



LINCOLN COUNTY PLANNING & INSPECTIONS DEPARTMENT

115 W. MAIN ST., LINCOLNTON, NORTH CAROLINA 28092
704-736-8440 OFFICE 704-736-8434 INSPECTION REQUEST LINE

To: Board of Commissioners

From: Randy Hawkins, Zoning Administrator

Date: May 14, 2021

Re: WSSUP #26
Teramore Development, LLC, applicant
Parcel ID# 01103

The following information is for use by the Lincoln County Board of Commissioners at their meeting/public hearing on June 7, 2021.

REQUEST

The applicant is requesting a special use permit to exceed 12% impervious surface area in the Indian Creek WS-II Protected Area as a special nonresidential intensity allocation under the 10/70 option. The applicant is proposing to develop a 1.9-acre site for a retail store with 44% impervious surface area.

Under the 10/70 option, 10 percent of the acreage in a watershed district may be developed with new nonresidential projects having up to 70% impervious surface area. Approval is on a project-by-project basis, subject to the issuance of a special 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 substantially increase the county's tax base or otherwise significantly promote or expand economic development and/or job opportunities, or serve a community purpose such as a place of worship, school, or other community facility.

The Indian Creek watershed covers 23,732 acres. To date, a total of 11.4 acres has been allocated under the 10/70 option. If this request is approved, 2,359.9 acres would be available for future allocation.

SITE AREA AND DESCRIPTION

The subject property is located on the southeast corner of the intersection N.C. 27 and Hallman Mill Road in North Brook Township. It is adjoined by property zoned B-N, R-S and R-R. Land uses in this area include business and residential. This property is part of an area designated by the Lincoln County Land Use Plan as Rural Crossroads, suitable for small-scale businesses that serve some of the daily needs of the surrounding population.



BOARD OF COMMISSIONERS
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AMY S. ATKINS

Application No. **WSSUP #26**

Applicant **Teramore Development, LLC**

Property Location **N.C. 27 at Hallman Mill Road**

Parcel # **00103**

Proposed Special Use

**special nonresidential intensity allocation under 10/70 option in
Indian Creek WS-II Protected Area for retail store**

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 REASONS CITED: _____

2. The use meets all required conditions and specifications. YES _____ NO _____

FACTUAL REASONS 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 REASONS 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 REASONS CITED: _____

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, or serve a community purpose such as a place of worship, school, or other community facility. YES _____ NO _____

FACTUAL REASONS 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 Board of Commissioners:



o. 704.736.8473
f. 704.736.8820



lincolncounty.org



P.O. Box 738 | LINCOLNTON NC 28093
353 N. GENERALS BLVD | LINCOLNTON NC 28092



Watershed Conditional Use Permit Application

Lincoln County Planning and Inspections Department
Zoning Administrator
115 W. Main St., Lincolnton, NC 28092

PART I

Applicant Name Teramore Development LLC

Applicant Address 214 Klumac Rd. Suite 101 Salisbury, NC

Applicant Phone Number 704 224 7314

Property Owner Name K & T Group LLC

Property Owner Address 2833 Nellie Beaver Rd Mt. Pleasant, NC

Property Owner Phone Number 828.310.7773

PART II

Property Location W NC Hwy 27 & Hallman Mill Rd Vale, NC

Property ID (10 digits) - Property size 2.342 Acres

Parcel # (5 digits) 00103 Deed Book(s) 2992 Page(s) 902
2945 2719 204 196

PART III

Watershed District WS-IV

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

Partially Vacant with existing building that previously served as office space for painting contractor.

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

We are proposing a new Dollar General that will increase impervious area that will be outside of the current watershed limitation.

\$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.

4/6/21

Applicant's Signature

Date

APPLICATION NO.

