



DATE: February 15, 2022

CASE #: Z-02-22

ACCELA CASE #: CN-RZZ-2022-00001

DESCRIPTION: Zoning Map Amendment from
RE (Rural Estate) to RM-2 (Residential Medium Density)

APPLICANT: Ryan Lindsey

OWNER: Transformation Homes, LLC

LOCATION: 79 Green Street SW

PIN#: 5529-13-8638

AREA: +/- 5.52 acres

ZONING: RE (Rural Estate)

PREPARED BY: Brad Lagano, Senior Planner

BACKGROUND

The subject property consists of one (1) parcel comprising approximately 5.52 acres located on the southside of Green Street SW between Roberta Road to the west and Old Charlotte Road SW to the east. The property is owned by Transformation Homes, LLC. The applicant seeks a rezoning from RE (Rural Estate) to RM-2 (Residential Medium Density) for the construction of single-family detached homes. The future land use designation is Suburban Neighborhood (SN), for which both the RE and RM-2 zoning districts are compatible.

HISTORY

The property was annexed into the City on June 30, 1983.

SUMMARY OF REQUEST

The applicant proposes to rezone the property from Rural Estate (RE) to Residential Medium Density (RM-2) to allow for the development of single-family detached homes. The minimum lot size under RE zoning is 43,560 square feet (1.0 acre) with a minimum 150 feet lot width and 150 feet lot depth to allow for low-density, single-family uses. The permitted density within the RE zoning district is 1 dwelling unit per acre. Under RM-2 zoning, the minimum lot size is 10,000 square feet with a minimum lot width of 75 feet and lot depth of 100 feet and is geared towards medium density, single-family detached residential uses. RM-2 permits up to 4 dwelling units per acre. As this request is not for a conditional district, all permitted uses within the RM-2 district would be allowed if the request is approved. For residential uses, this includes single-family detached homes permitted by right. Single-family attached and multi-family would not be permitted in either the RE or RM-2 zoning districts.

As can be seen on the aerial and zoning maps, properties to the north are zoned RM-2, RV (Residential Village) and RC (Residential Compact). These properties are developed with single-family detached residences as well as the Concord View (formally Tarrymore) Apartments. Properties to the east consist of single-family detached residences and a church. These parcels are zoned RE, RC, and O-I (Office Institutional). The large predominantly wooded property to the south is zoned County LI (Limited Industrial), and was previously the Stonewall Jackson Youth Development Center, which was recently transferred to Cabarrus County by the State. Properties to the west are used as single-family detached residences.

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	
RE (Rural Estate)	North	RV (Residential Village); RC (Residential Compact)	Single-Family Detached Residential	North	Single-Family Detached Residential; Concord View Townhomes
	South	County LI (Light Industrial)		South	Stonewall Jackson Youth Development Center
	East	RE (Rural Estate); RC (Residential Compact); O-I (Office-Institutional)		East	Single-Family Detached Residential; Broadus Memorial Baptist Church
	West	RM-2 (Residential Medium Density); RM-1 (Residential Medium Density)		West	Single-Family Detached Residential

COMPLIANCE WITH THE 2030 LAND USE PLAN (LUP)

The 2030 Land Use Plan designates the subject property as “Suburban Neighborhood” for which RM-2 is listed as an applicable zoning district.

Applicable LUP Guidance:

From the 2030 Land Use Plan – “Suburban Neighborhood” (SN):

The Suburban Neighborhood (SN) Future Land Use category includes single-family areas that are formed as subdivisions or communities, with a relatively uniform housing type and density throughout. They may support a variety of single-family detached residential types, from low-density single-family homes to denser formats of smaller single-family homes. In areas designated Suburban Neighborhood, homes are typically oriented interior to the neighborhood and are typically buffered from surrounding development by transitional uses or landscaped areas. Single-family attached dwellings are an option for infill development

within the suburban neighborhood future land use category. These neighborhoods are often found in close proximity to suburban commercial, office, and industrial centers, and help provide the consumers and employment base needed to support these centers. Lots at intersections of collector and arterial streets within or at the edges of suburban neighborhoods may support small-scale, neighborhood serving, pedestrian-oriented commercial or service uses such as coffee shops, cafes, beauty salons and light retail. Pedestrian oriented uses exclude uses with drive-in, drive-through or automobile related services.

