



**LINCOLN COUNTY PLANNING & INSPECTIONS DEPARTMENT**  
302 NORTH ACADEMY STREET, SUITE A, LINCOLNTON, NORTH CAROLINA 28092  
704-736-8440 OFFICE 704-736-8434 INSPECTION REQUEST LINE 704-732-9010 FAX

To: Board of Commissioners  
Planning Board

From: Randy Hawkins, Zoning Administrator

Date: August 26, 2016

Re: PD #2014-2-A  
Rivercross Capital, LLC, applicant  
Parcel ID# 91818

*The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on September 12, 2016.*

**REQUEST**

The applicant is requesting to amend a master plan for a planned mixed-use development to add six duplexes (a total of 12 dwelling units) in an area approved for 200 apartments. This request involves the planned 116-acre Rivercross development, which was approved in a rezoning in February 2015 for up to 220 single-family homes, 200 apartments, 40 townhomes and 100,000 square feet of commercial space.

The Rivercross site has been subdivided into three tracts that are under separate ownership: the 12.5-acre apartment area, the 73.9-acre single-family area and the 29.3-acre commercial and townhome area. No work has started in any of the three areas.

In March, at the request of the owner of the apartment area, the Board of Commissioners approved modifications in the Rivercross phasing plan to allow the development of that area to proceed first.

A new road off Triangle Circle would provide access to the apartment area and also serve as an access to the single-family section. The applicant also plans to construct a temporary access road off Triangle Circle closer to N.C. 16 Business to provide a second way to reach the apartment area in case of an emergency.

The Rivercross plan calls for a main boulevard to be constructed off N.C. 16 Business to provide access to all three areas and to connect to a future phase of Airlie Business Park. Under the phasing plan, the developer of the single-family area is responsible for the construction of the main boulevard. The developer of the apartment area is responsible for constructing a connecting road linking the main boulevard to the access road off Triangle Circle.

In addition to a site plan, this amendment application includes a set of proposed terms and conditions that would apply to the development of the apartment site. The submittals note the road improvements that are required as part of the apartment project under the revised phasing plan: turning lanes on Triangle Circle at the access road, and a right-turn lane on Optimist Club Road at the Triangle Circle intersection.

The approved plan for the overall development is included in this packet.

### SITE AREA AND DESCRIPTION

This property is located on the south side of the southern end of Triangle Circle near N.C. 16 Business. It is adjoined by property zoned B-N, R-T, R-SF (Residential Single-Family) and I-G (General Industrial). Land uses in this area include residential, business and industrial. Public water and sewer are available in this area.

### PLAN CONFORMANCE

The front portion of the Rivercross site is identified by the NC 16 Corridor Vision Plan as a potential community center. The plan calls for a mix of commercial and office uses built in an urban or downtown-type setting with on-street parking, an urban green or open space, as well as a natural area with a small amphitheater near the creek and pond at the southern edge of this property. The plan also calls for a new road network that would provide alternate travel routes between N.C. 16 Business and Optimist Club Road, Rufus Road and Triangle Circle through this property.

Strategy 1.3.1 of the Land Use Plan calls for locating denser development in areas where it will be supported by existing public utility and transportation infrastructure with adequate capacity or where such adequate capacity will be developed concurrently.

Strategy 6.1.1 calls for encouraging mixed-use development in which residential and commercial uses are well-integrated with each other and aesthetically pleasing. Strategy 6.1.2 calls for connectivity within planned developments and with adjoining tracts.

### STAFF'S RECOMMENDATION

Staff recommends that the proposed amendment be approved. See proposed statement on following page for rationale.



