

STAFF REPORT

RZ-25-02

PETITION	RZ-25-02
APPLICANT	Christopher Clemons
PROPERTY OWNER	Christopher Clemons
PIN	3850 11 2819
PROPERTY LOCATION	Taylorsville ETJ
ACREAGE	1.002

Staff Report prepared by Patrick Creech, Senior Planner

July 1, 2025



CONTENTS

Appendix A.....	Location Map
Appendix B.....	Zoning Map
Appendix C.....	Future Land Use Map
Appendix D.....	Floodplain Map
Appendix E.....	Application
Appendix F.....	Flood Plain Permit Requirement Checklist

REQUESTED ACTION

The applicant has submitted a petition requesting to rezone the property from **Residential District One (R1)** to **Regional Commercial (RC)**.

DEVELOPMENTAL POTENTIAL

This property lies in the Extra-Territorial Jurisdiction (ETJ) for Taylorsville.

As currently zoned, the subject property could be used for medium to high density residential development.

The applicant is restricted in regards to development potential as about 0.4 acres along the north and western boundaries of the property lie in the **100 year floodplain**, as seen in the map below and **Appendix D**.

Any future development of the property would require the applicant to attain a floodplain permit, the requirements for which can be found in **Appendix F**.



BACKGROUND

The applicant purchased the properties at the corner of Sunset Dr and NC 16 in February of 2025. The parcel purchased included what is now PIN 3850 11 2870, which is three sets of duplexes along Sunset Dr. The applicant subdivided the northern portion of that parcel to create PIN 3850 11 2819.

The applicant has indicated his intention to place a used vehicle lot on this newly created parcel. Initially, the lot will be used for the placement of cars for sale with a sign. A structure may be placed later outside of the floodplain for the intended business.

REVIEW CRITERIA

In reviewing and making recommendations on proposed zoning map amendments, review bodies shall consider the following factors:

- **Consistency of the proposed zoning with the Alexander County Comprehensive Plan**, (where applicable) and the stated **Purpose and Intent of this zoning ordinance**;
 - **Comprehensive Plan:**
 - The vicinity in which the subject property is located is classified Urban Services Area (USA) by the Alexander County Future Land Use Plan. The patterns of development encouraged in the USA include:
 - The Urban Services Area is that area within which most urban services and urban-scale development is currently concentrated, and within which such development should generally be concentrated through the year 2045.
 - The USA will contain considerable commercial development at a mixture of scales: Local, Community, and Regional, as defined below. In particular, all Regional Commercial development should be concentrated here. Commercial development will exist within predefined zoning districts whose standards and configuration are in keeping with the surrounding community.
 - Land use planning should acknowledge the presence of sensitive natural areas such as floodplains, wetlands, areas of excessively steep topography, and other natural and cultural assets, and should strive to protect these areas from development that would damage them or diminish their integrity.
 - **Zoning Ordinance:**
 - “The purpose of the Regional Commercial District (RC) is to foster orderly growth where the principal use of land is commercial. The intent of this district is to allow for commercial development consistent with the recommendations of the Comprehensive Plan. In accordance with the Comprehensive Plan, the district will allow for and provide commercial development that: (1) includes a variety of retail sales and services, public and private administrations, offices and all other uses done primarily for sale or profit on the local, community, and regional level; (2) is directed

largely to Community Service Centers as defined in the Comprehensive Plan; (3) is compatible with adjacent development and the surrounding community; and (4) will minimize congestion and sprawl. This general use district is meant to be utilized in areas designated as Urban (USA) in the Comprehensive Plan.”

VICINITY

North: The property to the north contains the stream and is zoned R2R. North of the stream and across Terrace Lawn Ct is a Mixed Use (MU) zone containing an auto repair shop.

South: The property to the south are zoned Residential District One (R1) and contain 3 duplexes, which were previously a part of the parcel in question.

East: The property to the east is 22 acre tract that is undeveloped in the area immediate adjacent to the applicant's property, but contains a residence that is accessed by Sylvan Rd.

West: The property to the west, across Hwy 16, is zoned Community Commercial, but is undeveloped.

ACCESS

Access to the property is available from NC Hwy 16.

SEWER AND WATER

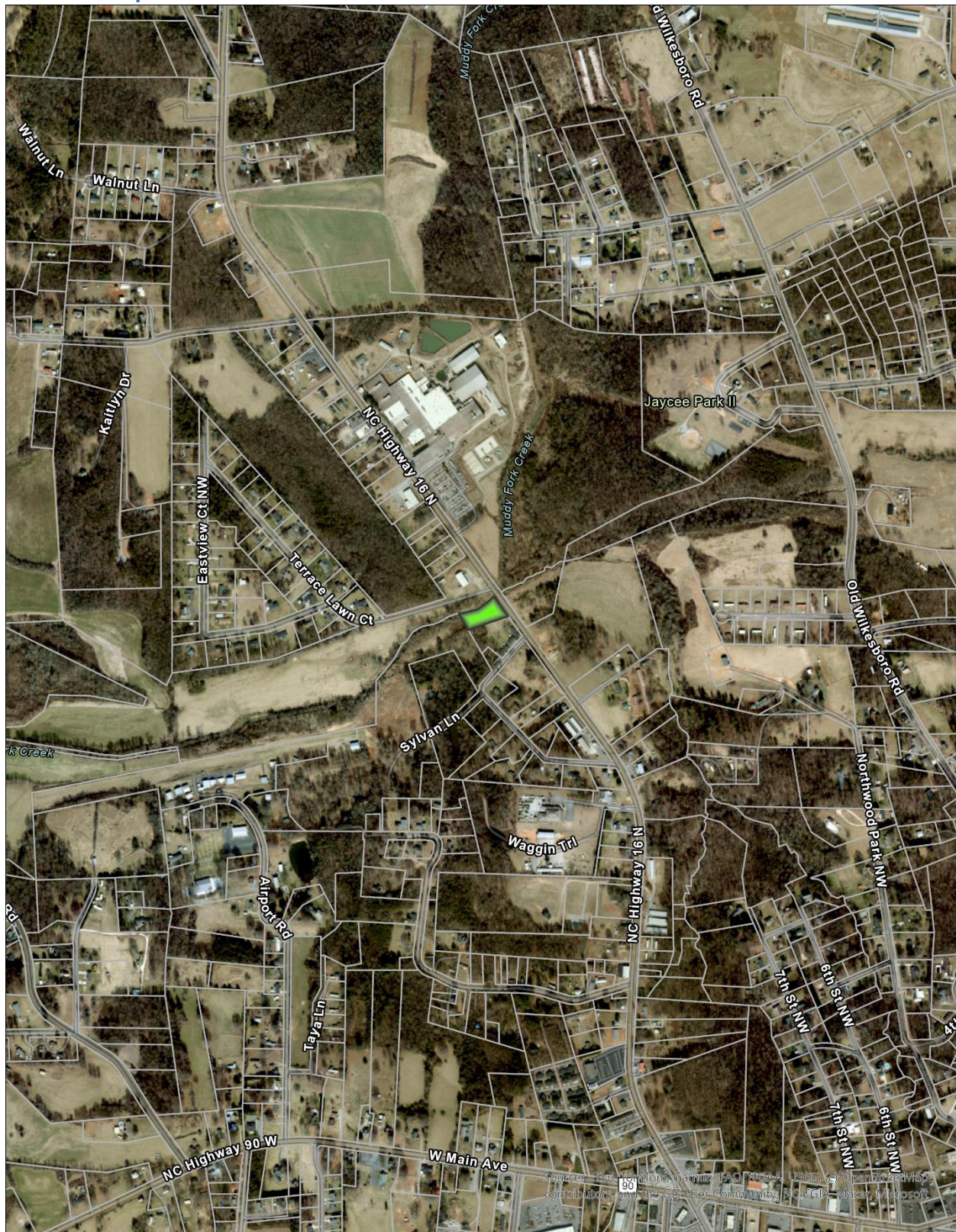
The property is currently served by public water from the Town of Taylorsville.

RECOMMENDED ACTION: Staff recommends the provide a positive recommendation to the County Commissioners for this action.

CITIZEN INPUT: As of July 8th, staff has received no calls about this rezoning request.

