



**5:00 PM-5:45 PM Quasi-Judicial Training Session Presentation by City Attorney Tim Swanson (Meal Provided for Members)*

The Hickory Regional Planning Commission will hold its regular meeting on **Wednesday, June 26, 2024, at 6:00 p.m. in the City Council Chambers of City Hall**. The following will be the agenda for the Regular Meeting:

AGENDA

- Parliamentary Call to Order
- Welcome
- Roll Call
- Swearing in of New Members
- Items of Correspondence
- City Council Action
- Approval and signing of minutes from the May 22, 2024, meeting.
- Reading of State Rules of Ethics
- Reading of Rules of Public Hearing Procedures

PRESENTATIONS AND HEARINGS –(Continued from May 22nd Meeting)

1. Special Use Permit 24-01. – Request by Jeff Allen, agent for One Eleven Main, LLC, for approval of a Drinking Establishment on property located at 131 Main Ave NE, and further identified as PIN 3702-07-69-5262 on the Catawba County Tax Map.
2. Special Use Permit 24-02. – Request by applicant Fong Lor for the consideration of operating a drinking establishment at 1811 1st Avenue SW. The property is shown as PIN 2792-07-68-4646 on the Catawba County Tax Map.

OTHER BUSINESS

1. **None**

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

Attendance Roster
FY 23-24

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

Hickory Regional Planning Commission

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

SPECIAL USE PERMIT ANALYSIS

PETITION: SUP 24-01

OWNER: One Eleven Main, LLC

APPLICANT: Jeff Allen, operator of Novel Taproom

PROPERTY LOCATION: 131 Main Ave NE

PIN: 3702-07-69-6633

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

ACREAGE: 1.61 acres

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

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

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

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

LAND USE AND ZONING:

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

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

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

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

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

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

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

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

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

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

The Comprehensive Plan describes the Central Business District thusly:

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

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

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

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

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

- Implement the Hickory by Choice 2030 Comprehensive Plan;

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

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

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

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

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

- Regulate the type and intensity of development; and

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

- Ensure protection from fire, flood and other dangers.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

