



P.O. Box 2430
Indian Trail, North Carolina 28079
Telephone (704) 821-5401
PLANNING AND NEIGHBORHOOD SERVICES

Zoning Map Amendment Staff Report

Case: ZM 2015-002 Mathews-Indian Trail Road		
Reference Name	Mathews-Indian Trail Road	
Request	Proposed Zoning	Institutional
	Proposed Use	Public/Civic Use (anticipated)
Existing Site Characteristics	Existing Zoning	Single Family Residential-1 (SF-1) and Downtown Overlay
	Existing Use	Vacant
	Site Acreage	14.5 acres (approx.)
Applicant	Town of Indian Trail	
Submittal Date	5/1/2015	
Location	Mathews-Indian Trail Road (across from Carolina Courts)	
Tax Map Numbers	07105011 (portion of)	
Plan Consistency	Town of Indian Trail Comp. Plan	Downtown
		Consistent with Request
Recommendations & Comments	Planning Staff	Recommends Approval for Institutional Zoning

Project Summary

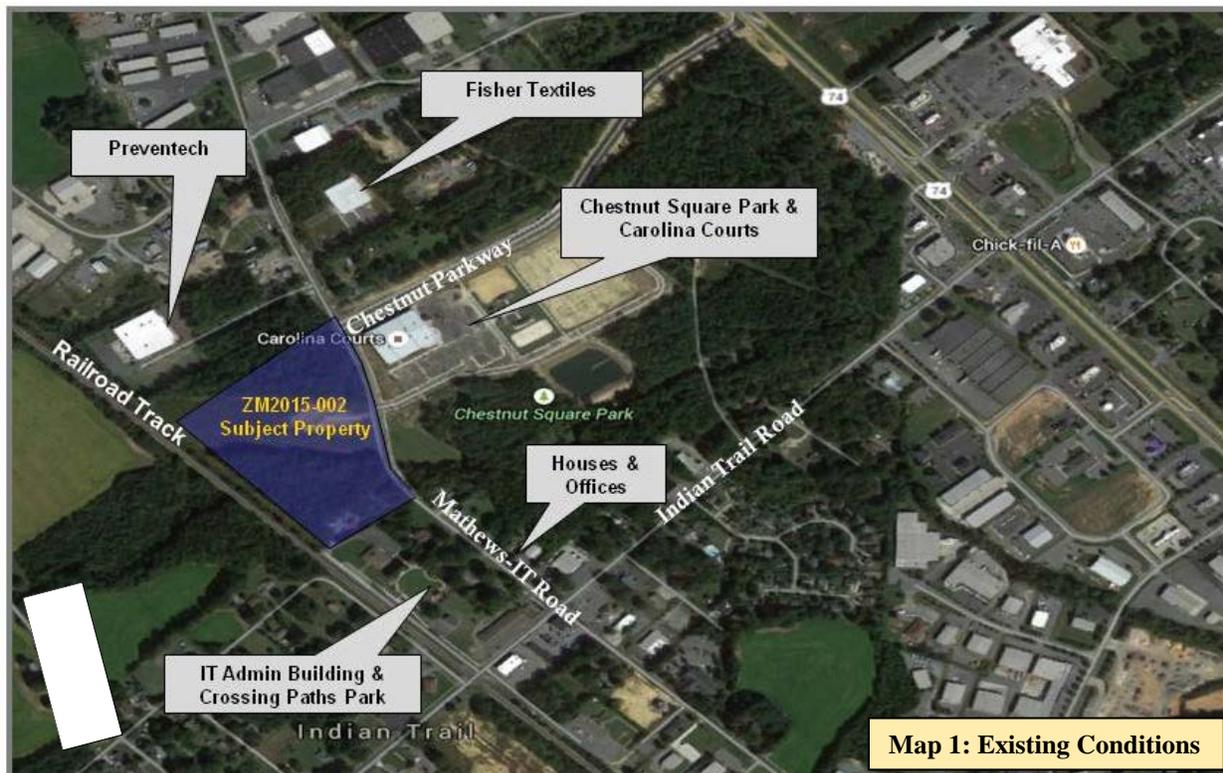
To rezone a 14.5 acre portion of Parcel 07105011 located on Mathews-Indian Trail Road from Single Family Residential-1 (SF-1) to the Institutional (I) District. The property is owned by the Town of Indian Trail and is located directly across from Carolina Courts and the Chestnut Square Park. Town Council has actively discussed potentially developing the property for a Town Hall/Community Center facility as well as using a portion of the site for the future westward extension of the Chestnut Parkway. Any potential future development of the property will be reviewed as part of the Town Site Plan review process and associated outside agency processes. The Institutional zoning district is needed to develop the property for its envisioned future use as a Town Hall and/or Community Center facility.

