

**City of Locust**  
Post Office Box 190  
Locust, North Carolina 28097-0190  
(704) 888-5260

**MEMORANDUM**

Date: May 5, 2023  
From: Cesar Correa, City Administrator  
To: Mayor & City Council  
Subject: Zoning Amendment (Conditional) – Stanly County PIN#: 556504504174

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**BACKGROUND & PETITION INFORMATION**

On February 28, 2023 the City of Locust received an application for a Conditional Zoning Amendment (Exhibit #1) for the property shown on the attached zoning map (Exhibit 2). The specifics of the rezoning application are as follows:

**Applicant:** Michael Kelly

**Owner Information:** MT Locust CGP, LLC

**Existing Zoning:** Highway Commercial (HC)

**Proposed Zoning:** Highway Commercial – Conditional (HC-C)

**Permitted Uses:** All uses permitted in the Highway Commercial zoning district as shown in Article 2 Section 5: Use Table of the City of Locust Land Development Ordinance, would be permitted on the subject property. The proposed use of *Automobile Parts, Tires, and Accessories* is a conditional use in the Highway Commercial District.

**Parcel ID Numbers:** Stanly County PIN#: 556504504174

**Area in Acres:** The PIN#: 556504504174 will be subdivided to accommodate this development.

**Site Description:** This property is part of the Meadow Creek Business Park development. The site is surrounded by other parcels similar in size and use.

**Adjacent Land Use:** Commercial (Burger King, Walmart, McDonalds, Villages at Red Bridge) and Vacant.

**Surrounding Zoning:** The property is surrounded by Highway Commercial on all sides

**Utility Service Provider:** The property will be served by public water through Stanly County Utilities, and sewer provided by the City of Locust.

## **EXHIBITS**

1. Application for Zoning Change
2. Zoning Map
3. Site Plan
4. Proposed Elevations

## **LAND USE PLAN ANALYSIS**

The property lies within the area designated on the adopted 2014 Land Use Plan for commercial uses.

The property is currently zoned Highway Commercial. This amendment is reasonable because the property is adjacent to existing commercial uses, which are components of the overall Meadow Creek Business Park development. The amendment allows for the growth and expansion of the City's commercial tax base and sales taxes, thus providing opportunities for local jobs for the community.

## **FINDINGS AND CONCLUSIONS**

The applicant submitted a Site Plan (Exhibit #3) and proposed elevations (Exhibit #4) for the overall development of the property that will be attached to the approval of the conditional rezoning should the City choose to support this request.

Staff has reviewed the Site Plan and finds that it meets the standards of the City of Locust Land Development Ordinance.

## **POLICY IMPLICATIONS**

The City of Locust Land Development ordinance and the North Carolina General statutes require the Planning & Zoning Board to make a recommendation on the zoning amendment.

On March 23, 2023 the Locust Planning & Zoning Board reviewed the zoning amendment petition and voted unanimously to recommend *approval* of the proposed Highway Commercial – Conditional (HC-C) zoning designation.

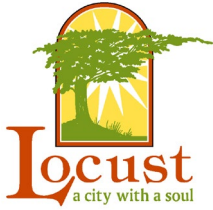
Notice of the meeting and this agenda item have been publicized, letters have been mailed to all adjacent property owners within 500ft of the subject property, and a zoning hearing sign has been posted on the property.

The Council may vote to recommend approval, denial, or to modify the recommended classification in accordance with the adopted 2014 Land Use Plan.

## **SUGGESTED MOTION LANGUAGE**

The following suggested motion language is provided as a guideline to assist the Council with references required for zoning amendments. The language may be altered as deemed appropriate by any member of the City Council in the making of a motion.

Suggested motion: “To approve the conditional rezoning request designating the subject property as Highway Commercial – Conditional (HC-C) with the associated site plan and proposed elevations, to be consistent with the 2014 Land Use Plan.



# City of Locust **Exhibit 1**

Post Office Box 190  
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(704) 888-5260

## Application for Conditional Zoning Change

Date: 2/28/2023

Applicant Name: Michael Kelly

Company Name (if applicable) MT Locust CGP, LLC

Address: 361 Summit Blvd. Suite 110 Birmingham, AL 35243

Phone Number: 205-263-4578

Address of Property Change: 198 Browns Hill Rd with Tax ID # (37500) and Pin # (556504504174)

