



DATE: July 16, 2019

CASE #: Z-11-19

DESCRIPTION: Zoning Map Amendment
Light Industrial (I-1) to Office Institutional (O-I)

APPLICANT/OWNER: Christ Gospel Church, Rev. Trenton Battle

LOCATION: 1020 Central Drive NW

PIN#s: PIN: 5611-86-8656

AREA: +/- .75

ZONING: City of Concord Light Industrial (I-1)

PREPARED BY: Kristen Boyd-Sullivan, Senior Planner

BACKGROUND

The subject property consists of one (1) parcel, comprising approximately .75 acres on the northeast corner of Central Drive NW. and Action Dr. NW intersection. The property is approximately 1,165 feet north of the Davidson Highway/Central Drive Intersection. This parcel is Lot #1 of 4 within the “Central Drive Industrial Park”. The property is developed with a brick face & metal structure built in 1991 with +/- 2,000 sf of floor area. The applicant seeks a downzoning from I-1 (Light Industrial) to O-I (Office Institutional).

HISTORY

The property was annexed into the City of Concord with an effective date of June 30, 1992. The property was administratively zoned I-1 upon its annexation.

SUMMARY OF REQUEST

The request is to rezone the subject property from I-1 (Light Industrial) to O-I (Office Institutional). According to the applicant, the purpose for the rezoning is to allow the existing structure to continue being utilized as a religious institution. Since December of 2016, Christ Gospel Church has occupied the building without the proper zoning and applicable City and County occupancy permits. This was discovered after the owner of the property, Sarah Marsh, and a few members from the congregation met with staff in 2018 to discuss the possible purchase of the property by the church. The building was previously occupied by a home remodeling/decorating business, as well as a computer software company. Ms. Marsh expressed to staff that she has been trying to sell this property for some time with no offers until the church’s recent interest.

The existing zoning abutting the property is Light Industrial (I-1), with Residential Compact (RC) across the street as well as +/- 825 feet to the east and +/- 250 feet to the south. There are two (2) General Commercial (C-2) parcels to the southwest. There is another church that occupies an Office/Institutional (O-I) parcel approximately 400 feet to the north off of Central Dr. NW. Records indicate a church use since at least 2009.

Therefore, the applicant is requesting to rezone the property to allow the congregation to legally occupy the property. However, as the property is not a conditional district, should the request be approved, all permitted uses within the O-I (Office Institutional) district would be allowed.

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	
I-1 (Light Industrial)	North	I-1 (Light Industrial) and O-I (Office Institutional)	Industrial Structure with associated Parking	North	Automotive painting & repair, Place of Worship
	South	I-1 (Light Industrial), RC (Residential Compact)		South	Automotive Repair, Stone Product Sales, Apartments
	East	I-1 (Light Industrial)		East	Parking Lot /Vacant
	West	I-1 (Light Industrial), C-2 (General Commercial) and RC (Residential Compact)		West	Auto Repair, Building Supply/Contractor, Single-Family Home with outbuilding

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as “Industrial/Employment,” for which O-I is listed as a corresponding zoning district.

From the 2030 Land Use Plan, “Industrial Employment”:

“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.

Land Use Plan Policy Guidance for Objective 1.3:

- *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.*

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.*
- *Site Development: Limit non-industrial uses to those that are accessory to existing uses or uses to be developed concurrently with the accessory uses.*
- *Zoning: Update the zoning map to place enough proposed industrial land into appropriate zoning districts to meet long-term needs.*

Policy Guidance for Objectives 3-1 to 3-4:

- *The strategies for neighborhood enhancement should be tailored to the needs of each affected neighborhood and determined with the input of affected residents and business owners.*
- *Support adaptive reuse of existing building stock.*

