

Cabarrus County Government

Cabarrus County Planning and Zoning Commission Tuesday, April 13, 2021 @ 6:30 p.m. Cabarrus Arena, Cabarrus Room 4751 Highway 49 N, Concord, NC 28025

Agenda

Roll Call

- 1. Approval of February 9, 2021 PZ Meeting Minutes
- **2.** Approval of Granting Order with Findings of Fact for <u>Petition CUSE2021-00001</u> —Conditional Use Permit for a Public Service Facility (Wastewater Treatment Facility).
- 3. Approval of Granting Order with Findings of Fact for <u>Petition CUSE2020-00007</u> Conditional Use Permit for Public Service Facility (Solar Farm).
- 4. Old Business Planning and Zoning Commission Function:
 - A. <u>Petition RZON2021-00001</u> Request to rezone from Office/Institutional (OI) to General Industrial Conditional Use (GI-CU). Applicant/Owner is Vulcan Lands, Inc. Address is 5300 Gold Hill Rd E (PIN: 6603-26-2969).
- 5. New Business Planning and Zoning Commission Function:
 - A. Petition RZON2021-00002 Request to rezone from Countryside Residential (CR) to Office/Institutional (OI). Owner/Applicant is Flowes Store Volunteer Fire Department. Located at 8601, 8623, 8635 & 8647 Flowes Store Rd and 8600 Bethel Church Rd (PINs: 5536-57-2146 & 5536-56-2931).
- 6. New Business Planning Board acting as Design Review Committee:
 - A. <u>ARCH2021-00001</u> –DRC review for proposed change of use (Residential to Contractor's Trade Shop). Applicant is Carlos Moore Architect acting as agent for Center Point Builders. Located at 2976 Lane Street (PIN: 5633-79-8744).
- 7. New Business Board of Adjustment Function:
 - A. Petition CUSE2018-00004 Close out documents for the amendment to CUSE2017-00001, Conditional Use Permit for Public Service Facility (Solar Farm). Applicant is Canadian Solar Solutions, Inc. (Request to Table)

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8. New Business Planning Board Function:

- **A.** TEXT2021-00001 Proposed Amendments to Chapter 2, Chapter 4, Chapter 6 and Chapter 13
- 9. Directors Report
- 10. Legal Update
- 11. Adjourn

8. New Business Planning Board Function:

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Planning and Zoning Commission Minutes

February 9, 2021

Mr. Jeff Corley, Chair, called the meeting to order at 6:47 p.m. Members present, in addition to the Chair, were Mr. Adam Dagenhart, Ms. Holly Grimsley, Mr. David Hudspeth, Mr. James Litaker, Mr. Andrew Nance, Mr. Charles Paxton, Mr. Chris Pinto, Mr. Brent Rockett, Mr. Jerry Wood, Jr., and Mr. Stephen Wise. Attending from the Planning and Zoning Division were, Ms. Susie Morris, Planning and Zoning Manager, Mr. Phillip Collins, Sr. Planner, Mr. Boyd Stanley, Sr. Planner, Ms. Arlena Roberts, Clerk to the Board, Wes Web, County Engineer, and Richard Koch, County Attorney.

Roll Call

Approval of November 10, 2020 Planning and Zoning Commission Meeting Minutes

There being no corrections or additions to the minutes, Mr. Jerry Wood, Jr., **MOTIONED**, **SECONDED** by Mr. James Litaker to **APPROVE** the November 10, 2020, meeting minutes. The vote was unanimous.

Approval of Granting Order and Findings of Fact for RZON2019-00003, Request to rezone from Agricultural/Open Space (AO) to Limited Industrial Special Use (LI-SU). Applicant/Owner is Mr. Henry and Ms. Annette Furr.

There being no corrections or additions to the granting order, Mr. Brent Rockett **MOTIONED**, **SECONDED** by Mr. James Litaker to **APPROVE** the Granting Order and the Findings of Fact for RZON2019-00003. The vote was unanimous.

Approval of Granting Order and Findings of Fact for CUSE2020-00004, Conditional Use Permit for Wireless Telecommunications (WTC) Tower. Applicant is Thomas H. Johnson, Jr., Property Owner is Louie Looper. There being no corrections or additions to the Granting Order or Findings of Fact, Mr. James Litaker **MOTIONED**, **SECONDED** by Mr. Jerry Wood, Jr., to **APPROVE** the Granting Order and Findings of Facts. The vote was unanimous.

New Business – Planning Board Function:

The Chair introduced Petition RZON2021-00001 – Request to rezone from Office/Institutional (OI) to General Industrial - Conditional Use (GI-CU). Applicant/Owner is Vulcan Lands, Inc. Address is 5300 Gold Hill Rd E (PIN: 6603-26-2969). **Request to Table**

Mr. Phillip Collins, Sr. Planner addressed the Board, stating that the applicant has some outstanding issues with the site plan. They are requesting that the case be tabled until the April

2021, Planning and Zoning meeting to allow additional time to address outstanding comments related to the site plans.

The Chair said we will entertain a motion to table until the April meeting or until the next available agenda, depending on restrictions (COVID)

There being no further discussion Mr. Brent Rockett **MOTIONED**, **SECONDED**, by Mr. James Litaker to **Table** RZON2021-00001 –The vote was unanimous.

The Chair said we are going to skip to the Old Business and introduced Petition CUSE2018-00004 - Close out documents for the amendment to CUSE2017-00001, Conditional Use Permit for Public Service Facility (Solar Farm). Canadian Solar Solutions, Inc. **Request to Table**

Ms. Susie Morris, Planning and Zoning Manager addressed the Board. At the November 10, 2020 meeting, the Planning and Zoning Commission acting as Board of Adjustment, appointed a subcommittee to make a visit to the Canadian Solar site. That visit occurred on December 2, 2020.

The findings of that Committee are outlined in the memo in the Board Packet. A couple of things Canadian Solar need to address:

The gap area along Joyner Road needs to be planted. Soil and Water Conservation staff was with us and made some recommendations as to how that could be handled.

You will see there were some specific recommendations of Loblolly Pines to be planted at 8 x 10 spacing. The left side of the access road where you come in, where the house was with the horses, the Committee has some specific recommendations for there. They felt like that area should be planted a minimum of 60 feet on either side of the corner post and that should be interior to the site.

Stream/Wetland and Floodplain Restoration areas, the Committee spent a lot of time looking at these areas and determined that the plantings just were not there. We had these conversations about if the pine trees were there or if they were not there. We looked at several areas and they still were not there. The Committee decided that the comment that would go back to Canadian Solar was that they needed to provide evidence that it was planted and a series of photos, not just one photo with someone standing there with their handout saying this is the area.

She said some of the areas that were closer to the fence were planted. But once you were closer to the streams, those plantings were not evident. The Committee is suggesting that once those are planted, that there is a trip back by Staff and the Committee to confirm that, along with those photos.

The plantings located in the wetland restoration area; it took us a while to find those on this trip because a lot of them had been run over. It looks like maybe people are going back there with

ATV's or maybe its equipment or mowing for the solar farm. Essentially, the landscape was dying in those areas.

She showed the drainage basin in South America. She said it is also the one that had the floodplain encroachment and the river stream encroachment very close to it. The Board spent a lot of time talking about it with the Soil and Water Conservation staff on how does this happen? How does this area get to where it is stabilized? Soil and Water Conservation staff had some recommendations for that.

The strapping was still connected to the plants, which Soil and Water Conservation staff felt was causing some of the plants to start to deteriorate.

Staff put a memo together, the committee reviewed the memo, and it was sent to Canadian Solar. As a follow up to that, she has had a couple of conversations with Mr. Al Jansen. They had a preliminary plan that they thought they would be able to execute, some of it possibly before this meeting. After she had that conversation Mr. Jansen, she did not hear back from him.

Canadian Solar has not provided a formal response. In response to one of the comments from Canadian Solar, she did follow up with NCNER on all the mulch that you see in the photos. She showed a picture and said this shows approximately two feet of mulch that has been put on the site. She showed where it is starting to get stuck behind the rocks and make its way down to the bottom of that hill.

Mr. Llwelyn confirmed that he did tell them that using mulch might be an option. It is about a foot of mulch and it is supposed to be pine. It is very specific as far as what happens with that. They did provide close out of the site, which was in the Board documents back in November.

He said that is not what it looked like when he did his final and that they are responsible for maintenance.

Currently, this would not be considered in compliance. Mr. Llwelyn said especially since that was a condition, the County can require that. He does have some recommendations along, with the recommendations from Soil and Water Conservation staff. He said they need to mix lime with it and hydro seed it and then give it a couple of months. This time of year, hopefully it would be fairly stabilized.

Ms. Morris said since Canadian Solar was unavailable for the meeting, and not able to internally provide a formal response, they are requesting that the Board consider tabling this item until April so that they can provide a formal response.

The action this evening that is being requested, is for the Board is to either confirm what the Committee saw and what is in this memo or if the Board has anything else, they would like to add.

The Committee members can speak to what they saw on site and can tell you how they came to the conclusions that they did. This was a summary of the items that they felt needed to be addressed.

One of the things that you do not see on here is the substitutions of plantings. Once the Committee was able to be on site and view the plantings, they felt like what was there was adequate.

With that first turn, on the left-hand side, where the house is located, they recommended that the Leyland Cypress could be used there to provide screening.

Ms. Morris said that is all that she has, she does not know if the Committee would like to add anything.

The Chair said anyone who was there can comment and he appreciates them. He knows that we do not want to get into the habit of going on site for every one of these. He appreciates those that were able to go and there were others that offered to go but could not make it due to the numbers.

He thinks the good news out of all of this is from seeing it is that we are getting really close and we have tangible list of things that we were able to provide them that can get us to the finish line.

He thinks this Board has gone above and beyond in this case and he thanks each and every one who was involved even from the beginning or you have been thrown in the mix along the way. He asked if there were any other comments from those that were there. There being no comments, he asked if there were any additions or changes to the memo.

There being no additional changes, we will entertain a motion to table this case until the April meeting or the next agenda, pending COVID restrictions.

Mr. James Litaker **MOTIONED**, **SECONDED** by Andrew Nance to **TABLE** CUSE2018-00004 - Close out documents for the amendment to CUSE2017-00001, Conditional Use Permit for Public Service Facility (Solar Farm). Canadian Solar Solutions, Inc. The vote was unanimous.

The Chair said anyone wishing to speak tonight must complete a blue card and present it to the Clerk.

The Chair read the suggested rules of procedures for the Board of Adjustment cases.

1. The Cabarrus County planning staff person(s) shall first present the staff report and answer questions from the Commission. There will be no time limit on this presentation.

- 2. The Applicant may make a presentation to the Board (optional) and will then answer questions from the Commission. There will be a 15-minute time limit on the presentation if the Applicant choses to make a formal presentation. There will be no time limit on questions from the Board following the presentation.
- 3. When the Board is ready to proceed, the proponents (those speaking generally in favor of the case) will have a total of 15 minutes to speak and/or present documents in support of their position. The 15-minute time limit does not include questions directed to the proponents by the Commission.
- 4. After the proponents finish, the opponents (those speaking generally against the case) will have a total of 15 minutes to speak and/or present documents in support of their position. The 15-minute time limit does not include questions directed to the opponents by the Commission.
- 5. Each side will then have 3 minutes for rebuttal, with the proponents going first. Again, questions directed to the speaker will not count against the time limit. This will conclude the public hearing portion of the meeting and the Commission will proceed to deliberation.
- 6. Each side is strongly encouraged to use a spokesperson to present the positions commonly held by each. Each side is also strongly encouraged to organize their speakers and presentations to ensure that all persons wanting to speak will have time to do so. If a speaker has questions of a person on the other side, such questions shall be addressed to the Commission members to be redirected to the person to be asked. There will be no direct questioning of one speaker by another except through the Commission.
- 7. Public demonstrations of support for a speaker's comments should be limited to clapping. Any other type of audible support shall be out of order and subject the offender to being removed from the building. Anyone speaking out of order shall likewise be subject to removal.
- 8. These rules are designed to have a full and fair hearing that is orderly and expeditious and avoid unnecessarily repetitious presentations.

Mr. Brent Rockett, **MOTIONED**, **SECONDED** by Mr. James Litaker to **Adopt** the Rules of Procedures as presented. The vote was unanimous.

The Chair introduced Petition CUSE2021-00001 —Conditional Use Permit for a Public Service Facility (Wastewater Treatment Facility). Applicant is William Akin, acting as agent for Carolina Water Service, Inc. Address is 3822 Tea Royal Court (PIN: 5505-93-1203).

The Chair said anyone wishing to speak on this case, or to testify during the public hearing for this case, must be sworn in.

The Chair administered the Oath to the speakers.

The Chair asked if any of the Board members had a conflict of interest or any information that needs to be shared at this time related to the case. There being none, the Chair called on Mr. Phillip Collins to present the staff report.

Mr. Phillip Collins, Sr. Planner, addressed the Board stating that the subject property is approximately 5. 45 acres in size and the purpose of this request is to provide equipment upgrades for the existing public service facility (wastewater treatment facility). The use is permitted with the issuance of a conditional use permit in the Countryside Residential (CR) zoning district.

The site is currently occupied by an existing wastewater treatment facility. The applicant is proposing to construct an electrical house to serve the facility. The site is accessed from Tea Royal Court via a private access easement across property owned by the Peach Orchard Estates Homeowner's Association. McKee Creek (a perennial stream) traverses the property along its western boundary and the applicant has provided appropriate buffering for it. A 60' sanitary sewer easement also traverses the subject property on its western side.

Vacant, residential, and agricultural property surround the subject property. The subject property is currently zoned countryside residential and is surrounded on all sides by countryside residential.

The applicant has provided documentation compliant with Section 8-3 of the Cabarrus County Zoning Ordinance.

The applicant has submitted a complete application which includes the Findings of Fact sheet along with a site plan showing the location of construction on the subject property.

McKee Creek traverses the western side of the subject property and the applicant is providing buffering for it.

The applicant has provided the required undisturbed buffer width around the perimeter of the site. The applicant states that the existing vegetation around the perimeter of the site exceeds the required landscaping of Chapter 9 of the Zoning Ordinance. However, there is a 70' gap in the vegetation on the northern property line where a 20' sanitary sewer easement enters the property and a 50' on the southern property line where the easement leaves the property. While, the applicant cannot plant within the 20' easement, there is proposed supplemental landscaping placed in the gaps between the easement and the existing vegetation to further screen the facility.

The subject property is located within the boundaries of the Harrisburg Area Plan and is designated as Low Density Residential.

Should the Board of Adjustment grant approval of the Conditional Use Permit, Staff requests the following conditions become part of the approval and case record:

- 1. Site plan review and approval is required subsequent to Board of Adjustment approval in order to ensure compliance with all applicable development requirements and conditions.
- 2. A granting order, stating restrictions and applicable conditions of approval, shall be recorded with the deed of the property.
- 3. The applicant shall procure any and all applicable federal, state, and local permits prior to commencement of the project.
- 4. Expansion of this project, as well as modifications or changes to the approved site plan, must receive Board of Adjustment approval in the form of an amendment to the Conditional Use Permit.

Mr. Collins would be happy to answer any questions the Board may have.

There being no questions for staff the Chair called on the applicant.

Mr. Nicholas Tosco, Attorney with Poyner Spruill, LLP, 301 S. College Street, Charlotte, NC, addressed the Board. He is representing the applicant, which is technically Mr. William (Randy) Akin our Engineer, but the company that owns and operates the wastewater treatment facility onsite that we are talking about here today is Carolina Water Service, Inc.

With him today he has Mr. Travis Dupree here on my right, Vice President at Carolina Water Service. He will talk a little bit more with the Board about what his role is and what Carolina Water Service does on the site and why we are requesting this Conditional Use Permit.

William (Randy) Akin, our Engineer will speak with the Board about the site plan, answer any technical questions and most importantly tell you why this application meets all the requirements of the Ordinance.

We are going to try to be as brief as possible, we know that you have a lot of business to handle tonight. But we think that we meet all the requirements of the Ordinance and the Application as Mr. Collins went over, and we will explain that to you with testimony with these folks here and will be happy to answer questions at the end. He will start off by turning it over to Mr. Travis Dupree with Carolina Water Service.

Mr. Travis Dupree, Vice President, Project Management Engineering of Carolina Water Service of North Carolina, also known as Carolina Water Service. He has worked with Carolina Water Service for two and a half years and has been VP Project Management Engineering for two years.

CWS (Carolina Water Service) is a privately own utility provider and water and wastewater service and has been serving communities in North Carolina, like Cabarrus County since the early 1980's.

CWS owns, operates, and maintains, the Bradfield Wastewater Treatment plant located on a 5.45-acre property off of Tea Royal Court which serves the surrounding communities including Bradfield Farms, Peach Orchard, Loch Haven, Silverton and Hawthorne Evergreen Apartments.

The Wastewater Treatment Plant has been in operation since the late 1980's. The Plants electrical and control systems were designed around the electrical service provided by the local electrical company at the time of original construction.

In the past three to five years, the type of electrical being provided by Union Power was changed without knowledge by CWS, causing the existing electrical and control systems to not be grounded properly.

In 2020, CWS hired an electrical engineering firm to perform an electrical analysis of the plant. This analysis determined that the changes to the electrical created possible safety concerns. In order to address the aging of the Wastewater Treatment Plant electrical system and the possible safety concerns, CWS proposes installing new electrical and control systems.

The new electrical and control systems will be housed in and air-conditioned building to help increase the life of the controls and ensure the Wastewater Treatment Plant continues in safe operations. The building will be located within the existing footprint of the Wastewater Treatment Plant site.

CWS is requesting an approval of a Conditional Use Permit to construct these necessary improvements.

Mr. Dupree is happy to answer any questions regarding the current statement, otherwise he will turn it back over to Mr. Tosco.

There being no questions, Mr. Tosco said he would like to have Mr. William Aiken, Engineering expert, to testify and without objection he would like to go ahead and tender him as an expert for the record. He does not know if the Board would like to take a formal vote or not.

The Chair does not believe it needs to be formal and he asked the Board if they had any objections, there were no objections.

Mr. Tosco said we will now talk about our Conditional Use Permit application and turned over to Mr. William Aiken.

Mr. William (Randy) Aiken, Design Engineer, 5901 Scalybark Road, Durham, NC addressed the Board. He is a Licensed Professional Engineer here in North Carolina for three years and has been working with Civil Consultants for over three years. Carolina Water Services hired him to design the improvements that Mr. Tosco mentioned and to obtain the CUP for such improvements.

The site is currently developed as a public service facility or more specifically a wastewater treatment plant. Sanitary sewer flows are collected, treated, and removed from the site under State approved permits NC0064734 and WQCS00253.

The proposed improvements to the site include a prefabricated electrical shelter, retaining wall, improved gravel areas, electrical service lines, updated pumping equipment, sanitary force main and associated grading. These improvements are proposed to address the potential safety issues on site as previously stated. Site grading will maintain the general flow for runoff volumes on the site. Stormwater and erosion control permits will not be required for the proposed improvements because the disturbances are below the one-acre threshold for NCDQ and NCDNR.

Tea Royal Court is not maintained by NCDOT and the project is not subject to NCDOT regulations and does not require a driveway permit for the improvements.

The proposed improvements will help Carolina Water Services of North Carolina to maintain the public health, safety, and general welfare of the surrounding communities by providing sanitary sewer collection and treatment services.

The services provided by the site are considered a public necessity to the surrounding communities because such services are its sole source of its mass sanitary sewer collection and treatment for those communities.

The site is adequately served by the existing public facilities in the adjacent area and the site improvements will not increase the need for sewage disposal, solid waste services, police, fire and rescue squad protection, school capacity, transportation infrastructure and other public facilities.

The proposed improvements comply with the Land Use Plan and general plans of the County since the use and major features are not changing.

One thing he would like to point out is that while the maximum impervious coverage is 20 percent the site is zoned Countryside Residential (CR) and the proposed improvements will increase the site to 22 percent impervious surface.

The Wastewater Treatment Plant and associated facilities existed previous to the County entering the Phase II Stormwater program. Impervious surfaces existing prior to 2007, would not be counted towards the overall pervious coverage. Impervious substitute areas put in place since 2007, only account for 8.5 percent coverage of the site meeting the Ordinance.

The application, materials, and site plans before you show all the specific conditions in Chapter 8, Section 4-17 of the Development Ordinance have been complied with but he can answer any questions about those specific conditions or any type of questions the Board may have.

Mr. Tosco thinks that the testimony that you have heard from both Mr. Dupree and Mr. Aiken shows that the proposed improvements are going to be public necessity, and so as a result, we think that we meet all the standards of the Ordinance. We are happy to answer any questions in that regard as it relates to the specific conditions that Mr. Aiken was going over, as it relates to Chapter 8, 4-17.

As the Board knows, for a Conditional Use Permit, we also have to show that we meet those general standards that are provided for in Section 8-3 of the Ordinance. He thinks what the Board heard from the testimony of these folks is that these improvements will help Carolina Water Service maintain and enhance the public health, safety, and general welfare throughout the community by providing good sanitary sewer service.

There is no need to show the second standard about maintenance or enhancement of property values because the plant is providing a public necessity which you heard about. The third standard; the site is adequately served by existing public facilities, as Mr. Aiken mentioned, there are adequate services being provided. Finally, the fourth standard, the improvements comply with the Land Use Plan and general land use plan as well. The existing site and the zoning are already in compliance with those plans, so the minor improvements that are being made are not going to change that.

We would ask that the approve the Conditional Use Permit for these improvements for Carolina Water Service and that you approve the application. We would be happy to answer any questions.

The Chair does have one question. The grading or all the work, except for this supplemental landscaping that is being proposed near where the easements enter the property, is all of that work taking place inside the existing fence?

Mr. Tosco said yes.

The Chair said the fence line is not changing at all?

Mr. Tosco said no.

The Chair asked if there were any other questions for the applicant at this point? There being no questions, the Chair opened the Public Hearing.

There being no one speaking for or against the Public Hearing, the Chair close the Public Hearing.

The Chair asked if there were any questions for staff or the applicant. Any questions about noise, lights, or anything you want to get resolved?

There being none, the Chair said to recap a couple of things; as far as maintaining and enhancing public health safety and general welfare, obviously, this is a sewer treatment facility which is a necessity to those properties being served. Absolutely, does not have any impact on most existing facilities; fire, police, rescue, schools, transportation system, will all be good. It does appear to comply with the Land Use Plan.

He said some landscaping has been provided in a couple of the areas where it was a little lack. They have submitted an emergency plan for the facility to make sure that emergencies are handled appropriately. Minimized lighting except for what is needed for security reasons for safety.

The Chair asked if there were any other comments. There being no other comments the Chair entertained a motion to approve or deny the request with the conditions proposed by staff.

Ms. Holly Grimsley, **MOTIONED**, **SECONDED** by Mr. James Litaker to **APPROVE** CUSE2021-00001, Conditional Use Permit for a Public Service Facility (Wastewater Treatment Facility with the conditions proposed by staff. The vote was unanimous.

BREAK TO CLEAR OUT THE ROOM AND CLEAN.

The Chair said earlier in the meeting we approved the rules of procedures for the meeting. The Board will not vote again, but he will restate the rules for this case.

- 1. The Cabarrus County planning staff person(s) shall first present the staff report and answer questions from the Commission. There will be no time limit on this presentation.
- 2. The Applicant may make a presentation to the Board (optional) and will then answer questions from the Commission. There will be a 15-minute time limit on the presentation if the Applicant choses to make a formal presentation. There will be no time limit on questions from the Board following the presentation.
- 3. When the Board is ready to proceed, the proponents (those speaking generally in favor of the case) will have a total of 15 minutes to speak and/or present documents in support of their position. The 15-minute time limit does not include questions directed to the proponents by the Commission.

- 4. After the proponents finish, the opponents (those speaking generally against the case) will have a total of 15 minutes to speak and/or present documents in support of their position. The 15-minute time limit does not include questions directed to the opponents by the Commission.
- 5. Each side will then have 3 minutes for rebuttal, with the proponents going first. Again, questions directed to the speaker will not count against the time limit. This will conclude the public hearing portion of the meeting and the Commission will proceed to deliberation.
- 6. Each side is strongly encouraged to use a spokesperson to present the positions commonly held by each. Each side is also strongly encouraged to organize their speakers and presentations to ensure that all persons wanting to speak will have time to do so. If a speaker has questions of a person on the other side, such questions shall be addressed to the Commission members to be redirected to the person to be asked. There will be no direct questioning of one speaker by another except through the Commission.
- 7. Public demonstrations of support for a speaker's comments should be limited to clapping. Any other type of audible support shall be out of order and subject the offender to being removed from the building. Anyone speaking out of order shall likewise be subject to removal.
- 8. These rules are designed to have a full and fair hearing that is orderly and expeditious and avoid unnecessarily repetitious presentations.

The Chair said anyone wishing to speak tonight must complete a blue card and present it to the Clerk.

The Chair said anyone wishing to speak or to testify during the public hearing for this case must be sworn in. The Chair administered the Oath to the speakers.

The Chair introduced Petition CUSE2020-00007, Conditional Use Permit for Public Service Facility (Solar Farm).

The Chair asked if any of the Board members had a conflict or any information that needs to be disclosed at this time related to the case. There being none the Chair called on Mr. Boyd Stanley to present the staff report.

Mr. Boyd Stanley, Sr. Planner, addressed the Board presenting the staff report for Petition CUSE2020-00007, Conditional Use Permit for Public Service Facility (Solar Farm). Applicant Speedway Solar, Inc. Owners are Corning, Inc., James Roberts, Jr. Real Estate Development, William & Hilda Troutman Trust, and Ira Howell. Project location is near the intersection of

Bethel Avenue Ext. and Wallace Rd (PINs: 5543-28-3528, 5543-37-4468, 5543-47-7747, 5543-24-1594 & 5534-57-8068).

Mr. Stanley said this case is for Speedway Solar a subsidiary of Duke Energy for 239.2 +/- acres, mainly located at the intersection of Wallace Road and Bethel Avenue Extension. He said that was the total acreage, the portion of it that is separate to the south is about 64 acres is connected through a 30-foot utility easement on the back side the residential neighborhood which is Cabarrus Farms Road and loops around the back side of Corning.

This has been in the works for quite a while. We had numerous meetings and phones calls with the applicant. There are five property owners involved. As you can see, the bulk of a lot of the property is the Troutman's and the Howell's on the north side and the south portion will be James Roberts. There are also landscape easements being used.

On the zoning map in general, what you see in purple is Industrial. What you see in beige is Countryside Residential (CR). This property is zoned CR. The north side of Wallace Road is zoned Town of Midland Residential and Agricultural (AG). It is similar zoning to what is in the county on this site.

He said right now, there are a couple of single-family houses on the property and a lot of it is wooded and has been used as farmland over the years.

The applicant provided documentation compliant with Section 8-3 of the Cabarrus County Zoning Ordinance, petitioning for a Conditional Use.

The applicant submitted a complete application which includes the "Findings of Fact" sheet along with a site plan and applicable supporting documentation.

The subject property is approximately 239.2 acres in size. This area is a leased area comprised of multiple parcels.

The subject properties are currently wooded and farmland.

The applicant is proposing to construct a public service facility (solar farm) on the subject properties. The application states the site will be comprised of a combination of inverters and arrays as shown in Exhibit C (Site Plan) and Alta Survey.

The height of proposed structures, as shown on Page 1 of site plan (Exhibit C), will not exceed 10 -feet in height above grade at the highest point. The Ordinance allows up to ten feet for these types of structures.

The map analysis for airport operations was submitted. The proposed search area does not include any federal or local airport operations within 5 nautical miles of the site, as shown in Exhibit E.

A copy of the executed decommissioning plan was submitted. Exhibit I

The applicant has submitted a landscape plan and an existing buffer evaluation which meets and/or exceeds the landscape buffer screening requirements. Exhibits P and Q.

Mr. Stanley said the best way to look at this plan is start at Bethel Road Extension, to the north of the site. There is a 100-foot undisturbed and planted buffer that is required around the entire project. They are planting the buffer yard there on the Bethel frontage on the northern piece.

Basically, you go to Wallace Road and make a right. All the way down Wallace Road, to the end of the lease line will be planted a 100-foot buffer. It is open pasture now except for Mr. Howell's house.

This is a little bit different because technically what the code says is that the 100 foot buffer would go around Mr. Howell's house, but the applicant has worked with the property owner and come to the conclusion that there would be no breaks in that buffer with the exception of the substation entrance. That it would look better esthetically going up Wallace Road for their project and obviously, the property owner has agreed to that. There is some existing landscaping that they are supplementing around his house and is something the Board can consider when looking at the plan.

You have the entrance to the substation, and they are showing some supplemental planting.

Then you have the border to the Troutman property coming south. You may notice on the landscape plan is an 85-foot buffer. What they plan on doing, is planting an 85-foot buffer, but there is an existing 15-foot strip within the lease area that they are wanting to use.

This all relates back to that other exhibit which he will mention in a few minutes, that shows their observation points with existing landscaping, there are pictures and a map key that we will get to in a minute.

Heading south there is a big utility easement that comes through the property and in the history, item number eleven, he said it was a 64 foot easement but when he looked at the Alta Survey again and for the record it is 68 foot. There is a gap in that area and on the other side too; there will be a gap in the landscaping there. It is 68 feet, somewhat minimal, but it is worth mentioning obviously.

Continue down south of the Troutman's house, which fronts on Wallace Road where Ms. Morris is pointing, along that backside property, then it goes behind the Furr's and a couple of others; that 100-foot buffer carries on.

They were not required to do this adjacent to the Corning property where Ms. Morris is pointing.

He showed the back side of Cabarrus Woods and he said that is a combination. There are observation points back there (Exhibit Q). That is a combination of supplemental plantings and existing plantings.

There is a lot going on along that boundary. There are two wetlands, one to the northeast and one kind of to the northwest area.

Completing the buffer on this portion of the solar farm is all existing and there is a little bit of supplemental before you get back to Bethel to kind of complete it. If you look back at that plan you will see the observation points and you can see what that looks like. He believes most of those pictures were taken when the leaves were off the trees and that does change a little bit once we hit spring.

You might be thinking what if that does not meet the Ordinance requirements. There is a condition of approval in the staff report that says they will have to meet the Ordinance. We feel like they do, we have reviewed this, but if there are some areas, they agree in this meeting tonight that they will work with us.

Jumping down to the 64 acres that just fronts on Bethel Extension, that is where most of the observation points were taken in that exhibit. They have preserved a 100-foot buffer almost all the way around that. He went out there an looked it this past weekend, it is little hard to tell, it looks like they propose it and we will definitely have to walk it again, which we do when we do our inspections.

The Chair asked Mr. Stanley to explain why the property line that is adjacent to Corning is not buffered.

Mr. Stanley said because that is zoned Industrial and the other properties are zoned Countryside Residential.

The Chair said that combination does not require buffering.

Mr. Stanley said that is correct.

As shown on Page 14 of Exhibit C (ALTA Survey), there is a recorded 100-foot landscape easement on the Smith Property to meet the requirements of the Ordinance. Exhibit P.

Mr. Stanley said that is an offsite easement just for landscaping there. That is separate from their lease area.

The Chair said that offsite vegetation easement appears to be protecting existing vegetation. What is the legal recourse if that property owner were to cut that existing vegetation down? Does that change their Conditional Use?

Mr. Stanley said that would be a violation if he is not mistaken.

Ms. Morris said that easement will be recorded, and that will be a condition that runs with that particular property. If that was to be violated, it would be between the two parties that have the agreement. But it would also be handled as a violation of the Zoning Ordinance if that were to happen.

As shown on the landscape plan, there is a gap in the required 100' buffer on the Troutman Property due to a 68' utility right-of-way (Electric). Exhibit P.

As shown on the landscape plan, there is a 100' buffer along the Troutman Property (Northeast Area Property Boundary) within the lease area where some existing vegetation will be used. This is also outlined in the existing buffer evaluation and is subject to final inspection (Exhibit Q).

The project will be completed in two Phases. The substation site, which is approximately 13 acres in size, will be constructed as Phase 1. The remaining solar farm will be constructed as Phase 2.

The applicant has submitted documentation from NCDOT for the proposed driveways to access the site. Exhibit J.

The application states that sound levels generated by the solar arrays, as measured at the property lines, shall not exceed 48.dba from any neighboring structures. Exhibit M.

The applicant has submitted the required glare study. Burns-McDonnell performed a solar ocular impact analysis to evaluate glare potential for the solar farm project. 57 observation points were evaluated in the surrounding area. It was found that the project would not produce any glare that would adversely impact observers near the solar farm project. Exhibit H.

Addresses have been assigned to entrances to the site. Each entrance is to display a sign with a street address. Each entrance will also utilize a Knox Box for security, per the Fire Marshal's request.

Stream and wetland buffers, as required by Chapter 4 of the Cabarrus County Development Ordinance, and as shown on the submitted site plan, shall be delineated in the field prior to the start of any land clearing and/or grading. As shown in Exhibit K of the Wetlands Delineation Report and Jurisdictional Determination, there are 6 wetlands on the site that are not being disturbed and shall maintain the minimum required 25-foot undisturbed buffer.

Mr. Dagenhart said the area by Corning in that corner, there is no landscape buffer. Are they not still required to have a buffer from the property line to the actual arrays?

Mr. Stanley said no because it is zoned and used as industrial.

Should the Board of Adjustment grant approval of the Conditional Use Permit, Staff requests the following conditions become part of the approval and case record:

- 1. Site plan review and approval is required subsequent to Board of Adjustment approval in order to ensure compliance with all applicable development requirements and conditions. (Zoning)
- 2. The Granting Order stating restrictions and applicable conditions of approval, shall be recorded with the deed for the property. (Zoning)
- 3. The applicant shall procure any and all applicable federal, state, and local permits prior to zoning permitting. (Zoning)
- 4. Any proposed future expansion of property, as well as modifications or changes to approved site plan, must receive Board of Adjustment approval in the form of an amendment to the Conditional Use Permit. (Zoning)
- 5. The applicant shall provide copies of all state, local, and federal permits for the permanent project file prior to zoning permitting. (Zoning)
- 6. The applicant is proposing that some of the existing landscaping will be used to meet the buffer requirements. In the event the buffer does not meet the intent of the ordinance the applicant agrees to install the buffer as required by the Ordinance. (Zoning)
- 7. Deed Restrictions as outlined in the Storm Water Permit (SW3200601) Schedule of Compliance must be recorded in the Cabarrus County Office of the Register of Deeds and a copy provided to NCDENR and to Cabarrus County Planning after recordation and prior to zoning permitting. (NCDENR, Planning)
- 8. Site must meet all conditions set forth in the Soil and Erosion Control Permit #CABAR2021-009.
- 9. The Decommissioning Plan must be recorded prior to the zoning permit being issued and a copy provided to Cabarrus County Planning. (Zoning)

- 10. Any proposed landscape easement documents must be recorded prior to zoning permitting. If these documents are not recorded, the applicant must redesign the plan in accordance with the Ordinance or seek a variance, both of which require consideration and/or approval by the Board of Adjustment. (Planning)
- 11. Addresses shall be clearly posted at each entrance to the site. Knox Boxes shall also be installed at each entrance. (Fire Marshal's Office)
- 12. Applicant must adhere to the Special Provisions, listed in the driveway permit issued by the NC Department of Transportation. (NCDOT Permit # C-1861)

Mr. Stanley said the applicant is here, Ms. Samantha Robichaud, Katherine Ross, Wes Webb, County Engineer, and Mr. Howell, one of the property owners, is here and a couple of citizens that may want to speak.

He asked if the Board had any questions.

There being no questions for staff, the Chair called the applicant to make their presentation.

Ms. Katherine Ross, Attorney, Parker Poe Adams & Bernstein, 301 Fayetteville Street, Raleigh, NC, representing Speedway Solar addressed the Board. She will let Samantha Robichaud and Matt Johnson, from Duke Energy and Speedway Solar introduce themselves in just a minute.

She wants to give her thanks to the Staff, Boyd Stanley, Susie Morris and Wes Webb and others that were involved.

She said there is a lot of information before you, 468 pages to be exact, if you did not notice that in the PDF sent by Ms. Roberts

We are not going to attempt to walk through all 468 pages, we are going to try to summarize the information. Mr. Koch, County Attorney, and I have talked about this, we do have a number of experts that Samantha is going to introduce and tender as experts. You have received a copy of PowerPoint presentation that she is going to walk through. We want to make sure that anyone from the public has also reviewed that and reviewed the affidavits of those experts witnesses so that all of that is in the record along with our application which consisted of multiple exhibits. We think pretty much everything is in the staff report as an exhibit.

We will note that there was also a structural array staff provided, that showed that 10-foot height, which with the testimony, you will hear more about that and that it meets the ordinance, as well as hearing a little about the actual observation points and you can see that in the affidavit of Mr. Wingo. She believes that Mr. Webb and staff actually referred to the glare study which we did an addendum. The same results of it were no red, green, or yellow glare and of course that is in the affidavit. She just wanted to highlight that for the Board.

She said Samantha Robichaud is going to kick us off with introductions and the presentation and then of course we will do a few legal maneuverings to tender the experts and take your questions.

Ms. Samantha Robichaud, Business Development Manager, for Duke Energy Renewables, 550 S. Caldwell Street Charlotte, NC addressed the Board. She has been in this role just over a year and a half. She has primary development responsibilities for Speedway Solar. She has been with the company over ten years in various roles including Renewable Energy Operator, Solar Operations Manager and Renewable Asset Manager prior to this role.

She turned it over to Matt Johnson.

Mr. Matt Johnson, General Manager of Solar Construction and Engineering, for Duke Energy Renewables, 550 S. Caldwell Street Charlotte, NC, addressed the Board. He is also an Officer and Vice President of Speedway Solar.

He thanked the Board for putting these accommodations together to hold this meeting this evening; we really appreciate it. We are really excited about having this project in our backyard. It will be our closest project to our headquarters, and he knows we are all really excited about it.

Ms. Robichaud echoed what Mr. Johnson just said and she said thank you for the additional protocols that were put in place so that we could safely hold this meeting during the pandemic. Additionally, she wants to express that we greatly appreciate all of the work that the Planning Staff has done with us over the past year and the past six months as we prepared all of the documentation and submitted this application.

She knows Mr. Stanley went over some of the background of the project and for the interest of time, she will try not to repeat what he has said but perhaps go into some other details and save some time for questions.

One thing she will highlight that Mr. Stanley was hitting on was the CUP site plan, Exhibit 5A in the application or Exhibit C in the staff report and then initially the landscape plan that he mentioned that was on the board, was Exhibit 5B in the application or Exhibit P in the staff report.

She said given the restrictions that we have for the hearing due to COVID, we submitted the sworn affidavits that were mentioned previously for herself and three of our expert witnesses. She asked the witnesses to stand up as she introduced them.

First, we have Thad Wingo, Licensed NC, Professional Engineer. He is tendered as an expert in sound and glare analysis and photovoltaic solutions.

Next, we have Rich Kirkland, Licensed NC Real Estate Appraiser with a MAI designation and who is tendered as an expert in renewable property evaluation.

We have Tommy Cleveland, NC Professional Engineer, who is tendered as an expert in the safety of photovoltaic solar facilities.

In addition to the sworn affidavits provided for the record, each of these experts are treated as if we just met them and are here to answer any questions that may come up this evening.

We also have Brandon White, Registered NC Landscape Architect. He can answer any of the questions related to the landscape plan or the vegetation. This can also be found in the Exhibit 5D in the plan and Exhibit 5P in the application and Exhibit P and Q in the staff report.

We have Mr. Cory Howell, Licensed NC Professional Engineer, with Kimley Horn. Mr. Howell over saw our civil designs with the help of his team including the preparation of the site plans and the construction drawings.

Ms. Robichaud went through the presentation. She showed the general vicinity of the site location. All of these next slides are just aerials of the same image that we took a few months ago. We flew out and took photos of each of the landowners' aerial images to give you a better image of what we are dealing with.

Mr. Adam Dagenhart asked Ms. Robichaud to go back to the Roberts property slide.

Ms. Ross has hard copies of the PowerPoint presentation if any Board member would like a copy.

Ms. Robichaud said Mr. Stanley hit on a lot of these points and this is how we got here today, with all the work that we did with the Planning Staff over the past year, the community engagement meetings, and all of our engineering and design work to get us to this point today.

She showed the slide with the findings for a Conditional Use Permit (Ordinance Section 8-3) that they are speaking to here this evening.

We believe this is a good use of this land. In terms of public health, safety, and general welfare it has low impact. It is designed by a NC Licensed Engineer. She is not going to try to hit all the points, but effectively we have experts that will speak to this and we have provided reports that show there were no adverse impacts to the adjacent properties in regards to the sound, as well as no adverse impacts in relation to glare study and will not endanger public in terms of health.

In terms of public facilities, there will be no impact on public facilities, and there will be no burden on water, wastewater or solid waste infrastructure. In our models we believe that this project will bring in an estimated \$600,000 of increased tax revenue to the County over the life span of the project.

In terms of property value, this site is low profile, it has low impact use that is complimentary to the surrounding uses. The Board has the evidence that the project will have low impact by information that has been provided.

General plans for the County; the project complies with all Zoning Ordinance requirements and the Midland Area Land Use Plan.

She said jumping to the Site Plan this is a small image of what Mr. Stanley had presented before, just a reminder this is Exhibit 5A in the Application or Exhibit 5C in the Staff Report.

As designed, the facility meets or exceeds all setback requirements. It will have a level one vegetative buffer abutting streets and residential properties, a 100 foot no build buffer. The height will not exceed the 10 feet measured from the highest point of the natural grade below each of solar panel. It has received soil and erosion control approval from NCDEQ, and it has received permits from NCDOT and NCUC.

The Landscape Plan is Exhibit P in the Staff Report. In addition, she would draw the Board's attention to Exhibit 5E which is an exhibit that we provided of an off-leaf condition exhibit to supplement this plan.

As designed, the facility meets or exceeds the vegetative buffer requirements for a level one buffer. Level one vegetative buffer abuts streets and residential properties. The plan utilizes existing vegetation to the maximum extent possible. The plan proposes use of plants allowed in ordinance and native to the area.

In summary, she showed a slide listing the evidence that the Board has heard in support of their application. She said before going to questions she will turn it back over to Ms. Ross.

Ms. Ross said procedurally, we want to tender the experts. We can take them one at a time or individually as is the Chairs' desire.

The Chair said we can do them together. The Board has heard the recommendations on the experts, he asked if there were any objections from the Board. There were no objections from the Board. He said we will not vote on those but for the record the Board agrees.

Ms. Ross said also for the record we want to make sure that the application is tendered in as well as the Exhibits 1-19 that was provided and of course the staff report will be a part of the written record and all of that in addition to the affidavits that were provided and the testimony that will be presented here and has been presented by Ms. Robichaud and that will be presented in response to the Board's questions and any changes that might be made be entered into the record.

Ms. Ross thinks that takes care of her house keeping items. We are open to answer any questions the Board may have.

She said working with Covid protocol, if it meets the standard, we may invite the expert who we believe will answer the question and if not Samantha or Matt to use the podium that Boyd stood from in the back.

The Chair said we will use the microphone in the back. The Chair thanked Ms. Ross for a well organized and thorough presentation.

The Chair has a couple of questions and hopes the group has a few more. He asked if all the arrays were tracking arrays, there are no stationary arrays is that correct?

Ms. Robichaud said that is correct.

The Chair said on the Landscape Plan, L.1.0 and it is also page 315 in the Board packet. On the area south of the Troutman property, where there is quite a hodgepodge of different types of buffering there. There appears to be some areas that the callout suggests B3, but the hatching appears to support B2. He just wants to clarify, everything else around looks consistent except for these two green areas along that southern boundary.

The Chair pointed out the area on the Landscape Plan. He said just above the dotted line, there is a southern buffer on the Troutman property. There is some green hatching which he believes indicates B2 and then there is some callouts that indicate B3 on both ends of that buffer. He is assuming the callout is correct and the hatching is incorrect.

Ms. Morris said we have a set of plans if they need to see them.

Mr. Brandon White, the Chair and Mr. Stanley looked at the plan and discussed it.

The Chair said that is indeed a B2.

Mr. Stanley said correct.

The Chair wants to make sure that when we get to the end of this that everyone understood what was said.

Mr. Brandon White made note on landscape plan that reads as follow: Amend landscape and intersection in compliance with NC DOT sight triangle requirements. (See attached amended plan)

The Chair asked if there were any other questions.

Mr. Adam Dagenhart certainly understands the offsite easement on the property because of the existing current power and he applauds them for acquiring that buffer. But, explain to him why

on the west side of the Troutman tract (between Troutman and the Smiths) you drew an easement offsite when there are no utilities there.

Ms. Ross said Speedway Solar legally controls that easement and the vegetation that is in it. Obviously, if the Smiths were to come in and clear it, they would be in violation of the contract and we would have to deal with that which we do not expect. The Smiths are aware that they do not have control of that.

She said that was done because the desire was to maintain as much existing vegetation as possible and the Smiths were open to that easement. But what is interesting about that area is there is still the 100 no build buffer. So, that vegetation easement is just a vegetation easement. It is not a 100-year buildable buffer, so the fence and the panels will actually be 100 feet from that property line to recept that buildable buffer. This is done in way of maintaining very good existing vegetation.

Again, from a legal perspective, we control that land through our easement which will be recorded.

Mr. Dagenhart understands legally you control it, but he does not understand why you just did not leave it like it is and not get an easement and put the buffer on your property like you did the rest of the site.

Ms. Robichaud thinks the reason why they did it was because it was a better option and we would be able to utilize the cleared land to the most optimized point possible. There was no additional clearing required and there was very good vegetation that existed right there. She said with their willingness to participate, it was the best way to optimize the land that was already cleared.

The Chair asked if there were any other questions from the Board at this point.

Mr. Dagenhart said the slide shown earlier for the Roberts property, it showed in the clear, but in the Kimley Horn tree evaluation on Sheet 1, it shows that it has trees on it. He could not tell from the aerial photo if the 100-foot buffer integrity was protected.

Ms. Robichaud said it was, yes.

Mr. Dagenhart said you have not provided any information on this.

Ms. Robichaud said on the buffer?

Mr. Dagenhart said yes, you are showing an aerial where a buffer with existing vegetation and you are show an aerial that shows it is clear. He does not know that it is been protected. Even

when he looks at the landscape plan, you are showing trees there. He does not understand why it is so contradicting.

Ms. Robichaud said you are asking the current conditions in the photo that we showed. (Showed the photo again)

She said the area that has been left is the 100-foot buffer. But there are areas that will require supplemental plantings to ensure that we are meeting the Ordinance. This is a real time photo that was taken but this is not a property line to property line clearing. This maintains the buffer in place.

Mr. Dagenhart said okay. His other concern is obviously, the aerial does not show plantings, so it is hard for him to know if they maintain the existing vegetation in that area. He does not have any proof of that other than you say it is so.

Ms. Robichaud said we have not shown the landscape plan as existing. We did not clear it and we have it listed as existing on the landscape plan.

Mr. Brandon White, (Landscape Architect) apologized for the confusion in the buffer exhibit. What you are seeing up there and when we did the buffer evaluation, does show wooded. That is an older aerial than what was provided here in this presentation as Geo reference. It is true that the aerial that we saw in the presentation has been cleared, if you were to go out there, because he was out there earlier today.

The 100-foot buffer is primed and staked, and so the clearing does not enter into the buffer. It has been timbered but not where the 100-foot buffer is. We are showing in our buffer evaluation, as Exhibit Q, the same buffer.

The Chair asked if there were any other questions. There being none the Chair opened the Public Hearing.

The Chair has a ton of cards, a lot of which are people Ms. Robichaud has already introduced. He is assuming they do not want to say anything else unless there is a question.

The Chair called on Mr. Martin Cocking, 14400 Bethel Avenue Extension, Midland, NC addressed the Board. He is the property owner at the corner of Ben Black Road and Bethel Avenue Extension.

He said the entrance to the existing substation is adjacent to his property. He wants to know a couple of things. What is he going to see as he leaves his property and ride out toward Midland? He is going to be riding down Wallace Road. What is he going to see there as part of that buffer?

He understands landscape but he does not understand B1, C2 or XY. He said what am I looking at?

The Chair redirected to question to Mr. Brandon White.

Mr. White said what we have proposed specifically is a combination of American Holly, American Snowbells, which are large shrubs, small trees, small White Oaks, American Beauties and Southern Wax Myrtles.

Those are very specific terms, but what we have done in the plant material, and we are selective here, is look for plant material that is native; look for plant material that we observe on sight. He said because plants that are grown in there naturally are best and will continue to grow and prosper.

He said to simplify it a little bit, we have a mix of canopy trees, understory trees, large shrubs, and all having different points of interest, some evergreen and some deciduous. He can get a more specific if anybody wants anymore.

The Chair asked Mr. Cocking to step over to look at the plans. He said there is more detail on the plans, and he can get a closer look. The Chair wants Mr. Cocking to get the answers to his questions.

Mr. Cocking has a couple more questions. He asked about the heat impact from the solar farm. He has heard about solar farms generating more heat than the natural farming or natural vegetation that is there.

His other question is since his property is adjacent to the existing substation entrance, he was wondering if that is going to have any additional traffic impact at that spot.

Ms. Ross said Mr. Tommy Cleveland will address the question about the health issue in regard to heating and Mr. Matthew Johnson will answer the question regarding the traffic.

Mr. Tommy Cleveland, Professional Engineer, 4141 Laurel Hill Road, Raleigh, NC addressed the question about the potential for heat impacts.

He said solar panels do not change the temperature of any of the surrounding area. Some research has shown it may raise the temperature in the site slightly during the day, but that change goes away at night; it is very slight impact. It makes no temperature change in the surrounding areas.

Ms. Ross asked Mr. Cleveland if in his opinion, does the project that is proposed and the specific issue for potential heat impact cause any danger to the health, safety, or general welfare?

Mr. Cleveland said it will have no impact to public health, safety, or welfare.

Mr. Matthew Johnson addressed the question on traffic. He thinks during the construction of the project, which is roughly a nine-month cycle, there is a potential for there to be an increase in the amount of traffic consistent with any other construction project. During the useful life of the project there are two or three long term transmissions on site so you will not see from a long-term perspective any increase in traffic.

Ms. Ross said just to follow up and clarify, she asked Mr. Johnson if there will be any impact in relation to traffic to the existing substation that is there? Will the solar farm have any impact to travelling specific to that use of that road to that substation exist?

Mr. Johnson said no not at all.

The Chair called on Mr. McKinney.

Mr. Mike McKinney, 2300 Cabarrus Farms Road, Midland, NC, addressed the Board stating he has about 600 feet of property that is adjacent to the Robert's property. He would like to have some kind of understanding as to why the decision was made to screen a part of his property and not all of it. All that land was logged out a few years ago, so the 300-foot buffer itself is not in the best of shape. A lot of the greenery was cut down behind us that gave us a pretty good blind when they moved there. His house sits back toward the rear of the property and they are really concerned about how much we are looking at or how much we are going to have to see.

The trees are growing back on our property. A lot of the growth is high in the trees due to the way the growth has happened over the years. So, he has a real clear view of the project from his back Florida room.

He is not opposed to the project in any way, he is just concerned about screening. He would like some additional screening, preferably some evergreens or something across the property, filling in that blank that was not included in the landscape plan or screening plan and if possible, something that stays green all year long. That is his request and what he would like to see.

The Chair said just for clarification, the gap between the two supplemented areas is what you are talking about, the gap there?

Mr. McKinney said yes.

The Chair asked if everyone understood the areas that Mr. McKinney is talking about.

Ms. Robichaud said yes, I believe so.

Ms. Morris said to explain the last gentleman's comments; with this project there is a new substation being built on this property, and there is also an existing substation located south of the somewhat triangle piece (showed on the plan). He was wondering what was happening here (showed on the plan). She said that is not part of this particular project; his house is across from there. The substation that we are talking about here (showed on the plan) is not the subject; it is the existing one here (showed on the plan) that is not part of this current petition and to her knowledge there are no upgrades or anything like that that will becoming or associated with this and we have not been approached about that.

Ms. Robichaud said that is correct.

The Chair said the gentleman's concern is that northern edge and the gap between the two supplemental areas. The question is why the area behind him was not supplemented as well.

Ms. Ross asked Mr. White to come forward and address that. She said to Mr. McKinney that she has a printed copy of the buffer evaluation report if he does not have one and she suspects that Mr. White will speak too.

Mr. White said there are three parcels along the front of their property 600 feet. When we did the buffer evaluation, we looked at what is there today and basically supplementing where we felt it like was not living up to the Level 1 Landscape Buffer; that was kind of our criteria there.

We have some, but to his point, we do not extend the entire length of his properties. Where we have introduced supplemental vegetation, it is exactly what you are asking for. What we are showing is a combination Eastern Red Cedar and Southern Wax Myrtle. Both are evergreens and both are understory because we recognize that in that section of the buffer it is predominately Loblolly Pines and as it has matured, has raised the canopies. So, we were looking in that scenario to replace the understory and specifically the evergreens. When you look at the type B3 D in this case.

As far as the limits go, pine does not go all the way across those properties. He said where you see it, if you look at plan sheets 1.5 or 1.6, it kind of straddles the lapse line there. That is where, as we walked this thing, we walked a mile and quarter plus and that is where we saw the biggest gaps and is why we proposed it.

He said there are some others, these are not exact, but generally speaking the 600 feet we are not going use. He wanted to explain what they are proposing.

The Chair does not want to speak for the gentleman, but just looking; the property to the right of him got supplemented and the property to left got supplemented and he has a gap behind him. He guesses the question would be how are the conditions different in that small section? He does not think he is saying why don't we buffer the whole side; he thinks he is saying why did you skip me.

Mr. McKinney said that is kind of sort of the basis. He said all along Wallace Road you have buffer and we have a gap. That is his biggest concern because he is so close to that property line. That was logged out a couple of years ago and the buffer is not in the greatest shape now. Anything you we can do to improve it would make us a lot happier.

By the way, we have no problem with the solar farm, he just wanted to have this screened and what he is asking for.

The Chair said we will bring that back up for discussion once the Public Hearing is closed, we will talk more about that.

The Chair called on Mr. Howell.

Mr. Ira Howell, 14158 Elm Street, Stanfield, NC, property owner addressed the Board. He has a Solar Farm which is close by here, it is on a 95-acre tract. It is coming up on six years old and there has been no adverse deterioration to the community that he knows.

He said Solar Farms are a great source of green energy. They just sit out there and collect the sun and create energy from it. There is no noise, no pollution, no impact on schools, utilities, or traffic. This Solar Farm will have the amount of traffic that is probably created by two homes.

He said from an economic standpoint, it will enhance his retirement, his son and probably his granddaughter. So, from a land use standpoint he thinks it is good.

Also, for the County, the Solar Farm that he has, he was paying \$200.00 per year in taxes, now he is paying over \$6000.00 per year in taxes, so it is really a plus economically for the County.

There being no other speakers, the Chair asked Mr. Wes Webb to come to the podium for a question. He asked Mr. Webb if he had an opportunity to review the glare study.

Mr. Wes Webb, Alley, Williams, Carmen and King, a private Engineering firm providing Consulting Service for the County, 4635 Barrier Road, Concord, NC, addressed the Board.

He said yes, the applicant submitted an initial glare study and based the locating points off numerous residents all around the site. He came back and asked them to also consider sites along the public roads because of previous concerns for another project inside glare issues. They also came back and analyzed that and the combinations of both those studies indicate there are no glare issues associated with this project.

The Chair asked if there were any other questions for Mr. Webb. There being no further comments or questions the Chair closed the Public Hearing.

Mr. Dagenhart said in all of notes he missed a couple of questions for the applicant. He asked what the projected project life for the project is.

Ms. Robichaud said the life span is 35 years.

Mr. Dagenhart asked if NCDOT had seen the landscape plan, because you do not show the site triangle for the intersection of Bethel and Wallace. He wants to make sure we have it on the plan.

Ms. Robichaud said we do have it on the plan.

Ms. Ross believes that the triangle of reference on the exhibit there is attached to the NCDOT permit. We talked about it extensively with staff. She will also ask Mr. Corey Howell to speak to this. If they are not in the NCDOT site plan, then they are on the civil design because we did have specific discussion with Staff about including the site triangle at all of these intersections. She said if it is not on the plan then it should be, and it will be done.

Mr. Dagenhart did not want to approve something that you have landscaping in the plan.

Ms. Ross does not believe we have landscaping because it is a triangle.

Mr. Dagenhart does not think you do he just wants to make sure it is on the plan. He said he saw it on the driveway permit.

The Chair thinks we can suggest in the conditions that NCDOT receives a copy of the landscape plans just make sure.

Ms. Morris said as a point of clarification, when NCDOT was reviewing this plan they were reviewing it for driveway access, they were not reviewing the landscape plan so that would need to be addressed.

Mr. James Litaker said maybe this is the elephant in the room but he has a sour note from the last solar farm, big time. He asked what we are doing to guarantee if they come in and the buffer is there and the next time we come to the meeting, the buffer is gone. Are we doing bonds or penalties? How do we correct the problem that before they said well sorry, it just happened? What are we doing to protect the buffer and the people there; then all of a sudden with good will they just walked away?

Mr. Dagenhart said maybe the applicant can address that through construction phasing. He does not know if they are going to do all the arrays and the security fencing and then do the landscaping?

Ms. Ross said thank you for the question. We would be remiss if we did not say that we are very aware of the prior solar facility and have had several conversations with the Planning Staff and

the Legal Staff, and it is part of the reason it has taken us so long to come before the Board with a plan that seeks to address all of the issues that have been raised. We have gone through your meeting minutes and we understand the questions that were asked. She thinks they understand, certainly not in the way that the Board does, because you lived it, the issues that came up.

Part of the reason we asked Mr. Duncan to be here tonight as an Officer of the Company, to be able to answer questions, one from a construction perspective but also as an Officer of the Company to the commitment that they have to not do what was done.

She appreciates the question and wants the Board to be very aware that they are very aware of that history and because of this they have gone above and beyond the some of the requirements in the Ordinance. We have gone above and beyond as your Staff has; they have worked harder than we have, to go through everything to make sure that the plan that you approve here meets and exceeds your Ordinance and then the commitment is that it will be followed through.

She will let Mr. Johnson speak to that. She just wanted to address the "elephant in the room" with a history and to make it clear that we were aware of it.

Mr. Mathew Johnson said in solar development you kind of have a mixed bag of developers. We would like to think what separates us from a lot of developers is that we are a developer owner operator and we are going to be here the next 35 years. He does not know who the other developer was. He is familiar with the market and he knows some of the players in the market. They develop projects far enough so that they can sell them or do something else. That is not us, we are going to be here for 35 years.

Duke Energy is already in your community and he would like to think we are a solid partner already and this will not be any different. You are dealing with Duke Energy; this is our backyard we are not going to behave that way.

Mr. Johnson said you have my word; he is an Officer of the Company. He will be happy to leave some business cards and if there are any problems contact him directly, and he extends that to the whole Board.

He said the other question around sequencing, we will stake off the buffers. We will make it very clear to our contractor, we will have a sit-down meeting with them, we already have and will have additional meetings around what can and cannot be done.

He said at the end of the day, the intent is in the area where there is supplement, or the existing buffer is sufficient, if something knuckleheaded happened, we don't think it will, that is not how we do business. But if something were to happen, we would come back and supplement it and get it looking the way it needs to look per the Ordinance.

We are going to be here long term; we are going to live up to our obligations and we really want to be a good neighbor and he really means that about this project.

Mr. Litaker said are you a part of Duke Energy?

Mr. Johnson said yes, he is the General Manager for Solar Construction for Duke Energy Renewables.

Mr. Litaker said Duke Energy has not always done what they said they were going to do either, on some of their stuff. I respect what you are saying but he wants to know what do we get as a guarantee if you do not follow through and do what you are supposed to do to keep us from having to go through what we went through before on this other one.

He said what do we get? Do we have a bond that is going to come in that we get or are you putting up escrow or what? He wants something that makes him believe what you are saying is true.

Mr. Johnson does not want to speak out of turn, but he believes it would be a violation of the Conditional Use Permit if that occurred, in which we would have to come back before the Board and air out that dirty laundry. Which again, that is not something that we are planning to do.

Mr. Litaker said the other one was not planning either.

Mr. Johnson apologizes that there has been a developer in here that has given the industry a bad name, that is not how we do business and we do not stand for that.

Mr. Litaker said legally are we asking for a bond or something to help establish and prevent this if something would happen down the road.

Ms. Morris said when this project was submitted there was not a bond requirement. If you remember the 160D amendments that we looked at, the Text Amendment Committee strongly suggested that a bond be added and as a recommendation of Legal, that was added. However, this particular project was submitted before that change. So, currently there is no Ordinance requirement for them to provide a bond unless they got to the point where they were trying to seek a Certification of Compliance from us and there was some reason preventing them, weather wise, from planting those trees. At that point, they would have to provide us with a bond and then the expectation in that, that landscape plan that is submitted will be followed.

She said in this particular case, a lot of that property was used agriculturally so, it is already cleared. On the southside, the property was logged but that 100-foot buffer was maintained to the best of our knowledge. We have not gone out and measured it or anything like that, but that is what the applicant has conveyed. With the offsite landscape easements that is a legally binding document, but there is no bond required for landscape or construction, only the Decommission Plan that will be recorded in the Register of Deeds Office, at this time. She said that has changed, but this project was submitted prior to those changes.

The Chair would like to discuss Mr. McKinney again. He promised him that we would bring his screening question back up. We had a similar request during our last solar farm.

He said you have a lot of neighboring properties, and you have one gentleman that showed up and giving you a thumbs up in support of this project, with one small concern, which is a gap in the understory trees supplementing along what appears to be a fairly small piece of property, in the grand scheme of things.

The Chair said this is a Conditional Use process and he is going to ask the applicant for the sake of the southern part of Mr. McKinney's property that is missing the supplementary understory treed area, if that is something they would be willing to add as a condition to this petition.

Ms. Ross will let Mr. Johnson speak on that, but for the sake of the record and to ensure that we are on the same page (we are trying to pull up the Alta). She wants to make sure that there is no confusion as to where Mr. McKinney's property is and where he believes the gap is. She does not think it is between the two supplementals there, she thinks it is to the left of it.

The Chair showed the two properties that Mr. McKinney owns and the gap that he is talking about. We are supplementing understories on both sides, and he is requesting this gap.

Ms. Ross said Mr. McKinney, just to confirm, to make sure that what is up on the screen to be clear. We think it is a 400 square foot area and wanted to confirm because the company is willing to commit as a part of the conditions to add that. But we want to make sure that we are all talking about the same place.

Mr. McKinney said yes, his property is 600 feet exposure and what he is asking for is complete screening.

Ms. Ross asked Mr. McKinney if those were his three properties and these 400 feet. She said there is some confusion, we wanted to make sure that we knew which side we were on.

Mr. McKinney said he is retired and will glad to meet someone out there and walk it if need be. It is pretty well marked.

Ms. Ross said for the sake of the record and the condition that someone has to write for this evening, she thinks they have the clarity that we need, that it is that 400 feet. She will let Mr. Johnson speak to the applicant's commitment to have that as a condition.

Mr. Johnson said as a condition of approval we will be happy to go ahead and extend that supplemental buffer across Mr. McKinney's property line.

Ms. Morris said using the larger exhibit that the applicant had provided, Mr. McKinney has confirmed the area; it is the area between the two buffered areas.

Ms. Ross now feels comfort that we all have clarity, now that the Chair, Mr. McKinney, and Mr. Johnson have all pointed to. She asked if there were anything else needed from the applicant in relation to the condition?

The Chair said thank you and he really appreciate that.

The Chair asked if there were any questions or discussion, there being none, he told Mr. Litaker that he certainly shares his sentiment. He said at the end of the day one of these cases could blow up on our face. He appreciates the comments and the commitment to this site and at this point we have to take it for what it is worth. He hopes that when this is done, we can really look back at this and see how this one was very different. He appreciates that commitment.

The Chair said we need to discuss some of the specific items. We know that they have a Certificate of Need issued by the State Utilities Commission, there is no impact to local facilities, solid waste or water, fire, EMS, police, schools, and very low impact to the transportation system. The zoning district does allow for those uses in a conditional use for a solar farm and substation. They submitted a very detailed landscape plan which is utilizing existing vegetation as well as supplemental vegetations in some locations.

They also submitted an Emergency Plan for how certain emergencies events will be handled on site. They haven't talked a lot about noise, but he thinks from our prior experience we realize that the noise will be minimal. There are no outside storage areas.

We reviewed the glare study and, as Mr. Webb mentioned, it appears that the glare study shows no adverse impacts at all observation points. No height to exceed ten feet for the solar farm no FAA regulated airports nearby, again, glare study is good, and they have a signed copy of the Decommissioning Plan.

The Chair said at this point we will need a motion to approve or deny the request with the conditions proposed by staff. We need fix the landscape label issue which he believes is fairly understood on the plan sheet. We need to get the NCDOT Landscape plan for them to review and we are adding the exhibit with adding understory supplement to the gap at the McKinney property.

Mr. Dagenhart would like to propose another condition. He said for the Roberts property, he thinks it will a good idea to add a condition that Staff visit it before it gets to far along to verify that 100 foot is there.

The Chair said the condition would be to verify the presence of the 100-foot existing vegetation along the road?

Mr. Dagenhart said along the whole property. It should be fairly simple to do, obviously the applicant would have to mark it and Staff would go out and check it.

Ms. Ross would suggest just so that it is clear, that that confirmation be done at the issuance of building permitting.

Ms. Morris said if the Board wants it to be verified, it will need to be verified prior to zoning permitting because that would impact the Landscape Plan. If the Board wants to make it a condition, she suggests making the condition that the site visit is prior to zoning permitting.

She said if you are concerned that it is not there now, then staff would need to make that visit sooner rather than later.

The Chair asked Mr. Dagenhart what specifically he would like to see? Did he want to see a drawing submitted to Staff or a survey or if it was an updated aerial like a drone image that has the property line superimposed?

Mr. Dagenhart said yes, with property superimposed. The area with the 100-foot buffer shown. He does not want one from an angle, preferably from the top so we can see the whole site.

Ms. Ross will refer this to the applicant, but she believes that would require getting the drone back out, which is timing and a number of issues.

She said rather than that, she is just suggesting that perhaps that a more typical way that a 100-foot variance is surveyed is by a surveyor, and so it is staked and put on to the survey. She suggests that that could be a condition to providing to staff in order to get the zoning permits.

She said that is the intent there, to confirm that the 100-buffer is actually there. She thinks from a legalistic standpoint of making sure that it is confirmed. She looks to Mr. Howell to confirm from the Engineering Survey in a second, that the Surveyor could go out and survey that 100-foot and stake it and provide it to the Staff and that might be more expeditious than the drone.

Mr. Dagenhart said the previous developers have shown surveys and what not. He has a comfort level with them surveying it, but he prefers that Staff to verify that.

Ms. Ross thought that we would provide that survey to them and then Staff would do a field visit and verify it, absolutely.

Mr. Dagenhart is not asking staff to verify property lines and try to verify a tree list. You submitted a document that shows multiple things on one piece of property. He wants to make sure it is there.

Ms. Ross said just for clarity for the record, the Alta evaluation was intended to be illustrative on the overviews. The pictures that were provided are the evidence that Kimley Horne and the Landscape Architect went out and took on site to show what was existing conditions and

understanding that the overview was intended to be illustrative of where the buffer as shown on the Landscape Plan would be.

She said the Applicant will do what satisfies this Board and it is confident the 100-foot buffer is there, and so if we can come up with a condition that satisfies everyone, and condition the use permit tonight on providing that evidence for the zoning permit that would be more than satisfactory to.

Mr. Dagenhart said getting back to the Kimbley Horn map on the Robert's property. You gave it 24 points, but you neglected to show the entire east side of the property, so he has no idea based on these conditions what it meant. One through twenty-four he is not arguing with but the rear you do not have any noted shots so how does he know?

Ms. Ross asked if Mr. Dagenhart was in the buffer evaluation exhibit? Which Ms. Morris has up right now?

Mr. Dagenhart said yes. He asked Ms. Morris to keep going to the first map. He said you do not have any observation points on the east side of that property.

Ms. Ross said there are no observation points because it is next to Corning

The Chair said again, we are ready to consider a motion with the conditions proposed by staff and three additional conditions mentioned earlier.

Ms. Ross asked the Chair to list the three additional conditions.

The Chair said the conditions listed in the Staff report as well as fixing the landscape inconsistency notation to B1 to B3 call out and submitting revised landscape plan to NCDOT (site triangles) for review and adding in the supplemental understory vegetation at the south end of the McKinney gap (400 feet).

There being no further questions or discussion, Mr. Brent Rockett **MOTIONED**, **SECONDED** by Mr. Andrew Nance to **APPROVE** Petition CUSE2020-00007, Conditional Use Permit for Public Service Facility (Speedway Solar Farm) with the conditions listed in the Staff report and the three just read by the Chair. The vote was unanimous.

Directors Report

Ms. Morris introduced Mr. David Goldberg, Deputy County Attorney, and full time County Staff. He will be helping us with some of our Planning and Zoning items and working with Mr. Koch.