Present Zoning District: Highway Commercial

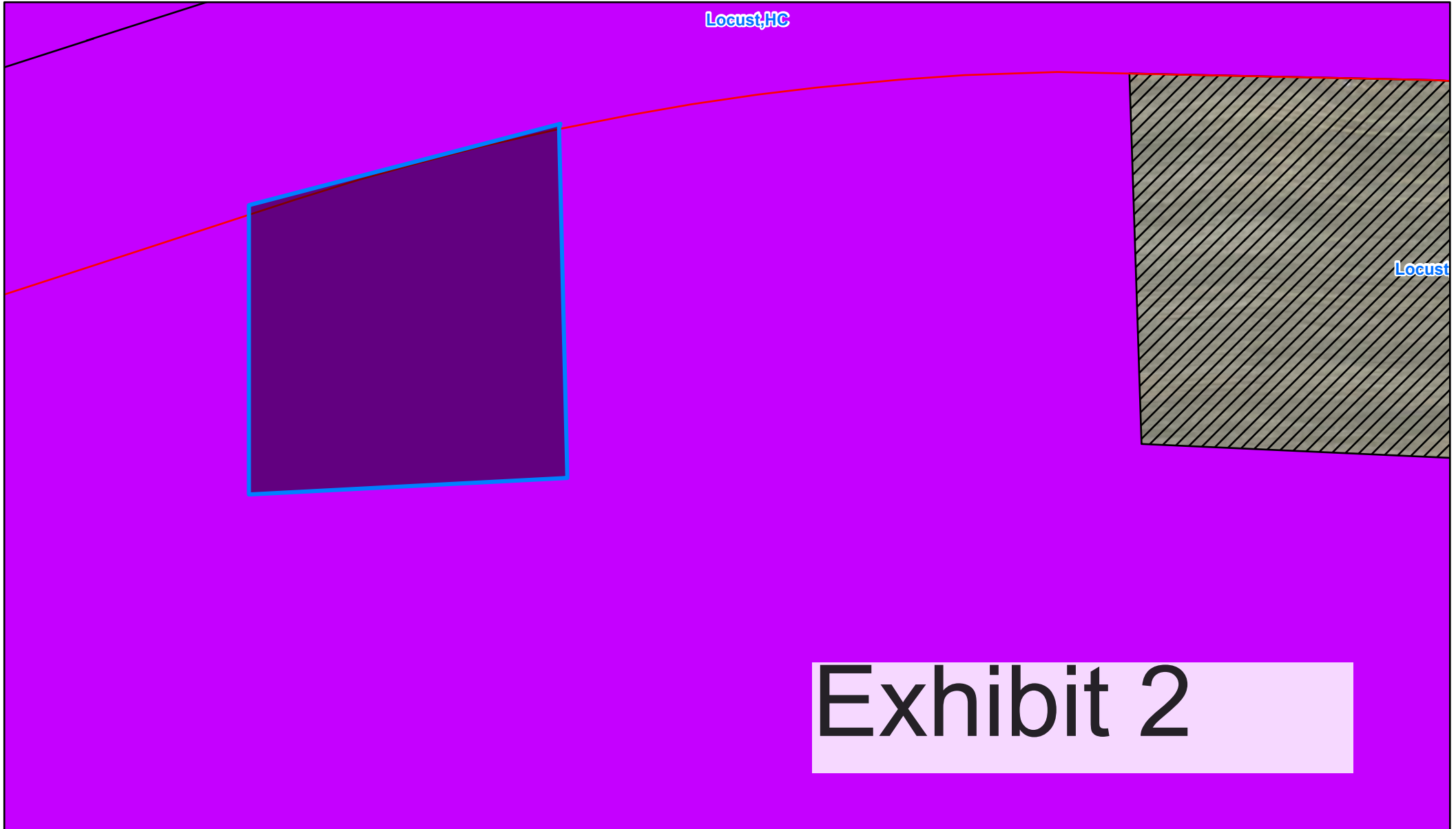
Requested Zoning District: Highway Commercial

Applicant Signature: Michael Kelly

The following information is required with the application:

- (1) Map of the property to be rezoned, accurate description to show the following:
  - a. All property lines with dimensions, north arrow.
  - b. Names and addresses of adjoining landowners.
  - c. Location of all existing structures, use of all land.
  - d. Zoning classifications of all abutting zoning districts.
- (2) Comprehensive site plan.
- (3) Color renderings of the exterior.
- (4) Comprehensive landscape plan
- (5) All signage “monument and building “
- (6) A fee of \$500 (non- refundable) must accompany this application.

