



**Union County, NC**  
**Land Use Board**  
**Meeting Agenda**

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Tuesday, November 19, 2024

6:00 PM

Board Room, First Floor

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**Call to Order**

**Pledge of Allegiance and Moment of Reflection**

**Establish Voting Members**

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

**Approval of the Agenda**

**Approval of the Minutes**

[24-796](#)      **October 15, 2024 Minutes**

**Attachments:** [2024.10.15 LUB Minutes](#)

**Agenda Item(s)**

[24-794](#)      **Conditional Rezoning Petition CZ-2024-008 Dormie**

**DETERMINATION OF CONFLICTS**

**INFORMATION CONTACT:**

Bjorn E. Hansen, Planning Department, Senior Planner - Long Range Planning, 704-283-3690

**ACTION REQUESTED:**

Recommend approval or denial of proposed rezoning request to the Board of Commissioners.

**BACKGROUND:**

This case is a rezoning request, petition CZ-2024-008, submitted by Dormie Equity Partners, LP (the "Applicant") for revision of the Union County Zoning Map by amending the approved Planned Unit Development district permit with associated conditions for a 2.53 acre parcel of land appearing on the tax map as tax parcel 06-201-007J in the

Sandy Ridge Township under an existing legacy PUD6-B2 zoning district. 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. Development will meet all requirements of the Union County Unified Development Ordinance.
3. The approval is limited to the site plan dated October 24, 2024.
4. The permitted uses on the site include all office uses, including medical office.
5. The site may include natural-surface pedestrian trails within areas that fall within a floodplain.
6. The site may include pedestrian-related improvements and plantings (including in the floodplain) as allowed under the Union County Unified Development Ordinance and other state, local, and federal regulations.

A community meeting was held October 8, 2024. Three residents attended the meeting and asked about the process for rezoning and parking requirements. No changes were made based on feedback. No additional comments have been received by staff.

**FINANCIAL IMPACT:**

None.

**Attachments:** [2024-CZ-008 Dormie Application](#)  
[2024-CZ-008 Dormie site plan 10-24-24](#)  
[2024-CZ-008 Dormie Letter of Intent](#)  
[CZ-2024-008 Dormie staff report LUB](#)  
[Land Use Board Advisory Consistency and Reasonableness Statements - CZ-2024-008 \(Dormie\)](#)

**24-803**

**Text Amendment to Sections 5.030-B (Conventional Development) and 5.030-C (Cluster Development) of the Union County Development Ordinance**

**INFORMATION CONTACT:**

Lee Jenson, Planning, Director, 704-283-3564

**ACTION REQUESTED:**

Consider recommending approval or denial of the proposed text amendments.

**PRIOR BOARD ACTIONS:**

**BACKGROUND:**

These proposed text amendments are based on recommendations outlined in the Union County 2050 Comprehensive Plan. The Comprehensive Plan outlines several strategies that will help implement

the vision of the plan; one of which is helping to protect the rural character and open spaces of areas shown as “Rural Residential” in the Union County comprehensive plan. The Board of County Commissioners then established an implementation committee to make specific recommendations concerning all of the strategies. One specific recommendation concerning protecting the rural character and open spaces of Union County is to require major subdivisions in the “Rural Residential” areas to provide 30% open space. This effectively reduces the overall density of major subdivisions in the “Rural Residential” areas by 30%. These implementation strategies were approved by the Board of County Commissioners in January of 2024.

**FINANCIAL IMPACT:**

None.

**Attachments:** [Density \(TXT 2024-002\) Final](#)

**24-806**

**Text Amendment to Table 5-2 (R District Lot and Building Regulations - Conventional Development) and 60.070 (Lots and Access) of the Union County Development Ordinance**

**INFORMATION CONTACT:**

Lee Jenson, Planning, Director, 704-283-3564

**ACTION REQUESTED:**

Consider recommending approval or denial of the proposed text amendments.

**PRIOR BOARD ACTIONS:**

**BACKGROUND:**

These proposed text amendments are intended to increase safety and decrease driveway access points along major corridors in Union County. The amendments would increase lot road frontage requirements along roadways in Union County that have a posted speed limit of 45 MPH or greater. In addition, along those same roadways, lot size requirements would be increased as well, thereby, decreasing overall density for lots taking direct access along higher speed corridors.

**FINANCIAL IMPACT:**

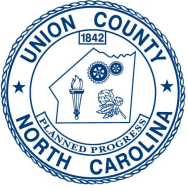
None.

**Attachments:** [Road frontage and lot size \(TXT 2024-003\) Final](#) [Final](#)

**Planning Staff Report**

**Brief Comments**

**Adjournment**



# Union County, NC

## Staff Report

Union County Government  
Center  
500 North Main Street  
Monroe, North Carolina  
[www.unioncountync.gov](http://www.unioncountync.gov)

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**File #:** 24-796

**Agenda Date:** 11/19/2024

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**TITLE:**

October 15, 2024 Minutes



# Land Use Board October 15, 2024 Meeting Minutes

The Union County Land Use Board met in regular session on October 15, 2024, at 6:00 p.m. in the Union County Government Center, 1<sup>st</sup> Floor Board Room, 500 N. Main Street.

**Present:** Chairman Darren Greene, Vice Chair Rick Davis, Derrick Austin, Larry Britt, Dion Edwards, Doug McClew, Mark Tilley, and alternates David Brooks and Charles Walkup Jr.

**Also Present:** Planning Director Lee Jenson, Senior Planner Bjorn Hansen and Land Use Board Clerk Amy Griffin.

**Call to Order:** Chairman Darren Greene called the meeting to order.

**(a) Pledge of Allegiance and Moment of Reflection:** The Pledge of Allegiance was recited and Dion Edwards gave the prayer.

**Establish Voting Members:** Chairman Darren Greene said there were seven regular members present to vote.

**Additions and/or Deletions to the Agenda:** There were no changes made to the agenda. Doug McClew made a motion to approve the agenda, Vice Chair Rick Davis seconded, and it was approved 7 to 0.

**Approval of the Minutes:** Doug McClew made a motion for approval of the September 17, 2024 Land Use Board minutes, Larry Britt agreed to seconded it once the date in the header was changed, and they were approved 7 to 0.

**Public Hearing:**

**Planning Staff Report - Rezoning Case # CZ-2024-004**

**Staff Contact: Bjorn Hansen, Senior Planner**

### Summary of Request

This case is a request Rezoning Petition (CZ-2024-004) submitted by Christopher Stevens (the “Applicant”) requesting a revision of the Union County Zoning Map by rezoning a 5.471 acre portion of land appearing on the tax map as portions of tax parcels 08-051-007C and 08-051-007H (“Tract 1”) from RA-40 to Light Industrial (LI), with Conditions, including consolidating the aforementioned portions of such parcels; creating a new 1.529 acre parcel from a portion of the parcel of land appearing on the tax map as tax parcel 08-051-007C (“Tract 2”), which will remain RA-40; consolidating a portion of a parcel of land appearing on the tax map as tax parcel 08-051-007C with the entire existing parcel 08-0510-007G, to create a new 2.618 parcel (“Tract 3”), which will remain RA-40; and consolidating portions of land appearing on the tax map as portions of tax parcels 08-051-007H and 08-051-007C to create a new 0.919 parcel (“Tract 4”), which will

**Planning Department**  
500 North Main Street Suite 70  
Monroe, NC 28112  
T 704.283.3565

[unioncountync.gov](http://unioncountync.gov)

remain RA-40; with all such parcels in the Goose Creek Township (“Rezoning Petition”). The rezoning will include the following conditions:

1. Limited to site plan dated August 15, 2024
2. Bring all buildings into compliance with building code, zoning, and environmental health requirements
3. Five-year vesting of development rights
4. Development will meet all requirements of the Union County Unified Development Ordinance

**Owner/Applicant**

**Owners:** Christopher Stevens and Debbie Stevens  
3317 New Salem Road  
Monroe, NC 28110

Terry Stevens and Angela Stevens  
3317 New Salem Road  
Monroe, NC 28110

Christopher Stevens and Anita Stevens  
3401 New Salem Road  
Monroe, NC 28110

**Applicant:** Christopher Stevens  
3401 New Salem Road  
Monroe, NC 28110

**Property Information**

**Location:** On the northeast side of the intersection of East Lawyers Road and New Salem Road. Location more specifically described as tax parcel 09-330-012.

**Municipal Proximity:** The site nearly two miles east of Unionville.

**Existing Land Use and Development Status:** The parcels are currently zoned RA-40 and totals approximately 10.6 acres. The site is largely cleared for a septic contracting business with three residences.

**Environmental Features:** There is a stream on the eastern edge of the site. There are no other significant features.

**Utilities:** Public water is available to the site and septic service will be utilized.

**Zoning and Land Use History:** The site has been zoned RA-40 with no previous rezoning proposals since zoning was implemented in Union County. A special use permit was granted in 1976 for the permanent location of a mobile home approximately a quarter mile south of the site. Two residential rezonings for approximately two acres from R-40 to RA and RA-20 approximately a half mile east of the site were approved in 1985. A rezoning request for 68 acres from R-40 to B-3 was proposed in 1977 and withdrawn.

