

MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, FEBRUARY 4, 2019

The Lincoln County Board of County Commissioners met on February 4, 2019, at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

Commissioners Present:

Carrol Mitchem, Chair
Richard Permenter, Vice Chair
Anita McCall
Milton Sigmon
Bud Cesena

Others Present:

Kelly G. Atkins, County Manager
Megan Gilbert for Wesley Deaton, County Attorney
Josh Grant, Programs Manager
Amy S. Atkins, Clerk to the Board

Call to Order: Chairman Mitchem called the February 4, 2019 meeting of the Lincoln County Board of Commissioners to order. He called for a moment of silence and led in the Pledge of Allegiance.

Adoption of Agenda: Chairman Mitchem presented the agenda for the Board's approval.

AGENDA
Lincoln County Board of Commissioners Meeting
Monday, February 4, 2019
6:30 PM

James W. Warren Citizens Center
115 West Main Street
Lincolnton, North Carolina

Call to Order - Chairman Mitchem

Moment of Silence

Pledge of Allegiance

1. Adoption of Agenda
2. Consent Agenda
- VTS Refunds

- Approval of Minutes - 1/28/19

3. ZONING PUBLIC HEARINGS

Quasi-Judicial Cases

PA #46 H & A Investors, LLC, applicant (Parcel ID# 71506) A request for preliminary plat/sketch plan approval for a commercial subdivision with five lots and new roads. The 10.9-acre parcel is located on the west side of N.C. 16 Business at Webbs Road in Catawba Springs Township

CUP #394 Michael Davis, applicant (Parcel ID# 00161) A request for a conditional use permit to place a Class B (doublewide) manufactured home in the R-S (Residential Suburban) district. The 1.1-acre parcel is located on the north side of N.C. 27 about 700 feet east of Beam Lumber Road in North Brook Township.

CUP #395 Graham Schenck, applicant (Parcel ID# 32003) A request for a conditional use permit to allow vehicle service in the B-N (Neighborhood Business) district in the ELDD (Eastern Lincoln Development District) overlay district. The 1.1-acre parcel is located at 1564 N. NC 16 Business Hwy., on the east side of N.C. 16 Business about 400 feet north of Smith Harbour Drive, in Catawba Springs Township.

CUP #396 C4 CStore Holdings, LLC, applicant (Parcel ID# 71506) A request for a conditional use permit to allow a gas station/convenience store with an automatic car wash in the B-N (Neighborhood Business) district in the ELDD (Eastern Lincoln Development District) overlay district. The proposed 1.5-acre site, a portion of a 10.9-acre parcel, is located on the west side of N.C. 16 Business at Webbs Road in Catawba Springs Township.

CUP #397 WynnWorth, LLC, applicant (Parcel ID# 31275) A request for a conditional use permit to allow contractor's offices with indoor and outdoor storage in the I-L (Light Industrial) in the ELDD (Eastern Lincoln Development District) overlay district. The 11-acre parcel is located on the north side of Mundy Road about 400 feet west of N.C. 16 Business in Catawba Springs Township.

CUP #398 Jefferson Herr, applicant (Parcel ID# 91381) A request for a conditional use permit to allow an agricultural labor housing facility in the form of a Class C (singlewide) manufactured home. The 22-acre parcel is located at 7243 Houser Farm Road, about 1,200 feet east of Houser Farm Road and 1,800 feet of Fairview School Road, in North Brook Township.

Legislative Cases

ZMA #657 H & A Investors, LLC, applicant (Parcel ID# 71506) A request to rezone 0.32 acre from R-SF (Residential Single-Family) to B-N (Neighborhood Business). The property, a portion of a 10.9-acre parcel, is located about 650 feet west of N.C. 16 Business and about 400

feet south of the end of Austin Smiles Court in Catawba Springs Township.

ZMA #658 B.V. Hedrick Gravel & Sand Co., applicant (Parcel ID# 30230, 32280, 32281 and 56067) A request to rezone 59 acres from R-T (Transitional Residential) to I-G (General Industrial). The property is located about 700-3,200 feet north of Old Plank Road and 4,000-5,900 feet west of N.C. 16 Business in Catawba Springs Township.