# ArcGIS Web Map



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World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

30cm Resolution Metadata

— Roads

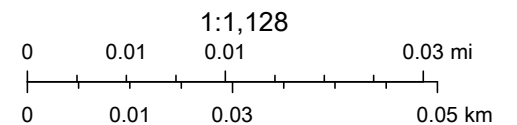
▭ Parcels

▭ City Limit Boundary

Zoning

▭ Locust, HC

▨ Locust, HC-CU



Esri Community Maps Contributors, Cabarrus County Government, Stanly County, State of North Carolina DOT, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR,

ArcGIS Web AppBuilder

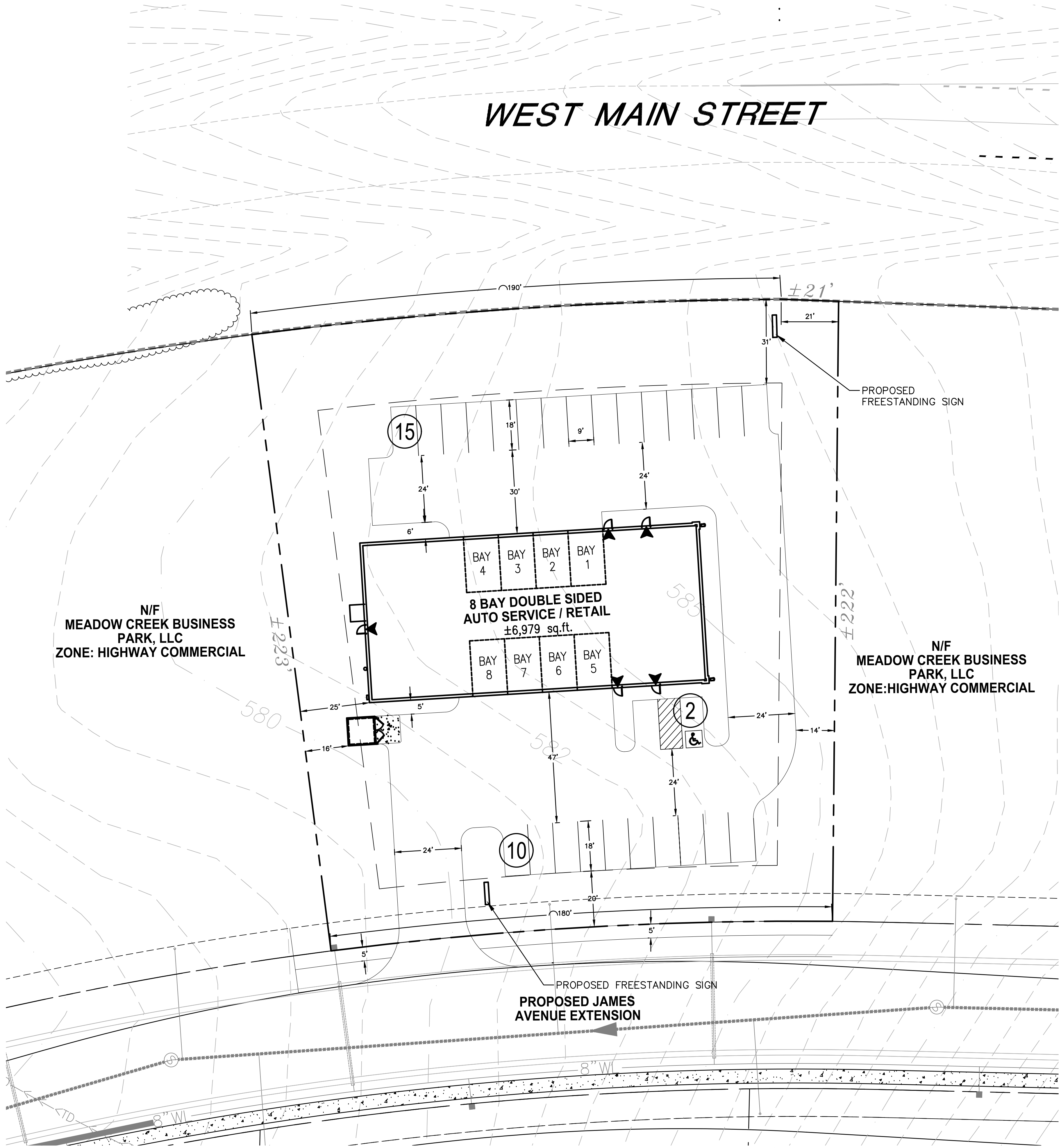
ZONING INFORMATION

LOCATION: LOCUST, STANLY COUNTY, NC				
ZONE: HC (HIGHWAY COMMERCIAL)				
USE: AUTOMOBILE REPAIR, PARTS, TIRES AND ACCESSORIES				
ITEM #	ITEM	REQUIREMENTS	PROPOSED	VARIANCE
1	MINIMUM LOT AREA	N/A	±43,543 S.F. (±1.0 AC.)	NO
2	MINIMUM LOT WIDTH	50 FEET	±180 FEET	NO
3	MINIMUM LOT DEPTH	100 FEET	±222 FEET	NO
4	MINIMUM FRONT SETBACK	30 FEET/ 80 FEET MAX	79 FEET	NO
