



DATE: September 20, 2022

REZONING CASE #: Z-15-22

ACCELA: CN-RZZ-2022-00009

DESCRIPTION: Zoning Map Amendment
RM-2 (Residential Medium Density) to C-2 (General Commercial)

APPLICANT/OWNER: DFR Motors LLC

LOCATION: 2501 Eva Dr

PIN#s: 5611-70-5013

AREA: +/- 1.95 acres

PREPARED BY: George Daniels, Senior Planner

BACKGROUND

The subject property consists of one (1) parcel comprising approximately 1.95 acres on the south side of Eva near the intersections of Troxler Cir NW and Tiffany St NW. The property currently contains three (2) commercial buildings both of which are operated as separate automotive repair businesses.

HISTORY

The property was annexed into the City on December 31, 1995 as part of the large western area annexation and rezoned to (R-2) residential at that time. The zoning was converted to RM-2 (Residential Medium Density) with the adoption of the Unified Development Ordinance (UDO) and remained with the conversion to the Concord Development Ordinance (CDO).

The site has been utilized for automobile repair and related businesses since the 1960's. From 1964 until 1999 the property was used as an auto salvage yard. The vehicles stored on the property were removed in 1999, and the use was converted to a less intense auto repair business.

SUMMARY OF REQUEST

The applicant is requesting to rezone the subject property from RM-2 (Residential Medium Density) to C-2 (General Commercial) in order for zoning district to be in accordance with the property's use and to correspond with the Land Use Plan map designation.

To the north of the property (across Eva Dr) the zoning is C-2 (General Commercial). These properties consist of a single family home, an automobile repair shop currently occupied as a detailing and window tinting business and a commercial warehouse building.

Directly to the east the adjacent property is zoned C-2-CD (General Commercial-Conditional District) and is the site of a commercial warehouse building. This property was rezoned from RM-2 (Residential Medium Density) in November of 2015. Further east beyond this property the zoning is from RM-2 (Residential Medium Density) and three single-family homes.

To the south the property is split-zoned RM-2 (Residential Medium Density) and O-I (Office-Institutional). This parcel was recently added as an expansion the Cumberland single-family subdivision that is currently under construction. The area of Cumberland directly adjacent to the subject property will be primarily common open space area.

To the west the zoning is from RM-2 (Residential Medium Density) and this area is developed with single-family homes.

Because the request is for straight zoning of C-2 (General Commercial) and not a conditional district, all permitted uses with the C-2 (General Commercial) zoning classification would be allowed on the site.

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)	Automobile Repair	North	Single-family residential & Commercial
	South	RM-2 (Residential Medium Density) & O-I (Office-Institutional)		South	Vacant (planned Single-family residential)
	East	C-2-CD (General Commercial-Conditional District) & RM-2 (Residential Medium Density)		East	Commercial & Single-family residential
	West	RM-2 (Residential Medium Density)		West	Single-family residential

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as “Commercial” for which C-2 (General Commercial) is listed as a corresponding zoning district.

From the 2030 Land Use Plan – “Commercial”:

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.

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..

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- 1.95 acres and is zoned City of Concord I-1 (Light Industrial).
- The subject property was annexed into the City on December 31, 1995 and rezoned to (R-2) residential at that time. The zoning was later converted to RM-2 (Residential Medium Density)
- 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 Land Use Category. The subject property has been an established commercial use since the 1960's. The proposed C-2 (General Commercial) zoning will allow for continued operation and expansion of the commercial use on the property.
- The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning surrounding the subject property and the adjacent commercial uses.

SUGGESTED RECOMMENDATION AND CONDITIONS

The staff finds the zoning map amendment 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.



(Please type or print)

Applicant Name, Address, Telephone Number and email address: DFR Motors LLC
525 Elizabeth lee Dr NW, Concord NC 28027
704 290 7232 y2khardtop@gmail.com

Owner Name, Address, Telephone Number: David Farmer
525 Elizabeth lee Dr NW, Concord NC 28027
704 290 7232 y2khardtop@gmail.com

Project Location/Address: 2501 Eva Drive, Concord NC 28027
P.I.N.: 56117050130000

Area of Subject Property (acres or square feet): 1.955 acres

Lot Width: 190 Lot Depth: 480 feet

Current Zoning Classification: RM2

Proposed Zoning Classification: C2

Existing Land Use: automotive sales and repair

Future Land Use Designation: commercial

Surrounding Land Use: North Commercial South Vacant
East Commercial West vacant

Reason for request: Property has been used for commercial/automotive since the 1960's,
owner wishes to correct zoning to reflect actual usage and Land Use Map designation

Has a pre-application meeting been held with a staff member? 6/9/22

Staff member signature: _____ Date: _____

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

Required Attachments / Submittals:

- 1. Typed metes and bounds description of the property (or portion of property) in a Word document format.

