LINCOLNTON PLANNING BOARD
AGENDA
June 21, 2022
At 4:00 P.M. in City Council Chambers

1. Roll Call

2. Call to Order

3. Approval of minutes from the May 17, 2022 meeting

4. CZ-5-2022- Application from Edgewater Ventures requesting the conditional zoning of 30.33 acres from Planned Business-Special Highway Overlay (PB SHO) District to the General Manufacturing and Commercial (GMC-CD) District for the purpose of constructing a 352,500 square foot industrial building. The subject property is located on the west side of Car Farm Road approximately 600 feet south of the intersection of Car Farm Road and Maiden Highway (Parcel ID 00822)

5. CZ-6-2022- Application from Bobby and Kawna Colvard requesting the conditional zoning of 1.766 acres from Neighborhood Business (NB) District to General Business (GB-CD) for the purpose of constructing a mini storage facility. The subject property is located at the southwest corner of North Aspen Street and Industrial Park Road (Parcel ID 16111)

6. ZMA-3-2022- Application from Carolina Elite Builders requesting the rezoning of 0.136 acres of land from Planned Business (PB) District to Residential-8 (R-8) District. The subject property is located on the north side of East Pine Street approximately 100 feet east of the intersection of East Pine Street and Dr. Martin Luther King Jr. Drive (Parcel ID 51771)

7. ZTA-1-2022 – Application from the City of Lincolnton requesting an amendment to Section 153.126 Transitional Infill Development (TID) to eliminate the current requirement for minimum lot size

8. Adjournment

Absences(A=absent, C=cancelled)/Not in Good Standing

Member	Dec 2021	Jan 2022	Feb 2022	March 2022	April 2022	May 2022
Gene Poinsette	✔	✔	✔	✔	✔	✔
Rebecca Abernethy	✔	✔	✔	✔	✔	✔
Greg McBryde	✔	✔	✔	✔	✔	✔
Steve Silva	A	A	A	A	n/a	n/a
Trent Mason	✔	A	✔	✔	✔	✔
Joy Smith	A	A	A	✔	✔	✔
Monte Tyson	n/a	✔	A	A	A	✔

CITY OF LINCOLNTON
PLANNING BOARD
PO DRAWER 617, LINCOLNTON, NC 28092
www.LincolntonNC.org

BOARD MEMBERS: Trent Mason, Chair, trentonmason@gmail.com;Greg McBryde,Vice-Chair, Gregory.Mcbryde@gmail.com; Gene Poinsette, poinsetteg@charter.net; Rebecca Abernethy, rabernethy21@bellsouth.net; Joy Smith, joysmithmsnrn@gmail.com; Monte Tyson, monte@cbdeastmain.com

Tuesday, May 17, 2022 Meeting

Present: Gene Poinsette, Rebecca Abernethy, Greg McBryde, Trent Mason, Joy Smith and Monte Tyson

Absent: N/A

Call to Order

Chair Trent Mason called the meeting to order and all members were present.

Approval of Minutes

Chair Trent Mason asked the Board if there were any additions or corrections to the minutes of the April 19, 2022 meeting.

Motion: *Gene Poinsette made a motion to approve the minutes. Greg McBryde seconded. Motion carried unanimously.*

CZ-4-2022- Application from Piedmont Companies, Inc. requesting the Conditional Zoning of 4.783 acres of land from the Planned Business (PB) District to the Planned Residential Development District (PRD) for the purpose of constructing 52 townhomes. The subject properties are located on the west side of North Generals Blvd. directly across from the intersection of Timken Drive and North Generals Blvd. (Parcel ID 52992, 80962, 21104, and 21105).

Jean Derby presented the staff report provided in the agenda packet to the board.

After some discussion, Chair Trent Mason asked if there was a motion. The motion is as follows:

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

Application from Lincolnton Planning Department to adopt the amended Land Use Plan to comply with recently adopted state enabling legislation (Chapter 160D).

Jean Derby presented the staff report provided in the agenda packet to the board.

After some discussion, Chair Trent Mason asked if there was a motion. The motion is as follows:

Motion: *Gene Poinsette made a motion to approve. Greg McBryde seconded. Motion carried unanimously.*

Chair Trent Mason asked the Board if there was any other business to be addressed, to which there was none.

Adjournment

Motion: *Gene Poinsette made a motion to approve. Joy Smith seconded. Motion carried unanimously.*

_____

Jean Derby

MEMO TO: Planning Board Members

FROM: City of Lincolnton Planning Department

SUBJECT: CZ-5-2022 Request for rezoning of approximately 30.33 acres from PB (SHO) to GMC (CD) for Edgewater Ventures, Industrial Building

DATE: June 21, 2022

SITE AND AREA DESCRIPTION

The applicant is requesting a conditional rezoning from PB (Planned Business) Special Highway Overlay (SHO) to the General Manufacturing and Commercial(Conditional District) (GMC-CD) in order to construct a 352,500 square foot industrial building.

The subject property is located on the west side of Car Farm Road approximately 600 feet south of the intersection of Car Farm Road and Maiden Highway (Parcel ID 00822), the property has approximately 1300 feet of frontage along U.S. Highway 321 and consists of 30.33 acres. The site currently has several single family dwellings on it. This property was annexed into the City several years ago at the request of the owner. County water and City Sewer is available to the site.

