



DATE: July 19, 2022

REZONING CASE #: Z-06-22

ACCELA: CN-RZZ-2022-00003

DESCRIPTION: Zoning Map Amendment
C-2 (General Commercial) to I-1 (Light Industrial)

APPLICANT/OWNER: Harris Morrison/Fortius-Richardson, LLC

LOCATION: 760 Pitts School Road NW

PIN#s: 4690-44-7878

AREA: +/- 1.12 acres

ZONING: C-2 (General Commercial)

PREPARED BY: Brad Lagano, Senior Planner

BACKGROUND

The subject property consists of one parcel comprising approximately 1.12 acres southwest of the Poplar Tent Road and Pitts School Road intersection across from R&R BBQ. The property is currently wooded and vacant.

HISTORY

The property was annexed into the City on March 31, 1991 and rezoned to C-2 (General Commercial) at that time.

SUMMARY OF REQUEST

The applicant is requesting to rezone the subject property from C-2 (General Commercial) to I-1 (Light Industrial) to combine with adjacent parcel 4690-44-0279 directly to the south which is already zoned I-1. The applicant recently completed Phase I of Meadows Corporate Park on the western side of Pitts School Road consisting of two Class-A industrial flex buildings totaling approximately 192,000 square feet. This proposal is to develop Phase II of Meadows Corporate Park with an expansion on the eastern side of Pitts School Road. The applicant anticipates developing a third industrial flex building totaling approximately 60,000 square feet on the combined parcels. The property to the north is zoned C-2 (General Commercial) and is wooded and vacant. Properties to the east are zoned C-2 (General Commercial) and consist

of farmland and a residential structure (T&A Barbee Family Farm). Property to the south is zoned I-1 (Light Industrial) and is vacant. Property to the west across Pitts School Road is zoned C-2 (General Commercial) and is the R&R BBQ restaurant as well as I-1 (Light Industrial) with commercial and industrial uses.

This request is for the traditional base zoning of I-1 (Light Industrial) and not a conditional district, therefore all permitted uses with the I-1 (Light Industrial) zoning classification would be allowed on the property and is not tied to a specific site plan.

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	
C-2 (General Commercial)	North	C-2 (General Commercial)	Vacant	North	Vacant
	South	I-1 (Light Industrial); AG (Agricultural)		South	Vacant
	East	C-2 (General Commercial)		East	Farmland; Residential
	West	C-2 (General Commercial); I-1 (Light Industrial)		West	Restaurant; Commercial; Industrial

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as “Rural” for which I-1 (Light Industrial) *is not listed* as a corresponding zoning district. Rezoning this property to I-1 (Light Industrial) will therefore also require a Land Use Plan Amendment to be approved by City Council.

The corresponding zoning districts for the Rural (R) future land use category are Agricultural (AG), Rural Estate (RE), Light Commercial and Office (C-1), Planned Unit (PUD), Neighborhood Commercial and Office (B-1), Residential Low Density (RL), Office and Institutional (O-I), Residential County Originated (R-CO), and Planned Residential Development (PRD).

From the 2030 Land Use Plan – “Rural” (R):

The intent of the Rural (R) Future Land Use Category is to identify a variety of land use types that are representative of working agricultural uses as well as a variety of residential types including farmhouses, to large acreage rural family dwellings, to ecologically-minded “conservation subdivisions” which are designed to preserve open landscape, and traditional buildings, often with a mixture of residential and agricultural/rural-supported commercial uses.

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.*

From the 2030 Land Use Plan – “Industrial Employment” (IE):

The intent of the Industrial/Employment (IE) Future Land Use category is to identify those areas that have either already developed as industrial or are suited for additional industrial development due to the presence of infrastructure and access to transportation routes, such as major highways and railroads. These industrial areas should be preserved for employment uses to generate jobs for the community.

Industrial uses have already developed in several areas throughout the community, most of which are light industrial in function and impact. The 2030 Plan identifies the need to protect industrial lands, and to encourage additional growth in industrial/employment uses in designated areas, particularly around Concord Regional Airport, and along I-85 between Pitts School Road and Rocky River. Additionally, some light industrial/employment uses are encouraged to locate in Mixed-Use Districts, depending upon their intensity, as identified earlier in this section.

