

A G E N D A

LINCOLNTON CITY COUNCIL



March 3, 2022

7:00 p.m.

Council Chambers

City hall



**LINCOLNTON CITY COUNCIL
AGENDA
March 3, 2022
7:00 p.m.**

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

1. AGENDA APPROVALS

1a. Approval of REGULAR AGENDA

1b. Approval of CONSENT AGENDA

All items placed under Consent Agenda are considered routine, to be enacted by one motion without discussion. If a member of the Governing Body requests discussion of an item, the item will be removed from the Consent Agenda and considered separately.

- Approval of Minutes from the February 3rd Regular Meeting
(C-02-22)
- Approval of Contract with East Coast Pyrotechnics for the 2022 Fireworks Display
(C-03-22)
- Lincolnton Food, Wine & Brew Fest Alcohol Contract – April 9, 2022
(C-04-22)
- 2022 Alive After Five Concert Series – May 26th, June 23rd, July 28th August 25th, & September 22nd.
- R-03-22 – Resolution of Intent to Consider the Closing of a Street/Alley

2. PUBLIC HEARINGS

2a. Request for Closure of Certain Alley from Deaton Law Firm, PLLC on behalf of Goodsonville Properties, LLC,

Wesley L. Deaton, Deaton Law Firm

**114 WEST SYCAMORE STREET • P.O. BOX 617 • LINCOLNTON, NORTH CAROLINA 28093-0617
PHONE (704) 736-8980**

AGENDA

March 3, 2022

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2b. ZMA-1-2022 – Application from Ronald G. Leonhardt requesting the rezoning of 1.534 acres of land from NB, R-8, and R-10 to General Business (GB) District. The subject property consists of four lots starting at the southwest corner of West Main Street Extension and Riverside Drive and runs approximately 500 feet west down Riverside Drive. (Parcel ID 19322, 16335, 20743 and 15888). A portion of Parcel ID 19322 is located on the south side of Riverside Drive.

Laura Elam, Planning Director

2c. CZ-10-2021 - Application from Prestige Acquisitions, LLC requesting the rezoning of approximately 24 acres of land from Residential-25 (R-25) to Planned Residential District (PRD) for the purpose of developing a community of Single Family detached housing (65 units). The subject property is a portion of property owned by New Vision Ministries located at 621 Clarks Creek Road (Portion of Parcel ID 15614). The portion requested for rezoning is located on the south side of Clark Creek Road adjacent to Clarks Creek and running approximately 800 feet to the west.

Laura Elam, Planning Director

3. REGULAR AGENDA

3a. Proposed Cyber Security Awareness Training Subscription

Chris Jones, IT Director

3b. Proposed Lease Agreement for Security Camera's for City Property in Various Locations

Chris Jones, IT Director

4. OTHER BUSINESS

5a. Manager's Report/Activity Update

Ritchie Hayne, City Manager

PUBLIC COMMENT

Speakers will be limited to three (3) minutes to address Mayor and City Council concerning non-agenda items. You must sign in with the City Clerk to be eligible to speak

NEWS MEDIA

ADJOURNMENT

ITEM #

1

AGENDA

APPROVALS

ITEM #

1a

APPROVAL

OF

REGULAR AGENDA

ITEM #

1b

APPROVAL

OF

CONSENT AGENDA

Approval of Minutes for the
February 3rd, 2022
Regular Meeting

The Mayor and City Council met in regular session on Thursday, February 3, 2022 at 7:00 p.m. in the Council Chambers of City Hall located at 114 West Sycamore Street, Lincolnton North Carolina.

Mayor Ed Hatley called the meeting with a moment of silence and led the Pledge of Allegiance. The following members were in attendance:

WHITE

POINSETTE

EADDY

JETTON

Prior to approval of the Regular Agenda, Councilmember Eaddy requested that an update on the Board of Elections decision to close Betty Ross Park for several weeks for the election be added to the agenda. Item 4d was added to the agenda.

With no other additions or deletions to the agenda, Councilmember Poinsette made a motion to approve the *REGULAR AGENDA as amended*. Members voted 4-0 in favor of the motion

Councilmember White made a motion to approve the amended *CONSENT AGENDA* as follow:

- **Approval of Minutes from the January 6th , 2022 Regular Meeting**
- **Resolution**

R-01-22

A RESOLUTION DECLARING THE INTENTION OF THE LINCOLNTON CITY COUNCIL OF THE CITY OF LINCOLNTON TO CONSIDER THE CLOSING OF AN ALLEYWAY BETWEEN ROSS STREET AND DALE AVENUE

WHEREAS, G.S. 160A-299 authorized the Lincolnton City Council to close streets and public alleys; and

WHEREAS, the Lincolnton City Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of the alleyway between Ross Street and Dale Avenue;

NOW, THEREFORE, BE IT RESOLVED by the Lincolnton City Council that:

- (1) A meeting will be held at 7:00 p.m. on the 3rd day of March, 2022, in the City Hall Council Chambers to consider a resolution closing the alleyway between Ross Street and Dale Avenue.

- (2) The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in the Lincoln Times News, or other newspaper of general circulation in the area.
- (3) The City Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution of Intent.
- (4) The Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

This the 3rd day of February, 2022

Members voted 3-0 in favor of the motion

SPECIAL RECOGNITION

Special Recognition of City Employees (County Employees) **Fran Ave. Incent**

Mayor Ed Hatley recognized both Chief Ryan Heavner and Chief Rodney Jordan bring special recognition to several employees. Chief Heavner briefly reviewed the details of the nearly tragic incident that took place while responding to a fire call. Firefighter Eric Carroll, Engineer Brady Hickman, Lieutenant Lee Hansen and Captain Shane Bowman were all recognized and presented an award for going above and beyond the call of duty. Officer Dillon Wolf of the Lincoln Police Department, was not only presented an award by Chief Heavner for his involvement in the incident, but was given the Medal of Valor award from Police Chief Rodney Jordan and the Police Department Command Staff for his act of heroism.

Presentation of Advance Law Enforcement Certificate

Police Chief Rodney Jordan, with his command staff, presented Detective Mamadou Diallo with is recently earned Advanced Law Enforcement Certificate. Chief Jordan explained that this is the highest certification awarded by the North Carolina Training and Standards Division, reiterating the amount to dedication, years of service and hard work it takes to earn.

REGULAR AGENDA**Lincolnton Steering Committee Update**

Mr. Wayne Hoyle, Chair of the Lincolnton Steering Committee made an appearance before Council, thanking members for the opportunity to work with all of the various organizations. Mr. Hoyle informed that the committee will be focusing on three main issues going forward which are the re-location of the Court house, the City's strategic Plan and the homeless/vagrancy. Mr. Hoyle stressed the importance of communication and commented on the great job everyone is doing

2020/2021 Audit Presentation

Pamela McBryde, Finance Director, introduced Ms. Carol Avery with Lowdermilk Church and Co., LLP, to present council the audit for 2020/2021. Ms. Avery began, informing council that the City received an unqualified opinion, which is what is required. She also stated that she received notice from the Local Government Commission and approval should be forthcoming. Ms. Avery spoke to the highlight as follows:

CITY OF LINCOLNTON

Financial Highlights
Years Ended June 30, 2021 and 2020

General Fund (Includes Powell Bill Funds)	2021 Summarized Budget	2021	2020
Total assets		\$ 8,405,933	\$ 8,054,637
Fund balance		\$ 5,708,206	\$ 6,848,623
Fund balance - Reserved for Streets - Powell Bill (included in total fund balance)		\$ 278,229	\$ 369,558
Total revenue	\$12,649,223	\$12,971,770	\$12,109,855
Total expenditures	\$15,658,476	\$14,197,999	\$11,423,000
Revenues over (under) expenditures before other financing sources (uses)		\$ (1,226,229)	\$ 686,855
Other income (expense)	\$ 3,009,253	\$ 1,640,378	\$ 964,071
Increase (decrease) in fund balance		\$ 414,149	\$ 1,650,926

REGULAR MEETING - February 3, 2022

Increase (decrease) in inventory	\$ 3,240	\$ (2,644)
Ad valorem taxes collected	\$ 5,605,996	\$ 5,433,254
Percent of taxes collected - current year levy	99.10%	98.38%
Investment income	\$ 57,750	\$ 90,267

Fund Balance Available - without Powell Bill

Available Balance	4,251,362	4,701,541
Expenditures and other financing sources and uses	14,671,925	11,641,394
Available Fund Balance - without Powell Bill	28.98%	40.39%

Fund Balance Available

Available Balance	4,529,320	5,070,827
Expenditures and other financing sources and uses	15,017,538	11,982,000
Available Fund Balance	30.16%	42.32%

State average for a municipality with an electric system and with a population grouping of 10,000 to 49,999

44.06% 43.31%

Local Government Commission minimum recommended general fund balance should be at least 25% of general fund expenditures at the end of the fiscal year.

	2021	2020
Water and Sewer Fund		
Total assets	\$34,322,869	\$36,562,317
Net position	\$27,993,770	\$27,689,774
Operating revenue	\$ 7,624,106	\$ 7,598,164
Operating expenses	\$ 6,861,419	\$ 6,522,861
Operating income (loss)	\$ 762,687	\$ 1,075,303
Non operating revenue (expenses)	\$ (69,469)	\$ (27,882)
Transfers (to) from	\$ (389,222)	\$ (379,096)
Change in net position	\$ 303,996	\$ 668,325
Accounts receivable - customers	\$ 718,035	\$ 696,240
Investment income	\$ 39,807	\$ 148,028
Days sales in accounts receivable	36.33%	34.35%
Fund Balance Available		
Available Balance	\$ 5,592,029	\$ 5,047,224
Expenditures and other financing sources and uses	7,382,684	7,077,867

REGULAR MEETING - February 3, 2022

Available Fund Balance	75.75%	71.31%
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Electric Fund

Total assets	\$ 9,988,620	\$ 8,367,832
Net position	\$ 8,544,997	\$ 6,985,300
Operating revenue	\$ 8,897,302	\$ 7,838,694
Operating expenses	\$ 7,336,762	\$ 6,773,377
Operating income (loss)	\$ 1,560,540	\$ 1,065,317
Nonoperating revenue	\$ 29,622	\$ 67,684
Transfers (to) from	\$ (30,465)	\$ (25,975)
Change in net position	\$ 1,559,697	\$ 1,107,026
Accounts receivable - customers	\$ 688,748	\$ 575,490
Investment income	\$ 29,622	\$ 67,684
Days sales in accounts receivable	37.80%	32.37%

Fund Balance Available

Available Balance	\$ 3,489,651	\$ 2,228,696
Expenditures and other financing sources and uses	7,367,227	6,799,352
Available Fund Balance	47.37%	32.78%

Component Unit:

Lincolnton Tourism Development Authority		
Fund Balance	\$ 572,377	\$ 494,747

Cash and Investments

Cash	\$17,771,298	\$16,564,977
Restricted cash	698,861	777,703
Total cash	\$18,470,159	\$17,342,680

There was a small amount of discussion generated from questions for council regarding investment rates and fund balance. Ms. Avery clarified the city's fund balance status, as well as explained a recent change made by the Local Government Commission regarding how fund balance is calculated. She also mentioned the corrective action plan that will need to be submitted to address identified issues.

(C-01-22)

Consideration of Contract between the City of Lincolnton and Lowermilk church & Co. for the 2021 Audit

Pamela McBryde, Finance Director, presented to councilmembers a proposed contract for fiscal year ending June 30th, 2022. Mrs. McBryde directed councils' attention to the memorandum from City Manager Ritchie Haynes, recommending that the city continue to work with Lowermilk Church & Co. Mrs. McBryde pointed out the 5% increase in the proposed contract price, explaining the increase being due to inflation.

Councilmember Poinsette made a motion to approve contract with the city and Lowdermilk Church & Co. Members voted 4-0 in favor of the motion

(P-01-22)

Consideration/Approval of proposed Conflict of Interest Policy for City Staff and Elected Officials

Pamela McBryde, Finance Director, presented a proposed Conflict of Interest Policy for city staff and elected officials as follows:

Conflict of Interest Policy

The purpose of the following policy and procedures is to prevent the personal interest of staff members and elected officials of the City of Lincolnton from interfering with the performance of their duties to the City of Lincolnton, or resulting in personal financial, professional, and/or political gain on the part of such persons at the expense of the City of Lincolnton.

Definitions: Conflict of Interest (also Conflict) means a conflict, or the appearance of a conflict between the private interests and official responsibilities of a person in a position of trust. Persons in a position of trust include staff members and elected officials of the City of Lincolnton. Governing Board (also council) means the Lincolnton City Council. Elected Official means an individual member of the Lincolnton City Council. Staff member means a person who receives all or part of his/her income from the payroll of the City of Lincolnton.

Policy:

1. Full disclosure, by notice in writing, shall be made by the interested parties to the Lincolnnton City Council in all conflicts of interest, including but not limited to the following:
 - a) An elected official is related to another elected official.
 - b) An elected official is related to a staff member.
 - c) An elected official is also a staff member.
 - d) A staff member in a supervisory capacity is related to another staff member whom he/she supervises.
 - e) An elected official or staff member receives payment from the City of Lincolnnton for any contract, subcontract, goods, or services other than as part of his/her regular job responsibilities or as reimbursement for reasonable expenses incurred as provided in the bylaws and board policy.
 - f) An elected official or staff member is a member of the governing body of a contributor to the City of Lincolnnton.
 - g) An elected official or staff member may have personal, financial, professional, or political gain at the expense of the City of Lincolnnton.
 - h) An elected official or staff member engages in activities that may cause a loss of public credibility in the City of Lincolnnton or create a public impression of impropriety.
2. Following full disclosure of a possible conflict of interest or any condition listed above, the Lincolnnton City Council shall determine whether a conflict of interest exists and, if so, the council shall vote to authorize or reject the transaction and/or condition. Both votes shall be by a majority vote without counting the vote of any interested elected official, even if the disinterested elected official are less than a quorum, provided that at least one consenting elected official is disinterested.
3. An interested elected official or staff member shall not participate in any discussion or debate of the Lincolnnton City Council, or of any committee thereof, in which the subject of discussion is a contract, transaction, or situation in which there may be a conflict of interest.
4. No elected official or staff member shall participate in the selection, award, or administration of a procurement transaction in which federal or state funds are used, where to his/her knowledge, any of the following has a financial interest in that transaction: (1) the staff member or elected official; (2) any member of his/her immediate family; (3) his/her partner; (4) an organization in which any of the above is an officer, director, or employee; or (5) a person or organization with whom any of the above is negotiating or has any arrangement concerning prospective employment.

5. Existence of any of the above-listed conditions shall render a contract or a transaction voidable unless full disclosure of personal interest is made in writing to the Lincolnton City Council and such transaction was approved by the council in full knowledge of such interest.
6. The disinterested elected officials are authorized to impose by majority vote other reasonable sanctions as necessary to recover associated costs against an elected official or staff member for failure to disclose a conflict of interest as described in Paragraph 1 or for any appearance of a conflict.
7. Appeal from sanctions imposed pursuant to Paragraph 5 and 6 above shall be prescribed by law in those courts of the State of North Carolina with jurisdiction over both the parties and the subject matter of the appeal.
8. In the event that the City of Lincolnton has incurred costs or attorney fees as a result of legal action, litigation, or appeal brought by or on behalf of an interested elected official or staff member due to a conflict of interest and consequent sanctions and in the event that the City of Lincolnton prevails in such legal action, litigation, or appeal, the City of Lincolnton shall be entitled to recover all of its costs and attorney fees from the unsuccessful party.
9. A copy of this policy shall be given to all elected officials and staff members upon commencement of such person's relationship with the City of Lincolnton. Each elected official and staff member shall sign and date the policy at the beginning of his or her term of service or employment and each year thereafter. Failure to sign does not nullify the policy.

Mrs. McBryde explained that the adoption of this policy is a requirement that has to be met to receive the additional grant funding in the State budget.

Councilmember Jetton made a motion to approve the Conflict of Interest Policy. Members voted 4-0 in favor of the motion.

Discussion/Consideration of Revision to Form used for the City Manager's Annual Evaluation

Mayor Ed Hatley spoke to councilmembers regarding earlier conversations that have taken place in reference to the boards desire to revise the form used for the city manager's annual evaluation. Mayor Hatley explained that

after meeting with Human Resources Director Tanya Osborne, the form has been condensed and is more useable and meaningful for both the city manager and councilmembers. He stated that the revised form will also provide a place for goal setting which is an important part of an evaluation. Mayor Hatley also expressed his desire for the evaluation to be completed as a team instead of individually going forward. Some discussion was generated regarding the process moving forward and the added value that will be gained with these changes.

Although formal action was not required, Mayor Hatley felt it appropriate to show the unity of the decision. There was a consensus among councilmembers, along with a motion from both Councilmember White and Councilmember Jetton to approve the evaluation process as presented. Members voted 4-0 in favor of the motion.

(R-02-22)
Resolution Authorizing the City of Lincolnton to
Accept a Donation of Land

Ritchie Haynes, City Manager, explained this being a step toward proceeding with the patio project between the tunnel at Sycamore Street and Pine Street. Mr. Haynes described it as the back across from First Federal Park. The resolution was presented as follows:

WHEREAS, the City of Lincolnton is authorized, pursuant to G.S. 160A-240.1, to acquire by gift, grant, devise, exchange, purchase, lease, or any other lawful method, the fee or any lesser interest in real or personal property for use by the city or any department, board, commission or agency of the city; and

WHEREAS, Charles Banks and Gregory LLC, own parcel ID 00658 and Stephen and Jeanne Bailey, own parcel ID 82410, as recorded with the Lincoln County Register of Deeds; and

WHEREAS, the property owners have no use for this portion of property and wish to donate it to the City at no cost.

NOW THEREFORE BE IT RESOLVED, by the City of Lincolnton City Council:

1. The City Manager is hereby authorized to execute documents necessary to accept this donation of real property. In addition, the

Manager is hereby authorized to execute all documents necessary to give effect to this resolution.

2. The City Attorney is hereby directed and authorized to perform a complete title search and review of said property and take any and all action necessary to carry out the transfer of the property to the City of Lincoln.
3. The acceptance of the property will be effective only upon the signing of the parties and recording of the necessary documents with the Lincoln County Register of Deeds.

Adopted on the 3rd day of February, 2022

Councilmember Poinsette made a motion to approve the donation of property to the City. Members voted 4-0 in favor of the motion.

**Board of Elections Decision to Close Betty Ross Park
(Gym) for Elections**

Mayor Ed Hatley opened the floor for discussion regarding early voting and the Board of Elections desire to use the gym at Betty Ross Park for elections. Councilmember Eaddy voiced his concern that despite them being offering the use of City Hall for early voting, the Board is planning to close the gym at Betty Ross Park for several days which will negatively impact multiple activities and recreation programs held at this facility. City Manager Ritchie Haynes informed Councilmembers of the email received, notifying that the dates would be for three weeks in April and May, and three weeks in October and November. Mr. Haynes listed all of the activities that will be affected if this takes place. Discussion was generated among councilmembers and staff regarding the issues surrounding this decision.

Councilman Eaddy suggested that an impact statement be sent to the Board of Elections with all of the impacts and a request to advise as to the procedure to this decision reanalyzed. Also, emphasizing there being no objection to the use of the gym on election day and re-emphasizing City Hall as being available. More discussion was generated among council and staff.

City Manager Ritchie Haynes concluded saying that he and Nathan Eurey, Public Service Director, will draft a letter to be sent to the Lincoln County Board of Election explaining the impact on the citizens, programs and staff. It was determined that the letter will be sent from Mayor and Council and

signed by each. Councilmember Jetton suggested that each councilmember sign the letter as a sign of more solidarity. Councilmember Eaddy requested that each member of the Board of Elections be given a copy.

