



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
Christine Poinsette, Planning Board Chair

From: Randy Hawkins, Zoning Administrator

Date: October 18, 2012

Re: Watershed Conditional Use Permit #14
Damon Lusk, applicant
Parcel ID# 32374 and 33798

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on November 5, 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 2.4 acres with a 20,500-square-foot office/warehouse, a 10,000-square-foot warehouse, 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 property is located on the north side of N.C. 16 Business between its intersections with Denver Industrial Park Road in Catawba Springs Township. Under a separate application (PCUR #159), the applicant is requesting the parallel conditional use rezoning of this property from CU I-G (Conditional Use General Industrial) and B-G (General Business) to CU I-G (Conditional Use General Industrial) to permit building material sales. This property 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, the plans call for two grass-lined swales and two dry ponds located in series.

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.

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

Application # WSCUP #14 Date November 5, 2012

Applicant Name Damon Lusk

Applicant 3400 Denver Dr., Denver, NC 28037

Property Location NC 16 Business (PID# 32374, 33798) Zoning CU I-G

Proposed Conditional Use high-density option

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 Race City Steel, 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&8086 Property size 1.36 + 1.11 (2.47) Acres

Parcel # (5 digits) 32374&33798 Deed Book(s) 2338 Page(s) 810-812

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 residences, a mobile home, and various out buildings. Some 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 20,000 sf building to include office space, and warehousing for the sales and prefabrication of steel products and a 10,000 sf buildign for a warehouse. Other improvements include paved parking and driveways, stormwater water quality controls, and landscaping. An impervious coverage of 65.0% 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

Applicant's Signature

Date

9/20/12

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

Application No. **WSCUP #14**

Applicant **Damon Lusk**

Property Location: **N.C. 16 Business**

Parcel ID# **32374 and 33798**

Proposed Conditional Use **high-density option in Catawba/Lake Norman Watershed**

PROPOSED FINDINGS

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

The use of the property will be limited to building material sales. A driveway permit has been obtained from NCDOT. The buildings 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.

Properties on both sides of this property and on the opposite side of the highway are zoned business. The plan includes landscaped 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.

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

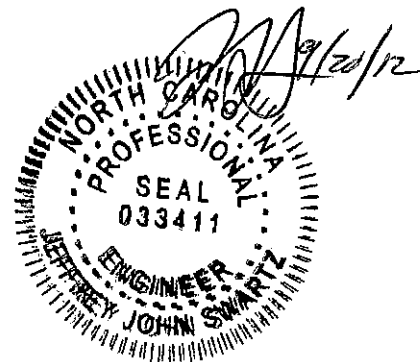
**LINCOLN COUNTY
DENVER, NORTH CAROLINA**

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

September 20, 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

Race City Steel, Inc. is proposing a new office, warehouse and prefabrication facility for Race City Steel on the combination of two lots totaling approximately 2.47 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 residences, a mobile home, and out buildings. The proposed development will include a 20,000 square foot building, a 10,000 square foot building, paved parking and driveways, landscaping, grass lined swales, and dry detention ponds to meet storm water quality requirements. The proposed impervious coverage is 65.0 percent, but the stormwater controls have been design for 70 percent coverage.

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 2.5 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 grass lined swales and two dry detention ponds located in series. The swales and dry detention ponds have been designed in accordance with Lincoln County ordinances and Chapter 12 of the North Carolina Stormwater BMP Manual.

The combination of two 150 foot swales and two dry detention ponds installed in series have been designed to meet the 85% Total Suspended Solids requirement. A calculation located in the appendix demonstrates compliance with the State BMP manual.

The required storage volume has been provided to treat the first one inch of runoff with a draw down time of 2 to 5 hours per basin.

An analysis of the peak flow rates from a 10 year storm was also completed. According to the analysis, the dry detention ponds will also reduce the post development peak flow rate to below pre development levels through the principal riser. Any runoff in excess of the 10 year storm will bypass the detention ponds through an emergency spillway. A drainage easement will be obtained from the adjoining downstream property owner in order to provide conveyance to the county owner drainage system (road side swale).

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.

