



Cabarrus County Government

Cabarrus County Planning and Zoning Commission
Tuesday, January 11, 2022 @ 6:30 p.m.
Board of Commissioners Meeting Room
Cabarrus County Governmental Center

Agenda

1. Roll Call
2. Approval of December 14, 2021, PZ Meeting Minutes
3. Approval of the Granting Order with Finding of Facts for CUSE2021-00007 – Special Use Permit request for Public Service Facility (Well House). Applicant is Mr. Brian LaFranchi/Dewberry. Owner is Aqua North Carolina, Inc.
4. New Business Board of Adjustment Function:
 - A. SUSE2021-00045 –Special Use Permit – Amendment to approved Master Plan for Rocky River Regional Wastewater Treatment Plant. Applicant is Mr. Thomas Hahn. Owner is Water & Sewer Authority of Cabarrus County (WSACC), 6400 Breezy Lane. PIN'S: 5547-06-4548, 5537-98-7403, 5537-99-6094, 5547-17-5193, and 5547-17-5388
5. New Business Planning Board Function:
 - A. RZON2021-00005 – Request to apply Mobile Home Overlay (MH-2) to LDR zoned Property. Owner/Applicant is Larry Hamrick, 5952 Yale Avenue. PIN: 5603-49-9885. **Request to Table**
6. Legal Update
7. Director's Report
8. Adjourn

Planning and Zoning Commission Minutes

December 14, 2021

Mr. Adam Dagenhart, Chair, called the meeting to order at 6:36 p.m. Members present, in addition to the Chair, were Mr. Jeff Corley, Mr. David Hudspeth, Mr. Andrew Nance, Ms. Ingrid Nurse, Mr. Charles Paxton, Mr. Chris Pinto, Mr. Brent Rockett, and Mr. Stephen Wise. Attending from the Planning and Zoning Division were, Ms. Susie Morris, Planning and Zoning Manager, Mr. Phillip Collins, Sr. Planner, Ms. Sandy Howell, Planner, Ms. Arlena Roberts, Clerk to the Board, Mr. Richard Koch, County Attorney and Mr. David Goldberg, Deputy County Attorney.

Roll Call

Approval of November 9, 2021 Planning and Zoning Commission Meeting Minutes

There being no corrections or additions to the minutes, Mr. Jeff Corley **MOTIONED, SECONDED** by Mr. Brent Rockett to **APPROVE** the November 9, 2021, meeting minutes. The vote was unanimous.

Approval of Granting Order with Findings of Facts for 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.

There being no corrections or additions to the Granting Order or Findings of Fact, Mr. Brent Rockett **MOTIONED, SECONDED** by Mr. Jeff Corley to **APPROVE** the Granting Order with Findings of Fact for CUSE2018-00004. The vote was unanimous.

The Chair said anyone wishing to speak tonight for an agenda item, they need to complete a blue card and give it the Clerk.

The Chair read the following rules of procedures:

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 chooses to make a formal presentation. There will be no time limit on questions from the Board following the presentation.

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Minutes
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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.
7. 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.
8. 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.
9. These rules are designed to have a full and fair hearing that is orderly and expeditious and avoid unnecessarily repetitious presentations.

Mr. Jeff Corley **MOTIONED, SECONDED** by Mr. Andrew Nance to **ADOPT** the Rules of Procedures. The vote was unanimous.

The Chair asked those that will be addressing the Board or testifying to stand and be sworn in. The Chair administered the oath.

New Business –Board of Adjustment Function:

The Chair introduced Petition CUSE2021-00007 – Special Use Permit request for Public Service Facility (Well House). Applicant is Mr. Brian LaFranchi/Dewberry. Owner is Aqua North Carolina, Inc. Address is 5309 Historic Spring Drive. PIN 5559-76-1541.

The Chair asked if any of the Board members had a conflict of interest or any information related to the case. There being none, the Chair called on Mr. Phillip Collins.

Mr. Phillip Collins, Sr. Planner, addressed the Board presenting the staff report.

He said the subject property is \pm 1.12 ac in size.

The purpose of this request is to install a new filtration system for the existing community well located on the site. A new building to house and protect the system will be constructed. Additional concrete will also be added for access. The use is permitted with the issuance of a conditional use permit in the Countryside Residential (CR) zoning district.

The site currently supports an existing community well owned and operated by Aqua North Carolina. Most of the site is wooded and vacant. The site is accessed from Byfield Drive via a private access easement across 2730 Byfield Drive. The subject property is described as the original well lot for the Cold Springs subdivision recorded in 1993. According to the recorded plat, a 20-foot-wide drainage easement traverses the west side of the subject property.

The subject property is surrounded to the east, south and west by residential uses. A religious facility borders the subject property to the north.

All uses permitted within the CR zoning district are currently allowed on the subject property. However, the subject property is dedicated as the well lot for the Cold Springs Subdivision.

The subject property is currently zoned CR (Countryside Residential), and is surrounded by properties zoned CR.

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

The Applicant has submitted a complete application and the application states that approximately 190 SF will need to be cleared on the site for the new system. The rest of the site will remain in its current state.

A public drainage easement traverses the western side of the subject property and the applicant is providing buffering for it.

The subject property is located within the boundaries of the Eastern Area Plan and is designated as Open Space.

Should the Board of Adjustment grant approval of the Special 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 Special Use Permit.

The Chair asked if there were any questions for the applicant. He asked Mr. LaFranchi if he wanted to make a presentation. He did not.

The Chair said he had a question and asked Mr. LaFranchi to come forward.

The Chair said your plan shows a driveway, and he understands that the Fire is requiring a 20-foot drive to meet up with code. But your driveway is outside of your easement on properties that do not seem to have an easement. He asked if that was correct.

Mr. Brian LaFranchi, 828 Hartford Avenue, Charlotte, NC, Aqua North Carolina Treatment Building Supervisor addressed the Board. His understanding from his client, is that that easement should have been recorded when the original driveway was installed.

Mr. Dagenhart said the documents that were provided, referencing Map Book 20 and Page 11, shows that it is exclusively on that one lot.

Mr. LaFranchi said we would need to work with the fire department potentially during construction to see if we can keep it on the existing property. There are some existing power poles that we would need to go around for that requirement. But again, Aqua is taking the position that they have prescriptive rights for that existing driveway.

The Chair does not know if the Board can sign off on anything without a condition that, that be resolved, because that puts us in a bind, that we approved something that is not legal.

There being no questions, and no one speaking for or against the case the Chair opened and closed the public hearing.

The Chair said at this time the Board will need to discuss the Special Use Permit. Once we have discussed thoroughly and have findings to support or deny, we will vote.

He said if we approve this, there are four things that we need to make sure that it meets.

Mr. Charles Paxton, said can we sign off on it or wait until that has been worked out? Do we defer it until it is worked out, or do we preliminarily approve it?

The Chair thinks we can make it a condition, if we approve it tonight, to be worked out with the existing staff conditions.

Mr. Koch, County Attorney, said you can make it a condition, that they have to be able to show that they have some sort of legal right to that. As he understands it, that driveway has been there since 1993. Is that correct?

The Chair believes that is the case, but the issue is, the current drive is probably just wide enough for a vehicle. He would say probably less than ten feet. Fire is requiring 20-foot gravel road with a gate and that is what is kicking it over the property lines, off where the prescribed easement is in those documents provided.

Mr. Koch thinks the Board can make it a condition, that they have to have some sort of legal basis for having the new driveway as wide as it is. He does not think we have to necessarily get into the legal issues on that. If they show that they do have it, he thinks that is enough for this Board. He would make it a condition that they have to show it and it may be by prescription. That basically is a legal theory that says that you do have a right. It may not show up from documents, so he may be right about that, Mr. Koch does not know.

Mr. Koch thinks that subdivision was developed by Sam Davis's family, if he is not mistaken. He said Mr. Davis is easy to find around here and is a lawyer here.

It may be, that was the way it is supposed to be, he has no idea. As a County, we do not need to get involve in that kind of a legal issue if it is one. But he thinks they do need to present something to the Board as a condition that they have the right to have the driveway put in the way they need to have it for the Fire Marshal.

Ms. Morris thinks what they are talking about is that it is encroaching onto properties other than what they own, with the expansion. She thinks the expectation was that it would be expanded onto their property. It is across the property line, so those people were not necessarily a part of the application.

She asked the Chair if that is what he was asking.

The Chair said that is correct.

Mr. Koch said that is kind of what he is saying. They will have to be able to show that they have an easement from that neighboring property owner, or that they had some other right that came up when the lot was first developed, and the driveway was put in.

He said that is not something that we can decide, either this Board or even legally we can decide. He thinks they just need to show to the County, that they have the right to put the driveway in the way they show it on their plan.

The Chair said there are four things we need to consider, and we can do them one by one or altogether.

1. The Board must find that the uses as proposed are not detrimental to the public health and safety or general welfare.
2. The Board must find that the uses, as proposed, are approximately located with respect to the transportation facilities, water supply, fire, police protection, waste disposal, etc.
3. The Board must find that the uses as proposed will not violate neighborhood character nor adversely affect the surrounding land uses.
4. The Board must find that the uses, as proposed, will comply with the general plans for the physical development of the County or Town as embodied in the Zoning Ordinance, or in the Area Development Plans that have been adopted.

Mr. Corley feels this request is not detrimental to public health and welfare. It is quite the opposite, making public drinking water supply improvements for these customers. It appears to be reasonably located with transportation facilities, existing water supply facilities on this site, as well as police and fire protection. He does not believe it will violate neighborhood character, or adversely affect surrounding land uses. They have done a good job of minimizing the amount of tree removal that will take place. Most of the facility is very central to this property and should not really affect the surrounding property owners at all.

Mr. Paxton said it would not change the developmental plans for the County and would not impede any of the community water systems, it would only improve it.

There being no further discussion, Mr. Jeffrey Corley **MOTIONED, SECONDED** by Mr. Brent Rockett to **APPROVE** CUSE2021-00007 – Special Use Permit request for Public Service Facility (Well House) with conditions recommended by Staff, and an additional condition that the Applicant provide some evidence allowing the driveway to be on the property where proposed. The vote was unanimous.

The Chair called on Ms. Susie Morris, Planning and Zoning Manager to present Text Amendments.

She said the first Text Amendment is to amend Chapter 16. The State, ISO and FEMA finally got together to figure out some language and it is right back where we started some months ago. We have decided to make a little modification of our own to that particular language which she will talk about in a minute.

The State has added a definition for map repository. We did not have a definition for that. It is saying that the official map repository for North Carolina, as a Technical Coordinating Partner

with the State, is the FRIS system that we have talked about and some of you have used to do research.

The other one, which was really the sticking point on our review with ISO, is on page 19. That is the one talking about the electrical, heating and ventilation. The mechanical must be elevated, and that is elevated to the Regulatory Flood Protection, which is BFE (Based Flood Elevation) plus two. If they cannot put it at BFE plus two, it has to be specifically designed to withstand flooding, not to the BFE, but to that Regulatory Flood Protection again, so to BFE plus two.

The ISO says, this supposedly gets us to a seven, but then they also asked if we were still doing some of the things from the last review, which is outside of the scope of our last review. We will see if we get a seven or if we stay at an eight.

Ms. Morris said those are the only changes to the Ordinance. If the Board remembers, back in the summer, we updated to 160D and to the Model Ordinance that they had at that time.

The other changes were typos that we found.

Chapter 1, Section 1-5, to correct the date from February 2, 1982 to February 1, 1982. The minutes from the meeting are specific that that is the date that we need to use.

Chapter 5, Section 5-7, Section B. Stream buffer and floodplain limitations, when we changed the flood plain ordinance from Chapter 15 to 16 that did not get captured in the update of the text.

Those are the amendments that she has. We went through and did the bulk of those changes that we needed to do with 160D. This is just some cleanup work, specifically related to us participating in the CRS Program.

Mr. Corley asked if the commercial storage facility item was allowed in the flood plain area before by definition?

Ms. Morris thinks it was not clear. We have had cases where people are storing cars in the flood plain. She thinks it is now interpreted to mean you cannot store cars, trucks, and other things in the floodplain if it is related to commercial. That it is specifically treated as a commercial use and would have to be permitted or elevated, even storage buildings related to that.

The Chair said we need to discuss the text amendments and build the record to recommend approval of the text amendments to the Board of Commissioners.

Mr. Paxton said it appears pretty cut and dry, typos are pretty common. The other is something that needs to be done and is a legal statute and we should follow in line.

Mr. Corley said important clarifications, and some inconsistencies, with some model ordinances he thinks is very important and he believes this clears it up and addresses some minor typos.

There being no further discussion, Mr. Brent Rockett **MOTIONED, SECONDED** by Mr. Andrew Nance, to recommend **Approval** of the text amendments to the Board of commissioners. The vote was unanimous.

Legal Update

Mr. David Goldberg, Deputy County Attorney, addressed the Board giving an update on the McClain RV case.

We have the Judgement against him. We have been in contact with Mr. McClain for the first time in a while. He has officially moved here to Cabarrus County. He is talking with us a little bit. Ms. Morris told Mr. Goldberg earlier today that we are not seeing any forward progress as far as him resolving the situation.

Mr. McClain says he wants to and that he gets it, but he is not showing it. We will show some level of flexibility if he works towards it but that has not happened so far. We are going to be moving towards the collection process, \$3,500 in Civil penalties he has accrued so far. Mr. Goldberg has also put in the bill of cost, so we can collect all the fees and filing costs that we have spent on that case so far, so we can minimize the cost to the County on that. There are couple of other things that we are going to try to do but eventually we may have to abate the violation ourselves and deal with that. Those are all options on the table as we go forward.

Directors Report

Ms. Susie Morris asked that the Board be sure to let Staff know 24 hours in advance if they are not going to be present for a meeting. We are working on getting a person for the Midland area, but right now we are in a bind when people are not here because we are down two positions plus then we have absences. It is important that we have a full complement of the Board for the Board of Adjustment cases because the Applicant can Table until the next meeting and that gets things backed up.

Ms. Morris is going to propose to the Board of Commissioners over the next couple of months that the Northwest position that is open becomes an at large position. Because of annexations by the City of Concord and Kannapolis, there is not a lot of unincorporated area left there. We want to try to staff up the Planning and Zoning Commission a little easier.

Ms. Morris introduced new staff member and Planner, Ms. Sandy Howell. She comes to us with ten years of direct experience in Planning and Zoning, a graduate of Appalachian State. She also has some other work experience that will be beneficial to us. She is in the role of Planner, presenting cases. One of her first priorities will be helping us get the APFO data base up to par, so that we know what is happening with development and the back side of it. Hopefully, at some

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point, the WSACC tracking, and School tracking will marry up into one database that everyone has access to.

We are happy to have her here, and we are now fully staffed in Planning and Zoning.

There being no further discussion, Ms. Ingrid Nurse **MOTIONED, SECONDED** by Mr. Stephen Wise, to adjourn the meeting at 7:08 p.m. The vote was unanimous.

APPROVED BY:

Mr. Adam Dagenhart

SUBMITTED BY:

Arlena B. Roberts

ATTEST BY:

Susie Morris, Planning and Zoning Manager

Prepared by and Return to:

David Goldberg
Deputy Cabarrus County Attorney

Application Number CUSE2021-00007
PIN 5559-76-1541

COUNTY OF CABARRUS
STATE OF NORTH CAROLINA

ORDER GRANTING A SPECIAL USE PERMIT

The Planning and Zoning Commission and the Board of Adjustment for the County of Cabarrus, having held a public hearing on December 14, 2021 to consider application number CUSE2021-00007, submitted by Brian LaFranchi of Dewberry Engineers Inc., acting as agent for Aqua North Carolina Inc., 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 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 SPECIAL USE PERMIT have been satisfied, it is ORDERED that the application for the issuance of a SPECIAL 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 11th day of January 2022, nunc pro tunc to December 14, 2021.