OTHER BUSINESS

Quarterly Financial Report/Update

Pamela McBryde, Finance Director, presented the following financial reports as of the end of December:

 Executive Summary December 2021 Year-to-Date							
Department	2021-2022 Budget	2021-2022 YTD Activity	Budget Remaining	Variance %	2020-2021 Budget	2020-2021 YTD Activity	Variance Favorable / (Unfavorable)
Fund: 10 - General Fund							
Revenue	\$11,255,190.57	\$6,924,816.77	\$4,330,373.80	62%	\$14,004,059.00	\$6,314,529.93	\$610,286.84
Total Revenue:	\$11,255,190.57	\$6,924,816.77	\$4,330,373.80	62%	\$14,004,059.00	\$6,314,529.93	\$610,286.84
Expense							
4110-City Manager/Clerk	\$170,960.00	\$21,715.11	\$149,244.89		\$239,520.00	\$58,997.05	\$37,281.94
4120-Human Resources	\$333,015.00	\$129,149.43	\$203,865.57		\$351,556.75	\$142,532.74	\$13,383.31
4130-Finance	\$125,270.00	(\$165,772.41)	\$291,042.41		\$223,640.00	(\$68,468.17)	\$77,304.24
4280-General Expense	\$1,484,980.06	\$794,439.25	\$690,540.81		\$1,736,756.49	\$662,727.01	(\$131,712.24)
4285-General Debt Service	\$293,924.00	\$6,218.30	\$287,705.70		\$334,757.00	\$8,705.62	\$2,487.32
4310-Police	\$3,363,786.02	\$1,774,957.46	\$1,588,828.56		\$3,977,949.47	\$1,757,496.84	\$17,460.62
4340-Fire	\$2,216,589.00	\$1,303,690.12	\$912,898.88		\$3,031,949.00	\$1,173,426.26	(\$130,263.86)
4510-Public Works Administration	\$44,080.00	(\$75,934.63)	\$120,014.63		\$86,300.00	(\$27,503.19)	\$48,431.44
4520-Street and Maintenance	\$778,105.00	\$330,575.63	\$447,529.37		\$882,269.21	\$292,376.11	(\$38,199.52)
4530-Equipment Services	\$222,790.00	\$98,825.85	\$123,964.15		\$268,789.04	\$94,827.53	(\$3,998.32)
4710-Solid Waste	\$521,595.00	\$233,553.22	\$288,041.78		\$692,375.00	\$241,651.14	\$8,097.92
4740-IT Services	\$32,500.00	\$0.00	\$32,500.00		\$0.00	\$0.00	\$0.00
4910-Planning and Zoning	\$389,733.49	\$137,475.66	\$252,257.83		\$500,239.00	\$183,115.02	\$45,639.36
4930-Business & Community Dev.	\$121,700.00	\$37,106.91	\$84,593.09		\$639,145.04	\$68,733.23	\$51,626.32
6100-Recreation	\$1,156,163.00	\$482,102.97	\$674,060.03		\$1,038,813.00	\$481,769.34	(\$333.63)
Total Expense:	\$11,255,190.57	\$5,108,102.87	\$6,147,087.70	45%	\$14,004,059.00	\$5,070,386.53	(\$37,716.34)
Fund 10 Surplus (Deficit):		\$1,816,713.90				\$1,244,143.40	\$572,570.50
Fund: 20 - Boger City Fire District							
Revenue	\$1,004,920.00	\$429,511.88	\$575,408.12	43%	\$1,373,152.00	\$608,208.31	(\$178,696.43)
Total Revenue:	\$1,004,920.00	\$429,511.88	\$575,408.12	43%	\$1,373,152.00	\$608,208.31	(\$178,696.43)
Expense							
4340-Fire	\$1,004,920.00	\$524,472.55	\$480,447.45		\$1,373,152.00	\$316,625.84	(\$207,846.71)
Total Expense:	\$1,004,920.00	\$524,472.55	\$480,447.45	52%	\$1,373,152.00	\$316,625.84	(\$207,846.71)
Fund 20 Surplus (Deficit):		(\$94,960.67)				\$291,582.47	(\$386,543.14)
Fund: 61 - Water and Sewer Fund							
Revenue	\$6,475,950.00	\$4,057,269.54	\$4,418,680.46	48%	\$11,577,450.00	\$3,844,944.96	\$212,324.58
Total Revenue:	\$6,475,950.00	\$4,057,269.54	\$4,418,680.46	48%	\$11,577,450.00	\$3,844,944.96	\$212,324.58
Expense							
7100-Water Treatment	\$2,006,350.00	\$784,347.40	\$1,222,002.60		\$1,945,700.00	\$656,677.69	(\$127,669.71)
7110-Distribution & Collection	\$2,053,220.91	\$781,777.47	\$1,271,443.44		\$2,032,900.00	\$799,136.58	\$17,359.11
7120-Wastewater Treatment	\$1,934,676.09	\$716,019.32	\$1,218,656.77		\$1,644,150.00	\$696,808.34	(\$19,210.98)
7130-Water/Sewer Intangibles	\$2,481,703.00	\$2,002,950.63	\$478,752.37		\$5,954,700.00	\$908,105.85	(\$1,094,844.78)
Total Expense:	\$6,475,950.00	\$4,285,094.82	\$4,190,855.18	51%	\$11,577,450.00	\$3,060,728.46	(\$1,224,366.36)
Fund 61 Surplus (Deficit):		(\$227,825.28)				\$784,216.50	(\$1,012,041.78)
Fund: 63 - Electric Fund							
Revenue	\$7,797,350.00	\$3,752,401.15	\$4,044,948.85	48%	\$8,596,830.00	\$4,503,935.58	(\$51,534.43)
Total Revenue:	\$7,797,350.00	\$3,752,401.15	\$4,044,948.85	48%	\$8,596,830.00	\$4,503,935.58	(\$51,534.43)
Expense							
7200-Electric	\$7,797,350.00	\$3,852,180.34	\$3,945,169.66		\$8,596,830.00	\$4,257,686.88	\$405,506.54
Total Expense:	\$7,797,350.00	\$3,852,180.34	\$3,945,169.66	49%	\$8,596,830.00	\$4,257,686.88	\$405,506.54
Fund 63 Surplus (Deficit):		(\$99,779.19)				\$246,248.70	(\$346,027.89)
Total Surplus (Deficit):		\$1,394,148.76				\$2,566,191.07	(\$1,172,042.31)

Lincolnton NC
Near the City. Near the Mountain. Near Perfect!

December 2021 compared to December 2020 Year-to Date

Manager's Report/Activity Update

In regards to project updates, Mr. Haynes reported on the abatement process and the demolition on the old Lincoln Times building, as well as the design status and bid packets for the new parking lot.

Mr. Haynes continued informing councilmembers that the Request of Proposal (RFP) for the upper two floors of the Welcome Center are due back March 24th. He reminded member that the same process used for the restaurant will be used for this project. He reported that the shade structures have been delivered to First Federal Park with hopes of a timely installation. Mr. Haynes thanked the Lincolnnton Tourism Development and the Downtown Development Association for providing the sails. He also thanked Nathan Eurey for his time working on this project.

Mr. Haynes mentioned the recent retirement of David Mocanu and thanked him for his service. He also referenced a letter and an email received from citizens recognizing the high level of customer service they received from two different employees on two different occasions. Keep Lincoln County Beautiful annual report was distributed and several of their projects inside of the city limits were also noted. In conclusion, recognized the Lincolnnton Tourism Development Authority for the maintenance of the downtown planter boxes.

Mayor Hatley announced Councilmember Mary Frances White appointment at the new Chairman of the Board for Hessed House

PUBLIC COMMENT:

NEWS MEDIA:

No news media present

ADJOURNMENT:

Being no further business, Councilman Jetton made a motion to adjourn the meeting. Members voted 4-0 in favor of the motion

DAPHNE INGRAM, CMC
CITY CLERK

ED HATLEY
MAYOR

(C-02-22)

Approval of Contract
with Pyro Shows
East Coast

Zoho Sign Document ID: XY6URZHC0KEED8YWQ-GNB2EYHEF63OFD3YZDZP9S5VE

City of Lincoln
July 4th, 2022
\$14,000.00 Proposal Synopsis

Opening

3 – 3" Silver Titanium Salutes with Rising Tails

Body

120 – 3" Caliber Shells

110 – 4" Caliber Shells

80 – 5" Caliber Shells

12 – 6" Caliber Shells

Grand Finale

36 Shot – 2 ½" Assorted Color Peony & Salutes with 36 Rising Tails

50 – 3" Assorted Color Dahlia & Crown Shells

60 – 3" Variegated Color Peony & Chrysanthemum Shells

30 – 3" Silver Titanium Salutes with Rising Silver Tails

Suggested Duration: 15 to 18 minutes



I confirm that I have read and understood the "Electronic Record and Signature Disclosure" and consent to use electronic records and signatures.

Agree & Continue

(C-03-22)

Lincolnton Food, Wine, &
Brew Fest Alcohol
Contract

CONTRACT

STATE OF NORTH CAROLINA
COUNTY OF LINCOLN

THIS CONTRACT AND AGREEMENT made and entered into on this the 3rd day of March, 2022, by and between **THE DOWNTOWN DEVELOPMENT ASSOCIATION OF LINCOLNTON, INC.**, a corporation existing and doing business under the laws of the State of North Carolina, party of the first part, (hereinafter referred to as DDA), and the **CITY OF LINCOLNTON**, a municipal corporation created and existing under the laws of the State of North Carolina, party of the second part, (hereinafter referred to as CITY);

W I T N E S S E T H:

The parties to this Contract hereby recite and declare that:

- a. Section 131.01 of the Code of Ordinances of the City of Lincolnton was so amended by the Lincolnton City Council at its regular meeting on April 4th, 2002 to allow the City to authorize and regulate the possession and consumption of malt beverages and unfortified wine on the public streets, alleys, and parking lots which have been temporarily closed to regular traffic for special events.
- b. The DDA is the sponsor, promoter, and operator of the event known as the “Lincolnton Food, Wine & Brew Fest” event, which will be staged in downtown Lincolnton on Saturday, April 9, 2022.
- c. At the request of the DDA, the City Council agreed, subject to the provisions and conditions hereinafter set forth, to allow the DDA to administer the sale and sampling of malt beverages, unfortified wine and distilled spirits to the public within the designated event area between Court Square and Laurel Street at designated location(s) and to supervise and monitor the consumption of said alcoholic beverages at and during the “Lincolnton Food, Wine & Brew Fest” event in downtown Lincolnton.

NOW, THEREFORE, in consideration of the reasons and facts recited above, the mutual promises and covenants of the parties as herein set out and for other good and valuable consideration, the receipt of which is hereby respectively acknowledged by the parties, the parties agree as follows:

I.

That in accordance with and subject to the terms and conditions herein set forth, the DDA is authorized to administer the sale and sampling of malt beverages, unfortified wine and distilled spirits to the public at its “Lincolnton Food, Wine & Brew Fest” event in 2022, which is scheduled to be held on Saturday, April 9, 2022.

II.

That all alcoholic beverages sold and served at the event will be sold and consumed within the confines of the designated event area, the location of which must be approved by the City. The DDA agrees to obtain, pay for, and comply with all governmental permits and licenses necessary for the sale and consumption of the alcoholic beverages.

That DDA agrees to provide at its expense capable and competent personnel to administer and monitor the sale, sampling and consumption of alcoholic beverages for the duration of the event. The DDA agrees that its personnel will exercise all due care and circumspection to refuse service or sale of alcoholic beverages to any minor or to any person who may appear to be under the influence of alcohol or any controlled substance.

That DDA will not sell or allow the consumption of any alcoholic beverage before 11:00 a.m. or after 5:00 p.m. on the day of the event.

III.

That DDA hereby agrees to indemnify and hold the City and its employees harmless from any claims, causes of action, loss or injury resulting from the sale and sampling of alcoholic beverages and subsequent consumption thereof by the public at the “Lincolnton Food, Wine & Brew Fest” event. That DDA agrees to defend the City against any such claims of loss or injury filed against the City.

IV.

That DDA will obtain and pay for liability insurance coverage (in an amount satisfactory to the City) for itself and the City as a result of the sale of alcoholic beverages on the streets of the City during the “Lincolnton Food, Wine & Brew Fest” event. That DDA will promptly provide a copy of said insurance policy (ies) to the City. All policies will designate the City as a named insured.

V.

That the City reserves the exclusive right to modify, cancel, and rescind this Contract at any time hereafter if, in its sole discretion, the sale and consumption of alcoholic beverages at any “Lincolnton Food, Wine & Brew Fest” event has resulted in problems that are detrimental to the health, welfare, or well-being of the City or its citizens.

VI.

That it is further understood and agreed by both parties that no promises or agreements not herein expressed have been made to or by either party hereto, and that this Contract contains the entire agreement between the parties hereto, and that the terms and conditions of the Contract are contractual and not a mere recital.

VII.

That this Contract may be amended only by written instrument signed and executed by the parties hereto.

IN WITNESS WHEREOF, the party of the first part has caused this instrument to be signed in its corporate name by its duly-authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, and the party of the second part has caused this instrument to be signed by its Mayor and attested by its Clerk, the day and year first above written.

DOWNTOWN DEVELOPMENT ASSOCIATION OF LINCOLNTON, INC.

By: _____
Tommy Huskey, Chairman

Attest:

Betty Flohr, Executive Director

CITY OF LINCOLNTON

By: _____
Ed Hatley, Mayor

Attest:

Daphne Ingram, City Clerk **(Municipal Seal)**

(C-04-22)

2022 *Alive After Five*
Concert Series

May - September

CONTRACT

**STATE OF NORTH CAROLINA
COUNTY OF LINCOLN**

THIS CONTRACT AND AGREEMENT made and entered into on this the 3rd day of March 2022, by and between **THE DOWNTOWN DEVELOPMENT ASSOCIATION OF LINCOLNTON, INC.**, a corporation existing and doing business under the laws of the State of North Carolina, party of the first part, (hereinafter referred to as DDA), and the **CITY OF LINCOLNTON**, a municipal corporation created and existing under the laws of the State of North Carolina, party of the second part, (hereinafter referred to as CITY);

W I T N E S S E T H:

The parties to this Contract hereby recite and declare that:

- a. Section 131.01 of the Code of Ordinances of the City of Lincolnton was so amended by the Lincolnton City Council at its regular meeting on April 4th, 2002 to allow the City to authorize and regulate the possession and consumption of malt beverages and unfortified wine on the public streets, alleys, and parking lots which have been temporarily closed to regular traffic for special events.
- b. The DDA is the sponsor, promoter, and operator of the event known as the “Lincolnton Alive After Five” events, which will be staged in downtown Lincolnton on Thursdays in 2022; May 26, June 23, July 28, August 25, and September 22, 2022.
- c. At the request of the DDA, the City Council agreed, subject to the provisions and conditions hereinafter set forth, to allow the DDA to administer the sale and sampling of malt beverages, unfortified wine and distilled spirits to the public within the designated event area between Court Square and Poplar Street at designated location(s) and to supervise and monitor the consumption of said alcoholic beverages at and during the “Lincolnton Alive After Five” events in downtown Lincolnton in 2022.

NOW, THEREFORE, in consideration of the reasons and facts recited above, the mutual promises and covenants of the parties as herein set out and for other good and valuable consideration, the receipt of which is hereby respectively acknowledged by the parties, the parties agree as follows:

I.

- d. That in accordance with and subject to the terms and conditions herein set forth, the DDA is authorized to administer the sale and sampling of malt beverages, unfortified wine and distilled spirits to the public at its “Lincolnton Alive After Five” events, which are scheduled to be held on Thursday May 26, June 23, July 28, August 25, and September 22, 2022.

II.

That all alcoholic beverages sold and served at the event will be sold and consumed within the confines of the designated event area, the location of which must be approved by the City. The DDA agrees to obtain, pay for, and comply with all governmental permits and licenses necessary for the sale and consumption of the alcoholic beverages.

That DDA agrees to provide at its expense capable and competent personnel to administer and monitor the sale, sampling and consumption of alcoholic beverages for the duration of the event. The DDA agrees that its personnel will exercise all due care and circumspection to refuse service or sale of alcoholic beverages to any minor or to any person who may appear to be under the influence of alcohol or any controlled substance.

That DDA will not sell or allow the consumption of any alcoholic beverage before 6:00 p.m. or after 10:00 p.m. on the day of each event.

III.

That DDA hereby agrees to indemnify and hold the City and its employees harmless from any claims, causes of action, loss or injury resulting from the sale and sampling of alcoholic beverages and subsequent consumption thereof by the public at the "Lincolnton Alive After Five" events. That DDA agrees to defend the City against any such claims of loss or injury filed against the City.

IV.

That DDA will obtain and pay for liability insurance coverage (in an amount satisfactory to the City) for itself and the City as a result of the sale of alcoholic beverages on the streets of the City during the "Lincolnton Alive After Five" events. That DDA will promptly provide a copy of said insurance policy (ies) to the City. All policies will designate the City as a named insured.

V.

That the City reserves the exclusive right to modify, cancel, and rescind this Contract at any time hereafter if, in its sole discretion, the sale and consumption of alcoholic beverages at any "Lincolnton Alive After Five" event has resulted in problems that are detrimental to the health, welfare, or well-being of the City or its citizens.

VI.

That it is further understood and agreed by both parties that no promises or agreements not herein expressed have been made to or by either party hereto, and that this Contract contains the entire agreement between the parties hereto, and that the terms and conditions of the Contract are contractual and not a mere recital.

VII.

That this Contract may be amended only by written instrument signed and executed by the parties hereto.

IN WITNESS WHEREOF, the party of the first part has caused this instrument to be signed in its corporate name by its duly-authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, and the party of the second part has caused this instrument to be signed by its Mayor and attested by its Clerk, the day and year first above written.

DOWNTOWN DEVELOPMENT ASSOCIATION OF LINCOLNTON, INC.

By: _____
Tommy Huskey, Chairman

Attest:

Betty Flohr, Executive Director

CITY OF LINCOLNTON

By: _____
Ed Hatley, Mayor

Attest:

Daphne Ingram, City Clerk (**Municipal Seal**)

ITEM

2

PUBLIC HEARINGS

ITEM #

2a

Request from
Property Owner to
close Alley

P.O. Box 2459
3638 N. Hwy 16
Denver, NC 28037
Phone 704.489.2491
Fax 704.489.2493



Wesley L. Deaton †
Attorney at Law

Timothy H. Wallace
Attorney at Law

† Also Licensed in New York

January 14, 2022

City of Lincolnton
Attn: Richard Haynes, City Manager
PO Drawer 617
Lincolnton, NC 28093-0617

RECEIVED
JAN 20 2022
CITY OF LINCOLNTON, NC

Re: Request for closure of certain streets and alleys in Boger City

Dear Ritchie:

I am writing to the City on behalf of my client, Goodsonville Properties, LLC, requesting that the City close certain streets and alleyways pursuant to N.C.G.S. § 160A-299. I've enclosed a GIS map and a newly prepared survey to help describe what my client desires.

The streets and alleyways are located on and off of E. Main Street between Dale Avenue and Ross Street. In the attached map, my client's properties are the following highlighted tax parcels: 55197, 00448, 90928 and 90929. The streets and alleyways are highlighted on the enclosed GIS map, but can be summarized as follows:

- A. A street leading off of East Main Street between parcels 00448 and 90929 on one side, and parcels 02058, 55197, and 90928 on the other side.
- B. An alleyway located between 55197 on one side, and parcel 90928 on the other side. The alleyway extends further to Dale Avenue, but my client did not want to petition for that closure without the affected owners' permission.
- C. The intersection between the above-referenced street and alleyways.

The closure of this street and the alley would not deprive any affected property owner of reasonable means of ingress and egress to their respective properties.

I have enclosed, for the Council's review, the following:

1. A GIS map with the relevant areas highlighted.
2. A survey dated December 18, 2021, by Forest E. Ross, Jr.
3. The relevant statute cited above.

I look forward to working with the City in this matter.

Very Truly Yours,
THE DEATON LAW FIRM, PLLC

Wesley L. Deaton

WLD/pbk
Enclosures



June 30, 2021

GRAPHIC SCALE -- FEET

DRIVE	ROCKS	TARGET	LENGTH	DEPTH	DISPERSE	CHARGE	CHARGING
C-1	250.21°	81.12°	161.92°	1539.07'	8°42'27"	180.74'	N 74.45°E 15.57'
C-2	568.23°	77.68°	161.92°	1539.45'	10°08'12"	155.87'	S 74.87°W 15.57'
COURSE							
L-1				S 26°05'W			
					50.00°		

Existing Iron Pin
Iron Rod Set
Right of Way
Center Line
Not To Scale
Utility Pole
Porch
Iron Pipe Sat
Iron Pipe Found
FOUND

NO KNOWN GEODETIC MARKERS
WITHIN 2000 FEET.

Just E. Long
PROFESSIONAL SURVEYOR & L-372
ROSS SURVEYS, PA
1181 WEST HWY. 27
LINCOLTON, N. C. 28092
TEL. NO. 704-735-6032
FIRM LICENSE NO. C-4587

This is to certify that the survey
is of existing parcels of land and
does not create a new interest or
change an existing interest, this
_____ DECEMBER 2021
Jurat E. Posa
P. L. S.

I, FOREST E. ROSS, JR. certify that this plot was drawn under my supervision from an (actual survey made under my supervision) (detailed description recorded in Book 2392 Page 111 etc.) (other) that the boundaries not surveyed are clearly indicated down from information found in Book 1319000 Page 1 that the area of this plot was calculated as 13.50 acres, and that this plot was prepared in season of 1956 and is designated W-1 as my original signature, registration number AD-2021 DOCKWEXER

Surveyor
L - 3720
Registration Number



PLOT PLAN
 OF
 GOODSONVILLE PROPERTIES, LLC

PLANT PREPARED FROM SURVEY ON 12-06-2021

West's North Carolina General Statutes Annotated
--

Chapter 160A. Cities and Towns

Article 15. Streets, Traffic and Parking
--

N.C.G.S.A. § 160A-299

§ 160A-299. Procedure for permanently closing streets and alleys

Effective: June 22, 2015

[Currentness](#)

(a) When a city proposes to permanently close any street or public alley, the council shall first adopt a resolution declaring its intent to close the street or alley and calling a public hearing on the question. The resolution shall be published once a week for four successive weeks prior to the hearing, a copy thereof shall be sent by registered or certified mail to all owners of property adjoining the street or alley as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along the street or alley. If the street or alley is under the authority and control of the Department of Transportation, a copy of the resolution shall be mailed to the Department of Transportation. At the hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest, or the property rights of any individual. If it appears to the satisfaction of the council after the hearing that closing the street or alley is not contrary to the public interest, and that no individual owning property in the vicinity of the street or alley or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property, the council may adopt an order closing the street or alley. A certified copy of the order (or judgment of the court) shall be filed in the office of the register of deeds of the county in which the street, or any portion thereof, is located.

(b) Any person aggrieved by the closing of any street or alley including the Department of Transportation if the street or alley is under its authority and control, may appeal the council's order to the General Court of Justice within 30 days after its adoption. In appeals of streets closed under this section, all facts and issues shall be heard and decided by a judge sitting without a jury. In addition to determining whether procedural requirements were complied with, the court shall determine whether, on the record as presented to the city council, the council's decision to close the street was in accordance with the statutory standards of subsection (a) of this section and any other applicable requirements of local law or ordinance.

No cause of action or defense founded upon the invalidity of any proceedings taken in closing any street or alley may be asserted, nor shall the validity of the order be open to question in any court upon any ground whatever, except in an action or proceeding begun within 30 days after the order is adopted. The failure to send notice by registered or certified mail shall not invalidate any ordinance adopted prior to January 1, 1989.

(c) Upon the closing of a street or alley in accordance with this section, subject to the provisions of subsection (f) of this section, all right, title, and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots or parcels of land adjacent to the street or alley, and the title of such adjoining landowners, for the width of the abutting land owned by them, shall extend to the centerline of the street or alley.

