



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

Zoning Map Amendment Staff Report

Case: ZM 2012-006 Oakwood Lane Properties		
Reference Name	Sardis Park	
Request	Proposed Zoning	Institutional
	Proposed Use	
Existing Site Characteristics	Existing Zoning	R-20 (Union County) & SF-1 Single-family – IT Zoning
	Existing Use	vacant
	Site Acreage	138.92 acres (approx.)
Applicant	Town of Indian Trail	
Submittal Date	11/15/2012	
Location	End of Oakwood Lane	
Tax Map Numbers	07048019L; 07048019K; 07048017	
Plan Consistency	Town of Indian Trail Comp. Plan	Interchange Mix – Village Center
		Consistent with Request
Recommendations & Comments	Planning Staff	Recommends Approval for Institutional Zoning

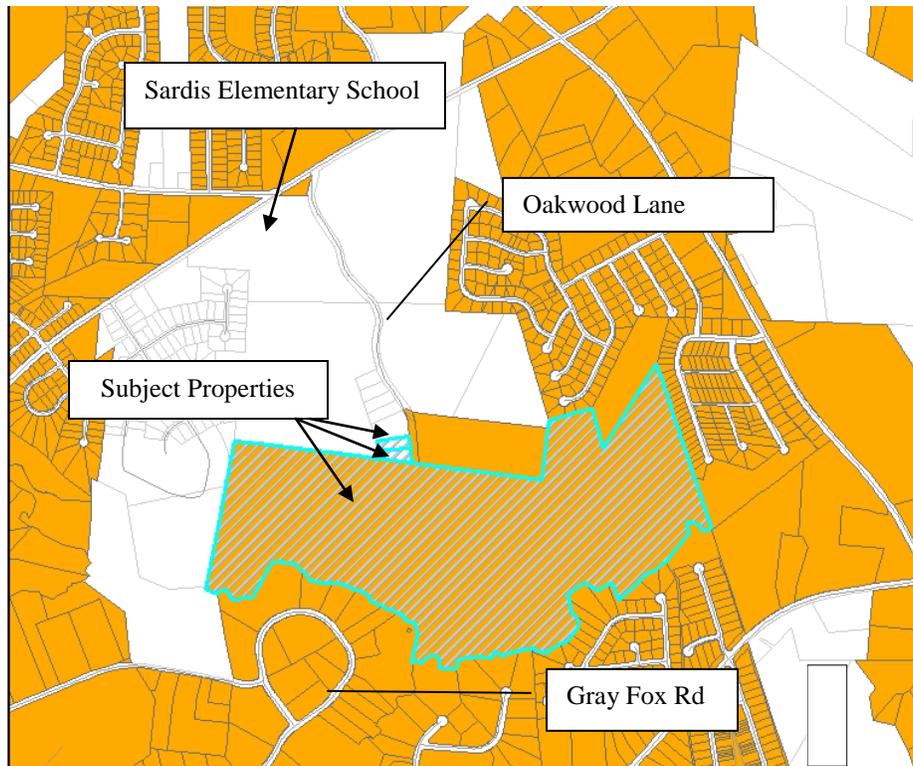
Project Summary

Request: To rezone three properties located at the end of Oakwood Lane from a single-family residential designation to the Institutional classification. These properties were purchased last July by the Town and have been identified as the future Sardis Park facility. Parcels 07048019L and 07048019K are newly annexed properties (Annexation Ordinance #134) and the remaining parcel is already within the Town’s jurisdiction.

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

General Information

This rezone request consists of three properties. Two of the three parcels have been recently annexed into the Town (January 8, 2013) and therefore are required to have local jurisdictional zoning established within 60-days per North Carolina General Statutes. The remaining subject property is being rezoned for the purpose of establishing consistent zoning for the future recombination of all three properties into one parcel. The map and corresponding table provides a summary of parcel data.



<i>Parcel Number</i>	<i>Acreage</i>	<i>Old Zoning</i>	<i>Proposed Zoning</i>	<i>Purpose</i>
<i>07048019L</i>	.54	R-20 UC	Institutional	Newly Annexed
<i>07048019K</i>	.55	R-20 UC	Institutional	Newly Annexed
<i>07048017</i>	137.8	SF-1 IT	Institutional	Consistent Zoning

Zoning Information

All three properties are currently zone as a single-family residential classification. This application proposes to rezone these properties to an Institutional Classification. This classification is intended to act as a buffer between residential districts and more intense classifications such as commercial or industrial zoning districts. This classification is also typically used for government agency owned and operated properties as well. These properties were associated with the recent park bond referendum that was passed by the voters last November.

