

Regular Session, December 15, 2025, 7:00 p.m.  
Catawba County Board of Commissioners

**Appointments**

Agriculture Advisory Board – Steve Killian

**Closed Session**

Personnel

**Ordinances**

Amendment to Catawba County Zoning Map (Terrell Town Center)  
(Ordinance 2025-07)

**Planning**

Rezoning Request: Terrell Town Center, Area 1 Planned Development –  
Conditional District (Ordinance 2025-7)

Rezoning Request: Sherrills Ford Shopping Center – Blackwell Properties and Myers  
Properties R-20 Residential to Planned Development – Conditional Zoning District

**Public Comment**

Michael McRee  
Dr. Duane Kirkland  
Sherrill Watson

**Public Hearings**

Preliminary Assessment Roll – Langdon Ridge Road Improvement Project  
(Resolution 2025-44)

Rezoning Request: Terrell Town Center, Area 1 Planned Development –  
Conditional District (Ordinance 2025-7)

Rezoning Request: Sherrills Ford Shopping Center – Blackwell Properties and Myers  
Properties R-20 Residential To Planned Development – Conditional Zoning District

**Resolutions**

Resolution Confirming Assessment Roll for Langdon Ridge Subdivision  
and Levying Assessments (Resolution 2025-44)

**Tax**

November Tax Refunds, Releases and Adjustments

**Utilities and Engineering**

Preliminary Assessment Roll – Langdon Ridge Road Improvement Project.

The Catawba County Board of Commissioners met in Regular Session on Monday, December 15, 2025, at 7:00 p.m., in the Board of Commissioners Meeting Room, 2<sup>nd</sup> Floor, Catawba County Justice Center, 100 Government Drive, Newton, North Carolina.

Present were Chair Randy Isenhower, Vice-Chair Austin Allran, and Commissioners Robert C. Abernethy, Jr., Barbara G. Beatty, and Cole Setzer.

Also present were County Manager Mary S. Furtado, Assistant County Manager Paul Murray, Assistant County Manager Justin Merritt, County Attorney Jodi Stewart, Assistant County Attorney Josh Teague, and County Clerk Dale Stiles.

1. Chair Randy Isenhower called the meeting to order at 7:00 p.m., noting a quorum was present.

2. Vice Chair Austin Allran led the Pledge of Allegiance.
3. Commissioner Cole Setzer offered the invocation.
4. Commissioner Robert C. Abernethy, Jr., made a motion to approve the Minutes from the Board's Regular Meeting of December 1, 2025. The motion carried unanimously.
5. Recognition of Special Guests:  
Chair Eisenhower welcomed everyone present.
6. Public Comments.  
Michael McRee came forward and spoke in appreciation of the Board and County staff for quality EMS services provided by the County. Dr. Duane Kirkland came forward and spoke in opposition of the potential school merger. Sherrill Watkins came forward and spoke in favor of the potential school merger.
7. Appointments.  
Upon a recommendation by Commissioner Setzer that came in the form of a motion which unanimously carried, the Board reappointed Steve Killian for a second term to the Agriculture Advisory Board, with a term expiration of December 31, 2028.
8. Public Hearings.
  - a. Utilities and Engineering Director Peter Shonka requested the Board of Commissioners conduct a public hearing to consider adopting a resolution confirming the Final Assessment Roll for Langdon Ridge subdivision and authorizing assessment collection.

On November 17, 2025, the Board adopted a resolution for Langdon Ridge subdivision establishing the Preliminary Assessment Roll, scheduling a public hearing for approval of the Final Assessment Roll, and authorized submittal of a petition for NCDOT to accept the roads. The next step in the process is for the Board to conduct the advertised public hearing, adopt the Final Assessment Roll, and charge the Tax Administrator with assessment collection. Property owners will then be notified of the assessment and payment options.

The total project costs associated with Langdon Ridge subdivision road improvements are \$30,146.52. The basis for assessment is by lot in accordance with the number of subdivision lots at the time the petition was submitted, which is eight.

The individual assessment for each of the eight lots is \$3,768.32. This amount can be paid either as a lump sum before the first assessment bill comes due or in 10 annual payments with 1.5% annual interest. The first annual payment, prior to the application of interest, is \$408.61.

The table below summarizes the statutory process for establishing private road assessments and, for the items that have been completed, provides the dates on which the Board of Commissioners took each required action. The table also outlines the remaining steps the Board will still need to take in order to implement the assessment (*noted in italics, with planned dates*).

NCGS §	Date	Action Items
153A-205	2/18/2025	Citizens petition BOC with >75% of property owners & >75% of road frontage.
153A-190 & 153A-191	4/7/025	BOC accepts Citizen Petition, makes funding decision and adopts Preliminary Resolution describing the Project, financing and setting time for Public Hearing.
153A-192	5/19/2025	BOC holds Public Hearing on Preliminary Assessment Resolution.
153A-192	5/19/2025	BOC adopts Final Resolution approving Project, setting financing terms.
143-131	6/2/2025	Project is bid in accordance with NC Procurement Procedures.

143-131	7/21/2025	Bid awarded.
153A-193 & 194	11/17/2025	BOC determines Project Total Cost, sets date and time for Public Hearing on the Preliminary Assessment Rolls.
153A-195	12/15/2025	BOC holds Public Hearing on the Preliminary Assessment Rolls annually, confirms Preliminary Assessment Rolls. If confirmed, Tax Administrator is authorized to collect assessment fees in same manner as property taxes.

