LINCOLNTON PLANNING BOARD
AGENDA
December 17, 2024
4:00 PM

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**

   3a November 19, 2024 meeting minutes

4. **Public Hearings**

   4a ZMA-3-2024 Application from Matt Johnson requesting the rezoning of 0.316 acres from the General Business (GB) District to the Single and Two Family Medium Density Residential-8 (R-8) District. The subject property is located on the east side of North Aspen Street approximately 250 feet south of the intersection of Westview Drive and North Aspen Street. (Parcel ID 83196).

   4b CZ-6-2024- Application from Target Corporation requesting a conditional district rezoning of 22.52 acres of land from the General Business (GB) District to the Commercial Center (CC) District for the purpose of constructing a retail store and three out parcels. The subject property is located on the west side of North Generals Blvd. at the northwest intersection of North Generals Blvd. and Tait Mill Road. (Parcel ID 00396).

5. **Adjournment**

CITY OF LINCOLNTON
PLANNING BOARD
MINUTES

PO DRAWER 617, LINCOLNTON, NC 28093

www.lincolntonnc.org

BOARD MEMBERS: Trent Mason, Chair, *trentonbmason@gmail.com;* Kristin Radebaugh, Vice Chair, *kradebaugh6r6@gmail.com;* Greg McBryde, *Gregory.Mcbryde@gmail.com;* John Waters, *jh2osk@aol.com*; Monte Tyson, *monte@cbdeastmain.com;* Steve Lackey, *stevelackey88@gmail.com*, Jerry Hoffman, *jlskhoffman@charter.net*

Tuesday, November 19, 2024

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

Call to Order

Chair Trent Mason called the meeting to order. Seven members were in attendance and the board welcomed its newest member, Jerry Hoffman, fulfilling the unexpired term of Becky Shaw.

Approval of Minutes

Chair Trent Mason asked the Board if there were any additions or corrections to the minutes of the October 15, 2024 meeting.

Motion: *Greg McBryde made a motion to approve the minutes as corrected.*
Members voted 7-0 in favor of the motion.

Public Hearings

ZTA-6-2023 - Zoning Text Amendments to Chapter 153 Unified Development Ordinance.

Jean Derby presented the staff report in the agenda packet to the Board regarding ZTA-6-2023.

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

Motion: *Kristin Radebaugh made a motion to approve as presented by staff.*

Members voted 7-0 in favor of the motion.

Chair Trent Mason asked the Board if there was any other business to address, to which there was none.

Adjournment

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

Motion: *Kristin Radebaugh made a motion to adjourn.*
Members voted 7-0 in favor of the motion.

_____
Kayla Reep



Public Hearing Staff Analysis
ZMA-3-2024
N. Aspen Blvd., PID 83196



Zoning

Existing: General Business (GB)

Proposed: Residential 8 (R-8)

Current Use

Vacant lot

Site Information

Adjacent property to the north is zoned General Business, adjacent property to the south is zoned R-8. This is .316 acre lot. The smaller size of this lot makes it less attractive for a commercial site and would be more suited for a residential use.


55209
17867
WESTVIEW DRIVE
644
529
17350
117
01235
527
15446
636
16679
MCGINNIS AVENUE
207
16270
NORTH ASPEN STREET
83196
523
00957
213
16381
522
17698
17471
521
20953
516
20340


N Aspen St
© 2021 Google



§ 153.315 AMENDMENTS TO TEXT AND MAP.

Except for conditional rezonings, neither the Planning Board nor the City Council shall evaluate a rezoning petition based on any specific proposal for the use or development of the property. The petitioner shall refrain from using any graphic materials or descriptions before either body except for those that would apply to any use permitted in the requested zoning district.

§ 153.108 R-8 SINGLE AND TWO-FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT.

(A) Permitted uses. The following uses are permitted by right. The following uses are allowed upon the issuance of a zoning permit by the Zoning Administrator in accordance with §§ 153.255 through 153.256.

(1) Single-family dwellings;
(2) Two-family dwellings;
(3) Day care centers, small group;
(4) Customary home occupations in accordance with § 153.045 of this chapter;
(5) Family care homes;
(6) Essential services, Class I and II;
(7) Accessory structures in accordance with § 153.057 of this chapter;
(8) Signs in accordance with §§ 153.160 through 153.172 of this chapter;
(9) Off-street parking in accordance with §§ 153.185 through 153.188 of this chapter;
(10) Publicly owned and operated outdoor recreation facility one acre or less in size and not containing a swimming pool.



Land Use Code and Description

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

LAND USE PLAN COMPLIANCE

The land use plan shows the property in the **Mixed Use Residential/Commercial** Planning Area.

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.“

Staff views this rezoning as consistent with the Land Use Plan.

STAFF COMMENTS

Planning – If the rezoning is approved, a zoning permit from the City of Lincolnton and a building permit from Lincoln County will need to be obtained.

City Water/Sewer - Sewer connection will need to be made in the rear of the property. Water connection in the front.

