



City of Salisbury

North Carolina

COUNCIL MEETING AGENDA

August 2, 2022
3:00 p.m.

The meeting will be held in a hybrid format and the public may attend virtually using this link: <https://bit.ly/3zA9NEQ>. The meeting will also be streamed live at [salisburync.gov/webcast](https://www.salisburync.gov/webcast) and on the City's Facebook account.

Anyone who wishes to speak via Zoom during public comment must sign-up by 2:00 p.m. on August 2, 2022 by contacting Kelly Baker at kbake@salisburync.gov. Citizens who wish to speak in person can sign up in Council Chambers.

1. Call to order.
2. Moment of Silence.
3. Pledge of Allegiance.
4. Adoption of Agenda.
5. Mayor to proclaim the following observance:

ANNE COGGIN DAY
CIVITAN CLUB OF SALISBURY CENTENNIAL MONTH

August 2, 2022
August 2022

6. Council to consider the CONSENT AGENDA:
 - (a) Approve Minutes of the special meeting of July 19, 2022 and the regular meeting of July 19, 2022.
 - (b) Authorize the City Engineer to accept agreements with North Carolina Department of Transportation concerning maintenance of signs (Schedule A), markings and markers (Schedule B), traffic signals (Schedule C), and the computerized traffic signal system (Schedule D).
 - (c) Receive the Certificate of Sufficiency for the voluntary annexation of 770 Earnhardt Road, Tax Map 058 Parcel 089, and adopt a Resolution setting the date of the public hearing for September 6, 2022.
 - (d) Receive the Certificate of Sufficiency for the voluntary annexation of Stone Ridge North, Tax Map 064 Parcel 00301000001, and adopt a Resolution setting the date of the public hearing for September 6, 2022.
 - (e) Authorize the City Manager to approve a purchase order for cellular data service for water meters from Badger Meter, Inc. in the amount of \$221,616. This is a budgeted expense that is required to operate and maintain Salisbury-Rowan Utilities advanced metering infrastructure system.

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- (f) Set a public hearing for September 6, 2022, to consider the release of property owned by Rowan County and used for the Mid Carolina Regional Airport from the City's extraterritorial jurisdiction.
 - (g) Authorize the City Manager to approve the following ongoing contract payments and blanket purchase orders totaling \$782,262.06 that were included in the FY2022-2023 budget:
 - 230141 – Southdata – contract for Customer Service bill printing - \$110,400
 - 230149 – Harris Computer Systems – Maintenance Agreement – Customer Service and Code Services billing software renewal - \$149,610.97
 - 230150 – MTO, Inc. – contract for cleaning services at City facilities - \$138,359.25
 - 230197 – Southern Truck Services – Sheriff's contract – Automatic Refuse Truck - \$383,89184
 - (h) Approve a municipal agreement with the North Carolina Department of Transportation in the amount of \$1,025,760, consisting of \$820,608 in Surface Transportation Program Block Grant program funds and a \$205,152 City match, for design and construction of safety improvements on Brenner Avenue between Jake Alexander Boulevard and Milford Hills Road.
7. Council to receive public comment. ***Speakers who wish to speak via Zoom must sign-up before 2:00 p.m. by contacting Kelly Baker at kbake@salisburync.gov.*** Citizens who wish to speak in person can sign-up in Council Chambers. Citizens who are unable to speak during the meeting may submit written comments to the email above and they will be shared with Council.
8. Council to receive an update on the Bell Tower Green Advisory Committee. (*Presenter – Parks and Recreation Director Nick Aceves*)
9. Council to consider the voluntary annexation of 6.076 acres located at 1215 Peeler Road, Map 408 Parcel 011, effective August 2, 2022, and adopting an Ordinance amending the Land Development District Map to rezone Map 408 Parcel 011 and Map 410 Parcel 128, totaling 8.88 acres, from Light Industrial and Rowan County Commercial Business Industrial to Highway Business with a Conditional District Overly to request an exception of the Land Development Ordinance as permitted by Section 15.23. (*Presenter — Senior Planner Victoria Bailiff*):
- (a) Receive a presentation from staff regarding the proposed voluntary annexation and proposed rezoning of the property
 - (b) Hold a public hearing regarding the proposed voluntary annexation
 - (c) Close the public hearing
 - (d) Hold a public hearing regarding the proposed rezoning
 - (e) Close the public hearing
 - (f) Consider adopting an Ordinance annexing 1215 Peeler Road.
 - (g) Issue a Statement of Consistency and Statement of Reasonableness, and consider adopting an Ordinance rezoning the property.

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10. Council to consider the voluntary annexation of 43.1067 acres located at 1465 Peeler Road, Map 406 Parcel 024 and Map 410 Parcels 034 and 003 effective August 2, 2022 and adopting an Ordinance amending the Land Development District Map to rezone the parcels from Rowan County Rural Agricultural to City of Salisbury Light Industrial: *(Presenter – Senior Planner Victoria Bailiff)*
 - (a) Receive a presentation from staff regarding the proposed voluntary annexation and proposed rezoning of the property
 - (b) Hold a public hearing regarding the proposed voluntary annexation
 - (c) Close the public hearing
 - (d) Hold a public hearing regarding the proposed rezoning
 - (e) Close the public hearing
 - (f) Consider adopting an Ordinance annexing 1465 Peeler Road.
 - (g) Issue a Statement of Consistency and Statement of Reasonableness, and consider adopting an Ordinance rezoning the property.

11. Council to consider the voluntary annexation of 31.083 acres located on Map 451 Parcel 227 on Majolica Road effective August 2, 2022 and to rezone the parcel from Rowan County Rural Agriculture to City of Salisbury General Residential. *(Presenter – Senior Planner Victoria Bailiff)*
 - (a) Receive a presentation from staff regarding the proposed voluntary annexation and proposed rezoning of the property
 - (b) Hold a public hearing regarding the proposed voluntary annexation
 - (c) Close the public hearing
 - (d) Hold a public hearing regarding the proposed rezoning
 - (e) Close the public hearing
 - (f) Consider adopting an Ordinance annexing Map 451 Parcel 227 Majolica Road.
 - (g) Issue a Statement of Consistency and Statement of Reasonableness, and consider adopting an Ordinance rezoning the property.

12. Council to consider adopting an Ordinance amending the Land Development District Map to rezone two parcels located along the 900 block of Peeler Road from Rowan County Commercial Business Industrial to City of Salisbury Highway Business: *(Presenter – Senior Planner Victoria Bailiff)*
 - (a) Receive a report from staff
 - (b) Hold a public hearing
 - (c) Issue a Statement of Consistency and Statement of Reasonableness and consider adopting an Ordinance rezoning the property

13. Council to consider the voluntary annexation of 4.39 acres at The Gables at Kepley Farms, Phase 6 located on Map 403 Parcel 192 effective August 2, 2022: *(Presenter – City Engineer Wendy Brindle)*
 - (a) Receive a presentation from staff
 - (b) Hold a public hearing
 - (c) Consider adopting an Ordinance annexing The Gables at Kepley Farms, Phase 6.

14. Council to receive an update from the Police Department. *(Presenter – Chief Jerry Stokes)*

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15. Council to receive an update on the Microtransit pilot project proposed to begin December 2022. (*Presenter – Transit Director Rodney Harrison*)
16. City Attorney’s Report
 - (a) Consider amending the Resolution regarding City Manager contracting authority.
17. City Manager’s Report.
18. Council’s Comments.
19. Mayor Pro Tem’s Comments.
20. Mayor’s Announcements and Comments.
 - (a) Downtown Salisbury, Inc. will host College Night Out Thursday, August 18, 2022 from 5:00 p.m. until 9:00 p.m. at Bell Tower Green as the city welcomes and invites students from Livingstone College, Hood Theological Seminary, Catawba College, and Rowan Cabarrus Community College and new Rowan Salisbury school teachers for games, food, networking and activities. For more information visit downtownsalisburync.com.
21. Adjourn.



City of Salisbury

North Carolina

*Office of the
Mayor*

PROCLAMATION

WHEREAS, Ann Coggin celebrated her 95th birthday on June 18, 2022; and

WHEREAS, Ann Coggin has touched the lives of hundreds of young people through her work as Administrative Assistant, devoted listener, swim instructor, chaperone and “Chief Cook and Bottle Washer” at the Salisbury YMCA; and

WHEREAS, Ann Coggin received the Distinguished Service Award from the Salisbury YMCA upon her retirement after 25 years of service; and

WHEREAS, Ann Coggin has been honored over her lifetime as a humanitarian and preservationist with numerous awards such as the Good Samaritan Award from the Civitan Club of Salisbury, the Major Emphasis Award from the Salisbury Kiwanis Club, the Clyde Award from Piedmont Players and the Ann Coggin Lifetime Achievement Award from the West Square Historic Neighborhood for her 50 years as its treasurer; and

WHEREAS, Ann Coggin served as the first president of the Summit Civitan Club, a club devoted to those with developmental and intellectual disabilities; and

WHEREAS, Ann Coggin also served for eight years as a puppeteer for Kids on the Block for the Rowan ARC teaching fourth graders how to stand up to bullies despite their handicaps and disabilities; and

WHEREAS, until March 2022, Ann Coggin lovingly prepared meals for the boards of the Rowan County United Way, the Salisbury YMCA, the Industrial Management Club and First United Methodist Church in Salisbury; and

WHEREAS, Ann Coggin has dedicated her life to her family and helping others and has demonstrated in so many ways her deep and genuine love for both.

NOW, THEREFORE, I Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, DO HEREBY PROCLAIM Tuesday, August 2, 2022 as

ANN COGGIN DAY

in Salisbury and extend congratulations, gratitude, and best wishes to Ann Coggin and her family and friends on this very special occasion.

This the 2nd day of August 2022.

Karen K. Alexander, Mayor



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, Civitan International is an association of affiliated community service clubs founded in 1917 by a group of businessmen in Birmingham, Alabama who recognized the needs of their community; and

WHEREAS, Civitan International has grown to become one of the most active volunteer civic organization in the United States with more than 20,000 total members across North America, Europe, Africa and Asia, including young men and women in youth and college programs; and

WHEREAS, the worldwide mission of the Civitan Club members is to build good citizenship by providing a volunteer organization of clubs dedicated to serving individual and community needs with an emphasis on helping people with developmental disabilities; and

WHEREAS, Civitan Club members serve the community by fulfilling local charitable needs and generously providing their time and financial support to better the community; and

WHEREAS, Civitan Club members continually seek life experiences that provide direction, character building, leadership development, and the satisfaction of helping those in need; and

WHEREAS, Salisbury is home to the Civitan Club of Salisbury which is the 80th Civitan Club formed in the nation and now one of the largest Clubs in North Carolina and one of the oldest continuously existing Civitan Clubs in the world; and

WHEREAS, on August 15, 2022 the Civitan Club of Salisbury will achieve the significant milestone of providing 100 years of continuous service to the local community; and

WHEREAS, the Civitan Club of Salisbury is recognized for its significant contributions and dedication of its members whose efforts over the past one hundred years continue to make the community a better place to live, work and raise families.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, on behalf of the Salisbury City Council DO HEREBY PROCLAIM the month of August 2022 as

CIVITAN CLUB OF SALISBURY CENTENNIAL MONTH

in Salisbury, and encourage all citizens to recognize this special month and celebrate this centennial anniversary with members of the Civitan Club of Salisbury.

This the 2nd day of August 2022.

Karen K. Alexander, Mayor

Salisbury, North Carolina
July 19, 2022

REGULAR MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin, David Post, and Anthony Smith; City Manager Jim Greene, Jr., City Clerk Kelly Baker; and City Attorney J. Graham Corriher.

ABSENT: None.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Alexander at 6:00 p.m. A moment of silence was taken.

PLEDGE OF ALLEGIANCE

Mayor Alexander led participants in the Pledge of Allegiance to the United States flag.

CHANGES TO THE AGENDA

Mayor Alexander noted the following changes to the Agenda:

Postpone: Item 6q – Authorize the City Manager to approve a purchase order for Sourcewell Co-Op Contract 032119-CAT in an amount not to exceed \$227,902 for the purchase of a heavy equipment excavator.

ADOPTION OF THE AGENDA

Thereupon, Mayor Pro Tem Sheffield made a **motion** to adopt the Agenda as amended. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

PROCLAMATION

Mayor to proclaim the following observance:

NATIONAL NIGHT OUT

August 2, 2022

CONSENT AGENDA

(a) Minutes

Approve Minutes of the regular meeting of June 21, 2022 and the special meeting of June 29, 2022.

(b) Voluntary Annexation – Earnhardt Road

Receive a request for voluntary annexation of 65.276 acres on Tax Map 058 Parcel 089 located at 770 Earnhardt Road, and adopt a Resolution instructing the City Clerk to investigate the sufficiency of the request.

RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31, FOR VOLUNTARY ANNEXATION OF TAX MAP 058 PARCEL 089, 65.276 ACRES LOCATED AT 770 EARNHARDT ROAD.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 41, and is known as Resolution 2022-31.)

(c) Voluntary Annexation – Statesville Boulevard

Receive a request for voluntary annexation of 38.646 acres on Tax Map 330 Parcels 021 and 040 located on Statesville Boulevard, and adopt a Resolution instructing the City Clerk to investigate the sufficiency of the request.

RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31, FOR VOLUNTARY ANNEXATION OF TAX MAP 330 PARCELS 021 AND 040, 38.646 ACRES LOCATED ON STATESVILLE BOULEVARD.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 42, and is known as Resolution 2022-32.)

(d) Voluntary Annexation – Stone Ridge Road

Receive a request for voluntary annexation of 16.797 acres on Tax Map 064 Parcel 0030100001 located on Stone Ridge Road, and adopt a Resolution instructing the City Clerk to investigate the sufficiency of the request.

RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31, FOR VOLUNTARY ANNEXATION OF TAX MAP 064 PARCEL 0030100001, 16.797 ACRES LOCATED ON STONE RIDGE ROAD.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No.43, and is known as Resolution 2022-33.)

(e) Voluntary Annexation – 1215 Peeler Road

Receive the Certificate of Sufficiency for the voluntary annexation of Tax Map 408 Parcel 011 located at 1215 Peeler Road, and adopt a Resolution setting the date of the public hearing for August 2, 2022.

RESOLUTION SETTING DATE OF PUBLIC HEARING ON QUESTION OF THE ANNEXATION OF 1215 PEELER ROAD, PARCELS 408 011 PURSUANT TO G.S. 160A-58.1.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 44, and is known as Resolution 2022-34.)

(f) Voluntary Annexation – 1465 Peeler Road

Receive the Certificate of Sufficiency for the voluntary annexation of Tax Map 406 Parcel 024 and Tax Map 410 Parcels 034 and 003 located at 1465 Peeler Road, and adopt a Resolution setting the date of the public hearing for August 2, 2022.

RESOLUTION SETTING DATE OF PUBLIC HEARING ON QUESTION OF THE ANNEXATION OF 1465 PEELER ROAD, PARCELS 406 024, 410 034, 410 003 PURSUANT TO G.S. 160A-58.1.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 45-46, and is known as Resolution 2022-35.)

(g) Voluntary Annexation – Majolica Road

Receive the Certificate of Sufficiency for the voluntary annexation of Tax Map 451 Parcel 227 for Majolica Road and adopt a Resolution setting the date of the public hearing for August 2, 2022.

RESOLUTION SETTING DATE OF PUBLIC HEARING ON QUESTION OF THE ANNEXATION OF TAX MAP 451 PARCEL 227, LOCATED ON MAJOLICA RD, PURSUANT TO G.S. 160A-31.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 47-48, and is known as Resolution 2022-36.)

(h) Voluntary Annexation – The Gables Phase 6

Adopt a Resolution setting the date of the public hearing for August 2, 2022 for the voluntary annexation of Tax Map 403 Parcel 192, The Gables Phase 6, located off of Faith Road.

RESOLUTION SETTING DATE OF PUBLIC HEARING ON QUESTION OF THE ANNEXATION OF THE GABLES PHASE VI, OFF OF FAITH ROAD, PARCEL 403 192 PURSUANT TO G.S. 160A-58.1.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 49-50, and is known as Resolution 2022-37.)

(i) Incentive Request – Project Finishing

Receive an incentive request for a North Carolina Rural Building Reuse Grant and a Level 1 Incentive Grant for Project Finishing and set a public hearing for August 2, 2022 to receive public input. The company will apply for the North Carolina Rural Building Reuse Grant in the amount of \$150,000 that will be awarded to the City of Salisbury to disburse to the company. The City will satisfy its required match by hiring a grants administrator in an amount not to exceed \$6,000.

(j) Right-of-Way Encroachment

Approve a Right-of-Way encroachment by Level 3 on Mocksville Avenue near North Craige Street in accordance with Section 11-24(27) of the City Code, subject to approval by the North Carolina Department of Transportation.

(k) Parking – Depot Street

Adopt an Ordinance amending Section 13-354 (parking limited to 30 minutes) and Section 13-357 (parking limited to two hours between 8:00 a.m. and 6:00 p.m.) for the west side of the 300 block of Depot Street.

ORDINANCE AMENDING CHAPTER 13, ARTICLE X, OF THE CODE OF THE CITY OF SALISBURY, RELATING TO PARKING.

(The above Ordinance is recorded in full in Ordinance Book No. 30 at Page No. 158 and is known as Ordinance 2022-54.)

(l) Contract – Advance Property Solutions, LLC

Award a contract to Advance Property Solutions, LLC in the amount of \$115,820 for mowing and lawn care services at Salisbury-Rowan Utilities' facilities.

(m) Purchase Order – Carus

Authorize the City Manager to approve a purchase order for Carus in an amount not to exceed \$108,570 for the purchase of Zinc Orthophosphate.

(n) Purchase Order – Brenntag Mid-South

Authorize the City Manager to approve a purchase order for Brenntag Mid-South in an amount not to exceed \$148,500 for the purchase of Sodium Bisulfite.

(o) Purchase Order – G20 Technologies

Authorize the City Manager to approve a purchase order for G20 Technologies in an amount not to exceed \$255,000 for the purchase of Aluminum Chlorohydrate.

(p) Purchase Order – North Carolina Statewide Vehicle Contract

Authorize the City Manager to approve a purchase order for North Carolina Statewide Vehicle Contract 070A in an amount not to exceed \$59,954.30 for the purchase of a high roof cargo van for the Facilities Maintenance Department.

(q) Purchase Order – Sourcewell Co-Op

Authorize the City Manager to approve a purchase order for Sourcewell Co-Op Contract 032119-CAT in an amount not to exceed \$227,902 for the purchase of a heavy equipment excavator. *This item was postponed.*

(r) Purchase Order – North Carolina Sheriff's Association Contract

Authorize the City Manager to approve a purchase order for the North Carolina Sheriff's Association Contract 23-07-0421 in an amount not to exceed \$130,000 for the purchase of a yard leaf machine from Jet-Vac.

(s) Purchase Order – North Carolina Statewide Vehicle Contract

Authorize the City Manager to approve a purchase order for the North Carolina Statewide Vehicle Contract 202100002 in an amount not to exceed \$256,339.44 for the purchase of seven Ford Police Interceptor Utility all-wheel drive vehicles.

(t) Purchase Order – North Carolina Statewide IT Procurement

Authorize the City Manager to approve a purchase order for the North Carolina Statewide IT Procurement in an amount not to exceed \$134,795.80 for the Microsoft Licensing Renewal for FY2022-2023.

(u) Purchase Order – Rowan County Landfill

Authorize the City Manager to approve an open purchase order for the Rowan County Landfill in an amount not to exceed \$442,000 for landfill charges.

(v) Purchase Order – Republic Services of North Carolina

Authorize the City Manager to approve an open purchase order for Republic Services of North Carolina in an amount not to exceed \$618,000 for curbside recycling.

(w) Purchase Order – Henson’s Inc.

Authorize the City Manager to approve an open purchase order for Henson’s Inc. in an amount not to exceed \$126,500 for grinding services.

(x) Updated Charter – Centralina Regional Council

Adopt a Resolution ratifying the updated charter of Centralina Regional Council.

RESOLUTION RATIFYING THE UPDATED CHARTER OF CENTRALINA REGIONAL COUNCIL.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 51, and is known as Resolution 2022-38.)

Thereupon, Councilmember McLaughlin made a **motion** to adopt the Consent Agenda as amended. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comments.

Mr. Tim Coffey, Salisbury Pride, thanked Council for its support and words of encouragement for the attendees of the Salisbury Pride Festival. He thanked City staff for its dedication to keeping attendees safe.

Dr. Kendall Mobley asked Council to consider the creation of an Equity Council in which community leaders and City personnel would have the authority to enact policies and practices that support equity and racial justice.

There being no one else to address Council, Mayor Alexander closed the public comment session.

DIVERSITY, EQUITY AND INCLUSION UPDATE

City Manager Jim Greene thanked Dr. Kendal Mobley and Dr. Susan Lee for working with the City to address Diversity, Equity, and Inclusion (DEI). He added DEI is a critical topic for the City and a priority for Council. He noted DEI Director Anne Little has been in her current position for approximately seven months and during that time many things have been accomplished. He stated staff is working to create programs that are inclusive, fair, and equitable.

Ms. Little thanked Council for its commitment to DEI, and she presented a timeline of events that have taken place over the past two years:

- June 2020 – In a *Salisbury Post* “*My Turn*” article Mayor Alexander wrote that “Collectively as a Council, what we do support and agree on, is supporting policies that encourage being inclusive of all cultures and backgrounds within our City departments and enterprises.”
- August 2020 – Councilmembers and staff participated in the Actions in Faith and Justice “Community Equity Forum: Heart of Democracy”
- November 2020 – Staff identified consulting firms to work with the Police Department and Chief Stokes selected WPR Consulting, LLC (WPR)
- January 2021 – WPR began work with the Salisbury Police Department
- July 2021 – WPR presented a comprehensive report to Council and recommended:
 - The City designate staff and funding for DEI programs throughout the City
 - Prioritize and identify funding commitments
 - Designate a DEI Director to lead development and implementation of a strategic plan
 - Establish departmental liaisons to identify improvement areas
- August 2021 – Provided support for Actions in Faith and Justice’s Community Remembrance Project, a collaboration with the Equal Justice Initiative that led to a Marker of Remembrance being placed at the intersection of Church and Liberty Streets
 - The Public Arts Commission endorsed the project and staff coordinated the permitting process, installed the marker, and participated in the weekend’s events
- September 2021 – Former City Manager Lane Bailey, Assistant City Manager Zack Kyle, Human Relations Manager Anne Little and WPR began discussions to create an action plan
- October 2021 – Police Department staff engaged in Diversity, Equity, Inclusion and Justice (DEIJ) training
- November 2021 – Former City Manager Lane Bailey announced the creation of a DEI Department and named Human Relations Manager Anne Little as Director
- December 2021 - 42 department leaders and senior level staff members participated in DEIJ training
- January 2021 – Outlined the DEI department objectives during Council’s Retreat
- July 2022 – The DEI department was funded and approved for an additional position

Ms. Little reviewed the actions Council has taken:

- The City was the first sponsor of the Rowan Chamber of Commerce Minority Business Council
- Introduced two programs to assist local minority and women-owned businesses
 - 1MBB and Kiva
- Adopted a Non-Discrimination Ordinance in 2021
- Approved the DEI budget and created an additional DEI position

Ms. Little noted the HRC:

- Hosted a quarterly meeting of the State Human Relations Councils
- Partnered with the Police Department to host a Fair and Impartial Policing Workshop
- Hosted community events, forums, and celebrations
- Provided volunteers, information, and support for community events, including the Pride Festival, Juneteenth, and La Voz Unida

Ms. Little indicated the Parks and Recreation Department:

- Upgraded its entertainment selection process to insure a better catalogue of locally diverse artists from all forms of performance art
- Enhanced its ongoing partnership with the NAACP, including hosting the Juneteenth Festival at Bell Tower Green Park and providing the Kid Zone games
- Welcomed the Pride Festival to Bell Tower Green Park; provided event support and hosted the Kid Zone games
- Staff attended DEI training hosted by the North Carolina Parks and Recreation Association

Ms. Little stated the Fire Department:

- Named Wesley Jackson Fire Department Recruiter
- Streamlined and improved application-to-onboarding processes at the Fire Department
- Enhanced the Fire Department's presence in the community
- Strengthened the Fire Department's alignment with community organizations, including the NAACP

Ms. Little noted the Human Resources Department has been intentional in its recruiting efforts and has established recruiting and retention committees. She pointed out the Finance Department implemented the Share2Care Program to assist local families with their water bills. She stated the Public Works Department received a Stormwater grant to assist low-income communities that are typically located near flood prone areas, and broadened recruitment efforts to attract a more diverse candidate pool.

Ms. Little noted she and Transit Director Rodney Harrison assisted with DEI sessions at the North Carolina Public Transit Authority Conference and shared information regarding the City's DEI plans and implementation. She pointed out:

- All transit vehicles are equipped in accordance with Americans with Disabilities Act standards
- Transit offers individualized paratransit service for citizens with special needs
- Utilizes translators and a language line translation service

Ms. Little indicated the Communications Department:

- Established a promotional campaign of monthly commemorations, including features to highlight Black History Month, Hispanic Heritage Month, Asian American and Pacific Islander Month, Women's History Month, Juneteenth, and Pride
- Addressed language and ability barriers with the website and informational materials
- Created a resource guide (in two languages) for distribution to City residents

Ms. Little stated the Engineering Department:

- Awarded a contract for sidewalk construction on Ryan Street
- Added stamped crosswalks downtown and at the intersection at Fred M. Evans Pool
- Included bike lanes and sharrows along a 17-block section of Main Street
- Received bids for construction of the sidewalk on Lash Drive

Ms. Little indicated Downtown Salisbury, Inc. (DSI):

- Encouraged the use of minority and women owned business loans and grant programs
- Promoted and implemented a more diverse marketing campaign
- Participates in the Minority Business Council
- Intentional about creating inclusive and diverse committees

Ms. Little referenced the Police Department:

- Intentional recruitment of diverse police officer candidates; of 21 hires, 11 (52%) were from gender or racial groups less represented in the Police Department ranks
- Hired a Lieutenant to lead the Police Department's DEI and organizational development; created an internal DEI Task Force
- Completed a disciplinary assessment audit to identify potential bias
- The Chief's Advisory Board is active and diverse, with 17 minority members (68%) of the 25 total members
 - The Advisory Board meets bi-monthly and has reviewed several aspects of Police Department operations for citizen input in police policy and procedures

Ms. Little stated the Community Planning Services Department:

- Partnered with DEI to host a funding roundtable to support housing services for those in need and/or facing discrimination
- Changed housing grant guidelines to include renters
- 2040 Comprehensive Plan includes an equitable and inclusive community section
- Provided CARES Act funding to organizations that serve diverse populations
- Broadened advertising and information distribution to include intentional outreach for Spanish speaking citizens.

Ms. Little noted the DEI Department:

- Assisted with a Duke Energy grant for diversity and inclusion
- Facilitated a West End Community meeting on Safety Within Our Community; participated in the Salisbury Branch of American Association of University Women (AAUW) program on diversity and equity in the community
- Met with representatives of Actions in Faith and Justice in January to provide information on the DEI Department
- Provided ongoing counsel and support for DEI programs
- Assisted with application review and awarding of Community Development Block Grant (CBDG) funds

Ms. Little pointed out:

- The Community Appearance Commission (CAC) planted flowers around the Marker of Remembrance
- Staff volunteered during the Juneteenth and Pride Festivals to ensure the City had a strong presence at both events
- Staff volunteered and created materials in Spanish for the La Voz Unida
- Police Department secured grant funding for a full-time Homeless Liaison position
- Homeless Liaison, Community Planning, and Human Relations have assisted with two Homeless Resource Fairs
- Management Team served staff during the Employee Appreciation Flavor Tour to celebrate the diverse flavors of Team Salisbury
- Interim City Manager Brian Hiatt hosted a Leader's Summit for senior and mid-level managers to provide updates on the 2022 Council priorities, MAPS Pay Study and budget process along with information and plans from the DEI Department

Ms. Little referenced ongoing work and future plans:

- The DEI Department will work on a strategic plan, initiate staff engagement and training and launch a staff DEI committee
- Plans are underway for Council and the HRC to participate in DEIJ training
- The HRC will request updates to the current Ordinance that will empower them as lead for human rights issues to support Council priorities and identified community issues

- Formalize a response and intake process related to the Nondiscrimination Ordinance and fair housing
- Review City practices and policies to ensure equitable access
- Increase opportunities for community dialog and engagement
- Hire a Human Relations Specialist
- Parks and Recreation, DEI and Downtown Development are collaborating on plans for an International Festival of Cultures
- The City Manager's engagement with Racial Equity Rowan continues
- The Police Department and DEI will be working on a grant to secure additional funding for City-wide DEI programs

Ms. Little noted key external alliances include the Government Alliance for Racial Equity, the International Association of Official Human Rights Agencies, the National Association of Human Rights Workers North Carolina Chapter, and the North Carolina State Human Relations Commissions.

Mayor Alexander requested the information be placed on the website for public review.

Councilmember Smith stated cities and corporations are being intentional regarding DEI. He added the work is unprecedented, and he commended staff and Council for its work to further DEI in the City. He commented there is much to be done, and he looks forward to working to close the gaps in the community. Ms. Little agreed, and she stated the work must be consistent and transparent.

Mayor Alexander thanked Ms. Little for her presentation, and she recognized representatives from WPR who were in the audience.

Mayor Pro Tem Sheffield pointed out a DEI Department and departmental positions, such as the City's Homeless Advocate and a Victim's Advocate, have been created to further DEI. She stated the work began in 2019 and she is grateful for everyone who has worked to promote the cause.

Mr. Willie Ratchford, WPR Consulting, commended Council for its support of the Police Department and DEI. Dr. Anthony Wade, WPR Consulting, indicated the City needs to do a better job telling its story.

RECOGNITION – RETIRING POLICE CAPTAIN MELONIE THOMPSON

Police Chief Jerry Stokes recognized Captain Melonie Thompson for 28 years of service to the Salisbury Police Department. He stated Captain Thompson was Salisbury's first female officer to be promoted to Captain and a crucial part of the community where she served on many different boards and committees. He commented she currently serves as secretary for the Terry Hess House Child Advocacy Center. He added it has been a blessing working with Captain Thompson, and he thanked her for her positive impact on the community.

Thereupon, Councilmember McLaughlin made a **motion** to issue retiring Captain Melonie Thompson her sidearm and badge. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

Councilmember Smith thanked Captain Thompson for her service and devotion to the community.

Mayor Pro Tem Sheffield thanked Captain Melonie Thompson for being a Salisbury Pride ally and community advocate.

Mayor Alexander stated Captain Thompson is an excellent grant writer, and she thanked her for everything she has done for the Salisbury Police Department.

Councilmember Post thanked Captain Thompson for utilizing her time and talents to serve the community.

Councilmember McLaughlin noted Captain Thompson has served as a voice for community members. He stated that 28 years in law enforcement is not easy, and he thanked her for her dedication to the community.

HEALTHIEST EMPLOYER AWARD

Human Resources Director Ruth Kennerly and Human Resources Analyst II Jennifer Silva addressed Council regarding Salisbury receiving the Healthiest Employer Award.

Ms. Silvia stated the award recognizes employees and organizations taking a proactive approach to employee health and wellbeing. She explained employees were assessed on a broad spectrum of wellness and worksite health initiatives. She thanked the Health and Wellness Committee, Piedmont Pharmaceutical Care Network, and the City's Nurse Practitioner for serving as a driving force in implementing health initiatives. She added some of these initiatives include move challenges, the waist and weight incentive program, and a quarterly City Health and Wellness newsletter.

Ms. Silvia stated this year's application focused on the employer's response to COVID-19. She commented that department and employee efforts have positively impacted employee health and wellness and provided cost savings for the City.

Mayor Alexander congratulated employees for participating and, she stated initiatives help to lower health insurance premium costs.

City Manager Jim Greene congratulated the Human Resources Department and thanked it for all it does for the City.

BENCH RENAMING

Administrative Services Director Kelly Baker addressed Council regarding the recommendation from the Community Appearance Commission to place a plaque on the bench in front of Fuller's Market in memory of Mr. Joseph Heilig. Ms. Baker stated the 30-day comment period ended July 8, 2022, and of the comments received, five were in favor and one was opposed.

Thereupon, Councilmember Smith made a **motion** to rename the bench located in front of Fuller's Market in memory of Joseph Heilig. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

LAND DEVELOPMENT ORDINANCE TEXT AMENDMENT – CHAPTER 4 SECTION 4.9 SUBDIVISION AND INFRASTRUCTURE

Community Planning Services Director Hannah Jacobson presented information regarding a proposed text amendment to Chapter 4 of the Land Development Ordinance (LDO) related to the sidewalk payment-in-lieu program. She indicated walkability, mobility, and connectedness are goals outlined in the Vision 2020 Comprehensive Plan and the draft Forward 2040 Plan. She pointed out the LDO requires sidewalks in most new developments with a few exceptions for residential lots and minor subdivisions.

Ms. Jacobson pointed out Chapter 4.9 of the LDO explains the sidewalk payment-in-lieu program is to be used in limited circumstances to allow the developer to pay a fee instead of installing the required sidewalks. She noted the fee received will be used for future sidewalk construction to assist in filling in the gaps in other parts of the City.

Ms. Jacobson explained in February 2022 Council approved changes to the sidewalk payment-in-lieu program regarding how fees are calculated due to increased construction costs. She added the fees are now based on labor and material at the time of construction.

Ms. Jacobson stated the text amendment is proposed to clarify the limited circumstances in which the payment-in-lieu program can be considered such as where an impeding road widening is taking place and impracticality due to topography and environmental constraints. She indicated it is proposed to eliminate the phrase that allows the program to be used if there are no existing sidewalks to which to connect. She added there is a need to allow the incremental building of a sidewalk network and the payment-in-lieu program to be used as an exception.

Ms. Jacobson noted at its May 24, 2022 meeting Planning Board recommended approval of the text amendment as being consistent with the Vision 2020 Comprehensive Plan.

Mayor Alexander convened a public hearing after due notice regarding the proposed text amendment.

There being no one to address Council, Mayor Alexander closed the public hearing.

Councilmember McLaughlin stated the City Council hereby finds and determines that adoption of an Ordinance to amend the Land Development Ordinance of the City of Salisbury as underlined or stricken herein is reasonable, in the public interest, and is consistent with the Vision 2020 Comprehensive Plan. Thereupon, Councilmember McLaughlin made a **motion** to adopt an Ordinance amending Chapter 4 Section 4.9 Subdivisions and Infrastructure of the Land Development Ordinance of the City of Salisbury, North Carolina

ORDINANCE AMENDING CHAPTER 4 SECTION 4.9 SUBDIVISIONS AND INFRASTRUCTURE OF THE LAND DEVELOPMENT ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA.

(The above Ordinance is recorded in full in Ordinance Book No. 30 at Page No. 159-160 and is known as Ordinance 2022-55.)

COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME PROGRAM FUNDS ACTION PLAN AND BUDGET

Community Planning Services Director Hannah Jacobson presented an overview of the Community Development Block Grant (CDBG) and HOME Program Funds Action Plan and budget. She stated the 30-day public comment period closed on July 13, 2022 and no substantial comments were received. She indicated the budget is the same as was presented at Council's June 22, 2022 meeting.

Ms. Jacobson pointed out the City will receive \$514,920 in CDBG and HOME Program funds, and she explained the proposed funding amounts of each program.

Ms. Jacobson reviewed the proposed funding amounts in the CDBG budget:

- Owner-Occupied Rehabilitation Program - \$149,706.60
- West End Community Garden - \$45,000
- Public Service Agencies - \$43,500
 - Rowan Helping Ministries – \$12,500
 - Community Care Clinic - \$7,000
 - Prevent Child Abuse Rowan - \$5,000
 - Meals on Wheels - \$7,000
 - One Love, Inc. - \$12,000
- Debt Service – Final Park Avenue Loan Payment - \$14,395
- Program Administration - \$58,150.40

Ms. Jacobson then reviewed the proposed funding amounts in the HOME Program budget:

- New Construction Program - \$132,611
- Down Payment Assistance Program - \$60,000
- Program Administration - \$11,557

Ms. Jacobson asked for Council's approval of the CDBG and the HOME Program Funds Action Plan and budget which will be submitted to the U.S. Department of Housing and Urban Development (HUD) upon approval.

Councilmember Post asked about the allocation of fair housing funds. Ms. Jacobson pointed out the allocation of the fair housing funds will include housing activities and will likely be coordinated with the Human Relations Specialist and the Housing Planner once they are hired.

Thereupon, Councilmember Post made a **motion** to approve the FY2022-2023 Action Plan and Budget for the use of Community Development Block Grant (CDBG) and HOME Program funds from the U.S. Department of Housing and Urban Development. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

UPDATE – SHAY CROSSING PHASE 1

City Engineer Wendy Brindle addressed Council regarding Shay Crossing Phase 1. She explained in March the final plat was approved which allowed construction to begin. She displayed a map of the area, and she pointed out Phase 1 and its proximity to Earnhardt and Stokes Ferry Roads.

Ms. Brindle stated the developer is requesting the City accept the streets so the homes of finished construction can obtain Certificates of Occupancy. She explained the Land Development Ordinance (LDO) states a Certificate of Occupancy cannot be issued unless the street is maintained by the City and staff is working with the developer regarding infrastructure concerns.

Ms. Brindle noted City Attorney Graham Corriher has worked with Shay Crossing attorneys to develop an agreement for maintenance and acceptance. She pointed out the City will also need to establish stop conditions. She requested Council consider approving an agreement regarding the acceptance and maintenance of the streets for Shay Crossing Phase 1 and adopting an Ordinance to establish stop conditions.

Thereupon, Councilmember Post made a **motion** to approve an agreement between the City of Salisbury, True Homes, LLC and Dependable Development, Inc. for Shay Crossing Phase 1. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

Thereupon, Councilmember Post made a **motion** to adopt an Ordinance amending Section 13-332, Article X, Chapter 13 of the Code of the City of Salisbury, relating to stop signs. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

ORDINANCE AMENDING SECTION 13-332, ARTICLE X, CHAPTER 13 OF THE CODE OF THE CITY OF SALISBURY, RELATING TO STOP SIGNS.

(The above Ordinance is recorded in full in Ordinance Book No. 30 at Page No.161 and is known as Ordinance 2022-56.)

UNIFORM CONSTRUCTION STANDARDS REVISIONS

Salisbury-Rowan Utilities (SRU) Assistant Director Jason Wilson and Engineer Ashley Webb addressed Council regarding Uniform Construction Standards. Mr. Wilson stated staff is preparing to update the Construction Standards Manual. He explained in the current economy it has been difficult to obtain materials, and staff has received requests for alternates that are not allowed in the Uniform Construction Standards.

Ms. Webb reviewed the proposed changes, and she pointed out the alternates were selected in collaboration with consultants and other municipalities:

- Provide alternative pipe material options for certain installations
 - Will help alleviate supply chain challenges
 - Some uses will require SRU approval
 - Some uses will require special testing procedures
 - Selected in collaboration with consultants and other municipalities
 - Alternative materials will not jeopardize the integrity of SRU's system
- Minor revisions to various other standards and details
 - Remove conflicting requirements and redundancies
 - Clarify standards with multiple interpretations
 - Correct recurring issues seen in recent development

Ms. Webb explained:

- SRU compiled revisions from various City staff
- Draft revisions were provided to the Technical Review Committee (TRC) for review
- TRC subcommittee met to discuss changes
- Final draft was provided to TRC members (vote not required)

Ms. Webb noted upon approval from Council:

- Changes are effective immediately
 - Projects currently under review may elect to use new materials
 - Approved projects may need to submit a revised plan
- Engineering to hire a consultant for full overhaul of the Uniform Construction Standards
 - Roadway and storm drainage updates still needed
 - Continue correcting conflicts and redundancies
 - Reorganize and improve the layout/readability
 - Create checklists and supplementary documents

Councilmember Post clarified the proposed change of materials is going from steel pipes into a very strong plastic PVC pipe. Mr. Wilson noted the City is predominately a ductile iron pipe system which is preferred for water and sewer lines. He pointed out pipe materials have evolved over time and staff proposes allowing alternatives in certain situations. Mr. Post asked about the life expectancy of PVC pipe as opposed to a metal pipe. Mr. Wilson stated the life expectancy is comparable, and he added staff is specifying a thicker wall for gravity sewer lines. Mr. Post then asked about supply chain issues. Mr. Wilson stated the shortage seems to be labor related.

Mayor Pro Tem Sheffield thanked staff for its presentation and for working across departments to develop solutions. Mayor Alexander agreed, and she thanked staff for using a situation that was bad for the development community to improve the process.

Thereupon, Mayor Pro Tem Sheffield made a **motion** to approve revisions to the Uniform Construction Standards. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

FUNDING AGREEMENTS

City Attorney Graham Corriher stated Council has a line item in its budget for special project funding. He explained there is a new state law that requires recusal when councilmembers serve on the board of directors for nonprofits. He noted the allocations are listed as separate motions so any councilmember who also serves on one of the boards can recuse themselves from voting on a particular contract.

Mr. Corriher noted the agreements for Council's consideration are for the Salisbury Community Development Corporation (CDC), Rufty Holmes Senior Center, Horizons Unlimited, and the Rowan Arts Council.

Mayor Alexander asked to recuse herself from voting on the funding agreement for the Salisbury CDC. Thereupon, Mayor Pro Tem Sheffield made a **motion** to recuse Mayor Alexander. Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (4-0)

Thereupon, Councilmember McLaughlin made a **motion** to authorize the City Manager to enter into a funding agreement for the allocation of special project funds for the Salisbury CDC. Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (4-0)

Thereupon, Mayor Pro Tem Sheffield made a **motion** to reinstate Mayor Alexander. Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (4-0)

Councilmember Post asked to recuse himself from voting on the funding agreement for the Rufty Holmes Senior Center. Thereupon, Mayor Pro Tem Sheffield made a **motion** to recuse Councilmember Post. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin and Smith voted AYE. (4-0)

Thereupon, Councilmember McLaughlin made a **motion** to authorize the City Manager to enter into a funding agreement for the allocation of special project funds for the Rufty Holmes Senior Center. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin and Smith voted AYE. (4-0)

Thereupon, Mayor Pro Tem Sheffield made a **motion** to reinstate Councilmember Post. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin and Smith voted AYE. (4-0)

Thereupon, Councilmember Smith made a **motion** to authorize the City Manager to enter into a funding agreement for the allocation of special project funds for Horizon's Unlimited. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

Thereupon, Councilmember McLaughlin made a **motion** to authorize the City Manager to enter into a funding agreement for the allocation of special project funds for the Rowan Art's Council. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

CITY ATTORNEY'S REPORT

City Attorney Graham Corriher had nothing to report to Council.

CITY MANAGER'S REPORT

City Manager Jim Greene thanked City Attorney Graham Corriher for his work to interpret a new state law regarding funding agreements and ensuring the City is compliant. Mayor Alexander noted the new state law has provided Council an opportunity for feedback and accountability from the groups that receive the funding. She also thanked Mr. Corriher for all he does for the City.

COUNCIL COMMENTS

Councilmembers had no comments.

MAYOR PRO TEM'S COMMENTS

Mayor Pro Tem Sheffield requested an update regarding development and road concerns on Old Mocksville Road at 7th Avenue Street. City Manager Jim Greene noted staff will provide an update to Council.

Mayor Pro Tem Sheffield thanked staff for the great work it does for the City and the support the departments have for each other.

Mayor Pro Tem Sheffield thanked the City for its support for Salisbury Pride. She added the City had booths set up during the festival and there was great support from the County and the City. She thanked the City for supporting her as a member of LGTBQ community. She also pointed out Police Captain Melonie Thompson received the Salisbury Pride Ally award, and she thanked her again for her service to the community.

MAYOR’S ANNOUNCEMENTS AND COMMENTS

Mayor Alexander thanked staff for all it does for the City, and she thanked City Manager Jim Greene, Jr for his leadership.

(a) **Cultivating Community Conversations**

Mayor Alexander announced the second “Cultivating Community Conversations” will be held Thursday, July 28, 2022 at 5:30 p.m. at Cannon Park and the Park Avenue Community Center located at 632 Park Avenue. Residents who serve on the Police Chief’s Advisory Board will lead open discussion between police officers and residents. Food will be served.

(b) **National Night Out**

Mayor Alexander announced the City of Salisbury, the Salisbury Police Department and the Human Relations Council will host a National Night Out Event and Community Resource Fair on Tuesday, August 2, 2022 beginning at 6:00 p.m. at Bell Tower Green Park. The Community Resource Fair will include a giveaway event providing back packs full of school supplies. There will be food and activities for the entire community. Local resource agencies will also be on hand for the event.

Mr. Greene thanked Diversity, Equity and Inclusion Director Anne Little, Police Chief Jerry Stokes, and staff for its dedication and working the upcoming National Night Out event. He indicated the Council meeting on August 2, 2022 will begin at 3:00 p.m. so Council and the public can attend the event at Bell Tower Green and other events throughout the community.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Post. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

The meeting was adjourned at 8:14 p.m.

Karen Alexander, Mayor

Kelly Baker, City Clerk

DRAFT

Salisbury, North Carolina
July 19, 2022

SPECIAL MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin, David Post, and Anthony Smith; City Manager Jim Greene, Jr., City Clerk Kelly Baker; and City Attorney J. Graham Corriher.

ABSENT: None.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Alexander at 4:30 p.m. A moment of silence was taken.

ADOPTION OF THE AGENDA

Thereupon, Mayor Pro Tem Sheffield made a **motion** to adopt the Agenda as presented. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

CLOSED SESSION

Thereupon, Councilmember David Post made a **motion** to go into Closed Session regarding the acquisition of real property as allowed by NCGS 143-318.11(a)(5) and to consult with an attorney as allowed by NCGS 143- 318.11(a)(3). Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

RETURN TO OPEN SESSION

Thereupon, Councilmember Post made a **motion** to return to open session. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

Mayor Alexander indicated Council took no action in Closed Session.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember McLaughlin. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

The meeting was adjourned at 6:05 p.m.

Karen Alexander, Mayor

Kelly Baker, City Clerk

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: 08/02/2022

Name of Group(s) or Individual(s) Making Request: Wendy Brindle, City Engineer

Name of Presenter(s): N/A

Requested Agenda Item: NCDOT Reimbursement Contract for Schedules A (Signs), B (Markings & Markers), C (Traffic Signals) and D (Computerized Traffic Signal System).

Description of Requested Agenda Item: The North Carolina General Statutes charge the NCDOT Division of Highways with the responsibility of maintaining the State Highway System. However, within municipalities, the General Statutes permit the Division of Highways to delegate the actual maintenance of the system streets to municipalities qualified to perform the work. A standard reimbursement agreement must be executed with each municipality.

The City has agreements that were executed with NCDOT in March 26, 2019, and are allowed to be renewed in subsequent years. This year, NCDOT has asked for a renewal, with no changes for reimbursements. The agreements define maintenance functions and corresponding reimbursement rates. These agreements would be valid for service dates of July 1, 2019 through June 30, 2023, and has requested the signature of the City Engineer.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

Council action will be to authorize the City Engineer to accept agreements with NCDOT concerning maintenance of signs (Schedule A), of markings & markers (Schedule B), of traffic signals (Schedule C), and of the computerized traffic signal system (Schedule D).

Contact Information for Group or Individual: Wendy Brindle – 704-638-5201

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Salisbury City Council Agenda Item Request Form



Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR
May 5, 2022

J. ERIC BOYETTE
SECRETARY

Ms. Wendy Brendle, Traffic Engineer
City of Salisbury
P.O. Box 479
Salisbury, North Carolina 28145-0479

SUBJECT: MUNICIPAL OPERATIONS AGREEMENT-TRAFFIC SCHEDULE A -
EXTENSION OF AGREEMENT

Dear Ms. Brendle:

This is in reference to the current **Municipal Operations Agreement for Traffic Schedule A (Traffic Control Devices/Signs)** between the City of Salisbury and NCDOT, which was executed on March 26, 2019, for Fiscal Year 2018-19.

In accordance with the executed agreement, I am proposing to extend this agreement, with the reimbursement remaining the same at \$4,000.00, until June 30, 2023. The budget amount for the Fiscal Year will be \$4,000.00.

If the City agrees with this extension, please sign and date the bottom of this letter and return the original to me for approval. A signed copy will be returned to the City of Salisbury for its records.

If we may be of further assistance, please advise.

Sincerely,

J. P. Couch, P.E.
Division Traffic Engineer

JPC/ddk

cc: Division Engineer
LPMO – Contract Officer

CONCUR:

City Representative

Date

Division Engineer

Date



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR
May 5, 2022

J. ERIC BOYETTE
SECRETARY

Ms. Wendy Brendle, Traffic Engineer
City of Salisbury
P.O. Box 479
Salisbury, North Carolina 28145-0479

SUBJECT: MUNICIPAL OPERATIONS AGREEMENT-TRAFFIC SCHEDULE D -
EXTENSION OF AGREEMENT

Dear Ms. Brendle:

This is in reference to the **current Municipal Operations Agreement for Traffic Schedule D (Signal Systems Operation)** between the City of Salisbury and NCDOT, which was executed on March 23, 2019, for Fiscal Year 2018-19.

In accordance with the executed agreement, I am proposing to extend this agreement, with the reimbursement amount at 98,000.00, until June 30, 2023. The budget amount for the Fiscal Year will be \$98,000.00.

If the City agrees with this extension, please sign and date the bottom of this letter and return the original to me for approval. A signed copy will be returned to the City of Salisbury for its records.

If we may be of further assistance, please advise.

Sincerely,

J. P. Couch, P.E.
Division Traffic Engineer

JPC/ddk

cc: Division Engineer
LPMO – Contract Officer

CONCUR:

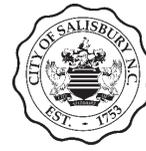
City Representative

Date

Division Engineer

Date

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: August 2, 2022

Name of Group(s) or Individual(s) Making Request: City of Salisbury, Engineering Department

Name of Presenter(s): N/A

Requested Agenda Item: Sufficiency of Annexation Petition – 770 Earnhardt Rd

Description of Requested Agenda Item:

The Engineering Department, on behalf of the City Clerk, has investigated the sufficiency of the petition received for the voluntary annexation of Tax Map 058 Parcel 089 located on Earnhardt Rd. The petition contains a description of the proposed contiguous annexation area, as well as the signature of the sole property owner. It is, therefore, sufficient in accordance with NCGS 160A-31.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Fiscal impact is unknown at this time. This will be included in the next step of the process.

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

City Council to receive the Certificate of Sufficiency and adopt a Resolution setting the date of the public hearing for September 6th, 2022 for the voluntary annexation of 770 Earnhardt Rd, Tax Map 058 Parcel 089.

Contact Information for Group or Individual:

Wendy Brindle, City Engineer
704-638-5201/wbrin@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

Approved

Declined

Reason:



**CERTIFICATE OF SUFFICIENCY
FOR
770 EARNHARDT RD (PARCEL 058 089)**

To the City Council of the City of Salisbury, North Carolina:

I, Kelly K. Baker, City Clerk, do hereby certify that I have investigated the petition for 770 Earnhardt Rd, Parcel 058 089, attached hereto and have found as a fact that said petitions are signed by all owners of real property lying in the area described therein, in accordance with G. S. 160A-31.

In witness thereof, I have hereto set my hand and affixed the Seal of the City of Salisbury, this 20th day of July, 2022.



Kelly K. Baker
City Clerk

“RESOLUTION SETTING DATE OF PUBLIC HEARING ON QUESTION OF THE ANNEXATION OF 770 EARNHARDT ROAD, PARCEL 058 089 PURSUANT TO G.S. 160A-31.

WHEREAS, petitions requesting the annexation of Parcel 058 089 at **770 Earnhardt Road** as described herein have been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petitions has been made;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Salisbury, North Carolina:

Section 1. The regularly scheduled September 6th, 2022 City Council meeting will be held in a hybrid format. The public is invited to attend virtually. Anyone who wishes to speak during the hearing regarding the proposed annexation must sign-up by 5:00 p.m. on Tuesday, September 6th, 2022 by contacting Kelly Baker at kbake@salisburync.gov or 704-638-5233.

Section 2. The areas proposed for annexation are described as follows:

Point of beginning: A nail found in the centerline line of Earnhardt Road, whose Northing is 693293.87 and whose Easting is 1573322.36. Said nail found being a common comer of the Alexander Helen Eakins Heirs property as recorded in Deed Book 347 at Page 471 and Deed Book 368 at Page 255, and the Gregory Scott Alexander property as recorded in Deed Book 1189 at Page 822, also being a point in the line of the Cynthia B. Ledford and Billy G. Ledford property as recorded in Deed Book 1358 at Page 554. Thence running with the center line of Earnhardt Road and the common line of the Gregory Scott Alexander property; Thence running with the line of the Gregory Scott Alexander property the following six (6) calls:

- 1) Thence N 75-28-09 W a distance of 44.86' to a pipe found;
- 2) Thence N 75-28-04 W a distance of 338.72' to a pipe found;
- 3) Thence N 22-26-17 E a distance of 35.28' to a point;
- 4) Thence N 22-26-17 E a distance of 253.00' to a pipe found;
- 5) Thence N 11-42-30 W a distance of 279.74' to a pipe found;
- 6) Thence N 66-08-13 W a distance of 470.11' to a pipe found and being the common comer with the B & C Land Farming, LLC property as recorded in Deed Book 1263 at Page 810;

Thence running with the line of the B & C Land Farming, LLC property, N 04-22-54 E a distance of 506.30' to an iron found, being a common comer with the Corbin Hills Golf Club, Inc. property as recorded in Deed Book 1130 at Page 647; Thence running with the line of the Corbin Hills Golf Club, Inc. property, N 02-26-44 E a distance of 323.82' to a pipe found and continuing N 44-18-41 W, passing a pipe found at 514.10', a total distance of 550.77' to a point in the center of Crane Creek; Thence running with the center line of Crane Creek the following twenty-three (23) calls:

- 1) Thence N 80-40-51 E a distance of 18.67' to a point;
- 2) Thence N 71-41-53 E a distance of 66.57' to a point;
- 3) Thence N 65-12-43 E a distance of 142.04' to a point;
- 4) Thence S 87-05-15 E a distance of 85.09' to a point;
- 5) Thence N 26-12-46 E a distance of 53.69' to a point;

- 6) Thence N 20-50-52 E a distance of 163.10' to a point;
- 7) Thence N 02-54-06 W a distance of 44.30' to a point;
- 8) Thence N 24-09-48 W a distance of 68.74' to a point;
- 9) Thence N 51-33-44 W a distance of 74.63' to a point;
- 10) Thence N 65-30-46 W a distance of 48.93' to a point;
- 11) Thence N 26-16-03 W a distance of 87.43' to a point;
- 12) Thence N 12-59-54 W a distance of 74.51' to a point;
- 13) Thence N 18-31-18 E a distance of 36.17' to a point;
- 14) Thence N 57-53-07 E a distance of 61.19' to a point;
- 15) Thence N 16-16-52 E a distance of 124.74' to a point;
- 16) Thence N 21-09-22 E a distance of 95.59' to a point;
- 17) Thence N 40-53-12 E a distance of 98.18' to a point;
- 18) Thence N 56-31-05 E a distance of 105.30' to a point;
- 19) Thence N 88-54-13 E a distance of 99.30' to a point;
- 20) Thence N 75-55-24 E a distance of 52.64' to a point;
- 21) Thence N 44-42-44 E a distance of 127.86' to a point;
- 22) Thence N 70-09-10 E a distance of 181.40' to a point;
- 23) Thence N 07-45-36 W a distance of 74.18' to a point, being a common corner with the Joshua M. Pressley & Miranda S. Pressley property as recorded in Deed Book 1309 at Page 462;

Thence continuing with the center line of Crane Creek and running with the line of the Joshua M. Pressley & Miranda S. Pressley property, N 32-33-47 E a distance of 18.15' to a point; Said point being a common corner with the Kerns Family Associates, LTD Partnership as recorded in Deed Book 832 at Page 859; Thence running with the line of the Kerns Family Associates LTD Partnership, S 85-12-22 E a distance of 492.36' to a pipe found; Said pipe found being a common corner of the John David Dalton & Denise Whitaker Dalton property as recorded in Deed Book 1172 at Page 208; Thence running with the line of the John David Dalton & Denise Whitaker Dalton property, S 01-47-38 W a distance of 2291.88' to a rebar found, the Northern corner of the Alexander Helen Eakins Heirs property as recorded in Book of Plats 9995 Page 10029; Thence with Plat 10029 the following two (2) calls:

- 1) Thence S 43-33-44 W a distance of 390.15 to an iron pipe found;
- 2) Thence S 12-50-12 E a distance of 665.40' to a nail found in the center of Earnhardt Road;

Thence with the center of Earnhardt Road S 61-55-26 W a distance of 115.25' to a nail found, the **POINT and PLACE of BEGINNING**

Said described parcel contains 2,748,964 square feet (63.108 acres), more or less, as shown on a survey by McMurray Land Surveying, Inc., dated 05-19-2022, and signed by Michael P. McMurray, L-4880

Section 3. Notice of said public hearing shall be published in the SALISBURY POST at least (10) days prior to the date of said public hearing.”

