

IREDELL COUNTY PLANNING BOARD

The Iredell County Planning Board met on Wednesday, April 5, 2023 at 6:00 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, Chair
Doug Holland
Andy Webster
Tracy Jenkins
Robert Palmes
Raymond Burnette
Richard Renegar

STAFF PRESENT

Leslie Meadows
Cindy Nicholson
Matthew Todd
Jake Lowman

MEMBERS ABSENT

Chris Carney, Vice-Chair
Jerry Santoni

Chair Pfeufer called the meeting to order.

Ms. Meadows presented rezoning case# 2304-1

REZONING REQUEST: 2304-1, FA LACKEY PROPERTIES LTP RLLLP+BUFFYS ESTATE LP RL & FRANK A LACKEY JR (OWNERS) ERIC THOMPSON, EQUITY COMMERCIAL PROPERTIES (APPLICANT)

EXPLANATION OF THE REQUEST

This is a request to rezone three parcels of land along Watermelon Road, off the I-40 Stamey Farm Road Exit 146, approximately 31 acres, from primarily Residential Agricultural (RA) split-zoned with a small corner of General Business (GB) to Heavy Manufacturing (M-2). This is a conventional request, with no additional agreed upon conditions presented at this time.

OWNER/APPLICANT

OWNER: FA LACKEY PROPERTIES LTP RLLLP+BUFFYS ESTATE LP RL & LACKEY FRANK A JR
APPLICANT: Eric Thompson, Equity Commercial Properties

PROPERTY INFORMATION

ADDRESS/LOCATION: Next door to 113 Watermelon Road(Penske Trucking). More specifically, PINs#: 4714243365.000, 4714249569.000, and a portion of 4714266418.000 (south of Watermelon Road).

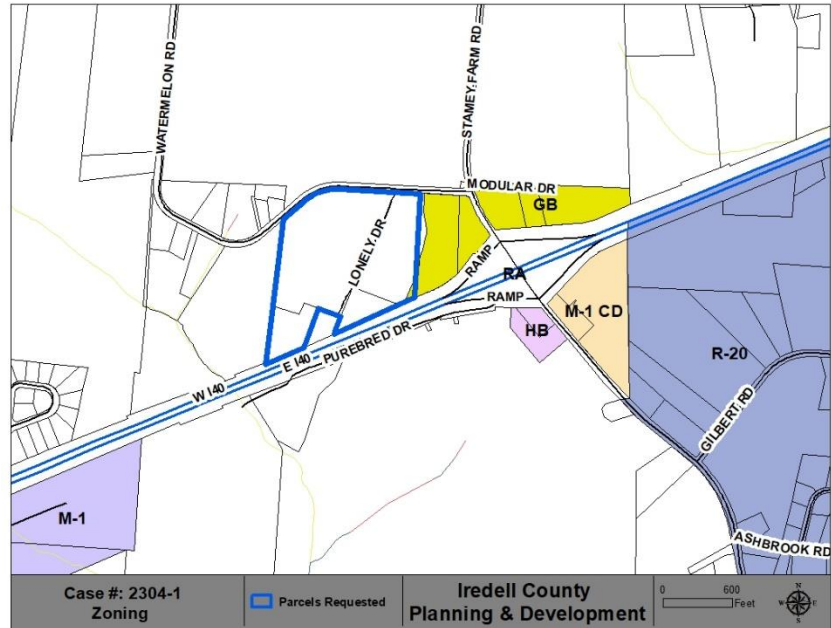
SURROUNDING LAND USE:

The surrounding areas to the north and west remain residential agricultural in nature. There are existing General Business uses directly to the east, and the I-40 Interstate Corridor lies directly to the south.

SIZE: The total acreage to be rezoned includes approximately 31 acres.

EXISTING LAND USE:

Active farmland; currently in hay and timber.



ZONING HISTORY: The properties have been zoned Residential Agricultural (RA) since county-wide zoning was originally established in 1990.

OTHER JURISDICTIONAL INFORMATION: This area is entirely within the municipal Urban Service Area of the City of Statesville. Future annexation and/or public utilities may be made available in the future. The City of Statesville has been informed of the request, and feedback was provided by City Planning Director, Sherry Ashley. Ashley shared the City's 2045 Plan, which refers to this area of the I-40/Stamey Farm Interchange as a special focus area for conceptual Mobility and Development Plans that largely keep retail uses and residences to the north of the I-40 corridor, and manufacturing and logistics to the south, closer to the airport. Ashley stated there are large tracts of vacant land directly south of I-40 that are closer to availability of future municipal public utilities. These southern tracts are considered more suitable for future development of a prospective industrial/business park, that would include a new connector road, according to the City's plans. Thus, this request along Watermelon Road for Heavy Manufacturing (M-2) zoning is inconsistent with the City of Statesville's future land use plans as well.