4. Performance Guarantee Extensions for Fox Chase Subdivision - Jeremiah Combs
5. Resolution #2019-2: A Resolution Ordering the Advertising of Delinquent Real Estate Property Tax Liens - Susan Sain
6. Resolution #2019-3: Resolution Supporting Partners
7. Public Comments (15 minutes allowed per Rules of Procedure – 3 minutes per person)
8. Other Business

Adjourn

UPON MOTION by Commissioner Sigmon, the Board voted unanimously to adopt the agenda moving Item 5 to 2a and removing Item 6.

Consent Agenda: **UPON MOTION** by Commissioner Cesena, the Board voted unanimously to approve the Consent Agenda.

- VTS Refunds
- Approval of Minutes - 1/28/19

Resolution #2019-2: A Resolution Ordering the Advertising of Delinquent Real Estate Property Tax Liens:

UPON MOTION by Commissioner McCall, the Board voted unanimously to approve Resolution #2019-2: A Resolution Ordering the Advertising of Delinquent Real Estate Property Tax Liens.

Resolution #_____ : A RESOLUTION ORDERING THE ADVERTISING OF
DELINQUENT REAL ESTATE PROPERTY TAX LIENS

THAT WHEREAS, NCGS 105.369(a) requires the Tax Administrator to report to the Board of Commissioners the delinquent tax liens on real property; and

WHEREAS, the same statute requires the Board of Commissioners to order that these liens be published one (1) time between March 1 and June 30; and

WHEREAS, the Tax Administrator has submitted said listing of the delinquent tax liens on real property;

NOW THEREFORE, BE IT RESOLVED by the Lincoln County Board of Commissioners that the Tax Administrator is hereby ordered to publish the list of delinquent tax liens on real property.

Passed and adopted this the 4th day of February 2019

BY: _____
Carrol Mitchem, Chair
Lincoln County Board of Commissioners

ATTEST:

Amy S. Atkins, Clerk to the Board

Zoning Public Hearings: Randy Hawkins presented the following:

New Business/Advertised Public Hearings: Megan Gilbert, on behalf of Wesley Deaton, gave information on the zoning cases and asked if any Board member has had ex parte communication on the Conditional Use Permits. He explained standing in quasi-judicial cases.

PA #46 – H & A Investors, LLC, applicants: Jeremiah Combs presented the following:

The applicant is requesting preliminary plat review/ sketch plan approval for a 5 lot subdivision for commercial uses, including proposed public water line extensions and proposed roads. The Lincoln County Unified Development Ordinance states in Article 9.6, all preliminary plats meeting the definition of a major subdivision shall be submitted to the Planning Board and Board of Commissioners, in the form of a quasi-judicial public hearing for approval, disapproval or approval with conditions.

The applicant is proposing to serve the lots with county water and low pressure sewer. The lots would be accessed primarily from the new proposed roadways, but Lot 1, Lot 2 and Lot 3 could potentially be served by right-in, right-out driveways on N.C. 16 Business as well, subject to review and approval by NCDOT.

Site Area & Description

The 10.9-acre tract (Tax Parcel ID# 71506) is located on the west side of N.C. 16

Business across from Webbs Road. The subject property is zoned B-N (Neighborhood Business) and R-SF (Residential Single-Family) and is adjoined by property zoned B-N, R-SF, and I-G (General Industrial). The applicant has applied to rezone the R-SF portion of the property to B-N. The property is also located within the Eastern Lincoln Development District.

Land Use Plan

The Lincoln County Land Use plan designates this area as a Suburban Commercial Center, suitable for general commercial services.

Commissioner Permenter asked questions about the site plan, lot location, and right in, right out only. There was a lengthy discussion concerning the right in, right out and the lot access.

Chairman Mitchem opened the public hearing for PA #46 – H & A Investors, LLC, applicants.

Dr. Steve Austin, applicant, said he is here to answer any questions. He said he prepared the findings of fact and would like to incorporate the findings as his testimony.

