



## 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: George Wood, county manager

From: Randy Hawkins, zoning administrator

Date: January 19, 2010

Re: CZ #2010-1  
Piedmont Companies Inc., applicant  
Parcel ID# 13382 and 81550 (portion)

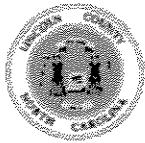
*The following information is for use by the Lincoln County Board of Commissioners and the Planning Board at their joint meeting/public hearing on February 1, 2010.*

### Request

The applicant is requesting the rezoning of 1.5 acres from R-S (Residential Suburban) to CZ B-G (Conditional Zoning General Business) to permit a 9,100-square-foot Dollar General store. If this request is approved, the development of this property would be governed by the B-G district's regulations, the Unified Development Ordinance's general development standards, the approved site plan and building elevations, and any conditions mutually approved by the county and the applicant.

### Site Area & Description

The property is located at 4498 W. Hwy. 27 on the northwest corner of Hwy. 27 and Cat Square Road in Howards Creek Township. It is adjoined by property zoned R-S and B-N (Neighborhood Business). Land uses in the area include residential, agricultural, commercial and institutional (schools). County water is available at this location. This property is part of an area designated by the Lincoln County Land Use Plan as community business, suitable for retail/commercial uses of this scale.



## **Watershed Conditional Use Permit**

### **Application**

Lincoln County Planning and Inspections Department  
Zoning Administrator  
302 N. Academy St., Suite A, Lincolnton, NC 28092

#### **PART I**

Applicant Name Piedmont Companies Inc.

Applicant Address 2671 E. Main St. Lincolnton, N.C. 28092

Applicant Phone Number 704-736-4330

Property Owner Name Piedmont Companies Inc. / Sheila Gilbert Rudisill

802 N. Flint St. Lincolnton, N.C. 28092

Property Owner Address 2671 E. Main St. Lincolnton, N.C. 28092

Property Owner Phone Number 704-736-4330

#### **PART II**

Property Location 4498 W. N.C. 27 Hwy / Cat Square Rd  
2684-81-7225 1 acre approx.

Property ID (10 digits) 2684-80-8968 Property size 1.23 acres

81550 (portion) 1523 292

Parcel # (5 digits) 13392 Deed Book(s) 1721 Page(s) 857

#### **PART III**

Watershed District WS-IIP

Briefly describe how the property is being used and any existing structures.

Block building - church mostly

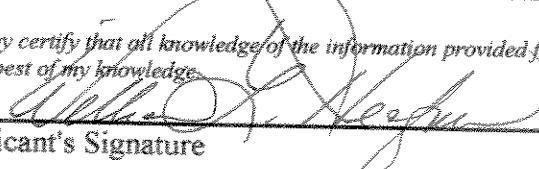
1968 Singlewide - not at any use

Briefly describe the proposed project and the why it would require a Watershed Conditional Use Permit.

Retail store (Dollar General).

**\$1,000.00 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 

12-16-09

Date

## 10/70 Option

Under 10/70 option, 10 percent of the acreage in a watershed district (outside of the critical area) may be developed with new projects having a built-upon area of up to 70 percent. Approval is on a project-by-project basis, subject to the issuance of a conditional use permit by the Board of Commissioners. One of the findings of fact that must be made in approving a permit for a special nonresidential intensity allocation is that the project will substantively increase the county's tax base or otherwise significantly promote or expand economic development and/or job opportunities.

A total of 10.35 acres has previously been allocated under this option in the Indian Creek Watershed. If this request is approved, 2,361.5 acres will remain available for allocation.  
 **$23,731.5 \text{ acres in watershed district outside of the critical area} \times 10 \text{ percent} = 2,373.15 \text{ acres} - (10.35 + 1.3) \text{ acres previously allocated} = 2,361.5 \text{ remaining acres.}$**

### CONDITIONAL USE PERMIT FINDINGS FOR 10/70 OPTION

Section 9.11.8 of the Unified Development Ordinance requires that four findings be determined by the Board of Commissioners in deciding whether to approve a conditional use permit:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan, and
2. The use meets all required conditions and specifications, and
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity, and
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 located and will be in general conformity with the approved Land Development Plan for the area in question.
5. The proposed development will substantially increase the ad valorem tax base of the county or otherwise significantly promote or expand economic development and/or job opportunities available to Lincoln County residents.

