

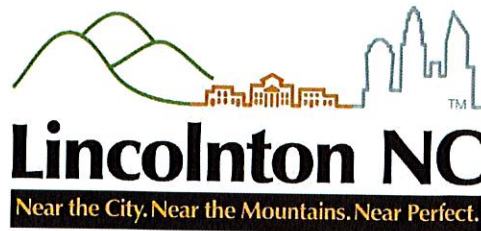
LINCOLNTON PLANNING BOARD
AGENDA
July 19, 2022
At 4:00 P.M. in City Council Chambers

1. Roll Call
2. Call to Order
3. Approval of minutes from the June 21, 2022 meeting
4. ZMA-4-2022 - Application from DSM Construction requesting the rezoning of 0.139 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 175 feet east of the intersection of East Pine Street and Dr. Martin Luther King Jr. Drive (Parcel ID 20471)
5. CZ-7-2022 - Application from Southern Property, LLC. Requesting the conditional zoning of approximately 3.08 acres of land from General Manufacturing and Commercial (GMC) District to Highway Commercial Conditional District (HC-CD) for use of the property as an outdoor recreation soccer complex. The subject property is located at 1015/1041 South Grove Street Ext. (Parcel ID 01024)
6. CZ-8-2022 - Application from Joseph and Samantha Brown requesting the conditional zoning of .584 acres of land from General Manufacturing and Commercial Conditional Use (GMC-CU) to General Business Conditional District (GB-CD) for the purpose of using an existing building on site for a sporting goods store. The subject property is located at 607 West Highway 150 Bypass (Parcel ID 19632)
7. Adjournment

PB Agenda72022

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

Member	Jan 2022	Feb 2022	March 2022	April 2022	May 2022	June 2022
Gene Poinsette	✓	✓	✓	✓	✓	✓
Rebecca Abernethy	✓	✓	✓	✓	✓	✓
Greg McBryde	✓	✓	✓	✓	✓	✓
Trent Mason	A	✓	✓	✓	✓	✓
Joy Smith	A	A	✓	✓	✓	A
Monte Tyson	✓	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, joysmithmsnm@gmail.com; Monte Tyson, monte@cbdeastmain.com

Tuesday, June 21, 2022 Meeting

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

Absent: Joy Smith

Call to Order

Chair Trent Mason called the meeting to order and stated that Joy Smith was absent.

Approval of Minutes

Chair Trent Mason asked the Board if there were any additions or corrections to the minutes of the May 17, 2022 meeting.

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

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)

Mark Carpenter presented the staff report provided in the agenda packet to the board.

The applicant spoke about the project. Two neighbors spoke against the project stating traffic is terrible in the area and this would make it worse. Cliff Brumfield, from LEDA, spoke in favor of the project.

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

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

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)

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

David Ledford spoke about the project on behalf of the applicant.

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. Monte Tyson seconded. Motion carried unanimously.

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)

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: Greg McBryde made a motion to approve. Rebecca Abernethy seconded. Motion carried unanimously.

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

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: Rebecca Abernethy made a motion to approve. Monte Tyson 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: Greg McBryde made a motion to adjourn. Gene Poinsette seconded. Motion carried unanimously.

