

LINCOLNTON PLANNING BOARD
AGENDA
June 18, 2019
AT 4:00 P.M. in City Council Chambers

1. Roll Call
2. Call to Order
3. Approval of Minutes from the May 21, 2019 meeting
4. **ZMA-4-2019-** Application from Communities In Schools of Lincoln County requesting the rezoning of approximately 1.58 acres of land from Neighborhood Business N-B to General Business G-B. The subject properties are located at 956 Reepsville Road (PID 71625).
5. Adjournment



**CITY OF LINCOLNTON
PLANNING BOARD
PO DRAWER 617, LINCOLNTON, NC 28092
www.ci.lincolnton.nc.us**

BOARD MEMBERS: Änd Lynn, Chair, andmlynn@gmail.com; Worth Roberts, Vice-Chair, worth.roberts@charter.net;
Gene Poinsette, poinsetteg@charter.net; Jamel Farley, afarley2351@gmail.com; Becky Burke, beckyburke940@gmail.com;
Jerry Hoffman, jlskhoffman@charter.net; Rebecca Abernethy, rabernethy21@bellsouth.net; Greg McBryde, Gregory.McBryde@gmail.com

Tuesday, May 21, 2019 Meeting

Present: Änd Lynn, Worth Roberts, Becky Burke, Jamel Farley, Jerry Hoffman, Rebecca Abernethy and Greg McBryde

Absent: Gene Poinsette

Call to Order

Chairman Änd Lynn called the meeting to order and recognized Gene Poinsette was absent.

Approval of Minutes

Chairman Änd Lynn asked the Board if there were any additions or corrections to the minutes of the April 16, 2019 meeting.

Motion: Worth Roberts made a motion to approve the minutes. Rebecca Abernethy seconded. Motion carried unanimously.

ZMA-3-2019 – Application from Steve and Jeannie Bailey requesting the rezoning of .51 acres from Residential Office (R-O) to Central Business (C-B).

Brett Hicks addressed the board noting the following:

The applicant is requesting the rezoning of two parcels totaling approximately 0.51 acres from the Residential-Office (R-O) district to the Central Business (C-B) district. The subject property is located at the intersection of North Academy Street and East Sycamore Street.

The subject property and surrounding properties to the north and east are zoned R-O. Properties located to the south of East Sycamore Street and to the west of North Academy Street are zoned C-B.

The site is developed with Drum's Florist. Surrounding properties are devoted to commercial uses.

LAND USE PLAN

The Lincolnton Land Use Plan shows the property in the Mixed Use Residential/Commercial Planning Area which is described as “older portions of the City where true urban villages consisting of high-density residential uses (both single and multi-family) and associated small-scale and pedestrian oriented office and retail uses may be located.” The Land Use Plan also promotes the adaptive reuse of vacant and under-utilized commercial buildings.

COMPLIANCE WITH LAND USE PLAN

The request is not strictly in compliance with the Land Use Plan’s mixed-use designation. However, staff views the request as consistent with the spirit and intent of the Land Use Plan in that the site immediately adjoins C-B zoning on two sides and rezoning to the C-B district will better support the Land Use Plan’s goal of adaptive reuse of under -utilized commercial buildings than the current zoning district.

STAFF RECOMMENDATION

Staff recommends the following two actions:

1. Recommend approval of rezoning of the property from R-0 to C-B.
2. If request is recommended for approval, also recommend amendment of the Land Use Plan to extend the Central Business Planning Area to include the subject property.

After a brief discussion, Chairman Ånd Lynn asked if there was a motion.

Motion: Becky Burke made a motion to approve. Rebecca Abernethy seconded. Motion carried unanimously.

ZTA-1-2019 Application from Lincolnton Planning Department requesting amendment to Section 153.185, Off-Street Parking Requirements, of the Unified Development Ordinance to revise the parking requirements

Laura Elam addressed the board noting the following:

The City’s zoning regulations outline off-street parking requirements for new or expanding developments. One of the provisions in the parking requirements states that the number of off-street parking spaces required by the zoning regulations is in ***addition to*** those required under the North Carolina Building Code for use by the physically handicapped.

Typically, zoning regulations allow parking spaces for the handicapped to be counted as part of, rather than in addition to, the total number of required parking spaces. A requirement to provide handicapped parking spaces in addition to the number of parking spaces prescribed by the zoning regulations does not appear to be necessary or beneficial to the public.

Proposed Amendment

Planning staff is proposing an amendment to the UDO to eliminate the current requirement for the handicapped parking spaces required under the State Building Code to be provided in addition to the parking spaces required by the zoning regulations. The new language would simply recognize that off-street parking spaces designed for use by the physically handicapped are to be provided as required by the State Building Code.

Staff Recommendation

Staff recommends approval of the amendment.

After a brief discussion, Chairman Lynn asked if there was a motion.