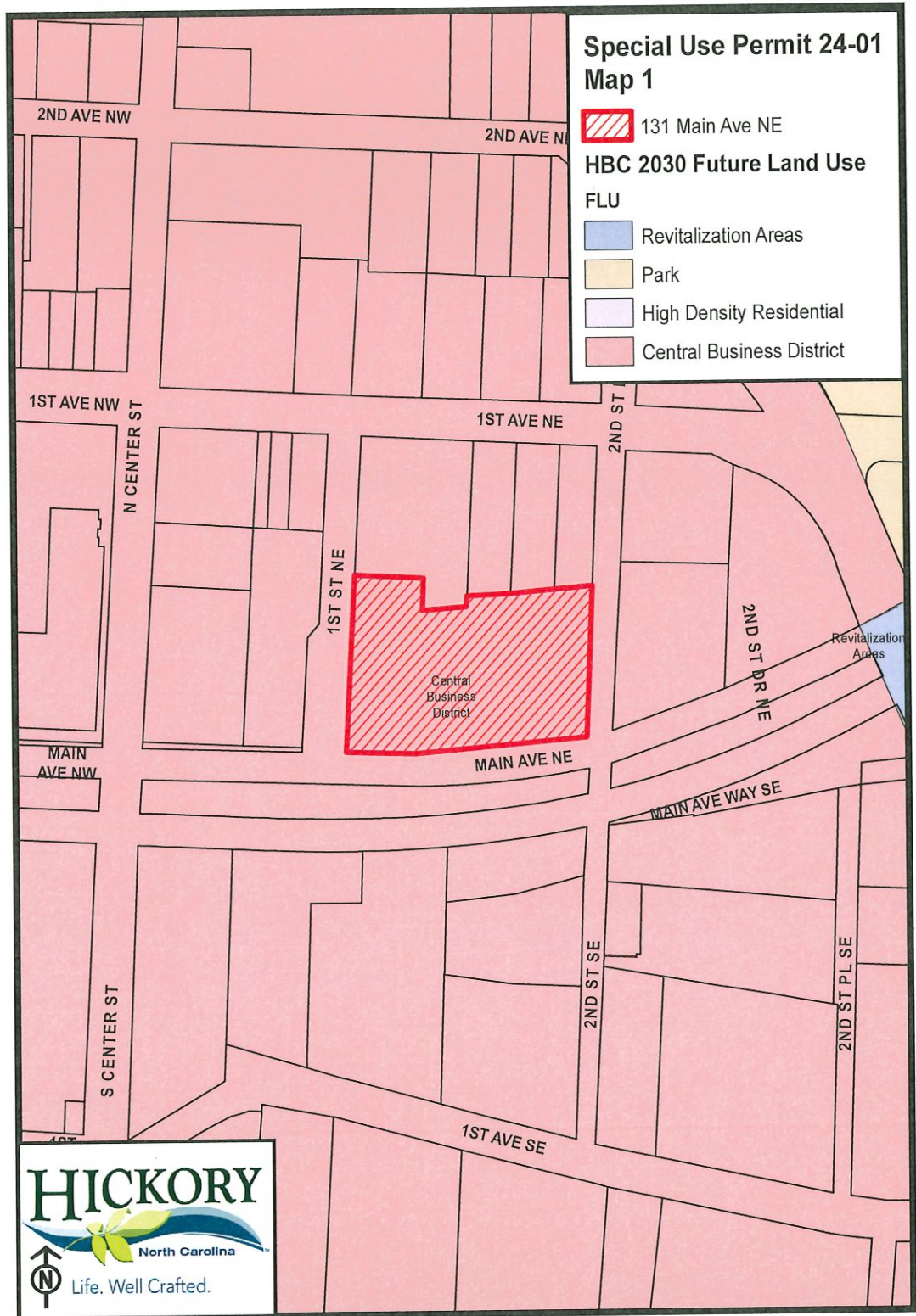
7. Adequate assurances of continuing maintenance have been provided;

