



DATE: August 15, 2023

REZONING CASE #: Z-15-23

DESCRIPTION: Administrative Zoning Map Amendment
Cabarrus County MDR (Medium Density Residential) to R-CO
(Residential County Originated)

APPLICANT: City of Concord - Administrative

LOCATION: 786 Bartram Ave.

PIN#s: 5539-30-7799

AREA: +/- 0.16 acres

PREPARED BY: Autumn C. James, Planning and Development Manager

Note: Because this rezoning request pertains to a recently annexed property, a City zoning classification must be adopted.

SUMMARY OF REQUEST

This is an administrative zoning request for a 786 Bartram Ave, in the Hallstead Subdivision, on the northeast side of the Zion Church Rd and Zion Church Rd East intersection. This parcel was previously zoned Cabarrus County MDR (Medium Density Residential) and was annexed into the City of Concord on July 13, 2023. The request is for R-CO (Residential County Originated) zoning.

BACKGROUND

The original developer of Hallstead was required to submit an annexation petition to the City, prior to recording subdivision plats, in order to obtain City utilities. The initial phase was annexed into the City limits following this procedure. In error, the developer did not follow this procedure with the second map of the first phase, and as a result, this second map was recorded, and homes were constructed and sold without submission of an annexation petition. Subsequently, the original developer ceased work in the subdivision, and their property (both raw land and individual lots) were purchased by NW Southeast Holdings, LLC. In order to obtain City utilities for these purchased lots, NW Southeast Holdings, LLC submitted an annexation petition. A total of 53 individually owned single family homes that were platted in the second phase of the development were not annexed. The City conducted outreach to the remaining property owners in 2012 and 2013, providing information on annexation. Some property owners chose to annex, while others remained outside the City limits. Periodically, the City received annexation petitions, such as the subject request, in order to receive solid waste services.

R-CO (Residential County Originated) is a zoning district that was created with the adoption of the updated Unified Development Ordinance (UDO) on July 12, 2007. This zoning district was created for cases where an existing development, or an area that has approved plans, is annexed and there is not a compatible zoning district in the City of Concord. Setbacks and lot dimension standards will follow what is specified on the recorded plats, allowing the subject property to transition from Cabarrus County to City of Concord while avoiding the creation of non-conforming lots.

SURROUNDING ZONING AND LAND USES

Concord’s primary corporate limits are surrounding this property, as it is one (1) of thirty-six (36) parcels that were never annexed within the subdivision. Surrounding properties within the subdivision are developed with single-family detached homes and are zoned R-CO (Residential County Originated). The subject property is consistent with surrounding R-CO (Residential County Originated) properties

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	
Cabarrus County MDR (Medium Density Residential)	North	City of Concord R-CO (Residential County Originated)	Single Family Residential	North	Single-family residential
	South	City of Concord R-CO (Residential County Originated)		South	Single-family residential
	East	City of Concord R-CO (Residential County Originated)		East	Single family residential
	West	City of Concord R-CO (Residential County Originated)		West	Single family residential

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as “Suburban Neighborhood” for which R-CO (Residential County Originated) is as a corresponding zoning district.

From the 2030 Land Use Plan – “Suburban Neighborhood”:

The Suburban Neighborhood (SN) Future Land Use category includes single-family areas that are formed as subdivisions or communities, with a relatively uniform housing type and density throughout. They may support a variety of single-family detached residential types, from low-density single-family homes to denser formats of smaller single-family homes. In areas designated Suburban Neighborhood, homes are typically oriented interior to the neighborhood and are typically buffered from surrounding development by transitional uses or landscaped areas. Single-family attached dwellings are an option for infill development within the suburban neighborhood future land use category. These neighborhoods are often found in close proximity to suburban commercial, office, and industrial centers, and help provide the consumers and employment base needed to support these centers. Lots at intersections of collector and arterial streets within or at the edges of suburban neighborhoods may support small-scale, neighborhood serving, pedestrian-oriented commercial or service uses such as coffee shops, cafes, beauty salons and light retail. Pedestrian oriented uses exclude uses with drive-in, drive-through or automobile related services.

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.

