



DATE: May 17, 2022

CASE #: Z(CD)-32-21

ACCELA #: CN-RZC-2021-00018

DESCRIPTION: Zoning Map Amendment
I-1 (Light Industrial) and C-2 (General Commercial) to RC-CD
(Residential Compact Conditional District)

APPLICANT: Ramon Garcia, Landeavor Acquisitions, LLC

OWNER(S): Edward Z. Morris and Robert F. Morris

LOCATION: 100 Pitts School Road SW

PIN#s: PINs: 5509-42-1822 and p/o 5509-31-7753.

AREA: +/- 29.5 acres

ZONING: City of Concord I-1 (Light Industrial) and C-2 (General Commercial)

PREPARED BY: Kevin E. Ashley, AICP Deputy Planning Director

BACKGROUND

The subject property consists of two (2) parcels (one full parcel, and a portion of another parcel), totaling 29.5 acres on the southwest side of Pitts School Road, opposite of (100 and 172 Pitts School Road SW). The subject property was annexed on December 31, 1995 and is currently zoned I-1 (Light Industrial), and C-2 (General Commercial). The applicant, Ramon Garcia, with Landeavor Acquisitions, has submitted a zoning map amendment application for a rezoning of the properties from I-1 and C-2 to RC-CD (Residential Compact Conditional District). The portion fronting Pitts School Road is zoned C-2 (General Commercial), while the back portion of the proposed development is zoned I-1 (Light Industrial).

SUMMARY OF REQUEST

The applicant has submitted a zoning map amendment application requesting the rezoning of the properties from I-1 and C-2 to RC-CD (Residential Compact Conditional District) in order to construct a single-family attached development consisting of 241 townhomes, open space with amenities, and tree save area. Approximately 15.64 acres of the existing C-2 zoning fronting Pitts School Road is proposed to be rezoned and approximately 13.86 of the I-1 zoning is proposed to be rezoned. The rezoning will result in approximately 3.65 acres of C-2 zoning remaining along the west side of Pitts School Road, which would facilitate development of three outparcels, which

are not part of the is petition. Approximately 0.944 acres is planned for dedication for the Pitts School Road right-of-way.

PROPOSED SITE PLAN

According to the site plan submitted as a condition of rezoning, the proposed development will include 241 single-family attached units, resulting in 9.45 dwelling units per acre, which is under the maximum density of 15 (fifteen) units per acre permissible within the RC zoning district. The site plan indicates connectivity between Pitts School Road the northern property line via a collector street. This street is proposed to be connected to US 29/Concord Parkway via construction of a new public street (65' wide r/w in compliance with minimum City requirements) across the property to the north to the stoplight to the west of the Murphy Express convenience store. This street is also intended to allow for access to the remaining I-1 property and for the eventual connectivity to the approved apartment development to the west. Vehicular access is also proposed to the proposed adjacent commercial parcels on Pitts School Road.

The proposed project utilizes a series of public streets on both sides of the main collector street. The townhome units are a mixture of both front and rear-load products. Forty-six (46) rear load units are proposed, with the remaining 195 units being front load units. The project has an amenity area in the south portion of the property, with a visitor parking area.

The first phase of the development will include the development of the street accessing Concord Parkway, 95 front-load townhomes and the stormwater pond, which will be located on the industrially zoned property to the west. It is not uncommon for stormwater facilities to be shared by several different types of land uses. The second phase is proposed to include the 46 front-load units and the connection to Pitts School Road. The third phase is anticipated to include the amenity area and the remaining 100 units. Rear load units represent 19% of the total number of townhome units in this proposed development.

The project is subject to minimum tree preservation requirements as specified in Article 11 and 2.93 acres is proposed. If it is determined that the project is unable to preserve the minimum amount of trees during technical site plan review, replacement will be required in accordance with Section 11.9 of the CDO. A 25-foot-wide Type D buffer is proposed along Pitts School Road as well as adjacent to the stormwater pond, and a 20' wide Type C buffer is proposed adjacent to the commercially zoned properties to the north, and the east along Pitts School Road. It should be noted that a buffer is not required between the townhomes and the industrially zoned land to the west in the areas where a new public street intervenes.

A greenway easement is provided to the adjacent industrial property, in anticipation of the eventual connection to a proposed greenway adjacent to the Rocky River to the west. Stormwater for the site is intended to be provided on the adjacent property to the west and the petitioner has committed to provide an easement for maintenance.

The site plan indicates a total of 6.42 acres of open space which equates to 22.6% and minimally exceeds the required minimum of 20%. The petitioner proposes to provide at least of the two following improvements within the open space amenity area:

- Clubhouse with pool
- Dog park with seating areas
- Community garden
- Playground with seating area
- Open green space with seating areas

The amenity area also includes a visitor parking area, and on-street parking is provided along the south side of the street on the north side of the amenity area.

Curb, gutter and sidewalk are proposed along the west side of Pitts School Road, south of the main entrance road to the project.

A traffic impact analysis (TIA) has been submitted and accepted by both NCDOT and the City of Concord Transportation Department. The analysis factors in the roadway improvements associated with the approved multifamily development and storage use to the west on Concord Parkway. Following is a general summary of the improvements are proposed to mitigate the impacts of the development:

1. US 29/Pitts School Road: install dual westbound left turn lanes on Pitts School Road (2024) and optimize the signal timings;
2. US 29/Carpenter Court: extend westbound turn lane and optimize signal timings;
3. US 29/Ford Restoration Parts driveway: optimize signal timings;
4. Pitts School Road/Coventry Commons Ave: construct one ingress and two egress lanes (through/left and right turn lane, construct a westbound turn lane on Pitts School into the site, coordinate signal timings with US 29 signal, and install a traffic signal (2024) at main site entrance, and optimize signal timings and coordinate with the US 29 system (2026).

Following is a summary of the standards of the proposed plan as it relates to the minimum ordinance requirements.

Standard and Proposed Requirements for Developments in the RC Zoning District		
	<u>Standard</u>	<u>Proposed</u>
Maximum Dwelling Units Per Acre for RC Zoning	15 Dwelling Units/Acre	9.45 Dwelling Units Per Acre
Open Space	20% of the total site or 5.67 Acres	22.6% or 6.42 Acres
Tree Save	Minimum of 50% of required open space or 2.835 acres	50% or 2.835 acres which includes preservation and mitigation areas
Landscape Buffers	25' wide Type D buffer adjacent to Pitts School Road and 20' wide Type C buffers adjacent to C-2 zoned property.	Meets minimum standards
Maximum Impervious Area	50% or 14.65 Acres	43.69% or 12.39 Acres
Off-street Parking	Minimum 1.5 spaces/du 362 spaces	2.0 spaces/du or 482 spaces (on-street parking also provided in some areas)

The applicant, in accordance with the CDO, held a community meeting on Tuesday December 7, 2021 via ZOOM. According to the provided summary it is unclear how many citizens were in attendance but there were approximately 25 questions raised by attendees.

The rezoning site plan has been reviewed and approved by all applicable departments. In accordance with the CDO, the DRC has agreed that the plan is complete and meets the minimum standards required for a rezoning site plan, and therefore may be heard and considered by the Planning and Zoning Commission. The site plan includes a note that the development will meet all minimum development standards. If the rezoning were to be approved, more detailed plans illustrating compliance with all standards will be required during the technical plan review process.

SURROUNDING ZONING AND LAND USE

The surrounding zoning in this area is primarily C-2 (General Commercial) with I-1 (Light Industrial) directly to the west. The C-2 land is developed predominately with commercial uses concentrated on the Concord Parkway/Pitts School Road intersection. There are, however, townhomes and multifamily on the east side of Pitts School Road, and pending multifamily and the east side of US 29/Concord Parkway, all of which were approved under previous CDO standards. JM Robinson High School is zoned RM-1 (Single Family) and is located directly to the south. The Carolando neighborhood is located to the east of the subject property (on the east side of Pitts School Road) and is developed with large-lot single family residences and is zoned RL (Residential Low Density).

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	
General Commercial (C-2) and Light Industrial (I-1)	North	General Commercial (C-2)	vacant/wooded	North	Commercial, townhomes, and multifamily
	South	General Commercial (C-2), Light Industrial (I-1), Single Family Residential (RM-1)		South	Vacant, JM Robinson High School
	East	General Commercial (C-2)		East	Commercial, townhomes, and multifamily
	West	General Commercial (C-2) and Light Industrial (I-1)		West	Commercial, multifamily (under construction)

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 LUP designates the subject property as “Mixed Use Activity Center” This land use category is intended to “*encourage the development of a mixture of complimentary uses that will function as an integrated center allowing for pedestrian connections between development and uses*” Furthermore, the LUP states “*coordinating connectivity and planning for future uses will be critical in this process.*”. The LUP specifically designates this area as Mixed-Use Activity Center #7 (Concord Parkway South at Pitts School Road.)