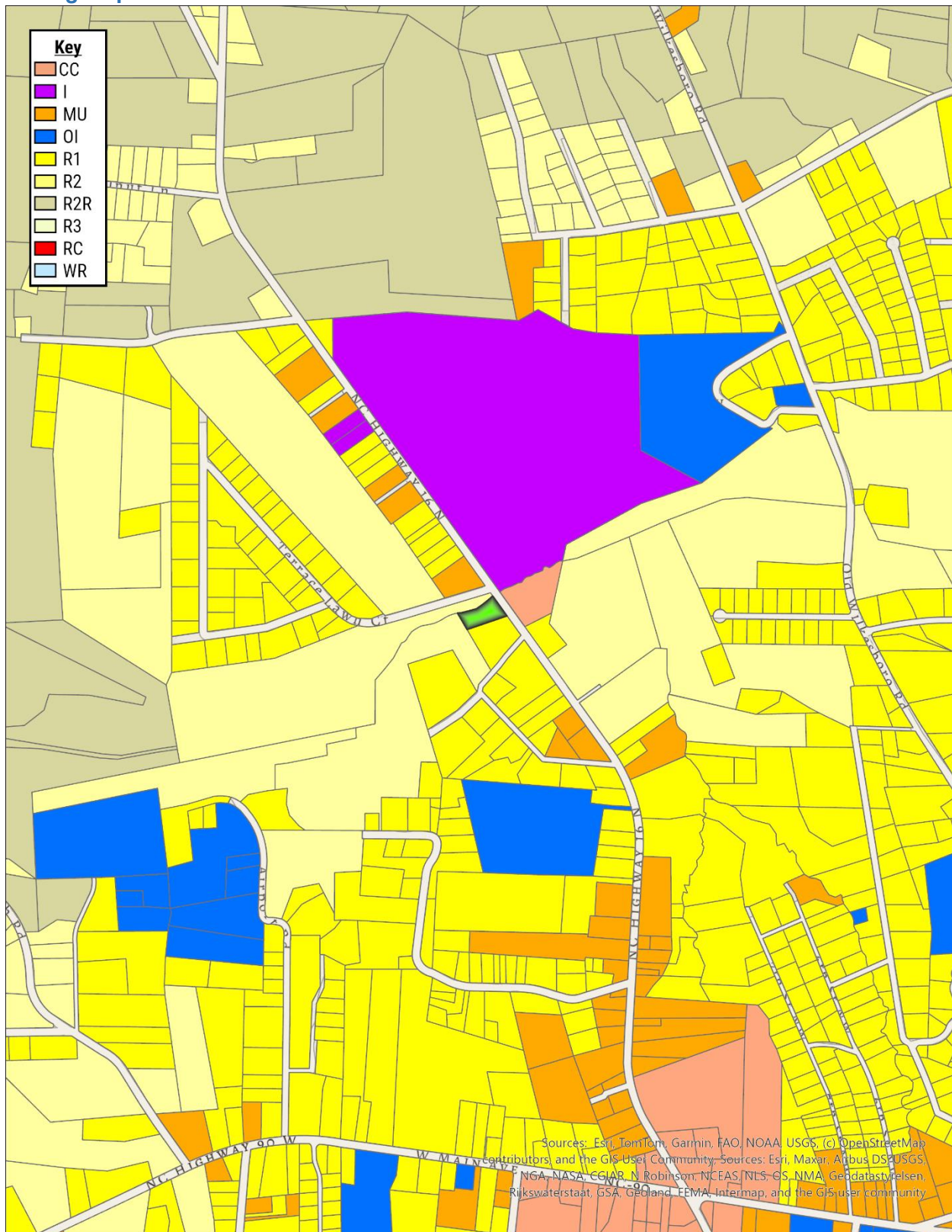
RZ-25-02 APPENDIX A

Location Map

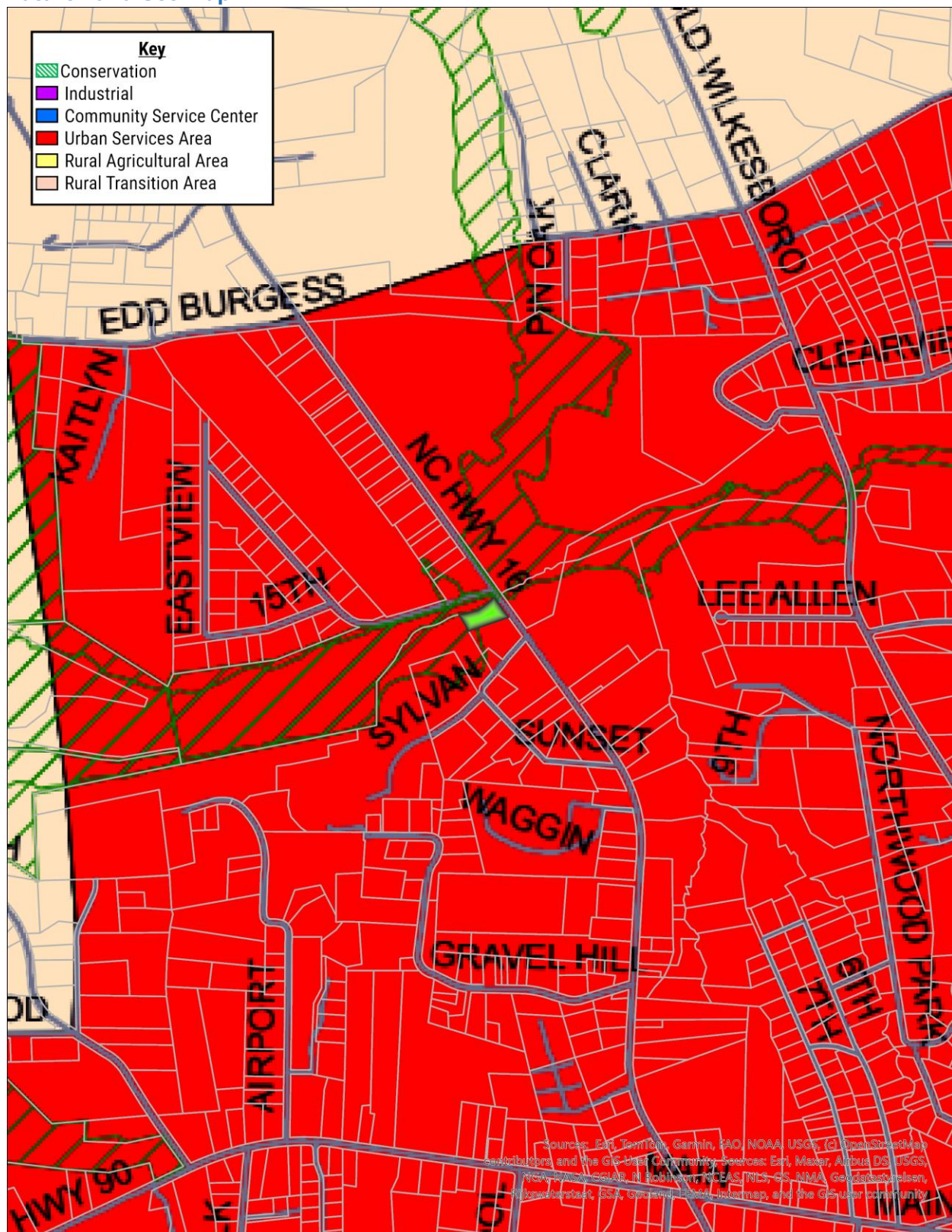


RZ-25-02 APPENDIX B

Zoning Map



Future Land Use Map



RZ-25-02 APPENDIX D

Floodplain Map



RZ-25-02 APPENDIX E

Application



ALEXANDER COUNTY North Carolina

General Rezoning Application

Case #: _____
Tax Map #: _____
Date Submitted: _____

A) OWNER/APPLICANT OR AGENT INFORMATION:

- 1) APPLICANT: Chris Clemens
ADDRESS: 0 NC 16 Hwy N
TELEPHONE #: 828-312-2787 FAX #: _____ EMAIL: C.Clemens32@yahoo.com
- 2) PROPERTY OWNER: Clemens & Morgan Investments
ADDRESS: Box 686 Taylorsville NC 28681
TELEPHONE #: 828-312-2787 FAX #: _____ EMAIL: " "
- ☐ Check here if there are additional property owners, and attach their names, addresses and telephone numbers.
- 3) Will an attorney, engineer, realtor or other agent represent the applicant/property owner in this matter?
REPRESENTATIVE: _____
ADDRESS: _____
TELEPHONE #: _____ FAX #: _____ EMAIL: _____

B) PROPERTY INFORMATION:

- 1) PROPERTY LOCATION (Address or Description): Hwy 16 N
- 2) DATE PROPERTY ACQUIRED: 2-5-25 DEED BOOK/PAGE: _____
- 3) TAX MAP #: _____ LOT #: _____ SIZE (sqft./acres): _____
- ☐ Check here if there are more than two lots and attach a list of the properties to be considered for rezoning.
- ☐ Check here if the request is a portion of the lot listed above. A written legal description with a map of the portion of the lot requested for rezoning must be attached.
- 4) UTILITIES PROVIDED (please circle): Public Water Well Public Sewer Septic System
- 5) AMOUNT OF ROAD FRONTAGE: 136' CURRENT LAND USE: Undeveloped
- 6) METES AND BOUNDS DESCRIPTION ATTACHED: YES NO

C) REZONING REQUEST:

- 1) CURRENT ZONING DISTRICT: R1 PROPOSED ZONING DISTRICT: RC
- 2) PROPOSED USE: Car Lot

PLEASE NOTE: THE PLANNING & ZONING COMMISSION AND BOARD OF COMMISSIONERS MUST CONSIDER ALL USES WITHIN THE REQUESTED ZONING DISTRICT, NOT MERELY THE USE OF WHICH YOU ARE PROPOSING.

D) REQUIRED SIGNATURES:

To the Planning and Zoning Commission and the Board of County Commissioners, I/We, the undersigned, do hereby make application and petition to amend the Official Zoning Map of Alexander County as herein requested. I/We, the undersigned, do hereby certify that all information given above is true, complete and accurate to the best of my/our knowledge, and do hereby request the Board of Commissioners to take action as sought by this application.

- | | | | |
|----|---|---|--------------------------|
| 1) | <u>Christopher Alan Clemas</u>
(Owner's Name-please print) | <u>[Signature]</u>
(Owner's Signature) | <u>6-19-25</u>
(Date) |
| 2) | _____
(Owner's Name-please print) | _____
(Owner's Signature) | _____
(Date) |
| 3) | _____
(Applicant's Name-please print) | _____
(Applicant's Signature) | _____
(Date) |
| 4) | _____
(Representative's Name-please print) | _____
(Representative's Signature) | _____
(Date) |

If there are additional property owners, applicants or representatives, please attach an additional signature sheet with their names and signatures. If the applicant is different from the property owner, both parties must sign the application.

