



INDIAN TRAIL

north carolina

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PLANNING AND NEIGHBORHOOD SERVICES

Zoning Map Amendment Staff Report

Case: ZM 2015-001 Highway 74 Property		
Reference Name	Highway 74 Property	
Request	Proposed Zoning	Regional Business District (RBD)
Existing Site Characteristics	Existing Zoning	R-20 (Union County) and SF-1 (Town of Indian Trail)
	Site Acreage	16.82 acres (approx.)
Applicant	Town of Indian Trail	
Submittal Date	4.29.15	
Location	Highway 74, South of Smith Farm Road, Indian Trail	
Tax Map Number	07-105-005	
Plan Consistency	Town of Indian Trail Comprehensive Plan	Mixed Use
		Consistent with Request
Recommendations & Comments	Planning Staff	Recommends Approval for Regional Business District

Project Summary

This is a request to rezone a parcel of land (approx. 16.82 acres) to the Regional Business District. A majority of the site was annexed in 2013 from Union County. The remaining portion was originally within the Town of Indian Trail. The existing zoning is a combination of SF-1, Single Family (1.48 acres) and R-20, Union County Residential (15.34 acres). The 2013 annexation approval incorporated a deferred effective date, which is the reason this request is being brought before the Board at this time.

Staff Recommendation

Staff recommends, based on the guidance of the adopted plans, that the map amendment be supported by recommending its approval to Town Council.

Background

The subject property is located on the west side of Highway 74, south of Smith Farm Road, and bifurcated by Chestnut Parkway. It is currently zoned for single-family residential uses (Union County R-20 and SF-1). The intent of the proposed rezoning is to assign the property an appropriate municipal zoning designation consistent with surrounding uses as well as with the Future Land Use designation in the Comprehensive Plan. Most of the subject property was annexed into the Town of Indian Trail in June 2013 (Annexation #136). However, as noted above, a deferred effective date prohibited assigning zoning in 2013. North Carolina State law requires annexed property to undergo a Zoning Map Amendment process to establish Town zoning on the subject property. Please see the current and proposed zoning maps below:

Map 1: Current Zoning



**CHESTNUT
PARKWAY**

Map 2: Proposed Zoning



**CHESTNUT
PARKWAY**

Staff Analysis

Consistency with Surrounding Zoning

As mentioned previously, a portion of the subject property is currently zoned Residential-20 (R-20) under Union County zoning and the remainder is zoned SF-1 under Town of Indian Trail zoning. The proposal requests to rezone the subject property to Regional Business District (RBD). The residential districts are intended to create, maintain and promote a variety of housing opportunity for individual households and to maintain the desired physical character of the Town's existing neighborhoods. Table 1 below outlines the acreages associated with each section of the subject property and their respective current zoning.

