

PLANNING & ZONING COMMISSION
Tuesday, January 18th, 2022 at 6:00 P.M. Meeting Agenda
City Council Chambers – 35 Cabarrus Ave. West

- I. CALL TO ORDER – *Chair***
- II. CHANGES TO THE AGENDA**
- III. APPROVAL OF THE MINUTES- *Motion, second, and vote needed.***
- IV. OLD BUSINESS - **NONE****
- V. NEW BUSINESS**

1. Z(CD)-14-21 (Legislative Hearing)

Eddie Moore, McAdams, has submitted a Zoning Map Amendment Application for +/- 31.74 acres of property located on the south side of Davidson Hwy, opposite of Winecoff School Rd (347, 2745, 2801, and 2821 Davidson Hwy) from RC (Residential Compact) and RM-2 (Residential Medium Density) to RV-CD (Residential Village Conditional District) in order to construct a 99 unit or less multi-family development. PINs 5611-55-7793, 5611-55-4639, 5611-66-0107, and 5611-56-9073.

- a. Open Public Hearing by Motion - *Motion, second, and vote needed.*
- b. Staff Presentation
- c. Applicant's/Proponent's Testimony
- d. Opponent's Testimony
- e. Close Public Hearing by Motion - *Motion, second, and vote needed.*
- f. Approve Findings of Fact by Motion - *Motion, second, and vote needed.*
- h. Approve Conclusions of Law by Motion - *Motion, second, and vote needed.*
- i. Approve/Deny Conditions and Permit by Motion - *Motion, second, and vote needed.*

2. Z(CD)-28-21 (Legislative Hearing)

Dr. Aimy Steele has submitted a Zoning Map Amendment Application for +/- 1.27 acres of property located at 848 Old Charlotte Rd. from C-2 (General Commercial) to RC-CD (Residential Compact Conditional District) in order to construct a multi-family development with a maximum of 13 dwelling units. PIN 5529-48-0610.

- a. Open Public Hearing by Motion - *Motion, second, and vote needed.*
- b. Staff Presentation
- c. Staff Recommendation
- d. Applicant's/Proponent's Testimony
- e. Opponent's Testimony
- f. Close Public Hearing by Motion - *Motion, second, and vote needed.*
- g. Approve Statement of Consistency by Motion - *Motion, second, and vote needed.*
- h. Approve/Deny Zoning Amendment by Motion - *Motion, second, and vote needed.*

3. Z-31-21 (Legislative Hearing)

Mark Hermans, Fortune Ave, LLC, has submitted a Zoning Map Amendment application for +/- 2.056 acres of property located at 4525 Fortune Ave NW from I-2 (Heavy Industrial) to I-1 (Light Industrial). PIN 5601-74-6913.

- a. Open Public Hearing by Motion - *Motion, second, and vote needed.*
- b. Staff Presentation
- c. Staff Recommendation

- d. Applicant's/Proponent's Testimony
- e. Opponent's Testimony
- f. Close Public Hearing by Motion - *Motion, second, and vote needed.*
- g. Approve Statement of Consistency by Motion - *Motion, second, and vote needed.*
- h. Approve/Deny Zoning Amendment by Motion - *Motion, second, and vote needed.*

VI. PETITIONS AND REQUESTS –NO PUBLIC HEARINGS REQUIRED PRESENTATIONS AND DISCUSSION

VII. RECOGNITION OF PERSONS REQUESTING TO BE HEARD

VIII. MATTERS NOT ON THE AGENDA



DATE: January 18, 2022

CASE #: Z(CD)-14-21

ACCELA #: CN-RZC-2021-00012

DESCRIPTION: Zoning Map Amendment
City of Concord RM-2 (Medium Density Residential) and RC (Residential Compact) to City of Concord RV-CD (Residential Village Conditional District)

APPLICANT: Eddie Moore, McAdams

OWNER(S): Rozalyn Abernathy, Larry & Lisa Templeton, Mario Ronchetti, and Franklin Mantooth

LOCATION: 347, 2745, 2801, and 2821 Davidson Hwy

PIN#s: PINs: 5611-55-7793, 5611-55-4639, 5611-66-0107, and 5611-56-9073.

