



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

To: Board of County Commissioners

From: Joshua Grant, Division Manager

Date: July 11, 2025

Re: WSSUP #42
McDonald's USA, LLC, applicant
Parcel ID# 71129

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

Request

The applicant is requesting a special use permit to allow the use of the high-density option in the WS-IV Protected Area of the Catawba River/Lake Norman Watershed. The applicant is planning to develop a 1.36-acre site. The high-density option would allow the development to have a built-upon surface area covering up to 70 percent of the site, with the use of engineered stormwater controls. Otherwise, in this watershed district, non-residential developments that require an erosion control plan are limited to a built-upon area of 24 percent. In this case, a built-upon area of approximately 67 percent is proposed.

Site Area and Description

The request involves a 1.3-acre parcel located on the east side of NC 16 Business about 500 feet north of the intersection with Fairfield Forest Road in Catawba Springs Township. The subject property is located 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). Land uses in this area include business and residential uses primarily. This property is located within an area that is designated by the Lincoln County Land Use Plan as Suburban Commercial Center, suitable for a variety of commercial uses to serve the daily needs of surrounding residential neighborhoods.



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

High Density Option Requirements

Under the water-supply watershed regulations of the Lincoln County Unified Development Ordinance, the Catawba River/Lake Norman watershed is designated for the use of the high-density option. The option requires the use of stormwater control structures to control and treat the runoff from the first one-inch of rain. The structures must be designed to meet the Best Management Practices (BMP) standards of the N.C. Department of Environment Quality. In this case, the plans call for a tie into an existing stormwater structure on the site.

The regulations require the developer to post a bond or other financial security in an amount not less than 1.25 times the cost of constructing the necessary stormwater control structure. In addition, a binding agreement must be signed, requiring the owner to maintain, repair and, if necessary, reconstruct the structure in accordance with an approved operations and maintenance plan. Once the stormwater control structure have been constructed and inspected, and prior to the release of the financial security, the applicant is required to deposit with the county either cash or a similar approved instrument in an amount equal to 15 percent of the total construction cost or 100 percent of the cost of maintaining the structure over a 20-year period, whichever is greater.



Watershed 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 **McDonald's USA, LLC**

Applicant Address **110 N. Carpenter Street, Chicago, IL 60607**

Applicant Phone Number **(404) 307-6794**

Property Owner Name **Westport Market Limited Partnership**

Property Owner Address **2900 One First Union Center**

Property Owner Phone Number **(704) 927-2881**

PART II

Property Location **N NC-16 Business HWY, Denver, NC 28037**

Property ID (10 digits) **4604620980** Property size **1.36**

Parcel # (5 digits) **71129** Deed Book(s) **849** Page(s) **611**

PART III

Watershed District **WS IV-P Catawba-Lake Norman**

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

The current property is a vacant outparcel to a Food Lion anchored shopping center. It is grassed with street trees along NC-16 and no existing building or paving.

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

The proposed use would be for a quick-serve restaurant and associated infrastructure - parking, sidewalks, landscaping, utilities, stormwater, etc. The Special Use Permit is needed to increase impervious up to 70%.

\$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.

Vivian Valdivia

5/28/2025

EF9745FCA1E744F
Applicant's Signature

Date

Application # _____ Date _____

Applicant's Name McDonald's USA, LLC

Applicant's Address 110 N. Carpenter Street, Chicago, IL 60607

Property Location N NC-16 Business HWY, Denver, NC 2 Existing Zoning GB

Proposed Special Use Proposed fast food restaurant - up to 70% impervious

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 impervious is within an existing shopping center and the development is consistent with the area.**

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

FACTUAL REASONS CITED: **The development complies with all jurisdictional requirements. The site plan has been coordinated with County staff and NCDOT.**

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 development will increase value in the area with additional services and amenities.**

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: **This particular parcel was designed for a commercial use and it is consistent with the development patterns and intent for this area.**



