



Planning and Zoning Commission

DATE: January 21, 2025

REZONING CASE #: Z(CD)-08-24

ACCELA: CN-RZC-2024-00008

DESCRIPTION: Zoning Map Amendment

MX-IB (Mixed Use - Industrial Business) to C-2-CD (General Commercial) and I-1-CD (Light Industrial -

Conditional District)

APPLICANT/OWNER: M&K Land LLC

LOCATION: 400 & 550 Woodhaven Pl NW

PIN #: 4690-66-6531 & 4690-67-1034

AREA: +/- 26.97 acres

ZONING: MX-IB (Mixed Use - Industrial Business)

PREPARED BY: George Daniels, Senior Planner

BACKGROUND

The subject property consists of two parcels comprising +/- 26.97 acres on the west side of Woodhaven Pl NW between Interstate 85 and Poplar Tent Rd. The property is currently undeveloped.

North of the property is Interstate 85, the zoning is a mix of I-2 (General Industrial and I-1 (Light Industrial). The property wraps around the existing Station at Poplar Tent apartment development which is zoned MX-IB (Mixed Use – Industrial Business). To the east across Woodhaven PI NW there are two properties with I-1 (Light Industrial) zoning, also an area of AG (Agricultural) zoning and a vacant tract zoned O-I (Office -Institutional). To the south across Poplar Tent Rd is the Gable Oaks single-family neighborhood that is zoned RC (Residential Compact), and the Poplar Tent Presbyterian Church zoned O-I (Office-Institutional). The property abuts an existing undeveloped parcel zoned I-1 (Light Industrial) to the southwest, and the remaining area of MX-IB (Mixed Use – Industrial Business) to the west.

HISTORY

The property was annexed into the City effective December 31, 1995, as part of the large western area annexation. M&K Land LLC acquired the property in July 2017. The existing zoning of MX-IB (Mixed Use - Industrial Business) was established at the 11/18/2008 Planning and Zoning Commission meeting. Previously the property was zoned a majority of I-1 (Light

Industrial), with smaller areas of O-I (Office-Institutional), AG (Agricultural) and C-2 (General Commercial). American Development Industries, Inc had planned a mixed-use residential, commercial and office development. However, this development did not move forward and the Station at Poplar Tent apartments were constructed on part of the MX-IB area. Also, two medical offices have been constructed on the northwest corner of Poplar Tent Rd and Woodhaven PI NW.

SUMMARY OF REQUEST

The applicant is requesting to rezone the subject property from MX-IB (Mixed Use - Industrial Business) to C-2-CD (General Commercial - Conditional District) and I-1-CD (Light Industrial - Conditional District).

The site plan shows three industrial/office flex buildings and one indoor self-storage facility in the area requested as I-1-CD (Light Industrial - Conditional District). For the area requested as C-2-CD (General Commercial) a daycare and commercial buildings are shown.

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. If 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. The plan has also been reviewed by the Development Review Committee and there are no objections to the petition.

]	Existing Zoning	and Land Uses (Subj	ect Parcel)
Current Zoning of Subject Property	Zonin	ng Within 500 Feet	Land Uses(s) of Subject Property	Land 1	Uses within 500 Feet
	North	I-1 (Light Industrial), I- 2 (General Industrial)		North	Interstate highway and undeveloped
MX-IB	South	RC (Residential Compact), O- I (Office- Institutional)		South	Single-family residential, church
(Mixed Use – Industrial Business)	East	MX-IB (Mixed Use – Industrial Business), I-1 (Light Industrial), AG (Agricultural), O-1 (Office- Institutional)	Undeveloped	East	Industrial, Single-family residential, vacant

West	MX-IB (Mixed Use – Industrial Business), I-1	West	Undeveloped
	Business), I-1 (Light Industrial)		1

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as "Mixed-Use Activity Center" (MUAC). C-2 (General Commercial) and I-1- (Light Industrial) are *listed* as a corresponding zoning district to the "Mixed-Use Activity Center" land use category, and therefore is consistent with the land use plan.

