



REZONING PETITION: Z 09-22: RP SALISBURY PARTNERS

Request: Rezone 98.1 ac. to CBI-CD, CBI, & IND for a multi-tenant plan totaling 1.24 million sf

Parcel IDs: 409-002, 005, & 182

Location: 1200 block of Webb Rd. and 300 block of Lane Pkwy.

Lot size: 3 Tracts with apx. area of 98.1 AC

Owners: Charles Honbarger and DNA Real Estate Partners LLC

Applicant: RP Salisbury Partners LLC

Watershed: N/A

PH II Stormwater: Yes

Floodplain: N/A

Existing Improvements:
Two (2) houses; misc. farm buildings; parking area

REQUEST

RP Salisbury Partners LLC (hereinafter developer) is requesting the rezoning of approximately 98.1 acres located at the 1200 block of Webb Road and 300 block of Lane Parkway noted in the below table and the enclosed GIS map. The conditional district proposes a development plan – possibly to include multiple tenants within each building – consisting of Construction, Manufacturing, Transportation, and Wholesale Trade sector uses with a collective building size of approximately 1.24 million square feet.

Owner	Parcel ID	Apx. Ac.	Current Zone	Proposed Zone
DNA Real Estate Partners	409-002 (part)	1	IND	CBI-CD
Charles Honbarger	409-005 (part)	89.6	RR-AO	CBI-CD
Charles Honbarger	409-005 (part)	5.3	RR-AO	IND
Charles Honbarger	409-182 (part)	0.8	RR-AO	CBI-CD
Charles Honbarger	409-182 (part)	1.15	RR-AO	CBI

PROJECT DETAILS

According to information provided by the developer, this project is a joint venture between Atlanta companies Rooker Co. and Track West Partners proposing two (2) industrial buildings totaling approximately 1.24 million square feet (see enclosed). Since the project is speculative, building construction will likely commence without a firm commitment on the tenant, use, or fixed square footage need. The developer is also requesting the option to create one (1) or more tenant separations within the

buildings based on market need – a site plan review process considered by the Board of Commissioners subject to section 21-56(10) of the Zoning Ordinance. Review details indicate the

“...site plan and other pertinent information to ensure the general health, safety, and public welfare have been adequately protected.” Project details include:

- Permitted uses within the Conditional District include the Construction, Manufacturing, Transportation, and Wholesale-Trade sectors (see enclosed list). With limited exceptions, proposed uses are either permitted by right or with special requirements in the CBI district (refer to Section 21-113 of the Zoning Ordinance).
- Site plan details include a proposed .64 mile public road extension of Lane Parkway (SR 2643) from the existing dead-end segment adjacent to CCI Environmental at 281 Lane Pkwy., to a new intersection at the 1200 block of Webb Rd. This two (2) to three (3) lane road extension provide an important improvement for both the development and traffic in the Peeler Rd. / I-85 vicinity, which will soon experience significant increased traffic volume from development within adjacent Salisbury satellite annexations totaling 115 acres.
- Project is within a Phase II stormwater area identified by the North Carolina Department of Environmental Quality (DEQ), which require stormwater control measures as noted on the site plan.
- Screening will be in the form of a Type A 20' screen along a portion of the western side of Building 1 and a Type A 50' screen along the southeast corner of Building 1 adjacent to 1015 and 1035 Dukemont St.

CONFORMITY WITH ADOPTED PLANS / POLICIES

East Area Land Use Plan

- Located in Commercial / Industrial area of the future land use map.
- Located in I-85 corridor.
- Use 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.



- Promote and expand voluntary agricultural district (11) program – agree not to develop for a period of ten (10) years.

**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

The predominant zoning district of Rural Residential with an Agricultural Overlay (RR-AO) permit very limited development evident in the following table:

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

CONDITIONS IN THE VICINITY See Enclosed Map –

North

- Mainlining America, Thomas Hoke antique warehouse, and Loves Travel center on IND and CBI zoned areas.
- I-85 / Peeler Rd. interchange.

South

- LKQ salvage yard at 1212 Webb Rd.
- Small cluster of residences along Webb Rd.
- Webb Road Estates subdivision established in 1987 consisting of 64 lots developed primarily with manufactured homes.

East

- 115 acre Light Industrial (LI) zoned property owned by CM-M Selc. Peeler LLC.
- 28 acre undeveloped RA zoned properties (formerly zoned 85-ED-3 prior to Z 06-12).

