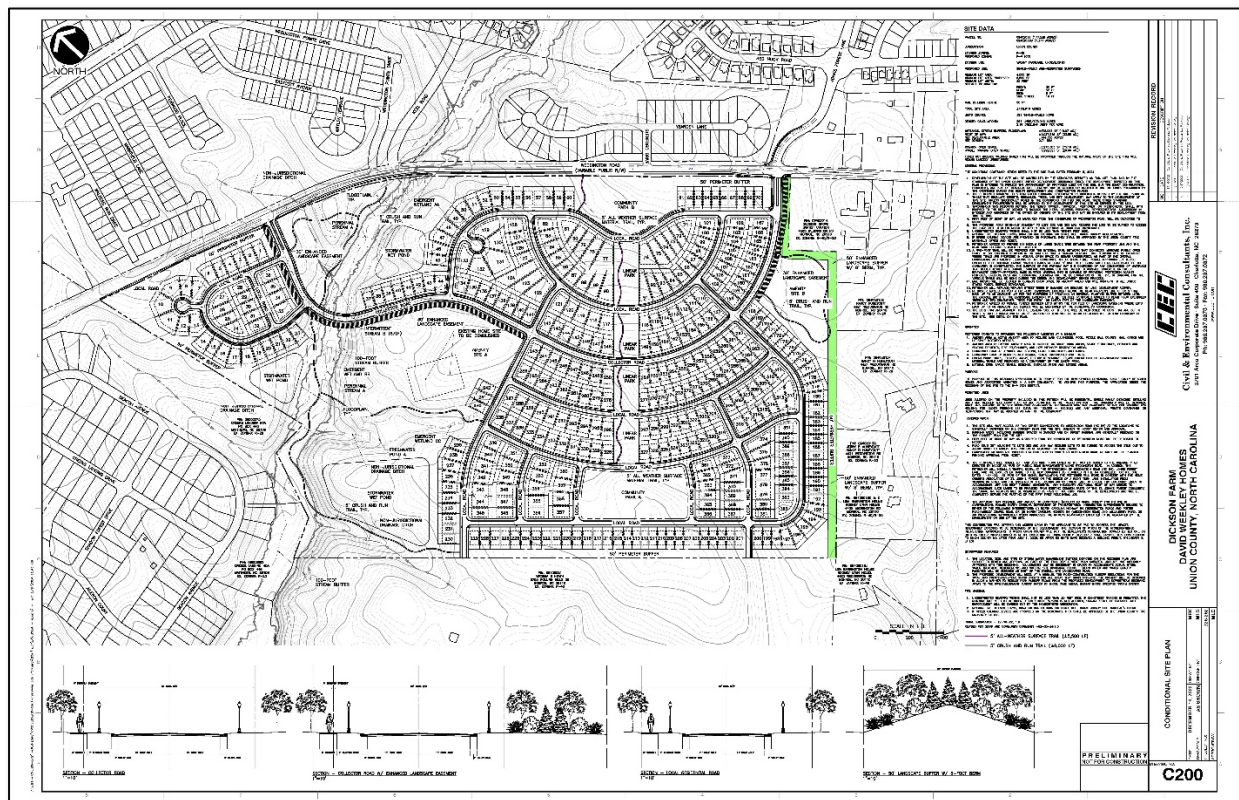


Planning Staff Report - Rezoning Case # CZ-2022-009
Staff Contact: Bjorn Hansen, Senior Planner

Summary of Request

This case is a request to amend the Zoning Map of Union County by rezoning two parcels of land totaling 178.916 acres appearing on the tax map as tax parcels 09-402-011 and 09-402-011G in the Monroe and Sandy Ridge Townships from R-40 to R-4 with Conditions. The applicant requests the rezoning to build an age-restricted residential development with 391 units. The rezoning will include conditions listed in the document at the end of this report, with the site plan shown below.



Owner/Applicant

Owner: Robert Dickson, Jr.
Dickson Farms, LLC

4719 Weddington Road
Monroe, NC 28110

Applicant: Shannon Boling
David Weekly Homes – Charlotte Division
7400 Carmel Executive Park Drive, Suite 225
Charlotte, NC 28276

Property Information

Location: On the south side of NC 84 south of Johns Forest Lane. Location more specifically described as tax parcels 09-402-011 and 09-402-011G.

Looking west on NC 84



Looking east on NC 84



Site



North of site



House on site



Municipal Proximity: The site is within a half-mile of Monroe and Wesley Chapel.