5	MINIMUM SIDE SETBACK	20 FEET	25 FEET	NO
6	MINIMUM REAR SETBACK	20 FEET	85 FEET	NO
7	MAXIMUM BUILDING HEIGHT	36 FEET	<36 FEET	NO
8	MAXIMUM IMPERVIOUS COVERAGE	NONE REQUIRED	±56.5 PERCENT	NO

PARKING INFORMATION

ITEM #	ITEM	REQUIREMENTS	PROPOSED	VARIANCE
1	BUILDING SIZE	NONE REQUIRED	6,979 S.F.	NO
2	PARKING REQUIRED	COMMERCIAL: 1 SPACE PER EVERY 500 S.F. OF GROSS FLOOR AREA TOTAL REQUIRED = 14	27 SPACES	NO
3	BICYCLE REQUIRED PARKING	BIKE RACK WITH LOCKING AREA	BIKE RACK WITH LOCKING AREA	NO
4	MINIMUM HANDICAPPED PARKING SPACES REQUIRED	2 SPACES	2 SPACES	NO
5	MINIMUM PARKING DIMENSIONS	9 FEET X 18 FEET	9 FEET X 18 FEET	NO
6	MMAXIMUM DRIVE WIDTH	24 FEET – 2-WAY	24 FEET – 2-WAY	NO
7	MINIMUM FRONT SETBACK	30 FEET	31 FEET	NO
8	MINIMUM SIDE SETBACK	N/A	14 FEET	NO
9	MINIMUM REAR SETBACK	20 FEET (ABUTS STREET)	20 FEET	NO
10	MINIMUM INTERIOR LANDSCAPING	SEE LANDSCAPE PLAN (LL-1)	SEE LANDSCAPE PLAN (LL-1)	NO

