

LINCOLNTON PLANNING BOARD
AGENDA
November 16, 2021
At 4:00 P.M. in City Council Chambers

1. Roll Call
2. Call to Order
3. Approval of minutes from the September 21, 2021 meeting
4. MJS-1-2021- Application from Dynamo Holdings, LLC requesting approval of 13 lots to be fronted on a newly constructed street. The subject property is approximately 15 acres in size and is located on the west side of Roper Drive approximately 1500 feet north of the intersection of Roper Drive and East Main Street (Parcel ID 15870). The property is located in the Lincolnton ETJ. The new street would be maintained by NCDOT.
5. CZ-10-2021-Application from Prestige Acquisitions, LLC requesting the rezoning of approximately 24 acres of land from Residential-25 (R-25) and Residential-Office (R-O) to Planned Residential District (PRD) for the purpose of developing a community of Single Family detached housing (51 units) and attached townhomes (49 units). The subject property is a portion of property owned by New Vision Ministries located at 621 Clarks Creek Road (Portion of Parcel ID 15614). The portion requested for rezoning is located on the south side of Clark Creek Road adjacent to Clarks Creek and running approximately 800 feet to the west.
6. CZ-11-2021-Application from Century Communities Southeast, LLC requesting the rezoning of approximately 97.16 acres from Residential-25 (R-25) District to Planned Residential District (PRD) for the purpose of developing a community of 261 Single family detached housing units. The subject property is located on the east side of Startown Road approximately 950 feet south of the intersection of Clarks Creek Road and Startown Road (Parcel IDs 16937, 21509, 21507, 21508, and 21510).
7. Adjournment



**CITY OF LINCOLNTON
PLANNING BOARD
PO DRAWER 617, LINCOLNTON, NC 28092
www.ci.lincolnton.nc.us**

BOARD MEMBERS: Jamel Farley, Chair afarley2351@gmail.com; Greg McBryde, Vice-Chair, Gregory.McBryde@gmail.com; Gene Poinsette, poinsetteg@charter.net; Jerry Hoffman, jlskhoffman@charter.net; Rebecca Abernethy, rabernethy21@bellsouth.net; Stephen Silva, soundcity1@yahoo.com; Trent Mason, trentonmason@gmail.com; Joy Smith, joysmithmsnrn@gmail.com

Tuesday, September 21, 2021 Meeting

Present: Jamel Farley, Jerry Hoffman, Rebecca Abernethy, Greg McBryde and Trent Mason

Absent: Gene Poinsette, Steve Silva and Joy Smith

Call to Order

Chair Jamel Farley called the meeting to order and recognized that Gene Poinsette, Steve Silva and Joy Smith were absent.

Approval of Minutes

Chair Jamel Farley asked the Board if there were any additions or corrections to the minutes of the August 17, 2021 meeting.

Motion: Greg McBryde made a motion to approve the minutes. Rebecca Abernethy seconded. Motion carried unanimously.

CZ-9-2021-Application from Prestige Acquisitions, LLC requesting the rezoning of approximately 59.8 acres of land from Residential-25 (R-25) district to Planned Residential District (PRD) for the purpose of developing a community of Single family detached housing and Attached Townhomes. The subject property consists of two lots located at the southeast corner of Startown Road and Clarks Creek Road (Parcel ID 90684 and 15415).

Laura Elam presented the staff report provided in the agenda packet to the board.

Rob Brown spoke about the project on behalf of Prestige Acquisitions.

After some discussion, Chair Jamel Farley asked if there was a motion. The motion is as follows:

Motion: Rebecca Abernethy made a motion to approve with staff review committee conditions. Greg McBryde seconded. Motion carried unanimously.

Chair Jamel Farley asked the Board if there was any other business to be addressed, to which there was none.

Adjournment

Motion: Trent Mason made a motion to approve with staff review committee conditions. Greg McBryde seconded. Motion carried unanimously.

Jean Derby

MEMO TO: Planning Board Members

FROM: City of Lincolnton Planning Department

SUBJECT: Major Subdivision Plat submitted by Dynamo Holdings, LLC (MJS-1-2021)

DATE: November 16, 2021

BACKGROUND

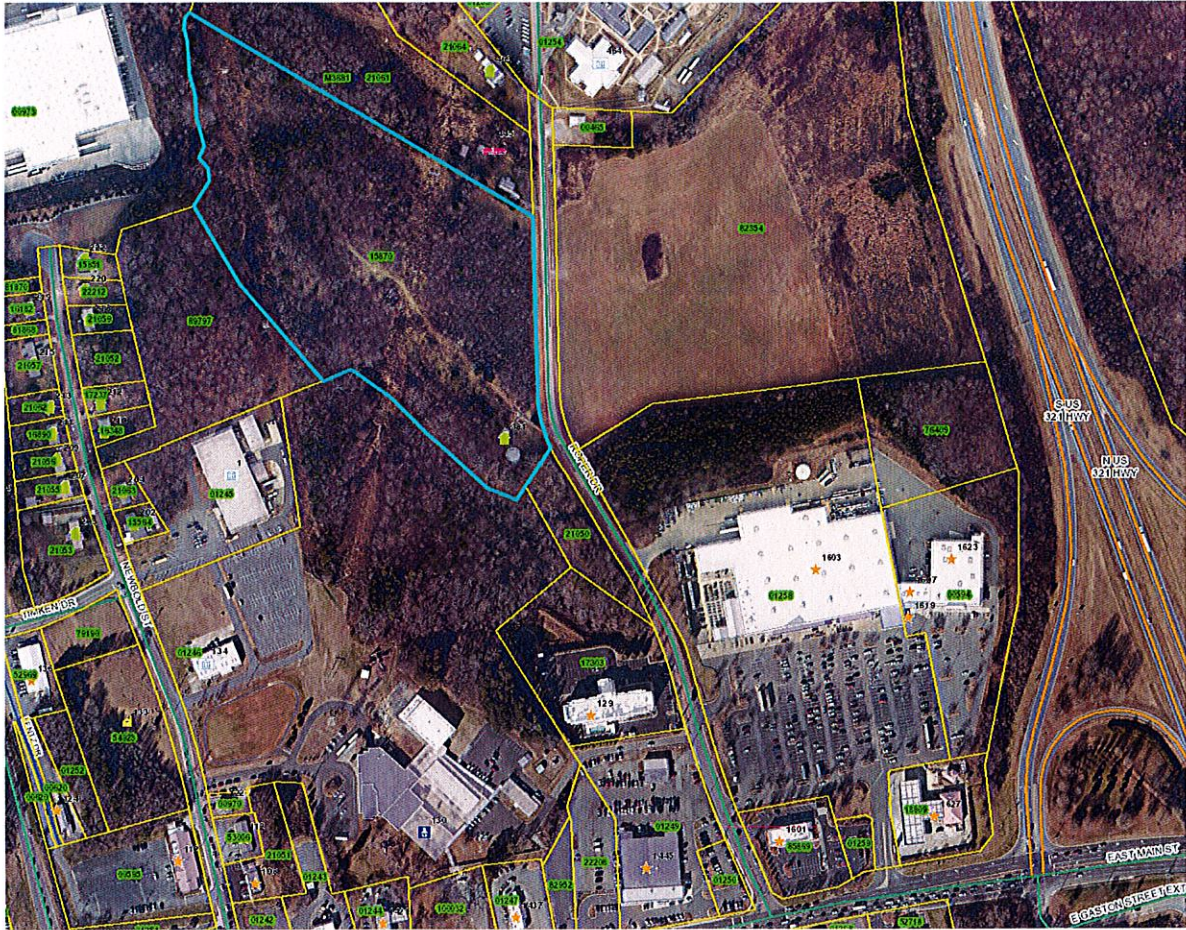
The applicants have submitted the attached preliminary plat for a major subdivision located off of Roper Drive. The subdivision will be made up of 13 lots on approximately 15 acres of land. The seven lots shown on the plat that front Roper Drive have already been approved as a minor subdivision due to the lots all having road frontage onto Roper Drive.

The property is located on the west side of Roper Drive approximately 1500 feet north of the intersection of Roper Drive and East Main Street (Parcel ID 15870). The property is located in the Lincolnton ETJ. The new street (Aviella Lane) shown on the plat would be maintained by NCDOT.

The property is zoned Office Institutional (O-I). Each lot must be a minimum of 12,000 square feet in size to construct duplexes which are proposed for the property. Maximum impervious area for each lot is 24% to meet the watershed requirements in the WS-IV Protected area.

The proposed subdivision will have one new street entrance off of Roper Drive. The new street will be built to NCDOT Street Standards with a new 50-foot right-of-way, with a cul-de-sac approximately 220 feet in length. The applicant proposes to turn the street over to the NCDOT after construction. Sidewalks will be constructed on both sides of the street. City water and sewer will serve the subdivision.

Maps and plans are shown below:



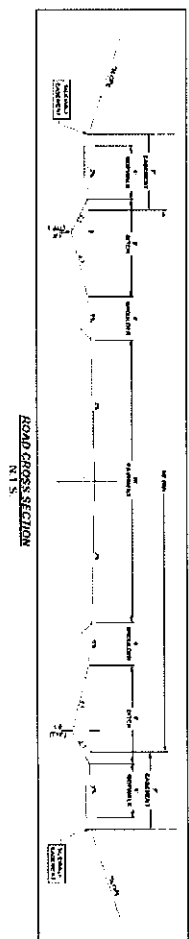
4. Per the City Fire Marshal all plans must be approved and meet appendix D standards including no parking on the street, 96 foot radius cul de sac, hydrant locations, hydraulic calculations on water flow, etc..
5. Erosion control plans must be submitted to and approved by Lincoln County Natural Resources.
6. Per NCDOT, the sewer line cannot be in the center of the street as shown on the plan. It will have to be moved to one side of the street per the City standards.
7. Driveway permits from NCDOT will be required including a 15 inch pipe at all driveway entrances.
8. ADA compliant sidewalks and mailbox turnouts required.
9. Per the City water and sewer department the following corrections need to be made to meet City Standards:
 1. Water main must be 8 inch since it is not looped
 2. Fire hydrants must be Super Centurion with a 4" Storz connection (yellow).
 3. Water meter boxes must be MB-1 polyethylene with cast iron hinged reader lid (Rhino-Southeastern Distributors, Inc.)
 4. Water meters must be 5/8" x 3/4" Kamstrup Flowlq2250 for AMI.
 5. Yoke Bars 5/8" x 3/4" must be used instead of setters
 6. Must have a 3/4" Dual Check Valve on the back of the Yoke Bar.
 7. Tapping Saddles for the service lines must be Brass.