Policy Guidance for Objective 1.6:

- **Infill Housing:** *Promote a variety of compatible infill housing types in areas with access to adequate facilities and services.*

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.*

The following general land use challenges and opportunities in Section 5.2 relate to the proposed amendment.

Ensuring compatibility between neighboring land uses: *As the diversity of uses and housing types increases, the potential for incompatibility increases. To maintain compatibility between adjacent uses, the City will need to ensure that there are seamless transitions between uses which will require a combination of separating certain uses, buffering between uses, and addressing the design, scale, height, orientation and intensity of development as appropriate to the land use transition and the site.*

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

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property consists of one (1) parcel, comprising approximately 0.1 acres at 78 Bartram Ave., within the Hallstead Subdivision.
- The subject property was annexed into the City on July 13, 2023.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as R-CO is a corresponding zoning classification to the “Suburban Neighborhood” Land Use Category.

The subject property is located within an established residential neighborhood and the proposed R-CO (Residential County Originated) zoning will limit development to remain a single-family detached home, consistent with the surrounding neighborhoods.

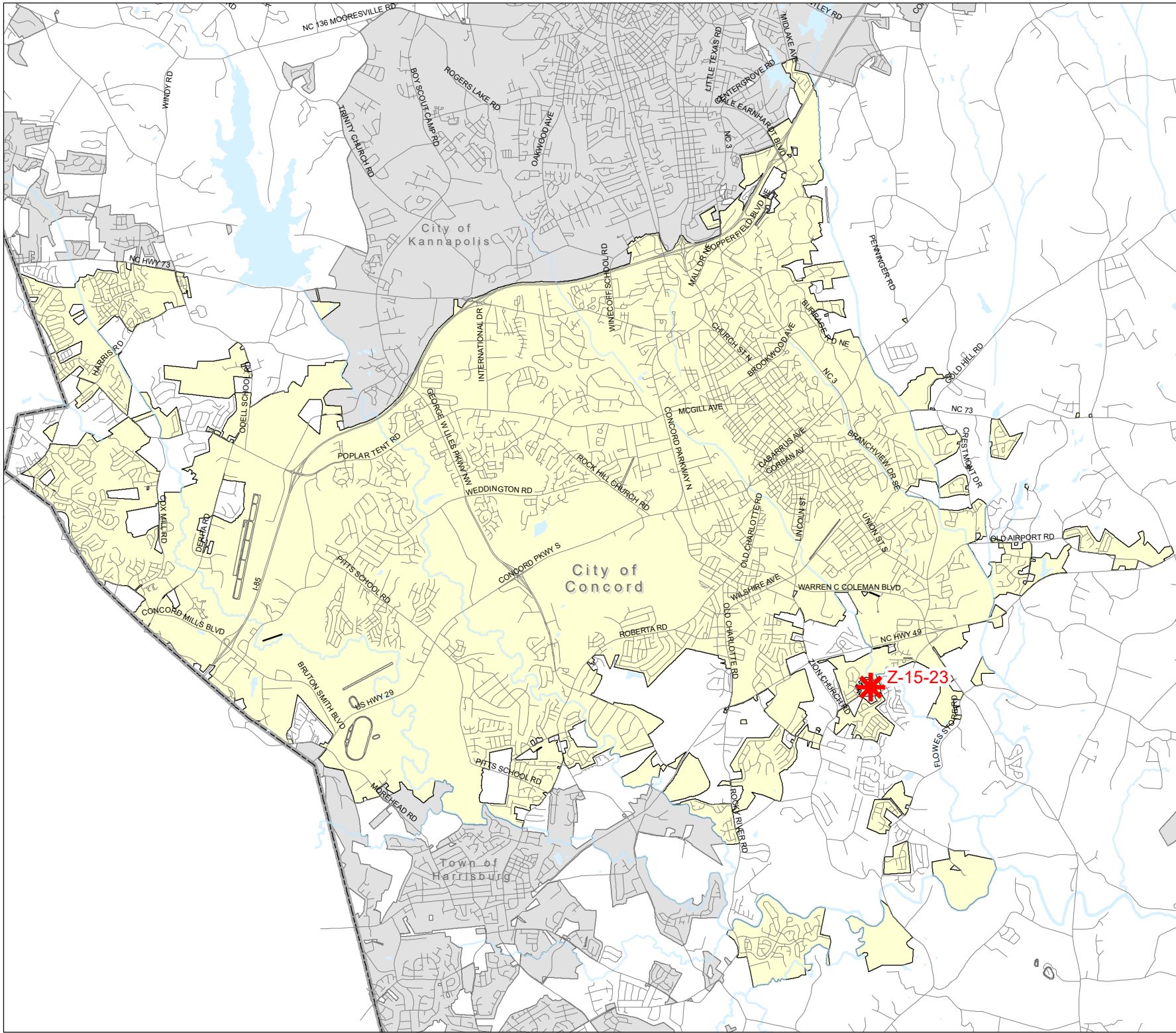
- The zoning amendment is reasonable and in the public interest as it will remain consistent with the existing subdivision, and adjacent, single-family developments to the north, south, east, and west. The R-CO district would allow for a transition into City of Concord zoning and would avoid the creation of any non-conforming lots.