NCDOT - Use the existing curb cut for the driveway. For the installation of the water tap, you will need an encroachment agreement.

Lincoln County Erosion Control – Will need a single lot permit.

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

Case No. ZMA-3-2024
Applicant: Matt Johnson
Parcel ID#: 83196
Location: N. Aspen Street
Request: Rezone from GB and R-8

The Lincolnton Land Use Plan designates this property as part of the Mixed Use Residential/Commercial Planning Area. The proposed rezoning request **is consistent and reasonable** with the Lincolnton Land Use Plan in the following ways:

CONSISTENT:

- Because this Planning area is designed for true high-density residential uses and associated small-scale and pedestrian-oriented offices and retail uses may be located.

REASONABLE:

- Because it develops underutilized vacant land and rezoning to R8 follows the intent of this planning area.

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

Case No. ZMA-3-2024
Applicant: Matt Johnson
Parcel ID#: 83196
Location: N. Aspen Street

Request: Rezone from GB and R-8

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. However, a commercial use would be more desirable in the area and therefore, **denial of the proposed amendment is reasonable and in the public interest.**

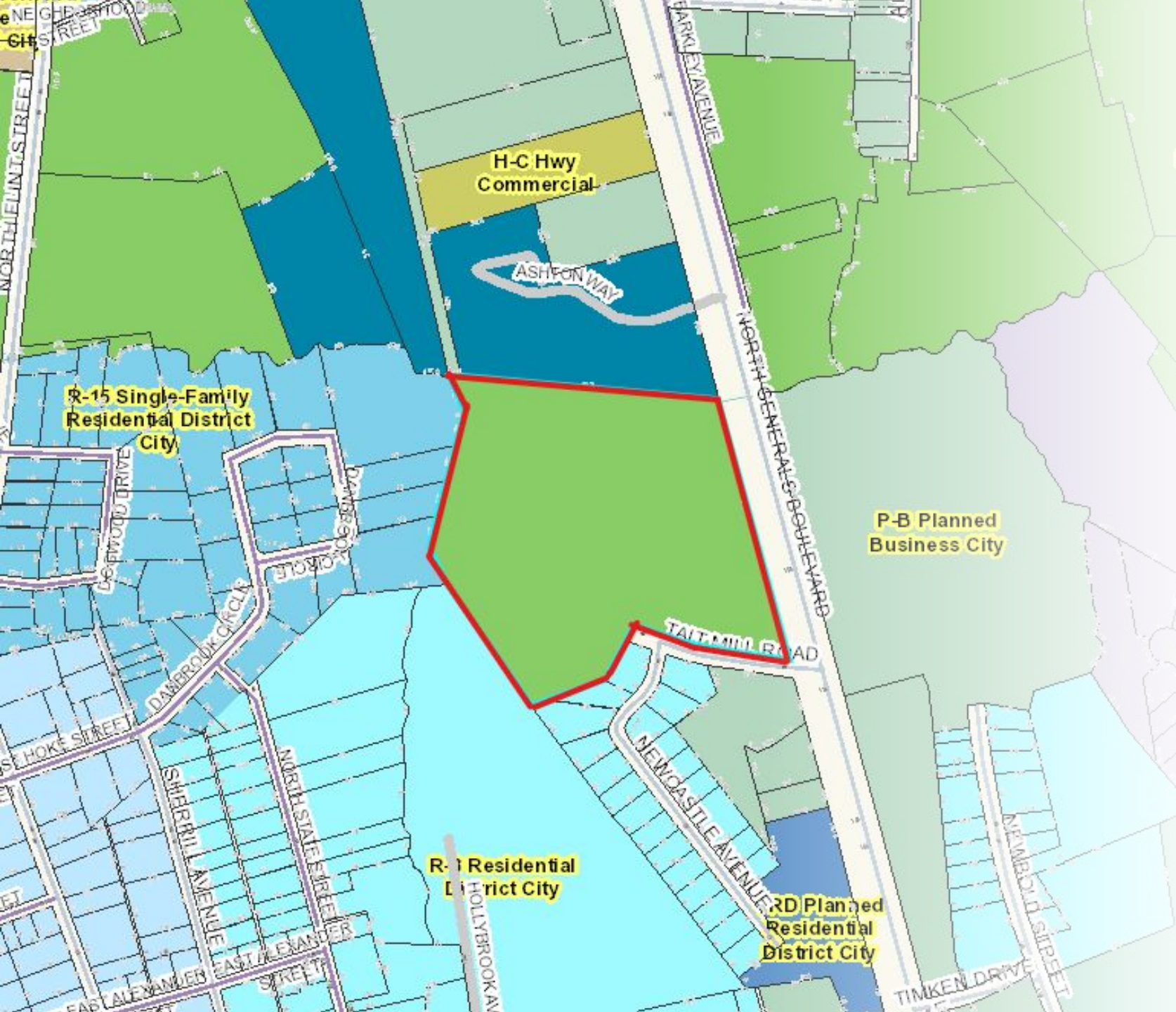
Staff recommends the following actions:

1. Recommend approval of rezoning of the property from General Business to Residential 8

2. Approve the statement of consistency for approval of the rezoning request



Public Hearing Staff Analysis
CZ-6-2024
319 N. Generals Blvd.