Existing Land Use and Development Status: The parcels are currently zoned R-40 and total approximately 178.916 acres. The smaller parcel has a residence on site and the larger parcel is largely cleared and is used for cropland.

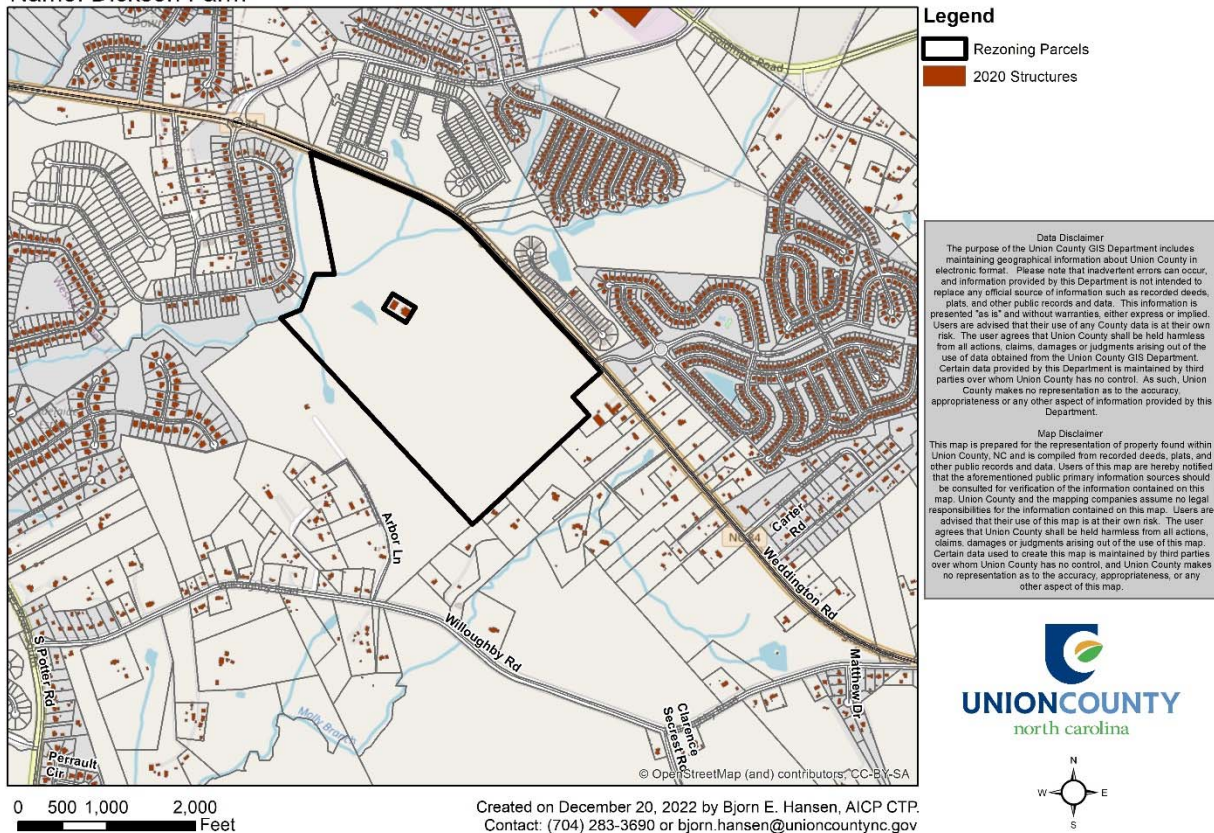
Development Status

Petition: CZ-2022-009

Size: 178.916 acres

Name: Dickson Farm

Tax Parcel: 09-402-011 and 09-402-011G



Environmental Features: There is a stream, floodplain, wetlands, and pond on the western portion of the site and has been proposed to be part of the open space for this development. The development includes three stormwater detention posts to reduce runoff from the site.

