



**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: November 18, 2016

Re: CZ #2016-4  
Lincolnton Main Street, LLC, applicant  
Parcel ID# 13359 (3.0 acre portion)

*The following information is for use by the Lincoln County Board of Commissioners and the Planning Board at their joint meeting/public hearing on December 5, 2016.*

**Request**

The applicant is requesting the rezoning of 3.0 acres from R-SF (Residential Single-Family) to CZ B-G (Conditional Zoning General Business) to permit a medical office building with up to 15,000 square feet of floor area. A site plan has been submitted as part of the rezoning application.

**Site Area & Description**

This property is located on the northeast corner of N.C. 27 and Howards Creek Mill Road in Howards Creek Township. It is surrounded by property zoned R-SF. County water is available at this location. Land uses in this area include residential, agricultural and institutional (church). This property is part of an area designated by the Lincoln County Land Use Plan as Suburban Residential.

**Additional Information**

**Permitted uses**

Under current zoning: site-built house, modular home, church.  
Under proposed zoning: medical office building.

**Adjoining zoning and uses**

East: zoned R-SF, agricultural.  
South (opposite side of N.C. 27): zoned R-SF, residential.  
West (opposite side of Howards Creek Mill Road): zoned R-SF, church.  
North: zoned R-SF, agricultural.

## Access to N.C. 27

Section 3.5.2.A of the Unified Development Ordinance states: "Where a tract of land to be developed adjoins a principal or minor arterial or a major collector and any other public road, the road with the lower traffic volume shall be used for primary access and access to the road with the higher traffic volume shall be limited to right-in, right-out movements only, unless additional access is approved by the Board of Commissioners as part of a major site plan review."

N.C. 27 is classified as a major collector and has a higher traffic volume than Howards Creek Mill Road. The applicant is requesting full access to both N.C. 27 and Howards Creek Mill Road.

## Planning Staff's Recommendation

Staff recommends approval of the rezoning request. 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 #2016-4**

Applicant **Lincolnton Main Street, LLC**

Parcel ID# **13359 (3.0 acre portion)**

Location **northeast corner of N.C. 27 and Howards Creek Mill Road**

Proposed amendment **Rezone from B-N to CZ B-G to permit a medical office building with up to 15,000 square feet of floor area**

This proposed amendment **is not consistent** with the Lincoln County Comprehensive Land Use Plan and other adopted plans in that:

**This property is part of an area designated by the Land Use Plan as Suburban Residential.**

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

**Because this is a conditional rezoning, the use will be limited to a medical office building. This property located is on a main highway at a crossroads. A church is located on the northwest corner of the intersection. The proposed facility will allow for expanded health care service in this area.**



## 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 Lincolnton Main Street, LLC

Applicant Address 1300 South Tryon Street, Charlotte, NC 28218

Applicant Phone Number 704.287.7677

Property Owner Name MAX DAVID ABERNETHY

Property Owner Address 291 Howards Creek Mill Road

Property Owner Phone Number 828.217.2826

### PART II

Property Location Intersection NC 27 and Howards Creek Mill Road

Property ID (10 digits) 2694-30-7118 Property size 37AC (2.88± AC)

Parcel # (5 digits) 13359 Deed Book(s) 14E Page(s) 43

### PART III

Existing Zoning District R-SF Proposed Zoning District BG-CZ

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

Currently Being Farmed

List the proposed use or uses of the property.