Zoning

Existing: General Manufacturing and Commercial (GMC)

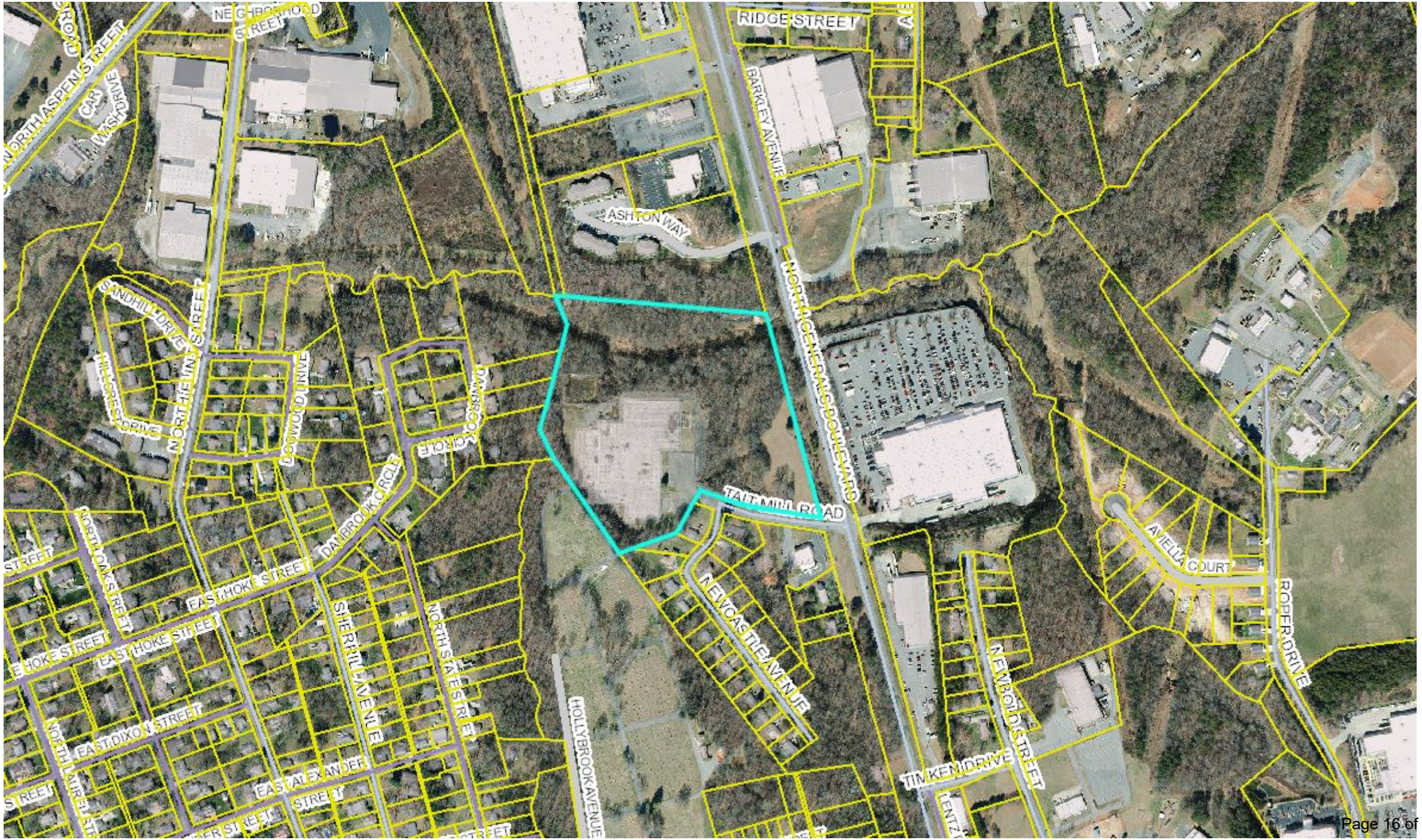
Proposed: Commercial Center (CC)

Current Use

Vacant lot, previously Textile Piece Dying Company

Proposed Use:

