



The Salisbury Planning Board held its regular meeting on Tuesday, April 23, 2024, at 4:00 p.m. with the following being present:

PRESENT: Larry Cartner, David Midgley, Steven Raffa, PJ Ricks, John Schaffer, Katherine Thornton

STAFF: Victoria Bailiff, Senior Planner; Graham Corriher, City Attorney; Phillip Lookadoo, Director of Land and Development Services; Jennifer Pfaff, Senior Administrative Specialist

Jennifer Pfaff administered the Oath of Office to new members, Katherine Thornton and Steven Raffa.

WELCOME GUESTS AND VISITORS

John Schaffer, Chair, called the Planning Board meeting to order at 4:02 p.m.

ELECTION OF OFFICERS

David Midgley made a motion to elect John Schaffer as Chair. Larry Cartner seconded the motion, and it was approved by all members present.

David Midgley made a motion to elect Larry Cartner as Vice-Chair. Katherine Thornton seconded the motion, and it was approved by all members present.

Larry Cartner will serve as liaison to the Technical Review Committee (TRC) in a non-voting capacity.

APPROVAL OF MINUTES

Planning Board Minutes of February 27, 2024 were approved by all members present.

NEW BUSINESS

RZ04-2024-00003, 2515 Statesville Boulevard, Parcel 330 216; Owner: Stephen Lee

Request

The applicant is requesting to rezone a portion of the property located along Majolica Road from GR3 (General Residential) to NMX (Neighborhood Mixed-Use).

Staff Presentation



Victoria Bailiff presented the request to the Board. The property is already located within Salisbury City Limits. Staff is recommending that a portion of the parcel be rezoned, as the owner wishes to combine this portion of 160 Majolica Road with the parcel to the north (2515 Statesville Boulevard), which is already zoned NMX. This would leave no remaining split zoned parcels once the exception plat has been recorded.

Ms. Bailiff responded to questions from the board:

- Regarding parking, the applicant can do whatever is allowed by the ordinance.
- She clarified the place type change, and explained the difference between place types (guidance for the future), as opposed to zoning districts (current guidance).
- Nobody from the public attended the community meeting scheduled by the applicant.

Applicant Comment

Neither the owner, nor a representative, was in attendance.

Public Comment

None.

Deliberation

Members agreed with the staff recommendation.

Consistency Statement

David Midgley made a motion: “The City of Salisbury Planning Board finds that the map amendment requested in petition RZ04-2024-00003 **is consistent** with the goals and policies of the adopted Forward 2040 Comprehensive Plan.”

Larry Cartner seconded the motion. All members present voted AYE.

Recommendation to City Council

Katherine Thornton made a motion: “Having reviewed the proposed amendment, the Comprehensive Plan, and considered information from City Staff, comments from the applicant and other persons, the City of Salisbury Planning Board finds that the map amendment requested in petition RZ04-2024-00003 **IS** reasonable, and in the public interest, due to the location of the site and compatibility with surrounding zoning, therefore, the Planning Board recommends **APPROVAL** of the request, and recommends the Future Land Use Map place type of parcel 330 026 be designated as Neighborhood Activity Center.”



Larry Cartner seconded the motion. All members present voted AYE.

**RZCD02-2024-00003, 410 West Jake Alexander Boulevard, Parcel(s) 061 221, 061 222;
Owner/Applicant: John Leatherman**

Request

The applicant is requesting to rezone two (2) properties located along W. Jake Alexander Blvd. from RMX (Residential Mixed-Use with a General Development Overlay) to CMX-CD (Corridor Mixed-Use with a Conditional District Overlay) to permit a drive-through restaurant.

Staff Presentation

Victoria Bailiff presented the request to the Board. This is the same request as brought previously to the board, however, with conditions. The conditional overlay would allow only 9 out of all CMX uses, and will be tied to site plans and building elevations (there will be no front door for public use).

Applicant Testimony

Mr. Leatherman explained that the conditional overlay request is in response to the concerns brought during the previous meeting. He distributed maps, and GIS information in order to answer the objections of surrounding businesses. He believes those businesses are well protected, and that a coffee shop of this type will not cause too much traffic.

Public Comment

Victor Wallace read a portion of a letter to Mr. Leatherman in support of the project.

Jerry Wood, president of the association representing the surrounding businesses, spoke in opposition of the request. Members feel the same as before; the coffee shop will cause congestion, overuse of the back property, and potential abuse of the zoning.

Paul Radzowicz lives behind the area, and opposes the project. He feels waiting customers will produce unhealthy emissions, and the existing trees do not protect them from current noise and odors.

Jill Radzowicz opposes the project due to the excess trash, and traffic that already exists. She also questioned the process of mailing notices to surrounding properties because some of her neighbors didn't receive one; she feels it should be a larger circumference of recipients.

Ms. Bailiff explained that a public hearing for Planning Board is not required because they are advisory; a hearing is only required for City Council. Salisbury offers a public hearing during



Planning Board meetings as an extra service. Staff will address the option of expanding the notices.

Jonathan Bauman is the developer for the project. He said that notifications were sent out for a community meeting, but nobody attended. They have not ignored community input.

Jake Modesto, engineer for the applicant, spoke to the traffic issue, and how they study traffic patterns and driver habits. He assisted the board with questions regarding how customers will navigate the coffee shop, and explained their queuing studies.

Janice Roy, a physician at Pinnacle, is concerned about traffic, and the possibility of it blocking patient access. She opposes the project.

Ms. Bailiff read an email in favor of the project.

Deliberation

The board discussed the concerns of the community, and the positives of the new conditions.

Consistency Statement

David Midgley made a motion: “The City of Salisbury Planning Board finds that the map amendment requested in petition RZCD02-2024-00003 **is consistent** with the goals and policies of the adopted Forward 2040 Comprehensive Plan.”

Steven Raffa seconded the motion. The motion was approved by a vote of 5-1.

Recommendation to City Council

PJ Ricks made a motion: “Having reviewed the proposed amendment, the Comprehensive plan, and considered information from City staff, comments from the applicant and other persons, the City of Salisbury Planning Board finds that the map amendment requested in petition RZCD02-2024-00003 is reasonable and in the public interest, therefore the Planning Board recommends **APPROVAL** of the request.

Katherine Thornton seconded the motion. The motion was approved by a vote of 5-1.

STAFF UPDATES

Ms. Bailiff welcomed the new members and let them know she was available for orientation. She also reminded the board of the online training session scheduled for May 16th.

ADJOURN 5:36 p.m.



A handwritten signature in black ink, appearing to read "John Schaffer", written in a cursive style.

John Schaffer, Chair

A handwritten signature in black ink, appearing to read "Jennifer Pfaff", written in a cursive style.

Jennifer Pfaff, Secretary