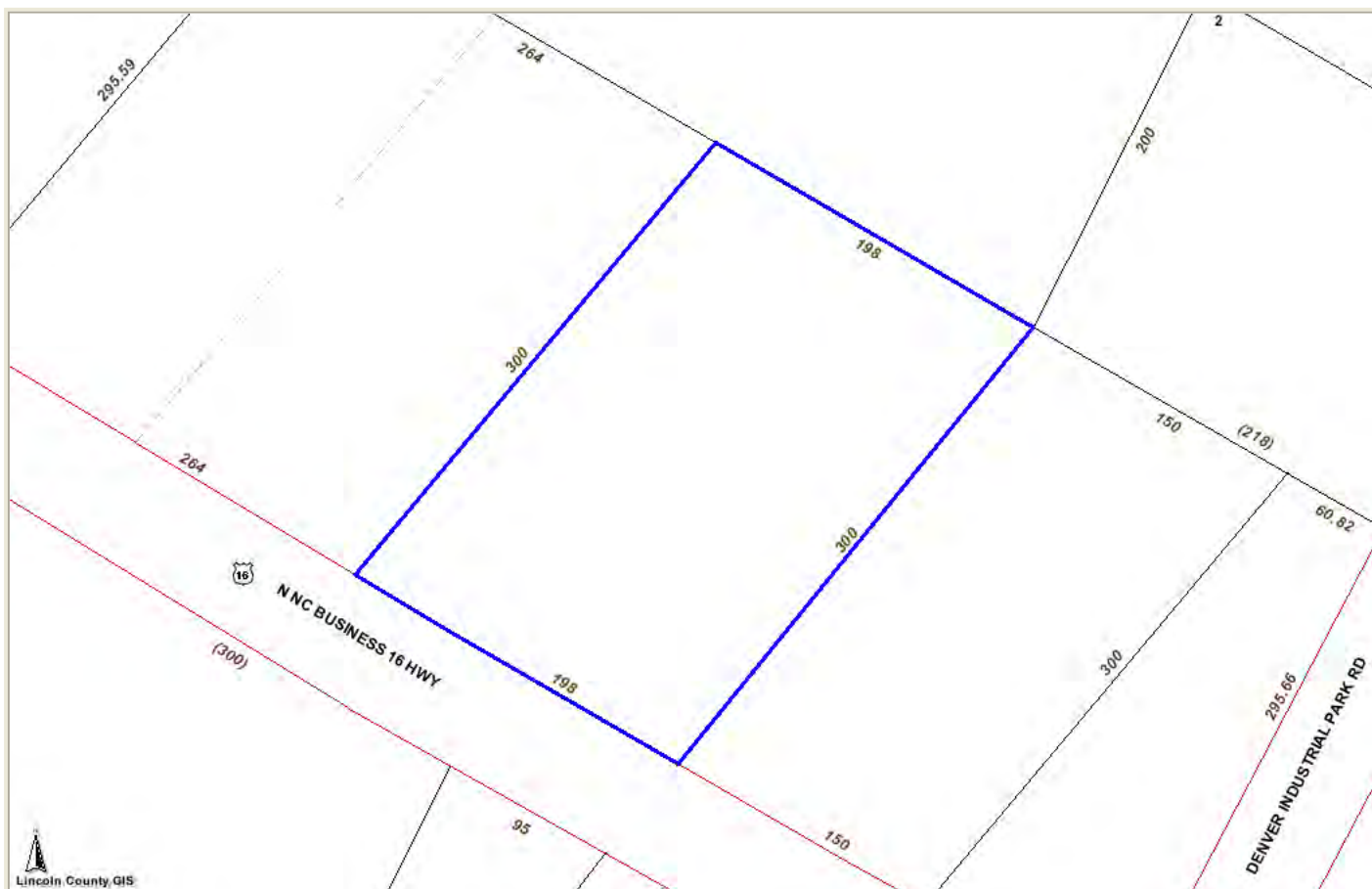
The site does not receive off site runoff. The site gently slopes towards the center of the site from the south and north and then gently slopes from the center to the east and west. Since the site will be graded to have a point source discharge, a sediment trap will be designed to control sediment pollution during construction. Areas not upstream of the trap will be protected by sediment fence, check dams and stone filters.

See Appendix for soils information (to be completed at a future time).



