



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: Alex Patton, Board of Commissioners Chairman
George Wood, County Manager
Jeff Frushtick, Planning Board Chairman

From: Randy Hawkins, Zoning Administrator

Date: July 18, 2012

Re: Watershed Conditional Use Permit #13
Damon Lusk, applicant
Parcel ID# 32374

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on August 6, 2012.

REQUEST

The applicant is requesting a conditional use permit to allow the use of the high-density option in the WS-IV Protected Area of the Catawba/Lake Norman Watershed. The applicant is proposing to develop a 1.36-acre parcel with a 19,500-square-foot building, driveways and parking areas. 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 36 percent.)

SITE AREA AND DESCRIPTION

The 1.36-acre parcel is located on the north side of N.C. 16 Business about midway between its intersections with Denver Industrial Park Road in Catawba Springs Township. It was rezoned from B-G (General Business) to CU I-G (Conditional Use General Industrial) in May to permit an office/warehouse for building material sales. It is adjoined by property zoned B-G, I-G and B-N (Neighborhood Business). Land uses in this area include industrial, business and residential. This property is part of an area designated by the Lincoln County Land Use Plan as industrial.

HIGH-DENSITY OPTION REQUIREMENTS

Under the water-supply watershed regulations of the Lincoln County Unified Development Ordinance, the Catawba/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 and Natural Resources. In this case, two bioretention areas are proposed.

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 structures. In addition, a binding agreement must be signed, requiring the owner to maintain, repair and, if necessary, reconstruct the structures in accordance with an approved operations and maintenance plan.

LINCOLN COUNTY PLANNING BOARD'S
RECOMMENDATIONS ON FINDINGS OF
FACT FOR A CONDITIONAL USE PERMIT

Application # WSCUP #13 Date August 6, 2012

Applicant Name Damon Lusk

Applicant 3400 Denver Dr., Denver, NC 28037

Property Location North N.C. 16 Business (PID# 32374) Zoning CU I-G

Proposed Conditional Use high-density option for office/warehouse for building material sales

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: _____

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 Planning Board:

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



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 Damon Lusk

Applicant Address 3400 Denver Drive, Denver NC 28037

Applicant Phone Number 704-489-2101

Property Owner Name Lusk Construction, Inc.

Property Owner Address Same as Applicant

Property Owner Phone Number Same as Applicant

PART II

Property Location 4052 N NC HWY 16

Property ID (10 digits) 3695-36-7135 Property size 1.36 Acres

Parcel # (5 digits) 32374 Deed Book(s) 2273 Page(s) 259

PART III

Watershed District WS-IV

Briefly describe how the property is being used and any existing structures.
The site was previously developed with a single family residence, a mobile home, and various out buildings. The existing structures have been removed. A well house and septic system remain.

Briefly describe the proposed project and the why it would require a Watershed Conditional Use Permit. The proposed development will include the construction of a 19,500 sf building to include office space, and warehousing for the sales and prefabrication of steel products. Other improvements include paved parking and driveways, stormwater water quality controls, and landscaping. An impervious coverage of 69.2% is proposed which requires a watershed conditional use permit.

\$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.

A handwritten signature in black ink that appears to read "Damon Lusk".

Applicant's Signature

6-19-12

Date

APPLICANT'S PROPOSED FINDINGS OF FACT
FOR A CONDITIONAL USE PERMIT

Application No. **WSCUP #13**

Applicant **Damon Lusk**

Applicant's Address **3400 Denver Drive, Denver, NC 28037**

Property Location: **N.C. 16 Business (Parcel ID# 32374)**

Proposed Conditional Use **high-density option in Catawba/Lake Norman Watershed for office/warehouse for building material sales**

PROPOSED FINDINGS

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan.

The zoning of the property limits the use to an office/warehouse for building material sales. A driveway permit will be obtained from NCDOT. The building will meet the state building code.

2. The use meets all required conditions and specifications.

The stormwater plans have been reviewed by an independent engineer and by county staff for compliance with requirements for the high-density option.

3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity.

The properties on both sides of this property and on the opposite side of the highway are zoned business. The plan includes buffers along both sides and along the highway. The properties to the rear of this property are zoned industrial and contain industrial uses.

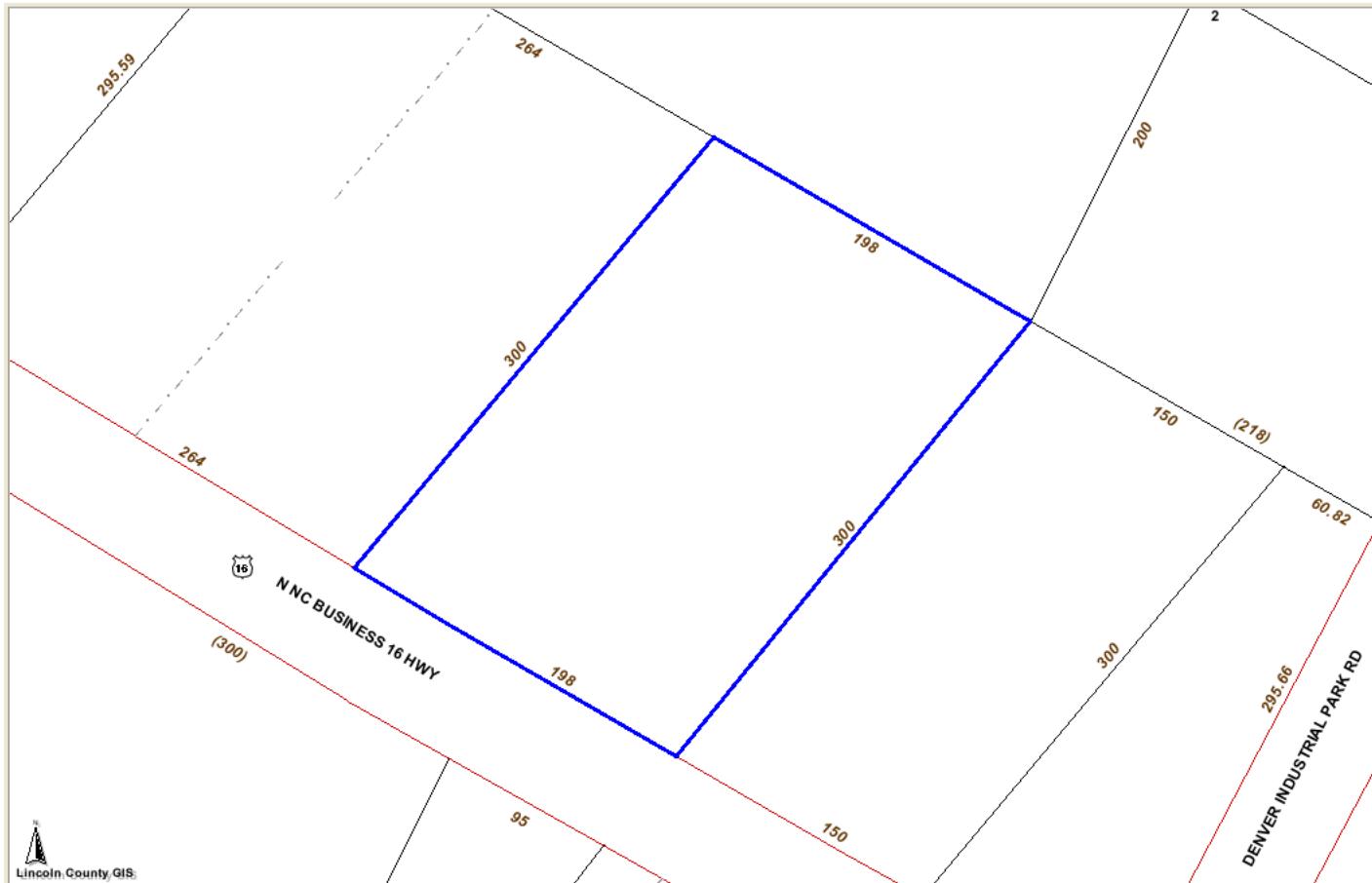
4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question.