WSSUP #26

APPLICANT:

TERAMORE DEVELOPMENT, LLC (hereinafter, referred to as the "*Applicant*")

PROPERTY LOCATION:

6739 W. NC 27 Hwy, Vale, Lincoln County, NC—southeast corner of the intersection of N.C. 27 at Hallman Mill Road (approx. 1.9 acres)
(hereinafter, referred to as the "*Property*")

PARCEL #

00103

PROPOSED SPECIAL USE:

special nonresidential intensity allocation under 10/70 option in Indian Creek WS-II Protected Area for retail store (Dollar General Store)
(hereinafter, referred to as the "*Proposed Development*")

The Property is located in Watershed District WS-II. The Proposed Development, as presently designed, exceeds the impervious area permitted under WS-II watershed pursuant to the Lincoln County Unified Development Ordinance. The approval of the requested increase in impervious surface pursuant to this Special Use Permit Application is necessary for the Proposed Development.

APPLICANT'S PROPOSED 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 **X** NO _____

FACTUAL REASONS CITED: **The Proposed Development, if developed as proposed, will not materially endanger public health and safety. The increase in impervious surface area beyond the current watershed limitation prescribed by the Lincoln County Development Ordinance will not have any significant impact on public health, and Applicant will adhere to all other applicable development regulations and conditions, including, without limitation, those governing natural resource protection and other environmental factors. Applicant will meet all requirements of the North Carolina Department of Environmental Quality as may be applicable to the Proposed Development. The Property's location at the intersection of Hallman Mill Road and NC Hwy 27 makes it more appropriate for commercial use than residential or agricultural use, and the impervious surface ratio requested by Applicant is likely necessary for most modern types of commercial development. No traffic impact study was required for the Proposed Development under the Ordinance, which demonstrates that the Proposed Development is a low traffic count generator, and will thus not significantly impact public health and safety from a traffic perspective either. Applicant will work with NCDOT throughout the driveway permit stage of the development process to ensure the safety of the Proposed Development.**

2. The use meets all required conditions and specifications. YES X NO _____

FACTUAL REASONS CITED: The Proposed Development, if developed as proposed, will meet all applicable required conditions and specifications under the Lincoln County Unified Development Ordinance, the Lincoln County Land Use Plan, and all other applicable regulations. Allowing an increase in the impervious area of the Proposed Development that exceeds the current watershed limitation under the Ordinance is the least restrictive manner to allow the Proposed Development under the requested zoning district of Conditional Zoning General Business District (CZ-GB) [per Applicant's Rezoning Application CZ #2021-4]. Applicant has worked with Lincoln County Planning Staff throughout the application and site plan review process, including the pre-application stage, to ensure that all requirements are met. Staff recommends approval of the Applicant's Requested Rezoning. The approval of the requested increase in impervious surface pursuant to this Special Use Permit Application is necessary for the Proposed Development.

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

FACTUAL REASONS CITED: The Proposed Development will not substantially injure the value of adjoining or abutting properties, as the Proposed Development will include adequate setbacks, buffering, and other design elements that will help to seamlessly blend the Proposed Development into the surrounding area. The Proposed Development is also located upon an existing commercial corridor, with other commercial uses in the immediate area, suggesting that the Proposed Development will not substantially injure the value of adjoining or abutting properties. The Proposed Development will be an asset to the local community by providing essential goods and convenient grocery products at reasonable prices to the surrounding area.