Karen K. Alexander
Mayor

ATTEST:

Kelly Baker, City Clerk

GENERAL NOTES:

- AREA DETERMINED BY COORDINATE GEOMETRY METHOD.
- SUBJECT PROPERTY DESCRIPTION RECORDED IN DEED BOOK 347 PAGE 471 & DEED BOOK 368 PAGE 255.
- THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT.
- PROPERTY SUBJECT TO ALL EASEMENTS, RIGHT OF WAYS, SETBACKS AND/OR RESTRICTIVE COVENANTS NOT SHOWN HEREON.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN US SURVEY FEET.
- A PORTION OF THE SUBJECT PROPERTY DOES LIE IN A FEMA DESIGNATED 100 YEAR FLOOD ZONE, (FIRM NO. 3710567900J, EFFECTIVE AS OF 6/16/2009).
- THERE ARE NO RECOVERABLE NC GEODETIC MONUMENTS WITHIN 2000'.
- ALL PROPERTY OWNERS CONSIDERED NOW OR FORMERLY.
- BOUNDARY SURVEY ONLY FOR ACQUISITION, OTHER IMPROVEMENTS EXIST BUT ARE NOT SHOWN ON THIS SURVEY.

CERTIFICATE OF SURVEY AND ACCURACY

I, MICHAEL P. McMURRAY, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN: REFERENCES AS SHOWN); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN (REFERENCES AS SHOWN); THAT THE RATIO OF PRECISION AS CALCULATED MEETS OR EXCEEDS 1:10,000; THAT A GLOBAL POSITIONING SYSTEM (GPS) SURVEY WAS PERFORMED UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE GPS SURVEY:

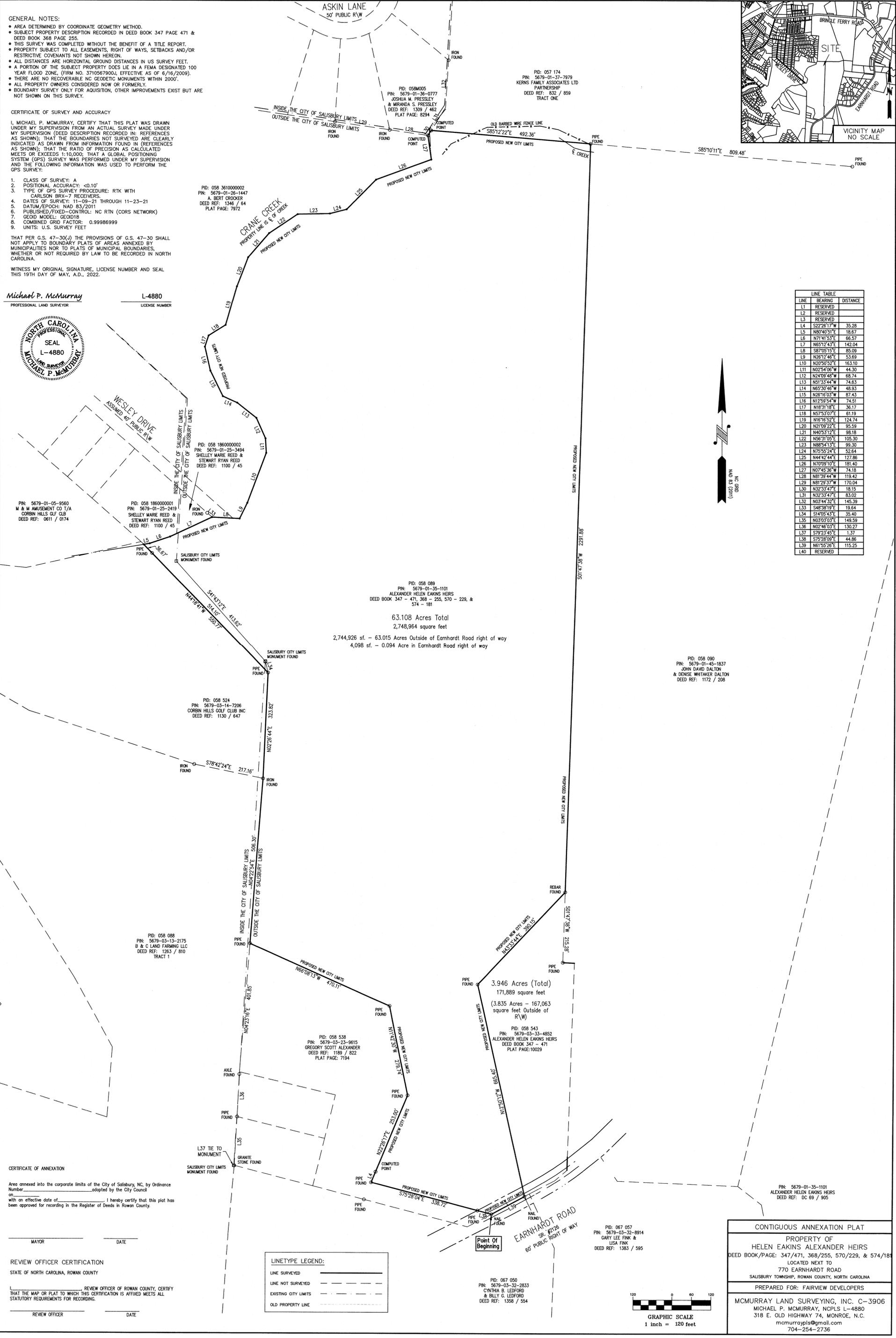
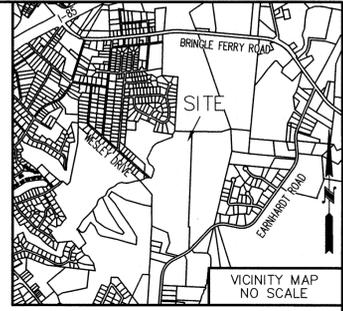
1. CLASS OF SURVEY: A
2. POSITIONAL ACCURACY: <0.10'
3. TYPE OF GPS SURVEY PROCEDURE: RTK WITH CARLSON BRX-7 RECEIVERS.
4. DATES OF SURVEY: 11-09-21 THROUGH 11-23-21
5. DATUM/EPOCH: NAD 83/2011
6. PUBLISHED/FIXED-CONTROL: NC RTN (CORS NETWORK)
7. GEOD MODEL: GEOD18
8. COMBINED GRID FACTOR: 0.99986999
9. UNITS: U.S. SURVEY FEET

THAT PER G.S. 47-30(J) THE PROVISIONS OF G.S. 47-30 SHALL NOT APPLY TO BOUNDARY PLATS OF AREAS ANNEXED BY MUNICIPALITIES NOR TO PLATS OF MUNICIPAL BOUNDARIES, WHETHER OR NOT REQUIRED BY LAW TO BE RECORDED IN NORTH CAROLINA.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 19TH DAY OF MAY, A.D., 2022.

Michael P. McMurray
PROFESSIONAL LAND SURVEYOR

L-4880
LICENSE NUMBER



LINE	BEARING	DISTANCE
L1	RESERVED	
L2	RESERVED	
L3	RESERVED	
L4	S22°28'17"W	35.28
L5	N83°40'51"E	18.67
L6	N71°41'53"E	66.57
L7	N65°12'43"E	142.04
L8	S87°05'15"E	85.09
L9	N26°12'46"E	53.69
L10	N20°50'52"E	163.10
L11	N02°54'06"W	44.30
L12	N24°08'48"W	68.74
L13	N61°33'44"W	74.63
L14	N65°30'46"W	48.93
L15	N26°16'03"W	87.43
L16	N12°59'54"W	74.51
L17	N18°31'18"E	36.17
L18	N57°53'07"E	61.19
L19	N16°16'52"E	124.74
L20	N21°09'22"E	95.59
L21	N40°33'12"E	98.18
L22	N56°31'05"E	105.30
L23	N88°54'13"E	99.30
L24	N75°52'24"E	52.64
L25	N44°42'44"E	127.86
L26	N70°09'10"E	181.40
L27	N07°45'36"W	74.18
L28	N81°39'44"W	119.42
L29	N81°29'37"W	170.04
L30	N32°33'47"E	18.15
L31	N32°33'47"E	83.02
L32	N03°44'32"E	145.39
L33	S48°38'19"E	19.64
L34	S14°05'43"E	35.40
L35	N03°03'03"E	148.59
L36	N02°48'03"E	130.27
L37	S78°23'45"E	1.37
L38	S75°28'09"E	44.86
L39	N61°50'26"E	115.25
L40	RESERVED	

PID: 058 089
PIN: 5679-01-35-1101
ALEXANDER HELEN EAKINS HEIRS
DEED BOOK 347 - 471, 368 - 255, 570 - 229, & 574 - 181

63.108 Acres Total
2,748,964 square feet

2,744,926 sf. - 63.015 Acres Outside of Earnhardt Road right of way
4,098 sf. - 0.094 Acre in Earnhardt Road right of way

PID: 058 090
PIN: 5679-01-45-1837
JOHN DAVID DALTON & DENISE WHITAKER DALTON
DEED REF: 1172 / 208

PID: 058 524
PIN: 5679-03-14-7206
CORBIN HILLS GOLF CLUB INC
DEED REF: 1130 / 647

PID: 058 088
PIN: 5679-03-13-2179
B & C LAND FARMING LLC
DEED REF: 1263 / 810
TRACT 1

PID: 058 538
PIN: 5679-03-23-9615
GREGORY SCOTT ALEXANDER
DEED REF: 1189 / 822
PLAT PAGE: 7134

3.946 Acres (Total)
171,889 square feet
(3.835 Acres - 167,063 square feet Outside of R/W)

PID: 058 543
PIN: 5679-03-33-4852
ALEXANDER HELEN EAKINS HEIRS
DEED BOOK 347 - 471
PLAT PAGE: 10029

PIN: 5679-01-35-1101
ALEXANDER HELEN EAKINS HEIRS
DEED REF: DC 69 / 905

PID: 067 057
PIN: 5679-03-32-8914
GARY LEE FINK & LISA FINK
DEED REF: 1383 / 595

PID: 067 050
PIN: 5679-03-32-2833
CYNTHIA B. LEDFORD & BILLY G. LEDFORD
DEED REF: 1358 / 554

CERTIFICATE OF ANNEXATION

Area annexed into the corporate limits of the City of Salisbury, NC, by Ordinance Number _____ adopted by the City Council on _____ with an effective date of _____. I hereby certify that this plat has been approved for recording in the Register of Deeds in Rowan County.

REVIEW OFFICER CERTIFICATION

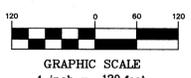
STATE OF NORTH CAROLINA, ROWAN COUNTY

I, _____ REVIEW OFFICER OF ROWAN COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

LINETYPE LEGEND:

LINE SURVEYED	—————
LINE NOT SURVEYED	- - - - -
EXISTING CITY LIMITS	-----
OLD PROPERTY LINE	-----



CONTIGUOUS ANNEXATION PLAT

PROPERTY OF
HELEN EAKINS ALEXANDER HEIRS
DEED BOOK/PAGE: 347/471, 368/255, 570/229, & 574/181
LOCATED NEXT TO
770 EARNHART ROAD
SALESBURY TOWNSHIP, ROWAN COUNTY, NORTH CAROLINA

PREPARED FOR: FAIRVIEW DEVELOPERS

MCMURRAY LAND SURVEYING, INC. C-3906
MICHAEL P. McMurray, NCPLS L-4880
318 E. OLD HIGHWAY 74, MONROE, N.C.
mcmurraypls@gmail.com
704-254-2736

Date: _____



**PETITION REQUESTING VOLUNTARY ANNEXATION
FOR _____**

We the undersigned owners of real property respectfully request that the area described on the attached documents be annexed into the City of Salisbury. By signing this petition, we understand that the following conditions are the responsibility of the petitioners. Failure to meet the conditions may delay or invalidate the request:

1. The petition must be signed by all owners of real property in the area described and shall contain the address of each property owner.
2. The petition must include a metes and bounds description of the area to be annexed and a preliminary annexation boundary survey prepared by a Registered Land Surveyor. Two original mylars of the final annexation boundary survey shall be completed after consultation with the City.
3. If the area is not contiguous to the primary City limits, the petition shall include documentation that:
 - a) The nearest point of the described area is not more than three miles from the primary City limits.
 - b) No point on the described boundary is closer to another municipality than to the City of Salisbury.
 - c) No subdivision, as defined in GS 160A-376, will be fragmented by the proposed annexation.
4. Upon the effective date of annexation and thereafter, the described citizens and property shall be subject to municipal taxes and to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other citizens and property in the City of Salisbury.

Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM _____ PCL _____	Gregory Alexander	Authentisign Gregory Alexander 12/9/2021 8:59:27 PM EST	730 Earnhardt Rd Salisbury, NC 28144
TM _____ PCL _____	Deborah Alexander	Authentisign Deborah Alexander 12/9/2021 8:58:41 PM EST	730 Earnhardt Rd Salisbury, NC 28144
TM _____ PCL _____	_____	_____	_____
TM _____ PCL _____	_____	_____	_____

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person _____ Telephone Number _____

For Office Use Only:

Total number of parcels _____ Number Signed _____ % Signed _____ Date Returned _____
 Contiguous per GS 160A-31 _____ or Non-contiguous "satellite" per GS 160A-58 _____ (check one)

CITY OF SALISBURY
 P.O. BOX 479, SALISBURY, NORTH CAROLINA 28145-0479

Date: _____



**PETITION REQUESTING VOLUNTARY ANNEXATION
FOR _____**

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Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM ___ PCL _____	Tina E Davis	 12/17/2021 8:31:35 AM EST	770 Earnhardt Rd
TM ___ PCL _____			Salisbury, NC 28144
TM ___ PCL _____	Jeremy Davis	 12/17/2021 8:38:44 AM EST	770 Earnhardt Rd
TM ___ PCL _____			Salisbury, NC 28144
TM ___ PCL _____			

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person _____ Telephone Number _____

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CITY OF SALISBURY
P.O. BOX 479, SALISBURY, NORTH CAROLINA 28145-0479

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Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM PCL	Michael Edmiston		670 Carpenters Creel Rd Hustanville, KY 40437
TM PCL	Christy Edmiston		670 Carpenters Creel Rd Hustanville, KY 40437
TM PCL			
TM PCL			

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person _____ Telephone Number _____

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CITY OF SALISBURY
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PETITION REQUESTING VOLUNTARY ANNEXATION FOR _____

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Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM PCL _____	Kevin Alexander	Authenticator <i>Kevin Alexander</i> 12/3/2021 10:51:59 AM EST	165 Hankridge Ln Salisbury, NC 28196
TM PCL _____	April Alexander	Authenticator <i>April Alexander</i> 12/3/2021 11:21:52 AM EST	165 Hankridge Ln Salisbury, NC 28196
TM PCL _____	_____	_____	_____
TM PCL _____	_____	_____	_____

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person _____ Telephone Number _____

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Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM _____ PCL _____	Sam Edmiston	 12/5/2021 12:29:42 PM EST	227 Lyons Ave Percyville, KY 40468
TM _____ PCL _____	Paula Edmiston	 12/5/2021 12:28:30 PM EST	227 Lyons Ave Percyville, KY 40468
TM _____ PCL _____	_____	_____	_____
TM _____ PCL _____	_____	_____	_____

(Attach additional petition forms if needed)

Form Revised 2-08

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P.O. BOX 479, SALISBURY, NORTH CAROLINA 28145-0479

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Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM _____ PCL _____	Jeffrey Cox	<i>Jeffrey Cox</i> <small>Authentisign 12/6/2021 5:36:31 PM EST</small>	150 Dutch Farm Rd Rockwell, NC 28138
TM _____ PCL _____	_____	_____	_____
TM _____ PCL _____	JoAnn Cox	<i>JoAnn E. Cox</i> <small>Authentisign 12/6/2021 2:53:07 PM EST</small>	150 Dutch Farm Rd Rockwell, NC 28138
TM _____ PCL _____	_____	_____	_____
TM _____ PCL _____	_____	_____	_____

(Attach additional petition forms if needed)

Form Revised 2-08

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CITY OF SALISBURY
P.O. BOX 479, SALISBURY, NORTH CAROLINA 28145-0479

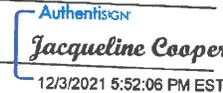
Date: _____



**PETITION REQUESTING VOLUNTARY ANNEXATION
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Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM ___ PCL ___	<u>Jack Cooper</u>		<u>113 Brookshire Dr.</u> <u>Salisbury, NC 28146</u>
TM ___ PCL ___	_____	_____	_____
TM ___ PCL ___	<u>Jacqueline Cooper</u>		<u>113 Brookshire Dr</u> <u>Salisbury, NC 28146</u>
TM ___ PCL ___	_____	_____	_____

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person _____ Telephone Number _____

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CITY OF SALISBURY

P.O. BOX 479, SALISBURY, NORTH CAROLINA 28145-0479

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: August 2, 2022

Name of Group(s) or Individual(s) Making Request: City of Salisbury, Engineering Department

Name of Presenter(s): N/A

Requested Agenda Item: Sufficiency of Annexation Petition – Stone Ridge North

Description of Requested Agenda Item:

The Engineering Department, on behalf of the City Clerk, has investigated the sufficiency of the petition received for the voluntary annexation of Tax Map 064 Parcel 0030100001 located on Old Concord Rd. The petition contains a description of the proposed contiguous annexation area, as well as the signature of the sole property owner. It is, therefore, sufficient in accordance with NCGS 160A-31.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Fiscal impact is unknown at this time. This will be included in the next step of the process.

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

City Council to receive the Certificate of Sufficiency and adopt a Resolution setting the date of the public hearing for September 6th, 2022 for the voluntary annexation of Stone Ridge North, Tax Map 064 Parcel 0030100001.

Contact Information for Group or Individual:

Wendy Brindle, City Engineer
704-638-5201/wbrin@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

Approved

Declined

Reason:



**CERTIFICATE OF SUFFICIENCY
FOR
STONE RIDGE NORTH (PARCEL 064 0030100001)**

To the City Council of the City of Salisbury, North Carolina:

I, Kelly K. Baker, City Clerk, do hereby certify that I have investigated the petition for Stone Ridge North, off of Stone Ridge Drive, Parcel 064 0030100001, attached hereto and have found as a fact that said petitions are signed by all owners of real property lying in the area described therein, in accordance with G. S. 160A-31.

In witness thereof, I have hereto set my hand and affixed the Seal of the City of Salisbury, this 20th day of July, 2022.



Kelly K. Baker
City Clerk

“RESOLUTION SETTING DATE OF PUBLIC HEARING ON QUESTION OF THE ANNEXATION OF STONE RIDGE NORTH, PARCEL 064 0030100001 PURSUANT TO G.S. 160A-31.

WHEREAS, petitions requesting the annexation of Parcel 064 0030100001 at Stone Ridge North, as described herein have been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petitions has been made;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Salisbury, North Carolina:

Section 1. The regularly scheduled September 6th, 2022 City Council meeting will be held in a hybrid format. The public is invited to attend virtually. Anyone who wishes to speak during the hearing regarding the proposed annexation must sign-up by 5:00 p.m. on Tuesday, September 6th, 2022 by contacting Kelly Baker at kbake@salisburync.gov or 704-638-5233.

Section 2. The areas proposed for annexation are described as follows:

Point of Commencement: An open top iron pipe found whose Northing is 689260.64 and whose Easting is 1565286.64.-Said iron pipe being the Northern corner of the Adrienne Grier property, Deed Book 1386 Page 563, and in the Southwesterly rear line of the Andrea C Cordts property, thence with the Adrienne Grier line S 45°16'25"W a distance of 105.19' to a point, the **Point of Beginning**; thence with the Grier line S 45°16'25"W a distance of 433.59' to an iron found marking the Northern corner of Shivani Aggarwal, Deed Book 1324 Page 679, thence with the Aggarwal property S 45°16'49"W a distance of 183.32' to an iron found a common corner with the Kilpatrick property, Deed Book 1326 Page 562; thence with the Kilpatrick property and part of the Weston Cordon property, Deed Book 1308 Page 253 S 45°13'26"W a distance of 147.68', passing an iron found at 91.48' to an iron found in the rear line of the Cordon property, also the Eastern corner of Stone Ridge Annexation Plat #6074; thence the following (11) eleven calls with Plat #6074

- (1) N 45°49'03"W a distance of 303.86' to an iron found;
 - (2) N 34°44'00"E a distance of 11.58' to a point;
 - (3) N 47°31'07"W a distance of 58.42' to a point;
 - (4) thence with a curve to the right, with an arc length of 67.54', with a radius of 106.53' and a chord bearing and distance of S 60°26'26"W a distance of 66.41' to a point;
 - (5) N 45°49'03"W a distance of 266.64' to a concrete monument;
 - (6) S 38°25'44"W a distance of 55.77' to an iron found;
 - (7) N 57°01'15"W a distance of 288.20' to an iron found;
 - (8) N 26°01'42"E a distance of 30.47' to a point;
 - (9) N 59°23'02"W a distance of 60.98' to a point;
 - (10) S 33°11'50"W a distance of 43.45' to a point;
 - (11) N 57°01'29"W a distance of 102.78' the Northern corner of Plat #6074;
- thence N 57°13'04"W a distance of 12.07' to a point in the line of the Sist property, Deed Book 1330 Page 873, also in the line of Annexation Plat# 2100 between monuments

19.2 and 19.1;

thence with Annexation Plat #2100; N 41°50'38"E a distance of 559.77' to a point (19.1 of Plat #2100}; thence the following (2) two calls with Annexation Plat #1331;

(1) S 68°14'01"E a distance of 1115.49' to a point;

(2) S 43°29'28"¹¹E a distance of 105.83' to the **Point and Place of Beginning**; having an area of +/- 731,689 square feet and +/- 16.797 acres as shown on an Annexation Plat prepared by Michael P. McMurray, NCPLS L-4880, dated May 27th, 2022.

Section 3. Notice of said public hearing shall be published in the SALISBURY POST at least (10) days prior to the date of said public hearing.”

Karen K. Alexander
Mayor

ATTEST:

Kelly Baker, City Clerk

Date: April 1st, 2022



**PETITION REQUESTING VOLUNTARY ANNEXATION FOR:
Mr. James Oliver Bonds, III**

We the undersigned owners of real property respectfully request that the area described on the attached documents be annexed into the City of Salisbury. By signing this petition, we understand that the following conditions are the responsibility of the petitioners. Failure to meet the conditions may delay or invalidate the request:

1. The petition must be signed by all owners of real property in the area described and shall contain the address of each property owner.
2. The petition must include a metes and bounds description of the area to be annexed and a preliminary annexation boundary survey prepared by a Registered Land Surveyor. Two original mylars of the final annexation boundary survey shall be completed after consultation with the City.
3. If the area is not contiguous to the primary City limits, the petition shall include documentation that:
 - a) The nearest point of the described area is not more than three miles from the primary City limits.
 - b) No point on the described boundary is closer to another municipality than to the City of Salisbury.
 - c) No subdivision, as defined in GS 160A-376, will be fragmented by the proposed annexation.
4. Upon the effective date of annexation and thereafter, the described citizens and property shall be subject to municipal taxes and to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other citizens and property in the City of Salisbury.

Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM 064 0030100001	James Oliver Bonds, III	 4/7/2022	2250 SUMMER OAK DR, SALISBURY NC 28146

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person Michael P. McMurray Telephone Number 704-254-2736, mcmurraypls@gmail.com

For Office Use Only:

Total number of parcels _____ Number Signed _____ % Signed _____ Date Returned _____
Contiguous per GS 160A-31 _____ or Non-contiguous "satellite" per GS 160A-58 _____ (check one)

CITY OF SALISBURY

P.O. BOX 479, SALISBURY, NORTH CAROLINA 28145-0479

Acknowledgement

STATE OF NC

COUNTY OF Rowan

I certify that James Oliver Bonds III personally appeared before me this day, acknowledging to me that he or she signed the foregoing document: Petition Requesting Mary Annexation for Mr. James Oliver Bonds
Name or description of attached document

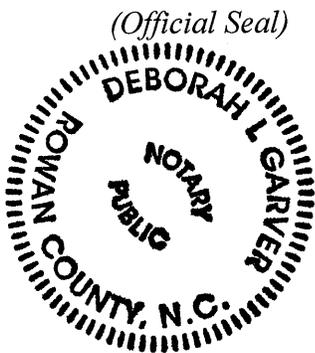
I further certify that (select one of the following identification options):

- I have personal knowledge of the identity of the principal(s)
- I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a Drivers license
type of identification
- A credible witness, _____, has sworn or affirmed to me the
name of credible witness
identity of the principal, and that he or she is not a named party to the foregoing document, and has no interest in the transaction.

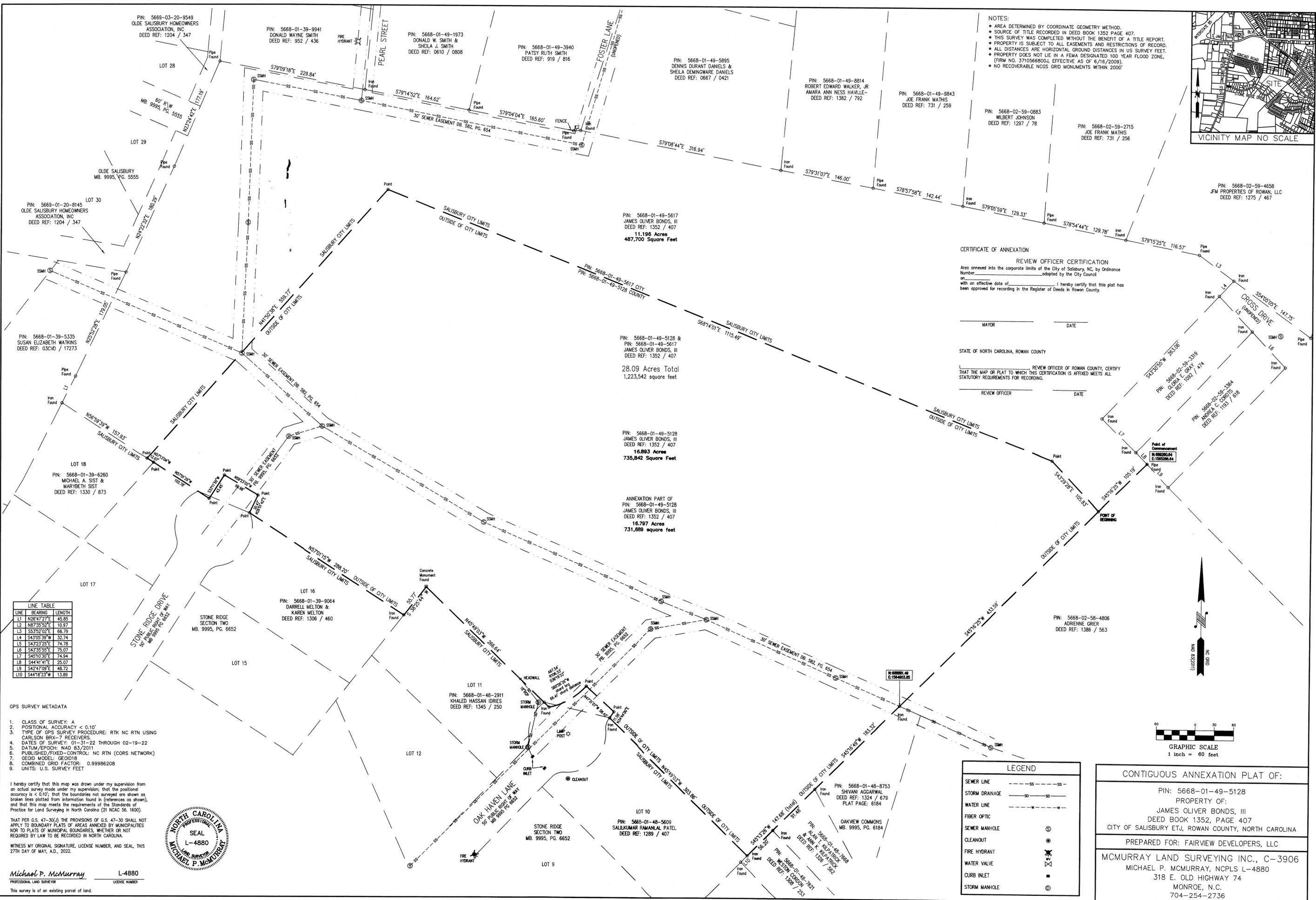
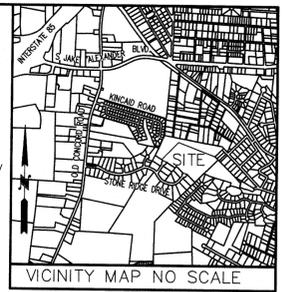
Date: 4/7/2022

Deborah L. Garver
Notary Public
Deborah L. Garver
Typed or Printed Notary Name

My commission expires: 3/12/2024



- NOTES:
- AREA DETERMINED BY COORDINATE GEOMETRY METHOD.
 - SOURCE OF TITLE RECORDED IN DEED BOOK 1352 PAGE 407.
 - THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT.
 - PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
 - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN US SURVEY FEET.
 - PROPERTY DOES NOT LIE IN A FEMA DESIGNATED 100-YEAR FLOOD ZONE, (FIRM NO. 3710566800J, EFFECTIVE AS OF 6/16/2008)
 - NO RECOVERABLE NCGS GRID MONUMENTS WITHIN 2000'



CERTIFICATE OF ANNEXATION
 REVIEW OFFICER CERTIFICATION
 Area annexed into the corporate limits of the City of Salisbury, NC, by Ordinance Number _____ adopted by the City Council on _____ with an effective date of _____ I hereby certify that this plat has been approved for recording in the Register of Deeds in Rowan County.

MAYOR _____ DATE _____

STATE OF NORTH CAROLINA, ROWAN COUNTY
 _____ REVIEW OFFICER OF ROWAN COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

LINE TABLE

LINE	BEARING	LENGTH
L1	N26°47'27"E	45.85
L2	N87°35'52"E	10.97
L3	S53°52'02"E	66.79
L4	S43°05'39"W	32.74
L5	S43°23'25"E	74.76
L6	S43°55'55"E	75.07
L7	S45°10'30"E	74.84
L8	S44°41'41"E	25.07
L9	S42°47'09"E	48.72
L10	S44°16'25"W	13.89

- GPS SURVEY METADATA
1. CLASS OF SURVEY: A
 2. POSITIONAL ACCURACY < 0.10'
 3. TYPE OF GPS SURVEY PROCEDURE: RTK NC RTN USING CARLSON BRX-7 RECEIVERS.
 4. DATES OF SURVEY: 01-31-22 THROUGH 02-19-22
 5. DATUM/EPOCH: NAD 83/2011
 6. PUBLISHED/FIXED-CONTROL: NC RTN (CORS NETWORK)
 7. GEOID MODEL: GEOID18
 8. COMBINED GRID FACTOR: 0.99996208
 9. UNITS: U.S. SURVEY FEET

I hereby certify that this map was drawn under my supervision from an actual survey made under my supervision; that the positional accuracy is < 0.10'; that the boundaries not surveyed are shown as broken lines plotted from information found in (references as shown); and that this map meets the requirements of the Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600).

THAT PER G.S. 47-30(J) THE PROVISIONS OF G.S. 47-30 SHALL NOT APPLY TO BOUNDARY PLATS OF AREAS ANNEXED BY MUNICIPALITIES NOR TO PLATS OF MUNICIPAL BOUNDARIES, WHETHER OR NOT REQUIRED BY LAW TO BE RECORDED IN NORTH CAROLINA.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL, THIS 27TH DAY OF MAY, A.D., 2022.



Michael P. McMurray L-4880
 PROFESSIONAL LAND SURVEYOR LICENSE NUMBER
 This survey is of an existing parcel of land.

LEGEND

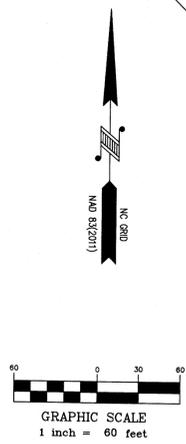
SEWER LINE	---SS---
STORM DRAINAGE	---SD---
WATER LINE	---W---
FIBER OPTIC	---FO---
SEWER MANHOLE	⊙
CLEANOUT	⊙
FIRE HYDRANT	⊗
WATER VALVE	⊗
CURB INLET	■
STORM MANHOLE	⊙

CONTIGUOUS ANNEXATION PLAT OF:

PIN: 5668-01-49-5128
 PROPERTY OF:
 JAMES OLIVER BONDS, III
 DEED BOOK 1352, PAGE 407
 CITY OF SALISBURY ET AL., ROWAN COUNTY, NORTH CAROLINA

PREPARED FOR: FAIRVIEW DEVELOPERS, LLC

MCMURRAY LAND SURVEYING INC., C-3906
 MICHAEL P. MCMURRAY, NCPLS L-4880
 318 E. OLD HIGHWAY 74
 MONROE, N.C.
 704-254-2736



PIN: 5668-01-49-5617
 JAMES OLIVER BONDS, III
 DEED REF: 1352 / 407
 11.198 Acres
 487,700 Square Feet

PIN: 5668-01-49-5128 &
 PIN: 5668-01-49-5617
 JAMES OLIVER BONDS, III
 DEED REF: 1352 / 407
 28.09 Acres Total
 1,223,542 square feet

PIN: 5668-01-49-5128
 JAMES OLIVER BONDS, III
 DEED REF: 1352 / 407
 16.893 Acres
 735,842 Square Feet

ANNEXATION PART OF
 PIN: 5668-01-49-5128
 JAMES OLIVER BONDS, III
 DEED REF: 1352 / 407
 16.797 Acres
 731,689 square feet

PIN: 5668-01-39-9064
 DARRELL MELTON &
 KAREN MELTON
 DEED REF: 1306 / 460

PIN: 5668-01-48-2911
 KHALED HASSAN IDRIES
 DEED REF: 1345 / 250

PIN: 5668-01-48-5609
 SALLUKUMAR RAMANMAL PATEL
 DEED REF: 1289 / 407

PIN: 5668-01-48-8753
 SHIVANI AGGARWAL
 DEED REF: 1324 / 679
 PLAT PAGE: 6184

OAKVIEW COMMONS
 MB. 9995, PG. 6184

PIN: 5668-01-48-7668
 & LAIN T. MURPHY
 DEED REF: 1328 / 582

PIN: 5668-01-48-2921
 DEED REF: 1288 / 225

PIN: 5668-02-59-2715
 JOE FRANK MATHIS
 DEED REF: 731 / 256

PIN: 5668-02-59-4658
 JFM PROPERTIES OF ROWAN, LLC
 DEED REF: 1275 / 467

PIN: 5668-02-59-5310
 CLARA GRAY
 DEED REF: 1092 / 474

PIN: 5668-02-58-7384
 ANITA C. COOPEY
 DEED REF: 1183 / 818

PIN: 5668-02-58-4806
 ADRIENNE GRIER
 DEED REF: 1386 / 563

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: August 2, 2022

Name of Group(s) or Individual(s) Making Request: Salisbury-Rowan Utilities

Name of Presenter(s): Jason Wilson

Requested Agenda Item: Approval of purchase of cellular data service with Badger Meter, Inc.

Description of Requested Agenda Item: SRU's water meters use cellular data to report readings each day. Badger Meter, Inc. hosts and manages this service at a rate of \$0.81 per meter, per month. Based on the projected number of metered connections, the annual cost of this service is estimated to be \$221,616 for the fiscal year ending June 30, 2023. This is a budgeted expense that is required in order to operate and maintain SRU's advanced metering infrastructure (AMI) system.

Attachments: Yes No

Fiscal Note: Sufficient funds were allocated for this expense in the FY23 approved budget.

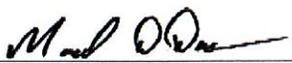
Action Requested of Council for Agenda Item: Council to consider authorizing the City Manager to approve a purchase order for cellular data service for water meters from Badger Meter, Inc. in the amount of \$221,616.

Contact Information for Group or Individual: Jason Wilson, Assistant Utilities Director
704-216-7553, jason.wilson@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:


Finance Manager Signature


Department Head Signature


Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved Delayed Declined

Reason:

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: August 2, 2022

Name of Group(s) or Individual(s) Making Request: Community Planning Services

Name of Presenter(s): Hannah Jacobson, Planning Director

Requested Agenda Item: Council to consider setting a public hearing for the release of the Extraterritorial Jurisdiction (ETJ) area for Mid Carolina Regional Airport Property.

Description of Requested Agenda Item: On June 2, 2022 the City received a request from Rowan County to release the Mid Carolina Regional Airport property owned by Rowan County from the City's Extraterritorial Jurisdiction. A public hearing is required prior to Council's consideration.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: Council to consider setting a public hearing for September 6, 2022 in consideration of releasing the property owned by Rowan County and used for the Mid Carolina Regional Airport from the City's ETJ.

Contact Information for Group or Individual: Hannah Jacobson, hannah.jacobson@salisburync.gov, 704-638-5230

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

Salisbury City Council Agenda Item Request Form



For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:

Greg Edds, Chairman
Jim Greene, Vice- Chairman
Mike Caskey
Judy Klusman
Craig Pierce



Aaron Church, County Manager
Carolyn Barger, Clerk to the Board
John W. Dees, II, County Attorney

Rowan County Board of Commissioners

130 West Innes Street · Salisbury, NC 28144
Telephone 704-216-8180 · Fax 704-216-8195

June 2, 2022

Honorable Mayor, Karen Alexander

City of Salisbury

217 South Main Street

Salisbury, NC 28144

RE: Request for Release of ETJ area for Mid Carolina Regional Airport Property

Honorable Mayor Alexander:

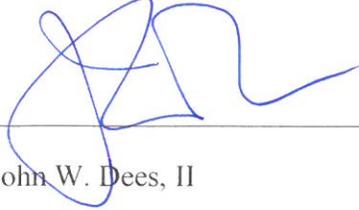
Please accept this letter and the attached Resolution of the Rowan County Board of Commissioners as the County's respectful request for the City of Salisbury to release that portion of its ETJ described therein that makes up the Mid Carolina Regional Airport.

Recent issues related to an airport operator's expansion of its facilities raised apparent conflicts between the City's zoning and development standards and certain federal regulations that govern development of an airport. For this particular airport operator, we have been unable to navigate these conflicts, and we anticipate future similar conflicts as the airport is more fully developed.

It is our general conclusion that the County can adopt the attached proposed zoning classification for airport development that will more closely align with federal and state guidelines that impact airport growth and development. And I will work with your staff on any procedural requirements needed to begin the process.

Please let me know whether and when the City might consider this request, and we will make sure County representatives are present to answer any questions.

Respectfully,



John W. Dees, II

Rowan County Attorney

CC: Greg Edds, Board Chair of Rowan County Commissioners

Aaron Church, Rowan County Manager

Jim Greene, Salisbury City Manager

Hannah Jacobson, Salisbury Planning Director

Ed Muire, Rowan County Planning Director

Graham Corriher, Salisbury City Attorney

Greg Edds, Chairman
Jim Greene, Vice-Chairman
Mike Caskey
Judy Klusman
Craig Pierce



Aaron Church, County Manager
Carolyn Barger, Clerk to the Board
John W. Dees, II, County Attorney

Rowan County Board of Commissioners

130 West Innes Street • Salisbury, NC 28144
Telephone 704-216-8180 • FAX 704-216-8195

A RESOLUTION BY THE COUNTY OF ROWAN REQUESTING THE CITY OF SALISBURY RELEASE A PORTION OF ITS EXTRA-TERRITORIAL JURISDICTION THAT ENCOMPASSES THE MID CAROLINA REGIONAL AIRPORT

WHEREAS, Rowan County (the "County") owns certain real property consisting of parcels that make up Mid Carolina Regional Airport (the "Airport") and shown more particularly on attached Exhibit A (the "Property"); *and*

WHEREAS, said Property was removed from the City of Salisbury (the City") corporate limits by the North Carolina General Assembly by Session Law 2013-60 dated June 4, 2013, attached as Exhibit B; *and*

WHEREAS, said Session Law did not remove the Property from the City's extra-territorial jurisdiction ("ETJ"), so the City has maintained control over all zoning and development standards for the Property since June 4, 2013; *and*

WHEREAS, certain conflicts between the City's Development Ordinance and the Federal Aviation Administration guidelines for general Airport development and runway protection zones that govern the County's development of the Airport, specifically as to building heights, landscaping and buffer requirements, setbacks from parcel lines, and building materials; *and*

WHEREAS, the County and City desire to reconcile these conflicts with the City releasing its ETJ for all parcels associated with the Airport as specifically shown in Exhibit A and listed in Exhibit B in order to promote the orderly development of the Airport; *and*

WHEREAS, the County has proposed replacement zoning and standards as attached in Exhibit C to replace the City's zoning and standards being released.

NOW, THEREFORE BE IT RESOLVED, the Rowan County Board of Commissioners hereby adopts this Resolution as a its respectful request for the City of Salisbury to release that portion of its ETJ encompassing the Mid Carolina Regional Airport as shown in Exhibits A and B attached.

Adopted this the 16th day of May, 2022.

Gregory C. Edds, Chair
Rowan County Board of Commissioners

ATTEST:

Carolyn Barger, MMC, NCMCC
Clerk to the Board



Equal Opportunity Employer



Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: August 2, 2022

Name of Group(s) or Individual(s) Making Request: Finance Departments

Name of Presenter(s): James Greene, City Manager

Requested Agenda Item: Council to consider approving the purchase of PO #'s 230141, 230149, 230150 and 230197

Description of Requested Agenda Item: The City's adopted budget includes the ongoing contract payments and blanket POs for the following:

PO#230141 - Southdata - Contract - Customer Service Bill Printing Services - \$110,400

PO#230149 - Harris Computer Systems - Maintenance Agreement- Customer Service and Code Services billing software renewal - \$149,610.97

PO#230150 - MTO, Inc - Contract - Blanket PO for Cleaning Services at City's facilities - \$138,359.25

PO#230197 - Southern Truck Services - Sherriff's Contract - Automatic Refuse (Garbage) Truck - \$383,891.84

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

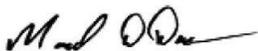
Action Requested of Council for Agenda Item: Authorize the City Manager to approve Purchase Orders 230141, 230149, 230150, and 230197 totaling \$782,262.06.

Contact Information for Group or Individual: James Greene, City Manager

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council) Announcement

FINANCE DEPARTMENT INFORMATION:



Finance Manager Signature

Department Head Signature



Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: August 2, 2022

Name of Group(s) or Individual(s) Making Request: Engineering Department

Name of Presenter(s): Wendy Brindle, City Engineer

Requested Agenda Item: Municipal Agreement for STBGP-DA Project HL-0049

Description of Requested Agenda Item:

On December 4, 2015, the President signed the Fixing America's Surface Transportation (FAST) Act into law. The FAST Act changed the Surface Transportation Program (STP) name to the Surface Transportation Block Grant Program (STBGP) and amended the provisions contained in 23 USC 133, and from the STBGP funds apportioned to each state for the state's entire Federal-aid system, a portion of the FAST Act allocates STBGP funds directly to any Metropolitan Planning Organization (MPO) that is designated as a Transportation Management Area (TMA). The Cabarrus-Rowan Metropolitan Planning Organization (CRMPO) receives a direct allocation of STBGP funding annually, which is referred to as Surface Transportation Block Grant Program Direct Attributable (STBGP-DA) funds, and has an adopted competitive process to determine which projects are funded. The City of Salisbury was awarded a grant for the traffic safety improvements along Brenner Avenue between Jake Alexander Boulevard and Milford Hills Road.

Brenner Avenue is a minor thoroughfare carrying approximately 13,000 vehicles per day with access to multiple retail areas and serves a primary route to the WG Hefner Medical Center. There have been 29 accidents in a five-year period along this section of Brenner Avenue, with 21 of those occurring at the driveways for major retail/restaurant developments, and over five accidents occurring in a 12-month period. In response, the Engineering Department reviewed alternatives to improve safety, and estimates approximately \$1,025,760 for a roundabout, median and driveway improvements along this section.

Under terms of the grant agreement, the project will be administered by City staff. NCDOT will reimburse the City for 80% of eligible expenses not to exceed \$820,608. The City's portion will be \$205,152, for a total project cost of \$1,025,760.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Funds of \$220,000 have been allocated in Engineering Special Projects to begin design in the current fiscal year, and additional monies will be allocated for other phases in upcoming budget years

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

City Council to approve a municipal agreement with the North Carolina Department of Transportation in the amount of \$1,025,760 (\$820,608 STBGP-DA and \$205,152 local match) for design and construction of safety improvements on Brenner Avenue between Jake Alexander Blvd and Milford Hills Rd

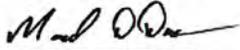
Contact Information for Group or Individual:

Wendy Brindle, City Engineer 704-638-5201 or wbrin@salisburync.gov

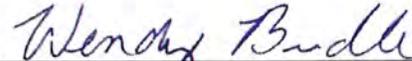
Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

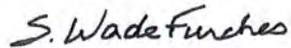
FINANCE DEPARTMENT INFORMATION:



Finance Manager Signature



Department Head Signature



Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved

Declined

Reason:

General Notes		No.		Revision/Sheet		Date	
Site Name and Address				Project Name and Address			
Owner		Date		Scale		Sheet	



Executive Summary

The Executive Summary is a summation of this agreement and is not intended to be used as the agreement between the Department (North Carolina Department of Transportation) and the Party (Entity).

Entity: City of Salisbury

County: Rowan

TIP: HL-0049

Project: Brenner Avenue Safety Improvements

Scope: Project consist of the construction of a Median on Brenner Avenue, US 70 / US 601 (Jake Alexander Boulevard) to Milford Hills Road in Salisbury and Roundabout at Milford Hills Road.

Eligible Activities:

PE	49900.1.1	Design
		Environmental
ROW	49900.2.1	ROW Acquisition
		Utility Relocation
CON	49900.3.1	Construction
FEDERAL-AID	0070244	

Fund Source	Federal Funds Amount	Reimbursement Rate	Non-Federal Match \$	Non-Federal Match Rate
BGDACV	\$820,608	80 %	\$205,152	20 %
Total Estimated Cost		\$1,025,760		

Responsibility: The City of Salisbury shall be responsible for all aspects of the project.

NORTH CAROLINA

**LOCALLY ADMINISTERED PROJECT -
FEDERAL**

ROWAN COUNTY

DATE: 7/19/2022

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: HL-0049

AND

WBS Elements: PE 49900.1.1

ROW 49900.2.1

CITY OF SALISBURY

CON 49900.3.1

FEDERAL-AID NUMBER: 0070244

CFDA #: 20.205

Total Funds [NCDOT Participation] \$820,608

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the City of Salisbury, hereinafter referred to as the "Municipality".

WITNESSETH:

WHEREAS, Fixing America's Surface Transportation (FAST) Act allows for the allocation of federal funds to be available for certain specified transportation activities; and,

WHEREAS, the Municipality has requested federal funding for Brenner Avenue Safety Improvements, hereinafter referred to as the Project, in Rowan County, North Carolina; and,

WHEREAS, subject to the availability of federal funds, the Municipality has been designated as a recipient to receive funds allocated to the Department by the Federal Highway Administration (FHWA) up to and not to exceed the maximum award amount of \$820,608 for the Project; and,

WHEREAS, the Department has agreed to administer the disbursement of said funds on behalf of FHWA to the Municipality for the Project in accordance with the Project scope of work and in accordance with the provisions set out in this Agreement; and,

WHEREAS, the Department has programmed funding in the approved Transportation Improvement Program for the Project; and,

WHEREAS, the governing board of the Municipality has agreed to participate in certain costs and to assume certain responsibilities in the manner and to the extent as hereinafter set out; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly including, but not limited to, the following applicable legislation: General

Statutes of North Carolina (NCGS) Section 136-66.1, Section 136-71.6, Section 160A-296 and 297, Section 136-18, Section 136-41.3 and Section 20-169, to participate in the planning, construction and/or implementation of the Project approved by the Board of Transportation.

NOW, THEREFORE, this Agreement states the promises and undertakings of each party as herein provided, and the parties do hereby covenant and agree, each with the other, as follows:

1. GENERAL PROVISIONS

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT

All parties to this Agreement, including contractors, subcontractors, and subsequent workforces, associated with any work under the terms of this Agreement shall provide reports as required by the Federal Funding Accountability and Transparency Act (FFATA) for this Project.

AGREEMENT MODIFICATIONS

Any modification to scope, funding, responsibilities, or time frame will be agreed upon by all parties by means of a Supplemental Agreement.

LOCAL PUBLIC AGENCY TO PERFORM ALL WORK

The Municipality shall be responsible for administering all work performed and for certifying to the Department that all terms set forth in this Agreement are met and adhered to by the Municipality and/or its contractors and agents. The Department will provide technical oversight to guide the Municipality. The Department must approve any assignment or transfer of the responsibilities of the Municipality set forth in this Agreement to other parties or entities.

PERSON IN RESPONSIBLE CHARGE

The Municipality shall designate a person or persons to be in responsible charge of the Project, in accordance with Title 23 of the Code of Federal Regulations, Part 635.105. The person, or persons, shall be expected to:

- Administer governmental project activities, including those dealing with cost, time, adherence to contract requirements, construction quality and scope of Federal-aid projects;
- Maintain knowledge of day to day project operations and safety issues;

- Make or participate in decisions about changed conditions or scope changes that require change orders or supplemental agreements;
- Visit and review the project in accordance with the project scope and scale;
- Review financial processes, transactions and documentation to reduce the likelihood of fraud, waste, and abuse;
- Direct project staff, agency or consultant, to carry out project administration and contract oversight, including proper documentation; and
- Be aware of the qualifications, assignments and on-the-job performance of the agency and consultant staff at all stages of the project.

The person in responsible charge must be a full-time employee of the Municipality, but the duties may be split among several employees, if necessary.

COMPLIANCE WITH STATE/FEDERAL POLICY

The Municipality, and/or its agent, including all contractors, subcontractors, or sub-recipients shall comply with all applicable Federal and State policies and procedures, stated both in this Agreement and in the Department's guidelines and procedures, including the *Local Programs Management Handbook*.

FAILURE TO COMPLY - CONSEQUENCES

Failure on the part of the Municipality to comply with any of the provisions of this Agreement will be grounds for the Department to terminate participation in the costs of the Project and, if applicable, seek repayment of any reimbursed funds.

2. SCOPE OF PROJECT

The Project consists of the construction of a Median on Brenner Avenue, US 70 / US 601 (Jake Alexander Boulevard) to Milford Hills Road in Salisbury and Roundabout at Milford Hills Road.

The Department's funding participation in the Project shall be restricted to the following eligible items:

- Design

- Environmental Documentation
- ROW Acquisition
- Utility Relocation
- Construction

as further set forth in this Agreement.

3. FUNDING

PROGRAMMING AND AUTHORIZATION OF FEDERAL FUNDS

The funding currently programmed for the project in the State Transportation Improvement Program (STIP) is State Transportation Program Covid Relief Funding BGDACV. The funding source may be modified with the coordination and approval of the respective Metropolitan Planning Organization (MPO) and/or the Department prior to authorization of funds. The Department will authorize and reimburse federal funding based on the type of federal funding that is programmed in the STIP at the time of the authorization request. The Department will notify the Municipality of the type of federal funds authorized by issuing a Technical Amendment – Funds Authorization letter. A modification in the source of funds will have no effect on project responsibilities outlined in this agreement.

REIMBURSEMENT FOR ELIGIBLE ACTIVITIES

Subject to compliance by the Municipality with the provisions set forth in this Agreement and the availability of federal funds, the Department shall reimburse (80%) of eligible expenses incurred by the Municipality up to a maximum amount of Eight Hundred Twenty Thousand Six Hundred Eight Dollars (\$820,608), as detailed below. The Municipality shall provide the non-federal match, as detailed in the FUNDING TABLE below, and all costs that exceed the total estimated cost.

FUNDING TABLE

Fund Source	Federal Funds Amount	Reimbursement Rate	Non-Federal Match \$	Non-Federal Match Rate
BGDACV	\$820,608	80 %	\$205,152	20 %
Total Estimated Cost		\$1,025,760		

WORK PERFORMED BY NCDOT

All work performed by the Department on this Project, including, but not limited to, reviews, inspections, and Project oversight, during any phase of the delivery of the Project, shall reduce the funding available to the Municipality under this Agreement. The Department will set aside ten percent (10%) of the total estimated cost, or \$102,576 to use towards the costs related to review and oversight of this Project, including, but not limited to review and approval of plans, environmental documents, contract proposals, engineering estimates, construction engineering and inspection oversight, and other items as needed to ensure the Municipality's appropriate compliance with state and federal regulations.

