



Rowan County Planning Board

J. Newton Cohen, Sr. Administration Building

J. Newton Cohen, Sr. Meeting Room

130 W. Innes Street ▪ Salisbury, N.C. ▪ 28144

Meeting Agenda for Monday, February 24, 2020 at 7:00 pm

- I. Call Meeting to Order
- II. Invocation and Pledge of Allegiance
- III. Determination of a Quorum
- IV. Approval of Minutes from the November 25, 2019 meeting
- V. Oath of Office Ceremony
 - New Member – Mike Harrill
 - Reappointed Members – Pete Bogle, Jack Fisher, John Leatherman
- VI. Election of 2020 Chair and Vice-Chair
- VII. Adoption of the Agenda
- VIII. Public Comment
- IX. Courtesy Hearings
 - ZTA 02-19: Ground Mounted Solar Energy Systems
- X. Other Business
- XI. Adjournment

2020 Planning Board Roster

Pete Bogle	Jack Fisher	Brad Godwin
Gregory Hannold	Michael Harrill	John Leatherman
David Miller	Andrew Poston	Steve Poteat



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**Minutes of the Meeting
Rowan County Planning Board
November 25, 2019
7:00 PM**

Board Members Present:

Brad Godwin
Andrew Poston, Chairman
John Leatherman
Jonathan Chamberlain
Pete Bogle, Vice Chairman
Greg Hannold
Steve Poteat
Jack Fisher

Staff Present:

Shane Stewart, Assistant Planning Director
Aaron Poplin, Planner
Kayla McIntyre, Planning Technician

A. Call meeting to order

Chairman Poston called the meeting to order at 7:00 PM.

B. Invocation and Pledge of Allegiance

Board member Jack Fisher offered the invocation and led the Pledge of Allegiance.

C. Determination of a quorum

A quorum was established with eight members present.

D. Approval of Minutes from October 28th, 2019

Chairman Andrew Poston made a motion to approve the amended Minutes of the Meeting from October 28, 2019; *seconded by Jack Fisher* and the motion passed unanimously.

E. Adoption of the Agenda

With no changes or additions to the agenda a motion to approve the agenda was made by *Jack Fisher*; *seconded by Brad Godwin* and the motion passed unanimously.

F. Public Comment

Mr. Ron Webb, who lives on 308 Webb Farm Rd. in Salisbury, voiced his concerns over the moratorium that has been proposed. He wants there to be buffers in place, and someone has to be in charge of the erosion. He stated that there needs to be a deadline of completion and that rules need to be put in place because they have "free reign" to do whatever they want out there. He does not think it should be close to churches or schools. He wants to know who will be liable when these things are decommissioned. There is no one here who will accept solar panels when they are done being used.

Mrs. Kathy Webb of 308 Webb Farm Rd. also had some concerns about the moratorium. She had a question about why those who had a financial investment in the solar farm development were invited to the meeting, but experts on solar farms were not? She mentioned Dr. Herbert Eckerland, from North Carolina State University. She feels solar panels belong on buildings, not agricultural land or forests. She believes those interested in solar energy are only interested in tax credits. She was concerned about those who were interested in putting solar farms in North Carolina.

Chairman Poston informed Mrs. Webb he would reach out to her to let her know when they contact the professor she informed them about. With no further comments, Chairman Poston closed the public comment.

G. Courtesy Hearing

Z-09-19- Daniel Gomez and Karen Mendieta are requesting a rezoning on Rowan County Tax Parcels 542-030,044,045 to expand their business operations to include Auto Repair and Used Tire Sales. The properties are currently owned by Mr. Gomez and Ms. Mendieta. The properties are 2.29 total acres and located in the 15000 block of US 52 HWY.

Planner Aaron Poplin provided background on the site. Back in 2013 parcels 542 045 and 542 044 were rezoned from RA to a CBI-CUD with the only allowed use being auto sales. There were no extra conditions attached to the zoning district, and the parcels still have this zoning classification. Parcel 542 030 is zoned RA and has been vacant since approximately 2013; the last use of the property was for a mobile home, which was removed around 2013.