The provisions of this subsection regarding division of right-of-way in street or alley closings may be altered as to a particular street or alley closing by the assent of all property owners taking title to a closed street or alley by the filing of a plat which

shows the street or alley closing and the portion of the closed street or alley to be taken by each such owner. The plat shall be signed by each property owner who, under this section, has an ownership right in the closed street or alley.

(d) This section shall apply to any street or public alley within a city or its extraterritorial jurisdiction that has been irrevocably dedicated to the public, without regard to whether it has actually been opened. This section also applies to unopened streets or public alleys that are shown on plats but that have not been accepted or maintained by the city, provided that this section shall not abrogate the rights of a dedicator, or those claiming under a dedicator, pursuant to G.S. 136-96.

(e) No street or alley under the control of the Department of Transportation may be closed unless the Department of Transportation consents thereto.

(f) A city may reserve a right, title, and interest in any improvements or easements within a street closed pursuant to this section. An easement under this subsection shall include utility, drainage, pedestrian, landscaping, conservation, or other easements considered by the city to be in the public interest. The reservation of an easement under this subsection shall be stated in the order of closing. The reservation also extends to utility improvements or easements owned by private utilities which at the time of the street closing have a utility agreement or franchise with the city.

(g) The city may retain utility easements, both public and private, in cases of streets withdrawn under G.S. 136-96. To retain such easements, the city council shall, after public hearing, approve a "declaration of retention of utility easements" specifically describing such easements. Notice by certified or registered mail shall be provided to the party withdrawing the street from dedication under G.S. 136-96 at least five days prior to the hearing. The declaration must be passed prior to filing of any plat or map or declaration of withdrawal with the register of deeds. Any property owner filing such plats, maps, or declarations shall include the city declaration with the declaration of withdrawal and shall show the utilities retained on any map or plat showing the withdrawal.

Credits

Amended by Laws 1971, c. 698, § 1; Laws 1973, c. 426, § 47; Laws 1973, c. 507, § 5; Laws 1977, c. 464, § 34; Laws 1981, c. 401; Laws 1981, c. 402, §§ 1, 2; Laws 1989, c. 254; Laws 1993, c. 149, § 1, eff. June 14, 1993; S.L. 2015-103, § 1, eff. June 22, 2015.

N.C.G.S.A. § 160A-299, NC ST § 160A-299

The statutes and Constitution are current through the end of the 2017 Regular Session of the General Assembly.

ITEM #

2b

ZMA-1-2022

Rezoning Application

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

SUBJECT: ZMA-1-2022 – Application from Ronald Leonhardt requesting the rezoning of 1.534 acres from NB and R-8 to GB

DATE: March 3, 2022

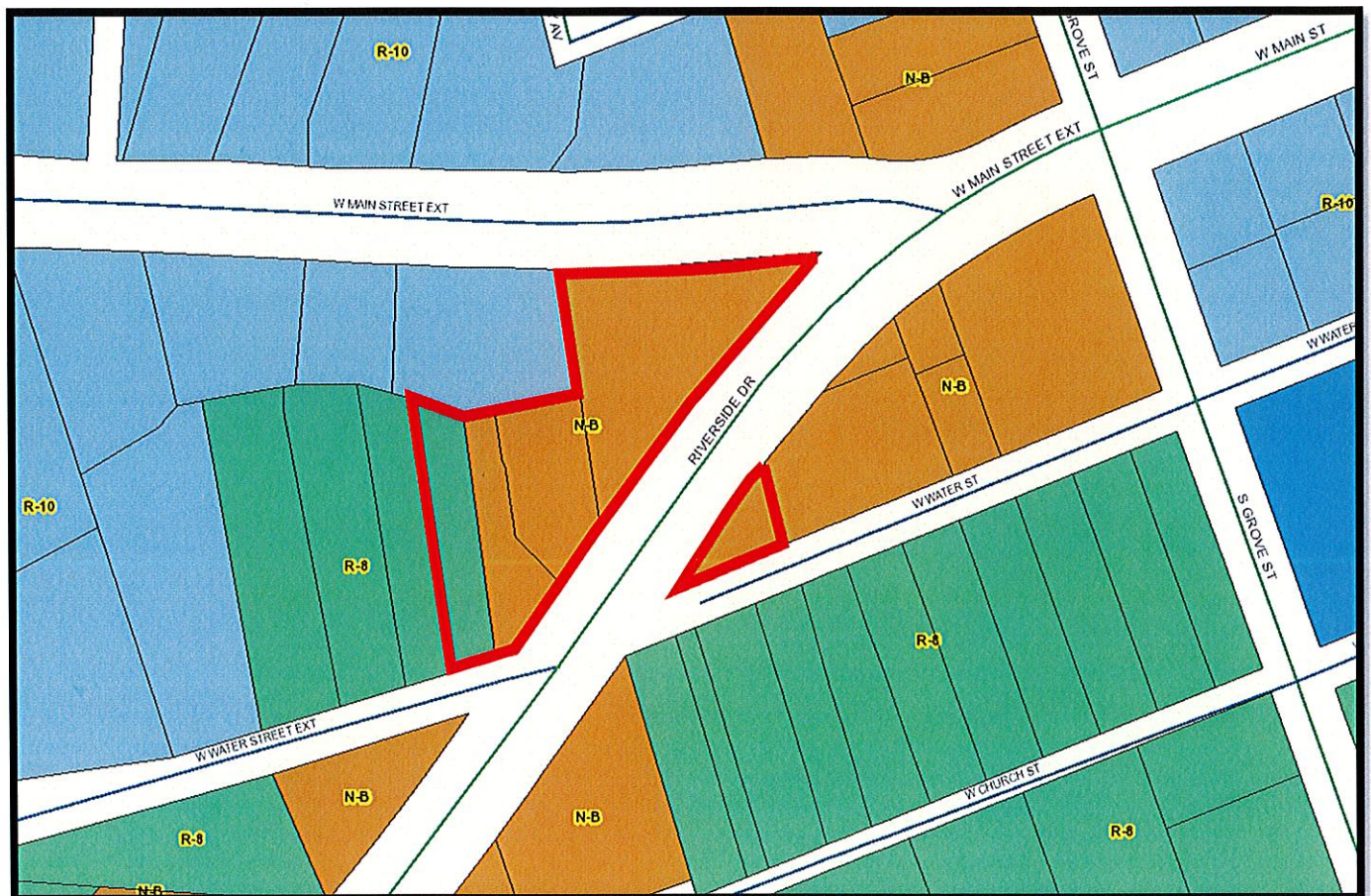
SITE AND AREA DESCRIPTION

The applicant is requesting the rezoning of 1.534 acres from Neighborhood Business (NB) and Residential-8 (R-8) districts to the General Business (GB) district. The subject property consists of four lots starting at the southwest corner of West Main Street Extension and Riverside Drive and runs approximately 500 feet west down Riverside Drive. (Parcel ID 19322, 16335, 20743, and 15888). A portion of Parcel ID 19322 is located on the south side of Riverside Drive.

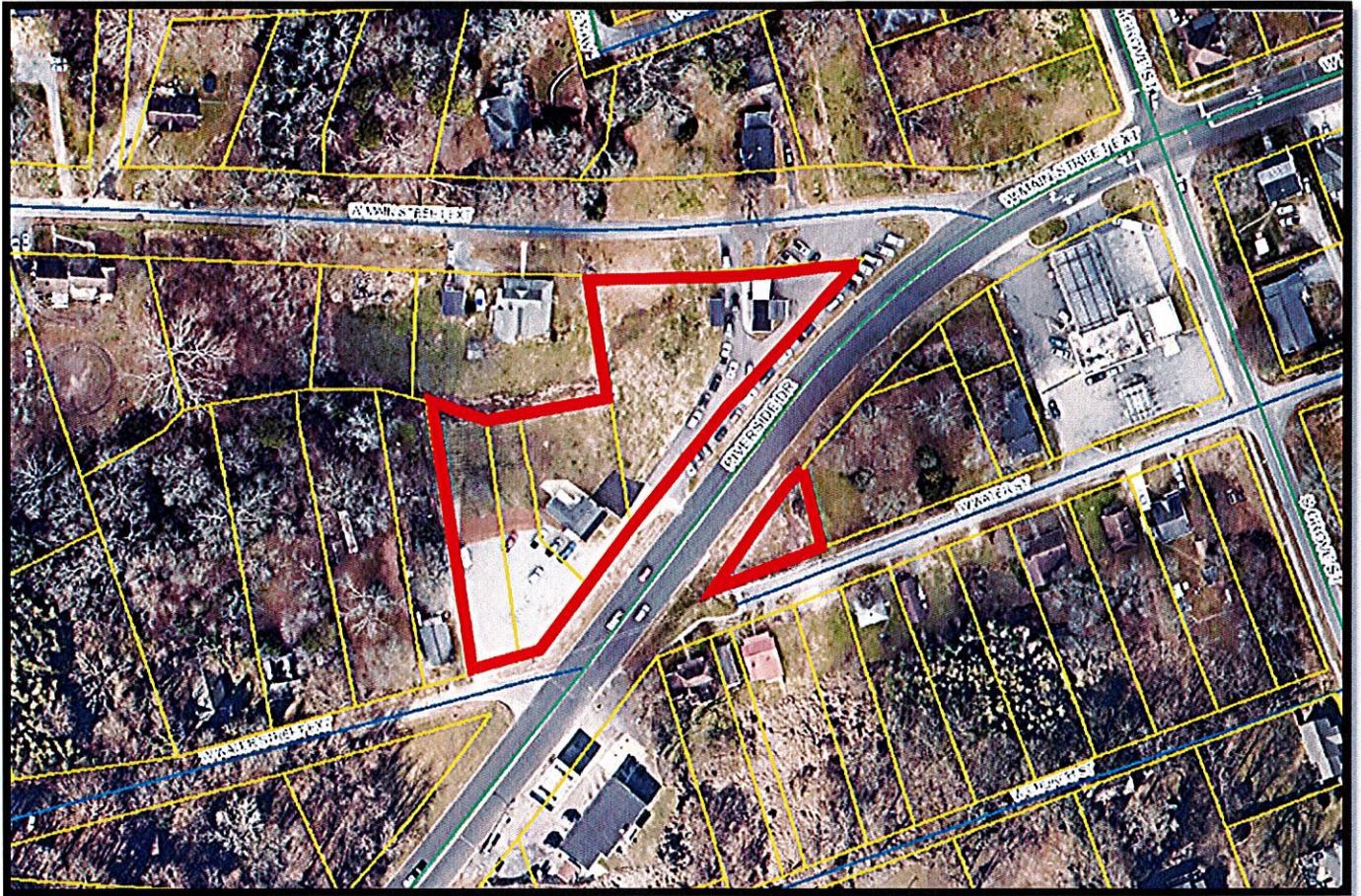
The subject property has an auto sales lot, a proposed RV Sales lot, vacant land and billboards. Land uses in the area include a mixture of single family and commercial.

The property is surrounded by NB and Residential zoning.

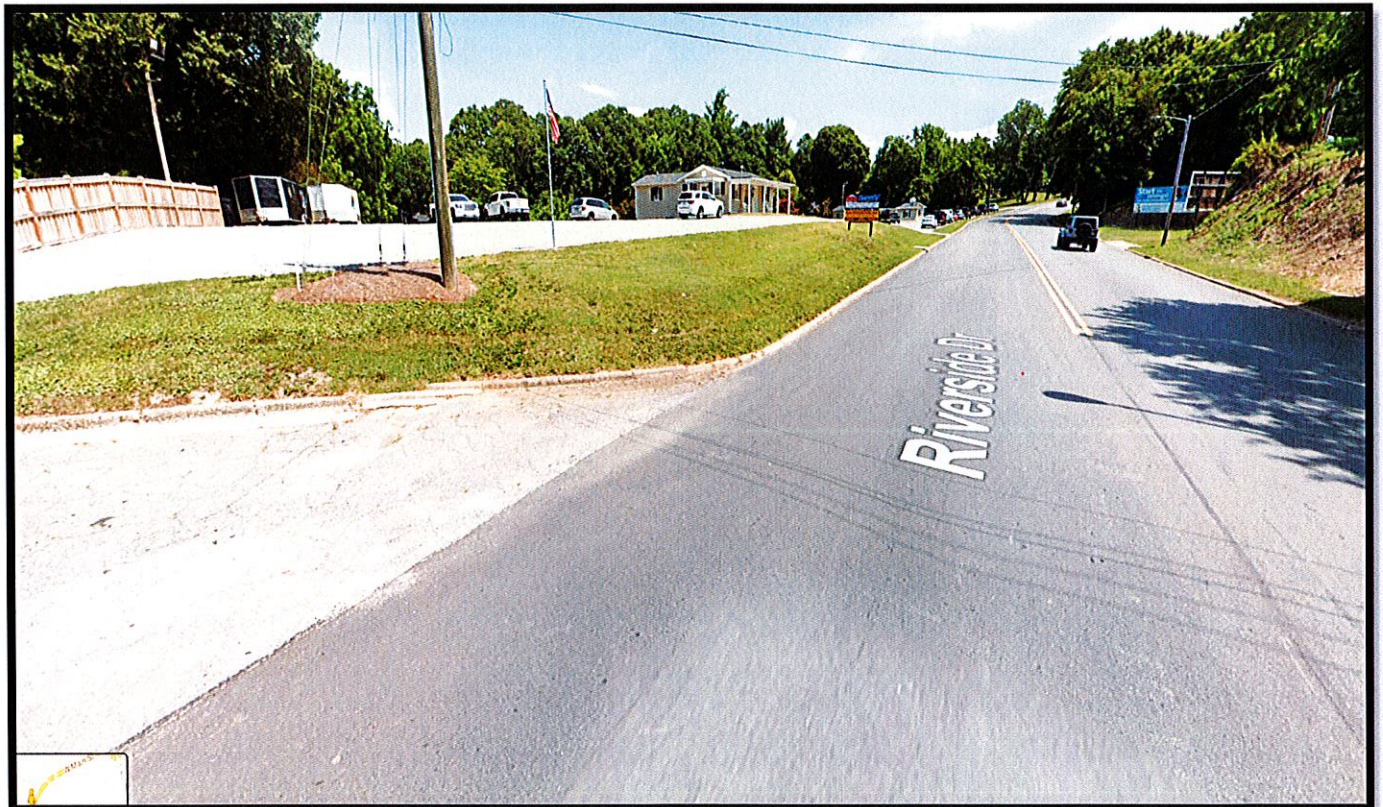
CURRENT ZONING MAP

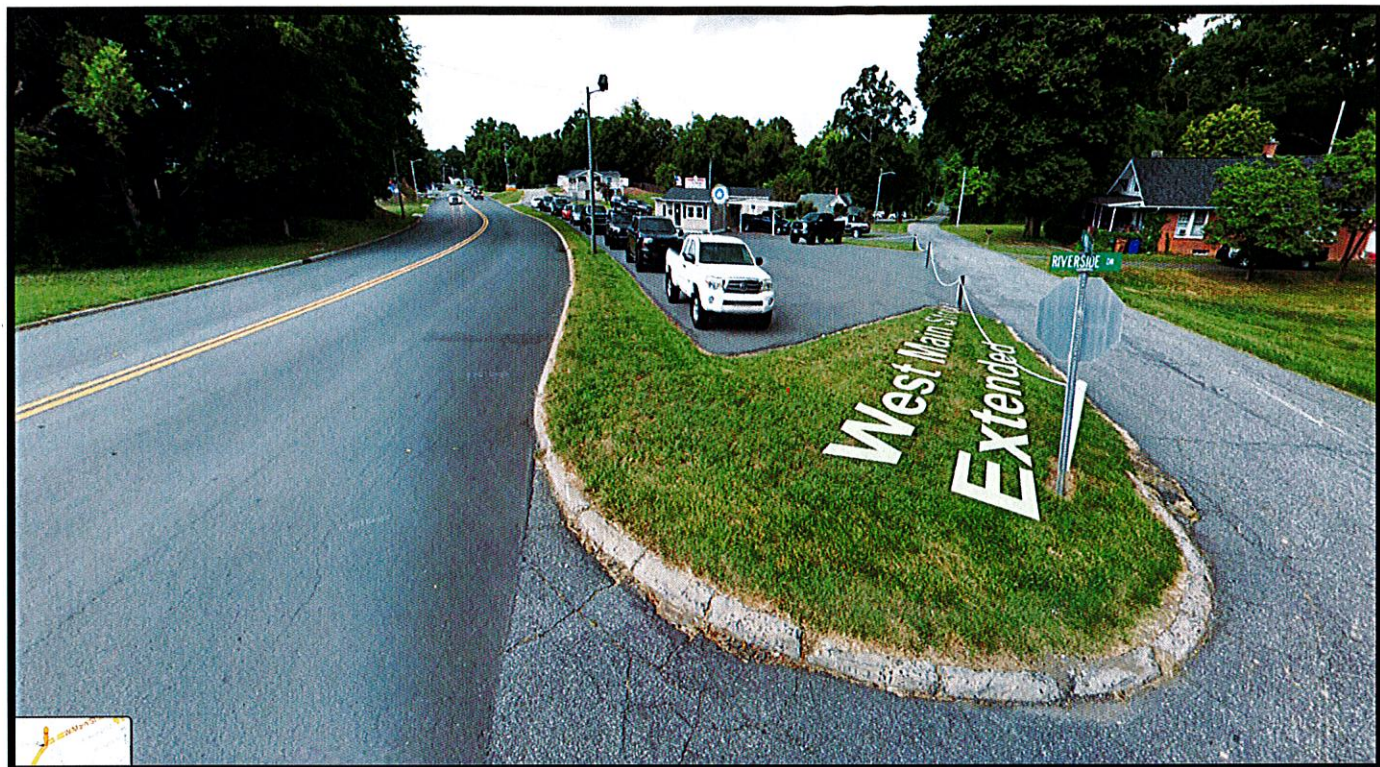


AERIAL VIEW



STREET VIEWS





EXISTING AND PROPOSED ZONING

The below chart outlines several of the permitted uses for the existing R-8 and NB zoning districts in comparison to the proposed GB zoning district.

A copy of the entire listing of permitted uses in the NB and the GB zoning districts is attached.

Zoning District	Existing R-8	Existing NB	Proposed GB
Permitted Uses	Single Family Homes Duplexes	Various retail uses with no single retail use greater than 5,000 sq. ft. of gross floor area. Restaurant uses excluding fast food and drive in restaurants. Convenience store with any fuel sales limited to the hours of 6 am to 12 midnight.	Various retail uses including uses that allow outdoor storage such as auto sales, truck sales and manufactured home sales. Automobile garage, repair and service. Automobile/truck/equipment rental. Restaurant uses including fast food and drive in restaurants. Convenience store with no limit on hours of operation for fuel sales.

LAND USE PLAN

The land use plan designates the property as a Neighborhood Business planning area and notes these planning areas are for small business clusters that cater to the needs of a relatively small trading area. Accordingly, these planning areas are appropriate for smaller-sized stores and establishments. Such areas are not designed to be citywide commercial destination spots. Neighborhood Business planning areas are designed to be compact in nature (as opposed to elongated strips along a thoroughfare) and located at key road intersections.

The land use plan notes that General Business planning areas contain “heavy” commercial uses (i.e. commercial uses that do not foster a lot of retail trade or those uses with a significant amount

of outdoor storage.) Given the nature of uses in these areas, aesthetics should play a key role in how and where such uses should develop and/or expand. Necessary steps should be taken to ensure that viewsheds from adjacent public roads are not significantly degraded.

The proposed request for General Business zoning is not consistent with the Land Use Plan.

PLANNING BOARD RECOMMENDATION

Planning Board recommends denial of the request.

Planning Board members viewed the request for General Business zoning as inappropriate for the area due to the nature, extent and intensity of the highway commercial type uses permitted in that zoning district in comparison to the Neighborhood Business district.

Planning Board's discussion included the following concerns and issues:

- the lack of any other GB zoning in the nearby area,
- the absence of a specific development proposal does not allow for an assessment of the impact to the area,
- the noise associated with a potential 24 hour a day business as permitted in GB,
- the unknown traffic impact from general business type uses, and
- the unknown impact on the surrounding neighborhoods.

Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for **APPROVAL of Application**

Case No. ZMA-1-2022

Applicant: Ronald Leonhardt

Parcel ID#: 19322, 16335, 20743, and 15888

Location: Riverside Drive

Request: Rezone from NB and R-8 to GB

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Neighborhood Business Planning Area. The proposed rezoning request for General Business **is not consistent** with the Lincolnton Land Use Plan.

However, the site is located on a heavily traveled major thoroughfare and General Business zoning is located approximately 0.7 miles to the west of the site along Highway 27 West at West Highway 150. Therefore, **approval of the proposed amendment is reasonable and in the public interest.**

Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for DENIAL of Application

Case No. ZMA-1-2022

Applicant: Ronald Leonhardt

Parcel ID#: 19322, 16335, 20743, and 15888

Location: Riverside Drive

Request: Rezone from NB and R-8 to GB

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Neighborhood Business planning area and notes these planning areas are for small business clusters that cater to the needs of a relatively small trading area. Accordingly, these planning areas are appropriate for smaller-sized stores and establishments. Such areas are not designed to be citywide commercial destination spots. Neighborhood Business planning areas are designed to be compact in nature (as opposed to elongated strips along a thoroughfare) and located at key road intersections.

The Land Use Plan notes that General Business planning areas contain “heavy” commercial uses (i.e. commercial uses that do not foster a lot of retail trade or those uses with a significant amount of outdoor storage.) Given the nature of uses in these areas, aesthetics should play a key role in how and where such uses should develop and/or expand. Necessary steps should be taken to ensure that viewsheds from adjacent public roads are not significantly degraded.

The proposed rezoning request for General Business zoning **is not consistent** with the Lincolnton Land Use Plan and **denial of the proposed amendment is reasonable and in the public interest.**

Neighborhood Business (NB) District

§ 153.112 N-B NEIGHBORHOOD BUSINESS DISTRICT.

(A) *Permitted uses.* The following uses are permitted by right.