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### **Zoning Amendment Staff's Proposed Statement of Consistency and Reasonableness**

Case No. **PD #2014-2-A**  
Applicant **Rivercross Capital, LLC**  
Parcel ID# **91818**  
Location **south side of southern end of Triangle Circle near N.C. 16 Business**  
Proposed master plan amendment **add six duplexes (12 dwelling units) in an area approved for 200 apartments**

This proposed amendment **is consistent** with the Lincoln County Comprehensive Land Use Plan and other adopted plans in that:

**The planned development is consistent with the NC 16 Corridor Vision Plan's goal of creating a community center built in an urban-type style and including a green and an amphitheater for community activities. It is consistent with the corridor plan's goal of creating a new road network to provide alternate travel routes between N.C. 16 Business and Optimist Club Road, Rufus Road and Triangle Circle. The planned development is consistent with Strategy 6.1.1 of the Land Use Plan, which encourages mixed-use developments in which residential and commercial uses are well-integrated and aesthetically pleasing. It is also consistent with Strategy 6.1.2, which calls for connectivity within planned developments and with adjoining tracts.**

This proposed amendment **is reasonable and in the public interest** in that:

**The duplexes would add another housing option to the mix of options that are approved for this development. The proposal represents a 6.0 percent increase in the number of dwelling units approved in this area of the development and a 2.7 percent increase in the number of dwelling units approved for the overall development. Road improvements will be provided to mitigate the impact of the apartments.**



### Application to Amend Planned Development Plan

Lincoln County Planning and Inspections Department  
Zoning Administrator  
302 N. Academy St., Lincolnton, NC 28092  
Phone: (704)736-8440 Fax: (704)732-9010

#### PART I

Applicant Name Rivercross Capital, LLC

Applicant Address 11220 Elm Lane, Suite 200, Charlotte, NC 28277

Applicant Phone Number 704-607-5059

Property Owner Name Same

Property Owner Address \_\_\_\_\_

Property Owner Phone Number \_\_\_\_\_

#### PART II

Property Location Triangle Circle, just north of Bus Hwy 16

Property ID (10 digits) 4602495449, 4603519004, 4603508046 Property size 14.6 Acres

Parcel # 91817, 91818, 91819 Deed Book(s)/Page(s) 2578/836, 2516/837, 1178/99

#### PART III

Zoning District PD\_MU

Briefly explain the proposed modification(s) to the Planned Development master plan.

We would like to add 12 duplex units to on the apartment section of the project.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\*SEE PLANNING DEPT. FOR PLANNED DEVELOPMENT FEES.**

*I hereby certify that all knowledge of the information provided for this application and attachments is true and correct to the best of my knowledge.*



Applicant's Signature

7-18-16

Date

**PD-R TERMS & CONDITIONS  
RIVERCROSS APARTMENTS & DUPLEXES  
SOUTH TRIANGLE CIRCLE  
LINCOLN COUNTY, NC**

The purpose of this report is to amend the Terms and Conditions previously approved by Lincoln County for the apartment section of Rivercross. The terms and conditions presented in this report will replace all previously agreed-to requirements pertaining to the apartment section of Rivercross. All other sections of Rivercross shall continue to be governed by the original Terms and Conditions.

**1. Project Information**

Rivercross Apartments & Duplexes is located a few hundred feet north of Business Hwy 16 on South Triangle Circle. The total site area is approximately 14.6 acres. The original Rivercross PD-R plan included 200 apartment units. This new Planned District Plan includes 200 apartment units and 16 duplex units.

**2. General Provisions**

The Planned District Plan is intended to reflect a generalized arrangement of the site in terms of lot layout, building layout, street network, and open space areas. Final configuration, placement and size of individual site elements, streets alignments, etc. may be altered or modified within the limits of the Ordinance as described in Section 9.5.13, and the standards established within these conditional notes during the design development (platting) and construction phases. The Petitioner reserves the right to make minor modifications and adjustments to the approved Planned District Plan, subject to staff approval, provided that the total number of residential units does not exceed the maximum permitted. Any major modifications will require resubmittal to the Board of Commissioners.

**3. Development Standards**

Pursuant to Sections 2.4.9 and 9.5 of the Lincoln County Unified Development Ordinance (UDO) entitled Planned Development Districts and Planned

Development Review respectively; the Petitioner seeks to obtain approval of the use of the following Development Standards concurrently with the approval of the Rezoning Petition. These standards, as established both by the conditional notes as set out below and as depicted on the Preliminary Concept Plan shall be followed for development of the property. Unless otherwise approved as part of these conditional notes, the Lincoln County Unified Development Ordinance shall prevail when developing the site.

Each building shall contain no less than 2 different materials on all four sides exclusive of trim. These materials may consist of brick, stucco, stone, architectural concrete, cement fiber board, hardiplank, vinyl accents, wood, or shakes.

