

IREDELL COUNTY PLANNING BOARD

The Iredell County Planning Board met on Wednesday, October 7, 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
Harry Tsumas, Jr., Vice-Chairman
Dr. Jackie Grigg
Anita Johnson
Gene Mahaffey
Jeff McNeely
Kristi Pfeufer
Harold Pruitt
Thomas E. Stephens
Alan Williams

STAFF PRESENT

Katrina Hewitt
Ron Smith
Rebecca Harper
Elinor Hiltz

MEMBERS ABSENT

Jerry Santoni

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

REZONING REQUEST; CHINA GROVE RESTAURANT GROUP PROPERTY, TODD SURRATT (APPLICANT), CASE NO. 0910-1: Rebecca Harper presented the staff report:

This is a request to rezone 4.03 acres at 111 River Highway in Mooresville from NB-CUD, Neighborhood Business Conditional Use District to NB CD, Neighborhood Business Conditional District with the following conditions:

- no metal facades on the any sides of the buildings; brick, stone, split face block, stucco, EFS's (stucco like material spread over a rigid foam base) shall comprise the main materials of the building; and
- access to the property will remain as shown on rezoning site plan if subdivided in the future.

The proposed use for the property is an automatic car wash facility and future retail/commercial space. The request would be tied to the attached site plan (*Exhibit 1*). The applicant does not intend to use municipal utilities and therefore will not be requesting annexation.

OWNER: China Grove Restaurant Group
4270 Miller Road
Salisbury, NC 28147

APPLICANT: Todd Surratt
337 Crossingham Road
Mount Airy, NC 27030

LOCATION: At 111 River Highway in Mooresville; more specifically identified as PIN # 4638-40-0147.

DIRECTIONS: West on Highway 150, on left at the corner of River Park Road.

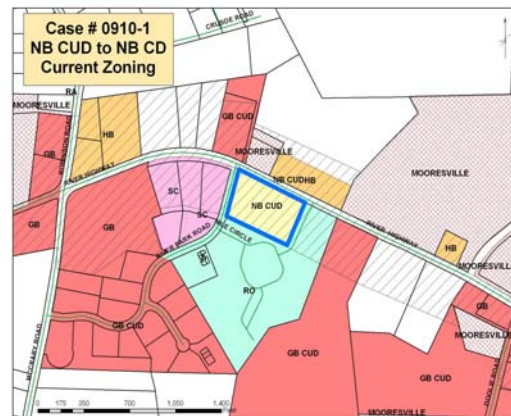
SURROUNDING LAND USE: This property is surrounded by multi-family residential and commercial uses as well as some vacant commercially zoned property.

SIZE: The property is 4.03 acres.

EXISTING LAND USE: The parcel is currently vacant.

ZONING HISTORY: This property has been zoned NB CUD since February 2002. Conditions that were associated with that rezoning dealt with access management and use limitations which can be seen on the attached sheet.

OTHER JURISDICTIONAL INFORMATION: This property is in the Mooresville USA, and the Town of Mooresville Planning Department has reviewed the site plan for this lot and had no comments.



OTHER SITE CHARACTERISTICS: This property is located in the Catawba/Lake Norman WSIV-CA water supply watershed. The Board of Commissioners has approved this site as part of the River Park Development for utilization of the High-Density option and lots have been assigned impervious areas. Based on that approval, this lot is permitted to have 82,764 square feet of impervious area. The site plan was reviewed for compliance with the Watershed Ordinance during the High-Density request process.

TRAFFIC: In 2006, the average number of vehicles per day on River Highway was 38,000. The capacity for Highway 150 is 12,000 vehicles per day. The development as proposed could generate up to 2900 trips per day. The driveway cut will not be located on a State Maintained Road; therefore NC DOT will not review and/or issue a driveway permit.

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 & Development Department for review to develop the property. Zoning requirements such as parking and screening will be reviewed at such time. Plans will also be reviewed by the Planning & Development Department for compliance with Erosion & Sedimentation Control standards.

STATE: Other than building code, there should be no formal state agency review at this time. NC DOT will not issue a driveway permit for this project because the driveway comes off of River Park Road, which is not State maintained.

FEDERAL: None at this time.

