



## Rowan County Planning and Development Department

402 North Main Street ■ Room 204 ■ Salisbury, N.C. 28144-4341

Phone: 704-216-8588 ■ Fax: 704-638-3130

### Map Amendment Request Z 08-16

#### MEMORANDUM

TO: Chairman Jones and Planning Board Members  
FROM: Ed Muire, Planning Director  
RE: AH Inc. Request for CBI designation  
DATE: July 12, 2016

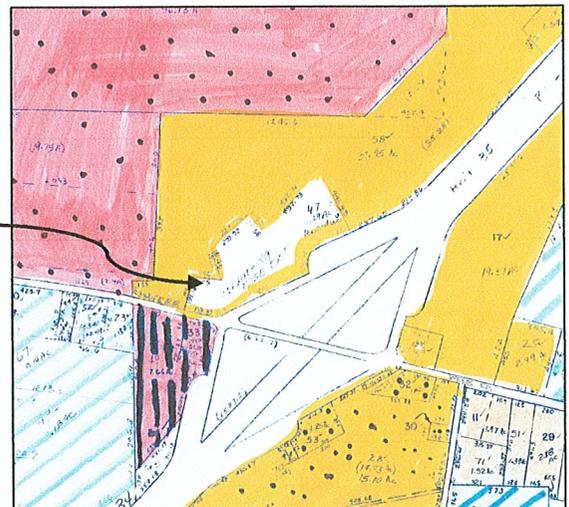
#### REQUEST

- **Map Amendment Z 08-16:** David Wood, President of AH Inc., requests the designation of Tax Parcel 409-047 and an approximate three (3) acre portion of Tax Parcel 409-058 be changed from Rural Agricultural (RA) to Commercial, Business, Industrial (CBI); application is included as Attachment 1. The site is located on Auction Drive (SR #2585) which is an I-85 service Road off Webb Rd.

#### BACKGROUND

As noted in previous Staff reports for requests located in the portion of Rowan County centered along I-85, the north-south area between China Grove and Salisbury and bounded on the east by Old Concord Rd and west by Grants Creek was zoned CBI during initial countywide zoning effort in 1998. A 2002 Commission initiated study reviewed the economic development potential of tracts within this area, resulting in the creation of economic development zoning designations for some tracts, overlay designations or CBI for others.

The inset depicts a portion of the old Litaker Township Zoning Atlas Map 409 indicating the parcel in question was owned by NC DOT (“everything else DOT”), therefore development potential was deemed nil and remained RA. In fact, AH Inc. acquired the property from NCDOT in 1997, but the text on the tax map was never “updated” to reflect such.



#### ZONING CRITERIA [ref. Section 21-362(i)]

##### I. *Relationship and Conformity with any Adopted Plans or Policies*

- Land Use Plan for Areas East of I-85: The site is located in the Highway Corridor area of this adopted plan. Future Land Use Recommendations for this area between I-85 and US 29 suggest:

- A. Commercial and industrial uses, as well as mixed use development are encouraged within the I-85, US 29 corridor of the Planning Area. This includes:
  - i. The adaptive reuse or redevelopment of existing structures or sites that are complementary to the corridor. Infill commercial and aggregating smaller tracts for development is preferred.
  - ii. Heavy impact uses that are complimentary to the rail corridor paralleling I-85 and US 29 that do not compromise existing businesses or residential uses may be appropriate for consideration. Heavy impact uses should utilize existing highway, rail and utility infrastructure.
  - iii. The corridor area between Salisbury and China Grove may be appropriate for light manufacturing, advanced manufacturing, distribution, biotechnology industries and motor sports industries. It may also be the ideal location for corporate headquarters that require frontage, acreage and/or visibility from I-85.
- B. Consider the size, scale and density of new projects for requiring connection to existing public utilities. The use or extension of existing and planned water and sewer utilities is encouraged.
- C. Perimeter landscaping and parking on sides and rear of buildings is suggested.

Airport Master Plan. The site is located within the approach surface of the Rowan County Airport and therefore subject to the Airport Zoning Overlay (AZO) guidelines. Within the approach surface, AZO standards limit structures to a maximum height based on a 50:1 slope ratio. In the general vicinity of this request, maximum structure height is approximately 275’.

