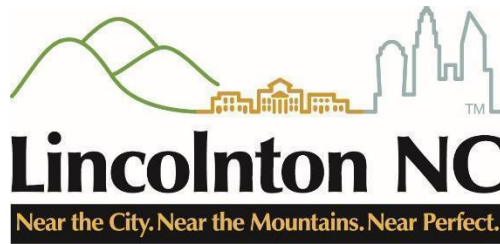




**LINCOLNTON PLANNING BOARD
AGENDA
November 21, 2023
4:00 PM**

- 1. Roll Call**
- 2. Call to Order**
- 3. Approval of Minutes**
 - 3a October 17, 2023 meeting minutes**
- 4. Public Hearing**
 - 4a CZ-11-2023 Application from Chris Brogden requesting a conditional district rezoning of .731 acres located at 300 N. Poplar (PID 53652) from Residential Office to Central Business(CD).**
 - 4b CZ-12-2023 Application from John Sullivan requesting a conditional district rezoning of .627 acres on Startown Road (PID 94076) from Neighborhood Business (CU) to General Manufacturing Commercial (CD).**
- 5. Regular Agenda**
 - 5a MJS-4-2023 Major Subdivision for Burris Acres located off Jerry Crump Road**
- 6. Adjournment**



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, October 17, 2023

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

Absent: Becky Shaw

Call to Order

Chair Trent Mason called the meeting to order. It is to be noted that Becky Shaw was absent.

Approval of Minutes

Chair Trent Mason asked the Board if there were any additions or corrections to the minutes of the September 19, 2023, meeting.

*Motion: Greg McBryde made a motion to approve the minutes.
Members voted 6-0 in favor of the motion.*

ZMA-4-2023 - Application from Windfall Properties, LLC requesting the rezoning of 0.319 acres of land from Office Institutional (O-I) District to General Business (GB) District. The subject property is located 849 South Laurel Street (Parcel ID 17504)

Jean Derby presented the staff report included in the agenda packet to the Board regarding ZMA-4-2023.

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

*Motion: John Waters made a motion to approve with staff recommendations.
Members voted 6-0 in favor of the motion.*

CZ-10-2023 - Application from Bob Lewis requesting the rezoning of 0.834 acres of land from Residential-10 (R-10) District to Transitional Infill Development (TID) District for the purpose of constructing eight townhomes. The subject properties are located on south side West Main Street Ext approximately 400 feet west of the intersection of West Main Street Ext. and Riverside Drive (Parcel ID's 71202 and 104070).

Jean Derby presented the staff report included in the agenda packet to the Board regarding CZ-10-2023.

Chair Trent Mason asked if there was a motion. The motion is as follows:

*Motion: John Waters made a motion to deny the rezoning request.
Members voted 1-5 in favor of the motion. Motion failed.*

Chair Trent Mason asked if there was another motion. The motion is as follows:

*Motion: Greg McBryde made a motion to approve with staff recommendations.
Members voted 5-1 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: John Waters made a motion to adjourn.
Members voted 6-0 in favor of the motion.*

Ashley Jones



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Public Hearing Staff Analysis
CZ-11-2023
300 S. Poplar St

Zoning

Existing: Residential Office (RO)

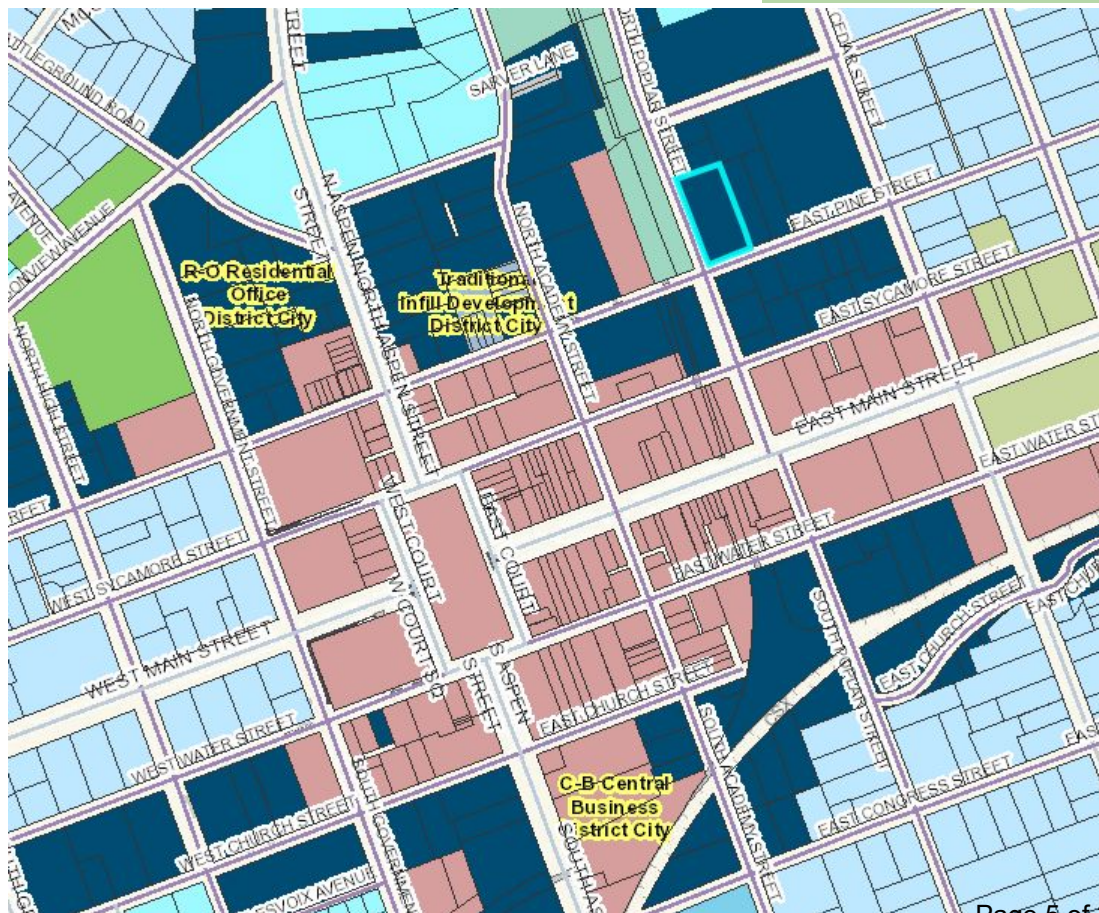
Proposed: Central Business (CB)