- 2. Cabarrus County Land Records printout of names and addresses of all immediately adjacent landowners, including any directly across the street.

- 3. **FOR CONDITIONAL DISTRICT APPLICATIONS ONLY**, a plan drawn to scale (conditional district plan), and elevations if applicable submitted digitally.

- 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.

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

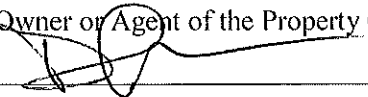
 Signature of Owner(s) Date

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: 7/5/22

Applicant Signature: 

Property Owner or Agent of the Property Owner Signature: 

PIN #5611705013

2501 Eva Drive Concord NC 28027

Beginning at a 1/2" rebar, said rebar being located on the southern right-of-way of Eva Drive (40' Public R/W), said rebar being a common corner with now or formerly Thomas L. Kies & Wf. Dawn M. (Deed Bk. 11562, Pg. 211), thence with the property of now or formerly Thomas L. Kies & Wf. Dawn M. (Deed Bk. 11562, Pg. 211), S 19°36'55" W 494.51 feet to a 5/8" rebar, said rebar being a common property corner with now or formerly Dogwood and Pines, LLC (Deed Bk. 15666, Pg. 86); thence with the property of now or formerly Dogwood and Pines, LLC (Deed Bk. 15666, Pg. 86) N 79°25'56" W 159.80 feet to an axle, said axle being a common corner with now or formerly Bev-Mar Property Management, LLC (Deed Bk. 4912, Pg. 23); thence with the property of now or formerly Bev-Mar Property Management, LLC (Deed Bk. 4912, Pg. 23) and now or formerly Bev-Mar Property Management, LLC (Deed Bk. 4912, Pg. 27), N 15°14'37" E 465.27 feet to a 1/2" rebar, said rebar being located on the southern right-of-way of Eva Drive (40' Public R/W); thence with the southern right-of-way of Eva Drive (40' Public R/W), S 86°27'58" E 201.15 feet to the POINT AND PLACE OF BEGINNING and containing 1.948 AC.

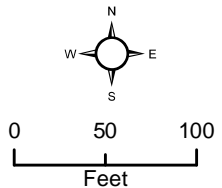
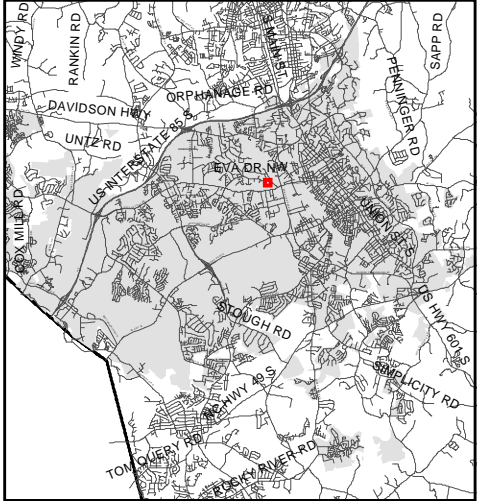
AcctName1	AcctName2	MailAddr1	MailCity	MailState	MailZipCod
BEV-MAR PROPERTY MANAGEMENT LLC		320 WOODSIDE DRIVE	HARRISBURG	NC	28075
DFR MOTORS LLC		525 ELIZABETH LEE DR NW	CONCORD	NC	28027
DOGWOOD AND PINES LLC		800 WILHELM PL NE	CONCORD	NC	28025
DRAKE KENNETH A		300 TIFFANY ST NW	CONCORD	NC	28027
JOHNSON MARY ELLEN	JOHNSON JAMES STEPHEN	3744 BENTLEY PL SW	CONCORD	NC	28027
KIES THOMAS L	KIES MARKL DAWN	585 AMBERGATE PL NW	CONCORD	NC	28027
LANCASTER WILLIAM L	LANCASTER HATTIE F	2752 WALTER DR NW	CONCORD	NC	28027
POPLAR COVE HOMEOWNERS	ASSOCIATION INC	PO BOX 3096	MATTHEWS	NC	28106