Exhibit 3



FOR PERMITTING PURPOSES ONLY  
NOT RELEASED FOR CONSTRUCTION

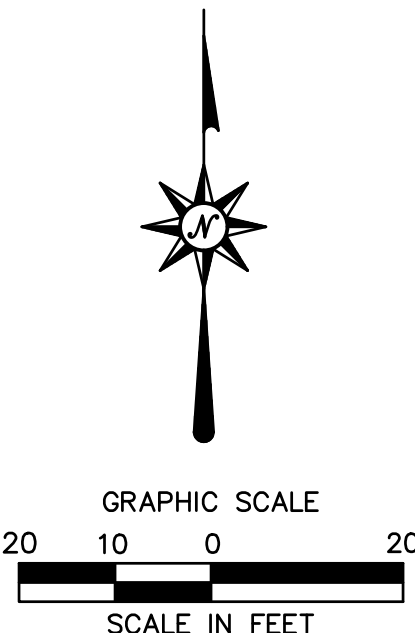
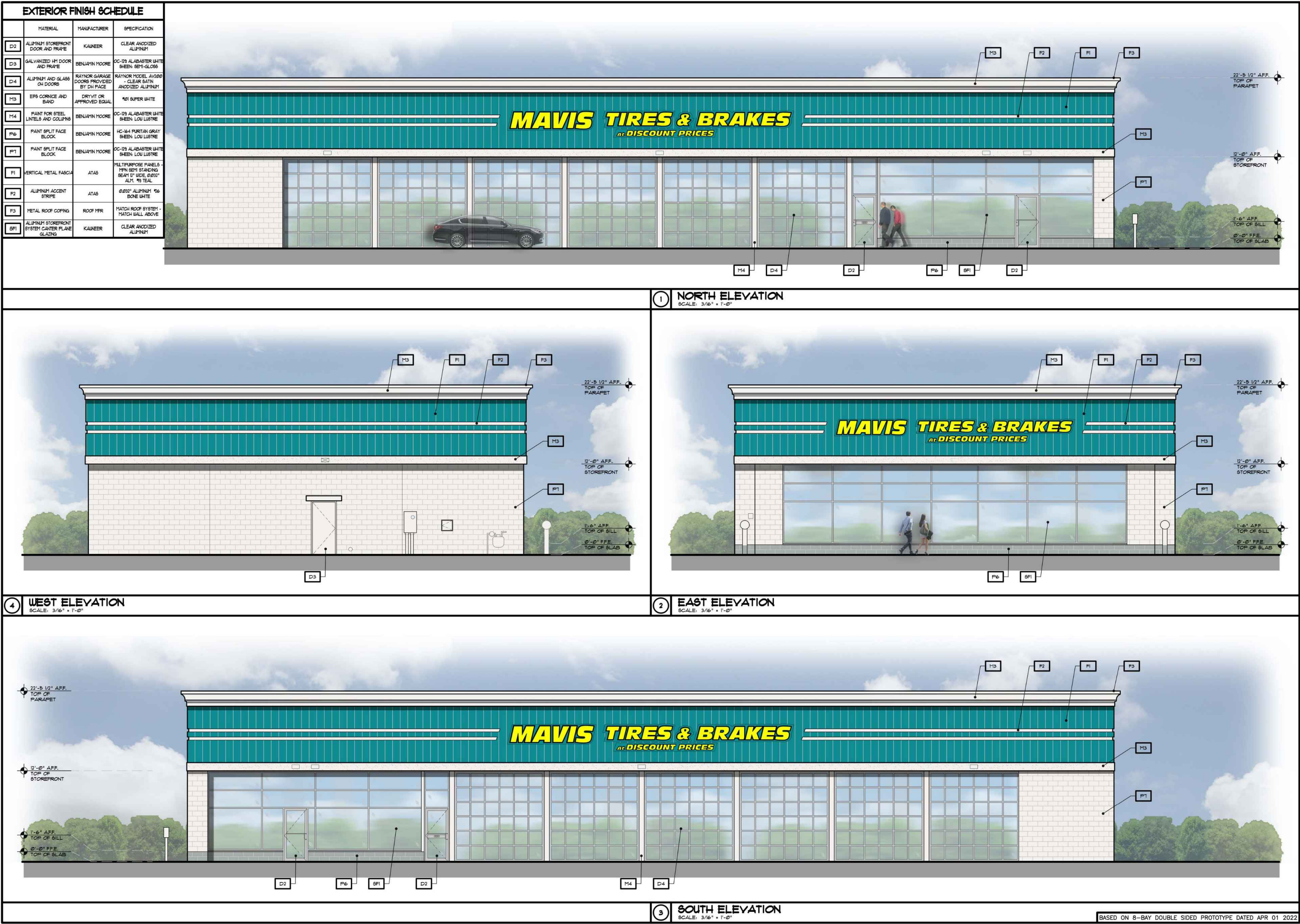