The Board of Commissioners may modify or annul the Final Assessment Roll or any individual assessments. If the Board of Commissioners should choose to annul the Final Assessment Roll or any individual assessments, the County would be unable to recover the project funds spent repairing the roads and would have established a precedent of dedicating public funding to private road repair projects.

After Mr. Shonka's presentation, there were no questions. Chair Eisenhower opened the public hearing. With no one coming forward the Chair closed the public hearing. Commissioner Barbara G. Beatty made a motion to adopt a resolution confirming the Final Assessment Roll for Langdon Ridge subdivision and authorizing assessment collection. The motion carried unanimously at 7:10 p.m.

*The following resolution applies:*

**RESOLUTION No. 2025 -44**  
**RESOLUTION CONFIRMING ASSESSMENT ROLL**  
**FOR LANGDON RIDGE SUBDIVISION AND LEVYING ASSESSMENTS**

WHEREAS, the Catawba County Board of Commissioners has on this day held a public hearing, after due notice as required by law, on the Final Assessment Roll for the improvement of Langdon Road in Langdon Ridge subdivision; and

WHEREAS, the Board has heard all those present who requested to be heard, and has found the Assessment Roll to be proper and correct.

NOW, THEREFORE BE IT RESOLVED by the Catawba County Board of Commissioners that:

1. The Assessment Roll for the improvement of Langdon Road in Langdon Ridge subdivision is hereby declared to be correct, and is hereby confirmed in accordance with NCGS §153A-195.
2. The Board, pursuant to authority conferred by Chapter 153A, Article 9 of the North Carolina General Statutes, does hereby levy assessments as contained in the Assessment Roll shown on Attachment A, attached hereto and incorporated herein by reference.
3. The Catawba County Clerk is hereby directed to deliver to the Catawba County Tax Administrator the Assessment Roll.
4. The Catawba County Tax Administrator is hereby charged with collection of the assessments in accordance with the procedure established by law.
5. The Catawba County Tax Administrator is hereby further directed to publish once on the 6th day of January, 2026, a notice of confirmation of the Assessment Roll, which notice shall set forth the terms of payment of the assessments such that any assessments contained in the Assessment Roll may be paid in full, without interest to the Catawba County Tax Administrator on or prior to December 15, 2026, or any property owner may elect to pay the assessment in ten (10) annual installments bearing interest at the rate of 1.5% per annum, the first installment with interest due and payable on December 16, 2026 and the succeeding installments with interest due and payable on the same date in each succeeding year until the assessment is paid in full.

Adopted this 15th day of December 2025.

PIN	Irk	Owner 1	Owner2	Parcel Address	Lump Sum	Annual
461901487973	400732	William Fearheiley	Kimberly Fearheiley	1400 Langdon Road	\$3,768.32	\$408.61
461901498068	400731	Ellen Dewey		1390 Langdon Road	\$3,768.32	\$408.61
461901498277	400730	Jimmy Anderson Revocable Trust	Luanne Anderson Revocable Trust	1382 Langdon Road	\$3,768.32	\$408.61
461901497400	301713	Bruce Johnson	Sandra Johnson	1373 Langdon Road	\$3,768.32	\$408.61
461901496233	300256	Adam Colvin	Joseph Colvin Family Living Trust	1379 Langdon Road	\$3,768.32	\$408.61
461901495147	301712	Robert Bolo Living Trust	Leslie Macklin Revocable Trust	1383 Langdon Road	\$3,768.32	\$408.61
461901494078	301711	Allen Bailey	Tracie Bailey	1387 Langdon Road	\$3,768.32	\$408.61
461901483967	16192	Michael Baker		1393 Langdon Road	\$3,768.32	\$408.61