Table 1: Existing Parcel Summary

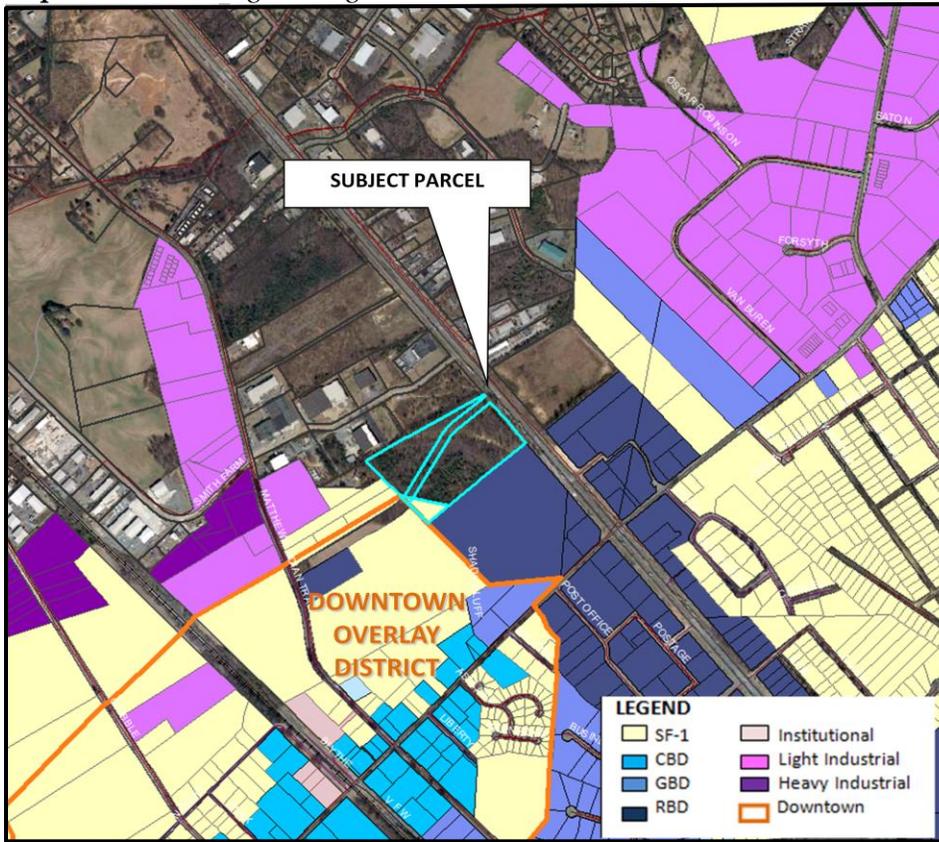
Parcel	Current Zoning	Proposed Zoning
15.34 acres annexed in 2013	R-20 Union County	Regional Business District (RBD)
1.48 acres originally within the Town of Indian Trail	SF-1, Single Family, Low Density	Regional Business District (RBD)
TOTAL: 16.82 acres		

RBD zoning districts are intended to allow development of businesses along major transportation corridors. Permitted uses include but are not limited to groceries, convenience goods stores, food and beverage establishments, offices, personal services, and general retail.

As reflected in Maps 3 and 4 below, adjacent zoning classifications and uses in the surrounding area are as follows: to the North is vacant land situated in the Town of Stallings and zoned for commercial and warehouse uses as 'Business Center'; to the South is land within the Town of Indian Trail with retail uses and zoned RBD; directly East of the subject property across Highway 74 is vacant land within Union County and zoned for commercial uses as 'Highway Corridor'; to the West are both residential and recreational uses (i.e., single family uses and Carolina Courts, respectively) and zoned SF-1 and RBD.

The proposed RBD zoning district is consistent with current retail, restaurant, warehouse, and recreation uses in the areas immediately adjacent to and nearby the subject property. This is also consistent with the existing zoning for most of the US 74 corridor located within Indian Trail. Please see the maps that follow showing the zoning designation and uses surrounding the subject property.

