



Town of  
**INDIAN TRAIL**  
north carolina

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**PLANNING AND DEVELOPMENT DEPARTMENT**

## Zoning Map Amendment Staff Report

<b>Case: ZM 2012-002 Brandon Oaks</b>		
<b>Reference Name</b>	Brandon Oaks II Rezoning	
<b>Request</b>	Proposed Zoning	SF-4 with PED Overlay 1
	Proposed Use	Single-Family Residential
<b>Existing Site Characteristics</b>	Existing Zoning	R-20 (Union County)
	Existing Use	Single-Family Residential
	Site Acreage	0.366 acres (approx.)
<b>Applicant</b>	Town of Indian Trail	
<b>Submittal Date</b>	6/1/12	
<b>Location</b>	Brandon Oaks Phase 9 consisting of two properties recently annexed in Annexation #131.	
<b>Tax Map Numbers</b>	2-Parcels. 07091004 and 07091029	
<b>Plan Consistency</b>	Town of Indian Trail	Designation- Sun Valley Suburban Mix Village
	Comp. Plan	Consistent with Request
<b>Recommendations &amp; Comments</b>	Planning Staff	Recommends Approval for SF-4 with PED Overlay 1

### Project Summary

Request: To rezone two (2)-parcels (approx. 0.366 acres) from Union County Residential-20 (R-20) to Single-Family Residential-4 (SF-4) with a Pre-Existing Development Overlay (PED Overlay 1). The two properties comprising the subject property are generally located near the intersection of Garden Oak Dr. and Canopy Dr. and the intersection of Corrona Ln. and Sipes Pl. within Brandon Oaks Phase 9 (see Figure 1).

**Staff Recommendation-** Staff recommends the Planning Board receive the report and recommend approval to the Town Council as presented.

### General Information

The subject property is currently zoned for single-family residential uses (Union County R-20) and the intent of the proposed rezoning is to assign it the closest compatible Town zoning

district. The subject property was annexed into the Town of Indian Trail on June 1, 2012 (Annexation #131). State law requires annexed property to undergo a Zoning Map Amendment process to establish Town zoning on the subject property. Figure 1 depicts the two (2) parcels within the rezoning area, of which, both parcels are developed with single-family detached houses. Four (4) nearby unincorporated parcels within this section of Brandon Oaks were unable to be annexed in Annexation #131 and therefore are not part of this proposed Zoning Map Amendment. Staff will continue to assist unincorporated Brandon Oaks property owners with any potential future annexations.