The map below provides the zoning district information in the project area.

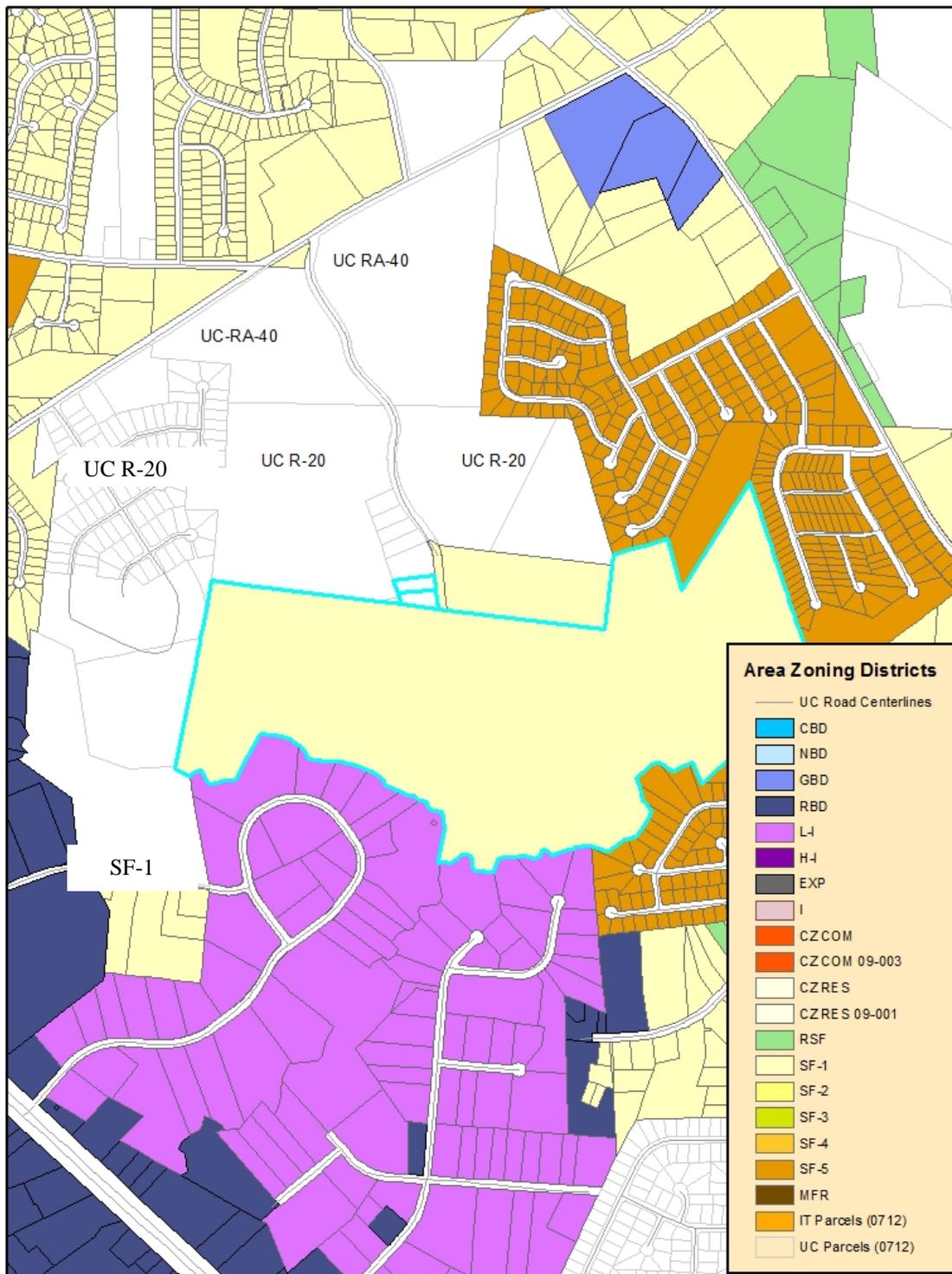


TABLE1: DIMENSIONAL REQUIREMENT COMPARISON

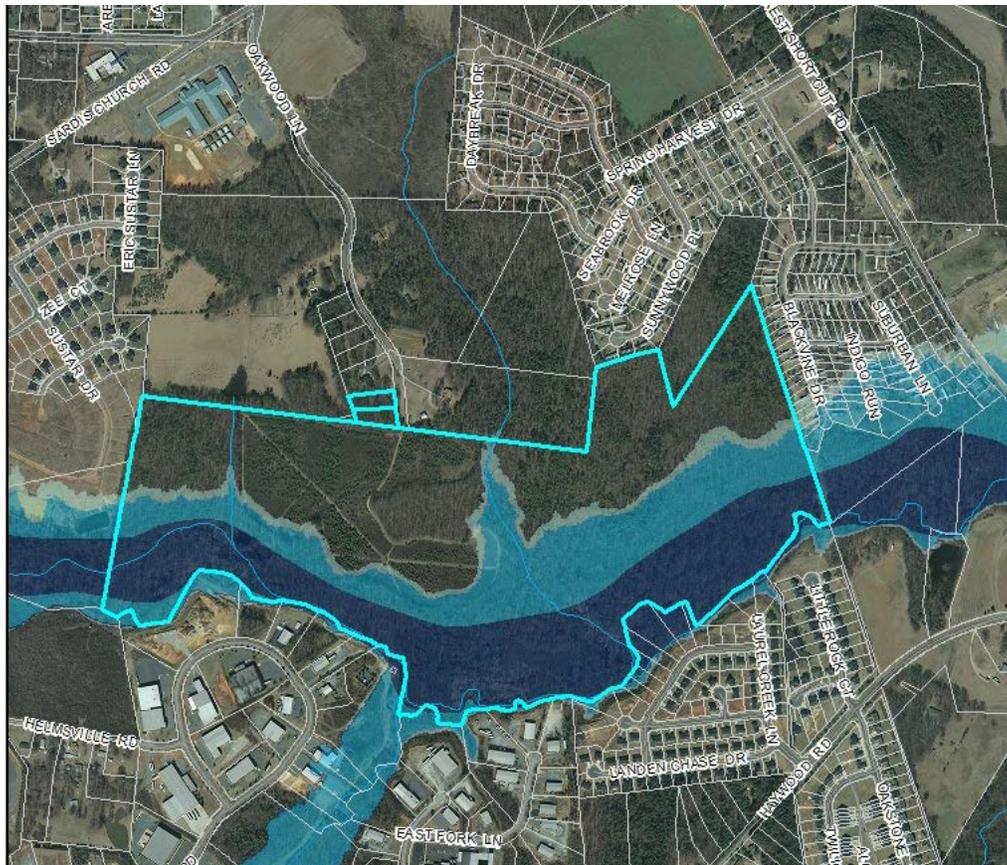
	Institutional District	Union County R-20 District	IT Single-Family 1 SF-1
Lot Width	100-ft	60-ft.	100-ft
Front Setback	50-ft	20-ft.	40-ft
Rear Setback	50-ft.	15-ft.	40-ft
Side Yard	20-ft. 25-ft abutting a residential district	5-ft/10-ft Streetside Min. 10-ft building separation	15- ft

Based on the comparison table above, the Institutional District has the larger dimensional/separation requirements between the existing zoning classifications. Land uses in the area are:

- *Low Density Single- Family (UC RA-40 & R-20) to the north and west*
- *Light Industrial to the south (LI)*
- *Moderate to high density Single-family to the south and east (SF-3 and SF-5)*
- *Other institutional uses: Sardis Elementary School, Sardis Baptist Church, and Sardis*

