

IREDELL COUNTY PLANNING BOARD

The Iredell County Planning Board met on Wednesday, November 4, 2009 at 7:00 p.m. in the Commissioners Meeting Room of the Iredell County Government Center (Old Courthouse) at 200 S. Center Street in Statesville, NC.

MEMBERS PRESENT

Eric Fields, Chairman
Dr. Jackie Grigg
Anita Johnson
Gene Mahaffey
Jeff McNeely
Kristi Pfeufer
Harold Pruitt
Jerry Santoni
Thomas E. Stephens

STAFF PRESENT

Katrina Hewitt
Ron Smith
Matthew Todd
Elinor Hiltz

MEMBERS ABSENT

Harry Tsumas, Jr., Vice-Chairman
Alan Williams

At this time, Chairman Fields called the meeting to order.

REZONING REQUEST; MELISSA ALEJANDRO, LOWELL E. HARMON, & MALCOLM J. JOHNSON PROPERTIES, CASE NO. 0911-1: Matthew Todd presented the staff report:

This is a request to rezone 1.6 acres Turnersburg Hwy across from Strawberry Lane from R-20, Single Family Residential Zoning District to NB, Neighborhood Business Zoning District.

Owners:	Malcolm J. Johnson 1072 Tomlin Mill Road Statesville, NC 28625	Lowell E. Harmon 747 Turnersburg Statesville, NC 28625	Melissa Alejandro 737 Turnersburg Hwy Statesville, NC 28625
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Applicant: LeRoy Templeton
134 Homestead Road
Harmony, NC 28634

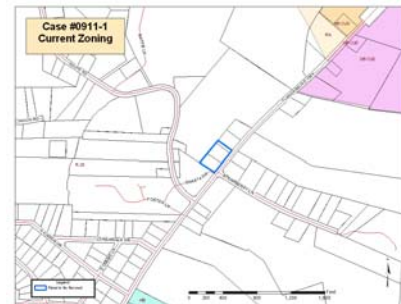
LOCATION: On Turnersburg Hwy across from Strawberry Lane; more specifically identified as PIN #'s 4746-66-4587, 4746-66-5688, and part 4746-66-6893.

DIRECTIONS: North on Turnersburg Hwy site is past Houpe Road across from Strawberry Lane

SURROUNDING LAND USE: Commercial, Residential and farming uses surround the property.

SIZE: 1.6 acres are being requested for rezoning.

EXISTING LAND USE: The area to be rezoned is currently vacant. A house was recently demolished and the site cleaned up on the southern portion of the property.



ZONING HISTORY: This property and the surrounding area were zoned R-20 in 1990 with countywide zoning.

OTHER JURISDICTIONAL INFORMATION: The property in question is within Statesville short term urban service area. The Statesville Planning Department made the following comments:

1. "Recommend rezoning should be conditional to exclude some of the other uses in the NB District.
2. Right-of-way dedication
3. NCDOT to make sure they would not have to install a left turn lane or other improvement on US 21.

Finally with the property being located in the USA area, we would look for standards such as parking lot trees, sidewalk, street trees and elevation requirements."

OTHER SITE CHARACTERISTICS: This property is not located in a drinking water supply watershed.

TRAFFIC: In 2008, the average number of vehicles per day on Turnersburg Hwy .5 miles north of the site was 10,000, with a capacity of 28,000 vehicles per day.

SCHOOLS: Because this is a commercial rezoning, there should be no implications on local schools.

FIRE MARSHAL: This proposal has been reviewed by the Iredell County Fire Marshal's Office. The Fire Marshal's Office has no issues with the proposal.

EMS: This proposal has been reviewed by the EMS Director and he had no problems or comments with regards to the request.

LOCAL: The applicant will have to provide a site plan to the Planning Department for review to develop the property. Zoning requirements such as parking and screening will be reviewed at such time. An erosion and sedimentation plan will be required and reviewed before any new construction begins if over an acre of land is disturbed.

STATE: Other than building code and food and septic standards through the Health Department, and NCDOT for the driveway locations there should be no formal state agency review at this time.

FEDERAL: None at this time.

STAFF COMMENTS: The current Ordinances in place will take care of most of the comments made by the City of Statesville excluding right-of-way dedication, sidewalk requirements, street trees and elevation requirements. A driveway permit will be required to be issued by NCDOT in which any improvements to Turnersburg Hwy will be addressed. Parking lot trees and screening will be required based on our Zoning Ordinance.

Planning staff is recommending approval of the request for the following reason: the 2030 Horizon Plan shows this area to be transitional commercial which is suitable for the neighborhood business zoning classification requested.