The corresponding zoning districts for the "Mixed-Use Activity Center" land use category are RV (Residential Village), RC (Residential Compact), O-I (Office and Institutional), CC (City Center), TND (Traditional Neighborhood Development), MX-NC (Mixed Use-Neighborhood Center), MX-CC1 (Mixed Use-Commercial Center Small), MX-CC2 (Mixed Use-Commercial Center Large), MX-IB (Mixed Use-Industrial/Business Center), PRD (Planned Residential Development), C-1 (Light Commercial and Office), C-2 (General Commercial), PUD (Planned Unit Development), I-1 (Light Industrial).

FROM THE 2030 LAND USE PLAN - "MIXED USE ACTIVITY CENTER" (MUAC)

The intent of the Mixed-Use Activity Center (MUAC) Future Land Use category is to identify areas that serve broader economic, entertainment, and community activities as compared to mixed-use neighborhoods. Uses and buildings are located on small blocks with streets designed to encourage pedestrian activities. Buildings in the core of the mixed-use center may stand three or more stories. Residential units or office space may be found above storefronts. Parking is satisfied by using on-street parking, structured parking, and shared rear-lot parking strategies. Structured parking should be encouraged to be incorporated into the principal structure.

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. Areas designated as Mixed-Use Activity Centers Future Land Use category are large geographic areas located at key intersections of major transportation corridors, that have high growth potential, where the infrastructure can support denser development. Mixed Use Activity Centers are located along major corridors where transit facilities are currently planned or envisioned in the future. Mixed-Use Activity Centers may not necessarily be constructed as a single development at one time. The very nature of these areas allows them to be approved in phases and to evolve over time into an area made up of a mix of land uses, usually centered on some type of public transit facility, which affords people the opportunity to live, work, shop and, in some cases, have immediate access to recreation facilities in one general area. It is also the goal of these districts to reduce vehicle trips by making them single destination points for multiple consumer needs.

The intent of the Mixed-Use Activity Center designation is to encourage the development of a mixture of complementary uses that will function as an integrated center allowing for pedestrian

connections between developments and uses. Each of the eleven proposed Mixed-Use Activity Center locations identified on the Land Use Plan have different characteristics and will develop uniquely. The size of these areas is relatively large, with the intent that mixed use development should occur within a one-half mile radius of a transit stop (an estimated ten minute walking distance). Due to the fact that each area designated as a MUAC, applying one development solution to each is not practical. The key is to coordinate development of each parcel within the context of the larger District. Coordinating connectivity and planning for future uses will be critical in this process.

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 1.3: Ensure that the Future Land Use Map allows sufficient development opportunities to meet existing and projected needs for residential, commercial, industrial and other land uses.

 Monitor Land Use: Monitor existing, approved and planned land uses and compare development capacities with projected demands for all types of residential and nonresidential development. The Future Land Use Map should provide adequate land to meet projected demands and provide market flexibility throughout the City.

The following goals from the recently adopted Strategic Plan also relate to the proposed zoning amendment:

Goal 2: Create Economic Opportunities for Individuals and Businesses Support business expansion and job creation initiatives.

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- 26.97 acres and currently zoned MX-IB (Mixed Use Industrial Business).
- The subject property was annexed into the City effective December 31, 1995.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as C-2-CD (General Commercial Conditional District) and I-1-CD (Light Industrial Conditional District) are corresponding zoning classifications to the Mixed-Use Activity Center Land Use Category.
- The zoning amendment is reasonable and in the public interest as it is complementary to the use, design and character of the surrounding land uses.

OR

• The zoning amendment is not reasonable and in the public interest as it is not complementary to the use, design and character of the surrounding land uses.

SUGGESTED RECOMMENDATION AND CONDITIONS

- 1. Compliance with "Woodhaven Commons Master Plan," Sheet 1, dated December 30, 2024.
- 2. Compliance with "Woodhaven Commons Elevations," Sheet 3, dated December 30, 2024.

- 3. All signage will be permitted separately from this conditional rezoning approval.
- 4. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.
- 5. Future modifications/additions to the approved site plan may require further approval from the Planning and Zoning Commission.

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.



