



# Union County, NC

## Land Use Board

### Meeting Agenda

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Tuesday, January 28, 2025

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

[25-042](#) November 19, 2024 Land Use Board Minutes

**Attachments:** [2024.11.19 LUB Minutes](#)

#### Agenda Item(s)

[25-045](#) Conditional Rezoning Case CZ-2024-007 Gold Branch

##### **DETERMINATION OF CONFLICTS**

##### **INFORMATION CONTACT:**

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

##### **ACTION REQUESTED:**

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

##### **BACKGROUND:**

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 08-312-014 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. 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.
7. 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
8. 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.
9. 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.
10. 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.
11. 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.

A community meeting was held January 7, 2025. Approximately 55 residents attended the meeting and asked about the process for rezoning, traffic concerns, smell from septic fields, impact on taxes from additional development, units converted to rentals, and fire response. No changes were made based on feedback. Two residents have emailed comments, citing concerns over the abandoned well on site, traffic impacts, and preserving rural character.

**FINANCIAL IMPACT:**

\$500,000 contribution for future road improvements.

- Attachments:** [2024-CZ-007 Gold Branch Application](#)  
[CZ-2024-007 Gold Branch staff report LUB](#)  
[2024-CZ-007 Gold Branch Letter of Intent](#)  
[2024-CZ-007 Gold Branch site plan no phasing 11-8-24](#)  
[Public comments](#)  
[Land Use Board Advisory Consistency and Reasonableness Statements - CZ-2024-007 \(Gold Branch\)](#)  
[Fairview Mill Grove comments 10-3-24](#)  
[Stallings comments 10-16-24](#)  
[2024-12-20 SS Purser & BV Belk TIA UPDATE REPORT+APPENDIX](#)

**25-050**

**Conditional Rezoning CZ-2024-006 New Salem**

**DETERMINATION OF CONFLICTS**

**INFORMATION CONTACT:**

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

**ACTION REQUESTED:**

Recommend approval or denial of proposed rezoning to Board of Commissioners

**BACKGROUND:**

This case is a rezoning request, petition CZ-2024-006, submitted by Terry and Deborah Stevens requesting a revision of the Union County Zoning Map by rezoning two parcels totaling 2.5 acres appearing on the tax map as tax parcels 01-234-006 and 01-234-006A from RA-40 to Light Industrial (LI) with Conditions, including consolidating the aforementioned parcels; located in the New Salem Township. 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 December 9, 2024.
4. A six foot opaque fence will be installed parallel to the northern border of the property.

A community meeting was held January 14, 2025. Three residents attended the meeting and asked about previously permitted septic fields on adjacent parcels, ability to operate the business if sold, and lighting glare on adjacent parcels. No changes were made based on feedback. No additional comments have been received by staff.

**FINANCIAL IMPACT:**

None.

**Attachments:** [2024-CZ-006 New Salem Application](#)  
[2024-CZ-006 New Salem Site Plan 12-9-24](#)  
[2024-CZ-006 New Salem Letter of Intent](#)  
[CZ-2024-006 New Salem staff report LUB](#)  
[Land Use Board Advisory Consistency and Reasonableness Statements - CZ-2024-006 \(New Salem\)](#)

**Planning Staff Report**

**Brief Comments**

**Adjournment**