1. Agenda

    Documents:

        PB AGENDA_7.3.19.PDF

1.I. Staff Report

    Documents:

        1907-1_TERAMORE_PB STAFF REPORT.PDF
July 3, 2019
Commissioners Meeting Room
Iredell County Government Center
Statesville, North Carolina
7:00 p.m.

A G E N D A

Call to Order

Election of Officers

Consideration of Rezoning Request

Case #1907-1
Applicant Josh Hufsteler, Teramore Development, LLC is requesting to rezone approximately 1.69 acres at the corner of Ostwalt Amity Road and Bethesda Road from Residential Agricultural (RA) to Neighborhood Business Conditional District (NB-CD). This request is conditional per the submitted application, and will be bound to the uses and specifications attached to the request.

Other Business

Approval of the June 5, 2019 Meeting Minutes

Committee Assignments – Site Visits: Friday, July 19, 2019

Adjournment
Iredell County
PLANNING & DEVELOPMENT

PLANNING STAFF REPORT
REZONING CASE # 1907-1
STAFF PROJECT CONTACT: Leslie Meadows

EXPLANATION OF THE REQUEST

This is a request to rezone approximately 1.69 acres at the corner of Ostwalt Amity Road and Bethesda Road from Residential Agricultural (RA) to Neighborhood Business Conditional District (NB-CD). This request is conditional per the submitted application, and will be bound to the uses and specifications attached to the request.

OWNER/APPLICANT

OWNER: Mary Frances McNeely ETAL
APPLICANT: Josh Hufstetler, Teramore Development, LLC

PROPERTY INFORMATION

LOCATION: At the corner of Ostwalt Amity and Bethesda Roads; more specifically identified as PIN 4761453317.

DIRECTIONS: Take I-77 South to exit 45 toward Troutman/Barium Springs. Turn left onto Amity Hill Road, follow till intersects Ostwalt Amity Road. Turn left onto Ostwalt Amity Road; property is approximately 1 mile on the left, at corner of Bethesda Road.

SURROUNDING LAND USE: Residentially zoned property surrounds the parcel in all directions.

SIZE: The acreage to be rezoned is approximately 1.69 acres.

EXISTING LAND USE: The entire parcel is currently vacant.
ZONING HISTORY: The property was initially zoned RA during the county-wide zoning of 1990.

OTHER JURISDICTIONAL INFORMATION: This rural property is not located within any municipalities’ Urban Service Area.

OTHER SITE CHARACTERISTICS: The property is not located within a regulated Watershed Area, nor is the property within a flood hazard zone.

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: The closest traffic count along Ostwalt Amity Road is just east of the parcel, and had a traffic count of 3,000 vehicles per day in 2016. According to the 2008 CTP Study Report for Iredell County, the capacity for this section of Ostwalt Amity Road is currently approximately 12,400 vehicles per day. The CRTPO categorizes Ostwalt Amity Road as a minor thoroughfare in need of improvements. However, there are currently no detailed specifications or set timeframe for such improvements. The closest traffic count along Bethesda Road is just north of the parcel, and had a traffic count of 1,500 vehicles per day in 2015.

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 expressed 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 & Development Department for review before developing 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 remain Low-Density Residential in nature, however, a recent subdivision of farm land has provided for a significant increase in residential lots. To better serve the growing community, staff can support a 2030 Horizon Plan map amendment to Rural Commercial at this site because:
the request is NB-CD with detailed conditions, there are no other nearby convenience-type commercial uses, the site is centrally located within the area, and is at the corner of two moderately-trafficked minor thoroughfares. With no future commercial designations in the general area, providing such a NB-CD type use in close proximity will help to limit citizens’ drive time and alleviate additional congestion elsewhere.

Per the 2030 Horizon Plan, the Rural Commercial designation is intended to include existing commercial uses or areas anticipated for future commercial use that are located along main roadways in rural areas. The Rural Commercial intent is that these areas will remain rural in character and will not be serviced by public or private water and sanitary sewer systems. Land uses appropriate within Rural Commercial areas include supporting farm services, small-scale commercial uses such as small markets, convenience stores, small neighborhood service businesses, restaurants, churches, and institutional uses. Other commercial and office uses could be permissible provided the property is rezoned to a conditional district, as in this case.

In order to achieve and maintain the Rural Commercial development goals, the owner/applicant has agreed to the following NB-CD conditions:
1.) Limited permitted NB land-uses to include: Convenience Food, Department & Variety Store, and Grocery Store. 
2.) Install a 6 foot privacy fence along perimeter adjacent to residential properties. (See attached site plan.)
3.) Require signage to be a monument sign as opposed to a pylon sign. (See attached site plan.)
4.) Upgraded building façade, beyond minimum requirements. (See attached renderings; Options 1-3.)

The Planning staff can support the proposed rezoning request, and subsequent 2030 Horizon Plan map amendment, based on the following:
The property is centrally located at the intersection of two moderately-trafficked minor thoroughfares, which best meets the development needs of the growing community. The agreed upon NB-CD conditions strive to preserve the rural character of the area, and the limited NB-CD uses should not exceed existing road capacity.

PUBLIC INPUT MEETING: A public input meeting was held on Tuesday, January 8th, 2019 at Beulah Heights Wesleyan Church, beginning at 6:00 pm. Roughly thirty property owners from the area were in attendance to hear the proposal and ask questions about the future development. As a result of this public input meeting, conditions have been imposed to limit the number of permitted GB uses at this site, as well as mandatory types of fencing, signage, and façade upgrades.

