



DATE: March 19, 2024

REZONING CASE #: Z-01-24

ACCELA: CN-RZZ-2024-00001

DESCRIPTION: Zoning Map Amendment
RC (Residential Compact) to O-I (Office Institutional)

APPLICANT/OWNER: St. John Fire Baptized Holiness Church – c/o Carlos Moore
Architect PA

LOCATION: 121 & 131 Scotia Ave. NW

PIN#: 5621-02-7769, 5621-02-5846

AREA: +/- 1.94 acres

ZONING: RC (Residential Compact)

PREPARED BY: Fred Womble, Planner

BACKGROUND

The subject property consists of two (2) parcels comprising +/- 1.94 acres located on the north side of Scotia Avenue. Both parcels are owned by St. John Fire Baptized Holiness Church. Presently, the church utilizes the existing structure at 121 Scotia Ave. NW for its services.

HISTORY

The subject properties were annexed into the City prior to 1932. The church obtained ownership of the property at 121 Scotia Ave. in 1993 and 131 Scotia Ave. in 1996. Prior to the adoption of the Unified Development Ordinance (UDO) in 2000, both parcels were designated R-4 and converted to RC (Residential Compact) with the adoption of the current CDO.

SUMMARY OF REQUEST

The applicant is requesting to rezone the subject properties from RC (Residential Compact) to O-I (Office Institutional) to place a modular building on the site to be used as a small church. The proposed modular unit will be located along the east side of the current property line of 131 Scotia Ave. and to the northwest of the existing building at 121 Scotia Ave. Additionally, the applicant proposes to provide new off-street parking between the existing church building and the proposed modular unit to be located in the rear of the lots.

Because the request is not a conditional rezoning, if the request were to be approved, all permitted uses within the O-I (Office Institutional) district would be allowed. O-I zoning permits a wide variety of governmental offices and services and permits residences (single-family detached and attached and multi-family) only as accessory to a principal use such as a church or a school. Under the current RC zoning, a special use permit is required for additions to the structure and new structures.

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); I-1 (Light Industrial); I-2 (General Industrial)	Church & Vacant	North	Industrial, Vacant
	South	RC (Residential Compact)		South	Residential, Vacant
	East	RC (Residential Compact)		East	Residential
	West	RC (Residential Compact)		West	Vacant

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject properties as “Urban Neighborhood” (UN). O-I (Office Institutional) *is listed* as a corresponding zoning district to the “Urban Neighborhood” land use category, and therefore is consistent with the land use plan.

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 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.

SUGGESTED STATEMENT OF CONSISTENCY

- The subject properties for the rezoning petition are approximately +/- 1.94 acres and are currently zoned RC (Residential Compact).
- The subject properties were annexed into the City prior to 1932.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as O-I (Office Institutional) is a corresponding zoning classification to the Urban Neighborhood (UN) Land Use Category.
- The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning adjacent to the subject property.

OR

- The zoning amendment is not reasonable and in the public interest as the design is not compatible with the surrounding residential area.

SUGGESTED RECOMMENDATION AND CONDITIONS

City staff does not have any issues with the proposal. 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.

**APPLICATIONS NOT COMPLETED BY THE PUBLISHED APPLICATION
DEADLINE WILL NOT BE CONSIDERED.**

Required Attachments / Submittals:

- 1. Typed metes and bounds description of the property (or portion of property) in a Word document format.

- 2. Cabarrus County Land Records printout of names and addresses of all immediately adjacent landowners, including any directly across the street.

- 3. **FOR CONDITIONAL DISTRICT APPLICATIONS ONLY**, a plan drawn to scale (conditional district plan), and elevations if applicable submitted digitally.

- 4. If applicable, proof of a neighborhood meeting (signature page) or receipt from certified letters mailed to adjoining property owners if project increases density or intensity (See Section 3.2.3). Staff will provide further information on this requirement during the required pre-application meeting.

- 5. Money Received by _____ Date: _____
Check # _____ Amount: \$ 800.00 (Conditional) or \$600 (Conventional)
Cash: _____

The application fee is nonrefundable.