In the event that the Department does not utilize all the set-aside funding, then those remaining funds will be available for reimbursement to the Municipality at the above reimbursement rate. For all costs of work performed on the Project, whether incurred by the Municipality or by the Department, the Municipality shall provide the non-federal match. The Department will bill the Municipality for the non-federal match of any costs that the Department incurs on the Project and for any costs that exceed the Total Estimated Cost.

4. PERIOD OF PERFORMANCE

The Municipality has five (5) years to complete all work outlined in the Agreement from the date of authorization of Federal funds for the initial phase of work. Completion for this Agreement is defined as completion of all construction activities or implementation activities, acceptance of the project, and submission of a final reimbursement package to the Department.

If additional time is needed to complete the Project, then a supplemental agreement must be executed. The Department and/or FHWA reserves the right to revoke the funds awarded if the Municipality is unable to meet milestone dates included herein.

5. PRELIMINARY ENGINEERING AUTHORIZATION

If Preliminary Engineering is an eligible expense, then upon receipt of an executed agreement, the Department will authorize Preliminary Engineering funds and shall notify the Municipality, in writing, once funds have been authorized and can be expended. The Municipality shall not initiate any work, nor solicit for any professional services prior to receipt of written authorization from the Department to proceed. Any work performed, or contracts executed, prior to receipt of written authorization to proceed will be ineligible for reimbursement.

6. PROFESSIONAL AND ENGINEERING SERVICES

The Municipality shall comply with the policies and procedures of this provision if the Municipality is requesting reimbursement for the Preliminary Engineering contract or the Construction Contract Administration / Construction Engineering and Inspection contract.

PROCUREMENT POLICY

When procuring professional services, the Municipality must adhere to Title 2 Code of Federal Regulations Part 200; Title 23 of the Code of Federal Regulations, Part 172; Title 40 United States Code, Chapter 11, Section 1101-1104; NCGS 143-64, Parts 31 and 32; and the Department's *Policies and Procedures for Major Professional or Specialized Services Contracts*. Said policies and standards are incorporated in this Agreement by reference at www.fhwa.dot.gov/legsregs/legislat.html and www.ncleg.net/gascripts/Statutes/Statutes.asp.

- The Municipality shall ensure that a qualified firm is obtained through an equitable selection process, and that prescribed work is properly accomplished in a timely manner and at a just and reasonable cost.
- All Professional Services Firms shall be pre-qualified by the Department in the Work Codes advertised.
- A pre-negotiation audit will be conducted by the Department's External Audit Branch. The Municipality shall not execute a consultant contract until the Department's review has been completed.

SMALL PROFESSIONAL AND ENGINEERING SERVICES FIRMS REQUIREMENTS

Any contract entered into with another party to perform work associated with the requirements of this Agreement shall contain appropriate provisions regarding the utilization of Small Professional Services Firms (SPSF). This policy conforms with the SPSF Guidelines as approved by the North Carolina Board of Transportation.

- The Municipality shall not advertise nor enter into a contract for services performed as part of this Agreement, unless the Department provides written approval of the advertisement or the contents of the contract.
- If the Municipality fails to comply with these requirements, the Department will withhold funding until these requirements are met.

WORK BY ENTITY

If the Design, Planning, Contract Administration and/or Construction Engineering and Inspection required for this project will be undertaken by the Municipality, and the Municipality requests reimbursement, then the Municipality must submit a request and supporting documentation to the Department for review and approval, prior to any work being initiated by the Municipality.

7. PLANNING / ENVIRONMENTAL DOCUMENTATION

The Municipality shall prepare the environmental and/or planning document, including any environmental permits, needed to construct the Project, in accordance with the National Environmental Policy Act (NEPA) and all other appropriate environmental laws and regulations. All work shall be performed in accordance with Departmental procedures and guidelines. Said documentation shall be submitted to the Department for review and approval.

- The Municipality shall be responsible for preparing and filing with all proper agencies the appropriate planning documents, including notices and applications required to apply for those permits necessary for the construction of the desired improvements. Copies of approved permits should be forwarded to the Department.
- The Municipality shall advertise and conduct any required public hearings.
- If any permit issued requires that action be taken to mitigate impacts associated with the improvements, the Municipality shall design and implement a mitigation plan. The Department will determine if any mitigation costs are eligible for reimbursement. The Municipality shall bear all costs associated with penalties for violations and claims due to delays.
- The Municipality shall be responsible for designing an erosion control plan if required by the North Carolina Sedimentation Pollution Control Act of 1973, NCGS 113A, Article 4, incorporated in this Agreement by reference at www.ncleg.net/gascripts/Statues/Statutes.asp and obtaining those permits required thereby in order to construct the Project. During the construction of the improvements, the Municipality, and its contractors and agents, shall be solely responsible for compliance with the provisions of said Act and the plan adopted in compliance therewith.

8. DESIGN

CONTENT OF PLAN PACKAGE

The Municipality, and/or its agent, shall prepare the Project's plans, specifications, and a professional estimate of costs (PS&E package), in accordance with the Department's guidelines and procedures, and applicable Federal and State standards. All work shall be submitted to the Department for review and approval. The plans shall be completed to show the design, site plans, landscaping, drainage, easements, and utility conflicts.

9. RIGHT OF WAY / UTILITY AUTHORIZATION

If the costs of right of way acquisition or utility relocation are an eligible expense, the Municipality shall submit a letter of request to the Department to authorize and set up right of way and/or utility funding. The acquisition for right of way, construction easements, and/or utility relocation may be undertaken only after the Municipality receives written authorization from the Department to proceed.

10. PROJECT LIMITS AND RIGHT OF WAY (ROW)

The Municipality shall comply with the policies and procedures of this provision regardless of whether the Municipality is requesting reimbursement for the Right of Way phase of the Project.

SPONSOR PROVIDES ROW

The Municipality, at no liability whatsoever to the Department, shall be responsible for providing and/or acquiring any required ROW and/or easements for the Project.

ROW GUIDANCE

The Municipality shall accomplish all ROW activities, including acquisition and relocation, in accordance with the following: Title 23 of the Code of Federal Regulations, Part 710, Subpart B and Title 49 of the Code of Federal Regulations, Part 24, [Uniform Act] incorporated by reference at www.fhwa.dot.gov/legisregs/directives/fapgtoc.htm; NCGS, Chapter 133, Article 2, Sections 133-5 through 133-18, Relocation Assistance, incorporated by reference at www.ncleg.net/gascritps/Statutes/Statutes.asp; and the North Carolina Department of Transportation Right of Way Manual.

APPRAISAL

The Municipality shall submit the appraisal to the Department for review and approval in accordance with Departmental policies and procedures.

CLEARANCE OF PROJECT LIMITS / ROW

The Municipality shall remove and dispose of all obstructions and encroachments of any kind or character (including hazardous and contaminated materials) from said ROW, with the exception that the Municipality shall secure an encroachment agreement for any utilities (which shall remain or are) to be installed within the Department's ROW, or follow other applicable approval process, for utilities within the Municipality's ROW. The Municipality shall indemnify and save harmless the Department, Federal Highway Administration, and the State of North Carolina, from any and all damages and claims for damages that might arise on account of said right of way acquisition, drainage, and construction easements for the construction of said Project. The Municipality shall be solely responsible for any damages caused by the existence of said material now and at any time in the future and will save the Department harmless from any legal actions arising as a result of this contaminated and/or hazardous material and shall provide the Department with documentation proving the proper disposal of said material.

RELOCATION ASSISTANCE

The Municipality shall provide relocation assistance services and payments for families, businesses, and non-profit organizations being displaced by the Project in full accordance with the Federal relocation requirements of Title 49 Code of Federal Regulations, Part 24 [Uniform Act], as amended. Relocation assistance services and payments may be accomplished by contract with any other municipal corporation, or State or Federal agency, rendering such services upon approval by the Department and Federal Highway Administration.

11. UTILITIES

The Municipality, and/or its agent, at no liability to the Department, shall relocate, adjust, relay, change or repair all utilities in conflict with the Project, regardless of ownership. All utility work shall be performed in a manner satisfactory to and in conformance with State and Federal rules and regulations, prior to Municipality beginning construction of the project. This Agreement does not modify or supersede any existing Utility Encroachment Agreements that may be in place.

12. RIGHT OF WAY / UTILITY / RAILROAD CERTIFICATION

The Municipality, upon acquisition of all right of way/property necessary for the Project, relocation of utilities, and coordination with the railroad shall provide the Department all required documentation (deeds/leases/easement/plans/agreements) to secure certification. Certification is only issued after all ROW is in public ownership or property is publicly accessible by a legal document; utilities in conflict with the project are relocated, or a plan for their relocation during construction has been approved; and coordination with the railroad (if applicable) has occurred and been documented.

13. CONTRACT PROPOSAL AND ENGINEER'S ESTIMATE

CONTRACT PROPOSAL

The Municipality shall develop a contract proposal that will be advertised for bids. The proposal shall comply with NCDOT Specifications and Standard Drawings as applicable to the Project. The proposal shall also contain provisions, as applicable, per Title 23 Code of Federal Regulations 633 and 635 to include, but not be limited to: FHWA 1273, Buy America, Davis-Bacon Wage Rates, Non-discrimination, DBE Assurances, Contractor Certification regarding suspension and debarment, and other provisions as required by the Department.

ENGINEER'S ESTIMATE

The Municipality shall develop an itemized engineer's estimate to show items referenced to the NCDOT Standard Specifications, if applicable, along with units and unit price. The engineer's estimate will be used as the basis for comparing bids received.

14. CONSTRUCTION AUTHORIZATION

The Municipality shall submit the required environmental and/or planning document, ROW certification, final construction plans, total contract proposal, and an estimate of Project costs (final PS&E package) to the Department for review and approval.

- After approval of all documentation, the Department will request construction authorization from the Federal Highway Administration.
- The Municipality shall not advertise for bids prior to receiving written construction authorization from the Department.

15. CONTRACTOR PROCUREMENT

ADVERTISE FOR BIDS

Upon receipt of written construction authorization from the Department, the Municipality may advertise the Project. The Municipality shall follow applicable Federal and/or State procedures pertaining to the advertisement of the Project, bid opening, and award of the contract, according to Title 2 of the Code of Federal Regulations, Part 200 and Title 23 of the Code of Federal Regulations, Part 633 and Part 635, incorporated by reference at www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm; and NCGS, Chapter 143, Article 8 (Public Contracts), incorporated by reference at www.ncleg.net/gascripts/Statutes/Statutes.asp.

CONSTRUCTION CONTRACTOR REQUIREMENTS

All Contractors submitting bids on the project shall be pre-qualified by the Department. All proposed subcontractors must be pre-qualified before construction work begins. Any subcontractors who are proposed to meet the Disadvantaged Business Enterprise goal must be certified by the Department.

CONSTRUCTION SUBCONTRACTOR REQUIREMENTS

Any contract entered into with another party to perform work associated with the requirements of this Agreement shall contain appropriate provisions regarding the utilization of Disadvantaged Business Enterprises (DBEs), or as required and defined in Title 49 of the Code of Federal Regulations, Part 26 and the North Carolina Administrative Code. These provisions are incorporated into this Agreement by reference <https://connect.ncdot.gov/projects/Contracts/Pages/LGA-Projects.aspx>.

- The Municipality shall not advertise nor enter into a contract for services performed as part of this Agreement, unless the Department provides written approval of the advertisement or the contents of the contract.
- If the Municipality fails to comply with these requirements, the Department will withhold funding until these requirements are met.

AWARDING CONTRACT

After the advertisement of the Project for construction bids, the Municipality shall request concurrence from the Department to award the construction contract by submitting a letter along

with tabulated bids received depicting Disadvantaged Business Enterprises (DBE) goals, and a resolution recommending award of the Project to the lowest responsible, responsive bidder. The Department will review the submitted information and provide written approval to the Municipality prior to the contract being awarded by the Municipality.

DELAY IN PROCUREMENT

In the event the Project has not been let to contract within six (6) months after receiving construction authorization from the Department, the Municipality shall be responsible for documenting to the Department justification for project delay and that the Project remains in compliance with the terms of this Agreement, the approved plans and specifications, and current codes.

FORCE ACCOUNT

Force account work is only allowed when there is a finding of cost effectiveness for the work to be performed by some method other than a contract awarded by a competitive bidding process, or there is an emergency. Written approval from the Department is required prior to the use of force account by the Municipality. Federal Highway Administration regulations governing Force Account are contained in Title 23 Code of Federal Regulations, Part 635.201, Subpart B; said policy being incorporated in this Agreement by reference www.fhwa.dot.gov/legregs/directives/cfr23toc.htm. North Carolina General Statutes governing the use of Force Account, Chapter 143, Article 8 (Public Contracts) can be found at www.ncleg.net/gascripts/Statutes/Statutes.asp.

16. CONSTRUCTION

The Municipality, and/or its agents shall construct the Project in accordance with the plans and specifications of the Project as filed with, and approved by, the Department. During the construction of the Project, the procedures set out below shall be followed:

CONSTRUCTION CONTRACT ADMINISTRATION

The Municipality shall comply with the NCDOT Construction Manual as referenced at <http://www.ncdot.org/doh/operations/dp%5Fchief%5Feng/constructionunit/formsmanuals/construction/>, which outlines the procedures for records and reports that must be adhered to in order to obtain uniformity of contract administration and documentation. This includes, but is not limited to, inspection reports, material test reports, materials certification, documentation of quantities,

project diaries, and pay records. The Municipality, and/or its agent, shall perform the construction engineering, sampling and testing required during construction of the Project, in accordance with Departmental procedures, including the Department's Guide for Process Control and Acceptance Sampling and Testing. The Municipality shall document that said compliance was accomplished in accordance with State and Federal procedures, guidelines, standards and specifications.

RETAINAGE

The Municipality shall not retain any portion of a payment due the contractor.

SIGNAGE

The Municipality shall provide and maintain adequate signage and other warning devices for the protection of the public in accordance with the approved traffic control plans for the Project and the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) for Streets and Highways, or any subsequent revision of the same, published by the Federal Highway Administration and effective at the time of award of the contract.

SITE LAYOUT

The Municipality shall be responsible for ensuring that all site layout, construction work, and Project documentation are in compliance with applicable city, state and federal permits, guidelines, and regulations, including American Association of State Highway and Transportation Officials (AASHTO) guidelines and Americans with Disabilities Act (ADA) Standards for Accessible Design (www.usdoj.gov/crt/ada/stdspdf.htm).

RIGHT TO INSPECT

The Department and representatives of the Federal Highway Administration shall have the right to inspect, sample or test, and approve or reject, any portion of the work being performed by the Municipality or the Municipality's contractor to ensure compliance with the provisions of this Agreement. Prior to any payment by the Department, any deficiencies inconsistent with approved plans and specifications found during an inspection must be corrected.

CONTRACTOR COMPLIANCE

The Municipality will be responsible for ensuring that the contractor complies with all of the terms of the contract and any instructions issued by the Department or FHWA as a result of any review or inspection made by said representatives.

CHANGE ORDERS

If any changes in the Project plans are necessary, the Department must approve such changes prior to the work being performed.

SHOP DRAWINGS

Shop Drawings shall be submitted in accordance with the approved plans and specifications and may require review by the Designer.

17. CLOSE-OUT

Upon completion of the Project, the Municipality shall be responsible for the following:

FINAL INSPECTION

The Municipality shall arrange for a final inspection by the Department. Any deficiencies determined during the final field inspection must be corrected prior to final payment being made by the Department to the Municipality. Additional inspection by other entities may be necessary in accordance with the Department's guidelines and procedures. The Municipality shall provide the Department with written evidence of approval of completed project prior to requesting final reimbursement.

FINAL PROJECT CERTIFICATION

The Municipality will provide a certification to the Department that all work performed for this Project is in accordance with all applicable standards, guidelines, and regulations.

18. MAINTENANCE

The Municipality, at no expense or liability to the Department, shall assume all maintenance responsibilities for the Brenner Avenue Safety Improvements, or as required by an executed encroachment agreement.

19. REIMBURSEMENT

SCOPE OF REIMBURSEMENT

Activities eligible for funding reimbursement for this Project shall include:

- Design
- Environmental Documentation
- ROW Acquisition
- Utility Relocation
- Construction

REIMBURSEMENT GUIDANCE

The Municipality shall adhere to applicable administrative requirements of Title 2 Code of Federal Regulations, Part 200 (www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm) "Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards." Reimbursement to the Municipality shall be subject to the policies and procedures contained in Title 23 Code of Federal Regulations, Part 140 and Part 172, which is being incorporated into this Agreement by reference at www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm. Reimbursement to the Municipality shall be subject to the guidance contained in Title 2 Code of Federal Regulations, Part 170 (<http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf>) and Office of Management and Budget (OMB) "Federal Funding Accountability and Transparency Act" (FFATA). Said reimbursement shall also be subject to the Department being reimbursed by the Federal Highway Administration and subject to compliance by the Municipality with all applicable federal policy and procedures.

REIMBURSEMENT LIMITS

- **WORK PERFORMED BEFORE NOTIFICATION**

Any costs incurred by the Municipality prior to written notification by the Department to proceed with the work shall not be eligible for reimbursement.

- **NO REIMBURSEMENT IN EXCESS OF APPROVED FUNDING**

At no time shall the Department reimburse the Municipality costs that exceed the total funding per this Agreement and any Supplemental Agreements.

- **UNSUBSTANTIATED COSTS**

The Municipality agrees that it shall bear all costs for which it is unable to substantiate actual costs or any costs that have been deemed unallowable by the Federal Highway Administration and/or the Department's Financial Management Division.

- **WORK PERFORMED BY NCDOT**

All work performed by the Department on this Project, including, but not limited to, reviews, inspections, and Project oversight, shall reduce the maximum award amount of \$820,608 available to the Municipality under this Agreement. The Department will bill the Municipality for the non-federal match of any costs that the Department incurs on the Project and for any costs that exceed the Total Estimated Cost.

- **CONSTRUCTION ADMINISTRATION**

Reimbursement for construction contract administration will be made as governed by Departmental policy that limits reimbursement for construction contract administration to no more than fifteen (15%) percent of the actual construction contract of the Project. These costs will also include any cost overruns and charges to the Project by the Department during the Construction Phase.

- **CONSTRUCTION CONTRACT UNIT PRICES**

Reimbursement for construction contract work will be made on the basis of contract unit prices in the construction contract and any approved change orders.

- **RIGHT OF WAY**

Reimbursement will be limited to the value as approved by the Department. Eligible costs for reimbursement of Right of Way Acquisition include: realty appraisals, surveys, closing costs, and the agreed upon just compensation for the property, at the reimbursement rate as shown in the FUNDING TABLE.

- **FORCE ACCOUNT**

Invoices for force account work shall show a summary of labor, labor additives, equipment, materials and other qualifying costs in conformance with the standards for

allowable costs set forth in 2 CFR 200 "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards." Reimbursement shall be based on actual eligible costs incurred with the exception of equipment owned by the Municipality or its Project partners. Reimbursement rates for equipment owned by the Municipality or its Project partners cannot exceed the Department's rates in effect for the time period in which the work is performed.

BILLING THE DEPARTMENT

- **PROCEDURE**

The Municipality may bill the Department for eligible Project costs in accordance with the Department's guidelines and procedures. Proper supporting documentation shall accompany each invoice as may be required by the Department. By submittal of each invoice, the Municipality certifies that it has adhered to all applicable state and federal laws and regulations as set forth in this Agreement.

Along with each invoice, the Municipality is responsible for submitting the FFATA Subrecipient Information Form, which is available at <https://connect.ncdot.gov/municipalities/Funding/Pages/default.aspx>.

- **INTERNAL APPROVALS**

Reimbursement to the Municipality shall be made upon approval of the invoice by the Department's Financial Management Division.

- **TIMELY SUBMITTAL OF INVOICES**

The Municipality may invoice the Department monthly for work accomplished, but no less than once every six (6) months to keep the Project funds active and available. If the Municipality is unable to invoice the Department, then they must provide an explanation. Failure to submit invoices or explanation may result in de-obligation of funds.

- **FINAL INVOICE**

All invoices associated with the Project must be submitted within six (6) months of the completion of construction and acceptance of the Project to be eligible for reimbursement by the Department. Any invoices submitted after this time will not be eligible for reimbursement.

20. REPORTING REQUIREMENTS AND RECORDS RETENTION

PROJECT EVALUATION REPORTS

The Municipality is responsible for submitting quarterly Project evaluation reports, in accordance with the Department's guidelines and procedures, that detail the progress achieved to date for the Project.

PROJECT RECORDS

The Municipality and its agents shall maintain all books, documents, papers, accounting records, Project records and such other evidence as may be appropriate to substantiate costs incurred under this Agreement. Further, the Municipality shall make such materials available at its office and shall require its agent to make such materials available at its office at all reasonable times during the contract period, and for five (5) years from the date of payment of the final voucher by the Federal Highway Administration, for inspection and audit by the Department's Financial Management Section, the Federal Highway Administration, or any authorized representatives of the Federal Government.

21. OTHER PROVISIONS

REFERENCES

It will be the responsibility of the Municipality to follow the current and/or most recent edition of references, websites, specifications, standards, guidelines, recommendations, regulations and/or general statutes, as stated in this Agreement.

INDEMNIFICATION OF DEPARTMENT

The Municipality agrees to indemnify and hold harmless the Department, FHWA and the State of North Carolina, to the extent allowed by law, for any and all claim for payment, damages and/or liabilities of any nature, asserted against the Department in connection with this Project. The Department shall not be responsible for any damages or claims, which may be initiated by third parties.

DEBARMENT POLICY

It is the policy of the Department not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this agreement, the Municipality certifies that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or Department and that it will not enter into agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

TITLE VI - CIVIL RIGHTS ACT OF 1964

The Municipality shall comply with Title VI of the Civil Rights Act of 1964, (Title 49 CFR, Subtitle A, Part 21). Title VI prohibits discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

OTHER AGREEMENTS

The Municipality is solely responsible for all agreements, contracts, and work orders entered into or issued by the Municipality for this Project. The Department is not responsible for any expenses or obligations incurred for the Project except those specifically eligible for the funds and obligations as approved by the Department under the terms of this Agreement.

AVAILABILITY OF FUNDS

All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

IMPROPER USE OF FUNDS

Where either the Department or the FHWA determines that the funds paid to the Municipality for this Project are not used in accordance with the terms of this Agreement, the Department will bill the Municipality.

TERMINATION OF PROJECT

If the Municipality decides to terminate the Project without the concurrence of the Department, the Municipality shall reimburse the Department one hundred percent (100%) of all costs expended by the Department and associated with the Project.

AUDITS

In accordance with 2 CFR 200 "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," Subpart F – Audit Requirements, and the Federal Single Audit Act Amendments of 1996, the Municipality shall arrange for an annual independent financial and compliance audit of its fiscal operations. The Municipality shall furnish the Department with a copy of the annual independent audit report within thirty (30) days of completion of the report, but not later than nine (9) months after the Municipality's fiscal year ends.

REIMBURSEMENT BY MUNICIPALITY

For all monies due the Department as referenced in this Agreement, reimbursement shall be made by the Municipality to the Department within sixty (60) days of receiving an invoice. A late payment penalty and interest shall be charged on any unpaid balance due in accordance with NCGS 147-86.23.

USE OF POWELL BILL FUNDS

If the other party to this agreement is a Municipality and fails for any reason to reimburse the Department in accordance with the provisions for payment hereinabove provided, NCGS 136-41.3 authorizes the Department to withhold so much of the Municipality's share of funds allocated to Municipality by NCGS 136-41.1, until such time as the Department has received payment in full.

ENTIRE AGREEMENT

This Agreement contains the entire agreement between the parties and there are no understandings or agreements, verbal or otherwise, regarding this Agreement except as expressly set forth herein.

AUTHORIZATION TO EXECUTE

The parties hereby acknowledge that the individual executing the Agreement on their behalf is authorized to execute this Agreement on their behalf and to bind the respective entities to the terms contained herein and that he has read this Agreement, conferred with his attorney, and fully understands its contents.

FACSIMILE SIGNATURES

A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the Agreement as binding as an original, and the parties agree that this Agreement can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the Agreement.

GIFT BAN

By Executive Order 24, issued by Governor Perdue, and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

22. SUNSET PROVISION

All terms and conditions of this Agreement are dependent upon, and subject to, the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

IT IS UNDERSTOOD AND AGREED that the approval of the Project by the Department is subject to the conditions of this Agreement, and that no expenditures of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the Municipality.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

CITY OF SALISBURY

BY: _____

TITLE: City Manager

DATE: _____

NCGS 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

This Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(FINANCE OFFICER)

Federal Tax Identification Number

City of Salisbury

Remittance Address:

DEPARTMENT OF TRANSPORTATION

BY: _____

(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: August 11, 2022 (Date)

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: August 2, 2022

Name of Group(s) or Individual(s) Making Request: Parks and Recreation

Name of Presenter(s): Nick Aceves

Requested Agenda Item: Update council on the Bell Tower Green Advisory Committee.

Description of Requested Agenda Item: Update council on the Bell Tower Green Advisory Committee. The committee is in the process of recruiting new members and this presentation will be an update on the process and call for additional member applications.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)* No action required.

Contact Information for Group or Individual: Nick Aceves 704-638-5299

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Mayor's Office Only

Approved

Declined

Reason:

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: August 2nd, 2022

Name of Group(s) or Individual(s) Making Request: City of Salisbury, Engineering Department

Name of Presenter(s): Wendy Brindle, City Engineer

Requested Agenda Item: Voluntary Annexation – 1215 Peeler Rd

Description of Requested Agenda Item:

A public hearing concerning the voluntary annexation of 1215 Peeler Rd, parcel 408 011 was scheduled for August 2nd, 2022. The hearing has been properly advertised, and staff finds the request to meet the standards of NCGS 160A-58.1. Therefore, after the public hearing, City Council will consider adopting an Ordinance for the annexation of 6.076 acres on Peeler Rd, identified as parcel 408 011 effective August 2nd, 2022.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

The current tax value of the property is \$411,424. The current development plan is for a Sheetz Travel Plaza. The value of those improvements will be \$14,200,000 with future expected annual tax revenue of \$105,144. The City will incur additional costs for police and fire protection, which is indeterminable.

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

City Council to hold a public hearing and consider adoption of an Ordinance to annex parcel 408 011, 6.076 acres, per NCGS 160A-58.1, effective upon adoption.

Contact Information for Group or Individual:

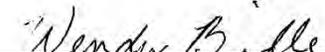
Wendy Brindle, City Engineer 704-638-5201/wbrin@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:


Finance Manager Signature


Department Head Signature


Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved

Declined

Reason:

“AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA, TO INCLUDE 6.076 ACRES, TAX MAP 408 PARCEL 011, 1215 PEELER ROAD.

WHEREAS, the City Council of Salisbury has been petitioned under G.S. 160A-58.1 to annex the area described herein, and the City Clerk has certified the sufficiency of said petition; and

WHEREAS, a public hearing on the question of this annexation was held virtually by City Council on August 2, 2022, at 6:00 p.m. after due notice by publication on July 21, 2022 in the Salisbury Post; and

WHEREAS, the City Council of Salisbury does find as a fact that said petition meets the requirements of G.S. 160A-58.1; and

WHEREAS, the City Council of Salisbury further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City Council of Salisbury further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Salisbury and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-58.1, the following described territory, is hereby annexed and made part of the City of Salisbury as of the 2nd day of August, 2022. The survey plat that describes the annexed territory is that certain survey plat entitled Annexation Plat (Non-Contiguous) Sheetz, Inc. 1215 Peeler Rd Litaker Township, Rowan County Salisbury, North Carolina, dated 5/27/2022, and recorded in Book of Maps _____ Page _____, Rowan County Register of Deeds:

Being all that tract of land containing 6.357 acres, more or less, located in Litaker Township, Rowan County, North Carolina and being portion of the land described in Book 1256 Page 328; and being more particularly described as follows:

Beginning at a NCDOT concrete monument in the southern right of way of Peeler Road, thence continuing along said right of way, with a curve turning to the left with an arc length of 295.35', with a radius of 751.58', with a chord bearing of S 52°51'42" E, with a chord length of 293.45', to a NCDOT concrete monument; thence N 25°52'51" E a distance of 24.23' to a 5/8" rebar; thence S 64°14'43" E a

distance of 7.79'to a 5/8" rebar, the northwest corner of Meilien S. Chen, (D.B. 1125 PG. 990); thence along the western line of Chen, S 02°55'41" W a distance of 373.48'to an angle iron, in the northern line of Edward Pietryk, II, (D.B. 837 PG. 490); thence along the northern line of Edward Pietryk, II (D.B. 837 PG. 490), N 86°40'36" W a distance of 666.68'to an arched iron stake, the southeast corner of Love's Travel Stops & Country Stores, Inc., (D.B. 1207 PG.615, parcel 2); thence along the eastern line of Love's Travel Stops & Country Stores, Inc., (D.B. 1207 PG.615, parcel 2), N 01°59'29" E a distance of 250.36'to a 5/8" iron pipe in the southeast margin of Lane Parkway; thence along the southeast margin of Lane Parkway, N 54°33'00" E a distance of 432.57'to a 5/8" rebar, the margin intersection of Lane Parkway and Peeler Road; thence S 83°39'56" E a distance of 72.48'to the point of beginning, having an area of 276921.0 square feet, 6.357 acres.

Section 2. Upon and after the 2nd day of August 2022, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other parts of the City of Salisbury. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Salisbury shall cause to be recorded in the office of the Register of Deeds of Rowan County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections as required by G.S. 163-288.1."

Adopted this 2nd day of August 2022.

Karen K. Alexander, Mayor

ATTEST: _____
Kelly Baker, City Clerk

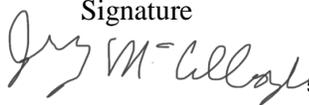
Date: 4/21/2022



PETITION REQUESTING VOLUNTARY ANNEXATION
FOR 408 011 - 1215 Peeler Rd

We the undersigned owners of real property respectfully request that the area described on the attached documents be annexed into the City of Salisbury. By signing this petition, we understand that the following conditions are the responsibility of the petitioners. Failure to meet the conditions may delay or invalidate the request:

1. The petition must be signed by all owners of real property in the area described and shall contain the address of each property owner.
2. The petition must include a metes and bounds description of the area to be annexed and a preliminary annexation boundary survey prepared by a Registered Land Surveyor. Two original mylars of the final annexation boundary survey shall be completed after consultation with the City.
3. If the area is not contiguous to the primary City limits, the petition shall include documentation that:
 - a) The nearest point of the described area is not more than three miles from the primary City limits.
 - b) No point on the described boundary is closer to another municipality than to the City of Salisbury.
 - c) No subdivision, as defined in GS 160A-376, will be fragmented by the proposed annexation.
4. Upon the effective date of annexation and thereafter, the described citizens and property shall be subject to municipal taxes and to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other citizens and property in the City of Salisbury.

Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM <u>408</u> PCL <u>011</u>	<u>Jerry McCullogh</u>		<u>585 State Rd China Grove, NC 28023</u>
TM ___ PCL _____	_____	_____	_____
TM ___ PCL _____	_____	_____	_____
TM ___ PCL _____	_____	_____	_____
TM ___ PCL _____	_____	_____	_____

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person Wes Hall Telephone Number 919-896-2019

For Office Use Only:

Total number of parcels 1 Number Signed _____ % Signed _____ Date Returned _____
Contiguous per GS 160A-31 _____ or Non-contiguous "satellite" per GS 160A-58 X (check one)

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: 08/02/2022

Name of Group(s) or Individual(s) Making Request: Community Planning Services

Name of Presenter(s): Victoria Bailiff, Senior Planner

Requested Agenda Item: CD-04-2022 Sheetz – 1215 Peeler Rd / Parcel ID 408 011, 410 128

Description of Requested Agenda Item: CD-04-2022 Request to rezone two (2) parcels located on the southern corner of the intersection of Lane Parkway and Peeler Road, just east of I-85, (PID 408 011, 410 128) being approximately 8.88 acres, from Light Industrial (LI) and Rowan County District Commercial Business Industrial (CBI) to Highway Business (HB) with a Conditional District Overlay (CD) to request an exception of the Land Development Ordinance as permitted by Section 15.23, upon voluntary annexation.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*
Council to consider adopting an ordinance to rezone the subject parcels as requested.

Contact Information for Group or Individual: Victoria Bailiff, victoria.bailiff@salisburync.gov, 704-638-5212

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

Salisbury City Council Agenda Item Request Form



For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:



City of Salisbury
 Development Services
 132 North Main Street
 Salisbury, NC 28144
 E: 1stop@salisburync.gov
 Ph. 704.638.5208

CONDITIONAL DISTRICT REZONING APPLICATION

SHADED AREAS FOR STAFF USE ONLY

FILING DATE

CASE #

CD MASTER PLAN ADOPTION \$1,200
CD MASTER PLAN AMENDMENT \$900
CD MASTER PLAN REVISION \$50
 * FEES PER CITY OF SALISBURY BUDGET ORDINANCE

- CD Master Plan Adoption (LDO Sec. 15.23)
- CD Master Plan Amendment (LDO Sec. 15.23.E)
- CD Master Plan Revision (LDO Sec. 15.23.F)

A petition for a CD Master Plan must be submitted by the property owner(s) of all land included in the petition. An owner representative must submit an affidavit authorizing representation. Multiple owners shall be listed on a separate sheet with ownership corresponding to all parcels included in the petition.

Submittal Requirements:

- Plan Review Payment (check, charge)
- Plan Submittal (1 e-set in Adobe PDF)

PROJECT INFORMATION

Property Address or location: SE corner of the intersection of Lane Parkway & Peeler Road

Project Title: Sheetz Salisbury NC Lane Pkwy PID: 408 011 & a portion of 410 001 (Rowan Co PIDs)

Present Use: Vacant Proposed Use: Sheetz fueling station and convenience store

Total Acreage: +/- 8.88 ac Project/Disturbed Acreage: +/- 9.35 ac

Petitioner: Sheetz, Inc. Representative: Wes Hall

Address: 5700 Sixth Ave., Altoona, PA 16602 Phone: 919-896-2019 Email: wwhall@sheetz.com

Owner(s): Jerry McCullough (408 011) & Edward Wallace Pietryk (410 001)

Address: 585 State Rd, China Grove, NC 28023 (408 011) Phone: _____ Email: _____
336 Pietryk Drive, Salisbury, NC 28146 (410 001)

Provide overall project built-upon area (%) for NPDES determination: +/- 67%
 (applicable for projects over 1 acre or part of a larger common plan of development - Sec. 9.6)

Will the project require voluntary annexation? Yes No

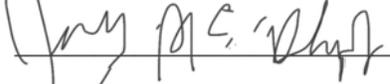
Will the project involve installation of a new public or private fire line? Yes No

Will the project require water or sewer extensions? Water Sewer Neither

SIGNATURE

By signing this petition you understand that this petition will be forwarded to the Planning Board (a City Council-appointed board) who may hear statements from staff, the petitioner, and general public, and will then vote to make a Statement of Consistency and recommendation to City Council. The petition will then be forwarded to City Council who will conduct the official public hearing before casting a deciding vote. (Use a separate sheet of paper for multiple owners.)

Petitioner(s): 

Owner(s): 



City of Salisbury
 Development Services
 132 North Main Street
 Salisbury, NC 28144
 E: 1stop@salisburync.gov
 Ph. 704.638.5208

CONDITIONAL DISTRICT REZONING APPLICATION

SHADED AREAS FOR STAFF USE ONLY

FILING DATE

CASE #

CD MASTER PLAN ADOPTION

\$1,200

CD MASTER PLAN AMENDMENT

\$900

CD MASTER PLAN REVISION

\$50

* FEES PER CITY OF SALISBURY BUDGET ORDINANCE

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A petition for a CD Master Plan must be submitted by the property owner(s) of all land included in the petition. An owner representative must submit an affidavit authorizing representation. Multiple owners shall be listed on a separate sheet with ownership corresponding to all parcels included in the petition.

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PROJECT INFORMATION

Property Address or location: SE corner of the intersection of Lane Parkway & Peeler Road

Project Title: Sheetz Salisbury NC Lane Pkwy PID: 408 011 & a portion of 410 001 (Rowan Co PIDs)

Present Use: Vacant Proposed Use: Sheetz fueling station and convenience store

Total Acreage: +/- 8.88 ac Project/Disturbed Acreage: +/- 9.35 ac

Petitioner: Sheetz, Inc. Representative: Wes Hall

Address: 5700 Sixth Ave., Altoona, PA 16602 Phone: 919-896-2019 Email: ww@sheetz.com

Owner(s): Jerry McCullough (408 011) & Edward Wallace Pietryk (410 001)

Address: 585 State Rd, China Grove, NC 28023 (408 011) Phone: Email:
 336 Pietryk Drive, Salisbury, NC 28146 (410 001)

Provide overall project built-upon area (%) for NPDES determination: +/- 67%
 (applicable for projects over 1 acre or part of a larger common plan of development - Sec. 9.6)

Will the project require voluntary annexation? Yes No

Will the project involve installation of a new public or private fire line? Yes No

Will the project require water or sewer extensions? Water Sewer Neither

SIGNATURE

By signing this petition you understand that this petition will be forwarded to the Planning Board (a City Council-appointed board) who may hear statements from staff, the petitioner, and general public, and will then vote to make a Statement of Consistency and recommendation to City Council. The petition will then be forwarded to City Council who will conduct the official public hearing before casting a deciding vote. (Use a separate sheet of paper for multiple owners.)

Petitioner(s): W. Hall

Owner(s): Edward Wallace Pietryk

PROJECT PLANNING CHECKLIST

Pursuant to LDO Sec. 16.3, a Master Plan set (prepared by a licensed design professional with the appropriate statutory authority) must include the Site Plan, an Illustrative Landscape Plan, Building Design Plans, and other plans or documentation where applicable.

All plans must show or provide the following information where applicable; however, per Sec. 15.4, the Administrator may waive specific application requirements in certain situations:

Site Plan Information:		DONE	N/A
Project Title, property owner(s), developer(s), etc. & date of plan	(16.3.B, C, & I)	✓	
Vicinity Map	(16.3.A)	✓	
Boundary Survey & Limits of Construction	(16.3.D & P)	✓	
Original / Proposed contours at max. 2-ft intervals	(16.3.F)	✓	
Any portion within Watershed Protection Area	(16.3.M)		N/A
Corporate Limits & ETJ boundaries, where applicable	(16.3.R)		N/A
Phase Lines	(16.3.S)		N/A
Floodplain, Floodway, Jurisdictional Wetlands, and/or streams, where applicable	(16.3.T)		N/A
Site Calculations (acreage, open space, parking, # units, GFA, etc.)	(16.3.E)	✓	
Scale, denoted graphically & numerically	(16.3.G)	✓	
Any required Certification Statements	(16.3.H)		N/A
Zoning District of project area and adjacent properties (Include PID of each parcel)	(16.3.J)	✓	
Location, dimensions & setbacks of all lots & buildings	(16.3.L)	✓	
Location of all parking & loading areas with striping and dimensions	(16.3.L)	✓	
Location of all existing & planned streets & alleys with dimensions	(16.3.L)		N/A
Location of all existing & planned (o & u) utilities and associated easements	(16.3.L)	✓	
Location of all recreational open spaces & other site reservations	(16.3.L)		N/A
Location of all required NPDES Best Management Practices (BMPs), if required	(16.3.N)	✓	
Cross-sections of proposed streets & alleys	(16.3.O)		N/A
Location of, including details and screening, solid waste containment		✓	

Illustrative Landscape Plan Information (must be provided in color):	DONE	N/A
Location and type of existing plants/trees and areas to remain natural	✓	
Illustrative planting plan exhibiting complete landscaping of the site at maturity	✓	

Building Design Plans Information (Sec. 16.11):	DONE	N/A
All exterior wall elevations (for proposed structures or additions)	✓	
Photos of existing conditions and all existing structures	✓	
Building materials schedule (samples may be provided)	✓	



City of Salisbury
 Development Services
 132 North Main Street
 Salisbury, NC 28144
 E: 1stop@salisburync.gov
 Ph. 704.638.5208

ZONING PERMIT APPLICATION

SHADED AREAS FOR STAFF USE ONLY

FILING DATE

CASE #

PLAN REVIEW CASE # (IF APPLICABLE):

ZP (NEW HOUSE<5 DU)	\$50
ZP (NEW MULTI-FAMILY RESIDENTIAL)	\$150
ZP (NEW NON-RESIDENTIAL)	\$300
ZP (ADDT/ACC/UPFIT: RESIDENTIAL)	\$25
ZP (ADDT/ACC/UPFIT: NON-RESIDENTIAL)	\$100
HOME OCCUPATION PERMIT	\$50
TEMPORARY USE PERMIT	\$50

* FEES PER CITY OF SALISBURY BUDGET ORDINANCE

NOTE TO APPLICANT: SUPPLEMENT PLAN REVIEW FORMS AVAILABLE IF PLAN REVIEW IS REQUIRED. PERMITTING & PLAN REVIEW SERVICES REQUIRE 1 HARD SET AND 1 ELECTRONIC SET (PDF)

BUILDING INFORMATION

- New Principal Building
- Addition
- Remodel/Upfit
- Accessory Structure

Existing SqFt: 0
 Proposed SqFt: 6,872

DEVELOPMENT TYPE

- House (<5 units)
- MF (<8 units)
- MF (≥8 units)
- Non-Residential (< 10,000 sf)
- Non-Residential (≥ 10,000 sf)
- Floodplain/Watershed
- Parking Lot—Primary Use

USE INFORMATION

- New/Added Use
- Change of Use
- No Change of Use
(existing use remains)
- Home Occupation
- Temporary Use

PROJECT DESCRIPTION

\$14,200,000
 Total Projected Cost:

PLAN SUBMITTAL ATTACHMENTS

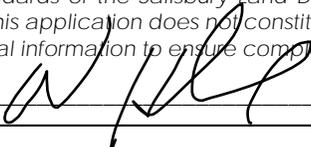
- Site
- Floor
- Elevation
- Landscape

PROPERTY & CONTACT INFORMATION

Rowan County Parcel ID(s): 408 011 & 410 128
 Address or Site Location: SE corner of the intersection of Lane Parkway and Peeler Road
 Subdivision: N/A Lot(s): N/A
 Applicant: Sheetz, Inc.
 Address: 351 Sheetz Way, Claysburg, PA 16625
 Email: wwhall@sheetz.com Best Phone: 919-896-2019
 Owner (if different than applicant): Jerry McCullough (408 011) & Edward Wallace Pietryk (410 128)
 Address: 585 State Rd, China Grove, NC 28023 (408 011) & 336 Pietryk Dr, Salisbury, NC 28146 (410 128)
 Email: _____ Daytime Phone: _____

SIGNATURE

I certify that all information provided on this application is accurate and that all work will be performed to meet the laws of the State of North Carolina, the standards of the Salisbury Land Development Ordinance, and the City of Salisbury Uniform Construction Standards Manual. Submission of this application does not constitute a granting of approval or issuance of a permit. The City of Salisbury reserves the right to request additional information to ensure complete review.

Applicant: 

UTILITY CONNECTIONS

Water: Existing PUBLIC or PRIVATE connection with no change to service
Proposed NEW or REPLACEMENT connection @ 2 (size in inches)

Sewer: Existing PUBLIC or PRIVATE connection with no change to service
Proposed NEW or REPLACEMENT connection @ 4 (size in inches)

Irrigation: Existing PUBLIC or PRIVATE connection with no change to service
Proposed NEW or REPLACEMENT connection @ 1 (size in inches)

Fire: Existing PUBLIC or PRIVATE connection with no change to service
Proposed NEW or REPLACEMENT connection @ 6 (size in inches)

F.O.G.: New Replace >>> Trap In-ground Interceptor

Backflow: New Replace Upgrade 2 (size in inches)

DEPARTMENT USE ONLY

Project Title: _____

Zoning: _____ Overlay: _____ Local Historic Overlay? Yes No

Present Use: _____

Number, type, and condition of any existing structures:

List any known nonconformities:

Does the project require issuance of an NCDOT driveway permit? Yes No

Does the overall project generate 3,000+ vpd during an average weekday? (Sec. 4.14) Yes No

Will the project provide outdoor lighting on private property? (Ch. 11) Yes No

Will the project require outdoor storage? (Sec. 6.9) Yes No

Does a sidewalk exist along the street side parcel lines? (Sec. 4.4) Partial Yes No

Requesting Payment In Lieu of Mitigation based on the TIA? (Sec. 4.14) Yes No

Requesting Payment In Lieu of Recreational Open Space Allocation? (Sec. 7.6) Yes No

Requesting Payment In Lieu of Sidewalk? (Sec. 4.9) Yes No

Property Size (gross area in acres): _____ Area of Disturbance (acres): _____

Other & Notes:



Planning & Zoning Analysis

CASE NO.

CD-04-2022

Project Title:

Sheetz

Petitioner(s)

Sheetz, Inc.

Owner(s)

Jerry McCullough, Edward Pietryk II

Representative(s)

Wes Hall (Sheetz Inc.)

Address

1215 Peeler Road

Tax Map & Parcel(s)

408 011, 410 128

Size / Scope

Approximately 8.88 acres combined

Location

Located on the southern corner of the intersection of Lane Parkway and Peeler Road, just east of I-85.

PETITIONER REQUEST

Request:

Petition proposes to rezone (2) parcels from Light Industrial (LI) and Rowan County District Commercial Business Industrial (CBI) to Highway Business (HB) with a Conditional District (CD) Overlay. The proposal is seeking approval of a gas station convenience store with pumps in the front and back with additional truck parking in the rear.

Staff Comments:

The petitioner will be required to voluntarily annex parcel 408 011 into the City of Salisbury prior to approval of the rezoning. The annexation petition has already been submitted.

Is the use permitted in the base Zoning without the Conditional District Overlay?

Yes. The HB Zoning district permits gas stations, however, the applicant has proposed parking which is over the maximum number of spaces allowed by the ordinance.

Base Zoning District Descriptions
Existing:

LI: Light Industrial
CBI: Commercial Business Industrial (Rowan County Zoning)

Proposed:

HB/CD: Highway Business / Conditional District Overlay

Development Type:

Retail (Gas Station with Convenience Store)



Planning & Zoning Analysis

CHARACTER OF AREA

Overview:

The 8.88 acre site is currently undeveloped.

Existing uses in the vicinity consist of other commercial and undeveloped properties, with some single family residential and industrial properties further down Peeler Road and Lane Parkway. This rezoning will have little effect on surrounding properties, as the majority of immediately adjacent properties are zoned or currently used for commercial or industrial purposes.

Surrounding Land Use(s) & Zoning:

<i>Location</i>	<i>Existing Land Uses</i>	<i>Existing Zoning</i>
North of area	Commercial	Rowan County (CBI)
East of area	Vacant Commercial, Undeveloped	Rowan County (CBI)
South of area	Undeveloped	City of Salisbury (LI)
West of area	Undeveloped	Rowan County (CBI)



Planning & Zoning Analysis

INFRASTRUCTURE & CIVIC/COMMUNITY FACILITIES

Public Schools:

Elementary: Elizabeth Koontz Elementary
Middle: Southeast Middle
High: Jesse Carson High

Fire District:

Parcel 410 128 is currently within the City of Salisbury Fire district. Parcel 408 011 is currently within the South Salisbury Fire district but will be shifted into the City of Salisbury Fire District upon annexation.

Utilities

Water & Sewer:

Sewer is not currently available to the subject parcels. A sewer extension will be required. Public water is currently available to the property through an existing water line located along Peeler Road.

Transportation

Transit:

This site is not currently served by Salisbury Public Transit. The nearest transit route is in the 1400 block of Klumac Road.

Property Access(s):

The site plan proposes driveway access to both Peeler Road and Lane Parkway. A parking lot stub has been provided to connect to the industrial property located to the south.

Public Improvements:

Peeler Road and Lane Parkway are both state maintained roads and neither have existing sidewalks. The Engineering Department will determine whether or not sidewalks should be installed at this location during construction drawing review.



Planning & Zoning Analysis

COMPREHENSIVE & AREA PLANS

Applicable Plans:

Policy C-10:

Vision 2020 Comprehensive Plan

The City shall encourage the consolidation of commercial driveways onto major streets and the connection of adjacent parking lots.

Policy WS.6:

Centralized water and sewer services should be concentrated within targeted service areas, where development densities would make the provision of services economically efficient, or where industrial development is to be encouraged.

TRC & PLAN REVIEW

TRC Meeting:

The Conditional District petition and associated Master Plan were first reviewed by the City's Technical Review Commission (TRC) on June 16, 2022. Staff, the Planning Board Liaison, Dennis Rogers, and other reviewing agencies recommended approval of the master plan subject to some minor revisions. All comments were satisfied upon resubmittal.

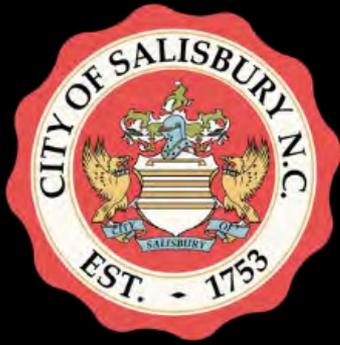
Conditional District Alternative Design Request(s)

Alternative Design Requests:

The applicant is proposing 45 additional parking spaces over the maximum permitted for this type of use (5 spaces per 1000 square feet).

Planning Board Recommendation:

This proposal was presented to Planning Board at their courtesy hearing on July 12, 2022. After deliberation, the Planning Board unanimously recommended approval, stating proposal is consistent with the Vision 2020 Comprehensive Plan as submitted.



PETITION TO REZONE

CD-04-2022:

Sheetz

1215 Peeler Road

PID: 408 011

408 128

Petitioners: Sheetz, Inc.

