



Lincolnton NC

Near the City. Near the Mountains. Near Perfect.

Public Hearing Staff Analysis
CZ-8-2023
W NC Highway 27
PID 21380

SUMMARY

Location

W NC Hwy 27, PID 21380

Zoning

Existing: PB Proposed:GB-CD

Use

Existing:The site is currently vacant.
Proposed: Express Fuel/Mini Mart

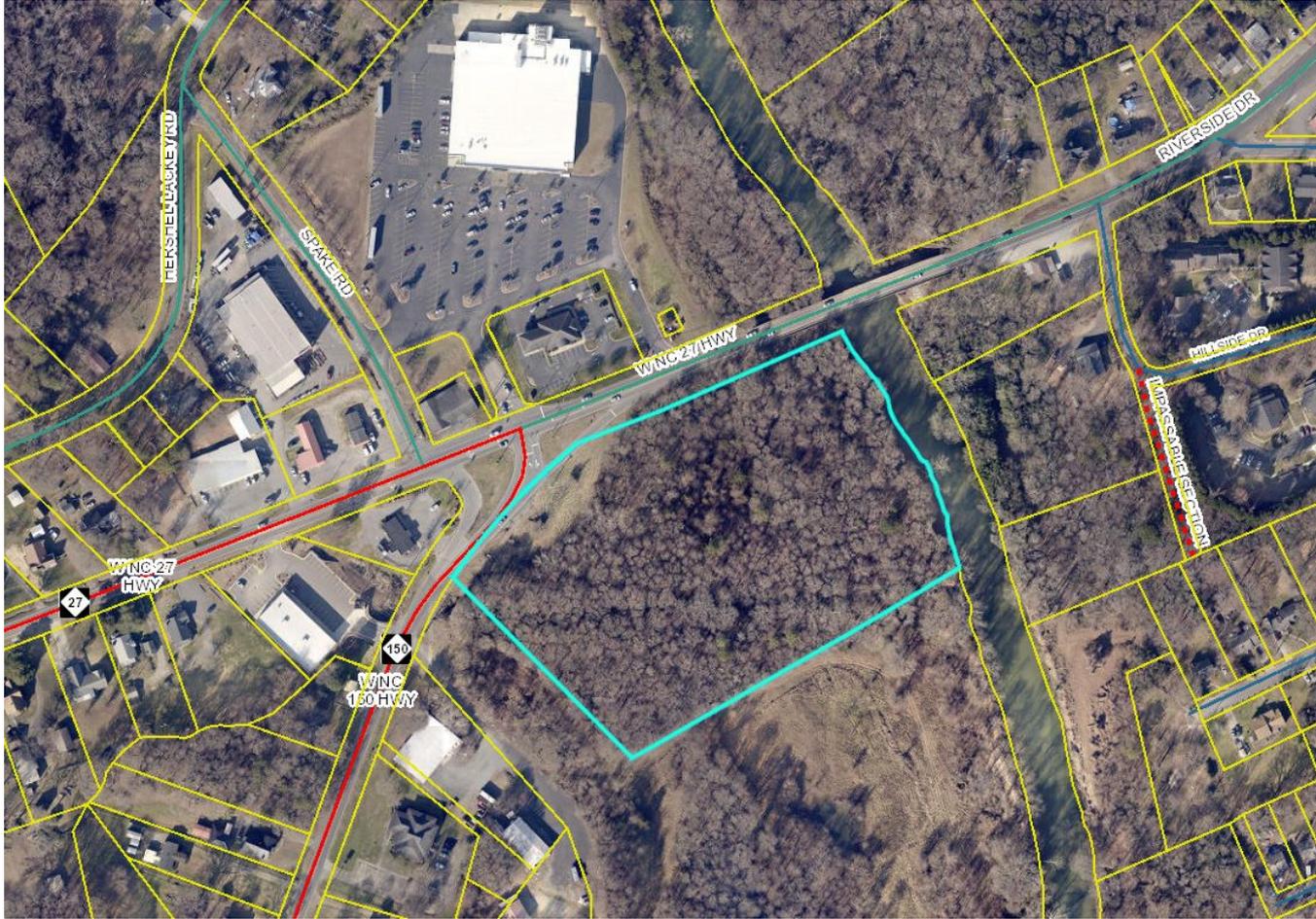
Request Summary

The applicant is requesting to change the zoning of the 8.5 acre parcel from Planned Business to General Business Conditional District for an express fuel/mini mart.

