

**November 1, 2016**

The Union County Planning Board met in regular session on Tuesday, November 1, 2016, at 7:00 p.m. in the Personnel Training Room, located on the First Floor of the Union County Government Center, 500 North Main Street, Monroe, NC, 28112.

**PRESENT:** Chris Duggan, Don Fisher, Patrick Harrison, Sean Maher, Robert Traficanti, Russell Wing

**ABSENT:** Clint Laster, Everette Medlin, Roger Stanton

**ALSO PRESENT:** Richard Black, Lee Jenson, Brian Matthews

**ITEM NUMBER ONE**

**Call to Order**

Vice Chairman Don Fisher called the meeting to order.

Motion was made by Don Fisher and seconded by Robert Traficanti to make Alternate Patrick Harrison a voting member. The vote was 6 to 0.

**ITEM NUMBER TWO**

**Additions and/or Deletions of the Agenda**

There were no additions or deletions of the agenda.

**ITEM NUMBER THREE**

**Approval of the Agenda**

Motion was made by Robert Traficanti and seconded by Chris Duggan to move Item #5 on the agenda to Item #6 and approve the agenda. The vote was 6 to 0.

**ITEM NUMBER FOUR**

**Approval of August 2, 2016 & September 6, 2016 Minutes**

Motion was made by Robert Traficanti and seconded by Chris Duggan to approve the August 2, 2016 & September 6, 2016 Minutes. The vote was 6 to 0.

**ITEM NUMBER FIVE**

**Conditional Rezoning Petition CZ #16-05, Weddington Pointe**, requesting rezoning classification from PUD-14 to B-2, R-4 containing 105.066 acres, being Tax Map #09-402-011 A, C, D & #06-003-014 A, B, C located North of Weddington Road, South of Airport Road, East of Parcel #06-003-014 and West of Villages of Wesley Chapel and St. Johns Forest.

## Conditional Zoning Staff Report

Case	CZ-2016-005		
Reference Name	Weddington Pointe		
Request	Proposed Zoning	B-2 CZ and R-4 CZ	
	Proposed Use	Commercial zoning district with limited uses and 225 lot residential neighborhood.	
Existing Site Characteristics	Existing Zoning	PUD 14	
	Existing Use	Vacant/Agricultural	
	Site Acreage	105.07	
Applicant	Franklin and Alison Howey		
Submittal Date	October 3, 2016		
Location	Off of Weddington Rd. and Airport Rd.		
Tax Map Number	09-402-011A, 09-042-011C, 09-402-011D, 06-003-014A, 06-003-014B, and 06-003-014C		
Plan Consistency	Comprehensive Plan	Designation	Mixed Residential
		Consistent with Request	Yes
Recommendations	Planning Staff	Recommend Approval of Rezoning Tract to B-2 CZ and R-4 CZ	
	Planning Board		

### Project Summary

This is a request to establish both a B-2 CZ and a R-4 CZ on portions of a 105.07 acre site. The subject property lies off of Weddington Rd and Airport Rd. The B-2 CZ portion is 10.5 acres and is located near the intersection of Weddington Rd. and Airport Rd. This section is accessed via proposed entrances off of Weddington Rd. and Airport Rd. as well as a connection into the proposed neighborhood. This proposed commercial zoning district does not include a site plan or architectural drawings, however, it does provide for some limitation of uses. The R-4 CZ section is accessed via two entrances off of Weddington Rd. and one entrance off of Airport Rd. This section consists of 225 lots. Of those 114 are 53 foot wide lots and 111 are 63 foot wide lots. The site is currently undeveloped and is being farmed. A rezoning is not necessarily needed to facilitate this type of development, however, the existing PUD zoning is a legacy district and the processes to develop within that district are very cumbersome for developers, residents, staff, and elected officials alike to utilize.

