

Planning and Zoning Commission

DATE: May 16, 2023

REZONING CASE #: Z(CD)-07-23

ACCELA: CN-RZC-2023-00003

DESCRIPTION: Zoning Map Amendment

RM-2 (Residential Medium Denisty) to RV-CD (Residential

Village Conditional District)

APPLICANT/OWNER: Blake Troutman

LOCATION: 2564 Montford Ave. NW

PIN#: 5610-76-0765

AREA: +/- 0.86 acres

ZONING: RM-2 (Residential Medium Density)

PREPARED BY: Autumn C. James, Planning & Development Manager

BACKGROUND

The subject property consists of one (1) parcel comprising +/- 0.86 acres acres on the corner of Montford Ave. NW and Peigler St. NW. The property currently has one single-family residential building.

To the north of the property the zoning is RM-2 (Residential Medium Density) and the properties are single-family residential. The adjacent properties to the south and west are zoned RC (residential compact) and RM-1 (Residential Medium Density) with single-family residences. The adjacent porperties to the east are zoned RM-2 (Residential Medium Density). To the northwest, there are properties that are zoned RC-CD (Residential Compact Conditional District) and RV-CD (Residential Village Conditional District) that are single-family residential.

HISTORY

The subject property was annexed on 12/31/95 as a part of the large western forced annexation that filled a donut hole. It was initially zoned R-2 (residential) after annexation, then converted to RM-2 with the new UDO in 2000. The current residence was built in 1961, and was vacant land prior to that time. Blake Troutman acquired the property by deed recorded in the Cabarrus County Register of Deeds Book 16294 Page 0260 on November 29, 2022.

SUMMARY OF REQUEST

The applicant is requesting to rezone the subject property from RM-2 (Residential Medium Denisty) to RV-CD (Residential Village Conditional District) for the addition of one sngle-family home.

The Residential Village District is established to provide areas for detaches and attached single-family homes, with a maximum of eight dwelling units per acre, in areas where large-lot development is discouraged and facilities and services are available. RV supports the principles of concentrating urban growth and reinforcing exisiting community centers, allowing limited commercial development and mixed use structures.

The conditional zoning process allows particular uses to be established on case-by-case basis on a specific property. A petition for conditional zoning must include a site plan, drawn to scale, with supporting information and text that specifies the actual use or uses intended for the property and any proposed conditions that will govern development and use of the property. f a petition for conditional district zoning is approved, the conditions of approval shall become binding upon the property. Only those uses and structures indicated in the approved petition and site plan may be developed on the site.

Existing Zoning and Land Uses (Subject Parcel)					
Current Zoning of Subject Property	Zoning Within 500 Feet		Land Uses(s) of Subject Property	Land Uses within 500 Feet	
Troperty	North	RM-2 (Residential Medium Density)		North	Single-family residential
RM-2	South	RC (Residential Compact)		South	Single-family residential
(Residential Medium Density)	East	RM-2 (Residential Medium Density)	Residential	East	Single-family residential
	West	RM-2 (Residential Medium Density)		West	Single-family residential

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as "Suburban Neighborhoods (SN)." RV (Residential Village) *is listed* as a corresponding zoning district to the "Suburban Neighborhoods" land use category, and therefore is consistent with the land use plan.

The corresponding zoning districts for the "Urban Neighborhoods" land use category are RE (Rural Estate), RM-1 (Residential Medium Density), RM-2 (Residential Medium Density), PRD (Planned Residential Development District), C-1 (Light Commercial and Office), PUD (Planned Unit Development), RV (Residential Village), TND (Traditional Neighborhood Development), B-1

(Neighborhood Commercial), RL (Residential Low Density), O-I (Office-Institutional) and R-CO (Residential County Originated).

From the 2030 Land Use Plan – "Suburban Neighborhoods" (SN)

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.

Policy Guidance:

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.

- Infill Housing: Promote a variety of compatible infill housing types in areas with access to adequate facilities and services.
- 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.
- Mixed-Denisty Housing: Foster a compatible mix of higher density housing types at different densities within mixed-used activity centers and village centers.

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- 0.86 acres and currently zoned RM-2 (Residential Medium Denisty).
- The subject property was annexed on 12/31/95 as a part of the large western forced annexation that filled a donut hole. It was initially zoned R-2 (residential) after annexation, then converted to RM-2 with the new UDO in 2000. The current residence was built in 1961, and was vacant land prior to that time. Blake Troutman acquired the property by deed recorded in the Cabarrus County Register of Deeds Book 16294 Page 0260 on November 29, 2022.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as RV-CD (Residential Village Conditional District) is a corresponding zoning classification to the Suburban Neighborhood Land Use Category and meets the policy guidance to promote infill housing development and a mix of higher desnity housing types.