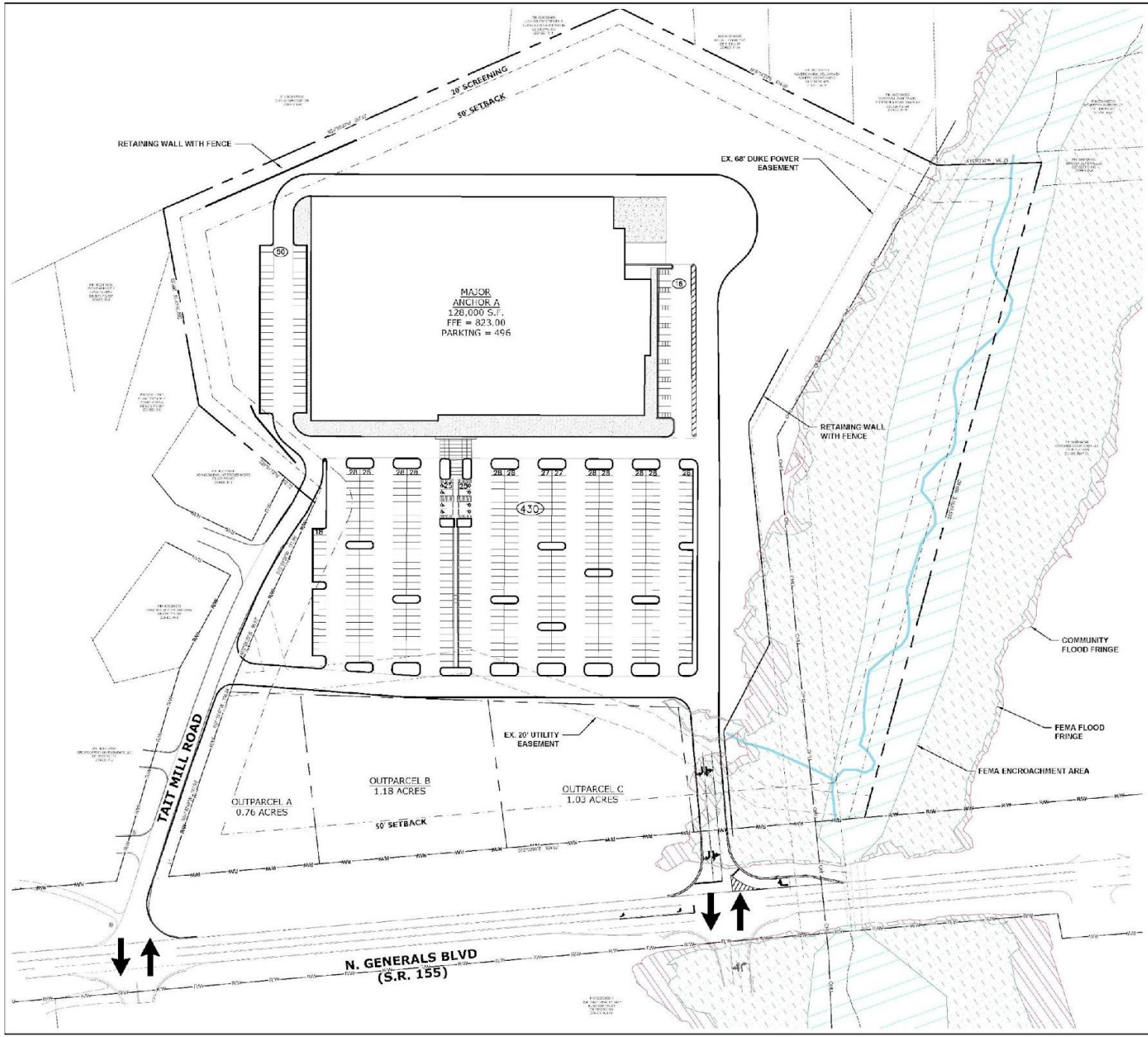
Large retail store with up to three outparcels.


NEIGHBORHOOD STREET
RIDGE STREET
NORTH ASPEN STREET
CAR WASH DRIVE
BARKLEY AVENUE
ASHTON WAY
SANDHILL DRIVE
NORTHFIELD STREET
DOGWOOD DRIVE
DANBROOK CIRCLE
NORTH GENERALS BOULEVARD
TALT MILL ROAD
DANBROOK CIRCLE
NORTH OAK STREET
EAST HOKE STREET
SHERRILL AVENUE
NORTH STATE STREET
NEWCASTLE AVENUE
AVIELLA COURT
ROPER DRIVE
NEWBOLD STREET
HOLLYBROOK AVENUE
EAST DIXON STREET
EAST ALEXANDER STREET
TIMKEN DRIVE


Walmart
ate Rd 155

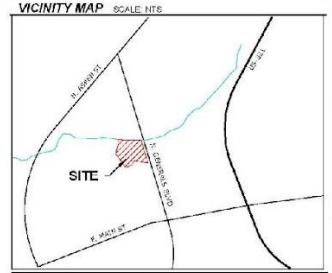

State Rd 155
Google


Available
Colliers



VICINITY MAP

SCALE: NTS



PROJECT SUMMARY

PROJECT NAME:	LINCOLNTON RETAIL
EXISTING ZONING:	GMC
PROPOSED ZONING:	CC
APPROVED PETITION NO:	
TAX PARCEL NO:	3683187564
DEED BOOK-PAGE:	858-767
TRACT ADDRESS:	319 N GENERALS BLVD
JURISDICTION:	LINCOLNTON
WATERSHED DISTRICT:	CATAWBA
FEMA INFORMATION:	
MAP NO: 3710363300J	MAP DATE: 08/16/2007
FLOOD ZONE: AE	
LOT SIZE:	± 22.52 ACRES
SETBACK REQUIREMENTS:	
FRONT SETBACK:	50'
SIDE YARD:	50'
REAR YARD:	50'
BUFFER REQUIREMENTS:	
FRONT BUFFER YARD:	20'
SIDE BUFFER YARD:	20'
REAR BUFFER YARD:	20'

