



REZONING PETITION: Z 04-22

Request: Rezone Apx. 384 acres from RA & RA-AO to CBI-CD for a phased development plan for industrial use consisting of Manf., Transp., & Wholesale-Trade totaling 2.66 million square feet.

Parcel IDs: 603-045, 112, 113, 114, 116, & 118

Location: 1700 – 2300 block Long Ferry Rd. Salisbury

Total Acreage: Apx. 384

Owners: Nancy Carlton et al., Anne Carlton et al., and Kern Carlton Farms LLC.

Applicant: Red Rock Developments LLC.

Watershed: N/A

PH II Stormwater: N/A

Floodplain: Adjacent to floodplain but not within.

Existing Improvements: None.

REQUEST

Red Rock Developments LLC. is requesting the rezoning of approximately 384 acres located along the 1700 – 2300 block of Long Ferry Road Salisbury from Rural Agricultural (RA) and Rural Agricultural with an Agricultural Overlay (RA-AO) to Commercial Business Industrial with a Conditional District (CBI-CD) (see Figure 1).

Owner	Parcel ID	Acreage	Current Zoning
Anne Carlton et al.	603-113	23.40	RA-AO
Anne Carlton et al.	603-112	82.50	RA-AO
Nancy Carlton et al.	603-045	22.51	RA
Nancy Carlton et al.	603-118	112.27	RA
Kern Carlton Farms LLC.	603-116	89.77	RA
Kern Carlton Farms LLC.	603-114	53.12	RA

Figure 1

The conditional district proposes a phased development plan for industrial use consisting of Manufacturing, Transportation, and Wholesale Trade sector uses with a collective building size of 2.66 million square feet.

PROJECT DESCRIPTION

Red Rock is proposing a speculative industrial development consisting of six (6) buildings likely to commence as “shell” buildings where the slab and structure would be initially constructed and a receive a subsequent “upfit” once a tenant is identified. Page 2 of the enclosed “Long Ferry Road Speculative Industrial Development Overview” provided by Red Rock indicate a list of permitted uses within the conditional district specifically in the Manufacturing, Transportation, and Wholesale-Trade sectors. With few exceptions, the proposed use list is permitted by right in the CBI district (refer to Section 21-113 of the Zoning Ordinance).

PLAN DETAILS

The development overview document along with the site plan provide proposed details and restrictions that will govern future development within the district. The documents include the following:

- Lots – Six (6) existing parcels would be reconfigured for the proposed six (6) buildings, five (5) of which would have frontage along Long Ferry Road while the remaining parcel for Building C would be served by a sixty (60) foot private easement.

Building	Building Size	Phase	Proposed Year of Completion
A	550,000 SF	I	2023
B	270, 000 SF	II	2024
C	400,000 SF	II	2024
D	1,100,000 SF	I	2023
E	270,000 SF	III	2025
F	270,000 SF	III	2025
Total	2,660,000 SF		

Figure 2

- Size and Phasing – Three (3) phases of development with two (2) buildings each year totaling 2.66 million square feet with an anticipated completion of 2025 (see Figure 2 and enclosed site plan).

- Appearance – Buildings will be constructed with tilt wall concrete panels similar to that noted on page 3 of the development overview document. Staff Note: Image specifics are for illustration only and not intended to be part of the conditional district.
- Landscaping – Proposed landscaping would be “in a manner that is higher than the requirements of the Zoning Ordinance”. Revised plans indicate dimensioned areas of retained vegetation and one (1) section of new screening with adjoining properties. Street trees along Long Ferry Rd. and within parking areas.
- Lighting – Pole lighting will be a maximum of thirty-five (35) feet in height with light levels not to exceed 0.5 “foot candles” at the property line. (Staff Note: a foot candle is a measurement of light intensity measured at a specific location rather than at the light source). Fixture details were not provided.
- Signage – Proposed signs would be building mounted and / or monument style (base mounted to ground) along with necessary directional signs. No other details were included.