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: 9/21/2012 Scale: 1 Inch = 100 Feet



PHOTOS



PARCEL INFORMATION FOR 3695-36-7135

Parcel ID	32374	Owner	RACE CITY STEEL INC		
Map	3695-10	Mailing	3400 DENVER DR		
Account	0226159	Address	DENVER NC 28037		
Deed	2338-812	Recorded	8/30/2012	Sale Price	0
Land Value	\$217,000	Total Value	\$217,000	Previous Parcel	
----- All values are for tax year 2012. -----					
Description	SHELTON LD HWY 16			Deed Acres	1.36
Address	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	Block		
37109		071100	1003	1.34	
Flood	Zone Description	Panel			
X	NO FLOOD HAZARD	3710369500	1.34		



Lincoln County, NC

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Date: 9/21/2012 Scale: 1 Inch = 100 Feet



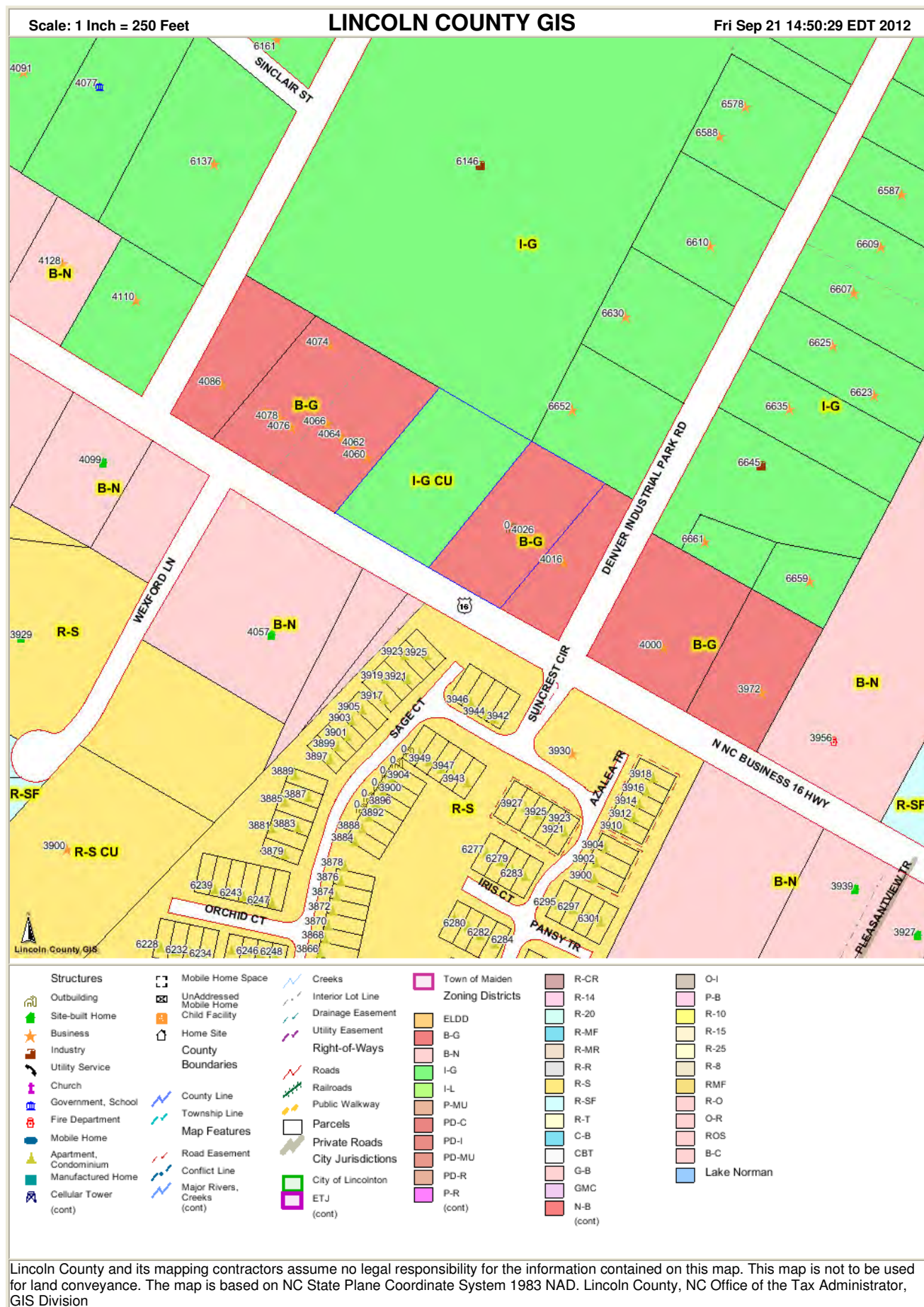
PHOTOS



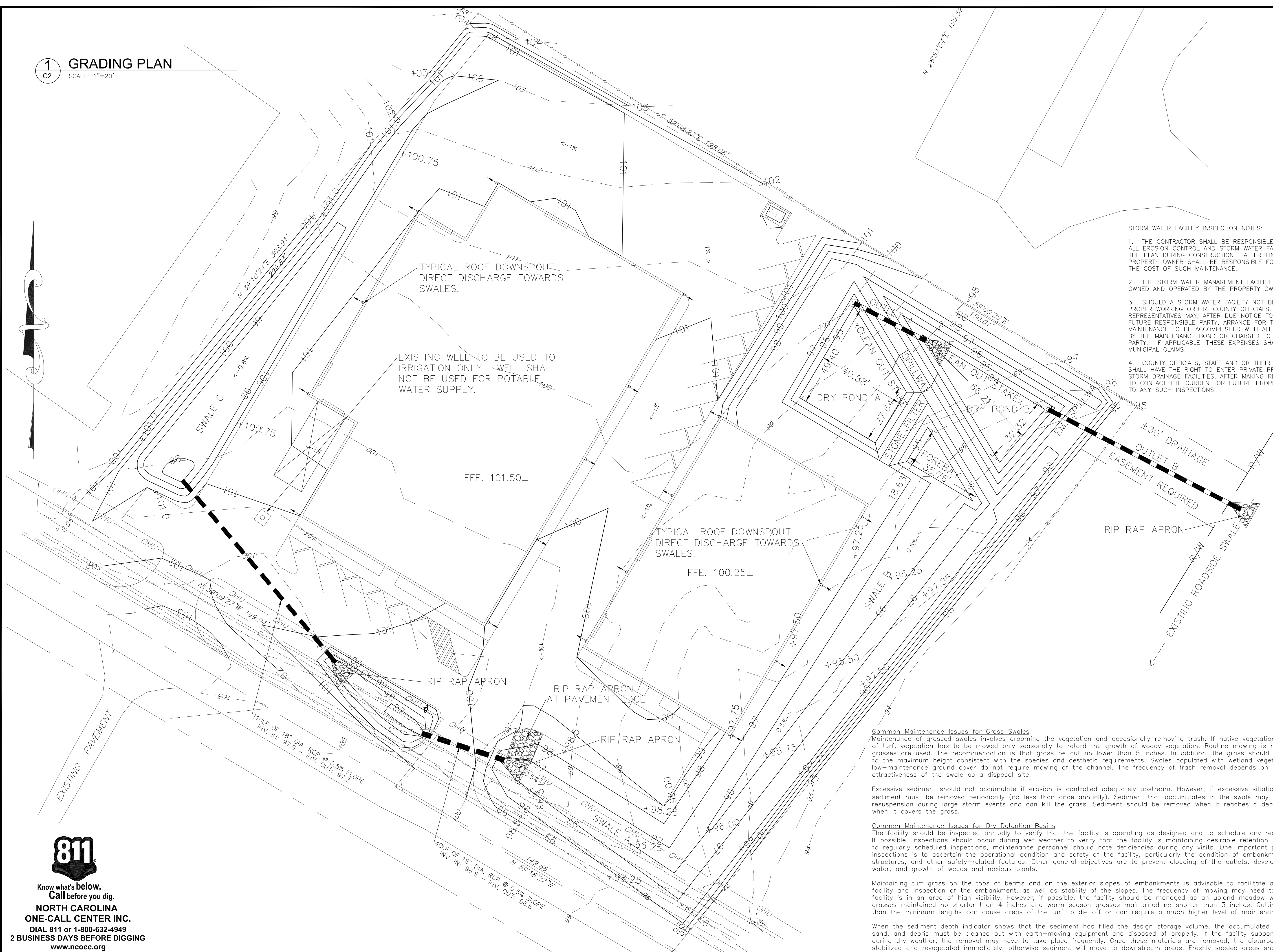
33798

PARCEL INFORMATION FOR 3695-36-8086

Parcel ID	33798	Owner	RACE CITY STEEL INC
Map	3695-10	Mailing	3400 DENVER DR
Account	0226159	Address	DENVER NC 28037
Deed	2338-810	Recorded	8/30/2012
Land Value	\$202,200	Total Value	\$314,404
----- All values are for tax year 2012. -----			
Description	MCALLISTER LD&HM H16		Sale Price \$165,000
Address	4026 N NC 16 HWY		Previous Parcel
Township	CATAWBA SPRINGS	Tax/Fire District	DENVER / EL SEWER
