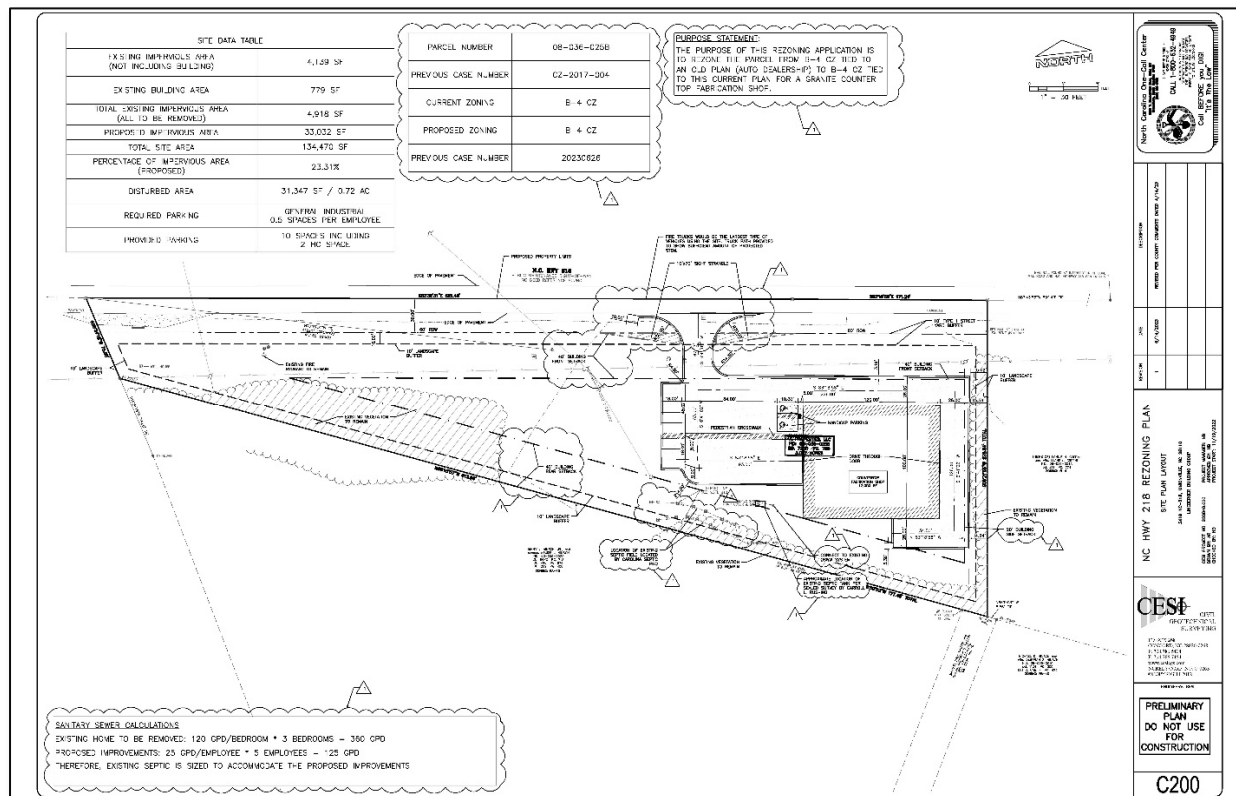


Planning Staff Report - Rezoning Case # CZ-2023-002
Staff Contact: Bjorn Hansen, Senior Planner

Summary of Request

This case is a request to amend the Zoning Map of Union County by rezoning one parcel of land totaling 3.087 acres appearing on the tax map as tax parcel 08-036-025B in the Goose Creek Township from B-4 With Conditions to B-4 with Modified Conditions. The applicant requests the rezoning in order to build a 12,000 square foot countertop manufacturing facility with a design studio/showroom. The rezoning will include the following conditions:

- 1) Limited to site plan dated March 21, 2024
- 2) Five-year vesting of development rights
- 3) Rental house to be removed
- 4) Design studio/ showroom will be constructed as part of the development
- 5) All machinery used in fabrication will be placed in the interior of the building
- 6) Development will meet all requirements of the Union County Unified Development Ordinance



Owner/Applicant

Owner: VL Properties, LLC
836 Union Street South
Concord, NC 28026

Applicant: Kate Underwood – CESI
PO Box 268
Concord, NC 28025

Property Information

Location: On the south side of NC 218 west of Love Mill Road. Location more specifically described as tax parcel 08-036-025B.