The adjacent properties are:

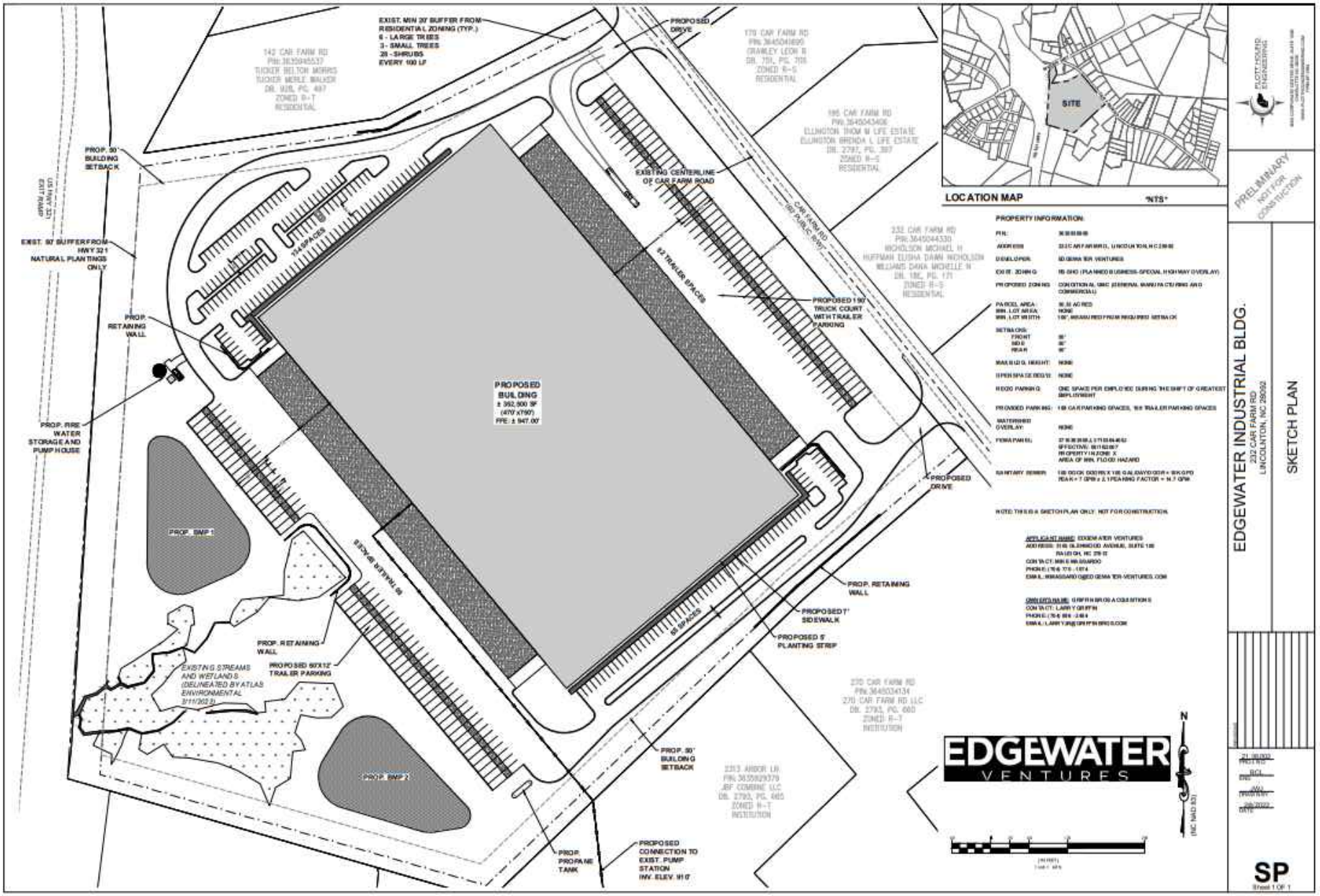
- North is Single FamilyDwelling,North 321 Fire Department, and a convenience store with zoning a mixture of County zoning designations R-T and B-G.
- East is Single Family Dwellings with county zoning designation R-S
- South is the Combine Academy, a private boarding school, with county zoning designation R-T
- West the site is bordered by U.S. Highway321

- (See Below Map)- Property in question is cross hatched.

SITE DESCRIPTION

The applicant describes the building as "we're designing the building to be as flexible as possible, however we expect the uses to be very similar to the industrial park. It will range from distribution (i.e crate and barrel/FedEx) to light manufacturing and assembly (American Woodmark/UTC). However, uses will obviously have to be in accordance with zoning."

- Proposed 352,500 square foot Industrial Building
- 199 Vehicle Parking Spaces
- 102 Trailer Parking Spaces
- 100 Dock Doors
- County Water will serve the site
- City Sewer will serve the site with a proposed connection to an existing pump station on adjacent property..
- A fire water storage and pump house will be constructed for sprinkler system
- Stormwater will be contained on site with Two proposed BMP ponds
- Wetlands on the west side of the property will be undisturbed.
- The existing 50 foot natural buffer along U.S. Highway 321 will remain
- Parking Lot and Street Landscaping along Car Farm Road will be required
- Site will be buffered from adjacent residential zoned uses.


