



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

To: Board of County Commissioners

From: Joshua Grant, Division Manager

Date: July 11, 2025

Re: SUP #524  
Wal-Mart Stores East, LP, applicant  
Parcel ID# 85982

*The following information is for use by the Lincoln County Board of Commissioners at their meeting/public hearing on Aug 4, 2025.*

Request

The applicant is requesting a special use permit to construct a gas station in the General Business (B-G) district and in the East Lincoln Development District. Under the Unified Development Ordinance a gas station or convenience store with fuel sales requires the approval of the Board of County Commissioners and the issuance of a special use permit.

Site Area and Description

The request involves a 0.99-acre site located on the north side of NC 73 Hwy about 500 feet east of NC 16 Bypass in Catawba Springs Township. The subject property is in the B-G General-Business zoning district and the ELDD (Eastern Lincoln Development District) overlay. The subject property is adjoined by property zoned B-G (General Business), and PD-C (Planned Development Commercial) Land uses in this area include primarily business and residential with some industrial. This property is located within an area that is designated by the Lincoln County Land Use Plan as Walkable Activity Center, suitable for centers of entertainment and community events. These districts are typically not vehicular oriented and are found to serve pedestrians walking from residential units to small scale retail and usually include multi-story apartments, and an interconnected transportation network.



## **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 WAL-MART STORES EAST, LP (FRANK ROJAS, SR DESIGN MANAGER)

Applicant Address 2608 SE J STREET, BENTONVILLE, AR 72716

Applicant Phone Number 479.721.4527

Property Owner Name WAL-MART STORES EAST, LP

Property Owner Address 702 SW 8TH STREET, BENTONVILLE, AR 72716  
MAIL STOP 0505

Property Owner Phone Number 479.871.7573

### **PART II**

Property Location 7131 NC-73 DENVER, NC 28037

Property ID (10 digits) 4602352051 Property size 0.99 ac

Parcel # (5 digits) 85982 Deed Book(s) 1822 Page(s) 803

### **PART III**

Existing Zoning District ELDD B-G CU

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

The property consists of a surface level parking lot that is currently serving the existing Walmart Supercenter.

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

The proposed use is a fueling station, which is not allowed under the current zoning.

**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.*

*Signed by:*  
Frank Rojas

Applicant's Signature

6/2/2025

Date

Application # ZONE25-00034 Date 05/27/2025

Applicant's Name FRANK ROJAS, SR. DESIGN MANAGER

Applicant's Address 2608 SE J STREET, BENTONVILLE, AR 72716

Property Location 7131 NC-73 DENVER, NC 28037 Existing Zoning ELDD B-G CU

Proposed Special Use FUEL STATION

### **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: The proposed development will follow all federal, state, and local jurisdictional regulations regarding health and safety. Appropriate underground storage tanks will be used to prevent leaks and soil contamination.
2. The use meets all required conditions and specifications. YES ☒ NO ☐  
FACTUAL REASONS CITED: "Gas station with convenience retail" falls under the special use for the Eastern Lincoln Development District. All building setbacks and parking requirements are met. Landscape screening and building materials will meet the ordinance requirements.
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 fuel station and convenience store will increase land value to abutting properties by bringing more foot traffic to these areas and will increase revenue taxes.
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 addition of a fuel station and convenience store will conform to the future Land Use Plan by helping ensure this area is a walkable activity center (WC). Pedestrians will be able to access the convenience store from the sidewalk at the R/W. Bike racks are also being proposed onsite.