AREA: +/- 31.74 acres

ZONING: City of Concord RM-2 (Medium Density Residential) and RC (Residential Compact)

PREPARED BY: Kristen Boyd-Sullivan, Senior Planner

BACKGROUND

The subject property consists of four (4) parcels, totaling 31.74 acres on the south side of Davidson Hwy, opposite of Winecoff School Road (347, 2745, 2801, and 2821 Davidson Hwy). The subject property was annexed on June 30, 1992 and is currently zoned RM-2 (Medium Density Residential), and RC (Residential Compact). The applicant, Eddie Moore with McAdams, has submitted a zoning map amendment application for a rezoning of the properties from RM-2 and RC to RV-CD (Residential Village Conditional District). The majority of the largest parcels (2821 and 2801 Davidson Hwy) are zoned RM-2, with the two (2) smaller parcels, across from Winecoff School Road (347 and 2745 Davidson Hwy) located within the RC (Residential Compact) zoning district. A very small portion of 2801 Davidson Hwy is also zoned RC (Residential Compact). The current zoning of RM-2 would permit up to four (4) dwelling units per acre and RV allows up to eight (8). However, it should be noted that due to topography and environmentally sensitive areas on the site, development of the entire parcel would be limited.

SUMMARY OF REQUEST

The applicant has submitted a zoning map amendment application requesting the rezoning of the properties from RM-2 and RC to RV-CD (Residential Village Conditional District) in order to construct a multi-family development consisting of 99 single-family attached homes, an amenity center, walking trails, open space and tree save area. The applicant has also submitted a separate application for a Special Use Permit in order to permit a multi-family use in the RV zoning district. Should the zoning map amendment be approved, the Special Use Permit will be heard at a subsequent meeting.

The applicant, as well as the potential Developer, River Rock Communities, describe this development as an “age-targeted, single-family attached ranch neighborhood.” As presented at staff’s Development Review Committee, the development will be marketed as a maintenance free residential rental neighborhood to empty nesters and retirees, however, it should be noted that “age targeted” and “age restricted” are not one in the same. Age targeted is how the development is marketed as well as designed or appointed; age restricted is also *deed* restricted, meaning, at least 80% of the units in the community are occupied by at least one person aged 55 or older (according to the Housing for Older Persons Act of 1995, or HOPA). This is important to note, as traffic counts and impacts are *less with an age-restricted community*.

- A Type 1 Traffic Impact Analysis (TIA) was submitted for this project, consistent with an age-restricted community, not a conventional subdivision. This was determined to be acceptable by the Transportation Department, as the trip generation provided was considered to be on the cusp of requiring a Type 2 TIA, and the applicant was able to justify a slightly lower trip generation by comparing this development with a similar existing development’s daily trip generation. Therefore, the approved TIA for this development is a Type 1, which is considered for small subdivisions and low-density development. With that said, this development was not required to analyze the capacity of the surrounding streets, however it should be noted that NC 73 (Davidson Highway) is currently over capacity without the addition of any traffic that would result from this development according to the Cabarrus Rowan Metropolitan Planning Organization (CRMPO), Comprehensive Transportation Plan (CTP) and the latest available daily traffic count from NCDOT.

PROPOSED SITE PLAN

According to the site plan submitted as a condition of rezoning, the proposed development will include 99 single-family attached ranch style units, resulting in 3.12 dwelling units per acre, which is under the maximum density within the RV zoning district. The RV zoning district allows up to eight (8) dwelling units per acre. As can be seen on the site plan, the site has substantial topographical elevation changes and the homes are clustered with a large portion of the site remaining undisturbed or undeveloped. The proposed development exceeds minimum requirements for open space, tree save areas, and impervious area. The proposed Landscape Buffers meet the minimum standards, and parking exceeds maximum parking under multi-family development, however, the applicant is counting the garage area as spaces. Although there is no prohibition of counting the garage as a usable space, staff has found in many cases, that garages are typically used for storage resulting in a parking deficit. Conceptually, if one garage space is used per unit, the proposed parking would be more in line with the standard of 1.5 spaces per unit. Although Staff recommends additional on street parking spaces, there is no prohibition to utilizing the garage as a required parking space and thus the proposal meets minimum standards.