Site Summary The subject property is vacant land. Land uses in the area include a mixture of residential and commercial uses. The property is surrounded by General Business, Planned Business, and Residential-8 zoning.

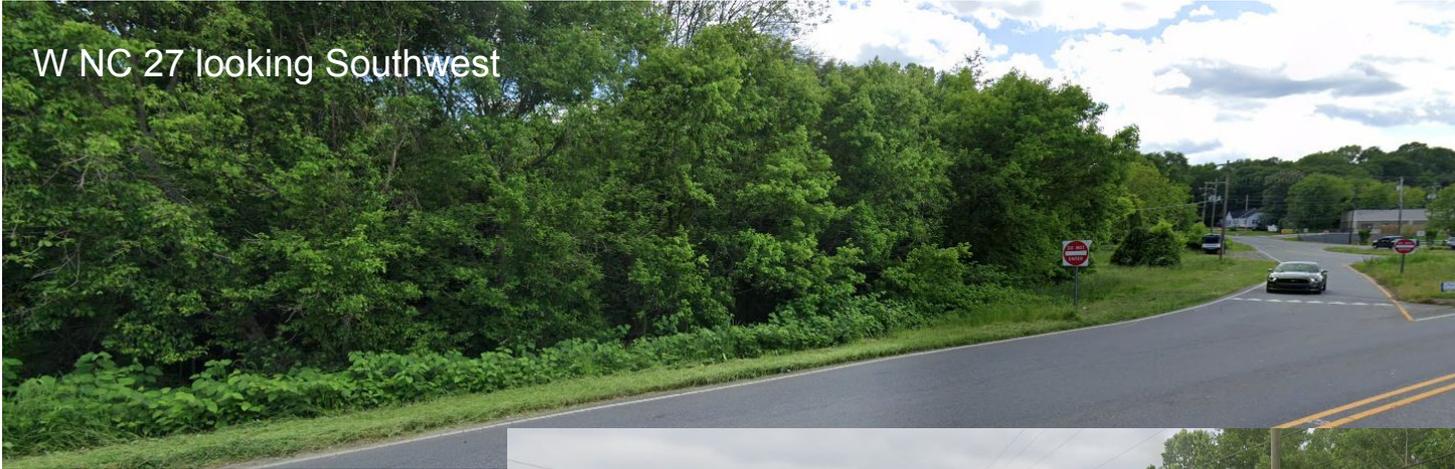


PROJECT AREA



STREET VIEWS

W NC 27 looking Southwest

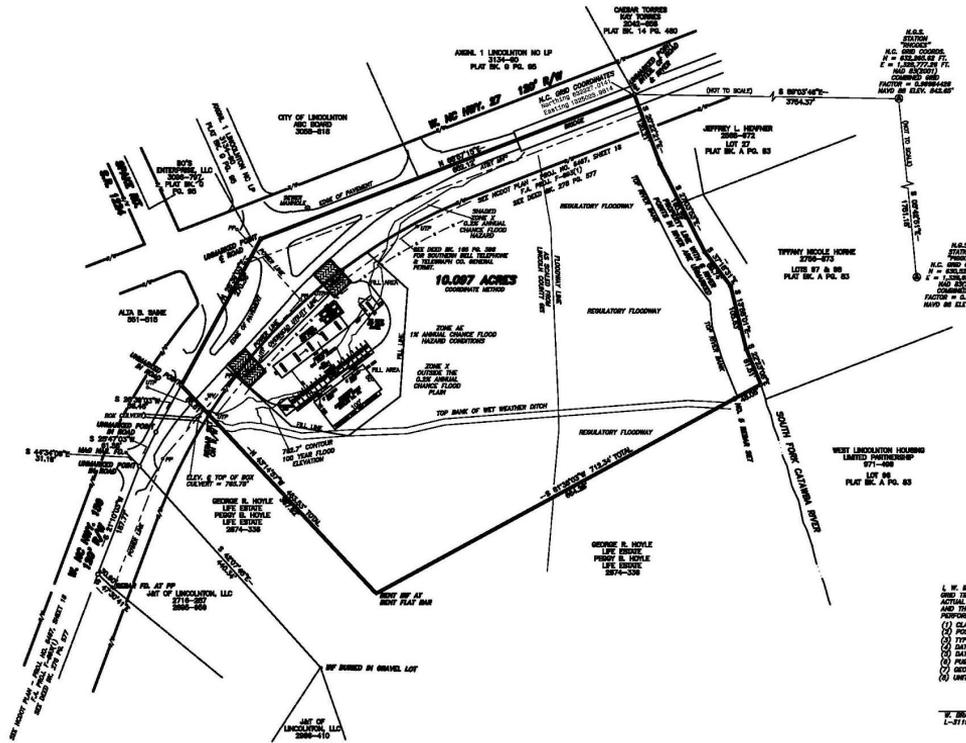
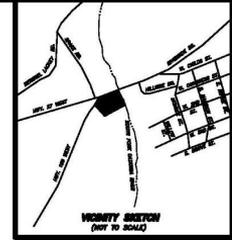


