



P.O. Box 2430

Indian Trail, North Carolina  
28079

**PLANNING AND NEIGHBORHOOD SERVICES  
DEPARTMENT**

## Zoning Staff Report

<b>Case: ZT 2016-002 and CPA2016-002 Industrial Uses within Village Center Overlay</b>		
<b>Reference Name</b>	Amendment of UDO Chapters 530 and 630 and Comprehensive Plan Chapter 3	
<b>Applicant</b>	Sun Valley Commons, LLC c/o Moser Group, Inc	
<b>Submittal Date</b>	February 22, 2016	
<b>Location</b>	Town-wide	
<b>Tax Map Number</b>	N/A	
<b>Plan Consistency</b>	Town of Indian Trail Comprehensive Plan	Consistent With Goals of the Adopted Comprehensive Plan
<b>Recommendations &amp; Comments</b>	Planning Staff	Recommends Approval of Proposed Text Amendment

### Project Summary

This is a request to amend Chapters 530 and 630 to the Unified Development Ordinance (UDO) to allow Industrial Uses within the Village Center Overlay. Accompanying the proposed language is a Comprehensive Plan amendment to Chapter 3 to include industrial uses in the Village Center Overlay districts.

**Staff Recommendation-** Staff recommends based on the guidance of the adopted plans that the text amendment be supported by recommending its approval to the Town Council.

### Analysis/Overview

This request was initiated by The Moser Group to permit industrial uses within the Village Center Overlay districts in the Town of Indian Trail. The intent from the Moser Group is to potentially develop a light industrial park in the Sun Valley Village Center area. The Village Centers were envisioned in the Town's Comprehensive Plan to provide compact neighborhoods within a 10 minute walk of various activities including non-residential uses. The goal of the village center overlay is to encourage sustainable development and centers of activity with a variety of uses.

With regard to the proposed amendment, staff modified the applicant’s original proposal by narrowing the list of industrial uses that would be permitted within village centers. Depending on the intensity of the use and its appropriateness within a village center, uses of a lower intensity are permitted by-right (such as commercial uses and low intensity industrial), while other more intensive uses necessitate being established through a Special Use Permit or Conditional Zoning approval. A focus was put on ensuring compatibility between light industrial uses and existing or future residential communities. Heavy industrial uses (such as junk yards) are not permitted in light of them not being appropriate under any circumstance within a village center environment.

To date, there exist a limited amount of industrial uses within the village center overlay districts which have been in existence before any UDO requirements in our current code (generally located on Waxhaw Indian Trail Road and Nagle Drive). In order to acknowledge those existing uses, language has been proposed to exempt such businesses from requirements being proposed with this amendment. In this case, said uses are grandfathered in and become legitimized. Most future parcels developing with light industrial uses will need a conditional rezoning to establish the light industrial zoning district, which is ultimately approved by Town Council.

Below is a table of parcels with existing industrial uses within the Old Monroe Village Center (generally located on the north side of Waxhaw Indian Trail Road, along Nagle Drive). Again, this amendment proposes language that legitimizes the uses below, as they have been in existence before UDO requirements were established.

<b>Parcel</b>	<b>Current Use</b>
<b>7114038T</b>	Auto repair
<b>7114038S</b>	Warehouse building with outdoor storage
<b>07114038J</b>	Bldg Contractor with outdoor storage, office
<b>07114038K</b>	Kennel
<b>07114038N</b>	Warehouse bldg with outdoor storage
<b>07114038C</b>	Auto repair
<b>07132027A</b>	Cement Plant
<b>07132027D</b>	Plant - office
<b>07132027C</b>	Plant - office
<b>07114025A</b>	Warehouse bldg with outdoor storage

## **Amendment Overview**

The following will provide a summary level overview of the proposed UDO amendment. Please refer to Attachment 2, Ordinance: Exhibit A for the proposed amendment in its entirety.