Lincoln County, NC

Office of the Tax Administrator, GIS Mapping Division

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Date: 7/11/2025

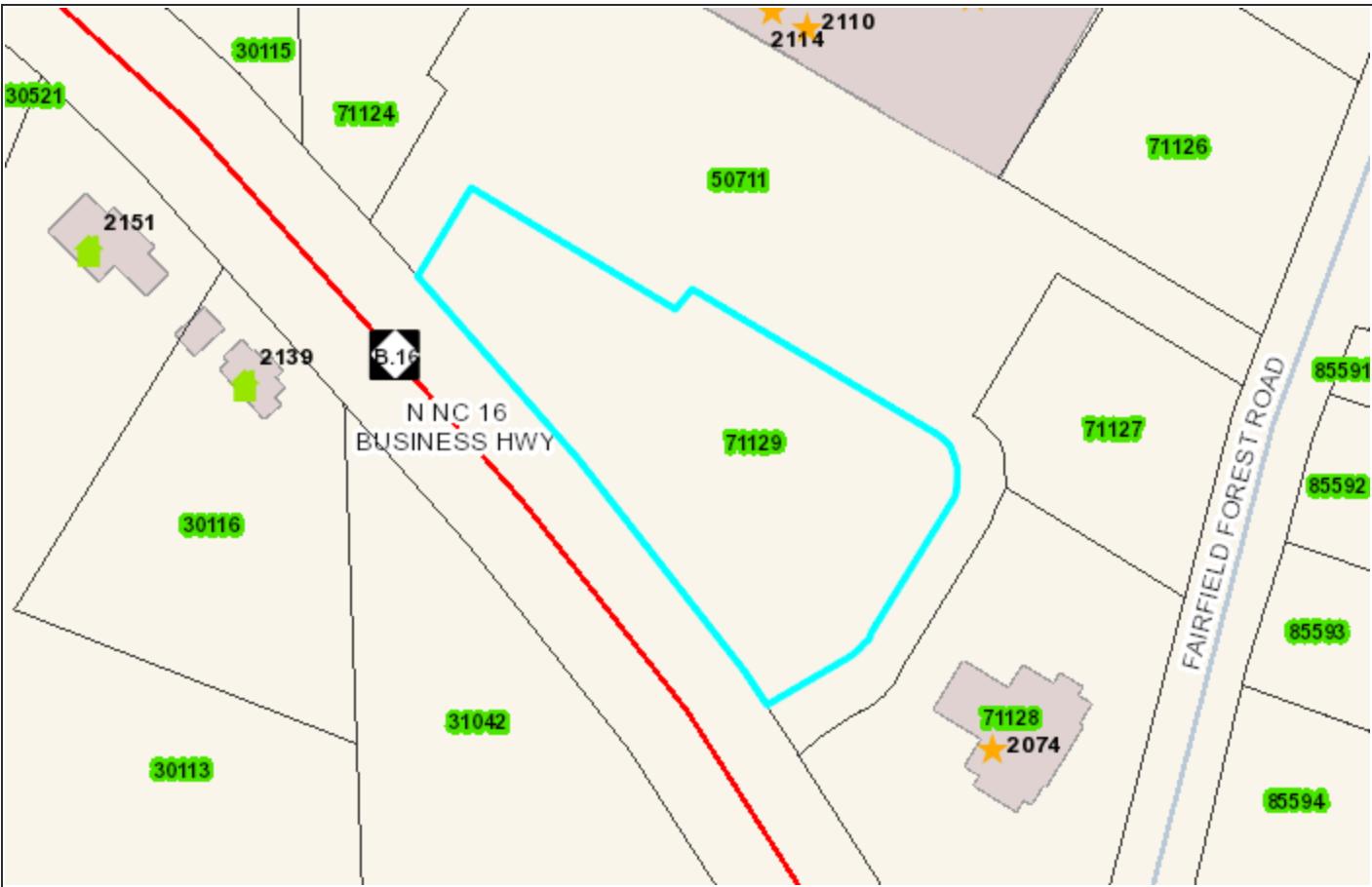
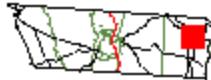
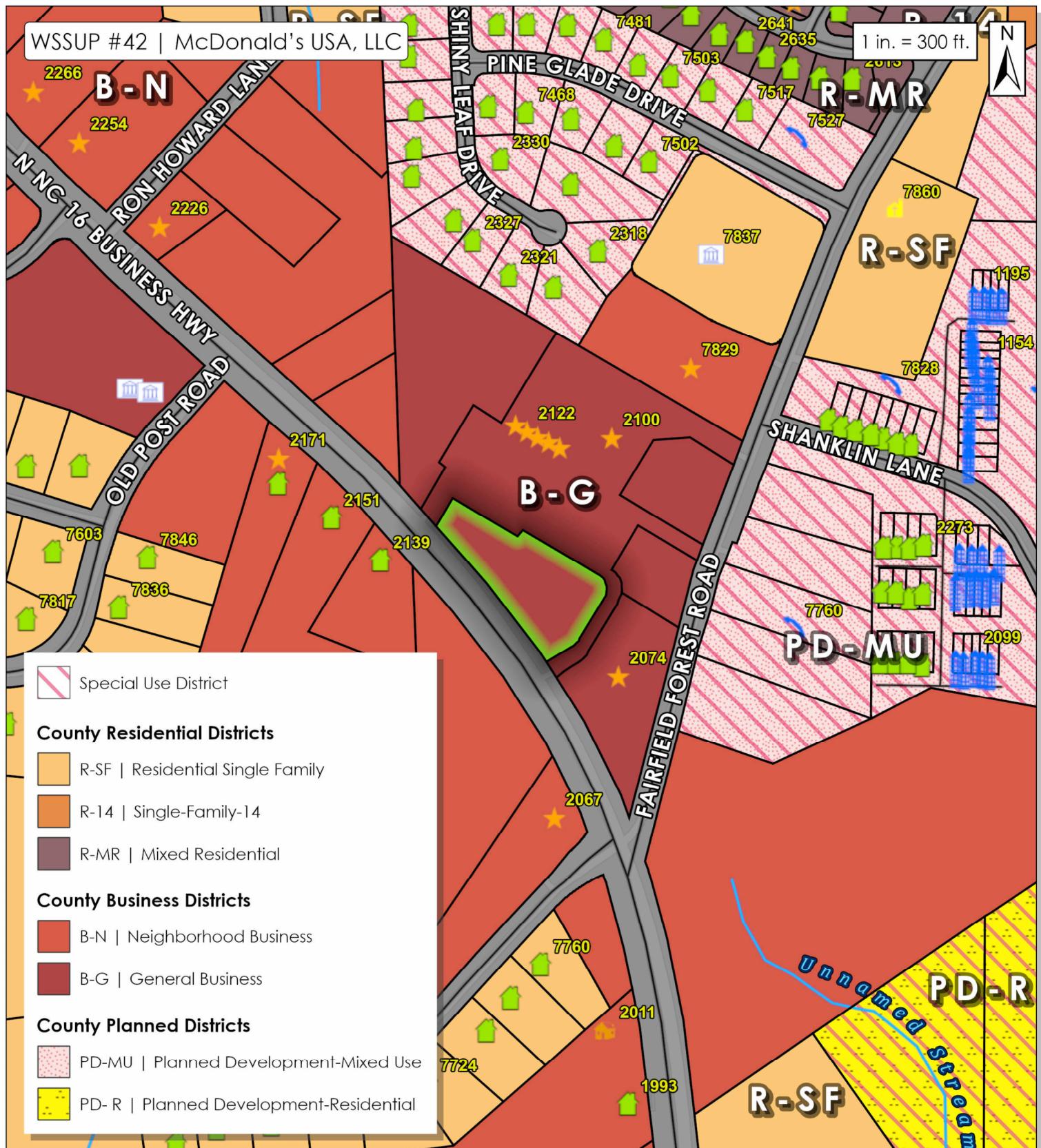


