



**DATE:** November 17, 2020

**REZONING CASE #:** Z(CD)-18-20

**ACCELA** CN-RZC-2020-00013

**DESCRIPTION:** Zoning Map Amendment  
General Industrial (I-2) to Residential Compact Conditional District (RC-CD)

**APPLICANT/OWNER:** Jaya One LLC

**LOCATION:** Northeast side of Buck Place NW

**PIN#s:** 5620-47-9260

**AREA:** +/- .288 acres

**ZONING:** City of Concord General Industrial (I-2)

**PREPARED BY:** Starla Rogers, Planning & Development Manager

**BACKGROUND**

The subject property consists of one (1) parcel, comprising approximately .288 acres on the northeast side of Buck Pl. NW. The property is undeveloped and the applicant seeks a downzoning from I-2 (Heavy Industrial) to RC-CD (Residential Compact Conditional District) for the purpose of developing 2 single-family detached homes.

**HISTORY**

The property was annexed into the City prior to 1932.

**SUMMARY OF REQUEST**

The request is to rezone the subject property from I-2 (General Industrial) to RC-CD (Residential Compact Conditional District). According to the applicant, the purpose for the rezoning is to develop the subject parcel into two (2) single-family detached residential lots. A lot layout schematic, submitted by the applicant, is included in the Commission's packets showing the proposed two (2) lots. Lots in the RC district are required to have dimensional standards of: 5,000sf of area, 50ft lot width and 100ft lot depth. The lots shown on the site plan meet the dimensional requirements of the proposed zoning district. Per the conditions of the rezoning request, if approved, only single-family detached residences would be permitted on the property with a maximum of two (2) units.

As can be seen on the zoning map, the property to the direct northwest is zoned RC and is developed with a single-family detached residence. However, properties to the south and west

are also zoned I-2 and are either vacant or developed with industrial structures. Property to the north is either zoned I-2 and vacant or RC and improved with single-family detached residences. Property to the east is also zoned RC and I-2. These properties are either developed with single-family detached or industrial uses.

As can be seen on the map, the zoning patterns in the general vicinity create pockets of residential and industrial mixed together. Typically, residential is discouraged adjacent to heavier industrial, However, this location is in an older part of the City where it was once typical to have industrial and residential in close proximity.

<b>Existing Zoning and Land Uses (Subject Parcel)</b>					
<b>Current Zoning of Subject Property</b>	<b>Zoning Within 500 Feet</b>		<b>Land Uses(s) of Subject Property</b>	<b>Land Uses within 500 Feet</b>	
I-2 (Heavy Industrial)	<b>North</b>	I-2 (General Industrial) and RC (Residential Compact)	Structurally Vacant	<b>North</b>	Vacant and Single-Family Detached
	<b>South</b>	I-2 (General Industrial)		<b>South</b>	Railroad and Industrial
	<b>East</b>	RC (Residential Compact) and I-2 (General Industrial)		<b>East</b>	Single-Family Detached and Vacant
	<b>West</b>	RC (Residential Compact) and I-2 (General Industrial)		<b>West</b>	Single-Family Detached and Industrial

**COMPLIANCE WITH 2030 LAND USE PLAN**

The 2030 Land Use Plan (LUP) designates the subject property as “Urban Neighborhood” for which RC and conditional district variations are considered corresponding zoning districts.

Applicable LUP Guidance:

- *The Urban Neighborhood (UN) Future Land Use category includes a mix of moderate- to high-density housing options. 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 a comprehensive network of walkable streets.*

*Section 5.2 General Land Use Challenges and Opportunities*

*· 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.*

**Objective 1.4:** Protect existing and future industrial sites from encroachment of development that would limit their intended uses.