(1) *Retail uses (provided, however, no single retail use with greater than 5,000 square feet of gross floor area shall be permitted).*

- (a) Antique store;
- (b) Arts and crafts store;
- (c) Bakeries (retail/nondistributor);
- (d) Beauty supply stores;
- (e) Bicycle store;
- (f) Book and stationery store, cards, gift-wrap, boxes, sales (excluding adult establishments);
- (g) Camera shop;
- (h) Clock shop;
- (i) Clothing store;
- (j) Computer service store;
- (k) Convenience store;
- (l) Copy service;
- (m) Curtain and drape store;
- (n) Delicatessen;
- (o) Dressmaking shop;
- (p) Drugstore;
- (q) Dry cleaning (pickup and delivery only);
- (r) Dry goods shop;
- (s) Florist and gift shop;
- (t) Floor covering, lighting, wallpaper, paint and window covering stores;
- (u) Food catering service;
- (v) Food store;
- (w) Furniture store;
- (x) Furrier;
- (y) Hardware store;

- (z) Hobby shop;
- (aa) Household goods shop;
- (bb) Jewelry and jewelry repair;
- (cc) Key shop;
- (dd) Linen shop;
- (ee) Luggage and leather store;
- (ff) Medical supply store;
- (gg) Music store;
- (hh) Notion and fabric store;
- (ii) Office supply and equipment shop;
- (jj) Pet store;
- (kk) Postal store;
- (ll) Publicly operated alcohol beverage control (ABC) store;
- (mm) Restaurant (excluding fast-food and drive-in restaurant);
- (nn) Second-hand shop (excluding pawn shop);
- (oo) Shoe store;
- (pp) Shoe repair shop;
- (qq) Sporting goods and trophy shop;
- (rr) Tailor and alteration shop;
- (ss) Toy store;
- (tt) Variety and department store;
- (uu) Video rental and sales shop (excluding adult establishments);
- (vv) Shopping centers, Class A provided the shopping center does not exceed 10,000 square feet in gross floor area and no single store within the shopping center shall exceed 5,000 square feet in gross floor area; and
- (ww) Office buildings containing a maximum gross floor area of 15,000 square feet or less.

(2) *Services.*

- (a) Art and photography studio (excluding adult establishments);
- (b) Automobile parking lot;
- (c) Automobile wash establishment (self-service);

- (d) Banks;
 - (e) Barber shop;
 - (f) Beauty shop;
 - (g) Bed and breakfast inn;
 - (h) Branch library;
 - (i) Churches;
 - (j) Commercial schools providing training in any of the arts, sciences, trades or professions, conducted entirely indoors, with up to 100 enrolled students;
 - (k) Community centers and publicly owned outdoor recreation facilities;
 - (l) Day care centers and small group day care centers;
 - (m) Essential services, Classes I and II;
 - (n) Exterminator service;
 - (o) Film processing shop;
 - (p) Finance company;
 - (q) Fitness and tanning salon and private nonprofit primarily indoor sports and fitness and similar recreation facilities (e.g., YMCA, YWCA, Boys Clubs, Girls Clubs, Optimist and the like);
 - (r) Interior decorating service;
 - (s) Laundromat;
 - (t) Library;
 - (u) Locksmith;
 - (v) Medical clinic;
 - (w) Office-business, professional and public;
 - (x) Opticians and optical services;
 - (y) Post office;
 - (z) Public safety station;
 - (aa) Recycling depository station where all deposited materials are stored indoors or in closed bins; and
 - (bb) Travel agency.
- (3) *Other uses.*

- (a) Customary home occupations in a nonconforming residential structure in accordance with § [153.045](#) of this chapter;
- (b) Accessory structures in accordance with § [153.057](#) of this chapter;
- (c) Signs in accordance with §§ [153.160](#) through [153.172](#) of this chapter; and
- (d) Off-street parking and loading in accordance with §§ [153.185](#) through [153.188](#) of this chapter.

(B) *Uses subject to prescribed standards.* The following uses are allowed upon the issuance of a zoning permit by the Zoning Administrator in accordance with §§ [153.255](#) through [153.259](#) of this chapter and subject to the associated below prescribed standards.

(d) Accessory apartments in commercial structures provided all building and fire codes are met, living quarters do not exceed 30% of the total square footage of the structure and occupancy is limited to employees of the business located in the commercial structure on the premises.

(C) *Yard requirements.*

- (a) Minimum lot size: none.
- (b) Minimum lot width: 70 feet (as measured at the required front setback).
- (c) Minimum front setback: 30 feet (as measured from the edge of the street right-of-way).
- (d) Minimum side setback: ten feet, except 20 feet shall be required on all corner lots and lots which abut a Residential (R) District.
- (e) Minimum rear setback: 20 feet.
- (f) Maximum building height: 40 feet, except as permitted in § [153.054](#) of this chapter.

(D) *Screening and landscaping.*

(1) Screening, when required by § [153.046](#)(A) of this chapter, shall be installed pursuant to § [153.046](#) of this chapter.

(2) Where applicable, landscaping shall be provided in accordance with § [153.047](#) of this chapter.

(Prior UDO, § 7.8) (Ord. ZTA-2-2010, passed 6-3-2010; Ord. ZTA-2-2011, passed 7-11-2011; Ord. ZTA-4-2016, passed 7-7-2016; Ord. passed - -) Penalty, see § [153.999](#)

General Business (GB) District

§ 153.115 G-B GENERAL BUSINESS DISTRICT.

(A) *Permitted uses.* The following uses are permitted by right.

(1) *Retail uses.*

- (a) Antique store;
- (b) Appliance and appliance repair store;
- (c) Arts and crafts store;
- (d) Automobile and boat supply stores;
- (e) Automobile, truck, and motorcycle sales and adjoined service/repair;
- (f) Automobile service station;
- (g) Bakeries (retail);
- (h) Beauty supply stores;
- (i) Bicycle stores;
- (j) Boat sales lot;
- (k) Book and stationery store, cards, gift wrap and box sales (excluding adult establishments);
- (l) Building materials store (with no outdoor storage);
- (m) Camera shop;
- (n) Camper and recreational vehicle sales;
- (o) Catalogue sales store;
- (p) Clock shop;
- (q) Clothing store/department store;
- (r) Computer service store;
- (s) Convenience store;
- (t) Copy and offset printing shop;
- (u) Curtain and drape and other window treatments store;
- (v) Delicatessen;
- (w) Dressmaking shop;
- (x) Drugstore;
- (y) Dry cleaning plant;
- (z) Dry cleaning stores (pickup and delivery);

- (aa) Dry goods shop;
- (bb) Electric, plumbing, heating, ventilating and air conditioning supplies and equipment sales and service;
- (cc) Electronics sales;
- (dd) Farm equipment sales and repair;
- (ee) Feed and seed store;
- (ff) Florist and gift shop;
- (gg) Floor covering, lighting, wallpaper, paint and window covering stores;
- (hh) Food catering service;
- (ii) Food store, grocery store, supermarket;
- (jj) Formal wear sales and rentals;
- (kk) Furniture, rugs, and other home furnishings store;
- (ll) Furrier;
- (mm) Garden center, commercial greenhouses and horticultural nurseries;
- (nn) Hardware store (no outdoor storage);
- (oo) Hobby shop;
- (pp) Home improvements store (no outdoor storage);
- (qq) Household goods shop;
- (rr) Jewelry and jewelry shop;
- (ss) Key shop;
- (tt) Linen shop;
- (uu) Publicly operated alcohol beverage central (ABC) store;
- (vv) Luggage and leather goods store;
- (ww) Medical supply sales and retail;
- (xx) Manufactured home sales and service;
- (yy) Music, record, instruments, and sound and hi-fidelity store (sales and service);
- (zz) Notion and fabric shop;
- (aaa) Office supplies, stationery and office equipment shop;
- (bbb) Pawn shop;

- (ccc) Pet store;
- (ddd) Postal store;
- (eee) Restaurant;
- (fff) Restaurant, fast-food;
- (ggg) Second-hand shop;
- (hhh) Shoe store;
- (iii) Shoe repair shop;
- (jji) Sporting goods and trophy shop;
- (kkk) Tailor and alteration shop;
- (lll) Toy stores;
- (mmm) Upholstery, cabinet and woodworking shop;
- (nnn) Variety and department store;
- (ooo) Video rental and sales shop (excluding adult establishments); and
- (ppp) Shopping centers, Class A and B.

(2) *Services.*

- (a) Art and photography studio (excluding adult establishments);
- (b) Animal hospitals;
- (c) Auction houses, indoors only (excluding livestock auctions);
- (d) Assembly hall, coliseum, ballroom and the like;
- (e) Automobile body shop;
- (f) Automobile garage, repair and service;
- (g) Automobile parking lot;
- (h) Automobile wash establishment (self-service, full service or automatic);
- (i) Bait and tackle shops;
- (j) Banks;
- (k) Barber shop;
- (l) Beauty shop;
- (m) Bowling alley, indoor skating rink and baseball batting range;
- (n) Broadcast studios but not transmission towers (see essential services Class

III);

- (o) Churches;
- (p) Publicly operated and/or commercial schools, providing training in any of the arts, sciences, trades or professions;
- (q) Community centers;
- (r) Day care centers;
- (s) Electric, plumbing, heating and air conditioning services and contractors and building contractors with outdoor storage of materials;
- (t) Essential services, Classes I and II;
- (u) Exterminator service;
- (v) Film processing service;
- (w) Finance company;
- (x) Financial institutions;
- (y) Private for profit fitness and tanning center and public or nonprofit sports, fitness and related recreation and education facilities (e.g., YMCA, YWCA, Boys and Girls Clubs);
- (z) Fraternal and civic clubs (excluding adult establishments);
- (aa) Funeral home;
- (bb) Golf courses (all types and miniature and/or driving range);
- (cc) Government facilities (excluding jails, prisons and similar penal institutions);
- (dd) Hotel, inn or motel;
- (ee) Interior decorator shop;
- (ff) Laundromat;
- (gg) Library;
- (hh) Locksmith;
- (ii) Medical clinics;
- (jj) Mini-warehouse;
- (kk) Motel;
- (ll) Museums;
- (mm) Newspaper printing and other publishing;
- (nn) Offices-business, professional and medical and public;
- (oo) Opticians and optical services;

- (pp) Pawn shops;
- (qq) Photo processing center;
- (rr) Photocopying and offset printing services;
- (ss) Post office;
- (tt) Public safety station;
- (uu) Recording studios;
- (vv) Recycling depository;
- (ww) Rental centers (party, medical, personal, furnishings and household items; tools and mechanized equipment; and construction and cleaning equipment, trucks, vans and moving equipment, autos and related vehicles);
- (xx) Sign shop/sign painting;
- (yy) Skating rink; indoor/outdoor; and
- (zz) Theaters, auditoriums and cultural arts facilities for the exhibition, education, and performance of cultural arts (excluding adult establishments).

(B) *Uses subject to prescribed standards.* The following uses are allowed upon the issuance of a zoning permit by the Zoning Administrator in accordance with §§ [153.255](#) through [153.259](#) of this chapter and subject to the associated below prescribed standards.

(1) *Retail uses.*

(a) Express fuel/mini-mart provided the site is located a minimum of 100 feet from any residential use, vehicular access is not provided by a local residential road and the use is screened from any abutting property located in a residential district in accordance with § [153.046](#);

(b) Shopping centers, Class C provided the site is located a minimum of 100 feet from any residential use, vehicular access is not provided by a local residential road and the use is screened from any abutting property located in a residential district in accordance with § [153.046](#);

(2) *Service uses.*

(a) Office buildings containing over 50,000 square feet of gross floor area provided that primary vehicular access is not provided by a local residential road and the use is screened from any abutting property located in a residential district in accordance with § [153.046](#);

(b) Machining of metals shop (machine shop) not exceeding 10,000 square feet of gross floor area with no outdoor storage and with all activities conducted indoors, provided that primary vehicular access is not provided by a local residential road and the use is screened from any abutting property located in a residential district in accordance with § [153.046](#);

(c) Postal and parcel service processing facility provided that primary vehicular access is not provided by a local residential road and the use is screened from any abutting property located in a residential district in accordance with § [153.046](#);

(k) Tavern provided the site is located a minimum of 100 feet from any residential use, vehicular access is not provided by a local residential road and the use is screened from any abutting property located in a residential district in accordance with § [153.046](#).

(3) *Other.* Accessory apartments in commercial structures provided all building and fire codes are met, living quarters do not exceed 30% of the total square footage of the structure and occupancy is limited to employees of the business located in the commercial structure on the premises.

(C) *Yard requirements.*

(1) Minimum lot size: none.

(2) Minimum lot width: 70 feet (as measured at the required front setback).

(3) Minimum front setback: 40 feet (as measured from the edge of the street right-of-way line).

(4) Minimum side setback: ten feet, except 20 feet shall be required on all corner lots and lots whose side yard abuts any Residential (R) District.

(5) Minimum rear setback: 20 feet, except 30 feet shall be required on all lots whose rear yard abuts any Residential (R) District.

(6) Maximum building height: 50 feet, except as permitted in § [153.054](#) of this chapter.

(D) *Screening and landscaping.*

(1) Screening when required by § [153.046](#)(A) of this chapter, shall be installed pursuant to § [153.046](#) of this chapter.

(2) Where applicable, landscaping shall be provided in accordance with § [153.047](#) of this chapter.

(Prior UDO, § 7.10) (Ord. ZTA-2-2011, passed 7-11-2011; Ord. ZTA-4-2016, passed 7-7-2016; Ord. passed - -) Penalty, see § [153.999](#)

Editor's note:

Any retail use in excess of 85,000 square feet is subject to § [153.129](#).

MOTIONS FOR PUBLIC HEARING

For approval of request:

- Motion to approve request for rezoning.
- Motion to approve statement of consistency for approval of request.
- Motion to approve amendment of land use plan to show the property in the General Business Planning Area.

For denial of request:

- Motion to deny request for rezoning.
- Motion to approve statement of consistency for denial of request.

ITEM #

2c

CZ-10-2022

Rezoning Application

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

SUBJECT: CZ-10-2021 Application from Prestige Acquisitions, LLC requesting the conditional rezoning of approximately 24 acres from R-25 to PRD to allow 65 single family homes.

DATE: March 3, 2022

NOTE:

This application was tabled at the December 2021 hearing to allow the applicant additional time to amend its request.

Since that time, the applicant has held a community meeting and modified the conditional zoning site plan to include the following changes:

- The total number of dwelling units has been reduced from 100 to 65.
- The original plan included 51 single family lots and 49 townhomes. The revised plan includes 65 single family lots and all of the townhomes have been eliminated.
- The single family lots have been modified as follows:
 - Minimum lot size has increased from 5,000 square feet to 6,000 square feet.
 - Minimum lot width has been increased from 40 feet to 50 feet.
- The overall density has been reduced from 4.17 dwelling units per acre to 2.71 dwelling units per acre.
- The total amount of common open space has been maintained at 4.8 acres.

The following chart summarizes the differences between the originally submitted site plan and the revised site plan.

	Original Site Plan	Revised Site Plan
Permitted Uses	Single Family Homes Townhomes	Single Family Homes
Total Number of Units	100	65
Townhomes	49	0
Single Family Homes	51	65
Minimum Lot Size	5,000 sf	6,000 sf
Minimum Lot Width	40 ft	50 ft
Front Setback	20 ft	20 ft
Side Yard	5 ft	5 ft
Rear Yard	10 ft	10 ft
Common Open Space	4.8 ac	4.8 ac
Overall Density	4.17	2.71

SITE AND AREA DESCRIPTION

The applicant is requesting a conditional rezoning from R-25 to the Planned Residential District (PRD) for the purpose of developing a community of single family detached housing with 65 lots.

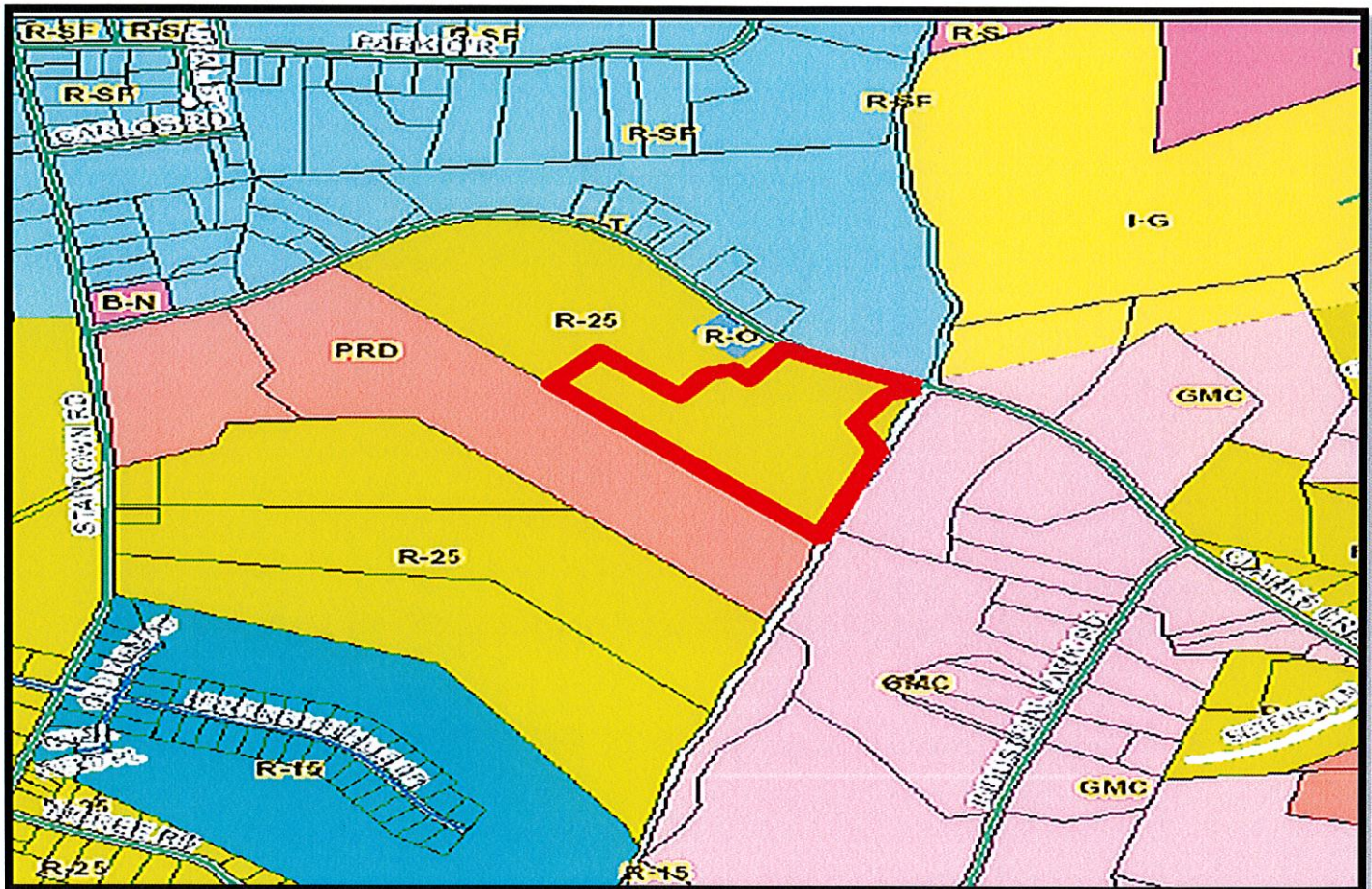
The subject property is a portion of property owned by New Vision Ministries located at 621 Clarks Creek Road (portion of Parcel ID 15614). The portion requested for rezoning is located on the south side of Clark Creek Road adjacent to Clarks Creek and running approximately 800 feet to the west.

The property is vacant.

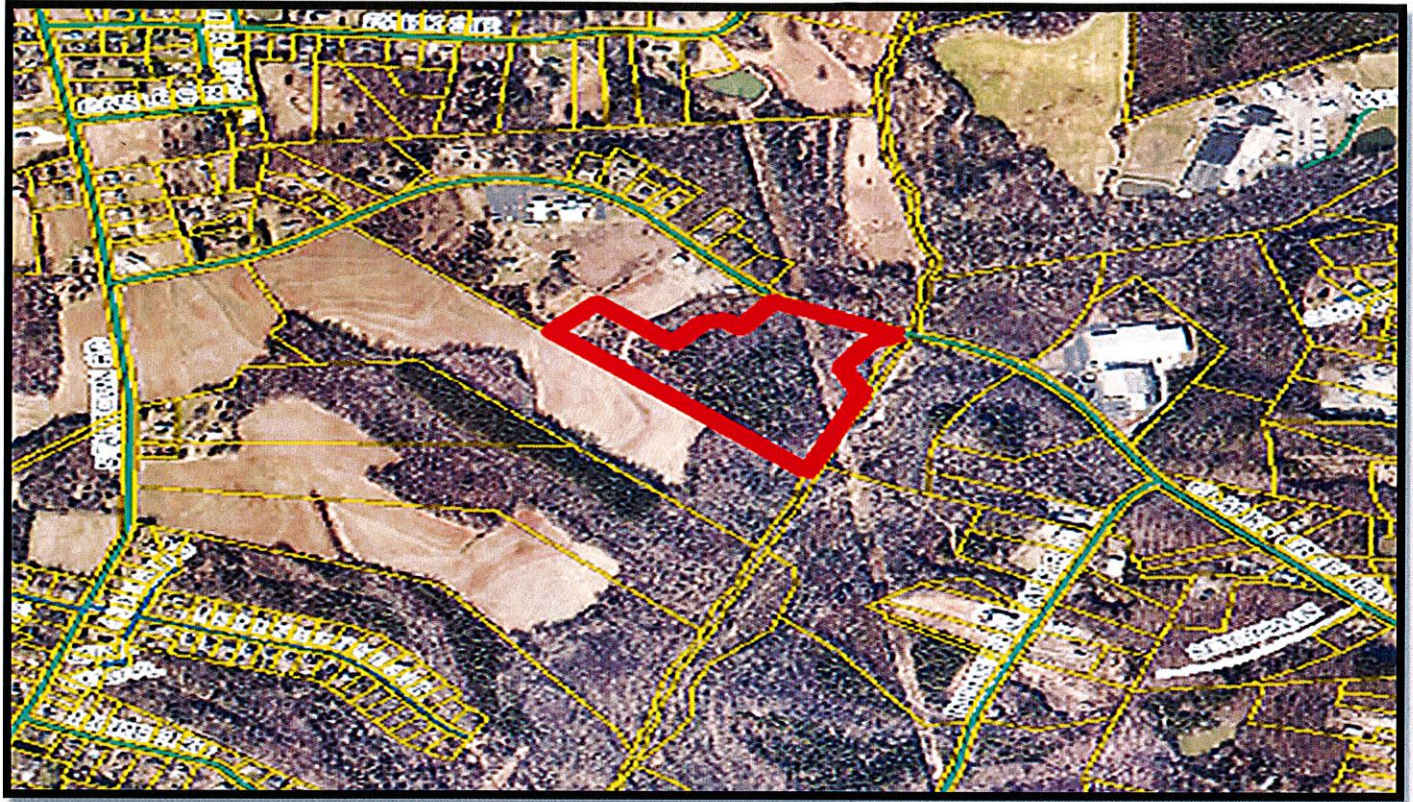
The site is located outside of the city limits but within the ETJ.