This is an existing industrial/commercial area. This property is part of an area designated by the Land Use Plan as industrial.



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: 7/16/2012 Scale: 1 Inch = 100 Feet



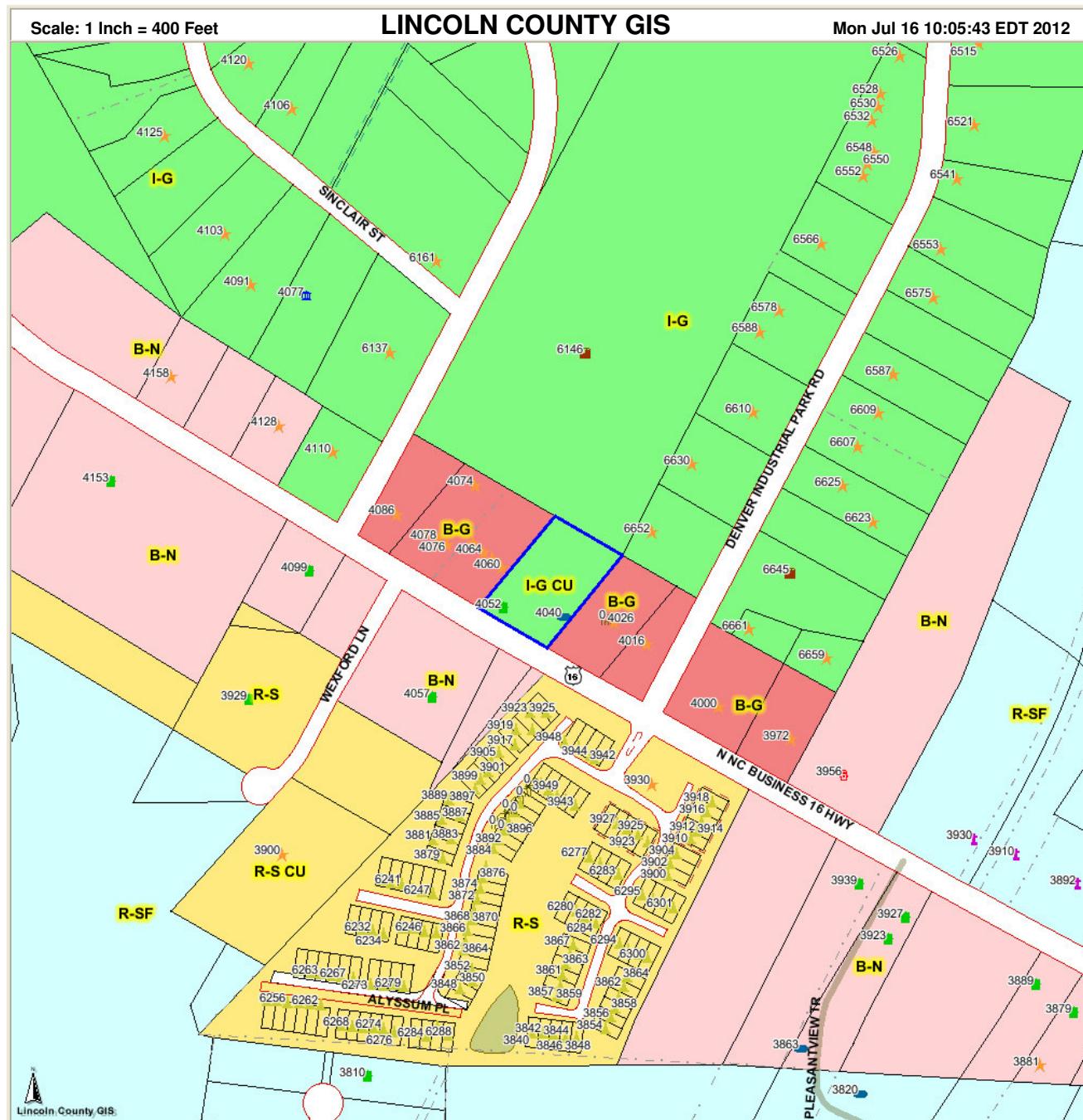
PHOTOS



32374

PARCEL INFORMATION FOR 3695-36-7135

Parcel ID	32374	Owner	LUSK CONSTRUCTION LLC
Map	3695-10	Mailing	3400 DENVER DR
Account	0212726	Address	DENVER NC 28037-7206
Deed	2273-259	Recorded	10/7/2011
Land Value	\$217,000	Total Value	\$217,000
----- All values are for tax year 2012. -----			
Description	SHELTON LD HWY 16	Deed Acres	1.36
Address	4052 N NC 16 HWY	Tax Acres	1.34
Township	CATAWBA SPRINGS	Tax/Fire District	DENVER / EL SEWER
Improvement	No Improvements		
Zoning	Calculated	Voting Precinct	Calculated Acres
District	Acres	DENVER (DN29)	1.09
I-G CU	1.34	DENVER WEST (DW28)	0.25
Watershed Class		Sewer District	
WS-IVP	1.34	In the sewer District	1.34
2000 Census County		Tract	
37109		071100	1003
Flood	Zone Description	Block	
X	NO FLOOD HAZARD	Panel	
		3710369500	1.34



Structures

- Outbuilding
- Site-built Home
- Business
- Industry
- Utility Service
- Church
- Government, School
- Fire Department
- Mobile Home
- Apartment, Condominium
- Manufactured Home
- Cellular Tower (cont)

Mobile Home Space

- Unaddressed Mobile Home
- Child Facility
- Home Site
- County Boundaries
- County Line
- Township Line
- Map Features
- Road Easement
- Conflict Line
- Major Rivers, Creeks (cont)

Creeks

- Interior Lot Line
- Drainage Easement
- Utility Easement
- Right-of-Ways
- Roads
- Railroads
- Public Walkway
- Parcels
- Private Roads
- City Jurisdictions
- City of Lincolnton
- ETJ (cont)

Town of Maiden Zoning Districts

ELDD	R-CR
B-G	R-14
B-N	R-20
I-G	R-MF
I-L	R-MR
P-MU	R-R
PD-C	R-S
PD-I	R-SF
PD-MU	R-T
PD-R	C-B
ETJ (cont)	CBT
P-R (cont)	G-B
	GMC
	ROS
	B-C
	Lake Norman

