



REZONING PETITION: Z 02-26: Jeremy Good

Request: Amend CBI-CD for: Auto towing with storage, Auto repair, and General merchandise store

Parcel IDs: 514-015 & 514-025

Location: 12955 & 12965 Bringle Ferry Rd.

Acreage: 4.94 AC

Owner / Applicant:
Jeremy Good

Watershed: WSIV PA
(Tuckertown Reservoir)

Floodplain: N/A

Stormwater: N/A

Existing Improvements:

Two primary structures and accessory buildings

REQUEST Property owner Jeremy Good is requesting a rezoning to modify the site plan and permitted uses for a 4.94 acre existing Commercial, Business, Industrial Conditional District (CBI-CD) zoning district located at 12955 and 12965 Bringle Ferry Road Richfield (Tax Parcels 514-015 and 514-025). Permitted uses in the requested district are as follows: "Auto towing with storage, Auto repair services, and General merchandise store" (refer to site plan).

BACKGROUND According to Tax Assessor records, the structure at 12955 Bringle Ferry Road served as a retail store established circa 1945. On March 18, 2002, the Board of Commissioners approved then property owner Jack Phillip's petitions **Z 28-01 & CUP 04-02** to rezone the approximate five (5) acre area from Rural Agricultural (RA) to CBI-CD to make the existing small grocery / convenience store a conforming use subject to an approved site plan and permitted use table. Tax records suggest the "Kountry Market" operated until February of 2015. Office records show that attempts were made in 2020 and 2024 to re-open the store; however, it remains idle to date.

Zoning Permit ZP-022070-2024 was issued on October 24, 2024 for automotive retail sales on the structure addressed as 12965 Bringle Ferry Road.

PLAN DETAILS According to the site plan and application, allowed uses would consist as follows:

- Existing building at 12955: General merchandise store (SIC 53).
- Existing building at 12965: Automotive dealer and Gasoline Service Stations (SIC 55).

- Proposed 1,500 square foot building: Automobile towing with storage (SIC 7549).
- Plan depicts the ordinance required screening requirements in the form of evergreens with an opaque fence for automotive towing with storage along the side (east) and rear property lines. Additionally, the plan proposes evergreens along both public road fronts for additional concealment.
- General note #3 references salvage yards will not be allowed as part of the automobile towing with storage use and vehicles will not be stored longer than six (6) months (ordinance requirement).

See enclosed copy of site plan or refer to <https://www.rowancountync.gov/1272/Planning-Board> for a more detailed view.

ZONING DISTRICT DESCRIPTIONS

Commercial, Business, Industrial (CBI) – This zone allows for a wide range of commercial, business and light to medium industrial activities which support both the local and / or regional economies. The CBI district is generally appropriate in areas identified by an adopted land use plan that recommend “highway business” along identified NC and US highways; community / regional / potential development nodes; commercial corridors; and existing commercial areas. Areas served by public water / sewer represent significant public investment to foster tax base growth and employment opportunities for the citizens, which could be served through CBI designation. The CBI 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.

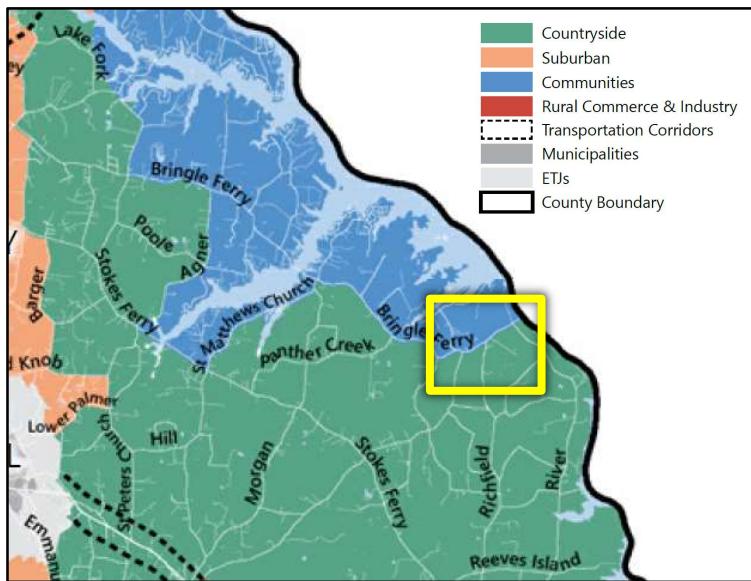
Conditional District (CD) – There are instances where a rezoning request to a general district would be inappropriate and could not effectively be managed by the district’s general development standards. As an alternative manner to evaluate such a request, a conditional district may propose specific development standards necessary to address anticipated impacts on surrounding properties and the county, establish consistency with adopted plans, and / or provide a clear understanding of the type and degree of future development allowed within the district. This can often be achieved by the commitment to a specific use or uses permitted in the conditional district, increased development standards, or site plan details, which are tailored to address the aforementioned objectives and sufficient to allow for an appropriate evaluation of the request. This voluntary procedure must be petitioned by the property owner or their authorized agent as a development proposal and not for securing early zoning for tentative uses which may not be undertaken for a long period of time.

