



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 13000 South Tryon Street, Charlotte, NC 28278
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 37 AC (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

MEMBER MANAGER

10.3.2016

Date

Meeting Minutes

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

Attendees/Distribution

√	Mike Joyner, Lincolnton Main Street, LLC		
√	Randy Hawkins, Lincoln County		
√	Kevin Caldwell, Geoscience Group, Inc.		

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 ² 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 minor 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.

Please Print

[illegible]

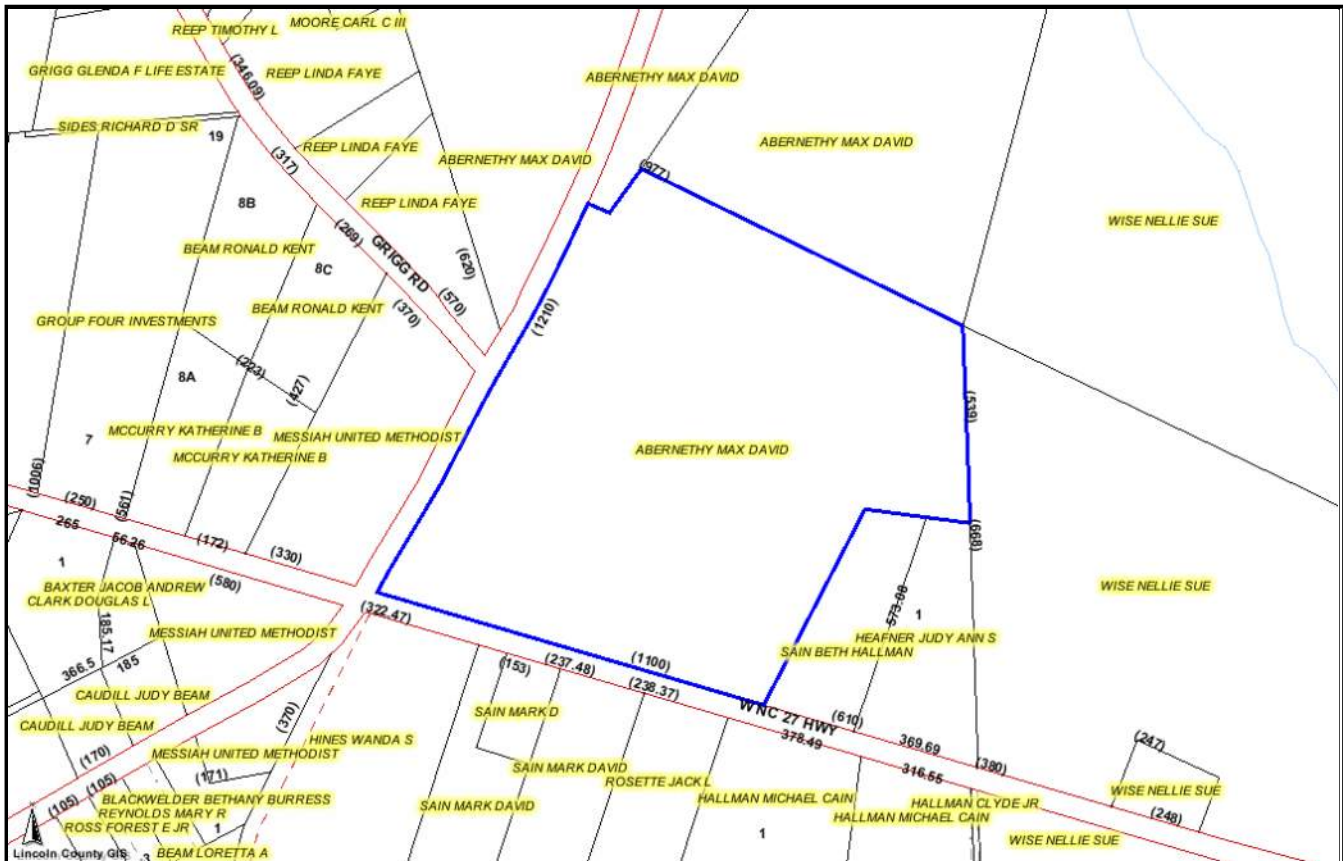


Lincoln County, NC

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



PHOTOS



13359

PARCEL INFORMATION FOR 2694-30-7118

Parcel ID	13359	Owner	ABERNETHY MAX DAVID
Map	2694-00	Mailing Address	291 HOWARDS CRK MLL RD VALE NC 28168
Account	02106	Recorded	3/6/2014
Deed	14E-43	Sale Price	0
Land Value	\$205,129	Total Value	\$227,195
----- All values are for tax year 2016. -----			
Description	BARN & SHOP RD 1194	Deed Acres	36.99
Address	HOWARDS CREEK MILL RD	Tax Acres	32.25
Township	HOWARDS CREEK	Tax/Fire District	HOWARDS CREEK
Main Improvement	SHOP 40 X 100	Value	\$19,278
Main Sq Feet	4000	Stories	0
Year Built	1965		
Zoning District	R-SF	Calculated Acres	32.25
Watershed Class	Not in a watershed	Voting Precinct	HEAVNERS (HV07)
2000 Census County	37109	Sewer District	Not in the sewer district
	37109		
	37109		
Flood	Zone Description	Panel	
X	NO FLOOD HAZARD	3710268200	10.88
X	NO FLOOD HAZARD	3710268400	21.37

CZ #2016-4
Subject property is outlined in red