• The zoning amendment is reasonable and in the public interest as it is complementary to the use, design and density with the adjacent residential land uses.

OR

• The zoning amendment is not reasonable and in the public interest as the design is not compatible with the surrounding residential area.

SUGGESTED CONDITIONS

If approval is desired, staff recommends the following conditions:

- 1. Only one single-family residence to be added to this parcel.
- 2. Technical Plat review and approval is required including all approvals from outside local, state and federal agencies.

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.

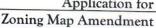
1.	Required Attachments / Submittals: Typed metes and bounds description of the property (or portion of property) in a Word
	document format.
2.	Cabarrus County Land Records printout of names and addresses of all immediately adjacent landowners, including any directly across the street.
3.	FOR CONDITIONAL 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.



Zoning Map Amendment

(Please type or print)

Applicant Name, Address, Telephone Number and email address: Blake Troutman (980) 622-2436 2564 Montford Ave NW troutmentental Ogmail.com Concord, NC 28027
Owner Name, Address, Telephone Number: Blake Troutman 2564 Montford Are.NW Concord, NC 28027
Project Location/Address: 2564 Montford Ave NW
Parcel Identification Number (PIN): 56107607650000
Area of Subject Property (acres or square feet): &
Lot Width: 193 ft Lot Depth: 180 fr
Current Zoning Classification: Rm - Z
Proposed Zoning Classification: RV - CD
Existing Land Use: Residential
Future Land Use Designation: Residential
Surrounding Land Use: North Residential South Residential
East Residential West Residential
Reason for request:
Create one single family home
Has a pre-application meeting been held with a staff member? Yes No
Staff member signature: Date:





THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

1. List the Use(s) P	roposed in the Proj	ect:		
Create o Will have	ne single easement	family to sew	residuer on	ntial home montford
		. o sew	New Orl	MONTFORD

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): Must have one unit on the single lot created

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.

Signature of Applicant

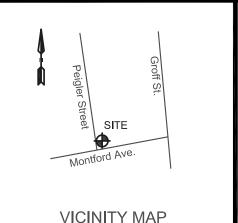
3/30/23



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: 3/30123	
Applicant Signature: 72/ 4	
Property Owner or Agent of the Property Owner Signature:	





S 84°54'10" W

N 05°06'42" W

	0.797 AC		
	Bearing	Distance	e
S 8	34°52'48" W	5.00'	

5.00'

5.00'

5' Private

Sewer Easement

To Serve Lot #2

625.04 sf

0.014 AC

Certificate of Exemption Plat Approval

I hereby certify that the proposed subdivision is exempt from the City of Concord subdivision ordinance and that the resulting lots meet the minimum standards of the Concord Development Ordinance.

Director of Planning and Neighborhood	Date
Development or Designee	

NOW OR FORMERLY

Grant Hitchcock Hodges & Wf. Dorothy L.

Deed Bk. 15145, Pg. 290

Lot #3, Map Bk. 74, Pg. 110

PIN #5610761912

Cabarrus Co. Registry

5' Rear Setback REBAR

Lot #1

27232.73 sf

0.625 AC

SET 1/2"

REBAR

Well

House

REBAR N 84°54'10" E 90.19'

Tie Line

REVIEW OFFICERS CERTIFICATE

State of North Carolina County of Cabarrus

I, Greg D. Belk, Review Officer of Cabarrus County, certify that the map or plat to which this certification is affixed, meets all statutory requirements for recording.

Review Officer	Date

NOW OR FORMERLY

Johanna Melissa Rivera & Hsb. Carlos R.

Deed Bk. 14536, Pg. 1

Tract #3, Map Bk. 54, Pg. 38

PIN #5610763997

Cabarrus Co. Registry

ŘÉBAR

NOW OR FORMERLY

Terry W. Hicks & Wf. Treva T.

Deed Bk. 8035, Pg. 308

Lots #3 & 4, Map Bk. 74, Pg. 110

PIN #5610762840

Cabarrus Co. Registry

Tie Line S 84°52'48" W 193.00'

LEGEND
R/W - RIGHT OF WAY

(Not to Scale)

- (F) FOUND
- (B) BENT
- a/s AS SHOWN EoP - EDGE OF PAVEMENT
- OHE OVERHEAD ELECTRIC
- AC AIR CONDITIONER
- ø POWER POLE
- WATER METER
- S SANITARY SEWER MANHOLE
- O SANITARY SEWER CLEANOUT

Certificate of Ownership and Offer of Dedication

I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the City of Concord, and that I hereby submit this plan of subdivision with my free consent, establish minimum building setback lines, and dedicate to public use all areas shown on this plat as streets, sidewalks, greenways, rights of way, easements, and/or open space and/or parks, except any of those uses specifically indicated as private, and I further dedicate all sanitary sewer, stormwater drainage and water lines that are located in any public utility easement or right of way and certify that I will maintain all such areas until accepted by the City of Concord, and further that I hereby guarantee that I will correct defects or failure of improvements in such area for a period of one year commencing after final acceptance of required improvements. Any streets indicated as private shall be open to public use, but shall be privately maintained. Said dedication shall be irrevocable provided dedications of easements for storm drainage, whether indicated as private or public, are not made to the City of Concord but are irrevocably made to the subsequent owners of any and all properties shown hereon for their use and benefit unless specifically designated a drainage easement to the City of Concord.