Current Use

Warehouse - storage

Proposed Use

Multi-Use gathering space (dining, retail and office)



PROJECT AREA



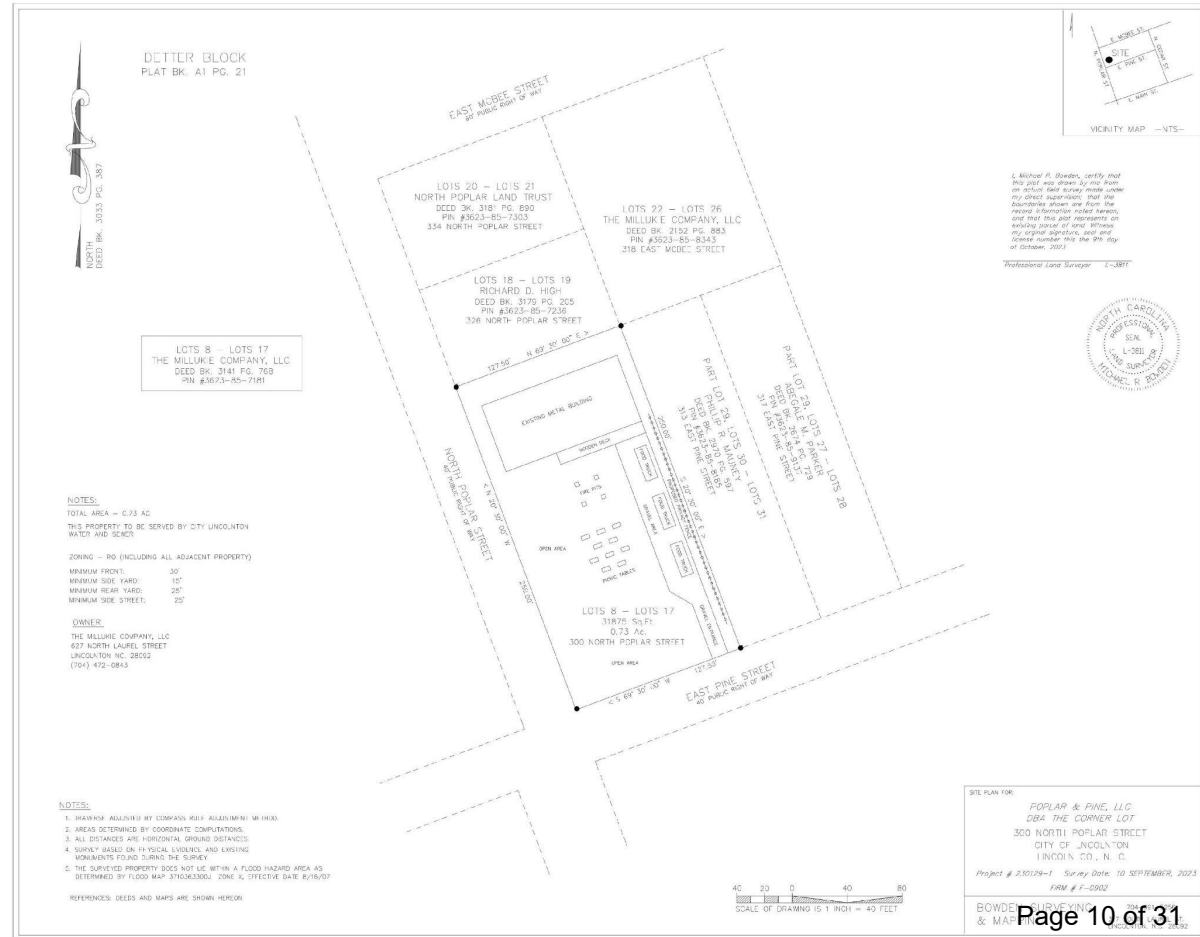
STREET VIEWS

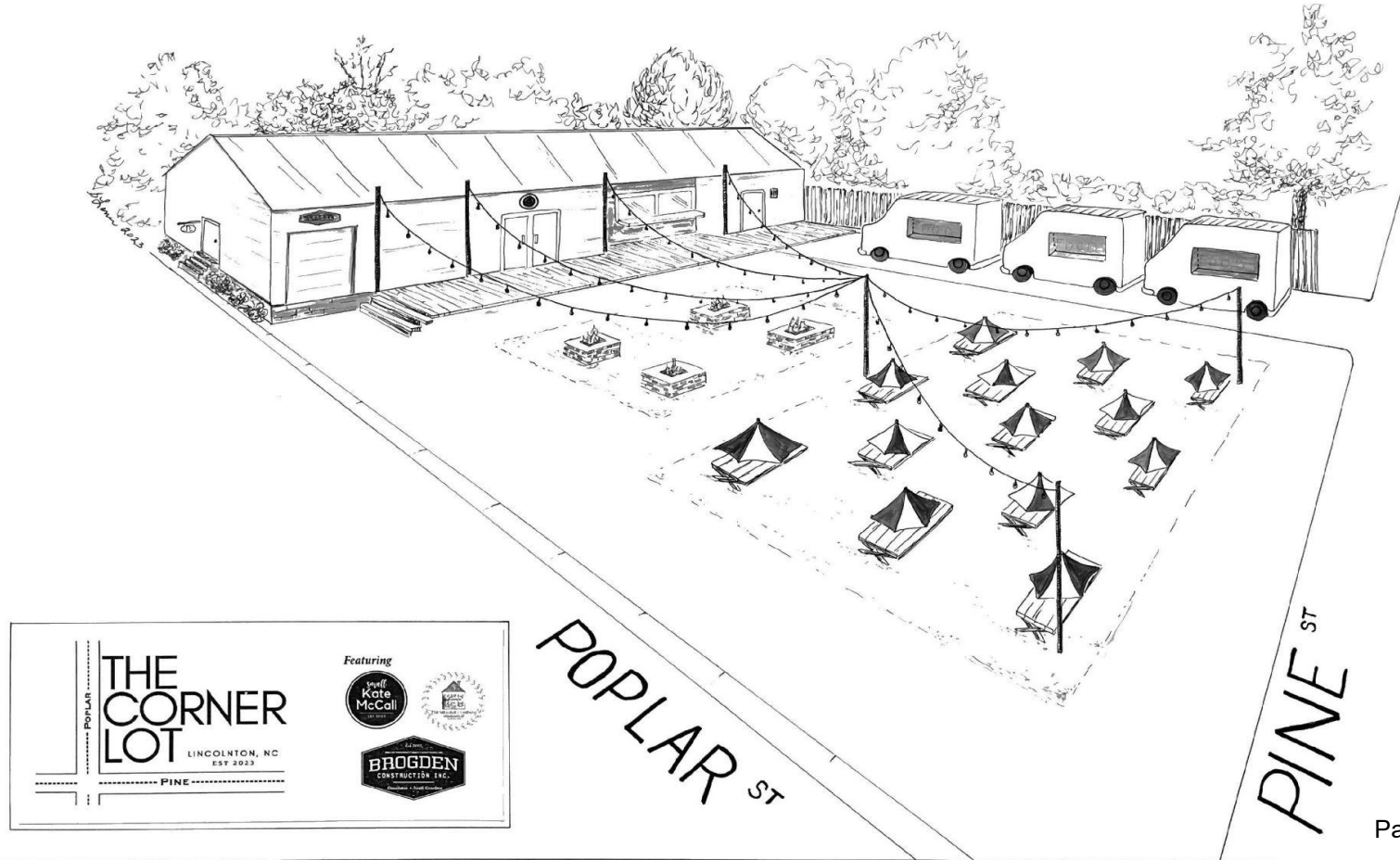






- .731 acre lot
- Proposed mixed use of existing building for possible retail, office space, and dining
- Area for food trucks
- Firepits
- Picnic tables
- Central business district does not required off street parking. There are currently 15 on street parking spots adjacent to this property





POPLAR
THE
CORNER
LOT
LINCOLN, NC
EST. 2023
PINE

Featuring
Small
Kate
McCall
BROGDEN
CONSTRUCTION, INC.

