



Staff Report
Planning and Zoning Commission

DATE: June 20, 2023

DESCRIPTION: Zoning Map Amendment from C-2 (General Commercial) to PUD (Planned Unit Development)

CASE NUMBER: Z (CD)-07-22

ACCELA #: CN-RZC-2023-00005

APPLICANTS Zach Priester, Creamery Concord LLC

LOCATION: 363 Church Street (west side of Church Street and north side of Peachtree Ave. NW)

PARCEL PIN: PINs 5621-51-8365

AREA: 5.1 Acres +/-

ZONING: General Commercial (C-2)

REPORT PREPARED BY: Kevin E. Ashley, AICP Deputy Planning Director

BACKGROUND

The subject property is located on the west side of Church Street, North and on the north side of Peachtree Avenue, NW. The property consists of approximately 230 feet of frontage along Church Street and approximately 580 feet of total frontage on Peachtree Avenue. The property also has secondary frontage along Spring Street, NW.

The subject property is also within the “Downtown Character Area” where *“Downtown is the heart of Concord, having the greatest concentration of historic and cultural resources and being one the densest areas in terms of populations and small businesses. Downtown is projected to be an important growth area over the next few decades, serving in function as a major activity center.”* In that regard, the following points should be considered for future development proposals within this character area:

- *Take additional steps to ensure the continued success of efforts to revitalize downtown.*
- *Decide how much of the City’s projected growth could (or should) be absorbed to support the long-term vitality of downtown without compromising the core’s integrity and identity.*
- *Complete the array of housing, infrastructure, service and recreation needed to solidify the identity and competitive position of downtown as a daytime and nighttime activity*

center.

- *Add to the inventory of assets such as new public art, wayfinding, the Downtown Greenway Loop, bike lanes and improved transit service which already have helped increase the attractiveness of downtown.*
- *Step up efforts to protect and enhance the historic and cultural resources that make downtown the “heart and soul” of Concord.*
- *Step up the completion of multimodal infrastructure, particularly sidewalks and bike lanes, linking the in-town neighborhoods to the historic core over the next decade.*
- *Continue implementing relevant strategies of the Center City Master Plan for the corridors and neighborhoods along Church Street, Cabarrus Avenue and Corban Avenue.*
 - *Create incentives to encourage compatible-character development in underutilized areas along Church Street, Cabarrus Avenue and Corban Avenue.*
 - *Ensure that community amenities, public facilities and services are equitably distributed within walking distance of everyone in the neighborhoods.*

HISTORY

The subject property was previously zoned Heavy Industrial (I-2) and was the site of the former Cabarrus Creamery ice cream factory. In 2004, the property was rezoned General Commercial (C-2). Cabarrus County tax records indicate that the buildings were constructed in 1940 with major renovations thereafter. Tax records indicate that the commercial structures encompass approximately 27,600 square feet of floor area.

SUMMARY OF REQUEST

The developer proposes rezoning to Planning Unit Development (PUD), principally for the construction of 27 multifamily townhomes (note that the units are not indicated as being on individual lots, therefore they are considered multifamily for zoning purposes but may be referred to as townhomes throughout the report). The PUD rezoning also proposes to integrate the existing C-2 zoned commercial structures into the development.

According to the CDO, PUDs (Planned Unit Developments) and are *intended to provide for the orderly development of land with a mix of land uses and intensities. PUD zoning is intended to permit innovation and flexibility in the design, construction, and processing of mixed-use developments in exchange for the developer providing enhanced design elements that exceed CDO requirements.* While the conventional zoning districts and the requirement of those districts set forth in the CDO are reasonable in most cases, there are parcels of land that are more appropriate to be developed with a mixed-use zoning district. Furthermore, there may be circumstances in which it is *in the community’s best interests to allow unique and/or creative designs and techniques that:*

- *Promote the most appropriate use of the parcel,*
- *Allow diversification of use,*
- *Facilitate the adequate and economical provision of streets, parks, open space, schools, storm drainage and sewer and water facilities,*
- *Incorporate transit access, amenities and/or connectivity,*

- *Preserve and utilize open space, tree cover, topography and significant natural features,*
- *Offer recreational opportunities close to the residential uses,*
- *Create physically integrated and interconnected neighborhoods that provide safe cross-access for vehicles, bicycles and pedestrians, and,*
- *Enhance neighborhood appearance/design.*

To summarize, a Planned Unit Development (PUD) should result in a higher quality development with superior design elements that benefit the community over traditional development within a base zoning district.

In February of 2021, the City adopted revised PUD standards to provide additional requirements in order to qualify as a PUD. These requirements include but are not limited to: Phasing delineation, commitment to non-residential use in the first phase, Type “D” Landscape Buffer, increased percentage of open space for active, usable open space, tree save, and Low Impact Development (LID). These additional standards were added after finding that many PUDs were being approved, only to later request a reduction in commercial areas, or usable open space, or reduction the quality of the elevations thus “watering down” the original approval. By providing more specific requirements for PUDs, greater commitment from the applicant is required upfront to comply with these additional standards, ensuring that the project is well planned and can be executed as agreed upon during the rezoning process.

PUD zoning requires that the proposal meet design principles as specified in Section 9.1.9. These standards include

- A. *When Thirty (30) or more residential units are proposed, the project shall include a variety of housing stock that serves a range of incomes and age groups. Examples may include attached and detached single family, multifamily and dwelling units above commercial. The variety may include differing sizes of the same housing type, such as a mixture of larger and smaller lot sizes to accommodate a variety of single-family home designs.*
- B. *Uses are compact and well- integrated as opposed to widely separated and buffered.*
- C. *The project is well integrated into established adjacent areas relative to existing development standards, scale and use, with compatibility being achieved through effective architectural design and site planning.*
- D. *Open space is a significant element of the project’s design. These open spaces shall include active and passive open space with an emphasis on accessible trails and connections to both existing and proposed greenways. The City’s Open Space and Connectivity Analysis (OSCA) and other adopted plans shall be consulted for further guidance. All open space shall be specifically labeled and defined on the submitted site plan to include uses and aesthetic design. Additionally, all open spaces shall be accessible by a street, sidewalk, greenway or trail. While environmentally sensitive areas (floodplains, wetlands, etc.) may be within the minimum open space, at least 50% of the open space shall be upland area (non-environmentally sensitive). At least twenty-five percent (25%) of the overall gross land area of the site shall be designated as open space and thirty percent (30%) of the required open space on the site shall consist of active open space, except that this requirement may be modified in the event that the applicant demonstrates that the project is “infill” and is located adjacent to a sidewalk or trail network and is within walkable distance of active*

open space. Areas designated as “tree save” pursuant to Article 10 shall be considered active open space for the purposes of this section.

- E. The proposed development includes a variety of interconnected street types that are accessible to pedestrian, bicycle and automobile, and residential and non-residential areas shall be connected for both vehicles and pedestrians. The street pattern shall be designed in such a way as to encourage walking and to reduce the number and length of automobile trips. Bicycle lanes shall be provided along at least seventy percent (70%) of all collector streets.*
- F. Enhanced design elements may include, but are not limited to*
 - a. Increased open space and unique open space designs;*
 - b. preservation of heritage trees and significant native tree canopy;*
 - c. establishment of habitat preservation measures and/or wildlife sanctuary areas; and*
 - d. use of native plants and pollinator gardens within the site.*

See Sections 9.3 and 9.4 for enhanced design elements that may be utilized in PUD zoning districts.
- G. The project includes building types that delineate the streets and civic/nonresidential areas to minimize the visibility of parking lots. See Sections 9.3 and 9.4 for designs that accomplish this principle.*
- H. Grading and clearing shall be minimized to the extent possible and the natural topography should be integrated into the site design and amenities.*
- I. Low Impact Development (LID) stormwater facilities shall be used and integrated into the development. At least twenty five percent (25%) of the stormwater generated by the development shall be addressed by LID measures as specified in Section 9.11. When larger, stand-alone stormwater ponds and basins are proposed, they shall be designed and constructed as amenities.*
- J. The proposed development shall provide for both current and future transit needs.*

The proposed development appears to be compliant with these design principles. The proposed dwelling units, particularly those along Peachtree Avenue, are architecturally compatible with the established single-family homes in the surrounding neighborhood. Enhanced design elements include increased open space, a pedestrian trail, a dog park, community garden, tree and habitat preservation and a commitment to working with the City on the use of native plant/pollinators. Use of LID measures will be explored during technical site plan approval. Bus access is provided along Church Street near the commercial part of the development.

As previously discussed, the proposed PUD consists of approximately 5.1 acres, with a commercial component of 1.6 acres and a residential component of 3.5 acres. Cabarrus County owns an adjacent parcel which was part of the Creamery redevelopment. Additionally, Sherwin Williams has a paint store on the corner of Church Street and Saint Mary Avenue which was also part of the redevelopment. Neither of these parcels are included within the zoning petition, but cross-access exists between all parcels.

Commercial

The PUD standards require at least two distinct land use types, with a minimum of fifteen (15) percent of the land area/nonresidential square footage to be built within the first phase of the development. The site plan indicates that the existing commercial component will comprise 1.6 acres and 13,200 square feet of ground floor building area, which equates to approximately 31.3% of the land area and approximately 40% of the floor area of the total development. The commercial

area was established in the mid-2000s and therefore meets the requirement of having a minimum amount of nonresidential development within the initial phase.