Photo Not Available

Parcel ID	71129	Owner	WESTPORT MARKET LIMITED PARTNERSHIP
Map	4604	Mailing	2800 ONE FIRST UNION CENTER 301 SOUTH COLLEGE ST
Account	0085603	Address	CHARLOTTE, NC 28202-6021
Deed	849 611	Last Transaction Date	11/22/1993
Plat	G 429	Subdivision	WESTPORT MARKET RETAIL CENTER
Land Value	\$402,502	Improvement Value	Total Value \$402,502
Previous Parcel	50711		
-----All values for Tax Year 2025 -----			
Description	#4 PARCEL HWY 16	Deed Acres	1.366
Address	N NC 16 BUSINESS HWY	Tax Acres	1.431
Township	CATAWBA SPRINGS	Tax/Fire District	DENVER
Main Improvement			
Main Sq Feet		Stories	Value
Zoning District	Conditional Use	Calc Acres	Year Built
B-G		0.01	WP32
		1.43	1.43
Watershed		Sewer District	
1.36	0.08	SEWER	1.43
Census County		Tract	
109		071203	1057
Flood	Zone Description	Block	
			1.43
		Panel	

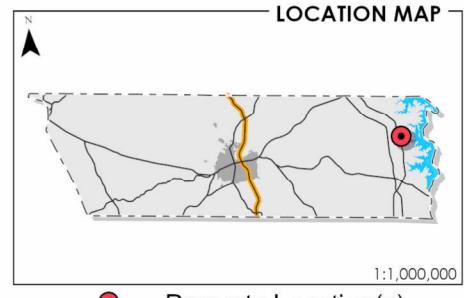


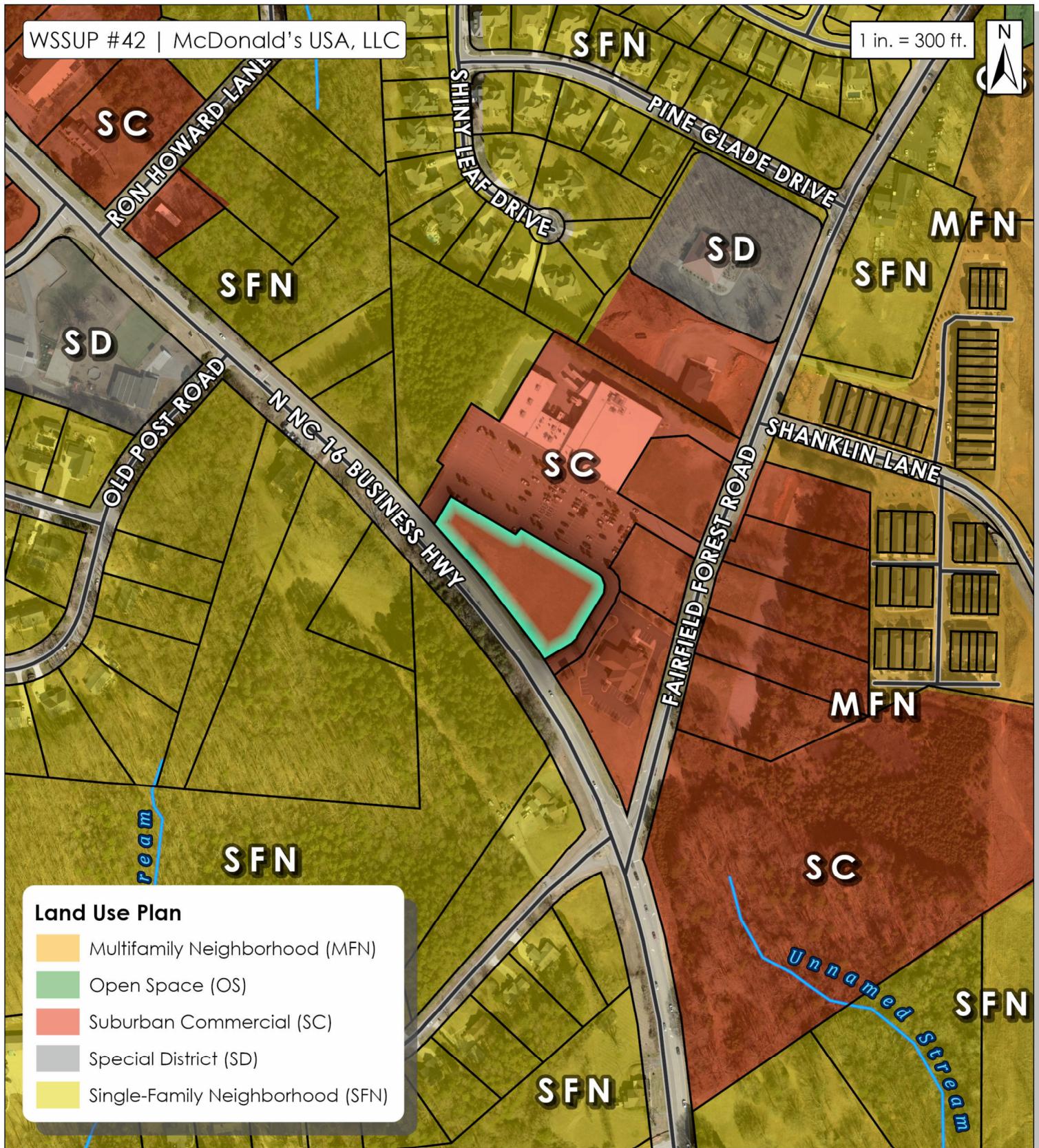
Lincoln County
Planning & Inspections
115 W. Main St
3rd Floor
Lincolnton, NC 28092

