



PLANNING & INSPECTIONS DEPARTMENT
Joshua L. Grant, Manager

To: Board of County Commissioners

From: Jeremiah Combs, Planner

Date: December 18, 2023

Re: SUP #494
Waffle House, Inc., applicant
Parcel ID# 34534

The following information is for use by the Lincoln County Board of Commissioners at their meeting/public hearing on January 8, 2024.

Request

The applicant is requesting a special use permit to construct a restaurant within 100 feet of a residential district. Under the Unified Development Ordinance a restaurant is a special use in the Eastern Lincoln Development District (ELDD) overlay when the parcel is located within 100 feet of a residential district.

Site Area and Description

The request involves a 1.011-acre portion of a parcel located on the north side of N.C. 73 about 600 feet southeast of the intersection with N.C. 16 Business in Catawba Springs Township. The subject property is currently zoned R-T (Transitional Residential), but a concurrent rezoning request (ZMA #722) proposes to rezone the property to B-G (General Business). The subject property is adjoined by property zoned R-T (Transitional Residential) and B-G (General Business). Land uses in this area include business and residential uses. This property is located in an area designated by the Lincoln County Land Use Plan as Walkable Activity Center, suitable for commercial uses where buildings are located on small blocks with streets designed to encourage pedestrian activities.



Special Use Permit Application

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

PART I

Applicant Name Waffle House, Inc.

Applicant Address 5986 Financial Dr., Norcross, GA 30071

Applicant Phone Number 770-729-5806

Property Owner Name STTR Limited Partnership

Property Owner Address 182 Killian Farm Road, Stanley, NC 28164

Property Owner Phone Number 704-617-2792

PART II

Property Location NW Corner of NC-73 & Brentwood Road.

Property ID (10 digits) 4602-63-4214 ^(portion of) Property size 1.011 ac

Parcel # (5 digits) 34534 Deed Book(s) 2636 Page(s) 369

PART III

Existing Zoning District B-G/R-T (rezone requested to All B(G))

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

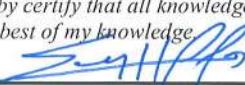
The property is currently undeveloped w/ no existing structures on site.

Briefly explain the proposed use and/or structure which would require a Special Use Permit.

The proposed use is for a sit down style, Waffle House restaurant.

APPLICATION FEE (less than 2 acres \$250, 2+ acres \$500)
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

9/6/2023
Date

Application # _____ Date 9/6/2023

Applicant's Name Waffle House, Inc.

Applicant's Address 5986 Financial Dr., Norcross, GA 30071

Property Location NW corner of NC-73 & Brentwood Road Existing Zoning B-G & R-T

Proposed Special Use _____

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 NO _____

FACTUAL REASONS CITED: Restaurants pose no public health threats.

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

FACTUAL REASONS CITED: All conditions & specifications required in the B-G zone will be met.

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: The majority of the surrounding area is transitioning to a commercial use.

