



DATE: March 21, 2023

REZONING CASE #: Z-01-23

ACCELA: CN-RZZ-2023-00002

DESCRIPTION: Zoning Map Amendment
RC (Residential Compact) to C-2 (General Commercial)

APPLICANT/OWNER: Jacob Jordan

LOCATION: 1089 Gaither Pl NW

PIN#: 5611-75-1678

AREA: +/- 0.23 acres

ZONING: RC (Residential Compact)

PREPARED BY: Autumn C. James, Senior Planner

BACKGROUND

The subject property consists of one (1) parcel comprising +/- 0.23 acres on the south side of Davidson Hwy near the intersection of Central Dr NW. The property currently has one single-family residential building.

To the north of the property the zoning is RC (Residential Compact) and I-1 (Light Industrial) and the properties are vacant or single-family residential. The adjacent properties to the south and east are RC (residential compact) with single-family residences. To the west, the properties are zoned C-2 (General Commercial) and RC (Residential Compact) and contain auto sales and single family residences.

HISTORY

The property was annexed into the City effective June 30, 1992, as part of an involuntary annexation spanning from Davidson Hwy to Interstate 85. Jacob Jordan acquired the property by deed recorded in the Cabarrus County Register of Deeds Book 15564 Page 0331 on October 11, 2021.

SUMMARY OF REQUEST

The applicant is requesting to rezone the subject property from RC (Residential Compact) to C-2 (General Commercial) for an in-home daycare serving children with special needs.

Because the request is for straight zoning of C-2 (General Commercial) and not a conditional district, all permitted uses with the C-2 (General Commercial) zoning classification would be allowed on the site.

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	
RC (Residential Compact)	North	RC (Residential Compact) and I-1 (Light Industrial)	Residential	North	Vacant and Industrial
	South	RC (Residential Compact)		South	Single-family residential
	East	RC (Residential Compact)		East	Single-family residential
	West	C-2 (General Commercial) and RC (Residential Compact)		West	Commercial

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as “Urban Neighborhoods (UN).” C-2 (General Commercial) is *not listed* a corresponding zoning district to the “Urban Neighborhoods” land use category, and therefore is not consistent with the land use plan. Approval of the rezoning would require a Land Use Plan amendment by City Council.

The corresponding zoning districts for the “Urban Neighborhoods” land use category are RM-1 (Residential Medium Density), RM-2 (Residential Medium Density), RV (Residential Village), RC (Residential Compact), PRD (Planned Residential Development District), C-1 (Light Commercial and Office), PUD (Planned Unit Development), TND (Traditional Neighborhood Development), and O-I (Office-Institutional), and R-CO (Residential County Originated)

From the 2030 Land Use Plan – “Urban Neighborhoods” (UN)

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. Cul-de-sacs are restricted to areas where topography, environment, or existing development makes other connections prohibitive. Lots at intersections of collector and arterial streets within or at

the edges of urban neighborhoods may support neighborhood- and community-serving, pedestrian-oriented commercial or service uses such as coffee shops, cafes, beauty salons and light retail. Drive-through uses may be appropriate if designed and located so they access side streets and do not compromise pedestrian safety. Non-residential and multi-family uses are typically developed with minimal street setbacks in the urban neighborhood future land use category.

Policy Guidance:

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 non-residential development. The Future Land Use Map should provide adequate land to meet projected demands and provide market flexibility throughout the City.*

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- 0.23 acres and currently zoned RC (Residential Compact).
- The subject property was annexed into the City effective June 30, 1992.
- The proposed zoning is not consistent with the 2030 Land Use Plan (LUP) as C-2 (General Commercial) is not a corresponding zoning classification to the Urban Neighborhood Land Use Category. However, the subject property is located adjacent to other properties zoned commercial and industrial, and is located within close proximity to major thoroughfares. The zoning would be compatible with the adjacent C-2 (General Commercial) zoning to the west.
- The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning adjacent to the subject property and the adjacent commercial uses. The proposed zoning will allow for commercial uses to locate in the vicinity of the I-85 corridor.