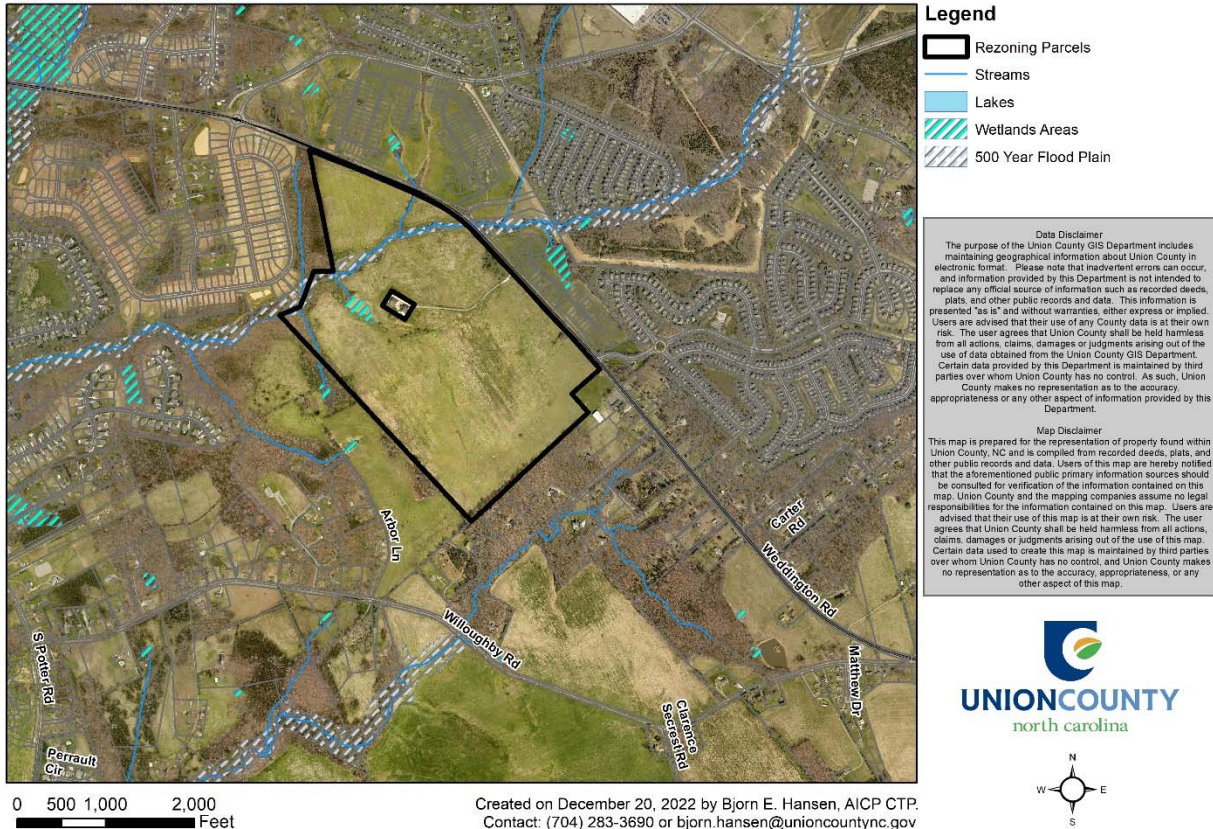
Environmental Features

Petition: CZ-2022-009

Name: Dickson Farm

Size: 178.916 acres

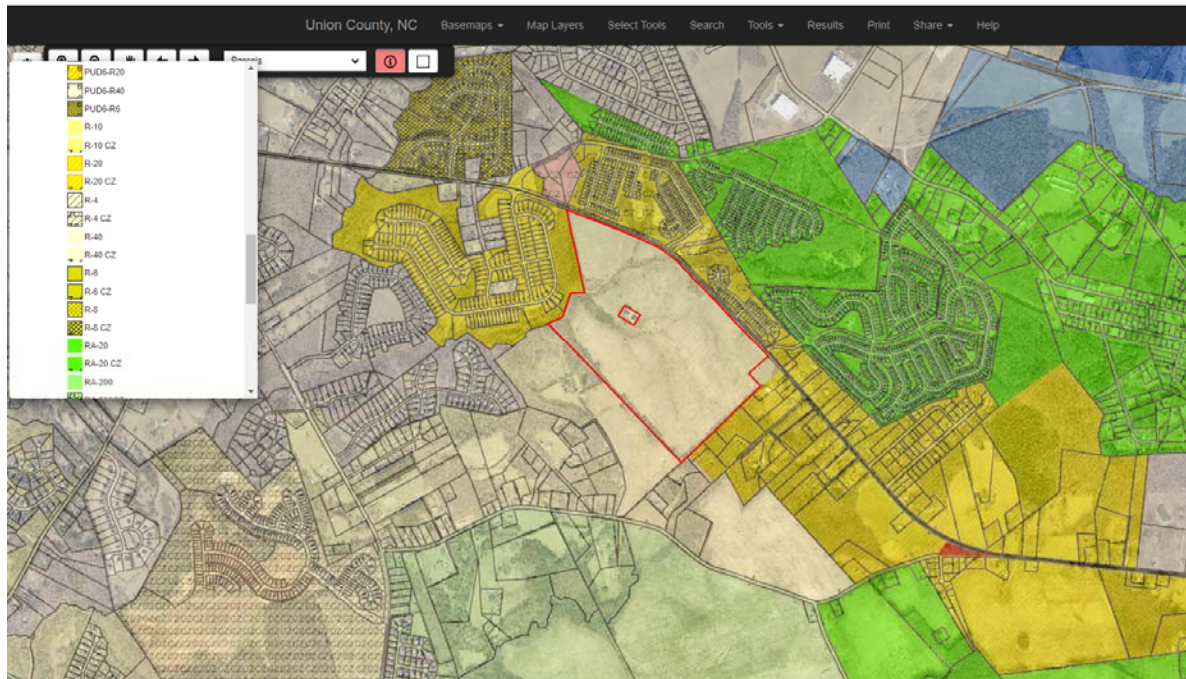
Tax Parcel: 09-402-011 and 09-402-011G



Utilities: Public sewer and water is available to the site.

Zoning and Land Use History: The property has been zoned R-40 since zoning was instituted in Union County. There have been no special use permits requested on this property. A rezoning request was submitted in 2019 for a similar development, but with approximately 50 more homes and no age-restriction provision. The request was denied by the Board of Commissioners.

There have been multiple rezonings in the area surrounding this site, including one in 2016 for the recently completed residential development to the north and west of this site, with similar density and scale to the proposed development. St. Johns Forest across the street was developed as a "Smart Growth" development, which did not require rezoning.



Schools: Union County Public Schools was consulted and provided the following comments based on the initial rezoning proposal, which was not age-restricted.

Currently this development is located within the following school attendance areas:

- Rocky River Elementary School at 78% rated capacity
- Sun Valley Middle at 85% rated capacity
- Sun Valley High at 89% rated capacity

PLEASE NOTE: Although the above schools are the current assignments for this area, the Union County Public Schools Board of Education has the obligation and reserves the right to modify assignments in order to optimize facility utilization and efficiency.

By our accounting, this development will bring the number of planned (to include rezoning phases) and not built housing units within the Rocky River ES attendance area to approximately 1,570 units.