# Lincoln County, NC

## Office of the Tax Administrator, GIS Mapping Division

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Date: 7/11/2025



Photo Not Available

<b>Parcel ID</b>	85982	<b>Owner</b>	WAL MART STORES EAST LP US03960	
<b>Map</b>	4602	<b>Mailing</b>	PO BOX 8050 MS0555	
<b>Account</b>	0166263	<b>Address</b>	BENTONVILLE, AR 72716-0555	
<b>Deed</b>	1822 803	<b>Last Transaction Date</b>	06/09/2006	<b>Sale Price</b> \$0
<b>Plat</b>	14 82	<b>Subdivision</b>	WAL MART STORES EAST	<b>Lot</b> 3
<b>Land Value</b>	\$654,550	<b>Improvement Value</b>	\$61,200	<b>Total Value</b> \$715,750
<b>Previous Parcel</b>	85309			

### -----All values for Tax Year 2025 -----

<b>Description</b>	#3 LT WALMART STORES EAST		<b>Deed Acres</b>	0.988
<b>Address</b>	NC 73 HWY		<b>Tax Acres</b>	0.988
<b>Township</b>	CATAWBA SPRINGS	<b>Tax/Fire District</b>	EAST LINCOLN	
<b>Main Improvement</b>			<b>Value</b>	
<b>Main Sq Feet</b>		<b>Stories</b>	<b>Year Built</b>	

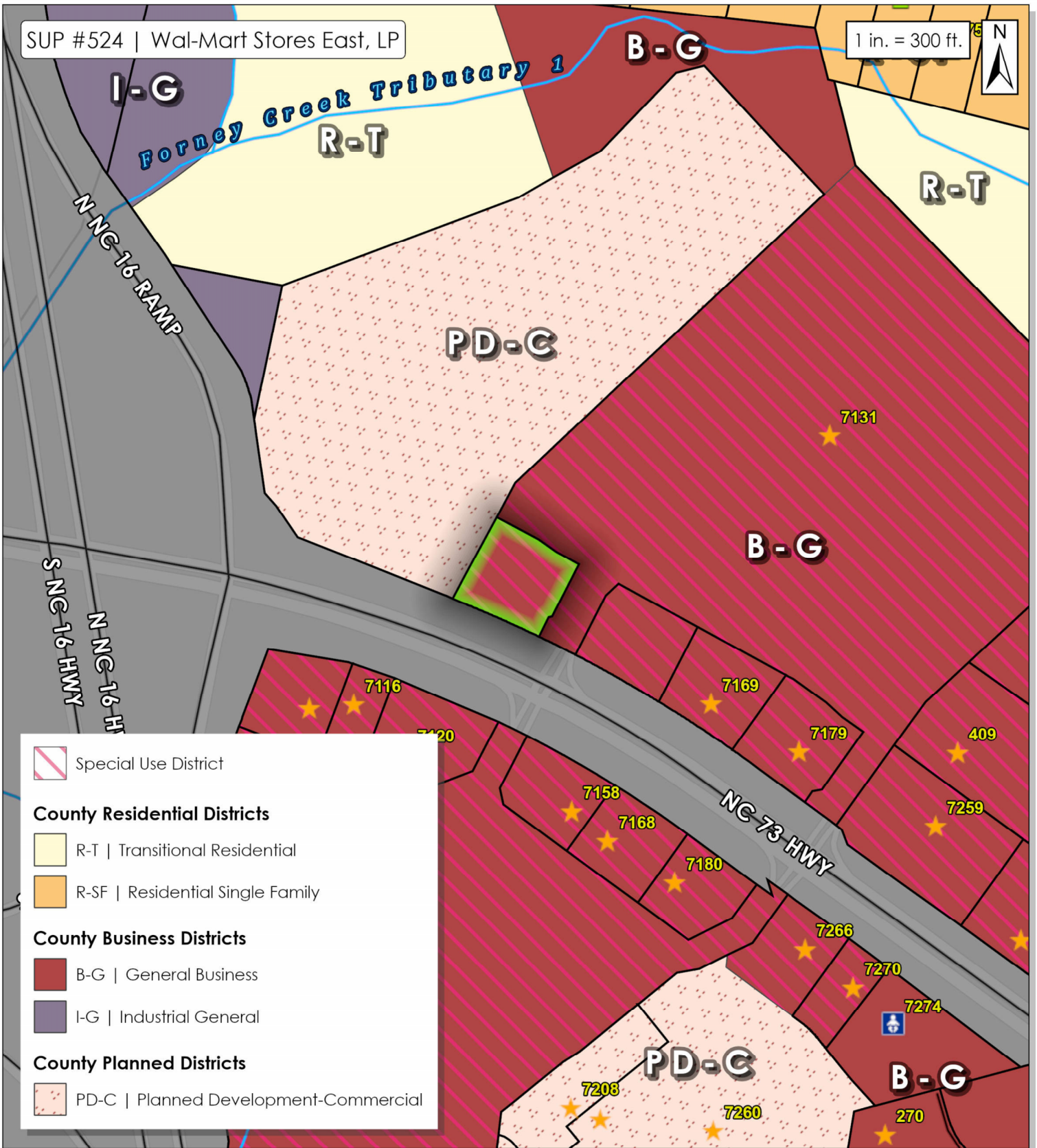
<b>Zoning District</b>	<b>Conditional Use</b>	<b>Calc Acres</b>	<b>Voting Precinct</b>	<b>Calc Acres</b>
B-G	CU	0.99	TA37	0.99