W NC 150 looking Northeast

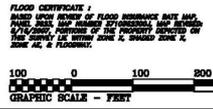


SITE PLAN

PRELIMINARY SITE PLAN



- 5000 SF Building
- Includes restaurant with some seating
- 24 hour fuel sales
- Two entry/exit points both located on 150
-



LEGEND :

- : EXISTING CORNER TYPE NOTED
- : 1" = 1" BORN PIPE PL.
- : 2" = 2" BORN PIPE PL.
- : 4" = 4" BORN PIPE PL.
- : 6" = 6" BORN PIPE PL.
- : 8" = 8" BORN PIPE PL.
- : 10" = 10" BORN PIPE PL.
- : 12" = 12" BORN PIPE PL.
- : 14" = 14" BORN PIPE PL.
- : 16" = 16" BORN PIPE PL.
- : 18" = 18" BORN PIPE PL.
- : 20" = 20" BORN PIPE PL.
- : 24" = 24" BORN PIPE PL.
- : 30" = 30" BORN PIPE PL.
- : 36" = 36" BORN PIPE PL.
- : 42" = 42" BORN PIPE PL.
- : 48" = 48" BORN PIPE PL.
- : 54" = 54" BORN PIPE PL.
- : 60" = 60" BORN PIPE PL.
- : 72" = 72" BORN PIPE PL.
- : 84" = 84" BORN PIPE PL.
- : 96" = 96" BORN PIPE PL.
- : 108" = 108" BORN PIPE PL.
- : 120" = 120" BORN PIPE PL.
- : 144" = 144" BORN PIPE PL.
- : 168" = 168" BORN PIPE PL.
- : 192" = 192" BORN PIPE PL.
- : 216" = 216" BORN PIPE PL.
- : 240" = 240" BORN PIPE PL.
- : 270" = 270" BORN PIPE PL.
- : 300" = 300" BORN PIPE PL.
- : 324" = 324" BORN PIPE PL.
- : 348" = 348" BORN PIPE PL.
- : 372" = 372" BORN PIPE PL.
- : 408" = 408" BORN PIPE PL.
- : 432" = 432" BORN PIPE PL.
- : 456" = 456" BORN PIPE PL.
- : 480" = 480" BORN PIPE PL.
- : 504" = 504" BORN PIPE PL.
- : 528" = 528" BORN PIPE PL.
- : 552" = 552" BORN PIPE PL.
- : 576" = 576" BORN PIPE PL.
- : 600" = 600" BORN PIPE PL.
- : 624" = 624" BORN PIPE PL.
- : 648" = 648" BORN PIPE PL.
- : 672" = 672" BORN PIPE PL.
- : 696" = 696" BORN PIPE PL.
- : 720" = 720" BORN PIPE PL.
- : 744" = 744" BORN PIPE PL.
- : 768" = 768" BORN PIPE PL.
- : 792" = 792" BORN PIPE PL.
- : 816" = 816" BORN PIPE PL.
- : 840" = 840" BORN PIPE PL.
- : 864" = 864" BORN PIPE PL.
- : 888" = 888" BORN PIPE PL.
- : 912" = 912" BORN PIPE PL.
- : 936" = 936" BORN PIPE PL.
- : 960" = 960" BORN PIPE PL.
- : 984" = 984" BORN PIPE PL.
- : 1008" = 1008" BORN PIPE PL.
- : 1032" = 1032" BORN PIPE PL.
- : 1056" = 1056" BORN PIPE PL.
- : 1080" = 1080" BORN PIPE PL.
- : 1104" = 1104" BORN PIPE PL.
- : 1128" = 1128" BORN PIPE PL.
- : 1152" = 1152" BORN PIPE PL.
- : 1176" = 1176" BORN PIPE PL.
