



DATE: November 21, 2023

REZONING CASE #: Z (CD)-16-23

ACCELA: CN-RZC-2023-00009

DESCRIPTION: Zoning Map Amendment
Zoning from AG (Agricultural) to I-1-CD (Light Industrial Conditional District)

APPLICANT/OWNER: Caren Wingate, Wingate Advisory Group

LOCATION: 497 & 529 Woodhaven Pl. NW

PIN#s: 4690-77-5057, 4690-76-3809

AREA: +/- 5.96 acres

ZONING: AG (Agricultural)

PREPARED BY: George Daniels, Senior Planner
Autumn C. James, Planning & Development Manager

BACKGROUND

The subject property consists of two (2) parcels, totaling approximately +/- 5.96 acres on Woodhaven Dr NW. The property is across the street from The Station at Poplar Tent apartments and backs up to a self-storage facility and a concrete plant. To the north of the property are two single family homes and to the south is a vacant piece of land.

HISTORY

The subject property was annexed on December 31, 1995 as part of the large western area annexation, and zoned RD (Rural Development), this was later converted to AG (Agricultural) with the adoption of the Unified Development Ordinance in 2000. The smaller parcel (4690-76-3809) contains a house and an outbuilding, the original house was built according to the tax records in the 1930's and added onto over the years. The larger parcel (4690-77-5057) is undeveloped.

As required by the Concord Development Ordinance (CDO), the petitioner did notice all adjacent property owners by letter (in lieu of a meeting), delivered by certified mail at least twenty (20) days prior to the hearing date. The letter provided an overview of the zoning request and the petitioner's contact information. Proof of notification by certified letter was provided to the Planning Department.

SUMMARY OF REQUEST

Five Star Fabricating, Inc. proposes to rezone +/-5.96 acres on Woodhaven Pl NW in Concord for the development of a +/-50,750 square foot industrial building. The building will be divided into two separate suites, each with approximately 20% office space, and 80% warehouse space. There will be five overhead doors in each of the two suites.

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.

In accordance with the Concord Development Ordinance (CDO), all reviewing departments of the DRC (Development Review Committee) have reviewed and approved the proposed site plan.

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	
AG (Agricultural)	North	AG (Agricultural, I-1 (Light Industrial))	Undeveloped, Single-Family Residential	North	Single-Family Residential, Distribution
	South	O-I (Office- Institutional), RC (Residential Compact)		South	Undeveloped, Single- Family Residential
	East	I-2 (General Industrial), I-2- CU (General Industrial – Conditional Use)		East	Industrial, Self-Storage
	West	MX-IB (Mixed Use – Industrial Business)		West	Multi-Family, Medical Offices

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 LUP designates the subject property as “Industrial Employment (IE)”. I-1 (Light Industrial) *is listed* as a corresponding zoning district to the “Industrial Employment” land use category, and therefore is consistent with the land use plan.

The corresponding zoning districts for the “Industrial Employment” land use category are C-2 (General Commercial District), MX-IB (Mixed Use Industrial/Business Center, I-1 (Light Industrial District), I-2 General Industrial District.

From the 2030 Land Use Plan – “Industrial/Employment (IE)”

The intent of the Industrial/Employment (IE) Future Land Use category is to identify those areas

that have either already developed as industrial or are suited for additional industrial development due to the presence of infrastructure and access to transportation routes, such as major highways and railroads. These industrial areas should be preserved for employment uses to generate jobs for the community.

Industrial uses have already developed in several areas throughout the community, most of which are light industrial in function and impact. The 2030 Plan identifies the need to protect industrial lands, and to encourage additional growth in industrial/employment uses in designated areas, particularly around Concord Regional Airport, and along I-85 between Pitts School Road and Rocky River. Additionally, some light industrial/employment uses are encouraged to locate in Mixed-Use Districts, depending upon their intensity, as identified earlier in this section.

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,

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/-5.96 acres and currently zoned AG (Agricultural).
 - The subject property was annexed on December 31, 1995.
 - The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) as I-1-CD (Light Industrial - Conditional District) is a corresponding zoning district to the Industrial/Employment land use category and the proposed uses are compatible with those existing in the surrounding area.
 - The zoning amendment is reasonable and in the public interest as it is complementary to the use, design and density with the adjacent land uses.
- OR
- The zoning amendment is not reasonable and in the public interest as the design is not compatible with the surrounding area.

SUGGESTED CONDITIONS

If approval is desired, staff recommends the following conditions:

1. Compliance with “Woodhaven Place NW, Site Plan and Data,” sheet number RZ-1, dated 10/31/2023.
2. Compliance with “Woodhaven Place NW, Renderings & Details,” sheet number RZ-2, dated 10/31/2023.
3. Compliance with Article 7.11, Design Standards for Industrial Districts, in the Concord Development Ordinance (CDO).
4. Compliance and Article 11, Landscaping and Buffering Standards, in the Concord Development Ordinance (CDO).

Planning and Zoning Commission
Case # Z(CD)-16-23

5. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.
6. 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.



Application for
Zoning Map Amendment

(Please type or print)

Applicant Name, Address, Telephone Number and email address: _____

Caren Wingate, Agent for Petitioner - 1030 Edgehill Rd S, Suite 101 Charlotte, NC 28207
704-641-2154; cwingate@wingadgroup.com

Owner Name, Address, Telephone Number: _____

Janet G Harvey, Trustee

Project Location/Address: 497 & 529 Woodhaven Dr NW

P.I.N.: 46907750570000 & 46907638090000

Area of Subject Property (acres or square feet): 5.96 acres

Lot Width: 372.06 feet Lot Depth: 649.84 feet

Current Zoning Classification: AG

Proposed Zoning Classification: I-1 (CD)

Existing Land Use: Residential

Future Land Use Designation: Light Industrial

Surrounding Land Use: North I-1 South O-I

East IE & I-2-CU West MX-IB

Reason for request: There are plans to redevelop the property for light industrial use.

