

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: 09/20/2022

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

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

Requested Agenda Item: CD-05-2022 Ben Green Apartments – 1215 Old Concord Rd / Parcel ID 069 006

Description of Requested Agenda Item: CD-05-2022 Request to rezone one (1) parcel located east of I-85, along the 1200 block of Old Concord Road, (PID 069 006) being approximately 8.1 acres, from Corridor Mixed-Use (CMX) to Corridor Mixed-Use (CMX) with a Conditional District Overlay (CD) as required by Section 5.6.A of the Land Development Ordinance.

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

CONDITIONAL DISTRICT REZONING APPLICATION PAID

SHADED AREAS FOR STAFF USE ONLY

JUL 01 2022
CC \$1200

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: 1215 OLD CONCORD ROAD, SALISBURY NC

Project Title: BEN GREEN PROPERTY APARTMENTS PID: 5669-03-12-7972

Present Use: Residential (vacant) Proposed Use: multi family > 8 DU (for rent apartments)

Total Acreage: 8.15 AC +/- Project/Disturbed Acreage: 7.0 AC +/-

Petitioner: BLUE VENUS REALTY Representative: Rama Yada

Address: 8021 WICKLOW HALL DR Phone: 704-287-6222 Email: Ramayada@gmail.com
Matthews, NC 28104.

Owner(s): _____

Address: _____ Phone: _____ Email: _____

Provide overall project built-upon area (%) for NPDES determination: 73% BUA
(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): [Signature] Authentisign

Owner(s): Nancy Marie Cannon Authentisign Phyllis Ann McGinnis
6/23/2022 4:27:42 PM EDT 6/25/2022 12:43:10 PM EDT

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

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

Building Design Plans Information (Sec. 16.11):	DONE	N/A
All exterior wall elevations (for proposed structures or additions)	X	
Photos of existing conditions and all existing structures <small>ALL EXT'G STRUCTURES TO BE DEMOLISHED</small>		X
Building materials schedule (samples may be provided)	X	



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
<small>* FEES PER CITY OF SALISBURY BUDGET ORDINANCE</small>	

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	DEVELOPMENT TYPE	USE INFORMATION
<input checked="" type="checkbox"/> New Principal Building <input type="checkbox"/> Addition <input type="checkbox"/> Remodel/Upfit <input type="checkbox"/> Accessory Structure Existing SqFt: _____ Proposed SqFt: _____	<input type="checkbox"/> House (<5 units) <input type="checkbox"/> MF (<8 units) <input checked="" type="checkbox"/> MF (≥8 units) <input type="checkbox"/> Non-Residential (< 10,000 sf) <input type="checkbox"/> Non-Residential (≥ 10,000 sf) <input type="checkbox"/> Floodplain/Watershed <input type="checkbox"/> Parking Lot—Primary Use	<input checked="" type="checkbox"/> New/Added Use <input type="checkbox"/> Change of Use <input type="checkbox"/> No Change of Use (existing use remains) <input type="checkbox"/> Home Occupation <input type="checkbox"/> Temporary Use

PROJECT DESCRIPTION	PLAN SUBMITTAL ATTACHMENTS
\$35M +/- Total Projected Cost: _____	<input type="checkbox"/> Site <input type="checkbox"/> Floor <input type="checkbox"/> Elevation <input type="checkbox"/> Landscape

PROPERTY & CONTACT INFORMATION

Rowan County Parcel ID(s): 5669-03-12-7972

Address or Site Location: 1215 OLD CONCORD ROAD, SALISBURY, NC

Subdivision: NA Lot(s): NA

Applicant: BLUE VENUS REALTY c/o RAMA YADA

Address: 8021 WICKLOW HALL DR, MATTHEWS NC 28104

Email: ramayada@gmail.com Best Phone: 704-287-6252

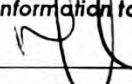
Owner (if different than applicant): NANCY CANNON / PHYLLIS McGINNIS

Address: SEE ATTACHED

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 @ 6" (size in inches)

Sewer: Existing PUBLIC or PRIVATE connection with no change to service
Proposed NEW or REPLACEMENT connection @ 8" (size in inches)

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

Fire: Existing PUBLIC or PRIVATE connection with no change to service
Proposed NEW or REPLACEMENT connection @ 8" (size in inches)

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

Backflow: New Replace Upgrade TBD (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

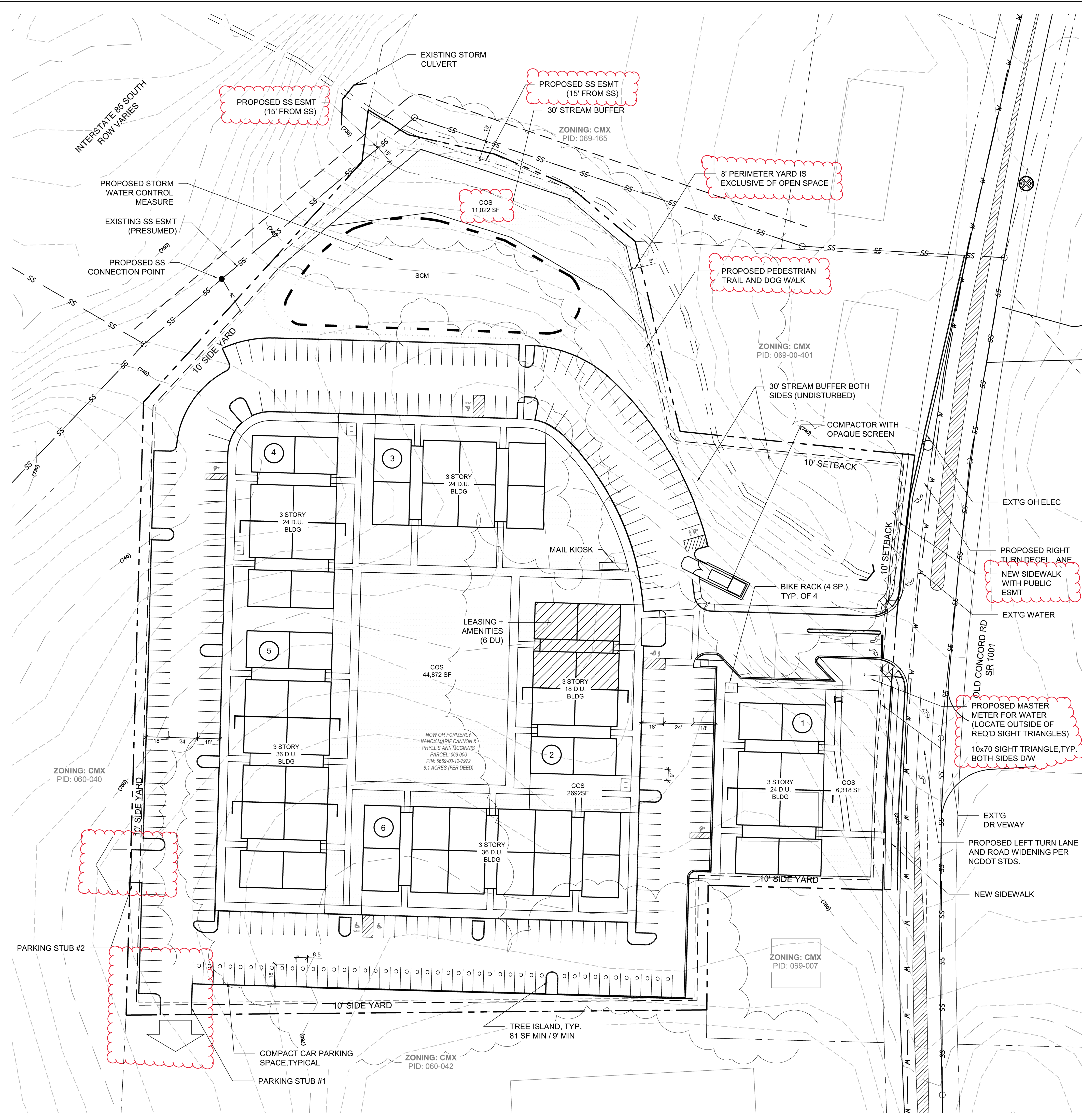
Requesting Payment In Lieu of Mitigation based on the TIA? (Sec. 4.14) Yes No

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:



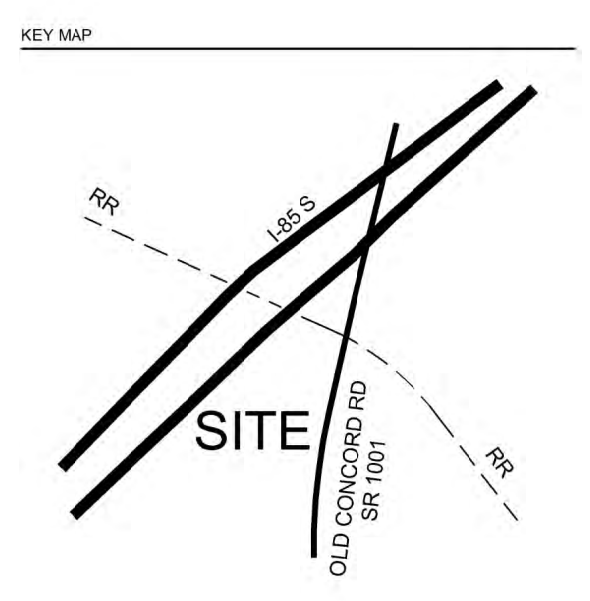
SITE DEVELOPMENT DATA

ACREAGE:	8.14 AC ± (354,490 SF) TOTAL
PIN:	5669-03-12-7972
EXISTING ZONING:	CMX / AIRPORT ZONING OVERLAY
PROPOSED ZONING:	CMX-CD / AIRPORT ZONING OVERLAY
PROPOSED USE:	MULTI-FAMILY (FOR RENT APTS)
UNITS PROPOSED:	164 UNITS
MAX DENSITY:	N/A
PROPOSED DENSITY:	20.14 DU/A
REQUIRED OPEN SPACE:	18% (1.47 AC OPEN SPACE) UP TO 1.49 AC OPEN SPACE TO BE PROVIDED (64,904 SF) AND IMPROVED WITH ONE OR MORE OF: LANDSCAPING, BENCHES, UTILITIES, WALLS, OR FENCES
BUILDING SETBACK:	10' FRONT 10' SIDE
PARKING SPACES REQUIRED:	1 PER BEDROOM UP TO 2 PER UNIT (24) 1 BR = 24 SPACES (140) 2 BR = 280 SPACES (0) 3 BR = 0 SPACES 164 DU 304 SPACES REQUIRED
PARKING SPACES PROVIDED:	255 STANDARD SPACES 7 ADA SPACES 45 COMPACT (15%) 307 SPACES TOTAL
BICYCLE PARKING REQUIRED:	5% = 16 SPACES
BICYCLE PARKING PROVIDED:	16 SPACES
REQUIRED LANDSCAPING:	SEE SHEET SK-2 PRELIMINARY LANDSCAPE PLAN



master planning . civil engineering
urban design . landscape architecture
919 berryhill rd. ste 101 . charlotte, nc 28208
704.332.1204 . www.dpr.design
NC Firm License # C-0560

