1. Case #1903-1 Agenda

   Documents:

   PB AGENDA_3.6.19.PDF

1.I. 1903-1 Staff Report

   Documents:

   1903-1 HUFFMAN_PB STAFF REPORT.PDF

1.I.i. 3/6/2019 PB Minutes

   Documents:

   03 06 19 PB MINUTES.PDF
Call to Order

Consideration of Rezoning Request

**Case #1903-1**

Owner/Applicant Mandy Huffman, Anchor Management Team, LLC is requesting to rezone approximately 42.652 acres located off of Taylorsville Highway from Residential Agricultural (RA) to Light Manufacturing (M-1). This is a straight rezoning, with no conditional requirements.

Other Business

Approval of the **December 5, 2018** Meeting Minutes

Committee Assignments – **Site Visits: Friday, March 15, 2019**

Adjournment
Iredell County
PLANNING & DEVELOPMENT

PLANNING STAFF REPORT
REZONING CASE # 1903-1
STAFF PROJECT CONTACT: Leslie Meadows

EXPLANATION OF THE REQUEST

This is a request to rezone approximately 42.652 acres located off of Taylorsville Highway from Residential Agricultural (RA) to Light Manufacturing (M-1). This is a straight rezoning, with no conditional requirements.

OWNER/APPLICANT

OWNER/APPLICANT: Mandy Huffman, Anchor Management Team, LLC

PROPERTY INFORMATION

LOCATION: Adjoining 4196 Taylorsville Hwy; more specifically identified as PIN 4715093707.000.

DIRECTIONS: From Exit 148 off I-40, head west on NC-90/US-64/Front St./Taylorsville Hwy. Turn right to remain on NC-90 W. Property is approximately 3.5 miles on the right.

SURROUNDING LAND USE: There is a mix of various residential zoning districts surrounding the property. Rural Residential (RU-R) to the west, R-20 to the north northeast, and Residential Agricultural (RA) to the east and to the south. Other M-1 and GB uses exist farther to the east.

SIZE: The acreage to be rezoned is approximately 42.652 acres.

EXISTING LAND USE: Vacant, densely forested.

ZONING HISTORY: The property has been zoned RA since county-wide zoning in 1990.

OTHER JURISDICTIONAL INFORMATION: The property is not located within another jurisdiction’s Urban Service Area.
OTHER SITE CHARACTERISTICS: The property is not located within a regulated Watershed Area, and is not in a flood hazard zone.

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: The closest traffic count along Taylorsville Hwy to the east, near Little Farm Road, had a traffic count of 3,300 vehicles per day in 2017. The closest traffic count along Taylorsville Hwy to the west, near Odell Road, had a traffic count of 2,400 vehicles per day in 2017. According to the Comprehensive Transportation Plan 2008 Study Report for Iredell County, the capacity for this section of Taylorsville Highway is approximately 13,100 vehicles per day.

SCHOOLS: This is a commercial rezoning and should have no implications on local schools.

EMERGENCY SERVICES: This proposal has been reviewed by the Iredell County Fire Marshal’s Office and Iredell County EMS. Neither office addressed any concerns regarding the request.

UTILITIES: This site is currently served by well and septic.

REQUIRED REVIEWS BY OTHER AGENCIES

LOCAL: The applicant must provide a site plan to the Planning Department for review to develop the property. Zoning requirements such as parking, landscaping, and buffering will be reviewed at such time. Erosion & sedimentation control standards will also be reviewed for compliance.

STATE: Other than building code, there should be no formal state agency review at this time.

FEDERAL: None at this time.

STAFF AND BOARD COMMENTS

STAFF COMMENTS: The 2030 Horizon Plan calls for this area to be Rural Industrial, which allows for smaller scale light industrial uses. Rural Industrial areas lay outside the Iredell County Urban Service Areas, with the intent that these areas remain rural in character.