- *UDO Chapter 530.010 Industrial Zoning Districts:* In this section of the proposed amendment, the “Village Center Overlay” is added to provide consistency with other sections of the UDO which reference the Village Center Overlay districts.
- *UDO Chapter 530.020 Allowed Uses Table:* The permitted uses table lists industrial uses which are appropriate for the village center overlays. Generally speaking, uses which are considered heavy industrial, such as junk yard and vehicle storage, have not been included in the permitted uses as they are out of character with the village center overlay districts.
- *UDO Chapter 630.010(B) Exemptions:* Language has been added to exempt existing uses within the Light Industrial zoning district in the Village Center Overlay which would otherwise not meet the requirement of the proposed amendment. These uses have been in existence before requirements of the UDO, and as such must be recognized. This proposal does not create an impact to any prior approvals, and legitimizes existing uses.
- *UDO Chapter 630.040 Development Standards:* Language has been added to allow industrial uses within the village center overlays to have less than the required 60% of the front façade to be transparent. The transparency requirement is more appropriate for commercial zones and not so for industrial uses.
- *UDO Chapter 630.050 Additional Requirements:* This section provides additional development requirements when uses involving outdoor storage are proposed or manufacturing uses proposed within proximity of low intensity areas as follow:
  1. *Separation Requirements:* Uses involving manufacturing must be a minimum of 250 feet from any residential or institutional area. Manufacturing uses may be closer than 250 feet from a residential or institutional area when a conditional rezoning is proposed. The conditional rezoning process allows staff, Planning Board and Town Council to analyze the appropriate separation for a specific site based on the specific proposal, the surrounding area character and existing development.
  2. *Outdoor Storage:* Uses which propose outdoor storage must meet landscaping requirements as well as additional screening with walls or opaque fencing in order to protect the surrounding area and its aesthetic.
  3. *Nuisances:* The proposed language regarding odors, noise and other nuisances is intended to protect surrounding areas.

Based on staff’s findings, we offer the modifications attached to the Draft Ordinance for the Board’s consideration. For ease of reference, proposed new text is referenced in **red/underlined** font and deletions are referenced in ~~strikethrough~~ font. The proposed language is found in Attachment 2, Exhibit A.

A Comprehensive Plan Amendment (CPA2016-002) has also been proposed with this text amendment in order to provide consistency within the Overlay districts. See Attachment 3.

## **Required Consistency Findings**

The Planning Board is required to make two consistency findings, one for consistency with Town

adopted plans and another regarding the benefit of the public. Staff is of the opinion the following findings can be made:

1. The proposed UDO amendment is consistent with the following goals of the Comprehensive

Plan:

- ***Land Use and Housing Goals #1, 4 and 5:*** The proposed amendment is consistent with the Comprehensive Plan because it will enable diverse uses, and avoid potential land use incompatibilities, promote sustainable development through the use of smart growth principles, and encourage high quality design.
- ***Economic Development Goal #1:*** The proposed amendment creates the opportunity for a balanced tax base by allowing the development of industrial parks within the village center overlay districts and by supporting varied employment opportunities.

2. This UDO ordinance amendment is in the best interest of the public because it seeks to concentrate more intense development within the village centers and protect the low density single-family areas as envisioned in the comprehensive plan.

Staff recommends that the Planning Board make the required consistency findings and recommend adoption of this UDO Text Amendment ZT2016-002 as presented.

**Staff Contact**

Gretchen Coperine, AICP, Senior Planner  
704-821-5401  
[gcoperine@planning.indiantrail.org](mailto:gcoperine@planning.indiantrail.org)

Attachment 1: Application

Attachment 2: Draft Ordinance: Exhibit A, Draft Language

Attachment 3: Draft Resolution: CPA2016-002

**ATTACHMENT ONE**

**Application**

**UDO TEXT AMENDMENT  
APPLICATION**

ZT2016-002

R-000681

Inv 27034



**PLANNING & NEIGHBORHOOD SERVICES**

**130 Blythe Drive**

**PO Box 2430**

**Indian Trail, NC 28079**

**Telephone (704) 821-5401**

**Fax (704) 821-9045**

**ONLY COMPLETE APPLICATIONS ACCEPTED**

Processing Fee \$500.00

**A TECHNOLOGY FEE, 10% OF PROCESSING FEE, WILL BE APPLIED TO THE TOTAL FEE.**

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## **UDO TEXT AMENDMENT APPLICATION**

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### **Submittal Requirements**