CONCLUSIONS

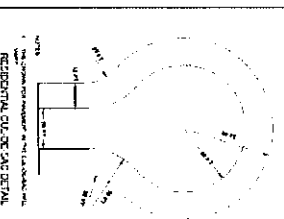
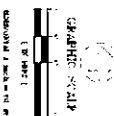
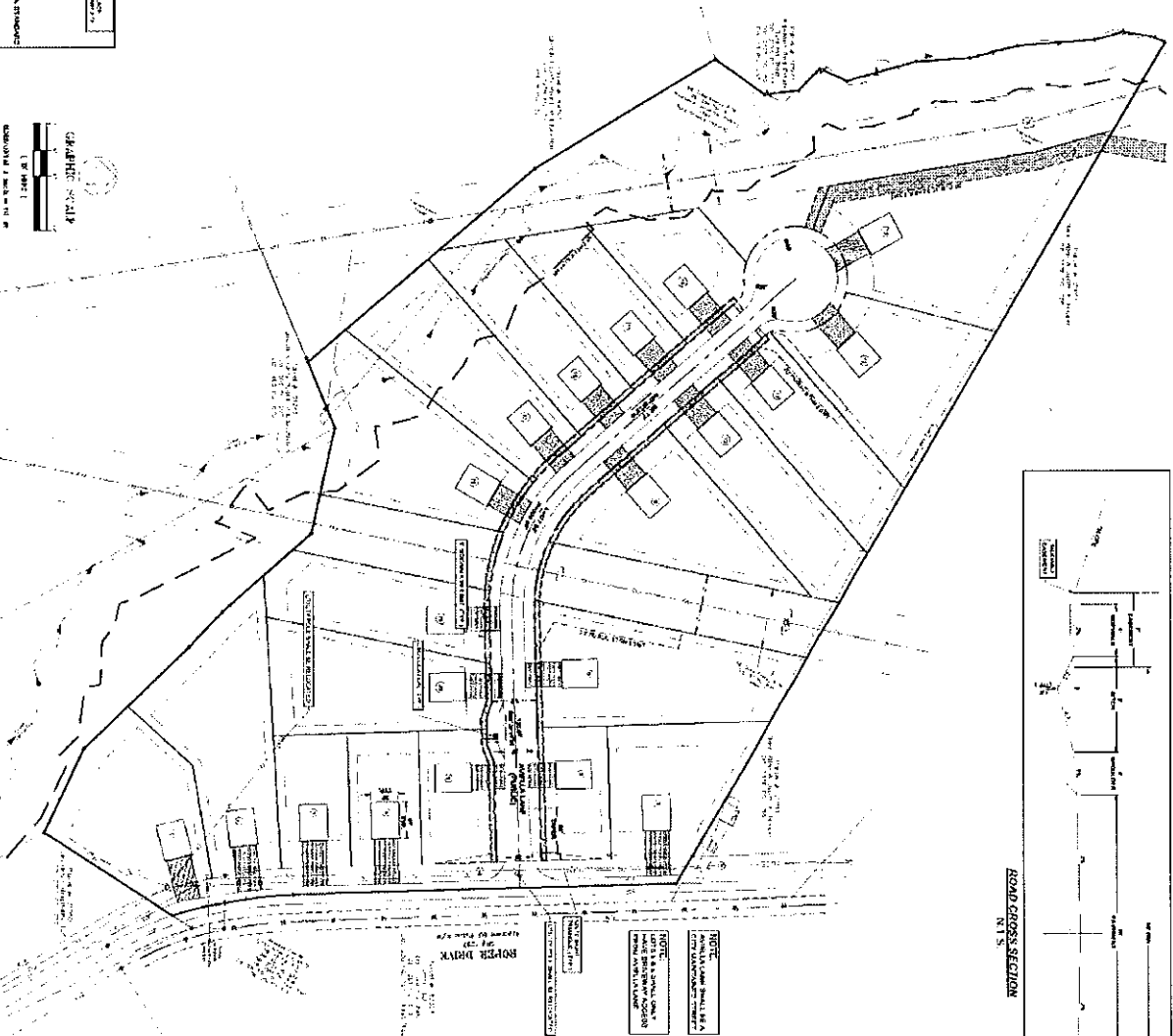
The preliminary subdivision plat and attached information meet the requirements of the LUDO with the exception of the items listed above. The items listed above must be submitted to Staff and each department must approve before a final plat can be approved.

RECOMMENDATION

Approve the preliminary plat on the condition that the items listed above are met before the final plat is approved.



Order #	Order Date	Order Qty	Order Price	Order Total
1	2/1/2010	1	1.00	1.00
2	2/1/2010	1	1.00	1.00
3	2/1/2010	1	1.00	1.00
4	2/1/2010	1	1.00	1.00
5	2/1/2010	1	1.00	1.00
6	2/1/2010	1	1.00	1.00
7	2/1/2010	1	1.00	1.00
8	2/1/2010	1	1.00	1.00
9	2/1/2010	1	1.00	1.00
10	2/1/2010	1	1.00	1.00
11	2/1/2010	1	1.00	1.00
12	2/1/2010	1	1.00	1.00
13	2/1/2010	1	1.00	1.00
14	2/1/2010	1	1.00	1.00
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56	2/1/2010	1	1.00	1.00
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69	2/1/2010	1	1.00	1.00
70	2/1/2010	1	1.00	1.00
71	2/1/2010	1	1.00	1.00
72	2/1/2010	1	1.00	1.00
73	2/1/2010	1	1.00	1.00



516 ADOBE. 7475 SHELBY RD
STE AREA 6007E ST 14422 AC
GRAB BUSHY AC. 28 504 74 7475

44C609360 23 01 JAN 94 14 07
ZOMING, 94

© 2007 JAL SKA. All rights reserved.

210M LEFTBACK - 10 FT
CONCRETE DETECTOR, 20 FT

WALL 12' 0" X 12' 0" X 12' 0"
WALL 12' 0" X 12' 0" X 12' 0"

WATTLE - CITY OF LINCOLN
NORTH, CITY OF LINCOLN NORTH

PHẠM ĐOÀN LÊ THON - MÔN VIẬT

DEVELOPER

STANLEY HOLDINGS, LLC
118 CARRINGTON BLVD
MOORESVILLE, NC 28117

2014年12月15日

DESIGNING

DATE: 04/05/2014
TIME: 14:00
PAGE: 1

JOHN BUTLER, P.E.
14011 21st Street
Ottoburne, PA 17055
610-833-9111
jbutler@att.net

WATERSHED DATA

THE PRESIDENT HAS REQUESTED THAT YOU
ADVISE HIM OF ANY CHANGES TO THE
FOLLOWING INFORMATION:

IMPERVIOUS

On 1/16/99 = 24,000 B+

$$10^3/\Lambda_L = 0.2^{+0.3}_{-0.2}$$

62,711,444,906 = 17.2% ANNUALIZED ASSET

Floodplain
A portion of "wet property" left after according to the 1,200 insurance.

Copyright © 2011 John Wiley & Sons, Ltd.

10

7

1

4	
3	
2	
1	

1. The first part of the document is a title page. It contains the title "THE HISTORY OF THE UNITED STATES OF AMERICA" and the author's name "BY JAMES MADISON".

RESIDENTIAL CUR-DE-SAC DETAIL

15126 CASTLEBRIDGE LANE MATTHEWS, NC 28104
910-840-2861
NIC FRV#P 2147



PROJECT ADDRESS: Roger Drive, Lexington, NC 28092

DYNAMO HOLDINGS, LLC
118 Chang Place, Moo 95476, P.O. Box 28117

[illegible]

MEMO TO: Planning Board Members

FROM: City of Lincoln Planning Department

SUBJECT: CZ-10-2021 Request for rezoning of approximately 24 acres from R-25 to PRD

DATE: November 16, 2021

SITE AND AREA DESCRIPTION

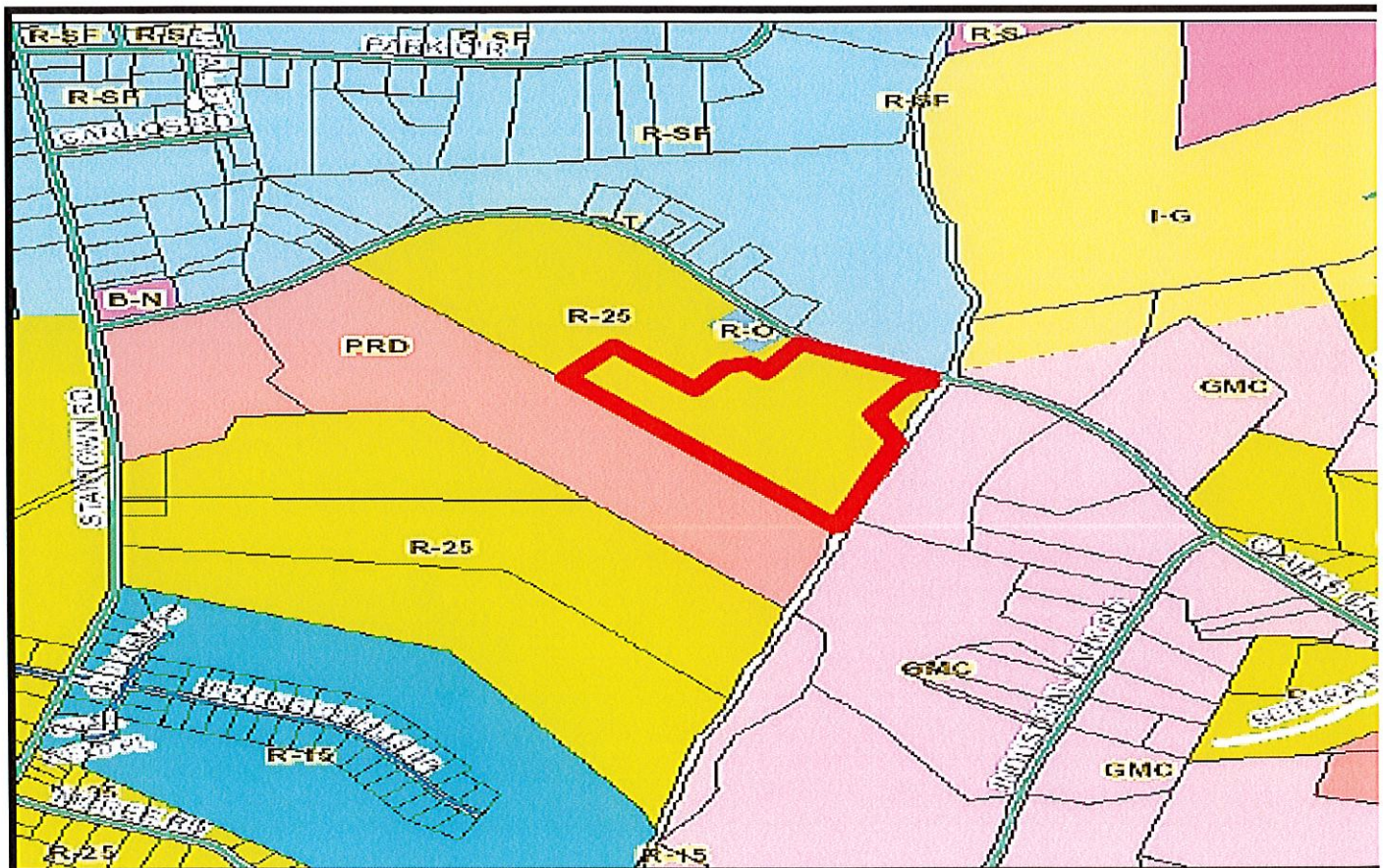
The applicant is requesting a conditional rezoning from R-25 to the Planned Residential District (PRD) for the purpose of developing a community of single family detached housing (51 units) and attached townhomes (49 units).