EXIST. MIN 20' BUFFER FROM RESIDENTIAL ZONING (TYP.)
6 - LARGE TREES
3 - SMALL TREES
28 - SHRUBS
EVERY 100 LF
PROPOSED DRIVE
143 CAR FARM RD
PIN: 3635945537
TUCKER BELTON MORRIS
TUCKER MERLE WALKER
DB. 1025, PG. 497
ZONED R-T
RESIDENTIAL
170 CAR FARM RD
PIN: 3645043695
CRAWLEY LEON II
DB. 751, PG. 705
ZONED R-S
RESIDENTIAL
195 CAR FARM RD
PIN: 3645043406
ELLINGTON THOM M LIFE ESTATE
ELLINGTON BRENDA L LIFE ESTATE
DB. 2797, PG. 397
ZONED R-S
RESIDENTIAL
PROP. 50' BUILDING SETBACK
US HWY 321 EXIT RAMP
EXIST. 50' BUFFER FROM HWY 321 NATURAL PLANTINGS ONLY
EXISTING CENTERLINE OF CAR FARM ROAD
CAR FARM RD (SR 2126, PUBLIC, 60' R/W)
334 SPACES
82 TRAILER SPACES
PROPOSED 190' TRUCK COURT WITH TRAILER PARKING
PROP. RETAINING WALL
PROPOSED BUILDING ± 352,500 SF (470' x 750') FFE: ± 947.00'
PROP. FIRE WATER STORAGE AND PUMP HOUSE
PROP. SMP 1
PROPOSED DRIVE
232 CAR FARM RD
PIN: 3645044330
NICHOLSON MICHAEL H
HUFFMAN ELISHA DAWN NICHOLSON
WILLIAMS DANA MICHELLE N
DB. 1392, PG. 171
ZONED R-S
RESIDENTIAL
95 TRAILER SPACES
85 SPACES
PROP. RETAINING WALL
PROPOSED 7' SIDEWALK
PROPOSED 5' PLANTING STRIP
PROP. RETAINING WALL
PROPOSED 60'X12' TRAILER PARKING
EXISTING STREAMS AND WETLANDS (DELINEATED BY ATLAS ENVIRONMENTAL 3/11/2023)
PROP. SMP 2
270 CAR FARM RD
PIN: 3645034134
270 CAR FARM RD LLC
DB. 2793, PG. 660
ZONED R-T
INSTITUTION
PROP. 30' BUILDING SETBACK
233 ARBOR LN
PIN: 3635930379
JBF COMBINE LLC
DB. 2793, PG. 665
ZONED R-T
INSTITUTION
PROP. PROPANE TANK
PROPOSED CONNECTION TO EXIST. PUMP STATION INV. ELEV. 910'
LOCATION MAP
SITE
"NTS"
PROPERTY INFORMATION:
PIN:
ADDRESS: 232 CAR FARM RD, LINCOLNTON, NC 28092
DEVELOPER: EDGEWATER VENTURES
EXIST. ZONING: RS-CHO (PLANNED BUSINESS-SPECIAL HIGHWAY OVERLAY)
PROPOSED ZONING: CONDITIONAL USE (GENERAL MANUFACTURING AND COMMERCIAL)
PARCEL AREA: 36.33 ACRES
MIN. LOT AREA: NONE
MIN. LOT WIDTH: 100', MEASURED FROM RIGHT-OF-WAY
SETBACKS:
FRONT: 50'
SIDE: 30'
REAR: 30'
MAXIMUM HEIGHT: NONE
UNITS PER SPACE REQ'D: NONE
PARKING: ONE SPACE PER EMPLOYEE DURING THE SHIFT OF GREATEST EMPLOYMENT
PROVIDED PARKING: 139 CAR PARKING SPACES, 169 TRAILER PARKING SPACES
WATERSHED OVERLAY: NONE
FEMA PANEL:
EFFECTIVE: 08/18/2017
PROPERTY IN ZONE: X
AREA OF MIN. FLOOD HAZARD
SANITARY SEWER: 185 DOCK DOOR X 185 GAL/DAY/DOOR = 95K GPD
PEAK = 7 GPM x 2.1 PEAKING FACTOR = 14.7 GPM
NOTE: THIS IS A SKETCH PLAN ONLY. NOT FOR CONSTRUCTION.
APPLICANT/OWNER: EDGEWATER VENTURES
ADDRESS: 3155 OLDWOOD AVENUE, SUITE 100
RALEIGH, NC 27610
CONTACT: MIKE MASSARDO
PHONE: (704) 770-1074
EMAIL: MMASSARDO@EDGEWATERVENTURES.COM
ENGINEER/SURVEYOR: GRIFFIN BROS. & ASSOCIATES
CONTACT: LARRY GRIFFIN
PHONE: (704) 888-2464
EMAIL: LARRY.GRIFFIN@GRIFFINBROS.COM
EDGEWATER VENTURES
N
(NC NAD 83)
PLOTT HOLLAND ENGINEERING
PRELIMINARY NOT FOR CONSTRUCTION
EDGEWATER INDUSTRIAL BLDG.
232 CAR FARM RD
LINCOLNTON, NC 28092
SKETCH PLAN
21.06.003
PROJ NO
RCL
ENG
JWJ
DRAWN BY
08/30/2023
DATE
SP
Sheet 1 OF 1

AERIAL VIEWS

STREET VIEWS OF SITE

CAR FARM AND MAIDEN HIGHWAY INTERSECTION

VIEW OF PROPERTY FROM U.S. HIGHWAY 321

VIEW OF ADJACENT PROPERTIES

CAR FARM ROAD AND MAIDEN HIGHWAY INTERSECTION

The intersection of Car Farm Road and Maiden Highway has become congested over the last several years especially during peak hours. The NCDOT Traffic Count map in this area of Maiden Highway shows the traffic count at anywhere from 13,000 to 15,000 vehicles per day. The last count from 2013 on Car Farm Road shows about 3600 vehicles per day. This is likely higher today.

NCDOT has already been contacted and has made the following determinations concerning the use and the need for a traffic signal at the intersection of Car Farm Road and Maiden Highway:

"After reviewing the analysis, I am in agreement that the signal installation will greatly improve LOS at Car Farm and Maiden Hwy. We will require the installation of the signal as part of the

driveway permitting process. A signal design and agreement will need to be done by the developer and submitted to our traffic services group."

LAND USE PLAN

The Land Use Plan shows the property in the Planned Business Planning area. The rezoning of the property to the General Manufacturing (GMC-CD) District would not comply with the land use plan in staff's opinion. The PB designation is for mixed use residential and retail uses, such as shopping centers. If rezoned the Industrial planning area would need to be assigned to this property. The industrial land use classification is as described as follows:

These are areas in use or designated for future industrial/manufacturing use. As industrial uses play a vital role in the local economy, any such planning areas designated on the Future Land Use Map should be reserved for industrial uses and should be protected from encroachment from other uses. Industrial park development is encouraged.

Industrial developments located along or in close proximity to the City's major thoroughfares should be developed so as to protect and enhance the viewshed from these thoroughfares. Adaptive reuse of older manufacturing buildings (for both manufacturing and other compatible non-industrial uses) is also encouraged.

The location of this property adjacent to U.S. Highway 321 and its proximity to the Lincoln County Industrial park make an Industrial Land Use designation reasonable. Staff would support this change.

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. Fire Department Comments
    - Appendix D of Fire Code will apply
    - Fully alarmed and Fully Sprinkled per Fire Code
    - Hydrant locations and number of hydrants need to be determined
    - Fully hydraulics Study for Water needed
    - All Fire Department code requirements must be met prior to construction.