Mr. David Goldberg addressed the Board stating that he just returned from six years working in the Federal Emergency Management Agency, in Washington, D.C., mostly advising the National Flood Insurance Program. He went to school in Chapel Hill, he has a wife and a two-year-old son and has been in the job for three weeks.

He will be happy to help with any County business and is at the Board disposal to help with your job.

No Legal Update

There being no further discussion, Mr. Andrew Nance **MOTIONED**, **SECONDED** by Mr. Brent Rockett to **ADJOURN**. The vote was unanimous. The meeting ended at 9:18 p.m.

APPROVED BY:

Mr. Jeff Corley, Chair

SUBMITTED BY:

Arlena B. Roberts

ATTEST BY:

Susie Morris, Planning and Zoning Manager

Prepared by and Return to:

David Goldberg Deputy Cabarrus County Attorney ROD Box 74

Application Number CUSE2021-00001 PIN 5505-93-1203

COUNTY OF CABARRUS STATE OF NORTH CAROLINA

ORDER GRANTING A CONDITIONAL USE PERMIT

The Planning and Zoning Commission and the Board of Adjustment for the County of Cabarrus, having held a public hearing on February 9, 2021 to consider application number CUSE2021-00001, submitted by William Akin, acting as agent for Carolina Water Service, Inc. of North Carolina, and having heard all of the evidence and arguments presented at the hearing, makes the following findings of fact and draws the following conclusions:

- 1. The Board makes and adopts the Findings of Fact contained in the attached Exhibit 1.
- 2. The Board concludes that the proposed use satisfies the first General Standard listed in listed in Section 8.3 of the Cabarrus County Zoning Ordinance ("Ordinance"); namely, that the use will promote the public health, safety and general welfare, if located where proposed and developed and operated according to the plan as submitted.
- 3. The Board concludes that the proposed use satisfies the second General Standard listed in the Ordinance; namely, that the use will maintain or enhance the value of contiguous property (unless the use is a public necessity, in which case the use need not do so).
- 4. The Board concludes that the proposed use satisfies the third General Standard listed in the Ordinance; namely, the use does not adversely affect the adequacy of sewage disposal facilities, solid waste and water, police, fire and rescue, equal protection, schools, transportation systems (in and around the site) and other public facilities.

- 5. The Board concludes that the proposed use satisfies the fourth General Standard listed in the Ordinance; namely, the use complies with the general plans for the physical development of the County as embodied in the Ordinance or the Land Use Plans adopted by the Cabarrus County Board of County Commissioners.
- 6. The Board concludes that the proposed use satisfies the specific standards listed in the Ordinance for a public service facility.

Therefore, because the Board concludes that all of the general and specific conditions precedent to the issuance of a CONDITIONAL USE PERMIT have been satisfied, it is ORDERED that the application for the issuance of a CONDITIONAL USE PERMIT be GRANTED, subject to the conditions listed in Exhibit 2 and the Findings of Fact and Conclusions of Law. The applicant shall follow all the applicable specific requirements in the Ordinance and must develop the property per the site plan submitted and approved. If any of the conditions shall be held invalid, this permit shall become void and of no effect.

Ordered this day of April 2021, nunc pro tunc to Febru	ary 9, 2021.
_	Chair of the Cabarrus County
	Planning and Zoning Commission
	Sitting as the Board of Adjustment
I Arlena B. Roberts, Notary for Cabarrus County, North Card of the Cabarrus Planning and Zoning Commission appeared foregoing document.	
Arlena B. Roberts, Notary Public My Commission expires	

NOTE: If you disagree with the decision of this Board, you may file an appeal in the Superior Court of Cabarrus County within thirty (30) days after the date of this order. *See* Section 12-25 of the Ordinance.

EXHIBIT 1 FINDINGS OF FACT

Conditional Use Permit Application William Akin, acting as agent for Carolina Water Service, Inc. of North Carolina CUSE2021-00001

- 1. The use as proposed maintains or enhances the public health, safety, and general welfare if located where proposed, developed, and operated according to the plan as submitted. This is because it would support the current wastewater facilities on the site, which benefit the public health and general welfare of the surrounding community by collecting, treating, and removing wastewater from the surrounding community. The Board also adopts as finding the assertions of the applicant in this section of it project narrative and statement of compliance.
- 2. The use as proposed is not required to maintain or enhance the value of the contiguous property because it is part of a wastewater treatment facility, which is a public necessity. The Board also adopts as findings the assertions of the applicant in this section of its project narrative and statement of compliance.
- 3. The use as proposed does not adversely affect the adequacy of sewage disposal facilities, solid waste and water, police, fire and rescue, equal protection, schools, transportation systems (in and around the site) and other public facilities because the proposed building will be uninhabited and will support the existing wastewater facility. The Board also adopts as findings the assertions of the applicant in this section of its project narrative and statement of compliance.
- 4. The use as proposed will follow the general plans for the physical development of the County as embodied in the Cabarrus County Development Ordinance or in the Land Use Plans adopted by the Cabarrus County Board of Commissioners because the proposed building supports the property's current use for wastewater treatment, which provides essential public services to the County. The Board also adopts as findings the assertions of the applicant in this section of its project narrative and statement of compliance.
- 5. The use as proposed use satisfies the specific standards listed in the Ordinance for a public service facility for the following reasons:
 - a. The property is in a Countryside Residential (CR) zone, which is eligible for conditional use as a public service facility.
 - b. The applicant has submitted plans and elevations for all proposed structures and descriptions of the color and nature of all exterior materials as part of the CUP plan package and in the report produced by the Civil Consultants report dated January 12, 2021.

- c. The applicant has submitted a landscape plan (same scale as site plan) showing existing and proposed trees, shrubs, ground cover and all other landscape material as part of its CUP plan package.
- d. The applicant has submitted an emergency plan showing how possible spills, explosions, etc. would be handled as part of the CUP plan package.
- e. The use as proposed will comply with county ordinances governing noise levels because the propose building will house electric equipment, which will not create any unreasonable loud, disturbing and unnecessary noise of such character as would be a detriment to public health, comfort, safety, welfare and prosperity of the residents of the county.
- f. The proposed building's lighting will be shielded to prevent light and glare spillover on to any adjacent residentially used or zoned properties, if such exist, because no exterior lighting is proposed within the proposed use.
- g. The use as proposed use abuts residential property and will comply with the requirement to implement a Level Two buffer because a 51' Level 2 landscaping buffer is currently on the site. The submitted landscaping plan shows such buffer.
- h. There are no proposed storage areas associated with the proposed use. All structures and storage areas are within the existing landscaping buffer.



EXHIBIT 2 CONDITIONS CUSE2021-00001

- 1. Site plan review and approval is required subsequent to Board of Adjustment approval in order to ensure compliance with all applicable development requirements and conditions.
- 2. A granting order, stating restrictions and applicable conditions of approval, shall be recorded with the deed of the property.
- 3. The applicant shall procure any and all applicable federal, state, and local permits prior to commencement of the project.
- 4. Expansion of this project, as well as modifications or changes to the approved site plan, must receive Board of Adjustment approval in the form of an amendment to the Conditional Use Permit.



> Prepared by and Return to: Richard M. Koch Cabarrus County Attorney ROD Box 74

Application Number CUSE 2020-00007

COUNTY OF CABARRUS STATE OF NORTH CAROLINA

ORDER GRANTING A CONDITIONAL USE PERMIT

The Board of Adjustment for the County of Cabarrus, having held a public hearing on February 9, 2021, to consider application number CUSE 2020-00007, submitted by the Speedway Solar, Inc., for a Conditional Use Permit for a Public Service Facility and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACT and draws the following CONCLUSIONS:

- 1. The Board makes and adopts the Findings of Fact contained in the attached Exhibit 1 labeled Findings of Fact.
- 2. It is the Board's CONCLUSION that the proposed use does satisfy the first General Standard listed in Section 8.3 of the Cabarrus County Zoning Ordinance ("Ordinance"); namely, that the use will promote the public health, safety and general welfare, if located where proposed and developed and operated according to the plan as submitted.
- 3. It is the Board's CONCLUSION that the proposed use does satisfy the second General Standard listed in the Ordinance; namely, that the use will maintain or enhance the value of contiguous property.
- 4. It is the Board's CONCLUSION that the proposed use does satisfy the third General Standard listed in the Ordinance; namely, the use does not adversely affect the adequacy of sewage disposal facilities, solid waste and water, police, fire and rescue, equal protection, schools, transportation systems (in and around the site) and other public facilities.
- 5. It is the Board's CONCLUSION that the proposed use does satisfy the fourth General Standard listed in the Ordinance; namely, the use is in compliance with the general plans for the physical developments of the County as embodied in the Ordinance or in the Comprehensive Plan, or portion thereof, adopted by the Board of County Commissioners.

6. It is the Board's CONCLUSION that the proposed use does satisfy the specific standards listed in the Ordinance for this use.

Therefore, because the Board concludes that all of the general and specific conditions precedent to the issuance of a CONDITIONAL USE PERMIT have been satisfied, it is ORDERED that the application for the issuance of a CONDITIONAL USE PERMIT be GRANTED, subject to the conditions contained in the staff report, if any, and the Findings of Fact and Conclusions of Law. The applicant shall fully comply with all the applicable, specific requirements in the Ordinance and must develop the property in accordance with the site plan submitted and approved. If any of the conditions shall be held invalid, this permit shall become void and of no effect.

Ordered this day of April 2021, nunc pro tu	nc to February 9, 2021.
CHA	AIR of the CABARRUS COUNTY
PLA	ANNING AND ZONING COMMISSION
Sitti	ng as the BOARD OF ADJUSTMENT
I, Arlena B. Roberts, Notary Public for Cabarrus Chair of the Cabarrus Planning and Zoning Commisigned the foregoing document. This day	mission, appeared before me on this day and
Arlena B. Roberts, Notary Public My Commission expires:	

NOTE: If you are dissatisfied with the decision of this Board, an appeal may be taken to the Superior Court of Cabarrus County within thirty (30) days after the date of this order. See Section 12-25 of the Ordinance.

EXHIBIT 1

FINDINGS OF FACT CONDITIONAL USE PERMIT APPLICATION APPLICANT: SPEEDWAY SOLAR, INC. CUSE 2021-00007

FINDINGS OF FACT

- 1. The use as proposed is not detrimental to the public health, safety or general welfare.
- a) See Applicant's response to this requirement, which is incorporated by reference as a Finding of Fact.
- b) The proposed use adds no new additional burden to the property that would affect the public adversely.
- c) A solar farm is a low impact use. It emits no noxious fumes, creates no sound or traffic that would have an adverse impact on adjacent properties and in this case creates no glare or lighting that would have an impact on adjacent properties.
- 2. The use as proposed is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, etc.
- a) See Applicant's response to this requirement, which is incorporated by reference as a Finding of Fact.
- b) All such facilities, which are not specifically required for this additional use, are located nearby.
- c) A solar farm places no additional burden on water, wastewater or solid waste infrastructure, creates minimal traffic and has no adverse impact on schools, or fire and police protection.
- 3. The use as proposed will not violate neighborhood character nor adversely affect surrounding land uses.
- a) See Applicant's response to this requirement, which is incorporated by reference as a Finding of Fact.
- b) The Applicant provided expert testimony through a property value impact study that this solar farm would have no impact on the value of adjoining or abutting property.

- 4. The use as proposed will comply with the general plans for the physical development of the County as embodied in the Zoning Ordinance or in the area development plans that have been adopted.
- a) See Applicant's response to this requirement, which is incorporated by reference as a Finding of Fact.
- b) The solar farm provides a low visual profile and low environmental impact that compliments surrounding uses, and preserves the property for future agricultural use.

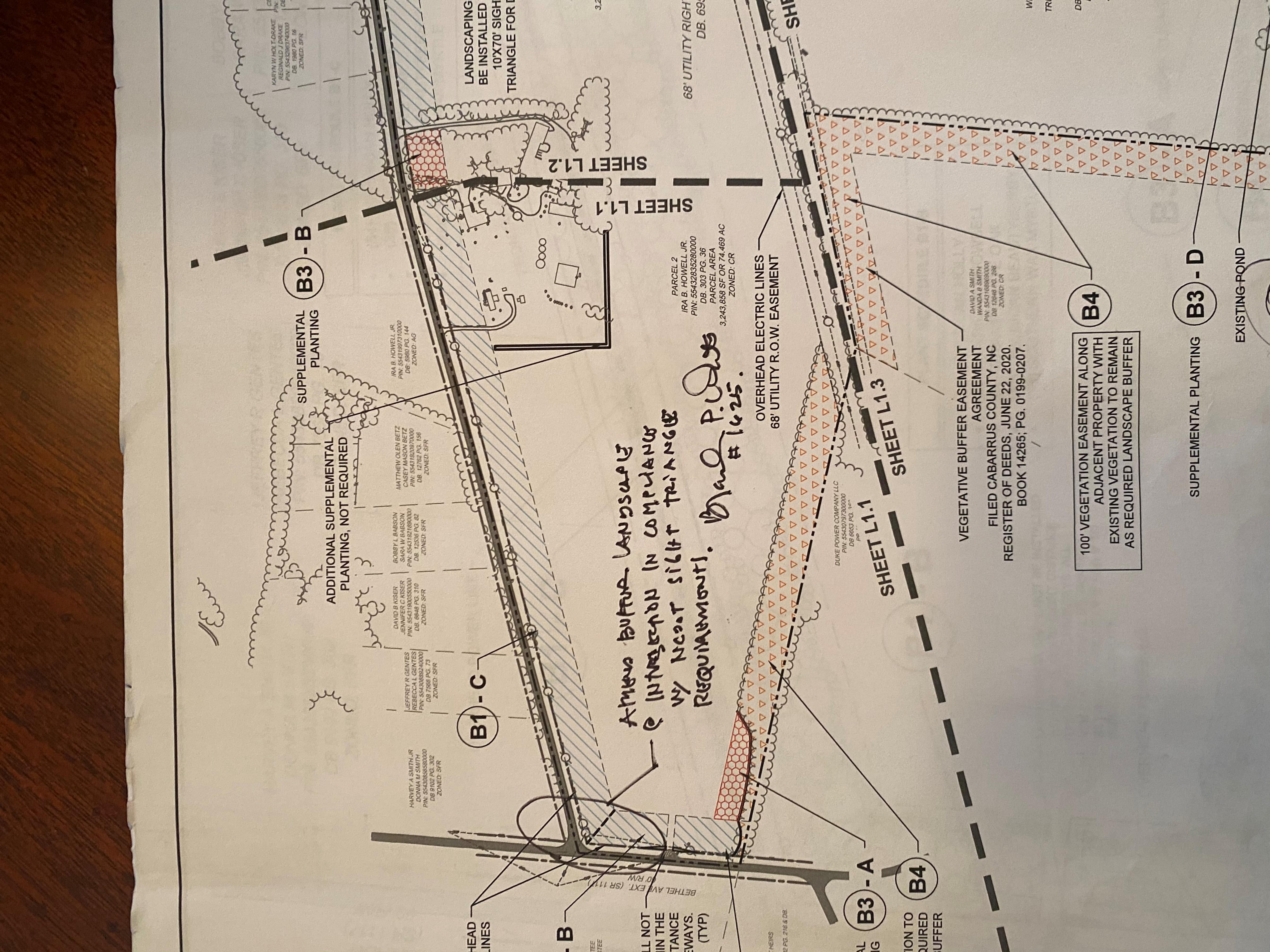


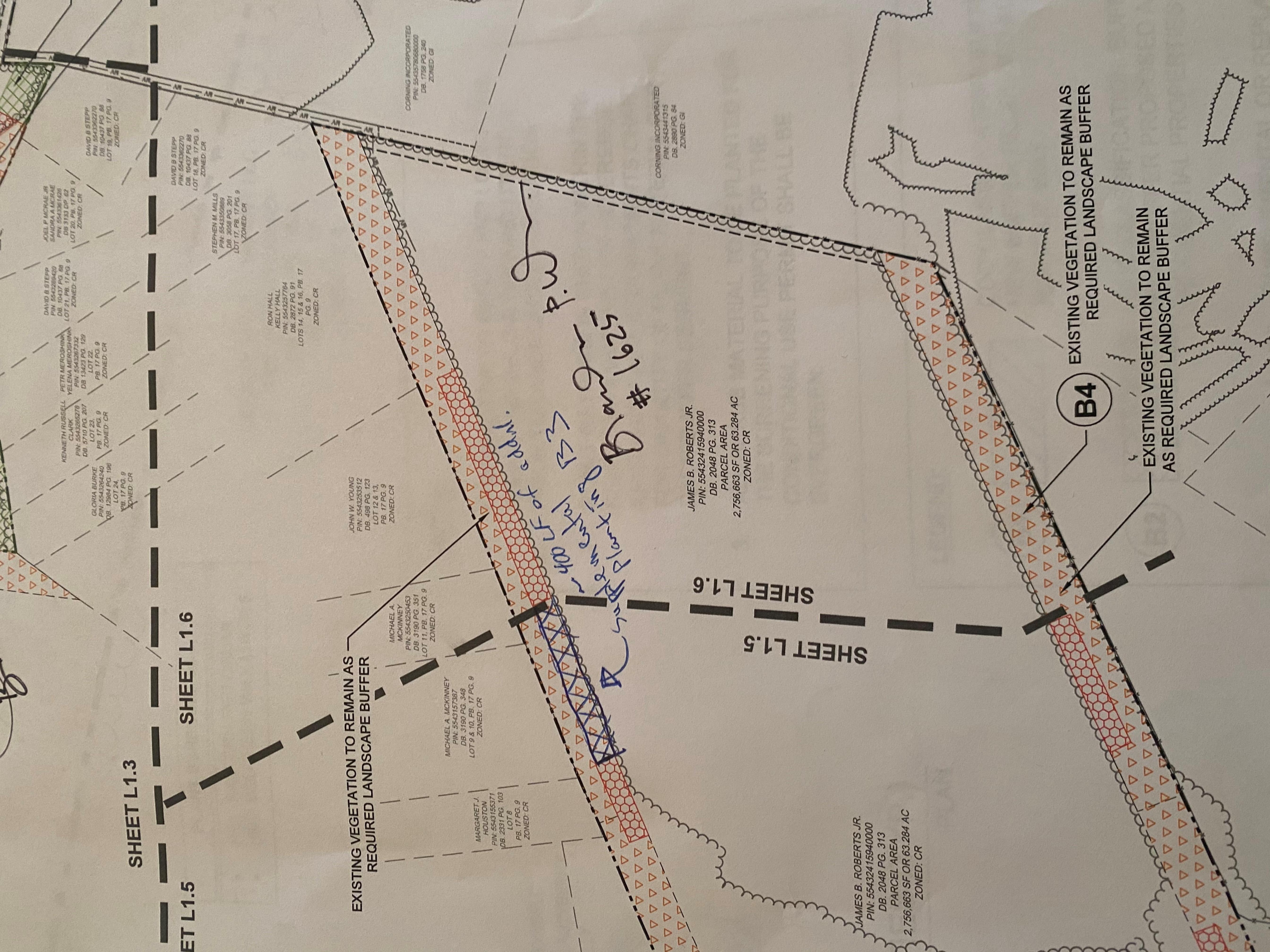
EXHIBIT 2 CONDITIONS APPLICATION CUSE 2021-00007

- 1. Site plan review and approval is required subsequent to Board of Adjustment approval to ensure compliance with all applicable development requirements and conditions.
- 2. The granting order, stating the restrictions and applicable conditions of the approval, shall be recorded with the deed of the property.
- 3. Applicant shall procure any and all applicable federal, state, and local permits prior to zoning permitting.
- 4. Any proposed future expansion of property, as well as modifications or changes to approved site plan, must receive Board of Adjustment approval in the form of an amendment to the Conditional Use Permit.
- 5. The Applicant shall provide copies of all state, local and federal permits for the permanent project file prior to zoning permitting.
- 6. The Applicant is proposing that some of the existing landscaping will be used to meet the buffer requirements. In the event the buffer does not meet the intent of the Ordinance the Applicant agrees to install the buffer as required by the Ordinance.
- 7. Deed Restrictions as outlined in the Storm Water Permit (SW3200601) Schedule of Compliance must be recorded in the Cabarrus County Office of the Register of Deeds and a copy provided to NCDENR and to Cabarrus County Planning after recordation and prior to zoning permitting.
- 8. Site must meet all conditions set forth in the Soil and Erosion Control Permit #CABAR2021-009.
- 9. The Decommissioning Plan must be recorded prior to the zoning permit being issued and a copy provided to Cabarrus County Planning.
- 10. Any proposed landscape easement documents must be recorded prior to zoning permitting. If these documents are not recorded the Applicant must redesign the plan in accordance with the Ordinance or seek a variance, both of which require consideration and/or approval by the Board of Adjustment.
- 11. Addresses shall be clearly posted at each entrance to the site. Knox Boxes shall also be installing at each entrance.

- 12. Applicant must adhere to the Special Provisions, listed in the driveway permit (Permit #C-1861) issued by the North Carolina Department of Transportation.
- 13. Applicant shall submit an updated landscape plan that corrects the notation on sheet L-1.0 at the southern boundary of the Troutman property to reflect that the green hatched areas are B2-C and B2-E rather than B3-C and B3-E and adds B2-E to and removes B3-E from the Landscape Requirements and Calculations table.
- 14. Applicant shall submit an updated landscape plan that reflects the installation of 400 feet of B3 landscaping to the northern boundary of the Roberts property where the property is adjacent to McKinney parcel 5543157387 (lots 9 and 10).
- 15. Applicant shall submit an updated landscape plan to North Carolina Department of Transportation and such plan shall reflect a 10 x 70 sight distance triangle on the Howell property, at the intersection of Wallace Road and Bethel Avenue Extension.







SHEET L1.4 SHEET L1.3 PLANNING STAFF REPORT CABARRUS COUNTY PLANNING AND ZONING COMMISSION 2/9/2021

Staff Use Only:		
Approved:		
Denied:		
Tabled		

Petition: RZON2021-00001 Rezoning

Applicant Information: R. Susanne Todd, Attorney

Johnston, Allison & Hord, P.A. 1065 E. Morehead Street Charlotte, NC 28204

Owner Information: Vulcan Lands, Inc

1200 Urban Center Drive Birmingham, AL 35242

Existing Zoning: OI (Office/Institutional)

Proposed Zoning: GI-CU (General Industrial – Conditional Use)

Proposed Uses: Storage of processed materials and by-products ("Overburden") from the

adjacent quarry operations, forestry operations and pond maintenance. The property owner has also submitted a site specific development plan that will be tied to the conditional use rezoning request in perpetuity.

Parcel ID Number: 6603-26-2969

Property Address: 5300 Gold Hill Road East

Area in Acres: \pm 138.38

Site Description: The subject property is currently Vacant. A perennial stream (Long Creek)

meanders along the north eastern border of the subject property. A large pond is located in the northern portion of the subject property. There is an existing access (for agricultural purposes) to the subject property from Gold Hill Road East. There are also connections to the subject property from the quarry operation located to the east of the subject property. There is no floodplain located on the subject property and is it not within

an existing watershed.

Adjacent Land Use: North: Vacant and Industrial (Existing Quarry)

East: Residential and Industrial (Existing Quarry)

South: Residential West: Residential

Surrounding Zoning: North: Rowan County IND

East: General Industrial (GI), Agricultural/Open Space (AO) and

Office/Institutional (OI)

South: Agricultural/Open Space (AO) West: Agricultural/Open Space (AO)

Utility Service Provider: Currently, the subject property is not served by public utilities.

Exhibits

- A. Staff Report
- B. Application
- C. Site Plan
- D. Water Body Buffer Profiles
- E. Landscaping Profiles
- F. Staff Maps
- G. Operations Plan
- H. Reclamation Plan
- I. Reclamation Bond
- J. Mining Permit
- K. General Stormwater Permit
- L. Justification for Exceptions and Alternate Methods and Compliance
- M. Adjacent Property Owner & Property Owner Letters
- N. Vulcan Presentation

Intent of Zoning Districts

PROPOSED DISTRICT: GENERAL INDUSTRIAL – CONDITIONAL USE (GI-CU)

While this district permits both large and small scale industrial and office development, its primary purpose is to provide a location for large scale development. It is designed to permit a very wide variety of industrial uses which may occur both indoor and outdoor, including certain land uses which are permitted in no other zoning district because of their potential to create nuisances for adjoining properties.

RATIONALE

This district is intended to provide a location for both light and heavy industrial uses in a zoning district in which the potential for nuisance complaints from nearby properties is minimized. Certain land uses will be permitted only upon issuance of a conditional use permit. General industrial districts are compatible neighbors with the light industrial and general commercial districts. Care should be taken to site this district on major roadways or near other forms of transportation, such as rail lines, airports, etc.

CONDITIONAL USE

The property owner has requested that the subject property be limited to the storage of processed materials and by-products ("Overburden") from the adjacent quarry operations,

forestry operations and pond maintenance. The property owner has also submitted a site specific development plan that will be tied to the conditional use in perpetuity.

OFFICE/INSTITUTIONAL

This district is intended to accommodate relatively low intensity office and institutional uses at intensities complementary to residential land use. This district serves as a transitional district between residential land uses and higher intensity non-residential land uses.

RATIONALE

This district is used to provide for low intensity office and institutional uses that can be complementary to adjacent residential land use. This district features employment options and essential services which require a moderate number of average daily trips. These uses will have a minimum impact on the surrounding area because these trips will generally occur during regular business hours, thus, not competing with residential traffic at peak hours or on weekends. This district should be located adjacent to residential districts or in areas where its use would serve as a transition between residential land uses and higher intensity non-residential land uses. Higher intensity non-residential land uses may include commercial districts, light industrial or mixed use districts. When bordering residential districts or residential developments, care should be taken to assure natural or manmade buffering and architectural compatibility so that the nonresidential activities are not a nuisance to residential use.

Agency Review Comments

Planning Review:

Staff Report, Phillip Collins, Senior Planner Cabarrus County

NCDOT Review:

No comments, Marc Morgan, NCDOT

Fire Marshal Review:

No comments, Matthew Hopkins, County Fire Marshal

EMS Review:

No comments. Justin Brines, Cabarrus County EMS Director

Sheriff's Office Review:

No comments. Ray Gilleland, Cabarrus County Sheriff's Lieutenant

Soil and Water Review:

No comments, Tammi Remsburg, Cabarrus County Resource Conservation Manager

Land Use Plan Analysis

The subject property is located adjacent to the US-52/Glenmore Road area which was included in a list of 17 sites for potential economic development opportunities in the 2006 Strategic Plan for Economic Development. The US-52/Glenmore Road area was included due to its situation (proximity to US Hwy 52 and a Rail Line) and its potential for mining and production of lightweight structural aggregate (residual dust material can be used for the production of cultured stone).

The subject property is also located within the Eastern Planning Area. The Easter Area Plan (EAP) recommends that the northeastern portion of Cabarrus County develop as an area of Future Employment. The EAP further addresses this area as follows:

Highway 52 Corridor: Located in the Northeast portion of the planning area, this highway is planned for widening. Eventually, US 52 will be widened from I-85 in Salisbury to US 74 in Wadesboro. The first phase of this project will run from Albemarle south to Wadesboro. The second phase will run north from Albemarle to Salisbury. Given existing uses along this corridor, the portion in Cabarrus County should be reserved for industrial uses.

- Determine if an existing utility provider is willing to serve this area with utility service and/or
 examine the feasibility of providing utilities with wells and a modular wastewater treatment
 facility similar to the facility in use in Midland.
- Ensure that appropriate access management techniques are employed to ensure that the highway will function appropriately.
- Work with rail providers to serve this area with freight service and spur lines.

Conclusions

- The site is currently vacant/wooded and zoned Office/Institutional.
- Residentially zoned and used properties border the subject property to the west, south and southeast. The property is bordered by an industrial use to the east and north.
- The proposed use of extraction of earth products/mining is not permitted in the OI district. The
 proposed rezoning to GI-CU would allow the adjacent mining operation to use the subject
 property for storage of processed materials and by-products ("Overburden") from its quarry
 operations. Portions of the subject property are also proposed for forestry operations and pond
 maintenance.
- The property owner has submitted a site specific development plan that will be tied to the use of the property in perpetuity.
 - If approved, the subject property could only be developed as presented. Any future deviations from the adopted list of uses or proposed site plan would be considered an amendment to the conditional use zoning district and would require Board review and approval.

- The proposed use of the subject property is in conformance with the proposed zoning district and the plans in place for that portion of the County. The proposed uses are permitted in the GI zoning district. Extraction of Earth Products is permitted as a conditional use.
- The proposed general industrial zoning is in keeping with the future employment recommendation of the land use plan.
- The proposed quarry use for the newly acquired property is consistent with the mining operations on adjoining properties which have existed in this area of the County for decades.
 Quarry related uses on the site are reasonable given the uses on the adjoining properties.
- The subject property is accessed from 5300 Gold Hill Road East and from the mining operation to the east.
- The applicant has provided a site plan that provides appropriate buffering as required by Chapter 9 of the Zoning Ordinance.
 - The applicant states that a 100' buffer will be placed along all of the property lines not adjacent to the existing quarry and it will remain undisturbed. The applicant claims that the existing vegetation within the 100' buffers is sufficient to satisfy the requirements of Chapter 9. The applicant is not proposing a landscape buffer along the property lines adjacent to the existing quarry.
- Approval of this request involve two steps:
 - The first vote is to consider whether or not to change the zoning classification for the property and is a legislative action.
 - The second vote is to consider the site specific development plan and proposed conditions of approval. This is a quasi-judicial action.

Conditions of Approval

Should the Planning and Zoning Commission grant approval of the rezoning and consider issuing the Conditional Use Permit, Staff requests the following conditions become part of the approval and case record:

- 1. Granting order, stating restrictions and applicable conditions of approval shall be recorded with the deed for the property. (Planning)
- 2. Any changes to the approved site plan must receive Board of Adjustment approval in the form of an amendment to the Conditional Use Permit. (Planning)
- 3. Copies of any state, local, and/or federal permits related to the use of the subject property shall be submitted to the Planning Department as part of the permanent project file. (Planning)
- 4. Applicant must comply with the terms of NCDEQ/NPDES Industrial Stormwater Permit NCGO 20000 and NCDEQ Mining Permit 13-04. (NCDEQ)

- 5. Applicant is proposing to use existing landscape to meet required landscape buffers. Where there are gaps in planting areas or planting areas do not conform to ordinance requirements, applicant shall provide supplemental plantings as needed to obtain ordinance conformance. (Zoning)
- 6. Applicant shall provide a copy of the Reclamation Bond where the Obligee is NCDENR to accompany Surety Rider that was submitted.
- 7. Applicant shall provide a copy of the survey at a scale of 1:100 at the time of zoning site plan review.



	STAFF USE ONLY
Application/Accela	#:
Received B	y:
Date File	d:
Amount Paid	d:

INSTRUCTIONS/PROCEDURES:

- 1. Schedule a pre-application meeting with Staff to discuss the procedures and requirements for a conditional use rezoning request.
- 2. Submit a complete application to the Planning Division. All applications must include the following:
 - Cabarrus County Land Records printout of all adjacent property owners. This includes properties located across the right-of-way and all on-site easement holders. The list must include owner name, address, and Parcel Identification Number.
 - > A recent survey or legal description of the property or area of the property to be considered for rezoning.
 - > 15 folded copies of the proposed site plan.
 - > Any additional documents essential for the application to be considered complete. (Determined at pre-application meeting)
- 3. Submit cash, check, or money order made payable to Cabarrus County.

Fees: Conditional Use Rezoning \$650.00 for 1st acre

Plus \$15.00 per acre

(Plus cost of advertising and engineering fees if applicable)

(if a 3rd submittal is required, an additional review fee will be assessed)

The deadline for submittal is always the same day as the Planning and Zoning Commission Meeting which is the second Tuesday of the month. Applications must be submitted before 2:00 PM that day for consideration on the next available agenda.

Incomplete applications will be returned to the applicant and will not be processed.

PROCESS SUMMARY:

- 1. Hold a pre-application meeting with Staff to discuss your rezoning request and the map amendment process.
- 2. Submit a complete application with the appropriate fees to the Cabarrus County Planning Division.

Staff and appropriate agents will review your complete application and site plan and comments will be forwarded to you. You will need to address the comments in writing, revise the site plan accordingly and resubmit a site plan showing that comments are addressed and errors corrected.

- 3. Once advised that the site plan is correct and ready to be presented to the Planning and Zoning Commission, you will need to submit 18 folded copies of the plan.
- 4. When the copies of the plan are received, Staff will begin to prepare a staff report, schedule a public meeting date and notify adjacent property owners of the public meeting/public hearing date. A sign advertising the public hearing will also be placed on the property being considered for the conditional use rezoning.

Meeting Information: Meetings are held the second Tuesday of each month at 6:30 PM in the Cabarrus County Governmental Center located in downtown Concord at 65 Church Street, SE. The Conditional Use Rezoning process includes two separate votes:

- 1. The Commission will consider the proposed rezoning to determine if it is appropriate.
- 2. The Commission will consider issuing the Conditional Use Permit and approving the site plan.

Expedited Vote: A vote of % or more of the members of the Planning and Zoning Commission is considered an Expedited Vote and will constitute a final decision for the rezoning portion of the case. If approval or denial of a rezoning request is by a vote of less than % of the members, or if an appeal of the decision is filed within 15 days of the date of the decision, the application will automatically be forwarded to the Board of Commissioners for final consideration at a *de novo* hearing.

Conditional Use Permit: The Conditional Use Permit will be considered as a second step in the conditional use rezoning process. Additional conditions may be added as part of the Conditional Use Permit approval process.

Questions: Any questions related to rezoning your property or to the rezoning process may be directed to the Planning Division at 704-920-2141, between 8 AM and 5 PM, Monday through Friday.

SUBJECT PROPERTY INFORMATION:

	
Street Address5300 Gold Hill	Road E., Gold Hill NC
PIN(s) (10 digit #)	6603 26 2969 ;
Deed Reference	Book Page
DESCRIPTION OF SUBJECT PRO	OPERTY:
Size (square feet or acres)	+/- 138.3800 acres ("site")
Street Frontage (feet)	
Current Land Use of Property	Agricultural/vacant. The Site is largely undisturbed, vacant, wooded land.
Surrounding Land Use	NorthIndustrial/vacant
	South
	East Quarry/Industrial/Agriculture
	West Agriculture/vacant
REQUEST: Change Zoning	From Ol To GI-CU
Purpose for Request	
To allow Applicant, Vulcan Materia	als Company to use the site for extraction of earth products ("quarry use"), said use to
limited to storage of processed ma	aterials and by-products ("Overburden") from the adjacent quarry operations.
Forestry operations (agriculture) a	and pond maintenance are also allowed.
UTILITY SERVICE: Water Supply X Well	orService Provider
Wastewater Treatment X	Sentic Tank(s) or Service Provider

".dus.eki.s.s. of Foods Dasdoucks (IIO.com.ill) limited to	to according to the same forester an existing and maintanance
extraction of Earth Products ("Quarry") limited to	to overburden storage, forestry operations and pond maintenance.
(
32	
· · · · · · · · · · · · · · · · · · ·	
onditions of Approval:	
	essed materials and by products from excavation of adjacent quarry.
No rock excavation is proposed for this Site.	
	state, subject to use for forestry operations and pond maintenance.
100 foot perimeter landscape buffer yard of e	existing vegetation is proposed against adjacent non-quarry parcels instead
uired 75 foot landscape buffer yard.	
Along Gold Hill Road E., a 100 foot street yard	d buffer is proposed instead of the required 10 foot street yard buffer.
1002	4000

Land Use Consistency Statement:
The current Eastern Area Land Use Plan dated June 16, 2003, does not address current or future development plans
for this area. The future land use map shows this area as "agricultural/open space".
The Site abuts an existing, operating quarry. The rezoning will not adversely affect surrounding land uses. The propose
Quarry use is consistent with the mining operations on adjoining properties that have existed in the area for decades.
Quarry use on the Site is reasonable given the uses on the adjoining properties.

PROPERTY OWNER/AGENT/APPLICANT INFORMATION:

It is understood by all parties hereto that while this application will be carefully considered and reviewed, the burden of providing its need and providing all required evidence rests with the below named petitioner. In addition, it is understood and acknowledged that if the property is rezoned as requested and the Conditional Use Permit authorized, the property involved in this request will be perpetually bound by the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended through the rezoning process. It is further understood and acknowledged that it is the responsibility of the petitioner to file the Development Plan in the Cabarrus County Register of Deeds Office as a deed restriction upon the subject property.

If, after two years from the date of approval of the CU District, substantial construction has not begun, the property in question may be changed to another zoning designation after a public hearing is held in compliance with the required procedure for a zoning map amendment.

I do hereby certify that all information which I have provided for this application is, to the best of my knowledge, correct.

PROPERTY OWNER	PROPERTY DEVELOPER/AGENT
Brian Pace,Vice President, Vulcan Lands, Inc.	R. Susanne Todd, Johnston, Allison & Hord,P.A.
NAME	NAME
1200 Urban Center Drive	1065 E. Morehead St.
ADDRESS	ADDRESS
Birmingham, AL 35242	Charlotte, NC 28204
CITY, STATE, ZIP CODE	CITY, STATE, ZIP CODE
	704-332-1181 (704 - 998 - 2306
PHONE NUMBER	PHONE NUMBER
	704-376-1628
FAX NUMBER	FAX NUMBER
	stodd@jahlaw.com
E-MAIL ADDRESS	E-MAIL ADDRESS
Signature of Owner:	Date: 11-3-2020
Signature of Developer/Agent:	

SUPPLEMENTAL INFORMATION – VULCAN MATERIALS COMPANY APPLICATION FOR CONDITIONAL USE REZONING EXTRACTION OF EARTH PRODUCTS

In accordance with Chapter 8 of the Cabarrus County Zoning Ordinance, Vulcan Materials Company ("Vulcan") offers the following supplemental information in support of its Application for a conditional use rezoning for use of that 138.8 Acre site identified as Cabarrus County PIN#6603- 26-2969 in its application dated December 18, 2020 to store processed material and by-products from the extraction of earth products (the "Site").

OPERATIONS PLAN

I <u>Date Operations Begin and their Expected Duration:</u>

The Site will be used to store processed materials or by-products (collectively known as "overburden") of the excavation processes taking place on contiguous sites. The Site will also be used for Forestry operations. Excavation on adjacent properties is already in process and already producing overburden. The Site to be used to store processed materials and by-products will be used immediately for that purpose as excavation takes place on lands adjacent to it.

II. Proposed hours and days of operations.

The existing extractive use operation located contiguous to the Site may operate 24 hours 7 days a week without restrictions. Vulcan proposes to limit operations on the Site to between the hours of 6:00 a.m. to 8:00 p.m. Monday through Saturday and 7:00 a.m. to 6:00 p.m. on Sunday with the exception if we are required to supply materials needed for NCDOT construction or maintenance work that specifies alternative delivery times because of traffic control or other factors. In this case, Vulcan will utilize the Site to store the processed material and by-products from the extraction processes during the same hours.

III. Estimated type and volume of extraction.

No extraction activities are proposed for this Site.

IV. <u>Description of method of operation</u>, including the disposition of topsoil, <u>overburden and any by-products</u>.

By its very nature, mining (extraction) takes place in a natural progression with the initial installation of erosion/sediment control structures as specified in our state mining permit followed by the removal and stockpiling of the soil and soft rock (collectively known as "overburden") overlying the hard rock deposit. Once exposed, the rock is excavated in a series of lifts or benches. In broad terms, the depth of the excavation is limited by the aerial extent of the property contained in the mining permit boundary.

Permanent storage of processed materials or by-products of the crushing process is currently proposed for this Site. Storage of spoil piles and other accumulations of by-products shall not be created to a height of more than forty (40) feet above the original contour and shall be so graded that the vertical slope shall not exceed the material's natural angle of repose.

V. Description of equipment to be used in the excavation process.

No excavation activities are proposed for this Site.

Basic earth moving equipment consisting of off road haul trucks, bulldozers, and pans will be used to transport the overburden to the Site. Logging trucks will be used for removal of trees and other debris in connection with Forestry operations that are also proposed for a portion of Site.

VI. Any phasing of the operations and the relationship among the various phases.

The Site will be used to store overburden from the excavation processes on adjacent properties. Use of the Site for storage of overburden will be phased as shown on the Site Plan. Vulcan anticipates initial operations will move across this parcel being used for overburden over time based upon the market demands for construction aggregate products in the region.

SUPPLEMENTAL INFORMATION – VULCAN MATERIALS COMPANY APPLICATION FOR CONDITIONAL USE REZONING EXTRACTION OF EARTH PRODUCTS

In accordance with Chapter 8 of the Cabarrus County Zoning Ordinance, Vulcan Materials Company (Vulcan) offers the following supplemental information in support of its Application for a conditional use rezoning for use of that 138.8 Acre site identified as Cabarrus County PIN#6603- 26-2969 in its application dated December 18, 2020 to store processed material and by-products from the extraction of earth products (the "Site").

REHABILITATION/RECLAMATION PLAN

Statement of planned rehabilitation of the excavated land including detailed methods of accomplishment and planned future use of the rehabilitated land.

See Reclamation Plan on Rezoning Site Plan for details. Please also see approved Mining Permit modified September 30, 2020 to include the Site (as modified, the "Mining Permit"). The Mining Permit includes the Approved Reclamation Plan for the Gold Hill Quarry.

Reclamation at Gold Hill Quarry is an ongoing process. Through on-site inspections, Vulcan Materials Company monitors, on a periodic basis, the Site for areas that may need maintenance or construction of additional erosion and other control measures. The areas of the Site identified to be used for overburden storage, will be sloped for drainage, contoured, graded and vegetated pursuant to the approved seed mix. All fill slopes are to be constructed with 2:1 slopes or flatter. The slopes are to be seeded with approved seed mix and stabilized. The Revegetation Plan is set forth within the Mining Permit, pages 13-14.

A map showing the final topography, after rehabilitation, to the same scale as the Site plan. It shall also depict any water areas and methods of preventing stagnation and pollution, landscaping and ground cover proposed to be installed and the amount and type of any backfill, if any, to be employed.

See Site Plan.

A phasing and timing plan, related to the phasing and timing portion of the Operations Plan, showing the progression of the rehabilitation and the date to be completed.

Please see Phases 1-4 as identified on the Site Plan. The Site should provide storage space for the operation of the Gold Hill Quarry in excess of 50 years. Reclamation of the parcel will be conducted contemporaneously with mining at the adjacent properties to the extent feasible and will be completed once the parcel is no longer used for overburden.

The method of disposing of all equipment, structures, dikes and spoil piles associated with the operations.

All equipment and structures, if any, will be removed from the Site and all spoil piles will be

covered with topsoil, seeded, and a permanent ground cover established. Proposed reclamation plan once excavation and operations are terminated is to restore the land to vegetation pursuant to the Revegetation Plan.

A written legal description or survey of the Site, prepared by a North Carolina registered land surveyor of engineer is included with the Site Plan.

A copy of the legal description is included on the site plan.

The name, address and signature of land owners and applicants. Provided in the application form.

[SIGNATURES ON THE FOLLOWING PAGE]

APPLICANT:

VULCAN MATERIALS COMPANY

4401 North Patterson Avenue

Winston Salem NC 27105

BY: Brian Pace

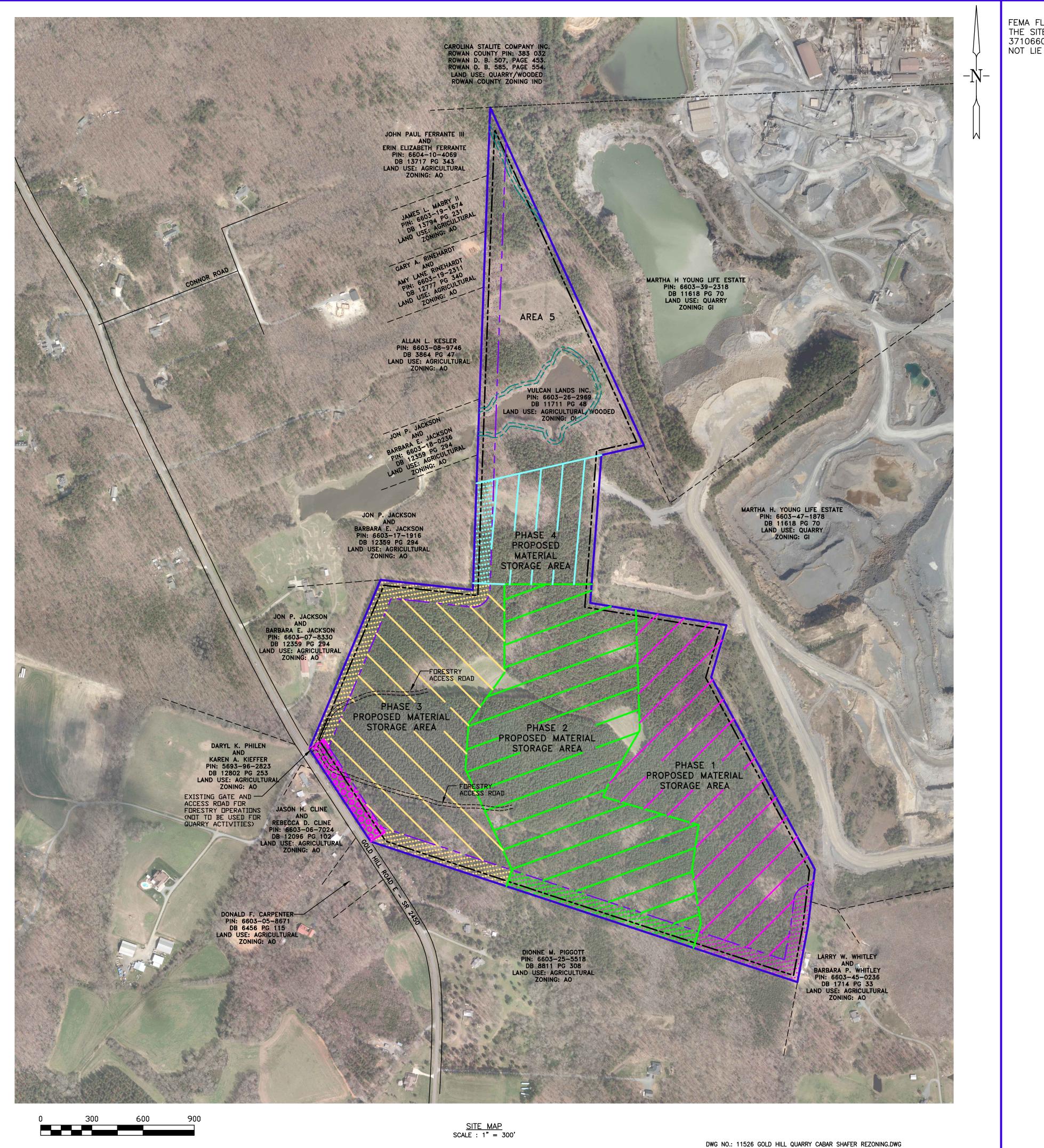
ITS: President, Mideast Division

PROPERTY OWNER:

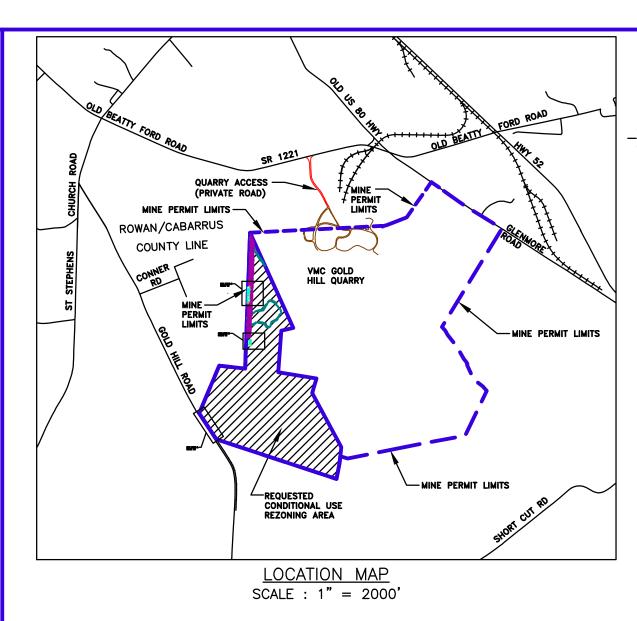
VULCAN LANDS, INC. 1200 Urban Center Drive FAS 1401-843

Birmingham, AL 35242

BY: Brian Pace
ITS: Vice President



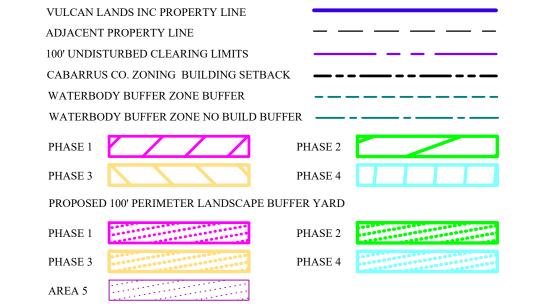
FEMA FLOODPLAIN NOTES: THE SITE IS LOCATED ON FEMA FIRM MAP PANELS 3710660400J AND 3710660200J, DATED 11-5-2008. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A FEMA MAPPED FLOODPLAIN OR FLOODWAY.



SHEET LEGEND

SITE MAP	SHEET 1	PHASE 3 GRADING PLAN	SHEET 12
SITE DEVELOPMENT NOTES	SHEET 2	PHASE 4 GRADING PLAN	SHEET 13
PROPERTY SURVEY	SHEET 3	FINAL SITE GRADING	SHEET 14
SITE PLAN	SHEET 4	BUFFER PLAN SHEET 1	SHEET 15
SITE PLAN	SHEET 5	BUFFER PLAN SHEET 2	SHEET 16
SITE PLAN	SHEET 6	DETAILS	SHEET 17
SITE PLAN	SHEET 7	DETAILS	SHEET 18
RECLAMATION PLAN	SHEET 8	DETAILS	SHEET 19
RECLAMATION PLAN	SHEET 9	DETAILS	SHEET 20
PHASE 1 GRADING PLAN	SHEET 10	DETAILS	SHEET 21
PHASE 2 GRADING PLAN	SHEET 11		

MINE LEGEND



SITE DATA:

STREET YARD LANDSCAPED BUFFER

PROPERTY INFORMATION: PIN: 6603-26-2969
PROPERTY ADDRESS: 5300 GOLD HILL RD E
DEED REFERENCE: DEED BOOK 1171 PAGE 48

138.388 ACRES (6,028,181 SF) VULCAN LANDS INC. 1200 URBAN CENTER DR BIRMINGHAM, AL 35242 336-767-4600

CURRENT LAND USE: PROPOSED LAND USE: PROPOSED BUILDINGS: FRONT SETBACK:

CURRENT ZONING: PROPOSED ZONING:

TOTAL AREA:

APPLÍCANT:

OWNER:

OI (OFFICE/INSTITUTIONAL) GI-CU (GENERAL INDUSTRIAL - CONDITIONAL USE) AGRICULTURAL/WOODED MATERIAL STORAGE OF EARTH PRODUCTS (QUARRY), FORESTRY (AGRICULTURE)

0202020

75 FEET REAR/SIDE SETBACK: 30 FEET VULCAN MATERIALS COMPANY 4401 NORTH PATTERSON AVE, WINSTON SALEM, NC 27105

336-767-4600 CIVIL ENGINEER:

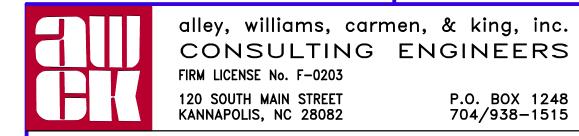
G. WESLEY WEBB, PE ALLEY, WILLIAMS, CARMEN & KING, INC. 120 SOUTH MAIN STREET KANNAPOLIS, NC 28081 704-938-1515

REV#1 PER CABARRUS COUNTY 3-23-21

Materials Company

Docusigned by:

1. Wesley Webb



SCALE	DATE: 12-18-20
PLAN: VARIES	DRAWN BY: RCC
PROFILE HORIZ.:	CHECKED BY:
VERT.:	DWG No.:

11526

2020 CONDITIONAL USE REZONING REQUEST GOLD HILL QUARRY VULCAN MATERIALS COMPANY 5300 GOLD HILL RD E., GOLD HILL, NC 28071

SITE MAP of: 21

SITE DEVELOPMENT NOTES

1. General Provisions

- a. These Site Development Notes form a part of the Conditional Plan associated with the Conditional Use rezoning application filed by Vulcan Materials Company ("Applicant") to accommodate the development of approximately 138.388 Acres of real property located off Gold Hill Road East, in Gold Hill (Cabarrus County), North Carolina for Extraction of Earth Products ("Quarry") use, said real property being further identified as Cabarrus County PIN # 6603-26-2969 (the "Site").
- b. Applicant proposes the rezoning of the Site from O/I (Office/Institutional) to GI-CU (General Industrial-Conditional Use). These Site Development Notes, the Site Plan (consisting of Sheets 1-21), Applicant's rezoning application and any additions or revisions thereof, are collectively referred to as the "Rezoning Plan" or "Conditional Plan." Development of the Site will be governed by the Rezoning Plan as well as applicable provisions of the Cabarrus County Development Ordinance ("Ordinance").
- c. Alterations to the Conditional Plan are subject to Chapter 13 of the Ordinance.

2. Permitted Uses:

- a. Use of the Site shall be limited to construction of, and use as, material storage area(s) for storage of processed materials and by products from the excavation processes of the adjacent quarry ("Overburden Storage").
- b. Use of the Site for extraction (pits) or mining operations other than Overburden Storage is prohibited.
- c. Approximately 25 acres of the Site, located to the North of Phase 4 and identified as Area 5 on the Site Plan, shall not be used for Overburden Storage, but shall remain generally in its natural condition to provide additional buffering and screening of the existing quarry operations located to the east of the Site.
- d. Applicant reserves the right to timber those portions of the Site located outside of the 100 foot wide perimeter landscape buffer yard as shown on the Site Plan.

3. Transportation

- All access to and from the Site for Quarry use shall be through the adjacent Quarry via an existing driveway connection to SR 1221 (Old Beatty Ford Road) in Rowan County as shown on the Site Plan.
- b. The Site also has access via an existing driveway connection on SR 2450 (Gold Hill Road East) as shown on the Site Plan. Access via the Gold Hill E. connection shall be limited to forestry operations, pond maintenance, and emergency access.
- c. Should the Gold Hill E. access need to be used for commercial use, a driveway permit from NCDOT will be required.

4. Buffer and Landscaping:

- a. Applicant shall provide a 30 foot building setback around the perimeter of the Site as shown on the Site Plan. Applicant shall provide a 75 foot building setback from Gold Hill Road E. as shown on the Site Plan. Required setbacks are located within the applicable buffer yards as shown on the Site Plan. No buildings are proposed for the Site.
- b. Applicant shall provide and maintain a 100 foot wide perimeter landscape buffer yard between the Site and adjacent non-quarry parcels and Gold Hill E. right of way as generally shown on the Site Plan (the "Perimeter Buffer").
- c. The Perimeter Buffer shall consist of existing vegetation, said existing vegetation intended to meet or exceed applicable Ordinance requirements for visual screening and separation of uses.
- d. Applicant has identified 3 sections of the Perimeter Buffer where Applicant intends to provide additional plantings. These sections are identified as sections A, B and C on sheet 15 of the Site Plan.
- e. Quarry use of the Site shall be phased as shown on the Site Plan. The portion of the Perimeter Buffer located within a particular phase or area identified on the Site Plan will be completed prior to commencement of any Quarry use within the phase or area.
- f. Prior to commencement of any Quarry use within a phased area of the Site, Applicant and Planning Department will evaluate the existing vegetation within the Perimeter Buffer for said phase. If all or portions of the existing vegetation have died, or otherwise been damaged, a supplemental plantings plan will be developed and submitted for approval to the Planning Department.
- g. In those locations identified as A, B and C on sheet 15 of the Site Plan, Applicant will supplement the existing vegetation as described in the corresponding insets shown on sheet 16 of the Site Plan, or as otherwise agreed by Applicant and Planning staff to provide visual screening and separation of uses.
- h. No perimeter landscape buffer shall be required between the Site and adjacent, existing quarry or industrial parcels
- i. An existing approximately 20 foot (20') wide access (haul) road encroaches into portions of the perimeter landscape buffer as generally shown on the Site Plan. Upon completion of any timbering activities, Applicant shall stabilize the access road with low maintenance ground cover as described on sheet 15 of the Site Plan
- j. Should the land use relationship between the Site and one or more abutting properties change such that a lesser buffer, or no buffer, would be required, Applicant reserves the right to reduce or eliminate the aforementioned buffer in accordance with Ordinance requirements and the limits of the development envelope may be expanded to include the former buffer area(s).
- k. Where applicable, Applicant reserves the right to use existing vegetation to meet any buffer and screening requirements.

5. Other Conditions:

- a. There are currently no existing structures located on the Site.
- b. Storage of processed materials and by products shall not be created to a height of more than forty (40) feet, and shall be so graded that the vertical slope shall not exceed the material's natural angle of repose.
- c. There is no existing or proposed sewage disposal, solid waste, or potable water facilities on the Site.
- d. The Site has a NCDEQ mining permit (permit #13-04) and is exempt from the Sedimentation Pollution Control Act of 1973 and any requirements for sediment and erosion control plan approval.
- e. The Site has a NCDEQ/ NPDES industrial stormwater permit (NCGO 20000) for stormwater and pit discharges from this Site. Development of this Site is not expected to create any post construction impervious areas that will flow away from the pit. Due to the proposed reclamation without future impervious areas, development of this Site does not require a Phase II stormwater permit.
- f. All permanent roads, defined as those to be used in excess of one year, and located within three hundred (300) feet of existing residentially zoned land shall be surfaced with a dust free material such as soil cement, bituminous concrete, or portland cement concrete.
- g. Roads other than permanent roads shall be treated with dust inhibitors, as specified in the Operations Plan, to reduce and minimize dust generation from road surfaces from either wind or vehicular action. Properly operated water wagons and sprayer irrigation shall be an acceptable method of dust inhibition.
- h. Applicant is required by NCDEQ to maintain a reclamation bond for this Site as a condition of its mine permit. Prior to commencement of any mining operations on the Site and the release of any zoning permit(s), Applicant's engineer shall certify to the county the costs of reclamation on a per acre basis. If the reclamation costs exceed the amounts required by the state, then Applicant shall post a bond payable to Cabarrus County for the difference.
- i. The site falls on two maps. FEMA FIRM MAPS 3710660400J and 3710660200J, dated 11-5-2008. The subject property does not lie within a FEMA mapped floodplain or floodway.

6. BINDING EFFECT OF THE REZONING:

If this Rezoning Plan is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan, and these Site Development Notes will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Applicant and subsequent owners of the Site and their respective successors in interest, heirs and assigns. The term "Applicant" shall mean Vulcan Materials Company, its successors in interest, and assigns.





	alley, williams, carme	•
	CONSULTING	ENGINEER
	FIRM LICENSE No. F-0203	
\blacksquare H $\{$	120 SOUTH MAIN STREET	P.O. BOX 124 704/938-15
	KANNAPOLIS, NC 28082	704/938-151

2020 CONDITIONAL USE REZONING REQUEST
GOLD HILL QUARRY
VULCAN MATERIALS COMPANY
5300 GOLD HILL RD E., GOLD HILL, NC 28071

PROFILE
HORIZ:
VERT.:

DEVELOPMENT
NOTES

PROFILE
CHECKED BY:
GWW
DWG No.:

11526

SHEET NO.
2

OF: 21

VARIES

12-18-20

ROWAN COUNTY CABARRUS COUNTY VMC QUARRY GRID NAD 83 Y = 640512.99JAMIE L. MABRY II AND WIFE WENDY FRALEY MABRY 10921/331 X = 1601938.15N/F FERNANDO AND WIFE JUANA MARIA PORTILLO EX IRON ROD 7504/225 N/F JON D. SHERRILL AND WIFE KRISTEN SHERRILL 6403/308 EX IRON ROD DEX IRON ROD N/F ALLAN L. KESLER 3864/47 N/F JOHN B. YOUNG 438/643 PARCEL TWO N/F TONY W. SHORT 2576/225 FENCE +/- 1.0' ON ADJOINING PROPERTY ALONG LINES SHOWN N/F JOHN B. YOUNG S 83°45'26"E 544.20" EX IRON ROD

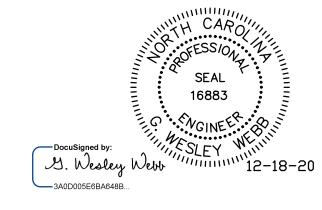
S 80°40'33"E 808.88" EX PIPE

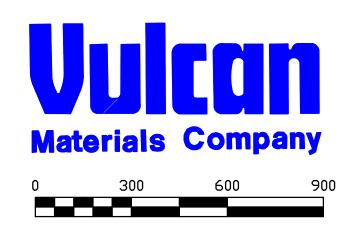
S 80°40'33"E 808.88" EX PIPE PARCEL ONE 80.131 ACRES PARCEL TWO 36.681 ACRES PARCEL ONE PARCEL THREE 21.576 ACRES SR 2450 RW 0.429 ACRES TOTAL 138.817 ACRES REFERENCES:
DEED BOOK 1264 PAGE 234
PLAT BOOK 34 PAGE 53
SURVEY BY NORSTAR LAND SURVEYING 8/15/2002
SURVEY BY BELL SURVEYING COMPANY 6/20/1988 LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET. NO IMPROVEMENTS OBSERVED ON THE THREE PARCELS VMC QUARRY GRID NAD 83 Y = 636046.60 X = 1603839.96 N/F DIONNE M. PIGGOTT 881/308 N/F LARRY WAYNE WHITLEY 1714/33

All that tract or parcel of the land located in Cabarrus County, North Carolina being more particularly described as follows:

BEGINNING at an existing iron pipe located in the Northeastern right-of-way line of Gold Hill Road (SR 2450), said iron being the Southernmost corner of Lot #7 as shown on map entitled SUBDIVISION MAP OF 220.96 ACRES ON GOLD HILL ROAD recorded in Plat Book 34, Page 53, Cabarrus County Registry and running thence with the East line of Lot 7 North 22° 49' 29" East 1074.29 feet to an existing pipe in the Southern line of Lot #8 as shown in the aforementioned Plat; thence South 83° 45' 26" East 544.20 feet to an existing iron rod, said rod being a Southeast corner of property conveyed to Tony W. Short by deed recorded in Book 2576, Page 225, Cabarrus County Registry and also being the Southeast corner of Lot #8 as shown on the aforementioned Plat; thence with the East lines of properties owned by Tony W. Short (2576DB225), Allan L. Kesler (3864DB47), Jon D. Sherrill and wife, Kristen Sherrill (6403DB308), Fernando Portillo and wife, Juana Maria Portillo (7504DB225) and Jamie L. Mabry, II and wife, Wendy Fraley Mabry (10921DB331) North 02° 03' 40" East crossing irons at 1120.56 feet, 1448.58 feet, 1776.69 feet, 2104.70 feet, 2432.71 feet and continuing 398.18 feet for a total distance of 2830.89 feet to an existing axle located in the Rowan/Cabarrus County line, said axle being a Northwest corner of property conveyed to John B. Young by deed recorded in Book 438, Page 643, Cabarrus County Registry and having VMC Quarry Grid Coordinates of Y = 640512.99 and X = 1601938.15; thence with the West line of John B. Young South 24° 26' 03" East 2176.78 feet to an existing pipe, a corner of the John B. Young property as described in deed recorded in Book 438, Page 319, Cabarrus County Registry; thence with the West lines of John B. Young the six following courses and distances: (1) S 77° 15' 40" West 255.34 feet to an existing pipe; (2) South 04° 18' 51" West 869.21 feet to an existing pipe; (3) South 80° 40' 33" East 808.88 feet to an existing pipe; (4) South 16° 23' 22" West 317.17 feet to an existing pipe; (5) South 28° 19' 46" East 1279.41 feet to an existing iron rod, said rod having VMC Quarry Grid Coordinates of Y=636046.60 and X=1603839.96, and (6) South 06° 48' 12" West 192.79 feet to an existing iron rod; thence continuing South 06° 48' 12" West 141.27 feet to an existing pipe; thence South 10° 36' 03" West 336.05 feet to an existing pipe, on the northeast corner of property conveyed to Dionne M. Piggott as recorded in Book 881, Page 308, Cabarrus County Registry; thence with the North line of Piggott N 71° 45' 24" West 2633.85 feet to an existing pipe in the Northeastern right-of-way line of Gold Hill Road (SR 2450); thence with the Northeastern right-of-way line of Gold Hill Road N 33° 23' 33" West 651.35 feet to the point and place of beginning, containing 138.388 acres more or less, as shown on survey entitled THE "SHAFER" TRACT AT THE GOLD HILL NORTH CAROLINA QUARRY prepared by Helms Surveying Company dated August 17, 2015 (designated drawing #15-0803).