- : 1200" = 1200" BORN PIPE PL.
- : 1224" = 1224" BORN PIPE PL.
- : 1248" = 1248" BORN PIPE PL.
- : 1272" = 1272" BORN PIPE PL.
- : 1296" = 1296" BORN PIPE PL.
- : 1320" = 1320" BORN PIPE PL.
- : 1344" = 1344" BORN PIPE PL.
- : 1368" = 1368" BORN PIPE PL.
- : 1392" = 1392" BORN PIPE PL.
- : 1416" = 1416" BORN PIPE PL.
- : 1440" = 1440" BORN PIPE PL.
- : 1464" = 1464" BORN PIPE PL.
- : 1488" = 1488" BORN PIPE PL.
- : 1512" = 1512" BORN PIPE PL.
- : 1536" = 1536" BORN PIPE PL.
- : 1560" = 1560" BORN PIPE PL.
- : 1584" = 1584" BORN PIPE PL.
- : 1608" = 1608" BORN PIPE PL.
- : 1632" = 1632" BORN PIPE PL.
- : 1656" = 1656" BORN PIPE PL.
- : 1680" = 1680" BORN PIPE PL.
- : 1704" = 1704" BORN PIPE PL.
- : 1728" = 1728" BORN PIPE PL.
- : 1752" = 1752" BORN PIPE PL.
- : 1776" = 1776" BORN PIPE PL.
- : 1800" = 1800" BORN PIPE PL.
- : 1824" = 1824" BORN PIPE PL.
- : 1848" = 1848" BORN PIPE PL.
- : 1872" = 1872" BORN PIPE PL.
- : 1896" = 1896" BORN PIPE PL.
- : 1920" = 1920" BORN PIPE PL.
- : 1944" = 1944" BORN PIPE PL.
- : 1968" = 1968" BORN PIPE PL.
- : 1992" = 1992" BORN PIPE PL.
- : 2016" = 2016" BORN PIPE PL.
- : 2040" = 2040" BORN PIPE PL.
- : 2064" = 2064" BORN PIPE PL.
- : 2088" = 2088" BORN PIPE PL.
- : 2112" = 2112" BORN PIPE PL.
- : 2136" = 2136" BORN PIPE PL.
- : 2160" = 2160" BORN PIPE PL.
- : 2184" = 2184" BORN PIPE PL.
- : 2208" = 2208" BORN PIPE PL.
- : 2232" = 2232" BORN PIPE PL.
- : 2256" = 2256" BORN PIPE PL.
- : 2280" = 2280" BORN PIPE PL.
- : 2304" = 2304" BORN PIPE PL.
- : 2328" = 2328" BORN PIPE PL.
- : 2352" = 2352" BORN PIPE PL.
- : 2376" = 2376" BORN PIPE PL.
- : 2400" = 2400" BORN PIPE PL.
- : 2424" = 2424" BORN PIPE PL.
- : 2448" = 2448" BORN PIPE PL.
- : 2472" = 2472" BORN PIPE PL.
- : 2496" = 2496" BORN PIPE PL.
- : 2520" = 2520" BORN PIPE PL.
- : 2544" = 2544" BORN PIPE PL.
- : 2568" = 2568" BORN PIPE PL.
- : 2592" = 2592" BORN PIPE PL.
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- : 2808" = 2808" BORN PIPE PL.
- : 2832" = 2832" BORN PIPE PL.
- : 2856" = 2856" BORN PIPE PL.
- : 2880" = 2880" BORN PIPE PL.
- : 2904" = 2904" BORN PIPE PL.
- : 2928" = 2928" BORN PIPE PL.
- : 2952" = 2952" BORN PIPE PL.
- : 2976" = 2976" BORN PIPE PL.
- : 3000" = 3000" BORN PIPE PL.