CLIENT / OWNER



BEN GREEN APARTMENTS

1215 OLD CONCORD RD
SALISBURY, NC

PROJECT NUMBER
22011

DATE
06-21-2022

TRC REVIEW

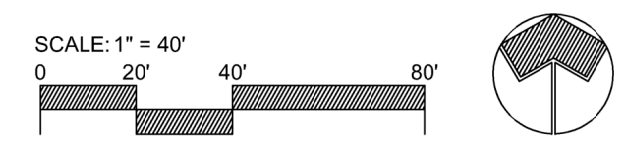
NO.	DATE	DESCRIPTION	BY
07-26-22		PER TRC COMMENTS	DBS

PROJ. MANAGER: HN
DRAWN BY: KO
CHECKED BY: ---

SCALE
AS INDICATED

DRAWING
PRELIMINARY SKETCH PLAN

SK-1



Plotted: 22011-SK-PLAN.dwg / 7/28/2022 3:22 PM

PROJECT
BEN GREEN APARTMENTS

1215 OLD CONCORD RD
SALISBURY, NC

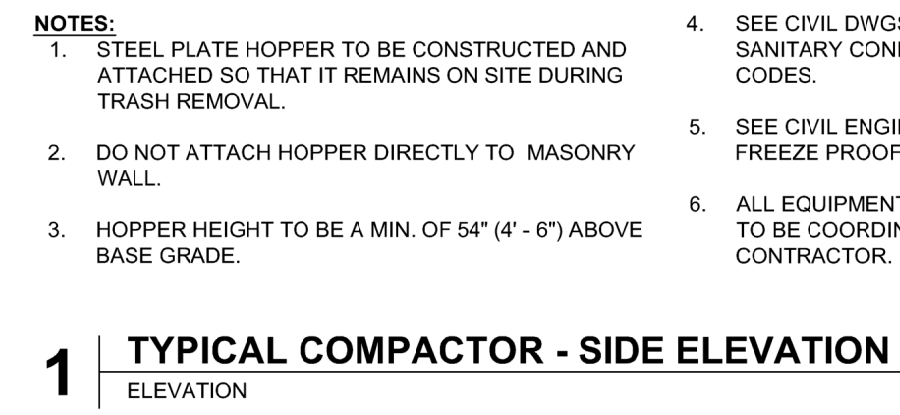
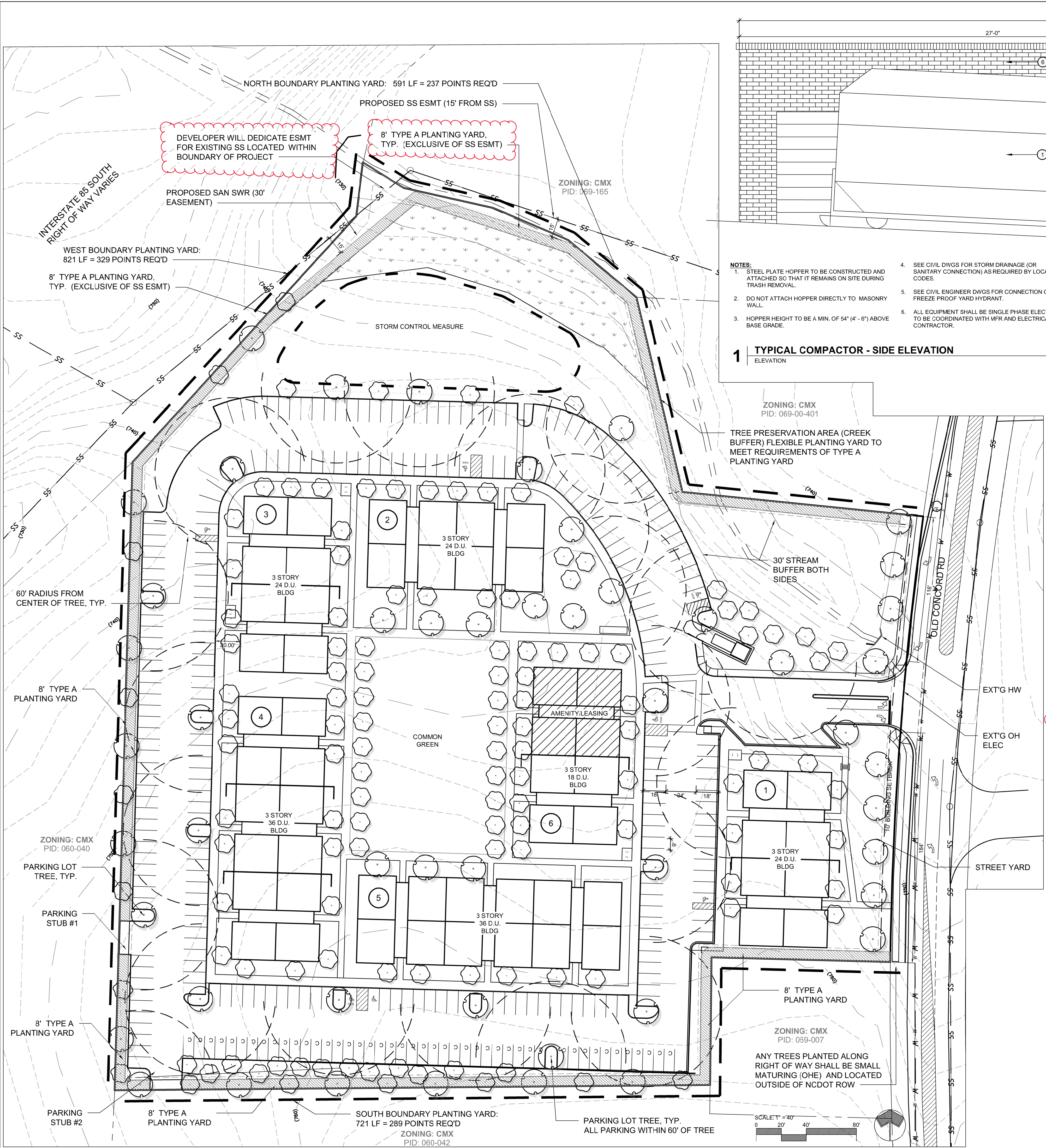
PROJECT NUMBER
22011
DATE
06-21-2022
ISSUED FOR

TRC REVIEW

NO.	DATE	DESCRIPTION	BY
07/28/22		PER TRC COMMENTS	DBS

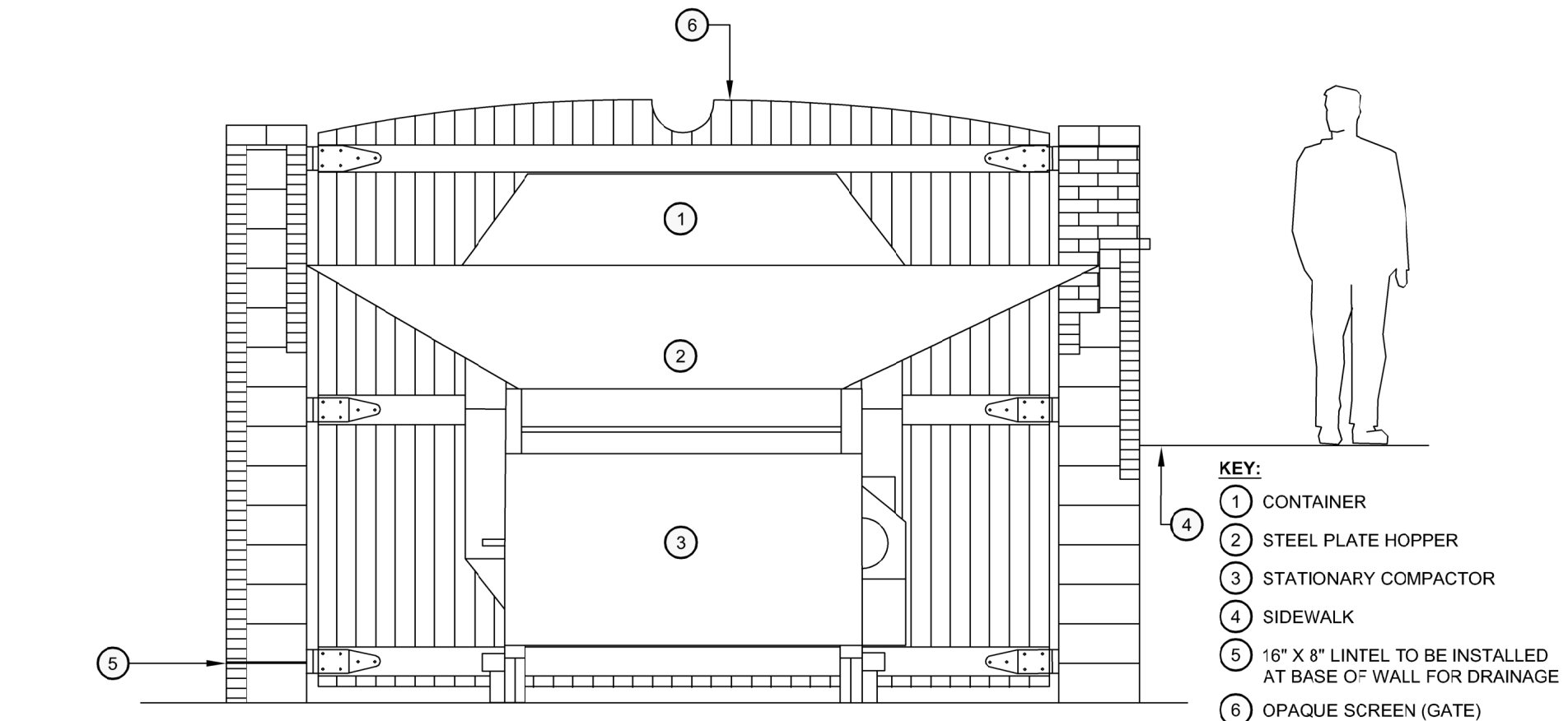
PROJ. MANAGER: HN
DRAWN BY: KO
CHECKED BY: ---
SCALE

SCALE
AS INDICATED
DRAWING
ILLUSTRATIVE LANDSCAPE PLAN



- NOTES:
1. STEEL PLATE HOPPER TO BE CONSTRUCTED AND ATTACHED SO THAT IT REMAINS ON SITE DURING TRASH REMOVAL.
 2. DO NOT ATTACH HOPPER DIRECTLY TO MASONRY WALL.
 3. HOPPER HEIGHT TO BE A MIN. OF 54" (4' - 6") ABOVE BASE GRADE.
 4. SEE CIVIL DWGS FOR STORM DRAINAGE (OR SANITARY CONNECTION) AS REQUIRED BY LOCAL CODES.
 5. SEE CIVIL ENGINEER DWGS FOR CONNECTION OR FREEZE PROOF YARD HYDRANT.
 6. ALL EQUIPMENT SHALL BE SINGLE PHASE ELECTRIC. TO BE COORDINATED WITH MFR AND ELECTRICAL CONTRACTOR.
 7. STATIONARY COMPACTOR TO BE RJ-225 ON SITE COMPACTOR BY MARATHON EQUIPMENT CO.
 8. CONTAINER TO BE RJ-40 OCVL ROLL-OFF OCTAGON.
 9. COMPACTION CONTAINER BY MARATHON EQUIPMENT CO.

