



DATE: November 17, 2020

CASE #: Z-22-20

ACCELA CASE #: CN-RZZ-2020-00016

DESCRIPTION: Zoning Map Amendments from C-1 (Light Commercial and Office) to RL (Residential Low Density)

APPLICANT: Catherine Gulledge

OWNERS: David and Catherine Gulledge

LOCATIONS: 1110 Lake Lynn Rd.

PIN#s: PIN: 5640-44-5678

AREA: +/- 1.568 acres

ZONING: C-1 (Light Commercial and Office)

PREPARED BY: Katherine Godwin, Senior Planner

BACKGROUND

The subject property consists of one (1) parcel, comprising approximately 1.568 acres at 1110 Lake Lynn Rd. The site was once the site of the Lake Lynn Lodge restaurant. The structure and gravel parking lot remain. The property is owned by David and Catherine Gulledge and the applicant seeks a rezoning from City of Concord C-1 (Light Commercial and Office) to City of Concord RL (Residential Low Density) in order to remodel the property back into a single-family residence.

HISTORY

The property at 1110 Lake Lynn Rd. was annexed into the City on April 13, 1995. The subject property is not contiguous to the City of Concord City limits and is +/- 2,100 linear feet (as the crow flies) from the nearest City limit boundary. After annexation, the property was assigned a commercial zoning classification, reclassified as C-1 (Light Commercial and Office) upon the adoption of the CDO, in order to open a restaurant with alcohol sales. The business subsequently closed and the property was sold. After the closing of Lake Lynn Lodge, several individuals approached the City concerning the potential to operate businesses on the site but none followed through with permitting.

SUMMARY OF REQUEST

The request is to rezone the subject property from C-1 (Light Commercial and Office to RL (Residential Low Density). The Gulledege’s purchased the property for the purpose of establishing a single-family detached residence. Single-family detached residences are not permitted in the C-1 zoning district. Therefore, a rezoning is necessary to accommodate the use. City staff recommended a zoning classification of RL in order to allow the residential use and to be consistent with the lot size. RL zoning requires a minimum of 20,000 square feet per lot and the property far exceeds the minimum. Because the request is not a conditional district, if the request were to be approved, all permitted uses within the RL (Residential Low Density) district would be allowed.

The subject property is surrounded by Cabarrus County AO (Agricultural/Open Space) to the north, south, east, and west. Cabarrus County LDR (Low Density Residential) is also present to the west. The adjacent uses include single family detached, Lake Lynn, and agricultural uses (horse stables).

Existing Zoning and Land Uses					
Current Zoning of Subject Property	Zoning Within 500 Feet		Land Uses(s) of Subject Property	Land Uses within 500 Feet	
C-1 (Light Commercial and Office)	North	County AO (Agricultural/Open Space)	Restaurant and Gravel Parking Lot	North	Lake Lynn, Residential
	South	County AO (Agricultural/Open Space)		South	Residential, Stables
	East	County AO (Agricultural/Open Space)		East	Lake Lynn, Residential
	West	County LDR (Low Density Residential)		West	Lake Lynn

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 LUP designates the subject property as “Rural” for which RL is considered a corresponding zoning classification.

“The intent of the Rural (R) Future Land Use category is to identify a variety of land use types that are representative of working agricultural uses as well as a variety of residential types including farmhouses, to large acreage rural family dwellings, to ecologically-minded “conservations subdivisions” which are designed to preserve open landscape, and traditional buildings, often with a mixture of residential and agricultural/rural-supported commercial uses.”

Guidance specific to the Rural Land Use Category specifies that the RL (Residential Low Density) is a corresponding zoning classification and advises that:

- The designation should be utilized to designate areas that are appropriate for agricultural activities and low-density residential development.

- Where development is allowed, it should be designed to minimize environmental impact through green building practices including conservation-based design.

***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.

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:

- **Housing Balance:** Ensure that zoning allows for a mix of housing types at a variety of prices to meet the demands of existing and future residents.

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.

COMPLIANCE WITH 2008 CENTRAL AREA PLAN

The 2008 Central Area Plan designates the subject property located at 1110 Lake Lynn as “Rural Residential,” for which RL (Residential Low Density) is consistent.