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 Petitioner would like to construct one industrial building of 50,750 sf, divided into two suites.

The Petitioner will use 25,750 sf (51%) and will lease out the remaining suite of 25,000 sf (49%).

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):

We will include a list of conditions and exclusions, as recommended by Planning.

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. 7/10/2023

Caren Wagner
Signature of Applicant Agent for Applicant Date *July 10, 2023*

DocuSigned by: *Janet S. Harrell* DocuSigned by: *Kay Turner* 7/8/2023
Signature of Owner(s) Date



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: July 10, 2023

Applicant Signature: Caren Wynne, Agent for Applicant

Property Owner or Agent of the Property Owner Signature:

DocuSigned by:	DocuSigned by:	7/10/2023
<u>Janet S. Hayslip</u>	<u>Janet Kay Turner</u>	7/8/2023

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Rezoning General Notes

- Parking Spaces:** parking spaces shall be a minimum of 9' x 18'. There are 58 spaces illustrated, with the parking calculation as follows:
Proposed Office Areas: 12,000 sf / 400 = 30 spaces
Employees at greatest shift: 42 (2/3 employees) = 28 spaces
HC parking spaces: 4
- Bicycle Parking:** 4 spaces + 1 / 50,000 GFA = 5 spaces
- Impervious Surface & Breakdown:** Maximum impervious surfaces: 80% Proposed impervious surfaces: approximately 60.44%
Total Site Area: 242,194 sf
Building: 50,750 sf (20%)
Asphalt / Parking/Truck Court: 91,787 sf (37%)
Sidewalks / Concrete: 3,915 sf (1%)
Total impervious: 146,452 sf (60%)
- Loading Docs:** loading docks on east side of site to be screened with 25' buffer and shrubbery along edge of asphalt, such that they are not visible from the street right-of-way, in accordance with Concord Ordinance Section 10.3.3.6.
- Signage:** All signage will be permitted separately.
- Dumpster Enclosure:** The dumpster's will be enclosed as per the Site Plan and dumpster details on RZ-1. Materials will be compatible with the building.
- Mechanical Equipment:** The mechanical equipment will be primarily located on the roof and screened from all public R/W by a raised building parapet. Any mechanical equipment located on the ground will be screened by landscaping.
- Building Height:** The maximum building height for a I-1 Zone is 72'. As illustrated in the renderings and elevations, the parapet height is approximately 36'.
- Internal Pedestrian Connectivity:** As illustrated on the Site Plan there is a proposed sidewalk connection from the building to the public sidewalk located in Woodhaven Place R/W.
- Elevations:** see elevations and renderings for compliance with Article 7.11
- Materials to be Concrete tilt wall construction with conventional steel and TPO roof (with interior roof drains). Front facade to only have 20% Metal panels.
- Electric Site Plan:** The developer understands that the electric service vendor is their choice.

Any movement of existing utilities may be at the owner / developer expense. Load Data will be provided to the electric company in a timely manner to respect electrical equipment lead times. The developer will consider either providing all site lighting or leasing poles from the electrical company.

12. Fire Comments:

- The petitioner understands that additional comments will be generated for site and building when technical drawings are generated.
- The petitioner understands that this jurisdiction abides by and enforces the requirements of NFPA 241 for construction projects. A NFPA 241 letter will be required, verifying that all parties know and agree to abide by the provision requiring water, hydrants, and access roads to be in operation prior to vertical combustible construction.
- Fire apparatus access roads and a water supply for fire protection will be installed and made serviceable prior to and during the time of construction, unless approved alternative methods of protection are provided (NCFC 501.4).
- Necessary fire flow will be provided and maintained.
- The site address will be posted in a temporary form during construction and in a permanent form after completion of construction. The permanent address will be in a visible location in 6" high characters in a reflective material and contrasting color (NCFC 505.1).
- All required fire access roads shall be in accordance with (NCFC 503.1.1 & 503.2. Fire access roads shall be 26' in width for building heights over 30-feet.)

13. Landscape Requirements: The petitioner understands that, as a condition of approval, the proposed development shall be subject to all landscape requirements of the City of Concord Development Ordinance Article 11

14. Curb / Gutter & Sidewalk: Curb and gutter will be required on the petitioner's side of Woodhaven Place NW as well as a continuous sidewalk, from north property line to south property line.

15. Preliminary Sewer Allocation: this project is subject to Concord's Sewer Allocation Policy and a preliminary flow allocation approval is required prior to submittal of construction documents

