



County Of Lincoln, North Carolina

Planning & Inspections Department

To: Alex Patton, Chairman, Lincoln County Board of Commissioners
George Wood, Manager, Lincoln County
Jeff Frushtick, Chairman, Lincoln County Planning Board.

From: Andrew C. Bryant
Planner

Date: November 9, 2011

Re: Plat Approval #34
Austin Commercial Subdivision

PID# 34640

The following information is for the use of the Lincoln County Board of Commissioner and Planning Board at their joint meeting/public hearing on December 5, 2011.

Request

Austin Real Estate Investments, LLC, is requesting preliminary plat review and approval from the Lincoln County Board of Commissioners and Planning Board for the Austin Commercial Subdivision. The subdivision in question contains 2 lots. The Lincoln County Unified Development Ordinance states in Section 9.6.9, all preliminary plats proposing new roads or the extension of infrastructure shall be submitted to the Board of Commissioners and Planning Board for their approval, disapproval, or approval with conditions.

Site Area & Description

Austin Commercial Subdivision is located on the west side of North Highway 16 just north of the intersection of Webbs Road and N. Highway 16. The subdivision is located in the Catawba Springs Township. The tracts in question are approximately 4.02 acres. The subdivision will be served by a public water and sewer system.

Land Use Plan

The Lincoln County Land Use plan designates this area as part of the Highway 16 Overlay District. A mix of residential and commercial properties is located along or in close proximity to the proposed subdivision. The Lincoln County Highway 16 Corridor Plan designates this parcel within area defined as "commercial development opportunity." Moreover, this property lies within a area designated as a commercial node. Such areas that are located near existing residential and commercial developments shall be undertaken in a manner so as to not negatively impact those areas. While this development does not have the option of signalization, the proposed driveway will only include a right in and right out along Highway 16.



Plat Approval Application

Lincoln County Planning & Inspections Department
302 N. Academy St., Lincolnton, NC 28092
Phone: (704)736-8440 Fax: (704)732-9010

PART I

Applicant Name Austin Real Estate Ventures, LLC

Applicant Address 701 S. Laurel St., Suite 1, Lincolnton, N.C. 28092

Applicant Phone Number 704-473-8338

Property Owner Name Austin Real Estate Ventures, LLC

Property Owner Address 701 S. Laurel St., Suite 1, Lincolnton, N.C. 28092

Property Owner Phone Number 704-473-8338

PART II

Property Location 2861 N. Hwy. 16, Denver, NC 28037

Property ID (10 digits) 4604-39-1396 Property size +/- 4.02 Ac.

Parcel # (5 digits) 34640 Deed Book(s) 2192 Page(s) 48

PART III

Zoning District B-N, ELDD

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

List the number of lots in the proposed subdivision and any other relevant information concerning the development

This subdivision will create 2 lots for commercial use.

\$300.00 APPLICATION FEE 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

11/8/11

Date

RECOMMENDATIONS ON FINDINGS OF FACT FOR A PLAT APPROVAL

Application # PA #34 Date 11/8/11

Applicant's Name Austin Real Estate Ventures, LLC

Applicant's Address 70 S. Laurel St., Suite 1, Lincolnton, NC 28092

Property Location 2861 N. Hwy 16, Denver, NC 28037 Existing Zoning B-N

Number of lots proposed 3 lot commercial subdivision

FINDINGS OF FACT

1. The subdivision is consistent with all adopted plans and policies of the County. YES _____ NO _____

FACTUAL REASONS CITED: _____

2. The subdivision meets all required conditions and specifications of the UDO. YES _____ NO _____

FACTUAL REASONS CITED: _____

3.. The subdivision will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area. YES _____ NO _____

FACTUAL REASONS CITED: _____

4. The subdivision design will comply with the requirements of §9.8 and provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare. YES _____ NO _____

After having held a Public Hearing on _____ and in light of the Findings of Facts listed herein, the following action was taken by the Lincoln County Planning Board:

In approving of said plat, the following conditions were recommended by the Lincoln County Planning Board:

BOARD'S ACTION



Lincoln County Planning & Inspections
**Subdivision Application Background
and Staff Comments**

Application #
<u>PA# 34</u>

IDENTIFYING DATA

Parcel ID: 34640

Location of property: 2861 N. Hwy 16 Denver, NC (west side of NC 16 intersection with Webbs Road.)

Name of current property owners: Austin Real Estate Venture, LLC

Address of current property owners: 701 S. Laurel St., Suite 1, Lincolnton, NC 28092

Date of application: November 8, 2011

ZONING & SUBDIVISION INFORMATION

Current zoning: B-N, ELDD

Current use: Vacant

Property size: 4.02 acres

Proposed Number of Lots: 3

Proposed use: Commercial Subdivision

Description of request: Preliminary plat approval for the 3 lots and new road

Comments: N/A

LAND USE PLAN CONFORMANCE

Is the proposed zoning consistent with the Land Use Plan? yes

Land Use Plan classification: NC 16 Overlay

The Lincoln County Land Use plan designates this area as part of the Highway 16 Overlay District. A mix of residential and commercial properties is located along or in close proximity to the proposed subdivision. The Lincoln County Highway 16 Corridor Plan designates this parcel within area defined as "commercial development opportunity." Moreover, this property lies within a area designated as a commercial node. Such areas that are located near existing residential and commercial developments shall be undertaken in a manner so as to not negatively impact those areas.

