



LINCOLN COUNTY PLANNING & INSPECTIONS DEPARTMENT
302 NORTH ACADEMY STREET, SUITE A, LINCOLNTON, NORTH CAROLINA 28092
704-736-8440 OFFICE 704-736-8434 INSPECTION REQUEST LINE 704-732-9010 FAX

To: Board of Commissioners
Planning Board

From: Randy Hawkins, Zoning Administrator

Date: October 21, 2016

Re: CZ #2016-3
Seth Lehman, applicant
Parcel ID# 75924

The following information is for use by the Lincoln County Board of Commissioners and the Planning Board at their joint meeting/public hearing on November 7, 2016.

Request

The applicant is requesting the rezoning of a 1.1-acre lot from B-N (Neighborhood Business) to CZ I-G (Conditional Zoning General Industrial) to permit vehicle repair, vehicle storage and office units. Vehicle repair (major repairs, painting) is permitted only in the I-G district and is a conditional use in the Eastern Lincoln Development District (ELDD). Vehicle service (oil change, tire change, tune-up, etc.) is a conditional use in the ELDD. A site plan has been submitted as part of the rezoning application. An existing driveway that is shared by the properties on each side of the driveway would be used to access this property.

Site Area & Description

This property is located on the east side of N.C. 16 Business about 800 feet north of Smith Harbour Drive. It is adjoined by property zoned B-N, PD-MU (Planned Development Mixed Use) and CZ I-G. Land uses in this area include industrial (two existing auto body shops), business, institutional (charter school) and residential. The NC 16 Corridor Vision Plan recommends that commercial activity be concentrated in nodes.

Additional Information

Permitted uses

Under current zoning: retail sales, offices, personal services, restaurant, etc.

Under proposed zoning: vehicle repair, vehicle service and office units.

Adjoining zoning and uses

East: zoned PD-MU, common open space area, part of Smithstone development.

South: zoned B-N, vacant commercial building.

West: zoned B-N, retail store and (opposite side of N.C. 16 Business) charter school.

North: zoned CZ I-G, auto body shop.

Environmental

This property is located in the WS-IV Critical Area of the Catawba River/Lake Norman watershed. The site plan shows the proposed development would have an impervious surface area of approximately 40% of the acreage. If the rezoning is approved, the applicant would need to obtain a conditional use permit to exceed 24% impervious coverage under the high-density option. Engineered plans to control and treat stormwater runoff would need to be submitted and approved through a public hearing process.

Planning Staff's Recommendation

Staff recommends approval of the requested rezoning. See proposed statement on following page for rationale.



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Zoning Amendment Staff's Proposed Statement of Consistency and Reasonableness

Case No. **CZ #2016-3**

Applicant **Seth Lehman**

Parcel ID# **75924**

Location **east side of N.C. 16 Business about 800 feet north of Smith Harbour Drive**

Proposed amendment **Rezone from B-N to CZ I-G to permit vehicle repair, vehicle service and office units**

This proposed amendment **is consistent** with the Lincoln County Comprehensive Land Use Plan and other adopted plans in that:

The Land Use Plan designates this property as part of the NC 16 Corridor. The NC 16 Corridor Vision Plan recommends that commercial activity be concentrated in nodes. This property is located amid a concentration of businesses.

This proposed amendment **is reasonable and in the public interest** in that:

This property is located in an existing business area. It is adjoined by property zoned business and by property zoned CZ I-G. A vehicle repair shop is located on an adjoining property and on the opposite side of N.C. 16 Business. This property is separated from homes in the Smithstone development along its eastern boundary by a relatively large wooded area designated as common open space and at its southeast corner by a 30-foot buffer strip, and a landscaped buffer will be provided on this property along the eastern boundary.



Lincoln County, NC

Office of the Tax Administrator, GIS Mapping Division
Lincoln County and its mapping contractors assume no legal responsibility for the information contained on this map. This map is not to be used for land conveyance. The map is based on NC State Plane Coordinate System 1983 NAD.