O-I

- P-B
- R-10
- R-15
- R-25
- R-8
- R-MF
- R-O
- O-R
- ROS
- B-C

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. Lincoln County, NC Office of the Tax Administrator, GIS Division

**STORMWATER NARRATIVE
AND
EROSION CONTROL REPORT
FOR
RACE CITY STEEL SITE DEVELOPMENT PLAN**

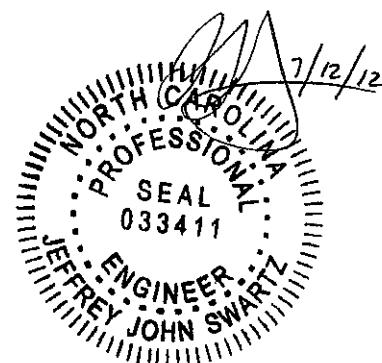
**LINCOLN COUNTY
DENVER, NORTH CAROLINA**

**APPLICANT:
LUSK CONSTRUCTION, INC.
CONTACT: DAMON LUSK
3400 DENVER DRIVE
DENVER, NC 28037
704-489-2101
damon@rcssteelandaluminum.com**

**JUNE 14, 2012
Revised July 12, 2012**

PROJECT No. 6192.0312CD

**PREPARED BY:
CES GROUP ENGINEERS, LLP
FIRM LICENSE #: F-1240
274 N. HWY 16, SUITE 300
DENVER, NC 28037
704-489-1500
CONTACT: JEFF SWARTZ, PE, LEED AP
jswartz@ces-group.net**



**STORMWATER NARRATIVE AND EROSION CONTROL REPORT
FOR
RACE CITY STEEL SITE DEVELOPMENT PLAN**

**LINCOLN COUNTY
DENVER, NORTH CAROLINA**

PROJECT NARRATIVE

Lusk Construction, Inc. is proposing a new office, warehouse and prefabrication facility for Race City Steel on approximately 1.36 acres. The site is located in Denver, NC and is proposing access onto NC HWY 16. Based on aerial photographs, the site was previously developed with a single family residence, a mobile home, and out buildings. The proposed development will include a 19,500 square foot building, paved parking and driveways, landscaping and bioretention areas to meet storm water quality requirements. The proposed impervious coverage is 69.2 percent.

The site is located within the Mundy Creek watershed (a tributary of the Catawba River Basin). All receiving waters are classified as Class B, Water Supply (WS-IV). Approximately 1.4 acres will be disturbed during the project.

No stream impacts are proposed. According to the USDA Soil Survey, no hydric soils are located within the site. Also according to the USDA Soil Survey, there is no high water table or shallow bedrock expected. The site is gently sloping. The site is not located within a floodplain.

STORMWATER NARRATIVE

Stormwater runoff from the site will be treated by two bioretention areas with pretreatment by grass and gravel filter strips. The bioretention areas have been designed in accordance with Lincoln County ordinances and Chapter 12 of the North Carolina Stormwater BMP Manual.

The bioretention areas have been designed with an internal water zone (IWS) to remove 85% Total Suspended Solids, 40% Total Nitrogen, 45% Total Phosphorus. The bioretention area has been designed to retain the first one inch of runoff on the surface of the retention area.

The retained runoff will pass through approximately three feet of filter media before infiltrating into the soil below. Excess runoff will bypass the bioretention area through a spillway in the berm.

The internal water zone includes an underdrain which will aid in dewatering the top 12 inches of the filter media in accordance with Chapter 12 of the North Carolina Stormwater BMP Manual.

In accordance with Chapter 12 of the North Carolina Stormwater BMP Manual, stormwater is also pretreated by using an 8" gravel filter along the edge of the pavement and an approximate 4 foot wide grass filter strip between the gravel and the surface of the bioretention cell.

An analysis of the peak flow rates from a 10 year storm was also completed. According to the analysis, the bioretention areas will also reduce the post development peak flow rate to below pre development levels.

See appendix for additional analysis and design calculations.

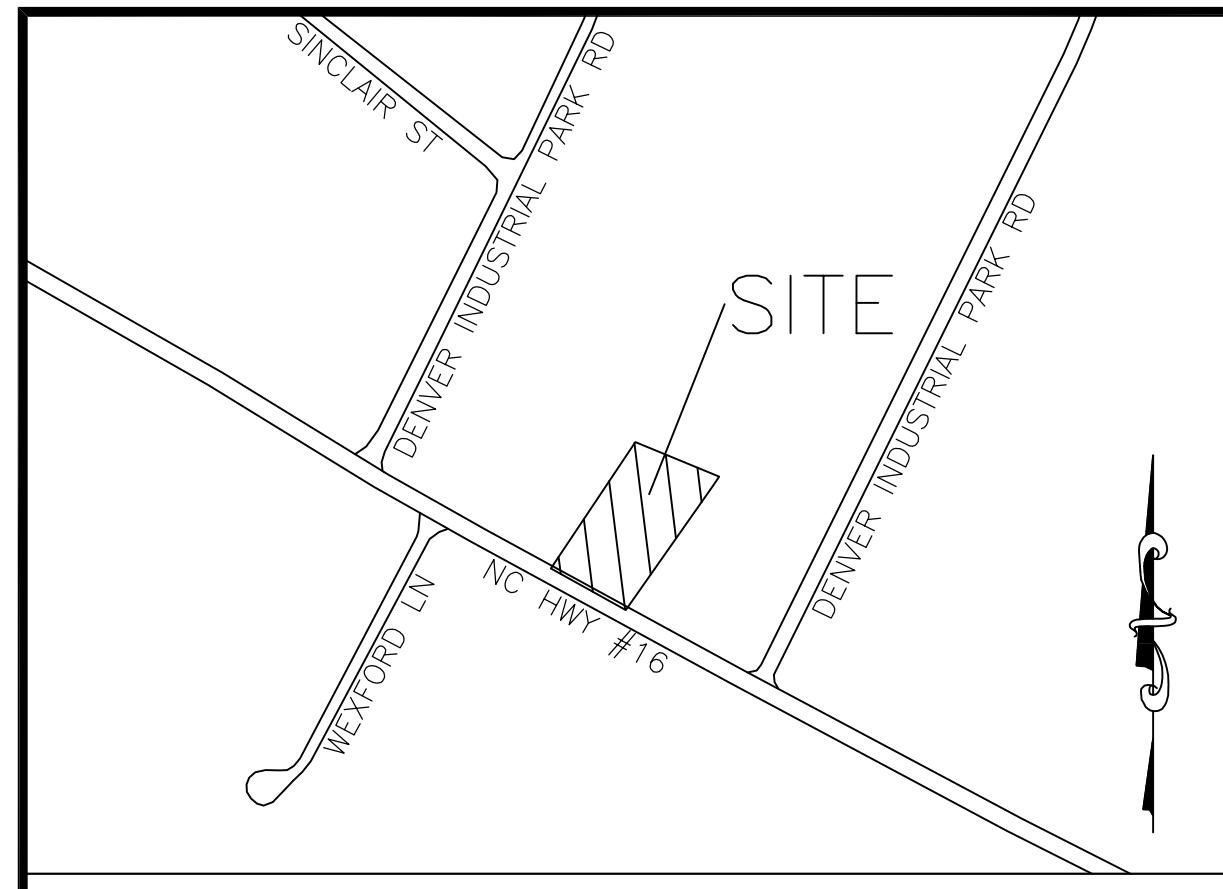
EROSION CONTROL NARRATIVE

The Erosion Control Plan has been prepared by CES Group Engineers, LLP, 274 N HWY 16, Suite 300, Denver, North Carolina, 28037. The plan has been prepared in accordance with the requirements and suggested practices by NCDENR.