**CONFORMITY WITH ADOPTED
PLANS / POLICIES**

East Area Land Use Plan (see Figure 3)

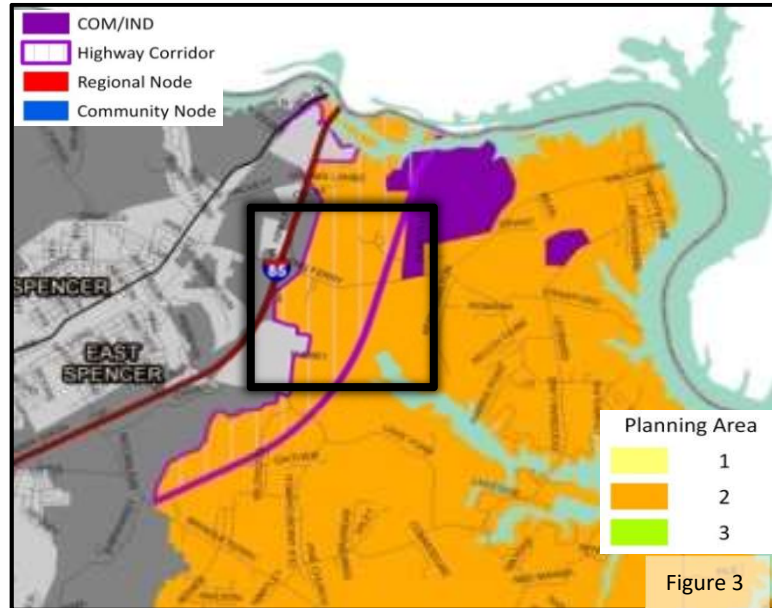
- Located in Area 2 (areas adjacent to municipalities and High Rock Lake).
- Industrial land use applications are discouraged in Area 2 except for industrial districts and the I-85, US 29, and NC 152 corridors.
- Approximately ½ of the 384 acres are located within the one (1) mile I-85 Commercial and Industrial Corridor, which encourages commercial, industrial, and mixed-use development.
- Use of extension of existing and planned water / sewer utilities are encouraged.

- Perimeter landscaping and parking on sides and rear of building is suggested.
- Consider fifty (50) foot buffer for new development outside watershed areas along all streams.

CONSISTENCY WITH THE DISTRICTS PURPOSE / INTENT

Commercial Business Industrial (CBI) – This

zone allows for a wide range of commercial, business and light to medium industrial activities which



support both the local and / or regional economies. The CBI district is generally appropriate in areas identified by an adopted land use plan that recommend “highway business” along identified NC and US highways; community / regional / potential development nodes; commercial corridors; and existing commercial areas. Areas served by public water / sewer represent significant public investment to foster tax base growth and employment opportunities for the citizens, which could be served through CBI designation. The CBI district may also exist or be created in an area other than listed in this subsection if the existing or proposed development is compatible with the surrounding area and the overall public good is served.

Conditional Districts (CD) – There are instances where certain uses may have significant impacts on the surrounding area and the county which cannot be predetermined and controlled by general district standards. As a result, a general zoning district designation is clearly inappropriate for a property, but a specific use or uses permitted as a conditional district subject to development requirements to address the anticipated impacts would be consistent with the spirit and intent of this chapter. This voluntary procedure must be petitioned by the property owner or their authorized agent as a firm development proposal and not for securing early zoning for tentative uses which may not be undertaken for a long period of time.

COMPATIBILITY OF USES

While most of the same uses proposed within the CD are also permitted with Special Requirements in the RA district, a non-residential development in RA would be in the form of a Rural Home Occupation (RHO), which is limited to a maximum building size of 12,000 sq.ft. (see Figure 4). Additional requirements are designed to address compatibility with RHO development in most RA zoned areas.

