



COUNTY OF LINCOLN, NORTH CAROLINA

302 NORTH ACADEMY STREET, SUITE A, LINCOLNTON, NORTH CAROLINA 28092

PLANNING AND INSPECTIONS DEPARTMENT
704-736-8440 OFFICE
704-732-9010 FAX

To: Alex Patton, Board of Commissioners Chairman
George Wood, County Manager
Christine Poinsette, Planning Board Chairman

From: Randy Hawkins, Zoning Administrator

Date: September 13, 2012

Re: PCUR #105A
Waterside Crossing Residential, LLC, applicant
Parcel ID# 33125

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on October 1, 2012.

REQUEST

The applicant is requesting an amendment to the conditional use percent for the development of Phase 10 of The Gates @ Waterside Crossing. The plan for Phase 10 was approved in a parallel conditional use rezoning (PCUR# 105) in 2004. It calls for 98 lots for single-family homes. The applicant is requesting the deletion of the following condition of approval: that Brookdale Lane be barricaded at the connection to the new section (Phase 10) until 75 of the lots in the new section are built upon.

SITE AREA AND DESCRIPTION

The 50-acre parcel is located off Pinkney Place near Sifford Road in Catawba Springs Township. It is adjoined by property zoned CU PD-MU (Conditional Use Planned Development Mixed Use) and R-T (Transitional Residential). Land uses in this area are predominately residential. The Lincoln County Land Use Plan classifies this property as mixed residential, suitable for higher density residential development.

LINCOLN COUNTY PLANNING BOARD'S
RECOMMENDATIONS ON FINDINGS OF FACT
FOR AMENDING A CONDITIONAL USE PERMIT

Application # PCUR #105A Date October 1, 2012

Applicant Name Waterside Crossing Residential, LLC

Applicant Address 19109 West Catawba Ave., Suite 200, Cornelius, NC 28031

Property Location off Pinkney Place (Parcel# 33125) Current zoning CU PD-MU

Proposed Amendment delete condition that calls for Brookdale Lane to be barricaded

FINDINGS OF FACT

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. YES _____ NO _____
FACTUAL REASON CITED: _____

2. The use meets all required conditions and specifications. YES _____ NO _____
FACTUAL REASON CITED: _____

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity
YES _____ NO _____
FACTUAL REASON CITED: _____

4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question.
YES _____ NO _____
FACTUAL REASON CITED: _____

After having held a Public Hearing on _____ and in light of the Findings of Facts listed herein, the following action was taken by the Lincoln County Planning Board:

In recommending such Conditional Use Permit, the following conditions were recommended by the Lincoln County Planning Board:



Application to Amend Conditional Use Permit

Lincoln County Planning and Inspections Department

Zoning Administrator

302 N. Academy St., Suite A, Lincolnton, NC 28092

Phone: (704) 736-8440 Fax (704) 732-9010

PART I

Applicant Name Waterside Crossing Residential LLC

Applicant Address 19109 West Catawba Ave, Suite 200 Cornelius, NC 28031

Applicant Phone Number 704/896-2484

Property Owner Name Waterside Crossing Residential LLC

Property Owner Address 19109 West Catawba Ave, Suite 200 Cornelius, NC 28031

Property Owner Phone Number 704/896-2484

PART II

Property Location Phase 10 The Gates at Waterside Crossing

Property ID (10 digits) 4601-75-6949 Property size 91 lots / 50 acres

Parcel # (5 digits) 33125 Deed Book(s) 2024 Page(s) 331

PART III

Zoning District CU PD-MU

Briefly explain the proposed change in the conditional use permit.

As part of PCUR# 105 we would like to be released from the requirement that Brookdale Lane be barricaded until 75 lots are sold.

\$750 APPLICATION FEE MUST BE RECEIVED BEFORE PROCESSING.

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

Date

8/7/12

**APPLICANT'S PROPOSED FINDINGS OF FACT
FOR AMENDING A CONDITIONAL USE PERMIT**

Application No. **PCUR #105A**

Applicant **Waterside Crossing Residential, LLC**

Parcel ID# **80383**

Property Location: **off Pinkney Place near Sifford Road**

Proposed Amendment **delete condition that Brookdale Lane be barricaded until 75 of the lots in Phase 10 are built upon.**

PROPOSED FINDINGS

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan.

Brookdale Lane will mainly provide access to the homes that will be located in Phase 10. Barricading the street could delay emergency response.

2. The use meets all required conditions and specifications.

The subdivision plans for Phase 10 conform to the approved site plan. Brookdale Lane has been constructed to NCDOT specifications.

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity.

Brookdale Lane was planned from the start to be extended. It won't generate significant through traffic because it isn't the most direct route between Sifford Road and other phases of The Gates @ Waterside Crossing.