Medical Office Building

**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

Mengyan Wangen

10.3.2016

Date

## Meeting Minutes

Project Name:	<b>West Lincoln Family Medicine</b>
Project Number:	<b>CH16.0080.CV</b>
Date:	<b>11.10.16</b>
Regarding:	<b>Community Involvement Meeting</b>
Date Typed:	<b>11.11.16</b>
Minutes Prepared By	<b>Kevin Caldwell</b>

## Attendees/Distribution

Discussion:	Action Required:
1. The meeting started promptly at 6:30 pm. Attendees were provided a sign-in sheet. Several people declined to sign in.	
2. Joyner opened the meeting with a detailed description of the proposed project which includes a 9,613 ft <sup>2</sup> building and surface parking (65± spaces). The project will be served by public water and will utilize a septic tank/drain field for sanitary sewer.	
3. An attendee expressed concern for the potential increase in traffic accidents along N.C. 27 and at the intersection of N.C. 27 and Howards Creek Mill Road. Caldwell provided documentation from the North Carolina Department of Transportation (Michael Watson) which indicates that over the last 5 years there have only been 10 accidents at the intersection. Of the 10 accidents, 3 involved <b>minor</b> injuries.	
4. An attendee was concerned about the continued development of businesses along N.C. 27. Joyner and Hawkins explained that any additional development along N.C. 27 would have to go through the rezoning process.	
5. An attendee was worried that the proposed use could become something other than a medical office use. Joyner and Hawkins explained that the proposed zoning was a conditional zoning and could not be changed to a different use without approval by the County Commission.	

## Meeting Minutes

6. An attendee who works at West Lincoln High School explained that the Doctor at the existing facility would not see a student at the school. Joyner explained that this is a primary care facility and was likely “over scheduled” and that an urgent care facility would have been a more appropriate place to take the student.	
7. An attendee was concerned about the site lighting creating a nuisance to the neighbors. Joyner explained that the site lighting will have “cut-offs” that will not allow light “pollution” to affect adjacent neighbors.	
8. Only 3 of the 15 people attending the meeting are patients at the clinic.	

The foregoing represents Geoscience Group’s understanding of comments and decisions made at this meeting. Any additions to, or corrections of these minutes should be made in writing to “**Minutes Prepared By**” within three (3) days of receipt of these minutes.





