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The Hickory Regional Planning Commission will hold its regular meeting on **Wednesday, February 23, 2022, 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 January 26, 2022 meeting.
- Reading of State Ethics Rules.

PRESENTATIONS AND PUBLIC HEARINGS

1. **Special Use Permit (SUP) 22-01** – Request by Gary Preston, agent for Rahe Bryce, LLC, for approval of a Drinking Establishment on property located at 117 Government Avenue SW, and further identified as PIN 3702-07-59-7195 on the Catawba County GIS maps.
2. **Rezoning Petition (RZ) 22-02** – Request by the City of Hickory for the rezoning of 47.40 acres of property located on Section House Road between 34th Street Place NE and Sipe Road from R-1 Residential and R-20 Residential to R-2 Residential. The subject property is further identified as PIN 3723-08-89-6240 on the Catawba County GIS maps.
3. **Rezoning Petition (RZ) 22-04** – Request by Startown Holdings, LLC and REC Group, LLC for the rezoning of approximately 9 acres of property located on Startown Road between Short Road and Robinwood Road from R-20 Residential to Planned Development (PD). The subject property is further identified as PINs 3711-16-94-6567 and 3721-16-94-9674 on the Catawba County GIS maps.
4. **Rezoning Petition (RZ) 22-05** – Request by Gary Greene for the rezoning of approximately 13.7 acres of property located at near the southwest corner of Cloninger Mill Road and 16th Street NE from R-2 Residential to R-3 Residential. The subject properties are further identified as PINs 3714-12-96-0319 and 3714-12-86-6394 on the Catawba County GIS maps.
5. **Rezoning Petition (RZ) 22-03** – Request by Lat Purser & Associates, Inc., agent for The Horse Barn, LLC for the rezoning of approximately 19.5 acres of property located at 4331 and 4405 North Center Street from R-2 Residential to Planned Development (PD). The property is further identified as PIN 3715-18-30-6570 on the Catawba County GIS maps.

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 21-22

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	Jeff Kerley	P	P	P	P		P	AX					Jul-20	Jun-23
Catawba County	William Pekman	P	AX	P	P		P	P					Jul-20	Jun-23
Burke County	Robert Weaver	P	P	P	P		P	AX					Dec-19	Jun-22
Ward 1	Bill McBrayer	P	P	P	P		P	P					Jul-19	Jun-22
Ward 2	Philip Reed	P	P	P	P		P	P					Jul-21	Jun-24
Ward 3	Junior Hedrick	P	P	P	P		P	P					Jul-20	Jun-23
Ward 4	Sam Hunt	P	AX	AX	P		P	P					Jul-21	Jun-24
Ward 5	Wallace Johnson	P	P	P	AX		P	P					Jul-20	Jun-23
Ward 6	Anne Williams	P	P	P	P		P	P					Jul-19	Jun-22

Hickory Regional Planning Commission
Wednesday, January 26, 2022, 6:00 pm

A regular meeting of the Hickory Regional Planning Commission (HRPC) was held on Wednesday, January 26, 2022, 6:00 pm, in Council Chambers of the Julian G. Whitener Municipal Bldg.

Members Present: Bill McBrayer, Bill Pekman, Junior Hedrick, Anne Williams, Wallace Johnson, Philip Reed, and Sam Hunt

Members Excused: Jeff Kerley and Robert Weaver

Members Absent: none

Others Present: Director of Planning Brian Frazier, Planning Manager Cal Overby, Deputy City Attorney Arnita Dula, City Councilman Tony Wood, and Minutes Clerk Anne Starnes

Parliamentary Call to Order & Welcome: Bill McBrayer, Chair, called the meeting to order at 6:00 pm. He welcomed everyone and thanked them for attending.

Roll Call: Brian Frazier said a quorum was present, and Jeff Kerley and Robert Weaver were excused.

Approval and Signing of Minutes from the December 1, 2021, Meeting: Minutes from the previous meeting in December were distributed to members in advance. No additions, deletions or corrections were stated. Anne Williams moved, seconded by Philip Reed, to approve the December 1, 2021, minutes as presented. The motion carried unanimously.

Items of Correspondence: Mr. Frazier said he received a phone call this afternoon from **Jason Baldy**, followed by an e-mail. Mr. Baldy resides near the subject property of the first rezoning petition being discussed tonight, which is a continuance of the December 1st Planning Commission meeting. He e-mailed both Mr. Frazier and City Councilwoman Charlotte Williams, asking for acknowledgement they had received his e-mail. Mr. Baldy had some concerns about the proposed rezoning. He forwarded some short videos to Mr. Frazier. He will attach the videos to the electronic file and enter them into the record of the rezoning continuance.

City Council Action: Mr. Frazier said the City Council meeting scheduled for last Tuesday was cancelled, due to the weather. At their meeting 2-weeks prior, he said Council had voted 4-3 to approve the Winkler's Grove Baptist Church rezoning request.

Reading of State Ethics Rules: Mr. McBrayer read aloud the NC Ethics Awareness & Conflict of Interest Reminder:

In accordance with the State Government Ethics Act, it is the duty of each member of this board to avoid both conflicts of interest and appearances of conflict. Does any member of the board have any known conflict of interest, or appearance of conflict, with respect to any matters coming before us tonight? 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.

PRESENTATIONS & PUBLIC HEARINGS

1. Rezoning Petition (RZ) 21-07. (Continuation of hearing opened on December 1, 2021)

Request by D&J Properties North Carolina, LLC for the consideration of rezoning approximately 13.384 acres of property, located between 47th Avenue Place NE and 48th Avenue Lane NE, from Catawba County R-20 Residential to City of Hickory Planned Development (PD). The subject property is shown as PIN 373513022954 on the Catawba County Tax Map.

Mr. McBrayer reminded members that the public hearing for **Rezoning Petition 21-07** on December 1 had been continued. One of the opponents requested additional time to vet the project, and instead of closing the hearing, it was continued till tonight. He said members would now pick back up where they left it last month.

Cal Overby presented the Staff Report on December 1, 2021, and it was entered into the record as Exhibit A. For the continuance, a copy was again distributed in their agenda packet.

Mr. McBrayer asked Mr. Overby if he had any additional information or updates that would be pertinent, anything that had transpired since December 1. Mr. Overby said there were two related items. He said staff received revised drainage plans for the property and provided them to the interested citizens residing near the subject property. Also, since the December meeting, he and Mr. Frazier have met with some of the adjacent residents.

Mr. Overby had no additional new information or comments, and Mr. McBrayer thanked him.

PROPONENTS

Mr. McBrayer said the public hearing would continue and asked if the proponents had any additional testimony to add to the meeting in December.

Will Clayton, 2080 Singer Drive, Hickory NC, addressed Commission members, saying he was present again as the civil design engineer. He said if there were any questions, or additional information to address, he was present to help. There were no questions for Mr. Clayton, and Mr. McBrayer thanked him.

Duke McLaughlin, 2008 46th Avenue Drive NE, Hickory NC, had signed up to speak, but declined.

No other proponents were present to speak.

OPPONENTS

Mr. McBrayer noted that when the Commission last met, the opponents had requested the continuance, since some of the adjacent property owners had not known of the rezoning hearing, due to being out of town at different times. They had advised the Commission they needed additional time for vetting, specifically to attain an appraisal regarding any potential devaluation of their property due to the proposed development. He said Dr. Robert Boyd, or any opponents planning to speak should now come forward to discuss the appraisal and address their findings.

Ed Thomas, 3115 47th Avenue Lane NE, Hickory NC, addressed Commission members. Mr. McBrayer asked if he had attended the previous meeting, and Mr. Thomas said yes.

Mr. Thomas said when he looked at the original plans, what he saw was a lot of incompleteness, in terms of what was required according to the Hickory Comprehensive Plan. He then went back and started to look at the drainage, the storm water plan, and pretty much everything. As they started to finalize their positions, one of the positions he had was that many of these things were to be done at the time of permitting, and that there was a 2-step plan involving the rezoning and then the permitting. His research had pulled out a few things, and he read aloud the definition of a 2-step process. Dr. Pekman asked the source of the information Mr. Thomas was sharing

with members, and he said it was from the Town of Garner, NC. He said this was what he had discussed during the meeting with Mr. Overby and Mr. Frazier, regarding this 2-step process.

Mr. McBrayer clarified that the 2-step process for Hickory is that the Commission would approve or deny the rezoning, then it goes to City Council for them to approve, or not approve. He said the Commission had continued the public hearing on the assumption that they (the opponents) would be seeking an appraisal, and that he wanted to know their findings. That is what they, the opponents, had said here in December. Regarding the previous meeting, Mr. Thomas said he did not think Dr. Boyd was the going to speak about getting an appraisal, and he did not know if he had had an appraisal done. He said they were not going to address it. Dr. Boyd does not want to address it, and he does not either. He does not think it is relevant, but that what he was bringing up now is relevant.

Dr. Pekman clarified that the 2-step process Mr. Thomas was referencing was not from Hickory's Land Development Code or Hickory by Choice, it was from the Town of Garner. Mr. Thomas said the reason he brought this up, is that it was the only thing he found describing a 2-step process where the zoning approval occurred first, followed by the permitting process where all the plans were finalized. He said the way he heard it, Hickory's ordinance is pretty specific, and it says that the plans for the Planned Development need to be complete; they need to have a storm water plan, site plans, height of the buildings, and other things that are relevant to it. He said those were the things that were missing the first time through, and they are still missing today.

Mr. McBrayer asked Mr. Frazier to correct him if he was wrong, but that all the Commission is doing here is considering whether the property is going to be rezoned; the details of the project itself are not within the Commission's purview. He said members want to know what the project is, noting that last month a tentative rendering of how the townhomes would look was shared with them by the developer. Other than that, he said Commission members are here only to discuss the zoning aspect, and they will pass along their recommendation to City Council, be it positive or negative, and they will consider it again. Mr. Thomas said yes, he fully understands that, and that what Mr. McBrayer was saying makes perfect sense. Mr. McBrayer said he did not know what Mr. Thomas was addressing. Mr. Thomas said when you look at the process, all those pieces of information are supposed to be there. He asked what public input the Commission has had, other than him standing up and saying that he did not see that happening here; he asked if this was as transparent as it should have been, that there is nothing. He asked how would this be handled in the future – is it going to go forward to Council as a plan? And will there be public comments on it at that time?

Mr. McBrayer said his understanding is that when a rezoning is brought before the Commission, that first there is rezoning signage posted on the property and letters are sent to all property owners within 500-feet of it, even though the state requirement is only for 250-feet. Hickory goes above and beyond what the law requires, all of it done in advance. This gives citizens the opportunity to contact the planning department, to ask what the sign means and what it means for their neighborhood. Mr. McBrayer said the HRPC goes a step further, by also recommending that anyone with a proposed development or project should hold a meeting with the neighbors and address their rightful concerns. He stated he was not selling that short, not at all, but this is the established process. After the Commission votes on the rezoning, and they could vote yes or no, but then it goes to City Council and they would hold their own vote, confirming the Commission's recommendation, or not. He said the Commission had voted "no" on the Winkler's Grove Baptist Church rezoning last month, but then Council had voted "yes." He said he was not sure he was explaining himself well. He asked Planning Director Brian Frazier what he was missing, suggesting that he come forward to clarify it. Mr. Thomas said he understood what Mr. McBrayer was saying, but they (the opponents) do not live far away, and they are abutting properties to this development.

Dr. Pekman asked how what Mr. Thomas was bringing up was germane to the issue before the Commission, which is not part of the Town of Garner. Mr. Thomas said exactly, you are the City of Hickory and being in Hickory, you have an obligation to follow the rules of the City of Hickory. Dr. Pekman said exactly. Mr. Thomas

said that he considers it a problem when you have several items that are missing from the applicant's form, as it was filled out. Dr. Pekman said that had nothing to do with the rezoning application; the Commission members are here to determine a recommended rezoning to forward to City Council, not to review the developer's plans. Mr. Thomas said, exactly, and in his opinion, that was where there is a disconnect. He said if you look at what is supposed to be in the plan from the applicant when it comes before this body, all those things were supposed to be in there.

Mr. McBrayer said Commission members are not looking at the plan; looking at the plan is not their objective. Mr. Thomas said okay, if there is no plan, and all you are looking at is the zoning, then he does not have any public comment on it whatsoever, that it is like having "Mr. Neighbor" come in and say, why are you dumping all of the water on my property? He said if it were just a rezoning, why you would even bother doing that; why would you have a partial plan, instead of nothing, if it was only a rezoning? Mr. McBrayer said that, as far as the members are concerned, their only concern is the rezoning. If Council does not pass this, then it is game over; if Council does pass it, then the developer – the applicant – would need to turn in all their plans, including the storm water plans and everything else, and at that point, City staff would dissect it in detail before it could move forward any further. He said the members were privy to what the project would look like, simply by viewing it on a sheet of paper passed around at the previous meeting in December. Mr. Thomas said most of them did not see the photo from last month, but even if they had seen it, was it really binding? No, because it was not part of the documentation package, and it is not binding. Mr. McBrayer said okay. He asked if Mr. Thomas had any further comments, and he said no. Mr. McBrayer thanked him.

Mr. Frazier came to the podium. He asked to backtrack a bit, saying Mr. McBrayer, as Chair, had asked the opponents who are present again tonight, to address the appraisal question regarding their property. He believed he had heard Dr. Boyd say he would address the appraisal issue, so that is one thing that has not been done here yet. The second thing is, as Mr. Thomas incorrectly noted, this is a 3-step process. As Mr. McBrayer correctly stated, this application comes before the Hickory Regional Planning Commission, and by a simple majority vote, the members will make a recommendation, aye or nay, and send such vote to the City Council. Then the City Council, again, after all the proper advertisements are done, will hold a public hearing where they will again hear comments, if any proponents and opponents attend the future meeting, and then there will be a second and final reading; that is the second step. The third step, as Mr. McBrayer stated correctly, is if Council says no to the recommendation sent to them by the Planning Commission, then it is game over. If they say yes, and the project developer and his professional design team decide to proceed with the project, they must then submit volumes of data to both City staff and County staff. Especially in this case, it would go to County Engineering and Utilities for erosion control, grading, etc. Close to a dozen City departments would need to review it to make sure everything fully complies with municipal, county, state, and federal law, so it is a 3-step process.

Mr. Frazier said that he and Mr. Overby met with two of the opponents last week for roughly 90-minutes and addressed Mr. Thomas' contention. He said that, basically, as Mr. McBrayer has stated, this rezoning goes before the Planning Commission, and then it goes before Council. If it is passed by Council, it would then go to different staff members who will review it. Mr. Frazier said this fully adheres to the city ordinance, which is law, and to the North Carolina General Statute, and that he could assure this was true, after having done this work for 16-years here, and nearly 35-years during his career. He said it is a 3-step process, but there would be no point for an applicant, or a prospective developer, to spend tens, if not hundreds of thousands of dollars up front on a design study and plans if there were a chance the Planning Commission and/or Council would say no to it. So, everything here is proceeding according to both the city ordinance and state statute. Mr. McBrayer thanked him.

James Barton, 1345 31st Street Place NE, Conover NC, addressed Commission members, saying his property is adjacent to the area being discussed, the Stone Ridge development, to the east. He said some of his questions had already been answered, but wanted to ask what cannot be built there, such as nursing homes, hospitals, businesses, gas stations. Is it just going to be medium-density high-end duplexes and he missed something? Mr. McBrayer requested Mr. Frazier explain the uses.

Mr. Frazier said this is a Planned Development. It is only going to be residential; those are the conditions. It will be attached townhome structures, with 21 buildings and 42 units total, available for market-rate sale, not rental. He said they are not duplexes and they are not apartments, they are single-family residential attached townhomes. Dr. Pekman said he thought Mr. Barton was asking about R-2, and Mr. Frazier said this is going to be a Planned Development. Mr. McBrayer said it is currently zoned County R-20, and Mr. Frazier said the request is to rezone it to Planned Development.

Mr. Barton asked what the height and square footage of the townhomes would be. Mr. McBrayer again said the commission members' only part in this is the rezoning. He said the developer had passed around a rendering of the townhomes at the previous meeting and they were very attractive; that is all the members have seen. Mr. Barton asked if he could view the rendering himself, like maybe on the website. Mr. Frazier said that would be up to the developer, but per the NC General Assembly several years ago, municipalities cannot regulate the aesthetics of single-family, two family or duplex. Mr. Barton said that, as a property owner, he is just curious about what will be built there, and how their property values would be affected, so he was here to find out the specifics. Mr. McBrayer suggested the developer could possibly address that during the upcoming rebuttal time.

Mr. Barton asked if another meeting would be held regarding the rezoning. Mr. McBrayer said members would vote yes or no tonight, then it would go to City Council, and they will do the same. Mr. Barton asked if he could follow up on that, and Mr. McBrayer said he could probably meet with the developers, possibly after the meeting tonight. Mr. Frazier said he could also attend the City Council meeting. Mr. McBrayer said he always tells people who attend this meeting that if they are or are not satisfied, they should attend the City Council meeting and let them hear from them, too. Mr. Frazier said the rezoning application and staff report are on the City's website.

Mr. Barton said that was all he had, and Mr. McBrayer thanked him.

No other opponents were present to speak.

Mr. McBrayer said there would be 5 minutes for rebuttal.

REBUTTAL – PROPONENTS

Duke McLauchlin, 2008 46th Avenue Drive NE, Hickory NC, said he would be available to answer any questions that anyone present might have about what is being built. He has spoken with one of the men who spoke tonight, and in fact, he went down the streets and handed out business cards to some of the neighbors who he thought might have issues with the storm water. He told them if they are having any issues now, or have any in the future, they could reach out to him because he wants to be a good neighbor to everyone. A couple of them were very appreciative, and in fact, Mr. Baldy had e-mailed him with questions, which he immediately responded to; Mr. Baldy did not reply, so he assumed that he was satisfied with his answers.

Again, Mr. McLauchlin said he went door-to-door, talking to certain people that he thought would be the most affected by this, regarding storm water runoff. He offered to stay after the meeting in case anyone else has questions. Mr. McBrayer thanked him.

No other proponents chose to present rebuttal.

SURREBUTTAL – OPPONENTS

Mr. Thomas said he had some documents to leave with the city, some portions of the Future Land Use Plan. Dr. Pekman asked whose plan it was, and Mr. Thomas said the City of Hickory's plan.

Mr. Thomas read aloud from the City of Hickory Land Development Code (June 1, 2021), ***Planned Development Master Land Use Plan Detailed Requirements (TA 18-01***, pg. 96, saying:

Planned Development Master Land Use Plans submitted as part of a Planned Development zoning map amendment, or as part of an amendment to an approved Planned Development District, shall include maps and plans for the Planned Development Districts that depict the following items:

- (1) The name of the proposed Planned Development and the names of the developer and design professionals.*
- (2) Scale, dimensions, date, north arrow.*
- (3) Conceptual grading, site preparation and stormwater management.*
- (4) General location, height, number of stories, floor area, orientation, setbacks, and proposed land-uses of all structures*
- (5) Open space (designate public or private), floor area, recreation space and impervious surface area necessary to demonstrate conformance with applicable requirements.*
- (6) Landscaping and buffering.*
- (7) Any proposed property subdivision, including proposed future property lines; etc.*

Mr. Thomas said there were also other ones, (8) through (14), but that as you could see, this is all part of the zoning, and are the things he looked at and said to himself that these are the requirements for zoning, but then they are not there.