- KEY:
- 1 CONTAINER
 - 2 STEEL PLATE HOPPER
 - 3 OPENING, HOPPER OPENING TO BE COORDINATED WITH STATIONARY COMPACTOR OPENING
 - 4 42" HIGH OPENING AT SIDEWALK CONNECTION
 - 5 STATIONARY TRASH COMPACTOR
 - 6 MASONRY VENEER, SPLIT FACE CMU OR BRICK TO MATCH BUILDING(S)



- KEY:
- 1 CONTAINER
 - 2 STEEL PLATE HOPPER
 - 3 STATIONARY COMPACTOR
 - 4 SIDEWALK
 - 5 16" X 8" LINTEL TO BE INSTALLED AT BASE OF WALL FOR DRAINAGE
 - 6 OPAQUE SCREEN (GATE)

LANDSCAPE SUMMARY

AREA	30% TREE CANOPY REQUIRED	8.14 AC +/- (354,490 SF)	106,347 SF	213 TREES REQ'D (1 TREE : 500 SF)
TREE CANOPY PROVIDED				
CREEK BUFFER	67 TREES (33,586 SF)			
PERIMETER YARD	26 TREES (13,000 SF)			
PARKING LOT TREES	25 TREES (12,500 SF)			
STREET YARD	9 TREES			
COMMON AREAS	86 TREES			
TOTAL	213 TREES PROVIDED			

PLANT YARDS

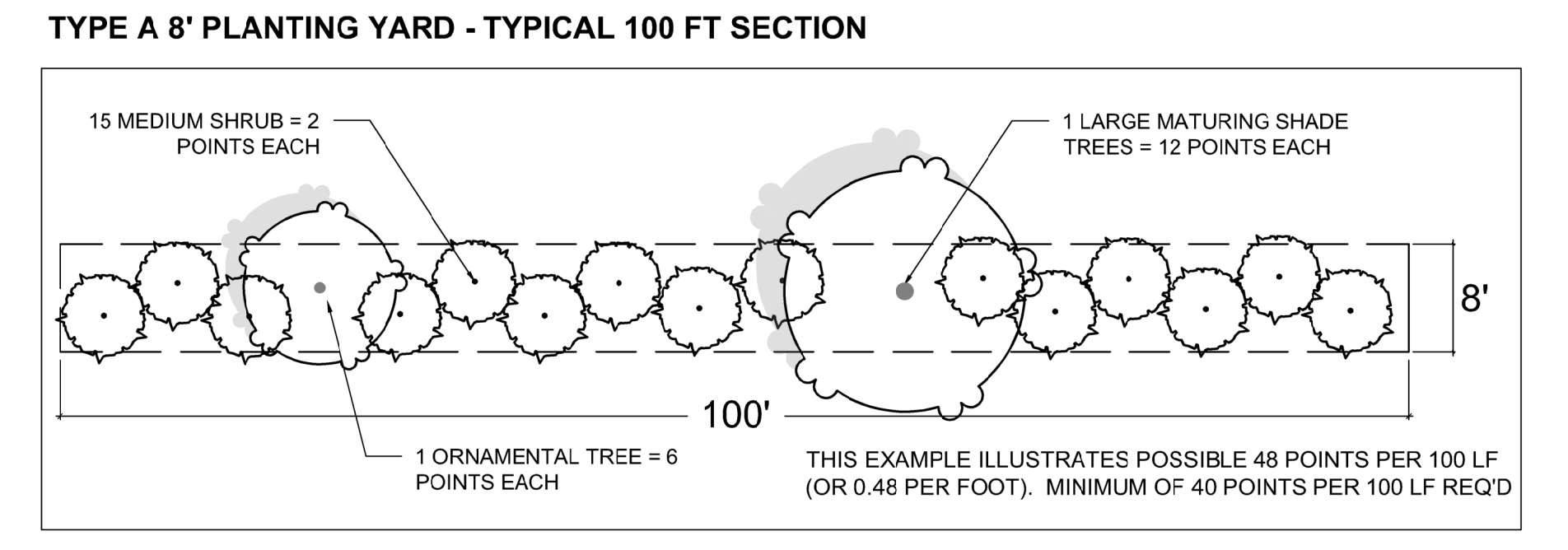
BOUNDARY	POINTS REQUIRED	0.40 POINTS PER LF REQUIRED
NORTH BOUNDARY	237 POINTS REQUIRED (591 LF)	
WEST BOUNDARY	329 POINTS REQUIRED (823 LF)	
SOUTH BOUNDARY	289 POINTS REQUIRED (721 LF)	
TOTAL	855 POINTS REQUIRED	

STREET YARD AND PARKING LOT LANDSCAPE REQUIREMENTS

STREET YARD REQUIREMENTS: PER CHAPTER 8, SEC. 8.8 (C)			
STREET	FRONTAGE LENGTH	TREES REQUIRED	TREES PROVIDED
OLD CONCORD ROAD	300 LF	9 (10' SETBACK)	9 LG MAT TREES

INTERIOR PARKING LOT LANDSCAPING REQUIREMENTS: PER CHAPTER 8, SEC. 8.10 (D)			
TOTAL PARKING SPACES	TREES REQUIRED	TREES PROVIDED	
304 SPACES	1 SHADE TREE PER 12 SPACES 26 TREES REQUIRED	26 PROPOSED SHADE TREES	

NOTES/CLARIFICATIONS:
- ALL PLANT MATERIAL USED TO MEET THESE REQUIREMENTS SHALL BE FROM AN APPROVED SPECIES LIST
- TYP. PLANTING YARD TO BE USED WHERE EXISTING VEGETATION DOES NOT MEET PLANTING REQUIREMENTS

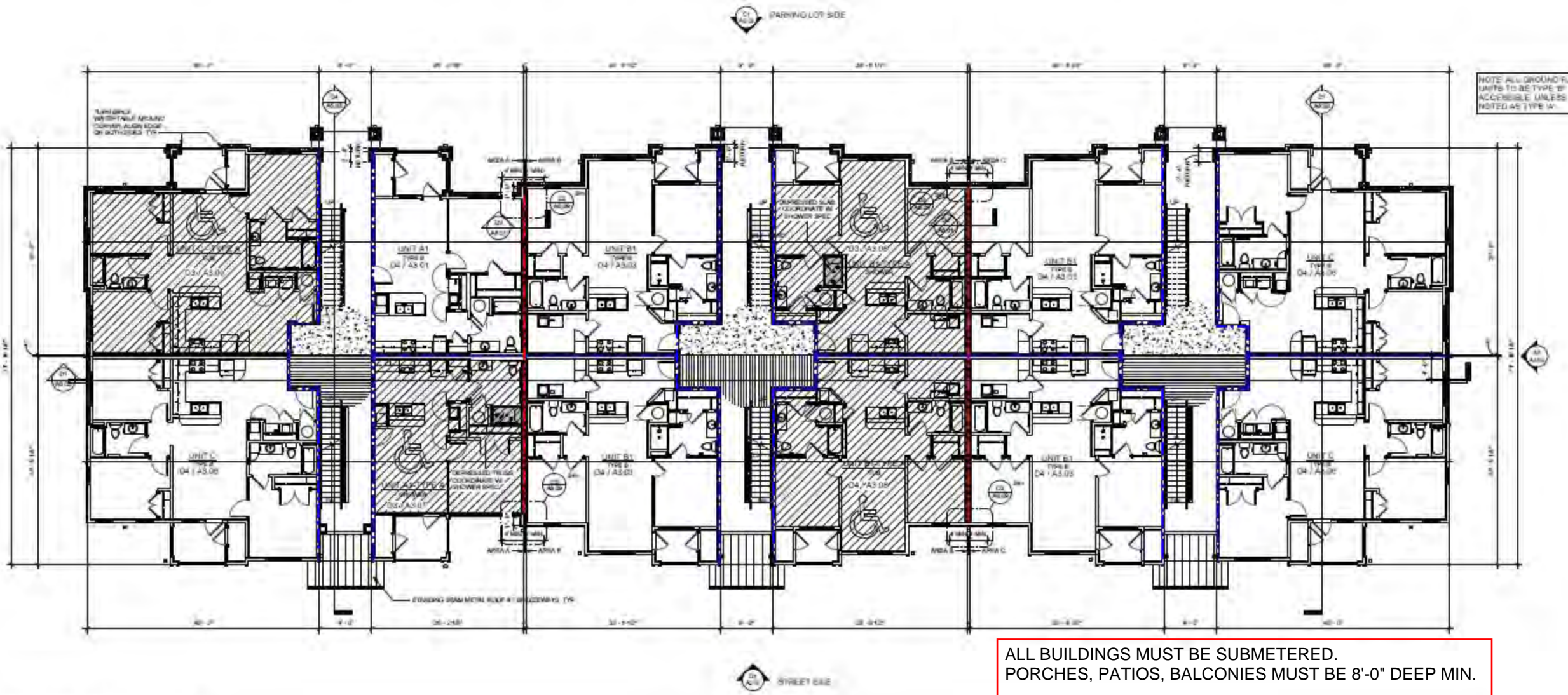








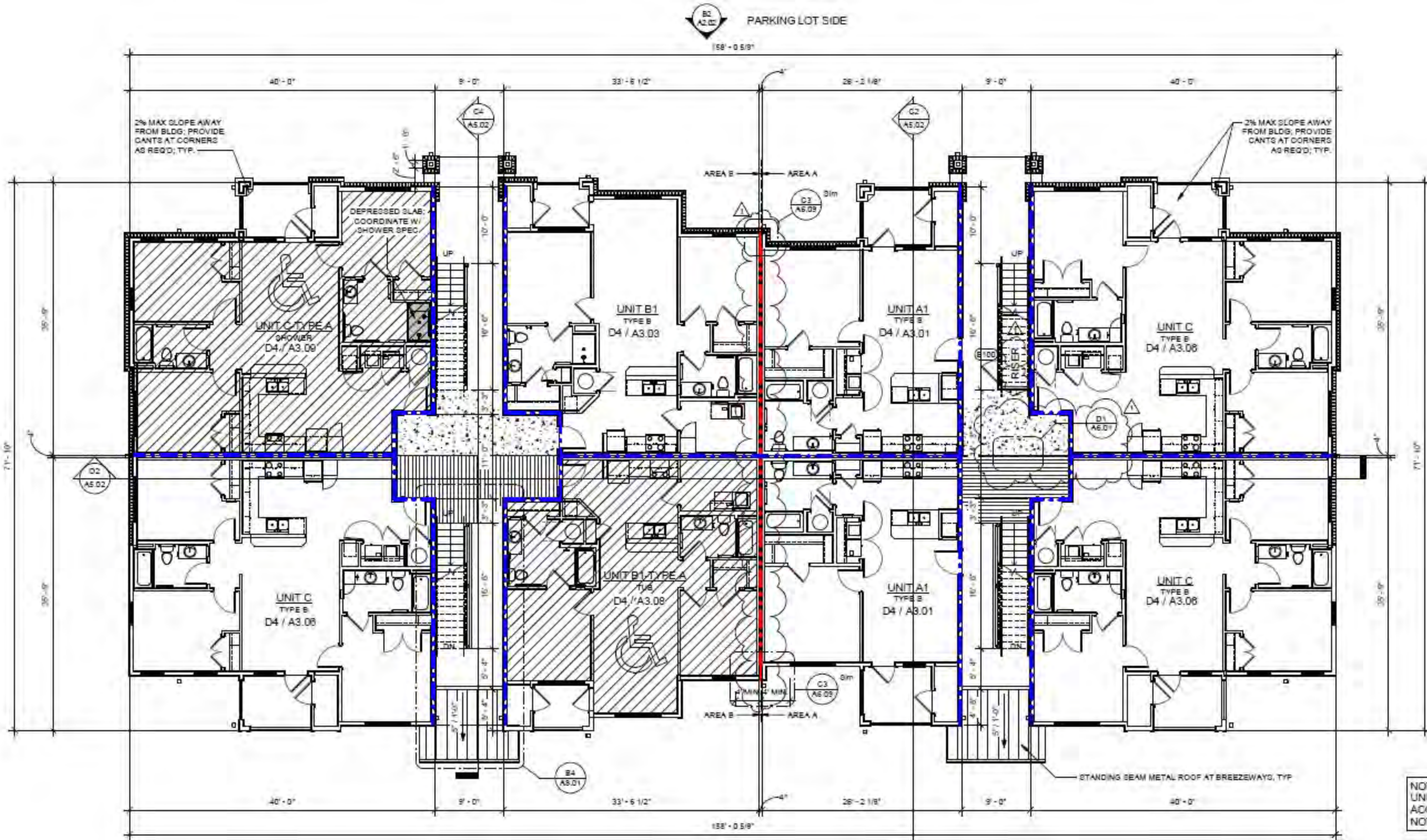




NOTE: ALL GROUND FLOOR UNITS TO BE TYPE B, ACCESSIBLE UNLESS NOTED AS TYPE A.

