



The Hickory Regional Planning Commission will hold its regular meeting on **Wednesday, June 24, 2020 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 26, 2020 meeting

PRESENTATIONS AND PUBLIC HEARINGS

1. **Rezoning Petition 20-01.** Request by Crystal Rogers for the consideration of the rezoning of property located 913 9th Avenue NE, from Industrial (IND) to High Density Residential (R-4). The property is shown as PIN 3713-13-12-8515 on the Catawba County G.I.S. maps.

OTHER BUSINESS

1. Re-appointment of Hickory Regional Planning Commission members
2. Annual Election of Officers
3. Appointment of Ex-Officio Member to Serve on the Bond Commission.

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 19-20

Key	A	Absent	AX	Excused		No meeting
	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	Jeff Kerley	P		P	P		AX	P	P					Jun-18	Jun-21
Longview	Randall Mays	P		P	P		P	P	P					Jun-17	Jun-20
Catawba County	William Pekman	P		P	P		P	P	P					Dec-17	Jun-20
Burke County	Robert Weaver						P	P	P					Dec-19	Jun-22
Brookford	Vacant														
Caldwell County	David Deal	P		AX	P		P	P	P					Jul-19	Jun-22
Ward 1	Bill McBrayer	P		P	P		P	P	P					Jul-19	Jun-22
Ward 2	Dan Shabeldeen	AX		P	P		P	P	P					Jul-17	Jun-20
Ward 3	Junior Hedrick	P		P	P		P	P	P					Jul-17	Jun-20
Ward 4	Sam Hunt	P		P	P		P	P	P					Jul-18	Jun-21
Ward 5	Wallace Johnson	P		P	AX		P	P	P					Jul-17	Jun-20
Ward 6	Meg Jenkins Locke	P		P	AX		P	P	P					Jul-19	Jun-22

Hickory Regional Planning Commission
Wednesday, February 26, 2020, 6:00 pm

A regular meeting of the Hickory Regional Planning Commission (HRPC) was held Wednesday, February 26, 2020, 6:00 pm, in Council Chambers of the Julian G. Whitener Municipal Bldg, Hickory NC.

Members Present: Randall Mays, Junior Hedrick, Bill McBrayer, Jeff Kerley, David Deal, Robert Weaver, Sam Hunt, Wallace Johnson, Dan Shabeldeen, Meg Locke, and Bill Pekman

Members Excused: none

Members Absent: none

Others Present: Director of Planning Brian Frazier, Senior City Planner Ross Zelenske, Deputy City Attorney Arnita Dula, and Minutes Clerk Anne Starnes

Parliamentary Call to Order & Welcome: Randall Mays, Chairman, called the meeting to order at 6:00 pm and welcomed everyone attending.

Roll Call: Brian Frazier stated a quorum was present. He said Dr. Pekman had planned to attend and was likely on his way.

Items of Correspondence: none

City Council Action: none

Approval and Signing of Minutes from the January 22, 2020 Meeting: Minutes of the previous meeting held in January were distributed to members in advance. No additions, deletions or corrections to the minutes were stated. Jeff Kerley moved, seconded by Dan Shabeldeen, to approve the January 22, 2020 minutes as presented. By a show of hands, the motion carried unanimously.

PRESENTATIONS & PUBLIC HEARINGS

Mr. Mays said there was one public hearing on the agenda tonight. This is a quasi-judicial hearing and each person wishing to speak must be sworn in. The proponents will be allowed to speak first, and the opponents second. He said the North Carolina Ethics Commission states that any member with a moral, financial, or ethical obligation regarding any proceeding tonight should state so now and ask to be recused from the public hearing. Jeff Kerley stated he will be working for the applicant on this specific project. Mr. Mays said Mr. Kerley appears to have a financial conflict regarding the hearing and asked for a motion to recuse him.

Meg Locke moved, seconded by Bill McBrayer, to recuse Jeff Kerley from the hearing for the Special Use Permit 20-02. The motion carried unanimously, with Mr. Kerley abstaining.

Mr. Mays said that Mr. Kerley was recused from participating and he left the meeting.

All speakers were sworn in by the Minutes Clerk.

Ross Zelenske presented the Staff Report and referred to PowerPoint slides. He distributed a copy of the updated site plan to each member.

Mr. Zelenske reviewed slide #2 (Special Use Permit 20-02).

- **Property Owner:** David L. Cline and John E. Cline (the property is currently under contract by the applicant)
- **Applicant:** Daniel Schwandt
- **Property Location:** 805 24th Street Place SE
- **Ward:** None / Located within the Extra-territorial Jurisdiction (ETJ)
- **Property Zoning:** Industrial (IND)
- **Property Size:** ~1.33 acres
- **Request:** Operate Open Storage as a Principal Use

He noted the property at 805 24th Street Place SE is not located in Hickory's city limits but is within the ETJ.

Mr. Zelenske reviewed slide #3 (Background).