**Schools:** Because this rezoning request is commercial in nature, UCPS was not consulted for comments.

**Transportation:** This site is New Salem Road, which is a NCDOT-maintained facility. It has a 2021 daily traffic count of 3,500 vehicles per day. East Lawyers Road has a 2021 daily traffic count of 1,400 vehicles per day. A traffic Impact Analysis was not required for this rezoning. Traffic generated from this proposed use is likely to be low but will involve a large percentage of trucks. The driveway location has been reviewed by the NCDOT and meets their standards.

The intersection of East Lawyers and New Salem has a funded roundabout project to address safety issues.

### Planning Documents

**Union County Comprehensive Plan:** The Union County 2050 comprehensive plan identifies this area as Rural Residential, with an overall density of approximately one unit per acre. The closest employment or industrial area is approximately 3.5 miles to the south near the Monroe Expressway.

### Public and Municipal Comments

**Public Comments:** A community meeting was held September 12, 2024. One resident attended the meeting and asked about visibility of proposed future office uses from his home west of the site. No changes were made based on feedback.

**Municipal Comments:** Unionville is 1.75 miles from the site, so they were not contacted for comments.

### Staff Comments and Recommendation

This part of Union County is identified for rural residential and agricultural land uses, meaning a septic system contracting operation and headquarters would be inconsistent with the plan. There are no nearby industrial zoned parcels, creating the opportunity for additional industrial rezoning requests in a part of the county not designated for such uses. This does not have access from a NC highway but is near an intersection that will be improved to address safety concerns. **Because of these aspects of the development, staff recommend denial of this rezoning application.**

Bjorn Hansen came to the podium to go over his report. Vice Chair Rick Davis wondered if this had ever been approved for the business usage as light industrial or has it always been RA-40. Bjorn Hansen said it has always been zoned RA-40. Vice Chair Rick Davis then determined that the business was out of compliance and has been. Bjorn Hansen agreed. Vice Chair Rick Davis questioned if the business been cited in past for violations. Bjorn Hansen explained they had been twice - once for storage of materials and the other for operating the business. He clarified this rezoning was an option to bring themselves into compliance. Larry Britt asked how long the business had been operational and someone from the audience said 22 years. Vice Chair Rick Davis verified if it was at this location and the audience member replied yes. Larry Britt noticed the site plan showed see note 5 but there was no note 5. He was also concerned about the property lines. Vice Chair Rick Davis requested Bjorn Hansen to explain why staff recommended denial for this rezoning. Bjorn Hansen stated approving this could set a precedence in the area for more light industrial. There was additional discussion concerning the business and its location. Mark Tilley asked if

they make or manufacture anything on the property and Bjorn Hansen said since the applicant was there, they could address that question. Vice Chair Rick Davis was concerned if it is approved, it opens the area for industrial. If it was denied, it could continue to be there just on a scaled down level.

Chris Stevens of Stevens Septic came to the podium. He explained they had been in business for 22 years. He said nobody even knew they were back there – they don't make noise, kept the place clean, and done the right thing. When they found out they were in violation, the first thing they did was try to get everything up to code but the County suggested waiting for the rezoning in case it was denied. He continued that in 2021 his business doubled and he couldn't stop or scale back. He would just move the business somewhere else. He loves where he currently is – his home is there and he doesn't worry about something being stolen. Vice Chair Rick Davis questioned why they were rezoning it and Mr. Stevens clarified it was needed for everything already on the property and for a future office warehouse building as the business grows. Mr. Davis asked if there was any type of odor from the porta johns and Chris Stevens responded no. Vice Chair Rick Davis verified he could not scale back and Mr. Stevens said that was not in his wheelhouse. Mr. Davis stated if they recommended approval and the Board of County Commissioners approved it, it would open that area up to light industrial. Chris Stevens understood but across the street was the water treatment plant and just down the road was a brand new church. The only reason he needs to rezone as light industrial is due to the number of vehicles he has. Larry Britt wanted to know how many employees he had and the response was between 25 and 27. Doug McClew questioned what the five year plan was. Mr. Stevens explained that the septic side never really doubled and he was fine with that but the portable toilet is what is growing. He was planning to open a satellite station where the most progress is. Mark Tilley wanted to know if they manufacture anything and the answer was no. Charles Walkup Jr. asked if his employees were from Union County and he believed 70% were from Union County while the others were from South Carolina, the Wadesboro area, or Charlotte. He felt the current location is center for all his employees. Charles Walkup Jr. told the Board he went out there and could not see the business from the road. David Brooks wanted to confirm only one person came to the community meeting. Derrick Austin mentioned that he believed it was tip top and decorated during the holidays.

Vice Chair Rick Davis was torn with the land use program. Mark Tilley pointed out any other rezoning will have to take the same steps and come through the Land Use Board where decisions can be made like the last two items that have come before the Board and they voted differently on each one. Chairman Darren Greene understood where staff was coming from. A lot of time was spent on the Comp Plan but he also understands this business has been there for 22 years. Doug McClew also mentioned the employees and concern over losing the business to another state or county. Vice Chair Rick Davis said the property has not been abused in 22 years.

Mark Tilley read the Consistency Statement to recommend approval of the rezoning and Vice Chair Rick Davis seconded. It was passed unanimously 7 to 0.

**Planning Staff Report:** Lee Jenson introduced the 2025 Land Use Board meeting schedule to the members. Vice Chair Rick Davis made the motion to accept it and Doug McClew seconded. It was approved 7 to 0.

**Brief Comments:** There were no comments.

**Close:** With no further discussions, Doug McClew a motion to adjourn and Vice Chair Rick Davis seconded. It passed unanimously. The meeting adjourned at 7:40pm.





# Union County, NC

## Staff Report

Union County Government  
Center  
500 North Main Street  
Monroe, North Carolina  
www.unioncountync.gov

**File #:** 24-794

**Agenda Date:** 11/19/2024

### **TITLE:**

Conditional Rezoning Petition CZ-2024-008 Dormie

### **DETERMINATION OF CONFLICTS**

### **INFORMATION CONTACT:**

Bjorn E. Hansen, Planning Department, Senior Planner - Long Range Planning, 704-283-3690

### **ACTION REQUESTED:**

Recommend approval or denial of proposed rezoning request to the Board of Commissioners.

### **BACKGROUND:**

This case is a rezoning request, petition CZ-2024-008, submitted by Dormie Equity Partners, LP (the "Applicant") for revision of the Union County Zoning Map by amending the approved Planned Unit Development district permit with associated conditions for a 2.53 acre parcel of land appearing on the tax map as tax parcel 06-201-007J in the Sandy Ridge Township under an existing legacy PUD6-B2 zoning district. 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. Development will meet all requirements of the Union County Unified Development Ordinance.
3. The approval is limited to the site plan dated October 24, 2024.
4. The permitted uses on the site include all office uses, including medical office.
5. The site may include natural-surface pedestrian trails within areas that fall within a floodplain.
6. The site may include pedestrian-related improvements and plantings (including in the floodplain) as allowed under the Union County Unified Development Ordinance and other state, local, and federal regulations.

A community meeting was held October 8, 2024. Three residents attended the meeting and asked about the process for rezoning and parking requirements. No changes were made based on feedback. No additional comments have been received by staff.

### **FINANCIAL IMPACT:**

None.

# Application for Conditional Rezoning

**Union County  
Planning Department**  
500 N Main Street - Suite 70  
Monroe, NC 28112  
T 704.283.3565  
E UCPlanning@unioncountync.gov

## General Information

Project Address ~~None~~ Reed Road City N/A Waxhams State NC Zip N/A

Tax Parcel ID 06201007J Current Zoning Designation PUD6-B2 Total Acres 2.53

Proposed Zoning Designation PUD6-B2 Date Submitted July 17, 2024

## Contact Information

Applicant Name Dormie Equity Partners, LP c/o Rob Taylor

Address 1213 West Morehead Street, 5th Floor City Charlotte State NC Zip 28208

Phone 704-926-7570 Fax N/A Email rob@taylor-capital.com

Property Owner Name MSC REA OUTPARCEL, LLC c/o Matt Shapiro

Address 725 Park Cedar Drive City Matthews State NC Zip 28105

Phone 704-578-5225 Fax N/A Email MShapiro@mstarproperties.com

## Applicant's Certification

See attached Signature Page

Signature \_\_\_\_\_ Date \_\_\_\_\_ Printed Name/Title \_\_\_\_\_

## Owner's Certification

See attached Signature Page

Signature \_\_\_\_\_ Date \_\_\_\_\_ Printed Name/Title \_\_\_\_\_

## Union County Office Use Only:

Case Number: 2024-CZ-008 Dormie Date Received: 7-17-24

Amount of Fee (\$~~900~~): BNA Fee Ok: BNA Received by: BNA  
1,000


Contact Bjorn Hansen to begin the process. T. 704.283.2690 E. Bjorn.hansen@unioncountync.gov



\*\*This document is only valid from July 1, 2023 - June 30, 2024

*[Signature Page of Applicant to Application filed by Dormie Equity Partners, LP]*

