

Planning and Zoning Commission

**DATE:** April 16. 2024

**REZONING CASE #:** Z(CD)-05-24

ACCELA: CN-RZC-2024-00006

**DESCRIPTION:** PUD (Planned Unit Development) Amendment

**APPLICANT/OWNER:** Streetscape TW, LLC

**LOCATION:** Tuckers Walk Subdivision, Poplar Tent Rd & Harris Rd

**AREA:** +/- 26 acres

**ZONING:** PUD (Planned Unit Development)

**PREPARED BY:** George Daniels, Senior Planner

#### **BACKGROUND**

The subject property is the Tuckers Walk subdivision located southwest of the intersection Harris Rd and Poplar Tent Rd. It is currently under development as a mixed-use commercial and townhome neighborhood. Currently the project is in Phase III of development.

#### **SUMMARY OF REQUEST**

The applicant is requesting a modification to the existing plan to replace a cul-de sac at the end of Rainier Trail Dr NW with a hammerhead design street ending. Also, the new plan proposes removing two housing units adjacent to the street ending.

#### **HISTORY**

The subject property was annexed in two phases. The +/-7.22 acres closest to the intersection of Harris Rd and Poplar Tent Rd were annexed in 2005. In 2018, the remaining +/- 18.8 acres further to the west were annexed bringing the cumulative total to +/- 26 acres. After the 2018 annexation, case Z(CD)-06-18 established the zoning as PUD (Planned Unit Development), in order to construct a mixed-use neighborhood consisting of commercial and townhome uses. The PUD (Planned Unit Development) was revised in October of 2020 with case Z(CD)-14-20. Changes were made at this time to the southern buffer between Tuckers Walk and the Northchase neighborhood, a proposed berm was replaced with a fence and 30' landscape buffer due to grading limitations. In addition, a small change was made to the commercial area parking.

Existing Zoning and Land Uses (Subject Parcel)						
Current Zoning of Subject Property	Zonir	ng Within 500 Feet	Land Uses(s) of Subject Property	Land Uses within 500 Feet		
	North	Cabarrus County LDR (Low Density Residential) & C-2 (General Commercial	Townhomes & Commercial	North	Single Family Residential & Vacant	
PUD (Planned	South	Cabarrus County LDR (Low Density Residential)		South	Single Family Residential	
Unit Development)	East	RV (Residential village, C-2-CU (General Commercial – Conditional Use)		East	Townhomes & Commercial	
	West	Cabarrus County LDR (Low Density Residential)		West	Vacant	

#### COMPLIANCE WITH THE 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as "Village Center" and "Suburban Neighborhood." PUD is considered a consistent zoning classification to both land use categories because it provides a mixture of integrated uses which encourage pedestrian activity and reduce vehicular trips as multiple uses are contained on the site.

#### Suburban Neighborhood:

The Suburban Neighborhood (SN) Future Land Use category includes single-family areas that are formed as subdivisions or communities, with a relatively uniform housing type and density throughout. They may support a variety of single-family detached residential types, from low-density single-family homes to denser formats of smaller single-family homes. In areas designated Suburban Neighborhood, homes are typically oriented interior to the neighborhood and are typically buffered from surrounding development by transitional uses or landscaped areas. Single-family attached dwellings are an option for infill development within the suburban neighborhood future land use category. These neighborhoods are often found in close proximity to suburban commercial, office, and industrial centers, and help provide the consumers and employment base needed to support these centers. Lots at intersections of collector and arterial streets within or at the edges of suburban neighborhoods may support small-scale, neighborhood serving, pedestrian-oriented commercial or service uses such as coffee shops, cafes, beauty salons and light retail. Pedestrian oriented uses exclude uses with drive-in, drive-through or automobile related services.

#### Village Center:

Village Center areas are typically located at key intersections of minor transportation corridors. These centers are often located in areas with FLU categories that are residential and/or rural in focus with limited non-residential development nearby. Oftentimes areas designated as Village Centers already contain some non-residential development, usually highway oriented retail, office, or light industrial, with supportive zoning. Village Centers represent opportunities to create small/mid-size commercial and mixed-use centers and limit strip commercial in areas that are predominantly residential in character.