> VULCAN LANDS INC. CABARRUS COUNTY PIN: 6603-26-2969 CABARRUS COUNTY DB 11711 PG 48 LAND USE: AGRICULTURAL/WOODED CABARRUS COUNTY ZONING: DI





REV#1 PER CABARRUS COUNTY 3-23-21

DWG NO.: 11526 GOLD HILL QUARRY CABAR SHAFER REZONING.DWG

alley, williams, carmen, & king, inc. CONSULTING ENGINEERS FIRM LICENSE No. F-0203 120 SOUTH MAIN STREET KANNAPOLIS, NC 28082

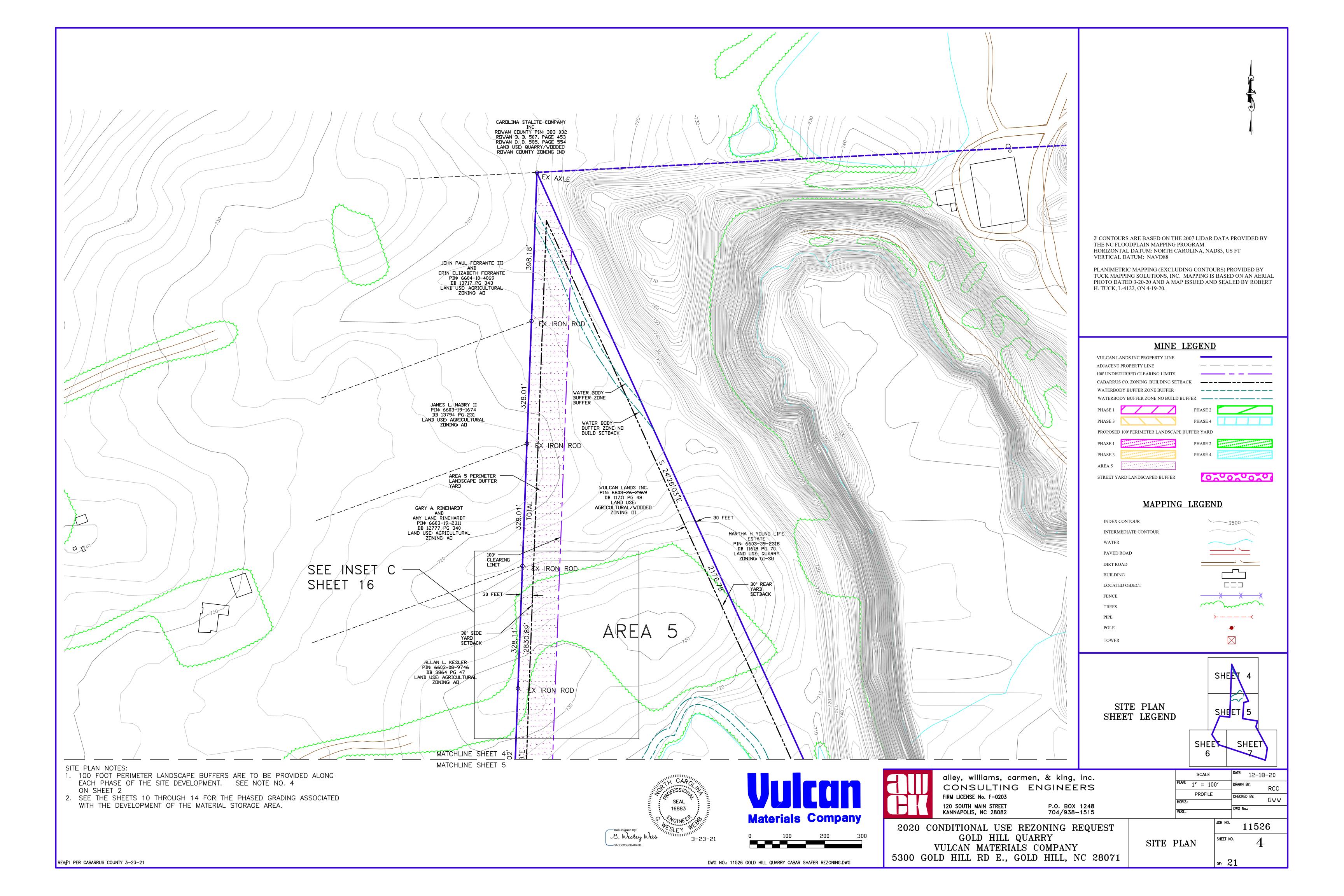
P.O. BOX 1248 704/938-1515

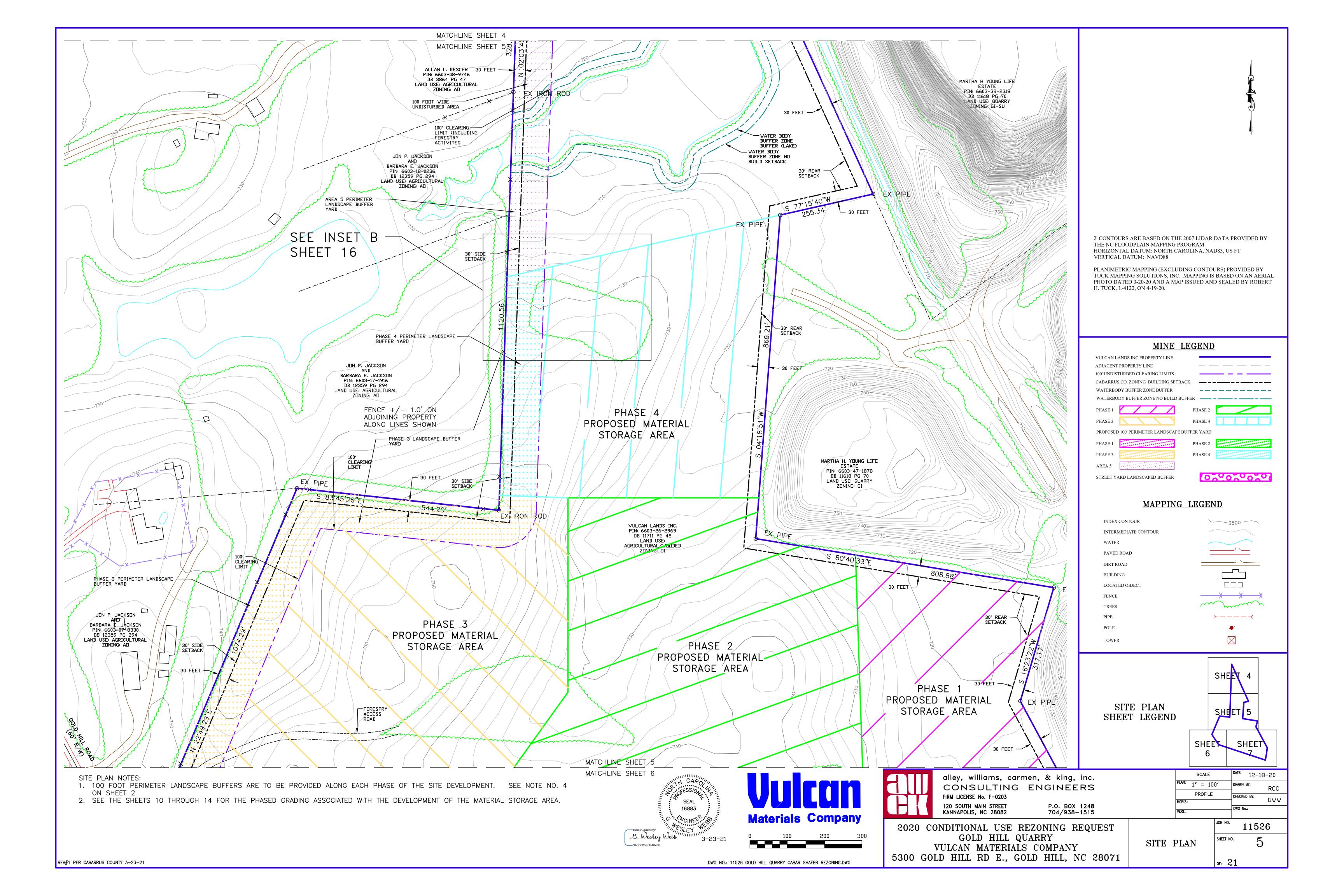
1" =300' GWW

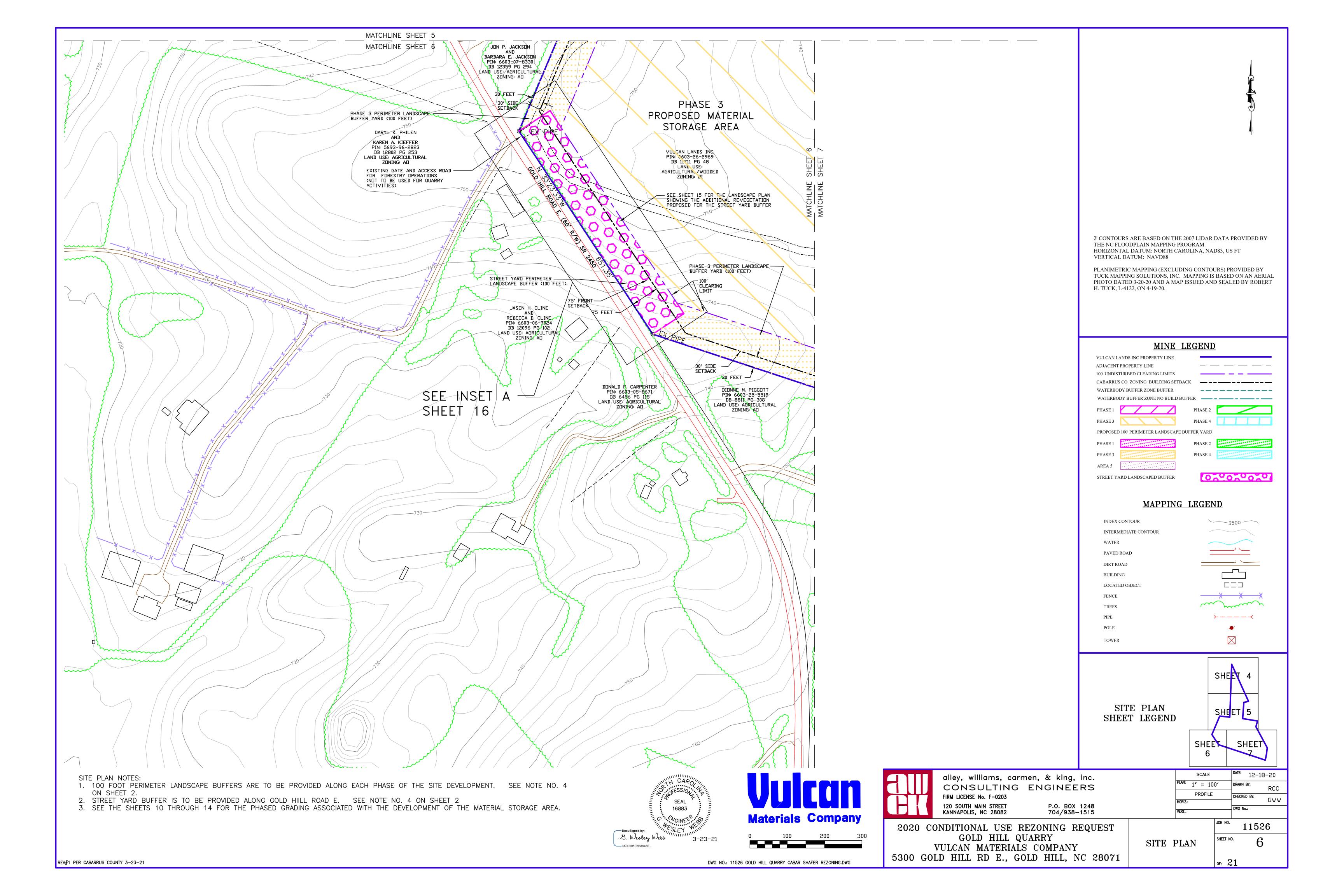
12-18-20

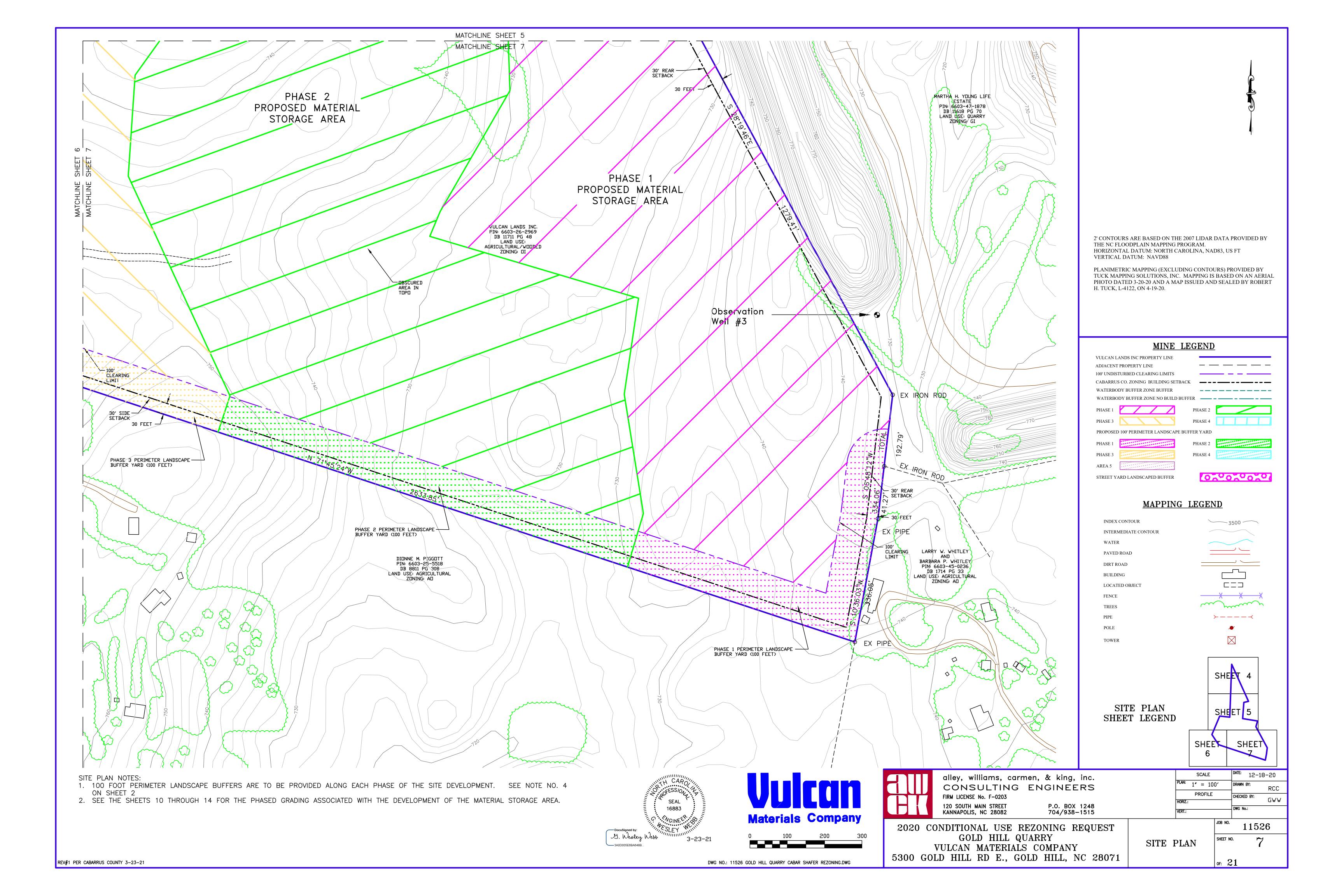
2020 CONDITIONAL USE REZONING REQUEST GOLD HILL QUARRY VULCAN MATERIALS COMPANY 5300 GOLD HILL RD E., GOLD HILL, NC 28071

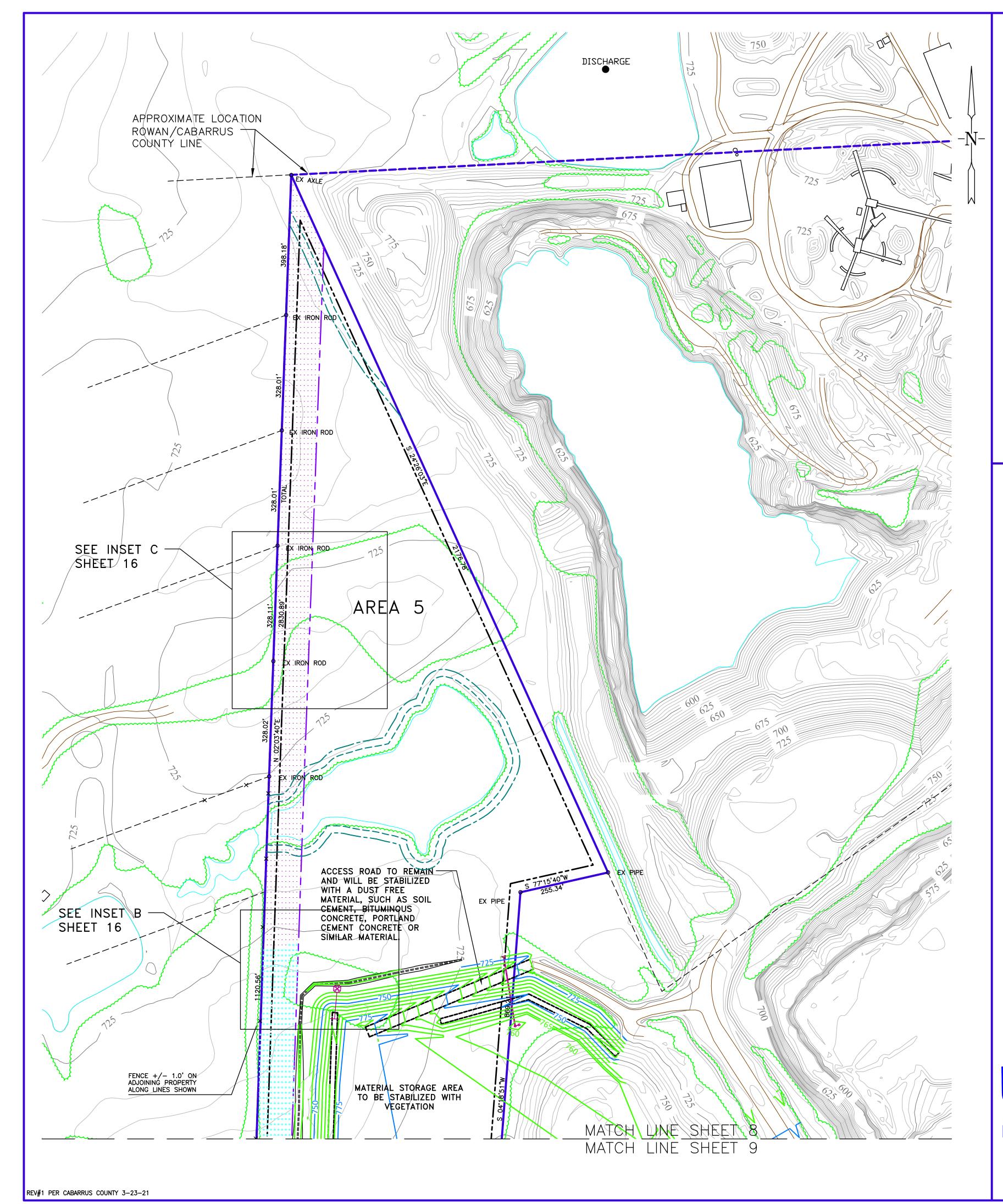
11526 **PROPERTY** SURVEY











GOLD HILL QUARRY CABARRUS COUNTY

REVEGETATION PLAN SPRING - FALL - WINTER SEED MIXES

SPRING RATE MARCH - JUNE

Rye Grain	15 - 20 lbs.	per acre
Tall Fescue	40 – 80 lbs.	per acre
Switchgrass	8 lbs.	per acre
Va 70 Šhrub Lespedeza	20 lbs.	per acre
Sericea Lespedeza	15 – 20 lbs.	per acre
🛮 r Red Clover	8 – 14 lbs.	per acre
Hulled Common Bermuda Grass		per acre
Or Weeping Love Grass	2 – 4 lbs.	•

FALL RATE (MID) AUGUST - OCTOBER

Rye Grain	40	lbs.	per	acre
Tall Fescue	80	lbs.	per	acre
Sericea Lespedeza (Unscarified)	40	lbs.	per	acre
Orchard Grass	30	lbs.	per	acre
White Clover	5	lbs.	per	acre

WINTER RATE NOVEMBER - FEBRUARY

Rye Grain	40 lbs.	per acre
Unhulled Bermuda Grass	10 lbs.	per acre
Unscarified Sericea Lespedeza	30 lbs.	per acre
Tall Fescue	80 lbs.	per acre

FERTILIZER ALL SEASONS

10 - 20 - 20	1500 lbs. per acr	^e
Lime	4000 lbs. per acr	^e
Mulch	70 bales per acr	^e

Mulch to be anchored by one of the following methods:

- Crimping with mulch anchoring tool; or
 Tack with asphalt emulsion 400 gal. per acre or
 1500 pounds/acre fiber mulch

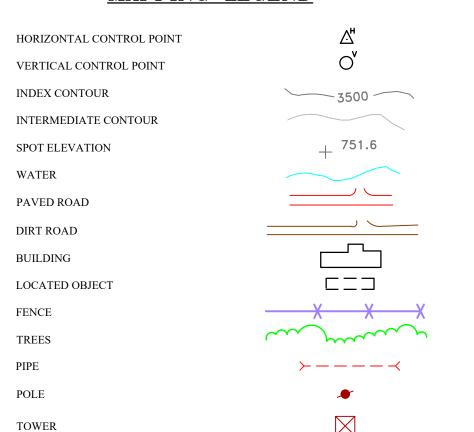
MINE LEGEND

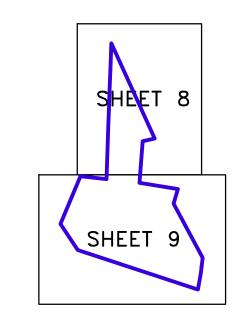
VULCAN LANDS INC PROPERTY LINE ADJACENT PROPERTY LINE 100' UNDISTURBED CLEARING LIMITS CABARRUS CO. ZONING BUILDING SETBACK WATERBODY BUFFER ZONE BUFFER PHASE 4 PROPOSED 100' PERIMETER LANDSCAPE BUFFER YARD

0202020

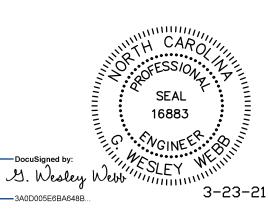
MAPPING LEGEND

STREET YARD LANDSCAPED BUFFER





RECLAMATION PLAN SHEET LEGEND



DWG NO.: 11526 GOLD HILL QUARRY CABAR SHAFER REZONING.DWG





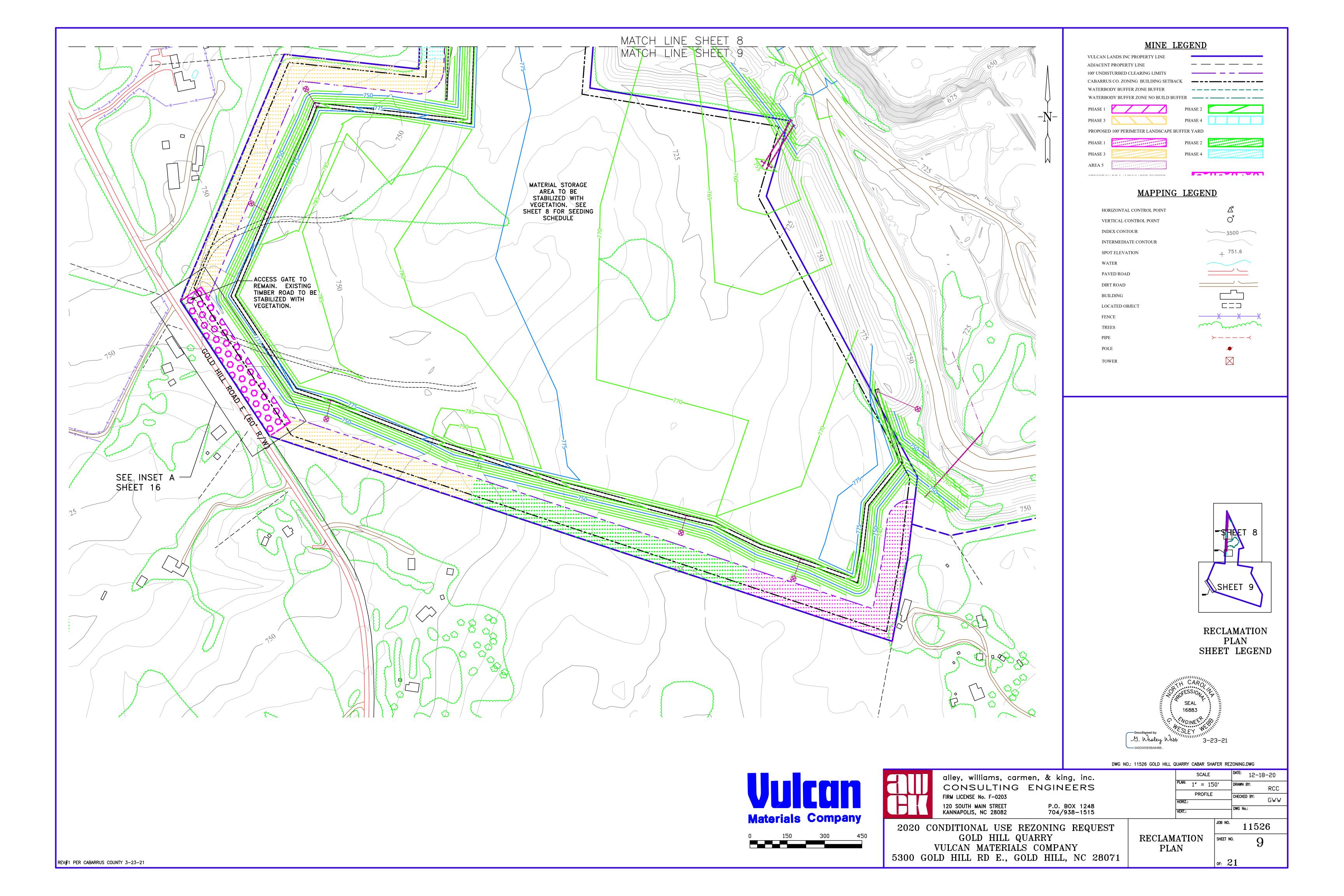
alley, williams, carmen, & king, inc. CONSULTING ENGINEERS

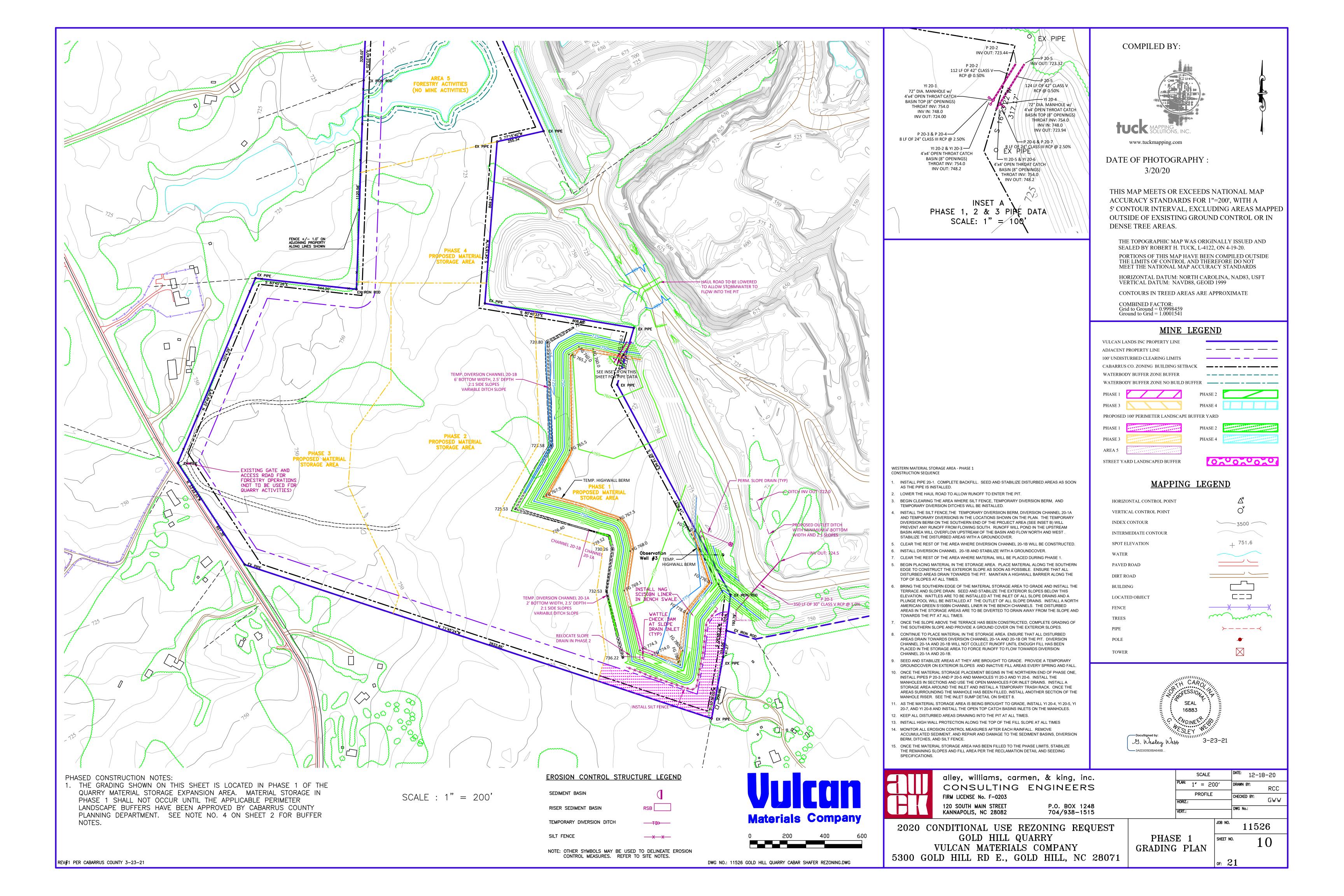
120 SOUTH MAIN STREET KANNAPOLIS, NC 28082 P.O. BOX 1248 704/938-1515

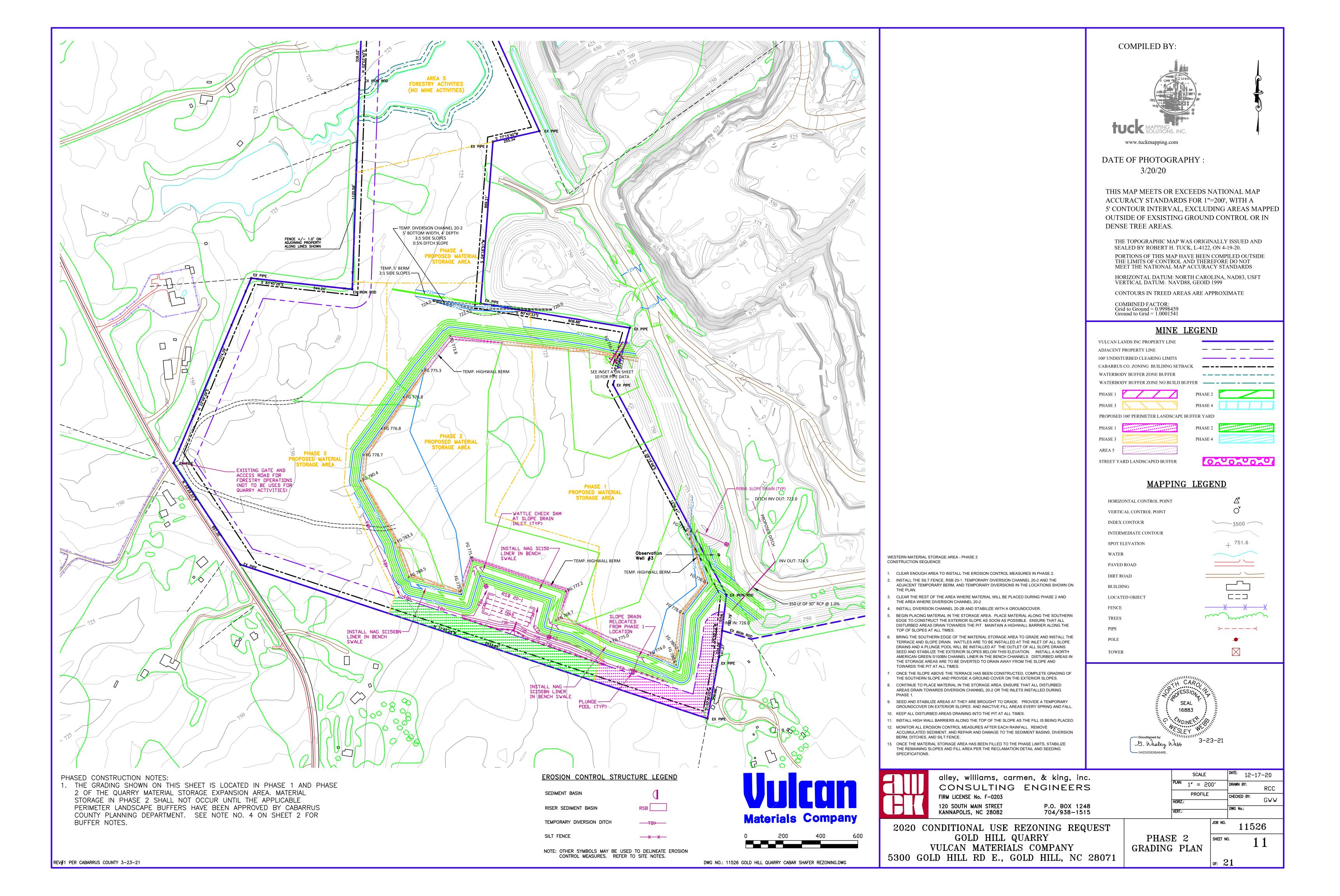
2020 CONDITIONAL USE REZONING REQUEST GOLD HILL QUARRY VULCAN MATERIALS COMPANY 5300 GOLD HILL RD E., GOLD HILL, NC 28071

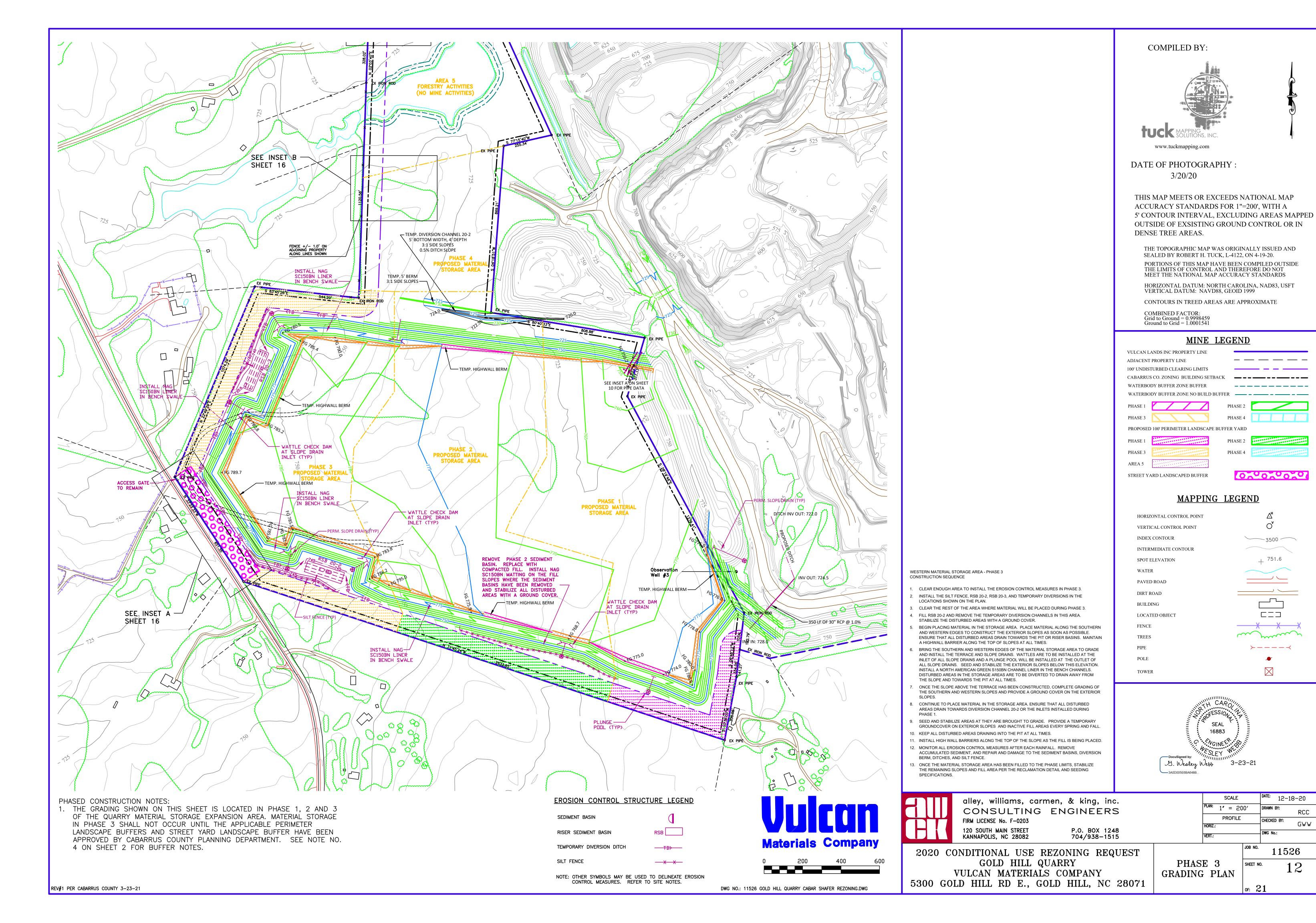
12-18-20 1'' = 150'GWW

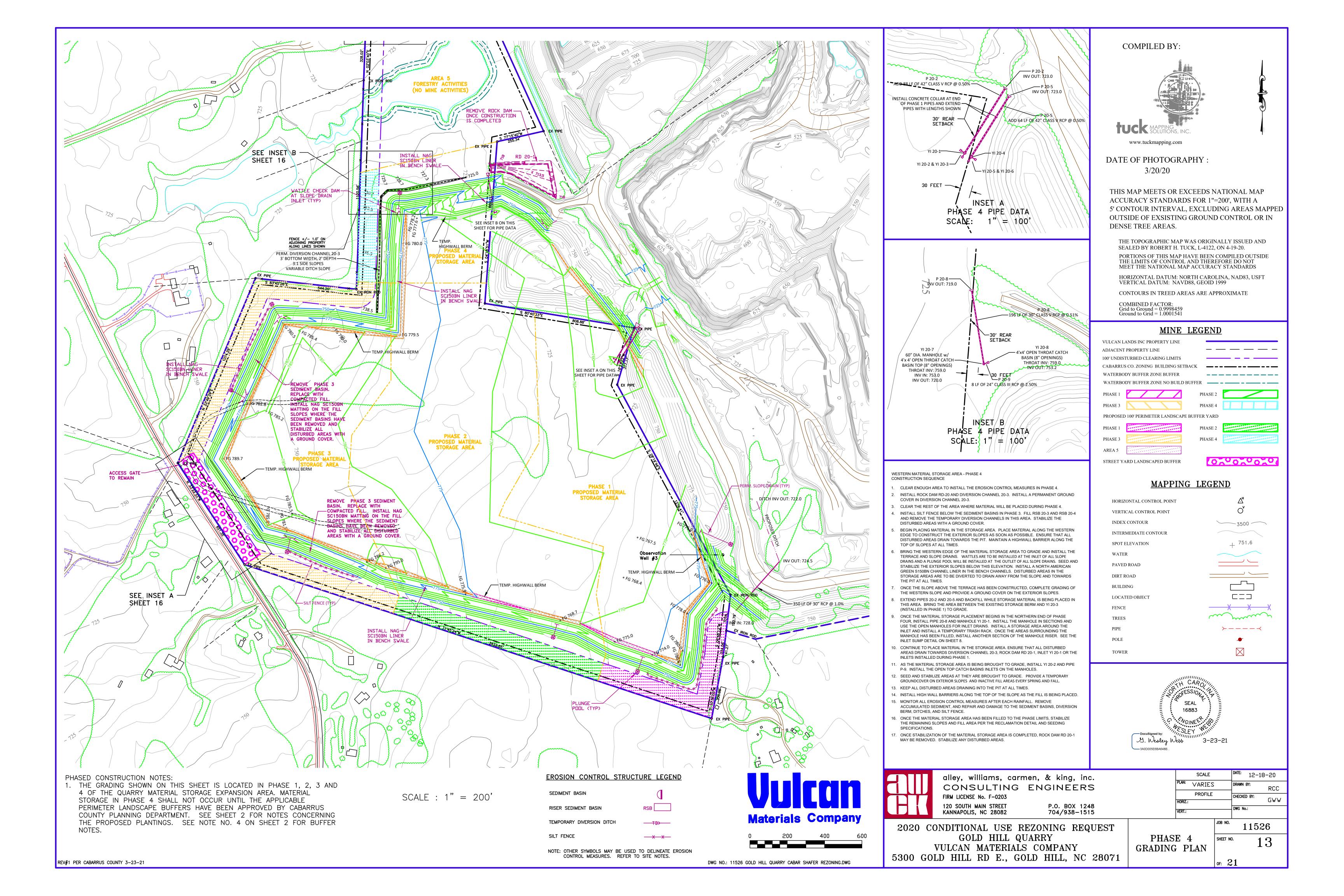
11526 RECLAMATION PLAN

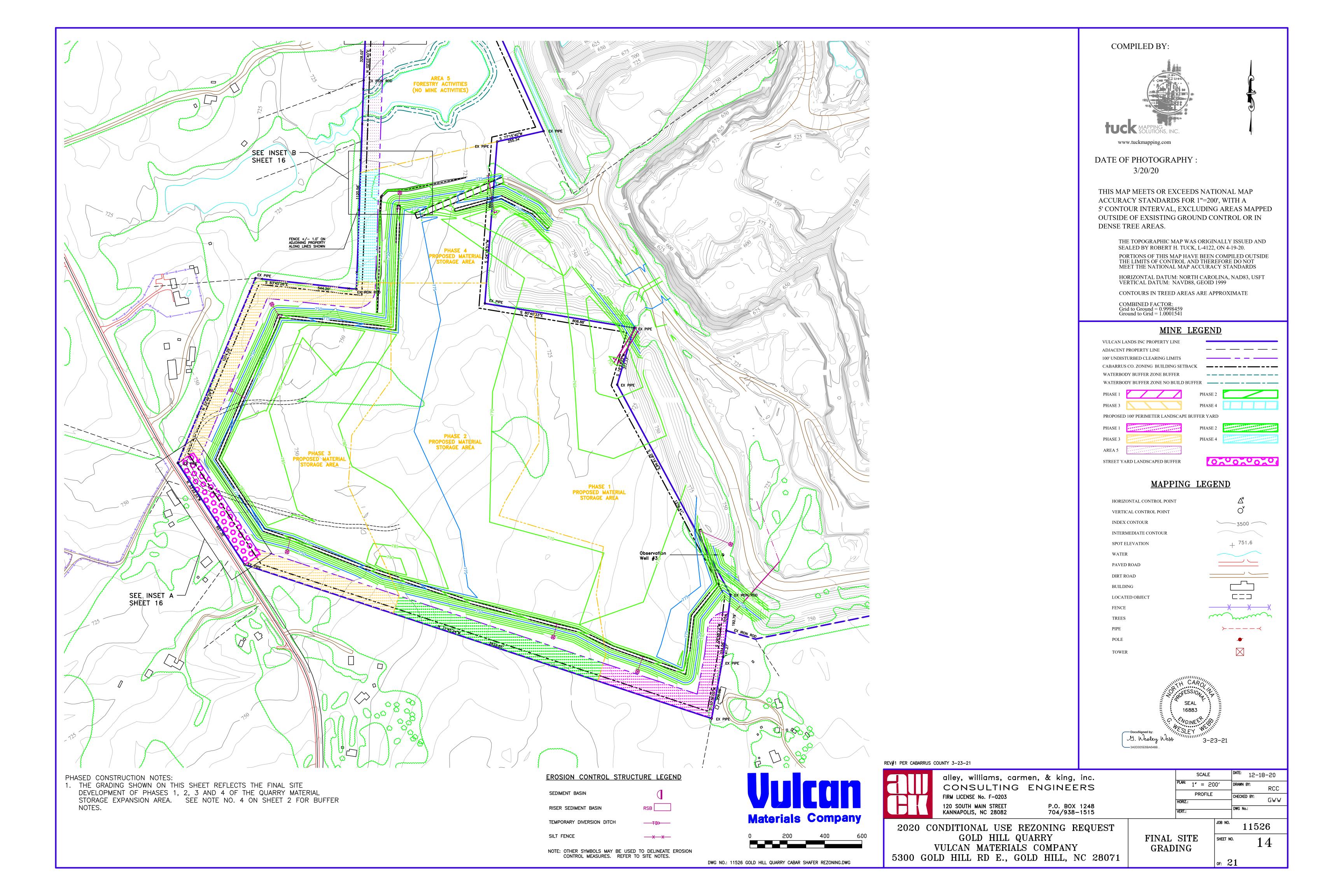


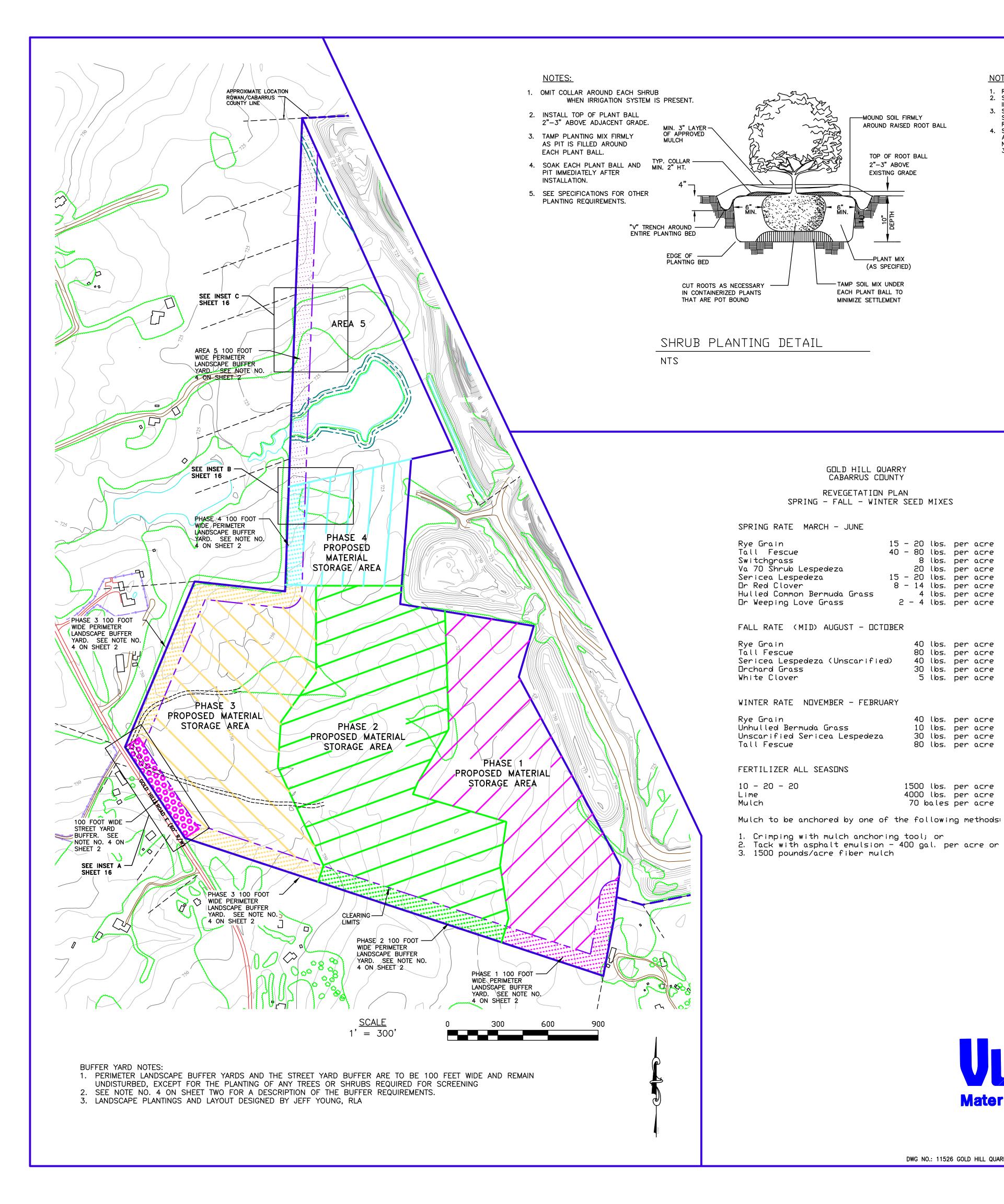


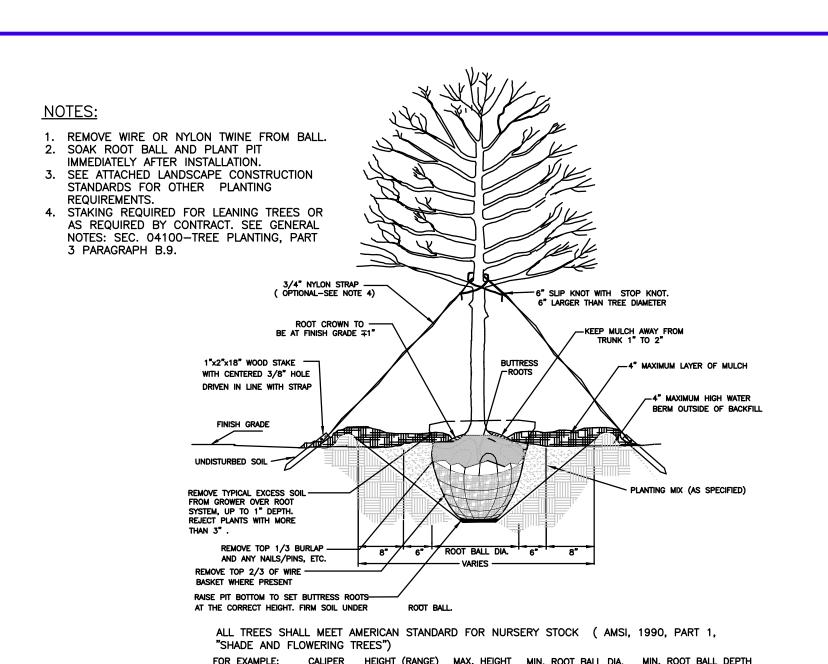












-MOUND SOIL FIRMLY

2"-3" ABOVE

(AS SPECIFIED)

TAMP SOIL MIX UNDER

EACH PLANT BALL TO

MINIMIZE SETTLEMENT

GOLD HILL QUARRY

CABARRUS COUNTY

REVEGETATION PLAN

15 - 20 lbs. per acre

40 - 80 lbs. per acre

15 - 20 lbs, per acre

8 - 14 lbs. per acre

2 - 4 lbs, per acre

8 lbs. per acre

20 lbs. per acre

4 lbs. per acre

40 lbs. per acre

80 lbs. per acre

40 lbs. per acre

30 lbs. per acre

5 lbs. per acre

40 lbs, per acre

10 lbs. per acre

30 lbs. per acre

80 lbs. per acre

1500 lbs. per acre

4000 lbs. per acre

70 bales per acre

EXISTING GRADE

AROUND RAISED ROOT BALL

TOP OF ROOT BALL

www.tuckmapping.com DATE OF PHOTOGRAPHY:

3/20/20

COMPILED BY:

THIS MAP MEETS OR EXCEEDS NATIONAL MAP ACCURACY STANDARDS FOR 1"=200', WITH A 5' CONTOUR INTERVAL, EXCLUDING AREAS MAPPED OUTSIDE OF EXSISTING GROUND CONTROL OR IN DENSE TREE AREAS.

> THE TOPOGRAPHIC MAP WAS ORIGINALLY ISSUED AND SEALED BY ROBERT H. TUCK, L-4122, ON 4-19-20. PORTIONS OF THIS MAP HAVE BEEN COMPILED OUTSIDE THE LIMITS OF CONTROL AND THEREFORE DO NOT MEET THE NATIONAL MAP ACCURACY STANDARDS

HORIZONTAL DATUM: NORTH CAROLINA, NAD83, USFT VERTICAL DATUM: NAVD88, GEOID 1999

CONTOURS IN TREED AREAS ARE APPROXIMATE

COMBINED FACTOR: Grid to Ground = 0.9998459 Ground to Grid = 1.0001541

MINE LEGEND

PLAN MATERIAL SPECIFICATIONS 11.8.1. SIZE STANDARDS

TREE PLANTING

NTS

THE MINIMUM ALLOWABLE PLANT FOR NEW INSTALLATIONS SHALL BE AS SET FORTH HEREIN. DUE TO THE VARIATIONS BETWEEN GENUS AND SPECIES, THE CALIPER OR HEIGHT NECESSARY FOR NEWLY INSTALLED PLANT MATERIALS MAY VARY. AS A GENERAL RULE, THE CALIPER OR DIAMETER OF TREES SHALL BE MEASURED 6
INCHES FROM THE GROUND LEVEL UP TO A 4 INCH CALIPER DIAMETER AND AT 12 INCHES FOR A 4 INCH CALIPER DIAMETER OR GREATER. THE HEIGHT OF SHRUBS SHALL BE A MINIMUM OF 24 INCHES AS MEASURED AT GROUND LEVEL TO THE TOP OF THE DENSEST PORTION OF THE TOP OF THE SHRUB OR HEDGE.

SHADE TREES SHALL MEASURE A MINIMUM 2 TO 2.5 INCH IN CALIPER AND 10 TO 12 FEET IN HEIGHT AT THE TIME OF PLANTING.

B. ORNAMENTAL TREES ORNAMENTAL TREES SHALL MEASURE A MINIMUM 1.5 TO 2 INCHES IN CALIPER FOR SINGLE-STEM TREES OR 1 TO 1.5 INCHES IN CALIPER FOR MULTI-STEM TREES, AND 6 TO 8 FEET IN HEIGHT.

C. LARGE SHRUBS LARGE SHRUBS, NORMALLY PLANTED FOR SCREENING, SHALL MEASURE A MINIMUM

SMALL SHRUBS SHALL MEASURE A MINIMUM OF 18 TO 24 INCHES IN SPREAD AND/OR HEIGHT AT THE TIME OF PLANTING. A MIX OF DECIDUOUS AND EVERGREEN SHRUBS IS ENCOURAGED IN ORDER TO OBTAIN A VARIETY OF COLOR AND TEXTURE THROUGHOUT THE YEAR.

E. GROUND COVER (ORGANIC)

ORGANIC GROUND COVERS SHALL PROVIDE 100% COVERAGE ON THE GROUND WITHIN THREE (3) YEARS FROM THE DATE OF INSTALLATION. EXCEPT FOR SEEDING, GRASS OR TURF SHALL PROVIDE 100% COVERAGE UPON INSTALLATION. ORGANIC MULCH MAY BE USED AROUND PLANTINGS TO MAINTAIN SOIL MOISTURE AND PREVENT THE GROWTH OF WEEDS.

F. GROUND COVER (INORGANIC) INORGANIC GROUND COVERS CONSISTING OF RIVER ROCK OR SIMILAR MATERIALS MAY BE USED PROVIDED THEY DO NOT EXCEED 20% COVERAGE OF THE REQUIRED LANDSCAPE PLANTING AREA.

11.8.2. SELECTION OF PLANT MATERIALS
ALL PLANT MATERIAL EXCEPT GROUND COVERS SHALL BE SELECTED FROM TABLE 9.1-1.- ACCEPTABLE PLANT SPECIES. CONSIDERATION SHALL BE GIVEN TO THE ENVIRONMENTAL CONDITIONS OF THE SITE, SUCH AS SOIL, TOPOGRAPHY, CLIMATE, MICROCLIMATE, PATTERN OF SUN MOVEMENT, PREVAILING WINDS AND PRECIPITATION, AND AIR MOVEMENT TO ENSURE THAT PLANT MATERIALS WILL BE ESTABLISHED SUCCESSFULLY, TREE SELECTION FOR STREET YARDS OR OTHER LOCATIONS WITHIN UTILITY RIGHTS-OF-WAYS SHALL CONSIDER THE PRESENCE OR PLANNED ADDITION OF OVERHEAD UTILITY LINES. SUCH TREES SHALL BE SMALL AND MEDIUM TREES THAT ARE PEST- AND DISEASE-RESISTANT AND ARE SLOW GROWING.

A. SUBSTITUTION OF PLANT MATERIALS

THE ADMINISTRATOR SHALL HAVE THE AUTHORITY TO APPROVE THE INSTALLATION OF COMPARABLE SUBSTITUTION PLANS MATERIALS TO SATISFY THE REQUIREMENTS OF THE APPROVED LANDSCAPE PLAN WHEN THE APPROVED PLANTS AND LANDSCAPE MATERIALS ARE NOT AVAILABLE AT THE TIME THAT INSTALLATIONS ARE TO OCCUR, OR WHEN OTHER UNFORESEEN CONDITIONS PREVENT THE USE OF THE EXACT MATERIALS SHOWN ON THE APPROVED LANDSCAPE PLAN.

B. MIX OF GENUS AND SPECIES ENCOURAGED EXCEPT FOR THE STREET YARDS (11.7), A MIX OF GENUS AND SPECIES OF TREES, SHRUBS, GROUND COVERING, PERÈNNIÁLS AND ANNUALS IS ENCOURAGED IN ORDER TO AVOID POTENTIAL LOSS DUE TO INFECTIOUS DISEASES, BLIGHT OR INSECT INFESTATION. STREET YARD TREES SHOULD RETAIN A REASONABLY UNIFORM PATTERN ALONG BOTH SIDES OF A STREET WITHIN THE SAME BLOCK OR CORRIDER.

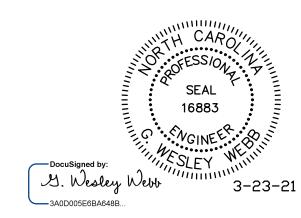
VULCAN LANDS INC PROPERTY LINE

ADJACENT PROPERTY LINE 100' UNDISTURBED CLEARING LIMITS CABARRUS CO. ZONING BUILDING SETBACK WATERBODY BUFFER ZONE BUFFER PHASE 2 PHASE 4 PROPOSED 100' PERIMETER LANDSCAPE BUFFER YARD PHASE 3 PHASE 4

00000000 STREET YARD LANDSCAPED BUFFER

MAPPING LEGEND

HORIZONTAL CONTROL POINT O^{v} VERTICAL CONTROL POINT INDEX CONTOUR 3500 INTERMEDIATE CONTOUR ₊ 751.6 SPOT ELEVATION WATER PAVED ROAD DIRT ROAD BUILDING LOCATED OBJECT **FENCE** TREES **TOWER**





REV#1 PER CABARRUS COUNTY 3-23-21

alley, williams, carmen, & king, inc. CONSULTING ENGINEERS FIRM LICENSE No. F-0203

P.O. BOX 1248 704/938-1515 120 SOUTH MAIN STREET KANNAPOLIS, NC 28082

VARIES PROFILE CHECKED BY: GWW

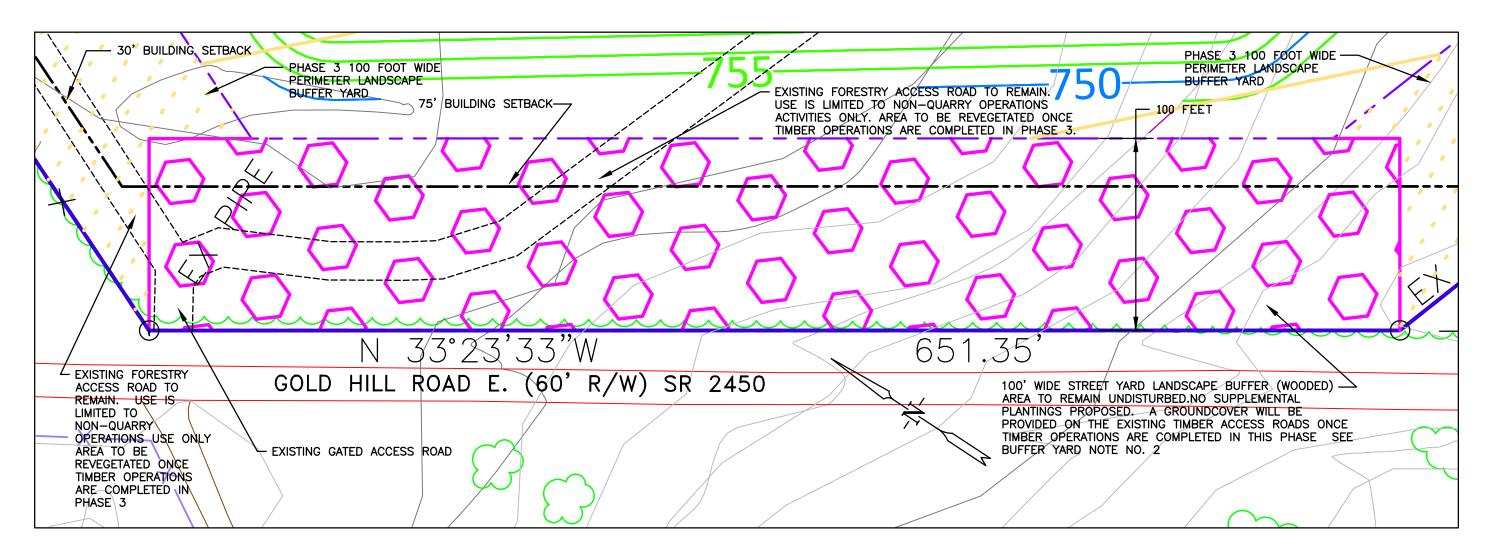
12-18-20

2020 CONDITIONAL USE REZONING REQUEST GOLD HILL QUARRY VULCAN MATERIALS COMPANY 5300 GOLD HILL RD E., GOLD HILL, NC 28071

11526 15 BUFFER PLAN

SCALE

DWG NO.: 11526 GOLD HILL QUARRY CABAR SHAFER REZONING.DWG



<u>Vulcan Lands, Inc. — Gold Hill — Plant List</u>

Key Common Name(Botanical Name)

SO Shumard Oak (Quercus shumardii) OG October Glory Red Maple (Acer rubrum 'October Glory') HO Holly Osmanthus (Osmanthus heterophyllus) WM Southern Wax Myrtle (Myrica cerifera)

3" cal. / 12'-14' ht. / 4'-5' spread 3" cal. / 14'-15' ht. / 4'-5' spread 3 gal. container 3 gal. container

<u>General Notes:</u> Mulch all plant beds with pine needles, or small size pine bark to a depth of 2 to 3 inches. Mulch beds around trees in lawn areas extending to a minimum radius of 4 feet from the tree trunk. Plant beds around shrubs shall extend a minimum of 1 foot beyond the spread of the shrubs.

Irrigate regularly, but do not overwater. Conduct soil tests to determine soil amendment needs. Till all plant beds incorporating compost 6 to 8 inches deep into. Dig tree and shrub pits 2x as wide root ball.

Adjustment of pH may be necessary to get soil pH to around 6.5. 6. Plant beds should be built up 6" to 8" above grade. Shrubs shall be 2'-6" to 3' height at planting.

8. Space, mix and arrange shrubs in a naturalistic manner to grow into a visual screen. minimum spacing between shrubs should be no less than 5'. Maximum spacing of shrubs to the next nearest shrub should be no more than 7'.

<u>INSET A</u> PHASE 3 STREETYARD

1' = 50'

— PHASE LINE - 100 UNDISTURBED BUFFER PHASE 4 BUFFER (EXCLUDING PLANTINGS FOR LANDSCAPE SCREENING) 142 FEET 22 WM

> INSET B BUFFER YARD PLANTINGS. BUFFER YARD IS 100' WIDE AND 142' LONG SUPPLEMENTAL PLANTINGS PROPOSED ADD 2 SHADE TREES PER 50' FOR A TOTAL OF 6 SHADE TREES ADD 15 SHRUBS PER 50' FOR A TOTAL OF 43 SHRUBS

BUFFER YARD NOTES:

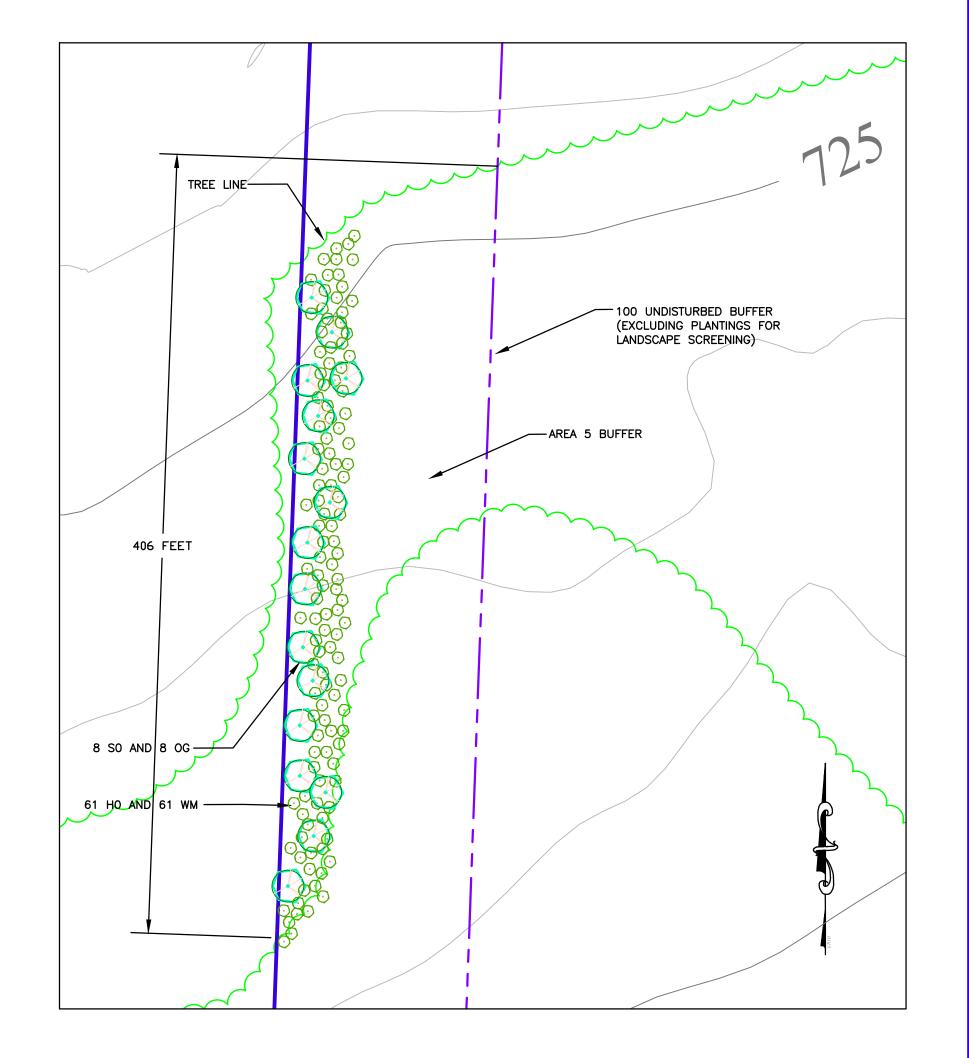
PHASE 4 PLANTINGS 1' = 50'

. PERIMETER LANDSCAPE BUFFER YARDS AND THE STREET YARD BUFFER ARE TO BE 100 FEET WIDE AND REMAIN

UNDISTURBED, EXCEPT FOR THE PLANTING OF ANY TREES OR SHRUBS REQUIRED FOR SCREENING

2. SEE NOTE NO. 4 ON SHEET TWO FOR A DESCRIPTION OF THE BUFFER REQUIREMENTS.

3. LANDSCAPE PLANTINGS AND LAYOUT DESIGNED BY JEFF YOUNG, RLA



INSET C BUFFER YARD PLANTINGS. BUFFER YARD IS 100' WIDE AND 406' LONG SUPPLEMENTAL PLANTINGS PROPOSED ADD 2 SHADE TREES PER 50' FOR A TOTAL OF 16 SHADE TREES ADD 15 SHRUBS PER 50' FOR A TOTAL OF 122 SHRUBS

> AREA 5 PLANTINGS 1' = 50'

PLAN MATERIAL SPECIFICATIONS

THE MINIMUM ALLOWABLE PLANT FOR NEW INSTALLATIONS SHALL BE AS SET FORTH HEREIN. DUE TO THE VARIATIONS BETWEEN GENUS AND SPECIES, THE CALIPER OR HEIGHT NECESSARY FOR NEWLY INSTALLED PLANT MATERIALS MAY VARY. AS A GENERAL RULE, THE CALIPER OR DIAMETER OF TREES SHALL BE MEASURED 6 INCHES FROM THE GROUND LEVEL UP TO A 4 INCH CALIPER DIAMETER AND AT 12 INCHES FOR A 4 INCH CALIPER DIAMETER OR GREATER. THE HEIGHT OF SHRUBS SHALL BE A MINIMUM OF 24 INCHES AS MEASURED AT GROUND LEVEL TO THE TOP OF THE DENSEST PORTION OF THE TOP OF THE SHRUB OR HEDGE.

SHADE TREES SHALL MEASURE A MINIMUM 2 TO 2.5 INCH IN CALIPER AND 10 TO 12 FEET IN HEIGHT AT THE TIME OF PLANTING.

B. ORNAMENTAL TREES ORNAMENTAL TREES SHALL MEASURE A MINIMUM 1.5 TO 2 INCHES IN CALIPER FOR SINGLE-STEM TREES OR 1 TO 1.5 INCHES IN CALIPER FOR MULTI-STEM TREES, AND 6 TO 8 FEET IN HEIGHT.

C. LARGE SHRUBS LARGE SHRUBS, NORMALLY PLANTED FOR SCREENING, SHALL MEASURE A MINIMUM OF 3 TO 3 $\frac{1}{2}$ FEET IN HEIGHT AT THE THE TIME OF PLANTING.

SMALL SHRUBS SHALL MEASURE A MINIMUM OF 18 TO 24 INCHES IN SPREAD AND/OR HEIGHT AT THE TIME OF PLANTING, A MIX OF DECIDUOUS AND EVERGREEN SHRUBS IS ENCOURAGED IN ORDER TO OBTAIN A VARIETY OF COLOR AND TEXTURE THROUGHOUT THE YEAR.

E. GROUND COVER (ORGANIC) ORGANIC GROUND COVERS SHALL PROVIDE 100% COVERAGE ON THE GROUND WITHIN THREE (3) YEARS FROM THE DATE OF INSTALLATION, EXCEPT FOR SEEDING GRASS OR TURF SHALL PROVIDE 100% COVERAGE UPON INSTALLATION. ORGANIC MULCH MAY BE USED AROUND PLANTINGS TO MAINTAIN SOIL MOISTURE AND PREVENT THE GROWTH OF WEEDS.

F. GROUND COVER (INORGANIC) INORGANIC GROUND COVERS CONSISTING OF RIVER ROCK OR SIMILAR MATERIALS MAY BE USED PROVIDED THEY DO NOT EXCEED 20% COVERAGE OF THE REQUIRED LANDSCAPE PLANTING AREA.

11.8.2. SELECTION OF PLANT MATERIALS ALL PLANT MATERIAL EXCEPT GROUND COVERS SHALL BE SELECTED FROM TABLE 9.1-1.- ACCEPTABLE PLANT SPECIES. CONSIDERATION SHALL BE GIVEN TO THE ENVIRONMENTAL CONDITIONS OF THE SITE, SUCH AS SOIL, TOPOGRAPHY, CLIMATE, MICROCLIMATE, PATTERN OF SUN MOVEMENT, PREVAILING WINDS AND PRECIPITATION, AND AIR MOVEMENT TO ENSURE THAT PLANT MATERIALS WILL BE ESTABLISHED SUCCESSFULLY. TREE SELECTION FOR STREET YARDS OR OTHER LOCATIONS WITHIN UTILITY RIGHTS-OF-WAYS SHALL CONSIDER THE PRESENCE OR PLANNED ADDITION OF OVERHEAD UTILITY LINES. SUCH TREES SHALL BE SMALL AND MEDIUM TREES THAT ARE PEST- AND DISEASE-RESISTANT AND ARE SLOW GROWING.

A. SUBSTITUTION OF PLANT MATERIALS THE ADMINISTRATOR SHALL HAVE THE AUTHORITY TO APPROVE THE INSTALLATION OF COMPARABLE SUBSTITUTION PLANS MATERIALS TO SATISFY THE REQUIREMENTS OF THE APPROVED LANDSCAPE PLAN WHEN THE APPROVED PLANTS AND LANDSCAPE MATERIALS ARE NOT AVAILABLE AT THE TIME THAT INSTALLATIONS ARE TO OCCUR, OR WHEN OTHER UNFORESEEN CONDITIONS PREVENT THE USE OF THE EXACT MATERIALS SHOWN ON THE APPROVED LANDSCAPE PLAN.