LAND USE PLAN

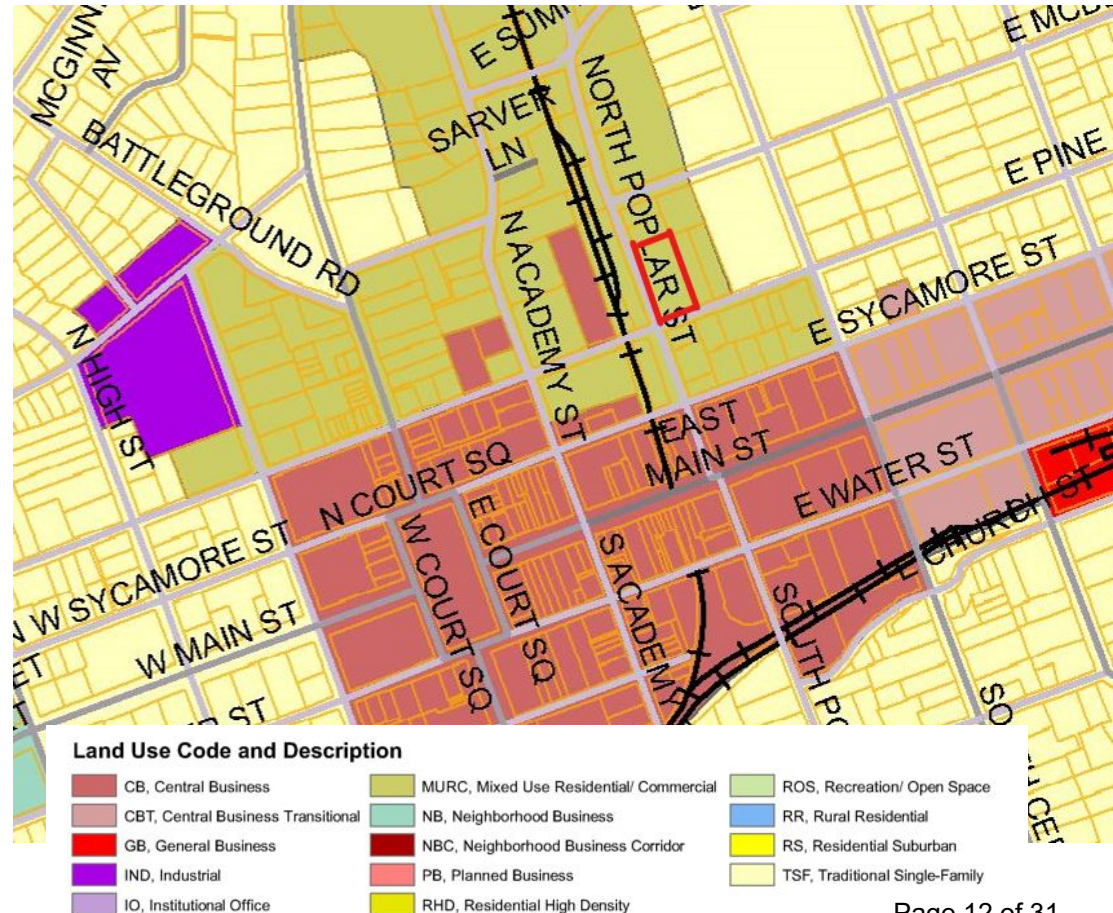
LAND USE PLAN COMPLIANCE

The land use plan shows the property in the mostly in the Neighborhood Business area with a portion in Traditional Single Family Planning Area.

Mixed-Use Residential/Commercial These are planning areas in select, older portions of the City where true "urban villages" consisting of high-density residential uses (both single- and multi-family) and associated small-scale and pedestrian-oriented offices and retail uses may be located. The thrust behind these planning areas is to create areas in which persons are able to both live, work and shop. They are designed to emulate development patterns from the early and mid portions of the twentieth century when reliance on the automobile was not paramount. In order for such a concept to be feasible, an area of significant size must be so designated thus ensuring that there will be ample room for the variety of uses needed to create a "village."

Consistency:

The proposed change in zoning from RO to CB is consistent with the Land Use Plan.



STAFF COMMENTS /CONDITIONS OF APPROVAL

Planning Department - Driveway needs to be 24' with a 15' asphalt/concrete apron. Temporary Food Trucks only.

Public Works - Need a driveway permit and after January 1, 2024 will need to purchase rollout trash cans.

Soil and Erosion - If less than .4 acres are disturbed, applicant only needs a single lot permit. If more than 20,000 square feet are disturbed, need to submit a soil and erosion plan to Lincoln County.

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

Case No. CZ-11-2023
Applicant: Chris Brogden
Parcel ID#: 53652
Location: 300 N. Poplar Street
Request: Rezone from RO to CB

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Mixed-Use Residential/Commercial Planning Area. The proposed rezoning request is consistent with the Lincolnton Land Use Plan.

CONSISTENT: It is consistent with the Land Use Plan Goal to promote Downtown Lincolnton as the County's foremost and unique retail, service, cultural, governmental and mixed-use residential hub.

REASONABLE: It is reasonable because one of the strategies outlined in the plan is to work with the landlords of vacant and under-utilized commercial buildings to develop strategies for adaptive reuse (including the possibility of mixed commercial-residential use.)

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

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

Case No. CZ-11-2023
Applicant: Chris Brogden
Parcel ID#: 53652
Location: 300 N. Poplar Street
Request: Rezone from RO to CB

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Mixed-Use Residential/Commercial Planning Area.