- The subject property is currently occupied by a vacant single-family residence and is mostly wooded.
- The Land Development Code defines Open Storage Principal Use as: "Open Storage that uses 50 percent or more of the total land area for open storage or if no other use exists on the same parcel of land."
- The applicant will use the property for storage needs related to his landscape business, Southern Lawnsapes.

Mr. Zelenske said the applicant would possibly remove the vacant residence on the property but had not yet decided.

Mr. Zelenske reviewed slide #4 (Map 1. Future Land Use), saying the subject property is outlined in blue on the map. The General Business classification is highlighted in red and located on the north side of Sweetwater Road. On the south side of the road, most of the property is classified Industrial and highlighted in gray, with a small amount of High Density Residential just past the intersection of Sweetwater Road and McDonald Parkway, highlighted in tan.

Mr. Zelenske reviewed slides #5 & 6 (Map 2. Aerial, 2018). He pointed out the locations of US Conec and Klingspor Woodworking Shop. Referring to an enlarged view, he noted a few homes are located on each side of the property.

Mr. Zelenske reviewed slide #7 (Map 3. Zoning). He said the majority of this area is zoned Industrial, with some High Density Residential and a small amount of General Business remaining at the corner of McDonald Parkway and 21st Street Drive.

Mr. Zelenske reviewed slide #8 (Site Plan). He said this was the revised site plan distributed to members earlier. A few changes have been made regarding the buffers, based on staff feedback prior to the public hearing; a driveway revision was also made. They will have a main entrance off Sweetwater Road, and there will be a secondary entrance which will be discussed later. They expect to put a fence around the road frontages. All four (4) sides will be landscaped or left wooded along the rear.

Mr. Zelenske reviewed slides #9-20 (Special Use Criteria).

1. Consistency with the Hickory by Choice 2030 Plan

- The Comprehensive Plan indicates the general area as being classified as General Business and Industrial.
- The General Business classification is characterized as an area that provides for a diverse set of commercial and office uses. The district accommodates shopping, services, and professional offices. The intent is to capture the diversity of uses along thoroughfares, while providing

predictable development standards. These areas include some residential uses, but mostly focus on automobile oriented commercial development serving both local and pass-through traffic.

- The Industrial classification is located near a major transportation route (such as Sweetwater Road, as the Comprehensive Plan notes) that is suitable for the concentration of production type businesses, large and small, to operate with minimum land use and environmental impacts. The IND zoning district is listed as being the implementing zone for this land use classification.
- Principal Open Storage, while not explicitly mentioned in the Comprehensive Plan, could be considered consistent with the Industrial classification.

2. Compliance with the Land Development Code

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

3. Compatibility with adjacent uses

- The proposal to operate Open Storage Principal on the subject property could be considered compatible with the adjacent uses on and around the property through appropriate conditions.
- According to the applicant, hours of operation would be during the morning and afternoon hours. No nighttime operations are planned. The applicant will be required to follow the city's noise ordinance.
- The use will involve the storing of landscape materials, such as mulch, gravel, stone, straw, and plantings. The operation will not be open to the public.
- There should be a limited increase in traffic, as the business will not be open to the public. Commercial access will be limited to Sweetwater Road. A secondary entrance will be made from 24th Street Place SE but will be limited in use according to the applicant. Any traffic improvements would be required by the North Carolina Department of Transportation (NCDOT). Pavement at the entrances will be required, to prevent any gravel from getting into the road.
- No outdoor lighting is planned for the property. Any outdoor lighting would be required to comply with the city's outdoor lighting standards, to ensure no adverse impacts on the adjacent residential properties.
- The applicant states that dust should not be an issue, as operations will be limited. The required screening measures should help block dust from leaving the property.
- The applicant states that odors should not be an issue, as the mulch stored on the property will not contain any fecal matter.

4. Mitigation of significant impacts

- No significant adverse impacts from the use of this property as an Open Storage Lot are anticipated.
- The project will be reviewed for compliance with all applicable development standards.

5. Diminution in value of surrounding properties

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

6. Levels of service (police, fire, utilities, etc.)

- Adequate public services are currently in place, and in sufficient quantities to serve the proposed use.
- The property is served by the Hickory Fire Department and is located less than two miles from Fire Station 5, which houses an engine, water tanker and Battalion Chief.
- The Fire and Life Safety Division will review the business further during the plan review and inspection process. The Hickory Fire Marshal has provided comments regarding the proposed plan that have been forwarded to the applicant.
- Police protection will continue to be provided by the Catawba County Sheriff's Office. The Hickory Chief of Police did not express any concerns with the proposed use.
- Public water and sewer are available to serve the property. The property is currently believed to be on public water and have a septic system. If the house will be reused, the septic system will need to be evaluated for re-use. The Utilities Division did not have any objections to the business.
- Road access will be regulated by the North Carolina Department of Transportation (NCDOT).
- According to NCDOT, a new driveway permit will be required for the use. Based on the initial plans, NCDOT has noted a wider driveway will be needed to accommodate vehicles entering and existing off Sweetwater Road. (This has been revised on the latest site plan).