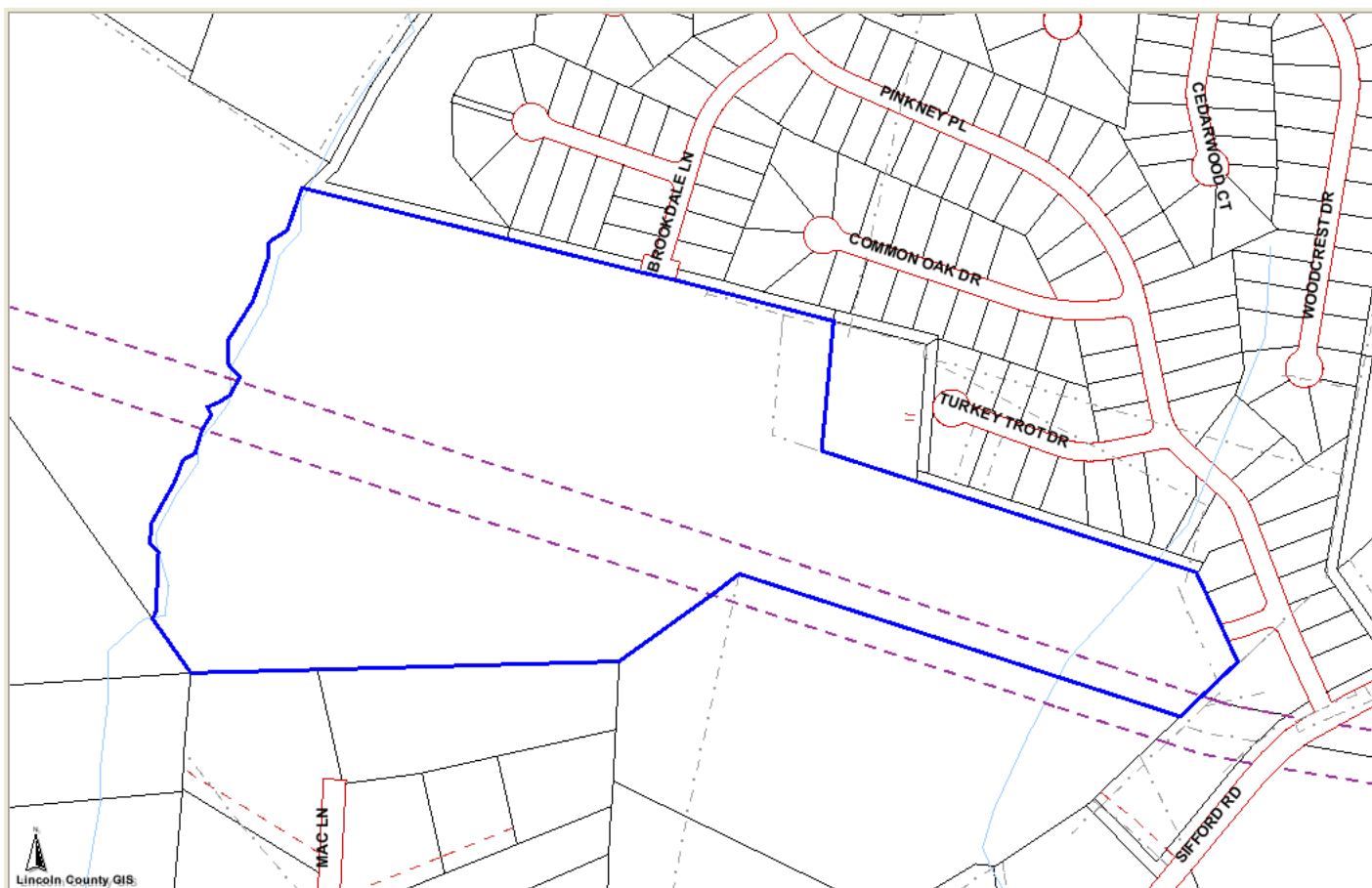
4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question.

Phase 10 is similar to the other phases in The Gates. This property is part of an area designated by the Land Use Plan for higher density residential development.



Lincoln County, NC

Office of the Tax Administrator, GIS Mapping Division
 Lincoln County and its mapping contractors assume no legal responsibility for the information contained on this map. This map is not to be used for land conveyance. The map is based on NC State Plane Coordinate System 1983 NAD.
Date: 8/22/2012 Scale: 1 Inch = 500 Feet



PHOTOS



Photo Not Available

PARCEL INFORMATION FOR 4601-75-6949

Parcel ID	33125	Owner	WATERSIDE CROSSING RESIDENTIAL LLC	
Map	4601-02	Mailing	19109 W CATAWBA AVE SUITE 200	
Account	0210879	Address	CORNELIUS NC 28031	
Deed	2024-331	Recorded	4/8/2008	Sale Price \$2,500,000
Land Value	\$769,779	Total Value	\$769,779	Previous Parcel
----- All values are for tax year 2012. -----				
Description	LP SIFFORD LD RD1397		Deed Acres	0
Address	BROOKDALE LN		Tax Acres	50.02
Township	CATAWBA SPRINGS		Tax/Fire District	EAST LINCOLN
Improvement	No Improvements			
Zoning		Calculated Acres	Voting Precinct	Calculated Acres
District			LOWESVILLE (LW31)	50.02
PD-MU CU		50.02		
Watershed Class			Sewer District	
WS-IVP		50.02	Not in the sewer district	50.02
2000 Census County			Tract	Block
37109			071100	3003
Flood	Zone Description		Panel	
X	NO FLOOD HAZARD		3710460100	50.02