ALL BUILDINGS MUST BE SUBMETERED.
 PORCHES, PATIOS, BALCONIES MUST BE 8'-0" DEEP MIN.





1. DO NOT SCALE
2. ALL EXTERIOR
3. ALL INTERIOR
4. ALL DOORS SH
5. ALL FINISH AND DRAWINGS FOR S
6. MAX THRESHO
7. REFER TO A3
8. WHERE ENLAR DIMENSIONS AND
9. ALL WALLS AR TYPE INFORMATI
10. REFER TO D4
11. ALL INTERIOR DIMENSIONS
12. ALL EXTERIOR DIMENSIONS
13. ALL EXTERIOR BUILDING PLAN S
14. ALL INTERIOR
15. TENANT DEPA
16. SEE STRUCTU
17. SLOPE FLOOR
18. DEPRESS SLA DEPRESSION



NOTE: ALL FIRST FLOOR UNITS TO BE TYPE 'B' ACCESSIBLE, UNLESS NOTED AS TYPE 'A'

ALL BUILDINGS MUST BE SUBMETERED. PORCHES, PATIOS, BALCONIES MUST BE 8'-0" DEEP MIN.

(B1) BUILDING TYPE II - 1ST FLOOR PLAN
1/8" = 1'-0"



BUILDING TYPE II - TRUSS BRG
30' - 6"

BUILDING TYPE II - LEVEL 3
21' - 4 1/2"

BUILDING TYPE II - LEVEL 2
10' - 8 1/4"

BUILDING TYPE II - LEVEL 1
0"

NOTE: WHEN VENT IS OVER WINDOW,
HOLD TIGHT TO BOTTOM OF TRUSS
CAVITY TO MAINTAIN 3" MIN.
CLEARANCE AT OPERABLE PANE: TYP.

VINYL RAILING, TYP
WOOD STAIR W/ VINYL RAILING

FC PANEL & 5/4x6 TRIM
STANDING SEAM METAL ROOF
AT BREEZEWAY ENTRY ONLY

30 YR ARCHITECTURAL SHINGLES, TYP
FYFON LOUVER
FC TRIM & FASCIA, TYP
FC SHAKES IN GABLE, TYP
FC BOARD & BATTEN
VINYL RAILING, TYP
FC PANEL & 5/4x6 TRIM
FC HORIZONTAL LAP SIDING & 5/4x6 TRIM
SINGLE HUNG VINYL WINDOWS
BRICK VENEER WATER TABLE & ROWLOCK SILL

B2 BUILDING TYPE II - ELEVATION FROM PARKING
1/8" = 1'-0"



Planning & Zoning Analysis

CASE NO.

CD-05-2022

Project Title:

Ben Green Apartments

Petitioner(s)

Blue Venus Realty

Owner(s)

Nancy Cannon, Phyllis McGinnis

Representative(s)

Rama Yada (Blue Venus Realty)

Address

1215 Old Concord Road

Tax Map & Parcel(s)

069 006

Size / Scope

Approximately 8.1 acres

Location

Located east of I-85, along the 1200 block of Old Concord Road.

PETITIONER REQUEST

Request:

Petition proposes to rezone (1) parcel from Corridor Mixed-Use (CMX) to Corridor Mixed-Use (CMX) with a Conditional District (CD) Overlay. The proposal is seeking approval of a 164 unit apartment complex.

Staff Comments:

The property is already located within the City limits and will therefore not be required to voluntarily annex.

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

Yes, the CMX Zoning district permits multifamily dwellings with more than 4 units per building, however, the Ordinance requires any type of Campus-Style Development to go through the Conditional District process for approval.

Base Zoning District Descriptions

Existing:

CMX: Corridor Mixed-Use

Proposed:

CMX/CD: Corridor Mixed-Use / Conditional District Overlay

Development Type:

Campus Style Development – Multifamily Dwelling with more than 4 units per building



Planning & Zoning Analysis

CHARACTER OF AREA

Overview:

The 8.1 acre parcel currently has two single family residences located on the site.

Existing uses in the vicinity consist of commercial, industrial, or residential properties. This rezoning will have little effect on surrounding properties, as the majority of properties in the area are zoned CMX and currently used for a variety of different purposes.

Surrounding Land Use(s) & Zoning:

<i>Location</i>	<i>Existing Land Uses</i>	<i>Existing Zoning</i>
North of area	Commercial, Industrial	(CMX)
East of area	Industrial	(CMX)
South of area	Residential, Industrial	(CMX)
West of area	Residential	(CMX)



Planning & Zoning Analysis

INFRASTRUCTURE & CIVIC/COMMUNITY FACILITIES

Public Schools:

Elementary: Elizabeth Koontz Elementary

Middle: Erwin Middle

High: East Rowan High

Fire District:

This property is currently within the City of Salisbury Fire district.

Utilities

Water & Sewer:

Public water is currently available to the property through an existing water line located along Old Concord Road and public sewer is available through a line crossing the northern side of the property.

Transportation

Transit:

The nearest transit stop is in the 1500 block of Old Conrad Road, approximately a ¼ mile away.

Property Access(s):

The site plan proposes driveway access onto Old Concord Road. Parking lot stubs have been provided to connect to adjoining properties to the south and west.

Public Improvements:

Sidewalks are to be installed along the frontage of Old Concord Road.



Planning & Zoning Analysis

COMPREHENSIVE & AREA PLANS

Applicable Plans:

Vision 2020 Comprehensive Plan

Policy N-18:

As new neighborhoods are developed, a mixture of housing types/sizes/prices shall be provided within the bounds of each neighborhood planning area.

Policy N-19:

Higher density housing projects, such as apartment complexes and condominium developments, should be located adjoining places of work, shopping and public transit. Access to such higher density housing shall not be through a lower density housing area. Higher density housing may often act as a transitional use between offices or shops and lower density housing.

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 July 21, 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:

None.

Planning Board Recommendation:

This proposal was presented to Planning Board at their courtesy hearing on August 23, 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-05-2022:

Ben Green Apartments
1215 Old Concord Road
PID: 069 006

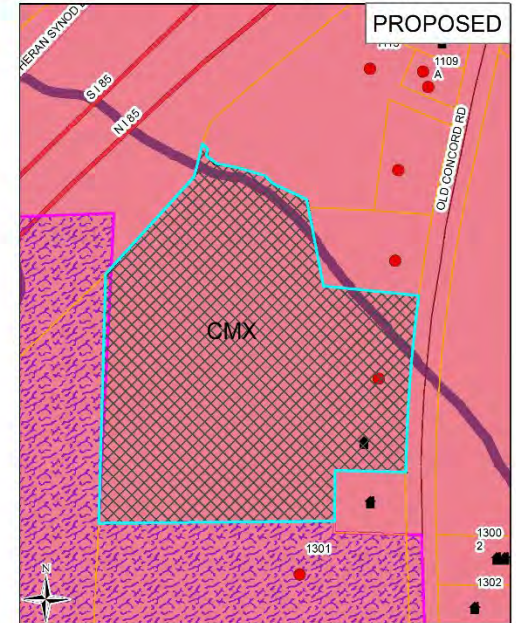
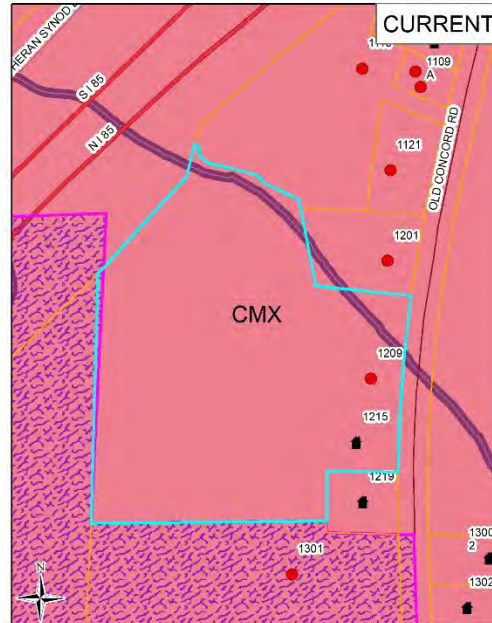
Petitioners: Blue Venus Realty
Representatives: Rama Yada
Property Owner: Nancy Cannon
Phyllis McGinnis

CD-05-2022: 1215 OLD CONCORD RD (BEN GREEN APARTMENTS)

Parcel : 069 006
Current Zoning: Corridor Mixed-Use (CMX)
Proposed Zoning: Corridor Mixed-Use - Conditional District Overlay (CMX-CD)



