



UNIONCOUNTY

north carolina

2024-CZ-007

Gold Branch Rezoning

March 3, 2025



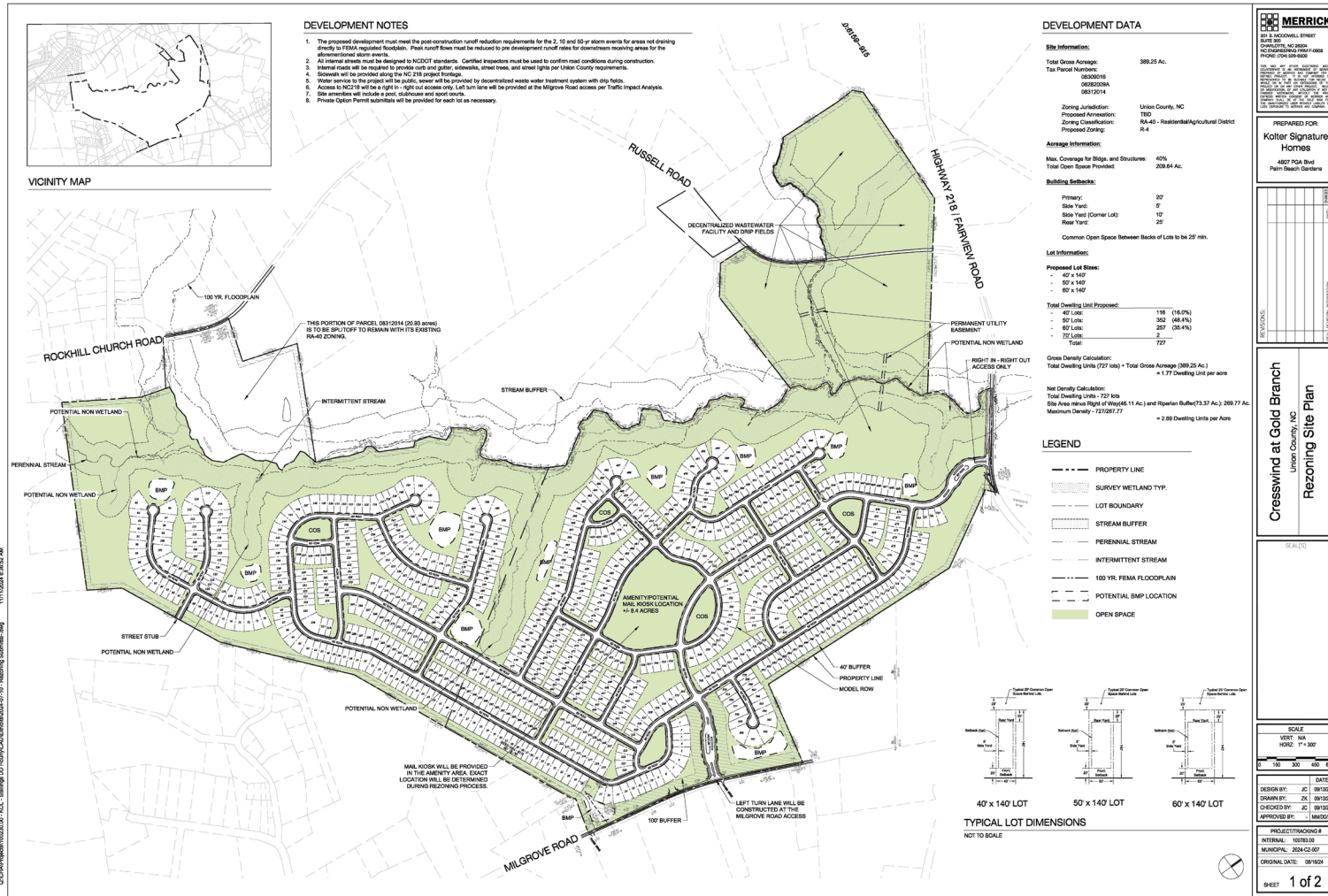
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Request and Conditions