PROCEDURAL CONSIDERATIONS

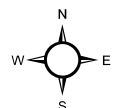
This particular case is a rezoning, which under the CDO, is legislative in nature. Legislative hearings do not require the swearing or affirming of witnesses prior to testimony at the public hearing. As the request is not a Conditional District no conditions may be applied.

Z-15-23

786 Bartram Ave



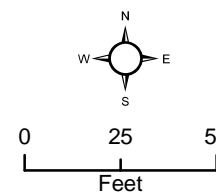
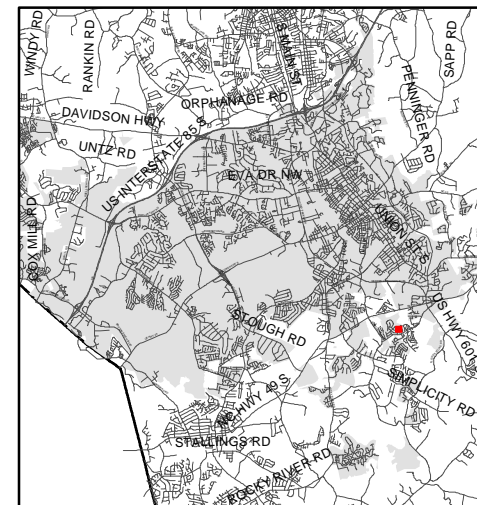
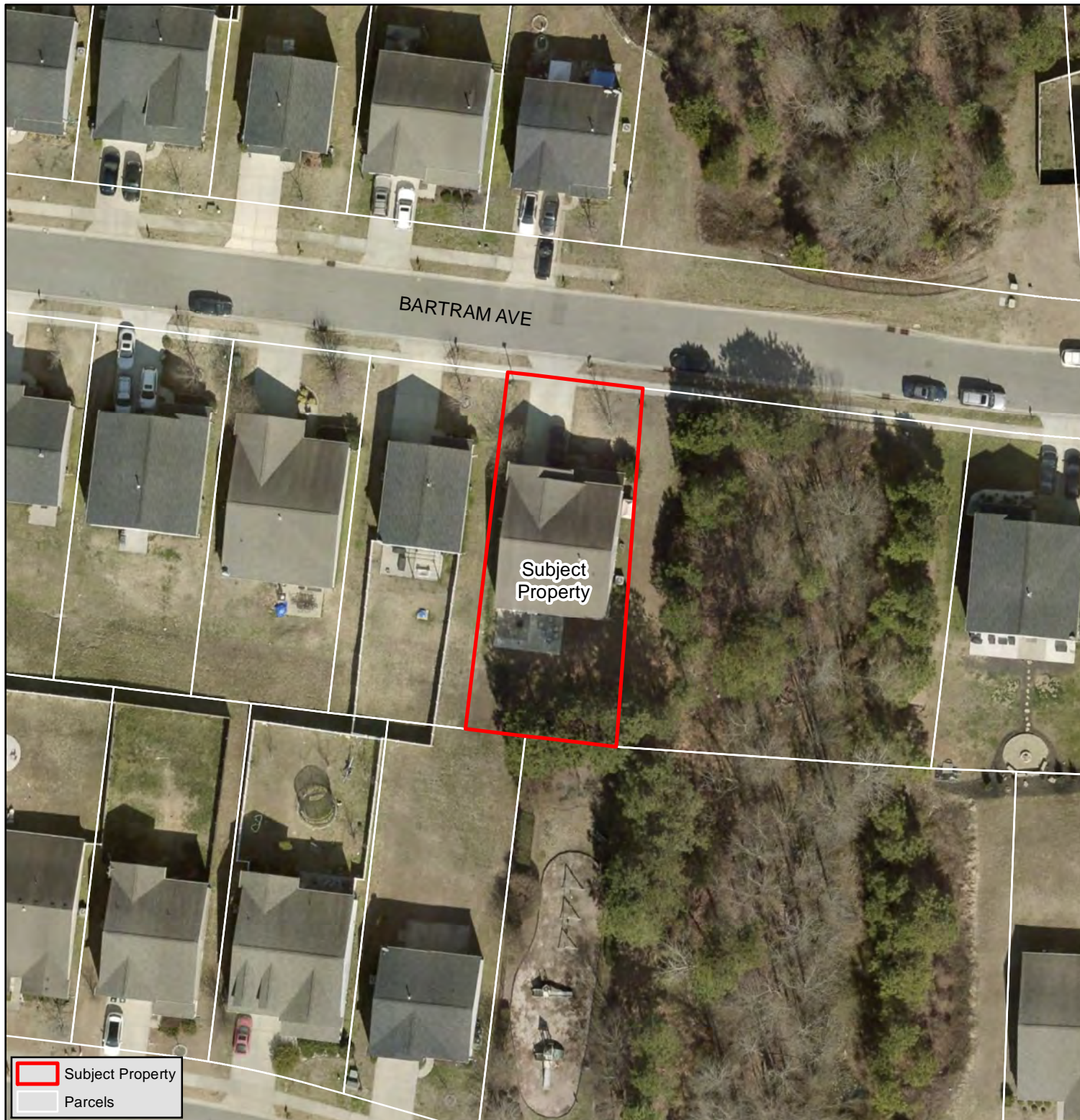
- Case Location
- Streets
- Lakes & Ponds
- Rivers
- Cabarrus Co.
- City of Concord
- Other Municipalities