**II. Consistency with this Article and Requested Zoning District**

*Purpose and Intent:* The purpose of the CBI district is to create areas allowing a “wide range of commercial, business and light industrial activities which provide goods and services. This district is typically for more densely developed suburban areas, major transportation corridors and major cross-roads communities.”

The intent of this request seeks to join the surrounding CBI district, thereby creating a uniform CBI designation along Auction Drive (SR #2585). Auction Drive functions as an I-85 service road accessed by Peeler Road satisfying the CBI locational standard within a ‘major transportation corridor’.

**III. Compatibility of all uses within the Proposed Zoning District Classification with other Property and Conditions in the Vicinity**

*Proposed District:* The request is currently a four (4) acre “island” of RA zoning surrounded by 160 acres of CBI and 371 acres of 85-ED-2 zoning. Granting the request will eliminate any compatibility concerns by creating a uniform CBI district in this area and be supported by Future Land Use Recommendation A. iii.

*Vicinity Conditions:* TP: 409-047 contains a manufactured home that has been utilized for business purposes and the portion of TP: 409-058 requested for rezoning is vacant. The Z 08-16 site is bordered by a 100’ Duke Power right-of-way and a significant portion of the TP: 409-058 is impacted by the Town Creek floodplain. Immediately adjacent at 350 Auction Drive is a 5800 sq ft commercial building that has housed several commercial ventures and at 460 Auction Drive is the former sales office of Pilot Homes; both of these structures are zoned CBI. North and west of the parcel boundaries is vacant 85-ED-2 zoning that includes the Platinum site. A thirty (30) acre portion

of the Platinum site was considered by the Planning Board in February 2016 as the Z 04-16 request and recommended for a general rezoning changing from 85-ED-2 to Industrial. Ultimately, the Z 04-16 request was approved by the County Commission with issuance of a conditional use permit (CUP 02-16) for a solar facility.

#### **IV. Potential Impacts on Facilities such as Roads, Utilities, Schools**

*Roads:* Auction Drive's operation as an I-85 service road relative to the general rezoning is unknown since no design capacity is readily available. However, function of Webb Road should not be negatively impacted by the rezoning site given the design capacity of the road is 12,200 vehicles per day. The 2014 NCDOT Annual Average Daily Traffic count for a location on Webb Rd. east of the I-85 North on ramp is 3000 and at S. Main Street (US 29 Hwy) is 4200.

*Utilities:* If the rezoning site is developed as part of a project involving the larger parcel and adjacent CBI district, it is likely that municipal water and sewer in the vicinity will be utilized. However, structures on site and along Auction Drive have well and septic systems.

*Schools:* Not applicable.

#### **PROCEDURES**

Given the Z 08-16 is enveloped by CBI zoning, Staff opinion is that no statement of reasonableness is required. However, a statement of consistency providing a recommendation to the Commission to approve or deny Z 08-16 is necessary [worksheet attached] and should reflect the relationship between the request and any of the zoning criteria addressed herein.

#### **STAFF RECOMMENDATION**

Forward a favorable recommendation to the County Commission for the Z 08-16 request based on its consistency with:

- Future Land Use Recommendation A. iii. of the East Rowan Land Use Plan
- CBI locational standard within a major transportation corridor
- Compatibility with surrounding CBI zoning



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Planning & Development  
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Case # Z 08.16  
Date Filed 7.6.16  
Received By MEM  
Amount Paid \$300 CE #7361  
**Office Use Only**

**REZONING APPLICATION**

OWNERSHIP INFORMATION:

Name: A H Inc.  
Signature: David S. Wood Pres.  
Phone: (704) 202-5592 Email: DAVID W @ PILOT HOMES . COM  
Address: 2710 S. Main Street Suite E1  
Salisbury, NC 28147

APPLICANT / AGENT INFORMATION (Complete affidavit on back if other than owner):

Name: David Wood  
Signature: David S. Wood  
Phone: 704-202-5592 Email: \_\_\_\_\_  
Address: P.O. Box 3965  
 Mooresville, NC 28117