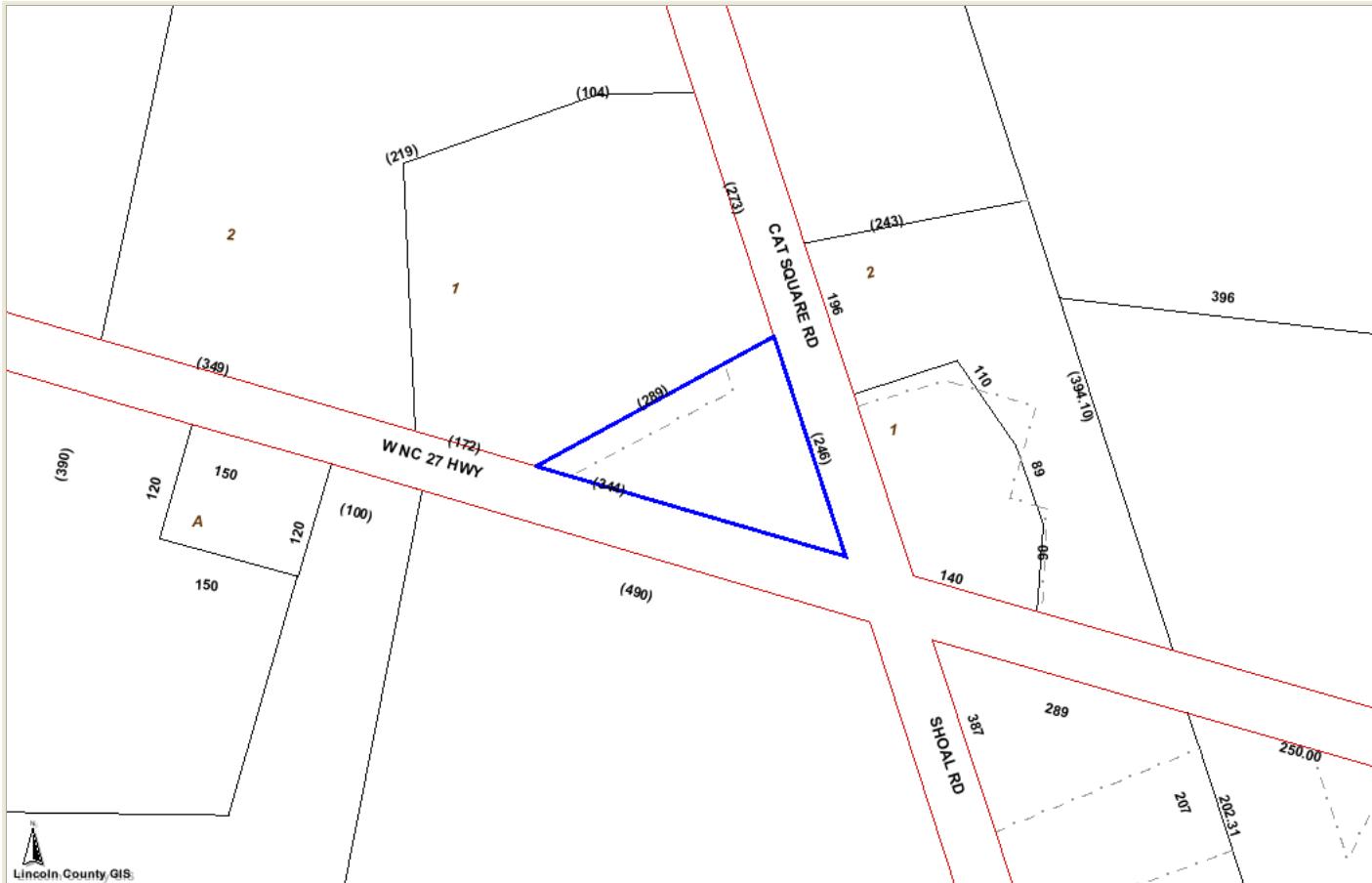
### STAFF'S RECOMMENDATION AND COMMENTS

Staff recommends approval with the following condition: A stormwater management system shall be designed such that the post-development discharge rates from the development shall not exceed pre-development discharge rates for two-year, ten-year and 25-year frequency, 24-hour storm events.