Staff does, however, have concerns regarding commercial driveway access to the property, due to the Alexander Railroad line. Before a commercial zoning permit can be issued for development of this site, the landowner must secure a commercial driveway permit form NCDOT. NCDOT has indicated they cannot approve said driveway permit without sign off from the Alexander RR. Landowner has been made aware of this situation.
The Planning staff can support the proposed rezoning request based on the following: The 2030 Horizon Plan calls for this area to be Rural Industrial, which allows for commercial development of light manufacturing uses along this section of Taylorsville Highway. The site is in close proximity to other more intense commercial uses, and traffic impacts should not exceed road capacity.

SITE REVIEW COMMITTEE: Raymond Burnette visited the site with staff on February 15, 2019.

<table>
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<tr>
<th>ACTION NEEDED:</th>
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<tr>
<td>TO APPROVE:</td>
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<tr>
<td>Motion to recommend in favor of the zoning map amendment, and to make a finding that the approval is consistent with the adopted 2030 Horizon Plan and that said approval is reasonable and in the public interest and furthers the goals of the 2030 Horizon Plan because it is contained within a Rural Industrial area, it is in close proximity to other more intense commercial uses, and traffic impacts should not exceed road capacity.</td>
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<tr>
<td>TO DENY:</td>
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<tr>
<td>Motion to recommend denial of the zoning map amendment and to make a finding that though the denial is inconsistent with the adopted 2030 Horizon Plan, said denial is reasonable and in the public interest and furthers the goals of the 2030 Horizon Plan because….</td>
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Attachments:
Rezoning Application
Zoning Map
Future Land Use Map
Aerial View Map
Iredell County
Application for Rezoning

The following steps are required in order for your application to be considered complete.
Incomplete applications will be returned to the applicant and will not be processed.

1. Schedule a pre-application meeting with staff.
2. Submit a completed application. All applications must include:
   - Cash, check, or money order made payable to Iredell County.
     Fees: $500 for a rezoning request
3. A plat, drawn to scale, showing the bearings and the distances of the property requested for rezoning, if only rezoning a portion of a parcel.

The Rezoning Process:

1. Hold a pre-application meeting with staff to discuss your rezoning request and the map amendment process.
2. Submit a Zoning Map Amendment application to Iredell County Planning. During this time, planning staff will review your application, prepare a staff report to the board, and notify all adjacent property owners.

Petitions for a change in zoning are first referred to the Planning Board and then acted upon by the Iredell County Board of County Commissioners. Planning Board meetings are held on the first Wednesday of every month at 7:00 p.m. at the Iredell County Government Center (Old Iredell County Courthouse), 200 South Center Street, located in downtown Statesville. At this time, the Board will hold a public meeting and make a recommendation. The Planning Board’s recommendation is then forwarded on to the Iredell County Board of Commissioners for them to approve or deny the request. The Iredell County Board of Commissioners meets at the same location at 7:00 PM on the first Tuesday of each month.

Subject Property Information
1. Street Address: 4187 TAYLORSVILLE HWY
2. PIN(s): 4715093707
3. Deed Reference: Book 2566 Page 1536
4. Township: CONCORD
Description of Subject Property
1. Size to be rezoned (square feet or acres) 42.652 ACRES
2. Street Frontage (feet) 324
3. Watershed N/A
4. Current Land Use of Property RA
5. Surrounding Land Use
   North Z-20
   South RA
   East Z-20 AND RA
   West BU-B AND RA

Request
1. Change Zoning From RA To M-1
2. Is this a request for a “Conditional Zoning” District? YES, NO
3. If a Conditional Zoning District is being requested, please describe the Purpose for Request/Proposed Use N/A

Since amendments to zoning maps should also be based on a Land Use Plan, please explain in the space below how your request satisfies each of the following requirements:

1. How would the requested zoning change be consistent with the property’s classification on the future land use map in the 2030 Horizon Plan?
   2030 PLAN CALLS FOR RURAL INDUSTRIAL WHICH STAYS WELLING PROPERTY IN LINE WITH CURRENT ZONING ON PARCELS EAST OF SUBJECT PROPERTY ON TAYLORVILLE HWY

2. What significant neighborhood changes have occurred to make the existing zoning inappropriate, or how is the land involved unsuitable for the uses permitted under the existing zoning?
   IN UNISON WITH PROPERTY ZONING EAST OF THE SUBJECT PROPERTY ON TAYLORVILLE HIGHWAY, NC 90 WE HAVE IDENTIFIED THESE PARCELS TO BE CONSISTENT WITH THE TYPE OF USAGE WE ARE REQUESTING.

