

Planning and Zoning Commission



DATE: September 17, 2024

REZONING CASE #: Z-12-24

ACCELA: CN-RZZ-2024-00010

DESCRIPTION: Zoning Map Amendment

RM-2 (Residential Medium Density) to C-2 (General

Commercial)

APPLICANT/OWNER: Blue Pure Life, LLC / Keith Troutman

LOCATION: 2120 Barnhardt Avenue NW

PIN#: 5610-98-5054

AREA: +/- 0.344 acres

ZONING: RM-2 (Residential Medium Density)

PREPARED BY: Fred Womble, Senior Planner

BACKGROUND

The subject property consists of one (1) parcel totaling +/- 0.344 acres located along the northern right-of-way line of Barnhardt Ave. NW. The parcel is owned by Blue Pure Life, LLC and is currently utilized as a hair salon. The applicant seeks approval to rezone the subject property from RM-2 (Residential Medium Density) to C-2 (General Commercial).

HISTORY

The subject property was previously located in Cabarrus County and annexed into the City in 1995. Upon annexation, the parcel was zoned R-2 which was converted to RM-2 with the conversion to the UDO. The commercial structure presently located on the parcel was built in or around 1986 and has operated as a hair salon since then.

SUMMARY OF REQUEST

The applicant proposes to rezone the subject property from RM-2 (Residential Medium Density) to C-2 (General Commercial) to continue operation of a hair salon. The submitted request is not for a conditional district, so all uses permitted within the C-2 (General Commercial) zoning classification would be permitted. Any development of the subject property would require technical site plan review and approval and must meet the standards set forth in the CDO (Concord Development Ordinance) as well as other applicable regulations. The property is surrounded on all sides by C-2 zoning and the petition represents an extension of the established district.

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									
RM-2 (Residential Medium Density)	North	C-2 (General Commercial)		North	Vacant								
	South	C-2 (General Commercial)	G	South	Commercial								
	East	C-2 (General Commercial)	Commercial	East	Commercial								
	West	C-2 (General Commercial)		West	Residential, Vacant								

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject properties as "Commercial" (C). C-2 (General Commercial) *is listed* as a corresponding zoning district to the "Commercial" land use category, and therefore is consistent with the land use plan.

The corresponding zoning districts for the "Commercial" land use category are B-1 (Neighborhood Commercial/Office), O-I (Office-Institutional), C-1 (Light Commercial and Office), C-2 (General Commercial), MX-NC (Mixed Use-Neighborhood Center), MX-CC1 (Mixed Use-Commercial Center Small), MX-CC2 (Mixed Use-Commercial Center Large), MX-IB (Mixed Use-Industrial/Business Center), and PUD (Planned Unit Development).

From the 2030 Land Use Plan – "Commercial" (C)

The Commercial Future Land Use category includes a mix of commercial land use types. While these areas continue to support additional commercial development and redevelopment, much of the new commercial development should be concentrated within the Mixed-Use Activity Centers and Village Centers. Strip commercial development along major corridors is discouraged in the 2030 Plan. Instead, commercial development integrated into Mixed-Use Activity Centers at key intersections is desired. Areas designated as Commercial are intended to represent those that include a variety of commercial uses at different intensities, including large scale malls, lifestyle centers, and community shopping centers.

The following goals, objectives and policy guidance relate to the proposed zoning amendment:

Goal 1: Maintain a sustainable balance of residential, commercial and industrial land uses.

Goal 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.

The following goals from the recently adopted Strategic Plan also relate to the proposed zoning amendment:

Goal 2: Create Economic Opportunities for Individuals and Businesses

1. Support business expansion and job creation initiatives.

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property for the rezoning petition is approximately +/- 0.344 acres and is currently zoned RM-2 (Residential Medium Density).
- The subject property was annexed into the City in 1995.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as C-2 (General Commercial) is a corresponding zoning classification to the Commercial (C) 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, and reflects the historical use of the 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.



Zoning Map Amendment

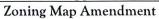
APPLICATIONS NOT COMPLETED BY THE PUBLISHED APPLICATION DEADLINE WILL NOT BE CONSIDERED.

