



Union County Planning Division

500 N. Main Street
Suite #70
Monroe, NC 28112

T. 704.283.3565

F. 704.292.2582

www.unioncountync.gov

July 11, 2017

The Union County Planning Board met in regular session on Tuesday, July 11, 2017, at 7:00 p.m. in the Commissioners Formal Board Room, located on the First Floor of the Union County Government Center, 500 North Main Street, Monroe, NC, 28112.

PRESENT: Chris Duggan, Don Fisher, Charles Griffin, Patrick Harrison, Robert Traficanti, Russell Wing

ABSENT: Clint Laster, Everette Medlin

ALSO PRESENT: Brian Matthews, Richard Black, Bjorn Hansen

ITEM NUMBER ONE

Call to Order

Chairman Don Fisher called the meeting to order.

Motion was made by Chris Duggan and seconded by Robert Traficanti for Alternates Patrick Harrison & Charles Griffin to be made voting members at this time.

ITEM NUMBER TWO

Additions and/or Deletions to the Agenda

There were none.

ITEM NUMBER THREE

Approval of the Agenda

Motion was made by Chris Duggan and seconded by Patrick Harrison to approve the agenda.

The vote was 6 to 0.



ITEM NUMBER FOUR

Conditional Rezoning Petition #17-01, US Developments, LLC requesting rezoning classification from R-40 to B-4 CZ, containing 27.5 acres, being Tax Map #06-138-017, located on NC Highway 16, being within Sandy Ridge Township.

Conditional Zoning Staff Report

Case	CZ-2017-001		
Reference Name	Waxhaw Nixon		
Request	Proposed Zoning	B-4 CZ	
	Proposed Use	199,000 square foot commercial/office center	
Existing Site Characteristics	Existing Zoning	R-40	
	Existing Use	Vacant	
	Site Acreage	27.5 acres	
Applicant	US Developments, LLC		
Submittal Date	December 21, 2016		
Location	Providence Rd. South across from Kingston on Providence		
Tax Map Number	06-138-017		
Plan Consistency	Comprehensive Plan	Designation	Neighborhood Center
		Consistent with Request	Yes
Recommendations	Planning Staff Planning Board	Recommend Approval of Rezoning Tract to B-4 CZ with recommended conditions	

Project Summary

This is a request to establish a B-4 CZ zoning district on a 27.5 acre site to support the development of a 199,000 square foot commercial and office center. The subject property is located off of Providence Rd. South, across from the Kingston on Providence subdivision and in front of Camberley subdivision. Access to the site will be facilitated by two points of access off of Providence Rd South. The site is currently a vacant and is heavily wooded. A rezoning is needed to facilitate the development since the current zoning of the property does not allow for the type of development requested.



Analysis

This is a map amendment request to establish a B-4 CZ zoning district on a 27.5 acre site to support the development of a 199,000 square foot commercial and office center. The conceptual layout is generally consistent with the Union County Development Ordinance, but will be reviewed in further detail if the rezoning is approved.

Site access is provided through two access points off of Providence Rd South. The northern entrance to the site is proposed as a full movement access with a traffic signal. The southern entrance is proposed as a full movement access.

Location Characteristics and Surrounding Zoning

Location Overview

The subject property lies off of Providence Rd. S. It is located immediately to the east of the entrance to the Kingston on Providence subdivision. The subject property is currently vacant and is heavily wooded. Surrounding land uses include a variety of different land uses including residential, institutional, and commercial.

Area Zoning

The subject property is currently zoned R-40, which is a low density residential zoning district. The majority of surrounding properties within the zoning jurisdiction of Union County are zoned R-40. Significant areas adjacent to and in the vicinity of this property are located within the zoning jurisdiction of Waxhaw. The areas inside of these municipalities are zoned for a variety of residential and commercial uses.

Community Meeting

The applicant held a community meeting on January 23, 2017 at 6:00PM, at the Waxhaw Community Meeting Room. The purpose of this meeting is to solicit comments and concerns from surrounding property owners. Notice of the community meeting consisted of a direct first class mailing via the United States Postal Service to all adjacent property owners and property owners directly across the street from the subject site. Approximately fourteen residents attended the meeting.