- Completed Application
- Notarized signature of applicant
- Letter of Intent (which has separate explanation(s) as to the text amendment(s) specifically being offered, along with the purpose of the amendment(s))
- Fees associated with review
- **\*\*A TECHNOLOGY FEE, 10% OF FEE, WILL BE APPLIED TO THE TOTAL FEE.**

### **Timeline/Procedures**

- The Town Council meets the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of every month; the Planning Board meets the 3<sup>rd</sup> Tuesday of every month.
- All submittal requirements must be met by the first day of the month before the UDO Text Amendment is heard. For instance, if you wanted to present your UDO Text Amendment before the 3<sup>rd</sup> Tuesday in March, then you need to have all of your materials in to us by February 1<sup>st</sup>.
- The Planning Board will meet on the 3<sup>rd</sup> Tuesday of that same month to discuss and transmit a recommendation to the Town Council at their next meeting regarding the proposed UDO Text Amendment.
- A public hearing will be called for by the Town Council at their next scheduled meeting (either the second or fourth Tuesday of the month) to discuss the proposed UDO Text Amendment.
- You must demonstrate to the Planning Board and to the Town Council that this amendment of the UDO conforms to the intent and letter of the Indian Trail Comprehensive Plan, along with being in harmony with the UDO.

### UDO TEXT AMENDMENT APPLICATION

**Subject Section of the UDO:**

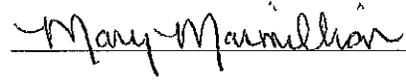
Name ALLOWED USES  
Chapter: 530.020  
Purpose: PERMIT LIGHT INDUSTRIAL USE IN VCO

**Contact Information - Applicant** Liquid Management LLC

Name c/o THE MOSER GROUP, INC  
Address 231 POST OFFICE DRIVE, SUITE B-8  
City INDIAN TRAIL State NC Zip 28079  
Phone (704) 882-1700 Fax (704) 882-2220  
Email dmoser@themosergroupinc.com

**Applicant's Certification**

Signature  Date 2-19-16  
Printed Name/Title Dennis Moser

Signature of Notary Public  Date 2-19-16

Notary Seal

Mary Marmillion  
Notary Public - North Carolina  
Mecklenburg County  
Commission No. 201510500146  
My commission expires 7-12-2020

TOWN OF INDIAN TRAIL OFFICE USE ONLY	
CASE NUMBER: <u>ZT 2016.002</u>	
DATE RECEIVED: <u>2-22-16</u>	AMOUNT OF FEE: <u>\$ 550 /</u>
RECEIVED BY: <u></u>	RECEIPT #: <u>/</u>



02-22-16 10:45 AM

February 19, 2016

Mr. Rox Burhans  
Director of Planning  
Town of Indian Trail  
130 Blythe Drive  
Indian Trail, NC 28079

Re: Letter of Intent  
Text Amendment to Unified Development Ordinance  
Indian Trail, North Carolina

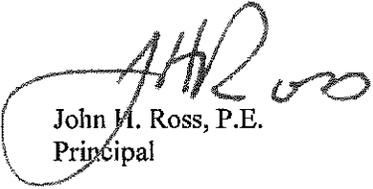
Dear Mr. Burhans:

On behalf of our client, , Liquid Management, it is our intent and our formal request to amend the text of the Town of Indian Trail Unified Development Ordinance. To expand, it is our request that Chapter 530.020 and any other pertinent sections be amended to permit the development of Light Industrial facilities, within areas designated as Village Center Overlay districts.

Included herein is a complete application package in support of this request. Should you have any questions or require additional information, please feel free to call at your convenience. Thank you in advance for your consideration.