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- .75 acres and is zoned I-1 (Light Industrial).
- The subject property was annexed prior to 1991 and is improved with a single-story brick face & metal structure of approximately 2,000 sf of floor area.
- The proposed zoning amendment is generally consistent with the 2030 Land Use Plan (LUP) as O-I (Office Institutional) is a corresponding zoning district to the “Industrial/Employment” Land Use Category. The subject “Industrial/Employment” Land use node is also occupied by multiple zoning classifications including O-1 (Office Institutional), RC (Residential Compact), I-1 (Light Industrial), and C-2 (General Commercial). O-I (Office Institutional) could still permit supporting office type uses for surrounding industrial businesses if the church were to vacate. However, eliminating industrial uses is currently inconsistent with the LUP, Objective 1.4: “*Protect existing and future industrial sites from encroachment of development that would limit their intended uses.*” Furthermore, the Land Use Plan states, “*These industrial areas should be preserved for employment uses to generate jobs for the community.*”
- The zoning amendment is reasonable and in the public interest as it is consistent with the existing mix of commercial, industrial, office-institutional and residential zoning districts

and uses already established in the general area as well as the subject “Industrial Employment” node. The church has functioned in the building since 2016 without complaints from the surrounding properties, to the awareness of staff. Rezoning of this parcel would not substantially limit the development of adjacent industrial uses. However, it should be noted that any re-development of abutting I-1 parcels will require a 20 foot wide Class 1 buffer adjacent to property zoned O-I. Rezoning would however, require that the property be rezoned back to I-1 in the event that an industrial user seeks to re-occupy the structure.

SUGGESTED RECOMMENDATION AND CONDITIONS

The staff finds the rezoning from I-1 to O-I generally consistent with the 2030 Land Use Plan. However, the petition does create concern as it represents a loss of industrial zoning and a viable industrial structure, albeit on a small scale.

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.

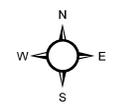
Zoning Map

Z-11-19

Christ Gospel Church

1020 Central Dr.

I-1 (Light Industrial)
to
O-I (Office Institutional)



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



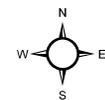
Land Use Plan Map

Z-11-19

Christ Gospel Church

1020 Central Dr.

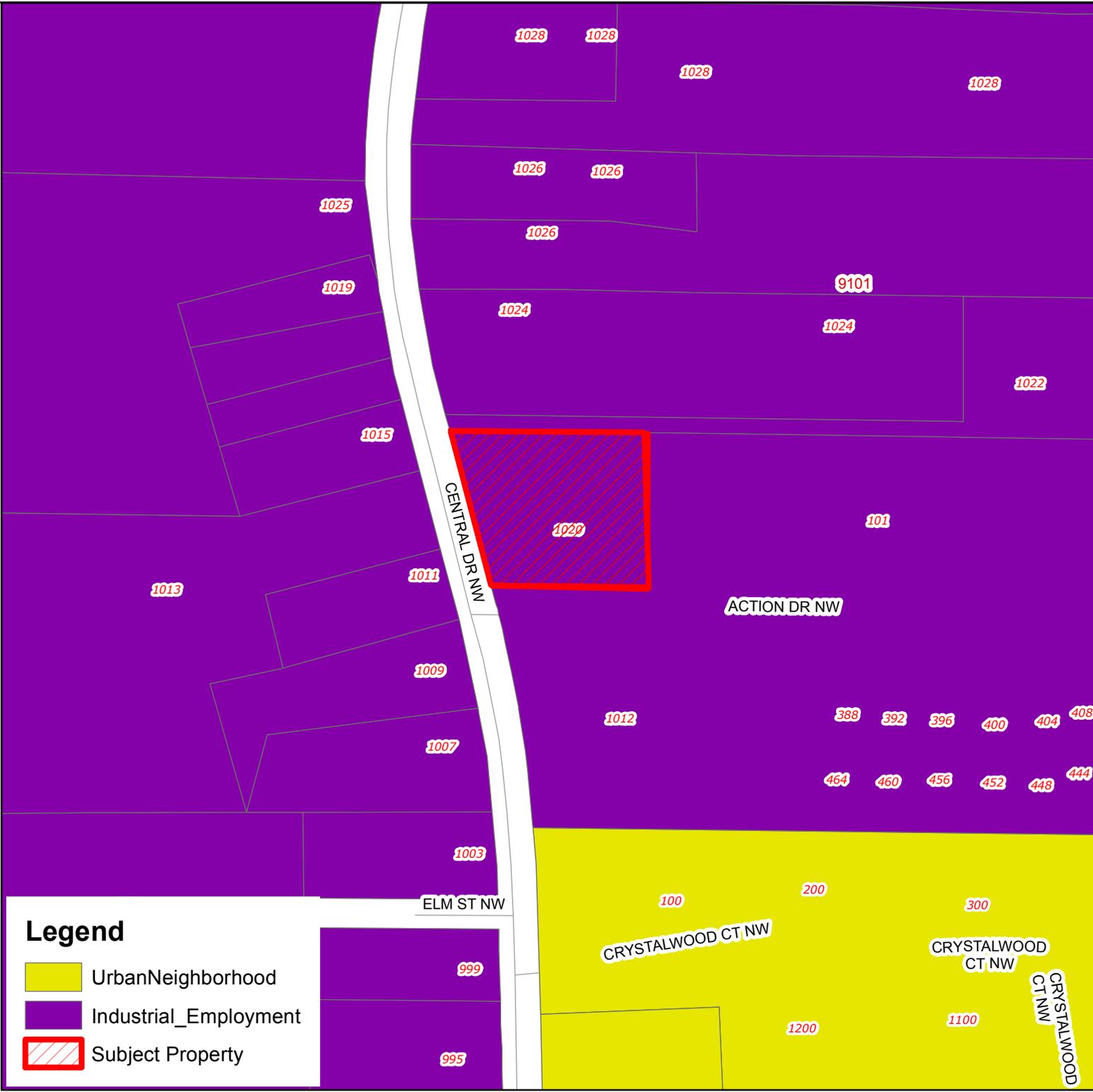
I-1 (Light Industrial)
to
O-I (Office Institutional)



