



Rowan County Planning and Development Department

402 North Main Street • Salisbury, N.C. 28144-4341
Planning: 704-216-8588 Fax: 704-638-3130

MEMORANDUM

TO: Chairman Kersey and Rowan County Planning Board Members
FROM: Julian Burton, Planner
DATE: February 24th, 2014
RE: **Z 01-14**

SUGGESTED PLANNING BOARD ACTION

- Receive staff report Petitioner comments Conduct courtesy hearing
 Close hearing and discuss Develop statements Approve / Deny /
Table **Z 01-14**

REQUEST

Jerry McCullough requests the rezoning of approximately 6.11 acres located at the intersection of Peeler Road and I-85, further referenced as Tax Parcel 408 008. McCullough owns the parcel and requests a rezoning from 85-ED-3 Corporate Park District to CBI (Commercial Business Industrial).

ZONING CRITERIA

1. Relationship and conformity with any plans and policies.

Plans - According to the East Rowan Land Use Plan, this property is located within the Interstate 85 highway corridor. The plan recommends commercial, industrial, and mixed-use development within the corridor, making CBI an appropriate zoning designation. If rezoned, the site would likely be used in coordination with the parcel to the south, already zoned CBI.

Note: This parcel is not located within a public supply watershed.

Policies – N/A

2. Consistency with the requested zoning district's purpose and intent.

Commercial, Business, Industrial, CBI. “This zone allows for 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. However this district may also exist or be created in an area other than listed in this subsection if the existing or proposed development is compatible with the surrounding area and the overall public good is served.”

The site is located within a commercial and industrial corridor, with sufficient access and proximity to the major transportation corridor, Interstate 85. The specific future use is still unknown, but the owner hopes to use the site to provide truck repair services.

3. Compatibility of all uses within the proposed district classification with other properties and conditions in the vicinity.

Compatibility of uses – 85-ED-3 Corporate Park District is designed to accommodate a “high-quality mixture of employment uses of varying types in a single coordinated development. Minimum development size is twenty (20) acres and will require approval of a PUD” (Zoning, P. 40). Significant overlap exists between the uses allowed in 85-ED-3 and CBI. Therefore, rezoning the site to CBI would not dramatically change the permitted uses for the lot. However, with CBI, the lot would not require a minimum development size of 20 acres, giving the applicant more flexibility in the size of the development and the business.

Conditions in the vicinity (see map) –

North – The property to the North is zoned 85-ED-3, and is largely vacant.

South & West – The properties to the South and West, including a Love’s Travel Stop, are zoned CBI. Therefore, the lot would be brought into conformity with these surrounding parcels if rezoned to CBI.

East – The property to the East is zoned Rural Agriculture – Airport Overlay, and there is a significant wooded buffer between the existing residences and the site.

4. Potential impact on facilities such as roads, utilities and schools.

Roads – Traffic count information collected in 2010 suggests that vehicles make an average of 4900 trips along Peeler Road compared to an estimated capacity of between 12,200 and 14,600 according to NCDOT’s draft Comprehensive Transportation Plan (CTP). Even though a specific use to estimate the number of new trips added is unknown, capacity should not be an issue based on the above figures.

Utilities – The site features on-site well and septic systems.

Schools – N/A.

PROCEDURES

Since this request would be considered a small-scale rezoning, the Planning Board must develop a statement of reasonableness before approving or denying this request to address any claims of spot zoning. This statement should provide the basis for the board's decision and determine whether the request is reasonable and in the public interest. A statement of consistency is also necessary to address the relationship between this request and any applicable county adopted plans prior to making a decision to approve or deny the request. See enclosed checklist as a guide in developing this statement.

