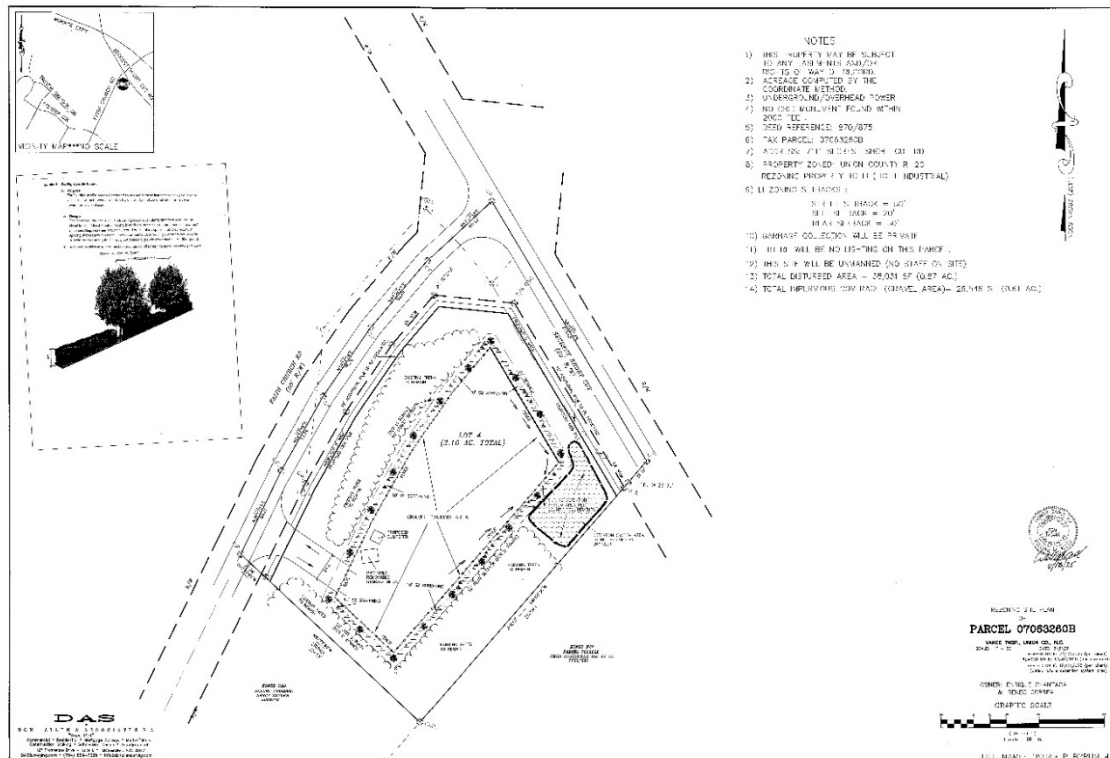


Planning Staff Report - Rezoning Case # CZ-2025-005
Staff Contact: Bjorn Hansen, Senior Planner

Summary of Request

This case is requesting to rezone one parcel totaling 2.027 acres appearing on the tax map as tax parcel 07-063-260B at the intersection of Faith Church and Secrest Shortcut Roads from R-20 to Light Industrial (CZ) with Amended Conditions. The rezoning will include the following conditions:

- 1) Limited to approved site plan dated August 18, 2025
- 2) Uses limited to tow truck impound yard
- 3) Mitigation for unauthorized tree removal in required setbacks, specifically replanting 125% of all removed trees 12" in diameter or greater, including trees previously located in proposed stormwater pond
- 4) Five-year vesting of development rights
- 5) Development will meet all requirements of the Union County Unified Development Ordinance on the date of approval



Owner/Applicant

Owner: Enrique Tristan Chantaca and Ireneo Correa Garcia
208 Midway Drive
Indian Trail, NC 28079

Applicant: Ireneo Correa Garcia
208 Midway Drive
Indian Trail, NC 28079

Property Information

Location: On the southern corner of the intersection of Faith Church and Secrest Shortcut Roads.
Location more specifically described as tax parcel 07-063-260B.



