



DATE: June 14, 2018

CASE #: Z (CD)-08-18 (Amended)

DESCRIPTION: Zoning Map Amendment
Residential Medium Density (RM-2) to Planned Unit
Development (PUD)

APPLICANT: Jaya One, LLC

OWNER: Amit Dhameja

LOCATION: 486 Union Street, South

PIN#s: PINs: 5630-23-2323

AREA: 2.079 +/- acres

ZONING: Medium Density Residential (RM-2)

PREPARED BY: Kevin E. Ashley, AICP Planning and Development Manager

BACKGROUND

This item was initially heard by Planning and Zoning Commission at their May 15 meeting. The item was approved by the required supermajority, but an appeal was filed within the required 15 days, therefore, final approval rests with City Council. The subject property consists of approximately two (2) acres on the west side of Union Street, South and bounded by Oakland Avenue, S.W., Spring Street, S.W. and Myrtle Avenue, S.W. The property is rectangular in shape and has approximately 240 feet of frontage on Union and Spring Streets, respectively and approximately 385 feet of frontage on Myrtle and Oakland Avenues. The property is improved with two single family homes. The main structure is approximately 5,300 square feet. According to Cabarrus County records, the home was constructed in 1950. According to the applicant, the home is in serious disrepair and its repair is cost prohibitive. An additional home is located near the Spring Street frontage and Cabarrus County records do not indicate the year of construction.

The property was zoned Medium Density Residential (R-2) under the previous zoning ordinance. When the UDO (now the Concord Development Ordinance) was adopted in 2000, zoning on all R-2 zoned properties became RM-2.

SUMMARY OF REQUEST

The applicant has requested to rezone the property from RM-2 to Planned Unit Development (PUD) in order to develop a single-family detached and attached (townhome) community. Under

the current zoning classification the property could have been developed, on a gross density basis (10,000 square foot lots), with nine (9) single family homes. Depending upon actual design and layout of the lots, the actual number of homes on a net basis would likely be somewhat less.

Planned Unit Development zoning is intended to allow innovative approaches for projects that contain more than one land use type. Typically a PUD must contain nonresidential uses, but the staff has the ability to allow development as an “infill” project when nonresidential uses are in the general vicinity. In this instance, nearby nonresidential uses include R. Brown McAllister Elementary School to the northeast and a small commercial area to the south on Wilshire Avenue. Furthermore the property is roughly 5 to 6 blocks from both Downtown and the South Union shopping center. It is the opinion of the staff that the presence of these uses, and the location of the property is adequate to qualify the project as an “infill” PUD.

The site plan illustrates two (2) single family detached dwellings on the Union Street frontage and twenty two (22) attached single family homes on the frontage of Myrtle and Oakland Avenues. No new access points are proposed on Union Street. The two detached homes will have vehicular access off of the side streets. These homes are anticipated to be approximately 2,400 square feet in size. The developer has indicated that these structures will be of similar design to the adjacent homes on Union Street. Architectural renderings were presented for these two homes at the Planning Commission meeting.

Eleven (11) attached homes are located along the Oakland frontage and eleven (11) along the Myrtle frontage. Each townhome is proposed to be approximately 1,650 square feet in size and will include a one-car garage. These dwellings will be accessed by a street on the midpoint of the Spring Street frontage. Major pedestrian focal points are located along the Union Street and Myrtle and Oakland frontages. The street serving the units is proposed to be one-way and will include a garden area within the circle. The aprons for the garages and the areas between the structures and Myrtle/Oakland will be finished with pervious pavers, which will allow infiltration of stormwater and the ultimate reduction of the size of the stormwater retention facility. The pervious pavers are also desirable in that they are a major feature of low-impact development as they allow greater infiltration of stormwater as opposed to standard retention/detention.