*A map of Langdon Ridge is hereto attached:*

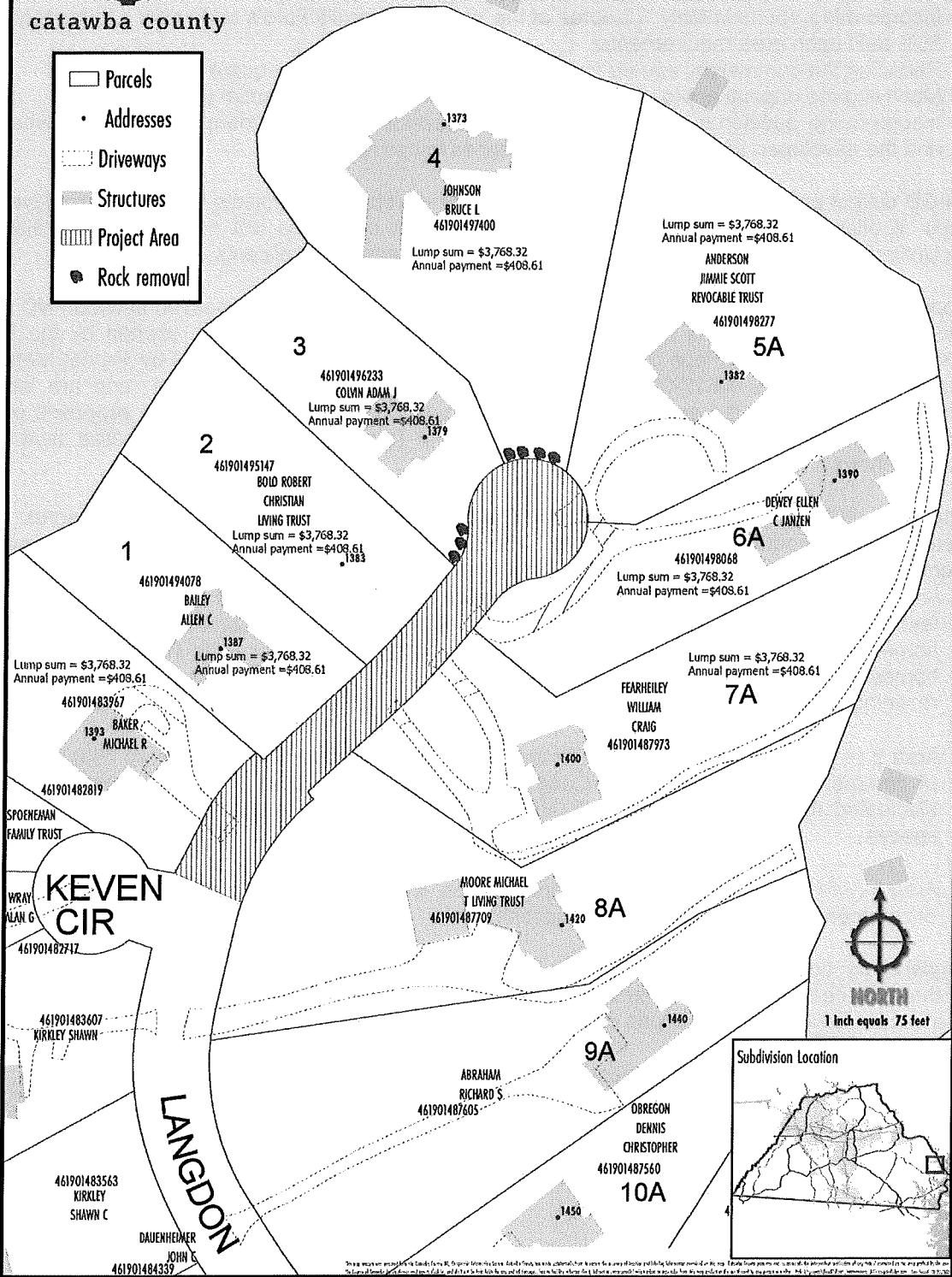
# LANGDON RIDGE



catawba county

 471004544166  
 DUKE ENERGY  
 CAROLINAS LLC

- Parcels
- Addresses
- Driveways
- Structures
- |||| Project Area
- Rock removal



**b.** Planning Director Chris Timerlake and Assistant Planning Director Laurie LoCicero requested the Board of Commissioners conduct a public hearing to consider a rezoning request for approximately 15.6 acres from Planned Development – Conditional District (PD-CD RZ2020-05) to Planned Development-Conditional District (PD-CD RZ2025-04) with a revised concept site plan, updated conditions, and newly proposed development agreement.

The Applicant is requesting rezoning to amend the original Planned Development- Conditional District for Area 1 by:

1. Removing the 400 previously approved multifamily residential units;
2. Incorporating approximately 1.3 acres of the Villas at Sherrills Ford's open space to comply with the 50% built upon area requirements;
3. Reducing the commercial square footage from 141,000 to 95,000 square feet;
4. Modifying the original approval conditions by further limiting commercial uses; and
5. Incorporating additional considerations into a Development Agreement between Catawba County and the developer, to provide further assurances to both parties.

The PD-CD district provides for master planning of larger development projects based on firm development proposals. It allows for application of specific development conditions not necessarily identified in the existing Unified Development Ordinance, with voluntary agreement of applicants.

The proposed development area, located in the northeast quadrant of the intersection between NC Highway 150 and Sherrills Ford Road, is part of Terrell Town Center Area 1, originally rezoned by the Board of Commissioners in 2020. The four properties requested for rezoning are identified by Parcel Identification Numbers 4617-0925-1219, 4617-0925-2376, 4617-0925-3797 and 4617-0915-9631, and are labeled as Parcels 1A through 1D on the enclosed maps. A 1.3-acre conservation easement is proposed on Parcel Identification Number 4617-0926-3370, which is outside the Terrell Town Center project area, as it is part of the Villas at Sherrills Ford.

The approved 2020 PD-CD for Terrell Town Center consists of approximately 65.75 acres in three designated areas around the intersection of NC 150 and Sherrills Ford Road. Below are the approved uses and intensity of each Area from the 2020 PD-CD and revised as noted.

- Area 1 (~41 acres), northeast of the intersection, was approved for a maximum of 141,000 square feet of commercial space, 400 2<sup>nd</sup> and 3<sup>rd</sup> story multi-family units and 59 single-family detached homes. In 2022, a rezoning approval added four acres to Area 1 for up to 19 single-family detached homes, for a total of 78 single-family units. This is the section of the development for which rezoning is being requested.
- Area 2 (~10 acres), northwest of the intersection, was approved for a maximum 76,000 square feet of commercial space and 48 2<sup>nd</sup> and 3<sup>rd</sup> story multifamily units. In 2024, a rezoning approval eliminated the 48 upper story multifamily units with a new concept site plan for the commercial spaces.
- Area 3 (~14 acres), southwest of the intersection, was approved for a maximum 11,000 square feet of commercial space and 50 townhome units.

The single-family development of Area 1 (78 homes) is the only portion of the 2020 Terrell Town Center project that has been developed. Plans have been approved for portions of Area 3 (50 townhomes), and plans have been submitted for portions of Area 2 (two commercial structures).