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

STAFF RECOMMENDATIONS

Staff recommend the following action:

1. Recommend approval of rezoning of the property from R-O to Central Business
2. Approval of the statement of consistency for approval of the rezoning request
3. Zoning will be effective upon receipt of signed conditions of approval



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Public Hearing Staff Analysis
CZ-12-2023
PID 94076, Startown Road

SUMMARY

Zoning

Existing: Neighborhood Business - CU

Proposed: General Manufacturing
(Conditional District)

Current Use

Vacant Lot

Proposed Use

Deer processing facility



PROJECT AREA



STREET VIEWS





J. DAVID LEDFORD, RLA

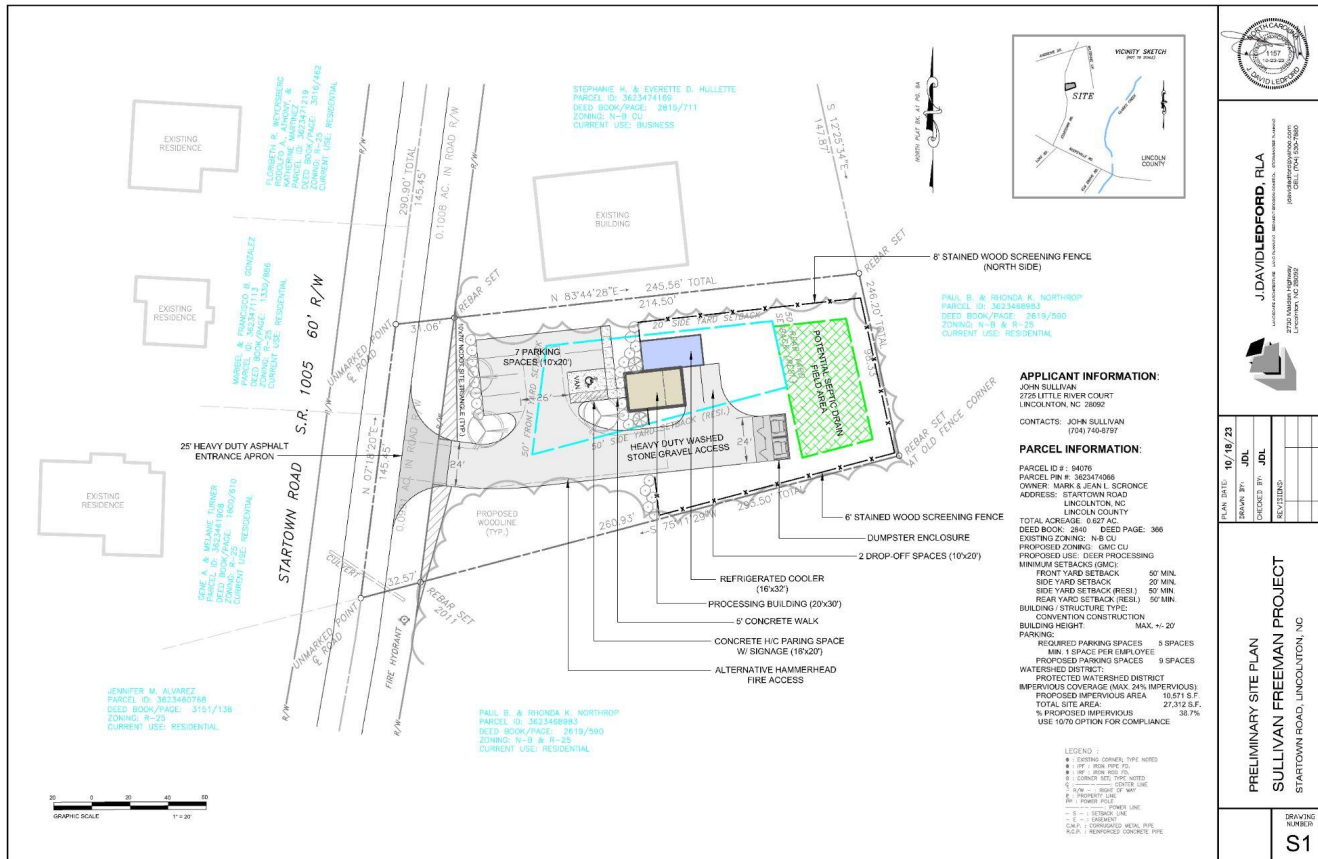


PLAN DATE 10/19/22

PRELIMINARY SITE PLAN
SULLIVAN FREEMAN PROJECT
FACTORY ROAD, LINCOLN, NC

DRAWING
NUMBER
S1

- .627 acres
- 5 spaces are required by the UDO, however he will have 9 parking spaces
- 5' concrete walk by parking area
- 20' x 30' building
- 16' x 32' refrigerated cooler
- 8' screening fence on the north side and 6' screening fence along the east and south
- Dumpsters with enclosure



