



The Hickory Regional Planning Commission will hold its regular meeting on **Wednesday, April 24, 2024 at 6:00 p.m. in the City Council Chambers of City Hall**. The following will be the agenda for the Regular Meeting:

AGENDA

- Parliamentary Call to Order
- Welcome
- Roll Call
- Items of Correspondence
- City Council Action
- Approval and signing of minutes from the February 28, 2024 meeting.

PRESENTATIONS AND HEARINGS

1. Rezoning Petition 24-05. Rezoning of property owned by Bowman Rentals, LLC located at 2063 Startown Road from R-20 Residential to Medium Density Residential R-2. The subject property is shown in more detail PIN 3721-13-04-3211 on the Catawba County Tax Map.
2. Rezoning Petition 24-06. Rezoning of property owned by Boureau and Creech Properties, LLC located at 3940 River Road from R-20 Residential to Medium Density Residential R-2. The subject property is shown in more detail PIN 3710-09-17-5434 on the Catawba County Tax Map.
3. Rezoning Petition 24-07. Rezoning of property owned by Jonathan and Mary Bonelli located on 5th Ave NW from General Business C-2 to Medium Density Residential R-2. The subject property is shown in more detail PIN 3703-17-02-8192 on the Catawba County Tax Map.
4. Rezoning Petition 24-08. Rezoning of property owned by Donald C Scronce, located at 2010 Startown Road between Short Road and Robinwood Road, from Low Density Residential (R-1) to Regional Commercial (C-3). The subject property is shown in more detail PIN 3721-09-05-4815 on the Catawba County Tax Map.
5. Special Use Permit 24-01. – Request by Jeff Allen, agent for One Eleven Main, LLC, for approval of a Drinking Establishment on property located at 131 Main Ave NE, and further identified as PIN 3702-07-69-5262 on the Catawba County Tax Map.

OTHER BUSINESS

1. **None**

The Hickory Regional Planning Commission does not discriminate on the basis of disability in the provision of its service as charged by the City Council of the City of Hickory. All meetings are held in accessible facilities. Any person with a disability needing special accommodations should contact the Planning Department at telephone number (828) 323-7422 at least 48 hours prior to the scheduled meeting.

Attendance Roster
FY 23-24

Key	A	Absent	AX	Excused		No meeting		No Quorum
	P	Present				Vacant/Not yet appointed		

Hickory Regional Planning Commission

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Appoint	Expire
Catawba County	P	P	P	AX		AX	P	P					Jul-22	Jun-25
Catawba County	P	P	P	P		P	P	P					Jul-21	Jun-24
Burke County													Dec-19	Jun-26
Ward 1	P	P	P	P		P	P	AX					Jul-22	Jun-24
Ward 2	P	P	AX	P		P	P	P					Jul-21	Jun-25
Ward 3	P	P	P	P		P	P	P					Jul-20	Jun-26
Ward 4	P	P	P	P		P	P	P					Jul-21	Jun-24
Ward 5							AX	P					Jul-23	Jun-26
Ward 6	P	P	P	P		AX	P	P					Jul-22	Jun-25

**Hickory Regional Planning Commission
Wednesday, February 28, 2024, 6:00 pm**

A regular meeting of the Hickory Regional Planning Commission (HRPC) was held on Wednesday, February 28, 2024, 6:00 pm, in Council Chambers of the Julian G. Whitener Municipal Bldg.

Members Present: Bill Pekman, Junior Hedrick, Anne Williams, Philip Reed, Robert Lelewski, Steve Mull, and Sam Hunt

Members Excused: Bill McBrayer

Members Absent: none

Others Present: Planning Director Brian Frazier, Planning Manager Cal Overby, City Attorney Tim Swatzel, Deputy City Attorney Arnita Dula, and Minutes Clerk Anne Starnes

Parliamentary Call to Order & Welcome: Bill Pekman, Vice-Chair, called the meeting to order at 6:00 pm.

Roll Call: Planning Director Brian Frazier said a quorum was present, and Bill McBrayer was excused.

New Member Oath of Office: Dr. Pekman welcomed new member Rob Lelewski and thanked him for joining the Commission. Mr. Lelewski introduced himself. He took the oath of office, and was sworn in as a member.

Items of Correspondence: Mr. Frazier said there was one item of correspondence, which City Attorney Tim Swatzel would address with members.

Mr. Swatzel addressed the Special Use Permit coming before Superior Court. They held a hearing on Monday and the Court remanded the matter back down to the Planning Commission, so either a special or a regular meeting will need to be held. The Court mandated it be heard before the end of March, so the Commission will need to re-convene, and it is important that all members be present. At the meeting, the findings of facts from the public hearing held by the Planning Commission will be reduced to writing and then go back up to Superior Court, where it will be reviewed and the Superior Court will determine whether or not the Planning Commission's decision is supported by the record. That is where the matter currently stands. When members receive the meeting notice, they need to be certain they plan to attend the meeting, because everyone needs to be present when the findings of facts are reduced to writing. If the City fails to meet the deadline set by the Court, they will be in violation of the court order.

Dr. Pekman asked Mr. Swatzel whether the Commission's new member would be required to attend the meeting. Mr. Swatzel said he would not. Since he was not present at the hearing, he will not participate in the findings of facts. Dr. Pekman asked to clarify that everyone else needs to attend the meeting, and Mr. Swatzel said that was correct.

There were no further questions for Mr. Swatzel, and Dr. Pekman thanked him.

City Council Action: Since the Planning Commission last met in January, Mr. Frazier said City Council had approved the Karsyn Ridge development on Highway 127 South in Mountain View.

Approval and Signing of Minutes from the January 24, 2024 Meeting: Minutes from the previous meeting in January were distributed to members in advance. No additions, deletions, or corrections to the minutes were stated. Anne Williams moved, seconded by Sam Hunt, to approve the January 24, 2024 minutes as presented. The motion carried unanimously.

Reading of State Ethics Rules: Dr. Pekman read the NC Ethics Rules aloud:

In accordance with the State Government Ethics Act, it is the duty of every member of this board to avoid both conflicts of interest and appearances of conflict. Does any member of this board have any known conflict of interest, or appearance of conflict, with respect to any matters coming before us today? If so, please identify the conflict, or appearance of conflict, and refrain from any undue participation in the particular matter involved.

None of the members present stated a current conflict of interest or asked to be recused from either hearing on the agenda.

PRESENTATIONS & PUBLIC HEARINGS

Dr. Pekman opened the public hearing for Rezoning 24-03.

1. Rezoning Petition 24-03.

Request by Shilpabahen and Pravinkumar Patel for the consideration of rezoning approximately 2.76 acres of property located at the SE corner of 16th Street NE and 29th Avenue Drive NE, including 1630 29th Avenue Drive NE, from R-3 Residential to Neighborhood Commercial. The subject properties are shown as PINs 371419611284 and 371419616084 on the Catawba County Tax Map.

Planning Manager **Cal Overby** presented the staff report and referred to PowerPoint slides. He reviewed **slide #2** (Rezoning Petition 24-03).

- **Property Owners:** Shilpabahen and Pravinkumar Patel
- **Applicant:** Shilpabahen and Pravinkumar Patel
- **Location:** SE corner of 16th Street NE and 29th Avenue Drive NE, including 1630 29th Avenue Drive NE
- **Current Zoning:** R-3 Residential
- **Property Size:** +/- 2.76 acres
- **Background:** The properties are currently zoned R-3. The rezoning request is an indication that the owners desire to use the property non-residential purposes.
- **Request:** Rezone the property Neighborhood Commercial (NC).

Slide #3 (Map 1. Hickory by Choice 2030). Mr. Overby said the property in question was designated as a commercial neighborhood by the City's Comprehensive Plan, surrounded by High Density Residential and Medium Density Residential, in a radial pattern around the intersection.

Slide #4 (Map 2. Current Zoning). Mr. Overby said the property in question was hashed in red on the map, and is currently located in R-3 Residential. He noted the area of NC Neighborhood Commercial adjacent to the property, which is the requested district, and other nearby areas of Residential and a Planned Development where a housing development is currently under construction. He pointed out the former shopping center on 29th Avenue, by the intersection, which is being converted into daycare and school uses, and some ancillary facilities.

Mr. Overby reviewed **slide #5** (Map 3. Aerial Photography), pointing out the nearby State Employees Credit Union and Argyle Place Apartments, medical offices, and a dog daycare business.

Mr. Overby reviewed **slide #6** (Rezoning Petition 24-03).

- According to the HBC 2030 Plan, the area is classified as Neighborhood Mixed Use.

- The Hickory by Choice 2030 Comprehensive Plan states the following about Neighborhood Mixed Use areas: “A typical neighborhood mixed use district would have a **mix of residential, retail and office space**. The key elements for these districts include neighborhood scale commercial establishments such as grocery stores, pharmacies, banks, small scale office buildings, civic or institutional functions, residences, schools, and small parks.”
- The vicinity in which the properties are located **possesses most of these elements**, with the exception of a community park. Additionally, the NC Neighborhood Commercial district is listed as the **implementing district** for the Neighborhood Mixed Use classification.
- A stated goal of the comprehensive plan is to **support a network of mixed-use centers**. These mixed-use centers are intended to be neighborhood scaled where residents have **convenient access to goods and services**. The existing mixed-use center possesses many of these. The quadrants of the intersection of 29th Avenue Drive NE and 16th Street NE contain offices (SECU), eateries (Marco’s Pizza and Pizza Hut), medical offices (Frye Care, Helton Dentistry and a pediatrician), multifamily housing (Argyle Place) an adult care facility (Brookdale Hickory).

Mr. Overby reviewed **slide #7** (Recommended Action).

Recommended Action

- *Staff recommends the following:*
 - The adoption of a statement **affirming the petition’s consistency** with the Hickory by Choice 2030 Comprehensive Plan.
 - The development of the property shall **adhere to the regulations provided** in the Land Development Code and any other applicable standards.
 - Forward a **recommendation of approval** to the Hickory City Council.

Mr. Overby asked for questions from the Commission members.

Dr. Pekman clarified that NCDOT still has plans to widen the road, and Mr. Overby said yes. Dr. Pekman asked if it would affect this project in any way. Mr. Overby said it would affect the area somehow; should there ever be anything constructed on the site, both Planning and DOT would be involved, but to what extent depends on what is constructed.

Mr. Mull said there was originally talk of a roundabout for that intersection, but he now understands there will be turning lanes. Mr. Overby said yes.

There were no additional questions for Mr. Overby, and Dr. Pekman thanked him.

The Staff Report was entered into the record as **Exhibit A**.

Dr. Pekman requested each speaker state their name and address for the record.

PROPOSERS

- **Andrew Loftin**, 200 South Tryon Street, Suite 200, Charlotte NC, addressed Commission members, saying he was the project engineer and was present to address any questions regarding the project. He asked for questions, and there were none.

Dr. Pekman thanked him.

No additional proponents were present.

OPPONENTS

No opponents requested to speak.

Dr. Pekman closed the public hearing. He asked for discussion or questions from members on Rezoning 24-03, or a motion to approve or deny the petition.

Anne Williams moved, seconded by Steve Mull, that the Planning Commission recommends approval of Rezoning Petition 24-03, as the request is recommended by staff and is consistent the Hickory by Choice 2030 Comprehensive Plan. There was no discussion on the motion. By a show of hands, the motion carried unanimously.

Dr. Pekman said the motion had passed, and a recommendation of approval would be forwarded to City Council.

2. Rezoning Petition 24-04.

Request by Piedmont Companies, Inc. for the consideration of rezoning approximately 11.147 acres of property located at 2536 Startown Road owned by Matthew Varney and Ver Yang, from R-20 Residential to R-2 Residential. The subject property is shown as PIN 372119509129 on the Catawba County Tax Map.

Dr. Pekman opened the public hearing for Rezoning 24-04.

Planning Manager **Cal Overby** presented the staff report and referred to PowerPoint slides. He reviewed **slide #9** (Rezoning Petition 24-04).

- Property Owners: Matthew Varney and Ver Yang Varney
- Applicant: Piedmont Companies, Inc.
- Location: 2536 Startown Road
- Current Zoning: R-20 Residential
- Property Size: +/- 11.147 acres
- Background: The properties are currently zoned R-20. The rezoning request follows a request for voluntary annexation.
- Request: Rezone the property R-2 Residential.

He said the property is currently in the process of annexation, and would be considered in mid-March. It is currently zoned Catawba County R-20. If the property is annexed, the owners have requested that it be rezoned to City of Hickory R-2 Residential.

Slide #10 (Map 1. Hickory by Choice 2030). Mr. Overby said the HBC 2030 Future Land Use map shows the property in question as being located between Industrial and High Density Residential. In the original Hickory by Choice Plan, that area was not projected as being Industrial; however, over the years, the Plan has been updated to account for development that has been taking place in that area, including the Trivium Business Park and some other high density residential developments. He noted the areas of Industrial, Medium Density Residential, Neighborhood Mixed Use Core, and Low Density Residential, and said there is potential for additional commercial development in the area going north toward Highway 70.

Slide #11 (Map 2. Current Zoning). Mr. Overby pointed out the subject property, hashed in red. He noted the adjacent Planned Development areas north of the property, which are all within the City, and Industrial areas to the northeast and northwest, saying that all property to the south is zoned Catawba County R-20 Residential, which is a very large zoning district.

Slide #12 (Map 3. Aerial Photography). Mr. Overby noted the property in question was hashed in red. He pointed out Trivium Business Park, a large subdivision under construction, which is nearing completion, the next phase of Trivium, and the Fairgrove Business Park to the northeast.

Mr. Overby reviewed **slide #13** (Development Potential).