Map 3: Surrounding Zoning



Map 4: Surrounding Uses



Community Meeting

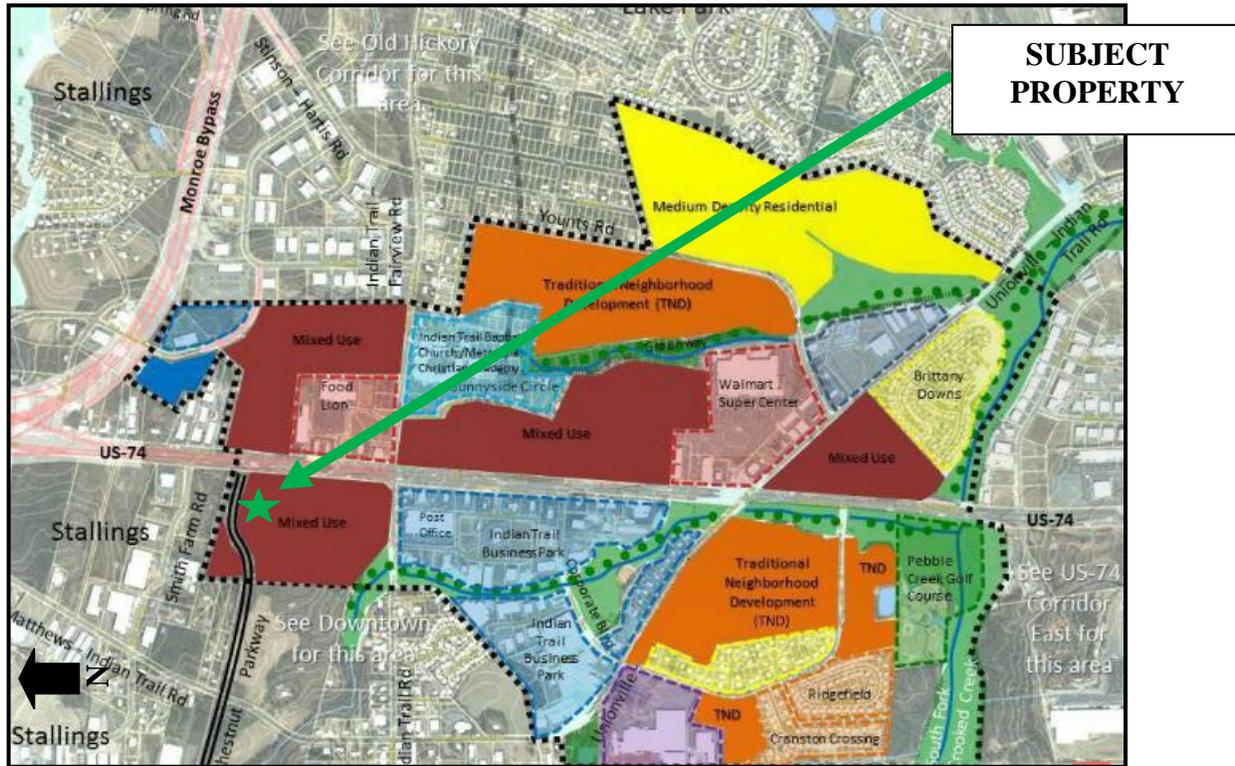
A community meeting was held on May 14, 2015 at the Town of Indian Trail's Civic Building. No members of the public attended and no public comments were received before or after the community meeting.

Consistency with the Town of Indian Trail's Comprehensive Plan and other Long-Range Plans

As mentioned previously, the subject property is located along the U.S. Highway 74 Corridor, between Smith Farm Road and Indian Trail Road and is bisected by the Chestnut Parkway. U.S. Highway 74 is a major intra-state route that runs from the mountains of North Carolina to its coast. It provides a direct connection to the busiest parts of the state and serves as an economic gateway for many municipalities. The segments of road along U.S. 74 between Smith Farm Road and Indian Trail Road is envisioned to become more urban in nature. Indian Trail's Comprehensive Plan designates the future land use for the subject property as Mixed-Use intended for commercial and other supporting uses and supports the envisioned urban development. The rezoning request for Regional Business District (RBD) is consistent with the Town of Indian Trail's Comprehensive Plan in this regard.

The subject property is also located within the U.S. 74 Corridor Revitalization Study area boundary. The findings and land use recommendations of this study were integrated into the latest Comprehensive Plan and are reflected in the plan's future land use maps. The proposed RBD rezoning is also consistent with this U.S. 74 study.