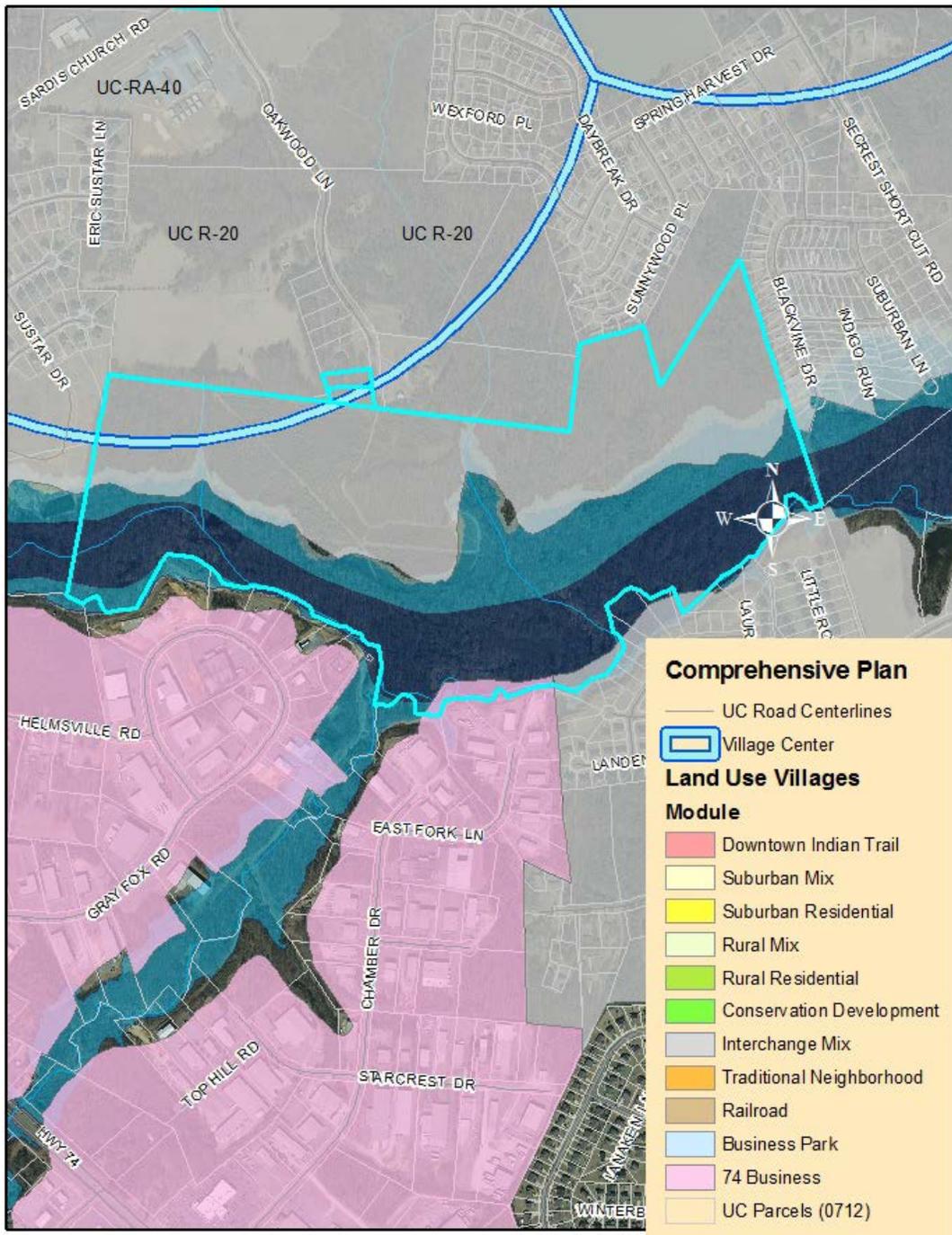
Site Characteristics

There is an existing dilapidated house that sits on the shared property line of the two newly annexed properties. The remaining property is undeveloped and has a large amount of floodplain and floodway in the southern area of the property. The map below provides an aerial view of the subject properties.



Plan Consistency

Comprehensive Plan



The properties are located within the Sardis Interchange Mix Village land use area of the Indian Trail Comprehensive Plan (see map above). This Village is based on its location between two major highways, with a few major boulevards or thoroughfares feeding into it. These properties are also on the fringe of a Village Center. The Village Center is identified for more intense uses

within the Village which can range from retail, office, and even multi-family residential. The future land uses for this Village are identified as follows:

Sardis Interchange Mix Land Uses

Land Use	Current Base	Percent Base	Flexibility Factor
Low Density Residential	2.35%	5%	+3
Medium Density Residential	31.92%	40%	+/-5
High Density Residential	22.59%	15%	-5
Multi-Family Residential	0%	15%	-5
Parks/Open Space/ Agriculture/ Forest	4.89%	5%	-
Institutional	.68%	5%	+2
Retail	1.05%	6%	-
Office	0%	4%	-
Boulevards/Thoroughfares	7.93%	5%	-
Industrial- Village Center Only at Monroe Connector Interchange- LC9	0%	-	-