Page 2 of 4
Rezoning Application
Conditional Zoning Application

Please list the specific permitted land use(s) that you are proposing. Land use(s) shall be chosen from Section 2.21 of the Iredell County Land Development Code.

__________________________________________________________________________
__________________________________________________________________________
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__________________________________________________________________________

Please list any specific conditions that you would be willing to impose as part of this application (example: no outside storage permitted on-site, increased buffer width).

__________________________________________________________________________
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Owner Information

It is understood by all parties hereto including owner, petitioner, and/or agents that while this application will be carefully considered and reviewed, the burden of providing its need rests with the below named petitioner. In addition, it is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound by the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended through the rezoning process.

I do hereby certify that all information, which I have provided for this application, is, to the best of my knowledge, correct.

Property Owner: Amanda L Huffman
Company Name: Anchor Management Team, LLC
Position: Member - President
Address: P.O. Box 7351 Statesville NC 28687
Phone: 704-690-5014
Email: MandyHuffman@att.net
Signature: Amanda Huffman
(Must be notarized)

North Carolina, _________ County

I, Deborah Williams, a Notary Public for _________ County, North Carolina, do hereby certify that Amanda L Huffman personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the ______ day of ______, 2019.

Deborah Williams
My Commission expires: ______
Deborah Williams

Applicant/Agent: Amanda Huffman
Company Name: Anchor Management Team, LLC
Position: Member - President
Address: P.O. Box 7351 Statesville NC 28687
Phone: 704-690-5014
Email: MandyHuffman@att.net
Signature: Amanda Huffman
IREDELL COUNTY PLANNING BOARD

The Iredell County Planning Board met on Wednesday, March 6, 2019 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

Harry Tsumas, Chairman
Kristi Pfeufer, Vice Chair
Jerry Santoni
Doug Holland
Raymond Burnette
Robert Palmes
Tracy Jenkins
Chris Carney
Mark Davis

STAFF PRESENT

Leslie Meadows
Matthew Todd
Cindy Nicholson

Chairman Tsumas called the meeting to order.

Leslie Meadows presented the following case:

REZONING REQUEST: 1903-1, MANDY HUFFMAN, ANCHOR MANAGEMENT TEAM, LLC (OWNER/APPLICANT)

EXPLANATION OF THE REQUEST

This is a request to rezone approximately 42.65 acres located off of Taylorsville Highway from Residential Agricultural (RA) to Light Manufacturing (M-1). This is a straight rezoning, with no conditional requirements.

OWNER/APPLICANT

OWNER/APPLICANT: Mandy Huffman, Anchor Management Team, LLC

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**SCHOOLS:** This is a commercial rezoning and should have no implications on local schools.

**EMERGENCY SERVICES:** This proposal has been reviewed by the Iredell County Fire Marshal’s Office and Iredell County EMS. Neither office addressed any concerns regarding the request.

**UTILITIES:** This site is currently served by well and septic.
REQUIRED REVIEWS BY OTHER AGENCIES

LOCAL: The applicant must provide a site plan to the Planning Department for review to develop the property. Zoning requirements such as parking, landscaping, and buffering will be reviewed at such time. Erosion & Sedimentation Control standards will also be reviewed for compliance.

STATE: Other than building code, there should be no formal state agency review at this time.

FEDERAL: None at this time.

STAFF AND BOARD COMMENTS

STAFF COMMENTS: The 2030 Horizon Plan calls for this area to be Rural Industrial, which allows for smaller scale light industrial uses. Rural Industrial areas lay outside the Iredell County Urban Service Areas, with the intent that these areas remain rural in character.