Mr. McBrayer said, just for argument's sake, let's say the Commission does approve this rezoning – then everything you just mentioned must be presented to staff by the developer before they can even break ground. Mr. Thomas said then all he would ask is that someone go back to this plan and make it easy to follow. He said if you read the form provided to the applicant, it actually says if anything is missing on this form, you are not supposed to accept it. And, oddly enough, there is something in Hickory's Code that says, well, either we can accept it or not – either we will, or we won't, and to him that is pretty arbitrary, if you say these things have to be done, and then all of a sudden they do not have to be done. Mr. Thomas said this is really the contention he has had with this, and that he is not opposed to the development. He thinks if it goes forward, it will be a decent project that fits everybody; the property values might even go up. Based on some of the information he has seen, these are going to be big townhomes, and probably expensive ones, which does not hurt.

Mr. McBrayer said he heard Mr. Thomas loud and clear. The members cannot change anything tonight, but they will ask staff to review and research it. If changes are needed, they will contemplate making them. He said that members hear his concerns and will take them into consideration. Mr. Thomas said fair enough, and Mr. McBrayer thanked him.

Dr. Pekman asked Mr. Frazier for clarification, saying that if he had correctly understood what he said earlier, then the document Mr. Thomas was referring to was step 3 in the process. Mr. Frazier said yes. Dr. Pekman said it has nothing to do with this step, which is step 1, determining a zoning for the property. Mr. Frazier said yes, and that is what he and Mr. Overby had stated to Mr. Thomas last week in their 90-minute meeting. Dr. Pekman said, then this is not germane to the Commission's consideration, and Mr. Frazier agreed.

Deputy City Attorney Arnita Dula reminded members this is a rezoning hearing; it is legislative in nature, and individuals can come and present all kinds of information. It is then the members' role to deliberate and weigh what was presented. She asked them to bear in mind the purpose of continuing this hearing – there was a very specific purpose stated as to why this hearing was continued. She told members they had not done that tonight, and to bear that in mind. Mr. McBrayer said yes that information was not presented to us tonight.

Dr. Pekman said he was not disagreeing with Ms. Dula, but he wanted to be certain he understood the issue at hand. Ms. Dula said this is a zoning matter; it is a rezoning request that requires a decision.

Mr. Thomas submitted his documents to the Clerk, which were entered into the record as Exhibit B.

No other opponents presented surrebuttal.

Mr. McBrayer declared the public hearing was closed.

There was no further discussion on Rezoning Petition 21-07 by members. Mr. McBrayer asked for a motion to accept or deny the petition.

Bill Pekman moved, seconded by Anne Williams, to approve Rezoning Petition 21-07. By a show of hands, the motion carried unanimously.

Mr. McBrayer said a recommendation of approval would be forwarded to Hickory City Council.

2. Rezoning Petition (RZ) 22-01. Request by the City of Hickory for the consideration of rezoning approximately 55.49 acres of property, owned by Margaret Glaze, Josephine Hambrick, and Robert Hambrick Trust, located on Spencer Road between 30th Street Court NE and 31st Street Place NE, from Low Density Residential (R-1) and R-20 Residential, to Medium Density Residential (R-2). The subject property is shown as PIN 3723-15-63-5314 on the Catawba County Tax Map.

Mr. McBrayer opened the public hearing for **Rezoning Petition 22-01**.

Brian Frazier presented the Staff Report and referred to PowerPoint slides. He reviewed slide #10 (Rezoning Petition 22-01):

- Property Owners: Margaret H. Glaze, Josephine Hambrick Trust, Robert Hambrick Trust
- Applicant: City of Hickory
- Location: Spencer Rd., between 30th St Ct NE and 31st St Ct NE.
- Current Zoning: R-1 (Hickory) and R-20 (Catawba County)
- Property Size: 55.49 acres
- Background: The property is zoned R-1 by Hickory and R-20 by Catawba County and was recently annexed into the City of Hickory. The prior annexation and current rezoning request is intended to provide an area for future residential uses.
- Request: At the request of the property owners, the City of Hickory is requesting to rezone the property to R-2 residential, to facilitate construction of a future residential subdivision.

Mr. Frazier said the R-2 zoning would allow for a single-family residential subdivision.

Mr. Frazier reviewed slide #11 (Map 1. Current City Boundary), saying the property being rezoned was hashed in red. The areas shaded in blue are the Hickory City Limits, the beige is the Hickory ETJ, and the white area is County jurisdictional R-20 zoning.

Mr. Frazier reviewed slide #12 (Map 2. Hickory by Choice 2030 Future Land Use), noting the property in question was classified as Low-Density Residential.

Mr. Frazier reviewed slide #13 (Map 3. Current Zoning). He pointed out a large area of County R-20 to the east, with the remainder being areas of Hickory Low-Density Residential R-1, Medium-Density R-2, and Industrial.

Mr. Frazier reviewed slide #14 (Map 4. 2021 Aerial Photography), saying it was an aerial view of the property from 2021, and is recent. He pointed out St. Stephens Lutheran Church, Springs Road, Sherrill Furniture, St. Stephens Elementary School, and Section House Road to the east.

Mr. Frazier reviewed slide #15 (Rezoning Petition 22-01).

- The property is zoned R-1 and R-20 Residential and is vacant.
- The general area is **classified Low Density Residential** by the Hickory by Choice 2030 Comprehensive Plan.
- 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...” (HBC 2030, Pg. 3.9).
- The R-2 zoning district is not listed as the implementing zoning district for the Low-Density Residential classification. However, Low Density Residential calls for **2-4 units per acre** (HBC 2030, Pg. 3.9).
- Given these factors, the rezoning of the property to R-2 is **consistent** with the findings and recommendations of the Hickory by Choice (2030) Comprehensive Plan.

He said the R-1 zoning district would currently allow for single-family residential, duplexes, mobile homes, campgrounds, RV parks, and agricultural uses.

Mr. Frazier reviewed slide #16 (Findings & Recommendation).

– Staff finds Rezoning Petition 22-01 to be **reasonable and consistent** with the Hickory by Choice 2030 Comprehensive Plan. Given these findings, the following is recommended:

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.

Mr. Frazier asked if the members had any questions.

Dr. Pekman asked if the property was R-2. Mr. Frazier said it is currently Hickory R-1 and County R-20, and it would become Hickory R-2. Mr. McBrayer thanked him.

The staff report was entered into the record as Exhibit C.

PROPONENTS

Dan Shabeldeen of Shabeldeen Engineering, 3145 Tate Blvd. SE, Hickory NC, addressed Commission members, saying his firm is part of the design team. He said Mr. Frazier had explained their request. They plan to build a residential subdivision and, with the help of staff, will make sure it complies with all R-2 zoning requirements. He asked if there were any questions.

Mr. McBrayer asked how many houses they plan to build. Mr. Shabeldeen said they do not have an exact number at this point. They are going through the multi-step process and are now at step 1, having the property rezoned, which allows for 2-4 units per acre. He said it depends how it all lays out.

Mr. McBrayer asked if they have a target sales price, and Mr. Shabeldeen said no.

There were no further questions for Mr. Shabeldeen, and Mr. McBrayer thanked him.

OPPONENTS

None

Mr. McBrayer declared the public hearing was closed.

There was no discussion on Rezoning Petition 22-01 by members, and Mr. McBrayer asked for a motion to accept or deny the petition.

Philip Reed moved, seconded by Wallace Johnson, to approve Rezoning Petition 22-01. By a show of hands, the motion carried unanimously.

Other Business:

Consideration of FY 2022/23 Workplan – A copy of the proposed FY 2022-23 Work Plan for the Hickory Regional Planning Commission/Board of Adjustment was included in the agenda packet. Mr. McBrayer said the information was clearly presented, but if members had any questions, Mr. Frazier could address them. There being none, he asked for a motion to accept the work plan.

Bill Pekman moved, seconded by Sam Hunt, to accept the FY 2022-23 Work Plan as presented. By a show of hands, the motion carried unanimously.

Mr. McBrayer thanked City Councilman Tony Wood for attending the meeting. He asked Mr. Frazier if there was any other business for members, and he said no.

Next Meeting: The next regular meeting is scheduled for Wednesday, February 23, 2022, at 6:00 pm.

Adjourn: There being no further business, Mr. McBrayer declared the meeting adjourned at 6:45 pm.

Bill McBrayer, Chair
Hickory Regional Planning Commission

Anne Starnes, Minutes Clerk
City of Hickory

CITY OF HICKORY
APPLICATION FOR SPECIAL USE PERMIT

DATE SUBMITTED: Jan 17th, 2022

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 Government Avenue, SW that is between 2nd Street, SW and 1st Street, SW.

PIN NO. (S): 3702 07 59 7195

Physical (Street) Address: 117 Government Avenue, SW, NC. 28602

2. The property is owned by: (please print) Rahe Bryce, 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: Rahe Bryce, LLC

Address: 200 1st Ave, NW. Suite 507, Hickory, NC 28601

Phone Number: 828.322.1723

Fax Number: — Email: gavin@bhicp.com

3. The application is submitted by: Gary Preston
(If the application is submitted by someone other than the owner proper authorization from the property owner is required.)

Agent Information:

Name: Gary Preston

Address: 152 A, North Main Street, Mooresville, NC 28115

Phone Number: 267.377.0651

Fax Number: — Email: gary@158onmain.com

4. The subject property is located in the C-1 Zoning District.

5. The purpose of the requested action is to: open a drinking / arcade 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. ***30 folded copies of all application materials must be submitted.*** Applicants are also encouraged to submit a digital copy of all application materials.

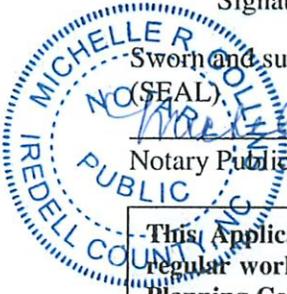
Final Plan Approval

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.

Amy Preston
Signature of Applicant

Sworn and subscribed to before me this 17th day of January, 2022.



Michelle R. Collins May 26, 2026
Notary Public 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.

NOTICE TO APPLICANT'S AND/OR AGENTS

In addition to the application fees required at the time of submittal applicant's and/or agents will be responsible for remitting payment to the City of Hickory to cover legal advertising/notices costs. Requests for special use permits require a single public hearing at a meeting of the Hickory Regional Planning Commission. State law requires specific notices of public hearing be provided prior to the public hearing. The average costs of the required legal notices range from \$200 to \$500. These costs vary depending on the size of the property and the complexity of the individual application.

The notices required by law include the following:

- Posting of property (sign);
- First class mailed notices sent to all property owners within 500 feet of the subject property; and
- A legal notice published in the local newspaper (the notice must run two consecutive weeks).

ADDENDUM TO APPLICATION FOR SPECIAL USE PERMIT
SUBMITTED BY GARY PRESTON, JAN 14TH, 2022

Special Use Review Criteria:

- 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; [L]
[SEP]

Per our conversation with Brian Frazier, Director of Planning on January 13th 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; [L]
[SEP]

Per our conversation with Brian Frazier, Director of Planning on January 13th the proposed use is consistent with all applicable provisions of the 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); [L]
[SEP]

Yes, 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; [L]
[SEP]

There are no significant adverse impacts on neighboring

properties and/or the natural environment resulting from the use. If they were to arise they would 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; [L]
[SEP]

The proposed use will not cause any diminution in the value of other property and is consistent with other similar uses in the surrounding business community. We believe that our concept will be beneficial to the financial interests of nearby businesses.

- 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 [L]
[SEP]

Yes, all services will be available to serve the subject property while maintaining sufficient levels of service for existing development.

- G. Adequate assurances of continuing maintenance have been provided. [L]
[SEP]

Adequate assurances of continuing maintenance have been provided for in the lease agreement. The exterior of the property and building will be maintained by the current property owners and the interior of the building will be maintained by the tenants submitting this request for a "Special Use Permit".



Dive Bar, LLC is a North Carolina entity established by Gary & Karen Preston in November 2020, with the first location opening November 2021 in historic downtown Mooresville, NC. This year, we have been pleased to have Rob Grosskopf, our current General Manager, become an equity owner in our business ventures.

The name Dive Bar was chosen for its nostalgic and unique name recognition but does not reflect the service and unique atmosphere we are creating. The Dive Bar business model is ultimately positioned as an entertainment venue, or adult “fun zone”, with classic arcade games such as pinball, skee-ball, darts, and other interactive games, along with pool tables. The interior space also includes large screens to view sporting events or other entertainment. Our intention is to create a “destination” in the community that appeals to a broad age and interest range for those seeking a fun atmosphere where they can grab a drink or bite to eat and play interactive games.

Dive Bar locations are licensed as a “Private Bar” with bar membership for the purposes of serving beer, wine, and spirits in the State of North Carolina, and as such is open only to those age 21 and over.

Prior entertainment and service businesses established by the Preston’s include Mooreville’s first and only upscale craft cocktail / music venue, 158 On Main, and ParBlu, an intimate historical event space hosting weddings, receptions, private parties, and other special events. These businesses, along with Dive Bar, have created additional draw to the downtown area and has been welcomed by the not only the community, but also the mayor and downtown commission.

We are excited to bring Dive Bar to Hickory as our second location and believe the building location will be a win-win for us and surrounding businesses who will benefit from increased foot-traffic and interest in our establishment.

We look forward to being a good responsible business citizen and establishing relationships within the Hickory community.

Respectfully submitted,

Gary Preston
Karen Preston
Rob Grosskopf

SPECIAL USE PERMIT ANALYSIS

PETITION: SUP 22-01

OWNER: Rahe Bryce LLC

APPLICANT: Gary Preston, operator of The Dive

PROPERTY LOCATION: 117 Government Avenue SW

PIN: 3702-07-59-7195

WARD: The subject property is located in Ward 4 (C. Williams)

ACREAGE: .25 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 a row of businesses in the Downtown Area. The structure was constructed around 1959. The last tenant in the proposed space was a martial arts studio. 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 built out and has been established for several decades. The row of buildings house various retail sales and services, including a salon, craft beer store, a DIY store, and a United States Probation Office.

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 vacant office building and public parking.

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

South: The property to the south is zoned C-1, and is vacant. It was formerly occupied by a taxi service and garage.

West: The property to the west is zoned C-1 and is occupied by “The Armory”, an office building.

ACCESS: Access to the property will continue to be used from existing entrances on 1st Ave. SW and 2nd St. Drive SW. 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.

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 no plans to expand the footprint or alter the exterior of the building at this time according to the applicant.

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 one mile 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.

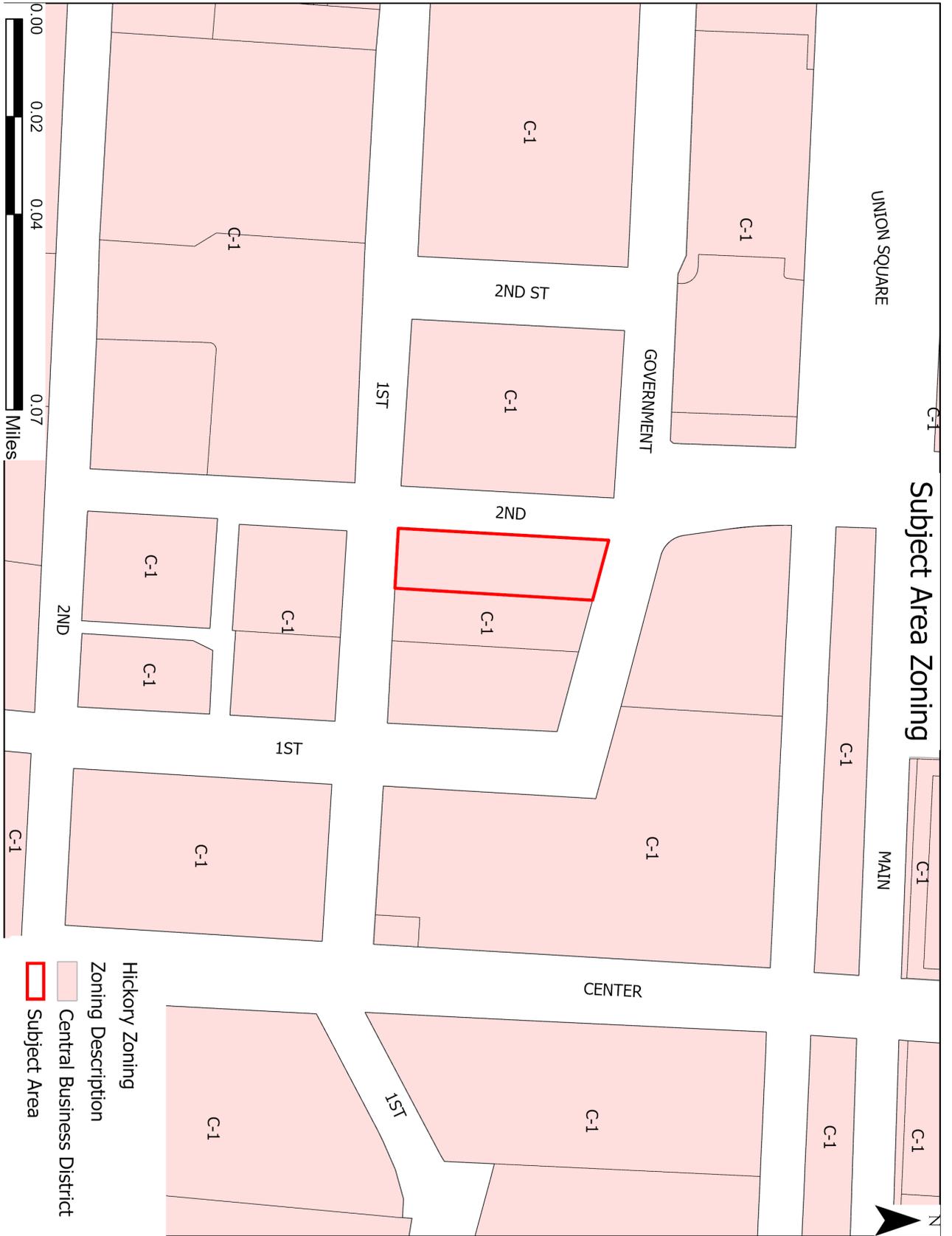
RECOMMENDED ACTION: Staff recommends approval of the Special Use Permit subject to the following conditions:

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 February 14, there has been one inquiry from the public.