Guidance specific to the Mixed-Use Activity Center specifies that the RC (Residential Compact) zoning district is a corresponding zoning classification and advises that development should include:

- *Whenever possible, it is recommended that developers utilize one of the mixed-use zoning districts when developing in an area designated MUAC.*
- *The interconnectivity of the public realm (streets, walk/bike infrastructure) is an essential element of the MUAC areas.*

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

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.*

Enhancing mobility between residential, employment, commercial and recreation uses: *Improving connections between the places where residents live, work and play will be a key challenge than can only be met through better integration of land uses and the establishment of connections between uses for all modes of transportation. Narrow rights-of-way constrain opportunities to establish complete streets along many arterial street corridors, which increases the importance of coordinating land uses and ensuring that their designs facilitate better mobility.*

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

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.*

Policy Guidance for Objective 1.6:

- ***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.*

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.*

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately 29.5 acres.
- The subject property was annexed on December 31, 1995.
- 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 districts to the land use category. Single family attached dwellings are already present in the general vicinity, and development of commercial uses on the entirety of the subject property may be unlikely. Furthermore, the request presents an infill housing

development that is lower in density than the neighboring multi-family development that introduces an additional housing type to the southwest quadrant of Pitts School Road/Concord Parkway. This would further the guidance of Section 1.6 of the LUP by encouraging infill development with a mix of housing options. Furthermore, the LUP Objective 6.2 encourages tree preservation in all new development.

- The zoning amendment is reasonable and in the public interest as it provides a different housing type that is not available in this particular quadrant of the mixed-use activity center. However, it is compatible with the nearby higher density residential developments including multi-family and the adjacent commercial development, and serves to provide vehicular connectivity with the industrial property to the west and the commercial and approved multifamily development along Concord Parkway. The associated TIA (Traffic Impact Analysis) has been approved by the City and NCDOT and minimum traffic mitigation measures will be required.

OR

- The zoning amendment is not reasonable and not in the public interest as the proposed development eliminates commercially and industrially zoned property within the Concord Parkway/Pitts School Road mixed use activity center and replaces land that could be utilized for service uses with residential. Residential uses (the approved multifamily development on Concord Parkway to the west) are already present within this mixed-use center.

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. Substantial compliance with the “Conditional District Morris Tract Site Plan” dated May 3rd, 2022. (minor modifications may be made by staff pursuant to Section 3.2.9.H)
2. The secondary access connecting the proposed development to Concord Parkway shall be constructed to meet city standards.
3. All corner lots shall meet corner side setbacks of 20’.
4. Tree save areas shall equal a minimum of 2.55 acres, and tree save areas shall meet all minimum requirements of Section 11.9.
5. Limits of disturbance shall be determined on site with the City of Concord Arborist or his/her designee prior to any land disturbing activities.
6. The easement for the off-site SCM shall be recorded prior to the issuance of any permits.
7. Open Space Areas shall be programmed with at least two (2) or more of the following options:

- a. Clubhouse with Pool
 - b. Dog Park with seating areas
 - c. Community Garden
 - d. Playground with seating areas
 - e. Open greens with seating
8. Compliance with all minimum requirements relative to landscaping, stormwater, transportation, utilities, Fire protection and minimum engineering construction standards;
 9. Technical site review and approval plan shall be required.
 10. The subject plan is not designed to preliminary plat or technical site plan standards and therefore, any intended or perceived deviation from technical standards resulting from the somewhat general nature of the plan shall not constitute approval to deviate from, or negate, technical standards within the Concord Development Ordinance, Technical Standards Manual, or any other regulatory document.

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: _____

Landeavor Acquisitions, LLC, c/o Ramon Garcia; 10930 Crabapple Road, Suite 204,

Roswell, GA 30075; 770-709-6566; rgarcia@landeavor.com

Owner Name, Address, Telephone Number: _____

See Exhibit A attached hereto

Project Location/Address: 100 Pitts School Road Southwest

P.I.N.: Portion of 5509317753 and all of 5509421822

Area of Subject Property (acres or square feet): +/- 29.5 acres (See survey/legal descriptions)

Lot Width: +/- See the survey Lot Depth: +/- See the survey

Current Zoning Classification: I-1 and C-2

Proposed Zoning Classification: RC-CD

Existing Land Use: Vacant

Future Land Use Designation: Mixed Use Activity Center

Surrounding Land Use: North Townhomes/vacant/commercial South Vacant I-1 land

East School West Commercial/retail

Reason for request: To accommodate a residential community on the site that would contain a maximum of 246 single family attached dwelling units.

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:

A maximum of 246 single family attached dwelling units.

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):

The applicable conditions of the proposed development are set out on the Rezoning Plan.

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.

See Attached Signature Page
Signature of Applicant Date

See Attached Signature Page
Signature of Owner(s) Date

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.

See Attached Signature Page
Page

See Attached Signature

Signature of Applicant
Owner(s) Date

Date

Signature of

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.

Property Owners

Parcel Identification No. 5509317753

THE MORRIS FAMILY LIMITED PARTNERSHIP

By: Edward Z. Morris, Jr.
Name: Edward Z. Morris, Jr
Title: Partner

Date: 11/12/2021, 2021

Parcel Identification No. 5509421822

Robert F. Morris Nov. 11th 2021
Robert F. Morris Date

~~Applicant~~

~~LANDLORD~~

By: _____
Name: _____
Title: _____

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.

Property Owners

Parcel Identification No. 5509317753

THE MORRIS FAMILY LIMITED PARTNERSHIP

By: _____

Name: _____

Title: _____

Date: _____, 2021

Parcel Identification No. 5509421822

Robert F. Morris

Date

Applicant

LANDEAVOR ACQUISITIONS, LLC

By: _____

Name: Adam Lorry

Title: president

Date: November 15, 2021

GENERAL NOTES:

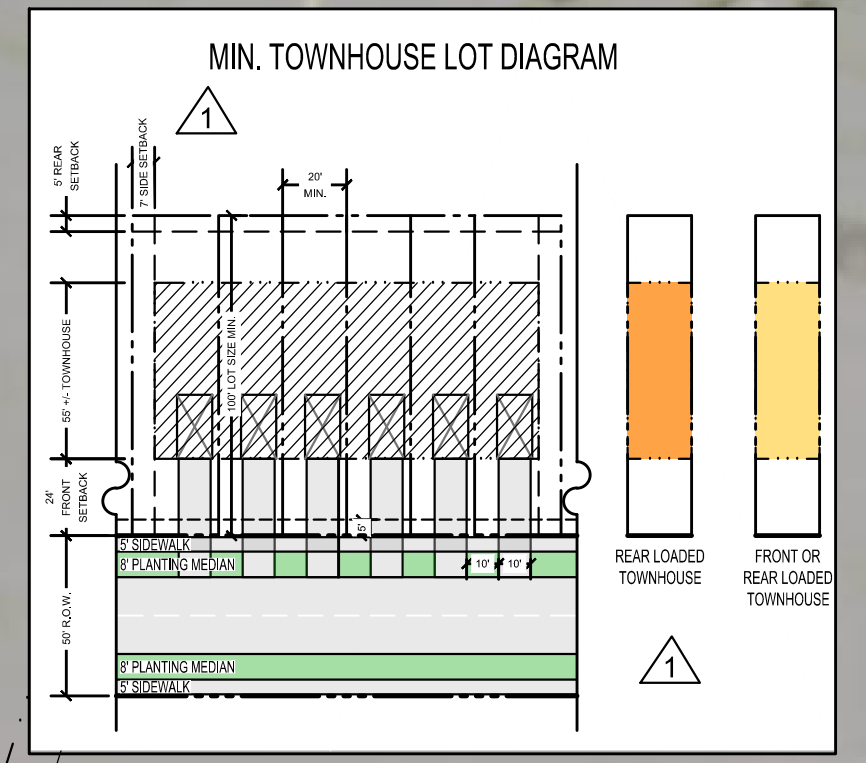
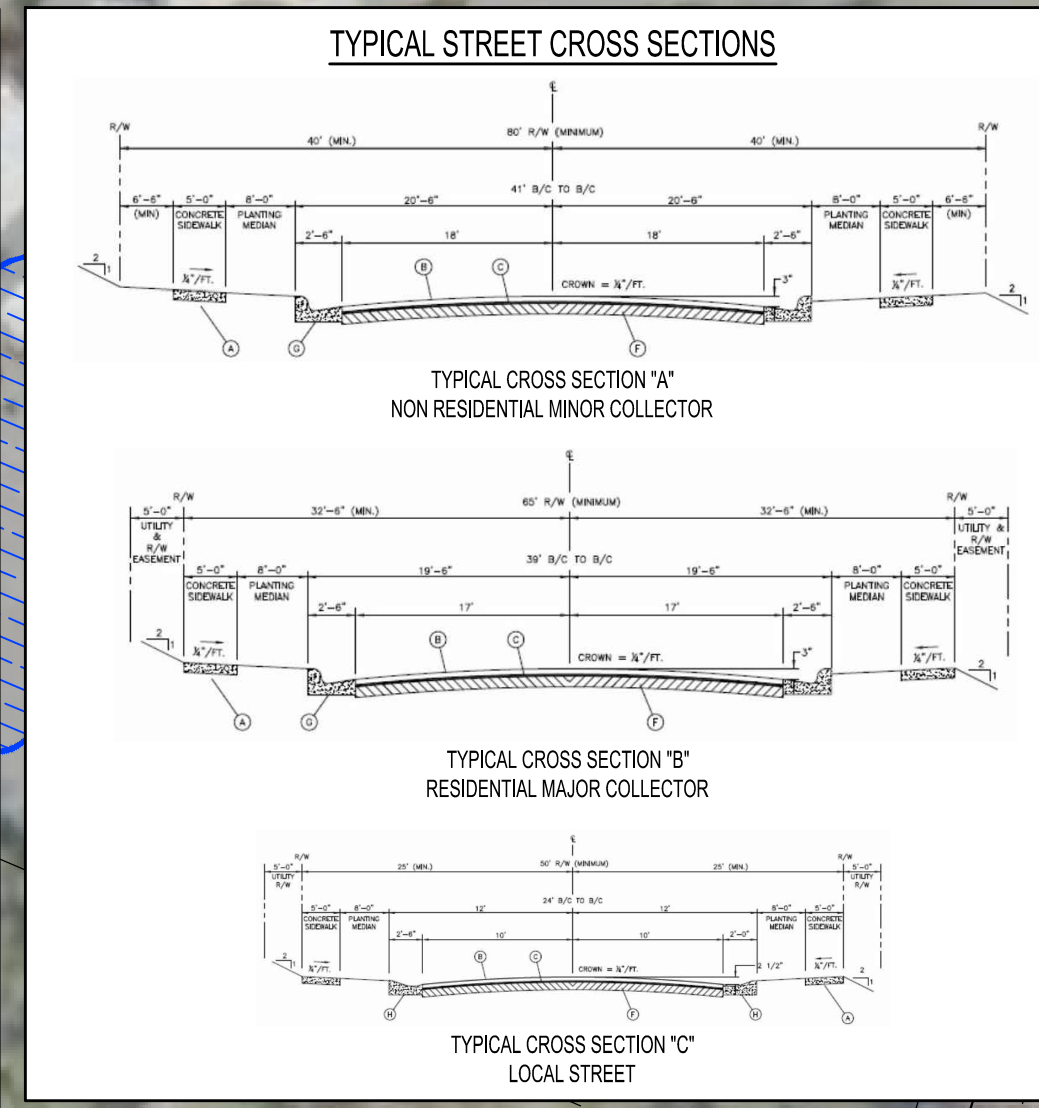
1. A PRELIMINARY FLOW ALLOCATION MUST BE OBTAINED AT TIME OF PRELIMINARY PLAT. CONSTRUCTION PLANS CANNOT BE SUBMITTED WITHOUT A PRELIMINARY FLOW APPROVAL.
2. THIS IS A SITE PLAN CONTROLLED DISTRICT. SOME DEVIATIONS FROM THE APPROVED PLAN ARE PERMITTED AND FOUND IN ARTICLE 3.2.9.H.
3. CITY SOLID WASTE SERVICE TO BE PROVIDED FOR EACH TOWNHOME LOT.
4. WATER AND SEWER SERVICE TO BE PROVIDED BY CITY OF CONCORD.
5. ELECTRIC SERVICE TO BE PROVIDED BY DUKE ENERGY.
6. OPEN SPACE AREA INCLUDES THE AMENITY AREA.
7. REAR PATIOS SHALL BE A MINIMUM OF 5' FROM THE REAR PROPERTY LINE.
8. TECHNICAL REVIEW OF TRANSPORTATION ELEMENTS TO OCCUR DURING PRELIMINARY PLAT AND SITE CONSTRUCTION PLAN REVIEW PERIOD. THESE REVIEWS COULD RESULT IN MINOR OR POSSIBLY SIGNIFICANT CHANGES TO THE LAYOUT WHERE IT IS FOUND THAT THIS CONCEPTUAL LAYOUT DOES NOT MEET TECHNICAL STANDARDS.
9. THE SECONDARY ACCESS CONNECTING THE PROPOSED DEVELOPMENT TO CONCORD PARKWAY SHALL BE CONSTRUCTED TO MEET CITY STANDARDS.
10. ALL CORNER LOTS SHALL MEET CORNER SIDE SETBACKS OF 20'
11. TREE SAVE AREAS SHALL EQUAL A MINIMUM OF 2.93 ACRES, AND TREE SAVE AREAS SHALL MEET ALL MINIMUM REQUIREMENTS OF SECTION 11.9
12. LIMITS OF DISTURBANCE SHALL BE DETERMINED ON SITE WITH CITY OF CONCORD ARBORIST OR HISHER DESIGNEE PRIOR TO ANY LAND DISTURBING ACTIVITIES.
13. THE EASEMENT FOR THE OFF-SITE SCM SHALL BE RECORDED PRIOR TO THE ISSUANCE OF ANY PERMITS.
14. OPEN SPACE AREAS SHALL BE PROGRAMMED WITH AT LEAST TWO (2) OR MORE OF THE FOLLOWING OPTIONS:
 - CLUBHOUSE WITH POOL
 - DOG PARK WITH SEATING AREAS
 - COMMUNITY GARDEN
 - PLAYGROUND WITH SEATING AREAS
15. COMPLIANCE WITH ALL MINIMUM REQUIREMENTS RELATIVE TO LANDSCAPING, STORMWATER, TRANSPORTATION, UTILITIES, FIRE PROTECTION, AND MINIMUM ENGINEERING CONSTRUCTION STANDARDS.
16. TECHNICAL SITE REVIEW AND APPROVAL PLAN SHALL BE REQUIRED.
17. THE SUBJECT PLAN IS NOT DESIGNED TO PRELIMINARY PLAT OR TECHNICAL SITE PLAN STANDARDS AND THEREFORE, ANY INTENDED OR PERCEIVED DEVIATION FROM TECHNICAL STANDARDS RESULTING FROM THE SOMEWHAT GENERAL NATURE OF THE PLAN SHALL NOT CONSTITUTE APPROVAL OR DEVIATE FROM, NOR NEGATE, TECHNICAL STANDARDS WITHIN THE CONCORD DEVELOPMENT ORDINANCE, TECHNICAL STANDARDS MANUAL, OR ANY OTHER REGULATORY DOCUMENT.

BUFFER NOTES:

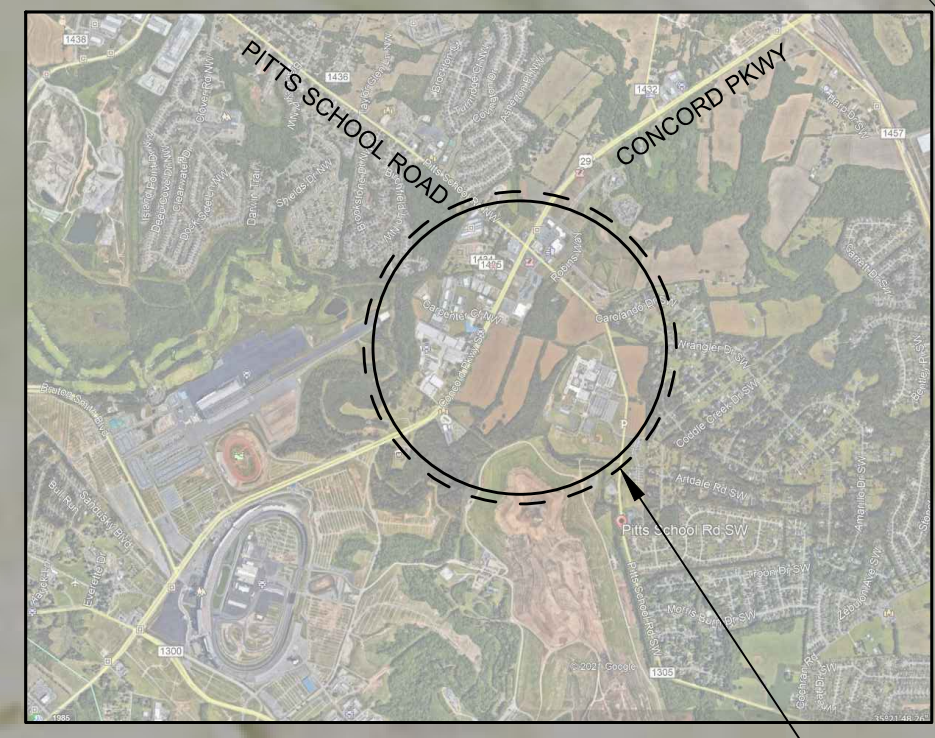
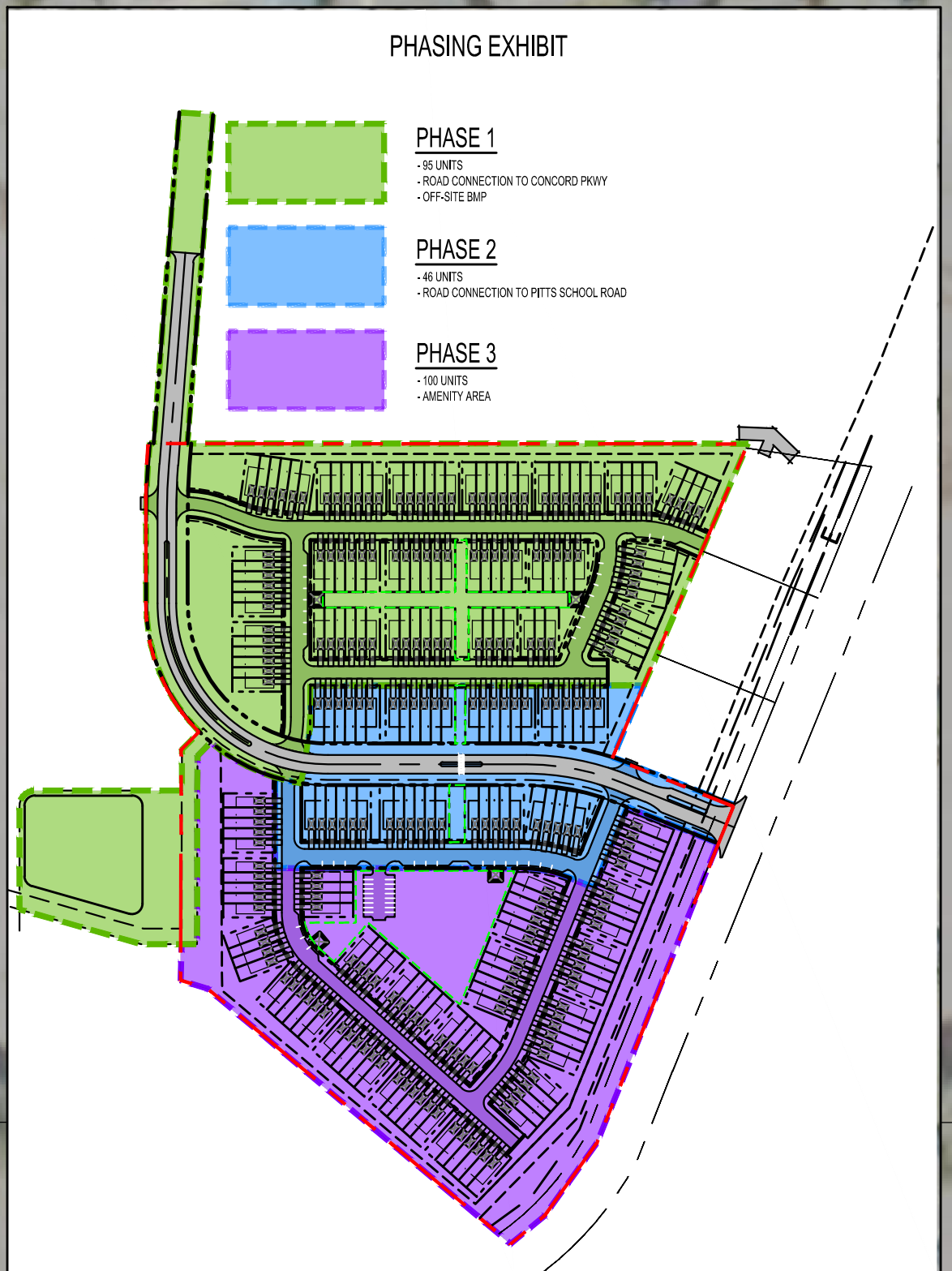
AREA 1: 85' WIDE TREE SAVE AREA

AREA 2: 80' WIDE TREE SAVE AREA, CONSISTS OF 30' GREENWAY EASEMENT AND 50' TYPE D BUFFER

AREA 3: 25' TYPE D BUFFER WITH 6' HEIGHT BERM. PLANT QUANTITY STANDARDS SHALL MEET TYPE D 25' WIDTH WITH BERM STANDARDS.



Zoning District	Min. Front Setback (Feet)	Min. Interior Side Setback (Feet)	Min. Rear Setback (Feet)
RC	24	7	5



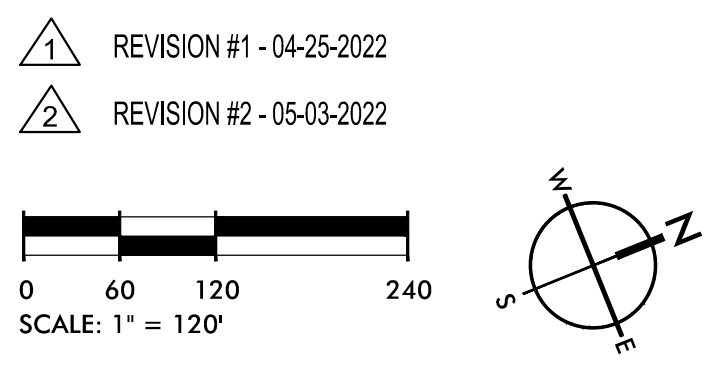
SITE AREA

DEVELOPMENT SUMMARY

Overall Site Acreage	29.302 Ac
Pitts Road ROW Dedication	0.944 Ac
Net Site Acreage	28.358 Ac
Current Zoning	I1 & C2
Proposed Zoning	RC-CD
# of Lots Proposed	241
Proposed Density	9.45 Per Ac
Impervious Area Requirement	<50%
Proposed Impervious Area	539,709 SF (43.69%)
Open Space Required	5.67 Ac (20% Required)
Open Space Provided	6.42 Ac (22.6% Provided)
Parking Spaces Required (1.5 space/unit)	362
Parking Spaces Provided (On Lots) (2 spaces/unit)	482
Parking Spaces Provided (Off-Street)	58
Parking Spaces Provided (Total)	540

OPEN SPACE CALCULATIONS

	Required	Provided
Open Space (50%)	2.835 AC	
Amenity Space		1.35 AC
Trails, Greenways, and Sidewalks		0.57 AC
Buffers, Setbacks, and Easements		1.66 AC
Tree Preservation (50%)	2.835 AC	
Tree Preservation Area		2.31 AC
Mitigated Tree Preservation Area		0.53 AC
TOTALS	5.67 AC (20% Required)	6.42 AC (22.6% Provided)



CONDITIONAL DISTRICT MORRIS TRACT SITE PLAN

LANDEAVOR, LLC.
CONCORD, NORTH CAROLINA
CL11501 MEM 1 05.03.2022

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE. NO SURVEY AVAILABLE. GIS INFORMATION IS AS SHOWN.

NEIGHBORHOOD MEETING REPORT
Applicant: Landeavor Acquisitions, LLC
Rezoning Application No. Z(CD)-32-21

This Neighborhood Meeting Report is being filed with the City of Concord Planning Department pursuant to the provisions of the Concord Development Ordinance.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

A representative of the Applicant mailed a written notice of the date and time of the Neighborhood Meeting, and information on how to access the Neighborhood Meeting to the individuals and organizations set out on Exhibit A-1 attached hereto by depositing such notice in the U.S. mail on November 24, 2021. Copies of the written notices are attached hereto as Exhibit A-2.