This application proposes to rezone a total of 138.89 acres thus changing the future land use from the Medium Density Residential category to Institutional. Staff has determined however that the floodway/floodplain area (approximately 70 acres) has already been accounted for in the Parks/Open Space/Agriculture/Forest category. Therefore, the Institutional category will increase by 67 acres resulting in a 5 ½ percent increase for a total land use percentage of 6.3 in the Institutional use category. This increase is within the flexibility factor of the village which is 7 percent.

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 following goal can be found:

Goal 1.3.1 Quality of Life – the rezoning of these properties to institutional provides the setting for an institutional use such as a public park and open space providing an enhanced quality of life for residents by providing both active and passive recreational opportunities.

Goal 1.3.2 Land Use – the rezoning of the subject properties will provide a mix of different types of land uses within the Sardis Interchange Mix Village consistent with the future land use vision of the Comprehensive Plan. It also provides a greater separation between land uses for the adjacent residential users as the Town carries out the park vision approved by voters last November.

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 *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 an Institutional Zoning Classification on the subject properties.

Staff Contact

Shelley DeHart, AICP

704 821-5401 ext 225

srd@planning.indiantrail.org

Attachments:

Attachment 1- Application

Attachment 2 – Institutional Use Table and SF-1 Use Table

Attachment 3 – Draft Ordinance

ATTACHMENT ONE: APPLICATION

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 Sardis Park Oakwood Lane,

City Indian Trail State NC Zip 28079
07048019L, 07048019K 07048017

Tax Parcel ID _____ Zoning Designation Institutional

Total Acres 138.922 Impervious Area _____

Project Description Sardis Park Rezone

Contact Information – Applicant

Name Town of Indian Trail; Joseph Fivas

Address 130 Blythe Dr, Indian Trail; PO Box 2430

City Indian Trail State NC Zip 28079

Phone 704 821-5401 Fax 704 821-9045

Email srd@planning.indiantrail.org

Contact Information – Property Owner

Name Town Of Indian Trail; Joseph Fivas

Address 130 Blythe Dr; PO Box 2430

City Indian Trail State NC Zip 28079

Phone 704 821-5401 Fax _____

Email Townmanager@admin.indiantrail.org

ZONING MAP AMENDMENT APPLICATION



Applicant's Certification

Signature J. Amber Givens Date 11/15/12
Printed Name/Title Town Manager

Signature of Notary Public Wendy S. Boich Date 11/15/2012



Property Owner's Certification

Signature Same As Above Date _____

Printed Name/Title _____

Signature of Notary Public _____ Date _____

Notary Seal

TOWN OF INDIAN TRAIL OFFICE USE ONLY

Case Number: ZM 2012-004

Date Received: 11/15/2012

Amount of Fee: N/A

Received By: [Signature]

Receipt #: N/A

R 000 424

ATTACHMENT TWO: USE TABLES

C. Signs

(See Sign Regulations, DIVISION 900)

D. Accessory Uses and Structures

(See Supplementary Use Regulations, DIVISION 700)

Chapter 540. Institutional District

The I, Institutional district is intended to provide a transition zone between residential and business or industrial districts and to accommodate a moderate to high intensity mixture of institutional uses. Within this district, uses such as schools, hospitals, government buildings, churches, and public utility buildings may be allowed. Land designated I, Industrial District shall normally be served with public water and sewer services and has direct access to major or minor thoroughfares.

540.010 Allowed Uses

The use table below identifies permitted, special, prohibited and other uses authorized within the zoning districts identified. The uses identified are subject to compliance with all other applicable standards or requirements of this UDO.

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	Zoning District	Use Standard
Specific Use Type	I District	
Civic and Public Uses		
Convention Facility	Conditional Zoning District	
Government Office	P	
Hospital	Conditional Zoning	

	District	
Laboratory	P	
Library	P	
Museums	P	
Non-profit Agency/Office	P	
Public Parks and Open Spaces	P	
Public Utility, Major	Conditional Zoning District	
Public Utility, Minor	P	
Recreation facilities -- private golf courses and country clubs	S	
Community Service Uses	P	
Day Care Facility	P	
Cemetery or Mausoleum	P	
College or University	Conditional Zoning District	
Community Service Center	P	
Convalescent and Nursing Home	P	
Religious Assembly	P	
Schools, Public* or Private	P	See 540.010
Social Service Agencies	P	

H. Intensity, Dimensional and Design Standards

All development shall be subject to the Intensity, Dimensional and Design Standards of this Section.