Adam Dagenhart
Chair of the Cabarrus County
Planning and Zoning Commission
Sitting as the Board of Adjustment

I Arlena B. Roberts, Notary for Cabarrus County, North Carolina, certify that Adam Dagenhart, Chair of the Cabarrus Planning and Zoning Commission, appeared before me on this day and signed the 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
Special Use Permit Application
Brian LaFranchi of Dewberry Engineers Inc., acting as agent for Aqua North Carolina Inc.
CUSE2021-00007

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 proposed filtration system will remove radionuclides from the existing public drinking water supply provided by an existing community well on the site. This will improve the public's health, safety, and general welfare. The Board also adopts as finding the assertions of the applicant in this section of its 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 water supply system, 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 water supply 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 community water supply, 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 special 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 SUP plan package and in the report produced by Dewberry Engineers Inc., report dated July 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 SUP plan package.
 - d. The applicant has submitted an emergency plan showing how possible spills, explosions, etc. would be handled as part of the SUP plan package.

- e. The use as proposed will comply with county ordinances governing noise levels because the proposed building will house water filtration 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 spill-over 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 30' 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
CUSE2021-00007

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.
5. Applicant must submit proof of legal right of access to the subject property, such as an easement.

Staff Use Only:

PLANNING STAFF REPORT

CABARRUS COUNTY PLANNING AND ZONING COMMISSION

1/11/2021

Exhibit A

Approved: _____

Denied: _____

Tabled: _____

Conditional Use Permit: SUSE2021-00045

Applicant Information: Water and Sewer Authority of Cabarrus County (WSACC)
Thomas Hahn
232 Davidson Highway
Concord, NC 28026

Owner Information: WSACC
Thomas Hahn
232 Davidson Highway
Concord, NC 28026

PIN#s: 5547-06-4548, 5537-98-7403, 5537-99-6094, 5547-17-5193, &
5547-17-5388

Area in Acres: +/- 261.32 acres

Purpose of Request: The purpose of this request is to amend the Master Plan that was approved in January of 2019 (CUSE2018-00006).

Site Description: The site is approximately 261.32 acres total and is currently the location of the Rocky River Regional Wastewater Treatment Plant (RRWWTP). The property is bounded to the south by the Rocky River and to the east by Irish Buffalo Creek.

Current Land Uses: Public Service Facility

Adjacent Land Uses: North: Residential /Agricultural
East: Residential/Agricultural
South: Residential/Agricultural
West: Residential/Vacant

Permitted Uses: Any uses permitted in the LDR zoning district

Existing Zoning: LDR (Low Density Residential)

Surrounding Zoning: North: LDR (Low Density Residential)
East: AO (Agriculture / Open Space)
South: AO (Agriculture / Open Space)
West: AO (Agriculture / Open Space) and LDR (Low Density Residential)

Signs Posted: 12/17/21

Newspaper Notification: 12/29/21

Newspaper Notification 2: 1/5/22

Notification Letters: 12/20/21

Exhibits

Exhibit A – Staff Report

Exhibit B – Application

Exhibit C – Master Plan

Exhibit D – Staff Maps

Exhibit E – Neighborhood Meeting/Surrounding Property Information

Exhibit F – Comparison Maps

Agency Review Comments

Planning Review:

Staff Report. Phillip Collins, Senior Planner Cabarrus County

NCDOT Review:

No issues. Marc Morgan, NCDOT

Fire Marshal Review:

Once plans are submitted for actual roads and buildings, Fire Code will apply. *Drew Barkley, Assistant Fire Marshal*

EMS Review:

No issues. Justin Brines, Cabarrus County EMS Deputy Chief

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

Health Review:

No comment. Chrystal Swinger, Cabarrus Health Alliance

Erosion Review: Approved

No comment. Chris Graybeal, NCDEQ

Storm Water Review:

No comment. Corey Anen, NCDEQ

History / Other Information

1. The applicant provided correspondence from NCDOT stating that there would not be any need for studies for this request.
2. Because there are no physical upgrades or building projects currently proposed, no stormwater or soil and erosion control plans were provided. The Applicant will be required to seek review and approval from NCDEQ as new development is proposed on the site. NCDEQ plan review and permitting will be required as part of commercial zoning site plan review and approval.
3. The applicant submitted the "Findings of Fact" sheet along with an amended Master Plan showing the proposed additions to, and deletions from, the approved Original Master Plan (CUSE2018-00006).
 - a. If approved, the plan currently under consideration will serve as the Master Plan for the overall site moving forward.
4. An existing Public Service Facility (wastewater treatment plant) occupies the subject property.
 - a. The facility meets the current standards of the zoning ordinance for a Public Service Facility.
5. The applicant submitted a Stormwater Pollution Prevention Plan that covers the entire site and an Emergency Action Plan.
6. The total combined footprint for existing impervious area is approximately 573,000 SF (64,900 SF of which is structural coverage). The total combined footprint for proposed impervious area is 105,500 SF (18,300 SF of which is structural coverage). With these proposed additions, approximately 0.7% of the site will be covered with new structure surfaces and approximately 6% of the site will be covered in impermeable surfaces. The LDR zoning districts permits sites to be covered with up to 20% impermeable surface.
7. The purpose of the amended Master Plan is to expand current treatment capacity at the facility to accommodate continuing growth in Cabarrus County. The original master plan was reviewed and approved by the Board of Adjustment at its regular meeting in January 2019.

8. If the revised Master Plan is approved, in the future, when new buildings or equipment installations are proposed, the Applicant would be required to submit plans for commercial zoning site plan review and approval only. So long as the proposed site plan matches the amended Master Plan, there would be no need to submit a new Special Use Permit to the Board of Adjustment for review and approval.

Conditions of Approval

Should the Board of Adjustment grant approval of the Special Use Permit Amendment, 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 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 of the property. (Zoning)
3. The applicant shall procure any and all applicable federal, state, and local permits prior to commencement of project. (Zoning)
4. Any modification of the proposed Master Plan, or deviation there from, that does not qualify as minor modifications, shall be reviewed by the Board of Adjustment in the form of an amendment to the Special Use Permit. (Zoning)
5. Applicant must submit copies of permits and documentation as required from NCDEQ for Phase 2 Post-Construction Stormwater and Soil and Erosion Control permitting with site plans submittals to zoning for review and approval. Approved permits from NCDEQ are required prior to zoning permitting. (Zoning)
6. Applicant must submit and obtain Floodplain Development Permits from Cabarrus County for all development, as defined by FEMA, located in the regulated floodplain. (Zoning)
7. Master Plan shows several new buildings and building expansions. Future Administration Building, current Admin Building Expansion, Blower Building, Main Pumping Station Expansion, Chemical Storage and Feed Facility, Electrical Building, Filter Building, Chemical Contact Basin, HPO2 System Expansion, Odor Control Building, Headworks Building Expansion, Biological Treatment Area, Sludge Thickening and Storage Area, and any additional buildings will require building plans to be submitted for construction. (Fire Marshal – condition carried over from original Conditional Use Permit approval)
8. Master Plan proposed access roads are adequate as shown. If buildings/structures are moved, access roads will need to be addressed further. (Fire Marshal – condition carried over from original Conditional Use Permit approval)



SPECIAL USE PERMIT APPLICATION

STAFF USE ONLY:

Application/Accela#: _____
 Reviewed by: _____
 Date: _____
 Amount Paid: _____

INSTRUCTIONS/PROCEDURES:

1. Schedule a pre-application meeting with Staff to discuss the procedures and requirements for a Special Use Permit request.

Date of Pre-Application Meeting: 11/3/2021 Staff Facilitator(s): Susie Morris, Phillip Collins

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.
 - Copies of the proposed site plan (number to be determined at pre-application meeting).
 - 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: Special Use Permit \$650.00 (includes first acre) +\$15.00 *per acre*
 (Plus the 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 Special Use Permit request and the Special Use Permit 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 all comments are addressed, and errors corrected.

3. Once advised that the site plan is correct and ready to be presented to the Board of Adjustment, you will need to submit folded copies of the site plan (number determined by staff).
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 Special Use Permit.

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.

Special Use Permit: Special Use Permits are considered by the Board of Adjustment during a quasi-judicial hearing. This means that anyone wishing to speak regarding the application must be sworn in. The vote requirement for the Special Use Permit to pass is a simple majority. Additional conditions may be added as part of the Special Use Permit approval process.

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

TO THE BOARD OF ADJUSTMENT:

I HEREBY PETITION THE BOARD OF ADJUSTMENT TO GRANT THE ZONING ADMINISTRATOR THE AUTHORITY TO ISSUE A SPECIAL USE PERMIT FOR THE USE OF THE PROPERTY AS DESCRIBED BELOW.

APPLICANT

Water and Sewer Authority of Cabarrus County
Thomas Hahn, PE

NAME

232 Davidson Highway

ADDRESS

Concord, NC 28027

CITY, STATE, ZIP CODE

704 788-4164

PHONE NUMBER

704 795-1564

FAX NUMBER

T.HAHN@WSACC.ORG

E-MAIL ADDRESS

PROPERTY OWNER

Water and Sewer Authority of Cabarrus County
Thomas Hahn, PE

NAME

232 Davidson Highway

ADDRESS

Concord, NC 28027

CITY, STATE, ZIP CODE

704 788-4164

PHONE NUMBER

704 795-1564

FAX NUMBER

T.HAHN@WSACC.ORG

E-MAIL ADDRESS

PARCEL INFORMATION:

Existing Use of Property

Public Service Facility

Proposed Use of Property

Public Service Facility

Existing Zoning

Low-Density Residential

Property Location

6400 Breezy Lane Concord NC 28025

Property Acreage

261.32 Acres

Parcel Number (PIN)

5547064548, 5537987403, 5537996094

LAND USE OF ADJACENT PROPERTIES:

NORTH Residential SOUTH Agricultural
EAST Residential WEST Agricultural / Residential

GENERAL REQUIREMENTS:

The Zoning Ordinance imposes the following general requirements on the use requested by the applicant. Under each requirement, the applicant should explain, with reference to the attached plans (when applicable) how the proposed use satisfies these requirements.

1. The Board must find that the uses(s) as proposed “are not detrimental to the public health, safety or general welfare.”

The proposed use is consistent with the operation of a wastewater treatment plant, providing necessary sanitary waste disposal services to the County. Current, site-specific stormwater pollution prevention plan and emergency action plan are attached. WSACC will continue to update the referenced plans as needed moving forward.

2. The Board must find that the use(s) as proposed “are appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, etc.”

The site is located in close proximity to Highways 601, 49, and 24/27. The plant expansion will provide additional capacity to serve the sanitary waste disposal needs of the County and surrounding area.

3. The Board must find that the use(s) as proposed “will not violate neighborhood character nor adversely affect surrounding land uses.”

The proposed use is well within the boundaries of the existing plant parcel. All required setbacks to adjacent properties shall be maintained.

4. The Board must find that the use(s) as proposed “will comply with the general plans for the physical development of the County or Town, as embodied in the Zoning Ordinance or in the area development plans that have been adopted.”

The proposed use is consistent with the existing wastewater treatment plant use. All required setbacks to adjacent properties shall be maintained.

SPECIFIC REQUIREMENTS:

The Zoning Ordinance also imposes SPECIFIC REQUIREMENTS on the use(s) requested by the applicant. The applicant should be prepared to demonstrate that, if the land is used in a manner consistent with the plans, specifications, and other information presented to the Board, the proposed use(s) will comply with specific requirements concerning the following:

Nature of use (type, number of units, and/or area):

Public Service Facility – Wastewater Treatment Plant, expansion of existing facilities

Accessory uses (if any):

SETBACK PROVISIONS:

Principle Use:

Front: 414' Side yard Single: 513' Side yard Total: 2,008' Rear: 826'

Accessory Use:

Front: N/A Side yard Single: Side yard Total: Rear:

Height provisions: Principle Use: 40 feet (maximum) Accessory Use: N/A

Off street parking and loading provisions: (include calculations)

Compliance with off-street parking and loading provisions are included with the attached Development Plan Map and supporting data.

Sign provisions: (include sketch drawing with dimensions)

Provisions for screening landscaping and buffering: (show on site plan)

See attached Landscape Plan and supporting data.

Provisions for vehicular circulation and access to streets: (provide NCDOT permit and/or TIA)

Adequate and safe design for grades, paved curbs and gutters, drainage systems, and treatment or turf to handle storm waters, prevent erosion, subdue dust:

Appropriate grading, stormwater conveyance, and sediment and erosion control features shall be included as part of final design activities.

An adequate amount and safe location of play areas for children and other recreational uses according to the concentration of residential property:

Not applicable.

Compliance with applicable overlay zones: (see Chapter 4 of Zoning Ordinance)

No conflicts with overlay zones.

Compliance with the Flood Damage Prevention Ordinance: (see Chapter 16)

Any proposed structures located within 100 year flood boundary shall obtain applicable permits and approvals in accordance with Flood Damage Prevention Ordinance as part of final design activities.

Other requirements may be requested by the applicant or specified by the Board for protection of the public health, safety, welfare, and convenience:
None requested by applicant.

PREDEFINED STANDARDS:

Each individual Special Use listed in the Zoning Ordinance may have specific standards imposed. Refer to Chapter 8, the Special Use section of the Zoning Ordinance for these requirements. Each standard should be addressed in the site plan submitted along with this application.

CERTIFICATION:

I hereby confirm that the information contained herein and herewith is true and correct and that this application shall not be scheduled for official consideration until all the required contents have been submitted to the Planning and Development Department.

Signature of Applicant Chom Hhl Date: 11/24/2021

Signature of Owner Chom Hhl Date: 11/24/2021

To: Mark Fowler, Facilities Director

Water and Sewer Authority of Cabarrus County

Date: December 30, 2021

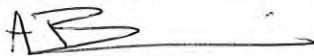
**PLACEMENT OF NEW ELECTRICAL EQUIPMENT IN CITY OF CONCORD
EASEMENT**

The City of Concord Electric Systems has no issue with Rocky River Waste Treatment plant placing new electrical equipment into the easement labeled Substation Easement 1, as shown on the attached drawings. This easement is referenced as survey sheet 2 of 2, Detail "A".

Once the new substation was completed, The City of Concord has no further need for the easement labeled Substation Easement 1, which is north of the substation site. At this time the City of Concord will begin the process of releasing that easement back to The Water and Sewer Authority of Cabarrus County.

Should you have any questions, or need anything further from us, please do not hesitate to let us know.