- According to the HBC 2030 Plan, the area classified as Medium Density Residential.
- *The Hickory by Choice 2030 Comprehensive Plan states the following about Medium Density Residential areas: "These residential areas are **associated with each neighborhood mixed use area** as well as adjacent high density residential districts and/or higher intensity commercial districts throughout the City. Medium density residential areas will expand the existing housing character in the City, and they will provide a medium density housing option where the **gross density would be approximately two to four units per acre** in established single-family detached areas, and eight to ten units per acre in historically mixed residential areas with higher density.*
- *A land use goal listed in Chapter 3 of the Hickory by Choice 2030 Comprehensive Plan also demonstrate the plan's vision for land use and the requested rezoning. One goal is to provide for uses that complement the surrounding area. The requested district is a residential district, as is the existing district, but the notable difference would be density. The current zoning permits density up to 2 dwellings per acre, while the requested zoning permits 4 dwellings per acre. **While density may be different, the types and forms of uses are very similar.** The requested zoning also serves as somewhat of a **transition between the existing lower density residential areas and the more intense residential and industrial projects to the north.***

Mr. Overby reviewed **slide #14** (Recommended Action).

Recommended Action

- *Staff recommends the following:*
 - The adoption of a statement **affirming the petition's consistency** with the Hickory by Choice 2030 Comprehensive Plan.
 - The development of the property shall **adhere to the regulations provided** in the Land Development Code and any other applicable standards.
 - Forward a **recommendation of approval** to the Hickory City Council.

Mr. Overby asked for questions from Commission members.

Mr. Mull commented that his GPS had taken him to an area currently being developed, and asked if this site was to the south of it. Mr. Overby said yes, the site being developed that Mr. Mull referenced is located directly behind the subject property, and there is a brick ranch house on it. Ms. Williams asked if it is into the residential development, on down the driveway, or road, that is being developed. Mr. Overby said yes, that property is to the north; whether this property will connect to it, he was not sure, saying he doubted it, but it could. The road she noted will have houses built along it.

Regarding the proximity to the business park, Mr. Lelewski said there would be noise from trucks, construction, and other components that could negatively impact the area. He asked Mr. Overby, in his opinion, is the overall impact negative, for the residential area being so close to the business park? Mr. Overby said it definitely has the ability to be negative, because distribution and manufacturing that operates 24-hours per day creates sounds, obviously, so yes. Is there the possibility of it being negative? Yes. The houses will have already been built, and the people who choose to live next to it would likely understand the impacts that Mr. Lelewski is talking about.

There were no additional questions for Mr. Overby, and Dr. Pekman thanked him.

The Staff Report was entered into the record as Exhibit A.

Dr. Pekman said two proponents were signed up to speak. He requested each speaker state their name and address for the record.

PROPOSERS

• **Will Clayton**, 2080 Singer Driver, Hickory NC, addressed Commission members, saying he was the design engineer for the project. He asked if the members had any questions, and there were none.

Dr. Pekman thanked him.

• **Guy Long**, 2671 East Main Street, Lincolnton NC, addressed Commission members, saying he was with Piedmont Companies. They have already done some development in the area and plan to develop more homes on this property, under the R-2 zoning.

Mr. Reed asked the names of some of their other residential developments in Catawba County. Mr. Long said they are currently working on one next door to Trivium Residential, one on Monroe Point on Lake Hickory in the northeast area of Hickory, and one near the golf course in Lenoir. In the past, he has done many developments in the Hickory area, in his previous life years ago. Piedmont Companies is currently working on one in Newton, and one in Lincolnton. In the past, they have done a number of medium size developments.

There were no further questions for Mr. Long, and Dr. Pekman thanked him.

No additional proponents were present.

OPPOSERS

No opposers requested to speak.

Dr. Pekman closed the public hearing. He asked for discussion or questions from members on Rezoning 24-04, or a motion to approve or deny the petition.

Steve Mull moved, seconded by Philip Reed, that the Planning Commission recommends approval of Rezoning Petition 24-04, as it is consistent with the Hickory by Choice 2030 Comprehensive Plan and the recommendation by staff. There was no discussion on the motion. By a show of hands, the motion carried unanimously.

Dr. Pekman said the motion had passed, and a recommendation of approval would be forwarded to City Council. He thanked the proponents for attending.

Other Business: Dr. Pekman asked when staff would know if the regular meeting would be held in March. Mr. Frazier said that, as of today, staff had not received any petitions, and tomorrow is the last day to submit one. He, Mr. Swatzel and Ms. Dula will determine whether they will be holding a special meeting, or will hold it at the regularly scheduled meeting time on Wednesday, March 27.

Dr. Pekman queried the members and asked them if no petitions are received by staff, could they definitely attend a special meeting at 6 pm on Wednesday, March 27. Mr. Swatzel suggested they plan to hold the special meeting earlier in March, just in case someone has an emergency and cannot attend. He expects the meeting will take less than an hour, unless there are revisions to the findings document that he is currently preparing from the previous findings, which members will review at the special meeting.

Dr. Pekman suggested everyone who needs to be present at the special meeting consult their calendars, so a day and time could be chosen tonight. Following discussion, Mr. Frazier suggested they hold the meeting at City Hall on Wednesday, March 20, 1:30 pm, with lunch provided. Dr. Pekman said Mr. Lelewski was welcome to attend the special meeting, but since he was not a member at the time of the hearing, he would not be voting on the matter.

Dr. Pekman asked Mr. Frazier if there was any other business for members, and there was none.

Next Meeting: A special called meeting will be held on Wednesday, March 20, 2024 at 1:30 pm. Members will receive confirmation of the meeting, and be advised of the meeting room.

By this coming Friday, members will be advised if a regular meeting will be held on Wednesday, March 27, 2024 at 6:00 pm.

Adjourn: Sam Hunt moved, seconded by Philip Reed, to adjourn. There being no further business, the meeting adjourned at 6:35 pm.

Bill Pekman, Vice-Chair
Hickory Regional Planning Commission

Anne Starnes, Minutes Clerk
City of Hickory

REZONING ANALYSIS

PETITION: Rezoning 24-05

APPLICANT: City of Hickory

OWNER: Bowman Rentals, LLC

PROPERTY LOCATION: 2063 Startown Road.

PINs: 3721-13-04-3211

WARD: The subject properties, if annexed, would be located in Ward 3 (Councilman Seaver). The parcels are currently in the County's jurisdiction and would be required to be annexed if the rezoning request is approved.

ACREAGE: Approximately 30.80 acres

REQUESTED ACTION: The applicant has submitted a petition requesting to rezone the subject properties from Catawba County's R-20 designation to City Planned Development (PD).

The requested Planned Development is proposed to be residential in nature. The development on the newly acquired parcels would consist of 375 residential units consisting of 75 townhomes and 300 apartments.

DEVELOPMENT POTENTIAL: The current residential (R-20) zoning assigned to the property allows for primarily residential uses. As currently zoned, the subject properties could theoretically yield up to 62 dwelling units. It should be understood these numbers are a theoretical maximum, and other regulatory requirements for building setbacks, parking, buffering, natural features, and similar items could substantially decrease this maximum intensity. It should also be noted that the R-20 zoning district has a maximum height limitation of 45 feet, therefore any new structures could not exceed three (3) stories.

BACKGROUND: The applicant has submitted a petition requesting the properties be rezoned to Planned Development (PD). The master plans, and supplemental documentation, provided as part of the petition depicts the development as being single and multi-family in nature.

The plans depict the properties as consisting of twelve (12) residential apartment buildings, which contain 300 dwelling units with 75 townhome units. Calculations would put density at roughly 12.17 units per acre when considered with the entire project density. Hickory's Land Development Code (Section 5.1) permits multi-family planned developments at a maximum density of 20 units per acre. The development proposed would be approximately half of what would normally be permissible.

REVIEW CRITERIA: In reviewing and making recommendations on proposed zoning map amendments, review bodies shall consider the following factors:

1. Consistency of the proposed zoning with the *Hickory Comprehensive Land Use and Transportation Plan* and the stated Purpose and Intent of this Land Development Code **(Please refer to Map 1 for more detail);**

The vicinity in which the subject properties are located is classified as both high density residential and commercial by the Hickory by Choice 2030 Comprehensive Plan. The high density residential and commercial future land use classification is discussed on pages 24-26 of the comprehensive plan. In summary, these classifications consist of areas found to be suitable for varied levels of residential development.

Within the Goals and Policies section of Chapter 3 of the comprehensive plan a number of goals and policies are provided that address development. A brief explanation of the goals, and how the development proposal fits in with the goals is provided below.

- Goal 1 discusses the expectation new development will "fit in". The subject properties are located within an area that have transitioned from a historically rural environment to a more urban environment. When Catawba Valley Boulevard was completed in the 1990s the development pattern in the area changed dramatically. Its completion brought about a number of commercial and residential developments to northwest. Both Trivium Corporate Center and Catawba Valley Community College (CVCC), and their recent growth, has also played into the urbanization of the area. CVCC has expanded and added new buildings to its campus, and Trivium Corporate Center is now operational and adding more development.*
- Goal 2 indicates neighborhoods should be designed to provide pedestrian access to daily services. The development proposal provides for internal amenities (retail / service areas) that work towards achieving this goal. In addition, the proposed development is within a short distance of larger shopping areas along Catawba Valley Boulevard and U.S. 70. While walking to these areas may not be ideal, their close proximity would reduce cross-town commutes for goods and services. An additional consideration would be the availability of housing for faculty and staff of Catawba Valley Community College, which is directly across Startown Rd from the subject properties.*
- Goal 3 references the need to provide balance between development and open spaces. The development proposal shows 43%, or approximately 13 acres, of the development's total area as being set aside as open space. Much of this open space is located in the center of the project site, and could be utilized by residents as areas for passive recreation, as well as a habitat area for plants and animals.*
- Goal 4 discusses the locations of industrial uses. Being the development is absent of industrial uses, this goal would not pertain to the development proposal.*
- Goal 5 is very similar to Goal 2, but goes further in outlining the need to promote mixed use areas that provide convenient access to amenities and employment areas. As previously outlined the location of the subject properties provide access to amenities (retail and services), as well as close proximity to employment areas.*
- Goal 6 relates to citizen participation in planning. With the project falling under the Planned Development process, which requires notices and hearing; the public will be afforded the opportunity to provide input regarding the proposal.*

In evaluating the development proposal with the goals outlined within the Hickory by Choice 2030 Plan staff feels the request is consistent with the comprehensive plan.

Section 1.7 of the Hickory Land Development Code contains its Stated Purpose and Intent. This section contains five (5) specific items which the Land Development Code is intended to uphold. These are as follows:

- Implement the Hickory by Choice 2030 Comprehensive Plan;

The applicant has provided a planned development master plan for the subject properties. The plan and its consistency with the comprehensive plan were discussed on this report's prior pages, and was found to be consistent with the comprehensive plan.

- Preserve and protect land, air, water and environmental resources and property values;

Any and all improvements that are to take place on the properties will be required to follow all applicable development regulations.

- Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resource and governmental expenditures;

The subject properties are located directly off Startown, which is a major thoroughfare is the southeastern part of Hickory. The portion of the corridor that lies within Hickory is largely urbanized and commercial in nature. Public utilities (water and sewer) are also located long Startown Rd, but will need to be extended to serve the proposed development. Any future development that occurs on the properties will be evaluated as to what impacts, if any, will be placed upon nearby public infrastructure. The owner and/or developer of the properties will be required to cover any financial costs needed for any required infrastructure improvements identified through the evaluation process.

- Regulate the type and intensity of development; and

This Hickory Land Development Code regulates the type and intensity of development that is located on the subject properties. If the request is approved, the planned development master plan submitted as part of the petition will serve as the document that guides development on the properties. Additionally, construction plans for the properties, once received, will be reviewed in light of the regulations contained within the Hickory Land Development Code.

- Ensure protection from fire, flood and other dangers.

Any future development occurring on the subject properties will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided for the patrons of the subject properties, as well as the residents of the surrounding area.

2. Existing land uses within the general vicinity of the subject properties (**Please refer to Map 2 for more detail**):

North: *The properties to the north are occupied by a medical office, community college (CVCC), single-family residences and open space;*

South: *The properties to the south are single family residences;*

East: *The properties to the east are occupied by single-family residences; and*

West: *The properties to the west are occupied by multi-family residences (Preston Ridge).*

3. The zoning classification of property within the general vicinity of the subject properties (**Please refer to Map 3 for more detail**):

North: *The properties to the north are zoned Office and Institutional (OI);*

South: *The properties to the south are zoned R-20 Residential by Catawba County;*

East: *The properties to the east are zoned R-20 Residential by Catawba County; and*

West: *The properties to the west are Planned Development and R-20 Residential by Catawba County.*

4. The suitability of the subject properties for the uses permitted under the existing and proposed zoning classification:

The current residential (R-20) zoning assigned to the property allow for primarily residential uses. The proposed PD development would utilize residential uses.

5. The extent to which zoning will detrimentally affect property within the general vicinity of the subject properties:

Any rezoning has the potential to detrimentally impact properties in the general vicinity. Through proper site planning, buffering, and screening, as required by the City's Land Development Code, any real or perceived detrimental impacts could be mitigated to maximum extent practical.

6. The extent to which the proposed amendment (zoning map) will cause public services including roadways, storm water management, water and sewer, fire and police protection to fall below acceptable levels.

With regards to sanitary sewer, the developer has already extended the existing line located on Startown Road to serve the property this project would be adjoining. This extension necessitated the installation of a new pump station, all of which were the responsibility of the developer.

Both Startown Road and Robinwood Road are operated and maintained by the NCDOT. Any improvements required by NCDOT will be required to be put in place during the construction, or its phases(s).