PROJECT CONTACT INFORMATION

ENGINEER:
Burton Engineering Associates
Carlton T. Burton, PE
5950 Fairview Road, Suite 100
Charlotte, NC 28210
P: (704) 553-8881
cburton@burtonengineering.com

DEVELOPER:
Target
Aaron Henquist
1000 Nicollet Mall TPN-12
Minneapolis, MN 55403
P: (612) 701-5070
aaron.henquist@target.com

PROPERTY OWNER:
Textile Piece Dyeing Company
C/O Dan Peacock
PO BOX 370
Lincolnton, NC 28093

DRAWING INFORMATION

TRUE NORTH

811 Know what's below. Call before you dig.

BURTON ENGINEERING

5950 FAIRVIEW RD STE 100
CHARLOTTE NC 28210
(T) 704.553.8881
www.burtoneng.com
FIRM #C-1157

LINCOLNTON RETAIL

319 N GENERALS BLVD, LINCOLNTON, NORTH CAROLINA

REZONING PLAN

FH	CTB
ENG	CTB
DRAWN BY	WWV
DATE	10-30-2024

REVISIONS

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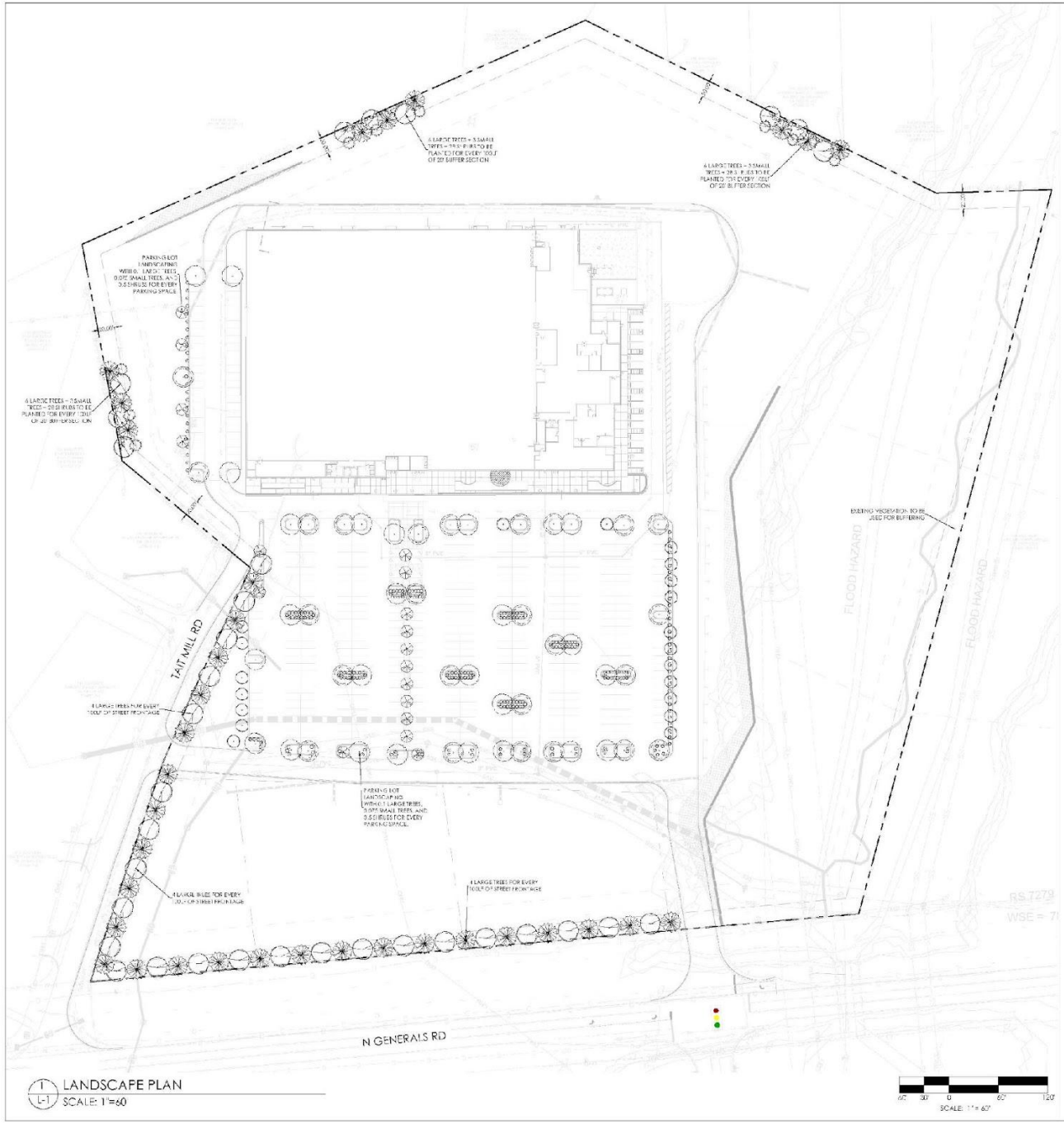
PROJECT NUMBER
024.956.001