This case is a rezoning request, petition CZ-2024-008, submitted by Kolter Group Acquisitions, LLC (the "Applicant") for revision of the Union County Zoning Map by rezoning tax parcels appearing on the Union County tax map as parcels 08-309-016, 08-282-009A, and a 129.17 acre portion of tax parcel 08-312-014, in the Goose Creek Township from RA-40 to R-4 with Conditions. The rezoning will include the following conditions:

1. Pursuant to Section 160D-108.1 of the North Carolina General Statutes and Section 80.020 of the Union County Unified Development Ordinance, the approval is vested for a period of five years.
2. Develop according to site plan dated November 5, 2024
3. Subdividing the approximately 20.93 acre portion of parcel 08312014 not included in the development
4. Meeting all requirements of the Union County Unified Development Ordinance.
5. Conceptual master plan. The development is subject to the conceptual master plan submitted as part of the Conditional Rezoning Application. Petitioner shall develop the site in a manner generally consistent with the conceptual master plan with the understanding that some minor modifications to the plans may be made as long as the ultimate design is consistent with the spirit and intent of the conceptual master plan.
6. Project shall meet the post construction requirements of the 2, 10, and 50-year storm events
7. General Design Guidelines:
 - a. The principal buildings constructed on the site may use a variety of building materials. The building materials used for the building may be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, architectural precast concrete, synthetic stone, stucco, EIFS, cementitious siding (such as Hardi-Plank), or wood. Vinyl, as a building material, will only be allowed on widows, soffits, and trim features.
 - b. Accessory structures constructed in the development shall match the architectural style and shall be of the same materials as the principal buildings.
8. Meeting all requirements of Traffic Impact Analysis:
 - a. Petitioner will comply with any off-site improvements as required by NCDOT.
 - b. Prior to the platting of the 400th home, the developer agrees to contribute \$500,000 to Union County towards improvements at the Mill Grove Rd/Lawyers Road roundabout, or other road improvement in the vicinity of the project.
 - c. NC218 and Access 1 - Construct east bound right turn lane along NC218 and northbound approach of Access 1 as a Right-In-Right-Out.
 - d. Mill Grove Road and Access 2: Construct a northbound left turn lane into Access 2
9. The community will meet the Fair Housing Act requirements for an Age Restricted development under the "55 or older" exemption.
 - a. At least 80 percent of the units must have at least one occupant who is 55 years of age or older; and
 - b. The facility or community must publish and adhere to policies and procedures that demonstrate the intent to operate as "55 or older" housing; and
 - c. The facility or community must comply with HUD's regulatory requirements for age verification of residents.
10. The HOA Declarations will have leasing provisions that include a cap (5% of lots) and an 18 month lockout/residency requirement. The Declarations will also require that every lease include a reference to the 55+ age/occupancy requirements. The Declarations will also require prior Board review of any proposed lease to confirm that the age-related requirements are not going to be violated by any proposed tenant or occupant.
11. Future amendments to the rezoning plan may be applied for by the owner or owners of the applicable development area portion of the site affected by such amendment in accordance with the provisions herein and of Article 80 of the Ordinance. All conditions of the overall development will still apply.
12. If this rezoning petition is approved, all conditions applicable to the development of the site imposed under the rezoning plan will, unless amended in the manner provided herein and under the ordinance, be binding upon and inure to the benefit of the petitioner and subsequent owners of the site and development areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

