
REQUEST	Current Zoning: R-3, single family residential, R-3(CD), single family residential, conditional, and O-1, office Proposed Zoning: I-2(CD), general industrial, conditional
LOCATION	Approximately 106.90 acres located north of Albemarle Road, east of Brooks Mill Road, and near the Cabarrus County line.
SUMMARY OF PETITION	The petition proposes to rezone land owned by Vulcan Construction in order to extend the life of their existing quarry. The use is restricted to a quarry with related complementary and accessory uses.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding site plan issues. The petition is inconsistent with the <i>East District Plan</i> and the <i>Eastside Strategy Plan</i> ; however, quarry facilities are necessary to support new development and an expansion of an existing quarry creates less of an impact on surrounding uses than the creation of a new quarry facility. In addition, the Zoning Ordinance requires the petitioner to submit a plan that specifies the anticipated future use of the property upon the cessation of quarrying activities. The anticipated uses must be consistent with adopted land use plans.
PROPERTY OWNER	Vulcan Construction Materials, LP
PETITIONER	Vulcan Construction Materials, LP
AGENT/REPRESENTATIVE	Denise Hallett, Vulcan Construction Materials, LP
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Background**
 - The existing 364-acre Vulcan quarry received state mining permits in 1992 and began operations in 1993.
 - In 1994, a 38.5 acre portion of the quarry was rezoned to I-2(CD) and R-3(CD). This rezoning (petition 1994-025c) allowed for two asphalt plants in association with the existing quarry. The R-3(CD) portion served as a 130-foot buffer adjacent to the residentially zoned property along the eastern property line and is currently part of the subject rezoning.
 - In 1999, a site plan amendment was approved for the I-2(CD) portion of the 1994 rezoning along with additional R-3 property rezoned to I-2(CD) (petition 1999-014c) for a total area of 51.7 acres located south and west of the subject rezoning. This rezoning allowed for an additional two asphalt plants or one asphalt plant and one redi-mix concrete plant for a total of four plants and a provision for the removal of interior buffers.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - A quarry facility and related complementary and accessory uses (i.e. stockpiles of asphalt paving materials and concrete products, construction and related machinery, cut stone and stone products, petroleum storage less than 200,000 gallons, offices, maintenance facilities, crushing and sorting operations, etc.).
 - Various buffer zones as required by Section 12.505(3) of the Zoning Ordinance.
 - Delineation of proposed minor thoroughfare as adopted on the Metropolitan Planning Organization Thoroughfare Plan.
 - Any above ground tanks placed on the site for the purposes of storing liquid asphalt cement to be double walled and placed on a concrete pad with a containment wall.
 - Paved access roads and other dust suppression methods to mitigate the effects of fugitive dust.
 - Access provided via an existing connection on Brooks Mill Road.

- **Existing Zoning and Land Use**

The subject site contains three single family homes. Properties to the north and east are zoned R-3 and are currently vacant. Properties west of the subject site are zoned R-3 and I-2(CD) and contain a quarry facility. South of the site are O-1 and B-2 zoned properties that contain one vacant parcel, a church and a commercial building.

- **Rezoning History in Area**

There have been no rezonings in the immediate area in recent years.

- **Public Plans and Policies**

- The southern portion of the site, closer to Albemarle Road, is within the *Eastside Strategy Plan* (2001) which recommends a light industrial business park. The remainder of the subject rezoning is addressed by the *East District Plan* (1990) which recommends residential uses.
 - The petition is inconsistent with both the *East District Plan* and the *Eastside Strategy Plan*.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Transportation:** Dedicate and convey right-of-way for the proposed minor thoroughfare located within the southwestern portion of the subject rezoning.
 - **Vehicle Trip Generation:** This petition represents a reduction in the trip generation potential of the site and will therefore not have an impact on the surrounding transportation system.
 - **Connectivity:** See comments above related to the proposed minor thoroughfare.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
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OUTSTANDING ISSUES

- The petitioner should:
 1. Indicate a minimum 70-foot right-of-way (35 feet from the centerline) will be dedicated and conveyed for the proposed minor thoroughfare, as identified on the Metropolitan Planning Organization Thoroughfare Plan. The petitioner shall dedicate and convey the right-of-way when requested for construction by NCDOT or the City of Charlotte. Dedication shall be done in sufficient time to allow for construction of roadway without delays.
 2. Clarify on sheet 2 under "Permitted Uses" that no asphalt plants or redi-mix concrete plants are proposed for this subject site.
 3. Modify the "Site Area" under the "Development Data Table" to reflect 106.90 acres.
 4. Indicate that a portion of tax parcel 111-242-12 is included in the proposed rezoning under the "Development Data Table".
 5. Modify the site plan to include the existing R-3(CD) zoned property within the boundary of the proposed rezoning.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

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