ENVIRONMENTAL

Soil type(s):

CeB2: Cecil sandy clay loam
MdB2: Madison sandy clay loam
MdC2: Madison sandy clay loam

Soil slopes:

CeB2: 2-8 Pct slopes (Eroded)
MdB2: 2-8 Pct slopes(Eroded)
MdC2: 8-15 Pct slopes(Eroded)

Building site:

CeB2: Well suited
MdB2: Well suited
MdC2: Moderately suited

Sanitary facilities: N/A

Water supply watershed classification: WS-IVC Catawba River/Lake Norman (0.114 acres)

How much impervious ground coverage allowed: 75%

HYDROLOGIC CONDITIONS

Flood panel number: 3710460400J

Zone: X (no flood hazard)

Streamside Buffer Requirements: N/A

TRANSPORTATION

The proposed zoning request is located on or near what road(s): NC 16 Business and Webbs Rd. (SR 1379)

Is a Traffic Impact Analysis required for this request: No

What is the average daily traffic: 5,400 vehicles on Webbs Rd.; 17,000 vehicles on NC 16 Business

Has NCDOT reviewed the site plan: yes

What were NCDOT's comments: Access will be limited to right in/right out due to its offset and proximity to Webbs Rd.

ADDITIONAL INFORMATION

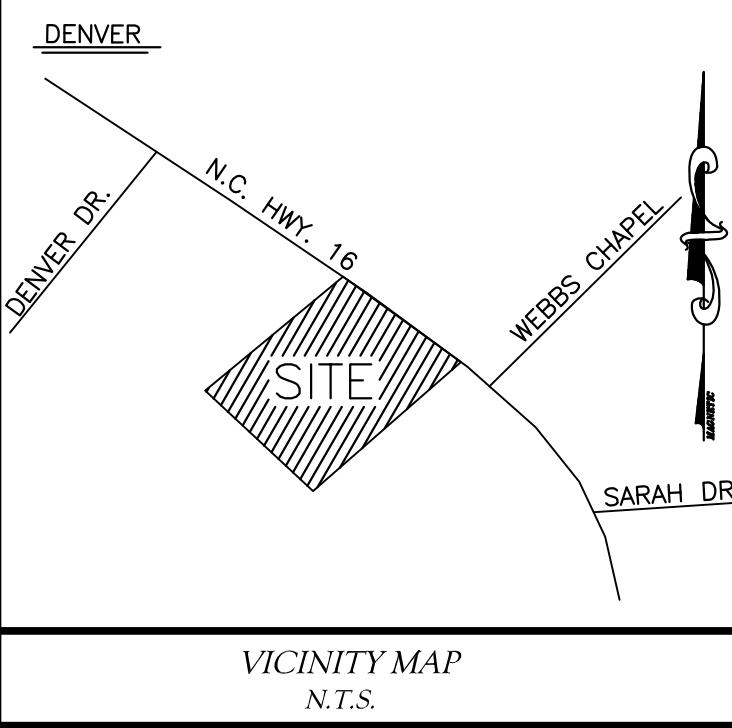
What are the adjoining land uses and zoning (N, E, S & W): north: residential and vacant; east: commercial; south: residential; west: power line r/w & railroad.

Staff's recommendation and comments:

Staff recommends approval of the preliminary plat. The subdivision is consistent with the Land Use Plan and meets the conditions of the UDO. The final plat would need to conform to the general layout of the preliminary plat and the density would not be able to increase without board approval.