V	1.	Typed metes and bounds description of the property (or portion of property) in a Word
		document format.
V	2.	Cabarrus County Land Records printout of names and addresses of all immediately
		adjacent landowners, including any directly across the street.
MAR	3.	FOR CONDITIONAL DISTRICT APPLICATIONS ONLY, a plan drawn to scale
		(conditional district plan), and elevations if applicable submitted digitally. No changes Leaving Asis
-Nx	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.



Application for Zoning Map Amendment

(Please type or print)
Applicant Name, Address, Telephone Number and email address: BUE PULE LIFE, LLC INC. Kenth Troutman 60 Burage Rd Coucorp NC 28025
Kenth Troutman 60 Burrage Rd Concorp NC 28025
KdT8404@hotmail.com
Owner Name, Address, Telephone Number:
Kerth Trowtman, 60 Burrage Rd, Concep, HC 28025
Project Location/Address: 2120 Barnhardt Ave NW CONCORD, NC
P.I.N.: 56109850540000
Area of Subject Property (acres or square feet):
Lot Width: 50 Lot Depth: 237
Current Zoning Classification: RM 2
Proposed Zoning Classification: <u>C2</u>
Existing Land Use: Has been beauty Salon for 35 years
Future Land Use Designation: <u>Continued as Hair Salon</u> , same people
Surrounding Land Use: North <u>C2</u> South <u>C2</u>
East Single Family West C2
Reason for request: Not really sure, we built this building in 1986 for
a Hair Salow, it has been a Salon ever since, use did have 1 of the stylist
Has a pre-application meeting been held with a staff member? Over email Not in person they requested this which we are Date:
Staff member signature: They requested thus which we are





THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

1. List the Use(s) Proposed in the Project:
Continued use as a Hair Salon as the structure was
built for 1986.
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):
This was requested by the Concoep Staff which is fine
with us. Two of the same stylists are still there
and we lease out the building to them. But they been
areat helping keep the solon operating. ALL the survounding properties are currently zoned CZ.
I make this request for Conditional district garing voluntarily. The year and conditions described above are
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



Zoning Map Amendment

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: 7 36 24
Applicant Signature: 4 Show Sover
Property Owner or Agent of the Property Owner Signature:

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CABARRUS COUNTY, NC

WILLIAMS PROPERTIES II LLC Return/Appeal Notes: Parcel: 5610 97 6860 0000 475 CONCORD PKWY N CONCORD NC 28027 PLAT: 00000/00000 11255 HESS WILCO ID NO: 02 017 0019.20 0000 CONCORD CITY TAX (100), COUNTY TAX (100) CARD NO. 1 of 2 Reval Year: 2024 Tax Year: 2024 WEST SIDE HWY 29 1.1400 AC SRC= Estimated Appraised by RE on 09/12/2023 50001 CONCORD PARKWAY NORTH CI-02 FR-00 EX-AT- LAST ACTION 20240103 TW-02 DEPRECIATION CONSTRUCTION DETAIL MARKET VALUE **CORRELATION OF VALUE** Eff. BASE Foundation - 4 Standard 0.33000 Spread Footing 6.00 USE MOD RCN FYB CREDENCE TO Area RATE AYR DEPR. BUILDING VALUE - CARD % GOOD 506,920 Sub Floor System - 2 11 07 3,477 136 217.60 756595 2005 1990 Slab on Grade-6.00 DEPR. OB/XF VALUE - CARD 56.360 COMMERCIAL TYPE: CONVENIENCE STORE Residential/Commercial MARKET LAND VALUE - CARD 893,840 Exterior Walls - 11 TOTAL MARKET VALUE - CARD 1,457,120 STYLE: 1 - 1.0 Story 1,457,120 Concrete Block 20.00 TOTAL APPRAISED VALUE - CARD Roofing Structure - 10 TOTAL APPRAISED VALUE - PARCEL 1,483,410 Steel Frame or Truss 11.00 TOTAL PRESENT USE VALUE -Roofing Cover - 04 PARCEL Built Up Tar and TOTAL VALUE DEFERRED - PARCEL 4.00 TOTAL TAXABLE VALUE - PARCEL \$ Gravel/Rubber 1,483,410 Interior Wall Construction - 5 PRIOR Drywall/Sheetrock 8.00 BUILDING VALUE 394,720 66' Interior Floor Cover - 15 OBXF VALUE 36,000 18.00 AND VALUE Quarry or Hard Tile 496,580 PRESENT USE VALUE Heating Fuel - 04 DEFERRED VALUE Electric 1.00 TOTAL VALUE 927,300 Heating Type - 10 BAS 40 40 Heat Pump 6.00 PERMIT [2640 ft2] 44 Air Conditioning Type - 04 CODE DATE NOTE NUMBER AMOUNT Packaged Roof Top 6.00 ROUT: WTRSHD: Commercial Heat & Air - 2 SALES DATA Packaged Units 0.00 OFF. INDICATE Structural Frame - 04 66' RECORD DATE DEED SALES Masonry 12.00 BOOKPAGEMOYR 68 TYPE Q/UV PRICE Ceiling & Insulation - 03 2 1990 1 2002 743 0431 WD Q E 200000 Suspended - Ceiling and Wall 7.00 GW [352 ft2] Insulated **BUILDING AREA 2,640** Half-Bathrooms NOTES BAS - 0 FUS - 0 LL - 0 THE MARKET PMT 449 4/90 PMT 450 4/90 Plumbing Fixtures 66' 38 4.00 5.000 Office BAS - 0 FUS - 0 LL - 0 CON TOTAL POINT VALUE 24 24 110.000 [2496 ft²] BUILDING ADJUSTMENTS 1.1000 Ouality 4 Above 104 Average Shape/Design 4 MF4 1.0400 Size Size 1,0800 Size TOTAL ADJUSTMENT FACTOR 1.240 TOTAL QUALITY INDEX Click on image to enlarge SUBAREA UNIT ORIG % ANN DEP OB/XF DEPR. SIZE CODE DESCRIPTION COUNT THWTHUNITS AYB EYB PRICE COND BLDG# FACT COND VALUE RATE GS TYPE AREA % RPL CS PAVING ASP 016,960 1990 2000 38245 4.10 7.00 100 1.10 50 50 2,640 100 574464 10 PAVING CON 4,500 100 1990 2000 BAS 1811 352025 19149 TOTAL OB/XF VALUE CAN 56,358 2,496 030 162982 CDN FIREPLACE 1 - None SUBAREA 5,488 756.595 TOTALS BUILDING DIMENSIONS BAS=W66S40E66N40Area:2640;CAN=W1S44E68N44W1S40W66N40Area:352;CDN=W66S24E104N24W38Area:2496;TotalArea:5488 LAND INFORMATION OTHER ADJUSTMENTS IAND TOTAL OVERRIDE HIGHEST AND USE LOCAL FRON DEPTH LND COND AND NOTES ROAD UNIT LAND UNT TOTAL **ADJUSTED** LAND LAND BEST USE CODE ZONING TAGE DEPTH / SIZE MOD FACT RF AC LC TO OT TYPE UNITS TYP ADJST UNIT PRICE VALUE VALUE PRICE NOTES COMMERCIAL +00 +00 +00 +00 -10 0700 200 250 1.0000 1.0000 18.00 49658.00 SF 1.000 18.00 89384 TOTAL MARKET LAND DATA 893,840 TOTAL PRESENT USE DATA