Corporations, Limited Liability Corporations, Partnerships or other similar entities: please include a notarized Official Corporate Certification authorizing a representative to sign on behalf of the corporation.

STAFF USE ONLY – APPLICANT: DO NOT WRITE BELOW THIS LINE

Staff Initials: _____ Date: _____ Receipt #: _____

PZC Meeting Date: _____	BOC Meeting Date: _____
Published on: _____	Published on: _____
Letters Mailed: _____	Letters Mailed: _____
Sign posted: _____	Sign posted: _____

PZC Recommendation: Approved Denied Applicant Notified: _____

BOC Action: Approved Denied Applicant Notified: _____

Staff Signature: _____ Date: _____

Staff Comments: _____

RZ-25-02 APPENDIX F

Floodplain Requirements Checklist



Alexander County Floodplain Permit Requirement Checklist

All code references are for the Alexander County Flood Damage Prevention Ordinance, found [here](#).

Application Requirements.

Application for a Floodplain Development Permit shall be made to the Floodplain Administrator prior to any development activities located within Special Flood Hazard Areas. The following items shall be presented to the Floodplain Administrator to apply for a floodplain development permit:

- ☐ A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:
 - ☐ The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;
 - ☐ The boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in Section §159.110 or a statement that the entire lot is within the Special Flood Hazard Area;
 - ☐ Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Section §159.110;
 - ☐ The boundary of the floodway(s) or non-encroachment area(s) as determined in Section §159.110;
 - ☐ The Base Flood Elevation (BFE) where provided as set forth in Section §159.110; Section §159.220; or Section §159.330;
 - ☐ The old and new location of any watercourse that will be altered or relocated as a result of proposed development; and
 - ☐ The certification of the plot plan by a registered land surveyor or professional engineer.
- ☐ Proposed elevation and method thereof, of all development within a Special Flood Hazard Area including but not limited to:
 - ☐ Elevation in relation to mean sea level of the proposed reference level (including basement) of all structures;
 - ☐ Elevation in relation to mean sea level to which any non-residential structure in Zone AE, A or AO will be flood-proofed; and
 - ☐ Elevation in relation to mean sea level to which any proposed utility systems will be elevated or floodproofed.

- ☐ If floodproofing, a Floodproofing Certificate (FEMA Form 81-65) with supporting data and an operational plan that includes, but is not limited to, installation, exercise, and maintenance of floodproofing measures.
- ☐ A Foundation Plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:
 - ☐ The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls); and
 - ☐ Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Section §159.310(D)(3) when solid foundation perimeter walls are used in Zones A, AE, and A1-30.
- ☐ Usage details of any enclosed areas below the lowest floor.
- ☐ Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage.
- ☐ Certification that all other Local, State and Federal permits required prior to floodplain development permit issuance have been received.
- ☐ Documentation for placement of Recreational Vehicles and/or Temporary Structures, when applicable, to ensure that the provisions of Section §159.310 (F) and (G) of this ordinance are met.
- ☐ A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.

Certification Requirements.

- ☐ Elevation Certificates.
 - ☐ An Elevation Certificate (FEMA Form 81-31) is required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the reference level, in relation to mean sea level. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder prior to the beginning of construction. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit.
 - ☐ An Elevation Certificate (FEMA Form 81-31) is required after the reference level is established. Within seven (7) calendar days of establishment of the reference level elevation, it shall be the duty of the permit holder to submit to the Floodplain

Administrator a certification of the elevation of the reference level, in relation to mean sea level. Any work done within the seven (7) day calendar period and prior to submission of the certification shall be at the permit holder's risk. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit the certification or failure to make required corrections shall be cause to issue a stop-work order for the project.

- ☐ A final as-built Elevation Certificate (FEMA Form 81-31) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as built construction of the elevation of the reference level and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy. The Final Elevation Certificate (FEMA Form 81-31) shall also be attached to the property transfer deed, for those properties which are located within a special flood hazard area, when recorded at the Alexander County Register of Deeds Office.
- ☐ Floodproofing Certificate. If non-residential floodproofing is used to meet the regulatory flood protection elevation requirements, a Floodproofing Certificate (FEMA Form 81- 65), with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, in relation to mean sea level. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to permit approval. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit. Failure to construct in accordance with the certified design shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.
- ☐ If a manufactured home is placed within Zone A, AE, or A1-30 and the elevation of the chassis is more than 36 inches in height above grade, an engineered foundation certification is required in accordance with the provisions of Section §159.310 (C)(2).
- ☐ If a watercourse is to be altered or relocated, a description of the extent of watercourse alteration or relocation; a professional engineer's certified report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse

alteration or relocation shall all be submitted by the permit applicant prior to issuance of a floodplain development permit.

- ☐ Certification Exemptions. The following structures, if located within Zone A, AE or A1-30, are exempt from the elevation/floodproofing certification requirements specified in items (a) and (b) of this subsection:
 - ☐ Recreational Vehicles meeting requirements of Section §159.310 (F)(1);
 - ☐ Temporary Structures meeting requirements of Section §159.310 (G); and
 - ☐ Accessory Structures less than 150 square feet meeting requirements of Section §159.310 (H).

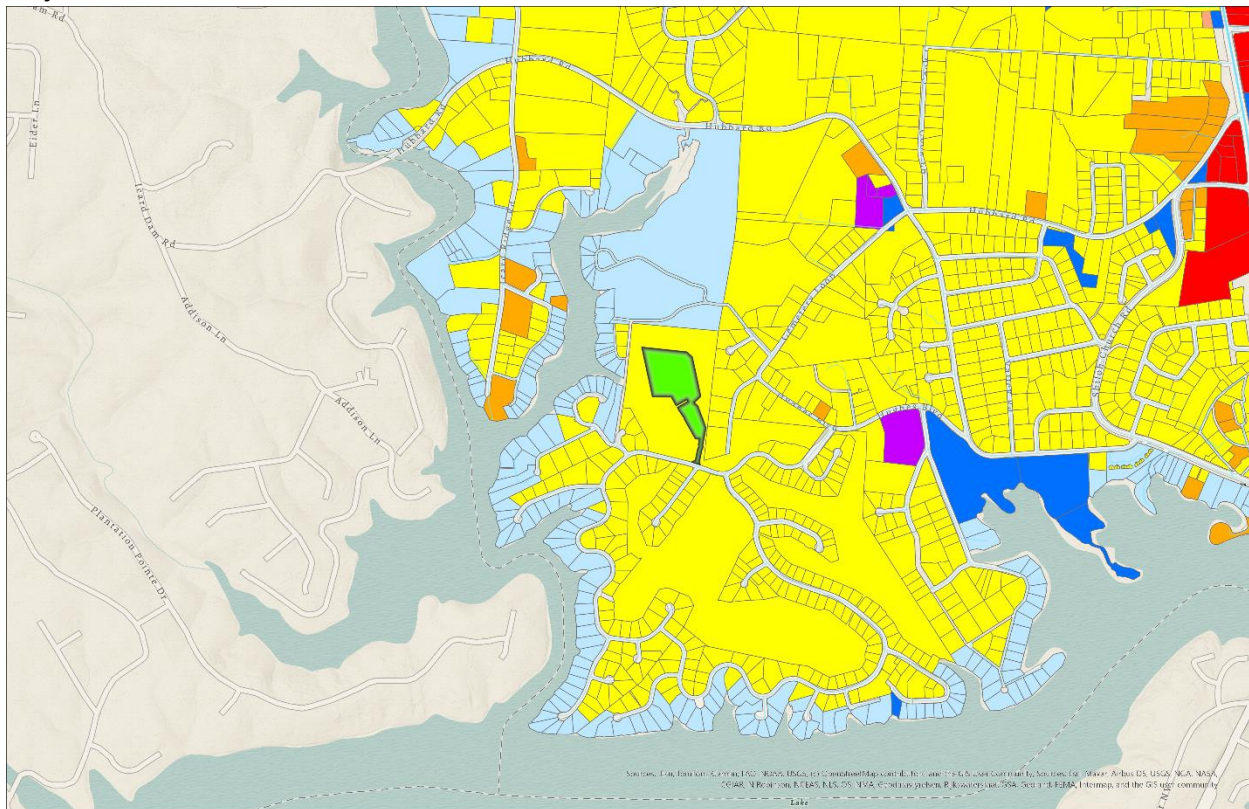
STAFF REPORT

D-25-02: Player's Ridge Subdivision

PETITION	Development Plan 25-02
APPLICANT	William Clayton, PE, Clayton Engineering
PROPERTY OWNER	Brandon Lee (Players Ridge LLC)
PIN	3705-97-9463
PROPERTY LOCATION	Player's Ridge Golf Course, Bethlehem
ACREAGE	9.258 acres
REQUESTED ACTION	The applicant seeks approval for a development plan.
NUMBER OF UNITS	40
DEVELOPMENT POTENTIAL	As currently zoned (R1) the subject property could be used for residential purposes.

Staff Report prepared by Patrick Creech, Senior Planner

July 8th, 2025



CONTENTS

D-25-02 Appendix A.....	Zoning Map
D-25-02 Appendix B.....	Future Land Use Map
D-25-02 Appendix C	Site Map
D-25-02 Appendix D	Pre-Application Checklist
D-25-02 Appendix E.....	TRC Report
D-25-02 Appendix F.....	DEQ Certificate of Plan Approval
D-25-02 Appendix G	DEQ Notice of Violation
D-25-02 Appendix H	Applicant Response letter to DEQ

BACKGROUND

The applicant proposes a 40-unit townhome project within the Players Ridge Golf Course community. The development consists of ten buildings, each containing four attached townhomes. The targeted demographic of the townhomes will be residents who are 55 years of age and older. Units include garages and driveways, with 110 total off-street parking spaces provided—more than the required minimum.