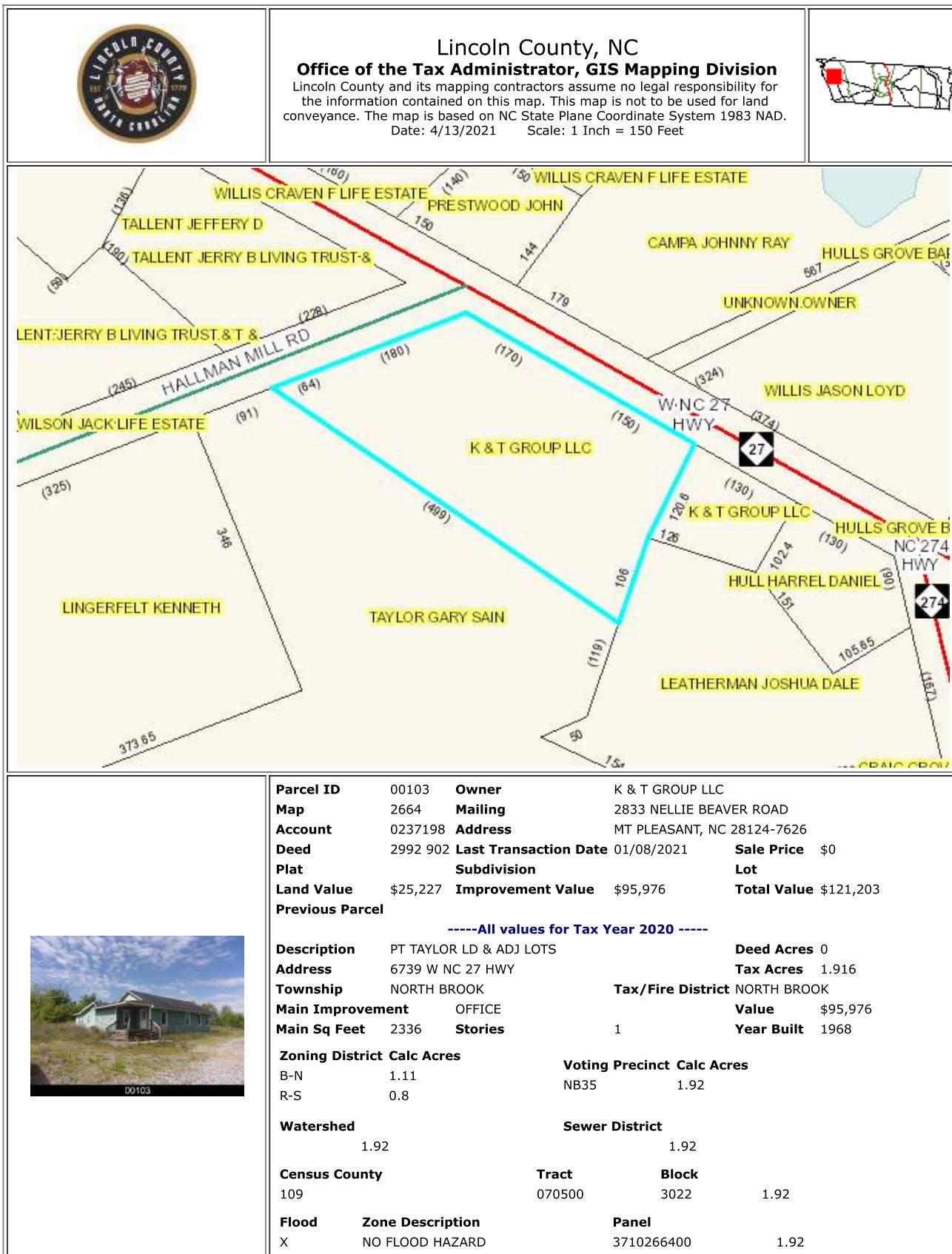
4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question. YES X NO _____

FACTUAL REASONS CITED: The Proposed Development, if developed according to the plan as submitted and approved, will be in harmony with the area in which the Property is located because there are other commercial uses in the immediate area, including, without limitation, Country Foods grocery and Mitchem's Kitchen Restaurant. Additionally, the Property has historically been used for commercial uses, including the most recent use of a commercial painting contractor's office/store. Furthermore, the Proposed Development conforms with the Land Use Plan's designation of the area as "rural crossroads," which is defined as: "representing the small nodes of commercial activity along rural highways. Small-scale businesses, such as gas stations, convenience stores, or restaurants, serve some daily needs of the surrounding rural population." Accordingly, the Proposed Development is an ideal example of the development targeted for rural crossroads areas, including the one in which the Property is located.