Adjacent properties include New Vision Ministries, single family homes and vacant properties.

CURRENT ZONING MAP



AERIAL VIEW

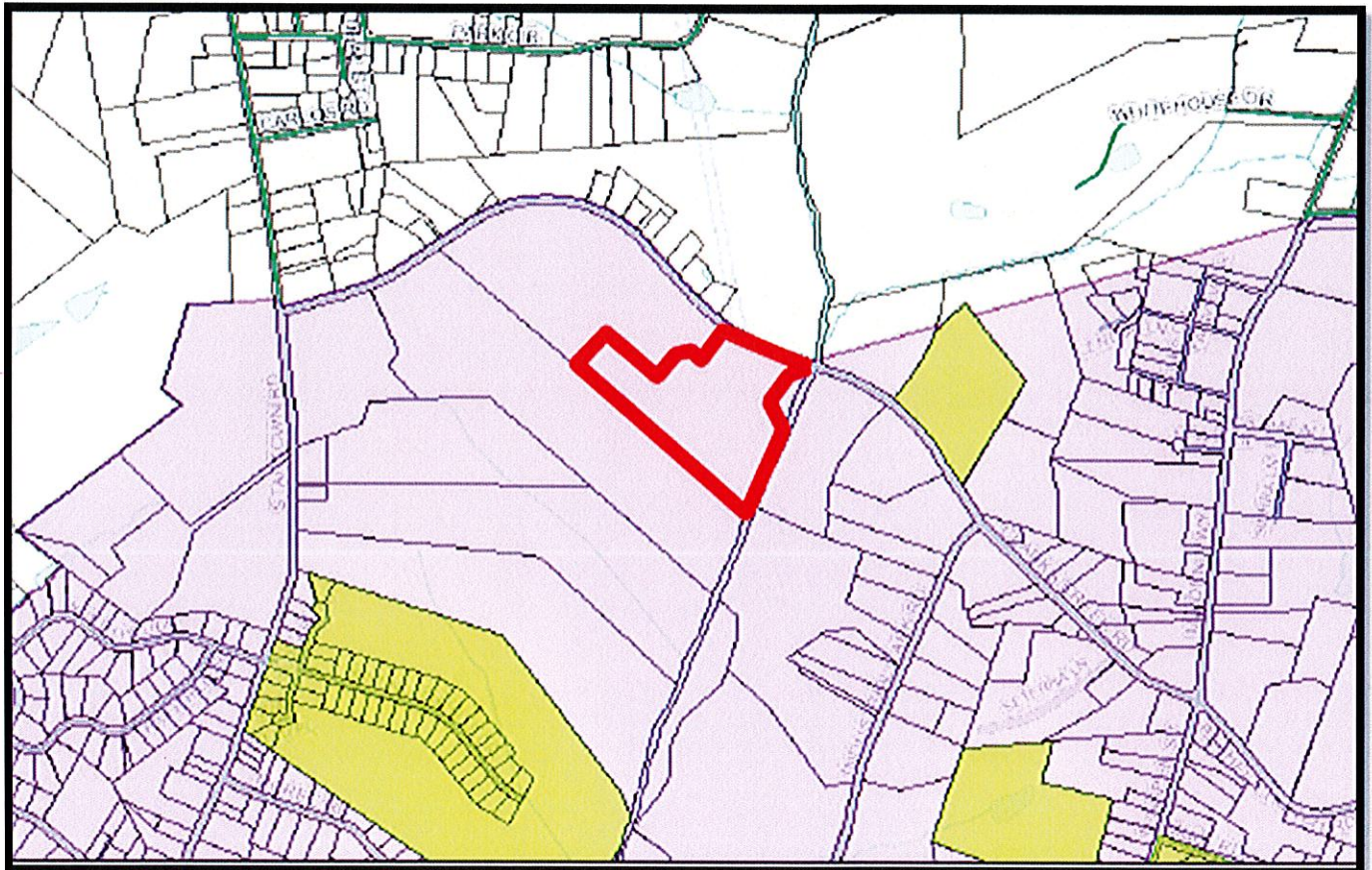


STREET VIEWS





CITY LIMITS/ETJ



PROJECT DETAILS

- The project is a proposed expansion of the recently approved Clark Creek Landing development.
- The proposed expansion site includes 24 acres.
- The site plan allows up to 65 single family lots with an overall density of approximately 2.71 units per acre.
- The site plan provides 4.8 acres (20 percent) for common open space.
- Access will be provided by one public street connection to Startown Road.
- Sidewalks will be located on both sides of all streets within the site.
- Building height will not exceed 45 feet.
- The single family lots will be 50 feet x 120 feet.
- The plan outlines the below additional minimum lot standards:

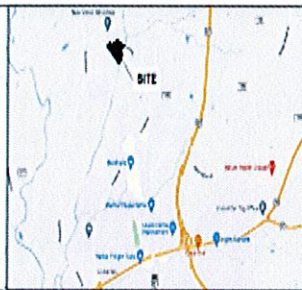
Minimum Lot Standards (Single Family Detached):

- Minimum Lot Width: 50'
- Minimum Lot Area: 6,000 S.F.
- Setbacks:
 - *Front: 20' from ROW
 - *Side: 5'
 - *Rear: 10'
- Max Building Height: 3 Stories
- Minimum Parking Provided: 2 Spaces per Unit (2 Spaces Provided in Driveway)

The revised site plan submitted by the applicant is below

CLARK CREEK LANDING 2 REZONING PLAN

Located In: Lincoln, North Carolina



Vicinity Map
Not To Scale

Development Data:

Site Name:	Clark Creek Landing 2
Site Size (Acres):	1.24 Acres (per 100 and 1000 sq ft)
Location:	Lincoln, NC
Proposed Use:	Single Family Residential
 zoning:	R-10
 zoning:	NC
Site Proposed Use:	Up to 10 Units (10 x 100)
Proposed Density:	Up to 270 Units per Acre (270 U/A)
Common Open Space:	1.0% (100 sq ft)
Minimum Lot Size (Single Family Detached):	
Minimum Lot Area:	1,000 sq ft
Minimum Lot Width:	20 feet
Minimum Lot Depth:	10 feet
Setback Requirements:	5 feet (Front), 5 feet (Side), 5 feet (Rear)

- Clark Creek Landing 2 - Development Data:**
1. THE DEVELOPMENT DATA FOR THE CLARK CREEK LANDING 2 PROJECT IS BASED ON THE INFORMATION PROVIDED BY THE APPLICANT AND THE INFORMATION AVAILABLE TO THE APPLICANT AT THE TIME OF THE APPLICATION. THE APPLICANT IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED AND THE APPLICANT'S REPRESENTATION OF THE INFORMATION PROVIDED IS BASED ON THE INFORMATION PROVIDED BY THE APPLICANT AND THE INFORMATION AVAILABLE TO THE APPLICANT AT THE TIME OF THE APPLICATION.
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REZONING PETITION

CLARK CREEK LANDING 2 LOCATION

REVISIONS

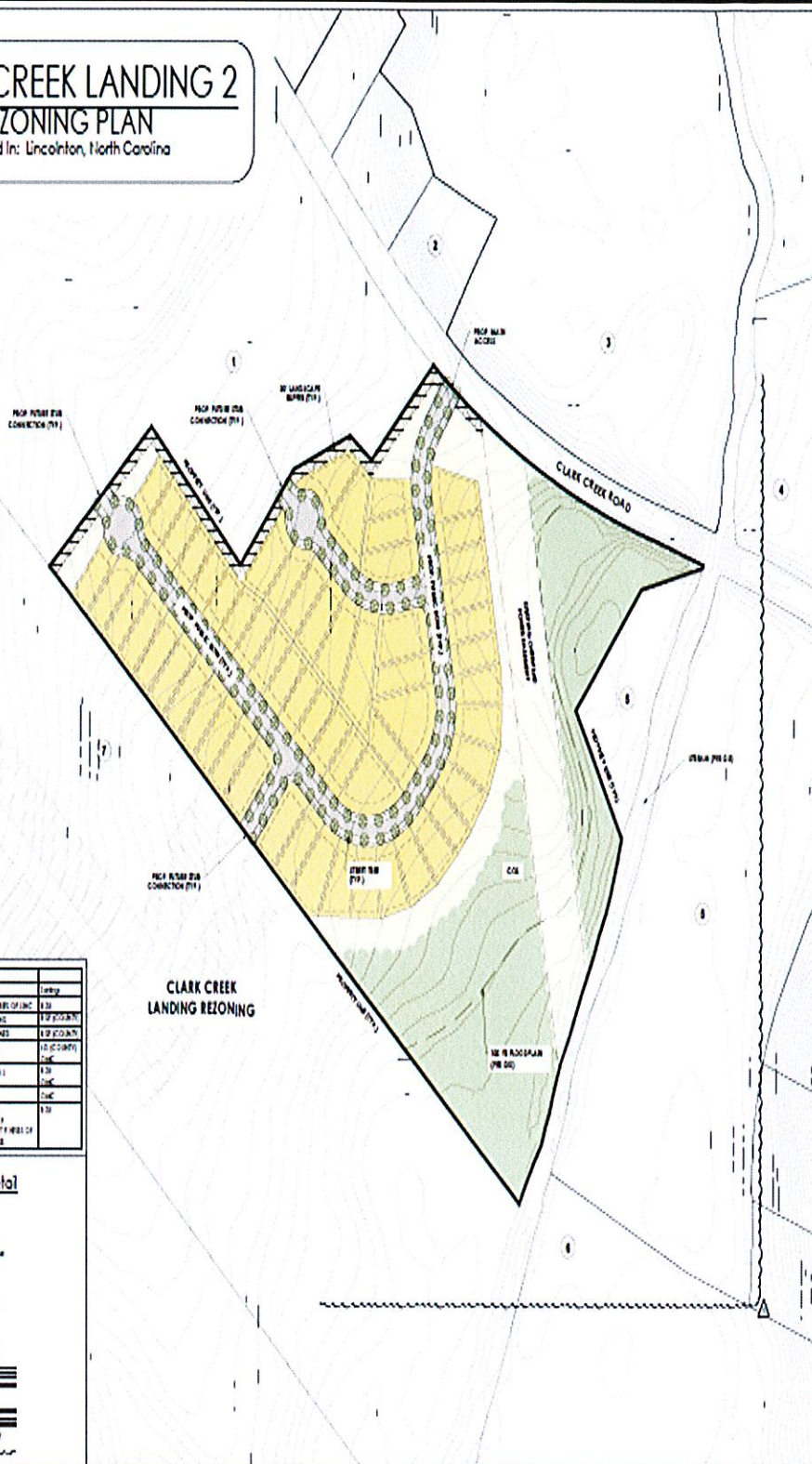
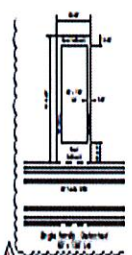
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2	REVISION 2	
3	REVISION 3	
4	REVISION 4	
5	REVISION 5	
6	REVISION 6	
7	REVISION 7	
8	REVISION 8	
9	REVISION 9	
10	REVISION 10	



REZONING PLAN

Subject	Code	Category
1. SINGLE-FAMILY DETACHED	R-10	Single-Family Detached
2. SINGLE-FAMILY DETACHED	R-10	Single-Family Detached
3. SINGLE-FAMILY DETACHED	R-10	Single-Family Detached
4. SINGLE-FAMILY DETACHED	R-10	Single-Family Detached
5. SINGLE-FAMILY DETACHED	R-10	Single-Family Detached
6. SINGLE-FAMILY DETACHED	R-10	Single-Family Detached
7. SINGLE-FAMILY DETACHED	R-10	Single-Family Detached

Typical Lot Detail
Not To Scale



CLARK CREEK LANDING 2 - DEVELOPMENT STANDARDS

I. GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE CONDITIONAL REZONING SITE PLAN ASSOCIATED WITH THE CONDITIONAL REZONING PETITION. THE PETITION FILED BY PRESTIGE ACQUISITIONS, LLC (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 24-ACRE SITE LOCATED WITH FRONTAGE ALONG CLARK CREEK ROAD, DEPICTED ON THE CONDITIONAL REZONING SITE PLAN (THE "SITE"). THE SITE IS FURTHER DESCRIBED AS A PORTION OF TAX PARCEL NUMBER 3624984736.
2. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE CONDITIONAL REZONING SITE PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE LINCOLN COUNTY UNIFIED DEVELOPMENT ORDINANCE - UDO. (THE "ORDINANCE").
3. BASE INFORMATION PROVIDED BY LINCOLN COUNTY GIS DATA.

II. TRAFFIC/TRANSPORTATION

1. VEHICULAR ACCESS TO THE PROPERTY SHALL BE AS GENERALLY DEPICTED ON THE CONDITIONAL REZONING SITE PLAN. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINTS SHOWN ON THE CONDITIONAL REZONING SITE PLAN ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS ALONG WITH ANY ADJUSTMENTS REQUIRED BY THE CITY AND/OR NCDOT FOR APPROVAL.
2. AS DEPICTED ON THE CONDITIONAL REZONING SITE PLAN, THE SITE SHALL BE SERVED BY INTERNAL PUBLIC STREETS. MINOR ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PUBLIC STREETS SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
3. THE PETITIONER SHALL CONSTRUCT INTERNAL PUBLIC STREETS TO MEET CITY PUBLIC ROADWAY STANDARDS.

III. STREETScape / LIGHTING / LANDSCAPING / UTILITIES

1. STREET LIGHTING, STREET SIGNAGE AND MAIL KIOSKS WITHIN THE PROPOSED DEVELOPMENT SHALL ADHERE TO CITY REQUIREMENTS. RECOMMENDED SCAULING OF STREET LIGHTS IS SUBJECT TO APPROVAL OF THE UTILITIES & ENGINEERING DEPARTMENT. THE DEVELOPER SHALL BECOME RESPONSIBLE FOR MONTHLY COSTS ONCE THE PUBLIC ROADWAYS ARE ACCEPTED FOR MAINTENANCE.
2. LANDSCAPING TO MEET OR EXCEED ALL REQUIREMENTS.
3. WATER AND SEWER CONNECTIONS TO BE COORDINATED WITH CITY UTILITIES & ENGINEERING DEPARTMENT.
4. SIDEWALK AND UTILITY PLACEMENT SHALL BE IN ACCORDANCE WITH THE CITY'S STANDARD SPECIFICATIONS AND DETAILS.

IV. ARCHITECTURE

1. WHERE PRACTICAL, BUILDINGS SHALL BE ORIENTED TOWARDS THE INTERNAL STREET SYSTEM TO REINFORCE THE STREETScape.
3. BUILDING HEIGHT SHALL NOT EXCEED 45'.
4. ACCESSORY STRUCTURES SHALL BE CONSISTENT WITH THE PRINCIPAL BUILDING IN MATERIAL, TEXTURE, AND COLOR.

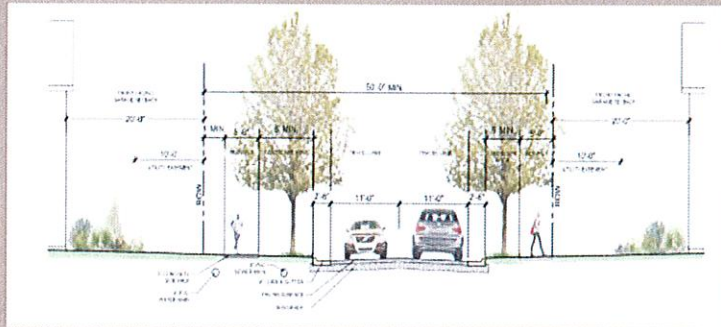
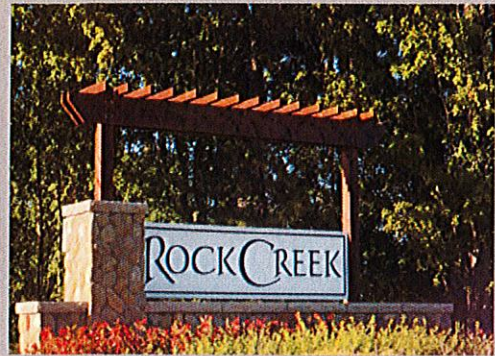
V. AMENDMENTS TO REZONING PLAN

1. FUTURE AMENDMENTS TO THE CONDITIONAL REZONING SITE PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF A PARTICULAR TRACT WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS IN THE ORDINANCE.

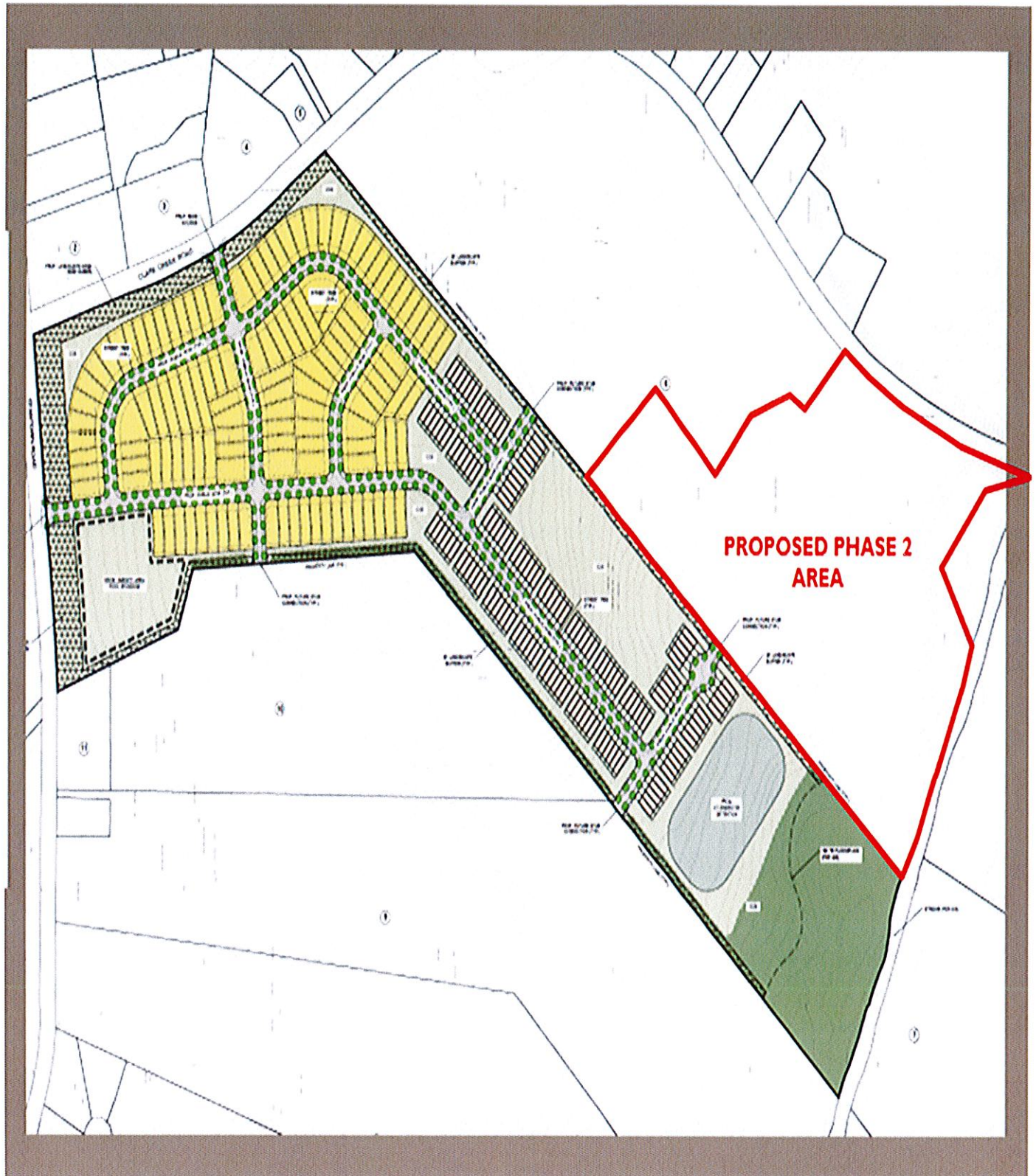
VI. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

1. IF THIS CONDITIONAL REZONING PETITION IS APPROVED, CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE CONDITIONAL REZONING SITE PLAN AND THESE DEVELOPMENT STANDARDS SHALL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
2. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

COMMUNITY FEATURES



SITE PLAN FOR PREVIOUSLY APPROVED
CLARK CREEK LANDING PHASE I
IN RELATIONSHIP TO PROPOSED PHASE 2



EXISTING AND PROPOSED ZONING

The below chart outlines several of the minimum standards for the existing R-25 zoning district in comparison to the proposed conditional zoning district.

