



**CITY OF LINCOLNTON
PLANNING BOARD
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BOARD MEMBERS: And Lynn, Chair, andmlynn@gmail.com; Worth Roberts, Vice-Chair, worth.roberts@charter.net; Gene Poinsette, poinsetteg@charter.net; Kathryn Yarbrow, kyarbro206@gmail.com; Jamel Farley, afarley2351@gmail.com; Becky Burke, beckyburke940@gmail.com; Jerry Hoffman, jlskhoffman@charter.net; Rebecca Abernethy, rabernethy21@bellsouth.net

Tuesday, December 19, 2017 Meeting

Present: Gene Poinsette, And Lynn, Jerry Hoffman, Jamel Farley, Worth Roberts

Absent: Kathryn Yarbrow, Becky Burke

Call to Order

Chairman And Lynn called the meeting to order and recognized that all members were present except Kathryn Yarbrow and Becky Burke.

Approval of Minutes

Chairman Lynn asked the Board if there were any corrections or additions to the minutes of the November 21 meeting.

Motion: Gene Poinsette made a motion to accept the minutes as written and distributed. Jerry Hoffman seconded. Motion carried unanimously.

CUP-10-2017

Application from Brian and Marie Kenyon requesting a conditional use permit to operate a Tap Room in the Central Business (CB) District. The subject property is located at 118 E. Water Street (Parcel 20481).

The subject property and all surrounding properties are primarily zoned Central Business (CB). Several properties located at the intersection of S. Academy Street and E. Church Street are zoned Residential-Office (R-O). The subject property and all surrounding properties are used for commercial purposes.

Laura Elam addressed the Board and presented the following:

PROPOSED USE

The applicant proposes use of the existing building for a tap room.

COMPLIANCE WITH CONDITIONAL USE PERMIT APPLICATION REQUIREMENTS

Section 153.236 of the UDO requires that a conditional use permit application contain specific terms and meet specific requirements. The application meets all requirements.

OTHER CONDITIONAL USE PERMIT REQUIREMENTS

Section 153.237 of the Unified Development Ordinance requires that four findings be determined by City Council. They are as follows:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan, and
2. The use meets all required conditions and specifications, and
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity, and
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Lincoln Land Use Plan and other plans for the physical development of the City as officially adopted by the City Council.

COMPLIANCE WITH SECTION 153.237

1. It does not appear that the use will endanger the public health or safety.
2. The use meets all required conditions and specifications.
3. The applicant will need to provide evidence that the use will not substantially injure the value of adjoining or abutting properties.
4. The use is in conformity with the Lincoln Land Use Plan in that the site is located within the Central Business Planning Area.

STAFF REVIEW COMMITTEE

The Staff Review Committee made the following comments:

- (1) Building plans must be approved by Lincoln County Inspections.
- (2) Coordinate electrical connection with Chris Wilson – City of Lincoln Public Works
- (3) Coordinate water/sewer connection with Robert Pearson – City of Lincoln Water Treatment
- (4) Install grease trap, per the City Policy, grease traps must be approved by the pretreatment coordinator at the Lincoln Wastewater treatment facility prior to development.

(5) Solid Waste Pick up – City will provide up to (6) rollouts. If additional Solid Waste pick up is needed it would need to be provided by a private contractor. All recyclables must be handled via private contractor.

(6) Off-street parking shall comply with City Of Lincolnton Off-street Parking Requirements

STAFF RECOMMENDATION

Staff recommends approval of the conditional use permit subject to the applicant satisfactorily proving the findings of fact and Staff Review Committee comments.

Bryan and Marie Kenyan spoke briefly about their intentions and answered a few questions.

With no further comments, Chairman And Lynn asked the Board if there was a recommendation and motion.

Motion: Worth Roberts made a motion to approve the conditional use permit. Jamel Farley seconded. Motion carried unanimously.

CUP-11-2017

Application from Pete and April DeGregory requesting a conditional use permit to operate a Tavern in the Central Business (CB) District. The subject property is located at 110 E. Water Street (Parcel 20480).

The subject property and all surrounding properties are primarily zoned Central Business (CB). Several properties located at the intersection of S. Aspen Street and W. Church Street are zoned Residential –Office (R-O). The subject property and all surrounding properties are used for commercial purposes.

Laura Elam addressed the Board and presented the following:

PROPOSED USE

The applicant proposes use of the existing building for a tavern.

COMPLIANCE WITH CONDITIONAL USE PERMIT APPLICATION REQUIREMENTS

Section 153.236 of the UDO requires that a conditional use permit application contain specific terms and meet specific requirements. The application meets all requirements.

OTHER CONDITIONAL USE PERMIT REQUIREMENTS

Section 153.237 of the Unified Development Ordinance requires that four findings be determined by City Council. They are as follows:

5. The use will not materially endanger the public health or safety if located where proposed and developed according to plan, and
6. The use meets all required conditions and specifications, and
7. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity, and
8. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Lincoln Land Use Plan and other plans for the physical development of the City as officially adopted by the City Council.

COMPLIANCE WITH SECTION 153.237

5. It does not appear that the use will endanger the public health or safety.
6. The use meets all required conditions and specifications.
7. The applicant will need to provide evidence that the use will not substantially injure the value of adjoining or abutting properties.
8. The use is in conformity with the Lincoln Land Use Plan in that the site is located within the Central Business Planning Area.

STAFF REVIEW COMMITTEE

The Staff Review Committee made the following comments:

- (1) Building plans must be approved by Lincoln County Inspections.
- (2) Coordinate electrical connection with Chris Wilson – City of Lincoln Public Works
- (3) Coordinate water/sewer connection with Robert Pearson – City of Lincoln Water Treatment
- (4) Install grease trap, per the City Policy, grease traps must be approved by the pretreatment coordinator at the Lincoln Wastewater treatment facility prior to development.
- (5) Solid Waste Pick up – City will provide up to (6) rollouts. If additional Solid Waste pick up is needed it would need to be provided by a private contractor. All recyclables must be handled via private contractor.
- (6) Off-street parking shall comply with City Of Lincoln Off-street Parking Requirements

STAFF RECOMMENDATION

Staff recommends approval of the conditional use permit subject to the applicant satisfactorily proving the findings of fact and Staff Review Committee comments.

With no further comments, Chairman And Lynn asked the Board if there was a recommendation and motion.

Motion: Jamel Farley made a motion to approve the conditional use permit. Gene Poinsette seconded. Motion carried unanimously.

Chairman And Lynn asked the Board if there was any other business to be addressed, to which there was none.

Adjournment

Motion: Jerry Hoffman made a motion to adjourn the meeting. Jamel Farley seconded. Motion carried unanimously.