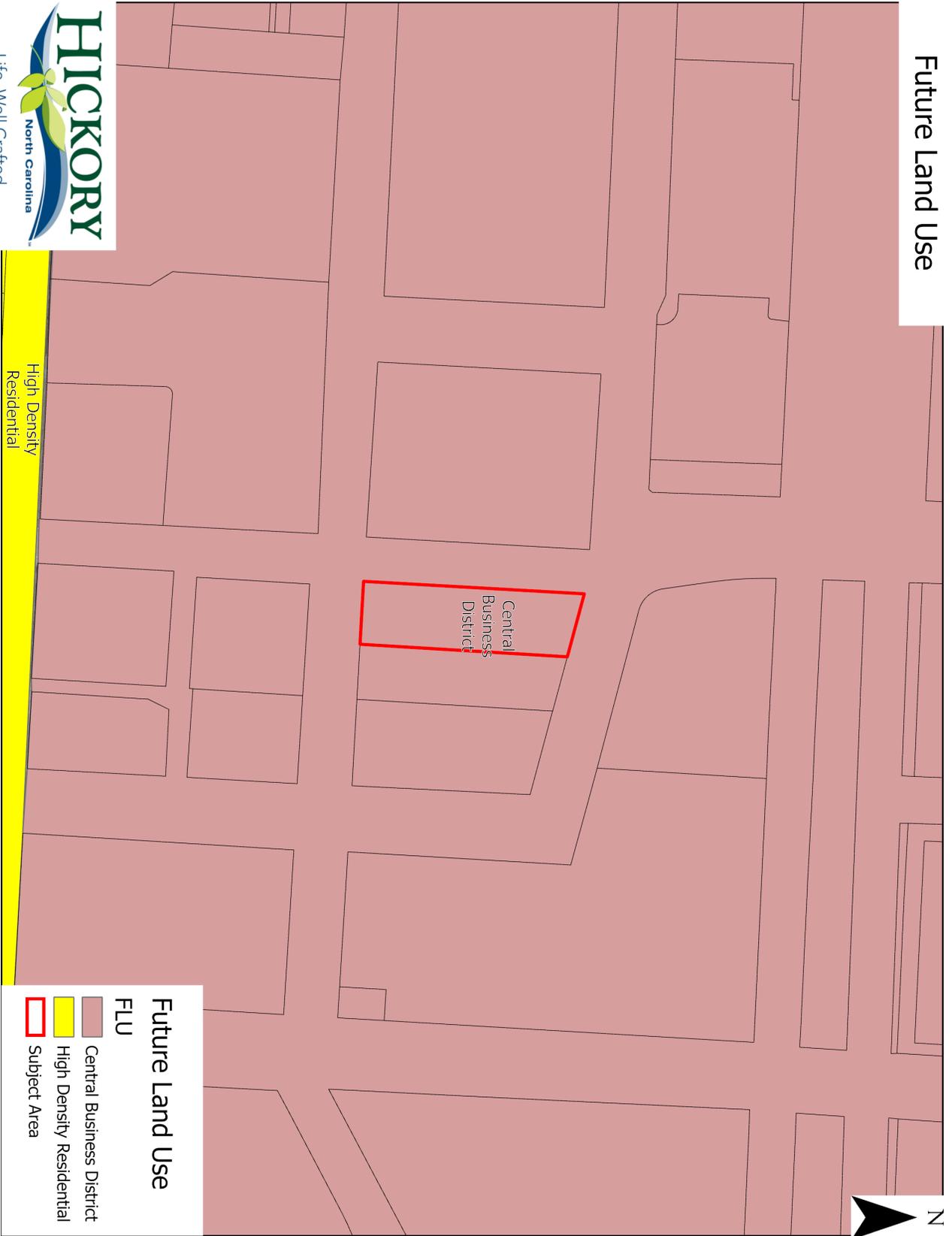


Subject Area Aerial



- Hickory Zoning**
- Zoning Description
 - Central Business District
 - Subject Area

Future Land Use



High Density Residential

Future Land Use

FLU

- Central Business District
- High Density Residential
- Subject Area

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

DATE SUBMITTED: 1-31-2022

**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 Section House Rd
between 34th ST PL NE and Sipe Road.

PIN NO. (S): 3723-08-89-6240

Physical (Street) Address: None

2. The property is owned by: (please print) Earl Errand Propst Heirs

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

Owner Information:

Name: Earl Errand Propst Heirs

Address: 1632 4th St NW Hickory NC 28601

Phone Number: 828.238.1157

Email Address: _____

3. The petition is submitted by: City of Hickory

(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: City of Hickory

Address: P.O. Box 398 Hickory NC 28603

Phone Number: 828.323.7422

4. It is desired and requested that the foregoing property be REZONED:
FROM: R-1 and R-20 TO: R-2

5. Please list the current use(s) of the property: Vacant/Wooded

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.

NA
Printed Name of Owner Signature of Owner

(Please choose the appropriate notary block)

State of North Carolina – County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ 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 _____ day of _____, 20____.

My Commission Expires: _____

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: 22-02

APPLICANT: City of Hickory

OWNERS: Earl Errand Propst Heirs

PROPERTY LOCATION: Section House Road between 34th Street Place NE and Sipe Road.

PIN: 3723-08-89-6240

WARD: The property is currently in the process of being annexed.

ACREAGE: 47.40

REQUESTED ACTION: Rezone the property from R-1 and R-20 Residential to R-2 Residential.

BACKGROUND: The subject property is currently zoned R-1 Residential by Hickory and R-20 Residential by Catawba County and is 47.40 acres in total size. The property in its entirety, is in the process of being annexed. Both current zoning districts permit residential uses at a density of two (2) dwelling units per acre.

DEVELOPMENT POTENTIAL: The subject property is currently zoned R-1 Residential by Hickory and R-20 Residential by Catawba County, and totals 55.49 acres in total size. The current R-1 and R-20 zoning districts both permit one and two-family residential uses at a density of two (2) dwelling units per acre.

The subject property is currently vacant; however, the intent is to utilize the property for the construction of a residential subdivision. The applicants have requested the property be zoned R-2 Residential. If zoned R-2 Residential, the property could be developed for single-family detached residences at a rate of four (4) units per acre. Given the property's size, future development could theoretically produce 189 dwelling units.

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 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 classification is intended to provide an area of transition between higher density housing and the surrounding area by offering development at two (2) to four (4) units per acre, (HBC 2030, Pg. 3.9)". The Hickory by Choice 2030 Comprehensive Plan goes on to state; "although the gross density in these areas is proposed to be less than Medium Density Residential, conservation subdivision design principles can provide opportunities for a combination small and large lot development

that helps preserve open space and protect environmentally sensitive areas". (HBC 2030, Pg. 3.9)

The R-2 zoning district is not listed as the implementing zoning district for the Low-Density Residential classification; however, the density discussed within the quoted section of the Hickory by Choice 2030 Comprehensive Plan clearly states densities up to four (4) units per acre are appropriate for the area. The R-2 district permits density up to, but not more than, four (4) units per acre, which is compatible with the language found with the Hickory by Choice 2030 Comprehensive Plan.

Given these factors, the rezoning of the property 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 area under consideration for rezoning is indicated by the Hickory by Choice 2030 Comprehensive Plan as being a future residential area with residential densities between two (2) and four (4) 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 (Spencer Road / SR 1441), as well as water and sewer infrastructure (upon annexation). During the annexation evaluation process, staff also verified all other public services were available, and would not be diminished with the future development of the subject property. 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 almost entirely of single-family dwellings. This development pattern will continue under the R-2 Residential district, as only single-family residences 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 utilities and transportation infrastructure.

- 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 property are properly protected as prescribed by law.

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

- **North:** The properties are zoned R-20 Residential and are either occupied by single-family residences or vacant.
- **South:** The properties are zoned R-1 Residential and are occupied by single-family residence.
- **East:** The properties are zoned R-20 Residential and are either occupied by single-family residences or vacant.
- **West:** The properties are zoned R-1 and R-20 Residential and are either 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 land use pattern of the larger area consists largely of single-family residences. The rezoning of the property to R-2 Residential would continue this development pattern and mirror the existing City zoning already in place in the surrounding area.

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

The requested Medium Density Residential (R-2) zoning is similar to the existing zoning. The permissible uses of R-2 zoning will aid in minimizing future impacts on 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 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 continued residential development. The future use of the property is residential.

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 22-02 to be **consistent** with the Hickory by Choice 2030 Comprehensive Plan, and recommends the following:

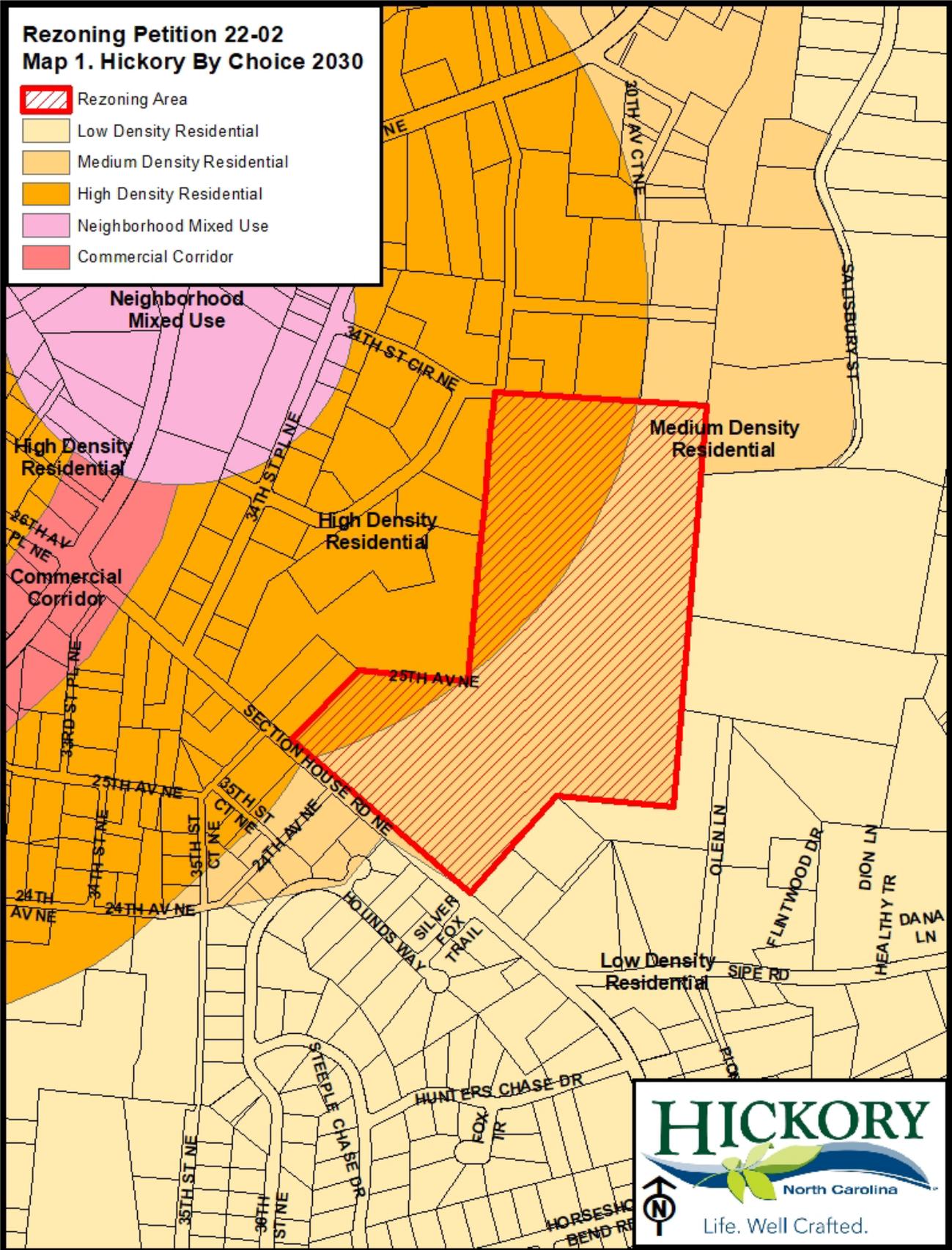
1. The Hickory Regional Planning Commission adopt a statement affirming the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan; and
2. Forward a recommendation of approval to the Hickory City Council.

CITIZEN INPUT:

As of February 14, 2022, staff has received two (2) inquiries regarding this petition.

**Rezoning Petition 22-02
Map 1. Hickory By Choice 2030**

-  Rezoning Area
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Neighborhood Mixed Use
-  Commercial Corridor



Rezoning Petition 22-02
Map 2. Current Zoning

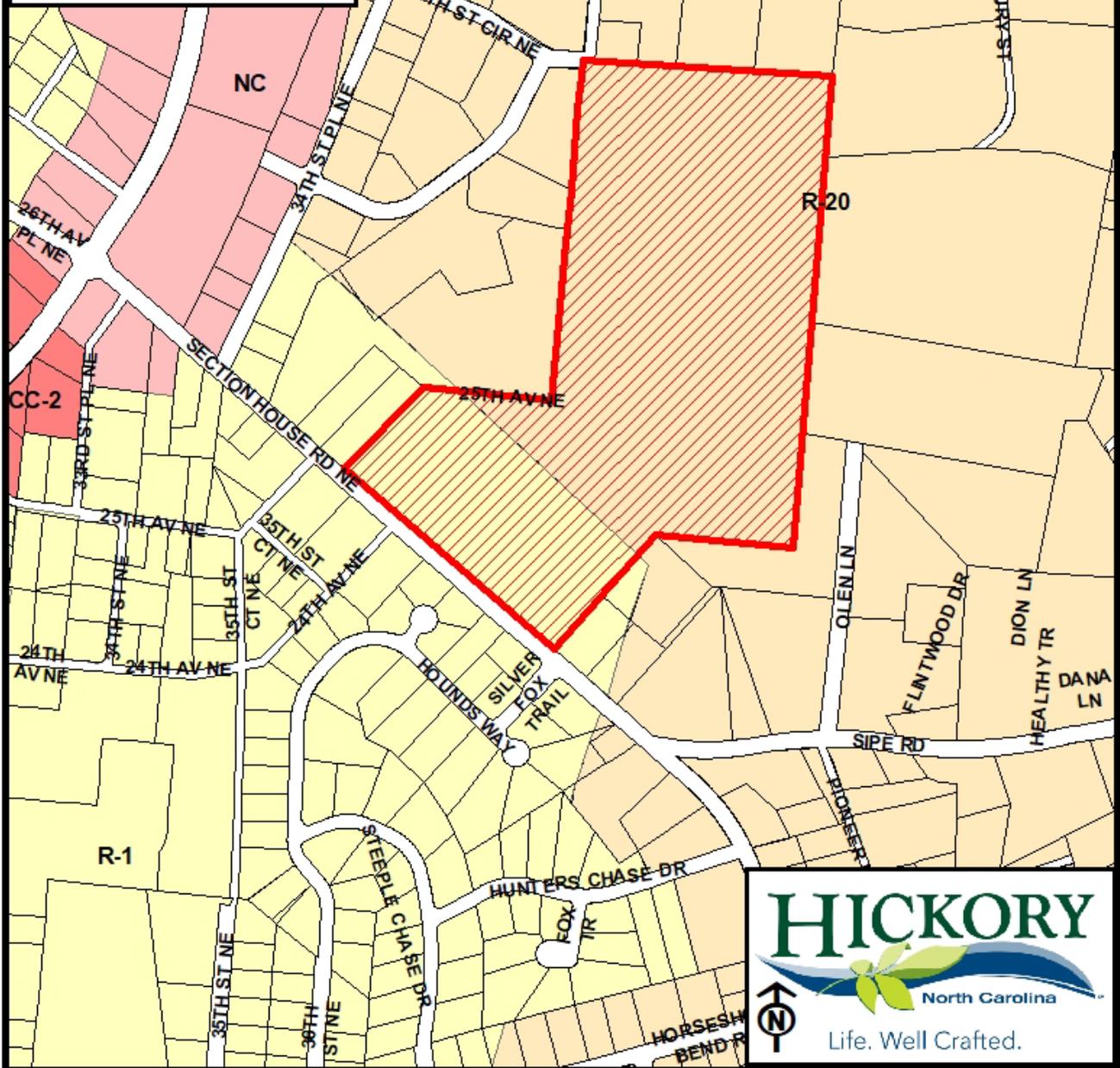
 Rezoning Area

Hickory Zoning

-  R-1
-  NC
-  CC-2

Catawba County Zoning

-  HC
-  R-20



Rezoning Petition 22-02
Map 3. Aerial Photography

 Rezoning Area



**CITY OF HICKORY
APPLICATION FOR REZONING
(PLANNED DEVELOPMENT OR CONDITIONAL ZONING DISTRICT)**

DATE SUBMITTED: 01-26-2022

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 Land Development Code and change 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 STARTOWN Rd
between SHORT Rd and ROBINWOOD.

PIN NO. (S): 372116949674, 371116946567

Physical (Street) Address: Unassigned

2. The property is owned by: (please print) STARTOWN HOLDINGS, LLC + REC Group, 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: Startown Holdings, LLC - REC Group, LLC

Address: 4530 PARK PL #413 CHARLOTTE, NC 28209 PO Box 3916 Hickory, NC 28602

Phone Number: 828-855-6077

Email Address: eric@neillinc.com

3. The petition is submitted by: ERIC YEARGAIN

(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: ERIC YEARGAIN

Address: 3050 1ST AVE CT SE Hickory, NC 28602

Phone Number: 828-855-6077

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

FROM: R-20 TO: Planned Development (PD)

5. Please list any overlay districts that apply to the subject property: _____

6. Please list the current use(s) of the property: Raw Land - Not Farmed

7. Specify the acreage of the proposed development: ~ 31.09

8. Specify the intensity (gross square footage) and/or density (size and number of dwelling units) of the proposed development: 340 TOTAL UNITS; 422,468 SF; FAR 34.89%

Additional Required information (40 folded copies of all support information must be provided)

Planned Development Districts

A Planned Development Master Land Use Plan must be submitted as part of all petitions to rezone to a Planned Development district. Such plan shall include maps and plans for the subject property at a scale not smaller than 1" = 200' that depicts the following items:

1. The name of the proposed Planned Development and the names of the developer and design professionals;
2. Scale, dimensions, date, north arrow;
3. Conceptual grading, site preparation and stormwater management;
4. General location, height, number of stories, floor area, orientation, setbacks and proposed land-uses of all structures;
5. Building elevations of all proposed buildings;
6. Open space (designate public or private), floor area, recreation space and impervious surface area necessary to demonstrate conformance with applicable requirements;
7. Landscaping and buffering;
8. Any proposed property subdivision, including proposed future property lines;
9. Primary vehicular and pedestrian circulation system including all proposed exclusive storage bays, turn lanes, vehicular and pedestrian cross access points, points of ingress and egress for principal pedestrian, vehicle, bicycle, and transit;
10. Proposed street layout (both public or private);

11. Location of all parking, loading, sanitation and recycling facilities; area and number of parking spaces in parking lots;
12. Location, character and intensity of all proposed outdoor lighting fixtures;
13. Location of all utility systems;
14. Location, height, dimensions and type of all signs; and
15. Locally or nationally recognized historic structures.