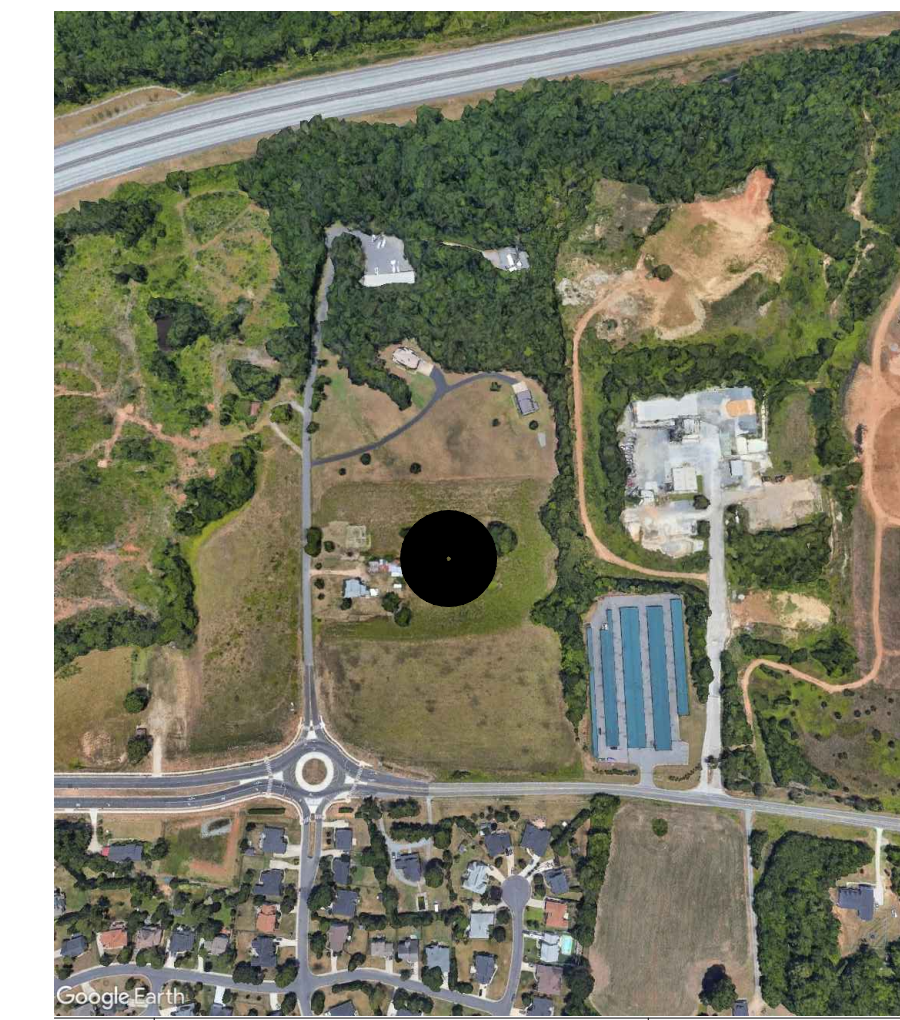
Distribution Development
Woodhaven Place NW, Concord, NC

Developer: Five Star Race Car Bodies
8899 368TH Ave.
Twin Lakes, WI. 53181
262-877-2171
FiveStarFabricating.com
Concord Rezoning File: CN-RZC-2023-00009

Site Data:
Existing Zoning: AG
Proposed Zoning: I-1 (CD)

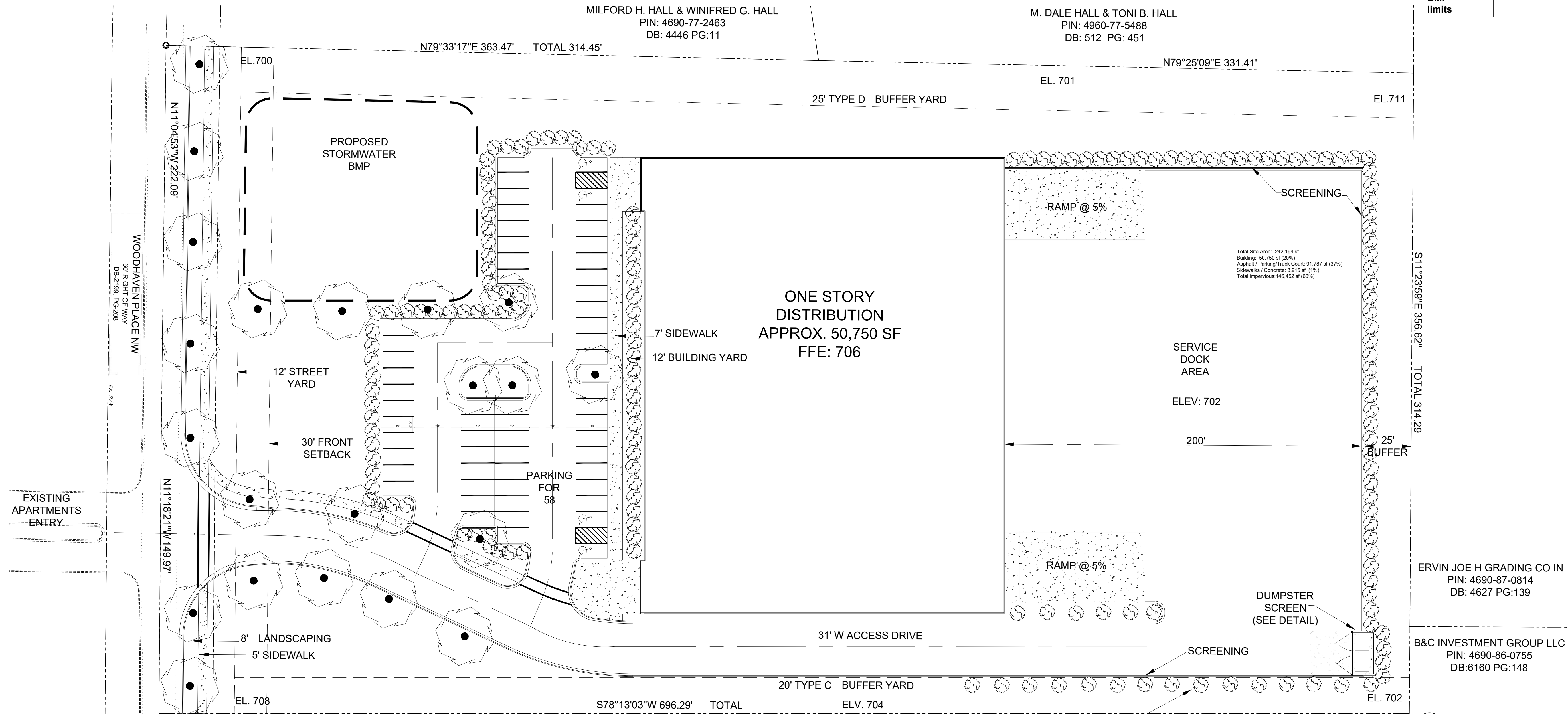
PIN: 4690-77-5057 / DB: 10313 PG: 292
PIN: 4690-76-3809 / DB: 10313 PG: 292