7/30/2024 2:56:38 PM

JASSAL SANJIT KAUR WF Parcel: 5610 98 9442 0000 JASSAL SUKHCHAIN SINGH Return/Appeal Notes: 480 CONCORD PKWY N CONCORD NC 28027 PLAT: 00083/00074 CONCORD WELDING SUPPLY ID NO: 02 015 0014.00 0000 CONCORD CITY TAX (100), COUNTY TAX (100) CARD NO. 1 of 1 Reval Year: 2024 Tax Year: 2024 PLAT FOR 9.98 AC TROUTMAN LAND INVESTMENTS INC 9.9800 AC Appraised by RE on 07/18/2022 50001 CONCORD PARKWAY NORTH CI-02FR-00 EX-AT- LAST ACTION 20240103 TW-02 DEPRECIATION CONSTRUCTION DETAIL MARKET VALUE CORRELATION OF VALUE Foundation - 4 0.70000 Eff. BASE Standard QUAL Spread Footing 8.00 USE MOD Area RATE RCN EYB AYB CREDENCE TO Sub Floor System - 2 % GOOD 30.0 DEPR. BUILDING VALUE - CARD 53 06 1,519 106 74.20 33,810 Slab on Grade-8.00 DEPR. OB/XF VALUE - CARD 5,820 TYPE: SERVICE GARAGE INDUSTRIAL WAREHOUSE/INDUSTRIAL Residential/Commercial MARKET LAND VALUE - CARD 445,570 485,200 Exterior Walls - 11 STYLE: 1 - 1.0 Story TOTAL MARKET VALUE - CARD Concrete Block 29.00 Roofing Structure - 01 TOTAL APPRAISED VALUE - CARD 7.00 485,200 Roofing Cover - 04 TOTAL APPRAISED VALUE - PARCEL 485,200 Built Up Tar and 5.00 TOTAL PRESENT USE VALUE - PARCEL 31' 12' Gravel/Rubber TOTAL VALUE DEFERRED - PARCEL TOTAL TAXABLE VALUE - PARCEL \$ 485,200 Interior Wall Construction - 1 Masonry or Minimum 5.00 PRIOR Interior Floor Cover - 03 BUILDING VALUE 27,780 Concrete Finished 2.00 OBXF VALUE 3,430 LAND VALUE 413,810 Heating Fuel - 01 0.00 PRESENT USE VALUE DEFERRED VALUE Heating Type - 01 TOTAL VALUE 445,020 None 0.00 PERMIT Air Conditioning Type - 01 CODE DATE NOTE NUMBER AMOUNT 0.00 None Commercial Heat & Air - 2 ROUT: WTRSHD Packaged Units 0.00 SALES DATA Structural Frame - 04 OFF. INDICATE FOF BAS Masonry 13.0 RECORD DATE DEED SALES 31' 31' Ceiling & Insulation - 08 BOOK PAGE MOYR TYPE Q/UV PRICE [372 ft²] [961 ft2] Not Suspended - No Insulation 4.00 14987 0320 3 2021 GW Q I 535000 Average Rooms Per Floor - 2 **BUILDING AREA 1,333** 0.00 Average Rooms Per Floor NOTES Floor Number - 01 APPEALED 1999 &2004 REVAL 0.00 Floor APPEALED VAL. 1995 7 ACERS FLOODS Half-Bathrooms BAS - 0 FUS - 0 LL - 0 Plumbing Fixtures 2.00 5.000 Office BAS - 0 FUS - 0 LL - 0 TOTAL POINT VALUE 86.000 **BUILDING ADJUSTMENTS** Non-Std Wall 12 Non-Std 0.9600 12' 31' Height Wall Height Quality 3 1.0000 Average Shape/Design Click on image to enlarge 1.0000 Size Size 1.2800 Size TOTAL ADJUSTMENT FACTOR 1.230 TOTAL QUALITY INDEX 106 SUBAREA UNIT ORIG % ANN DEP SIZE 0/0 OB/XF DEPR. CODE DESCRIPTION COUNT UNITS COND BLDG# AYB EYB COND PRICE **FACT** GS RATE VALUE TYPE % RPL CS AREA PAVING CON 1,300 10 6.5 100 1.15 1985 1998 4859 FENCE CL4 960 BAS 961 100 71306 06 FOF 372 150 41404 TOTAL OB/XF VALUE 5,819 FIREPLACE 1 - None SUBAREA 112,710 1,333 TOTALS BUILDING DIMENSIONS BAS=W31S31E31N31Area:961;FOF=W12S31E12N31Area:372;TotalArea:1333 LAND INFORMATION TOTAL OTHER ADJUSTMENTS HIGHEST AND USE LOCAL FRON DEPTH LND COND ROAD LAND UNIT TOTAL ADJUSTED AND NOTES LAND UNT LAND OVERRIDE LAND RF AC LC TO OT BEST USE CODE ZONING TAGE DEPTH / SIZE MOD FACT ADJST UNIT PRICE VALUE TYPE PRICE UNITS VALUE NOTES COMMERCIAL 0700 500 1.4650 0.3400 +04 +00 +00 -20 -50 215,000.00 107,070.00 43898 C-2 450 7 PS AC 0.498 4.100 5.39 FLD FLOOD ZONE 9610 I-2 1.0000 0 1.0000 PS 1,500.00 2.89 AC 1.000 1,500.00 433 100 YR FLD FLOOD WAY 9612 I-2 1.0000 0 1.0000 PS 750.00 2.990 AC 1.000 750.00 224 **FLOODWAY** TOTAL MARKET LAND DATA 9.980 445,570 TOTAL PRESENT USE DATA

