



DATE: December 20, 2022

REZONING CASE #: Z-21-22

ACCELA: CN-RZZ-2022-00011

DESCRIPTION: Zoning Map Amendment
RM-1 (Residential Medium Density) to C-2 (General Commercial)

APPLICANT/OWNER: David & Georgia Berry

LOCATION: 494 Corban Ave SE

PIN#s: 5630-59-7682, 5630-68-0867 part of

AREA: +/- 3.215 acres

PREPARED BY: George Daniels, Senior Planner

BACKGROUND

The subject property consists of one (1) parcel comprising approximately 3.215 acres on the south side of Corban Ave SE (NC Hwy 73) near the intersection of Honeycutt Dr SE. The property currently contains one commercial building which is operated as an automotive repair business. The site is also used for sales of utility trailers and storage buildings.

On October 18th 2022 a recombination plat was recorded that created the lot in this zoning amendment application. This is labeled as Lot 1 on the attached plat. The area in Lot 2 is not part of this application and will remain as RM-1 (Residential Medium Density).

HISTORY

The property was annexed into the City on May 14th 1975 and zoned R-1 (Residential) at that time. The zoning was converted to RM-1 (Residential Medium Density) with the adoption of the Unified Development Ordinance (UDO) and remained with the conversion to the Concord Development Ordinance (CDO).

The building was constructed in 1988 and the site was purchased by the applicant in 1989 and has been utilized for automobile repair and related businesses since this time.

SUMMARY OF REQUEST

The applicant is requesting to rezone the subject property from RM-1 (Residential Medium Density) to C-2 (General Commercial) in order for zoning district to be in accordance with the property’s existing land use. This would be an extension of the existing C-2 (General Commercial) on the adjacent parcels to the west of the property and the properties across Corban Ave SE. The proposed zoning would extend the commercial zoning any further from Corban Avenue than the C-2 zoning to the west. The subject property lies within an area of historical commercial land uses which function as a small commercial node but are designated Suburban Neighborhood and not Commercial.

Directly across Corban Ave SE to the north the zoning is C-2 (General Commercial), and is the location of a plumbing supply store, and a vacant lot. The vacant lot is unlikely to be developed as it is almost entirely in the 100-year flood plain.

To the northwest across the intersection with Honeycutt Dr SE the corner lot is also zoned C-2 (General Commercial) and is the site of Herc Enterprises which is a general contractor office.

The two parcels to the west of Honeycutt Dr SE have B-1 (Neighborhood Commercial/Office District) zoning and contain a commercial building and the Brickhouse Restaurant.

Directly to the West of the subject property is C-2 (General Commercial) zoning and this is the site of a car wash and a self-storage facility.

The surrounding property to the southwest is RM-1 (Residential Medium Density) and contains several single-family homes on large lots.

Directly to the east the zoning is also RM-1 (Residential Medium Density) and is the site of soccer fields, this area is also entirely in the 100-year flood plain.

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) RM-1 (Residential Medium Density)	Automobile Repair	North	Single-family residential & commercial
	South	RM-1 (Residential Medium Density)		South	Single-family residential & vacant
	East	RM-1 (Residential Medium Density)		East	Soccer fields & vacant
	West	C-2 (General Commercial)		West	Self-storage and car wash

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as “Suburban Neighborhood” for which C-2 (General Commercial) is not listed as a corresponding zoning district. Rezoning to C-2 (General Commercial) will therefore also require a Land Use Plan Amendment to be approved by City Council. The land use recommendation by staff is “Commercial” and this would also be compatible with the surrounding commercial land use.

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..

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- 3.215 acres and is zoned City of Concord RM-1 (Residential Medium Density)
- The subject property was annexed into the City on May 14th 1975 and zoned to R-1 Residential at that time. The zoning was later converted to RM-1 (Residential Medium Density)
- The subject property has been an established commercial use since 1989. The proposed C-2 (General Commercial) zoning will allow for continued operation and expansion of the commercial use on the property. The proposed zoning is not consistent with the 2030 Land Use Plan (LUP) as C-2 (General Commercial) is not a corresponding zoning classification to the Suburban Neighborhood land use category. The subject property and surrounding properties, however, are all developed as commercial uses, therefore this would be consistent with a Commercial land use category.
- 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

A Land Use Plan amendment will be needed for this request, which is subject to City Council approval. Staff is seeking a recommendation to City Council on the rezoning and land use plan amendment

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.