Being no additional speakers, Chairman Mitchem closed the public hearing.

Randy Hawkins presented the following:

CUP #394 – Michael Davis, applicant:

REQUEST

The applicant is requesting a conditional use permit to place a Class B manufactured home in the R-S (Residential Suburban) district. A Class B manufactured home is a doublewide that meets the Unified Development Ordinance's appearance standards. Under the UDO, a Class B manufactured home may be placed in the R-S district subject to the issuance of a conditional use permit.

SITE AREA AND DESCRIPTION

The 1.1-acre parcel is located on the north side of N.C. 27 about 700 feet east of Beam Lumber Road in North Brook Township. It is adjoined by property zoned R-S and B-N (Neighborhood Business). A singlewide manufactured home was previously located on this property. Land uses in this area include residential, business and agricultural. A number of manufactured homes are located in this area. This property is part of an area designated by the Lincoln County Land Use Plan as Rural Crossroads, suitable for commercial uses. It is adjacent to an area designated as Rural Living, suitable for manufactured homes and other types of single-family homes.

STAFF'S RECOMMENDATION

Staff recommends that the Board of Commissioners amend the Land Use Plan to change this parcel's designation to Rural Living. Strategy 10.1.5 of the Land Use Plan states: "Where appropriate the board should consider expansion of community types to include adjacent parcels where the spirit of the future land use plan map and the

guiding principles are upheld by the expansion of the boundary.” Given the residential uses on adjacent parcels and the previous residential use of this parcel, staff believes it is appropriate to expand the Rural Living area to include this parcel.

Chairman Mitchem opened the public hearing for CUP #394 – Michael Davis, applicant.

Michael Davis, applicant, said he prepared the findings of fact and would like to incorporate the findings as his testimony.

Being no additional speakers, Chairman Mitchem closed the public hearing.

CUP #395 – Graham Schenck, applicant:

REQUEST

The applicant is requesting a conditional use permit to allow vehicle service in the B-N (Neighborhood Business) district in the Eastern Lincoln Development District (ELDD). Vehicle service (oil change, brake service, alignment, tire mounting, etc.) is a conditional use in the B-N district and in the ELDD. A site plan has been submitted as part of the application. It shows that an existing building would be used as a service garage, that vehicle parking would be limited, and that landscaping would be added along the edge of the road right-of-way. The building meets the ELDD requirements.

SITE AREA AND DESCRIPTION

The 1.1-acre parcel is located at 1564 N. NC 16 Business Hwy., on the east side of N.C. 16 Business about 400 feet north of Smith Harbour Drive. It is adjoined by property zoned B-N, B-G (General Business), I-G (General Industrial) and PD-MU (Planned Development Mixed Use). Land uses in this area include business, residential, industrial, and institutional (charter school). This property is adjoined to the rear by a single-family residential section of the Smithstone development. This property is part of an area designated by the Lincoln County Land Use Plan as a Suburban Commercial Center, suitable for general commercial services.

Chairman Mitchem opened the public hearing for CUP #395 – Graham Schenck, applicant.

Barb Meisner, 7880 Smith Pond Drive, Denver, requested that the Board deny the conditional use application because the proposed use will materially endanger public health. She said it's well documented that noise endangers physical health and well being and auto service is a very noisy business. She said the proposed use will substantially injure their property value since it is also well documented that noise depresses property values. She said the location and character of use is not in harmony with the residential area behind it and will deny the Smithstone residents the quiet enjoyment of their outdoor living space. She said if the Board approves the request, the residents would ask for 2 conditions: 1 - that the use of any mechanical device operated by compressed air be effectively muffled to 55 decibels or below (there was a notation of existing vegetation on that site but it is deciduous trees that will do absolutely nothing to muffle noise) and 2 –

that the rear garage door and rear windows facing the back yards of the affected Smithstone residences remain closed during business hours. If the applicant does not comply with these conditions, she thinks it would be reasonable to ask for significant fines for noncompliance. Ms. Meisner presented weblinks on the effects of noise on health and property values. She said she understands there is a lot of concern about aesthetics and the Business 16 Corridor, but we cannot ignore the adverse effect of noise pollution for the various residents. She said it is not just her property, there are a number of properties where the back yards face that garage. She said her personal opinion is that vehicle service is not an acceptable type of business that close to residences.