Representatives: Wes Hall

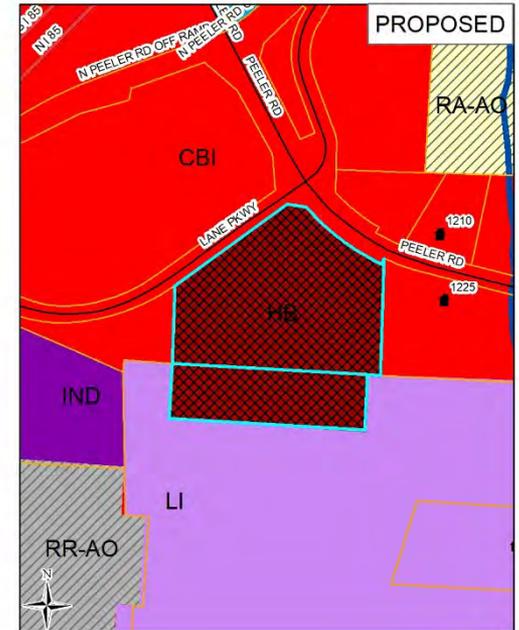
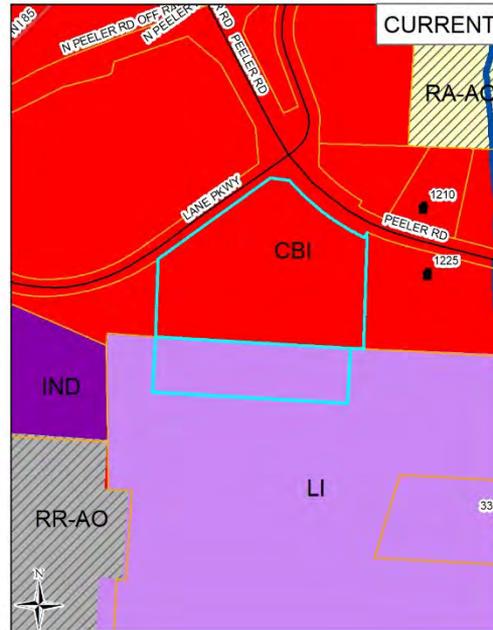
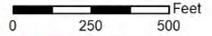
Property Owner: Jerry McCullough
Edward Pietryk II

CD-04-2022: 1215 PEELER RD (SHEETZ)

Parcels : 408 011, 410 128

Current Zoning: Rowan County Zoning District CBI, City of Salisbury Zoning District LI

Proposed Zoning: City of Salisbury Zoning District HB - Conditional District Overlay



Petition CD-04-2022

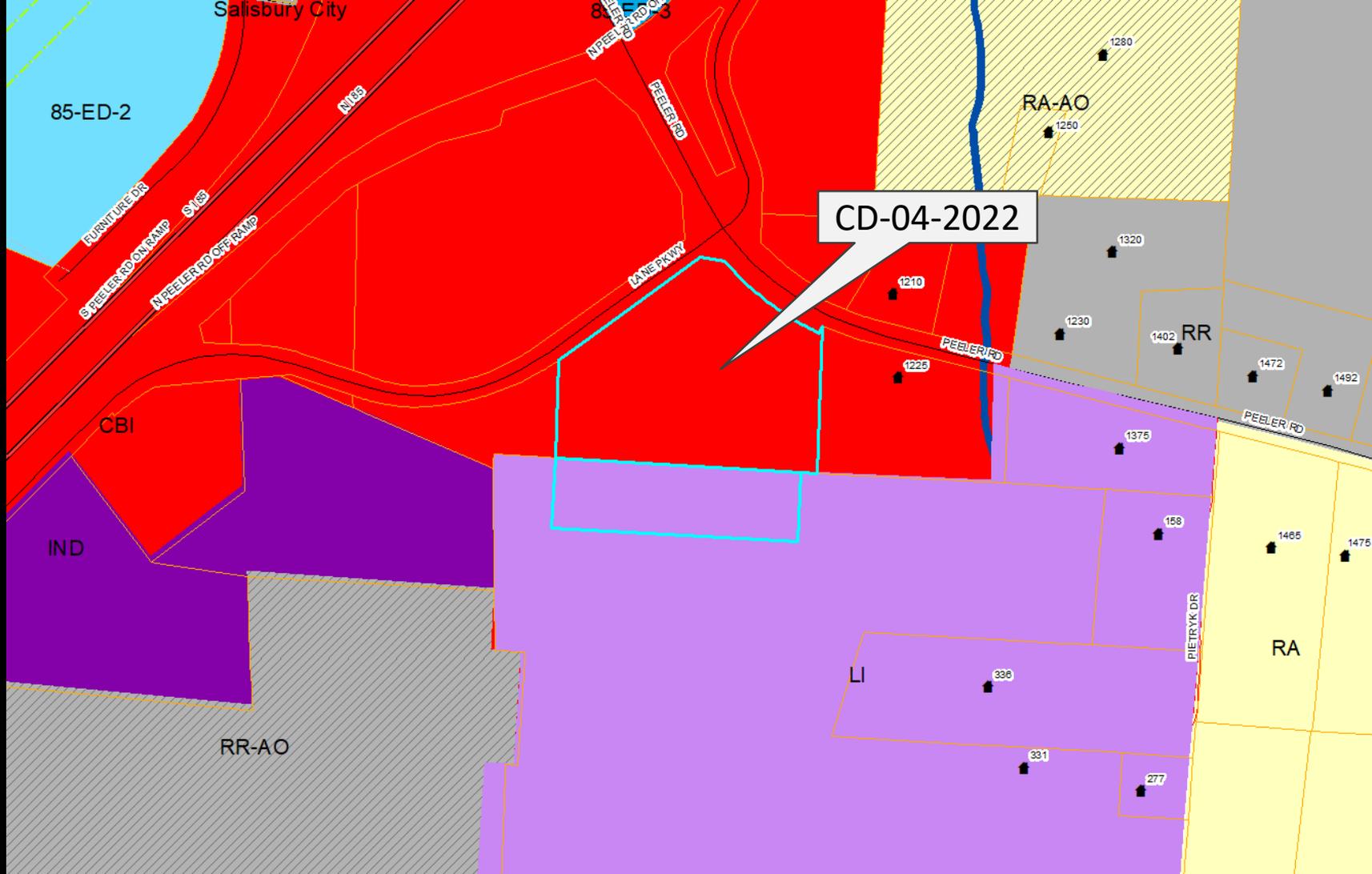
Current Zoning

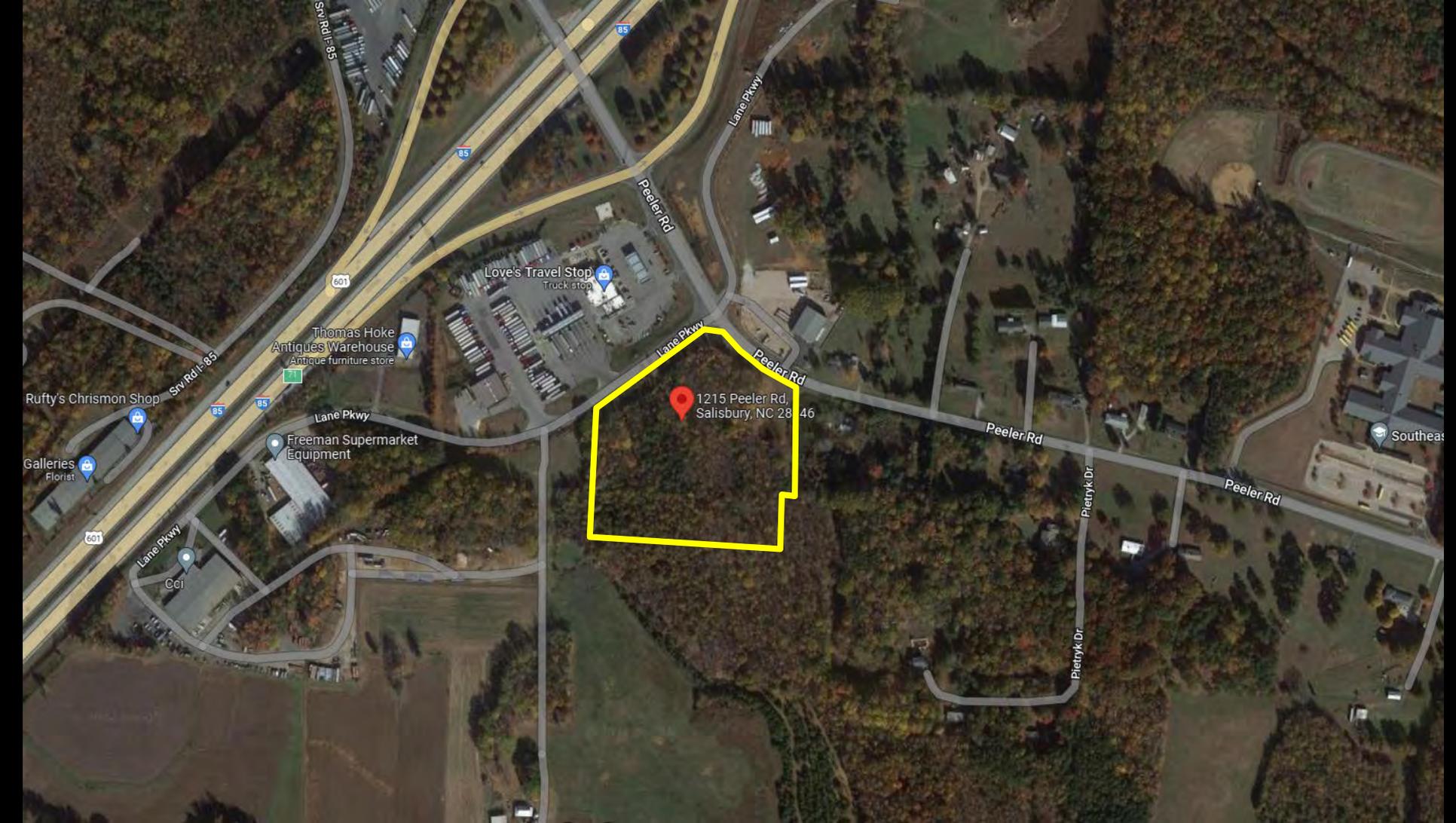
- Light Industrial (LI)
- Commercial Business Industrial (CBI) in Rowan County

Proposed Zoning

- Highway Business (HB) / CD Overlay

Proposed development for a gas station convenience store with pumps in the front and back, with additional truck parking in the rear.





1215 Peeler Rd,
Salisbury, NC 28146

Love's Travel Stop
Truck stop

Thomas Hoke
Antiques Warehouse
Antique furniture store

Freeman Supermarket
Equipment

Ruffy's Chrismon Shop

Galleries
Florist

Cci

Southeastern

Srv Rd 1-85

601

85

Peeler Rd

Lane Pkwy

Lane Pkwy

Peeler Rd

Peeler Rd

Peeler Rd

Pietryk Dr

601

Lane Pkwy

85

Lane Pkwy



LANDSCAPE: CONCEPT TREES 1. 20' L.P. CONCEPT TREES 2. 18" L.P. CONCEPT TREES 3. 12" L.P. CONCEPT TREES 4. 8" L.P. CONCEPT TREES 5. 4" L.P. CONCEPT TREES 6. 2" L.P. CONCEPT TREES 7. 1" L.P. CONCEPT TREES 8. 1/2" L.P. CONCEPT TREES 9. 1/4" L.P. CONCEPT TREES 10. 1/8" L.P. CONCEPT TREES 11. 1/16" L.P. CONCEPT TREES 12. 1/32" L.P. CONCEPT TREES 13. 1/64" L.P. CONCEPT TREES 14. 1/128" L.P. CONCEPT TREES 15. 1/256" L.P. CONCEPT TREES 16. 1/512" L.P. CONCEPT TREES 17. 1/1024" L.P. CONCEPT TREES 18. 1/2048" L.P. CONCEPT TREES 19. 1/4096" L.P. CONCEPT TREES 20. 1/8192" L.P. CONCEPT TREES 21. 1/16384" L.P. CONCEPT TREES 22. 1/32768" L.P. CONCEPT TREES 23. 1/65536" L.P. CONCEPT TREES 24. 1/131072" L.P. CONCEPT TREES 25. 1/262144" L.P. CONCEPT TREES 26. 1/524288" L.P. CONCEPT TREES 27. 1/1048576" L.P. CONCEPT TREES 28. 1/2097152" L.P. CONCEPT TREES 29. 1/4194304" L.P. CONCEPT TREES 30. 1/8388608" L.P. CONCEPT TREES 31. 1/16777216" L.P. CONCEPT TREES 32. 1/33554432" L.P. 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CONCEPT TREES 225. 1/4212491891791035907598103298148608" L.P. CONCEPT TREES 226. 1/8424983783582071815196206596297216" L.P. CONCEPT TREES 227. 1/1684996756716443630239241319259424" L.P. CONCEPT TREES 228. 1/3369993513432887260478482638518848" L.P. CONCEPT TREES 229. 1/6739987026865774520956965277037792" L.P. CONCEPT TREES 230. 1/1347997405373154904191393455407584" L.P. CONCEPT TREES 231. 1/2695994810746309808382786908815168" L.P. CONCEPT TREES 232. 1/539198962149261961676557381763136" L.P. CONCEPT TREES 233. 1/107839792429732392335311473526272" L.P. CONCEPT TREES 234. 1/215679584859464784670622847052544" L.P. CONCEPT TREES 235. 1/431359169718929569341245694105088" L.P. CONCEPT TREES 236. 1/862718339437859138682491388210176" L.P. CONCEPT TREES 237. 1/172543667877571877365488277620352" L.P. CONCEPT TREES 238. 1/345087335755143754730976555240704" L.P. CONCEPT TREES 239. 1/690174671510287509461953110481408" L.P. CONCEPT TREES 240. 1/1380349343020755019323066220962816" L.P. 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CONCEPT TREES 257. 1/1809251490884228826445311111111168" L.P. CONCEPT TREES 258. 1/3618502981768457652888662222222232" L.P. CONCEPT TREES 259. 1/7237005963536915305777324444444464" L.P. CONCEPT TREES 260. 1/1447401192707383061155648888888896" L.P. CONCEPT TREES 261. 1/289480238541476612231110911111168" L.P. CONCEPT TREES 262. 1/5789604770829532244622218222222232" L.P. CONCEPT TREES 263. 1/11579209541659064492444444444464" L.P. CONCEPT TREES 264. 1/23158419083318128984888888888896" L.P. CONCEPT TREES 265. 1/46316838166636257969777777777792" L.P. CONCEPT TREES 266. 1/92633676333272515939555555555584" L.P. CONCEPT TREES 267. 1/18526735266654503079111111111168" L.P. CONCEPT TREES 268. 1/37053470533309006158222222222232" L.P. CONCEPT TREES 269. 1/74106941066618012316644444444464" L.P. CONCEPT TREES 270. 1/14821388213336402433328888888896" L.P. CONCEPT TREES 271. 1/29642776426672804866657777777792" L.P. CONCEPT TREES 272. 1/59285552853345609733311555555584" L.P. CONCEPT TREES 273. 1/11857110570671121946662222222232" L.P. CONCEPT TREES 274. 1/23714221141342443093334444444464" L.P. CONCEPT TREES 275. 1/47428442282684886186666888888896" L.P. CONCEPT TREES 276. 1/94856884565369772373331777777792" L.P. CONCEPT TREES 277. 1/18971376913133954474666355555584" L.P. CONCEPT TREES 278. 1/37942753826267908949333711111168" L.P. CONCEPT TREES 279. 1/75885507652535817899866444444464" L.P. CONCEPT TREES 280. 1/15177101530507163799733888888896" L.P. CONCEPT TREES 281. 1/30354203061014327599467777777792" L.P. CONCEPT TREES 282. 1/60708406122028655198933555555584" L.P. CONCEPT TREES 283. 1/12141681224057310397866711111168" L.P. CONCEPT TREES 284. 1/24283362448114620795733444444464" L.P. CONCEPT TREES 285. 1/48566724896229241591466688888896" L.P. CONCEPT TREES 286. 1/97133449792458483182933177777792" L.P. CONCEPT TREES 287. 1/19426689584811696636586635555584" L.P. CONCEPT TREES 288. 1/38853379169623393273173311111168" L.P. CONCEPT TREES 289. 1/77706758339246786546346622222232" L.P. CONCEPT TREES 290. 1/15541351668493557109693344444464" L.P. CONCEPT TREES 291. 1/31082703336987114218186668888



1 FRONT ELEVATION - NORTH
10' x 12'



2 LEFT ELEVATION - WEST
10' x 12'



OUTLINE AREA = 22.80 SQ. FT.
SIGN AREA = 20.36 SQ. FT.
TYPICAL OF 1

A WALL MOUNTED "SHEETZ" BUILDING SIGN
10' x 12'



OUTLINE AREA = 22.80 SQ. FT.
SIGN AREA = 20.36 SQ. FT.
TYPICAL OF 1

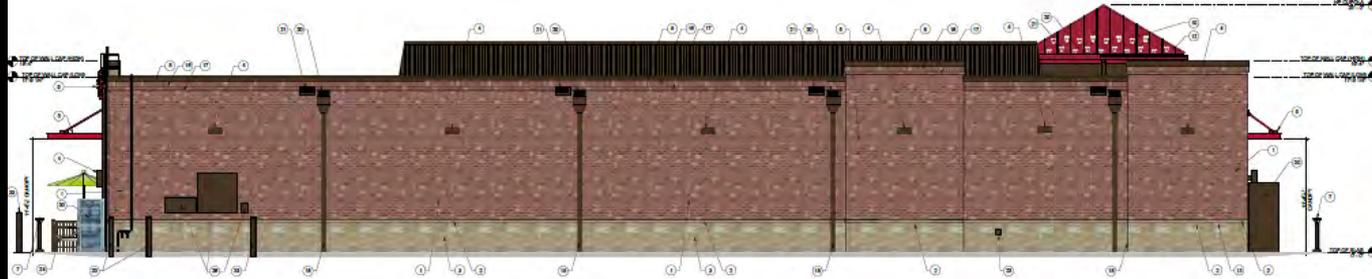
B WALL MOUNTED "MTO" BUILDING SIGN
10' x 12'

TYPICAL EXTERIOR ELEVATION NOTES:

- ALL LIGHTS INTERNAL UNLESS INDICATED OTHERWISE OR INDICATED TO BE DIFFERENT ON THE COLOR OR MATERIAL VALUE NOTES OTHERWISE
- FUTURE ADJACENT BETWEEN TWO COUSES OR WINDOWS ARE TO BE CONTIGUOUSLY

EXTERIOR ELEVATION KEYNOTES:

- 1 BRICK UNLESS OTHERWISE INDICATED (BRICK 1)
- 2 GRAFT FLOOR BRICK (COLOR + GRAIN CHECKED)
- 3 ANCHORED GRAFT FLOOR W/ANCHOR UNLESS COLOR + GRAIN CHECKED
- 4 EXTERIOR LIGHT FIXTURE, SEE ELECTRICAL
- 5 ARCHITECTURAL CANOPY (COLOR + MATERIAL, PERFORM TWO COAT FINISH PAINTS)
- 6 BRICK FINISH WALL ONLY
- 7 LIGHTED HOLLAND
- 8 METAL COPING COLOR + GRAIN FINISH
- 9 WALL AND FLOOR BRICKS ARE INTERNALLY ILLUMINATED SEE SHEET 400
- 10 STAINLESS BRASS METAL ROOF (COLOR + GRAIN, FIN)
- 11 ROOF EQUIPMENT ACCESS COLOR + GRAIN FINISH
- 12 BUTTER COLOR + FIN
- 13 DOWNSPOUT COLOR + GRAIN FINISH
- 14 DOWNSPOUT ANCHOR ASSEMBLY
- 15 METAL STAINLESS BRASS METALS ILLUMINATED PER ASSEMBLY ROOF COLOR + GRAIN, FIN, PERFORM TWO COAT FINISH PAINTS
- 16 METAL BRASS COLOR (PER FINISH BY COMMERCIAL BRICK CO.)
- 17 BRICK ROOF COLOR (PER FINISH BY COMMERCIAL BRICK CO.)
- 18 CONTROL LED (COLOR + PLASTIC BRICK)
- 19 METAL ROOF LASTER AND CREAMY PORT COLOR + GRAIN FINISH
- 20 STAINLESS THROUGH WALL BOLTER ASSEMBLY FOR WIND & COMBUSTION COLOR + GRAIN FINISH
- 21 DOWNSPOUT SCUPPER
- 22 ALUMINUM STOREFRONT SYSTEM
- 23 EXTERIOR HOME BAR
- 24 OUTDOOR FURNITURE
- 25 ELECTRICAL RECEPTACLE (REFER TO ELECTRICAL DRAWINGS)
- 26 ELECTRICAL EQUIPMENT (REFER TO ELECTRICAL DRAWINGS)
- 27 WINDOW AND FRAME COLOR + GRAIN FINISH
- 28 EMERGENCY WATER CONNECTION
- 29 BRASS AND ALUM. PANEL SYSTEM EXPOSED FASTENERS COLOR + GRAIN FINISH
- 30 PROPANE LOGS
- 31 CR MESH CHAIRS
- 32 DRAINAGE STANDING TANK BRICKS (COLOR + GRAIN FINISH)
- 33 METAL HOLLAND (COLOR + GRAIN FINISH)
- 34 GDS PILLPOST
- 35 DECORATIVE ALUMINUM FINISH



3 REAR ELEVATION - SOUTH



4 RIGHT ELEVATION - EAST



5 CUPOLA FROM ROOF



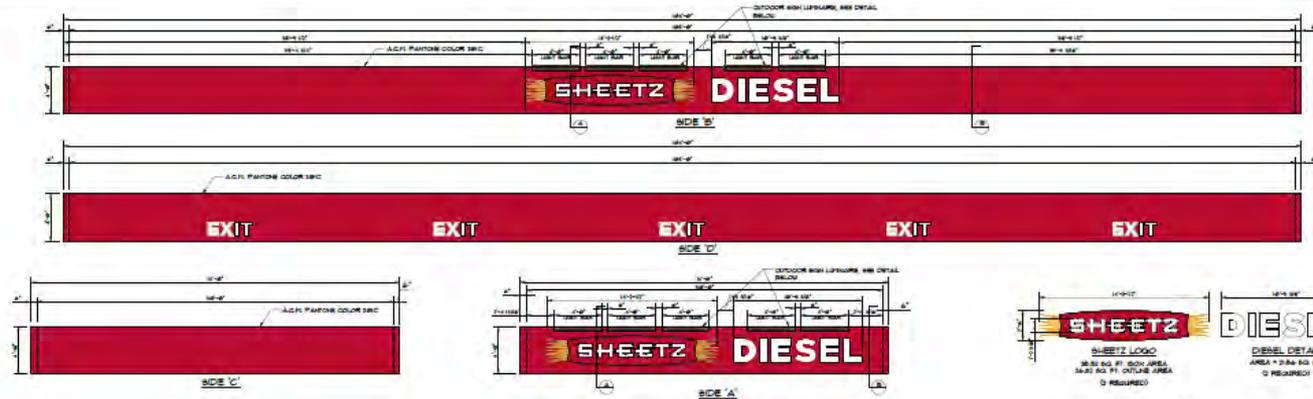
6 CUPOLA FROM ROOF

TYPICAL EXTERIOR ELEVATION NOTES

- ALL LIGHT FIXTURES AND LIGHT FIXTURES OR ACCESSORIES TO BE COORDINATED BY THE OWNER OF THE BUILDING AND SHALL BE INSTALLED IN ACCORDANCE WITH THE ELECTRICAL CODE.
- PERFORMANCE BETWEEN THE COLOR OF FINISHES ARE TO BE COORDINATED EXACTLY.

EXTERIOR ELEVATION KEYNOTES

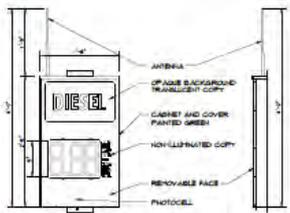
- 1 BRICK FINISH (AS NOTED BY CONTRACTOR, BRICK CO.)
- 2 GYPSUM FINISH (AS NOTED BY CONTRACTOR)
- 3 GYPSUM FINISH (AS NOTED BY CONTRACTOR)
- 4 ANCHORED CLAY STONE MASONRY UNDER COLORED - CLAY FINISH
- 5 EXTERIOR LIGHT FIXTURE, SEE ELECTRICAL
- 6 ARCHITECTURAL CHIMNEY COLOR - BRICK, RED FINISH IN TWO COAT STONE FINISH
- 7 BRICK PAVER MASONRY
- 8 LIGHTED SILLING
- 9 METAL COPING (COLOR - DARK BRICK)
- 10 METAL SILLING (COLOR - DARK BRICK) INTERNALLY ILLUMINATED
- 11 BRICK SILLING
- 12 STAINLESS STEEL METAL ROOF (COLOR - DARK BRICK, RED)
- 13 ROOF EQUIPMENT SILLING (COLOR - DARK BRICK)
- 14 GUTTER (COLOR - RED)
- 15 DOWNSPOUT (COLOR - DARK BRICK)
- 16 DOWN SILLING (COLOR - DARK BRICK)
- 17 METAL STAINLESS STEEL STAIR AND FRAME ASSEMBLY (ROOF COLOR - CONTINUED, RED, PAVER COLOR - DARK BRICK)
- 18 BRICK SILLING (COLOR - AS NOTED BY CONTRACTOR, BRICK CO.)
- 19 BRICK SILLING (COLOR - AS NOTED BY CONTRACTOR, BRICK CO.)
- 20 CONTROL JAMB (COLOR - PLASTIC BRICK)
- 21 STEEL ROOF LADDERS AND CHAIR POST (COLOR - DARK BRICK)
- 22 STAINLESS STEEL METAL ROOF (COLOR - DARK BRICK)
- 23 DOWN SILLING
- 24 ALUMINUM STAIRWAY IN STEEL
- 25 EXTERIOR HOME SIGN
- 26 OUTDOOR FURNITURE
- 27 ELECTRICAL RECEPTACLE (REFER TO ELECTRICAL DRAWINGS)
- 28 AIR EXHAUST FAN (COLOR - DARK BRICK)
- 29 DOWNSPOUT WATER CONNECTION
- 30 DOWNSPOUT WATER CONNECTION
- 31 DOWNSPOUT WATER CONNECTION
- 32 DOWNSPOUT WATER CONNECTION
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- 50 DOWNSPOUT WATER CONNECTION



DIESEL CANOPY ELEVATION
SCALE: 1/4" = 1'-0"



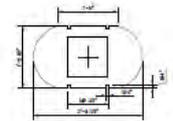
DIESEL PRICE SIGN ELEVATION
SCALE: 1/4" = 1'-0"



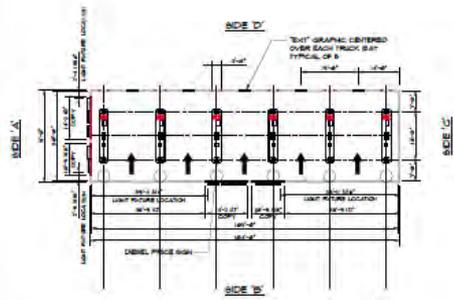
TOTAL SIGN AREA = 4.86 SQ. FT.
SHADE FACE CABINET
1" REQUIRED



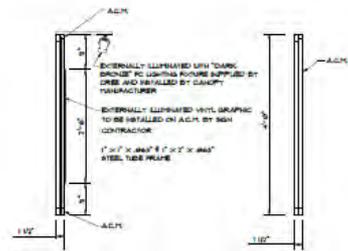
"EXIT" DETAIL
AREA = 2.86 SQ. FT.
Ø REQUIRED



DIESEL CANOPY COLUMN DETAIL
SCALE: NO SCALE



DIESEL CANOPY - PLAN VIEW
SCALE: NONE



A DIESEL CANOPY COPY SECTION
SCALE: NO SCALE

B DIESEL CANOPY SECTION
SCALE: NO SCALE



DIESEL CANOPY - ELEVATION VIEW
SCALE: NONE

Vision 2020 Policies

- **Policy C-10:** The City shall encourage the consolidation of commercial driveways onto major streets and the connection of adjacent parking lots.
- **Policy WS.6:** Centralized water and sewer services should be concentrated within targeted service areas, where development densities would make the provision of services economically efficient, or where industrial development is to be encouraged.



Planning Board Courtesy Hearing was held July 12, 2022.

Planning Board voted unanimously to recommend approval as submitted with a motion stating the map amendment is “consistent with the Vision 2020 Comprehensive Plan.”

AN ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, REZONING 1215 PEELER ROAD, APPROXIMATELY 8.88 ACRES, (TAX MAP 408 PARCEL 011, TAX MAP 410 PARCEL 128) FROM CITY OF SALISBURY LIGHT INDUSTRIAL (LI) AND ROWAN COUNTY COMMERCIAL BUSINESS INDUSTRIAL (CBI) TO CITY OF SALISBURY HIGHWAY BUSINESS (HB) WITH A CONDITIONAL DISTRICT OVERLAY (CD) UPON ANNEXATION. (PETITION NO. CD-04-2022)

WHEREAS, a petition to rezone the properties described herein was properly filed by the City of Salisbury; and

WHEREAS, the Salisbury Planning Board, an advisory board to the Salisbury City Council, reviewed the rezoning petition on July 12, 2022, unanimously voted to recommend approval with the alternative design as submitted to allow 45 additional parking spaces over the maximum amount permitted by the Land Development Ordinance stating that the request meets the intent and is consistent with the Vision 2020 Comprehensive Plan; and

WHEREAS, the City Council held a properly-noticed public hearing at the regularly-scheduled City Council meeting of August 2, 2022; and

WHEREAS, the City Council hereby finds and determines that adoption of an Ordinance to rezone the properties described herein, is reasonable and is in the public interest. The proposal is fundamentally consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina:

SECTION 1. That property identified in the City of Salisbury and Rowan County as Tax Map 408 Parcel 011 and Tax Map 410 Parcel 128, including those abutting rights-of-way and reaching to the respective centerlines, as designated on the official property identification maps of Rowan County, is hereby rezoned to the base zoning district of Highway Business (HB) with a Conditional District 'CD' Overlay pursuant to the approved CD Master Plan.

SECTION 2. PERMITTED USES (PRIMARY): All 'HB' base district primary uses that are Permitted or Permitted Subject to Additional Standards. All SUP/CD uses require issuance of a Special Use Permit or an Amendment to this Conditional District (CD) Overlay.

SECTION 3. DEVELOPMENT CONDITIONS: That the following conditions are applicable to the development proposal associated with this Ordinance (see above, Section 2, Development Documents) within the Conditional District (CD) Overlay:

- No Conditions Applied

SECTION 4. DEVELOPMENT DOCUMENTS: That as permitted by the Land Development Ordinance, the development documents associated with this Conditional District (CD) Overlay may establish alternatives to specific provisions of the Land Development Ordinance; however, where alternatives are not provided, those and all other applicable Land Development Ordinance provisions remain applicable for any and all development within this Conditional District (CD) Overlay.

SECTION 5. That improvements (public and/or private) for Stormwater drainage, streets, water and sewer shall be designed and installed in accordance with applicable City and Salisbury-Rowan Utilities standards and policies. Layouts shown on the approved, stamped, and signed Development Documents are considered schematic and may require administrative revision(s) upon review of engineering drawings or details (Construction Documents).

SECTION 6. That all Ordinances, or parts of Ordinances, in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 7. That this Ordinance shall be effective from and after its passage.



May 31, 2022

VIA MAIL

City of Salisbury Development Services
Attn: Teresa C. Barringer
132 N. Main Street
Salisbury, NC 28144

Re: Sheetz at Peeler Road & Lane Parkway

Dear Property Owner,

Unfortunately, our previous virtual neighborhood meeting, originally scheduled for May 31st, was unable to be hosted due to technical difficulties with our web hosting service.

We want to make ourselves available to you for feedback on the proposed Conditional District Rezoning of the property at the SE corner of Lane Parkway and Peeler Rd in Salisbury, NC. Enclosed, you'll find a conceptual plan that better depicts the project.

We would like to invite you to submit feedback on the project via one of three separate options. I have again included my phone number and email address below, as well as a new Webex invitation with link and dial-in information.

- Phone – 919-896-2019
- Email – wwhall@sheetz.com
- Virtual Meeting –
 - Date: June 10, 2022
 - Time: 11:00 AM EST – 11:30 AM EST
 - Invitation
 - Web Login (can request an online invitation by emailing the above address)
 - <https://sheetzmtgo.webex.com/sheetzmtgo/j.php?MTID=me9ee3027f8199ee7e1b59402bc5d4f4c>
 - Dial-in
 - Main Number: 844-621-3956
 - Meeting PIN: 2535 344 6775

Best,

Wes Hall
Engineering Permit Project Manager
Sheetz, Inc.

Name	Address	Address 2	City	State	Zip	Parcel ID
Edward Wallace Pietryk II	336 Pietryk Drive		Salisbury	NC	28146	410 001
MV Enterprises LLC	3434 Black and Decker Rd		Hope Mills	NC	28348	409 189
MDH F2 CLT Lane LLC	3715 Northside Pkwy NW	Bldg 400 Ste 240	Atlanta	GA	30329	408 071
Love's Travel Stops & Country	15 W 6th St	Ste 2400	Tulsa	OK	74119	408 031
Eller Terry Lewis & WF	1020 Peeler Rd		Salisbury	NC	28144	408 008
Eller Terry Lewis & WF	1020 Peeler Rd		Salisbury	NC	28144	408 072
Toa Huu & WF Nguyen	1385 Julius Drive		Salisbury	NC	28147	408 028
Meilien S Chen	6108 Stillmeadow Drive		Nashville	TN	37211	408 009



NOTICE OF PUBLIC HEARING

Salisbury City Council will hold a public hearing Tuesday, August 2, 2022 during its 3:00 p.m. meeting to consider the following request. The regularly scheduled August 2, 2022 City Council meeting will be held in a hybrid format. Anyone who wishes to speak virtually during the hearing regarding the request must sign-up by 2:00 p.m. on Tuesday, August 2, 2022 by contacting Kelly Baker at kbake@salisburync.gov or 704-638-5233. Information on accessing the meeting will be available on the City's website at www.salisburync.gov. The meeting can also be viewed on the City's livestream at www.salisburync.gov/webcast or the City's Facebook account.

DISTRICT MAP AMENDMENT: CD-04-2022

Project Title:	Sheetz
Petitioner(s):	Sheetz, Inc.
Owner(s):	Jerry McCullough, Edward Pietryk II
Representative(s) or Developer(s)	Wes Hall (Sheetz, Inc.)
Address:	1215 Peeler Road
Tax Map - Parcel(s):	408-011, 410-128
Size / Scope:	8.88 acres
Location:	Located on the southern corner of the intersection of Lane Parkway and Peeler Road, just east of I-85.

REQUEST:

Request to amend the Land Development Ordinance (LDO) and Land Development District Map by rezoning (2) parcels being approximately 8.88 acres located at 1215 Peeler Road from Light Industrial (LI) and Rowan County District Commercial Business Industrial (CBI) to Highway Business (HB) with a Conditional District (CD) Overlay upon voluntary annexation. The proposal is seeking approval of a gas station convenience store with pumps in the front and rear. The proposal also requests an exception to the LDO Parking Requirements outlined in the LDO Chapter 10.3 for an alternate design permitting 45 parking spaces over the maximum.

A copy of the above petition (including the Master Plan) is available for public review at Development Services (132 North Main Street). Anyone wishing a copy, or additional information, should call 704-638-5208. Written comments may be submitted by mailing a letter to the City Clerk, P.O. Box 479, Salisbury, NC 28145 or by e-mail to kbake@salisburync.gov. Written correspondence received before the meeting will be forwarded to the City Council.

Citizens interested in the proposal are invited to participate in the public hearing. Changes may be made in the above proposal as a result of debate, objection, or discussion.

This the 15th day of July 2022.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

BY: Kelly Baker, MMC
Administrative Services Director/City Clerk

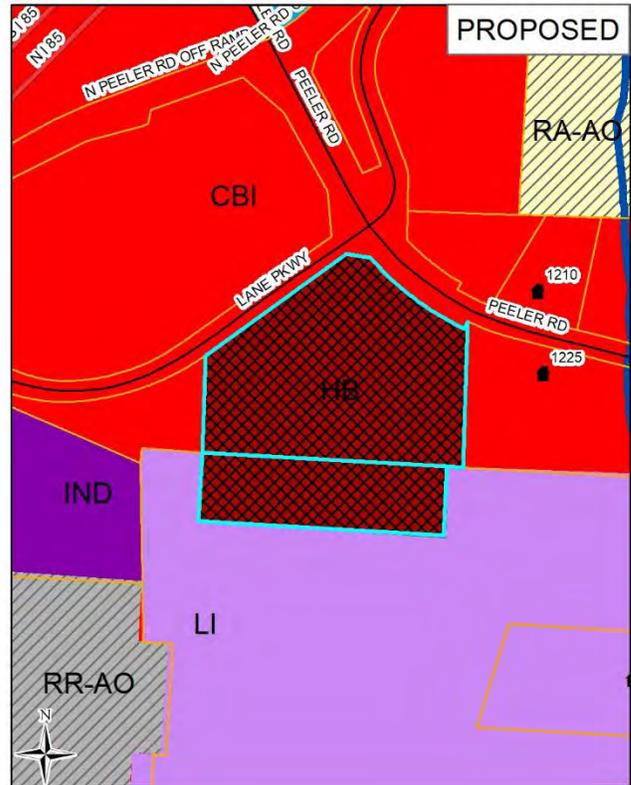
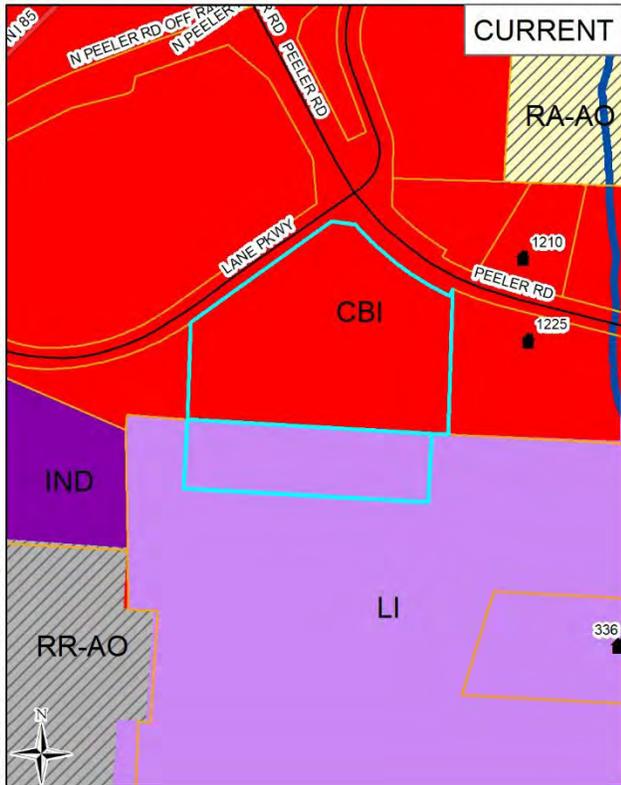
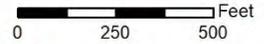
CD-04-2022: 1215 PEELER RD (SHEETZ)



Parcels : 408 011, 410 128

Current Zoning: Rowan County Zoning District CBI, City of Salisbury Zoning District LI

Proposed Zoning: City of Salisbury Zoning District HB - Conditional District Overlay



PARCEL_ID	OWNNAME	OWN2	TAXADD1	CITY	STATE	ZIPCODE
408 011	MCCULLOUGH JERRY		585 STATE RD	CHINA GROVE	NC	28023
410 001	PIETRYK EDWARD WALLACE II		336 PIETRYK DR	SALISBURY	NC	28146
408 008	ELLER TERRY LEWIS & WF	ELLER DEBORAH JONES	1020 PEELER RD	SALISBURY	NC	28144-7345
408 009	CHEN MEILIEN S &	SONG SUI YING	6108 STILLMEADOW DR	NASHVILLE	TN	37211
408 031	LOVE'S TRAVEL STOPS & COUNTRY	STORES INC	15 W 6TH ST, STE 2400	TULSA	OK	74119-0000
408 071	MDH F2 CLT LANE LLC		3715 NORTHSIDE PKWY NW BLD 400 STE 24	ATLANTA	GA	30329-2886
409 005	HONBARGER CHARLES RAY		1250 PEELER RD	SALISBURY	NC	28146
409 189	MV ENTERPRISES LLC		3434 BLACK AND DECKER RD	HOPE MILLS	NC	28348
408 028	NGUYEN TOA HUU & WF	TRAN ANH	1385 JULIUS DR	SALISBURY	NC	28147



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This the 15th day of July 2022.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

BY: Kelly Baker, MMC
Administrative Services Director/City Clerk



The Salisbury Planning Board held its regular meeting on Tuesday, July 12, 2022, at 4:00 p.m. with the following being present:

GUESTS: Matt Cochran, Crow Holdings; James Gearhart, Sheetz, Inc.

PRESENT: Bill Burgin, P.J. Ricks, Dennis Rogers, John Schaffer, Esther Smith, John Struzick

STAFF: Victoria Bailiff, Senior Planner; Teresa Barringer, Zoning Administrator; Graham Corriher, City Attorney; Jenni Pfaff, Planning Board Secretary

WELCOME GUESTS AND VISITORS

John Schaffer, Chair, called the Planning Board meeting to order at 4:05 p.m.

APPROVAL OF MINUTES

Planning Board Minutes of June 28, 2022 were approved as written by Members present.

NEW BUSINESS

CD-04-2022 Sheetz; 1215 Peeler Road; PID: 408 011, 408 128; Current Zoning: Light Industrial (LI), Rowan County Commercial Business Industrial (CBI); Proposed Zoning: Highway Business (HB)/Conditional District Overlay (CD)

Presenter: Victoria Bailiff

Request

Wes Hall of Sheetz, Inc. is requesting to rezone (2) parcels from Light Industrial (LI) and Rowan County Zoning (CBI) to Highway Business/Conditional District Overlay (HB/CD) for the development of a gas station convenience store with pumps in the front and back, with additional truck parking in the rear.

Staff Presentation

Victoria Bailiff made a staff presentation. Staff recommends approval based on compliance with the Vision 2020 Comprehensive Plan. In response to questions from Members, she explained that the CD is requested for additional parking, and that the Petitioner would need to address electric vehicle (EV) charging stations.

Applicant Testimony

James Gearhart, Sheetz, Inc., provided background on the company and staff, and a comparison of the new and existing stores. The proposed store will not have a car wash or drive-through, and will accommodate trucks and interstate travelers. Commercial diesel pumps will be offered at the proposed location, hence the request for additional parking space. Mr. Gearhart displayed drawings that illustrated truck access to fuel pumps and the interstate.

In response to questions from the Board, he said the reason they chose Salisbury is access to sewer. Land use and conditional zoning in Salisbury met their needs.

Mr. Gearhart clarified truck traffic flow, as well as the number of parking spaces: 39 for customers, and 41 for trucks, to equal 80 spaces. Current zoning allows only 35, which accounts for the conditional overlay. The location will not need as many spaces as other stores such as Love's, because it will not offer other amenities, such as showers.

The Board asked how many employees would be expected for the new location. Mr. Gearhart estimated 35 to 40, with approximately 2/3 full time. The truck diesel offering adds the potential for more working hours.

Medium shrubs will be used for screening. While displaying a drawing of the proposed store, Mr. Gearhart explained that medium shrubs would be used as screening, and that the pitched roof is a design element of the Sheetz brand.

Regarding the earlier question on EV charging stations, Mr. Gearhart explained that the company communicates with Tesla on the need for stations in particular areas. They do offer them in various other locations, but do not plan to add them to the proposed store. If Tesla sees the need for one, it will be added.

Public Comment

None.

Deliberation

City Staff was asked if there are particular requirements for EV charging stations. Currently, there are not; Development Services addresses them as they are presented to verify placement.

Motion

Esther Smith made a motion to approve the request as consistent with Vision 2020, PJ Ricks seconded the motion.

All members present voted AYE (6-0).

Z-09-2022 1465 Peeler Road; PID 406 024, 410 003, 410, 034; Current Zoning: Rowan County Rural Agricultural (RA); Proposed Zoning: Light Industrial (LI)

Presenter: Victoria Bailiff

Request

Petitioner, Crow Holdings Industrial, is requesting to rezone (3) parcels from Rowan County Zoning (RA) to City Zoning (LI).

Future land use will be addressed in the upcoming comprehensive plan, however, growth is intended and expected in this corridor. Staff recommends approval since the request is within the intended use, which will be a distribution center.

Applicant Testimony

Matt Cochran, with Crow Holdings, of Charlotte, explained that the company specializes in speculative industrial buildings. They're goal is to construct attractive buildings, with millions of dollars spent on road improvements, as well as twice as much than competitors on landscaping. The company is a pioneer in EV charging stations, and has built for the Sheetz company.

In response to a question from the Board, Mr. Cochran said that a public hearing (referring to the community meeting) was held, but no one attended.

Public Comment

None.

Deliberation

None.

Motion

Pj Ricks made a motion to approve the request as consistent with Vision 2020. Dennis Rogers seconded the motion.

All members present voted AYE (6-0).

Z-08-2022 895 Peeler Road; PID 408 024, 408 089; Precious Zoning: Rowan County Commercial Business Industrial (CBI); Proposed Zoning: Highway Business (HB)

Presenter: Victoria Bailiff

Request

Petitioner, City of Salisbury, is requesting to rezone (2) parcels to City Zoning (HB).

The parcels were annexed last year, the request is to assign a zoning district.

In response to questions from the Board, Ms. Bailiff explained that the HB zone does not create non-conformities; use-wise it is conforming, and set-backs would not be an issue. She affirmed that the owner would see no negative affect.

Applicant Testimony

None.

Public Comment

None.

Deliberation

None.

Motion

Dennis Rogers made a motion to approve the request as consistent with Vision 2020. PJ Ricks seconded the motion.

All members present voted AYE (6-0).

ADJOURN 4:52 p.m.

John Schaffer, Chair

Jennifer Pfaff, Secretary

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: August 2, 2022

Name of Group(s) or Individual(s) Making Request: City of Salisbury, Engineering Department

Name of Presenter(s): Wendy Brindle, City Engineer

Requested Agenda Item: Voluntary Annexation – 1465 Peeler Road

Description of Requested Agenda Item:

A public hearing concerning the voluntary annexation of 1465 Peeler Road, parcels 406 024, 410 034, and 410 003 was scheduled for August 2nd, 2022. The hearing has been properly advertised, and staff finds the request to meet the standards of NCGS 160A-58.1. Therefore, after the public hearing, City Council will consider adopting an Ordinance for the annexation of 43.1067 acres on Peeler Rd, identified as parcels 406 024, 410 034, and 410 003 effective August 2nd, 2022.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

The current tax value of the property is \$448,421. The current development plan is for a logistics center. The value of those improvements will be \$35,000,000 with future expected annual tax revenue of \$255,087. The City will incur additional costs for police and fire protection, which is indeterminable.

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

City Council to hold a public hearing and consider adoption of an Ordinance to annex parcels 406 024, 410 034, and 410 003, 43.1067 acres, per NCGS 160A-58.1, effective upon adoption.

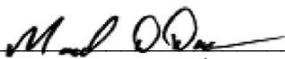
Contact Information for Group or Individual:

Wendy Brindle, City Engineer 704-638-5201/wbrin@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:


Finance Manager Signature


Department Head Signature


Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved

Declined

Reason:

“AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA, TO INCLUDE 43.1067 ACRES, TAX MAP 406 PARCEL 024 AND TAX MAP 410 PARCELS 003 AND 034, LOCATED AT 1215 PEELER RD.

WHEREAS, the City Council of Salisbury has been petitioned under G.S. 160A-58.1 to annex the area described herein, and the City Clerk has certified the sufficiency of said petition; and

WHEREAS, a public hearing on the question of this annexation was held virtually by City Council on August 2nd, 2022 at 6:00 p.m. after due notice by publication on July 21st, 2022 in the Salisbury Post; and

WHEREAS, the City Council of Salisbury does find as a fact that said petition meets the requirements of G.S. 160A-58.1; and

WHEREAS, the City Council of Salisbury further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City Council of Salisbury further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Salisbury and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-58.1, the following described territory, is hereby annexed and made part of the City of Salisbury as of the 2nd day of August 2022. The survey plat that describes the annexed territory is that certain survey plat entitled Annexation Plat (Non-Contiguous) 1465 Peeler Road, dated July 7, 2022, and recorded in Book of Maps _____ Page _____, Rowan County Register of Deeds:

Being that certain parcel of land located in the Litaker Township, Rowan County, North Carolina and being more particularly described as follows:

Being that certain parcel of land lying and being in the Litaker Township, Rowan County, North Carolina, and being more particularly described as follows:

BEGINNING at a calculated point located in the centerline of Peeler Road, said point being located S 76°19'32" E a distance of 550.77 feet from an ½" existing iron rod located in the centerline of Peeler

Road; thence from said beginning point with the centerline of Peeler Road S 76°03'38" E a distance of 305.00 feet to a calculated point located at the northwest corner of the James Randall Ferrell property as described in Deed Book 1213, Page 746 of the Rowan County Public Registry; thence with the Ferrell property and continuing with the Barbara Ervin Hill property as described in Deed Book 1385, Page 26 and the Lisa Mash Sharpe property as described in Deed Book 1298, Page 897 the following two (2) courses and distances; (1) S 04°55'00" W a distance of 720.00 feet to a 1 ¼" existing iron rod; (2) S 86°19'03" E a distance of 805.78 feet to a ¼" existing iron rod located at the southwest corner of the Christopher and Gina Elliott property as described in Deed Book 1311, Page 783; thence with the Elliott property S 87°14'02" E a distance of 93.03 feet to a 1 ¼" existing iron rod located at the northwest corner of the Nancy Walter Lequire property as described in Deed Book 1191, Page 762; thence with the Lequire property S 07°47'03" W a distance of 351.05 feet to a 1 ¼" existing iron rod located along the westerly line of the Jerry and Nancy Lequire property as described in Deed Book 1378, Page 433; thence with the Lequire property the following two (2) courses and distances; (1) S 08°00'51" a distance of 250.24 feet to a 1 ¼" existing iron rod; (2) S 88°10'03" E a distance of 1091.47 feet to a ½" existing iron rod located along the westerly line of the Barbara Myrick property as described in Deed Book 648, Page 25; thence with the Myrick property S 04°17'56" W a distance of 477.32 feet to an axle located along the northerly line of the Susan Cruz property as described in Deed Book 1304, Page 197; thence with the Cruz property N 82°39'35" W a distance of 110.55 feet to a 1 ¼" existing iron pipe located at the northeast corner of the Mezak and Anne Tucker property as described in Deed Book 996, Page 31; thence with the Tucker property N 85°30'25" W a distance of 155.20 feet to a ½" existing iron rod located at the northeast corner of the Zorda and Amanda Tucker property as described in Deed Book 996, Page 32; thence with the Tucker property N 85°11'42" W a distance of 800.18 feet to a 1" existing iron pipe located at the northeast corner of the Rebecca Lyerly property (no deed reference found); thence with the Lyerly property N 84°45'43" W a distance of 1189.23 feet to a 1 ¼" existing iron pipe located at the southeast corner of the Edward and Debra Pietryk property as described in Deed Book 857, Page 547 and continuing with the Pietryk properties as described in Deed Book 837, Page 490 and Deed Book 741, Page 29 the following four (4) courses and distances; (1) N 05°23'29" E a distance of 358.21 feet to a 1 ¼" existing iron pipe; (2) N 03°58'31" E a distance of 384.56 feet to a 1 ¼" existing iron pipe; (3) N 04°39'44" E a distance of 155.97 feet to a ½" existing iron rod; (4) N 05°01'37" E a distance of 268.90 feet (passing a ½" new iron rod at 80.55 feet) to a 1" existing iron pipe located at the southeast corner of the James and Deborah Hauss property as described in Deed Book 958, Page 940; thence with the Hauss property and continuing with the Charles And Mary Peeler property as described in Deed Book 454, Page 415 N 04°24'53" E a distance of 589.85 feet (passing an angle iron at 392.85 feet) to the Point and Place of **BEGINNING**. Having an area of 1,877,727 square feet or 43.1067 acres according to a survey by Cloninger Bell Surveying & Mapping, PLLC dated June 7, 2022. Job No. 1812.

Section 2. Upon and after the 2nd day of August 2022, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other parts of the City of Salisbury. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Salisbury shall cause to be recorded in the office of the Register of Deeds of Rowan County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections as required by G.S. 163-288.1."

Adopted this 2nd day of August 2022.

Karen K. Alexander, Mayor

ATTEST: _____
Kelly Baker, City Clerk

Date: 5/24/22



PETITION REQUESTING VOLUNTARY ANNEXATION
FOR 1465 Peeler Rd - 406 024, 410 034, 410 003

We the undersigned owners of real property respectfully request that the area described on the attached documents be annexed into the City of Salisbury. By signing this petition, we understand that the following conditions are the responsibility of the petitioners. Failure to meet the conditions may delay or invalidate the request:

1. The petition must be signed by all owners of real property in the area described and shall contain the address of each property owner.
2. The petition must include a metes and bounds description of the area to be annexed and a preliminary annexation boundary survey prepared by a Registered Land Surveyor. Two original mylars of the final annexation boundary survey shall be completed after consultation with the City.
3. If the area is not contiguous to the primary City limits, the petition shall include documentation that:
 - a) The nearest point of the described area is not more than three miles from the primary City limits.
 - b) No point on the described boundary is closer to another municipality than to the City of Salisbury.
 - c) No subdivision, as defined in GS 160A-376, will be fragmented by the proposed annexation.
4. Upon the effective date of annexation and thereafter, the described citizens and property shall be subject to municipal taxes and to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other citizens and property in the City of Salisbury.

Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM <u>406</u> PCL <u>024</u>	<u>Carolyn Brown</u>	<u>[Signature]</u>	1465 Peeler Rd Salisbury, NC 28146
TM <u>406</u> PCL <u>024</u>	<u>Peter Brown</u>	<u>[Signature]</u>	1465 Peeler Rd Salisbury, NC 28146
TM <u>410</u> PCL <u>034</u>	<u>Chris Elliott</u>	<u>[Signature]</u>	140 Crescent Heights Dr Salisbury, NC 28146
TM <u>410</u> PCL <u>034</u>	<u>Gina Elliott</u>	<u>[Signature]</u>	140 Crescent Heights Dr Salisbury, NC 28146
TM <u>410</u> PCL <u>003</u>	<u>Coy Wilhelm</u>	<u>[Signature]</u>	415 Glover Rd Salisbury, NC 28146

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person Nick Thornton Telephone Number 704.754.2792

For Office Use Only:

Total number of parcels 3 Number Signed _____ % Signed _____ Date Returned _____
Contiguous per GS 160A-31 _____ or Non-contiguous "satellite" per GS 160A-58 (check one)

CITY OF SALISBURY
P.O. BOX 479, SALISBURY, NORTH CAROLINA 28145-0479

Date: 5/24/22



PETITION REQUESTING VOLUNTARY ANNEXATION
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4. Upon the effective date of annexation and thereafter, the described citizens and property shall be subject to municipal taxes and to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other citizens and property in the City of Salisbury.

Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM <u>406</u> PCL <u>024</u>	<u>Carolyn Brown</u>	<u></u> DocuSigned by: 3296D6A619BD49E...	<u>1465 Peeler Rd Salisbury, NC 28146</u>
TM <u>406</u> PCL <u>024</u>	<u>Peter Brown</u>	<u></u> DocuSigned by: 3296D6A619BD49E...	<u>1465 Peeler Rd Salisbury, NC 28146</u>
TM <u>410</u> PCL <u>034</u>	<u>Chris Elliott</u>	<u></u> 3296D6A619BD49E...	<u>140 Crescent Heights Dr Salisbury, NC 28146</u>
TM <u>410</u> PCL <u>034</u>	<u>Gina Elliott</u>	<u></u>	<u>140 Crescent Heights Dr Salisbury, NC 28146</u>
TM <u>410</u> PCL <u>003</u>	<u>Coy Wilhelm</u>	<u></u>	<u>415 Glover Rd Salisbury, NC 28146</u>

(Attach additional petition forms if needed)

Form Revised 2-08

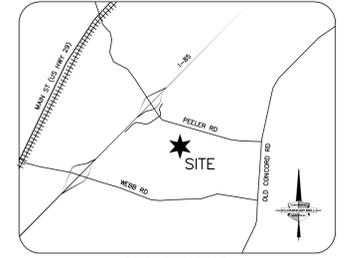
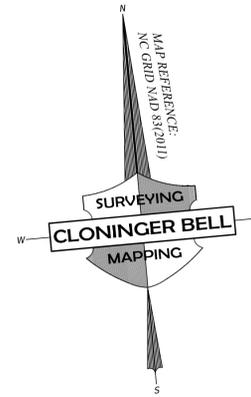
Contact Person Nick Thornton Telephone Number 704.754.2792

For Office Use Only:

Total number of parcels 3 Number Signed _____ % Signed _____ Date Returned _____
 Contiguous per GS 160A-31 _____ or Non-contiguous "satellite" per GS 160A-58 X (check one)

INNOVATION LOGISTICS CENTER ANNEXATION PLAT

PEELER RD.
LITAKER TOWNSHIP, ROWAN COUNTY, NC
DEED REFERENCE: 1380-724, 570-582, 1311-783
TAX PARCEL: 406 024, 410 034, 410 003



CERTIFICATE OF ANNEXATION:

AREA ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NC BY ORDINANCE NUMBER _____ ADOPTED BY THE CITY COUNCIL ON _____ WITH AN EFFECTIVE DATE OF _____
I HEREBY CERTIFY THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE REGISTER OF DEEDS IN ROWAN COUNTY.

MAYOR _____ DATE _____

REVIEW OFFICER:

_____, REVIEW OFFICER OF ROWAN COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

NOTES:

- ALL CORNERS MONUMENTED AS SHOWN.
- NO RECOVERABLE NGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
- THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE. BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
- BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
- THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
- PHYSICAL IMPROVEMENTS EXIST THAT ARE NOT SHOWN HEREON. THE PURPOSE OF THIS PLAT IS TO DELINEATE THE PROPOSED CITY OF SALISBURY ANNEXATION AREA.

