

Lincolnton NC

Near the City. Near the Mountains. Near Perfect.

Public Hearing Staff Analysis
CZ-6-2025
125 W. Water Street, PID 00510

Zoning

Existing: Central Business
Proposed: Residential Office(Conditional District)

Site Information

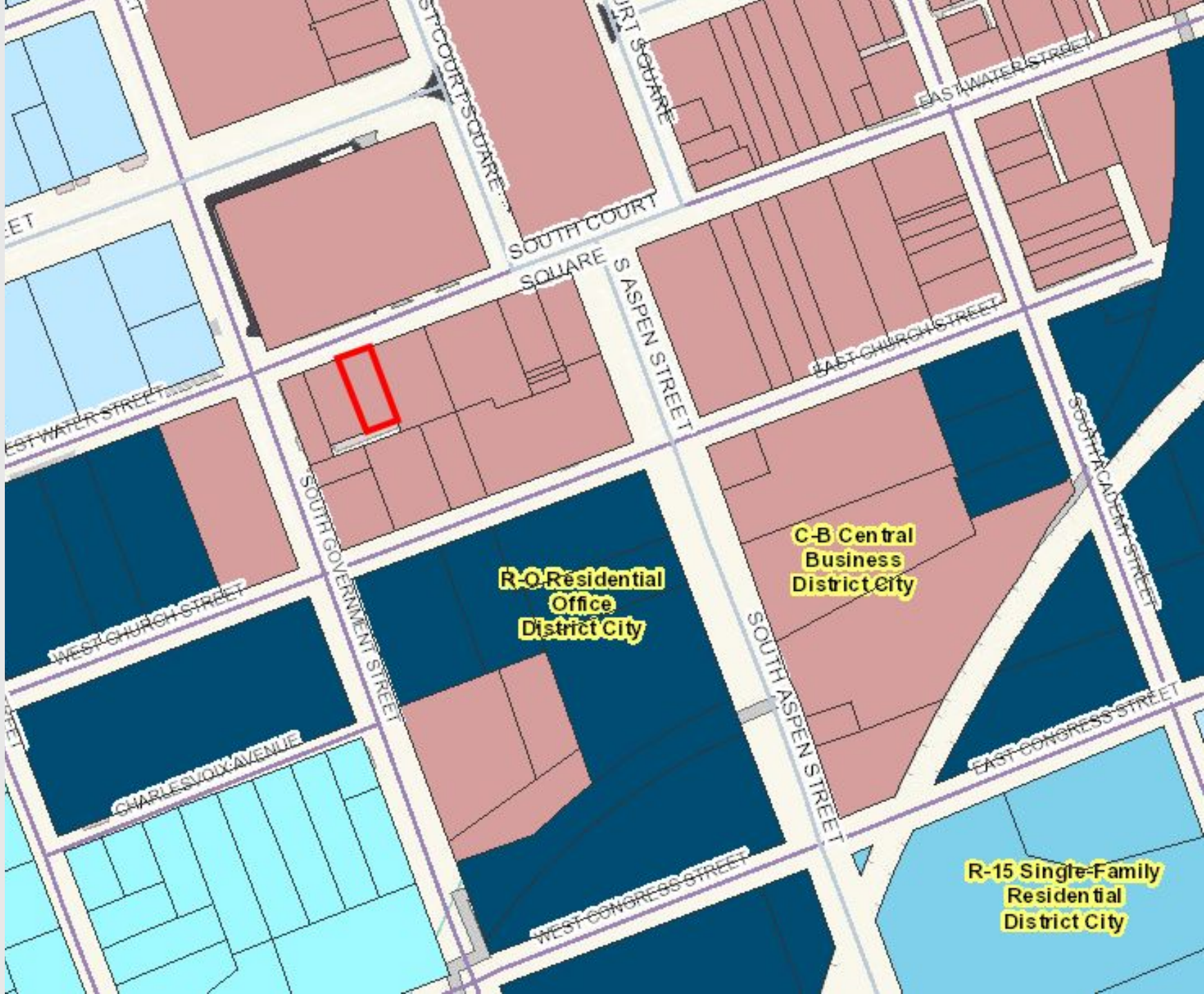
In 2022, the building was rezoned to Residential Office to accommodate a residential project. The project did not come to fruition, and the building was sold in 2024. The new owner applied for a zoning map amendment to return the property to the Central Business Zoning District, allowing for a wider variety of uses. The building is currently for sale. The applicant is under contract to purchase and is requesting a rezoning to Residential Office (CD).