West

- 18 ½ acre RR zoned area containing three (3) residences.
- United Rentals at 914 Webb Rd. zoned CBI.
- I-85 and the “Platinum” site zoned 85-ED-2 (parcel 408-019).

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:

Webb Rd. (SR 1500) –

- Classified as a major thoroughfare.
- Most recent Annual Average Daily Traffic (AADT) counts estimate the following vehicle trips: 3,400 at Hurst Dr. in 2016 and 7,200 at the railroad track in 2018.
- The 2019 Cabarrus-Rowan Metropolitan Planning Organization’s (CRMPO) Comprehensive Transportation Plan (CTP) estimates road capacity at 12,200 AADT, which represents a figure primarily based on pavement width (listed at 24 feet) and speed limit (45 mph) rather than a single measure of assessing the road’s operational capacity.

Lane Pkwy. (SR 2643) –

- Dead-end frontage road (apx. 24 foot in width) with no traffic count or estimated road capacity.

Peeler Rd. (SR 2538) –

- Classified as a major thoroughfare.

- Most recent AADT count collected in 2014 approximately 200 feet east of Lane Pkwy. indicate 3,300 vehicles.
- CTP estimates with twenty-four (24) foot wide road's capacity at 14,600 AADT.

I-85 –

- Eight lane divided interstate with AADT between 81,000 north and 77,500 south of Webb Rd.
- CTP estimates road capacity for I-85 ranging from 143,000 to 114,700 AADT.

Trip Generation / Traffic Impact Analysis–

The developer along with their traffic engineer, Kimley-Horn and Associates, selected an *Industrial Park* land use code from the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021) for the proposed use and assumed a 1.25 million square foot building as the basis for their required Traffic Impact Analysis (TIA). The below details 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.

ITE LUC	Land Use	Intensity		Daily	AMPeak Hour			PMPeak Hour			Peak Hour Type/Data Source
					Total	In	Out	Total	In	Out	
130	Industrial Park	1,250,000	SF	4,213	425	344	81	425	94	331	Adj Street/ITE Rate
	Passenger Cars			3,500	375	321	54	375	75	300	
	Trucks*			713	50	23	27	50	19	31	
Net New External Trips				4,213	425	344	81	425	94	331	

*Vehicle type split determined using Truck Trip Generation Data Plots (average rate) provided in ITE's *Trip Generation Supplement, 11th Edition*.

Using traffic counts collected on August 31st, Kimley-Horn projected traffic increases based on new trips generated by the development in addition to new trips projected from two (2) other TIAs from developments in the area. Multiple intersections in the vicinity were analyzed to determine the overall 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).

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.

The below table compares the LOS and vehicle delays in seconds for both the existing and buildout conditions with road improvements for both the proposed and the other two (2) projects in the area. Intersection data is provided based on proposed traffic signals at Peeler Rd. / Lane Pkwy. and Peeler Rd. / I-85 SB Ramp to address traffic from development within the adjacent Salisbury development. Although intersection data is provided for the Webb Rd. / I-85 SB Ramp, DOT may not require the signal.

			LOS [Vehicle Delay in Seconds]				
		Movement	EB	WB	NB	SB	Intersection
Peeler / Lane	AM	2022 Existing	A [.1]	A [.2]	D [28.5]	B [14.0]	-
		2025 Buildout	B [10.4]	B [12.1]	C [23.0]	B [12.0]	B [12.4]
	PM	2022 Existing	A [.4]	A [.2]	C [18.1]	B [10.5]	-
		2025 Buildout	B [12.1]	B [15.3]	C [22.3]	B [10.6]	B [15.3]
Peeler / I-85 NB Ramp	AM	2022 Existing	A [9.6 & 0.0]	A [0.0]	D [25.8]	-	-
		2025 Buildout	B [10.9 & 0.0]	A [0.0]	F [102.0]	-	-
	PM	2022 Existing	A [8.6 & 0.0]	A [0.0]	C [19.4]	-	-
		2025 Buildout	B [10.8 & 0.0]	A [0.0]	F [129.4]	-	-
Peeler / I-85 SB Ramp	AM	2022 Existing	A [0.0]	A [9.3 & 0.0]	-	C [21.8]	-
		2025 Buildout	B [11.5]	B [16.2]	-	B [19.9]	B [15.8]
	PM	2022 Existing	A [0.0]	A [9.0 & 0.0]	-	C [17.6]	-
		2025 Buildout	A [8.6]	B [12.8]	-	C [20.3]	B [13.4]
Webb / I-85 NB Ramp	AM	2022 Existing	A [8.2 & 0.0]	A [0.0]	C [17.7]	-	-
		2025 Buildout	A [8.3 & 0.0]	A [0.0]	C [15.6]	-	-
	PM	2022 Existing	A [8.0 & 0.0]	A [0.0]	C [17.5]	-	-
		2025 Buildout	A [8.9 & 0.0]	A [0.0]	C [22.3]	-	-
Webb / I-85 SB Ramp	AM	2022 Existing	A [0.0]	A [8.2 & 0.0]	-	B [12.2]	-
		2025 Buildout	A [8.9]	A [7.6]	-	B [13.4]	A [9.6]
	PM	2022 Existing	A [0.0]	A [8.6 & 0.0]	-	B [13.0]	-
		2025 Buildout	A [8.9]	A [9.0]	-	B [16.0]	B [10.5]
Webb / Access Rd	AM	2022 Existing	A [8.5 & 0.0]	A [0.0]	-	B [10.8]	-
		2025 Buildout	A [8.5 & 0.0]	A [0.0]	-	B [10.8]	-
	PM	2022 Existing	A [7.9]	A [0.0]	-	B [11.5]	-
		2025 Buildout	A [7.9]	A [0.0]	-	B [11.4]	-