Respectfully,

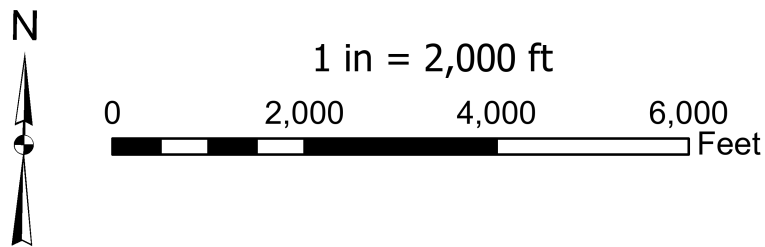
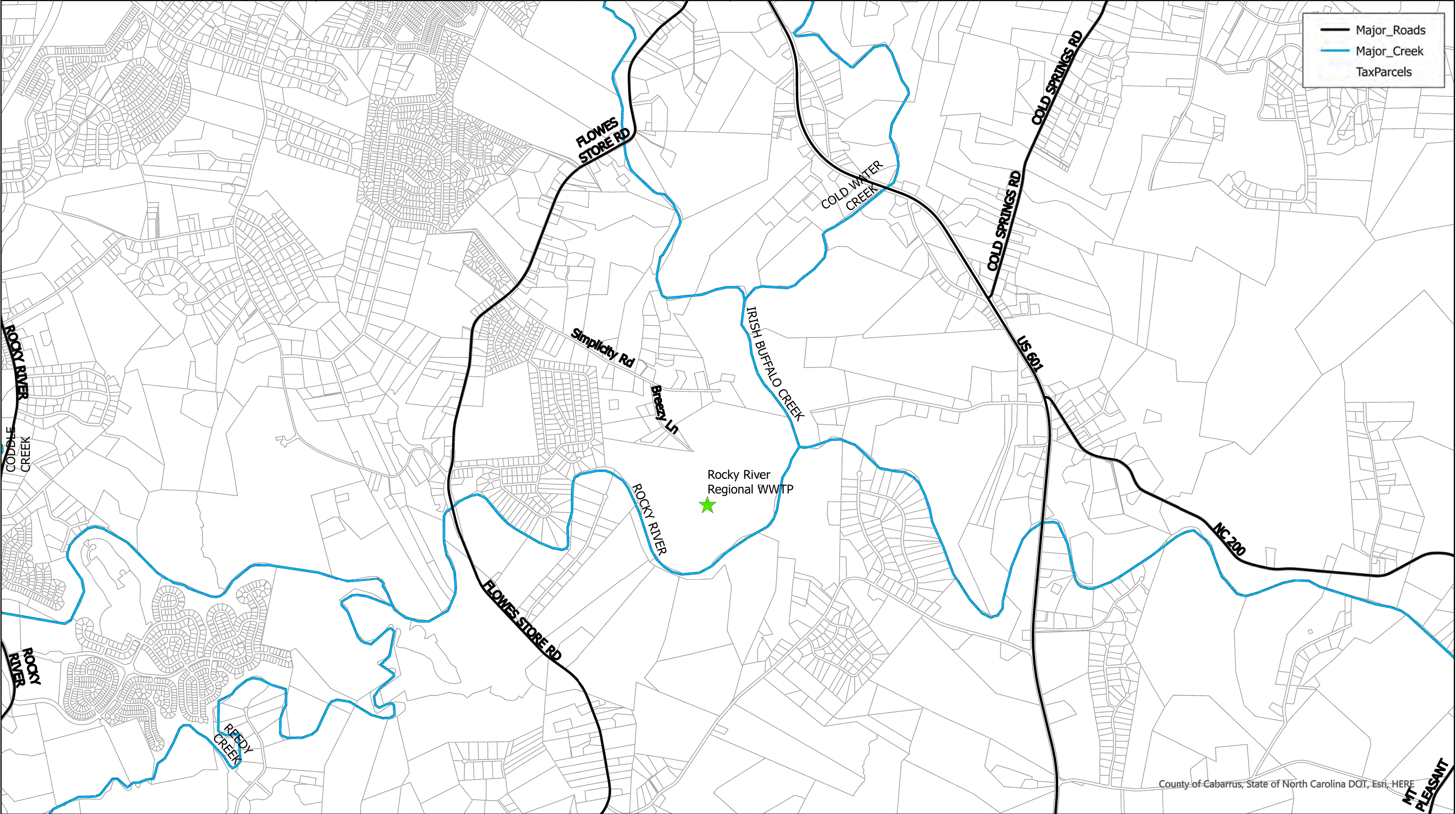


Alex Burris
Electric Director
City of Concord Electric Systems

Location Map

Features required to be shown on the Location Map are shown in the attached drawing as indicated below:

- ✓ The site and adjacent lots or tracts of land
- ✓ The intersection of at least two (2) public streets nearest the property
- ✓ The names of all public or private streets and right-of-ways, opened or unopened, clearly indicated
- ✓ North arrow



Owner/Applicant:
 Water and Sewer Authority of Cabarrus County
 232 Davidson Highway, Concord, NC 28027
 Contact: Thomas Hahn, PE (704) 788 4164
 Engineer:
 Brown & Caldwell
 309 E Morehead St Ste 160, Charlotte, NC 28202
 Contact: George Anipsitakis, PE (704) 358 7204

Location Map

Phase 3 and Phase 4

Expansion of RRRWWTP

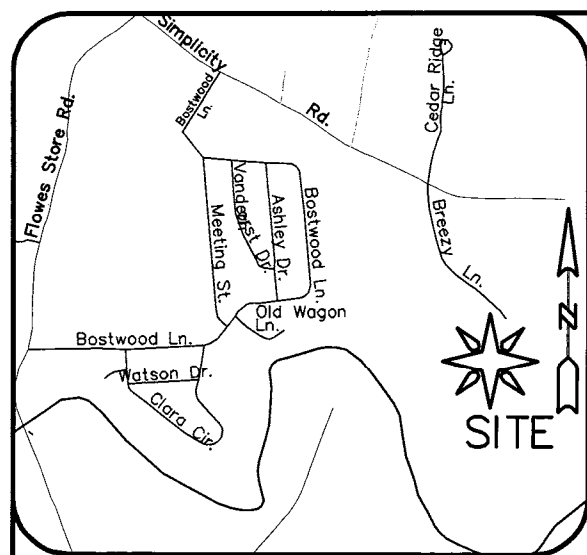
Created November 2021

Survey Map

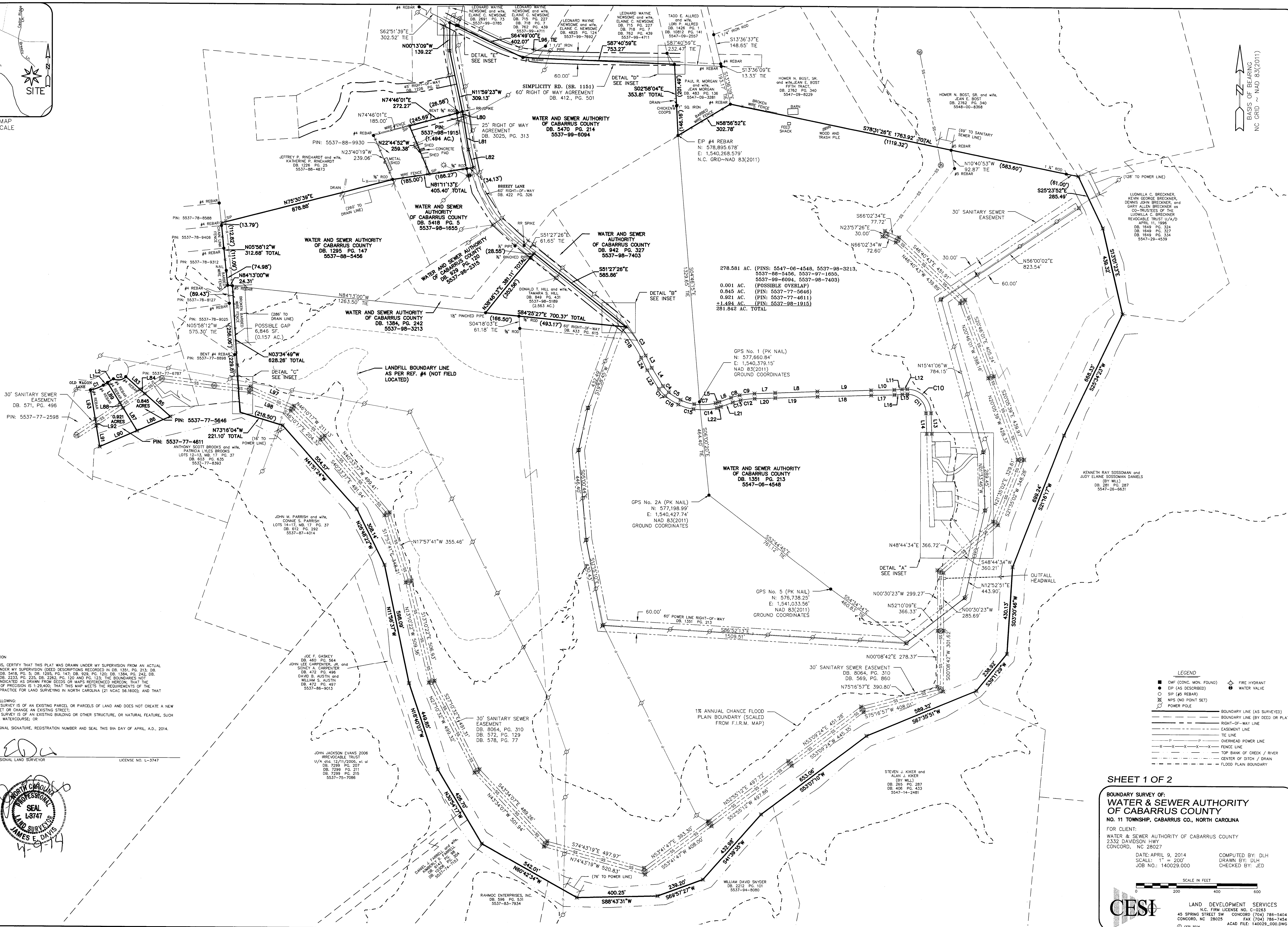
Features required to be shown on the Survey Map are shown in the attached drawings as indicated below:

- ✓ Name, address and contact information for the Design Professional responsible for preparing the map
- ✓ Date survey was made
- ✓ Scale, date, and North arrow
- ✓ Dimensions of the parcel and total area (square feet) of proposed site
- ✓ Deed Book and Page Number for subject property

A graphic scale is included on the Survey Map. Due to the size of the parcel, the Survey Map, Sheet 1 of 2, is presented at a scale greater than 1" = 100'.



BASIS OF BEARING
NC GRID ~ NAD 83(2011)



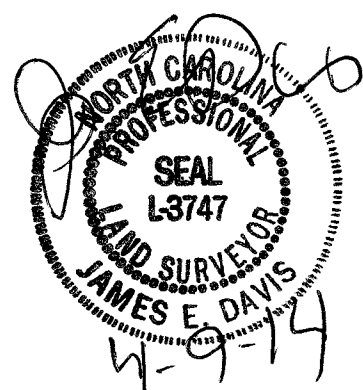
PLAT CERTIFICATION
I, JAMES E. DAVIS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTIONS RECORDED IN DB. 1351, PG. 213; DB. 5470, PG. 214; DB. 5418, PG. 5; DB. 1255, PG. 147; DB. 925, PG. 120; DB. 1384, PG. 242; DB. 10856, PG. 310; DB. 2233, PG. 225; DB. 2282, PG. 120 AND PG. 123; THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM DEEDS OR MAPS REFERENCED HEREON; THAT THE AVERAGE RATIO OF PRECISION IS 1:29,400; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600); AND THAT

☒ C. THE FOLLOWING:
1. THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;
2. THE SURVEY IS OF AN EXISTING BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE; OR

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 9th day of APRIL, A.D., 2014.

J. E. DAVIS
PROFESSIONAL LAND SURVEYOR

LICENSE NO. L-3747



SHEET 1 OF 2

BOUNDARY SURVEY OF:
**WATER & SEWER AUTHORITY
OF CABARRUS COUNTY**
NO. 11 TOWNSHIP, CABARRUS CO., NORTH CAROLINA

FOR CLIENT:
WATER & SEWER AUTHORITY OF CABARRUS COUNTY
2332 DAVIDSON HWY
CONCORD, NC 28027

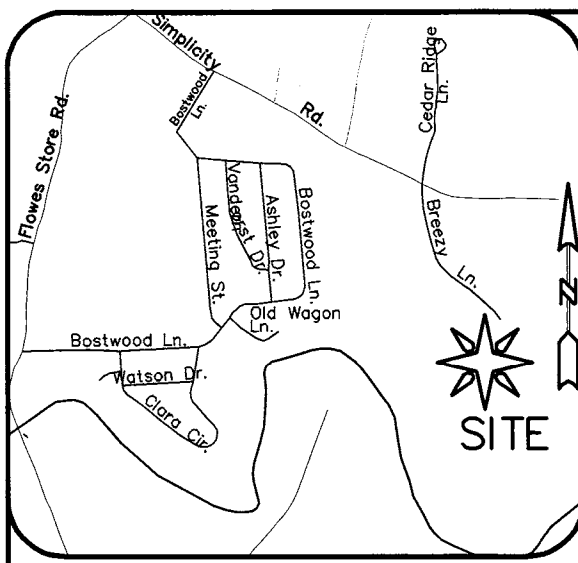
DATE: APRIL 9, 2014
SCALE: 1" = 200'
JOB NO.: 140029.000

COMPUTED BY: DLH
DRAWN BY: DLH
CHECKED BY: JED

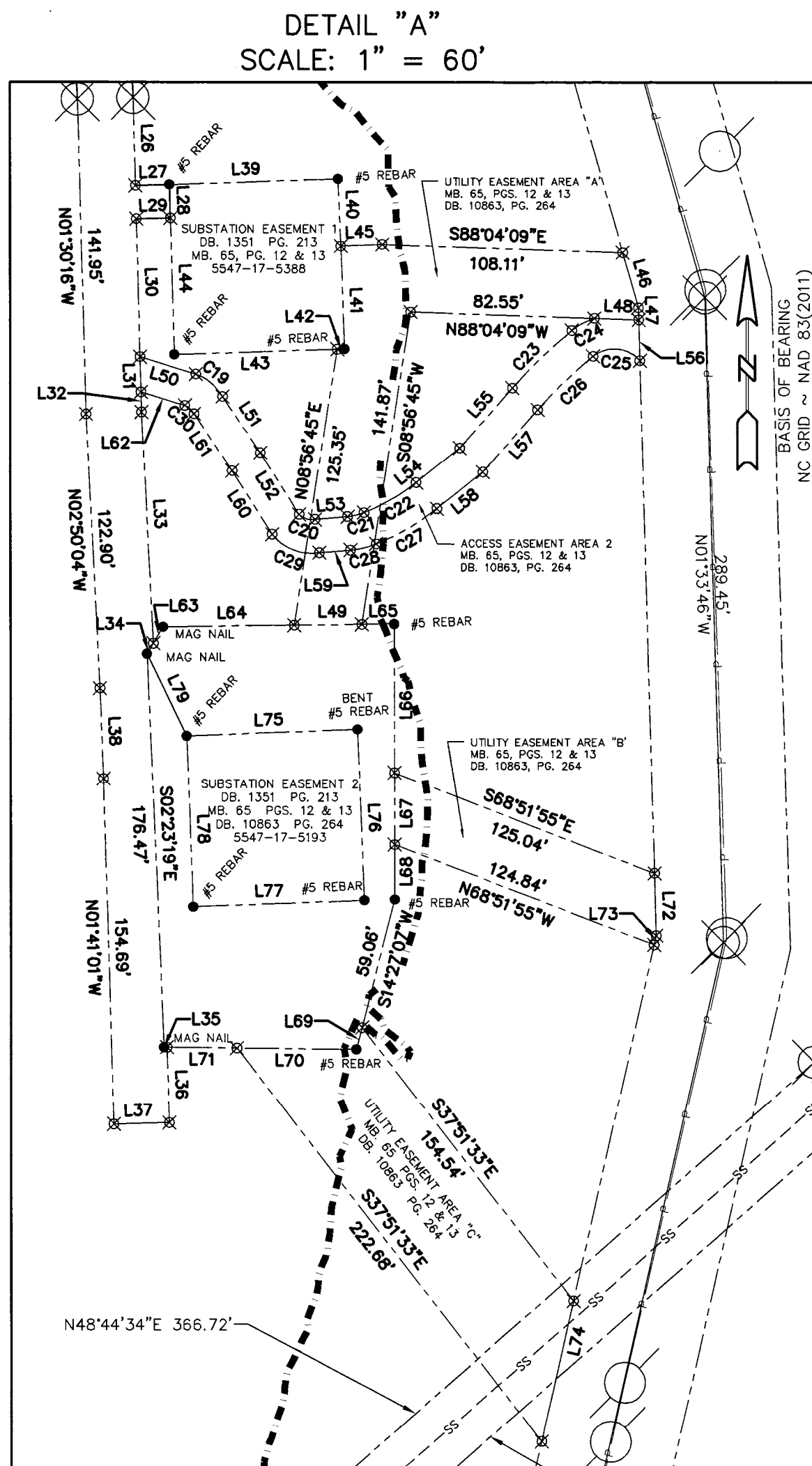
SCALE IN FEET
0 200 400 600



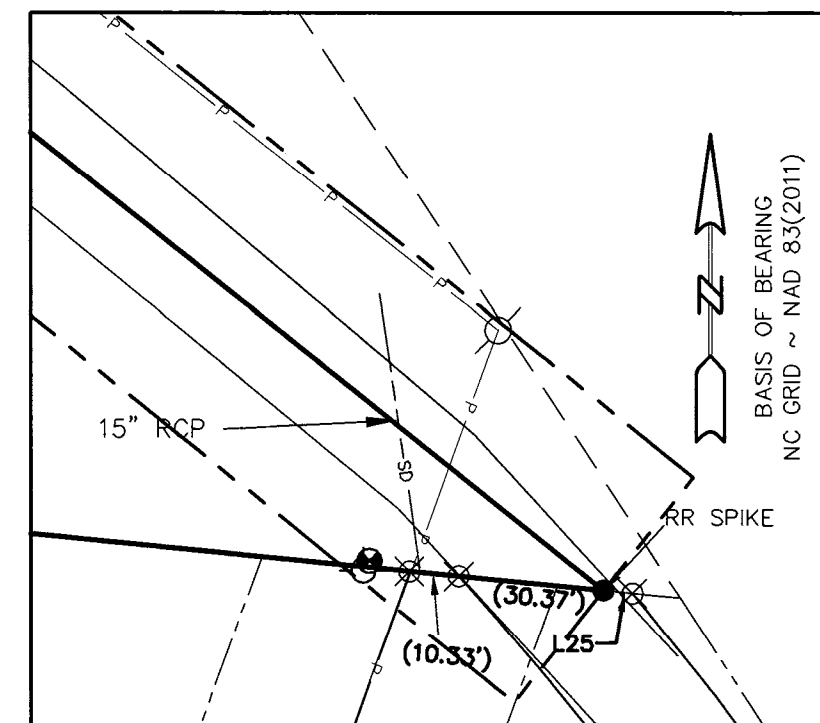
LAND DEVELOPMENT SERVICES
N.C. FIRM LICENSE NO. C-0263
45 SPRING STREET SW CONCORD (704) 786-5404
CONCORD, NC 28025 FAX (704) 786-7454
© CESI 2014 ACAD FILE: 140029_000.DWG