#### **4. Permitted Uses/Densities**

The project shall be limited to 200 multi-family apartment dwellings, 12 duplex units (6 buildings) and any incidental or accessory uses.

Uses on the Common Open Space (COS) may include landscaping, fences, walls, berms, pedestrian trails, recreational uses, entry signage, monuments, and storm water BMPs (if required).

#### **5. Amenities**

The Apartment area will include a Pool and Cabana (or clubhouse) that will be constructed with the first multi-family units. Duplex units will have the right to use them.

#### **6. Open Space, Buffer Yards, and Landscaping**

The Rivercross Apartment site will exceed 25% open space, more than double the required 12.5%.

A Class 'C' Buffer yard is required along project boundaries per section 2.4.E.3 of the UDO.

A 100' building setback from the existing Triangle Circle right-of-way shall be maintained.

Landscaping for the development shall meet or exceed all requirements of the UDO. A detailed landscaping plan will be submitted to County staff along with the construction plans.

#### **7. Property Owner's Association**

A property owner's association shall be established and will be responsible for maintaining all private areas.

## **8. Parking, Lighting, and Signage**

Parking, lighting, and signage shall comply with all requirements in the UDO.

## **9. Storm Water Compliance**

Rivercross Apartments & Duplexes shall comply with all required storm water management regulations. Rivercross Apartments & Duplexes reserves the right to treat its storm water by a master pond located on the other Rivercross property.

## **10. Permitting**

The Petitioner understands that all permits from the appropriate agencies must be obtained prior to construction activities.

## **11. Water and Sewer Availability**

This property is located in the East Lincoln Water and Sewer District and the Petitioner understands that water and sewer availability must be approved by Lincoln County prior to development. It is the Petitioner's responsibility to incur all fees and infrastructure costs for providing water and sewer throughout the development. The Petitioner will comply with all district water and sewer standards.

## **12. Development Phasing**

The Apartments may be developed in multiple phases. Each building constitutes a potential phase. The pool and clubhouse will be constructed with the first phase.

The Duplexes shall be constructed as a single phase.

## **13. Vehicular Access and Road Improvements**

Access to the apartments and duplexes will be from South Triangle Circle. A Traffic Impact Phasing analysis has been reviewed and approved by NCDOT for the Apartments and Duplexes. The required road improvements are shown on the Planned District Plan. The improvements required by the apartments and duplexes are:

1. Construct a 125' right turn lane on Eastbound Optimist Club Road at South Triangle Circle.

2. Construct a 50' right turn lane on Southbound Triangle Circle at the site entrance.
3. Construct a 100' left turn lane on Northbound Triangle Circle at the site entrance.

A temporary fire access route will be constructed to serve as a second entrance to the apartments until the connector road and Main entrance from Hwy 16 are completed.

#### **14. Dimensional Standards**

Apartment buildings shall maintain a minimum building separation of 20'.

Duplex buildings shall maintain a minimum building separation of 15'. Duplex building setbacks shall be:

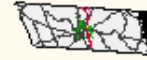
- Front: 20' to garage
- Side: 0' (15' building separation)
- Rear: 10'

#### **15. Architectural Standards**

Multi-family Apartment and Duplex buildings shall meet the requirements of the UDO with the exceptions listed below:

1. Buildings walls shall be brick, stone, cast concrete, stucco, fiber cement siding, or other building materials similar in appearance and durability. All accessory buildings shall be clad in materials similar in appearance to the principle structure.
2. Vinyl siding shall be permitted for the breezeways in the apartment buildings.
3. Pitched roofs shall be clad in wood shingles, standing seam metal, corrugated metal, slate, asphalt shingle, or similar material.