B. MIX OF GENUS AND SPECIES ENCOURAGED EXCEPT FOR THE STREET YARDS (11.7), A MIX OF GENUS AND SPECIES OF TREES, SHRUBS, GROUND COVERING, PERENNIALS AND ANNUALS IS ENCOURAGED IN ORDER TO AVOID POTENTIAL LOSS DUE TO INFECTIOUS DISEASES, BLIGHT OR INSECT INFESTATION. STREET YARD TREES SHOULD RETAIN A REASONABLY UNIFORM PATTERN ALONG BOTH SIDES OF A STREET WITHIN THE SAME BLOCK OR CORRIDER.

COMPILED BY:



DATE OF PHOTOGRAPHY: 3/20/20

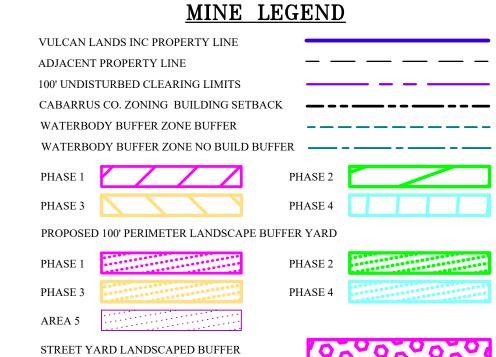
THIS MAP MEETS OR EXCEEDS NATIONAL MAP ACCURACY STANDARDS FOR 1"=200', WITH A 5' CONTOUR INTERVAL, EXCLUDING AREAS MAPPED OUTSIDE OF EXSISTING GROUND CONTROL OR IN DENSE TREE AREAS.

> THE TOPOGRAPHIC MAP WAS ORIGINALLY ISSUED AND SEALED BY ROBERT H. TUCK, L-4122, ON 4-19-20. PORTIONS OF THIS MAP HAVE BEEN COMPILED OUTSIDE THE LIMITS OF CONTROL AND THEREFORE DO NOT MEET THE NATIONAL MAP ACCURACY STANDARDS

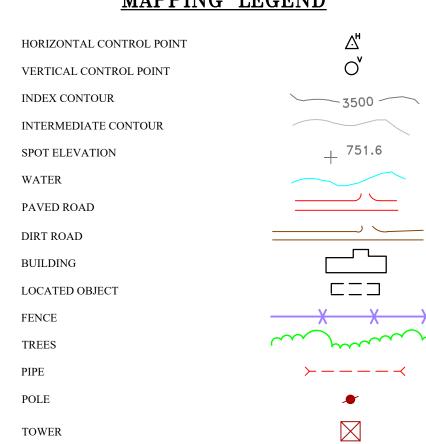
HORIZONTAL DATUM: NORTH CAROLINA, NAD83, USFT VERTICAL DATUM: NAVD88, GEOID 1999

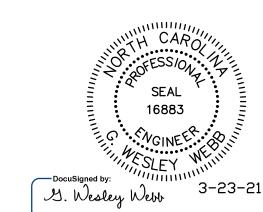
CONTOURS IN TREED AREAS ARE APPROXIMATE

COMBINED FACTOR: Grid to Ground = 0.9998459 Ground to Grid = 1.0001541



MAPPING LEGEND





Materials Company



alley, williams, carmen, & king, inc. CONSULTING ENGINEERS FIRM LICENSE No. F-0203

> P.O. BOX 1248 704/938-1515

3-23-21 VARIES PROFILE CHECKED BY: GWW

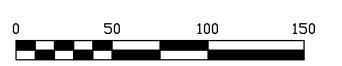
2020 CONDITIONAL USE REZONING REQUEST GOLD HILL QUARRY VULCAN MATERIALS COMPANY 5300 GOLD HILL RD E., GOLD HILL, NC 28071

120 SOUTH MAIN STREET

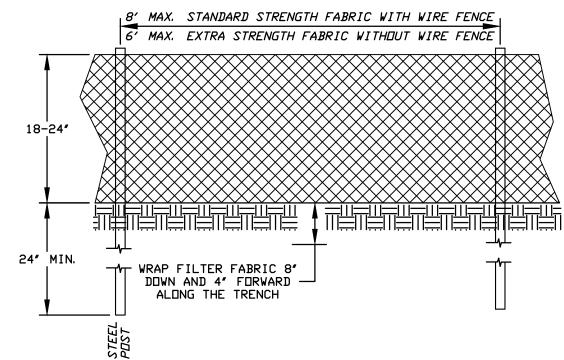
KANNAPOLIS, NC 28082

BUFFER PLAN

11526

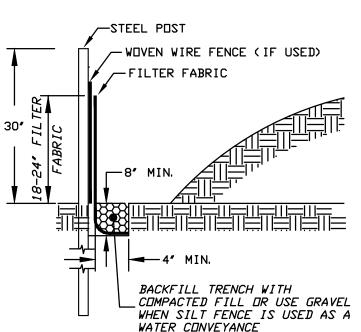


DWG NO.: 11526 GOLD HILL QUARRY CABAR SHAFER REZONING.DWG

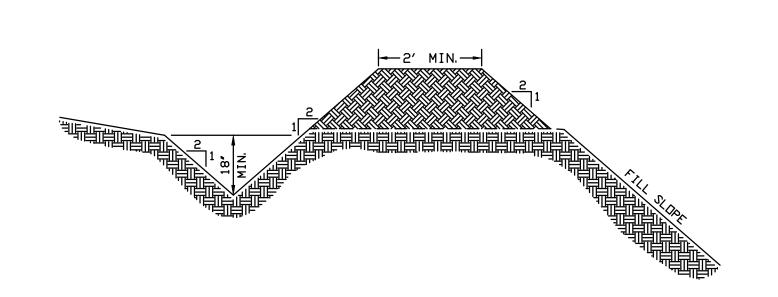


GENERAL NOTES:

- 1. WOVEN WIRE FENCE SHALL BE A MINIMUM OF 32" HIGH AND SHALL HAVE A MINIMUM OF 5 HORIZONTAL WIRES, VERTICAL WIRES WITH 12" SPACING, MINIMUM 10 GAUGE TOP AND BOTTOM WIRES, MINIMUM 12 1/2 GAUGE ALL OTHER WIRES.
- 2. FILTER FABRIC SHALL BE MIRAFI 100X FABRIC OR EQUIVALENT.
- 3. STEEL POSTS SHALL BE 5'-O" IN HEIGHT AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE.
- 4. WASHED STONE SHALL BE USED TO BURY SKIRT WHEN SILT FENCE IS USED ADJACENT TO A CHANNEL, CREEK OR POND.
- 5. TURN SILT FENCE UP SLOPE AT ENDS.
- 6. REMOVE SEDIMENT WHEN 12 INCHES DEPTH OF SEDIMENT HAS ACCUMULATED.
- 7. PROVIDE 4' BETWEEN EACH RUN OF DOUBLE ROW SILT FENCE IN AREAS WHERE DOUBLE ROWS OF SILT FENCE WILL



TEMPORARY SILT FENCE



TEMPORARY DIVERSION DITCH

DEFINITION

A sediment control barrier formed around a storm drain inlet by the use of standard concrete block & gravel.

PURPOSE

To help prevent sediment from entering storm drains before stabilizing the contributing watershed. This practice allows early use of the storm drain system.

CONSTRUCTION SPECIFICATIONS

1 Lay one block on each side of the structure on its side in the bottom row to allow pool drainage. The foundation should be excavated at least 2 inches below the crest of the storm drain. Place the bottom row of blocks against the edge of the storm drain for lateral support and to avoid washouts when overflow occurs. If needed, give lateral support to subsequent rows by placing 2X4 wood studs through block openings.

2 Carefully fit hardware cloth or comparable wire mesh with 1/2 inch openings over all block openings to hold gravel in place.

3 Use clean gravel, 3/4 to 1/2 inch in diameter, placed 2 inches below the top of the block on a 2:1 slope or flatter and smooth it to an even grade. dot #57 washed stone is recommended.

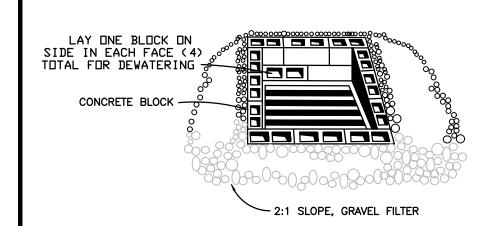
4 If only stone and gravel are used, keep the slope toward the inlet no steeper than 3:1. Leave a minimum 1 ft. wide level stone area between the structure and around the inlet to prevent gravel from entering inlet. On the slope toward the inlet, use stone 3 inches in diameter or larger. On the slope away from the inlet use 1/2 - 3/4 inch gravel (ncdot #57 washed stone) at a minimum thickness of 1 ft.

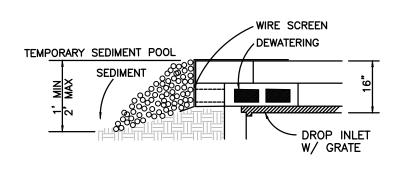
MAINTENANCE

Inspect the barrier after each rain and make repairs as needed.

Remove sediment as necessary to provide adequate storage volume for subsequent rains. When the contributing drainage area has been adequately stabilized, remove all materials and any unstable soil, and either salvage or dispose of it properly.

Bring disturbed area to proper grade, then smooth and compact it. Appropriately stabilize all bare areas around the inlet.





BLOCK & GRAVEL INLET PROTECTION

STRUCTURE.

NOTE: THE PURPOSE OF THIS DETAIL IS TO PROVIDE A DRAINAGE COLLECTION SYSTEM IN FILL AREAS THAT EXCEED 15 FEET OF HEIGHT.

- INSTALL THE DISCHARGE BARREL, ANTI-FLOTATION BASE,
 OUTLET PROTECTION, TRASH RACK AND THE FIRST
- MANHOLE SECTION.

 2. INSTALL BACKFILL OVER THE STORM DRAINAGE PIPE.
 THE HEIGHT OF THE FIRST LIFT IS A MINIMUM OF 10
 FEET. THE TOP OF MANHOLE SHOULD ALWAYS BE A
 MINIMUM OF 4 FEET BELOW THE EDGE OF THE EXTERIOR
 FILL SLOPE.
- 3. MAINTAIN A SUMP AROUND THE TOP OF THE MANHOLE TO HELP COLLECT SEDIMENT.
 4. USE TEMPORARY DIVERSIONS TO DIVERT RUNOFF TOWARDS THE MANHOLE. ONCE THE PLACEMENT OF FILL MAKES CONSTRUCTION OF TEMPORARY DIVERSIONS WITH A 1%
- MINIMUM SLOPE DIFFICULT, RAISE THE FILL OVER THE DISCHARGE PIPE IN 8 FOOT HIGH LIFTS.

 5. REMOVE THE TRASH RACK AND INSTALL ANOTHER MANHOLE SECTION MANHOLE JOINTS SHOULD BE WRAPPED WITH A SEALANT PRIOR TO BACKFILLING AGAINST THE
- 6. REINSTALL THE TRASH RACK AND PLACE COMPACTED FILL IN THE OLD SUMP.

 7. CONTINUE TO PLACE FILL UPSTREAM OF THE RISER AND
- 7. CONTINUE TO PLACE FILL UPSTREAM OF THE RISER AND INSTALLING ADDITIONAL MANHOLE SECTIONS AS THE FILL HEIGHT INCREASES.
- FILL HEIGHT INCREASES.

 8. DNCE THE FILL HEIGHT HAS REACHED TO PROPOSED GRADE, REMOVE THE TRASH RACK AND INSTALL A MANHOLE TOP DESIGNED FOR A YARD INLET. CONSTRUCT THE YARD INLETS AND ANY ADDITIONAL DRAINAGE CONNECTIONS SHOWN ON THE PLANS.

STAGED FILL FOR MANHOLE STRUCTURES IN HIGH FILL AREAS

 \leq PROVIDE 10' X 10'X

FOR THE MANHOLE.

ANTI-FLOTATION BASE

1' DEEP

SEDIMENT STORAGE

BELLW II. 8. ENSURE THAT THE APRON IS PROPERLY ALIGNED WITH THE RECEIVING STREAM AND PREFERABLY STRAIGHT THROUGHOUT ITS LENGTH. IF A CURVE IS NEEDED TO FIT SITE CONDITIONS, PLACE IT IN THE UPPER SECTION OF THE APRON. 9. IMMEDIATELY AFTER CONSTRUCTION, STABILIZE ALL DISTURBED AREAS WITH VEGETATION.

7. CONSTRUCT THE APRON ON ZERO GRADE WITH NO OVERFALL AT THE END. MAKE THE TOP OF

THE RIPRAP AT THE DOWNSTREAM END LEVEL WITH THE RECEIVING AREA OR SLIGHTLY

OUTLET PROTECTION

1. ENSURE THAT THE SUBGRADE FOR THE FILTER AND RIPRAP FOLLOWS THE REQUIRED LINES

ON UNDISTURBED SOIL MAY ALSO BE FILLED BY INCREASING THE RIPRAP THICKNESS.

2. THE RIPRAP AND GRAVEL FILTER MUST CONFORM TO THE SPECIFIED GRADING LIMITS

CONNECTING JOINTS SHOULD OVERLAP A MINIMUM OF 1 FT. IF THE DAMAGE IS

5. THE MINIMUM THICKNESS OF THE RIPRAP SHOULD BE 1.5 TIMES THE MAXIMUM STONE

6. RIPRAP MAY BE FIELD STONE OR ROUGH QUARRY STONE. IT SHOULD BE HARD, ANGULAR,

3. FILTER FABRIC, MUST MEET DESIGN REQUIREMENTS AND BE PROPERLY PROTECTED FROM

AND GRADES SHOWN IN THE PLAN. COMPACT ANY FILL REQUIRED IN THE SUBGRADE TO

THE DENSITY OF THE SURROUNDING UNDISTURBED MATERIAL. LOW AREAS IN THE SUBGRADE

PUNCHING OR TEARING DURING INSTALLATION. REPAIR ANY DAMAGE BY REMOVING THE RIPRAP AND PLACING ANOTHER PIECE OF FILTER CLOTH OVER THE DAMAGED AREA. ALL

RIPRAP MAY BE PLACED BY EQUIPMENT, BUT TAKE CARE TO AVOID DAMAGING THE FILTER.

└-FILTER FABRIC MIRAFI 600X □R EQUAL

INSPECT RIPRAP DUTLET STRUCTURES AFTER HEAVY RAINS TO SEE IF ANY EROSION AROUND OR BELOW THE RIPRAP HAS TAKEN PLACE OR IF STONES HAVE BEEN DISLODGED.

IMMEDIATELY MAKE ALL NEEDED REPAIRS TO PREVENT FURTHER DAMAGE.

Location	Pipe	Length	Width	Use
	Size	(ft)	(ft)	
	(in)			
RSB 20-1	48	21	25	18" OF CLASS I RIPRAP
RSB 20-2	30	16	18. 5	18" OF CLASS I RIPRAP
RSB 20-3	30	15	17. 5	18" OF CLASS I RIPRAP
P 20-2	42	23	26, 5	18" OF CLASS I RIPRAP
P 20-5	42	23	26, 5	18" OF CLASS I RIPRAP
P 20-8	30	14	16. 5	18" OF CLASS I RIPRAP

SITE NOTES:

START OF ANY SITE EXCAVATION.

REPRESENTATIVE OR THE ENGINEER.

1. La IS THE LENGTH OF THE RIPRAP

STONE DIAMETER BUT NOT LESS

TEND THE APRON UP THE CHANNEL

BANKS TO AN ELEVATION OF 64

ABOVE THE MAXIMUM TAILWATER

DEPTH OR TO THE TOP OF THE

3. IN A WELL DEFINED CHANNEL EX-

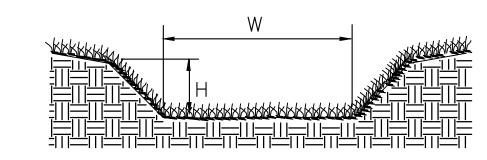
BANK, WHICHEVER IS LESS.

2. T = 1.5 TIMES THE MAXIMUM

- 1. THIS PLAN DOES NOT PURPORT TO SHOWN ALL EXISTING UTILITIES, LINES, APPURTENANCES, ETC., AND THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES, PIPES, VALVES, ETC., AS SHOWN ARE IN A APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THE ENGINEER. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES, LINES, PIPES, ETC., BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT RESULT FROM THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES, PIPES AND VALVES. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY CONFLICTS WITH EXISTING OR
- LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES, PIPES AND VALVES.
 THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY CONFLICTS WITH EXISTING OR
 PROPOSED FACILITIES TO DETERMINE IF AN ITEM WILL NEED TO BE RELOCATED.

 2. THE ENGINEER HAS MADE NO EXAMINATION TO DETERMINE WHETHER ANY HAZARDOUS OR
 TOXIC MATERIALS ARE PRESENT OR CONTAINED IN, UNDER OR ON THE SUBJECT
 PROPERTY OR ITS WATERS, OR IF ANY HAZARDOUS OR TOXIC MATERIALS HAVE
 CONTAMINATED THIS OR OTHER PROPERTIES OR ITS WATERS IN ANY WAY WHATSOEVER,
 NO SUBSURFACE EXAMINATION OF ANY TYPE HAS BEEN MADE BY THE ENGINEER, AND
 ACCORDINGLY, NO OPINION IS RENDERED AS TO ANY VIOLATION OF ANY
- ENVIRONMENTAL LAWS OR REGULATIONS, EITHER FEDERAL, STATE, OR LOCAL RELATED TO THE INFORMATION SHOWN ON THIS PLAN AND THE ENGINEER IS IN NO WAY LIABLE FOR ANY VIOLATION OF SUCH ENVIRONMENTAL LAWS SHOULD SUCH EXIST.

 3. TO ENSURE PROPER LOCATION OF EXISTING UTILITIES, THE CONTRACTOR SHALL CONTACT NORTH CAROLINA 811 (1-800-632-4949), AT LEAST 48-HOURS PRIOR TO THE
- 4. THE CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THE CONTRACTOR SHALL DEFEND, INDEMNIFY THE OWNER, HIS AGENTS, THE OWNERS REPRESENTATIVES AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FROM LIABILITY ARISING FROM THE SOLE NEGLIGENCE ON THE OWNER'S
- 5. THE CONTRACTOR SHALL VERIFY ALL SITE ELEVATIONS, CONDITIONS AND SOIL CONDITIONS PRIOR TO CONSTRUCTION. ANY SIGNIFICANT VARIATIONS SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY.



GRASS LINED CHANNELS

CONSTRUCTION SPECIFICATIONS

PLAN

CONSTRUCTION SPECIFICATIONS

SHOWN ON THE PLANS.

DIAMETER.

La

SECTION A-A

EXTENSIVE, REPLACE THE ENTIRE FILTER CLOTH.

HIGHLY WEATHER-RESISTANT AND WELL GRADED.

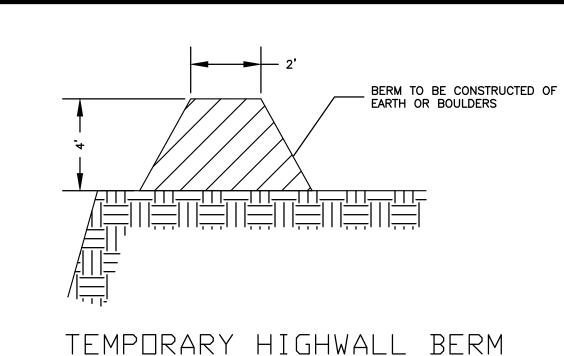
- 1. REMOVE ALL TREES, BRUSH, STUMPS, AND OTHER OBJECTIONABLE MATERIAL FROM THE FOUNDATION AREA AND DISPOSE OF PROPERLY.
- 2. EXCAVATE THE CHANNEL AND SHAPE IT TO NEAT LINES AND DIMENSIONS SHOWN ON THE PLANS PLUS A O. 2-FT OVERCUT AROUND THE CHANNEL PERIMETER TO ALLOW FOR BULKING DURING SEEDBED PREPARATIONS AND SOD BUILDUP.
- 3. REMOVE AND PROPERLY DISPOSE OF ALL EXCESS SOIL SO THAT SURFACE WATER MAY ENTER THE CHANNEL FREELY.
- 4. THE PROCEDURE USED TO ESTABLISH GRASS IN THE CHANNEL WILL DEPEND UPON THE SEVERITY OF THE CONDITIONS AND SELECTION OF SPECIES. PROTECT THE CHANNEL WITH MULCH OR A TEMPORARY LINER AS NOTED ON THE PLANS TO WITHSTAND ANTICIPATED VELOCITIES DURING THE ESTABLISHMENT PERIOD.

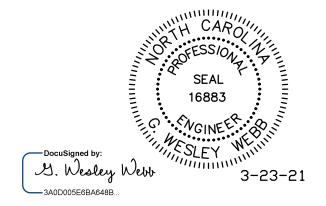
MAINTENANCE

DURING THE ESTABLISHMENT PERIOD, CHECK GRASS-LINED CHANNELS AFTER EVERY RAINFALL. AFTER GRASS IS ESTABLISHED, PERIODICALLY CHECK THE CHANNEL; CHECK IT AFTER EVERY HEAVY RAINFALL EVENT. IMMEDIATELY MAKE REPAIRS. IT IS PARTICULARLY IMPORTANT TO CHECK THE CHANNEL DUTLET FOR BANK STABILITY AND EVIDENCE OF PIPING OR SCOUR HOLES. REMOVE ALL SIGNIFICANT SEDIMENT ACCUMULATIONS TO MAINTAIN THE DESIGNED CARRYING CAPACITY.

CHANNEL	W (ft)	H (ft)	SIDE SLOPE	TEMPORARY LINING
20-1A	2.0	2.5	2:1	NONE
20-1B	6.0	2.5	2:1	NONE
20-2	5.0	4.0	3:1	NONE
20-3	3,0	2.0	3:1	NORTH AMERICAN GREEN SC150BN

DIVERSION CHANNEL





DWG NO.: 11526 GOLD HILL QUARRY REZONING DETAILS.DWG

alley, williams, carmen, & king, inc.

CONSULTING ENGINEERS
FIRM LICENSE # F-0203

120 SOUTH MAIN STREET P.O. BOX 1248

KANNAPOLIS, NC 28082

1% SLOPE -

704/938-1515

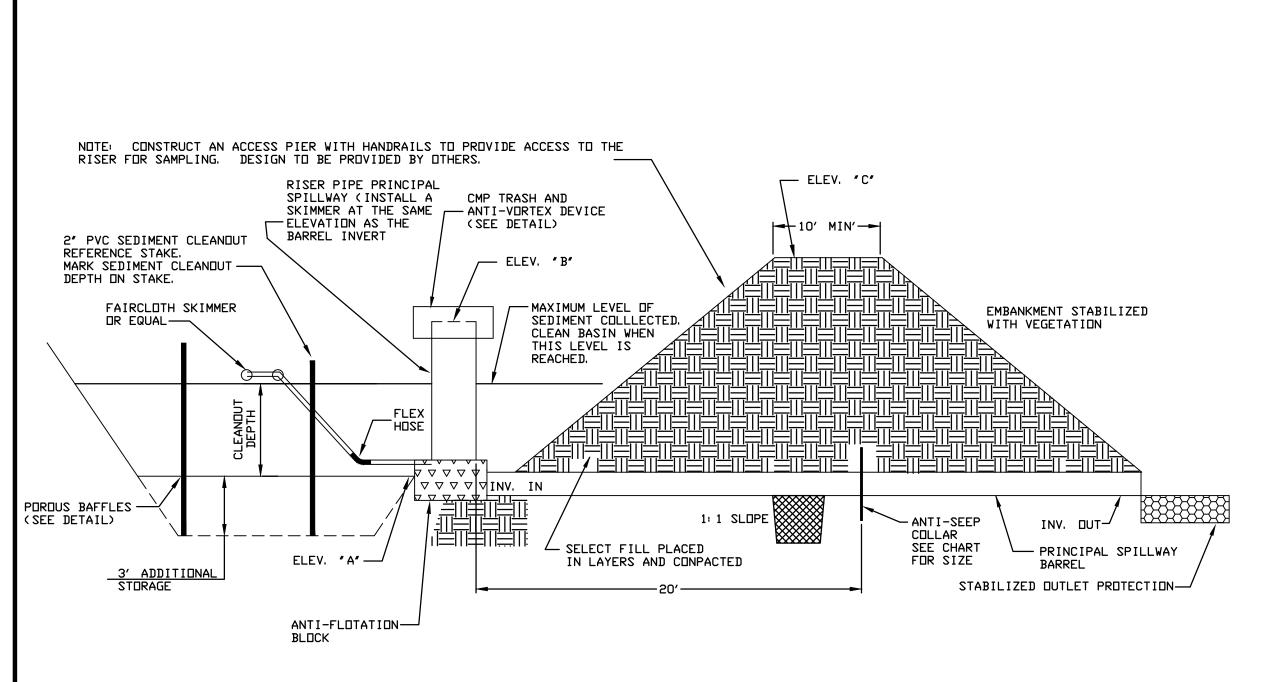
2020 CONDITIONAL USE REZONING REQUEST
GOLD HILL QUARRY
VULCAN MATERIALS COMPANY
5300 GOLD HILL RD E., GOLD HILL, NC 28071

REVISION No.	DESCRIPTION	DATE	INITIAL	SCALE	DATE: 12-	-18–20	
1	PER CABARRUS CNTY REVIEW	3-23-21	GWW	PLAN:	DRAWN BY:	RCC	i
				PROFILE	CHECKED BY:		
				HORIZ.:	DWG No.:	GWW	i
				VERT.:	DWG NO.:		

CONSTRUCTION DETAILS

PREZONING DETAILS.DWG

JOB NO. 11526SHEET NO. 17



THE BASIN MAY ALSO BE DEWATERED BY PERFORATING THE RISER WITH 1/2-INCH HOLES WITH A SPACING OF APPROXIMATELY 3 INCHES IN EACH OUTSIDE VALLEY. TRASH GUARD - INSTALL A TRASH GUARD ON THE TOP OF THE RISER TO PREVENT TRASH AND OTHER DEBRIS FROM CLOGGING THE CONDUIT.

CONSTRUCTION SPECIFICATIONS

- SITE PREPARATIONS CLEAR, GRUB, AND STRIP TOPSOIL FROM AREAS UNDER THE EMBANKMENT TO REMOVE TREES, VEGETATION, ROOTS, AND OTHER OBJECTIONABLE MATERIAL. TO FACILITATE SEDIMENT CLEANOUT AND RESTORATION, CLEAR THE POOL AREA OF ALL BRUSH, TREES, AND OTHER OBJECTIONABLE MATERIALS. STOCKPILE ALL TOPSOIL OR SOIL CONTAINING DRGANIC MATTER FOR USE ON THE DUTER SHELL OF THE EMBANKMENT TO FACILITATE VEGETATIVE ESTABLISHMENT.
- CUT-DFF TRENCH EXCAVATE A CUT-DFF TRENCH ALONG THE CENTERLINE DF THE EARTH FILL EMBANKMENT. CUT THE TRENCH TO STABLE SOIL MATERIAL, BUT IN NO CASE MAKE IT LESS THAN 2 FT DEEP. THE CUT-OFF TRENCH MUST EXTEND INTO BOTH ABUTMENTS TO AT LEAST THE ELEVATION OF THE RISER CREST. MAKE THE MINIMUM BOTTOM WIDTH WIDE ENOUGH TO PERMIT OPERATION OF EXCAVATION AND COMPACTION EQUIPMENT BUT IN NO CASE LESS THAN 2 FT. MAKE SIDE SLOPES OF THE TRENCH NO STEEPER THAN 1: 1. COMPACTION REQUIREMENTS ARE THE SAME AS THOSE FOR THE EMBANKMENT. KEEP THE TRENCH DRY DURING BACKFILLING AND COMPACTION OPERATIONS.
- EMBANKMENT THE EMBANKMENT SHOULD BE CLEAN MINERAL SOIL, FREE OF ROOTS, WOODY VEGETATION, ROCKS, AND OTHER OBJECTIONABLE MATERIAL. SCARIFY AREAS ON WHICH FILL IS TO BE PLACED BEFORE PLACING FILL. THE FILL MATERIAL MUST CONTAIN SUFFICIENT MOISTURE SO IT CAN BE FORMED BY HAND INTO A BALL WITHOUT CRUMBLING. IF WATER CAN BE SQUEEZED DUT OF THE BALL, IT IS TOO WET FOR PROPER COMPACTION. MATERIAL IN 6 TO 8-INCH CONTINUOUS LAYERS OVER THE ENTIRE LENGTH OF THE FILL AREA AND THEN COMPACT IT. COMPACTION MAY BE OBTAINED BY ROUTING THE CONSTRUCTION HAULING EQUIPMENT OVER THE FILL SO THAT THE ENTIRE SURFACE OF EACH LAYER IS TRAVERSED BY AT LEAST ONE WHEEL OR TREAD TRACK OF THE HEAVY EQUIPMENT, OR A COMPACTOR MAY BE USED. CONSTRUCT THE EMBANKMENT TO AN ELEVATION 10% HIGHER THAN THE DESIGN HEIGHT TO ALLOW FOR SETTLING.
- CONDUIT SPILLWAYS SECURELY ATTACH THE RISER TO THE BARREL OR BARREL STUB TO MAKE A WATERTIGHT STRUCTURAL CONNECTION. SECURE ALL CONNECTIONS BETWEEN BARREL SECTIONS BY APPROVED WATERTIGHT ASSEMBLIES. PLACE THE BARREL AND RISER ON A FIRM, SMOOTH FOUNDATION OF IMPERVIOUS SOIL. DO NOT USE PERVIOUS MATERIAL SUCH AS SAND, GRAVEL, OR CRUSHED STONE AS BACKFILL AROUND THE PIPE OR ANTI-SEEP COLLARS. PLACE THE FILL MATERIAL AROUND THE PIPE SPILLWAY IN 4-INCH LAYERS AND COMPACT IT UNDER AND AROUND THE PIPE TO AT LEAST THE SAME DENSITY AS THE ADJACENT EMBANKMENT. CARE MUST BE TAKEN NOT TO RAISE THE PIPE FROM FIRM CONTACT WITH ITS FOUNDATION WHEN COMPACTING UNDER THE PIPE HAUNCHES. PLACE A MINIMUM DEPTH OF 2 FT OF HAND-COMPACTED BACKFILL OVER THE PIPE SPILLWAY BEFORE CROSSING IT WITH CONSTRUCTION EQUIPMENT. ANCHOR THE RISER IN PLACE BY CONCRETE OR OTHER SATISFACTORY MEANS TO PREVENT FLOTATION. IN NO CASE SHOULD THE PIPE CONDUIT BE INSTALLED BY CUTTING A TRENCH THROUGH THE DAM AFTER THE EMBANKMENT IS COMPLETE.
- SKIMMER SHAPE THE BASIN TO THE SPECIFIED DIMENSIONS. PREVENT THE SKIMMING DEVICE FROM SETTLING INTO THE MUD BY EXCAVATING A SHALLOW PIT UNDER THE SKIMMER OR PROVIDING A LOW SUPPORT UNDER THE SKIMMER OF STONE OR TIMBER SKIMMER HORIZONTAL MOVEMENT IS TO BE LIMITED BY METAL STAKES OR 2×4's. INSTALL SKIMMER PER MANUFACTURER'S RECOMMENDATIONS. ASSEMBLE THE SKIMMER FOLLOWING THE MANUFACTURERS INSTRUCTIONS, OR AS DESIGNED. 6. LAY THE ASSEMBLED SKIMMER ON THE BOTTOM OF THE BASIN WITH THE FLEXIBLE JOINT AT THE INLET OF THE BARREL PIPE. ATTACH THE FLEXIBLE JOINT TO THE BARREL PIPE AND POSITION THE SKIMMER OVER THE EXCAVATED PIT OR SUPPORT. BE SURE TO ATTACH A ROPE TO THE SKIMMER AND ANCHOR IT TO THE SIDE OF THE BASIN. THIS WILL BE USED TO PULL THE SKIMMER TO THE SIDE FOR MAINTENANCE.

MAINTENANCE

INSPECT SKIMMER SEDIMENT BASINS AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (ONE-HALF INCH OR GREATER) RAINFALL EVENT AND REPAIR IMMEDIATELY.

REMOVE SEDIMENT AND RESTORE THE BASIN TO ITS ORIGINAL DIMENSIONS WHEN SEDIMENT ACCUMULATES TO ONE—HALF THE HEIGHT OF THE FIRST BAFFLE. PULL THE SKIMMER TO ONE SIDE SO THAT THE SEDIMENT UNDERNEATH IT CAN BE EXCAVATED. EXCAVATE THE SEDIMENT FROM THE ENTIRE BASIN, NOT JUST AROUND THE SKIMMER OR THE FIRST CELL. MAKE SURE VEGETATION GROWING IN THE BOTTOM OF THE BASIN DOES NOT HOLD DOWN THE SKIMMER.

CHECK THE EMBANKMENT, SPILLWAYS, AND OUTLET FOR EROSION DAMAGE, AND INSPECT THE EMBANKMENT FOR PIPING AND SETTLEMENT. MAKE ALL NECESSARY REPAIRS IMMEDIATELY. REMOVE ALL TRASH AND OTHER DEBRIS

IF THE SKIMMER IS CLOGGED WITH TRASH AND THERE IS WATER IN THE BASIN, USUALLY JERKING ON THE ROPE WILL MAKE THE SKIMMER BOB UP AND DOWN AND DISLODGE THE DEBRIS AND RESTORE FLOW. IF THIS DOES NOT WORK, PULL THE SKIMMER OVER TO THE SIDE OF THE BASIN AND REMOVE THE DEBRIS. ALSO CHECK THE ORIFICE INSIDE THE SKIMMER TO SEE IF IT IS CLOGGED; IF SO REMOVE THE DEBRIS. IF THE SKIMMER ARM OR BARREL PIPE IS CLOGGED, THE ORIFICE CAN BE REMOVED AND THE OBSTRUCTION CLEARED WITH A PLUMBER'S SNAKE OR BY FLUSHING WITH WATER. BE SURE AND REPLACE THE ORIFICE BEFORE REPOSITIONING THE

FREEZING WEATHER CAN RESULT IN ICE FORMING IN THE BASIN. SOME SPECIAL PRECAUTIONS SHOULD BE TAKEN IN THE WINTER TO PREVENT THE SKIMMER FROM PLUGGING WITH ICE.

	PATTE INSTALLATION - STEP 1 HOUSE STEP AND ATTION OF STEP AND SHAPE STEP AND SHA
	POROUS BAFFLES
_	

BASIN	F	FAIRCLOTH SKIMMER									
NO.	SIZE (IN)	ORIFICE DIA. (IN)	ARM SIZE								
RSB 20-1	4. 0	3, 5	8' x 3.0" dia.								
RSB 20-2	2, 5	2, 5	6' x 1.5" dia.								
RSB 20-3	2, 5	2. 0	6' x 1.5" dia.								

		CLEANOUT DEPTH	SEDIMENT STORAGE	SURFACE AREA							
	W1	L1	D1	W2	L2	D2	W3	L3	D3	(FT3)	SQ FT
RSB 20-1	100. 0	250, 0	2, 0	108. 0	258. 0	8, 5	VARIES	VARIES	1, 2	52, 864. 0	27, 864. 0
RSB 20-2	60. 0	200. 0	1. 5	66. 0	206. 0	5. 0	VARIES	VARIES	0, 9	19, 197. 0	13, 596. 0
RSB 20-3	45, 0	200, 0	1. 5	51. 0	206. 0	5, 5	VARIES	VARIES	0, 9	14, 629. 5	10, 506. 0

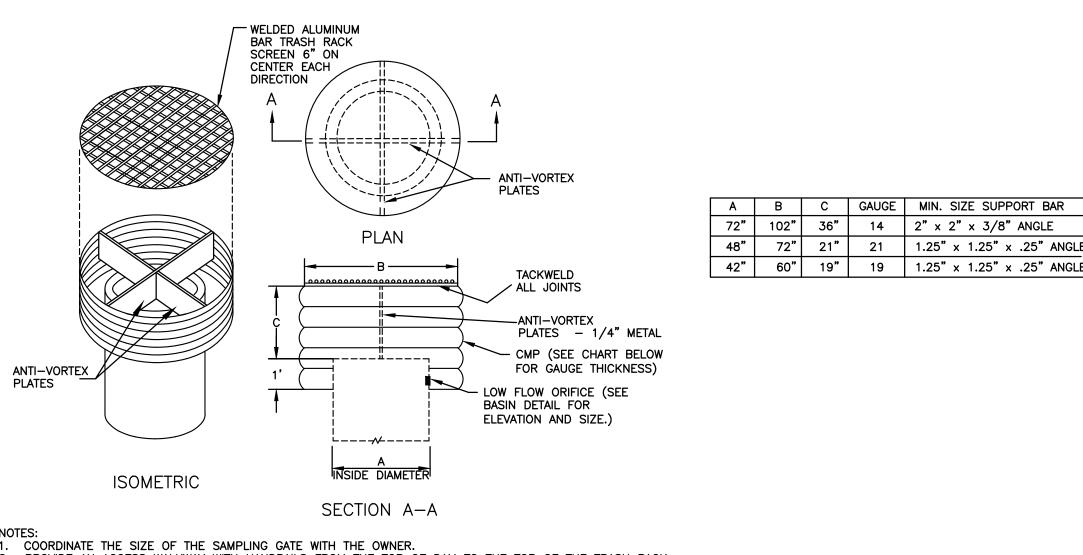
BASIN NO.							BLOCK DEPTH (ft)	ELEV. "A"	ELEV. "B"	ELEV. "C"	
RSB 20-1	72 (CMP)	48 (CMP)	45	726.5	726.0	10.0	10.0	2.50	726.5	732.0	735.0
RSB 20-2	42 (CMP)	30 (CMP)	32	739.5	739.0	6.0	6.0	1.50	740.0	743.0	745.0
RSB 20-3	42 (CMP)	30 (CMP)	33	735.5	735.0	6.0	6.0	1.50	735.5	739.0	741.0

- L1 = BASIN LENGTH AT THE BOTTOM OF THE BASIN
- W1 = BASIN WIDTH AT THE BOTTOM OF THE BASIN
- L2 = BASIN LENGTH AT THE TOP OF THE SEDIMENT STORAGE W2 = BASIN WIDTH AT TOP OF THE SEDIMENT STORAGE
- L3 = BASIN LENGTH AT THE TOP OF THE EMBANKMENT W3 = BASIN WIDTH AT THE TOP OF THE EMBANKMENT
- D1 = THE DEPTH OF SEDIMENT STORAGE D2 = THE OVERALL DEPTH OF THE SEDIMENT BASIN
- D3 = THE CLEANOUT DEPTH OF THE SEDIMENT BASIN A2 = SURFACE AREA AT THE TOP OF THE SEDIMENT STORAGE

DESIGN NOTES:

- SEDIMENT STORAGE = 1800 CUBIC FEET PER DISTURBED ACRE
- REQUIRED SURFACE AREA = 0.01*Q10*43560CLEANOUT DEPTH = 60% OF THE DESIGN STORAGE
- SEDIMENT VOLUME CALCULATIONS ASSUME 2:1 SLOPES IN THE BASIN 5. DESIGN STORM IS 50 YEAR TO PASS THROUGH RISER/BARREL (NO EMERGENCY SPILLWAY)

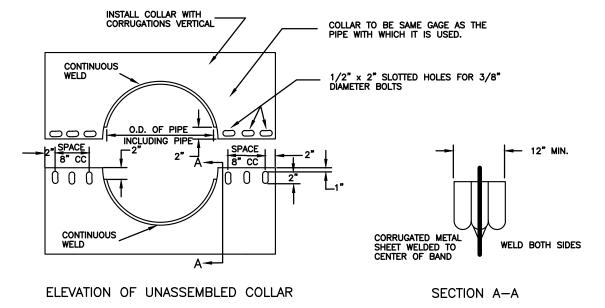
RISER PIPE SEDIMENT BASIN



72" | 102" | 36" | 14 | 2" x 2" x 3/8" ANGLE 48" | 72" | 21" | 21 | 1.25" x 1.25" x .25" ANGLE 42" | 60" | 19" | 19 | 1.25" x 1.25" x .25" ANGLE

PROVIDE AN ACCESS WALKWAY WITH HANDRAILS FROM THE TOP OF DAM TO THE TOP OF THE TRASH RACK 3. MANUFACTURER TO DESIGN AND SUBMIT SHOP DRAWINGS FOR ALL COMPONENTS OF THE ANTI-VORTEX DEVICE.

ANTI - VORTEX DEVICE



BASIN NO. LENGTH RSB 12-3 9. 5 FEET 9. 5 FEET RSB 12-4 6. 0 FEET 6. 0 FEET RSB 12-5 6. 0 FEET 6. 0 FEET

REVISION No

DESCRIPTION

PER CABARRUS CNTY REVIEW 3-23-21

- 1. ALL MATERIAL TO BE IN ACCORDANCE WITH CONSTRUCTION AND CONSTRUCTION MATERIAL SPECIFICATIONS.
- 2. WHEN SPECIFIED ON THE PLANS, COATING OF COLLARS SHALL BE IN ACCORDANCE WITH CONSTRUCTION AND CONSTRUCTION MATERIAL SPECIFICATIONS.
- 3. UNASSEMBLED COLLARS SHALL BE MARKED BY PAINTING OR TAGGING TO IDENTIFY MATCHED PAIRS.
- 4. THE LAP BETWEEN THE TWO HALF SECTIONS AND BETWEEN THE PIPE AND THE CONNECTING BAND SHALL BE CAULKED WITH ASPHALT MASTIC AT TIME OF INSTALLATION. 5. EACH COLLAR SHALL BE FUIRNISHED WITH TWO 1/2" DIAMETER RODS WITH STANDARD TANK LUGS FOR CONNECTING COLLARS TO PIPE.

INITIAL

DATE

DETAILS OF CORRUGATED METAL ANTI-SEEP COLLARS

PROFILE

12-18-20

RCC

GWW

DRAWN BY:

CHECKED BY:



DWG NO.: 11526 GOLD HILL QUARRY REZONING DETAILS.DWG

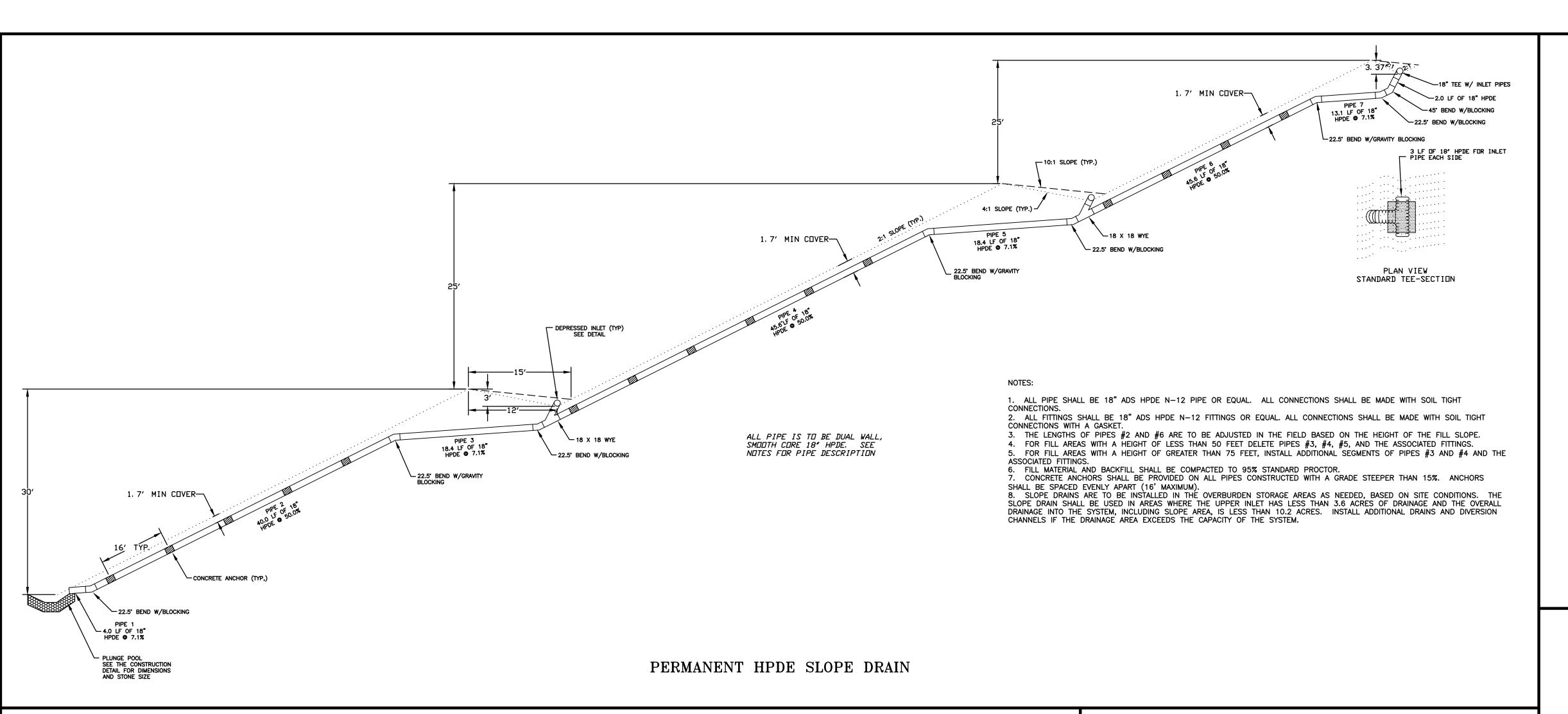
 $^{\text{JOB NO.}}$ 11526CONSTRUCTION **DETAILS**

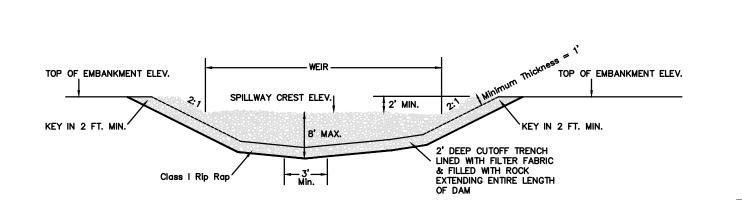
GOLD HILL QUARRY VULCAN MATERIALS COMPANY 5300 GOLD HILL RD E., GOLD HILL, NC 28071

alley, williams, carmen, & king, inc. CONSULTING ENGINEERS FIRM LICENSE # F-0203 120 SOUTH MAIN STREET

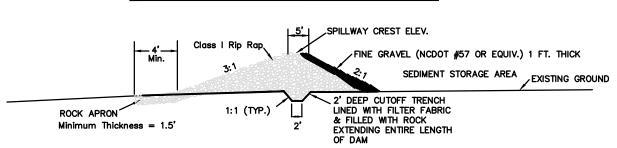
KANNAPOLIS, NC 28082

P.O. BOX 1248 704/938-1515 2020 CONDITIONAL USE REZONING REQUEST





Section Through Embankment at Spillway



Rock Dam Not To Scale

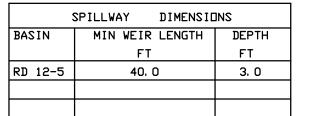
			CLEANOUT DEPTH	SEDIMENT STORAGE	SURFACE AREA						
BASIN	W1	L1	D1	W2 L2 D2 W3 L3				L3	D3	(FT3)	A2
RD 20-1	VARIES	VARIES	5. 5	VARIES	VARIES	1. 5	67, 509. 0	29, 042. 0			

704/938-1515

- L1 = BASIN LENGTH AT THE BOTTOM OF THE BASIN
- W1 = BASIN WIDTH AT THE BOTTOM OF THE BASIN L2 = BASIN LENGTH AT THE TOP OF THE SEDIMENT STORAGE
- W2 = BASIN WIDTH AT TOP OF THE SEDIMENT STORAGE
 L3 = BASIN LENGTH AT THE TOP OF THE EMBANKMENT
 W3 = BASIN WIDTH AT THE TOP OF THE EMBANKMENT
- D1 = THE DEPTH OF SEDIMENT STORAGE

KANNAPOLIS, NC 28082

D2 = THE OVERALL DEPTH OF THE SEDIMENT BASIN
D3 = THE CLEANOUT DEPTH OF THE SEDIMENT BASIN
A2 = SURFACE AREA AT THE TOP OF THE SEDIMENT STORAGE



NOTE THE SPILLWAY LENGTH SHOULD BE INSTALLED WITH A WIDTH AS LARGE AS POSSIBLE.

All state and local requirements must be followed.

ROCK DAM	ELEVATION	SURFACE AREA	VOLUME	STORAGE VOLUME	NDTES
RD 20-1		(SF)	(FT3)	(FT3)	
	713. 50	24, 624	0, 00	0. 00	BASIN FLOOR
	714. 00	25, 849	12, 618	12, 618	
	716. 00	29, 042	54, 891	67, 509	TOP OF SEDIMENT STORAGE / SPILLWAY ELEVATION
	718. 00				TOP OF ROCK DAM

Construction Specifications

- 1. Clear the areas under the embankment and strip of roots another objectionable material. Delay
- clearing the reservoir area until the dam is in place.

 2. Cover the foundation area including the abutments with extra—strength filter fabric before backfilling with rock. If a cutoff trench is required, excavate at center line of dam, extending all the way up the earth abutments. Apply filter fabric under the rock fill embankment, from the upstream edge of the dam to the downstream edge of the apron, Overlap fill material a minimum of 1 foot at all joints, with the upstream strip laid over the downstream strip.
- 3. Construct the embankment with well-graded rock and gravel to the size and dimensions shown on the drawings. It is important that rock abutments be at least 2 feet higher than the spillway crest and at least 1 foot higher than the dam, all the way to the downstream toe, to prevent scour and erosion at the abutments.
- 4. Sediment-laden water from the construction site should be diverted into the basin reservoir at the furthest area from the dam. 5. Construct the rock dam before the basin area is cleared to minimize sediment yield from construction of the basin. Stabilize immediately all areas disturbed during the construction of the
- dam except the sediment pool (References: Surface Stabilization).

 6. Safety Sediment basins should be considered dangerous because they attract children. Steep side should be avoided. Fences with warning signs may be needed if trespassing is likely.

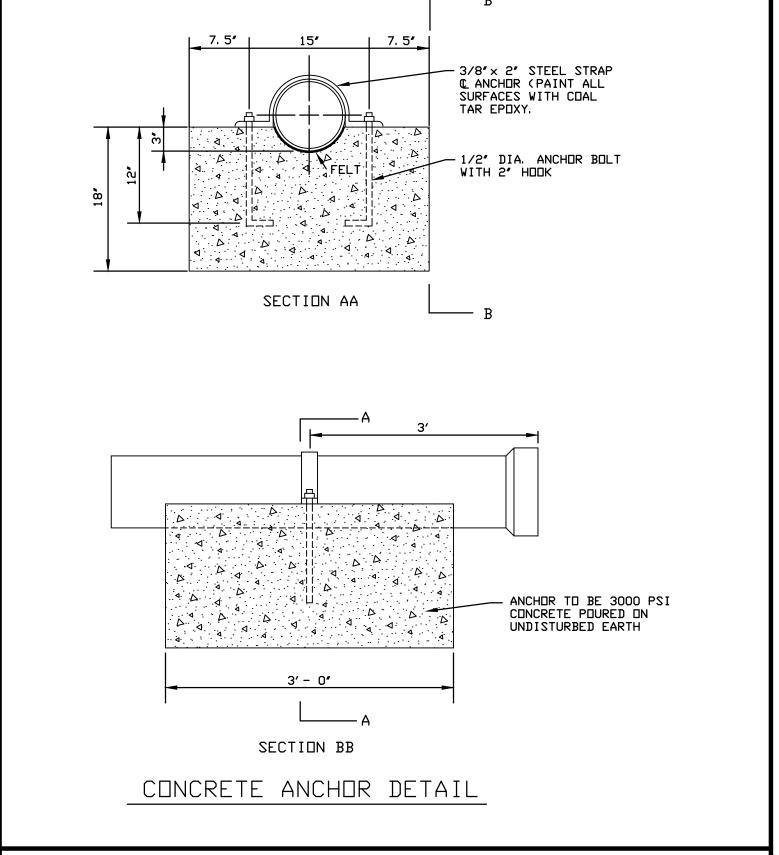
<u>Maintenance</u>

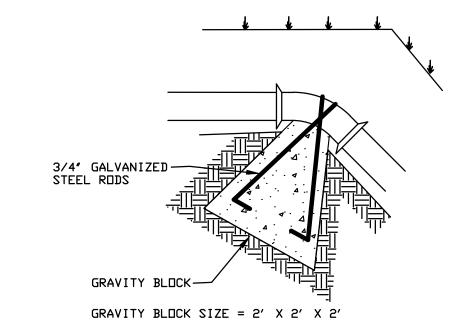
Check sediment basins after each rainfall. Remove sediment and restore original volume when sediment accumulates to about one—half the design volume.

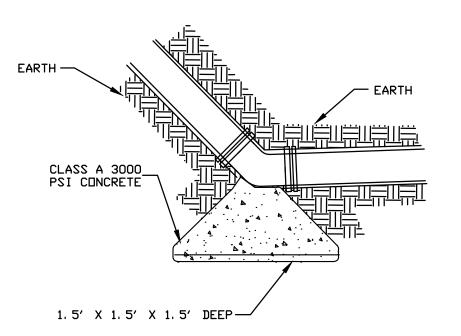
Check the structure for erosion, piping, and rock replacement after each significant rainstorm and

Remove the structure and any unstable sediment immediately after the construction site has been permanently stabilized. Smooth the basin site to blend with the surrounding area and stabilize. All water and sediment should be removed from the basin prior to dam removal. Sediment should be placed in designated disposal areas and not allowed to flow into streams or drainage ways during

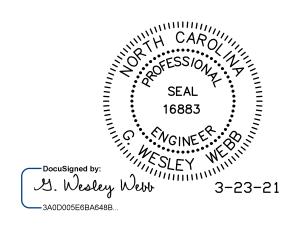
Profile Along Embankment at Spillway







THRUST BLOCKING



DWG NO.: 11526 GOLD HILL QUARRY REZONING DETAILS.DWG

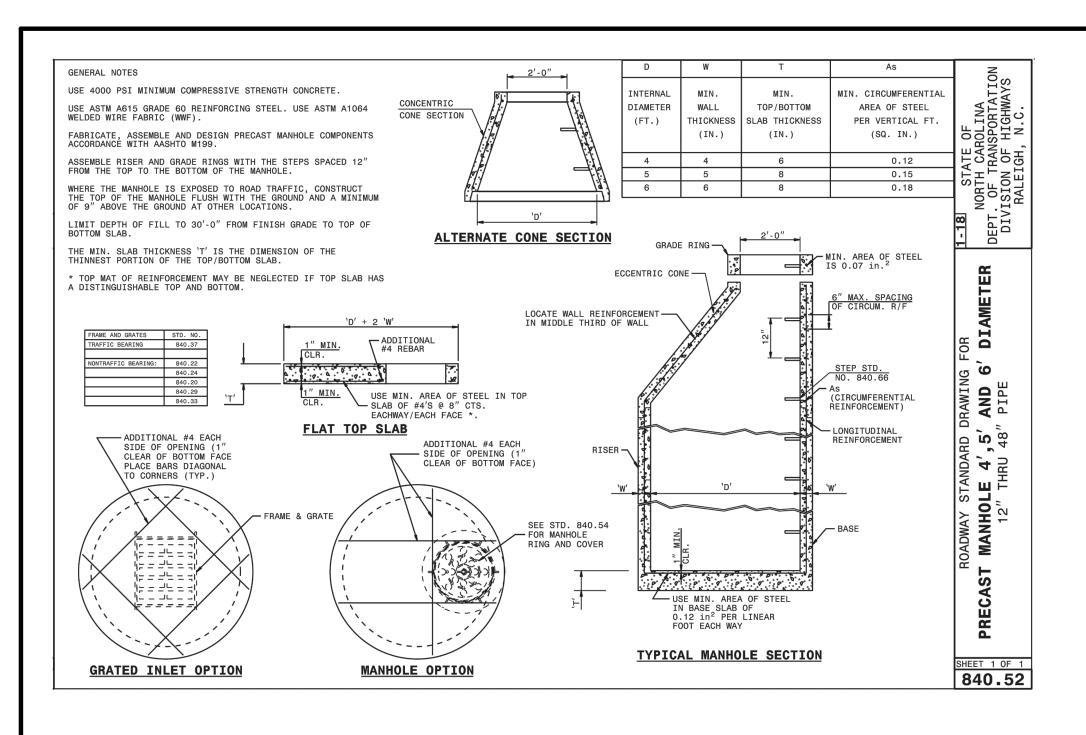
alley, williams, carmen, & king, inc. CONSULTING ENGINEERS FIRM LICENSE # F-0203 120 SOUTH MAIN STREET P.O. BOX 1248 2020 CONDITIONAL USE REZONING REQUEST GOLD HILL QUARRY VULCAN MATERIALS COMPANY

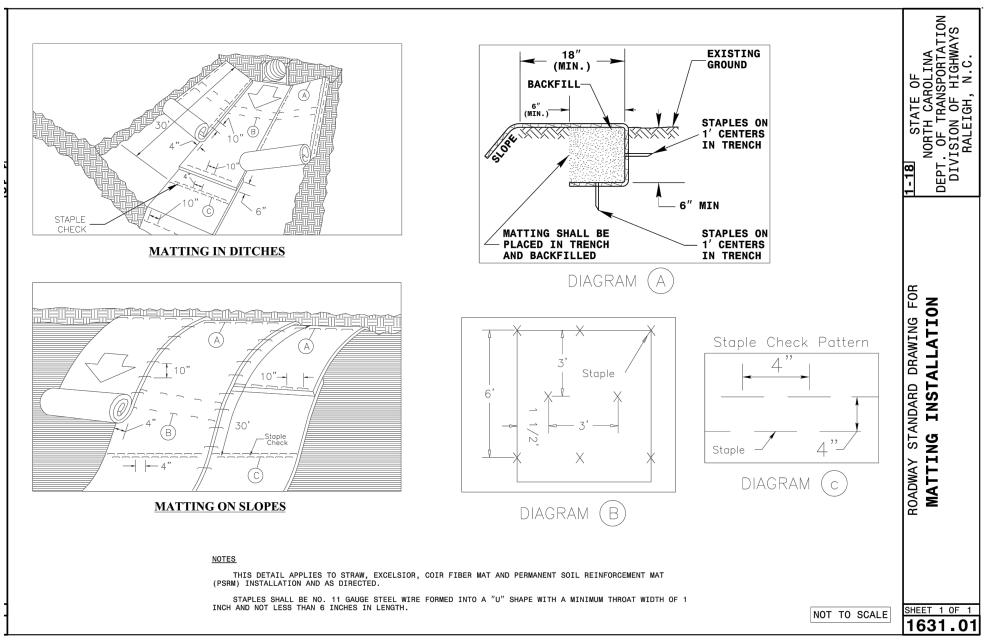
5300 GOLD HILL RD E., GOLD HILL, NC 28071

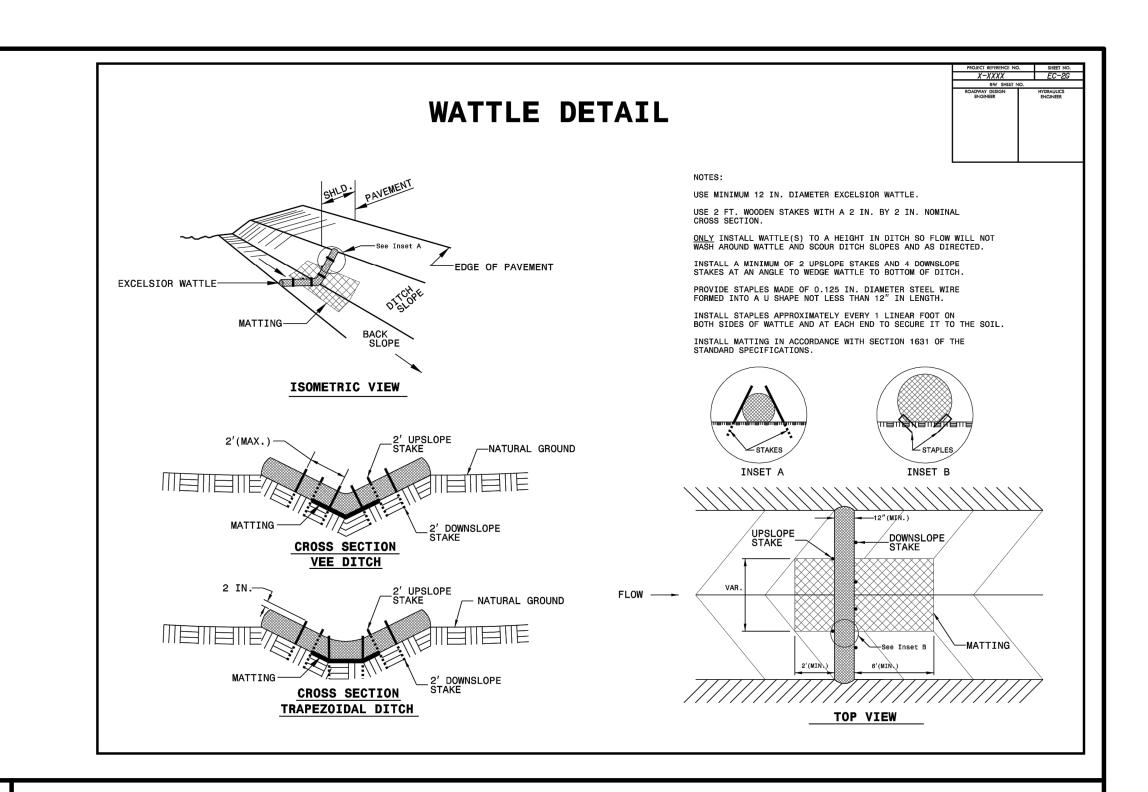
REVISION No.	DESCRIPTION	DATE	INITIAL	SCALE	DATE: 12-18-20
1	PER CABARRUS CNTY REVIEW	3-23-21	GWW	PLAN:	DRAWN BY: RCC
				PROFILE	CHECKED BY:
				HORIZ.:	GWW
				VERT.:	DWG No.:

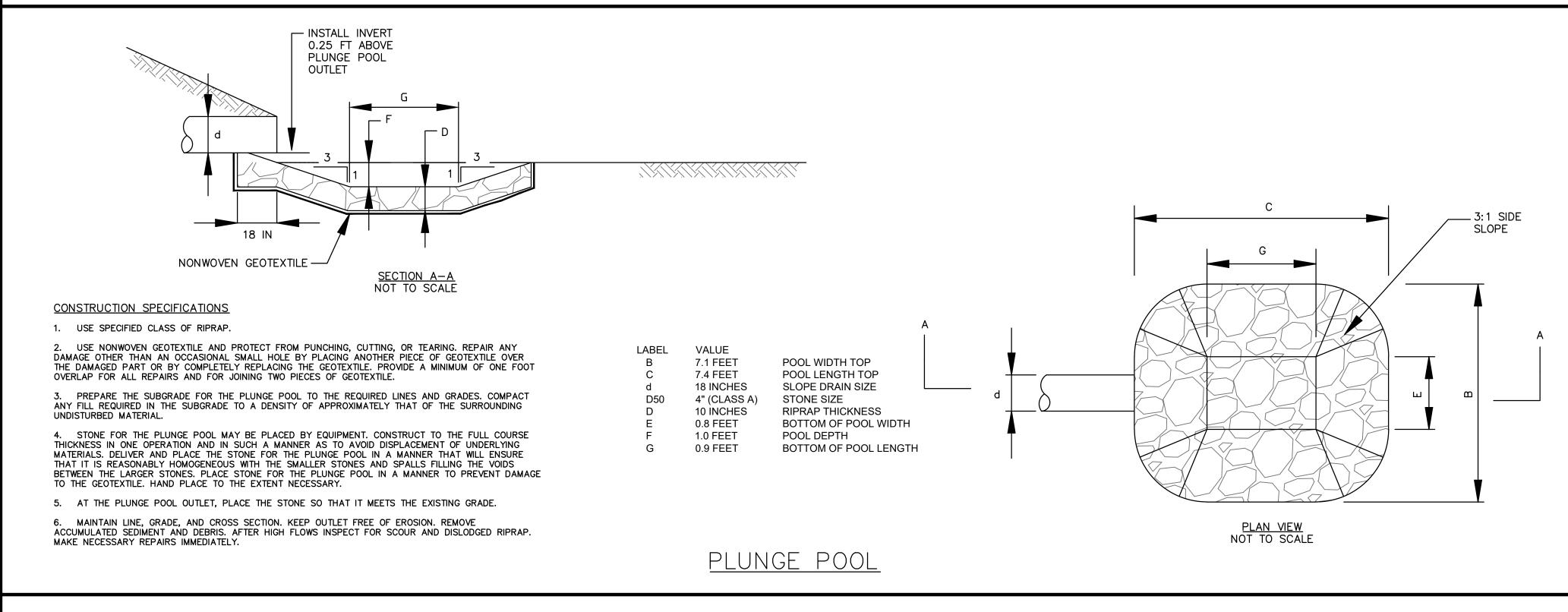
CONSTRUCTION DETAILS

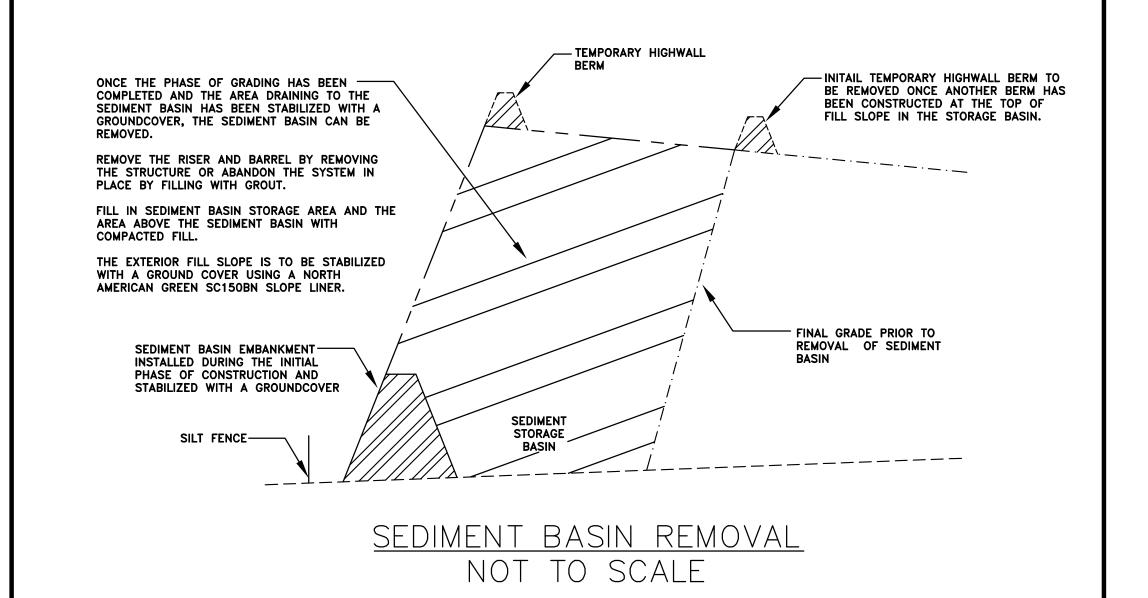
11526SHEET NO. 19











16883 G. Wesley Webb 3-23-21

DWG NO.: 11526 GOLD HILL QUARRY REZONING DETAILS.DWG

JOB NO. 11526 CONSTRUCTION 20 DETAILS

alley, williams, carmen, & king, inc. CONSULTING ENGINEERS FIRM LICENSE # F-0203

P.O. BOX 1248

704/938-1515

120 SOUTH MAIN STREET

KANNAPOLIS, NC 28082

2020 CONDITIONAL USE REZONING REQUEST **VULCAN** 5300 GOLD HILL RD E., GOLD HILL, NC 28071

REVISION No

DESCRIPTION

PER CABARRUS CNTY REVIEW

DATE

3-23-21

SCALE

PROFILE

12-18-20

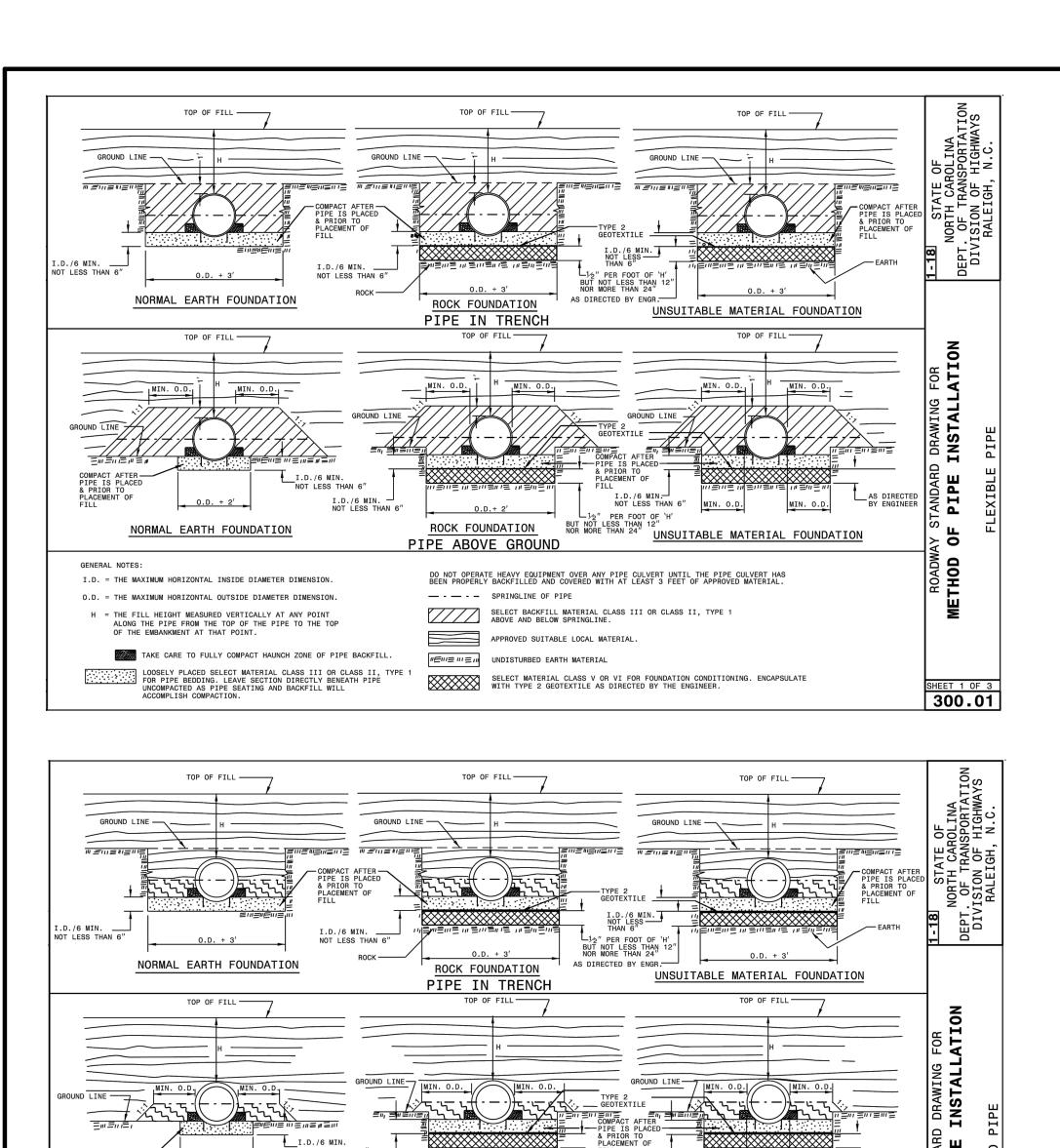
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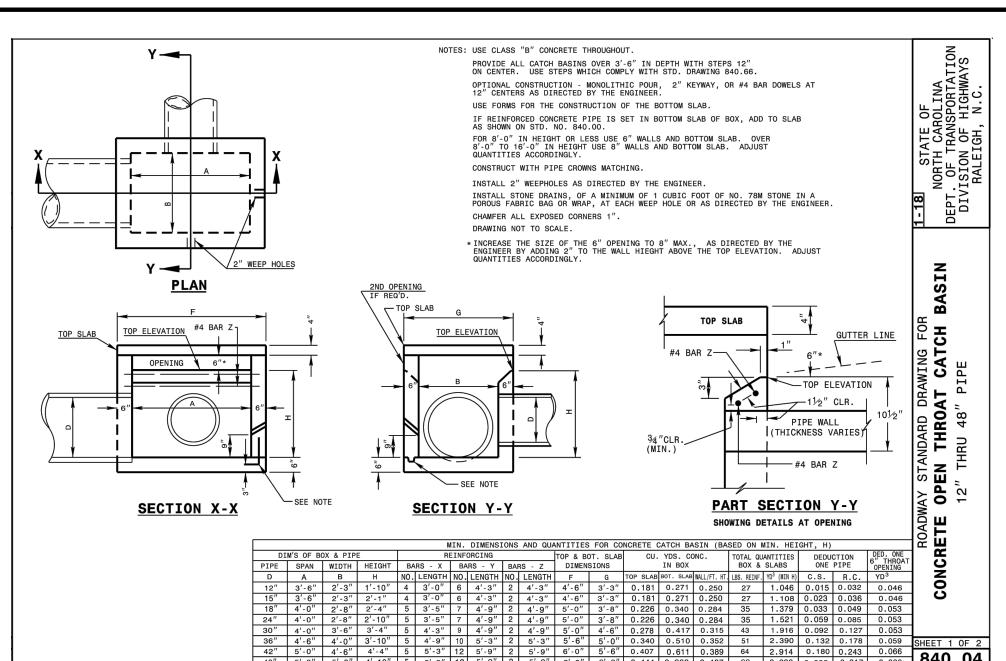
GWW