7. Assurances of continued maintenance

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

Mr. Zelenske reviewed slides #21 & 22 (Open Storage Criteria), saying there are two additional criteria related specifically to Open Storage:

Land Development Code Section 6.2.18, Open Storage, provides for additional use criteria, in addition to those generally for a Special Use Permit.

1. Open Storage as a principal use shall not be allowed in the required setback area of any front yard.

- The initial site plan has since been revised to eliminate open storage within the front yard. This is proposed as an approval condition.

2. All instances of open storage areas as a principal use shall be screened from view of any public or private street and from all residentially zoned land through the installation of a solid fence, wall, or density evergreen landscaping. Dense landscaping shall be used to the maximum extent practicable.

- The property is currently wooded. The applicant has informed staff, they will attempt to retain the woods along the rear property line near the house. The initial site plan has been revised to ensure all setbacks will have enough landscape buffers and some fencing. Landscaping details will be reviewed during the plan review process for compliance.

Mr. Zelenske reviewed slide #23 (Public Input).

- As of February 24, two neighboring property owners contacted staff regarding the petition.
- Both property owners (US Conec and Klingspor) sought more information on the proposed project. One owner inquired if a junkyard would be permissible as Open Storage. Junkyards are considered a separate use under the Use Table. These property owners did not express an opinion on the petition.

Mr. Zelenske reviewed slides #24 & 25 (Recommendation).

- **Staff Recommendation**
 - Staff finds the request to be in conformance with the standards for approval contained within the City's Land Development Code, and recommends approval contingent upon 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. A landscape screening buffer along all property lines shall be installed and maintained at all times. Said screening measures shall be in accordance to the standards found within the Land Development Code and Engineering Manual of Practice.
 3. Commercial vehicle access shall be limited to the proposed driveway along 21st Street Drive SE. Access from the proposed driveway along 24th Street Place SE shall be limited in use.
 4. No open storage shall be permitted within the front setback of the property.
 5. All required permits shall be obtained prior to the start and maintained throughout the life of the operation.

Mr. Zelenske asked if there were any questions.

Mr. Mays said this is very similar to an application that came to the Commission a few years ago, which involved Martin Marietta; it is basically the same circumstances, and the same type of operation.

Mr. McBrayer said one of the recommendations is that a landscape screening buffer should be maintained along all property lines at all times. He said that on the revised site plan distributed tonight, he did not see any landscape buffer noted along the 24th Street Place SE side; he could see the chain link fence there but did not see a landscape buffer. Mr. Zelenske said there should be a 10-foot buffer along 24th Street; they did not specifically put any plantings on the plan, and that is something they will work on during the planning review process. But yes, landscaping will be required along that buffer. He said the applicant could provide more clarity regarding his plans, noting that staff's goal is not being able to see inside the property from the road.

Mr. McBrayer said that in Mr. Zelenske's opening statement, he had mentioned a home being on the property. Slide #6 (Map 2. Aerial 2018) was returned to the screen, and Mr. Zelenske pointed out the home on the aerial view. He said the property is heavily wooded, and it is a small one-story house. Mr. Mays said there is no one living in the house now, and Mr. Zelenske said that was correct, and to the best of his knowledge it had been vacant for quite some time. Mr. McBrayer said he rode by the property recently, and it appears that some excavation has already taken place at the back of the property. Mr. Zelenske said the owner could remove landscaping but could not do any earth moving work without having permits.

Mr. Shabeldeen asked what members were being asked to approve, saying he assumed it was not the site plan, but was the actual use. Mr. Zelenske said that was correct. Mr. Mays said planning staff takes care of all the site plan permits and everything else related, and Mr. Frazier said various other City and County Departments are also involved.

There were no additional questions for Mr. Zelenske.

The Staff Report was presented to the Clerk, and entered into the record as Exhibit A. The revised site plan was entered into the record as Exhibit B.

Mr. Mays again stated that, as a quasi-judicial hearing, the proponents would speak first and the opponents second, followed by rebuttal time for each. He reminded members there would be a roll call vote at the end of the hearing.

Mr. Mays opened the public hearing.

PROPONENTS

Daniel Schwandt (550 32nd Avenue Drive NW, Hickory NC) addressed Commission members. As the applicant, he said Mr. Zelenske had covered most everything necessary, noting that the fire marshal had requested they keep the mulch toward the front of the property, and in piles up to 25-feet high, by 250-feet long, by 150-feet wide. He said they would not come close to those numbers and would only keep about 700-yards on the ground. Their piles will not likely exceed 20-feet high, and 30x50-feet, and they will stay in compliance.

Mr. Schwandt said the remaining property would be used to store boulder stones, gravels, and most anything related to landscaping, such as pallets. The back portion will be used as a nursery yard, peat plants and the products they will use on the City Walk, which will require about a half-acre of plants, which is a lot of material. He said they will need irrigation for the plants on-site. Their shop on Highland Avenue is not large enough for what they need to do, which is why they are moving it all to an industrial property.