Sincerely,

**EAGLE ENGINEERING, INC.**

  
John M. Ross, P.E.  
Principal

Attachments  
cc: Liquid Management; file 5473

Atlanta  
PO Box 551  
Alpharetta, GA 30004  
Ph 678 339 0640  
Fax 678 339 0534

[www.eagleonline.net](http://www.eagleonline.net)

Charlotte  
2013-A Van Buren Avenue  
Indian Trail, NC 28079  
Ph 704 882 4222  
Fax 704 882 4232



**Elaine F. Marshall**  
Secretary

North Carolina

**DEPARTMENT OF THE  
SECRETARY OF STATE**

PO Box 29622 Raleigh, NC 27626-0622 (919)807-2000

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**Corporate Names**

**Prev Legal:** DENNIS W. MOSER & ASSOCIATES, INC.  
**Legal:** The Moser Group, Inc.

**Business Corporation Information**

**SosId:** 0371509  
**Status:** Current-Active  
**Annual Report Status:** Current  
**Citizenship:** Domestic  
**Date Formed:** 6/15/1995  
**Fiscal Month:** December  
**State of Incorporation:** NC  
**Registered Agent:** Moser, Dennis

**Corporate Addresses**

**Mailing:** 231 Post Office Dr Ste B8  
Indian Trail, NC 28079  
**Principal Office:** 231 Post Office Dr Ste B8  
Indian Trail, NC 28079  
**Reg Office:** 231 Post Office Dr Ste B8  
Indian Trail, NC 28079  
**Reg Mailing:** 231 Post Office Dr Ste B8  
Indian Trail, NC 28079

**Officers**

**President:** Dennis Moser  
231 Post Office Dr Ste B8  
Indian Trail NC 28079

**Stock**

**Class:** Common Non Voting  
**Shares:** 100  
**No Par Value:** Yes  
**Class:** Common Voting  
**Shares:** 9900  
**No Par Value:** Yes



**ATTACHMENT TWO**  
**Draft Ordinance**



**(O-VC); and**

**Section 2-** This ordinance shall be effective immediately upon adoption.

**SO ORDAINED THIS \_\_ DAY OF May 2016.**

THE TOWN COUNCIL OF INDIAN TRAIL

By \_\_\_\_\_ Honorable Michael L. Alvarez, Mayor

Attest:

\_\_\_\_\_  
Kelley Southward, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
TOWN ATTORNEY

# **ZT2016-002 EXHIBIT A**

## **Chapter 530. Industrial Zoning Districts**

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The Industrial districts are intended to accommodate industrial park development, manufacturing, warehousing, and wholesaling in locations with good access to highways and arterial roads. The Industrial districts are intended to promote job retention and job creation and such districts are intended to promote expansion of the Town's employment base and access to jobs in close proximity to people's homes.

### **530.010 District Descriptions**

#### **A. LI, Light Industrial District**

The LI, Light Industrial district is established to provide regulations for the development of areas generally devoted to light manufacturing, processing and assembly uses, warehousing, distribution and servicing enterprises and office and ancillary service activities controlled by performance standards to limit the effect of such uses on uses within the district and on adjacent districts. Development in this district under the planned development process is encouraged. The LI, Light Industrial district is consistent with the Industrial designation on the Indian Trail Comprehensive Plan.

#### **B. HI, Heavy Industrial District**

The HI, Heavy Industrial district is established to produce areas for intensive manufacturing, processing and assembly uses, controlled by performance standards to limit the effect of such uses on adjacent districts. The HI, Heavy Industrial District is consistent with the industrial designation on the Indian Trail Comprehensive Plan.

#### **C. O-VCD, Village Center Overlay**

The Village Center Overlay District designates areas within the Town where mixed-use centers may be established. Village Center Overlay Districts may be established with different mixes of land uses and different densities consistent with the broad guidelines established by the Comprehensive Plan. The location of Village Center Overlay Districts will be consistent with the locations identified in the Comprehensive Plan.