Acreage (to CL or Woodhaven): 5.816 acres
Actual Acreage: 5.56 acres



3 VICINITY MAP scale: NTS

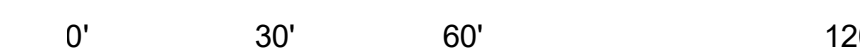
LEGEND	
Property Line	-----
R/W Line	-----
Setbacks & Buffers	-----
Concrete	[Pattern]
Stormwater BMP limits	-----



NOTE: Proposed development is subject to all landscape requirements by the City of Concord Development Ordinance Article 11.

POPLAR TENT PRESBYTERIAN
PIN: 4690-76-5687
DB: 803 PG:157

Loading docks on east side of site to be screened with 25' buffer and shrubbery along edge of asphalt, such that they are not visible from the street right-of-way, in accordance with Concord Ordinance Section 10.3.3.6.



DISTRIBUTION FACILITY
WOODHAVEN PLACE NW
CONCORD, NORTH CAROLINA

CN - RZC - 2023 - 00009

REVISIONS		
No.	Description	Date
1	RZ-1 SUBMITTAL	09.01.23
2	RZ-1 SUBMITTAL REV.	09.26.23
3	RZ-1 SUBMITTAL REV.	10.12.23
4	RZ-1 SUBMITTAL REV.	10.18.23
5	RZ-1 SUBMITTAL REV.	10.27.23
6	RZ-1 SUBMITTAL REV.	10.31.23

SITE PLAN AND DATA

ERVIN JOE H GRADING CO IN
PIN: 4690-87-0814
DB: 4627 PG:139

B&C INVESTMENT GROUP LLC
PIN: 4690-86-0755
DB:6160 PG:148

RZ-1

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ODA ARCHITECTURE
 2010 south tryon st., suite 1a
 charlotte, nc 28203
 704.332.1615
 www.oda.us.com

DISTRIBUTION FACILITY
 WOODHAVEN PLACE NW
 CONCORD, NORTH CAROLINA

CN - RZC - 2023 - 00009

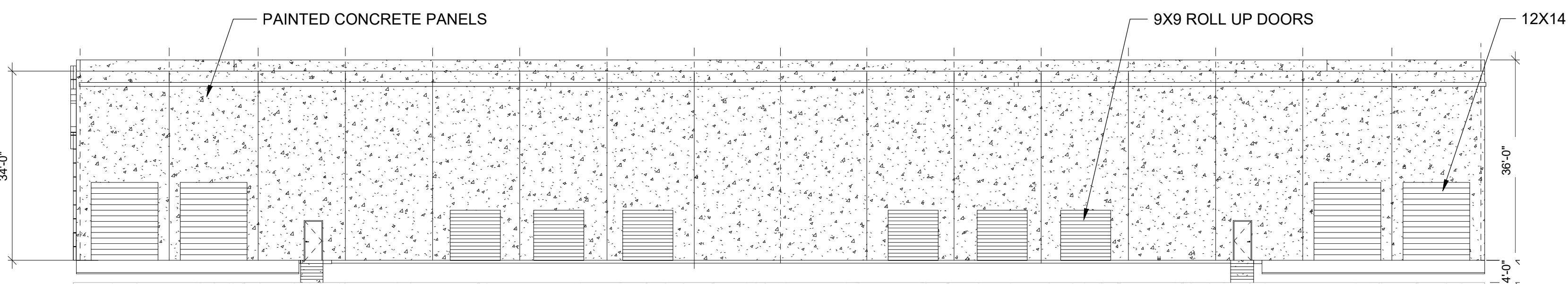
REVISIONS

No.	Description	Date
1	RZ-1 SUBMITTAL	09.01.23
2	RZ-1 SUBMITTAL REV.	09.26.23
3	RZ-1 SUBMITTAL REV.	10.12.23
4	RZ-1 SUBMITTAL REV.	10.18.23
5	RZ-1 SUBMITTAL REV.	10.26.23
6	RZ-1 SUBMITTAL REV.	10.31.23