Site



Site



West of site



East of site



Municipal Proximity: The site is more than three miles from Unionville, and 1.5 miles from the Town of Fairview.

Existing Land Use and Development Status: The parcel is currently zoned B-4 with Conditions and totals approximately 3.087 acres. The site has a residence on site and the remainder is largely cleared with a limited amount of material storage.

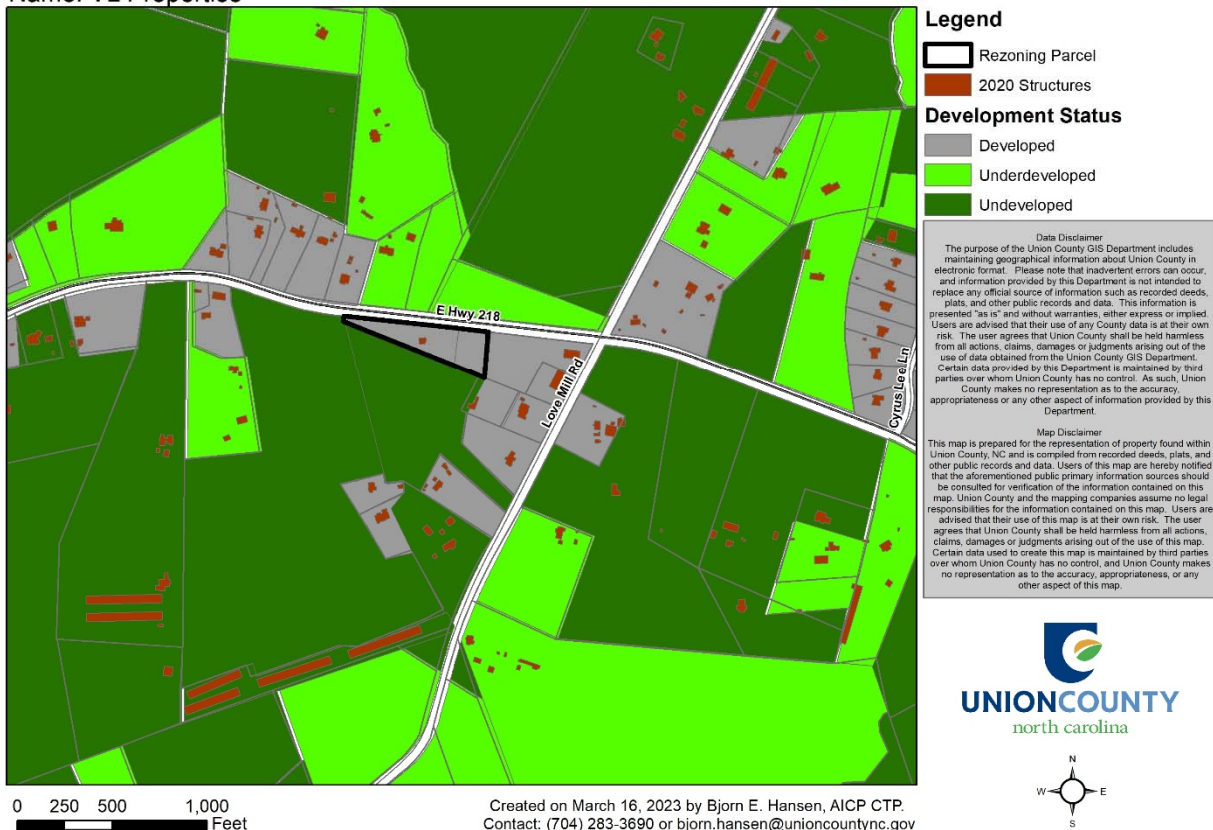
Development Status

Petition: CZ-2023-002

Name: VL Properties

Size: 3.087 acres

Tax Parcel: 08-036-025B



Environmental Features: There previously was a pond on the eastern part of the site that has since been filled in. There are no streams or floodplains on site. No stormwater detention facilities are required or proposed as part of this development.