DATE, TIME AND LOCATION OF MEETING:

The Neighborhood Meeting was held on Tuesday, December 7, 2021 at 6:30 PM. The Neighborhood Meeting was a virtual Neighborhood Meeting and was held by way of a Zoom Webinar.

PERSONS IN ATTENDANCE AT MEETING:

The Neighborhood Meeting was attended by those individuals identified on Exhibit B attached hereto. The Applicant's representatives at the Neighborhood Meeting were Ramon Garcia of the Applicant, Frances Yarbrough and Taylor Critcher of SeamonWhiteside and John Carmichael of Robinson Bradshaw & Hinson, P.A.

SUMMARY OF ISSUES DISCUSSED:

Applicant's representatives utilized a power point presentation during the Neighborhood Meeting, a copy of which is attached hereto as Exhibit C.

John Carmichael welcomed the attendees to the Neighborhood Meeting and introduced himself and the Applicant's representatives. John Carmichael stated that this is the official Neighborhood Meeting relating to this rezoning request. Landeavor Acquisitions, LLC is the Applicant. This is Rezoning Application No. Z(CD)-32-21.

Since there are only a few area residents logged into the meeting, we will keep this meeting somewhat informal. This is obviously a virtual meeting. We will go through our presentation and at the conclusion of the presentation, we will unmute your microphones and you can provide comments and ask questions. The appropriate team member will answer your question.

John Carmichael shared the current schedule of events. He stated that the public hearing before the Planning and Zoning Commission is currently scheduled for Tuesday, January 18, 2022 at 6 PM at City Hall located at 35 Cabarrus Avenue West. This is the earliest date that the public hearing could occur, and we think that the public hearing will likely be delayed until February 15, 2022.

John Carmichael shared a slide that depicts the site subject to this rezoning request. The site contains approximately 29.5 acres and is located on the south side of Pitts School Road, east of the intersection of Concord Parkway South and Pitts School Road. JM Robinson High School

abuts the site's eastern boundary line. John Carmichael shared an aerial photograph of the site. A retail development is located immediately to the west of the site.

John Carmichael stated that the site is currently zoned I-1 and C-2. The rear portion of the site is zoned I-1, which is a light industrial zoning district. The front portion of the site, closest to Pitts School Road, is zoned C-2, which is a general commercial zoning district. The parcels of land located to the north of the site across Pitts School Road from the site are zoned C-2 and RL, and the parcels of land located to the west of the site are zoned C-2.

John Carmichael stated that the Applicant is requesting that the site be rezoned from the I-1 and C-2 zoning districts to the RC-CD zoning district to accommodate the development of up to 246 single family attached dwelling units on the site. As we sit here today, if this rezoning request is approved, these dwelling units would not be completed until a couple of years from now. The Applicant's current plan is that these dwelling units would be for rent single family attached dwelling units. However, that is subject to change depending upon the market. Therefore, it is possible that these units could be for rent, for sale or a combination.

John Carmichael shared a slide that contains the future land use map from the 2030 Concord Land Use Plan. The site and the surrounding parcels are recommended to be a mixed-use activity center. John Carmichael shared the purpose statement of a mixed-use activity center and the applicable zoning districts for a mixed-use activity center. One of the applicable zoning districts is the RC zoning district. The Applicant is requesting the rezoning of this site to the RC-CD zoning district. Mixed-use activity centers contain a mixture of uses, and the uses would include a residential component. If this project were developed, it would provide a residential component in close proximity to existing and future commercial uses.

Ramon Garcia of the Applicant addressed the meeting and provided information on the Applicant, Landeavor. He stated that Landeavor is a land development firm, and most of what we do is develop large, master planned communities in the southeastern United States. Our headquarters is located in Tampa, and we have offices in Atlanta, Charlotte, Raleigh, and Texas. The company is about 15 years old and is owned by two partners. Over 10,000 lots have been developed by Landeavor or are in the pipeline for development.

Ramon Garcia reviewed several of Landeavor's projects. He discussed the River Club in Suwanee, Georgia, which is a gated golf community very close to Atlanta. It is a nice upscale community. We are developing Chatham Park in Pittsboro, North Carolina. This 7,000-acre development is being developed in multiple phases. Chatham Park will have 22,000 dwelling units. Ramon Garcia then discussed Oakland Park in Orlando, Florida. The final project that Ramon Garcia discussed is the Millbridge development in Waxhaw, North Carolina. Millbridge has been the best-selling community in North Carolina the last three years and it has won multiple national and local awards.

Our core business is developing large, master planned communities. We are now moving into the build-to-rent business, meaning that we not only develop land, but we are also building homes that we will rent. We will bring all of our core values to this business, which means that our for rent communities will have nice amenities and well done product. We feel that this product will provide rental opportunities for people who do not want to live in an apartment and people who want to downsize and rent. Ramon Garcia shared a slide that details the benefits of Landeavor's for rent communities. These include garages, yards, open space and amenities. The yards and the entire site would be maintained by Landeavor as the property manager. We intend to bring a nice development to Concord.

Taylor Critcher addressed the meeting. He stated that he is a land planner and a landscape architect with SeamonWhiteside, and he and his team have developed the site plan for this development. Taylor Critcher then shared the site plan. He stated that a street would go through the site and connect Pitts School Road to Concord Parkway South through the adjacent retail development. As result, the development would have good vehicular connectivity and circulation.

He stated that the area on the top right hand side of the site plan would be developed for commercial uses in the future. These commercial uses have not really been planned out, but they would be a part of the activity center.

John Carmichael asked Taylor if the commercial parcels were already zoned for commercial uses, and Taylor Critcher confirmed that the parcels were currently zoned for commercial uses. The commercial parcels are not part of the rezoning request.

Taylor Critcher stated that townhomes would be located to the south of the commercial parcels, across Pitts School Road from existing townhomes. This site plan has a sense of place and community. You would enter the internal collector street from Pitts School Road. The internal collector street bisects the site into northern and southern portions. The orange townhome units would be rear loaded townhome units, and the yellow townhome units would be front loaded townhome units. The rear loaded townhome units would create a nice streetscape on the internal collector street. The dark green areas are open space areas and open space corridors. The large open space area on the southern portion of the site would be an amenity area.

Taylor Critcher then reviewed the proposed 80 foot right of way section. This is the street located furthest to the west on the site as you go into the existing retail center to the north of this site. There would be some median elements, a berm, sidewalks and planting strips. \

The Community Meeting was then devoted to a question, answer and comment session. Set out below is a summary of the responses to the questions as well as the comments and concerns that were expressed at the meeting.

- An attendee stated that her home is located across Pitts School Road from the site. She stated that one of her main concerns is traffic. She asked if Pitts School Road would remain a two lane road and if there would be turn lanes on Pitts School Road into the site and a traffic signal. She stated that traffic is awful on Pitts School Road and there are traffic accidents on Pitts School Road. She stated that aesthetics is the least of our problems. Traffic is the big problem.

In response, Ramon Garcia stated that at this point he is not sure what will be the scope of the traffic improvements. He stated that Landeavor is currently having a traffic study prepared and they will work with NCDOT and the City on required transportation improvements to mitigate the development's traffic impacts.

- The same attendee stated that they are putting up 29 new homes behind her development and there is already a traffic issue. She is very concerned about traffic.

- An attendee asked what the rent would be for the townhome units, and Ramon Garcia stated that the rent is projected to be approximately \$2,000 a month. However, this is only a projection at this time because these townhome units would not be ready for occupancy until 2024.

- An attendee stated that she is concerned with overcrowding in this area. She does not see people looking to downsize next to a high school.
- An attendee stated that he believes that the adjacent high school is overcrowded.
- An attendee stated that a new middle school is being built around the corner, and the middle school will increase traffic in the area and on a road with only two lanes and no turn lanes. She stated that the quality of life in this area will suffer due to traffic.
- An attendee who lives across Pitts School Road from the site stated that he lives next to a new development and they took some of his land for a new road and it is dangerous. He stated that traffic in the area is almost suffocating. He stated that his property is over one acre in size, and that is why he bought it. He wanted some space. He stated that he is more concerned with the commercial development in the orange area. He stated that open space on the site is minimal, so you will have children playing in the street. He stated that this would be a dense development.

In response, Mr. Garcia stated that the amenity area is about 1.7 acres in size. We usually have a pool and restrooms in the amenity area. We make it very nice. John Carmichael stated that the site plan provides that the amenity area contains one acre.