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 _____

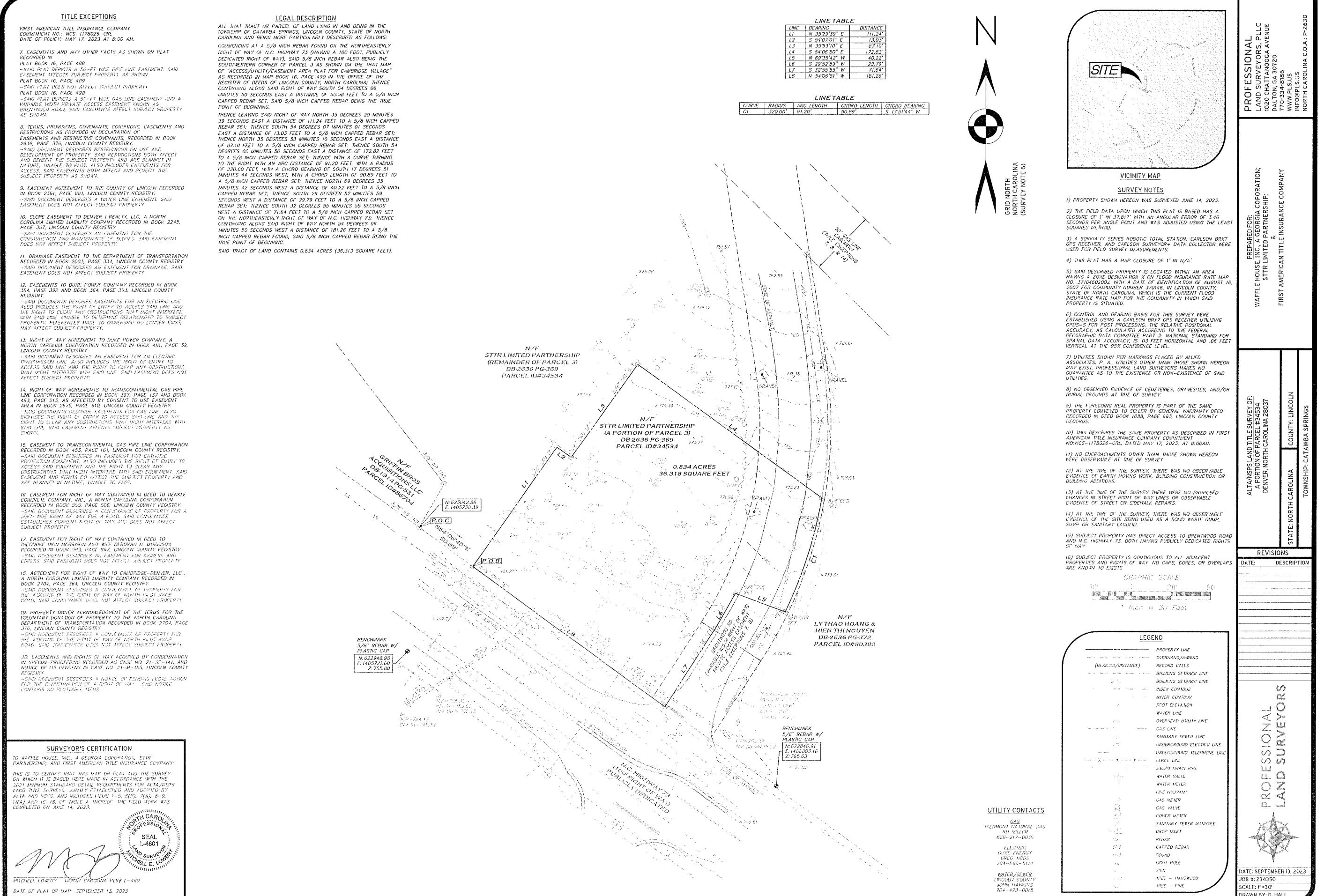
FACTUAL REASONS CITED: The proposed use conforms with the Land Use Plan and is in harmony with the surrounding area.

All that tract or parcel of land lying in and being in the Township of Catawba Springs, Lincoln County, state of North Carolina and being more particularly described as follows:

Commencing at a 5/8 inch rebar found on the northeasterly right of way of N.C. Highway 73 (having a 100 foot, publicly dedicated right of way), said 5/8 inch rebar also being the southwestern corner of parcel 3 as shown on the that map of "Access/Utility/Easement Area Plat for Cambridge Village" as recorded in Map Book 16, page 490 in the office of the register of deeds of Lincoln County, North Carolina; Thence continuing along said right of way South 54 degrees 06 minutes 50 seconds East a distance of 50.58 feet to a 5/8 inch capped rebar set, said 5/8 inch capped rebar being the TRUE POINT OF BEGINNING.

Thence leaving said right of way North 35 degrees 29 minutes 39 seconds East a distance of 111.24 feet to a 5/8 inch capped rebar set; Thence South 54 degrees 07 minutes 01 seconds East a distance of 13.03 feet to a 5/8 inch capped rebar set; Thence North 35 degrees 53 minutes 10 seconds East a distance of 87.10 feet to a 5/8 inch capped rebar set; Thence South 54 degrees 06 minutes 50 seconds East a distance of 172.82 feet to a 5/8 inch capped rebar set; Thence with a curve turning to the right with an arc distance of 91.20 feet, with a radius of 320.00 feet, with a chord bearing of South 17 degrees 51 minutes 44 seconds West, with a chord length of 90.89 feet to a 5/8 inch capped rebar set; Thence North 69 degrees 35 minutes 42 seconds West a distance of 40.22 feet to a 5/8 inch capped rebar set; Thence South 29 degrees 52 minutes 59 seconds West a distance of 29.79 feet to a 5/8 inch capped rebar set; Thence South 32 degrees 55 minutes 55 seconds West a distance of 71.64 feet to a 5/8 inch capped rebar set on the northeasterly right of way of N.C. Highway 73; Thence continuing along said right of way North 54 degrees 06 minutes 50 seconds West a distance of 181.26 feet to a 5/8 inch capped rebar found, said 5/8 inch capped rebar being the TRUE POINT OF BEGINNING.