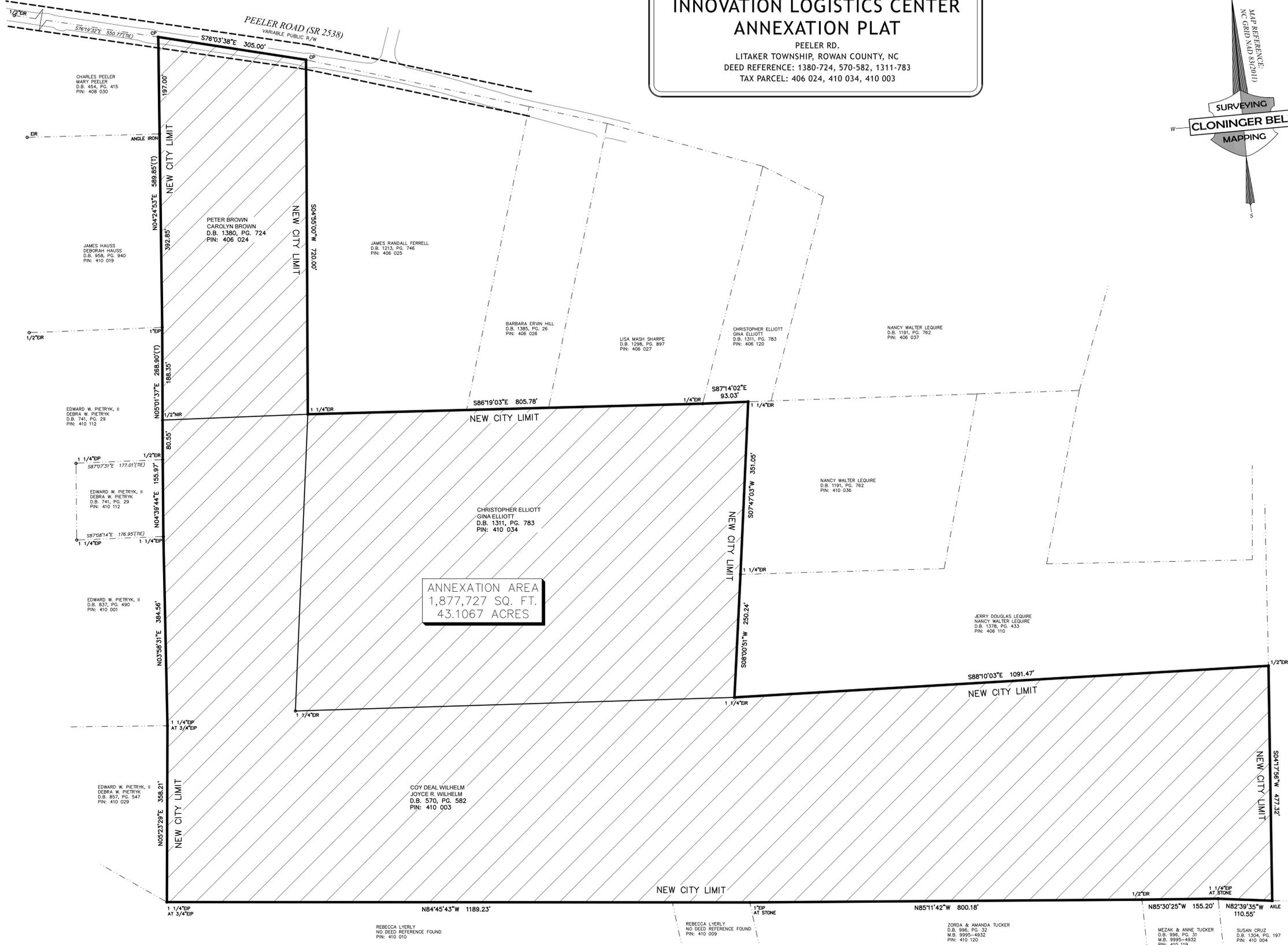
SURVEYOR'S CERTIFICATE:

STATE OF NORTH CAROLINA
COUNTY OF ROWAN

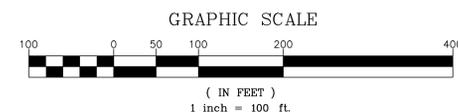
I, THE UNDERSIGNED SURVEYOR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED REFERENCE AS SHOWN); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS REFERENCED ON THE FACE OF THIS PLAT; THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10,000 LINEAR FEET; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 7TH DAY OF JULY, A.D., 2022.

THAT THIS PLAT IS OF A SURVEY OF AN EXISTING PARCEL OR PARCELS OF LAND.

PROFESSIONAL LAND SURVEYOR _____ DATE _____



- LEGEND:**
- CP - CALCULATED POINT
 - D.B. - DEED BOOK
 - EIP - EXISTING IRON PIPE
 - EIR - EXISTING IRON ROD
 - EN - EXISTING NAIL
 - M.B. - MAP BOOK
 - NIR - NEW IRON ROD
 - PG. - PAGE
 - R/W - RIGHT-OF-WAY
 - (T) - TOTAL
 - NEW CITY LIMIT BOUNDARY
 - PROPERTY LINE (INTERIOR)
 - PROPERTY LINE (ADJACENT)
 - RIGHT-OF-WAY (APPROXIMATE)



CLONINGER BELL
SURVEYING & MAPPING, PLLC
201 W. 2nd AVENUE, SUITE C
GASTONIA, NC 28052
704.864.9007
LICENSE P-2326

CREW: JB	DRAWN: DB	REVISED:	SCALE: 1"=100'	DATE: JULY 7, 2022	FILE NO. 1985
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Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: 08/02/2022

Name of Group(s) or Individual(s) Making Request: Community Planning Services

Name of Presenter(s): Victoria Bailiff, Senior Planner

Requested Agenda Item: Z-09-2022 – 1465 Peeler Road / Parcel ID 406 024, 410 003, 410 034

Description of Requested Agenda Item: Z-09-2022 Request to rezone three (3) parcels located east of I-85, along the 1400 block of Peeler Road, (PID 406 024, 410 003, 410 034) being approximately 42.823 acres, from Rowan County zoning Rural Agricultural (RA) to City of Salisbury zoning Light Industrial (LI), upon voluntary annexation.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*
Council to consider adopting an ordinance to rezone the subject parcels as requested.

Contact Information for Group or Individual: Victoria Bailiff, victoria.bailiff@salisburync.gov, 704-638-5212

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Salisbury City Council Agenda Item Request Form



Approved

Delayed

Declined

Reason:



City of Salisbury
 Development Services
 132 North Main Street
 Salisbury, NC 28144
 E: 1stop@salisburync.gov
 Ph. 704.638.5208

REZONING PETITION

SHADED AREAS FOR STAFF USE ONLY

FILING DATE

CASE #

PLAN REVIEW CASE # (IF APPLICABLE):

ZONING MAP AMENDMENT:

GENERAL REZONING, LOCAL HISTORIC
 LANDMARK, HISTORIC OVERLAY ADOPTION \$800

* FEES PER CITY OF SALISBURY BUDGET ORDINANCE

PETITION TYPE

- General Rezoning (LDO Sec. 15.21)
- Petition involves entire parcel(s) as shown on the Rowan County tax map
- Petition involves a portion of a parcel(s) as shown on the Rowan County tax map
- Petitioner is the property owner of record
- Petitioner is an entity requesting a 3rd-party rezoning
- City-initiated rezoning

EXISTING DISTRICT(S): RA (Rowan County)

PROPOSED DISTRICT(S): Light Industrial

GENERAL PROPERTY DESCRIPTION (ESPECIALLY IF UNADDRESSED)

Approximately 42.78 acres fronting Peeler Road in Salisbury

PROPERTY & CONTACT INFORMATION

Rowan County Parcel ID(s): 406-024, 410-003, 410-034

Address or Site Location: Peeler Road, Salisbury, NC

Subdivision: N/A Lot(s): N/A

Petitioner: Crow Holdings Industrial

Address: 4064 Colony Road, Suite 405

Email: mcochrane@chindustrial.com Best Phone: 704-258-9147

Owner (if different than petitioner): Carolyn Brown, Peter Brown, Chris Elliott, Gina Elliott, Coy Wilhelm

Address: 1465 Peeler Road, Salisbury (Brown) 140 Crescent Heights Drive, Salisbury (Elliott) 415 Glover Road, Salisbury (Wilhelm)

Email: Multiple Daytime Phone: Multiple

SIGNATURE

By signing this petition you understand that this petition will be forwarded to the Planning Board (a City Council-appointed board) who may hear statements from staff, the petitioner, and general public, and will then vote to make a Statement of Consistency and recommendation to City Council. The petition will then be forwarded to City Council who will conduct the official public hearing before casting a deciding vote.

Petitioner (or representative): 



City of Salisbury
 Development Services
 132 North Main Street
 Salisbury, NC 28144
 E: 1stop@salisburync.gov
 Ph. 704.638.5208

REZONING PETITION

SHADED AREAS FOR STAFF USE ONLY

FILING DATE

CASE #

PLAN REVIEW CASE # (IF APPLICABLE):

ZONING MAP AMENDMENT:

GENERAL REZONING, LOCAL HISTORIC
 LANDMARK, HISTORIC OVERLAY ADOPTION \$800

* FEES PER CITY OF SALISBURY BUDGET ORDINANCE

PETITION TYPE

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Address: 4064 Colony Road, Suite 405

Email: mcochrane@chindustrial.com Best Phone: 704-258-9147

Owner (if different than petitioner): Carolyn Brown, Peter Brown, Chris Elliott, Gina Elliott, Coy Wilhelm

Address: 1465 Peeler Road, Salisbury (Brown) 140 Crescent Heights Drive, Salisbury (Elliott) 415 Glover Road, Salisbury (Wilhelm)

Email: Multiple Daytime Phone: Multiple

SIGNATURE

By signing this petition you understand that this petition will be forwarded to the Planning Board (a City Council-appointed board) who may hear statements from staff, the petitioner, and general public, and will then vote to make a Statement of Consistency and recommendation to City Council. The petition will then be forwarded to City Council who will conduct the official public hearing before casting a deciding vote.

Petitioner (or representative): *Chris Elliott* *Gina Elliott*

DEPARTMENT USE ONLY

INITIAL PLANNING BOARD DATE: ___ / ___ / 20___

• **IF SENT TO LEGISLATIVE COMMITTEE**

- **ASSIGNED LEGISLATIVE COMMITTEE:** _____
- **LEGISLATIVE COMMITTEE MEMBERS:** _____

- **DATE OF INITIAL COMMITTEE MEETING:** ___ / ___ / 20___
- **DATE OF ADDITIONAL MEETINGS:** ___ / ___ / 20___
 ___ / ___ / 20___

• **COMMITTEE RECOMMENDATION?** _____

• **PLANNING BOARD STATEMENT OF CONSISTENCY & RECOMMENDATION:**

- **DATE OF RECOMMENDATION:** ___ / ___ / 20___
- **VOTE:** ()
- **ADDITIONAL INFORMATION FOR FILE:**

INITIAL CITY COUNCIL DATE: ___ / ___ / 20___

• **IF SENT TO COUNCIL COMMITTEE**

- **COUNCIL COMMITTEE MEMBERS:** _____

- **DATE OF INITIAL COMMITTEE MEETING:** ___ / ___ / 20___
- **DATE OF ADDITIONAL MEETINGS:** ___ / ___ / 20___
 ___ / ___ / 20___
- **COMMITTEE RECOMMENDATION?** _____

• **CITY COUNCIL STATEMENT OF CONSISTENCY & REASONABLENESS:**

• **DECISION:** _____

- **DATE OF DECISION:** ___ / ___ / 20___
- **VOTE:** ()
- **ADDITIONAL INFORMATION FOR FILE:**



City of Salisbury
 Development Services
 132 North Main Street
 Salisbury, NC 28144
 E: 1stop@salisburync.gov
 Ph. 704.638.5208

REZONING PETITION

SHADED AREAS FOR STAFF USE ONLY

FILING DATE

CASE #

PLAN REVIEW CASE # (IF APPLICABLE):

ZONING MAP AMENDMENT:

**GENERAL REZONING, LOCAL HISTORIC
 LANDMARK, HISTORIC OVERLAY ADOPTION \$800**

* FEES PER CITY OF SALISBURY BUDGET ORDINANCE

PETITION TYPE

- General Rezoning (LDO Sec. 15.21)
- Petition involves entire parcel(s) as shown on the Rowan County tax map
- Petition involves a portion of a parcel(s) as shown on the Rowan County tax map
- Petitioner is the property owner of record
- Petitioner is an entity requesting a 3rd-party rezoning
- City-initiated rezoning

EXISTING DISTRICT(S): RA (Rowan County)

PROPOSED DISTRICT(S): Light Industrial

GENERAL PROPERTY DESCRIPTION (ESPECIALLY IF UNADDRESSED)

Approximately 42.78 acres fronting Peeler Road in Salisbury

PROPERTY & CONTACT INFORMATION

Rowan County Parcel ID(s): 406-024, 410-003, 410-034

Address or Site Location: Peeler Road, Salisbury, NC

Subdivision: N/A Lot(s): N/A

Petitioner: Crow Holdings Industrial

Address: 4064 Colony Road, Suite 405

Email: mcochrane@chindustrial.com Best Phone: 704-258-9147

Owner (if different than petitioner): Carolyn Brown, Peter Brown, Chris Elliott, Gina Elliott, Coy Wilhelm

Address: 1465 Peeler Road, Salisbury (Brown) 140 Crescent Heights Drive, Salisbury (Elliott) 415 Glover Road, Salisbury (Wilhelm)

Email: Multiple Daytime Phone: Multiple

SIGNATURE

By signing this petition you understand that this petition will be forwarded to the Planning Board (a City Council-appointed board) who may hear statements from staff, the petitioner, and general public, and will then vote to make a Statement of Consistency and recommendation to City Council. The petition will then be forwarded to City Council who will conduct the official public hearing before casting a deciding vote.

Petitioner (or representative): Peter Brown Carolyn Brown

DEPARTMENT USE ONLY

INITIAL PLANNING BOARD DATE: ____ / ____ / 20____

• IF SENT TO LEGISLATIVE COMMITTEE

- ASSIGNED LEGISLATIVE COMMITTEE: _____
- LEGISLATIVE COMMITTEE MEMBERS: _____

- DATE OF INITIAL COMMITTEE MEETING: ____ / ____ / 20____
- DATE OF ADDITIONAL MEETINGS: ____ / ____ / 20____
____ / ____ / 20____

- COMMITTEE RECOMMENDATION? _____

• PLANNING BOARD STATEMENT OF CONSISTENCY & RECOMMENDATION:

-
- DATE OF RECOMMENDATION: ____ / ____ / 20____
 - VOTE: (_____)
 - ADDITIONAL INFORMATION FOR FILE:

INITIAL CITY COUNCIL DATE: ____ / ____ / 20____

• IF SENT TO COUNCIL COMMITTEE

- COUNCIL COMMITTEE MEMBERS: _____

- DATE OF INITIAL COMMITTEE MEETING: ____ / ____ / 20____
- DATE OF ADDITIONAL MEETINGS: ____ / ____ / 20____
____ / ____ / 20____

- COMMITTEE RECOMMENDATION? _____

• CITY COUNCIL STATEMENT OF CONSISTENCY & REASONABLENESS:

-
- DECISION: _____
 - DATE OF DECISION: ____ / ____ / 20____
 - VOTE: (_____)
 - ADDITIONAL INFORMATION FOR FILE:



Planning & Zoning Analysis

CASE NO.	Z-09-2022
Petitioner(s)	Crow Holdings Industrial
Owner(s)	Carolyn Brown, Peter Brown, Chris Elliott, Gina Elliott, Coy Wilhelm
Representative(s)	Matt Cochrane
Address	1465 Peeler Road
Tax Map & Parcel(s)	406 024, 410 003, 410 034
Size / Scope	Approximately 42.823 acres combined
Location	Located east of I-85, along the 1400 block of Peeler Road.

PETITIONER REQUEST

Request: Petition proposes to amend the Land Development Ordinance district map by rezoning three (3) parcels, being approximately 42.823 acres in total, from Rowan County Zoning Rural Agricultural (RA) to City of Salisbury Light Industrial (LI).

Staff Comments: The petitioner(s) will be required to voluntarily annex into the City of Salisbury prior to development and has already submitted annexation petition.

Uses: This proposal is for general zoning purposes only. This request is not a conditional district zoning request; therefore, all uses of the requested LI zoning will be permitted per the existing Use Matrix.



Planning & Zoning Analysis

CHARACTER OF AREA

Overview:

Parcels 410 034 and 410 003 are currently undeveloped, while parcel 406 024 accommodates a single family dwelling.

Existing uses in the vicinity include residential, institutional, agricultural, and vacant properties. This rezoning may have some effect on the adjacent residential properties relative to increased traffic and possible noise or smells generally associated with industrial uses dependent upon development proposal.

Surrounding Land Use(s) & Zoning:

<i>Location</i>	<i>Existing Land Uses</i>	<i>Existing Zoning</i>
North of area	Residential, Institutional, Undeveloped	Rowan County (RA, RR)
East of area	Undeveloped	Rowan County (RA)
South of area	Residential, Agricultural	Rowan County (RA, RA-AO)
West of area	Residential, undeveloped	Salisbury (LI)



Planning & Zoning Analysis

INFRASTRUCUTRE & CIVIC/COMMUNITY FACILITIES

Public Schools:

Elementary: Elizabeth Koontz Elementary
Middle: Southeast Middle
High: Jesse Carson High

Fire District:

The parcels are currently within the South Salisbury Fire district. Upon voluntary annexation, the parcels will be located in the Salisbury Fire District.

Utilities

Water & Sewer:

Sewer is not currently not available to the subject parcels. A sewer extension will be required. Public water is currently available to the property through an existing water line located along Peeler Road.

Transportation

Property Access(s):

One parcel has access on Peeler Road. This access point will not be affected by rezoning the site.

Public Improvements:

Peeler Road is a NCDOT maintained road. Pietryk Drive is a private driveway.

ENVIRONMENT

Topography / Hydrology:

Contour maps do not depict steep grades on these parcels. The properties are still mostly wooded.

Flood Hazard / Streams / Wetlands:

This site is not affected by a USGS blue line stream.



Planning & Zoning Analysis

COMPREHENSIVE & AREA PLANS

Applicable Plans:

Policy I-8:

Vision 2020 Comprehensive Plan

The Interstate 85 corridor, including roadways feeding into the interstate, shall be a focus of coordinated land use policy and capital investments for the development of quality industry.

*Staff recommends approval of **Z-09-2022**, determining the request is consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan.*

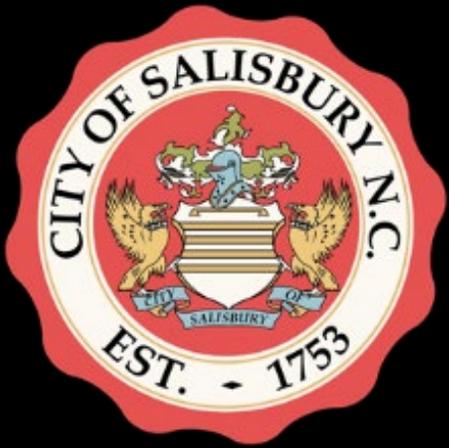


Planning & Zoning Analysis

PLAN REVIEW

Planning Board Recommendation:

This proposal was presented to Planning Board at their courtesy hearing on July 12, 2022. After deliberation, the Planning Board unanimously recommended approval, stating proposal is consistent with the Vision 2020 Comprehensive Plan as submitted.



PETITION TO REZONE

Z-09-2022

CURRENT ZONING: Rural Agricultural (RA)

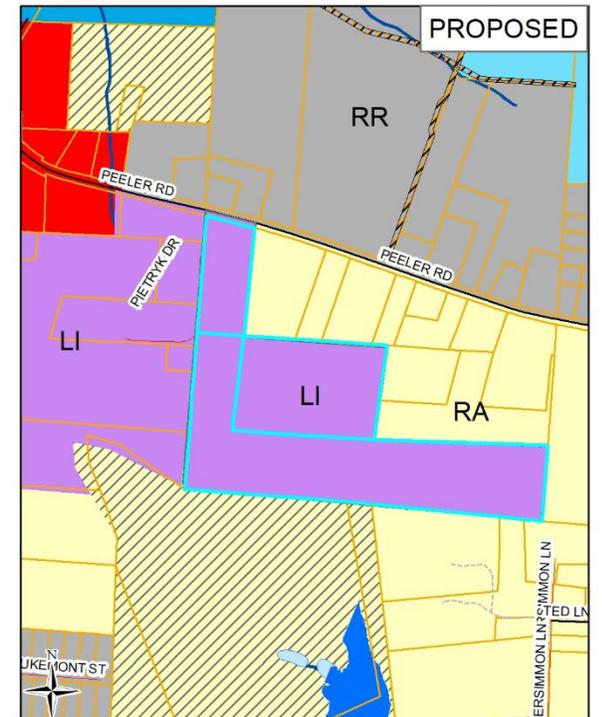
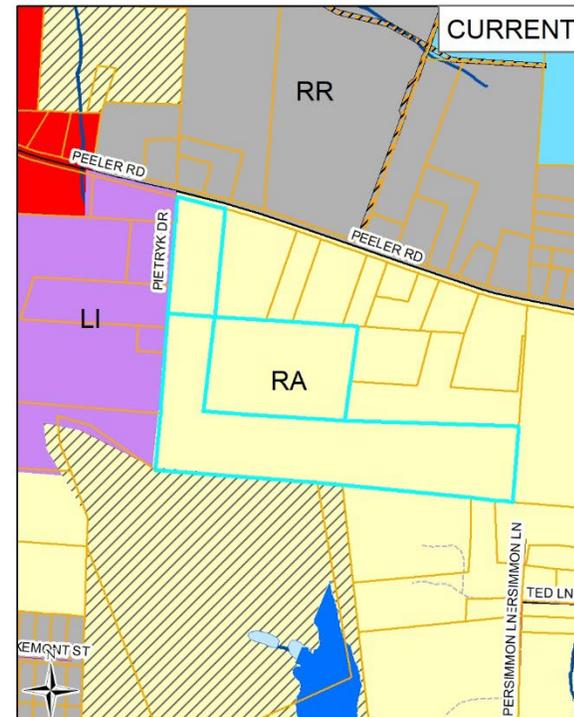
PROPOSED ZONING: Light Industrial (LI)

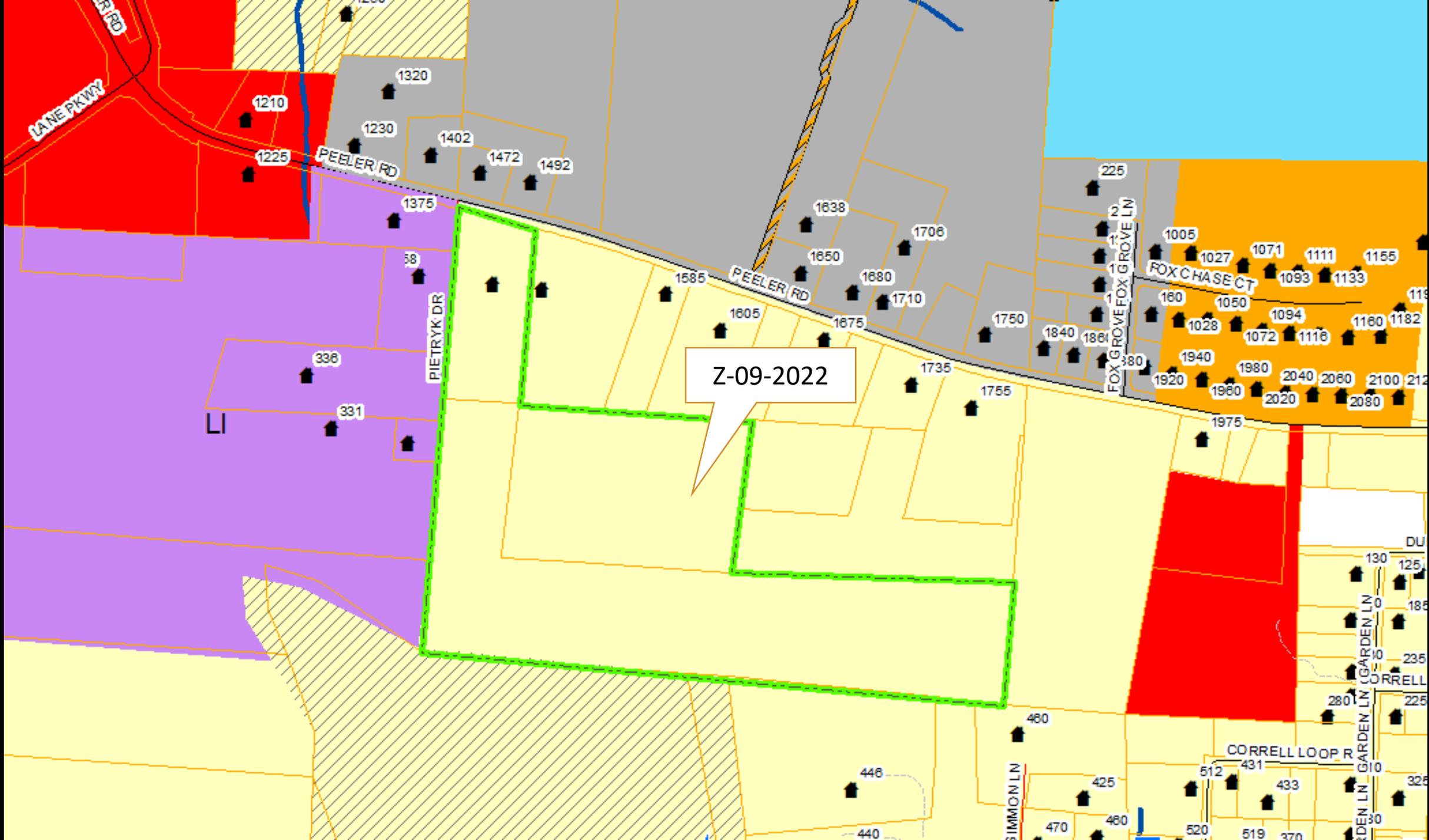
Z-09-2022: 1465 PEELER RD

Parcels : 410 003, 410 034, 406 024
Current Zoning: Rowan County Zoning Districts RA
Proposed Zoning: City of Salisbury Zoning District LI

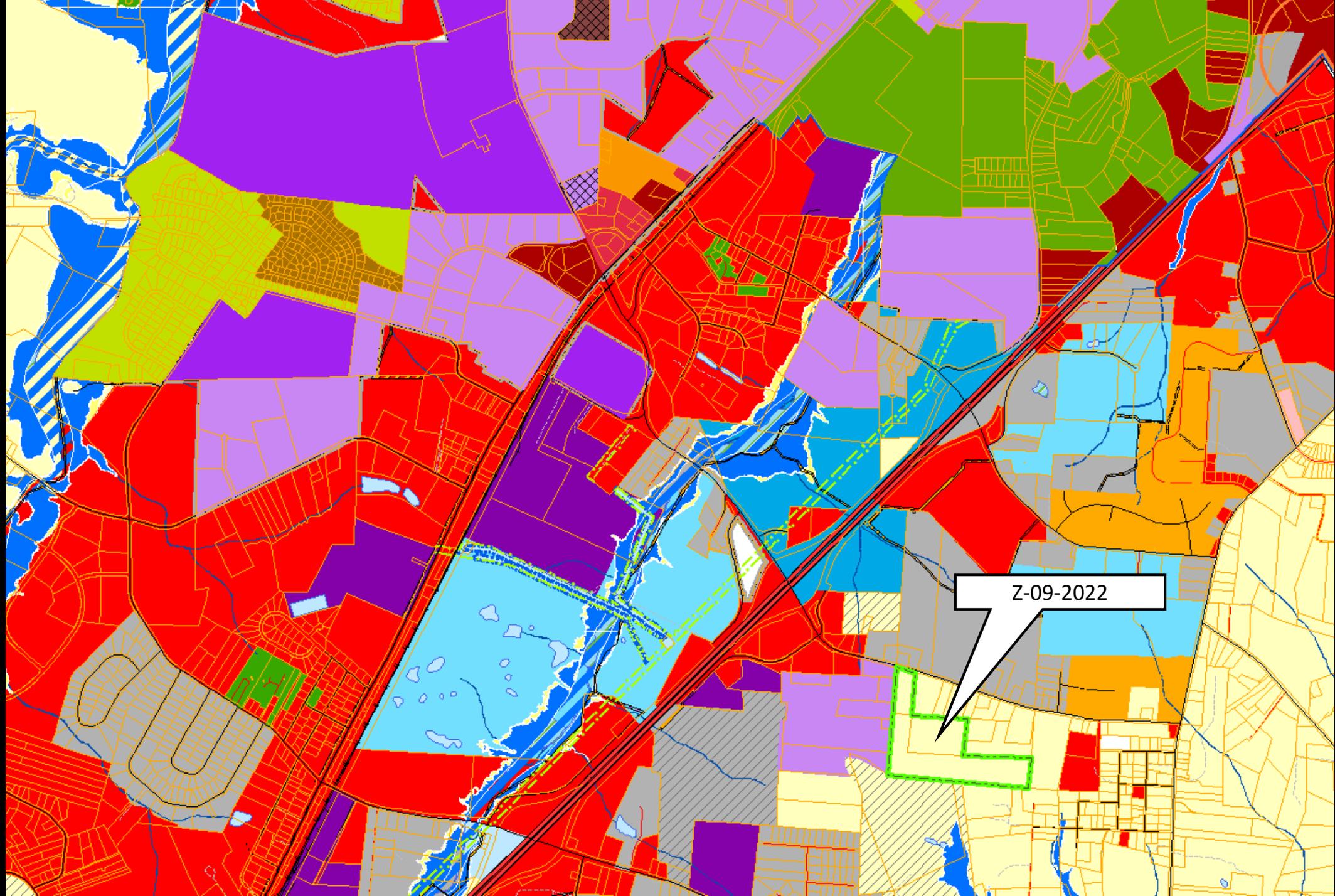


0 250 500 1,000 1,500 Feet

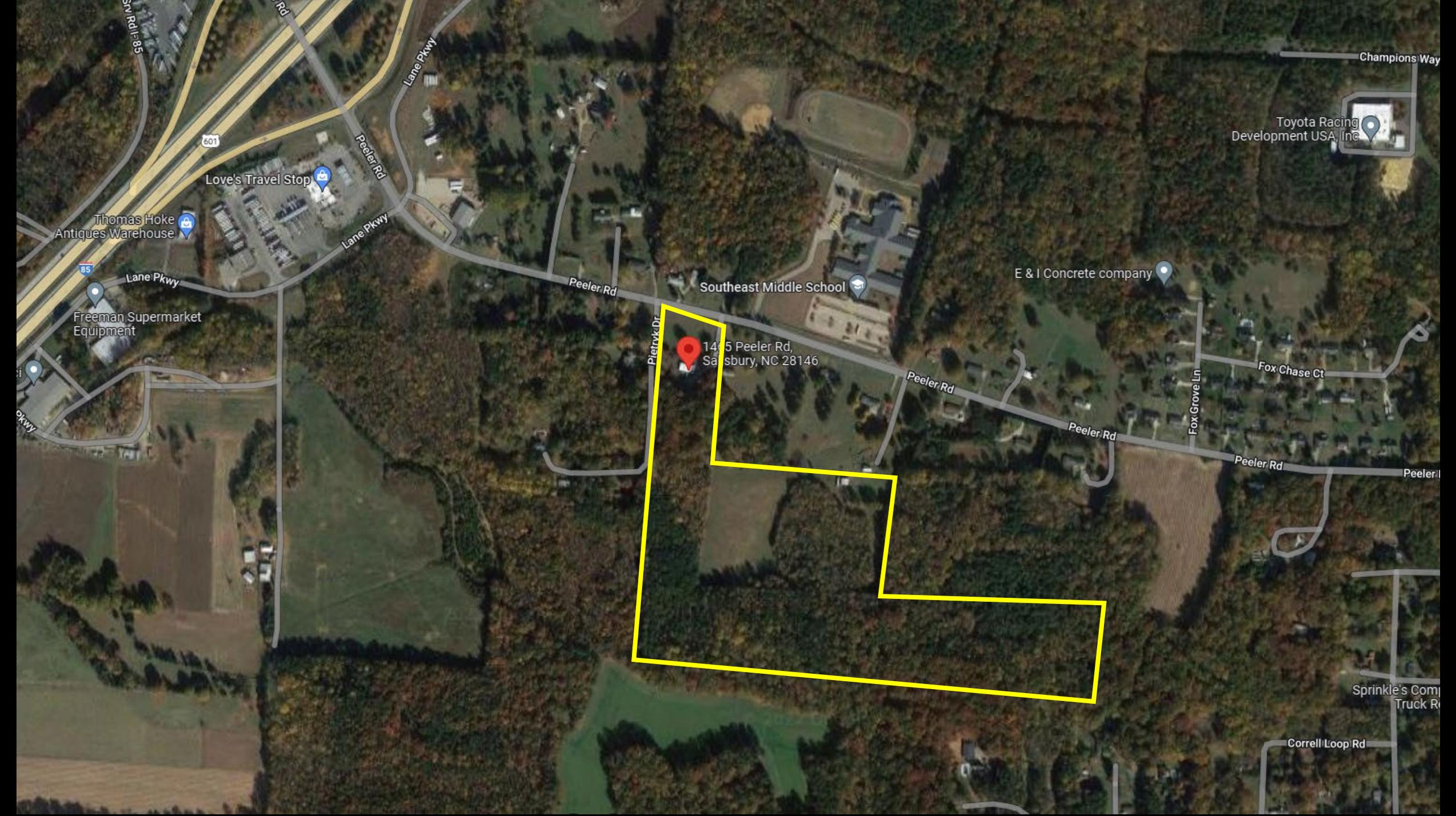




Z-09-2022



Z-09-2022



1415 Peeler Rd,
Salisbury, NC 28146

Southeast Middle School

E & I Concrete company

Love's Travel Stop

Thomas Hoke
Antiques Warehouse

Freeman Supermarket
Equipment

Toyota Racing
Development USA, Inc

Sprinkle's Com
Truck R

Correll Loop Rd

Fox Chase Ct

Fox Grove Ln

Champions Way

601

85

Lane Pkwy

Peeler Rd

Lane Pkwy

Lane Pkwy

Peeler Rd

Pietrzk Dr

Peeler Rd

Peeler Rd

Peeler Rd

Peeler Rd

C. Use Matrix

P	Permitted	SUP	Special Use Permit required and subject to Additional Standards in Chapter 3
PS	Permitted subject to Additional Standards in Chapter 3	—	Not Permitted
PND	Permitted as new development only	CD	SUP is not required when proposed and adopted as part of a Conditional District

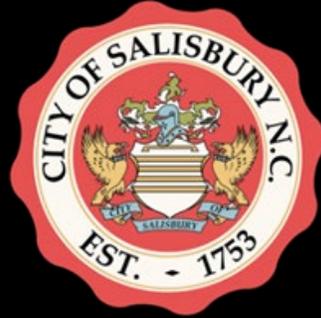
BASE DISTRICT	T1	T2	T3	T4		T5			T6	Assigned Districts			Planned Development				
	OSP	RR	GR	UR	HR	RMX	NMX	CMX	DMX	HB	LI	HI	HS	CI	MHD	TND	
Residential																	
Dwelling-Single Family	P	P	P	P	P	P	P	P	P	—	—	—	—	P	P	P	
Dwelling-Multifamily 4 units/bldg. or less	—	—	PND	P	PS	P	P	P	P	P	—	—	P	—	P	P	
Dwelling-Multifamily more than 4 units/bldg.	—	—	—	—	—	P	P	P	P	P	—	—	P	—	—	P	
Dwelling-Secondary	—	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	P	P	P	—	—	—	P	—	—	P	
Family Care Home (6 or less residents)	—	P	P	P	P	P	P	P	P	P	—	—	P	P	—	P	
Home Occupation	PS	PS	PS	PS	PS	PS	—	—	—	—	—	—	PS	PS	PS	PS	
Housing Service for the Elderly	—	—	PS	PS	—	P	P	P	P	P	—	—	P	P	—	P	
Live-Work Unit	—	—	—	—	—	PS	PS	PS	PS	—	—	—	PS	—	—	PS	
Manufactured Housing	—	PS	—	—	—	—	—	—	—	—	—	—	—	—	PS	—	
Lodging																	
Bed and Breakfast	—	P	P	P	P	P	P	P	P	P	—	—	P	—	—	P	
Hotel/Motel/Inn	—	—	—	—	—	—	—	P	P	P	—	—	P	—	—	P	
Rooming or Boarding House	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	P	
Office / Service																	
Animal Services	—	PS	—	PS	—	—	P	P	P	P	P	P	P	P	—	—	P
Banks, Credit Unions, Financial Services	—	—	—	—	—	P	P	P	P	P	—	—	P	—	—	P	
Business Support Services	—	—	—	—	—	P	P	P	P	P	P	P	P	—	—	P	
Child Care Home	PS	—	—	PS	PS	PS	PS										
Child Care Center in Residence	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	PS	PS	PS	PS	PS	—	—	PS	PS	PS	PS	
Commercial Child Care Center	—	—	—	—	—	SUP/CD	PS	PS	PS	PS	—	—	PS	PS	—	PS	
Community Service Organization	—	—	—	—	—	P	P	P	P	P	—	—	P	P	—	P	
Drive Thru Service	—	—	—	—	—	PS	PS	P	SUP/CD	P	—	—	—	—	—	SUP/CD	
Equipment Rental	—	—	—	—	—	—	—	P	PS	P	P	P	—	—	—	—	
Funeral Home	—	—	—	—	—	—	P	P	P	P	—	—	P	—	—	P	
Group Care Facility (More than 6 residents)	—	—	—	SUP/CD	—	PS	PS	PS	PS	PS	—	—	PS	PS	—	PS	
Government Services	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD										
Laundry Services	—	—	—	—	—	P	P	P	P	P	—	—	—	—	—	P	
Medical Clinic	—	—	—	—	—	P	P	P	P	P	—	—	P	SUP/CD	—	P	

	T1	T2	T3	T4	T5			T6			Assigned Districts			Planned Development		
BASE DISTRICT	OSP	RR	GR	UR	HR	RMX	NMX	CMX	DMX	HB	LI	HI	HS	CI	MHD	TND
Office / Service (cont.)																
Outdoor Kennels	—	P	—	—	—	—	—	P	—	P	—	—	—	—	—	—
Post Office	—	—	—	—	—	P	P	P	P	P	P	—	P	P	—	P
Professional Services	—	—	—	PND	—	P	P	P	P	P	P	P	P	—	—	P
Residential Treatment Facility	—	SUP/CD	—	—	—	SUP/CD	SUP/CD	P	—	P	—	—	—	—	—	SUP/CD
Studio: Art, dance, martial arts, music	—	—	—	—	—	P	P	P	P	P	—	—	P	SUP/CD	—	P
Vehicle Services: Minor Maintenance/Repair	—	—	—	—	—	—	P	P	P	P	P	P	—	—	—	—
Vehicle Services: Major Repair/Body Work	—	—	—	—	—	—	—	SUP/CD	PS	PS	P	P	—	—	—	—
Retail / Restaurant																
Alcoholic Beverage Sales Store	—	—	—	—	—	—	SUP/CD	P	P	P	—	—	SUP/CD	—	—	P
Auto Parts Sales	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	—
Bar/Tavern/Night Club	—	—	—	—	—	—	SUP/CD	SUP/CD	SUP/CD	SUP/CD	—	—	—	—	—	P
Drive-Thru Retail/Restaurant	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	P
Gas Station	—	—	—	—	—	—	PS	PS	PS	P	P	—	—	—	—	PS
General Retail: 3,500 sf or less	—	—	—	—	—	SUP/CD	PS	P	P	P	—	—	P	—	—	P
General Retail: 3,501 sf – 10,000 sf	—	—	—	—	—	SUP/CD	SUP/CD	P	P	P	—	—	P	—	—	P
General Retail: 10,001 sf – 50,000 sf	—	—	—	—	—	—	—	P	P	P	—	—	SUP/CD	—	—	P
General Retail: Greater than 50,000 sf	—	—	—	—	—	—	—	SUP/CD	SUP/CD	SUP/CD	—	—	—	—	—	SUP/CD
Restaurant	—	—	—	—	—	SUP/CD	P	P	P	P	—	—	P	—	—	P
Vehicle or Heavy Equipment Sales	—	—	—	—	—	—	—	P	PS	P	P	P	—	—	—	PS
Entertainment / Recreation																
Adult Establishment	—	—	—	—	—	—	—	—	—	PS	—	—	—	—	—	—
Amusements, Indoor	—	—	—	—	—	—	—	P	P	P	P	P	P	—	—	—
Amusements, Outdoor	—	—	—	—	—	—	—	P	P	P	P	P	—	—	—	—
Cultural or Community Facility	—	P	—	—	—	P	P	P	P	P	P	P	P	P	P	P
Internet/Electronic Gaming	—	—	—	—	—	—	—	—	—	PS	—	—	—	—	—	—
Meeting Facility	—	P	—	—	—	P	P	P	P	P	P	P	P	P	P	P
Recreation Facilities, Indoor	—	P	—	—	—	P	P	P	P	P	P	P	P	P	—	—
Recreation Facilities, Outdoor	P	P	P	P	P	P	P	P	P	P	P	P	P	SUP/CD	P	P
Theater, Movie	—	—	—	—	—	—	—	P	P	P	—	—	—	P	—	—
Theater, Live Performance	—	—	—	—	—	—	P	P	P	P	—	—	P	P	—	P

	T1	T2	T3	T4			T5		T6		Assigned Districts			Planned Development		
BASE DISTRICT	OSP	RR	GR	UR	HR	RMX	NMX	CMX	DMX	HB	LI	HI	HS	CI	MHD	TND
Manufacturing / Wholesale / Storage																
Agriculture	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Laundry, dry cleaning plant	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---
Manufacturing, Light	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---
Manufacturing, Neighborhood	---	---	---	---	---	PS	P	P	P	P	P	P	---	---	---	P
Manufacturing, Heavy	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---
Media production	---	---	---	---	---	---	---	P	P	P	P	P	P	---	---	---
Metal products fabrication, machine or welding shop	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---
Mini-Warehouse	---	---	---	---	---	---	---	P	---	P	P	P	---	---	---	---
Research and development	---	---	---	---	---	---	---	SUP/CD	SUP/CD	P	P	P	P	---	---	P
Storage: Outdoor Storage Yard as a primary use	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---
Storage: Warehouse/Indoor Storage	---	---	---	---	---	---	---	PS	PS	P	P	P	---	---	---	---
Wholesaling and distribution	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---
Civic / Institutional																
Campground	PS	PS	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Cemetery	P	PS	---	---	---	PS	PS	P	P	P	P	P	P	---	P	P
College/University	---	---	---	---	---	SUP/CD	SUP/CD	SUP/CD	SUP/CD	---	---	---	---	P	---	---
Hospital	---	---	---	---	---	SUP/CD	SUP/CD	SUP/CD	SUP/CD	---	---	---	P	P	---	---
Public Safety Station	---	SUP/CD	SUP/CD	SUP/CD	SUP/CD	PS	PS	P	P	P	P	P	P	SUP/CD	P	P
Religious Institution	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
School: Elem. & Secondary	---	P	P	P	P	P	P	P	P	---	---	---	---	P	---	P
School: Vocational/Technical	---	---	---	---	---	P	P	P	P	P	P	P	P	P	P	P
Transportation / Infrastructure																
Air Transportation	---	SUP/CD	---	---	---	---	---	---	---	---	P	P	---	---	---	---
Parking Lot (primary use)	---	---	---	---	---	P	P	P	P	P	P	P	P	---	---	---
Parking Structure (primary use)	---	---	---	---	---	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	---	---	SUP/CD
Road/Rail Transit - Passenger	---	---	---	---	---	P	P	P	P	P	P	P	P	---	P	P
Road/Rail Freight/Courier/Trucking	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---
Utilities-Class 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities-Class 2	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	P	P	P	P	P	P	P	P	P	SUP/CD
Utilities-Class 3	---	SUP/CD	---	---	---	---	---	SUP/CD	---	SUP/CD	P	P	---	---	---	---
Wireless Telecomm Facility: Stealth	---	---	PS	PS	PS	PS	PS	PS								
Wireless Telecomm Facility: Tower	---	---	---	---	---	---	---	SUP/CD	SUP/CD	SUP/CD	PS	PS	SUP/CD	SUP/CD	---	---

Vision 2020 Policies

- **Policy I-8:** The Interstate 85 corridor, including the roadways feeding into the interstate, shall be a focus of coordinated land use policy and capital investments for the development of quality industry.



Planning Board Courtesy Hearing was held July 12, 2022.

Planning Board voted unanimously to recommend approval as submitted with a motion stating the map amendment is “consistent with the Vision 2020 Comprehensive Plan.”



**Salisbury City Council
Statement of Consistency & Zoning Recommendation**

DISTRICT MAP AMENDMENT: **Z-09-2022**
Project Title: **Z-09-2022 Crow Holdings Phase II**
Petitioner(s): Crow Holdings Industrial
Owner(s): Carolyn Brown, Peter Brown, Chris Elliott, Gina Elliott, Coy Wilhelm
Representative(s) or Developer(s) Matt Cochrane
Tax Map Parcel(s): 406 024, 410 003, 410 034
Size / Scope: Approximately 42.823 acres encompassing one (1) parcel.
Location: Located east of I-85, along the 1400 block of Peeler Road.

REQUEST:

**Request to amend the Land Development District Map
by rezoning three (3) parcels at 1465 Peeler Road (PID 406 024, 410 003, 410 034) from
Rowan County Zoning Rural Agricultural (RA) to City of Salisbury Light Industrial (LI)
upon voluntary annexation into the City.**

STATEMENT OF CONSISTENCY & RECOMMENDATION:

The Salisbury City Council held a public hearing and reviewed the petition on August 2, 2022. The Council finds that the rezoning petition of the aforementioned parcel is CONSISTENT with the Salisbury Vision 2020 Comprehensive Plan, is reasonable, and in the public interest due to consistency with:

Policy I-8: The Interstate 85 corridor, including roadways feeding into the interstate, shall be a focus of coordinated land use policy and capital investments for the development of quality industry.

AN ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, REZONING TAX MAP 410 PARCELS 003, 034; TAX MAP 406 PARCEL 024 FROM ROWAN COUNTY ZONING RURAL AGRICULTURAL (RA) TO CITY OF SALISBURY LIGHT INDUSTRIAL (LI) APPROXIMATELY 42.823 ACRES UPON ANNEXATION. (PETITION NO. Z-09-2022)

WHEREAS, a petition to rezone the property described herein was properly filed by the City of Salisbury; and

WHEREAS, the Salisbury Planning Board, an advisory board to the Salisbury City Council, reviewed the rezoning petition on July 12, 2022, unanimously voted to recommend approval as submitted, and stated that the request is consistent with the Vision 2020 Comprehensive Plan; and

WHEREAS, the City Council held a properly-noticed public hearing at the regularly-scheduled City Council meeting on August 2, 2022; and

WHEREAS, the City Council hereby finds and determines that adoption of an Ordinance to rezone the property described herein, as requested, is consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan due to the proposed petition, site characteristics, surrounding development pattern, and observations provided by city planning staff, identifying the policies that support the petition.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina:

SECTION 1. That properties identified in the City of Salisbury and Rowan County as Tax Map 410 Parcels 003, 034; Tax Map 406 Parcel 024 including those abutting rights-of-way and reaching to the respective centerlines, as designated on the official property identification maps of Rowan County, are hereby rezoned to 'LI' district upon annexation.

SECTION 2. That all Ordinances, or parts of Ordinances, in conflict with this Ordinance are hereby repealed to the extent of such conflict;

SECTION 3. That this Ordinance shall be effective from and after its passage.

CROW HOLDINGS

INDUSTRIAL

June 7, 2022

VIA MAIL

[Address Block]

Re: Crow Holdings Industrial Development at Peeler Road – Innovation Logistics Center Phase II

Dear [Name],

We have been working with the City of Salisbury on an industrial development project at Peeler Road in Salisbury, North Carolina where this project would become a part of the City of Salisbury and rezone the property from a current Rowan County zoning of Rural Agricultural (RA) to a proposed City of Salisbury zoning of Light Industrial.

With this rezoning, we would pursue the approval and development of a 470,000 square foot Class A, state of the art industrial building with access points at Peeler Road. In the development of this project, we will have undisturbed buffers around the property in addition to planting trees, shrubs, and bushes to create an office park-like setting at the project.

Enclosed, you'll find a conceptual plan that better depicts the project. We would like to invite you to submit feedback on the project in three separate fashions:

- Phone – 704-412-1505
 - Email – InnovationLogisticsCenter@crowholdings.com
 - Virtual Meeting –
 - Date: June 15, 2022
 - Time: 9:00 AM EST – 9:30 AM EST
 - Invitation
 - Web Login (can request an online invitation by emailing the above address)
 - https://teams.microsoft.com/l/meetup-join/19%3ameeting_ODVkJmQwNWItZTM0Yy00NjI3LTk1YWYtYWQ2NTYxODVlOWVm%40thread.v2/0?context=%7b%22Tid%22%3a%22c419a1b6-122a-4c91-aa15-b957784bd3d4%22%2c%22Oid%22%3a%220d0109a7-bbd5-4aeb-b6c4-5ad7fe09d784%22%7d
- Dial-in
- Main Number: 469-609-8554
 - Meeting PIN: 365180552#

Best,

Matt Cochrane

CROW HOLDINGS

INDUSTRIAL

Matt Cochrane
Managing Director, Carolinas
Crow Holdings Industrial
4064 Colony Road, Suite 405
Charlotte, NC 28211

Chris Urquhart
Vice President Development/Construction, Carolinas
Crow Holdings Industrial
4064 Colony Road, Suite 405
Charlotte, NC 28211

Nick Thornton
Development Associate, Carolinas
Crow Holdings Industrial
4064 Colony Road, Suite 405
Charlotte, NC 28211

Parcel	First Name	Last Name	Address	City	State	Zip
408 036	DAVID	HONBARGE	1320 PEELER RD	SALISBURY	NC	28146
408 030	MARY	PEELER	1375 PEELER RD	SALISBURY	NC	28146
406 120	CHRIS & GI	ELLIOTT	140 CRESCENT HEIGHTS DR	SALISBURY	NC	28146
408 078	ROBERT	HUFFMAN	1402 PEELER RD	SALISBURY	NC	28146
406 024	PETER & C/	BROWN	1465 PEELER RD	SALISBURY	NC	28146
406 113	CHRISTOPH	KEE	1472 PEELER RD	SALISBURY	NC	28146
406 025	JAMES	FERRELL	1475 PEELER RD	SALISBURY	NC	28146
406 114	COOPER	STEVEN	1492 PEELER RD	SALISBURY	NC	28146
410 019	LYNN & DE	HAUSS	158 PIETRYK DR	SALISBURY	NC	28146
406 026	BARBARA	HILL	1585 PEELER RD	SALISBURY	NC	28146
406 027	LISA	SHARPE	1605 PEELER RD	SALISBURY	NC	28146
406 121	LORI	PRICE	1675 PEELER RD	SALISBURY	NC	28146
406 037	NANCY	LEQUIRE	1735 PEELER RD	SALISBURY	NC	28146
406 089	DWAIN	DYER	1755 PEELER RD	SALISBURY	NC	28146
410 009001	REBECCA	LYERLY	1912 WEBB RD	SALISBURY	NC	28146
410 001	ED & DEBB	PIETRYK	336 PIETRYK DR	SALISBURY	NC	28146
410 004	SUSAN	CRUZ	390 PERSIMMON LN	SALISBURY	NC	28146
410 003	COY	WILHELM	415 GLOVER RD	SALISBURY	NC	28146
411 151	BARBARA	MYRICK	4208 OLD CONCORD RD	SALISBURY	NC	28146
410 119	KATINA	TUCKER	440 PERSIMMON LN	SALISBURY	NC	28146
410 120	ZORDA	TUCKER	446 PERSIMMON LN	SALISBURY	NC	28146
406 019	ROWAN	SALISBURY BC	PO BOX 2349	SALISBURY	NC	28145



NOTICE OF PUBLIC HEARING

Salisbury City Council will hold a public hearing Tuesday, August 2, 2022 during its 3:00 p.m. meeting to consider the following general rezoning petition. The regularly scheduled August 2, 2022 City Council meeting will be held in a hybrid format. Anyone who wishes to speak virtually during the hearing regarding the request must sign-up by 2:00 p.m. on Tuesday, August 2, 2022 by contacting Kelly Baker at kbake@salisburync.gov or 704-638-5233. Information on accessing the meeting will be available on the City's website at www.salisburync.gov. The meeting can also be viewed on the City's livestream at www.salisburync.gov/webcast or the City's Facebook account.

DISTRICT MAP AMENDMENT: Z-09-2022

Project Title: Crow Holdings Phase II
Petitioner(s): Crow Holdings Industrial
Owner(s): Carolyn Brown, Peter Brown, Chris Elliott, Gina Elliott, Coy Wilhelm
Representative(s) or Developer(s) Matt Cochrane
Address: 1465 Peeler Road
Tax Map - Parcel(s): Tax Map: 410 Parcels: 003, 034; Tax Map: 406 Parcel: 024
Size / Scope: Approximately 42.823 acres
Location: Located east of I-85, along the 1400 block of Peeler Road.

REQUEST:

Request to amend the Land Development Ordinance & Land Development District Map by rezoning approximately 42.823 acres located on Peeler Road from Rowan County Zoning Rural Agricultural (RA) to City of Salisbury Light Industrial (LI) upon voluntary annexation.

A copy of the above petition is available for public review at Development Services (132 North Main Street). Anyone wishing a copy, or additional information, should call 704-638-5208. Written comments may be submitted by mailing a letter to the City Clerk, P.O. Box 479, Salisbury, NC 28145 or by e-mail to kbake@salisburync.gov. Written correspondence received before the meeting will be forwarded to the City Council.

Citizens interested in the proposal are invited to attend and participate in the courtesy hearing. Changes may be made in the above proposal as a result of debate, objection, or discussion.