The subject property is a portion of property owned by New Vision Ministries located at 621 Clarks Creek Road (portion of Parcel ID 15614). The portion requested for rezoning is located on the south side of Clark Creek Road adjacent to Clarks Creek and running approximately 800 feet to the west.

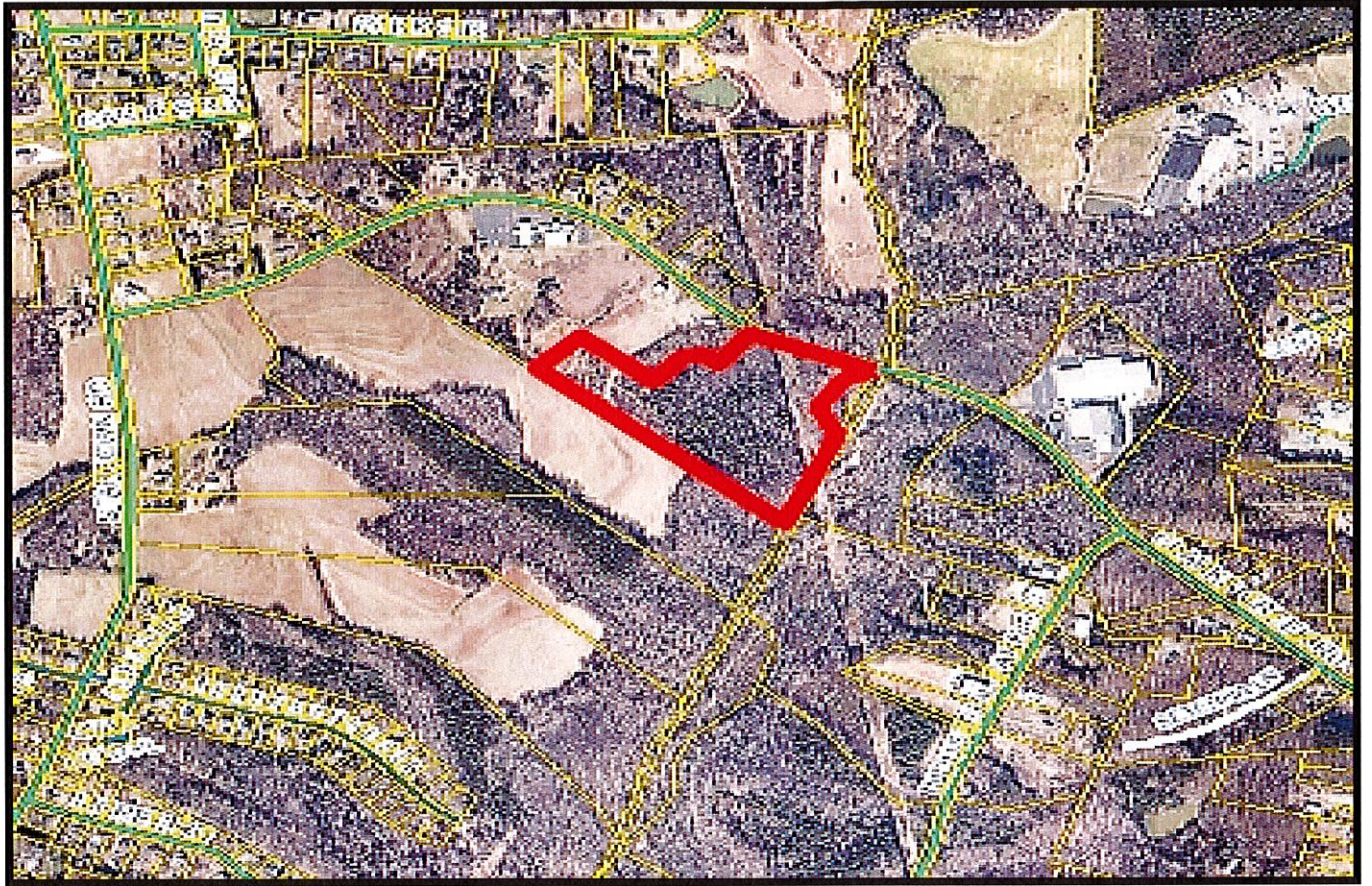
The property is vacant. Adjacent properties include New Vision Ministries, single family homes and vacant properties.

The site is located outside of the city limits but within the ETJ.