**Z-15-22
AERIAL**

**Rezoning application
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to C-2 (General Commercial)**

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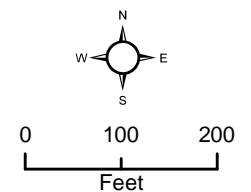
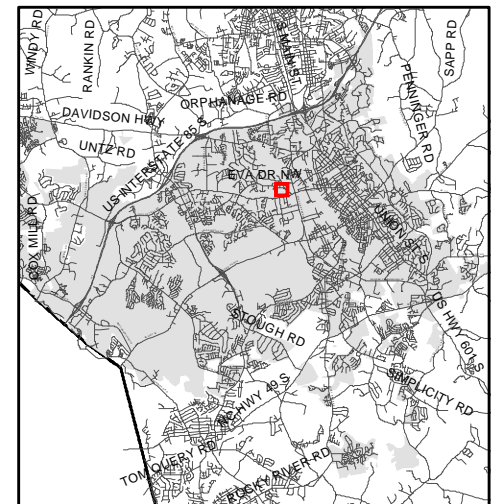
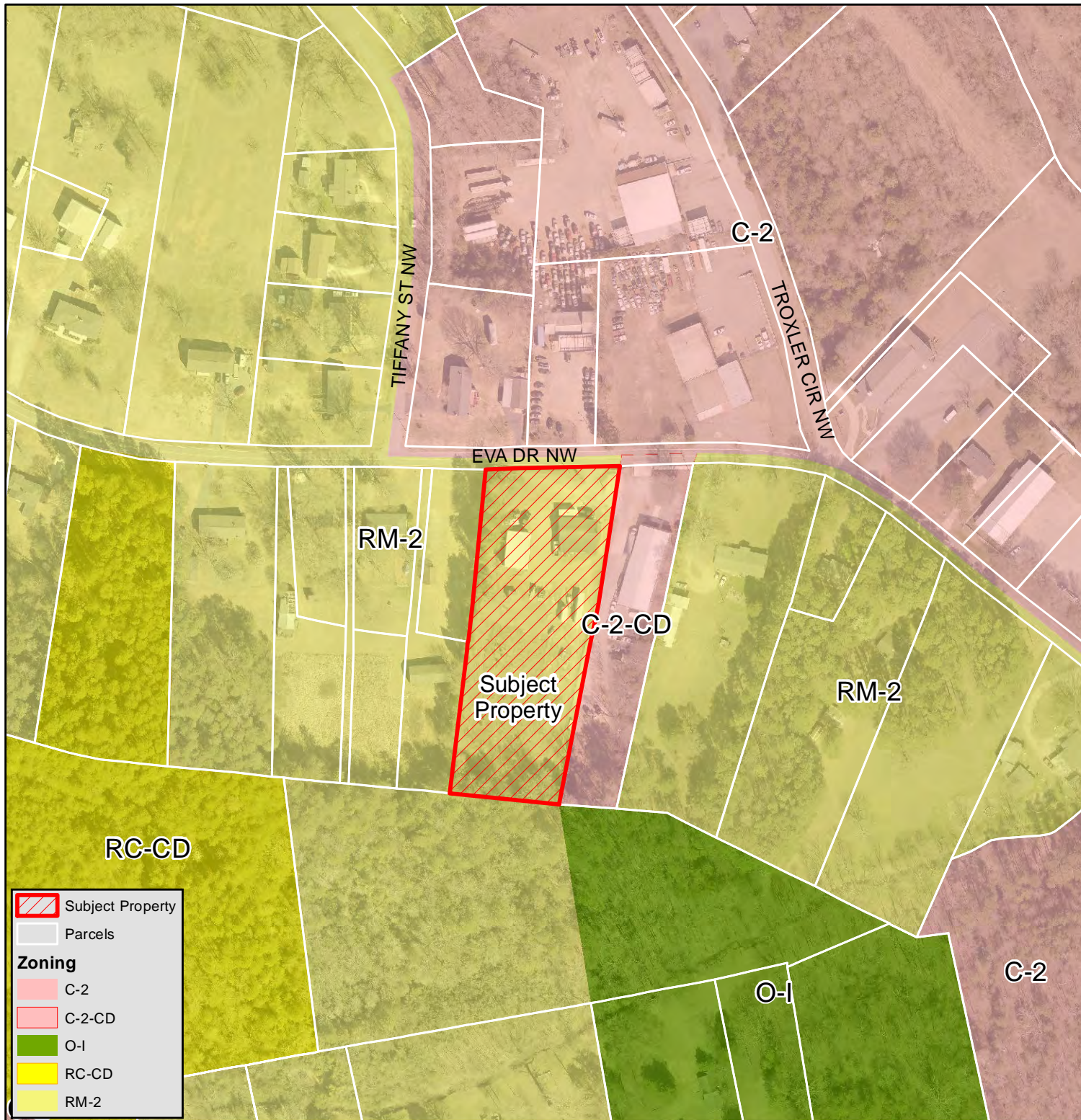