The commercial development includes retail and office mixture within one multi-story structure. The developer proposed allowable uses within the commercial area to be those permitted within the B-1 (Neighborhood Commercial/Office) and C-1 (Light Commercial and Office) zoning districts, excluding:

1. Adult entertainment establishments
2. Automobile repair, major
3. Automobile wash (car wash), including detailing service
4. Vehicle sales, lease, rental, including boat, RV and storage buildings
5. Pawnshops
6. Bail bonding
7. Restaurant, carryout, delivery, no seating
8. Restaurant, fast food, drive thru, drive in

This proposal would allow a variety of office and specialty retail uses, consistent with the property's historical uses.

Multifamily Townhomes

The applicant has also proposed a total of 27 townhomes within four sets of buildings. The proposed density is 5.3 dwelling units per acre, whereas the MUAC designation would allow up to thirty (30) units per acre.

The twelve townhomes along Peachtree Avenue will be placed at a 20-foot setback with a level 3 street yard. Parking will be provided within the interior of the development. The developer has submitted elevations with the application

- Courtyards are proposed for the rear yards of each unit. The courtyards will be enclosed by a 3.5-foot-tall decorative brick wall with gates for each individual unit. The wall also includes brick pillars at the corners and at the gate entries. The walls are proposed to wrap the end units, extending from front to back of the structure.
- The front elevation of the structures are proposed to be oriented to the interior of the site. Exterior materials are either brick or hardie-plank vertical board and batten siding. The materials will be alternated in order to create a distinction between the units, but the units with the board and batten siding will have brick at the base of the unit.
- Decorative roof vents are proposed for each unit.
- Windows are proposed to be aluminum clad and vinyl will be limited to soffits, fascia and the wraps for the porch posts.
- Porches with overhangs are proposed for both front and back of the units.
- Materials for the units along Peachtree Avenue are proposed to be hardie board lap siding. Proposed elevations of the structures are included with the staff report (sheets A-9 and A-10 dated 6/12/23).

Open Space

The site plan illustrates proposed open space for the site being centralized on the property, generally concentrated on the southwestern portion of the property between the last set of townhomes and Spring Street. The open space also encompasses the storm water facility for the site. The open

space connects to a sidewalk which leads through landscape islands within the parking area, connecting to the commercial area along Church Street., allowing pedestrian traffic to travel between Spring and Church Streets. Proposed open space consists of 49% of the overall site area, where the minimum requirement of PUD zoning is 25%. Improvements within the open space include a community garden, a dog park and a walking trail. Environmentally sensitive areas, consisting of a stream buffer, near the Spring Street frontage, comprises approximately 0.20 acres.

Connectivity

The current plan provides vehicular and pedestrian connectivity internally to the development, as well as to the Cabarrus County Board of Elections property to the north. The two properties are subject to a shared access and parking agreement and two access points exist with the County property. These connections would allow vehicular cross access from both Peachtree and Saint Mary Avenues. Vehicular connectivity is also proposed between the townhome units and the commercial part of the PUD. Pedestrian connectivity within the site would conceivably allow traffic between Church and Spring Streets, via the trail system and the sidewalks. Sidewalks are proposed along Peachtree Avenue and in the front of all units.

Deviations from Standards

One deviation from standard is proposed. PUD zoning requires a minimum 25-foot-wide buffer around the perimeter of the development, except the buffer may be modified if the project is an infill project, is within a Mixed-Use Activity center or a Village Center as indicated in the 2030 Land Use Plan. The subject property is an infill project, and also lies within a Mixed-Use Activity Center. A 20' type C buffer is proposed along most of the property, except for an 8-foot-wide street yard along Peachtree Avenue.

Enhancements above Standard Zoning Districts

Tree save: In 2021, the CDO was amended to require tree save areas for residential developments with thirty or more dwelling units. Whereas the proposed development does not meet that minimum criteria to require tree save, the developer is proposing tree save and habitat preservation area in the southwest portion of the site between the stormwater facility and Spring Street. This area consists of 1.05 acres and is included within the 2.50 acres of proposed open space.

Pollinator plants: the developer has agreed to work with City staff to utilize native pollinator plants within the development, as feasible. This proposal furthers the “Mayor’s Monarch Pledge” which commits the staff to “engage with developers, planners, and landscape architects to identify opportunities to create monarch habitat.”

Increased Open Space: the proposed development provides 40% open space at approximately two times the required amount of 25%. Proposed within the open space is a dog park, a community garden, and a trail connecting the development to Spring Street.

Land Use

Existing Zoning and Land Uses					
Zoning of Subject Property	Zoning Within 500 Feet		Land Uses(s) of Subject Property	Land Uses Within 500 Feet	
C-2 (General Commercial)	North	General Commercial (C-2), Heavy Industrial (I-2) Residential Village (RV), and Residential Compact (RC)	Commercial/ Office and Vacant Land	North	Commercial, Automobile Storage Yard, Single Family Residential
	East	General Commercial (C-2)		East	Single Family Residential, Commercial
	South	General Commercial (C-2) and Residential Village (RV)		South	Multifamily and Single Family Residential
	West	General Commercial (C-2), Heavy Industrial (I-2) Residential Village (RV), and Residential Compact (RC)		West	Commercial, Automobile Storage Yard, Single Family Residential

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 LUP designates the subject property as a “Mixed Use Activity Center” (MUAC) for which the PUD zoning classification is considered **appropriate**. The plan also classifies the property as part of the “Downtown Character Area,” and specifically as part of “Mixed Use Center #11/Downtown Concord/MSD.”

The plan states that a “large-scale mixed-use activity center may be surrounded by one or more neighborhoods that encourage active living, with a comprehensive and interconnected network of walkable streets. The plan also states that the intent is to “encourage the development of a mixture of complimentary uses that will function as an integrated center allowing for pedestrian connections between developments and uses.”

Guidance specific to the Mixed-Use Activity Center specifies that the PUD (Planned Unit Development) is a corresponding zoning classification and advises that development should:

- *Whenever possible, it is recommended that developers utilize one of the mixed-use zoning districts when developing in an area designated MUAC.*
- *The interconnectivity of the public realm (streets, walk/bike infrastructure) is an essential element of MUAC areas.*

The following general land use challenges and opportunities in Section 5.2 relate to the proposed amendment.

- *Maintaining the community's character. Concord's premium quality of life continues to attract new residents. The resulting increases in housing demand, commercial development, industrial development, traffic congestion and new faces continue to change the community. Changes such as downtown revitalization, greenfield development and redevelopment of commercial and industrial sites have improved the quality of life in Concord. Residents want to ensure that future changes protect or enhance the quality of their neighborhoods and strengthen Concord's identity and sense of place.*

The following goals, objectives and policy guidance relate to the proposed zoning amendment.

Goal 1: Maintain a sustainable balance of residential, commercial and industrial land uses.

Objective 1.6: Provide a diverse mix and range of housing options throughout the City that will accommodate the current and future needs of the citizens of Concord.

Policy Guidance for Objective 1.6:

- *Housing Balance: Ensure that zoning allows for a mix of housing types at a variety of prices to meet the demands of existing and future residents.*

Goal 2: Enhance mobility for all modes of transportation between the places where people live, work, shop and play (refer to Part 7 for additional policy guidance relating to mobility).

Objective 2.1: Ensure that new development is designed to provide users with mobility choices, including driving, walking, bicycling and riding transit.

Objective 2.2: Ensure that new development includes interconnected road systems and enhances connectivity to existing development where it safely enhances mobility.

Goal 4: Ensure compatibility between neighboring land uses

Objective 4.1: Use a combination of land use transitions, intensity gradients, buffering, and design to ensure that land use transitions are compatible.

Policy Guidance for Objectives 4.1:

- ***Land Use and Intensity Transitions:*** *Zoning use and site development standards should promote a gradient in the type and intensity of uses. For instance, higher density residential development can provide a compatible transition between medium-density residences and neighborhood commercial centers.*
- ***Buffers:*** *Buffers should be used to screen uses and activities that may detract from the enjoyment of adjacent land uses. Where large buffers are not necessary, the landscape design should soften land use transitions;*
- ***Building and Site Design Standards:*** *Where land use transitions are necessary to support a walkable mix of uses or housing types, a variety of development standards should ensure that the location, scale, height and orientation of buildings and site improvements provide for compatible transitions.*
- ***Parking and Access:*** *Ensure that parking lots and driveways are designed and located to minimize impacts on lower-intensity neighboring uses.*

Goal 6: Protect natural resources and retain open spaces for future generations (refer to Part 9 for additional policy guidance relating to natural resources).