STAFF COMMENTS: This site is designated as corridor commercial on the 2030 Horizon Plan because of its proximity to the Town limits and water and sewer. The proposed NB CD district and retail uses fit into the corridor commercial in the 2030 Horizon Plan.

Since the rezoning of this property to NB CUD in 2002, there has been a slow changeover to more commercial uses in the area surrounding this property. The property across River Park Road was zoned RO (Residential Office) and

was rezoned to SC (Shopping Center) in 2005. The Town of Mooresville annexed the property across River Highway for the People's Bank in 2007.

The conditions on the previous rezoning request (*a copy has been provided in your packet*), except for the limitation on uses, are all still applicable. The conditions dealing with access have been included in the application and on the site plan (*see Exhibit 1*). The conditions concerning the Roadway Protection Overlay standards are now required by the Zoning Ordinance and have been included on the site plan.

The Planning staff can support the proposed rezoning request based on the following: the proposed development is in compliance with the 2030 Horizon Plan future land use map and the design of the development as proposed on the site plan has helped to mitigate the traffic impacts caused by the site.

PUBLIC INPUT MEETING: The Public Input Meeting was held on August 25, 2009, at the Building Standards Center in Statesville. None of the adjoining property owners attended the public input meeting.

SITE REVIEW COMMITTEE: Jackie Grigg visited this site with the staff on September 15, 2009.

Todd Surratt, Applicant, stated that he proposed to operate an upscale automatic laser car wash where you stay in your car; no bays to wash your own car. Mr. Surratt stated that he has two other locations (Mt. Airy and Sherrills Ford). Chairman Fields asked why he wasn't using municipal water and Mr. Surratt stated he was going with a "green" system where he will recycle 100% of the water used. Mr. Surratt stated that he already recycled water at the other two locations but not 100%. Mr. Surratt stated that Aqua Water & Sewer serves this area but the rates are not cheap.

Mr. McNeely asked about a time table for Phase II and Mr. Surratt stated that Phase II might consist of a bank, office, or small restaurant and could start within the next year. Mr. Mahaffey stated that he had traffic concerns. Ms. Johnson stated that the local traffic already used this highway and didn't see that this type use would bring additional traffic to the area. There was no one present to speak in opposition. Dr. Grigg stated that she made the site visit and felt the request was in line with the Highway 150 RPO and the 2030 Plan.

After further discussion by the Board, Dr. Grigg made a motion to recommend in favor of the zoning map amendment and to advise that it is consistent with the 2030 Horizon Plan. Ms. Johnson seconded said motion; and all agreed. VOTES: 10-0.

PROPOSED HIGHWAY 3 CORRIDOR STUDY: Ron Smith stated that at the last meeting the Board decided to hold off making a recommendation until after the Town of Mooresville's Planning Board and Board of Commissioners joint meeting. Mr. Smith stated that he attended that meeting and the only other attendees besides a few Town of Mooresville's Planning Board and Board of Commissioners were Bill Duston (COG) Mr. Smith stated that letters went out to property owners along the corridor but no one came to the meeting so he took it to mean that everyone's done talking about it because we have had multiple public meetings on it.

Mr. Smith stated that there were no decisions made at the meeting but no negative feedback. Mr. Smith stated that he felt Mooresville would probably adopt the study regardless of what Kannapolis or Iredell County does. Mr. Smith asked the Planning Board if they didn't have any issues with the document as it's been presented to make a recommendation tonight.

Mr. Pruitt stated that he had concerns about view shed buffers because he felt like it was taking someone's property. Mr. Smith stated that he didn't want to pull a major part out of the document at this point. Mr. Smith reminded the Board that this study is a recommendation; not an ordinance. Ms. Johnson stated that she felt it leaves it open ended; that someone else might have a different opinion. Mr. Smith stated that the study was meant to be broad and will have to look at specific parcels. Chairman Fields stated that the recommendations set precedence regardless. Mr. Smith stated that this was a very public process and the one thing they kept on hearing from the public was that they wanted to keep it rural. Mr. Smith reminded the Board that they can recommend approval of the document with the exception of the view shed buffers but he supports the entire document. Mr. Stephens stated that he would like to send a strong signal of his opposition against view shed buffers and Mr. Pruitt agreed.

