



## PLANNING BOARD

Tuesday, December 12, 2023 at 6:00 PM  
Landis Board Room

## AGENDA

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PLEASE SILENCE ALL CELL PHONES

1. **CALL TO ORDER:**
2. **DETERMINATION OF QUORUM:**
3. **PLEDGE OF ALLEGIENCE:**
4. **RECOGNITIONS AND ACKNOWLEDGMENTS:**
5. **CHANGES TO (IF ANY) AND APPROVAL OF AGENDA:**
6. **APPROVAL OF MINUTES FOR MEETING(S):**
  - 6.1 Consider Approval of Meeting Minutes from November 14, 2023.
7. **OLD BUSINESS:**
  - 7.1 Periodic Review and Update per NCGS 160D-501(a) to *Town Plan 2040-Comprehensive Land Use Plan* and *Future Land Use Map*: Small Area Planning for Downtown Landis Revitalization.
  - 7.2 Concepts and Ideas of the Planning Board Membership
8. **NEW BUSINESS:**
  - 8.1 ZMA #2024-01-08 (Legendre Parcels on S Chapel St)
9. **ADJOURNMENT:**



# PLANNING BOARD

Tuesday, November 14, 2023 at 6:00 PM  
Landis Board Room

## MINUTES

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**1. CALL TO ORDER:**

The meeting was called to order at 6:01pm by Chairman Ryan Nelms

**2. DETERMINATION OF QUORUM:**

**Members Present:** Chairman Ryan Nelms, Vice-Chair Catherine Drumm, Member Mark Bringle, Member Beryl Alston, Member Jade Bittle

**Members Absent:** Roxanne Barnes

**Staff Present:** Planning, Zoning & Subdivision Administrator Rick Flowe, Deputy Clerk Angie Sands

**Citizens Present:** Nadine Cherry

**3. PLEDGE OF ALLEGIENCE:**

Chairman Ryan Nelms led those in attendance in the Pledge of Allegiance.

**4. RECOGNITIONS AND ACKNOWLEDGMENTS:**

Chairman Ryan Nelms was recognized for being elected as a Board of Alderman member by both Jade Bittle and Rick Flowe.

Jade Bittle also asked for remembrance of the Fire Department due to two deaths of family members.

Chairman Ryan Nelms thanked Planning, Zoning & Subdivision Administrator Rick Flowe and the Planning Board for showing service to the town.

**5. CHANGES TO (IF ANY) AND APPROVAL OF AGENDA:**

A motion was made by Bittle to adopt the Agenda as presented, seconded by Drumm, passed unanimously (5-0).

**6. APPROVAL OF MINUTES FOR MEETING(S):**

**6.1 Consider Approval of Special Called Meeting Minutes from October 23, 2023**

A motion was made to approve the minutes from October 23, 2023, by Drumm, seconded by Bittle, passed unanimously (5-0).

**7. OLD BUSINESS:**

**7.1 Periodic Review and Update per NCGS 160D-501(a) to Town Plan 2040 - Comprehensive Land Use Plan and Future Land Use Map: Small Area Planning for Downtown Landis Revitalization:**

**i. Existing conditions & Site analysis**

Planning, Zoning & Subdivision Administrator Rick Flowe discussed the Downtown Master Plan Concept 1- Rear Parking that would be behind the buildings on S. Central and the alley way. This would give extra parking to the town and employees.

**8. New Business:**

**8.1 None**

**9. Planning Board Discussion of Meeting Dates for Next Six (6) Months:**

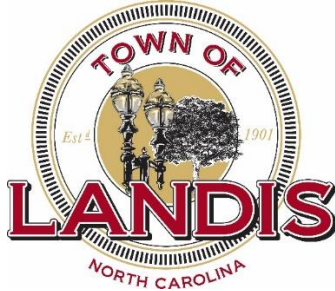
Discussion of meeting dates for the next seven (7) months was had amongst members and Flowe. The Planning Board agreed on the following meeting dates: 12/12/2023, 1/9/2024, 2/13/2024, 3/12/2024, 4/9/2024, 5/14/2024, 6/11/2024.

**10. ADJOURNMENT:**

A motion was made to adjourn the meeting at 6:42PM by Bittle, seconded by Alston, passed unanimously (5-0).