CURRENT ZONING MAP

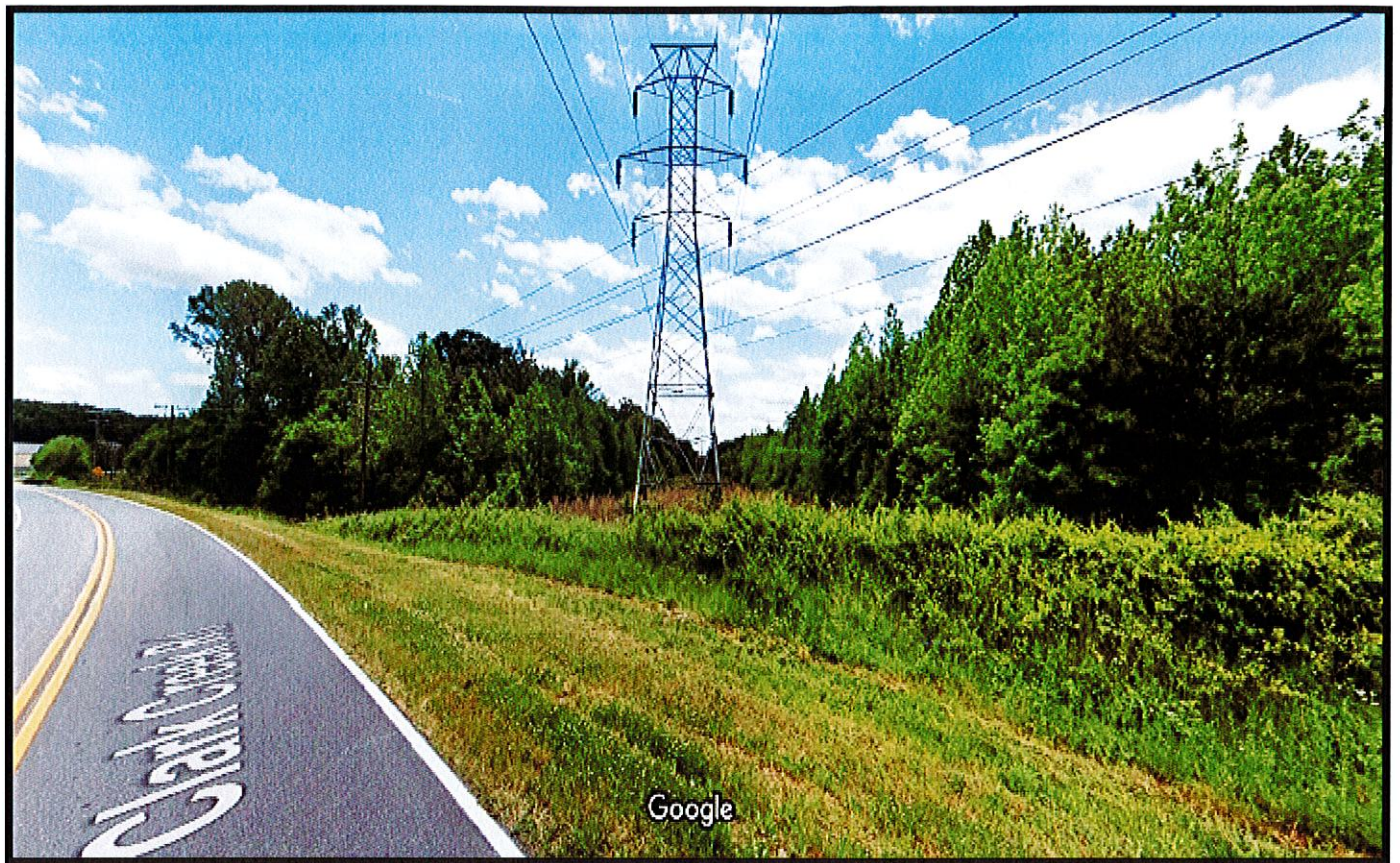


AERIAL VIEW

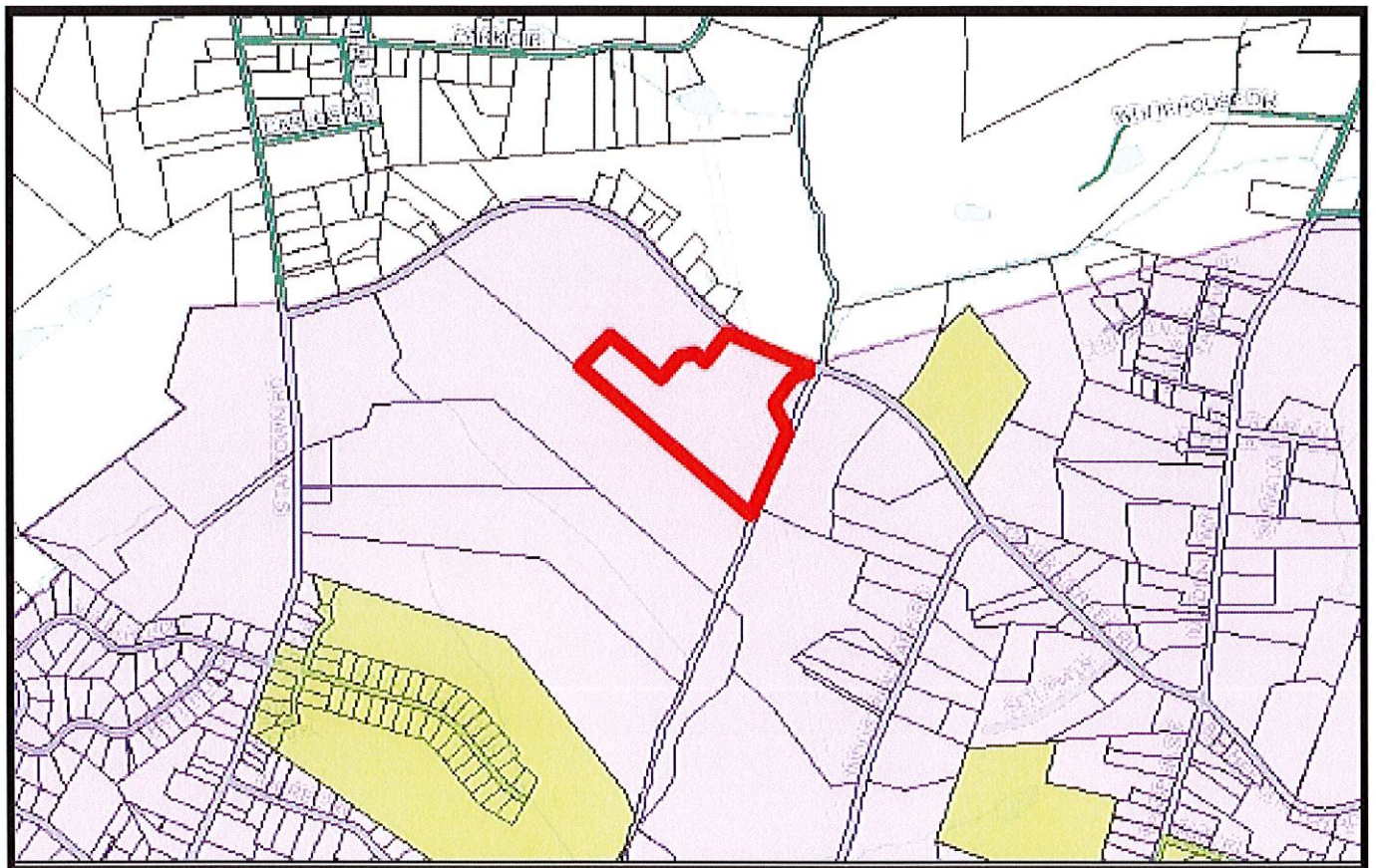


STREET VIEWS





CITY LIMITS/ETJ



PROJECT DETAILS

- The project is a proposed expansion of the recently approved Clark Creek Landing development.
- The proposed expansion site includes 24 acres.
- The site plan allows up to 51 single family lots and up to 49 lots for attached townhomes for a total of up to 100 dwelling units with an overall density of approximately 4.17 units per acre.
- The site plan provides 4.8 acres (20 percent) for common open space.
- Access will be provided by one public street connection to Startown Road.
- Sidewalks will be located on both sides of all streets within the site.
- Building height will not exceed 45 feet.
- The single family lots will be 40 feet x 125 feet.
- The townhome lots will be 20 feet x 60 feet.
- The plan outlines the below additional minimum lot standards:

Minimum Lot Standards (Single Family Detached):

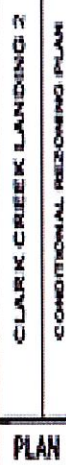
- Minimum Lot Width: 40'
- Minimum Lot Area: 5,000 S.F.
- Setbacks:
 - *Front: 20' from ROW
 - *Side: 5'
 - *Rear: 10'
- Max Building Height: 3 Stories
- Minimum Parking Provided: 2 Spaces per Unit (2 Spaces Provided in Driveway)

Minimum Lot/Unit Standards (Attached Townhomes):

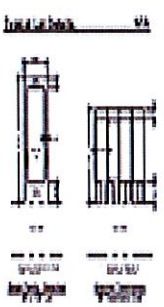
- Minimum Unit Width: 20'
- Minimum Lot Area: 1,800 S.F.
- Setbacks:
 - *Front: 20' from ROW
 - *Side: 0'
 - *Rear: 10'
- Max Building Height: 3 Stories
- Minimum Parking Provided: 1 Space per Unit (1 Space Provided in Driveway)

The site plan submitted by the applicant is below.

REZONING PLAN



Sl. No.	Year	Month	Day	Time	Place	Remarks
1	1998	10	10	10:00 AM	10:00 AM	10:00 AM
2	1998	10	10	10:00 AM	10:00 AM	10:00 AM
3	1998	10	10	10:00 AM	10:00 AM	10:00 AM
4	1998	10	10	10:00 AM	10:00 AM	10:00 AM
5	1998	10	10	10:00 AM	10:00 AM	10:00 AM
6	1998	10	10	10:00 AM	10:00 AM	10:00 AM
7	1998	10	10	10:00 AM	10:00 AM	10:00 AM
8	1998	10	10	10:00 AM	10:00 AM	10:00 AM
9	1998	10	10	10:00 AM	10:00 AM	10:00 AM
10	1998	10	10	10:00 AM	10:00 AM	10:00 AM



CLARK CREEK LANDING 2 - DEVELOPMENT STANDARDS

I. GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE CONDITIONAL REZONING SITE PLAN ASSOCIATED WITH THE CONDITIONAL REZONING PETITION. THE PETITION FILED BY PRESTIGE ACQUISITIONS, LLC (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 24-ACRE SITE LOCATED WITH FRONTAGE ALONG CLARK CREEK ROAD, DEPICTED ON THE CONDITIONAL REZONING SITE PLAN (THE "SITE"). THE SITE IS FURTHER DESCRIBED AS A PORTION OF TAX PARCEL NUMBER 3624984735.
2. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE CONDITIONAL REZONING SITE PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE LINCOLN UNIFIED DEVELOPMENT ORDINANCE - UDO. (THE "ORDINANCE").
3. BASE INFORMATION PROVIDED BY LINCOLN COUNTY GIS DATA.

II. TRAFFIC/TRANSPORTATION

1. VEHICULAR ACCESS TO THE PROPERTY SHALL BE AS GENERALLY DEPICTED ON THE CONDITIONAL REZONING SITE PLAN. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINTS SHOWN ON THE CONDITIONAL REZONING SITE PLAN ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS ALONG WITH ANY ADJUSTMENTS REQUIRED BY THE CITY AND/OR NCDOT FOR APPROVAL.
2. AS DEPICTED ON THE CONDITIONAL REZONING SITE PLAN, THE SITE SHALL BE SERVED BY INTERNAL PUBLIC STREETS. MINOR ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PUBLIC STREETS SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
3. THE PETITIONER SHALL CONSTRUCT INTERNAL PUBLIC STREETS TO MEET CITY PUBLIC ROADWAY STANDARDS.

III. STREETScape / LIGHTING / LANDSCAPING / UTILITIES

1. STREET LIGHTING, STREET SIGNAGE AND MAIL KIOSKS WITHIN THE PROPOSED DEVELOPMENT SHALL ADHERE TO CITY REQUIREMENTS. RECOMMENDED SCALING OF STREET LIGHTS IS SUBJECT TO APPROVAL OF THE UTILITIES & ENGINEERING DEPARTMENT. THE DEVELOPER SHALL BECOME RESPONSIBLE FOR MONTHLY COSTS ONCE THE PUBLIC ROADWAYS ARE ACCEPTED FOR MAINTENANCE.
2. LANDSCAPING TO MEET OR EXCEED ALL REQUIREMENTS.
3. WATER AND SEWER CONNECTIONS TO BE COORDINATED WITH CITY UTILITIES & ENGINEERING DEPARTMENT.
4. SIDEWALK AND UTILITY PLACEMENT SHALL BE IN ACCORDANCE WITH THE CITY'S STANDARD SPECIFICATIONS AND DETAILS.

IV. ARCHITECTURE

1. WHERE PRACTICAL, BUILDINGS SHALL BE ORIENTED TOWARDS THE INTERNAL STREET SYSTEM TO REINFORCE THE STREETScape.
3. BUILDING HEIGHT SHALL NOT EXCEED 45'.
4. ACCESSORY STRUCTURES SHALL BE CONSISTENT WITH THE PRINCIPAL BUILDING IN MATERIAL, TEXTURE, AND COLOR.

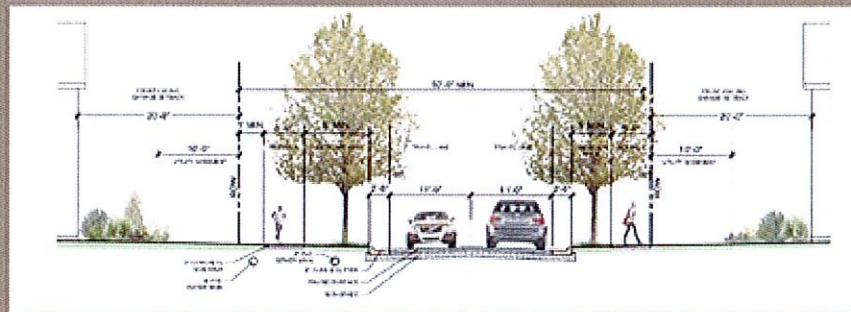
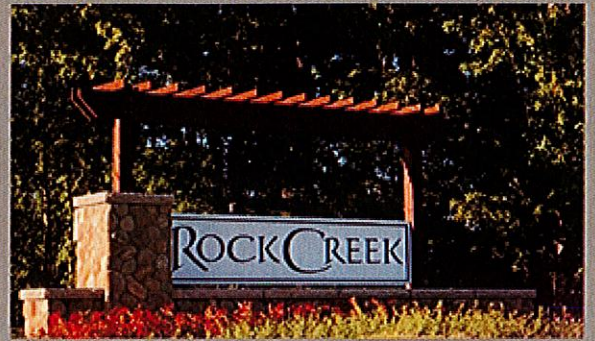
V. AMENDMENTS TO REZONING PLAN

1. FUTURE AMENDMENTS TO THE CONDITIONAL REZONING SITE PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF A PARTICULAR TRACT WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS IN THE ORDINANCE.

VI. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

1. IF THIS CONDITIONAL REZONING PETITION IS APPROVED, CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE CONDITIONAL REZONING SITE PLAN AND THESE DEVELOPMENT STANDARDS SHALL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
2. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

COMMUNITY FEATURES



QUALITY HOMES OUTSIDE



LAND USE PLAN

The Land Use Plan shows the property in the Institutional / Office planning area recognizing the church's ownership.

The Land Use Plan also includes the following recommendations:

- Future residential development should be located in areas where City infrastructure and services can be economically provided.
- Promote home ownership throughout the City's planning jurisdiction by providing a mix of housing choices and lot sizes to promote affordability.
- Promote innovative zoning to accommodate home ownership.
- Ensure that residential development promotes pedestrian and bicycle use.
- Provide for sidewalks within and on the outside boundaries of new residential developments.