Conditional Zoning Districts

Conditional Zoning can be applied in conjunction with any base zoning district. Applicants petitioning to rezone to a conditional zoning district must meet all the requirements of the underlying zoning district. All applicants must include a list of additional conditions to be placed upon the subject property with their application. Depending on the complexity of the conditions proposed, a site plan similar to the Master Land Use Plan described above may be required.

Applicant's Affidavit

(All applications must be signed by all persons having an ownership interest in the subject property or include an agent authorization letter that includes the notarized signatures of all property owners)

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

Clayton Null
Signature of Applicant

Sworn and subscribed to before me this 27th day of January, 2022.

(SEAL)

Susan J. Wilson
Notary Public Susan J. Wilson

08-02-2025
My Commission Expires

SUSAN J WILSON Notary Public North Carolina Catawba County

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.

NOTICE TO APPLICANTS AND/OR AGENTS REGARDING ADVERTISING FEES

In addition to the application fees required at the time of application submittal, the applicant and/or agents is responsible for remitting payment to the City of Hickory to cover legal advertising/notices costs. Advertising costs are billed by the City of Hickory after the rezoning process concludes.

Requests for rezoning require two public hearings (Hickory Regional Planning Commission and Hickory City Council). State law and the Hickory Land Development Code requires specific notices of public hearing be provided prior to the public hearing. These requirements are necessary for each of the two public hearings. The notices required by law include the following:

- Posting of property (sign);
- First class mailed notices sent to all property owners within 500 feet of the subject property; and
- A legal notice published in the local newspaper (the notice must run two consecutive weeks).

The average costs of such required legal advertising range from \$400.00 to \$700.00 depending on the size of the property and the complexity of the request.

STARTOWN HOLDINGS, LLC (PRESTON RIDGE PHASE II) - Project Narrative

The proposed assemblage of two additional and adjacent parcels by the existing developers of Preston Ridge is proposed to include a 2.69-acre parcel owned by Startown Holdings, LLC, and a 6.19-acre parcel owned by REC Group, LLC, and is needed to accommodate Phase II residential density and parking. This represents an amendment to the existing PD, thus spreading the multifamily units out to allow for additional units, parking, and increased open space.

Proposed Zoning: Planned Development · PD

Existing Zoning: Tax ID 371112954256, 8.78 acres owned by Startown Multifamily, LLC, 371112956186, 4.99 acres owned by Preston Ridge Property Owner's Association, Inc., and 371112959560, 7.79 acres owned by Startown Holdings, LLC, all of which are currently zoned in the existing Planned Development District. Proposed additions to join the existing PD include Tax ID 372116949674, being 2.69 acres and currently zoned R-20, along with Tax ID 371116946567, being 6.19 acres, and zoned R-20. Both proposed additions subject to voluntary annexation and rezoning to amend existing PD. Proposed total combined acreage of amended PD is approximately 31.09 acres, and 472,468 SF of building area.

Proposed Building Setbacks Front Setback: 20 feet along Short Road, 30 feet along Startown Road. Side Setback: 10 feet along commercial, 20 feet along residential which will include a 10' landscaped buffer or be eliminated by virtue of an executed Buffer Waiver Agreement. Rear Setback: 20 feet along residential; previously established 30' landscape buffer in original rezoning application to be reduced to 10' in this amended application or eliminated by written buffer waiver agreements.

Development Summary Phase 1 of the project is complete. This amendment to the existing PD to facilitate the development of Phase II will consist of seven (7), twenty-four (24) unit buildings, and four (4) nine-bay (9) single-story garages for a total of 168 additional multifamily units for Phase II, and thirty-six (36) garages. A detailed accounting of unit configurations, intensities, number of dwellings, GSF, FAR, and parking calculations are included in the attached AREA ANALYSIS and Site Plan; apartment building heights to be identical to Preston Ridge Phase one building type at 38' – 7".

Open Space Requirements - 20% of 31.09 acres: A minimum of 6.2 acres will be maintained as open space per City of Hickory Land Development Code.

Parking Requirements 1.5 cars per residential unit and 4 cars per thousand square feet of retail/commercial space= (162) spaces for non-residential + 510 (including Phase 1) spaces for residential for a total of 672 spaces required. A minimum 672 spaces will be provided as per the City of Hickory Land Development Code; attached site plan depicts parking well in excess of requirements.

Trees, Screening, Landscape, and Buffer Areas The development will adhere to the standards of the City of Hickory Land Development Code, City of Hickory Zoning and Tree Ordinances for overall landscaping, mechanical unit screening, and perimeter buffer areas consistent with Phase I completed construction.

Utility Requirements Storm water, Water Quality, and Erosion control was depicted on initial submittal. Final design calculations and overall site system design will be submitted for review and will meet City of Hickory Requirements. Water and Sewer services are requested from the City of Hickory.

Trash Bulk Trash removal services are requested from City of Hickory. Duplex trash/recycling dumpster pads and screens meeting City of Hickory Design Standards will be scattered throughout the project in approximately five locations.

Lighting All exterior building and parking lot lighting will be low level, residential scale pedestrian pole lights directed into interior of site to minimize leakage to adjacent properties.

PRESTON RIDGE - AREA ANALYSIS



RETAIL / EDUCATIONAL

		Parking Allotment	FAR (GSF Building/ GSF Parcel)		Occupancy Designation	Space Description	Building Area (Gross)							
Building A														
	Basement	61			Education	12,600 SF Shell	12,600 SF							
	Level One	60			Mercantile / Business	(9) 1,400 SF Retail Bays	12,600 SF							
			1.86%				25,200 SF	Total Area						
Building B														
	Basement	61			Education	12,600 SF Shell	12,600 SF							
	Level One	60			Mercantile / Business	(9) 1,400 SF Retail Bays	12,600 SF							
			1.86%				25,200 SF	Total Area						

RESIDENTIAL

								Basement	Level One	Level Two	Level Three	Level Four		
	Building Area Gross (Per Building)	Parking Allotment (Total when multiple buildings)	FAR (GSF Building/ GSF Parcel)	Prelim. Building Efficiency (Sum of Rentable/Gross)	Unit Designation	Unit Type	Typ Rentable Area/ Unit* (SF)	Residential Unit Summary / Level					Totals	
Building 01														
**Location of Amenity and Leasing.	56,312 SF	72	4.16%	68%	1A	Standard 1 Bedroom / 1 Bath	675 SF		2	2	2	2	8	21%
					1A-ALT	Standard 1 Bedroom @ End of Corridors	712 SF							
					1B	Premium 1 Bedroom Behind Elevator	972 SF		1	1	1	1	4	11%
					1C	Large 1 Bedroom / 1 Bath	761 SF							
					1C-ALT	Large 1 Bedroom / 1 Bath @ End of Corridors	787 SF							
					2A	2 Bedroom / 2 Bath w/ Center Balcony	1,048 SF							
					2B	2 Bedroom / 2 Bath w/ Corner Balcony	1,030 SF		4	5	5	5	19	50%
					2B-ALT 1	2 Bedroom / 2 Bath w/ Corner Balcony @ Bldg. Entrance	1,050 SF							
					2B-ALT 2	2 Bedroom / 2 Bath w/ Corner Balcony @ End of Corridors	1,060 SF							
					2C	2 Bedroom / 2 Bath (Student Option 01)	1,220 SF							
					2D	2 Bedroom / 2 Bath (Student Option 02)	1,220 SF							
					3A	Standard 3 Bedroom / 2 Bath	1,295 SF		1	1	1	1	4	11%
					3B	Premium 3 Bedroom / 2 Bath @ Building 01	1,317 SF			1	1	1	3	8%
					Leasing	Level 1	1,036 SF							
					Storage	Leasable Storage @ Basement	74 SF							
					Amenity	Fitness, Yoga, Kitchenette, Clubhouse, Study Rooms, Package, Service Areas @ Basement	8,562 SF							
							Unit Totals / Level	0	8	10	10	10	38	

Buildings 03 and 05

**Two total buildings.	33,439 SF	86	4.94%	79%	1A	Standard 1 Bedroom / 1 Bath	675 SF	2	5	2	2		11	35%
					1A-ALT	Standard 1 Bedroom @ End of Corridors	712 SF			3	3		6	19%
					1B	Premium 1 Bedroom Behind Elevator	972 SF							
					1C	Large 1 Bedroom / 1 Bath	761 SF	1	1	1			3	10%
					1C-ALT	Large 1 Bedroom / 1 Bath @ End of Corridors	787 SF						0	0%
					2A	2 Bedroom / 2 Bath w/ Center Balcony	1,048 SF	1	1	1			4	13%
					2B	2 Bedroom / 2 Bath w/ Corner Balcony	1,030 SF		1				1	3%
					2B-ALT 1	2 Bedroom / 2 Bath w/ Corner Balcony @ Bldg. Entrance	1,050 SF						0	0%
					2B-ALT 2	2 Bedroom / 2 Bath w/ Corner Balcony @ End of Corridors	1,060 SF			1	1		2	6%
					2C	2 Bedroom / 2 Bath (Student Option 01)	1,220 SF							
					2D	2 Bedroom / 2 Bath (Student Option 02)	1,220 SF							
					3A	Standard 3 Bedroom / 2 Bath	1,295 SF	1	1	1	1		4	13%
					3B	Premium 3 Bedroom / 2 Bath @ Building 01	1,317 SF							
					Storage	Leasable Storage @ Basement	89 SF							
							Unit Totals / Level	4	9	9	9		31	

Buildings 04 and 07

**Two total buildings.	28,218 SF	84	4.17%	82%	1A	Standard 1 Bedroom / 1 Bath	675 SF		2				2	8.33%
					1A-ALT	Standard 1 Bedroom @ End of Corridors	712 SF			2	2		4	16.67%
					1B	Premium 1 Bedroom Behind Elevator	972 SF							
					1C	Large 1 Bedroom / 1 Bath @ End of Corridors	761 SF		1				1	4.17%
					1C-ALT	Large 1 Bedroom / 1 Bath	787 SF			1	1		2	8.33%
					2A	2 Bedroom / 2 Bath w/ Center Balcony	1,048 SF		1	1	1		3	12.50%
					2B	2 Bedroom / 2 Bath w/ Corner Balcony	1,030 SF		1				1	4.17%
					2B-ALT 1	2 Bedroom / 2 Bath w/ Corner Balcony @ Bldg. Entrance	1,050 SF		2	2	2		6	25.00%
					2B-ALT 2	2 Bedroom / 2 Bath w/ Corner Balcony @ End of Corridors	1,060 SF			1	1		2	8.33%
					2C	2 Bedroom / 2 Bath (Student Option 01)	1,220 SF							
					2D	2 Bedroom / 2 Bath (Student Option 02)	1,220 SF							
					3A	Standard 3 Bedroom / 2 Bath	1,295 SF		1	1	1		3	12.50%
					3B	Premium 3 Bedroom / 2 Bath @ Building 01	1,317 SF							

PRESTON RIDGE - AREA ANALYSIS



										Unit Totals / Level		8	8	8			24
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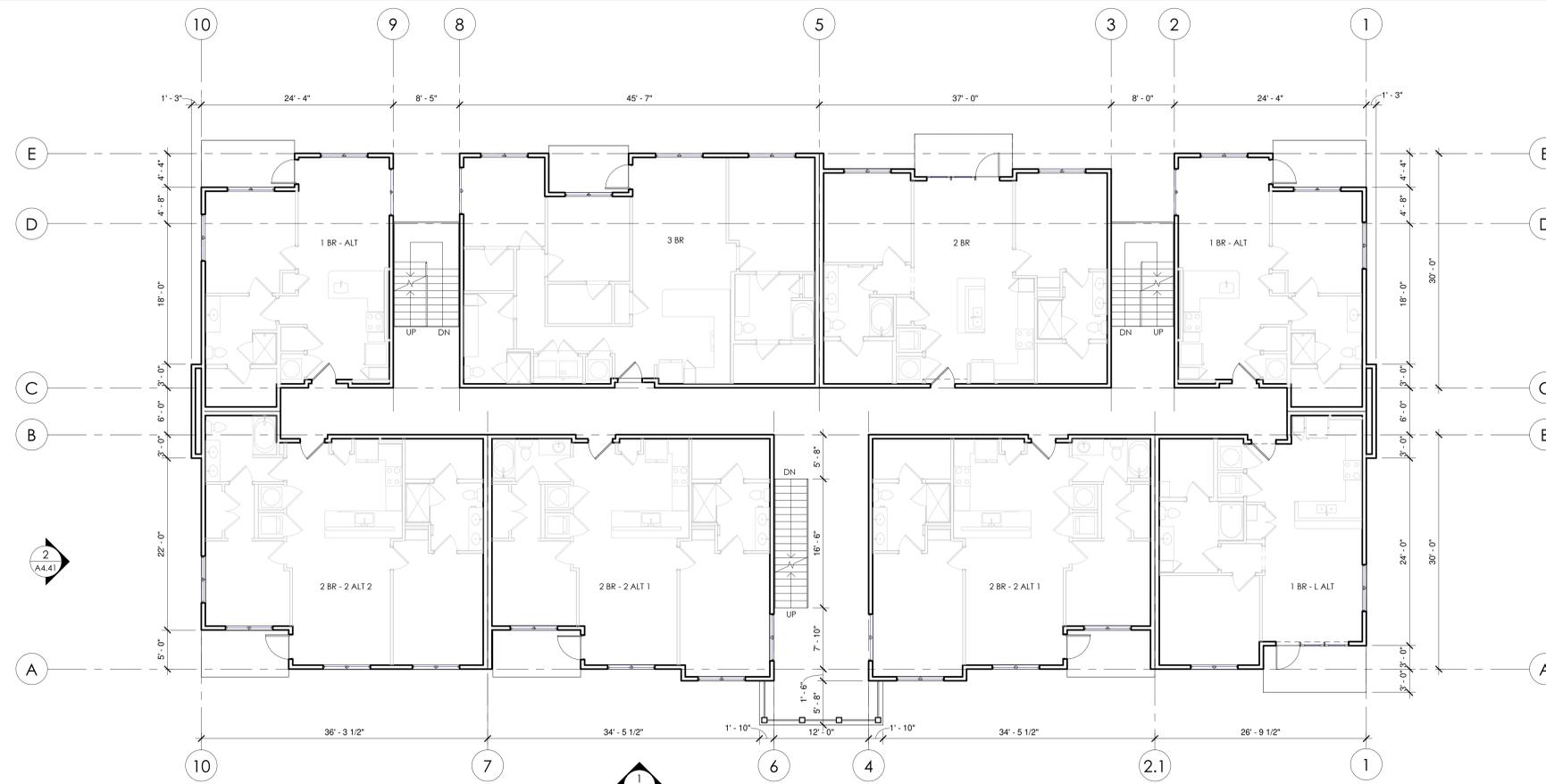
Building 08																		
**Student Housing building.																		
32,816 SF	99	2.42%	89%	1A	Standard 1 Bedroom / 1 Bath	675 SF												
				1A-ALT	Standard 1 Bedroom @ End of Corridors	712 SF												
				1B	Premium 1 Bedroom Behind Elevator	972 SF												
				1C	Large 1 Bedroom / 1 Bath	761 SF												
				1C-ALT	Large 1 Bedroom / 1 Bath @ End of Corridors	787 SF												
				2A	2 Bedroom / 2 Bath w/ Center Balcony	1,048 SF												
				2B	2 Bedroom / 2 Bath w/ Corner Balcony	1,030 SF												
				2B-ALT 1	2 Bedroom / 2 Bath w/ Corner Balcony @ Bldg. Entrance	1,050 SF												
				2B-ALT 2	2 Bedroom / 2 Bath w/ Corner Balcony @ End of Corridors	1,060 SF												
				2C	2 Bedroom / 2 Bath (Student Option 01)	1,220 SF	4	4	4						12	50%		
				2D	2 Bedroom / 2 Bath (Student Option 02)	1,220 SF	4	4	4						12	50%		
				3A	Standard 3 Bedroom / 2 Bath	1,295 SF												
				3B	Premium 3 Bedroom / 2 Bath @ Building 01	1,317 SF												
				Storage	Leasable Storage @ Level 1	28 SF												
										Unit Totals / Level		0	8	8	8			24

Phase Two Residential Buildings																	
**Seven total buildings.																	
28,218 SF	347	14.59%	82%	1A	Standard 1 Bedroom / 1 Bath	675 SF	2								2	8.33%	
				1A-ALT	Standard 1 Bedroom @ End of Corridors	712 SF			2	2					4	16.67%	
				1B	Premium 1 Bedroom Behind Elevator	972 SF											
				1C	Large 1 Bedroom / 1 Bath @ End of Corridors	761 SF	1								1	4.17%	
				1C-ALT	Large 1 Bedroom / 1 Bath	787 SF			1	1	1				2	8.33%	
				2A	2 Bedroom / 2 Bath w/ Center Balcony	1,048 SF	1		1	1					3	12.50%	
				2B	2 Bedroom / 2 Bath w/ Corner Balcony	1,030 SF									1	4.17%	
				2B-ALT 1	2 Bedroom / 2 Bath w/ Corner Balcony @ Bldg. Entrance	1,050 SF	2		2	2					6	25.00%	
				2B-ALT 2	2 Bedroom / 2 Bath w/ Corner Balcony @ End of Corridors	1,060 SF			1	1					2	8.33%	
				2C	2 Bedroom / 2 Bath (Student Option 01)	1,220 SF											
				2D	2 Bedroom / 2 Bath (Student Option 02)	1,220 SF											
				3A	Standard 3 Bedroom / 2 Bath	1,295 SF	1		1	1					3	12.50%	
				3B	Premium 3 Bedroom / 2 Bath @ Building 01	1,317 SF											
										Unit Totals / Level		8	8	8			24

Phase Two Garage/Storage																	
**Four Total Buildings																	
3,025 SF	N/A	0.89%		1G	Private Garages	300 SF									9		

Residential Project Summary																		
				1A	Standard 1 Bedroom / 1 Bath	675 SF											48	
				1A-ALT	Standard 1 Bedroom @ End of Corridors	712 SF											48	
				1B	Premium 1 Bedroom Behind Elevator	972 SF											4	
				1C	Large 1 Bedroom / 1 Bath	761 SF											15	
				1C-ALT	Large 1 Bedroom / 1 Bath @ End of Corridors	787 SF											18	
				2A	2 Bedroom / 2 Bath w/ Center Balcony	1,048 SF											35	
				2B	2 Bedroom / 2 Bath w/ Corner Balcony	1,030 SF											30	
				2B-ALT 1	2 Bedroom / 2 Bath w/ Corner Balcony @ Bldg. Entrance	1,050 SF											54	
				2B-ALT 2	2 Bedroom / 2 Bath w/ Corner Balcony @ End of Corridors	1,060 SF											22	
				2C	2 Bedroom / 2 Bath (Student Option 01)	1,220 SF											12	
				2D	2 Bedroom / 2 Bath (Student Option 02)	1,220 SF											12	
				3A	Standard 3 Bedroom / 2 Bath	1,295 SF											39	
				3B	Premium 3 Bedroom / 2 Bath @ Building 01	1,317 SF											3	
										Total Project FAR (Total Bldg Area/Total Parcel Area)								
Total Building Area:	472,468 SF																	
Total Parcel Area:	1,354,280 SF		34.89%															
										Total Residential Units								340

