

LINCOLNTON PLANNING BOARD
AGENDA
June 20, 2023
At 4:00 P.M. in City Council Chambers

1. Roll Call
2. Call to Order
3. Approval of minutes from the May 16, 2023, meeting.
4. CZ-4-2023-Application from Carolina Elite Builders, LLC requesting a Conditional District Rezoning of 10.637 acres of land to Residential-25 Conditional District (R-25 CD). (Parcel ID 54844)
5. CZ-5-2023- Application from Bean Brothers Real Estate LLC requesting revisions to an approved conditional zoning plan (CZ-10-22). (Parcel ID 00512)
6. ZTA-2-2023 - Zoning Text Amendments to Chapter 153 Unified Development Ordinance
7. MJS-2-2023 Review of Major Subdivision Plat submitted by Carolina Development Services (Huntington Hills)
8. Adjournment

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

Member	December 2022	January 2023	February 2023	March 2023	April 2023	May 2023
Greg McBryde	✓	✓	✓	✓	✓	✓
Trent Mason	✓	✓	✓	✓	✓	✓
Monte Tyson	✓	A	✓	✓	✓	✓
Becky Shaw	✓	✓	✓	✓	✓	✓
Kristin Radebaugh	N/A	✓	✓	✓	✓	✓
John Waters	N/A	✓	✓	✓	✓	✓
Steve Lackey	N/A	✓	✓	✓	✓	✓



CITY OF LINCOLNTON PLANNING BOARD MINUTES

PO DRAWER 617, LINCOLNTON, NC 28093

www.lincolntonnc.org

BOARD MEMBERS: Greg McBryde, Gregory.McBryde@gmail.com; Trent Mason, trentonbmason@gmail.com;
Becky Shaw beckygreer82@gmail.com; Monte Tyson, monte@cbdeastmain.com; Kristin Radebaugh, kradebaugh6r6@gmail.com;
John Waters, jh2osk@aol.com; Steve Lackey, stevelackey88@gmail.com

Tuesday, May 16, 2023

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

Absent: N/A

Call to Order

Chair Trent Mason called the meeting to order and recognized 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 April 16, 2023, meeting.

*Motion: John Waters made a motion to approve the minutes.
Members voted 7-0 in favor of the motion.*

CZ-2-2023-Application from Adam Jacob Whitener requesting a Conditional District Rezoning of 2.39 acres of land from Planned Business (PB) District to General Business Conditional District (GB-CD).

Jean Derby presented the staff report included in the agenda packet to the Board regarding CZ-2-2023.

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.
Members voted 7-0 in favor of the motion.*

CZ-3-2023-Application from Carolina Elite Builders, LLC requesting a Conditional District Rezoning of 11.84 acres of land from General Manufacturing and Commercial (GMC) District to Residential-25 Conditional District (R-25 CD).

Jean Derby presented the staff report included in the agenda packet to the Board regarding CZ-3-2023.

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

*Motion: Monte Tyson made a motion to approve.
Members voted 7-0 in favor of the motion.*

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.
Members voted 7-0 in favor of the motion.*

Ashley Jones

MEMO TO: Planning Board Members

FROM: City of Lincoln Planning Department

SUBJECT: CZ-4-2023-Application from Carolina Elite Builders, LLC requesting a Conditional District Rezoning from General Manufacturing and Commercial (GMC) District to Residential-25 Conditional District

DATE: June 20, 2023

SITE AND AREA DESCRIPTION

The applicant is requesting the rezoning of 10.637 acres of land from General Manufacturing Commercial (GMC) District to Residential-25 (R25-CD) Conditional District for the purpose of building 9 single family dwellings. The subject property is located at Burris Boulevard at the intersection of S. Grove Street (Parcel ID 54844).

The subject property is vacant land. Land uses in the area include a mixture of residential and commercial uses. The property is surrounded by GMC and Residential-25 zoning.

CURRENT ZONING MAP



AERIAL VIEW



STREET VIEW

From S. Grove



From Burris





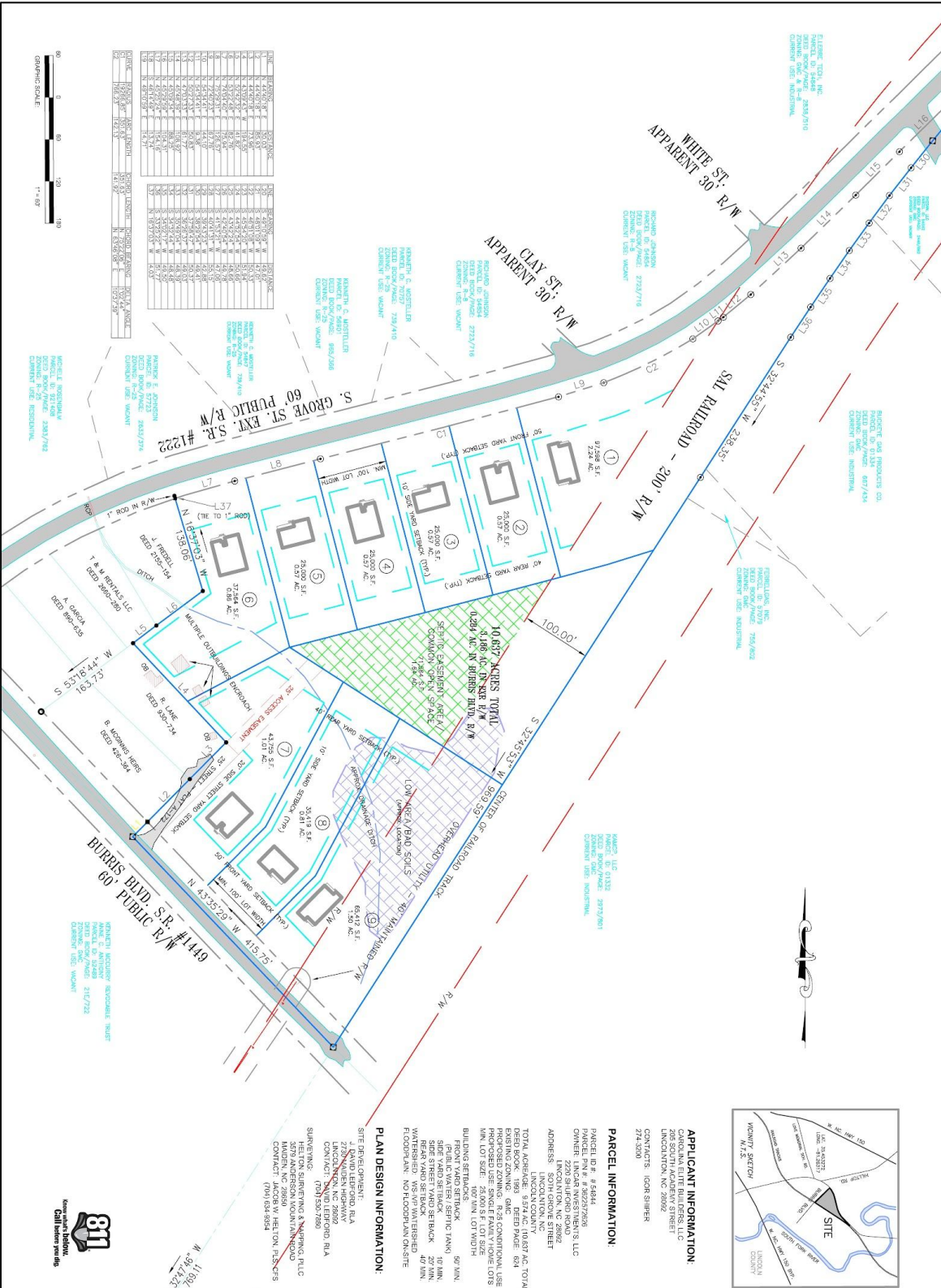
SURROUNDING PROPERTIES TO THE SOUTH:





PROJECT DETAILS

- 9 lots ranging from .57 acres to 2.24 acres
- All single family homes
- City water and septic tanks



APPLICANT INFORMATION:

JOHN DAVIDLEDFORD, RLA
208 SOUTH ACADEMY STREET
LINCOLTON, NC 28062
CONTACTS: (704) 530-7880

PARCEL INFORMATION:

PARCEL ID #: 854644
PARCEL PIN #: 852572608
OWNER: 220 BURRIS RD. S.R. #1449
ADDRESS: LINCOLTON, NC 28062

PLAN DESIGN INFORMATION:

J. DAVIDLEDFORD, RLA
208 SOUTH ACADEMY STREET
LINCOLTON, NC 28062
CONTACT: (704) 530-7880

PLAN DATE: 05/12/23

DRAWN BY: JDL

CHECKED BY: JDL

REVISIONS:

#	DATE	BY	DESCRIPTION
1	05/25/23	CLP	

PRELIMINARY PLAN OPTION #1

BURRIS NORTH SUBDIVISION

BURRIS BLVD., LINCOLTON, NC

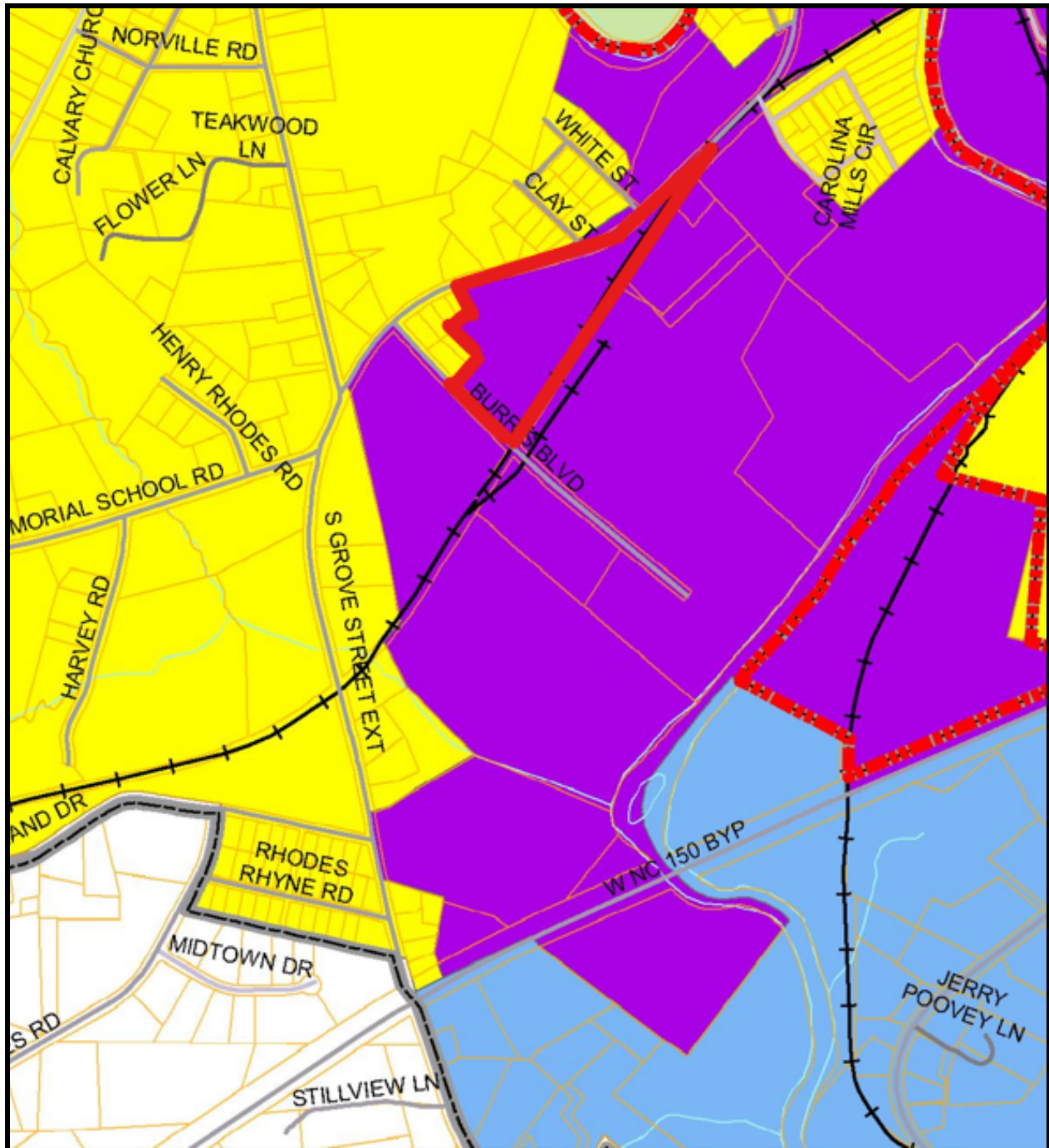
J. DAVIDLEDFORD, RLA

LANDSCAPE ARCHITECTURE, LAND PLANNING, SITEWORK DESIGN, SITEWORK WATER PLANNING

2730 Maiden Highway
Lincolnton, NC 28062

jdaavidledford@yahoo.com
CELL: (704) 530-7880

LAND USE PLAN COMPLIANCE



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 **Industrial Planning Area**.