The characteristics of developed Village Centers will vary greatly depending on the surrounding land use pattern and existing development intensity. The types of uses within Village Centers will vary, but encouragement should be given to mixed uses and those uses that are neighborhood serving (i.e. restaurants/diners, gas stations, small convenience stores, hardware stores, etc.) which reduce the need for residents to travel long distances in a car to meet basic needs. Additionally, emphasis should be given to pedestrian oriented development and interconnectivity between uses within the Village Center and out to the surrounding residential areas

#### SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- 26 Acres
- The subject property was annexed in two parts, the first in 2005 and second in 2018. The property is zoned PUD for the construction of a commercial and townhome development.
- The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) as the zoning of Planned Unit Development (PUD) is deemed to be a consistent zoning district within the "Suburban Neighborhood" and "Village Center" land use designations.
- The zoning amendment is reasonable and in the public interest as it does not change the underlying dimensional standards and provides a small decrease in density to the existing PUD (Planned Unit Development) zoning district.

#### SUGGESTED RECOMMENDATION AND CONDITIONS

The staff finds the request consistent with the 2030 Land Use Plan and the requirements of the Concord Development Ordinance. The plan has also been reviewed by the Development Review Committee and has no objections to the petition.

The petitioner has agreed to the following conditions:

- 1. Compliance with the Tuckers Walk Phase 3 Overall Site Plan, sheet C-300 dated 04-12-24.
- 2. The City of Concord Transportation Department requires the acceptance by the Planning & Zoning Commission to allow a hammerhead design street ending.
- 3. Previous conditions apply from case Z(CD)-14-20 except for the overall site plan sheet. Previous conditions that apply:
  - 1. Compliance the "Tuckers Walk at Hensley Phase A Landscape Exhibit C-3.0" dated 9/24/20, and the "Tuckers Walk Southern Quadrant Technical Data Sheet and General Notes" dated 8/01/20.
  - 2 Approved fire access roads shall reach to within 300' of all exterior portions or exterior of each building. Fire hydrant shall be shown with a travel

- distance of 400' or less. Needed fire flow shall be provided and verified by hydraulic calculation at 1,500 gpm @ 20 psi.
- 3 The southern property line will include a minimum 30ft wide landscape buffer to include an 8ft tall wooden fence, matching the existing wooden fence along the southern property line. The fence shall be installed no closer than 2ft from the property line.
- 4 The applicant may build a community building adjacent to the community garden, not to exceed 2,500 sf. Decks and patios shall not be counted towards this maximum square footage. The building may be constructed at a zero setback from the right-of-way line as long as it does not interfere with public utilities
- 5 Evergreen shrubs shall be installed along the street frontage in front of commercial "Building 3" to screen the dumpsters and parking.
- 6 Existing trees may be utilized to meet required landscaping points in lieu of removal and replacement if agreed upon between the applicant and City Arborist.

#### PROCEDURAL CONSIDERATIONS

This particular case is a rezoning, which under the CDO, is legislative in nature. Legislative hearings do not require the swearing or affirming of witnesses prior to testimony at the public hearing.



# APPLICATIONS NOT COMPLETED BY THE PUBLISHED APPLICATION DEADLINE WILL NOT BE CONSIDERED.

Required Attachments / Submittals:

X	1.	Typed metes and bounds description of the property (or portion of property) in a Word document format.
	2.	Cabarrus County Land Records printout of names and addresses of all immediately adjacent landowners, including any directly across the street.
X	3.	FOR CONDITIONAL DISTRICT APPLICATIONS ONLY, a plan drawn to scale (conditional district plan), and elevations if applicable submitted digitally.
	4.	If applicable, proof of a neighborhood meeting (signature page) or receipt from certified letters mailed to adjoining property owners if project increases density or intensity (See Section 3.2.3). Staff will provide further information on this requirement during the required pre-application meeting.
	5.	Money Received by Date:  Check # Amount: \$ 800.00 (Conditional) or \$600 (Conventional)  Cash:

Planning & Neighborhood Development

The application fee is nonrefundable.