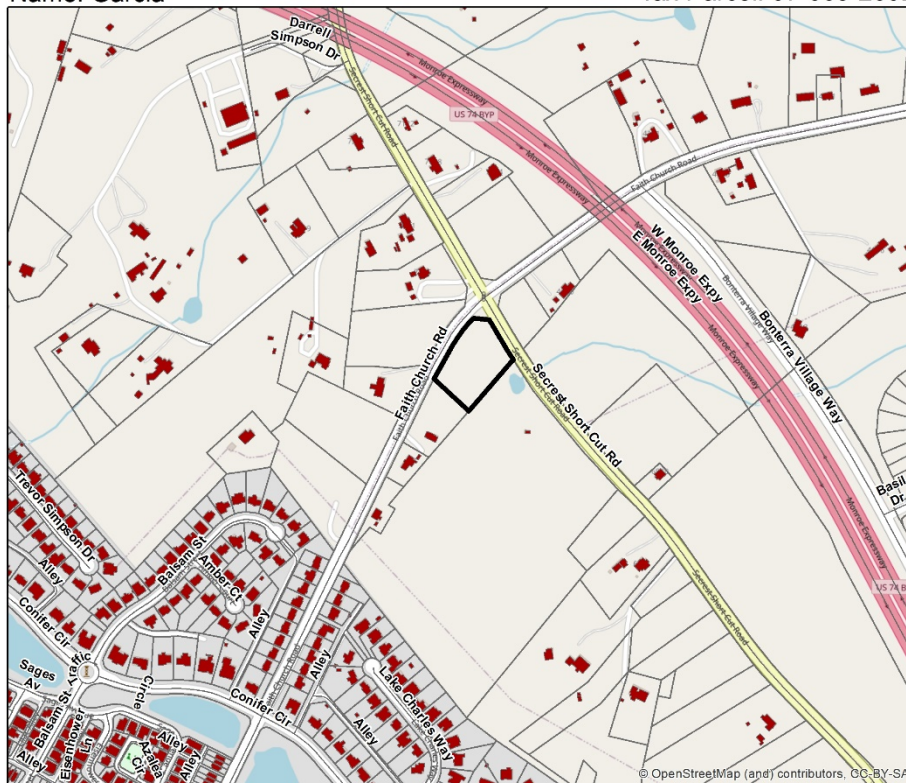
Municipal Proximity: The site is inside Hemby Bridge, less than 0.2 miles east of Lake Park, and less than 0.2 miles north of Indian Trail.

Existing Land Use and Development Status: The parcel is currently zoned R-20. The property is nearly fully logged but undeveloped.

Development Status

Petition: 2025-CZ-005
Name: Garcia

Size: 2.027 acres
Tax Parcel: 07-063-260B



Legend

- Rezoning Parcel
- Structures 2023

Data Disclaimer
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Map Disclaimer
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Environmental Features: There are no streams, floodplains or wetlands in the parcel. The site was recently logged, which may have resulted in the removal of trees that would have been protected as part of required setbacks. The number of impacted trees would be determined as part of the site plan review process, which then would be mitigated at 125% of the number removed, including trees previously located in proposed stormwater pond.