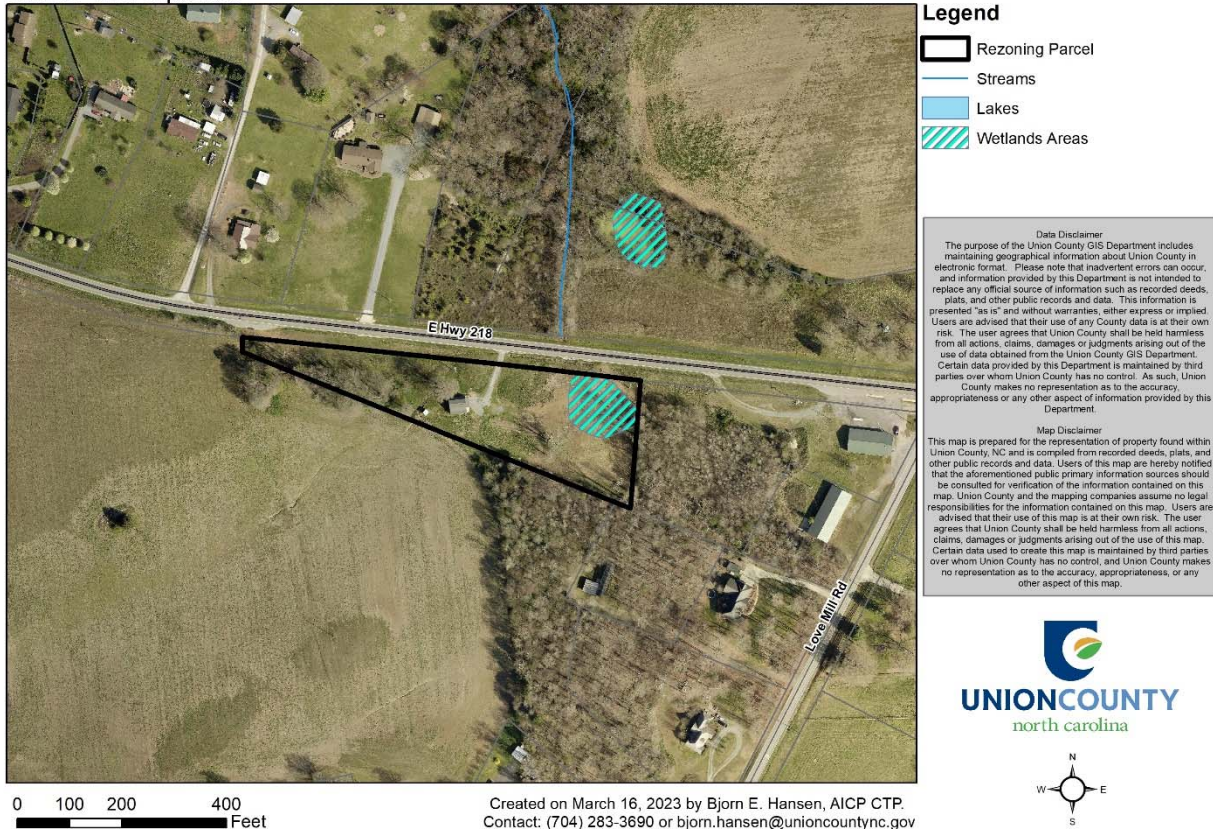
Environmental

Petition: CZ-2023-002

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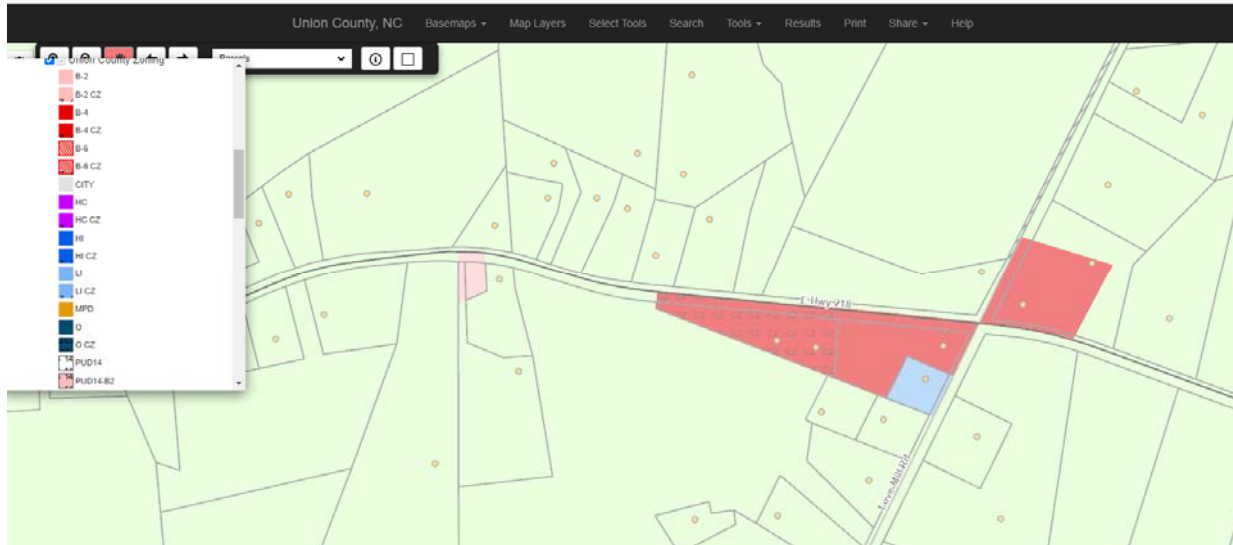
Tax Parcel: 08-036-025B



Utilities: Public water is available to the site and will utilize septic service.

Zoning and Land Use History: The site was rezoned to B-1 in 1980 but has been used for residential purposes. It was subsequently rezoned to RA-40 as part of a mass rezoning by Union County. A mobile home was removed from the site between 2015 and 2019. The parcel was subsequently rezoned to B-4 with Conditions in 2018 in order to operate an automotive repair business. This approved site plan was never developed.

The parcel with commercial buildings east of the site at the intersection of NC 218 and Love Mill was rezoned to B-4 in 1988. A parcel west of the site was rezoned from R-40 to R-20 in 1985. A property across the street on the north side of NC 218 was granted a variance in 1983 for an accessory use in the side yard.



Schools: Because this rezoning request is commercial in nature, UCPS was not consulted for comments.

Transportation: This site is on NC 218, an NCDOT-maintained facility. The 2022 traffic count was 5,300 vehicles per day. Truck traffic was over 20% of traffic, which is considered a high amount. The traffic level has been stable since 2009, with an increase between 2016 and 2018 likely related to Monroe Expressway construction. A traffic Impact Analysis was not required for this rezoning. Traffic generated from this proposed use is likely to be low but will involve a large percentage of trucks. A roundabout is funded for NC 218 and Love Mill, immediately east of this site, which should reduce speeds and improve safety in the area. The driveway location has been reviewed by the NCDOT and meets their standards.