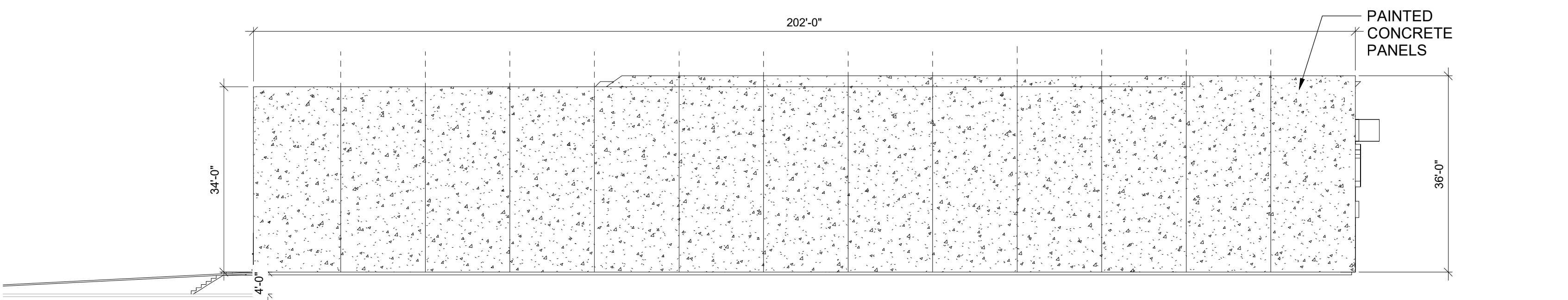
RENDERINGS & DETAILS

RZ-2

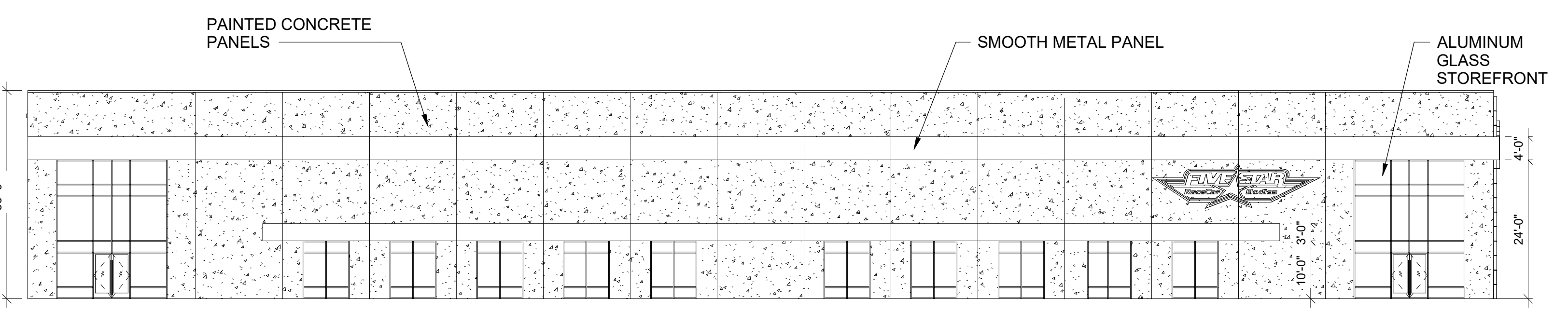
Copyright 2023 ODA ARCHITECTURE



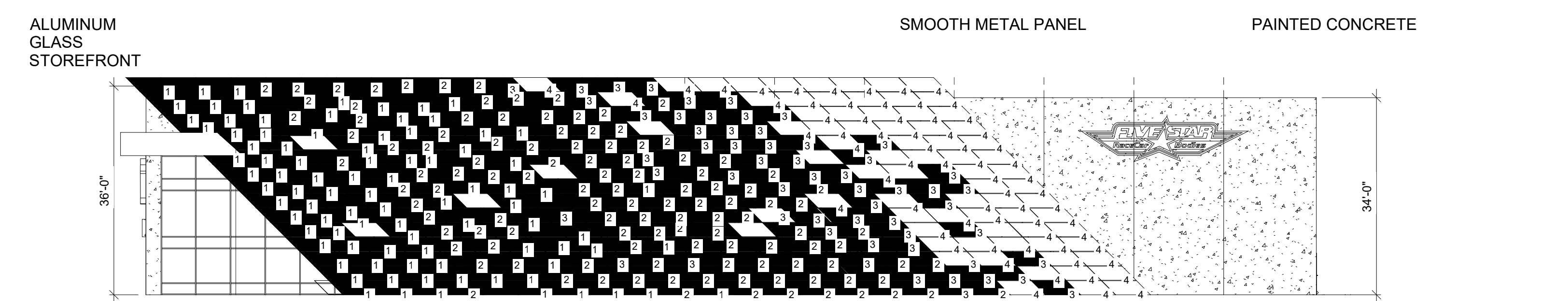
4 | **BUILDING ELEVATION - EAST** scale: 1/16" = 1'-0"



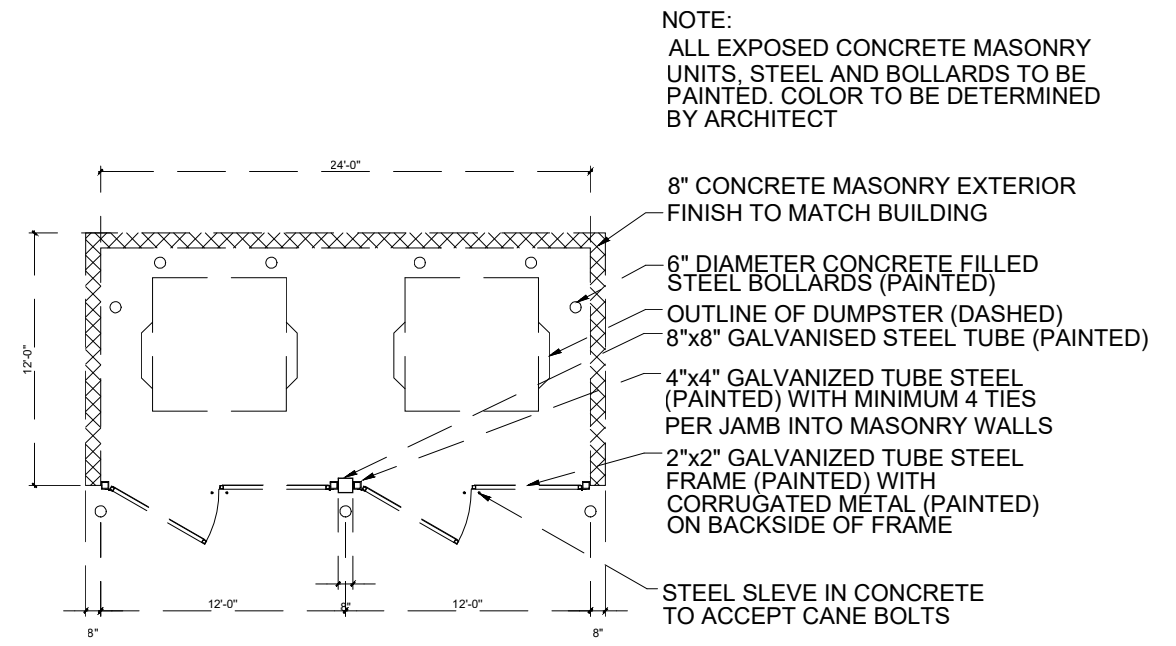
3 | **BUILDING ELEVATION - NORTH** scale: 1/16" = 1'-0"