0 100 200 400 Feet



Petition CD-04-2022

Current Zoning

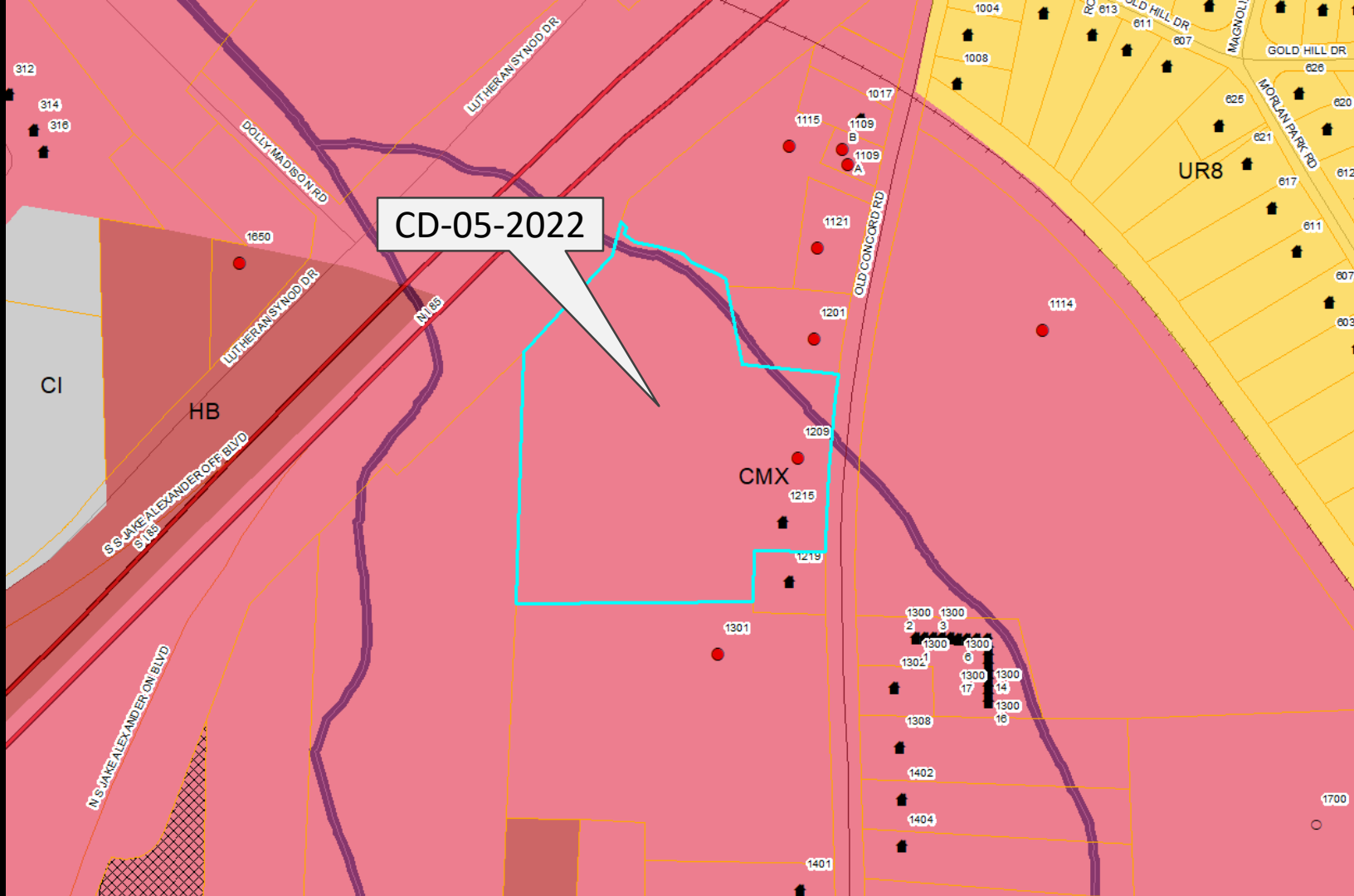
- Corridor Mixed-Use (CMX)

Proposed Zoning

- Corridor Mixed-Use (CMX) / CD Overlay

Proposed development for a 164 unit apartment complex.

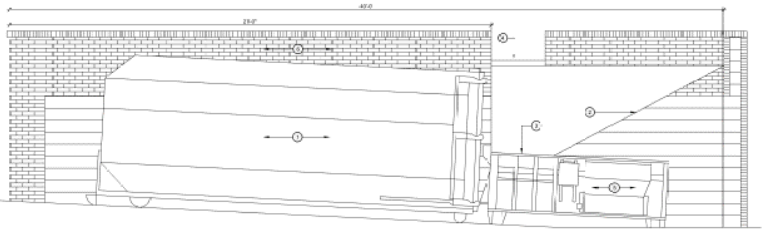
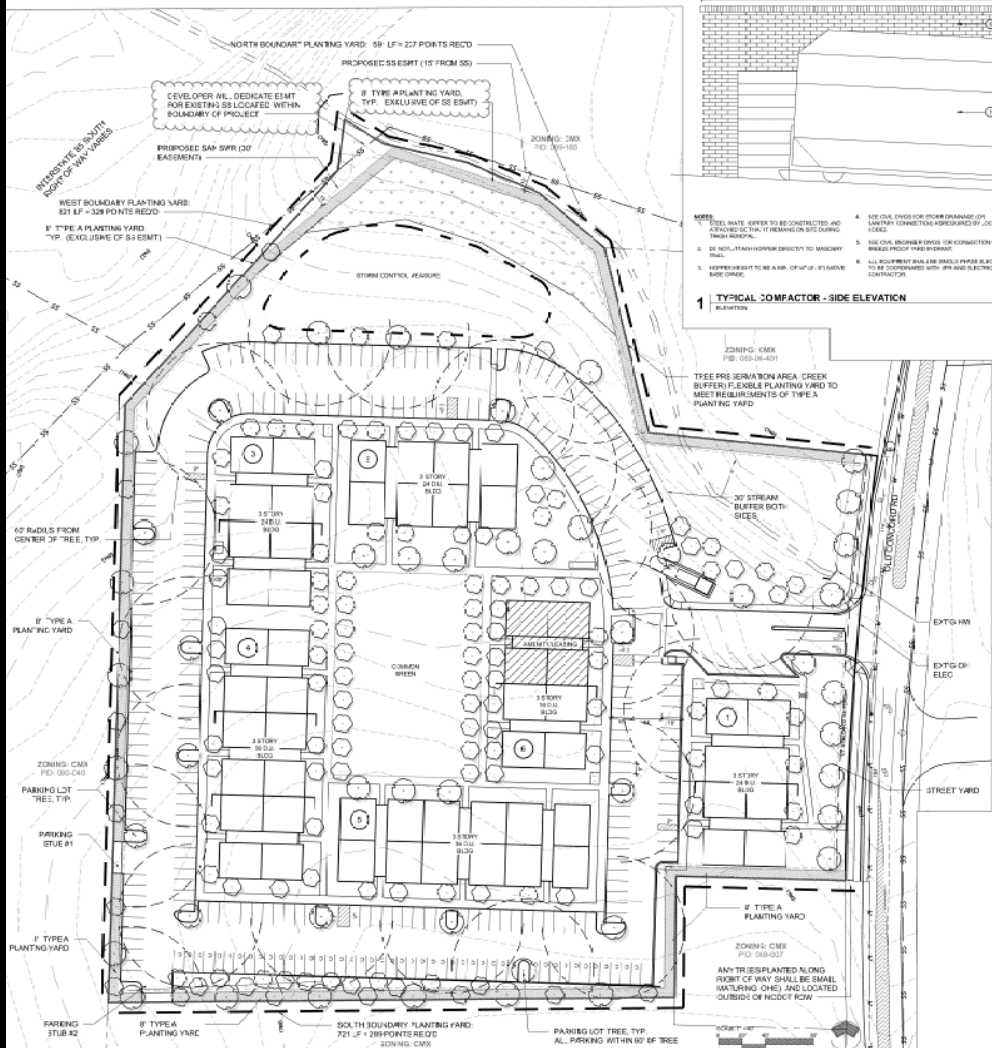
CD-05-2022



CD-05-2022

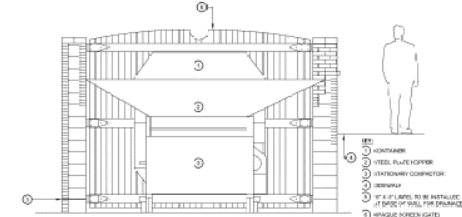
1215 Old Concord Rd,
Salisbury, NC 28146





- 1 TYPICAL COMPACTOR - SIDE ELEVATION**
1. EXTERIOR COMPACTOR TO BE 22.5 IN. 9" COMPACTOR BY MANITOWOC EQUIPMENT CO.
 2. COMPACTOR TO BE 3.48 CHL. ROLL-OFF DESIGN.
 3. COMPACTOR CONTAINING WASHING EQUIPMENT 20".
 4. METEORICAL DRAIN OR DOWN DRAINAGE ON EXTERIOR CONNECTION AS REQUIRED BY LOCAL CODES.
 5. SIDE CHL. INSURER DRAIN FOR CONNECTION ON WHEEL PROTECT FROM OBSTRUCTION.
 6. ALL EQUIPMENT SHALL BE PROTECT FROM ELECTRICITY TO BE COORDINATED WITH IRRIGATION CONTRACTOR.
 7. REFERRED TO BE AS IN. OF UP OF. IT LARGER SIDE DRAIN.

1. EXTERIOR COMPACTOR TO BE 22.5 IN. 9" COMPACTOR BY MANITOWOC EQUIPMENT CO.
2. COMPACTOR TO BE 3.48 CHL. ROLL-OFF DESIGN.
3. COMPACTOR CONTAINING WASHING EQUIPMENT 20".
4. METEORICAL DRAIN OR DOWN DRAINAGE ON EXTERIOR CONNECTION AS REQUIRED BY LOCAL CODES.
5. SIDE CHL. INSURER DRAIN FOR CONNECTION ON WHEEL PROTECT FROM OBSTRUCTION.
6. ALL EQUIPMENT SHALL BE PROTECT FROM ELECTRICITY TO BE COORDINATED WITH IRRIGATION CONTRACTOR.
7. REFERRED TO BE AS IN. OF UP OF. IT LARGER SIDE DRAIN.



- 2 TYPICAL COMPACTOR SECTION**
1. CONTAINER
 2. STEEL PLATE COVER
 3. INTERIOR COMPACTOR
 4. 17" x 17" PANEL TO BE NATURAL GRASS OF SOIL, THE BRIDGE
 5. WINDSTOP VERTICAL
 6. 42" HIGH OPERATING SECONDARY COMPACTOR
 7. 61" HIGH OPERATING SECONDARY COMPACTOR
 8. 61" HIGH OPERATING SECONDARY COMPACTOR

LANDSCAPE SUMMARY

AREA	8.14 AC ± (354,400 SF)
30% TREE CANOPY REQUIRED	166,347 SF
2.1% TREES REQ'D-1 TREE	300 SF

TREE CANOPY PROVIDED

GREEN SWIMMER	67 TREES (12,000 SF)
PERMETR. YARD	26 TREES (12,000 SF)
PARKING LOT TREES	25 TREES (12,000 SF)
STREET YARD	52 TREES
COMMON AREAS	86 TREES
TOTAL	233 TREES PROVIDED

PLANT YARDS

NORTH BOUNDARY	216 POINTS REQUIRED (591 SF)
WEST BOUNDARY	328 POINTS REQUIRED (823 SF)
SOUTH BOUNDARY	280 POINTS REQUIRED (721 SF)
TOTAL	824 POINTS REQUIRED

STREET AND PARKING LOT LANDSCAPE REQUIREMENTS

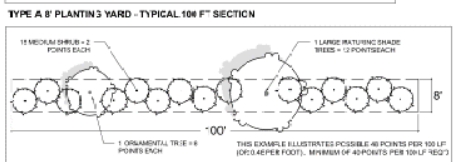
STREET	FRONTAGE LENGTH	TREES REQUIRED	TREES PROVIDED
OLD DRACONIS ROAD	325 LF	9 (1/5) (26,250 SF)	1 (1.0) 647 TREES