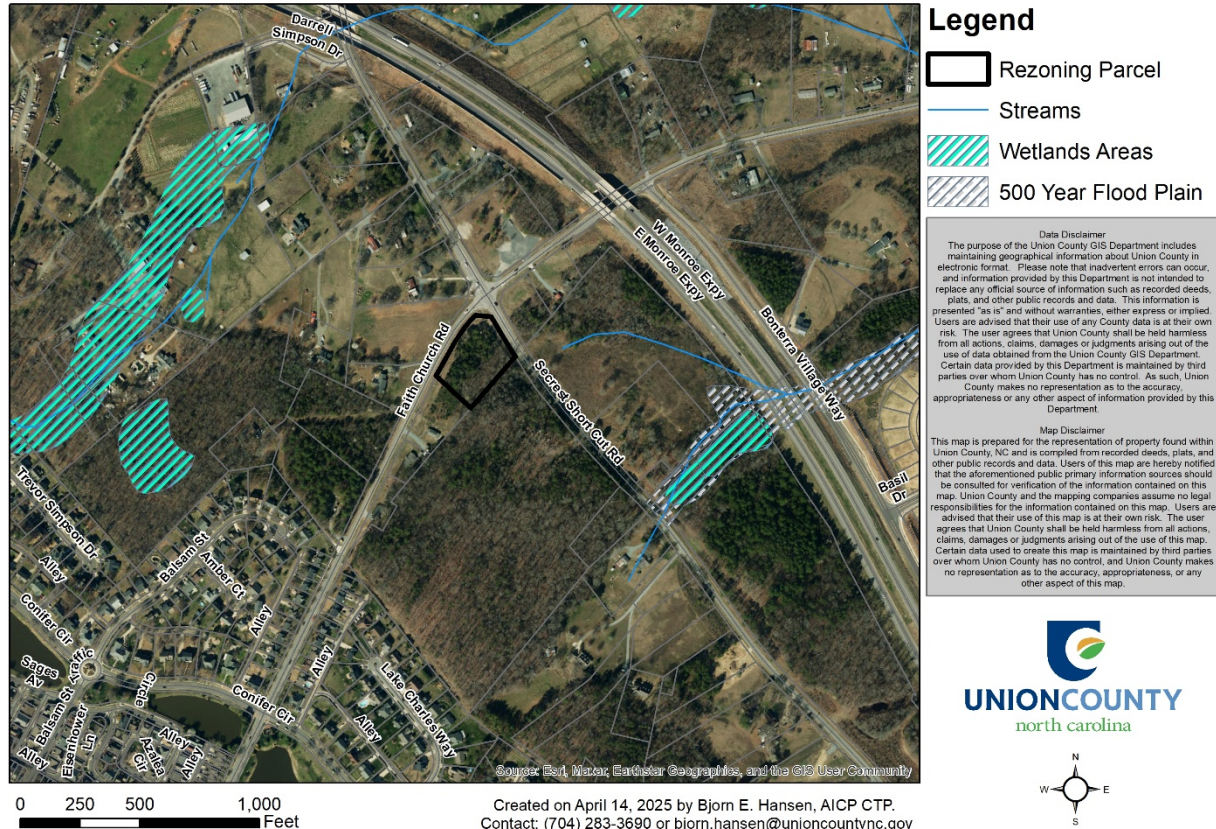
Environmental Features

Petition: 2025-CZ-005

Name: Garcia

Size: 2.027 acres

Tax Parcel: 07-063-260B



Utilities: Public water is available to the site. The proposed use will not require utility service.

Zoning and Land Use History: The parcel site has been zoned R-20 since zoning was initiated in Union County. There have been no previous rezoning requests for this property. A downzoning from R-20 to RA-40 on 2.2 acres was approved in 1998 approximately ¼ mile south of the site. A special use permit on a parcel 0.2 miles south of the site was approved in 1984 for a musical hobby shop. There have been no other zoning actions in the immediate vicinity of the proposed rezoning.

Transportation: This parcel is on the intersection of Faith Church and Secrest Shortcut Roads, both of which are NCDOT-maintained facilities. The proposed use would have access from Faith Church Road. The proposed use would have a very low traffic impact, with no discernable peak hour. There are no funded road improvement projects in the immediate vicinity of the rezoning. A Traffic Impact Analysis was not required for this rezoning. The site would include sidewalks along the frontage of both roads.