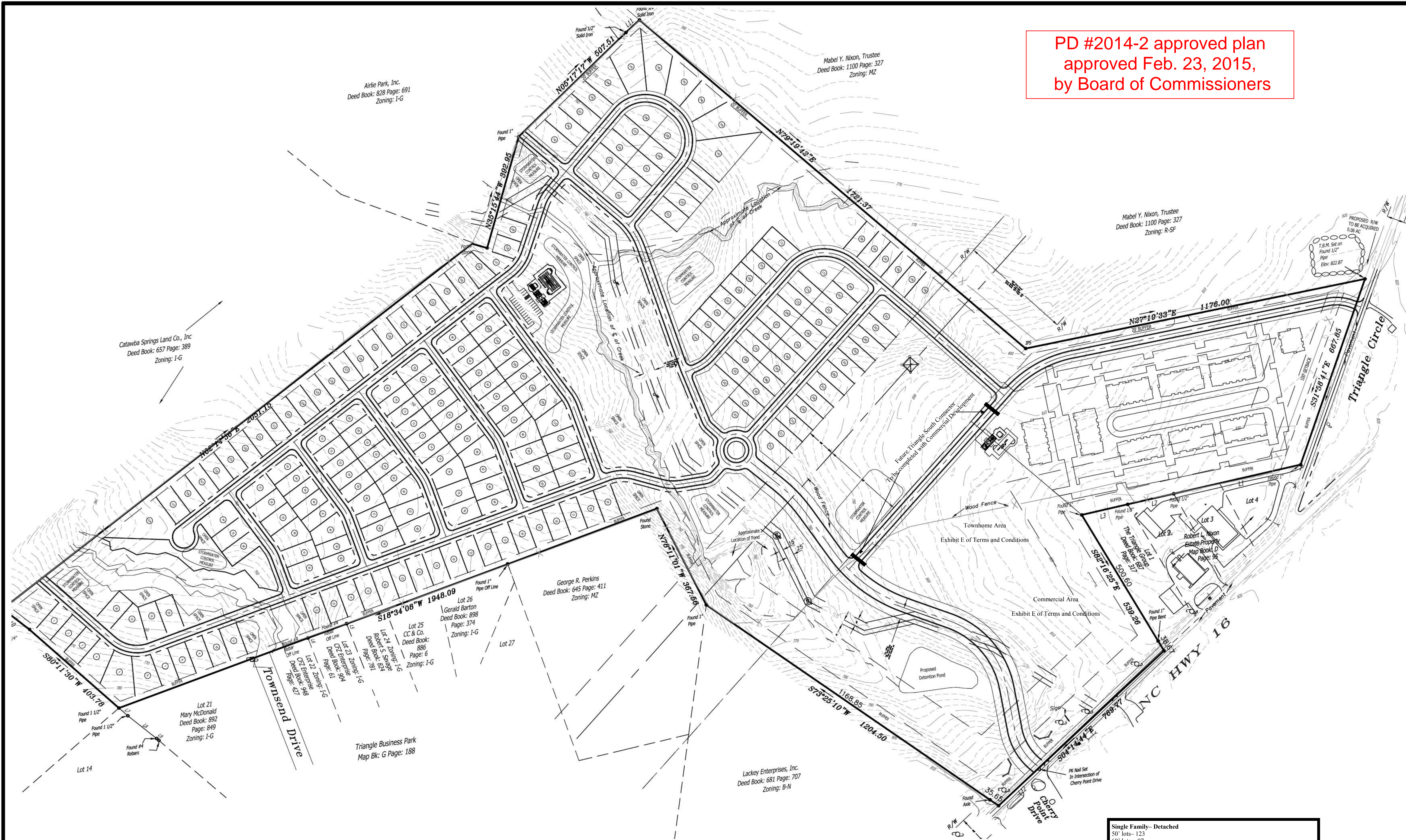
<b>Parcel ID</b>	<b>91818</b>	<b>Owner</b>	PHOENIX GST TRUST UAD 03/26/12 WIGGINS ALLEN TRUSTEE		
<b>Map</b>	<b>4603-19</b>	<b>Mailing</b>	17111 KENTON DRIVE, STE 201B		
<b>Account</b>	0255046	<b>Address</b>	CORNELIUS NC 28031		
<b>Deed</b>	2578-836	<b>Recorded</b>	4/6/2016	<b>Sale Price</b>	\$750,000
<b>Land Value</b>	\$572,209	<b>Total Value</b>	\$572,209	<b>Previous Parcel</b>	
----- All values are for tax year 2016. -----					
<b>Description</b>	PT OF RIVERCROSS LAND			<b>Deed Acres</b>	12.52
<b>Address</b>	N NC 16 BUSINESS HWY			<b>Tax Acres</b>	9.77
<b>Township</b>	CATAWBA SPRINGS			<b>Tax/Fire District</b>	EAST LINCOLN / EL SEWER
<b>Improvement</b>	No Improvements				
<b>Parcel ID</b>	<b>60366</b>	<b>Owner</b>	PHOENIX GST TRUST UAD 03/26/12 WIGGINS ALLEN TRUSTEE		
<b>Map</b>	<b>4603-19</b>	<b>Mailing</b>	17111 KENTON DRIVE, STE 201B		
<b>Account</b>	0255046	<b>Address</b>	CORNELIUS NC 28031		