Mr. Schwandt said they do not plan on grinding mulch on-site. No raw materials will be brought in to grind, so there will be very little noise. The only noise will come from loading and unloading materials, and it is just going to be a storage lot.

Mr. Schwandt asked if there were any questions for him.

Mr. Mays asked if someone would always staff the property. Mr. Schwandt said certain employees would be in and out of the property, but when no one is there the gates would be locked. He said they do not plan to put electric gates on the side entrance off 24th Street, and it would always be kept locked. The Sweetwater Road entrance will be the main entrance, with an electric gate to make sure everyone uses that entrance. They have already pulled a DOT permit for it and have submitted their plans to them. The City fire department said it needs to be 24-feet wide, instead of 15-feet, which they plan to do. Also, the gate will sit about 75 to 80 feet off the street, so a tractor trailer can pull up, enter a gate code, and then pull right in without needing to hang out waiting in the street. He said the main thing is putting in their buffer screen, and since they are a landscape company, they do not want it to look bad. They also want to keep it neat and clean.

Mr. Schwandt said the older lady across the street has been a little nervous about all of this. They have had many talks, and she's just happy to see something done with the land. He said they had just closed on the property yesterday.

Once a tractor trailer pulls into the property at the front gate, Mr. Deal asked how they would then go back out. Mr. Schwandt said the driver would pull in and then back up toward 24th Street, dump the materials where the

fire marshal has requested, do a U-turn and pull back out. He said there will be plenty of space for doing this, because they are clearing out all of that area. This also means there would be absolutely no trees to catch fire if the materials were to smolder. He expects they will probably use 50-65 semis of mulch per year, and there are about 70-yards on a truck. They want to avoid erosion control permits, so they are keeping it under 1-acre.

Mr. Mays asked if he correctly understood him to say that the back area would be used as a nursery area. Mr. Schwandt said the back property drops into a lower area. He asked the last property owner to pull a demolition permit, and they took down the old house on Friday of last week. It was a dangerous structure, and they were concerned about safety. Once it was gone, they found an 8-foot wide well under the house, 100-feet deep and dug by hand. They had built an addition on top of the well, so he was very happy to tear down the house. The only thing they will keep on the property is an active well that was used for the house, which he will use to irrigate the landscaping bushes and trees. They will need power on the property to run the well, electric front gate, and security cameras, all of which they will discuss with Mr. Zelenske.

Mr. Schwandt said their main use of the property would be for storing large amounts of mulch and possibly some gravels. He said Jeff Kerley hauls a lot of boulder stones for them, and they have run out of storage space. They are not planning to keep much equipment on this site, which will remain at their Highland Avenue site; this site is mainly for storage and plants. With the City Walk materials, they already have so much that they are using the Parks & Rec locations, and they really need to leave their spaces. He said the City Walk project would last approximately 1½ years, and they will need more space.

Mr. Schwandt said they received site contracts on Monday for the 6 acres behind this property. They have no plans to do any business work with that property but wanted to obtain a buffer to have for the future. They are not planning on using that property at all for business but will still fence the 1.3-acres for the business.

Mr. McBrayer said apparently the grading he saw when he drove by the property was where the house previously stood. Mr. Schwandt said yes, and that work had been completed. They will make sure that the house property is seeded, and it should grow in quickly.

There were no additional questions for Mr. Schwandt, and Mr. Mays thanked him.

Mr. Mays asked if there were any other persons wishing to speak in favor of the petition, and there were none.

OPPONENTS

None

Mr. Mays declared the Public Hearing was closed.

Mr. Mays said the Commission had already approved a similar project, with basically the same zoning and uses. He asked if there was any discussion by members, and there was none. He asked for a motion to accept or decline the Special Use Permit.

Bill McBrayer moved, seconded by Dan Shabeldeen, to approve Special Use Permit 20-02.

Mr. Mays reminded members this was a quasi-judicial hearing and there would be a roll call vote, with each member voting individually in favor or against approval and stating the reason for their vote.

Mr. Hedrick voted to approve Special Use Permit 20-02, based on the finding of facts, and that it complies with both Hickory by Choice and the Land Development Code.

Mr. McBrayer voted to approve Special Use Permit 20-02, based on the criteria presented in the staff report, and the testimony presented tonight.

Mr. Deal voted to approve Special Use Permit 20-02, based on its compliance with Hickory by Choice and the Land Development Code.

Mr. Shabeldeen voted to approve Special Use Permit 20-02, based on the reasons that are outlined in the staff report.

Mr. Mays voted to approve Special Use Permit 20-02, based on it showing consistency with the Land Development Code and Hickory by Choice, as this does fall within the guidelines and staff recommendations set forth.

Mr. Johnson voted to approve Special Use Permit 20-02, based on the testimony and presentation, and the staff recommendation.