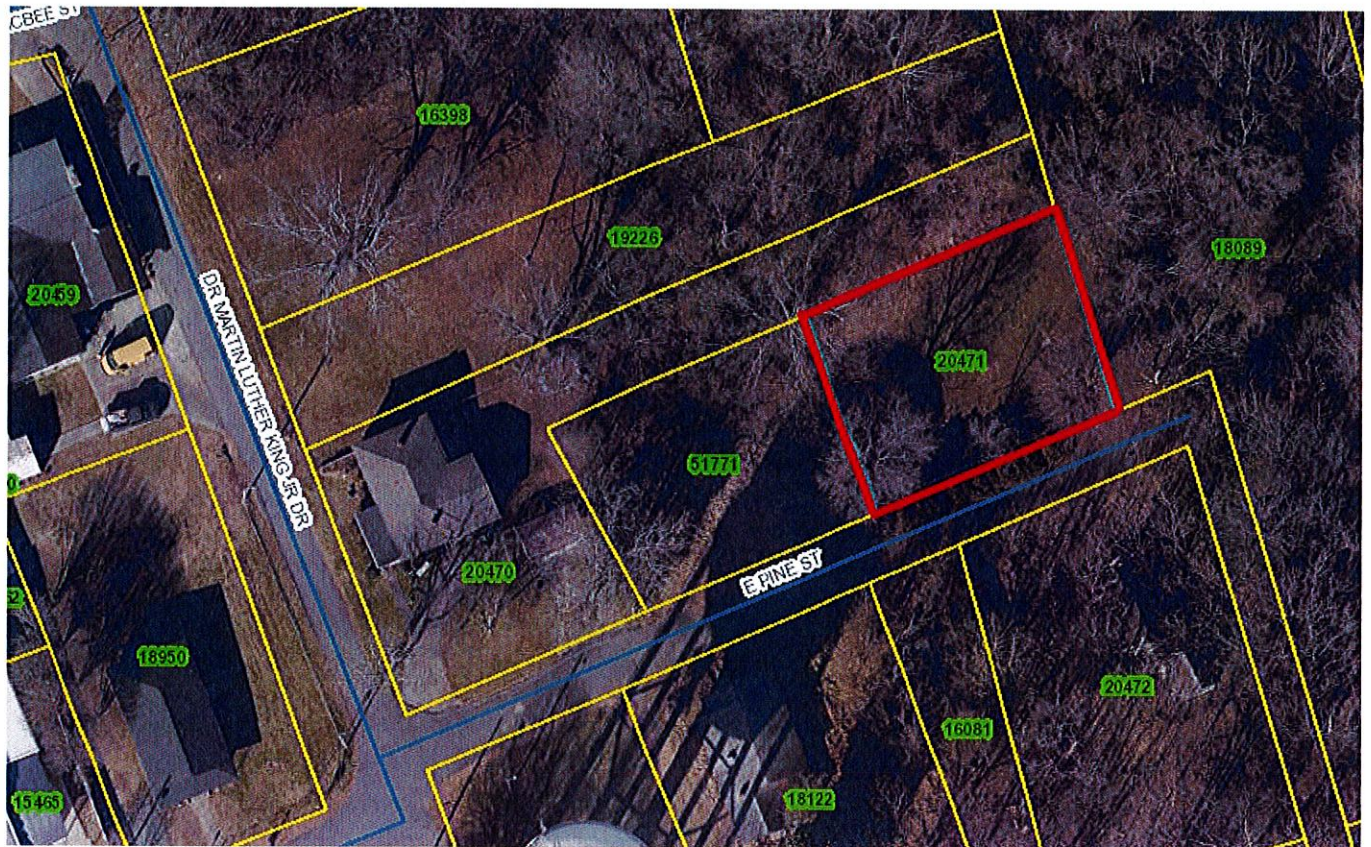
Jean Derby

MEMO TO: Lincolnton Planning Board
FROM: City of Lincolnton Planning Department
SUBJECT: ZMA-4-2022 – Application from DSM Construction
DATE: July 19, 2022