Zoning District	Existing R-25	Proposed PRD
Permitted Uses	Single Family Homes Duplexes Manufactured Homes	Single Family Homes
Total Number of Lots Permitted	52	65
Minimum Lot Size	20,000 sf	6,000 sf
Minimum Lot Width	100 ft	50 ft
Front Setback	40 ft	20 ft
Side Yard	10 ft	5 ft
Rear Yard	40 ft	10 ft
Required Open Space	2 ac	4.8 ac
Overall Density	2.17	2.71

LAND USE PLAN

The Land Use Plan shows the property in the Institutional /Office planning area recognizing the church's ownership. The Plan notes these planning areas are appropriate for new and/or expanded institutional uses and associated office developments.

The Land Use Plan also includes the following recommendations:

- Future residential development should be located in areas where City infrastructure and services can be economically provided.
- Promote home ownership throughout the City's planning jurisdiction by providing a mix of housing choices and lot sizes to promote affordability.
- Promote innovative zoning to accommodate home ownership.
- Ensure that residential development promotes pedestrian and bicycle use.
- Provide for sidewalks within and on the outside boundaries of new residential developments.

The proposed development is not consistent with the land use plan's Institutional / Office designation. However, the proposed development is consistent with the Land Use Plan in the following ways:

- It proposes residential development in an area with access to city utilities with available capacity.
- Additional home ownership opportunities are provided.
- Additional lot sizes are provided.

CONDITIONAL ZONING

Because this is a proposed rezoning to a conditional zoning district, if the request is approved, the property could only be used for the specified use in accordance with the approved site plan. Any major modification or change in use would require approval by the City Council through a public hearing process.

STAFF REVIEW COMMITTEE

The Staff Review Committee had the following comments:

1. Prior to final approval, an engineered plan meeting all requirements for planned residential development, major subdivision, and all UDO requirements must be submitted to and approved by staff.
2. A subdivision plat will have to be completed and approved dividing the 24 acres from the church property.
3. Sidewalks constructed to City of Lincolnton specifications must be constructed along the frontage of Clarks Creek Road and throughout the subdivision meeting all city sidewalk and subdivision requirements.
4. Required minimum unobstructed open space is fifty (50) percent of the site. This must be detailed on plan.

5. Detailed phasing of when units will be constructed must be shown on the plans.
6. Detailed water and sewer plans will need to be submitted and approved by the City prior to development.
7. The applicant will be responsible for making the utility tap.
8. City Fire Inspector will need to review and approve all plans prior to development. Hydrant locations will need to be determined, no more than 400 feet between hydrants, Appendix D of the Fire Code will need to be met.
9. The City is currently having a hydraulics study performed to determine water capacity. Approval of the proposed development is contingent upon the City's review of the hydraulics study and subsequent determination of available capacity.
10. Public Works recommends the developer extend the water line over to Clark Creek Road so that water is available in the event that water on Startown Road has to be cut off.
11. Detailed landscaping and screening plan will need to be provided.
12. NCDOT driveway permit required with the following offsite improvements:
 - Clarks Creek access point will require a 50 foot westbound left turn lane and eastbound right taper.
13. Street trees are subject to NCDOT's Guidelines For Planting Within Highway Right-of-Way (should not be larger than 4 inch diameter).
14. Erosion control plans must be submitted to and approved by Lincoln County Soil and Erosion prior to development. Wetland and stream surveys will need to be conducted. If this area exists and will be disturbed a 404 and 401 permit approval will need to be submitted with the original erosion control plan packet.
15. Building plans must be submitted to and approved by Lincoln County Inspections prior to development.
16. The HOA is responsible for ongoing maintenance of the detention ponds and will make any necessary repairs to the ponds to ensure their continued effectiveness. Ongoing maintenance is to be in accordance with NC DEQ Stormwater Standards. These standards include but are not limited to scheduled visual structure inspections and yearly inspection report to be submitted to the City of Lincoln for review and compliance with the standards.
17. In the event the site is annexed by the City, the City reserves the right to require the internal streets to be brought up to minimum standards prior to acceptance of the streets for maintenance. This includes but is not limited to repaving all or a portion of the street system prior to acceptance by the City.
18. Setbacks along Clark Creek Road are to be a minimum of 50 feet from the right of way.
19. Screening that meets minimum ordinance standards is to be provided in the 50 foot setback areas along Clark Creek Road and other areas required to be screened under the ordinance.
20. The HOA is responsible for ongoing maintenance of all required screening areas. Ongoing maintenance is to include replacement of any required vegetation that dies or is removed.
21. The HOA is responsible for ongoing maintenance of all street trees, landscaping and grass strips located within the street right-of-way. Ongoing maintenance is to include replacement of any street tree that dies or is removed.
22. The HOA is responsible for ongoing maintenance of all common open space areas including ongoing maintenance of all landscaping and grassed areas within the common

open space areas. Ongoing maintenance is to include replacement of landscaping that dies or is removed.

23. Building elevations need to include depictions of the sides and rears of buildings.
24. All sides of the buildings are to include materials and design characteristics consistent with those on the front. Large expanses of blank walls will not be permitted.
25. Building design is to be generally consistent with the quality, character and fenestration portrayed in the renderings. Minor variations from the renderings that do not detract from the quality, character and fenestration may be permitted.

PLANNING BOARD AND STAFF RECOMMENDATION

Planning Board and Staff view the request as appropriate for approval subject to the staff review committee comments being made conditions of approval and recommends the following actions:

- approval of the request for rezoning from R-25 to the Planned Residential District (PRD) subject to the staff review committee comments being made conditions of approval,
- approval of the statement of consistency for approval of the rezoning request, and
- the rezoning being effective upon receipt by the Zoning Administrator of written agreement from the applicant and property owner to abide by the conditions of approval.
- amendment of the Land Use Plan to show the properties in the Residential Suburban Planning Area.

Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for **APPROVAL of Application**

Case No. CZ-10-2021

Applicant: Prestige Acquisitions, LLC

Parcel ID#: Portion of Parcel ID 15614

Location: Clarks Creek Road

Request: Rezone from R-25 to PRD for the use of the property for Single Family Detached Housing

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Institutional / Office Planning Area.

The proposed rezoning request **is not consistent** with the area's Institutional / Office designation by the land use plan. However, the proposed development is consistent with the Land Use Plan in the following ways:

- It proposes residential development in an area with access to city utilities with available capacity.
- Additional home ownership opportunities are provided.
- Additional lot sizes are provided.

Therefore, **approval of the proposed amendment is reasonable and in the public interest.**

**Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for **DENIAL** of Application**

Case No. CZ-10-2021

Applicant: Prestige Acquisitions, LLC

Parcel ID#: Portion of Parcel ID 15614

Location: Clarks Creek Road

Request: Rezone from R-25 to PRD for the use of the property for Single Family Detached Housing

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Institutional / Office Planning Area.

The proposed rezoning request **is not consistent** with the area's Institutional / Office designation by the land use plan. Therefore, **denial of the proposed amendment is reasonable and in the public interest.**

MOTIONS FOR PUBLIC HEARING

For approval of request:

- Motion to approve as recommended by Planning Board.

For denial of request:

- Motion to deny request for rezoning.
- Motion to approve statement of consistency for denial of request.

REGULAR AGENDA

ITEM #

3

ITEM #

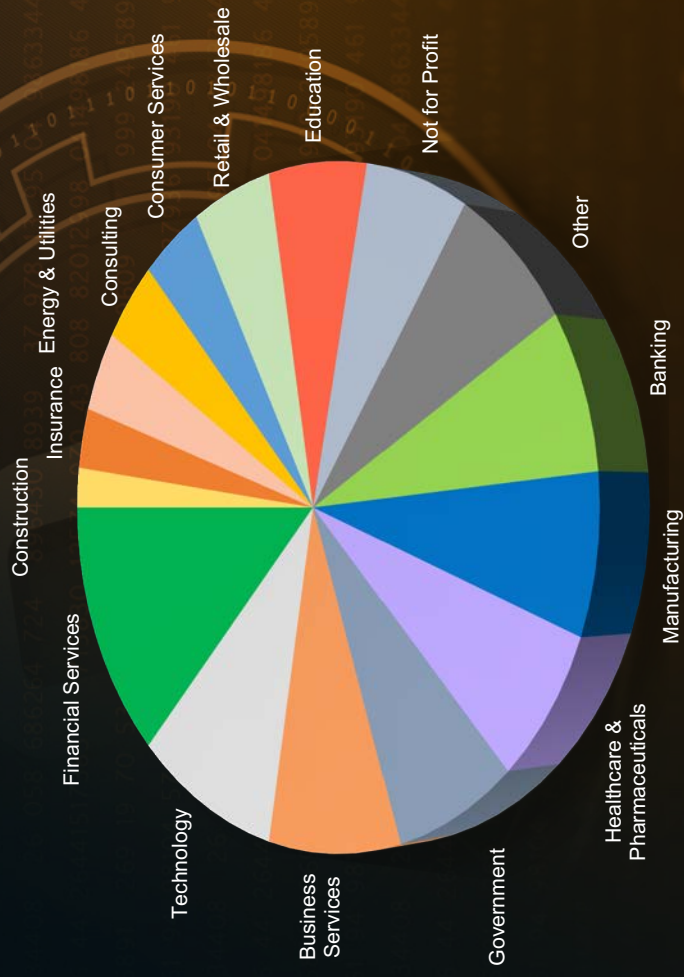
3a

Cyber Security
Training



KnowBe4 is the world's largest security awareness training and simulated phishing platform that helps you manage the ongoing problem of social engineering.

Over 39,000 Customers



About Us

- The world's largest integrated Security Awareness Training and Simulated Phishing platform
- Based in Tampa Bay, Florida, founded in 2010
- CEO & employees are ex-antivirus, IT Security pros
- We help tens of thousands of organizations manage the ongoing problem of social engineering
- Winner of five consecutive Inc. 500 awards



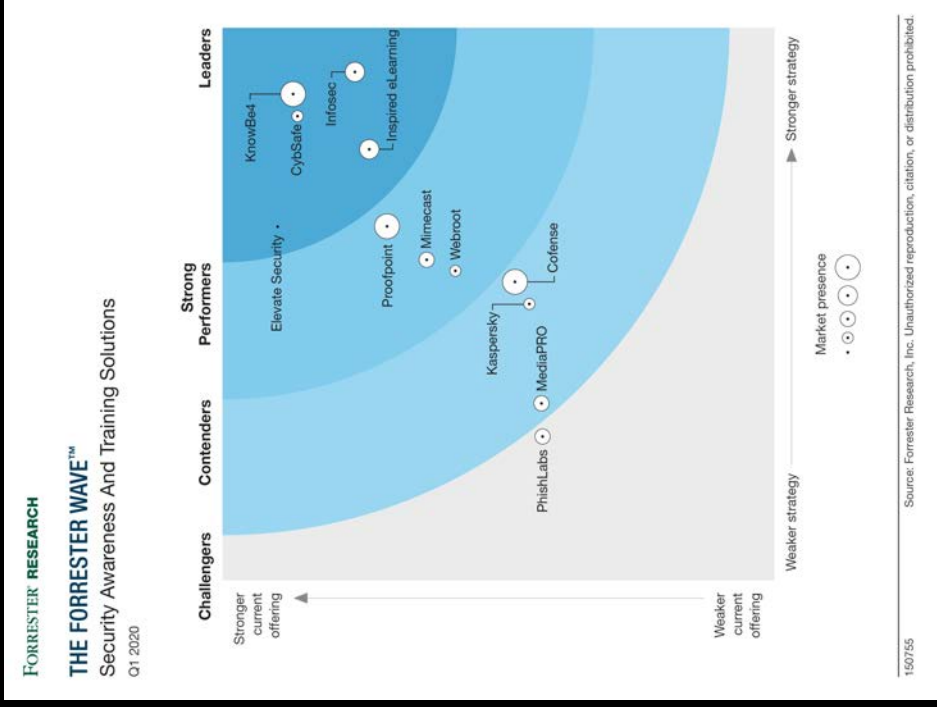
KnowBe4 Named a Leader in The Forrester Wave™: Security Awareness and Training Solutions, Q1 2020

KnowBe4 received the highest scores possible in 17 of the 23 evaluation criteria, including learner content and go-to-market approach.

Using a 23-criteria evaluation, the Forrester Wave ranks 12 vendors in the security awareness and training market based on their current offering, strategy, and market presence.

The Forrester Wave™: Security Awareness and Training Solutions, Q1 2020, Forrester Research, Inc., February 25, 2020

The Forrester Wave™ is copyrighted by Forrester Research, Inc. Forrester and Forrester Wave™ are trademarks of Forrester Research, Inc. The Forrester Wave™ is a graphical representation of Forrester's call on a market and is plotted using a detailed spreadsheet with exposed scores, weights, and comments. Forrester does not endorse any vendor, product, or service depicted in the Forrester Wave™. Information is based on best available resources. Opinions reflect judgment at the time and are subject to change.



People are a
critical layer
within the
fabric of our
Security
Programs



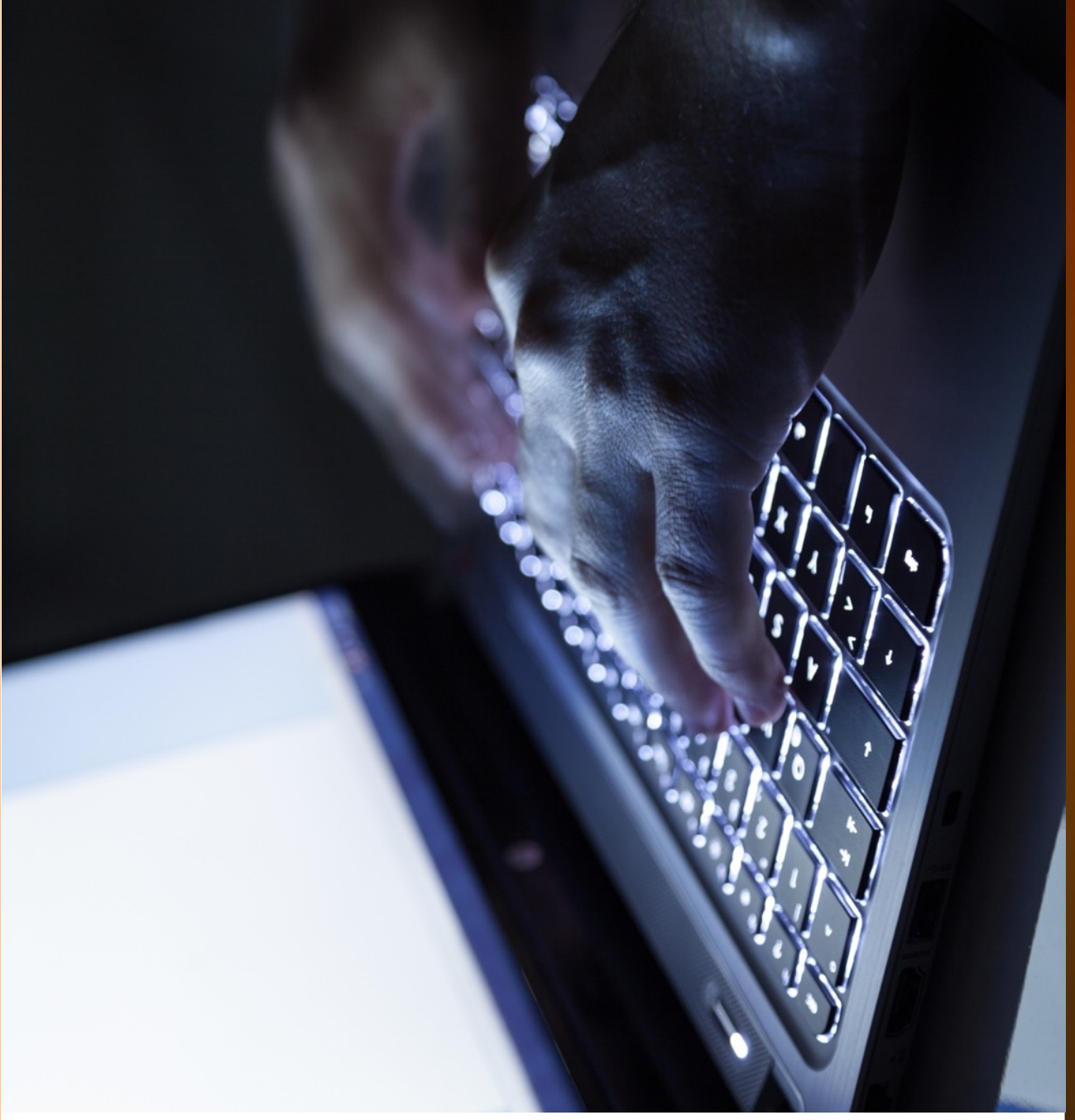
Customers Are Building a Modern Security Stack....



...That Starts With the Human

Your Employees Are Your Last Line Of Defense

- **91%** of successful data breaches started with a spear phishing attack
- Losses to **CEO Fraud** (aka Business Email Compromise) **increased by 48%** in Q2, 2020
- **W-2 Scams** social engineer Accounting/HR to send tax forms to the bad guys
- **Ransomware** damage costs predicted to reach \$20 billion by 2021



Humans Have Always Been the Weakest Link in Security

Rank of Select Threat Action Varieties in Breaches Over Time



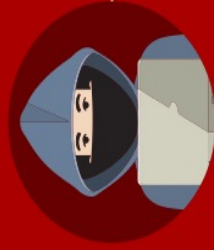
The human layer represents a **high value and probability target** at **low time and cost** to implement for attackers

Source: Verizon 2020 Data Breach Investigations Report

HOW CEO FRAUD IMPACTS YOU

THE START

Attackers see if they can spoof your domain and impersonate the CEO (or other important people)



Bad guys often troll companies for months to gather the data necessary in pulling off a successful attack

THE PHISH

Spoofed emails are sent to high-risk employees in the organization

● ● ● To: Finance Department
Urgent wire transfer request!
Please send \$100,000 to new acct #987654-3210

● ● ● To: CFO
Please pay this time-sensitive invoice. I'm on vacation and will be unavailable, no need to respond. - Your CEO

● ● ● To: Human Resources
I need a PDF copy of ALL employee W-2s for the IRS ASAP!

THE RESPONSE

Target receives email and acts without reflection or questioning the source

I better get this payment to the new account!

It's from the CEO, I'll take care of this for him!

Sounds important. I'll send these right away!

THE DAMAGE

Social engineering was successful, giving hackers access to what they were after

Causing fraudulent wire transfers and massive data breaches



Resulting damage:

- ✓ Money is gone forever in most cases and only recovered 4% of the time
- ✓ CEO is fired
- ✓ CFO is fired
- ✓ Lawsuits are filed
- ✓ Intangibles - tarnished reputation, loss of trust, etc.

So... Think Before You Click!

THE RESULT

The fallout after a successful attack can be highly damaging for both the company and its employees

How Can We Protect Our Organization?

- **Users are unaware of the internet dangers** and get tricked by social engineering to click on a malicious link in a (spear)phishing email or opening an email attachment they did not ask for.
- Employees have a false sense of security and believe their **anti-virus** has them covered. With the firehose of spam and malicious email that attack your network, **7-10% make it past your filters**.
- Surprisingly often, **backups** turn out not to work or it takes days to restore a system.
- Today, an essential, additional security layer is to have your employees be your **last line of defense**.

How Do You Manage the Ongoing Problem of Social Engineering?



Baseline Testing

We provide baseline testing to assess the Phish-Prone™ percentage of your users through a free simulated phishing attack.



Train Your Users

The world's largest library of security awareness training content; including interactive modules, videos, games, posters and newsletters. Automated training campaigns with scheduled reminder emails.



Phish Your Users

Best-in-class, fully automated simulated phishing attacks, thousands of templates with unlimited usage, and community phishing templates.



See the Results

Enterprise-strength reporting, showing stats and graphs for both security awareness training and phishing, ready for management. Show the great ROI!



Develop a Fully Mature Awareness Program

- **Awareness Training** on its own, typically once a year, is far from enough.
- **Simulated phishing tests** of groups of employees doesn't work on its own either.
- But **together**, done frequently, and reinforcing each other, they can be combined to greatly **increase effectiveness**.