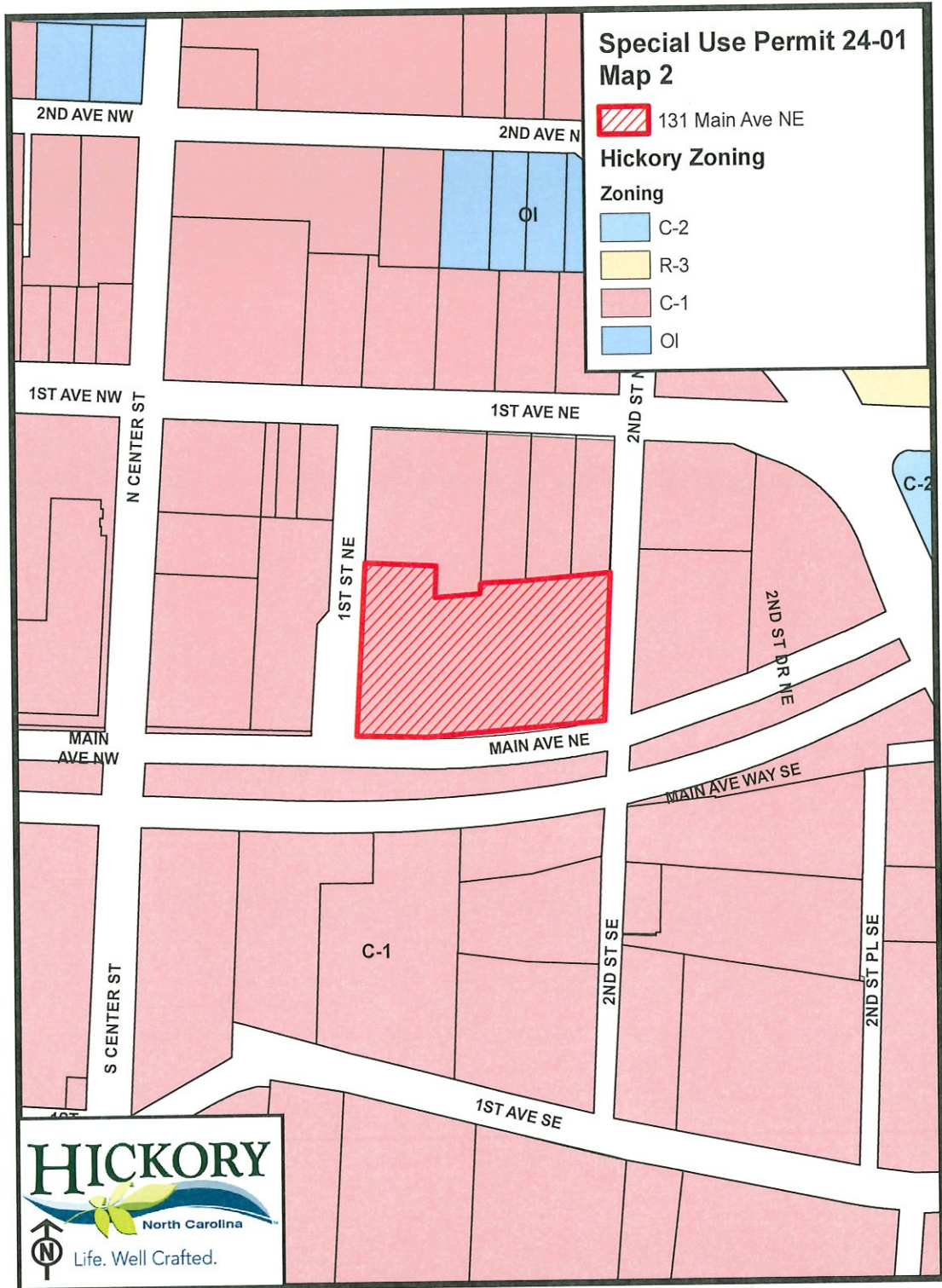
The applicant will be required, by city ordinance, to maintain all portions of the property.

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

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

CITIZEN INPUT: As of May 15,2024 there has been one inquiry from the public.







Special Use Permit 24-01
Aerial Map
Map 3

 131 Main Ave NE

City Hall

Summit Credit Union

Cranford Bros. BBQ



Pictometry International Corp.



Social District
 Downtown
 Market is published in
 Hickory Foods City Park



SPECIAL USE PERMIT ANALYSIS

PETITION: SUP 24-02

OWNER: Lor Investments, LLC.

APPLICANT: Fong Lor

PROPERTY LOCATION: 1811 1st Avenue SW

PIN: 2792-07-68-4646

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

ACREAGE: 0.62 acres

REQUESTED ACTION: The applicant requests a Special Use Permit to open a drinking establishment in a General Business (C-2) zoning district.

BACKGROUND: The subject property is occupied by Intercrew Karaoke Bar and Lounge. The property has been operating as a restaurant/ bar venue, but the annual food sales have dipped below 30%, necessitating the issuance of a special use permit.

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 thirty percent of the facility's total sales, the facility shall be considered an eating establishment. Eating establishments are classified as Retail Sales and Service.*

According to the applicant's statement, the business will be primarily a social and music venue offering free open mic singing for patrons.

DEVELOPMENT POTENTIAL: The existing building has historically been used as a bar with off street parking. The property could be expanded for this use or redeveloped in a variety of other uses such as retail sales and service, office, small scale multi-family, and other uses.

LAND USE AND ZONING:

Please see Map 3 for a map of the area zoning.

Subject property: The property is zoned C-2 (General Business) and is occupied by a vacant building.

North: The properties to the north are zoned C-2, and are occupied by a single family house and a multi-tenant retail building.