2. NCDOT Comments (Travis Jordan 704-748-2400)
    - Traffic Signal required at Maiden Highway/Car Farm Road interchange
    - Driveway Permits required

3. Utility Comments
    - Pump Station is Private and not owned by City of Lincolnton, owned by Combine Academy. City must approve the pump station easement.

- Need Calculations on Pump Station
- Pump Station is not currently operational, need to coordinate with Combine Combine Academy and City Of Lincolnton
- Sewer is City of Lincolnton. Water is Lincoln County
- Pre Treatment permit possible depending on use of property

4. Planning Department Comments
    - If approved, Detailed engineering plans will need to be submitted before final approval.
    - Detailed Landscaping/Screening Plans needed including street landscaping, parking lot landscaping, screening adjacent to residentially zoned properties.
    - Sidewalk required along entire frontage of Car Farm Road, ADA Compliant
    - Building Permits to be issued by Lincoln County

5. Lincoln County Natural Resources Comments
    - Erosion Control Plan to be approved by Lincoln County
    - If this project requires offsite upgrades such as roadwork or utility work those areas will be required to also be shown on the plan set with appropriate EC measures for such.
    - Any land disturbance 20 acres or more requires all sediment basins to be designed at the 25 year storm events and also designed using 100' construction entrance instead of 50'.
    - This site will need an erosion control plan package submitted for review and approval PRIOR to any land disturbance taking place.
    - Plan will need to be NCG01 compliant.

STAFF RECOMMENDATION

Staff recommends the following actions:

- approval of the request for rezoning from PB to the General Manufacturing Commercial Conditional District (GMC-CD) (SHO) subject to the staff review committee comments being made conditions of approval,
- Change the Land Use Designation from Planned Business to Industrial

- 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.

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

Case No. CZ-5-2022

Applicant: Edgewater Ventures

Parcel ID#: 00822

Location: Car Farm Road, Maiden Highway, U.S. Highway 321

Request: Rezone from PB to General Manufacturing and Commercial Conditional District (GB-CD) (SHO) for the purpose of constructing an Industrial Flex Building.

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Planned Business Planning Area. The proposed rezoning request **is** not **consistent** with the Lincolnton Land Use Plan. However, staff supports a change to Industrial based on the location of this property adjacent to U.S. Highway 321 and its proximity to the Lincoln County Industrial Park make an Industrial Land Use designation reasonable.

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-5-2022

Applicant: Edgewater Ventures

Parcel ID#: 00822

Location: Car Farm Road, Maiden Highway, U.S. Highway 321

Request: Rezone from PB to General Manufacturing and Commercial Conditional District (GB-CD) (SHO) for the purpose of constructing an Industrial Flex Building.

Proposed Consistency and Reasonableness Statement:

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

MEMO TO: City of Lincolnton Planning Board Members

FROM: City of Lincolnton Planning Department

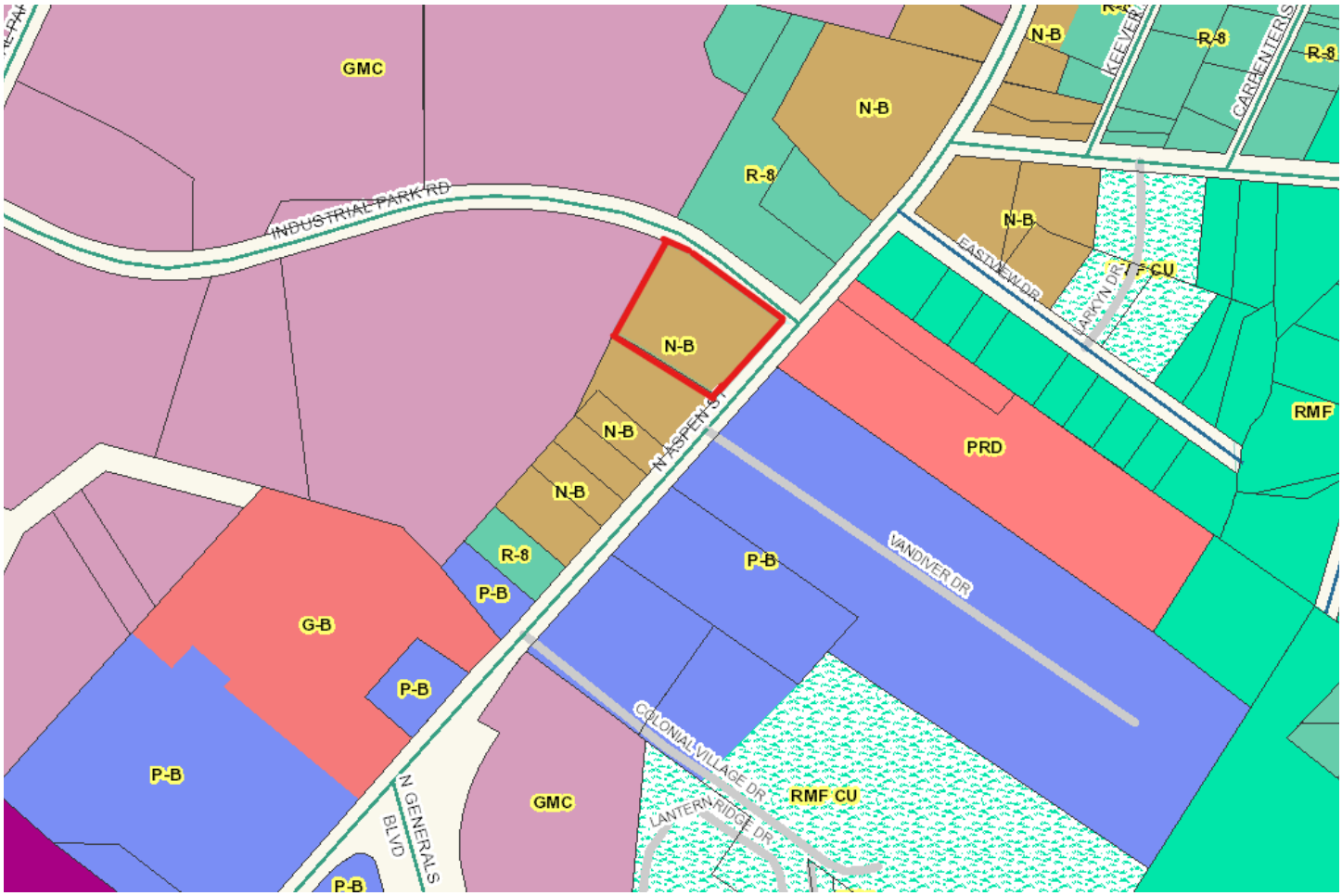
DATE: June 21, 2022

SUBJECT: CZ-6-2022 - Application from Bobby and Kawna Colvard requesting the conditional zoning of 1.766 acres from Neighborhood Business (NB) District to General Business (GB-CD) for the purpose of constructing a mini storage facility. The subject property is located at the southwest corner of North Aspen Street and Industrial Park Road (Parcel ID 16111)

