1. Agenda

Documents:

PB AGENDA_JUNE 02 2021.PDF

1.I. Staff Report

Documents:

2106-1_RICHON_PB STAFF REPORT.PDF

1.I.i. 06/02/2021 PB Minutes

Documents:

06 02 2021 PB MINUTES.PDF
Call to Order

Consideration of Rezoning Request

Case #2106-1
Owner/Applicant Michael “Dean” Richon is requesting to rezone approximately 2 acres of a 7.7 acres tract of land, along Beulah Road off Old Mountain Road, from Residential Agricultural (RA) to Highway Business (HB). This is a conventional rezoning request, with no conditions proposed at this time.

Other Business

Approval of the May 5, 2021 Meeting Minutes

Committee Assignments – Site Visits: Friday, June 18, 2021

Adjournment
EXPLANATION OF THE REQUEST

This is a request to rezone approximately 2 acres of a 7.7 acres tract of land, along Beulah Road off Old Mountain Road, from Residential Agricultural (RA) to Highway Business (HB). This is a conventional rezoning request, with no conditions proposed at this time.

OWNER/APPLICANT

OWNERS: Michael “Dean” Richon & Janet H. Fox (Siblings)
APPLICANT: Michael “Dean” Richon

PROPERTY INFORMATION

ADDRESS/LOCATION:
Directly across from 129 Beulah Road; more specifically, the northern portion of PIN#: 4704801287.000.

SURROUNDING LAND USE: In close proximity to this site, to the north, northeast, and northwest, are a variety of commercial uses; primarily HB and M-1 Light Manufacturing operations. Properties directly to the east, south, and west are still residential in nature.

SIZE: The total acreage to be rezoned includes approximately 2 acres.

EXISTING LAND USE: Currently, vacant lot.

ZONING HISTORY: The property has been zoned, Residential Agricultural (RA) since county-wide zoning was established in 1990.
OTHER JURISDICTIONAL INFORMATION: This area is considered entirely the County’s jurisdiction, and lies just outside of the City of Statesville’s Long-Range Urban Service Area.

OTHER SITE CHARACTERISTICS: This property is located within the regulated WS-IV-PA Protected Watershed Area for Catawba/Lake Norman. Proposed new development will be limited to the Non-Residential Low Density Option for 24% built-upon area with curb and gutter, or up to 36% built-upon area without curb and gutter. The Non-Residential High Density Option could be applied for via the Board of Commissioners at this site; for up to 70% built-upon area. The property is not located in a flood hazard zone.

UTILITIES: This site is currently served by West Iredell Water Cooperation and septic.

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: Beulah Road is considered a secondary road, not currently covered by the CRTPO Comprehensive Transportation Plan. The closest and most recent NCDOT traffic count, was just west of this property along Beulah Road, having a traffic count of 1,600 vehicles per day in 2015. Overall traffic capacity for Beulah Road is currently unknown. The speed limit along this section of Beulah Road is 45 mph.

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.

REQUIRED REVIEWS BY OTHER AGENCIES

LOCAL: The applicant/developer must provide a site plan to the Planning & Development 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 applicant, Michael “Dean” Richon, is co-owner of the property in question, alongside his sister, Janet H. Fox. In attempts to sale this portion of the larger property in question, the applicant is requesting a commercial HB rezoning due to the fact that potential buyer, Keith Slaughter, who happens to live directly across from the site in question, would like to purchase the property for a commercial use. It is also felt that the site is no longer as favorable/attractive for residential purposes because it adjoins other HB parcels and is in close proximity to a variety of Light Manufacturing (M-1) uses. The property directly to the east, at the intersection of Old Mountain Road, currently serves as the over-flow parking lot for Beulah Baptist Church of Statesville. It is noted that the smaller lot size and the Catawba/Lake Norman WS-IV-PA Protected Watershed restrictions in this area should limit or help control HB development at this site.

Being relatively close to the on/off ramp for I-40, along Old Mountain Road, the parcel in question is inside what the 2030 Horizon Plan calls an Employment Center - Industrial/Flex/Office designation. The Employment Center – Industrial/Flex/Office areas are intended for development of industrial, flex space, and office uses including light manufacturing and assembly, research and development, warehousing, and building trade showrooms and offices. These lands are either currently served or are planned to be served in the future by public or private water or sanitary sewer systems. Development should provide adequate transitions to adjacent lower intensity uses, such as residential and commercial uses, in the form of vegetated buffers, landscaping, setbacks, and building heights.

The Planning staff can support the proposed rezoning request based on the following: The property lies within the 2030 Employment Center – Industrial/Flex/Office designation, it is adjacent to various existing commercial uses, and protected watershed restrictions should limit development to smaller-scale HB uses into the future.