<b>Watershed</b>	<b>Sewer District</b>
0.99	SEWER 0.99

<b>Census County</b>	<b>Tract</b>	<b>Block</b>	
109	071101	3011	0.99

<b>Flood</b>	<b>Zone Description</b>	<b>Panel</b>	
X	NO FLOOD HAZARD	3710460200	0.99





Special Use District

**County Residential Districts**



R-T | Transitional Residential



R-SF | Residential Single Family

**County Business Districts**



B-G | General Business



I-G | Industrial General

**County Planned Districts**



PD-C | Planned Development-Commercial

Parcel ID # 85982



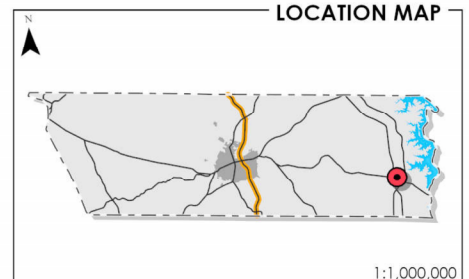
- Property Location(s)



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

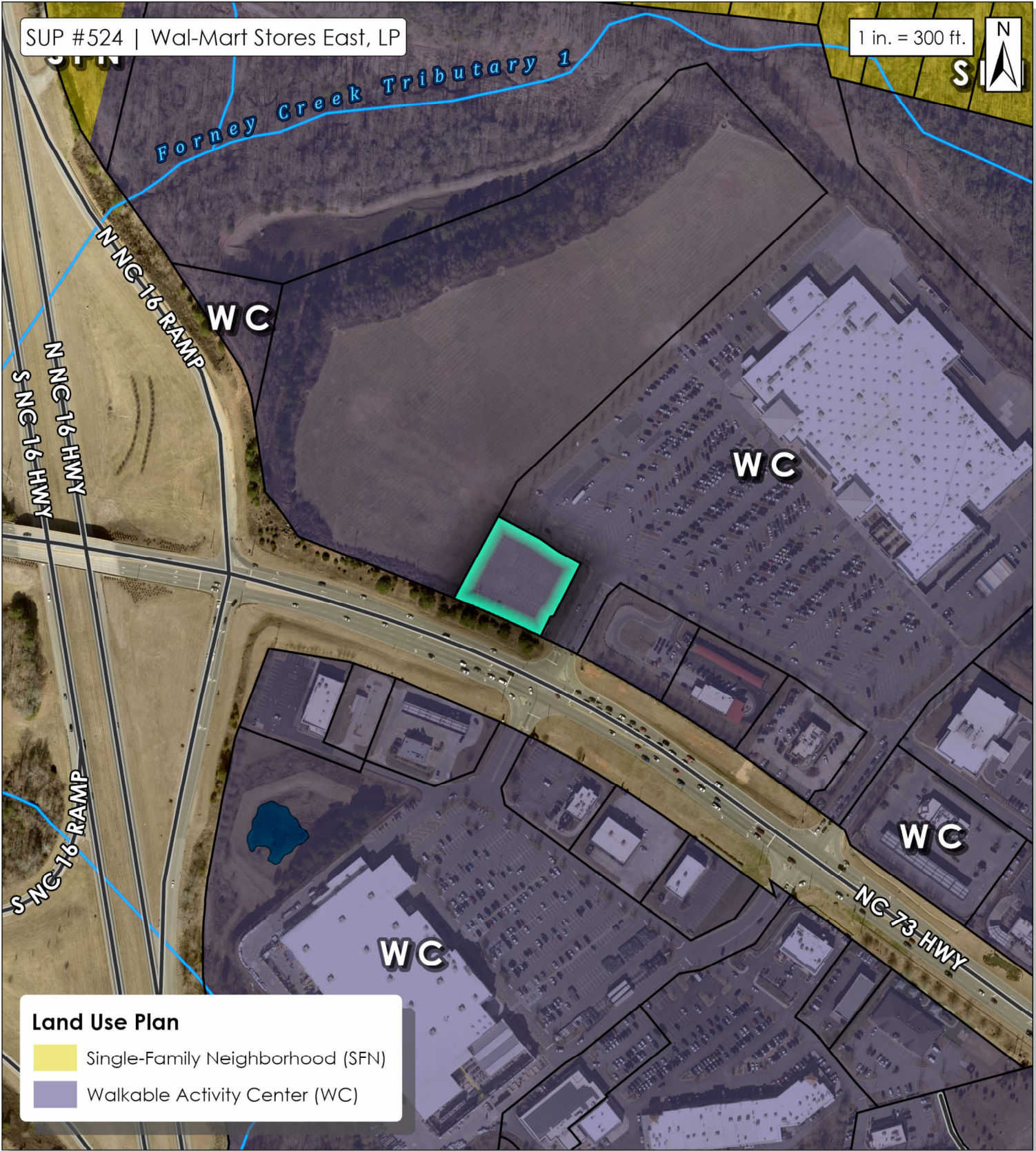
See Attached Application for Parcel Information

**LOCATION MAP**



Property Location(s)



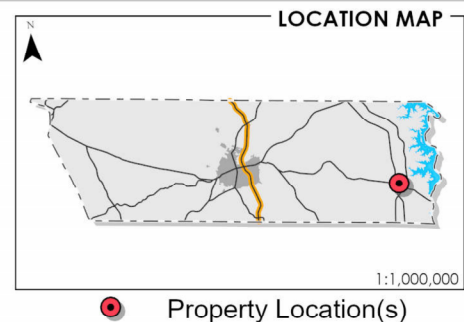


Lincoln County  
Planning & Inspections  
115 W. Main St  
3rd Floor  
Lincolnton, NC 28092

Parcel ID # 85982

 - Property Location(s)