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

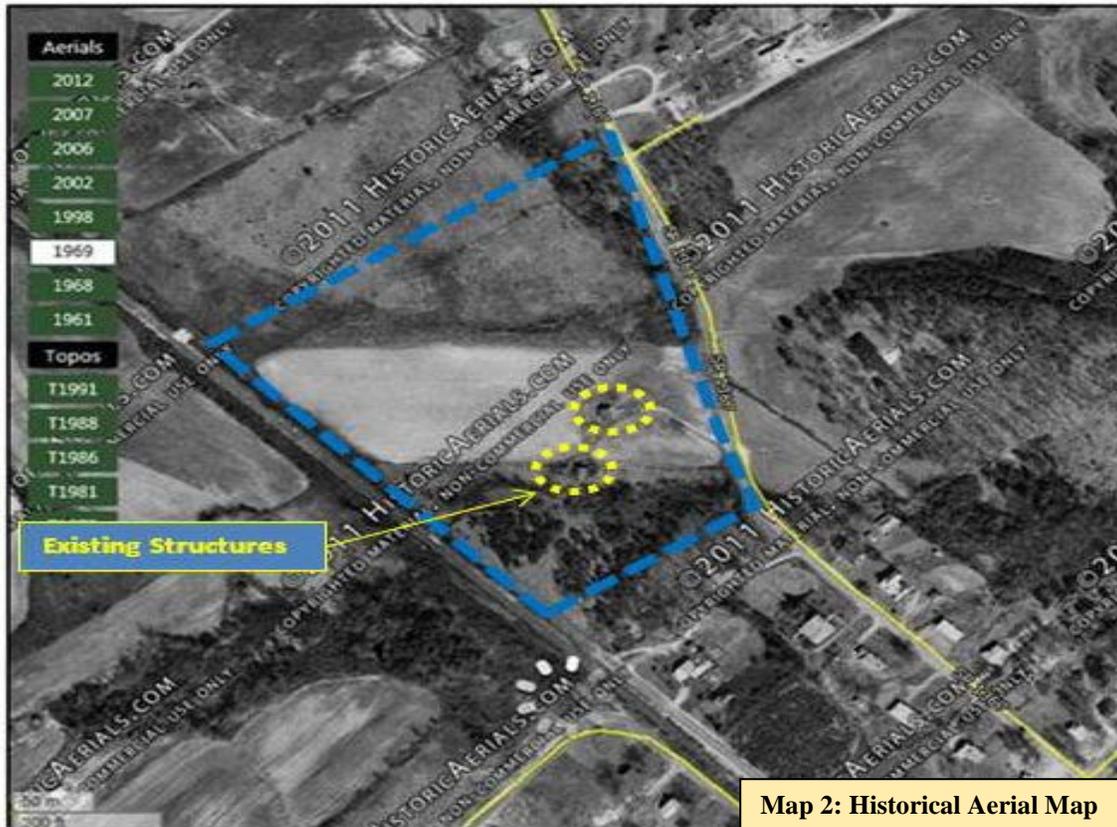
General Information

The subject property proposed for rezoning comprises approximately 14.5 acres of an overall 43.6-acre parcel. The remaining sections of the parcel that are not part of this rezoning are located on the eastern side of Mathews-Indian Trail Road and are developed with the Chestnut Square Park's passive and active recreational facilities. This eastern portion of the parcel will remain in the SF-1 District. The Carolina Courts facility is located on its own commercially zoned parcel.

As reflected in Map 1 below, the subject property is surrounded by a mix of uses with light industrial located to the north, recreational uses located to the east, a mix of institutional, recreational, residential, and office uses to the south, and the railroad ROW located to the west with rural residential/agricultural uses located beyond.



From a historical perspective, it is interesting to note that aerial photography from the 1960s (Map 2 below) reflects the subject property being used for what appears to be residential and agricultural uses. The photo depicts two structures, which could have been a house and an accessory structure/barn or two barns/houses. These structures are no longer located on the subject property.