MAJOR GROUP	INDUSTRY GROUP	RA	RA-AO	CBI-CD
Residential		Most Permitted	Permitted (family only)	Not Permitted
Construction		Most Permitted with SR	Not Permitted	Not Permitted
Mining		Not Permitted	Not Permitted	Not Permitted
Manufacturing		Most Permitted with SR	Not Permitted	Most Permitted
	"Heavy Impact Uses"	Not Permitted	Not Permitted	Not Permitted
Transp., Com., Elec. / Gas, & Sanitary Svc.		Some Permitted with SR or SUP	Not Permitted	Few Permitted
Wholesale Trade		Most Permitted with SR	Few Permitted	Most Permitted
Retail Trade		Most Permitted with SR	Not Permitted	Not Permitted
Finance, Ins., & Real Est.		Most Permitted with SR	Not Permitted	Not Permitted
Services		Some Permitted with SR	Not Permitted	Not Permitted
	Misc. Amusement & Rec.	Few Permitted with SUP	Not Permitted	Not Permitted
Public Admin.		Few Permitted	Not Permitted	Not Permitted

Generalized Groupings for Permitted SIC Categories:
Most: 100-66% Some: 66-33% Few: 33-0% Not Permitted: 0%

Source: Section 21-113 Table of Uses

Figure 4

CONDITIONS IN THE VICINITY See Enclosed GIS Map –

North

- Thirty-two (32) residences along Stoner Morgan Rd.
- Four (4) poultry houses at 399 Stoner Morgan Rd. on 130 acres zoned RA-AO. Property is listed within an Enhanced Voluntary Agricultural District (EVAD).
- Large wooded areas to the northwest.
- Thirty-one (31) residences along Dukeville Rd.
- Duke Energy Buck plant at 1415 Dukeville Rd. totaling 585 acres zoned Industrial (IND).
- Bethel United Methodist Church at 2380 Long Ferry Rd.

South

- Town Creek / Crane Creek confluence and associated High Rock Lake cove.
- The Reserve at High Rock Lake (12 lot gated subdivision) at the end of Kern Carlton Rd.
- *Peter Kern House* – Local Historic Landmark located at 1360 Kern Carlton Rd.

East

- Thirteen (13) residences along Long Ferry Rd. frontage.
- Twenty-three (23) residences along Kern Carlton Rd. primarily on large lots.

West

- Thirty-seven (37) residences along the north and south side of Long Ferry Rd.
- 1.7 acre CBI-CD zoned area located 250 feet west at 1690 Long Ferry Rd.
- Mobi-Lodge – 39 space manufactured home park zoned 85-ED-1 consisting of 84 $\frac{3}{4}$ acres.
- 14.6 acre CBI zoned area consisting of 7-Eleven (1215 LFR), Aldi Inc. truck repair (1355 LFR), Salisbury-Rowan Utilities (SRU) water tower (1375 LFR), and High Rock Collision (1555 LFR).
- Chewy Inc. located at 255 Front Creek Rd. consisting of 88 acres generally zoned 85-ED-2.

- Rusher BP located at 1190 Long Ferry Rd. in The Town of Spencer's Extra Territorial Jurisdiction (ETJ).

POTENTIAL IMPACT ON ROADS

Planning staff analysis on the road impact typically include the following basic information in addition to projected trip generation based on a proposed use(s), if known:

Long Ferry Road (SR 2120) –

- Classified as a major thoroughfare.
- Most recent Annual Average Daily Traffic (AADT) counts collected in 2019 estimate the following vehicle trips: 6,400 West of Front Creek Rd. and 4,100 East of Dukeville Rd.
- The 2019 Cabarrus-Rowan Metropolitan Planning Organization's (CRMPO) Comprehensive Transportation Plan (CTP) estimates road capacity at 11,700 AADT, which represents a figure primarily based on pavement width (estimated between 22 and 24 feet) and speed limit (45 mph) rather than a single measure of assessing the road's operational capacity.