PROPERTY DETAILS:

Tax Parcel(s): 409-047 and p/o 409-058 Size (sq.ft. or acres): Approx. 4 acres  
Property Location: Auction Drive (SR 2585)  
Current Land Use: Commercial and vacant land  
Date Acquired: 1997 Deed Reference: Book 804 Page 449

Surrounding Land Use: North Vacant Land  
South I-85 and Service Road  
East Commercial  
West Vacant

Existing Zoning RA Requested Zoning CBI

**AFFADAVIT OF OWNER**

To be completed if a second party will represent case

I (We), \_\_\_\_\_, owner(s) of the within described property do hereby request the proposed rezoning and hereby authorize the person listed below to act as my (our) duly authorized agent in this matter.

Signature(s): \_\_\_\_\_

Date: \_\_\_\_\_

Name of Applicant / Agent: \_\_\_\_\_

Address: \_\_\_\_\_

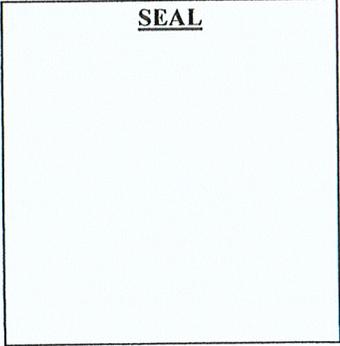
Phone Number: \_\_\_\_\_

**IT IS UNDERSTOOD BY ALL PARTIES HERETO INCLUDING OWNER(S) & APPLICANT(S) / AGENT(S) THAT WHILE THIS APPLICATION WILL BE CAREFULLY CONSIDERED AND REVIEWED, THE BURDEN OF PROVIDING ITS NEED RESTS WITH THE ABOVE NAMED APPLICANT WHETHER OWNER, NON-OWNERS, OR OWNER'S AGENT.**

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public for said County and State, do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

My commission expires \_\_\_\_\_, 20 \_\_\_\_.



**OFFICIAL USE ONLY**

- 1. Signature of Rezoning Coordinator: M.S. M.
- 2. Planning Board Courtesy Hearing: 7 / 25 / 16
- 3. Notifications Mailed: 7 / 14 / 16
- 4. Property Posted: 7 / 14 / 16
- 5. Planning Board Action: Approved \_\_\_\_\_ Denied \_\_\_\_\_
- 6. Board of Commissioners Public Hearing: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_
- 7. Notifications Mailed: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_
- 8. Property Posted: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_
- 9. Dates Advertised: 1<sup>st</sup> \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_
- 10. BOC Action: Approved \_\_\_\_\_ Denied \_\_\_\_\_
- 11. Date Applicant Notified: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

## ROWAN COUNTY PLANNING BOARD CONSISTENCY WORKSHEET

**CONSISTENCY QUESTION:** *"Is the proposed amendment consistent with any adopted plan..."*

**REFERENCE  
SOURCES**

*\* NOTE: Consistency statements are applicable to both map and text amendments.*

YES	NO		Is the request consistent with Land Use Plan?
<input type="checkbox"/>	<input type="checkbox"/>	<i>Example:</i>	
<input type="checkbox"/>	<input type="checkbox"/>	<i>Example:</i>	

Item #1 of the Staff Report

YES	NO	N/A	Is the request consistent with any other adopted plans?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

If applicable, refer to Item #1 of the Staff Report

YES	NO	Is the request consistent with the requested zoning district?
<input type="checkbox"/>	<input type="checkbox"/>	

Item #2 of the Staff Report

**Suggested Statement**

In accordance with Section 21-361(b) of the Rowan County Zoning Ordinance, the Planning Board advises the Z- \_\_\_\_\_ - 16 request [is] or [ is not consistent] with \_\_\_\_\_ the [Eastern] or [Western] Rowan Land Use Plan based on the following:

- 1 \_\_\_\_\_  
\_\_\_\_\_
- 2 \_\_\_\_\_  
\_\_\_\_\_
- 3 \_\_\_\_\_  
\_\_\_\_\_