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

I. Building Size

Buildings with total floor area of more than 25,000 square feet shall require special use permit unless planned development approval is required.

J. Building Design Standards

New buildings must comply with the Integrity and Design Standards, 1220.040C.

K. Signs

All signs shall comply with the standards the Sign Regulations, DIVISION 900.

do not detract from the quality of the neighborhood as a place for peaceful, quiet and aesthetically- pleasing residential living. When evaluating an application for the MFR zoning district, emphasis shall be given to the location of the proposed district relative to adjoining developed property to ensure that such district is carefully located and achieves a satisfactory relationship with the surrounding properties.



510.020 Allowed Uses

The use table below identifies permitted, special, prohibited and other uses in the zoning districts identified. The uses identified are subject to compliance with all other applicable requirements of this UDO.

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 Conditional Zoning procedures of Chapter 330 and 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. Residential Districts Use Table

Use Group	Zoning District							Use Standard
Use Category	RSF	SF-1	SF-2	SF-3	SF-4	SF-5	MFR	
Specific Use Type								
Household/Family Living								
Single-Family Detached (Site Built or Modular)	P	P	P	P	P	P	-	
Single-Family (Class A Manufactured Homes)	P	S	P* (O-MHP overlay only)	-	See Section 1310.050 standards			

Chapter 510. Residential Districts

510.020. Allowed Uses

Use Group	Zoning District							Use Standard
Use Category	RSF	SF-1	SF-2	SF-3	SF-4	SF-5	MFR	
Single-Family (Class B Manufactured Home)	P	S	-	-	-	-	-	See Section 1310.050 standards
Single-Family (Class C Manufactured Home)	-	-	-	-	-	-	-	
Single Family (Class D Manufactured Home)	-	-	-	-	-	-	-	
Two-Family Dwelling	S				-	-	P	
Multi-Unit (3 or more units)	-	-	-	-	-	-	P	
Townhouse	-	-	-	-	-	S	P	See Chapter 660
Boarding or Rooming Houses	P	-	-	-	-	-	S	
Accessory Apartments	P	P	P	P	P	P	-	See Chapter 710.070
Group Living								
Family homes, Small	P	P	P	P	P	P	P	
Family homes, Large	S	S	S	S	S	S	S	
Halfway house	S		-	-	-	-	-	
Homes for the handicapped, aged or infirm	S	S	S	S	S	S	S	
Nursing care or skilled care facility	S	S	S	S	S	S	S	
Senior Housing, Independent living	P	S	S	S	S	S	S	
Group Living Not Otherwise Classified	S	S	S	S	S	S	S	
Public and Civic								
Colleges and Universities		-	-	-	-	-	-	
Recreational Buildings, Boy and Girls Clubs	S							
Golf-driving ranges	S		-	-	-	-	-	Accessory to residential subdivision
Skateboard parks, water slides, basketball courts	S	S	S	S	S	S	S	Accessory to residential subdivision
Privately-owned campgrounds	S	-	-	-	-	-	-	
Privately-owned	S	S	S	S	S	S	S	

Chapter 510. Residential Districts

510.020. Allowed Uses

Use Group	Zoning District							Use Standard
Use Category	RSF	SF-1	SF-2	SF-3	SF-4	SF-5	MFR	
recreation facilities such as golf-courses, and country clubs								
Public parks and open spaces	P	P	P	P	P	P	P	
Libraries	S							
Day Care (child/ adult care)								
Day care home (1-5 enrollees)	P	P	P	P	P	P	P	
Day Care Center (6+ enrollees)	S	S	S	S	S	S	S	Complies with state licensing rules
Hospital	S	-	-	-	-	-	-	
Religious Assembly	P	P	P	P	P	P	P	
School	P	P	P	P	P	P	P	
Utilities, Minor	P	P	P	P	P	P	P	
Utilities, Major	S	S	S	S	S	S	S	
Agricultural and Other								
Agricultural Operations without livestock	P	P	P	P	P	P	P	10 acre minimum except in RSF District
Agricultural Operations with livestock	P	-	-	-	-	-	-	
Animal Foster Care	P	S	S	S	-	-	-	Must meet definition under UDO Section 1610.080K.5
Animal Services -- veterinarian offices, kennels, and boarding facilities	S	-	-	-	-	-	-	
Greenhouse or Nursery	P							
Silver Culture Operations	P			-	-	-	-	
Horseback Riding Stables	P	S		-	-	-	-	
Wireless Communication Facilities								