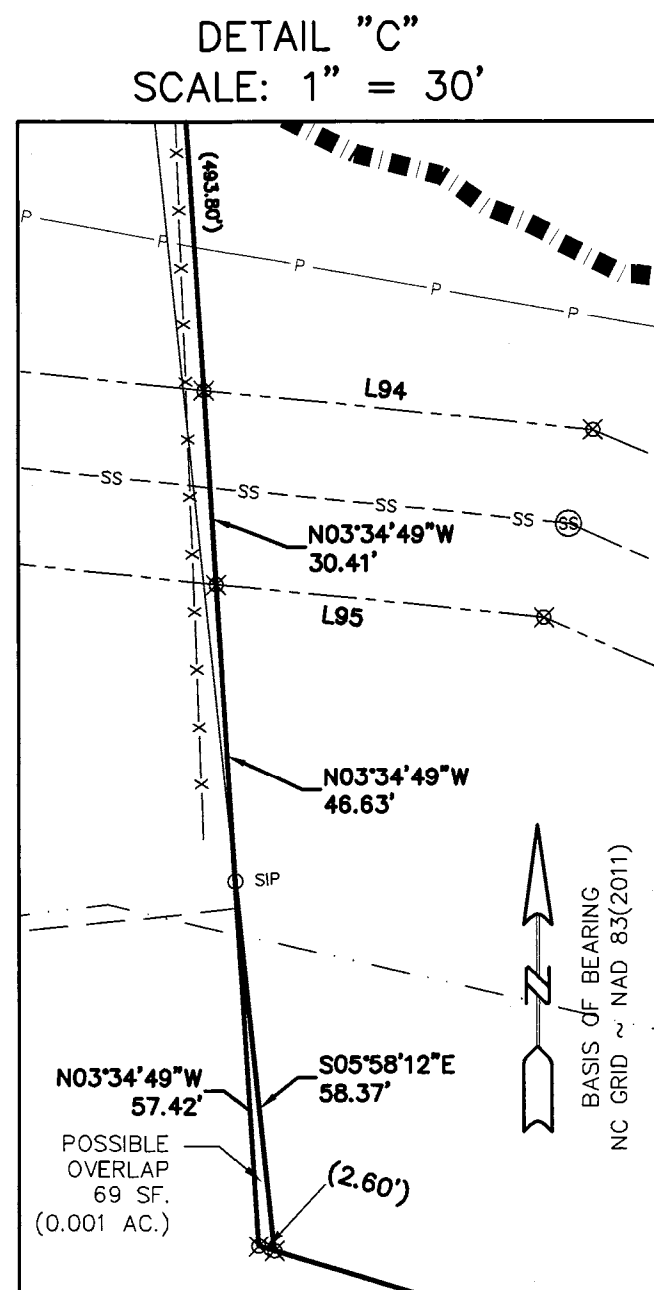
VICINITY MAP
NOT TO SCALE



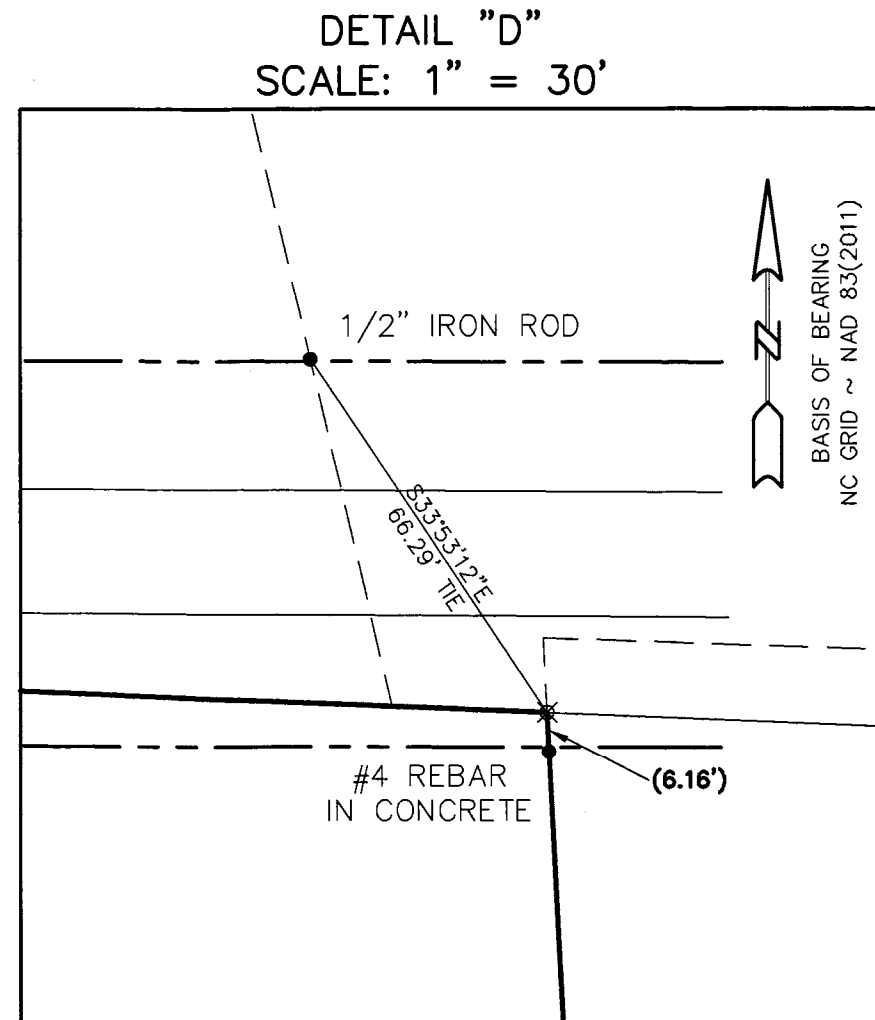
DETAIL "A"
SCALE: 1" = 60'



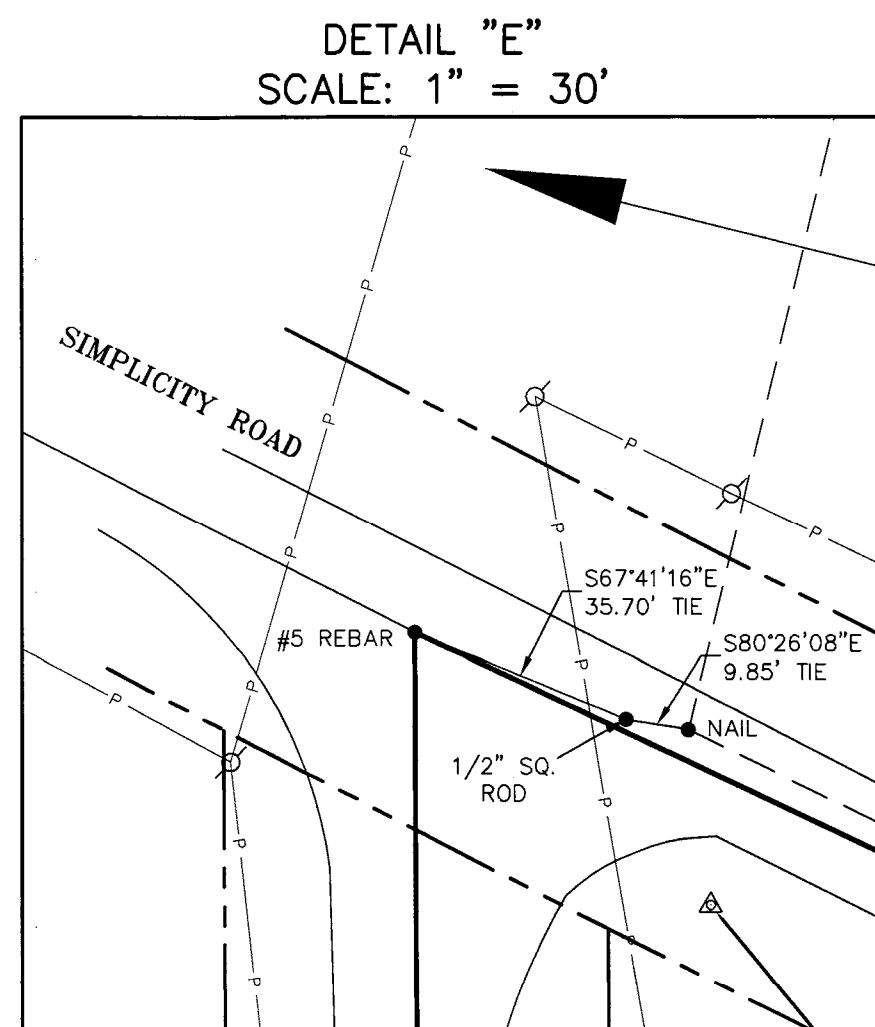
DETAIL "B"
SCALE: 1" = 40'



DETAIL "C"
SCALE: 1" = 30'



DETAIL "D"
SCALE: 1" = 30'



DETAIL "E"
SCALE: 1" = 30'

PARCEL TABLE			
PIN #	OWNER(S)	DEED BOOK & PAGE	LOT # (MAP BOOK AND PAGE)
5537-78-8588	EDWARD ALLEN	DB. 6339, PG. 1	LOT 222 (MB. 23, PG. 4)
5537-78-9408	MICHAEL S. BOTTA AND DAWN L. BOTTA	DB. 1220, PG. 279	LOT 223 (MB. 23, PG. 4)
5537-78-9312	ISRAEL LOA LUJAN	DB. 8493, PG. 179	LOT 224 (MB. 23, PG. 4)
5537-78-8127	LYNDA C. MILLIGAN	DB. 5925, PG. 163	LOT 225 (MB. 23, PG. 4)
5537-78-9025	M&W INDUSTRIES, INC. d/b/g BOSTWOOD ESTATES, INC.	DB. 1853, PG. 351	LOT 226 (MB. 23, PG. 4)
5537-77-8898	BOBBY JAMES RUSS AND WIFE, CLAUDIA M. RUSS	DB. 4287, PG. 20	LT 227 (MB. 23, PG. 4)
5537-77-6787	M&W INDUSTRIES, INC. d/b/g BOSTWOOD ESTATES, INC.	DB. 1853, PG. 304	LOT 237 (23, PG. 5)
5537-77-5646	WATER AND SEWER AUTHORITY OF CABARRUS COUNTY	DB. 2262, PG. 120	LOT 228 (MB. 23, PG. 5)
5537-77-4611	WATER AND SEWER AUTHORITY OF CABARRUS COUNTY	DB. 2233, PG. 225	LOT 229 (MB. 23, PG. 5)
5537-77-2598	M&W INDUSTRIES, INC. d/b/g BOSTWOOD ESTATES, INC.	DB. 1853, PG. 304	LOT 230 (MB. 31, PG. 7)
5537-88-9930	LARRY W. SHAVER, JR. AND WIFE, KELLY SHAVER	DB. 3025, PG. 313	-
5537-98-1915	WATER AND SEWER AUTHORITY OF CABARRUS COUNTY	DB. 10856, PG. 310	-

Line Table		
Line #	Length	Direction
L1	24.71'	S88°04'54"W
L2	35.00'	S89°21'56"E
L3	68.12'	S26°10'31"E
L4	107.43'	S31°48'56"E
L5	19.70'	N72°17'02"E
L6	61.73'	N69°44'23"E
L7	102.29'	N87°53'27"E
L8	209.81'	N87°54'49"E
L9	266.93'	N88°18'40"E
L10	114.99'	N88°48'33"E
L11	38.72'	N85°44'18"E
L12	26.18'	N87°51'06"E
L13	101.76'	S2°03'01"E
L14	102.20'	N2°03'01"W
L15	25.34'	S87°51'06"W
L16	38.91'	S85°44'18"W
L17	115.63'	S88°48'31"W
L18	266.67'	S88°18'40"W
L19	209.72'	S87°54'49"W
L20	102.28'	S87°53'27"W
L21	62.61'	S69°44'59"W
L22	20.83'	S72°17'02"W
L23	110.39'	N31°48'56"W
L24	68.96'	N26°10'00"W
L25	5.99'	N84°25'27"W
L26	39.82'	S1°30'16"E
L27	15.29'	N88°29'44"E
L28	15.00'	S1°36'15"E
L29	15.32'	S88°29'44"W
L30	62.12'	S1°30'16"E
L31	15.83'	S1°30'16"E
L32	9.01'	S1°30'16"E
L33	103.74'	S2°50'04"E

Line Table		
Line #	Length	Direction
L34	5.40'	S30°37'00"W
L35	1.37'	S89°21'56"E
L36	33.76'	S1°41'01"E
L37	25.00'	S88°18'59"W
L38	40.78'	N2°04'20"W
L39	75.82'	N88°00'25"E
L40	30.17'	S2°11'37"E
L41	46.36'	N2°08'40"W
L42	3.38'	N88°04'44"E
L43	73.19'	N88°04'44"E
L44	61.44'	S1°36'15"E
L45	18.58'	N87°46'19"E
L46	25.76'	S1°54'06"E
L47	5.46'	S1°33'46"E
L48	19.87'	N88°04'09"W
L49	30.44'	N89°14'46"E
L50	26.21'	S72°57'12"E
L51	30.42'	S33°47'43"E
L52	32.77'	S32°08'08"E
L53	14.62'	N84°56'08"E
L54	25.03'	N51°27'57"E
L55	36.06'	N41°10'07"E
L56	18.32'	S1°33'46"E
L57	37.41'	S41°10'07"W
L58	26.37'	S51°27'57"W
L59	14.01'	S84°56'08"W
L60	33.63'	N32°08'08"W
L61	30.79'	N33°47'43"W
L62	20.59'	N72°57'12"W
L63	8.58'	S30°37'00"W
L64	58.91'	N89°14'46"E
L65	14.57'	N89°14'46"E
L66	66.83'	S0°00'08"W