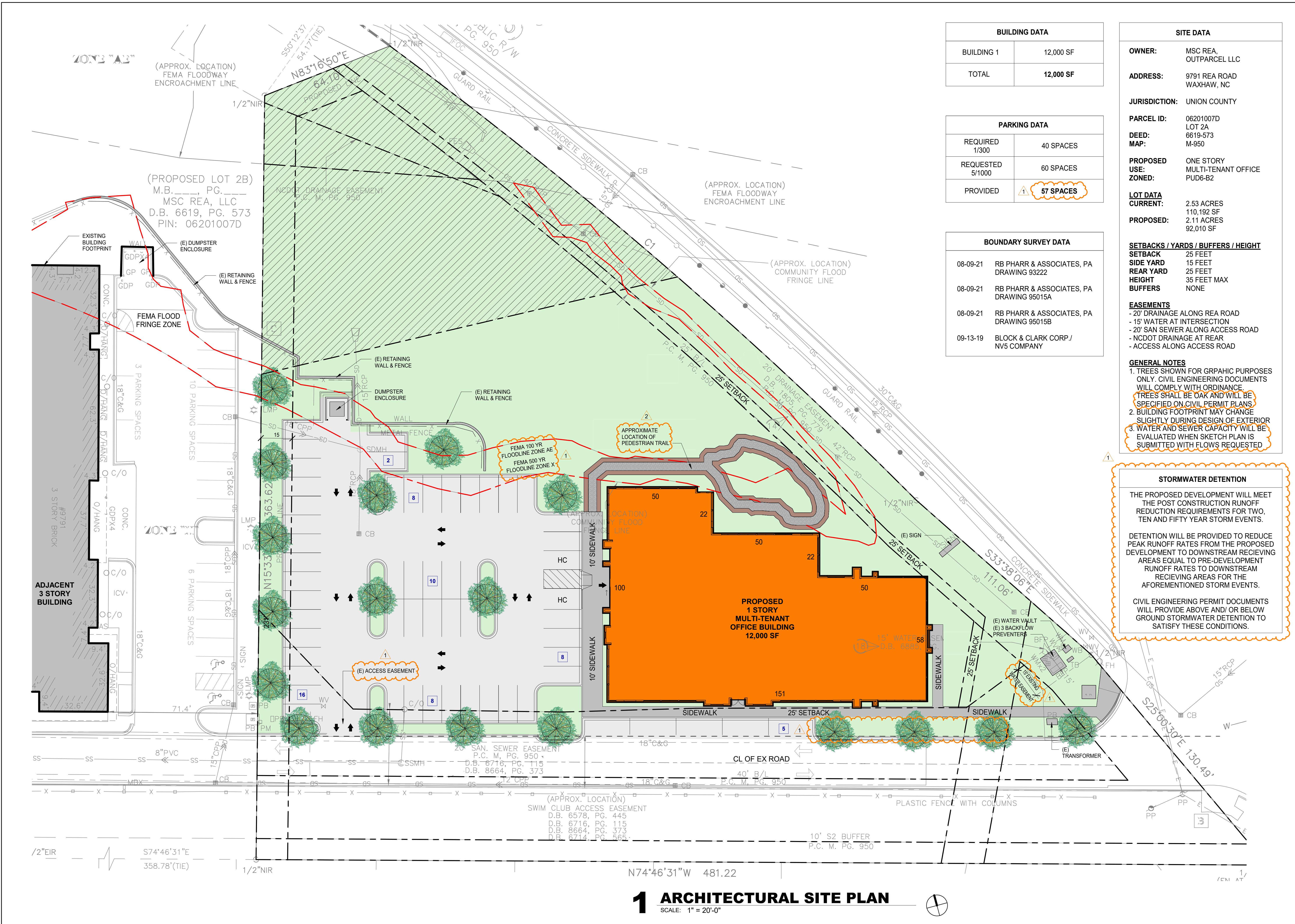
**DORMIE EQUITY PARTNERS, LP**

By:   
Name: Robert Taylor  
Title: Managing Partner  
Date: 6/13/24

*[Signature Page of Property Owner to Application filed by Dormie Equity Partners, LP]*

**MSC REA OUTPARCEL, LLC**, a Delaware  
limited liability company

By: Matthew J. Shapiro  
Name: Matt Shapiro  
Title: President  
Date: 6-24-24



BUILDING DATA	
BUILDING 1	12,000 SF
TOTAL	12,000 SF

PARKING DATA	
REQUIRED 1/300	40 SPACES
REQUESTED 5/1000	60 SPACES
PROVIDED	57 SPACES

BOUNDARY SURVEY DATA	
08-09-21	RB PHARR & ASSOCIATES, PA DRAWING 93222
08-09-21	RB PHARR & ASSOCIATES, PA DRAWING 95015A
08-09-21	RB PHARR & ASSOCIATES, PA DRAWING 95015B
09-13-19	BLOCK & CLARK CORP./ NV5 COMPANY

SITE DATA	
OWNER:	MSC REA, OUTPARCEL LLC
ADDRESS:	9791 REA ROAD WAXHAW, NC
JURISDICTION:	UNION COUNTY
PARCEL ID:	06201007D LOT 2A
DEED:	6619-573 M-950
PROPOSED USE:	ONE STORY MULTI-TENANT OFFICE
ZONED:	PUD6-B2
LOT DATA CURRENT:	2.53 ACRES 110,192 SF
PROPOSED:	2.11 ACRES 92,010 SF
SETBACKS / YARDS / BUFFERS / HEIGHT	
SETBACK	25 FEET
SIDE YARD	15 FEET
REAR YARD	25 FEET
HEIGHT	35 FEET MAX
BUFFERS	NONE
EASEMENTS	
	- 20' DRAINAGE ALONG REA ROAD
	- 15' WATER AT INTERSECTION
	- 20' SAN SEWER ALONG ACCESS ROAD
	- NCDOT DRAINAGE AT REAR
	- ACCESS ALONG ACCESS ROAD
GENERAL NOTES	
1.	TREES SHOWN FOR GRAPHIC PURPOSES ONLY. CIVIL ENGINEERING DOCUMENTS WILL COMPLY WITH ORDINANCE. TREES SHALL BE OAK AND WILL BE SPECIFIED ON CIVIL PERMIT PLANS.
2.	BUILDING FOOTPRINT MAY CHANGE SLIGHTLY DURING DESIGN OF EXTERIOR.
3.	WATER AND SEWER CAPACITY WILL BE EVALUATED WHEN SKETCH PLAN IS SUBMITTED WITH FLOWS REQUESTED.

**STORMWATER DETENTION**

THE PROPOSED DEVELOPMENT WILL MEET THE POST CONSTRUCTION RUNOFF REDUCTION REQUIREMENTS FOR TWO, TEN AND FIFTY YEAR STORM EVENTS.

DETENTION WILL BE PROVIDED TO REDUCE PEAK RUNOFF RATES FROM THE PROPOSED DEVELOPMENT TO DOWNSTREAM RECEIVING AREAS EQUAL TO PRE-DEVELOPMENT RUNOFF RATES TO DOWNSTREAM RECEIVING AREAS FOR THE AFOREMENTIONED STORM EVENTS.

CIVIL ENGINEERING PERMIT DOCUMENTS WILL PROVIDE ABOVE AND/OR BELOW GROUND STORMWATER DETENTION TO SATISFY THESE CONDITIONS.



**PROPOSED REA ROAD MEDICAL OFFICE BUILDING**

9791 REA ROAD  
WAXHAW, NC 28173  
UNION COUNTY, NC

Revisions		
#	Date	Description
1	09.05.24	PLANNING COMMENTS
2	10.24.24	PLANNING COMMENTS

THE BOUNDARY INFORMATION DEPICTED ON THIS CONCEPTUAL TEST FIT SITE PLAN WAS PROVIDED BY OTHERS. RAGONA ARCHITECTURE & DESIGN, PLLC DID NOT CONFIRM THE ACCURACY OF THE BOUNDARY INFORMATION CONTAINED WITHIN. THE OWNER SHOULD OBTAIN A COMPLETE AND CURRENT SURVEY OF THE PROPERTY TO VERIFY THE VALIDITY OF THIS CONCEPTUAL TEST FIT SITE PLAN AS SHOWN

Project Number: 23149  
Issued for: SITE PLANNING  
Issue Date: 08/22/23

DRAWING TITLE  
**ARCHITECTURAL SITE PLAN**

SHEET NUMBER  
**AS101**

**1 ARCHITECTURAL SITE PLAN**  
SCALE: 1" = 20'-0"

July 17, 2024

Mr. Bjorn Hansen, Senior Planner  
Union County Planning Department  
500 North Main Street, Suite 170  
Monroe, NC 28112

Re: Letter of Intent

Application for Conditional Rezoning Filed by Dormie Equity Partners, LP for a 2.53 Acre Site Located on Rea Road in Union County

Dear Bjorn:

I hope this letter finds you well.

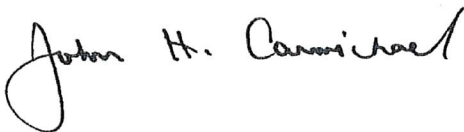
Dormie Equity Partners, LP ("Dormie") has filed an Application for Conditional Rezoning with the Union County Planning Department for the purpose of requesting site plan and building elevation approval for a proposed medical office building to be located on a 2.53 acre site located on Rea Road in Union County (the "Site"). The Site is designated as Tax Parcel ID No. 06201007J.

