



DATE: May 21, 2019

REZONING CASE #: Z-08-19

ACCELA CN-RZZ-2019-00005

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

APPLICANT/OWNER: Grady Cook

LOCATION: Southwest Quadrant of the Kathryn Dr. SE and Accent Ave. SE Intersection

PIN#s: 5539-75-8261 and 5539-75-9110

AREA: +/- 0.93 acres

ZONING: General Commercial (C-2)

PREPARED BY: Starla Rogers, Planning & Development Manager

BACKGROUND

The subject property consists of two (2) parcels, comprising approximately .93 acres on the northeast corner of the US Hwy 601 S. and NC Hwy 49 S. intersection. The property is undeveloped structurally, but contains a gravel driveway access for the commercial property to the south. The remainder of the property is wooded. The property was annexed into the City on January 31st, 1990 and subsequently zoned B-3 (General Commercial District). Upon the adoption of the UDO (Unified Development Ordinance) in 2000, the property was rezoned to C-2 (General Commercial) and has remained undeveloped since that time.

SUMMARY OF REQUEST

The applicant has requested to rezone the property to RC (Residential Compact) in order to allow flexibility of developing the site with single-family detached or single-family attached (townhome) units.

Under the existing C-2 (General Commercial) zoning, the property could be developed by right with a number of commercial uses, single-family attached, or with multi-family (apartments) by issuance of a Special Use Permit. Should single-family attached or multi-family be developed on the site under the existing C-2 (General Commercial) the maximum allowed density would be 15 du/a. The proposed RC (Residential Compact) zoning would permit single-family detached with a minimum lot size of 5,000 sf, single-family attached up to 15 du/a, and multi-family of up to 15

du/a by right. Additionally, in contrast to the existing C-2 (General Commercial), RC (Residential Compact) does not permit commercial uses.

The subject rezoning petition is a traditional rezoning and has no site plan attached as a condition. However, the applicant has provided two draft sketch plans. One indicates how four (4) single-family detached homes, if the RC (Residential Compact) zoning is approved, could fit on the property. The second draft sketch plan depicts the possibility of up to nine (9) single-family attached units on the property that could be developed by right under the current zoning or under the proposed RC (Residential Compact). Neither of these plans has been vetted by plan review staff, therefore, the lot layout and lot unit count potential has not been verified as what can actually be built on the site.

Property directly to the north is zoned RM-1 (Residential Medium Density) and is developing with a single-family detached home. Property further to the north is zoned C-2 (General Commercial) but is developed with an older single-family detached home. A Shell gas station is located directly to the northwest and a mix of commercial uses exist to the west and south. All of which are zoned C-2 (General Commercial). Property to the east is zoned RM-1 (Residential Medium Density) and is either developed with a single-family detached home or is vacant.

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	RM-1 (Residential Medium Density) & C-2 (General Commercial)	Structurally Vacant	North	Single-family detached
	South	C-2 (General Commercial)		South	Retail Shops
	East	RM-1 (Residential Medium Density)		East	Single-family detached
	West	C-2 (General Commercial)		West	Gas Station, Barber Shop, & Retail Stores

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as a “Mixed-Use Activity Center” and both the existing C-2 (General Commercial) and the proposed RC (Residential Compact) are considered corresponding zoning districts to the Land Use Category.

From the 2030 Land Use Plan – “Mixed-Use Activity Center”:

- The intent of the Mixed-Use Activity Center (MUAC) Future Land Use category is to identify areas that serve broader economic, entertainment, and community activities as compared to mixed-use neighborhoods. Uses and buildings are located on small blocks with streets designed to encourage pedestrian activities. Buildings in the core of the mixed-use center may stand three or more stories. Residential units or office space may be found above storefronts. Parking is satisfied by using on-street parking, structured parking, and shared rear-lot parking strategies. Structured parking should be encouraged to be incorporated into the principal structure.

- A large-scale mixed use activity center may be surrounded by one or more neighborhoods that encourage active living, with a comprehensive and interconnected network of walkable streets.
- The very nature of these areas allows them to be approved in phases and to evolve over time into an area made up of a mix of land uses, usually centered on some type of public transit facility, which affords people the opportunity to live, work, shop and, in some cases, have immediate access to recreation facilities in one general area. It is also the goal of these districts to reduce vehicle trips by making them single destination points for multiple consumer needs.
- The intent of the Mixed-Use Activity Center designation is to encourage the development of a mixture of complementary uses that will function as an integrated center allowing for pedestrian connections between developments and uses.