Objective 6.2: *Protect the natural resource base of the City and surrounding areas through a combination of strategic acquisitions, open space preservation requirements within new development and incentives for private land preservation initiatives.*

Policy Guidance for Objective 6.2:

- **Open Space Mandates:** *Continue to require the preservation of open space within every new residential subdivision or develop a requirement for payments in lieu of open space preservation. Consideration for expanding requirement to include some non-residential uses.*
- **Tree Preservation:** *Encourage tree preservation in new development.*

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately 5.1 +/- acres and consists of an existing two-story commercial development and vacant land.
- The property was rezoned from Heavy Industrial (I-2) to General Commercial (C-2) in 2004.
- The proposed amendment is consistent with the 2030 Land Use Plan as the PUD (Planned Unit Development) zoning classification is considered corresponding to the Mixed-Use Activity Center land use category. The request provides a mix of existing commercial/office uses, attached residential dwellings, open space, connectivity, native pollinator plants and tree save areas in accordance with the PUD requirements. It also provides interconnectivity between existing and future development for both vehicles and pedestrians in accordance with LUP Goal 2. New pedestrian connectivity is provided between Spring Street and Church Street.
- The zoning amendment is reasonable and in the public interest as the petition proposes a mixture of attached residential integrated into an existing commercial area, along with common open space, tree preservation, and connectivity to surrounding neighborhoods. Furthermore, the development proposes amenities and site design elements in excess of the minimum CDO standards.

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 staff has no objections to the petition. Because this petition is a conditional district request, the Commission, should they decide to approve the request, may, according to Section 3.2.8.E of the CDO, suggest **“reasonable additional conditions or augment those already provided with the petition, but only those conditions mutually agreed upon by the petitioner and the Commission or Council may be incorporated into the approval. Any such condition should relate to the relationship of the proposed use to surrounding property, proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, the timing of development, street and right-of-way improvements, water and sewer improvements, storm water drainage, the provision of open space and other matters that the Commission or Council may find appropriate.”**

All applicable standards for rezoning site plan review appear to be satisfied. The Development Review Committee has no objections to the petition from a rezoning review standpoint.

The petitioner has consented to the following conditions:

1. Compliance with the “Peachtree Townhomes” site plan dated 4/20/22; and
2. Compliance with the architectural elevations as indicated on “Peachtree Townhomes”, sheets A-9 and A-10, dated 6/12/2023; and
3. Technical site review and approval plan shall be required; and
4. Uses shall be limited to 27 multifamily units and commercial/office uses as B-1 (Neighborhood Commercial/Office) and C-1 (Light Commercial and Office) zoning districts, excluding:
 - Adult entertainment establishments
 - Automobile repair, major
 - Automobile wash (car wash), including detailing service
 - Vehicle sales, lease, rental, including boat, RV and storage buildings
 - Pawnshops
 - Bail bonding
 - Restaurant, carryout, delivery, no seating
 - Restaurant, fast food, drive thru, drive in
5. The project shall comply with all State and Federally mandated standards such as stormwater requirements, floodplain protection requirements, Building Code, minimum Fire Code requirements, North Carolina Department of Transportation (NCDOT) or City of Concord minimum safety standards; and
6. Twenty five percent (25%) of the stormwater generated from the site shall be managed with LID measures as indicated in section 9.11 in the development ordinance; and
7. Construction of a 3.5’ tall brick wall at the rear of all units as illustrated on Sheets A-9 and A-10.
8. Commitment to work with City staff during technical plan approval to incorporate native and pollinator plants into the landscape design to the greatest extent feasible; and
9. Site design elements not specifically identified as a deviation shall adhere to applicable City standards.

PROCEDURAL CONSIDERATIONS

This particular case is a rezoning to a conditional district, 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:

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.

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: _____

The application fee is nonrefundable.



NORTH CAROLINA

High Performance Living



Application for

Zoning Map Amendment

(Please type or print)

Applicant Name, Address, Telephone Number and email address: Zach Priester
405 Trade St NW Suite 102 Concord, NC 28027
(980) 322-4040, zach@fortiuscapitalpartners.com

Owner Name, Address, Telephone Number: Creamery Concord LLC,
Harris Morrison, 405 Trade St NW Suite 102 Concord, NC 28027
(980) 354-3700, harris@harris-morrison.com

Project Location/Address: 363 Church St N, Concord NC 28025
P.I.N.: ~~XXXXXXXXXX~~ 5621 51 8365

Area of Subject Property (acres or square feet): 5.1 Ac

Lot Width: 230' Lot Depth: 1,135'

Current Zoning Classification: C-2

Proposed Zoning Classification: PUD

Existing Land Use: Commercial / Vacant

Future Land Use Designation: Mixed Use (Townhome addition)

Surrounding Land Use: North Residential South Commercial
East Commercial West Residential

Reason for request: Rezone to allow for townhomes to be developed
behind the Old Creamery

Has a pre-application meeting been held with a staff member? _____

Staff member signature: _____ Date: _____



THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

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

Town homes, Commercial

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):

Sidewalks, open space courtyard, large natural area, infill

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.

J. H. Morrison III 4/18/22
Signature of Applicant Date

J. H. Morrison III 4/18/22
Signature of Owner(s) Date



NORTH CAROLINA

High Performance Living



Application for
Zoning Map Amendment

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.

Date: 4/13/22

Applicant Signature: *[Handwritten Signature]*

Property Owner or Agent of the Property Owner Signature:
[Handwritten Signature]

SITE DEVELOPMENT DATA:

SITE:

TOTAL SITE AREA: +/- 5.1 AC
TAXE PARCEL #: 12-016-0023.00
EXISTING ZONING: C-2
PROPOSED ZONING: PUD
PROPOSED USE: ADDITION OF 27 TOWNHOMES TO THE REAR OF THE OLD CREAMERY COMMERCIAL DEVELOPMENT.
PROPOSED DENSITY: 27 DU / 5.1 AC = 5.3 DU PER AC
PARKING RATION: COMMERCIAL: EXISTING
RESIDENTIAL: 51 SPACES / 27 DU = 1.89 SPACES / DU

SETBACKS:

TOWNHOMES:

FRONT YARD: 15 FT
SIDE YARD: 10 FT
REAR YARD: 20 FT MIN

IMPERVIOUS AREA:

NET SITE AREA: +/- 5.1 AC
NET RESIDENTIAL AREA: +/- 3.5 AC
NET COMMERCIAL AREA: +/- 1.6 AC

RESIDENTIAL:

STRUCTURES + DRIVEWAYS: +/- 17,270 SQ FT
STREETS + PARKING: +/- 31,960 SQ FT
SIDEWALKS: +/- 3,980 SQ FT

RESIDENTIAL TOTAL IMPERVIOUS AREA: +/- 1.2 AC (36% OF NET RES. AREA)

COMMERCIAL (EXISTING):

STRUCTURES + DRIVEWAYS: +/- 13,200 SQ FT
STREETS + PARKING: +/- 22,920 SQ FT
SIDEWALKS: +/- 12,900 SQ FT

EXISTING COMMERCIAL TOTAL IMPERVIOUS AREA: +/- 1.1 AC (70% OF NET COM. AREA)

TOTAL IMPERVIOUS: +/- 2.3 AC (45% OF NET AREA)

PROJECT NARRATIVE: The site development plan concept for the Site as described in this Rezoning Plan will create a mixed use, pedestrian friendly community with a sustainable mix of residential and commercial land uses. The proposed residential additions to the Old Creamery Development will provide the area with diverse housing options, natural / open space areas and connectivity to local transportation and shopping. This planned development proposed for the property is consistent with the City's 2030 Land Use Plan in accordance with maintaining a sustainable balances of residential and commercial land uses, ensuring compatibility with neighboring land uses, protecting natural resources and maintain open space, connecting mixed uses by way of integrating network of streets, pedestrian access, public transportation, among other plan goals.

The proposed development will be approximately than 27 residential units. The proposed planned development will provide for the orderly development of land with a mix of uses and seeks PUD zoning to provide the community with a quality mixed-use development. The proposed planned development promotes the most appropriate use of the property by providing infill development of horizontal townhome units within a commercial development, facilitates interconnected streets and sidewalks, preserves a large natural area, and provides open space courtyard for residents.

General Provisions:

- 1) Development of the site will be controlled by the standards depicted on this site plan and by the standards of the city of Concord zoning ordinance, The development depicted on this plan is intended to reflect the arrangement of the proposed uses on the site, but the exact configuration, placement, and size of the individual site elements may be altered or modified within the limits prescribed by the ordinance during the design, development, and construction phases.

Purpose:

- 1) The purpose of the rezoning application is to provide for a mixed-use development consisting of a horizontal planned unit multifamily development within an existing commercial development. To achieve this purpose, the application seeks the rezoning of the site to a (PUD) Planned Unit Development.

Permitted Uses:

- 1) All uses that are permitted or permitted uses with supplemental regulation in the C-1 and B-1 zoning district as established in the use table (C.D.O. 8.1.8) excluding:
 - a) Adult Entertainment Centers
 - b) Automobile Repair, Major
 - c) Automobile Wash, Including Detailing Service
 - d) Vehicle Sales, Lease, Rental, including Boat, RV, and Storage Buildings
 - e) Pawnshops
 - f) Bail Bonding
 - g) Restaurant Carryout, Delivery, No Seating
 - h) Restaurant, Fast Food, Drive Thru, Drive In

Transportation:

- 1) Site will have access to streets as shown on the site plan.
- 2) Placement and configuration of vehicular access points are subject to minor modifications to accommodate final site development plans and adjustments required for approval by NCDOT in accordance with applicable published standards.

Streetscape, Landscape, and Buffer:

- 1) Screening, street trees, and yards shall be provided per ordinance requirements.
- 2) Screening of dumpster enclosures shall be provided per ordinance requirements.