Some of the concerns raised during the community meeting included increased traffic along Providence Rd and cut through traffic in Camberley (both pedestrian and vehicular), light and noise pollution, increases in crime, hours of operation and annexation.

In response to some of the concerns raised by meeting attendees and Union County planning staff concerns the applicant modified their plans and held a second meeting on May 25, 2017, at 6:00PM, at the Waxhaw Community Meeting Room. Three residents attended that meeting.

The main concern raised during that meeting was the disturbance of wildlife.

Comprehensive Plan Consistency



The subject property lies in close proximity to a Community Center – Large and a Neighborhood Center node and the Mixed Residential area of the Union

County Comprehensive Plan. Community Centers are in areas near concentrations of existing or planned residences with utility service that are adjacent to major thoroughfares. They incorporate community-serving commercial uses. Neighborhood Centers are located near concentrations of existing or planned residences, in areas with access to major thoroughfares and utilities and where not in competition with existing centers. These centers incorporate neighborhood-serving commercial uses including grocery stores, retail establishments, restaurants and services. The Mixed Residential areas are designed for higher density residential uses and different types of residential uses. These areas, however, are also appropriate for some commercial uses such as grocery stores and neighborhood services.

The proposed development consists of a mix of retail, restaurant and office uses.

In addition to the above statements the proposed rezoning helps to support several of the strategies of the Comprehensive Plan, such as:

- Shop 1.0 – The proposed development will include up to 199,000 square feet of building area. Some of that area will be retail use.
- Work – The proposed development contains office uses which will support job growth in Union County.
- Move – The proposed development will dedicate right-of-way for the future widening of NC 16 and will provide connectivity to adjacent parcels for both vehicle and pedestrian traffic.

Based on these factors this request for this conditional zoning district is a reasonable request and is in the public interest because it promotes the goals and strategies of the adopted Comprehensive Plan.

Recommendation

Staff is of the opinion that the findings can be made to support this Conditional Rezoning request. Staff recommends approval of the Conditional Rezoning from R-40 to B-4 CZ and incorporating all of the applicants proposed development conditions.

Stephen Rosenburgh, President of US Developments, LLC came up to speak to the Board and answer any questions they may have. He stated that they had held two community meetings to let the residents know what their plans were. He also stated that the large building would be a Target or Costco.

Mark Van Dine with Land Design answered questions from the Board. He stated that there would be buffers in place to keep light from going into adjacent residential areas and answered questions about access and turn lanes for this project.

Bjorn Hansen Union County Transportation Planner answered questions from the Board.

Chairman Don Fisher read out a letter from the Mayor of the Town of Waxhaw Steve Maher to the Planning Board and the letter would be placed in the file.

Executive Director Brian Matthews gave the Staff Report to the Board.



Stephen Rosenburgh stated that the Waxhaw Development Manager was involved with all conversation with the NCDOT concerning the TIA.

Motion was made by Robert Traficanti and seconded by Russell Wing to approve the rezoning request with conditions of no gas station and a fence between the development site and the neighborhood. Don Fisher recommended that the developer meet with Mayor of Waxhaw to settle differences by staff and developer. The vote was a tie of 3 to 3.

Russell Wing, Robert Traficanti, Charles Griffin voted in favor of the petition.

Patrick Harrison, Don Fisher, Chris Duggan voted in opposition of the petition.

ITEM NUMBER FIVE

Conditional Rezoning Petition #17-04, requesting rezoning classification from RA-40 to B-4 CZ, containing 2.082 acres, being Tax Map #08-036-025B, located on Highway 218 East, being within Goose Creek Township.