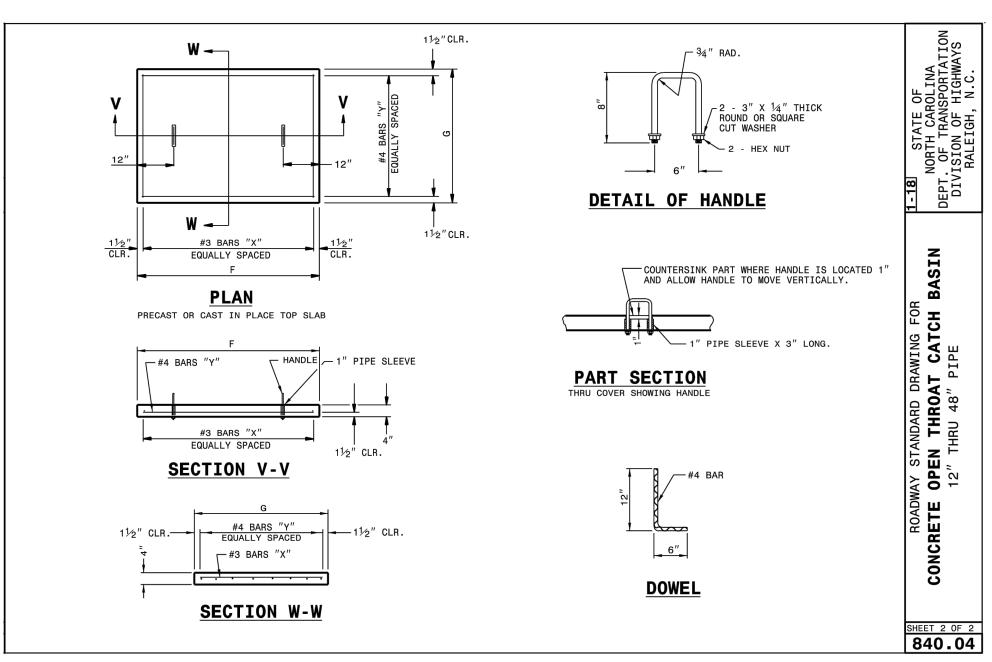
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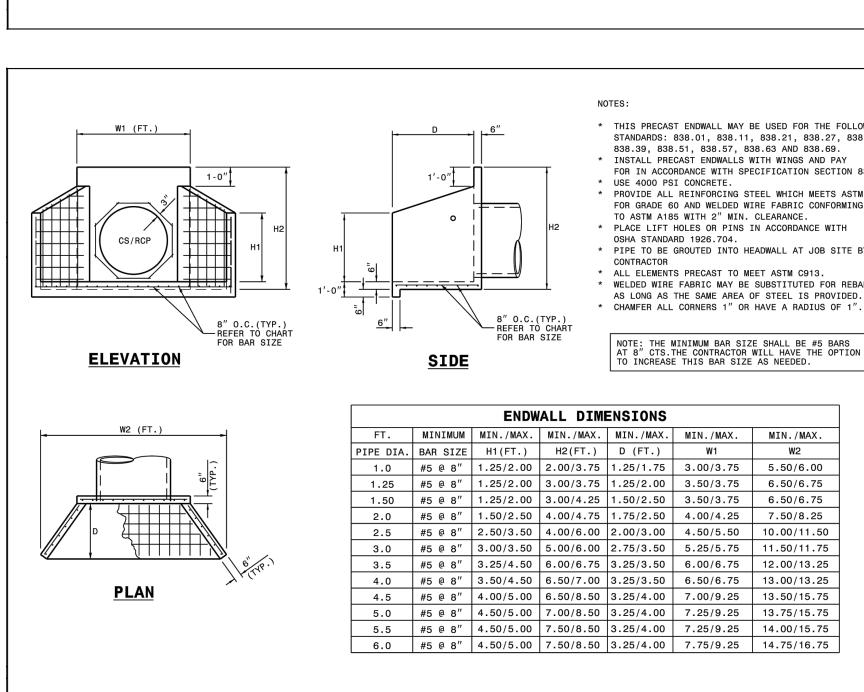
CHECKED BY:

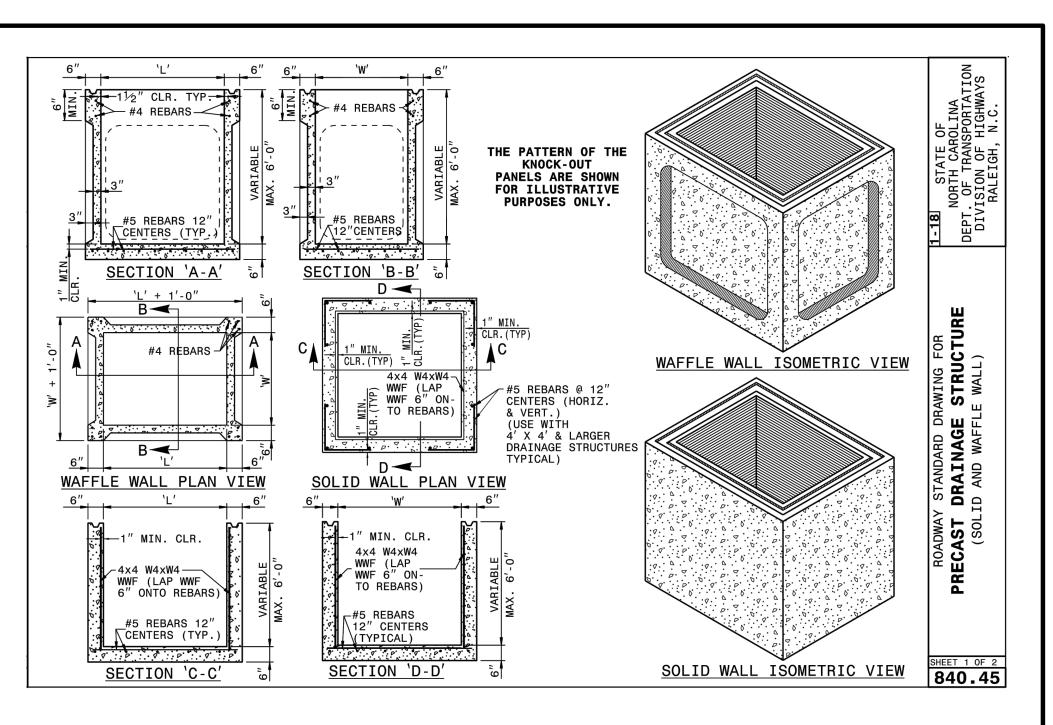
THE COL RESOURT REQUEST	
OLD HILL QUARRY	
MATERIALS COMPANY	
RD F COID HILL NC 28071	

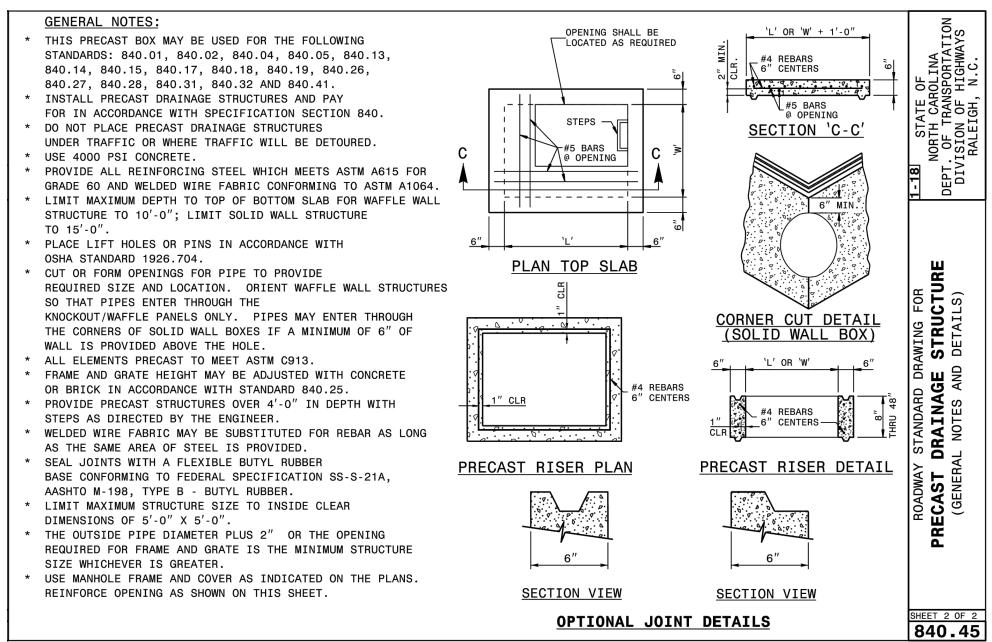


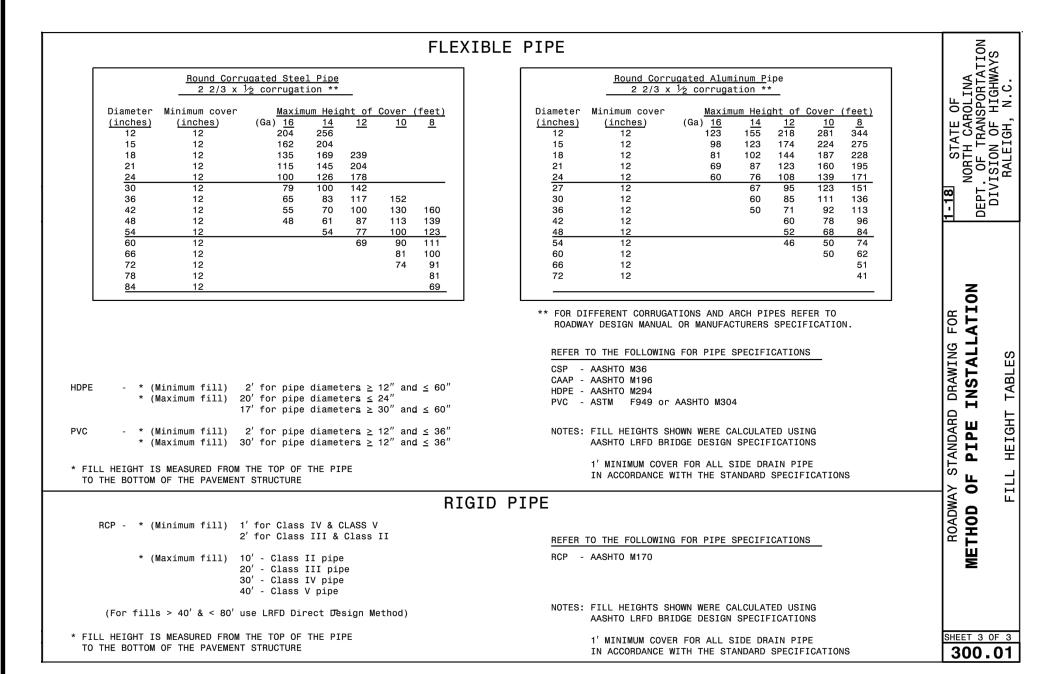












ROCK FOUNDATION

BUT NOT LESS THAN 12"
NOR MORE THAN 24" UNSUI

SELECT BACKFILL MATERIAL CLASS III OR CLASS II, BELOW SPRINGLINE.

APPROVED SUITABLE LOCAL MATERIAL ABOVE SPRINGLINE.

DO NOT OPERATE HEAVY EQUIPMENT OVER ANY PIPE CULVERT UNTIL THE PIPE CULVERT HAS BEEN PROPERLY BACKFILLED AND COVERED WITH AT LEAST 3 FEET OF APPROVED MATERIAL.

SELECT MATERIAL CLASS V OR VI FOR FOUNDATION CONDITIONING. ENCAPSULATE WITH TYPE 2 GEOTEXTILE AS DIRECTED BY THE ENGINEER.

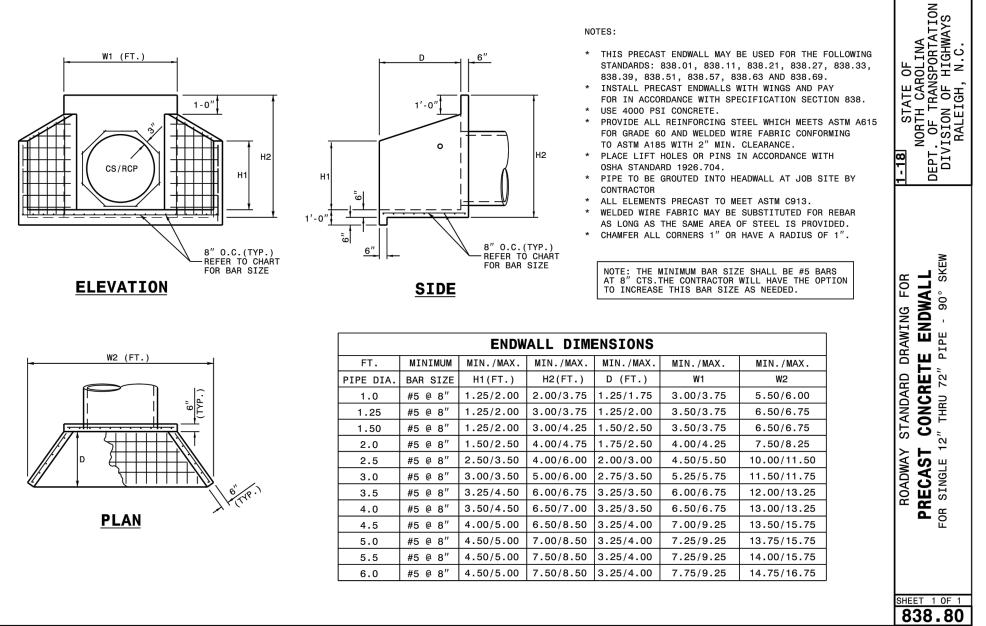
PIPE ABOVE GROUND

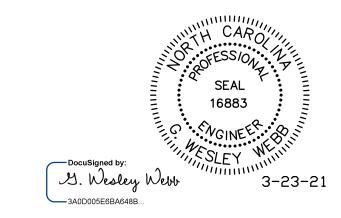
— - — - — SPRINGLINE OF PIPE

"⊆"≡"≡" UNDISTURBED EARTH MATERIAL

UNSUITABLE MATERIAL FOUNDATION

300.01





DWG NO.: 11526 GOLD HILL QUARRY REZONING DETAILS.DWG

FIRM LICENSE # F-0203 120 SOUTH MAIN STREET

KANNAPOLIS, NC 28082

alley, williams, carmen, & king, inc. CONSULTING ENGINEERS

P.O. BOX 1248

704/938-1515

I.D./6 MIN.

NORMAL EARTH FOUNDATION

I.D. = THE MAXIMUM HORIZONTAL INSIDE DIAMETER DIMENSION.

O.D. = THE MAXIMUM HORIZONTAL OUTSIDE DIAMETER DIMENSION.

OF THE EMBANKMENT AT THAT POINT.

H = THE FILL HEIGHT MEASURED VERTICALLY AT ANY POINT ALONG THE PIPE FROM THE TOP OF THE PIPE TO THE TOP

TAKE CARE TO FULLY COMPACT HAUNCH ZONE OF PIPE BACKFILL.

LOOSELY PLACED SELECT MATERIAL CLASS III OR CLASS II, TYPE 1
FOR PIPE BEDDING. LEAVE SECTION DIRECTLY BENEATH PIPE
UNCOMPACTED AS PIPE SEATING AND BACKFILL WILL
ACCOMPLISH COMPACTION.

GENERAL NOTES:

2020 CONDITIONAL USE REZONING REQUEST GOLD HILL QUARRY VULCAN MATERIALS COMPANY 5300 GOLD HILL RD E., GOLD HILL, NC 28071 REVISION No DESCRIPTION DATE SCALE 12-18-20 PER CABARRUS CNTY REVIEW 3-23-21 DRAWN BY: RCC PROFILE CHECKED BY: GWW

CONSTRUCTION DETAILS

11526

COMPILED BY:

www.tuckmapping.com

DATE OF PHOTOGRAPHY: 3/20/20

PROPERTY OWNED SURVEYED

PROPERTY LEASED SURVEYED

PROPERTY OWNED NON-SURVEYED

PROPERTY LEASED NON-SURVEYED

PROPERTY ADJOINING SURVEYED

3RD PARTY LEASED SURVEYED

HORIZONTAL CONTROL POINT

VERTICAL CONTROL POINT

INTERMEDIATE CONTOUR

INDEX CONTOUR

SPOT ELEVATION

WATER

PAVED ROAD

DIRT ROAD

BUILDING

FENCE

TREES

VMC LEASE AREA LEASE SURVEY LIMITS

ADJACENT PROPERTY LINE

CABARRUS CO. UNDISTURBED

CABARRUS CO. (NO BUILD BUFFER)

20' MINIMUM BUILDING SETBACK

WATERBODY BUFFER ZONE

ULTIMATE PIT LIMITS

LOCATED OBJECT

PROPERTY ADJOINING NON-SURVEYED — — — — —

3RD PARTY LEASED NON-SURVEYED — — — —

 \circ

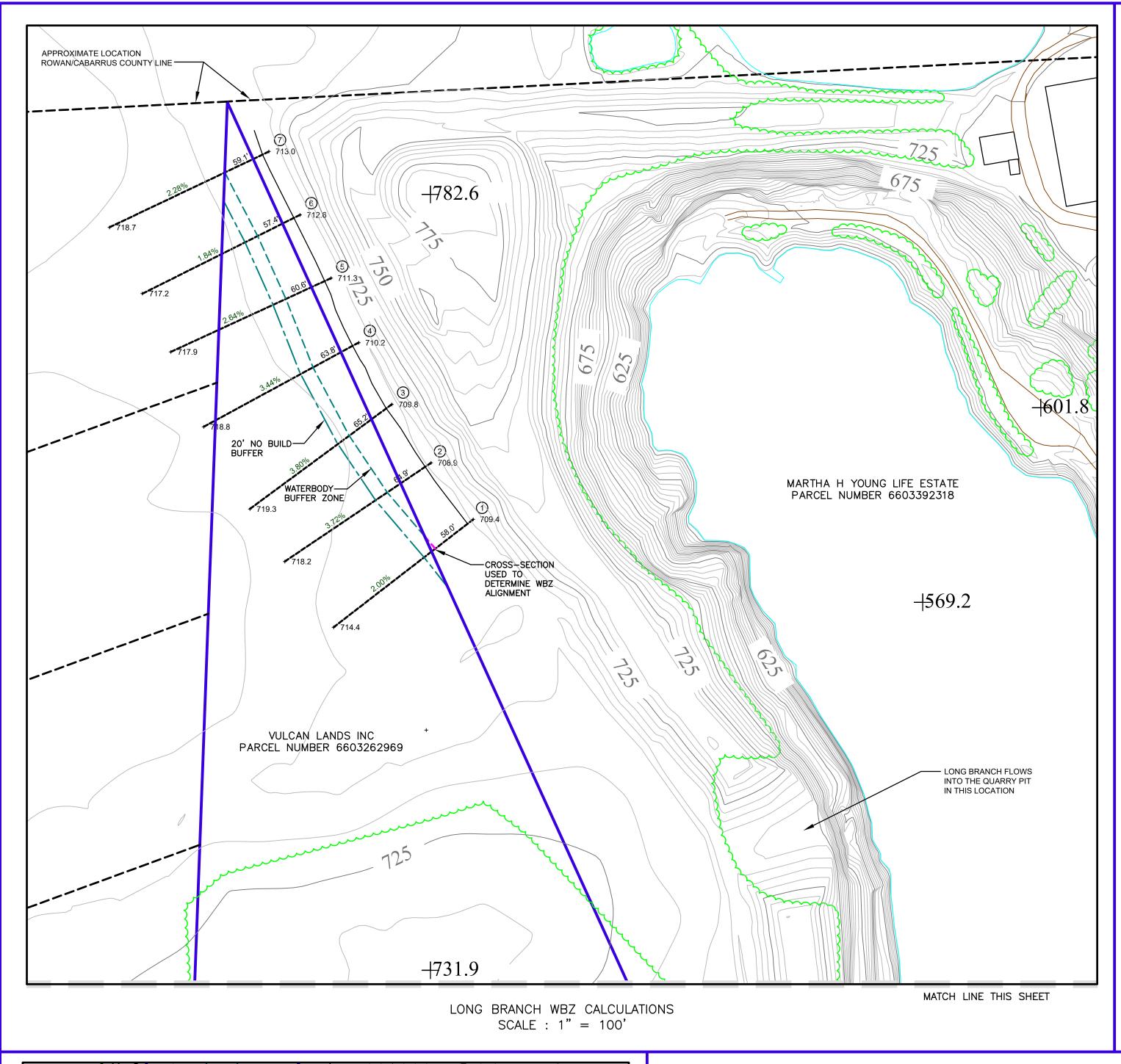
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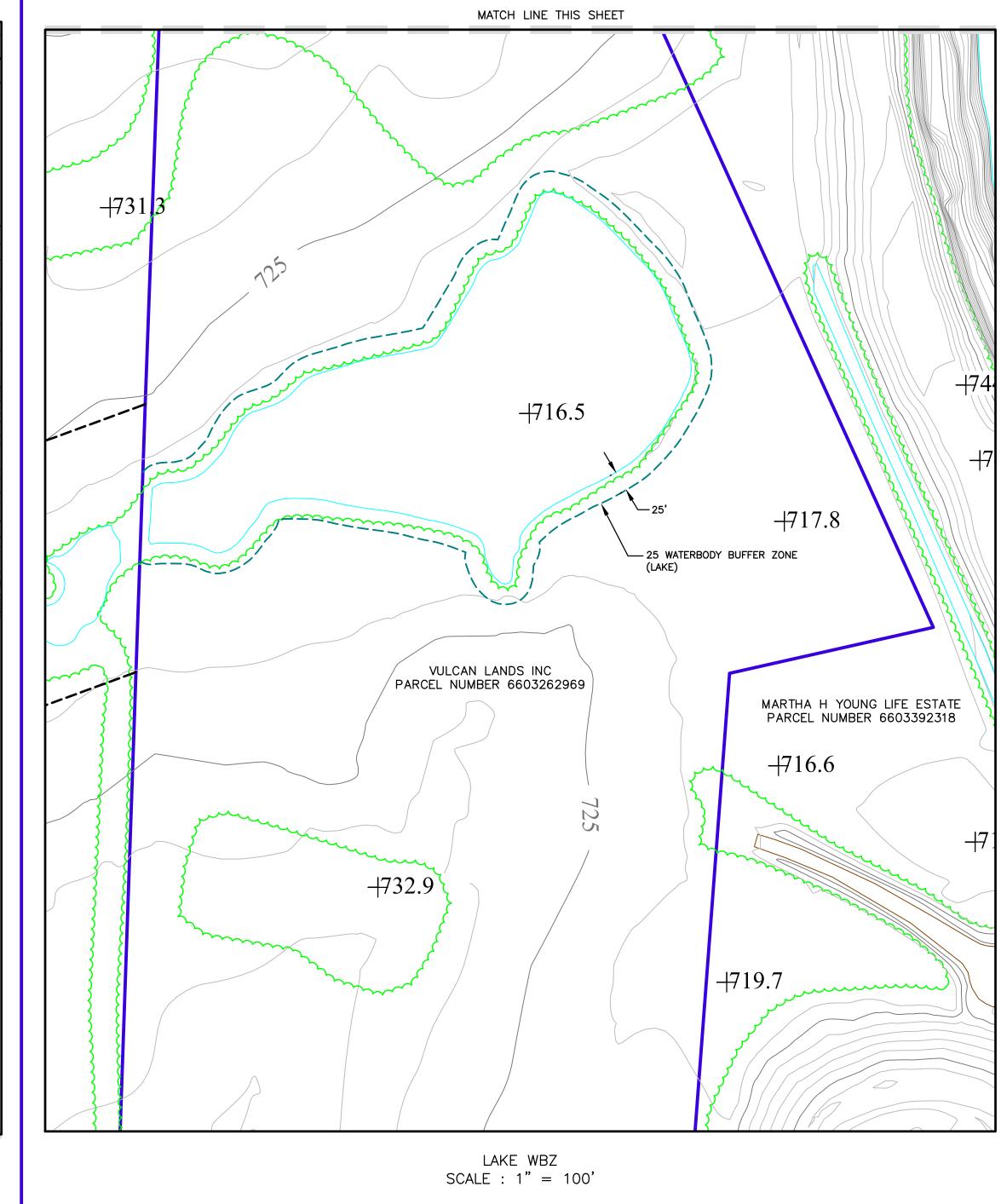
+ 751.6

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MINE LEGEND

VULCAN LANDS PROPERTY/PERMIT LINE





7.2	2.64% APPROXIMATE LOCATION OF STREAM CENTERLINE X-SECTION ID
+ 7 17.9	CALCULATED AVERAGE SLOPE— 3.400 3.400 3.400 APPROXIMATE LOCATION OF STREAM BANK
+-718	BUFFER WIDTH + 709.8 20' NO BUILD WATERBODY BUFFER ZONE PROPERTY LINE TERRAIN ELEVATION 20' NO BUILD WATERBODY BUFFER ZONE 20' NO BUILD WATERBODY BUFFER ZONE 20' NO BUILD WATERBODY BUFFER ZONE 21' NO BUILD WATERBODY BUFFER ZONE
	METHOD OF CALCULATION FOR STREAM BUFFERS

SCALE 1"= 50'

X-Section	Elev 2	Elev 1	Avg Slope	Four X	WBZ Width
ID			(%)	Avg Slope	(ft)
1	714.4	709.4	2.00	8.00	58.0
2	718.2	708.9	3.72	14.88	64.9
3	719.3	709.8	3.80	15.20	65.2
4	718.8	710.2	3.44	13.76	63.8
5	717.9	711.3	2.64	10.56	60.6
6	717.2	712.6	1.84	7.36	57.4
7	718.7	713.0	2.28	9.12	59.1
7	718.7	713.0	2.28	9.12	59.1

WATERBODY BUFFER ZONE CALCULATION NOTES:

- THE WIDTH OF THE WATERBODY BUFFER ZONE ADJACENT TO A STREAM IS 50 FEET PLUS FOUR TIMES THE AVERAGE TERRAIN SLOPE, MEASURED BETWEEN THE STREAM CENTERLINE AND A POINT 250 FEET PERPENDICULAR FROM THE STREAM. THE BUFFER WIDTH IS MEASURED FROM THE STREAM BANK. THE MAXIMUM WIDTH IS 120 FEET.

 2. THE MINIMUM BUILDING SETBACK, ALSO KNOWN AS THE NO
- BUILD BUFFER AREA SHALL BE AT LEAST 20 FEET FROM THE ESTABLISHED WATERBODY BUFFER. 3. AN AVERAGE STREAM WIDTH OF 20 FEET WAS USED FOR THE
- WATERBODY BUFFER ZONE CALCULATIONS.

 4. THE LOCATION OF LONG BRANCH IS APPROXIMATE AND BASED ON AERIAL MAPPING DATA. AN AVERAGE STREAM WIDTH OF 20 FEET WAS ASSUMED FOR THE CHANNEL.

5. TH	e elevati	on values	USED FOR	THE SLOPE CA	ALCULATIONS
WE	RE BASE	ON AN AE	RIAL TOPOGE	RAPHIC MAP P	REPARED BY
TU	CK MAPPI	NG SOLUTION	NS, INC. DA	TED 3-20-20	•
			•		



alley, williams, carmen, & king, inc. CONSULTING ENGINEERS FIRM LICENSE No. F-0203

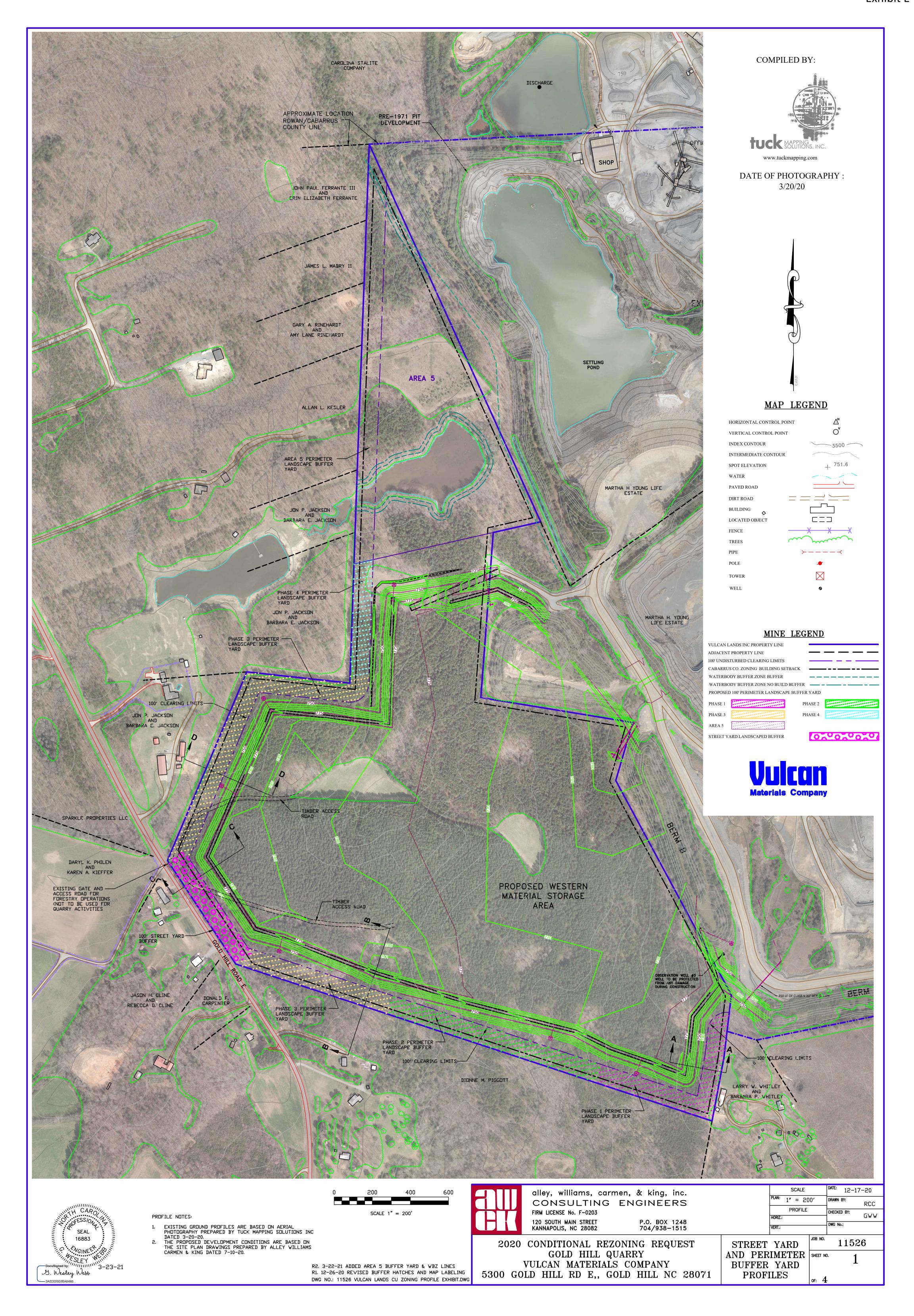
120 SOUTH MAIN STREET KANNAPOLIS, NC 28082 P.O. BOX 1248 704/938-1515

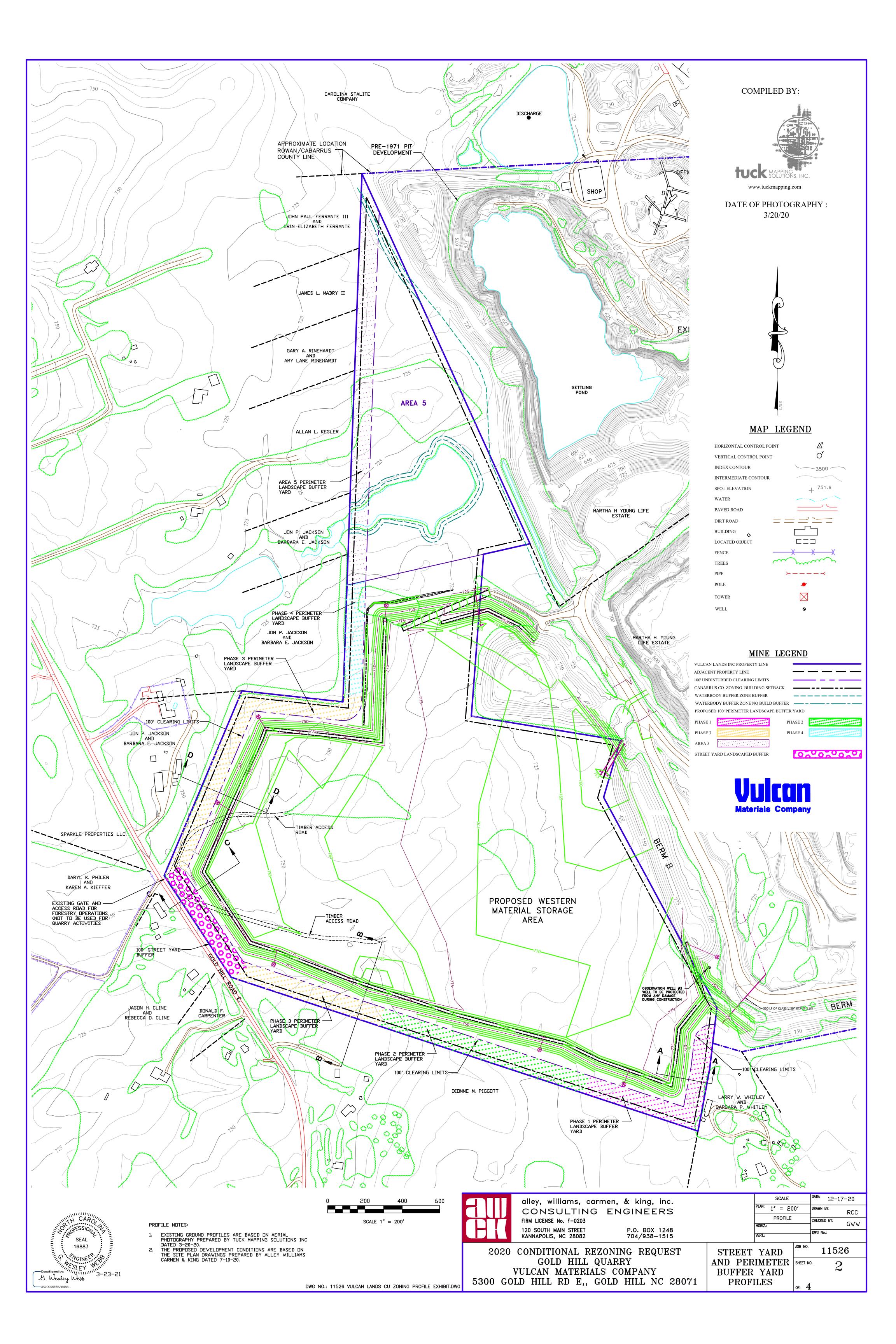
2020 CONDITIONAL USE ZONING REQUEST GOLD HILL QUARRY VULCAN CONSTRUCTION MATERIALS 5300 GOLD HILL RD E, GOLD HILL, NC 28071

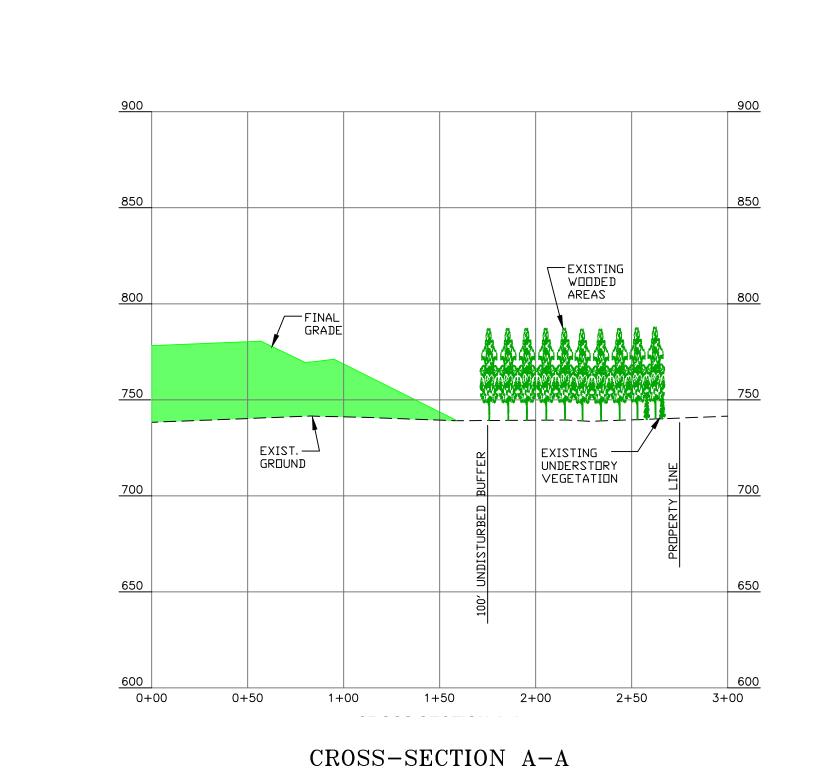
	SCALE	DATE: 3-23-	-2021
PLAN:	VARIES	DRAWN BY:	RCC
HORIZ.:	PROFILE	CHECKED BY:	GWW
VERT.:		DWG No.:	

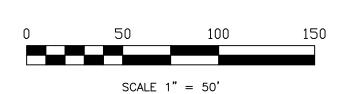
WATERBODY BUFFER ZONE **EXHIBIT**

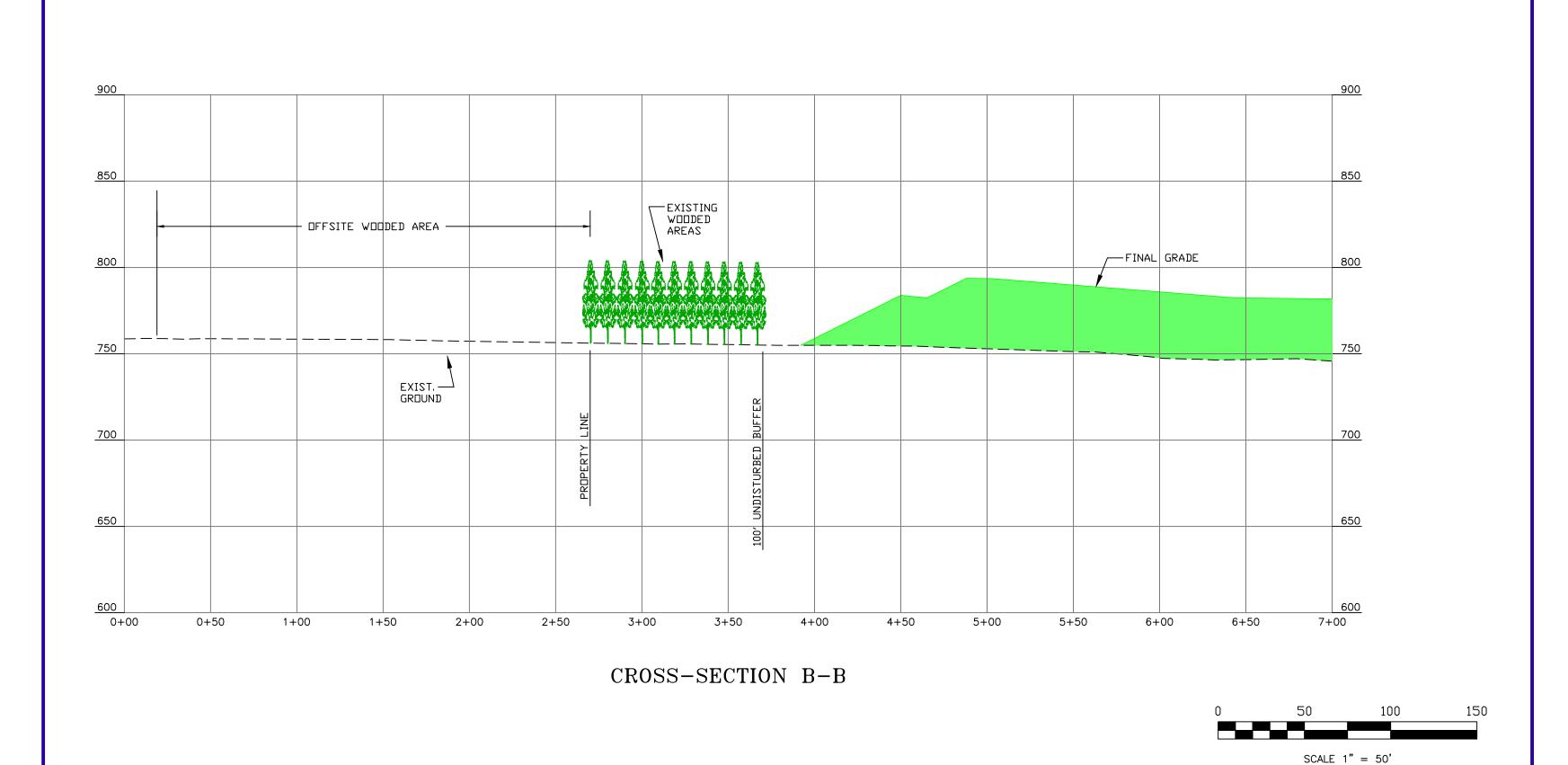
DWG NO.: 11526 2020 Shafer WBZ Exhibit.dwg















alley, williams, carmen, & king, inc. CONSULTING ENGINEERS FIRM LICENSE No. F-0203 P.O. BOX 1248 704/938-1515 120 SOUTH MAIN STREET

KANNAPOLIS, NC 28082

DIONNE M. PIGGOTT
PIN: 6603-25-5518
DB 8811 PG 308
LAND USE: AGRICULTURAL

ZONING: AO

12-18-20 SCALE RCC CHECKED BY: GWW HORIZ.: 1" = 50' VERT.: 1" = 50'

11526

BARBARA PIN: 660 DB 171

LAND USE: ZONI

2020 CONDITIONAL REZONING REQUEST GOLD HILL QUARRY VULCAN MATERIALS COMPANY R2. 3-23-21 REVISED SHEET # R1. 12-26-20 REVISED PROFILE TEXT, NOTES AND MAP LABELING DWG NO.: 11526 VULCAN LANDS CU ZONING PROFILE EXHIBIT.DWG

JOHN PAUL FERRANTE III AND ERIN ELIZABETH FERRANTE

PIN: 6604-10-4069 DB 13717 PG 343 LAND USE: AGRICULTURAL ZONING: AO

ALLAN L. KESLER PIN: 6603-08-9746 DB 3864 PG 47

LAND USE: AGRICULTURAL ZONING: AO

JON P. JACKSON AND BARBARA E. JACKSON PIN: 6603-17-1916 DB 12359 PG 294

LAND USE: AGRICULTURAL ZONING: AO

JON P. JACKSON AND BARBARA E. JACKSON PIN: 6603-07-8330 DB 12359 PG 294 LAND USE: AGRICULTURAL ZONING: AO

JASON H. CLINE AND REBECCA D. CLINE PIN: 6603-06-7024 DB 12096 PG 102

LAND USE: AGRICULTURAL ZONING: AO

SCALE 1" = 300'

DARYL K. PHILEN AND KAREN A. KIEFFER

PIN: 5693-96-2823

DB 12802 PG 253

ZONING: AO

ND USE: AGRICULTURAL

DONALD F. CARPENTER—PIN: 6603-05-8671 DB 6456 PG 115 LAND USE: AGRICULTURAL ZONING: AO

VULCAN LANDS INC. PIN: 6603-26-2969 DB 11711 PG 48 LAND USE: AGRICULTURAL/WOODED EXISTING ZONING: OI PROPOSED ZONING: GI-CU

PROPOSED CONDITION SHEET NO. SITE LINE 5300 GOLD HILL RD E, GOLD HILL NC 28071 PROFILES

CROSS-SECTION

B-B

CROSS-SECTION-

MARTHA H YOUNG LIFE ESTATE PIN: 6603-39-2318

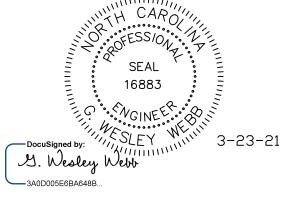
DB 11618 PG 70 LAND USE: QUARRY ZONING: GI

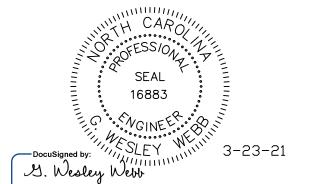
MARTHA H. YOUNG LIFE ESTAT PIN: 6603-47-1878

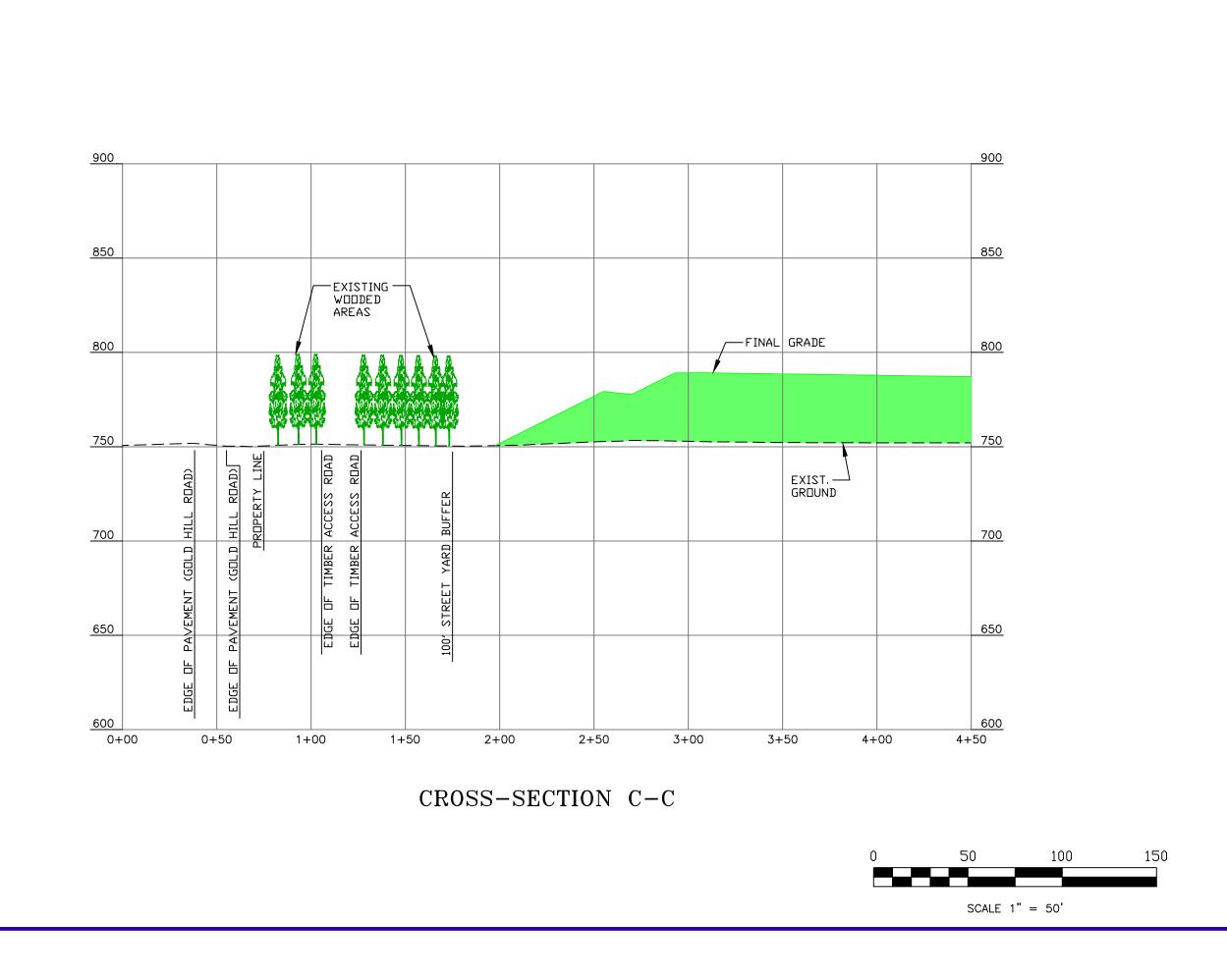
DB 11618 PG 70 LAND USE: QUARRY ZONING: GI

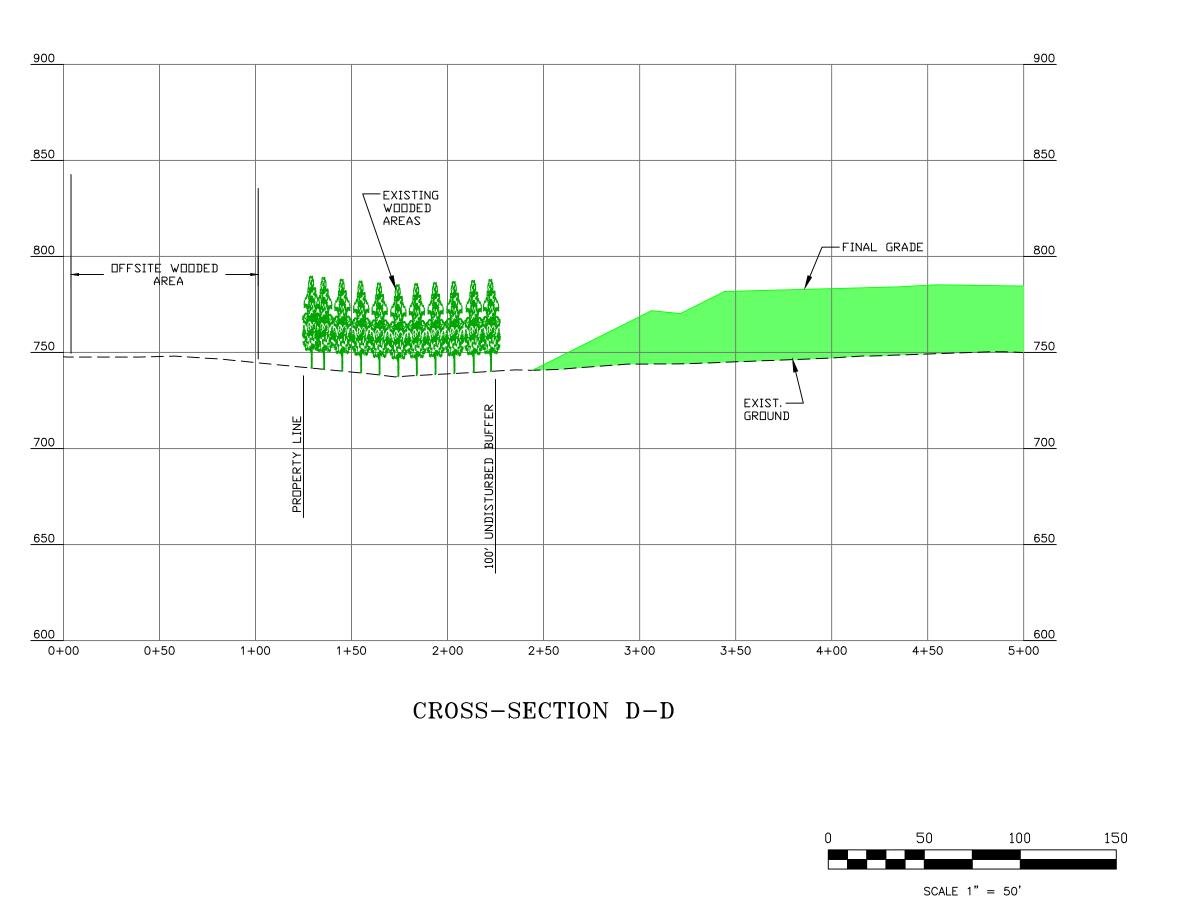
PROFILE NOTES:

- EXISTING GROUND PROFILES ARE BASED ON AERIAL PHOTOGRAPHY PREPARED BY TUCK MAPPING SOLUTIONS INC
- DATED 3-20-20. THE PROPOSED DEVELOPMENT CONDITIONS ARE BASED ON THE SITE PLAN DRAWINGS PREPARED BY ALLEY WILLIAMS CARMEN & KING DATED 7-10-20.









Materials Company



alley, williams, carmen, & king, inc. CONSULTING ENGINEERS FIRM LICENSE No. F-0203

DIONNE M. PIGGOTT
PIN: 6603-25-5518
DB 8811 PG 308
LAND USE: AGRICULTURAL

ZONING: AO

P.O. BOX 1248 704/938-1515 120 SOUTH MAIN STREET KANNAPOLIS, NC 28082

12-18-20 SCALE RCC CHECKED BY: GWW HORIZ.: 1" = 50' VERT.: 1" = 50'

AND
BARBARA P. WHITLEY
PIN: 6603-45-0236 DB 1714 PG 33 LAND USE: AGRICULTURAL

ZONING: AO

R2. 3-23-21 REVISED SHEET # R1. 12-26-20 REVISED PROFILE TEXT, NOTES AND MAP LABELING DWG NO.: 11526 VULCAN LANDS CU ZONING PROFILE EXHIBIT.DWG GOLD HILL QUARRY

JOHN PAUL FERRANTE III
AND
ERIN ELIZABETH FERRANTE
PIN: 6604-10-4069

DB 13717 PG 343 LAND USE: AGRICULTURAL ZONING: AO

ALLAN L. KESLER PIN: 6603-08-9746 DB 3864 PG 47

LAND USE: AGRICULTURAL ZONING: AO

JON P. JACKSON AND BARBARA E. JACKSON PIN: 6603-17-1916 DB 12359 PG 294

LAND USE: AGRICULTURAL ZONING: AO

JON P. JACKSON AND BARBARA E. JACKSON PIN: 6603-07-8330

DB 12359 PG 294 LAND USE: AGRICULTURAL ZONING: AO

JASON H. CLINE

AND
REBECCA D. CLINE
PIN: 6603-06-7024
DB 12096 PG 102

LAND USE: AGRICULTURAL ZONING: AO

SCALE 1" = 300'

DARYL K. PHILEN AND
KAREN A. KIEFFER
PIN: 5693-96-2823

DB 12802 PG 253 ND USE: AGRICULTURAL ZONING: AO

> DONALD F. CARPENTER—PIN: 6603-05-8671 DB 6456 PG 115 LAND USE: AGRICULTURAL ZONING: AO

VULCAN LANDS INC. PIN: 6603-26-2969 DB 11711 PG 48 LAND USE: AGRICULTURAL/WOODED EXISTING ZONING: OI PROPOSED ZONING: GI-CU

CROSS-SECTION

CROSS-SECTION C-C

11526 2020 CONDITIONAL REZONING REQUEST PROPOSED CONDITION SHEET NO. VULCAN MATERIALS COMPANY SITE LINE 5300 GOLD HILL RD E, GOLD HILL NC 28071 PROFILES

MARTHA H YOUNG LIFE ESTATE PIN: 6603-39-2318

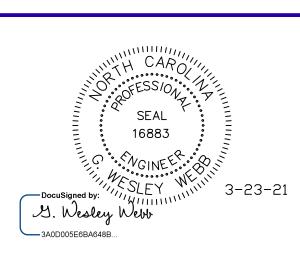
DB 11618 PG 70 LAND USE: QUARRY ZONING: GI

MARTHA H. YOUNG LIFE ESTATE PIN: 6603-47-1878

DB 11618 PG 70 LAND USE: QUARRY ZONING: GI

PROFILE NOTES:

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- DATED 3-20-20. THE PROPOSED DEVELOPMENT CONDITIONS ARE BASED ON THE SITE PLAN DRAWINGS PREPARED BY ALLEY WILLIAMS CARMEN & KING DATED 7-10-20.

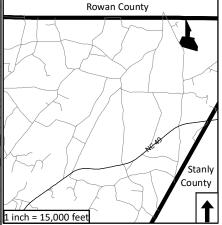


Eastern Planning Area Existing Zoning



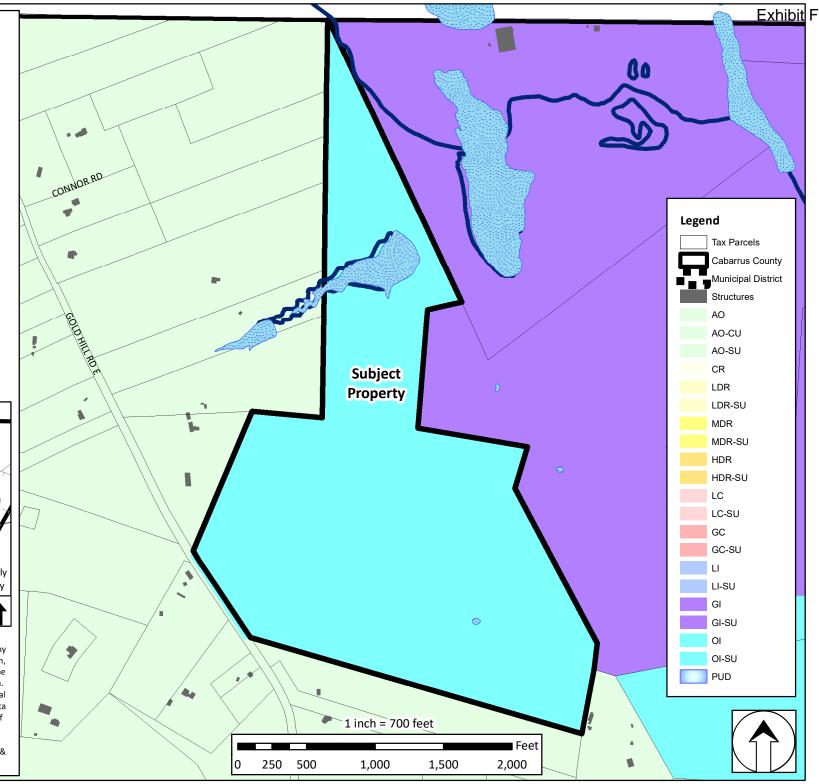
Applicant: Vulcan Lands Inc.
Owner: Vulcan Lands Inc.
Case: RZON2021-00001
Address: 5300 Gold Hill Rd E
Purpose: Rezone from OI to GI-CU

PINs: 6603-26-0969



Cabarrus County shall not be held liable for any errors in this data. This includes errors of omisssion, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.

Map Prepared by Cabarrus County Planning & Development - January 2021



Eastern Planning Area Aerial Map



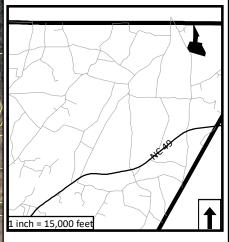
Applicant: Vulcan Lands Inc.
Owner: Vulcan Lands Inc.
Case: RZON2021-00001
Address: 5300 Gold Hill Rd E
Purpose: Rezone from OI to GI-CU

PINs: 6603-26-0969

CabarrusCounty

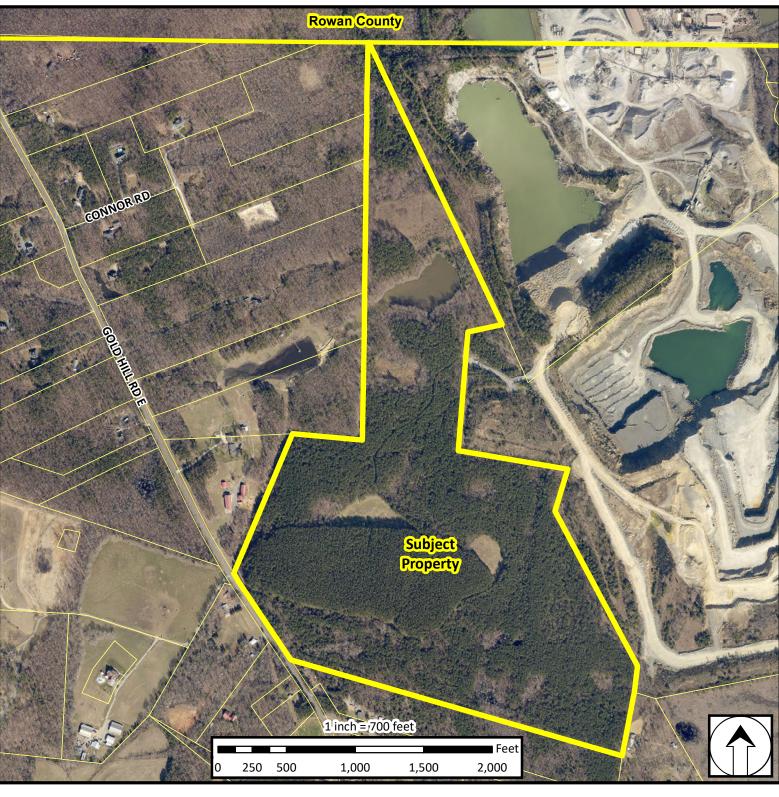
MunicipalDistrict

Tax Parcels



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Map Prepared by Cabarrus County Planning & Development - January 2021

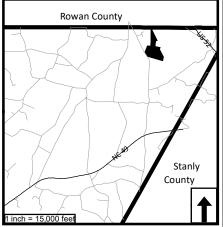


Eastern Planning Area Future Land Use



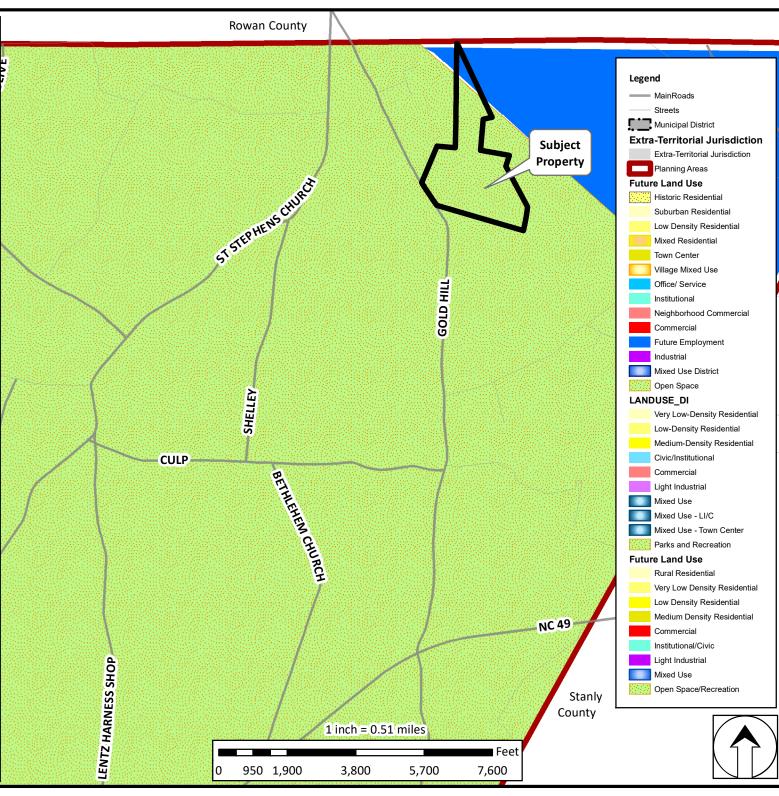
Applicant: Vulcan Lands Inc.
Owner: Vulcan Lands Inc.
Case: RZON2021-00001
Address: 5300 Gold Hill Rd E
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PINs: 6603-26-0969



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Map Prepared by Cabarrus County Planning & Development - January 2021



SUPPLEMENTAL INFORMATION – VULCAN MATERIALS COMPANY APPLICATION FOR CONDITIONAL USE REZONING EXTRACTION OF EARTH PRODUCTS

In accordance with Chapter 8 of the Cabarrus County Zoning Ordinance, Vulcan Materials Company ("Vulcan") offers the following supplemental information in support of its Application for a conditional use rezoning for use of that 138.8 Acre site identified as Cabarrus County PIN#6603- 26-2969 in its application dated December 18, 2020 to store processed material and by-products from the extraction of earth products (the "Site").