The attached Erosion Control Plan has been developed within established guidelines and standards, incorporating those measures which have proven effective in minimizing the amount of sediment runoff during the actual construction operation and immediately thereafter.

The site does not receive off site runoff. The site gently slopes towards the center of the site from the south and north and then gently slopes from the center to the east and west. Since the site does not have a significant point source discharge and no single drainage area exceeds one acre, it is anticipated that perimeter sediment (silt) fence will be adequate in controlling sediment pollution.

See Appendix for soils information.



SHEET INDEX:

C1 SITE PLAN
C2 GRADING PLAN
C3 STORMWATER & DETAILS
C4 EROSION CONTROL PLAN
C5 EROSION CONTROL DETAILS
C6 UTILITY PLAN
C7 LANDSCAPE PLAN

MICHAEL L. KEEVER

1889/412
ZONING B-G

LAND USE INFORMATION:

1. PROPOSED BUILDING USE:
OFFICE/WAREHOUSE/PREFABRICATION
2. PROPOSED USE: BUILDING MATERIAL SALES
3. PROPOSED HEIGHT OF BUILDING = ±25'-6"
4. REQUIRED BUILDING SETBACKS: FRONT=50'; SIDES=20'; REAR=30'
5. OWNER: LUSK CONSTRUCTION, INC.
3400 DENVER DRIVE
DENVER, NC 28037
6. APPLICANT: DAMON LUSK
7. LOT CONSISTS OF ±1.36 ACRES. LOT IS ZONED CU I-G.
8. LOT DOES NOT LIE WITHIN A FLOOD PLAIN. LOT IS ABOVE FEMA 100 YEAR FLOOD ELEVATION.
9. COUNTY WATER SUPPLY.
10. COUNTY SEWER SYSTEM.
11. EXISTING IMPERVIOUS AREA = 0%; PROPOSED IMPERVIOUS AREA = 69.2%.
12. PARKING: OFFICE 1/400 SF & 6 EMPLOYEES = 11 SPACES REQUIRED; 15 SPACES PROVIDED.
13. BOUNDARY AND FEATURES SURVEY PROVIDED BY DEDMON SURVEYS DATED 4-2-2012.
14. DUMPSTER SCREENING SHALL MATCH FINISH OF PROPOSED BUILDING. SEE BUILDING PLANS FOR DETAILS.
15. THE SITE IS LOCATED IN A CLASS B, WS-IV WATER SUPPLY WATERSHED.
16. CONTRACTOR SHALL SUBMIT FENCE DETAILS TO COUNTY FOR APPROVAL PRIOR TO INSTALLATION.
17. EXISTING WELL TO BE USED FOR IRRIGATION ONLY. EXISTING WELL SHALL NOT BE USED AS A POTABLE WATER SUPPLY.

EROSION CONTROL:

1. CONTRACTOR SHALL OBTAIN A LINCOLN COUNTY EROSION AND SOIL SEDIMENTATION PERMIT FOR ANY DISTURBED LAND OVER 1,000 SQ FT.
2. SILT FENCE SHALL BE INSTALLED AROUND THE ENTIRE PERIMETER OF THE DISTURBED AREA OF THE SITE.
3. DRAINAGE AREA MUST BE STABILIZED PRIOR TO INSTALLATION OF BIORETENTION STRUCTURE.

LEGEND
TBR = TO BE REMOVED

GENERAL CONCRETE NOTES:

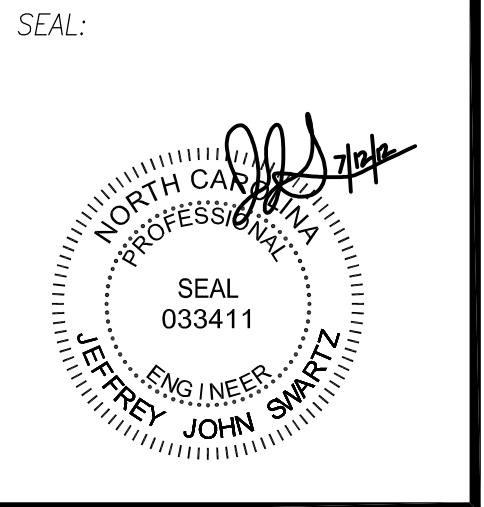
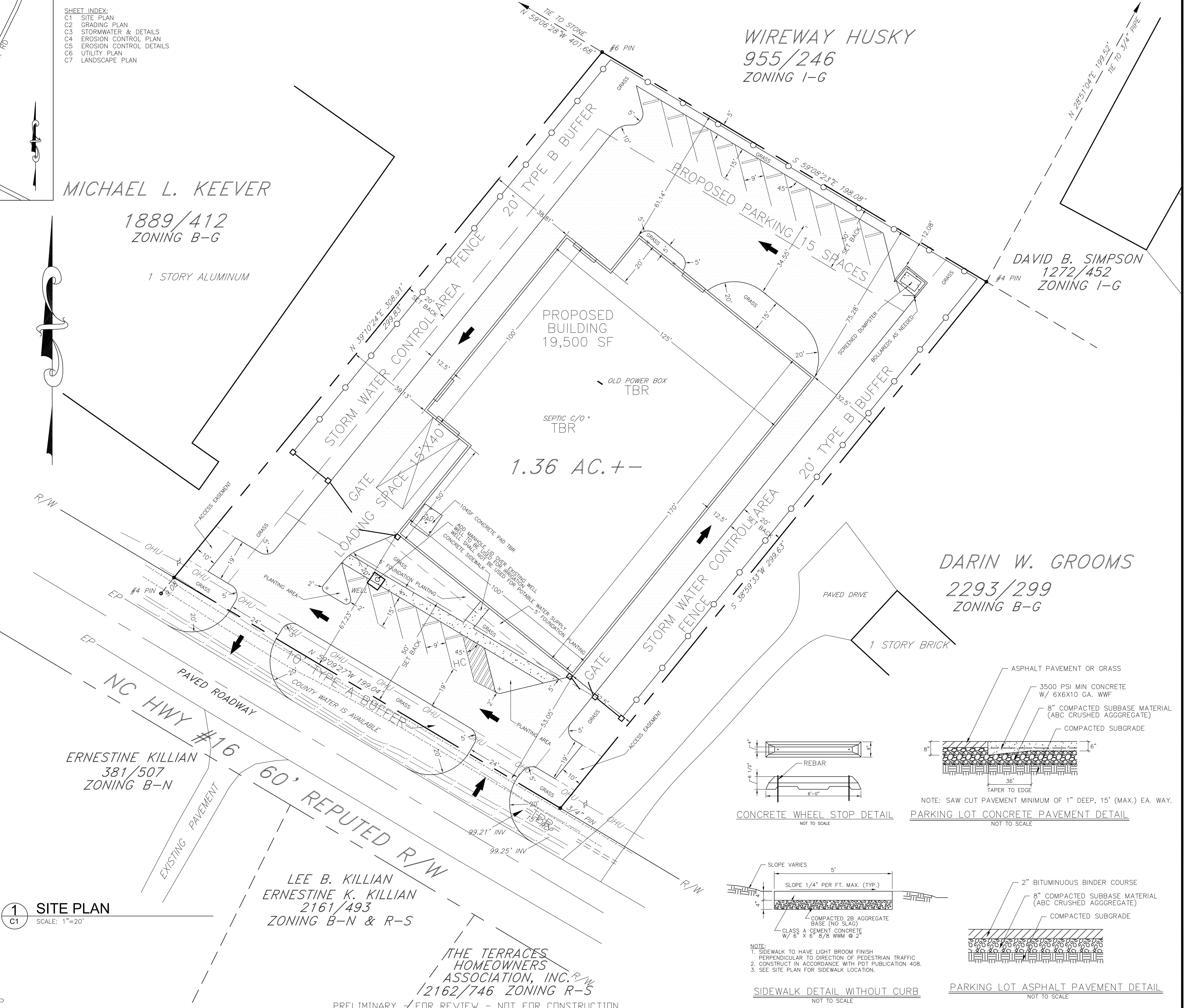
1. THE CONCRETE WORK SHALL CONFORM TO THE REQUIREMENTS OF ACI 301 "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS" LATEST EDITION.
2. ALL CONCRETE SHALL ATTAIN A 28 DAY COMPRESSIVE STRENGTH OF 3000 PSI UNLESS NOTED OTHERWISE.
3. SLUMP: 5" MAX. / 3" MIN.
4. CONCRETE PERMANENTLY EXPOSED TO WEATHER SHALL BE 4% TO 7% AIR ENTRAINED.
5. REINFORCING STEEL SHALL BE DEFORMED BARS CONFORMING TO ASTM A615, GRADE 60. SPLICES SHALL BE LAPPED A MINIMUM OF 24 BAR DIAMETERS.
6. SURFACE FINISHES SHALL BE IN ACCORDANCE WITH ACI 301-89 (BROOM FINISH FOR AREAS OUTSIDE BUILDING).
7. ALL EXPOSED EXTERNAL EDGES SHALL HAVE A 3/4" 45 DEGREE CHAMFER.
8. ALL PROPOSED ADMIXTURES, CURING COMPOUNDS, CONDITIONERS, AND HARDENERS SHALL BE REVIEWED BY THE ENGINEER PRIOR TO PLACEMENT.