Line Table		
Line #	Length	Direction
L67	32.16'	S0°00'08"W
L68	24.75'	S0°00'08"W
L69	10.06'	S14°27'07"W
L70	85.06'	S89°21'56"E
L71	85.06'	S89°21'56"E
L72	27.97'	S1°33'46"E
L73	4.24'	S12°52'51"W
L74	64.57'	N12°52'51"E
L75	76.77'	N87°44'43"E
L76	76.77'	S2°14'23"E
L77	76.94'	S87°44'29"W
L78	76.78'	N2°06'35"W
L79	40.94'	S25°39'21"E
L80	21.19'	S10°27'29"E
L81	168.49'	S8°52'29"E
L82	93.24'	S15°54'29"E
L83	94.56'	S48°34'31"E
L84	31.04'	S48°34'31"E
L85	169.98'	S48°34'31"E
L86	179.45'	S66°49'41"W
L87	131.57'	N31°55'06"W
L88	30.01'	N31°55'06"W
L89	117.21'	N31°55'06"W
L90	201.64'	S66°49'41"W
L91	103.81'	N9°29'48"W
L92	32.89'	N9°29'48"W
L93	146.04'	N9°29'48"W
L94	61.19'	S84°09'12"E
L95	51.52'	N84°09'12"W
L96	125.90'	N62°58'19"E
L97	236.14'	N66°22'00"W
L98	226.10'	S66°22'00"E

- REFERENCES:
- ALL DEEDS AND MAPS SHOWN HEREON.
 - CABARRUS COUNTY ON-LINE G.I.S. TAX MAP.
 - RECORDED EASEMENT PLAT ENTITLED "EASEMENT PLAT PART OF THE PROPERTY OF WATER AND SEWER AUTHORITY OF CABARRUS COUNTY" BY CITY OF CONCORD ENGINEERING DEPARTMENT, DATED AUGUST 20, 2013. RECORDED IN MAP 65, PG. 12 & 13. (CABARRUS COUNTY REGISTER OF DEEDS)
 - UNRECORDED MAP ENTITLED "BOUNDARY SURVEY FOR ROCKY RIVER WASTE WATER TREATMENT PLANT OF PROPERTY OF GROVER TUCKER" BY CONCORD ENGINEERING AND SURVEYING, INC. DATED MARCH 3, 1986. JOB NUMBER 88-02-27.
 - RECORDED MAP ENTITLED "FINAL PLAT OF BOSTWOOD ESTATES" BY SPRATT & BROOKS LAND SURVEYING, DATED NOVEMBER 12, 1987. RECORDED IN MAP BOOK 23, PAGE 5. (CABARRUS COUNTY REGISTER OF DEEDS)
 - UNRECORDED MAP ENTITLED "PLAT SHOWING TRACT 1 & 2 OF ROCKY RIVER WASTE TREATMENT PLANT" BY CONCORD ENGINEERING & SURVEYING, INC. DATED JANUARY 31, 1994. JOB NUMBER 93-11-17.
 - UNRECORDED MAP ENTITLED "TRACT 2 ROCKY RIVER WASTE TREATMENT PLANT" BY CONCORD ENGINEERING AND SURVEYING, INC. DATED DECEMBER 7, 1993. JOB NUMBER 93-11-17.
 - UNRECORDED MAP ENTITLED "FRONT OF WAY SURVEY OF CITY OF CONCORD POWER LINE AT ROCKY RIVER WASTE TREATMENT PLANT" BY CONCORD ENGINEERING & SURVEYING, INC. DATED APRIL 29, 1992. JOB NUMBER 92-04-35.
 - RECORDED PLAT ENTITLED "FINAL PLAT OF BOSTWOOD ESTATES", BY SPRATT & BROOKS LAND SURVEYING, DATED MARCH 25, 1987. RECORDED IN MAP BOOK 23, PAGE 4. (CABARRUS COUNTY REGISTER OF DEEDS)
 - RECORDED PLAT ENTITLED "FINAL PLAT OF BOSTWOOD ESTATES", BY SPRATT & BROOKS LAND SURVEYING, DATED NOVEMBER 12, 1987. RECORDED IN MAP BOOK 23, PAGE 3. (CABARRUS COUNTY REGISTER OF DEEDS)
 - RECORDED PLAT ENTITLED "BOUNDARY SURVEY AND DIVISION OF LOT 230 AND LOT 231 OF BOSTWOOD ESTATES PROPERTY FOR BOSTWOOD ESTATES", BY SPRATT & BROOKS LAND SURVEYING, DATED APRIL 16, 1986. RECORDED IN MAP BOOK 31, PAGE 7. (CABARRUS COUNTY REGISTER OF DEEDS)
 - UNRECORDED MAP ENTITLED "TOPOGRAPHIC SURVEY OF ROCKY RIVER REGIONAL WASTEWATER TREATMENT PLANT" BY CONCORD ENGINEERING AND SURVEYING, INC. DATED NOVEMBER 6, 1998.

- NOTES:
- TRAVERSE ADJUSTED BY LEAST SQUARES ADJUSTMENT METHOD; AVERAGE RAW ERROR OF CLOSURE 1:28,400.
 - AREA COMPUTED BY COORDINATE COMPUTATIONS.
 - ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 - BASES OF NC GRID ~ NAD 83(2011) WAS DERIVED FROM NCOS NETWORK RTK ON FEBRUARY 12, 2014. THIS WAS A CLASS AA SURVEY (POSITIONAL TOLERANCE < 0.09") USING FIXED CONTROL STATION "CONCORD CORS AHP" (N= 995811.291, E= 1533.733.95, EL= 806.34') AND GRID MODEL GEOID2A.
 - PROJECT POINT OF LOCALIZATION IS GPS TRAVERSE NAIL #4: N=377880.84, E= 1540.37615, C&T= 0.99985078.
 - SUBJECT PROPERTY LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND ZONE ACBAGE (FLOOD ELEVATIONS DETERMINED) AS PER FIRM MAP NUMBER 371054700L EFFECTIVE DATE NOVEMBER 5, 2009 AND FIRM MAP NUMBER 371055700L EFFECTIVE DATE NOVEMBER 5, 2008.
 - THIS MAP DOES NOT CONFORM TO G.S. 47-31.35 AS AMENDED IN THAT IT HAS NOT BEEN PREPARED FOR RECORDATION PURPOSES.
 - PROPERTY SUBJECT TO DUKE POWER RIGHT OF WAYS (DB. 160, PG. 474, DB. 160, PG. 449, DB. 160, PG. 473, DB. 151, PG. 185, CABARRUS COUNTY REGISTRY).
 - PROPERTY SUBJECT TO CONCORD TELEPHONE COMPANY RIGHT OF WAY (D.B. 344, PG. 233, CABARRUS COUNTY REGISTRY).

LEGEND

- CMF (CONC. MON. FOUND)
- EP (AS DESCRIBED)
- SP (#5 REBAR)
- NPS (NO POINT SET)
- POWER POLE
- BOUNDARY LINE (AS SURVEYED)
- BOUNDARY LINE (BY DEED OR PLAT)
- RIGHT-OF-WAY LINE
- EASEMENT LINE
- TE LINE
- OVERHEAD POWER LINE
- FENCE LINE
- TOP BANK OF CREEK / RIVER
- CENTER OF DITCH / DRAIN

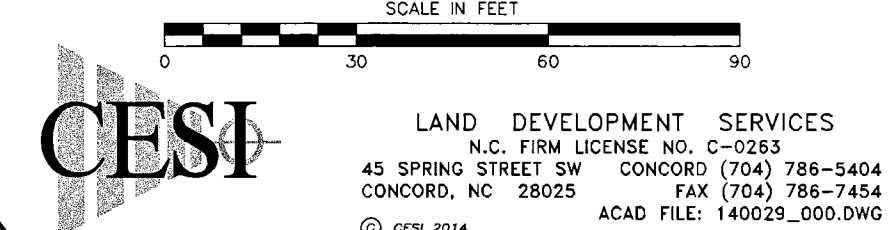
SHEET 2 OF 2

BOUNDARY SURVEY OF:
WATER & SEWER AUTHORITY
OF CABARRUS COUNTY
NO. 11 TOWNSHIP, CABARRUS CO., NORTH CAROLINA

FOR CLIENT:
WATER & SEWER AUTHORITY OF CABARRUS COUNTY
2332 DAVIDSON HWY
CONCORD, NC 28027

DATE: APRIL 9, 2014
SCALE: VARIES
JOB NO.: 140029.000

COMPUTED BY: DLH
DRAWN BY: JED
CHECKED BY: JED

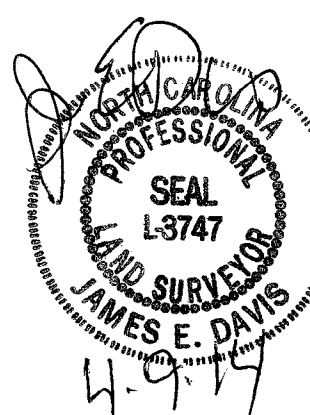


PLAT CERTIFICATION

I, JAMES E. DAVIS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTIONS RECORDED IN DB. 1351, PG. 213; DB. 2470, PG. 214; DB. 2415, PG. 5; DB. 1290, PG. 147; DB. 929, PG. 120; DB. 1384, PG. 242; DB. 10856, PG. 310; DB. 2233, PG. 225; DB. 2262, PG. 120 AND PG. 123; THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM DEEDS OR MAPS REFERENCED HEREON; THAT THE AVERAGE RATIO OF PRECISION IS 1:28,400; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600); AND THAT

- C. THE FOLLOWING:
- THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;
 - THE SURVEY IS OF AN EXISTING BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE; OR

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 9th DAY OF APRIL, A.D., 2014.



LICENSE NO. L-3747

Existing Features Maps

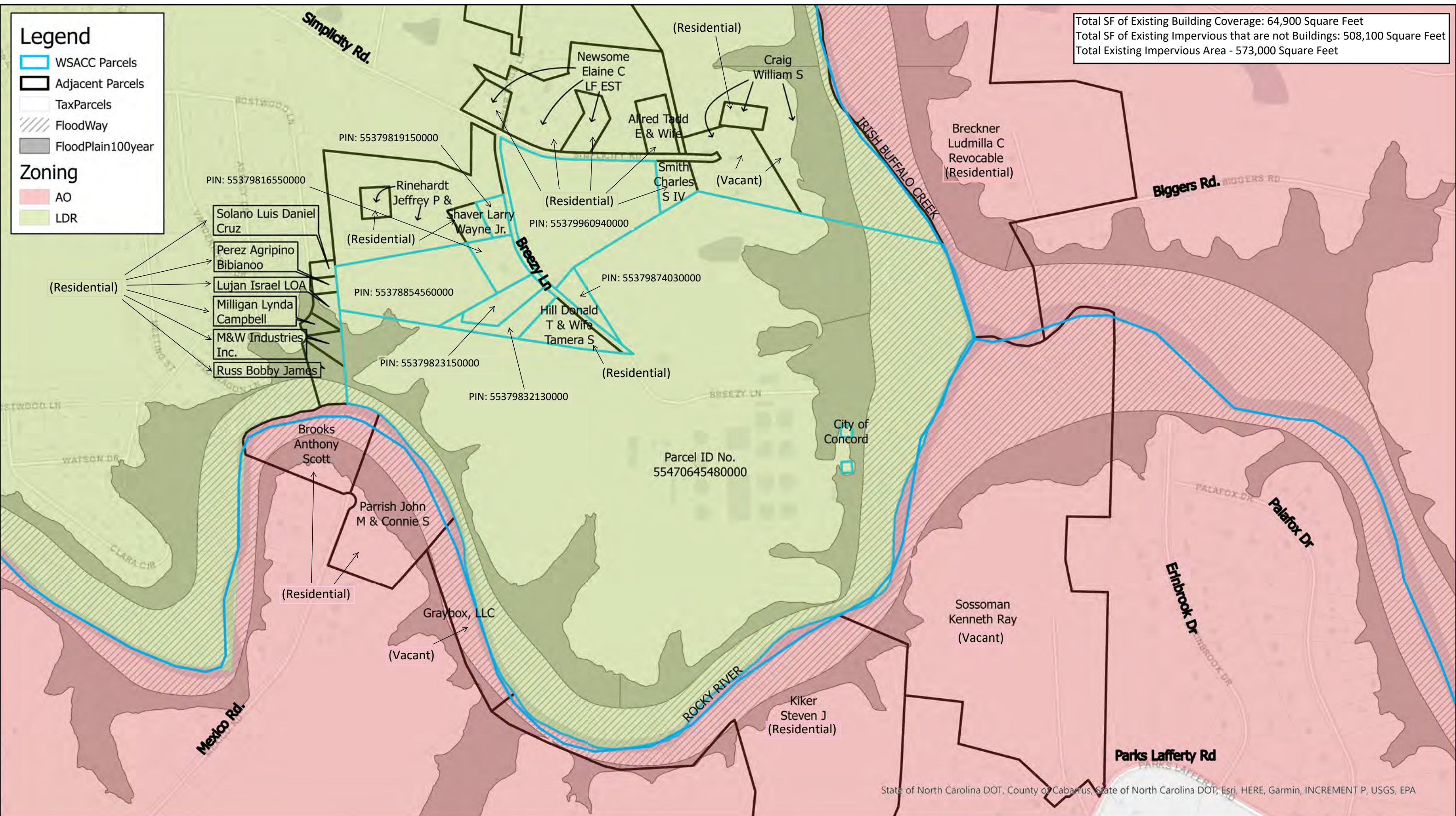
Features required to be shown on the Existing Features Map are shown in the attached drawing as indicated below:

- ✓ Parcel Identification Number(s) for site – **Existing Features Map, Sheet 1**
- ✓ Ownership, use and zoning designations of adjacent lots and/or tracts of land – **Existing Features Map, Sheet 1**
- ✓ The location of existing public rights-of-way, utility easements, railroads, power lines, culverts, drain pipes, drainage channels, flood channels, water bodies, streams, swamps, parks, cemeteries, bridges, irrigation ditches, waterlines, sewer lines, and/or natural gas lines – **Existing Features Map, Sheets 1 & 2; Survey Map**
- ✓ All existing structures including walls, fences, and other manmade features of the site – **Existing Features Map, Sheet 2**
- ✓ Topography shown at not greater than five (5) foot contour intervals – **Existing Features Map, Sheet 2**
- ✓ Proposed finished grade at no greater than five (5) foot contour intervals – **Proposed grading information will be provided as part of final design activities, and submitted to Cabarrus County with the Zoning Site Plan Review Application.**
- ✓ Delineation of the flood plain with FEMA map used and date – **Existing Features Map, Sheet 1**
- ✓ Existing driveways, walkways, and curb cuts – **Existing Features Map, Sheet 2**

Graphic scales are included on each Existing Features map. Due to the size of the parcel, the Existing Features Map, Sheet 1 is presented at a scale greater than 1" = 100'.

