

Planning Staff Report - Rezoning Case # CZ-2025-002

Staff Contact: Bjorn Hansen, Senior Planner

Summary of Request

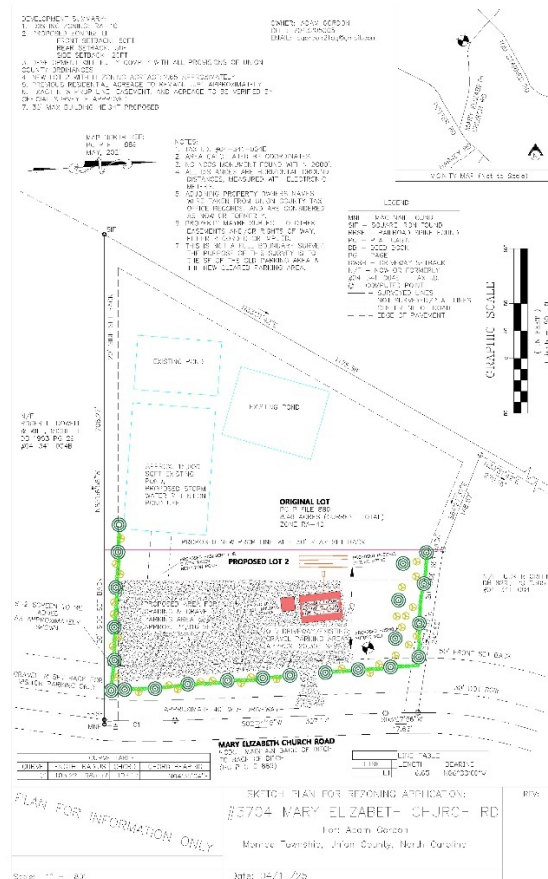
This case is requesting to rezone a 2.65 acre portion of one parcel totaling 8.46 acres appearing on the tax map as tax parcel 04-341-004E from RA-40 to Light Industrial (LI) with Conditions; located in the Jackson Township. The request is to allow an existing vehicle repair business to come into compliance with zoning. The rezoning will include the following conditions:

- 1) Limited to site plan dated April 11, 2025
- 2) Uses limited to personal and commercial vehicle repair and maintenance
- 3) 2.65 acre portion will be subdivided with LI with Conditions zoning applied
- 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

Planning Department

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unioncountync.gov



Owner: Adam and Colby Gordon
3704 Mary Elizabeth Church Road
Waxhaw, NC 28173

unioncountync.gov

Property Information

Location: On the west side of Mary Elizabeth Church Road north of South Potter Road. Location more specifically described as tax parcel 04-341-004E.



Municipal Proximity: The site is slightly more than three miles from the Town of Waxhaw.

Existing Land Use and Development Status: The parcel is currently zoned RA-40. There is a residence and vehicular storage on the site, which is associated with vehicular repair operation across the street. Approximately one-half acre of the proposed vehicular storage is legal non-conforming and could continue if the rezoning were denied.