Ms. Locke voted to approve Special Use Permit 20-02, based on its compliance with Hickory by Choice and the Land Development Code, and the recommendation by staff.

Mr. Hunt voted to approve Special Use Permit 20-02, based on compliance with the Land Development Code, recommendation from staff, and the applicant's testimony.

Mr. Weaver voted to approve Special Use Permit 20-02, based on it complying with all the criteria.

Mr. Mays said Special Use Permit 20-02 had been approved by the Hickory Regional Planning Commission.

Mr. Kerley returned, and Dr. Pekman joined the meeting.

OTHER BUSINESS

Update on NCDOT and Bond Initiative Projects: At the previous meeting in January, Mr. Frazier said staff was requested to provide members with an update on the current bond projects. He also wanted to update members on some of the on-going NCDOT projects, noting that when he arrived in Hickory 14 years ago, 29th Avenue, NE was supposed to be widened, and it has still not been done.

Mr. Frazier referred to PowerPoint slides, and reviewed slide #28 (NCDOT and Bond Projects Timeline).

- Highway 321 Widening
 - ROW Acquisition 2020
 - Construction 2021
- Highway 127 South / Mountain View
 - ROW Acquisition 2020
 - Construction 2022
- Highway 127 North / Road Widening and Bridge
 - ROW Acquisition 2020
 - Construction 2021-2023
- Interstate 40 Road Widening
 - No timetable yet

Mr. Frazier said the Highway 321 widening would take approximately 2-3 years to complete, after right-of-way acquisitions. It will start at the railroad bridge on 321 SW and continue up past MDI, just before the Wal-Mart in Granite Falls. He plans to provide members with periodic updates, as these timetables change.

Ms. Locke asked if these four projects are all funded, and Mr. Frazier said yes. She said he had presented the Highway 321 widening project to members at one point in the past and asked him if any changes had been made since then. He said the changes he has seen are that the DOT has upgraded the bridge itself, which will now include some design elements. He compared it to a bridge located in the Charlotte area, by IKEA Blvd. and North Tryon; it will look something like that and will now be more than just a plain concrete bridge. In addition, it appears that fewer businesses will be lost along Highway 321. Early on, they were planning to take out the Raceway gas station, CVS, Taco Bell, etc., but they are not doing this now. They will still take some property, but fewer businesses will now be required to move. There will still be no at-grade crossing of the short line rail, but the overhead downward ramp will not be quite as far back as Arby's or the storage business by the former Lowes Foods. However, it is going to be a complete street.

Ms. Locke asked if the pedestrian/bike bridge across the river was still planned. Mr. Frazier said if someone is traveling east to west, across 321, that one is included in the BUILD Grant. If they are traveling north into Caldwell County, across the river, both new bridges will be upstream of the current bridge and at least 20 to 30 feet taller in height. The existing northbound bridge will remain and given to the City of Hickory for future use as a bike/pedestrian bridge, as a continuation of the River Walk project. Eventually, there will be sidewalks, going up to just past MDI.

Dr. Pekman asked how close the new bridges would be to the water intake. Mr. Frazier said they would be further upstream from the water intake, noting that Hickory's water intake is almost directly across the channel from the Lake Hickory Marina.

Mr. Deal asked if the new interchange at the Raceway and CVS would have any affect on the railroad tracks just beyond them. Mr. Frazier said a change would be made there, such an overpass; he was not certain, but said the BUILD Grant would fund a bike/pedestrian bridge over the property on the eastern side of the gas station, which is owned by MDI or one of its affiliates. Ms. Locke asked if John Marshall could provide the drawings for these projects for members. Mr. Frazier will request a PDF from Mr. Marshall but advised that the drawings continue to change.

Mr. Frazier reviewed slide #29 (NCDOT Project Timelines).

- Sweetwater Road Extension
 - Currently under construction
 - Completion August 2020
- 29th Avenue NE Widening
 - ROW Acquisition 2021
 - Construction 2023
- Startown Road Widening
 - ROW Acquisition 2022
 - Construction 2025

Mr. Frazier said the 29th Avenue NE widening would extend the current McDonald Parkway, from Springs Road NE to Highway 127 North. He said further continuance of it, all the way across northwest Hickory and crossing the river near Gunpowder Falls, is not funded by the NCDOT program.

Mr. Kerley asked if the bridge on 29th Avenue would need to be built again, or could they use the recently built one. Mr. Frazier understands they will widen the bridge, which is the reason the State had acquired extra land there. But yes, there will again be construction there.

Regarding the Startown Road widening, Mr. Frazier said there is a great deal of proposed and current development happening along that road. DOT has, however, pushed both the acquisition and construction back 2 years. He noted that, considering the on-going development at Trivium which has seven (7) sites, and all the various large office/commercial/housing projects close by, Startown Road is going to be a mess, and they are trying to push DOT to move faster on widening the road.