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

Policy Guidance for Objective 1.4:

- ***Adjacent Development:*** *Ensure that adjacent development and street networks are designed to safely and compatibly accommodate planned industrial uses and resulting traffic.*

Policy Guidance for Objective 1.5:

- ***Mixed-Use Zoning:*** *Ensure that applicable zoning districts and development regulations facilitate development of a mix of compatibly integrated residential and non-residential uses within each Mixed-Use Activity Center and Village Center.*
- ***Land Use Transition:*** *Encourage land use transitions and development that foster physical continuity.*

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.*

- ***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.*
- ***Mixed-Density Housing:*** *Foster a compatible mix of higher density housing types at different densities within mixed-use activity centers and village centers.*

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.*

Objective 4.2: *Ensure that industrial and commercial developments are designed to limit encroachment of incompatible traffic, noise, odors and lighting into nearby residential areas.*

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately .93 acres and is zoned C-2 (General Commercial).
- The subject property was annexed on January 31st, 1990 and is currently structurally vacant.

- The proposed zoning amendment is inconsistent with the 2030 Land Use Plan (LUP) because RC (Residential Compact) is a corresponding zoning classification to the “Mixed-Use Activity Center” Land Use Category. Additionally, if the property were to develop as smaller lot/higher density single-family detached or single-family attached the proposal would allow for a transition of use intensity between the larger lot residential to the north and east and the commercial uses abutting Warren C. Coleman Blvd. S (Hwy 601).
- The zoning amendment is reasonable and in the public interest because it would allow single-family detached housing similar to and consistent with the existing, adjacent, single-family neighborhood to the north and east or if developed as single-family attached, a transitional use and buffer between the commercial and existing neighborhood. The proposed rezoning would eliminate more intense commercial uses currently permitted under the existing C-2 (General Commercial) zoning, which could potentially conflict with the long established nearby residential and newly established residential to the north.

SUGGESTED RECOMMENDATION AND CONDITIONS

The staff finds the consistent 2030 Land Use Plan and staff 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 not a “Conditional District” no conditions may be applied.