Chairman Mitchem asked what type of business she would like to see there. Ms. Meisner responded that she would like to see a quiet business there since she is a Master Gardener and is outside all the time.

Dean Nichols said he is the owner of the building and is here to answer any questions. He said he has owned it since 1995 and it is a warehouse and office for his painting business. He said the building has been there much longer than the neighborhood behind it.

Commissioner Permenter asked about the buffer in the back, about the vegetation. Mr. Nichols said there is a chain link fence and approximately 30 feet before you get to the tree line and about a 15 feet tree line that separates their property from Smithstone. He said in the winter, you can see the houses because the trees lose their leaves, but in the summer you cannot see.

Commissioner Permenter asked about the garage door on the back of the building. Mr. Nichols said the garage door is elevated, you cannot use it as a drive through. He said the windows in the back do not open. The building is cinder block.

Graham Schenck, applicant, said he currently owns a business at 1713 N Highway 16 that is expanding. He would like to move the transmission service to this location, so they will be pulling transmissions out of vehicles, rebuilding and reinstalling them in the vehicles. He said they can put the air compressor inside if necessary, but he would like to be able to open the bay doors. He has been at the previous location for 6 years with no complaints and he is right across from Smithstone. Mr. Schenck said his hours will be Monday through Friday, 8 to 5:30 PM, with no weekend hours. He said he is about a half a mile from this location now.

Todd Burgin asked the distance from the building to the nearest home in Smithstone. Mr. Nichols said approximately 75 feet.

Mr. Schenck said he prepared the findings of fact and would like to incorporate the findings as his testimony.

Mr. Schenck said he would estimate 5 or so vehicles stored on this lot at a time. He said on the site plan it says no more than 8 vehicles on the front of the parcel, he said that would not include employee's cars.

Commissioner Permenter asked if the applicant would be willing to improve the buffer behind with evergreens or Leland Cyprus trees. Mr. Schenck said he can't see where that is need, maybe some kind of privacy fence.

Commissioner Permenter asked about landscaping required by the ELDD. Mr. Hawkins said what is required is on the site plan.

Daniel Allen Bess, said he is the Service Manager and is here to answer any questions.

Patty Korn, 3165 Lakeshore Road, said if this zoning request is denied there are 7 other opportunities for people to get their vehicles serviced within a few miles of this site. She said her goal is to avoid an eyesore.

Chairman Mitchem said he hopes this Board doesn't go to limiting what can and what can't be. He said hearing that you can get the services other places kind of disturbs him.

Mr. Atkins reminded the Board that this is a Conditional Use Permit and anyone speaking should have standing in the case.

Being no additional speakers, Chairman Mitchem closed the public hearing.

CUP #396 - C4 CStore Holdings, LLC, applicant:

REQUEST

The applicant is requesting a conditional use permit to allow a gas station/convenience store with an automatic car wash in the B-N (Neighborhood Business) district in the Eastern Lincoln Development District (ELDD). A gas station/convenience store and a car wash are conditional uses in the B-N district and in the ELDD. A site plan and a traffic impact analysis have been submitted as part of the application. This site is part of a proposed subdivision that would include four other lots for business locations. A new road off N.C. 16 Business would be built to access this site and the other lots. The new road would line up with Webbs Road and be served by an existing traffic signal. This site would also be accessed by a second driveway limited to right-in, right-out movements.

SITE AREA AND DESCRIPTION

The 1.5-acre site is located on the west side of N.C. 16 Business across from Webbs Road. It is part of a 10.9-acre parcel. The site is adjoined on all sides by property zoned B-N. Land uses in this area include business and residential. The site is part of an area designated by the Lincoln County Land Use Plan as a Suburban Commercial Center, suitable for general commercial services.