See Attached Application for Parcel Information



# Project Reviews

## Lincoln County

**Project Number: ZONE25-00034**

**Description: SUP #524 Wal-Mart Stores East, LP**

**Applied: 1/15/2025**

**Approved:**

**Site Address:**

**Closed:**

**Expired:**

**City, State Zip Code: ,**

**Status: UNDER REVIEW**

**Applicant: Frank Rojas (Wal-Mart Stores East, LP)**

**Parent Project:**

**Owner: WAL MART STORES EAST LP**

**Contractor: <NONE>**

**Details:**

### LIST OF REVIEWS

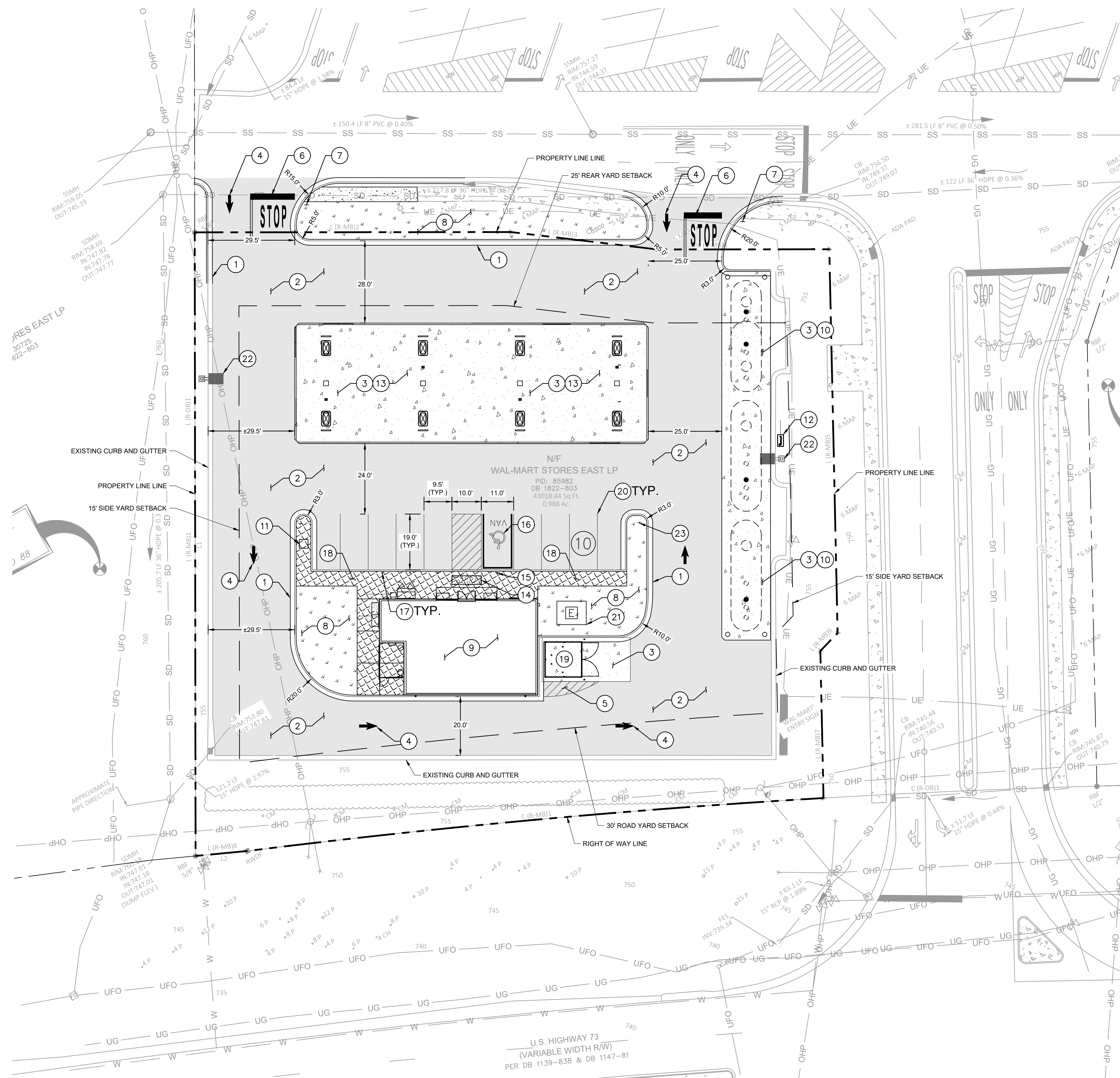
SENT DATE	RETURNED DATE	DUE DATE	TYPE	CONTACT	STATUS	REMARKS
Review Group: TRC						
1/15/2025	1/31/2025	2/5/2025	ENVIRONMENTAL HEALTH ON - SITE	Jonathan Harris	COMPLETE	Public water and sewer
Notes: No food service without application being made.						
1/15/2025	1/17/2025	2/5/2025	FIRE MARSHAL - COUNTY	Rodney Emmett	COMPLETE	
Notes: Walmart shall follow Section 312 in the fire code that states they shall be protected by posts at fuel tanks or other approved physical barriers. Table 2306.2.3 for footage from structures and from the nearest side of public way (15 feet on both). Fire extinguishers shall be provided at the tank area. All other route measurements are good.						
1/15/2025	1/30/2025	2/5/2025	PUBLIC WORKS - COUNTY	John Hawkins	RESUBMITTAL REQUIRED	See Comments
Notes: Utility Service lines are already at this site. A 2 " water service lateral and a 6" sewer lateral are present on site. Meter Box and backflow device will be required and must be installed by a licensed utility contractor. Plan set showing utilities will be required.						
1/15/2025	1/23/2025	2/5/2025	NATURAL RESOURCES	Danielle Rudisill	COMPLETE	See Notes
Notes: Provide utility permission letter for any land disturbance within their ROW Provide sheets showing all offsite land disturbance areas and EC measures for such Provide permission letters for any offsite parcels not owned by developer Plan must be NCG01 compliant.						

