
Bicycle Sales, Rental and Repair	P	P	P	P	P	P	
Book Stores	P	P	P	P	P*	P*	*See Size Limits 520.040
Camera Stores	P	P	P	P	P	P	
Candy Stores	P	P	P	P	P	P	
China and Glassware Stores	P	P	P	P	P	P	
Clothing Rental Shops	-	-	P	P	P	P	
Coin and Philatelic Shop, Computer Sales and Services	P	P	P	P	P	P	
Computer Sales and Service	S	P	P	P	P*	S	*See Size Limits Sec. 520.040
Costume Rental Shops	S	P	P	P	P	P	
Department Stores	-	-	P	P	P	S	
Dress Shops	P	P	P	P	P	P	
Drug Stores	P	P	P	P	P	P	
Florist Shops	P	P	P	P	P	P	
Furniture Stores	-	-	P	P	P	S	
Furrier Shops	-	-	P	P	P	P	
Garden Supply Store	S	S	P*	P	S	S	*See Size Limits Sec. 520.040
Gift Shops	P	P	P	P	P	P	
Greenhouse, Retail	-	-	P	P	-	-	
Hardware Store	S	S	P	P	S	S	
Hobby Shop	P	P	P	P	S	S	
Household Appliance Store	-	-	S	P	S	-	
Jewelry Store	P	P	P	P	P	P	
Leather/Luggage Stores	S	S	P	P	S*	S*	*See Size Limits Sec. 520.040
Musical Instrument Sales	P	P	P	P	P	P	
Other High-Volume Traffic Generating Uses	P	P	P	P	P	P	
Other Low-Volume Traffic	P	P	P	P	P	P	

Base Zoning Districts

520.020 Allowed Uses

USE GROUP Use Category	Business and Commercial Districts						Use Standard
	CBD	NBD	GBD	RBD	O-VCD	O-DD	
Specific Use Type							
Generating Uses							
Pet Supplies	P*	P*	P	P	P*	P*	*See Size Limits Sec. 520.040
Photographic Supply Store	P*	P*	P	P	P*	P*	*See Size Limits Sec. 520.040
School Supply Store	P	P	P	P	P	P	
Second Hand/Rummage	-	-	P	P	-	-	
Sewing Machine Sales	-	-	P	P	S	S	
Shoe Stores	P	P	P	P	P*	P*	*See Size Limits Sec. 520.040
Sporting Good Stores	S	S	P	P	S*	S*	*See Size Limits Sec. 520.040
Stationary Stores	P	P	P	P	P	P	
Tobacco Shops	-	-	P	P	S	S	
Toy Shops	P	P	P	P	P*	P*	*See Size Limits Sec. 520.040
Video Stores and CD Shops	P	P	P	P	P*	P*	See Size Limits Sec. 520.040
Wearing Apparel Shops	P	P	P	P	P	P	
Sports and Recreation, Participants							
Amusement Arcades	-	-	-	P	-	-	
Driving ranges-outdoor	-	-	P	P	-	-	
Entertainment Cabaret	-	-	-	P	-	-	
Miniature golf courses	-	-	P	P	-	-	
Billiard Parlors	-	-	P	P	-	-	
Bowling Alleys	-	-	P	P	-	-	
Health Clubs/Fitness Centers	P	P	P	P	P*	P*	See Size Limits Sec. 520.040
Vehicle Sales and Service							
Auto Supply and Service	-	-	P	P	-	-	
Car Wash	-	-	P	P	-	-	
Heavy Equipment Sales/Rental	-	-	-	P	-	-	
Light Equipment Sales/Rental-Indoor	-	-	P	P	-	-	
Light Equipment Sales/Rental-Outdoor	-	-	-	P	-	-	
Motor Vehicle Repair Shop	-	-	-	P	S	-	

Base Zoning Districts
520.030 Lot and Building Standards

USE GROUP Use Category	Business and Commercial Districts						Use Standard
	CBD	NBD	GBD	RBD	O-VCD	O-DD	
Specific Use Type not including body work, parking and commercial vehicle repair							
Motor Vehicle Repair Shop including body work, parking and commercial vehicle repair				P			
RV and Boat Storage				S			
Vehicle Storage and Towing				S			

520.030 Lot and Building Standards

All residential and nonresidential development in business districts must comply with the lot and building standards of Table A, except as otherwise expressly provided. Rules for measuring compliance with the lot and building standards established in Table A and applicable exceptions to the standards can be found in the General Review Procedures, Section 410.110.

A. Lot Size, Density, Setback and Height Table

Lot and Building Standards	CBD	NBD	GBD	RBD	O-VCD	O-DD
Lot Size						
Minimum lot area (sq. ft.)	None	6,000	6,000	8,000	NA	NA
Minimum lot area per dwelling unit (sq.ft.)	3,350	6,000	6,000	6,000	NA	NA
Minimum lot width (feet)	None	60	60	60	NA	NA
Minimum setback along lot lines						
Building setback from street R-O-W	None	25; maybe reduced to 15 if parking is located behind building	25; maybe reduced to 15 if parking is located behind building	40; maybe reduced to 20 if parking is located behind building	0-10'	0-10'
Building Setback from rear lot line	None	12.5	12.5	20	NA	NA
Building setback from side lot line--not abutting	10	10	10	10	0-10'	0-10'

