



**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; 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, December 17, 2019 Meeting

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

Absent: n/a

Call to Order

Chairman Änd Lynn called the meeting to order and recognized that all members were present.

Approval of Minutes

Chairman Änd Lynn asked the Board if there were any additions or corrections to the minutes of the November 17, 2019 meeting.

Motion: Greg McBryde made a motion to approve the minutes. Jerry Hoffman seconded. Motion carried unanimously.

CUP-5-19- Application from Townhomes at Lincoln Country Club, LLC requesting a conditional use permit to increase the approved number of townhomes from 33 units to 40 units on the 5.25 acre parcel located in the CU-RMF District. The subject property is located on Lincoln Country Club property approximately 650 feet north of Country Club Road approximately 450 feet east of Lithia Inn Road north of the driving Range Facility (Parcel ID 86678)

Laura Elam addressed the board noting the following:

SITE AND AREA DESCRIPTION

The Townhomes at Lincoln Country Club LLC is requesting amendment of the previously approved conditional use permit for a 5.25 acre site located on the Lincoln Country Club property approximately 650 north of Country Club Road and approximately 450 feet east of Lithia Inn Road north of the driving range.

The site is zoned RMF-CU (Conditional Use Residential Multi Family) and a conditional use rezoning was approved in 2006 to allow 33 condominiums. Surrounding properties are zoned R-15.

The site is vacant. Surrounding properties are devoted to a driving range, golf course, single family residential and a condominium complex.

BACKGROUND AND APPROVED SITE PLAN

A conditional use rezoning was approved in 2006 to allow a 33-unit condominium complex at a density of approximately 6.27 units per acre. Access is provided from a private street connection to Country Club Road. A planted buffer is provided along the northern and southern property lines. Existing screening is to remain along the eastern and western lot lines.

PROPOSED SITE PLAN

The applicant proposes an increase in the number of units from 33 to 39, a density of 7.4 units per acre.

WATER SUPPLY WATERSHED

The site is located in the Water Supply Watershed Protected Area so compliance with water supply watershed standards is required.

STAFF REVIEW COMMITTEE COMMENTS

The Staff Review Committee had the following comments:

- A secondary means of vehicular access to the site will need to be provided if the units are not sprinklered.
- On street parking not permitted unless a dedicated fire lane is provided.
- Fire apparatus access shall meet Appendix D of the National Fire Code (road width, cul-de-sac radius and turning radius).
- Water supply requirements shall be met (number of fire hydrants and water main size). Two fire hydrants to be installed in locations to be determined by Fire Marshall.
- A 20 foot buffer screen is required between multi family development and single family residential zoning. The site plan indicates that the required buffer screen will be provided off-site on a grading/landscaping easement. The ordinance requires the screening to be provided along the side and/or rear property lines of the lot.
- The approved 2006 site plan noted preservation of existing screening along the eastern and western lot lines. Those trees have now been removed. The proposed new screening treatment should establish an effective visual buffer along the eastern and western project edges.
- The landscaped buffer along the project edges is to be located within common open space maintained by the Homeowners Association. A plan should be submitted addressing responsibility for ongoing and routine maintenance of vegetation within the landscaped buffer. Homeowners Association documents to contain a provision requiring maintenance of landscaped buffer and notification of home buyers that landscaped buffer is not in their lot and is not to be disturbed.
- Twenty five foot rear yard and 12 foot side yard setbacks required.
- Built upon area calculations required.
- All utilities must be coordinated with and are subject to the review and approval of the Public Works Department. Individual water meters required.
- The City will not provide solid waste services or street maintenance.
- Driveway permit required by NCDOT.
- HOA is responsible for maintenance of private street.

- All stormwater on the site must be managed so as not to impact adjoining properties. Stormwater management plan required. Provide stormwater calculations addressing increase in impervious cover. Any stormwater management facilities such as piping, ditches, etc to be placed in common open space areas. Stormwater plan is to address responsibility for ongoing and routine maintenance of stormwater management facilities.
- Location and screening treatment of any dumpster or outdoor garbage bin storage areas should be noted.
- Provide parking calculations.
- Subdivision approval required.
- Due to the extent of site plan issues to be resolved, a detailed site plan is required to be submitted to and approved by the City prior to issuance of a zoning permit or building permit.
- Detailed building plans must be approved by Lincoln County Building and Inspections.

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 site plan does not comply with ordinance specifications regarding required screening.

OTHER CONDITIONAL USE PERMIT REQUIREMENTS

Section 153.237 of the Unified Development Ordinance requires four findings be determined by City Council prior to issuance of the conditional use permit. 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.

ADDITIONAL REVIEW CRITERIA

Section 153.238 of the Unified Development Ordinance notes the following additional review criteria to be addressed by City Council:

1. The proposed ingress and egress points will not result in a substantial amount of vehicular traffic to be channeled onto adjacent local streets (non- collector/non-thoroughfare streets).

COMPLIANCE WITH SECTIONS 153.237 AND 153.238

1. The applicant will need to provide evidence that the use will not endanger the public health or safety.
2. The site plan does not comply with ordinance specifications regarding required screening.

3. The applicant will need to provide evidence that the use will not substantially injure the value of adjoining or abutting properties.
4. The applicant will need to provide evidence that the use will be in harmony with the area.
5. Compliance is met since traffic would be channeled to Country Club Road which is a minor thoroughfare.

STAFF RECOMMENDATION

Staff cannot make a positive recommendation due to the extent of outstanding site plan issues related to screening and fire safety.

After lengthy discussion, Chairman Änd Lynn asked if there was a motion. The motion is as follows:

Motion: Jerry Hoffman made a motion to recommend approving the conditional use permit subject to the applicant satisfactorily proving the findings of fact and subject to the Staff Review Committee comments. Gene Poinsette seconded. Motion carried unanimously.

Chairman Änd Lynn 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