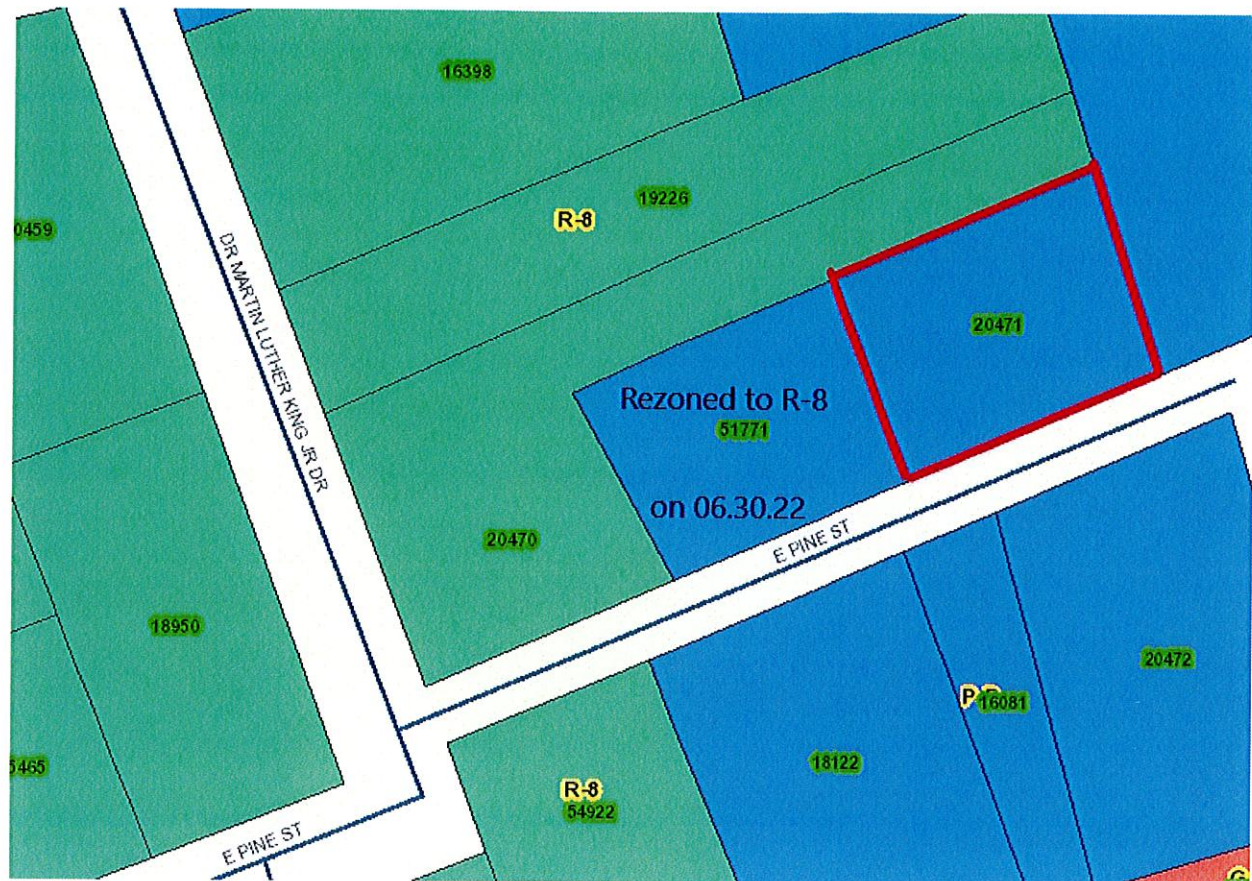
SITE AND AREA DESCRIPTION

The applicant is requesting the rezoning of 0.139 acres of land from Planned Business (PB) District to Residential-8 (R-8) District. The subject property is located at 1221 E Pine Street (Parcel ID 20471).

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.

Permitted Uses Under Current Zoning

Retail stores, appliance/appliance repair shop, gas station, office building, second hand store, barber or beauty shop, laundry mat, dry cleaner. These are examples of permitted uses. There are over 82 permitted uses in the Planned Business zoning district. Permitted use means it does not come to council for approval.

Proposed Use by Rezoning to R-8

Single family home or two family home.



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-4-2022

Applicant: DSM Construction

Parcel ID#: 20471

Location: 1221 East Pine Street

Request: Rezone from PB to R-8

Proposed Consistency and Reasonableness Statement:

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

The property is currently zoned Planned Business. A commercial use is not consistent with the Land Use Plan. Rezoning to R-8 would make it consistent.

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-4-2022

Applicant: DSM Construction

Parcel ID#: 20471

Location: 1221 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: City of Lincolnton Planning Department

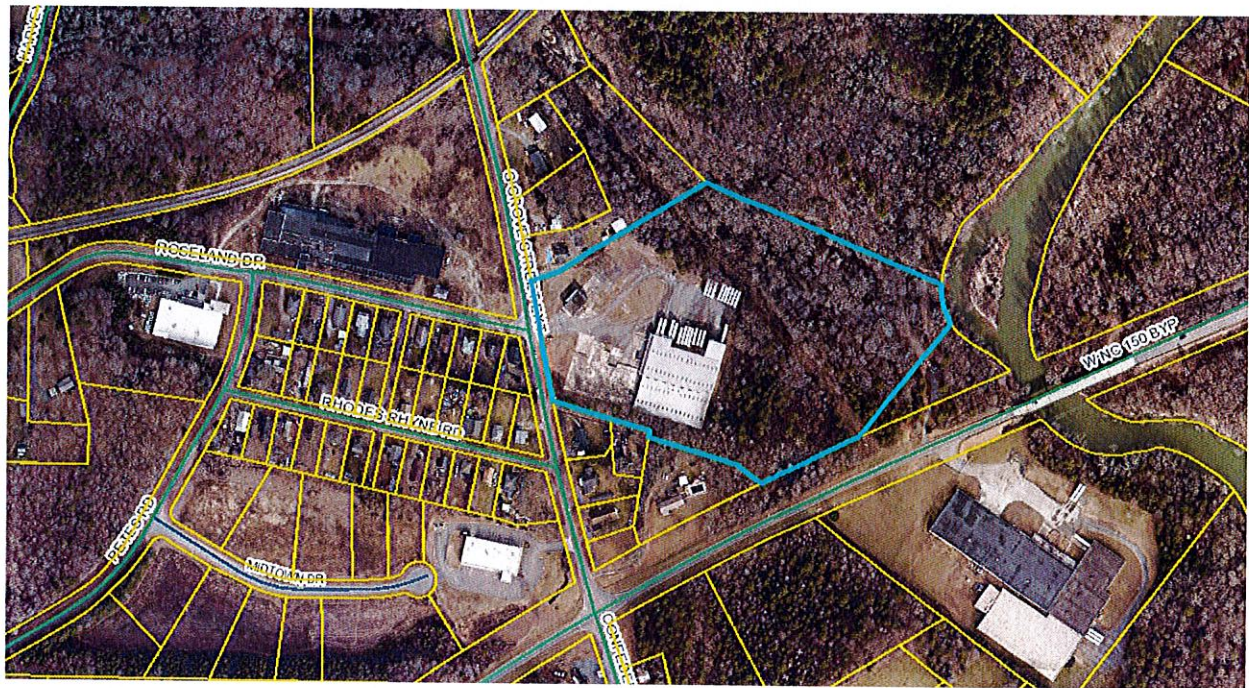
SUBJECT: CZ-7-2022 Request for rezoning of approximately 3.08 acres from GMC to HC-CD