Train Everyone

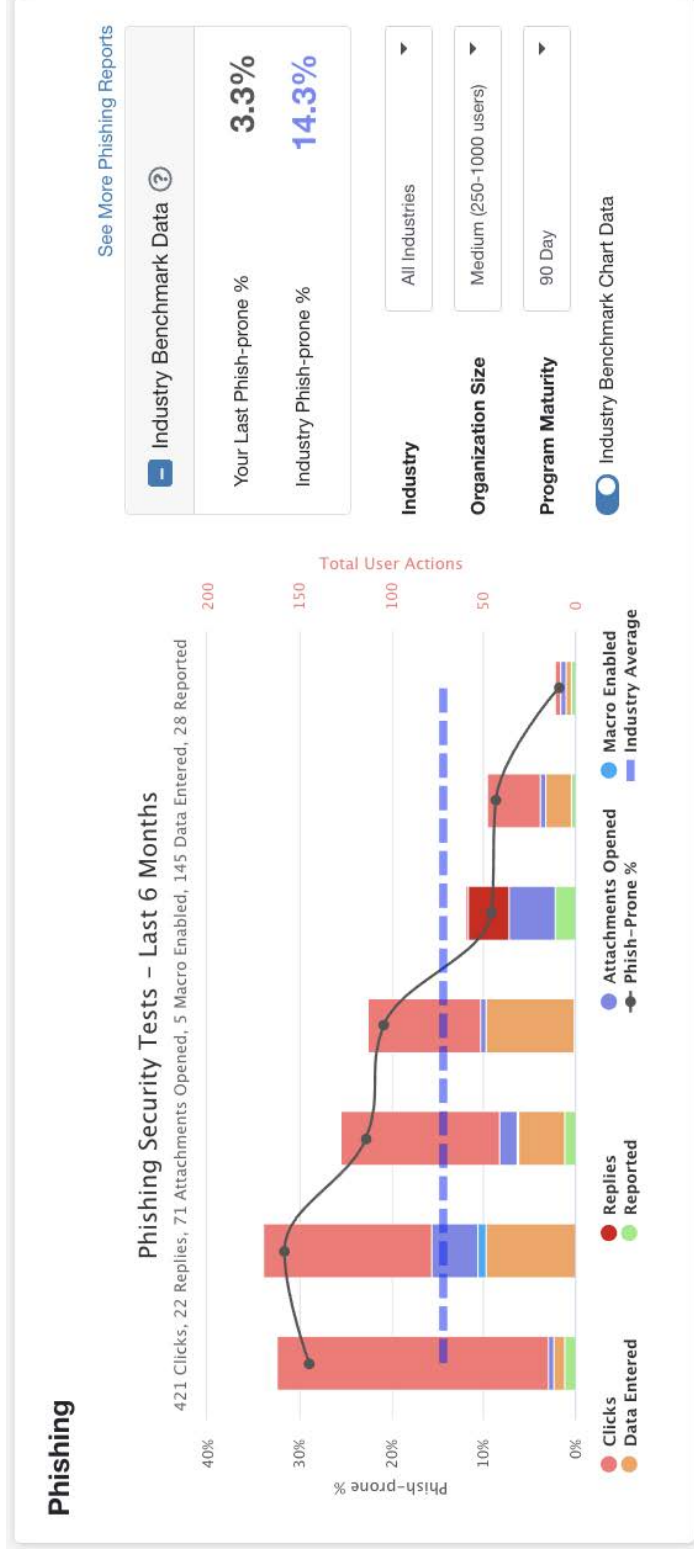
- In order to create a security culture and change the behavior of your employees, you have to **train everyone**, from the board room to the lunchroom, and include the training in the onboarding of every new employee.
- This should be **on-demand, interactive, engaging** and create a thorough understanding of how cybercriminals operate.
- Employees need to understand the mechanisms of:
 - Spam
 - Phishing
 - Spear phishing
 - Malware
 - Ransomware
 - Social engineering

And be able to apply this in their day-to-day job.



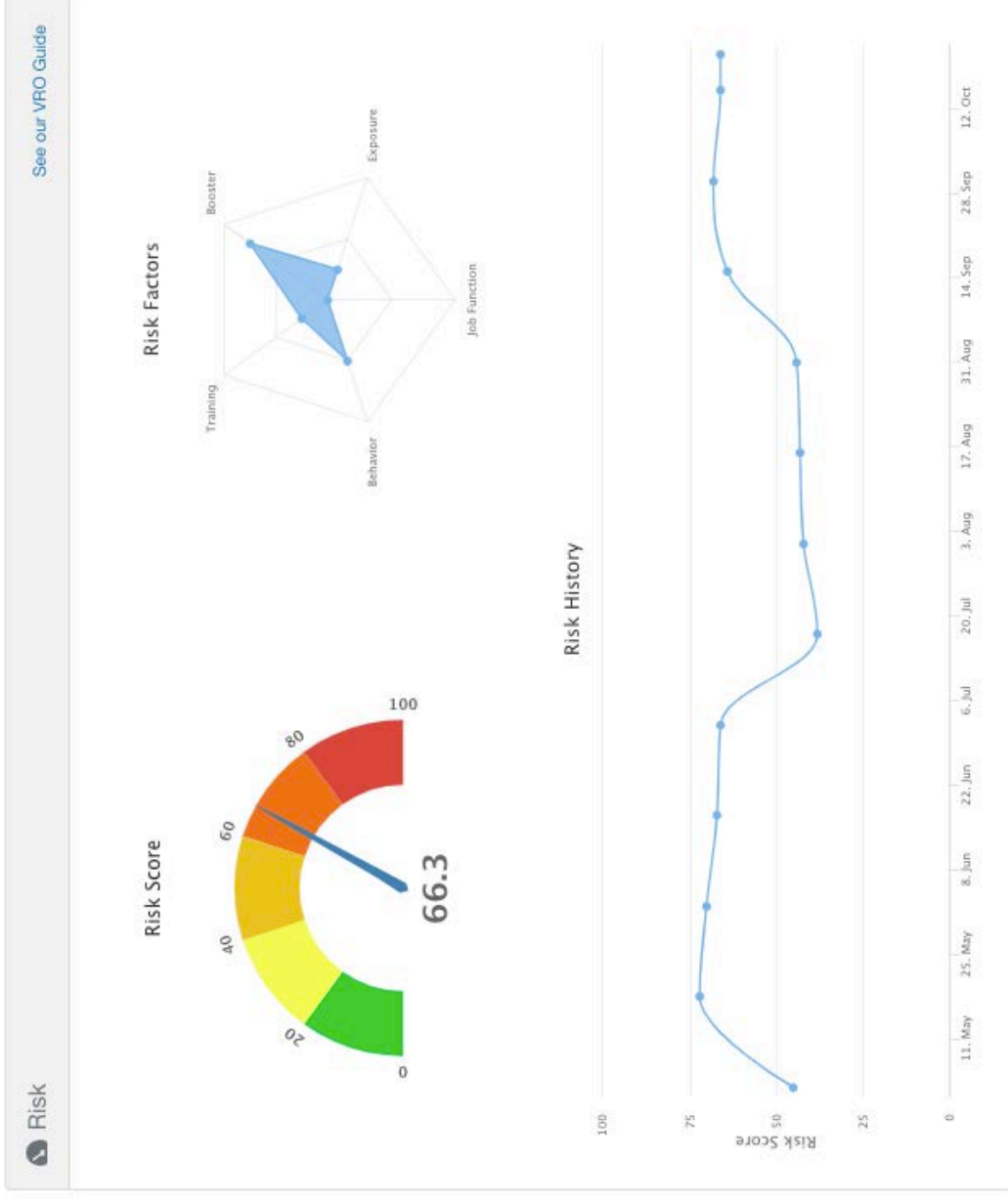
Baseline Phishing Test

- Security awareness training can be undermined due to difficulty in measuring its impact. “**You can’t manage what you don’t measure**”
- It is vital to **establish a baseline** on phishing click-through rates. This is easily accomplished by sending out a simulated phishing email to a random sample of personnel.
- You find out the number that are tricked into clicking. This is your baseline “**Phish-prone percentage**” that you use as the catalyst to kickoff your training campaign.



Virtual Risk Officer™

- **Identify risk** at the user, group, and organizational level to enable you to make data-driven decisions for your security awareness plan.
- With Virtual Risk Officer's **Risk Score**, answer questions like:
 - What users are the most vulnerable to a phishing attack?
 - What groups haven't had any training?
 - What types of phishing templates are my users most prone to clicking?
 - What are my highest-risk groups?
- Risk Score enables you to take action and **implement security awareness mitigation plans** for high-risk user groups



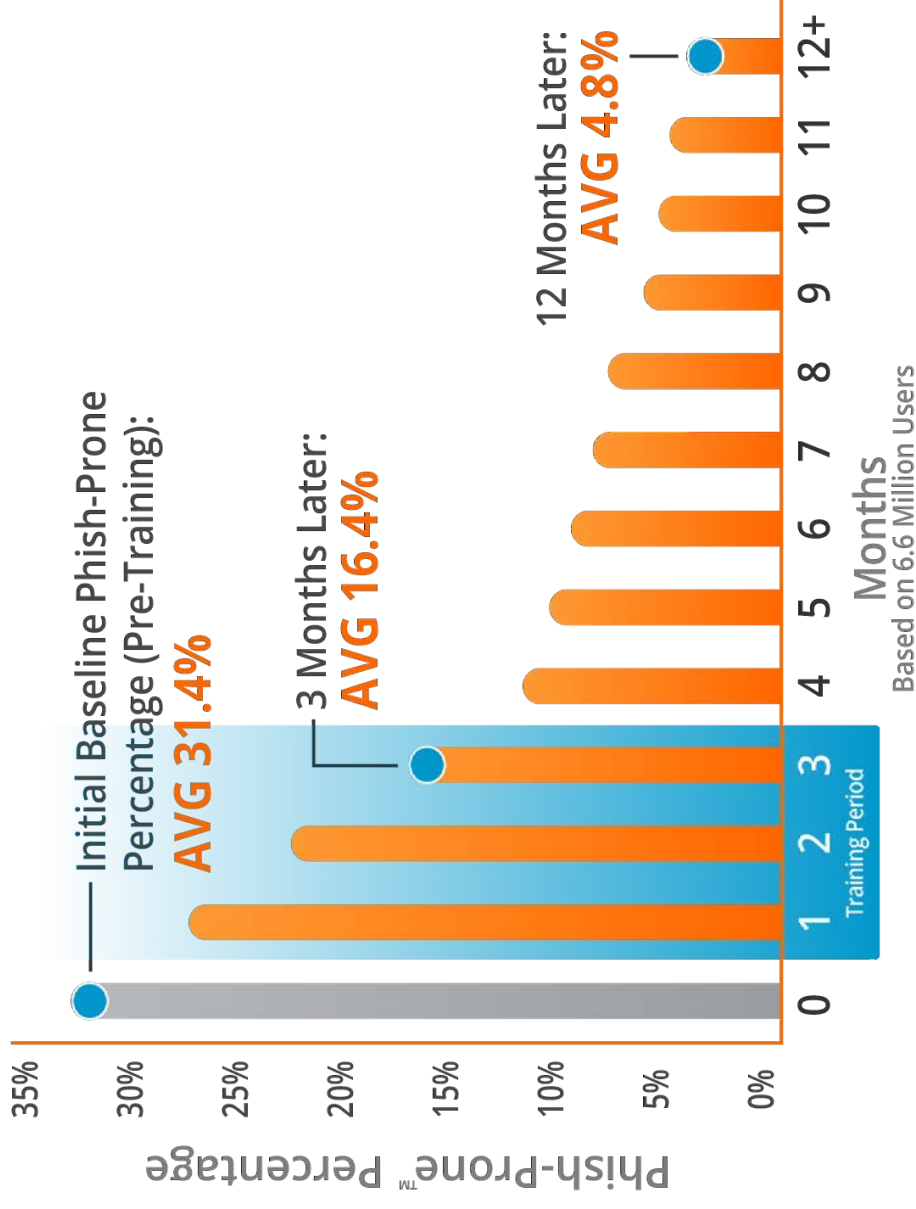
Continue to Test Employees Regularly

- Even when testing confirms that phishing susceptibility has fallen to nominal levels, **continue to test** employees frequently to keep them on their toes, **with security top of mind**.
- The **bad guys are always changing the rules**, adjusting their tactics and upgrading their technologies.
- **Analyze your phishing data**. Continue to train and phish your users with more advanced tactics such as attachments and landing pages where they are asked to enter data.
- Over time, **increase the difficulty of the attacks**, KnowBe4 has 8,000+ templates rated by difficulty from 1 to 5.



KnowBe4 Security Awareness Training Works

Effectively managing this problem requires ongoing due diligence, but it *can* be done and it isn't difficult. ***We're here to help.***



Source: 2021 KnowBe4 Phishing by Industry Benchmarking Report

Note: The initial Phish-Prone percentage is calculated on the basis of all users evaluated. These users had not received any training with the KnowBe4 console prior to the evaluation. Subsequent time periods reflect Phish-Prone percentages for the subset of users who received training with the KnowBe4 console.

KnowBe4

Human error. Conquered.

RISK ALERT

ITEM #

3b

(C-05-22)

Lease Agreement

(security Camera's)



- 360° ULTRA high-definition security camera surveillance system + Monsoon ultra long-range camera
- 8 Terabytes of Armor-Plated Internal Storage that can store 22 days of full throttle 24/7 recording
- Wireless & Mobile
- Secure access on any smart device or desktop
- Lifetime unlimited warranty & NEW upgrade every 4 years with lease