Zoning Information

The subject property is currently zoned Single Family Residential-1, which is a low density residential classification. This application proposes to rezone this property to an Institutional District. 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. The subject property is also located on the northern edge of the Downtown Overlay District, which envisions a mix of commercial, office, and civic uses that are subjected to supplementary design guidelines to help achieve the overall vision for the Downtown. As previously noted, the proposed Institutional District is needed to development the facility for its envisioned future use as a Town Hall and/or Community Center facility (amongst other parks and open space improvements).

Map 3 below provides the zoning district information in the project area. The existing zoning in the subject property area is generally consistent with the previously noted existing conditions map. A combination of Light Industrial (LI) and Single Family Residential-1 (SF-1) zoning is located to the north of the property, SF-1 and Regional Business District is located to the east, a combination of Institutional, SF-1, and Central and Neighborhood Business District are located to the south, and a combination of SF-1 and LI to the west (beyond the railroad).

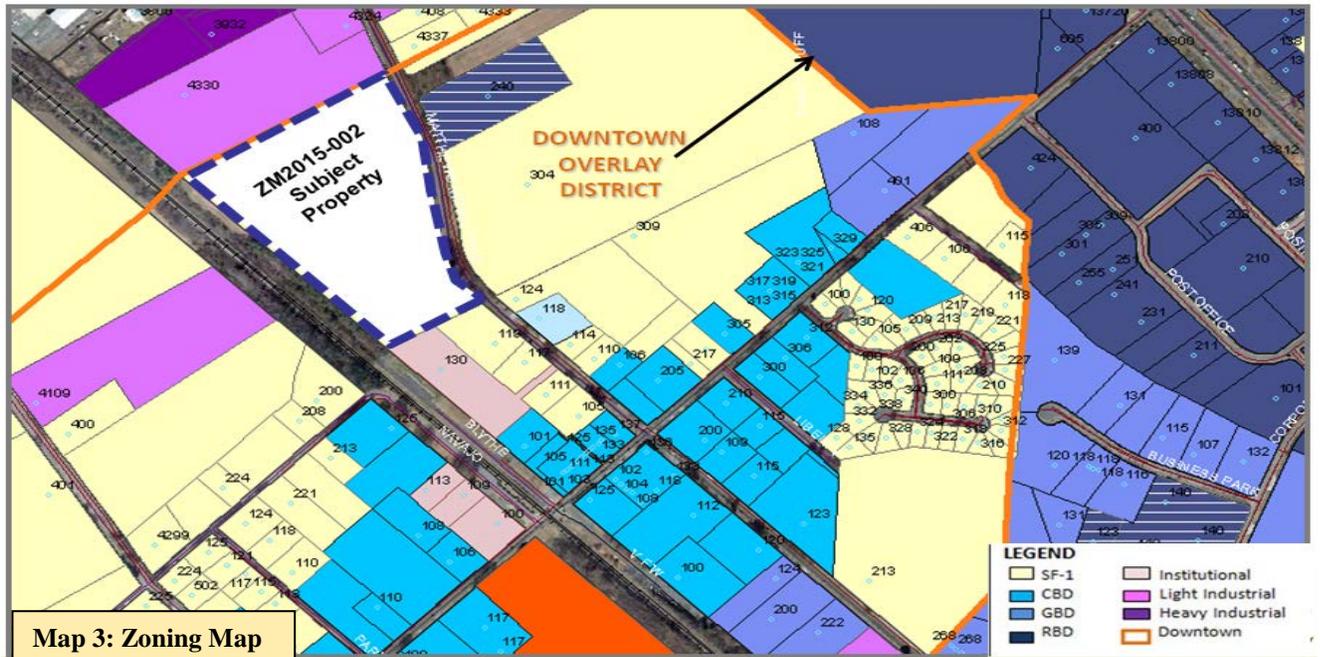


Table 1 below provides a comparison of dimensional requirements between the existing SF-1 and proposed I Districts. The I District has the larger dimensional/separation requirements between the existing zoning classifications.

TABLE 1: DIMENSIONAL REQUIREMENT COMPARISON

	Institutional District	Single-Family SF-1
Lot Width	100-ft	100-ft
Front Setback	50-ft	40-ft
Rear Setback	50-ft.	40-ft
Side Yard	20-ft. 25-ft abutting a residential district	15- ft

Recent Planning Initiatives

The subject property being considered for rezoning was part of the Chestnut Square Park Master Plan developed in 2012 (Map 4 below). The subject property was designated for civic use purposes such as a community center, passive recreational activities, and other similar uses. The plan also integrated the future extension of Chestnut Parkway eventually crossing over the railroad tracks.