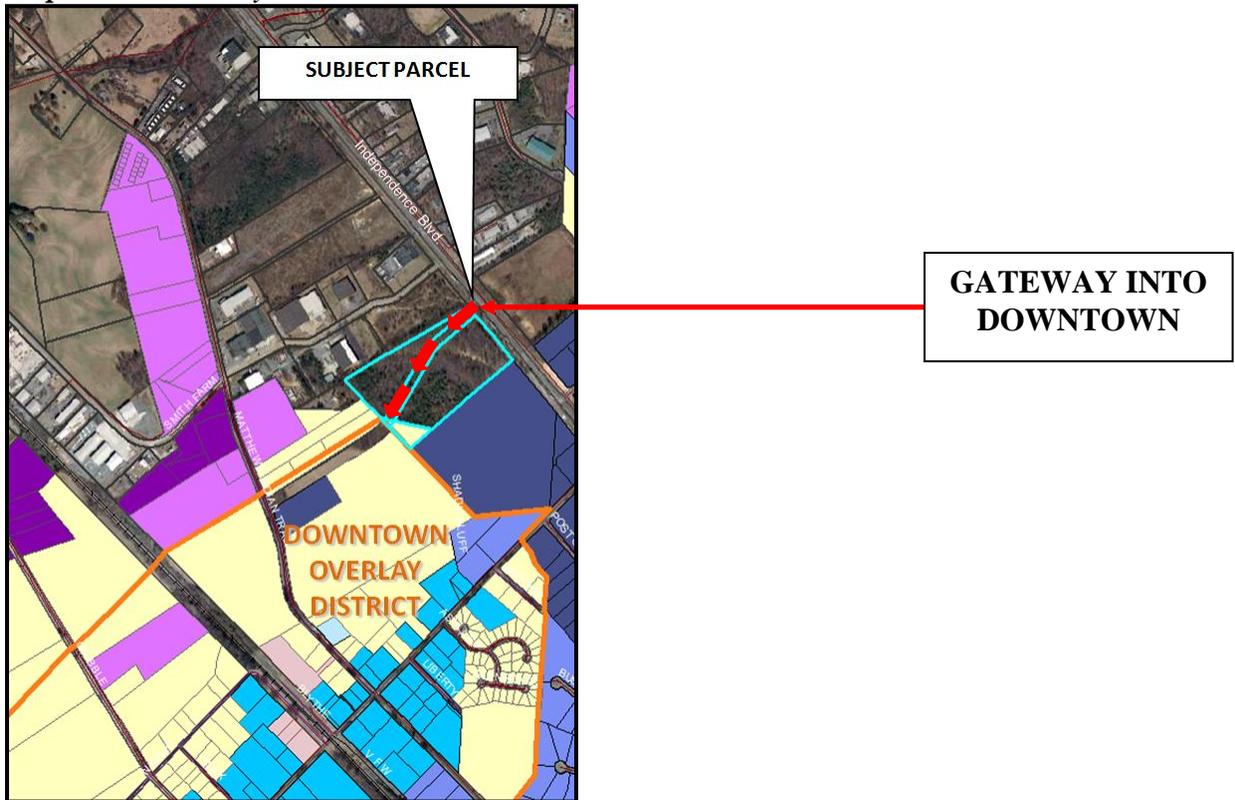
Map 5: Future Land Use for Highway 74



Gateway to Downtown Indian Trail

The location of the subject property also serves as a gateway from U.S. 74 through Chestnut Parkway into Downtown Indian Trail. The Town’s Downtown Master Plan, adopted in 2005, envisions a vibrant mixed-use downtown area in which residents can live, work and play. In essence, the downtown area complements the mixed-uses envisioned for U.S. 74. The proposed Regional Business District (RBD) zoning designation fits harmoniously with the Downtown Master Plan and serves to allow appropriate development on the subject property in order to attract patrons into Downtown Indian Trail. Please see Map 6, which follows, showing connectivity from U.S. Highway 74 (Independence Blvd.) to Downtown Indian Trail through Chestnut Parkway (depicted by the red arrows).