- An attendee asked if the traffic study considers the new retail space on the opposite side of Pitts School Road, and Ramon Garcia stated yes. However, that retail space would not be developed with our development. That would be developed later.
 - Ramon Garcia asked if the attendees noticed the proposed collector road on the site that would go north and connect to Highway 29. An attendee said that is the Walmart Road, and Ramon Garcia stated that the internal collector road would connect to the Walmart Road. The Walmart Road would be improved in connection with this development.
 - Attendees reiterated their concerns about traffic and auto accidents on Pitts School Road. They also stated that the school traffic is an issue.
 - An attendee stated that the adjacent high school is overcrowded and asked if there are any plans to enlarge the adjacent high school. John Carmichael stated that he is not aware of any expansion plans. This attendee stated that developers should work with the community on school overcrowding issues and quality of life issues.
 - In response to a question, Ramon Garcia stated that all of the dwelling units would be townhome dwelling units. They could be for rent townhome dwelling units. Ramon Garcia stated that this development would be required to meet all of the City's requirements.
 - In response to a question, Ramon Garcia stated that the units would be approximately 1,800 square feet in size on average. Some units would be larger than 1,800 square feet, and some units would be smaller than 1,800 square feet. Each townhome unit would have a garage.
- Taylor Critcher pointed out the location of the on-street parking on the site and the guest parking.
- An attendee stated that tractor trailers park on the streets located in the large development located across Pitts School Road from the site.
 - An attendee stated that the developer should come to his house and see the traffic in the area. Cars travel at 45 to 50 mile per hour. This attendee stated that the reason why he and others bought their homes in this area is because we like a little bit of land and open space around us. Our open space is getting developed and we are getting cramped.

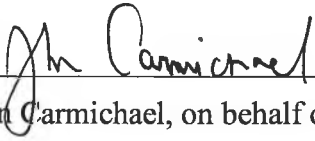
- An attendee stated that it sounds great, and it looks good on paper, but it's not going to work, I'm just saying. This attendee stated that she feels like they have been hit with both barrels because we have development behind us and this project is in front of us.
- An attendee stated that he lost 13,000 square feet of his own property because they widened the road beside his home and removed trees. This attendee stated that it tends to hurt a neighborhood if there is too much development.
- An attendee stated that we have plenty of storage units in the area. This attendee stated that we are not trying to be argumentative, but we feel there is too much development in the area.
- John Carmichael stated that he understands.
- An attendee stated that he moved here from New York and another attendee moved here from California, so we understand development, and the new development in the area is cramping our style. This attendee stated that he is irritated that they took his buffer for the new road. It makes it difficult for his grandkids to play in his yard.
- An attendee asked if this development would have an 85% occupancy rate, and Taylor Critcher said that hopefully it would.
- An attendee stated that you know our concerns, and I guess we'll wait for the planning meeting to get the traffic report. John Carmichael stated that we can follow up with you when we get the completed traffic study. John Carmichael stated that he has the attendees email addresses and that the attendees have his contact information as well.
- An attendee stated that he has a friend who is a policeman in Concord and he has asked him why the police cannot keep an eye on Pitts School Road because people speed on Pitts School Road. It is a real safety issue. Another attendee stated that there is a blind curve on Pitts School Road that is an issue as well.
- An attendee stated that if you cut down the trees on your site we will be able to hear the noise from the speedway.
- An attendee stated that the developer has a lot to consider. There is a lot going on in this area and your renters or buyers should be aware of it. The big things to consider are the noise from the speedway and the traffic.
- An attendee stated that she did not think that townhomes are the right use for this site because of the traffic they will add to the area.
- An attendee stated that aesthetics are a big deal. If the site is developed, you will take out the trees that give us some kind of a buffer and it would not be good for the climate. Removing the trees would also diminish the sound buffer to the speedway. Another attendee stated that the trees on the site also help with the odors from the landfill.
- An attendee reiterated his concerns regarding traffic.
- An attendee asked if they could see the traffic report before the Board Meeting, and John Carmichael responded yes.

John Carmichael thanked everyone for attending the meeting, and he stated that if anyone has any further questions, please feel free to contact him. The meeting was then adjourned.

CHANGES MADE TO THE APPLICATION AS A RESULT OF THE NEIGHBORHOOD MEETING AS OF THE DATE HEREOF:

No changes have been made to the Rezoning Plan or to the Rezoning Application as of the date of this Neighborhood Meeting Report solely as a result of the Neighborhood Meeting.

Respectfully submitted, this 11th day of April, 2022.



John Carmichael, on behalf of Landeavor Acquisitions, LLC, Applicant

Exhibit A-1

AcctName1	AcctName2	MailAddr1	MailCity	MailState	MailZipCod
A B & T PROPERTIES	C/O HAROLD BLACKWELDER	9700 REEDY LN	HARRISBURG	NC	28075
ALEXATOS LLC		PO BOX 465	CORNELIUS	NC	28031
ALLEN DA'LES		3682 ALDEBURGH RD SW	CONCORD	NC	28027
BELICIC CONNOR		1 S MARKET ST APT 2006	SAN JOSE	CA	95113
ALLIED WASTE AMERICA INC		PO BOX 29246	PHOENIX	AZ	85038
CABARRUS COUNTY		PO BOX 707	CONCORD	NC	28026
CAROSA KATHLEEN ELIZABETH		3684 ALDEBURGH RD SW	CONCORD	NC	28027
COVINGTON HOMEOWNERS ASSOC I		PO BOX 37109	CHARLOTTE	NC	28237
CROSBY MARSDEN T	CROSBY JOYCE R	4816 CAROLANDO DR SW	CONCORD	NC	28027
CULP NICHOLAS A		3722 ALDEBURGH RD SW	CONCORD	NC	28027
FELLOWSHIP FOR INTL REVIVAL &	EVANGELISM INC	P O BOX 5108	CONCORD	NC	28027
FIFE JON M	FIFE KIMBERLY L	4815 CAROLANDO DR	CONCORD	NC	28027
FV PROPERTIES LLC		468 NC 24-87	CAMERON	NC	28326
GOLDSBORO-SOUTHSTAR HOLDINGS		101 S KING DR STE 200 FL 2	CHARLOTTE	NC	28204
HALPRIN STEVEN B TRUSTEE		1316 PENNINGTON PL NW	CONCORD	NC	28027
HANNAH MEADOWS LLC		2208 DUXBAK LN	WAXHAW	NC	28173
JACK'S HEAVY CONCORD LLC	MEGAWASH CONCORD LLC	2918 MARTINSVILLE RD STE A	GREENSBORO	NC	27408
JOHNSON MICHAEL TYONE	WILSON ANTHONY	3690 ALDEBURGH RD SW	CONCORD	NC	28027
KAMAVARAM SUNIL	KAMAVARAM SOWJANYA	3686 ALDEBURGH RD SW	CONCORD	NC	28027
LINEBERGER RATOI	LINEBERGER LASHEMI	3710 ALDEBURGH RD SW	CONCORD	NC	28027
MEEHAN DOUGLAS J	MEEHAN YIXUE	9925 VIOLET CANNON DR	CONCORD	NC	28027
MINI STORAGE DEPOT ON CONCORD PKWY LLC		3900 EDISON LAKES PKWY	MISHAWAKA	IN	46545
MORRIS ROBERT F		172 PITTS SCHOOL RD SW	CONCORD	NC	28027
PALUKURI RAMA M	PALUKURI RADHIKA	5511 ALLISON LN	CHARLOTTE	NC	28277
SAVANNAH COMMONS HMOWNERS ASSC		1201 STALLINGS RD	MATTHEWS	NC	28104
SETTLERS LANDING CONSTRUCTION LLC		280 BRIDGEWATER LN	MOORESVILLE	NC	28117
SETTLERS' LANDING PROFESSIONAL	BUILDING LLC	573 N MAIN ST	DAVIDSON	NC	28036
SETTLERS LANDING TOWNHOME ASSOC		PO BOX 11906	CHARLOTTE	NC	28220
SOLOMON JOHN T CO TRUSTEE	SOLOMON JEANINE L CO-TRUSTEE	14333 SPRING VISTA DR	CHINO	CA	91709
VEMURI SRINIVAS	VEMURI PURNIMA	9152 KENSINGTON FOREST DR	HARRISBURG	NC	28075
WAL-MART REAL ESTATE	ATTN 0555 STORE 6586-00	PO BOX 8050	BENTONVILLE	AR	72716
LINDA JORDAN	CAROLANDO PRESIDENT	4252 GLEN HAVEN DR SW	CONCORD	NC	28027
DIANE SMALL	COVINGTON PRESIDENT	4968 HATHWYCK CT NW	CONCORD	NC	28027

Exhibit A-2

A B & T Properties
c/o Harold Blackwelder
9700 Reedy Ln.
Harrisburg, NC 28075

November 24, 2021

Re: Application for Zoning Map Amendment Filed by Landeavor Acquisitions, LLC for Property Located on the South Side of Pitts School Road Southwest Between Concord Parkway South and Carolando Drive (100 Pitts School Road Southwest and 172 Pitts School Road Southwest)

Dear Mr. Blackwelder,

We represent Landeavor Acquisitions, LLC (the "Applicant"). The Applicant has submitted to the City of Concord an Application for Zoning Map Amendment for an approximately 29.5 acre site located on the south side of Pitts School Road Southwest between Concord Parkway South and Carolando Drive in the City of Concord (100 Pitts School Road Southwest and 172 Pitts School Road Southwest). The site is comprised of a portion of PIN No. 5509317753 owned by The Morris Family Limited Partnership and PIN No. 5509421822 owned by Robert F. Morris.