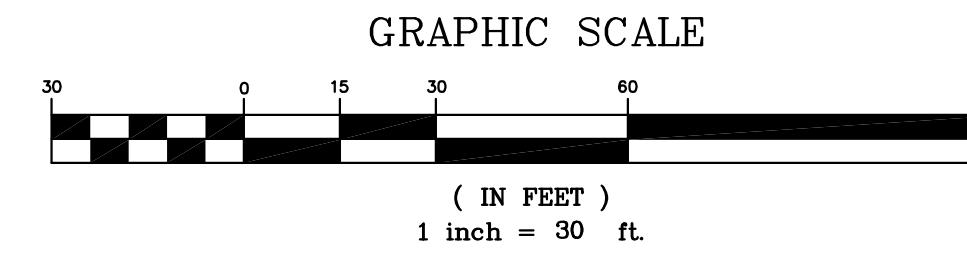
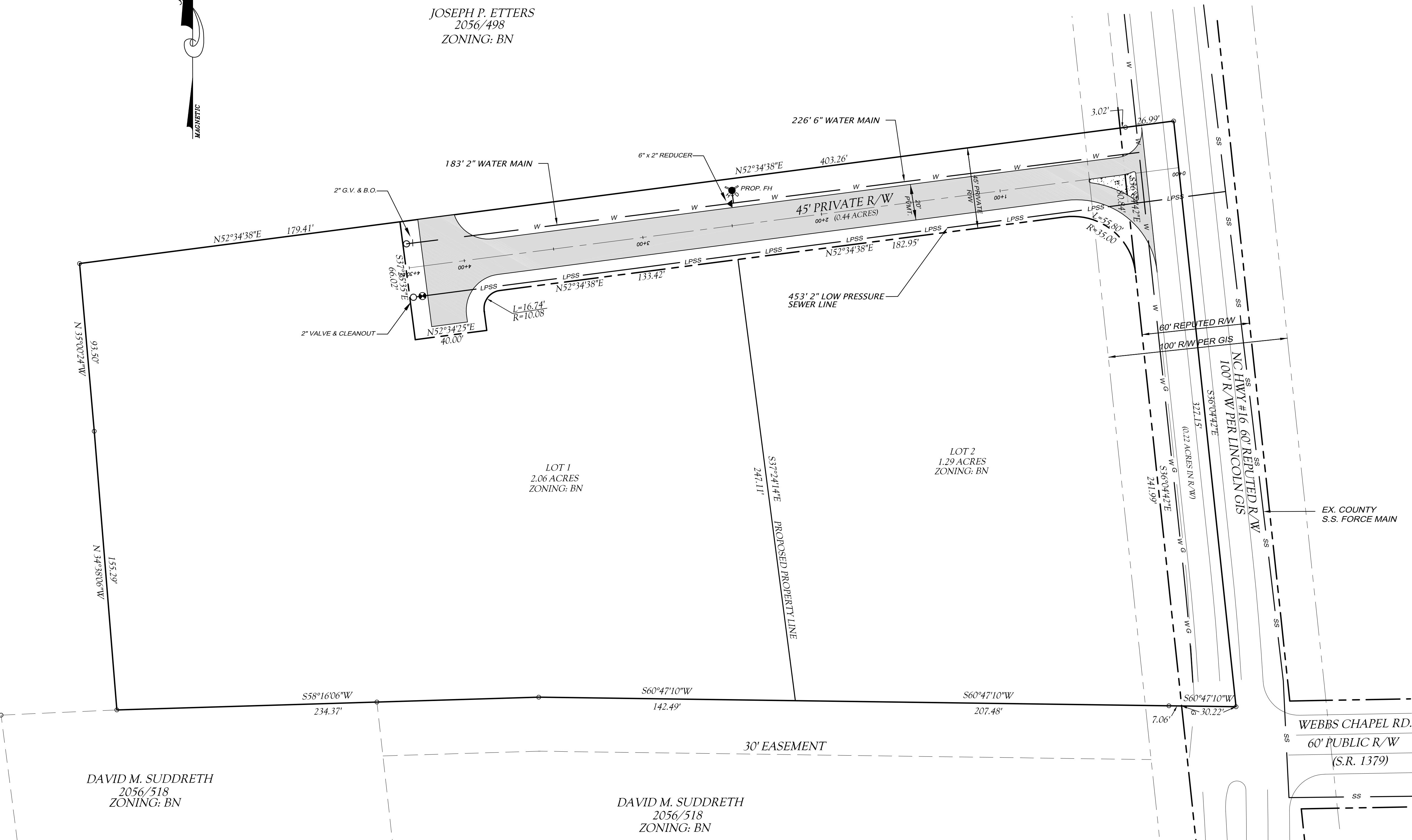
DEVELOPMENT NOTES:

1. OWNER & DEVELOPER: AUSTIN REAL ESTATE INVESTMENTS, LLC
701 S. LAUREL STREET, SUITE 1
LINCOLNTON, NC 28092
704-473-8338
2. SITE ADDRESS: 2861 NORTH HWY 16
DENVER, NC 28037
3. PROPERTY ID NO: 4604-39-1396
4. PARCEL NO: 34640
5. DEED BOOK 2192-48
6. COUNTY: LINCOLN
7. ZONING: BN
- OVERLAY: EAST LINCOLN DEVELOPMENT DISTRICT
8. YARD REQUIREMENTS:
ROAD - 15' MIN., 90' MAX. (EAST LINCOLN DEVELOP. DIST.)
FRONT - 20' (BN ZONING)
SIDE - 10'
REAR - 20'
9. TOTAL PARCEL AREA: ±4.02 AC.
AREA WITHIN 60' R/W: ±0.22 AC.
AREA WITHIN PROPOSED PRIVATE R/W: ±0.44 AC.
LOT 1 AREA: ±1.29 AC.
LOT 2 AREA: ±2.06 AC.



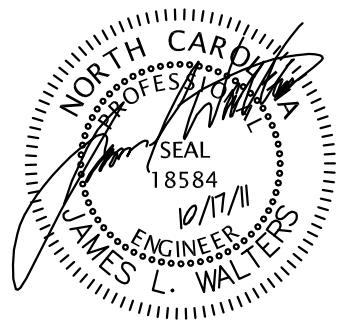
JOSEPH P. ETTERS
2056/498
ZONING: BN

JOSEPH P. ETTERS
2056/498
ZONING: BN



REV. NO.	REVISIONS	DATE

LWE
LATHAM-WALTERS ENGINEERING, INC.
16507-A NORTHCROSS DRIVE
HUNTERSVILLE, NORTH CAROLINA 28078
(704) 895-8484 FAX (704) 895-8485