Previous Uses

Lincoln Times Newspaper

Current and Propsed Uses

This building has been vacant since approximately 2021. The applicant is requesting to open a church.



History of Churches and Zoning Requirements in the Central Business District

Until 2017, Churches were a permitted use in the Central Business District.

In 2017, The Downtown Steering Committee applied for a text amendment to make several types of business Conditional Use Permits rather than permitted uses so that each project could be reviewed on a case by case basis and approved by City Council. The following is from the staff report presented to and approved by City Council on April 6, 2017:

"MEMO TO: Mayor and City Council Members
FROM: Laura Elam, Planning Director
THROUGH: Steve Zickefoose, City Manager
SUBJECT: ZTA-1-2017- Request from Downtown Steering Committee for Amendment to the Unified Development Ordinance Regarding Permitted Uses in the Central Business District
DATE: April 6, 2017

BACKGROUND

The Downtown Steering Committee is requesting a change to the downtown (Central Business District) zoning regulations in order to make changes to several permitted land uses. Currently, bail bonds services, check cashing establishments, gas stations, pawn shops, banks and churches are permitted uses in the CBD.

The proposed amendment would change the regulations so that these uses would become conditional uses rather than permitted uses and require the approval of a conditional use permit by City Council.

PURPOSE

The purpose of the proposed amendment is to try to maintain the charm and character of downtown Lincolnton while also helping it to be better positioned to attract more retail and restaurant uses…".

2021 - with the 160D re-write, Conditional Use Permits were removed from the ordinance in favor of Conditional District rezonings.


WEST MAIN STREET
SOUTH COURT SQUARE
SOUTH COURT SQUARE
ASPEN STREET
WEST WATER STREET
WEST CHURCH STREET
SOUTH GOVERNMENT STREET
SOUTH HIGH ST