DATE: July 19, 2022

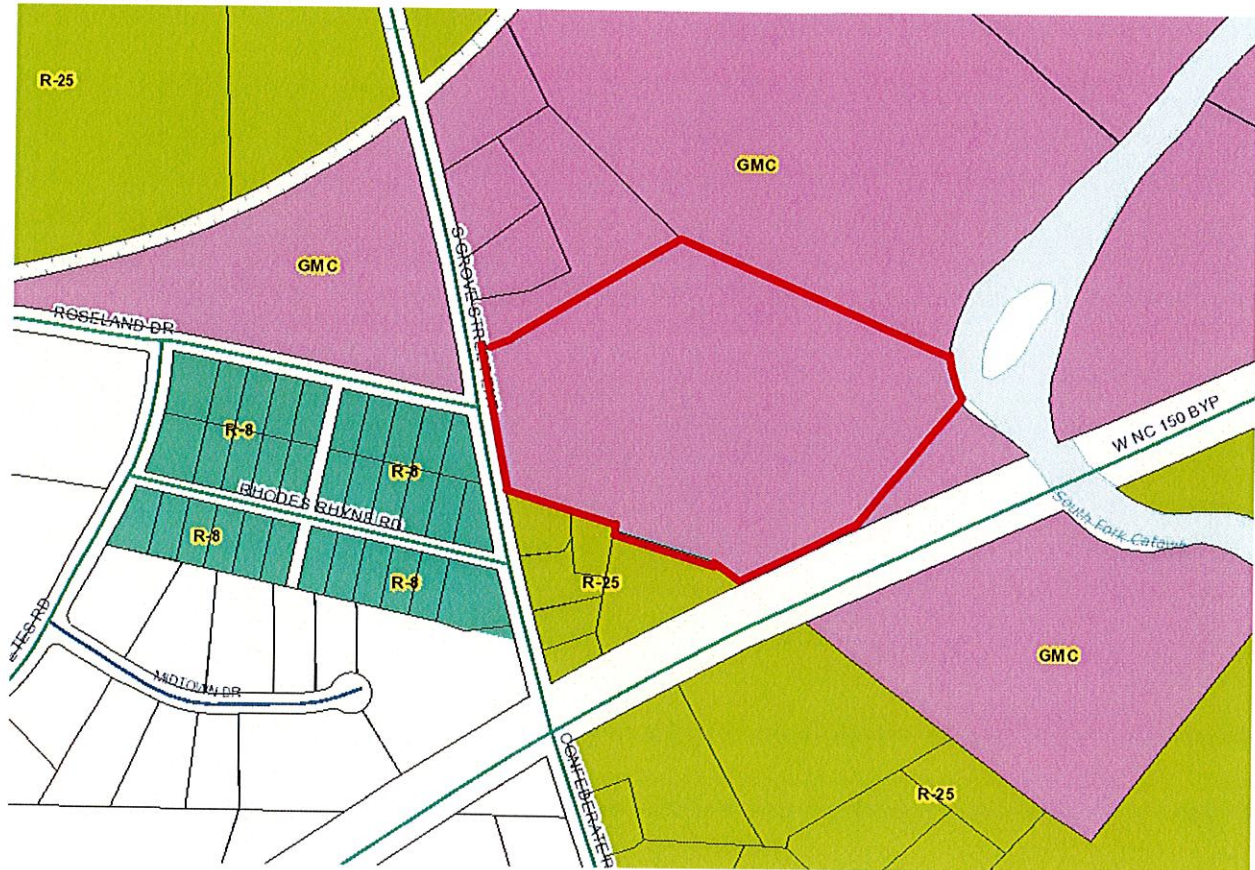
SITE AND AREA DESCRIPTION

The applicant is requesting a conditional rezoning from GMC (General Manufacturing and Commercial) District to the Highway Commercial (Conditional District) (HC-CD) of 3.08 acres in order to construct a soccer complex.

The subject property located at 1015 and 1041 S. Grove Street consists of 14.6 acres (the applicant only wants to rezone 3.08 acres). The site currently has a large concrete pad, warehouse and a block garage. This property is located outside of the City limits but within the ETJ.