NORTH CAROLINA
High Performance Living



Application for
Zoning Map Amendment

(Please type or print)

Applicant Name, Address, Telephone Number and Email Address: 704-796-0476

DAVID & GEORGIA BERRY
494 Corban Ave SE. Concord NC 9041berry61@gmail.com.

Owner Name, Address, Telephone Number: _____
SAME

Project Location/Address: 494 Corban Ave SE Concord NC

P.I.N.: 5630-59-7082 P-D 5630-68-0867

Area of Subject Property (acres or square feet): 3.215 acres

*PINs prior to recording
of recombination
plat*

Lot Width: _____ Lot Depth: _____

Current Zoning Classification: RM-1

Proposed Zoning Classification: C-2

Existing Land Use: Auto Repair

Future Land Use Designation: Sub. Land Use

Surrounding Land Use: North C-2 South Rm1

East Rm1 West Rm1-C-2

Reason for request: Inane other business uses.

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

Staff member signature: [Signature] Date: 10/18/22

THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

1. List the Use(s) Proposed in the Project:

all allowed uses in C-2

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):

None

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 [Signature] Date 10-18-22

Signature of Owner(s) [Signature] Date 10-18-22

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: 12-9-22

Applicant Signature: 

Property Owner or Agent of the Property Owner Signature: 



**Z-21-22
AERIAL**

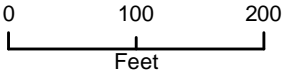
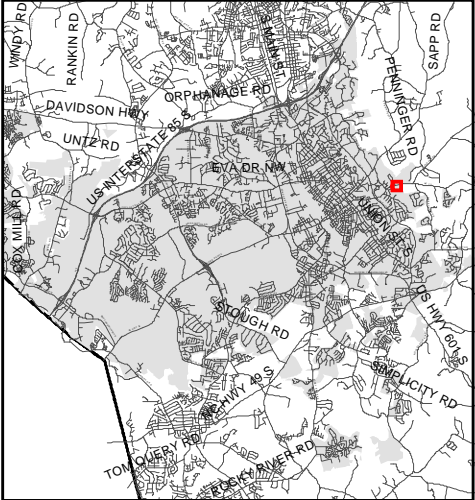
**Rezoning application
RM-1 (Residential Medium Density)
to
C-2 (General Commercial)**