**Policy Guidance for Objective 1.5:**

- **Land Use Transition:** Encourage land use transitions and development that foster physical continuity.
  - **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*

**SUGGESTED STATEMENT OF CONSISTENCY**

- The subject property is approximately .228 acres and is zoned I-2 (General Industrial).
- The subject property was annexed prior to 1932 and is currently vacant land.
- The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) as RC (Residential Compact) and conditional district variations are considered corresponding zoning classifications to the “Urban Neighborhood” Land Use Category. The City generally discourages the diminishment of industrially zoned land and development of the subject property under the current I-2 zoning may be possible. However, the subject property would be substantially limited in the type and design of industrial due to the small size of the parcel and required buffers adjacent to residential. Development as industrial is possible but unlikely. Therefore, rezoning of the subject property to residential would not substantially impact the developable industrial sites with the City limits. Furthermore, the request furthers the guidance of sections 5.2 and 1.6 of the LUP for fostering infill development. It would also eliminate potential incompatibilities between the subject parcel and adjacent residential if the site were not rezoned and were to develop as industrial by right. The rezoning would provide a more suitable transition between zoning districts and uses as recommended by Objective 1.5.
- The zoning amendment is reasonable and in the public interest because it would allow housing consistent with the existing, adjacent, single-family neighborhood and would be considered an extension of the adjacent RC (Residential Compact) zoning district. The proposed rezoning would eliminate more intense industrial uses currently permitted by right under the existing I-2 (General Industrial) zoning, which could potentially conflict with the long established nearby residential. Additionally, the size and configuration of

the parcels pose challenges for industrial development, making residential uses more likely.

**SUGGESTED RECOMMENDATION AND CONDITIONS**

The staff finds the consistent 2030 Land Use Plan and staff has no objections to the petition.

1. A maximum of two (2) single-family detached dwellings are permitted.
2. The site shall conform to the revised site plan dated 11/12/20 and titled “Proposed Rezoning & Division of MRW Investments of ConCORDS LLC Property.”
3. All dimensional standards of the RC zoning district shall be met upon plat submittal.

**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.

(Please type or print)

Applicant Name, Address, Telephone Number and email address: \_\_\_\_\_  
Jaya One LLC, 349-L Copprefield Blvd, #225, Concord, NC 28025  
amit.dhameja@gmail.com | 267.736.0759

Owner Name, Address, Telephone Number: Amit Dhameja  
160 E 55th St, #6B, New York, NY 10022  
amit.dhameja@gmail.com | 267.736.0759

Project Location/Address: Lot next to 165 Buck PI NW, Concord, NC 28025  
P.I.N.: 56204792600000

Area of Subject Property (acres or square feet): 0.288 acres

Lot Width: 100 ft Lot Depth: 125 ft

Current Zoning Classification: I-2

Proposed Zoning Classification: RC

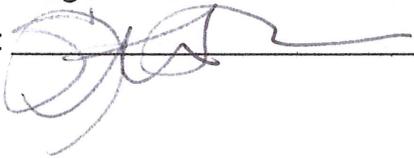
Existing Land Use: I-2 (General Industrial)

Future Land Use Designation: RC-CD (Residential Compact Conditional District)

Surrounding Land Use: North RC South RC  
East RC West I-2

Reason for request: Build single family homes consistent with the neighborhood

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:

Residential construction

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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):

Only single family homes will be built.

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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.

Alv et.                      11/9/2020  
Signature of Applicant                      Date

Alv et.                      11/9/2020  
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: 11/9/2020

Applicant Signature: *[Handwritten Signature]*

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





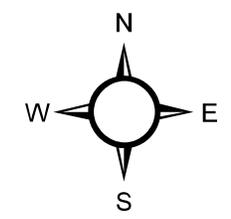
Z(CD)-18-20  
Subject Property Map

Jaya One LLC

+/- .288 acres  
northeast side of  
Buck Pl. NW.