Transportation: This site is on NC 84, an NCDOT-maintained facility. The 2021 traffic count was 13,000 vehicles per day west of Johns Forest Lane and 9,100 vehicles per day east of Johns Forest Lane. Traffic on NC 84 near Airport Road has been stable since 2013, with volumes east of the area increasing. Traffic will increase in the future due to recently built and approved development. Due to safety issues at NC 84 and Johns Forest Lane, Union County is funding an intersection illumination project at this intersection and should be implemented later in 2024.

A traffic Impact Analysis (TIA) was required for this rezoning. Traffic generated from this proposed development will slightly increase congestion in the area, but not as much as for a typical development that is not age-restricted. This is because the morning and evening peak hour traffic generation rate is significantly lower due to the age-restricted nature of the development. The development will provide the following traffic mitigations:

- Installing turn lanes for both access points into the development along NC 84
- Installing a signal at Johns Forest Lane and NC 84 and adding a turn lane for the exit from St Johns Forest, contingent on HOA right of way being granted.
- Dedicating 50' of right-of-way, as measured from the centerline, along NC 84 for future widening
- Installing sidewalks along the frontage of the site
- Stubbing out roads on the southern edge of the site
- Contributing \$200,000 to be used for helping fund future improvements at NC 84 and Willoughby, NC 84 and Potter, and other nearby intersections reasonably affected by this project.

The TIA analysis identified capacity issues with the roundabout design for the intersection of NC 84 and Potter, which is a funded project. These issues would exist even without this development. The NCDOT is reevaluating the design for the intersection based on this new information.