# Project Reviews

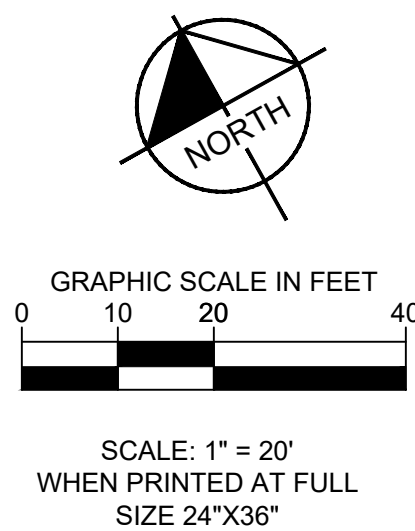
## Lincoln County

1/15/2025	1/23/2025	2/5/2025	ZONING - COUNTY	Jeremiah Combs	RESUBMITTAL REQUIRED	
<p>Notes:</p> <p>1) The dumpster pad cannot be in front of the building.</p> <p>2) The maximum impervious coverage will be based on the approved PCUR plan.</p> <p>3) Class A buffer may be required along the highway.</p> <p>4) Foundation plantings are required in a five-foot-wide planting bed.</p> <p>5) Convenience store, gas/fuel, drive-through and other such canopies shall not have a consistently flat roof. The pitch of the canopy and exterior materials must resemble/replicate the roof design of the principal structure.</p> <p>6) Gasoline pumps, tanks and pump islands shall be located no closer than 20 feet to any side or rear property line or right-of-way.</p> <p>7) Freestanding vents shall not be permitted.</p> <p>8) The canopy shall not exceed the height of the principal building, but in no case shall the canopy height exceed 20 feet.</p>						
1/15/2025		1/27/2025	NCDOT	Michael Watson		
<p>Notes:</p>						