LAND USE PLAN

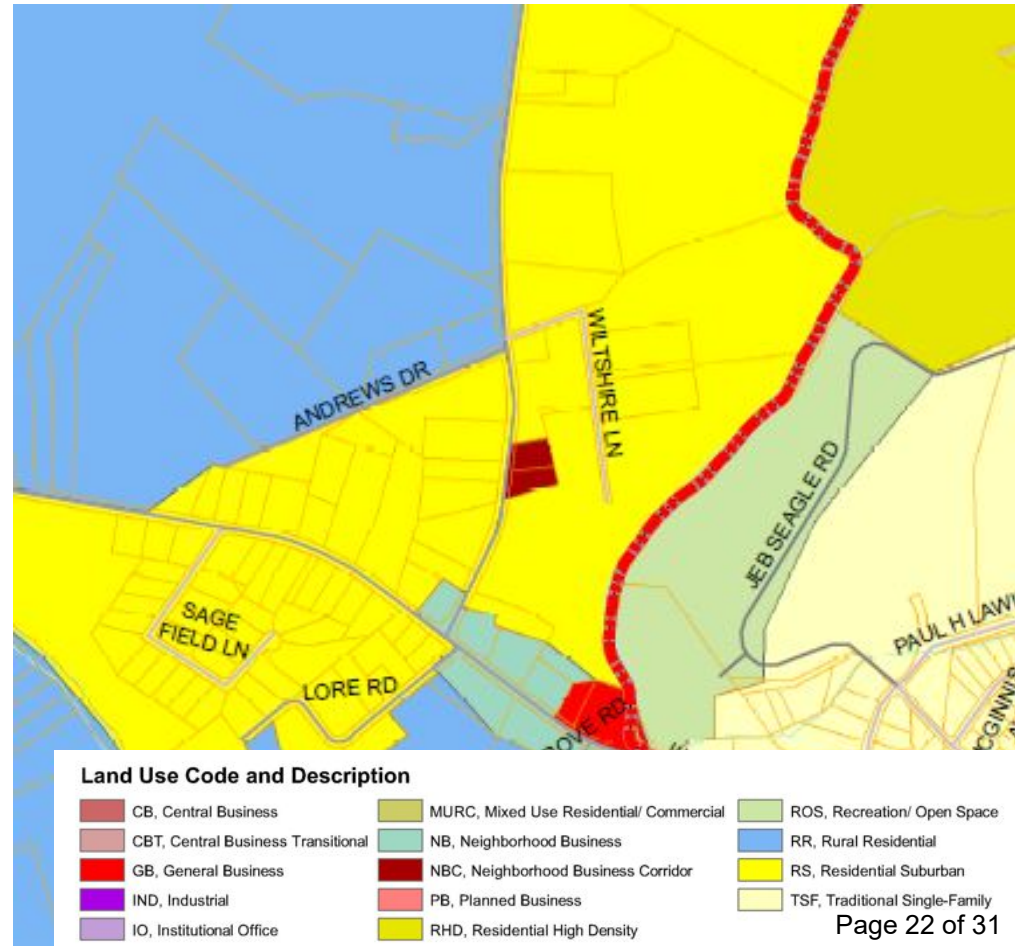
LAND USE PLAN COMPLIANCE

The land use plan shows the property in the mostly in the Neighborhood Business Corridor Planning Area.

Neighborhood Business Corridor This planning area is found along major highways leading into and out of Lincolnton. Its purpose is to accommodate neighborhood oriented planned business areas. Unlike the "Planned Business" areas (see below), a Neighborhood Business Corridor is not designed to be a "destination shopping" area for the community, but rather should serve as the nucleus for commercial activities in a particular portion of the City.

Consistency:

The proposed change in zoning from NB-CU to GMC(CD) is consistent with the Land Use Plan.



STAFF COMMENTS /CONDITIONS OF APPROVAL

Planning Department - Street Landscaping and screening need to meet UDO requirements.

Fire - Site plan meets Appendix D.

NCDOT - Will need a driveway permit.

City Water/Sewer - Will need a water tap.

Soil and Erosion - Need a copy of the Erosion Control Plan and copy a NCDOT Driveway Permit.

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

Case No. CZ-12-2023
Applicant: John Sullivan
Parcel ID#: 94076
Location: Startown
Request: Rezone from NB-CU to GMC(CD)

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Neighborhood Business Corridor Planning area. The proposed rezoning request **is consistent** with the Lincolnnton Land Use Plan.

CONSISTENT: Strategy C-B4 from the Land Use Plan encourages "neighborhood-friendly" types of new commercial development in residential neighborhoods. Any such development should be small in scale, not generate a lot of customer or vehicular traffic, not be open for extended hours, and be aesthetically congruent with its surroundings. Such uses shall be subject to a conditional rezoning.

REASONABLE: The rezoning is reasonable in that it follows strategies outlined in the Land Use Plan.

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

STATEMENTS

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

Case No. CZ-12-2023
Applicant: John Sullivan
Parcel ID#: 94076
Location: Startown
Request: Rezone from NB-CU to GMC(CD)

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Neighborhood Business Corridor 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 and therefore, **denial of the proposed amendment is reasonable and in the public interest.**

Staff recommend the following action:

1. Recommend approval of rezoning of the property from NB-CU to GMC(CD)
2. Approval of the statement of consistency for approval of the rezoning request
3. Zoning be effective upon receipt of signed conditions of approval

MEMO TO: Planning Board Members

FROM: City of Lincolnnton Planning Department

SUBJECT: Major Subdivision Plat for Burris Acres located off Jerry Crump Road (MJS-4-2023)