The entire Terrell Town Center project is within the Mixed-Use Corridor Overlay (MUC-O) and the Watershed Protection Overlay (WP-O), specifically the Critical Area of Water Supply Watershed IV (WS-IV). The 2020 PD-CD zoning approval authorized use of the high-density development option, allowing for up to 50% built upon area with the use of engineered stormwater control measures. All three areas within the Terrell Town Center PD-CD are limited to 50% built upon area.

Land Use and Zoning of Adjacent Properties and Rezoning History

- North – Parcel 2 is zoned Planned Development - Conditional District (PD-CD 2020-05) and was part of the 2020 Terrell Town Center approval. It is developed with a nonconforming single-family dwelling. Parcel 3 is zoned Planned Development and is developed with the Sherrills Ford-Terrell Branch Library. The single-family portion of the Terrell Town Center (Villas at Sherrills Ford) is located north of the project area (1A, 1B, 1C and 1D).
- South – Parcel 6 is zoned Residential R-20 and contains a single-family dwelling. Parcel 7 is zoned Highway Commercial and is developed with a single-family home converted to office use. Parcel 8 is zoned Rural Commercial and is developed with a single-family dwelling converted to office use. Parcels 9 and 10 are zoned Planned Development and is developed with multiple nonresidential buildings and uses, including the Terrell Camping Center and the Terrell Post Office. Parcel 11, zoned PD-CD, is Area 3 of the 2020 Terrell Town Center approval, where 50 townhomes are under construction.
- East – Parcel 5 is zoned Residential R-20 and contains a single-family dwelling. Parcel 4 is zoned Residential R-20 and is undeveloped.
- West – Parcels 12, 13, and 14 are zoned PD-CD and are Area 2 of the 2020 Terrell Town Center approval. It was rezoned in 2024 to remove the 48 upper story dwelling units. Parcel 15 is zoned PD-CD and is open space for the Townes at Sherrills Ford development.

The Applicant is requesting rezoning to amend the original Planned Development- Conditional District for Area 1 by:

1. Removing the 400 previously approved multifamily residential units;
2. Incorporating approximately 1.3 acres of the Villas at Sherrills Ford's open space to comply with the 50% built upon area requirements;
3. Reducing the commercial square footage from 141,000 to 95,000 square feet;
4. Modifying the original approval conditions by further limiting commercial uses; and
5. Incorporating additional considerations into a Development Agreement between Catawba County and the developer, to provide further assurances to both parties.

Proposed conceptual site plans identify layouts contemplating between 80,000 and 87,500 square feet of commercial, with a maximum of 95,000 square feet. Shared parking is proposed to be provided across the shopping center at a minimum ratio of 4.5 spaces per 1,000 square feet, with one layout identifying 458 parking spaces. Plans identify landscaping meeting the requirements of the UDO and illustrate vehicular connectivity to adjacent property. Setbacks are consistent with Planned Development requirements, with exception of a portion of the eastern boundary. Along the eastern boundary, the setback would range between 50' and 10', depending on any future zoning change of the property to the east. Regardless of the setback, privacy fencing and a landscaping buffer would exist. The required Floor Area Ratio (FAR) of 1:2 allows for up to 341,074 square feet of building space (half of 15.66 acres). The maximum allowed square footage (95,000) falls within this requirement.

The project is located within the Watershed Protection-Overlay (WP-O) WS-IV Critical Area and Mixed-Use Corridor Overlay, each of which has specific regulations. The WS-IV Critical Area of the WP-O limits imperviousness to 24% without the Board of Commissioners authorizing the high-density development option, which then provides for up to 50% built-upon area with the use of engineered stormwater controls. For this portion of Area 1, the total development area is approximately 15.66 acres, which yields a maximum built upon area of approximately 7.83 acres. The applicant is proposing a conservation easement of 1.3 acres on the single-family portion of Area 1's open space to allow 9.07 acres of built-upon area. The Villas at Sherrills Ford (single-family development portion of Area 1) has excess unbuilt upon area in the development's common open space. This extra "pervious" area is being offered in an approximately 1.3-acre conservation easement to allow Terrell Town Center Area 1 to have 9.07 acres (50%) of impervious

surface. This approach, authorized through the NC Administrative Code, allows this project to meet the required WP-O standards for imperviousness.

The original developer of The Villas at Sherrills Ford is the principal agent for the Villas at Sherrills Ford Owners Association and owner of the common open space and has offered the easement.

The Mixed-Use Corridor Overlay provides aesthetic appearance and pedestrian oriented design standards. The 2020 Terrell Town Center approval placed conditions on the project consistent with MUC-O standards. All of these conditions are proposed to remain in place.

The applicant is proposing a Development Agreement and additional conditions further limiting commercial uses authorized for the project. The additional proposed restrictions are as follows:

- A. Prohibit list of uses generally permitted within office-institutional and commercial districts (Sheet CP-2.0);
- B. Identify signage height and size limitations and locations (Sheet CP-2.0);
- C. The project may have a maximum of one (1) of the following uses: car wash, automotive supply, or convenience store with or without gas pumps;
- D. The project may include a maximum of two (2) commercial drive through uses (i.e. bank, quick service restaurant). However, if the project contains one of the uses listed in Item C above, only one commercial drive through will be allowed; (Sheet CP-2.0);
- E. Provision of open space on the Connor House property;
- F. Installation of off-site sidewalk extension; and
- G. Financial contribution to support future service provision by Catawba County.