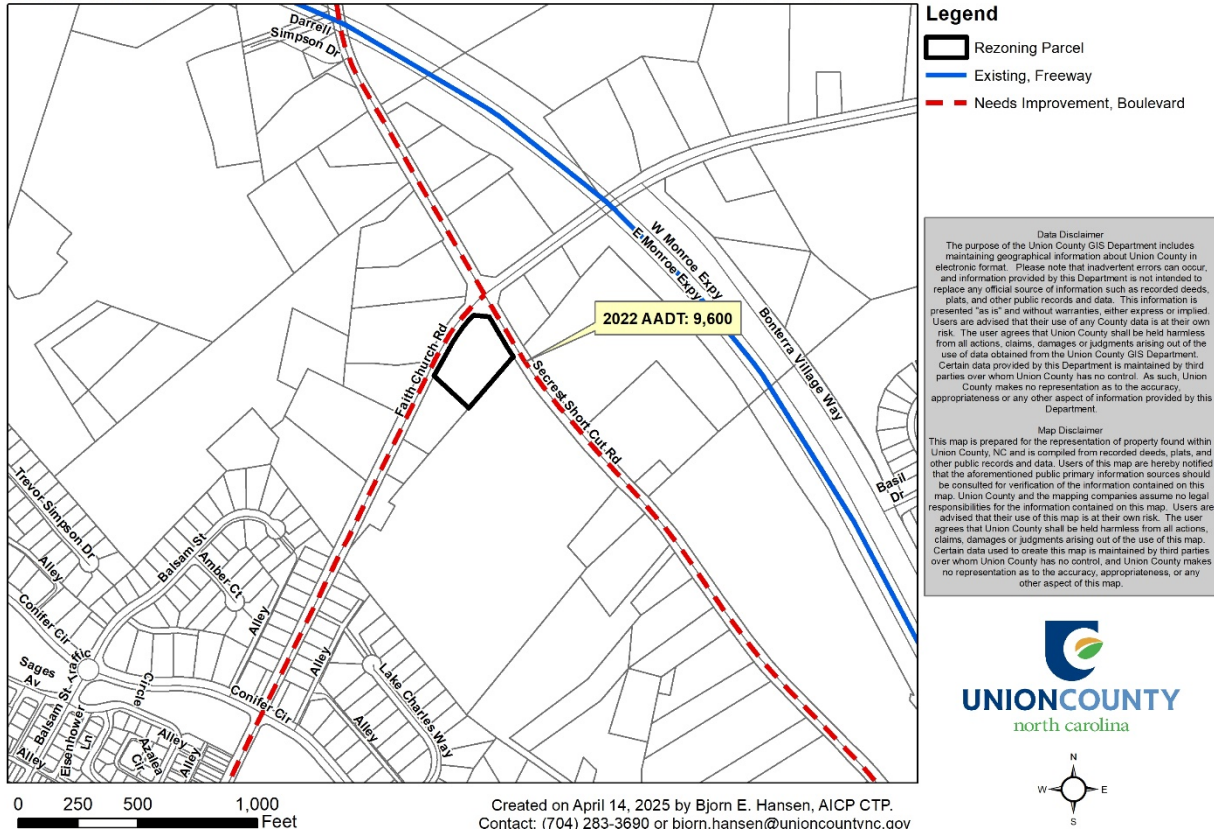
Transportation

Petition: 2025-CZ-005

Name: Garcia