More specifically, Dormie proposes to develop a one-story, 12,000 square foot medical office building on the Site in accordance with the site plan and building elevations and renderings that were submitted with the Application for Conditional Rezoning.

Bjorn, thank you for your assistance on this matter. Please let me know if you have any questions or comments.

Sincerely,

ROBINSON, BRADSHAW & HINSON, P.A.



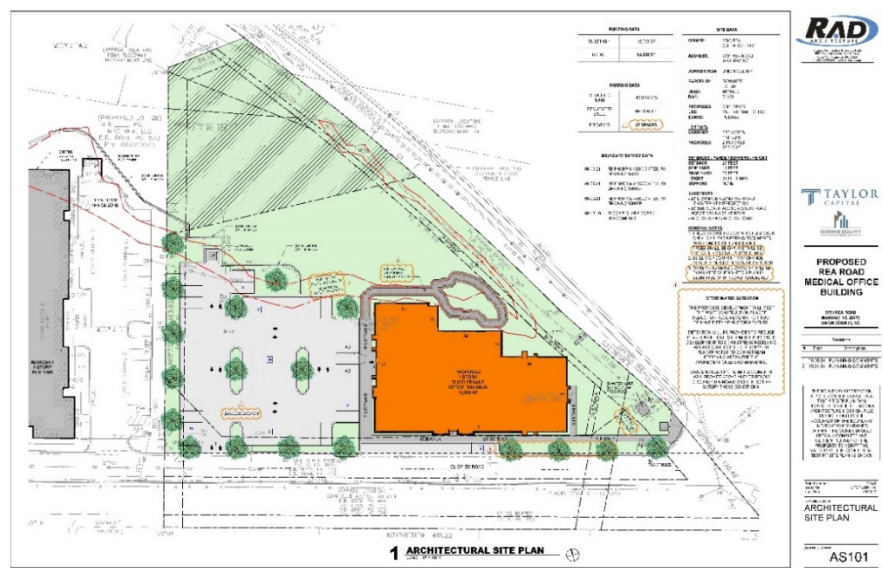
John H. Carmichael

**Planning Staff Report - Rezoning Case # CZ-2024-008**  
**Staff Contact: Bjorn Hansen, Senior Planner**

**Summary of Request**

This case is a rezoning request, petition CZ-2024-008, submitted by Dormie Equity Partners, LP (the “Applicant”) for revision of the Union County Zoning Map by amending the approved Planned Unit Development district permit with associated conditions for a 2.53 acre parcel of land appearing on the tax map as tax parcel 06-201-007J in the Sandy Ridge Township under an existing legacy PUD6-B2 zoning district. 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. Development will meet all requirements of the Union County Unified Development Ordinance.
3. The approval is limited to the site plan dated October 24, 2024.
4. The permitted uses on the site include all office uses, including medical office.
5. The site may include natural-surface pedestrian trails within areas that fall within a floodplain.
6. The site may include pedestrian-related improvements and plantings (including in the floodplain) as allowed under the Union County Unified Development Ordinance and other state, local, and federal regulations.



**Owner/Applicant**

**Owners:** MSC Rea Outparcel, LLC  
725 Park Cedar Drive  
Matthews, NC 28105

**Applicant:** Dormie Equity Partners, LP  
1213 West Morehead Street, Fifth Floor  
Charlotte, NC 28208

**Property Information**

**Location:** On the southwest side of the intersection of Rea and Tom Short Roads. Location more specifically described as tax parcel 06-201-007J.





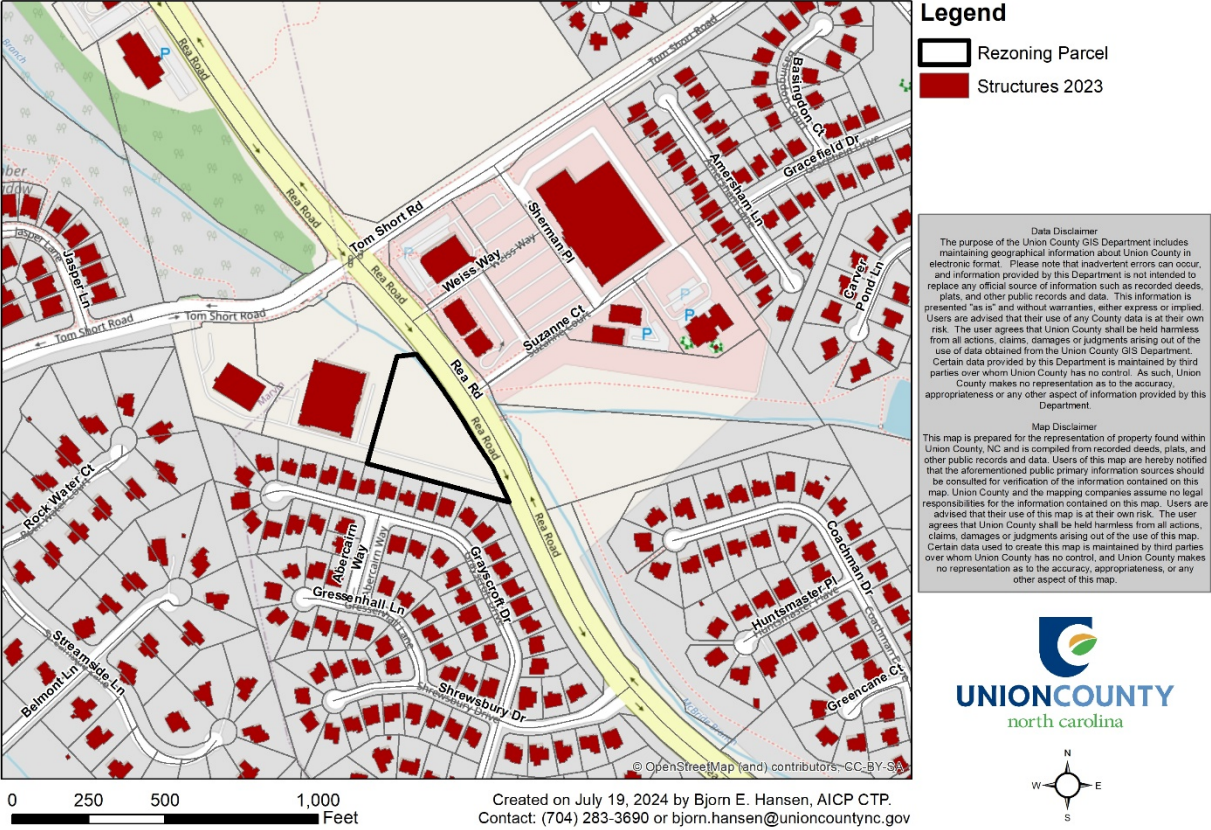
**Municipal Proximity:** The site is immediately east of the Village of Marvin.

**Existing Land Use and Development Status:** The parcel is currently zoned PUD6-B2 and is undeveloped.

**Development Status**

Petition: 2024-CZ-008  
Name: Dormie

Size: 2.53 acres  
Tax Parcel: 06-201-007J



**Environmental Features:** There is a floodplain on the northern edge of the site and detention would be required as part of the site plan.