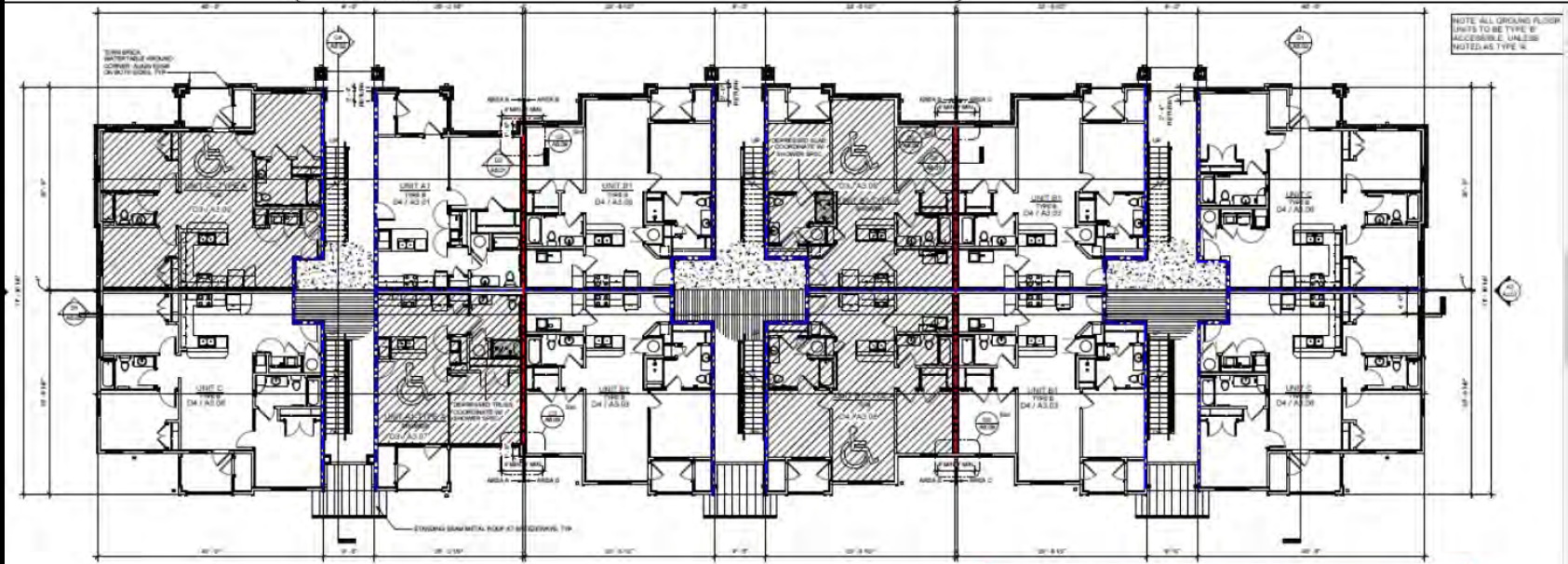
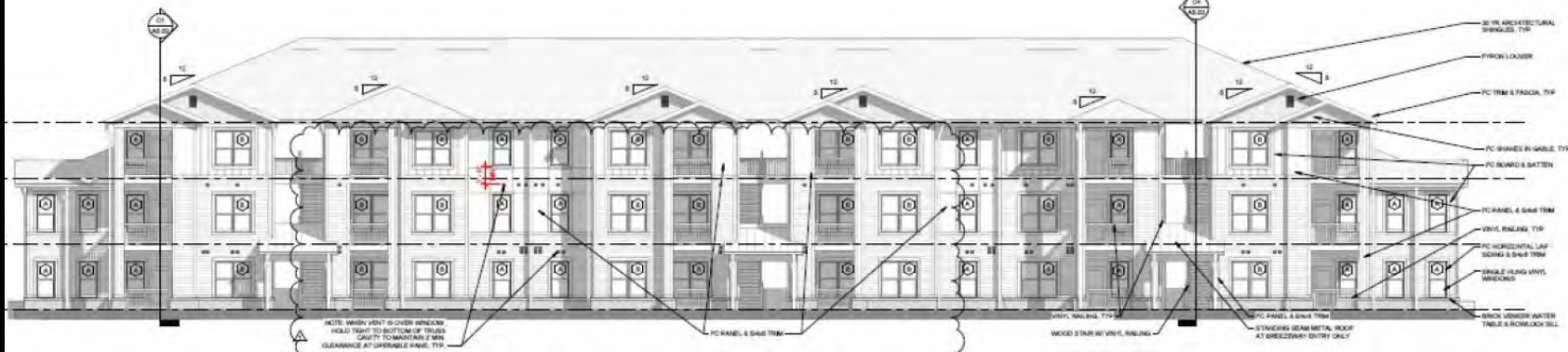
INTERIOR PARKING LOT LANDSCAPE REQUIREMENTS PER CHAPTER 8, SEC. 8.4.2

TOTAL PARKING SPACES	TREES REQUIRED	TREES PROVIDED
246 SPACES	246 TREES (2,232 SPACES)	25 TREES PROVIDED

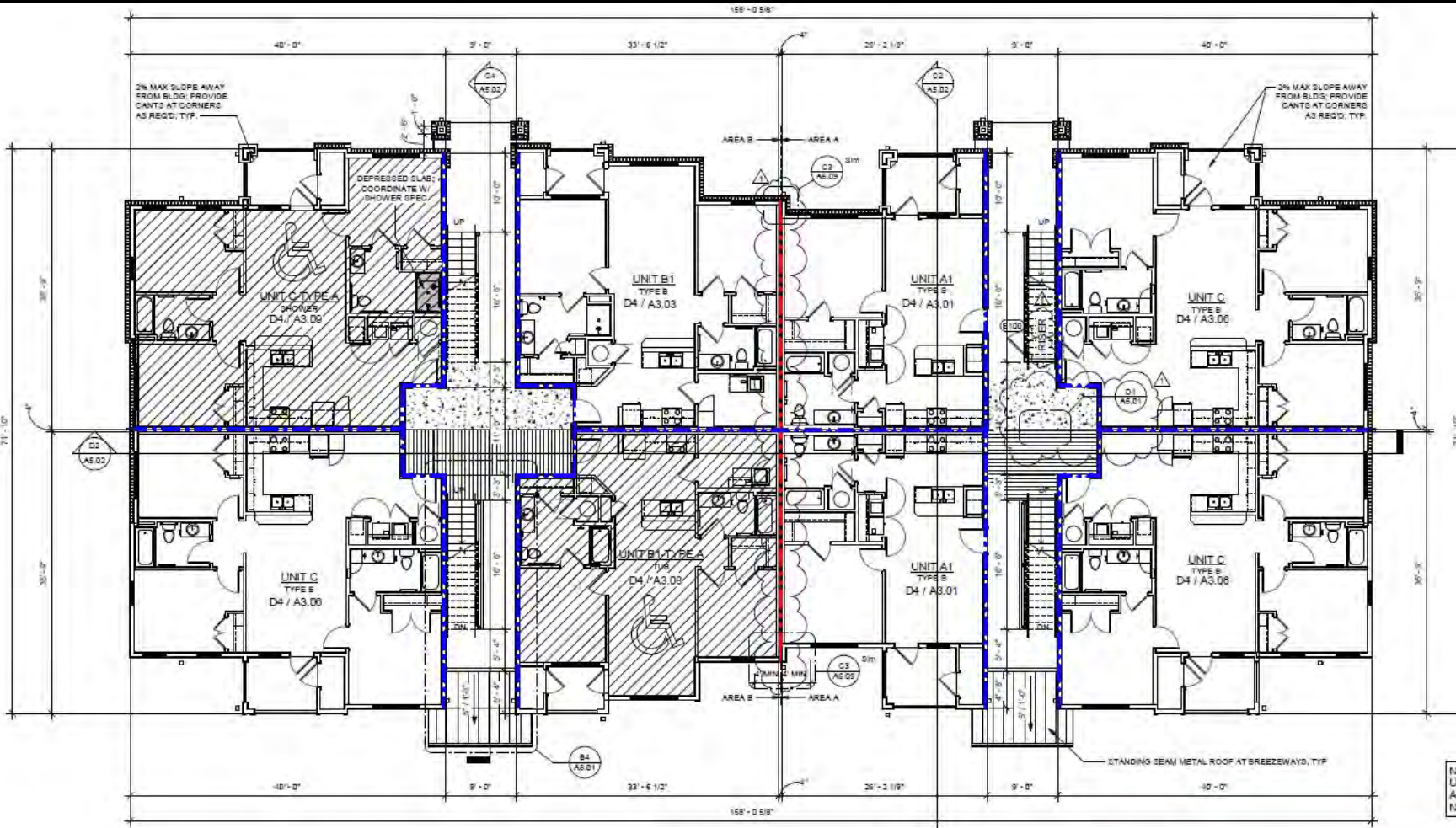
NOTES/EXPLANATIONS:

- ALL PLANT MATERIAL USED TREES: THESE REQUIREMENTS SHALL BE FOR AN APPROVED SPECIES LIST.
- IF PLANTING YARD TO BE USED PRIOR EXISTING REGULATION DOES NOT MEET ALL THE REQUIREMENTS.

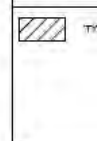




ALL BUILDINGS MUST BE SUBMETERED.
 PORCHES, PATIOS, BALCONIES MUST BE 8'-0" DEEP MIN.



- 4. ALL INTER...
- 5. ALL FINISH...
- 6. MAX THRE...
- 7. REFER TO...
- 8. WHERE EY...
- 9. ALL WALL...
- 10. REFER TO...
- 11. ALL INTER...
- 12. ALL EXTE...
- 13. ALL EXTE...
- 14. ALL INTER...
- 15. TENANT...
- 16. SEE STR...
- 17. SLOPE F...
- 18. DEPRESS...



NOTE: ALL FIRST FLOOR UNITS TO BE TYPE 'B' ACCESSIBLE, UNLESS NOTED AS TYPE 'A'

ALL BUILDINGS MUST BE SUBMETERED. PORCHES, PATIOS, BALCONIES MUST BE 8'-0" DEEP MIN.





Vision 2020 Policies

- **Policy N-18:** As new neighborhoods are developed, a mixture of housing types/sizes/prices shall be provided within the bounds of each neighborhood planning area.
- **Policy N-19:** Higher density housing projects, such as apartment complexes and condominium developments, should be located adjoining places of work, shopping and public transit. Access to such higher density housing shall not be through a lower density housing area. Higher density housing may often act as a transitional use between offices or shops and lower density housing.



Planning Board Courtesy Hearing was held August 23, 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: **CD-05-2022**
Project Title: Ben Green Apartments
Petitioner(s): Blue Venus Realty LLC
Owner(s): Nancy Cannon, Phyllis McGinnis
Representative(s) or Developer(s) Rama Yada (Blue Venus Realty LLC)
Address: 1215 Old Concord Road
Tax Map - Parcel(s): 069 006
Size / Scope: 8.1 acres
Location: Located east of I-85, along the 1200 block of Old Concord Road.

REQUEST:

**Request to amend the Land Development District Map
by rezoning one (1) parcel at 1215 Old Concord Road (PID 069 006) from CORRIDOR MIXED-USE (CMX) to CORRIDOR MIXED-USE (CMX) with a CONDITIONAL DISTRICT OVERLAY (CD) for the proposed 164 unit apartment complex.**

STATEMENT OF CONSISTENCY & RECOMMENDATION:

The Salisbury City Council held a public hearing and reviewed the petition on September 20, 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 N-18: As new neighborhoods are developed, a mixture of housing types/sizes/prices shall be provided within the bounds of each neighborhood planning area.