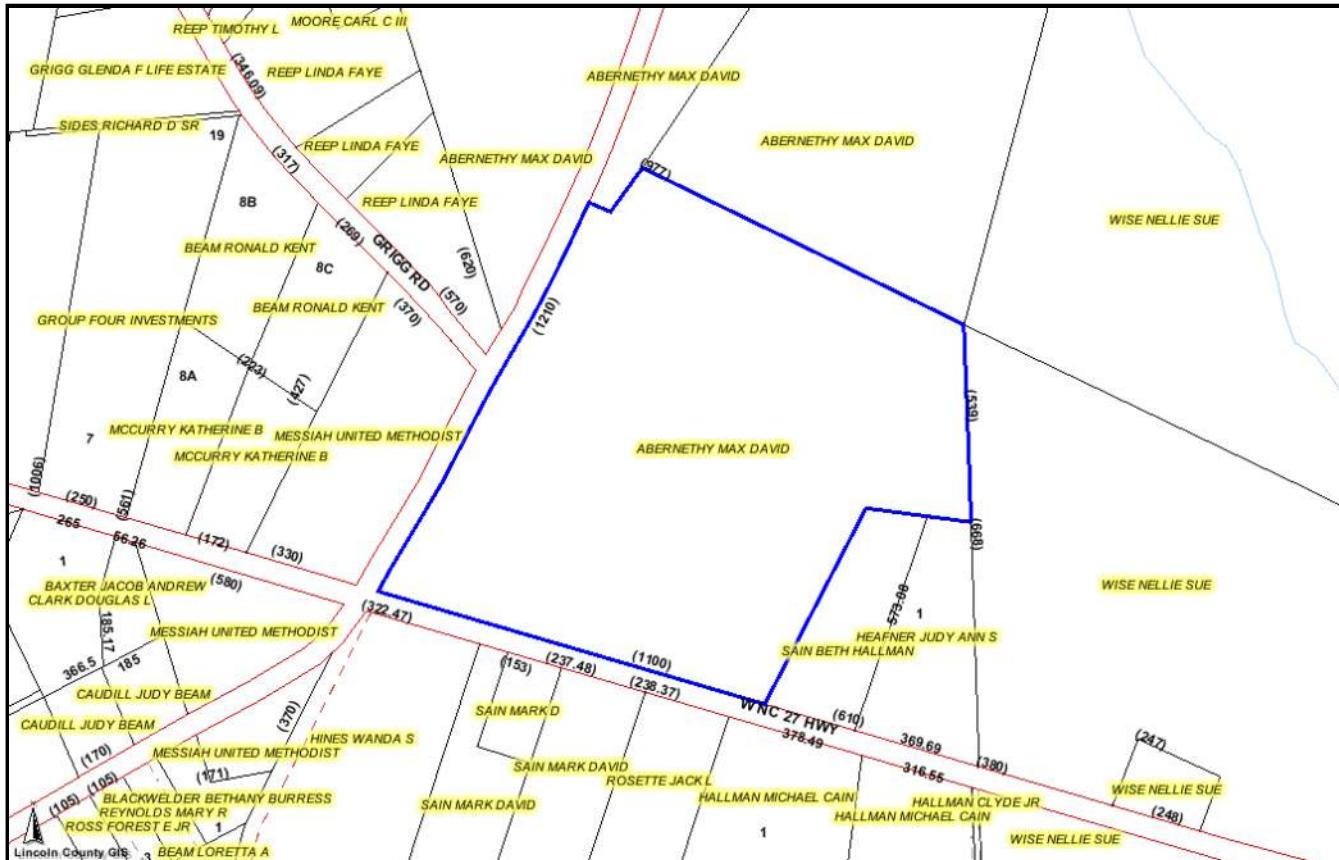
## **Lincoln County, NC**

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.**

100

Date: 10/11/2016 Scale: 1 Inch = 500 Feet



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## PHOTOS

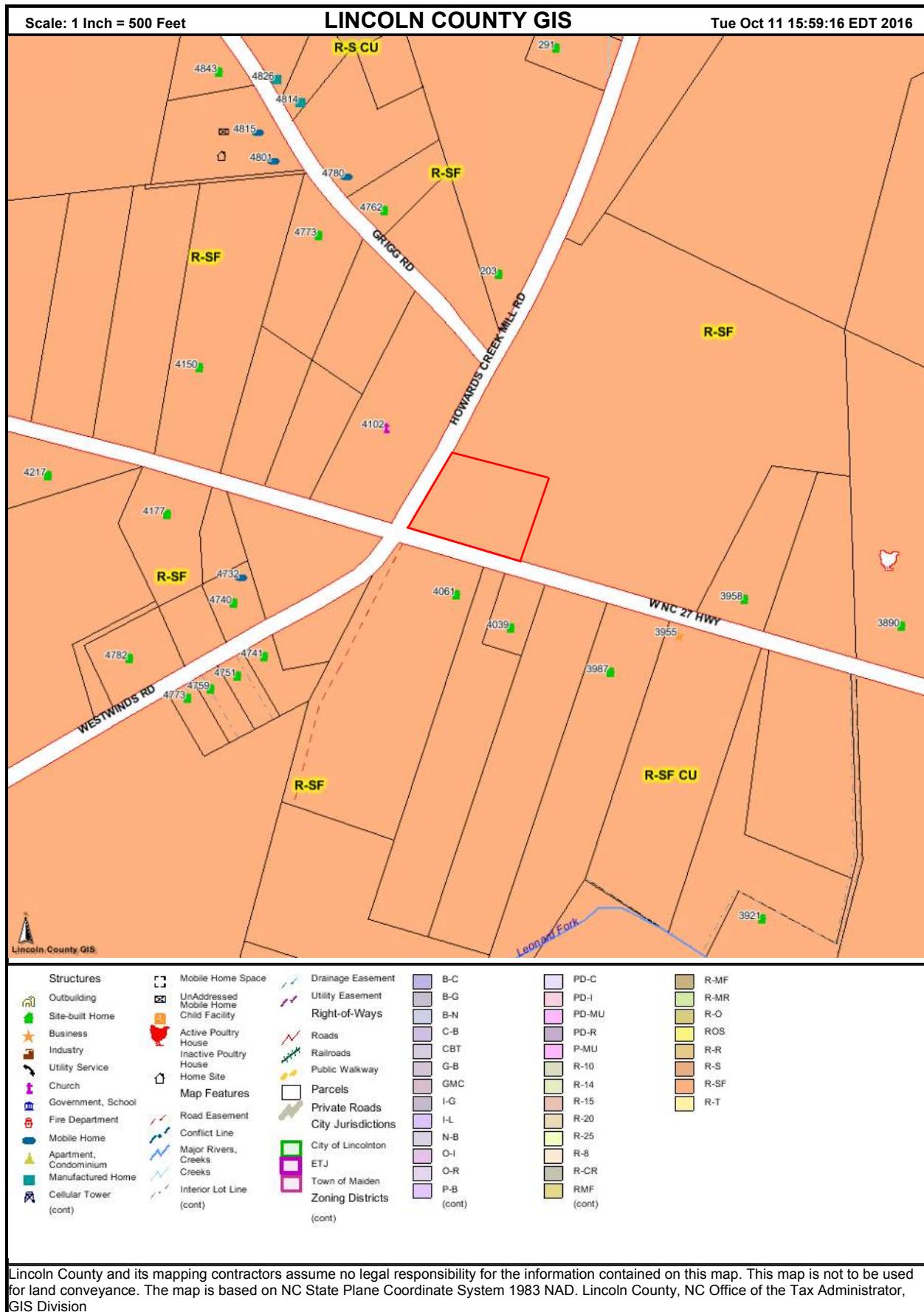


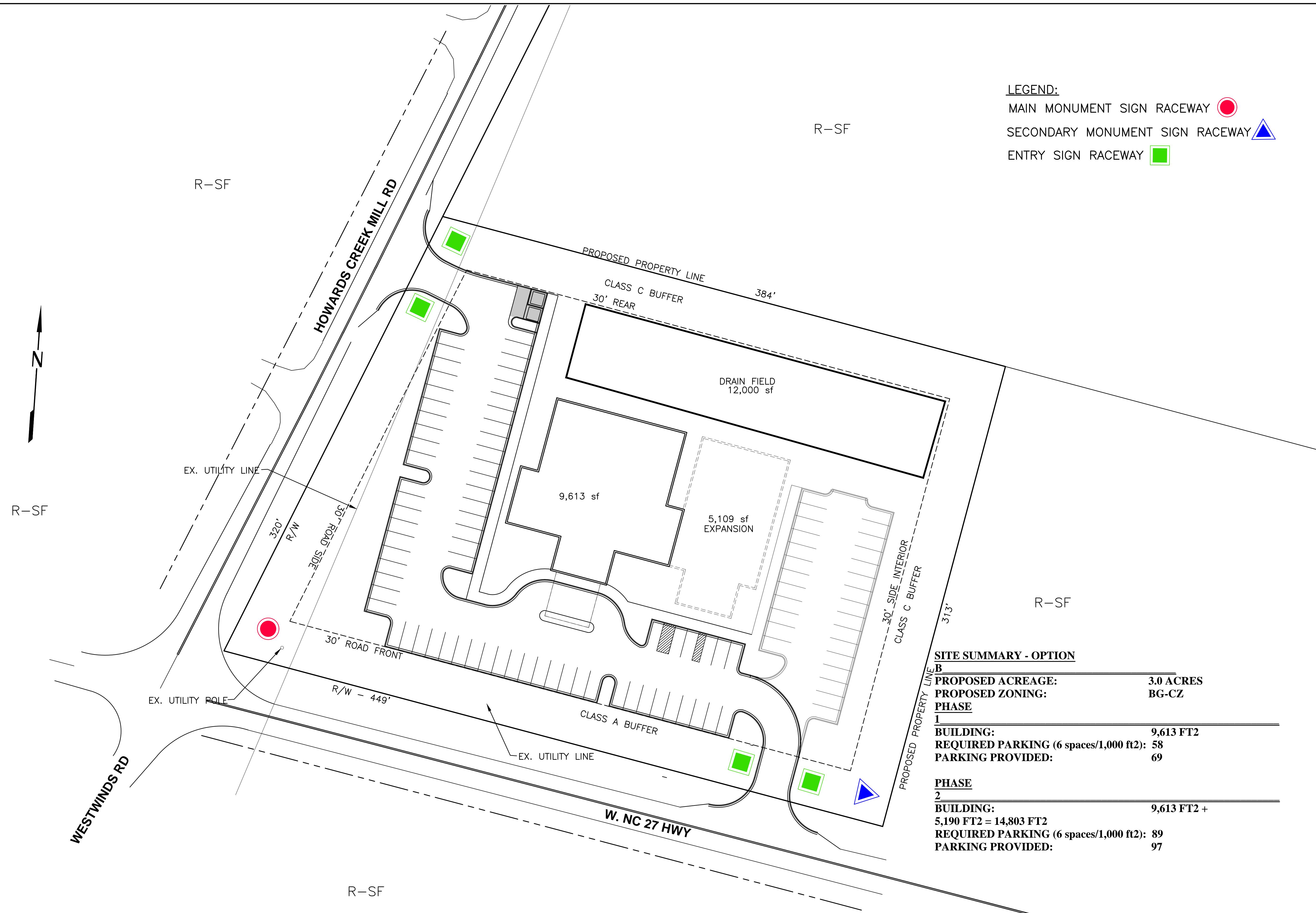
13359

## PARCEL INFORMATION FOR 2694-30-7118

<b>Parcel ID</b>	<b>13359</b>	<b>Owner</b>	ABERNETHY MAX DAVID				
<b>Map</b>	<b>2694-00</b>	<b>Mailing</b>	291 HOWARDS CRK MLL RD				
<b>Account</b>	02106	<b>Address</b>	VALE NC 28168				
<b>Deed</b>	14E-43	<b>Recorded</b>	3/6/2014	<b>Sale Price</b>	0		
<b>Land Value</b>	\$205,129	<b>Total Value</b>	\$227,195	<b>Previous Parcel</b>			