## 530.020 Allowed Uses

### G. Use Table and Standards

Use Group	Zoning Districts			Use Standards
	LI	HI	<u>O-VCD</u>	
Specific Use				
<b>COMMERCIAL</b>				
Adult Use	-	-		
<b>Animal Services</b>				
Shelter/Boarding Kennel	S	-		
Sales and Grooming	S		<u>P</u>	
Veterinary	S	-	<u>P</u>	
Stables	S	-		
Artist Work and Sales Space	P	P	<u>P</u>	
				<u>*See Chapter 630 for outdoor storage and additional requirements within Village Center Overlays.</u>
				<u>SUP required unless established through Conditional Zoning.</u>
Building Maintenance Services	P	P	<u>S*</u>	
Business Equipment Sales and Services	P	P	<u>P</u>	
Commercial Greenhouse or Nursery	P	P		
Communication Service Establishments	P	P	<u>P</u>	
				<u>*See Chapter 630 for outdoor storage and additional requirements within Village Center Overlays.</u>
				<u>SUP required unless established through Conditional Zoning.</u>
Construction Sales and Services	P	P	<u>S*</u>	
Construction Storage Yard	S	P		
<b>Funeral and Interment Services</b>				
Cemetery or Mausoleum	-	-		
				<u>*SUP required unless established through Conditional Zoning.</u>
Cremating	S	S	<u>S*</u>	
Commercial Laundry Services	P	P		
Offices	P	-	<u>P</u>	
Business or Trade School	P	-	<u>P</u>	
<b>Ancillary Services within Business Parks</b>				
Health Clubs/Fitness*	P*	-	<u>P*</u>	See Size Limits Sec. 530.040*
				See Size Limits, Parking and Loading and Locational Requirements Sec. 530.040*
Child Care Center*	S*	-	<u>S*</u>	
Dry Cleaning, Shoe and Apparel Repair (Consumer)	P*	-	<u>P*</u>	See Size Limits Sec. 530.040*

Bakery*	P*	-	<u>P*</u>	See Size Limits Sec. 530.040*
Delicatessen*	P*	-	<u>P*</u>	See Size Limits Sec. 530.040*
Restaurant (not including drive-through facilities)	P*	-	<u>P*</u>	See Size Limits Sec. 530.040*
Mailing, Copying, and Blue Print Services*	P*	-	<u>P*</u>	See Size Limits Sec. 530.040*
Employment Agency*	P*	-	<u>P*</u>	See Size Limits Sec. 530.040*
Secretarial Services*	P*	-	<u>P*</u>	See Size Limits Sec. 530.040*
Telephone Answering Services*	P*	-	<u>P*</u>	See Size Limits Sec. 530.040*
Residential Storage Warehouse	P	P	<u>P*</u>	<u>*Indoor, climate controlled storage facility only in Village Center Overlays.</u>
Indoor Shooting Range	S	S		Chapter 7170
<b>Sports and Recreation, Participants (not including firearms shooting ranges)</b>				
				<u>*See Chapter 630 for additional requirements within Village Center Overlays.</u>
Indoor	S	S	<u>S*</u>	<u>SUP required unless established through Conditional Zoning.</u>
Outdoor	P	-	<u>P</u>	
<b>Vehicle Sales, Storage and Services</b>				
				<u>*See Chapter 630 for outdoor storage and additional requirements within Village Center Overlays.</u>
Heavy Equipment Sales and Rental* (Retail and Wholesale)	P	P	<u>S*</u>	<u>SUP required unless established through Conditional Zoning.</u>
				<u>*See Chapter 630 for outdoor storage and additional requirements within Village Center Overlays.</u>
Motor Vehicle Repair Shop including commercial vehicles	P	P	<u>S*</u>	<u>SUP required unless established through Conditional Zoning.</u>
RV and Boat Storage	S	S		
Vehicle Storage and Towing	S	S		
<b>INDUSTRIAL</b>				
				<u>*See Chapter 630 for outdoor storage and additional requirements within Village Center Overlays.</u>
Manufacturing, Production, and Industrial Services	P	P	<u>P*</u>	
Artisan	P	P	<u>P</u>	
				<u>*See Chapter 630 for outdoor storage and additional requirements within Village Center Overlays.</u>
Limited Industrial	P	P	<u>P*</u>	

General Industrial	P	P		
Heavy Industrial	-	P		
Mining/Excavation	S	P		
Warehousing, Wholesaling, and Freight Movement	P	P	<u>P*</u>	<u>*See Chapter 630 for outdoor storage and additional requirements within Village Center Overlays</u>
<b>Waste and Salvage Related Uses</b>				
Junk/Salvage Yard	-	S		
Recycling Facilities Indoors	P	P		
Recycling Facilities Outdoors	-	S		
Resource Recovery Facilities	-	S		
Waste Transfer Stations	-	S		
<b>Other</b>				
Agricultural Operations	P	P		
Breweries, Distilleries and Wineries	P/S*	P/S*	<u>P/S*</u>	*See Special Requirements under UDO Section 7210 SUP for outdoor operations per UDO Section 7210
Emergency Services	P	P	<u>P</u>	
Utilities, Minor	P	P	<u>P</u>	
Utilities, Major	S	S	<u>S*</u>	<u>* SUP required unless established through Conditional Zoning.</u>
<b>Wireless Communications Facilities</b>				
Co-located	P	P	<u>P</u>	
Freestanding Towers	P	P	<u>P</u>	