In addition to Unified Development Ordinance regulations, the applicant has agreed to the approved conditions from the 2020 PD-CD, which include development standards identified on Sheet CP-2.0. Some of the development conditions are listed below:

1. The project will include an anchor tenant, defined as a single tenant with a gross floor area of more than 40,000 square feet. Architectural treatment for the anchor tenant shall be three-sided and generally consistent with the attached elevations. The rear elevation/loading dock area shall be screened from neighboring uses by the existing stream buffer and proposed conservation area, which shall remain undisturbed by the project.
2. Acceptable façade materials for anchor tenant elevations include, but are not limited to, the following elements: brick veneer, painted smooth face CMU (only on the rear elevation), fiber-cement lap siding, fiber-cement panel and trim, EIFS, wood siding, standing seam metal roofing and trim, metal wall and roof panels, and cedar or wood columns.
3. Architectural treatment for all buildings except the anchor tenant will be "four-sided" architecture.
4. Facades shall be articulated and designed to create visual interest by varying architectural details such as building materials, varied roof lines and/or building offsets.
5. Acceptable façade materials include, but are not limited to, the following: masonry materials such as brick, hard stucco, stone or tile materials, cementitious (panel, siding, trim & battens) and EIFS. New materials to the market proposed for exterior use are acceptable.
6. The use of vinyl siding is prohibited.
7. Building height shall not exceed 45'.
8. New dumpster and recycling areas shall be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. Any dumpster enclosures or recycling areas depicted on the concept site plan are subject to change based on tenant or petitioner requirements and will be subject to Catawba County UDO requirements.

Public water and sewer exist along East NC 150 Highway and in the proposed development area along portions of Sherrills Ford Road. If the development were approved, the applicant would be responsible for extending connections and installing sewer and water lines throughout the development. The utilities must be designed according to the City of Hickory and state specifications. Once installed and approved, the utilities will become part of the County's system, maintained by the City of Hickory. Sewer capacity

reservation is addressed in the development agreement based on construction performance relative to time, with a maximum of seven years to completion.

Terrell Town Center, Area 1 fronts on NC Highway 150, Sherrills Ford Road and Berry Drive. NC Highway 150 is recommended for widening to a divided 4-lane highway. The widening project is listed in the NC State Transportation Improvement Program (STIP) as project number R-2307A and B. R-2307B (NC 21 to Greenwood Road in Catawba County) is funded and under construction. R-2307A (Greenwood Road to NC 16 Bypass) is funded for engineering design. The adopted 2026-2035 STIP does not identify a timeframe for right-of-way acquisition or construction for this phase.

Most recent published traffic volume counts from 2023, east of the NC 150/Sherrills Ford Road intersection, measured 17,000 Annual Average Daily Traffic (AADT). Counts taken west of the intersection measured 13,500 AADT.

Sherrills Ford Road is a state-maintained minor collector road. Most recent traffic counts from 2023 near the site measured 4,900 AADT. The adopted thoroughfare plan recommends minor lane widening of Sherrills Ford Road.

Berry Drive is a local road built to state standards with expectation of being offered and accepted for NCDOT maintenance. Berry Drive was envisioned to provide access to Terrell Town Center, Area 1 (library, residential and commercial development). There are no traffic counts available for Berry Drive.

As part of the 2020 Planned Development-Conditional District request, the developer submitted a Traffic Impact Analysis (TIA) produced by a traffic engineering firm for review by NCDOT. The traffic improvements recommended in the TIA and required by NCDOT must be constructed by the developer to mitigate potential adverse impacts created by the proposed development. The traffic improvements include:

1. NC Highway 150 (Site Access) – One Right-In/Right-Out only with single ingress and egress lanes and at least 100-foot westbound right turn lane with appropriate taper.
2. Sherrills Ford Road (First Site Access) – One Right-In/Right-Out only with single ingress and egress lanes and at least 100-foot northbound right turn lane with appropriate taper.
3. Sherrills Ford Road/Berry Drive (Second Site Access) – Construct a southbound left turn lane with at least 100 feet of storage and appropriate taper.

The 2024 Catawba County Comprehensive Plan, Sherrills Ford Area Future Land Use Map designates the project area as "Mixed Use/Commercial/Multifamily." The request is consistent with the adopted land use plan and reasonable for consideration. The parcels are in the Sherrills Ford Small Area of the Catawba County Comprehensive Plan.

The Planning Board held a public hearing on Monday, November 24, 2025 to consider the request. Three citizens commented on existing traffic, the designed ingress/egress of the project and whether another grocery store was needed with others nearby. The applicant addressed the board, speaking in favor of the request.

Staff recommended and the Planning Board voted 9-0 to submit a favorable recommendation to the Board of Commissioners to rezone approximately 15.6 acres from Planned Development – Conditional District (PD-CD RZ2020-05) to Planned Development-Conditional District (PD-CD RZ2025-04) to allow commercial development with multiple buildings and authorize the high-density development option and approved the development agreement based upon:

1. The proposed development being near other approved nonresidential developments;
2. The request being consistent the Catawba County Comprehensive Plan Future Land Use Map's recommendation for "mixed use/commercial/multifamily" development on these parcels;
3. The request being consistent with the Comprehensive Plan's recommendation for commercial development in the Sherrills Ford Small Area to "continue efforts of a 'village center' at the Sherrill

Ford Road/Hwy 150 intersection of approximately 750 acres to include a mixture of commercial, office and mixed-residential uses."

