



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 Jones and Rowan County Planning Board
FROM: Franklin Gover, Planner
DATE: June 12, 2015
RE: **Z 06-15**

SUGGESTED BOARD OF COMMISSIONERS ACTION

- Receive staff report Petitioner comments Conduct courtesy hearing
 Close hearing and discuss Develop statements Approve / Deny /
Table **Z 06-15**

REQUEST

Aaron Goss of Goss Farms requests that 2.8 acres of an 22.7 acre parcel, owned by VMC INVESTMENTS II, LP, located west of Cleveland at the 13000 block of Statesville BLVD/US HWY 70, identified as tax parcel 265 001 be rezoned from Rural Agricultural (RA) to Commercial, Business, Industrial (CBI).

ZONING CRITERIA

1. Relationship and conformity with any plans and policies.

Plans - According to the Western Rowan Land Use Plan, this property is located within Area One and a commercial industrial corridor. The plan recommends commercial and mixed-use development within the corridor, making CBI an appropriate zoning designation.

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 along US HWY 70, a major transportation corridor. The Western Rowan Land Use Plan recommends CBI district in this area.

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

Compatibility of uses –

Uses permitted within CBI districts are compatible with areas located along a major transportation corridor. Furthermore, the CBI district’s dimensional standards will allow flexibility for development.

Conditions in the vicinity (see map) –

The rezoning area is located approximately one half of a mile west of the Town of Cleveland’s industrial and business area (400+ acres zoned GBD, M1, and M2), which includes a variety of industrial and highway business uses. There are two recent planning cases located nearby (See Map Attachment): 1) CUP 06-14 – approved the installation of a solar farm on the opposite side of the road 2) Z 09-05 – a 5 acre stand alone CBI district located .38 miles west. The areas directly surrounding the rezoning are largely agricultural, wooded, or vacant, with a small cluster of residences to the west. The Arbors events center is located on the opposite side of Third Creek.

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

Roads – Traffic count information provided by NCDOT’s Comprehensive Transportation Plan (CTP) estimates a carrying capacity of 40,500 average vehicles per day. The most recent traffic count estimates from 2013 tallied 9500 average daily trips along US Hwy 70, under the estimated capacity.

Utilities – Uses on this site will utilize private water and sewer, subject to verification from the Rowan County Environmental Health Office. There is a public water line in the vicinity at US 70 and Old US 70.

Schools – N/A

PROCEDURES

Staff recommends that the Planning Board 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 attachment 4. statement form)

STAFF COMMENTS

1. The CBI district increases flexibility for planned development and less restrictive dimensional standards.
2. The rezoning of this property to CBI district aligns with the “Future Land Use Recommendations” for Area 1 of the Western Land Use Plan.
3. No future road capacity issues.
4. Staff recommends rezoning the indicated additional 2 area (See Attachment 3 current zoning map)

ACTION OF THE PLANNING BOARD

1. Motion to adopt a statement of consistency
2. Motion to adopt a statement of reasonableness
3. Motion to recommend approval or denial of the request to rezone Tax Parcels 265 001 including (not including) additional 2 acres

Attachments

1. Application
2. Vicinity Maps
3. Zoning Map
4. Statements Form



Rowan County Department
of Planning & Development
402 N. Main Street Ste 204
Salisbury, NC 28144
Phone (704) 216-8588
Fax (704) 638-3130
www.rowancountync.gov

Case # Z 06-15
Date Filed 6-1-15
Received By FG
Amount Paid 200.00

Office Use Only

REZONING APPLICATION

OWNERSHIP INFORMATION:

Name: VMC INVESTMENTS II LIMITED PARTNERSHIP

Signature: _____

Phone: (336) 416-0934 Email: weg3@aol.com

Address: VMC INVESTMENTS II, LP c/o William E. Graham
1367 Pheasant Ln., Winston-Salem, NC 27106