Source: City of Concord
Planning Department

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Legend

-  UrbanNeighborhood
-  Industrial_Employment
-  Subject Property

(Please type or print)

Applicant Name, Address, Telephone Number and email address: _____

Christ Gospel Church, Attn: Rev. Trenton Battle,
PO Box 485, Newell, NC 28126 / 803-840-0949 / mntbatt@aol.com

Owner Name, Address, Telephone Number: Mrs. Sarah Marsh

425 Channing Circle NW, Concord, NC 28027
704-467-1091

Project Location/Address: 1020 Central Drive, Concord, NC

P.I.N.: 5611-86-8656

Area of Subject Property (acres or square feet): ±.64

Lot Width: _____ Lot Depth: _____

Current Zoning Classification: Light Industrial

Proposed Zoning Classification: O I

Existing Land Use: Religious Institution

Future Land Use Designation: Religious Institution

Surrounding Land Use: North _____ South _____

East _____ West _____

Reason for request: Christ Gospel Church would like to purchase
property from Mrs. Sarah Marsh.

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

Staff member signature: [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: 5.15.2019

Applicant Signature: *[Signature]*

Property Owner or Agent of the Property Owner Signature:
[Signature]

Christ Gospel Church
PO Box 485
Newell, NC 28126
Revs. Trenton & Margaret Battle, Pastor
803-840-0963/803-840-0949

May 17, 2019

Planning & Neighborhood Development
PO Box 308
Concord, NC 28025

To Whom It May Concern:

The purpose of this letter is to request a zoning change for the facility located at 1020 Central Drive, Concord, NC. This property is currently zoned as *commercial*. Christ Gospel Church (CGC) of Mecklenburg County is seeking to purchase the building with the goal of making it their church home.

CGC of Mecklenburg County was established in 2004 located within Mecklenburg County, NC. At its founding, church services were held at a facility on Squirrel Hill Road in the Hidden Valley area of Charlotte, NC. The founding pastors were Revs. Mike and Ann Herndon; however, in 2005 they relocated to Florida, and Revs. Ronald and Gloria Marsh were appointed as pastors. In 2015, Revs. Trenton and Margaret Battle were appointed pastors.