OTHER SITE CHARACTERISTICS: These properties are not located within a regulated Watershed Area. Thus, proposed new development will not be limited by built-upon area restrictions. The properties are not located in any flood hazard zone.

UTILITIES: Water utility may currently be available to the site via West Iredell Water Company, while private septic system is the only waste water option.

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: Watermelon Road is considered neither a major or minor thoroughfare, according to the current CRTPO Comprehensive Transportation Plan (CTP). The CRTPO Plan designates the only possible future road improvements in this area, north of this site; a realignment project at the intersection of Stamey Farm Road and Island Ford Road, which is not currently funded. In Iredell County's 2021 Transportation Master Plan, the County has requested the regional CRTPO CTP be amended to identify the I-40/Stamey Farm Road interchange as "needs improvements" moving forward. The closest and most recent NCDOT annual average daily traffic count along Watermelon Road, was approximately 1,100 vehicles per day in 2021. Traffic capacities are unknown. The speed limit along this section of Watermelon Road is 55 mph.

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

EMERGENCY SERVICES: This proposal has been reviewed by the Iredell County Fire Marshal's Office and Iredell County EMS. Fire Chief & Director of Operations, Jerry Houston, of West Iredell Fire Department has responded to express traffic concerns with this request. An existing safety response issue for this area is that Watermelon Road is the main feed for West Middle pickup and drop off, blocking one lane for several hours twice each day. Also, increased numbers of commerce/transport vehicles would require additional widening from Stamey Farm Road for better access.

REQUIRED REVIEWS BY OTHER AGENCIES

LOCAL: An official site plan must be submitted to the Planning & Development Department for review in order to redesign or further 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, Eric Thompson, is a commercial real estate agent representing the Lackey family in their search for a potential buyer for the properties in question. While a potential buyer/developer is not known at this time, the applicant feels this area of vacant lands is subject to transition into a future industrial/manufacturing hub. It is noted that this is a conventional/straight request, with no additional agreed upon conditions presented by the applicant at this time.

Being in close proximity to access the I-40 Interstate on/off ramp (Exit 146), these parcels lie on the fringe of the Highway Interchange Commercial node, with Employment Center- Industrial/Flex Space/Office designation directly across Watermelon Road. Employment Center- Industrial/Flex Space/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. These areas should have access to planned arterial or collector streets to provide adequate infrastructure for transportation of goods to and from distribution centers. 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.

However, staff recognizes that the request does not definitively meet the County's current comprehensive land-use plan, the 2030 Horizon Plan. Being sizable in acreage, the majority of the site requested for rezoning remains designated Medium Density Residential, despite nearby Employment Center-Industrial/Flex/Office and Highway Interchange Commercial designations. An update to said 2030 Horizon Plan is currently underway, and staff does not support amending the plan at this point, prior to completing the input/revision process. Without a proposed use or potential buyer, it is difficult to determine the necessary zoning designation, whether conventional or conditional zoning should apply. Staff has reservations concerning the requested jump in zoning intensity. The Heavy Manufacturing (M-2) district is reserved for the County's highest intensity uses. There is also another residential property existing at 164 Lonely Drive (PIN#: 4714246452.000) owned by separate ownership that is not part of this request. It is not ideal to isolate a residential site within a possible future industrial area.

The Planning staff cannot support the proposed rezoning request based on the following: the properties lie primarily within the current 2030 Horizon Plan Medium-Density Residential designation. The 2030 Horizon Plan is presently undergoing updates that are subject to change in this area within the year. Until then, the requested zoning district seems

extreme, and an existing residential property could become locked within a possible heavy manufacturing site.

SITE REVIEW COMMITTEE: Staff performed a site visit on March 17, 2023, to post property and take photo documentation. Staff was accompanied by Planning Board members Andy Webster and Rhonda Hoke.

QUESTIONS FROM BOARD TO STAFF

Chair Pfeufer asked if there were any questions for staff. There were none.

Chair Pfeufer asked if the applicant would like to come forward to speak on behalf of the request.

THOSE SPEAKING ABOUT THE CASE

Mr. Eric Thompson, 3606 Amity Hill Road, Statesville said he represents the Lackey and Bustle families regarding this property. He presented a handout to the Board regarding the acreage surrounding the area.

Mr. Thompson said the family hasn't been vocal through the plans. He feels their goal is to have the highest/best use of the property. They feel like due to close proximity to Interstate 40, it should be an industrial type use. Mr. Thompson thinks access is great, with no other properties showing this type of direct access to the interstate. He said from the families prospective, they feel industrial/flex would be a better use for the county, and wants to market it for industrial. Mr. Thompson said they had gotten feedback from the EDC, and everyone is aware of the growth at the 40/77 interchanges, and getting absorbed quickly.

He feels this is a great opportunity.