Chairman Mitchem opened the public hearing for CUP #396 – C4 CStore Holdings, LLC, applicant.

Commissioner McCall asked Mr. Hawkins to review the findings of fact, which should be the only thing the Board should be considering.

The Board had a discussion about standing and who would have standing in cases.

Chairman Mitchem opened the public hearing for CUP #397 – WynnWorth, LLC, applicant.

Patty Korn was determined not to have standing in this case.

John Carmichael, representing the applicant, called and questioned the following witnesses, who presented testimony about CUP #397 after reviewing the findings of fact:

Randy Hawkins said the site is zoned Business Neighborhood, the parcels surrounding it are also B-N. He said the proposed use is allowed as a conditional use. He said the proposed use, elevations and the site plan complies with conditions and specifications of the ordinance. He said the proposed development is in conformity with the Land Use Plan. He said it would be in harmony with the surrounding area.

Greg Welch, Engineer, reviewed the site plan, saying it is a 3,000 square foot convenience store with a car wash. There are 2 access points, one right in, right out and a traffic signal. He said the secondary access is critical to capture passerby traffic. He said there is code compliant landscaping to meet the UDO requirements. The Soil Erosion and Sedimentation Ordinances have been met. He said this site meets all conditions of the UDO.

Commissioner Permenter asked about gasoline leaks at the site and runoff from the gas station.

Michael Wickline, Licensed Engineer, said he prepared a traffic study with the proposed development, which has been approved by NCDOT and Lincoln County. He presented the Traffic Study as part of the record with the right in, right out and a traffic signal. He said right in, right out are considered safer access. He said this not endanger the health or safety based on a traffic standpoint.

Dave Karhan, Professional Appraiser, said he prepared an appraisal report on property values in the area. He said his conclusion is that this use will not injure the adjoining or abutting property values. He submitted the full report as evidence.

Jason Ernst, with 7-11, said the underground storage tank will be a double-walled fiberglass tank that will be monitored on a 24 hour basis. He said he is not aware of any underground leaks that have ever occurred. He said if someone hit the pumps with a car,

there are safety switches where they can be shut off. There are onsite solvents to soak up fuel spills. There are monitored security cameras on site and employees have personal panic buttons. He said the proposed use will not materially endanger the public health or safety.

Corey Baker, one of the developers of the project, reported on the testing and inspections of fuel tanks.

The information presented in the above testimony is hereby incorporated by reference.

Being no additional speakers, Chairman Mitchem closed the public hearing.

CUP #397 – WynnWorth, applicant:

The applicant is requesting a conditional use permit to allow contractor's offices with indoor and outdoor storage in the I-L (Light Industrial) district in the ELDD (Eastern Lincoln Development District) overlay district. A contractor's office and a contractor's yard are permitted uses in the I-L district and conditional uses in the ELDD.

Approximately one-third of this property is located in the ELDD. A site plan has been submitted as part of the application. Two 32,400-square-foot, multi-tenant buildings are proposed, with outdoor storage areas located to the side of each building.

SITE AREA AND DESCRIPTION

The 11-acre parcel is located on the north side of Mundy Road about 400 feet west of N.C. Business. It is adjoined by property zoned R-SF (Residential-Single Family), B-N (Neighborhood Business) and I-G (General Industrial). Land uses in this area include residential, business and industrial. This property is part of an area designated as an Industrial Center.

Chairman Mitchem opened the Public Hearing for CUP #397 – WynnWorth , applicant.

Dave Lutz, with CES Group Engineers, said the applicant is proposing 2 buildings on the site, one for their business and one to lease. He presented information from the site plan and said the applicant is present if there are additional questions.

Being no additional speakers, Chairman Mitchem closed the public hearing.

CUP #398 – Jackson Herr, applicant:

REQUEST

The applicant is requesting a conditional use permit to allow an agricultural labor housing facility in the form of a Class C (singlewide) manufactured home. Under the Unified Development Ordinance, an agricultural labor housing facility may be approved by conditional use permit as an accessory use to a bona fide agricultural operation,

subject to certain provisions. A Class C manufactured home may be used as an agricultural labor housing facility.

