Lincolnton NC

Near the City. Near the Mountains. Near Perfect.

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



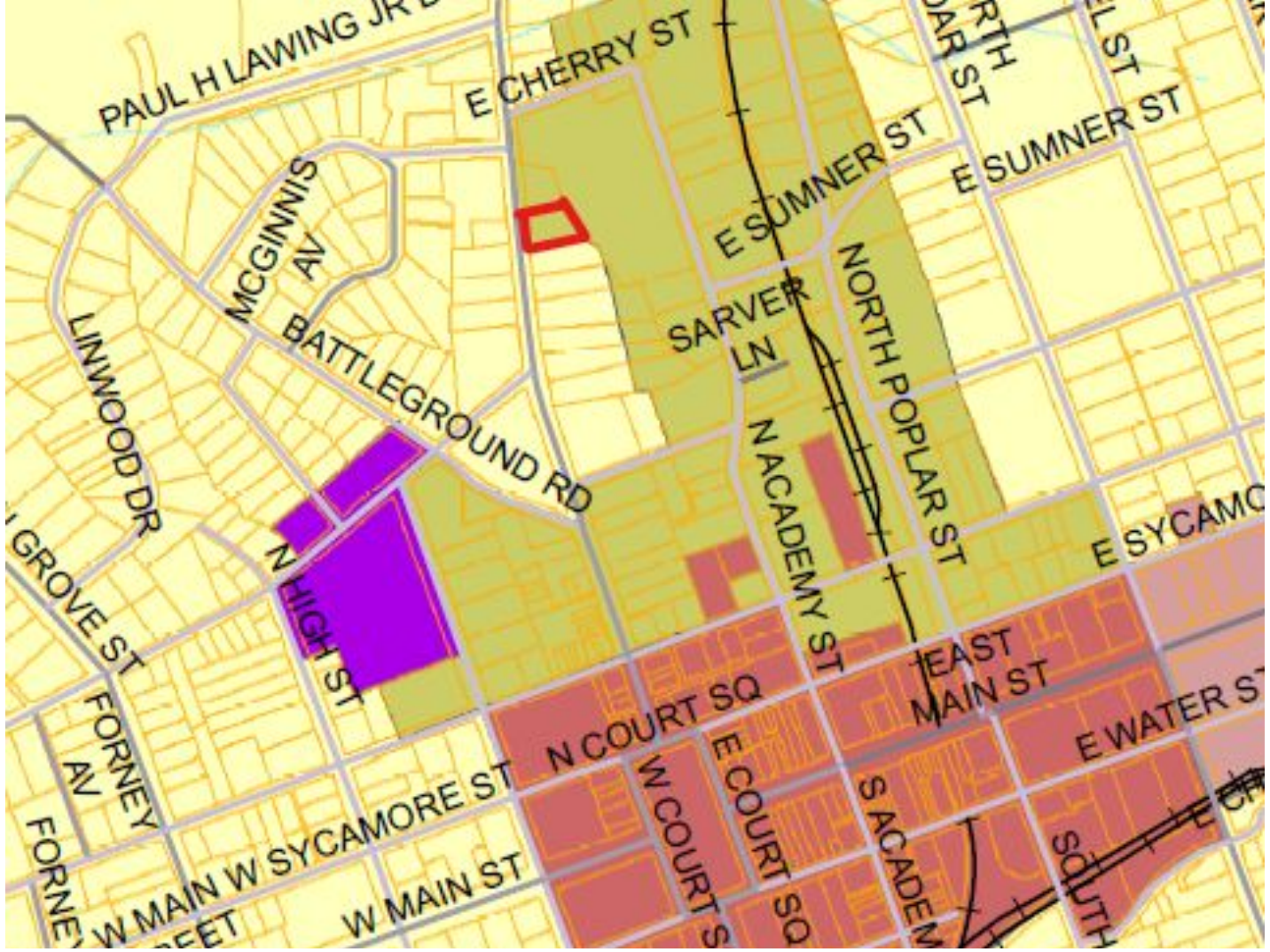
§ 153.315 AMENDMENTS TO TEXT AND MAP.

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