(Please type or print)

Applicant Name, Address, Telephone Number and email address:

Owner Name, Address, Telephone Number:

Project Location/Address: _____

Parcel Identification Number (PIN): _____

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

Lot Width: _____ Lot Depth: _____

Current Zoning Classification: _____

Proposed Zoning Classification: _____

Existing Land Use: _____

Future Land Use Designation: _____

Surrounding Land Use: North _____ South _____

East _____ West _____

Reason for request:

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

Staff member signature: Anita M. Massey Date: 12/22/2023

THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

1. List the Use(s) Proposed in the Project:

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):

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.

Virginia Moore

Signature of Applicant Date

Anita M. Massey *12/22/2023*

Signature of Owner(s) Date

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: _____

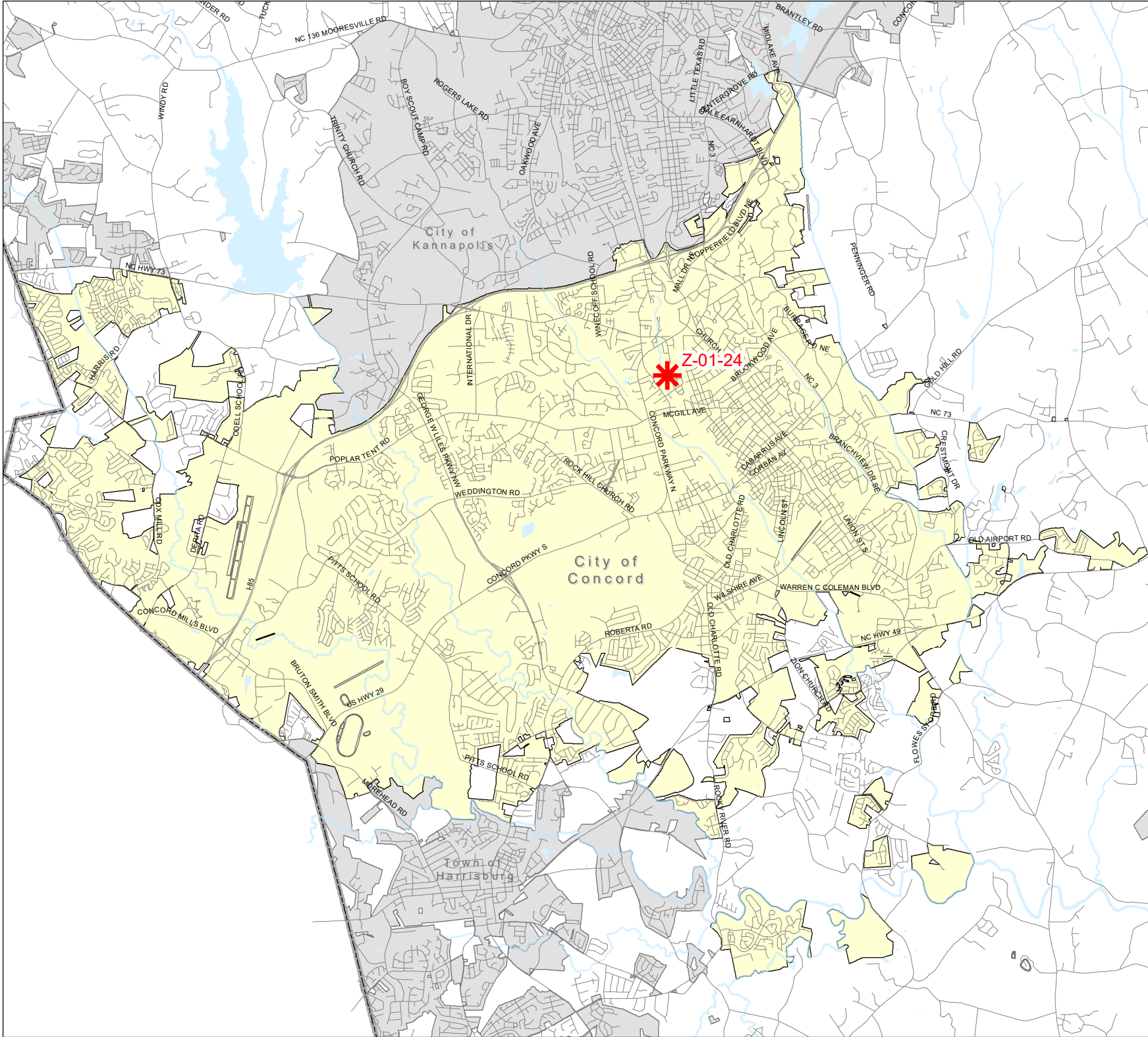
Applicant Signature: Virginia Moore

Property Owner or Agent of the Property Owner Signature:

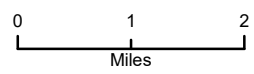
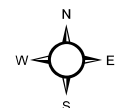
Anita M. Massey

Z-01-24

121 & 131 Scotia Ave NW



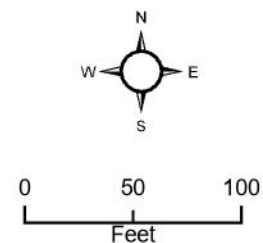
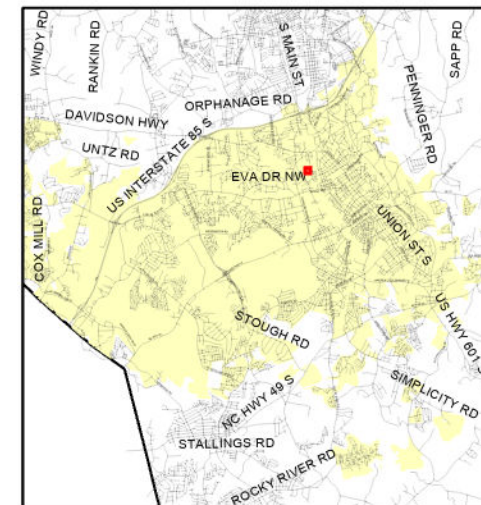
- Case Location
- Streets
- Lakes & Ponds
- Rivers
- Cabarrus Co.
- City of Concord
- Other Municipalities