NOTES :

- ELEVATION SHOWN ON THIS MONUMENT "A" 70" WITH IRMS IS ELEVATION OF FINISH FLOOR.
- PROPERTY MAY BE SUBJECT TO RECORDS OR UNRECORDED RIGHTS-OF-WAY OR EASEMENTS NOT SHOWN.
- THIS SURVEY IS OF AN EXISTING PARCEL OF LAND.

I, W. BRADLEY FRIEDMAN, P.L.L.C., CERTIFY THAT THIS PLAN WAS PREPARED FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY SUPERVISION AND SUPERVISING THAT THE WIDTH OF FREEDMAN IS 1 : 10,000; THAT BOUNDARIES NOT SHOWN ARE SHOWN AS BROWN LINES PLATTED FROM INFORMATION SHOWN HEREON; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARD OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA ON (MARCH 26, 2004) THE 17TH DAY OF MARCH, 2022.

THIS DRAWING WAS SENT ELECTRONICALLY AND SHOULD NOT BE CONSIDERED A CERTIFIED COPY.

PROFESSIONAL LAND SURVEYOR
L-3119
LICENSE NUMBER

I, W. BRADLEY FRIEDMAN, P.L.L.C., CERTIFY THAT THIS PLAN WAS PREPARED FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY SUPERVISION AND SUPERVISING THAT THE WIDTH OF FREEDMAN IS 1 : 10,000; THAT BOUNDARIES NOT SHOWN ARE SHOWN AS BROWN LINES PLATTED FROM INFORMATION SHOWN HEREON; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARD OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA ON (MARCH 26, 2004) THE 17TH DAY OF MARCH, 2022.