The Town Council has been furthering the previous master planning effort with a plan for a potential Town Hall and Community Center facility on the subject property. If constructed, the facility would include a significant amount of community meeting space, a public square/open space, trails, and other passive recreational amenities (in addition to conventional Town office and council chamber meeting space). There would also be space for future development of buildings that could potentially include other civic uses such as a senior center, other state or county office spaces, auditorium, etc.



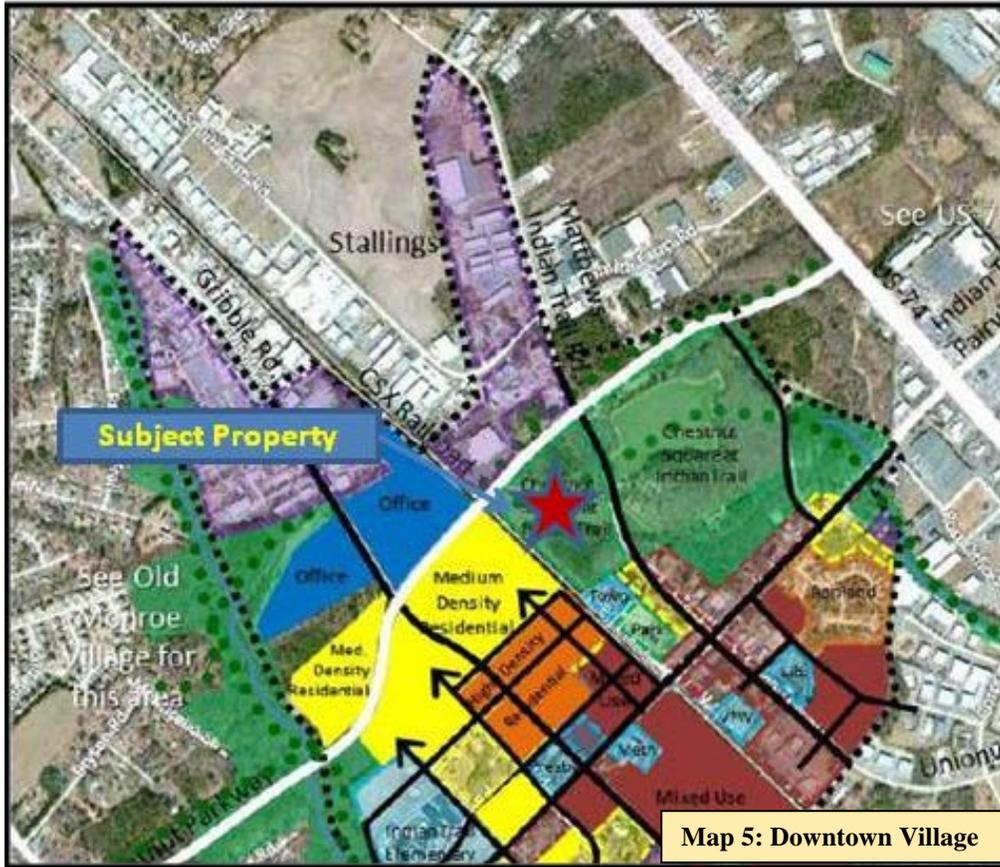
Community Meeting

Town staff facilitated a community meeting on June 2, 2015 from 5:30 p.m. to 7:30 p.m. at the Indian Trail Civic Building. Five total attendees were present. There were no specific comments provided related to the proposed Institutional Zoning District. Comments that were provided (both positive and negative) related to the potential future development of the site as a Town Hall/Community Center facility, extension of Chestnut Parkway, and other activities occurring in the Downtown area. One attendee completed a comment form and it is included as Attachment 4.

Plan Consistency

Comprehensive Plan

The subject property is located within the Downtown area of the Indian Trail Comprehensive Plan (Map 5 below). The Downtown Master Plan was adopted in 2006 with considerable citizen feedback and support. It is envisioned that Downtown Indian Trail could be the centerpiece of the Indian Trail and western Union County area. The Downtown Village contemplates an active mix of office, commercial, dense residential and civic/public uses. The Comprehensive Plan update specifically contemplated the future use of the rezoning subject property for civic/public uses. The rezoning of the subject property from Single Family Residential to Institutional District would be consistent with the Downtown area plan.