Respectfully Submitted,

\_\_\_\_\_  
Angie Sands, Deputy Town Clerk



## MEMORANDUM TOWN OF LANDIS, N.C.

To: Mayor and Board of Aldermen

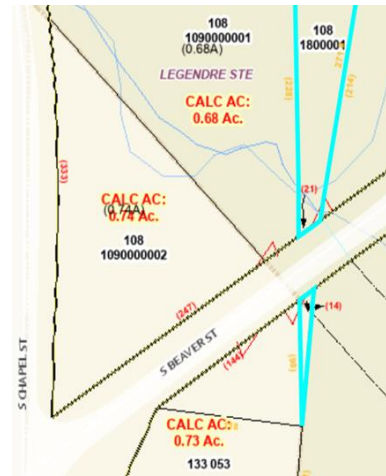
Date: November 27, 2023

From: F. Richard “Rick” Flowe, AICP, Planning, Zoning & Subdivision Administrator

Re: Voluntary Annexation Petition for contiguous property of Steven R. & Katelin M. Legendre of 627 S Chapel St., Landis, NC 28088-1825

### BACKGROUND

On October 31, 2023, the owner of property located at 0 S chapel St., Landis, NC 28088 (Rowan County Parcel ID 108 1090000002 and that portion of 108 1800001 lying outside the Town Limits of the Town and south of S Beaver Street) submitted a petition for voluntary contiguous annexation into the town limits of the Town of Landis. The property consists of approximately 0.75 acres. Location Maps from Rowan County GIS:



## **FINDINGS AND CONCLUSIONS**

The standards for annexation require that the property must be contiguous to the “primary corporate limits”. The fact that the property lies within an area surrounded on three sides by the corporate limits demonstrates the contiguity requirements are satisfactorily met by this petition to the Town of Landis. The property will need to have a Town of Landis zoning designation upon annexation.

## **FISCAL IMPACT**

The property will be subject to applicable taxes and fees in accordance with rates in effect throughout the Town. The Town will deliver standard municipal services for this property upon development. The Town will receive additional revenues from Ad Valorem tax assessments and applicable state shared revenues.

## **RECOMMENDATION FOR ACTION ON ANNEXATION & ZONING**

There are several steps required to annex and apply Town zoning to this property. The following outline illustrates how this process may be completed in two regular meetings of the Town Mayor and Board of Aldermen.

## **THE ACTIONS THAT MAY BE TAKEN AT THE December 11, 2023 MEETING INCLUDE:**

- a. Petition for voluntary contiguous annexation.**
- b. Direct (by resolution #2023-12-11-1) for the Town Clerk to investigate the sufficiency of the petition.**
- c. Clerk presents “Certification of Sufficiency” to the Board**
- d. Upon receipt of petition certification by Town Clerk, call (by resolution #2023-12-11-2) for public hearing at next regular meeting.**

## **ADDITIONAL STEPS BETWEEN TOWN BOARD MEETINGS**

While the Mayor and Board of Aldermen undertake the process of annexation, the Planning Board may initiate the process of amending the Official Zoning Map per 160D-204 to run concurrent with the annexation process. The property lies adjacent to an area designated in the Town of Landis Comprehensive Land Use Plan (the Plan) Future Land Use Map adopted May 10, 2021 for neighborhood residential use and is consistent with the principles of the Plan so we may anticipate a recommendation for the “RMST” zoning designation from the Planning Board. Here is how these next steps align:

1. Schedule for the **December 12, 2023 Planning Board agenda** to request their recommendation on the designation of the appropriate zoning district;
2. Advertise for a **Public Legislative Hearing scheduled for January 8, 2024 before the Mayor and Board of Aldermen** on the subjects of 1) annexing the property and 2) amending the Town of Landis’s Official Zoning Map, of the Landis Development Ordinance (LDO); and

**NEXT STEPS BY MAYOR AND BOARD OF ALDERMEN - THE ACTIONS THAT MAY BE TAKEN AT THE JANUARY 8, 2024 REGULAR MEETING INCLUDE:**

1. Conducting the required Annexation Public Hearing for the purpose of receiving input from citizens and/or persons owning an interest in the subject property concurrently with the required Zoning Map Amendment Public Legislative Hearing for the purpose of receiving comment from citizens and/or persons owning an interest in the subject property and the designation of an initial zoning district.
2. Consideration (adoption or rejection) of an Ordinance #ANNEX-2024-01-08 Extending the Corporate Limits (annexation) to include the subject property.
3. Consideration (adoption or rejection) of an Ordinance #ZMA-2024-01-08 Amending the Official Zoning Map (initial zoning) for the newly annexed property.