## 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: 12/31/2009 Scale: 1 Inch = 200 Feet**



Lincoln County, GIS

### PHOTOS



### PARCEL INFORMATION FOR 2684-80-8968

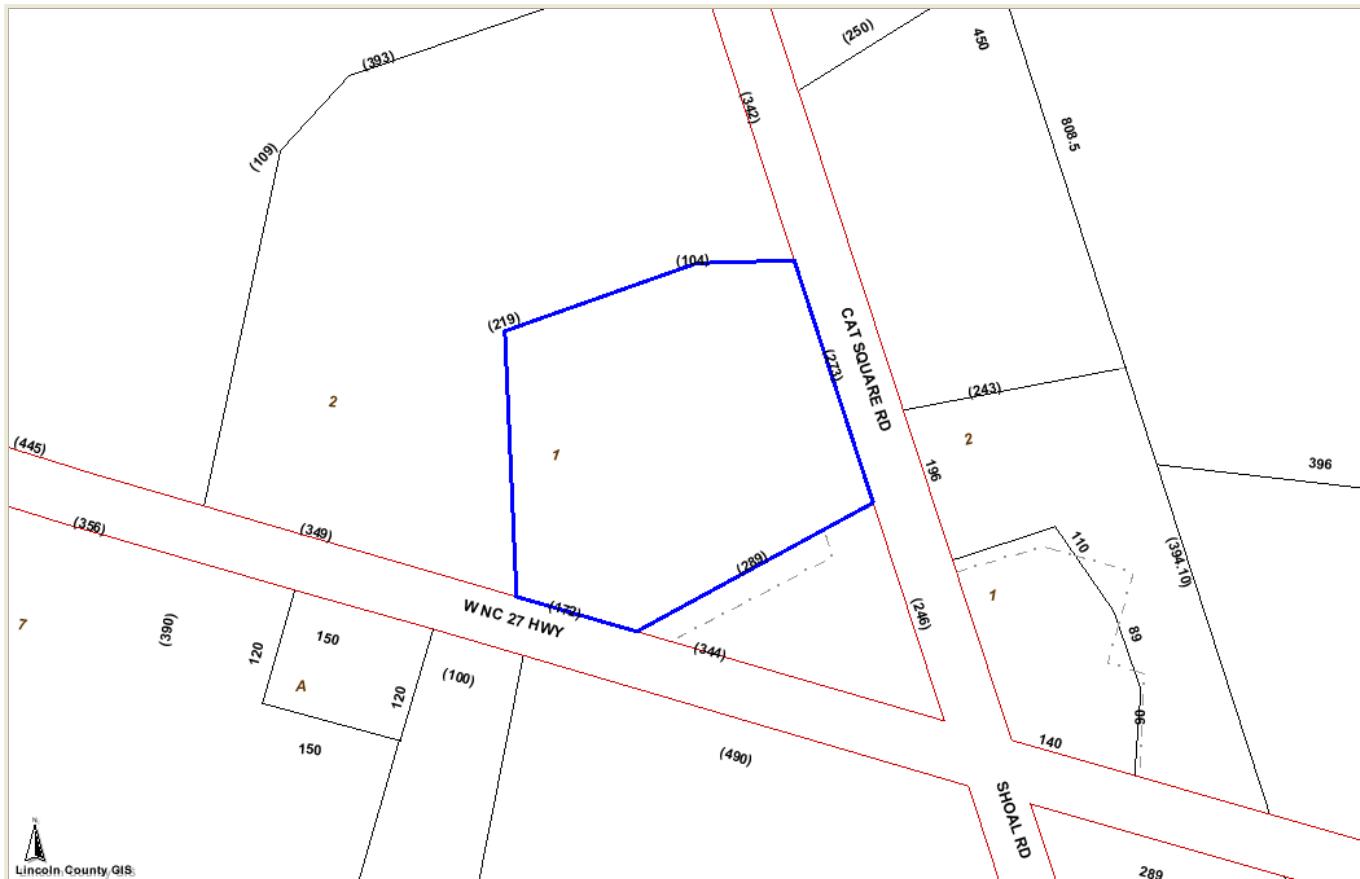
<b>Parcel ID</b>	<b>13392</b>	<b>Owner</b>	PIEDMONT COMPANIES INC
<b>Map</b>	<b>2684-00</b>	<b>Mailing</b>	PO BOX 1732
<b>Account</b>	<b>0136745</b>	<b>Address</b>	LINCOLNTON NC 28093-1732
<b>Deed</b>	<b>1721-854</b>	<b>Recorded</b>	7/25/2005
<b>Land Value</b>	<b>\$17,119</b>	<b>Total Value</b>	<b>\$50,215</b>
<b>----- All values are for tax year 2009. -----</b>			
<b>Description</b>	E GILBERT/RD 1002&27		
<b>Address</b>	4498 W NC 27 HWY		
<b>Township</b>	HOWARDS CREEK		
<b>Tax/Fire District</b>			
<b>Main Improvement</b>	CONVENTIONAL		
<b>Main Sq Feet</b>	<b>864</b>	<b>Stories</b>	<b>1</b>
		<b>Year Built</b>	<b>1964</b>
<b>Value</b>	<b>\$30,996</b>		
<b>Parcel ID</b>	<b>M3905</b>	<b>Owner</b>	PIEDMONT COMPANIES INC
<b>Map</b>	<b>2684-00</b>	<b>Mailing</b>	PO BOX 1732