2 | **BUILDING ELEVATION - WEST** scale: 1/16" = 1'-0"



1 | **BUILDING ELEVATION - SOUTH** scale: 1/16" = 1'-0"



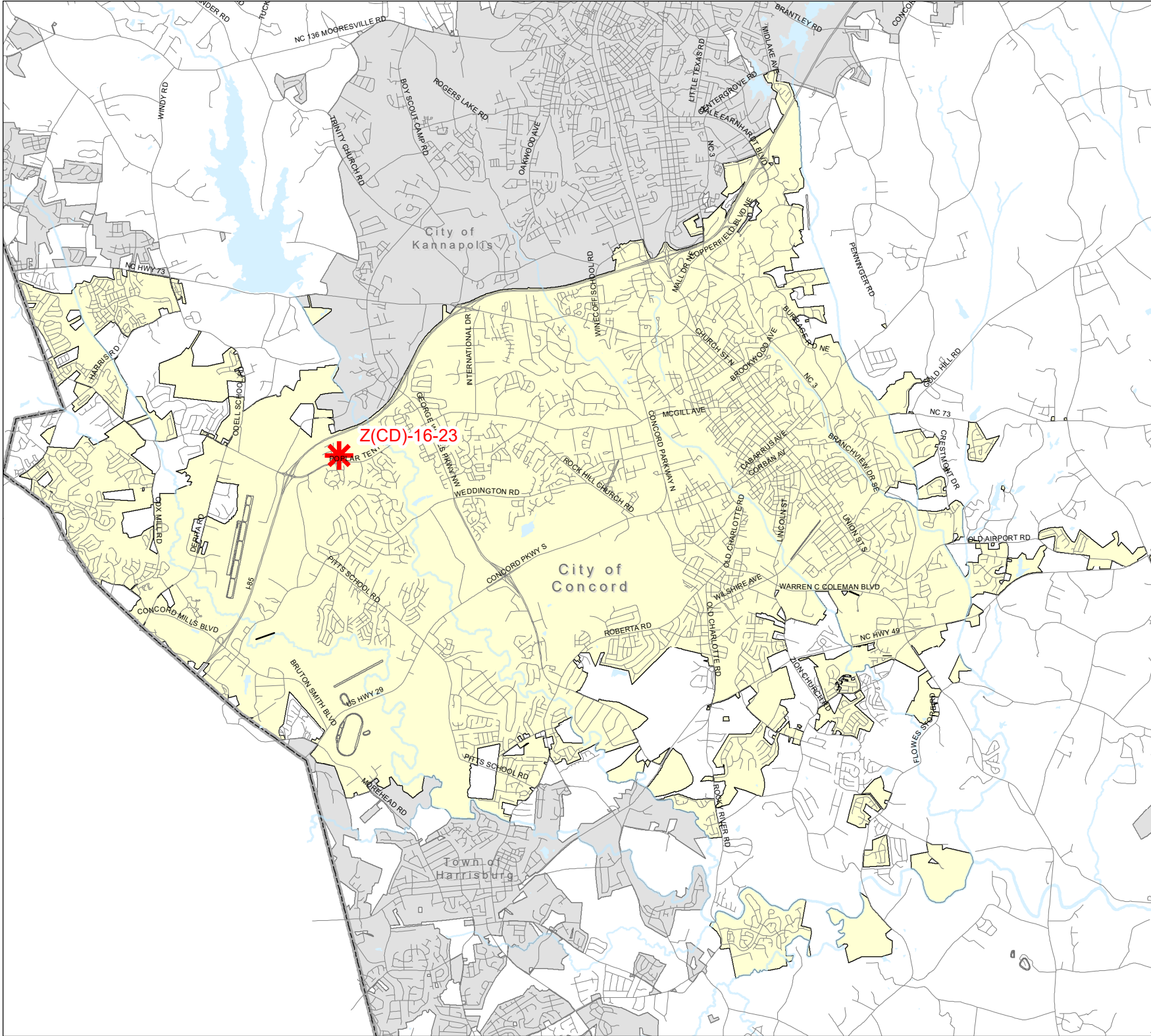
6 | **DUMPSTER DETAIL** scale: NTS



5 | **RENDERING** scale: NTS

Z(CD)-16-23

497 & 529 Woodhaven Dr NW



Z(CD)-16-23

Case Location

Streets

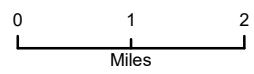
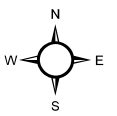
Lakes & Ponds

Rivers

Cabarrus Co.