7. The proposed amendment (zoning map) will protect the public health, safety, and general welfare.

The properties in question are located within an area where the City's comprehensive plan anticipates as being more urbanized and mixed use in nature. Any future development that occurs of the subject properties will be guided by the planned development master plan. Additionally all development activities on the subject properties will required to be adhere to regulations related to zoning, building and fire code, traffic, stormwater, etc.; which will work in conjunction with one another to ensure the health and safety of residents and visitors are properly protected.

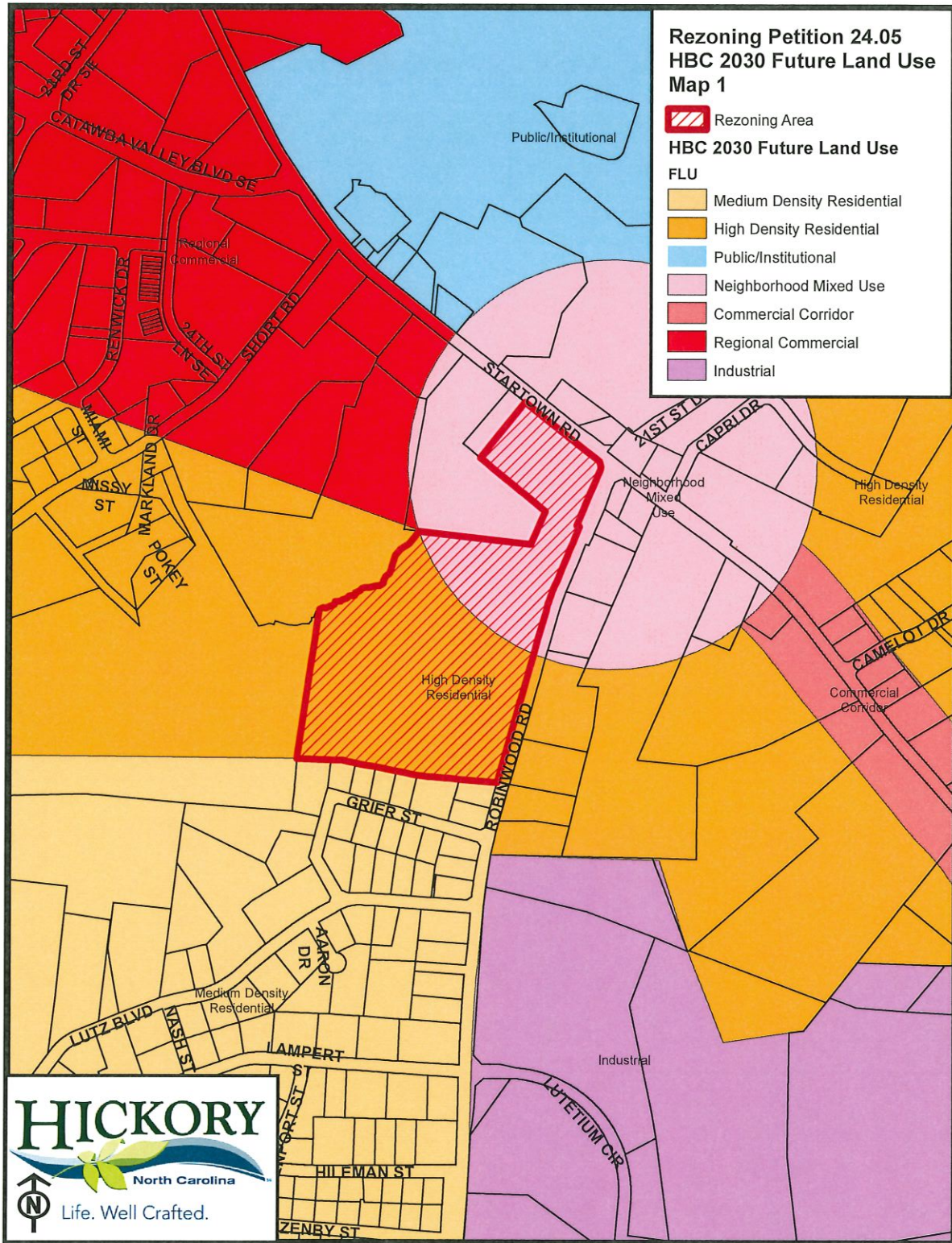
RECOMMENDED ACTION:

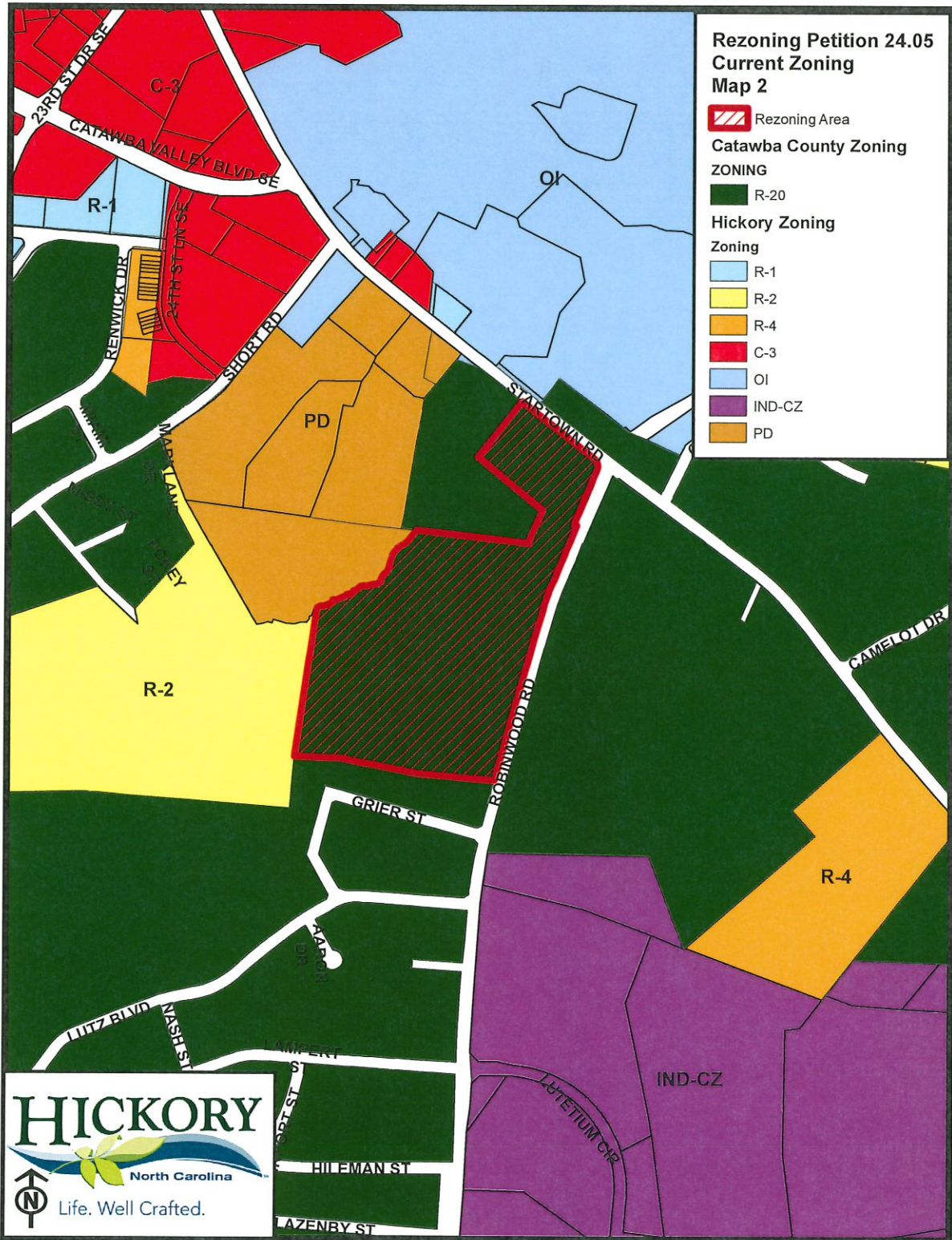
Staff finds Rezoning Petition 24-05 to be **consistent** with the Hickory by Choice 2030 Comprehensive Plan, and recommends the following:

1. The Hickory Regional Planning Commission adopt a statement affirming the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan; and
2. Forward a recommendation of approval to the Hickory City Council.

CITIZEN INPUT:

Staff has received no inquiries regarding this rezoning petition as of April 4, 2024.









REZONING ANALYSIS

PETITION: 24-06

APPLICANT: Boureanu and Creech Properties, LLC

OWNERS: Boureanu and Creech Properties, LLC

PROPERTY LOCATION: 3940 River Road

PIN: 3710-09-17-5434

WARD: Upon annexation, this property will be located in Ward 4 (Councilman Freeman).

ACREAGE: 47.53 acres

REQUESTED ACTION: Rezone the property from Catawba County R-20 Residential to Medium Density Residential (R-2).

BACKGROUND: The property is vacant and zoned R-20 Residential by Catawba County. The property is in the process of being annexed, and the owners have requested the property be rezoned to Medium Density Residential (R-2) upon completion.

DEVELOPMENT POTENTIAL: The 47.53-acre property is zoned R-20 Residential by Catawba County. This district permits residential uses (single and two family) at maximum density of 2 dwelling units per acre, which could potentially produce up to 95 new dwelling units.

The potential development would consist of up to 99 single-family detached dwellings, which calculates to be 2.07 units per acre.

REVIEW CRITERIA: In reviewing and making recommendations on proposed zoning map amendments, review bodies shall consider the following factors:

1. Consistency of the proposed zoning with the *Hickory Comprehensive Land Use and Transportation Plan (Hickory by Choice 2030)* and the stated Purpose and Intent of this Land Development Code;

The general area is classified as Low Density Residential by the Hickory by Choice 2030 Comprehensive Plan. (Note: The Hickory by Choice 2030 Comprehensive Plan's Future Land Use map does not contain parcel line data, as the general boundaries of the land use categories are not concrete.) (Please refer to Map 1 for detail).

The Hickory by Choice 2030 Comprehensive Plan states the following about Low Density Residential areas: "This land use category is intended to provide an area of transition between higher density housing in Hickory and the surrounding rural areas by offering development at two to four units per acre." (HBC 2030, Pg. 25). The comprehensive plan also indicates a density of 2 to 4 dwelling units per acre is appropriate for the Low-Density Residential classification.

Given these factors, the rezoning of the property to Medium Density (R-2) should be considered consistent with the findings and recommendations of the Hickory by Choice (2030) Comprehensive Plan.

Section 1.7 of the Hickory Land Development Code contains its Stated Purpose and Intent. This section contains five (5) specific items which the Land Development Code is intended to uphold. These are as follows:

- Implement the Hickory by Choice 2030 Comprehensive Plan.

The area under consideration for rezoning is indicated by the Hickory by Choice 2030 Comprehensive Plan as a residential area with development density from 2 to 4 dwelling units per acre. The development as proposed meets both the use types and densities outlined within the comprehensive plan.

- Preserve and protect land, air, water and environmental resources and property values.

All improvements that are to take place on the property will be mandated to follow all applicable development regulations.

- Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resource and governmental expenditures.

The subject property has access to a NCDOT maintained roadway (River Road / SR 1144), as well as public utilities. The property owner / developer will be responsible for any necessary extensions needed for services. The land-use pattern of the area, with the inclusion of the subject property, represents an efficient use of public services, and the wise use of public funding.

- Regulate the type and intensity of development; and

The current land use pattern of the larger area consists largely of residential uses, with the exception of the adjacent city-owned wastewater treatment plant (Henry Fork WWTP). The predominant development pattern will continue under the proposed Conditional District, as residences will be the sole land use within the development. The potential future use of the property is best suited to further the existing development pattern of the area. Public resources to provide critical public services are in place or will be provided by the property owner / developer to service the development. These include public utilities and transportation infrastructure.

- Ensure protection from fire, flood and other dangers.

The subject property will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided to ensure surrounding residents, and property are properly protected as prescribed by law.

2. Existing land uses within the general vicinity of the subject property (**Please refer to Maps below for more detail**):

- **North:** The property is zoned Low Density Residential (R-1) and occupied by a wastewater treatment plant.
- **South:** The properties are zoned R-20 Residential and occupied by single-family residences or used as farmland.
- **East:** The properties are zoned R-20 Residential and are vacant.
- **West:** The property is zoned R-20 Residential and occupied by single-family residences or vacant.

3. The suitability of the subject properties for the uses permitted under the existing and proposed zoning classification:

The current zoning and use of the larger area is predominately residential and agricultural. The current district permits residential as its primary use. The requested R-2 zoning is proposed to consist entirely of new residential dwellings.

4. The extent to which zoning will detrimentally affect properties within the general vicinity of the subject property:

Given the similarity of the current and requested districts, conflicts in use types would not be anticipated, nor expected to cause detrimental impacts on the surrounding area.

5. The extent to which the proposed amendment (zoning map) will cause public services including roadways, storm water management, water and sewer, fire, and police protection to fall below acceptable levels.

Public resources to provide critical public services are in place or will be put in place by the property owner / developer to serve the development. These include public utilities transportation infrastructure, as well as police and fire protection.

6. The proposed amendment (zoning map) will protect public health, safety, and general welfare.

Any future development that occurs of the subject property as the result of the zoning map amendment, will be required to be adhere to regulations related to zoning, building and fire code, traffic, stormwater, etc.; which will work in conjunction with one another to ensure the health and safety of residents and visitors are properly protected.