Use Group	Zoning District							Use Standard
Use Category	RSF	SF-1	SF-2	SF-3	SF-4	SF-5	MFR	
Co-located on existing building, structure, or tower	P	P	P	P	P	P	P	See Chapter 7160
Free-standing Tower	S	-	-	-	-	-	-	See Chapter 7160

510.030 Development Types

Different development options are offered in the R districts as a way of promoting a wide variety of housing options and lifestyle choices. The development options described in this section may be used at the property owner’s election.

A. Conventional Development

“Conventional development” is a term used to describe lot-by-lot development on lots that have been lawfully established. It is, in effect, any development that occurs outside of an approved open space development, cluster development or master planned development. Lot and building standards for conventional development can be found in Sec. 510.040 (Table 510.040B).

B. Open Space Development

The open space development option allows smaller lots and other flexible lot and building standards in exchange for the provision of common open space that is not typically provided in a conventional development. An open space development shall be reviewed and approved in accordance with Chapter 330 “Conditional Zoning District” and the requirements of DIVISION 1200. Lot and building standards for open space development can be found in Sec. 510.040 (Table 510.040B.) Additional open space development standards are included in the Subdivision Review Chapter.

C. Cluster Development

The cluster development option allows even greater flexibility in exchange for the provisions of a greater amount of common open space than required for open space developments. A cluster development shall be reviewed and approved in accordance with Chapter 330 “Conditional Zoning District” and the requirements of DIVISION 1200. Lot and building standards for cluster development can be found in Sec. 510.040 (Table 510.040B). Additional cluster development standards are included in the Subdivision Review Chapter.

D. Planned Unit Development

The planned unit development (PUD) option is available to accommodate new mixed-use communities, innovative development proposals or unique site conditions that cannot be readily addressed by other available development options. Planned developments shall be reviewed and approved in accordance with Chapter 330 “Conditional Zoning District”. The flexibility inherent in the planned unit development plan option is intended to be granted only in exchange for development projects that contain amenities, design features and/or environmental design that are not do not typically occur through other development options. Planned unit development regulations are included in General Review Procedures Chapter.

510.040 Lot and Building Standards

A. General

1. This section establishes basic lot and building standards for all development in R districts. The standards that apply vary on the basis of zoning, building type and development type.

2. All residential and nonresidential development in R districts must comply with the lot and building standards of Table B, except as otherwise expressly provided in this ordinance.
3. Rules for measuring compliance with the lot and building standards established in Table 510.040B and applicable exceptions to the standards can be found in General Review Procedures Chapter.

B. Lot Size, Density, Setback and Height Table

Lot and Building Standards	RSF	SF-1	SF-2	SF-3	SF-4	SF-5	MFR
Conventional Development							
Lot Size							
Minimum lot area (sq. ft.)	40,000	20,000	15,000	12,000	10,000	8,000	
Minimum lot area per unit (sq. ft.)	40,000	20,000	15,000	12,000	10,000	8,000	3,350
Minimum lot frontage (feet)	120	100	80	80	60	60	
Maximum lot depth to width ratio	4	NA	NA	NA	NA	NA	NA
Minimum Front Setback (feet)							
Boulevards and Thoroughfares	50	50	40	40	40	30	30
All other streets	40	40	30	30	30	25	25
Minimum rear setback (feet)	40	40	40	40	40	30	30
Minimum side setback	15	15	12	12	10	10	10
Maximum building height	35	35	35	35	35	35	40
Cluster Development							*See Chapter 1210
Overall site area							
Minimum site area (acres)	10	10	10	10	NA	NA	NA
Minimum open space (% of site)*	15%/20%	15%/20%	15%/20%	15%/20%	NA	NA	NA
Minimum site area per unit (sq. ft.)	40,000	20,000	15,000	12,000	NA	NA	NA
Lot Size							
Minimum lot area (square feet)	30,000	15,000	12,000	10,000	NA	NA	
Minimum Lot frontage (feet)	100	80	70	60	NA	NA	
Minimum Front Setback							
Arterials and Boulevards	40	40	30	30	NA	NA	