Proposed Road Improvements – While NCDOT staff have not approved the TIA, proposed road improvements by Kimley-Horn include:

- Construct westbound right turn lane with 100 feet of storage on Webb Rd. at the I-85 NB Ramp and
- Construct eastbound left turn with 150 feet of storage on Webb Rd. at the proposed extension of Lane Pkwy. (development access road).

In speaking with NCDOT officials, comments should be available before the proposed Board of Commissioners public hearing on December 5th. Required improvements would be a condition of the driveway permit and enforced by DOT.

POTENTIAL IMPACT ON SCHOOLS

Minimal. Current RR-AO zoning only permit family subdivisions; residential not permitted in proposed CBI-CD.

POTENTIAL IMPACT ON UTILITIES

Public Water – Salisbury-Rowan Utilities (SRU) has an existing public water line along Lane Pkwy., which will be extended to serve this and the Salisbury development.

Public Sewer – SRU public sewer will be extended from a low point on the east side of I-85 through the Honbarger property to the subject site and the adjacent Salisbury development.

Stormwater – This property is located within a DEQ Phase II stormwater area and also within five (5) miles of the Mid-Carolina Regional Airport. As a result of the proximity, stormwater control measures will be designed to maintain limited water accumulation as to not attract waterfowl.

ENVIRONMENTAL

Two (2) areas of wetlands appear on the property that will be impacted by the road extension and Building 1. Proposed impacts are subject to DEQ and the US Army Corps of Engineers prior to development.

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. A statement of reasonableness must also be included which considers the following:

- (a) The size, physical conditions, and other attributes of the area proposed to be rezoned;
- (b) The benefits and detriments to the landowners, the neighbors, and the surrounding community;
- (c) The relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment;
- (d) Why the action taken is in the public interest; and
- (e) Any changed conditions warranting the amendment.

Planning staff will include the Planning Board recommended statement at the December 5th meeting.

PUBLIC NOTICE

November 15th – Letters mailed to 23 area property owners.

November 16th – Two (2) signs posted on property.

November 24th & December 1st – Notice published in the *Salisbury Post*.



STAFF COMMENTS

Rowan County and its municipalities have continued to receive considerable interest in large acreage tracts in close proximity to I-85 primarily for warehouse use. While the Chewy, 85 Commerce Center (320 Webb Rd.), and Pietryk et al. (1400 block Peeler Rd. – Salisbury satellite annexed area) properties were “pre-zoned” for the proposed developments, both the Honbarger and Carlton properties (Red Rock rezoning) maintained an AO “placeholder” on all or a portion of the property prohibiting residential development. Being adjacent to I-85, surrounded by non-residential zoned areas, and likelihood of additional development south of Webb Rd. and in the 1900 block, this quadrant will continue to experience additional development interest.

Staff would offer the following conditions (if approved):

1. Prior to issuance of a certificate of occupancy, Lane Parkway extension must be constructed and certified to NCDOT standards;
2. Property uses are subject to the list approved as part of the Conditional District;
3. Property owner to request removal of VAD designation.

ENCLOSURES

1. Staff report
2. Rezoning applications
3. Applicant’s development description
4. Conditional District use table
5. Site Plan
6. GIS Map