Trip Generation / Traffic Impact Analysis–

The developer along with their traffic engineer, Design Resource Group (DRG), identified four (4) land use codes from the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition, 2017) based on the proposed uses and assumed building square footage of each in the development used as the input measure within their required Traffic Impact Analysis (TIA). Figure 5 detail the projected weekday trips during the AM Peak Hour (7:00 – 9:00 AM), PM Peak Hour (4:00 – 6:00 PM), and total daily trips projected at complete buildout. For example, one (1) "trip" is calculated by leaving one's home and arriving to work with no other stops along the way. Additional trips are tallied based on subsequent movements leaving the site.

Land Use	Land Use Code	Size
Warehousing	150	1,085,280 sq.ft.
High-Cube Fulfillment Center Warehouse	155	547,560 sq.ft.
General Light Industrial	110	750,000 sq.ft.
Manufacturing	140	336,960 sq.ft.

Trip Generation - Unadjusted Volumes During a Typical Weekday			
	IN	OUT	TOTAL
AM Peak Hour	678	303	981
PM Peak Hour	557	803	1,360
Daily Trips			11,229

Figure 5

	Approach	AM Peak Hour			PM Peak Hour		
		LOS	Delay (sec / veh)	Capacity (v/c)	LOS	Delay (sec / veh)	Capacity (v/c)
	2025 Full Build with Improvements						
I-85 SB Ramps & LFR	Intersection	C	33	0.82	D	40.2	0.94
	EB - Long Ferry Rd	C	32.5	-	D	50	-
	WB - Long Ferry Rd	C	31.7	-	C	28.6	-
	SB - I-85 SB Ramps	C	34.6	-	D	52.1	-
I-85 NB Ramps & LFR	Intersection	B	16.9	0.72	C	22.7	0.91
	EB - Long Ferry Rd	A	8.3	-	B	10.6	-
	WB - Long Ferry Rd	A	9.5	-	B	13.5	-
	NB - I-85 NB Ramps	D	39.8	-	E	60.8	-
Front Creek & LFR	Intersection	C	26.5	0.88	D	53.4	1.1
	EB - Long Ferry Rd	C	24.3	-	C	21.2	-
	WB - Long Ferry Rd	B	13.8	-	F	82.1	-
	NB - Front Creek	E	72.5	-	E	78.2	-
	SB - Front Creek	C	34.5	-	D	41.9	-
Bld. A /B & C & LFR	EB - Long Ferry Rd	A	0.9	-	A	2.5	-
	WB - Long Ferry Rd	A	0.1	-	A	0.1	-
	NB - Bld. A	E	37.3	-	F	1,288.8	-
	SB - Bld. B /C	C	16.3	-	E	37.9	-
Bld. A /D & LFR	Intersection	A	9.7	0.5	B	14.9	0.62
	EB - Long Ferry Rd	A	9	-	B	15.1	-
	WB - Long Ferry Rd	A	9.7	-	B	12.5	-
	NB - Bld. A	B	12.4	-	B	18.3	-
	SB - Bld. D	B	13.3	-	B	16.7	-
Bld. D & LFR	EB - Long Ferry Rd	A	0	-	A	0	-
	WB - Long Ferry Rd	A	0.2	-	A	0.1	-
	NB - Bld. D	B	14.5	-	C	19.3	-
Stoner Morgan & LFR	EB - Long Ferry Rd	A	0.1	-	A	0.3	-
	WB - Long Ferry Rd	A	0.1	-	A	0.1	-
	NB - Bld. E	B	13.8	-	C	17	-
	SB - Stoner Morgan	B	12.3	-	C	15.4	-
Buck Station & LFR	EB - Long Ferry Rd	A	0.4	-	A	0.1	-
	WB - Long Ferry Rd	A	0.1	-	A	0.1	-
	NB - Bld. F	B	12.3	-	B	14.4	-
	SB - Buck Station	B	13.2	-	B	11.7	-