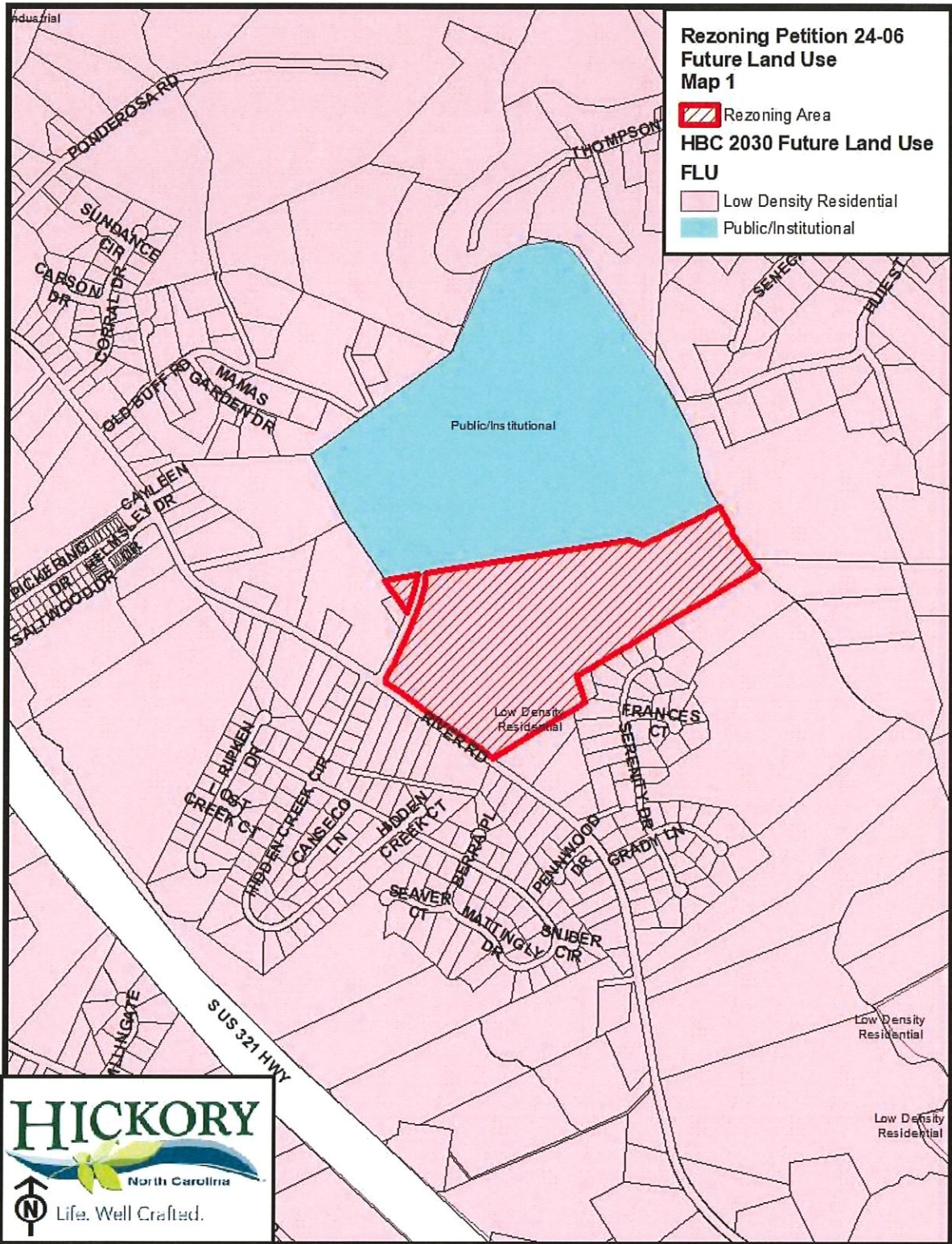
RECOMMENDED ACTION:

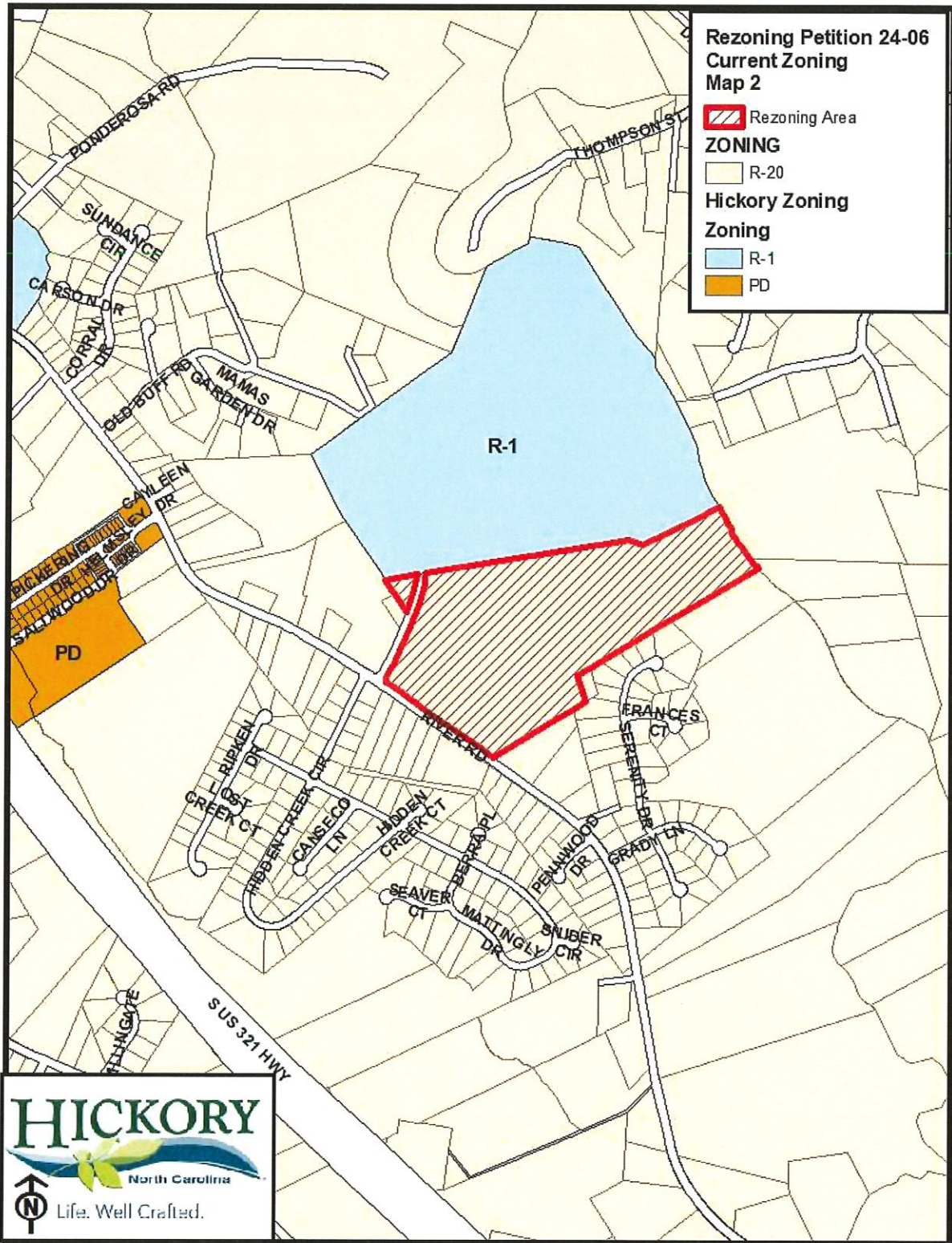
Staff finds Rezoning Petition 24-06 to be **consistent** with the Hickory by Choice 2030 Comprehensive Plan, and recommends the following:

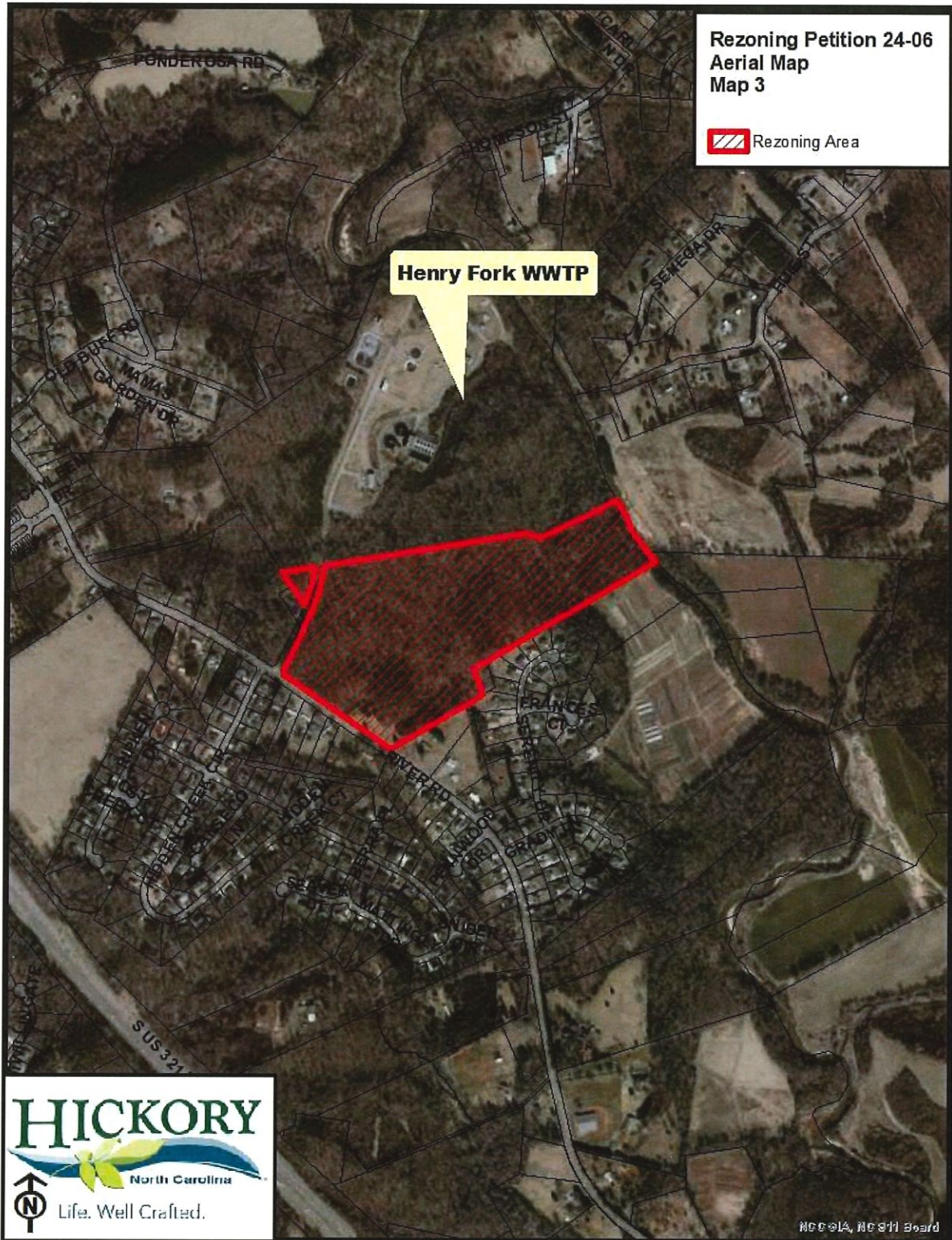
1. The Hickory Regional Planning Commission adopt a statement affirming the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan; and
2. Forward a recommendation of approval to the Hickory City Council.

CITIZEN INPUT:

As of April 17, 2024, staff has received no inquiries regarding this petition.







**CITY OF HICKORY
APPLICATION FOR REZONING (NON PD OR CZ)**

DATE SUBMITTED: 3-25-2024

TO THE PLANNING COMMISSION AND THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA:

I (We), the undersigned, do hereby respectfully make application and petition to amend the Zoning Map of the City of Hickory, as hereinafter requested, and in support of this application, the following facts are shown of the application and all required materials):

1. The property proposed to be rezoned is located on 5th avenue NW
between 10th Street PI NW and 3rd Avenue Dr NW.

PIN NO. (S): PARCEL I.D. 370317028192

Physical (Street) Address: Not assigned Lot 2 26 PL 9-81

2. The property is owned by: (please print) Jonathan and Mary P. Bonelli

(Attach a copy of the most recent deed, contract for purchase or other legal interest demonstrating an interest in the property.)

Owner Information:

Name: Jonathan and Mary P. Bonelli

Address: 513 10th Street PI NW

Phone Number: 704-562-5878

Email Address: mbonelli555@gmail.com

3. The petition is submitted by: Jonathan and Mary P. Bonelli

(If the Petition is submitted by someone other than the owner, a letter from the owner(s) authorizing the agent to act on his or her behalf must be submitted with the application. This authorization must be signed and notarized by all owners having an interest in the subject property.)

Agent Information:

Name: _____

Address: _____

Phone Number: _____

4. It is desired and requested that the foregoing property be REZONED:

FROM: C2 TO: R2

5. Please list the current use(s) of the property: Unimproved vacant land

5. **OWNER'S AFFIDAVIT**

We, the undersigned owner(s), hereby certify that the information contained herein and submitted in support of this application is true and correct.

Mary P. Bonelli
Printed Name of Owner

Mary P. Bonelli
Signature of Owner

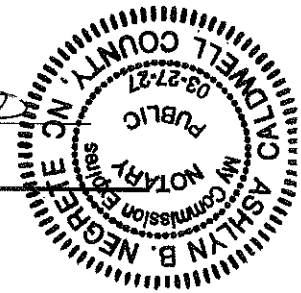
(Please choose the appropriate notary block)

State of North Carolina – County of Catawba

I, the undersigned Notary Public of the County and State aforesaid, certify that Mary P. Bonelli personally appeared before me this day and acknowledged the due execution of this foregoing instrument for the purposes expressed herein. Witness my hand and Notarial stamp or seal, this 25th day of March, 2024.