Environmental Features:

- 1) The location, size, and type of storm water management systems depicted on the rezoning plans are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning.

Parks, Greenways, and Open Spaces:

- 1) 24% minimum of open space will be provided.

Signage:

- 1) Final sign locations, sign type, and design to be determined. Comprehensive sign package will be submitted in the future for approval.

Phasing:

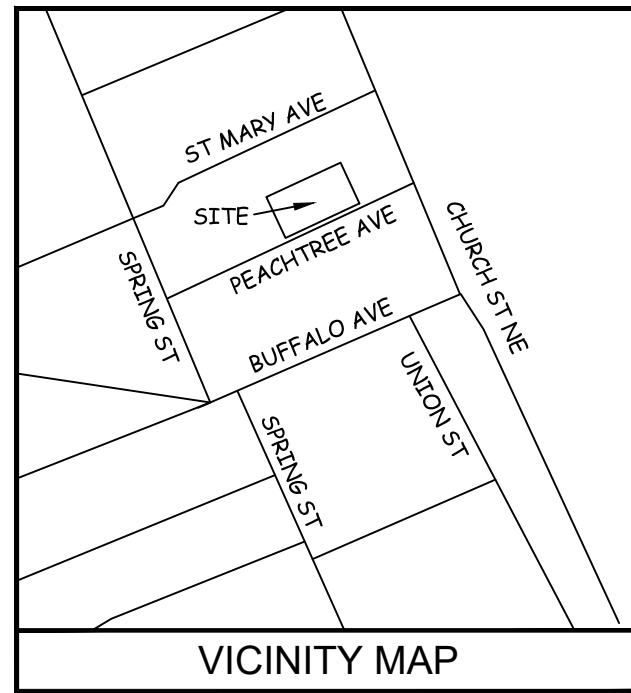
- 1) The site will be developed in 1 phase. The commercial area is existing.

Electrical:

- 1) Any movement of existing City of Concord utilities can be at the owner/developer cost.
- 2) All electrical installation must comply with the City of Concord's technical standards manual.

Wastewater:

- 1) If applicable, copies of all corresponding sewer easement agreements and plat maps will be submitted to the City Planning Department for review and comments; final version of these documents will be required at the Register of Deeds and then sent to the Water Resources Department for filing.
- 2) Owner/Developer is applying for sewer allocation through the City of Concord Engineering Department.



LEGEND:

- R/W - RIGHT OF WAY
- CP - CALCULATED POINT
- OHE - OVERHEAD ELECTRIC
- ⊕ - POWER POLE
- ⊕ - LIGHT POLE
- ⊕ - LIGHT
- ⊕ - GUYWIRE
- ⊕ - FIRE HYDRANT
- ⊕ - EX. WATER VALVE
- ⊕ - PROP. WATER VALVE
- ⊕ - WATER METER
- ⊕ - IRRIGATION VALVE
- ⊕ - SANITARY SEWER MANHOLE
- ⊕ - SANITARY SEWER CLEANOUT
- ⊕ - STORM MANHOLE
- ⊕ - STORM CATCH BASIN
- SS — EX. SEWER LINE
- W — EX. WATER LINE
- FO — FIBER OPTIC LINE
- TEL — TELECOMMUNICATIONS LINE
- GAS — GAS LINE
- OHE — OVERHEAD ELECTRIC
- G — GUARDRAIL
- F — FENCE
- EXISTING PROPERTY LINE
- PROPOSED RIGHT-OF-WAY
- EXISTING RIGHT-OF-WAY
- PROPOSED CURB & GUTTER
- PROPOSED SIDEWALK
- EXISTING STORM LINE
- PROPOSED STORM LINE
- PROPOSED SEWER LINE
- PROPOSED WATER LINE
- LIMITS OF DISTURBANCE
- PD — PERIMETER DIVERSION DIKE
- TEMPORARY DIVERSION
- PROPOSED SILT FENCE
- BAFFLES
- SILT FENCE OUTLET
- INLET PROTECTION

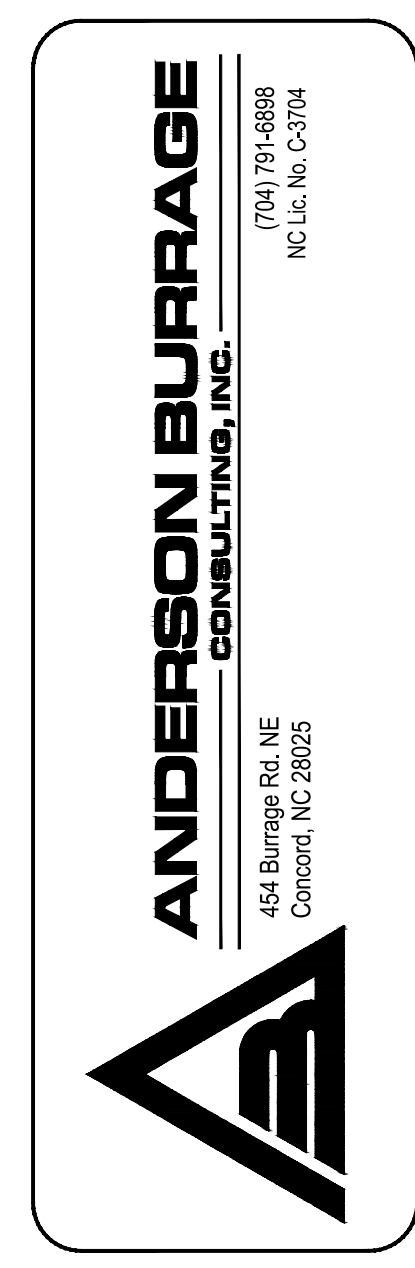
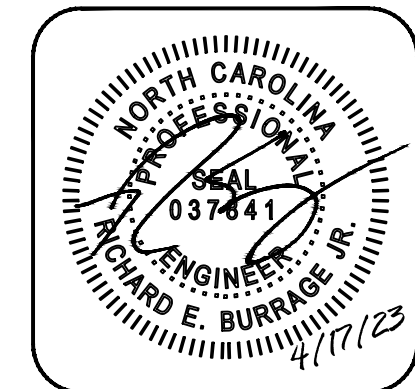
SITE INFORMATION:
 TOTAL ACREAGE: 5.1 ACRE
 EXISTING ZONING: C-2
 PROPOSED ZONING: PUD
 PROPOSED USE: RESIDENTIAL / MULTIFAMILY
 PARENT TRACK INFORMATION:
 PARCEL #1: 5621518365, DB 4775, PG 246
 ZONED: C-2

SITE CALCULATIONS:
 TOTAL ACREAGE = 5.1 ACRES
 TOTAL RESIDENTIAL UNITS = 27
 RESIDENTIAL DENSITY = 5.3 UNITS/ACRE
 IMPERVIOUS AREA CALCULATIONS:
 TOTAL MAX IMPERVIOUS: 50%
 RESIDENTIAL MAX = 50%
 COMMERCIAL MAX = 80%
 RESIDENTIAL ACREAGE = 3.5 AC
 RESIDENTIAL IMPERVIOUS:
 STRUCTURES & DRIVES = 17,270 SQFT
 STREETS / PARKING = 31,960 SQFT
 SIDEWALKS = 3,980 SQFT
 TOTAL RESIDENTIAL IMPERVIOUS = 1.22 AC
 TOTAL RESIDENTIAL IMPERVIOUS = 35%
 EXISTING COMMERCIAL ACREAGE = 1.6 AC
 COMMERCIAL IMPERVIOUS:
 STRUCTURES = 13,200 SQFT
 STREETS / PARKING = 22,920 SQFT
 SIDEWALKS = 12,900 SQFT
 EXISTING COMMERCIAL IMPERVIOUS = 1.1 AC
 TOTAL COMMERCIAL IMPERVIOUS = 70%
 TOTAL IMPERVIOUS AREA = 2.3 AC
 TOTAL PERCENT IMPERVIOUS = 45%
 PARKING CALCULATIONS:
 PARKING REQUIRED: 1.5 MIN 2.5 MAX/DU
 PARKING PROVIDED = 41 MIN - 67 MAX
 SPACES PROVIDED = 51 SPACES
 DWELLING UNITS = 27 UNITS
 PARKING RATIO = 1.89 SPACES/DU
 HANDICAP REQUIRED = 3
 BICYCLE PARKING REQUIRED: 1.5 UNITS
 BICYCLE SPACES REQUIRED = 6 TOTAL
 *MUST BE LOCATED WITHIN 50FT OF ENTRANCE

OPEN SPACE CALCULATIONS:
 DWELLING UNITS = 27
 RESIDENTIAL ACREAGE = 3.5 AC
 RESIDENTIAL DENSITY = 7.7 UNITS PER ACRE
 TOTAL ACREAGE = 5.1 AC
 OPEN SPACE REQUIRED = 25% = 1.28 AC
 OPEN SPACE PROVIDED = 49% = 2.50 AC
 ENVIRONMENTALLY SENSITIVE = 0.20 AC
 ACTIVE OPEN SPACE (9.1.9.D)
 ACTIVE OPEN SPACE REQUIRED = 30% = 0.38 AC
 ACTIVE OPEN SPACE PROVIDED = 0.42 AC
 GREEN = 0.18 AC
 DOG PARK = 0.18 AC
 COMMUNITY GARDEN = 0.06 AC
 ENHANCED DESIGN ELEMENTS (9.1.9.F)
 TREE SAVE / HABITAT PRESERVATION
 AREA = 1.05 AC
 INACTIVE OPEN SPACE = 0.99 AC