Policy Guidance:

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

- *Adjacent Development: Ensure that adjacent development and street networks are designed to safely and compatibly accommodate planned industrial uses and resulting traffic.*
- *Site Development: Limit non-industrial uses to those that are accessory to existing uses or uses to be developed concurrently with the accessory uses.*

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/-1.12 acres and is zoned City of Concord C-2 (General Commercial).
- The subject property was annexed into the City on March 31, 1991 and rezoned to C-2 (General Commercial) at that time.
- The proposed zoning is not consistent with the 2030 Land Use Plan (LUP) as I-1 (Light Industrial) is not a corresponding zoning classification to the “Rural” Land Use Category. However, the subject property is located adjacent to other properties zoned industrial, commercial uses, and vacant parcels as well as being in close proximity to the I-85 highway corridor. This zoning would be compatible with the adjacent I-1 (Light Industrial) zoning to the south and southwest and the C-2 (General Commercial) zoning to the north and west. The proposed I-1 (Light Industrial) zoning will allow for flex industrial uses on the property similar to parcels to the south and southwest.

- 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 industrial uses. The proposed zoning will allow for industrial uses to locate in the vicinity of I-85 and the highway 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 a 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.



Harris Morrison, 805 Trade Street, NW, Suite 102 Concord NC
28027 Harris@HarrisMorrison.com

Owner Name, Address, Telephone Number: Fortius-Richardson LLC
805 Trade Street, NW, Suite 102 Concord NC 28027
(910) 354-3700

Project Location/Address: _____

P.I.N.: 4690-44-7878

Area of Subject Property (acres or square feet): 1.12 ac

Lot Width: 350' Lot Depth: 215'

Current Zoning Classification: C2

Proposed Zoning Classification: I1

Existing Land Use: Vacant

Future Land Use Designation: Industrial Flex Building

Surrounding Land Use: North Vacant South Industrial

East Farm West Restaurant/Industrial

Reason for request: To combine parcel with 4690-44-0279 directly
south and place one industrial building across both

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:

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.

Signature of Applicant

Date

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: 4/13/22

Applicant Signature: *J. H. ...*

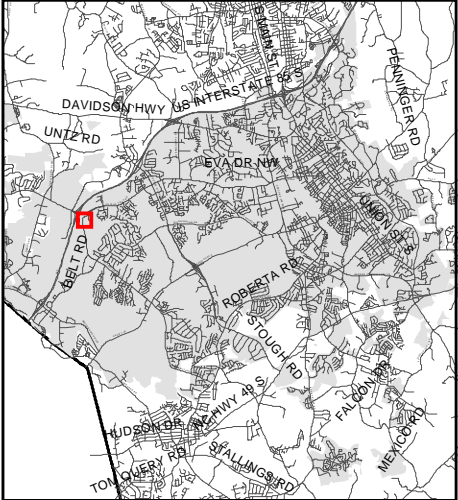
Property Owner or Agent of the Property Owner Signature:
J. H. ...