Subject Property Map

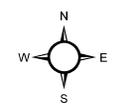
Z-08-19

Grady Cook

SW Corner of Accent Ave. SE & Kathryn Dr. SE Intersection

C-2 General Commercial

to RC Residential Compact



Source: City of Concord Planning Department

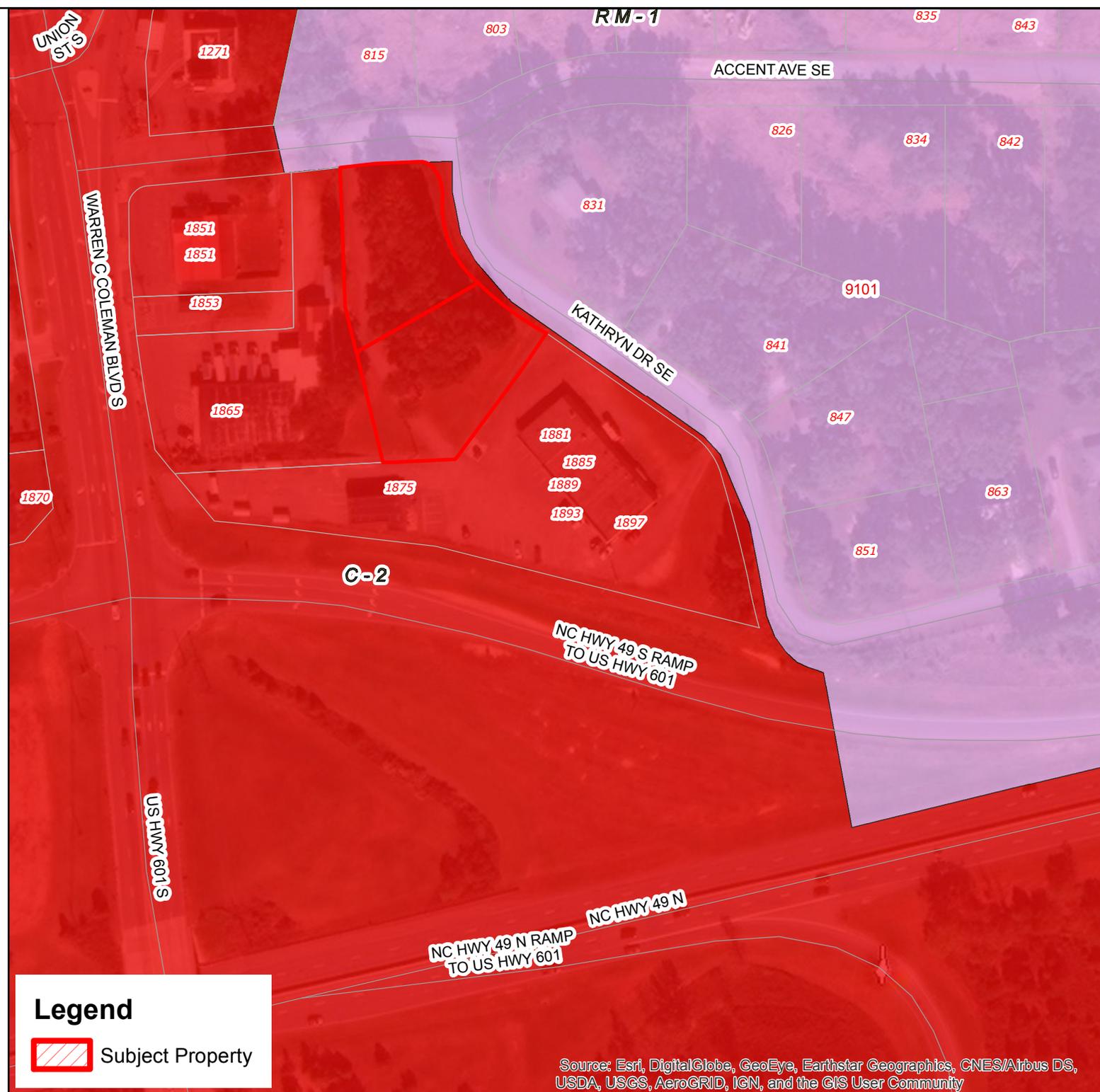
Disclaimer

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Legend

 Subject Property

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



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 Subject Property

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



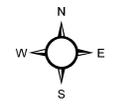
Zoning Map

Z-08-19

Grady Cook

SW Corner of
Accent Ave. SE &
Kathryn Dr. SE
Intersection

C-2 General
Commercial
to
RC Residential
Compact



Source: City of Concord
Planning Department

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2-08-19



Application for
Zoning Map Amendment

(Please type or print)

Applicant Name, Address, Telephone Number and email address: Grady Cook - (704) 791-0573 (cell) pgradycookma@carolina.rr.com
3841 Willow Grove Ln Concord NC 28025

Owner Name, Address, Telephone Number: Same

Project Location/Address: SW quadrant of Accent Ave + Kathryn Dr. SE.

P.I.N.: 5539-75-8261 + 5539-75-9110

Area of Subject Property (acres or square feet): +/- .622 acres

Lot Width: varies Lot Depth: varies

Current Zoning Classification: C-2 (general commercial)

Proposed Zoning Classification: ~~RC~~ RC

Existing Land Use: VACANT

Future Land Use Designation: Mixed-Use Activity Center

Surrounding Land Use: North SF detached South Commercial

East SF detached West Commercial

Reason for request: to construct 4 single-family detached dwellings.