4200 Square foot building
built in 1918.

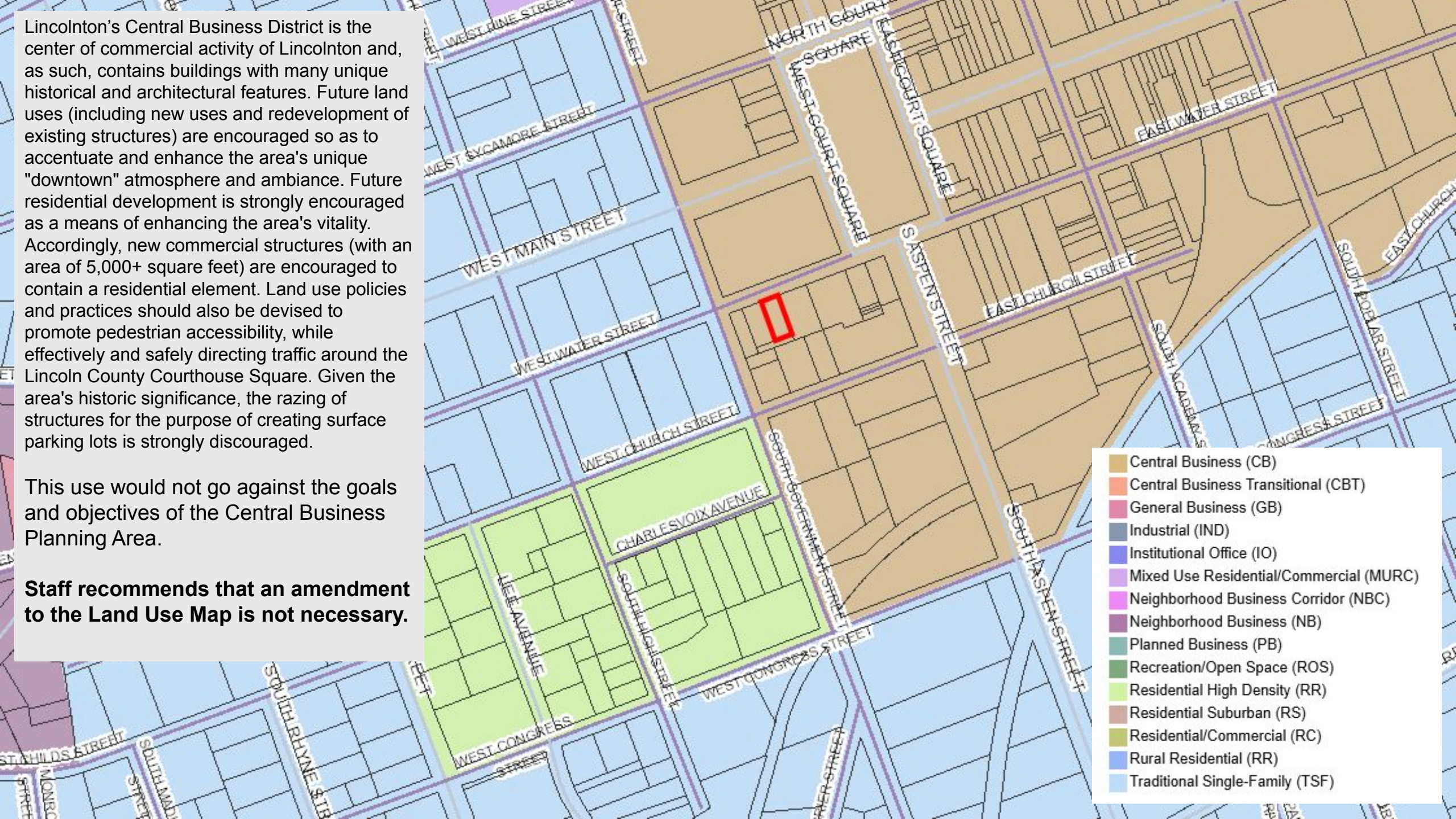
Conditions of Approval

1. Coordinate Water and Sewer with the City Utilities Department.
2. All Building and Fire Code Standards must be met.
3. Windows and doors must be similar to the Central Business Design Code Standards for downtown buildings.
4. Accessory uses are governed by the other provisions of the underlying district and are forbidden if not permitted, despite their association with religious uses.
5. Obtain all necessary permits, including a zoning permit from the City of Lincolnton, a Change of Tenant/Occupancy permit, and any necessary building permits for the upfit.

Lincolnton's Central Business District is the center of commercial activity of Lincolnton and, as such, contains buildings with many unique historical and architectural features. Future land uses (including new uses and redevelopment of existing structures) are encouraged so as to accentuate and enhance the area's unique "downtown" atmosphere and ambiance. Future residential development is strongly encouraged as a means of enhancing the area's vitality. Accordingly, new commercial structures (with an area of 5,000+ square feet) are encouraged to contain a residential element. Land use policies and practices should also be devised to promote pedestrian accessibility, while effectively and safely directing traffic around the Lincoln County Courthouse Square. Given the area's historic significance, the razing of structures for the purpose of creating surface parking lots is strongly discouraged.

This use would not go against the goals and objectives of the Central Business Planning Area.

Staff recommends that an amendment to the Land Use Map is not necessary.



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

Case No. CZ-6-2025
Applicant: Jared Webb
Parcel ID#: 00510
Location: 125 W. Water Street
Request: Rezone from CB and RO(CD)

Proposed Consistency and Reasonableness Statement:
The Lincolnton Land Use Plan designates this property as part of the Central Business Planning Areas. The proposed rezoning request **is consistent** and reasonable with the Lincolnton Land Use Plan in the following ways.

CONSISTENT:

- Encourage quality infill development. Build it so that it looks like it "fits in." Attract "people-oriented" uses (e.g., restaurants) downtown.
- A key factor in maintaining the strength and vitality of Downtown Lincolnton is to make it more active and functional during non-peak hours (i.e., at times other than weekdays from 8:00 AM-5:00 PM.)

REASONABLE:
• The use of this vacant building as a church would meet the above goals from the land use plan.

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

Case No. CZ-6-2025
Applicant: Jared Webb
Parcel ID#: 00510
Location: 125 W. Water Street
Request: Rezone from CB and RO(CD)

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 not consistent** with the Lincolnton Land Use Plan in the following ways:

Inconsistent:

- A major objective of this Plan is to ensure the long-term stability of Lincolnton's central business district. In short, It is strongly desired that Downtown Lincolnton maintain its role as the commercial core of the City... and the County. For a downtown to truly be successful, it should be the home for both businesses and people.

Reasonable:

- Denial of the request is therefore reasonable and in the public interest in order to preserve the intended role of the downtown as the community's principal center for commerce, employment, and urban living.

Planning Board Vote:
6-1 in favor of approving conditional rezoning

Planning Board recommends the following actions for approval:

1. Approve the rezoning of the property from Central Business to Residential Office(CD)
2. Approve the statement of consistency and reasonableness for approval of the rezoning request
3. Zoning will be effective upon receipt of signed conditions of approval

MOTIONS FOR PUBLIC HEARING

For approval of the request:

- Motion to approve as recommended by Planning Board

For denial of request (motion for each):

- Deny the rezoning of the property from Central Business to Residential Office(CD)
- Approve the statement of consistency and reasonableness for denial of the rezoning request