SITE AREA AND DESCRIPTION

The 22-acre parcel is located at 7243 Houser Farm Road, about 1,200 feet east of Houser Farm Road and 1,800 feet north of Fairview School Road, in North Brook Township. Four poultry houses are located on this parcel, and six poultry houses are located on an adjacent 23-acre parcel as part of the same agricultural operation. The subject property is zoned R-SF (Residential-Single Family) and is surrounded by property zoned R-SF. (A manufactured home is not a permitted or conditional use in the R-SF district except as an agricultural labor housing facility or a care provider housing unit.) Land uses in this area include agricultural and residential. This property is part of an area designated by the Lincoln County Land Use Plan as Rural Living, suitable for manufactured homes and other types of single-family dwellings.

ORDINANCE STANDARDS

The Unified Development Ordinance establishes the following provisions for an agricultural labor housing facility:

§4.6.5. Residential Accessory Use Standards

A. Agricultural Labor Housing Facilities

Agricultural labor housing facilities may be approved by conditional use permit pursuant to §9.11 as an accessory use to a bona fide agricultural operation, subject to the following conditions:

1. Such uses shall be subject to bi-annual review for continued compliance in accordance with the requirements of §9.11.
2. Minimum floor area per dwelling unit shall be 700 square feet.
3. Occupancy of such housing shall be exclusively limited to persons employed on-site in the agricultural operation. No other occupancy shall be allowed.
4. Such housing facilities shall not be sold separately.
5. No dwelling used as a farm worker living facility shall be closer than 100 feet to any property line of the premises on which it is placed.
6. A Class B buffer meeting the requirements of §3.4.6 shall be provided between the dwellings and all adjoining property lines.
7. Manufactured homes may only be in the form of a Class A, B or C.
8. The dwellings shall be arranged in a cluster fashion on premises.
9. No subsequent expansion of a farm worker living facility as shown on the approved site plan for the conditional use shall be allowed unless another conditional use permit for that expansion is approved. However, subsequent decrease of the approved uses is permitted without such approval.
10. The applicant shall provide information as to the need for agricultural labor housing and the kind of agricultural operation existing on the premises at the time of application for the farm worker living facility.
11. Time limits for such use may be established as conditions of approval.
12. If the agricultural operation ceases or subsides, the structure must be removed or come into compliance within 180 days.
13. Maximum density of such dwellings shall be as follows:

Lot Area (ACRES)	Maximum Dwellings
10 or more acres but less than 20	1
20 or more acres but less than 100	2
100 or more acres but less than 150	3
150 or more acres but less than 200	4
200 or more acres but less than 250	5
250 or more acres but less than 300	6
300 or more acres but less than 350	7
350 or more	8

Chairman Mitchem opened the public hearing for CUP #398 – Jefferson Herr , applicant.

Richard Herr said he owns 4 poultry houses. He said he prepared the findings of fact and would like to incorporate them into his testimony.

Being no additional speakers, Chairman Mitchem closed the public hearing.

ZMA #657 – H & A Investors, LLC, applicant:

Request

The applicant is requesting the rezoning of 0.32 acre from R-SF (Residential-Single Family) to B-N (Neighborhood Business). This property is part of a 10.9-acre parcel, 7.7 acres of which is already zoned B-N, and part of a proposed subdivision for businesses.

Site Area & Description

The subject property is located about 650 feet west of N.C. 16 Business and 400 feet south of the end of Austin Smiles Court. It is adjoined by property zoned B-N, R-SF and I-G (General Industrial). Land uses in this area include business and residential. The subject property is part of an area designated by the Lincoln County Land Use Plan as a Suburban Commercial Center.

Additional Information

Permitted uses

Under current R-SF zoning: site-built house, modular home, church.

Under proposed B-N zoning: retail sales, offices, personal services (hair salon, for example),

etc.

Adjoining zoning and uses

East: zoned B-N, undeveloped land.

South: zoned I-G, undeveloped land.

