



Rowan County Planning and Development Department

402 North Main Street, Suite 204 • Salisbury, N.C. 28144-4341
Planning: 704-216-8588 Fax: 704-638-3130

MEMORANDUM

TO: Chairman Jones and Rowan County Planning Board Members
FROM: Shane Stewart, Senior Planner
DATE: March 12, 2015
RE: **Z 03-15**

SUGGESTED PLANNING BOARD ACTION

- Receive staff report Petitioner comments Conduct courtesy hearing
 Close hearing and discuss Develop statements Approve / Deny /
Table **Z 03-15**

REQUEST

Mike and Lynn Hartness are requesting the rezoning of 1.5 acres located along the 3000 Block of Old Concord Road, further referenced as tax parcel 402-071, from Rural Residential (RR) to Commercial, Business, Industrial (CBI).

ZONING CRITERIA

1. Relationship and conformity with any plans and policies.

Plans - According to the Eastern Area Land Use Plan, this property lies within a Commercial / Industrial area and the Highway Corridor of I-85 (within one mile). Considering the plan suggests Neighborhood Business (NB) is generally suitable along thoroughfares such as Old Concord Road in all areas of the plan, it is more apparent a CBI designation within the above described area would be encouraged.

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

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in this subsection if the existing or proposed development is compatible with the surrounding area and the overall public good is served.”

This location does meet the “densely developed suburban areas” and “major transportation corridor” standards for CBI establishment. Although not specifically referenced within the district’s description, the RR district is typically applied to transition areas that either extend beyond existing commercial areas or contain a mixture of business and residential uses (e.g. US 70, US 601, Old Concord / I-85 areas).

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

Compatibility of uses – The RR zoned pocket on the north side of Old Concord Road between the CBI zoned properties and W. Ritchie Road contain approximately 13 residences on 28 acres. Comparatively, the 403 acre CBI zone to the north anchored by development within the Summit Corporate Center will continue to have greater influence on the character of the immediate area than residences within the RR district. Current development of Agility Fuel Systems (1010 Corporate Center Dr.) and previous development of Core Investors LLC (1030 Corporate Center Dr.) to the north have exposed the actual proximity of the park to residences in the RR district, which was not as apparent with the former dense vegetative cover.

Conditions in the vicinity (see enclosed map) –

North – Summit Corporate Center including Agility Fuel Systems under construction (manufacturing); CBI zoned parcel 450 feet northeast of the site (2913 Old Concord Rd.).

South – Residential uses; small home-based business owned by the applicant’s family (customized golf carts sales / repair); Settlers Grove (residential subdivision).

East – Residential uses; 14 acres zoned Multi-family Residential (MFR); Rowan Vocational Opportunities, Rowan-Salisbury SS bus garage, and Rowan Transit (.40 miles).

West – Residential uses; South Salisbury Fire Department; Neighborhood Business (NB) zoned property .21 miles southwest at E. Ritchie Rd.; Jehovah’s Witness Assembly Hall; Stafford Estates (residential subdivision).

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

Roads – Traffic counts collected in 2012 suggest this section of Old Concord Road receives approximately 6,200 vehicles per day, which is well under the 11,800 carrying capacity estimated by NCDOT’s Comprehensive Transportation Plan. Even with an unknown use, a 1 ½ acre commercial project should not have a significant impact on road conditions especially considering future uses should be subject to a driveway permit from NCDOT.

Utilities – The property could be served by public water, which extends along Old Concord Road, but is only in the general vicinity of sewer service (Summit Corporate Center to the north and east and E. Ritchie Road to the south).

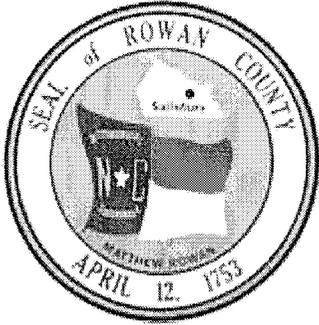
Schools – N/A.

PROCEDURES

Since this request could be considered a small-scale rezoning, the Planning Board should 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

The requested CBI designation is in keeping with the districts purpose and intent, encouraged by the Easter Area Land Use Plan, and would join the existing 400+ acre CBI district.



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Case # Z 03-15
Date Filed 2/10/15
Received By SAS
Amount Paid \$ 200⁰⁰ ck# 7387
Office Use Only

REZONING APPLICATION

OWNERSHIP INFORMATION:

Name: Mike + Lynn Hartness
Signature: Lynn Hartness
Phone: 704-639-5404 Email: Mike@1mkustomkarts.com
Address: 3014 Old Concord Road
Salisbury, NC 28146

APPLICANT / AGENT INFORMATION (Complete affidavit or check if other than owner.)