Dr. Grigg stated that she understood everyone's position but historically all other studies (*South Iredell Small Area Plan, Highway 150 Corridor, Brawley School Road, Perth Road, etc.*) we have not changed part of the study at this point; that the study isn't in concrete but just a recommendation. Mr. Smith added that this area is within Mooresville's USA boundary and would likely be within the Town limits sometime in the future.

Ms. Pfeufer stated that there seems to be a lot of resistance from the Board regarding view shed buffers and maybe the Board just needs to throw a red flag. Chairman Fields stated that it is very important in planning to be ahead of the game but he had a different feeling about this study. He further stated that he felt when property owners in this area wakeup that they will not be happy and he much rather them be upset with Mooresville and not Iredell County. Chairman Fields stated that it was his intent all along to have Mooresville vote on this study first and he thinks it is a mistake to vote on it first.

Mr. Tsumas stated that instead of taking it out; possibly state that we have alarming issues with it but the motion needs to be very clear.

After further discussion, Dr. Grigg made a motion to recommend approval of the Highway 3 Corridor Study with major reservations concerning Chapter 6, #5 Open Space/ View Shed Buffers. Several Board Members asked Dr. Grigg to add different wording in her motion; therefore, Dr. Grigg made the following amended motion:

Dr. Grigg made a motion to recommend approval of the Highway 3 Corridor Study with reservations regarding some of the entries especially those related view shed buffers as well as other property rights. Mr. Williams seconded said motion.

Mr. Smith stated that the only difference between this study and the 2030 Plan is the view shed buffers. Chairman Fields stated that they understand that but this study is for a specific area of

the County that probably will not develop as fast as some people think it will. Dr. Grigg stated that she disagreed and felt there may be a large amount of development in this area.

Ms. Johnson stated that view shed buffers were her only concern. After further comments by the Board, Mr. McNeely called the question at this time.

AYES: Grigg, Williams, McNeely, Tsumas

NOES: Fields, Johnson, Mahaffey, Pfeufer, Pruitt, Stevens

The motion failed by a vote of 4-6.

Dr. Grigg stated that we have talked about it and talked about it and those of you that have complained have done nothing about it (as far as making a motion).

At this time, Ms. Johnson made a motion to recommend approval of the Highway 3 Corridor Study with the exception of the sections regarding view shed buffers without clarification of incentives for property owners. Mr. Pruitt seconded said motion; and

AYES: Johnson, Pruitt, Grigg, Mahaffey, McNeely, Pfeufer, Stephens, Tsumas, Williams

NOES: Fields (*opposed to proposal*)

The motion passed by a vote of 9-1.

PROPOSED CHARLOTTE HIGHWAY RPO: Elinor Hiltz stated that this proposal concerns a new overlay district between the Town of Troutman's planning jurisdiction close to Byers Road and Westmoreland Road along Charlotte Highway (US Hwy. 21). (*See attached in minute book.*)

The Commissioners recently asked that our staff develop an overlay for this area. We have done so and have already held a public input meeting on August 21st to gain input from residents that would be affected. We used that information in the development of this latest proposal. In many ways this is similar to the RPO that we currently have in place on NC 150 with access management and aesthetics as the focal points. The Town of Troutman has also signed a resolution in support of this project.

Ms. Hiltz reminded the Board that this is presented tonight as information only.

The Board reviewed the proposal and Mr. Tsumas had some concerns about the overlay district and the shared driveways as to how to implement them when several property owners in that area probably don't have enough minimum width lots. The Board had open discussion and Dr. Grigg had some minor corrections to the document and Ms. Hiltz stated that she would make the changes prior to bringing it back before the Board next month.

Some Board Members suggested changing the title from *Charlotte Highway* to *Highway 21* Overlay. Ms. Hiltz stated that they may need to call it *Highway 21 South of Troutman* in case the other Highway 21 gets put in place. Mr. Tsumas suggested *Exit 42 Overlay*.

MINUTES: Dr. Grigg made a motion to approve the 9/2/09 meeting minutes and Mr. Pruitt seconded said motion. The motion passed in favor. VOTES: 10-0.

MONTHLY COMMITTEE ASSIGNMENT: Mr. Tsumas and Mr. Williams volunteered to go on the site visit for next month's requests on Tuesday, October 13th.

ADJOURNMENT: There being no further business, Chairman Fields declared the meeting adjourned at 8:45 p.m.

Katrina Hewitt
Administrative Asst. II

Date Read and/or Approved