REQUIRED SETBACKS:
 MULTIFAMILY (PUD):
 FRONT / STREET - 20FT
 SIDE - 20FT
 REAR - 20FT

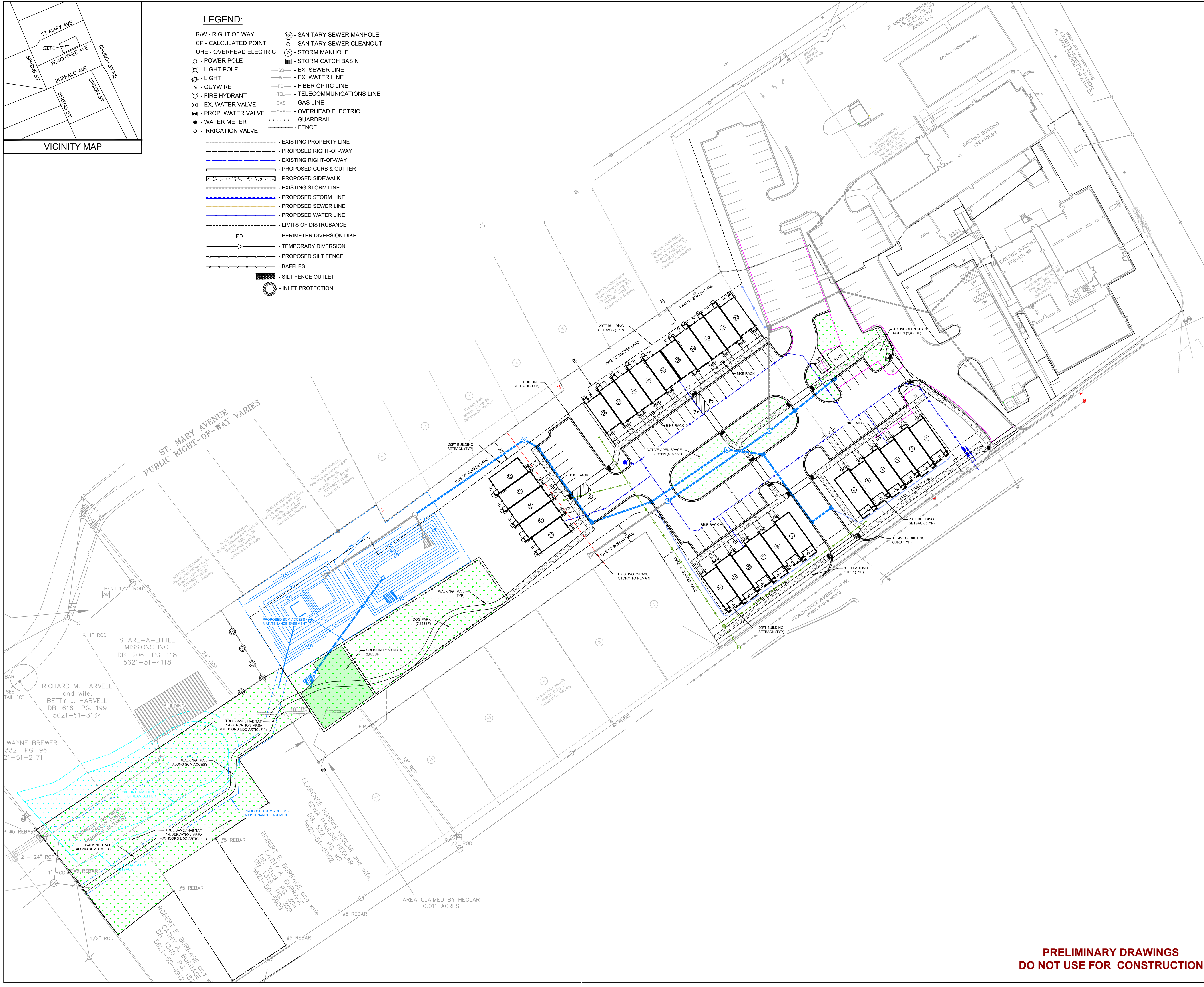
ADA COMPLIANCE NOTE:
 NOTE: PLANS WILL NEED TO MEET ALL ADA REQUIREMENTS.



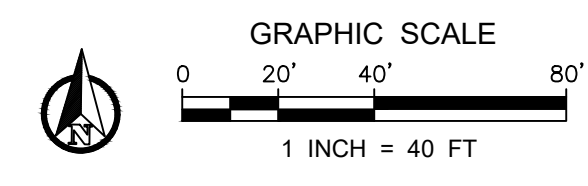
Revision	PER CITY OF CONCORD COMMENTS

Date	
4/17/23	

PROJECT: **PEACHTREE TOWNHOMES**
 SINGLE FAMILY DEVELOPMENT
 363 Church St. N. Concord, NC 28025
 PRELIMINARY PLAT
 SHEET TITLE:
 Project #2021-030
 DATE: 4/20/22
 DRAWN BY: REB
 SHEET NO.
C101



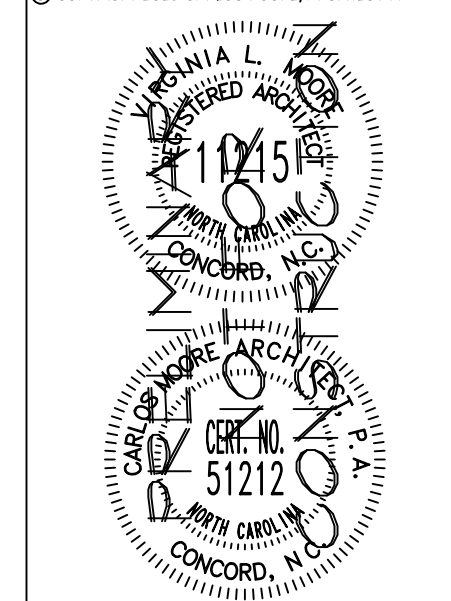
**PRELIMINARY DRAWINGS
 DO NOT USE FOR CONSTRUCTION**



C:\Users\Rick\Dropbox\Projects\2009\Cabarrus Creamery\Peachtree Townhomes 4-21-23.dwg

PRELIMINARY
NOT FOR
CONSTRUCTION

NOTICE:
ALL FEDERAL, STATE, LOCAL CODES, ORDINANCES AND REGULATIONS SHALL BE CONSIDERED AS PART OF PLANS AND SPECIFICATIONS FOR THIS BILLING AND SHALL TAKE PRECEDENCE OVER ANYTHING SHOWN, DESCRIBED OR IMPLIED HEREIN UNLESS OTHERWISE SPECIFIED.
THESE DRAWINGS ARE PRELIMINARY AND NOT INDICATING ALL CONDITIONS AND DETAILS AND ARE INTENDED TO BE USED BY EXPERIENCED MECHANICAL ENGINEERS AND CONTRACTORS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO INSTALLATION. WORK PERFORMED NOT IN COMPLIANCE WITH THE INTENT OF THESE CONTRACTS ARE THE RESPONSIBILITY OF THE PERSONS PERFORMING THE WORK. LIMIT OF LIABILITY IS THE AMOUNT OF FEE CHARGED.
THIS DRAWING AND THE INFORMATION HEREON IS THE PROPERTY OF CARLOS MOORE ARCHITECT. ANY REPRODUCTION, ALTERATION, OR USE FOR OTHER THAN THE INTENDED PROJECT, WITHOUT THE WRITTEN CONSENT OF CARLOS MOORE, IS STRICTLY FORBIDDEN.
© COPYRIGHT 2023 CARLOS MOORE ARCHITECT PA