South of Site

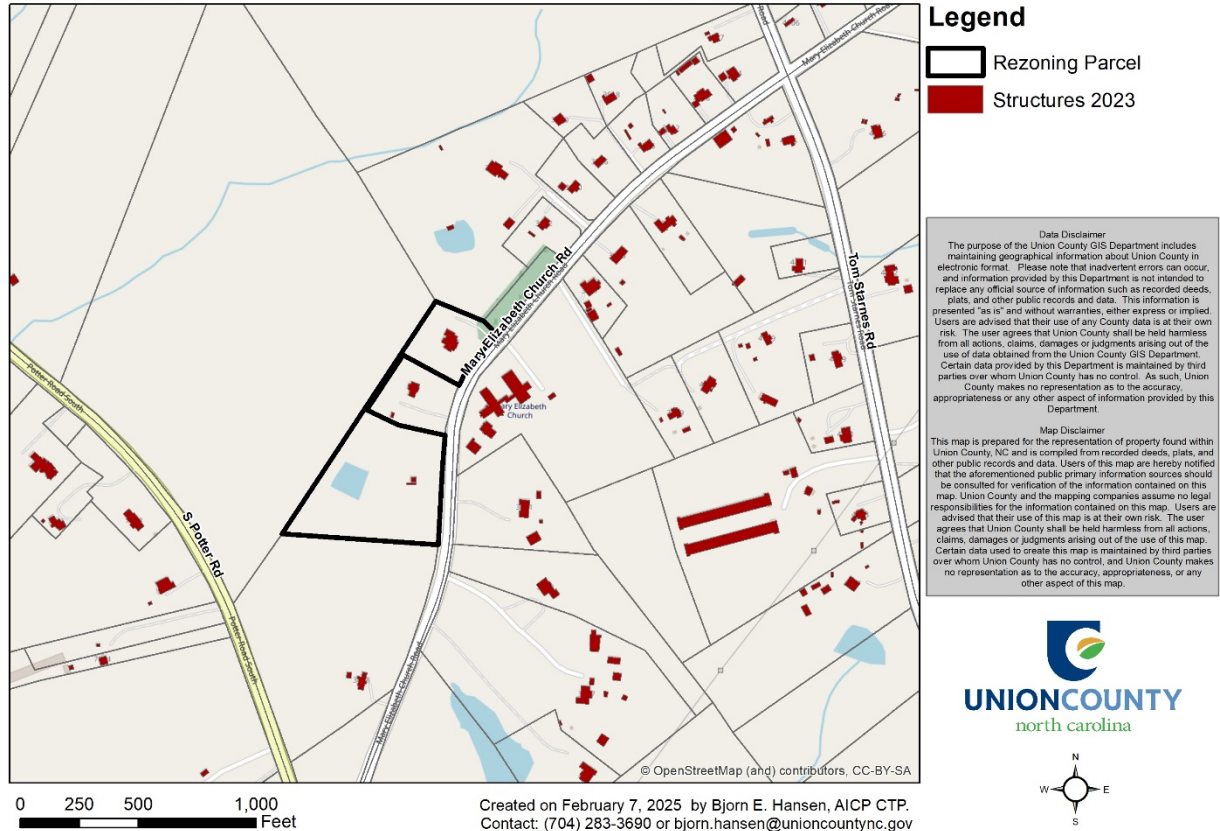
Development Status

Petition: 2025-CZ-002

Name: Gordon

Size: 8.46 acres

Tax Parcel: 04-341-004E



Environmental Features: There are no streams, wetlands or floodplain on site. One of the existing ponds on site will be used for stormwater detention.