Site Plan



Existing Conditions



Development Status

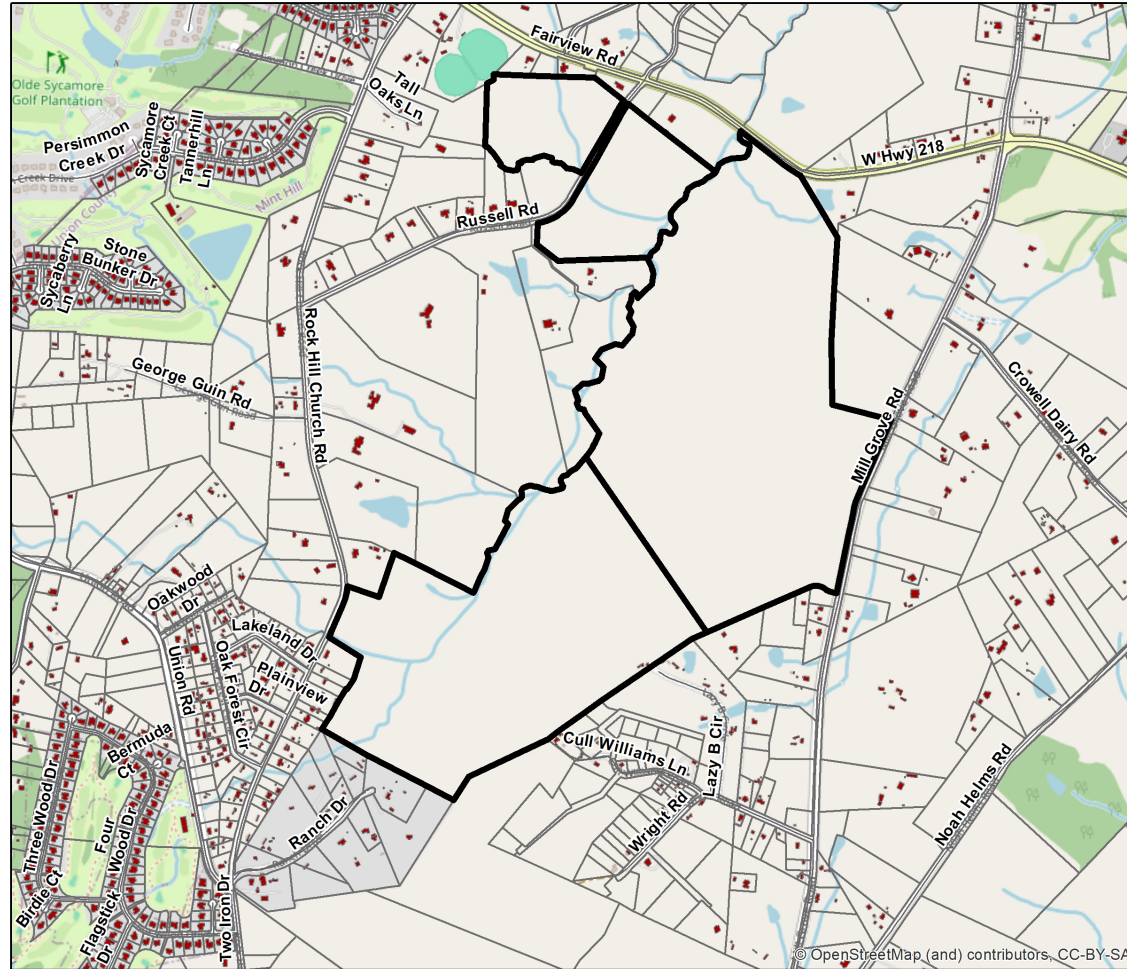
Development Status

Petition: 2024-CZ-007



Size: 410 acres

Name: Gold Branch

Tax Parcels: 08-031-014, 08-309-016, and 08-282-009A

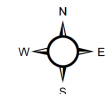


Legend

-  Rezoning Parcels
-  Structures 2023

Data Disclaimer
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Map Disclaimer
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0 1,000 2,000 4,000 Feet

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 Contact: (704) 283-3690 or bjorn.hansen@unioncountync.gov