Staff does, however, have concerns regarding commercial driveway access to the property, due to the Alexander Railroad line. Before a commercial zoning permit can be issued for development of this site, the landowner must secure a commercial driveway permit form NCDOT. NCDOT has indicated they cannot approve said driveway permit without sign off from the Alexander RR. Landowner has been made aware of this situation.

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SITE REVIEW COMMITTEE: Raymond Burnette visited the site with staff on February 15, 2019.

QUESTIONS FROM BOARD TO STAFF

Mr. Carney asked Ms. Meadows had she spoken with the next door residential owners. With it being a commercial use that is coming and will be using a shared driveway with a residence, does the residential owners have an issue with this?

Ms. Meadows states she has spoken with the adjoining property owners and they had recently sub-divided the adjoining property into 3 additional lots and will be adding a few more homes. Their stance was if there were any driveway improvements made that would only benefit them.
Ms. Pfeufer asked Ms. Meadows why that would not be considered spot zoning due to the fact that it is surrounded by all residential.

Ms. Meadows states the Horizon Plan calls for the future of this area to be Rural Industrial as well as connecting to the Employment Center Industrial Flex Office. Therefore, it does meet future plans.

Ms. Pfeufer states future is the key word being that there are a lot of residences in that area and that is her main concern with the residential that exists at this current time. She has not seen much industrial growth moving into that surrounding area; not that it won’t follow the rail line in the future, it very well could.

Ms. Meadows states the proposed use is not on the intense end of the light manufacturing spectrum, but the owner can speak more to that.

Mr. Tsumas asked Ms. Meadows to explain more about what Rural Industrial would mean.

Ms. Meadows states Rural Industrial zone allows for smaller scale light industrial uses that lie outside Iredell County Urban Service Areas, with the intent that these areas remain rural in character.

Mr. Tsumas states with rural industrial areas, that doesn’t necessarily mean light industrial zone or does it.

Ms. Meadows states yes.

Mr. Tsumas asked if there were any more questions for staff.

There were no more questions for staff.

THOSE SPEAKING ABOUT THE CASE

Mandy Huffman, owner of Anchor Management Team and also Road Masters Traffic Control, states she lives in Alexander County. Ms. Huffman states she currently has a business just right inside Stony Point on Old Mountain Road and the whole point of what she is wanting to do is to have her business in the country. She does not want to be in the city and wants to keep in the country. Ms. Huffman states the type of work they do is traffic control with interstate work fixing roads and working with contractors and she does not need a presence at the location she only needs this place to store her equipment, and work on her equipment. With the way this property is laid out, it allows her to still not be front and center.

Mr. Tsumas asked if anyone had any questions for Ms. Huffman.

Mr. Carney asked Ms. Huffman what type of equipment is used for traffic control.
Ms. Huffman states there are message boards that tell people construction is coming up, arrow boards, crash trucks that are put in place to keep motorists from hitting construction workers, F-150 pickups up to F-650 pickups which is the largest vehicle they use.

Mr. Carney asked Ms. Huffman it is not true construction equipment.

Ms. Huffman states no.

Mr. Tsumas states regardless what Ms. Huffman will use, this is a straight M-1 rezoning and all allowed uses in M-1 will be allowed if approved.

Mr. Tsumas asked if anyone else has any questions for Ms. Huffman.

There were no more questions.

Mr. Tsumas asked if anyone else would like to speak on behalf of this request.

Mr. Jim McLelland, 4159 Taylorsville Hwy, states the row of pine trees are on his property and was asking a question about the Brown property because they are in California and Greensboro and couldn’t be in attendance to this meeting. Mr. McLelland states the Browns are wanting to inquire about the creek that runs on the backside of the property because they want to preserve the wildlife. All wanted to make sure that the creek would be preserved.

Mr. Tsumas states this is a straight rezoning request and if this is approved, the owners would have to follow the ordinances that are in the book, and online and they will have to follow all the conditions that are in the ordinance. There is no limitations because this is not a conditional use request, therefore, the Board cannot add anything to it, meaning it will be for or against.

Mr. McLelland states they do not oppose this rezoning but he also wanted to ask about the driveway. Will all the people for the new lots and this commercial-use use the same driveway in and out?