**FINAL STEPS FOLLOWING ANNEXATION AND ZONING**

Following the annexation of the property, staff will be preparing additional materials to

1. Update Official Zoning Map in Clerk's record, Administrator's record and online.
2. Update shape-files with Rowan County GIS to reflect new zoning and jurisdictional designations online.
3. Record the annexation with both the NC Secretary of State and Rowan County Register of Deeds;
4. Notify all public utilities (telecom, etc.) of the change in the corporate limits of the Town for their proper reporting of utility franchise taxes paid to the State of North Carolina so local shared revenues can be properly distributed;
5. Accept application from owner for the approval (by staff) of site plan(s) for any future project;
6. Process zoning permit application and issue permit(s) upon compliance with the Landis Development Ordinance (LDO).

**AN ORDINANCE AMENDING THE LANDIS DEVELOPMENT ORDINANCE  
OF THE TOWN OF LANDIS, NORTH CAROLINA**

Ordinance #ZMA-2024-01-08

**BE IT ORDAINED** by the Mayor and Board of Aldermen of the Town of Landis, North Carolina that the Official Zoning Map (OZM) of the Landis Development Ordinance (LDO) be amended in accordance with Article 6 of G.S. 160D. The subject property of located at 0 S Chapel St., Landis, NC 28088 (Rowan County Parcel ID 108 1090000002 and that portion of 108 1800001 lying outside the Town Limits of the Town and south of S Beaver Street) and described with illustration in Attachment “A” attached hereto be designated upon the OZM as follows:

**Part 1. Consistency with Adopted Comprehensive Plan.**

The Board of Aldermen finds that a zoning map amendment applicable to the subject property, establishing a zoning designation in accordance with G.S. 160D-604(a) of “Residential Main street Transitional District” (RMST) is consistent with the Town’s 2040 Comprehensive Land Use Plan (the Plan) and the “Neighborhood” designation upon the subject property appearing on its “Future Land Use Map” therein as amended, as required by G.S. 160D-605(a).

**Part 2. Statement of Reasonableness.**

This amendment is reasonable because the subject property allows for the growth and expansion of neighborhoods supporting the local economic base of the Town while improving access to quality open spaces and environmental amenities to improve the quality of life for Landis residents by enabling additional housing opportunities developed in accordance with the LDO.

**Part 3. Designation of Zoning Designation.**

That Rowan County Parcel located at 0 S chapel St., Landis, NC 28088 (Rowan County Parcel ID 108 1090000002 and that portion of 108 1800001 lying outside the Town Limits of the Town and south of S Beaver Street), as shown in Attachment “A” attached hereto shall be designated “Residential Main street Transitional District” (RMST) on the Official Zoning Map.

**Part 4. Effective Date.**

This Ordinance shall be effective immediately upon its adoption.

Adopted this 11<sup>th</sup> day of January 2024.

s/ \_\_\_\_\_  
**Meredith Bare Smith, Mayor**

s/ \_\_\_\_\_  
**Madison Stegall, Town Clerk**

Attachment "A"