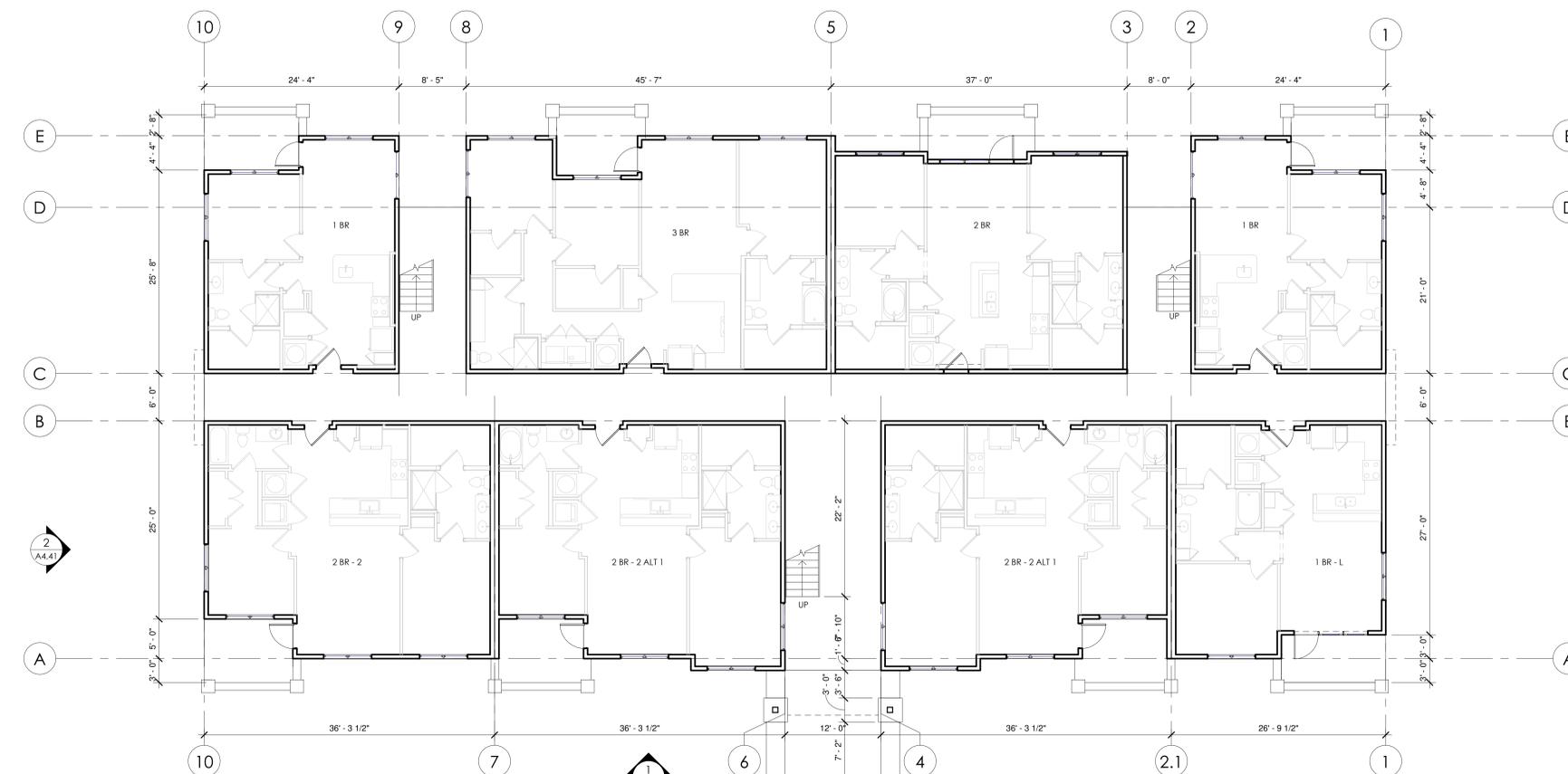
* Unit rentable area is measured to outside face of stud @ exterior and corridor wall, c/L of unit dimising walls.



TYPICAL UPPER OVERALL FLOOR PLAN

2
A1.41

SCALE: 1/8" = 1'-0"



LEVEL 1 OVERALL FLOOR PLAN

1
A1.41

SCALE: 1/8" = 1'-0"

**PRE-DESIGN
NOT FOR CONSTRUCTION**

STARTOWN APARTMENTS

LOCATION / HICKORY, NC
PROJECT # / 18LPA620
DATE / 10.26.2018
DRAWN / CS/AS

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Revisions		
No.	Description	Date

**BUILDINGS 04 & 07
LEVEL 01 AND TYPICAL
FLOOR PLANS**

A1.41

**PRE-DESIGN
NOT FOR CONSTRUCTION**

STARTOWN APARTMENTS



**BUILDINGS 04 AND 07 SIDE
ELEVATION**

2
A4.41

SCALE: 1/8" = 1'-0"



**BUILDINGS 04 AND 07 ENTRY
ELEVATION**

1
A4.41

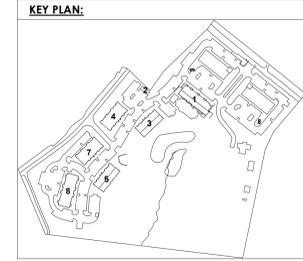
SCALE: 1/8" = 1'-0"

LOCATION / HICKORY, NC
PROJECT # / 18LPA620
DATE / 10.26.2018
DRAWN / CDS

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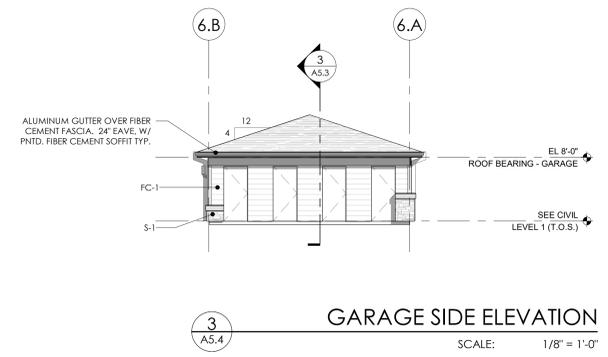
Revisions		
No.	Description	Date

**BUILDINGS 04 AND 07
ELEVATIONS**

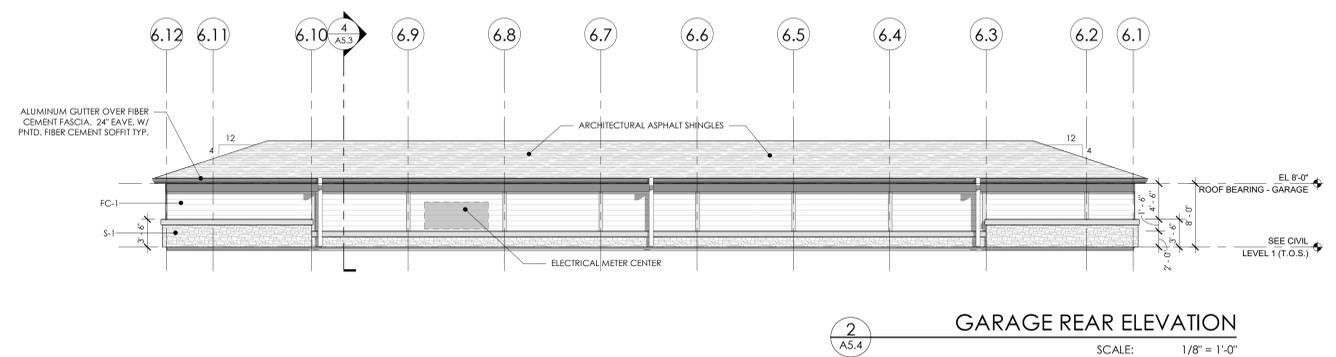


- MATERIAL LEGEND:**
- S-1: MANUFACTURED STONE VENEER ARTISAN LEDGE SERIES, "FALMOUTH" COLOR BY CORONADO COLOR TONES
 - S-2: 6" MANUFACTURED STONE LINTEL COLOR S (LIGHT)
 - S-3: 2 1/2" (D) MANUFACTURED STONE SILL COLOR S (LIGHT)
 - FC-1: FIBER CEMENT LAP SIDING - 8" "GRAY OWL" 2137-60, BY BENJAMIN MOORE
 - FC-2: PRE-FINISHED FIBER CEMENT WOOD LOOK LAP SIDING W/ F.C. TRIM PAINTED TO MATCH STAIN "DARK SEQUOIA" BY CAROLINA COLOR TONES
 - FC-3: FIBER CEMENT PANELS W/ F.C. TRIM - MAX 4' x 10' "GRAY OWL" 2137-60, BY BENJAMIN MOORE
 - FC-4: FIBER CEMENT PANELS W/ F.C. TRIM - MAX 4' x 10' "IRON MOUNTAIN" 2134-30, BY BENJAMIN MOORE
 - FC-5: PAINTED FIBER CEMENT LAP SIDING - 8"
 - FC-6: PAINTED 1 1/2" x 5/4" FIBER CEMENT TRIM BOARD @ SILL
 - ASPHALT SHINGLE ROOF LANDMARK SERIES, "SUNRISE CEDAR" COLOR BY CERTAINTED
 - R-1: POWDER COATED ALUMINUM RAILING, TOP MOUNTED

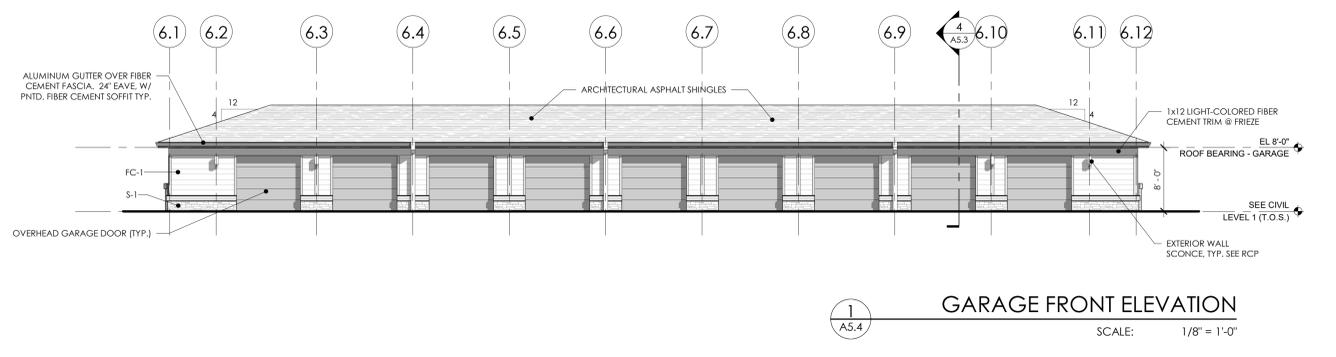
- GENERAL NOTES:**
1. BALCONY RAIL TO BE POWDER-COATED ALUMINUM. FINISHED COLOR TO BE APPROVED BY OWNER AND ARCHITECT.
 2. WINDOW TRIM TO MATCH COLOR OF SURROUNDING PANEL.
 3. PROVIDE CORNER STONE UNIT AT ALL STONE VENEER CORNER RETURNS.
 4. PAINTED FIBER CEMENT COLORS TO BE APPROVED BY ARCHITECT.
 5. ALL AREAS SHOWN AS FIBER CEMENT PANELS 1/ BATHS SHALL HAVE A BATTEN AT EVERY PANEL SEAM. MAXIMUM FIBER CEMENT PANEL SIZE: 4'x10'. BATTEN TO BE 1" x 4".
 6. BATTEN AT WINDOW, DOOR, AND OPENING HEADS TO BE 1" x 8". OUTSIDE CORNER FIBER CEMENT TRIM TO BE 1" x 4".
 7. NICHE/FIBER CEMENT AS BASIS OF DESIGN. IF OTHER MANUFACTURER IS USED, INSTALL PER MFR. RECOMMENDATIONS.
 8. REFERENCE A8.51 FOR TYPICAL FIBER CEMENT DETAILS.
 9. EXTERIOR MATERIALS, DETAILING, AND COLORS TO WRAP CORNER AT BALCONY, ALCOVE, AND PARAPET CONDITIONS AND TERMINATE AT INSIDE CORNER, UNLESS NOTED OTHERWISE.
 10. G.C. TO PROVIDE CONTINUOUS PRE-FINISHED ALUM. COPING AT ALL PARAPET WALLS, INCLUDING SIDE FACE OF STEEP PARAPET.
 11. PROVIDE SADDLE FLASHING WHERE ROOF OVERHANG TERMINATES AT WALL AND AT TRANSITIONS BETWEEN LOW AND HIGH PARAPETS. SEE WATERPROOFING DETAILS.
 12. REFER TO A8.26 FOR PENETRATION, WEATHERPROOFING, AND WATERPROOFING DETAILS.
 13. REFER TO SHEETS A8.11 THRU A8.25 FOR TYPICAL DETAILS.



3
A5.4
GARAGE SIDE ELEVATION
SCALE: 1/8" = 1'-0"



2
A5.4
GARAGE REAR ELEVATION
SCALE: 1/8" = 1'-0"



1
A5.4
GARAGE FRONT ELEVATION
SCALE: 1/8" = 1'-0"

PRESTON RIDGE PHASE 2



LOCATION / HICKORY, NC
PROJECT # / 22PLA120
DATE / 01.27.2022
DRAWN / ----

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Revisions		
No.	Description	Date

GARAGE ELEVATIONS

REZONING ANALYSIS

PETITION: Rezoning 22-04

APPLICANT: Eric Yeargin

OWNER: Startown Holdings, LLC; REC Group, LLC

PROPERTY LOCATION: Startown Road, between Short Road and Robinwood Rd.

PINs: 3721-16-94-9674, and 3711-16-94-6567

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 31.09 acres, 8.88 of which would be the PD.

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 168 residential units and 36 supporting garages (approximately 365,500 ft² of gross floor area), and 40,500 ft² of mixed use space. This totals 472,468 ft² of total gross floor area, or a floor area ratio of 0.3489.

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 multi-family in nature.

The plans depict the properties as consisting of seven (7) residential apartment buildings, which contain 168 dwelling units. These would be supported by 36 garage spaces as well. In total, the proposed development would consist of 472,468 ft² of total gross floor area, or a floor area ratio of 0.3489, and a density of roughly 10.7 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 is proposed be approximately half of what would normally be permissible.

It is important to note that this level of density was already approved in the 17-03 Rezoning of the adjoining property for this project; this rezoning would be lowering the density of the overall project by allowing development to spread onto these additional parcels.

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 low and high density residential by the Hickory by Choice 2030 Comprehensive Plan. The low and high residential future land use classification is discussed on pages 3.8 and 3.9 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 is transitioning from a historically rural environment to a more urban environment, especially when considering the development this project would be attached to. 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 is currently expanding and adding new buildings to its campus, and Trivium Corporate Center is now working to fill an additional one-hundred acres of land with new 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 20%, or approximately 6.2 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, single-family residences and open space;*

South: *The properties to the south are large wooded tracts;*

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

West: *The properties to the west are occupied by single-family residences.*

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 Planned Development (PD) and Office and Institutional (OI);*

South: *The properties to the south are zoned R-20 Residential by Catawba County and Hickory's Medium Density Residential (R-2);*

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

West: *The properties to the west are R-20 Residential by Catawba County and Hickory's Medium Density Residential (R-2).*

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 existing Planned Development these parcels would be joining was approved by City Council in 2017, and consisted of a greater density than what ended up being constructed.

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 Short 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:

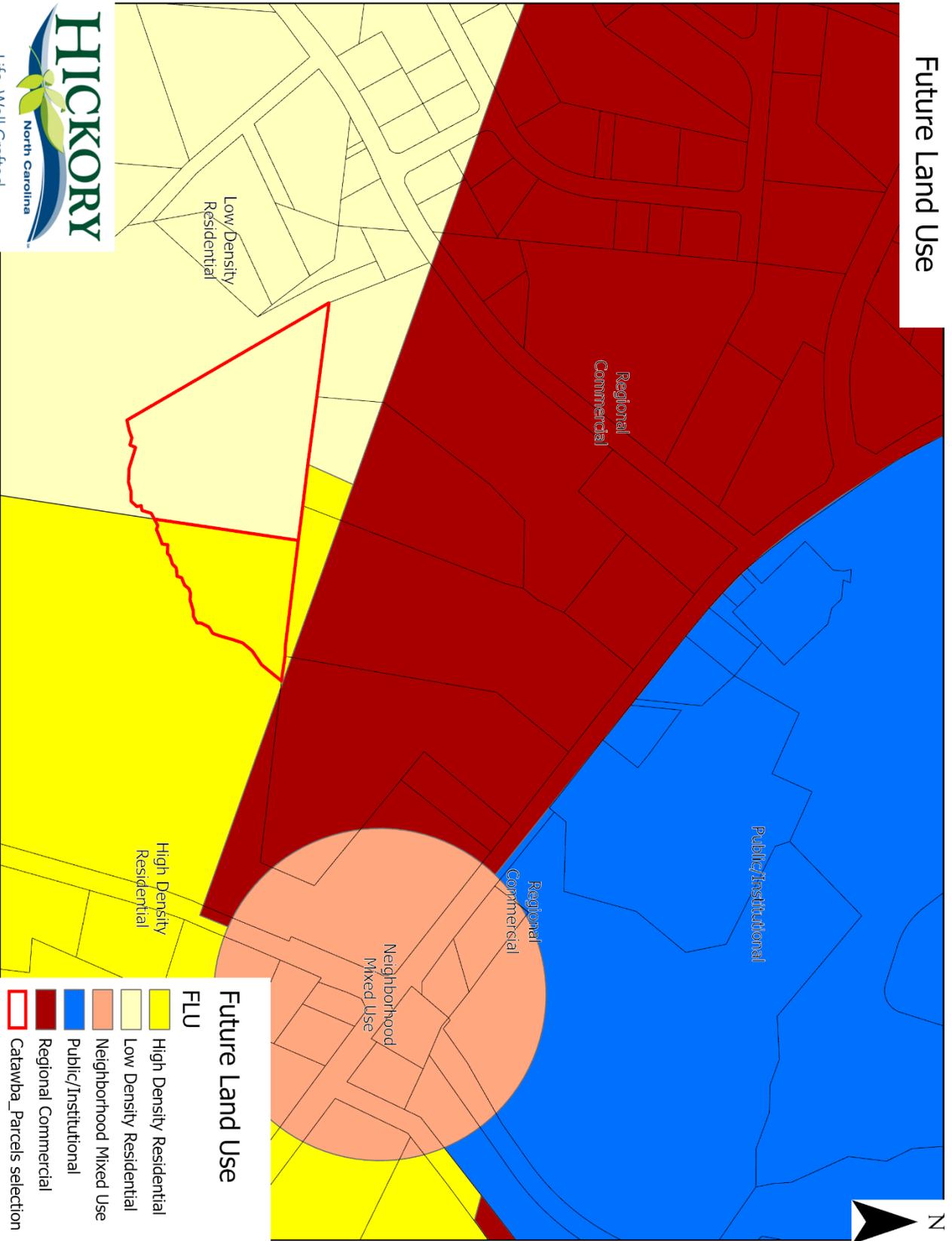
Staff finds Rezoning Petition 22-04 to be **consistent** with the Hickory by Choice 2030 Comprehensive Plan, and recommends the following:

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 February 14, 2022.