Conditional Zoning Staff Report

Case	CZ-2017-004		
Reference Name	3418 Hwy 218 E.		
Request	Proposed Zoning	B-4 CZ	
	Proposed Use	Personal Vehicle Repair and Maintenance	
Existing Site Characteristics	Existing Zoning	RA-40	
	Existing Use	Single Family Dwelling	
	Site Acreage	2.082 acres	
Applicant	Jeffrey Hudspeth		
Submittal Date	May 30, 2017		
Location	3418 Hwy 218 E.		
Tax Map Number	08-036-025B		
Plan Consistency	Comprehensive Plan	Designation	Agricultural Area
		Consistent with Request	No, although there is existing commercial zoning adjacent to this property



Recommendations	Planning Staff	Recommend Approval of Rezoning Tract to B-4 CZ with recommended conditions	
	Planning Board		

Project Summary

This is a request to establish a B-4 CZ zoning district on a 2.082 acre site to support the development of a personal vehicle maintenance and repair shop. The subject property is located at 3418 Hwy 218 E. Access to the site will be facilitated by two points of access off of Hwy 218 E. as depicted on the conceptual site plan. The site is currently a single family residence that will be demolished. A rezoning is needed to facilitate the development since the current zoning does not allow for the type of development requested.

Analysis

This is a map amendment request to establish a B-4 CZ zoning district on a 2.082 acre site to support the development of a personal vehicle maintenance and repair shop. The conceptual layout is generally consistent with the Union County Development Ordinance, but will be reviewed in further detail if the rezoning is approved.

Site access is provided through two access points off of Hwy 218.

Location Characteristics and Surrounding Zoning

Location Overview

The subject property lies at 3418 Hwy 218 E. It is located just east of the intersection of Hwy 218 and Love Mill Rd. The subject property is currently a single family residence. Surrounding land uses include a variety of different land uses including residential, institutional, agricultural and commercial.

Area Zoning

The subject property is currently zoned RA-40, which is a low density residential and agricultural zoning district. The majority of surrounding properties within the zoning jurisdiction of Union County are zoned RA-40 and B-4.

Community Meeting

The applicant held a community meeting on June 8, 2017 at 6:30PM, at the auction house at the corner of Hwy 218 E and Love Mill Rd. The purpose of this meeting is to solicit comments and concerns from surrounding property owners. Notice of the community meeting consisted of a direct first class mailing via the United States Postal Service to all adjacent property owners and property owners directly across the street from the subject site.

Eight residents attended the meeting. The overall consensus was that the rezoning was not desired as the business would create more traffic and that there was an existing automotive business further down Hwy 218.



Comprehensive Plan Consistency

The subject property is located within the Agricultural Area of the Union County Comprehensive Plan. The Agricultural Areas are areas that have very low density development patterns and are not served by public utilities. They are intended to protect prime agricultural lands and active farming operations while reducing the potential for conflict from incompatible uses.

The proposed development consists of proposed new building to house a vehicle maintenance facility. The site is located adjacent to areas that are currently zoned B-4 and house uses such as an auction house and a tire business. Even though this area is not projected for future commercial development, vacant B-4 zoning currently exists and it is not unreasonable to assume that the commercial area near the intersection would expand to some extent.

Recommendation

Staff is of the opinion that the findings can be made to support this Conditional Rezoning request. Staff recommends approval of the Conditional Rezoning from RA-40 to B-4 CZ and incorporating all of the applicants proposed development conditions.

Brian Matthews presented the rezoning application and staff report.

Applicant Jeff Hudspeth answered questions from the Board. He stated that there would be a fence around the back and east side of the property and that no cars would be allowed to be on the property for more than 60 days.

Resident Lillian Melamedas stated that there were already five auto repair shops within a 5 mile radius from this property.

Resident Roger Melton had concerns about this property draining across the road onto his property.

Resident Edith Rowell was concerned because of the heavy traffic already is so bad on NC Highway 218.

Motion was made by Charles Griffin and seconded by Chris Duggan to not approve the rezoning request. Motion failed 2 to 4.

Motion was made by Robert Traficanti and seconded by Patrick Harrison to approve the rezoning request with conditions of a deceleration lane with NCDOT approval and a Environmental Impact water quality study. The motion passed 5 to 1.

Motion was made by Patrick Harrison and seconded by Robert Traficanti to adjourn the meeting at 10:00 p.m.