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 viewsheds from these thoroughfares. Adaptive reuse of older manufacturing buildings (for both manufacturing and other compatible non-industrial uses) is also encouraged.

Residential Suburban These planning areas are primarily single-family in character and where the primary development pattern should continue to be single-family dwellings. Such areas currently have public water and sewer, or are likely to have such facilities within the next twenty years. Most new single-family residential development within Lincolnton is likely to occur in such areas.

The proposed rezoning request would be inconsistent with the Land Use Plan. However, the area surrounding the property is primarily zoned for residential development and the owner is requesting to use it for residential purposes. Amending the Land Use Plan to Residential Suburban could be considered.

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. Erosion control plans must be submitted to and approved by Lincoln County Soil and Erosion prior to development.

STAFF RECOMMENDATION

Staff recommends the following actions:

- approval of the request for rezoning from GMC to the R25-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
- Amend the Land Use Map to show the property in the Residential Suburban Planning Area

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

Case No. CZ-4-2023

Applicant: Carolina Elite Builders

Parcel ID#: 54844

Location: S. Grove Street

Request: Rezone from GMC to R25-CD

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Industrial Planning Area. The proposed rezoning request **is not consistent** with the Lincolnnton Land Use Plan but is reasonable in the following way:

A large portion of the area surrounding the property is primarily zoned for residential development and the owner is requesting to use it for residential purposes

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-4-2023

Applicant: Carolina Elite Builders

Parcel ID#: 54844

Location: S. Grove Street

Request: Rezone from GMC to R25-CD

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 not consistent** with the Lincolnton Land Use Plan and **denial of the proposed amendment is reasonable and in the public interest.**

MEMO TO: City of Lincoln Planning Board Members

FROM: City of Lincoln Planning Department

DATE: June 20, 2023

SUBJECT: CZ-5-2023 - Application from Bean Brothers Real Estate LLC requesting an amendment to their site plan that was approved as part of a conditional zoning change.

Background

In December of 2022, Bean Brothers Real Estate LLC requested a conditional zoning from R-25 to GMC-CD of 2.109 acres to construct a storage facility, mulch yard and parking for the adjacent Home and Garden Center and was approved by City Council. The subject property is located at the southeast corner of Reepsville Road and Lore Road (Parcel ID 00512). This request was approved by the Council.

CONDITIONAL ZONING

Because this approved rezoning was to a conditional zoning district, 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.

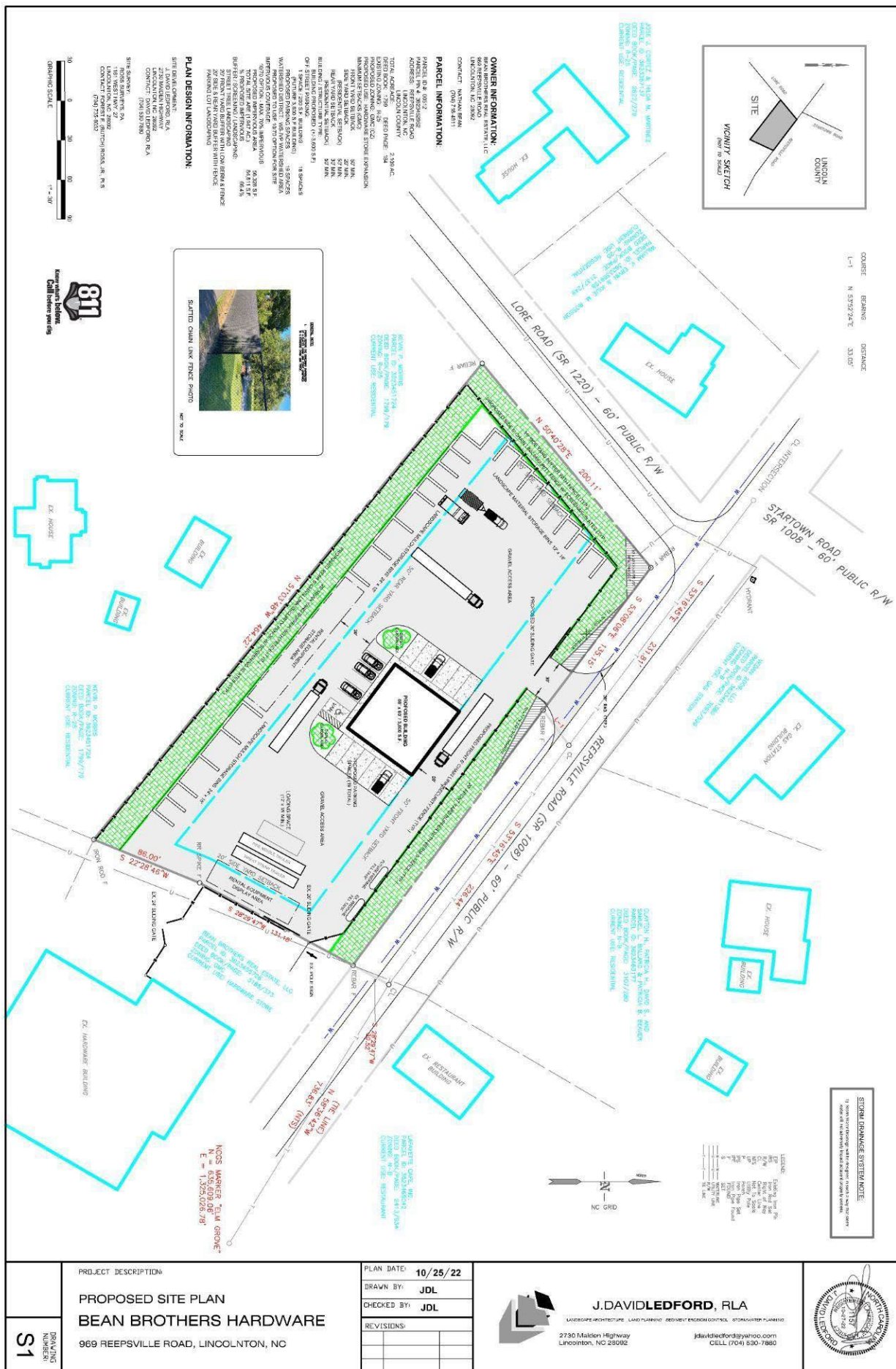
The applicant was approved to construct the following:

- 3,600 square foot storage building
- As required by the UDO, there will be a screening buffer between residential areas
- Mulch yard
- One access point onto Lore Road
- 19 parking spaces
- Rental equipment storage area
- Rental equipment display area

AERIAL VIEW:



SITE PLAN:



APPLICANT IS REQUESTING THE FOLLOWING:

Dear City of Lincolnton & Lincolnton County,

My name is Nathan Bean, owner of Bean Brothers Hardware & Supply along with Bean Brothers Landscaping. Both companies operate out of 969 Reepsville Rd, Lincolnton NC. We purchased Carolina Hardware in August Of 2022. We knew we'd grow out of ourselves very soon and inquired purchasing the wooded, vacant lot adjacent to us. About one third of the property was fenced in and was leased to Carolina Hardware for the last 30 plus years. It had a propane tank located near the road, a straw trailer, a pine needle bin, small utility trailers, asphalt, and mulch bins. It was Leased by Rosters Oil to Carolina Hardware for commercial use for 30 plus years while it was zoned residential. Rosters Oil owned the land for years. So with the new growth and expansion we decided to have our Grand Opening March 25th. So we pushed to have the yard cleared and ready to use by our Grand Opening. We have over \$500,000 in these 2 acres. We have over \$27,000 in the fence. The additional fence is tied into the old existing fence that has been there for 30 years. The old fence was even on the neighbors property, which we removed. There is also asphalt in the buffer on the rear of the lot in the nature area. To remove the fence, replace new poles, concrete, move materials around would cost us an additional \$7,500. We have spoken with the neighbors and they are extremely pleased with the updates. They however did express concerns over shrubs in the front of the lot and did not want to see them there. We also used mesh privacy netting instead of the metal slats. We did this for two reasons. The metal was going to be four times more expensive and it was on back order almost 18 weeks. I was waiting to move any further on the project until our meeting. We would like the County and City to approve the condition of the lot that it is in minus a couple of details we intend to do.

- 1) DOT driveway permit and installation.
 - 2) Installing pipes to connect water on Lore Rd and cover with dirt to plant grass instead of having a large ditch.
 - 3) Bringing in top soil and planting grass near the stop sign.
 - 4) Installing new gate on Lore Rd.
 - 5) Installing more shrubs and trees along the back side of property minus where existing asphalt is.
-

CHANGES FROM SITE PLAN

1 - There is no street landscaping on the frontage along Reepsville Road. Site plan shows street landscaping in accordance with the ordinance.

ORDINANCE STATES THE FOLLOWING:

(B) Street landscaping,

(1) Street landscaping off the street right-of-way and behind the sight triangle shall be required in the ROS, OR, OI, NB, GB, CC, HB, PB, GMC and GI Zoning Districts along all thoroughfares.

(2) The landscaping shall be provided in a designated landscaping area which shall include, as width, at least the first 12 feet of the front yard and side yard as measured from the edge of the street right-of-way line. Per 100 linear feet of landscaping, there shall be, at a minimum, four small trees and 12 shrubs, or four large trees. The remaining portion of the landscaped area shall be improved with ground covers or natural mulching materials. No part of the landscaped area shall be left as bare soil. It shall be the responsibility of the owner of the property and any tenant of the property to maintain the landscaped area in a healthy condition; to keep plant growth off roadways or otherwise from interfering with traffic visibility or safety, and to keep the landscaped area free of litter, debris, and uncontrolled weed growth. Within the designated landscaped area, landscaped decorative fences and masonry walls may be constructed no closer than six feet to the street right-of-way line and behind the sight triangle, however, the construction of the fences or masonry walls shall not relieve the developer from planting requirements except as provided in the succeeding divisions of this section.

(3) All required plantings shall be located on the street side of any fence or wall, and where berms are constructed, between the street right-of-way line and the crest of the berm. Any side devices constructed within the designated landscaped area shall be limited to the following.

(a) Berms. All earth shall be planted with ground covers except where mulching is provided for trees or shrubs. Shrubs and trees on the berms and within the designated landscaping area may be counted in planting requirements. Berms shall meet all requirements of § 153.046(C)(3) of this chapter.

(b) Fences. Fences shall be constructed of decorative wood or metal materials, designed specifically for fencing, be of a consistent pattern, and not exceed six feet in height. Metal fences shall be limited to decorative steel or iron. Utility metal fencing such as chain link fencing is not permitted within the designated landscape area. (Utility fences are permitted outside (side opposite street side) the designated landscaping area, see § 153.049 and other applicable requirements.) Wood fences shall be limited to pressure treated wood or naturally preserved species approved by the Administrator (e.g., locust and redwood). Wood fencing may be rail, picket, or opaque in construction and must be of a consistent pattern.

2- There is not any screening on Lore Road. Site plan shows screening in accordance with the ordinance.

3 - There are some trees planted on the rear property line, however it does not meet the ordinance screening requirements. Ordinance requirements, definitions and a visual diagram are below:

ORDINANCE STATES THE FOLLOWING:

§ 153.046 SCREENING.

The intent of these screening requirements shall be to create a screen between zoning districts and other zoning districts or to screen certain uses in order to minimize potential nuisances such as the transmission of noise, dust, odor, litter and glare of lights; to reduce the visual impact of unsightly aspects of adjacent development; to provide for the separation of spaces; and to establish a sense of privacy. Any screening required under this section shall materially screen the subject use between the ground level and the height of the required screening from the view of the adjoining.

(A) Screening. Screening shall be required under the following situations.