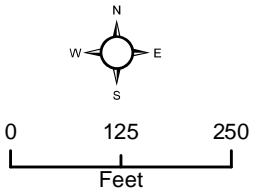
**Z-06-22
AERIAL**

**Rezoning application
C-2 (General Commercial) to
I-1 (Light Industrial)**

760 Pitts School Rd NW
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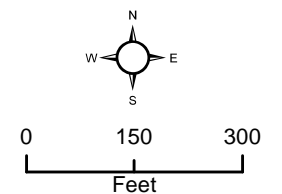
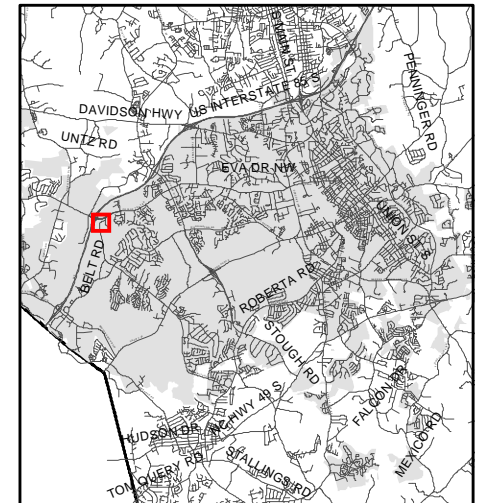
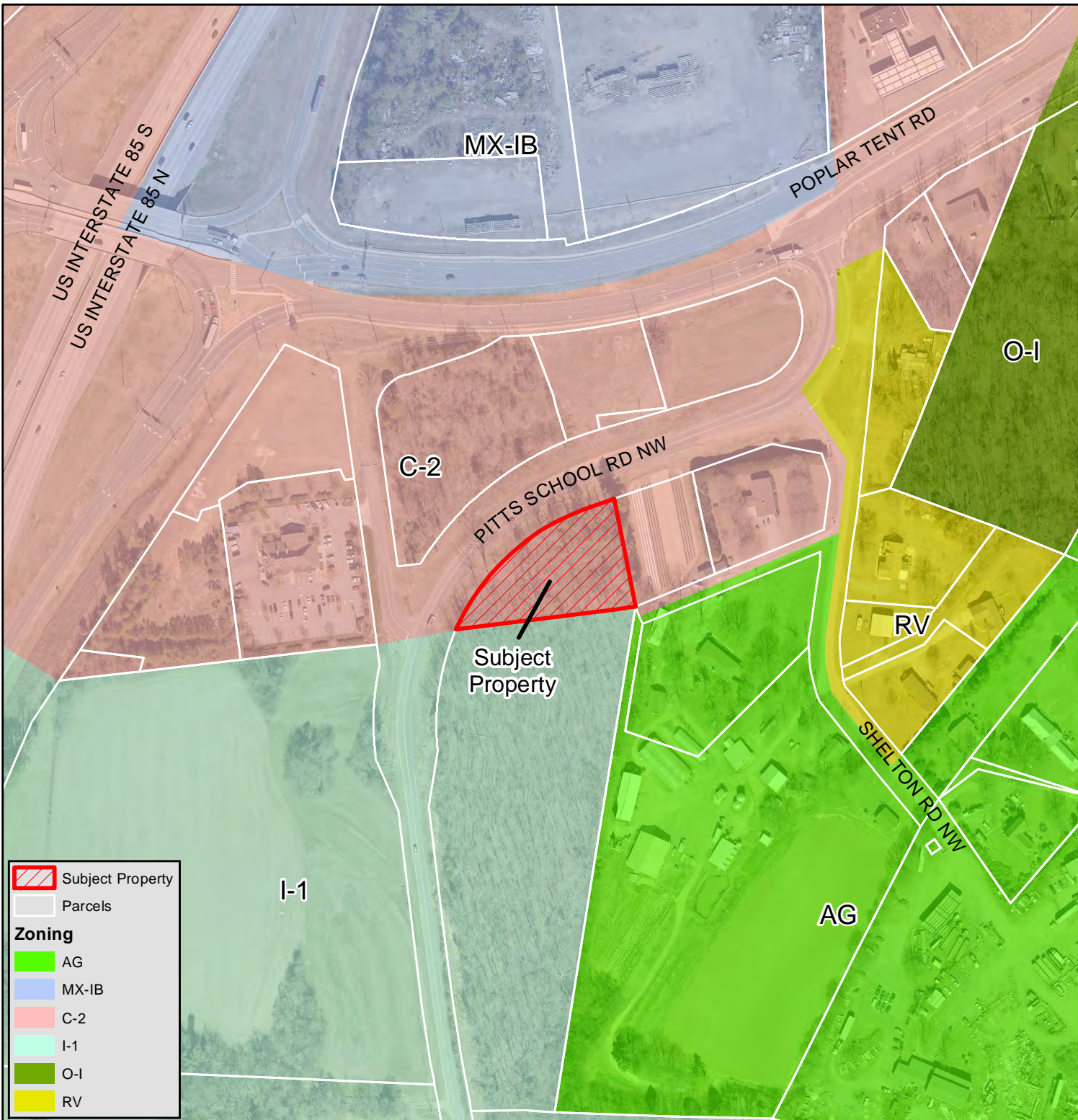
	Subject Property
	Parcels