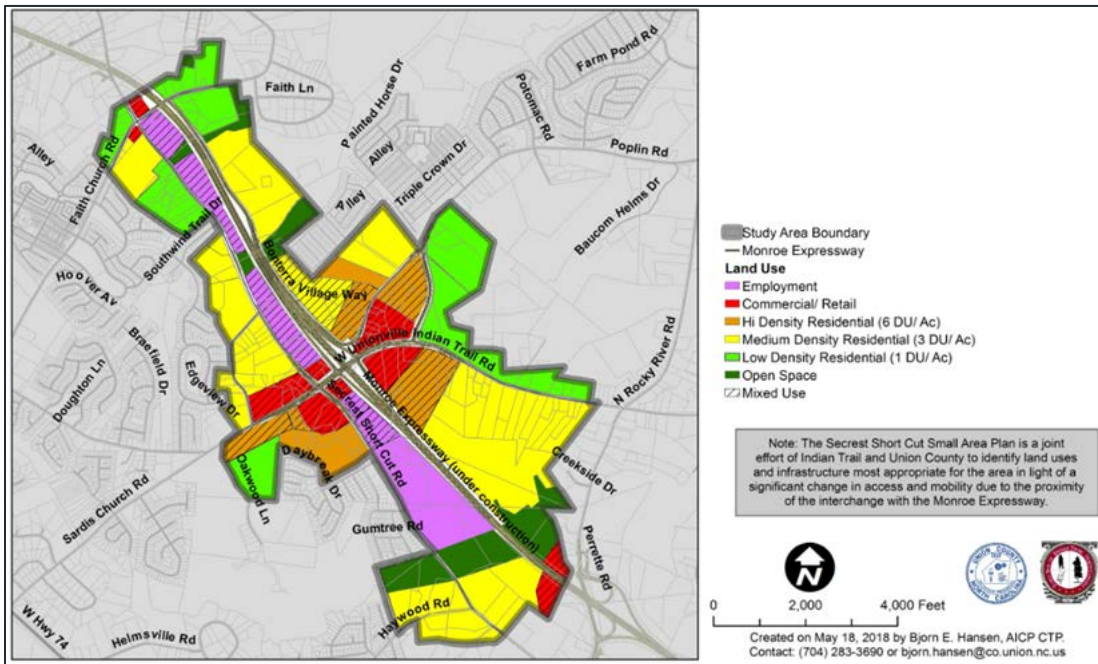
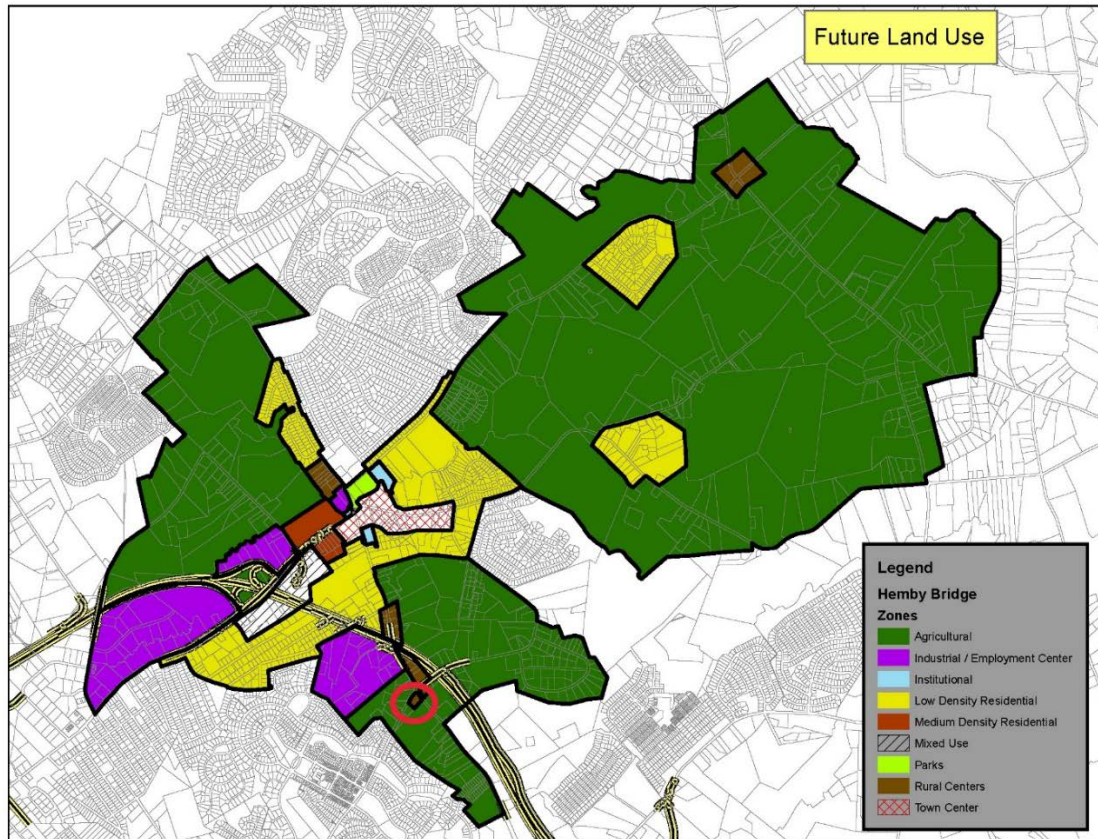
Size: 2.027 acres