Source: DRG TIA pgs. 33-54

Figure 6

DRG studied the following existing intersections with Long Ferry Road in addition to the proposed five (5) new driveway connections: I-85 Southbound Ramp, I-85 Northbound Ramp, Front Creek

/ Willow Creek Road, Stoner Morgan Road, and Buck Station Road. In Figure 6, each intersection was analyzed to determine the project's traffic impact at buildout measured by the average vehicle delay in seconds, for each turn movement along with assigning a letter grade referred to as Level of Service (LOS). Figures provided factor in benefits from the developer required road improvements discussed in the below section. The National Research Council Transportation Research Board's Highway Capacity Manual 6th ed. 2016 uses LOS grades as a qualitative measure of effectiveness for signalized and unsignalized intersections (see Figure 7).

Intersection LOS	Signalized Intersection Control Delay per Vehicle (sec / veh)	Unsignalized Intersection Control Delay per Vehicle (sec / veh)
A	< 10	< 10
B	>10 and <20	>10 and <15
C	>20 and <35	>15 and <25
D	>35 and <55	>25 and <35
E	>55 and <80	>35 and <50
F	>80	>50

Source: TIA reference. to NRC Highway Capacity Manual 6th ed.

Figure 7

Signalized intersections are also measured with a volume to capacity ratio for the AM / PM peak periods with 1.0 suggesting the intersection would function at full capacity. Staff Note: some of the values for building access roads in Figure 6 may be slightly skewed due to the changes in driveway locations from the initial TIA. Figures used in the TIA are based on anticipated type and size of development, which could warrant subsequent review by DOT staff should significant change in these assumptions occur.

Required Road Improvements – On February 3, 2022, DOT approved the TIA findings and required the following improvements along the corridor (see enclosed):

- Install three (3) traffic signals on Long Ferry Road at the intersections with the I-85 Southbound Ramp, Northbound Ramp, and Front Creek Road / Willow Creek Road;
- A fourth (4th) traffic signal may be required at the driveway for Buildings A & D at the discretion of DOT;
- Addition and extension of various right and left turn lanes along Long Ferry Road, Front Creek Road, and the I-85 ramps.

These improvements would be a condition of the driveway permit(s) enforced by DOT. According to surveying and engineering information, the developer indicated sufficient public right of way is currently available to accommodate the proposed road improvements. The Congestion Management section of DOT stated the TIA indicated the development will consume available capacity of Long Ferry Road and additional future development may exceed capacity resulting in

the need to widen Long Ferry Road. It is worth noting the existing Long Ferry Road bridge over I-85 is approximately 41 feet wide exclusive of shoulders and currently supports one travel lane each for west and eastbound traffic and portions of northbound and southbound turn lane tapers. Additional lanes needed beyond the above required by DOT would require a new bridge over I-85.

Long Ferry Road Corridor Study – The county recently selected a consultant to perform a corridor study for Long Ferry Road between North Salisbury Avenue (US 29) in Spencer and Leonard Road (SR 2168) just east of the development. The study is charged with evaluating existing vehicular and truck traffic with potential non-residential development along the corridor. Study goals include identifying and providing cost effective solutions to mitigate traffic impacts, provide a suggested road design(s) that fosters economic development, and develop land use policies to preserve the corridor’s integrity. Staff anticipates study completion in the Fall of this year.

CTP Map – The idea of loop type road around Salisbury appeared in the 1974 DOT Salisbury Thoroughfare Plan (and possibly earlier documents) with identification of new recommended road segments constructed on the northern and eastern sides of the city. The 1999 DOT Salisbury Thoroughfare Plan refined these locations into a functional loop road concept using Jake Alexander Blvd. and proposing a continuation of the road on new alignment from US 601 to Long Ferry Road to the north and Stokes Ferry Road to Long Ferry Road to the south and east. These locations appear identical to the current CTP map noted in Figure 8.