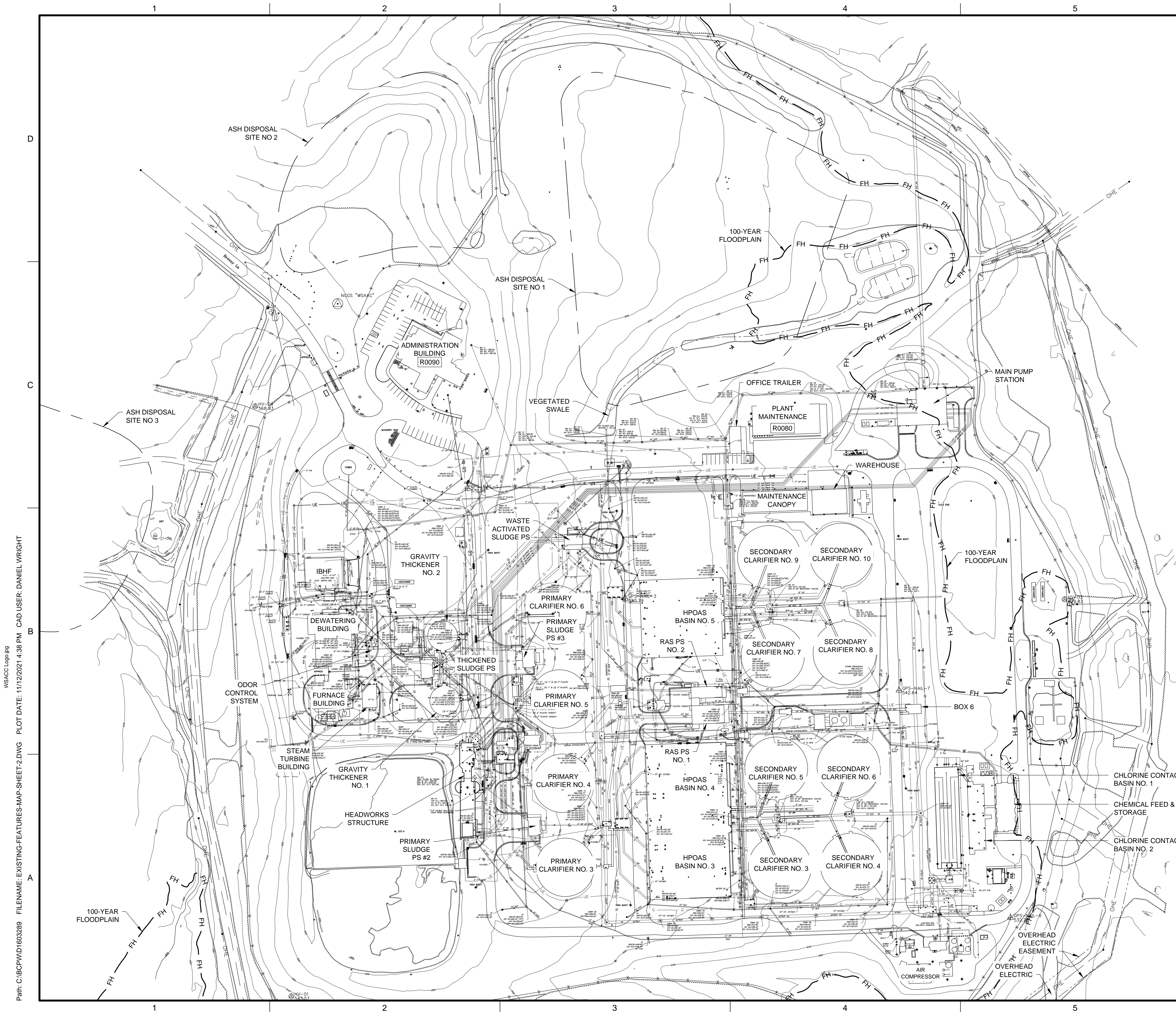
Information requested by Cabarrus County staff in comments submitted by email on December 22, 2021, and clarified in conversations on December 29 – 30, 2021, is also shown, including the following:

- ✓ Parcel Identifications Numbers for northern WSACC parcels – **Existing Features Map, Sheet 1**
- ✓ Use of adjacent lots and/or tracts of land – **Existing Features Map, Sheet 1**
- ✓ Total existing impervious area (both building coverage and impervious areas that are not buildings) – **Existing Features Map, Sheet 1**



Owner/Applicant: Water and Sewer Authority of Cabarrus County
Engineer: Brown & Caldwell
Notes:
1-Floodplain Boundaries are shown per FEMA Flood Insurance Rate Map Panels 3710553700K & 3710554700K, dated 11/16/2018.
2- Property Owner Data was taken from Cabarrus County GIS System as of November 2021.

Existing Features Map, Sheet 1
Phase 3 and Phase 4
Expansion of RRRWWTP
Created November 2021, Modified January 2022



GENERAL NOTES:

1. APPLICANT / OWNER:
WATER AND SEWER AUTHORITY OF CABARRUS COUNTY
ROCKY RIVER REGIONAL WWTP
232 DAVIDSON HIGHWAY
CONCORD, NC 28027
CONTACT: THOMAS HAHN, PE, 704-788-4164
2. ENGINEER:
BROWN AND CALDWELL
309 EAST MOREHEAD STREET, SUITE 160
CHARLOTTE, NC 28202
CONTACT: GEORGE ANIPSITAKIS, PE, 704-373-7137



ENVIRONMENTAL ENGINEERING AND CONSULTING
309 East Morehead Street, Suite 160, Charlotte, NC 28202
(704) 358-7204
North Carolina Board of Examiners for Engineers and
Surveyors License No. F-0785


THIS DRAWING IS NOT VALID
FOR CONSTRUCTION
PURPOSES UNLESS IT BEARS
THE SEAL OF A DULY
REGISTERED PROFESSIONAL



ISO 14001:2004 ♦ NC Star Public Sector ♦ OHSAS 18001:2007

PHASE 3 AND PHASE 4 EXPANSION OF RRRWWTP

REVISIONS

[illegible]

LINE IS 2 INCHES
AT FULL SIZE

DESIGNED:

DRAWN:

CHECKED:

CHECKED:

APPROVED:

FILENAME

EXISTING-FEATURES-MAP-SHEET-2

BC PROJECT NUMBER
156673

150075
CLIENT PROJECT NUMBER

CIVIL

EXISTING
FEATURES MAP,
SHEET 2

DRAWING NUMBER

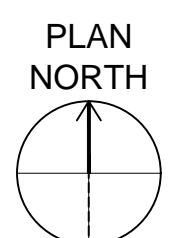
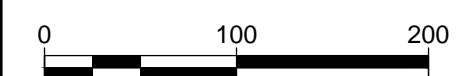
■■■■■

SHEET NUMBER

1 SHEET NUMBER
OF

EXISTING FEATURES
MAP, SHEET 2

SCALE: 1" = 100'



Development Plan Map

Features required to be shown on the Existing Features Map are shown in the attached drawing as indicated below:

- ✓ Proposed use(s) – **Development Plan Map**
- ✓ Location of all proposed structures, fences, walls, signs, and exterior lighting; of the structure(s) – **Development Plan Map. Exterior lighting will be addressed as part of final design activities.**
 - Existing and proposed Sign(s) location should be shown on site plan. Color renderings showing dimensions must be submitted. Separate zoning permit(s) required for signage. – **Existing Features Map, Sheet 2 (for existing sign location inside fence)**
- ✓ Location of required building setback lines – **Development Plan Map**
- ✓ Renderings of building elevations – **See below for existing buildings similar in appearance.**
- ✓ Proposed roadway improvements, if any, serving the site should be provided. – **Development Plan Map**
- ✓ Natural features including any landscaping to be left undisturbed – **Development Plan Map**
- ✓ Proposed drainage and erosion control measures – **Appropriate drainage and erosion control measures will be included as part of final design activities.**
 - Erosion control measures cannot encroach into buffer yard areas
- ✓ Proposed location of utilities – **Development Plan Map, Existing Features Map, Sheet 2**
- ✓ Proposed location of easements, public streets and private drives, including rights-of-way and pavement widths, curb cuts, pedestrian ways and other paths – **Development Plan Map**
- ✓ Location of off-street parking areas and loading areas along with proposed paving material, include parking and loading calculations – **Development Plan Map. Paving material to be indicated during final design. See below for parking calculations.**
- ✓ Total SF of building coverage – **Development Plan Map**
- ✓ Total SF of impervious areas that are not buildings (parking, loading areas, sidewalks, streets, etc.) – **Development Plan Map**
- ✓ Total SF of impervious coverage for site (buildings, vehicular areas, sidewalks, patios, etc.) – **Development Plan Map**
- ✓ Delineation of special flood hazard and/or wetlands – **Development Plan Map**
- ✓ Location of Overlay Zones, if applicable – **Not applicable**
- ✓ Location of solid waste containers including proposed design provisions for screening – **No additional solid waste containers anticipated following expansion.**
- ✓ Number of proposed dwelling units or commercial units by type, size, and proposed ownership – **Not applicable**
- ✓ Height and floor area of all structures – **Development Plan Map**
- ✓ Site Triangles (10 x 70 required) – **Not applicable. New structures do not create any sight obstructions to any public right-of-way.**

Information requested by Cabarrus County staff in comments submitted by email on December 22, 2021, and clarified in conversations on December 29 – 30, 2021, is also shown, including the following:

- ✓ Original Case Number of 2018 “Master Plan” (CUSE2018-00006) – **Development Plan Map**
- ✓ Adjustment of plan title – **Development Plan Map**
- ✓ Summary of Building Setback Lines for LDR Zoning – **Development Plan Map**

- ✓ Summaries of New Disturbed Areas for Grading – **Development Plan Map**
- ✓ Adjustments to Conceptual Layout for Ash Disposal Site #2 – **Development Plan Map**
- ✓ Updated Parking Summary – **See below**

Building Examples

Similar to Proposed Blower Building (existing Warehouse Building)



Similar to Proposed Thickened Sludge Pump Station (existing Thickened Sludge Pump Station)

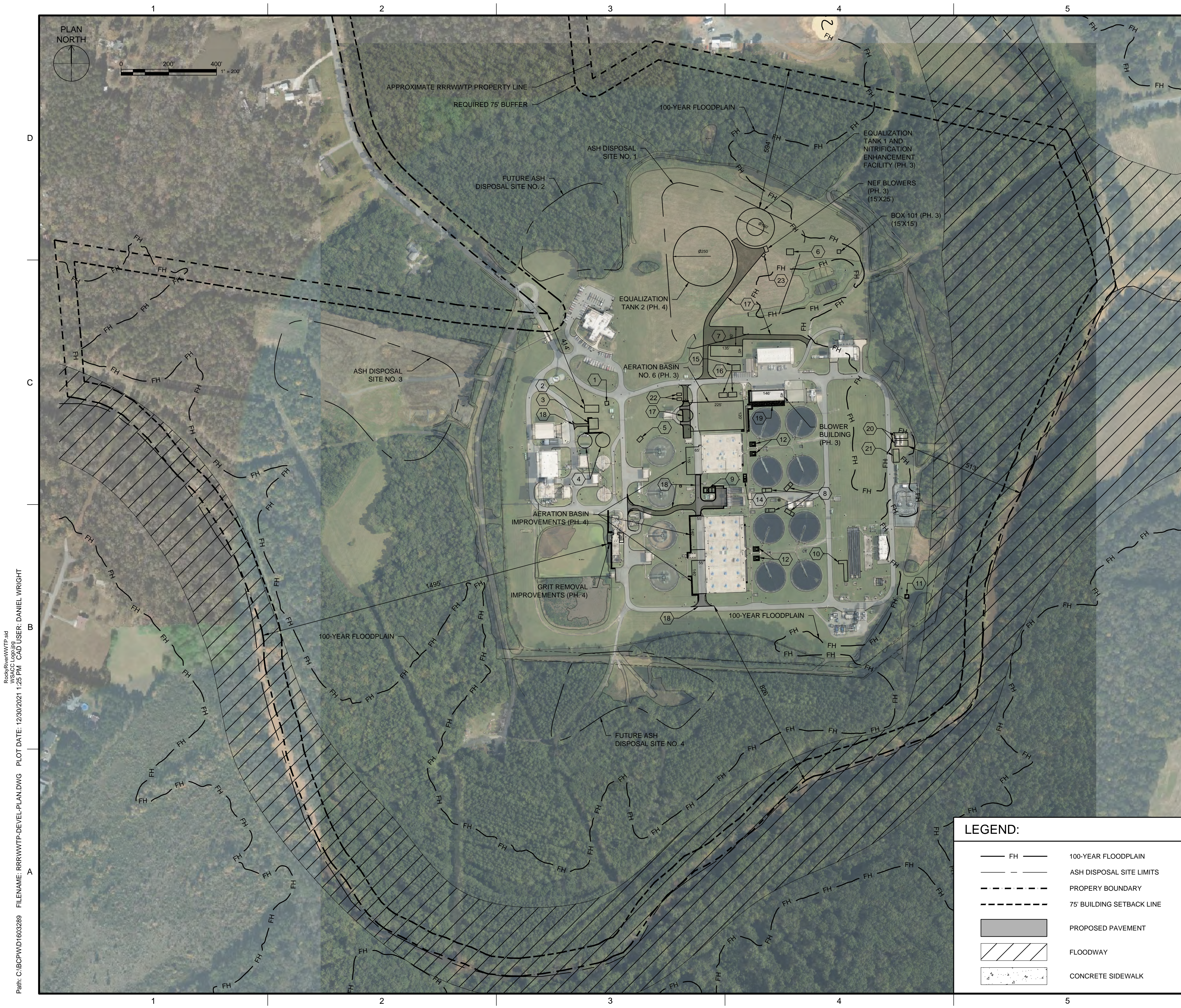


Parking

From Chapter 10 of the Cabarrus County Zoning Ordinance, Table 10-6, a minimum of 1 parking space per employee plus any expected visitor parking is required for a “Public Service Facility.” A maximum of 40 employees of the Water and Sewer Authority of Cabarrus County work at the Rocky River Regional WWTP each day, with those employees divided over two shifts per day.

Employee parking is available adjacent to the Administration Building, with a total of 55 standard parking spaces for personal vehicles. Twelve (12) additional spaces by the Administration Building are reserved for WSACC-owned vehicles. Two (2) handicapped-accessible spaces are provided at the Administration Building, and are closest to the building.

Employee parking is available adjacent to the Mobile Office Unit, with a total of nine (9) standard parking spaces. One (1) handicapped-accessible space is provided at the Mobile Office Unit, and is closest to the building.



GENERAL NOTES:

1. APPLICANT / OWNER:
WATER AND SEWER AUTHORITY OF CABARRUS COUNTY
ROCKY RIVER REGIONAL WWTP
232 DAVIDSON HIGHWAY
CONCORD, NC 28027
CONTACT: THOMAS HAHN, PE, 704-788-4164
2. ENGINEER:
BROWN AND CALDWELL
309 EAST MOREHEAD STREET, SUITE 160
CHARLOTTE, NC 28202
CONTACT: GEORGE ANIPSITAKIS, PE, 704-373-7137
3. SIZE AND LOCATION OF PROPOSED STRUCTURES SHOWN ON THIS PLAN ARE SUBJECT TO CHANGE.
4. FLOODPLAIN BOUNDARIES ARE SHOWN PER FEMA FLOOD INSURANCE RATE MAP PANEL S-3710553700K & 3710554700K, DATED 11/16/2018. STRUCTURES LOCATED WITHIN THE 100-YEAR FLOODPLAIN SHALL OBTAIN FLOODPLAIN DEVELOPMENT PERMITS / APPROVALS IN ACCORDANCE WITH CABARRUS COUNTY FLOOD ORDINANCE.
5. REQUIRED BUFFER / SETBACK LINE IS SHOWN OFFSET FROM THE INWARD MOST ENCROACHMENT OF PROPERTY LINE, EDGE OF ROADWAY OR EDGE OF ROCKY RIVER.
6. EXISTING IMPERVIOUS AREAS
EXIST. IMP. BUILDING COVERAGE AREA: 64,900 SF
EXIST. IMP. AREAS THAT ARE NOT BUILDINGS: 508,100 SF
TOTAL EXIST. IMPERVIOUS AREA: 573,000 SF
7. PHASE 3 DISTURBED / IMPERVIOUS AREAS
NEW IMP. BUILDING COVERAGE AREA: 11,800 SF
NEW IMP. AREAS THAT ARE NOT BUILDINGS: 53,100 SF
NEW DISTURBED AREA FOR GRADING: 78,000 SF
TOTAL NEW DISTURBED / IMPERVIOUS AREAS: 142,900 SF
8. PHASE 4 DISTURBED / IMPERVIOUS AREAS
NEW IMP. BUILDING COVERAGE AREA: 6,500 SF
NEW IMP. AREAS THAT ARE NOT BUILDINGS: 34,100 SF
NEW DISTURBED AREA FOR GRADING: 31,500 SF
TOTAL NEW DISTURBED / IMPERVIOUS AREAS: 72,100 SF
9. TOTAL NEW DISTURBED / IMPERVIOUS AREAS
NEW IMP. BUILDING COVERAGE AREA: 18,300 SF
NEW IMP. AREAS THAT ARE NOT BUILDINGS: 87,200 SF
NEW DISTURBED AREA FOR GRADING: 109,500 SF
TOTAL NEW DISTURBED / IMPERVIOUS AREAS: 215,000 SF
10. MAXIMUM BUILDING HEIGHT: 40 FT
11. BUILDING SETBACK LINES
11.1. LOW-DENSITY RESIDENTIAL (LDR)
11.1.1. FRONT YARD (LOCAL ROAD) - 50 FEET
11.1.2. SIDE YARD - 20 FEET
11.1.3. REAR YARD - 30 FEET