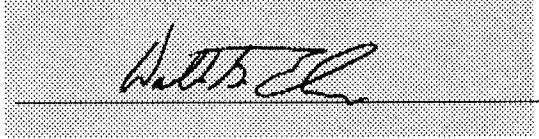
Said tract of land contains 0.834 acres (36,313 square feet).



**WAFFLE
HOUSE.**

5986 FINANCIAL DRIVE, NORCROSS, GA

64-1278/611

CHECK NO.02323933
DATE 09/07/23
Address Bk# 10079750VOID AFTER 90 DAYS.
BANK OF AMERICA, N.A.
NORCROSS GA**Pay** TWO HUNDRED FIFTY AND 00/100 ***** \$*****250.00Checks in excess of \$25,000.00 require two signatures.
WAFFLE HOUSE, INC.TO LINCOLN COUNTY
THE 115 W MAIN ST
ORDER LINCOLNTON NC 28092
OF

11 23 23 9331 106111278810 010 110 318311

**WAFFLE
HOUSE.**

5986 FINANCIAL DRIVE, NORCROSS, GA

CHECK NO.02323933
DATE: 09/07/23
Stub 1 of 1

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY.

Invoice Nbr	Inv Date	Comments	Gross Amt	Discount	Check Amt
PERMIT APP	9/06/23		250.00		250.00
			-----	-----	-----
			250.00		250.00

Application # _____ Date 9/6/2023

Applicant's Name Waffle House, Inc.

Applicant's Address 5986 Financial Dr., Norcross, GA 30071

Property Location NW corner of NC-73 & Brentwood Road Existing Zoning B-G & R-T

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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: 12/18/2023 Scale: 1 Inch = 400 Feet