### Zoning Information

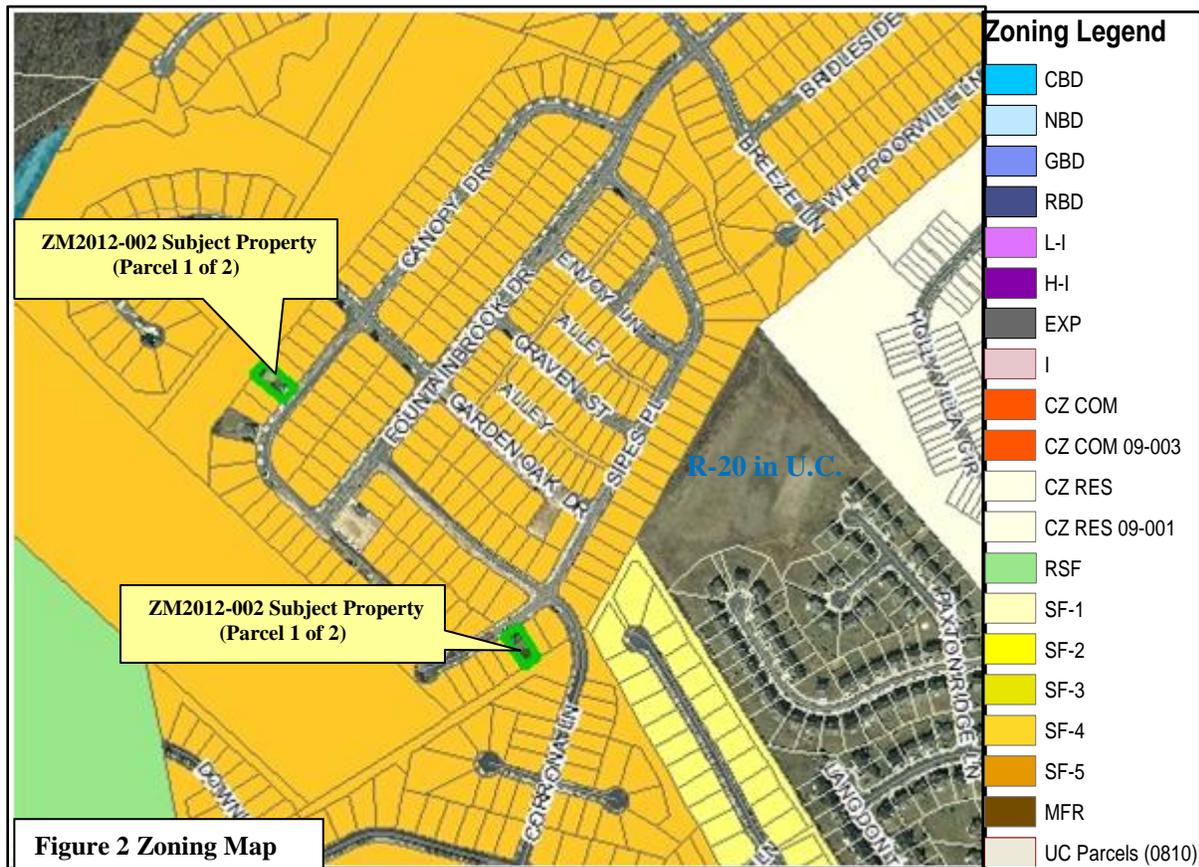
The subject property is currently zoned Residential-20 (R-20) under Union County zoning. The proposal requests to rezone the subject property to Single-Family Residential-4 (SF-4). The SF-4 district is intended to accommodate a variety of moderate intensity single-family residential development under conventional or planned development controls. Because the subject property was previously platted using Union County Smart Growth development standards, the rezoning proposal also contemplates a Pre-Existing Development Overlay (PED Overlay 1) to account for the previously approved dimensional requirements (setbacks, etc.) that do not correspond to the

SF-4 district. Table 1 below provides a snapshot of the differences between these standards. A copy of the applicable Brandon Oaks Phase 9 Final Plat Map reflecting the Union County standards are attached (Attachment 2).

**TABLE1: DIMENSIONAL REQUIREMENT COMPARISON**

	Town SF-4 District	Union County R-20 District
Lot Width	60-ft	60-ft.
Front Setback	30-ft	20-ft.
Rear Setback	40-ft.	15-ft.
Side Yard	10-ft.	5-ft/10-ft Streetside Min. 10-ft building separation

Adjacent uses and zoning classifications in the subject area are single-family residential (Town SF-2, SF-4, and R-20 in Union County). Existing Town properties within Brandon Oaks are also subject to a PED Overlay 1. Figure 2 below is the official zoning map for the area.