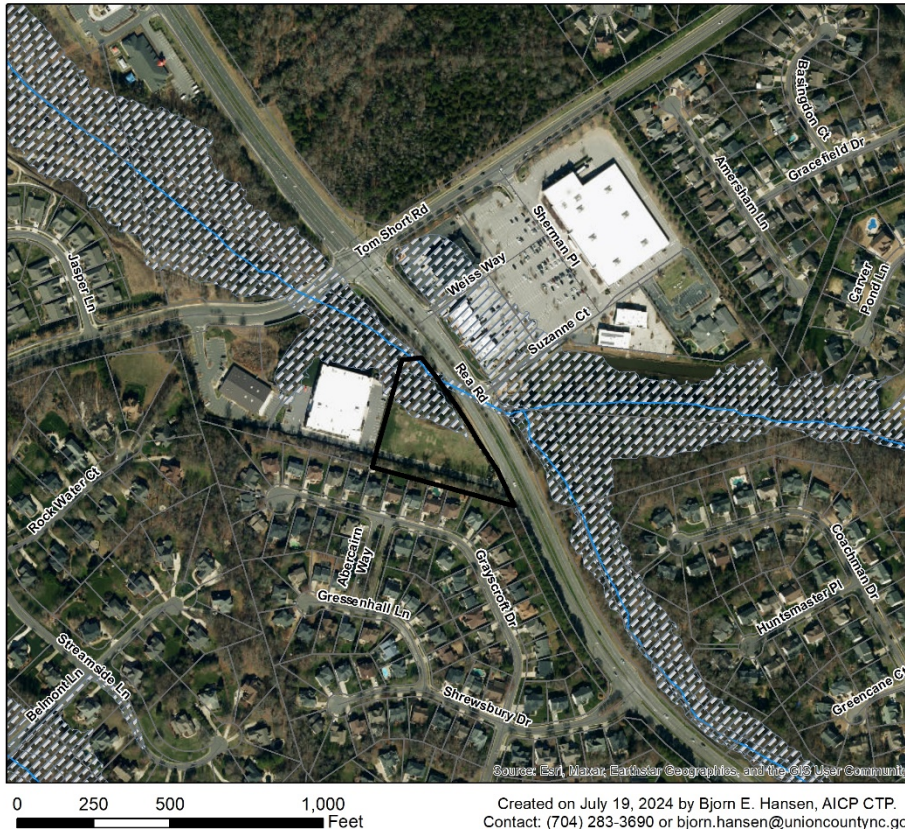
## Environmental Features

Petition: 2024-CZ-008




Name: Dormie

Size: 2.53 acres

Tax Parcel: 06-201-007J



### Legend

-  Rezoning Parcel
-  Streams
-  500 Year Flood Plain

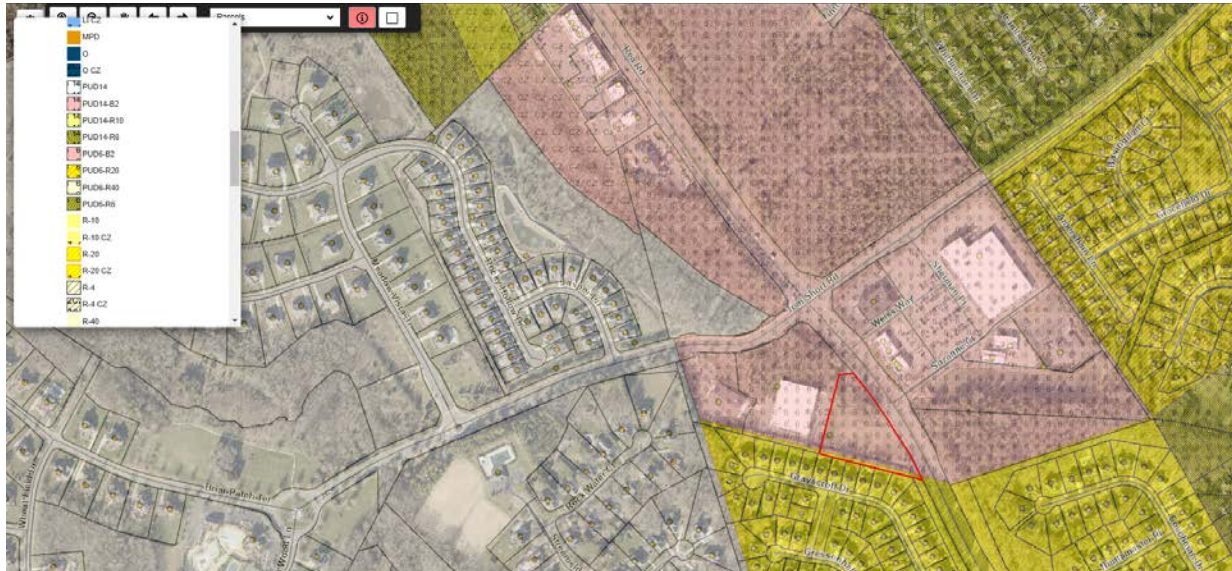
**Data Disclaimer**  
The purpose of the Union County GIS Department includes maintaining geographical information about Union County in electronic format. Please note that inadvertent errors can occur, and information provided by this Department is not intended to replace any official source of information such as recorded deeds, plats, and other public records and data. This information is presented "as is" and without warranties, either express or implied. Users are advised that their use of any County data is at their own risk. The user agrees that Union County shall be held harmless from all actions, claims, damages or judgments arising out of the use of data obtained from the Union County GIS Department. Certain data provided by this Department is maintained by third parties over whom Union County has no control. As such, Union County makes no representation as to the accuracy, appropriateness or any other aspect of information provided by this Department.

**Map Disclaimer**  
This map is prepared for the representation of property found within Union County, NC and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. Union County and the mapping companies assume no legal responsibilities for the information contained on this map. Users are advised that their use of this map is at their own risk. The user agrees that Union County shall be held harmless from all actions, claims, damages or judgments arising out of the use of this map. Certain data used to create this map is maintained by third parties over whom Union County has no control, and Union County makes no representation as to the accuracy, appropriateness, or any other aspect of this map.



**Utilities:** Public water and sewer are available to the site.

**Zoning and Land Use History:** The site has been zoned as PUD6 since 2004, when it was rezoned as part of the overall site that now includes the Kohls, vacant land on the northeast corner of Tom Short and Rea Roads, and portions of Hunter Oaks. There were three unsuccessful and one successful rezoning from R-40 to R-20, which resulted in 246 acres of residential development in the immediate vicinity of the site. There also was an approved townhouse development on the county line north of this site approved in 2018. There have been two commercial rezonings proposed since 2018, including the approved shopping center north of the Lighthouse Child Care Facility and denied telecommunications tower behind Lighthouse. There have been five special use permits at this intersection, all relating to the implementing the PUD zoning of the overall development. All five were approved, and all have been implemented, with the exception of the large vacant parcel on the northeast corner of Rea and Tom Short.



**Schools:** Because this rezoning request is commercial in nature, UCPS was not consulted for comments.

**Transportation:** This site is off of Rea Road, which is a NCDOT-maintained facility. It has a 2022 daily traffic count of 22,000 vehicles per day. There are no funded road improvements in the vicinity of the project. This site is expected to generate approximately 400 trips per day, which did not meet Union County or NCDOT thresholds for a traffic impact analysis. No improvements to Rea Road are recommended as part of this rezoning or site plan. The site would use the existing driveway off of Rea Road.