Policy Guidance:

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 5.52 acres and is zoned RE (Rural Estate).
- The subject property was annexed on June 30, 1983, and is currently vacant.
- The proposed zoning amendment is consistent with the 2030 Land Use Plan as RM-2 (Residential Medium Density) is a corresponding zoning classification to the “Suburban Neighborhood” Land Use Category. Rezoning the subject property to RM-2 (Residential Medium Density) would permit a denser housing option of up to four (4) dwelling units per acre for the subject site. This zoning designation would match, and be considered an expansion of, the existing RM-2 zoning district directly to the west. The proposal would provide a transition in density between the existing residential neighborhoods to the north and east. To the north, Residential Village (RV) zoning provides for up to eight (8) dwelling units per acre and to the north and east, the Residential Compact (RC) zoning provides for up to fifteen (15) dwelling units per acre. The rezoning would further the LUP guidance within Goal 4 by ensuring compatibility of neighboring land uses and utilizing land use transitions to further compatibility between developments.
- The zoning map amendment is reasonable and in the public interest as it would permit the development of infill single-family detached dwellings with similar dimensional standards to the existing adjacent residential neighborhood to the west. It would also permit the development of residential uses which are less intense and less dense than the properties to the north. The permitted uses and lot standards within the RM-2 zoning classification are compatible with the surrounding development patterns.

SUGGESTED RECOMMENDATION AND CONDITIONS

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

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 a conventional rezoning and not a “Conditional District” rezoning, no conditions may be applied.



Applicant Name, Address, Telephone Number and email address: Ryan Lindsey,
9803 Manbey Court, Charlotte, NC 28269
704-936-0629 Staff Note: ryan.lindsey@transformationhomesllc.com

Owner Name, Address, Telephone Number: Transformation Homes LLC,
9803 Manbey Court, Charlotte, NC 28269
704-936-0629

Project Location/Address: 79 Green St. SW, Concord, NC

P.I.N.: 55291386380000

Area of Subject Property (acres or square feet): 5.52 acres

Lot Width: ^{North} 225 ft, ^{South} 340 ft Lot Depth: ^{West} 845.4 ft, ^{East} 906.5 ft

Current Zoning Classification: RE

Proposed Zoning Classification: RM-2

Existing Land Use: _____

Future Land Use Designation: Suburban Neighborhood

Surrounding Land Use: North RC South LI
East RE West RM-2

Reason for request: _____

Has a pre-application meeting been held with a staff member? _____

Staff member signature: _____ 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: 01/04/2022

Applicant Signature: Ryan Lindsey

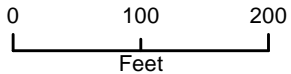
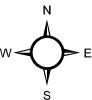
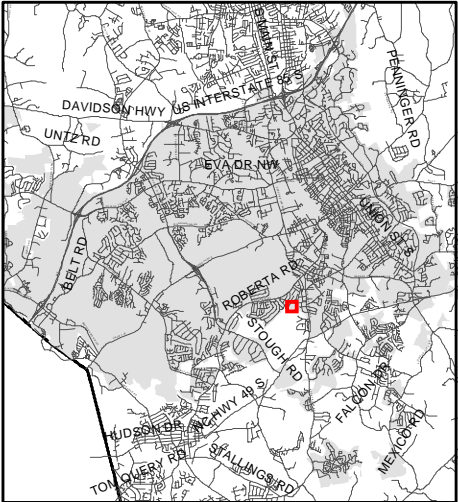
Property Owner or Agent of the Property Owner Signature:

Staff Note: Ryan Lindsey is a representative of the company that owns the subject property