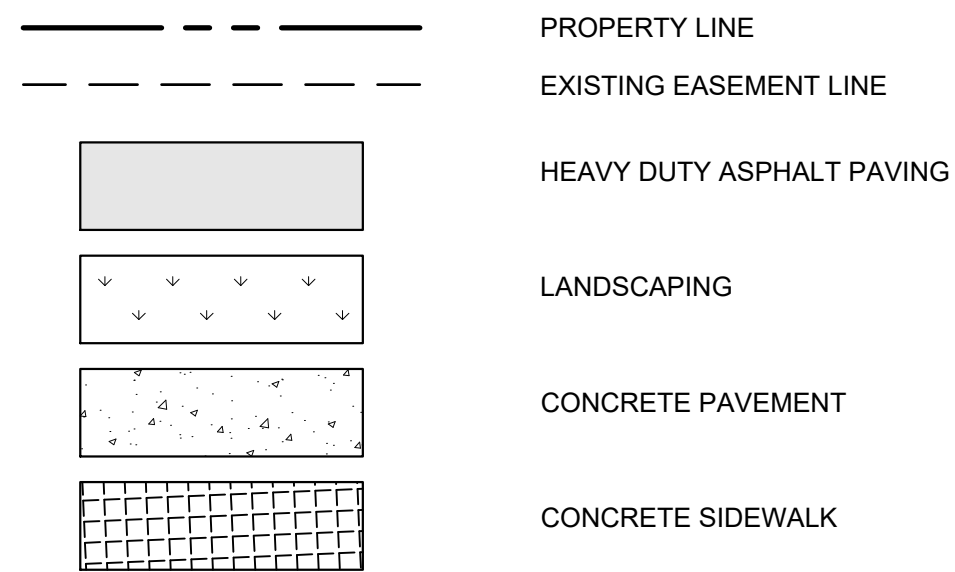




**WALMART FUEL STATION - STORE #4274-1000**  
**7131 NC-73, DENVER, NC 28037**  
**DESIGN CIVIL SITE PLAN**



**LEGEND**

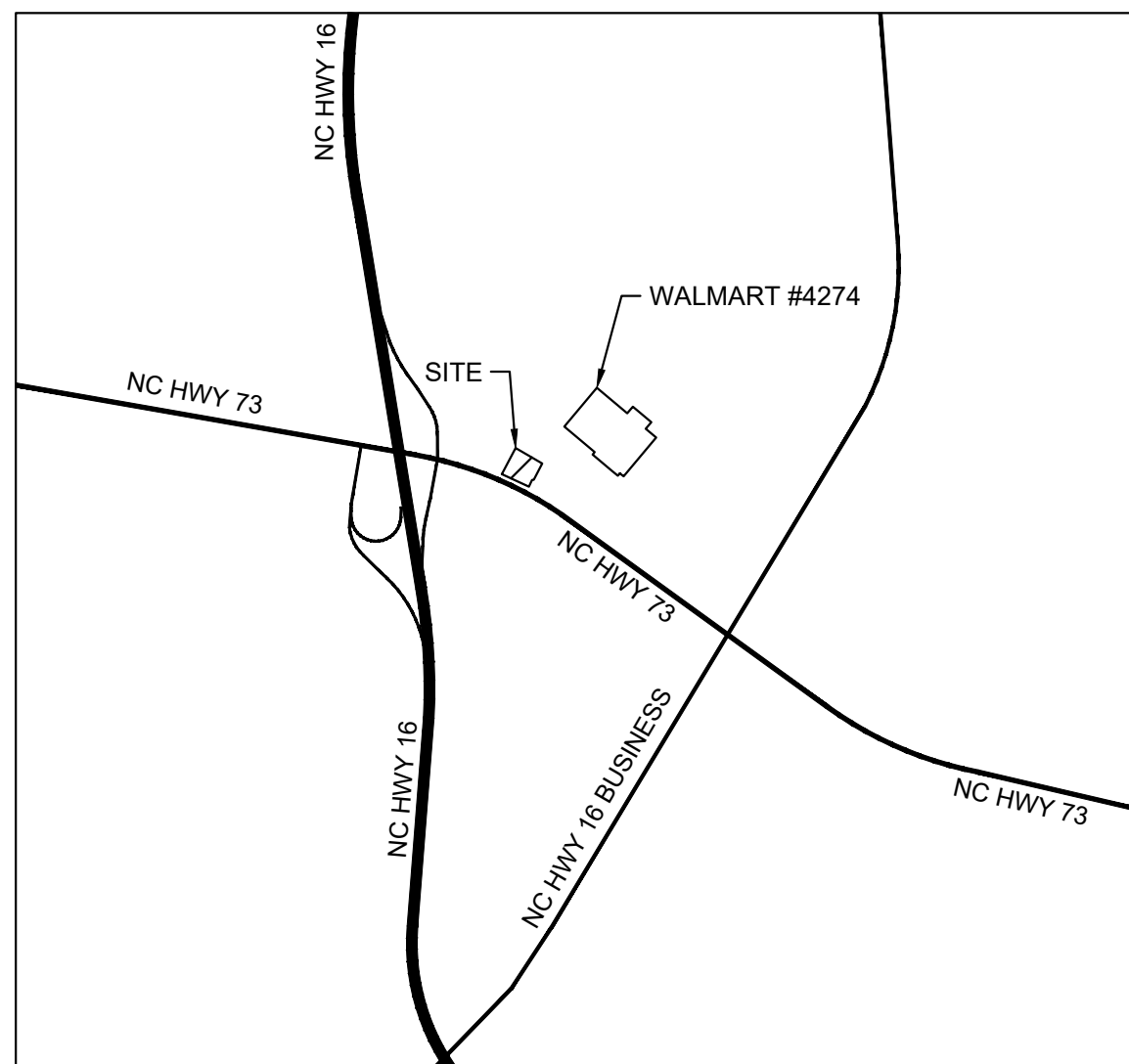


**CONSTRUCTION NOTES**

- 1 PROPOSED CURB AND GUTTER.
- 2 PROPOSED HEAVY DUTY ASPHALT PAVEMENT.
- 3 PROPOSED CONCRETE PAVEMENT.
- 4 STRIPE DIRECTIONAL ARROW PAVEMENT MARKING.
- 5 PROPOSED 4" WHITE STRIPING ANGLED 45°.
- 6 STRIPE STOP BAR PAVEMENT MARKING.
- 7 PROPOSED STOP SIGN ON POST.
- 8 PROPOSED LANDSCAPING.
- 9 PROPOSED ±1,618 SF CONVENIENCE STORE.
- 10 PROPOSED UNDERGROUND GAS TANKS. ONE 20,000 GAL UNL, ONE 20,000 GAL SPLIT (12,000 UNL/8,000 PRM), AND ONE 20,000 GAL DSL.
- 11 PROPOSED AIR STATION.
- 12 PROPOSED VAPOR RECOVERY LOCATION/PAD.
- 13 PROPOSED CANOPY.
- 14 PROPOSED TRUNCATED DOMES.
- 15 PROPOSED VAN ACCESSIBLE PARKING SIGN ON POST AND BOLLARD.
- 16 PROPOSED VAN ACCESSIBLE PARKING.
- 17 PROPOSED BOLLARD.