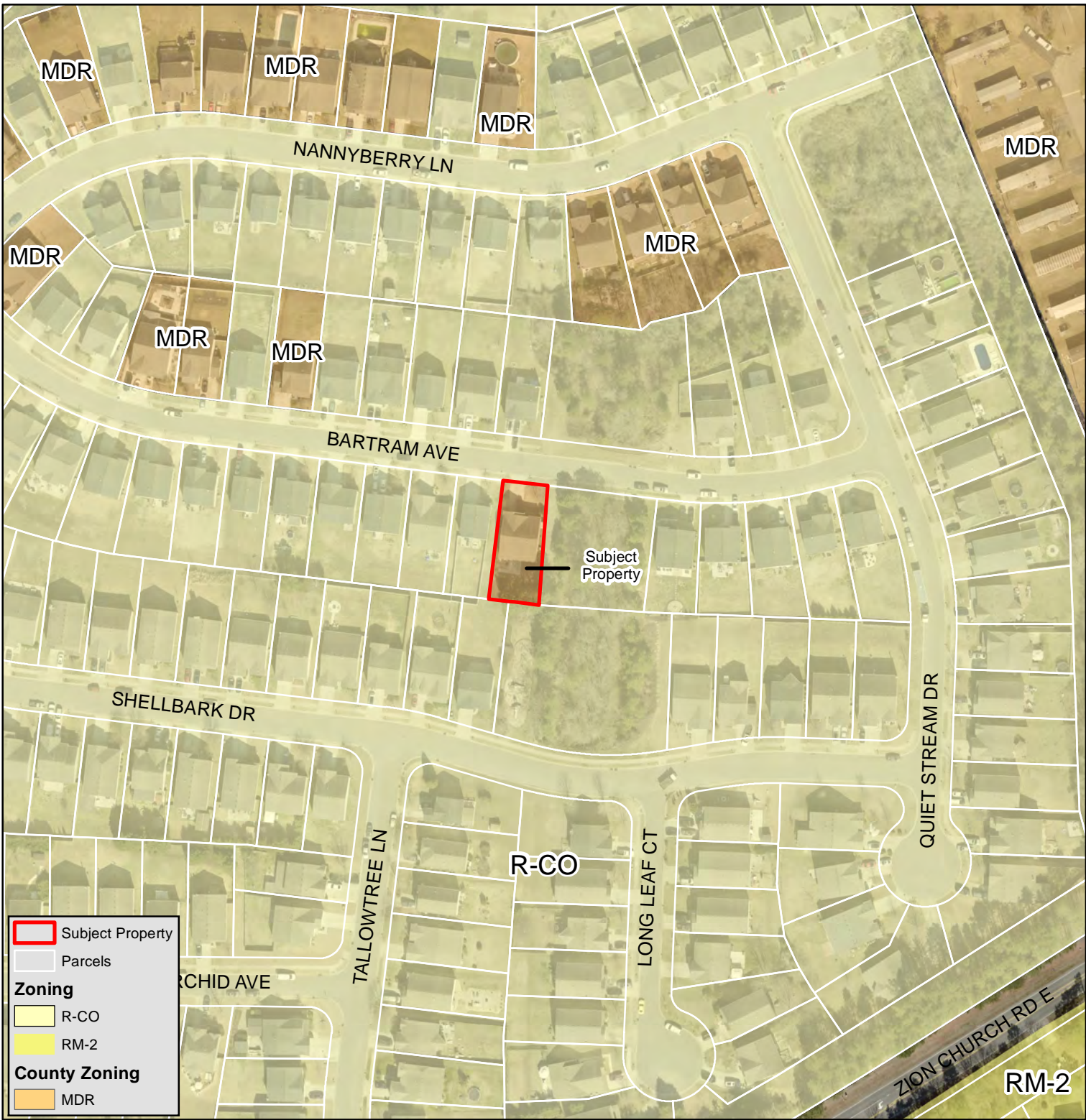


**Z-15-23
AERIAL**

**Administrative rezoning
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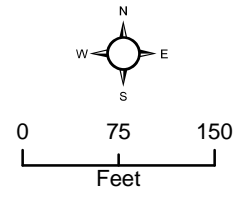
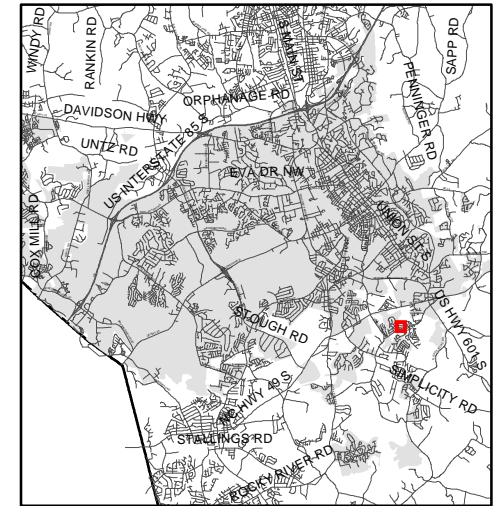