Applicable Central Area Plan Guidance:

Rural: Comprised mostly of lands determined to remain agrarian in the future. Residential uses may be allowed but only to support agrarian purposes and are not the predominant use. Therefore, residential uses are provided only at the very lowest densities.

Predominant Use(s): Agricultural and single-family residential (density up to 1 unit per 3 acres, or up to 1 unit per 2 acres provided additional development standards are met)

Characteristics:

- Open space consisting of large stands of trees, other naturally vegetated areas and fields and pastures preserved
- Scenic views maintained
- National Heritage Inventory (NHI) sites are protected
- Agricultural uses are present

- Natural features are avoided by development
- Clustering is a common approach to development design
- Architecture is not a dominant feature of the landscape, but large and sometimes unique structures are used for orientation
- Historic structures and properties are identified and preserved
- Typically, two-lane roads with shoulder and ditch (no curb and gutter)

5.2 Land Use, Housing and Economic Development

(LU-1) Recognize the value of existing agricultural land and protect it for future agricultural purposes.

- Protect existing agricultural operations from encroachment of development, particularly new residential subdivisions.
 - Increase awareness of voluntary agricultural districts and the benefits to increase the number of properties in agricultural use- and increase geographic area- in the program.
- Protect prime farmland soils and soils of statewide importance in support of efforts to maintain agriculture as a viable component of the county’s economy.
 - To enhance the effectiveness of existing regulations that include prime farmland soils and soils of statewide importance in the definition of open space, provide incentives to protect these soils. As a model for this, the Soil and Water Conservation District (SWCD) recommends the LEED certification process provision that gives such credit for protecting such soils.

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately 1.568 acres and is zoned C-1 (Light Commercial).
- The subject property was annexed on April 13, 1995 and is improved with a vacant commercial structure gravel parking lot.
- The proposed zoning amendment is consistent with the 2030 Land Use Plan as RL (Residential Low Density) is a corresponding zoning classification to the “Rural” land use category. The rezoning back to residential would also present a readaptive use of existing building stock in accordance with LUP Policy Guidance 3 without increasing the use intensity. Furthermore, the request is consistent with the 2008 Cabarrus County Central Area Plan as low density, large lot, single-family residential is an acceptable use in Cabarrus “Rural Residential” Land Use Category.
- The zoning amendment is reasonable and in the public interest because it would allow a single-family detached residential use consistent with the adjacent properties. The decreased zoning intensity from commercial to low density residential would eliminate the possibility of incompatible neighboring uses, commercial traffic, and noise associated with the operation of businesses. The request would bring the site into conformance with the surrounding neighborhood.

SUGGESTED RECOMMENDATION AND CONDITIONS

The staff finds the request is consistent with the 2030 Land Use Plan and the 2008 Central Area Plan, and 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.

(Please type or print)

Applicant Name, Address, Telephone Number and email address: Catherine Cagle @ Cabarrus. K12.NC.US
Catherine Gullledge (828) 506-0753
1110 Lake Lynn Rd., Concord, NC 28025

Owner Name, Address, Telephone Number: _____
" " _____

Project Location/Address: 1110 Lake Lynn Rd., Concord, NC 28025
P.I.N.: ~~5040-D3-43-4836~~ 5640-44-5678

Area of Subject Property (acres or square feet): 1.568 acres

Lot Width: _____ Lot Depth: _____

Current Zoning Classification: Commercial (C-1)

Proposed Zoning Classification: Residential (RL)

Existing Land Use: Restaurant

Future Land Use Designation: Home

Surrounding Land Use: North _____ South _____
East _____ West _____

Reason for request: Remodeling property into a home.

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

Staff member signature:  Date: 10/5/20

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: 9/29/20

Applicant Signature: Catherine Gullidge

Property Owner or Agent of the Property Owner Signature:
Same as above

Z-22-20

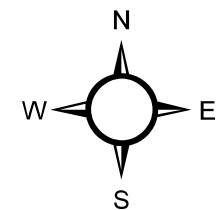
Catherine Gulledge

Zoning Map
Amendment

1110 Lake Lynn Rd

C-1 (Light Commercial)
to
RL (Residential Low
Density)