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Planning Documents

Hemby Bridge Land Use Plan: This parcel is inside the Town of Hemby Bridge. Two planning documents apply to this parcel- the Hemby Bridge Land Use Plan and the Secret Shortcut Small Area Plan. Both plans identify this parcel as commercial as part of a small rural center. The Hemby Bridge Land Use Plan specifically says that new development in these areas should be relatively small scale and handled through the conditional rezoning process. The Plan does make recommendations for industrial areas, so the commercial designation for this area does not envision industrial uses.



Public and Municipal Comments

Public Comments: A community meeting was held November 26, 2025. One member of the public attended. Because the meeting was the night before Thanksgiving, the applicant elected to hold a second community meeting, which occurred December 8, 2025. A total of 13 residents attended the meeting, expressing concerns over the trees cut down, driveway access, and incompatible uses with nearby uses.

Four residents have submitted comments opposing the rezoning, citing incompatible land use, traffic, and impacts on property values.

Municipal Comments: Hemby Bridge, Indian Trail, and Lake Park were contacted for comments. Each municipality provided comments.

- Hemby Bridge: The Town Council took action on September 16, 2025, opposing the proposed development.
- Lake Park: The Village responded stating they were not in support of changing the zoning from residential to commercial.
- Indian Trail: The Town responded that they strongly oppose this request, with the following details:
 - The agreed upon goals in this area was to create an employment center and grow the commercial tax base. This request is not the highest and best use for the property and does not meet the goals of Union County or the Town of Indian Trail. The following information below outlines the details of why this request should be denied.
 - This parcel falls into the plan that was jointly adopted by Indian Trail and Union County entitled The Secrest Short Cut Road Small Area Plan. The following are a few comments after looking at this Plan with the rezoning in mind:
 - Parcel is shown as mixed use/commercial-retail. This request does not fit within a mixed-use type of development.
 - This rezoning request would not be compatible with the following goals of the Small Area Plan:
 - Goal 2: Accommodate commercial and retail opportunities per the recommended map to attract consumers traversing the County on the Expressway.
 - Strategy 2.1: Support rezoning of properties to retail uses that are well designed within the mixed-use areas to complement the mix of uses and capture retail sales in the area.
 - Strategy 2.2: Support service industry uses to support existing and future residents and create local jobs.
 - Goal 4: Create a Sense of Place in Identified Mixed Use Areas
 - Strategy 4.1: Encourage density and a mix of uses in identified mixed use areas.
 - Strategy 4.2: Require community amenities and gathering places in identified mixed use areas.

Land Use Board Recommendation

The Land Use Board reviewed this proposed rezoning and unanimously recommended denial at its December 16, 2025, meeting, citing inconsistency with adopted land use plans and surrounding land uses.

Staff Comments and Recommendation

This part of Hemby Bridge is identified for limited commercial uses reviewed through the conditional rezoning process. The applicant has requested this rezoning to allow their growing business to move out of a residential area. While limited in nature and being considered through the conditional rezoning process consistent with approved plans, this request is industrial in nature and will have no employees on site. These uses are therefore inconsistent with the approved plans for the area. **Because of these aspects of the development, staff recommend denial of this rezoning application.**