My Commission Expires: 03/27/2027

Ashlyn B. Negrete
Notary Public



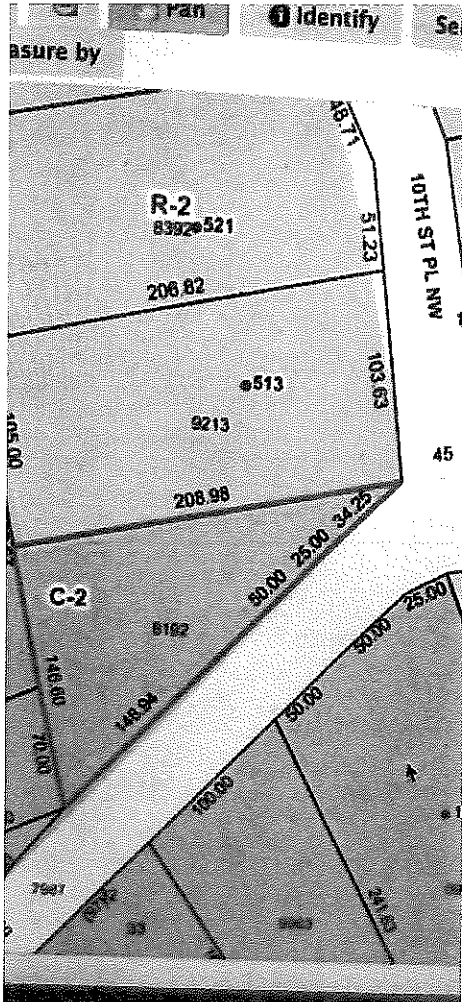
State of North Carolina – County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged the he / she is the _____ of _____ corporation / limited liability corporation / general partnership / limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity he /she signed the foregoing instrument in its mane on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

This Application must be submitted to the Planning Department by 5:00 p.m. on the last regular working day of the month preceding the meeting at which it is to be considered by the Planning Commission. Only complete applications will be accepted.



REZONING ANALYSIS

PETITION: 24-07

APPLICANT: Jonathan and Mary P. Bonelli

OWNERS: Jonathan and Mary P. Bonelli

PROPERTY LOCATION: 5th Avenue NW (Address Not Assigned, Lot 2 2G PL 9-81)

PIN: 370317028192

WARD: The property is located in Ward 5 (Councilman Zagaroli).

ACREAGE: 0.35 acres.

REQUESTED ACTION: Rezone the property from City of Hickory C-2 General Business to City of Hickory R-2 Residential.

BACKGROUND: The property is currently zoned C-2 General Business by the City of Hickory. The property owner requests that it be rezoned to R-2 Residential to accommodate further single family residential uses.

DEVELOPMENT POTENTIAL: The property is currently unoccupied, unimproved vacant land totaling 0.35 acres. The property is C-2, which does permit some residential uses such as single family detached residences, accessory dwellings, duplexes, multi-family structures, and upper story residential, but does not permit single family detached residences.

The owners have requested the property be rezoned to R-2 Residential. This residential district permits a maximum density of 4 dwelling units per acre, and would allow for a single family detached residence to be built, keeping with the medium density future land use.

REVIEW CRITERIA: In reviewing and making recommendations on proposed zoning map amendments, review bodies shall consider the following factors:

1. Consistency of the proposed zoning with the *Hickory Comprehensive Land Use and Transportation Plan (Hickory by Choice 2030)* and the stated Purpose and Intent of this Land Development Code;

The general area is classified as Medium Density Residential by the Hickory by Choice 2030 Comprehensive Plan. (Note: The Hickory by Choice 2030 Comprehensive Plan's Future Land Use map does not contain parcel line data, as the general boundaries of the land use categories are not concrete.) (Please refer to Map 1 for detail).

The Hickory by Choice 2030 Comprehensive Plan states the following about Medium Density Residential areas: "Medium density residential areas make up a large portion of the City north of I-40, as well as smaller areas in the southeastern part of town. These residential areas are associated with each neighborhood mixed use area as well as adjacent high density residential districts and/or higher intensity commercial districts throughout the City. Medium density residential areas will expand the existing housing character in the City, and they will provide a medium density housing option where the gross density would be approximately two to four units per acre in established single-family detached areas, and eight to ten units per acre in historically mixed residential areas with higher density. Although the housing density would be less than the high-density

residential areas, pedestrian and vehicular circulation strategies employed here will continue the pattern of connectivity from the more intensely developed areas. Most of the land in this land use category is in areas where natural constraints are fewer. Conservation subdivision principles should be used to conserve flood plains, wetlands, and minimize storm water runoff in watershed protection areas. The use of conservation design principles should look beyond individual subdivisions in the medium density residential area and identify opportunities for connecting to open space in other areas of Hickory” (HBC 2030, Pg. 25).

A land use goal listed in Chapter 3 of the Hickory by Choice 2030 Comprehensive Plan also demonstrates the plan’s vision for land use and the requested rezoning. One goal is to provide for uses that complement the surrounding area. The requested district is a residential district, as is the existing district, but the notable difference would be the type of residence allowed. The current zoning permits for some residential uses, but those permitted as the zoning stands do not align well with the future use for the area. In rezoning to the requested district, it would allow for single family uses that more align with the medium density residential and revitalization area of the HBC 2030 future land use plan.

Given these factors, the rezoning of the properties to R-2 Residential should be considered consistent with the findings and recommendations of the Hickory by Choice (2030) Comprehensive Plan.

Section 1.7 of the Hickory Land Development Code contains its Stated Purpose and Intent. This section contains five (5) specific items which the Land Development Code is intended to uphold. These are as follows:

- Implement the Hickory by Choice 2030 Comprehensive Plan.

The property is located in an area identified by the Hickory by Choice 2030 Comprehensive Plan as a medium density residential area that provides opportunities for residential development. Furthermore, a portion of the property is shown to be within the revitalization area set out in the Hickory by Choice 2030 Comprehensive Plan. Additionally, R-2 Residential zoning is listed by the comprehensive plan as an implementing district for medium density residential areas.

- Preserve and protect land, air, water and environmental resources and property values.

The development regulations contained within the Hickory Land Development Code, coupled with regulations from the state and federal government, will work with one another to mitigate detrimental impacts to the extent allowed by law.

- Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resource and governmental expenditures.

The subject property has access to City maintained roads on 5th Avenue NW, and 10th St PI NW, as well as a NCDOT maintained roadway, 3rd Avenue Dr NW (Old Lenoir Rd). Public utilities are also available. The property owner will be responsible for any necessary extensions needed for services, as well as any required transportation improvements. The land-use pattern of the area, with the inclusion of the subject property, represents an efficient use of public services, and the wise use of public funding.

- Regulate the type and intensity of development; and

The current land use pattern of the larger area is predominately residential in nature. The exception to this is the commercial buildings that follow 3rd Avenue Dr NW (Old Lenoir Rd) to its south. Any future residential use of the property is best suited to further the existing development pattern of the area. Public resources to provide critical public services are in place or will be provided by the property owner / developer to service any future development. These include public utilities and transportation infrastructure.

- Ensure protection from fire, flood and other dangers.

The subject property will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided to ensure surrounding residents, and property are properly protected as prescribed by law.

2. Existing land uses within the general vicinity of the subject property (**Please refer to Maps below for more detail**):

- **North**: The property is zoned R-2 Residential and has a single family residence.
- **South**: The properties are zoned C-2 General Business, one is occupied and the others are vacant.
- **East**: The properties are zoned R-2 Residential and have single family homes.
- **West**: The properties are zoned C-2 General Business and are vacant.

3. The suitability of the subject properties for the uses permitted under the existing and proposed zoning classification:

The current zoning and use of the larger area is predominantly residential, with the exception of businesses along 3rd Avenue Dr NW (Old Lenoir Rd). The current district permits residential, but does not fully permit all types of residential uses, which is promoted by the city's comprehensive plan. The requested district would allow for a single family development that matches the medium density residential guidelines set forth in the comprehensive plan.

4. The extent to which zoning will detrimentally affect properties within the general vicinity of the subject property:

Most of the area surrounding the subject property is residential, and the requested district is residential. Being the requested district is residential in nature, if ever developed, such development would add additional residences to the area.

5. The extent to which the proposed amendment (zoning map) will cause public services including roadways, storm water management, water and sewer, fire, and police protection to fall below acceptable levels.

Public resources to provide critical public services are in place or will be put in place by the property owner should development occur. These include public utilities, transportation infrastructure, as well as police and fire protection.

6. The proposed amendment (zoning map) will protect public health, safety, and general welfare.

Any future development that occurs of the subject property as the result of the zoning map amendment, will be required to be adhere to regulations related to zoning, building and fire code, traffic, stormwater, etc.; which will work in conjunction with one another to ensure the health and safety of residents and visitors are properly protected.

RECOMMENDED ACTION:

Staff finds Rezoning Petition 24-07 to be **consistent** with the Hickory by Choice 2030 Comprehensive Plan, and recommends the following:

1. The Hickory Regional Planning Commission adopt a statement affirming the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan; and
2. Forward a recommendation of approval to the Hickory City Council.

CITIZEN INPUT:

As of April 10, 2024, staff has received no inquiries regarding this petition.