Environmental Features

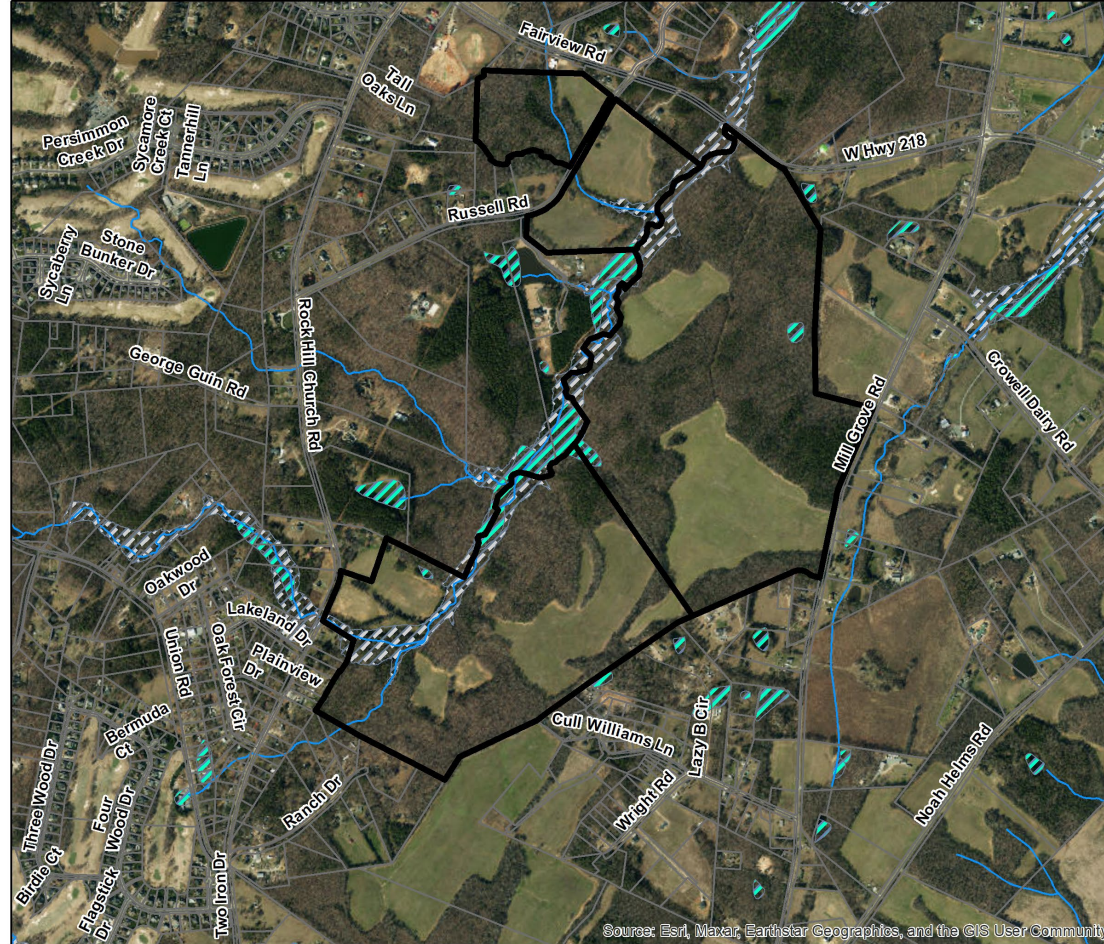
Environmental Features

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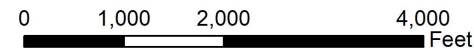