SITE REVIEW COMMITTEE: Alan Williams and Harry Tsumas visited this site with the staff on October 13, 2009.

Mr. McNeely asked if the City of Statesville recommended any specific conditions and Mr. Todd stated they did not give any specific conditions.

LeRoy Templeton, Applicant, stated that he didn't have anything to add to what Mr. Todd presented and would gladly answer any questions the Board may have. Lowell Harmon spoke in favor of the request.

Mrs. Gilbert Peacock, adjoining property owner, asked what “transitional commercial” meant on the Horizon Plan and Mr. Todd explained. Mrs. Peacock stated that she had no objection to the proposed use (Farm Bureau).

After further discussion, Mr. Mahaffey made a motion to recommend in favor of the zoning map amendment and to advise that it is consistent with the Iredell County 2030 Horizon Plan. Dr. Grigg seconded said motion and all agreed. **VOTES: 9-0.**

PROPOSED EXIT 42 RPO & AMENDMENTS TO THE ZONING ORDINANCE: Elinor Hiltz presented the Board with the latest updated draft of the Exit 42 RPO:

Section 6.18.3 Exit 42 Roadway Protection Overlay District (RPO)

For the purposes of this section the term “Highway 21” also means “Charlotte Highway” and the section of Highway 21 named “South Main Street”.

A. Application.

The requirements of this Section apply to all uses in the RPO District except one and two-family residences, including newly established uses and changes in use that require site plan approvals.

B. Front Yard Setback.

Where applicable, the front yard setback is to be measured from any future right-of-way as designated in the Iredell County CTP (Comprehensive Transportation Plan) or Troutman CTP.

C. Minimum Lot Width.

The minimum lot width for all lots created after the effective date of the RPO District shall be one hundred and fifty (150) feet.

D. Parking.

Sixty (60) percent of all parking spaces must be located in the rear and/or side yard.

E. Outside Storage of Material

All outside storage of materials within 200 feet of the roadway shall be prohibited. This shall include the storage of goods or materials which are not an integral part of the use of the property and which are not obviously for sale. This shall not preclude any situation where the primary use of the property includes the outside display of goods for sale such as automobiles, boats, mobile homes, etc. Outside storage located beyond 200 feet, yet still visible from the highway must be screened according to the specifications in Section 12.1.

F. Ingress and Egress Points (Driveway Access).

1. No two points of ingress and egress on Highway 21 (as measured at their closest distance) shall be closer than three-hundred (300) feet apart, unless driveways cannot be shared and doing so would prohibit ingress/egress to a lot.
2. No more than two (2) separate points of ingress and egress per lot or within a planned multi-tenant development shall be allowed per road front, except for a use located on a lot containing five (5) or more acres (Figure 1).
3. Notwithstanding #1 above, if any subdivision of land occurs after the effective date of this Ordinance (December 1, 2009), a formula of one (1) point of ingress and egress per every 300 feet of road frontage of the original parcel will be used, regardless of how many lots are created (Figure 2).

Figure 1:

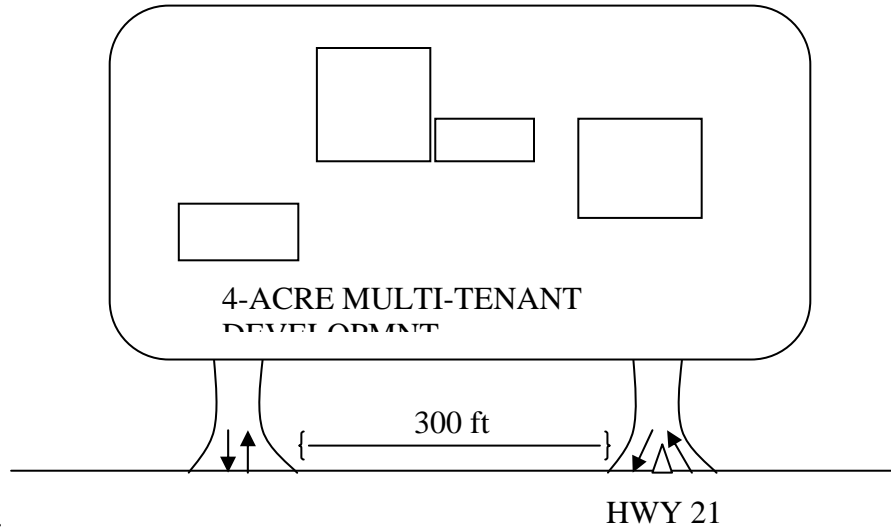
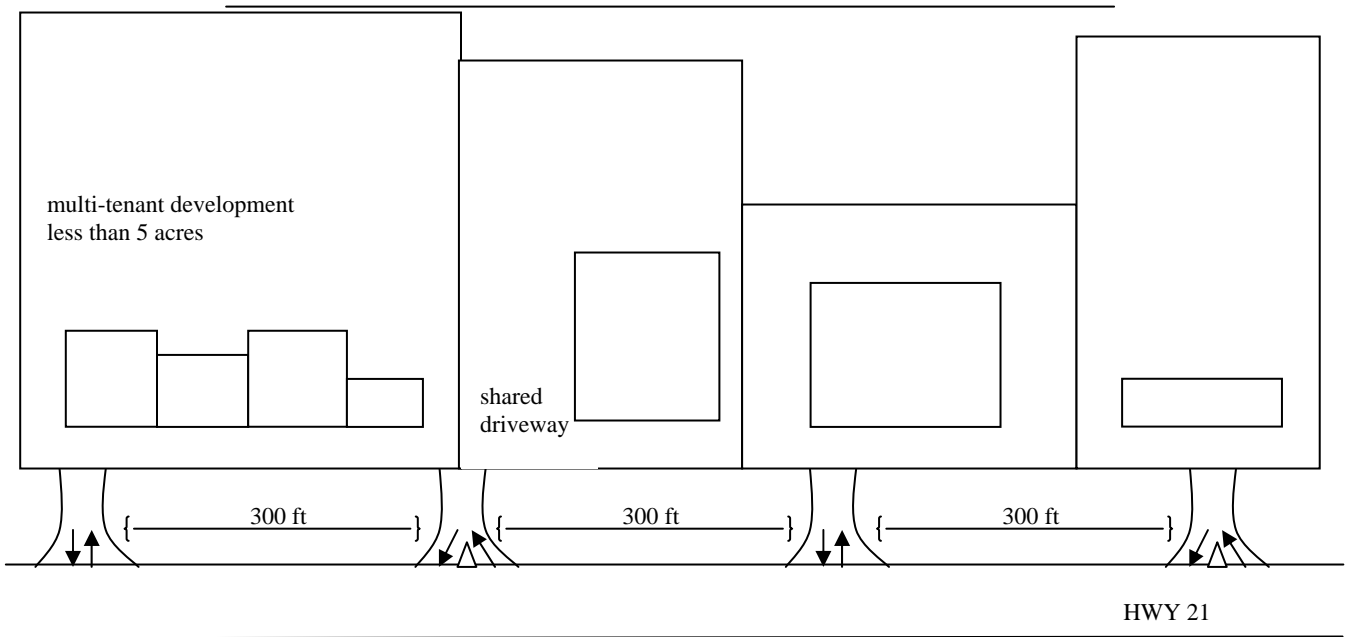


Figure 2:



4. The creation of off-set driveways and/or intersections is not permitted, unless no practical alternative exists. Except where ingress and egress would be denied, no portion of a new driveway shall be located closer than three-hundred (300) feet to the centerline of the intersection of the road upon which the use fronts and an intersecting road.
5. If a property has frontage on both Highway 21 and a public road of lesser classification (i.e. minor arterial, collector, etc. – as defined in the Iredell County CTP), the driveway must be located on the road of lesser classification unless geographically impossible. Furthermore, the driveway must be located at least 150 feet from the centerline of the intersection of the road of lesser classification and Highway 21.
6. Any driveway serving as a point of ingress and egress shall have a width not to exceed thirty-six (36) feet unless otherwise required by NCDOT.

G. Interconnectivity.

1. Applicants for zoning approval must connect to adjacent commercially-zoned property by creating a stub-out at the common property boundary, unless determined to be unnecessary or geographically impossible by the Planning Staff.
2. Once established, connections between adjacent commercially-zoned properties may not be blocked.

H. Signs.

1. One free-standing identification sign per lot (or multi-tenant development) shall be allowed. The maximum height of a free-standing sign shall be ten (10) feet. The maximum area of all free-standing signs shall be sixty-four (64) square feet unless a lower sign height and/or a smaller sign area is required for the underlying zoning district. In such case, the more stringent height and/or size requirements shall apply.

In the event that a parcel has frontage on more than one public road an identification sign shall be permitted for each road frontage. The maximum area for each additional sign shall be fifty (50) square feet. All additional signs shall meet the standards listed above concerning height and underlying district requirements.

Furthermore, wall signage will be allowed and shall not exceed (10) percent of the wall area of the wall facing the street.