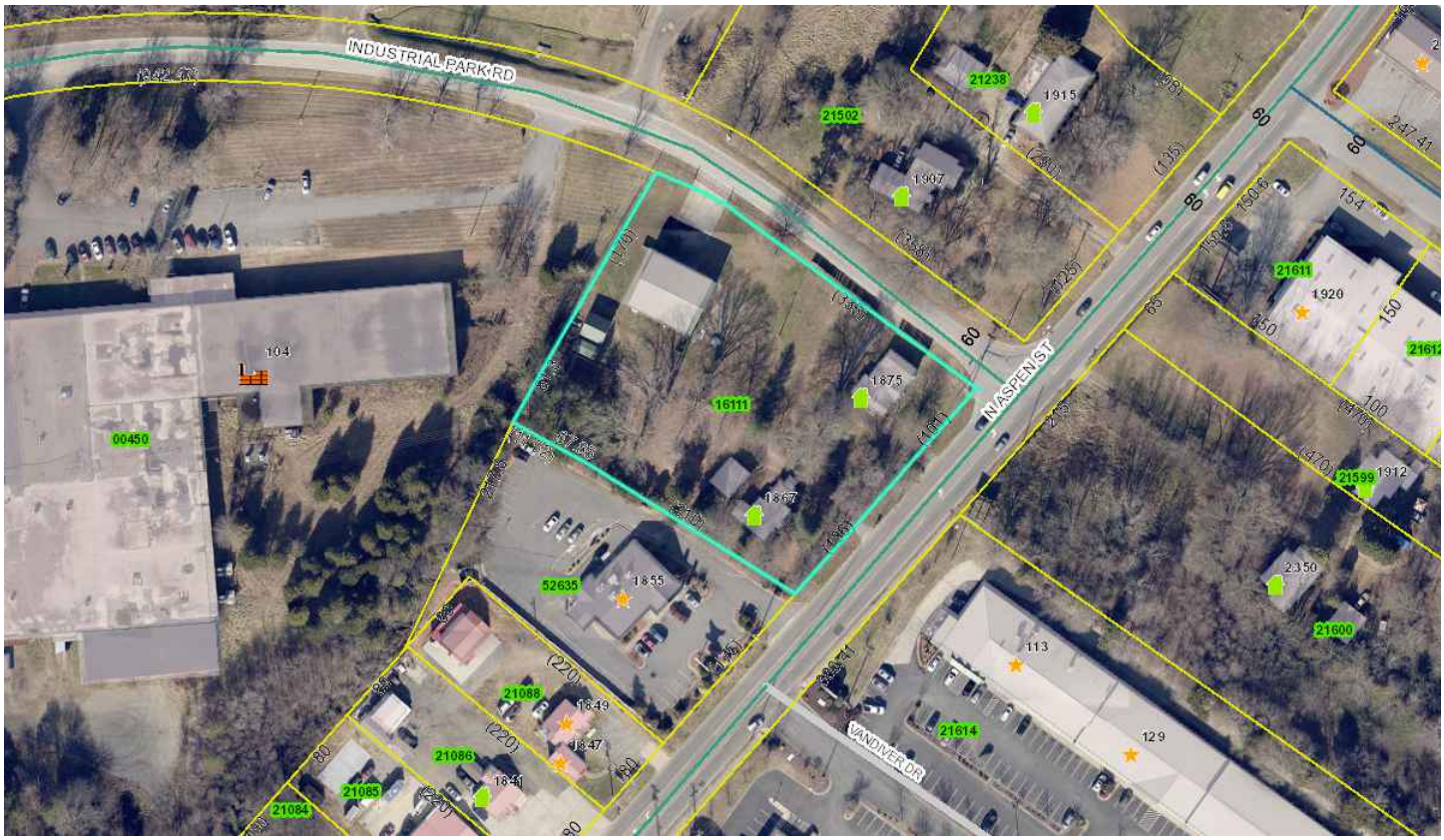
SITE AND AREA DESCRIPTION

Bobby and Kawana Colvard are requesting a conditional zoning from NB to GB-CD of 1.766 acres to construct a mini storage facility. The subject property is located at the southwest corner of North Aspen Street and Industrial Park Road (Parcel ID 16111).

The property surrounding the site has a variety of zoning districts including NB, GMC, PB, PRD and R-8. Land uses surrounding the site are a combination of business and residential.