Zoning Map Amendment

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.
X	2.	Cabarrus County Land Records printout of names and addresses of all immediately
		adjacent landowners, including any directly across the street.
<u></u>	3.	FOR CONDITIONAL DISTRICT APPLICATIONS ONLY, a plan drawn to scale
X	٥.	
		(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. SCHEDULED FOR 6/18/24, LETTER COPY ATTACHED, LETTER TO BE MAILED 6/7/24
	5.	Money Received by Date:
		Check # Amount: \$ 800.00 (Conditional) or \$600 (Conventional)
		Cash:
		The application fee is nonrefundable.



(Please type or print)

Applicant Name, Address, Telephone Number and em	
C/O Marshall Jones, 16824 Green Dolphin Lane, Corn 704.807.7014 mj36000@gmail.com	lellus, NC 28031
Owner Name, Address, Telephone Number: M&K LAN C/O Marshall Jones, 16824 Green Dolphin Lane, Corn	ND LLC nelius, NC 28031
704.807.7014 mj36000@gmail.com	
Project Location/Address: 400 & 550 Woodhaven Pla P.I.N.: 46906665310000 and 46906710340000	ce NW, Concord, NC 28027
Area of Subject Property (acres or square feet): 26.96	8 acres
Lot Width: Irregular Lot Depth: Irre	gular
Current Zoning Classification: MX-IB	
Proposed Zoning Classification: CU-I-1 AND CU-C-2	
Existing Land Use: Vacant	
Future Land Use Designation: Mixed use, office, com	mercial and industrial
Surrounding Land Use: North Vacant and I-85	South Single family and church campus
East single & multi-family, & vaca	nt West
Reason for request: Zoning to accommodate office, co	ommercial and industrial development
Has a pre-application meeting been held with a staff m	nember? Yes, and TRC with comments
Staff member signature:	Date:



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.

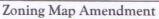
Date: 5-4-24

Applicant Signature: __

Property Owner of Agent of the Property Owner Signature:

MUKLAND LLC

By DAJO MARGHOU JONES JR





THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

List the Condition(s) you are offering as part of this project. Be specific with each descript (You may attach other sheets of paper as needed to supplement the information): The development will include walking/jogging trails, a gazebo and extensive natural areas along the stream in the northern portion of the property. make this request for Conditional district zoning voluntarily. The uses and conditions described aborefered of my own free will. I understand and acknowledge that if the property in question is rezonguested to a Conditional District the property will be perpetually bound to the use(s) speciathorized and subject to such conditions as are imposed, unless subsequently amended as provided to City of Concord Development Ordinance (CDO). All affected property owners (or agents) must application 5 - 4 - 24	You may attach other sheets of paper as needed. The development will include walking/jog	ed to supplement the information): ogging trails, a gazebo and extensive
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THE MAIS !	HAM JONES JR NEMBER	By DAVID MORSHALL JOIZ INF MONAGING MEMBER

PROPOSED USES

Mixed Use Dwelling/Live Work

Congregate Care Senior Housing

Library, Public

Child Care Center (not including home day care)

School, Business

School, Trade

All Government Facilities except for Correctional

Institutions

Passenger Terminals to include Public Transportation

Systems and Bus Charter Services

Indoor Recreation to include indoor firing and archery

range, performing arts, health club and fitness,

Dance and martial arts

Go-Kart Track, indoor

Medical Clinic/Urgent Care

Multi-story Climatized Self Storage - *No outdoor

storage

Bowling Center

Health Club, Fitness Center, Dance Studio, Martial Arts

Studio

Skating Rink, Indoor

Advertising & Related Services

Offices to include Advertising & Related Services,

Engineering, Architect, or Surveyor's Office, Data

Processing, Financial Institution, Insurance Agency, Legal Service, News Service, Stock or Security Brokerage