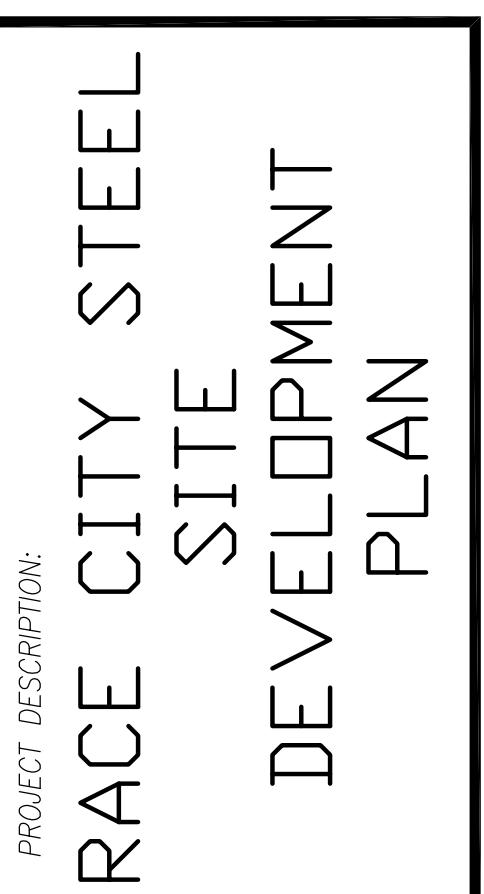
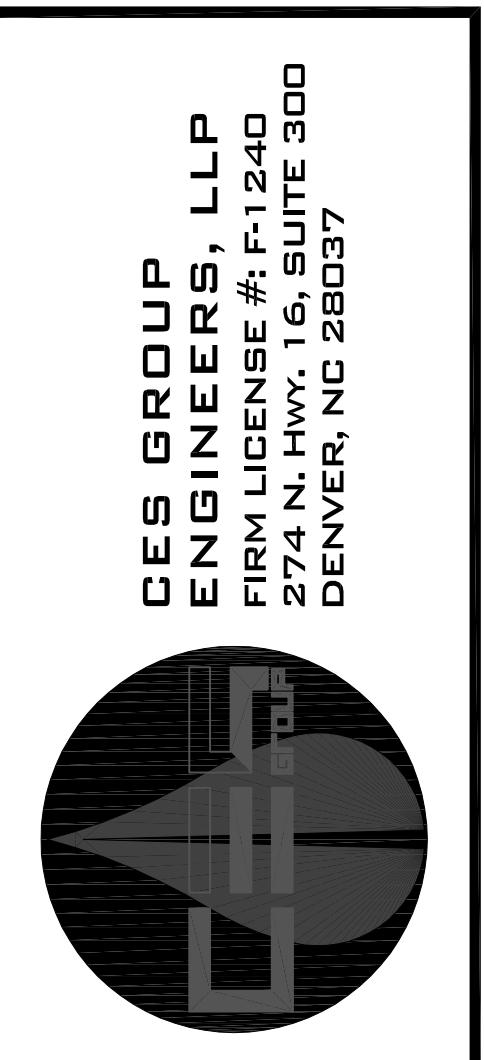
**Know what's below.
Call before you dig.**