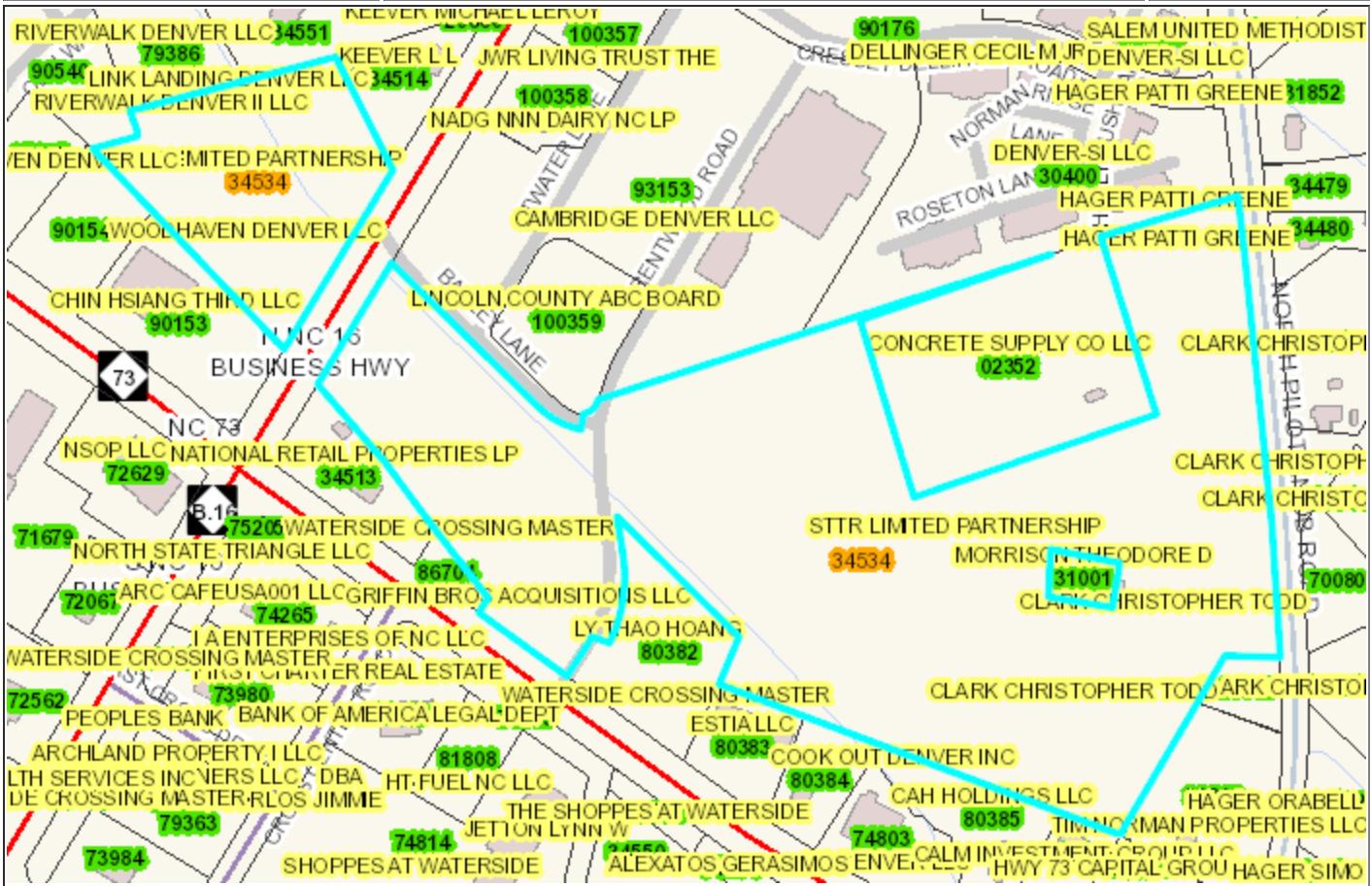
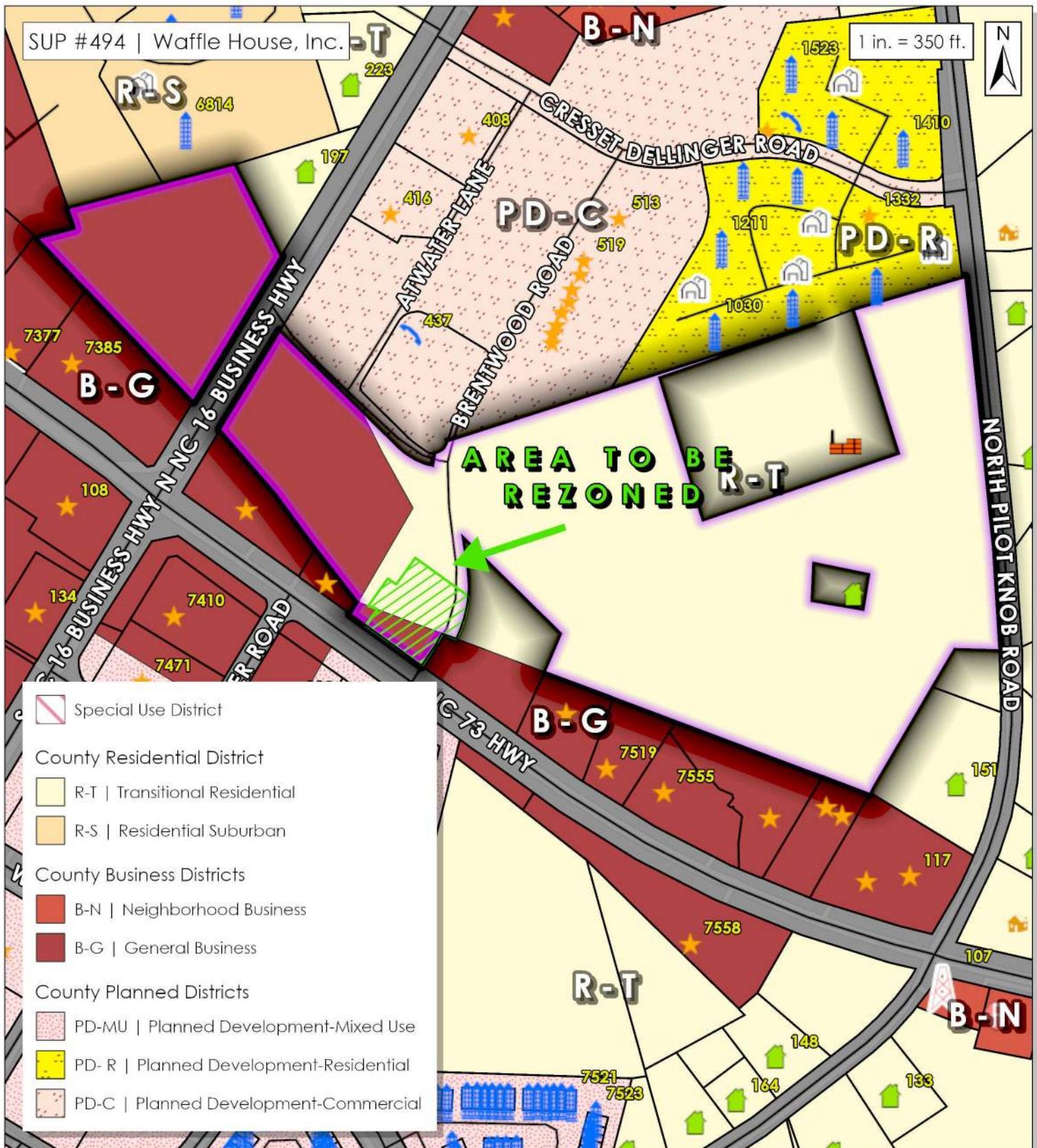