KEYNOTES:

- 1 NITRIFICATION ENHANCEMENT FACILITY JUNCTION BOX (PH. 3) (16'X16')
- 2 DISSOLVED AIR FLOTATION THICKENERS (PH. 4) (30'X60')
- 3 THICKENED SLUDGE PUMP STATION NO. 2 (PH. 4) (40'X45')
- 4 GRAVITY THICKENERS NO. 3 AND NO. 4 (PH. 4) (Ø60')
- 5 EQ INFLUENT METER VAULT (PH. 3) (15'X20')
- 6 EQ EFFLUENT METER VAULT (PH. 3) (25'X30')
- 7 VEHICLE AND EQUIPMENT STORAGE AND TURNAROUND AREA (PH. 3)
- 8 RAS PUMP STATIONS (PH. 4) (15'X40')
- 9 BOX 104 FLOW SPLITTING STRUCTURE (PH. 4) (25'X50')
- 10 FLUME 103 (PH. 3) (40'X90')
- 11 BOX 8 IMPROVEMENTS (PH. 3)
- 12 SECONDARY CLARIFIER FLOW SPLITTING (PH. 4) (20'X25')
- 14 INTERNAL MIXED LIQUOR RECYCLE FLUME (PH. 4) (15'X35')
- 15 SCUM PUMP STATION (PH. 4) (25'X35')
- 16 TRANSFORMER PADS (PH. 3) (20'X35')
- 17 PROPOSED ROAD (PH. 3)
- 18 PROPOSED ROAD (PH. 4)
- 19 CONCRETE PAD (PH. 3) (20'X135')
- 20 GENERATOR PADS (PH. 3) (25'X55')
- 21 SWITCHGEAR PAD (PH. 3) (25'X55')
- 22 SWITCHGEAR PADS (PH. 3) (11'X20')
- 23 ELECTRICAL ENCLOSURE (PH. 3) (10'X15')

LEGEND:

- FH 100-YEAR FLOODPLAIN
- - - - - ASH DISPOSAL SITE LIMITS
- - - - - PROPERTY BOUNDARY
- - - - - 75' BUILDING SETBACK LINE
- PROPOSED PAVEMENT
- FLOODWAY
- CONCRETE SIDEWALK



ENVIRONMENTAL ENGINEERING AND CONSULTING
309 East Morehead Street, Suite 160, Charlotte, NC 28202
(704) 358-7204
North Carolina Board of Examiners for Engineers and Surveyors License No. F-0785

ORIGINAL CASE NUMBER:
CUSE2018-00006

THIS DRAWING IS NOT VALID
FOR CONSTRUCTION
PURPOSES UNLESS IT BEARS
THE SEAL OF A DULY
REGISTERED PROFESSIONAL



MASTER PLAN,
AMENDMENT 1:
PHASE 3 AND PHASE
4 EXPANSION OF
RRRWWTP

REVISIONS		
REV	DATE	DESCRIPTION
DESIGNED:		
DRAWN:		
CHECKED:		
APPROVED:		
FILENAME RRRWWTP-DEVEL-PLAN.DWG		
BC PROJECT NUMBER 156673		
CLIENT PROJECT NUMBER		

CIVIL

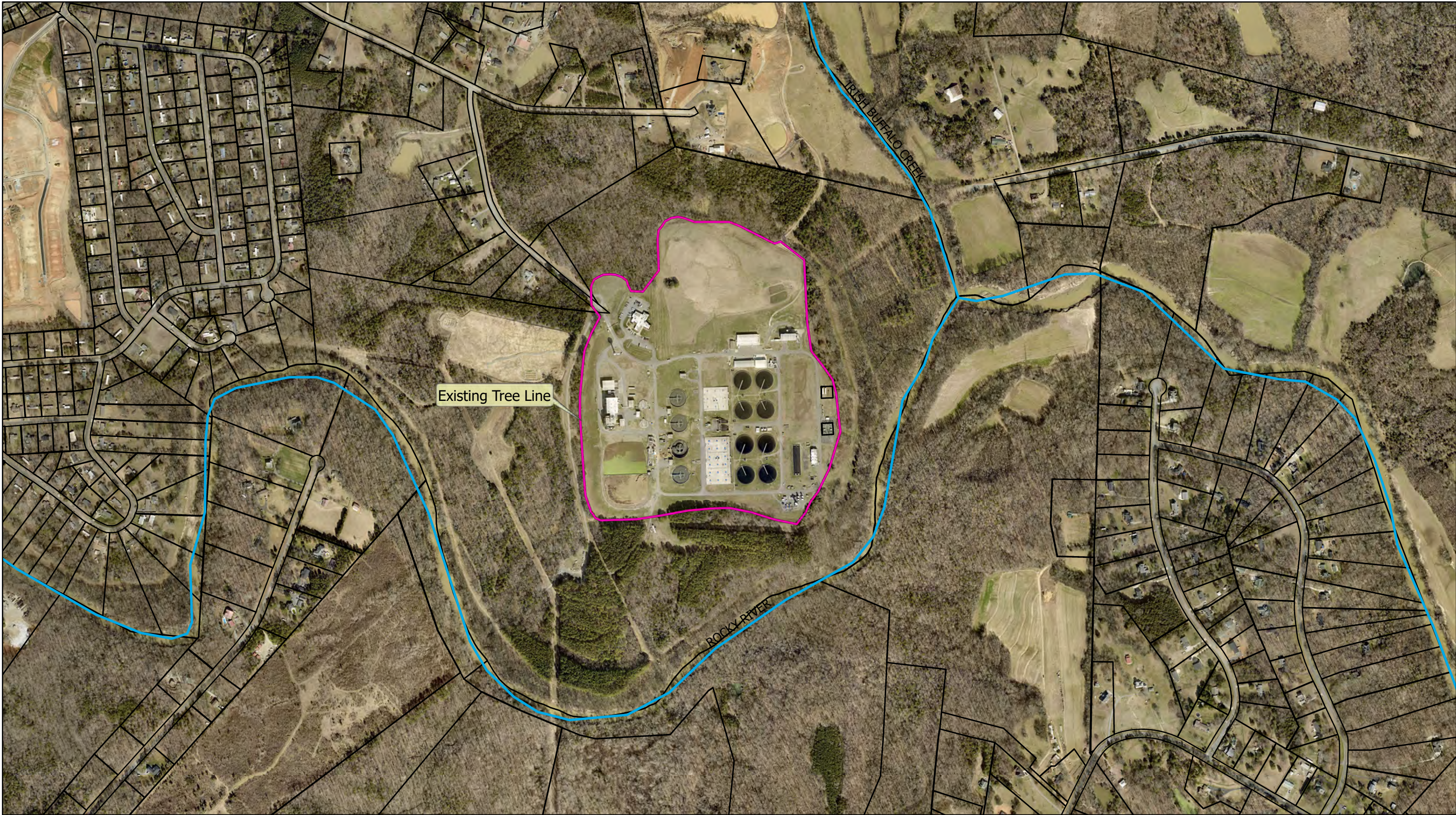
DEVELOPMENT
PLAN MAP

DRAWING NUMBER
--

SHEET NUMBER
1 OF 1

Landscape Plan

Following implementation of the plant expansion, the areas surrounding the affected buildings and process areas will be planted with grass seed (as needed) and maintained regularly as currently performed for other grassed areas at the site. The approximate outline with the existing treeline surrounding the site is shown on the attached drawing, and will not be affected by this project, leaving hundreds of feet of undisturbed buffer between the project area and surrounding parcels. It was determined as part of a follow-up call with Cabarrus County that the existing undisturbed buffer meets the intent of the Landscape Plan.



ISO 14001:2004 ♦ NC Star Public Sector ♦ OHSAS 18001:2007



1 in = 600 ft



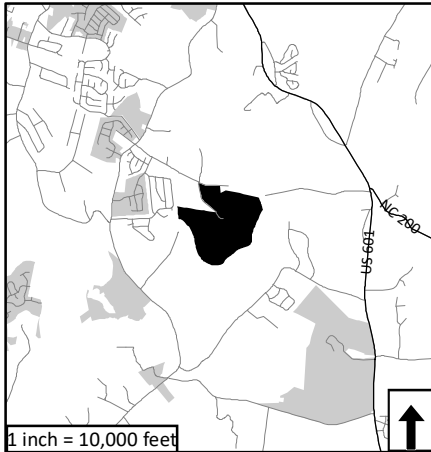
Owner/Applicant:
Water and Sewer Authority of Cabarrus County
232 Davidson Highway, Concord, NC 28027
Contact: Thomas Hahn, PE (704) 788 4164
Engineer:
Brown & Caldwell
309 E Morehead St Ste 160, Charlotte, NC 28202
Contact: George Anipsitakis, PE (704) 358 7204

Landscape Plan
Phase 3 and Phase 4
Expansion of RRRWWTP
Created November 2021

Central Planning Area Existing Zoning



Applicant: Water & Sewer Authority of
Cabarrus County
Owner: Water & Sewer Authority of
Cabarrus County
Case: SUSE2021-00045
Address: 6400 Breezy Lane
Purpose: Master Plan for Public
Service Facility
PINs: 5547-06-4548, 5537-98-7403,
5537-99-6094, 5547-17-5193, &
5547-17-5388



Cabarrus County shall not be held liable for any errors in this data. This includes errors of omission, 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 2022

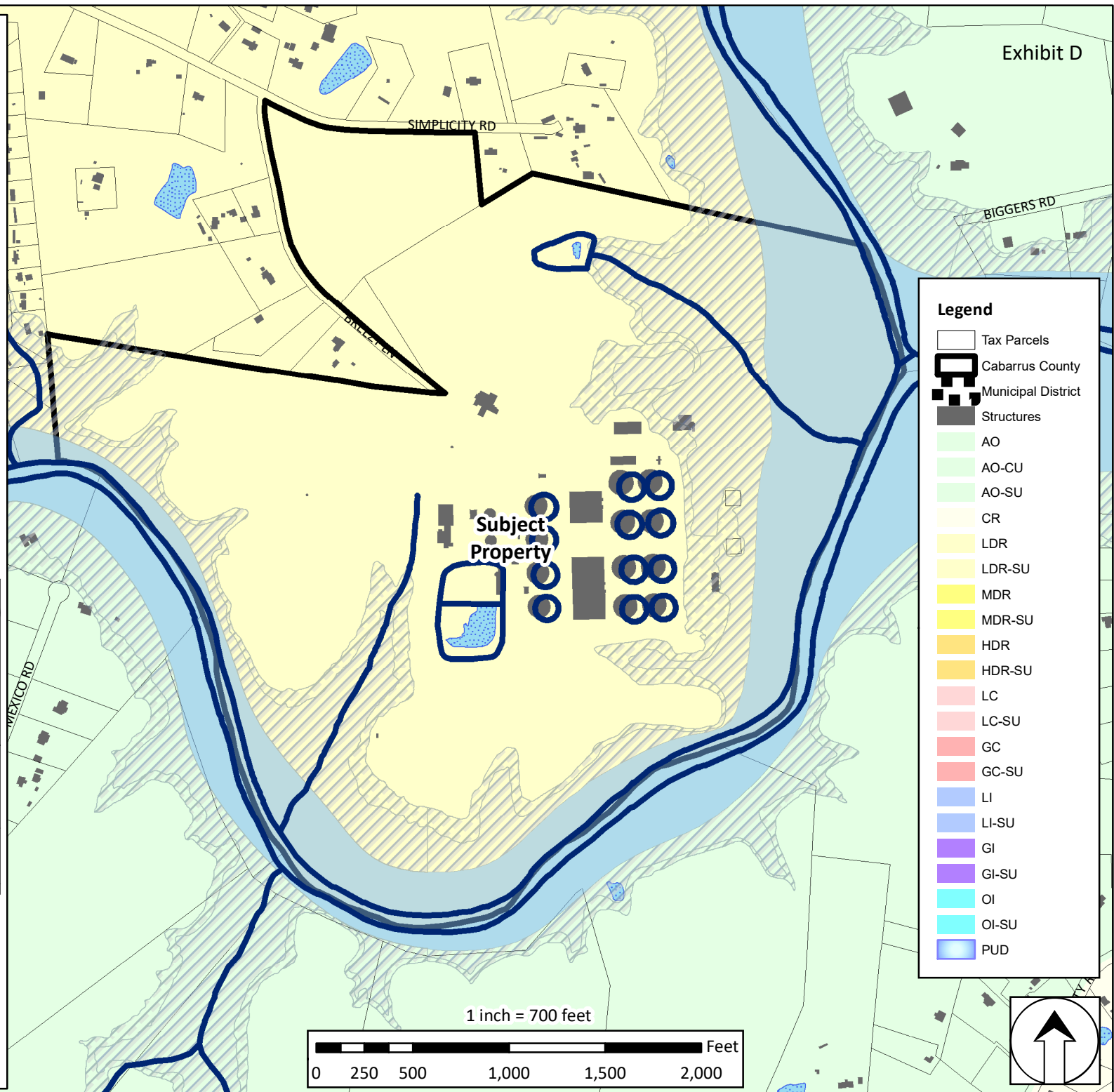


Exhibit D

Central Planning Area Aerial Map



Applicant: Water & Sewer Authority of
Cabarrus County

Owner: Water & Sewer Authority of
Cabarrus County

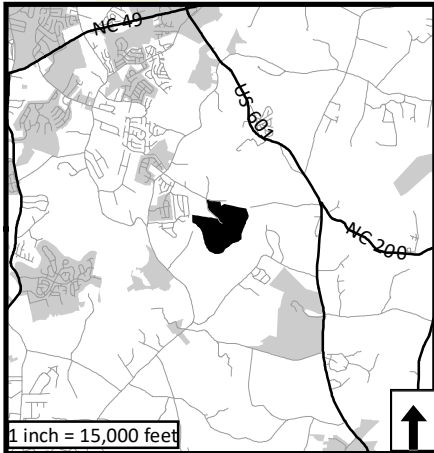
Case: SUSE2021-00045

Address: 6400 Breezy Lane

Purpose: Master Plan for Public
Service Facility

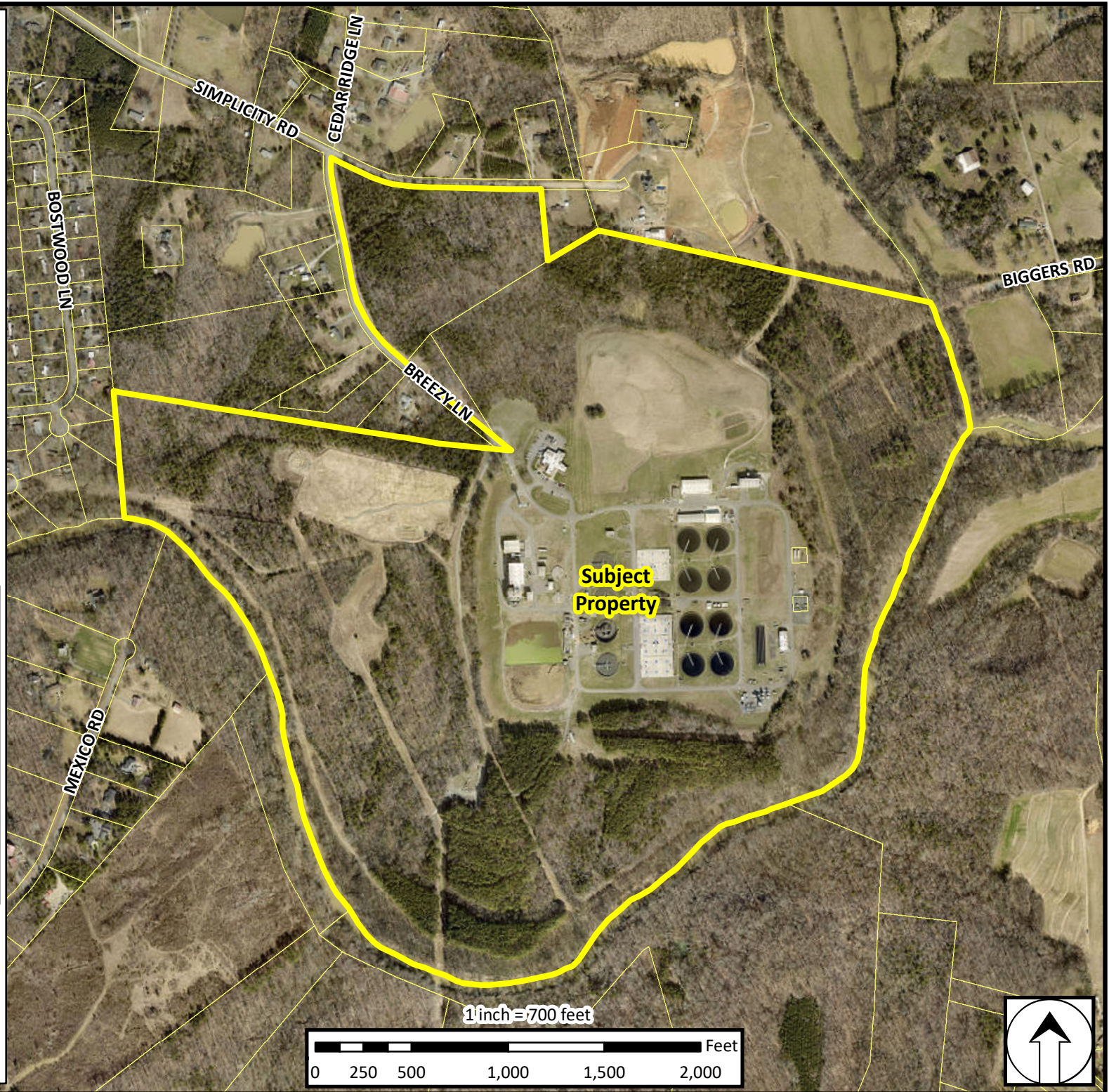
PINs: 5547-06-4548, 5537-98-7403,
5537-99-6094, 5547-17-5193, &
5547-17-5388