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

Staff member signature: Stanh Rogers Date: 4/4/19

Certification

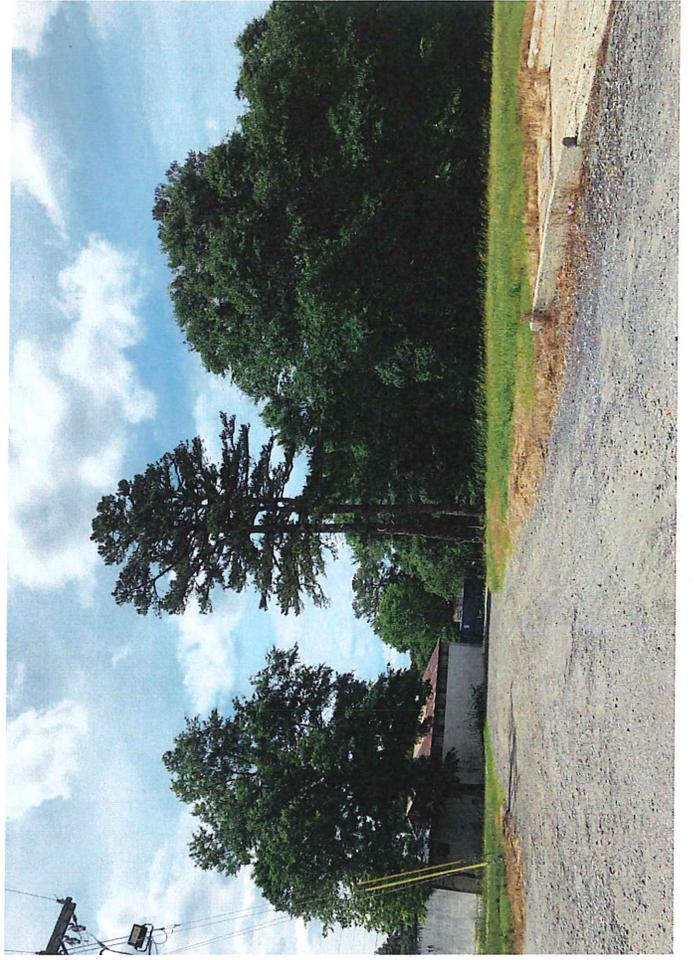
I hereby acknowledge and say that the information contained herein and herewith is true, and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department.

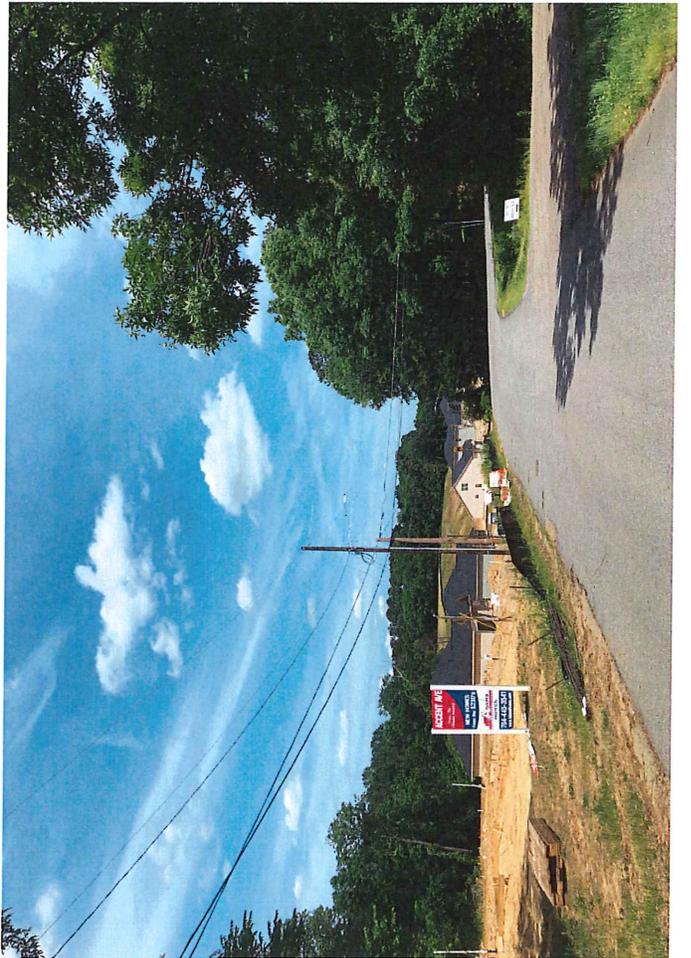
Date: 4-16-19

Applicant Signature: Jane Gray Cook for Gray Box LLC

Property Owner or Agent of the Property Owner Signature:

Jane Gray Cook





Townhome layout example.

This is not a binding condition
as the rezoning is not a
Conditional District request.



alley, williams,
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PRELIMINARY
REVIEW SET
ONLY

Prepared for:

CONCORD, NORTH CAROLINA
PROPOSED SITE PLAN

#	DATE	REVISION	BY

SCALE: NTS
DATE: 05-09-19
JOB # 15523
C-1.0