## Chapter 630. Village Center Overlay Zone (O-VC)

### 630.010 District Established

The Village Center Overlay Zone is hereby established to provide for the designation of areas within the Town where mixed-use centers may be established. Village Center Overlay Districts may be established with different mixes of land uses and different densities consistent with the broad guidelines established by the Comprehensive Plan. The location of Village Center Overlay Districts will be consistent with the locations identified in the Comprehensive Plan.

#### A. Applicability

This Chapter applies to all new development within the boundaries Village Center Overlay Zone as defined within the Indian Trail Comprehensive Plan. No development may occur on a property that falls in part or whole within this overlay zone unless in accordance with this article.

#### B. Exemptions

This Chapter does not apply to land or to development which:

1. Is part of an approved final plat, preliminary plat, or approved site plan for a commercial center where such approval was granted before December 31, 2008; or
2. Is covered by an unexpired zoning certification permit issued before December 31, 2008 in accordance with the Town of Indian Trail zoning ordinance in effect prior to the effective date of this UDO ~~-or~~

3. An existing use in an Industrial zoning district within the Village Center Overlay that has been in continuous operation on or before June 30, 2016. Said uses shall also be exempt from Chapter 630.050. Any future additions or expansions, however, shall be subject to the requirements of Chapter 630 in place at the time of the addition or expansion.

### **630.020 Purpose and Intent**

This Chapter is intended to implement the Town of Indian Trail Comprehensive Plan that calls for the establishment of village centers at strategically located intersections within the Town. The purpose of this Chapter is to create a classification consistent with the Town's comprehensive plan. It is also the purpose of this Chapter to establish a classification that allows for mixed residential, ~~and~~ commercial and industrial development that meets a higher standard of design and site planning.

### **630.030 Rezoning Procedures**

The Town shall process Village Center Overlay Zone district requests in the same manner as set forth by **Error! Reference source not found.** for all other rezoning requests.

### **630.040 Development Standards**

The following standards apply to buildings located on lots fronting public or private collector roads, boulevards, or thoroughfares.

- A. Parking lots must be located at the side or rear of buildings. No parking lots may be located at the front of commercial or residential buildings. For uses located within Industrial zoning districts, parking lots may be located at the front of the building provided it meets landscaping requirements of Section 810.180.
- B. Where parking lots are located at the side of buildings, including those located within Industrial zoning districts, such parking areas must meet the perimeter landscaping requirements of Section 810.180.
- C. For uses located within a commercial, institutional, or residential zoning district, at least 60% of a building's front façade that faces a street or sidewalk must be transparent (windows and doors) between an elevation of 4 feet and 10 feet above grade.
- D. Dry-it (EIFS) is not permitted as the primary building material and metal buildings are also prohibited. Buildings will meet the design standards of 1320.020.

### **630.050 Additional Requirements**

- A. Village Centers will incorporate pedestrian improvements that connect all building and uses consistent with the requirements of Section 810.200.
- B. Separation requirements: Uses involving manufacturing, production, wholesaling and freight movement shall be located a minimum of 250 feet from any residential or institutional district or from property used for residential, religious institution or school purpose. Uses may locate closer than 250 feet from a residential or institutional district or from property used for residential, religious or institutional or school purposes when approved through a Conditional Rezoning per Chapter 330.
- C. Outdoor Storage uses shall be subject to Chapter 7180 in addition to the following requirements:
  1. Outdoor storage areas located on any side yard shall be fully screened from any right-of-way by a solid wall or opaque fence. Chain link, split rail wood and slat fences shall not qualify as opaque screening fences.
  2. Screening from Residential Uses: In addition to the Landscaping requirements of Chapter 800, uses shall be fully screened from adjacent residentially zoned property or property used for residential purposes by a solid wall, opaque screening fence or berm. Fences, walls, and/or berms shall be a minimum of 6 feet in height. Chain link, split rail wood and slat fences shall not qualify as opaque screening fences.
- D. Odors and Other Nuisances: Uses shall not produce odors, gas, dust or any other pollutants detrimental to the health, safety or general welfare of persons living or working in the surrounding properties.