**SITE REVIEW COMMITTEE:** Staff performed a site visit on May 14, 2021, to post property and take photo documentation. Staff was accompanied by Planning Board member Ronda Hoke.
ACTION NEEDED:

TO APPROVE: Motion to recommend approval of the zoning map amendment, and to make a finding that said approval is reasonable and in the public interest because the property lies within the 2030 Horizon Plan Employment Center – Industrial/Flex/Office designation, it is adjacent to various existing commercial uses, and protected watershed restrictions should limit development to smaller-scale HB uses into the future.

TO DENY: Motion to recommend denial of the zoning map amendment and to make a finding that said denial is reasonable and in the public interest because….

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  Beulah Road (across from 129 Beulah Rd.)
2. PIN(s)  4704801887
3. Deed Reference: Book 2083 Page 1137
4. Township 14
Description of Subject Property

1. Size to be rezoned (square feet or acres) 2-7/8
2. Street Frontage (feet) 325
3. Watershed 3690
4. Current Land Use of Property Farming
5. Surrounding Land Use
   North Commercial/1-HB
   South RA
   East Commercial/1-HB
   West RA

Request

1. Change Zoning From RA To HB
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 Building Approach
   60 x 80 for Flooring Storage & Showroom/Equipment Storage
   Contractor's Office/Showroom, No outdoor storage

Kris Slaughter 704-822-3678
Dan Richmond 704-831-1741

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?
   Lies Within 2030 Horizon Plan Employment Center/Industrial/Flex/Office designation

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?
   Adjoins other HB properties, almost a corner lot, adjacent to M-1 across OldMtn. Rd. No longer as desirable for SFD.
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.

N/A

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).

N/A
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: Michael Dean Richon & Janet H. Fox

Company Name
Position
Address 125 Greenfield Drive, Statesville, NC 28625
Phone 704-381-1741
Email
Signature: Janet H. Fox
(Must be notarized)

North Carolina, Iredell County

I, Katie N. Sigmon, a Notary Public for Iredell County, North Carolina, do hereby certify that Janet H. Fox personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 3rd day of May 2021.

Katie N. Sigmon
My Commission expires: 12-17-2024

Applicant/Agent: Michael Dean Richon

Company Name
Position
Address
Phone
Email
Signature
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

Company Name ___________________________
Position ________________________________
Address 125 Greenfield Dr., Statesville, NC 28625
Phone 704-881-1741 704-876-1080
Email ________________________________
Signature ______________________________
(Must be notarized)

North Carolina, Iredell County

I, Katie N. Sighmon, a Notary Public for Iredell County, North Carolina, do hereby certify that Dean Richon personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 10th day of May 2021.

Katie N. Sighmon
My Commission expires: 12-17-2024

Applicant/Agent Michael Dean Richon

Company Name ___________________________
Position ________________________________
Address 125 Greenfield Dr., Statesville, NC 28625
Phone 704-881-1741 704-876-1080
Email ________________________________
Signature ______________________________

Page 4 of 4
Rezoning Application
IREDELL COUNTY PLANNING BOARD

The Iredell County Planning Board met on Wednesday, June 2, 2021 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
Kristi Pfeufer, Vice-Chair
Raymond Burnette
Doug Holland
Chris Carney
Jerry Santoni
Tracy Jenkins
Andy Webster
Ronda Hoke

STAFF PRESENT
Leslie Meadows
Jake Lowman
Cindy Nicholson

MEMBERS ABSENT
Harry Tsumas, Chairman
Mark Davis

Vice-Chair Pfeufer called the meeting to order.

Leslie Meadows presented the following case:

REZONING REQUEST: 2106-1, MICHAEL “DEAN” RICHON (OWNER/APPLICANT) & JANET H. FOX (OWNER)

EXPLANATION OF THE REQUEST

This is a request to rezone approximately 2 acres of a 7.7 acres tract of land, along Beulah Road off Old Mountain Road, from Residential Agricultural (RA) to Highway Business (HB). This is a conventional rezoning request, with no conditions proposed at this time.

OWNER/APPLICANT

OWNERS: Michael “Dean” Richon & Janet H. Fox (Siblings)
APPLICANT: Michael “Dean” Richon

PROPERTY INFORMATION

ADDRESS/LOCATION: Directly across from 129 Beulah Road; more specifically, the northern portion of PIN#: 4704801287.000.
SURROUNDING LAND USE: In close proximity to this site, to the north, northeast, and northwest, are a variety of commercial uses; primarily HB and M-1 Light Manufacturing operations. Properties directly to the east, south, and west are still residential in nature.

SIZE: The total acreage to be rezoned includes approximately 2 acres.

EXISTING LAND USE: Currently, vacant lot.

ZONING HISTORY: The property has been zoned, Residential Agricultural (RA) since county-wide zoning was established in 1990.

OTHER JURISDICTIONAL INFORMATION: This area is considered entirely the County’s jurisdiction, and lies just outside of the City of Statesville’s Long-Range Urban Service Area.