West: zoned R-SF, undeveloped land.

North: zoned R-SF, undeveloped land.

Chairman Mitchem opened the public hearing for ZMA #657 – H & A Investors, LLC, applicant.

Being no speakers, Chairman Mitchem closed the public hearing.

ZMA #658 – B. V. Hedrick Gravel & Sand Co., applicant:

Request

The applicant is requesting the rezoning of 59 acres from R-T (Transitional Residential) to I-G (General Industrial). The company has a conditional use permit (PCUR #154) to operate Lake Norman Quarry on an adjoining 498-acre site that's accessed via Quarry Lane off N.C. 16 Business, but is not planning to quarry the property that's the subject of this request. Instead, the applicant is proposing to use this property to stockpile aggregate and overburden.

Site Area & Description

The subject property is located about 700-3,200 feet north of Old Plank Road about 4,000-5,900 feet west of N.C. 16 Business. It is adjoined by property zoned R-T, CU IG (Conditional Use General Industrial), I-G and PD-I (Planned Development-Industrial). Land uses in this area include industrial and residential. The subject property is adjoined by the site of the county's Killian Creek Wastewater Treatment Plant, the site of Duke Energy's Lincoln Combustion Turbine Station, and by the site of a future pit for the Lake Norman Quarry as shown as the approved conditional use plan. The subject property is part of an area designated by the Lincoln County Land Use Plan as an Industrial Center.

Additional Information

Permitted uses

Under current R-T zoning: manufactured homes (singlewides and doublewides), duplexes, modular homes, site-built houses, church.

Under proposed I-G zoning: outdoor storage of materials, manufacturing, warehousing, vehicle repair, vehicle service, etc.

Adjoining zoning and uses

East: zoned CU I-G and R-T, quarry site, single-family residences, undeveloped tract.

South: zoned R-T, two duplexes and undeveloped tract.

West: zoned I-G, wastewater treatment plant.

North: zoned PD-I, site of electrical generation plant (combustion turbines).

Chairman Mitchem opened the public hearing for ZMA #658 – B. V. Hedrick Gravel & Sand Co, applicant.

Joe Lordi, applicant, shared the history of B. V. Hedrick Gravel & Sand Co. and asked for approval of the rezoning request.

Jason Conner, applicant, said he is here to answer any questions. He provided maps of the site.

Jackson Bebber, Attorney, spoke concerning the map and the fact that the entire neighborhood is going to Industrial.

Being no additional speakers, Chairman Mitchem closed the public hearing.

Chairman Mitchem called for a brief recess while the Planning Board moved their

meeting to the 1st floor commercial kitchen. Chairman Mitchem called the meeting back to order.

Performance Guarantee Extensions for Fox Chase Subdivision: Jeremiah Combs presented the Performance Guarantee Extensions for Fox Chase Subdivision.

UPON MOTION by Commissioner McCall, the Board voted unanimously to approve the Performance Guarantee Extensions for Fox Chase Subdivision for sidewalks.

UPON MOTION by Commissioner Cesena, the Board voted unanimously to approve the Performance Guarantee Extensions for Fox Chase Subdivision for an emergency turnaround at the end of the cul-de-sac road in Phase 1.

Public Comments: Chairman Mitchem opened Public Comments.

Jay Flynn, Denver Fire Chief, spoke concerning water supply and the need for more hydrants, especially with commercial zoning. Commissioner Cesena asked about the water at the Kidville Road Fire Station. Mr. Flynn said that fire station is not on county water, but he would love to see water and fire hydrants expanded to all areas.

Commissioner Mitchem said he and Don Chamblee met with officials from Cleveland County Water and are hoping to come to some kind of agreement concerning water in West Lincoln.

Being no additional speakers, Chairman Mitchem closed Public Comments.

Recess: **UPON MOTION** by Commissioner Sigmon, the Board voted unanimously to recess to February 8, 2019 at 10:00 AM for a Budget Work Session with Public Works.

Amy S. Atkins, Clerk
Board of Commissioners

Carrol Mitchem, Chairman
Board of Commissioners