Owner	Date

North Carolina Cabarrus County

I, R. Scott Dyer, a Notary Public for said county and state, do hereby certify personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the _____day of _

R. Scott Dyer, Notary Public My commission expires 11/01/2026.

EXISTING ZONING

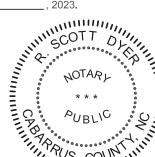
"RM-2" ZONING DIMENSIONAL STANDARDS

PROPOSED ZONING

"RV-CD" ZONING DIMENSIONAL STANDARDS

Accessory Structures

Min. Side Setback Min. Rear Setback



- ___ A. That this plat is of a survey that creates a subdivision of land within the the area of county
- ___ B. That this plat is of a survey that is located in such portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land;
- X D. That this plat is of a survey of another category, such as the recombination of existing
- ___ E. That the information available to this surveyor is such that I am unable to make a determination to the best of my professional ability as to provisions contained in A through D

PRELIMINARY Not for Conveyances, Sales or Recordation

NOTES:

* Deed Reference - Deed Bk. 15963, Pg. 90 Troutman Land Investments, Inc. Dated April 12, 2022 Recorded in Cabarrus Co. Registry * Map Reference - 2564 Montford Avenue NW Dated August 24, 2022

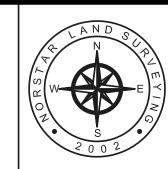
Unrecorded Plat Performed by R. Scott Dyer, PLS

* Map Reference - 3 Tracts - Groff Street Dated May 3, 2007 Map Bk. 54 Pg. 38 Recorded in Cabarrus Co. Registry

RÉBAR

Performed by R. Scott Dyer, PLS * Map Reference - Adam E. Smith Property Dated April 2, 1957 Map Bk. 11, Pg. 22 Recorded in Cabarrus Co. Registry Performed by Walter L. Furr, Jr., PLS

- * Property subject to recorded and unrecorded right of ways, easements and agreements as may appear.
- * Subject property is not located within a 100 year flood hazard area per
- Community Flood Panel #3710561000 K, dated November 16, 2018. * Total number of lots = 2 (1 before subdividing).
- * Current zoning: RM-2 * PIN #5610760765



NC NC YING, NORSTAR \geq

> Avenue PLA Montford XEMPTION \bigcirc \triangleleft 0

DATE March 20, 2023

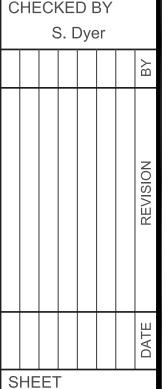
SCALE

0

1'' = 40'NLS NO.

22048 DRAWN BY

S. Kimrey **CHECKED BY**



OF

I, R. Scott Dyer, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 15963, page 90, etc.); that the boundaries not surveyed are clearly indicated as drawn from information found in Book n/a, page n/a; that the ratio of precision as calculated exceeds 1:10,000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 20th day of March, A.D., 2023.

R. Scott Dyer, PLS #4444

BAR GRAPH 1" = 40'

24' Front Setback 5' Public Utility RÉBAR RCF

(F) AXLE

L2

REBAR

Septic

Tank

N 84°54'10" E 193.00' Total

150.00'

Lot #2

7500.00 sf

0.172 AC

7' Side Setback

_____ S 84°54'10" W 150.00'

145.00'

S REBAR

Montford Avenue NW 40' Public R/W

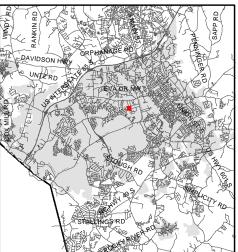
- I also certify to one or more of the following as indicated:
- or municipality that has an ordinance that regulates parcels of land;
- ___ C. That this plat is of an existing parcel(s) of land;
- parcels, a court-ordered survey or other exception to the definition of subdivision;



