



The Salisbury Planning Board held a virtual meeting on Tuesday, February 22th 2022, at 4 p.m. with the following being present:

GUESTS: Michael Fox, Dionne Brown, Ken Miller, Justin Church, Eva Nelson, Diane Fisher, Aaron Towns, Richard Kirkland, and Ben Fisher; Adam Fiorenza, Woody Coley, Christopher Kouri, Yolanda Brisco, Greg Welsh.

PRESENT: John Struzick, Tim Norris, John Schaffer, Bill Burgin, Dennis Rogers, Jayne Land, P.J. Ricks, Jon Post, and Yvonne Dixon

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 4 p.m. on 2/22/2022

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; listing 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 mentioned this case, again, is requesting spot zoning with in an existing spot zone. As requested from the board previously, Mrs. Barringer discussed the history of the existing zoning and associated cases for background and clarification. The board and staff then discussed the difference in provisions regarding NMX and CMX. Mrs. Barringer also confirmed that the plans will have a condition listed to keep NMX development restrictions if the CMX rezoning request is accepted. The board and Mrs. Barringer discussed the petition from the surrounding community.

Mr. Norris inquired about future road development and Mrs. Barringer responded that she is not aware of any future plans for road improvements and that this project did not require a Traffic Impact Analysis or road improvements from NCDOT due to the projected low volume traffic increase if the Dollar General were to proceed. The board expressed their concerns related to the minimum amount of space (road/lane width) provided on the road for the additional tractor trailer traffic with little room for error, in addition to the already present sense of unsafe conditions on Old Mocksville Rd.

Ms. Ricks inquired about what the notification radius was for the surrounding areas and if there was any feedback from the surrounding commercial business owners. Mrs. Barringer responded that notifications were mailed to properties within 250 ft. of all boundaries of the property including the commercial businesses in reference, but no input was provided from said businesses.

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 team. 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 is to bring fresh produce to the area that the standard Dollar General stores do not provide and within a convenient distance/ drive time.

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 the data collected, the roads' existing conditions would not be heavily impacted regarding additional traffic. Ms. Brown mentioned the only request regarding the roads is that the site access be located 100 ft away from the intersection. There was additional discussion regarding road lane widths, existing traffic, and

projected traffic related to the Dollar General. Mr. Justin Church, located at 1520 Meadow view Dr Wilkesboro NC 28697, provided insight and clarification regarding the steps Dollar General took to ensure that the necessary research, applicable specifically to said site, was conducted to ensure all requirements and concerns were addressed.

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 and similar retail stores, there would be no significant crime impacts compared to the existing crime in the area. The board and Mr. Miller discussed the difference between larceny and robbery for clarification of the data provided by Mr. Miller's study and proceeded to discuss the researches findings regarding crime and road safety.

Mr. Richard Kirkland, land appraiser located at 9408 Northfield Ct Raleigh, NC 27603, explained that all existing Dollar Generals are within and/or near residential areas with no impacts, negative or positive, to surrounding land values. He also stated that, Dollar Generals are usually a harmonious use to residential areas and proceeded to explain how the proposed use is harmonious to the specific site in discussion.

Mr. Fox reiterated and closed out what the project representatives discussed and stated that all comments that were able to be addressed were addressed through studies and research.

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 also mentioned that the proposed use does not meet vision 2020.

Ms. Eva Nelson, located at 101 Sterling Ct, reiterated 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 for neighborhood business development.

Ms. Susan Cloninger, located at 2100 7th St Ext., discussed the current hazards of the road she resides on. She does not believe the Dollar General will be a benefit the community, but escalate the lack of safety.

Mr. Joseph Trainer, located at 126 Sterling Ct, expressed his concerns related to current road conditions and how it is unsafe. He explained that the infrastructure does not support the various modes of transportation currently so he is unsure how it will support the additional traffic from tractor trailers for the Dollar General.