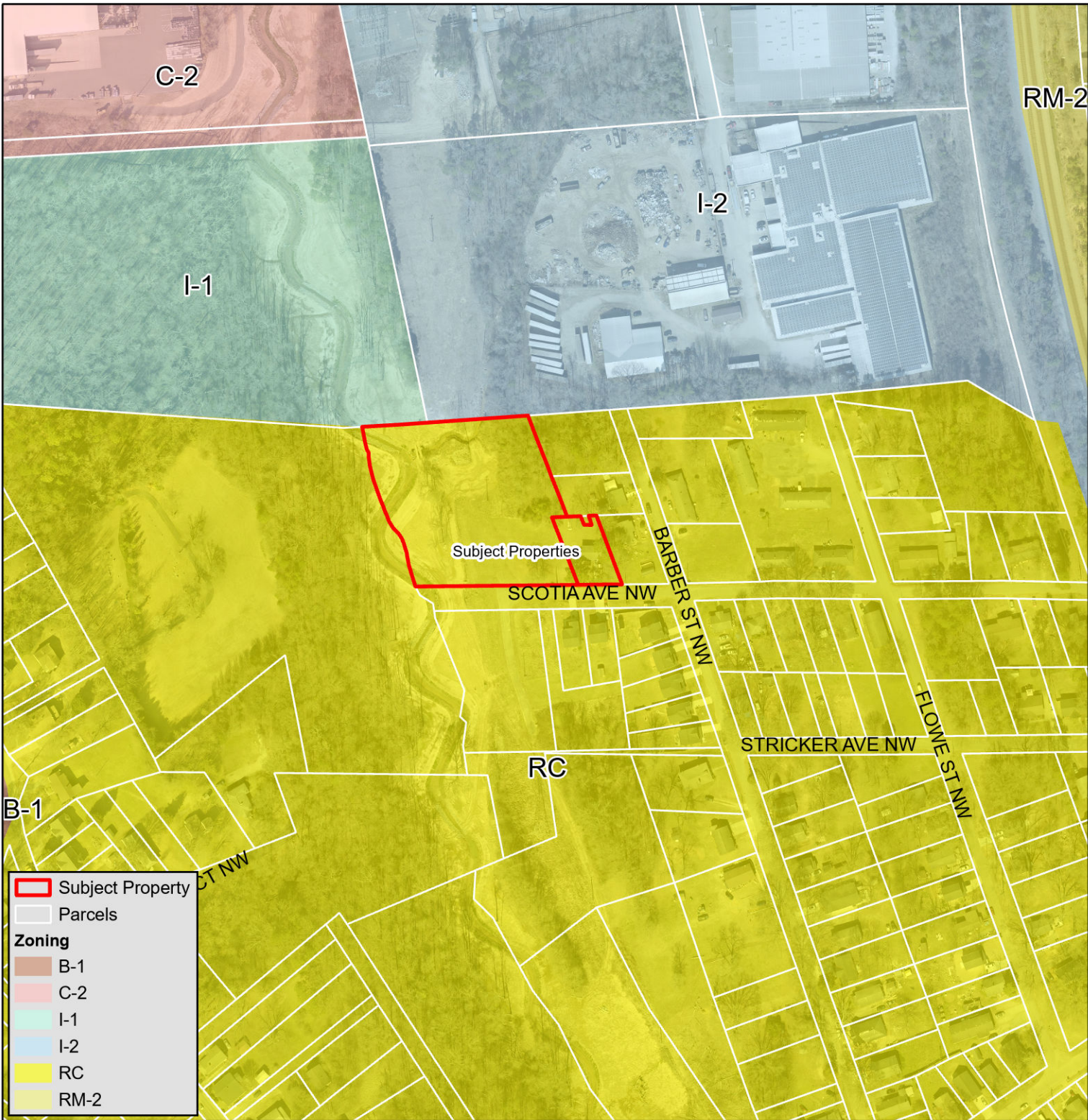


**Z-01-24
AERIAL**

**Rezoning application
RC (Residential Compact) to
O-I (Office -Institutional)**

121 & 131 Scotia Ave NW
PINs: 5621-02-7769 & 5521-02-5846

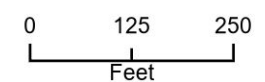
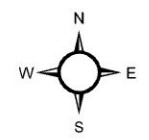
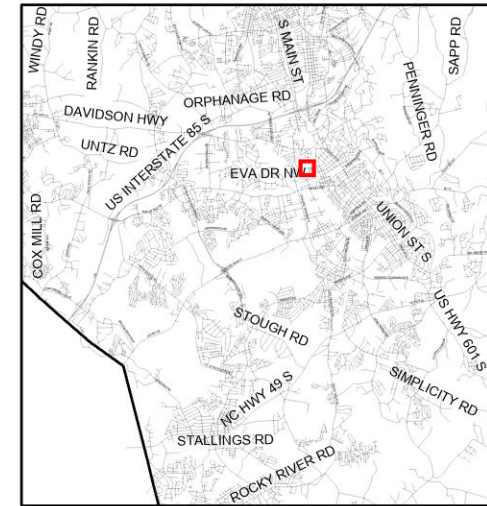