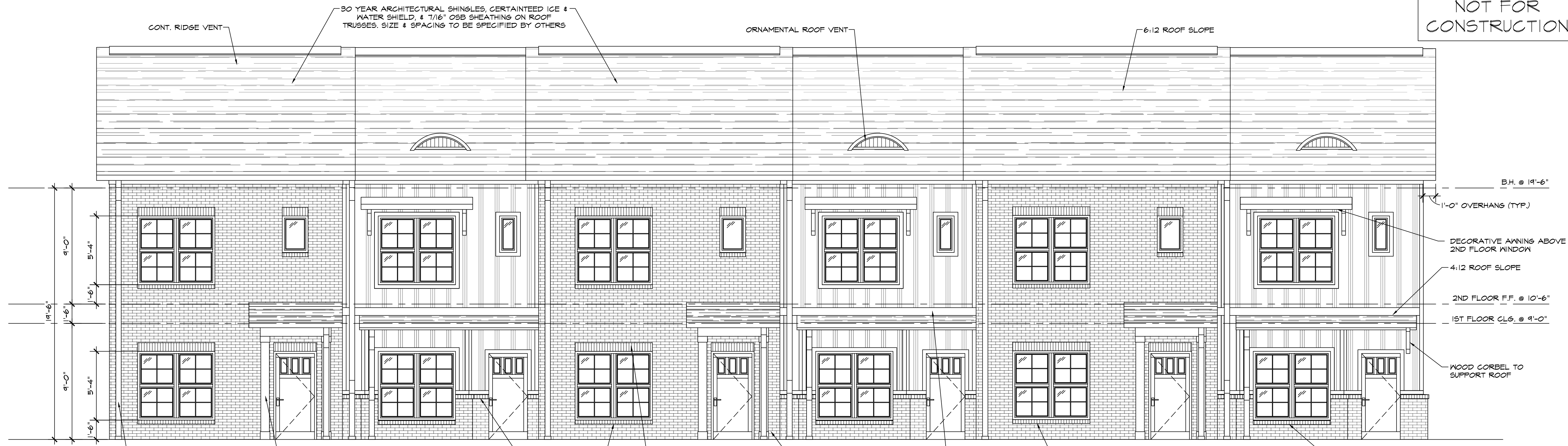


EST. 1987
ARCHITECT PA
222 CHURCH ST. N. CONCORD, NC 28025
T-704.768.8393 F-704.762.0487
WWW.CMOOREARCH.COM

NEW CONSTRUCTION
PEACHTREE TOWNHOMES
PEACHTREE ST., CONCORD, NC
PROJECT TITLE
SHEET TITLE
ELEVATIONS

TODAY'S DATE: 06.12.2023
SCHEMATIC DESIGN APPR. XXX
ORIGINAL SEAL DATE: XXXXXXXX
REVISIONS:

DRAWING #: 210507 ELLrev4
DRAWN BY: VLM/DCOK
PROJECT MGR: VLM
CHECKED BY: V. MOORE
SHEET
A-9
TOTAL # OF SHEETS: 13



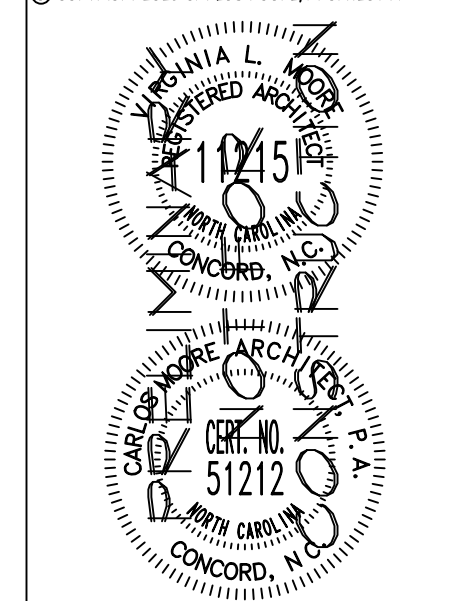
1 FRONT ELEVATION
SCALE 1/4"=1'-0"



2 REAR ELEVATION
SCALE 1/4"=1'-0"

PRELIMINARY
NOT FOR
CONSTRUCTION

NOTICE:
ALL FEDERAL, STATE, LOCAL CODES, ORDINANCES AND REGULATIONS SHALL BE CONSIDERED AS PART OF PLANS AND SPECIFICATIONS FOR THIS BUILDING AND SHALL TAKE PRECEDENCE OVER ANYTHING SHOWN, DESCRIBED OR IMPLIED HEREIN UNLESS OTHERWISE SPECIFIED.
THESE DRAWINGS ARE PRELIMINARY AND NOT INDICATING ALL CONDITIONS AND DETAILS AND ARE INTENDED TO BE USED BY EXPERIENCED NEIGHBORING ENGINEERS OR ARCHITECTS TO THE OTHERS. ALL CONDITIONS AND DIMENSIONS MUST BE IDENTIFIED BY THE CONTRACTOR PRIOR TO INSTALLATION. WORK PERFORMED NOT IN COMPLIANCE WITH THE INTENT OF THESE DOCUMENTS ARE THE RESPONSIBILITY OF THE PERSONS PERFORMING THE WORK. LIMIT OF LIABILITY IS THE AMOUNT OF FEE CHARGED.
THIS DRAWING AND THE INFORMATION HEREON IS THE PROPERTY OF CARLOS MOORE ARCHITECT. ANY REPRODUCTION, ALTERATION, OR USE FOR OTHER THAN THE INTENDED PROJECT, WITHOUT THE WRITTEN CONSENT OF CARLOS MOORE, IS STRICTLY FORBIDDEN.
© COPYRIGHT 2023 CARLOS MOORE ARCHITECT PA