**Z-02-22
AERIAL**

**Rezoning application from
RE (Rural Estate) to
RM-2 (Residential Medium
Density)**

79 Green St SW
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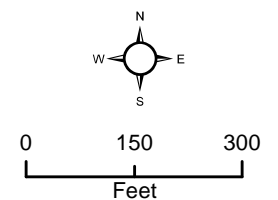
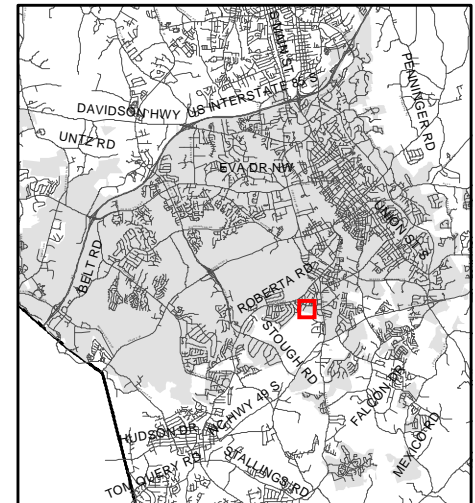
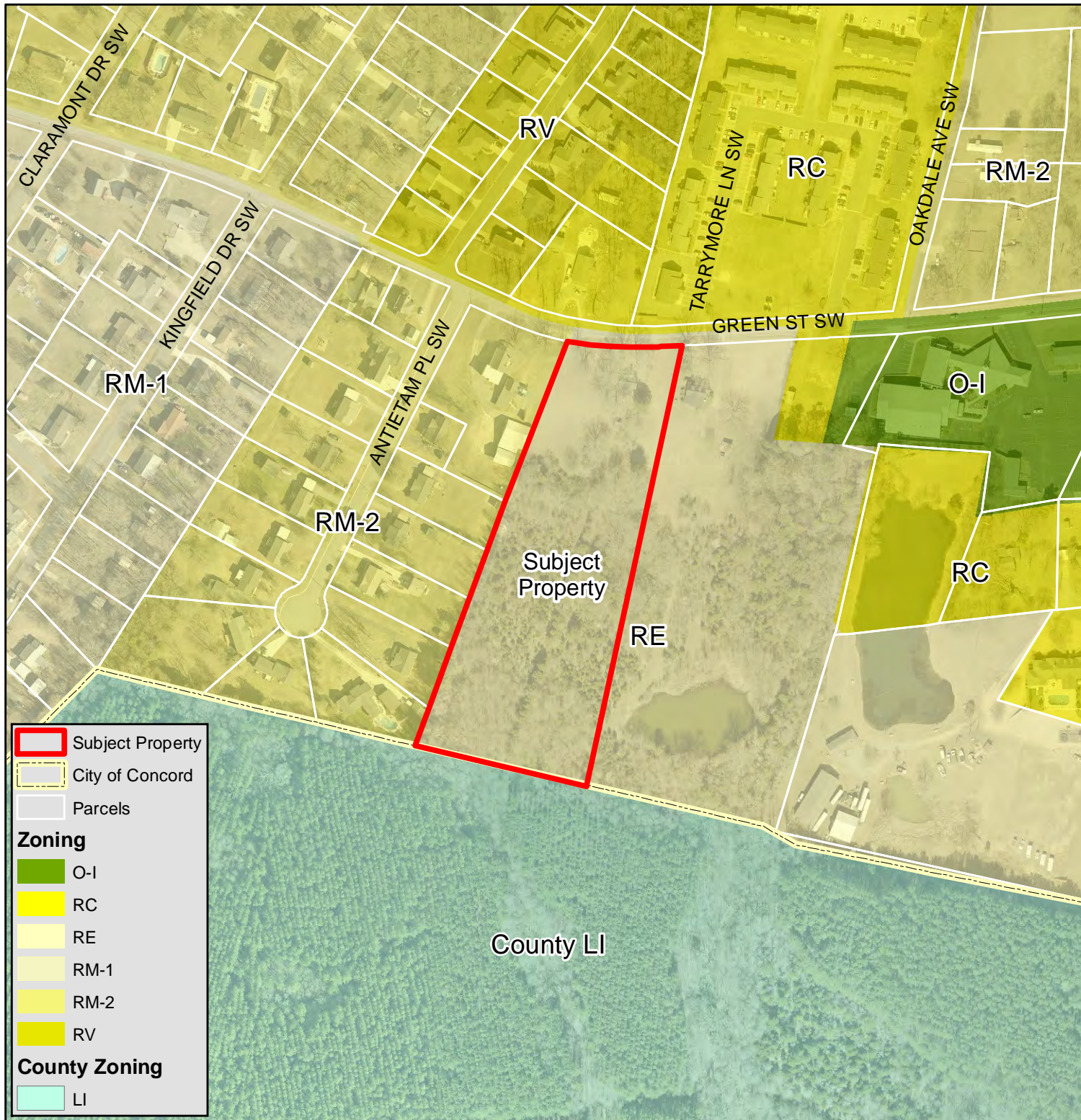
**Subject
Property**