The proposed development is not consistent with the land use plan's Institutional / Office designation. However, the proposed development is consistent with the Land Use Plan in the following ways:

- It proposes residential development in an area with access to city utilities with available capacity.
- Additional home ownership opportunities are provided.
- Additional housing type choices are provided.
- Additional lot sizes are provided.

CONDITIONAL ZONING

Because this is a proposed rezoning to a conditional zoning district, if the request is approved, the property could only be used for the specified use in accordance with the approved site plan. Any major modification or change in use would require approval by the City Council through a public hearing process.

STAFF REVIEW COMMITTEE

The Staff Review Committee had the following comments:

1. Prior to final approval, an engineered plan meeting all requirements for planned residential development, major subdivision, and all UDO requirements must be submitted to and approved by staff.
2. A subdivision plat will have to be completed and approved dividing the 24 acres from the church property.
3. Sidewalks constructed to City of Lincoln specifications must be constructed along the frontage of Clarks Creek Road and throughout the subdivision meeting all city sidewalk and subdivision requirements.

4. Required minimum unobstructed open space is fifty (50) percent of the site. This must be detailed on plan.
5. Detailed phasing of when units will be constructed must be shown on the plans.
6. Detailed water and sewer plans will need to be submitted and approved by the City prior to development.
7. The applicant will be responsible for making the utility tap.
8. City Fire Inspector will need to review and approve all plans prior to development. Hydrant locations will need to be determined, no more than 400 feet between hydrants, Appendix D of the Fire Code will need to be met. Eight inch minimum water line dedicated for fire hydrants.
9. If buildings are over 30 feet in height, internal streets must be a minimum of 26 feet in width and "No Parking" signs required.
10. Fire Marshal will need a letter stating the secondary access will be provided as part of Phase I of the development.
11. The City is currently having a hydraulics study performed to determine water capacity. Approval of the proposed development is contingent upon the City's review of the hydraulics study and subsequent determination of available capacity. .
12. Public Works recommends the developer extend the water line over to Clark Creek Road so that water is available in the event that water on Startown Road has to be cut off,
13. Detailed landscaping and screening plan will need to be provided.
14. NCDOT driveway permit required with the following offsite improvements:
 - o Clarks Creek access point will require a 50 foot westbound left turn lane and eastbound right taper.
15. Street trees are subject to NCDOT's Guidelines For Planting Within Highway Right-of-Way (should not be larger than 4 inch diameter). .
16. Erosion control plans must be submitted to and approved by Lincoln County Soil and Erosion prior to development. Wetland and stream surveys will need to be conducted. If this area exists and will be disturbed a 404 and 401 permit approval will need to be submitted with the original erosion control plan packet.
17. Building plans must be submitted to and approved by Lincoln County Inspections prior to development.
18. Townhomes must have parking for at least one and half cars at each dwelling unit.
19. The HOA is responsible for ongoing maintenance of the detention pond and will make any necessary repairs to the pond to ensure its continued effectiveness. Ongoing maintenance is to include:
 - o Vegetation management including mowing, trimming, invasive/ nuisance vegetation treatment and weed control
 - o Slope stabilization and erosion control
 - o Debris and trash removal
 - o Removal of sediment buildup from the basin
 - o Maintenance of the inlet and outlet pipes to ensure they do not get clogged.
20. In the event the site is annexed by the City, the City reserves the right to require the internal streets to be brought up to minimum standards prior to acceptance of the streets for maintenance. This includes but is not limited to repaving all or a portion of the street system prior to acceptance by the City.

21. Setbacks along Clark Creek Road are to be a minimum of 50 feet from the right of way.
22. Screening that meets minimum ordinance standards is to be provided in the 50 foot setback areas along Clark Creek Road and other areas required to be screened under the ordinance.
23. The HOA is responsible for ongoing maintenance of all required screening areas. Ongoing maintenance is to include replacement of any required vegetation that dies or is removed.
24. Building elevations need to include depictions of the sides and rears of buildings.
25. All sides of the buildings are to include materials and design characteristics consistent with those on the front. Large expanses of blank walls will not be permitted.
26. Building design is to be generally consistent with the quality, character and fenestration portrayed in the renderings. Minor variations from the renderings that do not detract from the quality, character and fenestration may be permitted.

STAFF RECOMMENDATION

Staff views the request as appropriate for approval subject to the staff review committee comments being made conditions of approval and recommends the following actions:

- approval of the request for rezoning from R-25 to the Planned Residential District (PRD) subject to the staff review committee comments being made conditions of approval,
- approval of the statement of consistency for approval of the rezoning request, and
- the rezoning being effective upon receipt by the Zoning Administrator of written agreement from the applicant and property owner to abide by the conditions of approval.
- amendment of the Land Use Plan to show the properties in the Residential High Density Planning Area.

Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for **APPROVAL of Application**

Case No. CZ-10-2021

Applicant: Prestige Acquisitions, LLC

Parcel ID#: Portion of Parcel ID 15614

Location: Clarks Creek Road

Request: Rezone from R-25 to PRD for the use of the property for Single Family Detached Housing and Attached Townhomes

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Institutional/Office Planning Area.

The proposed rezoning request **is not consistent** with the area's Institutional/Office designation by the land use plan.. However, the proposed development is consistent with the Land Use Plan in the following ways:

- It proposes residential development in an area with access to city utilities with available capacity.
- Additional home ownership opportunities are provided.
- Additional housing type choices are provided.
- Additional lot sizes are provided.

Therefore, **approval of the proposed amendment is reasonable and in the public interest.**

Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for **DENIAL of Application**

Case No. CZ-10-2021

Applicant: Prestige Acquisitions, LLC

Parcel ID#: Portion of Parcel ID 15614

Location: Clarks Creek Road

Request: Rezone from R-25 to PRD for the use of the property for Single Family Detached Housing and Attached Townhomes

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Institutional/Office Planning Area.

The proposed rezoning request **is not consistent** with the Lincolnton Land Use Plan. In addition, the proposed development is not consistent with the established rural/suburban character of the area. Therefore, **denial of the proposed amendment is reasonable and in the public interest.**

MEMO TO: Planning Board Members

FROM: City of Lincoln Planning Department

SUBJECT: CZ-11-2021-Request for rezoning of approximately 97 acres from R-25 to PRD

DATE: November 16, 2021

SITE AND AREA DESCRIPTION

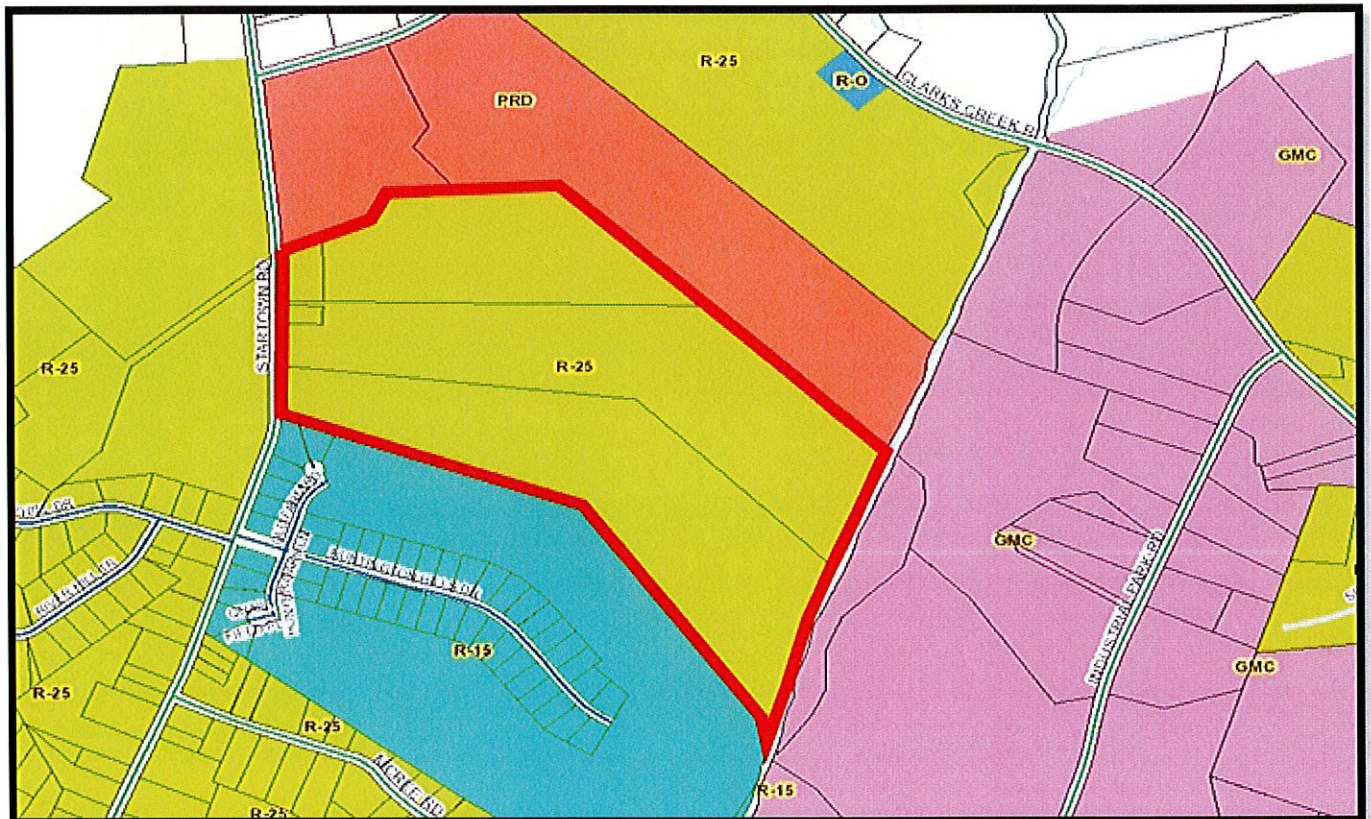
The applicant is requesting a conditional rezoning from R-25 to the Planned Residential District (PRD) for the purpose of developing a single family residential community with 261 homes.

The subject property is located on the east side of Startown Road approximately 950 feet south of the intersection of Clarks Creek Road and Startown Road (Parcel ID's 16937, 21509, 21507, 21508, and 21510).