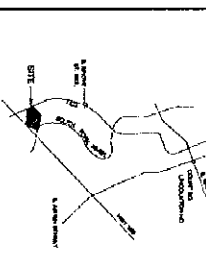
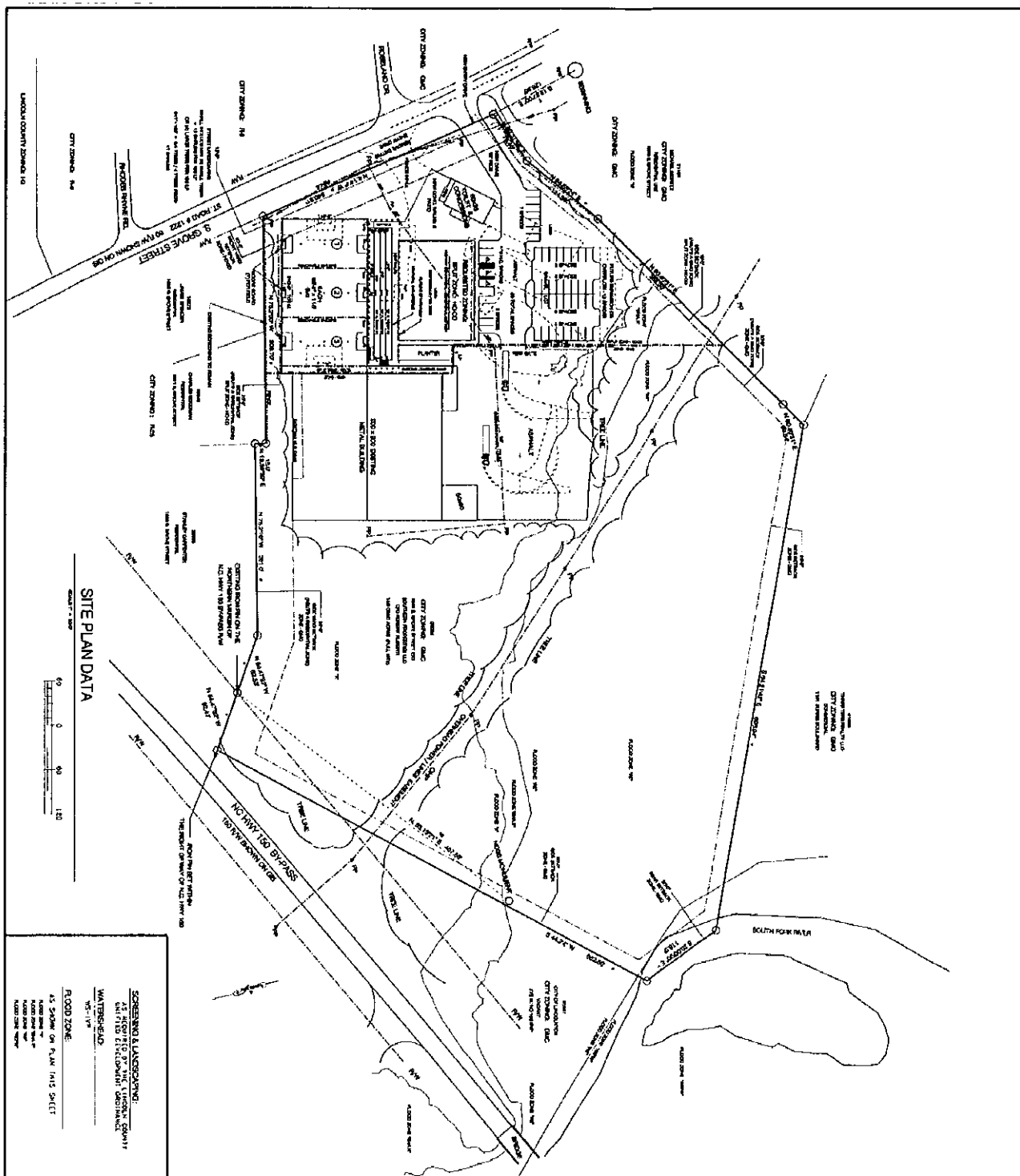


Zoning around the site is a mixture of commercial and residential. Zoning to the north, south and east of the site is GMC with R-8 to the west and R-25 to the west and south of the site.



SITE DESCRIPTION

- The rezoning would only apply to the 3.08 acres to the west of the dotted line on the site plan
- Three 6v6 soccer fields with risers for seating.
- Current driveway will be relocated further north to accommodate the parking lot layout.
- Existing 2400 SF block garage will be converted to concession and restrooms
- The parking lot will be a combination of asphalt and gravel for a total of 50 spaces including 3 handicapped spaces

VICINITY MAP
SITE DATA

2

CURRENT OWNER

SITE ADDRESS:
C/O ROBERT MURPHY
1103 COLLINS AVE. APT 2041
SANNY ISLES BEACH FL. 33160

SALE BUSINESS:**NOTE:**

RESULTS

DATE: 06 MAY 1964

1000

Site Area:

04-52 4/- ACRES RCH

EXPERIMENT 1

* 56 x 50 *

0018 4100000

502CITE COMPL

YARD REQUIREMENTS

INVESTIGATIVE AGENCIES

1ST WIDTH -
MIN. FRONT 51

RECEIVED GENERAL INVESTIGATIVE DIVISION, NEW YORK STATE POLICE, ALBANY, NEW YORK 5/1/78

770NE • WOOD

MIN. LOT 3/25

1000

MIN. RISE SE
2001.06.10

343

ONE MORE LINE
30 PLAYERS

4 STAFF
150 DEC150
5
PARK INC

J. H. E. AGOSTO

44-38861-104 SP-10 2025 RELEASE UNDER E.O. 14176	INTERVIEW FOR ROBERT RUBERTI SINDICATOR, NORTH BRASHEAR		 WILLIAMS DESIGN, P.A. ARCHITECTS • PLANNERS P.O. BOX 1128 TORRINGTON, CT 06801 141 E. SCOTT ST. LIVERMERE, NJ 07034		NOTES 06/16/2022 COM NO: 220304 03:45:31 STONE 04:07:41 WILLIAMS
	ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 06-16-2022 BY 60322 SP-10				

TERRACED SEATING:



SCOREBOARD:

Digit Size: 14" Digit Color: High Intensity Red, Amber, or Translucent White



SHOWN WITH OPTIONAL WHITE LEDs



Advanced timing features ideal for combination Soccer, Football, Lacrosse and Field Hockey facilities.

- Operate wired or wireless.
 - Bright, long lasting, energy efficient LEDs.
 - Gasketed digits reduces water intake.
 - Includes built-in Horn.
 - Lighted time colon and decimal; automatically adjusts to 1/10th of a second.
- * Translucent White LEDs cannot be intermixed with other digit colors on one scoreboard.

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STREET VIEWS OF SITE





LAND USE PLAN

The Land Use Plan shows the property in the Industrial Planning area. The Industrial Planning area encourages adaptive reuse of older manufacturing buildings (for both manufacturing and other compatible non-industrial uses).

The rezoning of the property to the Highway Commercial (Conditional District) HC (CD) is consistent with the intent of the land use plan in staff's opinion.

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. Detailed Landscaping/Screening Plans needed including street landscaping, parking lot landscaping, screening adjacent to residentially zoned properties.
2. Appendix D of the Fire Code must be met.
3. NCDOT Driveway Permit required
4. Erosion control permit required by Lincoln County Natural Resources
5. Building Permits to be issued by Lincoln County.
6. If lighting is ever used, all lighting must be done in such a manner that it does not interfere with neighboring properties.
7. Hours of operation shall be no earlier than 7:00 a.m. or later than 11:00 p.m.

STAFF RECOMMENDATION

Staff recommends the following actions:

- approval of the request for rezoning from General Manufacturing Commercial (GMC) to Highway Commercial Conditional District (HC-CD) (SHO) 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 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-7-2022

Applicant: Southern Property LLC

Parcel ID#: 01024

Location: 1015/1041 S. Grove Street Ext.

Request: Rezone from GMC (General Manufacturing and Commercial) District to the Highway Commercial (Conditional District) (HC-CD) of 3.08 acres in order to construct a soccer complex.

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Industrial Planning Area. The proposed rezoning request **is consistent** with the Lincolnton Land Use Plan in the following ways:

- The Industrial Planning area encourages adaptive reuse of older manufacturing buildings (for both manufacturing and other compatible non-industrial uses).
- Provide transitional land uses or buffers between residential and newly developed industrial areas.

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-7-2022

Applicant: Southern Property LLC

Parcel ID#: 01024

Location: 1015/1041 S. Grove Street Ext.

Request: Rezone from GMC (General Manufacturing and Commercial) District to the Highway Commercial (Conditional District) (HC-CD) of 3.08 acres in order to construct a soccer complex.

Proposed Consistency and Reasonableness Statement:

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

MEMO TO: Planning Board Members

FROM: City of Lincolnton Planning Department

SUBJECT: CZ-8-2022- Application from Joseph and Samantha Brown requesting the conditional zoning of .584 acres of land from General Manufacturing and Commercial Conditional Use (GMC-CU) to General Business Conditional District (GB-CD) for the purpose of using an existing building on site for a sporting goods store. The subject property is located at 607 West Highway 150 Bypass (Parcel ID 19632)

DATE: July 19, 2022

SITE AND AREA DESCRIPTION

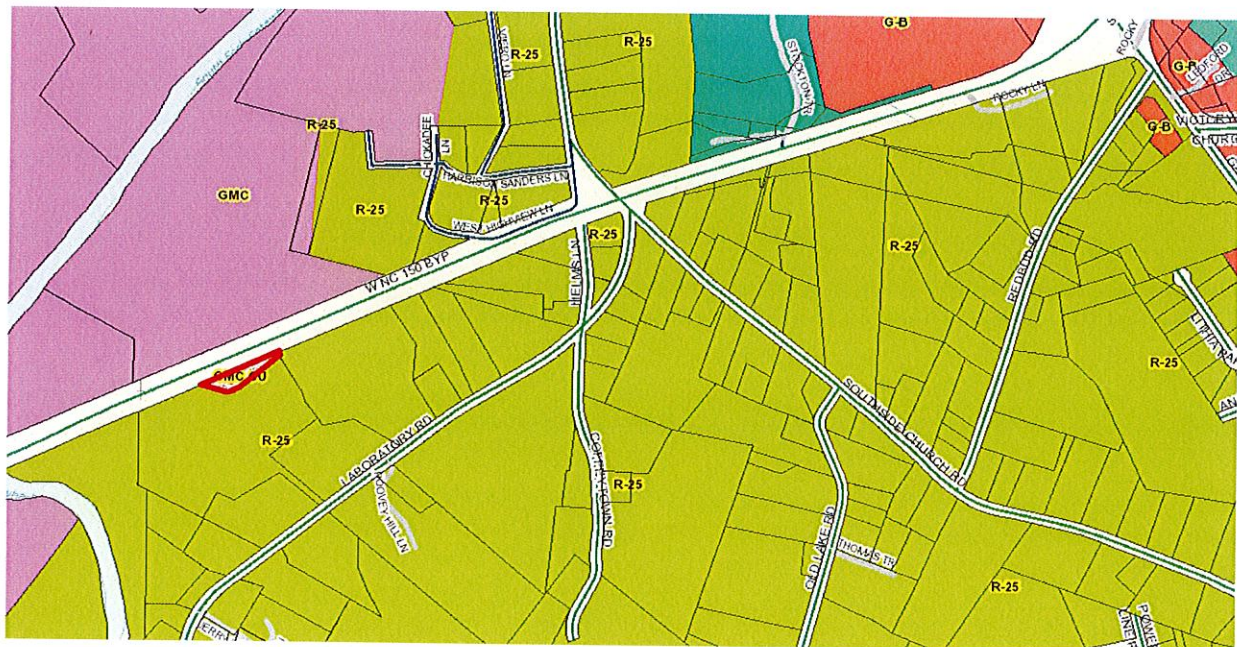
The subject property is located at 607 W. Highway 150 Bypass.

The site is developed with two unoccupied buildings. Surrounding properties on the south side of West Highway 150 are sparsely developed with single family residences. To the north of West Highway 150 is the City's wastewater treatment plant.

BACKGROUND

The building located on the easterly portion of the site is approximately 1,000 square feet and was formerly used as a TV repair shop. The building located on the westerly portion of the site is approximately 1,200 square feet and was formerly used as a restaurant. In 2012, the property was rezoned from R-25 to CU-GMC for a metal fabrication shop.

CURRENT ZONING AND MAP



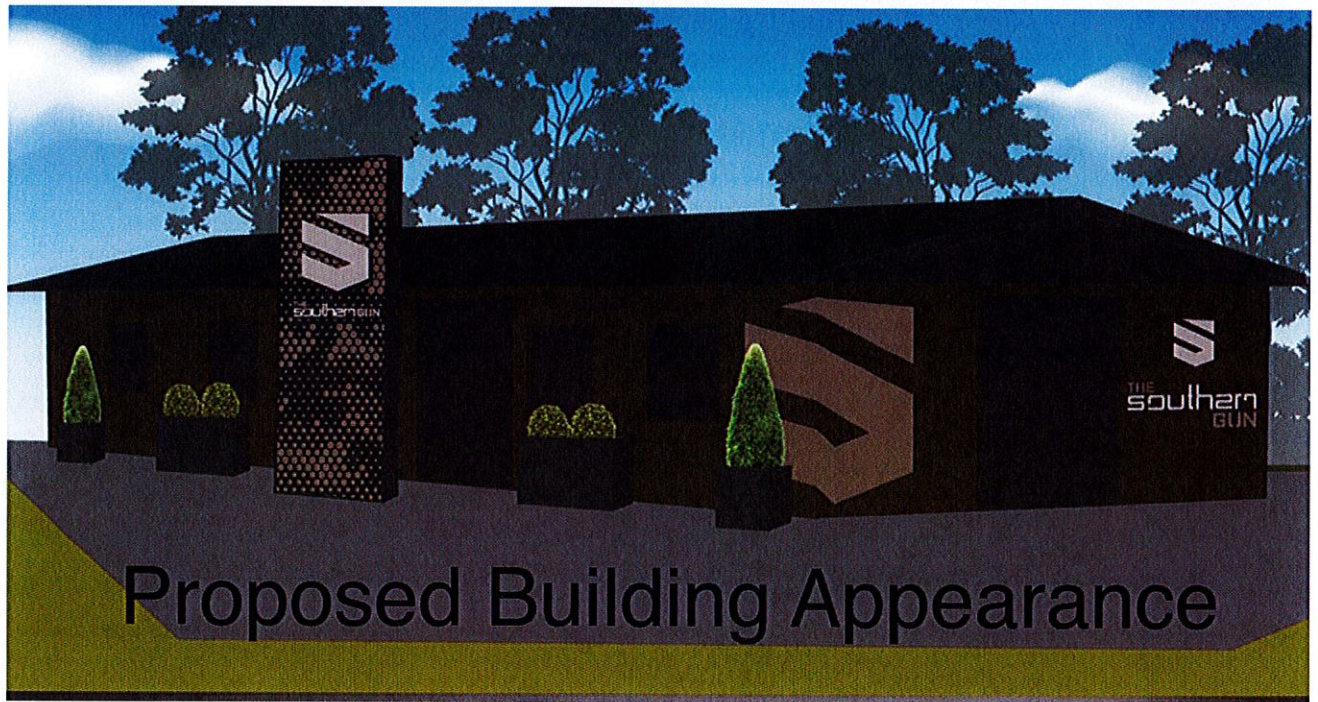
The adjacent properties are commercial and residential. Zoning around the site is a mixture of General Manufacturing and Commercial (GMC) District and R-25 along with Residential Multifamily and General Business to the east.