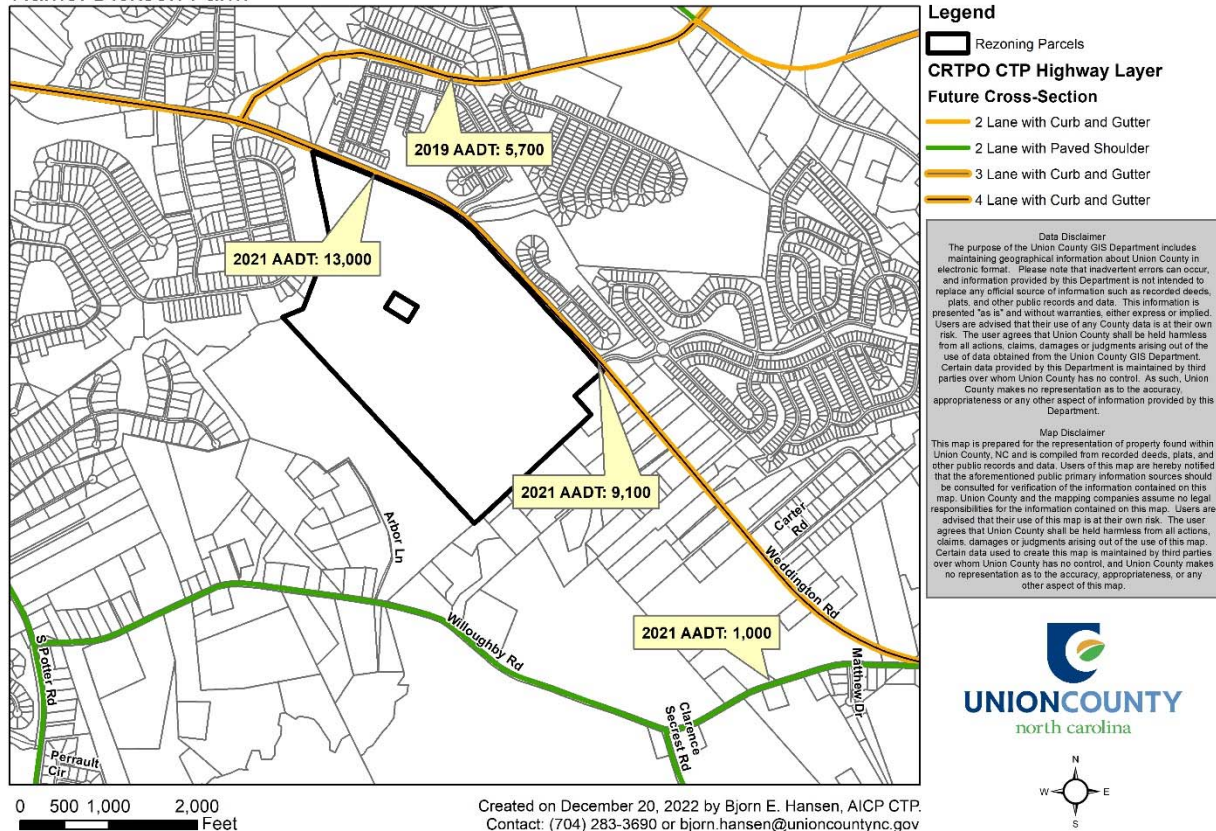
Transportation

Petition: CZ-2022-009

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Planning Documents

Union County Comprehensive Plan: The Union County 2050 comprehensive plan identifies this area as Single-Family Residential, with an overall density of two units per acre. This development proposes single-family units on typically 6,500 square foot lots. Density is approximately 2.2 units per acre overall, with a net density of 2.7 units per acre after subtracting stream buffers, floodplains, and road rights-of-way.