In 2007 our services were temporarily held at a facility within the Comfort Suites Hotel. Next our services were moved to a facility at University of North Carolina at Charlotte (UNCC) to better facilitate our expanding services. As our church services scheduling expanded the services were again moved to Hickory Grove Elementary School, where some weekday services were added in addition to our traditional Sunday Services, which were held in the home of the Pastors, Revs Marsh.

Within the same year (2007), CGC of Mecklenburg County begin to lease a space at 1601 Idlewild Rd Office Park, Suite 101. By 2008 the congregation had outgrown that space and moved to Suite 231 of the same location. In December 2016, the church began to lease a portion of the facility at 1020 Central Drive, Concord NC. This move occurred because the facility located at Idlewild Road was in the vicinity of a major construction area. The facility's manager made the decision to close all the office spaces because it had become difficult for individuals to access this location.

Since relocating to Concord, the church membership has expanded to include one family from Columbia, SC and one family from Jeffersonville, IN. There are 35 – 40 members attending CGC. Many members opt to dine at the local eateries. Annually

the church rents Amity House for its Christmas Banquet; Frank Liske Park (Cabarrus County Parks and Recreation) for annual picnic; and the available space within Poplar Tent Fire Station for repast event. Also, our plans are to establish contact with the surrounding churches to provide our assistance with activities they have initiated within the community, county and/or state. This will ensure there is no duplication of services but more available resources. If the zoning change is approved, we plan to host a Meet and Greet within the community with free hamburgers, hotdogs, etc.

Two to three times annually CGC hosts Revival Services lasting a minimum of 3 days and nights, and the guest speaker and visiting guests will always frequent the local hotels for their billeting. During the days of revival, many of our guests will take time to also frequent the local eateries, shops, and amusement establishments. Though our membership numbers are small at present, our church does generate funds for the community.

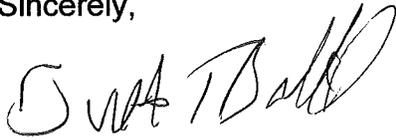
CGC actively participates in community and area outreach through Ronald McDonald House, and area Halfway Housing. In becoming a member of the local community and Cabarrus County, we seek to establish and/or partner with other churches, agencies, and entities that are working to promote a more viable county and community.

CGC of Mecklenburg County is affiliated with Christ Gospel Churches International, Inc. with its headquarters located in Jeffersonville, Indiana. We are one of 75 churches in the United States and probably 1000 plus churches located in 136 countries. We are a non-denominational church. We welcome all races and nationalities to worship with us.

Currently, parking is only an issue on Sundays when the majority of the members attend services. Previously, the church had a verbal agreement with the auto body shop to use its parking spaces as an overflow, when needed. Recently, there has been little or no space due to the cars the shop is currently working on. If this request is approved, there appears to be space on the property to make additional parking spaces. This would mean using a portion of the "grassy" part of the acreage. Therefore, the church would hire a contractor to complete the necessary work. Also, the church was approached by the previous lessor whether it would like to purchase the property. During the appraisal process, the church was provided the following information: **"Also, the representative noted that should the subject be rezoned then current parking standards would have to be met. The subject currently has 12 marked spaces and we have estimated an additional 2 unmarked spaces. Parking standards is minimum 1 per 8 and maximum 1 per 1.5 seats. According to the buyer, there are an estimated 25 church members. Therefore, the minimum parking spaces would be 3 and the maximum would be 16 parking spaces. Based on the church's current membership, parking requirements would be met; however, there is little room for expansion."** (Please see attached.)

As stated above, our membership currently consists of approximately 37. We do not know whether we will experience an enormous growth. The church does not advertise its existence in newspapers, bulletins, etc. However, members do invite individuals we encounter to visit the church.

Sincerely,

A handwritten signature in black ink, appearing to read "Trenton T. Battle". The signature is fluid and cursive, with the first name being the most prominent.

Rev. Trenton T. Battle
Pastor, Christ Gospel Church