Legend

-  Rezoning Parcels
-  Streams
-  Wetlands Areas
-  500 Year Flood Plain

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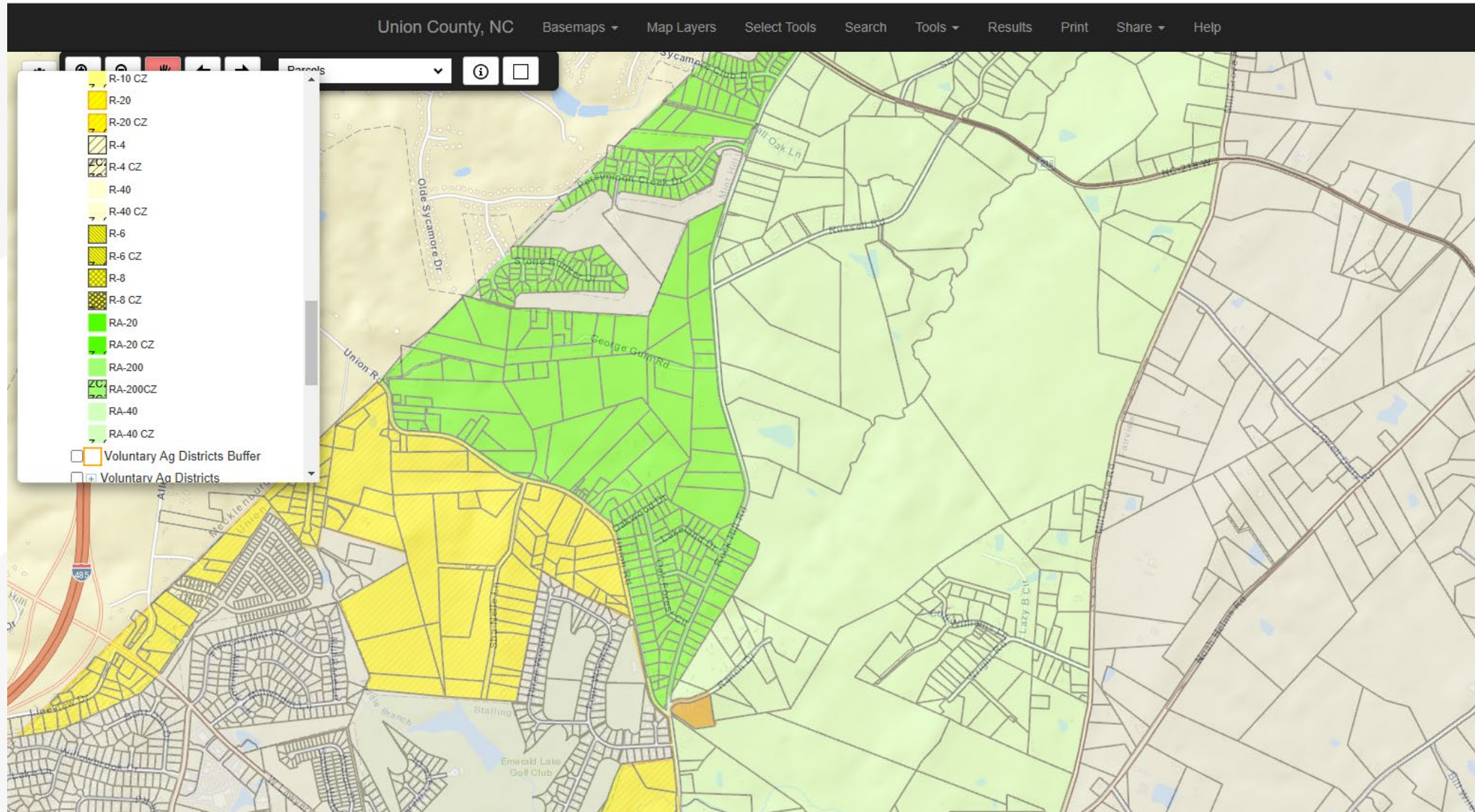
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Zoning