Chapter 510. Residential Districts
510.050. Other Applicable Regulations

Lot and Building Standards	RSF	SF-1	SF-2	SF-3	SF-4	SF-5	MFR
All other streets	20	20	20	20	NA		
Minimum Rear Setback	20	20	20	20	NA	NA	
Minimum Side* Setback	12	12	12	12	NA	NA	See Section 1210.060
Maximum Building Height	35	35	35	35	NA	NA	
Open Space Development							
Overall site area							
Minimum site area (acres)	25	25	25	25	NA	NA	NA
Minimum open space (% of site)	25%	25%	25%	25%	NA	NA	NA
Minimum site area per unit (sq. ft.) Community Water and Waste Water	20,000	15,000	12,000	10,000	NA	NA	NA
Minimum site area per unit (sq. ft.) Private Water and Waste Water	20,000	15,000	12,000	10,000	NA	NA	NA
Lot Size							
Minimum lot area (square feet)	20,000	15,000	12,000	10,000	NA	NA	NA
Minimum Lot frontage (feet)	100	75	60	60	NA	NA	NA
Minimum Front Setback							
Arterials and Boulevards	40	40	30	30	NA	NA	NA
All other streets	20	20	20	20			NA
Minimum Rear Setback	20	20	20	20	NA	NA	NA
Minimum Side* Setback	12	12	6	6	NA	NA	See Section 1210.060
Maximum Building Height	35	35	35	35	NA	NA	NA

510.050 Other Applicable Regulations

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

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 PARCELS 07048019L, 07048019K, AND 07048017 (OWNED BY THE TOWN OF INDIAN TRAIL) LOCATED AT THE END OF OAKWOOD LANE FROM A SINGLE-FAMILY RESIDENTIAL DESIGNATION (UC-R-20 & SF-1) TO AN INSTITUTIONAL ZONING DISTRICT IN THE TOWN OF INDIAN TRAIL, UNION COUNTY, NORTH CAROLINA

WHEREAS, the Town of Indian Trail has petitioned to establish zoning (Institutional District) for two newly annexed properties (07048019L & 07048019K) in compliance with the North Carolina General Statutes and rezone parcel 07048017 from Indian Trail SF-1 to an Institutional classification for consistency. All three properties were part of a land purchase by the Town of Indian Trail last July and are the subject of a future public park (Sardis Park) approved by the voters last November; and

WHEREAS, this Zoning Map Amendment (ZM2012-006) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, a public meeting was held by the Planning Board on February 19, 2013 to consider this zoning map amendment; and

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

Goal 1.3.1 Quality of Life – the rezoning of these properties to institutional provides the setting for an institutional use such as a public park and open space providing an enhanced quality of life for residents by providing both active and passive recreational opportunities.

Goal 1.3.2 Land Use – the rezoning of the subject properties will provide a mix of different types of land uses within the Sardis Interchange Mix Village consistent with the future land use vision of the Comprehensive Plan. It also provides a greater separation between land uses for the adjacent residential users as the Town carries out the park vision approved by voters last November.

WHEREAS, the Planning Board further found 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 *Land Use* and is consistent with the adopted plans within the Town of Indian Trail.

WHEREAS, after making the draft findings the Planning Board unanimously approved the motion to transmit a recommendation to approve to the Town Council; and

WHEREAS, the Town Council held a public hearing on March 12, 2013 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 by the Town Council of the Town of Indian Trail, North Carolina hereby takes the following action:

Section 1 – Makes the required findings as stated herein; and

Section 2 - Approves ZM 2012-006 Zoning Petition thereby granting the Zoning Map amendment to establish a Institutional Zoning District on parcel numbers 07048019K, 07048019L, and 07048017.

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

AND IT IS SO ORDAINED this 12th day of March, 2013.

TOWN OF INDIAN TRAIL COUNCIL

Attest:

Peggy Piontek, Town Clerk

Michael Alvarez, Mayor

APPROVED AS TO FORM:

TOWN ATTORNEY