- E.** Noise: Uses shall not create any unreasonably loud, disturbing or unnecessary noise that is detrimental to the health, safety, or general welfare of persons living or working in the surrounding properties.

**ATTACHMENT THREE**  
**CPA2016-002 Draft Resolution**

STATE OF NORTH CAROLINA)

)

RESOLUTION #DRAFT

TOWN OF INDIAN TRAIL )

**A RESOLUTION AMENDING THE OFFICIAL  
INDIAN TRAIL COMPREHENSIVE PLAN IN THE TOWN OF INDIAN TRAIL, UNION  
COUNTY, NORTH CAROLINA**

**WHEREAS**, the Town recognized the need to update Chapter 3 of the Indian Trail Comprehensive Plan as it relates to industrial uses within the Village Overlay Centers; and

**WHEREAS**, this Comprehensive Plan Amendment (CPA2016-002) was duly noticed in compliance with North Carolina General Statutes; and

**WHEREAS**, the Planning Board has considered the evidence and public testimony presented at the public hearing and finds it supports the request to modify the subject section of the Comprehensive Plan; and

**WHEREAS**, the Planning Board voted \_\_\_ to \_\_\_ to recommend approval/denial of the Comprehensive Plan Amendment on April \_\_\_, 2016; and

**WHEREAS**, the Town Council has considered the evidence, public testimony and Planning Board’s recommendation; and

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Indian Trail, North Carolina approves the modification of Chapter 3 of the Indian Trail Comprehensive Plan as shown in Exhibit“**A**”.

**NOW THEREFORE, BE IT RESOLVED** by the Town Council of Indian Trail, North Carolina hereby takes the following actions:

**Section 1** – Approves CPA 2016-002 Comprehensive Plan Amendment:

**Amend the Town of Indian Trail Official Comprehensive Plan to reflect additional language regarding industrial uses within the Village Overlay Centers.**

**Section 2** – This resolution shall be effective immediately upon adoption.

**AND IT IS SO ORDAINED** this \_\_\_ day of May 2016

**TOWN OF INDIAN TRAIL COUNCIL**

Attest:

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Michael Alvarez, Mayor

Kelley Southward, Town Clerk

APPROVED AS TO FORM:

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TOWN ATTORNEY

# CPA2016-002 EXHIBIT A

## Comprehensive Plan: Chapter 3, Framework Plan

### 3.2.9 Village Center Overlay

The Town of Indian Trail comprehensive plan is organized around a concept of residential Villages and commercial Corridors. A key to the residential Villages is the goal of having more than half of the build-put population of the town being within a 10 minute walk or a 5 minute drive of regular services, such as stores, restaurants, professional offices, churches, libraries and other services, as well as some light industrial uses. The Village Center, along with Neighborhood Centers and the Sub-regional Center, is a core building block of the residential Village.

The Village Center Overlay is intended to concentrate light industrial uses in specific areas, and higher-intensity commercial uses and higher-density residential around intersections of boulevards and thoroughfares in residential Villages or surrounding one of the three proposed Monroe Bypass interchanges within or partially within the Planning Area.

Creating a Village Center Overlay benefits ~~both residential, and commerce,~~ and industrial 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 roadway. The center also provides for both fiscal and quality of life benefits to the community. The boundaries for each Village Center should be within a half-mile radius of its center, or approximately a 10-minute walk for the average person.

#### *Village Center Overlay Land Use*

Village Centers should be predominantly focused on retail and professional office services for the surrounding population. Other than the US-74 Business Corridor, *Old Hickory Corridor*, and Downtown Indian Trail, most of the retail uses that have been designated for each of the Villages and Corridors within this plan should be located within the Village Center boundaries. Residential uses should only consist of approximately 25% to 40% of a Village Center, depending upon location and market support.