TRACTS 1 & 2:  
Parcel #s: 108 1090000001 & 108 1090000002

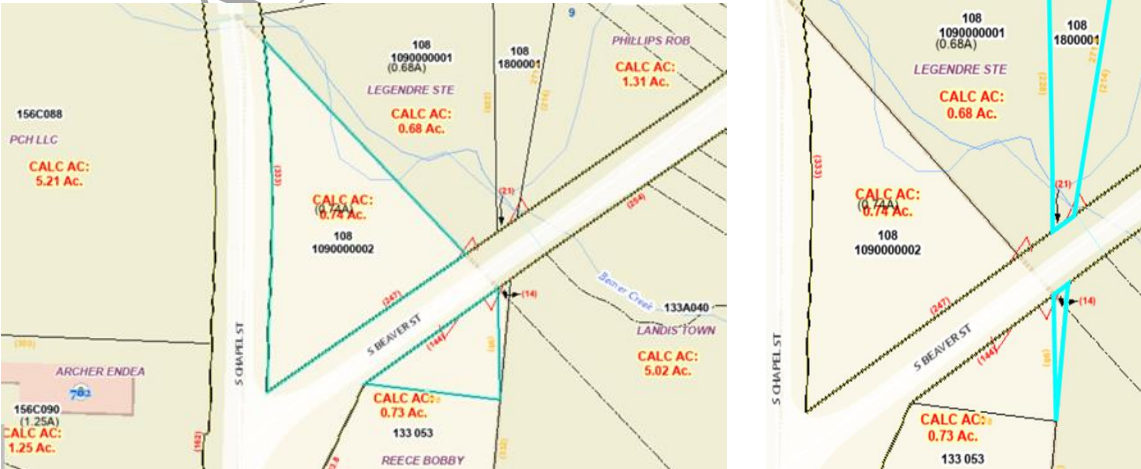
(1.53 Acres, more or less, Intersection of Beaver (now Sloop Street) and Chapel Street, Town of Landis, China Grove Township, Rowan County) Map 108, Parcel 109) Lying in the Town of Landis, China Grove Township, Rowan County, North Carolina, on the east side of Chapel Street and the south side of Sloop Street, and more particularly described as follows:  
BEGINNING at a stake at the intersection of Beaver (now known as Sloop Street) and Chapel Streets; thence with Chapel Street, South 9-45 East, South 6-45 East, and South 7-30 West 946 feet to a stake, E. G. Mills' corner; thence with E. G. Mills' line, South 88-45 East 226 feet to a stake, E. G. Mills' line; thence North 1-45 East 996 feet to a stake on Beaver (now Sloop Street) Street; thence with Beaver (now Sloop Street) Street, South 80-15 West 315 feet to the BEGINNING, containing 5.3 acres, more or less.

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LESS AND EXCEPT the following 1.25-acre tract (Map 108, Parcel 181001) deeded to Robert J. Phillips and wife, Gail M. Phillips, by Coy A. Little, single, on November 7, 1990, by deed in Deed Book 665, at Page 589. This property is lying in the Town of Landis, China Grove Township, on the east side of Chapel Street, and being more particularly described as follows:  
BEGINNING at a spike in the right-of-way line of Chapel Street, said spike being located S. 7-23 E. 384.5 feet from a spike in the right-of-way of Chapel Street at its intersection with Sloop Street; thence N. 82-37 E. 255.30 feet to a new iron pin; thence S. 1-27 W., passing an iron rod at 80.50 feet, a total distance of 232.76 feet to an iron pipe; thence S. 82-37 W., passing an iron rod at 164.55 feet, a total distance of 219.65 feet to a bolt in the face of a bridge curb in the right-of-way of Chapel Street; thence within the right-of-way of Chapel Street N. 7-23 W. 230.0 feet to the point and place of BEGINNING, containing 1.25 acres, and being that property shown upon a survey by Charles D. Brown, Registered Surveyor, entitled "Property of Robert J. Phillips" bearing the date of November 29, 1977, to which reference is hereby made.

LESS AND EXCEPT the following 2.52-acre tract (Map 108, Parcels 164, 165, 166 & 167) deeded to Scottish Real Estate, Inc. by Robert J. Phillips and wife, Gail M. Phillips; and Mary B. Phillips, widow; and Coy A. Little, single, on May 18, 1978 by deed in Deed Book 582, at Page 211. This property is lying in the Town of Landis, China Grove Township, Rowan County, N. C. on the east side of Chapel Street and the south side of Sloop Street, and being part of the old E. D. Mills property and more particularly described as follows:  
BEGINNING at a spike near the center line of Chapel Street at the old northwestern corner of E. D. Mills and runs thence N. 82-36-40 E. 315 feet with the southern edge of Sloop Street (unopened) to an iron stake, the old northeastern corner of E. D. Mills; thence S. 1-27 W. 389.05 feet (passing an iron stake on line at 269.57 feet) to an iron stake, a new corner; thence a new line S. 82-37 W. 255.30 feet to a spike, a new corner in Chapel Street in the old E. D. Mills' line; thence N. 7-23 W. 384.5 feet with the old line to the point of BEGINNING, containing 2.52 acres, more or less, as surveyed by Charles D. Brown on May 18, 1978.  
This conveyance is being made subject to the right-of-way of Chapel Street.

Location Maps from Rowan County GIS:





DRAFT 12 December 2023