Main Improvement	OFFICE CONVERSION		Deed Acres 1.11
Main Sq Feet	2073	Stories	Tax Acres 1.04
Zoning District	B-G	Year Built	1972
Watershed Class	WS-IVP	Value	\$112,204
2000 Census County	37109	Voting Precinct	DENVER (DN29)
Flood	X	Calculated Acres	0.83
Zone Description	NO FLOOD HAZARD		DENVER WEST (DW28)
		Sewer District	In the sewer District
		Tract	071100
		Block	1003
		Panel	3710369500
			1.04



1 GRADING PLAN
C2 SCALE: 1"=20'



STORM WATER FACILITY INSPECTION NOTES:

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL EROSION CONTROL AND STORM WATER FACILITIES SHOWN ON THE PLAN DURING CONSTRUCTION. AFTER FINAL STABILIZATION, THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE AND THE COST OF SUCH MAINTENANCE.
2. THE STORM WATER MANAGEMENT FACILITIES ON SITE SHALL BE OWNED AND OPERATED BY THE PROPERTY OWNER.
3. SHOULD A STORM WATER FACILITY NOT BE MAINTAINED IN PROPER WORKING ORDER, COUNTY OFFICIALS, STAFF, AND OR THEIR REPRESENTATIVES MAY, AFTER DUE NOTICE TO THE CURRENT OR FUTURE RESPONSIBLE PARTY, ARRANGE FOR THE NEEDED MAINTENANCE TO BE ACCOMPLISHED WITH ALL EXPENSES COVERED BY THE MAINTENANCE BOND OR CHARGED TO THE RESPONSIBLE PARTY. IF APPLICABLE, THESE EXPENSES SHALL BE COLLECTED AS MUNICIPAL CLAIMS.