(1) Between residential and nonresidential districts. Where an OI, NB, GB, CC, HB, PB, GMC or GI District abuts a Residential (R) District, screening shall be provided on the lot(s) which are located in the OI, NB, GB, CC, HB, PB, GMC or GI District (except a residential use) at the time the lots are developed (except with a residential use) or when any existing and/or accessory structure on the lot is expanded.

(4) Open storage and open structures.

(a) Within any NB, GB, CC, HB, PB, GMC or GI District, screening shall be required for the open storage of any goods other than vending machines, retail goods left outside only during business hours, vehicles, trailers, other equipment capable of being driven on a roadway and any fixtures fastened to a building, ground or impervious surface; or for any unenclosed structure consisting of a roof, but no walls used for storage of materials, products, wastes or equipment, whenever the storage or structure is located within 100 feet of the street right-of-way line.

(B) Location of screening.

(1) (a) Any screening required by division (A) shall be located along side and/or rear property lines of the lot(s) in question except that screening shall not be required along any street right-of-way unless otherwise stipulated in this chapter.

(b) If screening is required along a street right-of-way it shall be located behind the right-of-way and outside the area of the sight triangle (defined in § 153.031 of this chapter).

(C) *Specifications for screening.* Screening may be in the form of natural plantings, planted berms, walls or fences. Screening shall be encouraged, however, in the form of natural plantings. Where sufficient room exists to place a screen consisting of natural plantings or maintain an existing screen of natural plantings, the natural plantings shall be used as the required form of screening. Otherwise, screening in the form of a planted berm, wall or fence may be used. The Administrator may approve a combination of natural planting, planted berm, wall or fence, if he or she determines that the spirit and intent of this section are met by the combination. (See this section, this division (C) and division (D) below and note street landscaping requirements in this division.)

(1) *Natural plantings.*

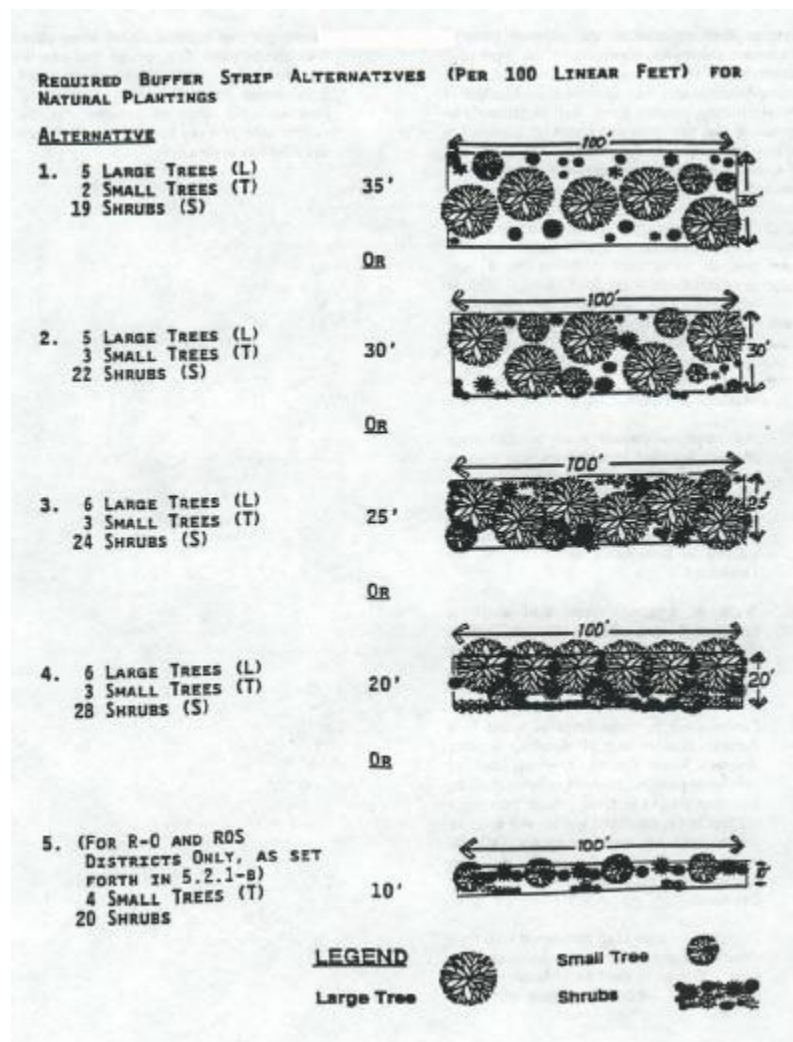
(a) Where natural plantings are used, a buffer strip of at least 20 feet in width (ten feet for a nonresidential use in the R-O District) shall be planted. This strip shall be free of all encroachment by structures, parking areas or other impervious surfaces. The amount and type of buffer materials to be planted per 100 linear feet shall be as indicated in Figure A below.

(b) All materials planted shall be free from disease, installed in a fashion that ensures the availability of sufficient soil and water to sustain healthy growth, properly guyed or staked and planted in a manner that is not intrusive to utilities and/or pavement and planted in accordance with division (G) below of this section.

(2) *Walls or fences.*

(a) Any wall shall be constructed in a durable fashion with a finish surface of brick, stone or other decorative masonry material approved by the Administrator.

(b) Fences shall be constructed of wood in a durable fashion and of durable, weather resistant wood fencing materials and of consistent pattern. No wall or fence shall be less than six feet nor greater than eight feet in height above grade. All walls or fences used for screen purposes shall be opaque. Walls and fences shall be constructed in accordance with division (G) of this section.



TREE, LARGE. A tree which, at the time of planting, has a caliper of at least one and three-fourths inches and a height of at least ten feet and of a species which, at maturity, can be expected to reach a height of at least 40 feet under normal growing conditions in the local climate.

TREE, SMALL. A tree which, at the time of planting, has a caliper of at least one and one-half inches and a height of at least five feet and of a species which at maturity, can be expected to reach a height of at least 20 feet under normal growing conditions in the local climate.

SCREENING REQUIREMENTS FOR THIS PROJECT:

Lore Road (200.11 linear feet) Screening should contain 12 large trees, 6 small trees and 56 shrubs

Rear Property Line (linear 464.22 feet) Screening should contain 28 large trees, 14 small trees and 130 shrubs

§ 153.048 SCREENING AND LANDSCAPING REQUIRED PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLIANCE.