Name: Same as above
Signature: _____
Phone: _____ Email: _____
Address: _____

PROPERTY DETAILS:

Tax Parcel(s): 402 071 Size (sq. ft. or acres): 1.596 acres
Property Location: 3000 block of Old Concord Road
Current Land Use: vacant
Date Acquired: 11-13-2014 Deed Reference: Book 1243 Page 957

Surrounding Land Use: North Residential
South Residential
East Residential / Home based business
West Manufacturing

Existing Zoning RR Requested Zoning CBT

**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 Staff

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- _____ - 15 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 section

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 courtsey 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

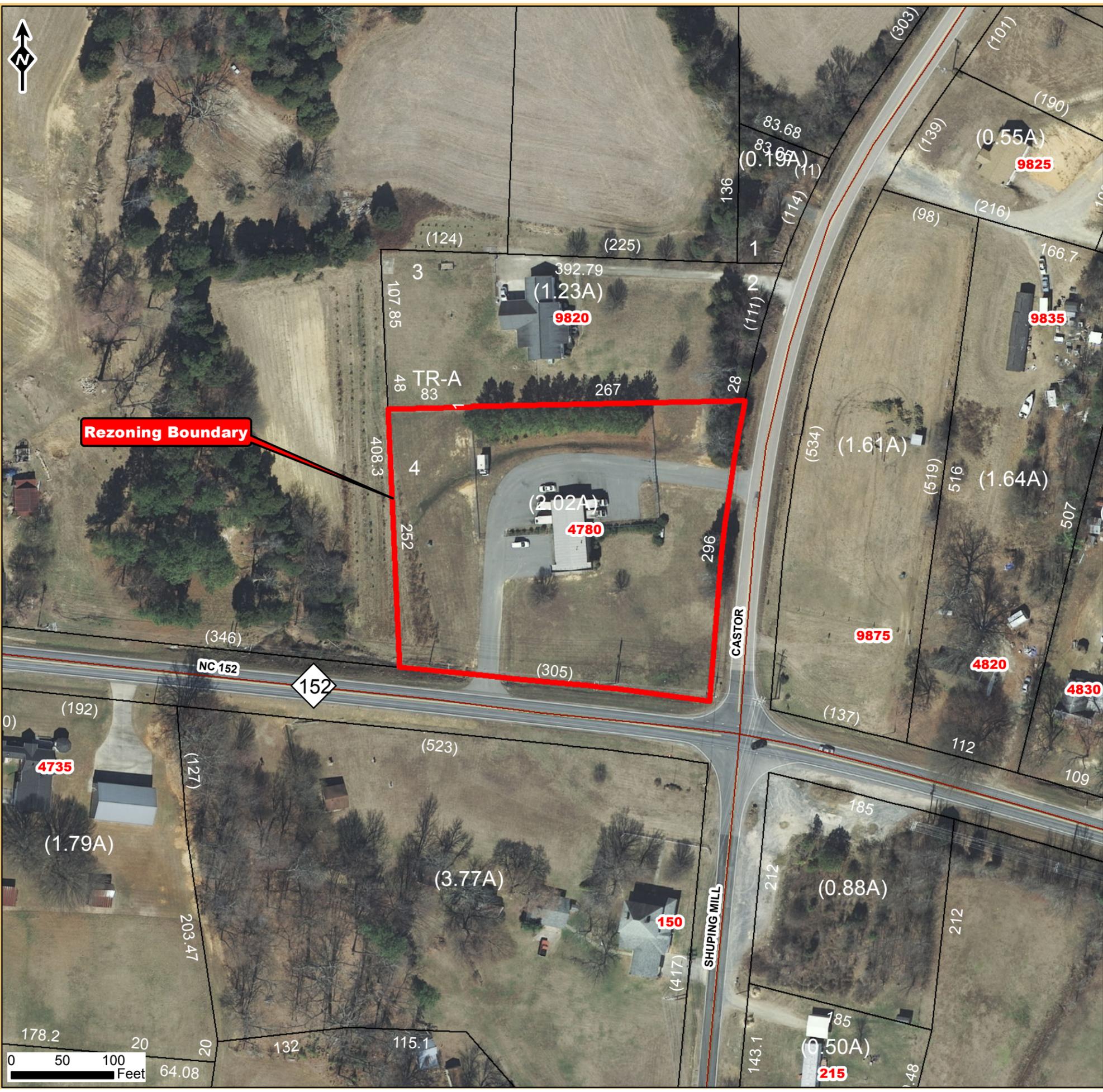
Suggested Statement

In accordance with Section 21-362(j) of the Rowan County Zoning Ordinance and after due consideration advises the Z- _____ - 15 request [is] or [is not consistent] with the [Eastern] or [Western] public interest based on the following:

1 _____

2 _____

3 _____



Z 05-15: Wade Evans

LEGEND

Zoning

	RA		MHP		CBI
	MFR		NB		IND

Rezoning_Boundary
 Parcels
 1852 Addresses
 1 Mile Radius
 Roads
 Faith ETJ

March 2014 Aerial Photo

Prepared by Rowan County Planning & Development: April 15, 2015