Base Zoning Districts

530.020 Allowed Uses

G. Use Table and Standards

Use Group	Zoning Districts		Use Standard
	LI	HI	
Specific Use			
COMMERCIAL			
Adult Use	-	-	
Animal Services			
Shelter/ Boarding Kennel	S	-	
Sales and Grooming	S	-	
Veterinary	S	-	
Stables	S	-	
Artist Work and Sales Space	P	P	
Building Maintenance Services	P	P	
Business Equipment Sales and Service	P	P	
Commercial Greenhouse or Nursery	P	P	
Communication Service Establishments	P	P	
Construction Sales and Service	P	P	
Construction Storage Yard	S	P	
Funeral and Intenment Service			
Cemetery or Mausoleum	-	-	
Cremating	S	S	
Commercial Laundry Services	P	P	
Offices	P		
Residential Storage Warehouse	P	P	
Indoor Shooting Range	S	S	Chapter 7170
Sports and Recreation, Participants (Not including firearms shooting ranges)			
Outdoor	S	S	
Indoor	P	-	
Vehicles Sales, Storage and Service			
Heavy Equipment Sales and Rental	P	P	
Motor Vehicle Repair Shop including commercial vehicles	P	P	
RV or Boat Storage	S	S	
Vehicle Storage and Towing	S	S	
Industrial			
Manufacturing, Production, and Industrial Services	P	P	
Artisan	P	P	
Limited Industrial	P	P	
General Industrial	P	P	
Heavy Industrial	-	P	
Mining/Excavation	S	P	
Warehousing, Wholesaling, and Freight Movement	P	P	
Waste and Salvage Related Uses			
Junk/Salvage yard	-	S	

Base Zoning Districts
530.030 Lot and Building Standards

Use Group	Zoning Districts		Use Standard
	LI	HI	
Recycling facilities, indoors	P	P	
Recycling facilities, outdoors	-	S	
Resource Recovery Facilities	-	S	
Waste Transfer Stations	-	S	
Other			
Agricultural Operations	P	P	
Emergency Services	P	P	
Utilities, Minor	P	P	
Utilities, Major	S	S	
Wireless Communication Facilities			
Co-located	P	P	See Chapter 7160
Freestanding Towers	P	P	See Chapter 7160

530.030 Lot and Building Standards

A. Basic Standards

All development in I districts must comply with the lot and building standards of Table B, except as otherwise expressly provided. Rules for measuring compliance with the lot and building standards established in the Rules for Measurements and applicable exceptions to the standards can be found in the General Review Procedures Section 410.110.

B. Lot Size, Setback and Height Table

Lot and Building Standards (Industrial Districts)	LI District	HI District
Lot Size		
Minimum lot area (square feet)	NA	NA
Minimum lot width (feet)	100	100
Building Setbacks		
Building setback from front property line	50	50
Building setback from rear lot line	50	50
Side setback-not abutting residential district	20	20
Side setback abutting residential district	25	25
Maximum permitted building height	100	100

530.040 Other Applicable Regulations

Uses and development in I districts are subject to other standards including the following:

- A. Parking and Loading**
(See Parking and Loading, DIVISION 1000)
- B. Landscaping and Screening**
(See Landscaping Standards, DIVISION 800)
- C. Signs**
(See Sign Regulations, DIVISION 900)
- D. Accessory Uses and Structures**
(See Supplementary Use Regulations, DIVISION 700)

**Planning Board Attachment Three
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 THREE PARCELS TOTALING APPROXIMATELY 9.19 ACRES FROM LIGHT INDUSTRIAL (L-I) TO GENERAL BUSINESS DISTRICT (GBD) IN THE TOWN OF INDIAN TRAIL, UNION COUNTY, NORTH CAROLINA

WHEREAS Claudia Al-Hassan petitioned to rezone three parcels (Parcel #: 07-114-038, 07-114-038M, and 07-114-038V, approximately 9.19 acres, from Light Industrial (L-I) to General Business (GBD) zoning classification; and

WHEREAS, this Zoning Amendment (ZM2010-004) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, a meeting was held by the Planning Board on January 18, 2011 to consider this zoning request; and

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

Goal 1.3.2 Land Use: A more balanced tax base by promoting the development of office parks, businesses, retail centers, and industrial parks:

The rezone to General Business District would reduce Industrial zoning from a village that does not allow it and a village center that is not intended for industrial uses. Furthermore, the request would allow uses that are consistent with existing conditions and surrounding properties. It also promotes the opportunity to establish a more balanced tax base by promoting commercial development.

WHEREAS, the Planning Board further finds zoning reclassification is a reasonable request and is in the public interest because it promotes the goals of the adopted Indian Trail Comprehensive Plan in the area of Land Use and is consistent with the adopted plans within the Town of Indian Trail.

WHEREAS, the Town Council held a public hearing on February 22, 2011 to consider said request, received public testimony, 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 of Indian Trail Town Council that:

Section 1 ZM 2010-004 rezone petition be granted and the Zoning Map shall be amended to reflect the General Business District (GBD) zoning designation for the following parcels: 07-114-038, 07-114-038M, and 07-114-038V

AND IT IS SO ORDAINED this 22nd day of February, 2011.

TOWN OF INDIAN TRAIL COUNCIL

Attest:

Peggy Piontek, Town Clerk

Honorable John J. Quinn, Mayor