The architectural elevations for the attached dwellings include the use of contrasting building materials for each unit. Building height is approximately thirty feet, which is consistent with maximum building height for single family detached structures. Minimum building setbacks are approximately twelve (12) feet from both Myrtle and Oakland. The rear elevations (facing Oakland and Myrtle) are proposed to be finished to resemble front elevations, and pervious pavers are proposed for the patios at the base of those building walls. The perimeter buffer for the attached dwellings is intended to be enhanced with shrubbery to provide screening on these frontages. The applicant submitted perspective renderings at the hearing. The applicant also intends to save as many trees as possible, particularly those adjacent to the Union Street frontage.

The proposed development equates to approximately 11.5 dwelling units per acre. The current zoning of RM-2 allows for the development of four units per acre and the adjacent Residential Compact (RC) zoning allows for development of fifteen (15) units per acre. PUD zoning does not specify maximum residential densities.

At the hearing, the petitioner agreed to provide an additional ten (10) parking spaces within the interior of the development.

Required open space for PUD zoning is 24% whereas the required minimum open space for RM-2 zoning is 8%. Proposed open space in this development is approximately 70% (including the yards for the single family detached dwellings).

The applicant conducted the required neighborhood meeting on May 2, in accordance with Article 3 of the CDO.

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	
Residential Medium Density (RM-2)	North	RM-2 and RC	Single family residential	North	Single family residential
	South	RM-2 and RC		South	Single family residential
	East	RM-2 and RC		East	Single family residential
	West	RC		West	Single family residential

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 LUP designates the subject property as “Urban Neighborhood.” This land use category allows for a variety of housing types stating, “*These neighborhoods are relatively compact, and may contain one or more of the following housing types: small lot, single family detached, townhomes, condominiums or apartments. The design and scale of development in an urban neighborhood encourages active living with a complete and comprehensive network of walkable streets*”

Guidance specific to the Urban Neighborhood specifies that PUD (Planned Unit Development) is a corresponding zoning classification and advises that development should include:

- *Internal/external pedestrian connectivity is important in Urban Neighborhoods.*
- *Architecture and building scale/massing should fit within the surrounding context. This is particularly important for infill sites.*

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

Fostering infill and redevelopment: *A key element of the City’s character is the combination of traditional neighborhood development patterns and newer, more suburban development patterns. Where compatible, infill and redevelopment should be targeted in key areas that have the infrastructure and community facilities in place to absorb the additional intensity. Infill is most desirable within identified Mixed-Use Activity Centers, Village Centers and Urban Neighborhoods.*

Ensuring compatibility between neighboring land uses: *As the diversity of uses and housing types increases, the potential for incompatibility increases. To maintain compatibility between adjacent uses, the City will need to ensure that there are seamless transitions between uses which will require a combination of separating certain uses, buffering between uses, and addressing the*

design, scale, height, orientation and intensity of development as appropriate to the land use transition and the site.

Capitalizing on the unique areas of Concord: *As Concord has grown, sub-sections of the community have taken shape with unique characteristics. In addition to addressing Concord's overall character, it is important to look at how these areas contribute to the vitality of Concord as a whole and ensure that new development and redevelopment preserve and enhance the character-defining qualities of each area. The City's implementation of existing and new small area plans provides an adaptable platform for the design qualities, needs and opportunities in each of the areas.*

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

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 to 4.3:

- ***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.*

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately 2.079 acres.
- The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) as Planned Unit Development (PUD) is considered a corresponding zoning district to the urban neighborhood land use designation. Single-family attached and detached dwellings are also an option for infill development within the urban neighborhood designation, specifically in areas of the City where infrastructure is available. Furthermore, the request meets the Policy Guidance for Objectives 4.1 to 4.3 as a transition between the lower intensity single family detached dwellings along Union Street and the higher density Residential Compact zoning along Spring Street.
- The zoning amendment is reasonable and in the public interest because it demonstrates compatibility with the 2030 Land Use Plan as it relates to compatibility and transition of uses with existing neighborhoods, provides pedestrian connectivity, and creates an innovative infill project with a mixture of housing types.