East: The property to the east is zoned C-2, and is occupied by a car sales/storage lot.

South: The properties to the south are zoned R-4 (High Density Residential), and are occupied by residential houses.

West: The properties to the west are zoned C-2 and are occupied by a multi-tenant retail building.

ACCESS: Access to the property is available from two streets, 1st Avenue SW, which is an NCDOT maintained roadway and minor thoroughfare connecting Long View and Hickory, as well as, 18th Street SW, which is a city maintained street.

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 and subject to the specific Land Development Code standards, as applicable.

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 Revitalization Area classification.

The Revitalization Area classification is characterized as an economically challenged area of the city that was once active with a mixture of light industrial, commercial, and residential uses. Years of disinvestment has necessitated revitalization efforts. Redevelopment is encouraged through flexible standards and incentive programs, but changes should respect the historic character of the area.

A drinking establishment, while not explicitly mentioned in the Comprehensive Plan, could be considered consistent with the aforementioned commercial services associated with the Revitalization Area 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 a Revitalization Area, by the Hickory by Choice 2030 Comprehensive Plan. A

drinking establishment should be considered a consistent use with the Revitalization Area 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 mixture of residential, commercial, and light industrial development. Public infrastructure currently 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 that 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 will be required to comply with all applicable provisions of the Land Development Code. Compliance will be affirmed during the administrative plan review and permitting process.

3. 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 should be considered compatible with adjacent uses.

Hours of operation of alcoholic beverage sales are regulated by the State of North Carolina and are unable to be altered at the local level. The applicant has stated that they would most likely operate until 12 am on weeknights and to 2 am

on weekends. According to the applicant, outdoor activities will cease around 10 pm. Staff believes the hours of the outdoor activities could be conditioned.

An increase in traffic to the site will occur given the nature of the business, but not be high enough to warrant any improvements to public roads. The last use of the property was also a bar. The applicants will be required to obtain a driveway permit. The applicant informed staff that they plan to improve the existing parking areas.

Outdoor lighting is currently limited to the parking lot. The applicant has proposed adding lighting to the property for the outdoor activities and to improve security. These changes would be reviewed for compliance with the Land Development Code to ensure minimal glare onto neighboring properties and roadways.

The applicant has stated that they will likely host live music and have karaoke as part of the business. Noise from the proposed use could be limited by a condition to prohibit outdoor music.

The building does not currently have a dumpster or dumpster enclosure. The applicants have stated they will coordinate with a solid waste provider for refuse and recycling that the enclosure will comply in accordance to the requirements of the Land Development Code and Engineering Manual of Practice.

There are no plans to expand the building. The only plans are to alter the exterior of the building to make cosmetic improvements.

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

No significant adverse impacts from the use of this property as a drinking establishment are anticipated. The project will continue to be reviewed for compliance.

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 approximately one mile from Fire Station 3, which houses an engine and ladder truck. 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's Edward PACT. The Police Chief expressed concerns regarding potential noise complaints from nearby residential neighborhoods given the late operating hours. The Police Department also expressed concerns about the limited bar management experience of the applicants. The Police Department expects an increase in calls (specifically fights, littering, assaults, disorderly conduct, DWI, and drug cases) if the business is permitted and not managed properly.

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

Road access will be regulated by the City of Hickory and North Carolina Department of Transportation. According to NCDOT, a new driveway permit will be required for the use.