EST. 1987
ARCHITECT PA
222 CHURCH ST. N. CONCORD, NC 28025
T-704.768.8393 F-704.762.0487
WWW.CMOOREARCH.COM

PROJECT TITLE:
NEW CONSTRUCTION
PEACHTREE TOWNHOMES
PEACHTREE ST., CONCORD, NC

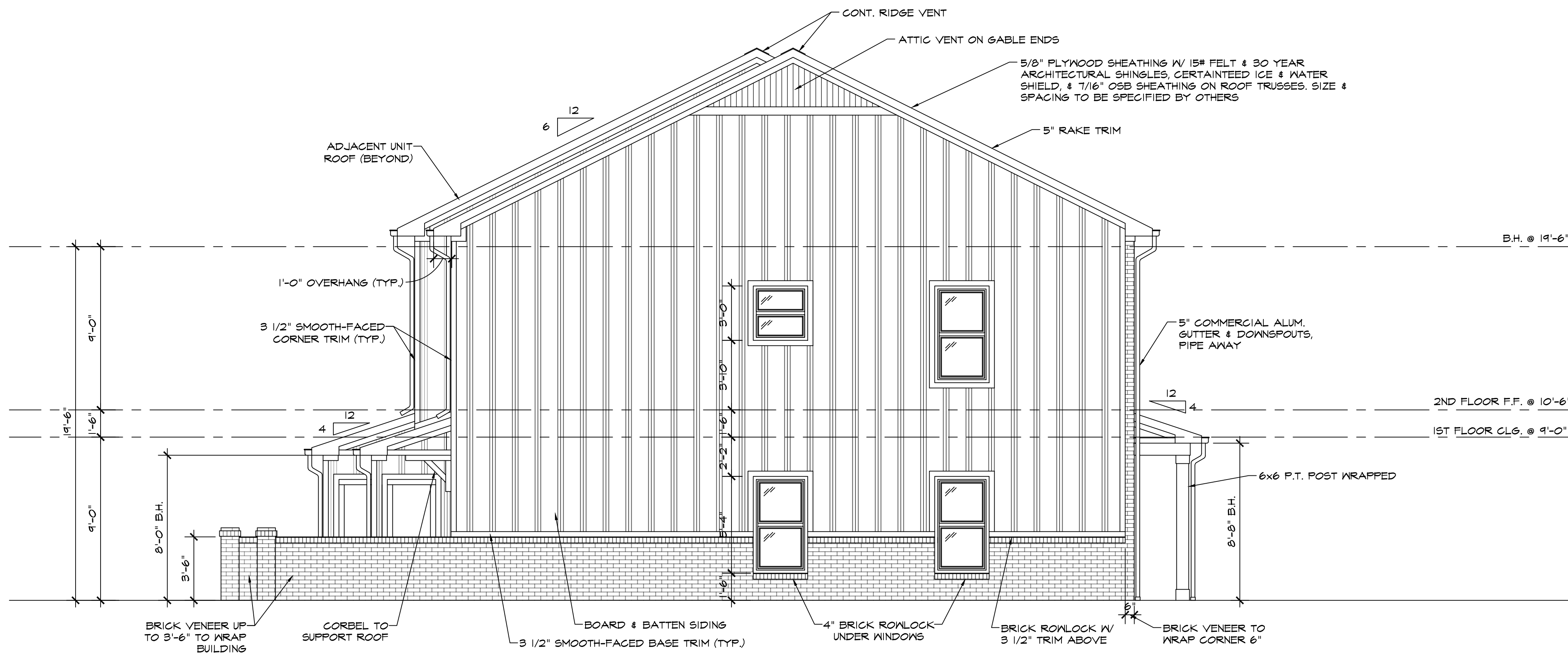
SHEET TITLE:
ELEVATIONS

TODAY'S DATE: 06.12.2023
SCHEMATIC DESIGN APPR. XXX
ORIGINAL SEAL DATE: XXXXXXXX

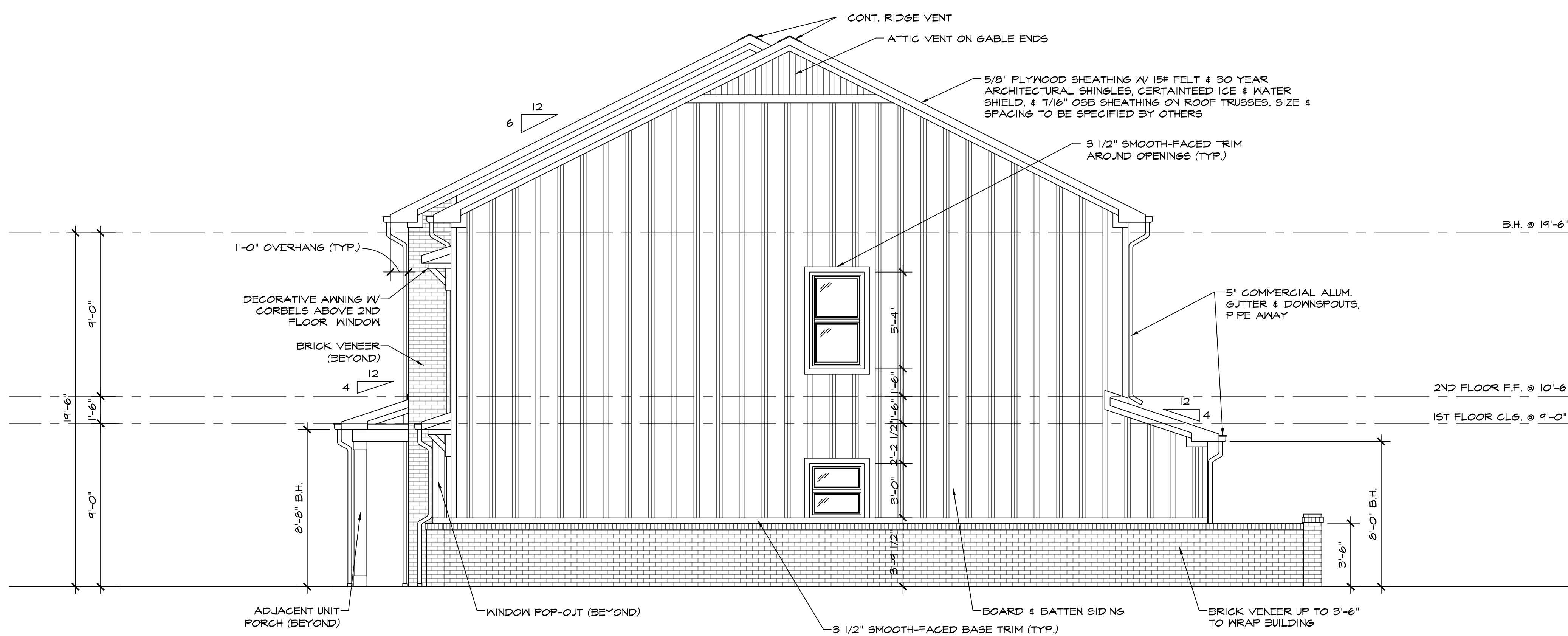
REVISIONS:

DRAWING #: 210507 EL2rev3
DRAWN BY: VLM/DCOK
PROJECT MGR: VLM
CHECKED BY: V. MOORE

SHEET
A-10
TOTAL # OF SHEETS: 13



1 LEFT ELEVATION
SCALE 1/4"=1'-0"

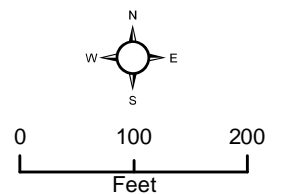
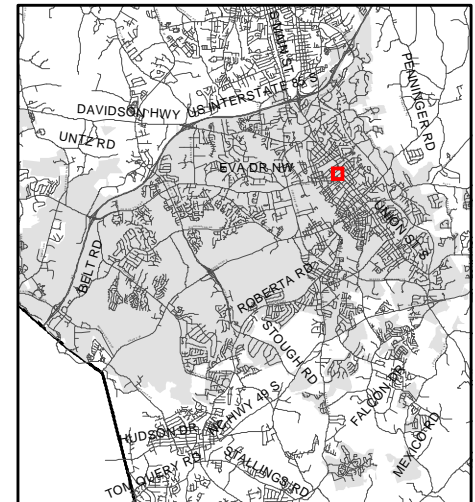
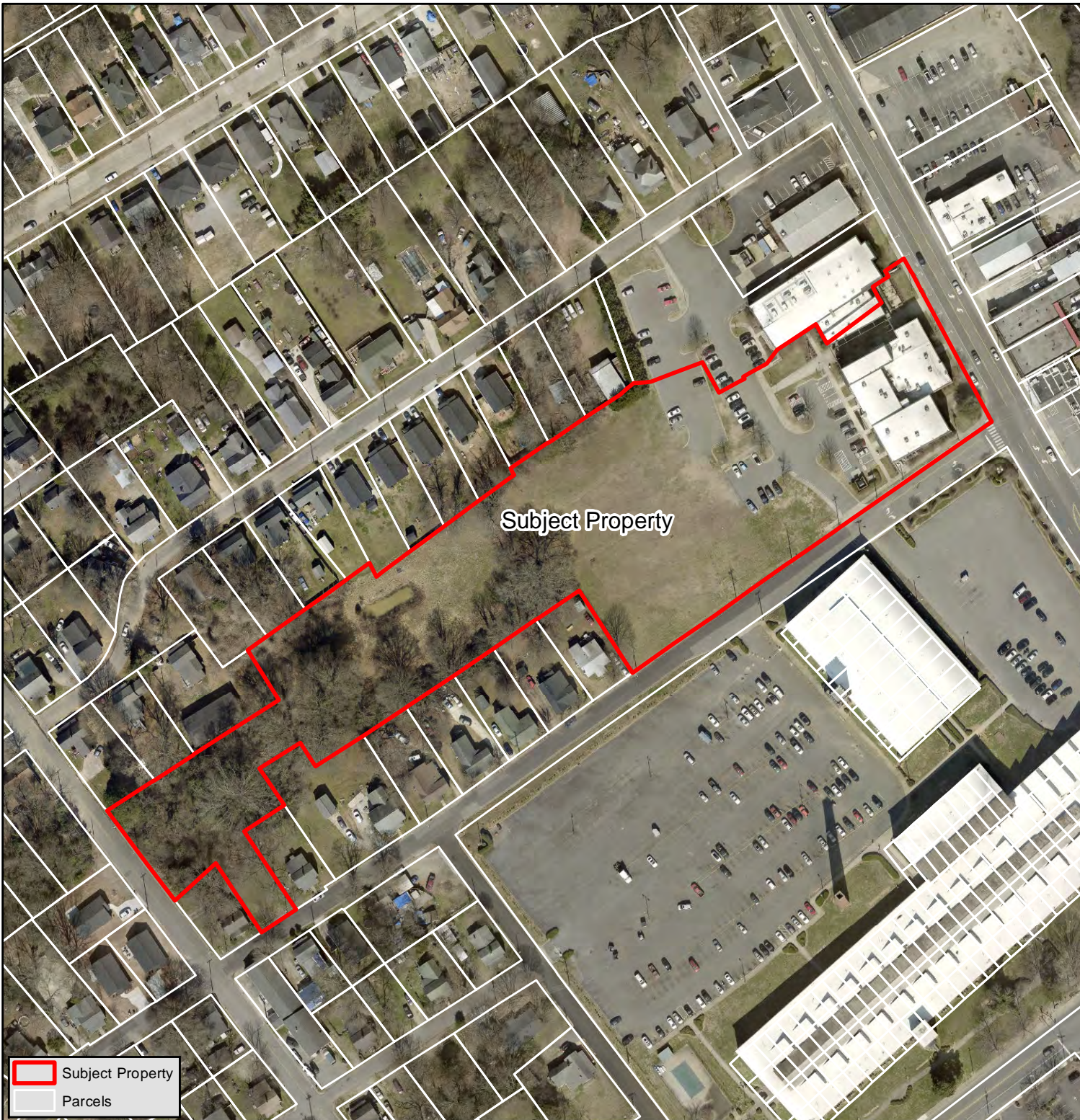