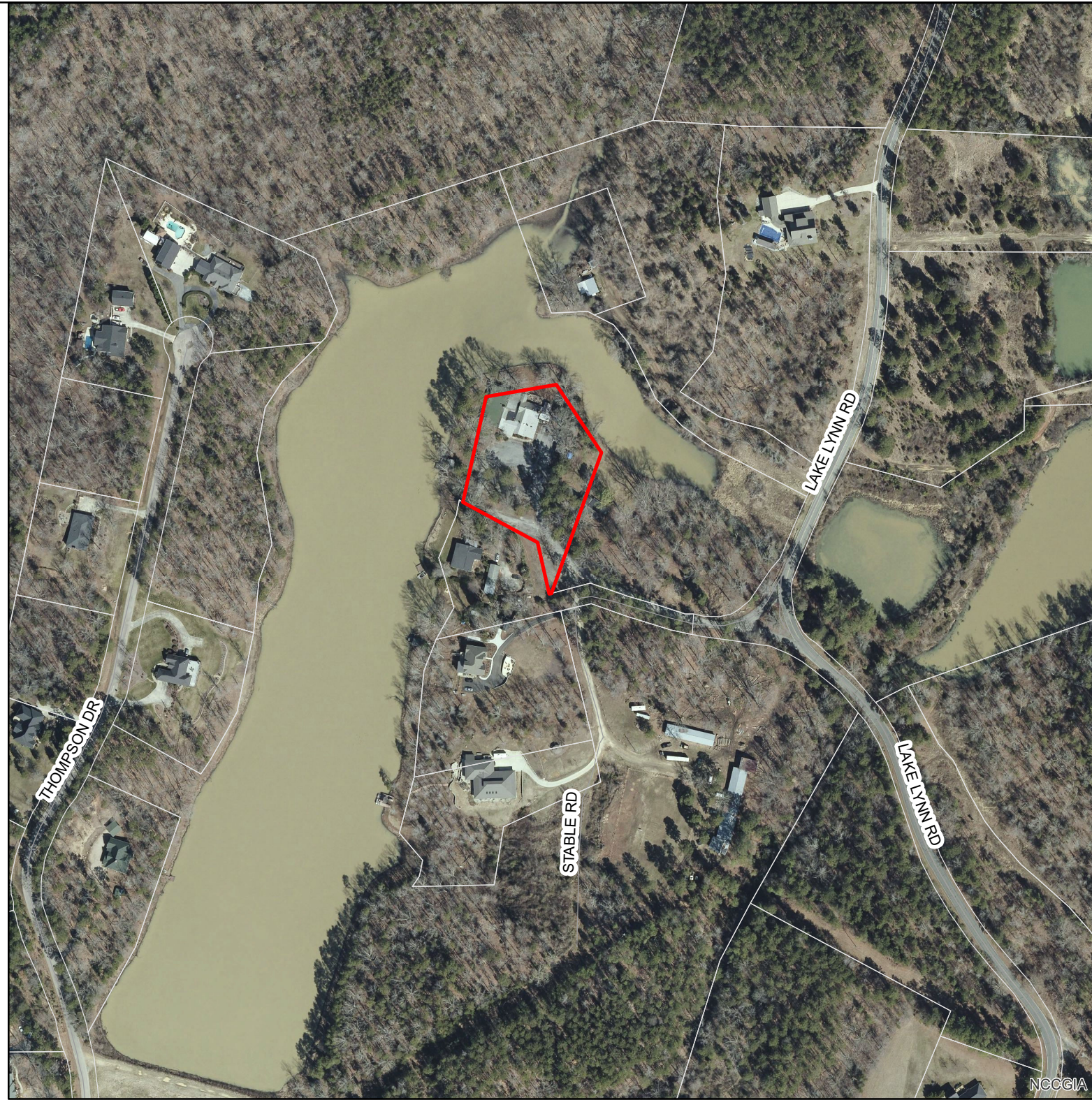
PIN 5640-44-5678



Source: City of Concord
Planning Department

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Z-22-20
Zoning Map

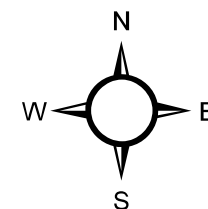
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Z-22-20
LUP Map

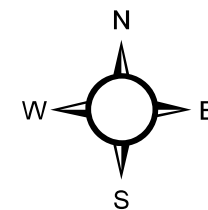
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