SUGGESTED RECOMMENDATION AND CONDITIONS

The staff finds the request consistent with the 2030 Land Use Plan. The plan also meets the

requirements of the Concord Development Ordinance. 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.”**

In the event that the Commission approves the petition, staff recommends the following conditions:

1. Compliance with the “Arbors on Union” conceptual site plan and architectural renderings (four pages), “House Front Elevation” and “House Side Elevation”, and the Site Concept plan dated 4/17/18;
2. The development shall meet all applicable City requirements including minimum Fire Code;
3. Applicant commits to an additional 10 internal parking spaces to be located on the circular drive; and
4. Preliminary subdivision approval and technical site plan shall be required.

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.

(Please type or print)

Applicant Name, Address, Telephone Number and email address: JAYA ONE LLC
349-L COPPERFIELD BLVD, #225, CONCORD,
NC 28025 | Tel: (267) 736-0759

Owner Name, Address, Telephone Number: AMIT DHAMEJA
349-L COPPERFIELD BLVD, #225, CONCORD, NC 28025
(267) 736-0759 | amit.dhameja@gmail.com

Project Location/Address: 486 UNION ST. S, CONCORD, NC 28025

P.I.N.: 5630 232323 0000

Area of Subject Property (acres or square feet): 2.079 acres

Lot Width: 243' Lot Depth: 388'

Current Zoning Classification: RM-2

Proposed Zoning Classification: PUD

Existing Land Use: Residential

Future Land Use Designation: Residential

Surrounding Land Use: North Residential South Residential / Multifamily
East Resi / Multifamily West Residential

Reason for request: Redevelopment of the proposed
lot & area

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

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:

The project retains the single family use of the lot.

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):

Please refer to the attached site plan. The project adheres to PUD zoning requirements while remaining consistent with the neighborhood. The architect has invested significant efforts to maximize green space while targetting optimal traffic flow. As much flora as possible will be conserved, including the bulbs, which will be replanted.

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 3/14/2018
Date


Signature of Owner(s) 3/14/2018
Date

SITE DATA

Total Acreage = 2.07 AC
Existing Zoning = RM - 2
Proposed Zoning = PUD

Proposed two single-family homes facing Union Street at approximately 2,400 SF plus a two car garage. The average house size is 2344 SF.

20 Townhomes are proposed at approximately 1,650 SF +/- with a 230 SF +/- garage and 2 townhomes at approximately 2,400 SF +/- . These townhomes are for sale.

We are proposing an internal garden area for butterflies, vegetation, gathering and possibly a vegetable garden area.

Materials shall be compatible with the Union Street neighborhood. Sidewalk and pedestrian paths are being planned to each of the four streets.