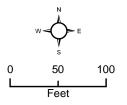
Z(CD)-07-23 AERIAL

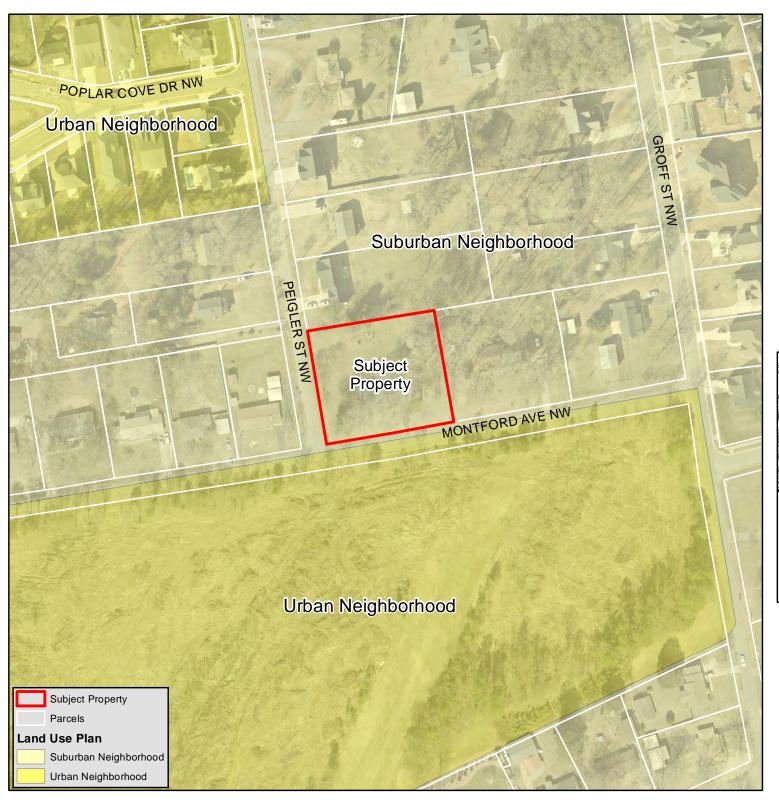
Rezoning application
RM-2 (Residential Medium
Density)
to
RV-CD (Residential Village
-Conditional District)

2564 Montford Ave NW PIN: 5610-76-0765





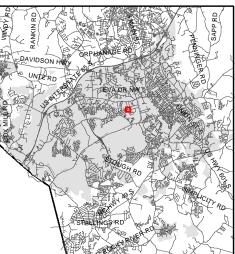




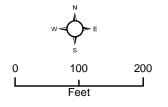
Z(CD)-07-23 LAND USE PLAN

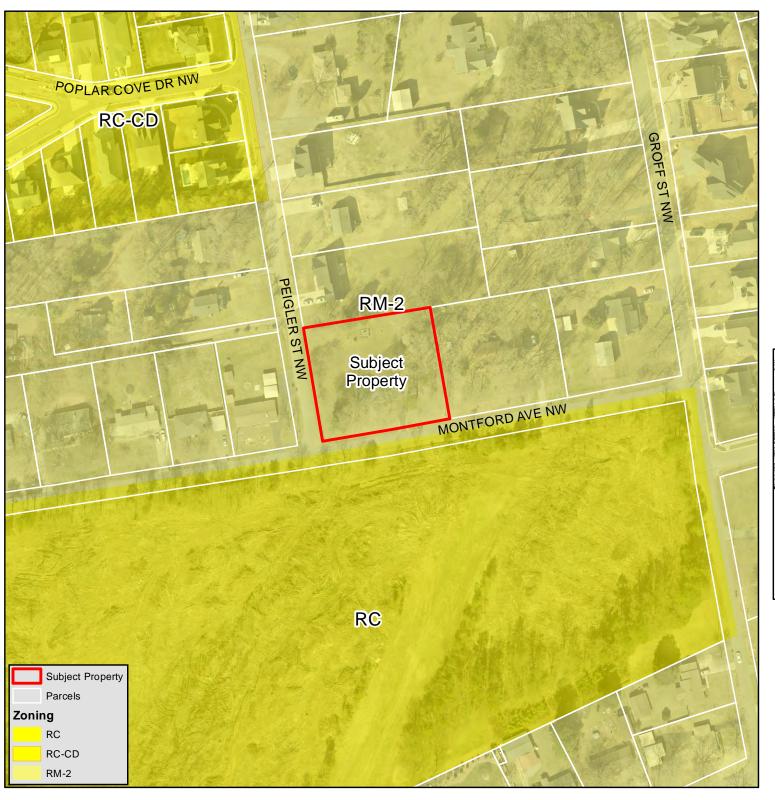
Rezoning application
RM-2 (Residential Medium
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2564 Montford Ave NW PIN: 5610-76-0765









Z(CD)-07-23 ZONING

Rezoning application
RM-2 (Residential Medium
Density)
to
RV-CD (Residential Village
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2564 Montford Ave NW PIN: 5610-76-0765