After the effective date of this chapter, a certificate of zoning compliance shall not be issued for any use located on a lot(s) upon which screening and/or landscaping is required, unless the screening and landscaping is provided on the lot(s) as herein specified. This provision may be temporarily waived by the Administrator in cases where it was not possible for the developer to install certain species of plant material prior to occupancy due to the recommended planting season not occurring at an appropriate phase in construction, and in that case, the time deadline for planting the materials shall be extended only to the ideally recommended planting season for the materials.





4 - The fence along Reepsville is one foot from the ROW and Lore is on the ROW line. The site plan shows the fence 20' back from the ROW line on both streets. The old fence (shown in below pic) was just behind the ROW line which is allowed in residential zoning areas. This lot was R-25 prior to the conditional zoning. You can clearly see the existing gas tank in this photo and if you look at the site plan, you will see the fence was to be located right beside the existing tank.



MEMO TO: Planning Board Members

FROM: Planning Staff

SUBJECT: ZTA-2-2023 - Zoning Text Amendments to Chapter 153 Unified Development Ordinance

DATE: June 20, 2023

Background

Amendments to the Unified Development Ordinance are needed from time to time to correct minor errors in text or to respond to changing conditions.

There are several ordinance sections outlined below that need to be changed, updated or added to help make the UDO a better and more enforceable document.

Proposed changes are highlighted in yellow and language to be removed is stricken through.

Proposed Amendment Section 153.091 General Zoning Districts

(D) R-8 Residential District.

(1) This district is established to accommodate single-family dwellings on ~~8,000~~ 6,000 minimum square foot lots and two-family dwellings on 12,000 minimum square foot lots. These districts are located where water and sewer are present. The district accommodates both one- and two-family residences.

(F) ~~OR~~ RO Residential Office District. This district allows for one-, two- and multi-family residential uses and certain commercial, office and institutional uses which would create an area convenient for both residential and employment purposes. In certain areas this district is also established to provide a transition between purely residential areas and primarily commercial areas. In order to enhance the district's residential character, the R-O District for purposes of this chapter is deemed a residential district. This classification does require screening and buffering from all new uses in adjacent commercial and industrial districts. Small offices, certain community facilities and one and two-family residences are permitted by right.

Staff Comment: In number 1, the minimum lot size was changed to 6,000 SF in 2016 but it did not get changed in this section. In letter F, the correct abbreviation is RO.

Proposed Amendment Sections 153.107(R-10), 153.108(R-8), 153.109 (RMF) and 153.121 (WSW Water Supply Watershed)

(C) *Yard regulations.*

(1) *Minimum lot size.*

(a) Single-family dwellings: 10,000 square feet, except as provided in §§ ~~153.215~~ through ~~153.220~~ §§153.123 of this chapter.

R-8

(C) *Yard regulations.*

(1) *Minimum lot size.*

(a) Single-family dwelling: 6,000 square feet, except as provided in §§ ~~153.215~~ through ~~153.220~~ §§153.123 of this chapter.

(b) Two-family dwellings: 12,000 square feet except as provided in §§ ~~153.215~~ through ~~153.220~~ §§153.123 of this chapter.

RMF

(C) *Yard regulations.*

(1) *Minimum lot size.*

(a) Single-family dwelling: 8,000 square feet, except as provided for in (C) *Yard regulations.*

(1) *Minimum lot size.*

(a) Single-family dwelling: 8,000 square feet, except as provided for in §§ ~~153.215~~ through ~~153.220~~ §§153.123 of this chapter.

(b) Two-family dwellings: 12,000 square feet except as provided for in §§ ~~153.215~~ through ~~153.220~~ §§153.123 of this chapter.

WSW

(1) *WS-IV Watershed Areas - Critical Area (WS-IV-CA).* Only new development activities that require an erosion/sedimentation control plan under state law are required to meet the provisions of this section. In order to address a moderate to high land use intensity pattern, single-family residential uses are allowed at a maximum of two dwelling units per acre. All other residential and nonresidential development shall be allowed 24% built-upon area. New sludge application sites and landfills are specifically prohibited

(b) Density and built-upon limits.

1. Single-family residential, including planned developments: shall not exceed two dwelling units per acre on a project-by-project basis. No residential lot shall be less than one-half acre, except within an approved planned development as described in § [153.215](#) through [153.220](#) §§[153.123](#) of this chapter.

Staff Comment: Prior to the UDO update in 2021, chapters 153.215 and 153.220 had a chart that referenced R-10, R-8, RMF and Watershed areas. Those chapters were removed and the chart is now referenced in Chapter 153.123.

Proposed Amendment Section

§ 153.110 R-O RESIDENTIAL OFFICE DISTRICT.

~~(B) Uses subject to prescribed standards. The following uses are allowed upon the issuance of a zoning permit by the Zoning Administrator in accordance with §§ [153.255](#) through [153.259](#) of this chapter and subject to the associated below prescribed standards.~~

~~— (1) All uses subject to prescribed standards listed in § [153.106](#)(B) of this chapter.~~

(C) *Yard regulations.*

(1) *Minimum lot size.*

(a) Churches: 20,000 square feet.

~~(b) Multi-family dwellings: 21,780 square feet minimum project site size, but gross density shall not exceed ten units per acre.~~

Staff Comment: Multi family was removed as a permitted use but still listed under yard regulations and there are no uses with prescribed standards.

Staff Recommendation

Staff recommends approval of the amendments.

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

Case No. ZTA-2-2023

Applicant: City of Lincoln Planning Department

Request: ZTA-2-2023 - Zoning Text Amendments to Chapter 153 Unified
Development Ordinance

Proposed Consistency and Reasonableness Statement:

The proposed amendment is **consistent** with the adopted Lincoln 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.**

CONSISTENT: Because it updates text language to match current procedures and best practices and it provides additional direction in order to assist citizens in understanding the regulations.

REASONABLE: The text amendment is reasonable because it makes the ordinance clearer and more easily understood.