Mr. Kerley asked if Startown Road would extend all the way to Highway 10. Mr. Frazier said that was his understanding, but he would check with Mr. Marshall. Initially, he said the local and state redevelopment timetables were in sync, but they are not now; this has become the new high growth area for Hickory.

Mr. Frazier reviewed slide #30 (Bond Project Timelines).

- City Walk
 - Currently under construction
 - Completion date early 2021
- Riverwalk
 - Currently under construction
 - Completion date 2021
- Book Walk
 - Construction 2020
 - Completion 2021
- BUILD Grant
 - Construction 2022

He said these timelines are as close as he can get, after discussing them with City management. City Walk construction was initially scheduled to begin on the east end, but it started at the west end, and is currently under construction, west to east. He expects members are aware of plans to close Highway 127 at various times during the coming month or so, as work on the iconic bridge takes place between the Main Avenue overpass and the railroad bridge for Norfolk-Southern Railroad.

Mr. Frazier said the Riverwalk is under construction and due to be completed in 2021, with the Lackey Park on the eastern end. The Book Walk will basically run from City Hall down through Ridgeview, all the way to the Wal-Mart Neighborhood Market on Highway 70 in west Hickory, and it should be completed in 2021. He said the federal funding being provided through the BUILD Grant would connect the City Walk with 9th and 11th Streets, and then with Old Lenoir Road, eventually passing over Highway 321 by the river bridge on its way to Winkler Park, L.P. Frans Stadium, and Hickory Regional Airport. Construction will begin in 2022.

Mr. Frazier reviewed slide #31 (Bond Project Timelines).

- Old Lenoir Road Streetscape / Road Diet
 - Construction 2021
 - Completion 2022
- Lenoir-Rhyne Boulevard Streetscape
 - Construction 2020
 - Completion 2021
- Lackey Park Improvements
 - Construction 2020
 - Completion 2021+

He said the “road diet” planned for the Old Lenoir Road Streetscape would create one lane in each direction, with a turning lane in the middle. The construction will begin in 2021. The LR Blvd. Streetscape will begin at the intersection of Tate Blvd. and 1st Avenue SE. It will go to I-40, and beyond to Highway 70, with completion

in 2021. Rotary-Geitner Park will eventually become Lackey Park, with a very large public-private investment of approximately \$9 million made there. Construction should begin sometime this year, with completion sometime next year or beyond.

Mr. Kerley asked if the Old Lenoir Road Streetscape would remove much of the turn lane and put in a median. Mr. Frazier said this is what he has heard. It will include new signage, lighting, re-signalization, and stripes on the pavement, and that entire corridor will look much nicer than it does now.

Mr. Shabeldeen asked the status of the Lenoir-Rhyne Blvd. Streetscape process. Mr. Frazier said he did not think they had started the design yet.

Mr. Frazier again said staff would continue updating members on the timelines, as all dates are fluid. They have weekly phone conversations with the project designers for the Old Lenoir Road corridor, and some of the surveying is taking place now. He noted the retaining wall by Hickory Steel will be changed significantly, making that area much more attractive.

Mr. Frazier said there is a lot going on and the projects are moving along, although everyone is getting a little impatient with the timeframes. He said all the original bond projects, not including Lackey Park and LR Blvd., are either in design or under construction.

Ms. Locke asked if the Lackey Park and Riverwalk designs are being coordinated hand-in-hand. Mr. Frazier said that is the City's expectation. Since the City and Lackey family are both using the same landscape architectural firm in Atlanta, they trust this will make coordination easier. He said Lackey Park would be the eastern terminus trailhead of the Riverwalk. Including the Book Walk, there are 11-miles from one end to the other.

Given how long this is all taking, Mr. Johnson asked where the City is in terms of the \$40 million bond projects budget. Mr. Frazier said the available funds are up to \$96-97 million, and the projects are fully funded by the additional state and federal grants now included. The only question is the Lackey project; he has heard it is up to a \$9 million investment, but he expects it will be a \$7.5 to \$8 million investment by the Lackey family, with the City assuming the remainder. He has not been involved in this project lately, but it is proceeding.

Mr. Shabeldeen asked about the DOT portion of the Riverwalk. Mr. Frazier said the bids came in for both the City portion and the DOT portion and were higher than the estimate; those have been re-bid and it is now slightly under budget.

Ms. Locke said the Hickory Regional Planning Commission had asked for this update, yet there are still unknowns about many of the plans since so much of it is fluid, including dates and the budget. She is frequently asked about the projects and said that if members could be provided with informed answers to offer it would be helpful. Mr. Frazier said this is currently their best-informed answer, with the information coming directly from Western Piedmont Council of Governments, City staff member John Marshall, NCDOT, and the City Manager's office. If anything changes, month-to-month, he said staff would advise members. He suggested adding an update as a regular agenda item going forward. Ms. Locke suggested they advise members of any substantial changes. Mr. Frazier said that he would ask Planning manager John Marshall to attend a future meeting to discuss the BUILD grant. Mr. Deal said he is being asked about the projects weekly. Mr. Frazier said he welcomes their calls, as well as citizens' calls, and if he cannot answer their questions, he will point them in the right direction.