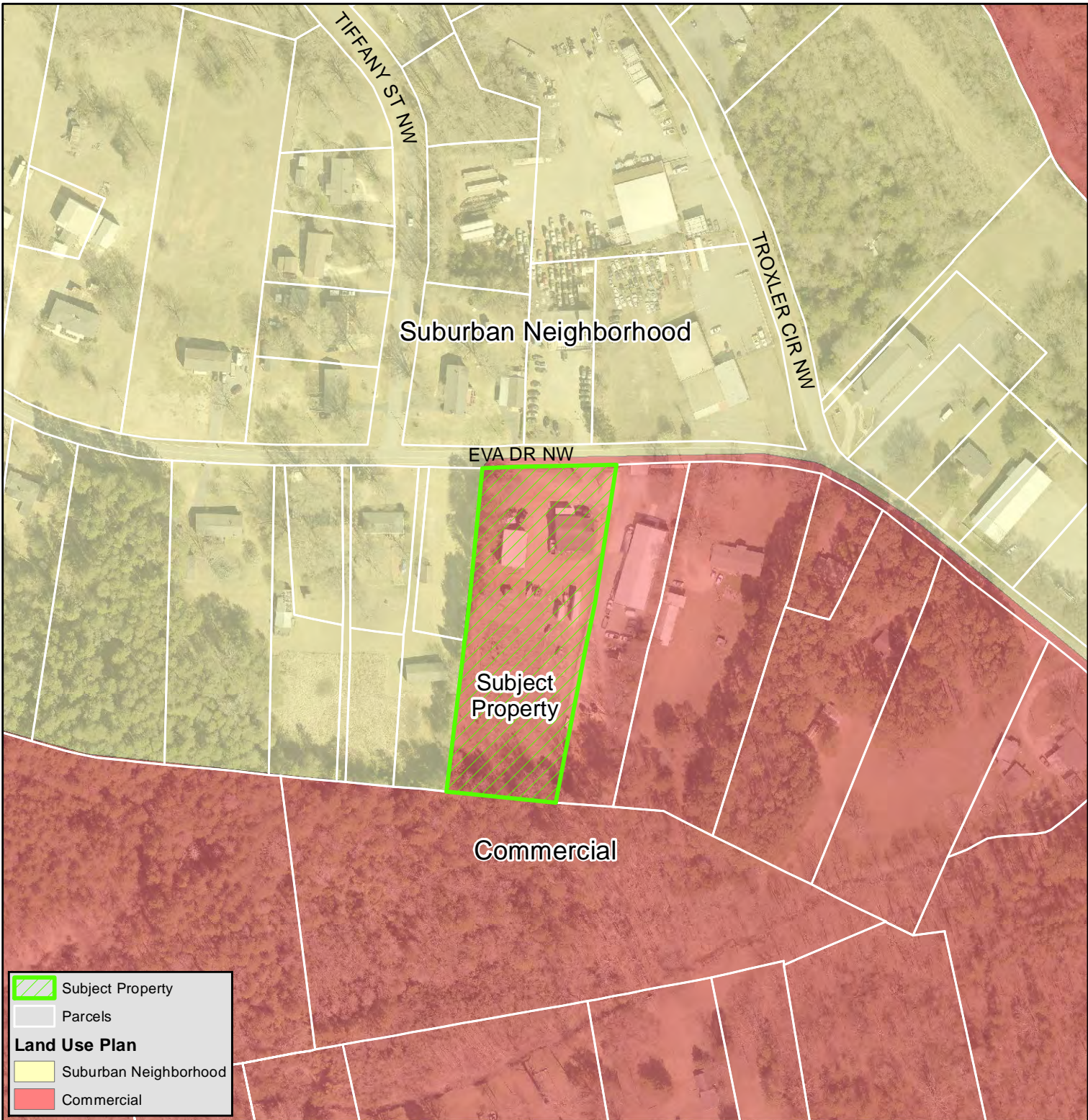
 Subject Property
 Parcels

Z-15-22 ZONING

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

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	Subject Property
	Parcels
Land Use Plan	
	Suburban Neighborhood
	Commercial

**Z-15-22
LAND USE PLAN**

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