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

Case No. ZTA-2-2023

Applicant: City of Lincoln Planning Department

Request: ZTA-2-2023 - Zoning Text Amendments to Chapter 153
Unified Development Ordinance

Proposed Consistency and Reasonableness Statement:

The proposed amendment is **not consistent** with the adopted Lincoln 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.**

MEMO TO: Planning Board Members

FROM: City of Lincolnton Planning Department

SUBJECT: Major Subdivision Plat submitted for Huntington Hills Expansion (MJS-1-2023)

DATE: June 20, 2023

BACKGROUND

The applicants have submitted the attached preliminary plat for a major subdivision located off of Startown Road. The subdivision will be made up of 60 lots on approximately 63.91 acres of land. 33.6 acres of land will be left as open space. Site Information below:

Site Information

Parcel ID:	71879
PIN:	3624858356
Address:	Huntington Hill Drive
Owner:	BHR Land Holdings LLC
Owner Address:	4389 Indian Trail Fairview Road Indian Trail, NC 28079
Site Area:	63.91 Acres
Existing Zoning:	R-15
Min. Lot Width:	90 Feet (35 Feet min at the R/W)
Min. Lot Area:	15,000 Square Feet
Min. Front Setback:	35 Feet
Min. Rear Setback:	25 Feet
Side Setback:	10 Feet (20 Feet when abutting R/W)
Total Proposed Lots:	60
Req. Open Space Area:	1.71 Acres = 60 Lots * $\frac{1}{35}$ Acres/Lot
Provided Open Space:	33.60 Acres

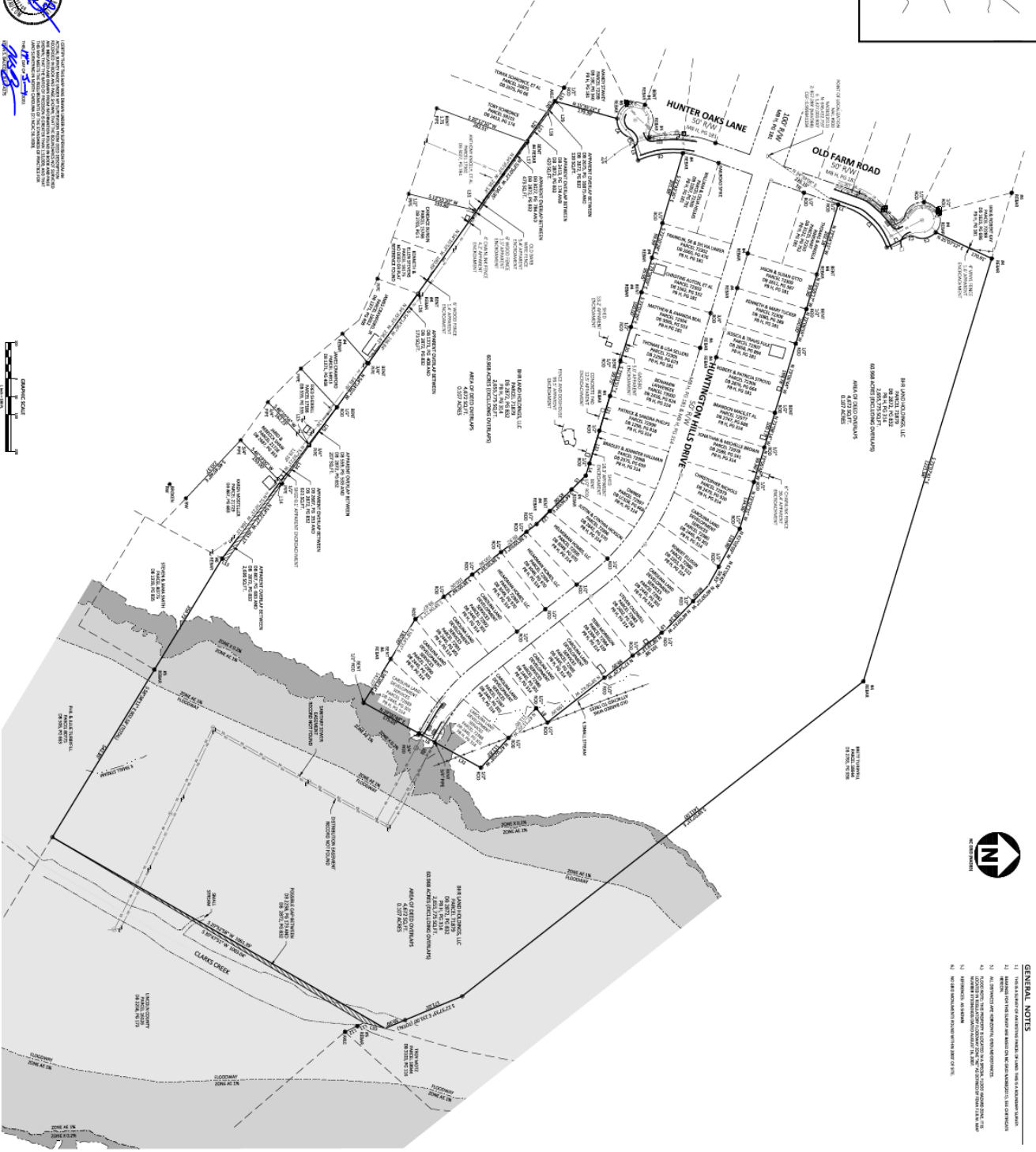
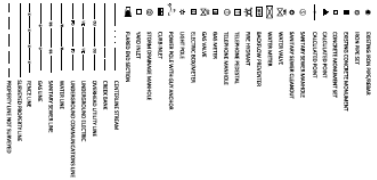
The property is located within the existing Huntington Hills Subdivision located on the east side of Startown Road. The property is located in the Lincolnton City Limits. All Streets and infrastructure will be taken over and maintained by the City of Lincolnton.

The property is zoned Residential-15 (R-15). Each lot must be a minimum of 15,000 square feet in size to construct Single Family Dwellings which are proposed for the property.

The proposed subdivision will extend two existing streets within the subdivision (Old Farm Road and Hunter Oaks Lane). One new cul-de-sac street will be constructed (Deer Walk Court). All new streets will be built to City Street Standards. Sidewalks will be constructed on both sides of the street. Street Trees will be added. City water, sewer, and electrical will serve the subdivision. No Development will occur within the flood hazard areas.