Mr. Tsumas states that will be worked out between the property owners themselves. Easements are worked out between property owners and does not fall under this Boards jurisdiction. Mr. Tsumas states any improvements that are done in an industrial zone, the owner will have to submit a site plan and staff will have to approve the site plan, and NCDOT will have to approve the driveway permits, etc. through those avenues.

Mr. Santoni states that on water/streams, there is usually a buffer between to prevent damage to a stream.

Mr. Tsumas asked Ms. Meadows about the buffer amount.

Ms. Meadows states this area is not in a regulated watershed area, so there is no buffer on perennial streams here that is required.
Mr. Tsumas states there is no zoning buffer but there is an erosion control buffer. Mr. Palmes states to his knowledge, he is not considered an expert, but NC Department of Environmental Quality would have something to do with that and there will be some type of buffer from the State that would state the stream couldn’t be disturbed being an M-1 use.

Mr. Tsumas states he has seen them from 35 – 50 feet on either side.

Mr. Holland states he is pretty sure it is 50 feet.

Mr. Santoni states he thought it was 50 feet and now a state regulation and not necessarily a county regulation.

Mr. Tsumas asked Mr. Matthew Todd, Planning Director, if the County has adopted that.

Mr. Todd states first it depends on the stream designation. If it is a perennial stream, then yes, it would have a 30 foot buffer from the County and something additional from the State. If it is an intermittent stream, there would be nothing from the County and not sure other than from a water quality aspect if there would be anything from the State.

Ms. Pfeufer asked what kind of vegetative buffer would have to go around everything except for the railroad track because it is against residential all the way around.

Ms. Meadows states a 90 percent opaque buffer and assumes the owner would leave it as natural as possible.

Mr. Tsumas asked if anyone would like to speak against the request.

No one wished to speak against the request.

Mr. Tsumas asked if there were any further questions for staff.

Mr. Davis states the packet indicates that they can’t do commercial development at this site without NCDOT approving the placement of the shared driveway and NCDOT states they won’t do anything unless Alexander Railroad signs off on this, is there any update on that.

Mr. Tsumas gave permission for Mr. Kevin Sifford to speak, representing the owners of the property, and helping with the owner’s diligence in this process. Mr. Sifford states he had spoken today with Mr. John Cook from NCDOT Division 12 and turned in the driveway permit application with all the necessary items and has had several discussions with them. At this time, NCDOT does not have any issues at all with issuing the driveway permit for this property.

Mr. Tsumas asked Mr. Sifford was he in the application mode currently.

Mr. Sifford states yes.
Mr. Tsumas states he knows the railroad has a lot of say so in things and there will be a lot of attention paid to this by the railroad.

Mr. Tsumas asked if there were any other questions.

There were no more questions.

After no further discussion, Mr. Santoni made a Motion to recommend in favor of the zoning map amendment and to make a finding that the approval is consistent with the adopted 2030 Horizon Plan and that said approval is reasonable and in the public interest and furthers the goals of the 2030 Horizon Plan because development is conditionals per the submitted request, it is contained within a future commercial corridor, and traffic impacts will not exceed road capacity. Mr. Jenkins seconded said motion and all were in favor.

**VOTE: 9-0**

**OTHER BUSINESS:** Discussion on the NCDOT public input meeting to be held on March 12, 2019 regarding Sullivan Road/Davie Avenue roundabout. Also, Matthew Todd asked for a volunteer to have representation at the CRTPO meetings in Charlotte. Mr. Santoni volunteered to be a representative.

**UNFINISHED BUSINESS:** None

**MINUTES:** Mr. Santoni made a motion to approve the December 5, 2018 meeting minutes. Mr. Carney seconded said motion and all were in favor.

**MONTHLY COMMITTEE ASSIGNMENTS:** Rezoning site visits, Friday, March 15, 2019.

**ADJOURNMENT:** There being no further business, Chairman Tsumas declared the meeting adjourned at 7:40 p.m.

_______________________  _____________________
Cindy Nicholson                  Date Read and/or Approved
Administrative Assistant