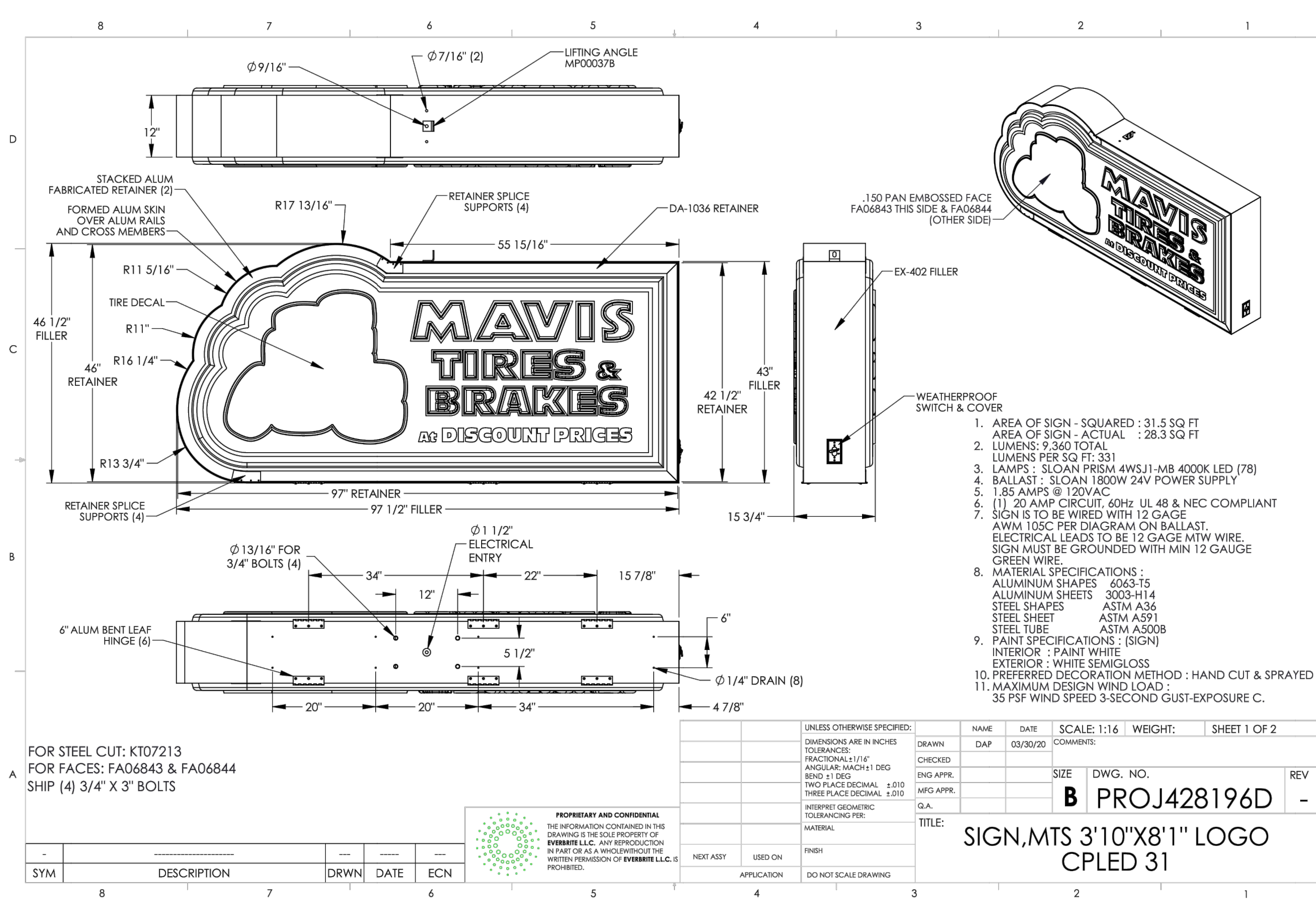
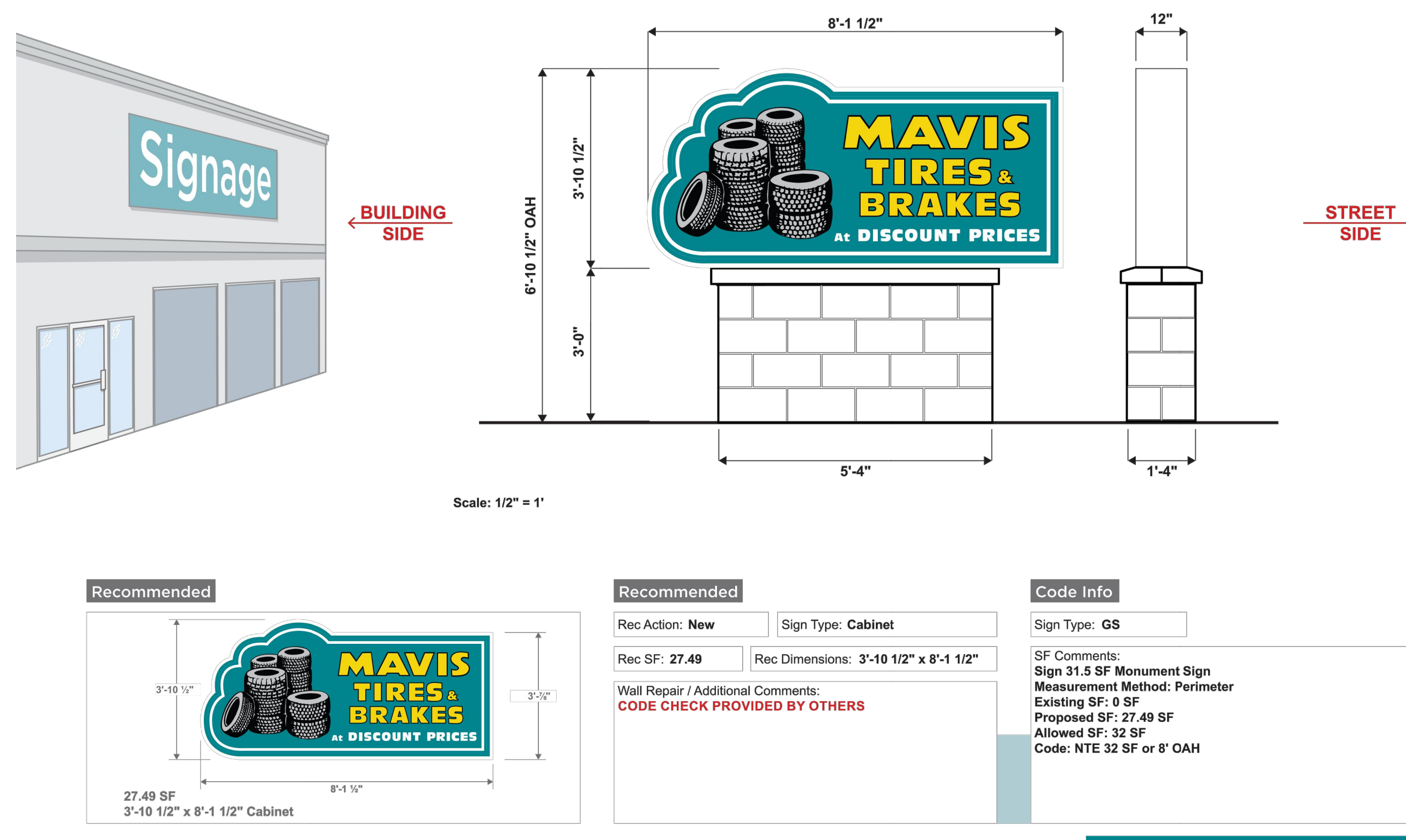