CONFORMITY WITH ADOPTED PLANS / POLICIES

- Located in the Countryside Area along boarder with Lakeside Communities Area .
 - Rural Home Occupations (RHO) are generally considered the primary method of establishing non-residential uses.

- Creation of a future “Rural Business” district to replace the current Neighborhood District, which is recognized as “Generally Suited” along a Major Collector such as Bringle Ferry Road.

- CBI is identified as “Not Preferred” in this area. However, the plan recognizes factors such as traffic counts and impact; economics (tax base or job creation); availability of public water / sewer infrastructure; rail access; tract size; and scale of use – may influence the decision.



- While not directly applicable, the adjacent Lakeside Communities area include two (2) non-residential recommendations:

Functional Classification of Roads	Zoning Districts			
	IND	CBI	RB	RHOs in RA/RR
Principal Arterial	X	CD	✓	✓
Minor Arterial	X	X	✓	✓
Major Collector	X	X	✓	✓
Minor Collector	X	X	?	✓
Local Road	X	X	X	?
Neighborhood / Private	X	X	X	?

X = Not Preferred CD = Conditional District ? = May Be Appropriate ✓ = Generally Suited

- Retail / service-based uses that support the lake community are encouraged.

- Building character and scale for new structures should be considered.

COMPATIBILITY OF USES

See below table for allowed use comparison.

MAJOR GROUP	INDUSTRY GROUP	CURRENT CBI-CD	PROPOSED CBI-CD
Residential		Not Permitted	Not Permitted
Construction		Not Permitted	Not Permitted
Mining		Not Permitted	Not Permitted
Manufacturing		Not Permitted	Not Permitted
	"Heavy Impact Uses"	Not Permitted	Not Permitted
Transp., Com., Elec. / Gas, & Sanitary Svc.		Not Permitted	Not Permitted
Wholesale Trade		Few Permitted	Not Permitted
Retail Trade		Permitted	SIC 53 & 55 (part)
Finance, Ins., & Real Est.		Not Permitted	Not Permitted
Services		Few Permitted	SIC 75 (part)
	Misc. Amusement & Rec.	Not Permitted	Not Permitted
Public Admin.		Not Permitted	Not Permitted

Generalized Groupings for Permitted SIC Categories:
Most: 100-66% Some: 66-33% Few: 33-0% Not Permitted: 0%

Source: Section 21-113 Table of Uses

CONDITIONS IN THE VICINITY

North:

- Two (2) dwellings immediately across the road.
- Approximately 480 acres of wooded property.
- Tuckertown Dam .8 miles northeast.

South:

- Cluster of dwellings along Richfield Rd. and Country View Ln.
- Pooletown Fire station at 255 Richfield Rd.

East:

- Big Buck Ln. (private road) serving six (6) dwellings.
- Vacant building at 13065 Bringle Ferry Rd. identified by the Assessor's Office as a 1,500 sq. ft. former retail store established in 1977. The RA zoned property would have to be rezoned to establish a non-residential use.
- Vacant building at 13085 Bringle Ferry Rd. identified by the Assessor's Office as a 900 sq. ft. former retail store established in 1952 (zoned RA).
- Approximately 350 acres of wooded property owned by Alcoa.
- .69 road miles to Yadkin River / Davidson County line.

West:

- Residential uses along north and south side of Bringle Ferry Rd.

- Vacant building at 12740 Bringle Ferry Rd. identified by the Assessor's Office as a 1,392 sq. ft. former retail store established in 1961. Staff is unsure of the full range of uses that operated at this site; however, Planning Department records coupled with permit records from the North Carolina Alcohol Beverage Control Commission indicate the building was used as a drinking place (bar) in the early 1990s. The currently vacant RA zoned facility appears to have ceased operation in mid-2004.

POTENTIAL IMPACT ON ROADS

Bringle Ferry Rd. SR# 1002

- Classified as a major collector by NCDOT with an Annual Average Daily Traffic (AADT) count of 1,854 vehicle trips in 2025.
- Cabarrus Rowan Metropolitan Planning Organization's (CRMPO) Comprehensive Transportation Plan (CTP) suggest a design capacity of 15,100 vehicle trips.
- NCDOT approved driveway permit # D091-080-24-00087 on October 18, 2024 for automotive sales.