The project utilizes the Conservation Subdivision option, preserving 5.20 acres of open space (56.16% of the site), of which 4.48 acres (86.15%) are contiguous. The open space is located north of the proposed structures and will be placed under a perpetual deed restriction and maintained by a homeowners' association.

The applicant completed a pre-application meeting on February 19, 2025. At some point in March, the applicant began clearing land for the development. This land clearing took place without DEQ Certificate of Plan Approval. The applicant was required to stop work and submit an erosion and sedimentation control plan to DEQ, which they successfully obtained on April 8, 2025.

However, all land clearing that has been conducted has been inconsistent with the Alexander County Development Code. It states:

- **§154-75** - No land disturbing or construction activity carried out in conjunction with the development of a subdivision shall begin until a development plan has been approved.
- **§154-340 (D)** - Land Disturbing and Improvement Activities. The applicant may, only upon receipt of approval of the development plan proceed with the establishment of erosion and sedimentation control measures, clearing and other land-disturbing activities and improvement activities associated with the project.

No approval of the development plan, which can only be provided by this board, has thus far occurred.

The TRC considered the subdivision on April 11, 2025 and issued a conditional approval. As a part of that approval, the TRC waived the second entrance requirement for the development.

However, a Notice of Violation was issued on June 2, 2025, following the observation of sediment impacts to a nearby stream, as seen in **Appendix G**. The applicant has submitted a response on June 6, 2025.

On July 6th, the applicant informed the Planning Department that NCDEQ responded had responded back and that they will require a full wetlands delineation. The applicant predicts that will take 2-3 weeks. As of this date of this staff report, the Planning Staff has not received the DEQ response or applicant's plan to respond to DEQ.

REVIEW CRITERIA

In reviewing and making recommendations for Major Subdivisions, review bodies shall consider the following factors:

§154-340. Development Plans

- A. Plan Preparation.** Development plans must be prepared in conformance with this subpart and development plan requirements provided by the Planning Department. Development plan(s) are required during review of all major subdivisions. The development plan may be submitted for the entire subdivision or any section thereof. The applicant shall submit two (2) full-sized copies, one (1) reduced-sized copy, and a digital copy of the development plan, at a scale appropriate to clearly depict the proposed project. Reduced size copies should be legible and reproducible. If a reduced size copy of the plan (no larger than 11 inches by 17 inches in size) cannot be provided, at least 4 large copies shall be submitted in its place. The development plan may consist of multiple sheets, if needed.
- B. Purpose of the Plan.** A development plan is a graphic representation or map of the tract of land to be developed indicating all proposed divisions of land, their uses, improvements and other information as may be required to fully disclose the applicant's intentions. The purpose of the plan is to provide general and specific information and is not intended to be a recordable document.
- C. Review of the Plan.** Upon approval of the master plan and the development plan of the first section of a subdivision by the reviewing agency, if successive sections are submitted for review (and (1) each substantially conforms with the master plan, (2) no new lots are created, and (3) all technical requirements and development standards have been met) the Subdivision Administrator may approve the development plans for all major subdivisions for successive sections administratively. Under such review, the action deadlines for the reviewing agency shall be the same for the Subdivision Administrator.

- D. Land Disturbing and Improvement Activities. The applicant may, only upon receipt of approval of the development plan proceed with the establishment of erosion and sedimentation control measures, clearing and other land-disturbing activities and improvement activities associated with the project.
- E. Approval Validity. Development plan approval is valid for two (2) years and shall be annotated on the plan. The approving agency may, for just cause, grant up to two (2) one-year extensions for development plan approval. If, at the completion of the first one-year extension period, less than 50 percent of improvements are complete, the applicant must reapply under the current applicable requirements. If more than 50 percent of improvements are complete after the one-year extension period, the applicant may apply for a single additional one-year extension and thereafter must reapply under current applicable requirements.

TRC COMMENTS: The TRC voted to send forth a favorable recommendation for this application on the following conditions:

- Applicant must supply a draft of the perpetual deed restriction which denies development of the conservation area within 30 days of the receipt of this approval.
- For final plat approval, separate property lines must be noted on the submitted plat.
- Unless otherwise the plantings will interfere with clearance for emergency vehicles, the applicant should increase the number of required trees to 15. If any changes to that number are required, the applicant must send a written notice with justification to the Planning Department.
- All turnaround areas must be constructed to accommodate emergency vehicles without obstruction.
- The location of fire hydrants must not impede access or block fire apparatus during emergency responses.
- Any curved curb areas must be designed as valley curbs where needed to accommodate fire truck overrun.

The TRC report is included as **Appendix E**.

RECOMMENDED ACTION:

Staff finds Major Subdivision Application D-24-04 (Development Plan) to be **consistent** with the Alexander County Subdivision Ordinance.

However, in light of the inconsistent actions taken by the applicant in regards to clearing land in advance of the proper approval and the recent, unresolved DEQ notice of violation, staff recommends that the board approve subdivision with conditions.

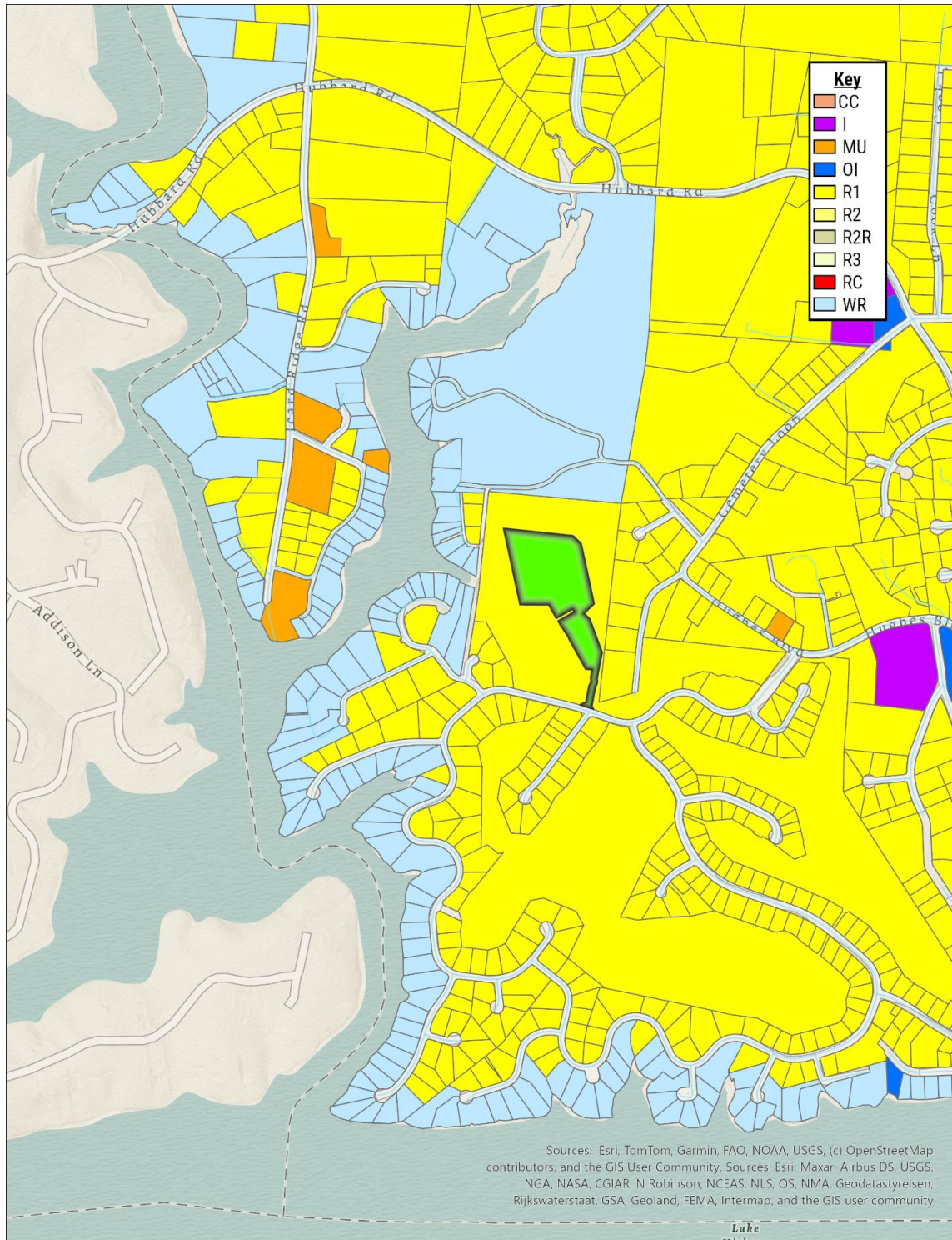
Prior to any further development activity, including but not limited to land disturbing, site preparation, or construction, the applicant shall provide to the Planning Department written confirmation from all relevant state agencies — including, but not limited to, NCDEQ — that all outstanding violations, corrective actions, and conditions have been fully resolved and that all regulatory requirements have been satisfied.

Any development activity initiated before receipt and acceptance of such written confirmation shall automatically void this development plan approval and shall constitute a violation of the Alexander County Development Code, subject to immediate enforcement action, including stop-work orders, civil penalties, or revocation of permits.

The board has 90 days to make a determination on an application from the date of its first consideration.