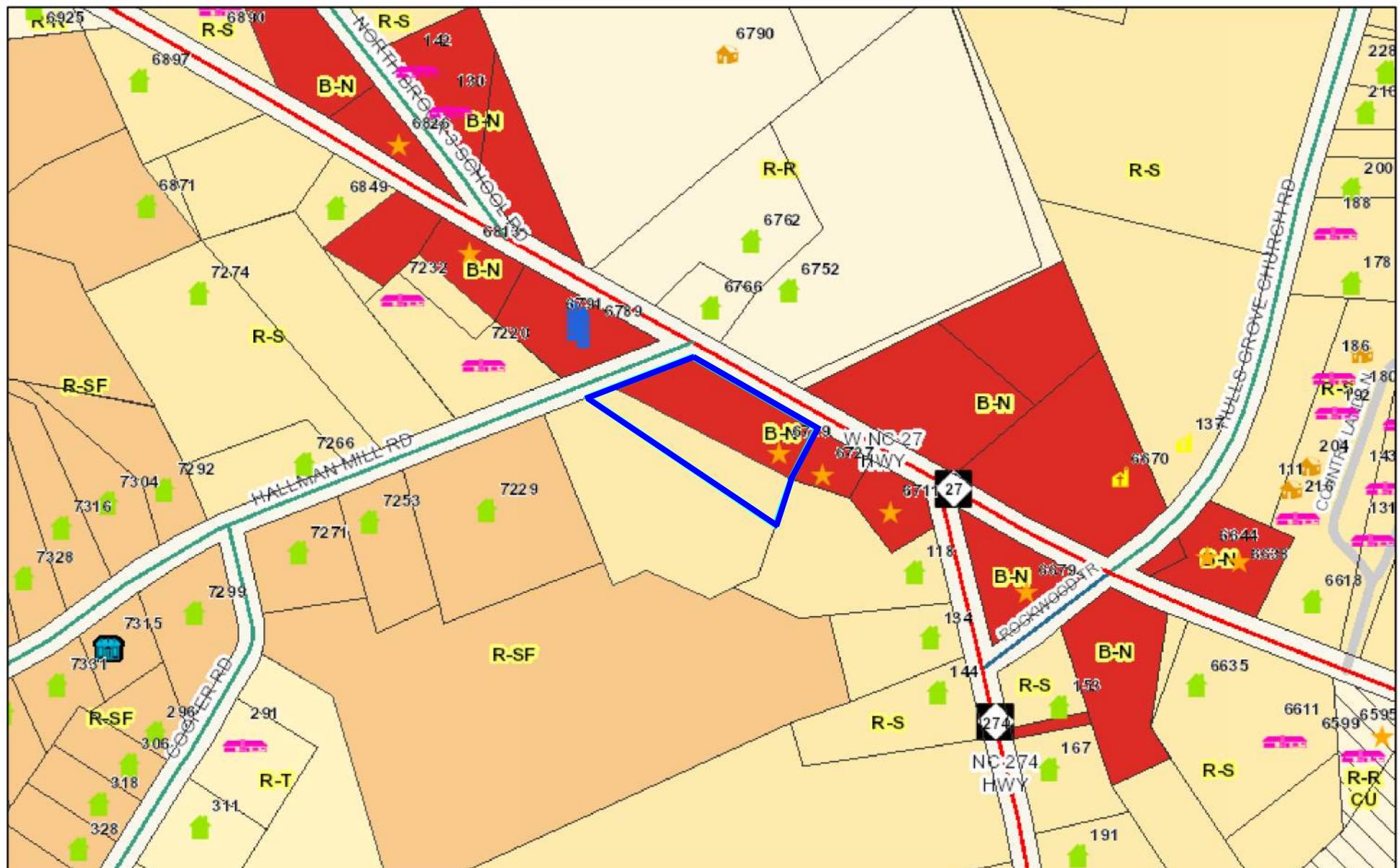
5. The proposed development will substantially increase the ad valorem tax base of the County or otherwise significantly promote or expand economic development and/or job opportunities available to Lincoln County residents, or to serve a community purpose such as a place of worship, school, or other community facility. YES X NO _____