**NORTH CAROLINA
ONE-CALL CENTER INC.
DIAL 811 or 1-800-632-4949
2 BUSINESS DAYS BEFORE DIGGING**

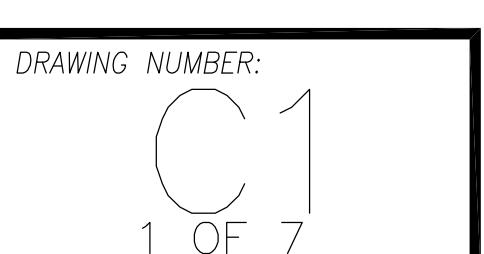
Copyright 2012 CES Group Engineers, LLP

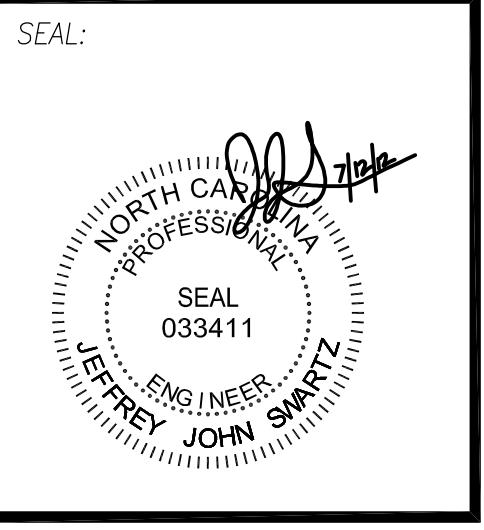
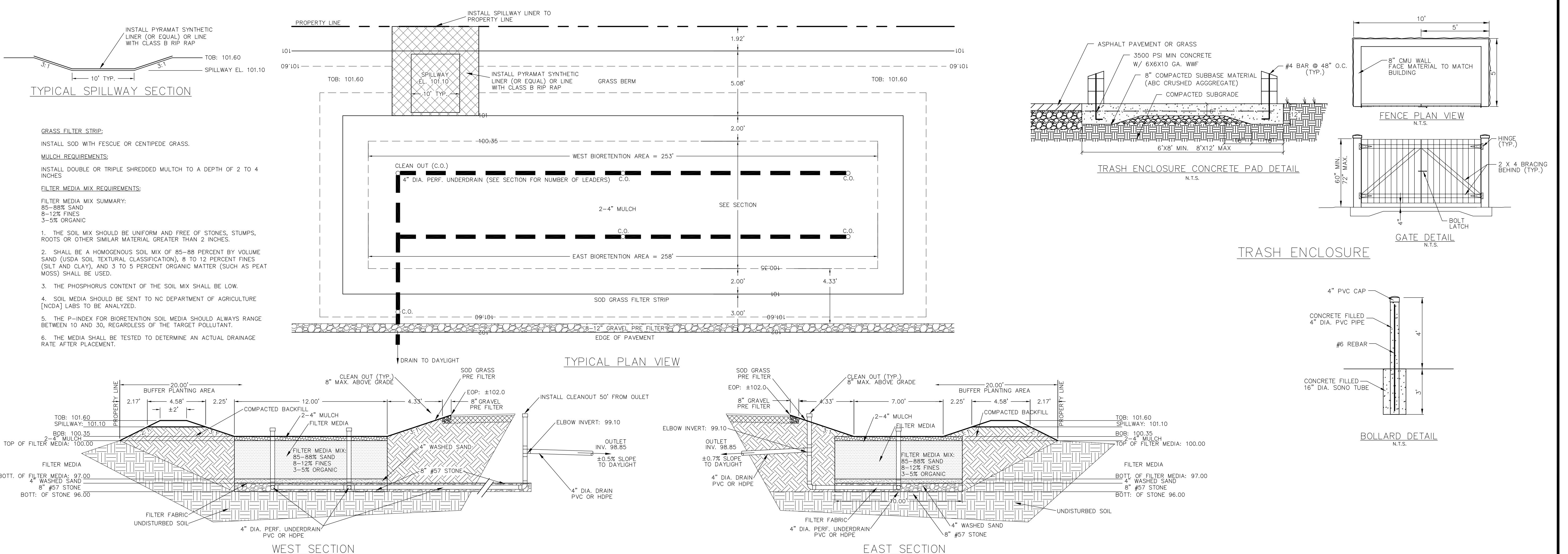


REVISIONS		
NO:	ISSUE:	DATE:
1	C0. REVIEW	071212



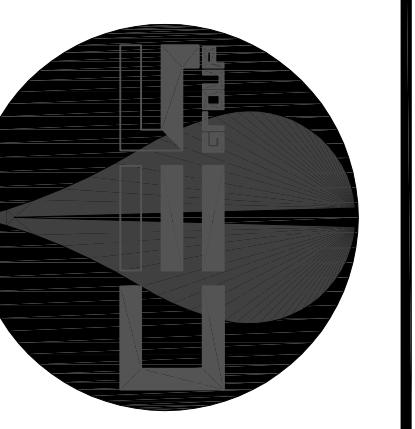
DRAWN BY:	JJS
CHECKED BY:	DSL
PROJECT NO:	6192.0312CD
COMMENTS:	
PLAN DATE:	06/08/2012
SCALE:	1" = 20'
DRAWING TITLE:	
SITE PLAN	