Date: 9/9/2016 Scale: 1 Inch = 200 Feet



PHOTOS

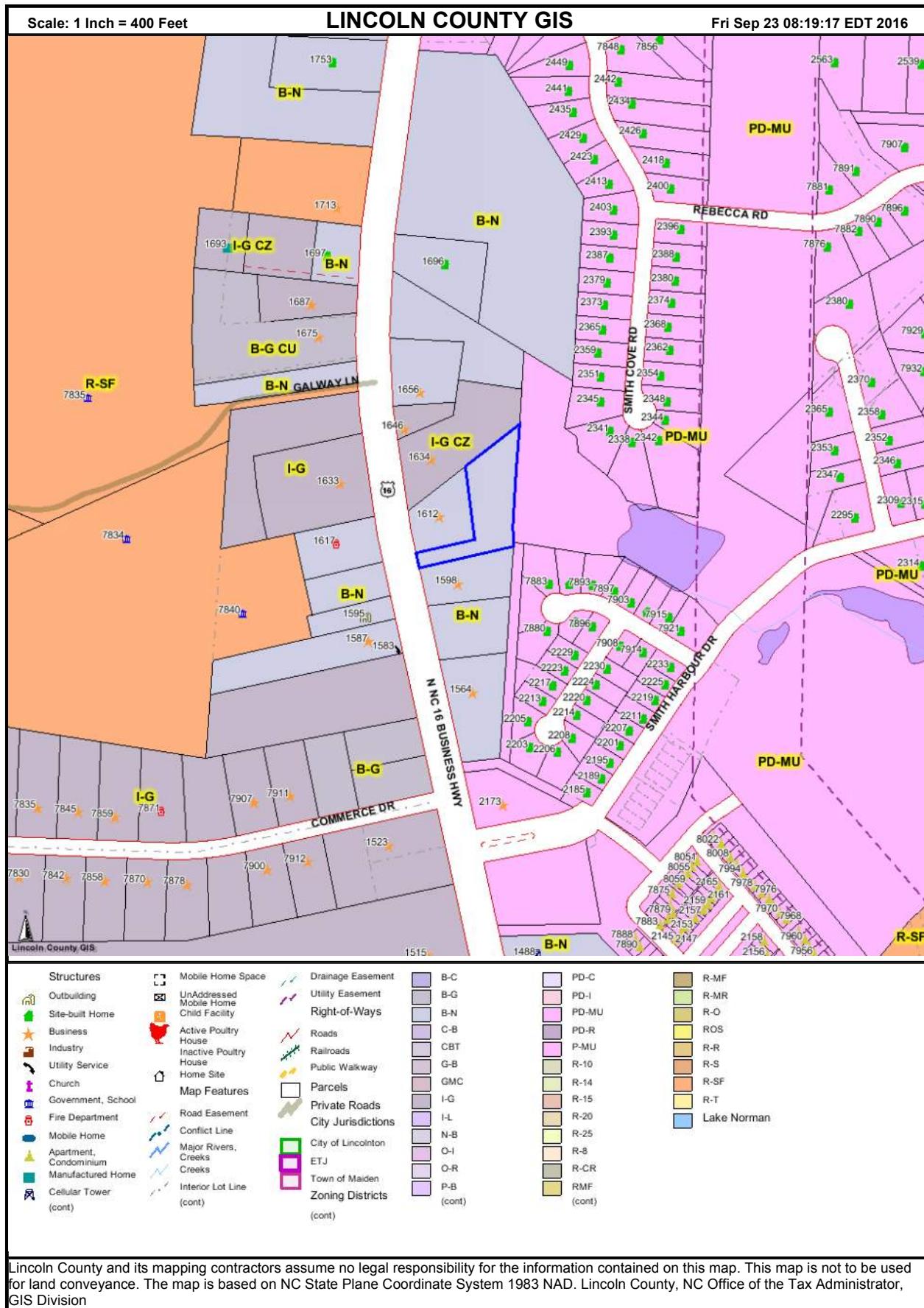


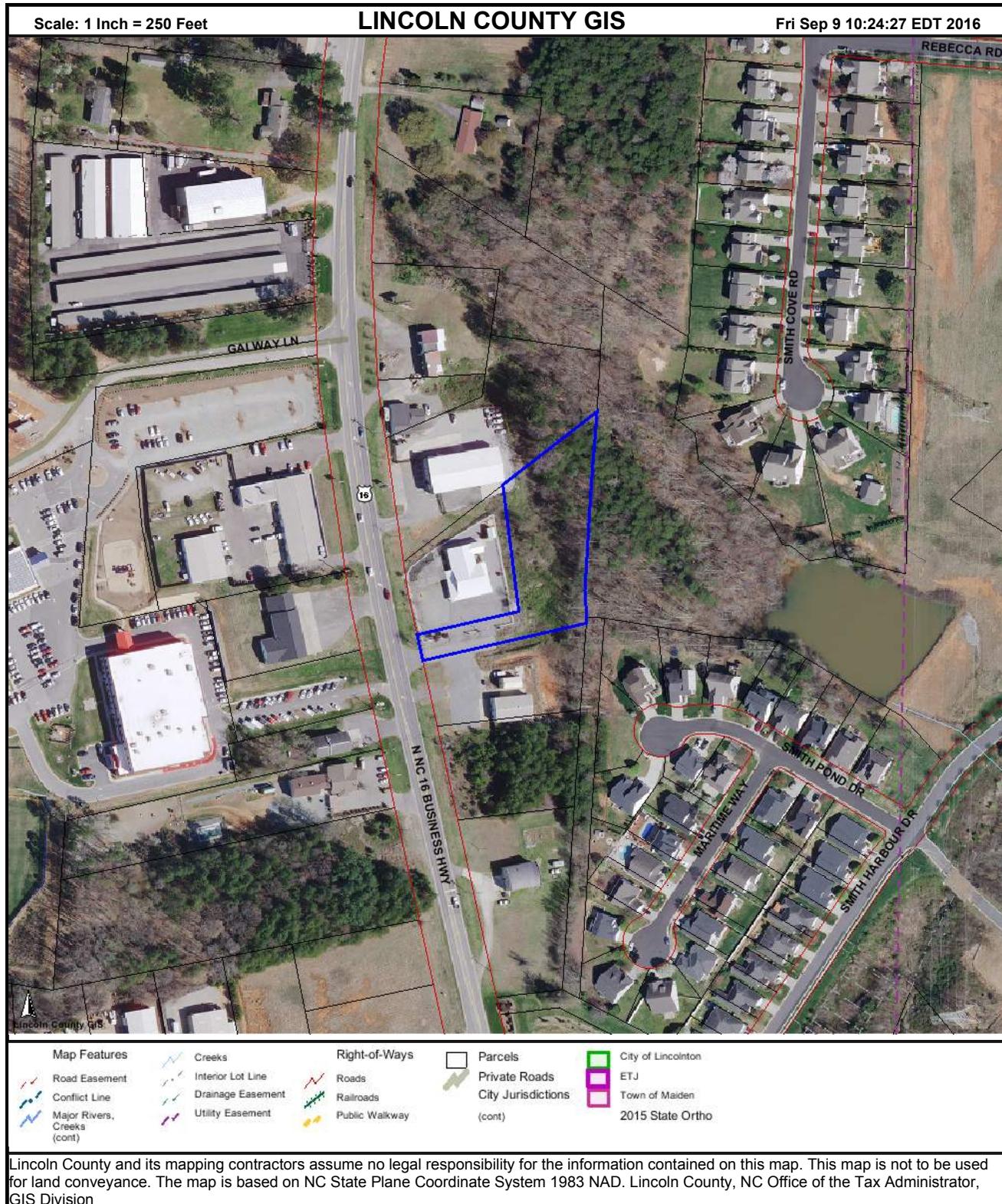
Photo Not Available

PARCEL INFORMATION FOR 4603-68-3183

Parcel ID	75924	Owner	REFUS LLC
Map	4603-02	Mailing Address	7935 N GOLF COURSE DR DENVER NC 28037
Account	0141087	Recorded	12/22/1999
Deed	1150-854	Total Value	\$95,490
Land Value	\$95,490	Sale Price	0
----- All values are for tax year 2016. -----			
Subdivision	Lot 5 CICA INC	Plat	9-482
Description	#5 LOT CICA INC SUB HWY16	Deed Acres	1.19
Address	N NC 16 BUSINESS HWY	Tax Acres	1.12
Township	CATAWBA SPRINGS	Tax/Fire District	EAST LINCOLN / EL SEWER
Improvement	No Improvements		
Zoning	Calculated	Voting Precinct	Calculated Acres
District	Acres	WESTPORT (WP32)	1.12
B-N	1.12		
Watershed Class	Sewer District		
WS-IVC	1.12	In the sewer District	1.12
2000 Census County		Tract	Block
37109		071100	2012
Flood	Zone Description	Panel	
X	NO FLOOD HAZARD	3710460300	1.12