SITE REVIEW COMMITTEE: Raymond Burnette, along with staff, visited the site on June 14, 2019.
ACTION NEEDED:

TO APPROVE: Motion to recommend approval to amend the County’s 2030 Horizon Plan and approval of the zoning map amendment. The approval is reasonable and in the public interest because the property is centrally located at the intersection of two moderately-trafficked minor thoroughfares, the agreed upon NB-CD conditions strive to preserve the rural character of the area, and the limited NB-CD uses should not exceed existing road capacity. The Planning Board recommends amending the County’s 2030 Horizon Plan to Rural Commercial at this site to meet the development needs of the community and in doing so considered the increased growth pressures from the south and west and no future commercial designations in the general area, which is a changing condition of the area since the initial adoption of the Horizon Plan.

TO DENY: Motion to recommend denial of the zoning map amendment and to make a finding that the request is inconsistent with the adopted 2030 Horizon Plan. Thus, said denial is reasonable and in the public interest and furthers the goals of the 2030 Horizon Plan because....

Attachments:
Rezoning Application, with Site Plan & Façade Renderings
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: Ostwalt Amity and Bethesda Rd, Statesville, NC 28677
2. PIN(s): 4781453317
3. Deed Reference: Book 2499 Page 1708
4. Township: Statesville
Description of Subject Property
1. Size to be rezoned (square feet or acres)  1.69 Acres
2. Street Frontage (feet)  245' along Ostwalt Amity Rd and 350' along Bethesda Rd
3. Watershed  N/A
4. Current Land Use of Property  RA
5. Surrounding Land Use  North RA
                           South RA
                           East RA
                           West RA

Request
1. Change Zoning From RA To NB - CD
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
   Construct a 9100 Commercial Building for a Dollar General Store which will provide Retail Sales of Food and General Merchandise sold as convenience items to serve the immediate Neighborhood that it is located.
   
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?
   - Proposal is a type of Convenience Store as described as a Rural Commercial use in the 2030 Horizon Plan
   - Proposal is located on Ostwalt Amity Rd which is a major roadway.
   - Proposal is limited to a single site that is buffered by RA use which ensures it will remain rural in size & character
   - Proposal will utilize well & septic which does not require public services which are not available in the area.

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?
   The recent 1.69 Acre Subdivision is located on a busy intersection on a major roadway that has a highest and best use as a Rural Commercial property.
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.

- Convenience Food
- Department & Variety
- Grocery Store

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).

- Limit the Neighborhood Business District uses to Convenience Food, Department & Variety, and Grocery Store.
- Include a 6' Privacy Fence between at the perimeter adjacent to neighborino Residential use. See attached Site plan.
- Limit sign to a Monument sign as opposed to a Pylon Sign. See attached Site plan.
- Upgrade Facade beyond minimum requirements. See attached Rendering$
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: Mary Frances McNeely ETAL
Company Name: ____________________________
Position: ____________________________
Address: 1243 Mitchell Ave
Phone: 28677
Email: ____________________________
Signature: Pleasant P. Deaton
For PLK Deaton, Heirs

North Carolina, Iredell County

1. Alan G. Carpenter, a Notary Public for Iredell County, North Carolina, do hereby certify that Pleasant P. Deaton, agent for PLK Deaton, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 31st day of May, 2019.

My Commission expires: 7-29-19

ALAN G. CARPENTER
Notary Public
Iredell County, NC
My Commission Expires: 07/29/2019

Applicant/Agent: Josh Hufstetler
Company Name: Teramore Development, LLC
Position: Manager
Address: P O Box 6460 Thomasville, GA 31758
Phone: 229-516-4289
Email: josh@teramore.net
Signature: ____________________________
PRELIMINARY SITE PLAN
CITY, STATE - STREET:
STATEVILLE, NC - OSTWALT AMITY ROAD

PROTOTYPE: FB100
DEVELOPER: TERAMERE DEVELOPMENT LLC
COMPANY: BREC, PA
ACREAGE: 1.50
NAME: JOSH HUFSTETLER
PHONE #: (229) 977-3931
PARKING SPACES: 37
PHONE #: (336) 844-4088

GENERAL NOTES:
1. PRELIMINARY BOUNDARY IS BASED ON INFORMATION FROM PROPERTY APPRAISER AND SHALL BE USED FOR ILLUSTRATIVE PURPOSES ONLY. THIS PLAN SHALL NOT BE INTENDED TO CERTIFY THE ACCURACY OF EXISTING SURFACE OR SUBSURFACE CONDITIONS. ALL AREAS AND DIMENSIONS ARE APPROXIMATE AND SHOULD BE VERIFIED BY ACTUAL SURVEY.
2. PROPOSED ACCESS LOCATIONS SHALL BE APPROVED BY REGULATORY AGENCIES HAVING JURISDICTION.
3. LIMITS OF R.O.W. DEDICATION ARE APPROXIMATE BASED ON PARCEL DATA FROM COUNTY GIS.
Light colored Masonry 40” base with medium toned horizontal Hardie board Cementious Siding up to 10’. The parapet wall is covered with darker vertical Hardie board siding and decorative battons. There is a standing seam Awning on this decorative gable entry element.
Light colored Masonry 40” base with light colored horizontal Hardie board siding with dark trim that includes a decorative façade return on each side. Entrance has a gabled roof and features pho windows and decorative shutters. Other elements are decorative cornice and goose neck lighting. The sign is also internally illuminated. The sides are smooth metal panels with break metal columns.
Dark colored brick 40” base with medium toned horizontal Hardie board lap siding, decorative shutters, and light trim. Gable Entry element has brick columns up to 10’ with vertical Hardie board siding and decorative standing seam canopy. Metal panels on sides.