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

Name: Goss Farms

Signature: Aaron F. Goss, member-manager

Phone: 704-412-9962 Email: aaron@aarongoss.com

Address: 119 Richmond Rd.
Salisbury, NC 28144

PROPERTY DETAILS:

Tax Parcel(s): 265 001 Size (sq.ft. or acres): 18.728 acres

Property Location: Hwy 70, west of Cleveland

Current Land Use: vacant land

Date Acquired: 1/15/2003 Deed Reference: Book 966 Page 688

Surrounding Land Use: North Hwy 70; across the street is zoned RA

South flood plain/cows grazing - zoned RA

East flood plain/cows grazing - zoned RA

West woods / unimproved - zoned RA

Existing Zoning RA Requested Zoning CBI, only for portion
of property indicated on
attached site map

COUNTY OF ROWAN

AFFADAVIT OF OWNER

To be completed if a second party will represent case

STATE OF NORTH CAROLINA

I (We), VMC INVESTMENTS II, LP, 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): William Ellison Graham III

Date: 5/29/2015

Name of Applicant / Agent: Goss Enterprises, LLC d/b/a Goss Farms

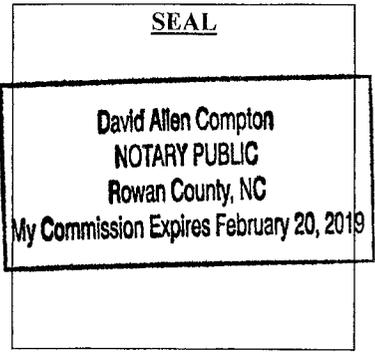
Address: 119 Richmond Rd., Salisbury, NC 28144

Phone Number: 704-412-9962

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.

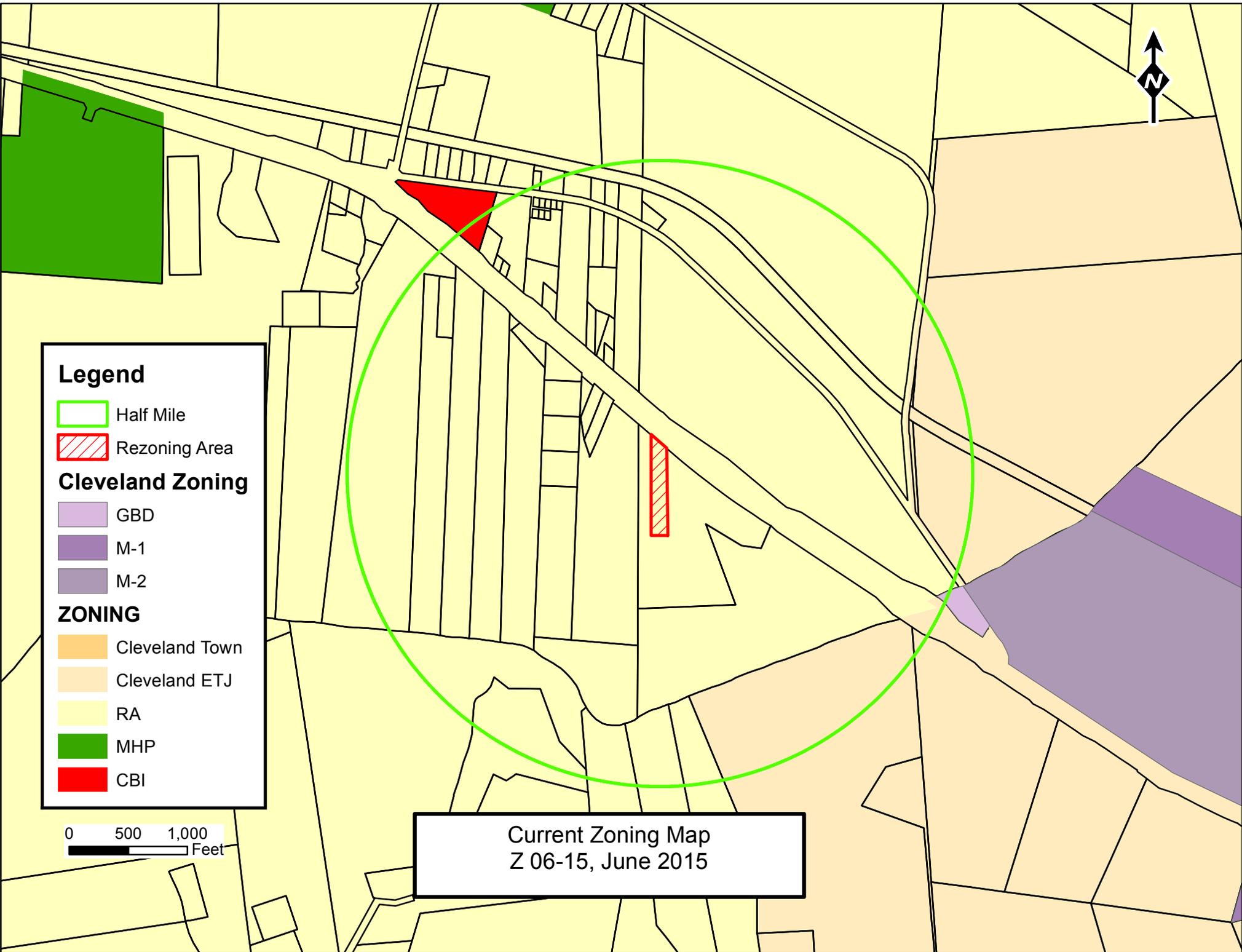
I, David Allen Compton, a Notary Public for said County and State, do hereby certify that William Ellison Graham III personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