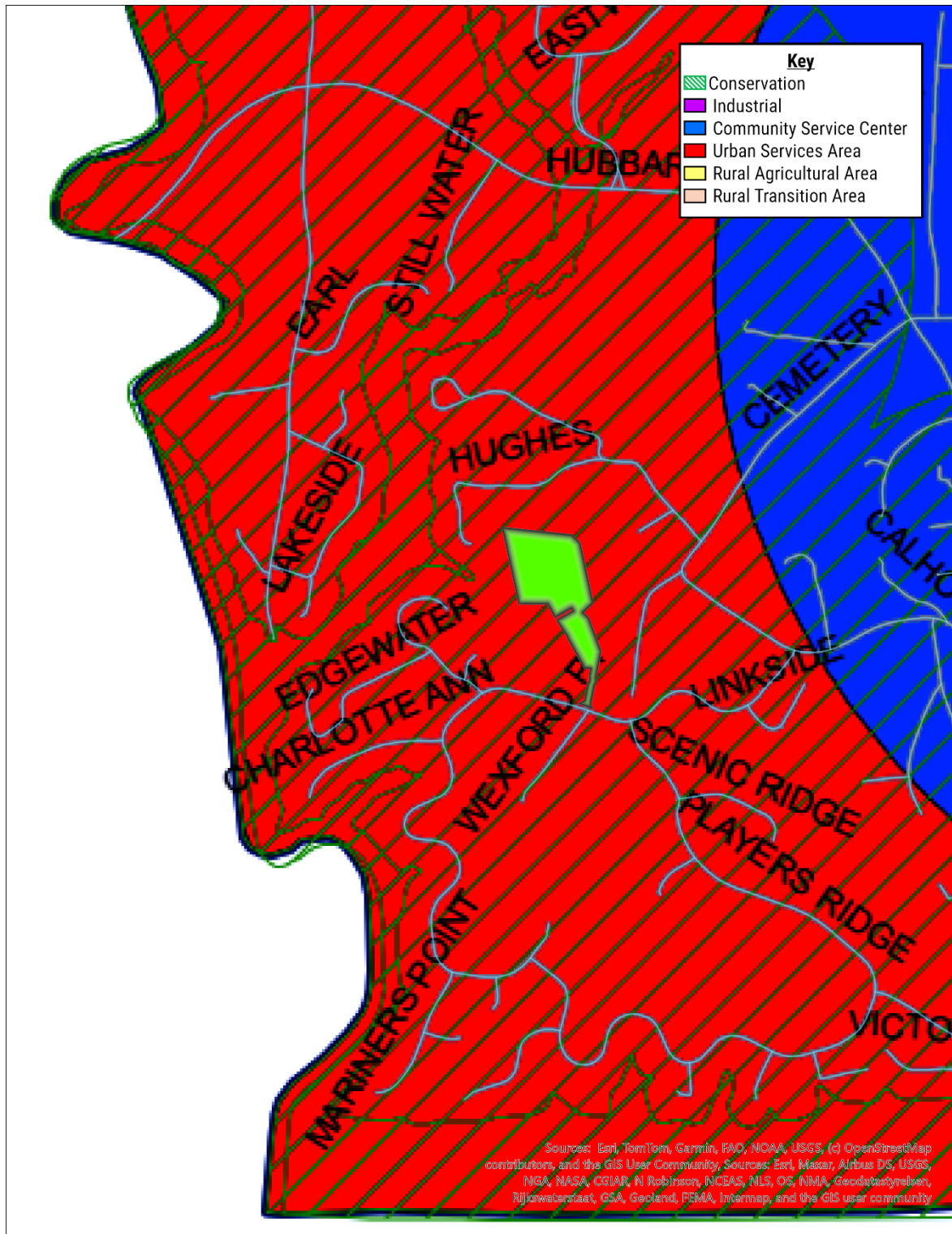
D-25-02 APPENDIX A

Zoning Map

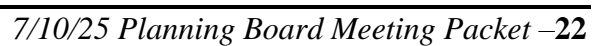


D-25-02 APPENDIX B

Future Land Use Map



Site Map



D-24-04 APPENDIX D

Pre-Application Checklist

ALEXANDER COUNTY PLANNING DEPARTMENT



Pre-Application Meeting Checklist Multifamily Residential Subdivisions - Townhomes

The *Pre-Application Meeting* is the first step in the major subdivision process in Alexander County. At this meeting, the *Planning Director* will share information and help the *applicant* understand the subdivision process, including the steps, requirements, and overall timelines. The goal is for the applicant to leave with a clear understanding of the process, key milestones, and next steps.

- The *Pre-Application Meeting* should occur **at least 15 days prior** to the submission of the application to the TRC.

This document is a guide to the *Alexander County Land Development Code* and the applicable regulations. It is not a substitute for reading the complete codes and regulations. *Consult the applicable ordinances.*

Applicant	Will Clayton, Clayton Engineering		
Owner (if separate)	Brandon Scott Lee		
PIN(s)	3705 97 9463	Current Zoning	R1
Acres of Lot	9.258	Township	Bethlehem
Number of Structures	10	Number of Dwellings	44
Watershed	WS-IV C	Floodplain	No

REQUIREMENTS *(All checked items are required)*

- | | |
|---|--|
| <input checked="" type="checkbox"/> Major Site Plan | <input checked="" type="checkbox"/> DEQ Erosion and Sediment |
| <input type="checkbox"/> Development Plan | Control Permit (copy must be sent to Alexander County Planning) |
| <input type="checkbox"/> Open Space Management Plan | <input checked="" type="checkbox"/> DEQ Post-Construction |
| | Stormwater Permit (copy must be sent to Alexander County Planning) |

APPROVAL AUTHORITY

- *Alexander County Technical Review Committee (Initial Review)*
- *Alexander County Planning Board (Final Review)*

SCHEDULE

Pre-Application Meeting	Wednesday, February 19th, 2025
TRC Submittal Deadline	Friday, April 4th, 2025
TRC Meeting	Friday, April 11th, 2025
Planning Board Submittal Deadline	Thursday, May 1st, 2025
Planning Board Meeting	Thursday, May 8th, 2025

Please read all relevant sections of the Land Development Code of Alexander County as found on the Alexander County website.

DEVELOPMENT INFORMATION

No	Will this site be developed in phases?
15.00' 19.53' 35.94' 36.60' 47.06' 59.91'	What is the space between buildings? <ul style="list-style-type: none"> - Shall have a minimum spacing between buildings of 20 feet, with an additional one (1) foot of separation for each one (1) foot of building height in excess of 30 feet <ul style="list-style-type: none"> - Can be reduced due to conservation subdivision
	What is the height of the structures? LESS THAN 40' <ul style="list-style-type: none"> - Maximum building height for R1: 40 ft. - May increase the building height to 50 feet where a B1 Buffer is provided as detailed in §154-165 (Buffer Determination)
No	Is there public transit access located along the road? <ul style="list-style-type: none"> - Where a multifamily development is located along any road with current public transit access and such public transit authority approves the addition of a stop, such development shall provide a minimum of one (1) public transit access shelter for the use of occupants/patrons.
No	Will this development include vehicle service areas? <ul style="list-style-type: none"> - Vehicle service areas may be located in the fronts of buildings provided they are screened from view from all adjacent rights of way.
No	Will this development be in a NPDES Phase II area? <ul style="list-style-type: none"> - If so, you must apply to DEQ for a Post-Construction Stormwater Permit.
Yes	Will you be choosing to apply for a conservation subdivision? <ul style="list-style-type: none"> - Conservation subdivision standards shall apply to all subdivisions proposing 100 lots or more. Applicants can choose to apply for a conservation on subdivisions of any size.

N/A	<p>Will the parking lot connect to adjacent lots?</p> <ul style="list-style-type: none"> - Connectivity. Parking facilities shall be designed to connect with parking facilities on adjacent lots (where developed after the adoption date of this Chapter), where appropriate and approved by the adjacent property owner, to eliminate the need to use the abutting road(s) for cross movements.
110	<p>What number of parking spaces will be provided?</p> <ul style="list-style-type: none"> - Residential-Multi-Family Dwellings require 1.5 spaces per dwelling unit.
1 ENTRANCE W/ CART PATH USED AS EMERGENCY ACCESS	<p>What number of entrance roads will be connected to this subdivision?</p> <ul style="list-style-type: none"> - All Major Subdivisions over 35 lots shall provide a minimum of two (2) entrance roads. (The second entrance requirement must be specifically waived by the approving authority, and only where unique circumstances (including severe topographic conditions, the presence of unique natural areas, existing development patterns, or other limiting site conditions) would prevent the addition of a second entrance.)
ALL, WITH EMERGENCY ACCESS	<p>What number of lots within the subdivision will be accessed by a dead-end road, cul-de-sac, turnaround, etc?</p> <ul style="list-style-type: none"> - No more than 35 lots within a subdivision shall be accessed by a dead-end road, cul-de-sac or turnaround or a series of dead-end roads, cul-de-sacs or turnarounds to access the main entrance(s)/exit(s) for the subdivision (except where a stub road is proposed as a future connection (however, stub road proposals do not entitle adjoining property owners access to the subdivision).
<p>Describe the architectural style of the buildings, including:</p> <ul style="list-style-type: none"> • <i>Building materials</i> • <i>Window placements</i> • <i>Building colors</i> • <i>Blank Wall Treatment</i> <ul style="list-style-type: none"> - Buildings placed along the sidewalk shall have windows and doors facing the street. - Forms and finish materials of buildings, signage and other accessory structures shall be compatible with the architectural character of the adjacent area through compliance with the following standards: <ul style="list-style-type: none"> - Any side or rear of a building that is visible from the public right-of-way shall be as visually attractive as the front through the design of rooflines, architectural detailing and landscaping features. - Materials & Colors <ul style="list-style-type: none"> - Predominant exterior building materials shall consist of, but not limited to, brick, sandstone, stucco, and other native stone and tinted/textured concrete masonry units. Synthetic materials offering similar appearances may also be utilized. Smooth faced concrete block and corrugated metal panels are prohibited. - Colors for primary facade areas shall be low reflectance, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, or fluorescent colors is prohibited. - Building trim and accent areas may feature brighter colors, including primary colors. - Walls or portions of walls shall have architectural treatment wherever that face is adjacent to a street or residential zoning district. The architectural treatments on these walls shall extend the entire length on of the wall, and include at least four of the following shall be used in these walls: <ul style="list-style-type: none"> - Concrete or masonry plinth at the base of the wall, - Transition lines of different texture or color, - Projecting cornices, - Decorative tile work, - Projecting canopy or awning, - Opaque or translucent glass, - Artwork, - Vertical articulation, - Lighting fixtures, or - Other architectural elements as approved that meet the intent above 	

North Carolina law now prohibits local governments from regulating three-family or four-family dwellings in regards to design elements. Please note the above as the county preference, but non-adherence to those standards will not preclude zoning approval.