	Subject Property
	Parcels
Zoning	
	R-CO
	RM-2
County Zoning	
	MDR

**Z-15-23
ZONING**

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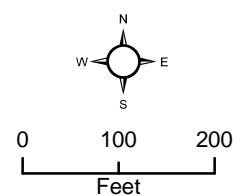
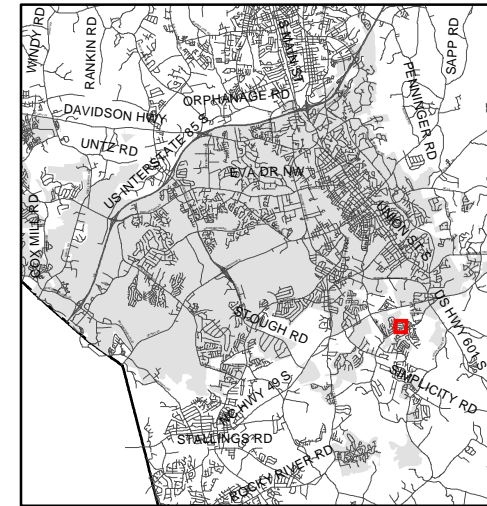
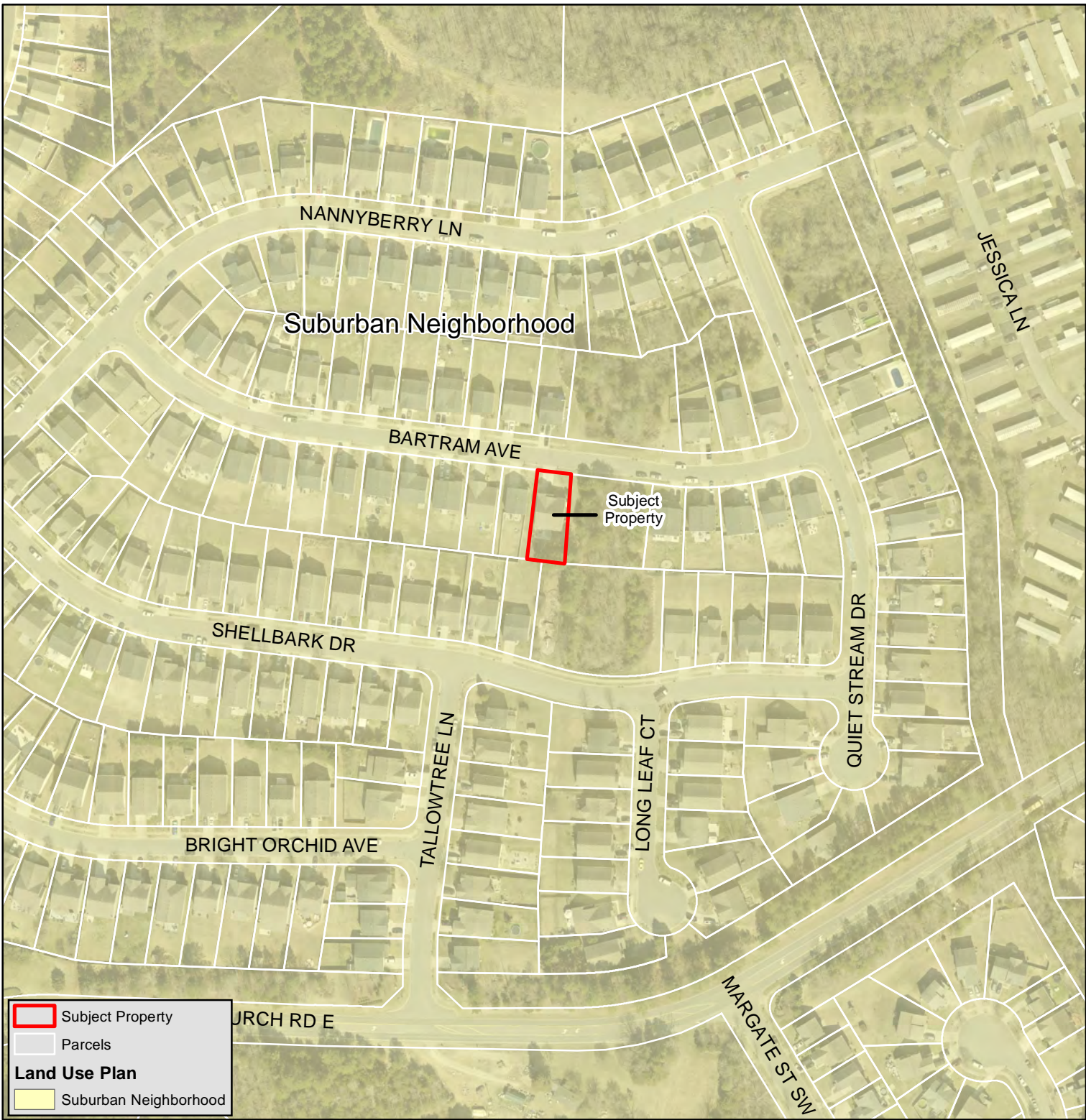
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
**Z-15-23
LAND USE PLAN**

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Legend

-  Subject Property
-  Parcels
- Land Use Plan**
-  Suburban Neighborhood