My commission expires February 20, 20 15.



OFFICIAL USE ONLY

- 1. Signature of Rezoning Coordinator: Fabi Gove 2. Planning Board Courtesy Hearing: 6/22/15 3. Notifications Mailed: 6/9/15 4. Property Posted: 6/10/15 5. Planning Board Action: Approved _____ Denied _____ 6. Board of Commissioners Public Hearing: ___/___/___ 7. Notifications Mailed: ___/___/___ 8. Property Posted: ___/___/___ 9. Dates Advertised: 1st ___/___/___ 2nd ___/___/___ 10. BOC Action: Approved _____ Denied _____ 11. Date Applicant Notified: ___/___/___



Legend

- Half Mile
- Rezoning Area

Cleveland Zoning

- GBD
- M-1
- M-2

ZONING

- Cleveland Town
- Cleveland ETJ
- RA
- MHP
- CBI

0 500 1,000 Feet

Current Zoning Map
Z 06-15, June 2015



Legend

-  Add. Area
-  Rezoning Area

750

790

770

710

STATESVILLE
STATESVILLE

Recommended Rezoning Area Map
Z 06-15, June 2015

0 50 100 200
Feet

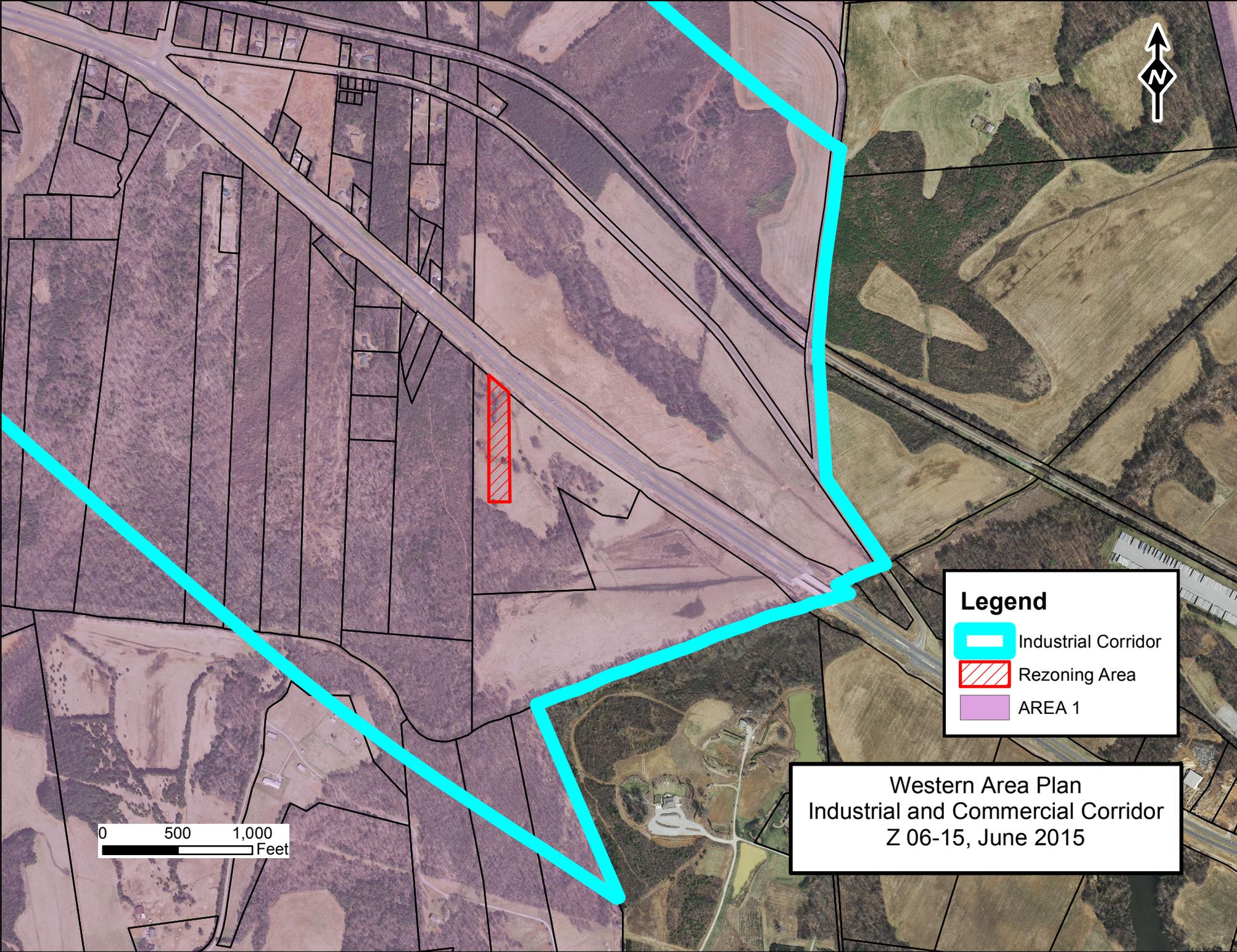


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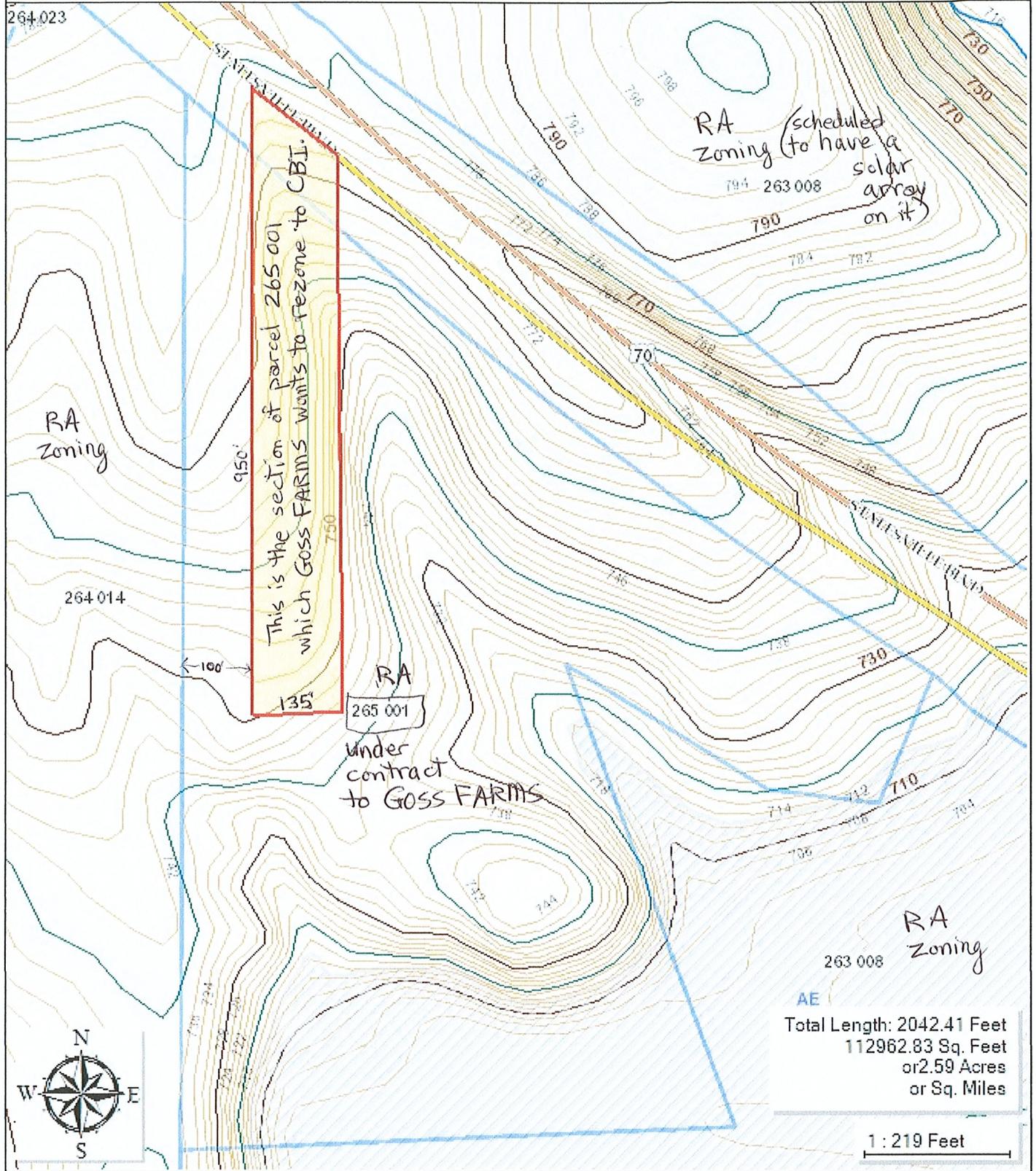
-  Industrial Corridor
-  Rezoning Area
-  AREA 1