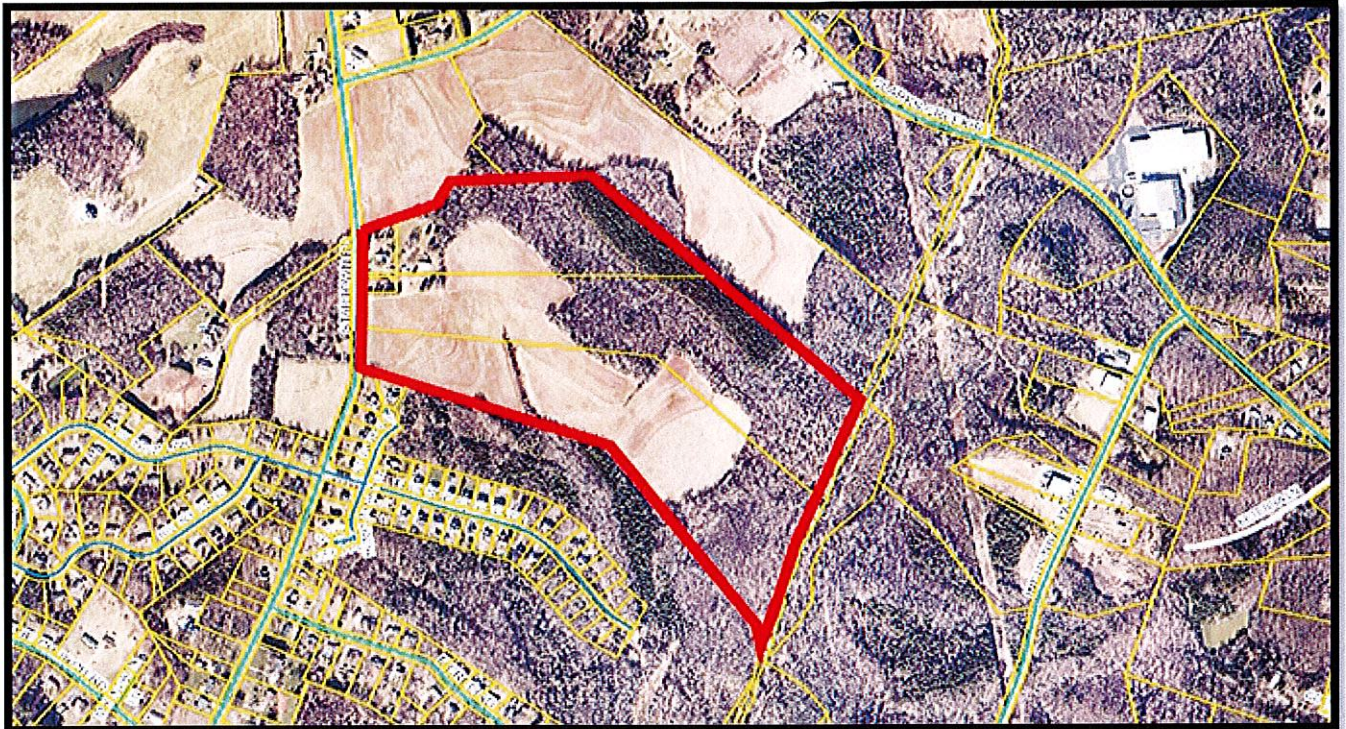
The property is undeveloped with the exception of two homes and several barns. Adjacent properties include single family homes and vacant properties.

The site is located outside of the city limits but within the ETJ.