<b>Account</b>	<b>0136745</b>	<b>Address</b>	LINCOLNTON NC 28093-1732
<b>Deed</b>	<b>1721-854</b>	<b>Recorded</b>	7/25/2005
<b>Land Value</b>	<b>\$0</b>	<b>Total Value</b>	<b>\$2,541</b>
<b>----- All values are for tax year 2009. -----</b>			
<b>Description</b>	1968 12 X 40		
<b>Address</b>	125 CAT SQUARE RD		
<b>Township</b>	HOWARDS CREEK		
<b>Tax/Fire District</b>			
<b>Main Improvement</b>	MANUFACTURED HOME		
<b>Main Sq Feet</b>	<b>480</b>	<b>Stories</b>	<b>1</b>
		<b>Year Built</b>	<b>1968</b>
<b>Value</b>	<b>\$2,541</b>		
<b>Total Value</b>	<b>\$2,541</b>		
<b>Zoning District</b>	<b>Calculated Acres</b>	<b>Voting Precinct</b>	<b>Calculated Acres</b>
R-S	0.8	DANIELS-VALE (DV08)	0.32
<b>Watershed Class</b>		HEAVNERS (HV07)	0.48
Not in a watershed	0.22	<b>Sewer District</b>	
WS-IIP	0.58	Not in the sewer district	0.8
<b>2000 Census County</b>		<b>Tract</b>	<b>Block</b>
37109		070600	1035
<b>Flood</b>	<b>Zone Description</b>		
X	NO FLOOD HAZARD		
		<b>Panel</b>	
		2684	0.8