Firm

Hotels

Bar, Tavern

Restaurant, dine-in

Brewpubs/Brewery-Micro & Large

ABC Store

Animal Clinic/Hospital

Animal Grooming Establishment – no overnight

boarding

Animal Obedience School

Animal and/or Feed Supply Store

Lawn & Garden/Hardware Store w/outdoor storage

Blueprinting and Drafting Service

Building Material Supply with outdoor storage

Cemetery Monument Dealer

Cleaning and Maintenance Service

Convenience Store

Dry Cleaning Drop Off/Pick Up

Massage Therapist

Swimming Pool, Hot Tub Sales and Service

Weight Loss Centers

Electronics Sales and Repair

Farmer's Market/Produce Stand

Funeral Home

Lawn and Garden Supply, Nursery with Outdoor Storage

Flex/Office Space

Truck/Construction Equipment Rental

Cabinet and Woodwork Shop

Equipment Supply House, Commercial

Electric, Heating, Air Conditioning, Ventilating, Plumbing Sales, Service and Contractor's Office With Outdoor

Storage

Motion Picture and Sound Recording Studio,

Photography, Television, Radio and Film Studio

Telemarketing, Call Centers

Food Catering Facility

Machine Shop

Musical Instrument Manufacturing

Pest Control Service

Photofinishing Laboratory

Printing and Related Support Activities

Sign or Banner Shop with outdoor storage

Upholstery Shop

Moving and Storage Facility

Product Distribution Center, Warehousing and Storage, (Nonfarm related products) less than 75,000 square feet

in floor area

Climate Controlled Self Storage With No Outdoor

storage

June 6, 2024

Subject: Informal Neighborhood Meeting Regarding A Proposed Rezoning

Dear Neighbor,

M&K Land LLC, a real estate firm, is applying to the City of Concord to rezone 26.968 acres at 400 & 550 Woodhaven Place NW, just off Poplar Tent Road in Concord. Development of a mixed-use project, including office, commercial and light industrial businesses is proposed. To obtain development permits the City requires plans to be approved by the Planning Commission and City Council, which involves rezoning to conditional district zoning.

The plan approval process, makes it necessary to amend the current MX-IB zoning to Conditional Use C-2 and Conditional Use I-1 zoning.

City of Concord zoning regulations require an applicant for rezoning to conduct a neighborhood meeting to inform neighbors about the proposed rezoning. This has to happen before the meetings of the Planning Commission and City Council.

We are sending this letter as an invitation for you to attend an informal neighborhood meeting to hear about the project. The Community Room at Fire Station 9 at 1020 Ivey Cline Road will be the meeting location. The meeting will be Tuesday, June 18th at 7:00 PM.