CURRENT ZONING MAP

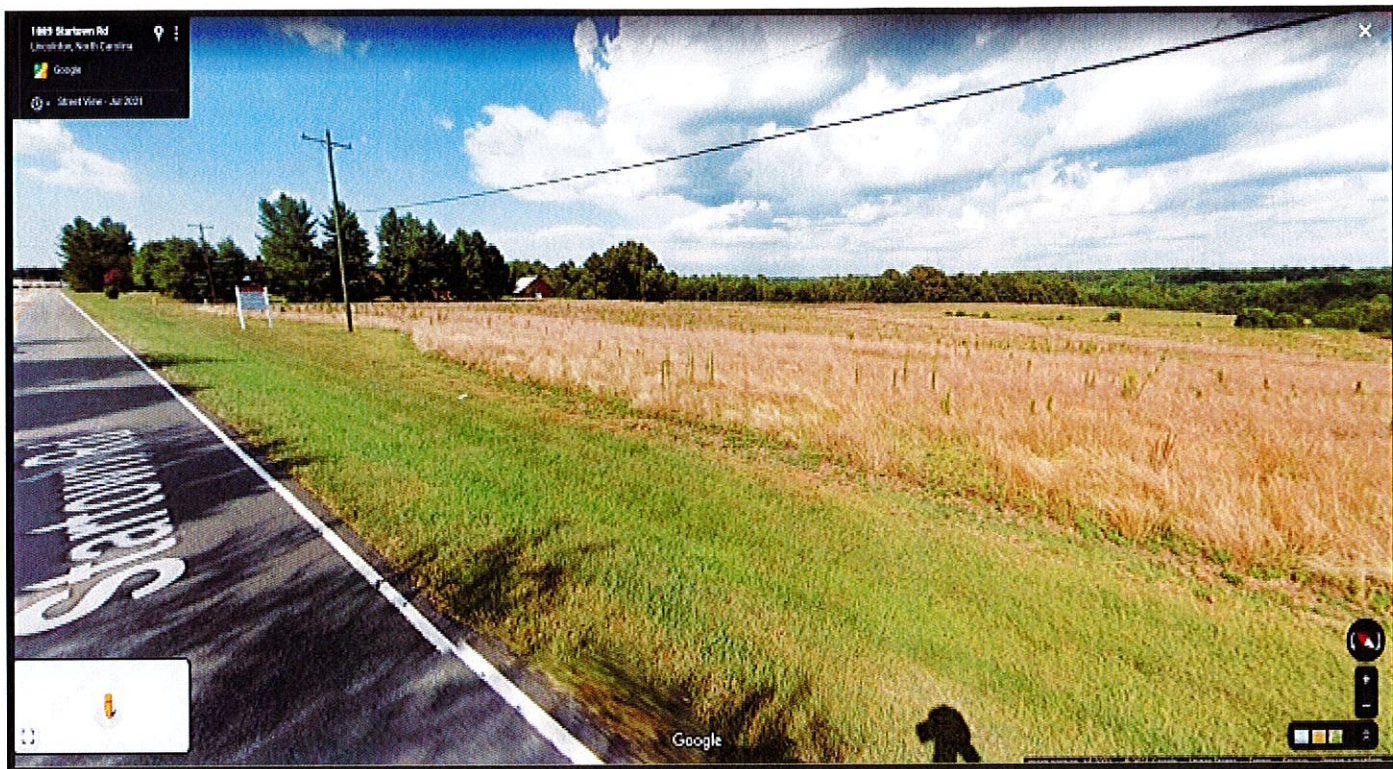


AERIAL VIEW

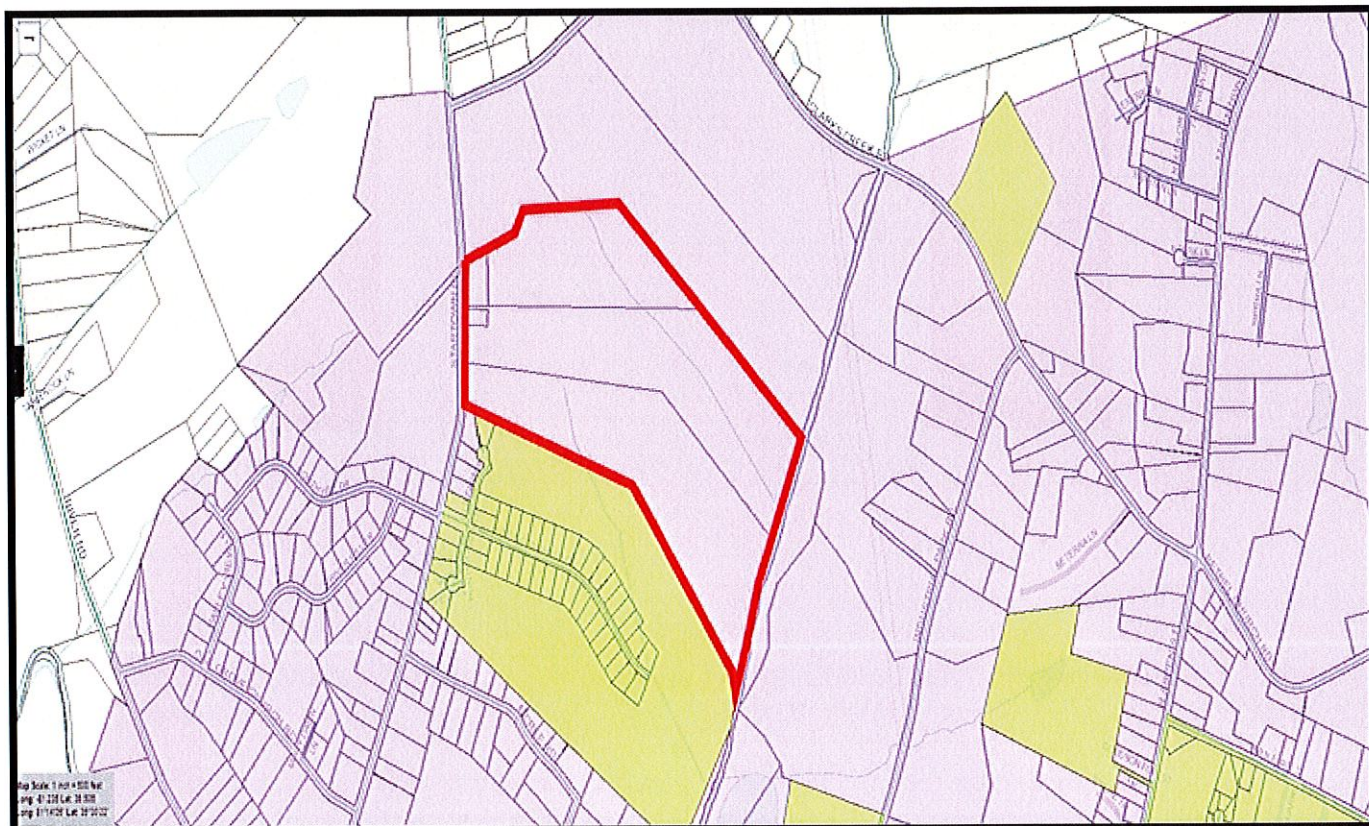


STREET VIEWS





CITY LIMITS/ETJ

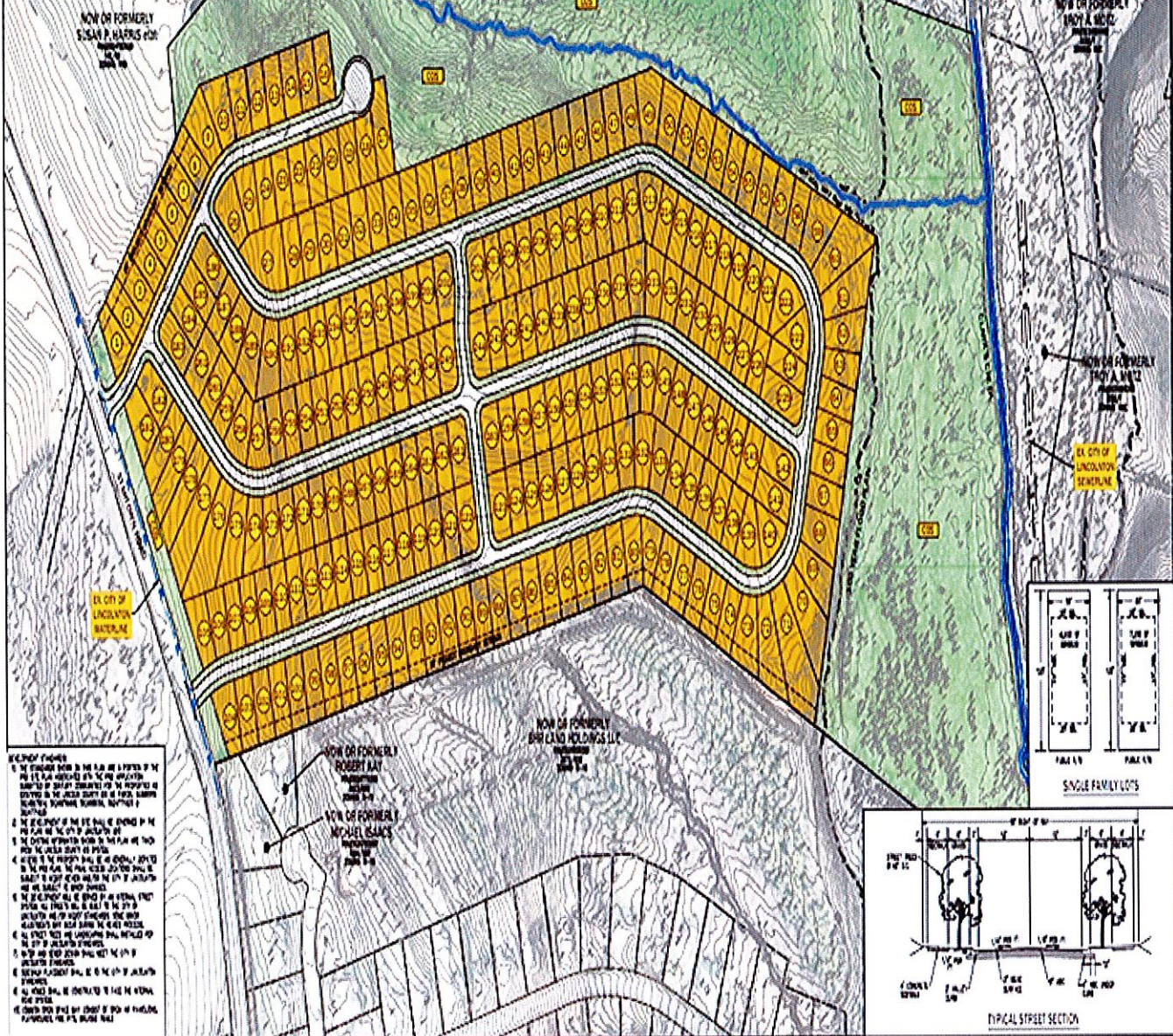


PROJECT DETAILS

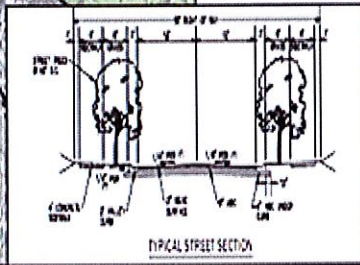
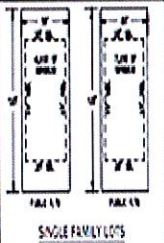
- The project is a proposed single family residential subdivision.
- The site includes 97.16 acres.
- The site plan allows up to 261 single family lots with an overall density of approximately 2.68 units per acre.
- The site plan provides 40.2 acres of common open space.
- Access will be provided by two public street connections to Startown Road.
- The plan outlines the below minimum building setbacks:
 - *Front: 20'
 - *Side: 8'
 - *Rear: 20'

The site plan submitted by the applicant is below.

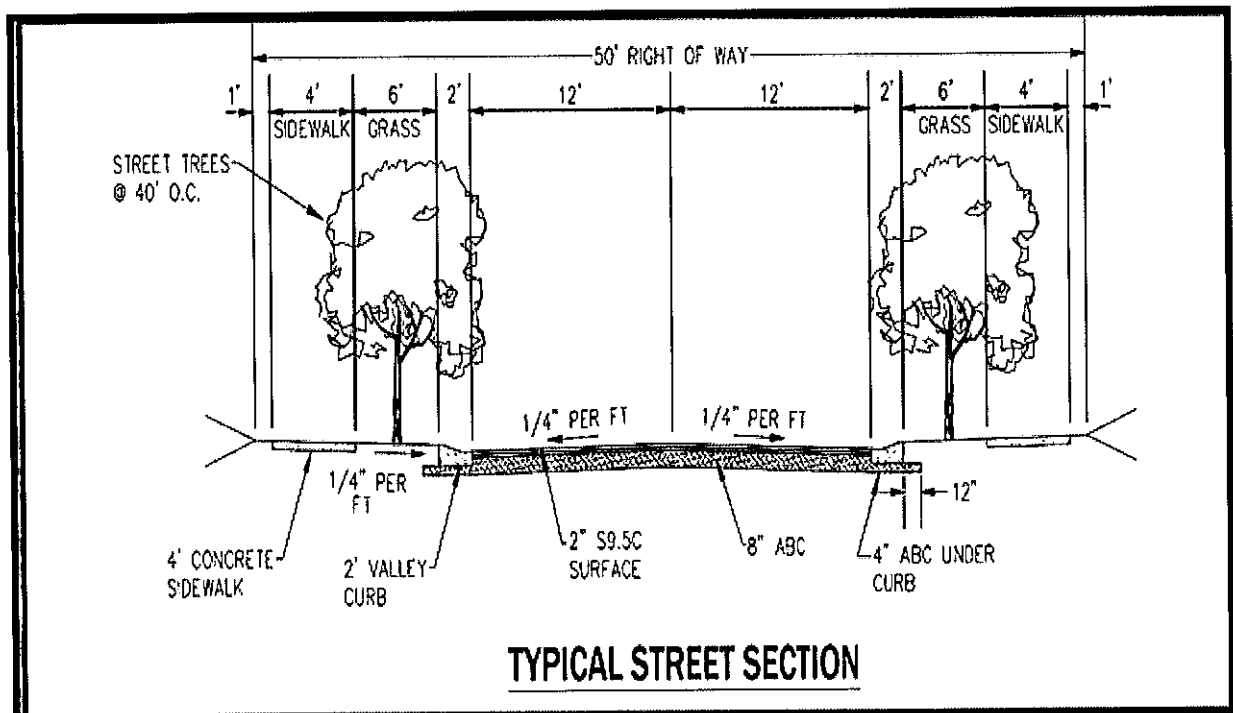
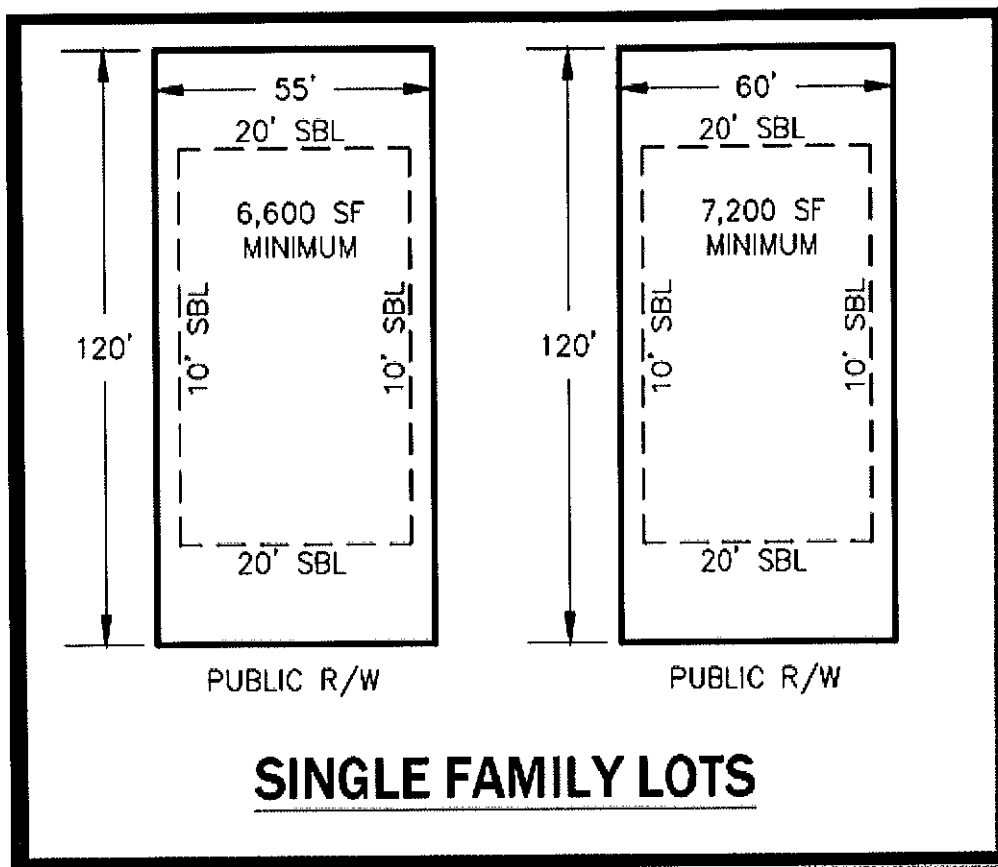
- GENERAL NOTES:**
1. THIS ZONING MAP, INCLUDING ANY AMENDMENTS, SHALL BE A PERMANENT PART OF THE CITY RECORDS.
 2. THE CITY ENGINEER SHALL BE RESPONSIBLE FOR THE TECHNICAL ASPECTS OF THE ZONING MAP.
 3. THE ZONING MAP SHALL BE SUBJECT TO THE CITY COMMISSION'S REVIEW AND APPROVAL.
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- LEGEND:**
1. THE ZONING MAP SHALL BE SUBJECT TO THE CITY COMMISSION'S REVIEW AND APPROVAL.
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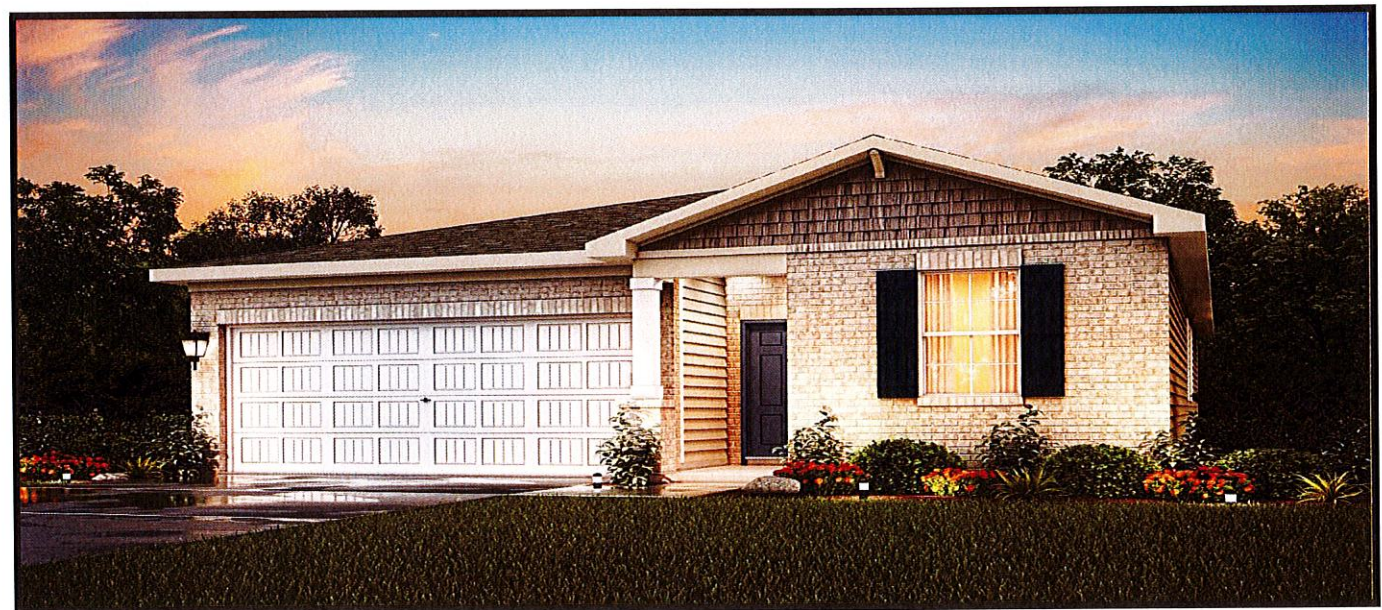