## **Lincoln County, NC**

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**Date: 12/31/2009      Scale: 1 Inch = 200 Feet**



## PHOTOS

**PARCEL INFORMATION FOR 2684-81-7225**

<b>Parcel ID</b>	<b>81550</b>	<b>Owner</b>	RUDISILL SHEILA GILBERT
<b>Map</b>	<b>2684-00</b>	<b>Mailing</b>	802 N FLINT ST
<b>Account</b>	29084	<b>Address</b>	LINCOLNTON NC 28092-0000
<b>Deed</b>	1573-292	<b>Recorded</b>	3/26/2004
<b>Land Value</b>	\$30,606	<b>Total Value</b>	\$30,606
<b>----- All values are for tax year 2009. -----</b>			
<b>Subdivision</b>	Lot 1 RICHARD E GILBERT ET AL FAMILY		
<b>Description</b>	#1 GILBERT FAMILY SUB		
<b>Address</b>	CAT SQUARE RD		
<b>Township</b>	HOWARDS CREEK		
<b>Main Improvement</b>	<b>MH SPACE</b>		
<b>Main Sq Feet</b>	1	<b>Stories</b>	0
		<b>Year Built</b>	1994
			<b>Value</b> Not Determined
<b>Parcel ID</b>	<b>M6452</b>	<b>Owner</b>	RUDISILL SHEILA GILBERT
<b>Map</b>	<b>2684-00</b>	<b>Mailing</b>	802 N FLINT ST
<b>Account</b>	29084	<b>Address</b>	LINCOLNTON NC 28092-0000
<b>Deed</b>	1573-292	<b>Recorded</b>	3/26/2004
<b>Value</b>	Property Values Not Yet Determined		
<b>----- All values are for tax year 2009. -----</b>			
<b>Subdivision</b>	Lot 1 RICHARD E GILBERT ET AL FAMILY		
<b>Description</b>	1992 14 X 76		
<b>Address</b>	161 CAT SQUARE RD		
<b>Township</b>	HOWARDS CREEK		
<b>Main Improvement</b>	<b>MANUFACTURED HOME</b>		
<b>Main Sq Feet</b>	1064	<b>Stories</b>	1
		<b>Year Built</b>	1992
			<b>Value</b> Not Determined
			<b>Total Value</b> \$0
<b>Zoning</b>	<b>Calculated</b>		
<b>District</b>	<b>Acres</b>		
R-S	2.66		
<b>Watershed Class</b>	<b>Sewer District</b>		
Not in a watershed	Not in the sewer district		
WS-IIP	1.94		
<b>2000 Census County</b>	<b>Tract</b>		
37109	070600		
<b>Flood</b>	<b>Block</b>		
X	1035		
	<b>Panel</b>		
	2684		
	<b>Zone Description</b>		
X	NO FLOOD HAZARD		



**COUNTY OF LINCOLN, NORTH CAROLINA**  
302 NORTH ACADEMY STREET, SUITE A, LINCOLNTON, NORTH CAROLINA 28092

PLANNING AND INSPECTIONS DEPARTMENT  
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## **Zoning Amendment**

### **Statement of Consistency and Reasonableness** Adopted by the Lincoln County Planning Board on \_\_\_\_\_

Case No. **CZ #2010-1**

Applicant **Piedmont Companies Inc.**

Parcel ID# **13392 and a portion of 81550**

Location **northwest corner of Hwy. 27 and Cat Square Road**

Proposed amendment **Rezone from R-S to CZ B-G to permit a 9,100-square-foot retail store**

This proposed amendment is

- consistent
- inconsistent

with the Lincoln County Comprehensive Land Use Plan and other adopted plans in that:

This proposed amendment is

- reasonable and in the public interest
- not reasonable and not in the public interest

in that:

**WATERSHED ORDINANCE 10/70 OPTION**  
**LINCOLN COUNTY PLANNING BOARD'S**  
**RECOMMENDATIONS ON FINDINGS OF FACT**  
**FOR A CONDITIONAL USE PERMIT**

Application #	<b>WSCUP #12</b>	Date	<b>February 1, 2010</b>
Applicant Name	<b>Piedmont Companies Inc.</b>		
Applicant Address	<b>2671 E. Main St., Lincolnton, NC 28092</b>		
Property Location	<b>Hwy. 27 and Cat Square Road</b>	Watershed District	<b>Indian Creek WS-II</b>
Acreage	<b>1.3</b>	Proposed Use	<b>retail store</b>

**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: \_\_\_\_\_
5. The proposed development will substantively increase the ad valorem tax base of Lincoln County or otherwise significantly promote or expand economic development and/or job opportunities available to Lincoln County residents.  
YES \_\_\_\_\_      NO \_\_\_\_\_  
FACTUAL REASON CITED: \_\_\_\_\_

After having held a Public Hearing on **February 1, 2010** and in light of the Findings of Facts listed herein, the following action was taken by the Lincoln County Planning Board:

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

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