I-2 (General Industrial) to  
RC-CD (Residential  
Compact Conditional  
District)

PIN 5620-47-9260



Source: City of Concord  
Planning Department

**Disclaimer**

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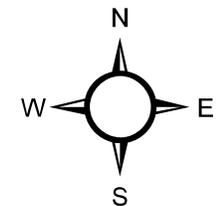
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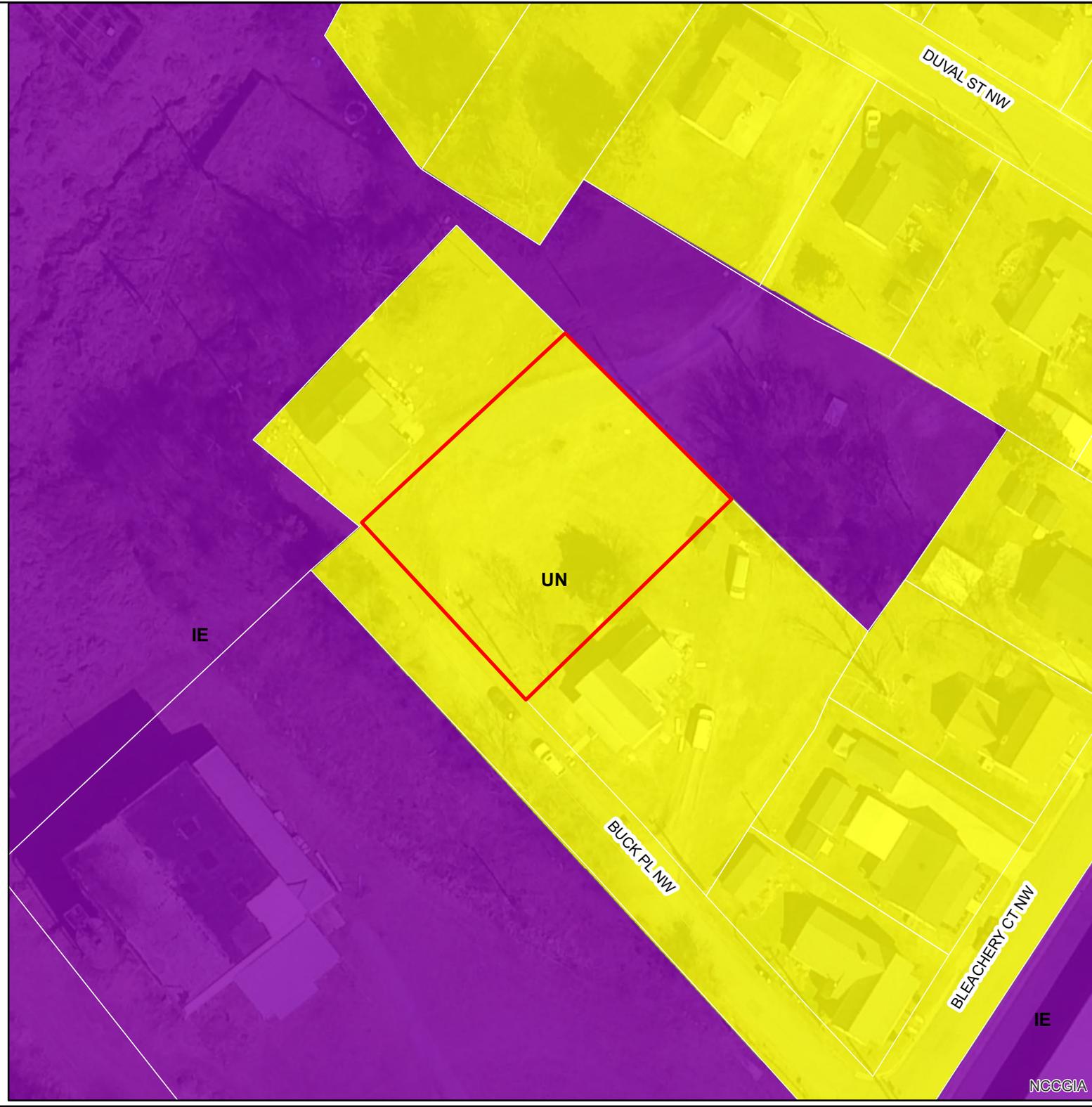


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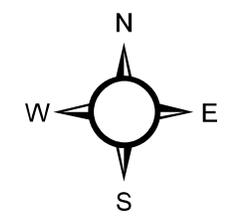
Z(CD)-18-20  
LUP Map

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