Future Land Use

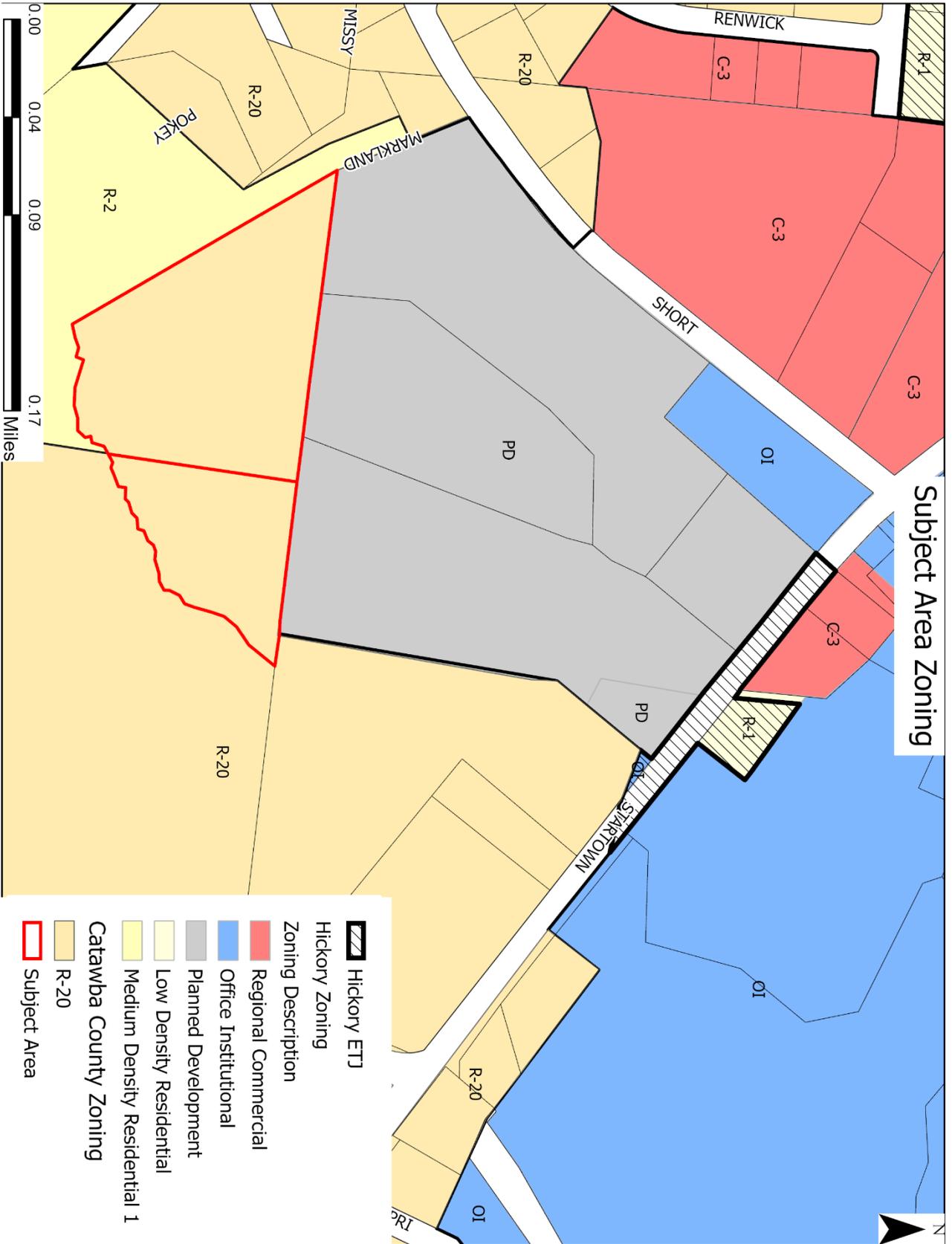


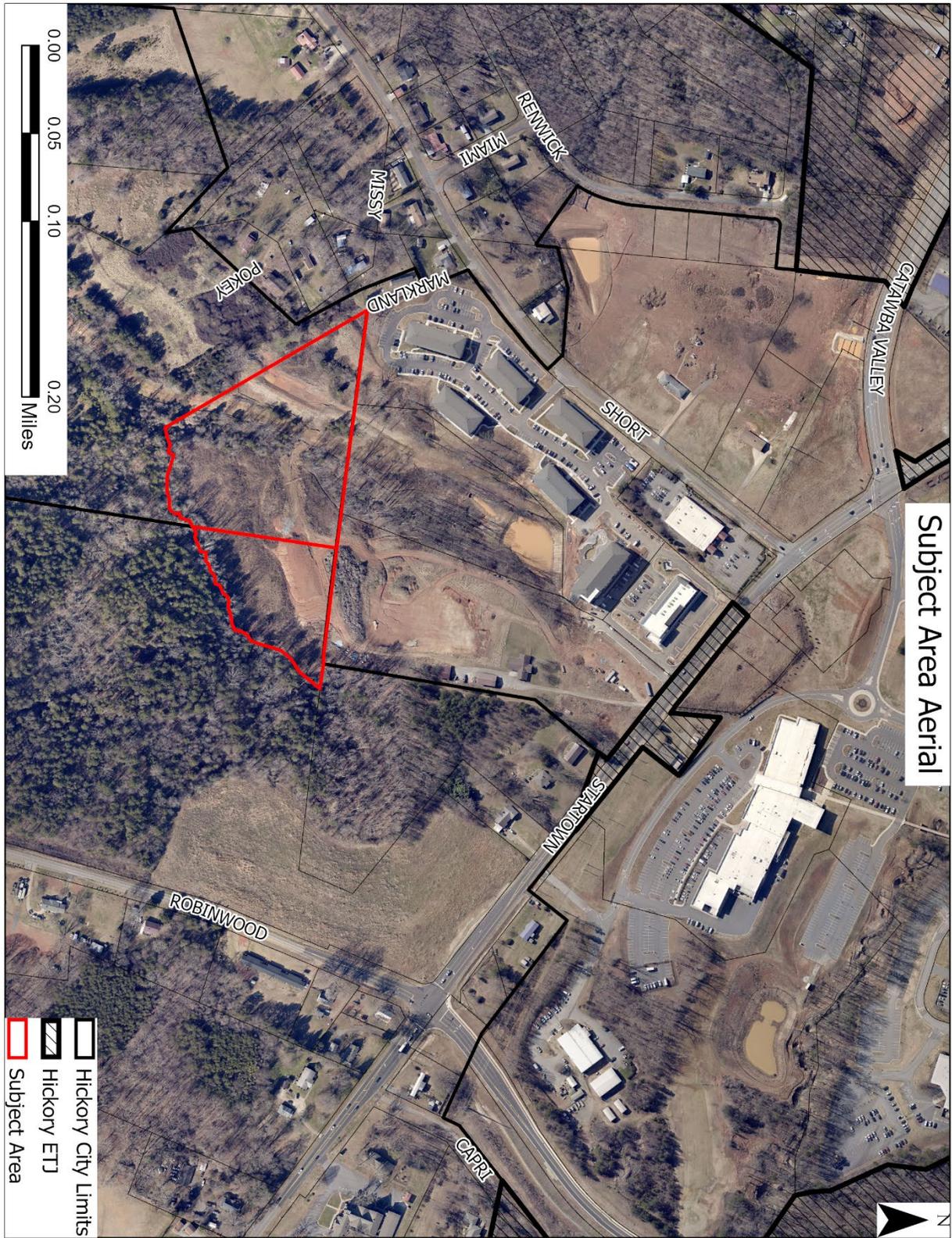
Future Land Use

FLU

- High Density Residential
- Low Density Residential
- Neighborhood Mixed Use
- Regional Commercial
- Public/Institutional
- Catawba_Parcel selection







Subject Area Aerial

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

DATE SUBMITTED: Feb 3, 2022

**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 Land Development Code and change 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 16 St NE
between Cloninger Mill Rd NE and 36th Ave Dr NE.

PIN NO. (S): 371412960319 and 371412866394

Physical (Street) Address: 3621 16th St NE

2. The property is owned by: (please print) Gary Steven Greene

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

Owner Information:

Name: Gary Steven Greene

Address: 3621 16th St NE

Phone Number: 828-291-9564

Email Address: _____

3. The petition is submitted by: Eric Yeargain

(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: Eric Yeargain

Address: 3050 1st Ave Ct SE

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

Phone Number: 828-324-6774

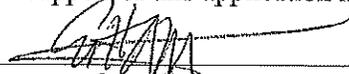
4. It is desired and requested that the foregoing property be REZONED:

FROM: R-2 TO: R-3

5. Please list the current use(s) of the property: Residential

Applicant's Affidavit

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



Signature of Applicant

Sworn and subscribed to before me this 3rd day of February, 2022.

(SEAL) 

Notary Public Susan J. Wilson

02-02-2025
My Commission Expires

SUSAN J WILSON Notary Public North Carolina Catawba County

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.

NOTICE TO APPLICANTS AND/OR AGENTS REGARDING ADVERTISING FEES

In addition to the application fees required at the time of application submittal, the applicant and/or agents is responsible for remitting payment to the City of Hickory to cover legal advertising/notices costs. Advertising costs are billed by the City of Hickory after the rezoning process concludes.

Requests for rezoning require two public hearings (Hickory Regional Planning Commission and Hickory City Council). State law and the Hickory Land Development Code requires specific notices of public hearing be provided prior to the public hearing. These requirements are necessary for each of the two public hearings. The notices required by law include the following:

- Posting of property (sign);
- First class mailed notices sent to all property owners within 500 feet of the subject property; and
- A legal notice published in the local newspaper (the notice must run two consecutive weeks).

The average costs of such required legal advertising range from \$400.00 to \$700.00 depending on the size of the property and the complexity of the request.

EXHIBIT A

AGENT OF RECORD LETTER

TO THE CITY OF HICKORY, CATAWBA COUNTY, STATE OF NORTH CAROLINA, AND/OR OTHER GOVERNMENTAL AGENCIES AND SUBDIVISIONS AND DEPARTMENTS OF SAME AND PUBLIC UTILITIES.

For the property identified as Parcel ID: 3714-12-86-6394 & 3714-12-96-0319, Gary Steven Greene as Owner, I hereby designate and appoint J. Clayton Neill, Manager of FJS & JG, LLC as Agent of Record for the purposes of representing it during the Rezoning and/or Development Review Process and/or permitting/hearing processes, including without limitation site plan review, construction plan review, utility and drainage plan review and signage application subdividing process; rezoning process, erosion control permits and approval. Agent of Record is hereby vested with authority to make any representations, agreements, or promises that are necessary or desirable in conjunction with the review process. Agent of Record is also authorized to accept or reject any conditions imposed by any reviewing board or entity.

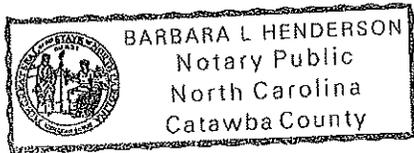
Date: 01-13- _____, 2022

OWNER:

Gary Steven Greene (SEAL)
Gary Steven Greene
3621 16th St., NE
Hickory, NC 28601

STATE OF North Carolina
COUNTY OF Catawba

The foregoing instrument was acknowledged before me this 13 day of January, 2022 by Gary Steven Greene as Owner of property identified as PARCEL ID: 3714-12-86-6394 & 3714-12-96-0319. He is personally known to me or has produced DL as identification.



Barbara L. Henderson
Notary Public
My Commission Expires: 12-10-22

FILED Catawba County

on Feb 14, 2019 at 11:43:00 am

Excise Tax \$100.00 (AT)

INST. #02420

DONNA HICKS SPENCER,
Register of Deeds

Ex 03492 Pg 0848-0850

REVENUE: \$ 100.00

PIN: 371412866394

LRK (REID): 604564

(10) THIS INSTRUMENT WAS PREPARED BY DAVID L. ISENHOWER, ATTORNEY AT LAW,
P.O. BOX 1627, CONOVER, NC 28613

Return to: David L. Isenhower, Attorney at Law

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED, made this 13th day of February, 2019, by and between ALESA KAREN GREENE, unmarried, 1470 Farmington Hills Drive, Conover, NC 28613, **GRANTOR**; and GARY STEVEN GREENE, unmarried, 3621 16th Street NE, Hickory, NC 28601, **GRANTEE**.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Hickory, Hickory Township, Catawba County, North Carolina, and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

THIS IS NOT THE GRANTOR'S PRIMARY RESIDENCE.

NEITHER THE INDIVIDUAL NOR LAW FIRM PREPARER OF THIS INSTRUMENT PERFORMED ANY TITLE EXAMINATION NOR PARTICIPATED IN THE CLOSING INVOLVING THIS INSTRUMENT.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions herein stated. 0849

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing instrument the day and year first above written.

Alesa Karen Greene (SEAL)
ALESA KAREN GREENE

STATE OF NORTH CAROLINA

COUNTY OF CATAWBA

I, a Notary Public of the County and State aforesaid, certify that ALESA KAREN GREENE personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this 13 day of February 2019.



Jackie L. Houser
NOTARY PUBLIC
Jackie L. Houser
Type or Print Name of Notary Public

My Commission Expires: 7/21/2020

EXHIBIT "A"

0850

BEING all of Lot 1 containing 2.444 acres by coordinate method as shown on Plat of same entitled Minor Subdivision within the City of Hickory's Planning Area for "Elene F. Greene" recorded in Plat Book 56, Page 36, Catawba County Registry on July 22, 2002, reference to the recorded plat being made for a more particular description thereof.

The foregoing parcel is conveyed subject to all liens, easements, restrictions, and rights-of-way appearing of public record and affecting the property.

For reference to chain of title see deeds recorded in Deed Book 2378, Page 1299, Deed Book 2733, Page 800, and Deed Book 2891, Page 0337, Catawba County Registry.

WEB

FILED Catawba County

on Nov 27, 2018 at 01:56:00 pm

Excise Tax \$0.00 (AT)

INST. # 19744

DONNA HICKS SPENCER,
Register of Deeds

BK 03482 Pg 0774-0775

REVENUE: \$ 0.00

All of PIN: 371412960319
A Portion of PIN: 371412869802

All of LRK (REID): 607116
A Portion of LRK (REID): 64025

THIS INSTRUMENT WAS PREPARED BY DAVID L. ISENHOWER, ATTORNEY AT LAW,
P.O. BOX 1627, CONOVER, NC 28613

✓ Return to: David L. Isenhower, Attorney at Law (HB)

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED, made this 26 day of November, 2018, by and between GARY STEVEN GREENE, single, 3621 16th Street, NE, Hickory, NC 28601, **GRANTOR**; and GARY STEVEN GREENE, single, 3621 16th Street, NE, Hickory, NC 28601, **GRANTEE**.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Hickory, Hickory Township, Catawba County, North Carolina, and more particularly described as follows:

BEING all of Lot 1 containing 8.934 acres of the Minor Subdivision for Elene F. Greene prepared by Kevin D. Hefner & Associates Surveying & Mapping dated August 25, 2018, and recorded in Plat Book 78, Page 145, and all of Lot 3 containing 2.210 acres as shown on a Minor Subdivision for Elene F. Greene recorded in Plat Book 74, at Page 172, Catawba County Registry, reference to said recorded plats being made for a more particular description thereof.

This deed is made to combine Lot 3 containing 2.210 acres as shown on plat recorded in Plat Book 74, at Page 172, Catawba County Registry with Lot 1 containing 8.934 acres shown on plat recorded in Plat Book 78, Page 145, into one taxable parcel for ad valorem tax purposes.

The above described property is conveyed subject to all easements, rights of way, declarations, covenants and restrictions appearing of public record affecting the property.

0775

For reference to chain of title see Deed Book 3292, Page 1075, and Deed Book _____, Page _____, Catawba County Registry.

THIS IS NOT THE GRANTOR'S PRIMARY RESIDENCE.

NEITHER THE INDIVIDUAL NOR LAW FIRM PREPARER OF THIS INSTRUMENT PERFORMED ANY TITLE EXAMINATION NOR PARTICIPATED IN THE CLOSING INVOLVING THIS INSTRUMENT.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions herein stated.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing instrument the day and year first above written.

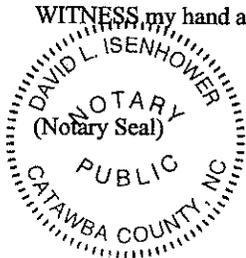
Gary Steven Greene (SEAL)
GARY STEVEN GREENE

STATE OF NORTH CAROLINA

COUNTY OF CATAWBA

I, a Notary Public of the County and State aforesaid, certify that GARY STEVEN GREENE personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this 26 day of NOVEMBER, 2018.



David Isenhower

NOTARY PUBLIC

DAVID L. ISENHOWER
Type or Print Name of Notary Public

My Commission Expires: 01-10-2021

REZONING ANALYSIS

PETITION: 22-05

APPLICANT: Eric Yeargin

OWNERS: Gary Stephen Greene

PROPERTY LOCATION: Near southwestern corner of Cloninger Mill Road and 16th Street NE.

PIN: 3714-12-96-0319 and 3714-12-86-6394

WARD: Ward 2, Councilwoman Williams.

ACREAGE: +/- 13.7 acres

REQUESTED ACTION: Rezone the property from R-2 to R-3 Residential.

BACKGROUND: The subject property is currently zoned R-2 Residential is approximately 13.7 acres in total size. The rezoning petition was submitted in anticipation of residential development of the property.

DEVELOPMENT POTENTIAL: The subject property is currently zoned R-2 Residential and totals approximately 13.7 acres. The current R-2 zoning district permits detached single-family residential at a density of four (4) dwelling units per acre, which could theoretically yield fifty-five (55) dwelling units.

Should the rezoning petition be approved, the density and use types would change. The requested R-3 Residential would permit attached and detached single-family residential, as well as multifamily. The residential density would also increase to eight (8) units per acre for attached and detached single-family and ten (10) units per acre for multi-family. The rezoning could potentially produce one-hundred-ten (110) attached and detached single-family units, one-hundred-thirty-seven (137) multi-family units, or a mixture of the two use types.

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 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: "... will expand existing single-family housing character in the city and they will provide a medium density housing option where the gross density would be approximately six (6) to eight (8) unit per acre". (HBC 2030, Pg. 3.9)

The R-3 zoning district is also listed as an implementing zoning district for the Medium-Density Residential classification. The R-3 district permits densities in line with the plan's recommendations.