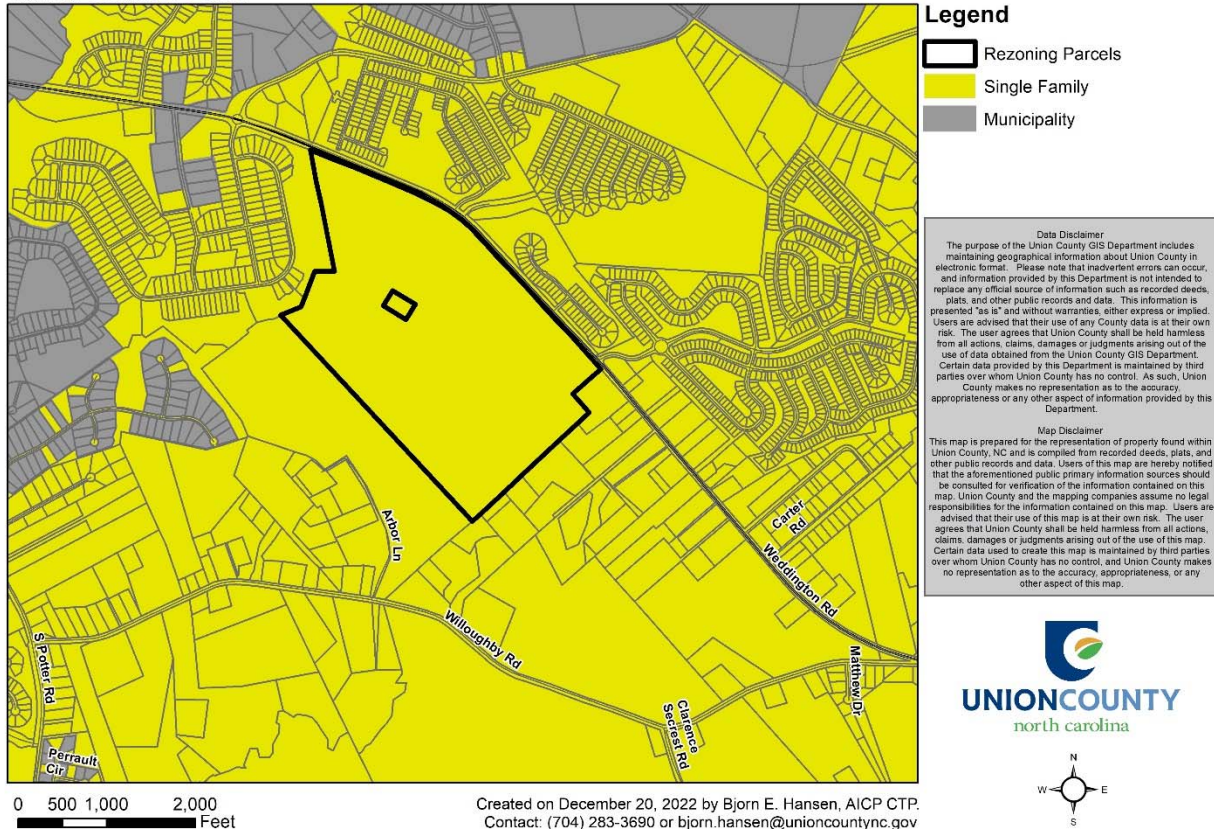
Land Use Plan

Petition: CZ-2022-009

Name: Dickson Farm

Size: 178.916 acres

Tax Parcel: 09-402-011 and 09-402-011G



Public and Municipal Comments

Public Comments: A community meeting required by Union County was held January 11, 2024. A total of nine residents attended the meeting. They expressed concerns over access to their property due to the traffic signal, requesting a roundabout instead of a signal, buffering the edge of the site, and enforcing age-restrictions. The applicant then organized a second meeting on January 30, 2024, with 22 attendees. The applicant presented information on how a roundabout would not fit within available land, as well as proposing additional berm height on the eastern edge of the site. Residents of St Johns Forest attended and provided feedback on access, generally supporting the signal, but with a turn lane added to help them to better exit the site. In addition, a proposal to purchase the property and develop a County-owned golf course was submitted by a nearby resident.

Municipal Comments: Monroe had no comments on the proposed development, and the Wesley Chapel Village Council passed a resolution opposing the development, citing density, flooding, and traffic concerns.

Land Use Board Recommendation

The Land Use Board reviewed this proposed development at its February 20, 2024, meeting. A total of eight residents attended. Three spoke in opposition to this development, citing traffic concerns. The Land Use Board voted 6-1 to recommend denial of the development, citing traffic concerns.

Staff Comments and Recommendation

This part of Union County is identified for single-family residential uses. This site includes a large amount of open space, but with an overall density of slightly more than two units per acre. The development has clustered the home sites outside of setbacks and environmentally sensitive land. The age-restricted aspect of the development eliminates impact on public schools, as well as significantly reducing impacts on the adjacent road system. The transportation mitigation is significant, with right-of-way dedication that otherwise would not occur as part of a by right development, as well as signal installation and improvements at the existing intersection of NC 84 and Johns Forest Lane. While the density is higher than what is recommended in the Land Use Map, the traffic, environmental, and school impacts are less than that of a less dense, by right development. **Because of these aspects of the development, staff recommend approval of this rezoning application.**