The intent of the Village Center is to create a sustainable community by locating commercial and retail uses that would be supported by approximately 3,000-4,000 residents within close proximity to residential uses. The Village Center size is based on the estimated number of people needed to support an elementary school and neighborhood stores. The Village Centers will also be the most suitable locations for higher density and multi-family residential uses, so that their residents can be within walking distance of the commercial and civic uses.

While the Village Center size ranges are based on generalized planning standards, Village Center developments should be able to demonstrate market support for their proposed size and mix of uses, and demonstrate that their proposed size and mix will not preclude development of other Village Centers, particularly for Village Centers whose anticipated market support area extends beyond the Indian Trail Planning Area.

The Village Center that is located in the Crooked Creek Village could support light industrial uses such as office warehouse or flex space uses. The location of this Village Center at a future Monroe Bypass interchange combined with the availability of land makes this Village Center potentially conducive for light industrial uses. A limited amount of light Industrial uses may be appropriate in other Village Centers depending on the location, proximity to appropriate infrastructure and the uses and character of the surrounding areas.

#### ***Village Center Overlay Community Form***

The recommended form for commercial uses is a non-residential walkable center with civic, retail, restaurant and professional uses, surrounded by higher density residential uses with excellent pedestrian connections to the non-residential core. This Village Center concept is necessary to soften the impacts of the allowed uses. The Village Center concept is defined through unified architecture; well-planned pedestrian connections linking buildings, parking, and amenities. Buildings should be sited to create pedestrian spaces and parking fields need to be broken into smaller sizes with the use of landscaping. Ground floor space should respond to the pedestrian sidewalks with display windows and entrances. Intense commercial buildings may be multistory.

Residential uses also may be in multi-story buildings. The additional height should be respectful of the adjacent uses and may be limited if there is the potential to negatively impact them. At the periphery of the Village Center will be the residential uses and public facilities. These uses will serve to transition the more intensive uses in the commercial to the less intensive residential uses outside the Village Center. Higher density residential uses in appropriately scaled buildings will buffer the commercial uses in the core of the Village Center, while lower density uses will be located at the outer edges.

Parking will be necessary for residents who do not walk or bike to the center. However, pedestrian connectivity should be incorporated for those living or working in closer proximity. Pedestrian enhancements should be provided to add emphasis and ensure safety along pedestrian corridors. Facilities for public transit stops and pedestrian access to these facilities are also strongly encouraged, as are bicycle racks.

### ***Village Center Overlay Siting Criteria***

The following siting criteria, in addition to those mentioned under Community Form, are applicable within the Village Center Overlay:

SC1. Building heights, where appropriate, should be stepped away from the more intensive commercial, industrial and civic uses in the core down to the less intensive residential uses in the periphery.

SC2. Natural features such as streams, wetlands, and groves of trees within the Village Center should be incorporated into the urban fabric, and should incorporate and allow access to any adjacent greenways, along with encouraging pedestrian connectivity.

SC3. Within the commercial core of the Village Center, there should be interior roadways channeling traffic to the major boulevards and thoroughfares but not into the Village Center's periphery residential areas.

SC4. Pedestrian-enhanced cut-through walkways and interior courtyards are desirable to link the Village Center's commercial core to the residential periphery.

SC5. There will be a minimum of two major boulevards or thoroughfares that cross within the Village Center or that are immediately adjacent to the Village Center.

SC6. Higher density single-family residential and multifamily residential uses should be located within a 5-10 minute walk of the core of the Village Center.

SC7. A slightly less dense residential classification should be located closer to the outside periphery of the Village Center.

SC8. Non-residential uses that are appropriate to be located within the Village Center are listed in the Village Center Overlay zoning district classification. While most of the uses are appropriate, some of the uses discourage walkability. It is strongly encouraged that only non-residential uses that support walking, biking and less dependency on motor vehicles be considered for the Village Center.

SC9. Light Industrial uses that are suitable within the Village Center located at intersection of the Monroe Bypass and Unionville-Indian Trail Road should be located on the internal periphery of the Village Center. These uses may be suitable, provided that such uses and their associated activities do not conflict with the enjoyment of residential properties in the area and are sited in a business park environment. Industrial uses may be appropriate within other Village Centers based on compatible land development in the surrounding area.