Given these factors, the rezoning of the property to R-3 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 area under consideration for rezoning is indicated by the Hickory by Choice 2030 Comprehensive Plan as being a future residential area with residential densities between six (6) and eight (8) 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 (16th Street NE / SR 1401), as well as water and 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 almost entirely of residential dwellings. This development pattern will continue under the R-3 Residential district, as only residences are permitted by-right 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 utilities and transportation infrastructure.

- 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 property are properly protected as prescribed by law.

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

- **North:** The properties are zoned R-2 Residential and NC Neighborhood Commercial and are vacant.
 - **South:** The properties are zoned R-2 Residential and are occupied by single-family residence.
 - **East:** The properties are zoned R-1 Residential and are occupied by single-family residences.
 - **West:** The property zoned R-2 Residential and are either occupied by single-family residences.
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 largely of residential uses. The rezoning of the property to R-3 Residential would continue this development pattern.

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

The requested R-3 zoning are similar to the existing R-2 zoning. The permissible uses and density of R-3 zoning will aid in minimizing future impacts on 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 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 continued residential development. The future use of the property is residential.

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:

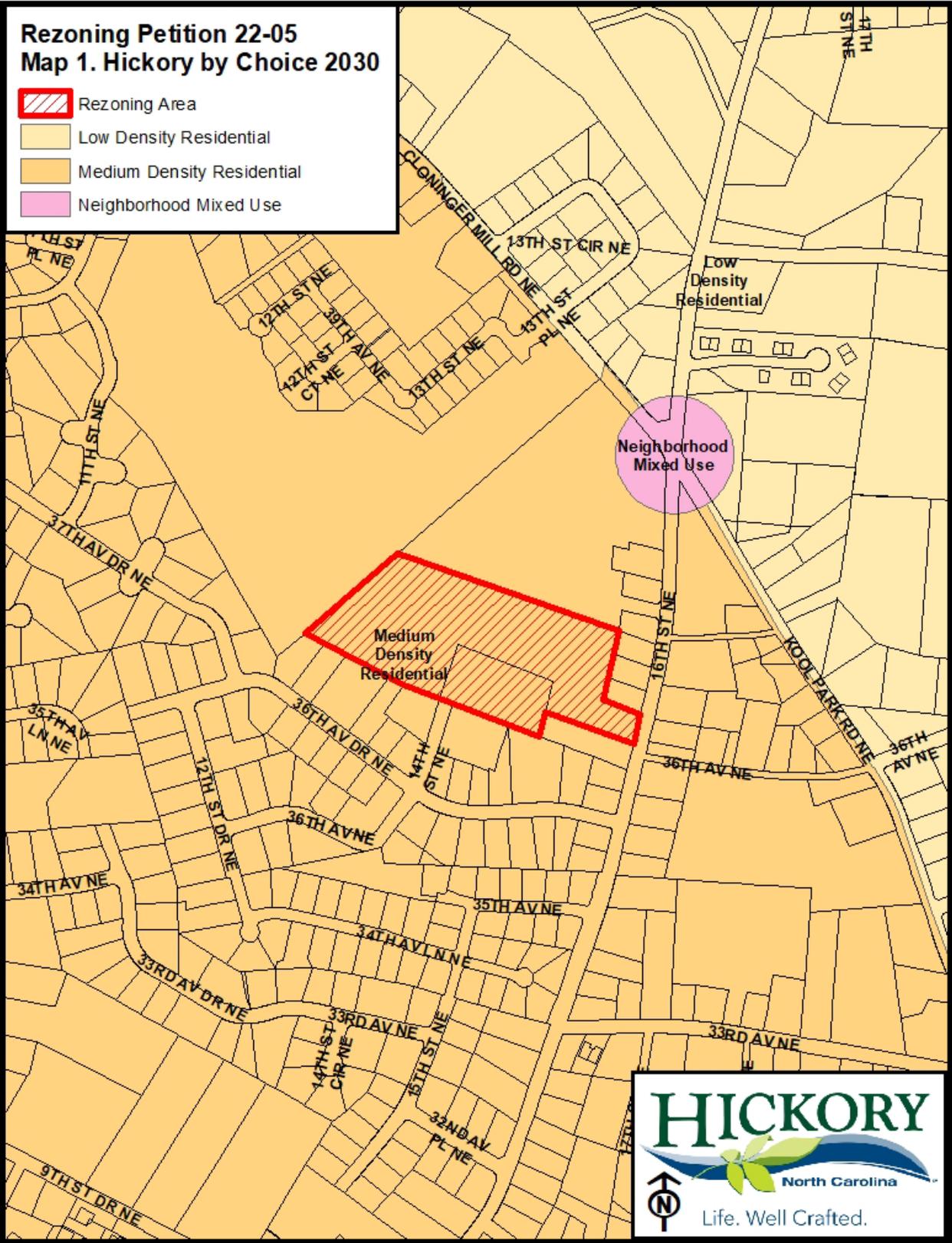
Staff finds Rezoning Petition 22-05 to be **consistent** with the Hickory by Choice 2030 Comprehensive Plan, and recommends the following:

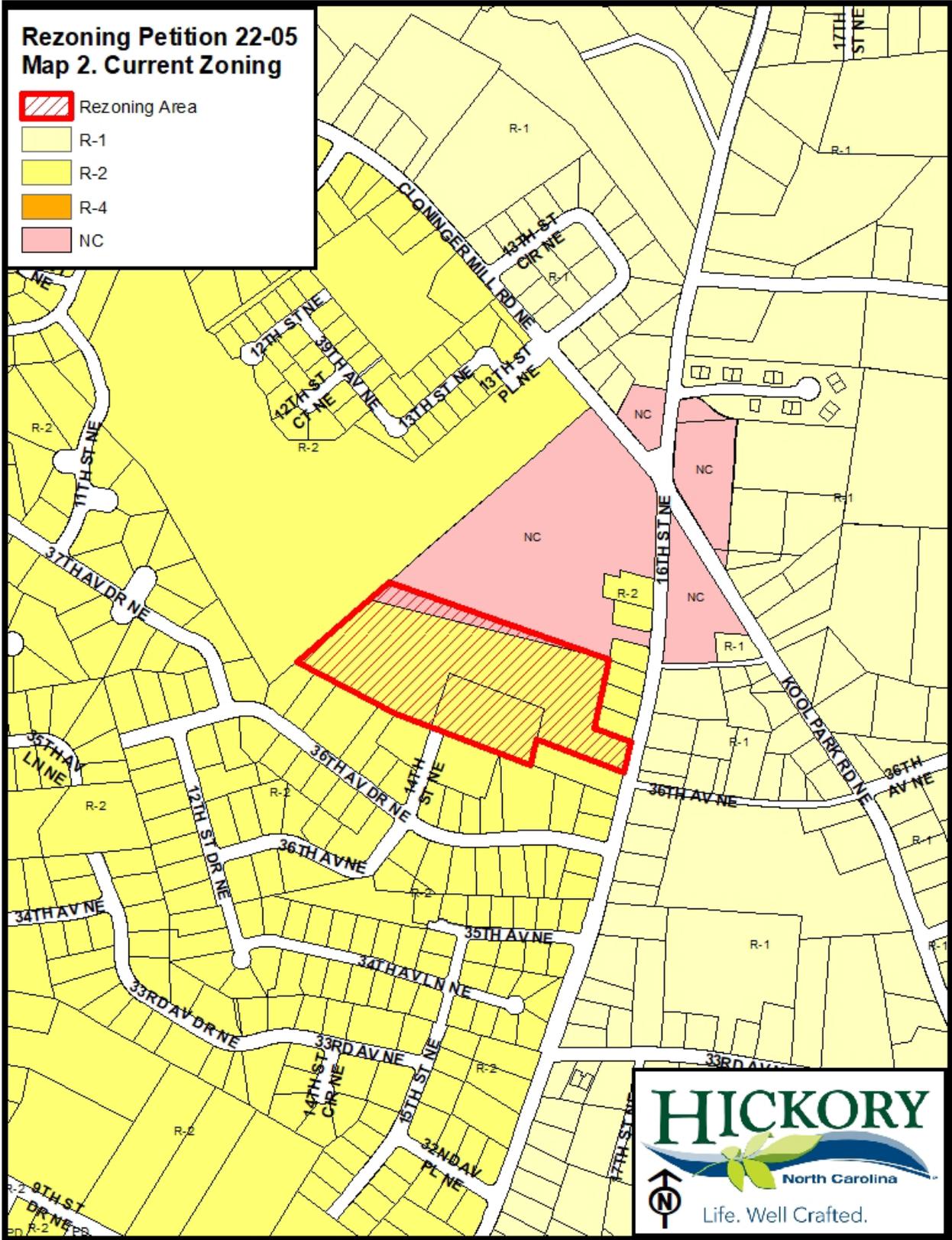
1. The Hickory Regional Planning Commission adopt a statement affirming the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan; and

2. Forward a recommendation of approval to the Hickory City Council.

CITIZEN INPUT:

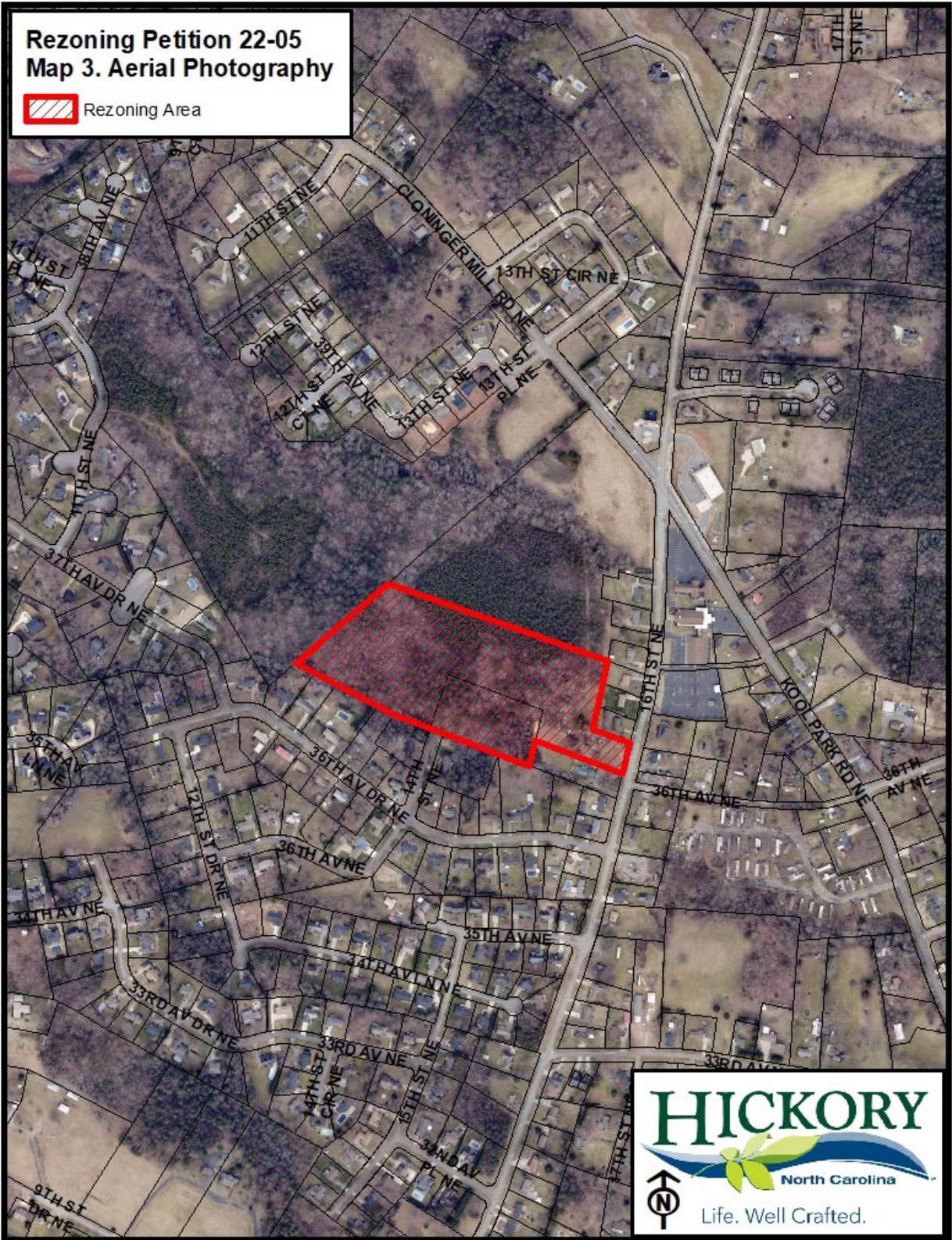
As of February 14, 2022, staff has received two (2) inquiry regarding this petition.





Rezoning Petition 22-05
Map 3. Aerial Photography

 Rezoning Area



**CITY OF HICKORY
APPLICATION FOR REZONING
(PLANNED DEVELOPMENT OR CONDITIONAL ZONING DISTRICT)**

DATE SUBMITTED: 1-18-2022

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 Land Development Code and change 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 NC Highway 127
between 42nd Avenue N.W. and near 1st St. N.W.
PIN NO. (S): 3715 18 30 6570
Physical (Street) Address: n/a

2. The property is owned by: (please print) The Horse Barn, 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: Larry Bowman
Address: P O Box 948
Phone Number: 828-244-7813
Email Address: labowman08@gmail.com

3. The petition is submitted by: Lat Purser & Associates, Inc.

(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: Lat Purser & Associates, Inc., c/o Jack Levinson
Address: 4530 Park Road, Suite 410, Charlotte, NC 28209

Phone Number: 704-519-4241

4. It is desired and requested that the foregoing property be REZONED:
FROM: R-2 TO: PD
5. Please list any overlay districts that apply to the subject property: Watershed Protection Overlay District
6. Please list the current use(s) of the property: Vacant land, Barn with horses
7. Specify the acreage of the proposed development: Approx. 19.424 acres
8. Specify the intensity (gross square footage) and/or density (size and number of dwelling units) of the proposed development: See attached.

Additional Required information (40 folded copies of all support information must be provided)

Planned Development Districts

A Planned Development Master Land Use Plan must be submitted as part of all petitions to rezone to a Planned Development district. Such plan shall include maps and plans for the subject property at a scale not smaller than 1" – 200' that depicts the following items:

1. The name of the proposed Planned Development and the names of the developer and design professionals;
2. Scale, dimensions, date, north arrow;
3. Conceptual grading, site preparation and stormwater management;
4. General location, height, number of stories, floor area, orientation, setbacks and proposed land-uses of all structures;
5. Building elevations of all proposed buildings;
6. Open space (designate public or private), floor area, recreation space and impervious surface area necessary to demonstrate conformance with applicable requirements;
7. Landscaping and buffering;
8. Any proposed property subdivision, including proposed future property lines;
9. Primary vehicular and pedestrian circulation system including all proposed exclusive storage bays, turn lanes, vehicular and pedestrian cross access points, points of ingress and egress for principal pedestrian, vehicle, bicycle, and transit;
10. Proposed street layout (both public or private);

11. Location of all parking, loading, sanitation and recycling facilities; area and number of parking spaces in parking lots;
12. Location, character and intensity of all proposed outdoor lighting fixtures;
13. Location of all utility systems;
14. Location, height, dimensions and type of all signs; and
15. Locally or nationally recognized historic structures.

Conditional Zoning Districts

Conditional Zoning can be applied in conjunction with any base zoning district. Applicants petitioning to rezone to a conditional zoning district must meet all the requirements of the underlying zoning district. All applicants must include a list of additional conditions to be placed upon the subject property with their application. Depending on the complexity of the conditions proposed, a site plan similar to the Master Land Use Plan described above may be required.

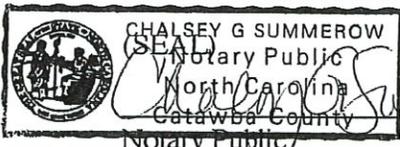
Applicant's Affidavit

(All applications must be signed by all persons having an ownership interest in the subject property or include an agent authorization letter that includes the notarized signatures of all property owners)

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

Larry A. Brown
Signature of Applicant

Sworn and subscribed to before me this 12th day of January, 2022.



Chalsey G Summerow
Notary Public

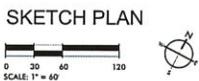
Aug 30th 2025
My Commission Expires

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.

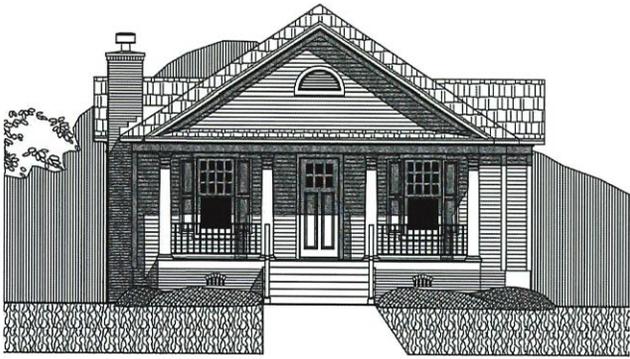
ZONING & PRELIMINARY DUE DILIGENCE CHART	
CURRENT OR PROPOSED ZONING	PD
OVERLAY ZONE	WP-O
NORTH BUFFER	30'
SOUTH BUFFER	15'
EAST BUFFER	15'
WEST BUFFER	15'
BUILDING SETBACK	15'
ADDITIONAL BUFFER	50' NORTH BUFFER WHERE UNITS ABUT PROPERTY LINE
WETLAND BUFFER	N/A
CRITICAL BUFFER	N/A
PARCEL AREA	19.37 AC
LOT OR BUILDING COVERAGE	13.7%
IMPERVIOUS SPACE	37.45%
FLOOD ZONE	N/A
WATER SUPPLY WATERSHED	WS-V CRITICAL
BUILDING HEIGHT	PER CODE
PARKING REQUIREMENT	SEE PARKING MATRIX
OPEN SPACE REQUIREMENT	PER CODE
FRONTAGE REQUIREMENT	PER CODE
TREE REQUIREMENTS	PER CODE
STORMWATER APPROACH	BMP
TREE ASSESSMENT PROVIDED	N
CULTURAL RESOURCES	N
ENVIRONMENTAL ISSUES	N
PUMP STATION NEEDED	YN
WITHIN URBAN GROWTH BOUNDARY	N
OTHER REQUIREMENTS	N/A

UNIT MATRIX	
BUILDING A	24 - ONE BEDROOM UNITS 6 - TWO BEDROOM UNITS
BUILDING B	42 - ONE BEDROOM UNITS 18 - TWO BEDROOM UNITS
BUILDING C	33 - ONE BEDROOM UNITS 15 - TWO BEDROOM UNITS
TOWNHOMES	37 UNITS
TOWNHOME DUETS	16 UNITS (8 BUILDINGS), 2-STORY BUILDINGS
COTTAGES	19 UNITS
DEVELOPMENT SUMMARY	
138 MULTI-FAMILY UNITS	
38 TOWNHOME UNITS	
19 TOWNHOME DUETS UNITS	
19 COTTAGE UNITS	
SEE PARKING SUMMARY FOR PARKING CALCULATIONS	
AMENITY BUILDING	COTTAGES
MULTI-FAMILY	TOWNHOME
TOWNHOME DUETS	

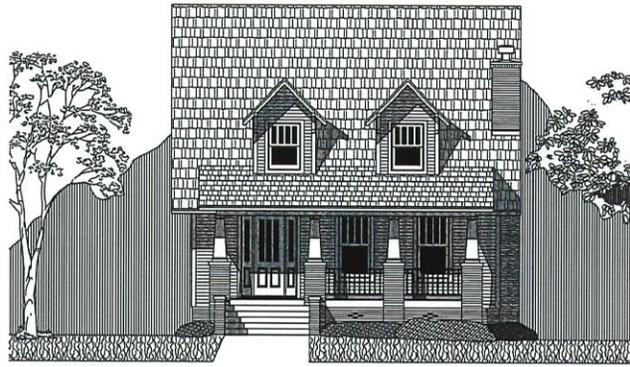
PARKING SUMMARY			
	# OF UNITS	PARKING REQUIRED	PARKING PROVIDED
RESIDENTIAL			
MULTI-FAMILY			
1 BEDROOM	99	149	149
2 BEDROOM	39	78	78
TOWNHOMES			
2 AND 3 BEDROOM	37	74	74
TOWNHOME DUETS			
2 BEDROOM	16	32	32
COTTAGES			
1, 2, AND 3 BEDROOM	19	38	38
TOTAL PARKING SPACES			
	210	371	2368



N CENTER STREET COMMUNITY PROJECT
 LAT PURSER & ASSOCIATES, INC
 HICKORY, NORTH CAROLINA
 CL11651 MEM | 02.16.2022



COTTAGE VISION



COTTAGE VISION



TOWNHOUSE QUETS VISION



MULTI-FAMILY VISION



TOWNHOUSE VISION



TOWNHOUSE VISION

ARCHITECTURAL PRECEDENT IMAGERY



N CENTER STREET COMMUNITY PROJECT
 LAT PURSER & ASSOCIATES, INC
 HICKORY, NORTH CAROLINA
 CL1185 | MEM | 02.16.2022

REZONING ANALYSIS

PETITION: 22-03

APPLICANT: Lat Purser & Associates, Inc.