Photo Not Available

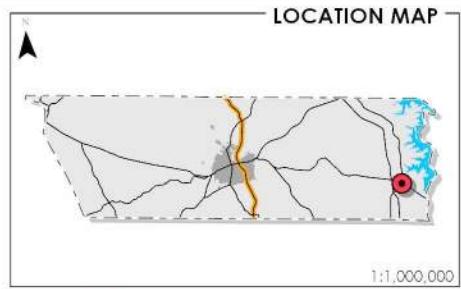
Parcel ID	34534	Owner	STTR LIMITED PARTNERSHIP
Map	4602	Mailing	182 KILLIAN FARM ROAD
Account	0133814	Address	STANLEY, NC 28164
Deed	2636 369	Last Transaction Date	12/22/2016
Plat		Subdivision	Sale Price \$50,000
Land Value	\$1,234,196	Improvement Value	\$0
Previous Parcel	34534		Total Value \$1,234,196
-----All values for Tax Year 2023 -----			
Description	LAND OFF1394	Deed Acres	0
Address	N PILOT KNOB RD	Tax Acres	35.365
Township	CATAWBA SPRINGS	Tax/Fire District	EAST LINCOLN
Main Improvement		Value	
Main Sq Feet		Year Built	
Zoning District	Calc Acres	Voting Precinct	Calc Acres
B-G	9.27	TA37	4.93
R-T	26.1	CF19	30.43
Watershed		Sewer District	
	5.14		24.02
	30.22	SEWER	11.34
Census County		Tract	Block
109		071102	2006
109		071101	3011
Flood	Zone Description	Panel	
X	NO FLOOD HAZARD	3710460200	35.37