This the 18th day of July, 2022.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

BY: Kelly Baker
Administrative Services Director/City Clerk

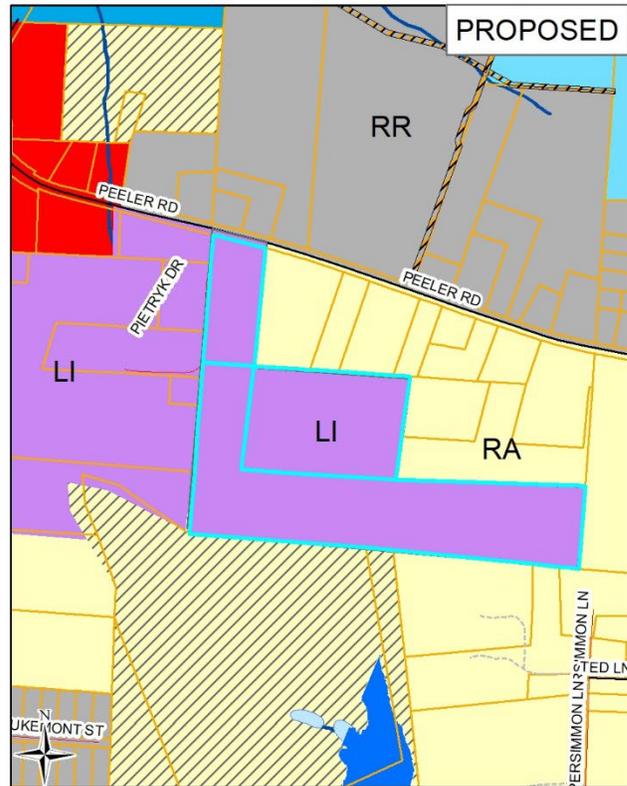
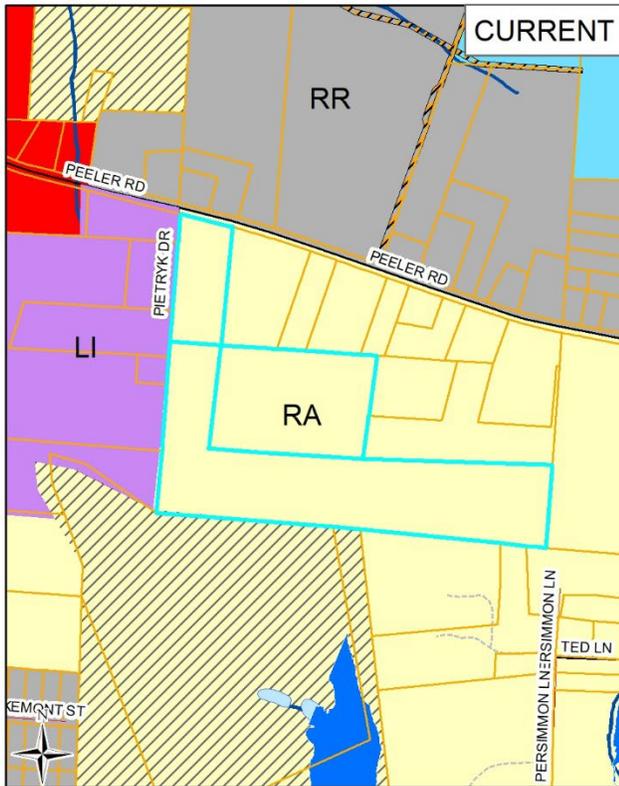
Z-09-2022: 1465 PEELER RD



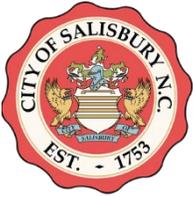
Parcels : 410 003, 410 034, 406 024

Current Zoning: Rowan County Zoning Districts RA

Proposed Zoning: City of Salisbury Zoning District LI



PARCEL_ID	OWNNAME	OWN2	TAXADD1	CITY	STATE	ZIPCODE
410 010	LYERLY REBECCA DEAL		1912 WEBB RD	SALISBURY	NC	28146
410 112	PIETRYK EDWARD WALLACE II	PIETRYK DEBRA WESTLAKE	336 PIETRYK DR	SALISBURY	NC	28146
410 119	TUCKER KATINA ANNE & HUS	TUCKER MEZAK	440 PERSIMMON LN	SALISBURY	NC	28146
410 120	TUCKER ZORDA & WF	TUCKER AMANDA H	446 PERSIMMON LN	SALISBURY	NC	28146
408 036	HONBARGER DAVID W JR & WF	HONBARGER JUDITH	1320 PEELER RD	SALISBURY	NC	28146-1136
408 078	HUFFMAN ROBERT THOMAS & WF	HUFFMAN AUDREY HONBARGER	1402 PEELER RD	SALISBURY	NC	28146-1137
408 030	PEELER CHARLES E & WF	PEELER MARY W	1375 PEELER RD	SALISBURY	NC	28146
406 027	SHARPE LISA MASH		1605 PEELER RD	SALISBURY	NC	28146-0000
406 113	KEE CHRISTOPHER BRANDON & WF	KEE KRISTINA H	1472 PEELER RD	SALISBURY	NC	28146
406 114	COOPER STEVEN DOUGLAS	COOPER MARY Z	1492 PEELER RD	SALISBURY	NC	28146
406 116	ROWAN SALISBURY BOARD OF ED		PO BOX 2349	SALISBURY	NC	28145
406 026	HILL BARBARA ERVIN		1585 PEELER RD	SALISBURY	NC	28146-1138
410 003	WILHELM COY DEAL & WF	WILHELM JOYCE R	415 GLOVER RD	SALISBURY	NC	28146
410 009000001	LYERLY REBECCA DEAL		1912 WEBB RD	SALISBURY	NC	28146
410 019	HAUSS JAMES LYNN &WF	HAUSS DEBORAH STIREWALT	158 PIETRYK DR	SALISBURY	NC	28146-7632
411 151	MYRICK BARBARA W		4208 OLD CONCORD RD	SALISBURY	NC	28146-1310
406 024	BROWN PETER AND SPOUSE	BROWN CAROLYN	1465 PEELER RD	SALISBURY	NC	28146-1137
406 025	FERRELL JAMES RANDALL		1475 PEELER RD	SALISBURY	NC	28146-1137
406 089	DYER DWAIN LEE	DYER DORI JEAN	1755 PEELER RD	SALISBURY	NC	28146
406 110	LEQUIRE JERRY DOUGLAS & WF	LEQUIRE NANCY WALTER	1735 PEELER RD	SALISBURY	NC	28146-1140
406 121	PRICE LORI ANN		1675 PEELER RD	SALISBURY	NC	28146
410 004	CRUZ SUSAN SMITH		390 PERSIMMON LN	SALISBURY	NC	28146-0000
410 034	ELLIOTT CHRISTOPHER W &WF	ELLIOTT GINA S	140 CRESCENT HEIGHTS DR	SALISBURY	NC	28146-0000



NOTICE OF PUBLIC HEARING

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<u>DISTRICT MAP AMENDMENT:</u>	<u>Z-09-2022</u>
Project Title:	Crow Holdings Phase II
Petitioner(s):	Crow Holdings Industrial
Owner(s):	Carolyn Brown, Peter Brown, Chris Elliott, Gina Elliott, Coy Wilhelm
Representative(s) or Developer(s)	Matt Cochrane
Address:	1465 Peeler Road
Tax Map - Parcel(s):	Tax Map: 410 Parcels: 003, 034; Tax Map: 406 Parcel: 024
Size / Scope:	Approximately 42.823 acres
Location:	Located east of I-85, along the 1400 block of Peeler Road.

REQUEST:

Request to amend the Land Development Ordinance and Land Development District Map by rezoning approximately 42.823 acres located on Peeler Road from Rowan County Zoning Rural Agricultural (RA) to City of Salisbury Light Industrial (LI) upon voluntary annexation.

A copy of the above petition is available for public review at Development Services (132 North Main Street). Persons wishing a copy, or additional information, should call 704-638-5208. If persons would like to respond in writing, they may do so by mailing a letter to the City Clerk, P.O. Box 479, Salisbury, NC 28145 or by e-mail to kbake@salisburync.gov. Written correspondence received before the meeting will be forwarded to the City Council.

Citizens interested in the proposal are invited to attend and participate in the courtesy hearing. Changes may be made in the above proposal as a result of debate, objection, or discussion.

This the 15th day of July 2022.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

BY: Kelly Baker, MMC
Administrative Services Director/City Clerk



The Salisbury Planning Board held its regular meeting on Tuesday, July 12, 2022, at 4:00 p.m. with the following being present:

GUESTS: Matt Cochran, Crow Holdings; James Gearhart, Sheetz, Inc.

PRESENT: Bill Burgin, P.J. Ricks, Dennis Rogers, John Schaffer, Esther Smith, John Struzick

STAFF: Victoria Bailiff, Senior Planner; Teresa Barringer, Zoning Administrator; Graham Corriher, City Attorney; Jenni Pfaff, Planning Board Secretary

WELCOME GUESTS AND VISITORS

John Schaffer, Chair, called the Planning Board meeting to order at 4:05 p.m.

APPROVAL OF MINUTES

Planning Board Minutes of June 28, 2022 were approved as written by Members present.

NEW BUSINESS

CD-04-2022 Sheetz; 1215 Peeler Road; PID: 408 011, 408 128; Current Zoning: Light Industrial (LI), Rowan County Commercial Business Industrial (CBI); Proposed Zoning: Highway Business (HB)/Conditional District Overlay (CD)

Presenter: Victoria Bailiff

Request

Wes Hall of Sheetz, Inc. is requesting to rezone (2) parcels from Light Industrial (LI) and Rowan County Zoning (CBI) to Highway Business/Conditional District Overlay (HB/CD) for the development of a gas station convenience store with pumps in the front and back, with additional truck parking in the rear.

Staff Presentation

Victoria Bailiff made a staff presentation. Staff recommends approval based on compliance with the Vision 2020 Comprehensive Plan. In response to questions from Members, she explained that the CD is requested for additional parking, and that the Petitioner would need to address electric vehicle (EV) charging stations.

Applicant Testimony

James Gearhart, Sheetz, Inc., provided background on the company and staff, and a comparison of the new and existing stores. The proposed store will not have a car wash or drive-through, and will accommodate trucks and interstate travelers. Commercial diesel pumps will be offered at the proposed location, hence the request for additional parking space. Mr. Gearhart displayed drawings that illustrated truck access to fuel pumps and the interstate.

In response to questions from the Board, he said the reason they chose Salisbury is access to sewer. Land use and conditional zoning in Salisbury met their needs.

Mr. Gearhart clarified truck traffic flow, as well as the number of parking spaces: 39 for customers, and 41 for trucks, to equal 80 spaces. Current zoning allows only 35, which accounts for the conditional overlay. The location will not need as many spaces as other stores such as Love's, because it will not offer other amenities, such as showers.

The Board asked how many employees would be expected for the new location. Mr. Gearhart estimated 35 to 40, with approximately 2/3 full time. The truck diesel offering adds the potential for more working hours.

Medium shrubs will be used for screening. While displaying a drawing of the proposed store, Mr. Gearhart explained that medium shrubs would be used as screening, and that the pitched roof is a design element of the Sheetz brand.

Regarding the earlier question on EV charging stations, Mr. Gearhart explained that the company communicates with Tesla on the need for stations in particular areas. They do offer them in various other locations, but do not plan to add them to the proposed store. If Tesla sees the need for one, it will be added.

Public Comment

None.

Deliberation

City Staff was asked if there are particular requirements for EV charging stations. Currently, there are not; Development Services addresses them as they are presented to verify placement.

Motion

Esther Smith made a motion to approve the request as consistent with Vision 2020, PJ Ricks seconded the motion.

All members present voted AYE (6-0).

Z-09-2022 1465 Peeler Road; PID 406 024, 410 003, 410, 034; Current Zoning: Rowan County Rural Agricultural (RA); Proposed Zoning: Light Industrial (LI)

Presenter: Victoria Bailiff

Request

Petitioner, Crow Holdings Industrial, is requesting to rezone (3) parcels from Rowan County Zoning (RA) to City Zoning (LI).

Future land use will be addressed in the upcoming comprehensive plan, however, growth is intended and expected in this corridor. Staff recommends approval since the request is within the intended use, which will be a distribution center.

Applicant Testimony

Matt Cochran, with Crow Holdings, of Charlotte, explained that the company specializes in speculative industrial buildings. They're goal is to construct attractive buildings, with millions of dollars spent on road improvements, as well as twice as much than competitors on landscaping. The company is a pioneer in EV charging stations, and has built for the Sheetz company.

In response to a question from the Board, Mr. Cochran said that a public hearing (referring to the community meeting) was held, but no one attended.

Public Comment

None.

Deliberation

None.

Motion

Pj Ricks made a motion to approve the request as consistent with Vision 2020. Dennis Rogers seconded the motion.

All members present voted AYE (6-0).

Z-08-2022 895 Peeler Road; PID 408 024, 408 089; Precious Zoning: Rowan County Commercial Business Industrial (CBI); Proposed Zoning: Highway Business (HB)

Presenter: Victoria Bailiff

Request

Petitioner, City of Salisbury, is requesting to rezone (2) parcels to City Zoning (HB).

The parcels were annexed last year, the request is to assign a zoning district.

In response to questions from the Board, Ms. Bailiff explained that the HB zone does not create non-conformities; use-wise it is conforming, and set-backs would not be an issue. She affirmed that the owner would see no negative affect.

Applicant Testimony

None.

Public Comment

None.

Deliberation

None.

Motion

Dennis Rogers made a motion to approve the request as consistent with Vision 2020. PJ Ricks seconded the motion.

All members present voted AYE (6-0).

ADJOURN 4:52 p.m.

John Schaffer, Chair

Jennifer Pfaff, Secretary

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: August 2, 2022

Name of Group(s) or Individual(s) Making Request: City of Salisbury, Engineering Department

Name of Presenter(s): Wendy Brindle, City Engineer

Requested Agenda Item: Voluntary Annexation – Majolica Road

Description of Requested Agenda Item:

A public hearing concerning the voluntary annexation for 31.083 acres, located on Majolica Road, and identified as Tax Map 451 Parcel 227, was scheduled for August 2nd, 2022. The hearing has been properly advertised, and staff finds the request to meet the standards of NCGS 160A-31. Therefore, after the public hearing, City Council will consider adopting an Ordinance for the annexation of 31.083 acres on Majolica Road, identified as parcel 451 227 effective August 2, 2022.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

The current tax value of the property is \$271,370. The current development plan is for a single family home subdivision. The value of those improvements have yet to be determined. The higher zoning usage level will increase the tax revenues generated for this property and will take effect in FY 24-25. The amount of that increase cannot be determined at this time. The City will incur additional costs for police and fire protection, which is indeterminable.

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*
City Council to hold a public hearing and consider adoption of an Ordinance to annex 31.083 acres located on Majolica Road and identified on Tax Map 451 as Parcel 227, per NCGS 160A-31 effective August 2, 2022.

Contact Information for Group or Individual:

Wendy Brindle, City Engineer 704-638-5201/wbrin@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

S. Wade Finches
Finance Director Signature

Wendy Brindle
Department Head Signature

[Signature]
Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved

Declined

Reason:

“AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA, TO INCLUDE 31.083 ACRES LOCATED ON MAJOLICA RD, TAX MAP 451 PARCEL 227.

WHEREAS, the City Council of Salisbury has been petitioned under G.S. 160A-31 to annex the area described herein, and the City Clerk has certified the sufficiency of said petition; and

WHEREAS, a public hearing on the question of this annexation was held by City Council on August 2nd, 2022 at 6:00 p.m. after due notice by publication on July 21st, 2022 in the Salisbury Post; and

WHEREAS, the City Council of Salisbury does find as a fact that said petition meets the requirements of G.S. 160A-31; and

WHEREAS, the City Council of Salisbury further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City Council of Salisbury further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Salisbury and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory, and also shown on the attached annexation plat, is hereby annexed and made part of the City of Salisbury as of the 2nd day of August 2022. The survey plat that describes the annexed territory is that certain survey plat entitled Proposed Contiguous Annexation into the City of Salisbury, NC located on Majolica Road, dated 5/25/2022, and recorded in Book of Maps _____ Page _____, Rowan County Register of Deeds:

Commencing at N.C.G.S. Monument “Junk” (PID FA2661) having North Carolina State Plane coordinates of N:708,652.09 E:1,543,857.06 (NAD83/2011, CF: 0.99986940); thence with a bearing of S74°15'44"E and a distance of 254.88' to a set rebar on the westerly margin of the right of way of Majolica Rd (S.R. 1772), said rebar also being on the existing city limit line; thence following the westerly margin of the right of way of Majolica Rd and the existing city limit with a curve to the right having a radius of 710.69' and an arc length of 154.74', and being chorded by a bearing of S 09°24'28" W and a distance of 154.43' to an existing pipe, being a common corner of the property of Joseph A Masiello & Kyle L Masiello (now or formerly) recorded in Deed Book 1279, Page 390; thence following three (3) lines of Masiello, all being new city limit lines: (1) with a bearing of N 71°59'00" W and a distance of

306.08' to an existing bent rebar; (2) with a bearing of S 18°01'00" W and a distance of 120.10' to an existing pipe; (3) with a bearing of S 72°02'00" E and a distance of 301.50' to a set rebar on the westerly margin of the right of way of Majolica Rd and on the existing city limit line; thence following the margin of said right of way and the existing city limit line with a bearing of S 20°12'22" W and a distance of 273.62' to an existing rebar, being the common corner of the property of Carl Sutton Westbrook & Summer Brown Westbrook (now or formerly) recorded in Deed Book 1268, Page 967; thence following two (2) lines of Westbrook, both being new city limit lines: (1) with a bearing of N 73°07'31" W and a distance of 184.90' to an existing bent rebar; (2) with a bearing of S 20°18'18" W and a distance of 108.60' to a set rebar on the common line of the property of Carolyn S Cochran & Alan E Bragg (now or formerly) recorded in Deed Book 1326, Page 282; thence following two (2) lines of Cochran & Bragg, both being new city limit lines: (1) with a bearing of N 73°11'50" W and a distance of 20.05' to an existing rebar; (2) with a bearing of S 89°03'57" W and a distance of 260.00' to an existing pipe, being the common corner of the property of Mark A Childers & Julie M Childers (now or formerly) recorded in Deed Book 1123, Page 704; thence following the common line thereof and a new city limit line with a bearing of N 84°32'51" W and a distance of 1748.80' to an existing bent rebar, being the common corner of the property of Glenn N Schenk & Patricia M Schenk (now or formerly) recorded in Deed Book 895, Page 140; thence following the common line thereof and a new city limit line with a bearing of N 05°23'54" E and a distance of 608.39' to an existing pipe, being a common corner of the property of Bryce M Kepley (now or formerly) recorded in Deed Book 952, Page 140; thence following the common line thereof and a new city limit line with a bearing of S 85°01'31" E and a distance of 2347.45' to a set rebar on the existing city limit line; being the point of BEGINNING, having an area of 31.083 acres, more or less, as shown on a survey by Carolina Surveyors, Inc.

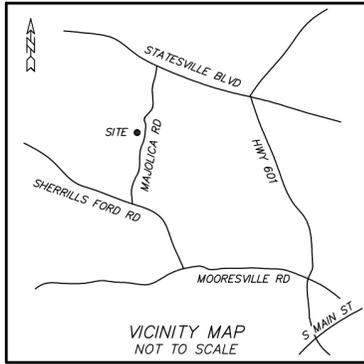
Section 2. Upon and after the 2nd day of August 2022, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other parts of the City of Salisbury. Said territory shall be subject to municipal taxes according to G.S. 160A-31.

Section 3. The Mayor of the City of Salisbury shall cause to be recorded in the office of the Register of Deeds of Rowan County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections as required by G.S. 163-288.1.”

Adopted this 2nd day of August, 2022.

Karen K. Alexander, Mayor

ATTEST: _____
Kelly Baker, MMC
Administrative Services Director/City Clerk



- SYMBOL LEGEND**
- SET MONUMENT (TYPE INDICATED)
 - EXISTING MONUMENT (TYPE INDICATED)
 - CP ⊗ CALCULATED POINT

- LINETYPE LEGEND**
- BOUNDARY LINE
 - - - - TIE LINE
 - RIGHT OF WAY
 - - - - APPROXIMATE RIGHT OF WAY (NOT SURVEYED)
 - - - - ADJOINING LINE (NOT SURVEYED)
 - EXISTING CITY LIMITS
 - NEW CITY LIMITS

- LEGEND:**
- EIP = EXISTING IRON PIN
 - OIP = OLD IRON PIPE
 - SIP = SET IRON PIN
 - R/W = RIGHT OF WAY
 - AC = AIR CONDITIONING UNIT
 - PWR = POWER PAD
 - PM = POWER METER
 - PP = POWER POLE
 - LP = LIGHT POLE
 - GM = GAS METER
 - TELE = TELEPHONE PEDESTAL
 - CATV = CABLE TELEVISION
 - FOB = FIBER OPTIC BOX
 - TSB = TRAFFIC SIGNAL BOX
 - WM = WATER METER
 - FES = FLARED END SECTION
 - RCP = REINFORCED CONCRETE PIPE
 - CMP = CORRUGATED METAL PIPE
 - CPP = CORRUGATED PLASTIC PIPE
 - PVC = POLYVINYL CHLORIDE PIPE
 - DU = DESTINATION UNKNOWN
 - SDE = STORM DRAINAGE EASEMENT
 - SDMH = STORM DRAIN MANHOLE
 - CB = CATCH BASIN
 - YI = YARD INLET
 - DI = DROP INLET
 - SSE = SANITARY SEWER EASEMENT
 - SSMH = SANITARY SEWER MANHOLE
 - CO = SEWER CLEAN OUT
 - BC = BACK OF CURB
 - (T) = TOTAL DISTANCE
 - POB = POINT OF BEGINNING

- NOTES:**
1. IRON PINS SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
 2. PROPERTY ZONED: RA (SETBACKS & ZONING MATTERS ARE SUBJECT TO INTERPRETATION BY LOCAL MUNICIPALITIES)
 3. TAX PARCEL NUMBER 451227.
 4. DEED REFERENCE: DB 1230 PG 495.
 5. BOUNDARY SURVEY ONLY THROUGH POINTS AS SHOWN.
 6. THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP (FIRM) NO. 3710574000, WITH A DATE OF IDENTIFICATION OF 6/19/2009.
 7. THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RECORDED OR UNRECORDED EASEMENTS, RIGHTS-OF-WAY, OR RESTRICTIVE COVENANTS, OTHER THAN SHOWN. SURVEY MADE WITHOUT THE BENEFIT OF A TITLE EXAMINATION.
 8. AREA COMPUTED BY COORDINATE METHOD.
 9. UTILITY LOCATIONS SHOWN ARE LOCATED BASED ON SITE CONDITIONS AND MARKINGS AT THE TIME OF SURVEY. CONTRACTORS ARE TO HAVE ALL UTILITIES ACCURATELY MARKED PRIOR TO CONSTRUCTION.
 10. ANY CONSTRUCTION OR USE WITHIN ANY DELINEATED FLOOD AREA IS SUBJECT TO THE RESTRICTIONS IMPOSED BY ANY APPLICABLE ORDINANCES OR REGULATIONS.
 11. OFFSITE ADJOINER LINES AND RIGHT-OF-WAY LINES SHOWN AS DASHED ARE APPROXIMATE AND ARE FOR ILLUSTRATIVE PURPOSES ONLY.
 12. LINES SHOWN REPRESENTING FENCES AND WALLS ARE MEASURED FROM THE APPROXIMATE CENTERLINE AND DO NOT ACCOUNT FOR THE THICKNESS, PLUMBNESS OR MEANDER OF THE FENCE UNLESS OTHERWISE STATED.
 13. DISTANCES SHOWN ARE U.S. SURVEY FEET UNLESS OTHERWISE NOTED.

THE FOLLOWING WAS USED TO ESTABLISH N.C.S.P.C. INFORMATION:

- (1) CLASS OF SURVEY: A—URBAN LAND SURVEY
- (2) POSITIONAL ACCURACY: 0.05'
- (3) TYPE OF GPS FIELD PROCEDURE: STATIC, ONLINE POSITION USER SERVICE
- (4) DATES OF SURVEY: 2/3/2022
- (5) DATUM/EPOCH: NAD 83 (2011), EPOCH 2010
- (6) PUBLISHED/FIXED—CONTROL USE: CORS SITES

PID	DESIGNATION	LATITUDE	LONGITUDE	DISTANCE (m)
A4198	HPT HIGH POINT CORS ARP	N355756.486	W0800048.937	56553.5
DK4045	NCTR TROY CORS ARP	N352201.845	W0795212.770	70153.0
DF6318	NC77 177 WELCOME CNTR CORS ARP	N350721.254	W0805458.467	71441.3
DM3523	NGH HICKORY CORS ARP	N354431.010	W081130.934	70043.5
DL1804	NCWC WALNUT COVE CORS ARP	N362219.688	W0801105.625	82411.1
DF5880	NCMR MONROE CORS ARP	N345854.776	W0803125.790	78230.2
DK7404	NC5H SHELBY CORS ARP	N351653.642	W0812928.115	97529.1
DK4047	NCNW NORTH WILKESBORO CORS ARP	N360959.275	W0810757.224	75602.8
DM3525	NCRE REDSVILLE CORS ARP	N362142.714	W0793356.540	108555.7

(7) GEOID MODEL: GEOID18; NAVD 88
 (8) COMBINED GRID FACTOR(S): 0.99986940
 (9) UNITS: U.S. SURVEY FEET

GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.

CERTIFICATE OF ANNEXATION

AREA ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF SALISBURY, N.C.
 BY ORDINANCE NUMBER _____, ADOPTED BY THE CITY COUNCIL ON _____, WITH AN EFFECTIVE DATE OF _____

I HEREBY CERTIFY THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE REGISTER OF DEEDS IN ROWAN COUNTY, N.C.

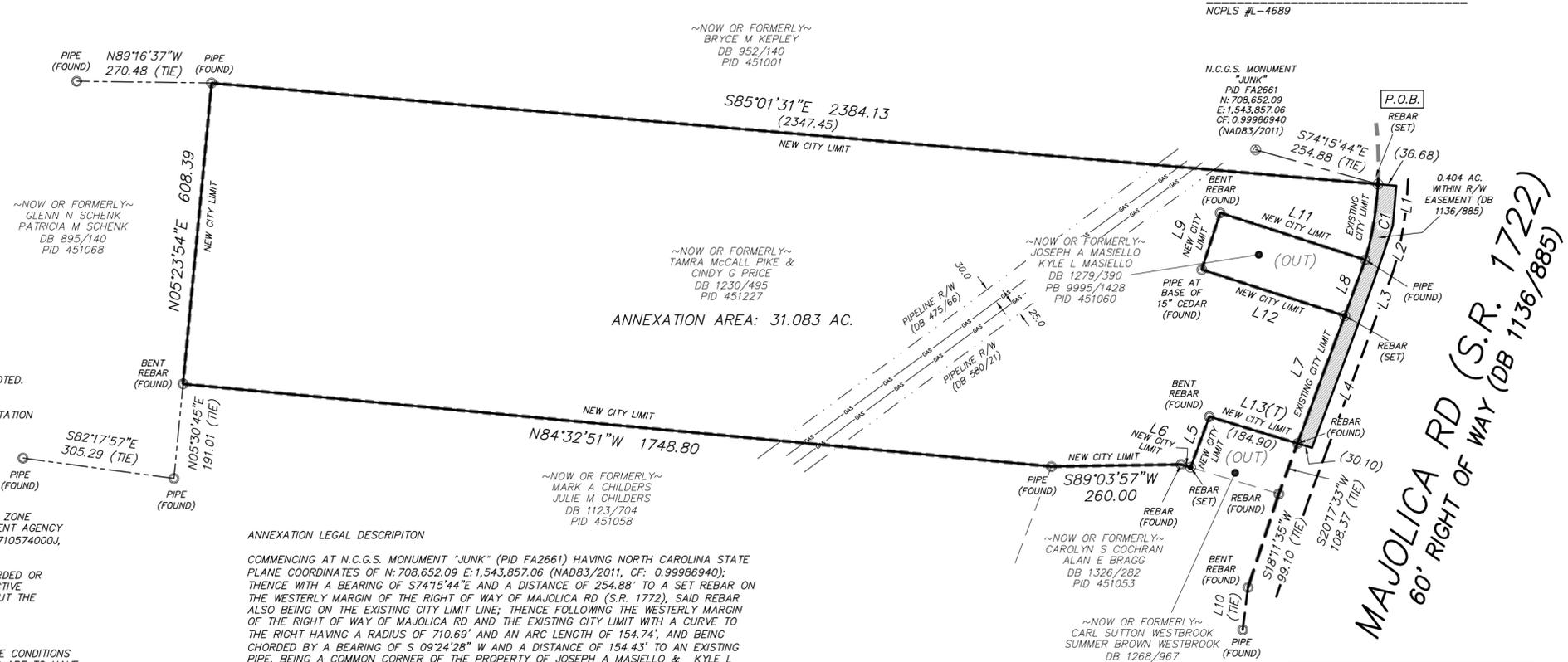
MAYOR, CITY OF SALISBURY N.C. DATE

REVIEW OFFICER OF ROWAN COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER DATE

I, THOMAS E. WHITE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK _____ PAGE _____ ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____ PAGE _____; THAT THE RATIO OF PRECISION AS CALCULATED IS 1: _____; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL. THIS DAY OF _____, 20_____.

THIS IS TO CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.



ANNEXATION AREA: 31.083 AC.

ANNEXATION LEGAL DESCRIPTOR

COMMENCING AT N.C.G.S. MONUMENT "JUNK" (PID FA2661) HAVING NORTH CAROLINA STATE PLANE COORDINATES OF N:708,652.09 E:1,543,857.06 (NAD83/2011, CF: 0.99986940); THENCE WITH A BEARING OF S74°15'44"E AND A DISTANCE OF 254.88' TO A SET REBAR ON THE WESTERLY MARGIN OF THE RIGHT OF WAY OF MAJOLICA RD (S.R. 1722), SAID REBAR ALSO BEING ON THE EXISTING CITY LIMIT LINE; THENCE FOLLOWING THE WESTERLY MARGIN OF THE RIGHT OF WAY OF MAJOLICA RD AND THE EXISTING CITY LIMIT WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 710.69', AND AN ARC LENGTH OF 154.74', AND BEING CHORDED BY A BEARING OF S 09°24'28" W AND A DISTANCE OF 154.43' TO AN EXISTING PIPE, BEING A COMMON CORNER OF THE PROPERTY OF JOSEPH A MASIELLO & KYLE L MASIELLO (NOW OR FORMERLY) RECORDED IN DEED BOOK 1279, PAGE 390; THENCE FOLLOWING THREE (3) LINES OF MASIELLO, ALL BEING NEW CITY LIMIT LINES: (1) WITH A BEARING OF N 71°59'00" W AND A DISTANCE OF 306.08' TO AN EXISTING BENT REBAR; (2) WITH A BEARING OF S 18°01'00" W AND A DISTANCE OF 120.10' TO AN EXISTING PIPE; (3) WITH A BEARING OF S 72°02'00" E AND A DISTANCE OF 301.50' TO A SET REBAR ON THE WESTERLY MARGIN OF THE RIGHT OF WAY OF MAJOLICA RD AND ON THE EXISTING CITY LIMIT LINE; THENCE FOLLOWING THE MARGIN OF SAID RIGHT OF WAY AND THE EXISTING CITY LIMIT LINE WITH A BEARING OF S 20°12'22" W AND A DISTANCE OF 273.62' TO AN EXISTING REBAR, BEING THE COMMON CORNER OF THE PROPERTY OF CARL SUTTON WESTBROOK & SUMMER BROWN WESTBROOK (NOW OR FORMERLY) RECORDED IN DEED BOOK 1268, PAGE 967; THENCE FOLLOWING TWO (2) LINES OF WESTBROOK, BOTH BEING NEW CITY LIMIT LINES: (1) WITH A BEARING OF N 73°07'31" W AND A DISTANCE OF 184.90' TO AN EXISTING BENT REBAR; (2) WITH A BEARING OF S 20°18'18" W AND A DISTANCE OF 108.60' TO A SET REBAR ON THE COMMON LINE OF THE PROPERTY OF CAROLYN S COCHRAN & ALAN E BRAGG (NOW OR FORMERLY) RECORDED IN DEED BOOK 1326, PAGE 282; THENCE FOLLOWING TWO (2) LINES OF COCHRAN & BRAGG, BOTH BEING NEW CITY LIMIT LINES: (1) WITH A BEARING OF N 73°11'50" W AND A DISTANCE OF 20.05' TO AN EXISTING REBAR; (2) WITH A BEARING OF S 89°03'57" W AND A DISTANCE OF 260.00' TO AN EXISTING PIPE, BEING THE COMMON CORNER OF THE PROPERTY OF MARK A CHILDERS & JULIE M CHILDERS (NOW OR FORMERLY) RECORDED IN DEED BOOK 1123, PAGE 704; THENCE FOLLOWING THE COMMON LINE THEREOF AND A NEW CITY LIMIT LINE WITH A BEARING OF N 84°32'51" W AND A DISTANCE OF 1748.80' TO AN EXISTING BENT REBAR, BEING THE COMMON CORNER OF THE PROPERTY OF GLENN N SCHENK & PATRICIA M SCHENK (NOW OR FORMERLY) RECORDED IN DEED BOOK 895, PAGE 140; THENCE FOLLOWING THE COMMON LINE THEREOF AND A NEW CITY LIMIT LINE WITH A BEARING OF N 05°23'54" E AND A DISTANCE OF 608.39' TO AN EXISTING PIPE, BEING A COMMON CORNER OF THE PROPERTY OF BRYCE M KEPLLEY (NOW OR FORMERLY) RECORDED IN DEED BOOK 952, PAGE 140; THENCE FOLLOWING THE COMMON LINE THEREOF AND A NEW CITY LIMIT LINE WITH A BEARING OF S 85°01'31" E AND A DISTANCE OF 2347.45' TO A SET REBAR ON THE EXISTING CITY LIMIT LINE; BEING THE POINT OF BEGINNING, HAVING AN AREA OF 31.083 ACRES, MORE OR LESS, AS SHOWN ON A SURVEY BY CAROLINA SURVEYORS, INC.

LINE	BEARING	LENGTH
L1	S04°54'33"W	80.36
L2	S18°35'51"W	82.71
L3	S19°41'59"W	119.86
L4	S20°24'49"W	273.09
L5	S20°18'18"W	108.60
L6	N73°11'50"W	20.05
L7	N20°12'22"E	273.62
L8	N20°12'22"E	119.92
L9	N18°01'00"E	120.10
L10	S07°02'57"W	85.98
L11	N71°59'00"W	306.08
L12	S72°02'00"E	301.50
L13	N73°07'31"W	215.00

CURVE	RADIUS	LENGTH	BEARING	CHORD
C1	710.69	154.74	N09°24'28"E	154.43

REVISIONS:	DATE	DESCRIPTION
SCALE: 1" = 200'		
PROJECT: 22-0016		
DRAWN BY: NB		
FIELD WORK: MB/MM		
DATE: JANUARY 14, 2021		
DWG: 2022 [BA] Majolica Road (35 ac)		
COGO: 2022 [M] Majolica Road (35 ac)		

CAROLINA SURVEYORS, INC.
 P.O. BOX 267 PINEVILLE, N.C. 28134 - 0267
 THOMAS E. WHITE, N.C.P.L.S. & S.C.P.L.S. 704-889-7801
 CERTIFICATE OF AUTHORIZATION N.C.G-1242 SC:886

ANY ANNEXATION PLAT SHOWING
MAJOLICA ROAD (PID 451227)
 (CONTIGUOUS ANNEXATION)
 OWNER: TAMRA McCALL PIKE & CINDY G PRICE
 TOTAL AREA: 31.487 ACRES
 LOCKE TOWNSHIP, ROWAN COUNTY, NORTH CAROLINA

Date: 4/25/2022



**PETITION REQUESTING VOLUNTARY ANNEXATION
FOR MAJOLICA RD (PARCEL 451 227)**

We the undersigned owners of real property respectfully request that the area described on the attached documents be annexed into the City of Salisbury. By signing this petition, we understand that the following conditions are the responsibility of the petitioners. Failure to meet the conditions may delay or invalidate the request:

1. The petition must be signed by all owners of real property in the area described and shall contain the address of each property owner.
2. The petition must include a metes and bounds description of the area to be annexed and a preliminary annexation boundary survey prepared by a Registered Land Surveyor. Two original mylars of the final annexation boundary survey shall be completed after consultation with the City.
3. If the area is not contiguous to the primary City limits, the petition shall include documentation that:
 - a) The nearest point of the described area is not more than three miles from the primary City limits.
 - b) No point on the described boundary is closer to another municipality than to the City of Salisbury.
 - c) No subdivision, as defined in GS 160A-376, will be fragmented by the proposed annexation.
4. Upon the effective date of annexation and thereafter, the described citizens and property shall be subject to municipal taxes and to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other citizens and property in the City of Salisbury.

Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM <u>451</u> PCL <u>227</u>	<u>Tamra McCall Pike</u>	<u>Tamra McCall Pike</u>	<u>888 McGregor Ct Concord, NC 28025</u>
TM <u>451</u> PCL <u>227</u>	<u>Cindy G Price</u>	_____	<u>838 McGregor Ct Concord, NC 28025</u>
TM _____ PCL _____	_____	_____	_____
TM _____ PCL _____	_____	_____	_____
TM _____ PCL _____	_____	_____	_____

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person R. Austin Coleman Telephone Number 704.940.2883

For Office Use Only:

Total number of parcels 1 Number Signed 2 % Signed 100 Date Returned 5/24/22
Contiguous per GS 160A-31 or Non-contiguous "satellite" per GS 160A-58 _____ (check one)

Date: 4/25/2022



**PETITION REQUESTING VOLUNTARY ANNEXATION
FOR MAJOLICA RD (PARCEL 451 227)**

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Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM <u>451</u> PCL <u>227</u>	<u>Tamra McCall Pike</u>	_____	<u>838 McGregor Ct Concord, NC 28025</u>
TM <u>451</u> PCL <u>227</u>	<u>Cindy G Price</u>	<u>Cindy G Price</u>	<u>4008 White Pine Dr Raleigh, NC 27612</u>
TM _____ PCL _____	_____	_____	_____
TM _____ PCL _____	_____	_____	_____
TM _____ PCL _____	_____	_____	_____

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person R. Austin Coleman Telephone Number 704.940.2883

For Office Use Only:

Total number of parcels 1 Number Signed 2 % Signed 100 Date Returned 5/24/22
Contiguous per GS 160A-31 or Non-contiguous "satellite" per GS 160A-58 _____ (check one)

CITY OF SALISBURY

P.O. BOX 479, SALISBURY, NORTH CAROLINA 28145-0479

Date: 4/25/2022



PETITION REQUESTING VOLUNTARY ANNEXATION
FOR MAJOLICA RD (PARCEL 451 227)

We the undersigned owners of real property respectfully request that the area described on the attached documents be annexed into the City of Salisbury. By signing this petition, we understand that the following conditions are the responsibility of the petitioners. Failure to meet the conditions may delay or invalidate the request:

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Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM <u>451</u> PCL <u>227</u>	<u>Tamra McCall Pike</u>	<u>Tamra McCall Pike</u>	<u>838 McGregor Ct Concord, NC 28025</u>
TM <u>451</u> PCL <u>227</u>	<u>Cindy G Price</u>	_____	<u>838 McGregor Ct Concord, NC 28025</u>
TM _____ PCL _____	_____	_____	_____
TM _____ PCL _____	_____	_____	_____
TM _____ PCL _____	_____	_____	_____

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person R. Austin Coleman Telephone Number 704.940.2883

For Office Use Only:

Total number of parcels 1 Number Signed 2 % Signed 100 Date Returned 5/24/22
Contiguous per GS 160A-31 or Non-contiguous "satellite" per GS 160A-58 _____ (check one)

CITY OF SALISBURY

P.O. BOX 479, SALISBURY, NORTH CAROLINA 28145-0479

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: 08/02/2022

Name of Group(s) or Individual(s) Making Request: Community Planning Services

Name of Presenter(s): Victoria Bailiff, Senior Planner

Requested Agenda Item: Z-05-2022 – 0 Majolica Road / Parcel ID 451 227

Description of Requested Agenda Item: Z-05-2022 Request to rezone one (1) parcel located on the 900 block of Majolica Road, south of Everwood Lane, (PID 451 227) being approximately 33.22 acres, from Rowan County zoning Rural Agriculture (RA) to City of Salisbury zoning General Residential (GR3), upon voluntary annexation.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*
Council to consider adopting an ordinance to rezone the subject parcel as requested.

Contact Information for Group or Individual: Victoria Bailiff, victoria.bailiff@salisburync.gov, 704-638-5212

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Salisbury City Council Agenda Item Request Form



Approved

Delayed

Declined

Reason:



City of Salisbury
 Development Services
 132 North Main Street
 Salisbury, NC 28144
 E: 1stop@salisburync.gov
 Ph. 704.638.5208

REZONING PETITION

SHADED AREAS FOR STAFF USE ONLY

FILING DATE

CASE #

PLAN REVIEW CASE # (IF APPLICABLE): _____

ZONING MAP AMENDMENT:

**GENERAL REZONING, LOCAL HISTORIC
 LANDMARK, HISTORIC OVERLAY ADOPTION \$800**

* FEES PER CITY OF SALISBURY BUDGET ORDINANCE

PETITION TYPE

- General Rezoning (LDO Sec. 15.21)
- Petition involves entire parcel(s) as shown on the Rowan County tax map
- Petition involves a portion of a parcel(s) as shown on the Rowan County tax map
- Petitioner is the property owner of record
- Petitioner is an entity requesting a 3rd-party rezoning
- City-initiated rezoning

EXISTING DISTRICT(S): RA
 PROPOSED DISTRICT(S): GR-3

GENERAL PROPERTY DESCRIPTION (ESPECIALLY IF UNADDRESSED)

The parcel is currently undeveloped

PROPERTY & CONTACT INFORMATION

Rowan County Parcel ID(s): 451-227

Address or Site Location: 0 Majolica Road

Subdivision: Yes Lot(s): Per code

Petitioner: Tar Heel Legacy, LLC

Address: 6412 Bannington Road, Charlotte, North Carolina 28226

Email: mark.carpenter@chlandcompany.com Best Phone: 704-562-2988

Owner (if different than petitioner): Tamra Donlin

Address: 838 MCGREGOR CT CONCORD, NC 28025

Email: tdonlin@windstream.net Daytime Phone: 704-699-3794

SIGNATURE

By signing this petition you understand that this petition will be forwarded to the Planning Board (a City Council-appointed board) who may hear statements from staff, the petitioner, and general public, and will then vote to make a Statement of Consistency and recommendation to City Council. The petition will then be forwarded to City Council who will conduct the official public hearing before casting a deciding vote.

Petitioner (or representative): 

DEPARTMENT USE ONLY

INITIAL PLANNING BOARD DATE: ____ / ____ / 20____

• IF SENT TO LEGISLATIVE COMMITTEE

- ASSIGNED LEGISLATIVE COMMITTEE: _____
- LEGISLATIVE COMMITTEE MEMBERS: _____

- DATE OF INITIAL COMMITTEE MEETING: ____ / ____ / 20____
- DATE OF ADDITIONAL MEETINGS: ____ / ____ / 20____
____ / ____ / 20____

- COMMITTEE RECOMMENDATION? _____

• PLANNING BOARD STATEMENT OF CONSISTENCY & RECOMMENDATION:

-
- DATE OF RECOMMENDATION: ____ / ____ / 20____
 - VOTE: (_____)
 - ADDITIONAL INFORMATION FOR FILE:

INITIAL CITY COUNCIL DATE: ____ / ____ / 20____

• IF SENT TO COUNCIL COMMITTEE

- COUNCIL COMMITTEE MEMBERS: _____

- DATE OF INITIAL COMMITTEE MEETING: ____ / ____ / 20____
- DATE OF ADDITIONAL MEETINGS: ____ / ____ / 20____
____ / ____ / 20____

- COMMITTEE RECOMMENDATION? _____

• CITY COUNCIL STATEMENT OF CONSISTENCY & REASONABLENESS:

• DECISION: _____

- DATE OF DECISION: ____ / ____ / 20____
- VOTE: (_____)
- ADDITIONAL INFORMATION FOR FILE:



Planning & Zoning Analysis

CASE NO.	Z-05-2022
Petitioner(s)	Tar Heel Legacy, LLC
Owner(s)	Tamra Donlin
Representative(s)	Mark Carpenter
Address	0 Majolica Road
Tax Map & Parcel(s)	451 227
Size / Scope	Approximately 33.22 acre parcel
Location	Located on the 900 block of Majolica Road, south of Everwood Lane.

PETITIONER REQUEST

Request:	Petition proposes to amend the Land Development Ordinance district map by rezoning one (1) parcel, being approximately 33.22 acres in total, from Rowan County zoning Rural Agriculture (RA) to City of Salisbury zoning General Residential (GR3).
Staff Comments:	The petitioner(s) will be required to voluntarily annex into the City of Salisbury prior to development and has already submitted annexation petition.
Uses:	This proposal is for general zoning purposes only. This request is not a conditional district zoning request; therefore, all uses of the requested GR3 zoning will be permitted per the existing Use Matrix.



Planning & Zoning Analysis

CHARACTER OF AREA

Overview:

The parcel identified in this petition is currently undeveloped.

Existing uses in the vicinity encompass residential and commercial properties; commercial uses include a grading business and an auto repair shop. This rezoning will have little effect on surrounding properties, as the majority of properties in the vicinity are already residential in nature.

Surrounding Land Use(s) & Zoning:

<i>Location</i>	<i>Existing Land Uses</i>	<i>Existing Zoning</i>
North of area	Residential	Rowan County (RA)
East of area	Residential, Commercial	Rowan County (RA) Salisbury (RR)
South of area	Residential, Commercial	Rowan County (RA)
West of area	Undeveloped	Rowan County (RA)



Planning & Zoning Analysis

INFRASTRUCTURE & CIVIC/COMMUNITY FACILITIES

Public Schools:

Elementary: Hurley Elementary
Middle: West Rowan Middle
High: West Rowan High

Fire District:

The parcel is currently within the Locke Fire district. Upon voluntary annexation, the parcel will then be located within the Salisbury City Fire district.

Utilities

Water & Sewer:

Water is currently available to the subject parcel. The sewer line along Majolica Road will need to be extended should new development occur.

Transportation

Transit:

This site is not currently served by Salisbury Public Transit. The nearest transit route is in the 2200 block of Statesville Blvd.

Property Access(s):

The parcel has access on Majolica Road; this access point will not be affected by rezoning the site.

Public Improvements:

Majolica Road is maintained by the State.

ENVIRONMENT

Topography / Hydrology:

The parcel slopes down gradually towards western side of the property. The area has been clear cut and is no longer wooded.

Flood Hazard / Streams / Wetlands:

This site is not affected by a USGS blue line stream.



Planning & Zoning Analysis

COMPREHENSIVE & AREA PLANS

Applicable Plans:

Vision 2020 Comprehensive Plan

While there are no policies from the Comprehensive Plan which specifically address a map amendment of this nature, staff recommends approval of Z-05-2022, upon determining that the request is not inconsistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan.

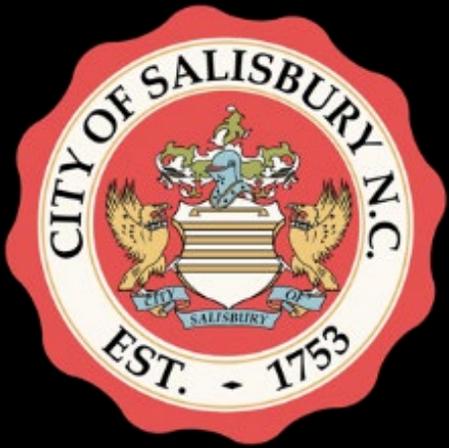


Planning & Zoning Analysis

PLAN REVIEW

Planning Board Recommendation:

This proposal was presented to Planning Board at their courtesy hearing on May 24, 2022. After deliberation, the Planning Board unanimously recommended approval, stating proposal is consistent with the Vision 2020 Comprehensive Plan as submitted.



PETITION TO REZONE

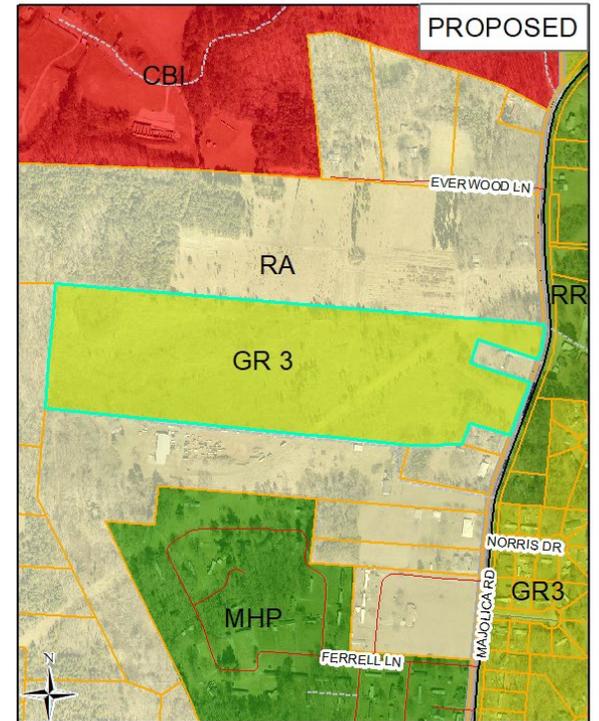
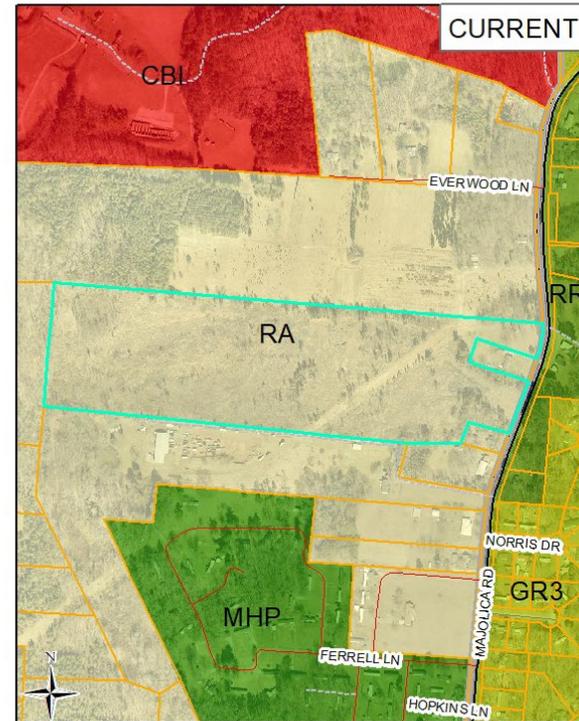
Z-05-2022

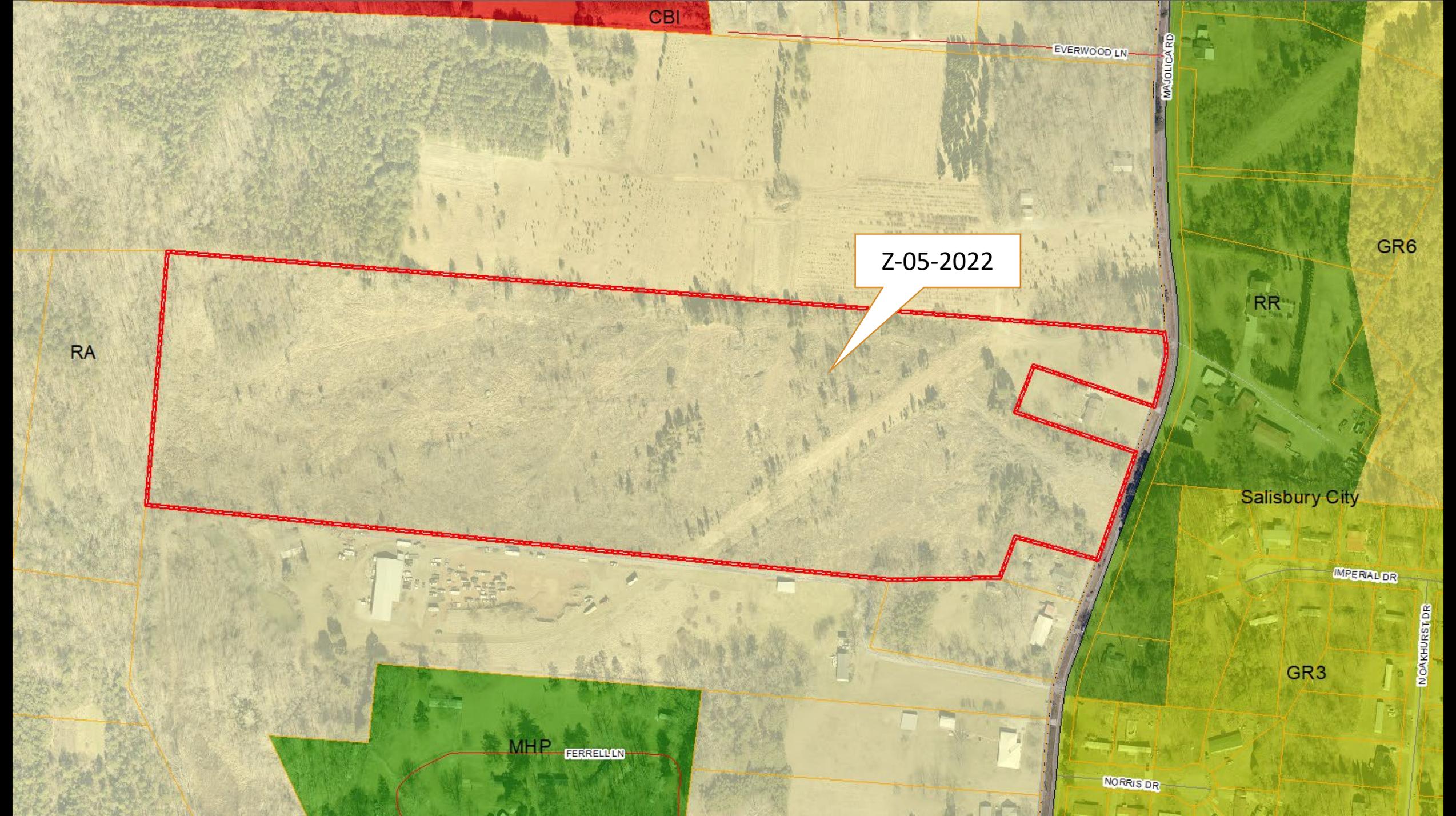
CURRENT ZONING: Rural Agriculture (RA)

PROPOSED ZONING: General Residential (GR3)

Z-05-2022: MAJOLICA ROAD

Parcel : 451 227
Current Zoning: Rowan County Zoning District RA
Proposed Zoning: City of Salisbury Zoning District GR3