SUGGESTED RECOMMENDATION AND CONDITIONS

The staff finds the zoning map amendment will also need a Land Use Plan Amendment to the 2030 Land Use Plan and staff has no objections to the petition. No conditions may be applied as the request is not for a “Conditional District.”

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. As the request is not a Conditional District no conditions may be applied.



Application for
Zoning Map Amendment

(Please type or print)

Applicant Name, Address, Telephone Number and email address:

Jacob Jordan, 1089 Gaither PI NW, Concord, NC 28027, 304-888-9430, jacobajordan98@gmail.com

Owner Name, Address, Telephone Number:

Jacob Jordan, 1089 Gaither PI NW, Concord, NC 28027, 304-888-9430

Project Location/Address: 1089 Gaither PI NW, Concord, NC 28027

Parcel Identification Number (PIN): 56117516780000

Area of Subject Property (acres or square feet): 0.23 Acres

Lot Width: 50 Lot Depth: 270.8

Current Zoning Classification: RC

Proposed Zoning Classification: C-2

Existing Land Use: Residential

Future Land Use Designation: Commercial

Surrounding Land Use: North I-1 South RC

East RC West C-2

Reason for request: The property is currently zoned residential which allows for an in-home daycare but with significant restrictions. I would like to make this change to expand and better serve the community including special needs children through the CDSA.

Has a pre-application meeting been held with a staff member? ___ Yes ___ No

Staff member signature: _____ Date: _____

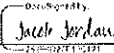


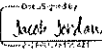
Application for
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Certification

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: 1/4/2023

Applicant Signature: 

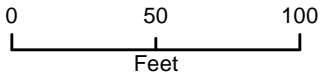
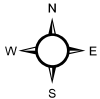
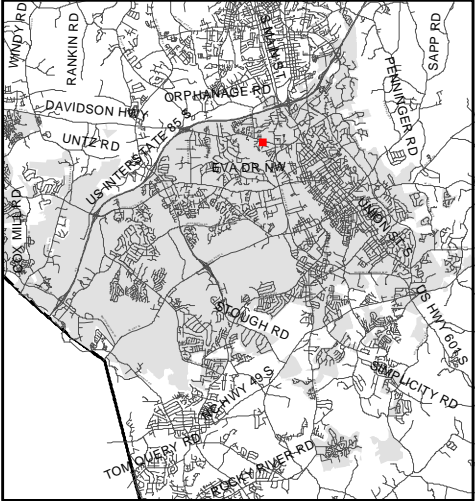
Property Owner or Agent of the Property Owner Signature:




**Z-01-23
AERIAL**

**Rezoning application
RC (Residential Compact)
to
C-2 (General Commercial)**

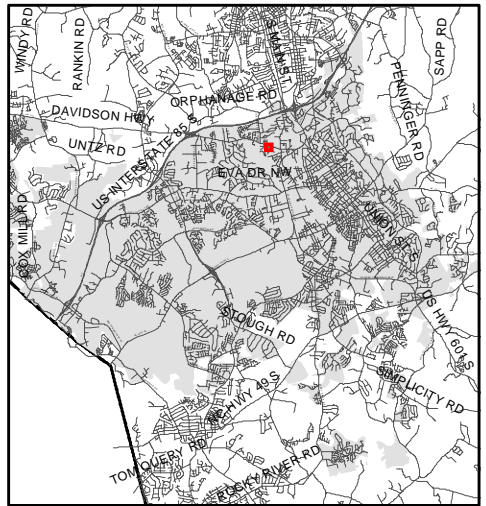
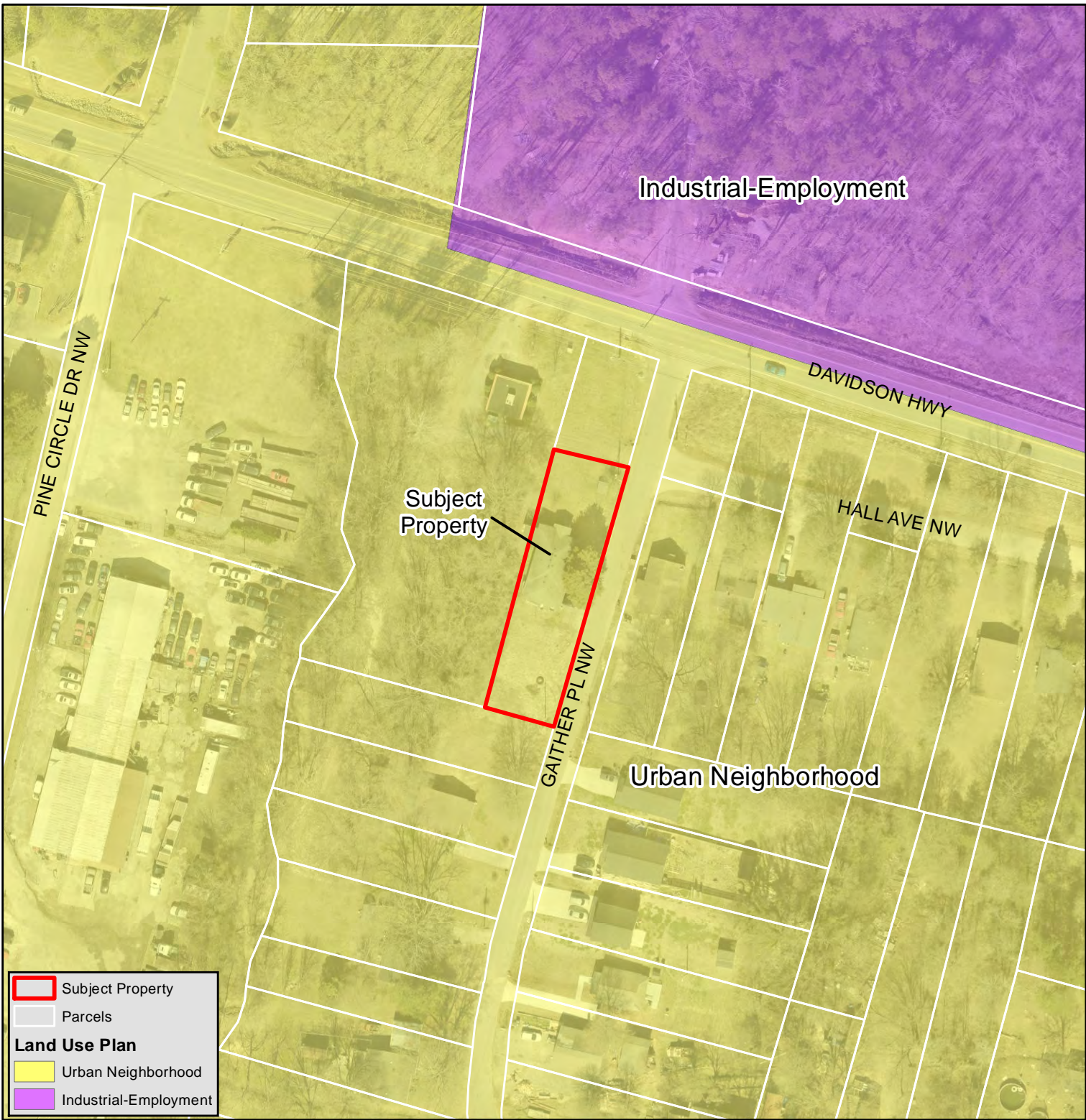
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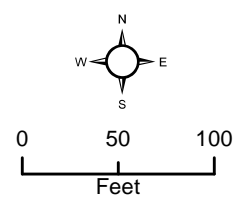
**Z-01-23
LAND USE PLAN**

**Rezoning application
RC (Residential Compact)
to
C-2 (General Commercial)**

1089 Gaither Pl NW
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	Subject Property
	Parcels
Land Use Plan	
	Urban Neighborhood
	Industrial-Employment



Z-01-23 ZONING

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