OWNERS: The Horse Barn, LLC

PROPERTY LOCATION: 4331 and 4405 North Center Street

PIN: 3715-18-30-6570

WARD: The is currently within Hickory's ETJ, but is adjacent to Ward 2, Councilwoman Williams. Should development occur on the property and require municipal services, annexation will be required.

ACREAGE: 19.424

REQUESTED ACTION: Rezone the property from R-2 Residential to Planned Development (PD).

BACKGROUND: The subject property is currently zoned R-2 Residential and is 19.424 acres in total size. The most recent use of the property has been animal husbandry. The current zoning district permits residential uses at a density of two (2) dwelling units per acre.

DEVELOPMENT POTENTIAL: The subject property is currently zoned R-2 Residential, and totals 19.424 acres in total size. The current R-2 zoning district primarily permits single-family detached residential uses at a density of four (4) dwelling units per acre.

The subject property is also located within the critical area of the Lake Hickory watershed. Development intensities for properties located within these areas limited in scope beyond what typical base zoning would require. Within these areas development is classified into two categories: low density and high density. Low-density limits development to two (2) dwelling units per acre or 24% maximum impervious coverage. High density development within this classification of development is all development beyond low density and is limited to a maximum impervious coverage of 50%. Impervious coverage is defined by Section 4.5.4 of the Hickory Land Development Code. To summarize this definition, impervious coverage includes surfaces for which surface water cannot easily penetrate. This includes buildings, pavement, gravel areas, and similar covered surfaces.

If the subject property were to be developed using the water supply watershed standards, the property could theoretically yield thirty-eight (38) dwelling units or 203,066 square feet (4.7 acres) of impervious coverage under the low-density development option. Utilizing the high-density development option, the property could be developed to contain up to 423,054 square feet (9.7) acres of impervious surface. The proposed master plan depicts 37.45% total impervious area, which is less than the permissible maximum under the high-density development option.

The petitioner has requested to rezone the property as residential planned development (PD). The planned development plan submitted as part of the petition, which is attached depicts a build-out plan for two-hundred-ten (210) dwelling units.

The breakdowns are as follows:

Proposed Development Intensity		
Building Type	Unit Type	Unit Count
Multi-Family (Apartments)	1 Bedroom	99
	2 Bedroom	39
Townhomes	2 or 3 Bedroom	37
Townhome Duets	2 Bedroom	16
Cottages	1, 2 and 3 Bedroom	19
Total Proposed Units		210

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 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 classification is intended to provide an area of transition between higher density housing and the surrounding area by offering development at two (2) to four (4) units per acre, (HBC 2030, Pg. 3.9).” The Hickory by Choice 2030 Comprehensive Plan goes on to state; “although the gross density in these areas is proposed to be less than Medium Density Residential.”

The proposed planned development is designed at a density of +/- 13 units per acre, which is higher than the densities recommended by the City’s comprehensive plan, during its 2020 update.

The Hickory by Choice 2030 Comprehensive Plan is intended to be a dynamic document, ... and revised, as needed over time. (HBC 2030, 12.2).

The Hickory by Choice 2030 Comprehensive Plan has not been significantly updated during the past two (2) years, due to the COVID-19 pandemic and the substantial delay of obtainable 2020 US Census data, which includes changing demographics and development patterns.

Such recent analysis of received 2020 US Census data fully confirms our population and workforce is growing at a significant rate.

There is a clear and substantial need for additional housing units of varied forms to accommodate the growing population and labor force.

Given these factors, the rezoning of the property to Planned Development (PD) 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 residential area with residential densities between two (2) and four (4) 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.

Hickory by Choice 2020 (3.15.1.D) – “Employ strategic and street tree planting to enhance and complement adjoining uses and provide visual continuity along corridors and within centers”.

Hickory by Choice 2020 (3.15.1.F) – “Minimize the impacts of new development through public amenities and landscaping”.

Hickory by Choice 2030 (3.15.2.F) – “Ensure pedestrian scale routes are preserved and developed between neighboring housing and commercial centers”.

- 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 (NC 127), as well as water and sewer infrastructure (upon annexation). Staff also verified all other public services were available and would not be diminished with the future development of the subject property.

- Regulate the type and intensity of development; and

The current land use pattern of the larger area consists almost entirely of single-family dwellings. This development pattern would continue under the R-2 Residential district, as only single-family residences are permitted under this zoning classification.

Hickory by Choice 2030 (5.17.1.C) – “Minimize driveways on major thoroughfares for pedestrian and traffic safety”.

Hickory by Choice 2030 (5.18.4.G) – “Review roadway standards with NCDOT to ensure roadways meet local, regional and state goals”.

- Ensure protection from fire, flood and other dangers.

Any future development occurring on the subject property will be required to adhere to all federal, 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 2 and 3 for details**):

- **North:** The properties are zoned R-2 Residential and are either occupied by single-family detached and single-family attached (townhomes) residences.
- **South:** The properties are zoned R-2 Residential and are occupied by single-family detached and single-family attached (townhomes) residences.
- **East:** The properties are zoned R-2 Residential and NC Neighborhood Commercial and are occupied by single-family detached residences and a vacant commercial building.
- **West:** The properties are zoned R-2 and are either occupied by single-family detached residences or 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 largely of single-family residences, both attached and detached. The rezoning proposal contains both uses, but also contains multi-family residential (apartments) which are not currently present in the general vicinity.

In addition to the new residential form (apartments) the general density (units per acre) of the development is greater than the surrounding area. The development proposal is planned at a density of +/- 13 units per acre. Most of the surrounding residential density is currently near 4 units per acre, except for the Timberwood Townhomes which are 8 units per acre.

Hickory by Choice 2030 (4.1) – "... promote diversity and affordability in housing types ..."

Hickory by Choice 2030 (4.6) – "... Hickory needs to accommodate a diverse housing stock to meet an increasingly diverse community demand ..."

Hickory by Choice 2030 (4.7) – "Provide a variety of housing options to meet the needs of all residents of Hickory".

Hickory by Choice 2030 (4.7) – "Unintended side effects of Hickory's inadequate housing options within the city limits are numerous".

Hickory by Choice 2030 (4.7) – "Ensure compatibility between single-family residential and higher density residential and non-residential land-uses".

Hickory by Choice 2030 (4.7) – "Hickory is dominated by single-family residential neighborhoods that want to preserve their residential character. However, the desire for the traditional development pattern of disconnected single-family residential neighborhoods is beginning to change. Hickory residents have revealed their desire to

provide more connectivity and proximity to commercial uses, public spaces and facilities, and in some limited form higher density residential. This desire is predicated on adequate transitions of building size and use and buffering from non-residential uses or higher density residential areas that will retain the character of the single-family neighborhoods while allowing proximity to non-residential uses.”

Hickory by Choice 2030 (4.9.1.C) – “Reflect neighborhood design characteristics in higher density housing infill”.

Hickory by Choice 2030 (4.9.2.B) – “Enforce housing and property maintenance, sign animal control, littering and noise code”.

Hickory by Choice 2030 (4.10.3.B) – “Provide a variety of housing options in all housing districts for aging in place options for seniors and for other for others...”.

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

As outlined in item 3 above, the requested planned development zoning is both similar and dissimilar to the existing development in the vicinity. All proposed uses are residential in nature, but with varying forms and density.

As previously explained public services necessary to support the proposed development are in place. If the proposal is ultimately approved, any deficiencies not previously identified will be upgraded by the property developers in a manner satisfactory to the City of Hickory.

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 improved upon, to service the area. These services include public utilities, transportation infrastructure, and 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 continued residential development. The future use of the property is residential.

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

RECOMMENDED ACTION:

Staff finds Rezoning Petition 22-03 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.

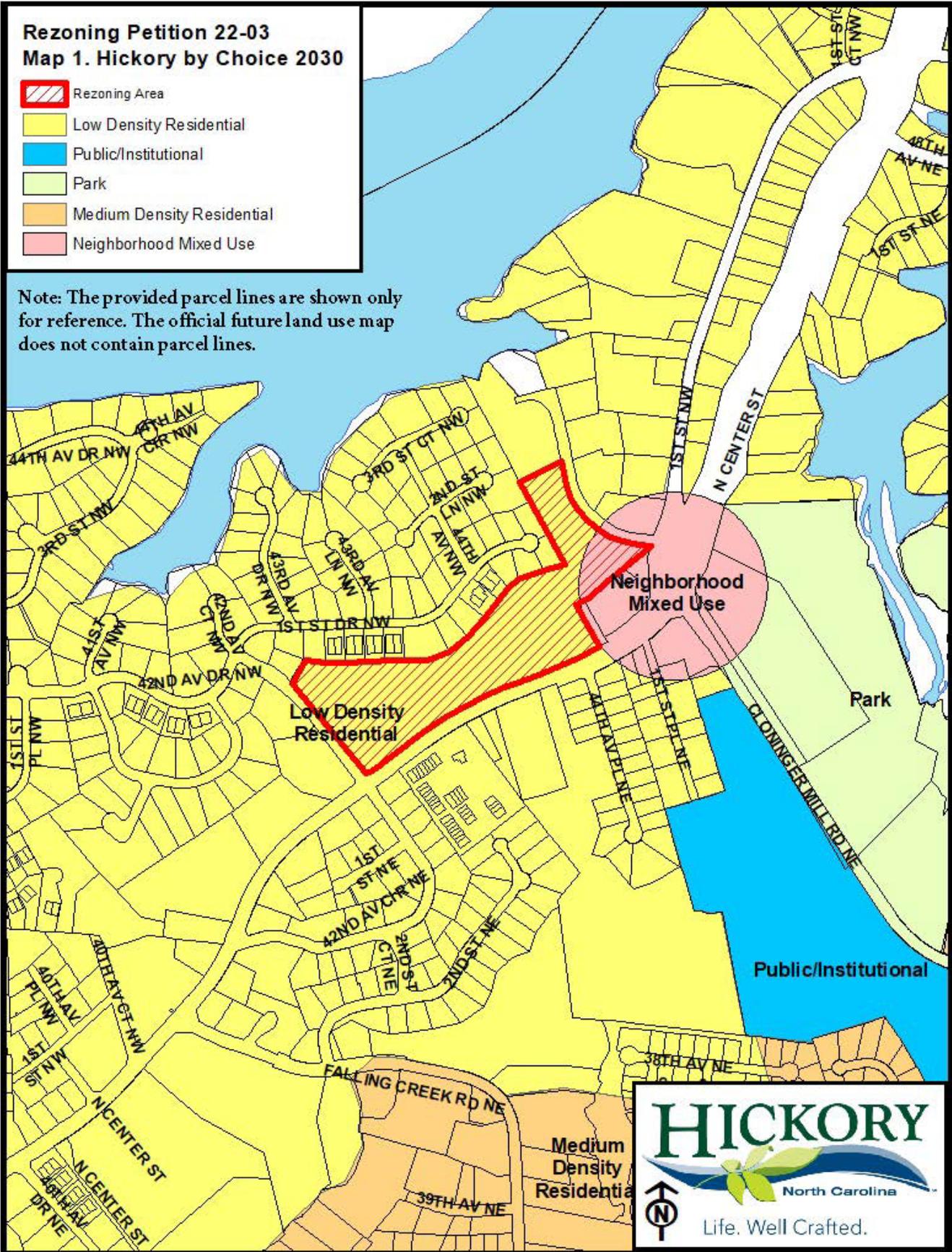
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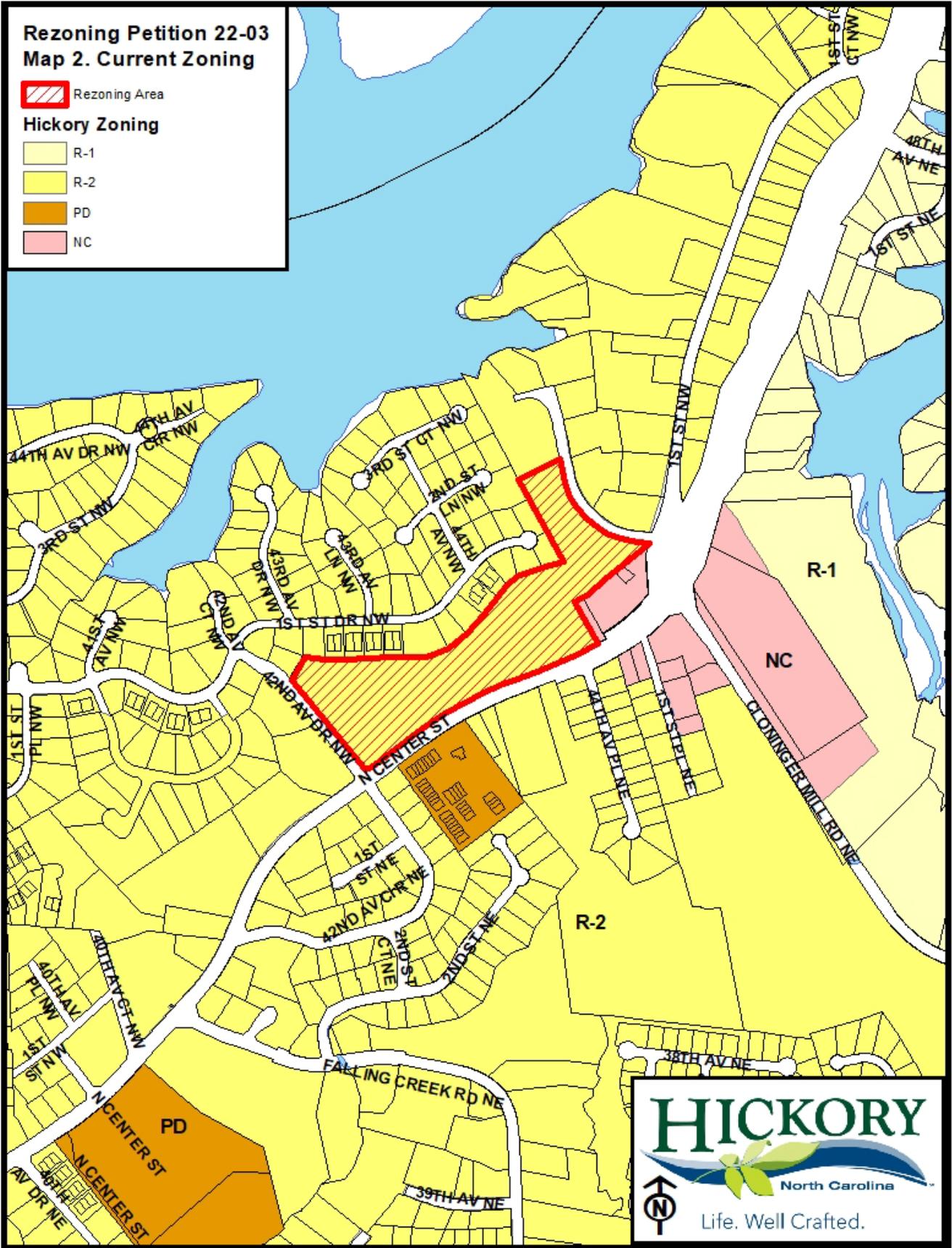
As of February 16, 2022, staff has received twenty-one (21) inquiries regarding this petition, in addition the developers three (3) community meetings.

**Rezoning Petition 22-03
Map 1. Hickory by Choice 2030**

-  Rezoning Area
-  Low Density Residential
-  Public/Institutional
-  Park
-  Medium Density Residential
-  Neighborhood Mixed Use

Note: The provided parcel lines are shown only for reference. The official future land use map does not contain parcel lines.

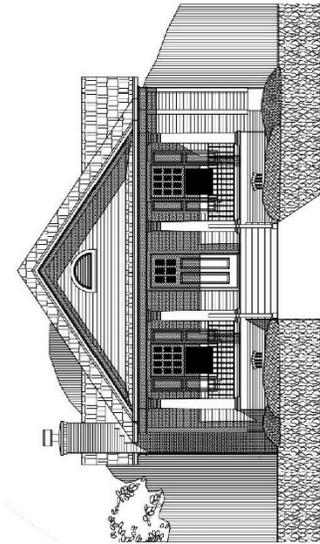




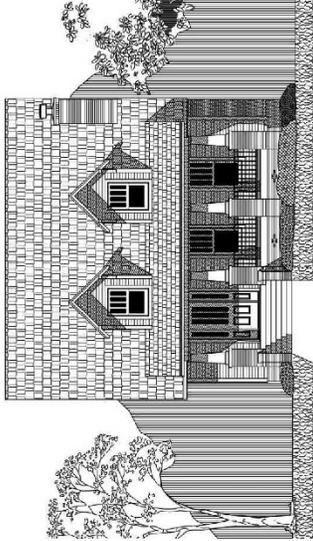
Rezoning Petition 22-03
Map 3. Aerial Photography

 Rezoning Area





COTTAGE VISION



COTTAGE VISION



TOWNHOUSE QUIETS VISION



MULTI-FAMILY VISION



TOWNHOUSE VISION



TOWNHOUSE VISION

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CL11861 | MEM 1/26/2022