Policy N-19: Higher density housing projects, such as apartment complexes and condominium developments, should be located adjoining places of work, shopping and public transit. Access to such higher density housing shall not be through a lower density housing area. Higher density housing may often act as a transitional use between offices or shops and lower density housing.

AN ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, REZONING 1215 OLD CONCORD ROAD, APPROXIMATELY 8.1 ACRES, (TAX MAP 069 PARCEL 006) FROM CITY OF SALISBURY CORRIDOR MIXED-USE (CMX) TO CITY OF SALISBURY CORRIDOR MIXED-USE (CMX) WITH A CONDITIONAL DISTRICT OVERLAY (CD). (PETITION NO. CD-05-2022)

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 August 23, 2022, unanimously voted to recommend approval of the design as submitted, 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 September 20, 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 069 Parcel 006, 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 Corridor Mixed-Use with a Conditional District 'CD' Overlay pursuant to the approved CD Master Plan.

SECTION 2. PERMITTED USES (PRIMARY): All 'CMX' 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.

**NOTICE TO INTERESTED PARTIES
OF VIRTUAL COMMUNITY MEETING**

Subject: Virtual Community Meeting - Rezoning Petition to be filed by Blue Venus Realty LLC to request the rezoning of an approximately 8.14 acre site located on the west side of Old Concord Road between Gold Hill Drive and South Jake Alexander Boulevard

**Date and Time
of Virtual Meeting:** Wednesday, June 29, 2022 at 6:30 p.m.

Place of Meeting: See Below for Information on How to Access the Virtual Community Meeting

Blue Venus Realty LLC (“Blue Venus”) will be filing a Rezoning Petition with the City of Salisbury Development Services Department requesting the rezoning of an approximately 8.14 acre site located on the west side of Old Concord Road between Gold Hill Drive and South Jake Alexander Boulevard from the CMX zoning district to the CMX - CD zoning district. The purpose of this rezoning request is to accommodate the development of a residential community on the site that would contain a maximum of 170 multi-family dwelling units.

Blue Venus will hold a virtual Community Meeting prior to filing this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners. The Rowan County tax records indicate that you are an owner of property that is located within 250 feet of the site subject to this Rezoning Petition.

Accordingly, on behalf of Blue Venus, we invite you to participate in the virtual Community Meeting regarding this Rezoning Petition on Wednesday, June 29, 2022 at 6:30 p.m. Area property owners and residents who would like to participate in the virtual Community Meeting must email their email addresses to communitymeeting@robinsonbradshaw.com to receive an electronic invitation and link to the virtual Community Meeting. If you do not have access to the internet or cannot otherwise participate in the virtual Community Meeting and would like a hard copy of the presentation mailed to you, please contact John Carmichael at the email address or phone number below.

Once you log into the virtual Community Meeting, a presentation regarding the Rezoning Petition will be provided. After the presentation, attendees will have an opportunity to ask questions. You can also continue to contact us with questions after the virtual Community Meeting.

Representatives of Blue Venus look forward to sharing this rezoning proposal with you and to answering your questions.

In the meantime, should you have any questions or comments, please call John Carmichael at (704) 377-8341 or email John Carmichael at jcarmichael@robinsonbradshaw.com.

Thank you.

Robinson, Bradshaw & Hinson, P.A.

Date Mailed: June 17, 2022

TAXPID	OWNERLASTN	OWNERFIRST	COWNERS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
069 00401		United Steel Workers of America Local #8573			PO Box 643		Granite Quarry	NC	28072-0643
069 00402		6814 Construction LLC			19037 Chandlers Landing Drive		Cornelius	NC	28031-4550
069 165		Mr. Storage LLC			195 Davidson Hwy		Concord	NC	28027
069 00403	Tucker	Katina Anne	Mezak	Tucker	440 Persimmon Lane		Salisbury	SC	28146
069 141		JPI Coastal Realty LLC			8741 Shields Road Suite B		Canfield	Ohio	44406-9814
063 053		Old Concord RD LLC			85 Clinton Ave		Huntington	NY	11743
063 001		Old Concord RD LLC			85 Clinton Ave		Huntington	NY	11743
063 002	Ketchie	Richard R.			2505 Foxfire Drive		Salisbury	NC	28147-7858
063 003	Ketner	Louise Roseman			1120 Terrace Drive		Salisbury	NC	28146-6067
063 004		Ly Thao Hoang	Dang John Hong		12524 Tanners Court		Charlotte	NC	28262
063 005	Smith	Joanna Back			1406 Old Concord Road		Salisbury	NC	28146-1350
060 038		Hare Krishna Hotels Inc.			1328 S Jake Alexander Blvd		Salisbury	NC	28146
060 040		East Best LLC			1016 Montana Drive		Salisbury	NC	28216
060 041		Rowan/Kannapolis ABC Board			PO Box 114		Salisbury	NC	28145
060 088	Meacham	David A.	Amy O.	Meacham	830 Shaver Road		Richfield	NC	28137-8733
060 044		PTM LP			5700 Sixth Ave		Altoona	PA	16602
060 157	Honeycutt	Sandra F.			345 Topsail Road		Salisbury	NC	28146-2462
060 043	Honeycutt	Sandra F.			345 Topsail Road		Salisbury	NC	28146-2462
060 042		BT-OH LLC	c/o United Parcel Service Inc.	Attn: Real Estate	55 Glenlake Parkway NE		Atlanta	GA	30328-3474
069 007	Padgett	Daryl Dennison			PO Box 1671		Salisbury	NC	28145-1671
060 118		African Methodist Episc Zion Church			301 S Tryon Street, Suite 1755		Charlotte	NC	28282-1904
060 085	Suryakant	Patel L.	Attn: Bishop Battle		Two Wachovia Center		Charlotte	NC	28282-1904
060 102	McCullough	Jerry Doyle	Peace Group LLC	Joyce J.	2515 Duck Club Road		Greensboro	NC	27410
060 105		Lutheran Retirement Center Inc.			585 State Road		Landis	NC	28088-0195
060 080		Indoor Warehouse Storage LLC			PO Box 947		Salisbury	NC	28145-0947
060 098	Fortson	Darril	Bearskin Holdings LLC		PO Box 64076		Fayetteville	NC	28306-4076
069 171	Fortson	Darril Earl	Salisbury Moving & Storage		1428 Lutheran Synod Drive		Salisbury	NC	28144
069 00301		WIN Industrial & Hotel Group of Salisbury, Inc.			PO Box 102		Salisbury	NC	28145
069 006	Canon	Nancy Marie	Phyllis Ann	McGinnis	PO Box 130069		Birmingham	AL	35213-0069



NOTICE OF PUBLIC HEARING

Salisbury City Council will hold a public hearing Tuesday, September 20, 2022 during its 6:00 p.m. meeting to consider the following request. The regularly scheduled September 20, 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 5:00 p.m. on Tuesday, September 20, 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-05-2022

Project Title:	Ben Green Apartments
Petitioner(s):	Blue Venus Realty LLC
Owner(s):	Nancy Cannon, Phyllis McGinnis
Representative(s) or Developer(s)	Rama Yada (Blue Venus Realty LLC)
Address:	1215 Old Concord Road
Tax Map - Parcel(s):	069 006
Size / Scope:	8.1 acres
Location:	Located east of I-85, along the 1200 block of Old Concord Road.

REQUEST:

Request to amend the Land Development Ordinance (LDO) and Land Development District Map by rezoning (1) parcel being approximately 8.1 acres located at 1215 Old Concord Road from Corridor Mixed-Use (CMX) to Corridor Mixed-Use (CMX) with a Conditional District (CD) Overlay. The proposal is seeking approval of a 164 unit apartment complex. The proposal is not requesting any exceptions to the LDO Parking Requirements.

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 7th day of September 2022.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

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

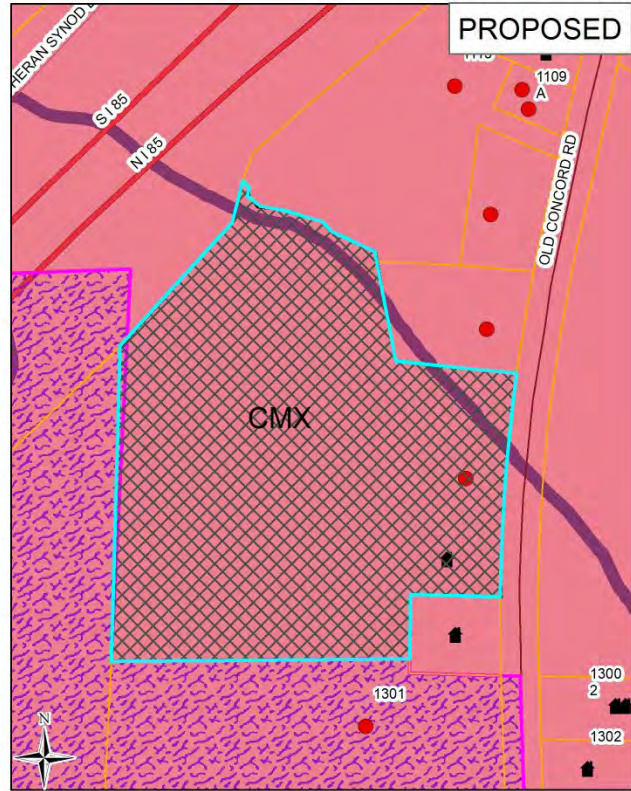
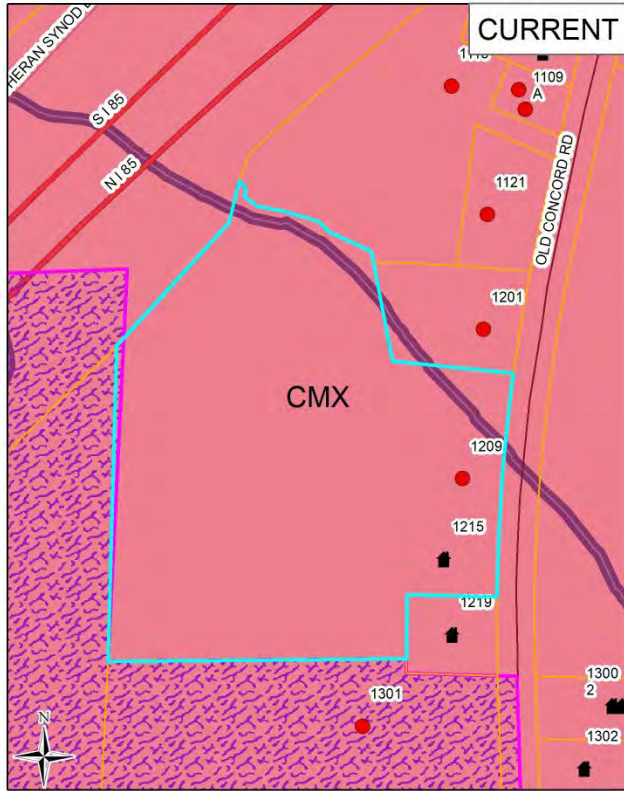
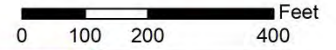
CD-05-2022: 1215 OLD CONCORD RD (BEN GREEN APARTMENTS)