<b>Deed</b>	2578-836	<b>Recorded</b>	4/6/2016	<b>Sale Price</b>	\$750,000
<b>Land Value</b>	\$199,271	<b>Total Value</b>	\$199,271	<b>Previous Parcel</b>	
----- All values are for tax year 2016. -----					
<b>Description</b>	PT OF RIVERCROSS LAND			<b>Deed Acres</b>	12.52
<b>Address</b>	N NC 16 BUSINESS HWY			<b>Tax Acres</b>	2.75
<b>Township</b>	CATAWBA SPRINGS			<b>Tax/Fire District</b>	EAST LINCOLN
<b>Improvement</b>	No Improvements				
<b>Zoning District</b>	<b>Calculated Acres</b>	<b>Voting Precinct</b>	<b>Calculated Acres</b>		
PD-MU	12.52	TRIANGLE (TR30)	12.52		
<b>Watershed Class</b>		<b>Sewer District</b>			
Not in a watershed	10.09	Not in the sewer district	2.75		
WS-IVC	2.43	In the sewer District	9.77		
<b>2000 Census County</b>		<b>Tract</b>	<b>Block</b>		
37109		071100	2016	12.52	
<b>Flood</b>	<b>Zone Description</b>	<b>Panel</b>			
X	NO FLOOD HAZARD	3710460300		12.52	