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:

Downtown Revitalization Goals 1 and 4: The rezoning of the subject property to the Institutional District will help further the vision for Downtown Indian Trail to become a focal point by establishing a district that will permit compatible civic and open space uses to develop that will attract both Indian Trail citizens and visitors to Downtown.

Parks and Recreation and Open Space Goal 1 and 6 – The rezoning of the subject property will help facilitate development that will include trails, open spaces, and other recreational amenities providing attractive, accessible, and safe recreational opportunities within Indian Trail.

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 *Downtown Revitalization and Parks and Open Space* and is consistent with the adopted plans within the Town of Indian Trail.

Recommendation

Planning Staff believes that the findings can be made to support the petition requesting a rezone to an Institutional Zoning Classification on the subject property.

Staff Contact:

Rox Burhans, AICP

704 821-5401

rburhans@planning.indiantrail.org

Attachments:

Attachment 1- Application

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

Attachment 3 – Draft Ordinance

Attachment 4- Community Meeting Comment Form

ATTACHMENT ONE: APPLICATION

ZONING MAP AMENDMENT APPLICATION



INDIAN TRAIL
north carolina

PLANNING & NEIGHBORHOOD SERVICES

PO Box 2430

Indian Trail, NC 28079

Telephone (704) 821-5401

Fax (704) 821-9045

DEADLINE: THE FIRST DAY OF EACH MONTH

ONLY COMPLETE APPLICATIONS ACCEPTED

Processing Fee: Less than 2 acres \$250, 2-10 acres \$600, >10 acres \$800

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 304 Mathews-Indian Trail Road
City Indian Trail State: NC Zip 28079
Tax Parcel ID 07-105-011 (14.6 acre portion of) Zoning Designation Existing: SF-1, Proposed: I
Total Acres Approx. 14.6-acres Impervious Area N/A

Project Description Rezone a Town of Indian Trail owned tract adjacent to Chestnut Square Park to the Institutional (I) Zoning District to achieve zoning consistency with other Town facilities and to support the potential future development of a Community Center/Town Hall facility.

Contact Information – Applicant

Name Joseph A. Fivas, Town Manager
Address P.O. Box 2430
City Indian Trail State NC Zip 28079
Phone 704-821-5401 Fax 704-821-9045
Email TownManager@admin.indiantrail.org

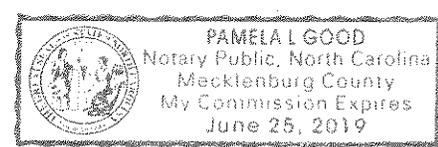
Contact Information – Property Owner

Name See Applicant Information Above
Address
City State Zip
Phone Fax
Email

Applicant's Certification

Signature [Signature] Date 5/11/15
Printed Name/Title Joseph A. Fivas, Town Manager
Signature of Notary Public [Signature] Date 5-11-15

Notary Seal



ZONING MAP AMENDMENT APPLICATION

Property Owner's Certification

Signature See Applicant Certification Above (Same As) Date _____

Printed Name/Title _____

Signature of
Notary Public _____ Date _____

Notary Seal

TOWN OF INDIAN TRAIL OFFICE USE ONLY

Case Number: ZT 2015-002

Date Received: 5/11/15 Amount of Fee: N/A

Received By: Rox Burhans Receipt #: _____

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

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

3. Town Council

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

ATTACHMENT TWO: USE TABLES

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 **Error! Reference source not found.**

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	
Child Care Center	P	Complies with state licensing rules
Adult Day Care Center	P	Complies with state licensing rules
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

Lot and Building Standards (Institutional Districts)	I District
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, **Error! Reference source not found.**

L. Lighting

Outdoor lighting shall comply with the requirements of lighting standards see Chapter 1310.

M. Parking and Loading Areas

Off-street parking and loading area shall be subject to all parking/loading area design, construction and landscaping standards of **Error! Reference source not found.**

N. Community Open Space

Each development within the I, Institutional district shall contribute to the establishment or enhancement of community open spaces providing at least 10% on-site open space.