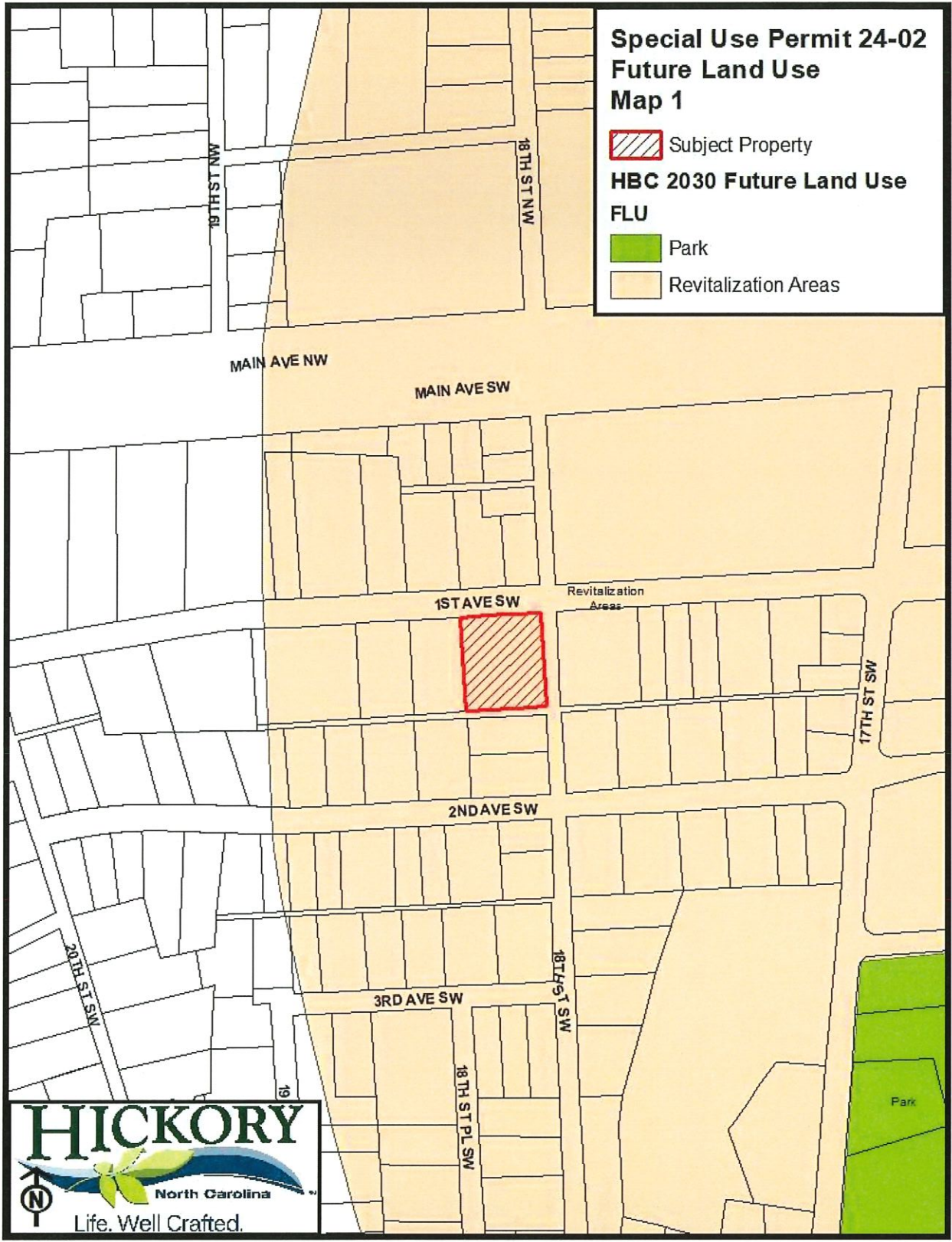
7. Adequate assurances of continuing maintenance have been provided;

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 inspections and/or construction plans must be submitted, reviewed, and approved by the City of Hickory;
3. Outdoor music and/or amplified sound is prohibited.