FACTUAL REASONS CITED: The proposed development, a Dollar General Store (DG Fresh Prototype), will expand economic development and job opportunities in the County because it will have an estimated tax value of approximately \$1.3 million, and an annual sales value of approximately \$1.2 million; moreover, the proposed development will also provide employment opportunities in the form of 7 to 9 full and part time jobs, as well as additional jobs for local contractors and subcontractors related to servicing to the store and the merchandise. Further, the proposed development will also promote economic development by providing convenient and

affordable essential goods, including fresh groceries, to the nearby residences and local businesses alike, which will help to further the objectives of the Property and surrounding area as a “rural crossroads” designation under the Lincoln County Land Use Plan.



WSSUP #26
subject property is outlined in blue

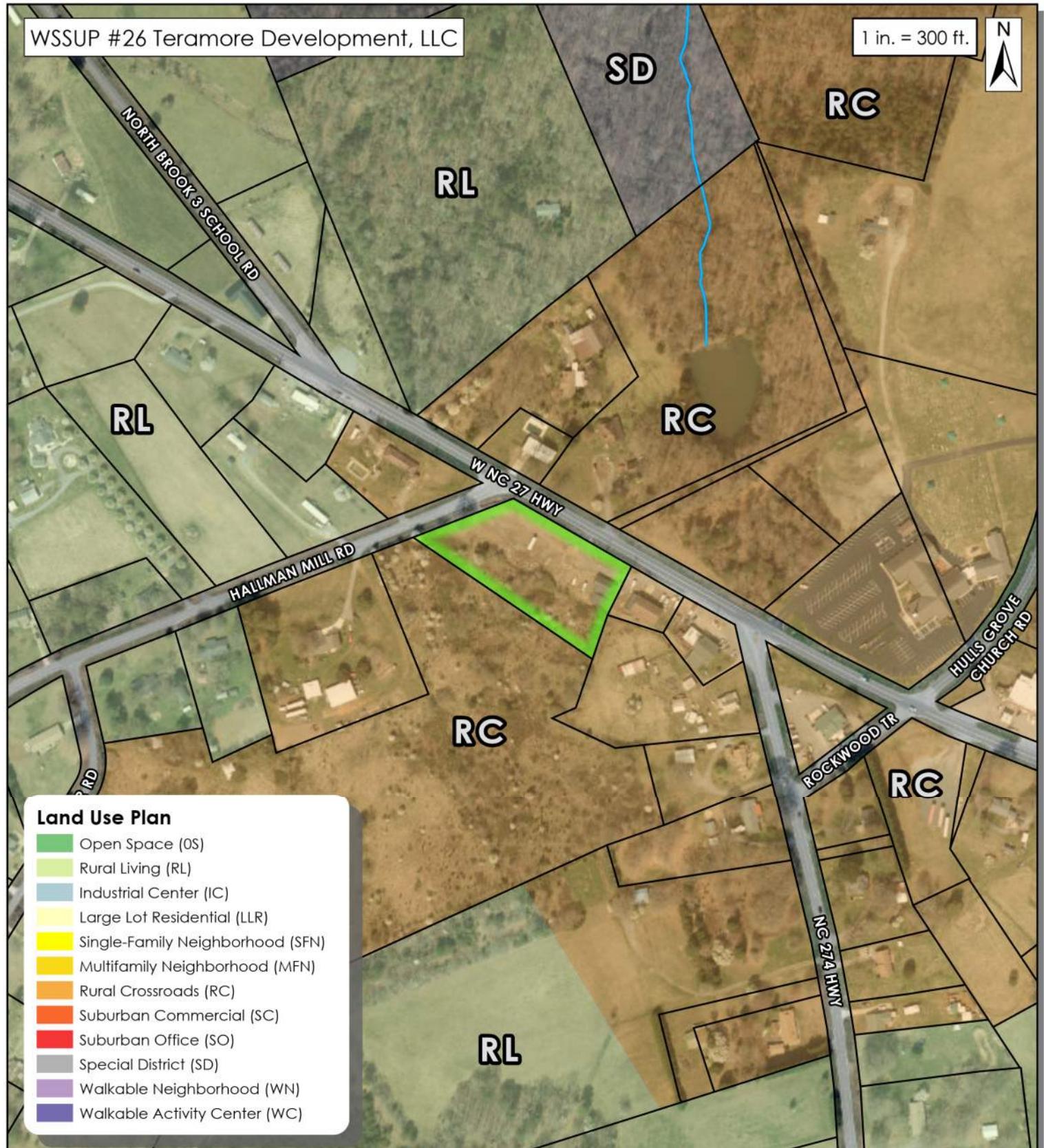


April 13, 2021

1:3,600

0 0.03 0.06 0.1 0.12 mi
0 0.05 0.1 0.2 km

Esri, Inc., Lincoln County, NC



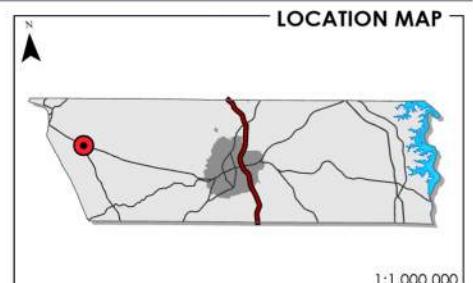
Lincoln County
Planning & Inspections
115 W. Main St
3rd Floor
Lincolnton, NC 28092