Transportation

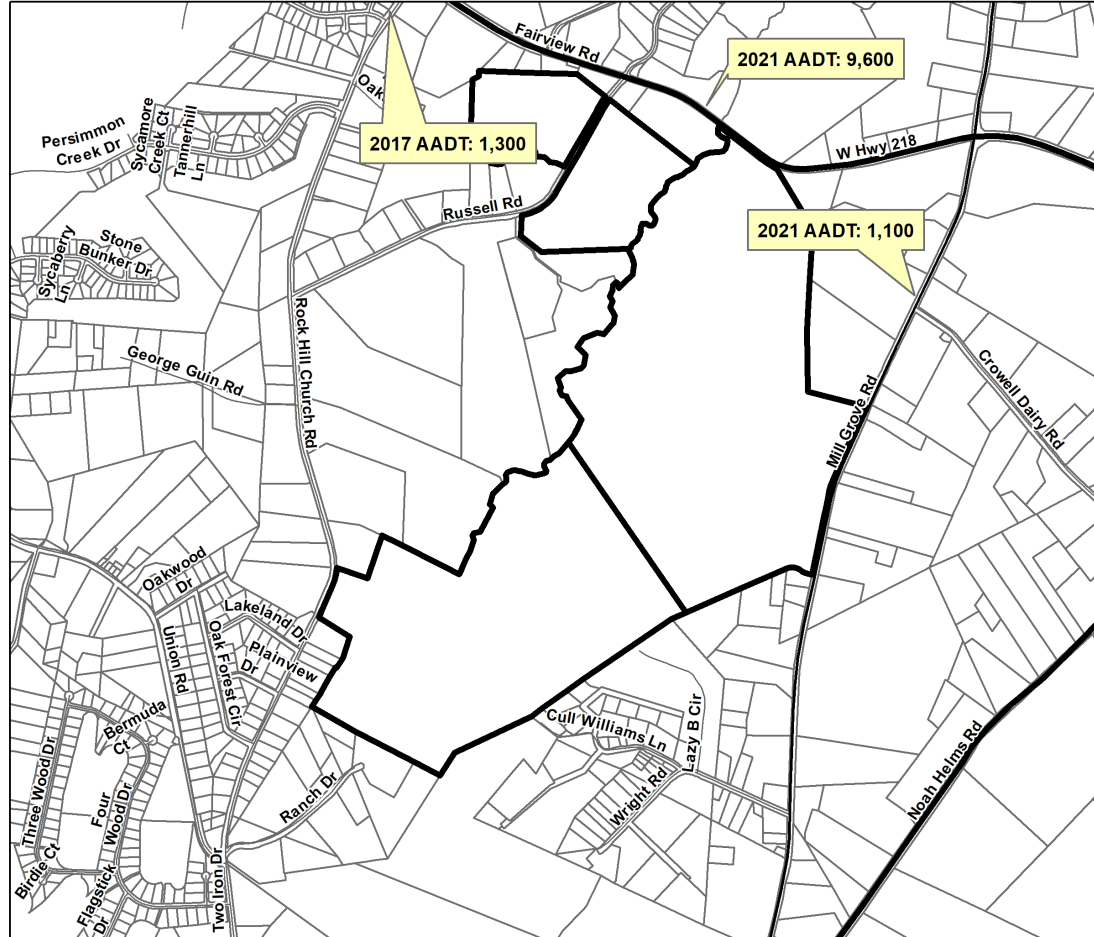
Transportation

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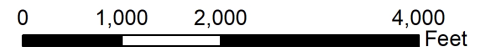


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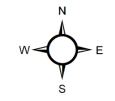
- Rezoning Parcels
- Needs Improvement, Major Thoroughfare
- Needs Improvement, Minor Thoroughfare
- Needs Improvement, Major Thoroughfare