<b>----- All values are for tax year 2016. -----</b>							
<b>Description</b>	BARN & SHOP RD 1194			<b>Deed Acres</b>	36.99		
<b>Address</b>	HOWARDS CREEK MILL RD			<b>Tax Acres</b>	32.25		
<b>Township</b>	HOWARDS CREEK			<b>Tax/Fire District</b>			
<b>Main Improvement</b>	SHOP 40 X 100			<b>Value</b>	\$19,278		
<b>Main Sq Feet</b>	4000	<b>Stories</b>	0	<b>Year Built</b>	1965		
<b>Zoning District</b>	<b>Calculated Acres</b>		<b>Voting Precinct</b>	<b>Calculated Acres</b>			
R-SF	32.25		HEAVNERS (HV07)	32.25			
<b>Watershed Class</b>	<b>Sewer District</b>						
Not in a watershed	Not in the sewer district						
<b>2000 Census County</b>	<b>Tract</b>		<b>Block</b>				
37109	070700		2034	0.02			
37109	070700		2035	0.07			
37109	070700		2036	32.16			
<b>Flood</b>	<b>Zone Description</b>			<b>Panel</b>			
X	NO FLOOD HAZARD			3710268200			
X	NO FLOOD HAZARD			3710268400			

CZ #2016-4  
Subject property is outlined in red





30 0 15 30 60 120  
 SCALE: 1" = 30'

SITE PLAN

C1.1

**GEOSCIENCE GROUP**  
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 Charlotte, NC 28217  
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 www.gscginc.com

DATE	RECEIVED
PROJECT MANAGER	REVIEWED
SPONSOR	APPROVED BY
FILE NUMBER	FILE NUMBER
STYLING	STYLING
FILE NAME	FILE NAME
FILE DATE	FILE DATE