**Z-01-24
ZONING**

**Rezoning application
RC (Residential Compact) to
O-I (Office -Institutional)**

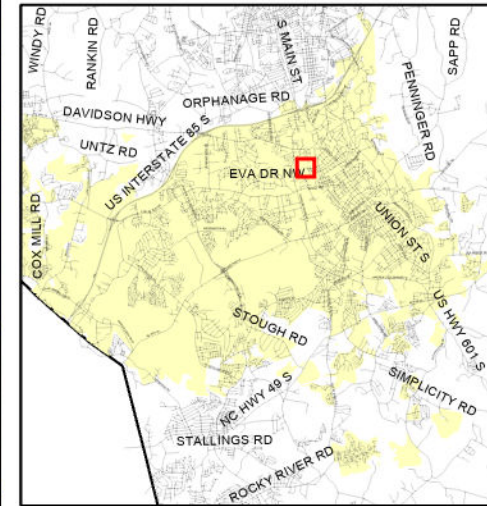
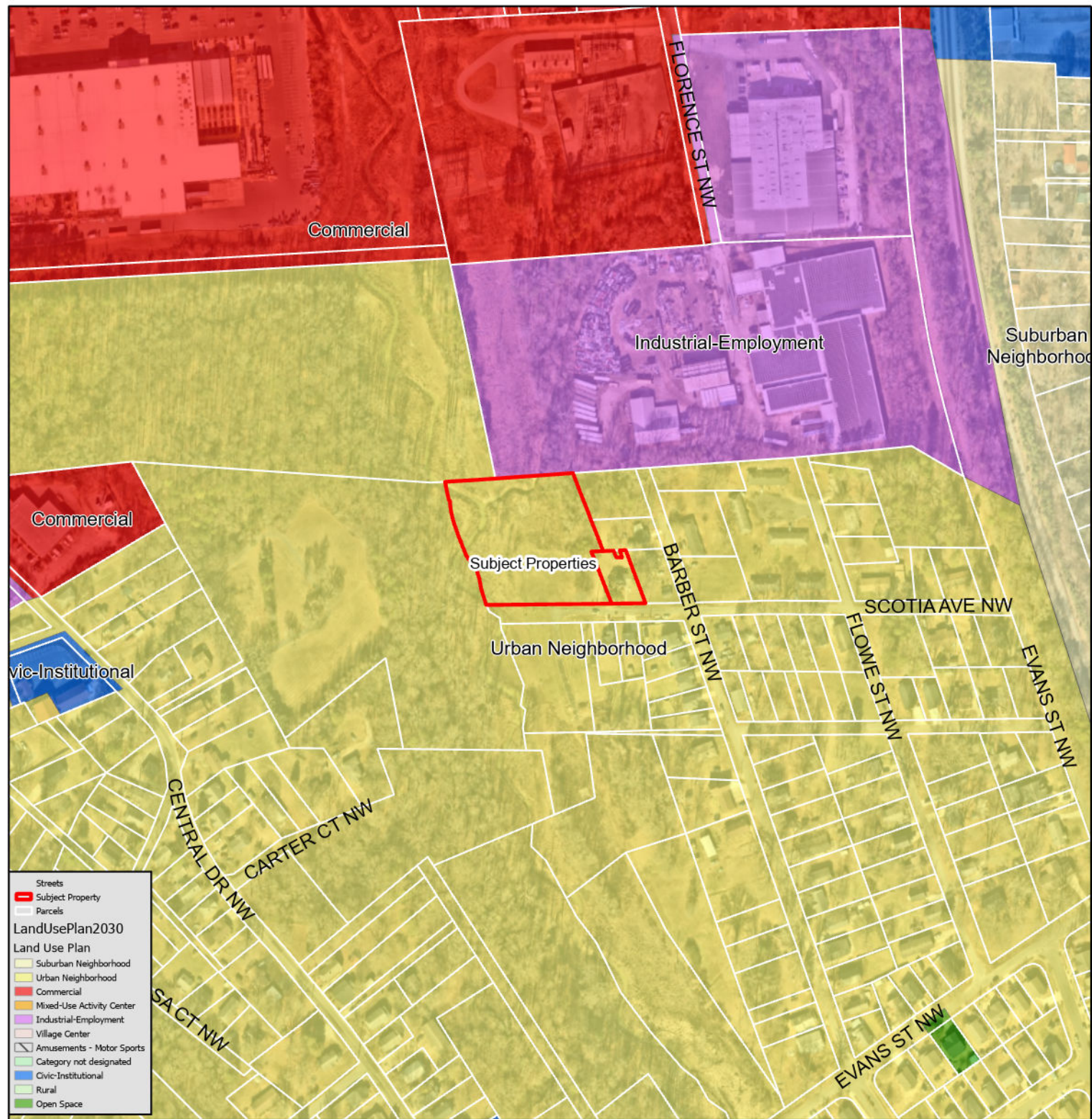
121 & 131 Scotia Ave NW
PINs: 5621-02-7769 & 5521-02-5846



**Z-01-24
LAND USE PLAN**

**Rezoning application
RC (Residential Compact) to
O-I (Office -Institutional)**

121 & 131 Scotia Ave NW
PINs: 5621-02-7769 & 5521-02-5846



- Streets
- Subject Property
- Parcels
- LandUsePlan2030**
- Land Use Plan**
- Suburban Neighborhood
- Urban Neighborhood
- Commercial
- Mixed-Use Activity Center
- Industrial-Employment
- Village Center
- Amusements - Motor Sports
- Category not designated
- Civic-Institutional
- Rural
- Open Space