- Addresses
- ▭ Subject Property
- ▭ City of Concord
- ▭ Parcels

**Z-02-22
ZONING**

**Rezoning application from
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RM-2 (Residential Medium
Density)**

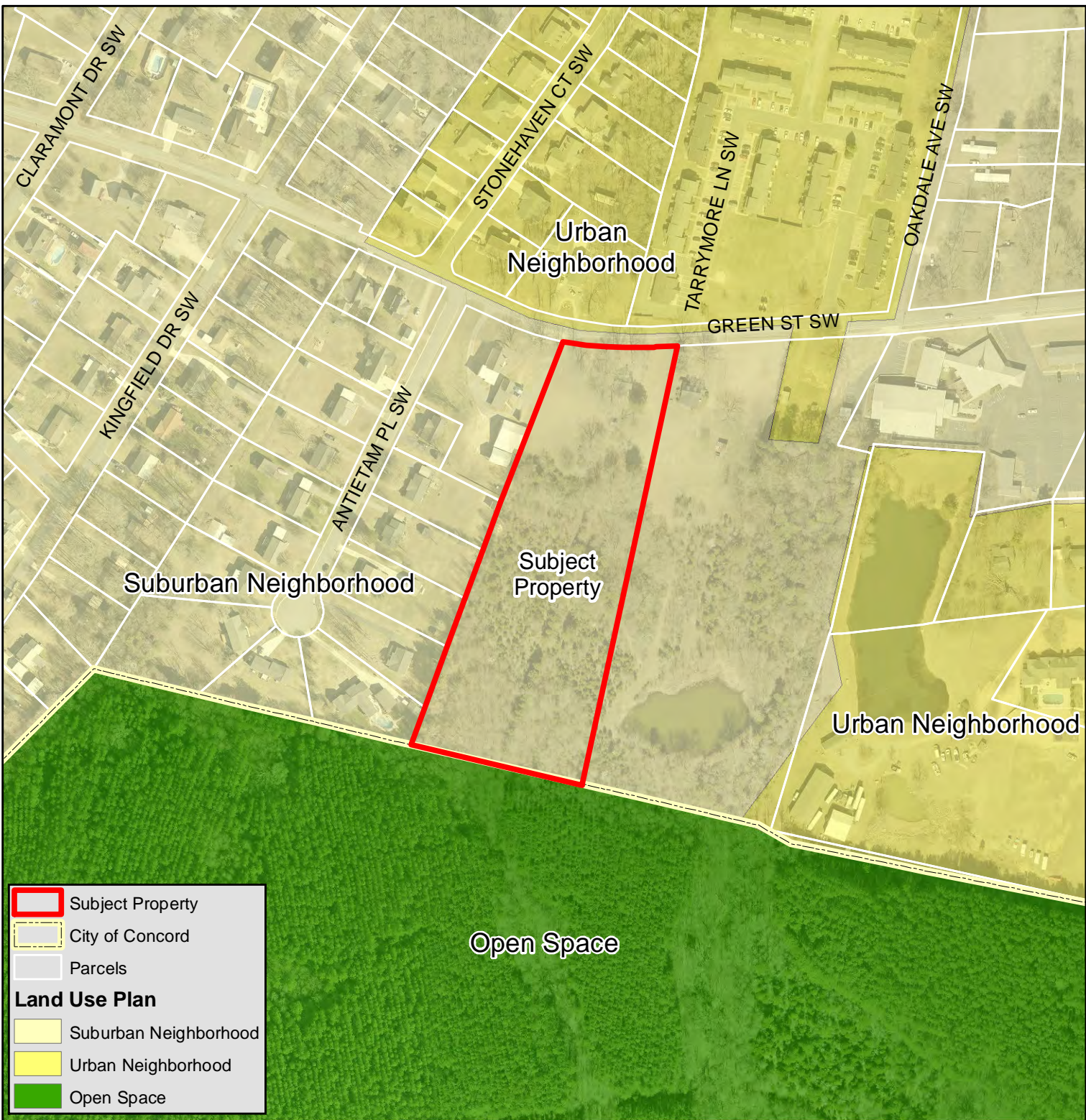
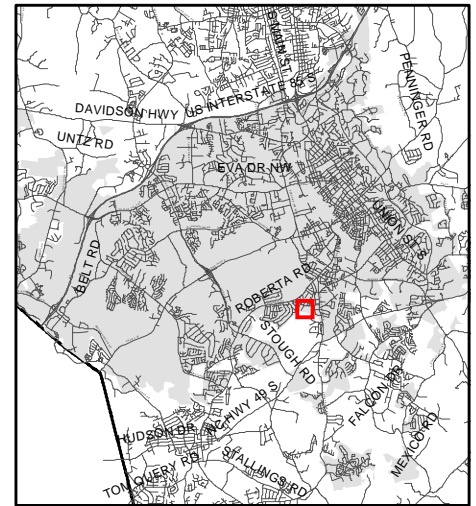
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**Z-02-22
LAND USE PLAN**

**Rezoning application from
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RM-2 (Residential Medium
Density)**

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PIN: 5529-13-8638



Legend

- Subject Property
- City of Concord
- Parcels
- Land Use Plan**
- Suburban Neighborhood
- Urban Neighborhood
- Open Space