### Analysis

This is a request to establish both a B-2 CZ and a R-4 CZ on portions of a 105.07 acre site. The subject property lies off of Weddington Rd and Airport Rd. The conceptual layout is generally consistent with the Union County Development Ordinance, but will be reviewed in further detail if the rezoning is approved. Some features of the proposed neighborhood include:

- An amenities area to support the neighborhood residents
- A mix of housing styles to support different lifestyles
- The provision of a fairly sizeable amount of open space for future residents to use
- Future road connectivity which will provide access to adjacent parcels
- Connectivity to the proposed commercial component of the development

- The provision of a parcel of land for a future fire station

## **Location Characteristics and Surrounding Zoning**

### *Location Overview*

The subject property lies off of Weddington Rd. and Airport Rd. It is located immediately to the west of the St. John's Forest and Villages of Wesley Chapel neighborhoods and lies to the east of the under construction Weddington Creek subdivision. The subject property is currently a vacant tract of land that is being farmed. Surrounding land uses are primarily medium density residential and agricultural.

### *Area Zoning*

The subject property is currently zoned PUD 14, which is a Planned Unit Development District. The PUD zoning allows for a mix of medium to high density residential uses and commercial uses. The majority of surrounding properties within the zoning jurisdiction of Union County are zoned R-20 and RA-20. Significant areas adjacent to and in the vicinity of this property are located within the zoning jurisdiction of Wesley Chapel and Monroe. The areas inside of these municipalities are zoned for a variety of residential, commercial and industrial uses.

## **Community Meeting**

The applicant held a community meeting on October 24, 2016 at 6:00PM, at South Piedmont Community College. 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 seven residents attended the meeting.

### *Summary of Concerns*

Most comments during the community meeting consisted of questions about the development but were not necessarily concerns. The only major concern raised was the issue of water pressure in nearby neighborhoods and how this neighborhood may impact that. The developer's representative stated that the project, if approved, would be submitted to Union County Public Works for their review before anything was constructed.

## **Comprehensive Plan Consistency**

The subject property is located within the Mixed Residential portion of the Union County Comprehensive Plan. The Mixed Residential areas are located in areas easily served by utilities. They are intended to accommodate a variety of housing types and will accommodate slightly higher densities than Single Family and Agricultural Areas. Some commercial uses are also appropriate in these areas as well. These neighborhoods should have a connected street network, short block lengths and adequate pedestrian and bicycle facilities.

The proposed residential component of this development consists of a medium density, single family residential development pattern consisting of different housing types, contains a sidewalk for pedestrian use, and provides for future connectivity (pedestrian, bicycle and vehicular) to adjacent property. The proposed commercial component of this development consists of a limitation of commercial uses and future connectivity into the residential component. In addition to the above statements the proposed rezoning helps to support several of the strategies of the Comprehensive Plan, such as:

- Live 1.0 – The proposed conditional district will offer a mix of residential housing types to support a growing and increasingly diverse population.
- Shop 1.0 – The proposed development supports retail activity at a major intersection.

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 PUD 14 to R-4 CZ and B-2 CZ and incorporating all of the applicants proposed development conditions and the condition that post construction stormwater measures equal to those required under the Cluster Subdivision option be included in the design of the development.

Staff provided a brief description of the petition with the Board.

John Ross with Eagle Engineering along with the Applicant presented the Petition to the Board and answered any questions they may have.

Motion was made by Robert Traficanti and seconded by Russell Wing to approve the petition as presented. The vote was 6 to 0.

**ITEM NUMBER SIX**

**Conditional Rezoning Petition CZ#16-04, Teramore Development, LLC** requesting rezoning classification from RA-40 to B-2 containing 4.28 acres, being Tax Map #05-072-017, located off Lancaster Highway, within Jackson Township.