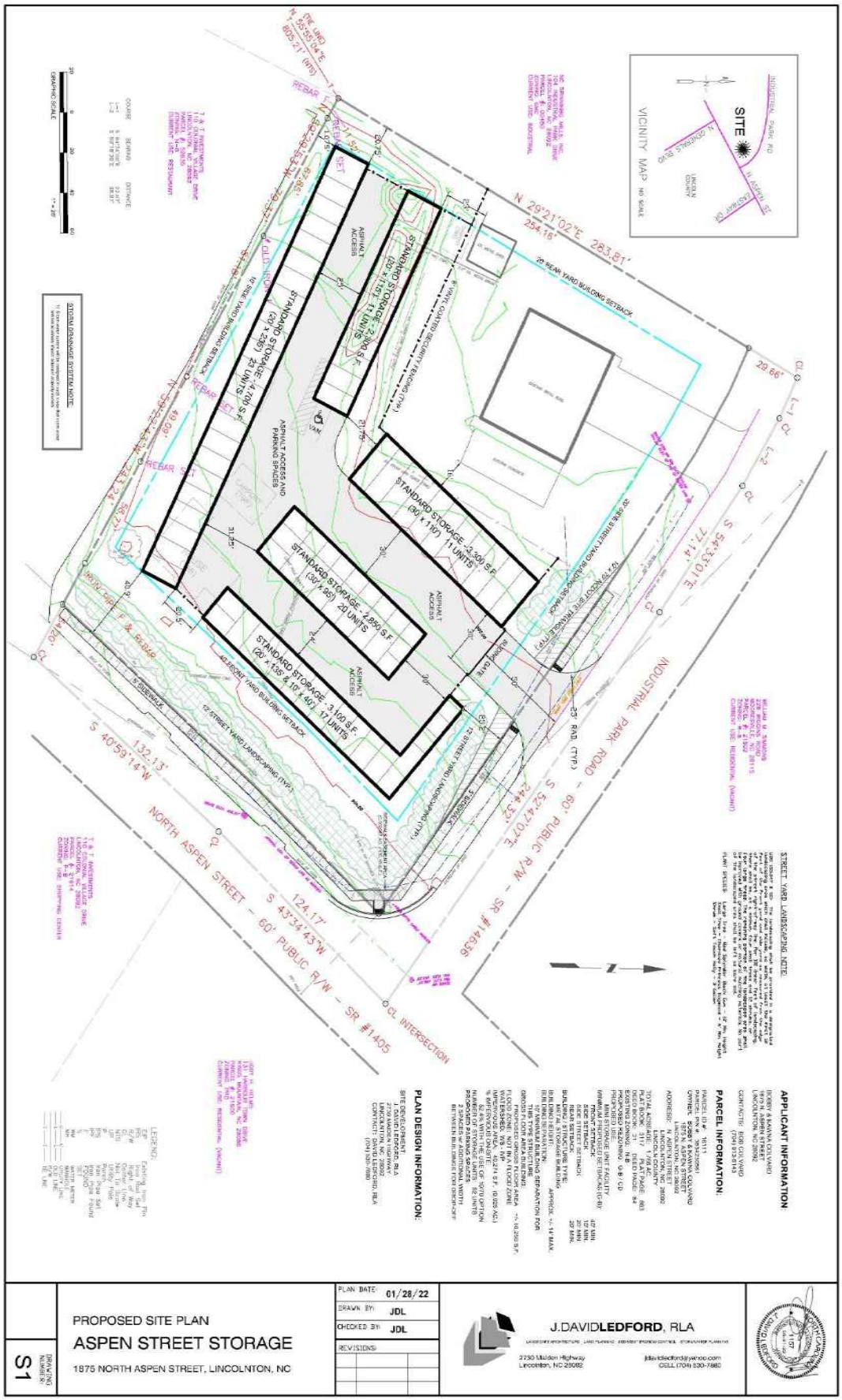
AERIAL VIEW:



The property is 1.766 acres in size and is currently vacant. The applicant requests conditional zoning in order to construct the following:

- 16,250 square foot multi-unit storage building
- 5 buildings with a total of 82 units
- One access point onto Industrial Park Drive
- Two parking spaces with additional space between buildings for drop off
- Self service with code access

SITE PLAN:


PROPOSED SITE PLAN
ASPEN STREET STORAGE
1875 NORTH ASPEN STREET, LINCOLNTON, NC
S1
PLAN DATE: 01/28/22
DRAWN BY: JDL
CHECKED BY: JDL
REVISIONS
J.DAVIDLEDFORD, RLA
2730 Malden Highway
Lincolnton, NC 28092
jdavidledford@yahoo.com
CELL (704) 530-7880
VICINITY MAP
SITE
NORTH ASPEN STREET - 60' PUBLIC R/W - SR #1405
INDUSTRIAL PARK ROAD - 60' PUBLIC R/W - SR #1436
STANDARD STORAGE - 2,300 S.F. (20' x 115') 11 UNITS
STANDARD STORAGE - 2,400 S.F. (20' x 120') 21 UNITS
STANDARD STORAGE - 2,850 S.F. (30' x 95') 20 UNITS
STANDARD STORAGE - 3,140 S.F. (20' x 135' & 10' x 40') 17 UNITS
ASPHALT ACCESS AND PARKING SPACES
STORM DRAINAGE SYSTEM NOTE:
STREET YARD LANDSCAPING NOTE:
APPLICANT INFORMATION:
PARCEL INFORMATION:
PLAN DESIGN INFORMATION:
LEGEND:

STREET VIEWS:

SIMILAR TO:

LAND USE PLAN

The Land Use Plan shows the property in the Neighborhood Business area. These planning areas are for small business clusters that cater to the needs of a relatively small trading area. Accordingly, they 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. New neighborhood business areas are also strongly encouraged for location in association with planned residential developments and/or new larger-sized subdivisions.

Staff views the request as consistent with intent of the Land Use Plan.

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.

WATER SUPPLY WATERSHED

The subject property is located within the WS-IVP Watershed area. The site is allowed up to 70% impervious surface. The site plan shows 52.4% built upon area and is in compliance.

STAFF REVIEW COMMITTEE

The Staff Review Committee had the following comments:

1. The City Fire Inspector will need to review and approve all plans prior to development. Fire hydrants may be required.If additional hydrants are required, they will need to install at their expense and provide an easement and access.
2. Building plans must be submitted and approved by Lincoln County Inspection prior to development.
3. Erosion and Sedimentation stated they have approved the plan and if there are any revisions they would need to be submitted to them for review.
4. NCDOT Driveway permit will be required and approved prior to development. An encroachment agreement will be needed for sidewalks or the sidewalks will need to be moved out of the right of way.
5. Sidewalk must be constructed to City of Lincolnton specifications and be ADA compliant.
6. Detailed landscaping plan will need to be provided

STAFF RECOMMENDATION

Staff recommends the following actions:

- approval of the request for rezoning from Neighborhood Business (NB) district to the General Business (GB-CD) district 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 with the conditions of approval.