THE  ARBORS ON UNION

 ARCHITECT, P.A.
222 Church Street North
Concord, NC 28025



CONCEPTUAL FRONT ELEVATION



CONCEPTUAL BACK ELEVATION



A. PERVIOUS PAVERS



B. RED BRICK



C. WHITE BRICK



D. DARK BRICK

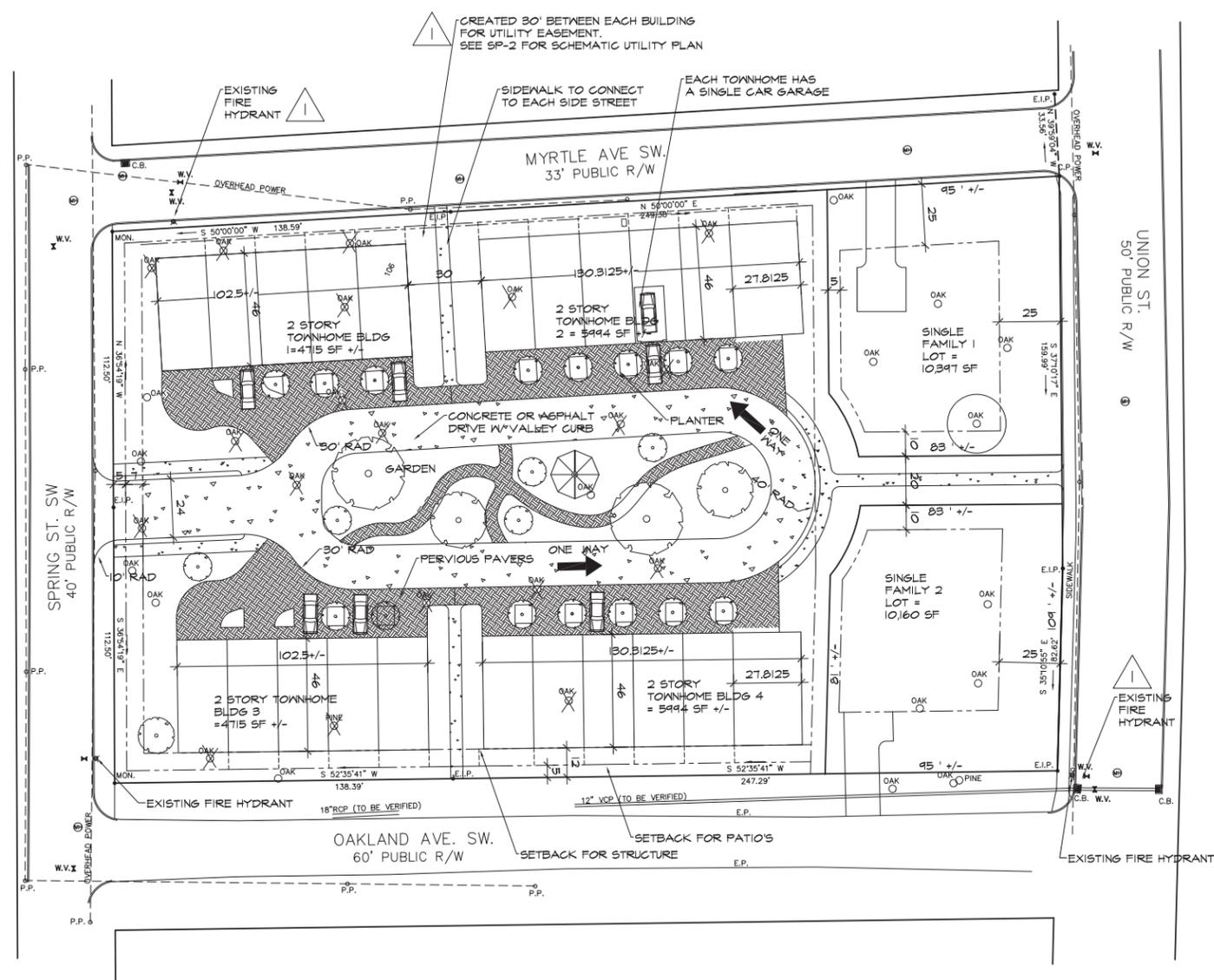
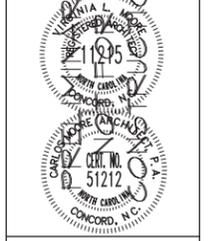


E. STONE PAVERS

THE ARBORS ON UNION



NOTICE:
ALL FEDERAL, STATE, LOCAL, CODES, ORDINANCES AND REGULATIONS SHALL BE CONSIDERED AS PART OF PLANS AND SPECIFICATIONS FOR THE BUILDING AND SHALL TAKE PRECEDENCE OVER ANYTHING SHOWN HEREON OR IMPLIED THEREIN UNLESS OTHERWISE SPECIFIED.
THESE DRAWINGS ARE PRELIMINARY; NOT INDICATING ALL CONDITIONS AND DETAILS, AND ARE INTENDED TO BE USED BY ENGINEERS, ARCHITECTS, CONTRACTORS AND OTHERS AS A GUIDE ONLY. ALL CONDITIONS AND DIMENSIONS MAY BE VERIFIED 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 THEREON 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 ARCHITECT, IS STRICTLY PROHIBITED.
© COPYRIGHT 2018 CARLOS MOORE ARCHITECT PA