RZ-1



1 L-1 LANDSCAPE PLAN
SCALE: 1"=60

PLANT KEY

LARGE TREES

SMALL TREES

SHRUBS

BUFFERS SHOWN ARE TYPICAL 100' BUFFER SECTIONS IF THE BUFFER NEEDSTO BE PLANTED. EXISTINGVEGETATION WILL BE USED PARTIALLY, OR IN FULL (WHERE APPLICABLE) TO MEET BUFFER REQUIREMENTS.

W
S
N
E

TMTLA ASSOCIATES
LANDSCAPE ARCHITECTURE & LAND PLANNING
5011 SOUTHPARK DRIVE, STE.200-DURHAM, NC 27713
p: (919) 484-8880 e: info@tmtla.com

PRELIMINARY NOT FOR CONSTRUCTION

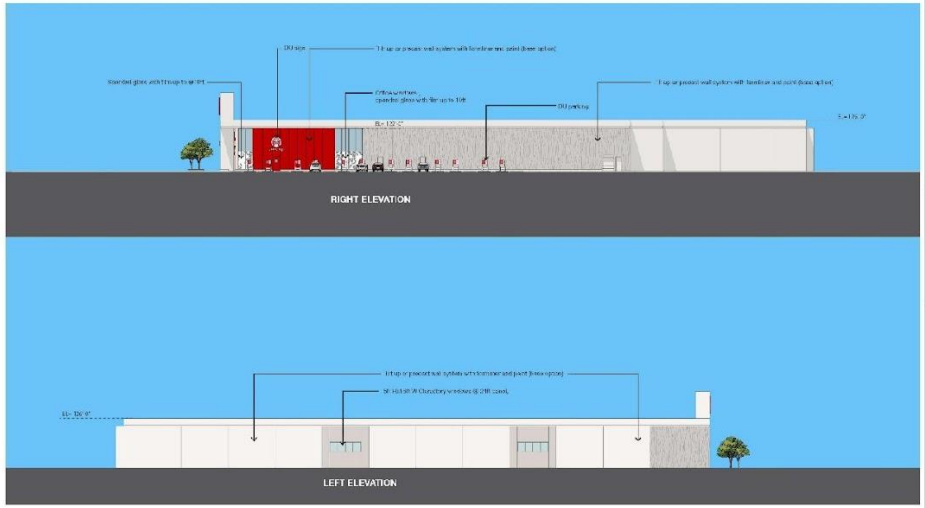
REVISIONS:

LANDSCAPE PLAN CONCEPT
LINCOLNTON RETAIL
N.GENERALS BLVD.
LINCOLNTON, N.C. 28092

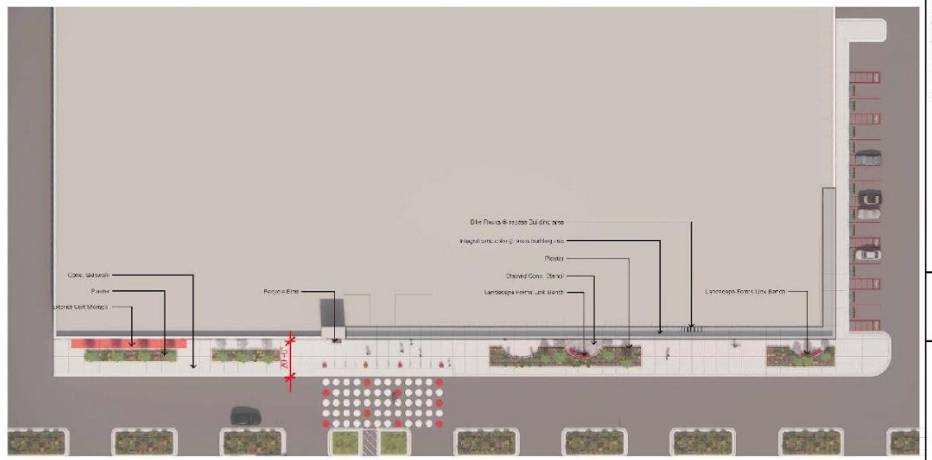
SCALE:
AS NOTED
DRAWN BY:
MK
PROJECT #
24136
DATE:
11/06/2024