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MONSOON



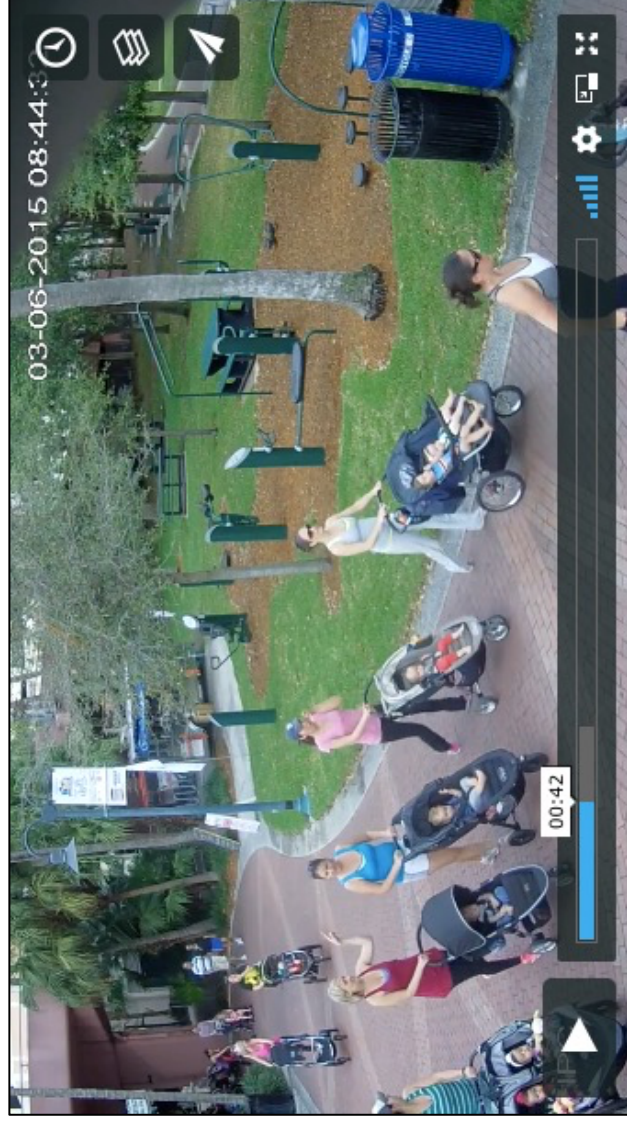
HISTORY OF THE TSUNAMI

<https://vimeo.com/129042097>



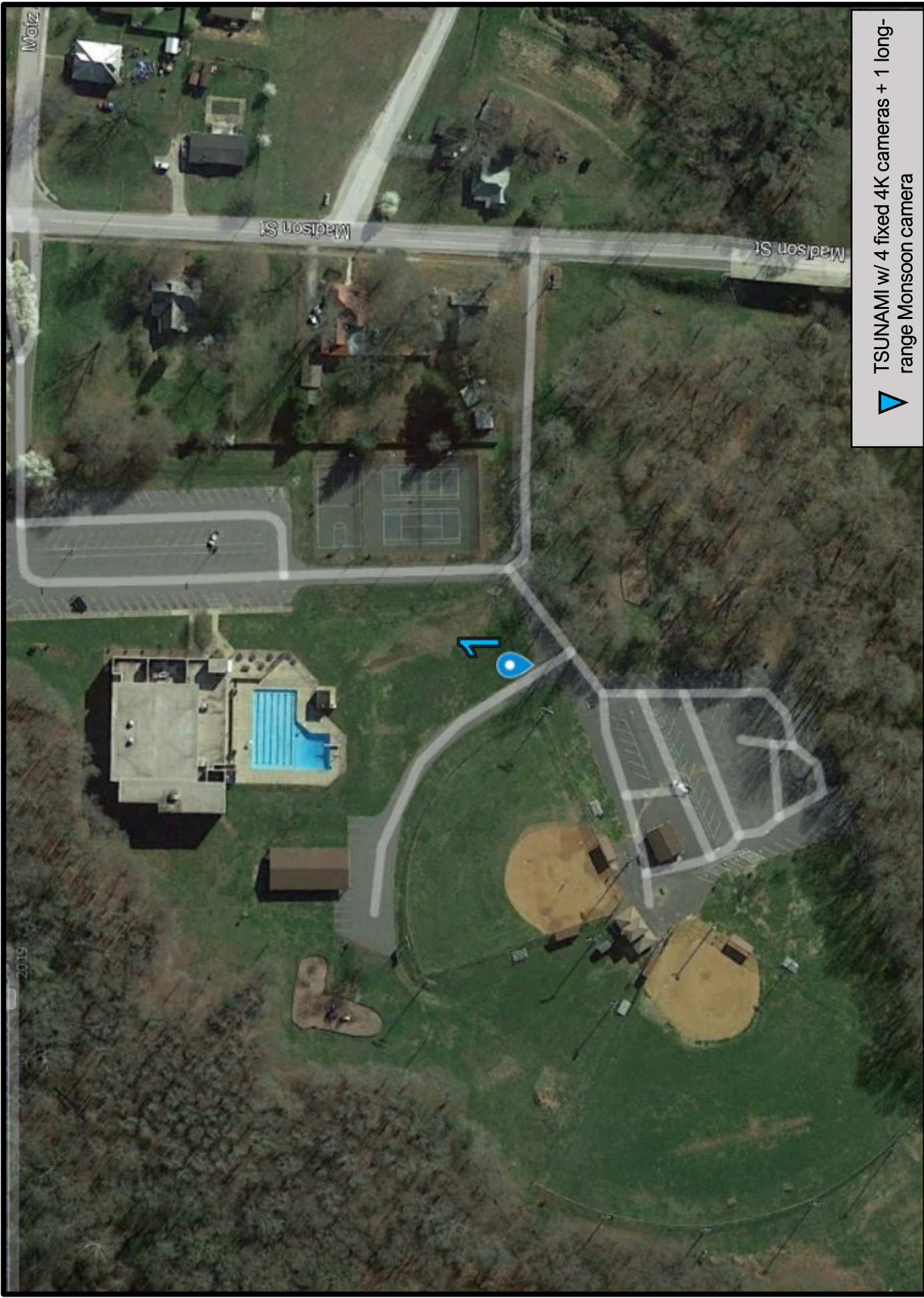
COMPILATION OF TSUNAMI FOOTAGE

<https://vimeo.com/254060794/21b6c848c4>





Betty G. Ross Park
City of Lincoln, NC

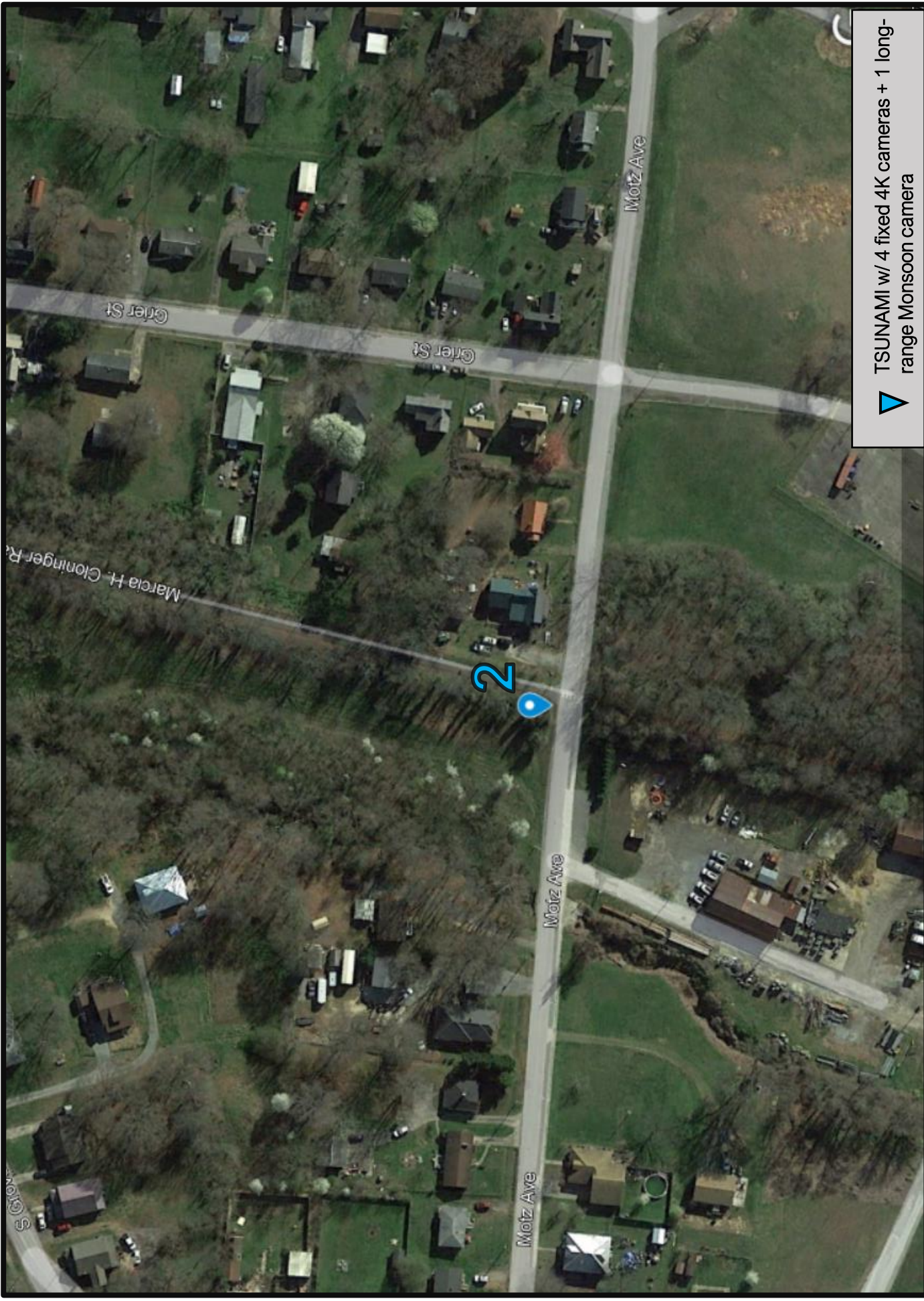


TSUNAMI w/ 4 fixed 4K cameras + 1 long-range Monsoon camera

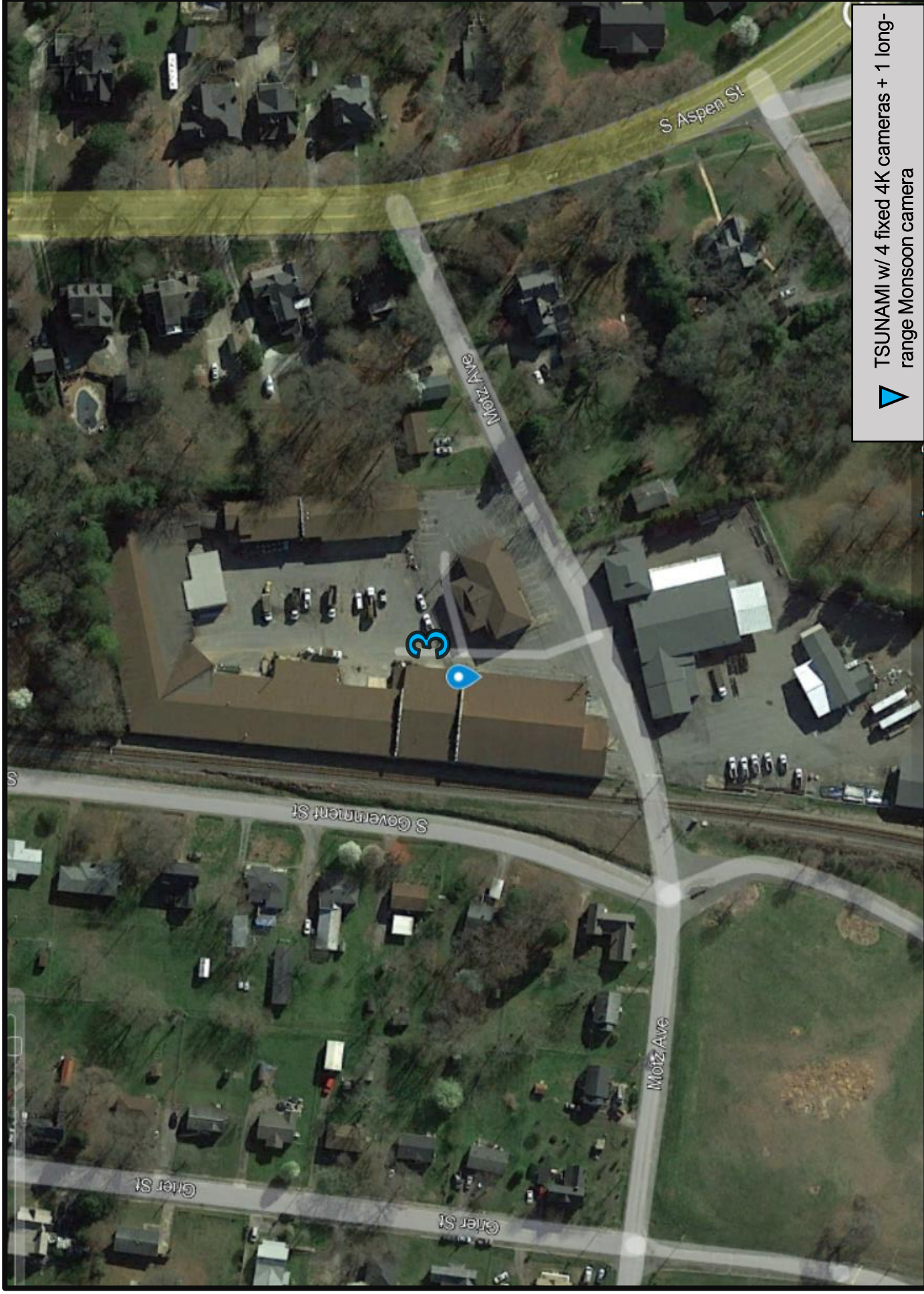


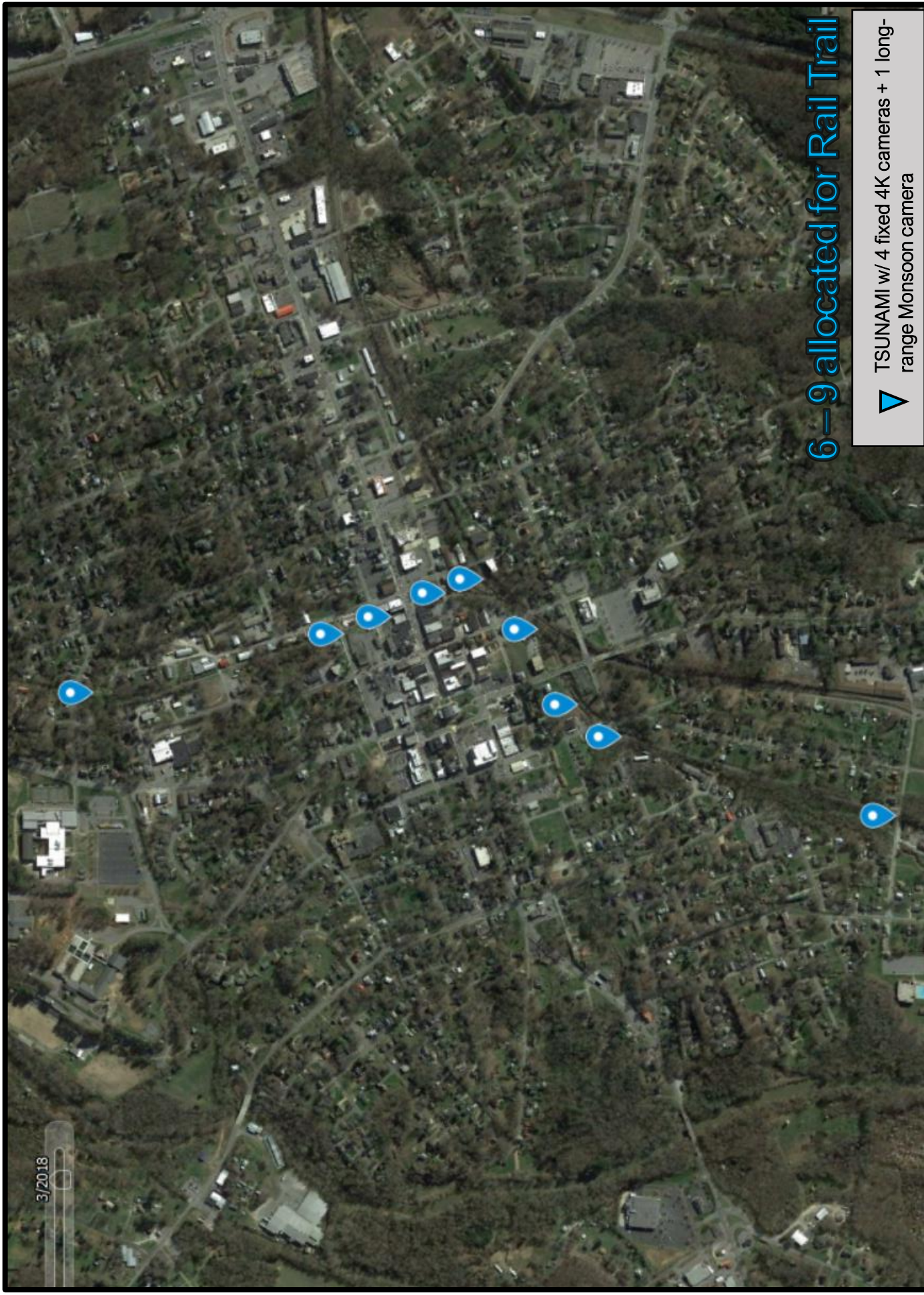
Rail Trail – Southern Terminus

City of Lincolnton, NC



TSUNAMI w/ 4 fixed 4K cameras + 1 long-range Monsoon camera

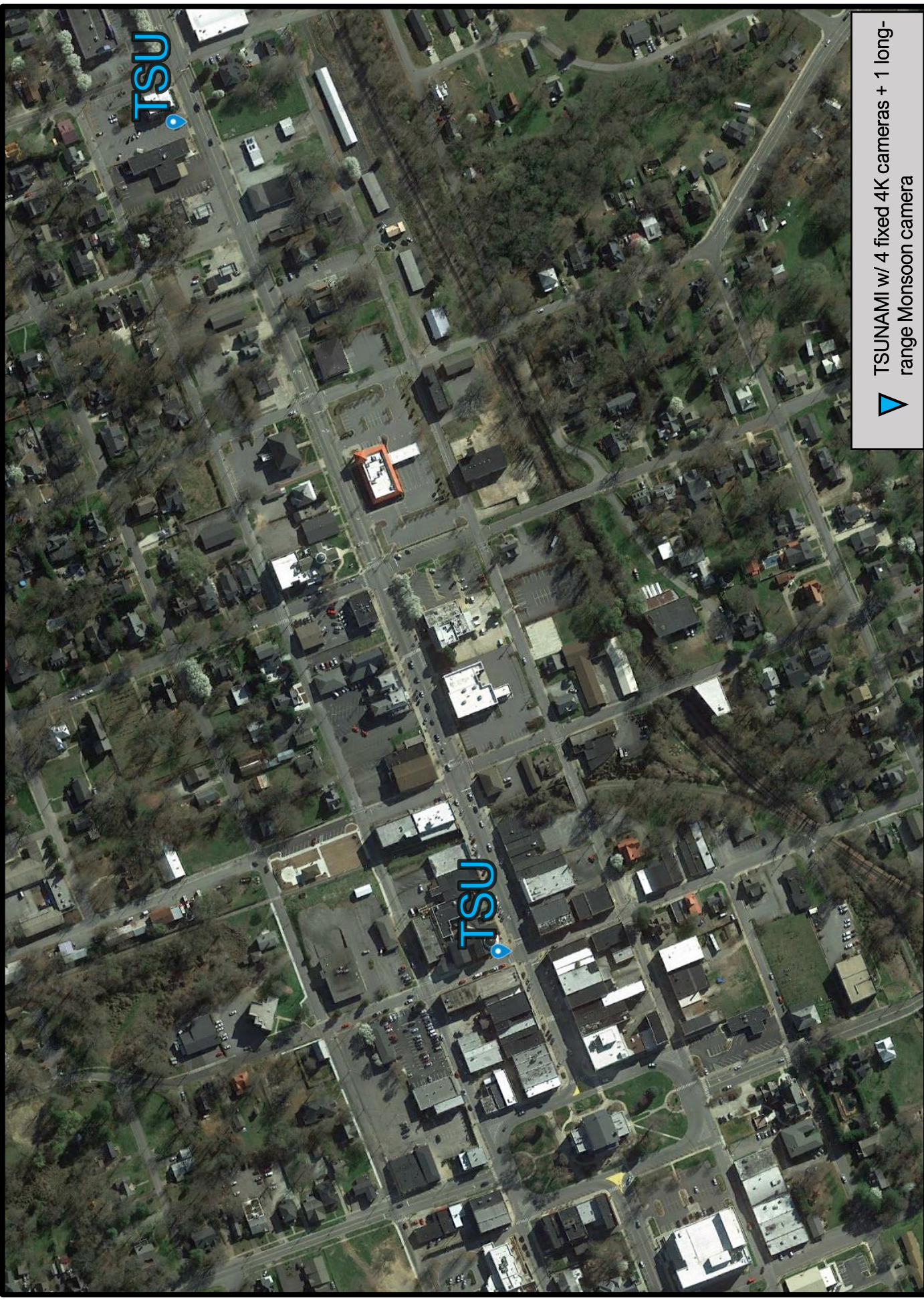






Downtown – Macro View

City of Lincoln, NC



TSUNAMI w/ 4 fixed 4K cameras + 1 long-range Monsoon camera



Water Treatment Plant City of Lincoln, NC



TSUNAMI w/ 4 fixed 4K cameras + 1 long-range Monsoon camera

ITEM #

4

OTHER BUSINESS

ITEM #

4a

MANAGER'S
REPORT/ACTIVITY
UPDATE

Housing Market Sortable Statistics

Provided by Canopy Realtor® Association

January 2022



Click any area for a full report.

Sort	Closed Sales	1-Year Change	Average Sales Price	1-Year Change	Median Sales Price	1-Year Change	New Listings	1-Year Change
Sort	Sort	Sort	Sort	Sort	Sort	Sort	Sort	Sort
The Charlotte Region	3,521	- 0.7%	\$393,550	+ 15.8%	\$349,700	+ 22.7%	3,892	- 12.9%

COUNTIES

Alexander County, NC	27	+ 80.0%	\$264,547	+ 23.1%	\$232,490	+ 10.2%	25	0.0%
Anson County, NC	16	+ 77.8%	\$220,988	+ 46.9%	\$194,950	+ 50.1%	15	+ 25.0%
Cabarrus County, NC	278	+ 9.9%	\$346,943	+ 19.7%	\$329,500	+ 24.3%	279	- 10.3%
Chester County, SC	22	+ 46.7%	\$190,609	+ 28.6%	\$203,500	+ 16.3%	14	- 36.4%
Chesterfield County, SC	11	- 21.4%	\$213,427	+ 20.0%	\$205,000	+ 20.7%	8	- 46.7%
Cleveland County, NC	93	+ 16.3%	\$222,129	+ 5.8%	\$214,000	+ 22.3%	86	- 18.9%
Gaston County, NC	255	+ 2.8%	\$288,179	+ 18.3%	\$277,000	+ 23.1%	310	- 16.9%
Iredell County, NC	265	- 7.3%	\$443,365	+ 20.8%	\$358,000	+ 18.0%	220	- 33.3%
Lancaster County, SC	120	- 18.9%	\$381,870	+ 7.9%	\$359,849	+ 1.0%	191	+ 18.6%
Lincoln County, NC	104	+ 6.1%	\$433,133	+ 29.6%	\$419,745	+ 34.1%	137	+ 5.4%
Mecklenburg County, NC	1,371	- 1.7%	\$451,904	+ 18.4%	\$375,000	+ 21.8%	1,464	- 15.9%
Montgomery County, NC	15	- 6.3%	\$313,833	+ 13.7%	\$205,600	- 8.4%	16	- 27.3%
Rowan County, NC	147	+ 4.3%	\$276,587	+ 18.6%	\$233,990	+ 10.4%	152	+ 3.4%
Stanly County, NC	56	0.0%	\$272,914	+ 31.4%	\$210,500	+ 18.1%	88	+ 60.0%
Union County, NC	269	- 1.8%	\$472,340	+ 13.6%	\$405,000	+ 12.4%	361	- 17.2%
York County, SC	322	- 15.5%	\$369,663	+ 12.0%	\$346,000	+ 19.3%	376	- 15.5%

COMMUNITIES

Charlotte MSA	2,885	- 2.2%	\$405,724	+ 16.9%	\$358,000	+ 21.8%	3,284	- 12.5%
City of Charlotte, NC	1,109	+ 0.5%	\$435,430	+ 17.5%	\$365,100	+ 25.7%	1,191	- 15.2%
Concord, NC	154	- 4.3%	\$353,226	+ 27.2%	\$325,000	+ 22.6%	178	+ 4.1%
Cornelius, NC	38	- 26.9%	\$609,118	+ 6.4%	\$452,000	+ 29.9%	53	- 14.5%
Davidson, NC	32	- 13.5%	\$631,170	+ 12.2%	\$485,000	+ 9.0%	25	- 30.6%
Denver, NC	51	- 16.4%	\$535,220	+ 22.8%	\$510,758	+ 38.8%	49	- 32.9%
Fort Mill, SC	83	- 34.1%	\$461,092	+ 25.9%	\$439,900	+ 39.2%	104	- 18.1%
Gastonia, NC	122	+ 28.4%	\$276,887	+ 28.6%	\$292,500	+ 40.6%	149	+ 2.1%
Huntersville, NC	116	+ 6.4%	\$512,660	+ 41.0%	\$450,563	+ 28.0%	102	- 24.4%
Kannapolis, NC	76	+ 20.6%	\$254,158	+ 4.9%	\$246,000	+ 24.9%	74	+ 12.1%
Lake Norman	159	- 15.4%	\$673,229	+ 17.6%	\$499,000	+ 22.8%	127	- 49.4%
Lake Wylie	95	- 11.2%	\$554,912	+ 33.1%	\$504,833	+ 37.8%	85	- 48.8%
Lincolnton, NC	26	+ 4.0%	\$307,643	+ 34.5%	\$273,500	+ 30.2%	36	+ 5.9%
Matthews, NC	62	- 34.0%	\$501,800	+ 28.3%	\$390,950	+ 10.6%	84	0.0%
Monroe, NC	110	+ 69.2%	\$369,998	+ 36.0%	\$374,523	+ 46.9%	127	- 23.0%
Mooresville, NC	142	- 20.2%	\$547,972	+ 22.7%	\$421,500	+ 20.6%	118	- 43.3%
Rock Hill, SC	134	+ 9.8%	\$297,797	+ 8.0%	\$291,750	+ 12.6%	139	+ 14.9%
Salisbury, NC	78	+ 16.4%	\$283,751	+ 28.3%	\$233,490	+ 15.3%	80	- 14.0%
Statesville, NC	86	+ 1.2%	\$279,651	+ 28.8%	\$245,000	+ 22.5%	80	+ 9.6%
Tega Cay, SC	18	0.0%	\$411,026	+ 2.1%	\$408,000	+ 11.0%	29	- 35.6%
Uptown Charlotte	23	- 8.0%	\$470,636	+ 19.6%	\$409,000	+ 22.9%	31	- 8.8%
Waxhaw, NC	61	- 27.4%	\$631,469	+ 28.9%	\$568,500	+ 42.6%	77	- 33.6%

Current as of February 5, 2022. All data from Canopy MLS, Inc. Percent changes are calculated using rounded figures. | SortStats © 2022 ShowingTime.

CASE NUMBER	CASE TYPE	CASE SUBTYPE	CASE NAME	SITE ADDRESS	STARTED	STATUS	Inspections
LCE20-00047	LINCOLNTON CODE ENFORCEMENT	NUISANCE	Junk throughout the yard	714 LITHIA INN RD	11/06/2020	OPEN	33
LCE21-00009	LINCOLNTON CODE ENFORCEMENT	ZONING	Illegal Junkyard	202 INDUSTRIAL PARK RD	03/23/2021	OPEN	22
LCE21-00095	LINCOLNTON CODE ENFORCEMENT	NUISANCE	Solid Waste/overgrown	109 KENNEDY DR	06/24/2021	OPEN	18
LCE21-00096	LINCOLNTON CODE ENFORCEMENT	MINIMUM HOUSING	Minimum Housing	1122 E LINCOLN ST	06/24/2021	OPEN	2
LCE21-00099	LINCOLNTON CODE ENFORCEMENT	NUISANCE	Junk Vehicles & Rubbish around the home.	1622 LABORATORY RD	07/20/2021	OPEN	16
LCE21-00118	CODE ENFORCEMENT	SOLID WASTE	Solid Waste/overgrown	1492 RHODES RHYNE RD	08/04/2021	OPEN	15
LCE21-00150	LINCOLNTON CODE ENFORCEMENT	MINIMUM HOUSING	Electrical Issues, Roof Issues, Heating & Air	113 JULIA DR	09/15/2021	OPEN	1
LCE21-00165	LINCOLNTON CODE ENFORCEMENT	ABANDONED STRUCTURE		1015 E PINE ST	09/17/2021	OPEN	1
LCE21-00168	LINCOLNTON CODE ENFORCEMENT	ABANDONED STRUCTURE		812 S ASPEN ST	09/17/2021	OPEN	1
LCE21-00169	LINCOLNTON CODE ENFORCEMENT	ABANDONED STRUCTURE		618 E MCBEE ST	09/17/2021	OPEN	2
LCE21-00170	LINCOLNTON CODE ENFORCEMENT	ABANDONED STRUCTURE		130 DR MARTIN LUTHER KING JR DR	09/17/2021	OPEN	2
LCE21-00172	LINCOLNTON CODE ENFORCEMENT	NUISANCE	Solid Waste, Junk material, RV being used as residence.	1211 N ASPEN ST	09/20/2021	OPEN	13
LCE21-00191	LINCOLNTON CODE ENFORCEMENT	ZONING	Accessory structure without permit	907 TERRA COTTA DR	11/19/2021	OPEN	2
LCE21-00193	LINCOLNTON CODE ENFORCEMENT	MINIMUM HOUSING	Minimum Housing / Abandoned structure.	128 E CARTER ST	12/02/2021	OPEN	2
LCE22-00003	LINCOLNTON CODE ENFORCEMENT	NUISANCE	Trash & Junk material	811 E GASTON ST	01/03/2022	OPEN	5
LCE22-00006	LINCOLNTON CODE ENFORCEMENT	ABANDONED STRUCTURE	Abandoned Structure	817 E SUMNER ST	01/07/2022	OPEN	2
LCE22-00008	LINCOLNTON CODE ENFORCEMENT	NUISANCE	Solid Waste and rubbish	738 W 3RD ST	02/01/2022	OPEN	3
LCE22-00009	LINCOLNTON CODE ENFORCEMENT	ZONING	Accessory structure being used as residence	E CONGRESS ST	02/01/2022	OPEN	3
LCE22-00010	LINCOLNTON CODE ENFORCEMENT	NUISANCE	Tree limbs in the street.	321 E RHODES ST	02/10/2022	OPEN	2
LCE22-00011	LINCOLNTON CODE ENFORCEMENT	ABANDONED STRUCTURE	Home was involved in a fire. Home is abandoned.	709 E CATAWBA ST	02/10/2022	OPEN	2
LCE22-00012	LINCOLNTON CODE ENFORCEMENT	ZONING	Accessory structure without permit	199 BUFFALO SHOALS RD	02/16/2022	OPEN	2