Western Area Plan
Industrial and Commercial Corridor
Z 06-15, June 2015

0 500 1,000 Feet

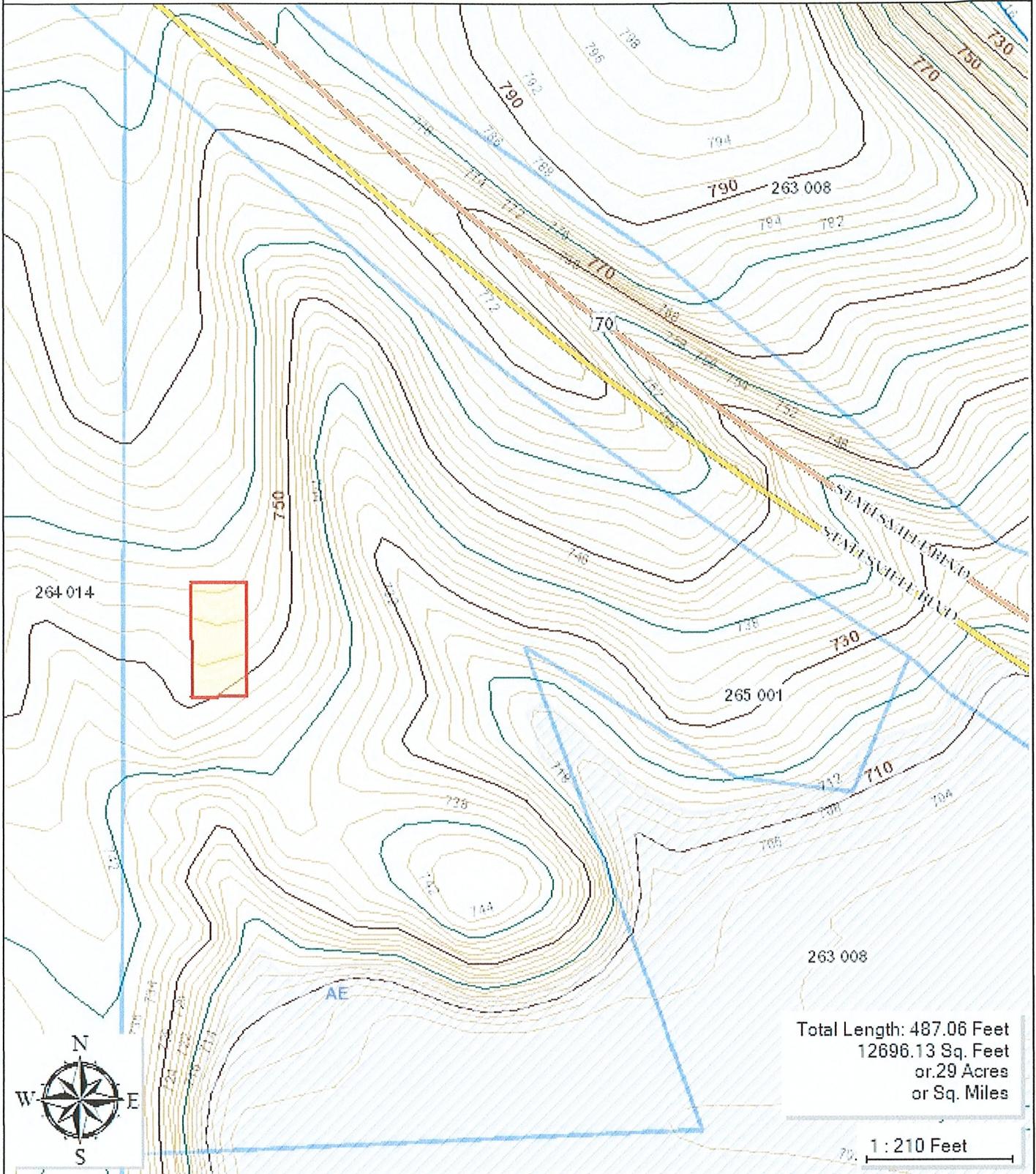


Map shows a portion of Parcel 265 001 to be rezoned to CBI



This information was prepared from the Rowan County, NC Geographic Information System. Rowan County has made substantial efforts to ensure the accuracy of location and labeling information contained on this site. The information provided is a representation of various City and County data sources and does not serve as an official map. Rowan County promotes and recommends the independent verification of any information contained on this site by the user. Rowan County makes no warranty or other assertion as to the fitness of the maps for any particular purpose and neither Rowan County nor its agents or employees shall be liable for any claim alleged to have resulted from any use thereof.

