

**FOR YOUR CONVENIENCE A COPY OF
TONIGHT'S AGENDA
IS AVAILABLE, LOCATED TO THE
RIGHT OF THE ENTRANCE TO THE
COUNCIL CHAMBERS**

***ANYONE WISHING TO SPEAK
DURING THE PUBLIC COMMENT
PORTION OF THE AGENDA
PLEASE SEE THE CITY CLERK PRIOR
TO THE MEETING TO SIGN UP
NON-AGENDA ITEMS WILL BE
DISCUSSED AND SPEAKERS WILL BE
LIMITED TO THREE (3) MINUTES
A COPY OF THE RULES FOR PUBLIC COMMENT
ARE AVAILABLE AT THE CITY CLERK'S DESK***

**THANK YOU FOR ATTENDING
OUR MEETING
AND FOR YOUR INTEREST
IN THE CITY OF LINCOLNTON**

A G E N D A

LINCOLNTON CITY COUNCIL

July 13, 2006

7:00 p.m.

CALL TO ORDER – Mayor Huitt

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

All items placed under the Consent Agenda are considered routine, to be enacted by one motion without discussion. If a member of the Governing Body requests discussion of an item, the item will be removed from the Consent Agenda and considered separately.

1. Approval of Minutes of the June 1, 2006 Regular meeting
2. PROCLAMATION – Zoning Officials Week – July 30 through August 5, 2006
3. Calls to Public Hearing for the August 2006 meeting:
 - *CUP-4-2006 – Application from York Development Group requesting a conditional use permit to construct a Zaxby's Restaurant and future retail space on approximately 4.476 acres of Land. The subject property is located on the south side of East Main Street approximately 300 feet east of the intersection of East Main Street and South Edwards Street.
 - *ZMA-6-2006 – Application from Kevin McMorris requesting the rezoning of approximately 0.75 acres of land from General Manufacturing and Commercial (GMC) to Residential-25 (R-25) District. The subject property is located approximately 125 feet south of Lore Road and approximately 200 feet west of the intersection of Lore Road and Reepsville Road.
 - *ZTA-2-2006 – Application from the City of Lincolnnton requesting an amendment to the Lincolnnton Unified Development Ordinance. The amendment will add "Farmers Market" as a permitted use Section 7.6.1 of the Residential Office District. The amendment will also change Section 4.2 by amending the definition of a "Farmers Market"

REGULAR AGENDA

PUBLIC HEARINGS

4. ZMA-4-2006 – Application from Bharat and Dushyaut Patel requesting the rezoning of approximately 11.69 acres of land from Residential-8 (R-8) to Planned Business (PB). The subject property is located at the deadend of Newbold Street.
NOTE: The application for this item was withdrawn.
Recommended Action for this item: Open the public hearing and then take action closing the public hearing.
5. ZMA-5-2006 – Application from Deal Land Company, LLC requesting the rezoning of approximately 16.75 acres of land from Residential Multifamily (RMF) and Residential (R-8_ to General Business (GB) District. The subject property is located on the north side of the NC Highway 150 Bypass at the northwest corner of the NC Highway 150 Bypass and South Aspen Street intersection.
6. ZTA-1-2006 – Application from Dennis Williams, agent for Romeg Development, Inc., requesting a change to section 7.19.6 of the Lincolnton Unified Development Ordinance. The change would add multifamily dwellings as a use that will not be required to meet yard requirements of the Special Highway Overlay District of the use does not abut the special highway.
7. CU-ZMA-1-2006 – Application from Dennis Williams, agent for Romeg Development, Inc. requesting the conditional use rezoning of approximately 5.262 acres from Residential-15 (R-15) to Conditional Use-Residential Multi-Family (CU-RMF). The applicant proposed to construct a 33-unit condominium complex on the property. The subject property is located on Lincoln Country Club property approximately 650 feet north of Country Club Road and approximately 450 east of Lithia Inn Road north of the driving range.

PUBLIC HEARING
(R- 08-06) & (C-11-06)

8. Consideration of waiver of competitive bidding under NCGS 143-129(g), to “piggyback” a purchase of a 2007 Pierce, 105 ft, Heavy Duty Ladder Truck for the Lincolnton Fire Department
NOTE: Once the Public Hearing is closed, official action will be required to adopt the resolution and award the contract as recommended by the Fire Chief, if Council so desires.

Don Wise, Fire Chief

RESOLUTION
(R-09-06)

9. Consideration of a resolution in support of “Clean Air”

Brenda Huggins, Appalachian Voices

APPOINTMENTS
(APPT-05-06)

10. Lincolnton ABC Board Appointment (*NOTE: Mr. Tom Burgin will complete his second three-year term in August and in accordance with City policy he would not be eligible for reappointment at this time*)

(APPT-06-06)

11. Lincolnton Planning Board Appointment (*NOTE: Mr. Bo Abernathy will complete his first three-year term in August and is eligible for reappointment if Council so desires*)

CONTRACT
(C-12-06)

12. Consideration of the City’s Safety Contract for the 2006-2007 fiscal year

Steve Peeler, Director of PW&U

OTHER BUSINESS

13. Request to consider the renaming of a City Street , currently known as Skip Lawing Drive

Mr. Dale Punch

14. Update on City Hall / Fire Station Budget – Southside Constructors

Jeff Emory, City Manager

15. Update on status of Marcia H. Cloninger Rail/Trail Expansion

Steve Gurley, Planning Director

PUBLIC COMMENT

Speakers will be limited to three (3) minutes to address Mayor and City Council Concerning Non-Agenda Items.

You must sign in with the City Clerk prior to the meeting to be eligible to speak.

CLOSED SESSION

To discuss Legal Matters and Property Acquisition
In accordance with NCGS 143-318.5(i). 11

NEWS MEDIA

ADJOURNMENT