GIS MAP & SITE PLANS



[illegible]

MCADAMS
The John R. McAdams Company, Inc.
3430 Tordington Way
Suite 100
Charlotte, NC 28227
phone 704.527.0800
fax 715.351.2269
toll-free number: 1-800-333-2269
www.mcadams.com

OWNER
CAROLINA DEVELOPMENT SERVICES
5527 BALFORDIDGE CENTRE DRIVE
CHARLOTTE, NORTH CAROLINA 28110

**HUNTINGTON HILLS
BOUNDARY SURVEY
HUNTINGTON HILLS DRIVE
LINCOLNTON, LINCOLN COUNTY, NORTH CAROLINA**

REVISIONS

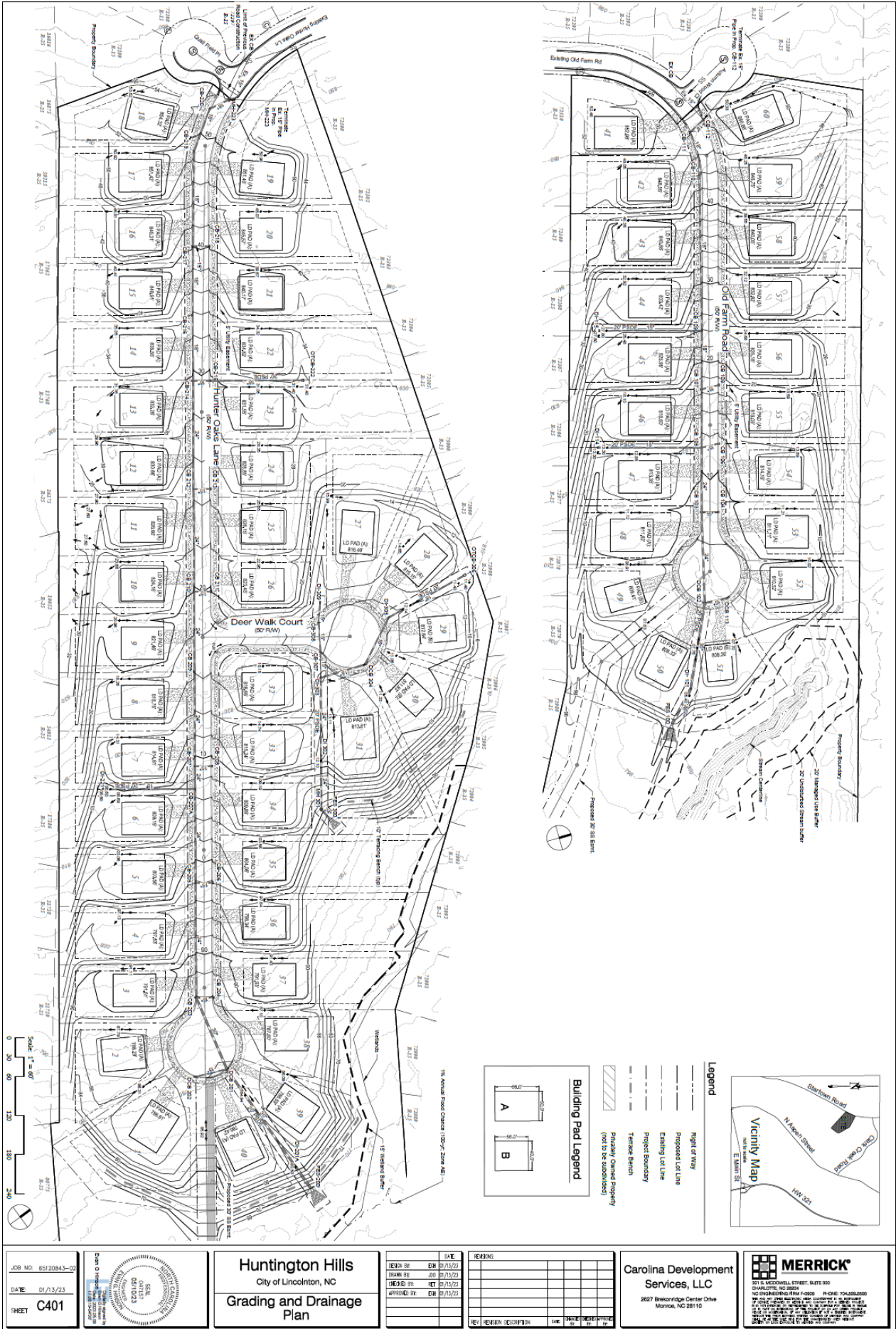
PROJECT NO.	CE21008
CLIENT/NAME	CE21008-S1
CHECKED BY	KSB
DESIGNED BY	JPM/KAS
SCALE	3" = 100'
DATE	8.14.2023

**BOUNDARY
SURVEY**

1-1







COMMENTS FROM THE STAFF REVIEW COMMITTEE

The Subdivision Review Committee met on June 13, 2023. The committee made the following comments about the plat:

1. Developer is responsible for all electrical infrastructure on the site and needs to coordinate all electrical work with Chris Wilson of the City Electrical Department.
2. Seven (7) Lots, owned by the developer and within the existing Huntington Hills subdivision will be recombined into open space so that no more than 100 lots exist. This will meet the requirements for appendix D of the City Fire Code. With this no second access will be required onto Startown Road and units do not need to have a sprinkler system.
3. Contractor will coordinate with Gary Stevenson and Todd Elmore to relocate the existing fire hydrant on Hunter Oaks Lane.
4. New Fire Hydrant to be installed at the end of existing Huntington Hills Drive.
5. HOA will be responsible for maintaining all open space areas
6. 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.
7. The HOA is responsible for ongoing maintenance of the open space areas and detention ponds, If required, 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 report to be submitted to the City of Lincolnton for review and compliance with the standards.
8. Building plans must be submitted to and approved by Lincoln County Inspections prior to development.
9. Developer is responsible for all infrastructure improvements.
10. Prior to streets, sidewalks, curbs being installed the contractor needs to meet with Public Services director
11. Need to meet with utility departments (water, sewer, and electrical to discuss all specifications and improvements during the construction phase.
12. No parking signs per City Fire Code will be required. Need to coordinate location of these signs with the City Fire Marshal prior to installation.
13. Utility Specifications Sheet is incorrect and needs to be corrected. Todd Elmore will need to approve this prior to installation of any infrastructure.

CONCLUSION

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

RECOMMENDATION

Approve the preliminary plat on the condition that the items listed above are met before the final plat is approved.