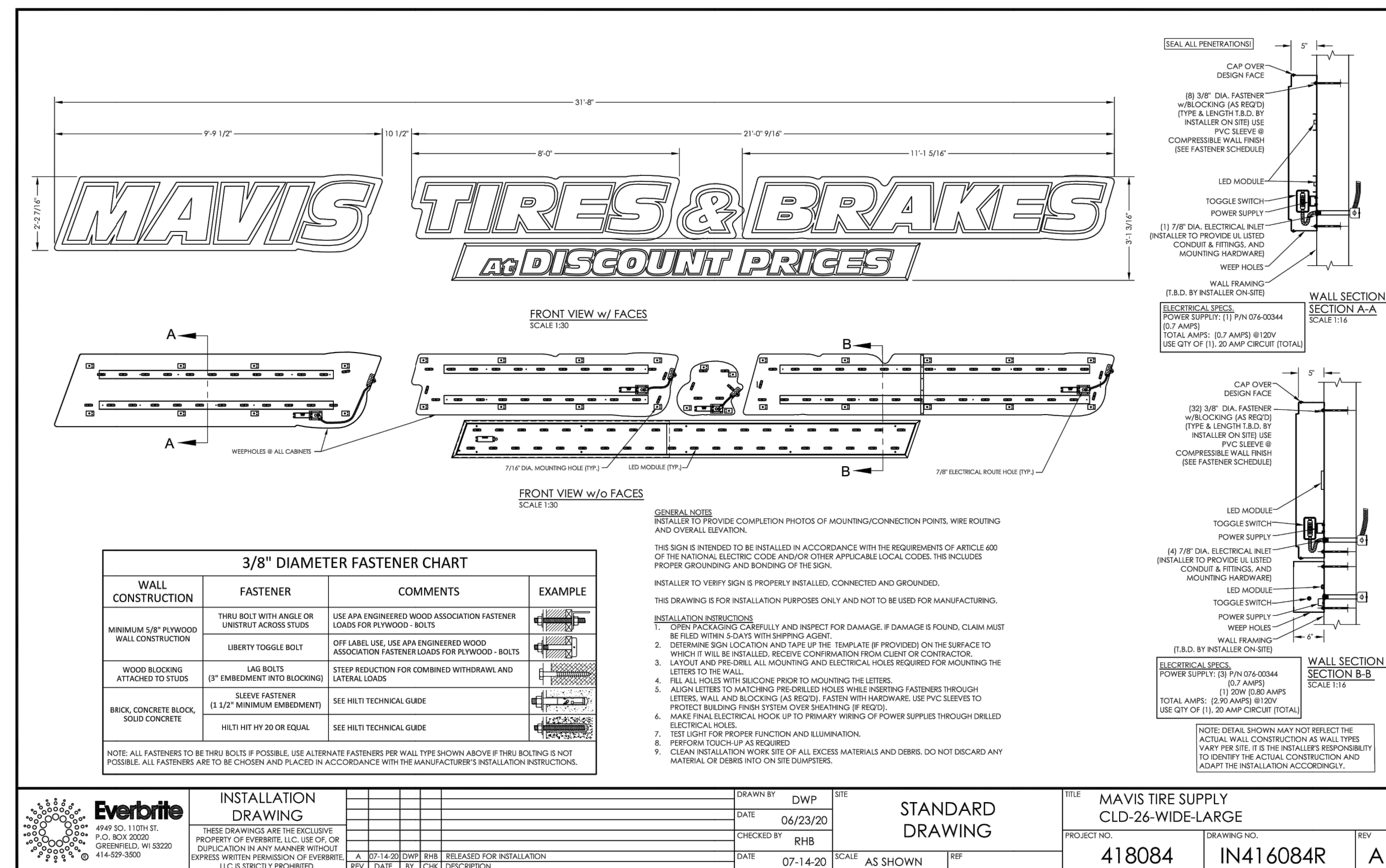
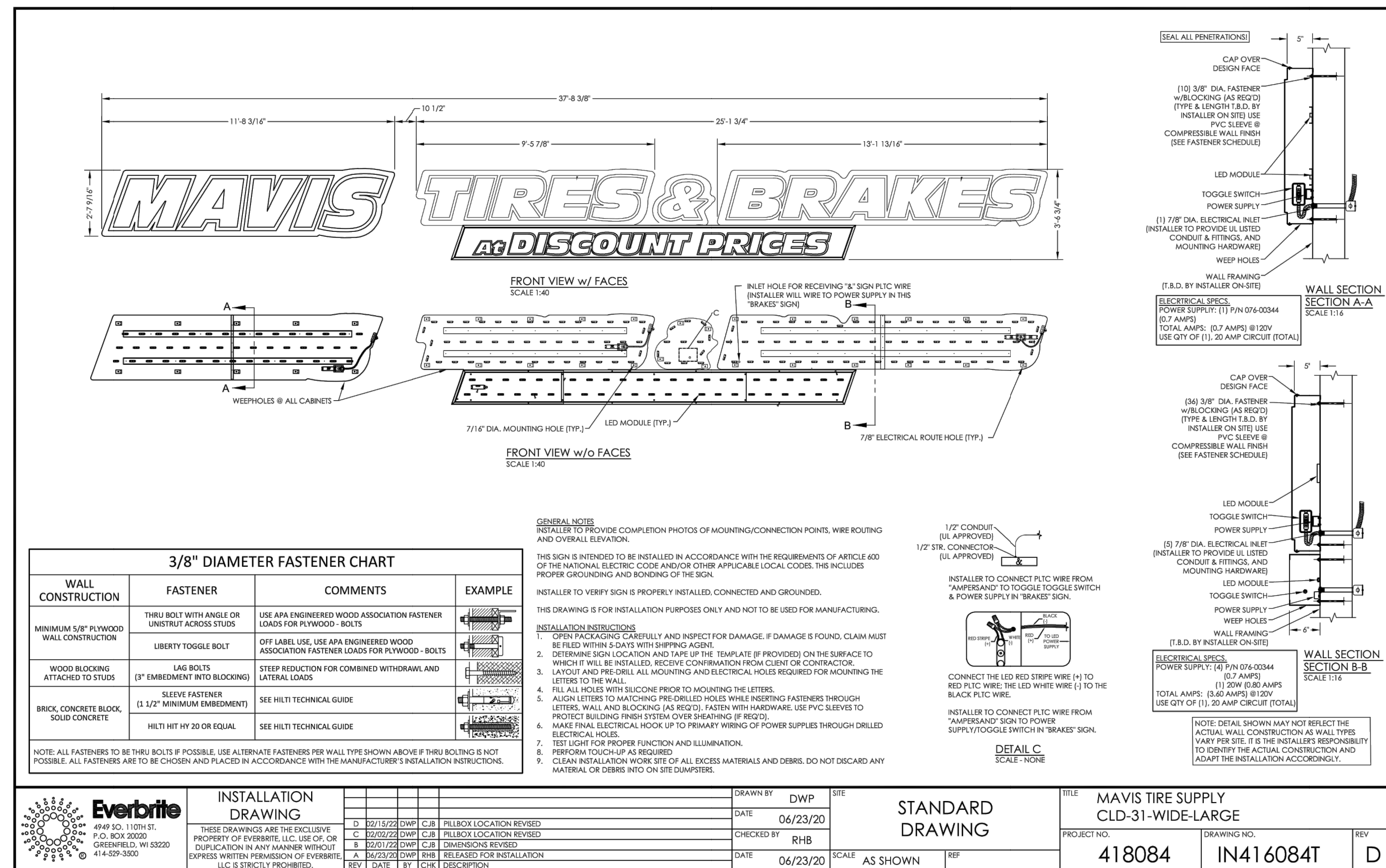


Exhibit 4



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