Richfield Rd. SR# 1005

- Classified as a minor collector by NCDOT with an AADT count of 293 vehicle trips in 2025.
- CRMPO's CTP suggest a design capacity of 13,100 vehicle trips.
- No access proposed per site plan.

POTENTIAL IMPACT ON UTILITIES

In 2004, the property owner at that time requested an evaluation of the existing septic system from the Rowan County Environmental Health office for a proposed "food service or car wash" use. Records indicate soil suitability limitations and advised coordination with a soil scientist or identification an off-site area potentially suitable for wastewater disposal. In 1998, Environmental Health evaluated a one (1) acre portion of vacant parcel 514-015 for one (1) dwelling and determined the soils were unsuitable for installation of a "...conventional, modified, or alternative..." septic system. The owner submitted the determination to the Assessor's Office, which in turn, reduced the associated land value for the one (1) acre portion of land.

Multiple above-ground storage tanks remain on-site. Staff is unaware whether additional tanks are buried on the property to serve the former gas station.

POTENTIAL IMPACT ON SCHOOLS

N/A. Neither the current nor proposed district allow residential use.

DECISION MAKING

In addition to the above criteria, sec. 21-362 (c) of the Zoning Ordinance indicates the primary question before the Planning Board in a rezoning decision is "whether the proposed change advances the public health, safety, or welfare as well as the intent and spirit of the ordinance." Additionally, the board "shall not regard as controlling

any advantages or disadvantages to the individual requesting the change but shall consider the impact of the proposed zoning change on the public at large.”

PROCEDURES The Planning Board must develop a statement of consistency describing whether its action is consistent with any adopted comprehensive plans and indicate why their action is reasonable and in the public interest. See enclosed guide.

PUBLIC NOTICE **February 11th** – Letters mailed to nine (9) area property owners.

February 11th – Sign posted on property.

February 13th – Request posted on department website.



STAFF COMMENTS As evidenced by the conditions in the vicinity section, the approximate one-third (1/3) mile segment of Bringle Ferry Road was home to at least three (3) retail businesses as early as the mid-1940s. Retail sales and certain service sector uses are commonly recognized as appropriate land uses in various rural parts of the county where they may serve the surrounding population.

The two (2) additional land uses proposed under this request are automotive repair and automotive towing with storage. Automotive repair *could* be cited as a business to serve the surrounding community. Visual impacts from the large area available for vehicle storage is clearly the primary concern with this request. This owner plans to mitigate this impact by means of added vegetation, to eventually block or reduce visibility from adjoining uses. According to North Carolina State University's Agricultural Extension website, “Green Giant” (*Thuja*) evergreen trees have the following growth characteristics:

- 3' – 4' grown rate, in height, per year.
- 40' – 60' height range.
- 12' – 18' width range.
- 40 – 60 year lifespan.



Source: NCSU

CONSISTENCY & REASONABILITY WORKSHEET

**CONSISTENCY
QUESTION**

"Is the proposed amendment consistent with any adopted plan."

Consider the future land use map and text recommendations, if applicable

YES NO

Is the request consistent with applicable plans?

YES NO

Is the request consistent with any other adopted plans?

**REASONABILITY
QUESTION**

"Is there a reasonable basis for the change in zoning."

The statement is designed to address potential spot zoning claims.

YES NO

Size, physical conditions and other attributes of the area to be rezoned

Single or multiple tracts / property owners; special site characteristics such as topography or infrastructure.

YES NO

Benefits and detriments to landowners, neighbors, and community

Is there a benefit to the owner at the expense of the neighbors or community

YES NO

Relationship between current and future uses

Degree of difference between existing and proposed list of allowable uses.

YES NO

Action taken is in the public interest

Does the request advance the public health, safety and general welfare and spirit and intent of the ordinance?

YES NO

Are there any changed conditions that warrant the amendment?

Change in land use, infrastructure, land use plans, etc.

**STATEMENT
DEVELOPMENT** After considering all of the criteria, one of the following three (3) statements shall be adopted:

- 1 "Z _____ is consistent with the Land Use Plan and reasonable / appropriate based on the following: _____".
- 2 "Z _____ is not consistent with the Land Use Plan or reasonable / appropriate based on the following: _____".
- 3 "Z _____ is reasonable, appropriate, and necessary to meet the development needs of Rowan County not previously envisioned by the Land Use Plans based on the following: _____. Furthermore, this adoption is deemed an amendment to the Land Use Plan."