RZ-2
Sheet 2 of 3









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LINCOLNTON RETAIL

319 N GENERALS BLVD, LINCOLNTON, NORTH CAROLINA

ELEVATIONS

PH CTB
ENG CTR
DRAWN BY LWW
DATE 10-30-2024

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PROJECT NUMBER
024.956.001

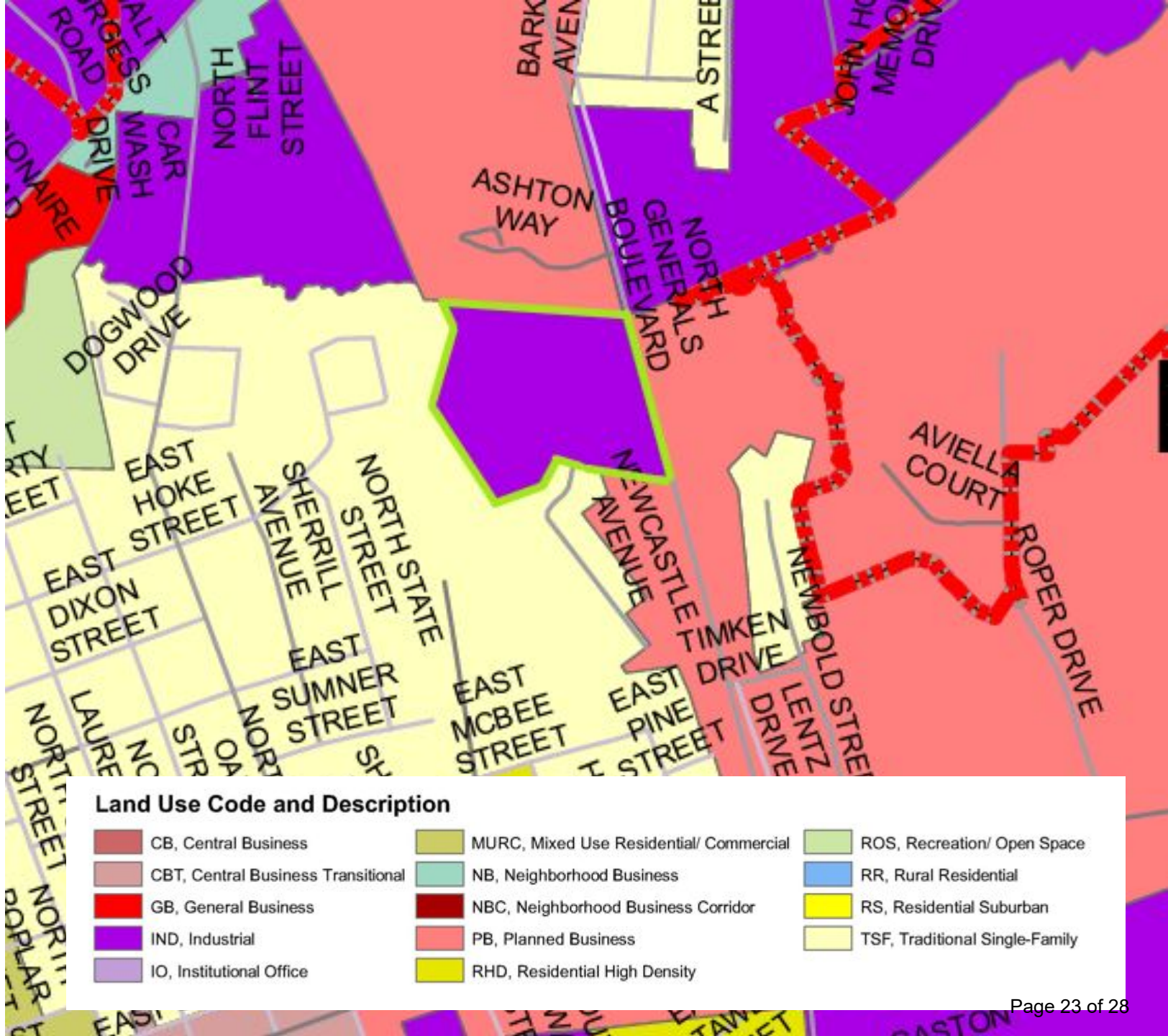
RZ-3
Sheet 3 of 3

LAND USE PLAN COMPLIANCE

The land use plan shows the property in the **Industrial Planning Area**. These are areas in use or designated for future industrial/manufacturing use. 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.

While this was an Industrial use at the time the Land Use Map was created, this is no longer appropriate for this area. **Staff feels that the Planned Business area would be more suitable for this area and the Land Use Map should be amended.**

Planned Business The large majority of commercial uses (outside Downtown Lincolnton) are likely to occur in planned business areas. Planned business areas are designed to be the City's "destination shopping areas." They encompass most larger shopping centers and commercial areas along the City's major corridors. New developments are recommended to be compact in nature, with buildings oriented towards abutting public roads (as opposed to having large parking lots dominating the visual landscape from such roads) and with pedestrian accessibility both leading to and within the site being of high importance.