4. The request being consistent with the Comprehensive Plan's recommendation to provide opportunity for neighborhood and regional commercial development at appropriate major intersections;
5. The request eliminating 400 multifamily units, previously entitled, reducing traffic and watershed impacts;
6. The high-density development option requiring engineered stormwater control measures to address and treat stormwater runoff compliant with State regulations;
7. High-quality development conditions and designs identified in the conditional notes;
8. The use limitations proposed by the applicant; and
9. The developer being responsible for identified traffic improvements and expansion of off-site sidewalk.

After Mr. Timberlake and Ms. LoCicero's presentation, there were no questions. The Board held a brief discussion about the Connor House, sewer capacity, and dedicated turn lanes. Chair Isenhower opened the public hearing. Jim Perkins, Kristy Smith, Eric Dunn, George Macon, Gina Arrowback, Sherrill Watkins and Kline Pepper came forward and spoke about concerns related to the project, including traffic, ingress and egress, the mix of businesses in the area, and the need for different food choices.

Commissioner Beatty made a motion to approve the rezoning request for approximately 15.6 acres from Planned Development – Conditional District (PD-CD RZ2020-05) to Planned Development-Conditional District (PD-CD RZ2025-04) with a revised concept site plan, updated conditions, and newly proposed development agreement, as well as the developer to maintain the signage. The motion carried unanimously.

*The following ordinance applies:*

Ordinance No. 2025-07  
AMENDMENT TO THE CATAWBA COUNTY ZONING MAP

BE IT ORDAINED, BY THE BOARD OF COMMISSIONERS, that the Catawba County Official Zoning Atlas is hereby amended by rezoning the following described properties from PD-CD RZ2020-05 to PD-CD RZ2025-04 may be developed through use of the high-density development option and subject to the proposed Development Agreement:

Four parcels totaling 15.6-acres identified by Parcel Identification Numbers 4617-0925-1219, 4617-0925-2376, 4617-0925-3797 and 4617-0915-9631 in the Sherrills Ford Small Area of the Catawba County Comprehensive Plan.

This, the 15th day of December 2025.

*A copy of the Consistency and Reasonableness Statement is hereto attached:*

CATAWBA COUNTY BOARD OF COMMISSIONERS  
PROPOSED PLAN CONSISTENCY AND REASONABLENESS STATEMENT

Zoning Amendment Request: To rezone four parcels totaling 15.6-acres identified by Parcel Identification Numbers 4617-0925-1219, 4617-0925-2376, 4617-0925-3797 and 4617-0915-9631 from PD-CD RZ2020-05 to PD-CD RZ2025-04, allow the high-density development option and approve the development agreement within the Mixed-Use Corridor-Overlay (MUC-O) and the Watershed Protection Overlay (WP-O).

The Catawba County Board of Commissioners finds the request to be consistent with the Catawba County Comprehensive Plan Future Land Use Map recommendation of Mixed Use/Commercial/Multifamily use on these parcels.

Pursuant to NCGS 160D-605, the Board of Commissioners finds the rezoning request reasonable based upon:

1. The proposed development being near other approved nonresidential developments;
2. The request being consistent the Catawba County Comprehensive Plan Future Land Use Map's recommendation for "mixed use/commercial/multifamily" development on these parcels;
3. The request being consistent with the Comprehensive Plan's recommendation for commercial development in the Sherrills Ford Small Area to "continue efforts of a 'village center' at the Sherrill Ford Road/Hwy 150 intersection of approximately 750 acres to include a mixture of commercial, office and mixed-residential uses."
4. The request being consistent with the Comprehensive Plan's recommendation to provide opportunity for neighborhood and regional commercial development at appropriate major intersections;
5. The request eliminating 400 multifamily units, previously entitled, reducing traffic and watershed impacts;
6. The high-density development option requiring engineered stormwater control measures to address and treat stormwater runoff compliant with State regulations;
7. High-quality development conditions and designs identified in the conditional notes;
8. The use limitations proposed by the applicant; and
9. The developer being responsible for identified traffic improvements and expansion of off-site sidewalk.

By a vote of 5-0, the Catawba County Board of Commissioners approves the rezoning request.

This the 15th day of December 2025.

c. Prior to the Rezoning Request made by Blackwell Properties and Myers Properties presentation, attorney for the applicant, Jason White, stated the applicant for the advertised public hearing for the rezoning request requested the item be continued until January 20, 2026, noting the applicant's mother having recent health issues that precluded the applicant's attendance. Chair Isenhower confirmed with Mr. Timberlake that the applicant attended the Planning Board meeting. Chair Isenhower suggested to open the public hearing for those in attendance who wish to comment and then continue the item holding public comment open until the subsequent meeting. Commissioner Abernethy made a motion to continue the item until January 20, 2026. The motion carried 4-1 with Chair Isenhower, Vice-Chair Allran, and Commissioners Setzer and Abernethy in favor, with Commissioner Beatty opposing. Chair Isenhower asked Ms. LoCicero to move forward with the presentation for those in attendance.

Assistant Planning Director Laurie LoCicero requested the Board of Commissioners hold a public hearing to consider an application submitted by T. Cooper James and Associates to rezone three parcels totaling approximately 17.22 acres from R-20 Residential (R-20) to Planned Development – Conditional Zoning District (PD-CD RZ 2025-05) to allow for a shopping center development at the intersection of Sherrills Ford Road and Mt. Pleasant Road, utilizing the high-density development option (70% built-upon-area) in the Watershed Protection Overlay (WP-O).

The current R-20 Residential district requires a minimum lot size of 20,000 square feet (approx. 1/2 acre) and is considered a high-density "general use" residential district. Predominant uses in this district include single-family homes and agriculture. The request is also within the Watershed Protection Overlay (WP-O) district, which limits the built-upon area in the Lake Norman watershed.