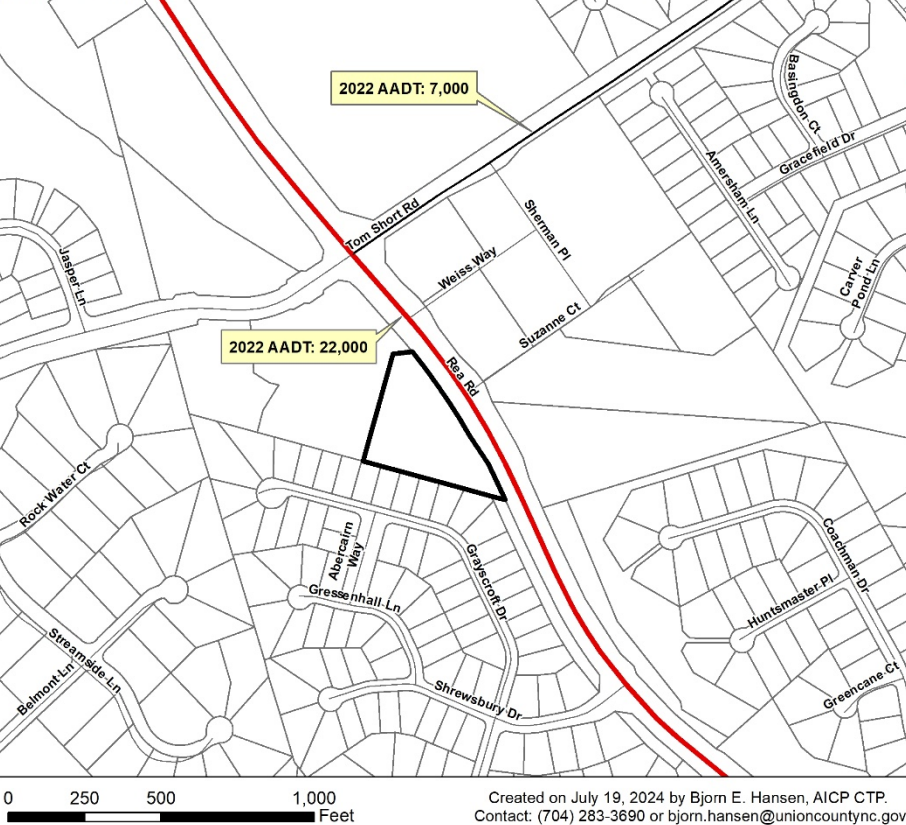
**Transportation**

Petition: 2024-CZ-008




Name: Dormie

Size: 2.53 acres

Tax Parcel: 06-201-007J



**Legend**

-  Rezoning Parcel
-  Existing, Boulevard
-  Existing, Minor Thoroughfare

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

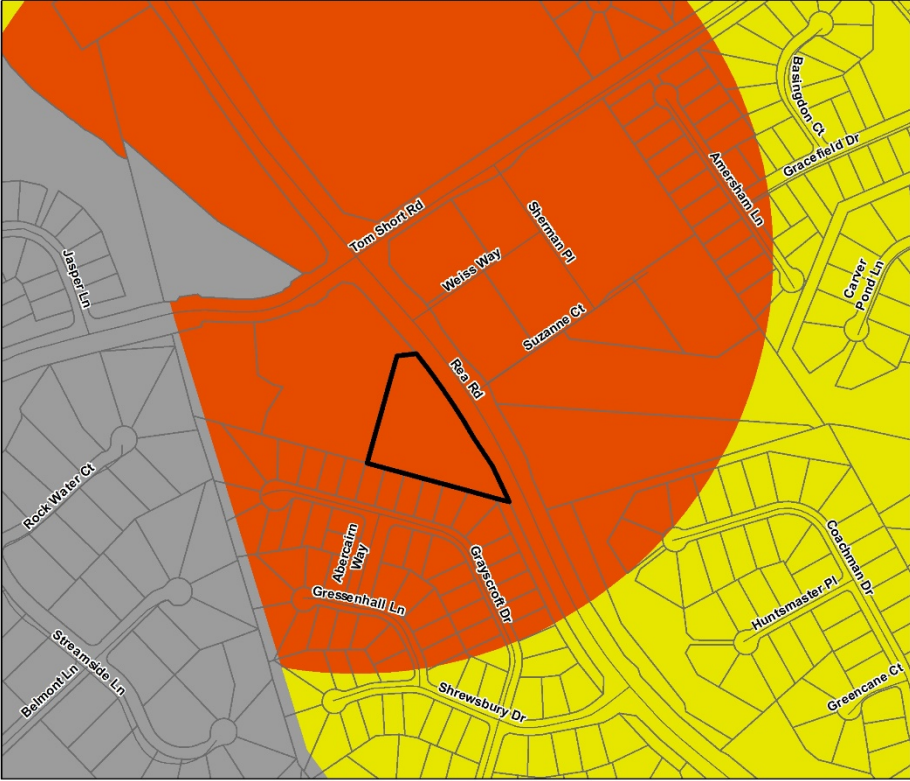
**Planning Documents**

**Union County Comprehensive Plan:** The Union County 2050 comprehensive plan identifies this area part of a small commercial center. A Small community center typically serves a larger population and includes 125,000 square feet to 400,000 of square feet of leasable space. The typical trade area of a Community Center is three to six miles. Small community centers should be anchored by a commercial use such as a grocery store or retailer. The surrounding land use is for single-family residential at a density of approximately two units per acre.

**Land Use Map**

Petition: 2024-CZ-008  
Name: Dormie

Size: 2.53 acres  
Tax Parcel: 06-201-007J



**Legend**

- Rezoning Parcel
- Municipalities
- Community Center-Small
- Single Family

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0 250 500 1,000 Feet  
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**UNIONCOUNTY**  
north carolina



**Public and Municipal Comments**

**Public Comments:** A community meeting was held October 8, 2024. Three residents attended the meeting and asked about the process for rezoning and parking requirements. No changes were made based on feedback. No additional comments have been received by staff.

**Municipal Comments:** Marvin is less than a quarter mile west of the site and were contacted for comments.

**Land Use Board Recommendation**

The Land Use Board is scheduled to review this proposal at its November 19, 2024, meeting.

### Staff Comments and Recommendation

This part of Union County is identified as a commercial node, as well as single-family residential land uses. This proposal for medical office uses is consistent with the PUD zoning for the site and the commercial node designation for the area. The proposal can meet Union County development standards and will have a low impact on adjacent roads. **Because of these aspects of the development, staff recommend approval of this rezoning application.**

**Land Use Board Advisory Consistency and Reasonableness Statement Concerning  
Proposed Amendment to the Union County Zoning Map**

The Union County Land Use Board has reviewed the rezoning petition CZ-2024-008, submitted by Dormie Equity Partners, LP (the “Applicant”) for revision of the Union County Zoning Map by amending the approved Planned Unit Development district permit with associated conditions for a 2.53 acre parcel of land appearing on the tax map as tax parcel 06-201-007J in the Sandy Ridge Township under an existing legacy PUD6-B2 zoning district.

**TO RECOMMEND APPROVAL OF THE AMENDMENT (THE PROPOSAL IS  
CONSISTENT WITH THE CURRENT PLAN)**

**Motion**

(i) Recommend approval of rezoning petition CZ-2024-008, submitted by Dormie Equity Partners, LP (the “Applicant”) for revision of the Union County Zoning Map by amending the approved Planned Unit Development district permit with associated conditions for a 2.53 acre parcel of land appearing on the tax map as tax parcel 06-201-007J in the Sandy Ridge Township under an existing legacy PUD6-B2 zoning district; and (ii) adopt the advisory consistency and reasonableness statement for recommendation of approval.

**Advisory Consistency and Reasonableness Statement**

Pursuant to N.C.G.S. § 160D-604, the Union County Land Use Board does hereby recommend that the Union County Board of Commissioners adopt the proposed map amendment, as approval is reasonable and the proposal is consistent with the currently adopted Union County Comprehensive Plan (the “Plan”). Adoption of the proposed map amendment (i) takes into account the need to amend the zoning map to meet the needs of the community, and (ii) is reasonable and in the public interest because:

1. The proposed use of a one-story multi-tenant office building is consistent with the Land Use Map (the “Map”) adopted as part of the Plan, as the Map identifies the area within which the subject property is located as a “Small Community Center.” Small Community Centers are shown in the Plan as areas at key intersections identified for commercial development. A multi-tenant office building is consistent with the commercial development identified by the Plan.
2. The proposed use is in an urbanized part of Union County, shortening trip lengths for residents utilizing the office services associated with the property .
3. The proposed use will share a driveway with an existing commercial use, reducing its impact on traffic congestion and the adjacent road.

**TO RECOMMEND DENIAL OF THE AMENDMENT (THE PROPOSAL IS  
CONSISTENT WITH THE CURRENT PLAN)**

**Motion**

(i) Recommend denial of rezoning petition CZ-2024-008, submitted by Dormie Equity Partners, LP (the “Applicant”) for revision of the Union County Zoning Map by amending the approved Planned Unit Development district permit and associated conditions for a 2.53 acre parcel of land appearing on the tax map as tax parcel 06-201-007J in the Sandy Ridge Township under an existing legacy PUD6-B2 zoning district, and (ii) adopt the advisory consistency and reasonableness statement for recommendation of denial.

**Advisory Consistency and Reasonableness Statement**

Pursuant to N.C.G.S. § 160D-604, the Union County Land Use Board does hereby recommend that the Union County Board of Commissioners deny the proposed map amendment, as denial is reasonable although the proposal is consistent with the currently adopted Union County Comprehensive Plan (the “Plan”). Denial of the proposed map amendment is reasonable and in the public interest because:

1. The proposed use would increase impervious area immediately adjacent to a floodplain, increasing the potential for flooding in the area.
2. Additional commercial use allowed in the area could result in increased congestion on the roads and streets adjacent and nearby to the property. Traffic congestion is a noted concern in the Plan.





# Union County, NC

## Staff Report

Union County Government  
Center  
500 North Main Street  
Monroe, North Carolina  
www.unioncountync.gov

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**File #:** 24-803

**Agenda Date:** 11/19/2024

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**TITLE:**

Text Amendment to Sections 5.030-B (Conventional Development) and 5.030-C (Cluster Development) of the Union County Development Ordinance

**INFORMATION CONTACT:**

Lee Jenson, Planning, Director, 704-283-3564

**ACTION REQUESTED:**

Consider recommending approval or denial of the proposed text amendments.

**PRIOR BOARD ACTIONS:**

**BACKGROUND:**

These proposed text amendments are based on recommendations outlined in the Union County 2050 Comprehensive Plan. The Comprehensive Plan outlines several strategies that will help implement the vision of the plan; one of which is helping to protect the rural character and open spaces of areas shown as "Rural Residential" in the Union County comprehensive plan. The Board of County Commissioners then established an implementation committee to make specific recommendations concerning all of the strategies. One specific recommendation concerning protecting the rural character and open spaces of Union County is to require major subdivisions in the "Rural Residential" areas to provide 30% open space. This effectively reduces the overall density of major subdivisions in the "Rural Residential" areas by 30%. These implementation strategies were approved by the Board of County Commissioners in January of 2024.

**FINANCIAL IMPACT:**

None.

## Section 5.020 Allowed Uses

Principal uses are allowed in R districts in accordance with [Section 25.010 \(Table 25-1\)](#). Not more than one principal dwelling unit is allowed on a single lot (parcel) of land unless otherwise approved as a townhouse or multi-unit development ([amended 5-18-2015](#)).

## Section 5.030 Lot and Building Regulations

### 5.030-A General

This section establishes lot and building regulations for all development in R districts. The standards vary based on zoning classification and sometimes by building and development type. These regulations are not to be interpreted as a guarantee that allowed densities and development yields can be achieved on every tract. Other factors, such as central water and central sewer service availability, health department requirements, other requirements of this ordinance or other factors may sometimes work to further limit development potential.

### 5.030-B Conventional Development ([amended 3-15-2021](#))

“Conventional development” is any development that utilizes Table 5-2 to establish minimum lot sizes.

#### 1. Applicability

The conventional development standards established in this subsection apply to all conventional development new subdivisions in all RA and R districts.

#### 2. Lot and Building Regulations

The lot and building regulations of Table 5-2 apply to all conventional development in R districts. Conventional developments are also subject to the supplemental regulations of this subsection (5.030-B).