DATE: November 21, 2023

BACKGROUND

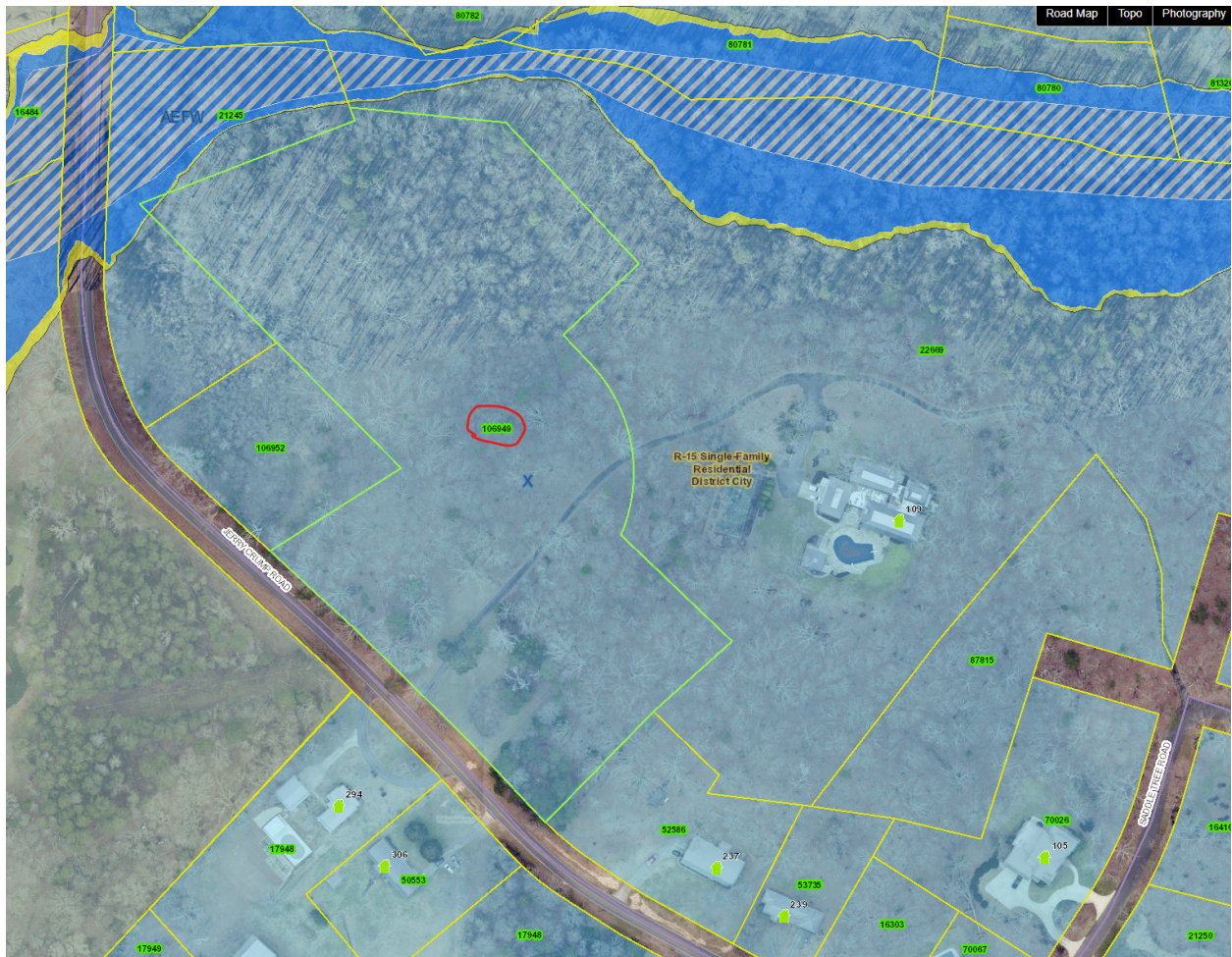
The applicants have submitted the attached preliminary plat for a major subdivision located off of Jerry Crump Road in the Lincolnnton City Limits. The subdivision will be made up of 12 lots with one new Public Street on approximately 7.86 acres of land. Site Information below:

<u>DEVELOPMENT SUMMARY</u>	
TAX PARCEL ID #:	22669
TOTAL SITE AREA:	23.68 AC
PROP. DEVELOPED AREA:	7.86 AC (342,433 SF)
EXISTING ZONING:	R-15
MIN. LOT SIZE:	15,000 SF
SETBACKS:	
FRONT:	35'
SIDE (INTERIOR LOT):	10'
SIDE (CORNER LOT):	20'
REAR:	25'
MAX. BUILDING HEIGHT:	35'
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL

The property is located on the east side of Jerry Crump Road approximately 700 north of the intersection of Jerry Crump Road and Saddletree Road. The property is located in the Lincolnnton City Limits. All Streets and infrastructure will be taken over and maintained by the City of Lincolnnton. 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.

One new cul-de-sac street will be constructed (Burris Acres Drive). The new street will be built to City Street Standards. Sidewalks will be constructed on both sides of the street. Street Trees will be required. City water and sewer will serve the subdivision. A small area of open space, approximately 8,000 square feet, will be provided.