Mr. Poplin then provided the site details of the request noting the location of the property and the zoning of adjoining parcels and their uses. The applicants are wanting to expand their current business operations, adding more gravel to park cars and a wider display area for automobiles. All three proposed uses (Auto Sales, Auto Repair, Used Tire Sales) are uses that would be allowed in the RA as a Rural Home occupation. However, the uses can not be permitted on the RA zoned property now because the owners do not live on the property. The existing auto sales business is over 300' from the nearest residence which exceeds the need for screening. The proposed use will come within 200' of a residence, which will require Type A Screening. The applicants wanted to have a single parking space for an employee. Mr. Poplin provided a approved site plan for the expansion and noted that its location off of US HWY 52 are in the Commercial and Industrial area of the Eastern Land Use plan and within the US 52 Corridor.

Mr. Poplin then finished his presentation. Chairman Poston asked fellow board members if they had any questions for Aaron. Board member Pete Bogle asked the question regarding the number of employees. He asked if number of employees on a site can be limited as a condition on a CD? Mr. Poplin answered that the biggest thing with the number of employees is the number of parking spaces that they have, so if it was something that needed to be limited, they could look into that. Board member Bogle responded stating that he would caution them on making that number too low, as they would want their business to grow and there is no reason to only limit it to one, unless there was some parking issue. Jonathan Chamberlain asked about item 4 on the site diagram which states new marked spaces for marking, is it the intent that the gravel will be striped or something like that? And would that cover the entire area or just those few that are shown in the diagram? Aaron responded stating that those parking spaces there are so that they can meet those requirements for those uses parking, so those will be marked spots, the rest of the area can be used for outdoor display or as they see fit for display or parking, but those there are what is required. Board Member Chamberlain responded that they could be marked with parking bumpers or something like that.

Chairman Poston opened the floor for the public comment reminding those wishing to speak there was a three minute minimum.

Chairman Poston closed the public comment.

Chairman Poston stated that the board would now discuss the case and opened the floor for questions from any of the members. Board member Jonathan Leatherman agreed with Pete Bogle on the issue of the parking space for employee and number of employees. They came up with the idea to amend the employee parking condition. Chairman Poston referred to the applicant and asked him if he would like to amend the number of employee parking spaces. Board member Bogle stated that since this is not a condition we typically see on there, he would not mind just seeing that piece go away. Chairman Poston referred back to applicant again asking if they could remove the number of employees so that they did not have to worry about it? The applicant said yes that is fine. With no more questions, Chairman Poston opened the floor for written statements.

Statement of Consistency: Z-09-19 is consistent with the Eastern land use plan based upon the identified use and attached site plan; furthermore the adoption of Z 09-19 is reasonable and in the public interest based upon the same. Motion by Jonathan Chamberlain, second from John Leatherman, passed unanimously.

Statement of Reasonableness: In accordance with section 21-362J of the Rowan County Zoning Ordinance and after due consideration, the Planning Board advises that z-09-19 request is reasonable and in the public interest based upon the identified usage and compatibility with the Eastern Land use plan and the requested zoning. Motion by Jonathan Chamberlain, second by Jack Fisher, passed unanimously.

Statement of Approval/Denial/Table: Approval based upon modification of employee parking space request passed unanimously. Motion by John Leatherman, second by Jack Fisher, passed unanimously.

Z 10-19: Price of Freedom Museum Inc. & Kenneth Seagle are requesting a rezoning on Rowan County Tax Parcels 207-007 and 052 to rezone 6.1 AC from RA & RR to INST and .29 AC from RA to RR. The properties are 6.39 total acres and located at 2420 Weaver Rd.