Parcel : 069 006

Current Zoning: Corridor Mixed-Use (CMX)

Proposed Zoning: Corridor Mixed-Use - Conditional District Overlay (CMX-CD)



PARCEL_ID	OWNNAME	TAXADD1	CITY	STATE	ZIPCODE
063 001	OLD CONCORD RD LLC	85 CLINTON AV	HUNTINGTON	NY	11743
060 042	BT-OH LLC	55 GLENLAKE PKWY NE	ATLANTA	GA	30328-3474
069 165	MR STORAGE LLC	195 DAVIDSON HWY	CONCORD	NC	28027-0000
069 00401	UNITED STEEL WORKERS OF AMERICA LOCAL #8573	PO BOX 643	GRANITE QUARRY	NC	28072-0643
069 00402	6814 CONSTRUCTION LLC	19037 CHANDLERS LANDING DR	CORNELIUS	NC	28031-4550
069 141	JPI COASTAL REALTY LLC	8741 SHIELDS RD SUITE B	CANFIELD	OH	44406-9814
069 007	PADGETT DARYL DENNISON	PO BOX 1671	SALISBURY	NC	28145-1671
069 006	CANNON NANCY MARIE & MCGINNIS PHYLLIS ANN	PO BOX 130069	BIRMINGHAM	AL	35213-0069
060 040	EAST BEST LLC	1016 MONTANA DR	CHARLOTTE	NC	28216
069 141	JPI COASTAL REALTY LLC	5741 SHIELDS RD SUITE B	CANFIELD	OH	44406-9814

SITE DEVELOPMENT DATA

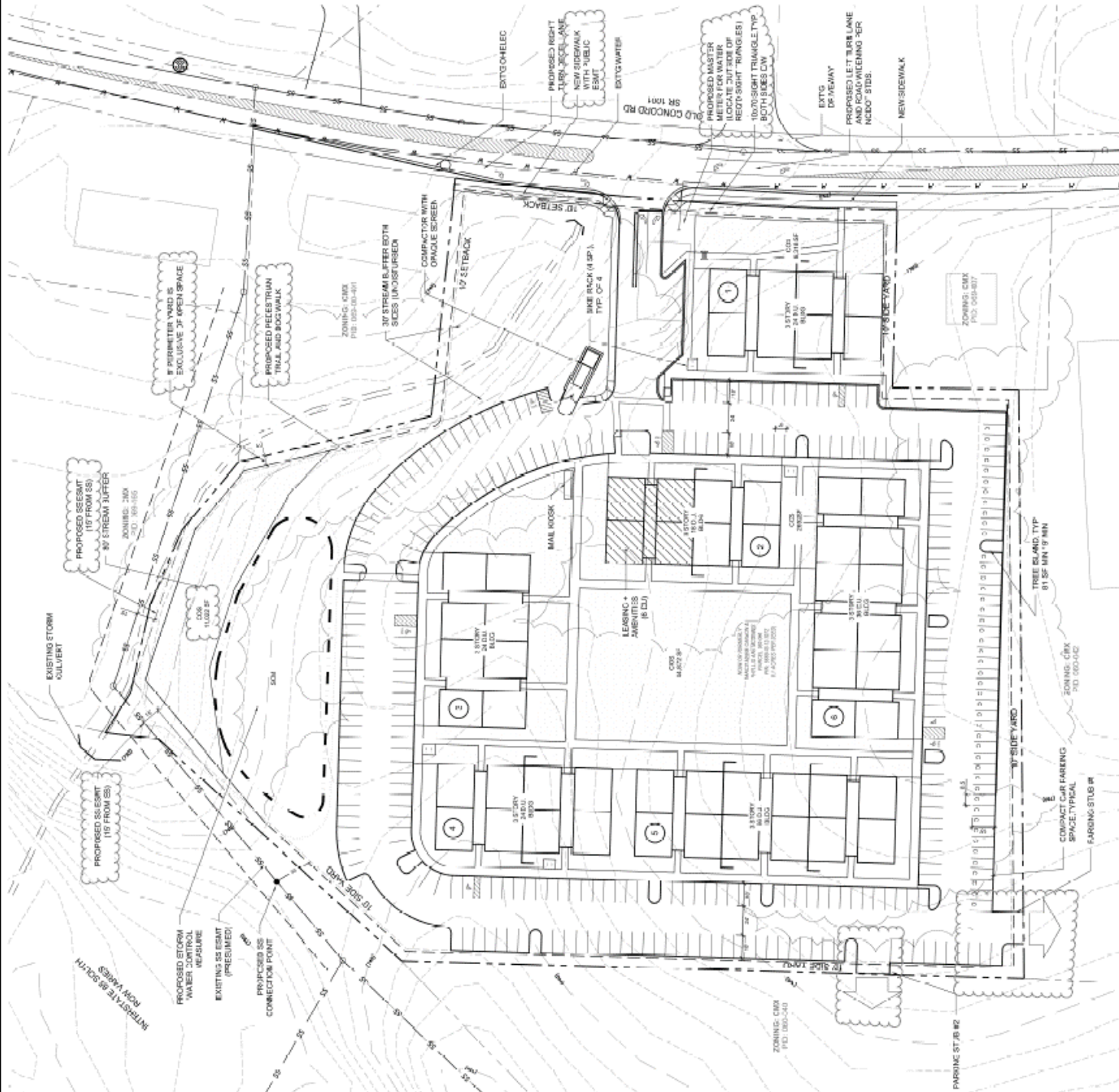
- ADIRAKE
 8-1 AC ± (24,400 SF) TOTAL
 669,032.792
 CRL / AIRBET ZONING DENSITY
 CRL CB / AIRPORT ZONING 2/FIN LAY
 MULTIFAMILY (FOR RES APTS)
 188 UNITS
 20.14 DKA
 16.17 AC OPEN SPACE
 UP TO 40 AC OPEN SPACE TO BE PROVIDED (6,000 SF)
 AND IMPROVED WITH ONE OR MORE OF: JOGGING/BIKE
 TRAILS, ART, TREE PLANTINGS, BENCHES, AND/OR
 10 FEET TO FRONT
 10 FEET
 1 PER BEDROOM UP TO 2 PER UNIT
 (5) 1 BR = 26 SPACES
 (1-4) 2 BR = 256 SPACES
 3 BR = 512 SPACES
 4 BR = 512 SPACES
 5 BR = 256 SPACES
 6 BR = 256 SPACES
 7-8+ STANDARD SPACES
 AS COMPACT, 50%
 37 SPACES TOTAL
 (0.7) 16 SPACES
 16 SPACES
 SEE SHEET BK-2 P. 1 FOR FURTHER LANDSCAPE PLAN

EXISTING ZONING
 PROPOSED ZONING
 PROPOSED USE
 UNITS PER LOT
 MAX DENSITY
 PROPOSED DENSITY
 REQUIRED OPEN SPACE
 BUILDING SETBACK
 PARKING SPACES REQUIRED
 PARKING SPACES PROVIDED
 BICYCLE PARKING REQUIRED
 BICYCLE PARKING PROVIDED
 REQUIRED LANDSCAPING

PROPOSED SEEMT
 15' FROM (SB)
 3' STREEM BUFFER
 ZONING: MDR
 PD 169-155

8' PERIMETER YARD IS
 EXCLUSIVE OF OPEN SPACE
 PROPOSED PEDESTRIAN
 TRAIL AND BICYCLE WALK
 ZONING: CRLK
 PD 105-10-101

30' STEEP SLOPE WITH BOTH
 SIDES UNASSURED
 COMPACTOR WITH
 CHARGE SCREEN
 17' SETBACK
 18' SETBACK
 BIKE RACK (4 SP)
 TYP. OF 4





NOTICE OF PUBLIC HEARING

Salisbury City Council will hold a public hearing Tuesday, September 20, 2022 during its 6:00 p.m. meeting to consider the following request. The regularly scheduled September 20, 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 5:00 p.m. on Tuesday, September 20, 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-05-2022

Project Title:	Ben Green Apartments
Petitioner(s):	Blue Venus Realty LLC
Owner(s):	Nancy Cannon, Phyllis McGinnis
Representative(s) or Developer(s)	Rama Yada (Blue Venus Realty LLC)
Address:	1215 Old Concord Road
Tax Map - Parcel(s):	069 006
Size / Scope:	8.1 acres
Location:	Located east of I-85, along the 1200 block of Old Concord Road.

REQUEST:

Request to amend the Land Development Ordinance (LDO) and Land Development District Map by rezoning (1) parcel being approximately 8.1 acres located at 1215 Old Concord Road from Corridor Mixed-Use (CMX) to Corridor Mixed-Use (CMX) with a Conditional District (CD) Overlay. The proposal is seeking approval of a 164 unit apartment complex. The proposal is not requesting any exceptions to the LDO Parking Requirements.

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 2nd day of September 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, August 23, 2022, at 4:00 p.m. with the following being present:

GUESTS:

PRESENT: Bill Burgin, Yvonne Dixon, Jayne Land, Jon Post, P.J. Ricks, Esther Smith, John Schaffer, 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 4:00 p.m.

APPROVAL OF MINUTES

Planning Board Minutes of July 26, 2022 were approved as written by Members present.

NEW BUSINESS

CD-05-2022 Ben Green Apartments, 1215 Old Concord Road; PID: 069 006; Current Zoning: Corridor Mixed Use (CMX); Proposed Zoning: Corridor Mixed Use (CMX)/Conditional District Overlay (CD)

Presenter: Victoria Bailiff

Request

Petitioner, Blue Venus Realty, is requesting to rezone (1) parcel from (CMX) to (CMX/CD) for the development of a 164-unit apartment complex.

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 the Board, Ms. Bailiff explained that the request is a simple adjustment to the zoning by adding the conditional district overlay. The proposed development is a campus-style apartment complex, which is comprised of multiple buildings, facing inward. This style requires legislative CD approval.

The project meets recreational space requirements, and is similar to Grand on Julian.

The Applicant echoed Ms. Bailiff's explanation of the design and reason for the overlay.

Public Comment

None.

Motion

Bill Burgin made a motion to approve the request. It was seconded by Esther Smith, and passed by unanimous vote of members present.

STAFF UPDATES

Teresa Barringer updated the Board on the status of the Rowan County Airport property. A local bill was passed that removed the airport from City limits, however, due to an oversight, it remained within Salisbury's ETJ. The property is funded through FAA grants, which are highly restrictive, and contradict many of the City's zoning laws. Rowan County has petitioned for the property to be removed from City jurisdiction. After many meetings and discussions, Staff believes the best option is to request City Council approve the petition.

In response to questions, Ms. Barringer said the City will continue to provide water and sewer to the area, as with other areas in the County. She clarified for the Board that the airport does not pay City taxes; no one in the ETJ does.

Regarding today's case, she was asked if it would be advantageous to amend the LDO to permit campus style apartments without a CD overlay. She responded that because of the high level of citizen interest in such developments, it is best to leave the application of conditions with Council.

ADJOURN 4:24 p.m.

John Schaffer, Chair

Jennifer Pfaff, Secretary