Parcel ID # 71129

- Property Location(s)

See Attached Application for Parcel Information



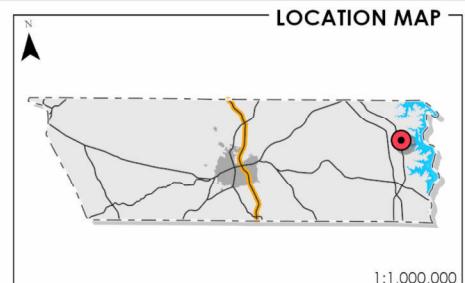


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Property Location(s)

2025

STORMWATER AND EROSION & SEDIMENT CONTROL NARRATIVE

32-1752 DENVER, NC MCDONALD'S

Adjacent to 2074 N NC-16 Business
Denver, NC 28037
Lincoln County

Bohler Project #: NCB240100.00

1st Submittal March 7, 2025
2nd Submittal May 21, 2025



Oliver Kaija, PE

BOHLER //
BOHLER ENGINEERING NC, PLLC

4130 Parklake Avenue, Suite 200, Raleigh, NC 27612
NCBELS # P-1132 | P: 919-578-9000 | F: 919-703-2665
www.bohlerengineering.com

1. PROJECT DESCRIPTION

1.1 PROJECT NARRATIVE

The following stormwater management report is for a proposed commercial development to the northeast of 2074 N NC-16 Business, Denver, NC. The site is an outparcel to a Food Lion shopping center, PIN #71129. The project includes but is not limited to, one 3,859 SF building, parking, 2 entrances, utilities, underground stormwater control measures, and grading activities. The outparcel for the McDonald's development is ± 1.365 acres. Site access will be provided through an existing drive aisle for the Food Lion shopping center, off of N NC-16 Business.



Figure 1: Aerial View of Site

2. STORMWATER

2.1 STORMWATER SUMMARY

The site is subject to the analysis of pre and post-development drainage areas to demonstrate at a minimum, control of the pre to post flows for the 2-year and 10-year, 24-hour storms. This project has been designed in accordance with the Lincoln County Unified Development Ordinance. The proposed site is ± 1.365 acres, and lies within Lincoln County's Eastern Lincoln Development District and the WS-IVP Protected Area. The maximum impervious value permitted for high density projects is 70%. The pre- and post-drainage maps can be found in Appendix B. In the existing condition, the site and adjacent site are nearly $\pm 100\%$ pervious with primary land covers comprising of grass.

2.2 PRE-DEVELOPMENT CONDITION

In the pre-development condition, the site is relatively flat, undeveloped, and is grassed or wooded. The existing site is delineated as one pre-development drainage area, which eventually discharges into the existing storm system within the Food Lion shopping center. "Drainage Area 1" consists of approximately ± 1.36 acres of area that will primarily drain from the south to the north side of the property towards the shopping center. There is an existing inlet to the north within the site that connects to a 15" CPP pipe within the shopping center.