494 Corban Ave SE
PIN: 5630-59-7682, 5630-68-0867 part of



Subject Property

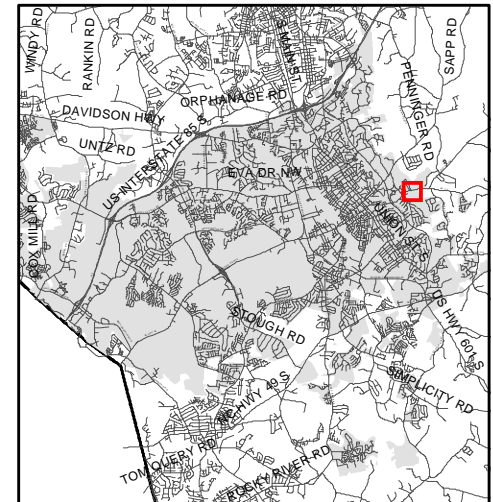
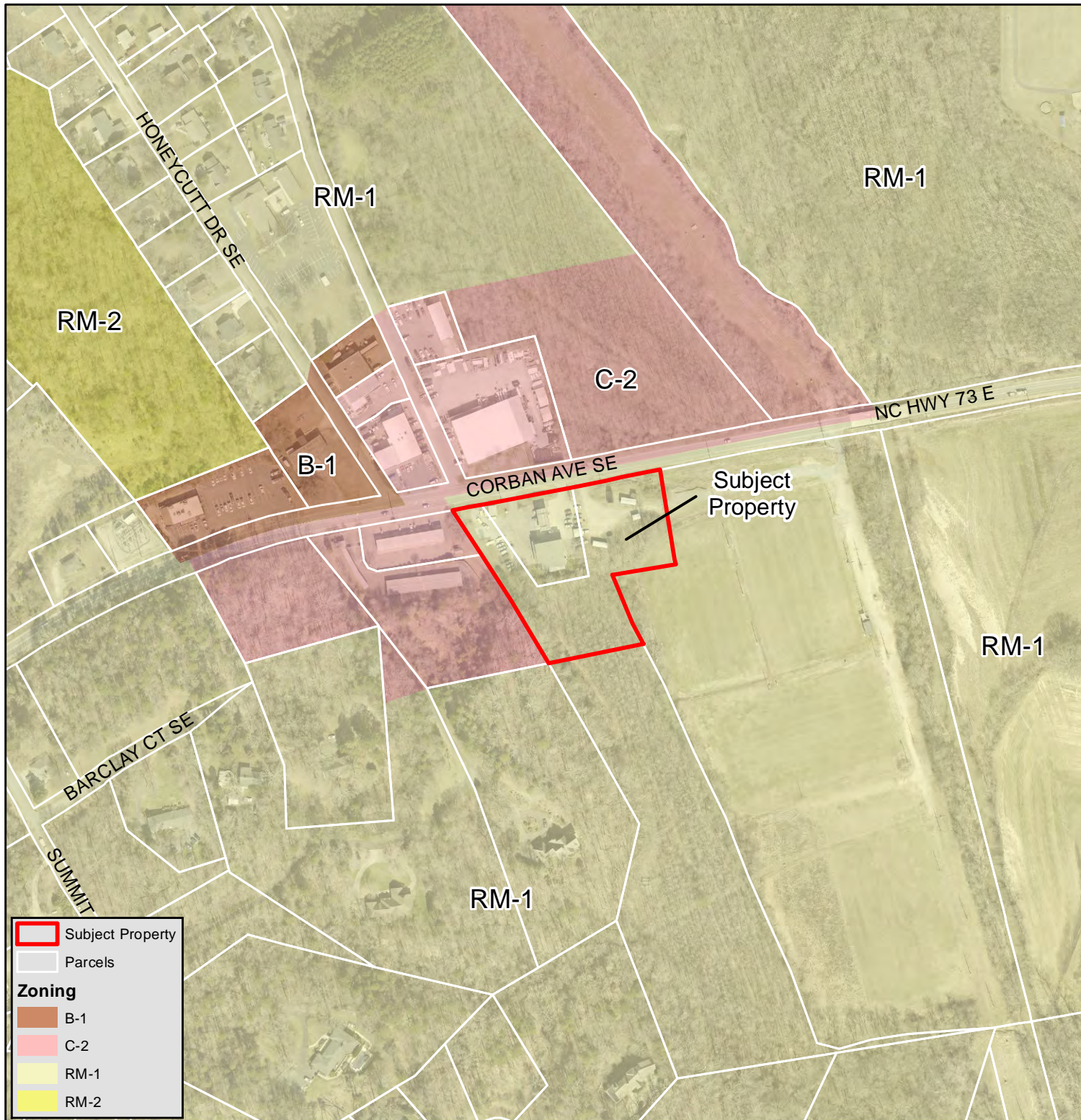
-  Subject Property
-  Parcels