**Conditional Zoning Staff Report**

Case	CZ-2016-004		
Reference Name	Teramore Development, LLC		
Request	Proposed Zoning	B-2 CZ	
	Proposed Use	Approximately 9,100 square foot retail facility	
Existing Site Characteristics	Existing Zoning	RA-40	
	Existing Use	SF Residence	
	Site Acreage	2 acres	
Applicant	Teramore Development		
Submittal Date	September 6, 2016		
Location	8616 Lancaster Hwy		
Tax Map Number	05-072-017		
Plan Consistency	Comprehensive Plan	Designation	Agricultural Area
		Consistent with Request	Yes
Recommendations	Planning Staff	Recommend Approval of Rezoning Tract to B-2 CZ	
	Planning Board		

**Project Summary**

This is a request to establish a B-2 CZ district on approximately two acres to support the development of an approximately 9,100 square foot retail facility. The subject property is located at 8616 Lancaster Highway. Access to the site will be facilitated by one point of access off of Lancaster Highway and one point of access off of South Providence Rd. Both of these access points are “right-in, right-out movements.” The site is currently utilized as a single family residence. A rezoning is needed to facilitate the development since the current zoning does not allow for commercial activity to occur.

**Analysis**

This is a map amendment request to establish a B-2 CZ district on approximately two acres to support the development of an approximately 9,100 square foot retail facility. The subject property consists of one parcel containing 4.28 acres, however, only two acres of the tract are requested to be rezoned. The conceptual layout is

generally consistent with the Union County Development Ordinance, but will be reviewed in further detail if the rezoning is approved. Some features of the proposed retail facility include:

- A “barn like” design to keep with the general agricultural and rural feel of the area
- Entrances off of both Lancaster Highway and South Providence Rd. (both being rightin, right out movements)
- Screening with both fences and trees to buffer adjacent land uses

## **Location Characteristics and Surrounding Zoning**

### *Location Overview*

The subject property lies at the intersection of Lancaster Highway and South Providence Rd. The subject property is currently used as a single family residence. Surrounding land uses are mostly single family residential and agricultural uses. Directly across South Providence Rd from the site is a gas station.

### *Area Zoning*

The subject property is currently zoned RA-40, which is a low density residential zoning district. The majority of surrounding properties within the zoning jurisdiction of Union County are zoned RA-40 with a B-4 zoned property directly across South Providence Rd.

## **Community Meeting**

The applicant held two community meetings on September 20, 2016 and October 20, 2016 respectively. Both meetings were held at 7:00PM, at the Jackson Volunteer Fire Department. 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 50 residents attended the meetings.

### *Summary of Concerns*

Several concerns were expressed during the first community meeting. These concerns are briefly outlined below:

- Increased Traffic
- Increased Crime
- Will hurt the local business across the street
- This will set the stage for more development to occur
- Is not consistent with the rural feel of the area
- Architecture of the building does not match the overall area
- No retail is wanted here, residents don't mind driving to Monroe, Waxhaw or Lancaster

The applicant redesigned the proposed building to address the comments regarding the architecture not matching the rural feel of the area. Several of the participants at the second community meeting acknowledged that the building redesign was nice and was a good effort to address that concern, however, many residents still felt that the rezoning was not desired.

## **Comprehensive Plan Consistency**

The subject property is located within the Agricultural Area portion 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. Some limited commercial uses are also appropriate in these areas as well. These are mainly appropriate in established commercial areas and at major intersections.

The proposed development consists of an approximately 9,100 square foot retail facility. This development, while located in an Agricultural Area, is also located at a major intersection where a commercial use currently exists.

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 conditional district is located at a major intersection close to existing commercial activity.
- Conserve 3.0 – The proposed development incorporates a design that is themed on the rural nature of the area.

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 RA-40 to B-2 CZ and incorporating all of the applicants proposed development conditions.

Staff provided a brief description of the petition to the Board.

Applicants with Teramore Development presented the Petition to the Board and answered any questions they may have.

The Board at this time asked if there was anyone that wanted to speak about the petition. There were 10 people that were in opposition of the petition and only two that were in favor of the petition.

Motion was by Robert Traficanti and seconded by Sean Maher to deny the petition. The vote was unanimous to deny the petition.

## **ITEM NUMBER SEVEN** **Adjournment**

The meeting adjourned at 9:30 p.m.