2 RIGHT ELEVATION
SCALE 1/4"=1'-0"

**Z(CD)-07-22
AERIAL**

**Rezoning application
C-2 (General Commercial) to
PUD (Planned Unit Development)**

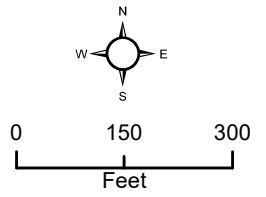
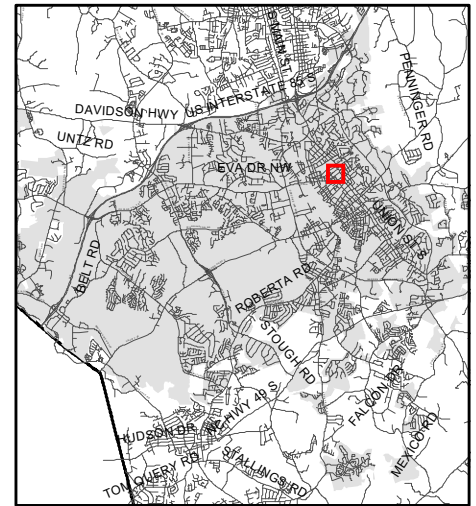
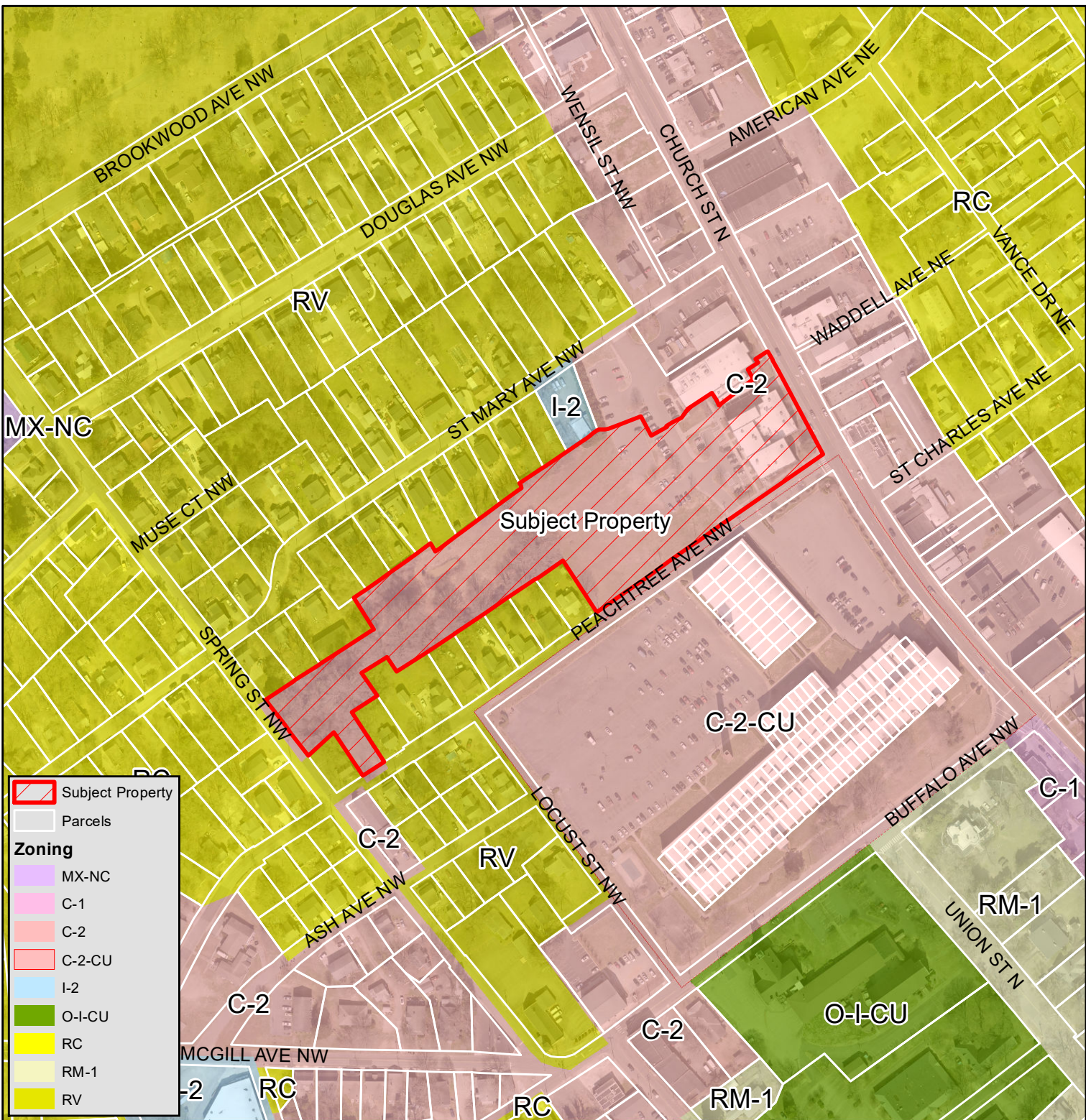
363 Church St N
PIN: 5621-51-8365

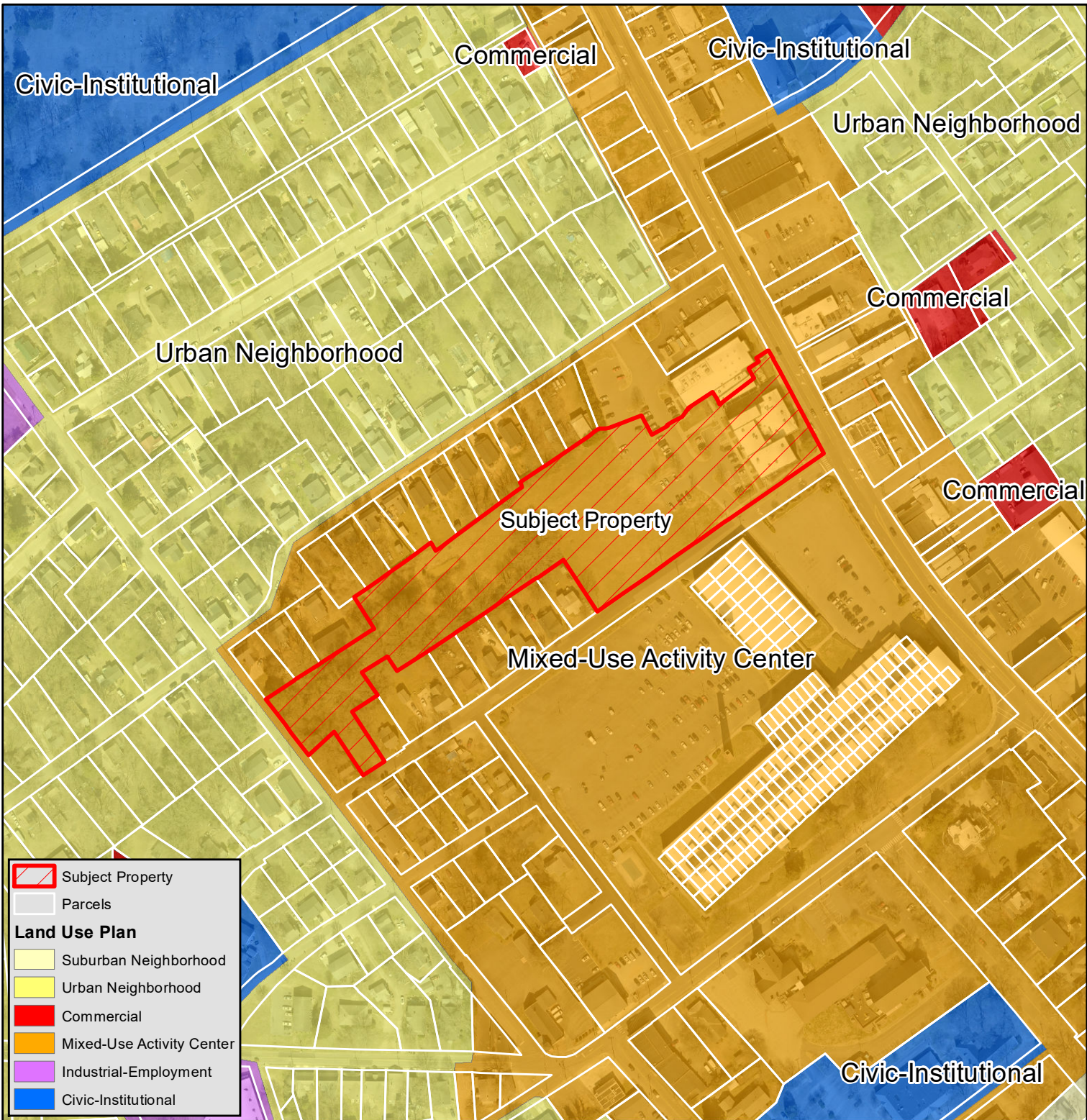


**Z(CD)-07-22
ZONING**

**Rezoning application
C-2 (General Commercial) to
PUD (Planned Unit Development)**

363 Church St N
PIN: 5621-51-8365





Civic-Institutional

Commercial

Civic-Institutional

Urban Neighborhood

Urban Neighborhood

Commercial

Subject Property

Commercial

Mixed-Use Activity Center

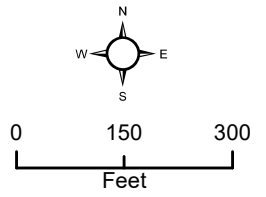
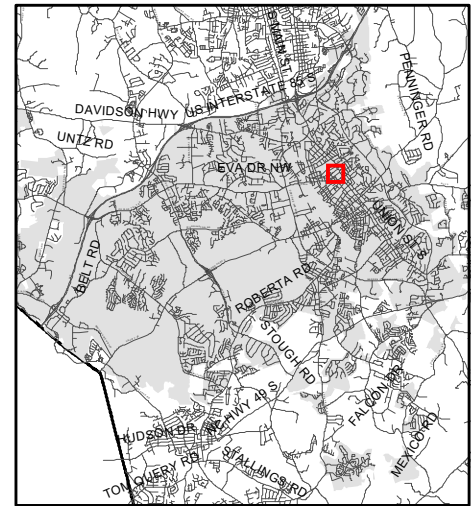
Civic-Institutional

	Subject Property
	Parcels
Land Use Plan	
	Suburban Neighborhood
	Urban Neighborhood
	Commercial
	Mixed-Use Activity Center
	Industrial-Employment
	Civic-Institutional

**Z(CD)-07-22
LAND USE PLAN**

**Rezoning application
C-2 (General Commercial) to
PUD (Planned Unit Development)**

363 Church St N
PIN: 5621-51-8365



Z(CD)-07-22

Rezoning application
C-2 (General Commercial)
to
PUD (Planned Unit Development)

Case Location

- Streets
- Lakes & Ponds
- Rivers
- Cabarrus Co.
- City of Concord
- Other Municipalities