**Z-06-22
ZONING**

**Rezoning application
C-2 (General Commercial) to
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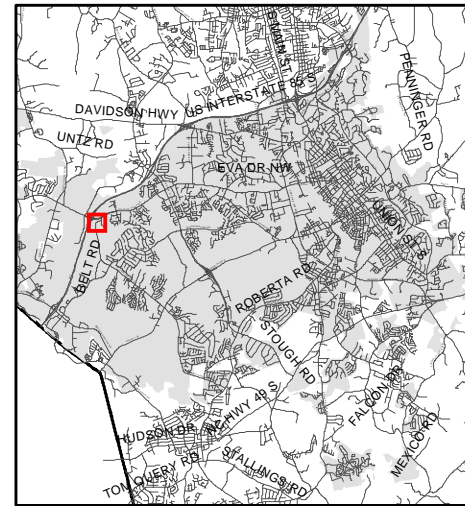
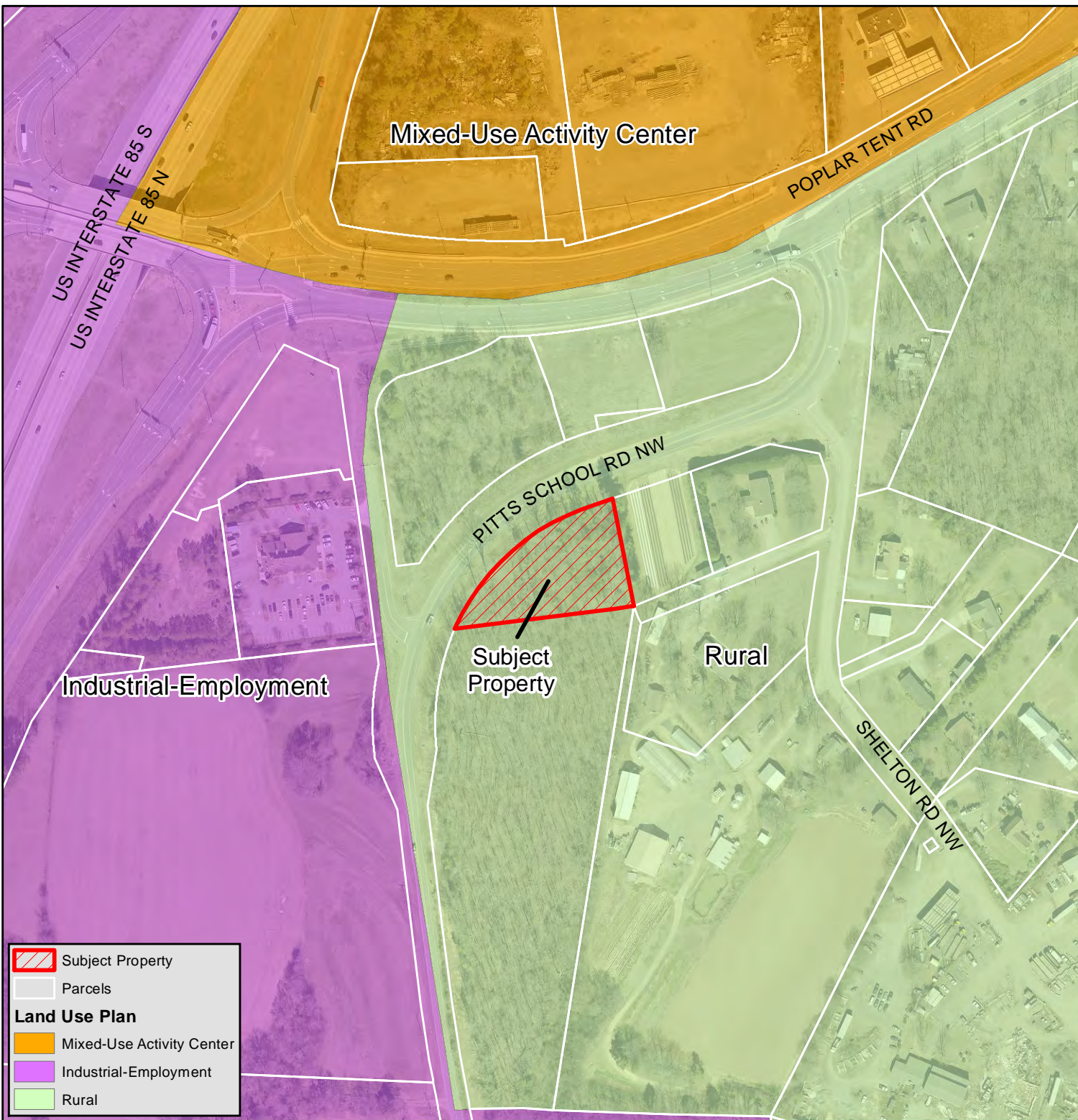
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**Z-06-22
LAND USE PLAN**

**Rezoning application
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	Subject Property
	Parcels
Land Use Plan	
	Mixed-Use Activity Center
	Industrial-Employment
	Rural