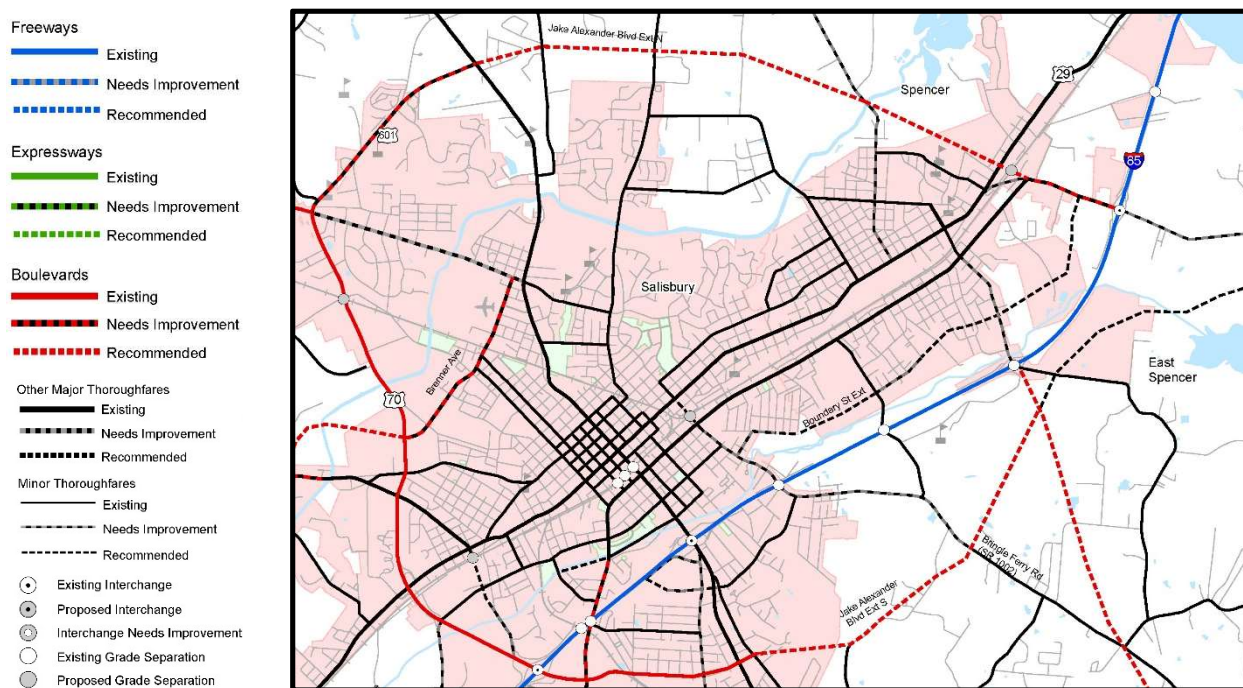


Figure 8

The potential future Jake Alexander Blvd. extension is currently depicted through many developed areas such as Jacobs Terrace Subdivision off W. Innes St.; Aldi distribution on Old Union Church Rd.; two (2) major stream crossings with Grants Creek and Crane Creek; and the subject property. Without a more specific alignment identified, it would be difficult and potentially problematic to accommodate a future right of way reservation through the project area.

POTENTIAL IMPACT ON SCHOOLS

N/A. Current RA zoning would permit one (1) dwelling unit per 10,000 sq.ft. lot with public water and sewer while the proposed conditional district would not permit any residential use.

POTENTIAL IMPACT ON UTILITIES

Public Water – This development would be served by an existing 12” public water line (potable) owned by the county extending along the south side of Long Ferry Road. A second 12” public water line (non-potable) for fire suppression would be extended from the water tower at 1375 Long Ferry Road and run concurrent with the proposed sewer line extension. According to Salisbury-Rowan Utilities (SRU) staff, sufficient capacity is available to serve the proposed development.