Chairman Poston acknowledged Assistant Planning Director, Shane Stewart, to present his courtesy hearing. Mr. Stewart provided background on the site. According to a February 22, 2015 article in the Salisbury Post, Price of Freedom founder Bobby Mault secured use of the former Patterson School building located at 2420 Weaver Road in 2004 through a lease agreement with the Rowan Salisbury School System (RSSS) to house a significant collection of military memorabilia from World War I through the War in Afghanistan. The Price of Freedom Museum Inc.'s website references the facility as an "American war memorial dedicated to the men and women of the United States armed services who paid the ultimate Price of Freedom with their lives and service to our great country. Our goal is to teach all generations the true price of freedom." Planning Staff met with Bobby Harrison, representative with the museum, in the summer of 2018 regarding the museum's desire to add a 4,800 sq.ft. building to store additional memorabilia. Staff indicated the property would need to be rezoned to INST since the RA district does not permit the current use. Since this meeting, the museum purchased the property from RSSS.

Mr. Stewart provided the site details of the request noting the location of the property and the zoning of adjoining parcels and their uses. The applicants are wanting to add an additional 4,800 sq. ft. building to store additional memorabilia. The purpose of the Institutional district is to recognize and permit the creation of defined areas for the unified and orderly development of major cultural, educational, medical, governmental, religious and other institutions in order to support and enhance their benefits to the community in a manner which protects adjacent residential uses. Trade school facilities teaching a trade, for example truck driving or welding, which have that activity on site, shall meet zoning requirements for that use. Nearby properties contain a mixture of residential and agricultural uses including the subdivisions of Davis Farms, Carriage Court, and Country Manor located north and east of the site.

Mr. Stewart ended his presentation and turned it back to the board. Chairman Poston asked other members if they had any questions. Board member Jonathan Chamberlain asked if the addition of the warehouse building factor into this, or would it be allowable by right under the institutional zoning? Mr. Stewart responded yes sir it would, but he hesitates to bring too much in because it technically has to consider everything allowed in that district. But to your point, yes that is something administrative and does not have to be part of this request. This is a straight rezoning. With no further questions, Chairman Poston opened the courtesy hearing.

With no comments, Chairman Poston closed the courtesy hearing.

Chairman Poston turned the case to the board to discuss and opened the floor for questions. With no questions from the board members, Chairman Poston began to entertain motions/statements.

Statement of consistency: Z-10-19 is consistent with the Western Land Use plan based on the following: institutional district is a very exclusive zoning district set aside for

public use and therefore matches the former use that was a school and the current use for a museum. Institutional will also create a conforming use, taking away the non conforming use and allow for expansion of the museum to the greater good of the public. A motion was made by Pete Bogle, second by Jack Fisher, all were in favor. Statement of Reasonableness: In accordance with section 21-36J of the Rowan County Zoning Ordinance and after due consideration, the Planning Board advises that Z-10-19 request is reasonable and in the public interest based on the following: a good reuse of an existing, abandoned public school building as a public museum well fitting to the institutional zoning district. It is reasonable in that it creates a conforming zoning for the existing non-conforming use. A motion was made by Pete Bogle, second by Brad Godwin, all were in favor. Statement of Approval/Denial/Table: Approval passed unanimously. A motion was made by John Leatherman, second by Jack Fisher, all were in favor.

Chairman Poston stated that the recommendation will be moved forward to the county for final decision. He dismissed the applicants.

H: Other Business

Chairman Poston recognized Assistant Planning Director, Shane Stewart to discuss both Ed's and Shane's business. Mr. Stewart was discussing the planning board applications and to work on those. Discussed December meeting, since no business to discuss. Chairman Poston mentioned he was okay with axing the meeting to be able to spend time with family for the holiday. A motion from Jack Fisher to skip December meeting. John Leatherman seconded, and all were in favor of motion. Chairman Poston entertained a motion to adjourn. John Leatherman made the motion, and Jack Fisher seconded. All members were in favor.

With no other business to discuss John Leatherman made a motion that the meeting be adjourned; seconded by Jack Fisher and all members were in favor.