Mr. Frazier noted the "Crafting Hickory" publication staff provided each member at the January HRPC meeting. The publication was distributed in the community on Sunday, January 19, 2020 as a *Hickory Daily Record* insert, and it has been extremely helpful to them. They have handed out multiple copies to residents coming in with questions. He only wishes there was available funding to update it at least quarterly, rather than annually,

and commended the City's Communications staff on their efforts in publishing it. Ms. Locke said she appreciates the efforts of all staff members in keeping the commission members and citizens informed.

Mr. Shabeldeen asked if they were ready to award the DOT contract for the 321 bridge. Mr. Frazier said he understands they are not quite ready. It will be an open bidding process, and he will keep members posted.

Mr. Frazier again asked members to call him with any questions, and he will help them to find the answers they need.

Mr. Mays asked if there was any other business, and there was none.

Next Meeting: The next regular meeting will be on Wednesday, March 25, 2020, at 6:00 pm, unless members are notified otherwise.

Adjourn: Mr. Mays thanked everyone for attending. Bill Pekman moved, seconded by Jeff Kerley, to adjourn. There being no further business, the meeting adjourned at 6:50 pm.

Randall Mays, Chairman
Hickory Regional Planning Commission

Anne Starnes, Minutes Clerk
City of Hickory

REZONING ANALYSIS

PETITION: 20-01

APPLICANT: Crystal Rogers

OWNER: Crystal Rogers

PROPERTY LOCATION: 913 9th Avenue NE

PIN: 3713-13-12-8515

WARD: The properties are located Ward 4 (Councilman Williams).

ACREAGE: 0.58 acres

REQUESTED ACTION: Rezone the property from Industrial (IND) to High Density Residential (R-4).

BACKGROUND: The subject property is currently zoned Industrial (IND), and occupied by a residential structure. The use of the property for residential uses is not permitted within an Industrial (IND) district, so the current use is considered to be a grandfathered, non-conforming use. The subject property has been zoned Industrial (IND) since at least 2000. The property owner is requesting the property be rezoned to High Density Residential (R-4), so that the current use of the property would be considered a conforming use. The change would aide in financing for future sales of the property.

DEVELOPMENT POTENTIAL: The subject property is currently zoned Industrial (IND), and is 0.58 acres in size. The property could continue to be used as residential property, or could be converted into an industrial type use. The Industrial (IND) district does not have density limitations, but would be required to adhere to general development standards including; parking, landscaping, and similar items.

Should the property be rezoned to High Density Residential (R-4), the property could be utilized for single and multi-family uses at a maximum density of twenty (20) units per acre. Minimum lot sizes for single-family residential would be 3,600 ft². Given the size of the subject property up to ten (10) multi-family residential units could be constructed on the property, provided general development standards such as parking and landscaping are able to be properly sited. The subject property could also potentially be subdivided to create additional single-family residential building lots.

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;

The area under consideration is identified as High Density Residential by the Hickory by Choice 2030 Comprehensive Plan's future land use map (**Please refer to Map 1 for detail**). Chapter 3 of the plan states the following about the areas:

The general area is classified as High 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.)

This classification is intended to be located near mixed-use areas or higher intensity commercial areas. The HBC 2030 plan characterizes these areas as being the location of single-family, and multi-family residential uses, with shorter block patterns, and convenient access to employment areas.

The subject property is classified as High Density Residential by the Hickory By Choice 2030 Comprehensive Plan. The R-4 zoning district is listed as one of the implementing zoning district for the High Density Residential classification, and as such, should be considered to be consistent with the plan's recommendations.

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 clearly indicated by the Hickory by Choice 2030 Comprehensive Plan as being a future residential area.

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

The property is currently developed and occupied by a residential structure; however, any and all future 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 current land use pattern of the larger area contains a variety of land-uses; including residential, institutional, commercial and industrial. The specific block which the subject property is located on is entirely residential. Public resources to provide critical public services are in place to service the area. These include public utilities and transportation infrastructure.

- 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.

- 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, employees, and properties are properly protected as prescribed by law. The request is to down-zone the property; meaning the permissible uses will actually be less intense in nature than what are currently permissible.

2. Existing land uses within the general vicinity of the subject property (**Please refer to Maps 2 & 3 for more detail**):

- **North:** The properties are zoned Industrial (IND), and are occupied by residential structures;
- **South:** The properties are zoned General Business (C-2), and are occupied by residential structures;
- **East:** The property is zoned Industrial (IND), and is occupied by an industrial building; and
- **West:** The property is zoned Industrial (IND), and is occupied by a residential structure.

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

As previously discussed, the property is currently occupied by a residential structure in an Industrial (IND) district, which means the current use of the property is non-conforming. The current use of the property is more suitable for a residential district.