SITE DATA:
TOTAL ACREAGE = 2.07 AC
PIN = 5630-23-2323
EXISTING ZONED RM-2
PROPOSED TO BE PUD

EXISTING IMPERVIOUS SURFACE:
MAIN HOUSE AT 486 UNION ST S. = 5008.72 SF
OTHER HOUSE AT 489 = 1616.96 SF
DRIVES & WALKS = 1341.97 SF
TOTAL = 8624.42 SF

PROPOSED IMPERVIOUS SURFACE:
2 SINGLE FAMILY HOMES FACING UNION STREET = 3552 SF
DRIVES FOR 2 SINGLE FAMILY = 1337.5 SF

TOWNHOME BUILDINGS 1,2,3 & 4 = 21,318 SF

PROPOSED DRIVE = 10,509.38 SF

TOTAL NEW = 31,827.38 SF
EXISTING = 8,624.42 SF
NET ADDED = 23,202.96 SF

TOTAL ACREAGE ON ENTIRE PARCEL = 2.07 AC = 90,169.2 SF

23,203 / 90,169.2 = .257 * 100 = 25.7 % IMPERVIOUS SURFACE.
50% IS ALLOWED

UNDERGROUND DETENTION REQUIRED

ALL TOWNHOMES HAVE A GARAGE AND PARKING SPACE IN FRONT.
TOWNHOMES SHALL BE STEPPED 1-2 FEET AT LOCATIONS FOR GRADE TO CREATE MINIMUM IMPACT ON SITE.

SITE SHALL BE OPEN TO THE PERIMETER (NO PERMANENT FENCING SURROUNDING THE PERIMETER.)

1 SITE CONCEPT PLAN
SP-1 1" = 30'-0"

- Notes:
1. Iron pins at all lot corners unless otherwise noted.
 2. Error of closure 1:10,000
 3. Property may be subject to recorded or unrecorded rights-of-way or easements not observed.
 4. Property is not located within 2000' of a NCGS monument.
 5. City sewer and water is available.
 6. This survey is of an existing parcel of land.
 7. All elevations are local, not tied to any vertical datum.

LEGEND

---	SETBACKS
•	NEW IRON PIN
•	CONCRETE MONUMENT
•	EXISTING IRON PIN
---	BOUNDARY LINE
E.P.	EDGE OF PAVEMENT
W	WATER VALVE
⊙	POWER POLE
⊙	MANHOLE
■	CATCH BASIN

OWNER:
JAYA ONE LLC
349L COPPERFIELD BLVD. NE#3225
CONCORD N.C. 28025

PRELIMINARY NOT FOR SALES, CONVEYANCES OR RECORDATION	 4485 NEEDMORE RD. WOODLEAF, N.C. 27054 PHONE (704) 577-8429 F-1064	PHYSICAL SURVEY OF 486 UNION ST. S. CONCORD N.C. 28025	DESCRIPTION: BOUNDARY SURVEY Scale: 1" = 30' Date: 3/13/18
		PROJECT MGR. XXX CHECKED BY. V. MOORE SHEET SP-1 OF X TOTAL # OF SHEETS X	

PROJECT TITLE:
TOWNHOME DEVELOPMENT
486 UNION ST SOUTH
486 UNION ST S, CONCORD NC

SHEET TITLE:
SITE CONCEPT PLAN

TODAY'S DATE: 04.17.2018
SCHEMATIC DESIGN APPR. XXXX
ORIGINAL SEAL DATE: XXXX

REVISIONS:
CITY COMMENTS.
04.17.2018

DRAWING NUMBER: 180205 SP5
DRAWN BY: XXX





HOUSE FRONT ELEVATION



HOUSE SIDE ELEVATION