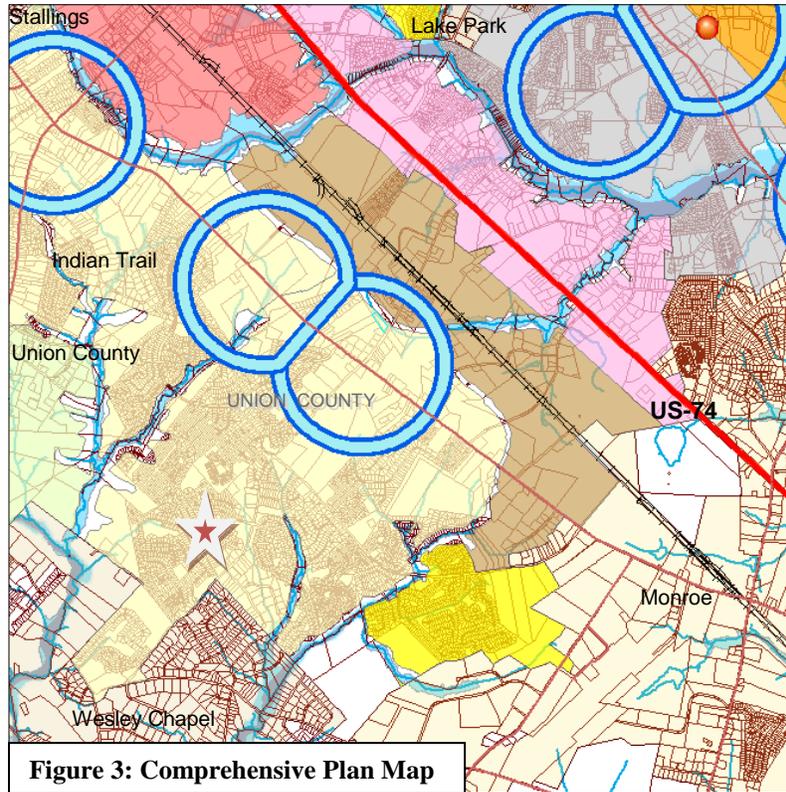
### Site Characteristics

The subject property is approximately 0.366 acres in size and both parcels are in a developed condition. As previously noted, both parcels within the subject property are constructed with single-family detached homes.

## Plan Consistency

### *Comprehensive Plan*

The property is located within the Sun Valley Suburban Mix Village land use area of the Indian Trail Comprehensive Plan (see Figure 3). A Suburban Mix Village consists of land uses that promote a neighborhood setting with single-family detached houses as its primary development type. The single-family residential component characterizes this village, with retail development (predominately within village centers) providing convenient access to daily goods and services.



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.

**Mix Village - Existing Land Sun Valley/Suburban Use Calculations**

Land Use	Current Base	Percent Base	Flexibility Factor
Low Density Residential	2.25%	7%	+2
Medium Density Residential	51.35%	60%	-5
High Density Residential	2.91%	8%	+/-2
Multi-Family Residential	0.42%	3%	+/-1
Parks/Open Space/ Agriculture/ Forest	3.94%	6%	-
Institutional	6.38%	7%	+2
Retail	4.40%	2%	-

Office	1.00%	2%	-
Boulevards/Thoroughfares	5.09%	5%	-
Industrial	2.43%	-	-

The proposed petition, if approved, will not modify the above land use mix in light of the subject property being previously subdivided and the proposed Town zoning district being the closest compatible district to the existing R-20 zone. The rezone request is consistent with the Comprehensive Plan in the areas of medium density residential.

**Action Required**

The Planning Board must make findings prior to motioning for recommendation. The findings 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 more sustainable quality of life to the residents of Indian Trail by establishing a greater sense of community and promoting a unique identity within the Town of Indian Trail for all residents.***

The proposed rezoning to SF-4 with a PED Overlay 1 will help to promote a better quality of life for our residents by ensuring the continuation of the unique identity and residential character of the Brandon Oaks community.

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

The proposed rezoning to SF-4 with a PED Overlay 1 will help provide a diverse range of housing opportunities in Indian Trail by providing additional medium density housing within an overall planned development community with varying housing sizes and densities.

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 areas of *Quality of Life* 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 Single-Family Residential-4 with a PED 1 Overlay for the subject property.

**Staff Contact**

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Attachment 1 – Application/Letter of Intent  
 Attachment 2 – Final Plat Map  
 Attachment 3- Draft Ordinance

# **ATTACHMENT ONE: APPLICATION**

**ATTACHMENT TWO: FINAL PLAT MAP**

## **ATTACHMENT THREE: ORDINANCE**