



The Salisbury Planning Board held a virtual meeting on Tuesday, February 8th 2022, at 4 p.m. with the following being present:

GUESTS: Michael Fox, Dionne Brown, Ken Miller, Justin Church, Eva Nelson, Ben Fisher, Victor Wallace, and Kathy Seybold

PRESENT: John Struzick, Tim Norris, John Schaffer, Bill Burgin, Dennis Rogers, Jayne Land, Jon Post, and Liliana Spears

STAFF: Teresa Barringer, Elizabeth Burke, Graham Corriher, Hannah Jacobson, and Emily Vanek

WELCOME GUESTS AND VISITORS

John Schaffer, Chair, called the Planning Board meeting to order at 5:41 p.m. on 2/8/2022

APPROVAL OF MINUTES

Planning Board Minutes of January 11th, 2021 approved as submitted.

STAFF PRESENTATION

CASE NO. CD-07-2021 DOLLAR GENERAL

Petitioner(s): Daniel Almazan (applicant); Teramore Development, LLC

Property Owner: Belle Realty Development Co.

Parcel(s): 325 005

Current Zone: Neighborhood Mixed- Used (NMX)

Rezoning Request

Request to rezone (1) parcel, 325 005; from Neighborhood Mixed Use (NMX) / GD-A Overlay to Corridor Mixed Use (CMX) with a Conditional District Overlay (CD).

Applicable Policy

Vision 2020

Policy N-7: Appropriately located, designed and scaled stores and services providing basic necessities to residents of the city's older neighborhoods shall be encouraged.

Policy C-26: Neighborhood serving businesses shall be designed at residential scale and character.

DISCUSSION

Mrs. Barringer conducted a staff presentation to provide the details and purpose of the case. Mr. Schaffer inquired about the existing spot zoning of NMX. Staff responded that the zoning was pre-existing prior to the Land Development Ordinance. Staff listed the exception requests:

- Allow the front setback to exceed the maximum by right 75ft setback associated with LDO Chapter 5
- Allow one inner lot connectivity point rather than the two required by LDO Chapter 10
- Allow opaque windows along the street façade to vary from LDO Chapter 5

Mr. Schaffer and staff discussed the applicability of the inner lot connectivity requirements. Staff noted that the inner connectivity will be joining the portion of the lot that is proposed to be subdivided out from the remainder of the lot left over. Ms. Land inquired about plans for subdividing the remaining lot and how it would impact future development. Mrs. Barringer mentioned that the rezoning to CMX with a conditional district will only apply to the smaller lot; the larger lot would remain NXM. Any similar commercial development proposed there will be required to go through the legislative process. Mr. Schaffer highlighted that the request being proposed would lead to spot zoning. Mr. Post, Mr. Schaffer, and Mrs. Barringer discussed the existing zoning in the surrounding area in regards to spot zoning.

Mr. Michael Fox, law offices located at 400 Bellemeade, Suite 800, St Greensboro NC 27401, introduced the team associated with Daniel Almazan (applicant) and Teramore Development, LLC who will be speaking during today's meeting. Mr. Fox also commended staff for their time, efforts, and well explained presentation. Mr. Almazan, applicant representative, presented the specifics regarding the site selection, new store's intent, layout, and the purpose of the rezoning and conditional district request. Mr. Almazan explained the main intent of the rezoning request was to bring fresh produce to the area that the standard Dollar General stores do not provide. Mr. Almazan also covered key topics that were discussed during the community meeting.

Ms. Dionne Brown, located at 4600 Marriot Dr Raleigh NC 27612, with Davenport Engineering, presented a technical memorandum related to traffic impacts because it was mentioned by the community as a concern. Mrs. Brown mentioned, that based off their rating scale, the additional traffic created on the two roads abutting the new development would not generate enough trips to effect the existing ratings or require any additional infrastructure. She also provided the review and recommendations to NCDOT and they had no feedback and are aware of the proposal.

Mr. Ken Miller, located at 13801 Reese Blvd W Huntersville NC 28078, spoke in regard to potential crime issues brought up during the community meeting. Mr. Miller stated that, based on other Dollar Generals, there would be no significant crime impacts compared to the existing crime. Mr. Nick Kirkland, land appraiser located at 9408 Northfield Ct Raleigh, NC 27603, explained that all existing Dollar Generals are within and/or near residential uses. He also stated that, Dollar Generals are usually a harmonious use to residential areas. They are normally used as transitional uses between residential and heavier commercial uses, but are not limited to that instance. Mr. Kirkland concluded that the proposed Dollar General would not have any positive or negative impacts towards the surrounding property values.

