



**CITY OF LINCOLNTON
PLANNING BOARD
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BOARD MEMBERS: Änd 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 18, 2018 Meeting

Present: Gene Poinsette, Becky Burke, Jamel Farley, Worth Roberts, Rebecca Abernethy, Tommy Huskey

Absent: Änd Lynn, Jerry Hoffman

Call to Order

Vice Chairman Worth Roberts called the meeting to order and recognized Änd Lynn and Jerry Hoffman were absent.

Approval of Minutes

Vice Chairman Worth Roberts asked the Board if there were any additions or corrections to the minutes of the November 20, 2018 meeting.

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

CUP-3-2018- Application from Preston Kendall, representing Ingles Markets, Inc., requesting a conditional use permit to construct a Zips Car Wash in the CU-PB District. The subject property is located on an out-parcel located at 2130 East Main Street (PID 901308)

Brett Hicks addressed the Board and presented the following:

Ingles Markets, Inc. is requesting a conditional use permit to allow a car wash on an outparcel at the Ingles Market shopping center at 2130 East Main Street. The proposed car wash site is located beside the Gas Express convenience store.

The Ingles Market center is zoned CU-PB. Surrounding properties are zoned a combination of GMC (General Manufacturing and Commercial), GB (General Business), PB (Planned Business) and R-15 (Single Family Residential).

The subject property and surrounding properties along East Main Street are used for commercial purposes. The CSX rail line is located to the south.

BACKGROUND

A conditional use permit was approved in 2010 for the Ingles shopping center. The associated site plan includes an Ingles supermarket, a gas station /convenience store and three (3) outparcels.

PROPOSED USE AND ADDITIONAL OUTPARCEL

The applicant proposes a car wash as an additional (fourth) outparcel on the site along with the previously approved three outparcels. The car wash includes self – serve vacuum stations, a pay station and floor mat cleaning machines. The existing internal driveway serving the outparcels is to be realigned to the south on the car wash outparcel to allow additional developable area.

COMPLIANCE WITH WATER SUPPLY WATERSHED

The Applicant will be disturbing less than one acre of land so compliance with the water supply watershed standards is not required.

STAFF REVIEW COMMITTEE COMMENTS

The Staff Review Committee made the following comments:

1. Electricity will be provided by Duke Energy. The Developer will need to coordinate electrical items directly with Duke Energy.
2. All utilities must be coordinated with the City Utilities Supervisor. Water lines should be accessed from East Main Street. All necessary easements will need to be provided and recorded per the City Utilities Supervisors request.
3. The relocation of any utility lines must be completed at the owner's expense and coordinated with and approved by the City Public Works and Utilities Director prior to construction. A detailed utility plan must first be submitted showing all water lines on the site for a determination to be met.
4. The oil/water separator will need to be increased to 1,000 gallons and the grit separation will need to be addressed. This will need to be approved by the City Utilities Supervisor.
5. The City Fire Inspector must approve all plans for fire hydrants, sprinkler systems, and fire equipment access prior to development.
6. Detailed building plans must be submitted and approved by the Lincoln County Building and Inspections.
7. City solid waste pick-up will not be available to the site.

8. Erosion and Sedimentation control permits will be required and must be obtained from the Lincoln County Natural Resources Department.

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 the requirements of that section.

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 Lincolnton 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 Lincolnton Land Use Plan in that the site is located within the Planned Business Planning Area.

STAFF RECOMMENDATION

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

After a brief discussion, Vice Chairman Worth Roberts asked if there was a motion.

Motion: Gene Poinsette made a motion to approve the application.
Rebecca Abernethy seconded. Motion carried unanimously.

Vice Chairman Worth Roberts asked the Board if there was any other business to be addressed, to which there was none.

Adjournment

Motion: Jamel Farley made a motion to adjourn. Gene Poinsette seconded.
Motion carried unanimously.

Jean Derby