W. BRADLEY FRIEDMAN, P.L.L.C.
L-3119

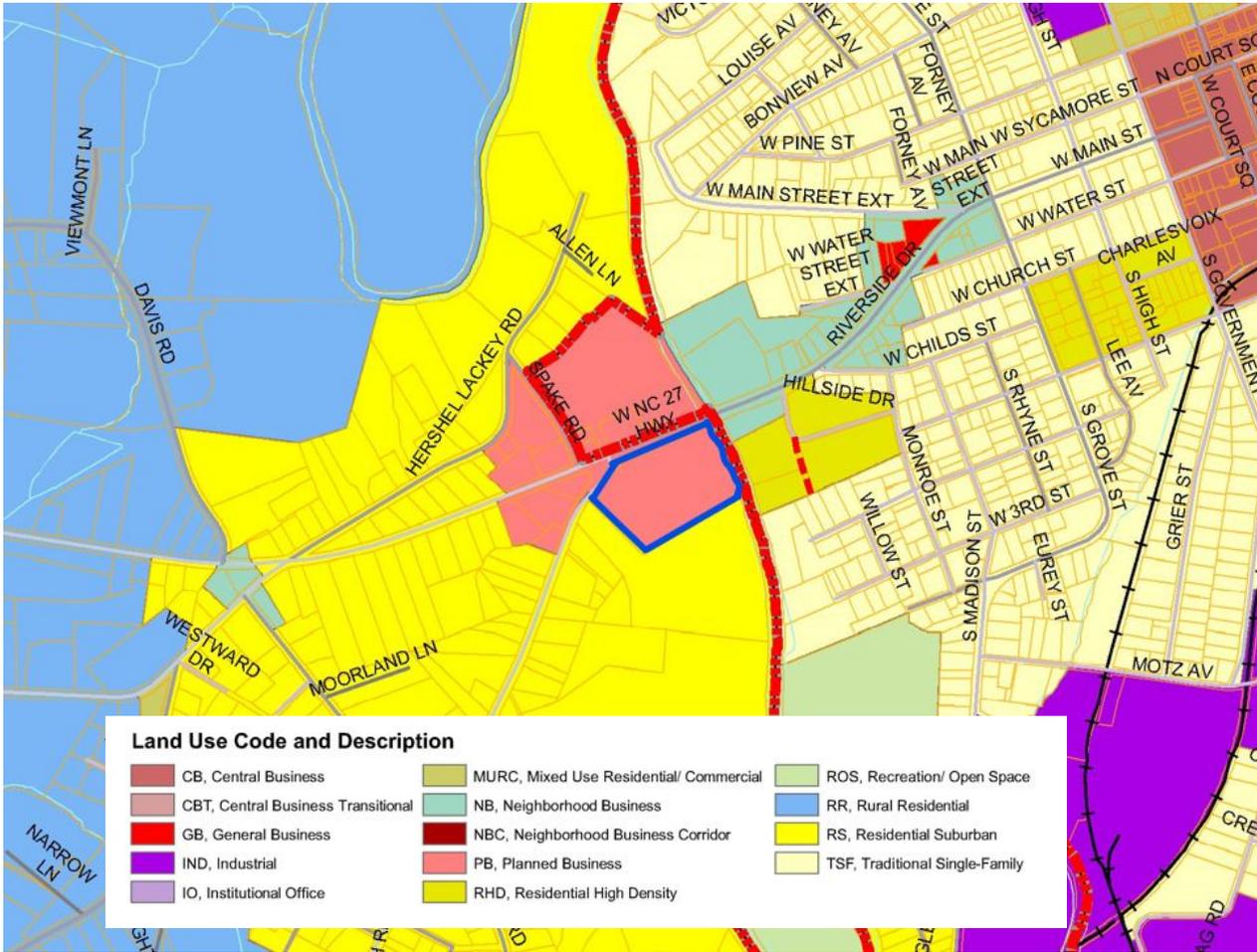
PROJECT: L-31-21-150-150-150	
NO. 1000 BLDG. 21000 P.O. BOX 1000	NO. 1000 BLDG. 21000 P.O. BOX 1000
SURVEY FOR: TROY A. MOTZ	
LINCOLN TOWNSHIP, LINCOLN COUNTY, N.C.	
PREPARED BY: W. BRADLEY FRIEDMAN, P.L.L.C. L-3119	
1400 FLEMING DRIVE, CHERRY BOND, N.C. 27520	
DATE: 03/22/2022	SCALE: 1" = 100'
DESIGNED BY: W. BRADLEY FRIEDMAN	DRAWN BY: W. BRADLEY FRIEDMAN
CHECKED BY: W. BRADLEY FRIEDMAN	DATE: 03/22/2022

Example of Project

Shell Station, 3561 East NC 27



LAND USE PLAN



The Land Use Plan shows the property in the Planned Business Planning Area. 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.

The rezoning of the property is consistent with the land use plan in the staff's opinion.

STAFF COMMENTS

Planning Department

- Construction (other than fill) cannot begin until applicant receives Letter of Map Revision Fill from FEMA
- Applicant needs to submit detailed site plans meeting UDO requirements prior to construction
- Applicant needs to submit a detailed landscape plan including street trees, parking lot landscaping and screening
- Applicant needs to submit WSW IVP calculations

Fire

- Coordinate with Fire Marshall for compliance with Fire Code
- Verify location of hydrant, needs to be within 400'

NCDOT

- Needs a driveway permit and will need to extend grass median in NCDOT right of way

Soil and Erosion

- Will need approved soil and erosion plan

Water/Sewer Department

- Will need a 1000 gallon grease trap
- water/sewer plans need to be approved prior to construction

STATEMENTS

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

Case No. CZ-8-2023
Applicant: Troy Motz
Parcel ID#: 21380
Location: W NC 27 Hwy
Request: Rezone from PB to GB

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Planned Business Zoning Area. The proposed rezoning request **is consistent** with the Lincolnnton Land Use Plan.

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-8-2023
Applicant: Troy Motz
Parcel ID#: 21380
Location: W NC 27 Hwy
Request: Rezone from PB to GB

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Planned Business Zoning 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 RECOMMENDATIONS

Planning Board Vote:

7-0 in favor of approval

Staff recommend the following action:

1. Recommend approval of rezoning of the property from PB to G-B(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

MOTION

For approval of the request:

- Motion to approve as recommended by staff

For denial of the request:

- Motion to deny request for rezoning
- Motion to approve the statement of consistency for denial of request