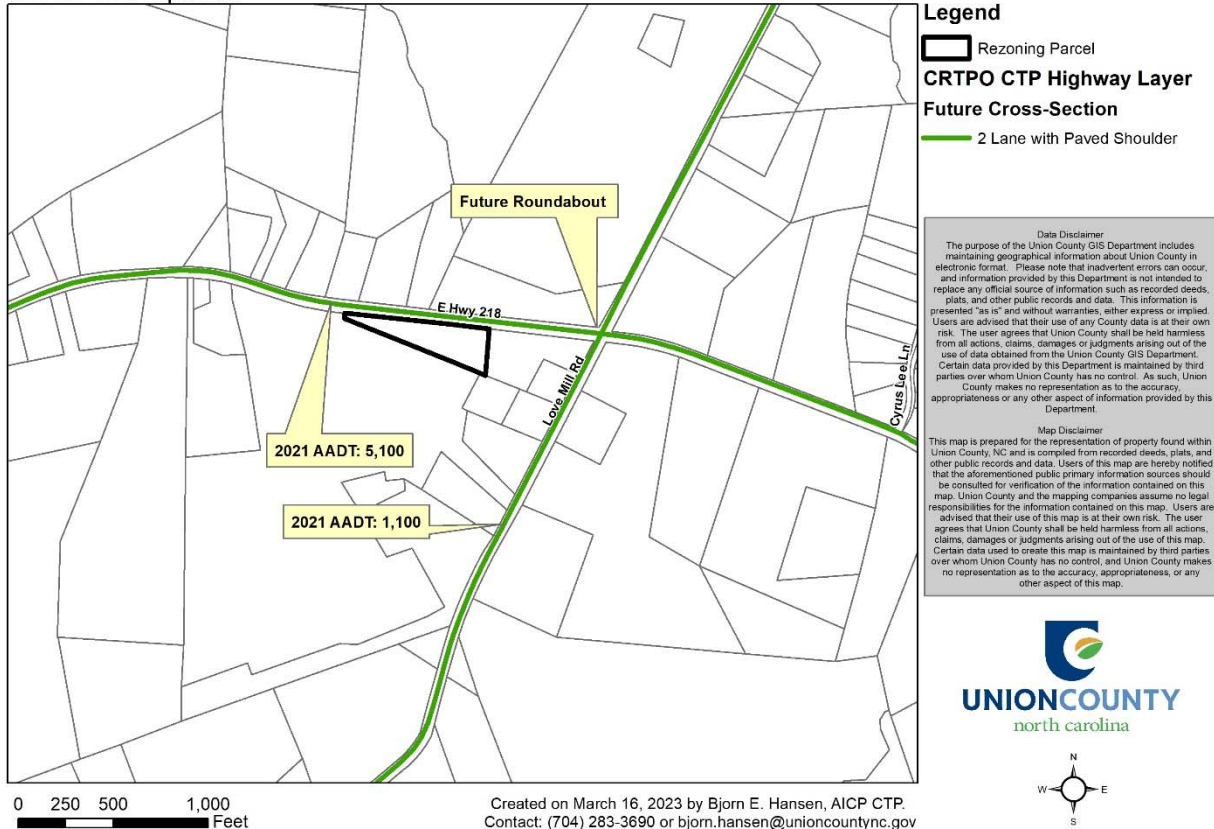
Transportation

Petition: CZ-2023-002

Name: VL Properties

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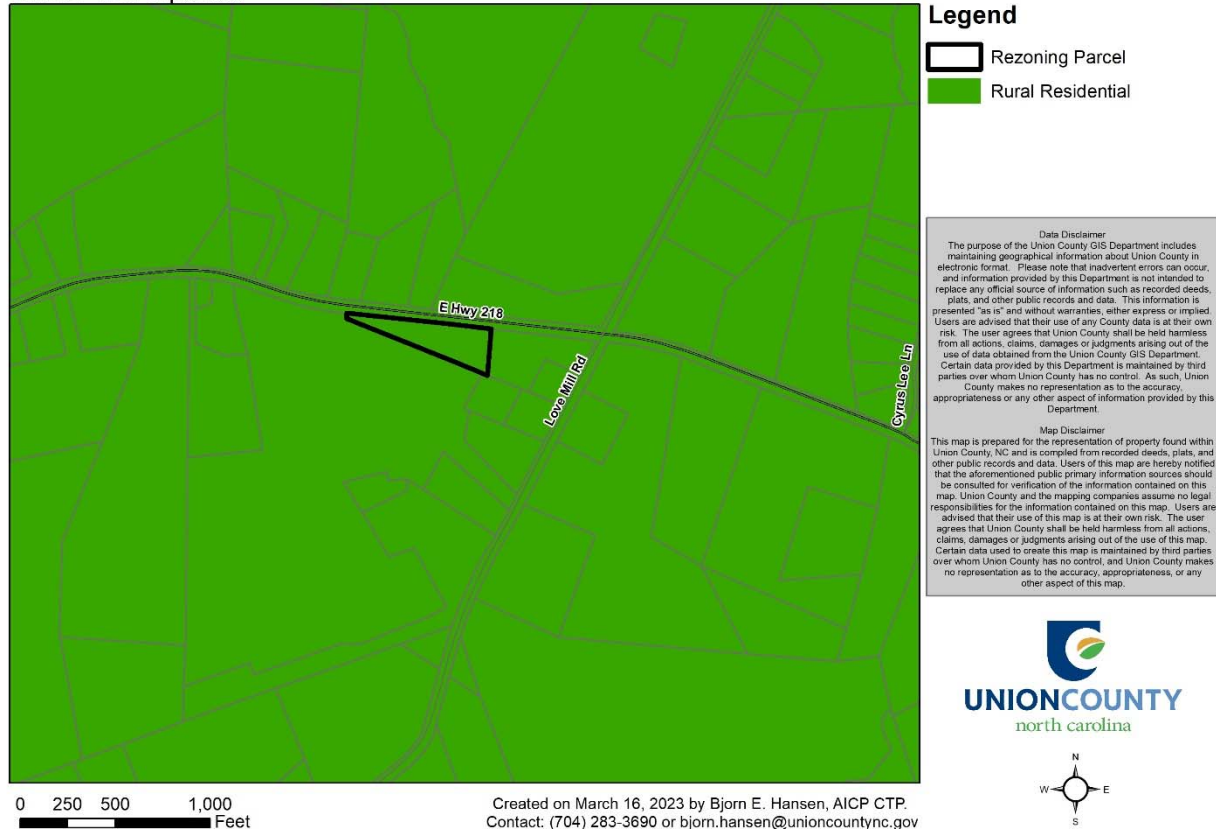
Planning Documents

Union County Comprehensive Plan: The Union County 2050 comprehensive plan identifies this area as Rural Residential, with an overall density of one unit per acre. The closest commercial node is at the intersection of NC 218 and NC 200 (Morgan Mill Road), one mile to the east. There are several commercial and industrial zoned properties at this intersection, but the Land Use Map did not propose an expansion or increase in permitted uses at this intersection. An amendment to the Land Use Map to identify this intersection as a Rural Center, similar to the intersection of NC 218 and Morgan Mill, would be appropriate.

Land Use Plan

Petition: CZ-2023-002
Name: VL Properties

Size: 3.087 acres
Tax Parcel: 08-036-025B



Public and Municipal Comments

Public Comments: A community meeting was held April 9, 2024. A total of five residents attended the meeting. They expressed concerns about noise, stormwater runoff, and impacts on property values. No changes were made based on feedback.

Municipal Comments: Because no municipality is near the site, municipal comments were not solicited.

Public Hearing: The Board of Commissioners held a public hearing on July 15, 2024. A total of three residents spoke in opposition, citing concerns over development in the rural area, noise, and groundwater impacts.

Land Use Board Recommendation

The Land Use Board reviewed this proposed development at its May 21, 2024, meeting. Several residents spoke with concerns over stormwater runoff, noise, and disposal of stone dust from the fabrication process. Due to confusion over whether there would be a showroom as part of the rezoning, the item was tabled until the June Land Use Board meeting. The Land Use Board recommended denial on a 3-2 vote at its June 18 meeting, citing traffic impacts and the use being out of harmony with existing land uses in the area.

Staff Comments and Recommendation

This part of Union County is identified for a combination of rural residential and agricultural land uses. This site is already zoned for business uses, so this rezoning is a modification of exiting commercial zoning. This site is near existing commercially zoned properties. The site plan meets Union County development standards. **Because of these aspects of the development, staff recommend approval of this rezoning application.**