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

The subject property, and all directly abutting properties are residentially used. Rezoning the property to residential should not have detrimental impacts upon its neighboring properties.

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 utilities transportation infrastructure, as well as police and fire protection.

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 residential development. The current use of the property is residential, and the request would allow the use of the property to be considered conforming under the city's current zoning standards.

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 20-01 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:

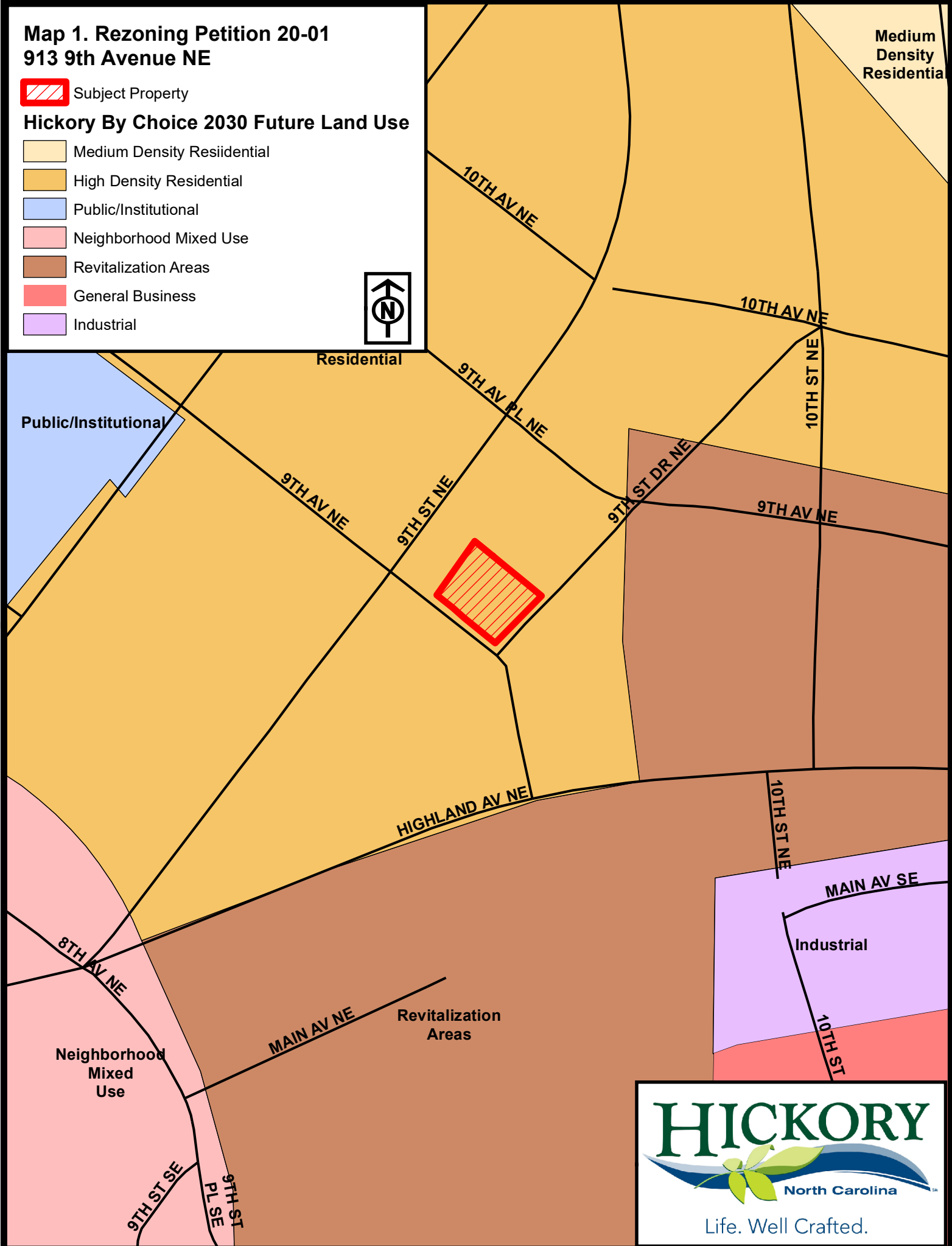
Staff has received one (1) inquiry regarding this petition.

Map 1. Rezoning Petition 20-01 913 9th Avenue NE


 Subject Property

Hickory By Choice 2030 Future Land Use

-  Medium Density Residential
-  High Density Residential
-  Public/Institutional
-  Neighborhood Mixed Use
-  Revitalization Areas
-  General Business
-  Industrial



Map 2. Rezoning Petition 20-01
913 9th Avenue NE

 Subject Property



Highland Baptist Church

Sherrill Furniture

Map 3. Rezoning Petition 20-01 913 9th Avenue NE

-  Subject Property
-  High Density Residential (R-4)
-  Office & Institutional (OI)
-  Neighborhood Commercial (NC)
-  General Business (C-2)
-  Industrial (IND)