FILED
CABARRUS COUNTY NC
WAYNE NIXON
REGISTER OF DEEDS
FILED Dec 01, 2022
AT 03:48 pm
BOOK 16298
START PAGE 0159
END PAGE 0162

EXCISE TAX

INSTRUMENT#

33771 \$360.00

BJW

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Stamps: \$ 360.00

Parcel Identifier number: 2-15-15.3

Return to: Grantee

Prepared by: HOWARD S. IRVIN, Attorney

Hartsell & Williams, PA Post Office Box 368 Concord, NC 28026-0368

THIS DEED is made and entered into this the first day of December 2022 by and

between

SHARON KISER BAUCOM DEAL (Widow) a/k/a SHARON KISER BAUÇOM (Widow)

2668 Cold Springs Road, South Concord, NC 28025

Hereinafter GRANTOR

And

BLUE PURE LIFE, LLC,

A North Carolina Limited Liability Company Post Office Box 507 Concord, NC 28026-0507

Hereinafter GRANTEE

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee, in fee simple, all that certain lot or parcel of land being more fully described on Legal Description attached hereto. as Exhibit "A".

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: all easements or right of way, restrictions and covenants, minimum building setbacks, zoning laws and ordinances of record, affecting the property hereby conveyed.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year shown herein.

(SEE SIGNATURES ATTACHED)

Sharon Kiser Baucom Deal (Seal

Sharon Kiser Baucom (Seal)

North Carolina, Cabarrus County

I, Howard S. Irvin, a Notary Public for said County and State certify that the following person personally appeared before me this day and acknowledged to me that she voluntarily signed the foregoing document for the purposes stated therein and, in the capacity indicated:

Sharon Kiser Baucom Deal a/k/a Sharon Kiser Baucom (Widow).

WITNESS my hand and notary stamp, this the first day of December 2022.

Howard S. Irvin Notary Public

My Commission Expires: June 17, 2027

Notary Stamp

NO TAD DE LIC NOTAD COUNTY INTERIOR

EXHIBIT "A"

Lying and Being in the City of Concord, Number Two (2) Township of Cabarrus County, North Carolina on the North side of Barnhardt Avenue and Being on the West side of, but not adjoining, United States Highway 29, and being more fully described as follows: Old Description

BEGINNNING at an iron stake on the North side of Barnhardt Avenue, said iron being South 79-42 West 150.0 feet from the right of way of U. S. Highway 29 and at the intersection of Barnhardt Avenue, and runs thence with the North side of Barnhardt Avenue South 79-42 West 50.0 feet to a point; thence North 16-20-13 West 236.66 feet to a point in the rear of said property; thence with the rear of the property North 82-49 East 75.0 feet to a point; thence South 10-18 East 231.27 feet to the point of BEGINNING, as surveyed and platted by Billy B. Long, R.L.S., October 7, 1986.