GIS MAP & SITE PLANS



BURRIS ACRES

JERRY CRUMP ROAD
LINCOLNTON, NC

PIN: 22669

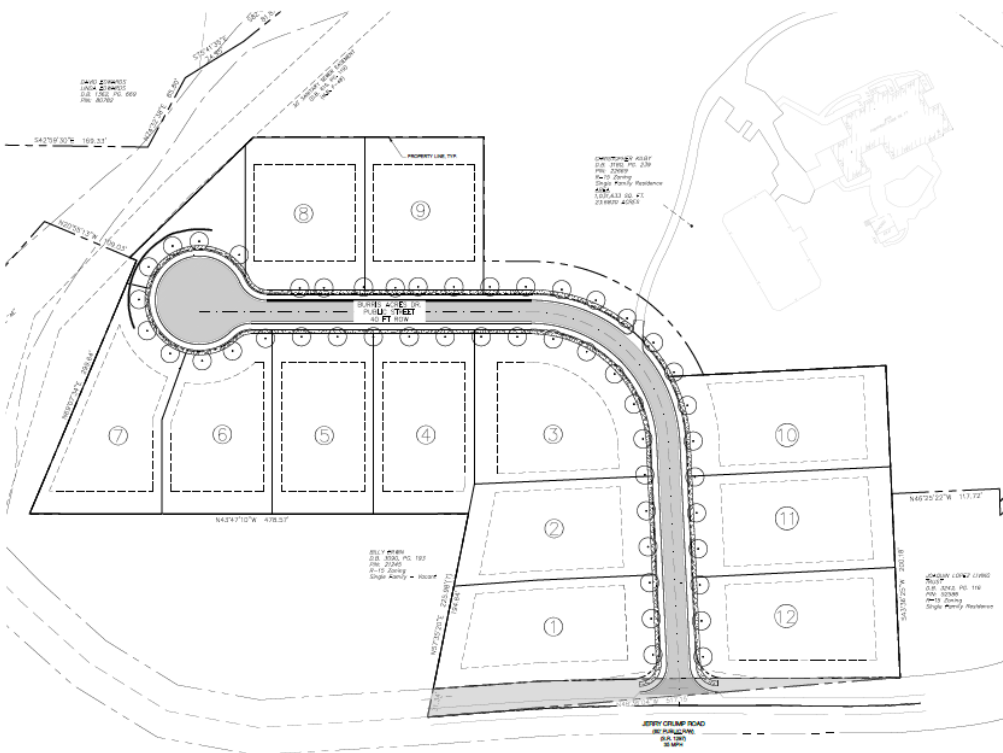
CONTACT INFORMATION

OWNER:

OWNER NAME
CONTACT: CHRISTOPHER KILBY
ADDRESS: 109 SADDLE TREE ROAD
LINCOLNTON, NC 28090
PHONE: (704) 551-4399

CIVIL ENGINEER & LANDSCAPE ARCHITECT:

URBAN DESIGN PARTNERS PLLC
CONTACT: HANNAH B. BREED, PE
ADDRESS: 12113 W. MOREHEAD ST., STE 450
CHARLOTTE, NC 28208
PHONE: 704-334-3303 FAX: 704-334-3305



PRICING SET

PROJECT SCHEDULE

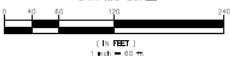
PROJECT COMMENCEMENT: JANUARY 2024
PROJECT COMPLETION: JANUARY 2028



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GRAPHIC SCALE



COMMENTS FROM THE STAFF REVIEW COMMITTEE

The Subdivision Review Committee met on November 14, 2023. The committee made the following comments about the plat:

1. The Utility Plan does not meet the requirements of the City Utility Code and Specifications. A new utility plan must be submitted to the Utilities Director and approved before construction of the subdivision can begin. Notes from the Water Resources Director are attached.
2. Sidewalks will be required along Jerry Crump Road and within the subdivision. No sidewalks are shown on Jerry Crump Road.
3. Prior to the construction of the streets, sidewalks, and street tree plantings a pre-construction meeting must be held between the developer and the City Public Services Director.
4. Street Trees must be planted according to the NCDOT guidelines for street plantings.
5. All Appendix D requirements of the City Fire Code must be met.
6. Need complete measurements for each lot including bearings and distances.
7. A small portion of the flood hazard area is on Lot 7 and needs to be shown on the plat.
8. Approximate grades of the street and total linear footage of the streets need to be shown.
9. The open space area and retaining wall must be maintained by the HOA. HOA agreement must be recorded at Lincoln County Register of Deeds.
10. The retaining wall needs to be constructed and then inspected, signed, and sealed by a professional engineer.
11. It is preferred that the retaining wall be located in the open space area and that Lot 7 be adjusted. This would take any liability away from the owner of Lot 7.
12. Per the new City Policy. Trash rollouts must be purchased by the homeowners.
13. The Erosion Control Plan must be submitted and approved by Lincoln County prior to construction. Notes will be sent by their Department.
14. No sewer cleanouts, meter boxes, etc.. shall be installed on the sidewalks.
15. Driveway Permit is required from the City of Lincolnton Public Services Department.

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 construction.

RECOMMENDATION

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