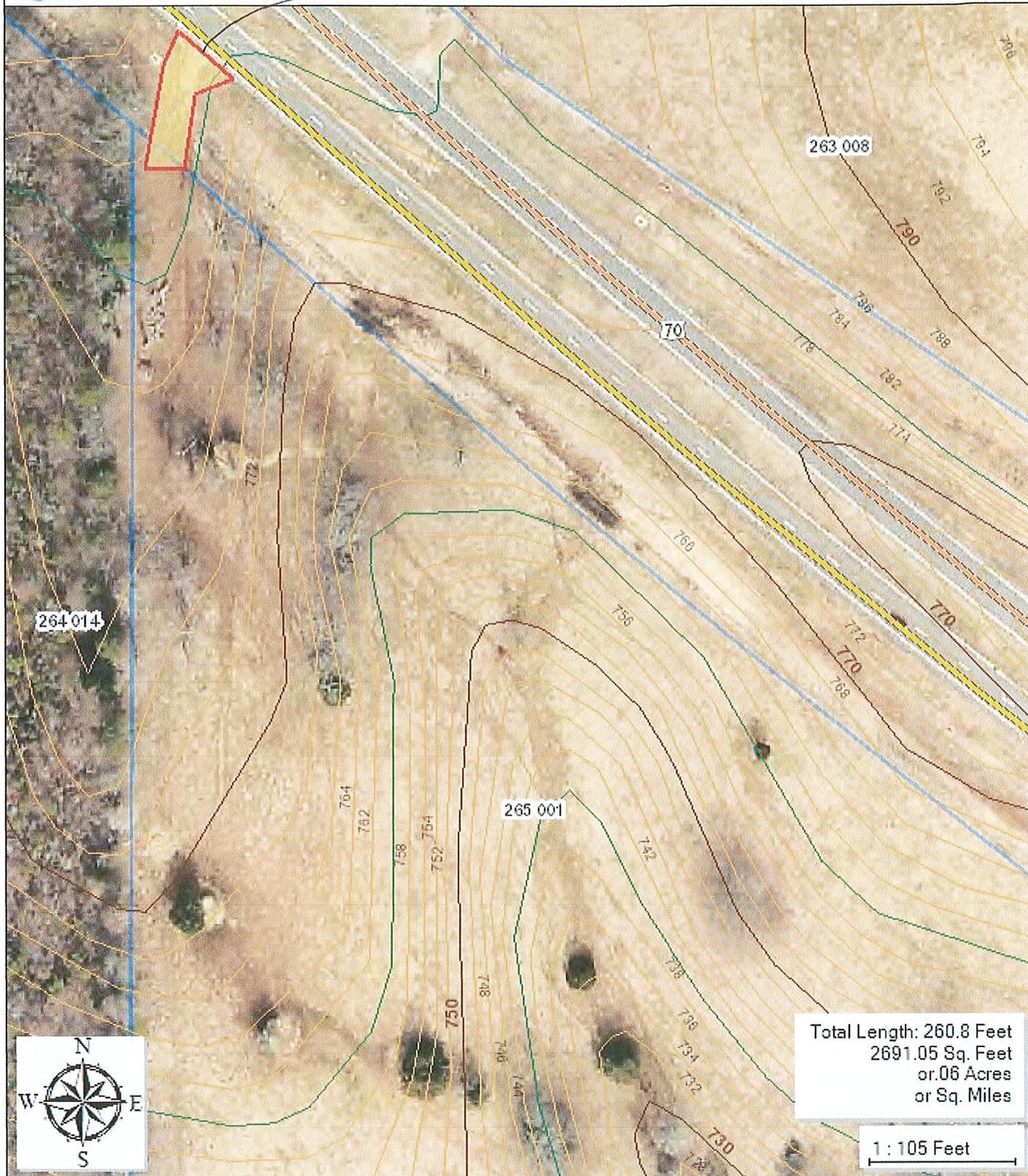
Approximate location of 160 x 80 building within proposed rezoned area



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proposed 50' wide driveway where it connects with Highway 70 East.

SEE NOTE at bottom of page.



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Line-of-sight for driveway is maintained by state because it crosses the highway right-of-way, which is kept clear.