- Cabarrus County
- Municipal District
- Tax Parcels



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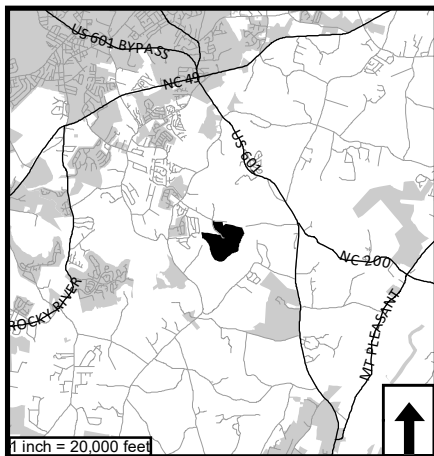
Map Prepared by Cabarrus County Planning & Development - January 2022



Central Planning Area Future Land Use

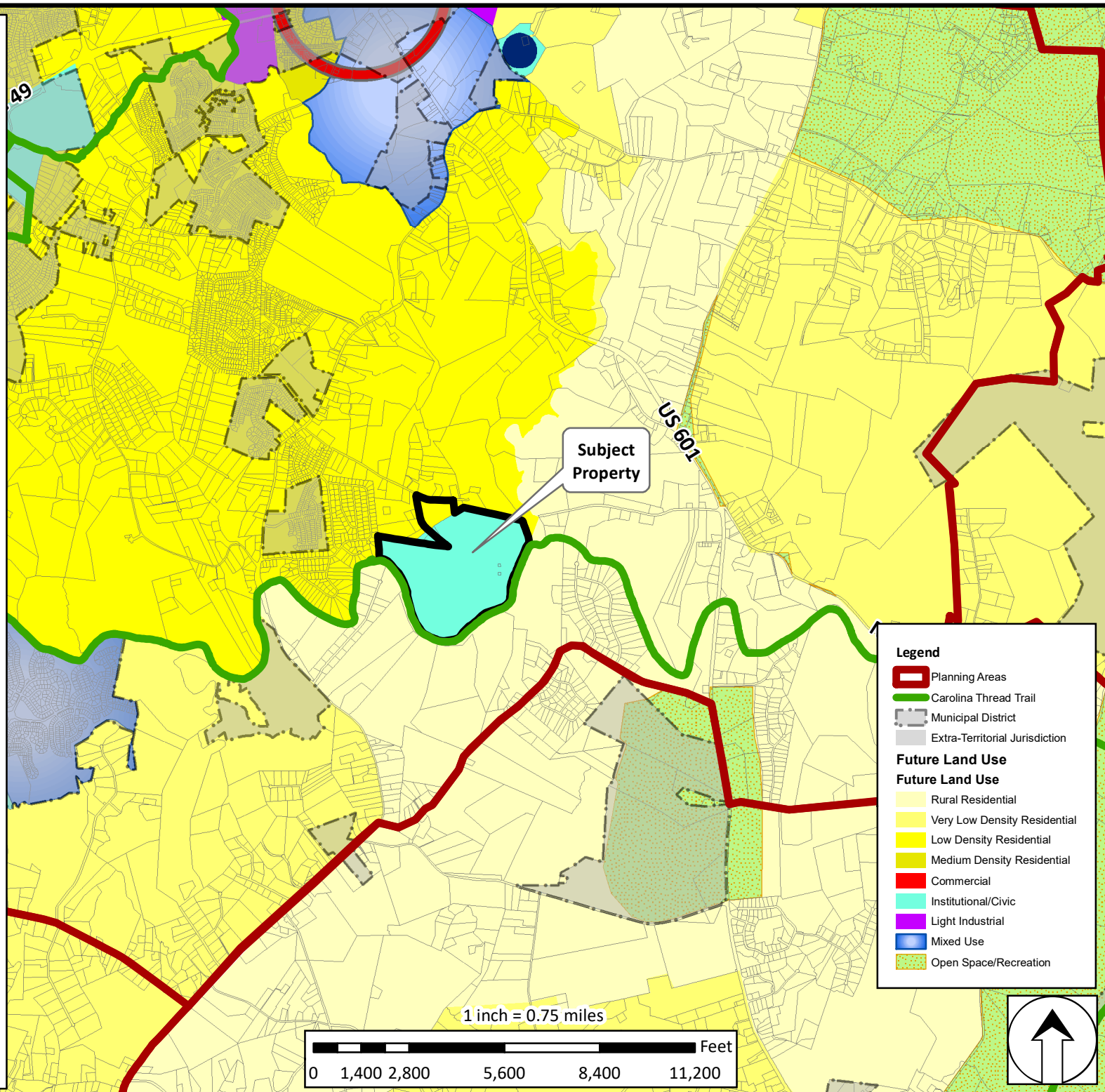


Applicant: Water & Sewer Authority of
Cabarrus County
Owner: Water & Sewer Authority of
Cabarrus County
Case: SUSE2021-00045
Address: 6400 Breezy Lane
Purpose: Master Plan for Public
Service Facility
PINs: 5547-06-4548, 5537-98-7403,
5537-99-6094, 5547-17-5193, &
5547-17-5388



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Map Prepared by Cabarrus County Planning & Development - January 2022



5537-98-7403, 5537-99-6094, 5547-06-4548 & 5547-17-5193 WSACC 232 DAVIDSON HWY CONCORD, NC 28027	5547-17-5388 CITY OF CONCORD PO BOX 308 CONCORD, NC 28026
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5537-77-8393 ANTHONY & PATRICIA BROOKS 6600 MEXICO RD CONCORD, NC 28025	5537-77-8898 BOBBY & CLAUDIA RUSS 6018 FORNEY CT CHARLOTTE, NC 28273	5547-09-3281 CHARLES SMITH IV & MITZI KELLEY-SMITH 2070 SIMPLICITY RD CONCORD, NC 28025
5537-98-5189 DONALD & TAMERA HILL 6340 BREEZY LANE CONCORD, NC 28025	5537-99-0785, 5537-99-4711 & 5537-99-7692 ELAINE & LEONARD NEWSOME LF EST 1791 SIMPLICITY RD CONCORD, NC 28025	5537-86-9013 GRAY BOX LLC 2424 BAXTER PL SE CONCORD, NC 28025
5537-78-9312 ISRAEL LOA LUJAN 129 WILD DUCK CIR GREENSBORO, NC 27407	5537-88-4873 JEFFREY & KATHERINE RINEHARDT 6160 BREEZY LN CONCORD, NC 28025	5537-87-4014 JOHN & CONNIE PARRISH 6607 MEXICO RD CONCORD, NC 28025
5547-26-7538 KENNETH & JUDY SOSSOMAN 6680 ERINBROOK DR CONCORD, NC 28025	5547-29-4539 LUDMILLA C BRECKNER REVOCABLE TRUST 2555 BIGGERS ROAD CONCORD, NC 28025	5537-78-8127 LYNDA MILLIGAN ESTATE C/O MARY M MILLIGAN 1764 SUMMIT RIDGE LN APT 173 KANNAPOLIS, NC 28083
5537-78-9025 M & W INDUSTRIES INC D/B/A BOSTWOOD ESTATES INC PO BOX 8 LITTLE RIVER, SC 29566	5547-14-2481 STEVEN & ALAN KIKER 2575 PARKS LAFFERTY RD CONCORD, NC 28025	5547-09-2557 TADD & LORI ALLRED 2049 SIMPLICITY ROAD CONCORD, NC 28025
5537-88-5456, 5537-98-1655, 5537-98-1915, 5537-98-2315 & 5537-98-3213 WSACC 232 DAVIDSON HWY CONCORD, NC 28027	5547-09-8229 & 5548-00-8368 WILLIAM & SUZAN CRAIG 2100 SIMPLICITY RD CONCORD, NC 28025	



Cabarrus County Government – Planning and Development Department

December 20, 2021

Dear Property Owner:

A Special Use Permit Application has been filed in our office for your property. The specifics of the request are listed below. The Cabarrus County Board of Adjustment will consider this petition on Tuesday January 11, 2022 at 6:30 PM in the 2nd floor Commissioner's Chambers of the Cabarrus County Governmental Center, located at 65 Church Street S Concord, NC 28025. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about this request, I encourage you to attend this meeting.

Petitioner	Thomas Hahn / WSACC
Petition Number	SUSE2021-00045
Property Location	6400 Breezy Lane
Parcel ID Number	5547-06-4548, 5537-98-7403 and 5537-99-6094
Existing Zoning	Low Density Residential (LDR)
Special Use Request	Public Service Facility – Master Plan Amendment

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,

A handwritten signature in cursive script that reads "Phillip Collins".

Phillip Collins, AICP
Senior Planner
Cabarrus County Planning and Development
704.920.2181



Cabarrus County Government – Planning and Development Department

December 20, 2021

Dear Property Owner:

A Special Use Permit Application has been filed in our office for property **adjacent** to yours. The specifics of the request are listed below. The Cabarrus County Board of Adjustment will consider this petition on Tuesday January 11, 2022 at 6:30 PM in the 2nd floor Commissioner's Chambers of the Cabarrus County Governmental Center, located at 65 Church Street S Concord, NC 28025. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about this request, I encourage you to attend this meeting.

Petitioner	Thomas Hahn / WSACC
Petition Number	SUSE2021-00045
Property Location	6400 Breezy Lane
Parcel ID Number	5547-06-4548, 5537-98-7403 and 5537-99-6094
Existing Zoning	Low Density Residential (LDR)
Special Use Request	Public Service Facility – Master Plan Amendment

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,

A handwritten signature in cursive script that reads "Phillip Collins".

Phillip Collins, AICP
Senior Planner
Cabarrus County Planning and Development
704.920.2181

Dec 17, 2021 at 11:29:49 AM
Breezy Ln, Cabarrus County





**MEETING MINUTES
RRRWWTP EXPANSION PUBLIC MEETING
NOVEMBER 17, 2021**

The Water and Sewer Authority of Cabarrus County (“WSACC”) invited the adjacent property owners to the Rocky River Regional Wastewater Treatment Plant (“RRRWWTP”) to attend a Public Meeting at the RRRWWTP on November 17, 2021 at 6:00 P.M.

Adjacent Property Owners Present:	WSACC Staff Present:
Tadd Allred Lori Allred Charley Smith Mitzi Smith Scott Craig Suzan Craig Tyler Craig James Grady Cook	Thomas Hahn Chad VonCannon Mark Fowler Robin Moore Thomas Jakubisin Tammy Garifo
	Project Engineer Present:
	George Anipsitakis, Brown & Caldwell

Thomas Hahn, WSACC’s Assistant Engineer Director called the meeting to order.

The purpose of the public meeting was to provide information to the property owners adjacent to the RRRWWTP about the RRRWWTP expansion. A map of the existing RRRWWTP facilities, proposed facilities as part of the expansion, and the buffer surrounding the RRRWWTP was available for the property owners to view. Thomas said with the anticipated growth within the service area and due to WSACC’s permit requirements with North Carolina Department of Environmental Quality, WSACC needs to build additional facilities to expand the RRRWWTP.

Thomas spoke about the upgrades and described the equipment to be installed for the expansion of the RRRWWTP. He said Phase 3 of the project will expand the RRRWWTP to a permitted capacity of 30 million gallons per day (MGD) and Phase 4 will expand the RRRWWTP to a permitted capacity of 34 MGD.

Questions and Comments from the Property Owners

Explain how utility service extensions are managed around the Simplicity Road area?

Chad VonCannon, WSACC’s Engineer Director informed the property owners that WSACC provides wholesale service to five (5) member jurisdictions, the City of Concord, City of Kannapolis, Town of Harrisburg, Town of Mt. Pleasant, and Charlotte Water. Utility extensions for the Simplicity Road area would be managed by the City of Concord.

What is the timeframe for the completion of the RRRWWTP expansion?

The RRRWWTP expansion will be constructed in two phases. The goal is for WSACC to begin construction of Phase 3 to expand the RRRWWTP to 30 MGD in 2022, with a goal to then

complete Phase 3 in the spring of 2024. WSACC would then begin construction of Phase 4 to expand the RRRWWTP to 34 MGD, with a goal of completing the construction in the spring of 2027.

Will there be more traffic on Simplicity Road and will Simplicity Road need improvements due to traffic from the expansion?

WSACC is not anticipating additional traffic as a result of the RRRWWTP expansion.

A few property owners on Simplicity Road said they can hear the noise from valve changes at the RRRWWTP and wondered if WSACC was expecting an increase in noise or an increase in odors at the RRRWWTP? Also would there be increased outdoor lighting at the RRRWWTP?

Thomas explained that the noise from the valves comes from the oxygen plant. When the project is complete, WSACC will have a different source of air supply for the aeration basins instead of the oxygen plant and the noise level should improve. George Anipsitakis explained that he would expect reduced odors from the RRRWWTP itself overall. Outdoor lighting improvements at the RRRWWTP are anticipated as part of the overall project, with a transition expected from the taller “high-mast” lights to shorter light poles.

Is there a specific jurisdiction that has grown more resulting in the need to expand the RRRWWTP?

Chad said WSACC is seeing growth throughout the service area, not just a specific area.

If development continues to progress, how much more could the RRRWWTP expand and how would that affect the buffer surrounding the RRRWWTP?

Chad said there is potential that if the RRRWWTP expands far enough it could start encroaching some of the buffer but it would not be dramatic given the overall size of the RRRWWTP site.

Would WSACC help with road repairs on Simplicity Road?

Mark Fowler, Facilities Director explained that the road entering into the RRRWWTP is state owned and the RRRWWTP is owned by WSACC. Because the roads are owned by the state, WSACC cannot use public funds to assist with the state’s public infrastructures. However, WSACC can help the property owners encourage the Division of Transportation to improve the maintenance of the roads.

Chad encouraged the property owners to visit WSACC’s website www.wsacc.org for regular updates regarding the scheduling and progress of the RRRWWTP expansion.

Mark invited the property owners to take a tour of the RRRWWTP.

Several property owners complimented WSACC’s effort to protect and maintain the buffer area surrounding the RRRWWTP throughout the expansion.

With no more discussion or questions, the meeting adjourned at 6:26 P.M.