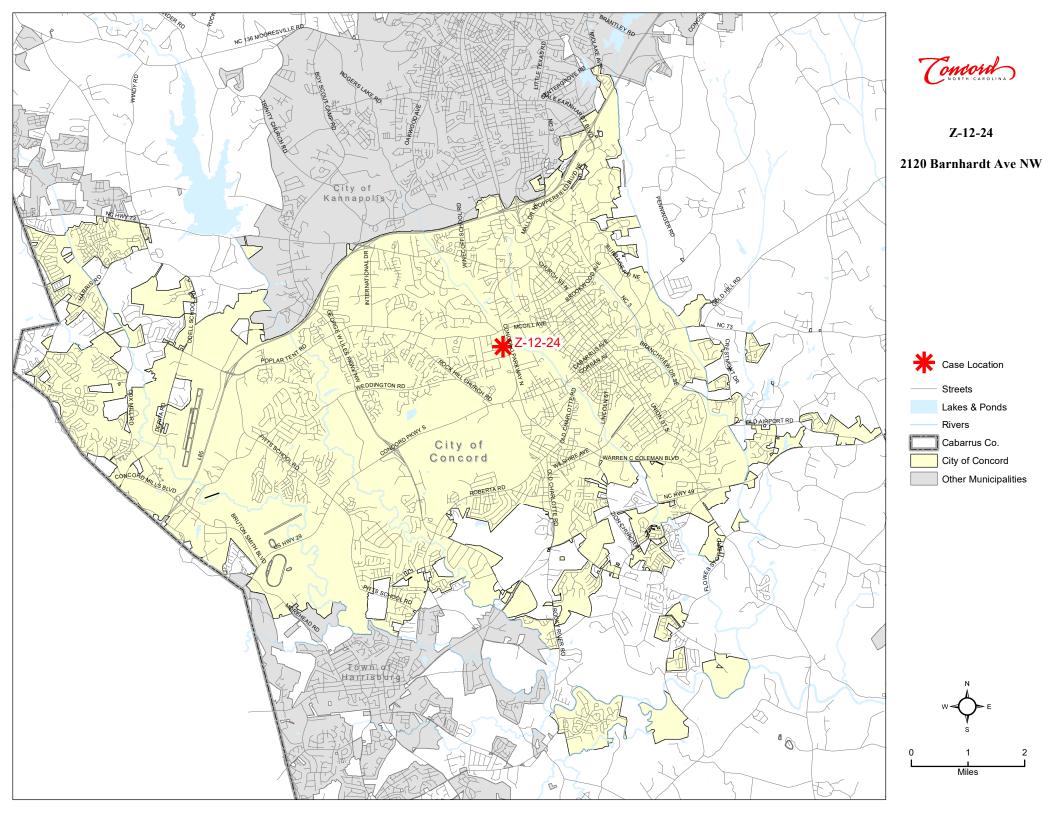
See plat of the property of E. E. Barnhardt, Mary Virginia Barnhardt & Katherine Barnhardt recorded in Map Book 9, Page 40, Cabarrus Registry.

For informational purposes only, being known as 2120 Barnhardt Avenue, NW, Concord, NC 28025.

For back reference, see the following Deeds: Book 2023, Page 298, and Book 2010, Page 1, Book 741, Page 306, Deed Book 495, Page 538, and Deed 495, Page 537, Cabarrus Registry.

Tony R. Deal, spouse of Sharon Kiser Baucom Deal died in Cabarrus County on April 28, 2022 (see Estate file 22E585 in the Office of the Clerk of Superior Court for Cabarrus County, North Carolina).