O. Design Standards for Union County Public Schools

1. Findings

Union County Public Schools (UCPS) is currently subject to 13 different sets of local land use regulations (12 different municipalities and Union County). Regulations vary from jurisdiction to jurisdiction, making it difficult to build new schools, renovate existing schools or locate mobile units in a consistent, timely and cost effective manner. As a part of the Union County Board of Education's adopted "Building Program Cost Saving Principles", UCPS is endeavoring to establish a standard zoning classification and standardized requirements for school construction regardless of the schools locale in Union County. Such standardization will result in 1) equitable school facilities throughout the county; 2) more efficient permitting of school facilities and 3) cost savings for the benefit of the taxpayers of Union County.

2. Cooperative Planning

Staffs from UCPS, Union County and all local municipalities have met and have agreed to make recommendations to their elected boards as follows:

- a. UCPS staff will involve local municipal staff early in the site selection process. The local municipal staff will make recommendations regarding target sites or areas within their respective jurisdictions that are suitable for school uses. Pursuant to state statute, final decisions regarding the selection of school sites are made by the Union County Board of Education.

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 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 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 **Error! Reference source not found.**

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
	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)								
Family Child Care Home (up to 9 enrollees)	P	P	P	P	P	P	P	Refer to definition 1610.070(B) (1)
Child Care Center	S	S	S	S	S	S	S	Complies with state licensing rules
Adult Day Care Home (up to 6 enrollees)	P	P	P	P	P	P	P	Complies with state licensing rules
Adult Day Care Center	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	P							

Use Group	Zoning District							Use Standard
Use Category	RSF	SF-1	SF-2	SF-3	SF-4	SF-5	MFR	
Nursery								
Silver Culture Operations	P			-	-	-	-	
Horseback Riding Stables	P	S		-	-	-	-	
Wireless Communication Facilities								
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

ATTACHMENT THREE: DRAFT ORDINANCE

STATE OF NORTH CAROLINA)
)
TOWN OF INDIAN TRAIL)

DRAFT
ORDINANCE # O150623-XYZ

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF INDIAN TRAIL REZONING PARCEL 07-105-011 (14.5 acre portion of), LOCATED ON MATHEWS-INDIAN TRAIL ROAD FROM SINGLE FAMILY RESIDENTIAL-1 TO INSTIUTIONAL IN THE TOWN OF INDIAN TRAIL, UNION COUNTY, NORTH CAROLINA

WHEREAS, the property owner and designated applicant the Town of Indian Trail, petitioned to rezone tax parcel 07-105-011 from Single Family Residential-1 to the Institutional Zoning District; and

WHEREAS, this Zoning Map amendment (ZM2015-002) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, a community meeting was held on June 2, 2015; and

WHEREAS, a public meeting was held by the Planning Board on June 16, 2015 to consider this conditional zoning request; and

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

Downtown Revitalization Goals 1 and 4: The rezoning of the subject property to the Institutional District will help further the vision for Downtown Indian Trail to become a focal point by establishing a district that will permit compatible civic and open space uses to develop that will attract both Indian Trail citizens and visitors to Downtown.

Parks and Recreation and Open Space Goal 1 and 6: The rezoning of the subject property will help facilitate the development that will include trails, open spaces, and other recreational amenities providing attractive, accessible, and safe recreational opportunities within Indian Trail.

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 *Downtown Revitalization and Parks and Open Space* and is consistent with the adopted plans within the Town of Indian Trail.

WHEREAS, after making the draft findings the Planning Board made the motion to transmit a recommendation to X to the Town Council; and

WHEREAS, the Town Council held a public hearing on June 23, 2015 to consider said request and recommendation of X 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 – Approves ZM 2015-002 Zoning Petition thereby granting the Zoning Map amendment to establish the Institutional Zoning District on a 14.5 acre (approximate) portion of parcel number 07-105-011.

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

AND IT IS SO ORDAINED this 23rd day of June, 2015.

TOWN OF INDIAN TRAIL COUNCIL

Attest:

Kelly Weston, Interim Town Clerk

Michael Alvarez, Mayor

APPROVED AS TO FORM:

TOWN ATTORNEY

ATTACHMENT FOUR: COMMENT FORM



ZM2015-002 Mathews-Indian Trail Road – Community Meeting

June 2, 2015 Comment Sheet

Comments:

The new option 2 plan was NOT part of the original 51 acre park plan.

The Chestnut Parkway is part of the 14 acre rezoned property, thus subtracting from the total amount of acreage.