- Fiberglass/asphalt shingles.
- Vented poly ridge cap with nail over shingles GAF Cobra or equivalent.
- Vented poly hip cap with nail over shingles GAF Cobra or equivalent.
- Synthetic trim mouldings typical – see details & schedules.
- 5/8" inverted-V ventilated vinyl soffit, CertainTeed perimeter triple 3 1/3 or equal.
- 1 x 6 T&G beaded pine ceiling or solid vinyl on porches.
- Exterior brick steps.
- Stucco finish over exposed CMU foundation walls at patio.
- Cementitious siding – see wall types.
- 8 x 8 fiberglass columns.
- Brick veneer.
- Expansion joint in brick veneer at porch slab drop. Fill with sealant.
- 5 1/4 x 10 cementitious skirtboard. Pre-finished flashing strip above.
- 6" high black metal address numbers.
- 4 x 4 decorative brackets.
- 6 x 6 P.T. wood column.

No	Is there public transit access located along the road? <ul style="list-style-type: none"> - Where a multifamily development is located along any road with current public transit access and such public transit authority approves the addition of a stop, such development shall provide a minimum of one (1) public transit access shelter for the use of occupants/patrons.
[Select] NO	Will this development include vehicle service areas? <ul style="list-style-type: none"> - Vehicle service areas may be located in the fronts of buildings provided they are screened from view from all adjacent rights of way.
Describe the plan for solid waste collection. <ul style="list-style-type: none"> - Each development shall provide a suitable method of solid waste disposal (in accordance with Chapter 50 of the Alexander County Code, Solid Waste) and collection consisting of either private collection from individual uses or the use of dumpsters. Where dumpsters are used concrete pads shall be designed to drain to a bioretention area to filter stormwater before the water reaches a larger drainage system, and Screen Class One (1), Two (2), or Three (3) shall be provided consistent with the requirements of §154-179 (Screen Classification). 	
<ul style="list-style-type: none"> • SOLID WASTE WILL BE COLLECTED WITH ROLL OUTS 	
How is the trash collection area screened? <ul style="list-style-type: none"> - Service, loading, and trash collection areas shall be screened by a combination of decorative walls of masonry, wood, and plantings. - Loading areas shall not face any residential districts. 	
<ul style="list-style-type: none"> • ROLLOUTS WILL BE STORED IN GARAGE 	
What Common Area is being provided for? How will it be used? <ul style="list-style-type: none"> - A common area shall be provided that is equivalent to 10 percent of the total area. Common area shall be accessible for the use and enjoyment of the multifamily occupants/patrons, located as to be free of traffic hazards and maintained in good condition by the applicant. 	

- 5.485 ACS OF OPEN SPACE PROVIDED. SIDEWALKS AND CART PATHS FOR ACCESS. TO BE MAINTAINED BY HOA

How will roads be utilized in this development?

- Roads should be organized:
 - To provide increased internal mobility
 - To provide safe and convenient access
 - In intersecting/grid patterns where possible
 - Without cul-de-sacs (except where topographical considerations/ restrictions are submitted by the applicant).

- A road will go through the development with a roundabout at the northern terminus.

What type of sign will be placed for this development?

- TYPICAL GROUND SIGN TO MATCH ARCHITECTURE OF GOLF COMMUNITY

Describe the sidewalk design of the development, including sidewalk width, placement, and total linear feet provided.

- Reasonable pedestrian access shall be provided to promote healthy and safe walking environments.
 - (1) Pedestrian facilities (sidewalks and/or walking trails) shall be: a. 100 or more lots or b. A density equal to or greater than two (2) units per acre
 - (2) Provide one (1) linear foot of sidewalk or walking trail for every linear foot of improved or newly proposed roadway within the tract.
 - (3) Located in a road right-of-way, pedestrian access easement, or other dedicated open space.
 - (4) Five (5) feet in width or more.
 - (5) Constructed (sidewalks only) with concrete, asphalt, or other permanent all-weather surface such as gravel. The location and design of such facilities shall be approved by the reviewing agency. The maintenance and expansion of pedestrian facilities will fall under the authority of the homeowners' association, which must be established where pedestrian facilities are required.

- 5' CONCRETE SIDEWALK PROVIDED FOR ENTIRE COMMUNITY. THIS IS ALSO A GOLF COURSE COMMUNITY

Describe the placement and selection of trees to placed along the interior and exterior street of the property.

- TREES PLACED AS REQUIRED FOR PARKING AREAS AND STREETS. EXISTING VEGETATIVE BUFFERS WILL BE PROTECTED AS WELL

CONSERVATION SUBDIVISION INFORMATION

59.26%	<p>What percentage of the property will be set aside for open space?</p> <ul style="list-style-type: none"> - Open space shall comprise a minimum of 25 percent of the project area. Subdivisions proposing 100 or more lots may not use the floodway area to determine the overall density calculation but may count the floodway area for open space requirements. Floodplain areas are allowed to be calculated for both density and open space requirements.
79.07%	<p>What percentage of the open space will be contiguous?</p> <ul style="list-style-type: none"> - Open space shall be designated so that a minimum of 50 percent of the proposed open space is contiguous and, where possible, adjoins open space or other protected areas (including protected forests or wildlife areas) outside the project area.
100%	<p>What percentage of the lots will directly abut the open space?</p> <ul style="list-style-type: none"> - Open space shall be designated so that, where possible, a majority of the lots directly abut open space to provide residents with direct views and access.
SIDEWALK AND CART PATH	<p>How will pedestrians be allowed to access the open space?</p> <ul style="list-style-type: none"> - Open space shall be accessible by safe and convenient pedestrian access from all adjoining lots (except in the case of farmland or other resources areas vulnerable to trampling damage or human disturbance).
No	<p>Will you be applying for an Open Space Density Bonus?</p> <ul style="list-style-type: none"> - Base density is determined by the zoning district in which the subdivision is located. Conservation subdivisions proposing more than the minimum required open space may be eligible for increased densities. Lands under conservation easement shall not be counted when determining density bonuses. Permitted housing densities shall not exceed the maximum allowances of any applicable water supply watershed requirements <ul style="list-style-type: none"> - Open Space 25%-30%: No density increase percentage - Open Space 31%-40%: 10 percent density increase - Open Space 41%-50%: 15 percent density increase - Open Space >51%: 20 percent density increase
Yes	<p>Will the building placement be closer than 20 ft?</p> <ul style="list-style-type: none"> - Structure Placement. Structures should be placed as closely to internal roads as permitted. The reviewing agency may reduce the front and/or side setback to a minimum of five (5) feet; taking into consideration open space management, sound engineering, public safety concerns and community character when applying the standards.
<p>Describe which areas of the conservation area would be considered <i>primary conservation areas</i>, <i>secondary conservation areas</i>, and other areas that are left for open space.</p> <ul style="list-style-type: none"> - Primary Conservation Area: Consists of: <ul style="list-style-type: none"> - (1) Floodplains (100-year and 500-year) and hydric soils identified as part of: a Flood Insurance Study prepared by the Federal Emergency Management Agency (FEMA); or the County Soil Survey prepared by the USDA Natural Resources Conservation Service; - (2) Land located within 50 feet of the bank of any perennial stream; and - (3) Slopes greater than 30 percent (13.5 degrees) identified as part of: a County Soil Survey prepared by the USDA Natural Resources Conservation Service; or a site analysis conducted by a registered professional engineer, professional land surveyor, landscape architect, architect or land planner and calculated using topographic maps from an actual survey or from the US Geological Society. - Secondary Conservation Area: Consists of: <ul style="list-style-type: none"> - (1) Farmland (whether actively used or not) including cropland, fields, pastures and meadows; - (2) Natural areas, wildlife habitats and corridors identified as part of: and Inventory of Natural Areas and Wildlife Habitats as prepared by a State agency, the Natural Conservancy or a local land trust; a required Environmental Assessment or Environmental Impact Statement; or an independent site study conducted by a trained botanist or biologist; 	

- (3) Slopes of 20 to less than 30 percent (nine (9) to less than 13.5 degrees) which require special site planning due to their erosion potential, limitations for septic tank nitrification fields and terrain or elevation changes; 349
- (4) Historic or archeological sites including, but not limited to, sites listed on the National Register of Historic Places or included on the State's National Register study list, designated as a local historic landmark or district and/or designated as having a high potential for archaeological remains generally identified as part of a: local architectural survey; local archaeological survey; required Environmental Assessment or Environmental Impact Statement; or independent site study conducted by a trained architectural historian or archaeologist;
- (5) Non-commercial cemeteries; and
- (6) Viewsheds (scenic views, especially of natural and cultural features from designated scenic road corridors, including "views from the road" as well as views outward from potential home sites).