OTHER SITE CHARACTERISTICS: This property is located within the regulated WS-IV-PA Protected Watershed Area for Catawba/Lake Norman. Proposed new development will be limited to the Non-Residential Low Density Option for 24% built-upon area with curb and gutter, or up to 36% built-upon area without curb and gutter. The Non-Residential High Density Option could be applied for via the Board of Commissioners at this site; for up to 70% built-upon area. The property is not located in a flood hazard zone.

UTILITIES: This site is currently served by West Iredell Water Company and septic.

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: Beulah Road is considered a secondary road, not currently covered by the CRTPO Comprehensive Transportation Plan. The closest and most recent NCDOT traffic count, was just west of this property along Beulah Road, having a traffic count of 1,600 vehicles per day in 2015. Overall traffic capacity for Beulah Road is currently unknown. The speed limit along this section of Beulah Road is 45 mph.
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.

REQUIRED REVIEWS BY OTHER AGENCIES

LOCAL: The applicant/developer must provide a site plan to the Planning & Development 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 applicant, Michael “Dean” Richon, is co-owner of the property in question, alongside his sister, Janet H. Fox. In attempts to sale this portion of the larger property in question, the applicant is requesting a commercial HB rezoning due to the fact that potential buyer, Keith Slaughter, who happens to live directly across from the site in question, would like to purchase the property for a commercial use. It is also felt that the site is no longer as favorable/attractive for residential purposes because it adjoins other HB parcels and is in close proximity to a variety of Light Manufacturing (M-1) uses. The property directly to the east, at the intersection of Old Mountain Road, currently serves as the over-flow parking lot for Beulah Baptist Church of Statesville. It is noted that the smaller lot size and the Catawba/Lake Norman WS-IV-PA Protected Watershed restrictions in this area should limit or help control HB development at this site.

Being relatively close to the on/off ramp for I-40, along Old Mountain Road, the parcel in question is inside what the 2030 Horizon Plan calls an Employment Center - Industrial/Flex/Office designation. The Employment Center – Industrial/Flex/Office areas are intended for development of industrial, flex space, and office uses including light manufacturing and assembly, research and development, warehousing, and building trade showrooms and offices. These lands are either currently served or are planned to be served in the future by public or private water or sanitary sewer systems. Development should provide adequate transitions to adjacent lower intensity uses, such as residential
and commercial uses, in the form of vegetated buffers, landscaping, setbacks, and building heights.

The Planning staff can support the proposed rezoning request based on the following: The property lies within the 2030 Employment Center – Industrial/Flex/Office designation, it is adjacent to various existing commercial uses, and protected watershed restrictions should limit development to smaller-scale HB uses into the future.

SITE REVIEW COMMITTEE: Staff performed a site visit on May 14, 2021, to post property and take photo documentation. Staff was accompanied by Planning Board member Ronda Hoke.

QUESTIONS FROM BOARD TO STAFF

Vice-Chair Pfeufer asked if there were any questions for staff.

Mr. Santoni asked Ms. Meadows if there is an amendment needed to the 2030 Horizon Plan?

Ms. Meadows said no, there does not need to be an amendment because it does meet the plan.

Mr. Santoni questioned the action plan stating motion to recommend approval of the zoning map amendment, implying an amendment.

Ms. Meadows explained it is stating an amendment to the zoning map, not to the long-range 2030 Horizon Plan.

Vice-Chair Pfeufer asked if there were any further questions for staff.

There were no further questions for staff.

Vice-Chair Pfeufer then asked the applicant/owner if he would like to come forward to share anything.

THOSE SPEAKING ABOUT THE CASE

Mr. Richon said he has no need to speak unless there are any questions for him.

Vice-Chair Pfeufer asked if there were any questions for Mr. Richon.

There were no questions for Mr. Richon.

Vice-Chair Pfeufer asked if there were any others to speak for or against this request.
There were no others to speak for or against the request.

After no further discussion, Mr. Holland made a Motion to recommend approval of the zoning map amendment, and to make a finding that said approval is reasonable and in the public interest because the property lies within the 2030 Horizon Plan Employment Center – Industrial/Flex/Office designation, it is adjacent to various existing commercial uses, and protected watershed restrictions should limit development to smaller-scale HB uses into the future. Mr. Carney seconded said motion and all were in favor.

**VOTE: 8-0**

**OTHER BUSINESS:** None

**UNFINISHED BUSINESS:** None

**MINUTES:** Mr. Santoni made a motion to approve the May 5, 2021 meeting minutes, seconded by Mr. Hoke, all were in favor.

**MONTHLY COMMITTEE ASSIGNMENTS:** Site visit: Friday, June 18, 2021 (pending any application)

**ADJOURNMENT:** There being no further business, Vice-Chair Pfeufer declared the meeting adjourned at 7:08 p.m.

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