#### 3. Density Standards

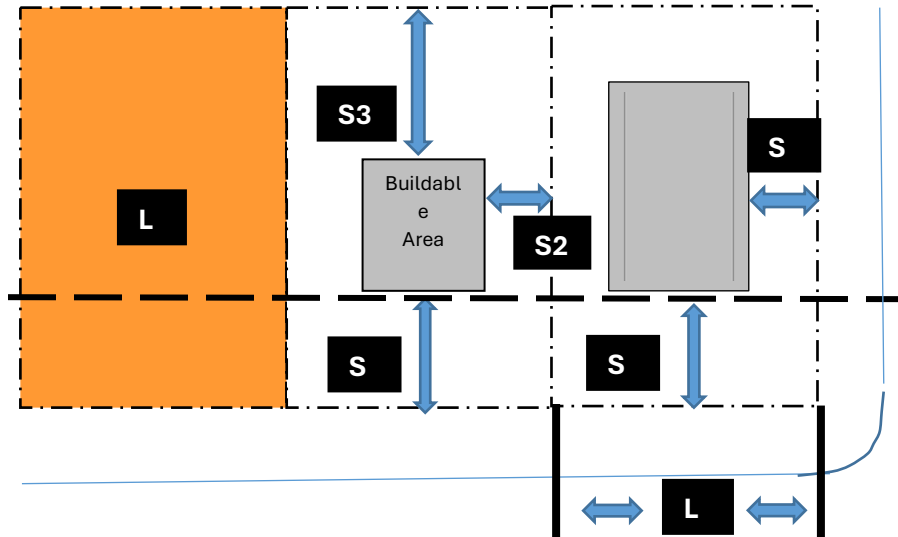
1. For Major Subdivisions utilizing conventional development standards the following density standards apply:
  - a. Density is not transferable across state roads. Existing and proposed street rights-of-way may not be counted as lot area for the purposes of calculating maximum site density.
  - b. Areas within a special flood hazard area, as shown on the Flood Insurance Rate Maps (FIRM) for Union County, and areas designated as Riparian Buffers under Article 70 of this ordinance, shall not be used to calculate maximum site density.
  - c. In areas identified as “Rural Residential” on the future land use map in the current comprehensive plan, in addition to the standard set forth above, an additional 30% of the acreage of the development site shall be set aside as common open space and shall not be used to calculate maximum site density. Common open space as required by this section shall follow the regulations set forth in Section 5.030-C(4)(b) and 5.030-C(4)(d)-(g).

*Table 5-1: R District Lot and Building Regulations--Conventional Development ([amended 8-6-2018](#))*

Regulations		RA-200	R-40 RA-40	R-20 RA-20	R-15	R-10	R-8	R-6	R-4
<b>Minimum Lot Size</b>									
L1	Area (square feet)	200,000	40,000	20,000	15,000	10,000	8,000	6,000	4,000
	Area per dwelling unit (sq. ft.)								
	Detached House	200,000	40,000	20,000	15,000	10,000	8,000	6,000	4,000
	Two-unit house	NA	30,000	15,000	11,250	7,500	6,000	4,500	3,000
	Townhouse	NA	NA	NA	NA	6,250	5,000	3,750	2,000
	Multi-unit building	NA	NA	NA	NA	6,250	5,000	3,750	2,000
L2	Width (feet) [1]	300	120	100	80	70	60	50	35
<b>Minimum Setbacks (feet)</b>									
S1	Street/front [2]	40	40	40	30	30	30	25	20
S2	Side [3]	15	15	12	10	10	10	8	5
S3	Rear	40	40	40	30	30	30	25	25
S4	Corner Side	20	20	20	15	15	15	12.5	12.5
	<b>Max. Building Height (feet)</b>	35	35	35	35	35	50	50	50
	<b>Max. Coverage for bldgs. &amp; structures</b>	40%	40%	40%	40%	40%	40%	40%	40%

- [1] Lot width does not apply to townhouses
- [2] Corner lots – one street side yard shall be ½ of the required street/front setback
- [3] For townhouses, side setbacks apply to end units only.
- [4] Non-residential uses allowed in residential districts may exceed the 35 ft. height limitation, but shall not exceed 50 ft. in overall height.

Figure 5-1: Residential Lot and Building Regulations (Conventional Development) (amended 8-6-2018)



### 5.030-C Cluster Development

“Cluster development” refers to a subdivision of detached houses that allows for smaller lot sizes than conventional developments but that results in greater preservation of common open space and no overall increase in residential density. Cluster development regulations require that a specified portion of each subdivision be set aside and permanently preserved as open space. Cluster development designs allow more compact and less costly networks of streets and utilities. They can also help reduce stormwater runoff and non-point source pollutant loading rates and can be used to help preserve an area’s semi-rural character. Cluster developments are intended to reduce stormwater runoff and flooding, preserve

natural resources, protect water quality and encourage the provision of needed open space and recreational amenities for residents.

**1. Applicability**

The cluster development option established in this subsection is available for new subdivisions in RA-200, RA-40, RA-20, R-40, R-20 and R-15 districts.

**2. Lot and Building Regulations**

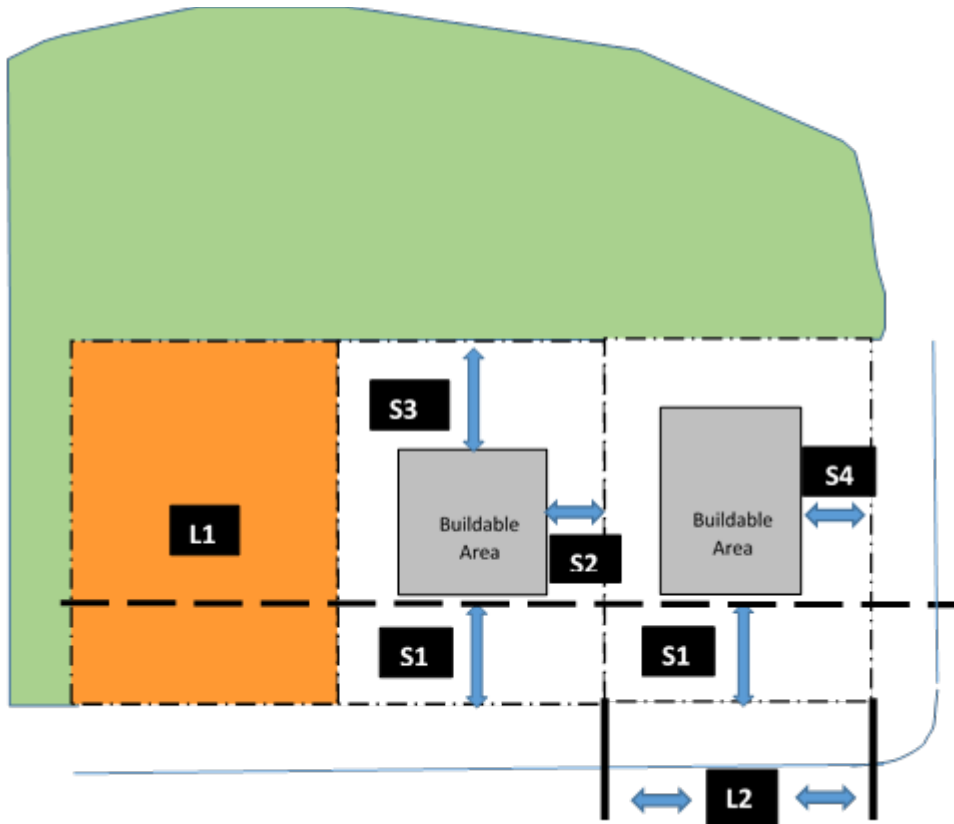
The lot and building regulations of

Table 5-3 apply to all cluster developments in R districts. Cluster developments are also subject to the supplemental regulations of this section (5.030-C).

*Table 5-2: R District Lot and Building Regulations—Cluster Development (amended 8-6-2018)*

Regulations	RA-200	R-40 RA-40	R-20 RA-20	R-15
<b>Overall Site</b>				
Minimum contiguous area (acres, gross)	100	25	25	25
Minimum open space (% site)	See §5.030-C4			
<b>Minimum Lot Size</b>				
Minimum Lot Area (sq. ft.)	87,120	20,000	15,000	10,000
<b>Minimum Setbacks (feet)</b>				
Street	25	25	25	25
Side	10	7.5	5	5
Rear	25	25	25	25
Corner Side	12.5	12.5	12.5	12.5
<b>Max. Building Height (feet)</b>	35	35	35	35

*Figure 5-2: Residential Lot and Building Regulations (Cluster Development) (amended 8-6-2018)*



### 3. Site Area and Density

- a. Lots split by state roads are considered separate lots and may not be combined to meet applicable minimum site area requirements.
- b. Density is not transferable across state roads. As required with conventional (non-cluster) subdivisions, existing and proposed street rights-of-way may not be counted as lot area for the purposes of calculating maximum site density.
- c. Areas within a special flood hazard area, as shown on the Flood Insurance Rate Maps (FIRM) for Union County, and areas designated as Riparian Buffers under Article 70 of this ordinance, shall not be used to calculate maximum site density.  
*(amended 3-15-2021)*
- d. In areas identified as "Rural Residential" on the future land use map in the current comprehensive plan, in addition the standards set forth above, an additional 30% of the acreage of the development site shall be set aside as common open space and shall not be used to calculate maximum site density.