2.3 POST-DEVELOPMENT CONDITION

In the post-development condition, the site is broken up into one drainage area that drains to underground detention. In total, ± 0.93 acres of impervious area and ± 0.44 acres of pervious area will be directed to the ADS underground detention system. Due to the increase in impervious area from the existing to proposed conditions, an underground detention system is to be constructed to meet Lincoln County stormwater requirements. In the final condition, the site will be approximately 67.9% impervious, which is below the allowable 70%. However, the BMP was designed to accommodate a 70% impervious drainage area.

2.4 BMP SUMMARY

In order to utilize underground detention in Lincoln County, the 1" inch of stormwater needs to be treated. The discharge rate following a 1" rainfall shall drawdown the temporary storage volume between 48 and 120 hours. There are no peak discharge requirements. The system must also be

designed to achieve a minimum of 85% average annual removal for Total Suspended Solids (TSS).

To meet Lincoln County's requirements, an ADS underground system with ground infiltration will be used. Per the page 8 of the geotechnical report dated 8/2/2024, the site has a stabilized infiltration rate of 1.83 in/hr, allowing proper conditions to utilize infiltration for water quality purposes. The device has been sized to accomplish 85% TSS removal, per Lincoln County requirements. For rate control, the system was sized to meet the 2-year 24-hour requirements of Lincoln County, and the 10-year storm to ensure the downstream system will not be overrun with stormwater. See the table below (Underground Detention Design Summary) for pre and post flows for both storm events. These values can also be found in Appendix C. The underground detention system discharges into an existing 15" CPP pipe within the Food Lion shopping center.

The hydrographs seen in Appendix C, for Pond 2P: Underground Detention display that at 120 hours, there is no activity, demonstrating that the detention system within the appropriate timeframe.

Underground Detention Design Summary		
Description	Pre-Development	Post-Development
Drainage Area (AC)	1.365	1.37
Composite Curve Number	69	86
Time of Concentration (min)	11.3	5
2-year, 24-hour Peak Flow Rate (CFS)	1.66	0.16
10-year, 24-hour Peak Flow Rate (CFS)	3.79	3.58

As indicated in the tables above, the proposed development does not result in any increase to the design storms specified in the Lincoln County and NCDEQ Stormwater Regulations.

3. EROSION CONTROL

3.1 EXISTING CONDITIONS

The subject site is a ±1.36 acre site located adjacent to 2074 N NC-16 in Denver, NC, and falls within the jurisdiction of Lincoln County. The site lies within an existing shopping center and is undeveloped and grassed.

3.2 PHASE I EROSION CONTROL

Stage 1 will commence with the staking of the limits of disturbance, installation of the construction entrance, perimeter construction fence, and perimeter best management practices (BMPs). The site is subject to BMPs including silt fence outlets, construction entrance, and a concrete washout pit. The majority of stormwater present on site will be controlled by silt fence outlets, silt fence, and inlet protections as seen in sheet C-801 in Appendix A. Once the site is inspected by the Lincoln County inspector, phase II can begin.

3.3 PHASE II EROSION CONTROL

Stage 2 will continue adjusting BMPs as necessary and depicted by sheet C-802 in Appendix A. Throughout construction, temporary stabilization for any disturbed areas that are likely to remain inactive shall be installed. Once these measures are in place, sanitary sewer and remaining permanent utilities as seen on the site development plans will be installed. After utilities are placed and buried, the grading and installation of permanent stabilization over all areas shall be completed. Inlet protection will be installed for any inlets on site. Pending Lincoln County inspection and approval to continue, the site may be paved. Concurrence must be obtained from the owner that the site has been fully stabilized, sediment has been removed from all storm inlets, and construction has been completed. Before demobilizing, the contractor must have all remaining temporary erosion and sediment control BMPs removed and stockpiles and any disturbed areas must be stabilized. Contractor may only demobilize once the site has been fully stabilized according to Lincoln County requirement