OPERATIONS PLAN

I Date Operations Begin and their Expected Duration:

The Site will be used to store processed materials or by-products (collectively known as "overburden") of the excavation processes taking place on contiguous sites. The Site will also be used for Forestry operations. Excavation on adjacent properties is already in process and already producing overburden. The Site to be used to store processed materials and by-products will be used immediately for that purpose as excavation takes place on lands adjacent to it.

II. Proposed hours and days of operations.

The existing extractive use operation located contiguous to the Site may operate 24 hours 7 days a week without restrictions. Vulcan proposes to limit operations on the Site to between the hours of 6:00 a.m. to 8:00 p.m. Monday through Saturday and 7:00 a.m. to 6:00 p.m. on Sunday with the exception if we are required to supply materials needed for NCDOT construction or maintenance work that specifies alternative delivery times because of traffic control or other factors. In this case, Vulcan will utilize the Site to store the processed material and by-products from the extraction processes during the same hours.

III. Estimated type and volume of extraction.

No extraction activities are proposed for this Site.

IV. <u>Description of method of operation</u>, including the disposition of topsoil, overburden and any by-products.

By its very nature, mining (extraction) takes place in a natural progression with the initial installation of erosion/sediment control structures as specified in our state mining permit followed by the removal and stockpiling of the soil and soft rock (collectively known as "overburden") overlying the hard rock deposit. Once exposed, the rock is excavated in a series of lifts or benches. In broad terms, the depth of the excavation is limited by the aerial extent of the property contained in the mining permit boundary.

Permanent storage of processed materials or by-products of the crushing process is currently proposed for this Site. Storage of spoil piles and other accumulations of by-products shall not be created to a height of more than forty (40) feet above the original contour and shall be so graded that the vertical slope shall not exceed the material's natural angle of repose.

V. <u>Description of equipment to be used in the excavation process</u>.

No excavation activities are proposed for this Site.

Basic earth moving equipment consisting of off road haul trucks, bulldozers, and pans will be used to transport the overburden to the Site. Logging trucks will be used for removal of trees and other debris in connection with Forestry operations that are also proposed for a portion of Site.

VI. Any phasing of the operations and the relationship among the various phases.

The Site will be used to store overburden from the excavation processes on adjacent properties. Use of the Site for storage of overburden will be phased as shown on the Site Plan. Vulcan anticipates initial operations will move across this parcel being used for overburden over time based upon the market demands for construction aggregate products in the region.

SUPPLEMENTAL INFORMATION – VULCAN MATERIALS COMPANY APPLICATION FOR CONDITIONAL USE REZONING EXTRACTION OF EARTH PRODUCTS

In accordance with Chapter 8 of the Cabarrus County Zoning Ordinance, Vulcan Materials Company (Vulcan) offers the following supplemental information in support of its Application for a conditional use rezoning for use of that 138.8 Acre site identified as Cabarrus County PIN#6603- 26-2969 in its application dated December 18, 2020 to store processed material and by-products from the extraction of earth products (the "Site").

REHABILITATION/RECLAMATION PLAN

Statement of planned rehabilitation of the excavated land including detailed methods of accomplishment and planned future use of the rehabilitated land.

See Reclamation Plan on Rezoning Site Plan for details. Please also see approved Mining Permit modified September 30, 2020 to include the Site (as modified, the "Mining Permit"). The Mining Permit includes the Approved Reclamation Plan for the Gold Hill Quarry.

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Reclamation at Gold Hill Quarry is an ongoing process. Through on-site inspections, Vulcan Materials Company monitors, on a periodic basis, the Site for areas that may need maintenance or construction of additional erosion and other control measures. The areas of the Site identified to be used for overburden storage, will be sloped for drainage, contoured, graded and vegetated pursuant to the approved seed mix. All fill slopes are to be constructed with 2:1 slopes or flatter. The slopes are to be seeded with approved seed mix and stabilized. The Revegetation Plan is set forth within the Mining Permit, pages 13-14.

A map showing the final topography, after rehabilitation, to the same scale as the Site plan. It shall also depict any water areas and methods of preventing stagnation and pollution, landscaping and ground cover proposed to be installed and the amount and type of any backfill, if any, to be employed.

See Site Plan.

A phasing and timing plan, related to the phasing and timing portion of the Operations Plan, showing the progression of the rehabilitation and the date to be completed.

Please see Phases 1-4 as identified on the Site Plan. The Site should provide storage space for the operation of the Gold Hill Quarry in excess of 50 years. Reclamation of the parcel will be conducted contemporaneously with mining at the adjacent properties to the extent feasible and will be completed once the parcel is no longer used for overburden.

The method of disposing of all equipment, structures, dikes and spoil piles associated with the operations.

All equipment and structures, if any, will be removed from the Site and all spoil piles will be

covered with topsoil, seeded, and a permanent ground cover established. Proposed reclamation plan once excavation and operations are terminated is to restore the land to vegetation pursuant to the Revegetation Plan.

A written legal description or survey of the Site, prepared by a North Carolina registered land surveyor of engineer is included with the Site Plan.

A copy of the legal description is included on the site plan.

The name, address and signature of land owners and applicants. *Provided in the application form.*

[SIGNATURES ON THE FOLLOWING PAGE]

APPLICANT:

VULCAN MATERIALS COMPANY 4401 North Patterson Avenue
Winston Salem NC 27105
BY:
ITS:
PROPERTY OWNER:
VULCAN LANDS, INC.
1200 Urban Center Drive
FAS 1401-843
Birmingham, AL 35242
BY:
ITC.

Increase PENALTY RIDER

BOND AMOUNT \$500,000.00

BOND NO. 09010657

To be attached and form a part of Bond No. <u>09010657</u> dated the <u>28th</u> day of <u>July</u>, <u>2010</u>, executed by <u>Fidelity and Deposit Company of Maryland</u> as surety, on behalf of <u>Vulcan Construction Materials, LLC</u> as current principal of record, and in favor of <u>State of North Carolina</u>, <u>Department of Environmental and Natural Resources</u>, as Obligee, and in the amount of <u>Five Hundred Thousand Dollars and 00/100</u> (\$500,000.00).

In consideration of the agreed premium charged for this bond, it is understood and agreed that <u>Fidelity and Deposit Company of Maryland</u> hereby consents that effective from the <u>22nd</u> day of <u>January</u>, <u>2018</u>, said bond shall be amended as follows:

THE BOND PENALTY SHALL BE Increased:

FROM: Five Hundred Thousand Dollars and 00/100 (\$500,000.00)

TO: One Million Dollars and 00/100 (\$1,000,000.00)

The Increase of said bond penalty shall be effective as of the <u>22nd</u> day of <u>January</u>, <u>2018</u>, and does hereby agree that the continuity of protection under said bond subject to changes in penalty shall not be impaired hereby, provided that the aggregate liability of the above mentioned bond shall not exceed the amount of liability assumed by it at the time the act and/or acts of default were committed and in no event shall such liability be cumulative.

Signed, sealed and dated this 22nd day of January, 2018.

Vulcan Construction M	aterials, LLC
DM T	PRINCIPAL
R. Avens	
Assistant Secretary	
lity and Deposit Company	of Maryland
	SURETY
Commeles Jeso	ne
Annette Wisong, ATTO	RNEY-IN-FACT
	Vulcan Construction M Assistant Secretary Lity and Deposit Company Annette Wisong, ATTO

THE ABOVE BOND IS HEREBY AGREED TO AND ACCEPTED BY:

<u>State of North Carolina, Departmentt of Environmental and Natural Resources</u>
OBLIGEE

BY:

ZURICH AMERICAN INSURANCE COMPANY COLONIAL AMERICAN CASUALTY AND SURETY COMPANY FIDELITY AND DEPOSIT COMPANY OF MARYLAND POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by DAVID MCVICKER, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint Joseph W. HAMILTON, III, Joseph R. WILLIAMS, Tina KENNEDY, Steven L. SWORDS, Annette WISONG, Rebecca E. HOWARD, Chaun M. WILSON, Sarah HANCOCK and Desiree PAYNE, all of Atlanta, Georgia, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 29th day of September, A.D. 2017.

ATTEST:

ZURICH AMERICAN INSURANCE COMPANY COLONIAL AMERICAN CASUALTY AND SURETY COMPANY FIDELITY AND DEPOSIT COMPANY OF MARYLAND







Ву

Assistant Secretary Joshua Lecker

Vice President David McVicker

State of Maryland

County of Baltimore

On this 29th day of September, A.D. 2017, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **DAVID MCVICKER**, **Vice President**, and **JOSHUA LECKER**, **Assistant Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Constance a. Dunn

Constance A. Dunn, Notary Public My Commission Expires: July 9, 2019

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify of revoke any such appointment or authority at any

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies,







Michael Bond, Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT ALL REQUIRED **INFORMATION TO:**

Zurich American Insurance Co. Attn: Surety Claims 1299 Zurich Way Schaumburg, IL 60196-1056

ROY COOPER Governor MICHAEL S. REGAN Secretary BRIAN WRENN Director



NORTH CAROLINA Environmental Quality

September 30, 2020

Mr. Tony Johnson Vulcan Construction Materials, LP 4401 N. Patterson Avenue Winston-Salem, North Carolina 27105

RE:

Permit No. 13-04 Gold Hill Quarry Cabarrus County Yadkin River Basin

Dear Mr. Johnson:

Your recent request to have the above referenced mining permit modified has been approved. The modification is to increase the permitted acreage to 553.8 acres and the affected acreage at this site to 478.5 acres as indicated on the Mine Modification Map dated July 10, 2020. The modification includes the addition of a 138.8-acre tract of land to the western side of the quarry and an approval to construct a material storage area. The modification also includes the addition of 100 foot undisturbed buffers on the eastern and southern side of the property to replace screening berms that were originally approved for the project. A copy of the modified permit is enclosed.

The conditions in the modified permit were based primarily upon the initial application. Modifications were made as indicated by the modification request and as required to ensure compliance with The Mining Act of 1971. The mine name and permit number shall remain the same as before the modification. I would like to draw your particular attention to the following conditions where minor additions or changes were made: Operating Condition Nos. 3C, 4B, 5A,10B, 13, and 14.

G.S. 74-65 states that the issuance of a mining permit and/or any modification to it does not supersede local zoning regulations. The responsibility of compliance with any applicable zoning regulations lies with you.

As a reminder, your permitted acreage at this site is 553.8 acres and the amount of land you are approved to disturb is 478.5 acres.



Please review the modified permit and contact Adam Parr, Assistant State Mining Engineer, at (919) 707-9220 should you have any questions concerning this matter.

Sincerely.

Dan Multur David Miller, PE

State Mining Engineer

DM/ap Enclosures

cc: Mr. Zahid Kahn, PE

Mr. William Gerringer-Mine and Quarry Bureau, w/o enclosures

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

DIVISION OF LAND RESOURCES

LAND QUALITY SECTION

PERMIT

for the operation of a mining activity

In accordance with the provisions of G.S. 74-46 through 68, "The Mining Act of 1971," Mining Permit Rule 15A NCAC 5 B, and other applicable laws, rules, and regulations

Permission is hereby granted to:

Vulcan Construction Materials LLC.

Gold Hill Quarry

Cabarrus County - Permit No. 13-04

for the operation of a

Crushed Stone Quarry

which shall provide that the usefulness, productivity and scenic values of all lands and waters affected by this mining operation will receive the greatest practical degree of protection and restoration.

In accordance with the application for this mining permit, which is hereby approved by the Department of Environment and Natural Resources hereinafter referred to as the Department, and in conformity with the approved Reclamation Plan attached to and incorporated as part of this permit, provisions must be made for the protection of the surrounding environment and for reclamation of the land and water affected by the permitted mining operation. This permit is expressly conditioned upon compliance with all the requirements of the approved Reclamation Plan. However, completed performance of the approved Reclamation Plan is a separable obligation, secured by the bond or other security on file with the Department, and may survive the expiration, revocation, or suspension of this permit.

This permit is not transferable by the permittee with the following exception: If another operator succeeds to the interest of the permittee in the permitted mining operation, by virtue of a sale, lease, assignment or otherwise, the Department may release the permittee from the duties imposed upon him by the conditions of his permit and by the Mining Act with reference to the permitted operation, and transfer the permit to the successor operator, provided that both operators have complied with the requirements of the Mining Act and that the successor operator agrees to assume the duties of the permittee with reference to reclamation of the affected land and posts a suitable bond or other security.

In the event that the Department determines that the permittee or permittee's successor is not complying with the Reclamation Plan or other terms and conditions of this permit, or is failing to achieve the purposes and requirements of the Mining Act, the Department may give the operator written notice of its intent to modify, revoke or suspend the permit, or its intent to modify the Reclamation Plan as incorporated in the permit. The operator shall have right to a hearing at a designated time and place on any proposed modification, revocation, or suspension by the Department. Alternatively, and in addition to the above, the Department may institute other enforcement procedures authorized by law.

Definitions

Wherever used or referred to in this permit, unless the context clearly indicates otherwise, terms shall have the same meaning as supplied by the Mining Act, GS 74-49.

Modifications

<u>January 31, 1989:</u> This permit has been modified to allow the relocation of the existing stream south of the existing quarry excavation as per the revised Erosion Sediment Control and Drainage Plan dated January 10, 1989 provided that this plan complies with the rules and regulations promulgated by the US Army Corps of Engineers.

<u>August 4, 1993:</u> This permit has been modified to allow land application of contaminated soils as indicated on the Mine Map dated May 18, 1992 and revised May 26, 1993 and on the Erosion Control Detail Sheet dated May 18, 1992 and revised May 26, 1993. This activity shall be in accordance with all applicable rules and regulations administered by the Environmental Management Commission.

<u>July 2, 1998:</u> This permit has been modified to allow the construction of a 3 acre overburden disposal area, an additional stream crossing, and the addition of associated sediment and erosion control measures as per the modification application dated March 1998 and the revised Site Plan dated May 1998.

<u>January 1, 2000:</u> This permit has been modified to change the corporate name from Vulcan Materials Company to Vulcan Construction Materials, LP.

<u>December 20, 2001:</u> This permit has been modified to allow the southeast pit expansion, removal of the existing overburden disposal berm, and realignment of the perimeter road as indicated on the Mine Map dated August 29, 2001 and last revised October 31, 2001.

April 15, 2004: This permit has been modified to increase the permitted acreage to 425.92 acres and the affected acreage at this site to 400 acres as indicated on the mine maps last revised February 13, 2004. The modification includes the expansion to the south and for other purposes including future reserves to the east, drainage channel relocation to the southern extent of the site, two creek crossing installations and maintenance of the associated sediment and erosion control measures.

August 21, 2012: This permit has been modified to reduce the affected acreage at this site to 391.3 acres as indicated on the 2012 Renewal Mine Map last revised July 18, 2012. This modification includes the relocation of a stream crossing, relocation of a screening berm, removal of a major diversion channel, addition of new sediment control basins and redesign of erosion control measures to the updated standards. In addition, the affected acreage has been reduced based on updated surveys and aerial mapping.

<u>August 22, 2013:</u> This permit has been modified to decrease the affected acreage at this site to 382.8 acres and decrease the permitted acres to 415 acres as indicated on the mine map dated August 22, 2013.

<u>August 18, 2015</u>: This permit has been modified to change the corporate name from Vulcan Construction Materials, LP., to Vulcan Construction Materials, LLC.

<u>December 1, 2017:</u> This permit has been issued for the life of site or the duration of the lease term.

<u>September 30, 2020:</u> This permit has been modified to increase the permitted acreage to 553.8 acres and the affected acreage at this site to 478.5 acres as indicated on the Mine Modification Map dated July 10, 2020. The modification includes the addition of a 138.8-acre tract of land to the eastern side of the quarry and an approval to construct a material storage area. The modification also includes the addition of 100 foot undisturbed buffers on the eastern and southern side of the property to replace screening berms that were originally approved for the project.

This permit is valid for the life of the site or life of lease, if applicable, as defined by Session Law

2017-209 and has no expiration date. However, all provisions of GS 74-51 and GS 74-52 still apply for new, transferred, and modified mining permits.

Conditions

This Permit shall be subject to the provisions of the Mining Act, GS 74-46, et. seq., and to the following conditions and limitations:

OPERATING CONDITIONS:

1. Wastewater and Quarry Dewatering

- A. Any wastewater processing or mine dewatering shall be in accordance with the permitting requirements and rules promulgated by the N.C. Environmental Management Commission.
- B. Any storm water runoff from the affected areas at the site shall be in accordance with any applicable permit requirements and regulations promulgated by the Environmental Protection Agency and enforced by the N.C. Environmental Management Commission. It shall be the permittee's responsibility to contact the Division of Water Quality to secure any necessary storm water permits or other approval documents.

2. Air Quality and Dust Control

- A. Any mining related process producing air contaminant emissions including fugitive dust shall be subject to the requirements and rules promulgated by the N.C. Environmental Management Commission and enforced by the Division of Air Quality.
- B. The permanent access (plant entrance) road shall be paved a minimum of 200 linear feet. During processing operation, water trucks or other means that may be necessary shall be utilized to prevent dust from leaving the permitted area.

3. Buffer Zones

- A. Any mining activity affecting waters of the State, waters of the U. S., or wetlands shall be in accordance with the requirements and regulations promulgated and enforced by the N. C. Environmental Management Commission.
- B. Sufficient buffer shall be maintained between any affected land and any adjoining waterway or wetland to prevent sedimentation of that waterway or wetland from erosion of the affected land and to preserve the integrity of the natural watercourse or wetland.

- C. All buffer zones shown on the 2020 Modification Mine Map last revised July 10, 2020 shall be maintained to protect adjoining property. These buffer zones, with the exception of the installation of required sediment control measures and approved earthen berms, shall remain undisturbed.
- D. The 100-foot-wide stream crossing shall not be installed until the proper approvals/permits have been obtained from the Division of Water Quality and any other applicable agencies.

4. <u>Erosion and Sediment Control</u>

- A. Adequate mechanical barriers including, but not limited to diversions, earthen dikes, check dams, sediment retarding structures, rip rap pits, or ditches shall be provided in the initial stages of any land disturbance and maintained to prevent sediment from discharging onto adjacent surface areas or into any lake, wetland or natural watercourse in proximity to the affected land.
- B. All mining activities, including the installation and maintenance of all erosion and sedimentation control measures, shall be conducted as indicated on the 2020 Modification Mine Map last revised July 10, 2020. Mining activities shall also be conducted to follow the 2012 supplemental information received by the Land Quality Section on April 17, 2012 and July 20, 2012 with the stipulation that the 100-foot-wide stream crossing shall not be installed until the proper approvals/permit have been obtained from the Division of Water Quality and any other applicable agencies.
- C. An erosion and sediment control plan(s) shall be submitted to the Department for approval prior to any land disturbing activities not indicated on the revised erosion control plan or mine maps submitted with the approved application for a mining permit and any approved revisions to it. Such areas include, but are not limited to, expansion outside of the approved pit area, creek crossings, or expansion of overburden or waste disposal areas.

5. Groundwater Protection

- A. The observation wells denoted on the 2020 Modification Mine Map last revised July 10, 2020 shall be monitored at least 30 days prior to initiating any excavations of consolidated material (rock) in the initial pit area to allow for the determination of pre-existing (static) groundwater levels.
- B. The observation wells shall be drilled wells cased into consolidated rock and grouted to the surface. The wells (boreholes) shall be extended at least 50 feet below static water level, or at least 50 feet into unweathered rock, whichever is deeper. The wells shall be secured against unauthorized entry with a lockable cap. The necessary permits or approvals to construct these wells shall be obtained from the N.C. Division of Water Quality.

C. The observation wells shall be monitored quarterly at the same day and approximate time of day. The static water levels shall be measured with an accuracy of plus or minus 0.1 foot and shall be referenced to a datum point and a record of the water levels maintained. The quarterly precipitation and the volume of pit water discharge shall also be recorded. Copies of these records shall be provided to the Department on or about the end of each quarter. Static water level monitoring frequency may be increased or decreased as deemed appropriate by the Department.

6. Graded Slopes and Fills

- A. The angle for graded slopes and fills shall be no greater than the angle which can be retained by vegetative cover or other adequate erosion control measure, structure, or device. In any event, exposed slopes or any excavated channels, the erosion of which may cause off-site damage because of siltation, shall be planted, or otherwise provided with groundcover, devices, or structures sufficient to restrain such erosion.
- B. Overburden cut slopes along the quarry opening shall be graded to a minimum 2 horizontal to 1 vertical or flatter and shall be stabilized within 60 days of completion. Furthermore, a minimum ten (10) foot wide horizontal safety bench shall be provided at the top of the rock and at the toe of any overburden slope.

7. Surface Drainage

The affected land shall be graded so as to prevent collection of pools of water that are, or likely to become, noxious or foul. Necessary structures such as drainage ditches or conduits shall be constructed or installed when required to prevent such conditions.

8. Blasting

The operator shall monitor each blast with a seismograph located at a distance no farther than the closest off site regularly occupied structure not owned or leased by the operator. A seismographic record including peak particle velocity, air overpressure, and vibration frequency levels shall be kept for each blast (except as provided under Operating Condition Nos. 8B and 8D of this permit). The following blasting conditions shall be observed by the mine operator to prevent hazard to persons and adjacent property from surface blasting:

A. <u>Ground Vibration with Monitoring:</u>

In all blasting operations, the maximum peak particle velocity of any component of ground motion shall not exceed Figure 1 (below) at the immediate location of any regularly occupied building outside of the permitted area such as a dwelling house, church, school, or public, commercial or institutional building.

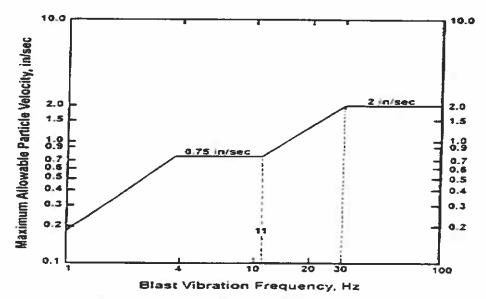


Figure 1 Alternative blasting level criteria (Source modified from figure 8-1. Bureau of Mines R18507)

B. Ground Vibration without Monitoring:

In the event of seismograph malfunction or other condition which prevents monitoring, blasting shall be conducted in accordance with the following formulas:

$$W = (D/D_s)^2$$
 $D_s = \frac{D}{W^{1/2}}$ $V = 160(D_s)^{-1.6}$

W = Maximum charge weight of explosives per delay period of 8.0 milliseconds or more (pounds).

D = Distance from the blast site to the nearest inhabited building not owned or leased by the mine operator (feet).

 D_s = Scaled distance factor.

V = Peak Particle Velocity (inches per second).

The peak particle velocity of any component shall not exceed 1.0 inch per second, for the purposes of this Section.

C. <u>Air Blast with Monitoring:</u>

Air blast overpressure resulting from surface blasting shall not exceed 129 decibels linear (dBL) as measured at the immediate location of any regularly

occupied building not owned or leased by the operator outside of the permitted area such as a dwelling house, church, school, or public, commercial or institutional building, unless an alternate level based on the sensitivity of the seismograph microphone as specified below is being used:

Lower Frequency Limit of Measuring System, in Hz	Max Level, in dBL
weasuning System, in riz	ш арг
0.1 Hz or lower-flat response	134 peak
2.0 Hz or lower-flat response	133 peak
6.0 Hz or lower-flat response	129 peak

D. Air Blast without Monitoring:

In the event of seismograph malfunction or other condition which prevents monitoring, blasting shall be conducted in accordance with the following formulas:

$$U = 82 (D/W^{0.33})^{-1.2}$$

To convert U (psi) to P (dBL):

$$P = 20 \times \log (U/2.9 \times 10^{-9})$$

Confined Air blast/Overpressure (dBL) for quarry situation:

$$A = P - 35$$

U = Unconfined air overpressure (pounds per square inch).

W = Maximum charge weight of explosives per delay period of 8.0 milliseconds or more (pounds).

D = Distance from the blast site to the nearest inhabited building not owned or leased by the mine operator (feet).

P = Unconfined air overpressure (decibels).

A = Air blast or air overpressure for typical quarry situations (decibels).

The air blast/overpressure shall not exceed 129 decibels, for the purposes of this Section.

E. Record Keeping:

The operator shall maintain records on each individual blast describing: the total number of holes; pattern of holes and delay of intervals; depth and size of holes; type and total pounds of explosives; maximum pounds per delay interval; amount of stemming and burden for each hole; blast location; distance from blast to

closest offsite regularly occupied structure; and weather conditions at the time of the blast. Records shall be maintained at the permittee's mine office and copies shall be provided to the Department upon request.

F. Excessive Ground Vibration/Air Blast Reporting:

If ground vibration or Air blast limits are exceeded, the operator will immediately report the event with causes and corrective actions to the Department. Use of explosives at the blast site that produced the excessive reading shall cease until corrective actions approved by the Department are taken. However, blasting may occur in other approved areas within the permitted boundary. Authorization to blast at the blast site may be granted at the time of the verbal reporting of the high ground vibration or high air blast reading if the circumstances justify verbal approval. Failure to report will constitute a permit violation.

G. Flyrock Prevention:

The operator shall take all reasonable precautions to ensure that flyrock is not thrown beyond areas where the access is temporarily or permanently guarded by the operator. Failure to take corrective measures to prevent flyrock and repeated instances of flyrock shall be considered a violation of the Mining Permit.

H. Flyrock Reporting:

Should flyrock occur beyond the permitted and guarded areas, the operator shall immediately report the incident to the Department. Further use of explosives on the mine site shall be suspended until the following actions have been taken:

- 1. A thorough investigation as to the cause(s) of the incident shall be conducted.
- 2. A report detailing the investigation shall be provided to the Department within 10 days of the incident. The report shall, at a minimum, document the cause(s) of the incident along with technical and management actions that will be taken to prevent further incidents. The report shall meet with the approval of the Department before blasting may resume at the mine site.

I. Studies:

The operator shall provide to the Department a copy of the findings of any seismic studies conducted at the mine site in response to an exceedance of a level allowed by these blasting conditions. The operator shall make every reasonable effort to incorporate the studies' recommendations into the production blasting program.

J. Notice:

The operator shall, when requested by the Department, give 24-hour advance notice to the Land Quality Section Regional Office prior to any blast during a period for which notice is requested.

9. High Wall Barrier

A physical barrier consisting of large boulders placed end-to-end or fencing shall be maintained at all times along the perimeter of any highwall to prevent inadvertent public access. In addition, a minimum 10 foot wide horizontal safety bench shall be provided at the junction between the top of rock and the toe of any overburden cut slope.

10. <u>Visual Screening</u>

- A. Existing vegetation shall be maintained between the mine and public thoroughfares to screen the operation from the public. Additional screening methods, such as constructing earthen berms, shall be employed as deemed appropriate by the Department.
- B. Vegetated earthen berms shall be located and constructed as shown on the 2020 Modification Mine Map last revised July 10, 2020. In addition to grasses, long leaf and/or Virginia pines or other acceptable evergreen species shall be planted as deemed appropriate by the Department to improve visual and noise buffering.

11. Plan Modification

The operator shall notify the Department in writing of the desire to delete, modify or otherwise change any part of the mining, reclamation, or erosion/sediment control plan contained in the approved application for a mining permit and any approved revisions to it. Approval to implement such changes must be obtained from the Department prior to on-site implementation of the revisions.

12. Refuse Disposal

- A. No on-site disposal of refuse or other solid waste that is generated outside of the mining permit area shall be allowed within the boundaries of the mining permit area <u>unless</u> authorization to conduct said disposal has first been obtained from both the Division of Waste Management and the Land Quality Section, Department of Environment and Natural Resources. The method of disposal shall be consistent with the approved reclamation plan.
- B. Mining refuse as defined by GS 74-49 (14) of The Mining Act of 1971 generated on-site and directly associated with the mining activity may be disposed of in a designated refuse area. All other waste products must be disposed of in a

disposal facility approved by the Division of Waste Management. No petroleum products, acids, solvents or their storage containers or any other material that may be considered hazardous shall be disposed of within the permitted area.

- C. For the purposes of this permit, the Division of Land Resources considers the following materials to be "mining refuse" (in addition to those specifically listed under G.S. 74-49 (14) of the N.C. Mining Act of 1971):
 - 1. on-site generated land clearing debris
 - 2. conveyor belts
 - 3. wire cables
 - 4 v-belts
 - 5. steel reinforced air hoses
 - 6. drill steel
- D. If mining refuse is to be permanently disposed within the mining permit boundary, the following information must be provided to and approved by the Division of Land Resources prior to commencement of such disposal:
 - 1. the approximate boundaries and size of the refuse disposal area;
 - 2. a list of refuse items to be disposed;
 - verification that a minimum of 4 feet of cover will be provided over the refuse;
 - 4. verification that the refuse will be disposed at least 4 feet above the seasonally high water table; and
 - 5. verification that a permanent vegetative groundcover will be established.

13. Annual Reclamation Report

An Annual Reclamation Report and Annual Operating Fee of \$400.00 shall be submitted to the Department by September 1 of each year until reclamation is completed and approved for release by the Department.

14. Bonding

The security, which was posted pursuant to GS 74-54 in the form of a \$1,000,000.00 blanket bond, is sufficient to cover the operation as indicated in the approved application. This security must remain in force for this permit to be valid. The total affected land shall not exceed the bonded acreage.

15. Archaeological Resources

Authorized representatives of the Division of Archives and History shall be granted access to the site to determine the presence of significant archaeological resources.

APPROVED RECLAMATION PLAN

The Mining Permit incorporates this Reclamation Plan, the performance of which is a condition on the continuing validity of that Mining Permit. Additionally, the Reclamation Plan is a separable obligation of the permittee, which continues beyond the terms of the Mining Permit.

The approved plan provides:

Minimum Standards as Provided by GS 74-53

- 1. The final slopes in all excavations in soil, sand, gravel, and other unconsolidated materials shall be at such an angle as to minimize the possibility of slides and be consistent with the future use of the land.
- 2. Provisions for safety to persons and to adjoining property must be provided in all excavations in rock.
- 3. All overburden and spoil shall be left in a configuration which is in accordance with accepted conservation practices and which is suitable for the proposed subsequent use of the land.
- 4. No small pools of water shall be allowed to collect or remain on the mined area that are, or are likely to become noxious, odious, or foul.
- 5. The revegetation plan shall conform to accepted and recommended agronomic and reforestation practices as established by the North Carolina Agricultural Experiment Station and the North Carolina Forest Service.
- 6. Permittee shall conduct reclamation activities pursuant to the Reclamation Plan herein incorporated. These activities shall be conducted according to the time schedule included in the plan, which shall to the extent feasible provide reclamation simultaneous with mining operations and in any event, provide reclamation at the earliest practicable time after completion or termination of mining on any segment of the permit area and shall be completed within two years after completion or termination of mining.

RECLAMATION CONDITIONS:

- Provided further, and subject to the Reclamation Schedule, the planned reclamation shall be to allow the quarry excavation to fill with water, provide a permanent barricade (fence) along the top of any high wall, and grade and revegetate any areas in unconsolidated material.
- 2. The specifications for surface gradient restoration to a surface suitable for the planned future use are as follows:

- A. All areas of unconsolidated material such as overburden or waste piles shall be graded to a 2 horizontal to 1 vertical or flatter slope and terraced as necessary to insure slope stability.
- B. Any settling ponds and sediment control basins shall be backfilled, graded, and stabilized or cleaned out and made into acceptable lake areas.
- C. The processing, stockpile, and other disturbed areas neighboring the mine excavation shall be leveled and smoothed.
- D. Compacted surfaces shall be disked, subsoiled, or otherwise prepared before revegetation.
- E. No contaminants shall be permanently disposed of at the mine site. On-site disposal of waste shall be in accordance with Operating Conditions Nos. 12.A. through D.
- F. The affected land shall be graded to prevent the collection of noxious or foul water.

3. Revegetation Plan:

Disturbed areas shall be permanently revegetated according to the Revegetation Plan prepared by Mr. Robert J. Grill, Landscape Architect, on March 4, 2002 or the following:

Permanent Seeding Specifications

<u>Dates</u>	<u>Species</u>	Rate, Lbs./Acre
February 15- April 1	Korean Lespedeza Fescue Redtop Winter rye (grain)	10 40 1 15
April 1- July 31	Common Bermuda	50
August 1- October 25	Lespedeza (unscarified) German millet	30 40
October 25- February 15	Rye (grain- temporary)	120

Soil Amendments

Lime: 2000 lbs./acre or follow recommendations from a soil test.

Fertilizer: 1000 lbs./acre 8-8-8 or 10-10-10 or follow recommendations from a soil

test.

Mulch: All seeded areas shall be mulched using small grain straw at a rate of

2000 lbs./acre and anchored appropriately.

Whenever possible, disturbed areas should be vegetated with native warm season grasses such as switch grass, Indian grass, bluestem, and gamma grass.

In addition, the permittee shall consult with a professional wildlife biologist with the N.C. Wildlife Resources Commission to enhance post-project wildlife habitat at the site.

4. Reclamation Plan:

Reclamation shall be conducted simultaneously with mining to the extent feasible. In any event, reclamation shall be initiated as soon as feasible after completion or termination of mining of any mine segment under permit. Final reclamation, including revegetation, shall be completed within two years of completion or termination of mining.

This permit, issued August 31, 1972 to Young Stone Company, Inc., renewed September 1, 1982, transferred September 1, 1966 to Vulcan Construction Company, Modified January 31, 1989, renewed October 30, 1992, modified August 4, 1993, July 2, 1998, January 1, 2999, December 20, 2001, renewed May 1, 2001 and modified April 18, 2004, simultaneously renewed and modified August 21, 2012, modified August 18, 2015 and December 1, 2017, is hereby modified this 30th day of September, 2020 pursuant to GS 74-52.

Brian Wrenn, Director

By: Denne Miller

Division of Energy, Mineral, and Land Resources

By Authority of the Secretary

Of the Department of Environmental Quality

STATE OF NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY DIVISION OF ENERGY, MINERAL AND LAND RESOURCES

GENERAL PERMIT NO. NCG020000 CERTIFICATE OF COVERAGE No. NCG020108

STORMWATER AND WASTEWATER DISCHARGES NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provision of North Carolina General Statute 143-215.1, other lawful standards and regulations promulgated and adopted by the North Carolina Environmental Management Commission, and the Federal Water Pollution Control Act, as amended,

Vulcan Construction Materials LP

is hereby authorized to discharge stormwater and/or wastewater, as provided in the original Certificate of Coverage (COC), or subsequent COC modification, from a facility located at:

Vulcan Construction Materials-Gold Hill 16745 Old Beatty Ford Rd Gold Hill Cabarrus County

to receiving waters designated as Long Creek, class C water(s) in the Yadkin River Basin(s) in accordance with the stormwater pollution management requirements, monitoring and reporting requirements, and other conditions set forth in Parts I, II, III, IV, V, and VI of General Permit No. NCG020000 as attached.

This Certificate of Coverage shall become effective October 1, 2015.

This Certificate of Coverage shall remain effective for the duration of the General Permit.

Signed this day October 1, 2015.

for Tracy E. Davis, P.E., CPM

Bradley Bennett

Director, Division of Energy, Mineral and Land Resources By the Authority of the Environmental Management Commission

AMENDED JUSTIFICATION OF ALTERNATIVE METHOD OF COMPLIANCE WITH LANDSCAPE REQUIREMENTS

Applicant Vulcan Materials Company ("Vulcan") seeks to rezone 138.38 acres of vacant, wooded property from O/I to GI-CU (the "Site"). Use of approximately 113 acres of the Site will be devoted to storage of overburden from the existing, adjacent mining operations. The remaining 25 acres identified as Area 5 will be left in its natural state, save and except for standards forestry operations and pond maintenance activities. No excavation (pit) is proposed for the Site. The adjacent Gold Hill Quarry has been in operation for over 60 years.

Overburden (consisting of rocks and dirt) will be placed on the Site within the phased areas and over time, graded and seeded to create a series of vegetated plateaus. Unlike most "development", use of each phased area will likely move slowly, estimated at between 2-5 years per phase. No structures are proposed for the Site; the area to remain vacant and inhabited only by native plantings and wildlife.

The property abutting the Site's eastern and northeastern boundaries is used for existing Quarry operations. Property to the North of the Site, in Rowan County, is zoned IND (industrial). The Site's other non-quarry boundaries are against vacant AO zoning.

Chapter 8 Conditional Uses, Section 12 "Extraction of Earth Products" provides a site specific buffer standard for quarry use and specifically requires a Level 2 buffer around the perimeter of the "facility". We read this to mean that a minimum 75 foot wide buffer consisting of 4 trees or 8 ornamentals plus 20 shrubs per 100 linear feet is required around the perimeter of the Site, except adjacent to existing Quarry.

The Site also has frontage along a small portion of Gold Hill Road E. Chapter 9-8 requires a 10 foot street yard buffer against any public right of ways such as Gold Hill Road E. The standard street yard buffer requires one canopy or two understory trees plus 10 shrubs per 30 linear feet.

As part of this project, Applicant proposes to use existing vegetation to buffer the vegetated plateaus created by the overburden storage. Applicant will literally be buffering a 138 acre buffer.

The non-quarry perimeter of the Site is wooded with ample existing vegetation that will provide visual screening and separation of use against adjacent tracts. Area 5 will serve as 25 acres of additional buffer against existing quarry operations.

Given the proposed use of the Site and its ample existing vegetation, Applicant proposes the following alternative buffers as an alternate method of complying with the required buffers for this Site.

1. The landscape requirements that will be met with the modifications.

Applicant proposes using a 100 foot wide perimeter landscape buffer around the non-quarry perimeter of the Site.

The proposed perimeter buffer will consist of existing vegetation that will provide visual screening and separation between uses.

In areas identified on the Landscape Plan (sheets 15 and 16) of the Site Plan where the existing vegetation does not provide adequate visual screening, Applicant shall supplement as described in the Site Plan prior to commencement of mining activities in the phase in which the identified area is located.

The Site is phased. Prior to commencing any mining related activities in a phase, Applicant will review existing vegetation with County Staff to determine whether any additional plantings are necessary to provide visual screening and separation.

2. The landscape requirements that will not be met with the modifications.

Applicant proposes using 100 foot wide perimeter landscape buffer of existing vegetation around the non-quarry perimeter of the Site.

The proposed buffer may not include the requisite number of shrubs and trees to meet the precise "per linear feet" requirements perimeter and street yard buffer requirements.

3. Which of the conditions set forth above justify consideration of the proposed alternative plan?

- a. The density of the existing vegetation along the majority of the Site's boundaries will make it difficult, if not impossible for shrubbery plantings to survive.
- b. Compliance with Ordinance shrub quotas will necessitate removal of existing trees and other vegetation just to clear a path for the planting equipment. Additional area will also need to be cleared to install erosion control measures to prevent sediment loss from the access clearing and planting bed construction.
- c. Natural vegetation on the Site, if undisturbed during the phased development process, can meet or exceed the required vegetation.
- d. Restricted use of Area 5 to remain in its natural state and left undisturbed save forestry operations and pond maintenance.
- e. Limited use of Phases 1-4 areas for overburden storage.
- f. Buffering vegetated plateaus created by the overburden storage. Plateaus will not exceed 40 feet in height.

Such site conditions make strict compliance with Ordinance requirements impractical if not impossible.

4. How the proposed alternative plan meets or exceeds what is required by the Ordinance and how it meets the intent of the Ordinance Approval of modification.

There are three types of landscape buffers provided for in the Ordinance that collectively provide separation and screening requirements between uses. Recognizing that not every situation can be covered (or anticipated) by these buffers, the Ordinance affords flexibility in buffer design and implementation.

The Site is located on the border of Cabarrus and Rowan County, well outside any City limits. Surrounding the Site are large acreage tracts devoted to industrial, agricultural or vacant uses. Adjacent properties are at least partially wooded, as are the boundaries of the Site. Provision of natural undisturbed meets the intent of the Ordinance by providing denser, faster growing screening, against adjacent uses. As such the alternative buffer yard set forth above meet or exceed the requirements of the Ordinance for visual screening and separation.



Cabarrus County Government – Planning and Development Department

January 19, 2021

Dear Property Owner:

A Zoning Map Amendment Petition has been filed in our office for property **adjacent** to yours. The properties and specifics of the rezoning are listed below. The Cabarrus County Planning and Zoning Board will consider this petition on Tuesday, February 9, 2021 at 7:00 PM in the Cabarrus Room of the Cabarrus Arena & Events Center, located at 4751 NC Highway 49 North, Concord, NC 28025. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about the rezoning, I encourage you to attend this meeting.

Petitioner	Vulcan Lands, Inc.
Petition Number	RZON2021-00001
Property Location	5300 Gold Hill Road E
Parcel ID Number	6603-26-2969
Existing Zoning	Office / Institutional (OI)
Proposed Zoning Map Change	General Industrial – Conditional Use (GI-CU)

If you have any questions regarding this petition, or the hearing process, please contact me at Cabarrus County Planning and Development at 704.920.2181.

Sincerely,

Phillip Collins, AICP

Its Collins

Senior Planner

Cabarrus County Planning and Development

704.920.2181



Cabarrus County Government - Planning and Development Department

January 19, 2021

Dear Property Owner:

A Zoning Map Amendment Petition has been filed in our office for your property. The specifics of the request are listed below. The Cabarrus County Planning and Zoning Board will consider this petition on Tuesday, February 9, 2021 at 7:00 PM in the Cabarrus Room of the Cabarrus Arena & Events Center, located at 4751 NC Highway 49 North, Concord, NC 28025. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about the rezoning request, I encourage you to attend this meeting.

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Sincerely,

Phillip Collins, AICP

ills Collins

Senior Planner

Cabarrus County Planning and Development

704.920.2181



Planning and Development Department • Planning Division

February 1, 2021

To: Adjacent Property Owners

From: Phillip Collins, Senior Planner

CC: File

Re: RZON2021-00001 Vulcan, 5300 Gold Hill Road East

In accordance with state and local laws, informational letters about a proposed rezoning of the property mentioned above (submitted by Vulcan Lands Inc.) were sent out on January 19. The letters were sent to all property owners who own property directly adjacent to the property in question and announced that the request was to be heard at the February 9th meeting of the Planning and Zoning Commission. However, since that time, the applicant found that the outstanding issues with the site plan were too great to have completed in time for the February meeting. Therefore, Vulcan Lands Inc. has requested that the rezoning be tabled until the April 13th meeting of the Planning and Zoning Commission.

The Planning and Zoning Commission will be presented with this tabling request at the February meeting where they will vote to table the matter until the April meeting. As all meetings of the Planning and Zoning Commission are open to the public, you are welcome to attend, but this notification is to inform you that the Vulcan Lands Inc. rezoning request will not be heard at the February meeting.

Thanks,

Phillip Collins, AICP Senior Planner 704.920.2181

helf Collins

pecollins@cabarruscounty.us

Phone: 704.920.2141 * Fax: 704.920.2144 Website: www.cabarruscounty.us

Planning and Development

Memo

To: Cabarrus County Planning and Zoning Commission

From: Phillip Collins, Senior Planner

CC: File

Date: February 9, 2021

Re: RZON2021-00001 Vulcan

Vulcan submitted an application for a Conditional Rezoning from OI to GI-CU to allow the expansion of the Gold Hill mining operation onto an adjacent parcel. The property will be used to store materials from the mine.

The applicant is requesting that the case be tabled until the April Planning and Zoning Commission meeting to allow additional time to address outstanding comments related to the site plans.

The case has be advertised, the sign posted and adjacent property owners notified. An updated letter was sent to the adjacent property owners letting them know the applicant is requesting that the case be tabled.

The Planning and Zoning Commission will need to vote to table the meeting until the April meeting or the next available agenda due to COVID-19 regulations and guidelines.



Cabarrus County Government

Planning and Development Department • Planning Division

March 22, 2021

To: Adjacent Property Owners

From: Phillip Collins, Senior Planner

CC: File

Re: RZON2021-00001 Vulcan, 5300 Gold Hill Road East

The purpose of this memo is to update you on the rezoning request from Vulcan for 5300 Gold Hill Road East which is adjacent to your property. The Planning and Zoning Commission will be presented with the rezoning request at its April 13 meeting. The meeting will begin at 6:30 pm in the Cabarrus Room of the Cabarrus Arena & Events Center, located at 4751 NC Highway 40 North, Concord NC 28025. The meeting is open to the public and you are welcome to attend. If you have questions, you may contact me at the contact information given below.

Thanks,

Phillip Collins, AICP Senior Planner

Philly Collins

704.920.2181

pecollins@cabarruscounty.us

Phone: 704.920.2141 * Fax: 704.920.2144 Website: www.cabarruscounty.us



Cabarrus County Government – Planning and Development Department

March 24, 2021

Dear Property Owner:

A Zoning Map Amendment Petition has been filed in our office for property **adjacent** to yours. The properties and specifics of the rezoning are listed below. The Cabarrus County Planning and Zoning Board will consider this petition on Tuesday, April 13, 2021 at 6:30 PM in the Cabarrus Room of the Cabarrus Arena & Events Center, located at 4751 NC Highway 49 North, Concord, NC 28025. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about the rezoning, I encourage you to attend this meeting.

Petitioner	Vulcan Lands, Inc.
Petition Number	RZON2021-00001
Property Location	5300 Gold Hill Road E
Parcel ID Number	6603-26-2969
Existing Zoning	Office / Institutional (OI)
Proposed Zoning Map Change	General Industrial – Conditional Use (GI-CU)

If you have any questions regarding this petition, or the hearing process, please contact me at Cabarrus County Planning and Development at 704.920.2181.

Sincerely,

Phillip Collins, AICP Senior Planner

tell Collins

Cabarrus County Planning and Development

704.920.2181

PROPERTY OWNER 6603262969 VULCAN LANDS INC 1200 URBAN CENTER DR VESTAVIA, NC 35242

383 032	6603058671	6603192311
CAROLINA STALITE COMPANY	CARPENTER DONALD F	GARY & AMY RINEHARDT
PO BOX 1037	5201 GOLD HILL RD E	2468 TWELVE OAKS RD
SALISBURY, NC 28145	GOLD HILL, NC 28071	CONCORD, NC 28025
6603067024	6604104069	6603180236, 6603171916 &
JASON & REBECCA CLINE	JOHN & ERIN FERRANTE	6603078330
5301 GOLD HILL RD E	1233 PRESSLEY DOWNS DR SE	JON & BARBARA JACKSON
GOLD HILL, NC 28071	CONCORD, NC 28025	5450 GOLD HILL RD E
		GOLD HILL, NC 28071
6603089746	5693962823	6603255518
KESLER ALLAN L	DARYL PHILEN & KAREN KIEFFER	PIGGOTT DIONNE M
5650 GOLD HILL RD E	PO BOX 1499	644 S MADISON ST
GOLD HILL, NC 28071	MT PLEASANT, NC 28124	EDEN, NC 27288
6603191674	6603471878 & 6603392318	*6603450236
RAUL & MONICA RAMIREZ	YOUNG MARTHA H LF EST	LARRY WAYNE WHITLEY
14816 BAYTOWN CT	5250 MASONS FERRY RD	15103 SHORT CUT RD
HUNTERSVILLE, NC 28078	LAKE WYLIE, SC 29710	GOLD HILL RD E
*6604003208	*6603072261	*6603152752
ROBERT L STADLER	SPARKLE PROPERTIES LLC	CESAR DAVID HURTADO
6050 GOLD HILL RD E	2175 GOLD KNOB RD	ESQUEDA & YESENIA RANGEL
GOLD HILL, NC 28071	SALISBURY, NC 28146	5171 GOLD HILL RD E
		GOLD HILL, NC 28071
	-	

^{*}addresses initially missed but added and letters sent on March 24 for April meeting





Conditional Use Rezoning Request

Johnston Allison Hord

1065 E. Morehead Street Charlotte, NC 28204 www.jahlaw.com



Background / History

- ➤ Gold Hill Quarry has been in existence since 1953 and operated by Vulcan since 1988
- Safely and responsibly supplying crushed stone to build roads, bridges, homes, schools, churches, etc. in the community
- Unique geology supplies Carolina Stalite who produces quality lightweight aggregate that ships worldwide
- Certified Wildlife Habitat Conservation Projects with the Wildlife Habitat Council
- Wildlife & Industry Together (WAIT) certification with the NC Wildlife Federation
- Regulated by numerous Federal, State, and Local agencies including North Carolina Department of Environmental Quality, U.S. Environmental Protection Agency, and U.S. Army Corps of Engineers and includes this site.
- Actively involved in the local and surrounding communities through charitable and in-kind contributions and supporting earth science education along with career exploration

- > Applicant Vulcan Lands, Inc.
- Conditional Use Rezoning
- > Approximately 138 acres
- ➤ Generally between Gold Hill Road E and its existing Gold Hill Quarry ("Site").
- ➤ Limited to Overburden Storage from adjacent Gold Hill Quarry operations.

What is Overburden Storage?

Overburden is the dirt, material, etc. removed during the excavation (mining) process. In other words, the byproduct that is dug up during the process of creating and expanding mining pits. Without Overburden Storage, trucks would have to haul this byproduct off-site

What do Overburden Storage Areas look like?

Overburden Storage Areas consist of plateaus or berms of overburden that are then vegetated with ground cover and left to be reclaimed by nature and surrounding wildlife.

Overburden Storage will not exceed 40 feet in height; lower than the perimeter tree line along most areas of the Site.

Examples of OVB Storage – Macon, Georgia







Examples of OVB Storage – Stafford, Virginia





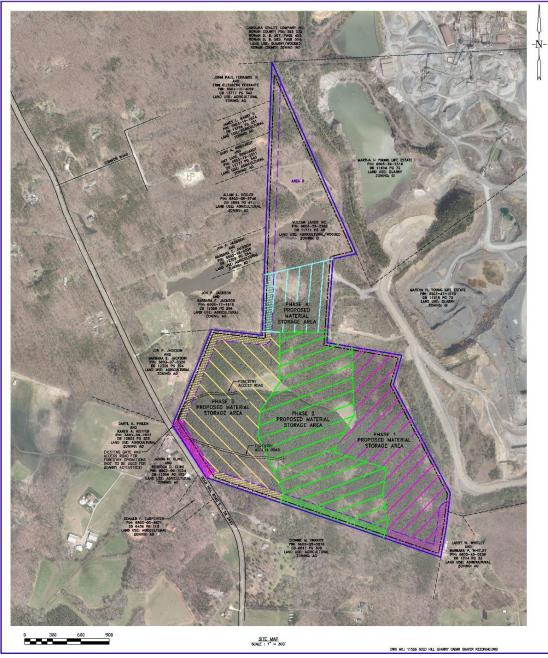


Examples of OVB Storage – Rockingham, North Carolina

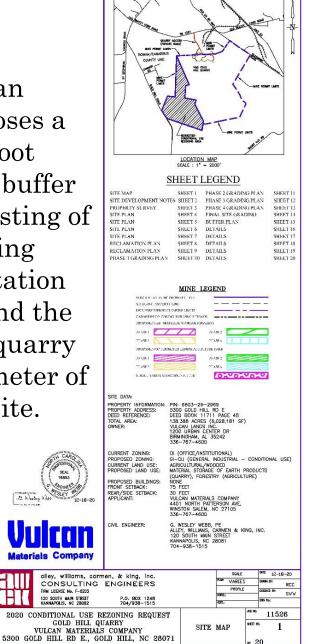




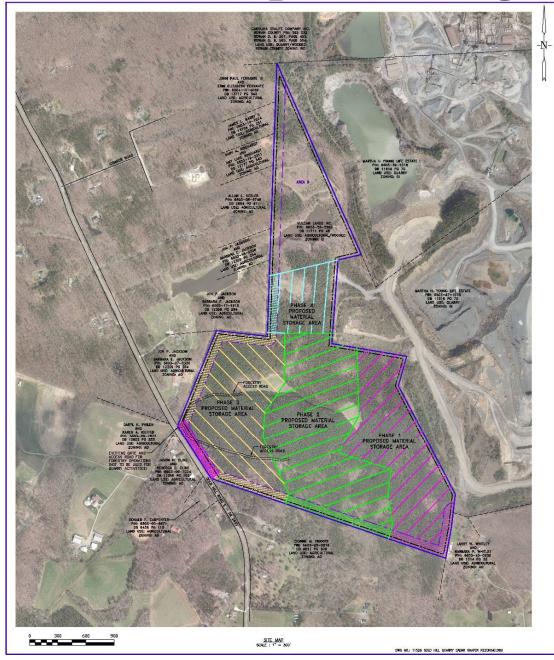
Site Map Showing Phased Areas



Vulcan proposes a 100 foot wide buffer consisting of existing vegetation around the non-quarry perimeter of the Site.



Site Map Showing Phased Areas



The Site is phased 1-4. Area 5 will not be used for overburden storage and, except for timbering, will be left in its natural state.



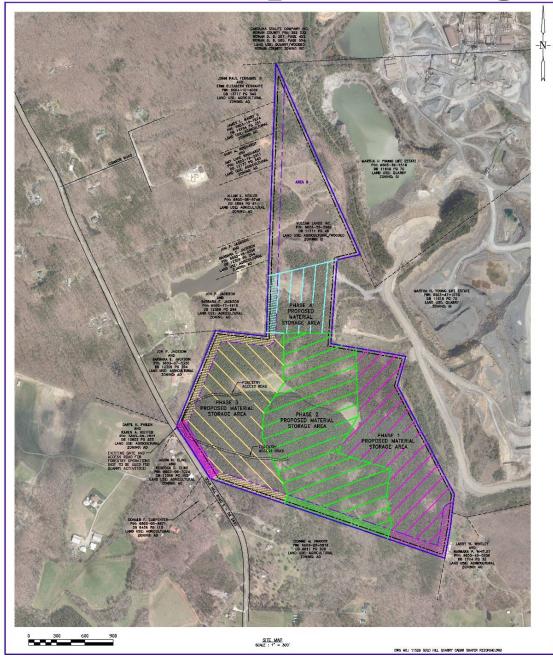
2020 CONDITIONAL USE REZONING REQUEST GOLD HILL QUARRY

VULCAN MATERIALS COMPANY 5300 GOLD HILL RD E., GOLD HILL, NC 28071



11526

Site Map Showing Phased Areas



Prior to commencing operations in each phase, Vulcan and staff will review existing vegetation to ensure the buffer for each phase provides adequate visual screening and separation.





SHEET LEGEND

SHE MAP	SHEET I	PHASE 2 GRADING PLAN	SHEET II
SITE DEVELOPMENT NOTES	SHEET 2	PILASE 3 GRADING PLAN	SHEET 12
PROPERTY SURVEY	SHEET 3	PHASE 4 GRADING PLAN	SHEET 13
SITE PLAN	SHEET 4	FINAL SITE GRADING	SHEET 14
SITE PLAN	SHEET 5	BUFFERPLAN	SHEET 15
HTL PLAN	SHEET 6	DETAILS	SILELT 16
SITE PLAN	SHEET 7	DETAILS	SHEET 17
RECLAMATION PLAN	SHEET 8	DETAILS	SHEET 18
RECLAMATION PLAN	SHEET 9	DETAILS	SHEET 19
PHASE 1 GRADING PLAN	SHEET 10	DETAILS	SHEET 20

MINE LEGEND

ALMAGINE PROPERTY LINE	
DOCUMENTURED CLEARING LIMITS	
CABARRISCO ZOKING BUILDING STELL	vr
PROPOSEDY LISE MATERIAL STORAGE (Q	DARKY
28 ASH 1	PHASE2
ZTASES	TTARE 4
PROPOSED FOR CORMISSION LANDSCALED	ELITTHE YARD
28 ASP 1	PEASE 2
TTARE S	TARK
SUREGUYARD LANDSCAPLOULTURE	0202020

REAR/SIDE SETBACK: APPLICANT:

OI (OFFICE/INSTITUTIONAL) GI-CU (GENERAL INDUSTRIAL AGRICULTURAL/WOODED
MATERIAL STORAGE OF EARTH PRODUCTS

			Q II
		ш	С
	м	**	FIRM
	н		120
_	4		KAN

ley, williams, carmen, & king, inc. ONSULTING ENGINEERS SOUTH MAIN STREET P.O. BOX 1248 704/938-1515

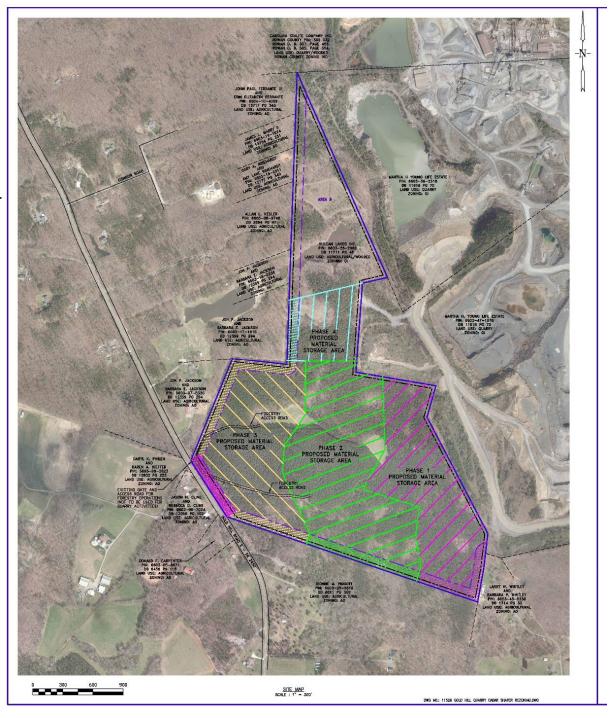
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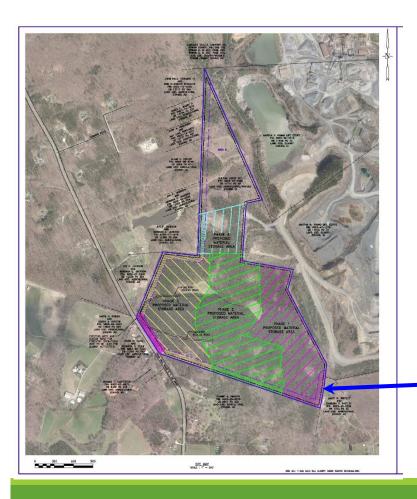
2020 CONDITIONAL USE REZONING REQUEST GOLD HILL QUARRY VULCAN MATERIALS COMPANY 5300 GOLD HILL RD E., GOLD HILL, NC 28071

SITE MAP

Existing
Vegetation will
be used to screen
what, post
development,
will remain a
natural area.

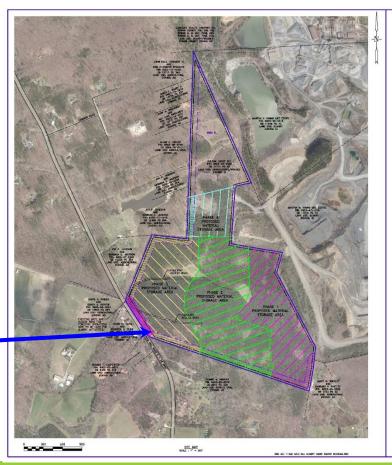
Essentially
Vulcan proposes
buffering a
buffer.

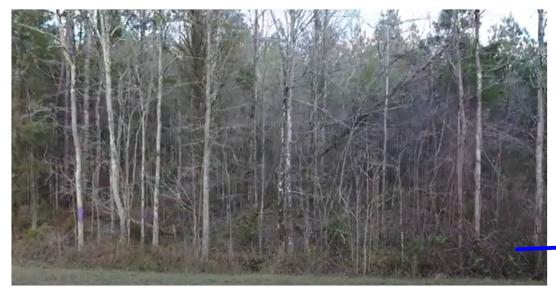


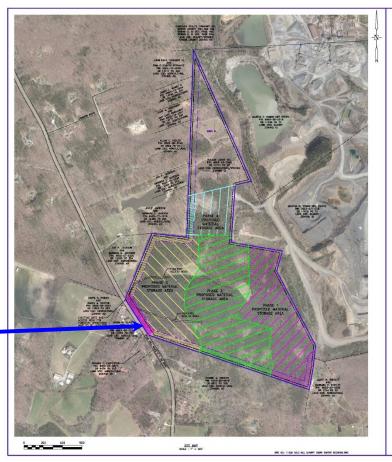




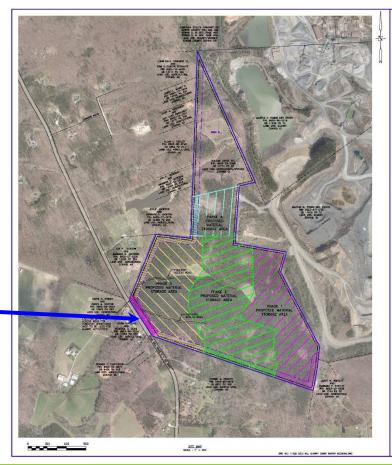




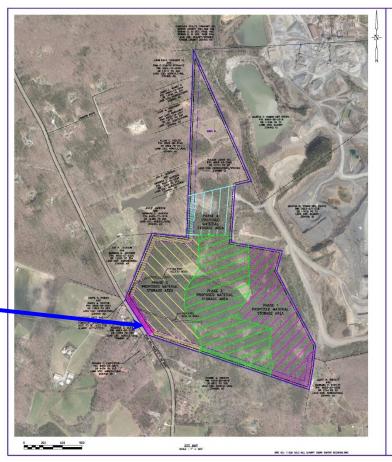




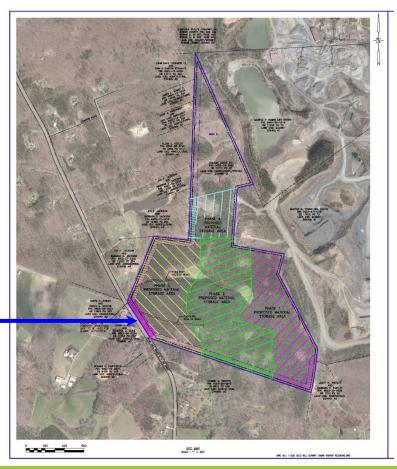


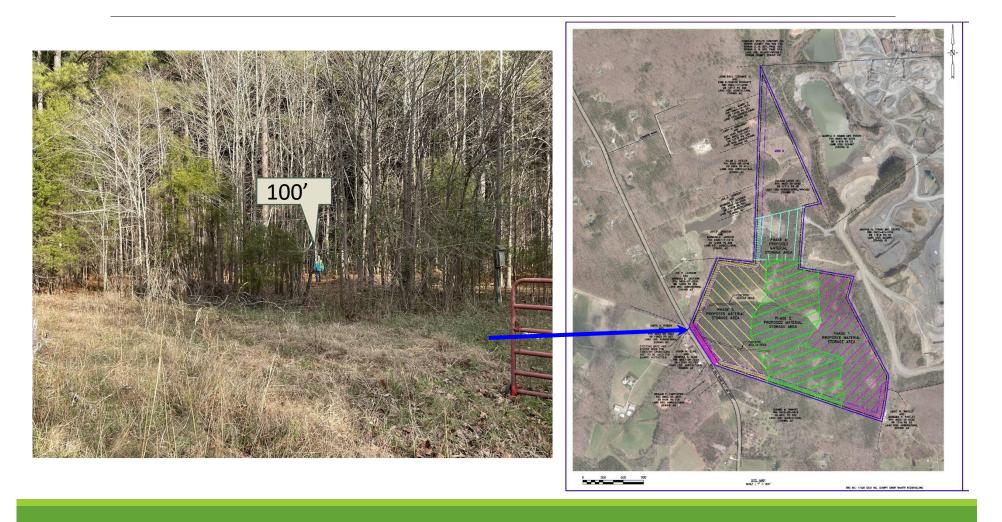




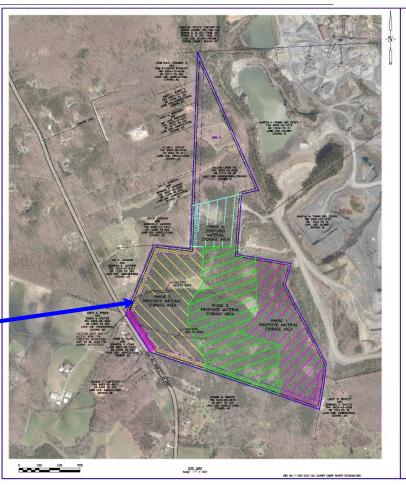






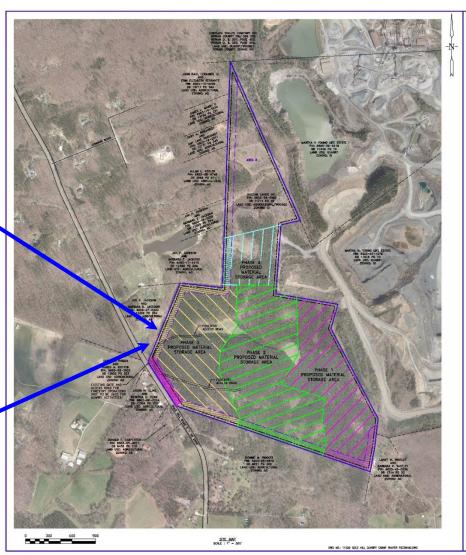


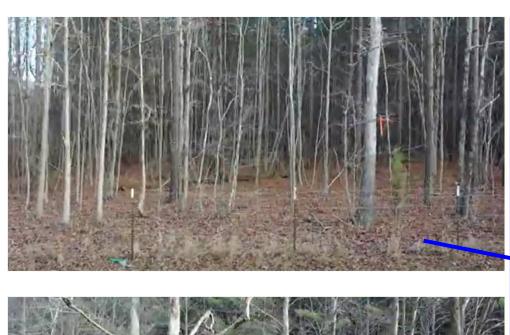




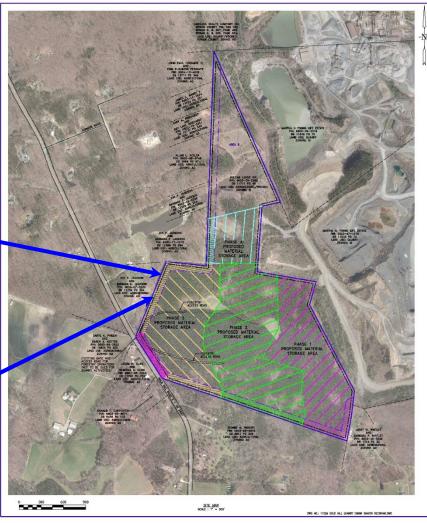






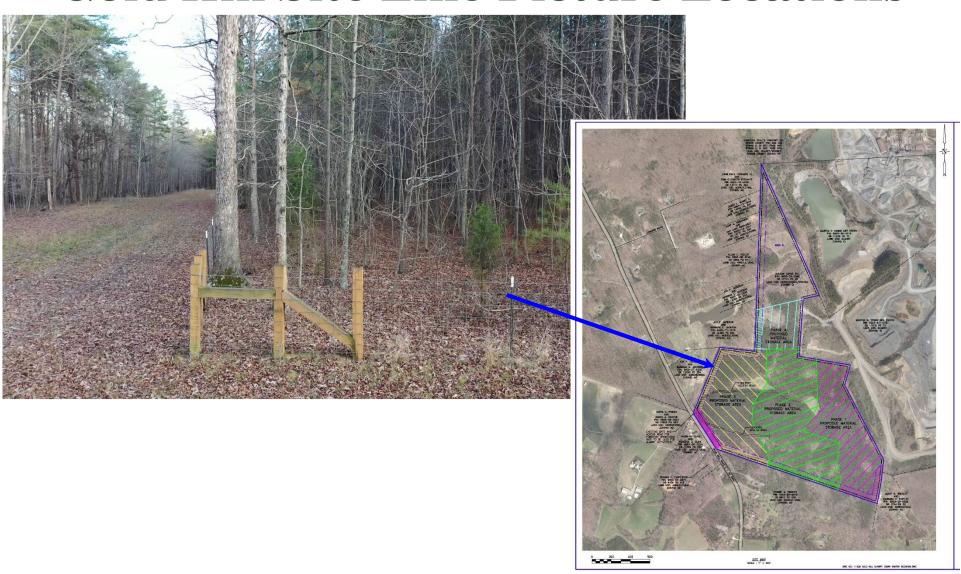












In Summary...

- > No blasting or extraction of products
- No structures on the site
- No commercial access from East Gold Hill Road
- Commercial access to site through adjacent quarry property
- Reduces truck traffic to and from the Site necessary to haul overburden off site

Any Questions??



Contact Information

Susanne Todd Johnston Allison Hord

1065 E. Morehead Street Charlotte, NC 28204 704 998-2306 Direct stodd@jahlaw.com www.jahlaw.com

Denise Hallett

Manager, Community and
Government Relations
Vulcan Materials Company
Mideast Division

336 744-2919 Direct 704 560-5304 Cell Hallettd@vmcmail.com

Thank You



PLANNING STAFF REPORT CABARRUS COUNTY PLANNING AND ZONING COMMISSION 4/13/2021

Staff Use Only:	
Approved:	
Denied:	
Tabled	

Petition: RZON2021-00002 Rezoning

Applicant Information: Flowes Store Volunteer Fire Department

Joey Houston, Chief 8623 Flowes Store Rd Concord, NC 28025

Owner Information: Flowes Store Volunteer Fire Department

Joey Houston, Chief 8623 Flowes Store Rd Concord, NC 28025

Existing Zoning: CR (Countryside Residential)

Proposed Zoning: OI (Office Institutional)

Permitted Uses: All uses permitted in the OI zoning district would be permitted on the

subject property.