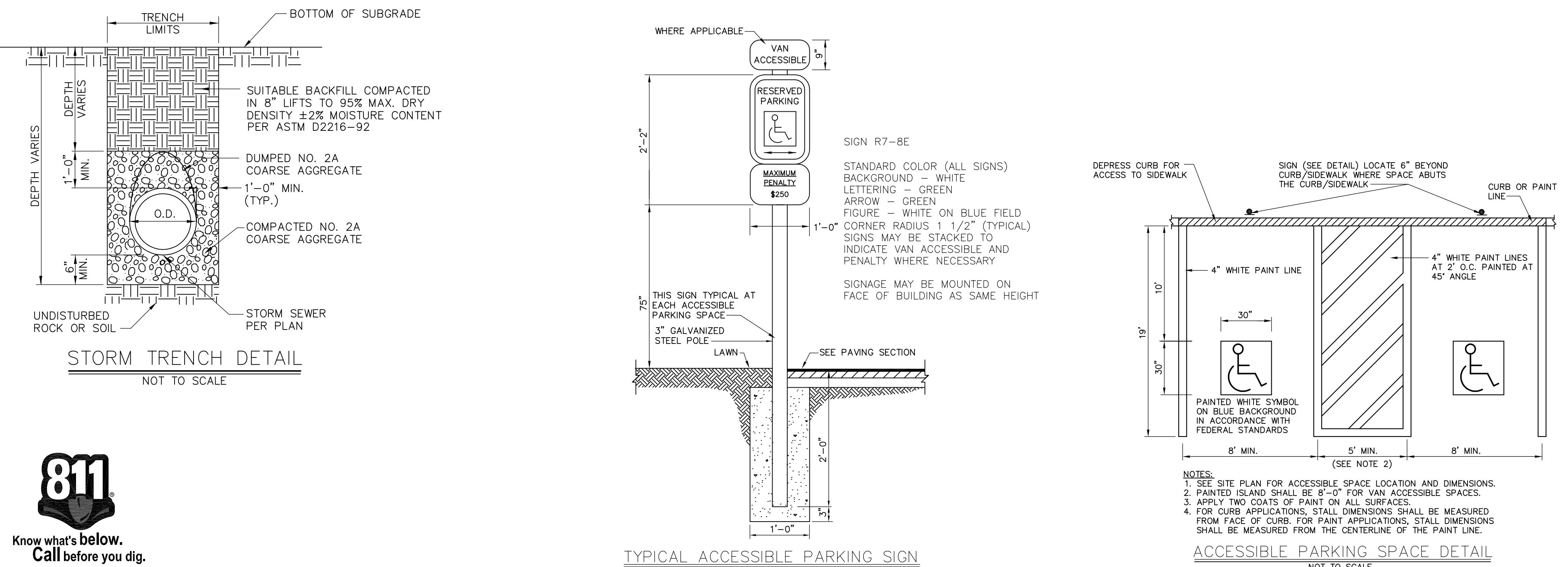


REVISIONS		
NO:	ISSUE:	DATE:
1	C0. REVIEW	071212

**CES GROUP
ENGINEERS, LLP**
FIRM LICENSE #: F-1240
274 N. HWY. 16, SUITE 300
DENVER, NC 28037



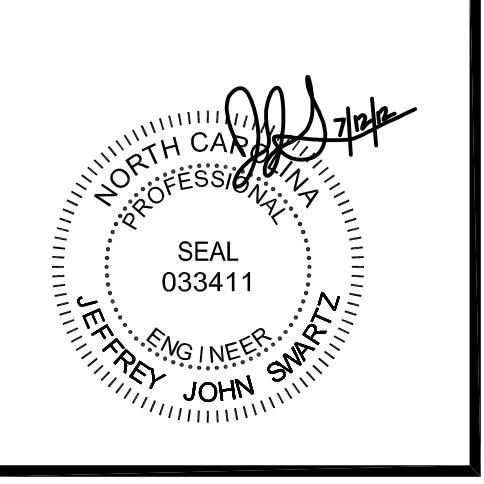
BIORETENTION AREA DETAILS



**Know what's below.
Call before you dig.**

**NORTH CAROLINA
ONE-CALL CENTER INC.
DIAL 811 or 1-800-632-4949
2 BUSINESS DAYS BEFORE DIGGING
www.ncoccc.org**

Copyright 2012 CES Group Engineers, LLP

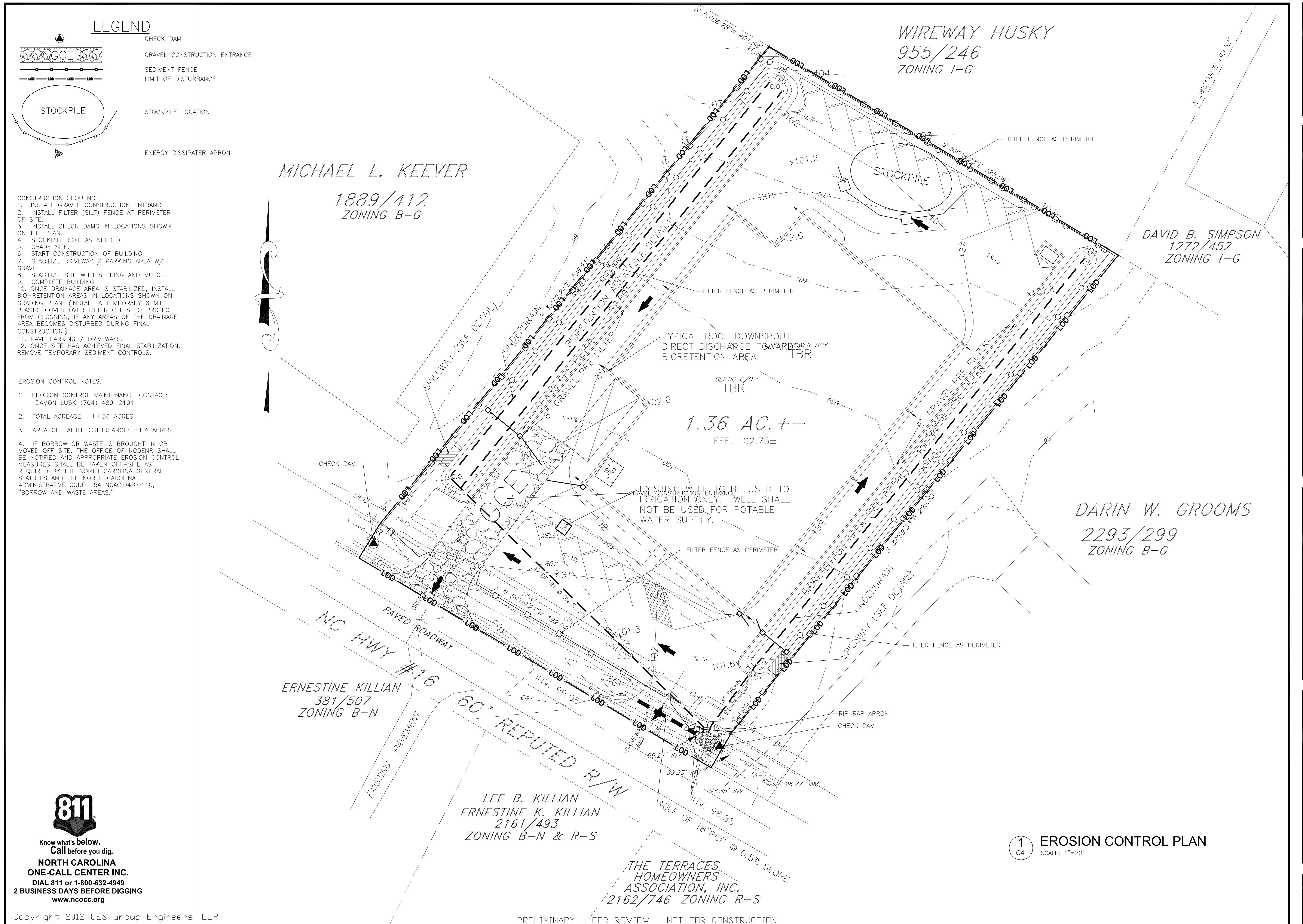


REVISIONS		
NO:	ISSUE:	DATE:
1	C0. REVIEW	071212

RAE CITY SITE DEVELOPMENT PLAN

DRAWN BY:	JJS
CHECKED BY:	DSL
PROJECT NO:	6192.0312CD
COMMENTS:	
PLAN DATE:	06/08/2012
SCALE:	AS NOTED
DRAWING TITLE:	STORMWATER & DETAILS

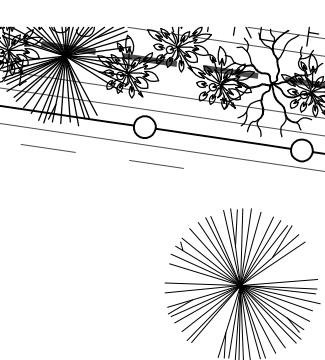
DRAWING NUMBER:
C3
3 OF 7



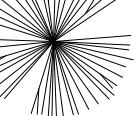
LANDSCAPE NOTES:

1. SCREENING IN THE FORM OF CLASS A BUFFER MUST BE PROVIDED AT THE BOUNDARY OF THE SITE WITH THE STREET.
2. PLANT MATERIAL AT 100' INTERVALS WITH THE FOLLOWING FOR A 10 FOOT CLASS A BUFFER:
 - PLANT 2 CANOPY TREE
 - PLANT 2 UNDERSTORY TREES
 - PLANT 12 SHRUBS
3. SCREENING IN THE FORM OF CLASS B BUFFER MUST BE PROVIDED AT THE BOUNDARY OF THE I-G ZONE AND THE B-G ZONE. THE SCREENING SHALL BE ON THE I-G SIDE OF THE BOUNDARY.
4. PLANT MATERIAL AT 100' INTERVALS WITH THE FOLLOWING FOR A 20 FOOT CLASS B BUFFER:
 - PLANT 1 EVERGREEN TREE
 - PLANT 1 CANOPY TREE
 - PLANT 1 UNDERSTORY TREES
 - PLANT 12 SHRUBS
5. ALL BUILDING MECHANICAL EQUIPMENT VISIBLE FROM STREET SHALL BE SCREENED WITH SHRUBS, MASONRY WALL, OR PRESSURE TREATED FENCE.
6. SEE SCHEDULE FOR TYPICAL FOUNDATION PLANTING SCHEDULE.
7. MAINTAIN PLANTS IN ACCORDANCE WITH THE NC BMP MANUAL AND LINCOLN COUNTY UDO.