**Rezoning Petition 24-07
Map 1. Hickory by Choice 2030**

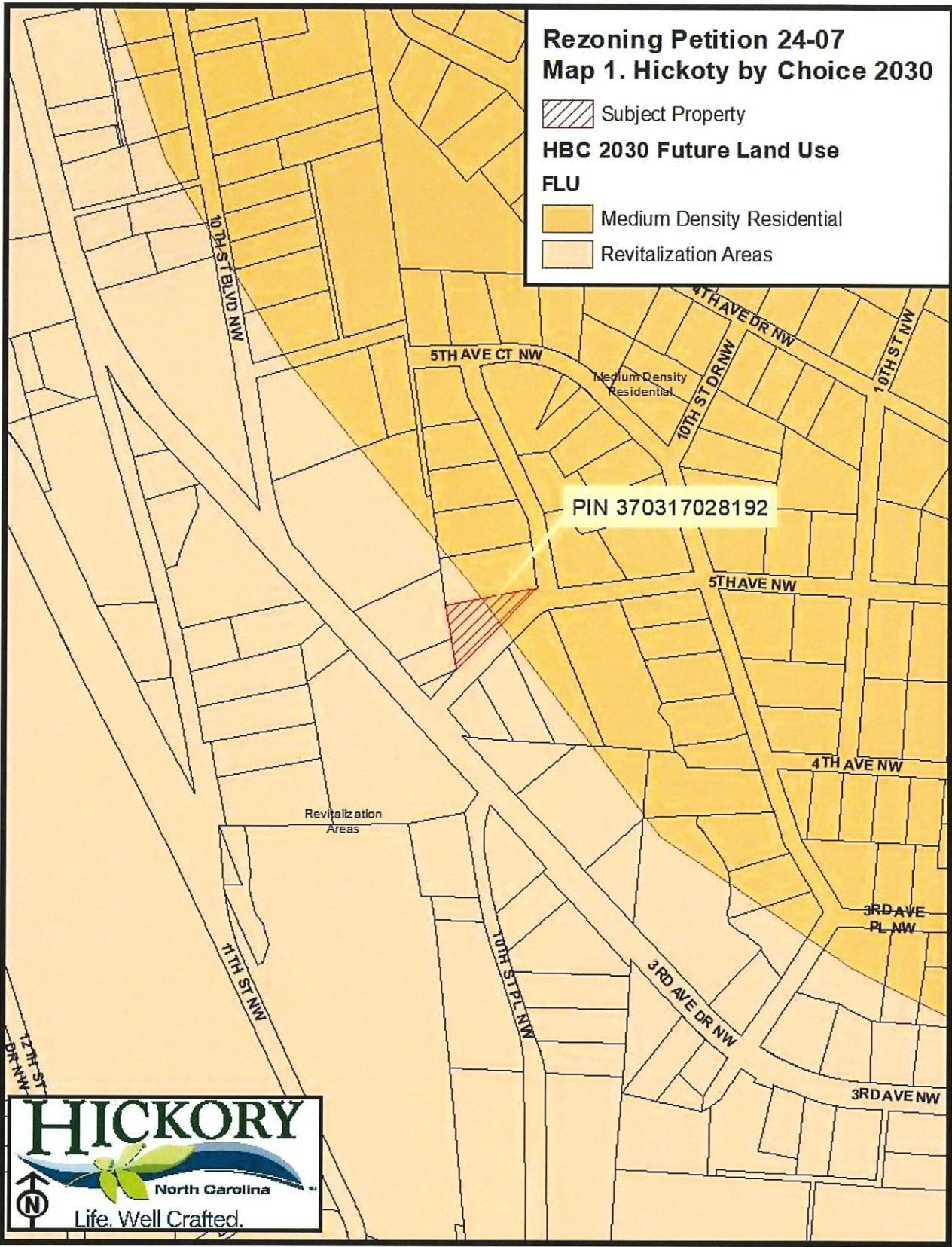
 Subject Property

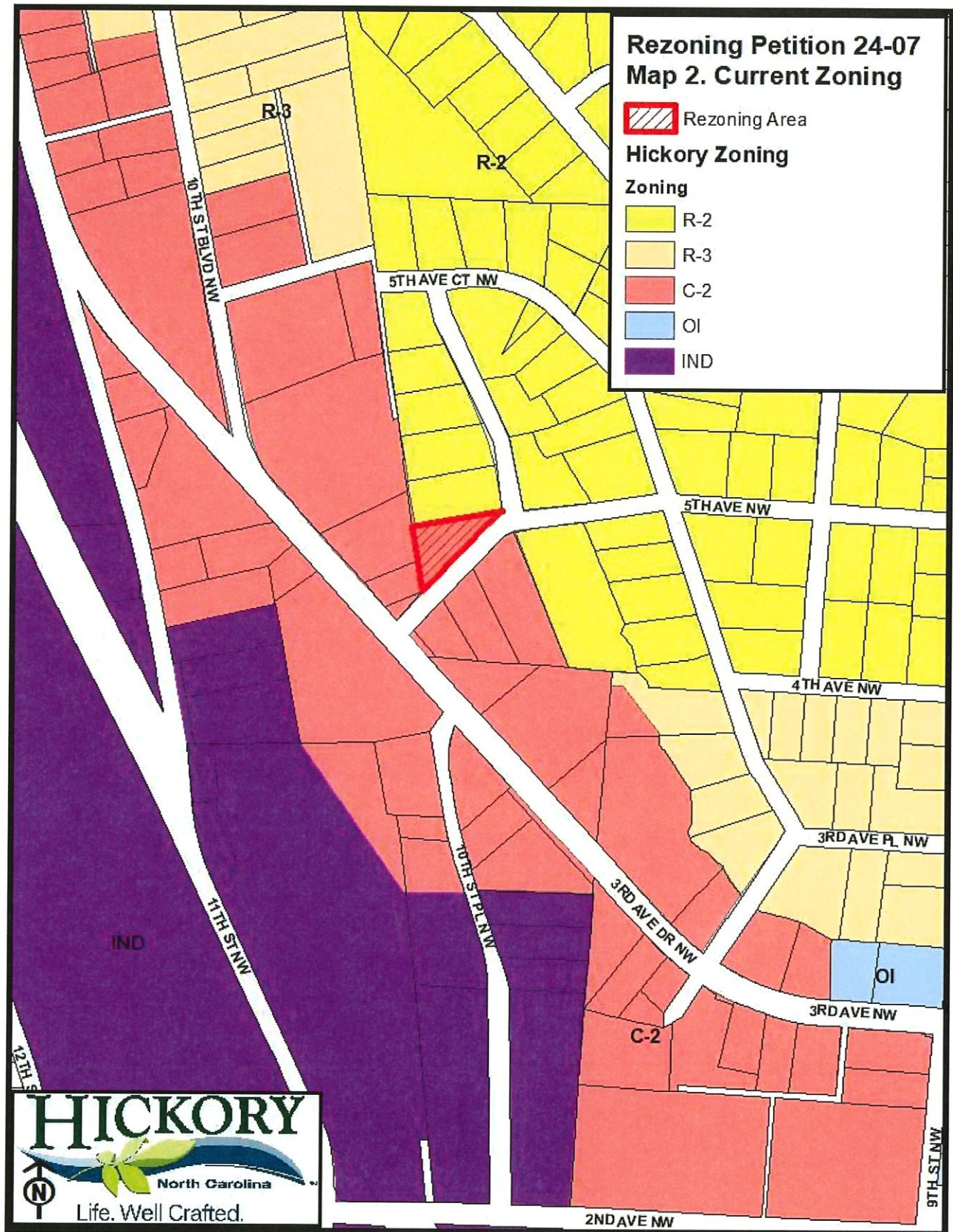
HBC 2030 Future Land Use

FLU

 Medium Density Residential

 Revitalization Areas





**Rezoning Petition 24-07
Map 3. Aerial Photography**

 Subject Property



**CITY OF HICKORY
APPLICATION FOR REZONING (NON PD OR CZ)**

DATE SUBMITTED: _____

**TO THE PLANNING COMMISSION AND THE CITY COUNCIL OF THE CITY OF
HICKORY, NORTH CAROLINA:**

I (We), the undersigned, do hereby respectfully make application and petition to amend the Zoning Map of the City of Hickory, as hereinafter requested, and in support of this application, the following facts are shown of the application and all required materials):

1. The property proposed to be rezoned is located on _____
between _____ and _____

PIN NO. (S): 372109054815

Physical (Street) Address: 2010 Startown Rd Hickory NC 28602

2. The property is owned by: (please print) Donald & Carolyn Scoville

(Attach a copy of the most recent deed, contract for purchase or other legal interest demonstrating an interest in the property.)

Owner Information:

Name: Donald & Carolyn Scoville

Address: 1850 Houston Mill Rd Conover NC 28613

Phone Number: 1-828-446-8712

Email Address: carolscoville1850@gmail.com

3. The petition is submitted by: Sean Drum

(If the Petition is submitted by someone other than the owner, a letter from the owner(s) authorizing the agent to act on his or her behalf must be submitted with the application. This authorization must be signed and notarized by all owners having an interest in the subject property.)

Agent Information:

Name: Sean Drum

Address: 1220 Commerce St SW Suite G Conover NC 28613

Phone Number: 1-828-238-8042

City of Hickory Rezoning Application (Non-PD or CZ)

4. It is desired and requested that the foregoing property be REZONED:
 FROM: R-1 TO: Commercial
5. Please list the current use(s) of the property: office / storage

5. OWNER'S AFFIDAVIT

We, the undersigned owner(s), hereby certify that the information contained herein and submitted in support of this application is true and correct.

Donald Scronce
CAROLYN SCRONCE Printed Name of Owner

Carolyn Scronce
 Signature of Owner

(Please choose the appropriate notary block)

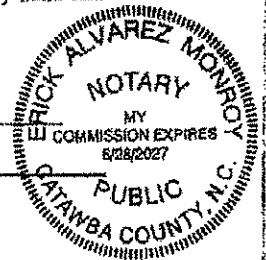
State of North Carolina - County of Catawba

I, the undersigned Notary Public of the County and State aforesaid, certify that Carolyn Scronce, Donald Scronce personally appeared before me this day and acknowledged the due execution of this foregoing instrument for the purposes expressed herein. Witness my hand and Notarial stamp or seal, this 27 day of March, 2024.

My Commission Expires: 6/28/2027

[Signature]

Notary Public



State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged the he / she is the _____ of _____ corporation / limited liability corporation / general partnership / limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity he /she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

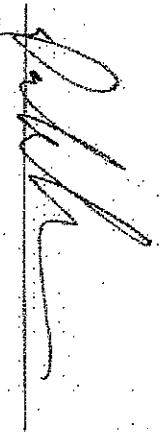
My Commission Expires: _____

Notary Public

This Application must be submitted to the Planning Department by 5:00 p.m. on the last regular working day of the month preceding the meeting at which it is to be considered by the Planning Commission. Only complete applications will be accepted.

We, Donald & Carolyn Soronce, as owners of 2010 Startown Road Hickory NC 28602, do hereby authorize Sean Drum to submit the attached application for rezoning.

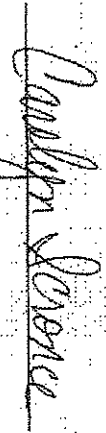
REF: PIN # 372109054815



Donald C Soronce

3/27/24

Date



Carolyn Soronce

3/27/24

Date

City of Hickory
*** CUSTOMER RECEIPT ***

Oper: KHEARD Type: OC Drawer: 1
Date: 4/01/24 18 Receipt no: 224809

Customer	Location Name	Amount
22082	22082 DRUM, SEAN	
NR	MISC REC/BLDG INS	*
		\$658.00

Tender detail	
01 POS UTIL BIL	\$658.00
Total tendered	\$658.00
Total payment	\$658.00

Trans date: 4/01/24 Time: 13:37:16

CITY OF HICKORY COLLECTIONS DEPARTMENT

*NOTE: PENDING CHARGES OR CREDITS
MAY AFFECT REMAINING BALANCE

AND/OR SERVICES IN THE AMOUNT OF THE
TOTAL SHOWN HEREON AND AGREES TO PERFORM
THE OBLIGATIONS SET FORTH IN THE CARD-
HOLDER'S AGREEMENT WITH THE ISSUER.

Signature: _____
SEAN K DRUM

CUSTOMER COPY

REZONING ANALYSIS

PETITION: 24-08

APPLICANT: Sean Drum

OWNERS: Donald C Scronce

PROPERTY LOCATION: 2010 Startown Road Newton, NC 28602

PIN: 3721-09-05-4815

WARD: This property is located in Ward 3 (Councilman Seaver).

ACREAGE: +/- .54 acres

REQUESTED ACTION: Rezone the property from Low Density Residential (R-1) to Regional Commercial (C-3).

BACKGROUND: The property is currently zoned R-1. The rezoning request is an indication that the owner desires to use the property for an office use.

DEVELOPMENT POTENTIAL: The subject property is currently zoned R-1 Residential and totals +/- .54 acres in total size. The current R-1 zoning district is primarily residential and permits one and two-family residential uses at a density of two (2) dwelling units per acre.

The subject property is currently occupied by a commercial building. The owners' intention is to continue utilizing the property as a real estate office.

REVIEW CRITERIA: In reviewing and making recommendations on proposed zoning map amendments, review bodies shall consider the following factors:

1. Consistency of the proposed zoning with the *Hickory Comprehensive Land Use and Transportation Plan (Hickory by Choice 2030)* and the stated Purpose and Intent of this Land Development Code;

The general area converges at three future land use categories listed in the Hickory by Choice 2030 Comprehensive Plan. These uses are Public/Institutional, Neighborhood Mixed Use, and Regional Commercial. (Note: The Hickory by Choice 2030 Comprehensive Plan's Future Land Use map does not contain parcel line data, as the general boundaries of the land use categories are not concrete.) (Please refer to Map 1 for detail).

The C-3 zoning district implements the "Regional Commercial" policies of the Hickory by Choice 2030 Comprehensive Plan. The C-3 district is intended to provide a full range of retail and service business that serves both local and regional markets. The C-3 district permits a wide variety of uses including professional offices and personal services, retail sales and service, amusement and institutional facilities.

Given these factors, the rezoning of the property to Regional Commercial (C-3) should be considered consistent with the findings and recommendations of the Hickory by Choice (2030) Comprehensive Plan.

Section 1.7 of the Hickory Land Development Code contains its Stated Purpose and Intent. This section contains five (5) specific items which the Land Development Code is intended to uphold. These are as follows:

- Implement the Hickory by Choice 2030 Comprehensive Plan.

The area under consideration for rezoning is indicated by the Hickory by Choice 2030 Comprehensive Plan as being a future commercial and institutional area with residential densities at thirty (30) units per acre.

- Preserve and protect land, air, water and environmental resources and property values.

All improvements that are to take place on the property will be required to follow all applicable development regulations.

- Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resource and governmental expenditures.

The subject property has access to a state-maintained roadway (Startown Road / SR 1005), as well as water infrastructure. The property does not have access to city sewer infrastructure. The land-use pattern of the area, with the inclusion of the subject property, represents an efficient use of public services, and the wise use of public funding.

- Regulate the type and intensity of development; and

The current land use pattern of the larger area consists largely of commercial and institutional uses. This development pattern will continue under Regional Commercial (C-3) as offices are permitted under this zoning classification. The future use of the property is best suited to further the existing development pattern of the area. Public resources to provide critical public services are in place to service the area. These include public water utilities and transportation infrastructure.

- Ensure protection from fire, flood and other dangers.

The subject property will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided to ensure surrounding residents, and property are properly protected as prescribed by law.

2. Existing land uses within the general vicinity of the subject property (**Please refer to Maps below for more detail**):

- **North:** The properties are zoned Office and Institutional (OI) and are occupied by Catawba Valley Community College.
- **South:** The properties are zoned Planned Development and are occupied by Preston Ridge Apartments.

- **East:** The properties are zoned Office and Institutional (OI). These properties are occupied by Catawba Valley Community College.
 - **West:** The properties are zoned Regional Commercial (C-3) and are vacant.
3. The suitability of the subject properties for the uses permitted under the existing and proposed zoning classification:

The current land use pattern of the larger area consists of commercial, institutional, and multi-family residential. uses along Startown Road. The rezoning of the property to C-3 would continue this development pattern and will be similar to existing City zoning already in place, within the larger area.

4. The extent to which zoning will detrimentally affect properties within the general vicinity of the subject property:

The requested Regional Commercial (C-3) zoning is similar to the existing areas. The permissible uses of C-3 zoning will aid in enhancing the existing uses of the neighborhood.

5. The extent to which the proposed amendment (zoning map) will cause public services including roadways, storm water management, water and sewer, fire, and police protection to fall below acceptable levels.

Public resources to provide critical public services are in place to service the area. These include public water utilities and transportation infrastructure, as well as police and fire protection. Septic is currently located on the property and has been approved by Catawba County Environmental Health for the use. At this time, NCDOT has yet to acquire right-of-way along Startown Road.

6. The proposed amendment (zoning map) will protect the public health, safety, and general welfare.

The subject property is located within an area where the Hickory by Choice 2030 Comprehensive Plan anticipated continued nonresidential development. The use of the property is an office, which are usually located within or near nonresidential arears areas.

Any future development that occurs of the subject property as the result of the zoning map amendment, will be required to be adhere to regulations related to zoning, building and fire code, traffic, stormwater, etc.; which will work in conjunction with one another to ensure the health and safety of residents and visitors are properly protected. The property was known to be contaminated by an underground storage tank, but a "no further action" letter has been issued by NC DEQ.