Parcel ID Numbers: 5536-56-2931 & 5536572146

Property Addresses: 8623 Flowes Store Rd

Area in Acres: \pm 3.817 ac

Site Description: The subject property is currently occupied by a Volunteer Fire Department

that has been in existence since before zoning was originally applied.

Adjacent Land Use: North: Residential

East: Residential South: Residential West: Residential

Surrounding Zoning: North: CR

East: CR South: CR West: CR

Utility Service Provider: Currently, the subject property is served by private well and septic.

Exhibits

- A. Staff Report
- B. Application
- C. Survey
- D. Staff Maps
- E. Use Comparison Table
- F. Adjacent Property Owner & Property Owner Letters
- G. Impervious Map

Intent of Zoning Districts

PROPOSED DISTRICT: OFFICE/INSTITUTIONAL (OI)

This district is intended to accommodate relatively low intensity office and institutional uses at intensities complementary to residential land use. This district serves as a transitional district between residential land uses and higher intensity non-residential land uses.

RATIONALE

This district is used to provide for low intensity office and institutional uses that can be complementary to adjacent residential land use. This district features employment options and essential services which require a moderate number of average daily trips. These uses will have a minimum impact on the surrounding area because these trips will generally occur during regular business hours, thus, not competing with residential traffic at peak hours or on weekends. This district should be located adjacent to residential districts or in areas where its use would serve as a transition between residential land use sand higher intensity non-residential land uses. Higher intensity non-residential land uses may include commercial districts, light industrial or mixed use districts. When bordering residential districts or residential developments, care should be taken to assure natural or manmade buffering and architectural compatibility so that the nonresidential activities are not a nuisance to residential use.

EXISTING DISTRICT: COUNTRYSIDE RESIDENTIAL

Lands in this district have a strong rural, pastoral feel. Natural environmental elements such as tree lines, small ponds, rock formations, and manmade elements such as pasture fencing are to be retained, if at all possible. Although the area is capable of handling higher densities of development, development is kept at very low overall densities. Development includes only the standard single family detached dwelling.

RATIONALE

This land use district was created as a direct result of the County's systematic area planning process. As a reaction to the growth of the past decade (as much as 80% in some townships) many residents are anxious to see their areas retain the appeal that inspired the resident to make his or her original investment. This district helps implement a growth management philosophy before the fact, rather than after. In summary, the principle purpose of this district is to provide some land area in the County for a permanent country, rural residential life style.

Agency Review Comments

Planning Review:

Staff Report, Phillip Collins, Senior Planner Cabarrus County

NCDOT Review:

We are fine with the proposed zoning so long as any future signs are located outside of the rights of ways and do not infringe upon sight distances at intersection with Bethel Church Road. Also, proposed signs that are LED, need to be at a height that will not create a visibility issue for the travelling motorists. *Marc Morgan, NCDOT*

Fire Marshal Review:

No comments, Matthew Hopkins, County Fire Marshal

EMS Review:

No comments. Justin Brines, Cabarrus County EMS Director

Sheriff's Office Review:

No comments. Ray Gilleland, Cabarrus County Sheriff's Lieutenant

Soil and Water Review:

No comments. Tammi Remsburg, Cabarrus County Resource Conservation Manager

Land Use Plan Analysis

The subject property is located within the boundary of the Midland Area Future Land Use Plan (Plan) and is planned for Countryside Residential uses. The Countryside Residential district of the Plan emphasizes a strong rural, pastoral feel. Natural environmental elements should be retained if at all possible. In these areas, density will be kept very low. Development will include standard single family detached dwellings, other more intense forms of residential settlement such as townhouses are permitted as long as site sensitive design occurs. Cluster development standards are required.

Although the recommendation of the Plan is for residential uses, the subject property is currently developed with a Volunteer Fire Department that provides the surrounding residential areas with fire protection services. The rationale of the OI district states that the OI district is for low intensity office and institutional uses that can be complementary to adjacent residential land use.

Conclusions

- The proposed rezoning is not consistent with the Midland Area Plan. However, the subject property supports an existing volunteer fire department which was constructed prior to county zoning. The property currently has a residential zoning designation.
- A volunteer fire department is considered a public use facility. Public use facilities are permitted in the residential CR district as a conditional use and permitted by right in the OI district.
- The proposed zoning change to OI supports the by right use of the property as a volunteer fire department and allows the existing non-conforming use to better comply with the zoning ordinance.
- The proposed zoning change from CR (residential uses) to OI (office/institutional uses) would provide greater flexibility in site design (signage, impervious area, reduced setbacks, etc.) and use of the property, as demand for service increases.

This is a conventional rezoning request, therefore all uses permitted in the OI zoning district would be allowed on the subject property if approved. The Planning and Zoning Commission should consider all of the information provided and determine if the proposed rezoning is consistent with the Commission's vision for this area of Cabarrus County.



	STAFF USE ONLY
Application/Accela	#:
Reviewed b	y:
Date	e:
Amount Pai	d:

INSTRUCTIONS/PROCEDURES:

- 1. Schedule a pre-application meeting with Staff to discuss the procedures and requirements for a zoning map amendment request.
- 2. Submit a complete application for an amendment to the official zoning map to the Planning Division. All applications must include the following:
 - ➤ Cabarrus County Land Records printout of all adjacent property owners. This includes properties located across the right-of-way and all on-site easement holders. The list must include owner name, address, and Parcel Identification Number.
 - > A recent survey or legal description of the property or area of the property to be considered for rezoning.
 - Any additional documents essential for the application to be considered complete. (Determined as part of the pre-application meeting)
- 3. Submit cash, check, or money order made payable to Cabarrus County.

Fees: Residential rezoning request 1 acre or less = \$400.00

Residential rezoning request greater than 1 acre = \$400.00 plus \$15 per acre

Non-residential rezoning request = \$650.00 plus \$15 acre

(Plus, cost of advertising and engineering fees if applicable)

(if a 3rd submittal is required, an additional review fee will be assessed)

The deadline for submittal is always the same day as the Planning and Zoning Commission Meeting which is the second Tuesday of the month. Applications must be submitted before 2:00 PM that day for consideration on the next available agenda.

Incomplete applications will be returned to the applicant and will not be processed.

PROCESS SUMMARY:

- 1. Hold a pre-application meeting with Staff to discuss your rezoning request and the map amendment process.
- 2. Submit a complete application with the appropriate fees to the Cabarrus County Planning Division.

Staff will review your complete application, prepare a staff report, schedule a public meeting date and notify adjacent property owners of the public meeting/public hearing date. A sign advertising the public hearing will also be placed on the property being considered for rezoning.

Meeting Information: Meetings are held the second Tuesday of each month at 6:30 PM in the Cabarrus County Governmental Center located in downtown Concord at 65 Church Street, SE.

Expedited Vote: A vote of ¾ or more of the members of the Planning and Zoning Commission is considered an Expedited Vote and will constitute a final decision. If approval or denial of a rezoning request is by a

vote of less than ¾ of the members, or if an appeal of the decision is filed within 15 days of the date of the decision, the application will automatically be forwarded to the Board of Commissioners for final consideration at a *de novo* hearing.

Questions: Any questions related to rezoning your property or to the rezoning process may be directed to the Planning Division at 704-920-2141, between 8 AM and 5 PM, Monday through Friday.

SOBJECT PROPERT	I INFORMATION.				
Street Address <u>8</u>	623 Flowes Store R	oad Concord I	NC 28025		
PIN(s) (10 digit #) _	5536 56	2931;	5536 57	2146	
Deed Reference	Book		Page		
Township #	10				

DESCRIPTION OF SUBJECT PROPERTY:

CLIBIECT DEODEDTY INICODMATIONI-

Size (square feet or acres)		3.817			
Street Frontage (feet)		234			
Current Land Use of Property Surrounding Land Use	North	CR CR			_
	South	CR			_
	East	CR			_
	West	CR			_
REQUEST:					
Change Zoning Purpose for Request:	From _	CR	То	01	
To allow for installation of a	new LED	sign in front of the fire	station. Flor	wes Store VFD rec	eived a FEMA
grant to purchase a new sign t	o be use	ed for recruitment of r	new members	and for presenti	ing fire safety

messages. Sign is not allow under current zoning and "OI" would also be more suited zoning for our current

LAND USE PLAN CONSISTENCY STATEMENT

Describe how the proposed rezoning meets the land use plan(s) for the subject parcel(s):

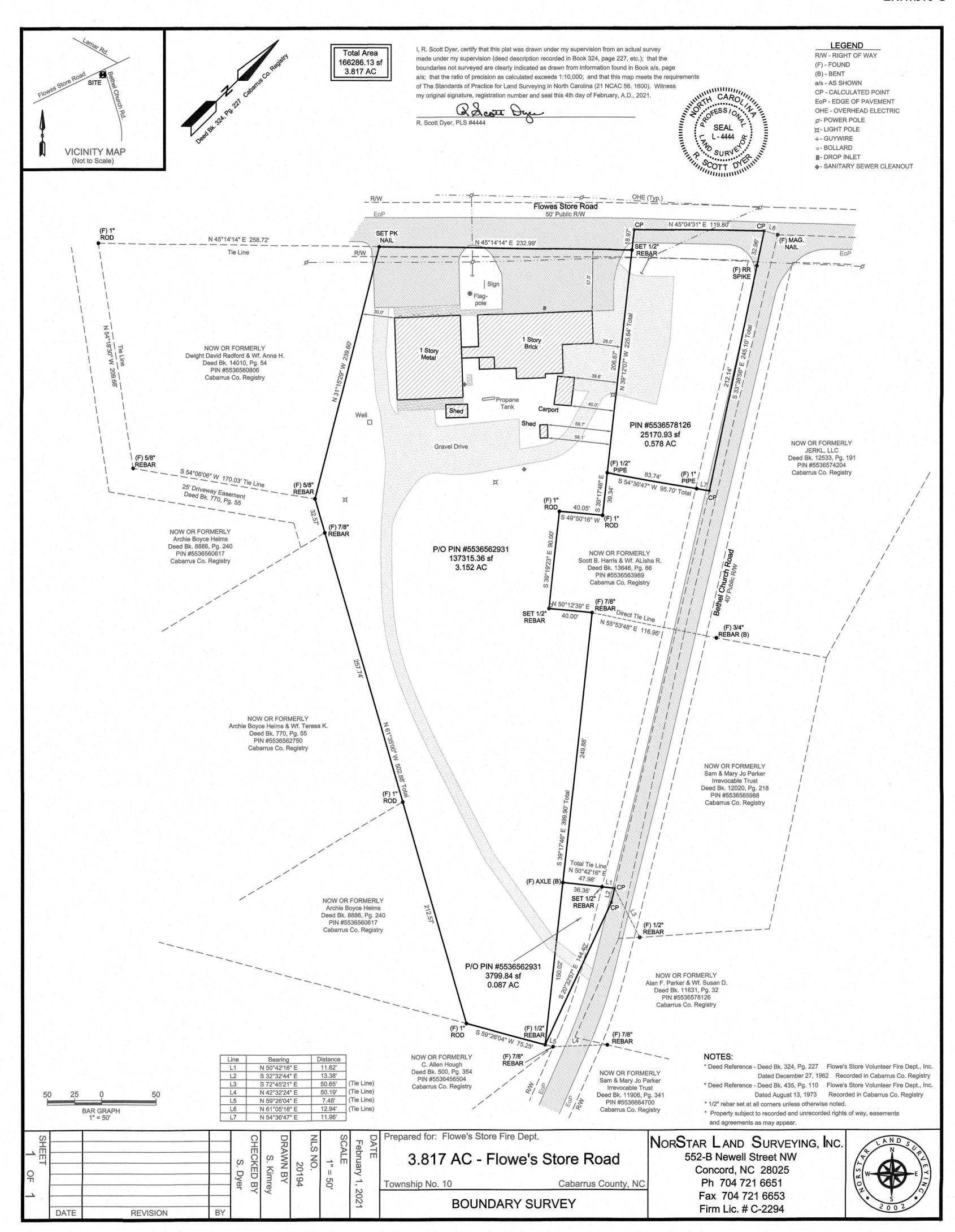
Rezoning from CR to OI (office/institutional) is a better classification for the current use of the			
property which is currently a fire stat	ation.		
UTILITY SERVICE:			
Water Supply X Well or	orService Provider		
Wastewater Treatment X Septic Tank	k(s) or Service Provider		

PROPERTY OWNER/AGENT/APPLICANT INFORMATION:

It is understood by all parties hereto including owner, petitioner, and/or agents that while this application will be carefully considered and reviewed, the burden of proving its need rests with the below named petitioner(s).

I do hereby certify that the information that I have provided for this application is, to the best of my knowledge, true and correct.

PROPERTY OWNER	AGENT/APPLICANT
Flowes Store VFD	
NAME	NAME
8623 Flowes Store Road	
ADDRESS	ADDRESS
Concord, NC 28025	
CITY, STATE, ZIP CODE	CITY, STATE, ZIP CODE
704-786-2326	
PHONE NUMBER	PHONE NUMBER
FAX NUMBER	FAX NUMBER
jhouston@flowesstorefd.org	
E-MAIL ADDRESS	E-MAIL ADDRESS
Signature of Property Owner:	TOEY HOW TON Date: 3/4/2021 FINE CHIEF
Signature of Property Agent/Applicant:	Date:



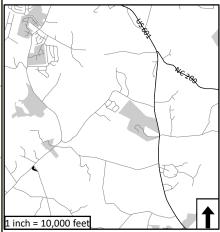
Midland Planning Area Existing Zoning



Applicant: Flowes Store V.F.D. Owner: Flowes Store V.F.D. Case: RZON2021-00002 Address: 8601, 8623, 8635 & 8647 Flowes Store Rd and 8600

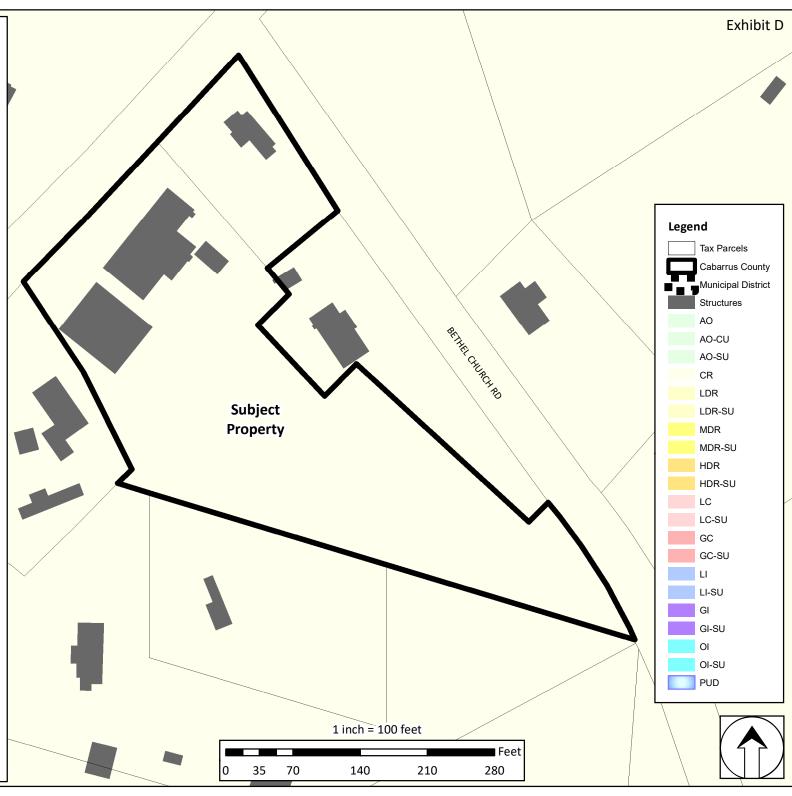
Bethel Church Rd

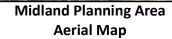
Purpose: Rezone from CR to OI PINs: 5536-57-2146 & 5536-56-2931



Cabarrus County shall not be held liable for any errors in this data. This includes errors of omisssion, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.

Map Prepared by Cabarrus County Planning & Development - March 2021







Applicant: Flowes Store V.F.D. Owner: Flowes Store V.F.D. Case: RZON2021-00002 Address: 8601, 8623, 8635 & 8647 Flowes Store Rd and 8600

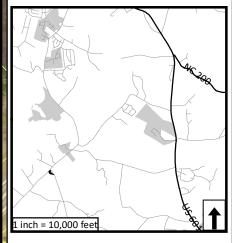
Bethel Church Rd

Purpose: Rezone from CR to OI PINs: 5536-57-2146 & 5536-56-2931

CabarrusCounty

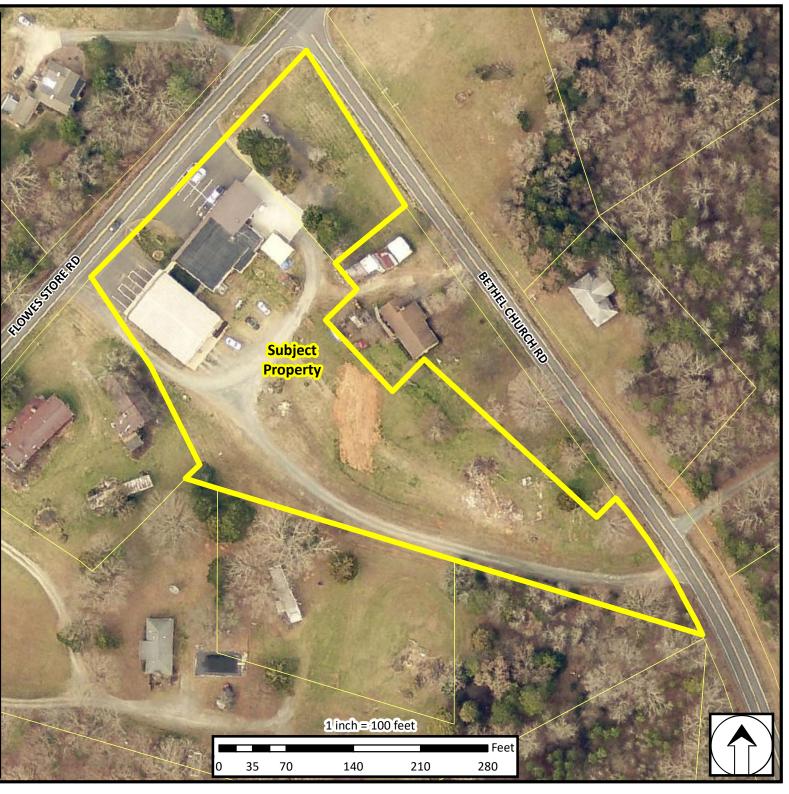
MunicipalDistrict

Tax Parcels



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Map Prepared by Cabarrus County Planning & Development - March 2021



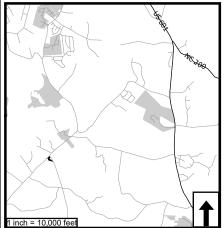
Midland Planning Area Future Land Use



Applicant: Flowes Store V.F.D. Owner: Flowes Store V.F.D. Case: RZON2021-00002 Address: 8601, 8623, 8635 & 8647 Flowes Store Rd and 8600

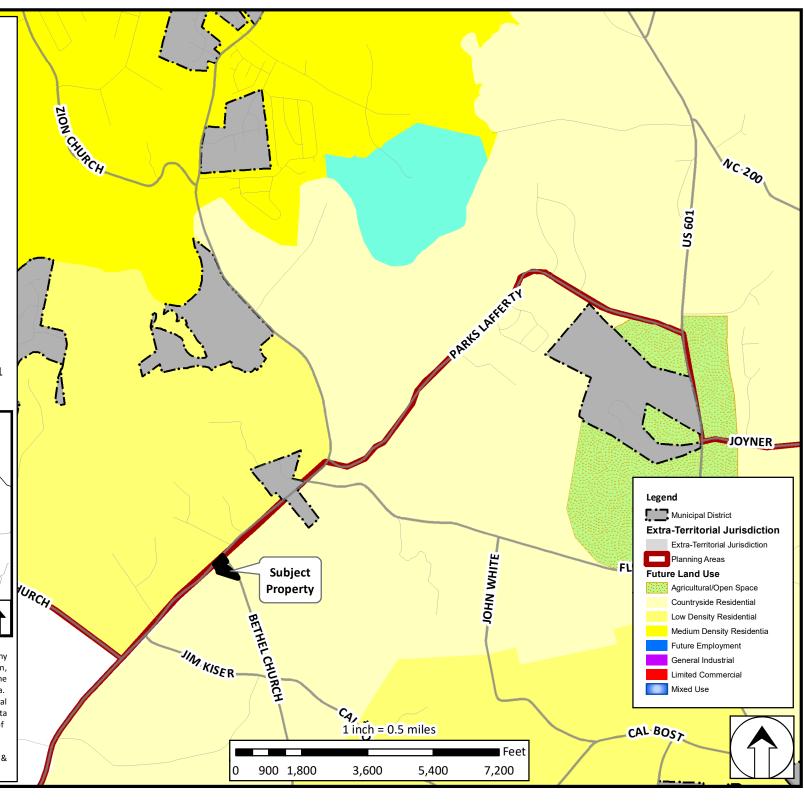
Bethel Church Rd

Purpose: Rezone from CR to OI PINs: 5536-57-2146 & 5536-56-2931



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Map Prepared by Cabarrus County Planning & Development - March 2021



PERMITTED USE TABLE "P" - Permitted, "C" – Conditional, "PBS" – Permitted Based on Standards				
	CR	OI		
RESIDENTIAL USES				
Family Care Home	Р			
Group Care Facility	Р	Р		
Manufactured Home, Single Section or Mobile Home, Multi-Section	Permitted in Residential Districts, Manufactured			
Manufactured Home Park (8-4, 14)	Home Overlay District Required – see Chapter 4			
Single Family Detached Residential	Р			
AGRICULTURAL USES				
Agriculture, Including Livestock (7-3,2A)	Р			
Agriculture Excluding Livestock	Р			
Agritourism, Accessory to Agriculture	Р			
Barn, Greenhouse, as Primary Structure (7-3, 7)	PBS			
Dairy Processing	Р			
Livestock Sales	Р			
Nursery, Greenhouse	Р			
Scientific Research and Development, Accessory to Agriculture (7-3, 52)	PBS			
ACCESSORY USES				
Accessory Dwelling Unit (7-3,1)	PBS			
Accessory Building, Lot Less Than 2 Acres (7-3, 1)	PBS	PBS		
Accessory Building, Lot 2 Acres or Greater (7-3, 1)	PBS	PBS		
Automated Teller Machine (7-3, 6, b)		PBS		
Community Garden, as Accessory Use (7-3, 13)	PBS	PBS		
Ethanol Fuel Production, Residential District, Private Use Only (7-3, 20)	PBS			
Home Occupation, General (7-3, 27)	PBS			
Home Occupation, Rural (7-3, 28)	PBS			
Ice Production, Dispensing, Accessory to Convenience Store (7-3, 30)	PBS			
Ice Production, Dispensing, Accessory to Gas Station (7-3, 29)	PBS			
Kennel, Private (7-3, 31)	PBS			
Swimming Pool, Accessory to Single Family Residential (7-3,1)	PBS			
Trail Head, Accessory (7-3, 63)	PBS	PBS		
Wind Energy Facility, Accessory Use, On Site Use Only (7-3, 66)	PBS			
COMMERCIAL, RETAIL AND OFFICE				
Animal Hospital (8-4, 39)	C			
Auction House (7-3, 3)	PBS	222		
Bank, Financial Institution, Automated Teller Machine (7-3, 6)		PBS		
Banquet Hall		P		
Barber, Beauty, Tanning, Nail or Skin Care Salon		Р		
Bed and Breakfast (7-3, 8)	PBS			

PERMITTED USE TABLE			
"P" – Permitted, "C" – Conditional, "PBS" – Permitted Ba		01	
COMMERCIAL, RETAIL AND OFFICE USE	CR S	OI	
Catering Service (7-3, 9)		PBS	
Convenience Store with Petroleum Sales (7-3, 14)	PBS		
Convenience Store without Petroleum Sales (7-3, 15)	PBS		
Country Club with Golf Course (7-3, 16)	PBS	PBS	
Day Camp, Summer Camp, Civic Group Camp Facility (8-4, 10)	С		
Duplex, Commercial Use, Individual Lots (7-3, 19)		PBS	
Farmer's Market		Р	
Funeral Home		Р	
Gas Station (7-3,23)	PBS		
Golf Course, Public or Private (7-3, 24)	PBS	PBS	
Kennel, Commercial (8-4, 37)	С		
Nursery, Daycare Center (7-3, 35)	PBS	PBS	
Office professional, 30,000 Square Feet or Less		Р	
Parking Lot, Parking Garage, Commercial or Private		Р	
Printing and Reprographic Facility		Р	
Reception Facilities (8-4, 21)	С		
Recreational Facility, Indoor (7-3, 39)		PBS	
Recreational Facility, Outdoor (8-4, 22)	С	С	
Recreational Therapy Facility, Rural Setting (8-4, 23)	С		
Recyclable Materials Drop Off (7-3, 41)		PBS	
Restaurant, Excluding Drive-thru (7-3, 47)	PBS		
Sawmill (7-3, 51)	PBS		
Scientific Research and Development (7-3, 53)		PBS	
Shooting Range, with Outdoor Target Practice (8-4, 30)	С		
Sports and Recreation Instruction or Camp (8-4, 31)	С		
Stables, Commercial (7-3, 58)	PBS		
Swim Club, Tennis Club, Country Club (7-3, 59)	PBS	PBS	
Veterinarian (8-4, 37)	С		
Wireless Telecommunications Services (8-4, 36)	С	С	
Wireless Telecommunications Services, Stealth Antennae, 65 Feet or Less (8-4, 36)	Р	Р	
Wireless Telecommunications Services – Co-location (7-3, 67)	PBS	PBS	
INSTITUTIONAL, CIVIC AND PUBLIC USE	S		
Animal Shelter (8-4, 37)	С		
Cemetery (7-3, 10)	PBS		
Civic Organization Facility (7-3,11)	PBS	Р	
College, University (8-4, 6)	С		

PERMITTED USE TABLE			
"P" – Permitted, "C" – Conditional, "PBS" – Permitted I	Based on Standards		
	CR	OI	
INSTITUTIONAL, CIVIC AND PUBLIC US	SES		
College, University		Р	
Communications Tower, 911 Communications Tower (8-4, 7)	С	С	
Convention Center Facility (8-4, 8)		С	
Elementary, Middle and High Schools (8-4,11)	С	С	
Hospital, Ambulatory Surgical Care Facility		Р	
Public Cultural Facility (7-3, 38)	PBS	Р	
Public Service Facility (8-4, 17)	С	С	
Public Use Facility (8-4, 18)	С		
Public Use Facility		Р	
Recreational Trail, Greenway or Blueway, Connector (7-3, 40)	PBS	PBS	
Religious Institution with Total Seating Capacity 351 or More (8-4, 24)	С	С	
Religious Institution with Total Seating Capacity 350 or Less (7-3, 42)	PBS	PBS	
Religious Institution with School (8-4, 25)	С	С	
Rest Home, Convalescent Home with 10 Beds or Less (7-3, 46)	PBS	PBS	
Rest Home, Convalescent Home with More Than 10 Beds (8-4, 26)	С	С	
Trade and Vocational Schools (8-4, 33)		С	
Trail Head, Primary Use Site (7-3, 64)	PBS	PBS	
INDUSTRIAL			
Landfill, Demolition, Less Than One Acre (7-3, 32)	PBS		
Multimedia Production and Distribution Complex (8-4, 15)	С		
Slaughter House, Meat Packing (8-4, 32)	С		
TEMPORARY USES			
Auction, Estate or Asset Liquidation	PBS	PBS	
Auction, Livestock	PBS		
Dumpsters, Commercial Waste Containers	PBS	PBS	
FEMA Trailers, Natural Disaster or Significant Weather Event	PBS	PBS	
Mobile Personal Storage Unit, Vacate or Occupy Premise	PBS	PBS	
Mobile Personal Storage Unit, Renovation	PBS	PBS	
Seasonal Sale of Agriculture Products, Includes Christmas Trees and Pumpkins		PBS	
Temporary Residence in Mobile Home During Construction of New Home, Same Site	PBS		
Temporary Tent or Temporary Structure, Including Cell on Wheels		PBS	



Cabarrus County Government – Planning and Development Department

March 22, 2021

Dear Property Owner:

A Zoning Map Amendment Petition has been filed in our office for property **adjacent** to yours. The properties and specifics of the rezoning are listed below. The Cabarrus County Planning and Zoning Board will consider this petition on Tuesday, April 13, 2021 at 6:30 PM in the Cabarrus Room of the Cabarrus Arena & Events Center, located at 4751 NC Highway 49 North, Concord, NC 28025. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about the rezoning, I encourage you to attend this meeting.

Petitioner	Flowes Store Volunteer Fire Department
Petition Number	RZON2021-00002
Property Location	8601, 8623, 8635 & 8647 Flowes Store Rd and
	8600 Bethel Church Rd
Parcel ID Number	5536-56-2931 & 5536-57-2146
Existing Zoning	Country Side Residential (CR)
Proposed Zoning Map Change	Office / Institutional (OI)

If you have any questions regarding this petition, or the hearing process, please contact me at Cabarrus County Planning and Development at 704.920.2181.

Sincerely,

Phillip Collins, AICP

Senior Planner

Cabarrus County Planning and Development

704.920.2181



Cabarrus County Government - Planning and Development Department

March 22, 2021

Dear Property Owner:

A Zoning Map Amendment Petition has been filed in our office for your property. The specifics of the request are listed below. The Cabarrus County Planning and Zoning Board will consider this petition on Tuesday, April 13, 2021 at 6:30 PM in the Cabarrus Room of the Cabarrus Arena & Events Center, located at 4751 NC Highway 49 North, Concord, NC 28025. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about the rezoning request, I encourage you to attend this meeting.

Petitioner	Flowes Store Volunteer Fire Department
Petition Number	RZON2021-00002
December 1 and 1 a	8601, 8623, 8635 & 8647 Flowes Store Rd and
Property Location	8600 Bethel Church Rd
Parcel ID Number	5536-56-2931 & 5536-57-2146
Existing Zoning	Countryside Residential (CR)
Proposed Zoning Map Change	Office / Institutional (OI)

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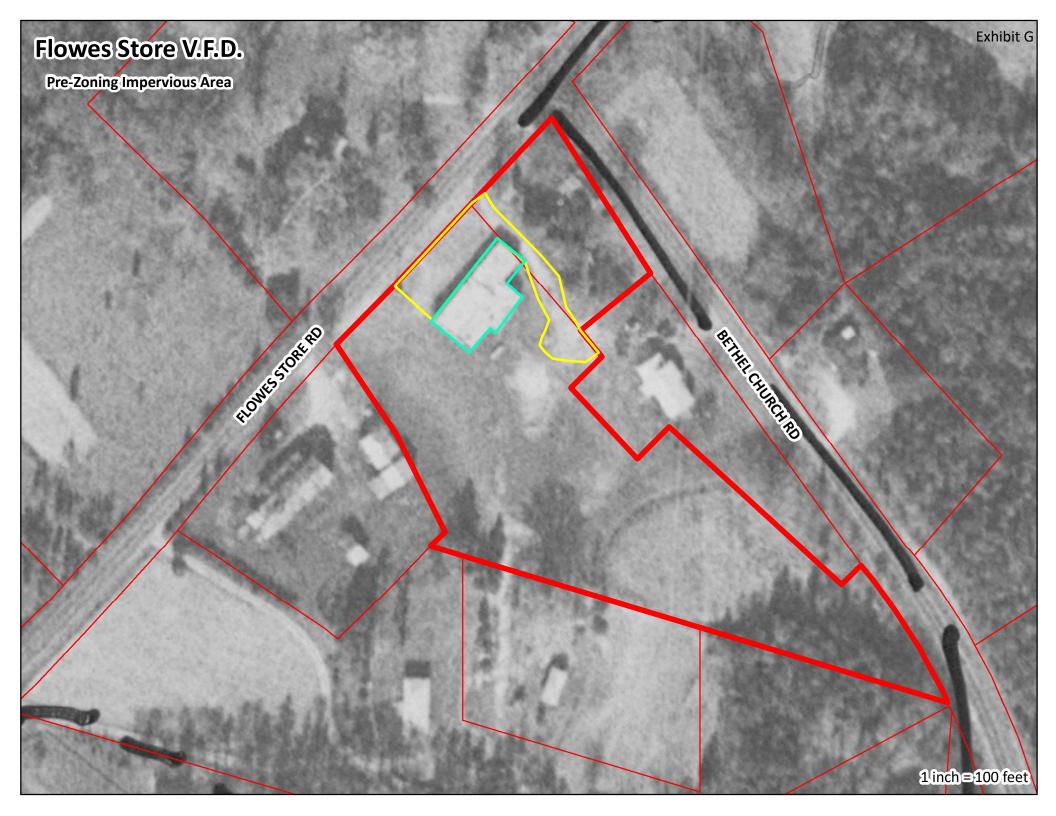
Cabarrus County Planning and Development

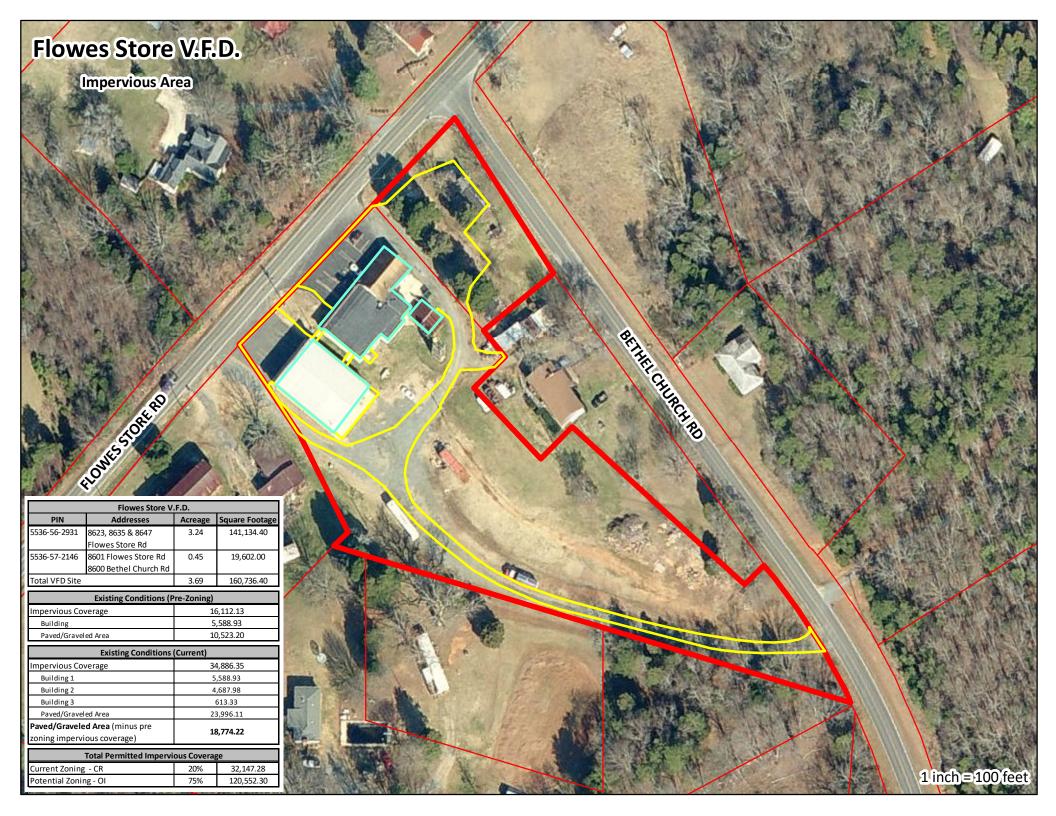
704.920.2181

PROPERTY OWNER 5536-57-2146 & 5536-56-2931 FLOWES STORE VOLUNTEER FIRE DEPARTMENT 8623 FLOWES STORE ROAD CONCORD, NC 28025

5536-56-2750 & 5536-56-0617	5536-56-0806	5536-47-9365 & 5536-47-4513
ARCHIE BOYCE HELMS	DWIGHT D & ANNA H RADFORD	GAILLARD A & ELAINE S MERVIN
8062 NC 742 HWY	3109 OLDE CREEK TRL	8598 FLOWES STORE ROAD
OAKBORO, NC 28129	MATTHEWS, NC 28105	CONCORD, NC 28025
5536-56-3989	5536-57-4204	5536-57-8126
SCOTT B & ALISHA R HARRIS	JERKL LLC	ALAN F & SUSAN D PARKER
8630 BETHEL CHURCH RD	8465 FLOWES STORE RD	8677 BETHEL CHURCH RD
CONCORD, NC 28025	CONCORD, NC 28025	CONCORD, NC 28027
5536-56-5988 & 5536-66-4700		
PARKER ALAN F TRUSTEE PARKER		
JOSEPH M TRUSTEE C/O SAM &		
MARY JO PARKER		
8453 FLOWES STORE RD		
CONCORD, NC 28025		







PLANNING STAFF REPORT CABARRUS COUNTY PLANNING AND ZONING COMMISSION

Staff Use Only:	
Approved:	
Denied:	
Tabled	

Petition: ARCH2021-00001 Design Review Standards Staff Report

Applicant Information: Carlos Moore Architect PA

Virginia Moore 222 Church St N Concord, NC 28025

Zoning: Limited Commercial

Site Description: The site is currently occupied by a single family residence and a detached garage. The

subject property lies within the protected area of the Lake Fisher Watershed.

PIN#: 5633-79-8744

Owner: ABM Property Holdings, LLC

23 Union Street Concord, NC 28025

Acreage: ± 0.79 ac

Purpose: The purpose of this request is to convert a property that has historically been used as a

single family residence into a Contractor/Trade Shop. The proposed project includes the removal of an existing accessory garage and construction of a new garage that will be used as a showroom, on the opposite side of the existing residence. The existing house is

also being renovated with an addition and front and back porch areas.

Staff Report by: Phillip Collins

A review of the plans, as submitted, finds the following:

Site Design Standards

Setback Information

Front Corner Lot:	20'	Side Yard:	10'
Front Minor Collector:	30'	Side Yard Accessory:	5'
Front Local Road:	30'	Rear Yard:	20'
		Rear Yard Accessory:	10'

The proposed plan meets the setback requirements.

Amenity Area

The Ordinance states that projects containing groups of buildings to be devoted primarily to office and/or retail activities shall incorporate amenity areas into the site design. This standard is not applicable to this specific

development. However, the application states that there is an enlarged rear porch being created as part of the project.

Parking Requirements

The Applicant is proposing 5 parking spaces (including 1 handicap space) which meets the parking requirements of Chapter 10 of the Cabarrus County Development Ordinance (Ordinance).

Parking Lot Design

The parking requirements of Appendix B encourage parking to be located to the side and the rear of the proposed structure. The proposed parking area is located to the side of the existing residence which is proposed to be the main office area. The proposed garage/showroom, however, would be located behind the parking spaces.

The Ordinance states that parking lots shall be designed to allow pedestrians to safely move from their vehicles to the buildings and that a paving material different in color and/or texture from that of vehicular areas shall delineate these pedestrian travel ways and shall be clearly marked. Small posts or bollards incorporating lights may also serve the same purpose. The applicant states that the parking lot area is proposed to be concrete and a brick or stone paver sidewalk will lead to entrances.

Parking lots shall be adequately screened from public view and shall include landscaping and buffering per Chapter 9 of the Ordinance. The parking area will be screened from view of the property to east by the existing residence. Screening from the public right of way will be provided by the proposed thoroughfare buffer. Screening from the properties to the west and south will be provided from the required landscape buffering and existing landscaping.

Landscaping

The Applicant has submitted a landscape plan that meets the requirements of Chapter 9 of the Development Ordinance. A majority of the property boundaries have existing landscaping that meets the planting requirements of a level two buffer yard. The applicant is proposing to supplement existing landscaping and provide level two buffering where existing landscaping is not sufficient or does not exist.

Lighting

The Ordinance states that all non-residential uses shall provide proper lighting for security purposes while not diminishing the quality of any surrounding residential uses. The applicant states that there are recessed can fixtures in the ceiling of the front porch along with an emergency egress light over the exit door. The rear door also has an exterior emergency egress light fixture and there is a motion security light at the rear of the structure. There is no proposed parking lot lighting.

Loading and Unloading Areas

The Applicant is providing a space for loading and unloading to the west of the proposed garage/showroom and states that there is existing landscaping to screen it. The space is situated so as to limit interference with street traffic and internal driveways. The space provided is 12' x 40' in size which meets the dimensional requirements of Chapter 10 of the Development Ordinance.

Loading Docks

There are no proposed loading docks.

Solid Waste Storage Areas

The Ordinance requires solid waste storage areas to be located to the rear or side of the structure, not be located in any applicable planting yard and be screened from any street and/or any residentially developed or residentially zoned property.

The Applicant states that all solid waste will be contained in roll out containers and the containers will be screened from public view.

Mechanical Appurtenances

The Ordinance requires all rooftop mechanical and electrical equipment to be screened from view from all public streets (existing and proposed) and adjacent properties. The Ordinance further requires the incorporation of design elements and landscape materials to provide additional screening and/or softening of equipment areas located on the ground.

The Applicant states that HVAC unit is located at the rear near the back porch and is hidden from public view.

Architectural Design Standards

Height

The proposed structure will not exceed the required height restrictions of Chapter 5 of the Cabarrus County Development Ordinance. The applicant states that the height of the existing residence is 22' and the proposed garage /showroom will be less than 20' in height.

Roofline

The Ordinance requires that roof forms be compatible with the architectural character, scale, and height of surrounding buildings. The applicant states that the existing roof form responds to the existing context in the area. There are two gable intersecting roofs with a single slope porch roof. The proposed garage roof is a hip roof and will relate to the size and scale of a typical garage and the context.

Fenestration

The Ordinance requires that the first floor of buildings be designed to encourage and complement pedestrian-scale interest and activity by the use of transparent windows and doors on all building walls facing any street right of way.

The Applicant states that all windows and entrances for both structures facing rights-of-ways are/will be clear glazing. Large glass openings will be located on the front façade of the existing structure and are transparent. The plans indicate that the proposed garage will have two garage doors and a small window on the front facade

Access

Proposed access to the subject property is from Lane Street. There is a 22' wide entrance near the center of the property. The internal driveway is also 22' in width.

Articulation

The Development Ordinance states that there should be architectural interest and variety in structures. It further sates that the effect of a single long or massive wall with no relation to human scale proportions should be avoided.

With regards to adherence to the articulation requirements, the applicant states that there is a change in plane on the front façade of the existing structure as there is a recessed porch, a substantial amount of windows and glazing on the front façade and a minimum of eight feet overhead clearance at the front porch. Also, the plans indicate that the proposed garage will have two garage doors and a window near the roofline.

Materials

The Ordinance requires that all buildings under the regulation of Appendix B are to be constructed of quality materials. The Applicant states that exterior materials will consist of brick and horizontal hardie board and the trim is painted wood. The applicant states that the roofing materials are architectural shingles with standing seam metal over the porch. The materials on the garage are compatible with the principal structure.

Conditions of Approval

1. Site plan review and approval is required subsequent to Design Review Committee approval in order to ensure compliance with all applicable development requirements and conditions. (Zoning)

2.	The Applicant shall procure any and all applicable federal, state, and local permits prior to commencement of the project. (Zoning)

Established 1987

222 Church Street North • Concord, NC 28025 • 704-788-8333 • Fax 704-782-0487 • www.cmoorearch.com

Re: 2976 Lane Street Kannapolis NC 28081

Ordinance Regulations:

Section 5-8: (LC)

- Front Yard setback 30' Principal
- Side Setback 10' Principal
- Rear Setback 20' Principal
- Front Setback 30'Accessory
- Side Setback 5'/20' Accessory
- Rear Setback 10' Accessory

Appendix B: Amenity Area

Enlarged rear porch

Appendix B: Parking Lot Design:

- Parking is located to the side of the principal structure. The parking is, although, located in front of the proposed garage due to trying to limit impervious surface and the existing septic field.
- The Parking lot is concrete paving. A stone or brick paver sidewalk shall be installed from parking lot to entrances

Appendix B: Landscaping:

• Landscaping plan is shown on the site plan. Existing vegetation is supplemented. See images at end of document of existing vegetation.

Appendix B: Lighting:

- There are recessed can fixtures in the ceiling of the front porch along with an emergency egress light over the exit door. The rear door also has exterior emergency egress light fixture. There is a motion security light at the rear of the structure.
- There are no light poles being proposed for parking lot lighting. Motion lights on building will be adequate.

Appendix B: Loading / Unloading Spaces:

 The required loading space is situated to west of the principal structure. There is heavy landscaping to screen the space. The space is situated as to limit interference with street traffic and internal driveways. See existing landscaping images at end of document.

Appendix B: Solid Waste Storage:

 Solid waste storage shall be located at the rear of the principal structure and shall be screened.

Appendix B: Mechanical Appurtenances:

 Hvac unit is located at the rear near the back porch. It is hidden from public view.

Architectural Design Standards

Appendix B: Height:

- Principal height shall not exceed 40' and accessory shall not exceed 20'
- Principal building height is approx 22'+/- and garage is less than 20'. (this references the proposed garage as referenced on site plans)

Appendix B: Proposed Roofline:

- The roof form responds to the existing context.
- There are 2 gable intersecting roofs with a single slope porch roof. (See drawings)
- The proposed garage roof is a hip roof and relates to the size and scale of a typical garage and the context.

Appendix B: Fenestration:

- All windows and entrances are clear glazing. See drawings. (Please note the
 existing garage is being demolished and the existing residence is being renovated.)
- Large glass openings are located on the front façade and are transparent

Appendix B: Articulation:

- There is a change in plane on the front façade. A recessed porch is shown.
- There is a substantial amount of windows and glazing on the front façade.
- There is a minimum of 8' overhead clearance at the front porch.

Appendix B: Materials: (see drawings)

- Exterior materials consist of brick and horizontal hardie board
- Trim is painted wood
- Roofing materials are architectural shingles and standing seam metal over the porch.
- The materials on the garage are compatible with the principal structure. (Please note the existing residence is being renovated interior and exterior, roof structure being replaced, and being repaired. The note that says the garage materials are compatible with residence would be once it is renovated.)



Existing Structure



Existing East property line where buffer needs to be supplemented



Existing SouthEast corner of property where buffer needs to be supplemented



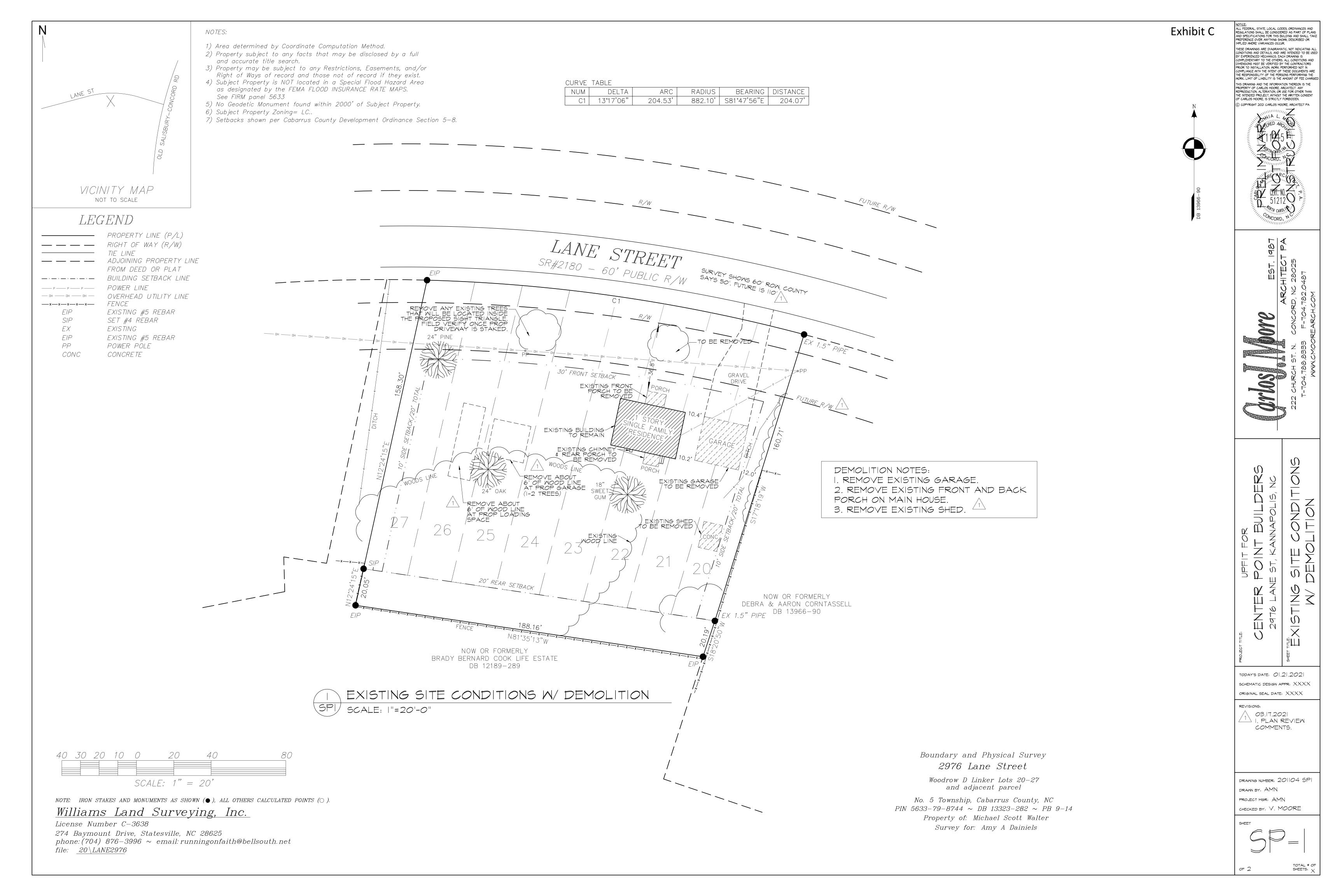
Existing South buffer yard – meets intent of the buffer requirement

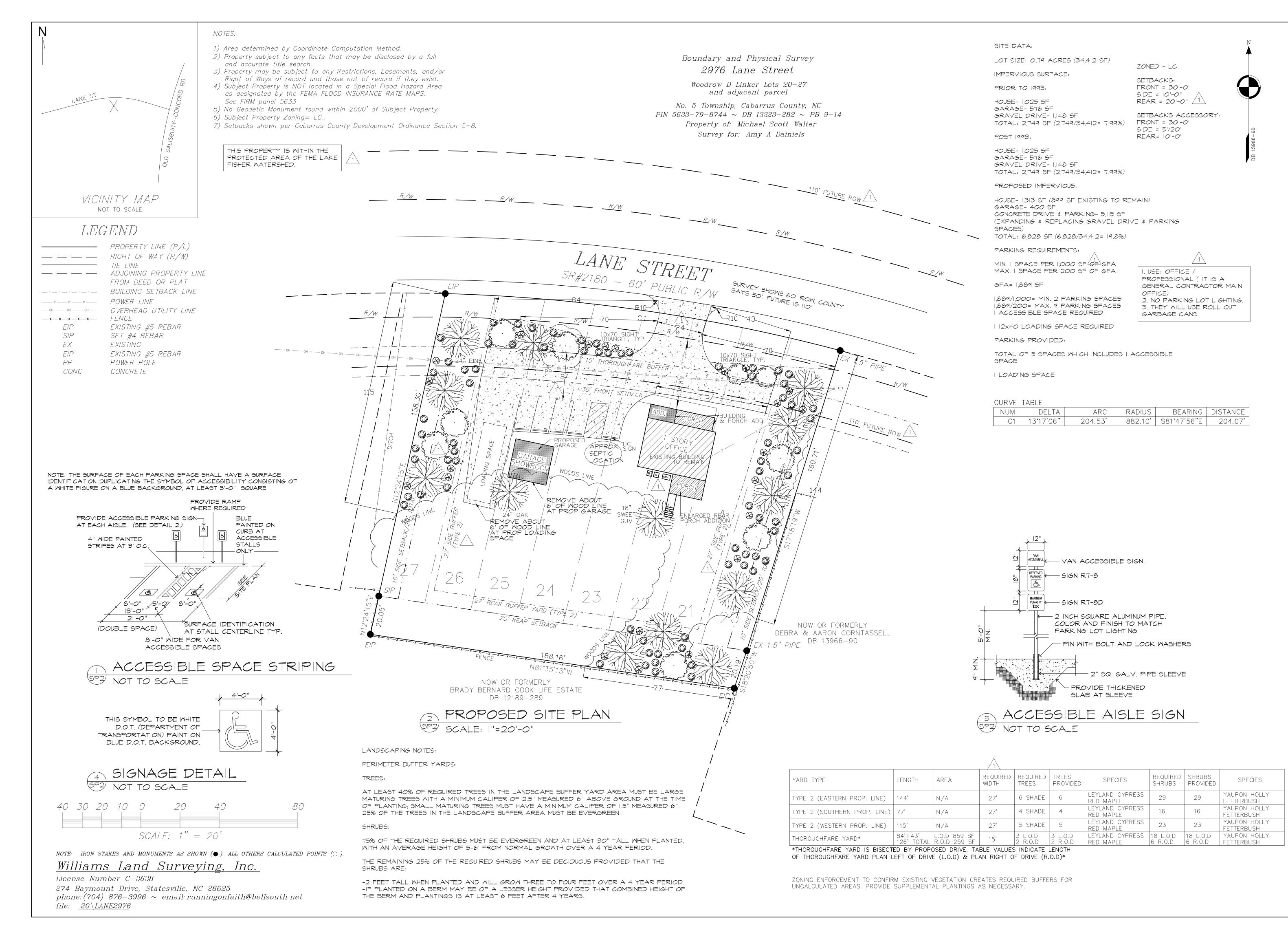


Existing West buffer yard – meets the intent of the buffer requirement



Area of West buffer to be supplemented





<u>OTICL:</u> JLL FEDERAL, STATE, LOCAL CODES, ORDINANCES AND REGULATIONS SHALL BE CONSIDERED AS PART OF PLANS AND SPECIFICATIONS FOR THIS BUILDING AND SHALL TAKE PREFERENCE OVER ANYTHING SHOWN, DESCRIBED OR MPLIED WHERE VARIANCES OCCUR. THESE DRAWINGS ARE DIAGRAMATIC, NOT INDICATING A INCISE DRAMINGS ARE DIAGRAMATIC, NOT INDICATING ALL CONDITIONS AND DETAILS, AND ARE INTENDED TO BE USE! BY EXPERIENCED MECHANICS, EACH DRAWING IS COMPLEMENTARY TO THE OTHERS, ALL CONDITIONS AND DIMENSIONS MUST BE VERIFIED BY THE CONTRACTORS PRIOR TO INSTALLATION, MORK PERFORMED NOT IN COMPLIANCE WITH THE INTENT OF THESE DOCUMENTS ARE THE RESPONSIBILITY OF THE PERSONS PERFORMING THE WORK, LIMIT OF LIABILITY IS THE AMOUNT OF FEE CHARGE THIS DRAWING AND THE INFORMATION THEREON IS THE

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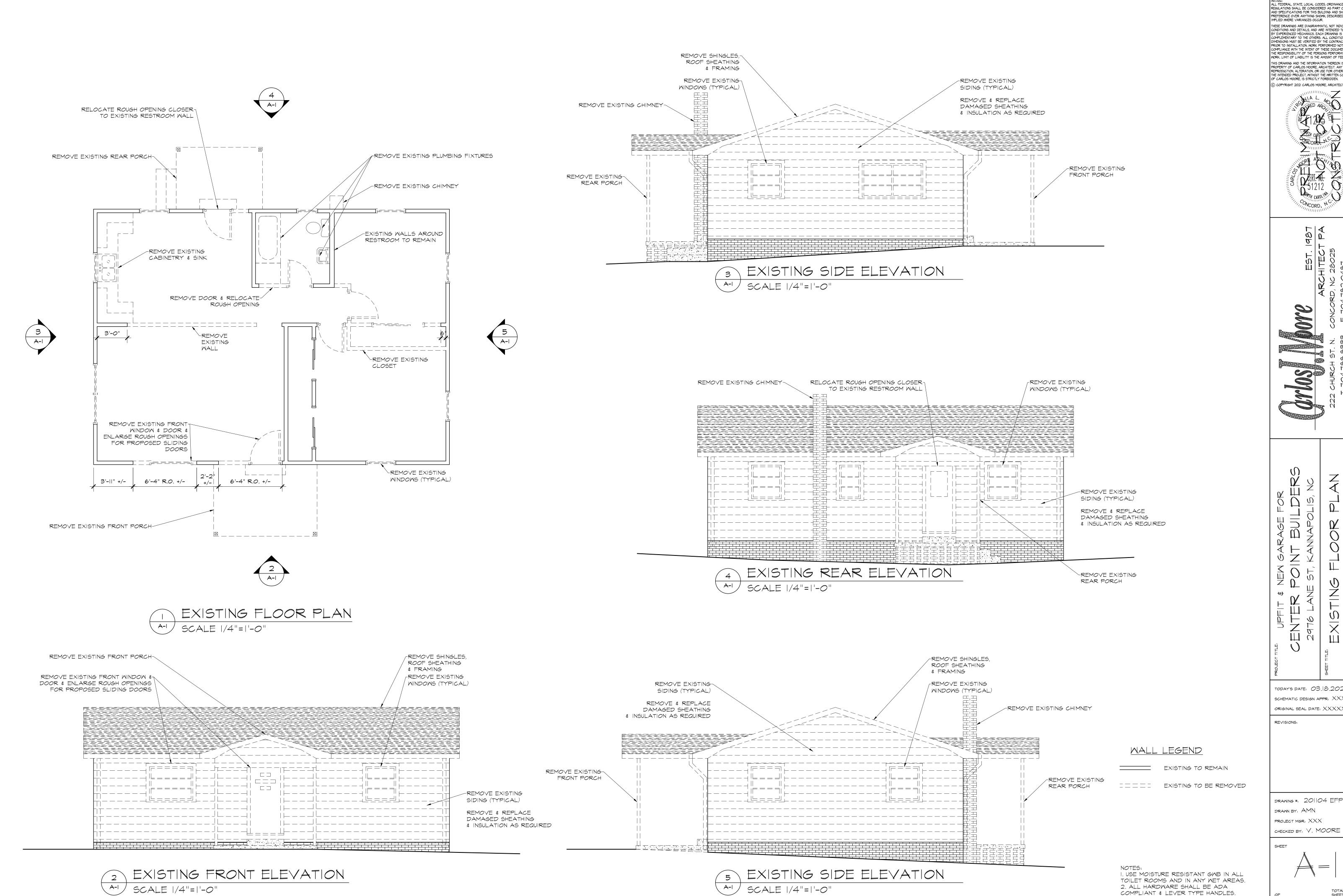
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03.17.2021 1. PLAN REVIEW COMMENTS.