The Planned Development – Conditional Zoning District is an option within the Unified Development Ordinance to allow consideration of certain uses that, because of their nature or scale, have particular impacts to the area. General district standards may not address all the project impacts on the community when more robust standards may be worth considering. Conditional zoning is intended for a firm development proposal with a concept site plan, with all parties voluntarily agreeing to the conditions.

Land Use and Zoning of Subject and Adjacent Parcels

The parcels are located at the intersection of Mt. Pleasant Road and Sherrills Ford Road, specifically 7331 Sherrills Ford Road, and 2389 and 2347 Mt. Pleasant Road. (Parcel Identification Numbers 4608-01-39-1903, 4608-01-39-4797, and 4608-01-39-4451). The project is in the Sherrills Ford Small Area.

The properties depicted as Parcel 1A through 1C on the attached maps are zoned R-20. Parcel 1A is undeveloped, 1B is developed with a single-family dwelling, and 1C is developed with a manufactured home. The surrounding parcels contain the zoning districts and uses described below.

- *North* – Parcels 3-5 are zoned R-20 Residential. Parcel 3 is undeveloped, Parcel 4 is developed with a single-family residence, and Parcel 5 is developed with accessory structure.
- *South* – Parcel 10 is zoned R-20 and is developed with a single-family residence. Parcel 11 is zoned R-40, is undeveloped, and in the present use value program.
- *East* – Parcels 6 – 9 are zoned R-20. Parcel 6 is developed with a single-family residence, and Parcels 7-9 are undeveloped.
- *West* – Parcel 2 is zoned R-20 Residential and is undeveloped.

No pertinent zoning history for these parcels.

The applicant is proposing a shopping center anchored with a grocery store and farm/garden supply store on 17.22 acres with two outparcels for commercial buildings. The concept site plan shows three commercial buildings with a total of 75,000 square feet of commercial space: the largest is 59,000 square feet for the combined grocery and farm/garden supply stores building. The farm/garden supply also has an outdoor fenced sales area of 19,250 square feet. The two smaller commercial buildings are 7,500 square feet and 8,500 square feet. The total commercial area (buildings and outdoor sales area) is 94,250 square feet.

The project is in the Watershed Protection Overlay, specifically the WS-IV Protected Area, where built-upon area for nonresidential projects is limited to 24% or 36%, depending on the use of curb and gutter. The applicant is also requesting approval for the high-density development option allowing up to 70% built-upon area (BUA) with use of engineered stormwater controls. Two stormwater control measure/ponds are shown on the concept site plan. The total BUA for the conceptual project is 8.32 acres of the entire project area, or 48.3% BUA.

The concept site plan displays 420 parking spaces, the allowed maximum number of parking spaces to serve the 75,000 square feet of commercial development. The floor area ratio (FAR) for Planned Developments is 1:2, meaning that 50% of the site can be occupied with building space and 50% of the lot must not be occupied by a building. The proposed building coverage is under 10% of the site, meeting the FAR standard.

Setbacks along the perimeter of the development meet the PD standards. The Plan illustrates a 50' setback from residentially zoned property and 30' setback from road right-of-way. A 15' landscape buffer is shown within the required setback. Pedestrian facilities are located along Sherrills Ford Road, Mt. Pleasant Road, with access at three locations into the site. A walking trail is noted around the stormwater pond near Sherrills Ford Road.

The applicant proposes brick veneer for the front of the anchor building and painted concrete masonry unit (CMU) block for the side and rear. The farm/garden supply store proposes a 20,000 square foot fenced outdoor display area. All structures must be architecturally consistent with the building elevations submitted with the application. Design elements within the Planned Development include:

- Buildings shall be designed with a consistent architectural theme and color scheme.
- Building height, rhythm, articulation, massing and bulk shall be compatible with the individual site attributes and be compatible with the surrounding neighborhoods.
- Building facades shall contain setback relief and a variety of roof component shapes.

As part of the Condition District request, the applicant has provided a list of uses that will be prohibited in this shopping center. The prohibited uses are denoted with an "X" in the attached table within the applicant's narrative. Most general retail and office uses will be allowed.

The applicant is proposing two pylon signs located at each entrance. The signs are fifteen feet tall with an area of 78 square feet. They will be a multi-tenant signs for all spaces within the project.

T. Copper James and Associates and their design consultant held a community meeting on October 21, 2025. At this meeting, the applicant's team introduced the project to the community. Staff did not attend the community meeting.

Public water is located along Sherrills Ford Road. Public services are unavailable. The development would have to be served by on-site septic systems.

The applicant has begun the process of preparing a Traffic Impact Analysis (TIA) as required by NCDOT for this type of project. Section 44-443.16 of the Unified Development Ordinance requires Planned Developments to install a turn lane along the road frontages, subject to NCDOT approval. This requirement was noted on the concept plan. Once the TIA is complete, reviewed and accepted by NCDOT staff, additional traffic improvements may be required by NCDOT.

Traffic counts north of the site along Sherrills Ford Road were 4,800 average annual daily trips in 2023. Traffic counts on Mt. Pleasant Road south of the project measured 1,800 in 2023.

No new roads are proposed for this project; internal drive aisles and parking lots are designed for circulation within the project. The concept site plan proposes one entrance on Sherrills Ford Road and another on Mt. Pleasant Road. The Comprehensive Transportation Plan recommends minor land widening along Sherrills Ford Road.