CBI

EVERWOOD LN

MAJOLICA RD

GR6

RR

RA

Z-05-2022

Salisbury City

IMPERAL DR

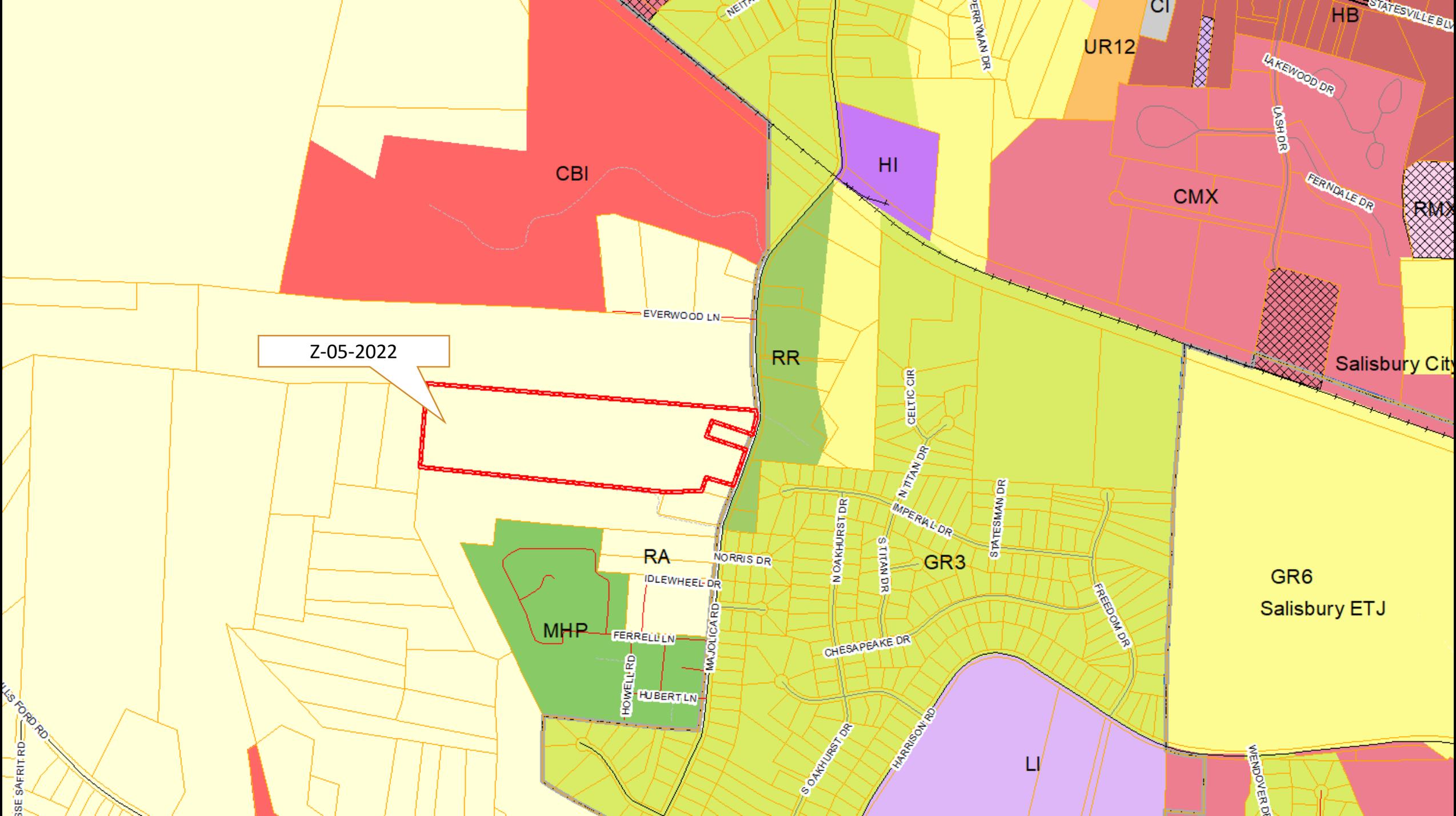
GR3

N OAKHURST DR

MHP

FERRELL LN

NORRIS DR



Z-05-2022

CBI

HI

CMX

RR

RA

MHP

GR3

GR6

Salisbury ETJ

Salisbury City

EVERWOOD LN

NORRIS DR

IDLEWHEEL DR

FERRELL LN

HOWELL RD

HUBERT LN

MAJOLICA RD

N OAKHURST DR

S OAKHURST DR

CELTIC CIR

N TITAN DR

IMPERIAL DR

STATESMAN DR

CHESAPEAKE DR

HARRISON RD

UR12

LAKEWOOD DR

LASH DR

FERNDALE DR

UR12

LI

WENDOVER DR

WILSON FORD RD
LUSSE SAFRIT RD

STATESVILLE BLVD



Everwood Ln

Everwood Ln

Majolica Rd

Majolica Rd

Majolica Rd

Majolica Rd

Ferrell Ln

Ferrell Ln

Idlewheel Dr

Norris Dr

N Oakhurst Dr

Imperial Dr

Titan Dr

N Titan Dr

Celtic Cir

Imperial

Pinetop Farm

Childers Auto & Truck Repair

C. Use Matrix

P	Permitted	SUP	Special Use Permit required and subject to Additional Standards in Chapter 3
PS	Permitted subject to Additional Standards in Chapter 3	—	Not Permitted
PND	Permitted as new development only	CD	SUP is not required when proposed and adopted as part of a Conditional District

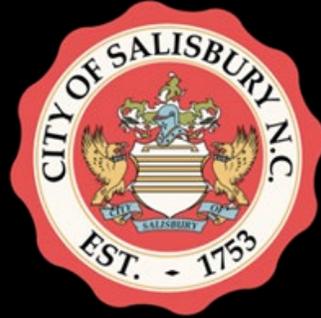
BASE DISTRICT	T1	T2	T3	T4	T5	T6	Assigned Districts						Planned Development			
	OSP	RR	GR	UR	HR	RMX	NMX	CMX	DMX	HB	LI	HI	HS	CI	MHD	TND
Residential																
Dwelling-Single Family	P	P	P	P	P	P	P	P	P	—	—	—	—	P	P	P
Dwelling-Multifamily 4 units/bldg. or less	—	—	PND	P	PS	P	P	P	P	P	—	—	P	—	P	P
Dwelling-Multifamily more than 4 units/bldg.	—	—	—	—	—	P	P	P	P	P	—	—	P	—	—	P
Dwelling-Secondary	—	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	P	P	P	—	—	—	P	—	—	P
Family Care Home (6 or less residents)	—	P	P	P	P	P	P	P	P	P	—	—	P	P	—	P
Home Occupation	PS	PS	PS	PS	PS	PS	—	—	—	—	—	—	PS	PS	PS	PS
Housing Service for the Elderly	—	—	PS	PS	—	P	P	P	P	P	—	—	P	P	—	P
Live-Work Unit	—	—	—	—	—	PS	PS	PS	PS	—	—	—	PS	—	—	PS
Manufactured Housing	—	PS	—	—	—	—	—	—	—	—	—	—	—	—	PS	—
Lodging																
Bed and Breakfast	—	P	P	P	P	P	P	P	P	P	—	—	P	—	—	P
Hotel/Motel/Inn	—	—	—	—	—	—	—	P	P	P	—	—	P	—	—	P
Rooming or Boarding House	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	P
Office / Service																
Animal Services	—	PS	—	PS	—	—	P	P	P	P	P	P	P	—	—	P
Banks, Credit Unions, Financial Services	—	—	—	—	—	P	P	P	P	P	—	—	P	—	—	P
Business Support Services	—	—	—	—	—	P	P	P	P	P	P	P	P	—	—	P
Child Care Home	PS	PS	PS	PS	—	—	PS	PS	PS	PS						
Child Care Center in Residence	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	PS	PS	PS	PS	PS	—	—	PS	PS	PS	PS
Commercial Child Care Center	—	—	—	—	—	SUP/CD	PS	PS	PS	PS	—	—	PS	PS	—	PS
Community Service Organization	—	—	—	—	—	P	P	P	P	P	—	—	P	P	—	P
Drive Thru Service	—	—	—	—	—	PS	PS	P	SUP/CD	P	—	—	—	—	—	SUP/CD
Equipment Rental	—	—	—	—	—	—	—	P	PS	P	P	P	—	—	—	—
Funeral Home	—	—	—	—	—	—	P	P	P	P	—	—	P	—	—	P
Group Care Facility (More than 6 residents)	—	—	—	SUP/CD	—	PS	PS	PS	PS	PS	—	—	PS	PS	—	PS
Government Services	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD						
Laundry Services	—	—	—	—	—	P	P	P	P	P	—	—	—	—	—	P
Medical Clinic	—	—	—	—	—	P	P	P	P	P	—	—	P	SUP/CD	—	P

	T1	T2	T3	T4	T5	T6	Assigned Districts						Planned Development			
BASE DISTRICT	OSP	RR	GR	UR	HR	RMX	NMX	CMX	DMX	HB	LI	HI	HS	CI	MHD	TND
Office / Service (cont.)																
Outdoor Kennels	—	P	—	—	—	—	—	P	—	P	—	—	—	—	—	—
Post Office	—	—	—	—	—	P	P	P	P	P	P	—	P	P	—	P
Professional Services	—	—	—	PND	—	P	P	P	P	P	P	P	P	—	—	P
Residential Treatment Facility	—	SUP/CD	—	—	—	SUP/CD	SUP/CD	P	—	P	—	—	—	—	—	SUP/CD
Studio: Art, dance, martial arts, music	—	—	—	—	—	P	P	P	P	P	—	—	P	SUP/CD	—	P
Vehicle Services: Minor Maintenance/Repair	—	—	—	—	—	—	P	P	P	P	P	P	—	—	—	—
Vehicle Services: Major Repair/Body Work	—	—	—	—	—	—	—	SUP/CD	PS	PS	P	P	—	—	—	—
Retail / Restaurant																
Alcoholic Beverage Sales Store	—	—	—	—	—	—	SUP/CD	P	P	P	—	—	SUP/CD	—	—	P
Auto Parts Sales	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	—
Bar/Tavern/Night Club	—	—	—	—	—	—	SUP/CD	SUP/CD	SUP/CD	SUP/CD	—	—	—	—	—	P
Drive-Thru Retail/Restaurant	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	P
Gas Station	—	—	—	—	—	—	PS	PS	PS	P	P	—	—	—	—	PS
General Retail: 3,500 sf or less	—	—	—	—	—	SUP/CD	PS	P	P	P	—	—	P	—	—	P
General Retail: 3,501 sf – 10,000 sf	—	—	—	—	—	SUP/CD	SUP/CD	P	P	P	—	—	P	—	—	P
General Retail: 10,001 sf – 50,000 sf	—	—	—	—	—	—	—	P	P	P	—	—	SUP/CD	—	—	P
General Retail: Greater than 50,000 sf	—	—	—	—	—	—	—	SUP/CD	SUP/CD	SUP/CD	—	—	—	—	—	SUP/CD
Restaurant	—	—	—	—	—	SUP/CD	P	P	P	P	—	—	P	—	—	P
Vehicle or Heavy Equipment Sales	—	—	—	—	—	—	—	P	PS	P	P	P	—	—	—	PS
Entertainment / Recreation																
Adult Establishment	—	—	—	—	—	—	—	—	—	PS	—	—	—	—	—	—
Amusements, Indoor	—	—	—	—	—	—	—	P	P	P	P	P	P	—	—	—
Amusements, Outdoor	—	—	—	—	—	—	—	P	P	P	P	P	—	—	—	—
Cultural or Community Facility	—	P	—	—	—	P	P	P	P	P	P	P	P	P	P	P
Internet/Electronic Gaming	—	—	—	—	—	—	—	—	—	PS	—	—	—	—	—	—
Meeting Facility	—	P	—	—	—	P	P	P	P	P	P	P	P	P	P	P
Recreation Facilities, Indoor	—	P	—	—	—	P	P	P	P	P	P	P	P	P	—	—
Recreation Facilities, Outdoor	P	P	P	P	P	P	P	P	P	P	P	P	P	SUP/CD	P	P
Theater, Movie	—	—	—	—	—	—	—	P	P	P	—	—	—	P	—	—
Theater, Live Performance	—	—	—	—	—	—	P	P	P	P	—	—	P	P	—	P

	T1	T2	T3	T4	T5	T6	Assigned Districts						Planned Development			
BASE DISTRICT	OSP	RR	GR	UR	HR	RMX	NMX	CMX	DMX	HB	LI	HI	HS	CI	MHD	TND
Manufacturing / Wholesale / Storage																
Agriculture	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Laundry, dry cleaning plant	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—
Manufacturing, Light	—	—	—	—	—	—	—	P	P	P	P	P	—	—	—	—
Manufacturing, Neighborhood	—	—	—	—	—	PS	P	P	P	P	P	P	—	—	—	P
Manufacturing, Heavy	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—
Media production	—	—	—	—	—	—	—	P	P	P	P	P	P	—	—	—
Metal products fabrication, machine or welding shop	—	—	—	—	—	—	—	P	P	P	P	P	—	—	—	—
Mini-Warehouse	—	—	—	—	—	—	—	P	—	P	P	P	—	—	—	—
Research and development	—	—	—	—	—	—	—	SUP/CD	SUP/CD	P	P	P	P	—	—	P
Storage: Outdoor Storage Yard as a primary use	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—	—
Storage: Warehouse/Indoor Storage	—	—	—	—	—	—	—	PS	PS	P	P	P	—	—	—	—
Wholesaling and distribution	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—
Civic / Institutional																
Campground	PS	PS	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Cemetery	P	PS	—	—	—	PS	PS	P	P	P	P	P	P	—	P	P
College/University	—	—	—	—	—	SUP/CD	SUP/CD	SUP/CD	SUP/CD	—	—	—	—	P	—	—
Hospital	—	—	—	—	—	SUP/CD	SUP/CD	SUP/CD	SUP/CD	—	—	—	P	P	—	—
Public Safety Station	—	SUP/CD	SUP/CD	SUP/CD	SUP/CD	PS	PS	P	P	P	P	P	P	SUP/CD	P	P
Religious Institution	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
School: Elem. & Secondary	—	P	P	P	P	P	P	P	P	—	—	—	—	P	—	P
School: Vocational/Technical	—	—	—	—	—	P	P	P	P	P	P	P	P	P	P	P
Transportation / Infrastructure																
Air Transportation	—	SUP/CD	—	—	—	—	—	—	—	—	P	P	—	—	—	—
Parking Lot (primary use)	—	—	—	—	—	P	P	P	P	P	P	P	P	—	—	—
Parking Structure (primary use)	—	—	—	—	—	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	—	—	SUP/CD
Road/Rail Transit - Passenger	—	—	—	—	—	P	P	P	P	P	P	P	P	—	P	P
Road/Rail Freight/Courier/Trucking	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—
Utilities-Class 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities-Class 2	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	P	P	P	P	P	P	P	P	P	SUP/CD
Utilities-Class 3	—	SUP/CD	—	—	—	—	—	SUP/CD	—	SUP/CD	P	P	—	—	—	—
Wireless Telecomm Facility: Stealth	—	—	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Wireless Telecomm Facility: Tower	—	—	—	—	—	—	—	SUP/CD	SUP/CD	SUP/CD	PS	PS	SUP/CD	SUP/CD	—	—

Vision 2020 Policies

- **The Vision 2020 Comprehensive Plan policies do not specifically address a rezoning of this nature, however staff finds that the map amendment would not be inconsistent with the 2020 Comprehensive Plan.**



Planning Board Courtesy Hearing was held May 24, 2022.

Planning Board voted unanimously to recommend approval as submitted with a motion stating the map amendment is “consistent with the Vision 2020 Comprehensive Plan.”



**Salisbury City Council
Statement of Consistency & Zoning Recommendation**

DISTRICT MAP AMENDMENT: **Z-05-2022**
Project Title: **Z-05-2022 Majolica Road**
Petitioner(s): Tar Heel Legacy, LLC
Owner(s): Tamra Donlin
Representative(s) or Developer(s) Mark Carpenter
Tax Map Parcel(s): 451 227
Size / Scope: Approximately 33.22 acres encompassing one (1) parcel.
Location: Located on the 900 block of Majolica Road, south of Everwood Lane.

REQUEST:

**Request to amend the Land Development District Map
by rezoning one (1) parcel at 0 Majolica Road (PID 451 227) from Rowan County zoning Rural
Agriculture (RA) to City of Salisbury zoning General Residential (GR3) upon voluntary annexation into
the City.**

STATEMENT OF CONSISTENCY & RECOMMENDATION:

The Salisbury City Council held a public hearing and reviewed the petition on August 2, 2022. The Council finds that the rezoning petition of the aforementioned parcel is CONSISTENT with the Salisbury Vision 2020 Comprehensive Plan, is reasonable, and in the public interest as no policies from the Comprehensive Plan have been found to be in conflict with the rezoning petition.

AN ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, REZONING TAX MAP 451 PARCEL 227 FROM ROWAN COUNTY ZONING RURAL AGRICULTURE (RA) TO CITY OF SALISBURY ZONING GENERAL RESIDENTIAL (GR3) APPROXIMATELY 33.22 ACRES UPON ANNEXATION. (PETITION NO. Z-05-2022)

WHEREAS, a petition to rezone the property described herein was properly filed by the City of Salisbury; and

WHEREAS, the Salisbury Planning Board, an advisory board to the Salisbury City Council, reviewed the rezoning petition on May 24, 2022, unanimously voted to recommend approval as submitted, and stated that the request is consistent with the Vision 2020 Comprehensive Plan; and

WHEREAS, the City Council held a properly-noticed public hearing at the regularly-scheduled City Council meeting on August 2, 2022; and

WHEREAS, the City Council hereby finds and determines that adoption of an Ordinance to rezone the property described herein, as requested, is consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan due to the proposed petition, site characteristics, surrounding development pattern, and observations provided by city planning staff, identifying the policies that support the petition.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina:

SECTION 1. That properties identified in the City of Salisbury and Rowan County as Tax Map 451 Parcel 227 including those abutting rights-of-way and reaching to the respective centerlines, as designated on the official property identification maps of Rowan County, is hereby rezoned to 'GR3' district upon annexation.

SECTION 2. That all Ordinances, or parts of Ordinances, in conflict with this Ordinance are hereby repealed to the extent of such conflict;

SECTION 3. That this Ordinance shall be effective from and after its passage.

Notice to Interested Parties of a
Zoning Petition Virtual Community Meeting
(Mailed May 16, 2022)

Subject: Zoning Petition Z-05-2022
Petitioner/Developer: Tar Heel Legacy, LLC
Current Land Use: Undeveloped
Existing Zoning: RA
Rezoning Requested: GR-3
Parcel Numbers: 451-227

Virtual Presentation will be online: May 26, 2022 at 6:00 pm

Access Virtual Teams Presentation: Email request to:

mark.carpenter@chlandcompany.com

Summary of Request

Tar Heel Legacy, LLC (the "Petitioner") is the petitioner pursuant to a Zoning Petition that has been filed with the City of Salisbury seeking to change the zoning associated with an approximately 31.96-acre site (the "Site") located on Majolica Road (Parcel ID 451227). The proposed zoning will be GR-3 after the parcel is annexed from the County into the City of Salisbury.

Representatives of the Petitioner will conduct a virtual presentation on this Rezoning Petition for the purpose of explaining this rezoning proposal and answering any questions. Rowan County Tax records indicate that you are a party required to be notified of the Rezoning Petition either because you live near the site or own property near the site.

In accordance with the requirements of the City of Salisbury allowing community meetings to be held virtually, the meeting will be held virtually online accessible from any computer or smart phone.

Join online Teams Meeting:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZThlMzdlYmYtYTlIOS00Y2FILTk4ZjQfYmU1NTBmYzMxNTJh%40thread.v2/0?cont ext=%7b%22Tid%22%3a%227e9cab7a-acd6-4977-8c8c-7070c2470b16%22%2c%22Oid%22%3a%2220a20ea1-6238-48be-ae8f-6c19d7a426d8%22%7d

All interested residents who would like a copy of the above link emailed to them or expect they will be unable to access the website presentation and discussion or would like to request hard copies are asked to email mark.carpenter@chlandcompany.com or call (704) 562-2988. Please put "Majolica Rezoning Information" in the subject line to make alternative arrangements for receiving a hard copy of the presentation information.

Respectfully,


Mark E. Carpenter
Principal

cc: victoria.bailiff@salisburync.gov
acoleman@v3co.com

PARCEL_ID	OWNNAME	OWN2	TAXADD1	CITY	STATE	ZIPCODE
451 167	DWV REAL PROPERTY LLC		20729 RIO ORO DR	CORNELIUS	NC	28031-6709
451 066	SCHENK SUE		2135 SHERRILLS FORD RD	SALISBURY	NC	28147
451 057	FREEMAN CHARLES KEITH &WF	FREEMAN PATSY L	845 MAJOLICA RD	SALISBURY	NC	28147-8014
451 053	COCHRAN CAROLYN S	BRAGG ALAN E	1120 MAJOLICA RD	SALISBURY	NC	28147
451 060	MASIELLO JOSEPH A &WF	MASIELLO KYLE L	960 MAJOLICA RD	SALISBURY	NC	28147
451 227	PIKE TAMRA MCCALL	PRICE CINDY G	838 MCGREGOR CT	CONCORD	NC	28025
451 068	SCHENK GLENN N &WF	SCHENK PATRICIA M	1820 POWELL RD	WOODLEAF	NC	27054-9656
451 044	BRITT RONELLE H		165 IDLEWHEEL DR	SALISBURY	NC	28147
451 058	CHILDERS MARK A &WF	CHILDERS JULIE M	10670 UNITY CHURCH RD	MOORESVILLE	NC	28115-7370
451 168	DWV REAL PROPERTY LLC		20729 RIO ORO DR	CORNELIUS	NC	28031-6709
451 234	LUDWICK WILLIAM D &WF	LUDWICK SHIRLEY D	1085 MAJOLICA RD	SALISBURY	NC	28147
451 238	WESTBROOK CARL SUTTON &WF	WESTBROOK SUMMER BROWN	617 DAUGHETY RD	KINSTON	NC	28501
451 001	KEPLEY BRYCE M		118 GREENLAND DR	YORKTOWN	VA	23693
451 022	HASSIG CHRISTIAN A & SPOUSE	HASSIG SOCHENDA H	13582 LAVENDER WAY	SAN DIEGO	CA	92130-5652
451 166	DWV REAL PROPERTY LLC		20729 RIO ORO DR	CORNELIUS	NC	28031-6709



NOTICE OF PUBLIC HEARING

Salisbury City Council will hold a public hearing Tuesday, August 2, 2022 during its 3:00 p.m. meeting to consider the following general rezoning petition. The regularly scheduled August 2, 2022 City Council meeting will be held in a hybrid format. Anyone who wishes to speak virtually during the hearing regarding the request must sign-up by 2:00 p.m. on Tuesday, August 2, 2022 by contacting Kelly Baker at kbake@salisburync.gov or 704-638-5233. Information on accessing the meeting will be available on the City's website at www.salisburync.gov. The meeting can also be viewed on the City's livestream at www.salisburync.gov/webcast or the City's Facebook account.

DISTRICT MAP AMENDMENT: Z-05-2022

Project Title:	Majolica Road
Petitioner(s):	Tar Heel Legacy, LLC
Owner(s):	Tamra Donlin
Representative(s) or Developer(s)	Mark Carpenter
Address:	0 Majolica Road
Tax Map - Parcel(s):	Tax Map: 451 Parcel(s): 227
Size / Scope:	Approximately 33.22 acres
Location:	Located on the 900 block of Majolica Road, south of Everwood Lane.

REQUEST:

Request to amend the Land Development Ordinance & Land Development District Map by rezoning approximately 33.22 acres located on Majolica Road from Rowan County zoning Rural Agriculture (RA) to City of Salisbury zoning General Residential (GR3) upon voluntary annexation.

A copy of the above petition is available for public review at Development Services (132 North Main Street). Anyone wishing a copy, or additional information, should call 704-638-5208. Written comments may be submitted by mailing a letter to the City Clerk, P.O. Box 479, Salisbury, NC 28145 or by e-mail to kbake@salisburync.gov. Written correspondence received before the meeting will be forwarded to the City Council.

Citizens interested in the proposal are invited to attend and participate in the courtesy hearing. Changes may be made in the above proposal as a result of debate, objection, or discussion.

This the 18th day of July, 2022.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

BY: Kelly Baker
Administrative Services Director/City Clerk

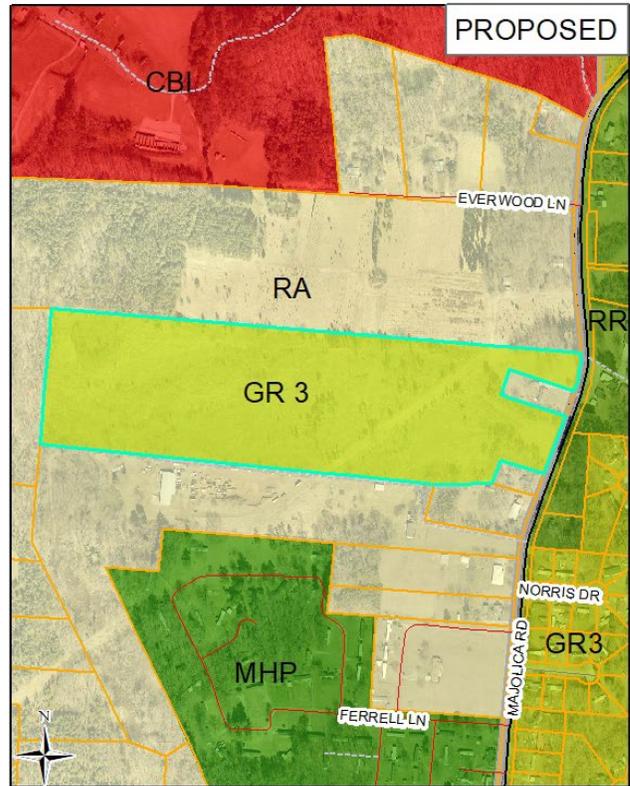
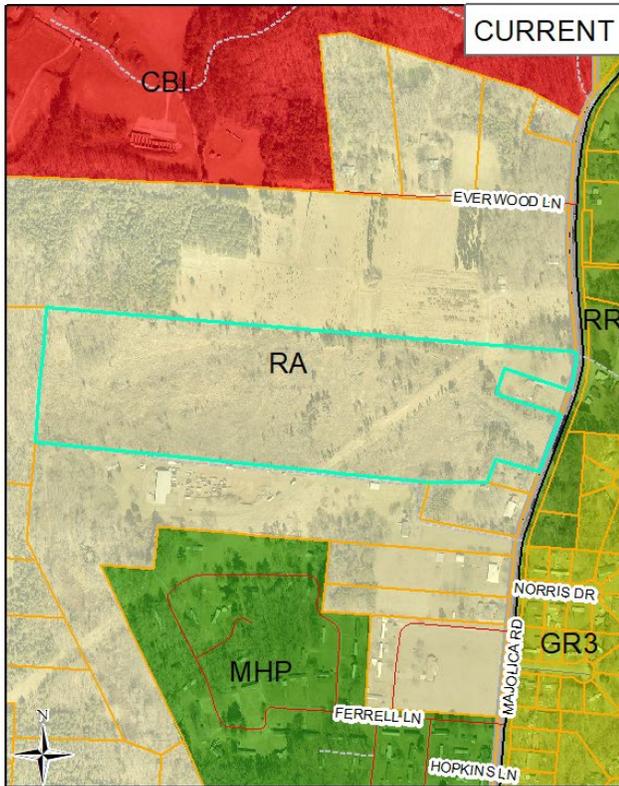
Z-05-2022: MAJOLICA ROAD



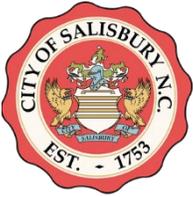
Parcel : 451 227

Current Zoning: Rowan County Zoning District RA

Proposed Zoning: City of Salisbury Zoning District GR3



PARCEL_ID	OWNNAME	OWN2	TAXADD1	CITY	STATE	ZIPCODE
451 167	DWV REAL PROPERTY LLC		20729 RIO ORO DR	CORNELIUS	NC	28031-6709
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451 227	PIKE TAMRA MCCALL	PRICE CINDY G	838 MCGREGOR CT	CONCORD	NC	28025
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451 166	DWV REAL PROPERTY LLC		20729 RIO ORO DR	CORNELIUS	NC	28031-6709



NOTICE OF PUBLIC HEARING

Salisbury City Council will hold a public hearing Tuesday, August 2, 2022 during its 3:00 p.m. meeting to consider the following general rezoning petition. The regularly scheduled August 2, 2022 City Council meeting will be held in a hybrid format. Anyone who wishes to speak virtually during the hearing regarding the request must sign-up by 2:00 p.m. on Tuesday, August 2, 2022 by contacting Kelly Baker at kbake@salisburync.gov or 704-638-5233. Information on accessing the meeting will be available on the City's website at www.salisburync.gov. The meeting can also be viewed on the City's livestream at www.salisburync.gov/webcast or the City's Facebook account.

DISTRICT MAP AMENDMENT: **Z-05-2022**
Project Title: Majolica Road
Petitioner(s): Tar Heel Legacy, LLC
Owner(s): Tamra Donlin
Representative(s) or Developer(s) Mark Carpenter
Address: 0 Majolica Road
Tax Map - Parcel(s): Tax Map: 451 Parcel(s): 227
Size / Scope: Approximately 33.22 acres
Location: Located on the 900 block of Majolica Road, south of Everwood Lane.

REQUEST:

Request to amend the Land Development Ordinance and Land Development District Map by rezoning approximately 33.22 acres located on Majolica Road from Rowan County zoning Rural Agriculture (RA) to City of Salisbury zoning General Residential (GR3) upon voluntary annexation.

A copy of the above petition is available for public review at Development Services (132 North Main Street). Persons wishing a copy, or additional information, should call 704-638-5208. If persons would like to respond in writing, they may do so by mailing a letter to the City Clerk, P.O. Box 479, Salisbury, NC 28145 or by e-mail to kbake@salisburync.gov. Written correspondence received before the meeting will be forwarded to the City Council.

Citizens interested in the proposal are invited to attend and participate in the courtesy hearing. Changes may be made in the above proposal as a result of debate, objection, or discussion.

This the 15th day of July 2022.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

BY: Kelly Baker, MMC
 Administrative Services Director/City Clerk



The Salisbury Planning Board held its regular meeting on Tuesday, May 24th, 2022, at 4:00 p.m. with the following being present:

GUESTS: Mark Carpenter, Sansone Group, Jayne Land, and Brian Straley

PRESENT: Yvonne Dixon, Tim Norris, Jon Post; P.J. Ricks, John Schaffer, Chair, and Esther Smith

STAFF: Victoria Bailiff, Teresa Barringer, Sheighla Temple

WELCOME GUESTS AND VISITORS

John Schaffer, Chair, called the Planning Board meeting to order at 4:05 p.m. on 5/24/2022.

APPROVAL OF MINUTES

Planning Board Minutes of May 10th, 2022 were approved as written by Members present.

NEW BUSINESS

COURTESY HEARING: LDTOA-02-2022 Chapter 4

Presenter: Teresa Barringer

Request

Staff is requesting a text amendment for LDO Chapter 4, Section 9B, to clarify circumstances in which the sidewalk payment in lieu program may be considered.

Staff Presentation

Teresa Barringer made a presentation. She clarified the meaning of an infill lot being a lot with at least 50% of development along its perimeter.

Applicable Policy

Vision 2020

Discussion

In response to questions from the Board, Ms. Barringer explained that authority belongs to TRC or City Council, depending on the plan type. She also clarified the difference between “impending road widening” and “immediate future transportation,” and the reason for using both terms in the ordinance.

Deliberation

None

Public Comment

None

Motion

Yvonne Dixon made a motion to approve the text amendment consistent with Vision 2020. Esther Smith seconded the motion.

All members present voted AYE (6-0).

ROLL CALL: Yvonne Dixon (AYE), Tim Norris (AYE), Jon Post (AYE), P.J. Ricks (AYE), John Schaffer (AYE), Esther Smith (AYE).

Jayne Land joined the meeting at 4:13 pm.

**Z-05-2022 Majolica Road; 0 Majolica Road; PID: 451 227; Current Zoning: RA (County); Proposed Zoning: GR3
Presenter: Victoria bailiff**

Request

Tar Heel Legacy, LLC requested to rezone (1) parcel from Rural Agriculture (RA), County Zoning, to City General Residential (GR-3).

Staff Presentation

Victoria Bailiff made a staff presentation. Public concerns regarding property value, and farm access and use were received by Staff. She clarified for the Board that if a property is not within City limits or the ETJ, it will need to be voluntarily annexed in order to receive services. When this case goes to City Council, they will decide on the annexation before the rezoning request.

Ms. Bailiff explained that while there is no specific policy addressing this request in the Comprehensive Plan, it is consistent with it.

Applicant Testimony

Mark Carpenter testified that the only concern they have received is from the owner of an adjacent property regarding his concern for his ability to access and make full use of his farmland when a development is built. Mr. Carpenter assured him they would be a good neighbor, and not hinder his land use. They've not received any other contact with concerns. The Applicant plans to build single-family homes on the property.

Ms. Bailiff responded to a question regarding the cutout in the property line. She said the owner wants to remain in Rowan County jurisdiction, and that they had called the City with a concern regarding development. The owner may be on County water, but would have a septic system; if they wanted to use City sewer/water, they would need to request annexation.

In response to questions from the Board regarding the prevalence of split zones in the area, Ms. Barringer responded that as these properties come up for the voluntary annexation addressed previously by City Council, the pre-existing zones will be cleaned up, and zoned appropriately.

Public Comment

None.

Motion

Jon Post made a motion to approve the request as consistent with Vision 2020, Yvonne Dixon seconded the motion.

All members present voted AYE (7-0).

ROLL CALL: Yvonne Dixon (AYE), Jayne Land (AYE), Tim Norris (AYE), Jon Post (AYE), P.J. Ricks (AYE), John Schaffer (AYE), Esther Smith (AYE).

**Z-06-2022 Peach Orchard; 735 Peach Orchard Road; PID: 407A112, 407A113, 407A099;
Current Zoning: 85-ED-3 (County), RR; Proposed Zoning: LI
Presenter: Victoria Bailiff**

Request

Sansone Group requested to rezone (3) parcels from I-85 Economic Development Corporate Park District (85-ED-3) and Rural Residential (RR), County Zoning, to City Light Industrial (LI).

Staff Presentation

Victoria Bailiff made a staff presentation. The City received no feedback from adjacent property owners.

Applicant Testimony

Brian Straley testified that he had nothing further to add, and that he was following the Vision 2020 Comprehensive Plan.

Public Comment

None.

Deliberation

Mr. Shaffer commented that there is a trend toward industry in this area. There were no questions or comments from the Board.

Motion

Jayne Land made a motion to approve the request, Tim Norris seconded the motion.

All members present voted AYE (7-0).

ROLL CALL: Yvonne Dixon (AYE), Jayne Land (AYE), Tim Norris (AYE), Jon Post (AYE), P.J. Ricks (AYE), John Schaffer (AYE), Esther Smith (AYE).

OTHER BUSINESS

Ms. Barringer thanked the Board for their flexibility in accommodating City Council’s meeting, and said they should be able to resume in-person for the next meeting. She also announced that Sheighla Temple will be leaving the City on June 10, 2022 for an opportunity in Charlotte.

Ms. Dixon thanked Ms. Barringer for her timely communication.

ADJOURN 4:43 p.m.

John Schaffer, Chair

Sheighla Temple, Secretary

DRAFT

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: 08/02/2022

Name of Group(s) or Individual(s) Making Request: Community Planning Services

Name of Presenter(s): Victoria Bailiff, Senior Planner

Requested Agenda Item: Z-08-2022 – 985 Peeler Road / Parcel ID 408 024, 408 089

Description of Requested Agenda Item: Z-08-2022 Request to rezone two (2) parcels located west of I-85, along the 900 block of Peeler Road, (PID 408 024, 408 089) being approximately 8.87 acres, from Rowan County zoning Commercial Business Industrial (CBI) to City of Salisbury zoning Highway Business (HB).

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*
Council to consider adopting an ordinance to rezone the subject parcels as requested.

Contact Information for Group or Individual: Victoria Bailiff, victoria.bailiff@salisburync.gov, 704-638-5212

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Salisbury City Council Agenda Item Request Form



Approved

Delayed

Declined

Reason:



City of Salisbury
 Development Services
 132 North Main Street
 Salisbury, NC 28144
 E: 1stop@salisburync.gov
 Ph. 704.638.5208

REZONING PETITION

SHADED AREAS FOR STAFF USE ONLY

FILING DATE

CASE #

PLAN REVIEW CASE # (IF APPLICABLE): _____

ZONING MAP AMENDMENT:

GENERAL REZONING

\$ 800

* FEES PER CITY OF SALISBURY BUDGET ORDINANCE

PETITION TYPE

- General Rezoning (LDO Sec. 15.22)
- Petition involves entire parcel(s) as shown on the Rowan County tax map
- Petition involves a portion of a parcel(s) as shown on the Rowan County tax map
- Petitioner is the property owner of record
- Petitioner is an entity requesting a 3rd-party rezoning
- City-initiated rezoning

EXISTING DISTRICT(S): None

PROPOSED DISTRICT(S): HB

REASON AND/OR DEVELOPMENT PROPOSAL FOR THE REZONING REQUEST:

PROPERTY & CONTACT INFORMATION

Rowan County Parcel ID(s): 408 024, 408 089

Address or Site Location: 985 Peeler Rd

Subdivision: _____ Lot(s): _____

Petitioner: City of Salisbury Representative: Victoria Bailiff

Address: 132 N Main St

Email: victoria.bailiff@salisburync.gov Best Phone: 704-638-5212

Owner(s) (if different than petitioner): PFJ Southeast LLC

Address: PO BOX 54710, Lexington, KY 40555

Email: _____ Daytime Phone: _____

SIGNATURE

By signing this petition you understand that this petition will be forwarded to the Planning Board (a City Council-appointed board) who may hear statements from staff, the petitioner, and general public, and will then vote to make a Statement of Consistency and recommendation to City Council. The petition will then be forwarded to City Council who will conduct the official public hearing before casting a deciding vote.

Petitioner (or representative): *Bailiff*

Owner(s) Signature(s): _____

DEPARTMENT USE ONLY

INITIAL PLANNING BOARD DATE: ____ / ____ / 20____

• IF SENT TO LEGISLATIVE COMMITTEE

- ASSIGNED LEGISLATIVE COMMITTEE: _____
- LEGISLATIVE COMMITTEE MEMBERS: _____

- DATE OF INITIAL COMMITTEE MEETING: ____ / ____ / 20____
- DATE OF ADDITIONAL MEETINGS: ____ / ____ / 20____
____ / ____ / 20____

- COMMITTEE RECOMMENDATION? _____

• PLANNING BOARD STATEMENT OF CONSISTENCY & RECOMMENDATION:

-
- DATE OF RECOMMENDATION: ____ / ____ / 20____
 - VOTE: (_____)
 - ADDITIONAL INFORMATION FOR FILE:

INITIAL CITY COUNCIL DATE: ____ / ____ / 20____

• IF SENT TO COUNCIL COMMITTEE

- COUNCIL COMMITTEE MEMBERS: _____

- DATE OF INITIAL COMMITTEE MEETING: ____ / ____ / 20____
- DATE OF ADDITIONAL MEETINGS: ____ / ____ / 20____
____ / ____ / 20____

- COMMITTEE RECOMMENDATION? _____

• CITY COUNCIL STATEMENT OF CONSISTENCY & REASONABLENESS:

• DECISION: _____

- DATE OF DECISION: ____ / ____ / 20____
- VOTE: (_____)
- ADDITIONAL INFORMATION FOR FILE:



Planning & Zoning Analysis

CASE NO.	Z-08-2022
Petitioner(s)	City of Salisbury
Owner(s)	PFJ Southeast LLC
Representative(s)	Victoria Bailiff
Address	985 Peeler Road
Tax Map & Parcel(s)	408 024, 408 089
Size / Scope	Approximately 8.87 acres combined
Location	Located west of I-85, along the 900 block of Peeler Road.

PETITIONER REQUEST

Request:	This is a City initiated rezoning petition to amend the Land Development Ordinance district map by rezoning two (2) parcels, being approximately 8.87 acres in total, from Rowan County zoning Commercial Business Industrial (CBI) to City of Salisbury zoning Highway Business (HB).
Staff Comments:	The parcel has already been annexed into the City of Salisbury and this petition is to assign the two parcels an appropriate City of Salisbury zoning district.
Uses:	This proposal is for general zoning purposes only. This request is not a conditional district zoning request; therefore, all uses of the requested HB zoning will be permitted per the existing Use Matrix.



Planning & Zoning Analysis

CHARACTER OF AREA

Overview:

The parcels identified in this petition currently accommodate a gas station with truck parking and a fast food restaurant.

Existing uses in the vicinity include residential and industrial. This rezoning will have little effect on surrounding properties, as the parcels have already been developed and much of the surrounding land is either vacant or right of way. The previous Rowan County zoning district is also very similar to the City of Salisbury Highway Business district.

Surrounding Land Use(s) & Zoning:

<i>Location</i>	<i>Existing Land Uses</i>	<i>Existing Zoning</i>
North of area	Undeveloped	Rowan County (CBI, RR)
East of area	Undeveloped	Rowan County (CBI, 85-ED-3)
South of area	I-85 Right of way	Rowan County (CBI)
West of area	Residential, undeveloped	Rowan County (RR, 85-ED-2)



Planning & Zoning Analysis

INFRASTRUCTURE & CIVIC/COMMUNITY FACILITIES

Public Schools:

Elementary: Elizabeth Koontz
Middle: Southeast Middle
High: Jesse Carson High

Fire District:

The parcels are currently within the City of Salisbury Fire District.

Utilities

Water & Sewer:

The properties are currently on public sewer and private well water, however, a public water line is currently being constructed which will extend down from Chuck Taylor Lane to service the property.

Transportation

Transit:

This site is not currently served by Salisbury Public Transit. The nearest transit route is in the 1400 block of Klumac Road.

Property Access(s):

The parcels have access on Peeler Road and Furniture Drive; these access points will not be affected by rezoning the site.

Public Improvements:

Peeler Road is maintained by the NCDOT.

ENVIRONMENT

Topography / Hydrology:

The property is relatively flat and has very little vegetation as it has already been developed.

Flood Hazard / Streams / Wetlands:

This site is not affected by a USGS blue line stream.



Planning & Zoning Analysis

COMPREHENSIVE & AREA PLANS

Applicable Plans:

Vision 2020 Comprehensive Plan

While there are no policies from the Comprehensive Plan which specifically address a map amendment of this nature, staff recommends approval of Z-08-2022, upon determining that the request is not inconsistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan.

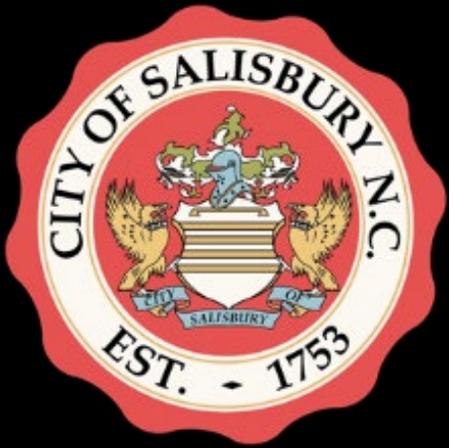


Planning & Zoning Analysis

PLAN REVIEW

Planning Board Recommendation:

This proposal was presented to Planning Board at their courtesy hearing on July 12, 2022. After deliberation, the Planning Board unanimously recommended approval, stating proposal is consistent with the Vision 2020 Comprehensive Plan as submitted.



PETITION TO REZONE

Z-08-2022

CURRENT ZONING: Commercial Business Industrial (CBI)

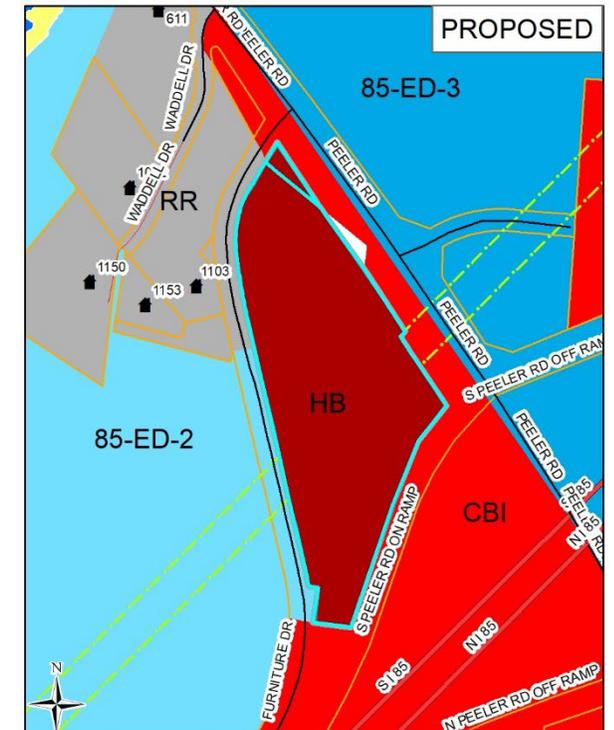
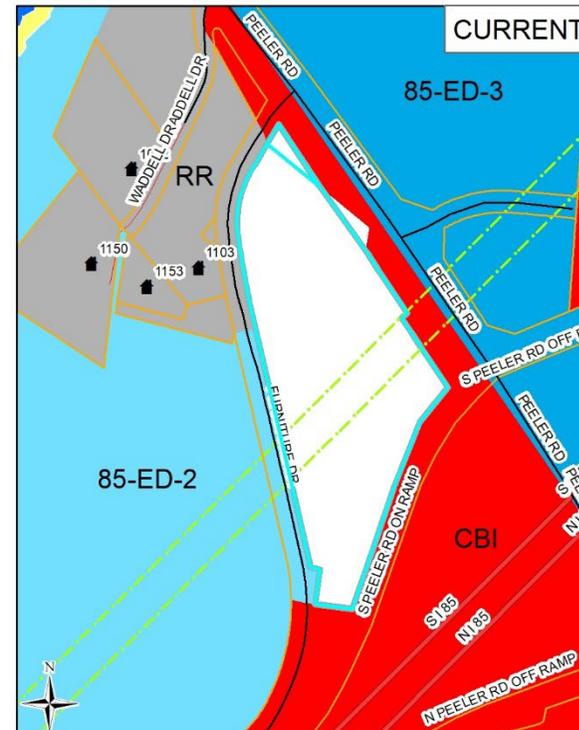
PROPOSED ZONING: Highway Business (HB)

Z-08-2022: 985 PEELER RD

Parcels : 408 024, 408 089
Previous Zoning: Rowan County Zoning District CBI
Proposed Zoning: City of Salisbury Zoning District HB



0 250 500 Feet





RR

IND

RR

Z-08-2022

CBI

Salisbury City

85-ED-2

85-ED-3

CBI

RA-AO

1092

1150

1153

1103

WADDELL DR

WADDELL DR

FURNITURE DR

PEELER RD

PEELER RD

PEELER RD

S PEELER RD OFF RAMP

S165

PEELER RD

PEELER RD

PEELER RD

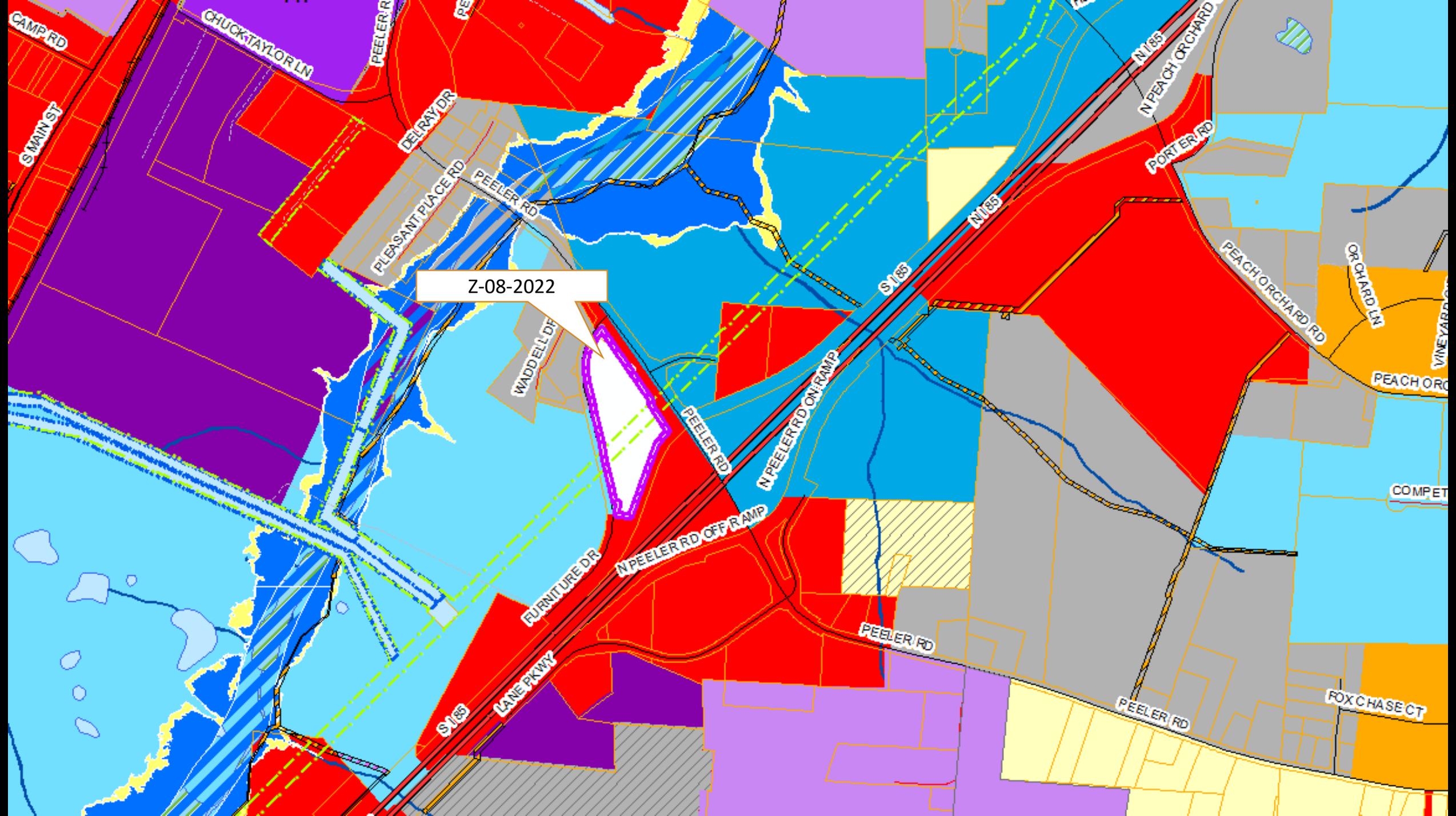
N PEELER RD ON RAMP

S165

N165

N PEELER RD OFF RAMP

PEELER RD



Z-08-2022

Wanda D. Williams, MED
Temporarily closed

Town Creek

Peeler Rd

Maddell Dr

Srv Rd/1-85

Peeler Rd

Bojangles

985 Peeler Rd,
Salisbury, NC 28147

Eller Diesel Truck
& Trailer Repair

601

85

85

Lane Pkwy

Peeler Rd

Love's Travel Stop

Town Creek

601

85

71

C. Use Matrix

P	Permitted	SUP	Special Use Permit required and subject to Additional Standards in Chapter 3
PS	Permitted subject to Additional Standards in Chapter 3	—	Not Permitted
PND	Permitted as new development only	CD	SUP is not required when proposed and adopted as part of a Conditional District

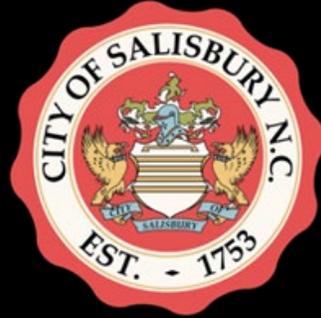
BASE DISTRICT	T1	T2	T3	T4		T5		T6	HB	Assigned Districts			Planned Development				
	OSP	RR	GR	UR	HR	RMX	NMX	CMX		DMX	LI	HI	HS	CI	MHD	TND	
Residential																	
Dwelling-Single Family	P	P	P	P	P	P	P	P	P	—	—	—	—	P	P	P	
Dwelling-Multifamily 4 units/bldg. or less	—	—	PND	P	PS	P	P	P	P	P	—	—	P	—	P	P	
Dwelling-Multifamily more than 4 units/bldg.	—	—	—	—	—	P	P	P	P	P	—	—	P	—	—	P	
Dwelling-Secondary	—	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	P	P	P	—	—	—	P	—	—	P	
Family Care Home (6 or less residents)	—	P	P	P	P	P	P	P	P	P	—	—	P	P	—	P	
Home Occupation	PS	PS	PS	PS	PS	PS	—	—	—	—	—	—	PS	PS	PS	PS	
Housing Service for the Elderly	—	—	PS	PS	—	P	P	P	P	P	—	—	P	P	—	P	
Live-Work Unit	—	—	—	—	—	PS	PS	PS	PS	—	—	—	PS	—	—	PS	
Manufactured Housing	—	PS	—	—	—	—	—	—	—	—	—	—	—	—	PS	—	
Lodging																	
Bed and Breakfast	—	P	P	P	P	P	P	P	P	P	—	—	P	—	—	P	
Hotel/Motel/Inn	—	—	—	—	—	—	—	P	P	P	—	—	P	—	—	P	
Rooming or Boarding House	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	P	
Office / Service																	
Animal Services	—	PS	—	PS	—	—	P	P	P	P	P	P	P	P	—	—	P
Banks, Credit Unions, Financial Services	—	—	—	—	—	P	P	P	P	P	—	—	P	—	—	P	
Business Support Services	—	—	—	—	—	P	P	P	P	P	P	P	P	—	—	P	
Child Care Home	PS	—	—	PS	PS	PS	PS										
Child Care Center in Residence	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	PS	PS	PS	PS	PS	—	—	PS	PS	PS	PS	
Commercial Child Care Center	—	—	—	—	—	SUP/CD	PS	PS	PS	PS	—	—	PS	PS	—	PS	
Community Service Organization	—	—	—	—	—	P	P	P	P	P	—	—	P	P	—	P	
Drive Thru Service	—	—	—	—	—	PS	PS	P	SUP/CD	P	—	—	—	—	—	SUP/CD	
Equipment Rental	—	—	—	—	—	—	—	P	PS	P	P	P	—	—	—	—	
Funeral Home	—	—	—	—	—	—	P	P	P	P	—	—	P	—	—	P	
Group Care Facility (More than 6 residents)	—	—	—	SUP/CD	—	PS	PS	PS	PS	PS	—	—	PS	PS	—	PS	
Government Services	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD										
Laundry Services	—	—	—	—	—	P	P	P	P	P	—	—	—	—	—	P	
Medical Clinic	—	—	—	—	—	P	P	P	P	P	—	—	P	SUP/CD	—	P	

	T1	T2	T3	T4	T5	T6	Assigned Districts						Planned Development			
BASE DISTRICT	OSP	RR	GR	UR	HR	RMX	NMX	CMX	DMX	HB	LI	HI	HS	CI	MHD	TND
Office / Service (cont.)																
Outdoor Kennels	—	P	—	—	—	—	—	P	—	P	—	—	—	—	—	—
Post Office	—	—	—	—	—	P	P	P	P	P	P	—	P	P	—	P
Professional Services	—	—	—	PND	—	P	P	P	P	P	P	P	P	—	—	P
Residential Treatment Facility	—	SUP/CD	—	—	—	SUP/CD	SUP/CD	P	—	P	—	—	—	—	—	SUP/CD
Studio: Art, dance, martial arts, music	—	—	—	—	—	P	P	P	P	P	—	—	P	SUP/CD	—	P
Vehicle Services: Minor Maintenance/Repair	—	—	—	—	—	—	P	P	P	P	P	P	—	—	—	—
Vehicle Services: Major Repair/Body Work	—	—	—	—	—	—	—	SUP/CD	PS	PS	P	P	—	—	—	—
Retail / Restaurant																
Alcoholic Beverage Sales Store	—	—	—	—	—	—	SUP/CD	P	P	P	—	—	SUP/CD	—	—	P
Auto Parts Sales	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	—
Bar/Tavern/Night Club	—	—	—	—	—	—	SUP/CD	SUP/CD	SUP/CD	SUP/CD	—	—	—	—	—	P
Drive-Thru Retail/Restaurant	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	P
Gas Station	—	—	—	—	—	—	PS	PS	PS	P	P	—	—	—	—	PS
General Retail: 3,500 sf or less	—	—	—	—	—	SUP/CD	PS	P	P	P	—	—	P	—	—	P
General Retail: 3,501 sf – 10,000 sf	—	—	—	—	—	SUP/CD	SUP/CD	P	P	P	—	—	P	—	—	P
General Retail: 10,001 sf – 50,000 sf	—	—	—	—	—	—	—	P	P	P	—	—	SUP/CD	—	—	P
General Retail: Greater than 50,000 sf	—	—	—	—	—	—	—	SUP/CD	SUP/CD	SUP/CD	—	—	—	—	—	SUP/CD
Restaurant	—	—	—	—	—	SUP/CD	P	P	P	P	—	—	P	—	—	P
Vehicle or Heavy Equipment Sales	—	—	—	—	—	—	—	P	PS	P	P	P	—	—	—	PS
Entertainment / Recreation																
Adult Establishment	—	—	—	—	—	—	—	—	—	PS	—	—	—	—	—	—
Amusements, Indoor	—	—	—	—	—	—	—	P	P	P	P	P	P	—	—	—
Amusements, Outdoor	—	—	—	—	—	—	—	P	P	P	P	P	—	—	—	—
Cultural or Community Facility	—	P	—	—	—	P	P	P	P	P	P	P	P	P	P	P
Internet/Electronic Gaming	—	—	—	—	—	—	—	—	—	PS	—	—	—	—	—	—
Meeting Facility	—	P	—	—	—	P	P	P	P	P	P	P	P	P	P	P
Recreation Facilities, Indoor	—	P	—	—	—	P	P	P	P	P	P	P	P	P	—	—
Recreation Facilities, Outdoor	P	P	P	P	P	P	P	P	P	P	P	P	P	SUP/CD	P	P
Theater, Movie	—	—	—	—	—	—	—	P	P	P	—	—	—	P	—	—
Theater, Live Performance	—	—	—	—	—	—	P	P	P	P	—	—	P	P	—	P

	T1	T2	T3		T4		T5	T6		Assigned Districts			Planned Development			
BASE DISTRICT	OSP	RR	GR	UR	HR	RMX	NMX	CMX	DMX	HB	LI	HI	HS	CI	MHD	TND
Manufacturing / Wholesale / Storage																
Agriculture	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Laundry, dry cleaning plant	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—
Manufacturing, Light	—	—	—	—	—	—	—	P	P	P	P	P	—	—	—	—
Manufacturing, Neighborhood	—	—	—	—	—	PS	P	P	P	P	P	P	—	—	—	P
Manufacturing, Heavy	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—
Media production	—	—	—	—	—	—	—	P	P	P	P	P	P	—	—	—
Metal products fabrication, machine or welding shop	—	—	—	—	—	—	—	P	P	P	P	P	—	—	—	—
Mini-Warehouse	—	—	—	—	—	—	—	P	—	P	P	P	—	—	—	—
Research and development	—	—	—	—	—	—	—	SUP/CD	SUP/CD	P	P	P	P	—	—	P
Storage: Outdoor Storage Yard as a primary use	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—	—
Storage: Warehouse/Indoor Storage	—	—	—	—	—	—	—	PS	PS	P	P	P	—	—	—	—
Wholesaling and distribution	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—
Civic / Institutional																
Campground	PS	PS	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Cemetery	P	PS	—	—	—	PS	PS	P	P	P	P	P	P	—	P	P
College/University	—	—	—	—	—	SUP/CD	SUP/CD	SUP/CD	SUP/CD	—	—	—	—	P	—	—
Hospital	—	—	—	—	—	SUP/CD	SUP/CD	SUP/CD	SUP/CD	—	—	—	P	P	—	—
Public Safety Station	—	SUP/CD	SUP/CD	SUP/CD	SUP/CD	PS	PS	P	P	P	P	P	P	SUP/CD	P	P
Religious Institution	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
School: Elem. & Secondary	—	P	P	P	P	P	P	P	P	—	—	—	—	P	—	P
School: Vocational/Technical	—	—	—	—	—	P	P	P	P	P	P	P	P	P	P	P
Transportation / Infrastructure																
Air Transportation	—	SUP/CD	—	—	—	—	—	—	—	—	—	P	P	—	—	—
Parking Lot (primary use)	—	—	—	—	—	P	P	P	P	P	P	P	P	—	—	—
Parking Structure (primary use)	—	—	—	—	—	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	—	—	SUP/CD
Road/Rail Transit - Passenger	—	—	—	—	—	P	P	P	P	P	P	P	P	—	P	P
Road/Rail Freight/Courier/Trucking	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—
Utilities-Class 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities-Class 2	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	SUP/CD	P	P	P	P	P	P	P	P	P	SUP/CD
Utilities-Class 3	—	SUP/CD	—	—	—	—	—	SUP/CD	—	SUP/CD	P	P	—	—	—	—
Wireless Telecomm Facility: Stealth	—	—	PS	PS	PS	PS	PS	PS	PS							
Wireless Telecomm Facility: Tower	—	—	—	—	—	—	—	SUP/CD	SUP/CD	SUP/CD	PS	PS	SUP/CD	SUP/CD	—	—

Vision 2020 Policies

- **While there are no policies from the Comprehensive Plan which specifically address a map amendment of this nature, staff recommends approval of Z-08-2022, upon determining that the request is not inconsistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan.**



Planning Board Courtesy Hearing was held July 12, 2022.