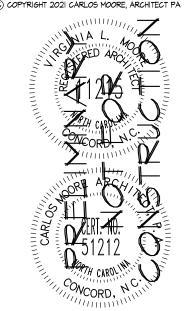
DRAWING NUMBER: 201104 SP2 DRAWN BY: AMN

PROJECT MGR: AMN

TOTAL # OF SHEETS: X



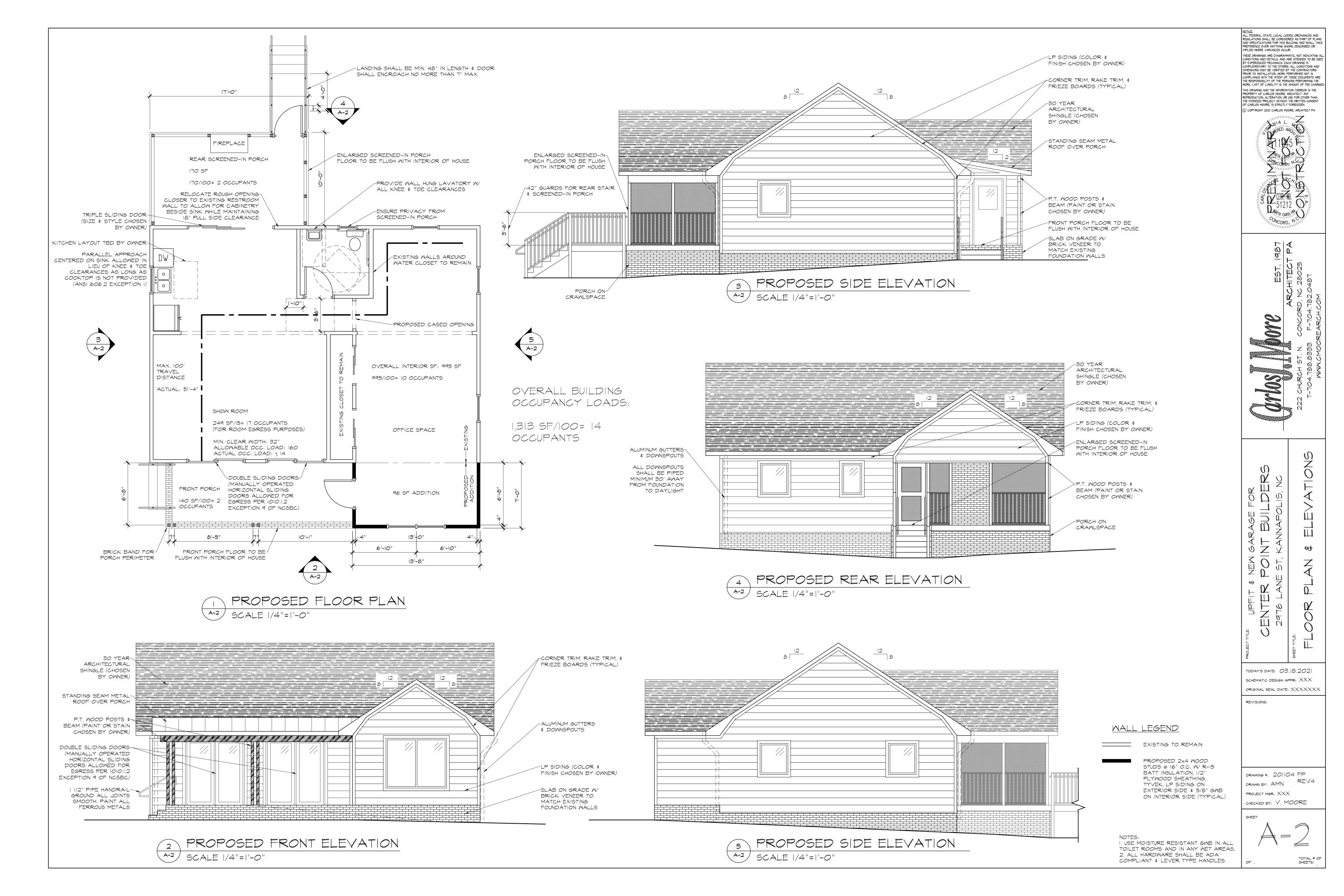
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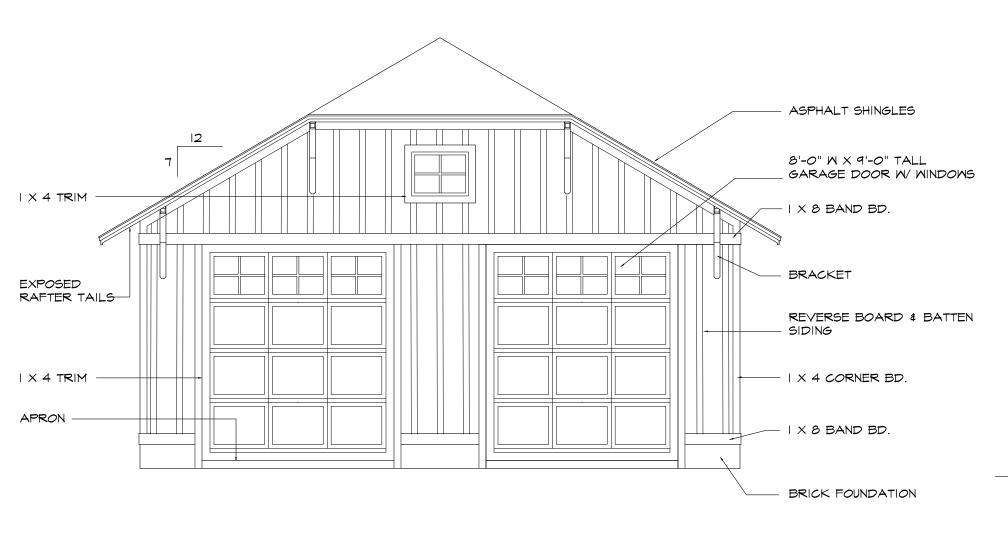


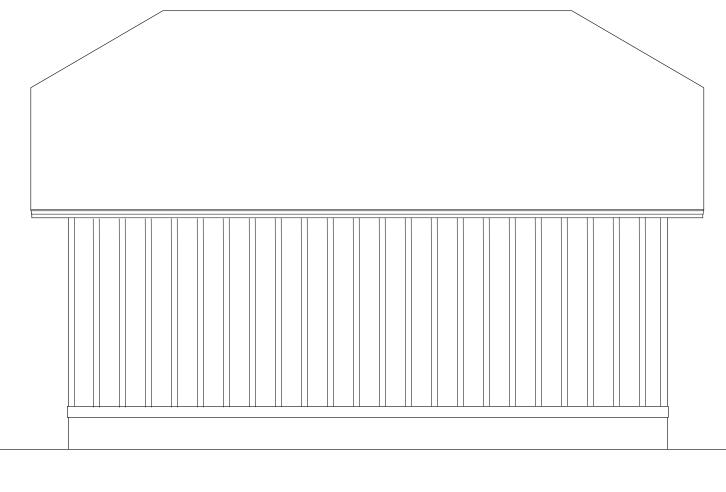
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REVISIONS:

DRAWING #: 201104 EFP drawn by: AMN PROJECT MGR: XXX





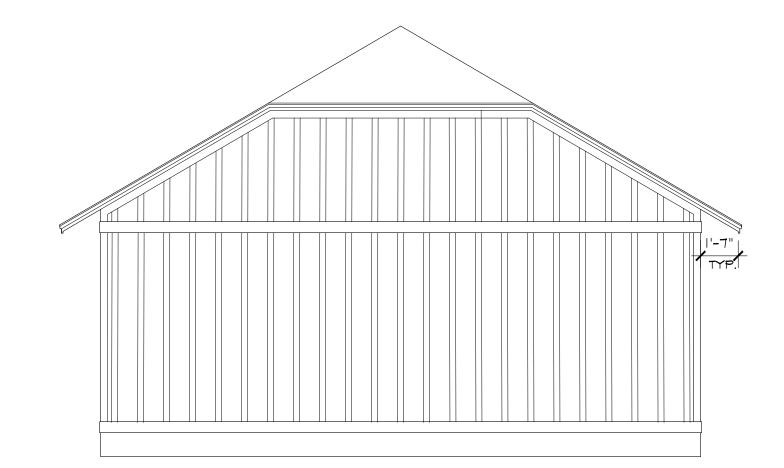


FRONT ELEVATION

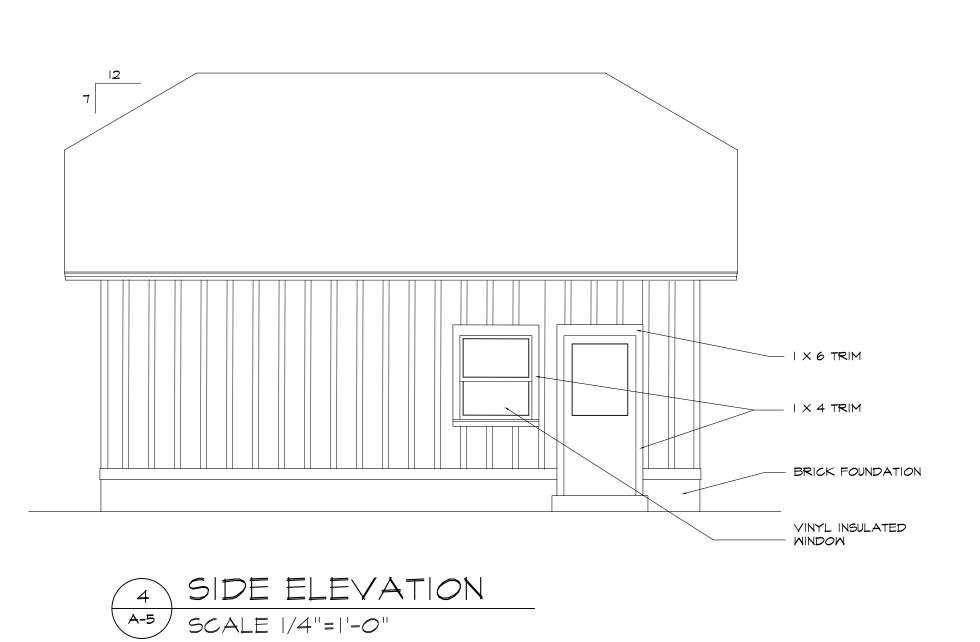
A-5 SCALE 1/4"=1'-0"

3 SIDE ELEVATION

A-5 SCALE 1/4"=1'-0"

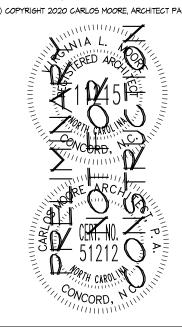






NOTICE:
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EST. 198-ARCHITECT PA

AR 222 CHURCH ST. N. CONCORD, N

ENTER POINT BUILDERS
2976 LANE ST, KANNAPOLIS, NC
64RAGE ELEVATIONS

TODAY'S DATE: XXXXXXX

SCHEMATIC DESIGN APPR: XXX

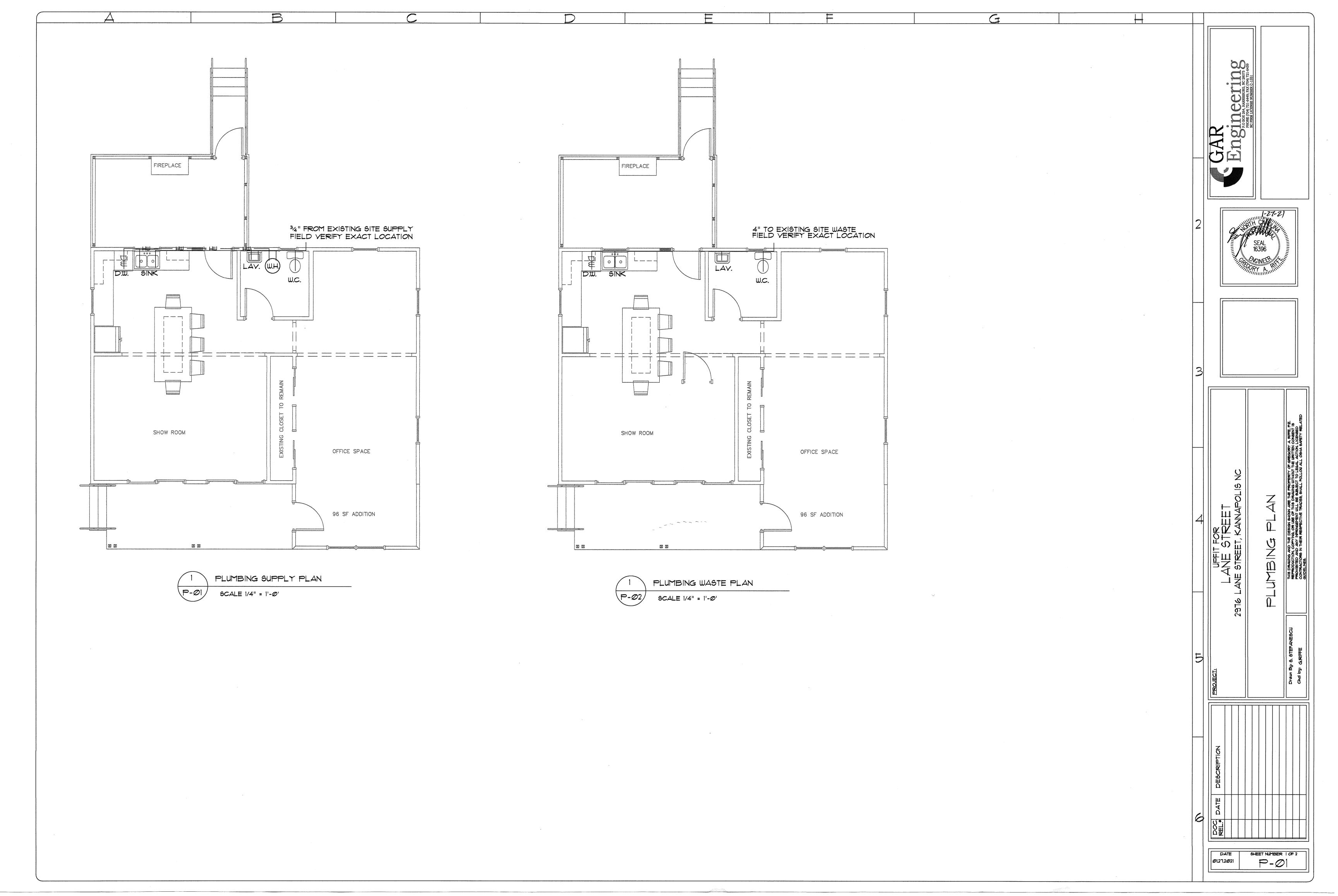
ORIGINAL SEAL DATE: XXXXXXX

REVISION

DRAWING #: 201103 G ELE
DRAWN BY: DB
PROJECT MGR: XXX
CHECKED BY: V. MOORE

SHEET

TOTAL # OF SHEETS:





- 1. THE PLUMBING CONTRATOR SHALL PROVIDE ALL LABOR, MATERIAL, AND EQUIPMENT REQUIRED FOR THE COMPLETION AND OPERATION OF ALL SYSTEMS IN THIS SECTION OF WORK IN ACCORDANCE WITH THE APPROVED EDITIONS OF THE 2018 NC PLUMBING CODE, THE LOCAL ADMINISTRATIVE AUTHORITY AND APPLICABLE NFPA CODES. INSULATE DOMESTIC COLD & HOT WATER PIPING.
- 2. ALL MATERIALS AND EQUIPMENT PROVIDED AND/OR INSTALLED UNDER THIS SECTION OF THE SPECIFICATIONS SHALL BE GUARANTEED FOR A PERIOD OF I YEAR FROM THE DATE OF TURNOVER OF THE WORK TO THE OWNER.
- 3. FIRESTOP ALL PENETRATIONS, BY PIPING OR CONDUITS, OF FIRE RATED WALLS, FLOORS AND PARTITIONS. PROVIDE A DEVICE(S) OR SYSTEM(S) WHICH HAS BEEN TESTED AND LISTED AS COMPLYING WITH ASTM E-814. INSTALL THE DEVICE(S) OR SYSTEM(S) IN ACCORDANCE WITH THE CONDITIONS OF THEIR LISTING, PROVIDE A DEVICE(S) OR SYSTEM(S)
- 4. ALL PLUMBING MATERIALS USED WILL COMPLY WITH THE 2018 NC PLUMBING CODE. A) ANY ABOYE-GROUND DRAINAGE AND VENT PIPING SHALL COMPLY WITH SECTION 102.1 B) ANY UNDERGROUND SANITARY DRAINAGE AND VENT PIPING SHALL COMPLY WITH SECTION 702.2 C) ANY WATER SERVICE PIPE SHALL COMPLY WITH SECTION 605.3
- D) ANY WATER DISTRIBUTION PIPE SHALL COMPLY WITH SECTION 605.4. 5. PROVIDE ALL MATERIALS AND EQUIPMENT AND PERFORM ALL LABOR REQUIRED TO INSTALL COMPLETE AND OPERABLE PLUMBING SYSTEMS AS INDICATED ON THE DRAWINGS, SPECIFIED AND AS REQUIRED BY CODE. REFER TO ARCHITECT/ENGINEER FOR ANY QUESTIONS OF INTENT OR DISCREPANCIES OR CONFLICTING INFORMATION.
- 6. COORDINATE WITH ARCHITECTURAL WORKING DRAWINGS PRIOR TO ROUGHING- IN DO NOT SCALE THESE DRAWINGS, REFER TO ARCHITECTURAL PLANS FOR DIMENSIONS

I FIELD VERIFY ALL DIMENSIONS,

(P-Ø2/

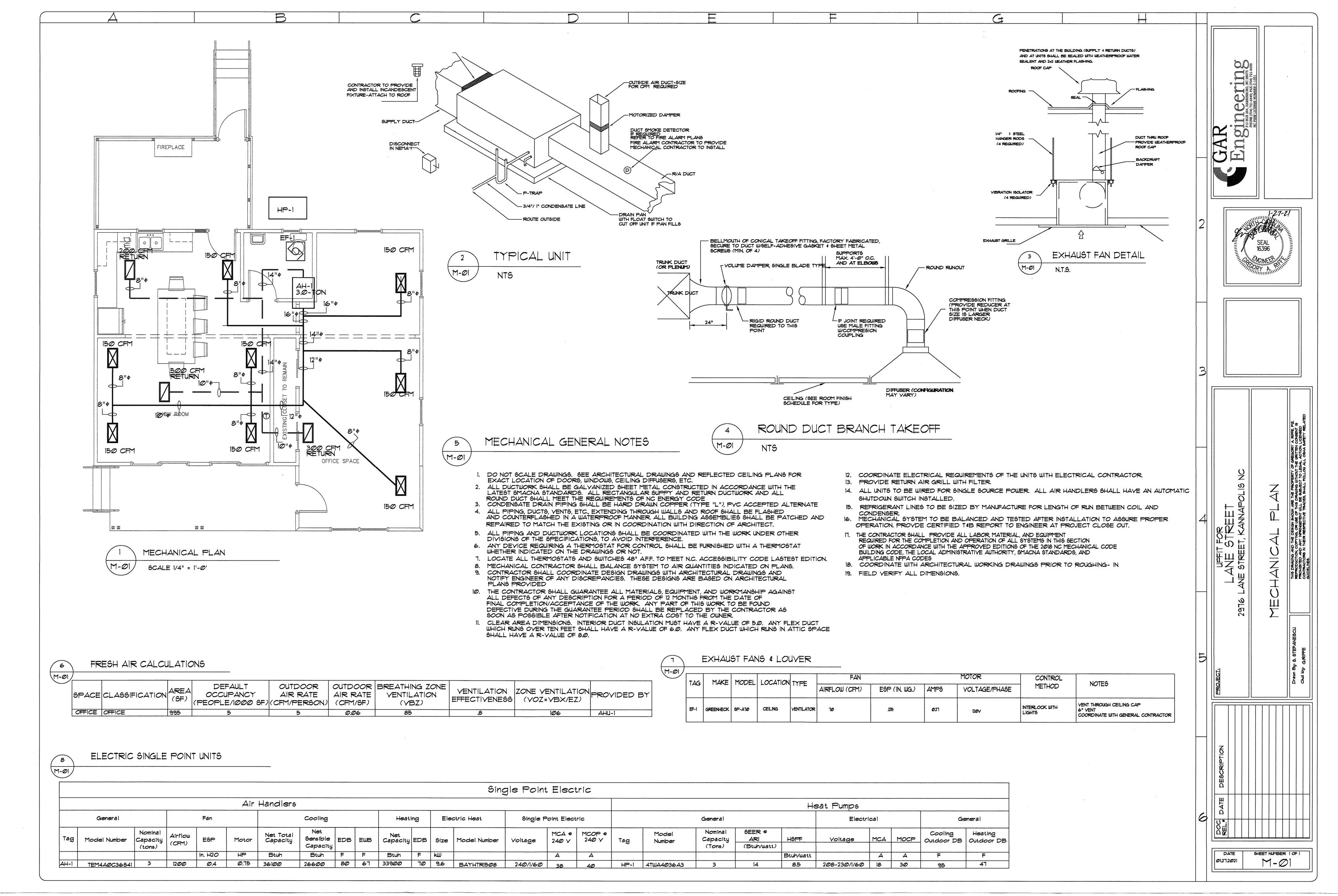
PLUMBING FIXTURE & EQUIPMENT SCHEDULE

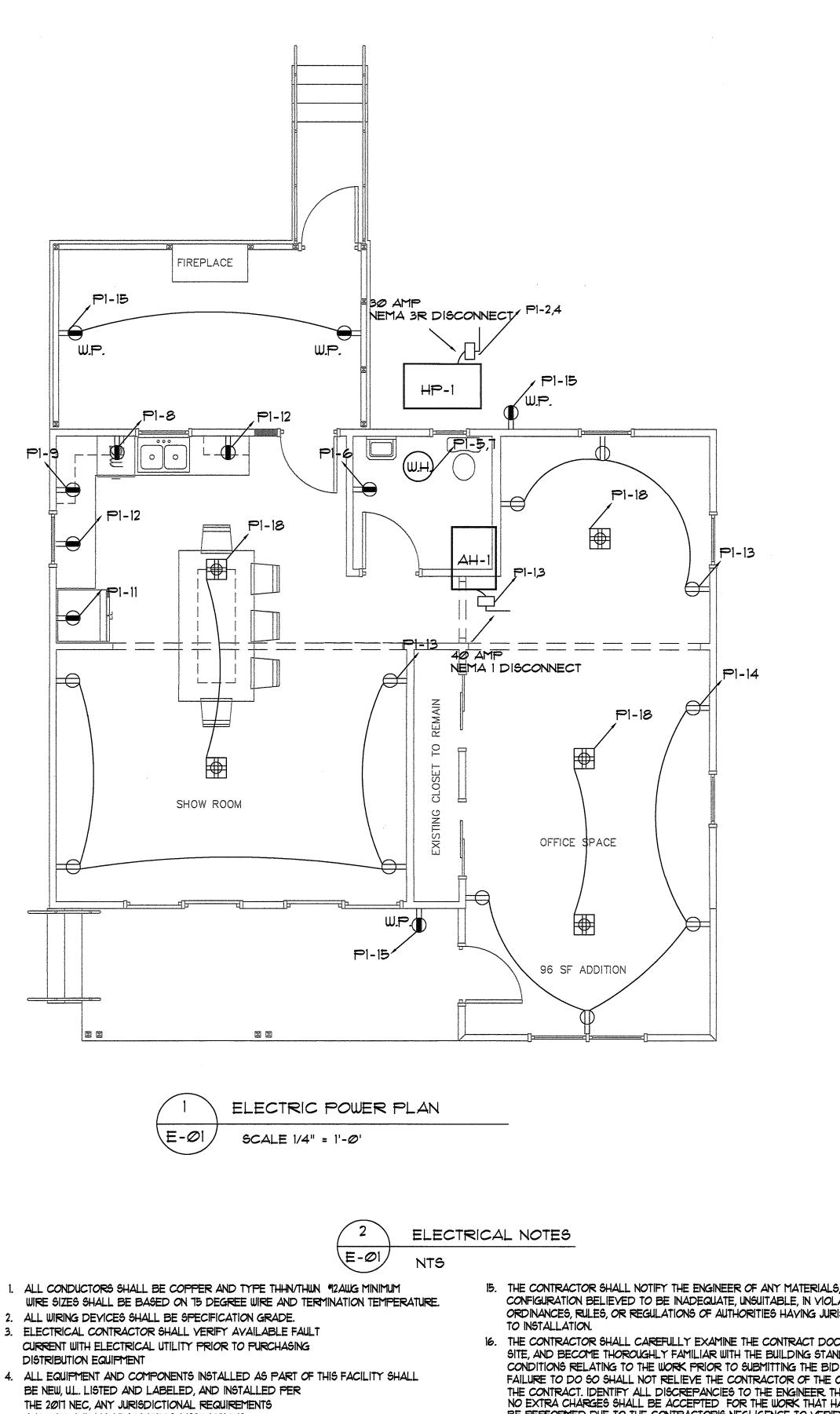
		CONNECTIONS (IN.)	SPECIFICATION		REMARKS C	COUNT			TOTAL WSFU	TOTAL DE		
SYM.	DESCRIPTION	W	Y	CW	HW	JI ECILICATION	REHARRS	COGINT	WORD/I-ER	Drunter	TOTAL WORLD	TOTAL DIG
WC	WATER CLOSET, TANK TYPE, ADA	3"	2"	3/4"		PENGUIN 509	OR APPROVED EQUAL	1	5	4	5	4
LAY	LAYATORY, WALL HUNG	2"	2"	1/2"	1/2"	AMERICAN STANDARD 0355.012.020 FAUCET: CHICAGO 116.606.AB.1	OR APPROVED EQUAL	1	2	1	2	1
SINK	SINK, UNDERMOUNT	2"	2"	1/2"	1/2"	GLACIER BAY FSUR2718B1	OR APPROVED EQUAL	1	3	2	3	2
D.W.	DISHWASHER	2"	2"		1/2"	LG LDF554566	OR APPROVED EQUAL	1	1.4	2	1.4	2
W.H.	ELECTRIC WATER HEATER			3/4"	3/4"	A.O. SMITH E6-40J45DVB	OR APPROVED EQUAL	1				1
	APPROVED EQUALS		·			A.D.A. COMPLIANCE NOTE			TC	DTAL	11.4 WSFU	9 DFU

THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING ANY NON-LISTED TRIM AND COMPONENTS THE PLUMBING CONTRACTOR IS TO VERIFY THAT ALL PLUMBING FIXTURES ARE INSTALLED IN ACCORDANCE WITH THE NC ACCESSIBILITY CODE AS SHOWN ON ARCHITECTURAL PLANS TOTAL ESTIMATED DEMAND 16.0 GPM

SHEET NUMBER 2 OF 2 DATE

P-Ø2 Ø1272Ø21



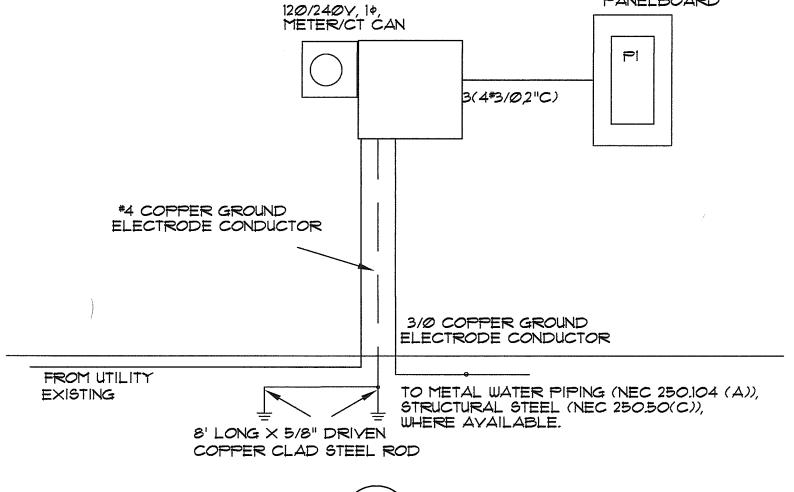


3(4#3/Ø2"C) *4 COPPER GROUND ELECTRODE CONDUCTOR 3/0 COPPER GROUND ELECTRODE CONDUCTOR FROM UTILITY EXISTING WHERE AYAILABLE. 8' LONG X 5/8" DRIVEN COPPER CLAD STEEL ROD RISER DIAGRAM \E-Ø1

- 1. ALL CONDUCTORS SHALL BE COPPER AND TYPE THHN/THUN #12AUG MINIMUM
- 3. ELECTRICAL CONTRACTOR SHALL VERIFY AVAILABLE FAULT CURRENT WITH ELECTRICAL UTILITY PRIOR TO PURCHASING
- 4. ALL EQUIPMENT AND COMPONENTS INSTALLED AS PART OF THIS FACILITY SHALL BE NEW, U.L. LISTED AND LABELED, AND INSTALLED PER
- AND PER THE MANUFACTURERS INSTRUCTIONS. 5. ELECTRICAL CONTRACTOR SHALL COORDINATE WITH ALL OTHER TRADE DISCIPLINE TO AYOID INTERFERENCE AND RE-WORK.
- 8. ELECTRICAL CONTRACTOR SHALL CHECK FOR AND ELIMINATE SHORTS PRIOR TO ENERGIZING CIRCUITS. FAILURE TO DO SO WILL RESULT IN REPAIRS TO BE MADE AT NO EXPENSE TO OWNERS OR REPRESENTATIVES.
- II. ELECTRICAL CONTRACTOR OR DESIGNATED TELECOMMUNICATIONS SUBCONTRACTOR SHALL COORDINATE LOCATION AND REQUIREMENTS FOR TELEPHONE SERVICE WITH THE TELEPHONE COMPANY.
- 13. THE CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIAL, AND EQUIPMENT REQUIRED FOR THE COMPLETION AND OPERATION OF ALL SYSTEMS IN THIS SECTION OF WORK IN ACCORDANCE WITH THE APPROVED EDITIONS OF THE 2011 NEC BUILDING CODE, THE LOCAL ADMINISTRATIVE AUTHORITY AND APPLICABLE NFPA CODES.
- 14. PROVIDE ALL MATERIALS AND EQUIPMENT AND PERFORM ALL LABOR REQUIRED TO INSTALL COMPLETE AND OPERABLE ELECTRICAL SYSTEM AS INDICATED ON THE DRAWINGS, SPECIFIED AND AS REQUIRED BY CODE. REFER TO ARCHITECT/ENGINEER FOR ANY QUESTIONS OF INTENT OR DISCREPANCIES OR CONFLICTING INFORMATION.

- 15. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY MATERIALS, EQUIPMENT, OR CONFIGURATION BELIEVED TO BE INADEQUATE, UNGUITABLE, IN VIOLATION OF LAWS, ORDINANCES, RULES, OR REGULATIONS OF AUTHORITIES HAVING JURISDICTION PRIOR
- 16. THE CONTRACTOR SHALL CAREFULLY EXAMINE THE CONTRACT DOCUMENTS, VISIT THE SITE, AND BECOME THOROUGHLY FAMILIAR WITH THE BUILDING STANDARDS AND LOCAL CONDITIONS RELATING TO THE WORK PRIOR TO SUBMITTING THE BID PROPOSAL. FAILURE TO DO SO SHALL NOT RELIEVE THE CONTRACTOR OF THE OBLIGATIONS OF THE CONTRACT. IDENTIFY ALL DISCREPANCIES TO THE ENGINEER THERE SHALL BE NO EXTRA CHARGES SHALL BE ACCEPTED FOR THE WORK THAT HAS TO BE PERFORMED DUE TO THE CONTRACTOR'S NEGLIGENCE TO VERIFY THE EXISTING CONDITIONS.
- 17. NO EXTRA COMPENSATION WILL BE CONSIDERED FOR WORK REFERENCED OR IMPLIED IN THE CONTRACT DOCUMENTS, THE CONTRACT DOCUMENTS MAY INCLUDE BUT NOT BE LIMITED TO: ELECTRICAL, MECHANICAL, PLUMBING, ARCHITECTURAL, OR STRUCTURAL. NOR WILL EXTRA COMPENSATION WILL BE CONSIDERED FOR WORK REFERENCED TO OR IMPLIED ON THE CONTRACT DOCUMENT BUT "NOT INCLUDED" IN THE BID UNLESS ABSOLUTELY NOTED AS SUCH ON THE SUBMITTED BID DOCUMENTS.
- 18. THE CONTRACTOR SHALL PROVIDE FOR ANY RELOCATION COSTS TO THE EXISTING ELECTRICAL SYSTEM AND COMPONENTS OR EQUIPMENT REQUIRED TO ACCOMMODATE THE NEW CONSTRUCTION.
- 19. THE CONTRACTOR SHALL APPLY AND PAY FOR ALL NECESSARY PERMITS, FEES, AND INSPECTIONS REQUIRED BY ANY PUBLIC AUTHORITY HAVING JURISDICTION. ACREAGE CHARGES, BONDS, PROPERTY ASSESSMENTS AND FACILITIES CHARGE SHALL NOT BE CONSTRUED TO BE A PART OF
- 20. THE CONTRACTOR SHALL COORDINATE WORK WITH THE CONTRACTORS OF OTHER TRADES, AND COMPLETE THE ENTIRE INSTALLATION AS SOON AS THE CONDITIONS OF THE BUILDING PERMITS. 21. COORDINATE WITH ARCHITECTURAL WORKING DRAWINGS PRIOR TO ROUGHING- IN.
- 22. ALL MATERIALS AND EQUIPMENT PROVIDED AND/OR INSTALLED UNDER THIS SECTION OF THE SPECIFICATIONS SHALL BE GUARANTEED FOR A PERIOD OF 1 YEAR FROM THE DATE OF TURNOVER OF THE WORK TO THE OWNER.

23. FIELD VERIFY ALL DIMENSIONS.



PANEL SCHEDULE

240/120, 1¢, 3 WIRE

CIRCUIT

BREAKER

AMPS POLES

TOTAL

29.8 KVA

124.2 AMPS

40

200A

LOAD KYA

9.7 | 8.7

2.1 25

(E-Ø1)

PANEL DESIGNATION

VOLTAGE

AMPERES

SERVED

WATER HEATER

120/240Y, 1¢, 200A PANELBOARD

LOCATION

PANEL MOUNTING

BREAKER

AMPS POLES

SURFACE

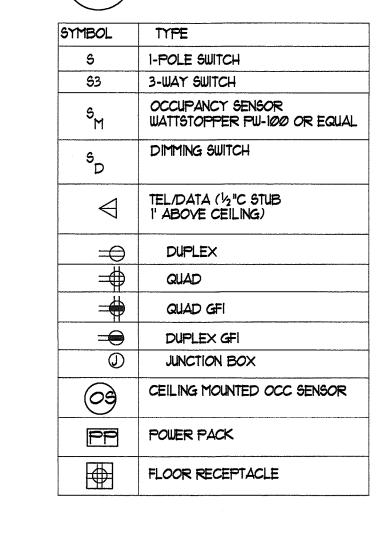
NEMA I

68 46 SUB-TOTAL

LOAD KYA

LOAD

SERVED



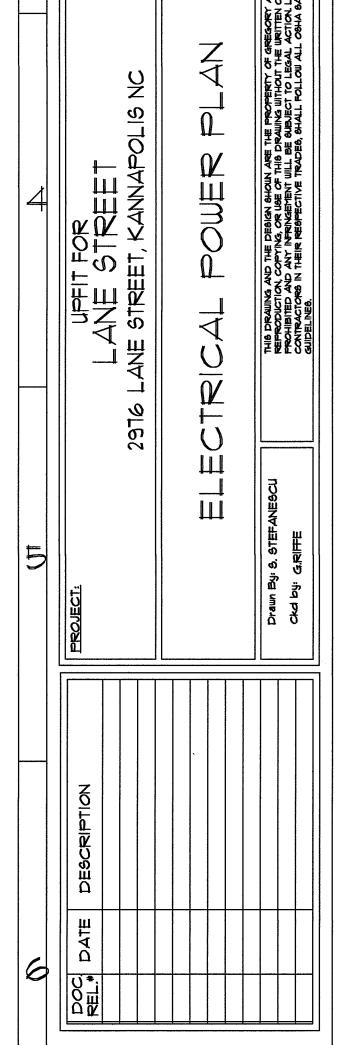
LEGEND

\E-Ø1,

E-Ø1

WIRING EQUIVALENTS PER NEC ALLOWED

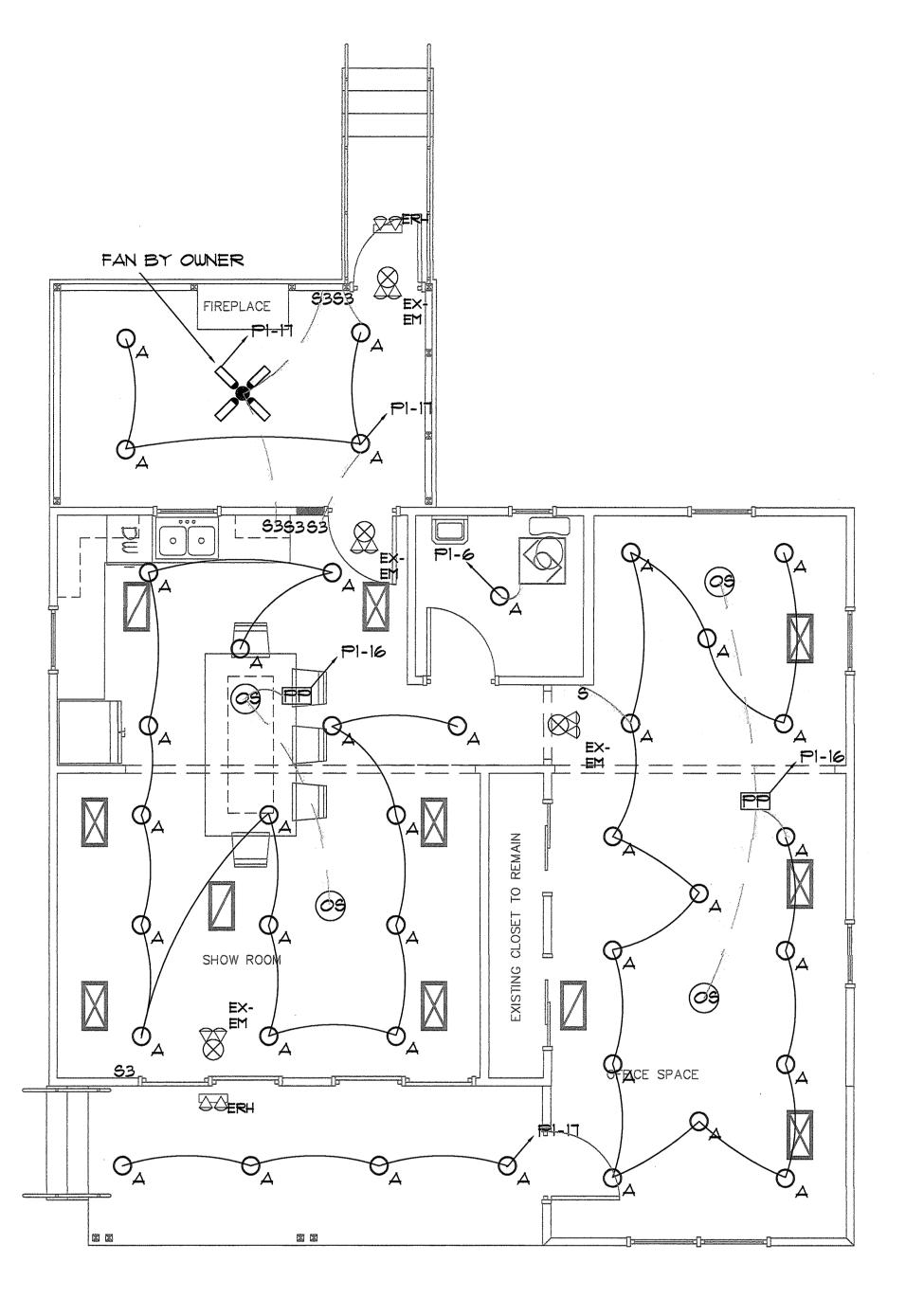
	WIRING CHART
2Ø	IP - 2#2, #12GND, 1/2 "C 2P - 3#12, #12GND, 1/2 "C 3P - 4#12, #12 GND, 1/2 "C
25	IP - 2#0, #2GND, 1/2 "C 2P - 3#0, #2GND, 1/2 "C 3P - 4#0, #2 GND, 1/2 "C
3Ø	IP - 2#0, #0GND, 1/2 "C 2P - 3#0, #0GND, 1/2 "C 3P - 4#0, #10 GND, 1/2 "C
35/40/50	1P - 2*8, *10GND,34"C 2P - 3*8, *10GND,34"C 3P - 4*8, *10 GND, 34"C
60	IP - 2*6, *10 GND, ³ 4"C 2P - 3*6, *10 GND, ³ 4"C 3P - 4*6, *10 GND, 1"C
70/80	IP - 2*4, *8 GND, 1"C 2P - 3*4, *8 GND, 1"C 3P - 4*4, *8 GND, 1½"C
100	1P - 2*3, *8 GND, 1"C 2P - 3*3, *8 GND, 1"C 3P - 4*3, *8 GND, 1½"C
150	1P - 2* 1/0, *6 GND, 1½"C 2P - 3* 1/0, *6 GND, 1½"C 3P - 4* 1/0, *6 GND, 1½"C
200	IP - 2*3/0, *6 GND, 2"C 2P - 3*3/0, *6 GND, 2"C 3P - 4*3/0, *6 GND, 2"C
225	IP - 2*4/0, *4 GND, 2"C 2P - 3*4/0, *4 GND, 2"C 3P - 4*4/0, *4 GND, 2"C
400	IP - 2*500, *3 GND, 3½ "C 2P - 3*500, *3 GND, 3½ "C 3P - 4*500, *3 GND, 3½ "C



SHEET NUMBER 1 OF 2

E-Ø1

Ø1.27.2021



LIGHTING PLAN SCALE 1/4" = 1'-0'

ENERGY CODE COMPLIANCE E-02

		INTERIOR		
SPACE ACTIVITY	ALLOWANCE (W/S.F.)	AREA (S.F.)	TOTAL ALLOWANCE (W)	TOTAL ALLOWANCE LESS 10% (W)
OFFICE	.82	1,000	82Ø	738
FIXTURE TYPE	NUMBER	WATTS / FIXTURE	TOTAL (W)	TOTAL INSTALLED (W)
A	31	13.5	418.5	418.5

		EXTERIOR		
	ALLOWANCE		TOTAL ALLOWANCE (W)	
BASE ALLOWANCE	750		750	
FIXTURE TYPE	NUMBER	WATTS / FIXTURE	TOTAL (W)	TOTAL INSTALLED (W)
A	8	13.5	108	103

E-02

ELECTRICAL SYSTEM AND EQUIPMENT METHOD OF COMPLIANCE

Energy Cost Budget Performance Provide a standard riser diagram which indicates designated points for check metering Provide a standard panel schedule description which identifies different used loads

LIGHTING SCHEDULE

lamp types required in fixture
number of lamps in fixture
ballast type used in fixture
number of ballast in fixture
total wattage per fixture
total interior wattage specified vs. allowed
total exterior wattage specified vs allowed

EQUIPMENT SCHEDULE WITH MOTORS (NOT USED FOR MECHANICAL SYSTEMS)

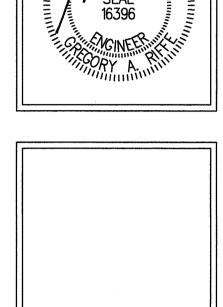
motor horsepower number of phases minimum efficiency motor type number of poles DESIGNER STATEMENT: To the best of my knowledge and belief, the design of this building complies with the thermal envelope requirements of the ENERGY CODE

SIGNED: S. STEFANESCU DESIGNER

FIXTURE SCHEDULE E-Ø2

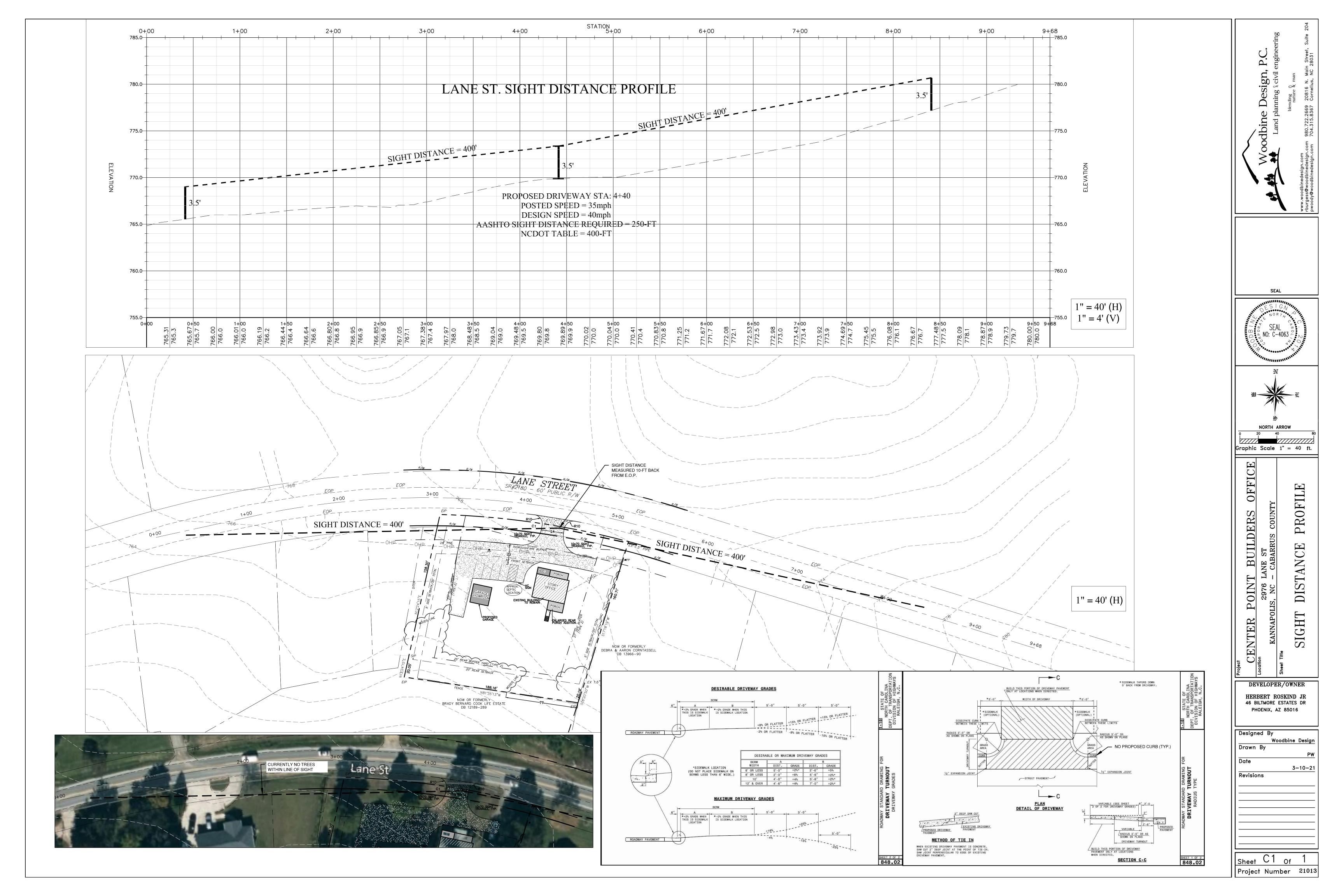
SYMBOL	TYPE	DESCRIPTION	FIXTURE WATTS	MOUNT
O _A	A	6" LED RECESSED CAN, COLOR TEMP SELECTABLE, DIMMABLE. WET LOCATION RATED. TAMLITE CLY6-CCTA/WH	13.5	CLG
△ EM	EM	EMERGENCY DUAL HEAD WITH 90 MINUTE BATTERY BACKUP	2-8W	WALL
∆ OERH	ERH	EMERGENCY OUTDOOR REMOTE DUAL HEAD WITH 90 MINUTE BATTERY BACKUP, WET LABEL	2-8W	ABOYE DOOR
EX-	EX- EM	EMERGENCY / EXIT LIGHT COMBO WITH RED LETTER STENCIL FACE AND 90 MINUTE BATTERY BACKUP	2-8W 1-2.3W	WALL

ALL FIXTURES TO BE APPROVED BY GENERAL CONTRACTOR AND OWNER PRIOR TO PURCHASE AND INSTALL.



SHEET NUMBER 2 OF 2 DATE

Ø1.27.2021



Central Planning Area Existing Zoning

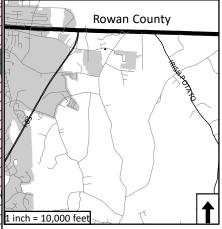


Applicant: Center Point Builders (c/o Virginia Moore)

Owner: ABM Property Holdings LLC

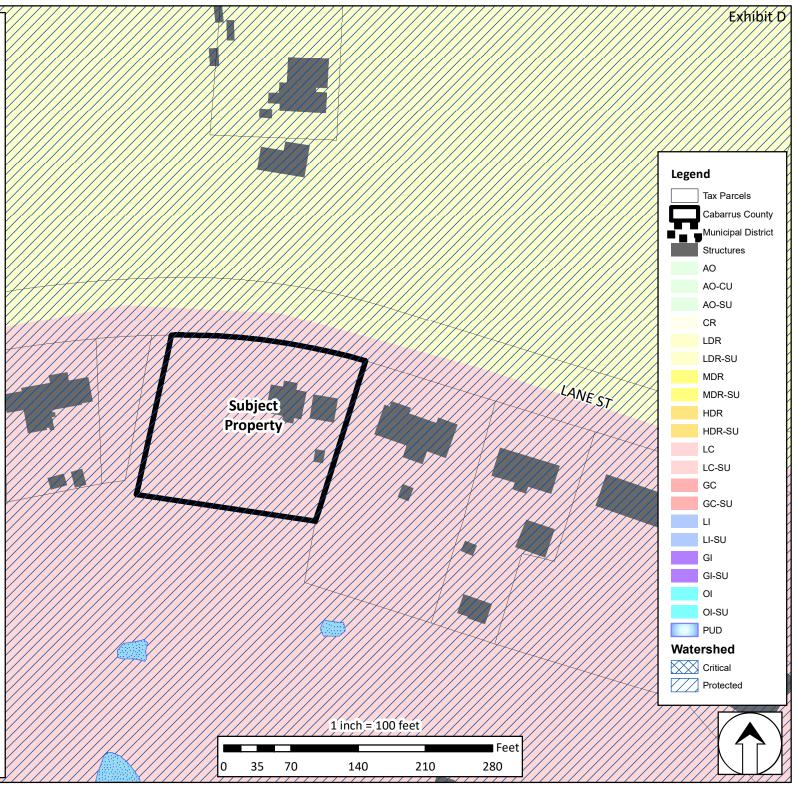
Case: ARCH2021-00001 Address: 2976 Lane Street Purpose: Architectural Review

PINs: 5633-79-8744



Cabarrus County shall not be held liable for any errors in this data. This includes errors of omisssion, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.

Map Prepared by Cabarrus County Planning & Development - March 2021



Central Planning Area Aerial Map



Applicant: Center Point Builders (c/o Virginia Moore)

Owner: ABM Property Holdings LLC

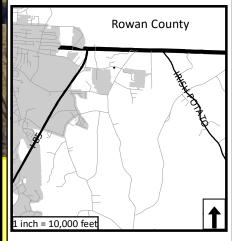
Case: ARCH2021-00001 Address: 2976 Lane Street Purpose: Architectural Review

PINs: 5633-79-8744

CabarrusCounty

MunicipalDistrict

Tax Parcels



Cabarrus County shall not be held liable for any errors in this data. This includes errors of omisssion, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.

Map Prepared by Cabarrus County Planning & Development - March 2021



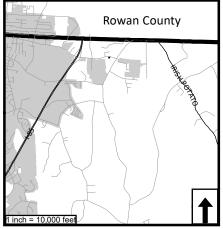
Central Planning Area Future Land Use



Applicant: Center Point Builders (c/o Virginia Moore) Owner: ABM Property Holdings LLC

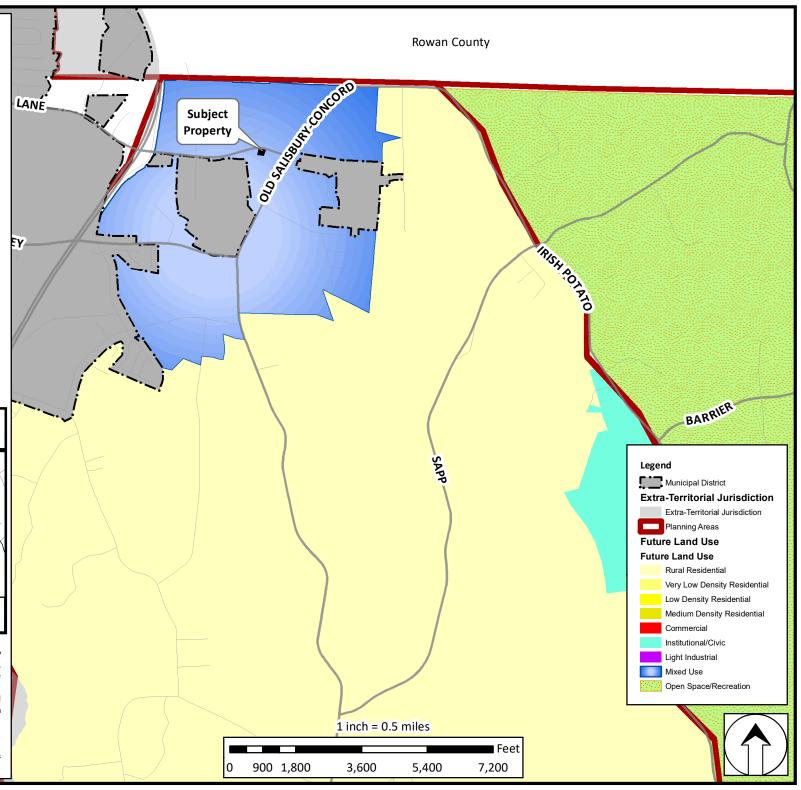
Case: ARCH2021-00001 Address: 2976 Lane Street Purpose: Architectural Review

PINs: 5633-79-8744



Cabarrus County shall not be held liable for any errors in this data. This includes errors of omisssion, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.

Map Prepared by Cabarrus County Planning & Development - March 2021





Cabarrus County Government – Planning and Development Department

March 22, 2021

Dear Property Owner:

A Zoning Map Amendment Petition has been filed in our office for property **adjacent** to yours. The properties and specifics of the rezoning are listed below. The Cabarrus County Planning and Zoning Board will consider this petition on Tuesday, April 13, 2021 at 6:30 PM in the Cabarrus Room of the Cabarrus Arena & Events Center, located at 4751 NC Highway 49 North, Concord, NC 28025. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about the rezoning, I encourage you to attend this meeting.

Petitioner	Centerpoint Builders (c/o Ginger Moore)
 Petition Number 	ARCH2021-00001
Property Location	2976 Lane Steet
Parcel ID Number	5633-79-8744
• Proposal	Contractor's Trade Shop/Office

If you have any questions regarding this petition, or the hearing process, please contact me at Cabarrus County Planning and Development at 704.920.2181.

Sincerely,

Phillip Collins, AICP

Shelf Collins

Senior Planner

Cabarrus County Planning and Development

704.920.2181



Cabarrus County Government - Planning and Development Department

March 22, 2021

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Sincerely,

Phillip Collins, AICP Senior Planner

Shelf Collins

Cabarrus County Planning and Development

704.920.2181

PROPERTY OWNER 5633-79-8744 ABM PROPERTY HOLDINGS LLC 23 UNION STREET CONCORD, NC 28025

5633-89-0721	5634-80-2202 & 5633-79-9289
DEBRA & AARON CORNTASSEL	BRADY BERNARD COOK LF EST
2982 LANE STREET	4651 LAKE FISHER ROAD
KANNAPOLIS, NC 28083	KANNAPPOLIS, NC 28083



Planning

Memo

To: Planning and Zoning Commission, Acting as Board of Adjustment

From: Susie Morris, Planning and Zoning Manager

cc: File

Date: 3/24/2021

Re: NC 102 Project Close Out - Committee Site Visit Update

Staff and the Committee visited the site on December 2, 2020.

Attached you will find a separate memo that contains the observations, comments and concerns that were expressed by the Committee that were also shared with Al Jansen, the primary point of contact for Canadian Solar on 12/16/2020.

Mr. Jansen informed Staff that Canadian Solar is still working on a plan to address the Committee's concerns and comments. They are working on finalizing plans to provide a formal response for the next available agenda, which is anticipated to be June, pending and subject to COVID restrictions in place at the time.

From: Al Jansen
To: Susie Morris

Subject: RE: Information for BOA

Date: Wednesday, March 24, 2021 3:52:05 PM

Attachments: <u>image779394.png</u>

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Hi Susie,

Again apologies for the delay in response. Still finalizing some engineering details on the sediment basins in South America and executing the additional planting, will take this opportunity to table to June.

Al Jansen

Senior Construction Manager, Construction Management, EPC



Canadian Solar Solutions Inc.

545 Speedvale Ave. West, Guelph, ON, N1K 1E6 Tel: +1 519 837 1881 | Mobile: +1 925 394 6564

This message is directed in confidence solely to the addressee(s) named above. This message contains privileged and/or confidential information, which is not to be disclosed to any third party. If you are not an intended recipient of this message or an authorized representative thereof, please contact the undersigned and then destroy this message as well as all existing copies. Any utilization of this message by a person other than an intended recipient hereof is strictly forbidden.

----Original Message----

From: Susie Morris <SAMorris@cabarruscounty.us>

Sent: March 22, 2021 1:43 PM

To: Al Jansen < Al.Jansen@canadiansolar.com>

Subject: Information for BOA

Caution: External Mail This email originated from outside the organization. Do not click on links or open attachments unless you recognize the sender and know the content is safe

Hi Al.

Hope this finds you well! Do you think you will be able to provide a formal response by COB tomorrow or do we need to table to the June meeting?

Regards,

Susie

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

Planning

Memo

To: Cabarrus County Planning and Zoning Commission

From: Susie Morris, Planning and Zoning Manager

cc: File

Date: March 29, 2021

Re: Proposed Amendments to Chapter 2, Chapter 4 and Chapter 6 TEXT2021-00001

Attached you will find proposed text amendments to clarify two items discussed in the Ordinance.

The first item is Junk Vehicles. The proposed text amendment to Chapter 6 clarifies that junk vehicles are not permitted in any zoning district. One hobby car per parcel is still permitted, as long as certain standards are met for storage of the vehicle.

The second item is Recreational Vehicles (RVs). The proposed amendments to Chapter 2, Chapter 4 and Chapter 6 clarify that RVs cannot be used as a temporary or permanent dwelling, or as accessory to a dwelling, except when located in a Manufactured Home Park or on a parcel where a home is being rebuilt after it was damaged, but not more than 180 days.

The Planning and Zoning Commission will need to discuss the proposed amendments and be prepared to make a recommendation to the Cabarrus County Board of Commissioners.

CABARRUS COUNTY DEVELOPMENT ORDINANCE CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

RECREATIONAL FACILITY, OUTDOOR - An establishment providing amusement, entertainment or recreation outdoors, typically for an admission charge or membership fee. Types of outdoor recreational facilities include but are not limited to:

- a. Ball field, ball field complex
- b. Soccer field, soccer field complex
- c. Miniature golf
- d. Outdoor Adventure Facilities, including zip lines, ropes courses and rock climbing walls
- e. Amphitheater
- f. Campground
- g. Non-competitive kart racing
- h. Radio controlled race car or truck course
- i. Radio controlled airplane flying fields, drone flying fields
- j. Paint ball fields
- k. Outdoor pools or waterparks open to the general public

RECREATIONAL THERAPY FACILITY, RURAL SETTING - A facility that provides recreational therapy to individuals with a wide range of cognitive, physical and emotional disabilities. Recreational therapy is the provision of services to an individual to restore and rehabilitate using recreational techniques, in order to improve functioning and independence, as well as reduce or eliminate the effects of illness or disability and promote well-being.

RECREATIONAL TRAIL - Any paved or unpaved surface used as a greenway, blueway or recreational facility.

RECREATIONAL VEHICLE or RV - A vehicular or portable unit mounted on a chassis and wheels, and which is primarily designed to provide temporary living quarters and either has its own motive power or is mounted on, or drawn by, a motor vehicle. Examples are: Recreational Vehicles include travel trailers, truck campers, camping trailers, motor homes and tiny homes on wheels. Recreational vehicles are intended for temporary occupancy and may not be used as a permanent residence.

RECYCLABLE MATERIALS DROP OFF - A bin or container-like device situated for the receipt and temporary storage of recyclable materials which is not enclosed within a building or structure.

REGISTERED LAND SURVEYOR - A person who, by reason of his special knowledge of mathematics, surveying principles and methods, and legal requirements which are acquired by education and/or practical experience, is qualified to engage in the practice of land surveying, as herein defined, as attested by his registration as a registered land surveyor by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors.

Chapter	r 2	Page	30	of	40

A manufactured home is defined as a dwelling unit that:

- Is not constructed in accordance with the standards of the North Carolina Residential Building Code for One- and Two-Family Dwellings;
- Is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis;
- Exceeds forty feet in length and eight feet in width; and
- Is constructed to the Federal Manufactures Construction Standards and is so labeled.
 For purposes of this Part, a "manufactured home" does not include a structure which otherwise complies with this subsection, but which was built prior to June 15, 1976, which units shall be classified as "mobile homes."

Section 4-21 Modular Homes Exempted

Manufactured Housing Constructed to meet the N.C. State Building Code (Modular Homes) shall be treated the same as stick-built housing.

Section 4-22 Establishment

This Section establishes three Manufactured Home Overlay Districts in order to provide flexibility with regard to various manufactured home products: MH-1, MH-2 and MHP.

Section 4-23 Classification of Manufactured Homes and Recreational Vehicles

The following classification system is hereby adopted for purposes of this Section:

MANUFACTURED HOME TYPE I- A single-section manufactured home.

MANUFACTURED HOME TYPE II- A multi-section manufactured home.

RECREATIONAL VEHICLE - A vehicular or portable unit mounted on a chassis and wheels, and which is primarily designed to provide temporary living quarters and either has its own motive power or is mounted on, or drawn by, a motor vehicle. Examples are: travel trailers, truck campers, camping trailers, and motor homes.

Section 4-24 MH-1, Manufactured Home Overlay 1

1. Purpose -The purpose of the MH-1, Manufactured Home Overlay District, is to provide for the principal use of land developed in harmony with the Underlying Zoning District regulations; however, permitting the substitution of a Manufactured Home as a Principal Building, provided the specific design and/or installation regulations appearing in Section 4-28, are met.

2. Uses Permitted

Use permitted as of right within the MH-1 Overlay District include:

Section 6-9 Height limitation on fences in residential districts

Fences and walls are subject to the following limitations:

- 1. Rear and side yard fences are not to exceed seven (7) feet.
- 2. Front yard fences are not to exceed five (5) feet.
- 3. Recreational fences are exempt.

A zoning permit is not required to install a residential fence. However, property lines should be identified prior to installation to prevent encroachments onto adjacent properties and/or into public right-of-ways. Fences installed in the regulated floodway must not impede the flow of water or the natural function of the floodway.

Section 6-10 Fencing Around Swimming Pools

Appendix G of the North Carolina Building Code requires that all outdoor swimming pools be protected by a barrier or fence, a minimum of four (4) feet in height and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking. See Appendix G, North Carolina Building Code, Swimming Pools, Spas and Hot Tubs for requirements.

Section 6-11 Abandoned and Junk Vehicles

- A. Abandoned and junked motor vehicles constitute a hazard to the health, safety, and general welfare of the citizens of Cabarrus County. Such vehicles can harbor noxious disease, provide shelter and breeding places for vermin, and present physical dangers to the safety of our children as well as the general public. These vehicles also detract from the physical appearance of the community. Therefore, the purpose of this section is to eliminate existing junk and abandoned vehicles and to prevent future storage of these vehicles.
 - B. In general, no person may store a junked or abandoned vehicles shall be stored on any lot within any residential, commercial, or industrial zoning district parcel

Exceptions to Subsection (B) This section does not apply to any motor vehicle that is

- (1) Stored in an enclosed building;
- (2) Stored on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the business, such as in a salvage yard; or
- "3. Is (3) presently being restored to an operable stage (limited to one vehicle per parcel) as long as: if the vehicle
 - a. The vehicle(A) cannot be seen from a public right-of-way;

Chapter 6 Page 3 of 7		
	Amended	

b. The vehicle(B) cannot be seen from adjacent properties;
 c. The vehicle (C) is covered with a car cover when not being actively worked on;
 and

(D) is the only junk or abandoned vehicle on the parcel.

Section 6-12 Antennae and Accessory Use of Solar Panels to be treated as accessory building use for setbacks

Antennae and accessory use of solar panels (collections up to 20 panels) are subject to the same placement requirements as accessory buildings set forth in Chapter 7, Section 7-3 #1, Accessory Building, Accessory Dwelling Unit and Swimming Pools Accessory to Single Family Residential.

Section 6-13 Exceptions and modifications

Front setback requirements for dwellings

Setback requirements for dwellings may be modified when the setbacks of contiguous existing buildings are less than required. These decreased setbacks are determined by computing the average setback on adjacent lots 500 feet on either side of the lot of the proposed dwelling.

The modified setback may be equivalent to the average of the existing structures or 25 feet from the street right-of-way line, whichever is greater. For lots on any roadway planned for widening as shown on the approved North Carolina Department of Transportation Comprehensive Transportation Plan, the setback shall be established from the proposed right-of-way line.

Height limitations for certain types of structures

The following are exempt-from height limitations unless they are located in the vicinity of an airport. See Airport Overlay District, Chapter Four, for clarification.

Church spires, belfries, cupolas, domes, and other architectural embellishments not intended for human inhabitation

- 1. Monuments
- 2. Towers: water, observation, transmission, radio, television and cellular telephone
- 3. Chimneys

Amended		

[&]quot;Agricultural/Open Space District: This section does not apply to the Agricultural/Open Space Zoning District where the lot of record is 3 acres or greater.

[&]quot;Any violation of this section will be processed as a violation of this Ordinance."

Section 6-16 Accessory structures on individual lots

Unless specifically allowed by this ordinance, accessory structures shall not be permitted as primary structures. Additionally, no new lot shall be created having an accessory structure as the primary structure unless said structure is specifically allowed by this ordinance and properly permitted.

Section 6-17 Easement encroachment not permitted

In no case shall an encroachment be permitted into an easement of record area unless the applicant provides sufficient evidence from the easement holder that the encroachment is permitted.

Section 6-18 Effect of county line and municipal ETJ boundary

When an existing lot of record is located near the county line or a municipal ETJ boundary or extends across the county line or into the municipal ETJ boundary, the county line or ETJ boundary shall be recognized as the property line. The same shall apply for existing lots of record being subdivided.

Proposed structures must be located on either side of the county line or the municipal ETJ boundary. Structures that straddle the county line or the municipal ETJ boundary are not permitted.

Section 6-19 More stringent requirement applies

When applicable requirements of this ordinance differ or when applicable state and local requirements differ, the more stringent requirement shall apply.

Section 6-20 Recreational Vehicles

A. Storage on a Residential Parcel

A person may not store a Recreational Vehicle (RV) on a residential parcel unless the recreation vehicle meets the following requirements:

- 1. The RV is not used as a temporary or permanent dwelling or accessory to a dwelling.
- 2. The RV is not used to store any personal property unrelated to the Recreational Vehicle, including animals, building materials, business inventory, and agricultural products
- 3. The RV is not connected to any permanent utility service, such as electric, water, or sewer.
- 4. The RV is attached to wheels and axels.

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Amended	

- 5. The RV is properly insured, registered, and licensed for use on public roads and highways.
- 6. The RV does not support any accessory structures, such as decks, porches, and awnings.

B. Permanent Habitation Prohibited

A person may not use or occupy a Recreational Vehicle as a dwelling or accessory to a dwelling unless:

- 1. The Recreational Vehicle is temporarily installed in a Manufactured Home Park in compliance with section 4-26; or
- 2. The Recreational Vehicle is
 - a. Used as a temporary dwelling for no more than 180 days within any oneyear period; and
 - b. Located on a parcel on which the occupant of the Recreational Vehicle is rebuilding or repairing a single-family dwelling or manufactured home due to damage to the dwelling by fire, flood, hurricane, tornado, or other peril.

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	Amended	

<u>Proposed Amendment of the Cabarrus County Development Ordinance</u> TEXT2021-00001

BE IT ORDAINED by the Board of County Commissioners of Cabarrus County, North Carolina the following ordinance is hereby is adopted:

SECTION 1. PURPOSE AND FINDINGS.

- (a) Purpose. The purpose of this ordinance is to:
 - (1) clarify existing regulations on the use of recreational vehicles in Cabarrus County and to provide clear requirements for the storage and temporary use of recreational vehicles as dwellings; and
 - (2) remove the exception to the storing of junk and abandoned vehicles on parcels 3 acres or greater in size in the Agricultural/ Open Space zoning district.
- (b) FINDINGS. The Cabarrus County Board of Commissioners finds that:
 - (1) recreational vehicles are designed for temporary living quarters for recreational, camping, travel, or seasonal use;
 - (2) the use of recreational vehicles as permanent dwellings threatens the health, safety, and welfare of its occupants and surrounding community; and
 - (3) the storage of junk and abandoned vehicles is a hazard to the health, safety, and general welfare of the citizens of Cabarrus County.

Section 2. Recreational vehicle amendments.

(a) Section 2-2 of the Cabarrus County Development Ordinance is **AMENDED** by revising the definition of "Recreational Vehicle" to read as follows:

"RECREATIONAL VEHICLE or RV - A vehicular or portable unit mounted on a chassis and wheels, and which is primarily designed to provide temporary living quarters and either has its own motive power or is mounted on, or drawn by, a motor vehicle. Examples are: Recreational Vehicles include travel trailers, truck campers, camping trailers, motor homes and tiny homes on wheels. Recreational vehicles are intended for temporary occupancy and may not be used as a permanent residence."

(b) Section 4-23 of the Cabarrus County Development Ordinance is **REVISED** to read as follows:

"Section 4-23 Classification of Manufactured Homes and Recreational Vehicles

"The following classification system is hereby adopted for purposes of this Section:

"MANUFACTURED HOME TYPE I- A single-section manufactured home.

"MANUFACTURED HOME TYPE II- A multi-section manufactured home.

"RECREATIONAL VEHICLE—A vehicular or portable unit mounted on a chassis and wheels, and which is primarily designed to provide temporary living quarters and either has its own motive power or is mounted on, or drawn by, a motor vehicle. Examples are: travel trailers, truck campers, camping trailers, and motor homes."

(c) Chapter 6 of the Cabarrus County Development Ordinance is **AMENDED** by adding the following:

"Section 6-20 Recreational Vehicles

- "(a) Storage on Residential Parcel. A person may not store a Recreational Vehicle (RV) on a residential parcel unless the recreation vehicle meets the following requirements:
 - "(1) The RV is not used as a temporary or permanent dwelling or accessory to a dwelling.
 - "(2) <u>The RV is not used to store any personal property unrelated to the Recreational Vehicle, including animals, building materials, business inventory, and agricultural products</u>
 - "(3) The RV is not connected to any permanent utility service, such as electric, water, or sewer.
 - "(4) The RV is attached to wheels and axels.
 - "(5) <u>The RV is properly insured, registered, and licensed for use on public roads and highways.</u>
- "(6) The RV does not support any accessory structures, such as decks, porches, and awnings. "(b) Permanent Habitation Prohibited. A person may not use or occupy a Rescaledation History to a dwelling unless—
 - "(1) the Recreational Vehicle is temporarily installed in a Manufactured Home Park in compliance with section 4-26; or
 - "(2) the Recreational Vehicle is—
 - "(A) <u>used as a temporary dwelling for no more than 180 days within any one-year</u> period; and
 - "(B) <u>located on a parcel on which the occupant of the Recreational Vehicle is rebuilding or repairing a single-family dwelling or manufactured home due to damage to the dwelling by fire, flood, hurricane, tornado, or other peril."</u>

SECTION 3. JUNK AND ABANDONED VEHICLE AMENDMENTS.

Section 6-11 of the Cabarrus County Development Ordinance is **REVISED** to read as follows:

Section 6-11 Abandoned and Junk Vehicles

"(a) Purpose. Abandoned and junked motor vehicles constitute a hazard to the health, safety, and general welfare of the citizens of Cabarrus County. Such vehicles can harbor noxious disease, provide shelter and breeding places for vermin, and present physical dangers to the safety of our children as well as the general public. These vehicles also detract from the physical

appearance of the community. Therefore, the purpose of this section is to eliminate existing junk and abandoned vehicles and to prevent future storage of these vehicles."

- "(b) In general. No junked person may store a junk or abandoned vehicles shall be stored on any parcel lot within any residential, commercial, or industrial zoning district."
- "(c) Exceptions. Subsection (b) This section does not apply to any motor vehicle that is:
 - "1. Stored (1) stored in an enclosed building;
 - "2. Stored (2) stored on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the business, such as in a salvage yard; or
 - "3. Is (3) presently being restored to an operable stage (limited to one vehicle per parcel) as long as: if the vehicle—
 - "a. The vehicle(A) cannot be seen from a public right-of-way;
 - "b. The vehicle(B) cannot be seen from adjacent properties;
 - "c. The vehicle (C) is covered with a car cover when not being actively worked on; and
 - "(D) is the only junk or abandoned vehicle on the parcel."

Agricultural/Open Space District: This section does not apply to the Agricultural/Open Space Zoning District where the lot of record is 3 acres or greater.

Any violation of this section will be processed as a violation of this Ordinance."

SECTION 4. CONSISTENCY STATEMENT.

Pursuant to G.S. 160D-605(a), having reviewed and considered the accompanying documents, the analysis of the planning staff, and comments from the public, the Cabarrus County Board of Commissioners finds that the amendments made to the Cabarrus County Development Ordinance as outlined in this ordinance are consistent with the adopted Area Land Use Plans because:

- (1) use of recreational vehicles as permanent dwellings threatens the health, safety, and welfare of its occupants and surrounding community and the plans seek to promote the public safety, health, and general welfare of residents of Cabarrus County; and
- (2) storage of junk and abandoned vehicles is a hazard to the health, safety, and general welfare of public and detracts from the physical appearance of the community, which does not align with the plans' intent to promote the public safety, health, and general welfare of residents of Cabarrus County.

•	umbered lists wit	rdinance is amended by renumbering and revising the thin the text and table and page numbers within the changes as needed.
Adopted this	_ day of	by the Cabarrus County Board of Commissioners.
		Chairma Cabarrus County Board of Commissioner
ATTEST:		

Clerk to the Board

PART IV BOARD OR COMMISSION APPROVED SITE PLAN, MINOR CHANGES VERSUS MODIFICATION TO PLAN-MODIFICATION TO DEVELOPMENT APPROVAL

- (A) The terms of a development approval may not be modified unless such modification has been reviewed and approved through the same development review and approval process required for issuance of the previously development approval.
- (B) Minor modifications. Notwithstanding subsection (a), the Zoning Administrator may approve minor modifications to the terms of an existing development approval. A proposed change is considered a minor modification if:
 - (1) the modifications would not significantly change the development's general function, form, intensity, character, appearance, demand on public facilities, relationship to adjacent properties, impact on adjacent properties, or other characteristic from that indicated by the plans and materials approved as part of the application for the development approval;
 - (2) the minor modification does not involve a change in uses permitted or the density of overall development permitted; and
 - (3) the minor modification complies with all other applicable requirements of the Ordinance.

The Zoning Administrator is authorized to approve minor modifications to an approved site development plan, as long as the proposed changes are in harmony with action of the approving Board or Commission, but shall not have the power to approve changes that constitute a modification of the approval. A modification shall require approval of the Board or Commission and shall be handled as a new application.

The Zoning Administrator shall use the following standards in determining whether a proposed action is a minor change or a modification:

(C) Site design. If a minor modification adjusts the terms or design of an approved site development plan or plat, including a site plan attached as a condition to a conditional zoning approval or special use permit, such modification must also comply with the following requirements, in addition to the requirements of subsection (b):

- (1) A change in building location of 20 feet or less that does not impact any other site design elements shall be considered a minor change modification. Any change in building location of more than 20 feet or that changes the overall lot design or configuration is considered a major modification and must be considered by the approving body not a minor modification.
- (2) A decrease in the number of parking spaces that is less than 10% of the overall proposed parking spaces shall be considered a minor change modification. In no case shall the number of spaces be reduced below the minimum required by this Ordinance.
- (3) Changes proposed to sidewalk configuration for pedestrian access shall be considered a minor change-modification as long as the amount of impervious area does not increase and access is provided as originally proposed for the project. Applicant must provide sufficient evidence of why the change is needed.
- (4) Changes to the proposed landscape plan due to unavailability of product shall be considered a minor change modification if the following conditions apply:
 - (a) The change is consistent with the approved plan, is only a substitution and does not cause a reduction in number of plants proposed.
 - (b) The tree, shrub or ground cover must be of the same general Ordinance classification, genus and species type. For example, a Red Maple, which is listed as a canopy tree in the Ordinance, could be substituted with a Sugar Maple or a Florida Maple, but not a Loblolly Pine.
- (5) A reduction in the square footage of a proposed building shall be considered a minor change as long as the original footprint of the larger building is shown on the approved plan.
- (6) Changes to proposed signage locations, on the building or on the site, shown on the approved plan shall be considered a minor change-modification, as long as the proposed location complies with the standards outlined in Chapter 11, Signage. In no case shall signage

be permitted where it would not normally be permitted or that does not comply with the standards in Table 11-1.

- (7) Changes to proposed trail locations on preliminary plats shall be considered a minor change-modification provided that the overall amount of trail approved on the plan is being provided and installed for the development.
- (8) Changes to open space provisions that constitute an increase in the overall amount of open space being provided shall be considered a minor-change modification.
- (9) Changes proposed to accommodate additional emergency vehicle access as determined by the Fire Marshal's Office during construction shall be considered a minor change modification.
- (10) Changes to architectural plans approved by the Design Review Committee (DRC) shall be considered minor when the following apply:
 - (a) The proposed change/modification does not modify the overall building design or character.
 - (b) Any proposed changes/modifications to building materials are consistent with the originally approved materials and colors.
 - (c) Changes are required to Modifications comply with state or local building construction standards that were unknown at the time of approval or that became effective after the architectural plans were approved by the DRC.
- (D) Process. For any proposed minor change modification, a revised, updated site plan or preliminary plat shall be submitted for review and approval. Where the proposed changes impact outside agency permits, those permits shall also be updated.

Review of record required

(E) Review. The Zoning Administrator shall, before making a determination as to whether a proposed action is a minor change or a modification, review the record of proceeding on the original application for approval.