Mr. Robert Timberlake, located at 615 Trexler Loop, discussed the absence of need for another Dollar General or grocery store in the area. He also wanted to reiterate the previous discussion stating that the road is difficult to drive on with a standard motor vehicle let alone a tractor trailer. He also mentioned that he is for responsible growth within the city, but the Dollar General is not a part of that.

Ms. Susan Coole, 26 Polo Dr, further expressed her concern for the safety on old Mocksville road. She stated that there is enough room for two cars to pass each other safely, but there are no shoulders and a deep drop off each side. There is no place to pull over or move out the way for larger vehicles and has already caused multiple accidents. Ms. Coole does not support the Dollar General or additional traffic that comes with it.

Ms. Diane Fisher, located at Eleven N Rd, expressed her concern of the drastic shift that is being proposed for the property. She discussed how the request does not meet the intent of Vision 2020 and her lack of support for the Dollar General development. Ms. Fisher also highlighted that the case is spot zoning and strongly effects the surrounding areas.

Mr. Aaron Towns, located at 101 Rugby Rd, shared his concerns regarding the road safety and the potential increase of commercial traffic.

Mr. Fox mentioned that the Dollar general would bond out the curbs and gutters work through the city. Mr. Rogers asked about the water and sewer costs and Mrs. Barringer stated the developer would pay for the full cost of the required sewer extension and any associated taps.

Ms. Land inquired about sidewalks and Mrs. Barringer responded that due to site specific restrictions the developer took the option to pay-in-lieu. Ms. Dixon and staff discussed food deserts compared to food oasis and asked for that to be considered.

Ms. Land further expressed her concern for the spot zoning. Mrs. Barringer highlighted that the applicant was made fully aware of the opposing view of spot zoning along with other possible considerations prior to bring the case to the board and the applicant requested to proceed.

Mr. Burgin and Mr. Post mentioned the intent of the existing zone and the input of the community showing that the development may not benefit the surrounding area if the community does not support it. The board further discussed the spot zoning, the other zoning options, and the compatibility of each.

MOTION

Mr. Struzick made a motion to deny the CD-07-2021 Dollar General case due to the various safety concerns and the case's inconsistency with the intent of Vision 2020. Second by Mr. Post. All voted AYE.

Mr. Rogers made a motion to continue after 7:00. Mr. Struzick Second. All voted Aye. The meeting proceeded with community input.

CASE NO. Z-01-2022 HARRISON RD

Petitioner(s): Adam Fiorenza (petitioner)

Property Owner: Edwards Timber Co Inc.

Parcel(s): 450 001

Current Zone: General Residential (GR-6)/ Heavy Industrial (HI)

Rezoning Request

Request to rezone (1) parcel from General Residential (GR-6) / Heavy Industrial (HI) to General Residential (GR-6)

Applicable Policy

Vision 2020

“Housing” Vision Statement: We see a multitude of housing choices, ranging from single-family homes, to townhouses, to garage apartments, to apartments over downtown shops or the neighborhood corner store. We see neighborhoods with several different well-designed housing types for all incomes where the elderly, young families, singles and others share experiences and help one another.

Policy N-18: As new neighborhoods are developed, a mixture of housing types/sizes/prices shall be encouraged within the bounds of each neighborhood planning area.

DISCUSSION

Ms. Burke conducted a staff presentation to provide the details and purpose of the case. The board and Ms. Burke discussed the existing zoning and surrounding areas. Ms. Burke wanted to highlight that the lot already exists as majority residential zoning and the request is to clean up the split zoning. She also mentioned that although there is no transition zone between the residential and heavy industrial zoning, landscaping provisions will apply for buffer purposes. Mr. Burgin inquired about existing infrastructure and if it was installed with the intent for heavier development such as heavy industrial. Mrs. Barringer stated that this area does not have the larger mains that are normally associated with heavier development. Mrs. Barringer also mentioned that the existing heavy industrial site currently meets the setback provisions of the LDO if the request was approved. Staff also mentioned the developers will be voluntarily annexing in. The board and staff further discussed the city limits and ETJ limits.