Chair Pfeufer asked if there were any questions for Mr. Thompson. There were none for Mr. Thompson.

Chair Pfeufer asked if there were any others to speak in favor of the request.

Mr. John Kenley, Equity Commercial Properties, 157 Old Arborway Road, Mooresville said he supports this request. He feels Iredell County has the benefit of having Interstate 40 and Interstate 77 running through the area as shown on the map. He said there is a finite amount of the property in the area that remains residential. If this property were sold and homes built, he feels there wouldn't be a lot of tax dollars being brought in the county. He also feels not many people would want to live right next Interstate 40. Mr. Kenley said in his opinion, the highest and best use for this property would be industrial/commercial type use.

Mr. Kenley said currently, as it sits, there is a lot of empty land. If someone were to go out and buy fifty acres close to this site right now, by right, they could have half-acre lots and build stick built homes or manufactured homes (he said as an example 75 homes). When

they go to rezone this property down the road, there would be many people not wanting something like this. He feels this is a way to get ahead, and also good planning. Protecting the property from a tax base standpoint, create jobs, and help with cost of items in the county like building of new schools, etc.

Mr. Kenley feels it would be a big mistake to have medium residential use of this property.

Chair Pfeufer asked if there were any questions for Mr. Kenley. There were none for Mr. Kenley.

Chair Pfeufer asked if there were any others to speak in favor of this request. There were none.

Chair Pfeufer asked if anyone would like to speak in opposition of this request.

THOSE SPEAKING AGAINST THE REQUEST

Mr. David Lackey, 228 Watermelon Road, Statesville said he has lived in the area for over seventy years. He said there is a high school on one end of Watermelon Road and Stamey Farm Road on the other. Mr. Lackey said middle school traffic comes past his driveway, and it is extremely backed up in the morning and again in the afternoon.

Mr. Lackey said he is concerned about traffic on this road, and hasn't heard anyone speak concerning that. He said he called the state on January 19 regarding dangerous mud holes, and just today (April 5), the state came and worked on the road. He feels adding industry and more parking would cause more trouble. Mr. Lackey asked if anyone had performed a traffic evaluation.

Mr. Lackey said there is a church near that has services on Wednesday nights and Sunday's, and questioned the noise that this request would bring to the area.

Mr. Lackey is concerned about this matter having an effect on the recent re-evaluation of property by the county. He said his value has went up 65%, which he sent a letter to the Tax office asking for an explanation, which was politely declined.

Mr. Lackey said the Lackey family are good people, and he has always believed people should be allowed to do what they want to on their own property, but he feels putting an industrial site on this property would be the right thing to do. He said when Frank Lackey was living, he came to him and apologized for selling some property to the CAT dealership. Mr. Lackey said he understood that Mr. Lackey was getting too old to farm the land.

Mr. Lackey said he is for progress, but wants it done the right way.

Chair Pfeufer asked if any others would like to speak in opposition of this request.

Ms. Brenda Bennett, 188 Watermelon Road, Statesville said she has had family/herself live on this road for 60 years. She said she taught at West Middle for 33 years, and now the traffic is so bad in the afternoon that traffic is backed up all the way to her house, which is directly across the road from the church (½ mile distance). Ms. Bennett feels this would be an even bigger fire/safety issue than already exists on this road. She said she thinks the times that students would be arriving and leaving school would be similar times that industry would also be arriving and leaving work. It is too crowded currently even without new industry (church, schools, and a dump already).

Ms. Bennett said the noise on the weekends across the interstate is already bad and traffic is non-stop. Ms. Bennett said she is against this request.

Mr. John Teague, representing Harvest Baptist Church, 193 Watermelon Road, Statesville said the number one problem currently is traffic. He said people pass when they shouldn't be passing because they get impatient with the traffic. He said there was an accident just today on Watermelon Road.

Mr. Teague said he isn't sure a 50' buffer would be adequate, due to the unknown of what the plans are for this site. No one has told any specific use, except it will be industrial, which he feels is frustrating when there is no idea what the surrounding area will be facing. He asked the Board if they have been told what the plans are, the Board said no.

Mr. Teague said he worked at CommScope for 27 years, in a residential area, and the noise did affect the neighbors. Also, the influx of employees an industrial facility would bring to the area.

Mr. Teague said the church is against this request. He asked the Board to pray about this decision. It will affect more people than you think.

Chair Pfeufer asked if there were any others to speak in favor of or in opposition of this request. There were none.

At this time, Chair Pfeufer closed the public input meeting.

Chair Pfeufer asked if any member would like to make a Motion.