PD #2014-2 approved plan  
approved Feb. 23, 2015,  
by Board of Commissioners

**SUMMIT**  
LAND SERVICES

P.O. BOX 7442  
CHARLOTTE, NC 28241  
OFFICE: 704.626.2800  
FAX: 704.504.1125  
WWW.SUMMIT-COMPANIES.COM

PROJECT:

**RIVERCROSS SUBDIVISION**  
DENVER, LINCOLN COUNTY, NC

**SIMONINI GROUP**  
11220 ELM LANE, SUITE 200  
CHARLOTTE, NC 28277

ORIG PROJ DATE: 06-19-2014  
SCALE: 1" = 150'  
DRAWN BY: TMM  
CHECKED BY: DRR

**REZONING PLAN**  
**PD-MU**

SEAL DATE: 06-19-2014  
PROJECT NO.: 3229  
SHEET: C1

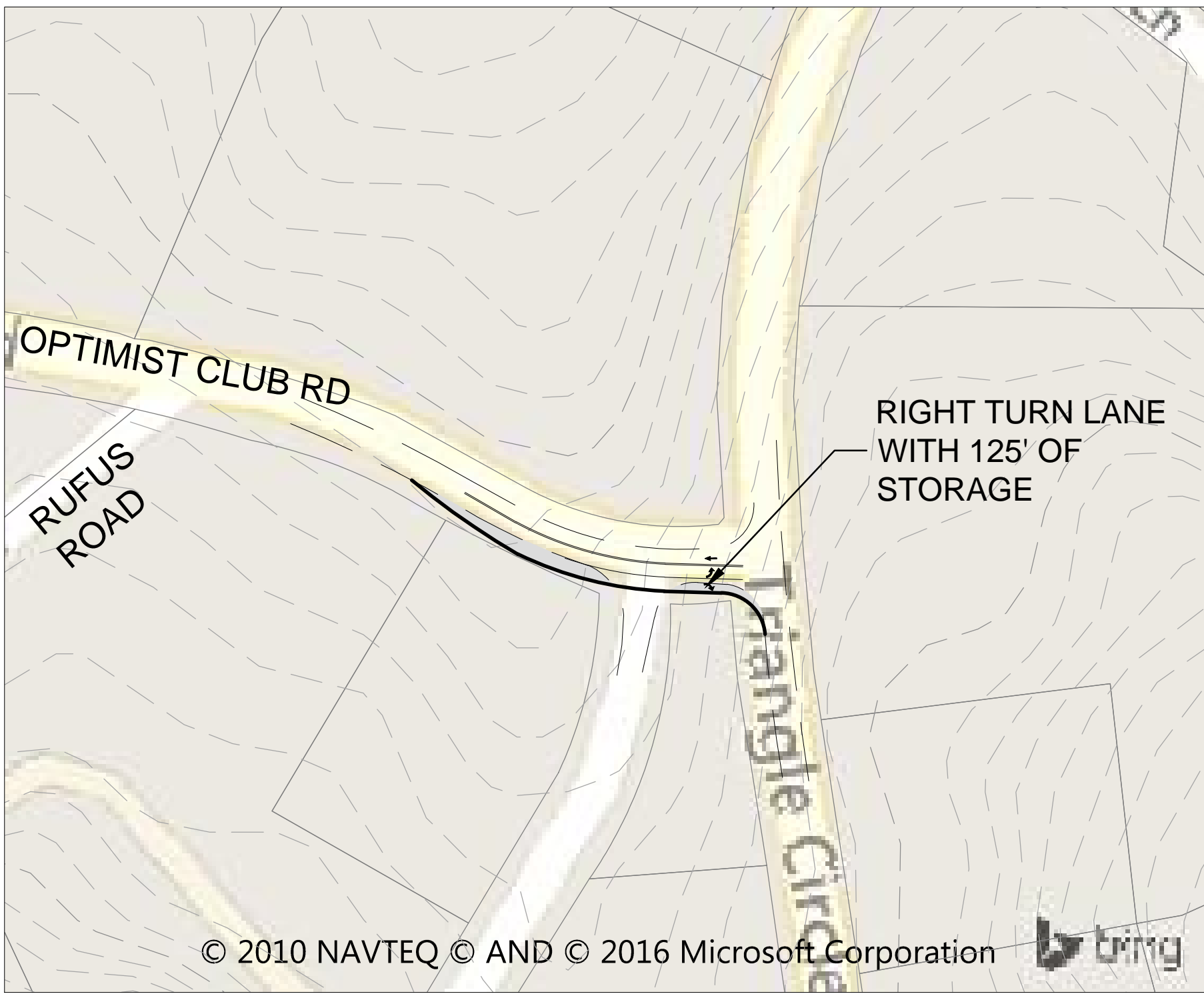
Single Family- Detached  
50' lots- 123  
60' lots- 97  
Total lots- 220

Apartments  
200 Units

Townhomes  
40 Units

Commercial Uses  
100,000 Heated Square Feet





**Layout Data:**

PARCEL #'S: 4603519004, 4602495449, & 4603508046  
EXISTING ZONING: PD  
TOTAL AREA: 14.6 ACRES  
AREA IN R/W: 2.5 ACRES  
ALLOWED UNITS PER PD: 200 APARTMENTS

APARTMENT SECTION: 8.1 ACRES  
PROPOSED APARTMENTS: 200  
REQUIRED PARKING: 333  
20 3-BEDROOM @ 2 PER = 40  
90 2-BEDROOM @ 1.75 PER = 158  
90 1-BEDROM @ 1.5 PER = 135  
(ACTUAL UNIT BREAKDOWN MAY VARY BASED ON MARKET CONDITIONS)  
PARKING SPACES SHOWN: 340  
PROPOSED MINIMUM BUILDING SEPARATION: 20'

DUPLEX SECTION: 4.0 ACRES  
PROPOSED UNITS: 12 (6 BUILDINGS)  
PROPOSED SETBACKS FOR DUPLEXES:  
FRONT: 20' TO GARAGE  
SIDE: 0' (15' MINIMUM BLDG SEPARATION)  
REAR: 10'

**DRAFT**

This Plan is Based on Preliminary Info

# RIVERCROSS APARTMENTS & DUPLEXES

PLANNED DISTRICT PLAN  
Date: 8.17.2016