LEGEND

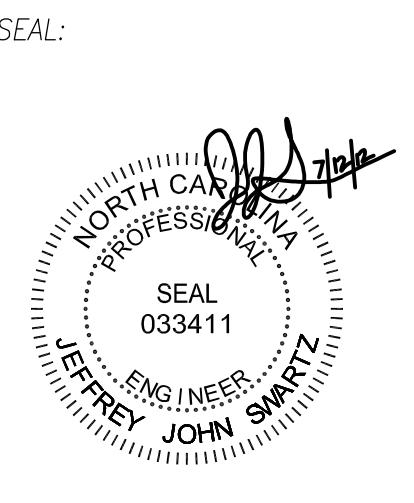


PROPOSED TREES & SHRUBS

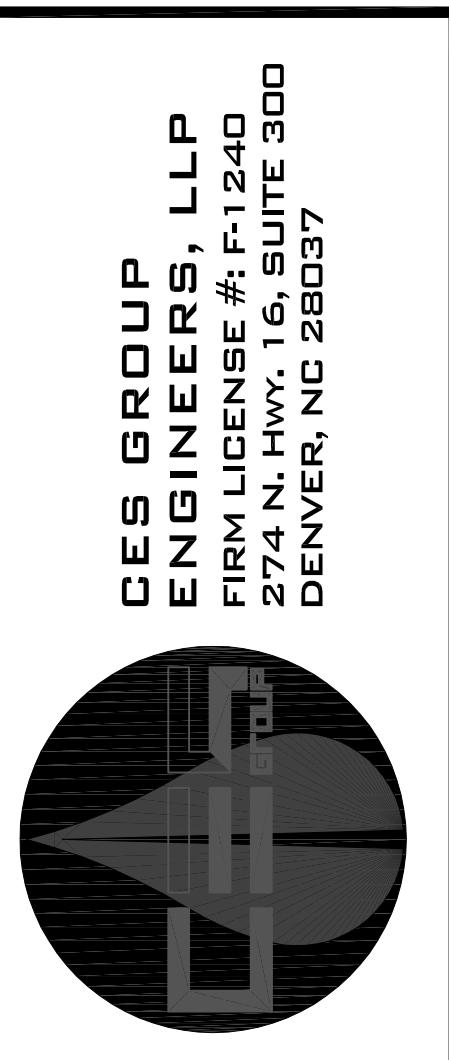


EXISTING TREES

WIREWAY HUSKY
955/246
ZONING I-G



REVISIONS		
NO:	ISSUE:	DATE:
1	CD. REVIEW	071212



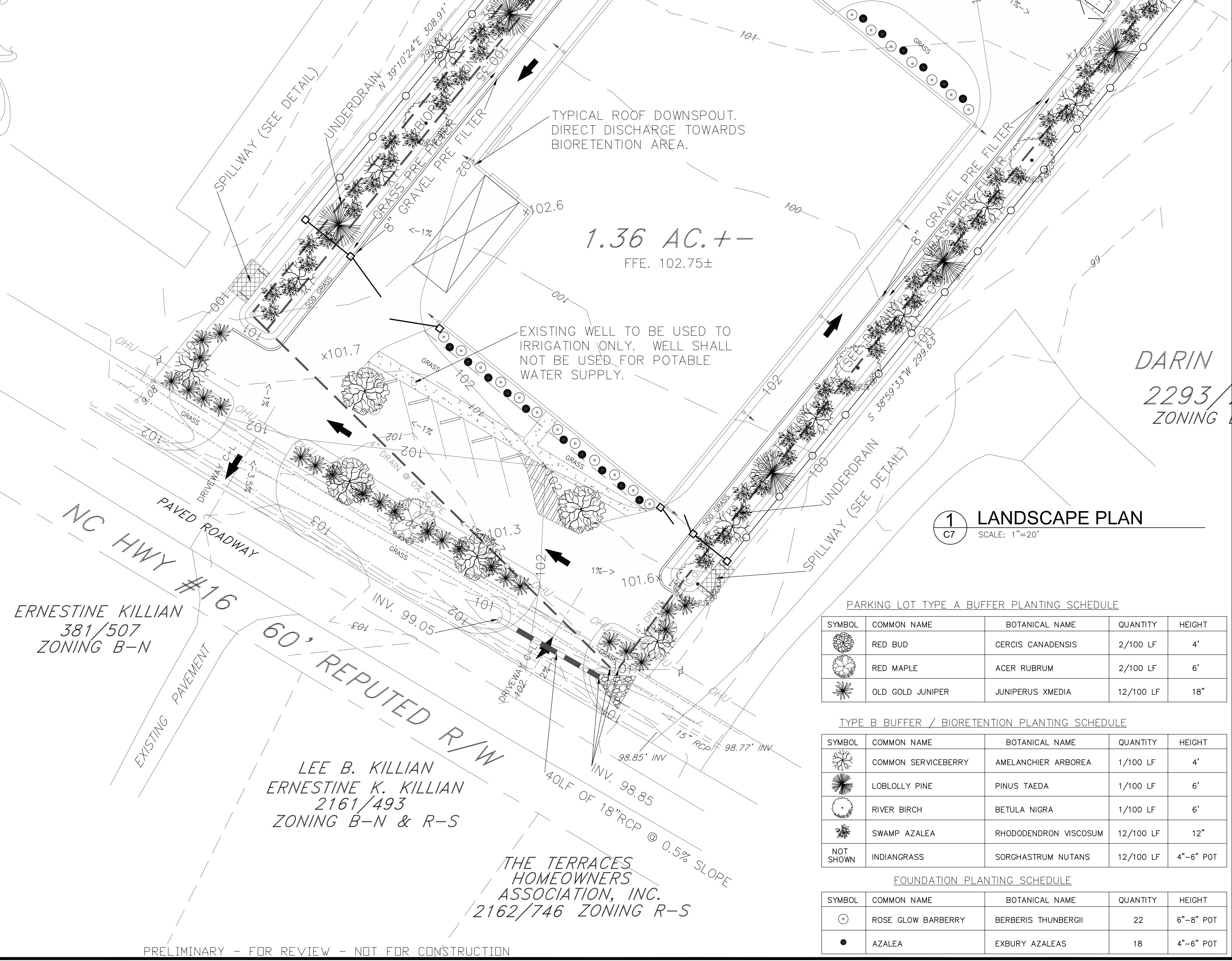
PROJECT DESCRIPTION:
RACE CITY STEEL
SITE
DEVELOPMENT
PLAN

DRAWN BY: JJS
CHECKED BY: DSL
PROJECT NO: 6192.0312CD
COMMENTS:
PLAN DATE: 06/08/2012
SCALE: 1" = 20'
DRAWING TITLE: LANDSCAPE PLAN

DRAWING NUMBER: C7
7 OF 7

MICHAEL L. KEEVER

1889/412
ZONING B-G



Know what's below.
Call before you dig.

NORTH CAROLINA
ONE-CALL CENTER INC.
DIAL 811 or 1-800-632-4949
2 BUSINESS DAYS BEFORE DIGGING
www.ncocc.org