Purpose: Discussion about the proposed rezoning

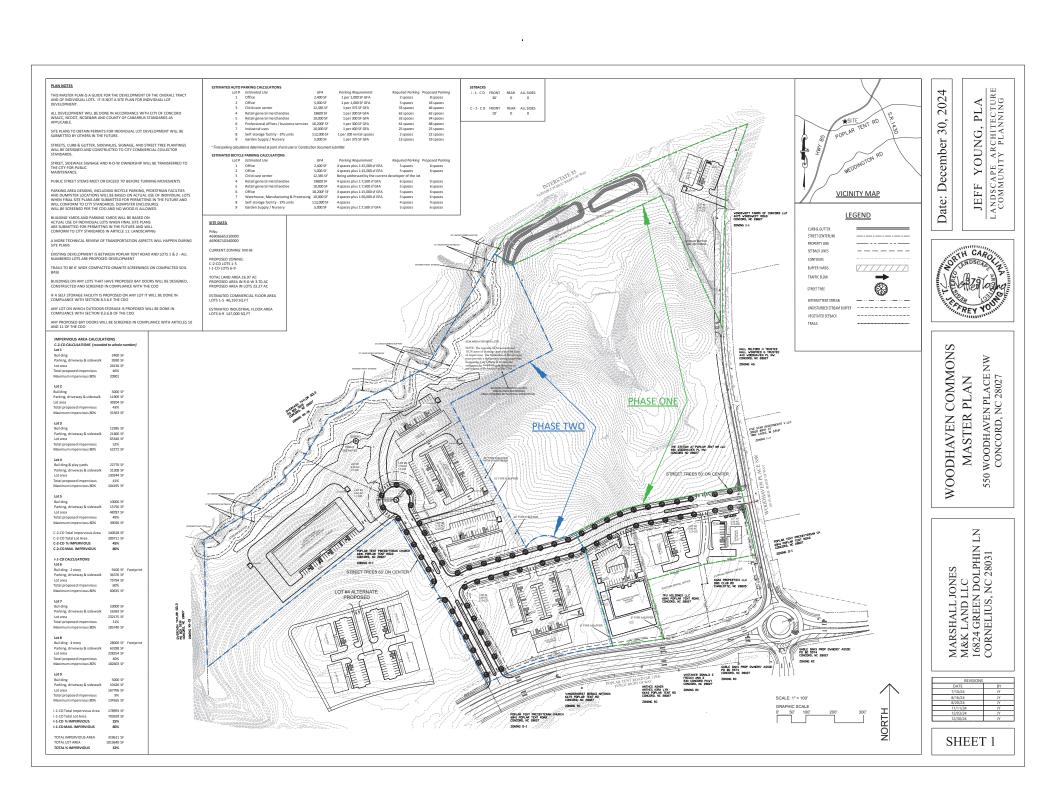
Location: Fire Station 9 Community Room

1020 Ivey Cline Road

Date: Tuesday, June 18th, 2024

Time: 7:00 PM

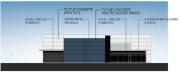
Sincerely, Jeff Young

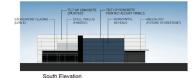


INDUSTRIAL BUILDING - BASIC DESIGN & MATERIALS

All materials will meet 7.10 and 7.11 of their respective zoning district. All building colors and materials will be compatible and cohesive





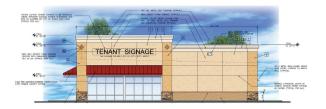






COMMERCIAL BUILDING - BASIC DESIGN & MATERIALS

All materials will meet 7.10 and 7.11 of their respective zoning district. All building colors and materials will be compatible and cohesive





Date: December 30, 2024

YOUNG, PLA

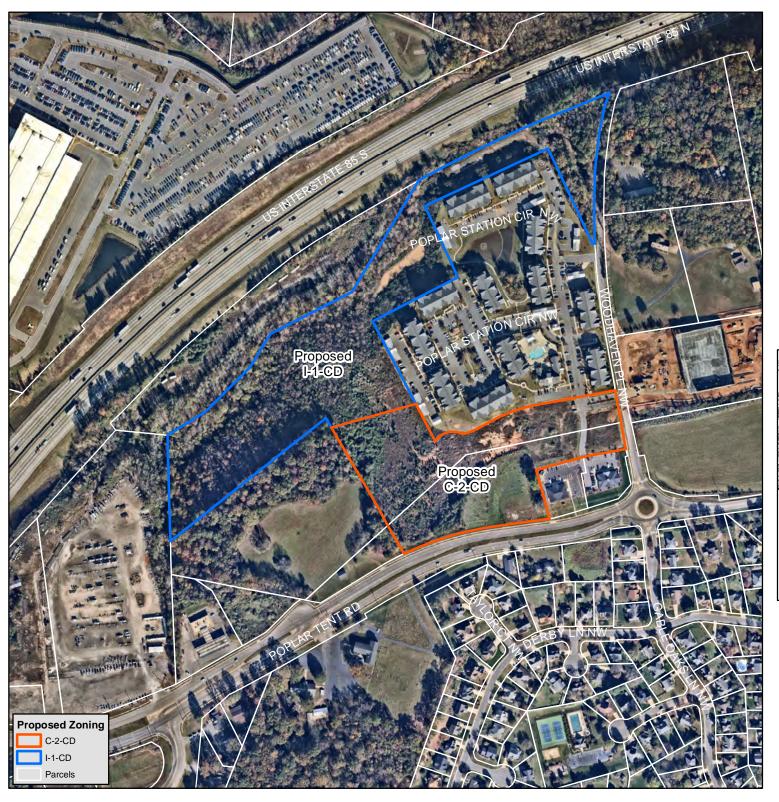
LANDSCAPE ARCHITECTURE COMMUNITY PLANNING