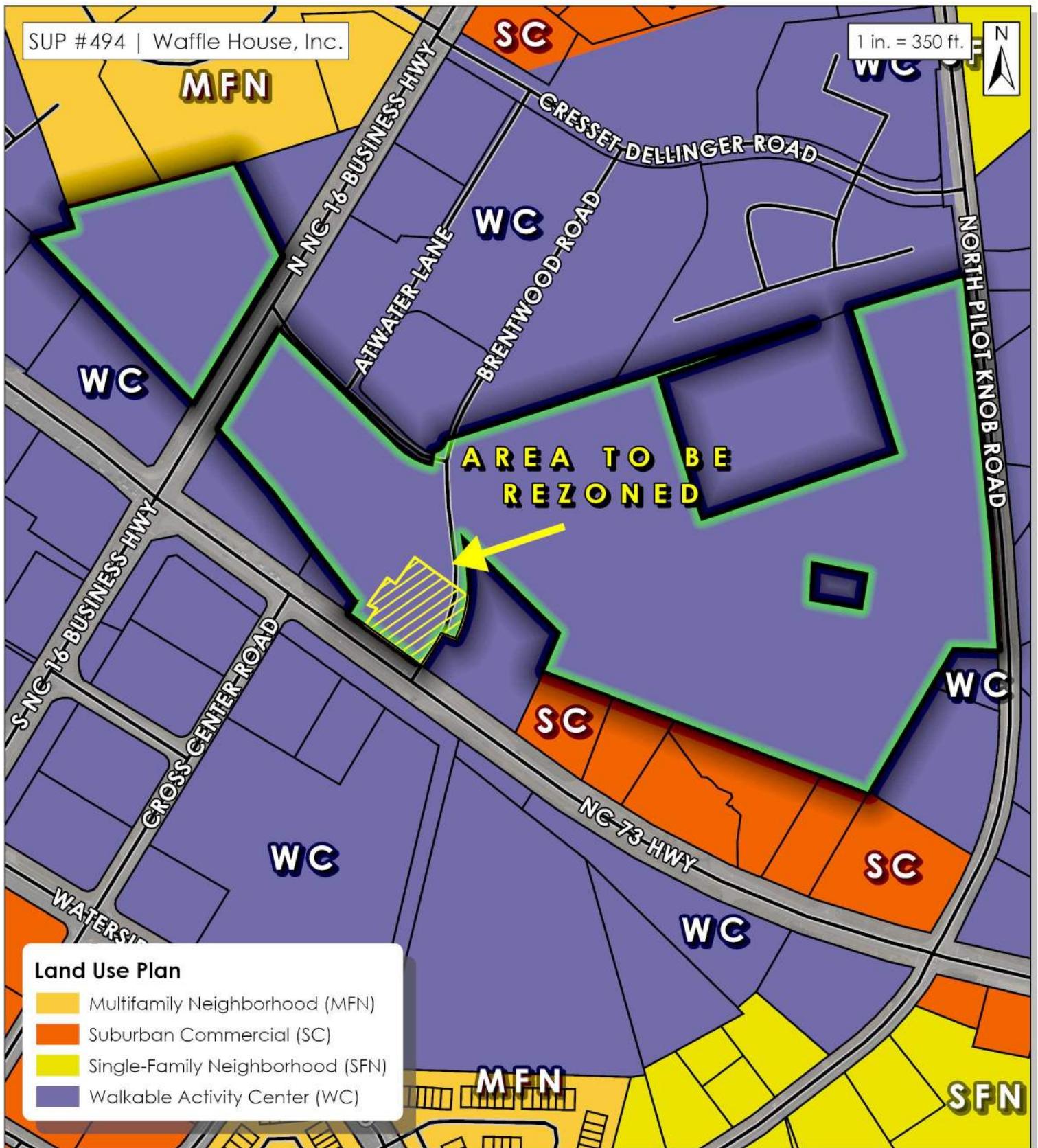


Parcel ID # 34534

 - Property Location(s)

See Attached Application for Parcel Information





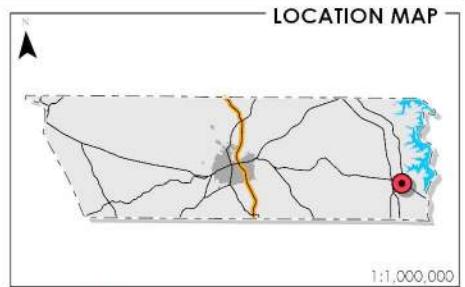
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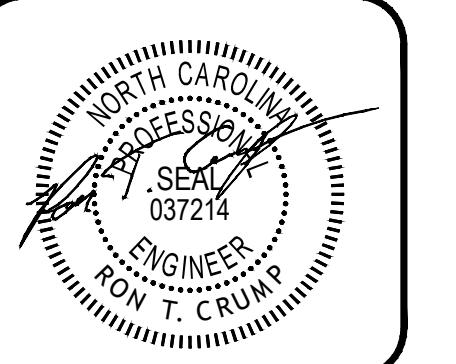
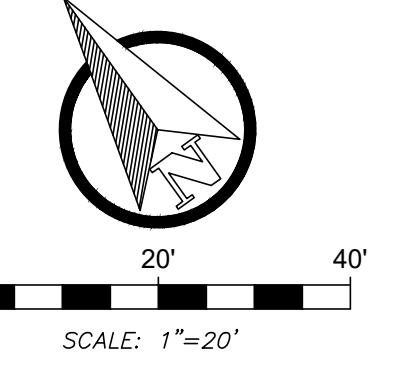
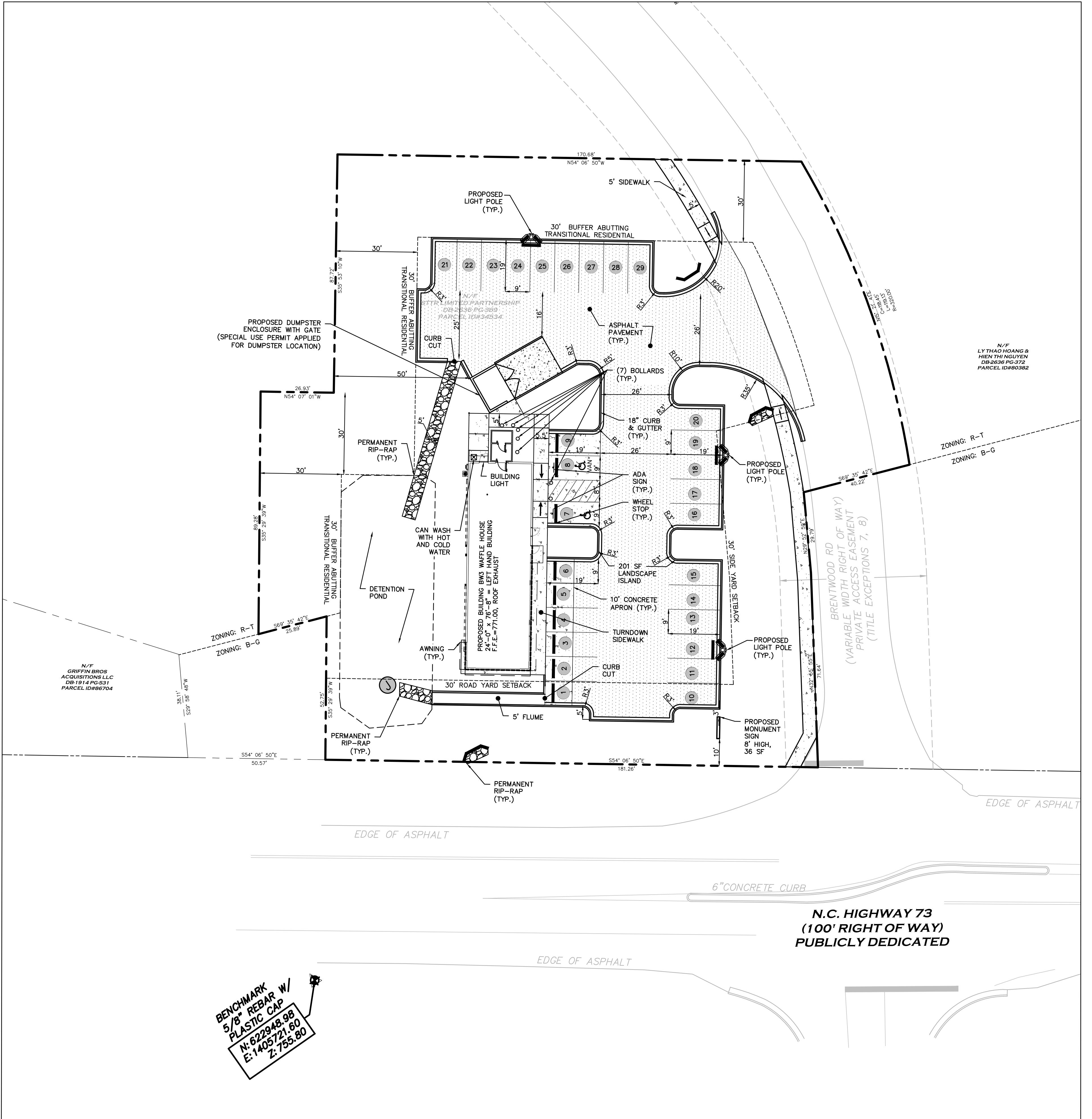