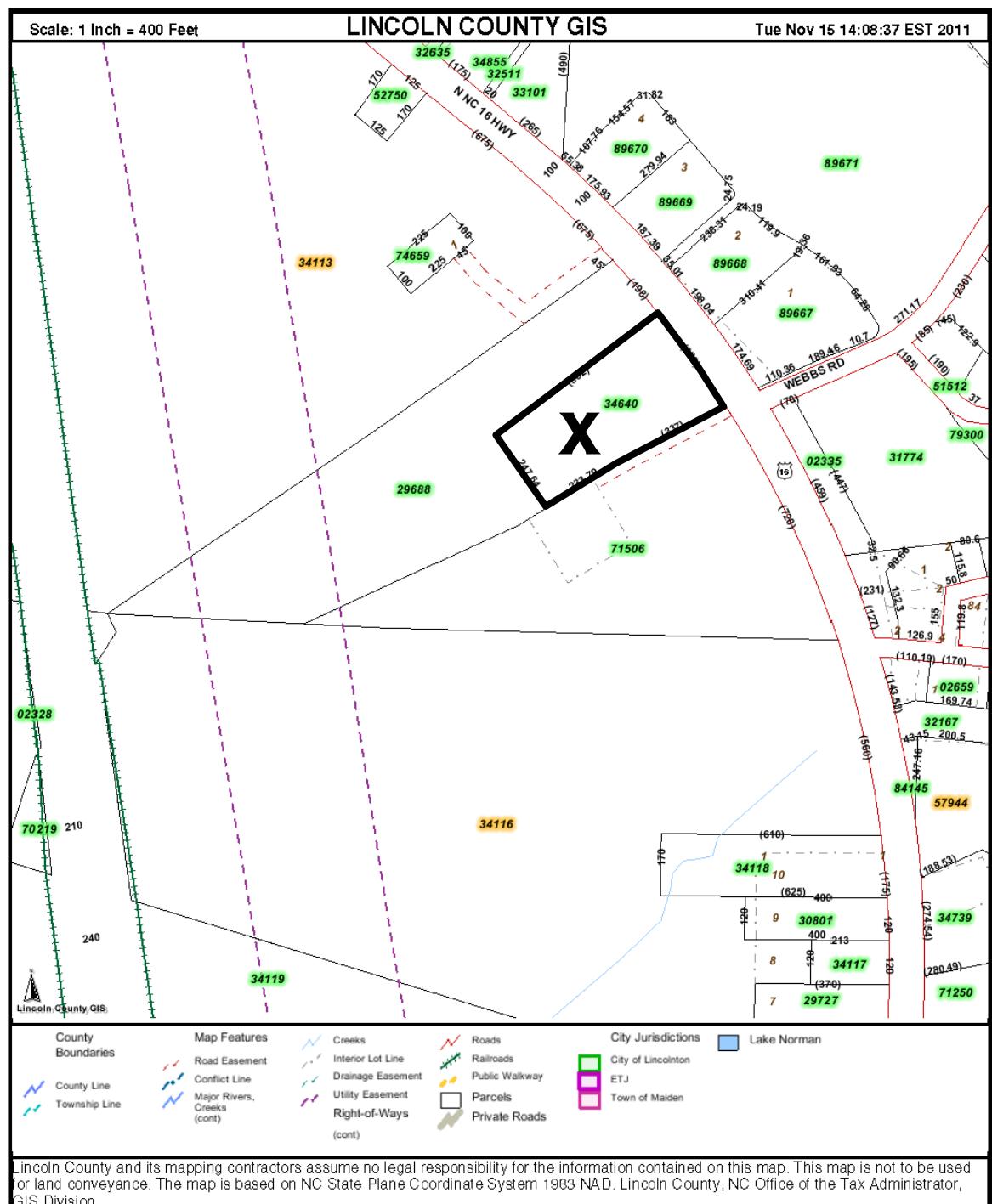


OWNER:
AUSTIN REAL ESTATE
INVESTMENTS, LLC
701 S. LAUREL STREET, SUITE 1
LINCOLNTON, NC 28092
704-473-8338

AUSTIN COMMERCIAL
SUBDIVISION
2861 N. NC. HWY. 16 HWY.
DENVER, NC
PRELIMINARY PLAT

DATE:
OCT. 2011
SCALE:
1" = 30'
DRAWN BY:
J.L.W.
CHECKED BY:
MSL
PROJECT NO:
2010.18

HEET
C1.0



X = Subject Parcel

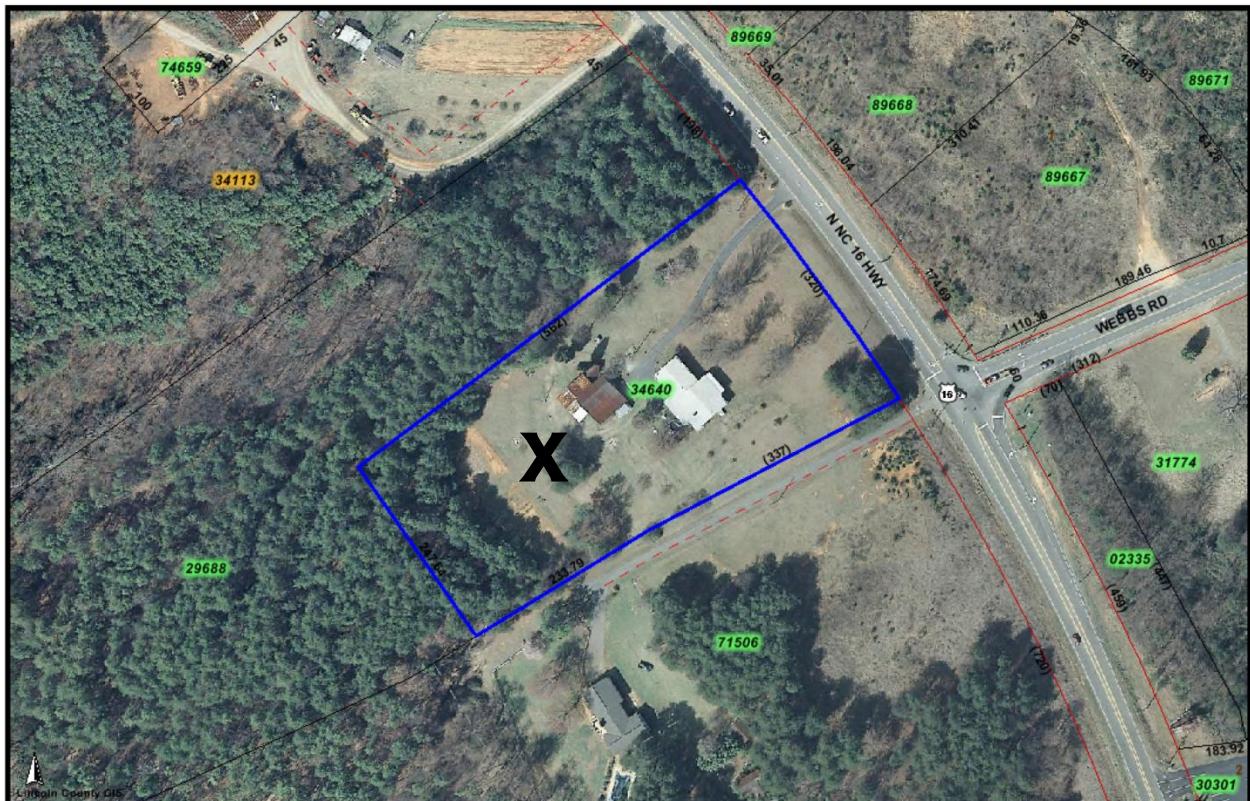


Lincoln County, NC

Office of the Tax Administrator, GIS Mapping Division
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Date: 11/15/2011 Scale: 1 Inch = 200 Feet



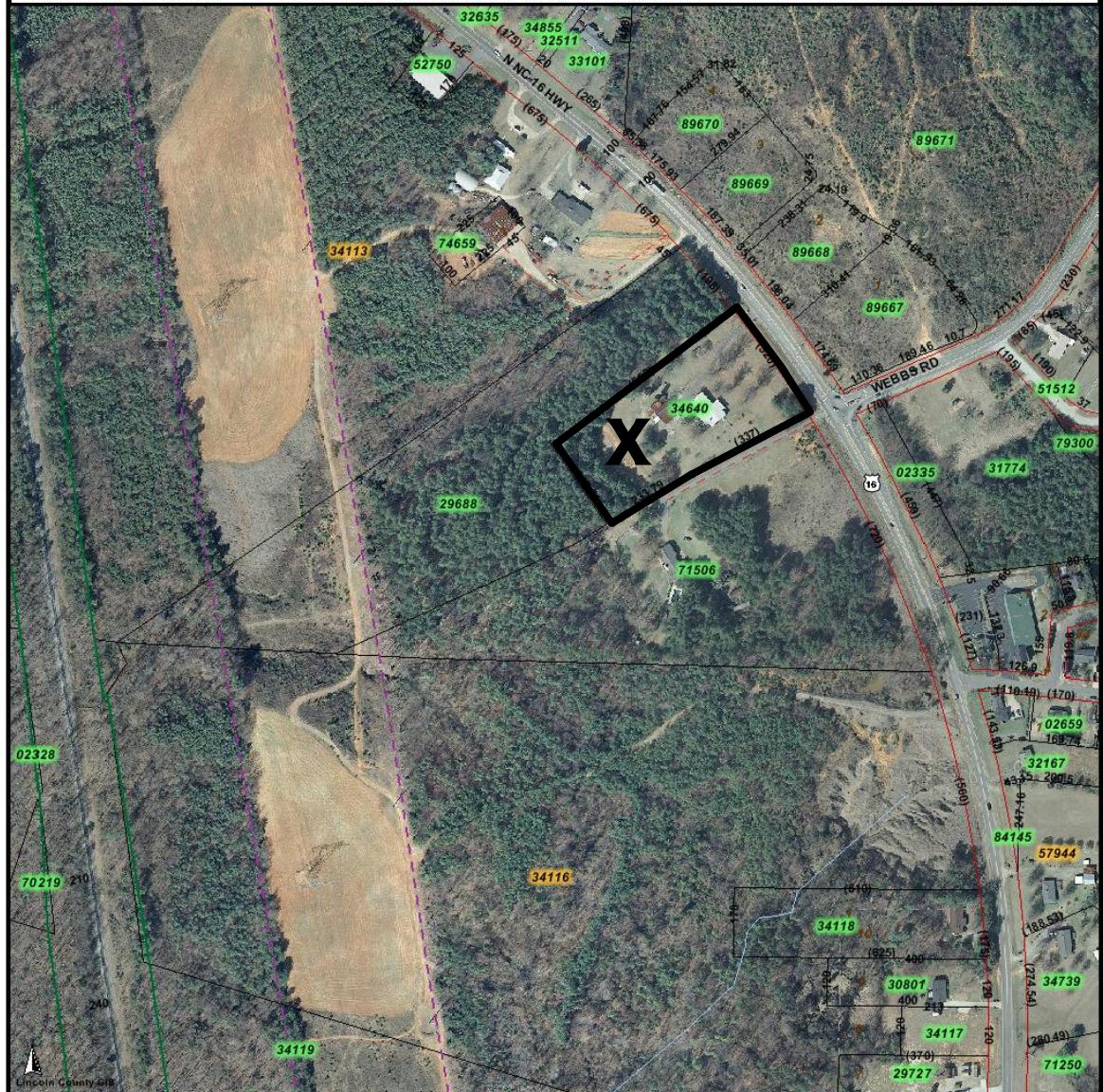
PHOTOS		PARCEL INFORMATION FOR 4604-39-1396					
		Parcel ID	34640	Owner	AUSTIN REAL ESTATE VENTURES LLC		
		Map	4604-06	Mailing Address	701 S LAUREL ST LINCOLNTON NC 28092		
		Account	0212986	Recorded	2/8/2011	Sale Price	0
		Deed	2234-364	Total Value	\$506,075	Previous Parcel	
		Land Value	\$506,075			----- All values are for tax year 2011. -----	
		Description	HOMESITE HWY 16			Deed Acres	3.78
		Address	2861 N NC 16 HWY			Tax Acres	3.6
		Township	CATAWBA SPRINGS			Tax/Fire District	DENVER / EL SEWER
		Improvement			No Improvements		
		Zoning District		Calculated Acres		Calculated Acres	
		B-N		3.61		0.03	
		Watershed Class				3.58	
		Not in a watershed		3.5			
		WS-IVC		0.11			
		2000 Census County					
		37109					
		Flood	Zone Description		Tract	Block	
		X	NO FLOOD HAZARD		071100	2003	3.61
					Panel		
					3710460400		3.61

