



The Salisbury Planning Board held its regular meeting on Tuesday, February 28, 2023, at 4:00 p.m. with the following being present:

PRESENT: Bill Burgin, Larry Cartner, Timothy Norris, PJ Ricks, Dennis Rogers, John Schaffer, John Struzick

STAFF: Victoria Bailiff, Senior Planner; Jenni Pfaff, Planning Board Secretary; Hannah Jacobson, Community Planning Director; Graham Corriher, City Attorney

WELCOME GUESTS AND VISITORS

John Schaffer, Chair, called the Planning Board meeting to order at 4:00 p.m.

APPROVAL OF MINUTES

Planning Board Minutes of February 14, 2023 were approved as written by Members present.

NEW BUSINESS

CD-09-2022 807 Julian Road; PID: 400 045; Current Zoning: Highway Business (HB); Proposed Zoning: Highway Business (HB) with a Conditional District Overlay (CD); Applicant: Mission Properties

Presenter: Victoria Bailiff

Request

The Applicant is requesting to rezone one (1) parcel from HB to HB-CD for a 192-unit apartment complex.

Staff Presentation

Victoria Bailiff presented the petition, including a positive TRC recommendation subject to satisfied changes. She presented the plans and elevations for the project, and introduced the board's first decision using the new Future Land Use Map within the new Forward 2040 Comprehensive Plan.

The Future Land Use Map uses Placetypes to describe the areas that currently exist, and would be desirable in the future. Placetypes may be compatible with one or several zoning districts. Ms.

Bailiff explained that this parcel is currently within a larger grouping of properties zoned HB, which corresponds to the Highway Commercial Corridor and Employment Center placetypes. In order to make the request consistent with the new Comprehensive Plan, and the more appropriate Activity Corridor placetype, she recommended the requested zoning district be changed from HB to CMX zoning. The applicant agrees, as the open space requirement for a CMX zone can be met. This option, especially with a CD attached, is preferable to finding the request inconsistent; if it is approved as HB then the Placetype would have to change and staff believes that the existing Placetype of Activity Corridor is most appropriate for this area.

Ms. Bailiff also answered questions regarding water and sewer access, and reasoning behind the requested exemption from a secondary parking lot connection.

Applicant Testimony

Jordan McCarley, of Mission Properties believes they meet open space requirements for the CMX designation, and explained general amenities that would be provided. He presented the NCDOT plan for a future connection, as they have already purchased the right-of-way from the property owner.

Public Comment

Jeff Ritchie, an adjoining property owner, spoke in favor of the application, as well as the rezoning to CMX.

Vaughn Lyerly, who owns the property, spoke in support of application.

Jim Lor, who lives across from the project at 1115 Suzannes Road, is in support of the project, but has concerns regarding how the development will be screened from his farm animals. Mr. McCarley said that there is currently a fence, and the developer will add landscape screening to block it from Mr. Lor's property. He added that the parking lot on that side of the development will also provide screening. He will reach out to Mr. Lor to address any additional concerns.

Mr. Lor asked if the rezoning would cause the City to take over his water and sewer services. He was assured that his well and septic would remain the same.

Deliberation

Ms. Bailiff informed the board that there have been no comments in opposition to the project.

Hannah Jacobson further explained the reasoning for the request to change the zoning to CMX. The project started before the new comprehensive plan was installed, hence, the original request for HB. She discussed with the board that this would be the first parcel to be assigned CMX; as additional rezonings in the area come in, staff would recommend that the neighboring parcels in the Activity Corridor Placetype be changed to CMX or an equally appropriate district consistent with the Future Land Use Map. This should prevent the occurrence of "spot zoning."

The board was assured the applicant understands the mechanics of changing to the CMX designation, and that it would be a simple adjustment.

Motion

Dennis Rogers made a motion that the request is consistent with the Forward 2040 Comprehensive Plan, and the board recommends the applicant change their requested zoning district to CMX with a Conditional District overlay. John Struzick seconded the motion. All members present voted AYE.

STAFF UPDATES

The Board of Adjustment will meet prior to the regular Planning Board meeting on March 28. The staff report will be uploaded to Dropbox soon.

Ms. Ricks and Mr. Rogers reported issues accessing Dropbox.

ADJOURN 4:59 p.m.

John Schaffer, Chair

Jennifer Pfaff, Secretary