(Please type or print)

Applicant Name, Address, Telephone Number and email address:						
Streetscape TW, LLC, 10815 Sikes Place, Suite 300 Charlotte NC 28277: 704-321-1000: david@raleymiller.com						
Owner Name, Address, Telephone Number:						
Streetscape TW, LLC 10815 Sikes Place, Suite 300, Charlotte, NC 28277 704-321-1000						
Project Location/Address: Southwest Corner of Poplar Tent & Harris Rd.						
Parcel Identification Number (PIN): 4671901741; 4671918487; 4671911097; 4671914382; 4671913271; 4671804108						
Area of Subject Property (acres or square feet): +/- 26 Acres						
Lot Width: Varies Lot Depth: Varies						
Current Zoning Classification: PUD						
Proposed Zoning Classification: PUD Amendment						
Existing Land Use: Mixed use and						
Future Land Use Designation: Mixed Use						
Surrounding Land Use: North Vacant Land South Single Family Residential						
East Shopping Center West Vacant land						
Reason for request:						
Has a pre-application meeting been held with a staff member? X Yes No						
Staff member signature: Date:						



1. List the Use(s) Proposed in the Project:

Zoning Map Amendment

### THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

No change to previously approved and permitted uses of Residential,	Retail
Office, Service, Restaurant and Medical Office	

2. List the Condition(s) you are offering as part of this project. Be specific with each description. (You may attach other sheets of paper as needed to supplement the information):

See revised site plan for phase 3 of the Tucker's Walk residential community to incorporate a hammehead design at the end of Ranier Drive.

I make this request for Conditional district zoning voluntarily. The uses and conditions described above are offered of my own free will. I understand and acknowledge that if the property in question is rezoned as requested to a Conditional District the property will be perpetually bound to the use(s) specifically authorized and subject to such conditions as are imposed, unless subsequently amended as provided under the City of Concord Development Ordinance (CDO). All affected property owners (or agents) must sign

the application.

3/20/2024

Signature of Owner(s) CEO Da

3/20/2024

Signature of Applicant

Streetscape Tw Luc

David S. Hiller,

Planning & Neighborhood Development

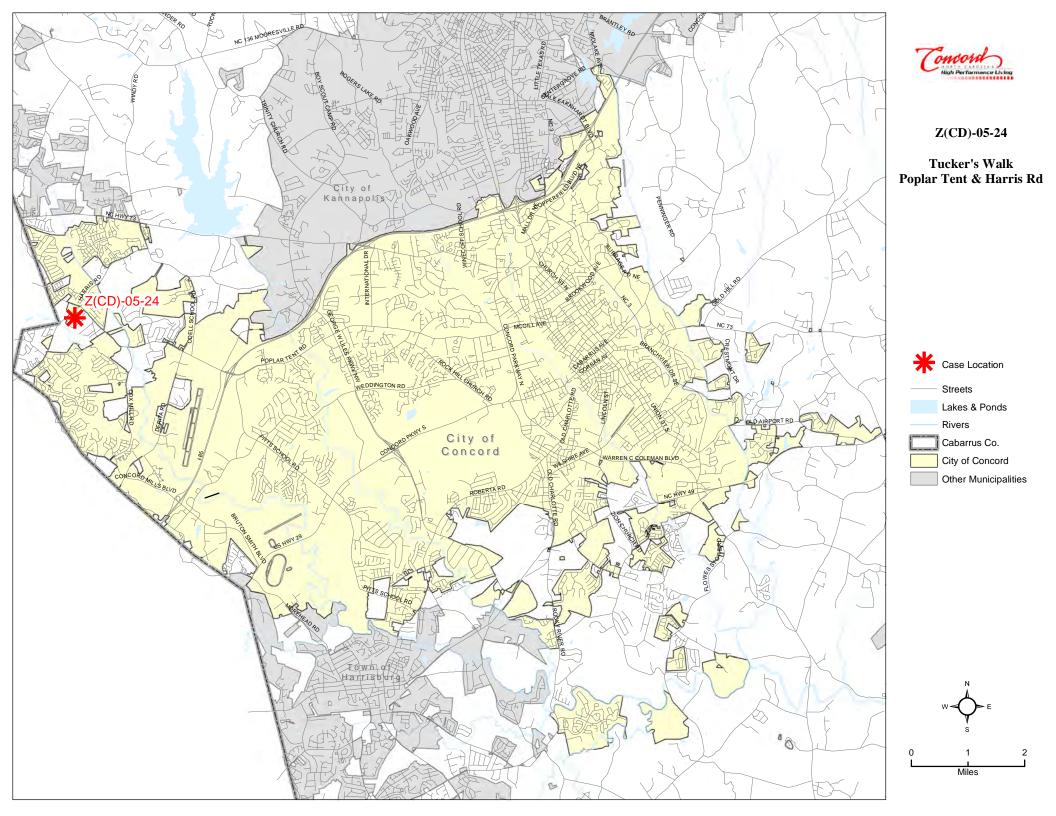


#### Certification

I hereby acknowledge and say that the information contained herein and herewith is true, and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department.