Public Sewer – The developer is proposing to construct a 4” public sewer force main and one (1) pump station to convey sewer to an existing 16” gravity line behind Chewy. SRU staff indicated sufficient capacity is available to serve the proposed development and other potential needs in the basin.

Stormwater – This property is not located within a Phase II stormwater area identified by the North Carolina Department of Environmental Quality (DEQ). However, the developer is proposing a series of stormwater ponds throughout the site to address runoff impacts.

ENVIRONMENTAL

On October 11, 2021, ESC Southeast, LLP. prepared a Phase I Environmental Assessment (ESA) for the developer, which included the rezoning area and portions of the Mobi Lodge and ALCOA property to the southwest near the sewer extension. In conclusion, the ESA did not identify existing environmental concerns with the property. Additionally, on October 25, 2021, ESC prepared a wetland delineation report to identify streams and wetland areas on the property. Study results suggest the area contains eighteen (18) potentially jurisdictional streams totaling 14,323 linear feet and twelve (12) potentially jurisdictional wetlands totaling 9.2 acres. Three-fourths of wetland acres are located outside the subject property boundary along with portions of the stream segments.

Site plan details indicate the land use plan recommended fifty (50) foot stream buffer along all potentially jurisdictional streams. With the exception of the sewer extension, the development proposes one (1) buffer encroachment at the northeast corner of Building A.

Floodplain – The rezoning area does not contain any areas within a regulated floodplain. Preliminary plans suggest the sewer extension will avoid floodplain areas.

DECISION MAKING

In addition to the above criteria, sec. 21-362 (c) of the Zoning Ordinance indicates the primary question before the Board of Commissioners in a rezoning decision is “whether the proposed change advances the public health, safety, or welfare as well as the intent and spirit of the ordinance.” Additionally, the board “shall not regard as controlling any advantages or disadvantages to the individual requesting the change but shall consider the impact of the proposed zoning change on the public at large.”

PROCEDURES

The Board of Commissioners must develop a statement of consistency describing whether its action is consistent with any adopted comprehensive plans and indicate why their action is reasonable and in the public interest.

**APRIL 25TH, 2022
PLANNING BOARD
MEETING**

Other than the applicant and property owners, no one spoke at the courtesy hearing. The Planning Board voted unanimously (6-0) to recommend approval subject to the six (6) conditions noted in the staff comments section based on the below statement:

Planning Board Statement of Reasonableness / Consistency

“Z 04-22 is consistent with the East Area Land Use Plan and reasonable and appropriate based on the following: It encourages industrial usage along the I-85 corridor and with the Comprehensive Transportation plan of 1974 and 1999; and reasonable to present this request as a Conditional District as it limits the potential use of the property and with the conditions mutually agreed upon with the applicant.”

**** Staff Comment** – If approved, staff suggest consideration of the following statement:

“Z 04-22 is consistent with the East Area Land Use Plan and reasonable and appropriate based on the following:

- Industrial land uses are encouraged within the I-85 corridor;
- Project complies with the plan’s encouraged use and extension of water / sewer utilities;
- Perimeter buffering and screening proposed;
- Fifty foot stream buffers provided;
- 384 acre rezoning area borders a 172 acre area consisting of 85-ED-1 & 85-ED-2 districts to the west and a 585 acre IND zoned area to the north;
- Request complies with the CBI district’s purpose and intent by utilizing public investment infrastructure to provide tax base and employment opportunities for the local and regional economies;