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

Case No. CZ-6-2022

Applicant: Bobby & Kawna Colvard

Parcel ID#: 16111

Location: 1867 and 1875 N. Aspen Street

Request: Rezone from Neighborhood Business to General Business for the use of the property for a mini storage warehouse

Proposed Consistency and Reasonableness Statement:

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Neighborhood Business Planning Area. 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 proposed rezoning request **is consistent** with the intent of the Lincolnton Land Use Plan.

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-6-2022

Applicant: Bobby & Kawna Colvard

Parcel ID#: 16111

Location: 1867 and 1875 N. Aspen Street

Request: Rezone from Neighborhood Business to General Business for the use of the property for a minit storage warehouse

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 is consistent with the intent of the Lincolnton Land Use Plan.

However, the proposed commercial use is not viewed as desirable in this area. Therefore, **denial of the proposed amendment is reasonable and in the public interest.**

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

MEMO TO: Lincolnton Planning Board

FROM: City of Lincolnton Planning Department

SUBJECT: ZMA-3-2022 – Application from Carolina Elite Builders

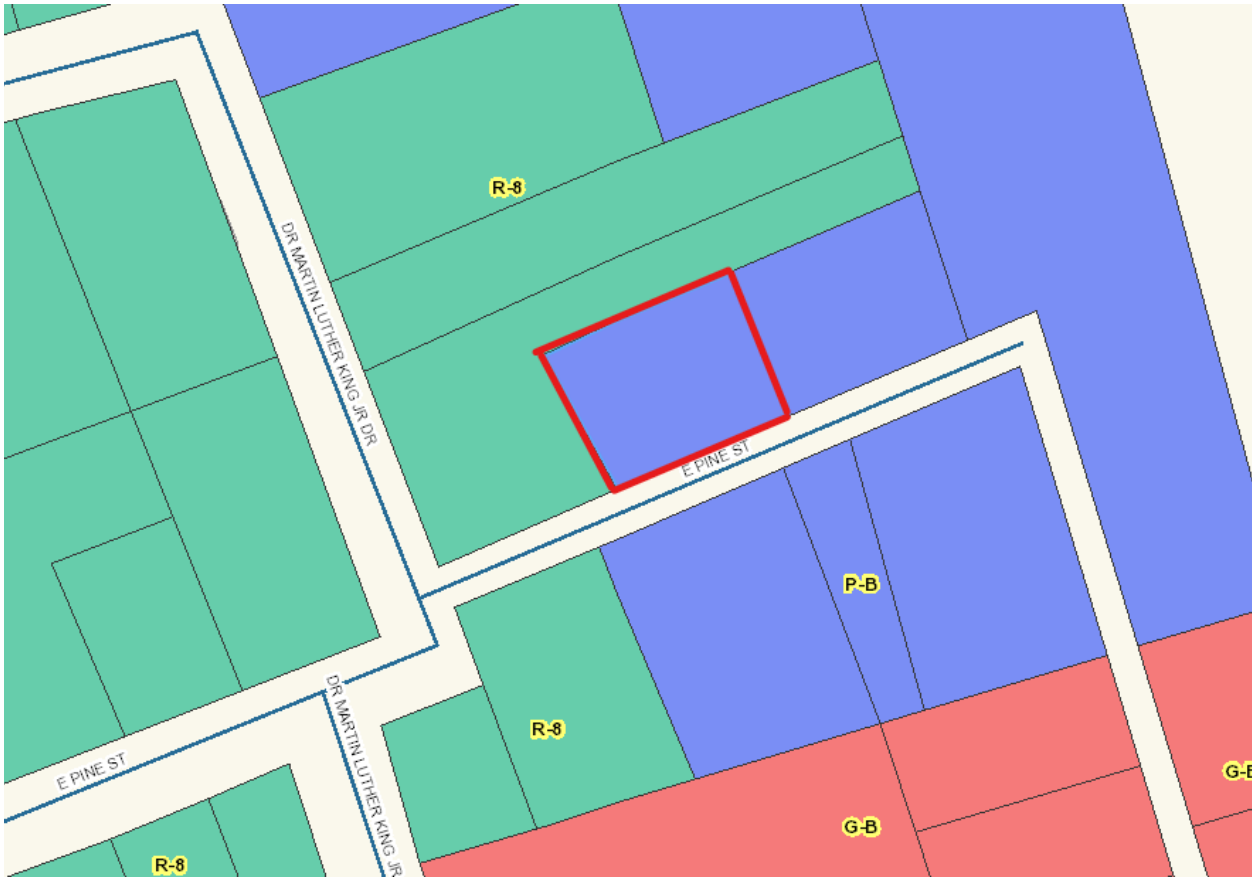
DATE: June 21, 2022

SITE AND AREA DESCRIPTION

The applicant is requesting the rezoning of 0.136 acres of land from Planned Business (PB) District to Residential-8 (R-8) District. The subject property is located at 1213 E Pine Street (Parcel ID 51771).

AERIAL VIEW:

ZONING



The subject property is vacant land. Land uses in the area include a mixture of residential and commercial uses The property is surrounded by Planned Business and Residential-8 zoning.

The change to R-8 zoning would allow for one single family or a two family dwelling to be constructed on the property.

LAND USE PLAN COMPLIANCE

The land use plan shows the property in the Traditional Single Family Planning Area.

These planning areas consist of single-family uses on smaller to medium sized lots in older established portions of the community. As these areas are primarily residential in character, they should be protected from encroachment of incompatible business and industrial development.

The proposed rezoning request would be consistent with the Land Use Plan.