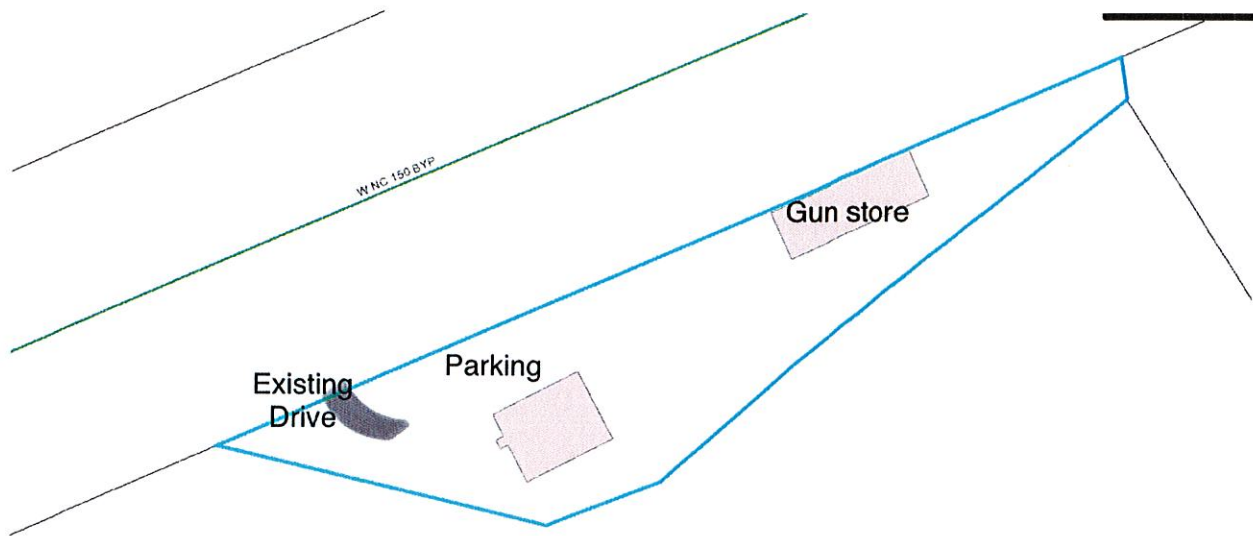
AERIAL VIEWS



STREET VIEWS







LAND USE PLAN

The Lincolnton Land Use Plan designates the property as rural residential. The NC 150 Corridor Plan recognizes the area as suburban residential but also allows for rezoning to more intensive commercial and/or industrial zoning on a case by case conditional basis.

The requested zoning is not in compliance with the residential land use recommendations of the Land Use Plan and the Highway 150 Plan. However, the Highway 150 Plan specifically recognizes the feasibility of conditional use rezonings on a case by case basis in the area of the subject property and this application is consistent with that recommendation.

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. Prior to final approval, a site plan, completed by an architect, engineer, or surveyor licensed in NC, meeting all UDO requirements must be submitted to and approved by staff including driveway locations as approved by NCDOT, Landscaping, parking, etc...
2. Erosion control plans must be submitted to and approved by Lincoln County Soil and Erosion prior to development.

3. NCDOT driveway permit required.
4. Building plans must be submitted and approved by Lincoln County Inspection prior to development.
5. All Fire Code requirements of the City of Lincoln must be met.

STAFF RECOMMENDATION

Staff recommends the following actions:

- approval of the request for rezoning from CU-GMC to the General Business(Conditional District) GB(CD) 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-8-2022

Applicant: Joseph and Samantha Brown

Parcel ID#: 19632

Location: 607 NC Highway 150 Bypass

Request: Rezone from CU_GMC to GB (CD) for the use of the property for a sporting goods store.

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Planned Business Planning Area.

The requested zoning category is not consistent with the residential land use recommendations of the adopted Lincolnton Land Use Plan and the Highway 150 Plan. However, the conditional nature of the application and the specific proposal for reuse of existing structures that would not likely be used for residential purposes is consistent with the Highway 150 Plan.

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. CZ-8-2022

Applicant: Joseph and Samantha Brown

Parcel ID#: 19632

Location: 607 NC Highway 150 Bypass

Request: Rezone from CU_GMC to GB (CD) for the use of the property for a sporting goods store.

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 consistent** with the Lincolnton Land Use Plan. However, the proposed use is not viewed as desirable in the area and therefore, **denial of the proposed amendment is reasonable and in the public interest.**