CZ #2016-3
subject property is outlined in blue







Conditional Zoning District Application

Lincoln County Planning and Inspections Department
Zoning Administrator
302 N. Academy St., Suite A, Lincolnton, NC 28092
Phone: (704)736-8440 FAX: (704)732-9010

PART I

Applicant Name Seth Lehman

Applicant Address 914 Dove Court Denver, NC 28037

Applicant Phone Number 704-881-4062

Property Owner Name Refus, LLC

Property Owner Address 7935 N. Golf Course Drive Denver, NC 28037

Property Owner Phone Number 704-489-1725

PART II

Property Location North NC Hwy 16 Business

Property ID (10 digits) 4603-68-3183 Property size 1.192 Acres

Parcel # (5 digits) 75924 Deed Book(s) 1150 Page(s) 854

PART III

Existing Zoning District B-N Proposed Zoning District CZ I-G

Briefly describe how the property is being used and any existing structures.

Currently, this property is vacant with no existing structures and is accessed by a shared paved driveway.

List the proposed use or uses of the property.

The proposed use of the 10,000 s.f. building will include :
"vehicle repair" and "vehicle service and "office units."

APPLICATION FEE (less than 2 acres \$400, 2-5 acres \$800, 5+ acre \$1,200)
MUST BE RECEIVED BEFORE PROCESSING.

I hereby certify that all knowledge of the information provided for this application and attachments is true and correct to the best of my knowledge.

Applicant's Signature

9-19-16

Date



Conditional Zoning District Application

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Applicant's Signature

9-19-16

Date

Community Involvement Meeting Minutes

Date: Monday, October 17, 2016 - 7:00 pm

Location: Lincoln Community Center, 8160 Optimist Club Rd., Denver, NC

Purpose: Lincoln County Community Involvement Meeting To Provide Information Regarding The Rezoning Project For Elite Vehicle Restorations LLC. And To Receive Comments Prior To A Public Hearing.

Introduction:

Seth Lehman introduced himself and presented a site plan proposal along with a little background information on Elite Vehicle Restorations LLC. The floor was opened for questions.

Open Discussion:

- Hours of business - Monday - Friday, 8 to 5 occasionally we stay a little while longer but not often. We occasionally / rarely are there on Saturday if we need to finish up a project, paint or for a customer to drop off / pick up a vehicle.
- Bay doors opening towards Smithstone community - Site Plan Proposal includes a Class C buffer. The buffer being trees and shrubs and that the trees would be the height required by Lincoln County not saplings.
- Emissions from paint booth - Informed them about the filters on the booth and safety regulations and safety inspections. Seth explained to them that in our past and type of restorations we might average 1 paint job a month.
- Noise of impact wrenches, hammering & saws - Talked about the bay doors being opened and how often impact wrenches are brought in to play with the kind of high end restorations that we do. With Caliber Collision and Westport Body being in the close proximity the noise level should not be any more than what is already going on. He talked about the body work part of the shop being on the northwest side behind the paint booth which should help with reducing the noise.
- Acceptable to concerns from Smithstone residents - Very open to bring any concerns you may have so that we can discuss and resolve it so both parties are

satisfied. Seth will always try to be as fair as he can.

- What is the property zoned for now - Randy Hawkins explained that the property is zoned for Neighborhood Business such as offices, retail, restaurants ect. He was asked could the restaurant possible sell beer and things like that, to which he told them yes possible.
- Draining of the property - Explained grading and the water shed that will have to be built on the property.
- How long before the building would be completed - Possible a year really have not got a answer due to waiting to see if the rezoning went through to proceed.
- What kind of businesses will be in the rental offices - Small businesses like printing shops, massage therapy, insurance group, ect. Small businesses that would work in about 600 square feet.
- Discussed how with Seth buying the property that it would be bring more revenue in to Lincoln county through property tax. How it would help boost the economy. The gentleman that the property ajoins to was excited that it was being bought. He stated that it would be great having it developed and that the plans look like the site would be beautiful. He looks forward to Elite Vehicle Restorations being there.
- Seth informed everyone that November 7, was the rezoning hearing and thanked everyone for letting him have the opportunity to discuss and hopefully answer all their questions and concrens.