Lincoln County
Planning & Inspections
115 W. Main St
3rd Floor
Lincolnton, NC 28092

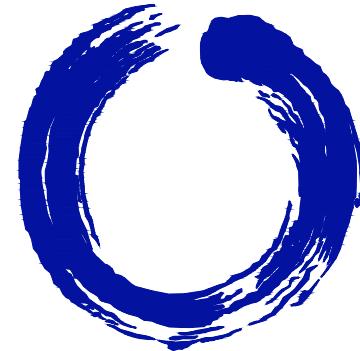


Property Location(s)

1:1,000,000



CONTINEO GROUP
755 COMMERCE DRIVE
SUITE 800
DECATUR, GA 30030
770.335.9403
www.tcg.engineer



The logo for Waffle House consists of the word "WAFFLE" stacked above "HOUSE" in a bold, sans-serif font. Each word is enclosed in a separate vertical rectangular box, with the 'F' in "WAFFLE" and the 'O' in "HOUSE" being slightly taller than the other letters. A registered trademark symbol (®) is positioned to the right of the "E" in "WAFFLE". To the left of the logo, the text "A UNIQUE AMERICAN PHENOMENON" is written vertically. To the right, a large, bold, italicized slogan reads "AMERICA'S PLACE TO EAT, AMERICA'S PLACE TO WORK". A horizontal line extends from the end of the slogan to the right edge of the page. The bottom right corner of the page contains the address "5986 Financial Drive, Norcross, GA 30071" and a phone number "770) 733-5722".