The site is currently zoned I-1 and C-2 and the Applicant is requesting the rezoning of the site to the RC-CD zoning district.

The Applicant is requesting the rezoning of the site to accommodate the development of a residential community on the site that would contain a maximum of 246 single family attached dwelling units.

I have included a map showing the subject property and a draft site plan indicating the proposed layout.

The purposes of this letter are to provide you with information on this application and to request your presence at an informational neighborhood meeting hosted by the Applicant via ZOOM on **Tuesday, December 7, 2021 at 6:30 PM**. Information on how to access the ZOOM meeting is provided below:

You are invited to a Zoom webinar.

When: Dec 7, 2021 06:30 PM Eastern Time (US and Canada)

Topic: Request to Rezone on the South Side of Pitts School Road SW, Concord, NC

Please click the link below to join the webinar:

<https://robinsonbradshaw.zoom.us/j/93905078953?pwd=RTY3Nm04WGJPdm9jOGtSWjBDRzRoUT09>

Passcode: 753078

Or One tap mobile :

US: +16465588656,,93905078953# or +13126266799,,93905078953#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 312 626 6799

Alternatively, you may send an email to communitymeeting@robinsonbradshaw.com and request that the link to the informational neighborhood meeting be emailed to you.

The anticipated and tentatively scheduled date of the public hearing on this application before the Concord Planning & Zoning Commission is as follows:

- Concord Planning & Zoning Commission: January 18, 2022.

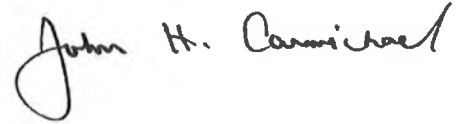
This is the earliest date that the public hearing could occur and it is possible that the public hearing could be delayed.

If you have any questions about this application, please contact John Carmichael (jcarmichael@robinsonbradshaw.com; 704-377-8341). We look forward to addressing any questions you may have regarding this matter.

A B & T Properties
c/o Harold Blackwelder
November 24, 2021
Page 3

Sincerely,

ROBINSON, BRADSHAW & HINSON, P.A.

A handwritten signature in black ink that reads "John H. Carmichael". The signature is written in a cursive style with a large, looped initial "J".

John H. Carmichael

DRAFT

NOTES:
 SECTION A: INSTALL BERM AT A HEIGHT OF 3' ABOVE CENTERLINE OF ROADWAY ELEVATION. THE MEDIAN PLANTINGS AND STREET TREES WITHIN 80' ROW TO BE MAINTAINED BY HOA. PLANT QUANTITY STANDARDS SHOULD MEET TYPE D 25' WIDTH WITH BERM STANDARDS.
 SECTION B: 25' TYPE D BUFFER WITH 3' HEIGHT BERM. PLANT QUANTITY STANDARDS SHOULD MEET TYPE D 25' WIDTH WITH BERM STANDARDS.
 SECTION C: 25' TYPE D BUFFER WITH 3' HEIGHT BERM. PLANT QUANTITY STANDARDS SHOULD MEET TYPE D 25' WIDTH WITH BERM STANDARDS.

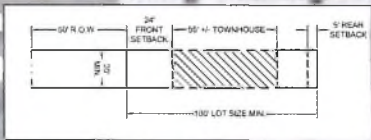


VICINITY MAP SITE AREA

Townhouse Site Data	
Site Acreage	+/- 29.5 Ac.
Current Zoning	I.1 & C2
Proposed Zoning	RC-CD
# of Lots Proposed	246
Proposed Density Units per Ac.	8.34 Per Ac.
Minimum Lot Size	20' x 100'
Open Space Required	+/- 5.8 Ac.
Open Space Provided	+/- 7 Ac.
Parking Spaces Required (1.5 space/unit)	369
Parking Spaces Provided (On Lots) (2 spaces/unit)	492
Parking Spaces Provided (Off-Street)	40
Parking Spaces Provided (Total)	532

Zoning District	Min. Front Setback (Feet)	Min. Interior Side Setback (Feet)	Min. Rear Setback (Feet)
RC	24	7	5

NOTE:
 City solid waste service to be provided for each townhome lot.
 Water and sewer service to be provided by City of Concord.
 Electric service to be provided by Duke Energy.



MIN. TOWNHOUSE LOT DIAGRAM

* NOTE: OPEN SPACE AREA INCLUDES THE AMENITY AREA
 50% OF OPEN SPACE TO BE TREE SAVE AREA



DRAFT



CONDITIONAL DISTRICT MORRIS TRACT SITE PLAN

DRAFT

SEAMON WHITESIDE, LLC.
 100 NORTH CAROLINA
 WEAVER 1 07 15 2021

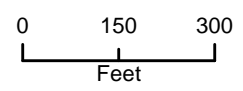
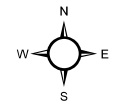
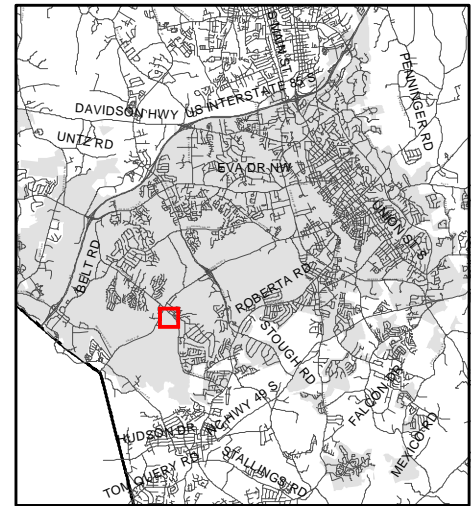
NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE
 NO SURVEY AVAILABLE. GIS INFORMATION IS AS SHOWN.



**Z(CD)-32-21
AERIAL**

**Rezoning application from
I-1 (Light Industrial) and
C-2 (General Commercial) to
RC-CD (Residential Compact
Conditional District)**