Planning Board voted unanimously to recommend approval as submitted with a motion stating the map amendment is “consistent with the Vision 2020 Comprehensive Plan.”



**Salisbury City Council
Statement of Consistency & Zoning Recommendation**

<u>DISTRICT MAP AMENDMENT:</u>	<u>Z-08-2022</u>
Project Title:	Z-08-2022 985 Peeler Road
Petitioner(s):	City of Salisbury
Owner(s):	PFJ Southeast LLC
Representative(s) or Developer(s)	Victoria Bailiff
Tax Map Parcel(s):	408 024, 408 089
Size / Scope:	Approximately 8.87 acres encompassing two (2) parcels.
Location:	Located west of I-85, along the 900 block of Peeler Road.

REQUEST:

**Request to amend the Land Development District Map
by rezoning two (2) parcels at 985 Peeler Road (PID 408 024, 408 089) from Rowan County
zoning Commercial Business Industrial (CBI) to City of Salisbury zoning Highway
Business (HB).**

STATEMENT OF CONSISTENCY & RECOMMENDATION:

The Salisbury City Council held a public hearing and reviewed the petition on August 2, 2022. The Council finds that the rezoning petition of the aforementioned parcel is CONSISTENT with the Salisbury Vision 2020 Comprehensive Plan, is reasonable, and in the public interest as no policies from the Comprehensive Plan have been found to be in conflict with the rezoning petition.

AN ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, REZONING TAX MAP 408 PARCELS 024, 089 FROM ROWAN COUNTY ZONING COMMERCIAL BUSINESS INDUSTRIAL (CBI) TO CITY OF SALISBURY ZONING HIGHWAY BUSINESS (HB) APPROXIMATELY 8.87 ACRES. (PETITION NO. Z-08-2022)

WHEREAS, a petition to rezone the property described herein was properly filed by the City of Salisbury; and

WHEREAS, the Salisbury Planning Board, an advisory board to the Salisbury City Council, reviewed the rezoning petition on July 12, 2022, unanimously voted to recommend approval as submitted, and stated that the request is consistent with the Vision 2020 Comprehensive Plan; and

WHEREAS, the City Council held a properly-noticed public hearing at the regularly-scheduled City Council meeting on August 2, 2022; and

WHEREAS, the City Council hereby finds and determines that adoption of an Ordinance to rezone the property described herein, as requested, is consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan due to the proposed petition, site characteristics, surrounding development pattern, and observations provided by city planning staff, identifying the policies that support the petition.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina:

SECTION 1. That properties identified in the City of Salisbury and Rowan County as Tax Map 408 Parcels 024, 089 including those abutting rights-of-way and reaching to the respective centerlines, as designated on the official property identification maps of Rowan County, are hereby rezoned to 'HB' district.

SECTION 2. That all Ordinances, or parts of Ordinances, in conflict with this Ordinance are hereby repealed to the extent of such conflict;

SECTION 3. That this Ordinance shall be effective from and after its passage.



REQUEST TO REZONE PROPERTY

- WHO?** PFJ SOUTHEAST LLC (owner);
City of Salisbury (petitioner)
- WHAT?** **CASE #: Z-08-2022:** Adopt a zoning district for two (2) parcels (8.87 acres) previously annexed into the City of Salisbury. Staff is requesting the parcels be zoned to Highway Business (HB).
- WHERE?** **985 Peeler Road**, Located west of I-85, along the 900 block of Peeler Road. (Tax Map 408 Parcels 024, 089). See included map.
- WHEN?** A courtesy public hearing will be held by the Planning Board at **4 p.m. on Tuesday, July 12, 2022** at **217 South Main Street** (Salisbury City Hall).

Planning Board offers a recommendation to City Council. The City Council public hearing date is tentatively scheduled for August 2, 2022. Notices will be mailed to confirm.

Staff will also be holding a Virtual Neighborhood Meeting on July 7, 2022 at 9am to answer questions regarding the rezoning prior to the Public Hearing. Zoom login information for the Neighborhood meeting is below.

<https://us02web.zoom.us/j/85300221864?pwd=Owk6ejTR36p4HyfD1nOaEgZDyaAR-8.1>

Meeting ID: 853 0022 1864

Passcode: 003952

One tap mobile

+13017158592,,85300221864#,,,,*003952# US (Washington DC)

+13126266799,,85300221864#,,,,*003952# US (Chicago)

Staff Contact: Victoria Bailiff, Senior Planner
victoria.bailiff@salisburync.gov
704.638.5212

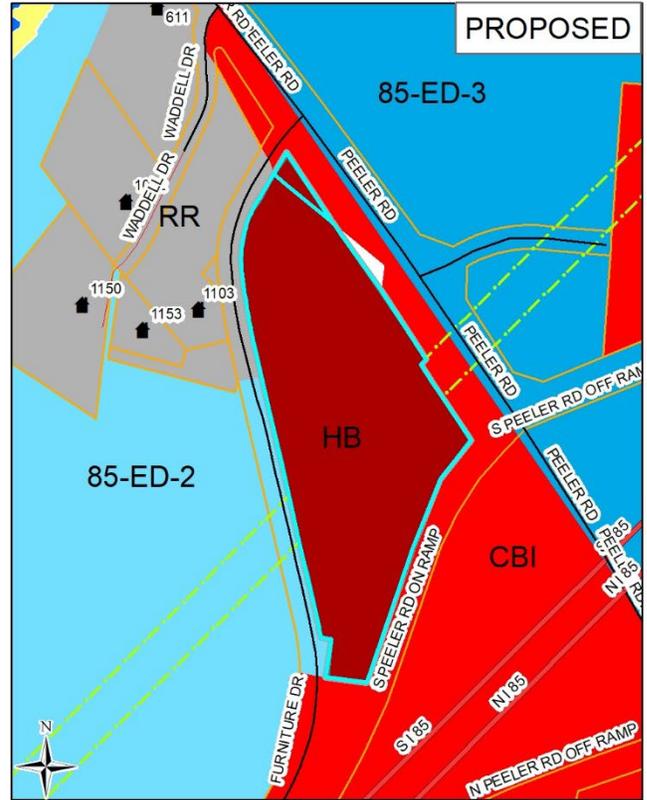
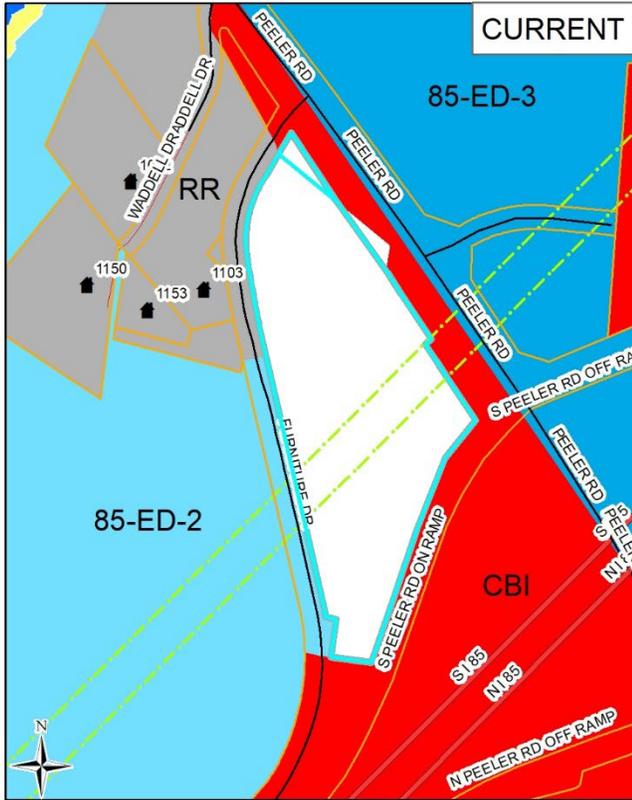
Z-08-2022: 985 PEELER RD



Parcels : 408 024, 408 089

Previous Zoning: Rowan County Zoning District CBI

Proposed Zoning: City of Salisbury Zoning District HB



OWNNAME	OWN2	TAXADD1	TAXADD2	CITY	STATE	ZIPCODE
PEELER H J HEIRS		1604 ERINDALE CT		MONROE	NC	28110-7722
PFJ SOUTHEAST LLC	% STORE 7983	PO BOX 54710		LEXINGTON	KY	40555-4710
BUTLER ROBERT R & WF	BUTLER BOBBIE	1092 WADDELL DR		SALISBURY	NC	28147-0000
HELMS GRACE MARLENE		1153 WADDELL DR	PO BOX 2573	SALISBURY	NC	28145
HELMS PHILLIP L & WF	HELMS NANCY C	550 HOMER CORRIHER RD		CHINA GROVE	NC	28023
SEVEN ISLANDS ENVIRONMENTAL SOLUTIO	C/O COX ENTERPRISE	6205 PEACHTREE DUNWOODY RD		ATLANTA	GA	30328

PARCEL_	OWNNAME	TAXADD1	TAXADD2	CITY	STATE	ZIPCODE
408 005	PEELER H J HEIRS	1604 ERINDALE CT		MONROE	NC	28110-7722
408 024	PFJ SOUTHEAST LLC	PO BOX 54710		LEXINGTON	KY	40555-4710
408 089	PFJ SOUTHEAST LLC	PO BOX 54710		LEXINGTON	KY	40555-4710
408 064	BUTLER ROBERT R &WF	1092 WADDELL DR		SALISBURY	NC	28147-0000
408 076	HELMS GRACE MARLENE	1153 WADDELL DR	PO BOX 2573	SALISBURY	NC	28145
408 029	HELMS PHILLIP L & WF	550 HOMER CORRIHER RD		CHINA GROVE	NC	28023
408 005	PEELER H J HEIRS	1604 ERINDALE CT		MONROE	NC	28110-7722
408 033	HELMS GRACE MARLENE	1153 WADDELL DR	PO BOX 2573	SALISBURY	NC	28145
408 019	SEVEN ISLANDS ENVIRONMENTAL	C/O COX ENTERPRISES INC	6205 PEACHTREE DUNWOODY RD	ATLANTA	GA	30328



NOTICE OF PUBLIC HEARING

Salisbury City Council will hold a public hearing Tuesday, August 2, 2022 during its 3:00 p.m. meeting to consider the following general rezoning petition. The regularly scheduled August 2, 2022 City Council meeting will be held in a hybrid format. Anyone who wishes to speak virtually during the hearing regarding the request must sign-up by 2:00 p.m. on Tuesday, August 2, 2022 by contacting Kelly Baker at kbake@salisburync.gov or 704-638-5233. Information on accessing the meeting will be available on the City's website at www.salisburync.gov. The meeting can also be viewed on the City's livestream at www.salisburync.gov/webcast or the City's Facebook account.

DISTRICT MAP AMENDMENT: Z-08-2022

Project Title:	985 Peeler Road
Petitioner(s):	City of Salisbury
Owner(s):	PFJ Southeast LLC
Representative(s) or Developer(s)	Victoria Bailiff
Address:	985 Peeler Road
Tax Map - Parcel(s):	Tax Map: 408 Parcels: 024, 089
Size / Scope:	Approximately 8.87 acres
Location:	Located west of I-85, along the 900 block of Peeler Road.

REQUEST:

Request to amend the Land Development Ordinance and Land Development District Map by rezoning approximately 8.87 acres located on Peeler Road from Rowan County zoning Commercial Business Industrial (CBI) to City of Salisbury zoning Highway Business (HB).

A copy of the above petition is available for public review at Development Services (132 North Main Street). Anyone wishing a copy, or additional information, should call 704-638-5208. Written comments may be submitted by mailing a letter to the City Clerk, P.O. Box 479, Salisbury, NC 28145 or by e-mail to kbake@salisburync.gov. Written correspondence received before the meeting will be forwarded to the City Council.

Citizens interested in the proposal are invited to attend and participate in the courtesy hearing. Changes may be made in the above proposal as a result of debate, objection, or discussion.

This the 18th day of July, 2022.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

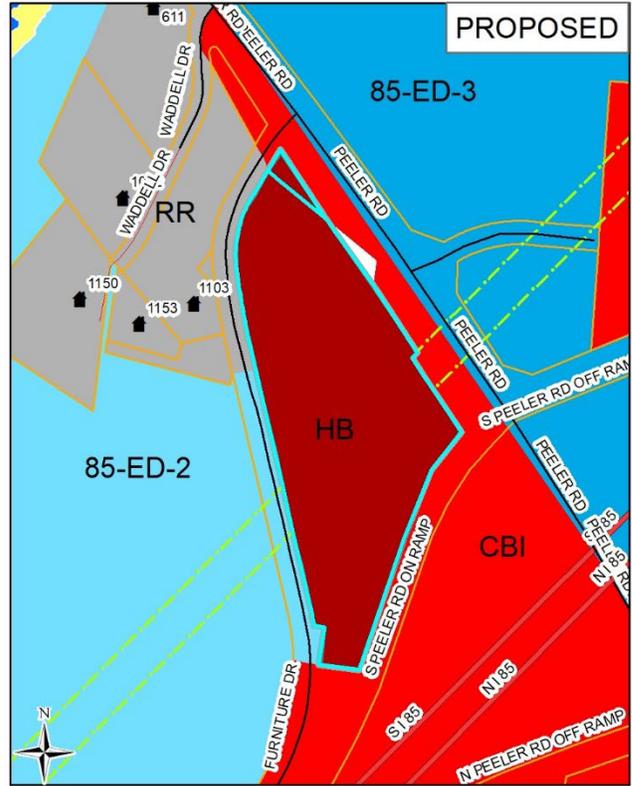
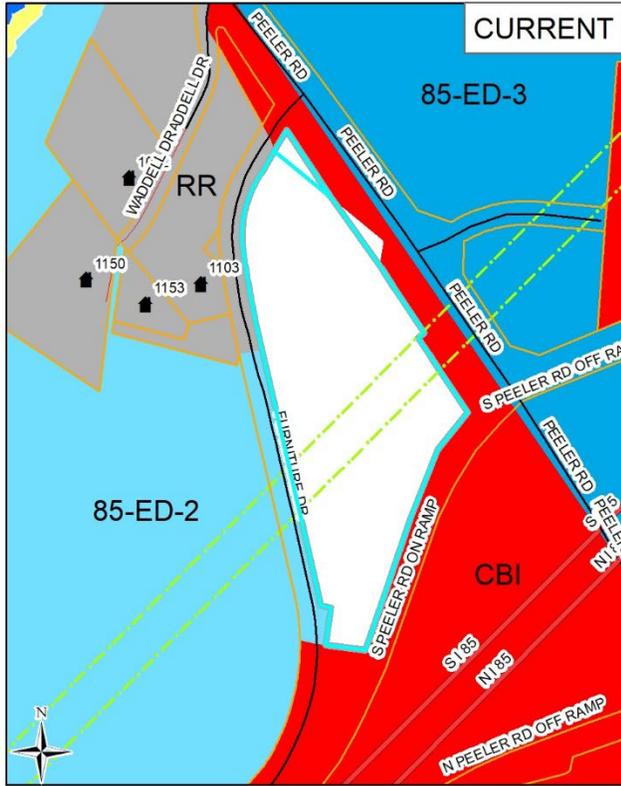
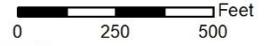
BY: Kelly Baker
Administrative Services Director/City Clerk

Z-08-2022: 985 PEELER RD

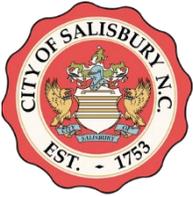
Parcels : 408 024, 408 089

Previous Zoning: Rowan County Zoning District CBI

Proposed Zoning: City of Salisbury Zoning District HB



PARCEL_ID	OWNNAME	OWN2	TAXADD1	TAXADD2	CITY	STATE	ZIPCODE
408 005	PEELER H J HEIRS		1604 ERINDALE CT		MONROE	NC	28110-7722
408 024	PFJ SOUTHEAST LLC	% STORE 7983	PO BOX 54710		LEXINGTON	KY	40555-4710
408 064	BUTLER ROBERT R & WF	BUTLER BOBBIE	1092 WADDELL DR		SALISBURY	NC	28147-0000
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408 029	HELMS PHILLIP L & WF	HELMS NANCY C	550 HOMER CORRIHER RD		CHINA GROVE	NC	28023
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NOTICE OF PUBLIC HEARING

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<u>DISTRICT MAP AMENDMENT:</u>	<u>Z-08-2022</u>
Project Title:	985 Peeler Road
Petitioner(s):	City of Salisbury
Owner(s):	PFJ Southeast LLC
Representative(s) or Developer(s)	Victoria Bailiff
Address:	985 Peeler Road
Tax Map - Parcel(s):	Tax Map: 408 Parcels: 024, 089
Size / Scope:	Approximately 8.87 acres
Location:	Located west of I-85, along the 900 block of Peeler Road.

REQUEST:

Request to amend the Land Development Ordinance and Land Development District Map by rezoning approximately 8.87 acres located on Peeler Road from Rowan County zoning Commercial Business Industrial (CBI) to City of Salisbury zoning Highway Business (HB).

A copy of the above petition is available for public review at Development Services (132 North Main Street). Persons wishing a copy, or additional information, should call 704-638-5208. If persons would like to respond in writing, they may do so by mailing a letter to the City Clerk, P.O. Box 479, Salisbury, NC 28145 or by e-mail to kbake@salisburync.gov. Written correspondence received before the meeting will be forwarded to the City Council.

Citizens interested in the proposal are invited to attend and participate in the courtesy hearing. Changes may be made in the above proposal as a result of debate, objection, or discussion.

This the 15th day of July 2022.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

BY: Kelly Baker, MMC
Administrative Services Director/City Clerk



The Salisbury Planning Board held its regular meeting on Tuesday, July 12, 2022, at 4:00 p.m. with the following being present:

GUESTS: Matt Cochran, Crow Holdings; James Gearhart, Sheetz, Inc.

PRESENT: Bill Burgin, P.J. Ricks, Dennis Rogers, John Schaffer, Esther Smith, John Struzick

STAFF: Victoria Bailiff, Senior Planner; Teresa Barringer, Zoning Administrator; Graham Corriher, City Attorney; Jenni Pfaff, Planning Board Secretary

WELCOME GUESTS AND VISITORS

John Schaffer, Chair, called the Planning Board meeting to order at 4:05 p.m.

APPROVAL OF MINUTES

Planning Board Minutes of June 28, 2022 were approved as written by Members present.

NEW BUSINESS

CD-04-2022 Sheetz; 1215 Peeler Road; PID: 408 011, 408 128; Current Zoning: Light Industrial (LI), Rowan County Commercial Business Industrial (CBI); Proposed Zoning: Highway Business (HB)/Conditional District Overlay (CD)

Presenter: Victoria Bailiff

Request

Wes Hall of Sheetz, Inc. is requesting to rezone (2) parcels from Light Industrial (LI) and Rowan County Zoning (CBI) to Highway Business/Conditional District Overlay (HB/CD) for the development of a gas station convenience store with pumps in the front and back, with additional truck parking in the rear.

Staff Presentation

Victoria Bailiff made a staff presentation. Staff recommends approval based on compliance with the Vision 2020 Comprehensive Plan. In response to questions from Members, she explained that the CD is requested for additional parking, and that the Petitioner would need to address electric vehicle (EV) charging stations.

Applicant Testimony

James Gearhart, Sheetz, Inc., provided background on the company and staff, and a comparison of the new and existing stores. The proposed store will not have a car wash or drive-through, and will accommodate trucks and interstate travelers. Commercial diesel pumps will be offered at the proposed location, hence the request for additional parking space. Mr. Gearhart displayed drawings that illustrated truck access to fuel pumps and the interstate.

In response to questions from the Board, he said the reason they chose Salisbury is access to sewer. Land use and conditional zoning in Salisbury met their needs.

Mr. Gearhart clarified truck traffic flow, as well as the number of parking spaces: 39 for customers, and 41 for trucks, to equal 80 spaces. Current zoning allows only 35, which accounts for the conditional overlay. The location will not need as many spaces as other stores such as Love's, because it will not offer other amenities, such as showers.

The Board asked how many employees would be expected for the new location. Mr. Gearhart estimated 35 to 40, with approximately 2/3 full time. The truck diesel offering adds the potential for more working hours.

Medium shrubs will be used for screening. While displaying a drawing of the proposed store, Mr. Gearhart explained that medium shrubs would be used as screening, and that the pitched roof is a design element of the Sheetz brand.

Regarding the earlier question on EV charging stations, Mr. Gearhart explained that the company communicates with Tesla on the need for stations in particular areas. They do offer them in various other locations, but do not plan to add them to the proposed store. If Tesla sees the need for one, it will be added.

Public Comment

None.

Deliberation

City Staff was asked if there are particular requirements for EV charging stations. Currently, there are not; Development Services addresses them as they are presented to verify placement.

Motion

Esther Smith made a motion to approve the request as consistent with Vision 2020, PJ Ricks seconded the motion.

All members present voted AYE (6-0).

Z-09-2022 1465 Peeler Road; PID 406 024, 410 003, 410, 034; Current Zoning: Rowan County Rural Agricultural (RA); Proposed Zoning: Light Industrial (LI)

Presenter: Victoria Bailiff

Request

Petitioner, Crow Holdings Industrial, is requesting to rezone (3) parcels from Rowan County Zoning (RA) to City Zoning (LI).

Future land use will be addressed in the upcoming comprehensive plan, however, growth is intended and expected in this corridor. Staff recommends approval since the request is within the intended use, which will be a distribution center.

Applicant Testimony

Matt Cochran, with Crow Holdings, of Charlotte, explained that the company specializes in speculative industrial buildings. They're goal is to construct attractive buildings, with millions of dollars spent on road improvements, as well as twice as much than competitors on landscaping. The company is a pioneer in EV charging stations, and has built for the Sheetz company.

In response to a question from the Board, Mr. Cochran said that a public hearing (referring to the community meeting) was held, but no one attended.

Public Comment

None.

Deliberation

None.

Motion

Pj Ricks made a motion to approve the request as consistent with Vision 2020. Dennis Rogers seconded the motion.

All members present voted AYE (6-0).

Z-08-2022 895 Peeler Road; PID 408 024, 408 089; Precious Zoning: Rowan County Commercial Business Industrial (CBI); Proposed Zoning: Highway Business (HB)

Presenter: Victoria Bailiff

Request

Petitioner, City of Salisbury, is requesting to rezone (2) parcels to City Zoning (HB).

The parcels were annexed last year, the request is to assign a zoning district.

In response to questions from the Board, Ms. Bailiff explained that the HB zone does not create non-conformities; use-wise it is conforming, and set-backs would not be an issue. She affirmed that the owner would see no negative affect.

Applicant Testimony

None.

Public Comment

None.

Deliberation

None.

Motion

Dennis Rogers made a motion to approve the request as consistent with Vision 2020. PJ Ricks seconded the motion.

All members present voted AYE (6-0).

ADJOURN 4:52 p.m.

John Schaffer, Chair

Jennifer Pfaff, Secretary

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: August 2, 2022

Name of Group(s) or Individual(s) Making Request: City of Salisbury, Engineering Department

Name of Presenter(s): Wendy Brindle, City Engineer

Requested Agenda Item: Voluntary Annexation – The Gables at Kepley Farms, Phase 6

Description of Requested Agenda Item:

A public hearing concerning the voluntary annexation of The Gables at Kepley Farms, Phase 6, parcel 403 192 was scheduled for August 2nd, 2022. The hearing has been properly advertised, and staff finds the request to meet the standards of NCGS 160A-58.1. Therefore, after the public hearing, City Council will consider adopting an Ordinance for the annexation of 4.39 acres at The Gables at Kepley Farms, Phase 6, identified as parcel 403 192 effective August 2, 2022.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

The current tax value of the property is \$57,684. The current development plan is for 10 single family homes. The value of those improvements are estimated to be \$2,000,000. with future expected annual tax revenue of \$14,807. The City will incur additional costs for police and fire protection, which is indeterminable.

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

City Council to hold a public hearing and consider adoption of an Ordinance to annex parcel 403 192, 4.39 acres, per NCGS 160A-58.1, effective upon adoption.

Contact Information for Group or Individual:

Wendy Brindle, City Engineer 704-638-5201/wbrin@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

S. Wade Funches
Finance Director Signature

Wendy Brindle
Department Head Signature

[Signature]
Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved

Declined

Reason:

“AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA, TO INCLUDE 4.39ACRES, TAX MAP 403 PARCEL 192, THE GABLES AT KEPLEY FARMS, PHASE VI.

WHEREAS, the City Council of Salisbury has been petitioned under G.S. 160A-58.1 to annex the area described herein, and the City Clerk has certified the sufficiency of said petition; and

WHEREAS, a public hearing on the question of this annexation was held virtually by City Council on August 2nd, 2022 at 6:00 p.m. after due notice by publication on July 21st, 2022 in the Salisbury Post; and

WHEREAS, the City Council of Salisbury does find as a fact that said petition meets the requirements of G.S. 160A-58.1; and

WHEREAS, the City Council of Salisbury further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City Council of Salisbury further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Salisbury and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-58.1, the following described territory, is hereby annexed and made part of the City of Salisbury as of the 2nd day of August, 2022. The survey plat that describes the annexed territory is that certain survey plat entitled Annexation Plat (Non-Contiguous) The Gables at Kepley Farms Phase VI, dated 5/26/2022, and recorded in Book of Maps _____ Page _____, Rowan County Register of Deeds:

Beginning at an existing #5 rebar within the right of way of Faith Road, S.R. 1006, said comer being designated as City Limit comer# G-22 as shown on Book of Maps 9995 Page 5409, thence with the existing City Limit line N 59° 49' 51" W, 275.50' to an existing #5 rebar, comer# G-21, thence N 59° 49' 41" W, 388.11' to an existing 1/2" iron pipe, comer# G-20, thence S 22° 07' 08" W, 88.52' to an existing #4 rebar, comer# G-19, thence N 79° 11' 12" W, 113.95' to a point, comer# G-18 in the eastern margin of Stable Drive, thence with a curve to the left having a

radius of 190.00', a length of 54.46', a chord bearing of N 31° 15' 04" E, and a chord distance of 54.27' to a point in the eastern margin of Stable Drive, comer# G-17, thence crossing Stable Drive N 66° 57' 36" W, 50.00' to a point on the western margin of Stable Drive, comer# G-16, thence N 75° 45' 08" W, 125.91' to a point, comer# G-15, thence N 11° 50' 14" E, 54.32' to a point, comer# G-14, thence N 79° 09' 35" W, 93.29' to a concrete monument comer# G-13, thence S 66° 43' 58" W, 151.47' to a #3 rebar in the eastern margin of Spring Arbor Avenue, comer# G-12, thence 2 lines with Spring Arbor Avenue, (1) N 30° 56' 03" W, 5.05' to an existing #4 rebar comer# G-111, (2) N 32° 55' 45" W, 32.58' to an existing #5 rebar, comer# G-110, thence with City Annexation map recorded in Book of Map 9995 Page 7976, N 57° 04' 15" E, 96.07' to an existing #5 rebar, comer# G-109, thence N 38° 43' 12" E, 55.00' to an existing #4 rebar, comer# G-108, thence N 18° 08' 57" E, 61.19' to an existing #5 rebar, comer# G-107, thence N 32° 10' 18" E, 234.08' to an existing #5 rebar, comer# G-106, thence N 32° 58' 39" E, 16.12' to an existing stone, comer# G-105, the comer of Von M. Brown, Deed Book 635 Page 379, thence with Brown S 68° 10' 50" E, 348.77' to an existing #6 rebar, comer # G-105A, Alan Powlas' north west comer, thence 3 lines with Alan Powlas, (1) S 11° 14' 57" W, 273.42' to an existing #6 rebar comer# G-105B, (2) S 59° 16' 29" E, 11.98' to an existing ½" iron pipe, comer# G-105C, (3) S 59° 14' 29" E, 110.03' to the south west comer of Garrett Powlas existing ½" iron pipe, comer# G-105D, thence with the line of Powlas & Brandon Smith S 59° 49' 54" E, 551.02' to an existing #5 rebar within the right of way of Faith Road, comer# G-105E, thence with Faith Road, S 26° 52' 59" W, 45.10' to the Point & Place of Beginning and Being 4.390 Acres as shown on survey and map by Shulenburg Surveying Company, P.A. dated 05/26/2022

Section 2. Upon and after the 2nd day of August, 2022, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other parts of the City of Salisbury. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Salisbury shall cause to be recorded in the office of the Register of Deeds of Rowan County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections as required by G.S. 163-288.1."

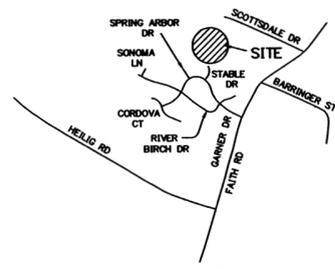
Adopted this 2nd day of August, 2022.

Karen K. Alexander, Mayor

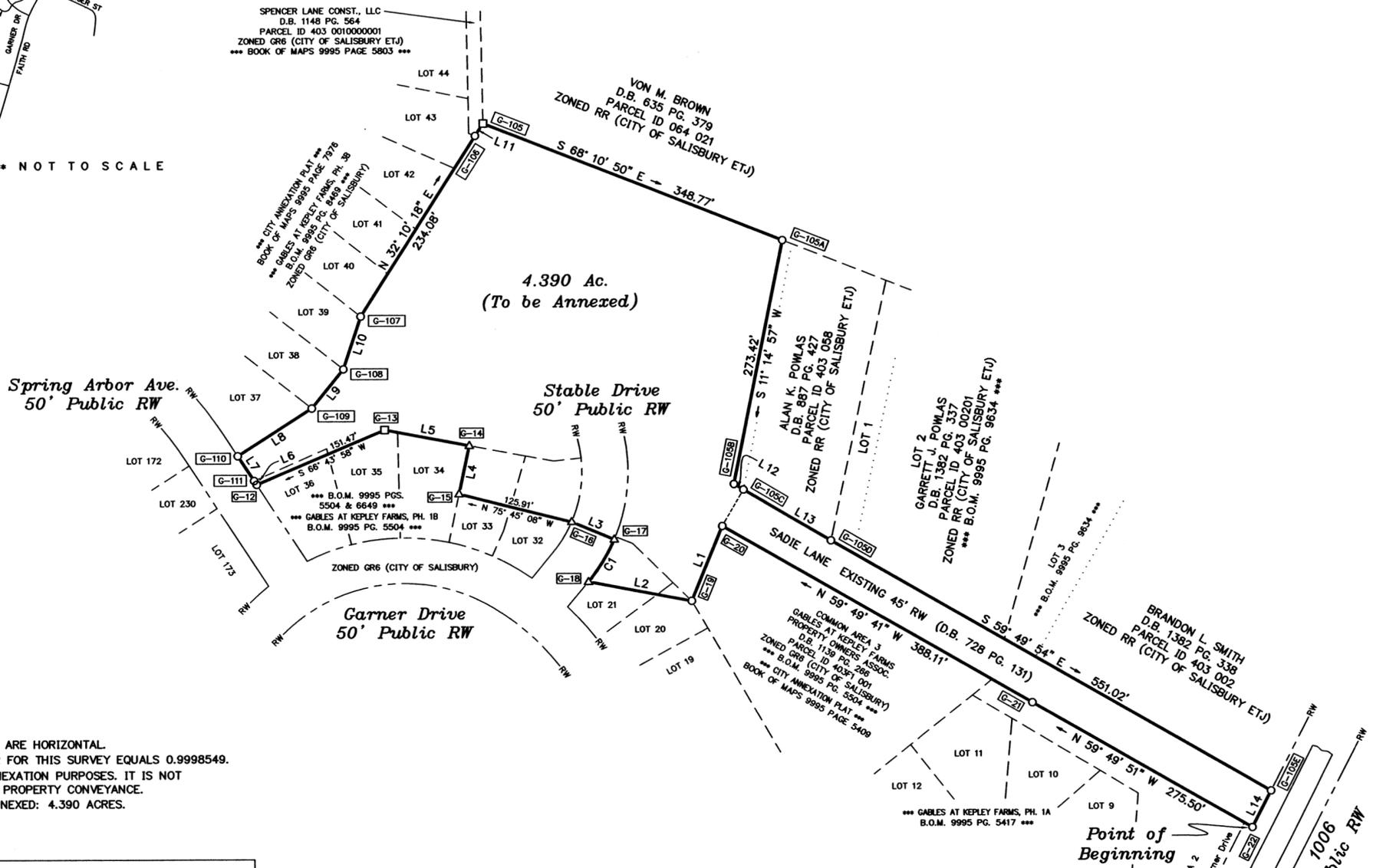
ATTEST: _____
Kelly Baker, City Clerk

J. E. BRINDLE, REGISTER OF DEEDS

ASSISTANT/DEPUTY



VICINITY MAP *** NOT TO SCALE



N.C. GRID NORTH (NAD 83) FROM BOOK OF MAPS 9995 PAGE 5409

- NOTES:
1. ALL DISTANCES SHOWN ARE HORIZONTAL.
 2. THE COMBINED FACTOR FOR THIS SURVEY EQUALS 0.9998549.
 3. THIS PLAT IS FOR ANNEXATION PURPOSES. IT IS NOT INTENDED FOR USE IN PROPERTY CONVEYANCE.
 4. TOTAL AREA TO BE ANNEXED: 4.390 ACRES.

AREA ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF SALISBURY, N. C. BY ORDINANCE NUMBER _____ ADOPTED BY THE CITY COUNCIL ON _____ WITH AN EFFECTIVE DATE _____

I HEREBY CERTIFY THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE REGISTER OF DEEDS IN ROWAN COUNTY.

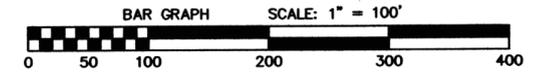
MAYOR (SALISBURY, N.C.) _____ DATE _____

City Limit No.	Northing	Easting	Description
G-22	684959.0315	1565462.5105	#5 Rebar
G-21	685097.4836	1565224.3312	#5 Rebar
G-20	685292.5449	1564888.8045	1/2" Iron Pipe
G-19	685210.5419	1564855.4752	#4 Rebar
G-18	685231.9200	1564743.5485	Point
G-17	685278.3155	1564771.7032	Point
G-16	685297.8842	1564725.6916	Point
G-15	685328.8727	1564603.6546	Point
G-14	685382.0375	1564614.7973	Point
G-13	685399.5827	1564523.1721	Ex. Conc. Mon.
G-12	685339.7490	1564384.0208	#3 Rebar
G-11	685344.0765	1564381.4273	#4 Rebar
G-10	685371.4195	1564363.7185	#5 Rebar
G-109	685423.6416	1564444.3514	#4 Rebar
G-108	685466.5532	1564478.7547	#5 Rebar
G-107	685524.6968	1564497.8143	#5 Rebar
G-106	685722.8356	1564622.4519	#5 Rebar
G-105	685736.3606	1564631.2277	Ex. Stone
G-105A	685606.7292	1564955.0083	#6 Rebar
G-105B	685338.5579	1564901.6698	#6 Rebar
G-105C	685332.4389	1564911.9650	1/2" Iron Pipe
G-105D	685276.1686	1565006.5146	1/2" Iron Pipe
G-105E	684999.2555	1565482.9023	#5 Rebar

Point of Beginning

Line	Bearing	Distance
L1	S 22° 07' 08" W	88.52'
L2	N 79° 11' 12" W	113.95'
L3	N 66° 57' 36" W	50.00'
L4	N 11° 50' 14" E	54.32'
L5	N 79° 09' 35" W	93.29'
L6	N 30° 56' 03" W	5.05'
L7	N 32° 55' 45" W	32.58'
L8	N 57° 04' 15" E	96.07'
L9	N 38° 43' 12" E	55.00'
L10	N 18° 08' 57" E	61.19'
L11	N 32° 58' 39" E	16.12'
L12	S 59° 16' 29" E	11.98'
L13	S 59° 14' 29" E	110.03'
L14	S 26° 52' 59" W	45.10'

Curve	Radius	Chord Bearing and Distance	Arc Length
C1	190.00'	N 31° 15' 04" E 54.27'	54.46'



I, RICHARD L. SHULENBURGER, PROFESSIONAL LAND SURVEYOR, L-2667 N.C., CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

[Signature] 5-26-22
 RICHARD L. SHULENBURGER, P.L.S. DATE



I, RICHARD L. SHULENBURGER, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, D.B. (see references); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN D.B. (N/A) PG. (N/A); THAT THE RATIO OF PRECISION AS CALCULATED IS 1 : 10,000+ ; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL, THIS 26th DAY OF MAY, 2022.

[Signature] 5-26-22

LEGEND

- Ex. Conc. Mon.
- ⊙ Utility Pole
- Ex. Iron (as described)
- New Iron (#5 rebar)
- △ Point (not set)
- ⊕ Nail
- ⊕ Centerline
- RW Right-of-Way

STATE OF NORTH CAROLINA
 COUNTY OF ROWAN

I, _____, REVIEW OFFICER OF ROWAN COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

VOLUNTARY ANNEXATION SURVEY FOR THE:
City of Salisbury

SCALE: 1" = 100'
 DATE: 5-26-2022
 The Gables at Kepy Farms Phase 6

LITAKER TOWNSHIP, ROWAN COUNTY, NORTH CAROLINA
 REFERENCES: Parcel ID 403 192
 Deed Book 1148 Page 564.
 Book of Maps 9995 Pages 5409 & 7976.

SURVEY AND MAP BY SHULENBURGER SURVEYING COMPANY, P.A. (FIRM # C-1858)
 614 N. MAIN ST., SUITE A, SALISBURY, N.C. PHONE: 704-637-9623

Date: 1/12/22



PETITION REQUESTING VOLUNTARY ANNEXATION
Parcel 403-192 The Gables PH 6

We the undersigned owners of real property respectfully request that the area described on the attached documents be annexed into the City of Salisbury. By signing this petition, we understand that the following conditions are the responsibility of the petitioners. Failure to meet the conditions may delay or invalidate the request:

1. The petition must be signed by all owners of real property in the area described and shall contain the address of each property owner.
2. The petition must include a metes and bounds description of the area to be annexed and a preliminary annexation boundary survey prepared by a Registered Land Surveyor. Two original mylars of the final annexation boundary survey shall be completed after consultation with the City.
3. If the area is not contiguous to the primary City limits, the petition shall include documentation that:
 - a) The nearest point of the described area is not more than three miles from the primary City limits.
 - b) No point on the described boundary is closer to another municipality than to the City of Salisbury.
 - c) No subdivision, as defined in GS 160A-376, will be fragmented by the proposed annexation.
4. Upon the effective date of annexation and thereafter, the described citizens and property shall be subject to municipal taxes and to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other citizens and property in the City of Salisbury.

Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM <u>403</u> PCL <u>192</u>	<u>Spencer Lane Construction LLC</u>		<u>630 W. Ridge Road</u> <u>Salisbury, NC 28147</u>

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person Spencer Lane Telephone Number (704) 202-1866

For Office Use Only:

Total number of parcels 1 Number Signed 1 % Signed 100 Date Returned 5/19/2022
Contiguous per GS 160A-31 or Non-contiguous "satellite" per GS 160A-58 X (check one)

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: 8/2/2022

Name of Group(s) or Individual(s) Making Request: Salisbury Police Department/Chief Jerry Stokes

Name of Presenter(s): Chief Jerry Stokes

Requested Agenda Item: Update Council on SPD information – crime data, staffing, etc.

Description of Requested Agenda Item: Council to hear SPD update on community crime, staffing, etc. for the second quarter of 2022.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*
None.

Contact Information for Group or Individual: Chief Jerry Stokes, SPD 704-638-5333

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature



Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved Delayed Declined

Reason:

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: August 2, 2022

Name of Group(s) or Individual(s) Making Request: Transit Department

Name of Presenter(s): Rodney Harrison, Transit Director

Requested Agenda Item: Microtransit Update

Description of Requested Agenda Item: Council will receive an update on the proposed in-house microtransit pilot project. The proposed pilot project will use the Software-as-a-Service (SaaS) model. This model uses software from a third party to offer service. The City will operate the service with its' own operators and vehicles. This pilot is proposed to begin December 2022.

Attachments: Yes No

Fiscal Note: (If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents) N/A

Action Requested of Council for Agenda Item: (Please note if item includes an ordinance, resolution or petition)
N/A

Contact Information for Group or Individual: Rodney Harrison, Transit Director, 704-638-5252

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature



Department Head Signature

Budget Manager Signature

****All agenda items must be submitted at least 7 days before the requested Council meeting date****

For Use in Mayor's Office Only

Approved

Declined

Reason:

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: August 2, 2022

Name of Group(s) or Individual(s) Making Request: City Attorney

Name of Presenter(s): Graham Corriher

Requested Agenda Item: REVISED Resolution Regarding City Manager Contracting Authority

Description of Requested Agenda Item: City Council has the authority to delegate to the City Manager the authority to enter into contracts except where City Council approval is required by law (for example to award bids on major construction projects). City Council adopted a *Resolution Regarding City Manager Contracting Authority* at its organizational meeting in December 2021. Because the City has hired a new City Manager since the Resolution was adopted, the attached Resolution is presented to confirm the City Manager's contracting authority. It also offers revisions to clarify areas where the contracting authority for certain contracts was not clear.

The December 2021 Resolution is included along with a revised Resolution for Council consideration. The revised Resolution includes a significant amount of stylistic, non-substantive changes to provide better clarity and ease of reference. The areas of substantive revisions have been underlined, and include the following:

1. Section 1 includes an express requirement that the contract approved by the City Manager be included in the annual budget.
2. Section 2.b. increases the City Manager's authority to approve purchase contracts from \$90,000 to \$100,000. This is increased for ease of use. The previous \$90,000 limit was included because that is where the formal bidding threshold begins for purchase contracts. The formal bidding threshold for those contracts remains, but the City Manager's authority is increased to better align with the City Manager's authority for other contracts.
3. Section 2.c. adds architectural and surveying services to the approval authority that was previously limited to only engineering. These types of services are paired together in other legal requirements (e.g., qualifications-based selection).
4. Section 2.e. clarifies that software maintenance contracts are included in the maintenance contracting authority. This does not include initial software purchases.
5. Section 4 clarifies that the City Manager has the authority to approve annual contract documents or purchase orders where a multi-year contract has been approved by City Council. An example is the annual purchase order for the City's multi-year recycling contract.

The long-term plan for this Resolution is to have City Council reconsider it and make any necessary revisions at the organizational meeting after City Council elections (in other words, every two years).

Salisbury City Council Agenda Item Request Form



Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

None

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

Council to adopt a Resolution Regarding City Manager Contracting Authority

Contact Information for Group or Individual: graham.corriher@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council) City Attorney Report

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

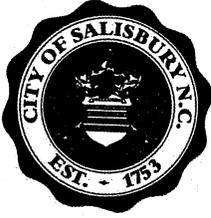
For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:



City of Salisbury
North Carolina

RESOLUTION REGARDING CITY MANAGER CONTRACTING AUTHORITY

WHEREAS, the City of Salisbury operates under the council-manager form of government where considerable day-to-day executive authority is delegated to the City Manager; and

WHEREAS, the City Council's delegation of authority to the City Manager includes the authority to execute certain contracts within limits set forth by City Council and consistent with State law; and

WHEREAS, G.S. § 143-64.32 provides that the City may exempt certain contracts from the requirements of the Mini-Brooks Act; and

WHEREAS, G.S. 143-129(a) authorizes the City Council to delegate authority to the City Manager to award contracts, reject bids, re-advertise to receive bids for purchases of apparatus, supplies, materials, or equipment;

NOW, THEREFORE, BE IT RESOLVED by the Salisbury City Council as follows:

1. The City Manager is hereby authorized to award and execute contracts, terminate contracts, reject bids, advertise to receive bids as provided in this section. The City Manager may:

- (a) Approve, execute, and terminate contracts involving informal bids of up to \$100,000.00 for construction projects budgeted in the annual budget ordinance as the budget ordinance may from time to time be amended; and
- (b) Approve, execute, and terminate maintenance contracts; and
- (c) Approve, execute, and terminate leases of City real property of one year or less pursuant to G.S. § 160A-272(b); and
- (d) Approve, execute, and terminate contracts for professional engineering services up to \$100,000.00; and
- (e) Approve, execute, and terminate professional services contracts (except as provided in (d) above); and
- (f) Approve and execute change orders to all approved contracts not to exceed an increase of \$50,000.00 in the total contract price as determined at the time of each proposed change order; and

(g) Approve, execute, and terminate contracts for the purchase of apparatus, supplies, materials, or equipment that do not exceed \$90,000.00.

2. The City Manager is authorized to exempt any project from the provisions of G.S. § 143, Article 3D, Procurement of Architectural, Engineering, and Surveying Services where the estimated professional fee for the specific project do not exceed \$50,000.00.

3. The City Manager is authorized to dispose of surplus property under the informal procedures described in G.S. § 160A-266(c) of up to \$30,000.00 in value; and

4. The City Manager is authorized to take all necessary and appropriate actions to settle legal claims against the City when the amount of settlement does not exceed \$50,000.00, provided that such settlements are reported to City Council quarterly.

5. To the extent not previously cancelled or repealed, this Resolution supersedes any and all previous resolutions regarding the same subject matter, but does not affect the validity of any contract previously entered into between the City and any party.

Adopted this the 7th day of December 2021.



Karen K. Alexander, Mayor



Kelly Baker, City Clerk



City of Salisbury

North Carolina

RESOLUTION REGARDING CITY MANAGER CONTRACTING AUTHORITY (REVISED AUGUST 2, 2022)

WHEREAS, the City of Salisbury operates under the council-manager form of government where considerable day-to-day executive authority is delegated to the City Manager; and

WHEREAS, G.S. § 160A-148 and Section 5.1 of the City Charter delegate to the City Manager substantial but limited authority to act on behalf of the City;

WHEREAS, consistent with State law, including without limitation G.S. § 143-129(a) and G.S. 143-64.32, the City Council may delegate additional authority to the City Manager to enter into certain contracts and waive certain qualifications-based selection requirements;

WHEREAS, City Council desires to delegate contracting and other authority to the City Manager in excess of that authority delegated by State law and the City Charter; and

WHEREAS, the authority granted to the City Manager by this Resolution shall be exercised in a manner consistent with State law, local policy, and the annual budget ordinance adopted by City Council.

NOW, THEREFORE, BE IT RESOLVED by the Salisbury City Council as follows:

1. **Budgeted items.** Prior to exercising the authority granted by this Resolution, the City Manager is responsible for assuring that the City Council shall have approved a sufficient appropriation in the annual budget for the current fiscal year for the general purpose specified in the contract. The City Manager is also responsible for ensuring compliance with any bidding requirements established by State law or local policy.
2. **Contracts.** The City Council delegates to the City Manager the authority to approve, execute, and terminate the following contracts:
 - a. Construction contracts of up to \$100,000.00;
 - b. Purchase contracts for apparatus, supplies, materials, or equipment of up to \$100,000.00.
 - c. Professional services contracts for architectural, engineering, and surveying up to \$100,000.00;
 - d. Other professional services contracts (except as provided in (d) above) consistent with the annual budget ordinance; and
 - e. Maintenance contracts, including software upgrades and maintenance that do not involve the initial purchase of software, consistent with the annual budget ordinance.
3. **Change orders.** The City Council delegates to the City Manager the authority approve and execute change orders of up to \$50,000 to all approved contracts.
4. **Multi-year contracts.** The City Council delegates to the City Manager the authority approve purchase orders or other annual contract documents in any amount for multi-year

contracts that have been approved by City Council in a prior budget year and budgeted in the annual budget ordinance.

5. **Qualifications-based selection (QBS) exemption.** In accordance with G.S. § 143-64.32, the City Manager is authorized to exempt any project from the provisions of G.S. § 143, Article 3D, *Procurement of Architectural, Engineering, and Surveying Services* where the estimated professional fee for the specific project do not exceed \$50,000.00.
6. **Surplus Property.** The City Manager is authorized to dispose of surplus property of up to \$30,000.00 in value pursuant to the informal procedures in G.S. § 160A-266(c).
7. **Leases.** The City Council delegates to the City Manager the authority to execute leases of real property of one year or less pursuant to G.S. § 160A-272(b).
8. **Settlement authority for legal claims.** The City Council delegates to the City Manager the authority to take all necessary and appropriate actions to settle legal claims against the City when the amount of settlement does not exceed \$50,000.00, provided that such settlements are reported to City Council quarterly.
9. **Repeal of prior resolutions.** To the extent not previously cancelled or repealed, this Resolution supersedes any and all previous resolutions regarding the same subject matter, but does not affect the validity of any contract previously entered into between the City and any party.

Adopted this the 2nd day of August, 2022.

Karen K. Alexander, Mayor

Kelly Baker, City Clerk

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: August 2, 2022

Name of Group(s) or Individual(s) Making Request: Downtown Development Dept. & Downtown Salisbury, Inc., 501c3 partner

Name of Presenter(s): Announcement

Requested Agenda Item: College Night Out

Description of Requested Agenda Item: Join Downtown Salisbury for College Night Out, as the city welcomes and invites students from our local colleges—Livingstone, Hood Theological Seminary, Catawba and Rowan-Cabarrus Community College—and new Rowan Salisbury School System teachers out for games, activities, food, networking and so much more. This year the event will be held on **Thursday, August 18 from 5-9pm at Bell Tower Green**. For more information visit downtownsalisburync.com.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: N/A

Contact Information for Group or Individual: Latoya Price 704-637-7814 latoya.price@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

Salisbury City Council Agenda Item Request Form



For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason: