

LINCOLNTON PLANNING BOARD
AGENDA
February 21, 2023
At 4:00 P.M. in City Council Chambers

1. Roll Call
2. Call to Order
3. Approval of minutes from the January 17, 2023 meeting
4. CZ-1-2023- Application from Morris Long requesting a conditional district zoning map amendment from Central Business Transitional (CBT) to Transitional Infill Development (TID) for Parcel ID 00670.
5. ZMA-1-2023- Application from JJW Properties, LLC requesting the rezoning Parcel 17871 from Residential-10 (R-10) to Residential-8 (R-8).
6. MJS-2-2023 Review of Major Subdivision Plat submitted by Century Homes (Carpenter Farms)
7. Adjournment

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

Member	August 2022	September 2022	October 2022	November 2022	December 2022	January 2023
Greg McBryde	✓	✓	✓	✓	✓	✓
Trent Mason	✓	✓	✓	✓	✓	✓
Monte Tyson	A	✓	✓	✓	✓	✓
Becky Shaw	✓	✓	A	A	✓	✓
Kristin Radebaugh	N/A	N/A	N/A	N/A	N/A	✓
John Waters	N/A	N/A	N/A	N/A	N/A	✓
Steve Lackey	N/A	N/A	N/A	N/A	N/A	✓



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

BOARD MEMBERS: Greg McBryde, Gregory.Mcbryde@gmail.com; Trent Mason, trentmason@gmail.com; Becky Shaw, beckygreer82@gmail.com; Monte Tyson, monte@cbdeastmain.com; Kristin Radebaugh, kradebaugh6r6@gmail.com; John Waters, jh2osk@aol.com; Steve Lackey, sdlackey88@gmail.com

Tuesday, January 17, 2023

Present: Greg McBryde, Trent Mason, Monte Tyson, Becky Shaw, Kristin Radebaugh, John Waters, Steve Lackey

Absent: N/A

Call to Order

Chair Trent Mason called the meeting to order and stated that 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 December 20, 2022 meeting.

Motion: Greg McBryde made a motion to approve the minutes. Becky Shaw seconded. Motion carried unanimously.

Election of Officers

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

Motion: Greg McBryde made a motion to nominate Trent Mason as Chair. Becky Shaw seconded. Motion carried unanimously.

Motion: Greg McBryde a motion to nominate Kristin Radebaugh for Vice Chair. Becky Shaw 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. Becky Shaw seconded.
Motion carried unanimously.*

Ashley Jones

MEMO TO: Planning Board Members

FROM: City of Lincoln Planning Department

SUBJECT: CZ-1-2023- Application from Morris Long requesting a conditional district zoning map amendment from Central Business Transitional (CBT) to Transitional Infill Development (TID) for the purpose of building four duplex units on 0.733 acres of land. The subject property is located at the northwest corner of North Flint Street and East Main Street (Parcel ID 00670).

DATE: February 21, 2023

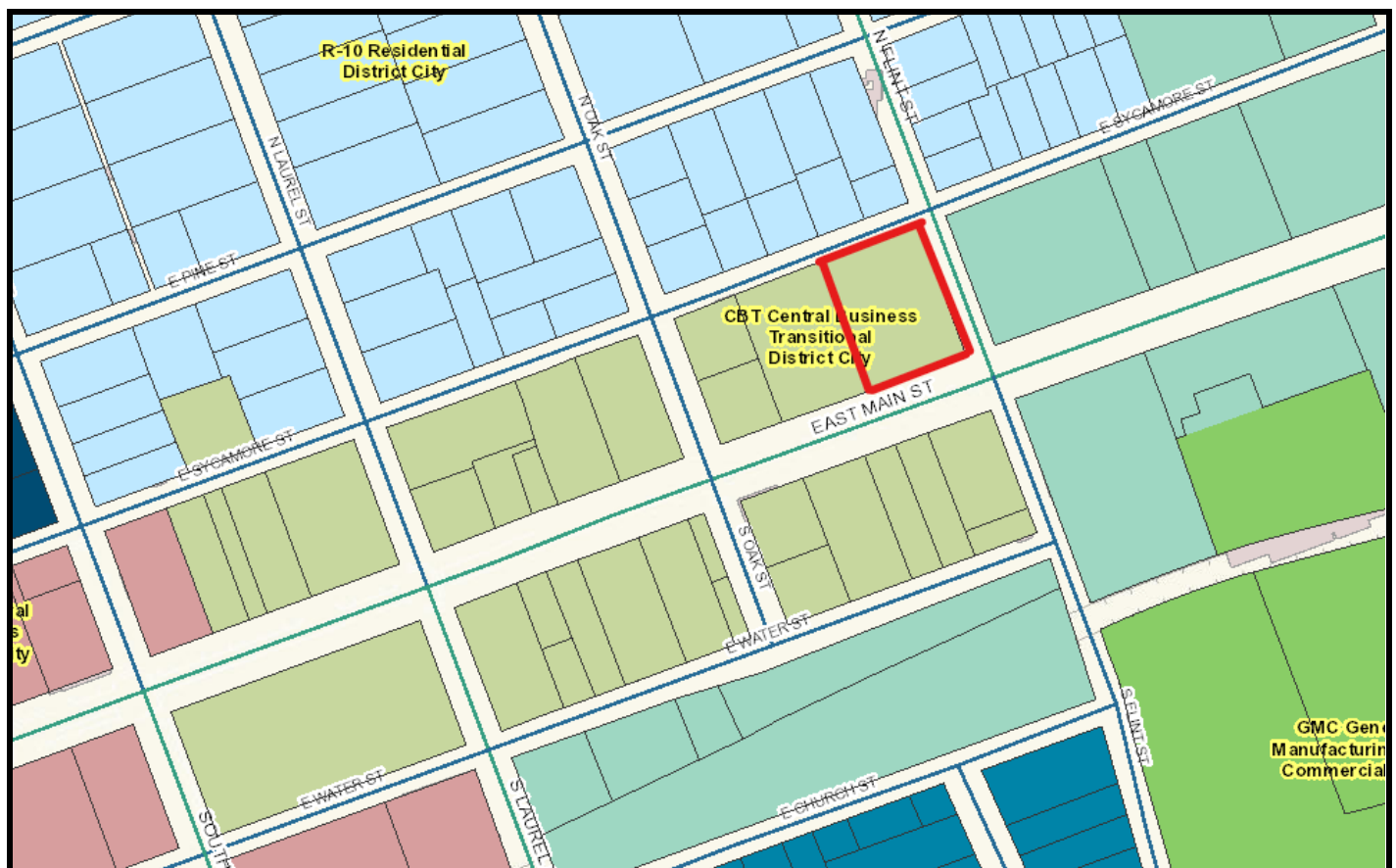
SITE AND AREA DESCRIPTION

Morris Long is requesting a conditional district rezoning of 0.733 acres from the Central Business (CB) District to the Transitional Infill Development(Conditional District) TID(CD) for the purpose of creating four duplex residential units. The subject property is located at 627 East Main Street (Parcel ID 00670).

The subject property was formerly used as a police department and currently is a vacant lot.

The adjacent properties are commercial and residential. Zoning around the site is a mixture of Central Business Transitional (CBT) District and Residential 10 (R-10) District and General Business (GB).

CURRENT ZONING MAP

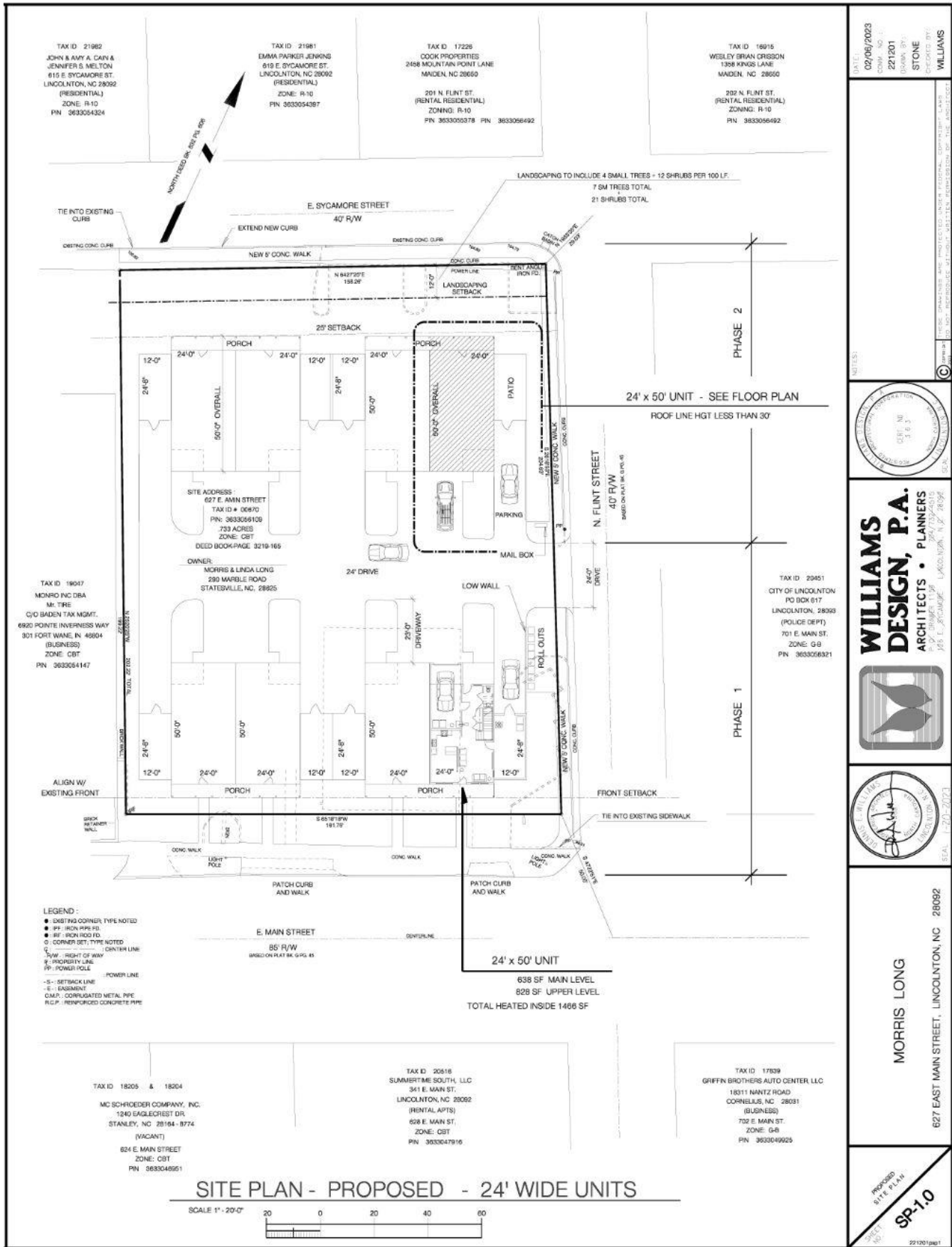


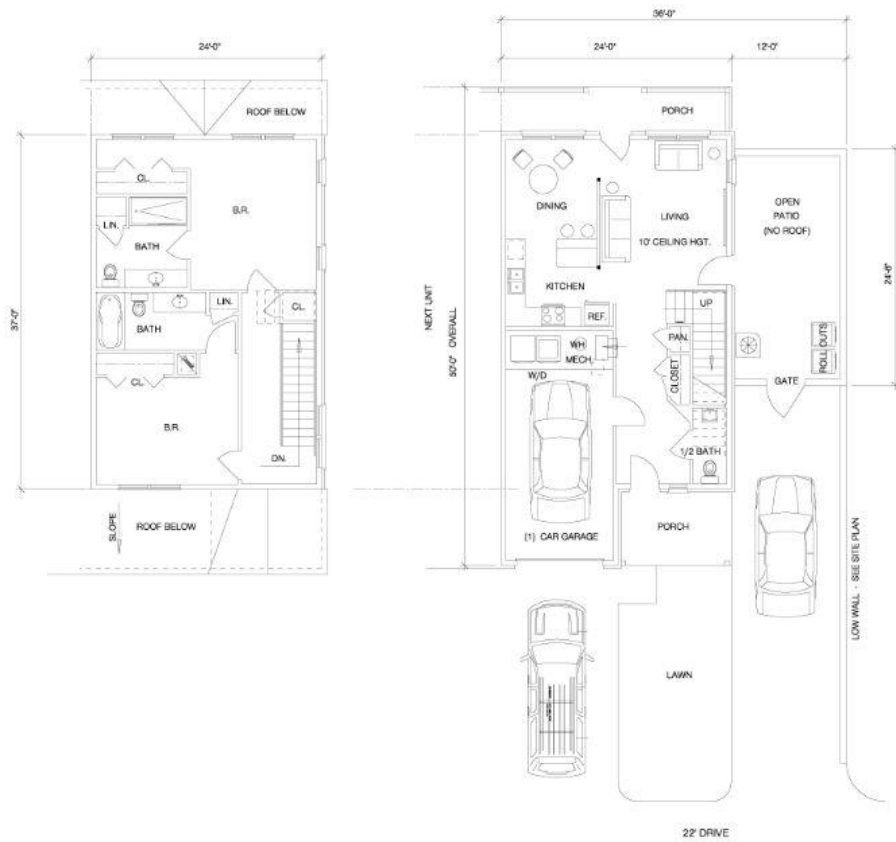
AERIAL VIEW



STREET VIEW







UPPER FLOOR PLAN

SCALE 1/8" = 1'-0"

24' x 50' UNIT

828 SF UPPER LEVEL

MAIN FLOOR PLAN

SCALE 1/8" = 1'-0"

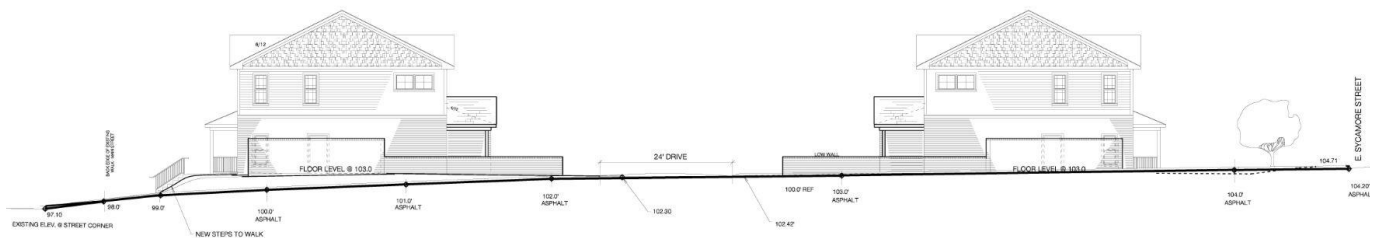
638 SF MAIN LEVEL

TOTAL HEATED INSIDE 1466 SF



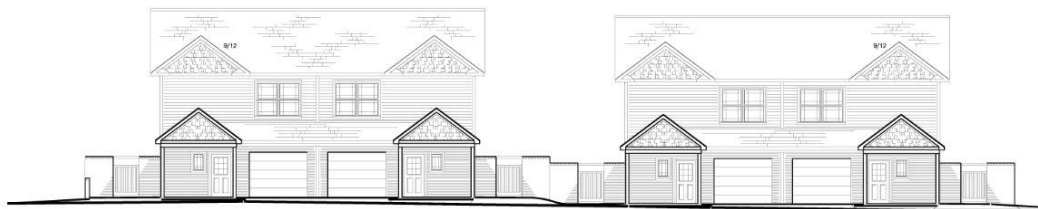
FRONT ELEVATIONS FM. MAIN STREET

SCALE 1/8" = 1'-0"



SIDE ELEVATIONS FM. FLINT STREET

SCALE 1/8" = 1'-0"



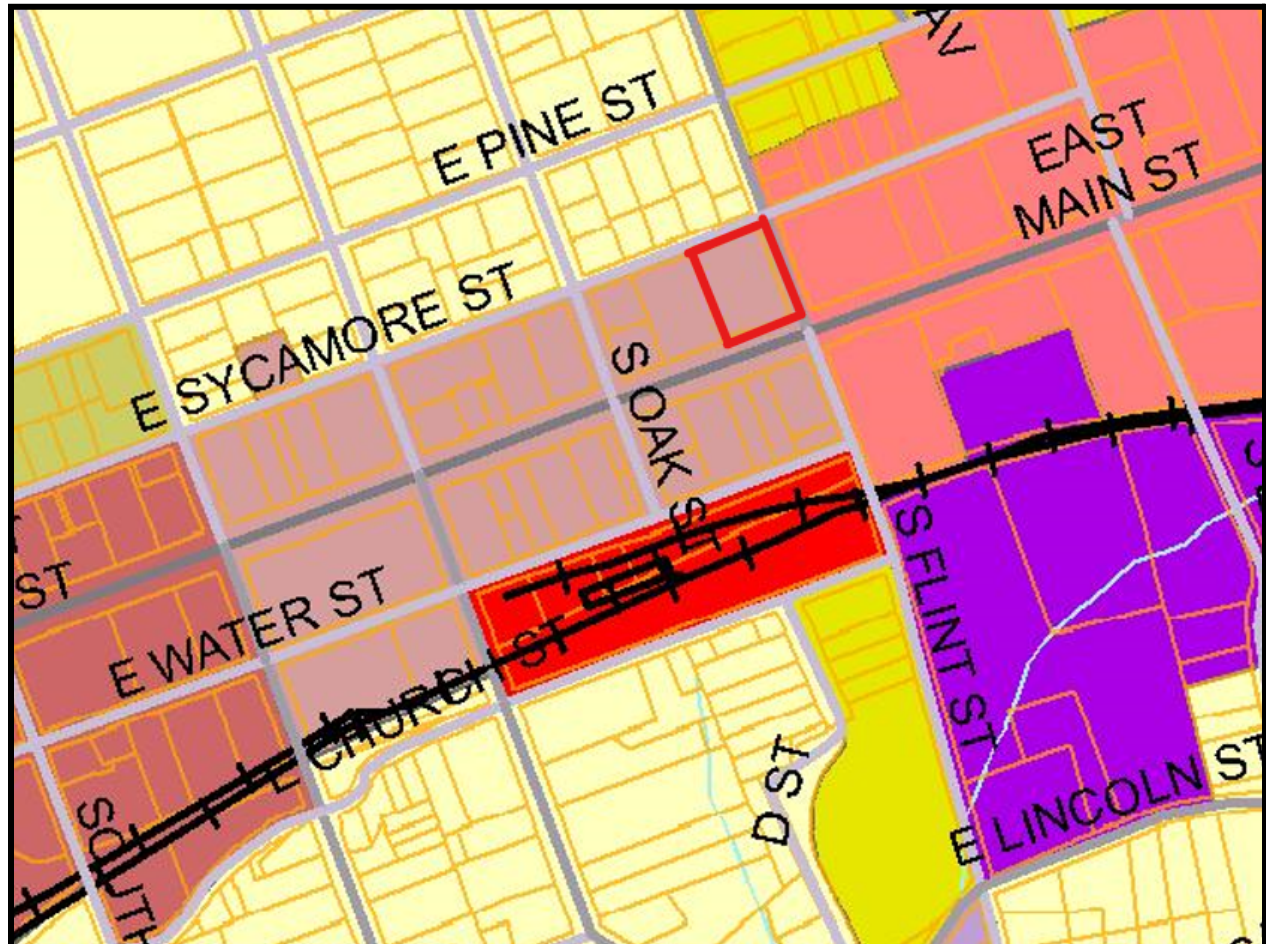
REAR ELEVATIONS FM. DRIVE - TOWARDS MAIN STREET

SCALE 1/8" = 1'-0"

PROJECT DETAILS

- 4 - 2 unit buildings
- 4 units will front East Main Street and 4 units will face East Sycamore
- 2 bedroom/2.5 bathroom units
- 1 car rear loaded garage and one parking space
- Exterior will be a combination of brick and hardie board
- Each unit will have a side patio and a front porch

LAND USE PLAN



Land Use Code and Description

CB, Central Business	MURC, Mixed Use Residential/ Commercial	ROS, Recreation/ Open Space
CBT, Central Business Transitional	NB, Neighborhood Business	RR, Rural Residential
GB, General Business	NBC, Neighborhood Business Corridor	RS, Residential Suburban
IND, Industrial	PB, Planned Business	TSF, Traditional Single-Family
IO, Institutional Office	RHD, Residential High Density	

The Land Use Plan shows the property in the Central Business District Transitional Area. This planning area lies adjacent to Downtown Lincoln and, in many ways, is an extension of "downtown" with office and retail uses prevailing. The major factor that differentiates the two areas is off-street parking. While traditional "downtown" uses have

little if any on-site parking, the CBD transitional planning area is meant to accommodate off-street parking in the rear yard only. Thus, the dense development pattern found in downtown Lincoln is modified somewhat in CBD Transitional planning area. Accordingly, the CBD Transitional planning area is an excellent venue for multi-family development where on-site off-street parking is of major concern.

The rezoning of the property to the Transitional Infill Development (Conditional District) TID (CD) is consistent with the 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.

STAFF REVIEW COMMITTEE

The Staff Review Committee had the following comments:

1. Coordinate Water and Sewer with the City Utilities Department.
2. Building plans must be submitted to and approved by Lincoln County Inspections prior to development.
3. Windows and doors must be similar to CB Design Code Standards for downtown buildings.
4. The City Fire Inspector will need to review and approve all plans prior to development. For building height, ground to eave must be 30' or less. Building height of more than 30' would require the driveway width to be 26 feet.
5. NCDOT stated that with access only on North Flint St, they would not require a driveway permit. However they want to see the existing curb cuts along NC27, E Main St, be removed and curbing placed to match existing. This would be done through a 16.1A (Non-utility) encroachment agreement.
6. Coordinate with the City Electric Department on electric meters and conduit.
7. Coordinate with the City on trash pick up.
8. Move mailboxes to an interior location to prevent residents from stopping on N. Flint Street to pick up mail.
9. Erosion control plans must be submitted to and approved by Lincoln County Soil and Erosion prior to development.
10. Building design is to be generally consistent with the quality, character and fenestration portrayed in the renderings. Minor variations from the renderings that do not detract from the quality, character and fenestration may be permitted.
11. Sidewalks constructed to City of Lincoln specifications must be constructed along North Flint and East Sycamore.
12. Landscaping along the length of Sycamore where it is across from Single Family Dwellings. Use Street Landscaping Standards 4 small trees, 12 shrub per 100 linear feet

STAFF RECOMMENDATION

Staff recommends the following actions:

- approval of the request for rezoning from CBT to the Transitional Infill Development(Conditional District) TID(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 once the Zoning Administrator receives 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-1-2023

Applicant: Morris Long

Parcel ID#: 00670

Location: Intersection of East Main and N. Flint Street

Request: Rezone from CBT to TID (CD) for the use of the property for 4 duplex units.

Proposed Consistency and Reasonableness Statement:

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

- The CBD transitional planning area is meant to accommodate off-street parking in the rear yard only.
- The CBD Transitional planning area is an excellent venue for multi-family development where on-site off-street parking is of major concern.
- Encourage quality infill development. Build it so that it looks like it "fits in." Mixed-use type buildings are acceptable. Attract "people-oriented" uses (e.g., restaurants) downtown. Encouraging persons to live downtown Lincolnton is very much recommended.
- The City should continue its efforts to promote downtown living and also allow for additional and quality higher-density developments on the downtown periphery.

The proposed rezoning request **is reasonable** with the Lincolnton Land Use Plan in the following ways:

- The Land Use Plan strongly encourages residential development in the CBD Transitional Planning Area as a means of enhancing the vitality of downtown.

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-1-2023

Applicant: Morris Long

Parcel ID#: 00670

Location: Intersection of East Main and N. Flint Street

Request: Rezone from CBT to TID (CD) for the use of the property for 4 duplex units.

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Central Business Planning Area.

The proposed rezoning request **is consistent** with the Lincolnnton Land Use Plan.

- However, the proposed use is not viewed as desirable in the area.

The proposed rezoning request **is not reasonable** with the Lincolnnton Land Use Plan in the following ways:

- The change in zoning is not reasonable as it will create development that is not desirable. A mixed use development or commercial development would be better suited to this property.

Denial of the proposed amendment is reasonable and in the public interest.

MEMO TO: Lincolnnton Planning Board

FROM: City of Lincolnnton Planning Department

SUBJECT: ZMA-1-2023 – Application from JJW Properties requesting the rezoning of 0.403 acres from R-10 to R-8

DATE: February 21, 2023

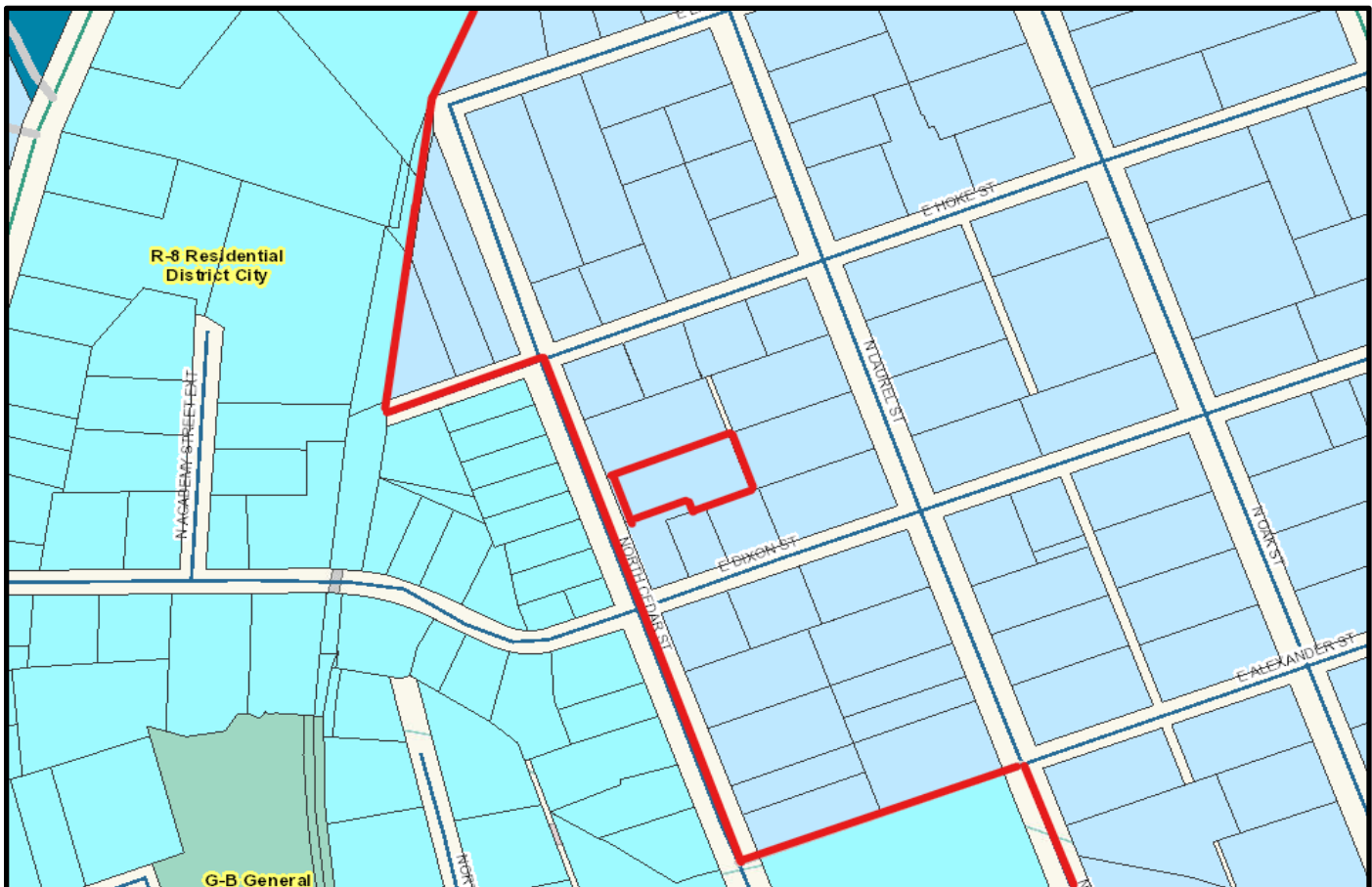
SITE AND AREA DESCRIPTION

The applicant is requesting a rezoning of a parcel totaling approximately 0.403 acres from the Residential-10 (R-10) district to the Residential-8 (R-8) district. The subject property is located at 710 N. Cedar Street. Properties to the north, south and east are R-10. Properties to the west are R-8.

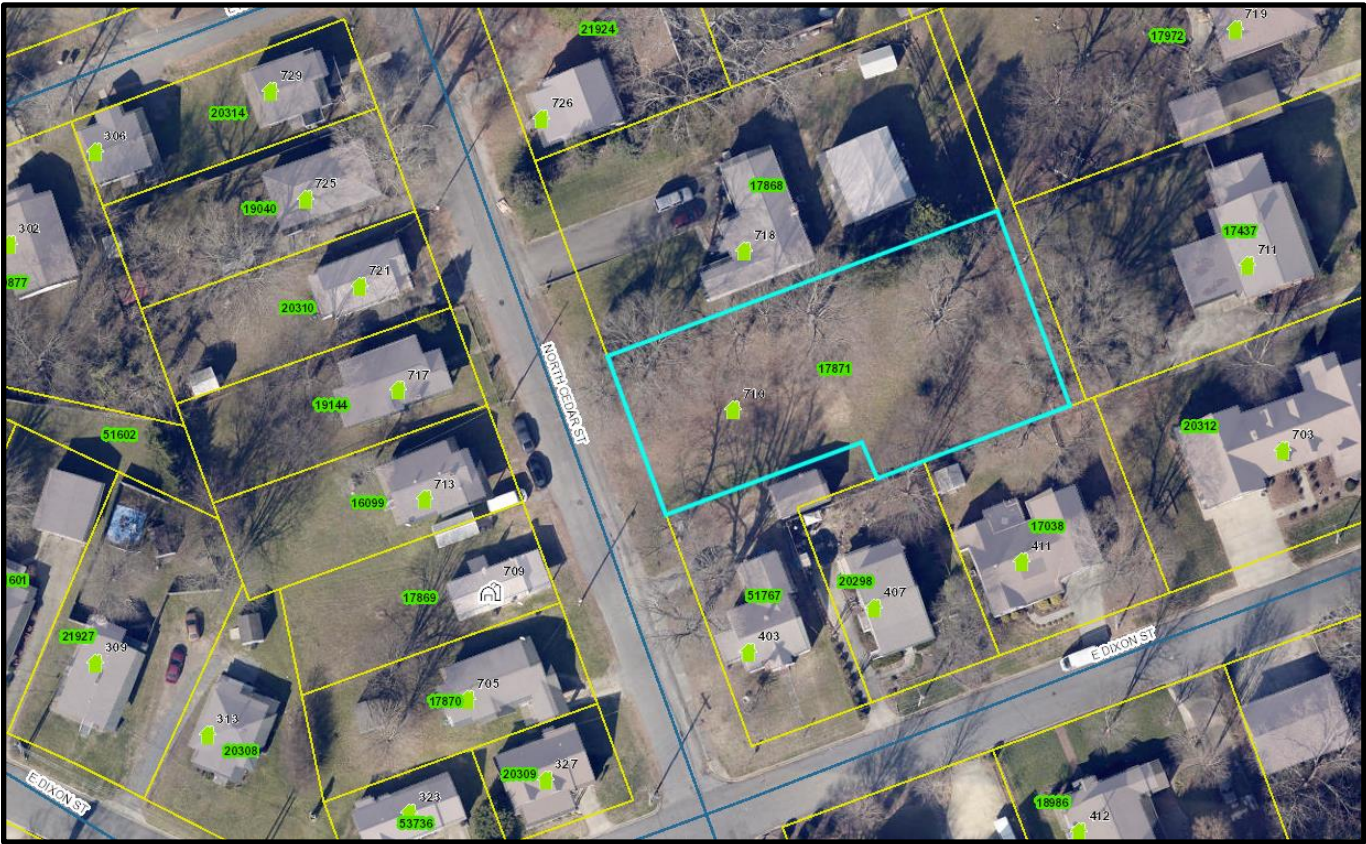
The applicant would like to rezone to R-8.

The subject property is vacant. Land uses in the area are primarily single-family.

CURRENT ZONING MAP



CURRENT AERIAL VIEW



CURRENT STREET VIEW



PERMITTED USES BY ZONING DISTRICT:

R-10 (Current Zoning)	R-8 (Proposed Zoning)
Single-family dwellings	Single-family dwellings
Day care centers, small group	Day care centers, small group
Customary home occupations	Customary home occupations
Family care homes	Family care homes
Essential services, Class I	Essential services, Class I
Accessory structures	Accessory structures
Publicly owned and operated outdoor recreation facility one acre or less in size and not containing a swimming pool.	Publicly owned and operated outdoor recreation facility one acre or less in size and not containing a swimming pool.
	Two Family Homes

LAND USE PLAN

The land use plan shows the property in the Traditional Single Family Planning Area. Neighboring properties are also in the Traditional Single Family.

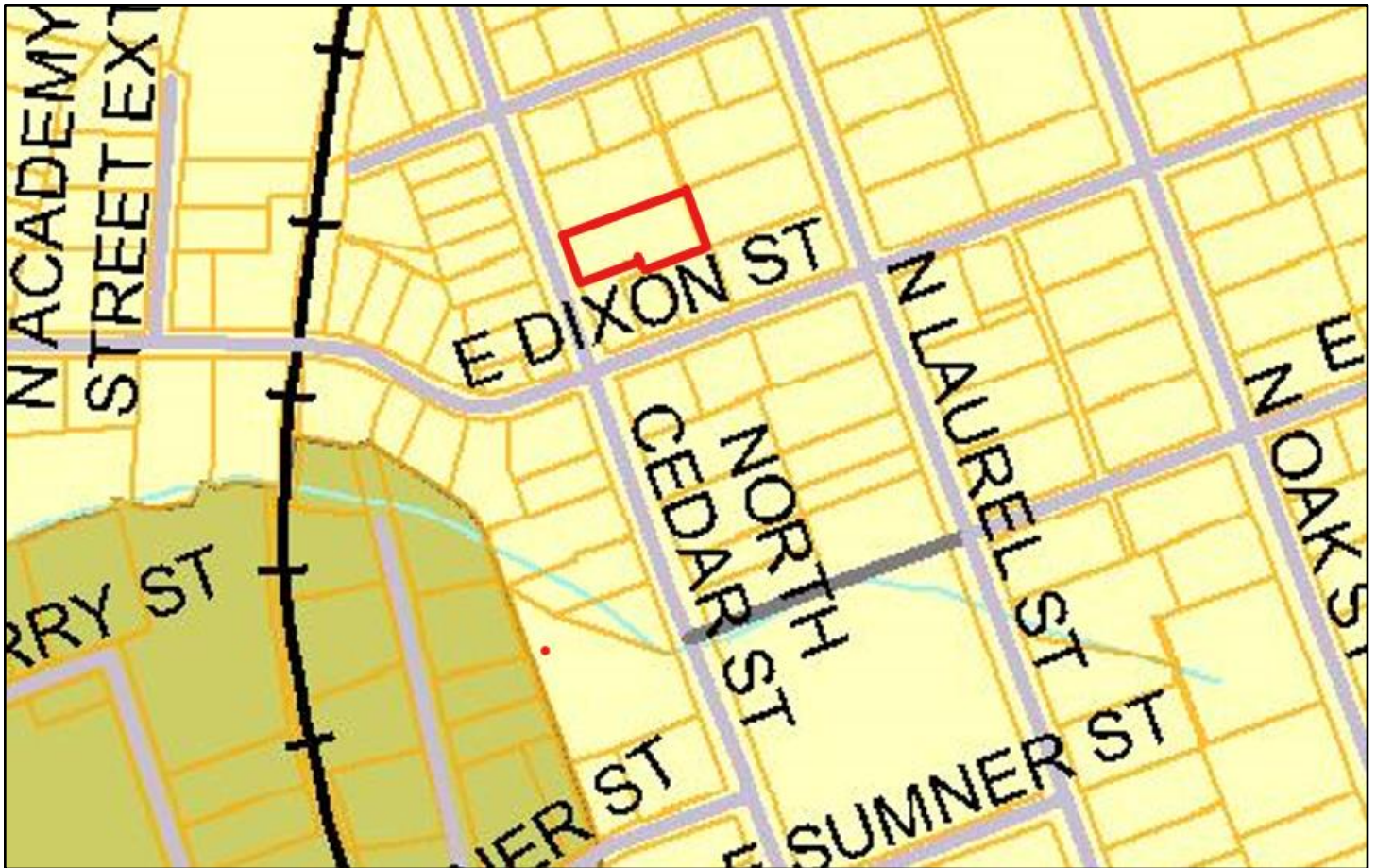
These planning areas will consist of single-family uses on smaller to medium sized lots in older established portions of the community. As these areas are primarily residential in character, they should be protected from encroachment of incompatible business and industrial development.

Strategies included in the land use plan:

STRATEGY R-A2: Strongly encourage infill development in older portions of Lincolnton that will be in harmony with these areas' architectural characteristics.

STRATEGY R-A5: Maintain the unique single-family residential character of the City's existing "mill villages" and their viability as a source of quality affordable single-family housing. (NOTE: consider rezoning such areas from R-8 to R-10 or R-15 to eliminate the placement of duplex units).

FUTURE LAND USE MAP:



Land Use Code and Description

CB, Central Business	MURC, Mixed Use Residential/ Commercial	ROS, Recreation/ Open Space
CBT, Central Business Transitional	NB, Neighborhood Business	RR, Rural Residential
GB, General Business	NBC, Neighborhood Business Corridor	RS, Residential Suburban
IND, Industrial	PB, Planned Business	TSF, Traditional Single-Family
IO, Institutional Office	RHD, Residential High Density	

COMPLIANCE WITH LAND USE PLAN

The Land Use Plan designates the subject property as a Traditional Single Family Planning Area. These Planning Areas are primarily single family in character. Therefore, the proposed rezoning request is not consistent with the Land Use Plan.

STAFF RECOMMENDATION

Staff recommends the following action:

1. Denial of the rezoning from R-10 to R-8
2. and approve the Proposed Statement of Consistency and Reasonableness for DENIAL of Application

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

Case No. ZMA-1-2023

Applicant: JJW Properties

Parcel ID#: 17871

Location: 710 N. Cedar Street

Request: Rezone from R-10 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.

However, the rezoning is **reasonable** in that the Land Use Plan states the following in reference to Residential Strategies:

STRATEGY R-A2: Strongly encourage infill development in older portions of Lincolnton that will be in harmony with these areas' architectural characteristics.

STRATEGY R-G1: Encourage mixed-use development (in a more urban manner) in areas other than Downtown.

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-1-2023

Applicant: JJW Properties

Parcel ID#: 17871

Location: 710 N. Cedar Street

Request: Rezone from R-10 to R-8

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Residential Suburban Planning Area. Therefore, the proposed rezoning request **is not consistent** with the Lincolnnton Land Use Plan. Traditional Single Family planning areas will 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.

STRATEGY R-A2: Strongly encourage infill development in older portions of Lincolnnton that will be in harmony with these areas' architectural characteristics.

STRATEGY R-A5: Maintain the unique single-family residential character of the City's existing "mill villages" and their viability as a source of quality affordable single-family housing. (NOTE: consider rezoning such areas from R-8 to R-10 or R-15 to eliminate the placement of duplex units).

The proposed rezoning request **is not reasonable** in that there are no duplexes in that area. All of the homes are single family homes. It would not fit with the character of the neighborhood.

Denial of the proposed amendment is reasonable and in the public interest.

MEMO TO: Planning Board Members

FROM: City of Lincoln Planning Department

SUBJECT: Major Subdivision Plat submitted by Century Homes (Carpenter Farms)
(MJS-2-2023)

DATE: February 21, 2023

BACKGROUND

The applicants have submitted the attached preliminary plat for a major subdivision located off of Startown Road. 209 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 has been annexed by the City of Lincoln, the City will be taking over the streets, sidewalks, etc... The subdivision process makes sure the streets, utilities, etc... meet minimum requirements prior to the developer proceeding with the project.

Because the subdivision is under 250 lots the Planning Board will be making the final decision 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 209 residential lots on approximately 96 acres of land. The project will consist of 209 Single family detached homes. All the lots shown are exactly as approved by the Council during the conditional zoning process. The infrastructure will be installed as one phase. The housing will be staggered over a five year period with 40-50 homes being constructed per year.

Streets shown meet minimum NCDOT/City requirements. A traffic signal is being required at the intersection of Clarks Creek Road and Startown Road by NCDOT with the Clarks Creek Landing Project. 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:

GENERAL NOTES:

- 1) PIN#'S: 3624867814, 3624878468, 3624880004, 3624771920 & 3624771628
- 2) DEED BOOK: 2653/720
- 3) TOTAL SITE ACREAGE: 96.856 ACRES±
- 4) EXISTING ZONING: PRD
- 5) PROPOSED ZONING: PRD
- 6) PROPOSED USE: SINGLE FAMILY RESIDENTIAL
- 7) PROPOSED NUMBER OF UNITS: 209
- 8) PROPOSED DENSITY: 2.16 UNITS/ACRE
- 9) PROPOSED UNOBSTRUCTED OPEN SPACE: 87.1%
- 10) PROPOSED COMMON OPEN SPACE: 47.89 AC± (49.4%)
- 11) MINIMUM LOT SIZE: 6,600 SF
- 12) PROPOSED LOT WIDTHS: 60' & 110' & 70' X 115'
- 13) PROPOSED SETBACKS: 60' LOTS: FRONT: 20' 70' LOTS: FRONT: 20'
SIDE: 12.5' SIDE: 15'
REAR: 25' REAR: 25'
- 13) MAXIMUM BUILDING HEIGHT: 2 STORIES
- 14) PROPERTY OWNERS: SUSAN C. SMITH AND FRED H. CARPENTER, JR.,
CO-TRUSTEES OF THE FRED H. CARPENTER TRUST U/W
AUDREY S. CARPENTER
7629 DOGGETT ROAD
BROWN'S SUMMIT, NC 27214
- 15) APPLICANT: CENTURY COMMUNITIES
7401 CARMEL EXECUTIVE PARK DRIVE
SUITE 310
CHARLOTTE, NC 28226







COMMENTS FROM THE STAFF REVIEW COMMITTEE

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

1. The following road names will need to be changed due to duplicates with other County road names : Hallman Lane Cannot be used, Kings Grant Lane Cannot be used, Odus Drive suffix “drive” cannot be used.
2. Lot #1 needs to be adjusted to a minimum 8050 square feet, Lots 97, 98, and 99 must be adjusted to 6600 square feet.
3. No Parking signs shall be installed meeting the requirements of section D103.6 of the North Carolina State Fire Code and cover both sides of the roadways
4. Street trees are subject to NCDOT’s Guidelines For Planting Within Highway Right-of-Way (should not be larger than 4 inch diameter). Prior to street tree plantings, the public services director needs to meet with the contractor prior to plantings being installed.
5. Public Services Director needs to meet contractor prior to streets , sidewalks, and curbs being installed
6. Screening that meets minimum ordinance standards is to be provided in the 50 foot setback areas along Startown Road.
7. Sidewalks constructed to City of Lincoln specifications must be constructed along the frontage of Startown Road. Sidewalks shall contain a minimum of six inches of concrete at driveway crossings.
8. NCDOT driveway permit required. Turning lanes will be required. Coordinate with NCDOT and City Utilities on water line relocation for road widening. Coordinate with Clarks Creek Landing on Turn Lane installations.
9. Lincoln County Erosion Control Permits must be obtained before grading.
10. The HOA is responsible for ongoing maintenance of the detention ponds and will make any necessary repairs to the ponds to ensure their continued effectiveness. Ongoing

maintenance is to be in accordance with NC DEQ Stormwater Standards. These standards include but are not limited to scheduled visual structure inspections and yearly inspection reports to be submitted to the City of Lincolnton for review and compliance with the standards.

11. The City reserves the right to require the internal streets to be brought up to minimum standards prior to acceptance of the streets for maintenance. This includes but is not limited to repaving all or a portion of the street system prior to acceptance by the City.
12. Natural plantings that meet or exceed the screening requirements of the UDO are to be provided in the portion of the outer project edge labeled as a 25 foot buffer on the conditional zoning plan. No structures are to be placed in this 25 foot buffer area. This 25 foot buffer area is to be part of the common open space maintained by the HOA.
13. The HOA is responsible for ongoing maintenance of screening and buffer areas. Ongoing maintenance is to include replacement of any required vegetation that dies or is removed.
14. All conditions as agreed upon by the developer during the conditional zoning approval must be met.
15. Coordinate hydrant specifications and type with Todd Elmore and Gary Stevenson prior to installation.

CONCLUSIONS and RECOMMENDATION

The preliminary subdivision plat meets the requirements of the LUDO with the exception of the items above. The items listed below must be submitted to Staff and each department must approve prior to issuance of a letter to proceed with construction.