The Catawba County Comprehensive Plan was adopted in April 2024. The Future Land Use Map designates these parcels for medium-density residential development at 1.5 dwelling units per acre. In the Sherrills Ford Small Area of the Comprehensive Plan, commercial/mixed use recommendations include:

- Continue the efforts of a "village center" at the Sherrills Ford Road/Hwy. 150 intersection of approximately 750 acres, to include a mixture of commercial, office and mixed residential area.
- Continue the efforts of a "regional commercial center" that may include a diversity of uses such as medical, business park, Class A industrial park, commercial and retail at the intersection of Highway 150 and Highway 16.
- Designate a "highway commercial center" on a smaller scale, at the intersections of Highway 150 and Mt. Pleasant Rd and Highway 16 and Buffalo Shoals Road.
- To serve the surrounding areas with limited commercial services, smaller scale "rural commercial nodes" suggested for intersections of Sherrills Ford and E Bandy's Cross Road, Hudson Chapel Road and Kale Road, and Slanting Bridge Road and Keistler Store Road.

The request is inconsistent with the Future Land Use map and the recommendations for commercial development in the Sherrills Ford Small Area in the Catawba County Comprehensive Plan.

The Planning Board held a public hearing on Monday, November 24, 2025. Seven citizens spoke in opposition to the request. The public shared comments which included concerns about traffic impacts, safety concerns related to site distance, and a tangible shift in development patterns changing the overall nature of the area. The applicant, the applicant's attorney, and the applicant's traffic consultant spoke in support of the request.

Staff did not support the request and the Planning Board voted 9 - 0 not to recommend rezoning approval of the application by T. Copper James and Associates to rezone three parcels totaling 17.22 acres (Parcel

Numbers 4608-01-39-1903, 4608-01-39-4797, and 4608-01-39-4451) from R-20 Residential to Planned Development - Conditional District PD-CD) based upon:

1. The properties' proximity to residential districts and uses.
2. The Future Land Use map within the Comprehensive Plan's recommendation for medium density residential development on these parcels.
3. The Comprehensive Plan recommendation within the Sherrills Ford Small Area to focus larger commercial development to the NC Highway 150 and NC 16 Highway corridors and at key intersections.
4. The Comprehensive Plan recommendation within the Sherrills Ford Small Area to focus smaller scale rural commercial nodes at the intersections of Sherrills Ford and E Bandy's Cross Road, Hudson Chapel Road and Kale Road, and Slanting Bridge Road and Keistler Store Road.
5. The 75,000 square feet development would depend on on-site septic and repair area. Should they fail, availability of public sewer, which is approximately 1.5 miles away, is not guaranteed.
6. Per General Statute, rezoning the properties would cause a revision to the comprehensive land use plan (Future Land Use Map) and may cause unintended and unplanned commercial sprawl.

After Mrs. LoCicero's presentation, there were no questions. Commissioner Beatty confirmed the signage is illuminated and in view of residents. Chair Isenhower opened the public hearing. Julie Beebe, Lock White, Karen LaHugh, Jim Perkins and Paul Ogerly came forward and spoke in opposition of the rezoning stating concerns including the project negatively impacting rural viewsheds, traffic, and the project being inconsistent with future land use plan. Vice-Chair Allran confirmed the project would be served by septic system versus sewer. Upon a motion by Commissioner Abernethy that passed unanimously, the public hearing was continued in progress until January 20, 2026.

9. Consent Agenda.

County Manager Mary Furtado presented the following item under the consent agenda. Chair Isenhower asked if any commissioner wished for an item to be broken out of the consent agenda for individual consideration. None was requested.

a. Staff recommended the Board of Commissioners approve 82 releases totaling \$31,257.75, four refunds totaling \$27,305.62, and 51 Motor Vehicles Bill adjustments / refunds totaling \$4,176.89 requested during the month of November.

North Carolina General Statute 105-381(b) states upon receipt of a taxpayer's written request for release or refund, the taxing unit's governing body has 90 days to determine whether the taxpayer's request is valid to either approve the release or refund of the incorrect portion or to notify the taxpayer in writing that no release or refund will be made.

During the month of November Tax Office staff have checked records and verified the legitimacy of 82 releases totaling \$31,257.75 four refunds totaling \$27,605.62 and 51 Motor Vehicle Bill adjustments / refunds totaling \$4,176.89.

Common reasons for these refunds, releases, and adjustments include change in values and months, change in situs, businesses closing / being sold, clerical errors, pro-ration of tax bill amounts to account for mis-year transfers of ownership, and new values ordered by Property Tax Commission.

The consent agenda items came in the form of a motion by Chair Isenhower, which carried unanimously.

10. Other Items of Business. None.

11. Manager's Report.

County Manager Mary Furtado recognized Assistant County Manager Justin Merritt who will be moving into the role of City Manager for Shelby, North Carolina, and wished him the very best in his new role.

12. Attorney's Report.

County Attorney Jodi Stewart requested the Board consider moving into Closed Session in accordance with North Carolina General Statute 143-318.11(a)(6) and to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee. County Attorney Jodi Stewart did not anticipate any action. Commissioner Beatty made a motion to move into closed session for the stated reason. The motion carried unanimously.

13. Adjournment. No further action was taken. Upon a motion by Commissioner Beatty which unanimously carried, the meeting was adjourned at 9:29 p.m.



Randy Isenhower, Chair  
Catawba County Board of Commissioners



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Dale R. Stiles  
County Clerk