Mr. Burnette made a Motion to recommend denial of the zoning map amendment, and to make a finding that the denial is consistent with the adopted 2030 Horizon Plan, and that said denial is reasonable and in the public interest and furthers the goals of the current 2030 Horizon Plan because the properties lie primarily within the 2030 Horizon Plan Medium-Density Residential designation. The 2030 Horizon Plan is presently undergoing updates that are subject to change in this area within the year. Until then, the requested zoning district seems extreme, and an existing residential property could become locked within a possible heavy manufacturing site. Mr. Jenkins seconded said motion.

Chair Pfeufer asked the Board for discussion.

Mr. Webster made note this area may change once the 2045 Horizon Plan is completed.

Mr. Holland said typically, he would be in favor of this. This would be a best use for the property, being in close proximity to an interchange. It fits the requirements for an industrial site, more than a residential area. He feels that's one of the problems in this county, there has been residential allowed in areas that are truly better suited for manufacturing. Although, there are some problems with this request as in the tract in the middle would be landlocked in an industrial site, and be problematic. He agrees, down the road with the 2045 Horizon Plan update, there will most likely be changes.

Mr. Burnette said he personally has had to deal with the traffic over the years with his own children going to school in the area, and still there are problems with traffic even now. The road and infrastructure in the area needs to be improved, and will not currently support industrial use. The road is narrow and curvy, and would not support industrial vehicles.

Mr. Burnette said he also agrees with Mr. Holland regarding the tract in the middle would be landlocked, and having to deal with various concerns in an industrial area.

Mr. Holland said as a Planning Board, they would feel more comfortable if it were a conditional use, and it was known what would be going in there on the site.

Chair Pfeufer asked if there was any further discussion. There was none.

Chair Pfeufer asked for a vote.

VOTE to DENY: 6-1 (Opposed: Holland)

At this time, Mr. Matthew Todd presented the following:

CONSIDERATION OF TEXT AMENDMENT – BILLBOARDS (for recommendation)
minutes reflect the discussion by Board.

Mr. Todd gave an overview of the specific changes regarding the Billboard Regulations Text Amendment, brought forward at the last meeting.

Mr. Todd said at the February meeting, Vice-President of Lamar Advertising was in attendance. The Board had asked staff to work with Lamar Advertising regarding this Text Amendment. Through email and phone correspondence with Lamar Advertising, this draft was presented, and Lamar Advertising does not have any additional comments after reviewing.

Mr. Todd said both static and digital billboards will be combined, and treated with one set of rules/regulation. He noted the chart has been moved to the front of the ordinance for quicker access instead of going through the whole ordinance.

Mr. Todd said this version will allow new billboards to be added back to NC and US routes rather than just interstates.

Mr. Todd also referenced square footage for a static billboard is 600 square feet of copy on the interstate, and 400 square feet on US or NC routes.

Mr. Todd noted setbacks for both static and digital billboards.

Chair Pfeufer asked if there were any questions for Mr. Todd.

Mr. Webster asked if there a reason why US 64 was left off. Mr. Todd said no, and he will add it back on.

Mr. Holland asked if Iredell is consistent with other nearby counties. Mr. Todd said staff looked at Statesville, Mooresville, and Troutman. It is hard to come up with a consistent way they are treated. Also, the state regulates them, and our code aligns with the state. Mr. Holland said there are many billboards North of here across the county line, and definitely a residential agricultural area along Interstate 77. Mr. Holland feels it is discriminating against farmers and the open land in the area next to the interstate. Mr. Todd said the state requires it to be commercial zoned land. The state specifically won't let you rezone property just for a billboard. Therefore, there are obstacles to consider, along with spacing requirements. In fact, Lamar Advertising confirmed that there is not much space, desirable at least, in the county to accommodate new billboards.

Mr. Palmes asked for clarification on the allowable size change for interstate frontage for electronic signs. Mr. Todd said current code states 380 square feet, and now it will be 600 square feet. Mr. Todd said for digital, it is allowing for a fair amount larger. Mr. Palmes said that is a much larger size now. Mr. Todd said the Board can stipulate digital signs stay at current size if wanted. Mr. Holland asked what the average/typical size for those signs. Mr. Todd said 600' is basically the size for the static billboards on the interstates.

Chair Pfeufer asked if there were any further questions/comments for staff. There were none.

Mr. Holland made a Motion to approve the zoning text amendments and to make a finding that the approval is consistent with the adopted 2030 Horizon Plan, along with the addition of Highway 64. Mr. Burnette seconded said motion.

VOTE: 7-0

OTHER BUSINESS: None

UNFINISHED BUSINESS: None

MINUTES: Mr. Holland made a motion to approve the February 1, 2023 meeting minutes, seconded by Mr. Webster, all were in favor.

MONTHLY COMMITTEE ASSIGNMENTS: Site Visits Friday, April 14, 2023.

ADJOURNMENT: There being no further business, Chair Pfeufer declared the meeting adjourned at 6:49 p.m.

Cindy Nicholson
Administrative Assistant

Date Read and/or Approved