SKBD

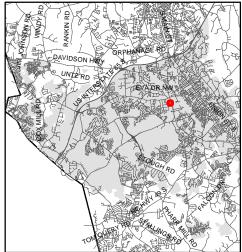


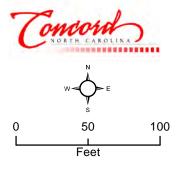


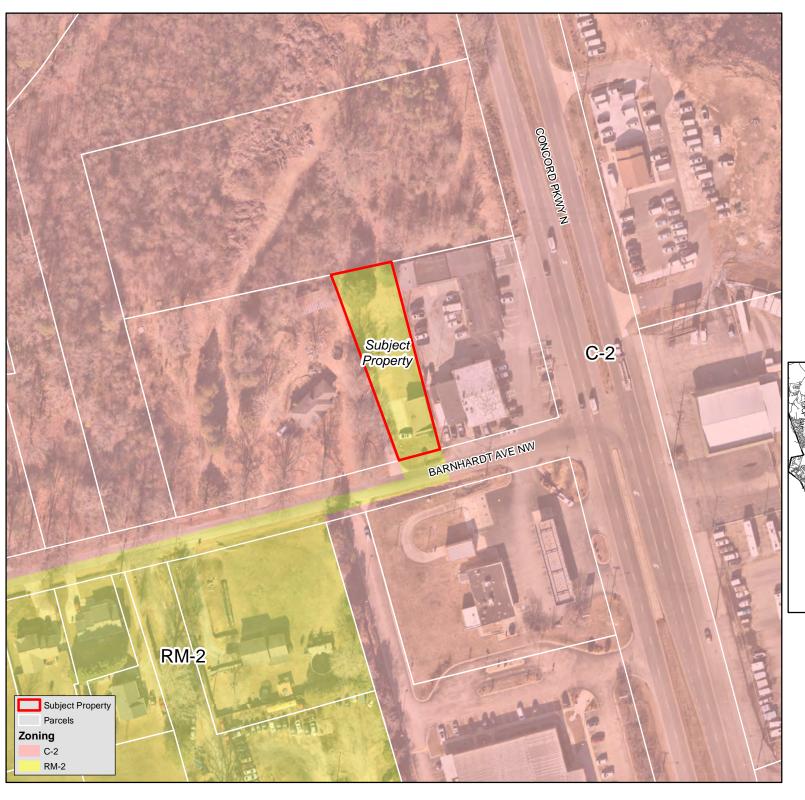
Z-12-24 AERIAL

Rezoning application RM-2 (Residential Medium Density to C-2 (General Commercial)

2120 Barnhardt Ave NW PIN: 5610-98-5054



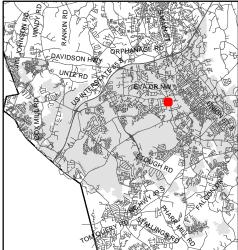


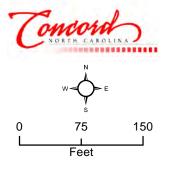


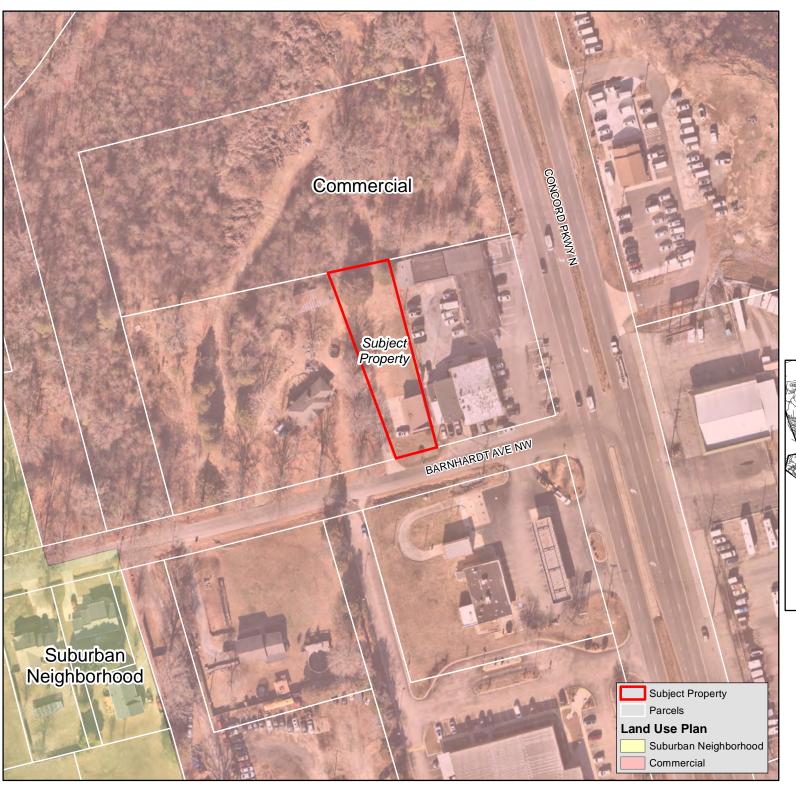
Z-12-24 ZONING

Rezoning application RM-2 (Residential Medium Density to C-2 (General Commercial)

> 2120 Barnhardt Ave NW PIN: 5610-98-5054







Z-12-24 LAND USE PLAN

Rezoning application RM-2 (Residential Medium Density to C-2 (General Commercial)

> 2120 Barnhardt Ave NW PIN: 5610-98-5054