Conditions of Approval

City Planning:

1. If subdividing the outparcels, a survey completed by a NC Licensed Surveyor showing subdivided lots needs to be submitted for approval and record before construction.
2. A complete set of final civil drawings, including a detailed landscape, must be submitted. The drawings must also comply with any applicable federal and state requirements and any additional federal, state, county, and/or city policies and ordinances and be approved by all departments.
3. Building plans must be submitted and approved by Lincoln County Inspection prior to development.
4. Development on the site is to be consistent with the above site plan and architectural renderings. Must meet architectural requirements CC District.
5. Sidewalk access along North Generals(from Tait Mill to the main entrance intersection) and Tait Mill Road along with sidewalk access to each out parcel.
6. Any newly planted trees for landscaping or screening cannot be located under utility lines.
7. The ordinance requires 512 parking spaces, but the plan shows 496. The City will agree to 496 spaces; however, the plan will need to show the parking space dimensions meeting the ordinance requirements.
8. Sign to be located near main entrance must meet ordinance requirements.
9. Flood permits and stream buffer requirements will need to be met per the City ordinance.
10. Need Water Supply Watershed Calculations provided on the plan equal to less than 70%.

11. Parking Lot landscaping breakdown showing required landscaping including 50% interior requirements
12. The landscape plan shows the ordinance requirements for street trees; however, the screening requirements would need to be met in the portion across from any residential lots.
13. The location of dumpsters and HVAC/mechanical equipment needs to be shown on the plan, as well as the screening for those items.

NCDOT - Travis Jordan

14. Will need to meet any offsite improvements required by NCDOT. These improvements will be conditions of the NCDOT driveway permit and should be considered day one required improvements. Timeframe for signal design will be determined by NCDOT. Any required signals must be operating prior to store opening.
15. Sidewalk on N. Generals Blvd. would need to be located out of the NCDOT right of way.
16. Will need to apply for a Controlled Access break with the State.

Lincolnton Fire Department - Gary Stevenson

17. Submit a demolition/construction safety plan (if applicable) to the City of Lincolnton Fire Marshal's office in accordance with North Carolina State Fire Code chapter #3.
18. Meet the requirements of Appendix D of the North Carolina State Fire Code.
19. An approved water supply for fire protection shall be made available as soon as combustible materials arrive on the site. The water supply shall be approved by the City of Lincolnton Fire Marshal. Section # 3312 of the North Carolina State Fire Code.
20. Fire hydrants shall be installed in accordance with the City of Lincolnton ordinances. All fire hydrant locations shall be approved by the City of Lincolnton Fire Marshal. Section 104.1 of the North Carolina State Fire Code.

Lincoln County Erosion Control – Danielle Rudisill

21. Applicant will need to submit all 404, 401, and jurisdiction wetland determination permits/reports with the erosion control plan submittal. Approvals will not be given without them.
22. All slopes will be required to be benched according to the State's manual unless retaining walls are to be used.
23. All silt fences bordering water bodies will be required to be double-row high-hazard OR single-row super-silt fences using chain link fencing.
24. Any off site work requiring land disturbance will need to be included in the plan set with erosion control measures shown for those areas. Also, all offsite landowners, if any, will need to provide permission letters to the developer for the pursuit of permits and authorizing the construction intended on their property.
25. The developer/engineer will need to submit the ORIGINAL wet signed copy of the FRO form at submittal.
26. NCDOT driveway and any encroachment permit approvals will need to be provided at the time of submittal.
27. Any land disturbance 20 acres or more will require that all erosion control basins be designed for a 25-year storm event rather than a 10-year.

City Public Works – Nathan Eurey

28. Upon completion of construction, the developer should resurface Tait Mill to mitigate any construction damage.
29. Access to outparcels will only be allowed from the access road on the Target property (this should also be notated on the final subdivision plat)
30. Sidewalk on Tait Mill should be located outside of the street right of way

City Water/Sewer - Todd Elmore

31. Will need to install an 8" line for fire protection with a ¾" - 1" leak detection meter.
32. Will need to install a 2" line for the water meter.
33. City will invoice for all connections and meters, due to size developer will install.

The conditional zoning has an expiration date of 5 years from the date of approval.

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

Case No. CZ-6-2024
Applicant: Target Corporation
Parcel ID#: 00396
Location: N. Generals Blvd at Tail Mill Road
Request: Rezone from GMC and CC

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 but is consistent and reasonable in the following ways.

CONSISTENT:
- It expands commercial development along N. Generals Blvd

REASONABLE:
- Provides pedestrian access from commercial development to adjoining properties
- Developing underutilized vacant land
- Reuses an existing commercially zoned property

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

Case No. CZ-6-2024
Applicant: Target Corporation
Parcel ID#: 00396
Location: N. Generals Blvd at Tail Mill Road
Request: Rezone from GMC and CC

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. An industrial use would be more desirable in the area and therefore, **denial of the proposed amendment is reasonable and in the public interest.**

Staff recommends the following actions:

1. Recommend approval of rezoning of the property from GMC to CC
2. Approval of the statement of consistency for approval of the rezoning request
3. Zoning be effective upon receipt of signed conditions of approval
4. Amend the Land Use Plan to show the property in the Planned Business Planning Area