WAFFLE HOUSE LOWESVILLE, NC	ISSUED FOR:	PERMIT
JURISDICTION:		LINCOLN COUNTY
LOCATION:		EAST OF 7405 NC-73, DENVER NC 28037

RE NOTES:

- 1. COMPLETION OF ALL WORK SHALL BE IN ACCORDANCE THESE PLANS, SPECIFICATIONS, AS WELL AS, WITH FEDERAL, STATE AND LOCAL REGULATIONS. DEVIATION FROM THESE MAY CAUSE THE PROJECT TO BE UNACCEPTABLE.
- 2. PROJECT TO BE DELIVERED IN ACCORDANCE WITH AMERICANS WITH DISABILITY ACT (ADA) PER FEDERAL, STATE AND LOCAL CODES.
- 3. PROJECT TO BE DELIVERED IN ACCORDANCE WITH THE UNIFORM TRAFFIC CONTROL MANUAL (MUTCD), ASHTO, AS WELL AS STATE AND LOCAL REGULATIONS.
- 4. ARCHITECTURAL PLANS ARE TO GOVERN IN THE AREA WITHIN 5' OF THE BUILDING ENVELOPE. THIS IS TO INCLUDE BUT NOT LIMITED, TO STEPS, STOOPS, SIDEWALKS, RAMPS, HANDRAILS, ETC. SITE CONTRACTOR IS RESPONSIBLE FOR ALL WORK OUTSIDE OF THIS ENVELOPE.
- 5. THE FACE OF CURB AND OUTSIDE FACE OF BUILDING SHALL BE THE DIMENSIONAL REFERENCE FOR ALL SITE MEASUREMENTS AND RADII, UNLESS OTHERWISE NOTED. ALL RADII SHALL BE ASSUMED TO BE 5; WHERE NO DIMENSION IS GIVEN.
- 6. CURB AND GUTTER SHALL BE '8" IN SIZE UNLESS SPECIFIED OTHERWISE.
- 7. EXISTING AND REMAINING FACILITIES, WHETHER ON THE PROPERTY OR ON ADJACENT PROPERTIES, SHALL BE MAINTAINED IN THEIR ORIGINAL CONDITIONS. IF DISTURBED, THESE STRUCTURES SHALL BE RESTORED TO THEIR ORIGINAL CONDITION.
- 8. CONTRACTOR IS RESPONSIBLE TO PROVIDING ALL AS-BUILTS AND OTHER CERTIFICATIONS IN ORDER TO CAUSE THE ACCEPTANCE OF THE PROJECT BY THE CLIENT AND RELEASE OF A CERTIFICATE OF OCCUPANCY.
- 9. CONTRACTOR TO VERIFY THE EXISTING CONDITIONS ON WHICH THE PROJECT DESIGNS (ALL PHASES) ARE BASED AND BECOME FAMILIAR WITH ALL NECESSARY INFORMATION, WHETHER ON THE SUBJECT TRACT OR ADJACENT PROPERTIES. IF UNKNOWN CONDITIONS ARE DISCOVERED WHICH JEOPARDIZES THE SCOPE AND DELIVERY OF THE PROJECT, THE CONTRACTOR IS TO PROVIDE IMMEDIATE WRITTEN NOTIFICATION TO THE ENGINEER.
- 10. THE CONTRACTOR SHALL DELIVER THE CURB AND GUTTER AT A 28-DAY COMPRESSIVE STRENGTH OF 3,000 PSI.
- 11. THE CONTRACTOR SHALL DELIVER THE PARKING LOT PAINTING AND STRIPING WITH A MINIMUM OF TWO COATS OF PAINT PER PROJECT SPECIFICATIONS.
- 12. ALL EASEMENTS REQUIRED TO COMPLETE THE WORK, BUT NOT PROVIDED BY THE CLIENT, ARE THE RESPONSIBILITY OF THE CONTRACTOR.

SITE SUMMARY

NG DISTRICT	ELDD B-G/R-T/PD-C
SDICTION	LINCOLN COUNTY
POSED USE	RESTAURANT
POSED LOT AREA	1.011 AC (44,036 SF)
POSED BUILDING	2000 SF
YARD SETBACK	30'
YARD SETBACK	30' ABUTTING RESIDENTIAL
YARD SETBACK	30' ABUTTING RESIDENTIAL
ING STALL DIMENSIONS	9'x19'
POSED PARKING SPACES	29
ING REQUIREMENT:	
MUM ONE SPACE PER 150 SQ. FT. OF DINING AREA	
MUM SHALL NOT BE GREATER THAN 25% ABOVE MIN.	
UIREMENT	
ING LOT YARDS: SHALL OBSERVE A MIN 5' FRONT	
D AND SIDE YARD ON A CORNER OF NOT LESS THAN	
SHALL BE LANDSCAPED IF IN EXCESS OF 5 SPACES	

DRAWN:	CHECK:
AAA	JDR
JOB NO:	DATE:
23-240	9/12/23

SITE PLAN

SHEET