X = Subject Parcel

Scale: 1 Inch = 400 Feet

LINCOLN COUNTY GIS

Tue Nov 15 14:12:52 EST 2011



County Boundaries	Map Features	Interior Lot Line	Railroads	City of Lincolnton
County Line	Road Easement	Drainage Easement	Public Walkway	ETJ
Township Line	Conflict Line	Utility Easement	Parcels	Town of Maiden
	Major Rivers, Creeks	Right-of-Ways	Private Roads	Lake Norman
	Creeks (cont)	Roads (cont)	City Jurisdictions	2009 Aerial Photography

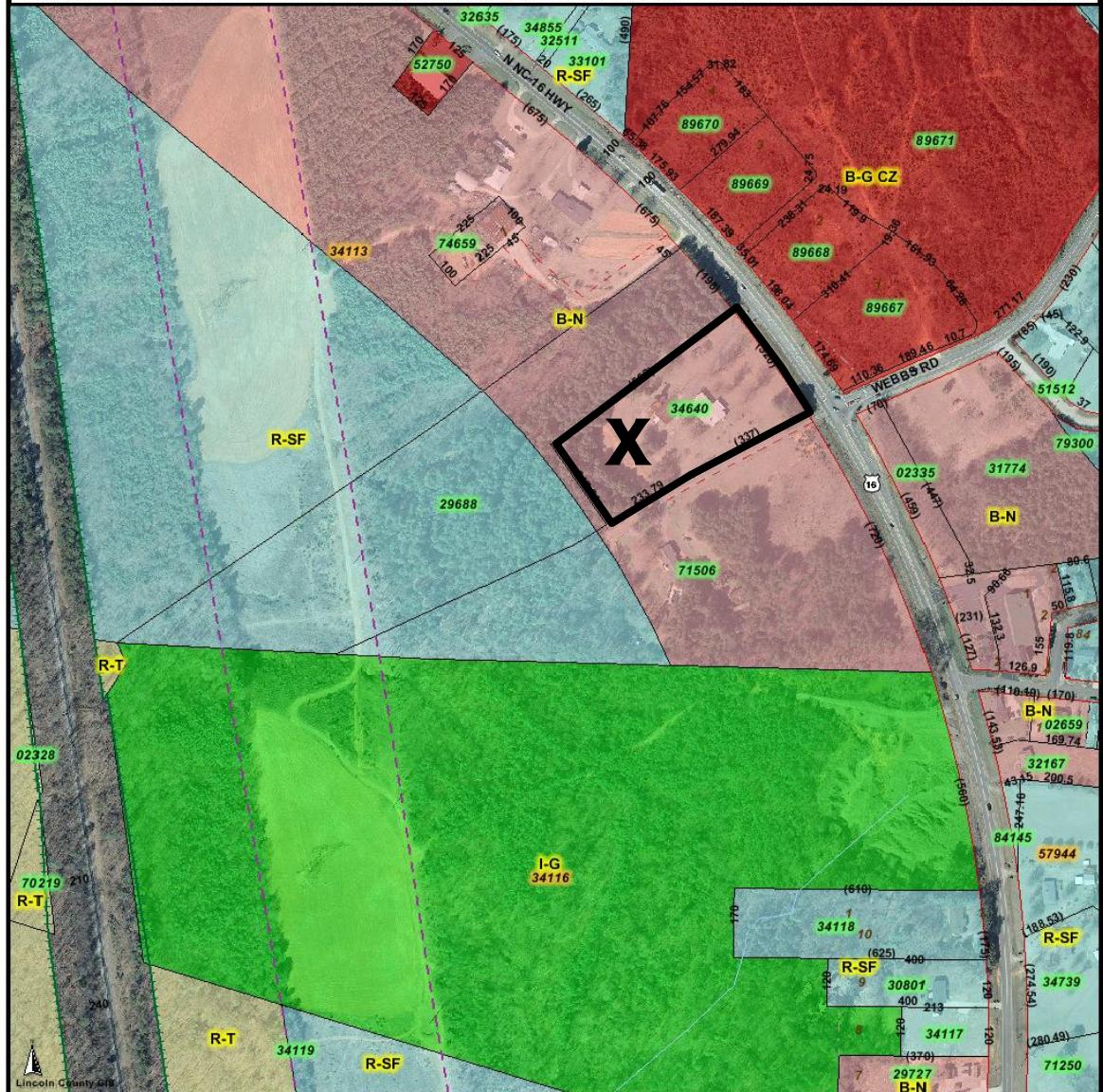
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X=Subject Parcel