Motion: Rebecca Abernethy made a motion to approve. Worth Roberts seconded. Motion carried unanimously.

ZTA-2-2019 Application from Lincoln Planning Department requesting amendment to Section 153.170, Signs in the C-B (Central Business) and CBT (Central Business Transitional) districts to allow ground signs subject to certain standards and conditions

Laura Elam addressed the board noting the following:

Lincoln's downtown area is zoned a combination of the Central Business (C-B) and the Central Business Transitional (CBT) districts.

The City's zoning regulations limit business identification signage in the C-B and CBT districts to walls signs, canopy signs and awning signs and do not allow new freestanding signs. It is atypical for zoning regulations to not allow any freestanding signage in downtown areas. Staff compared the City's ordinance with 11 other cities throughout the state and of those cities, only Lincoln prohibits new freestanding signs in the downtown area.

Most of the buildings downtown that are set back from the street or sidewalk have a freestanding sign that either predates the zoning regulations or was allowed through a variance. Those signs remain as legal, non-conforming uses. The net effect is that some downtown businesses have the advantage of being able to be identified by signage in front of their building while others do not.

Proposed Amendment

Planning staff is proposing an amendment to allow freestanding ground signs (not pole or pylon signs) in the Central Business and Central Business Transitional zoning districts subject to location criteria, size and height limits and a design review process.

Location requirements

The proposed amendment would allow a ground sign if the following location requirements are met:

- The associated business is located in a building that is set back at least ten (10) feet from the abutting sidewalk.
- If sidewalk does not exist along the street frontage, the building is located at least ten (10) feet from the back of the edge of pavement or curb,
- The sign is to be located a minimum of five (5) feet behind the abutting sidewalk.
- If sidewalk does not exist along the street frontage, the sign is to be located at least ten (10) feet from the back of the edge of pavement or curb,
- The sign is to be located a minimum of five (5) feet from any side lot line, and
- The sign is to be located outside of any sight triangle at a street or driveway.

Size and Height Limits

The proposed amendment would allow a cantilevered ground sign, a post and panel sign or a monument ground sign subject to size and height limits.

Design Review Process

The proposed amendment would require applications for freestanding signs to be consistent with the design guidelines and to be reviewed by a Design Review Committee appointed by the City Manager.

Staff Recommendation

Staff recommends approval of the amendment.

After a brief discussion, Chairman And Lynn asked if there was a motion.

Motion: Greg McBryde made a motion to approve. Worth Roberts 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: Greg McBryde made a motion to adjourn. Jamel Farley seconded.
Motion carried unanimously.