WOODHAVEN COMMONS 550 WOODHAVEN PLACE NW CONCORD, NC 28027 ELEVATIONS

MARSHALL JONES M&K LAND LLC 16824 GREEN DOLPHIN LN CORNELIUS, NC 28031

REVISIO	NS
DATE	BY
12/30/24	JY

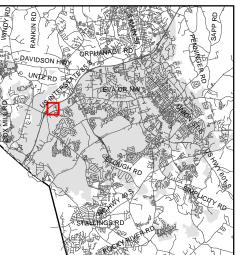
SHEET 3

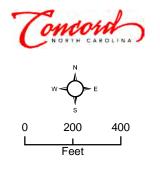


Z(CD)-08-24 AERIAL

Rezoning application
MX-IB (Mixed Use Industrial Business
I-1-CD (Light Industrial Conditional District) &
C-2-CD (General Commercial
- Conditional District)

400 & 550 Woodhaven Dr NW PINs: 4690-66-6513 & 4690-67-1034



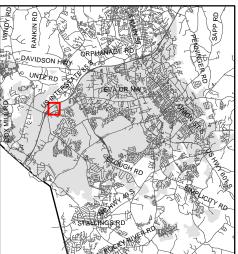


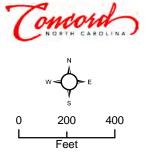
1-1 1-1 USINTERSTATE 85 N **H**1 POPLAR STATION CIR N & AG POPLAR STATION CIR NW Proposed I-1-CD MX-IB 1-1 0-1 Proposed C-2-CD O-I **Proposed Zoning** C-2 POPLAR TENT RO 7 C-2-CD // I-1-CD Parcels **Zoning** AG RC MX-IB C-2 1-1 I-2 O-I RC RV RV

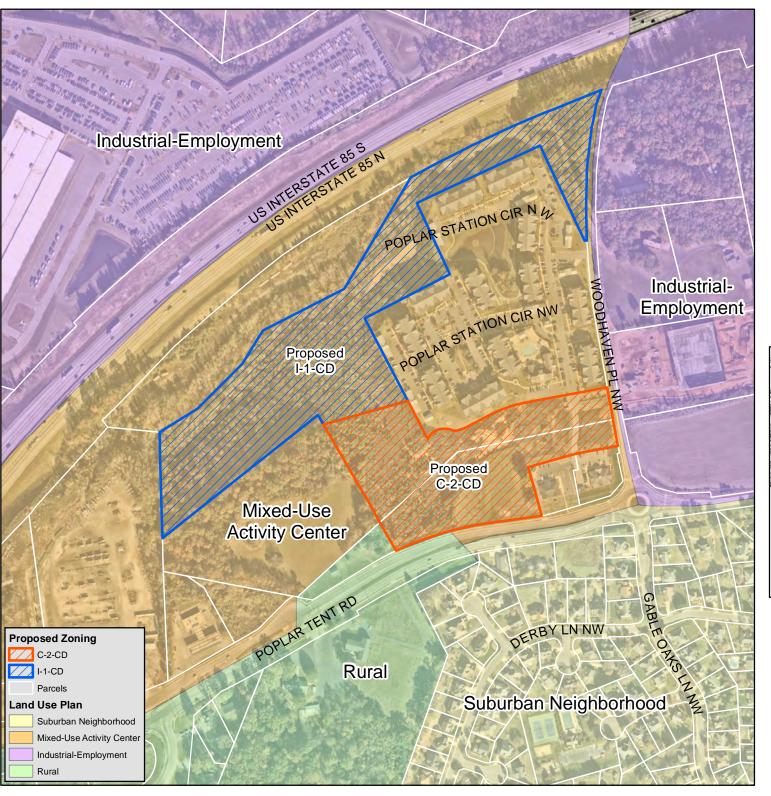
Z(CD)-08-24 ZONING

Rezoning application
MX-IB (Mixed Use Industrial Business
I-1-CD (Light Industrial Conditional District) &
C-2-CD (General Commercial
- Conditional District)

400 & 550 Woodhaven Dr NW PINs: 4690-66-6513 & 4690-67-1034







Z(CD)-08-24 LAND USE PLAN

Rezoning application
MX-IB (Mixed Use Industrial Business
I-1-CD (Light Industrial Conditional District) &
C-2-CD (General Commercial
- Conditional District)

400 & 550 Woodhaven Dr NW PINs: 4690-66-6513 & 4690-67-1034