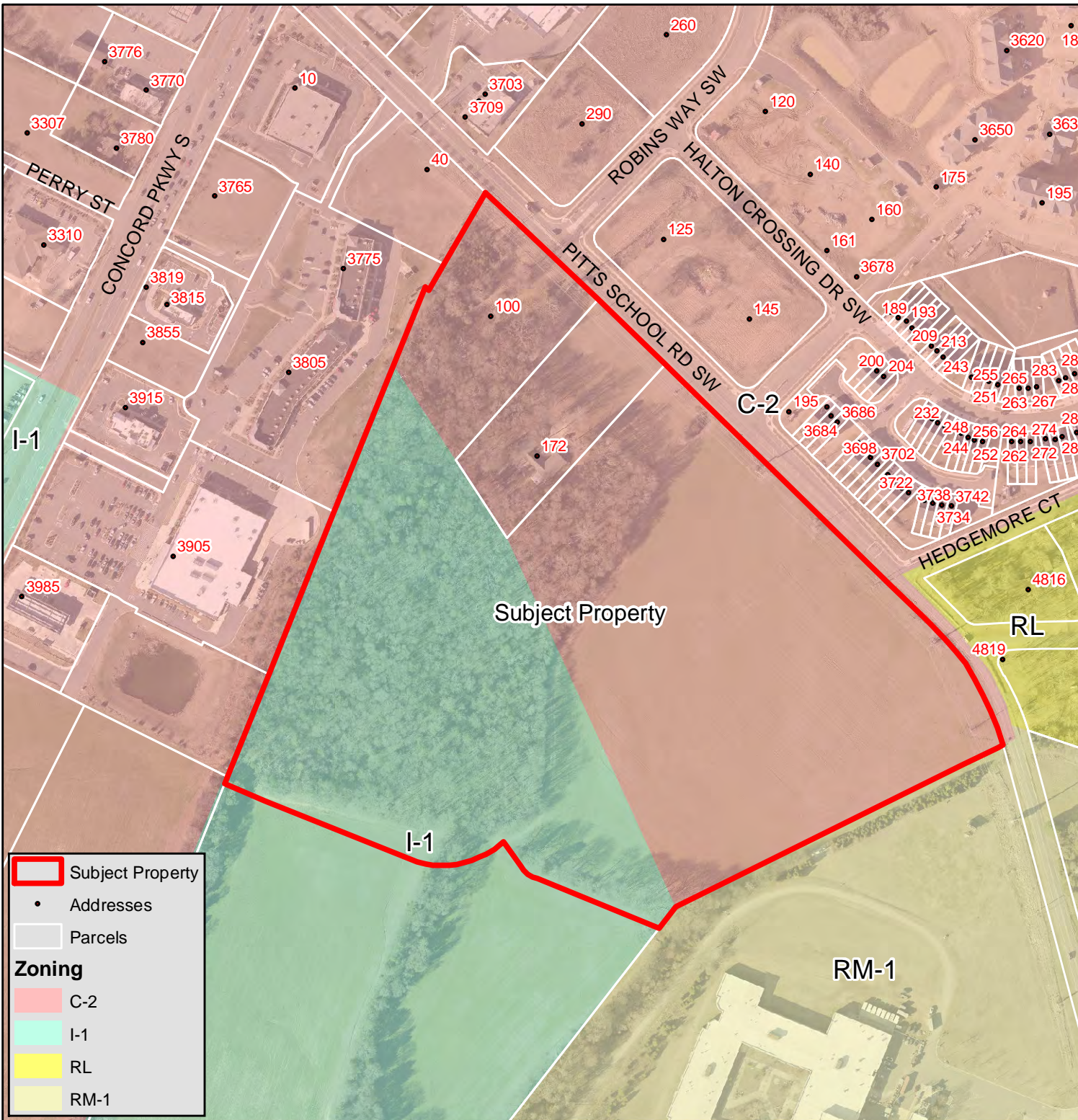
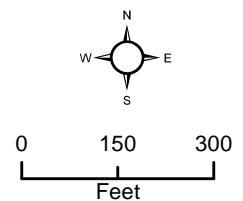
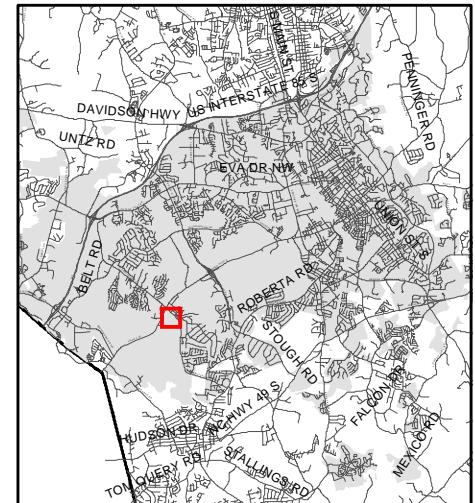
100 Pitts School Rd SW
PIN's: 5509-42-1822 and p/o 5509-31-7753



Z(CD)-32-21 ZONING

Rezoning application from
I-1 (Light Industrial) and
C-2 (General Commercial) to
RC-CD (Residential Compact
Conditional District)

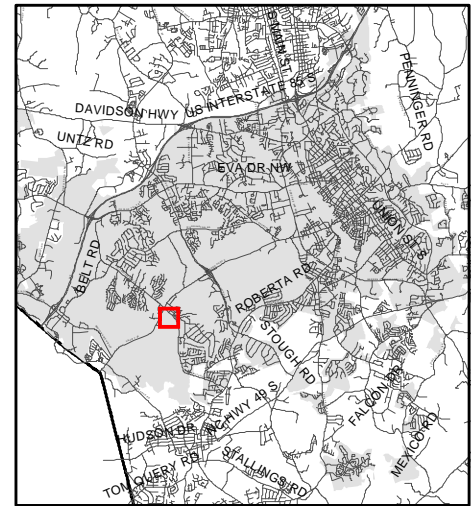
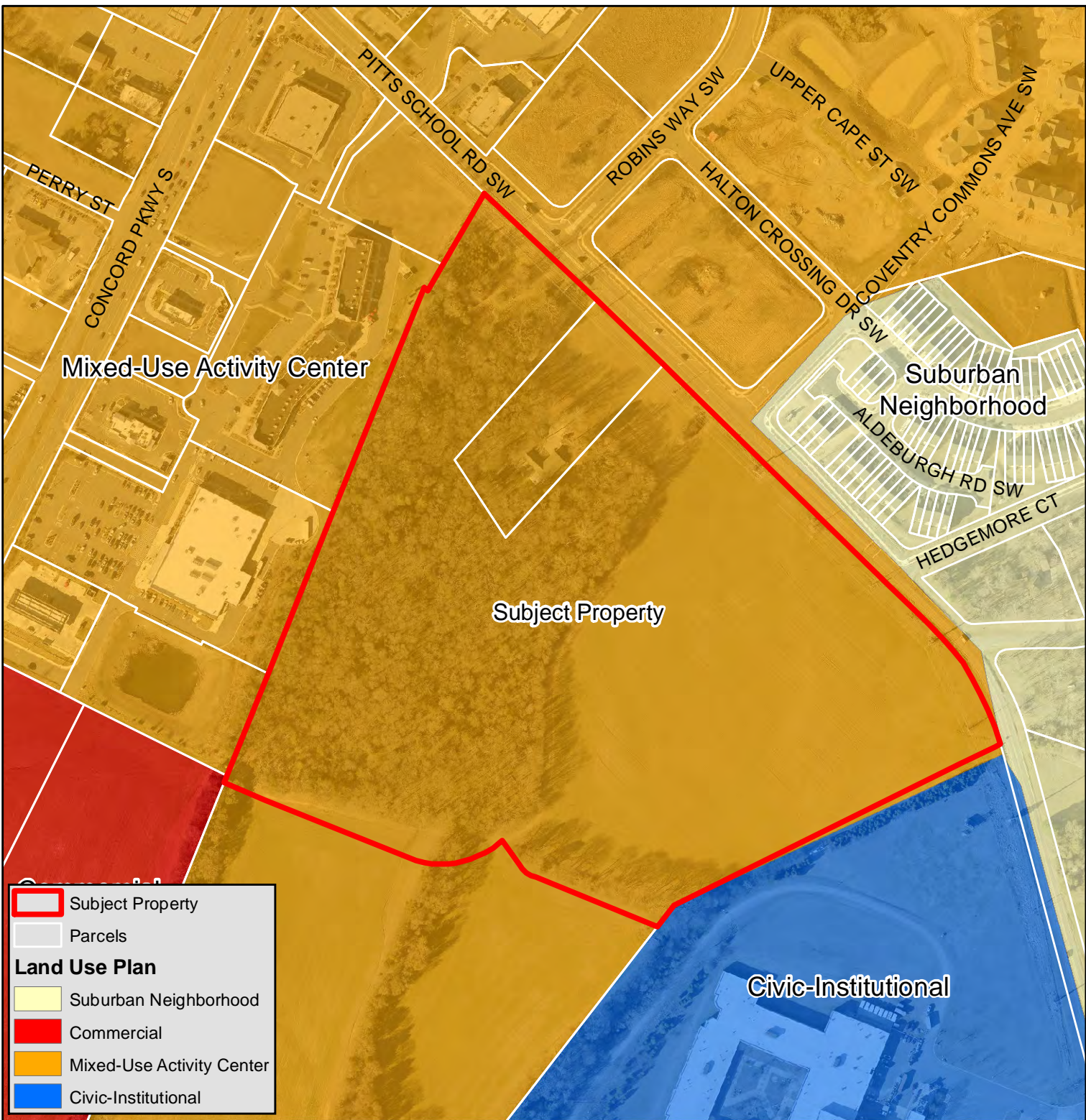
100 Pitts School Rd SW
PIN's: 5509-42-1822 and p/o 5509-31-7753



**Z(CD)-32-21
LAND USE PLAN**

**Rezoning application from
I-1 (Light Industrial) and
C-2 (General Commercial) to
RC-CD (Residential Compact
Conditional District)**

100 Pitts School Rd SW
PIN's: 5509-42-1822 and p/o 5509-31-7753



	Subject Property
	Parcels
Land Use Plan	
	Suburban Neighborhood
	Commercial
	Mixed-Use Activity Center
	Civic-Institutional

