

**LINCOLNTON PLANNING BOARD
AGENDA
September 20, 2022
At 4:00 P.M. in City Council Chambers**

1. Roll Call
2. Call to Order
3. Approval of minutes from the August 16, 2022 meeting
4. CZ-9-2022- 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 270,000 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. MJS-2-2022- Major Subdivision Plat from BBC Clark Creek LLC requesting subdivision plat approval of 328 residential lots that were conditionally zoned as a Planned Residential Development (Clarks Creek Landing). The subject property is approximately 86 acres and consists of 328 residential lots (Parcel ID 15415).
6. Adjournment

PB Agenda92022

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

Member	March 2022	April 2022	May 2022	June 2022	July 2022	August 2022
Gene Poinsette	✓	✓	✓	✓	✓	✓
Rebecca Abernethy	✓	✓	✓	✓	A	✓
Greg McBryde	✓	✓	✓	✓	✓	✓
Becky Shaw	n/a	n/a	n/a	n/a	✓	✓
Trent Mason	✓	✓	✓	✓	✓	✓
Joy Smith	✓	✓	✓	A	✓	✓
Monte Tyson	A	A	✓	✓	✓	A



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

BOARD MEMBERS: Gene Poinsette, Chair, poinsetteg@charter.net; Greg McBryde, Vice-Chair, Gregory.McBryde@gmail.com; Rebecca Abernethy, rabernethy21@bellsouth.net; Trent Mason, trentonmason@gmail.com; Becky Shaw, becky.greer82@gmail.com; Joy Smith, joysmithmsnrn@gmail.com; Monte Tyson, monte@cbdeastmain.com

Tuesday, August 16, 2022 Meeting

Present: Gene Poinsette, Rebecca Abernethy, Greg McBryde, Trent Mason, Joy Smith, and Becky Shaw

Absent: Monte Tyson

Call to Order

Chair Trent Mason called the meeting to order and stated that Monte Tyson was absent.

Approval of Minutes

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

Motion: Gene Poinsette made a motion to approve the minutes. Rebecca Abernethy 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: Joy Smith made a motion to adjourn. Greg McBryde seconded. Motion carried unanimously.

Jean Derby

MEMO TO: Planning Board Members

FROM: City of Lincoln Planning Department

SUBJECT: CZ-9-2022 Request for rezoning of approximately 30.33 acres from PB (SHO) to GMC (CD) for Edgewater Ventures, Industrial Building

DATE: September 20, 2022

Edgewater Ventures had previously requested rezoning of the same site associated with this application and that request was denied in June 2022.

The Unified Development Ordinance contains the following stipulation regarding conditional rezoning requests that have been denied:

If a request for a conditional district is denied by the City Council, a similar application for the same property or any portion thereof shall not be filed until the expiration of a 12-month period from the date of the most recent denial by the City Council. This waiting period shall not be applicable where the application for a conditional district is substantially different from the application that most previously had been denied.

Since December, the applicant has held a community meeting and modified the conditional zoning site plan to include several changes. The City Attorney has determined that the extent of the changes make the new application substantially different from the previous application and therefore not subject to the 12-month waiting period.

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 approximately 270,000 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 Family Dwelling, 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.



CHANGES TO PLAN:

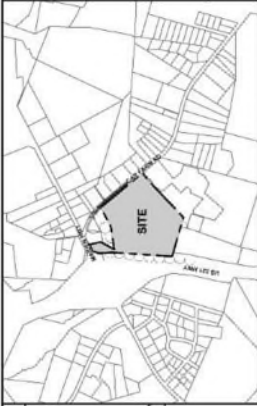
	CZ-5-2022	CZ-9-2022
SF	352,500	270,000
Building size	470 X 750	360 X 750
Car parking	109	285
Trailer Parking	102	88
Front Set back	20	50
Side Set back	20	50
added additional landscaping added sidewalk		

added no right turn for trucks

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 270,000 square foot Industrial Building
- 265 Vehicle Parking Spaces
- 88 Trailer Parking Spaces
- 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.

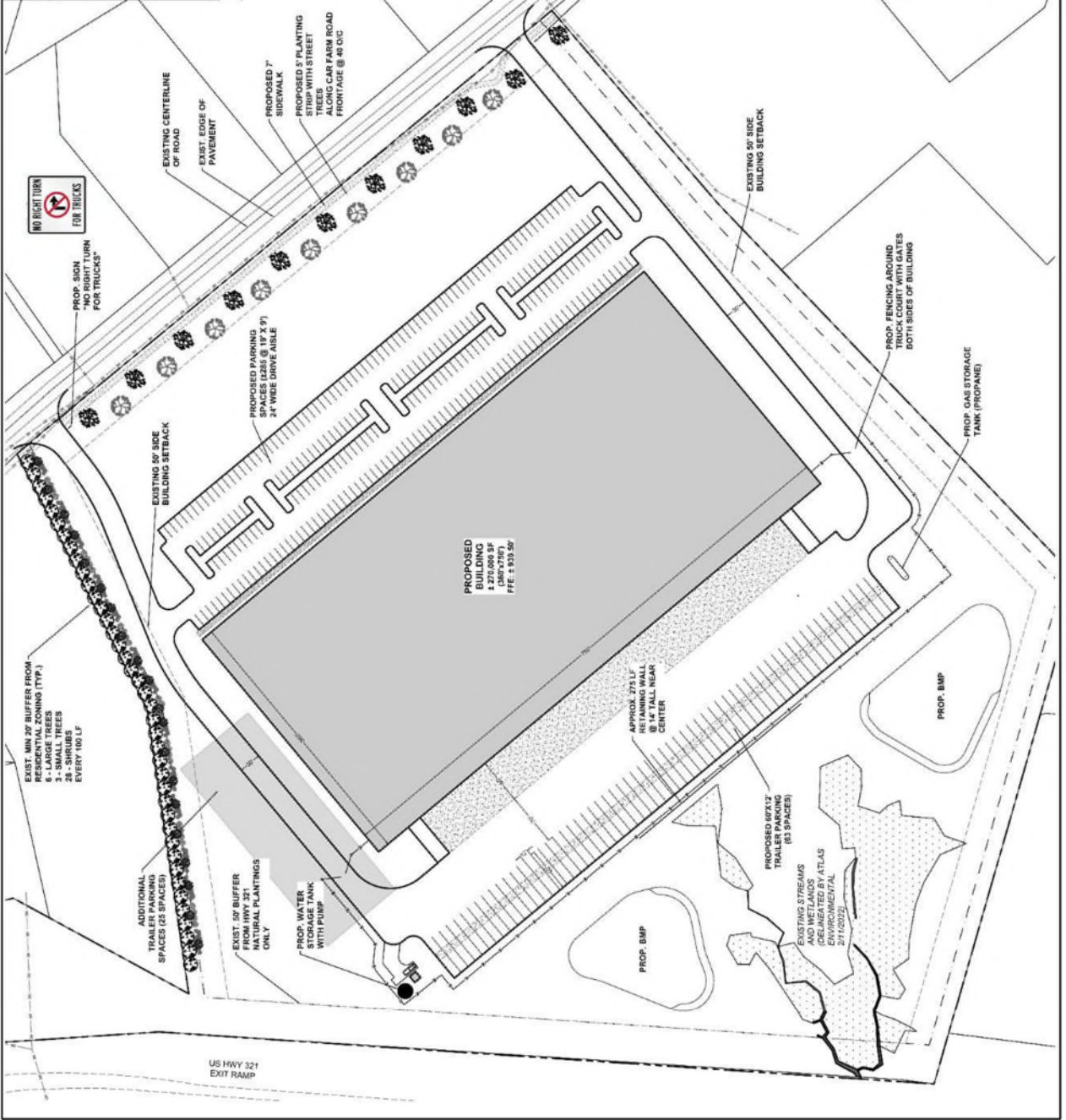


LOCATION MAP "NT5"

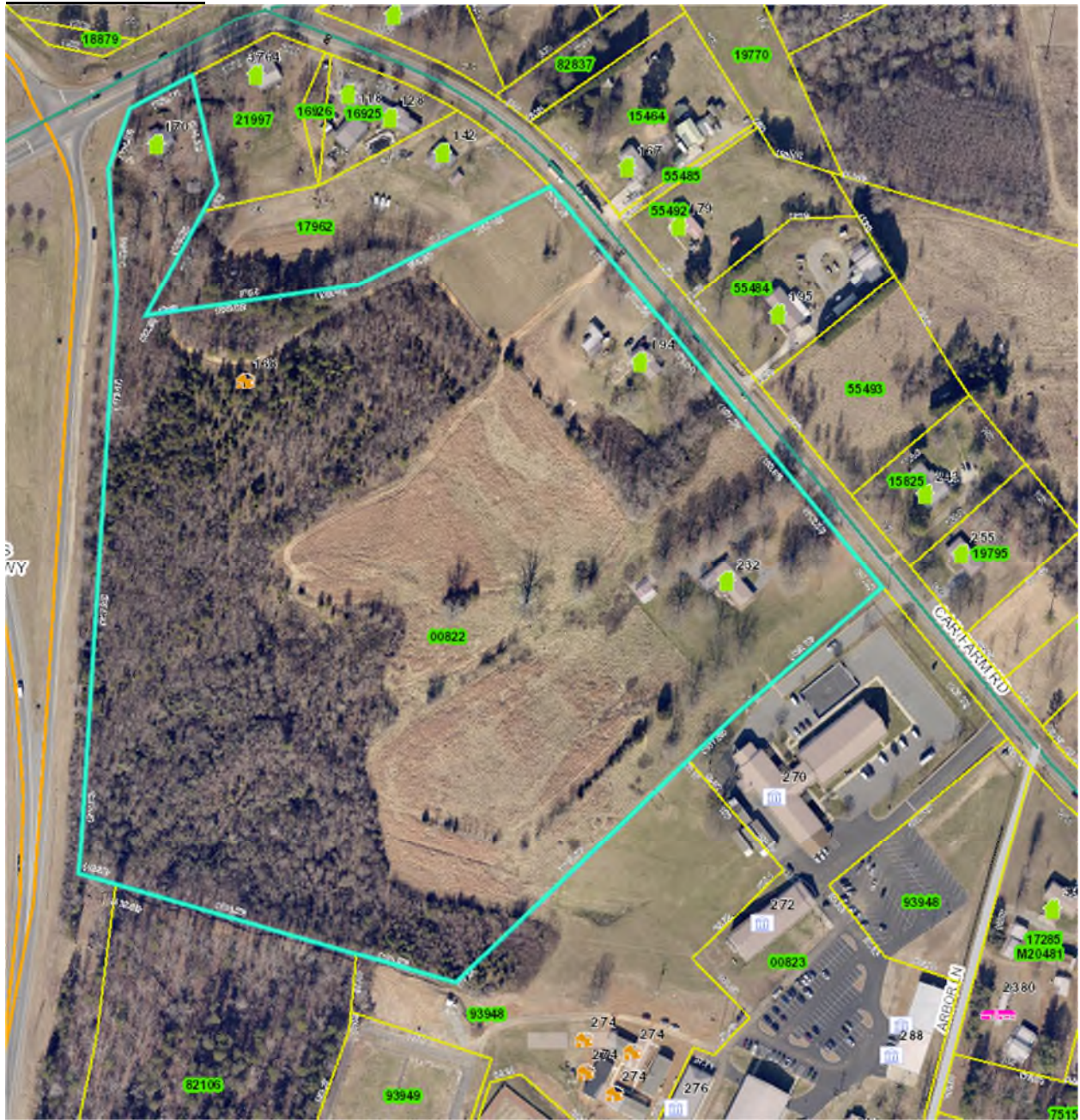
PROPERTY INFORMATION:	INTERPARK
PARCEL:	232 CANTAM RD., LENOIRTON, NC 28526
ADDRESS:	
DEVELOPER:	EDGEMOUNT VENTURES
OWNER:	PERGUS PLANNED DEVELOPMENT, INC.
DEVELOPING:	ONE (GENERAL MANUFACTURING AND COMMERCIAL)
PROPOSED ZONING:	M-20 ACHES
PARCEL AREA:	30.25 ACRES
DEVELOP. AREA:	NOT MEASURED FROM REQUIRED SETBACK
SETBACKS:	50' FRONT
	50' REAR
	50' SIDE
MAX BLDG. HEIGHT:	NONE
OPEN SPACE REQD:	NONE
REQUIRED PARKING:	ONE SPACE PER EMPLOYEE DURING THE HRPY OF GREATEST EMPLOYMENT
PROVIDED PARKING:	4 - 25 SPACES
WATERBERRY:	NONE
ON-SITE:	
FEMA PANEL:	PROPERTY IN FLOOD ZONE EFFECTIVE: 8/01/2009 FLOOD ZONE: 100 YEAR FLOOD ZONE

NOTE: THIS IS A SKETCH PLAN ONLY, NOT FOR CONSTRUCTION.

- PROP. SIGN
- NO RIGHT TURN



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.

LINCOLN COUNTY LAND USE PLAN

Industrial Center:

Industrial centers support large and small-scale manufacturing and production uses, including assembly and processing, regional warehousing and distribution, bulk storage, and utilities. These areas are found in close proximity to major transportation corridors (e.g., highways or railroads).

Suburban Commercial

Suburban commercial centers serve the daily needs of surrounding residential neighborhoods. They typically locate near high-volume roads and key intersections, and are designed to be accessible primarily by automobile. Buildings are set back from the road behind large surface parking lots, with little connectivity between adjacent businesses.



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 Lincoln, 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 Academy and City Of Lincoln

- Sewer is City of Lincoln. 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-9-2022

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 (GMC-CD) (SHO) for the purpose of constructing an Industrial Flex Building.

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. 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-9-2022

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 (GMC-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: Planning Board Members

FROM: City of Lincolnton Planning Department

SUBJECT: Major Subdivision Plat submitted by BBC Clark Creek, LLC (MJS-2-2022)

DATE: September 20, 2022

BACKGROUND

The applicants have submitted the attached preliminary plat for a major subdivision located off of Startown Road and Clarks Creek Road. 328 lots were approved by the City Council earlier as part of the conditional zoning application. The subdivision is the next part of the process.

Because the property is being considered for annexation by the City of Lincolnton, the City will be taking over the streets, sidewalks, etc... If annexation is approved The subdivision process makes sure the streets, utilities, etc... meet minimum requirements prior to the developer proceeding with the project.

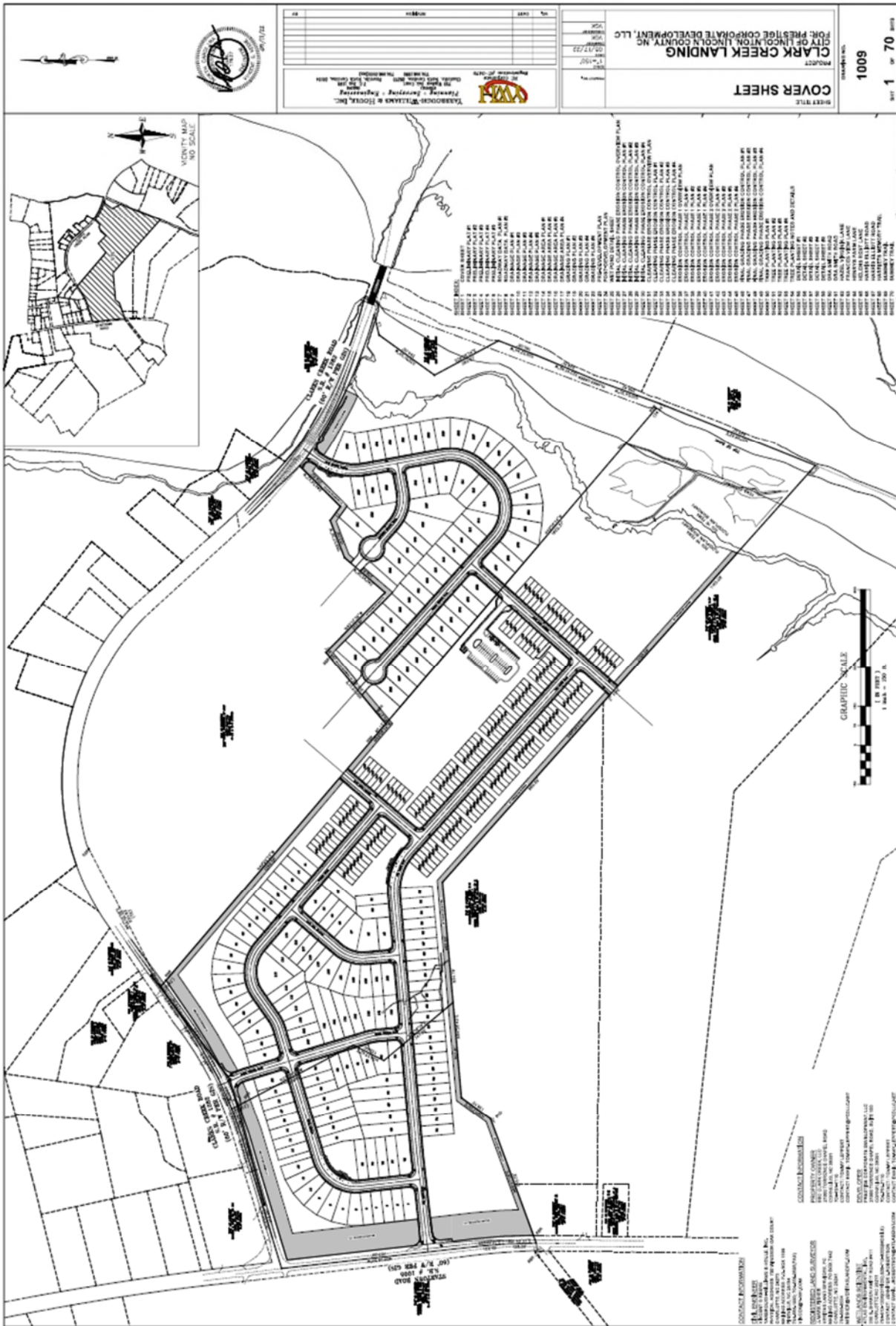
Because the subdivision is over 250 lots the Planning Board will be making a recommendation to the City Council on this project. Note that this is not a public hearing, just a review of the project to make sure minimum requirements are met to proceed.

The subdivision will be made up of 328 residential lots on approximately 86 acres of land. The project will consist of 188 Single family detached homes and 140 Townhomes. All the lots shown are exactly as approved by the Council during the conditional zoning process.

Streets shown meet minimum NCDOT requirements. A traffic signal is being required at the intersection of Clarks Creek Road and Startown Road by NCDOT. The signal should be put in place and operational prior to occupancy of any home in the development.

Preliminary Plat approval gives the developer authority to proceed with construction of the infrastructure of the development. A final plat will be submitted and all improvements will be checked and approved by the appropriate department prior to the construction of any residential units in the development.

Maps and plans are shown below:



COVER SHEET

CLARK CREEK LANDING
CITY OF LINCOLN COUNTY, NC
FOR PRESTIGE CORPORATE DEVELOPMENT, LLC

DATE	05/17/22
SCALE	1"=100'
PROJECT	CLARK CREEK LANDING
CLIENT	PRESTIGE CORPORATE DEVELOPMENT, LLC
DESIGNER	YARBROOK, WILLIAMS & BLOOM, INC.

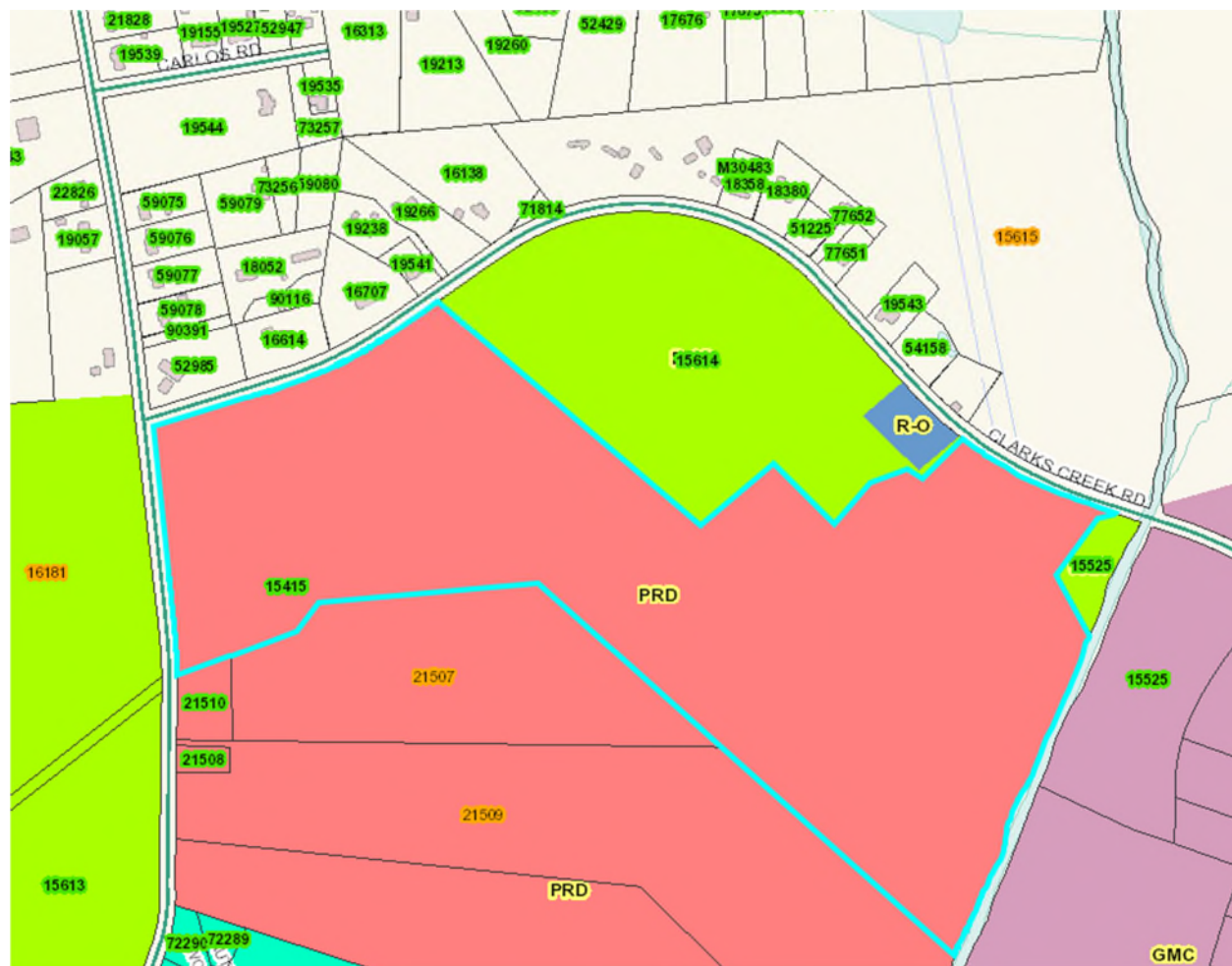


YARBROOK, WILLIAMS & BLOOM, INC.
Planning - Engineering - Architecture
1000 S. W. 10th St., Suite 100
Ft. Lauderdale, FL 33304
Phone: (954) 571-1000
Fax: (954) 571-1001
www.ywb.com



- CONTRACT INFORMATION**
- PROJECT NO. 22-001
 - DATE 05/17/22
 - CLIENT PRESTIGE CORPORATE DEVELOPMENT, LLC
 - DESIGNER YARBROOK, WILLIAMS & BLOOM, INC.
 - PROJECT CLARK CREEK LANDING
 - LOCATION 1000 S. W. 10th St., Suite 100, Ft. Lauderdale, FL 33304
 - PROJECT NO. 22-001
 - DATE 05/17/22
 - CLIENT PRESTIGE CORPORATE DEVELOPMENT, LLC
 - DESIGNER YARBROOK, WILLIAMS & BLOOM, INC.
 - PROJECT CLARK CREEK LANDING
 - LOCATION 1000 S. W. 10th St., Suite 100, Ft. Lauderdale, FL 33304







COMMENTS FROM THE STAFF REVIEW COMMITTEE

The Subdivision Review Committee met earlier concerning this subdivision. The comments are attached to this report.

CONCLUSIONS

The preliminary subdivision plat meets the requirements of the LUDO with the exception of the items attached. The items listed below must be submitted to Staff and each department must approve before a final plat can be approved.

RECOMMENDATION

Recommend Approval to the City Council of the preliminary plat on the condition that the items below are met before the final plat is approved.

Mjs 2 22 report

CLARKS CREEK LANDING PRELIMINARY MAJOR SUBDIVISION PLAT REVIEW

1. Need to show an unobstructed open space figure. Must be at minimum 50%
2. Need to show phases of subdivision
3. Minimum side yard notes 10 feet but 5 feet was approved.
4. Need Sidewalks along the entire frontage of Clarks Creek Road and Startown Road. Need to be shown on plan.
5. Note that all lots must be 40 feet at front yard setback
6. Townhome Parking must be 1 ½ space at each dwelling. (Will garages be on all townhome units with parking available in the driveway?)
7. Note that lots 266-328 must be a minimum of 6,000 square feet
8. Project setback boundaries must be 30 feet side and rear
9. Landscaping, Street Trees, and Parking Lot Landscaping must meet all ordinance requirements during the final field inspection by the administrator.
10. If large street trees are used they must be 10 feet instead of 8 feet that is shown
11. Street trees must be 40 feet on center
12. Robert Pearson, Water Resources Director, sent utility notes separately. (See below
13. Need to show NCDOT required Turn Lanes and Traffic Signal locations on the plan.
14. NCDOT needs a signal agreement as soon as possible
15. Show ETJ Boundary along Clarks Creek Road.
16. Show acreage in parks
17. Note Linear feet in streets
18. No sewer clean-outs or other utility/meter boxes are encased in the sidewalk
19. Prior to street trees being planted the developer will need to meet with the Public Services Director to ensure compliance with the ordinance.

Comments From Utility Department

1. Why use 10 Inch waterline in areas, why not 8 inch for the entire development, since this is being fed by an 8 inch. If the 10 inch is necessary. We will require the tee's to be straight reducers. Example 10X10X8 with a 6" reducer. Tee will need to be 10X10X6.
2. Show how turns are being made with waterline
3. We need a minimum 20' easement for water and sewer. In the area at the bottom of the community we will require a 30' easement in that area. It is marked on the attached plan
4. There are many locations where you will need to relocate hydrants and add. Those areas are marked on the attached plans.
5. From the intersection of Henry's Farm Lane and Summey Trail why not run 2 inch from there to the dead end. Area is marked on attached plans.
6. From the intersection of Helen's Rest and Ora Smith why not run 2 inch from there to the dead end. Area is marked on attached plans.

7. In all areas where meters and water main are on the same side of the street. The meter needs to be on the customer side of the water main not the street side. Also need to be on the customer side of the sidewalk.
8. Meter Boxes for $\frac{3}{4}$ " - 1" must be Rhino MB1 meter boxes (Southeastern Distributors) 2 piece lids with lock down, metal ring and poly center for meter antenna.
9. Meter setters; $\frac{3}{4}$ " - 1" A standard yoke bar with brass dual check valve and lockable wing yoke valve. Anything over 1" must be a 70 series type setter with bypass on bottom with dual check.
10. All meter locations must be permanently marked on the curb in front of the meter.
11. All sewer cleanouts must be permanently marked on curbing when possible.
12. All hydrants must be Mueller Super Centurion, pre finished yellow with a 4" storz connection