Mr. Fiorenza further explained the projects intent and discussed the lots existing conditions such as wet lands and other site specific restraints.

MOTION

Mr. Burgin made a motion to approve the Z-01-2022 Harrison Rd case as submitted, meeting the intent of Vision 2020. Second by Ms. Ricks. All voted AYE.

CASE NO. Z-02-2022 HENDERSON GROVE CHURCH RD

Petitioner(s): Woody Coley; Trammel Crow Company

Property Owner: Thomas Eller, Steve Safrit, Barbara Safrit, Evelyn Fowler (owners); Nancy Shue (owner)

Parcel(s): 407 014, 015

Current Zone: Rowan County zoning I-85 Economic Development District-Corporate Park District (85-ED-3)

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Rezoning Request

Request to rezone (2) parcels from Rowan County zoning I-85 Economic Development District-Corporate Park District (85-ED-3) to City of Salisbury zoning Light Industrial (LI)

Applicable Policy

Vision 2020

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.

DISCUSSION

Ms. Burke conducted a staff presentation to provide the details and purpose of the case. Mr. Post and Ms. Burke further discussed the intent of the proposal for clarification. Mr. Schaffer inquired about notices and Ms. Burke confirmed that the typical 250 ft adjoined notices were mailed out and a community meeting was also held by the petitioner. The board and staff discussed the conversations that took place during the community meeting and the outcome/ effectiveness. Ms. Burke and Ms. Land discussed the county and city's definitions of Light Industrial.

Mr. Ricks made a motion to continue the meeting for the remainder of the items. Mr. Struzick Second. All voted Aye. The meeting proceeded with community input.

Mr. Coley introduced his team and the intended buyer, Trammel Crow Company. Mr. Kouri provided further insight on the intent of the rezoning and Mr. Welsh presented the proposed project, if the rezoning were to get approved. He explains the project's compatibility with the surrounding area and site specific details related to future development. Mr. Coley presented renderings illustrating the potential site layout and discussed the benefits of Trammel Crow Company for the community.

Mr. Schaffer inquired about possible mitigations for environmental impacts. Mr. Coley expressed that for the nature of a light industrial development, the Trammel Crow site would be considered low impact. Mr. Coley further explained that due to the restrictions associated with wetlands, a lot of the site will consist of vegetation to serve a buffers.

Mr. Rogers inquired for clarification that the intended use would be sales and distribution. Mr. Coley confirmed that the intended tenant would be in the sales and distribution business, but that there are no recognized potential tenants at this time.

MOTION

Mr. Rogers made a motion to approve the Z-02-2022 Henderson Grove Church Rd case as submitted, meeting the intent of Vision 2020. Second by Ms. Ricks. All voted AYE.

CASE NO. CD-02-2022 210 LUMBER ST

Petitioner(s)/ Property Owner: Franco Goodman, Goodman Millwork, Inc.

Parcel(s): 018 005

Current Zone: Light Industrial (LI)

Rezoning Request

Request to rezone (1) parcel from Light Industrial (LI) to Light Industrial (LI) with a Conditional District Overlay (CD) for an addition to existing building.

DISCUSSION

Mr. Burgin recused himself from case CD-02-2022 210 Lumber St as he is assisting with the proposal.

Mrs. Barringer conducted a staff presentation to provide the details and purpose of the case. She explained the intent of the conditional district is to allow a 2.82 ft setback in a district that allows either 0 or 4 ft. The alternate design condition is being requested so that the new proposed paint booth addition can be aligned with the existing paint booth that was constructed prior to the LDO code.

Mr. Burgin provided insight on the project and background of the request for clarification on why the case is being presented to the board.

Ms. Land stated the request appears to be reasonable due to existing conditions.

MOTION

Ms. Land made a motion to approve the CD-02-2022 Henderson Grove Church Rd case as submitted, meeting the intent of Vision 2020. Second by Ms. Ricks. All voted AYE.

OTHER BUSINESS

ADJOURN 7:35



John Schaffer, Chair



Sheighla Temple, Secretary