City of Concord

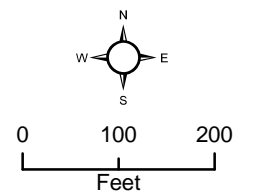
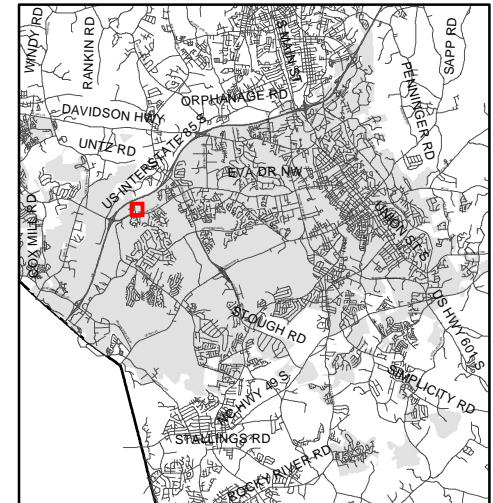
Other Municipalities



**Z(CD)-16-23
AERIAL**

**Rezoning application
AG (Agricultural) to
I-1 (Light Industrial)**

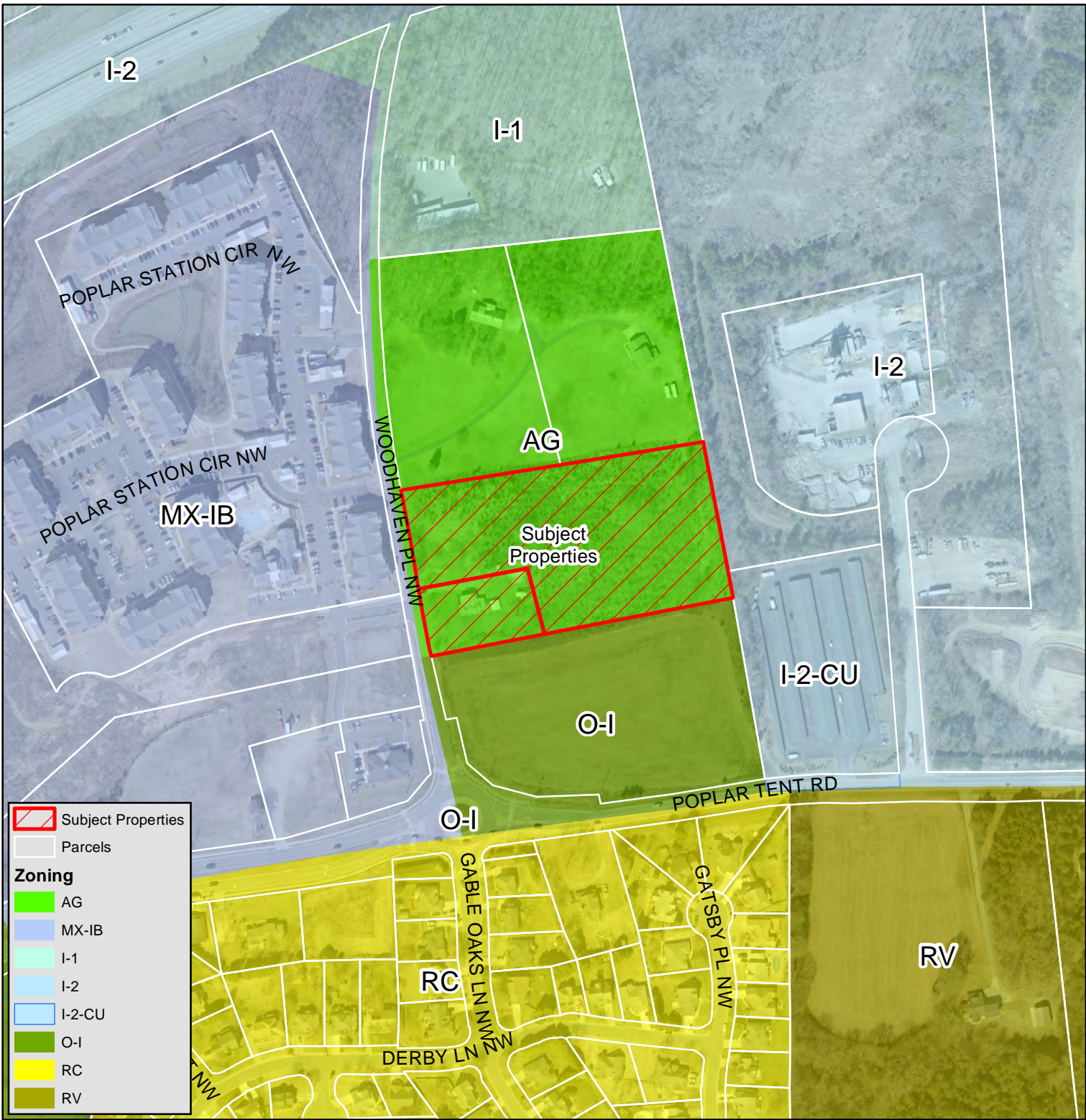
497 & 529 Woodhaven Dr NW
PINs: 4690-77-5057 & 4690-76-3809



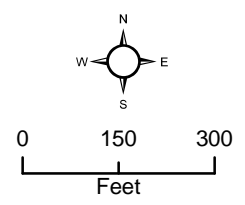
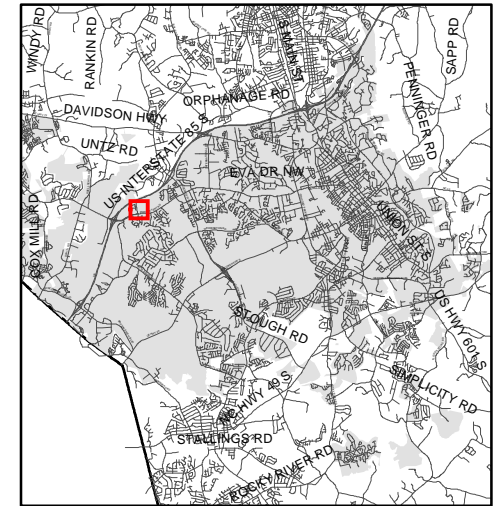
**Z(CD)-16-23
ZONING**