Data	March	20.	2024
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Property Owner of Agent of the Property Owner Signature:

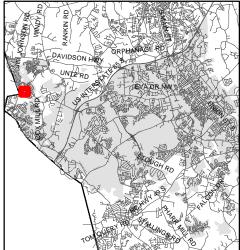


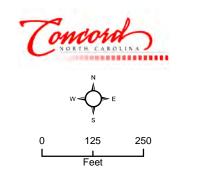


# Z(CD)-05-24 AERIAL

Rezoning application
Amendment to PUD
(Planned Unit Development
District)
Tuckers Walk Subdivision
To incorporate hammerhead
street design at end of
Rainier Trail Dr NW

Poplar Tent & Harris Rd PIN: 4671-80-8363



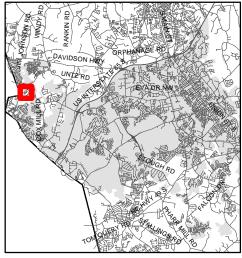


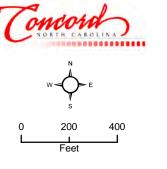
# EII POPLAR TENT ROMEMENTUM VALUE Village Center FONTANA CT SW Subject Area **Land Use Plan** Suburban Neighborhood Urban Neighborhood Suburbata Neighborhood Commercial Mixed-Use Activity Center Industrial-Employment Village Center Amusements - Motor Sports Category not designated Civic-Institutional Rural Open Space County Line Parcels City of Concord

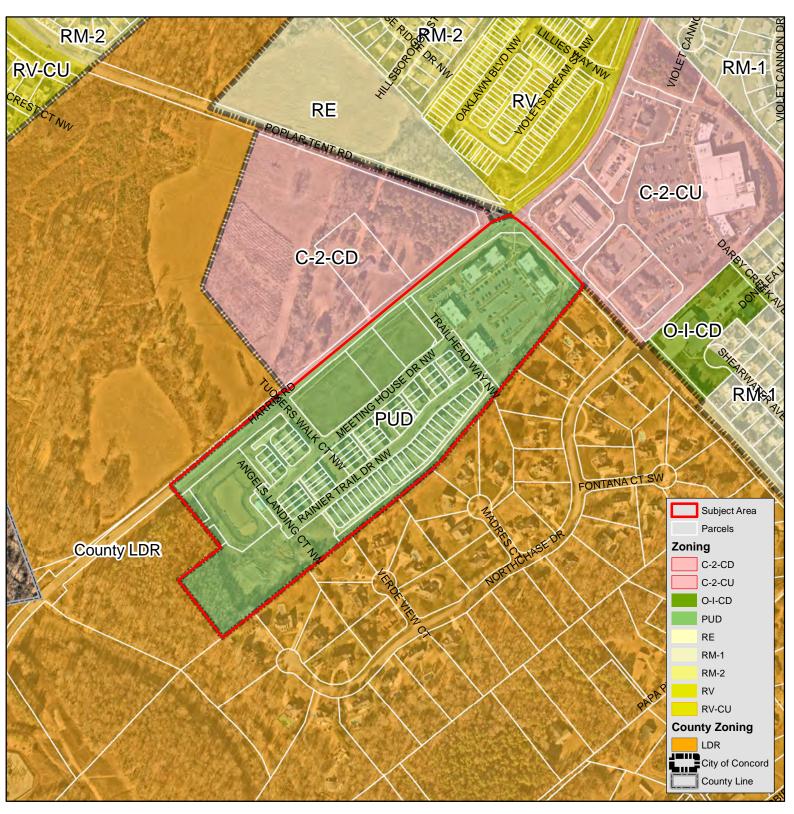
# Z(CD)-05-24 LAND USE PLAN

Rezoning application
Amendment to PUD
(Planned Unit Development
District)
Tuckers Walk Subdivision
To incorporate hammerhead
street design at end of
Rainier Trail Dr NW

Poplar Tent & Harris Rd PIN: 4671-80-8363







# Z(CD)-05-24 ZONING

Rezoning application
Amendment to PUD
(Planned Unit Development
District)
Tuckers Walk Subdivision
To incorporate hammerhead
street design at end of
Rainier Trail Dr NW

Poplar Tent & Harris Rd PIN: 4671-80-8363