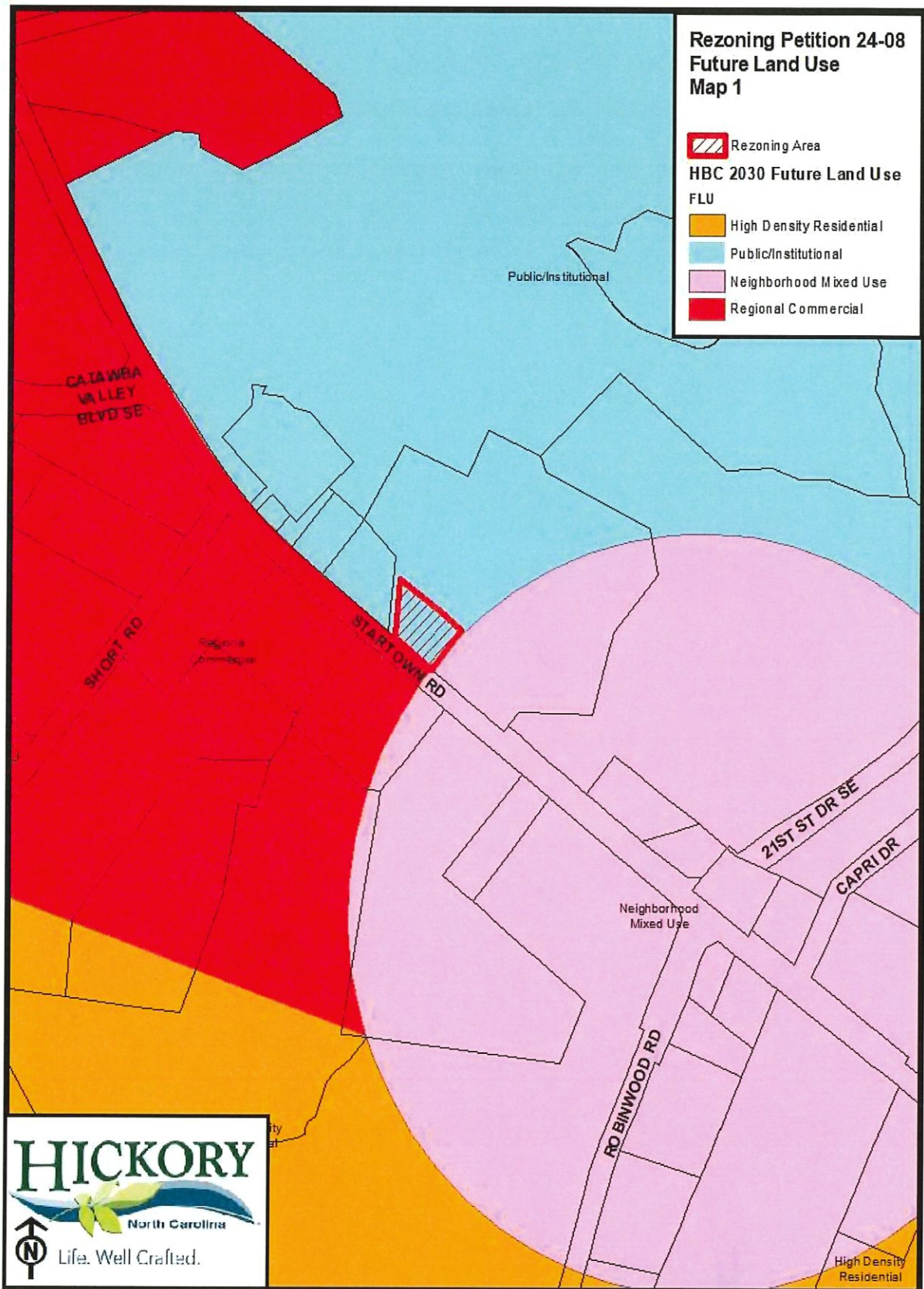
RECOMMENDED ACTION:

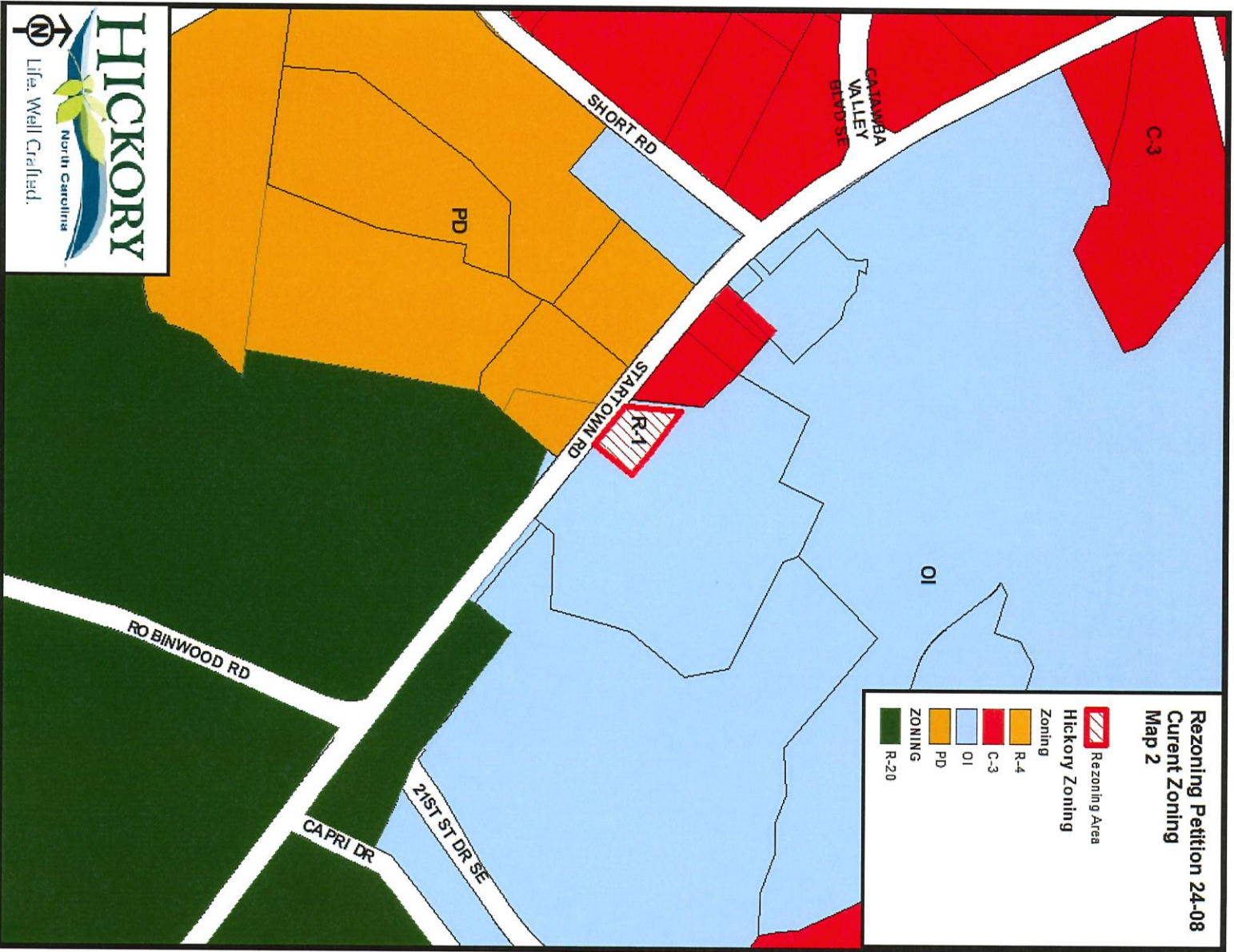
Staff finds Rezoning Petition 24-08 to be **consistent** with the Hickory by Choice 2030 Comprehensive Plan, and recommends the following:

1. The Hickory Regional Planning Commission adopt a statement affirming the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan; and
2. Forward a recommendation of approval to the Hickory City Council.

CITIZEN INPUT:

As of April 17, 2024, staff has received zero inquiries regarding this petition.







Rezoning Petition 24-08
Aerial Map
Map 3

 Rezoning Area

Preston Ridge

CVCC



NC & IA, ME & HI Board



Parcel ID:
372109052948
LRK / REID:
47624
HICKORY, 28602
CATAWBA
VALLEY
COMMUNITY
COLLEGE
Acreage: .75

Parcel ID: 372109056979
LRK / REID: 607319
1980 STARTOWN RD
HICKORY, 28602
COUNTY OF CATAWBA
Acreage: 8.96

EX. RETAINING WALL

EX. SEPTIC
SYSTEM

ACCESS TO
BASEMENT
AREA

EX. GRAVEL DR.

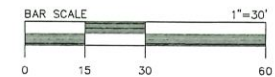
EX. BUILDING

EX. ABANDONED WATER WELL

EX. PARKING

STARTOWN RD

Parcel ID: 372109056979
LRK / REID: 607319
1980 STARTOWN RD
HICKORY, 28602
COUNTY OF CATAWBA
Acreage: 8.96



WRIGHT & ASSOCIATES
ENGINEERS & SURVEYORS
209 1st Ave., south
Conover, NC 28613, NC 28658
(828) 465-2205 OFFICE
(828) 465-8878 FAX

CERTIFICATE OF LICENSURE NO. C-4053



DATE _____

CATAWBA COUNTY

REZONING OF PROPERTY
PARCEL ID 372109054815

CURRENT OWNER
DONALD C. SCRONCE

SEAN DRUM, REZONING APPLICANT

NORTH CAROLINA

NOT TO SCALE

SKETCH SITE PLAN

EXISTING CONDITIONS

2010 STARTOWN ROAD
HICKORY, NC 28602

DATE:	
JOB NO.: 1854-002	
DRAWING NO.:	
SHEET 1 OF 2	

CITY OF HICKORY
APPLICATION FOR SPECIAL USE PERMIT

DATE SUBMITTED: 3/8/24

I (We), the undersigned, do hereby make application for development review for **special use approval**.

1. The property address of the property to be considered for development review is located on Main Ave NE that is between Cranford Hospitality and City Hall

PIN NO. (S): 370207696633

Physical (Street) Address: 131 Main Ave NE

2. The property is owned by: (please print) One Eleven Main, LLC
(Attach a copy of the most recent deed, contract for purchase or other legal interest demonstrating an interest in the property.)

Owner Information:

Name: One Eleven Main, LLC

Address: PO Box 3224 Hickory, NC 28603

Phone Number: 828-324-1284

Fax Number: 828-324-1289 Email: roger@delcompany.com

3. The application is submitted by: Roger Young c/o One Eleven Main, LLC
(If the application is submitted by someone other than the owner proper authorization from the property owner is required.)

Agent Information:

Name: Jeff Allen c/o Novel Taproom

Address: _____

Phone Number: _____

Fax Number: _____ Email: jeff@noveltaproom.com

4. The subject property is located in the C-1 (Central Business District) Zoning District.

5. The purpose of the requested action is to: Allow Novel taproom to operate a drinking establishment

Special Use Review Criteria

Special uses are those uses that require, because of their inherent nature, intensity, and external effects, special care in the control of their location, site design and methods of operation. Special Use applications may be approved by the Planning Commission only if they find that all of the following criteria have been met:

- A. The proposed use is consistent with the Hickory by Choice 2030 Comprehensive Plan and the stated Purpose and Intent of this Land Development Code;
- B. The proposed use complies with all applicable provisions of this Land Development Code;
- C. The proposed use is compatible with adjacent uses in terms of scale, site design, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
- D. Any significant adverse impacts on neighboring properties and/or the natural environment resulting from the use will be mitigated or offset;
- E. The proposed use will not cause substantial diminution in value of other property in the neighborhood in which it is to be located;
- F. Public safety, transportation and utility facilities and services will be available to serve the subject property while maintaining sufficient levels of service for existing development; and
- G. Adequate assurances of continuing maintenance have been provided.

In addition to the information above, some uses may have additional use standards or special use criteria. All applicants must address all applicable standards and criteria. If relevant, applicants must provide either paper or digital copies of all application materials.

Final Plan Approval

Prior to issuance of a building permit or other development permit, the Planning Director shall review all final Special Use plans for compliance with all requirements of this Land Development Code, conditions of approval and the Special Use plan presented to the Planning Commission. The Planning Director may require a final Special Use plan to be reviewed by the other departments if he finds that there are technical issues that should be addressed by other departments of the City.

I (We), the undersigned applicant(s), hereby certify that the information contained herein and submitted in support of this application is true and correct.

C.R. Zog
Signature of Applicant

Jody J Etheridge
NOTARY PUBLIC
Catawba County
North Carolina
My Commission Expires October 30, 2027

Sworn and subscribed to before me this 8th day of March, 2024.

(SEAL) Jody J Etheridge
Notary Public October 30, 2027
My Commission Expires

This Application must be submitted to the Planning Department by 5:00 p.m. on the last regular working day of the month preceding the meeting at which it is to be considered by the Planning Commission. Only complete applications will be accepted.

SPECIAL USE PERMIT ANALYSIS

PETITION: SUP 24-01

OWNER: One Eleven Main, LLC

APPLICANT: Jeff Allen, operator of Novel Taproom

PROPERTY LOCATION: 131 Main Ave NE

PIN: 3702-07-69-6633

WARD: The subject property is located in Ward 5 (D. Zagaroli)

ACREAGE: 1.61 acres

REQUESTED ACTION: The applicant requests a Special Use Permit to open a drinking establishment in the Central Business District (C-1) zoning district.

BACKGROUND: The subject property is part of the One Eleven Main development in the Downtown Area. The last tenant in the proposed space was The Hickory Soup Kitchen. The space has remained vacant for several months since.

The Land Development Code defines a drinking establishment as: *an establishment where alcoholic beverages are obtainable within or thereon and where such beverages are consumed on the premises. This includes all bars, nightclubs, taverns, and other similar establishments. This excludes eating establishments where food sales exceed 30 percent of the facility's total sales. If the facility also sells food, and the sale of food products represents more than fifty percent of the facility's total sales, the facility shall be considered an eating establishment. Eating establishments are classified as Retail Sales and Service.*

DEVELOPMENT POTENTIAL: The existing structure is vacant and will be renovated. The building will be part of the One Eleven Main apartment complex that will be built on the same parcel.