STAFF COMMENTS

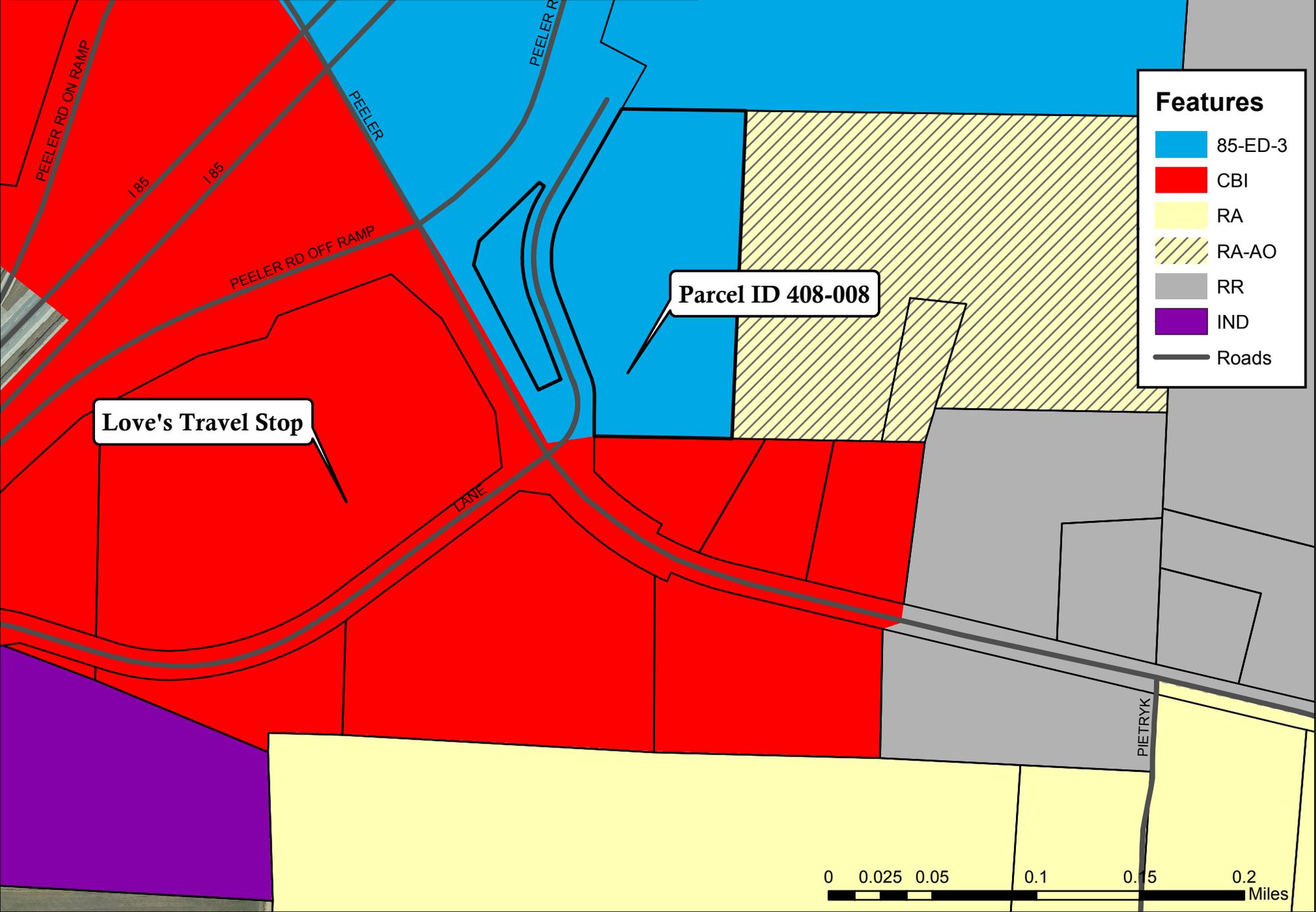
85-ED-3 and CBI allow for similar uses, and the lot is located in a highway corridor encouraging commercial and industrial development. Rezoning the site to CBI would eliminate the 20-acre minimum development size, and therefore provide the applicant with greater flexibility in the development and business size. This request is also consistent with the recommendations from the East Rowan Land Use Plan for a commercial and industrial corridor along I-85.

Z-01-14 : 85-ED-3 to CBI



Features

- 85-ED-3
- CBI
- RA
- RA-AO
- RR
- IND
- Roads





Rowan County Department of
Planning & Development
402 North Main Street
Salisbury, NC 28144
Phone (704) 216-8588
Fax (704) 638-3130
www.rowancountync.gov

Case # Z-01-14
Date Filed _____
Received By Julian Burton
Amount Paid \$200 check # 5732
Office Use Only

REZONING APPLICATION

OWNERSHIP INFORMATION:

Name: JERRY D. McCallough
Signature: Jerry D. McCallough
Contact Information: 704-467-5038 704 857-5498 Home
Address: 585 STATE Rd CHINA GROVE N.C. 28023

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

Name: JERRY D. McCallough
Signature: Jerry D. McCallough
Contact Information: 704-467-5038 704 857-5498 Home
Address: _____

PROPERTY DETAILS:

Tax Parcel: 408-008 Zoning District: 85-ED-3
Date Acquired: 2008 Deed Reference: Book 1119 Page 736
Property Location: Corner of Peeler Rd and I-85. 1150 peeler Rd is shop on adjacent property
Size (sq. ft. or acres): 6.11 Ac. Street Frontage: _____
Current Land Use: 724.43'

Surrounding Land Use: North Vacant
South Commercial
East Residential (RA-A0)
West Commercial (Love's Travel Stop)

Existing Zoning 85-ED-3 Requested Zoning CBI

**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 #4 of the**

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- 01- 14 request [is] or [is not consistent] with the [Eastern] or [Western] Rowan Land Use Plan based on the following:

- 1 _____

- 2 _____

- 3 _____

**ROWAN COUNTY PLANNING BOARD
REASONABLENESS WORKSHEET**

REASONABLENESS DETERMINATION: *"Explain why the decision is reasonable and in the public interest"*

REFERENCE SOURCES

**NOTE: Reasonableness statements should focus on spot zoning claims.*

_____ acres

Size of the tract
Relationship to adjacent or surrounding properties

Zoning Application and Background / Request portion of Staff Report

YES NO

Compatibility with Land Use Plan

Refer to Consistency

YES NO

Compatibility with Future Land Use Map
Reference Map in Staff Report

Page 1 of ERLUP and Page 38 of WRLUP

YES NO

Benefits and Detriments
Is there a benefit to the owner at the expense of the neighbors or community?

General summary from Staff Report and comments from courtesy hearing

Relationship of Uses
Proposed Uses compared to existing uses

Item #3 of the Staff Report ; Inset of zoning map; Section 21-113 Table of Uses

Suggested Statement

In accordance with Section 21-362(j) of the Rowan County Zoning Ordinance and after due consideration the Planning Board advises the Z- 01 -14 request [is] or [is not] reasonable and in the public interest based on the following:

- 1 _____

- 2 _____

- 3 _____