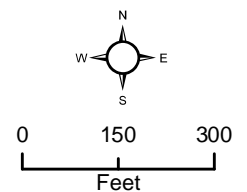
Z-21-22 ZONING

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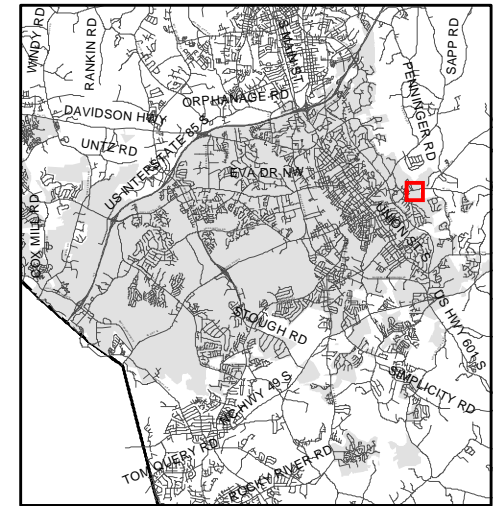
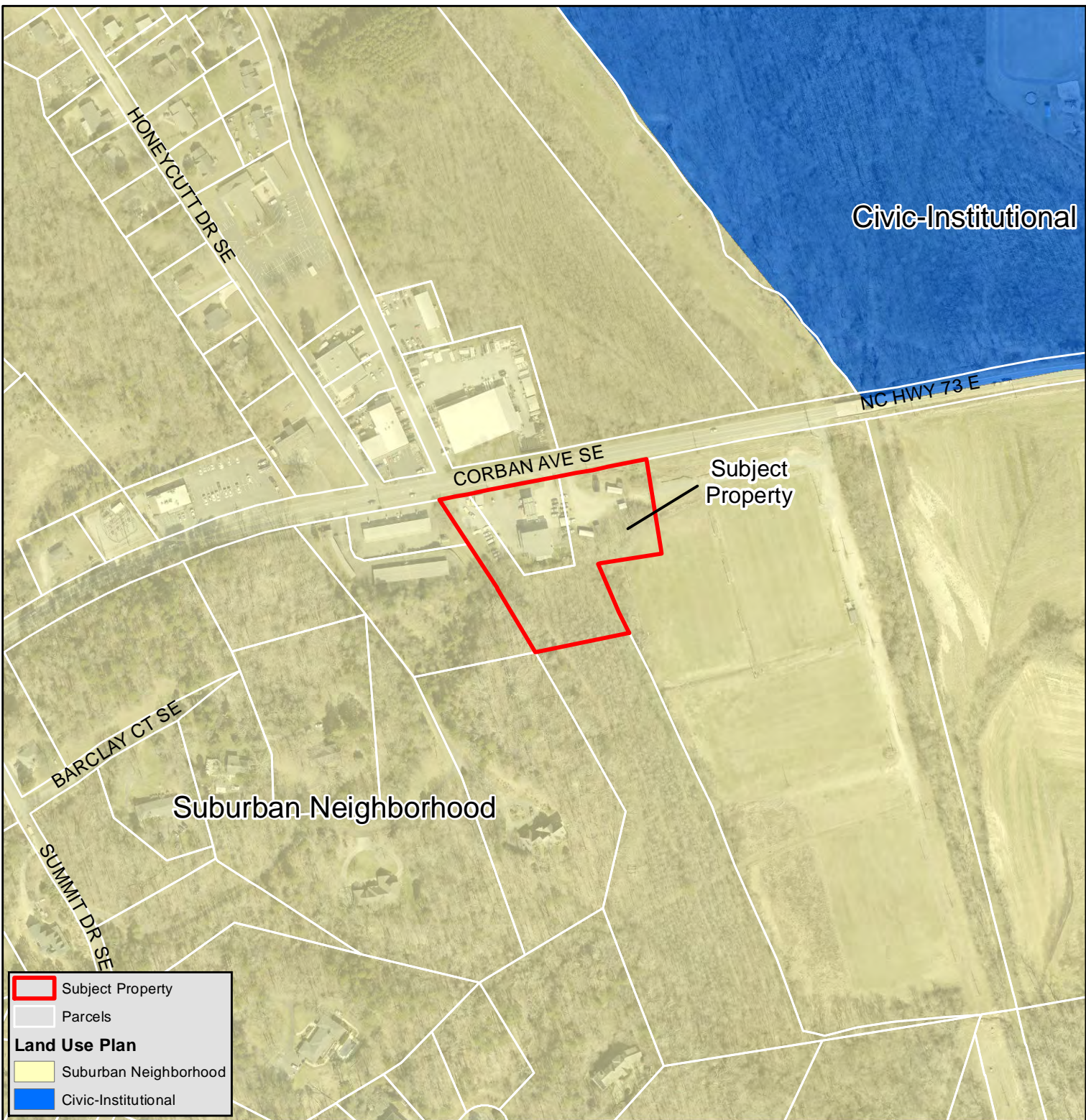
Concord
NORTH CAROLINA







**Z-21-22
LAND USE PLAN**

**Rezoning application
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	Subject Property
	Parcels
Land Use Plan	
	Suburban Neighborhood
	Civic-Institutional