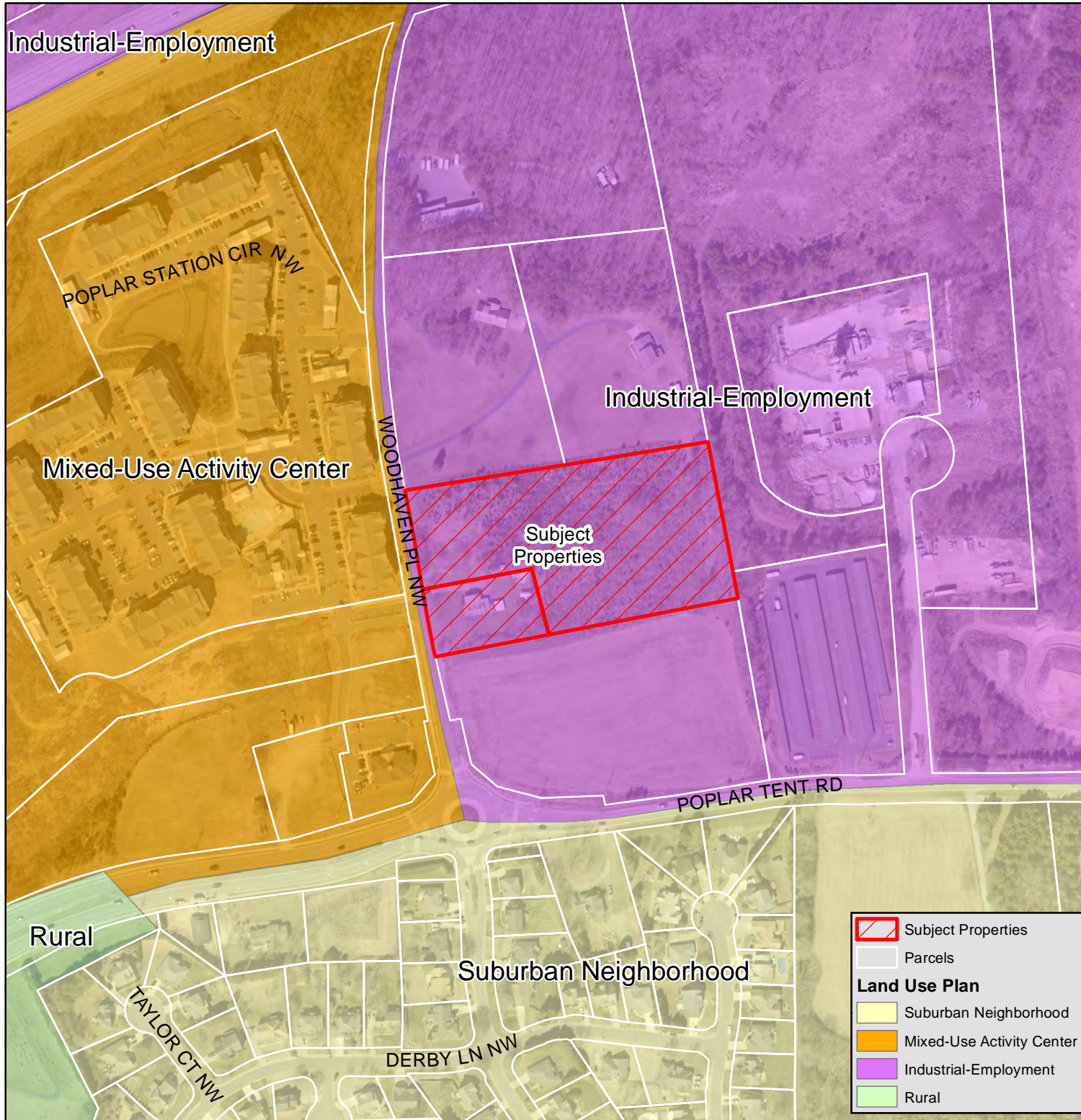
**Rezoning application
AG (Agricultural) to
I-1 (Light Industrial)**

497 & 529 Woodhaven Dr NW
PINs: 4690-77-5057 & 4690-76-3809



	Subject Properties
	Parcels
Zoning	
	AG
	MX-IB
	I-1
	I-2
	I-2-CU
	O-I
	RC
	RV

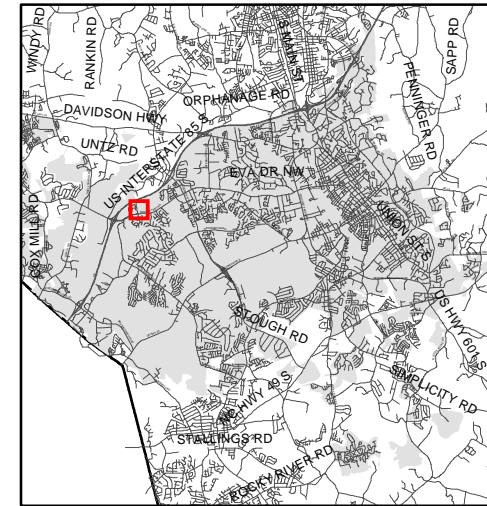




**Z(CD)-16-23
LAND USE PLAN**

**Rezoning application
AG (Agricultural) to
I-1 (Light Industrial)**

497 & 529 Woodhaven Dr NW
PINs: 4690-77-5057 & 4690-76-3809



	Subject Properties
	Parcels
Land Use Plan	
	Suburban Neighborhood
	Mixed-Use Activity Center
	Industrial-Employment
	Rural