4. COUNTY OFFICIALS, STAFF AND OR THEIR REPRESENTATIVES SHALL HAVE THE RIGHT TO ENTER PRIVATE PROPERTY TO INSPECT STORM DRAINAGE FACILITIES, AFTER MAKING RESPONSIBLE EFFORTS TO CONTACT THE CURRENT OR FUTURE PROPERTY OWNER PRIOR TO ANY SUCH INSPECTIONS.

Common Maintenance Issues for Grass Swales

Maintenance of grassed swales involves grooming the vegetation and occasionally removing trash. If native vegetation is used instead of turf, vegetation has to be mowed only seasonally to retard the growth of woody vegetation. Routine mowing is required if turf grasses are used. The recommendation is that grass be cut no lower than 3 inches. In addition, the grass should be allowed to grow to the maximum height consistent with the species and aesthetic requirements. Swales populated with wetland vegetation or other low-maintenance ground cover do not require mowing of the channel. The frequency of trash removal depends on the location and attractiveness of the swale as a disposal site.

Excessive sediment should not accumulate if erosion is controlled adequately upstream. However, if excessive siltation occurs, the sediment must be removed periodically (no less than once annually). Sediment that accumulates in the swale may be prone to resuspension during large storm events and can kill the grass. Sediment should be removed when it reaches a depth of 4 inches or when it covers the grass.