- 100% WILL BE PRIMARY

Describe how the open space area will be used, noting the following allowed uses for conservation space:

- Open space shall be used as follows:
 - a. Conservation of natural resources, archeological resources or historical resources;
 - b. Agriculture, horticulture, or silviculture, provided all applicable best management practices are used to minimize environmental impacts;
 - c. Passive recreation;
 - d. Active recreation provided impervious surfaces are limited to a maximum of 12 percent of the total open space area;
 - e. Nonstructural stormwater management practices;
 - f. Easements for drainage, access, and underground utility lines; and g. Water, septic, and sewer systems.

- CONSERVATION OF NATURAL RESOURCES AND PASSIVE RECREATION

Describe how the open space area will be managed and owned after the development?

- Open space shall be used as follows:
 - a. Conservation of natural resources, archeological resources or historical resources;
 - b. Agriculture, horticulture, or silviculture, provided all applicable best management practices are used to minimize environmental impacts;
 - c. Passive recreation;
 - d. Active recreation provided impervious surfaces are limited to a maximum of 12 percent of the total open space area;
 - e. Nonstructural stormwater management practices;
 - f. Easements for drainage, access, and underground utility lines; and
 - g. Water, septic, and sewer systems.

- OWNED AND MAINTAINED BY HOA

WATERSHED INFORMATION

High Density	Will this development be low-density (single-family residences) or high density (multi-family residences)?
34.32%	What is the total build upon area? <ul style="list-style-type: none"> - Maximum built-upon allowances: <ul style="list-style-type: none"> - Single-Family Detached: <ul style="list-style-type: none"> - WS-II C - 6% - WS-II P - 12% - WS-IV C - 25% - WS-IV P - 24% - WS-IV P (w/o curb system) - 36% - High Density Development <ul style="list-style-type: none"> - WS-II C - 24% - WS-II P - 30% - WS-IV C - 50% - WS-IV P - 70%
Select SITE IS NOT ADJACENT TO ANY PERENNIAL WATERS	Will this development be adjacent to any perennial waters? <ul style="list-style-type: none"> - A minimum one hundred (100) foot vegetative setback is required for all new development activities that exceed the low density option; otherwise, a minimum thirty (30) foot vegetative setback for development activities is required along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Desirable artificial streambank or shoreline stabilization is permitted. - Where USGS topographic maps do not distinguish between perennial and intermittent streams, an on-site stream determination may be performed by an individual qualified to perform such stream determinations. - No new development is allowed in the buffer except for water dependent structures, other structures such as flag poles, signs and security lights which result in only diminutive increases in impervious area and public projects such as road crossings and greenways where no practical alternative exists. These activities should minimize built-upon surface area, direct runoff away from the surface waters and maximize the utilization of stormwater Best Management Practices.

Important Information

- **1) Please note and comply with all requirements of the Water Supply Watershed Protection Overlay District**
- **2) No land disturbing or construction activity should be carried out prior to the approval of the development plan.**
 - §154-75. Land Disturbing and Construction Activity **No land disturbing** or construction activity carried out in conjunction with the development of a subdivision shall begin **until a development plan has been approved.**
- **3) All units should be served by adequate water and sewage systems.**
 - §154-95. Water Supply System and Sewage Disposal System Required. Every lot shall be served by a water supply system and sewage disposal system adequate to accommodate the reasonable needs of the proposed use and comply with all applicable health regulations. The applicant must provide evidence that water supply system and sewage disposal system plans have received final approvals by the appropriate agency prior to final plat approval.
- **4) The development must include adequate fire protection.**
 - §154-95. Fire Protection Requirements. Either:
 - (1) Install a minimum of one (1) hydrant per 1000 feet of linear road distance (if served by a public water supply system who may impose more stringent fire protection requirements where necessary); or
 - (2) Install a dry fire hydrant system (the type and location of which is to be determined by the County Fire Marshal) and all-weather access road for fire-fighting equipment to a permanent surface water supply (minimum 100,000 gallon storage in a 50 year drought).
 - (3) If the subdivision is neither served by a public water supply system nor has or is adjacent to an adequate permanent surface water supply it shall be thoroughly reviewed by the reviewing agency and applicant to determine if alternative measures to ensure adequacy of fire protection exist. Where deemed necessary and without creating an undue hardship on the applicant, the reviewing agency may require the applicant to install alternative fire protection measures.
- **5) Stormwater Control measures should be implemented to state and local standards.**
 - §154-95. Stormwater Drainage. Drainage systems (swales, ditches, pipes, culverts, detention ponds, lakes or similar devices) shall be designed to minimize

adverse effect on the proposed subdivision and on adjacent and downstream properties. Drainage improvements shall be designed and constructed in accordance with applicable State Road Standards and to:

- (1) Follow natural drainage (where possible),
- (2) Contain points of stormwater discharge onsite (unless offsite discharge is approved by the reviewing agency and adjoining property owners),
- (3) Maintain desirable groundwater conditions,
- (4) Minimize erosion, downstream sedimentation, flooding or standing water conditions, 141
- (5) Filter pollutants before stormwater reaches surface water, and
- (6) Avoid excessive stormwater discharge

D-24-04 APPENDIX E

TRC Report

Technical Review Committee (TRC) Report Player's Ridge April 11th, 2025

PIN: 3705-97-9463

The applicant, Clayton Engineering, on behalf of the property owner, proposes a 40-unit townhome development within the Players Ridge golf course community in the Bethlehem area. The development consists of ten buildings with four units each, all featuring one-car garages and accompanying driveways to satisfy the minimum parking requirement. The property is located within an R-1 zoning district and proposes to use the Conservation Subdivision standards to satisfy open space and layout requirements.

The following feedback was provided by the TRC:

Planning and Zoning:

Amy Bucknum and Patrick Creech of the Alexander County Planning Department reviewed the submitted site plan and documentation. The proposed development meets the requirements of the Land Development Code for zoning, density, and layout. The zoning will remain R-1, as it better supports the medium-density residential character of the project.

A minimum of 60 parking spaces are required and have been satisfied through the combined use of garages and driveways. The utility strip between sidewalk and roadway must meet a 4.5-foot width as required by NCDOT standards.

The conservation subdivision requirements will be satisfied by maintaining significant open space to the north of the site, with boundaries and legal protection instruments—HOA agreements, and a perpetual deed restriction to prevent future development, a draft of which must be submitted within 30 days of this conditional approval. A plat revision will be required to accommodate property line adjustments and conservation area delineations. The open space designation must be clearly marked on the site map to be recorded.

Although the developer originally listed 13 bald cypress trees, the project requires 15 trees to meet landscaping code requirements (§154-168). The applicant has agreed to increase the number of trees accordingly.

- **Conditions**
 - *Applicant must supply a draft of the perpetual deed restriction which denies development of the conservation area within 30 days of the receipt of this approval.*
 - *For final plat approval, separate property lines must be noted on the submitted plat.*
 - *Unless otherwise the plantings will interfere with clearance for emergency vehicles, the applicant should increase the number of required trees to 15. If any changes to that number are required, the applicant must send a written notice with justification to the Planning Department.*

Emergency Services and Fire Safety

Fire Marshal Garrett Huffman confirmed that the cart path, at 8 to 10 feet in width, does not meet the required 20-foot width for a secondary fire access road under the fire code. However, due to the site's unique configuration, proposed target population (55+), and turnaround radius design at the northern end of the development, the **TRC** has waived the secondary access requirement, contingent on the following:

- **Conditions**
 - **All turnaround areas must be constructed to accommodate emergency vehicles without obstruction.**
 - **The location of fire hydrants must not impede access or block fire apparatus during emergency responses.**
 - **Any curved curb areas must be designed as valley curbs where needed to accommodate fire truck overrun.**

Solid Waste

The Solid Waste department, through Josh Mitchell, notes that solid waste management practices must align with Chapter 50 of the Alexander County Code. Solid waste disposal must also meet certification requirements from the Department of Public Health.

NCDOT

Ian Ashley of the NCDOT noted that, while the road is still potentially private, the developer is exploring dedication for public use. Regardless, the development must meet the 4.5-foot utility strip requirement and include sidewalk connectivity along the entrance road and through the open space areas. Access through the existing Players Ridge Golf community is adequate for projected traffic volume.

The Technical Review Committee grants a conditional recommendation of this project, contingent upon adherence to all zoning, landscaping, lighting, parking, and screening requirements outlined in this report, **pending final approval by the Alexander County Planning Board.**

Failure to comply with the conditions specified herein may result in the issuance of a zoning violation by the Alexander County Planning Department and could subject the property to stop-work orders, civil penalties, or revocation of zoning compliance certification as outlined in the Land Development Code.

This project has been scheduled to appear before the Alexander County Planning Board on **June 12th, 2025.**



Patrick Creech
Senior Planner

D-24-04 APPENDIX F

DEQ Certificate of Plan Approval

CERTIFICATE OF PLAN APPROVAL



The posting of this certificate certifies that an erosion and sedimentation control plan has been approved for this project by the North Carolina Department of Environmental Quality in accordance with North Carolina General Statute 113A – 57 (4) and 113A – 54 (d) (4) and North Carolina Administrative Code, Title 15A, Chapter 4B.0107 (c). This certificate must be posted at the primary entrance of the job site before construction begins and until establishment of permanent groundcover as required by North Carolina Administrative Code, Title 15A, Chapter 4B.0127 (b).