STAFF RECOMMENDATION

Staff recommends the following action:

1. Recommend approval of rezoning of the property from PB to R-8

Zoning Amendment

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

Case No. ZMA-3-2022

Applicant: Carolina Elite Builders

Parcel ID#: 51771

Location: 1213 East Pine Street

Request: Rezone from PB to R-8

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Traditional Single Family Planning Area. The proposed rezoning request **is consistent** with the Lincolnton Land Use Plan. 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-3-2022

Applicant: Carolina Elite Builders

Parcel ID#: 51771

Location: 1213 East Pine Street

Request: Rezone from PB to R-8

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Traditional Single Family Planning Area. The proposed rezoning request **is not consistent** with the Lincolnton Land Use Plan and **denial of the proposed amendment is reasonable and in the public interest.**

MEMO TO: Planning Board Members

FROM: Planning Staff

SUBJECT: ZTA-1-2022 Application from Lincolnton Planning Department requesting amendment to Section 153.126, (TID - Transitional Infill Development), of the Unified Development Ordinance to eliminate the requirement for minimum lot size.

DATE: June 21, 2022

Background

A conditional district allows particular uses to be established only in accordance with specific standards and conditions pertaining to each individual development project. Some land uses are of such a nature or scale that they have significant impacts on both the immediately surrounding area and on the entire community, which cannot be predetermined and controlled by general district standards. There are also circumstances in which a general district designation allowing such a use by right would not be appropriate for a particular property even though the use itself could, if properly planned, be appropriate for the property consistent with the objectives of these regulations and the adopted Land Use Plan.

Proposed Amendment

The proposed amendment seeks to eliminate the current requirement for minimum project size. The current requirement is .5 acre to 10 acres.

Benefits of Infill Development

- successful infill development improves neighborhoods, creating more efficient mixes of housing, reducing blight, and reinvesting in the community
- by reducing sprawl, infill development also conserves natural resources, protects biodiversity, and promotes watershed protection
- vacant and underdeveloped lots are readily able to be integrated, into existing infrastructure, including sewers and roads
- businesses and the municipality are able to economically benefit from the increased spending within city limits.
- vacant and abandoned lots cost a municipality money and pose numerous safety hazards, such as increased risk of fires and crime

Staff Recommendation

Staff recommends approval of the amendment.

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

Case No. ZTA-1-2022

Applicant: City of Lincolnton Planning Department

Request: Amend Section 153.126, (TID - Transitional Infill Development), of the Unified Development Ordinance to eliminate the requirement for minimum lot size.

Proposed Consistency and Reasonableness Statement:

The proposed amendment is **consistent** with the adopted Lincolnton Land Use Plan in that it is not contrary to the goals and objectives outlined by the Plan and **approval of the amendment is reasonable and in the public interest**.

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

Case No. ZTA-3-2019

Applicant: City of Lincolnton Planning Department

Request: Amend Section 153.126, (TID - Transitional Infill Development), of the Unified Development Ordinance to eliminate the requirement for minimum lot size

Proposed Consistency and Reasonableness Statement:

The proposed amendment is **not consistent** with the adopted Lincolnton Land Use Plan in that it is contrary to the goals and objectives outlined by the Plan and **denial of the proposed amendment is reasonable and in the public interest**.

AN ORDINANCE TO AMEND THE LINCOLNTON UDO TO MODIFY PROVISIONS RELATED TO MINIMUM LOT SIZE

Amend Section 153.126, (TID - Transitional Infill Development), of the Unified Development Ordinance to eliminate the requirement for minimum lot size. Newly adopted language is underlined and highlighted in yellow the language to be deleted is struck through and ~~red~~.

§ 153.126 TID TRANSITIONAL INFILL DEVELOPMENTS.

(A) A request for rezoning to the TID district may be approved by the City Council subject to §§ 153.315, 153.316 and 153.127 and only after having first been reviewed by the Planning Board. A transitional infill development (TID) is a type of TND that is characterized by smaller project areas and higher density, innovative development. In addition, a TID contains residential uses only. The project size of a TID shall be up to ~~between one-half to~~ ten acres in area and shall contain at least three dwelling units.

(B) The Planning Board shall consider the request only after a completed application has been submitted to the Administrator. (Note: Prior to submission of the site plan and application, and prior to any disturbance of any land or vegetation it is recommended that the applicant consult with the Administrator or his or her designee in order for the applicant to be briefed on the requirements of this chapter and that consideration be given to natural features of the site.)

(C) A TID may be established only on parcels that meet all of the following criteria. A TID district is similar to a TND district, as established in § 153.125, except that the following principles may not apply to all TIDs:

(1) Neighborhood centers shall not be required in a TID;

(2) TIDs need not be planned to connect with neighboring developments (whether existing or planned);

(3) TIDs need not contain a mixture of housing types; and

(4) Common open space may not be required in smaller-sized TIDs.

(D) *Additional criteria for TIDs.*

(1) Front-loaded garages of any structured shall not be placed side by side and shall be recessed a minimum of five feet from the street side façade.

(2) Otherwise, setback and yard regulations for a TID shall be as follows.

Attached Housing		
Setback/Height Standard	***Minimum (ft)***	***Maximum (ft)***
Side yard setback (end unit only)	0	40
Rear yard setback	25	N/A
Building height	N/A	35

Front yard	The front yard setback for all principal structures facing an existing public street shall be equal to (and not exceed) the average of all front setbacks for all principal structures located on the same side of the same street within 300 feet of any portion of the tract upon which the TID is to be constructed. Notwithstanding, balconies, stoops, stairs, open porches, bay windows and awnings shall be allowed to encroach up to five feet within the required front yard setback. For all internal streets within the TID, there shall be no required front yard setbacks.

Detached Housing		
Setback/Height Standard	***Minimum (ft)***	***Maximum (ft)***
Side yard setback	5	N/A
Rear yard setback	20	N/A
Building height	N/A	35
Front yard	The front yard setback for all principal structures facing an existing public street shall be equal to (and not exceed) the average of all front setbacks for all principal structures located on the same side of the same street within 300 feet of any portion of the tract upon which the TID is to be constructed. Notwithstanding, balconies, stoops, stairs, open porches, bay windows and awnings shall be allowed to encroach up to five feet within the required front yard setback. For all internal streets within the TID, there shall be no required front yard setback.	

(E) *Application requirements and review procedures.* Transitional infill developments are established through the conditional district process outlined in §§ 153.315 and 153.316 and the site plan submission process outlined in § 153.127 of this chapter.