Parcel ID# 00103

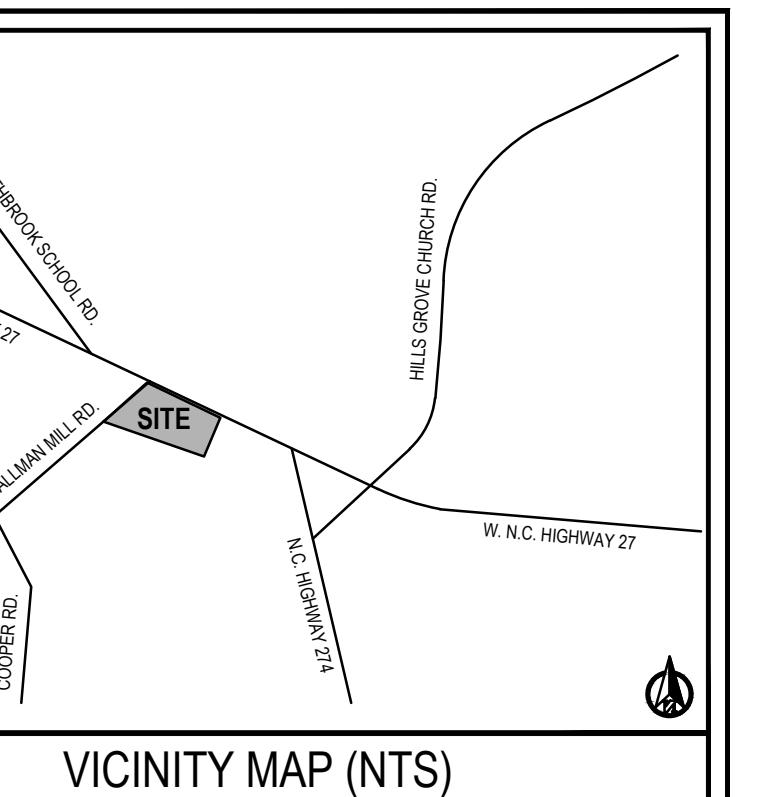
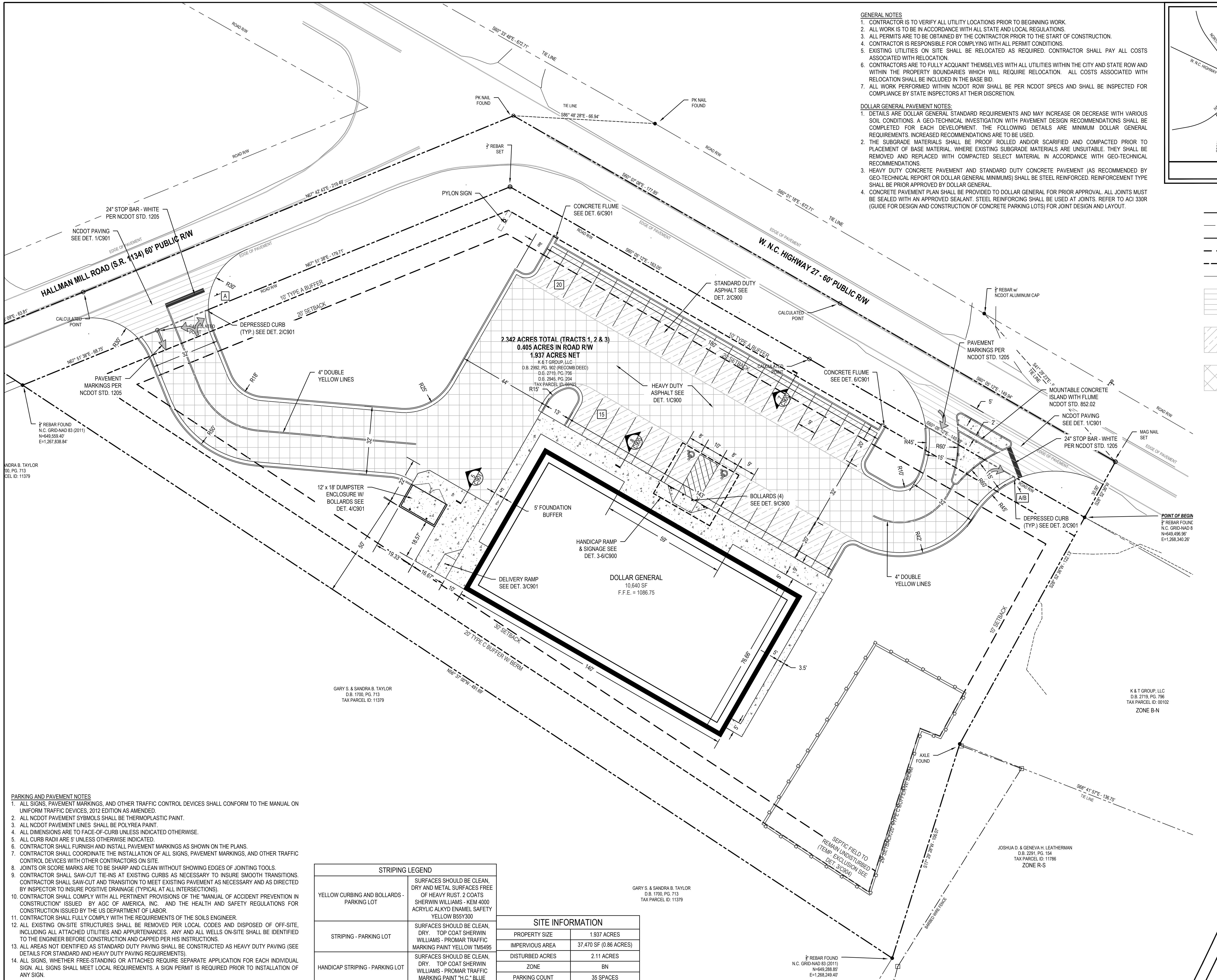
- Property Location(s)

See Attached Application for Parcel Information

Property Location(s) Outlined in Green.



Property Location(s)



DOLLAR GENERAL®

VALLE, NC

STORE #23276

SHEET SIZE: 24" x 36"
DATE: 04/15/2021
PROJECT NUMBER: 3160812021
DRAWN BY: J.EDWARDS
APPROVED BY: J.CHURCH
SCALE: 1" = 20' (H)
(V)
SHEET: C100