Jean Derby

MEMO TO: Lincolnnton Planning Board

FROM: Planning Staff

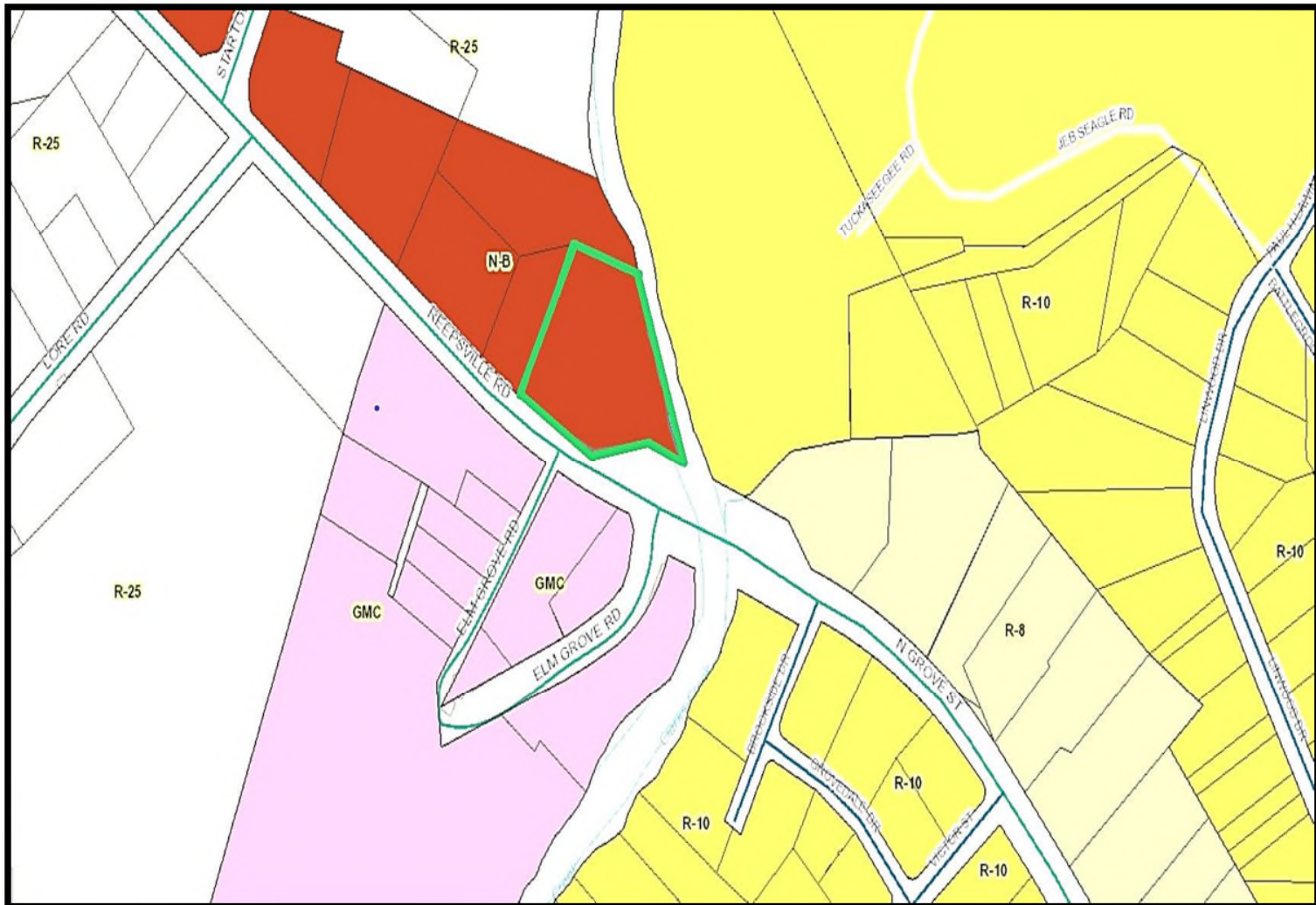
DATE: June 18, 2019

SUBJECT: ZMA-4-2019 – Application from Communities In Schools of Lincoln County requesting the rezoning of 1.58 acres from Neighborhood Business (N-B) to General Business (G-B).

SITE AND AREA DESCRIPTION

The applicant is requesting the rezoning of a parcel totaling approximately 1.58 acres from the Neighborhood Business (N-B) district to the General Business (G-B) district. The subject property is located north of the intersection of Elm Grove Road and Reepsville Road at 956 Reepsville Road.

The subject property and surrounding properties to the west are zoned N-B. To the east properties are zoned R-10 and R-8. Properties located across Reepsville Road are zoned General Manufacturing and Commercial (GMC).



The site is developed with an approximately 2,400 square foot building that previously served as the office for Communities In Schools of Lincoln County. Nearby properties along Reepsville Road west of Clarks Creek are devoted primarily to commercial and industrial uses. Properties located along Reepsville Road to the east of Clarks Creek are devoted primarily to residential uses. Lincolnton High School is located to the northeast of the site.



LAND USE PLAN

The Lincolnton Land Use Plan shows the property in the Neighborhood Business Planning Area which is described as “small business clusters that cater to the needs of a relatively small trading area.” The Land Use Plan also promotes the reuse of existing commercially zoned properties rather than the development of greenfields.

COMPLIANCE WITH LAND USE PLAN

The request is not strictly in compliance with the Land Use Plan’s Neighborhood Business designation. However, staff views the request as consistent with the spirit and intent of the Land Use Plan for the following reasons:

- The site is located along a thoroughfare in an area that is predominantly developed with industrial and commercial uses,
- Clarks Creek provides a natural transition between the predominantly industrial and commercial uses along this section of Reepsville Road and the predominantly residential area located to the east,
- General Manufacturing and Commercial (GMC) zoning is located directly across Reepsville Road from the site, and
- Rezoning to the G-B district will better support the Land Use Plan’s goal of reuse of existing commercially zoned properties rather than the development of greenfields than the current zoning district.

STAFF RECOMMENDATION

Staff recommends the following two actions:

1. Recommend approval of rezoning of the property from N-B to G-B.
2. If request is recommended for approval, also recommend amendment of the Land Use Plan to show the property as part of the General Business Planning Area.

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

Case No. ZMA-4-2019

Applicant: Communities In Schools of Lincoln County

Parcel ID#: 71625

Location: 956 Reepsville Road

Request: Rezone from N-B to G-B

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Neighborhood Business Planning Area. Therefore, the proposed rezoning request **is not strictly consistent** with the Land Use Plan. However, the site is located on a predominantly commercial and industrial section of a thoroughfare immediately adjoining GMC zoning and rezoning to G-B better supports the Land Use Plan's goal of reuse of existing commercially zoned properties than the current zoning. 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-4-2019

Applicant: Communities In Schools of Lincoln County

Parcel ID#: 71625

Location: 956 Reepsville Road

Request: Rezone from N-B to G-B

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Neighborhood Business Planning Area. Therefore, the proposed rezoning request **is not entirely consistent** with the Lincolnton Land Use Plan and **denial of the proposed amendment is reasonable and in the public interest.**