**Players Ridge Townhomes
North Shore Dr Taylorsville, NC 28681**

4/8/2025

Date of Plan Approval



ALEXA-2025-0106

Project Identifier

Certificate of Coverage Number: _____

D-24-04 APPENDIX G

DEQ Notice of Violation

JOSH STEIN
Governor
D. REID WILSON
Secretary
RICHARD E. ROGERS, JR.
Director



June 2, 2025

Transmitted Via Email Only: brandon@playersridge.golf

Brandon Scott Lee
565 19th Avenue Drive Northwest
Hickory, North Carolina 28601

Subject: **NOTICE OF VIOLATION**
NOV-2025-PC-0147
DEMLR Project Number: ALEXA-202-0106
Players Ridge Townhomes
Alexander County

Dear Brandon Scott Lee:

On May 21, 2025, Jesse McDonnell of the Division of Water Resources and Keshie Cross of the Division of Energy, Mineral and Land Resources (DEMLR) Mooresville Regional Office conducted a site inspection in response to a DEMLR erosion control investigation regarding potential impacts to jurisdictional waters.

During the site inspection, Division of Water Resources staff observed that the off-site sediment from the Players Ridge Townhomes has impacted jurisdictional waters. **The deposition of sediment in jurisdictional waters is a violation of water quality standards.**

Accordingly, the following observations and violations were noted during the Division of Water Resources inspection and subsequent file review:

1. The sedimentation impact within jurisdictional waters are violations of **Water Quality Standard for Class C waters, Title 15A NCAC 02B .0211 (12)**, which includes "Oils; deleterious substances; colored or other wastes (sediment): only such amounts as shall not render the waters injurious to public health, secondary recreation or to aquatic life and wildlife or adversely affect the palatability of fish, aesthetic quality or impair the waters for any designated uses;"

Required Response

Accordingly, you are directed to respond to this letter in writing **within 30 calendar days** of receipt of this Notice. You are encouraged to secure a consultant to assist you with your plan development, permit, certification and authorization necessary to achieve compliance. Your response should be sent to this office at the letterhead address and include the following:



North Carolina Department of Environmental Quality | Division of Water Resources
Mooresville Regional Office | 610 East Center Avenue, Suite 301 | Mooresville, North Carolina 28115
704.235.2100

1. Immediately cease all activities directly and indirectly impacting the unnamed tributary as well as any other adjacent areas surrounding the water course.
2. Install all erosion and sediment control measures according to the approved erosion and sediment control plan taking note of the items below:
 - a. In addition, a diversion channel needs to be installed to the south of the stream at the top of the ridge. The proposed diversion channel north of the stream should not be installed as this is cutting through the stream channel.
 - b. The site needs to be stabilized adjacent to the stream and additional measures need to be installed to prevent sedimentation damage to the stream.
3. Please explain how and why these impacts occurred.
4. Please provide documentation (including a detailed site map/survey) depicting all jurisdictional water features (e.g. streams, wetlands, buffers) on the site. This documentation should describe and quantify the impacts to those features.
5. Please submit the following documents for review and approval:
 - a. Stream Restoration Plan – Explain how you plan to restore the pattern, profile and dimension of the impacted stream channels including the removal of pipes, earthen fill and riprap. The streambed must be restored to the original profile, the stream banks must be stabilized, and any fill material must be removed from the riparian zone. Replanting of the riparian zone will be required.
 - b. Sedimentation Removal Plan – Sediment impacts to the streams onsite and downstream of the site must be removed. As a part of this plan, you should provide the amount (depth) of material that has been deposited in the floodplain, stream and any wetlands. This information should be shown on a map you provide. It is recommended that you use hand labor (buckets, shovels and wheelbarrows) to remove deposited sediment from the stream channel. The sediment should be removed from the channel, taken to high ground away from the stream channel and stabilized. Also, the plan must address the measures that will be used for temporary stabilization/sediment control while this work is under way and any measures to avoid further impacts on the site.
 - c. Permit Application – If you are requesting some of the impacts to remain in place, you must contact the U.S. Army Corps of Engineers (USACE) for information on the type(s) of permit required. If the impacts are to be permitted by the USACE, then an application for a 401 Water Quality Certification is required by the Division of Water Resources. **Please note that sediment impacts to streams and wetlands are not permittable.**
 - d. Please include in your response a detailed schedule with dates explaining when the restoration will be accomplished; and, if you plan to seek a permit, when an application will be submitted.
6. It is required that you contact the Division of Energy, Mineral, and Land Resources and the U.S. Army Corps of Engineers to ensure that your restoration efforts are in compliance with the Sedimentation Pollution Control Act and Section 404 of the Clean Water Act. You must also comply with any Local Government requirements and regulations regarding the activity on the subject site.

Thank you for your attention to this matter. DWR requires that the violations, as detailed above, be abated immediately and properly resolved. **This office requires that the violations, as detailed above, be abated and properly resolved.**

Pursuant to G.S. 143-215.6A, the above-mentioned violations and any future violations are subject to a civil penalty assessment of up to a maximum of \$25,000.00 per day for each violation. Your above-mentioned response to this correspondence will be considered in any further process that may occur.

This Office appreciates your attention to this matter and efforts to resolve the above noted concerns. Should you have any questions regarding these matters, please contact Jesse McDonnell at 704-235-2200 or jesse.mcdonnell@deq.nc.gov.

Sincerely,

DocuSigned by:
Andrew H Pitner
F161FB69A2D84A3...

Andrew H. Pitner, P.G. Regional Supervisor
Water Quality Regional Operations Section
Mooresville Regional Office, DEQ

Enclosures: Stream Determination Report w/photos

cc: MRO File Copy
Jennie Emmons – DWR 401 & Buffer Permitting Branch jennie.emmons@deq.nc.gov
Division of Energy, Mineral and Land Resources (MRO)
US Army Corps of Engineers, joseph.b.winston@usace.army.mil
Alexander County Planning Department, abucknum@alexandercountync.gov
William Clayton, Clayton Engineering, wclayton@clayton-engineering.net

JOSH STEIN
Governor
D. REID WILSON
Secretary
RICHARD E. ROGERS, JR.
Director



Photographs from May 21, 2025, Reach 1.



North Carolina Department of Environmental Quality | Division of Water Resources
Mooresville Regional Office | 610 East Center Avenue, Suite 301 | Mooresville, North Carolina 28115
704.663.1699

Photographs from May 21, 2025, Reach 2.



North Carolina Department of Environmental Quality | Division of Water Resources
Mooreville Regional Office | 610 East Center Avenue, Suite 301 | Mooreville, North Carolina 28115
704.663.1699

D-25-02 APPENDIX H

Applicant Response



William S. Clayton
PO Box 2351
Hickory, NC 2860
wclayton@clayton-engineering.net

Date: June 6, 2025

To:
Andrew H. Pitner, P.G., Regional Supervisor
Water Quality Regional Operations Section
Mooresville Regional Office, DEQ

Subject: Response to Notice of Violation – NOV-2025-PC-0147
DEMLR Project Number: ALEXA-202-0106
Players Ridge Townhomes, Alexander County

Dear Mr. Pitner,

In response to the Notice of Violation (NOV-2025-PC-0147) dated June 2, 2025, concerning impacts to jurisdictional waters at the Players Ridge Townhomes development site, please find the following documentation and corrective actions, as required:

1. Immediate Action Taken

All construction activities impacting the unnamed tributary and adjacent buffer zones have ceased as of June 2nd, 2025. In fact, equipment has not been present onsite since April 2025.

2. Erosion and Sediment Control Measures

We have reviewed the approved E&SC plan and taken the following corrective actions:

- Diversion Channel (South of Stream): Installation has begun per guidance.
- North Diversion Channel: Installation was halted as it encroached on the streambed.
- Stabilization Measures: Silt fencing, riprap, temporary ground cover, and other BMPs will be installed adjacent to the stream.

3. Explanation of Cause

The sediment impacts resulted from heavy rains through April and May. Site visits have been made and improvements are being installed.

4. Jurisdictional Feature Documentation

Please find attached:

- A site map and topographic survey identifying possible stream impacts will be developed to assure there are no further impacts.

5. Plans Submitted for Review

a. Stream Restoration Plan

We propose full removal of fill and materials from the impacted stream, followed by regrading to the original profile, bank stabilization with coir logs and native plantings.

b. Permit Application

We are in consultation with the U.S. Army Corps of Engineers and will work with them if any further permitting is necessary.

d. Implementation Schedule

Implementation Schedule:

Task	Estimated Completion Date
Finalize restoration plans	June 16 th , 2025
Begin sediment removal	June 17 th , 2025
Complete stream restoration	June 20 th , 2025
Submit 401 Application (if needed)	TBD

6. Regulatory Coordination

We have contacted:

- NC DEMLR and are working with [insert contact, if known]
- USACE (Joseph B. Winston)
- Alexander County Planning Department

We will ensure full compliance with SPCA, Section 404 of the CWA, and any applicable local requirements.

Thanks,

If you have any questions or need additional information, please feel free to call me at (828) 455-3456 or email wclayton@clayton-engineering.net.

Sincerely,

Clayton Engineering & Design, PLLC

William S. Clayton

William S. Clayton, PE