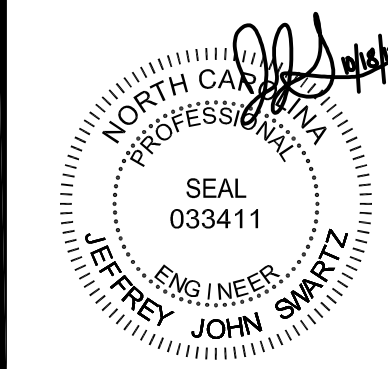
Common Maintenance Issues for Dry Detention Basins

The facility should be inspected annually to verify that the facility is operating as designed and to schedule any required maintenance. If possible, inspections should occur during wet weather to verify that the facility is maintaining desirable retention times. In addition to regularly scheduled inspections, maintenance personnel should note deficiencies during any visits. One important purpose of inspections is to ascertain the operational condition and safety of the facility, particularly the condition of embankments, outlet structures, and other safety-related features. Other general objectives are to prevent clogging of the outlets, development of standing water, and growth of weeds and noxious plants.

Maintaining turf grass on the tops of berms and on the exterior slopes of embankments is advisable to facilitate access to the facility and inspection of the embankment, as well as stability of the slopes. The frequency of mowing may need to be greater if the facility is in an area of high visibility. However, if possible, the facility should be managed as an upland meadow with cold season grasses maintained no shorter than 4 inches and warm season grasses maintained no shorter than 3 inches. Cutting grass shorter than the minimum lengths can cause areas of the turf to die off or can require a much higher level of maintenance.

When the sediment depth indicator shows that the sediment has filled the design storage volume, the accumulated sediment, mud, sand, and debris must be cleaned out with earth-moving equipment and disposed of properly. If the facility supports open-space uses during dry weather, the removal may have to take place frequently. Once these materials are removed, the disturbed areas should be stabilized and revegetated immediately, otherwise sediment will move to downstream areas. Freshly seeded areas should be protected with an erosion mat that has been securely staked in place to prevent flotation. In many cases, sodding offers the best approach to stabilization after removal of sediment and debris.

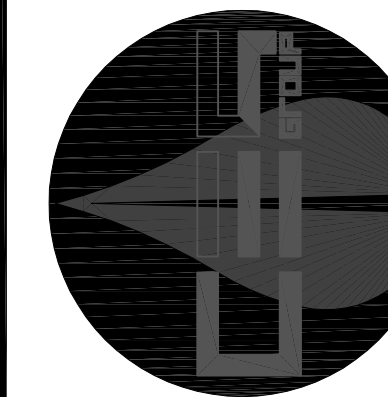
SEAL:



REVISIONS

NO.	ISSUE:	DATE:
1	CD. REVIEW	100512
2	CD. REVIEW	101812

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



RACE CITY STEEL
SITE
DEVELOPMENT
PLAN

PROJECT DESCRIPTION:

DRAWN BY:

JJS

CHECKED BY:

DSL

PROJECT NO:

6192.0312CD

COMMENTS:

PLAN DATE:

09/20/2012

SCALE:

1" = 20'

DRAWING TITLE:

GRADING PLAN

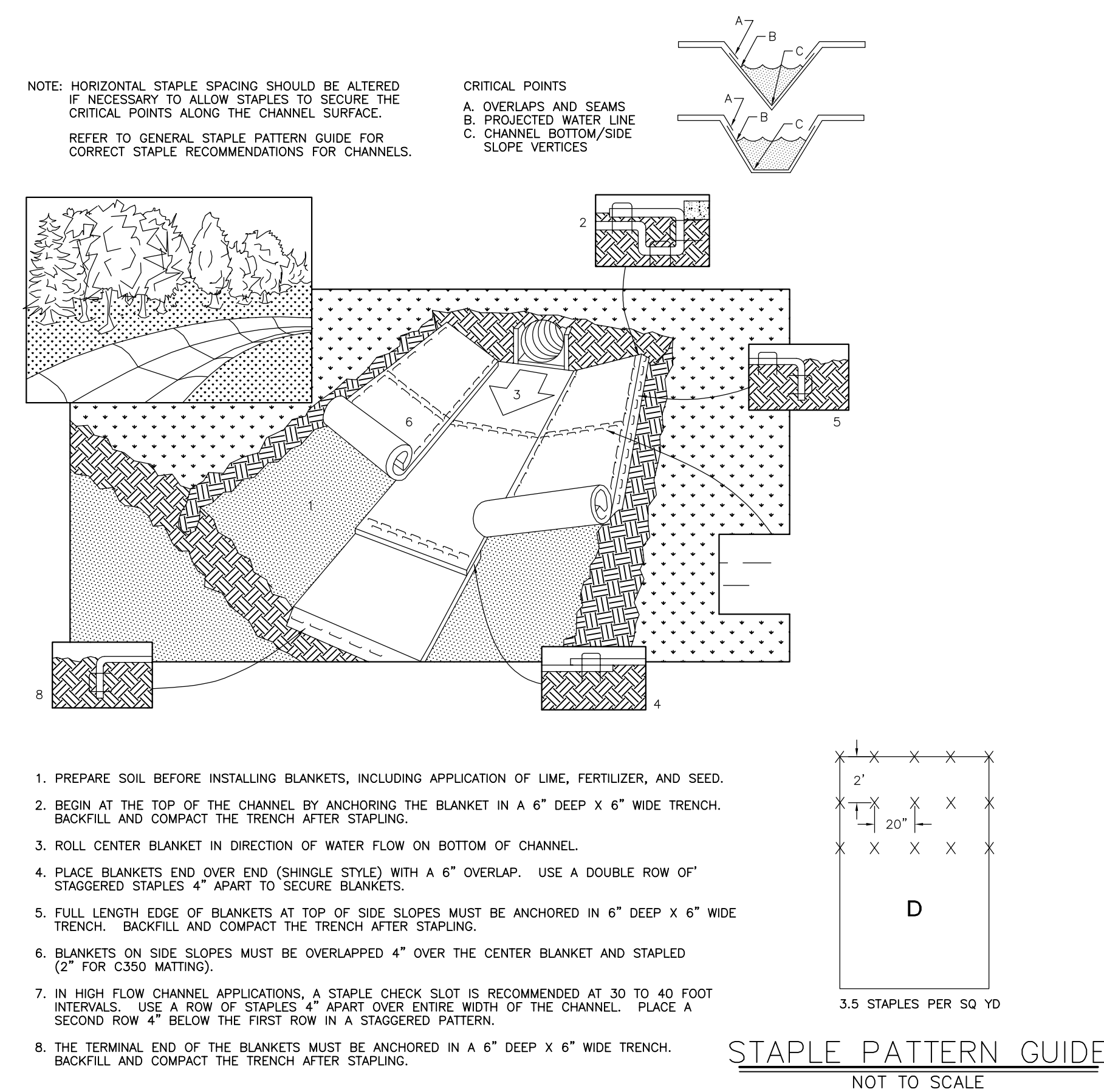
DRAWING NUMBER:

C2
2 OF 8



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GRADING AND SOIL NOTES

BUILDING

1. PRESUMED SOIL BEARING CAPACITY IS 1500 PSF ON FIRM VIRGIN SOIL OR COMPACTED FILL. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY AND OR OBTAIN SOIL BEARING CAPACITY FROM A GEOTECHNICAL ENGINEER PRIOR TO PLACING FOOTING CONCRETE.

2. FILL MATERIAL SHALL BE FREE OF ROOTS, WOOD OR OTHER ORGANIC MATERIAL. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY AND OR OBTAIN TESTING OF FILL MATERIALS USED FOR FILL UNDER PAVEMENT, FOOTINGS AND WITHIN BUILDING LIMITS BY AN APPROVED TESTING AGENCY.

3. FILL SHALL BE PLACED IN 6 INCH LIFTS AND COMPACTED TO 95 PERCENT OF THE OPTIMUM DENSITY AS DEFINED BY ASTM D-698.

4. PROOF ROLLING SHALL BE CONDUCTED FOR BUILDING SUBGRADE USING A FULLY LOADED DUMP TRUCK OR OTHER EQUIPMENT. PROOF ROLLING SHALL BE DONE AFTER A SUITABLE PERIOD OF DRY WEATHER TO AVOID DEGRADING AN OTHERWISE ACCEPTABLE SUBGRADE.

BERMS

1. BERM MATERIAL SHALL BE FREE OF ROOTS, WOOD OR OTHER ORGANIC MATERIAL.

2. BERM MATERIAL FOR THE DRY PONDS AND SWALES SHALL BE FINE GRAINED SOIL PLACED IN 6 INCH LIFTS AND COMPACTED TO 95 PERCENT OF THE OPTIMUM DENSITY AS DEFINED BY ASTM D-698.