Scale: 1 Inch = 400 Feet

LINCOLN COUNTY GIS

Tue Nov 15 14:14:13 EST 2011



County Boundaries	Drainage Easement	ETJ	PD-MU	R-T	R-B
County Line	Utility Easement		PD-R	C-B	RMF
Township Line	Right-of-Ways		P-R	CBT	R-O
Map Features	Roads		R-CR	G-B	O-R
Road Easement	Railroads		R-14	GMC	ROS
Conflict Line	Public Walkway		R-20	R-B	B-C
Major Rivers, Creeks		ELDD	R-MF	R-10	Lake Norman
Creeks		B-G	R-MR	R-S	2009 Aerial Photography
Interior Lot Line (cont)		B-N	P-MU	R-SF	
		I-G	PD-C	(cont)	
		L-I	PD-I		
		P-MU	(cont)		
		PD-C			
		PD-I			
		(cont)			

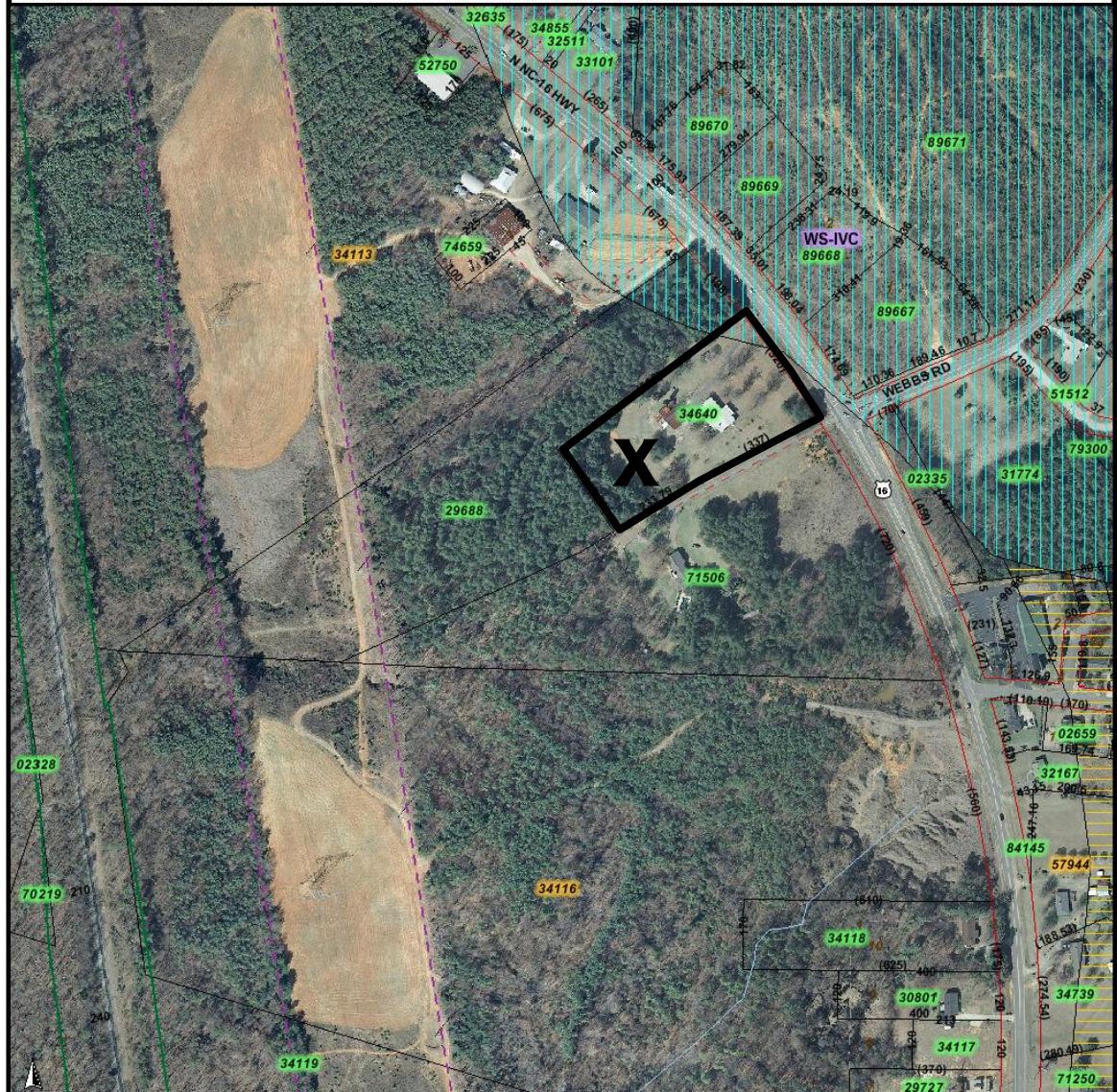
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X = Subject Parcel

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LINCOLN COUNTY GIS

Tue Nov 15 14:17:06 EST 2011



This legend provides a key for symbols used in the Lincoln County map. It is organized into several sections: County Boundaries, Map Features, Roads, Waterways, Land Use, and City Jurisdictions. Each section contains a list of symbols with their corresponding descriptions.