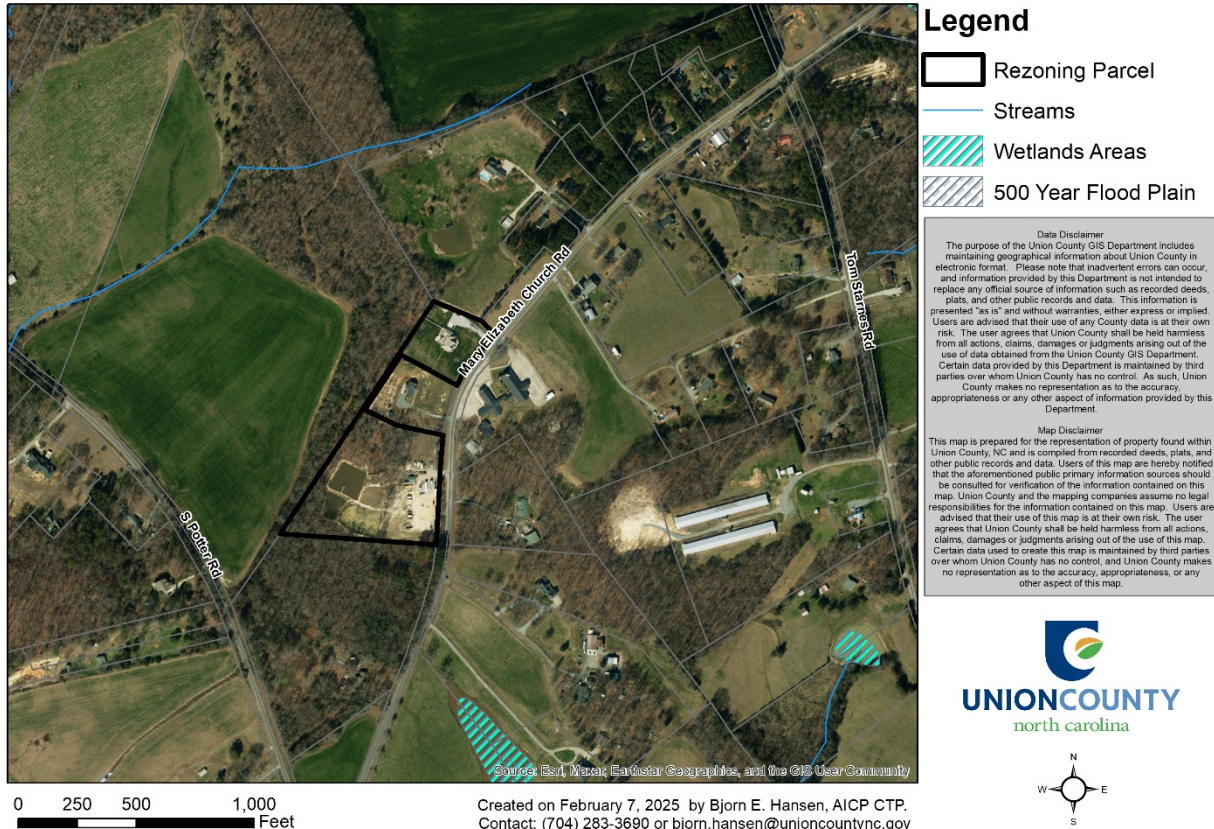
Environmental Features

Petition: 2025-CZ-002

Name: Gordon

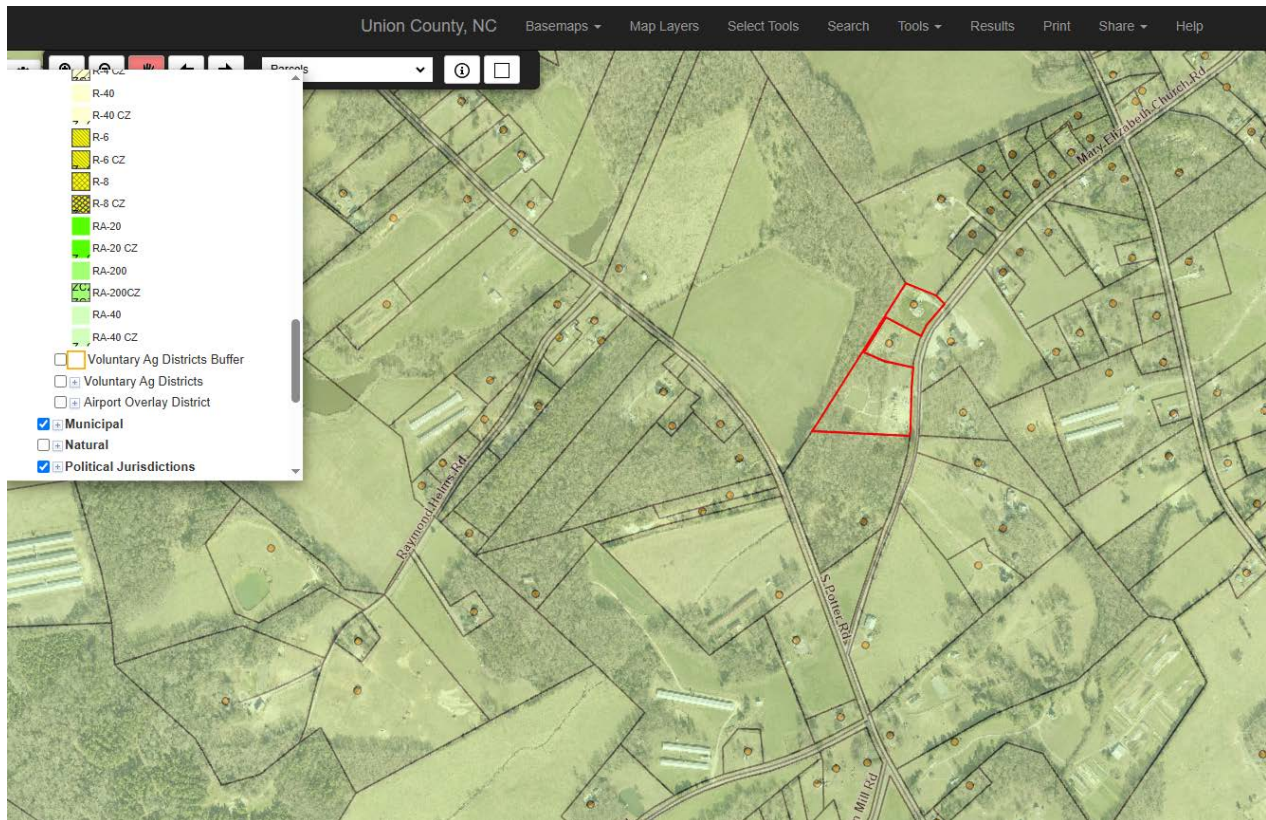
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Utilities: Public water and sewer are not available to the site.