### 4. Open Space

- a. Each cluster development must include permanently protected common open space equal to at least ~~30~~30% of the gross area of the subdivision or the difference

between the cumulative total lot area that would have been required under the conventional development minimum lot area requirements of [§5.030-B](#) and the actual cumulative total area provided within the cluster development, whichever results in a greater amount of open space.

- b. Required open space must be directly accessible to residents of the development.
- c. Street rights-of-way and waste water disposal fields may not be counted toward satisfying minimum common open space requirements, and no more than 50% of the required minimum open space area may consist of FEMA-regulated floodplain area.
- d. At least 50% of the common open space required to be set aside must be usable open space, meaning an area that is capable of being used and enjoyed for passive recreation and that:
  - (1) Is left in its natural or undisturbed state (as of the date development began), if wooded, except for the cutting of trails for walking or jogging (see below), if not wooded at the time of development is property vegetated and landscaped with the objective of creating a wooded area or other area that is consistent with the objective of providing passive recreational opportunities; or
  - (2) Consists of a pond, lake or other natural or human-made body of water.
- e. Common open space must be protected in perpetuity by a binding legal instrument that is recorded with the deed. The legal instrument must be one of the following:
  - (1) A permanent conservation easement in favor of either:
    - (a) A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization must be bona fide and in perpetual existence and the conveyance instruments must contain an appropriate provision for transfer in the event the organization becomes unable to carry out its functions;
    - (b) A governmental entity (if the entity accepting the easement is not the county, then a third right of enforcement favoring the county must be included in the easement);
  - (2) An open space tract protected by a permanent restrictive covenant for conservation purposes in favor of a governmental entity; or
  - (3) An equivalent legal tool that provides permanent protection, as approved by the county attorney.

- f. The applicant must identify the owner of the open space. The designated owner and the owner’s successors are responsible for maintaining the open space and any associated facilities. If a property owners association is the owner, membership in the association is mandatory and automatic for all property owners within the development and their successors.
- g. The applicant must submit a management plan for the open space and all common areas. The management plan must:
  - (1) Allocate responsibility and guidelines for the maintenance and operation of the open space and any associated facilities, including provisions for ongoing maintenance and for long-term capital improvements;
  - (2) Estimate the costs and staffing requirements needed for maintenance, operation and insurance and outline the means by which necessary funding will be obtained or provided; and
  - (3) Describe means of enforcing the management plan.

**5. Subdivision Design Improvements**

Unless otherwise expressly stated, cluster developments are subject to the same infrastructure and public improvement requirements (e.g., streets, trails, street trees, street lights, etc.,) as conventional developments (subdivisions).

**6. Stormwater Management**

Post-development stormwater discharge rates at the property boundary may not exceed the pre-development rate for the 2- and 25-year storm events. This regulation does not apply if discharging directly into a FEMA-regulated floodplain.

**7. Central Water and Central Sewer**

Cluster developments must have water service from a central water source and sewer service from a central sewer service provider. *(amended 5-18-2015)*

**8. Streets**

All lots shall be served by newly created interior streets. *(amended 5-18-2015)*

**9. Recreational Facilities**

Cluster developments must have at least one recreational amenity including but not limited to neighborhood pool/club house, or other recreational facilities such as bike paths, ball fields, pocket parks, walking trails, or basketball courts. These facilities must be constructed before releasing more than 75% of the lots for final plat. *(amended 5-18-2015)*



# Union County, NC

## Staff Report

Union County Government  
Center  
500 North Main Street  
Monroe, North Carolina  
www.unioncountync.gov

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**File #:** 24-806

**Agenda Date:** 11/19/2024

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**TITLE:**

Text Amendment to Table 5-2 (R District Lot and Building Regulations - Conventional Development) and 60.070 (Lots and Access) of the Union County Development Ordinance

**INFORMATION CONTACT:**

Lee Jenson, Planning, Director, 704-283-3564

**ACTION REQUESTED:**

Consider recommending approval or denial of the proposed text amendments.

**PRIOR BOARD ACTIONS:**

**BACKGROUND:**

These proposed text amendments are intended to increase safety and decrease driveway access points along major corridors in Union County. The amendments would increase lot road frontage requirements along roadways in Union County that have a posted speed limit of 45 MPH or greater. In addition, along those same roadways, lot size requirements would be increased as well, thereby, decreasing overall density for lots taking direct access along higher speed corridors.

**FINANCIAL IMPACT:**

None.



## Section 5.030 Lot and Building Regulations

Table 5-2: R District Lot and Building Regulations--Conventional Development (amended 8-6-2018)

Figure 5-1

Regulations	RA-200	R-40 RA-40	R-20 RA-20	R-15	R-10	R-8	R-6	R-4	
<b>Minimum Lot Size</b>									
L1	Area (square feet)	200,000	40,000	20,000	15,000	10,000	8,000	6,000	4,000
	Area per dwelling unit (sq. ft.)								
	Detached House	200,000	40,000	20,000	15,000	10,000	8,000	6,000	4,000
	Two-unit house	NA	30,000	15,000	11,250	7,500	6,000	4,500	3,000
	Townhouse	NA	NA	NA	NA	6,250	5,000	3,750	2,000
	Multi-unit building	NA	NA	NA	NA	6,250	5,000	3,750	2,000
L2	Width (feet) [1]	300	120	100	80	70	60	50	35
<b>Minimum Setbacks (feet)</b>									
S1	Street/front [2]	40	40	40	30	30	30	25	20
S2	Side [3]	15	15	12	10	10	10	8	5
S3	Rear	40	40	40	30	30	30	25	25
S4	Corner Side	20	20	20	15	15	15	12.5	12.5
	<b>Max. Building Height (feet)</b>	35	35	35	35	35	50	50	50
	<b>Max. Coverage for bldgs. &amp; structures</b>	40%	40%	40%	40%	40%	40%	40%	40%

[1] Lot width does not apply to townhouses

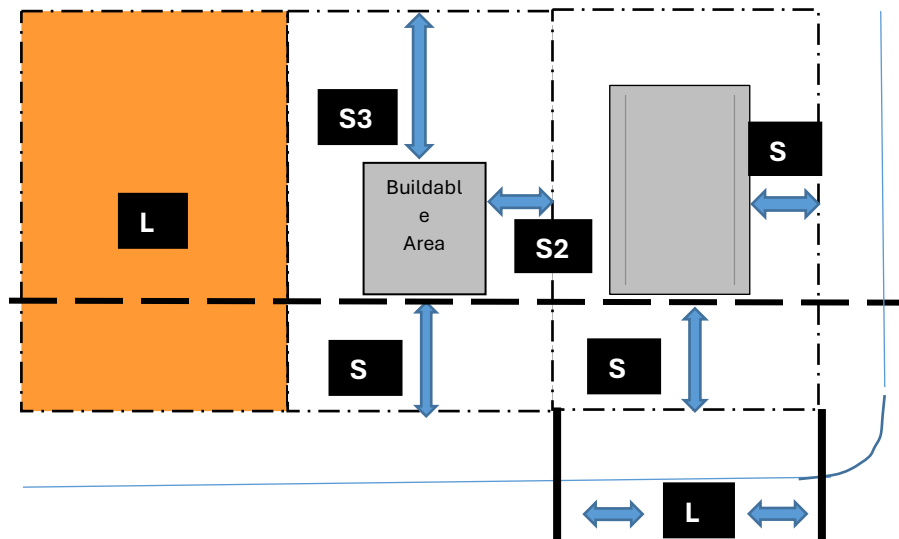
[2] Corner lots – one street side yard shall be ½ of the required street/front setback

[3] For townhouses, side setbacks apply to end units only.

[4] Non-residential uses allowed in residential districts may exceed the 35 ft. height limitation but shall not exceed 50 ft. in overall height.

[5] Lot sizes and width listed in this table apply only to properties which do not have public road frontage or which have frontage on public which have speed limits of less than 40 mph. For lots fronting on roads with a posted speed limit of 40mph or greater, please refer to section 60.070-A (3) for additional requirements.

Figure 5-1: Residential Lot and Building Regulations (Conventional Development) (amended 8-6-2018)



## Section 60.070 Lots and Access

### 60.070-A Lots

1. The size, shape and orientation of lots must comply with applicable zoning district standards and be appropriate for the location, topography and physical features present and for the type of development and use contemplated.
2. Minimum lot dimensions, building setback lines and lot areas must conform to applicable zoning district requirements.
3. In all residential zoning districts except RA-200, for lots with frontage on public roads with a speed limit of 40 mph or greater, the following standards apply:
  - a. For lots with frontage on public roads with a speed limit between 40 mph and 54 mph, the minimum lot size shall be 60,000 square feet, with a minimum of 150 feet of road frontage.
  - b. For lots with frontage on public roads with a speed limit of 55 mph or higher, the minimum lot size shall be 80,000 square feet with a minimum 240 feet of road frontage (unless it meets the criteria of subsection (c) immediately below.
  - c. For lots with frontage on public roads with a speed limit of 55 mph or higher that are less than two miles in length, the minimum lot size shall be 60,000 square feet with a minimum of 150 feet of road frontage.