Map 6: Connectivity to Downtown



Required Consistency Findings

The Planning Board is required to make two consistency findings: one regarding consistency with the Town’s adopted plans and another regarding the benefit of the public. Staff recommends the following findings be made:

Land Use and Housing Goal #1:

The proposed rezoning allows businesses that would benefit the immediate area as well as neighboring communities.

Land Use and Housing Goal #4:

The proposed rezoning is consistent with land uses and transportation improvements along Highway 74 that promote mixed uses in keeping with sustainable land development principles.

Mobility and Transportation Goal #5 and Economic Development Goal #1:

The proposed Regional Business District (RBD) zoning designation allows businesses to develop along Highway 74 which support and foster continued economic growth along the corridor as envisioned in the U.S. 74 Corridor Revitalization Study.

Economic Development Goal #5:

The subject property serves as a gateway to Downtown Indian Trail and the proposed zoning promotes business uses which would attract patrons into Downtown.

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 Housing, Mobility and Transportation, and Economic Development* and is consistent with the adopted plans within the Town of Indian Trail.

Staff Recommendation

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

Gretchen Coperine

Senior Planner

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ATTACHMENT ONE: DRAFT ORDINANCE

STATE OF NORTH CAROLINA)

ORDINANCE #

)
TOWN OF INDIAN TRAIL)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF INDIAN TRAIL REZONING PARCEL 07-105-005 LOCATED ON U.S. HIGHWAY 74, SOUTH OF SMITH FARM ROAD FROM UNION COUNTY SINGLE-FAMILY RESIDENTIAL DESIGNATION (R-20) and INDIAN TRAIL ZONING DESIGNATION SF-1 TO AN INDIAN TRAIL ZONING DESIGNATION OF REGIONAL BUSINESS DISTRICT (RBD), IN THE TOWN OF INDIAN TRAIL, UNION COUNTY, NORTH CAROLINA

WHEREAS, the Town of Indian Trail has petitioned to rezone this parcel, a portion of which was previously annexed in 2013 (Annexation 136) to a suitable Regional Business District (RBD); and

WHEREAS, this Zoning Map Amendment (ZM2015-001) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, a community meeting was held on May 14, 2015 to discuss this zoning map amendment and no public comments were received; and

WHEREAS, a public meeting was held by the Planning Board on June ____, 2015 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:

Land Use and Housing Goal #1:

The proposed rezoning allows businesses that would benefit the immediate area as well as neighboring communities.

Land Use and Housing Goal #4:

The proposed rezoning is consistent with land uses and transportation improvements along Highway 74 that promote mixed uses in keeping with sustainable land development principles.

Mobility and Transportation Goal #5 and Economic Development Goal #1:

The proposed Regional Business District (RBD) zoning designation allows businesses to develop along Highway 74 which support and foster continued economic growth along the corridor as envisioned in the U.S. 74 Corridor Revitalization Study.

Economic Development Goal #5:

The subject property serves as a gateway to Downtown Indian Trail and the proposed zoning promotes business uses which would attract patrons into Downtown.

WHEREAS, the Planning Board further found this zoning reclassification 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 Housing, Mobility and Transportation, and Economic Development* and is consistent with the adopted plans within the Town of Indian Trail; and

WHEREAS, after making the required findings, the Planning Board voted ____ to transmit a recommendation to **approve/deny** to the Town Council; and

WHEREAS, the Town Council held a public hearing on July __, 2015 to consider said request and recommendation of **approval/denial** from the Planning Board; and

WHEREAS, the Town Council made the required findings.

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 2015-001 Zoning Petition thereby granting the Zoning Map amendment to establish a Regional Business District (RBD) zoning designation on parcel 07-105-005.

Section 3 – This ordinance shall be effective immediately upon adoption.

AND IT IS SO ORDAINED this day of July, 2015.

TOWN OF INDIAN TRAIL COUNCIL

Attest:

Vacant, Town Clerk

Michael L. Alvarez, Mayor

APPROVED AS TO FORM:

TOWN ATTORNEY