County Boundaries: Road Easement (red line), Conflict Line (blue dashed line), Major Rivers (blue line with arrows), Creeks (blue line with arrows), Township Line (green dashed line), and County Line (green dashed line).

Map Features: Interior Lot Line (green dashed line with arrows), Right-of-Ways (green dashed line with arrows), Roads (red line), and Railroads (red line with arrows).

Roads: County Line (green dashed line with arrows), Township Line (green dashed line with arrows), and Interior Lot Line (green dashed line with arrows).

Waterways: Major Rivers (blue line with arrows), Creeks (blue line with arrows), and Railroads (red line with arrows).

Land Use: Drainage Easement (green line with arrows), Utility Easement (purple line with arrows), Private Roads (grey line), Watersheds (grey line), Not Protected Area (white box), and Parcels (white box).

City Jurisdictions: City of Lincolnton (green box), ETJ (purple box), Town of Maiden (pink box), Lake Norman (blue box), and 2009 Aerial Photography (yellow box).

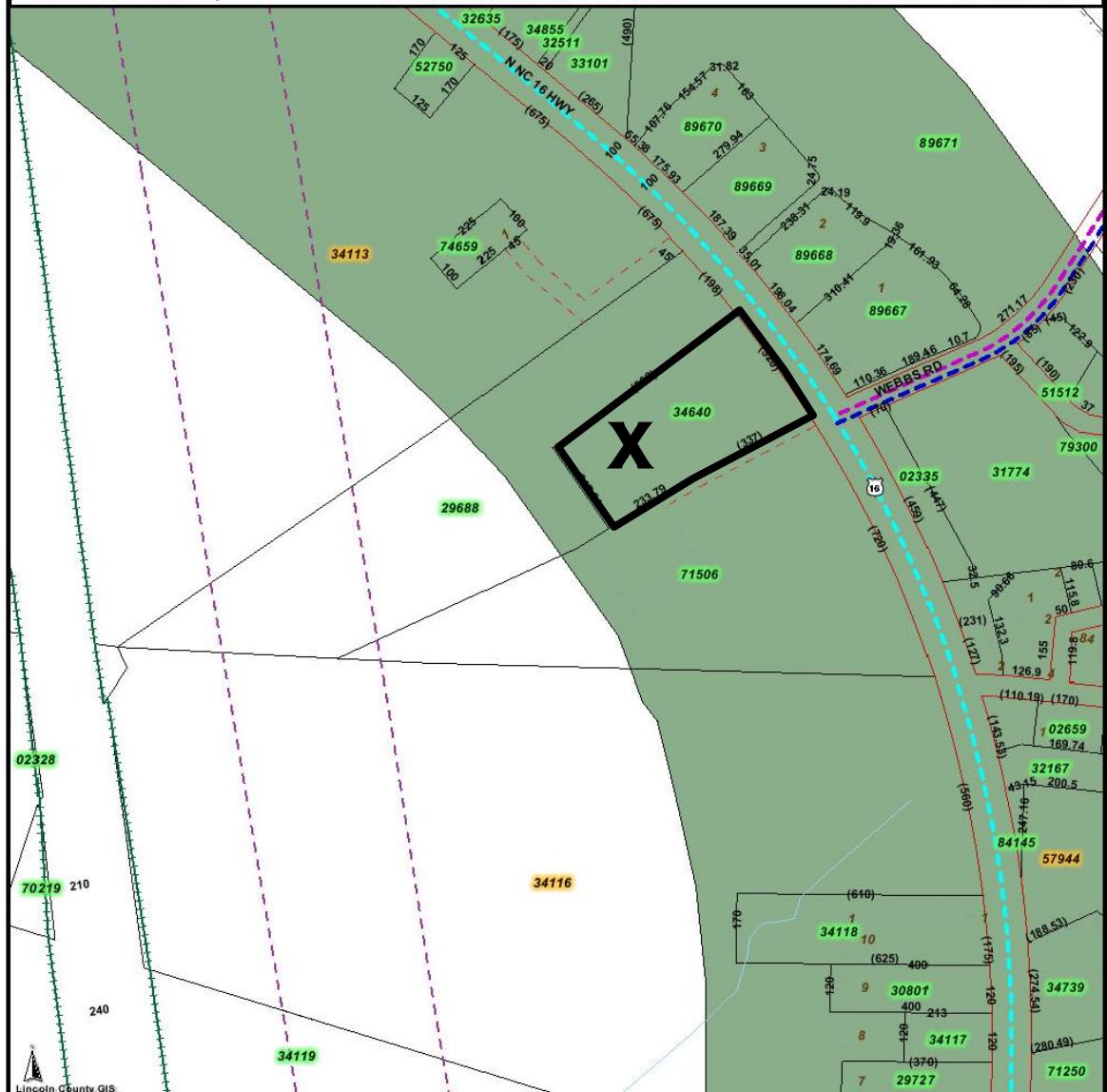
Other: (cont) appears in several sections.

X=Subject Parcel

Scale: 1 Inch = 400 Feet

LINCOLN COUNTY GIS

Tue Nov 15 14:18:23 EST 2011



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