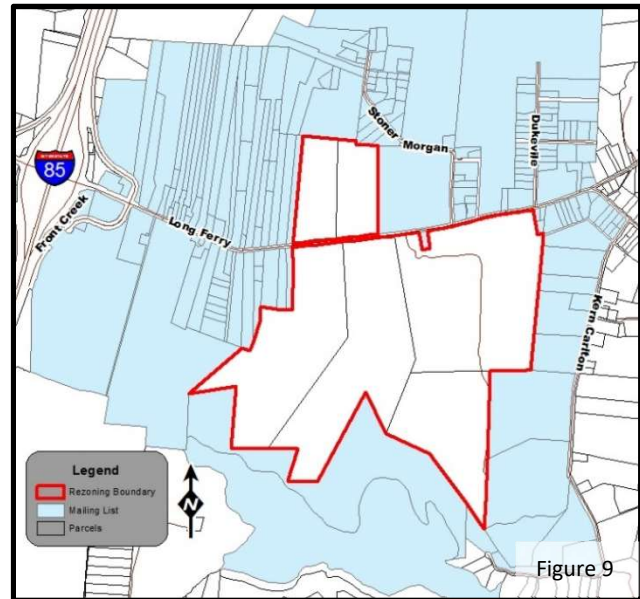
- This property is identified by the Rowan County Economic Development Council as one of the best industrial sites in the county; and
- The Conditional District ensures development will be limited to the approved plan.”

PUBLIC NOTICE

May 4th – Letters mailed to 138 area property owners (see Figure 9).

May 4th – Three (3) signs posted on property.

May 5th and 12th – Two (2) notices published in the *Salisbury Post*.



STAFF COMMENTS

For many years, the Carlton property has been recognized by the Rowan County Economic Development Council for its non-residential potential and assemblage of nearly 400 acres of contiguous property. When public sewer was extended under I-85 to Chewy, public water along Long Ferry Road, and the completion of eight (8) lanes for I-85 around 2020, the site evolved into one of the top industrial sites in the county and important for Northern Rowan. As evidenced from the road impact section, this project is anticipated to consume available capacity for Long Ferry Road based on the assumptions used in the TIA. Developer required road improvements were identified to mitigate traffic impacts on the area as a condition of their driveway permit. DOT approval specified change in development plans related to land use, size, phasing, or other factors that impact the integrity of the TIA, may require an updated TIA and additional road improvements.

It is worth noting there are a limited number of large “speculative” non-residential zoned areas that are undeveloped (e.g. Statesville Blvd. and a scatter of 85-ED zones along I-85).

	Non-Residential Zoning ¹	Residential Zoning ²	Municipal Zoning ³	High Rock Lake ⁴	Total
Square Miles	19.79	391.32	100.70	12.08	523.89
% of County	4%	75%	19%	2%	100%

Figure 10

- 1- RS, RR, RA, MHP, and MFR along with overlay areas
- 2- 85-ED-1 through 4, IND, CBI, NB, and INST along with overlay areas
- 3- Town and ETJ limits
- 4- Acreage within High Rock Lake portion of Rowan County Boundary

Figure 10 indicates only 4% of the county is zoned for non-residential use, which is somewhat to be expected but is also a reminder when considering rezoning requests.

One major benefit with the limited acreage is the opportunity provided by a conditional district request. Plans submitted addressed many staff comments but may incorporate others from the public, Planning Board, or Board of Commissioners in the form of a condition of mutual agreement between the applicant and county. Staff would offer the following additional conditions for consideration (if approved):

1. Reserve twenty (20) feet along the south and north side of Long Ferry Road for future transportation needs;
2. Provide plan for berm and / or landscaping along Long Ferry Road frontage and within front and side parking lot islands;
3. Identify width for all references to retained vegetation. Indicate proposed landscaping details in the form of length / width, spacing, and general type along project perimeter;
4. Update typical road section for cross access easement to include stone base and pavement depth to meet DOT construction standards for industrial use;
5. Eliminate SIC subgroups within the applicant's development overview document identified as either special uses or not allowed. Eliminate SIC 5159, Farm Product Raw Materials; and
6. Outdoor storage must be located behind a building or otherwise screened with an opaque fence or evergreen vegetation from adjoining properties and Long Ferry Road.

ENCLOSURES

1. Staff report
2. Rezoning applications
3. Long Ferry Road Speculative Industrial Development Overview
4. DOT TIA review letter
5. Site Plan
6. GIS Map