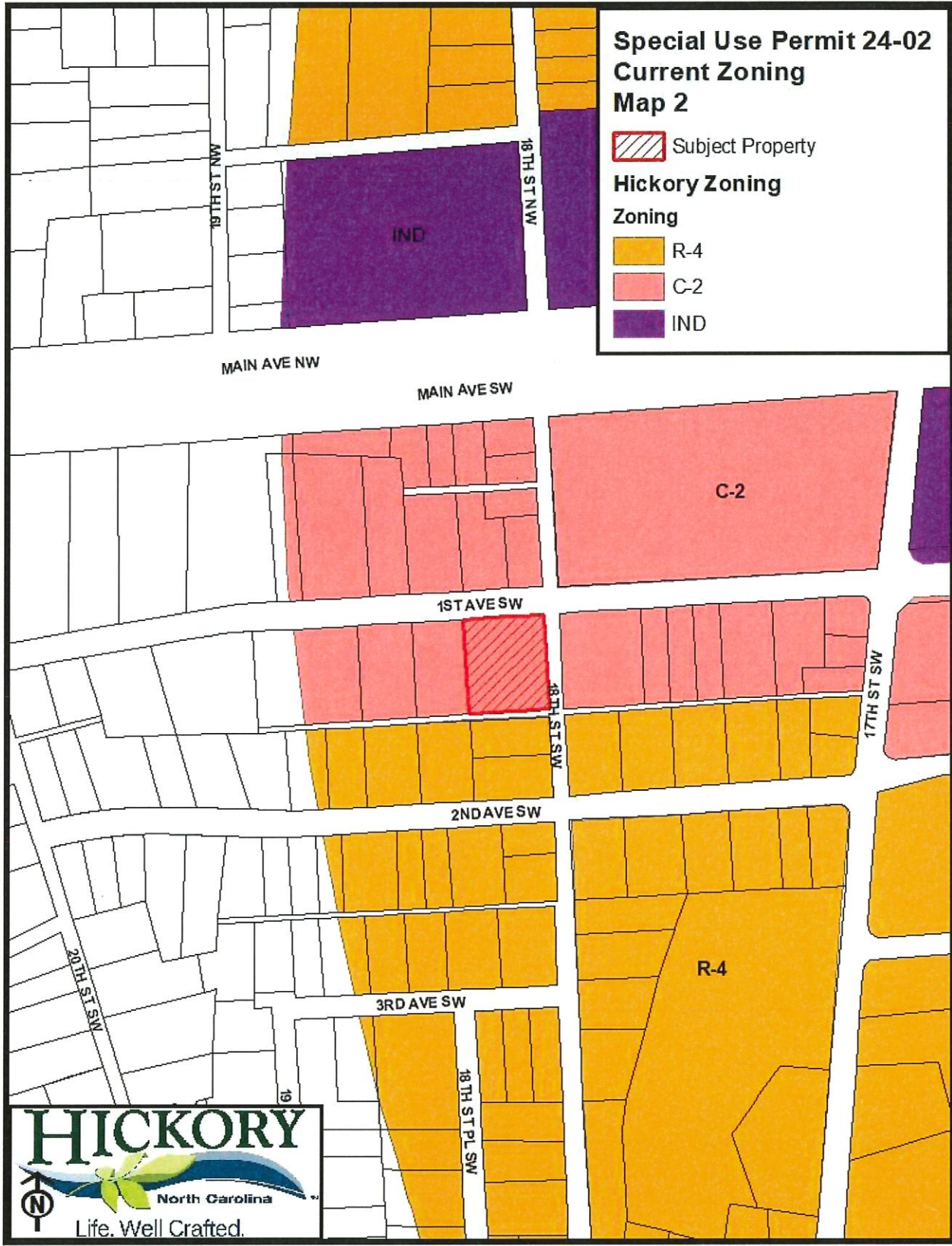
PUBLIC INPUT: As of May 15, 2024, there have not been any comments from the public.



**Special Use Permit 24-02
Future Land Use
Map 1**

-  Subject Property
- HBC 2030 Future Land Use**
- FLU**
-  Park
-  Revitalization Areas





**Special Use Permitt 24-02
Aerial
Map 3**

 Subject Property



Prestige Paint and Bodyworks

Bearing Distributors INC.

Canipe and Lynn Electric Motor