2. All free-standing signs must be at least ten (10) feet from the right-of way line.
3. Billboard signs, off-premise advertising signs, temporary signs (except on-premises signs advertising real estate for sale), portable signs, and moveable signs are prohibited.

I. Outdoor Lighting Standards.

Outdoor lighting shall not exceed 6-foot-candles, measured at ground level at any point within the property, and shall be installed in such a manner that the source of light (the bulb) is shielded and not visible from adjacent roadways. All lighting shall be directed inward in such a manner so as not to produce glare onto adjacent property and so that the primary cone of illumination does not extend beyond the property lines.

J. Landscaping.

1. Any fence shall be constructed in a durable fashion of wood posts and/or planks with a minimum diameter or width of three (3) inches and with no greater than twenty-five (25) percent of the fence surface left open between posts and/or planks. Any chain link fencing visible from the street must be vinyl coated and colored dark green or black. All fencing and vegetation shall be kept in a state of good repair.
2. Commercial Parking lots must be screened from the roadway at least ninety (90) percent opaque from the ground to a height of at least four (4) feet. This provision may be omitted if it is accomplished by #1 above. Large shrubs used in any screening or landscaping must be at least two (2) feet tall when planted.
3. The parking lot shall also be landscaped with a minimum of one (1) canopy tree located within 60 feet of every parking space. The measurement shall be taken from the base of the tree. Minimum tree caliper measured six (6) inches above ground on all trees shall be two and a half (2-1/2) inches and the minimum height shall be eight (8) feet. No trees identified as large maturing trees

shall be planted within twenty (20) feet of an electrical distribution line. This does not include low-voltage or covered lines of 240 volts or less or telephone or cablevision lines.

4. A landscaped roadway yard shall be provided by each use subject to this requirement. The requirement for a landscaped roadway yard shall be initiated by the occurrence of the same activities as set forth in Section A above. The landscaped area shall be penetrated only by driveways and crosswalks. The minimum width of the roadway yard shall be fifteen (15) feet measured from and parallel to the public road right-of-way. The roadway yard must be measured from the future right-of-way if expressed in the Troutman or Iredell County CTP. It shall be landscaped and maintained with a vegetative cover and shall be planted with small and/or medium shrubs at a rate of ten (10) shrubs per one hundred (100) linear feet of street yard not counting driveway and crosswalk area. The Planning Director may approve a different vegetative landscape type when in his opinion equal or better performance will result. The following is a sample list of recommended trees by common name:

Cherry Laurel, Carolina	Cedar, Deodar	Dogwood, Kousa
Elm, Lacebark	Hemlock, Canadian	Holly, Savannah
Magnolia, Saucer	Maple, Hedge	Maple, Japanese
Oak, Laurel	Oak, Sawtooth	Oak, White
Oak, Willow	Pagoda, Japanese Pear	
Photinia, Frazier's	Pine, Austrian	Poplar, Tulip
Spruce, Norway	Zelkova, Japanese	

5. The following is a sample list of recommended shrubs by common name:

Burford Holly	East Palatka Holly	Eleagnus
Ligustrum	Japanese Black Pine	Juniper
Nelly R. Stevens Holly	Savannah Holly	Tea Olives
Wax Myrtle		

6. If the standards attributed to the landscaped roadway yard will meet the intent of, and provide the necessary screening as listed in J.2, this option may be used in lieu of those requirements.

(Amendments to ARTICLE XIX DEFINITIONS)

A. General Definitions

Comprehensive Transportation Plan (CTP). A document prepared by the Transportation Planning Branch of the North Carolina Department of Transportation (NCDOT). This document recommends future width and design of roadways, based on trip generation and capacity and other transportation engineering principles.

Outside Storage. The storage of materials, equipment, products, vehicles, trailers, and the like not enclosed by walls and a roof.

Stub-out. An extension of a driveway or parking lot that reaches the property line, for the purpose of connecting to an adjacent property's driveway or parking lot in the future. A stub-out is a temporary dead end.

After further discussion and review, Mr. McNeely made a motion to recommend approval. Mr. Pruitt seconded said motion and all agreed. VOTES: 9-0.

MINUTES: Dr. Grigg made a motion to approve the 10/7/09 meeting minutes and Mr. Pruitt seconded said motion. The motion passed in favor. **VOTES: 9-0.**

MONTHLY COMMITTEE ASSIGNMENT: Mr. Johnson & Mr. Santoni volunteered to attend the November 18th TRC Meeting.

ADJOURNMENT: There being no further business, Chairman Fields declared the meeting adjourned at 7:55 p.m.

Katrina Hewitt
Administrative Asst. II

Date Read and/or Approved