LAND USE AND ZONING:

Please see Map below for a map of the area zoning.

Subject property: The property is zoned C-1 and is currently vacant.

North: The property to the north is zoned C-1, and is occupied by a Summit Credit Union and a parking lot.

East: The property to the east is zoned C-1, and is occupied by a craft beer and BBQ restaurant.

South: The property to the south is zoned C-1, and is occupied by a wedding and events venue.

West: The property to the west is zoned C-1 and is occupied by City Hall.

ACCESS: Access to the property will continue to be used from existing entrances on Main Ave NE and 2nd St. NE. Both streets are maintained by the City.

SPECIAL USE PERMIT REVIEW CRITERIA: Land Development Code Section 2.4, Special Uses, provides that special uses are those uses that require, because of their inherent nature, intensity, and external effects, special care in the control of their location, site design and methods of operation may be allowed if reviewed and approved in accordance with the Special Use procedures of Section 2.4.

1. **The proposed use is consistent with the Hickory by Choice 2030 Comprehensive Plan and the stated Purpose and Intent of the Land Development Code;**

The Comprehensive Plan indicates the subject property is located within the Central Business District classification.

The Comprehensive Plan describes the Central Business District thusly:

“The traditional downtown serves many functions of a neighborhood mixed use district as well as a regional service provider of banking and medical services. Residential neighborhoods within and surrounding the City Center not only provide the market for smaller neighborhood or convenience commercial services but these residential districts also provide a market for a variety of the Central Business District’s services which afford residents and visitors a vibrant, pedestrian rich atmosphere in the City’s downtown.

This district applies to the historic core, drawing attention to the need to ensure any new development in the area occurs in harmony with its historic surroundings and is designed to contribute to the area’s pedestrian environment. This designation anticipates that the work conducted by the City to update zoning in the Central Business District and the establishment of a boundary for this downtown district will lead to the implementation of specific development policies that apply to this area.”

A drinking establishment, while not explicitly mentioned in the Comprehensive Plan, could be considered consistent with the aforementioned retail operations associated with the Central Business classification.

Please see Map 1 for a map of the area’s Future Land Use classifications. (Note: The Hickory by Choice 2030 Comprehensive Plan’s Future Land Use map does not contain parcel line data, as the general boundaries of the land use categories are not concrete.)

Section 1.7 of the Hickory Land Development Code contains its Stated Purpose and Intent. This section contains five (5) specific items which the Land Development Code is intended to uphold. These are as follows:

- Implement the Hickory by Choice 2030 Comprehensive Plan;

As outlined above, the subject property is located in an area classified as Central Business, by the Hickory by Choice 2030 Comprehensive Plan. A drinking establishment should be considered a consistent use with the Community Commercial designation.

- Preserve and protect land, air, water and environmental resources and property values;

The proposed establishment will be located in an existing building on the property. Any and all improvements that are to take place on the property will be required to follow all applicable development regulations.

- Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resource and governmental expenditures;

The subject property is located in an area that provides services for downtown commercial operations. Public infrastructure currently in place in the area is sufficient to handle the proposed development in addition to the existing development.

- Regulate the type and intensity of development; and

Any future development that takes place on the subject property will be regulated by current and future development standards duly adopted by the City of Hickory and the State of North Carolina, including the North Carolina Alcoholic Beverage Control Commission.

- Ensure protection from fire, flood and other dangers.

Any future development occurring on the subject property will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided to ensure surrounding residents, and employees are properly protect as prescribed by law.

2. The proposed use complies with all applicable provisions of this Land Development Code;

The proposed use appears to comply with all applicable provisions of the Land Development Code. Compliance will be affirmed during the administrative plan review and permitting process.

3. The proposed use is compatible with adjacent uses in terms of scale, site design, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);

The proposal to open a drinking establishment on the subject property is compatible with the adjacent uses on the property.

Hours of operation are regulated by the State of North Carolina and are unable to be enforced at the local level.

A modest increase in traffic to the business will likely occur given the nature of the business, but not be high enough to warrant any traffic changes for the shopping center according to NCDOT. The last use of the property was also a modest traffic generating use. Pedestrian accessibility should offset many vehicular trips that may be necessary in a less centrally located district.

No outdoor lighting for the site's parking lot is existing, but any changes would be reviewed for compliance with the Land Development Code to ensure minimal glare onto neighboring properties and roadways.

Noise from the proposed use could be limited by a condition to prohibit outdoor music.

The downtown currently has City recycling and trash available, and this site has a dedicated disposal area to reduce odors.

There are plans to expand the footprint or alter the exterior of the building at this time according to the applicant by adding an outdoor patio area.

4. Any significant adverse impacts resulting from the use will be mitigated or offset;

No adverse impacts from the use of this property as a drinking establishment are anticipated. The project has been and will continue to be reviewed for compliance with all applicable development standards.

5. The proposed use will not cause substantial diminution in value of other property in the neighborhood in which it is to be located;

No qualified information has been submitted that would indicate the proposed drinking establishment would have detrimental impacts on the values of properties in the vicinity.

6. Public safety, transportation and utility facilities and services will be available to serve the subject property while maintaining sufficient levels of service for existing development;

The property is served by the Hickory Fire Department and is less than 500 feet from Fire Station 1. The Fire and Life Safety Division will review the business further during the plan review and inspection process. Police protection will be provided by Hickory.

Public water and sewer are available to adequately serve the property. The Public Utilities Division did not have any objection to the business.

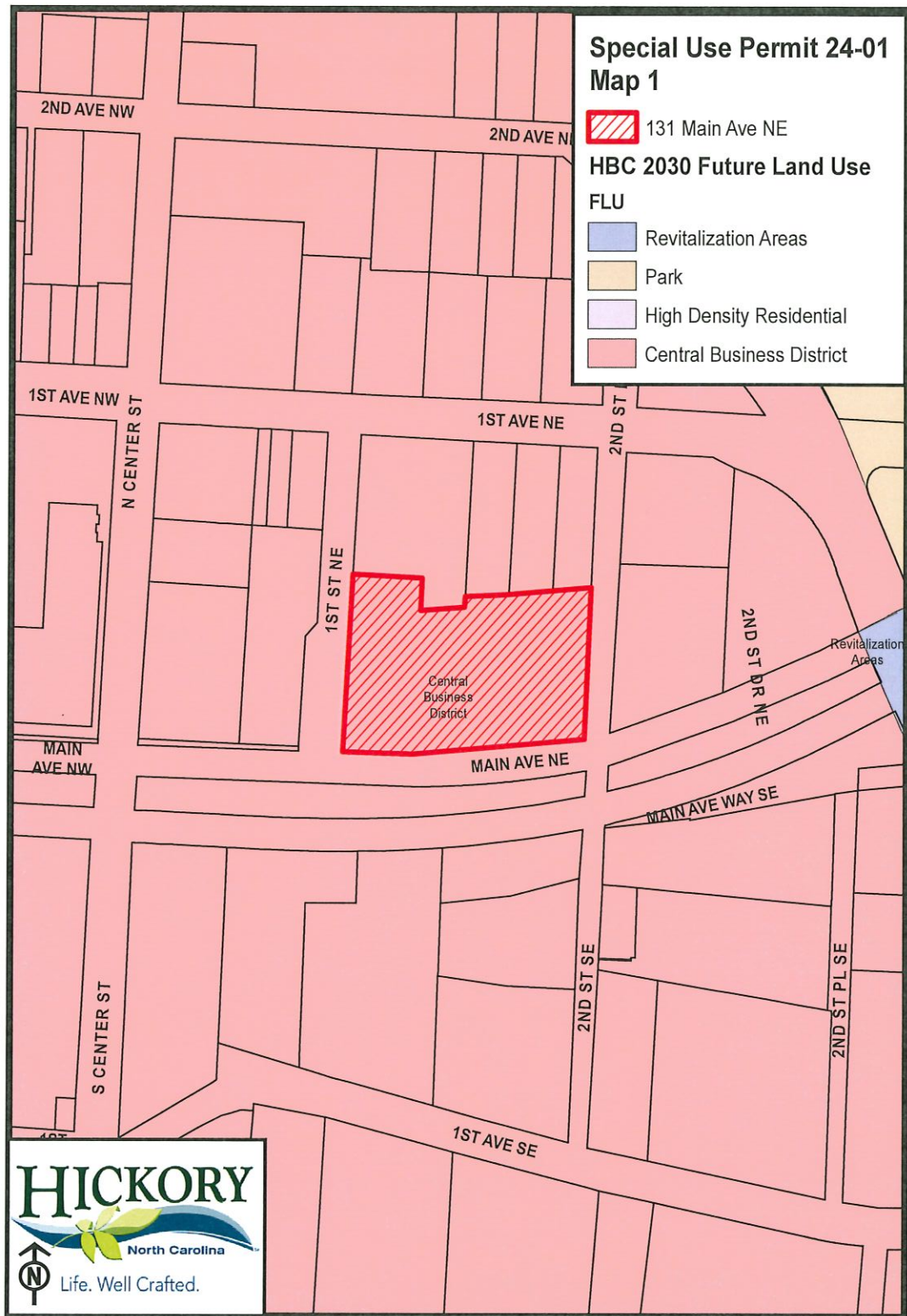
7. Adequate assurances of continuing maintenance have been provided;

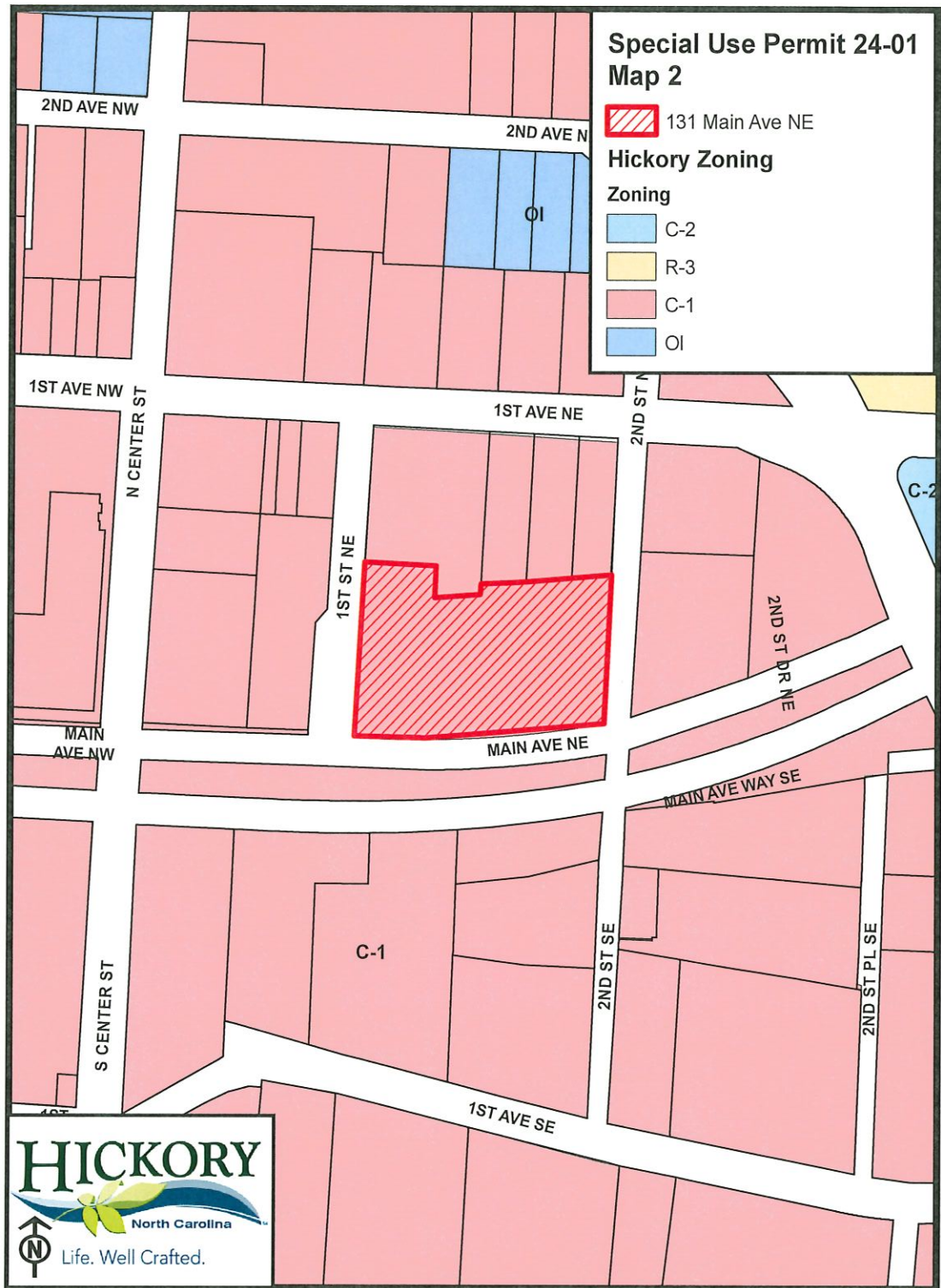
The applicant will be required, by city ordinance, to maintain all portions of the property.

RECOMMENDED ACTION: Staff recommends approval of the Special Use Permit subject to the following conditions:

1. All aspects of the project, and its subsequent improvements, shall comply with all applicable provisions of the City's Land Development Code, and the Building and Fire Codes of the State of North Carolina;
2. Prior to the occupancy of the space, any required construction plans must be submitted, reviewed, and approved by the City of Hickory and Catawba County;


CITIZEN INPUT: As of April 17, there has been no inquiries from the public.







**Special Use Permit 24-01
Aerial Map
Map 3**

 131 Main Ave NE

City Hall

Summit Credit Union

Cranford Bros. BBQ



Pictometry International Corp.