LEGEND: RESIDENTIAL COMMERCIAL INDUSTRIAL AGRICULTURAL UNDEVELOPED	SCALE: 1" = 100'	OWNERS & SURVEY: 200-100-000 200-100-000 200-100-000 200-100-000	Carpenter Farms CENTURY COMMUNITIES 1400 CARPENTER FARM DRIVE CHARLOTTE, NC 28205	CONDITIONAL ZONING PLAN	SITE NUMBER: 200-100-000 DATE: 200-100-000
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DEVELOPMENT STANDARDS:

- 1) THE STANDARDS SHOWN ON THIS PLAN ARE A PORTION OF THE PRD SITE PLAN ASSOCIATED WITH THE PRD APPLICATION SUBMITTED BY CENTURY COMMUNITIES FOR THE PROPERTIES AS IDENTIFIED ON THE LINCOLN COUNTY GIS AS PARCEL NUMBERS: 3624867814, 3624878468, 362488004, 3624771920 & 3624771628
- 2) THE DEVELOPMENT OF THIS SITE SHALL BE GOVERNED BY THE PRD PLAN AND THE CITY OF LINCOLNTON UDO
- 3) THE EXISTING INFORMATION SHOWN ON THIS PLAN ARE TAKEN FROM THE LINCOLN COUNTY GIS SYSTEM.
- 4) ACCESS TO THE PROPERTY SHALL BE AS GENERALLY DEPICTED ON THE PRD PLAN. THE FINAL ACCESS LOCATIONS SHALL BE SUBJECT TO NCDOT REVIEW AND/OR THE CITY OF LINCOLNTON AND ARE SUBJECT TO MINOR CHANGES.
- 5) THE DEVELOPMENT WILL BE SERVED BY AN INTERNAL STREET SYSTEM. ALL STREETS WILL BE BUILT TO THE CITY OF LINCOLNTON AND/OR NCDOT STANDARDS. SOME MINOR ADJUSTMENTS MAY INCUR DURING THE REVIEW PROCESS.
- 6) ALL STREET TREES AND LANDSCAPING SHALL INSTALLED PER THE CITY OF LINCOLNTON STANDARDS.
- 7) WATER AND SEWER DESIGN SHALL MEET THE CITY OF LINCOLNTON STANDARDS.
- 8) SIDEWALK PLACEMENT SHALL BE TO THE CITY OF LINCOLNTON STANDARDS.
- 9) ALL HOMES SHALL BE CONSTRUCTED TO FACE THE INTERNAL ROAD SYSTEM.
- 10) COMMON OPEN SPACE MAY CONSIST OF OPEN AIR PAVILIONS, PLAYGROUNDS, FIRE PITS, WALKING TRAILS





LAND USE PLAN

The Land Use Plan shows the property in the Residential Suburban Planning area. The Plan notes these areas are primarily single family in character and the primary development pattern should continue to be single family dwellings. Such areas currently have public water and sewer or are likely to have such facilities within the next ten years. Most new single family residential development within Lincolnton is likely to occur in such areas.

The Land Use Plan also includes the following recommendations:

- Future residential development should be located in areas where City infrastructure and services can be economically provided.
- Promote home ownership throughout the City's planning jurisdiction by providing a mix of housing choices and lot sizes to promote affordability.
- Promote innovative zoning to accommodate home ownership.
- Ensure that residential development promotes pedestrian and bicycle use.
- Provide for sidewalks within and on the outside boundaries of new residential developments.

The proposed development is consistent with the Land Use Plan's Residential Suburban designation. It is also consistent with the Land Use Plan in the following ways:

- The site has access to city utilities with available capacity.
- Additional home ownership opportunities are provided.
- Additional housing type choices are provided.
- Additional lot sizes are provided.

CONDITIONAL ZONING

Because this is a proposed rezoning to a conditional zoning district, if the request is approved, the property could only be used for the specified use in accordance with the approved site plan. Any major modification or change in use would require approval by the City Council through a public hearing process.

STAFF REVIEW COMMITTEE

The Staff Review Committee had the following comments:

1. Prior to final approval, an engineered plan meeting all requirements for planned residential development, major subdivision, and all UDO requirements must be submitted to and approved by staff. Detailed phasing of when units will be constructed must be shown on the plans.
2. Sidewalks constructed to City of Lincolnton specifications must be constructed along the frontage of Startown Road.

3. Detailed water and sewer plans will need to be submitted and approved by the City prior to development.
4. The applicant will be responsible for making the utility tap.
5. City Fire Inspector will need to review and approve all plans prior to development. Hydrant locations will need to be determined, no more than 400 feet between hydrants, Appendix D of the Fire Code will need to be met. Eight inch minimum water line dedicated for fire hydrants.
6. If buildings are over 30 feet in height, internal streets must be a minimum of 26 feet in width and "No Parking" signs required.
7. Fire Marshal will require the secondary access to be provided as part of the initial phase of the development.
8. The City is currently having a hydraulics study performed to determine water capacity. Approval of the proposed development is contingent upon the City's review of the hydraulics study and subsequent determination of available capacity. .
9. NCDOT driveway permit required. Turning lanes will be required.
10. Street trees are subject to NCDOT's Guidelines For Planting Within Highway Right-of-Way (should not be larger than 4 inch diameter). .
11. Detailed landscaping and screening plan will need to be provided.
12. Erosion control plans must be submitted to and approved by Lincoln County Soil and Erosion prior to development. Wetland and stream surveys will need to be conducted. If wetlands exist and will be disturbed, a 404 and 401 permit approval will need to be submitted with the original erosion control plan packet. Civil plans are subject to review and approval of Lincoln County Natural Resources.
13. No flood zone encroachments permitted. Stream buffers required.
14. Building plans must be submitted to and approved by Lincoln County Inspections prior to development.
15. In the event the site is annexed by the City, the City reserves the right to require the internal streets to be brought up to minimum standards prior to acceptance of the streets for maintenance. This includes but is not limited to repaving all or a portion of the street system prior to acceptance by the City.
16. Setbacks along Startown Road are to be a minimum of 50 feet from the right of way.
17. Screening that meets minimum ordinance standards is to be provided in the 50 foot setback areas along Startown Road .
18. The HOA is responsible for ongoing maintenance of screening area. Ongoing maintenance is to include replacement of any required vegetation that dies or is removed.
19. All sides of the buildings are to include materials and design characteristics consistent with those on the front. Large expanses of blank walls will not be permitted.
20. Building design is to be generally consistent with the quality, character and fenestration portrayed in the renderings. Minor variations from the renderings that do not detract from the quality, character and fenestration may be permitted.

STAFF RECOMMENDATION

Staff views the request as appropriate for approval subject to the Staff Review Committee comments being made conditions of approval and recommends the following actions:

- approval of the request for rezoning from R-25 to the Planned Residential District (PRD) subject to the Staff Review Committee comments being made conditions of approval,
- approval of the statement of consistency for approval of the rezoning request, and
- the rezoning being effective upon receipt by the Zoning Administrator of written agreement from the applicant and property owner to abide by the conditions of approval.

Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for **APPROVAL of Application**

Case No. CZ-11-2021

Applicant: Century Communities Southeast, LLC

Parcel ID#: Portion of Parcel ID 15614

Location: Clarks Creek Road

Request: Rezone from R-25 to PRD for the purpose of developing a single family residential subdivision with 261 lots.

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Residential Suburban Planning Area. The Plan notes these areas are primarily single family in character and the primary development pattern should continue to be single family dwellings.

The proposed rezoning request **is consistent** with the area's Residential Suburban designation by the land use plan and is also consistent with the Land Use Plan in the following ways:

- The site has access to city utilities with available capacity.
- Additional home ownership opportunities are provided.
- Additional housing type choices are provided.
- Additional lot sizes are provided.

Therefore, **approval of the proposed amendment is reasonable and in the public interest.**

Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for DENIAL of Application

Case No. CZ-11-2021

Applicant: Century Communities Southeast, LLC

Parcel ID#: Portion of Parcel ID 15614

Location: Clarks Creek Road

Request: Rezone from R-25 to PRD for the purpose of developing a single family residential subdivision with 261 lots.

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Residential Suburban Planning Area. The Plan notes these areas are primarily single family in character and the primary development pattern should continue to be single family dwellings.

The proposed rezoning request **is consistent** with the Lincolnton Land Use Plan. However, the proposed development is not consistent with the established rural/suburban character of the area.

Therefore, **denial of the proposed amendment is reasonable and in the public interest.**