- 18 PROPOSED CONCRETE SIDEWALK
- 19 PROPOSED TRASH ENCLOSURE.
- 20 PROPOSED REGULAR PARKING.
- 21 PROPOSED TRANSFORMER PAD SHOWN FOR REFERENCE ONLY.
- 22 PROPOSED SITE LIGHTING.
- 23 PROPOSED 'ONE WAY - DO NOT ENTER' SIGN

**SITE ANALYSIS TABLE**

FUEL STATION ADDRESS		7131 NC-73, DENVER, NC 28037
CURRENT ZONING		ELDD B-G CU
EXISTING PARCEL AREA (STORE AND WMFS LOTS)		42.08 ACRES
EXISTING WALMART BUILDING AREA		203,820 S.F.
PROPOSED FUEL AREA		0.99 ACRES
PROPOSED FUEL BUILDING AREA		1,618 S.F.
	PARKING COUNT	PARKING RATIO
EXISTING TOTAL PARKING	1,012 SPACES	4.97/1,000 S.F.
EXISTING STANDARD STALLS	985 SPACES	---
EXISTING ADA STALLS	27 SPACES	---
PROPOSED TOTAL PARKING	935 SPACES	4.61/1,000 S.F.
CITY REQ. PARKING	680 SPACES	1.00/300 S.F.
WALMART REQ. PARKING	816 SPACES	4.00/1,000 S.F.
PROPOSED FUEL AREA PARKING		
PROPOSED STANDARD STALLS	9 SPACES	---
PROPOSED ADA STALLS	1 SPACES	---



**VICINITY MAP**  
**N.T.S.**