Zoning and Land Use History: The parcel site has been zoned RA-40 since zoning was initiated. There was a one acre rezoning from R-40 to R-20 in 1984 approximately a mile north of the site. The same parcel rezoned from R-20 to RA in 1985. There was a one acre rezoning from R-40 to R-20 in 1984 a half mile north of the site. The Board of Adjustment approved a special use permit for 5,000 SF manufacturing facility in 2006 a half mile west of site and a special use permit for boarding kennel in 2005 one mile west of the site.



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

Transportation: This site is on Mary Elizabeth Church Road, which is a NCDOT-maintained facility. The road does not have an established traffic count, an indication of its low volumes. There are no funded road improvement projects in the immediate vicinity of the rezoning. A traffic Impact Analysis was not required for this rezoning. There is no expected change in traffic as a result of this rezoning as no new uses are proposed.

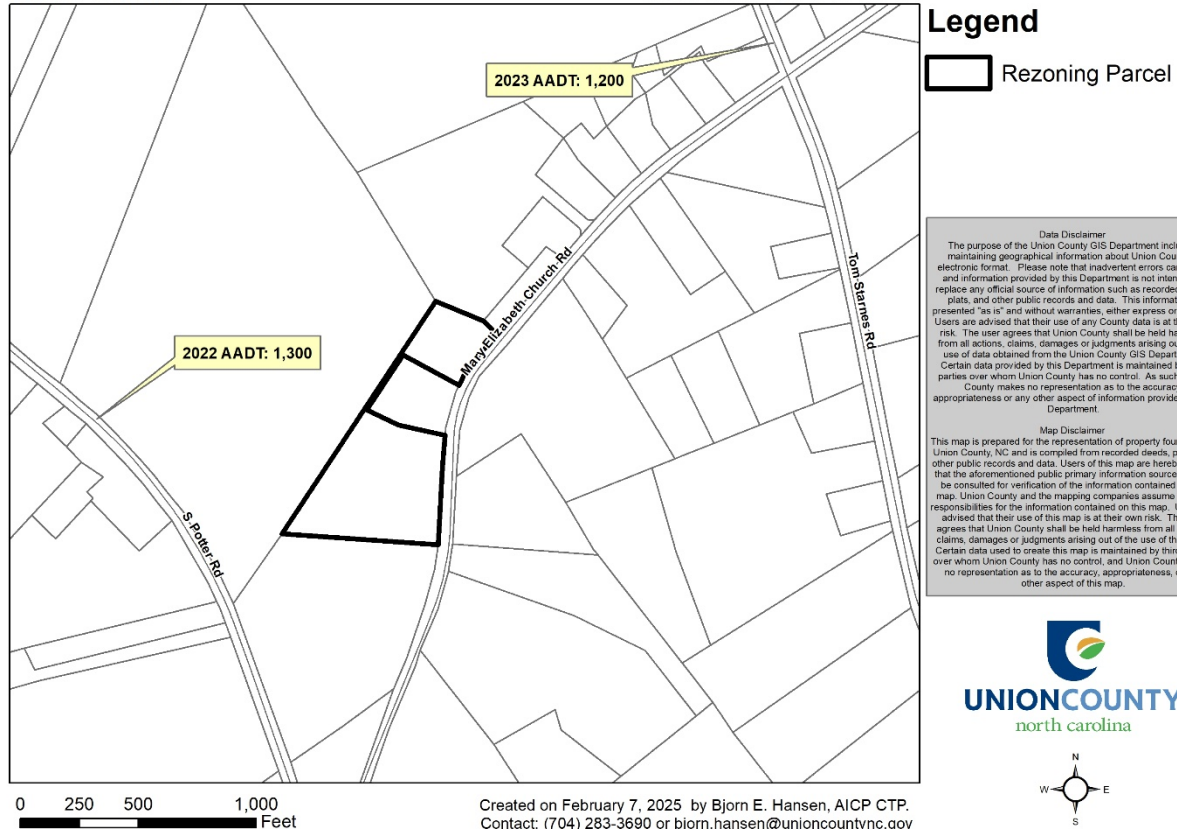
Transportation

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Planning Documents

Union County Comprehensive Plan: The Union County 2050 comprehensive plan identifies this area as a Rural Residential area. The closest areas recommended for industrial are along NC 75, approximately four miles to the north. The proposed Light Industrial use is therefore considered inconsistent with the current plan.

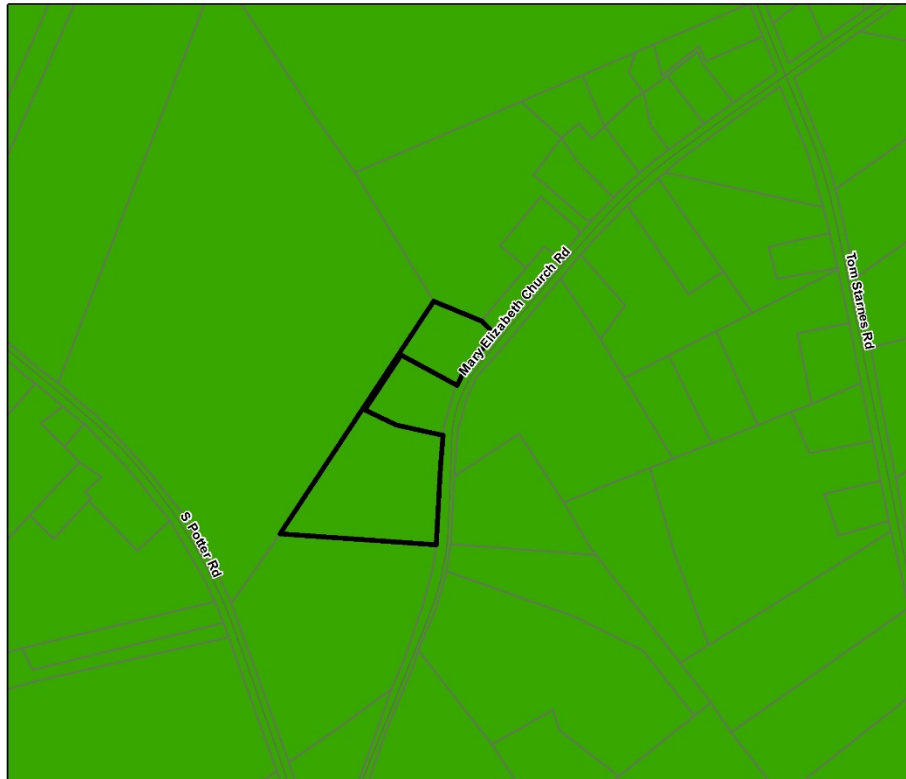
Land Use Map

Petition: 2025-CZ-002



Name: Gordon

Size: 8.46 acres

Tax Parcel: 04-341-004E



Legend

-  Rezoning Parcel
-  Rural Residential

Data Disclaimer
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Public and Municipal Comments

Public Comments: A community meeting was held April 28, 2025. One member of the public attended. They did not oppose the proposed use but had questions about other potential industrial uses in the future. It was explained that no other uses would be allowed without an additional rezoning. No changes were made based on feedback.

One emailed comment has been received by a nearby resident, citing impacts on value of land and appearance. Two residents spoke at the Land Use Board meeting, one in favor and one against.

Municipal Comments: Waxhaw was not consulted for comments due to the distance to the town limits.

Land Use Board Recommendation

The Land Use Board reviewed this proposed development at its May 20, 2025, meeting. The Board recommended denial on a 4-3 vote, citing concerns over impact on local roads and incompatible industrial uses near residential areas.

Staff Comments and Recommendation

This part of Union County is identified for rural residential and agricultural land uses. The rezoning does not propose new uses from what area already occurring on site, although the area being proposed would be nearly five times the legal non-conforming areas. The proposed parcels and site plan can comply with unified development ordinance, but the use is not consistent with the adopted plan.

Because of these aspects of the development, staff recommend denial of this rezoning application.