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Land Use Map

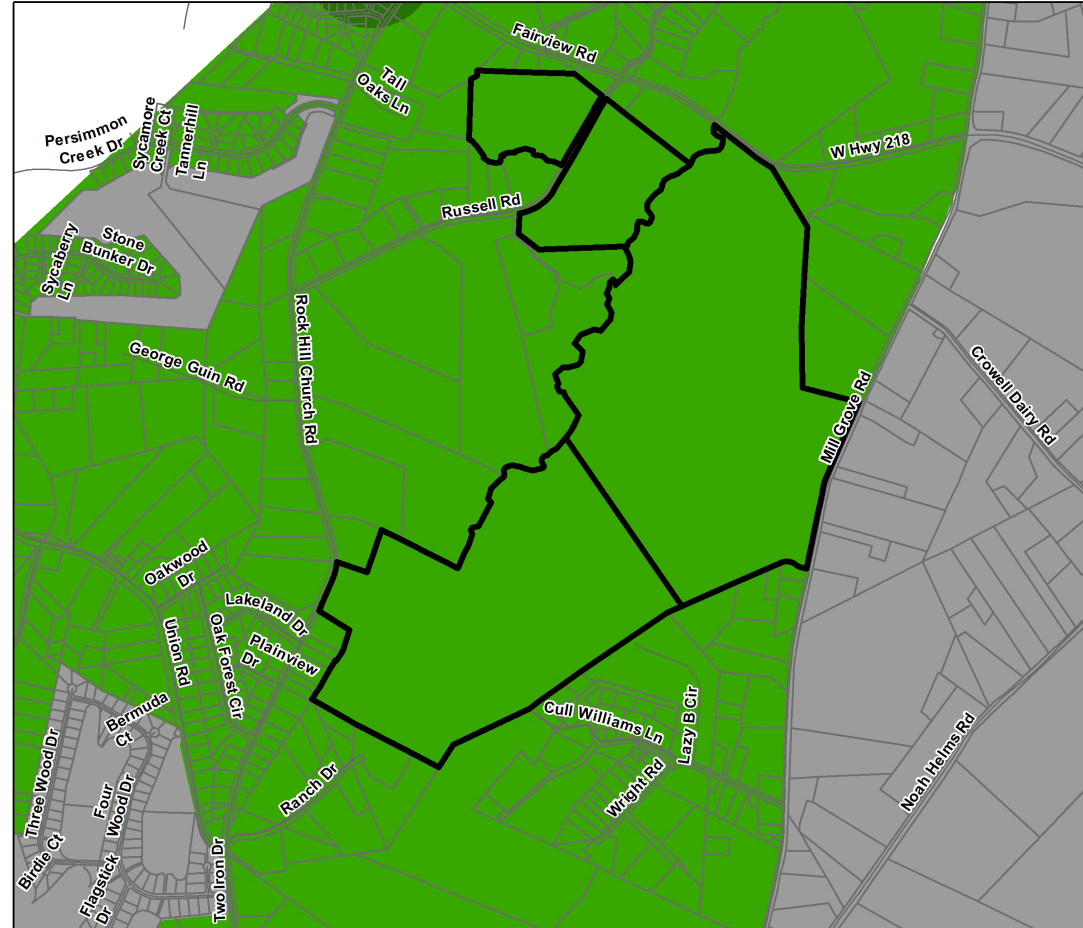
Land Use Map

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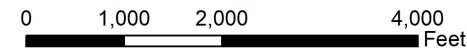


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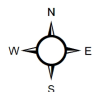
-  Rezoning Parcels
-  Municipalities
-  Rural Center
-  Rural Residential

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Schools

- Because this rezoning request is age-restricted, UCPS was not consulted for comments.

Utilities

- Public water is available to the site. The development will utilize a private engineered community septic system for sewer service.

Public Feedback

- A community meeting was held January 7, 2025. Approximately 55 residents attended the meeting and asked about the process for rezoning, traffic impacts, tax impact, rentals, and fire response. No changes were made based on feedback. Several emails have been received opposing or asking questions about the development.

Municipal Feedback

- Stallings and Fairview oppose the development.
- Fairview noted transportation, private septic, and density concerns.
- Stallings would prefer to annex this property as future development occurs, and noted traffic, stormwater, and private sewer service concerns.

Staff Report and Recommendation

NEGATIVES OF PROPOSAL

1. The Plan's Land Use Map identifies the area in which the subject property is located as rural residential. The Plan identifies rural residential areas as those recommended for low density residential and agricultural purposes. Low density for purposes of the Plan means lot sizes of at least one acre or a development density of no more than one unit per acre. The proposed use has a net density of approximately 2.7 units per acre, significantly higher than the one unit per acre recommended in the adopted Plan for rural residential areas.
2. The proposed use will add over 3,000 trips per day to area roads, with potential increasing delays and congestion at multiple area intersections near the proposed development. Traffic congestion is a noted concern in the Plan.

POSITIVES OF PROPOSAL

1. The proposed use of an age-restricted residential development will have a reduced traffic impact when compared with impacts from comparable non-age-restricted residential development. Traffic congestion is a noted concern in the Plan.
2. The proposed use of an age-restricted residential development will not add students to the local schools, lessening impact of this development on Union County services for the adequate provision of schools
3. The residential rezoning of this property is similar to the other uses surrounding the property in Union County's zoning jurisdiction, which are also zoned residential. Additionally, there are properties in the County's land use jurisdiction which are zoned for higher density than one-acre residential directly adjacent to one of the subject properties.
4. The benefits to the community at large, the neighbors, and the property owners of the proposed rezoning outweigh any detriments to the neighbors and others caused by the rezoning. The benefits of this rezoning include providing housing targeted at the older population, which have an increasing demographic presence in this county; and higher density development which may allow for more affordable housing than larger single-family tract development. The potential detriments of the use established by this rezoning, such as increased light exposure and increased traffic, are ameliorated by the fact that the size of the rezoned properties combined is so large, approximately 390 acres, that the primary land use impacts from the development, other than traffic, will be within the development itself, not neighboring properties.

STAFF RECOMMENDATION: Denial

PLANNING BOARD RECOMMENDATION: Denial

Questions



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