Mr. Post inquired about what the notification radius was for the surrounding area. Mrs. Barringer responded that notifications were mailed to properties within 250 ft. of all boundaries of the property. Ms. Land asked if the neighborhood meeting was well represented. Mr. Fox stated that there were approximately 40 people that attended the meeting, so he believes it was. Ms. Spears asked if there were multiple meetings to provide feedback and Mr. Schaffer inquired if there was a feedback loop for how the comments were addressed. Mr. Fox stated that there was only the one community meeting for residents to attend but that the comments were addressed by conducting studies and research.

Mr. Justin Church, located at 1520 Meadowview Dr Wilkesboro NC 28697, reiterated and closed out what the project representatives discussed. Mr. Church highlighted, in regard to the inner lot connectivity discussion that NCDOT requested only 1 access point close to the intersection on 7th St and no access point for the property on Old Mocksville Rd. Mr. Church also wanted to bring attention to their attempt to meet all standards for the various departments in the plan provided.

Ms. Spears made a motion to continue after 6:30. Jon Post Second. All voted Aye. The meeting proceeded with community input.

Ms. Eva Nelson, located at 101 Sterling Ct, stated that she is in favor of responsible growth and development that is safe and secure. She does not believe the proposed Dollar General meets responsible growth, development, or the intent of Vision 2020. She expressed her concern related to the benefit of the community; stating Dollar General provides “slave wages,” an unfriendly work environment, lack of moral, over worked employees, and is incapable of self-policing, Ms. Nelson closed with a final statement showing her opposition against the proposed project.

Mr. Ben Fisher, located at 215 Sells Rd Salisbury NC 28144, spoke as a concerned local resident. Mr. Fisher stated that he is for sustainable smart growth but that the Dollar General does not meet that definition. He stated that the project is not compatible with the surrounding uses, being residential and agricultural. Mr. Fisher wanted to further express his concern for the environmental impacts and the area’s need for another convenient store with a Walgreens 1.7 miles away and another two Dollar Generals about 2.08-2.12 miles away. He also mentioned that the proposed use does not meet vision 2020.

Mr. Victor Wallace, owner, located at 1110 confederate Ave, expressed he was in favor of the development. He also mentioned that he has many connections to people who reside in the

nearby communities and would not allow anything to be developed on his land that would not benefit the communities or that would hurt the communities.

Ms. Kathy Seybold, located at 112 Rugby Rd, stated that she wanted to reiterate what Mr. Fisher and Ms. Nelson stated; she is all for positive growth but that Dollar General would not be a positive development for the area. She does not see the need for another Dollar General in the area because of the existing Walgreens, Food Lion, and other Dollar Generals. Ms. Kathy was opposed to the new Dollar General project.

The board and staff further discussed permitted uses within the existing zone, proposed zone, and the possible outcomes based on the direction of the vote. Mrs. Barringer also highlighted that the developer mentioned the willingness to limit the uses permitted on said lot, as if it were still NMX other than the square footage limitation, through the conditional district. The board further discussed the spot zoning, the other zoning options, and the compatibility of each. Ms. Spears stated that she is for the rezoning with past experiences as a business owner in the area and that she recognizes the proposed project would be very beneficial for the area.

MOTION

Ms. Spears made a motion to approve the CD-07-2021 Dollar General case submittal as is, consistent with the Land Development Ordinance and Vision 2020. John Struzick second. Four voted aye, three voted nay.

OTHER BUSINESS

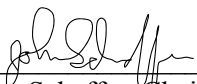
Board Chair Nominations

Planning Board Chair: John Schaffer (All voted AYE)

Planning Board Vice Chair: Tim Norris (All voted AYE)

Regular / Alternate Seat Appointments: Liliana Spears, John Struzick, Tim Norris, John Schaffer, Bill Burgin, Dennis Rogers, and Jayne Land.

ADJOURN 7:15



John Schaffer, Chair



Sheighla Temple, Secretary