It should be noted that the design utilizes private streets and would be developed under multifamily requirements, but is functionally similar to a front-load townhome development.

The site plan demonstrates a total of 14.88 acres of open space with 5.79 acres consisting of active open space. The building will be required to meet CDO required architectural design standards. According to the plan notes, the active open space will include a +/- 14,430 sf of programmed open space area, including a community building as well as the following options:

- Benches, trees, dog park with decorative fencing
- Pool with decorative fencing
- Pickleball Courts with decorative fencing

Also included on the open space plan is a walking trail on the south side of the property, south of the stormwater control measure (SCM), within the tree save area. Benches and garbage receptacles are proposed within this area.

The applicant has also submitting architectural rendering of the proposed residential structures. The renderings meet the minimum design requirements of multi-family structures as required by the CDO.

The proposed Site Plan, Site Notes with conceptual building elevations, as well as the Open Space Plan are included with this Staff Report.

Standard and Proposed Requirements for Multifamily Developments in the RV Zoning District		
	<u>Standard</u>	<u>Proposed</u>
Maximum Dwelling Units Per Acre for RV Zoning	8 Dwelling Units/Acre	3.12 Dwelling Units Per Acre
Open Space	15% of the total site or 4.76 Acres	47% or 14. 88 Acres
<i>Active</i> Open Space	100% of required open space or 4.76 Acres	122% or 5.79 Acres
Tree Save	None (for Multi-family Developments)	29.5% of the total site or 9.36 Acres
Landscape Buffers	8' wide Type "A" around perimeters, 25' with 6' berm along Hwy 73	Meets minimum standards
Maximum Impervious Area	50% or 15.87 Acres	+/- 28 % or 8.94 Acres
Parking	Minimum 1.5 spaces per dwelling unit or 149 Spaces/Maximum 2.5 per DU or 248 spaces	354 Spaces or 3.6 per DU.

The applicant, in accordance with the CDO, held a community meeting on Wednesday, October 27, 2021 via ZOOM. According to the provided summary and RSVPs, +/- four (4) people responded to the RSVP to attend the meeting. Three (3) of those four (4) attended the meeting, with an additional two (2) persons who did not RSVP, totaling five (5) attendees. Thirty-one (31) people and/or groups were notified via first class mail by the applicant on or around October 13, 2021. Potential traffic generated and proposed improvements along Hwy 73 were the two concerns raised by attendees.

The rezoning site plan has been reviewed and approved by all applicable departments, with the exception of the Fire Department, which has conditionally approved the plan with the added condition that all fire access, turning, and cul-de-sac dimensions shall meet the North Carolina Fire Code. In accordance with the CDO, the DRC has agreed that the plan is complete and meets the minimum standards required for a rezoning site plan, and therefore may be heard and considered by the Planning and Zoning Commission.

SURROUNDING ZONING AND LAND USE

The surrounding zoning in this area is primarily RC (Residential Compact) with single family detached homes in the Bedford Downs neighborhood to the east, large lot single-family detached homes to the southeast, and a Daycare center fronting Davidson Highway. Water’s Edge apartments are abutting the site to the west, as well as a single-family duplex. Across Davidson Highway from the proposed project, are single-family detached neighborhoods in the RC zoning district. Lastly, a large vacant tract to the southwest, zoned RM-2, is primarily occupied by floodway and flood plain, and not suited for development.

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	
Residential Medium Density (RM-2) and RC (Residential Compact)	North	Residential Compact (RC)	One (1) Single-Family detached home, vacant/wooded	North	Single-family detached neighborhoods
	South	Residential Medium Density (RM-2)		South	Vacant, Floodway and Floodplain
	East	Residential Medium Density (RM-2) Planned Unit Development (PUD)		East	Daycare, Single-family detached neighborhoods
	West	Residential Medium Density (RM-2), Residential Compact (RC)		West	Duplex, Water’s Edge Apartments

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 LUP designates the subject property as “Suburban Neighborhood.” This land use category allows for a variety of housing types stating, “*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*”.

Guidance specific to the Suburban Neighborhood specifies that the RV (Residential Village) is a corresponding zoning classification and advises that development should include:

- *Internal/external pedestrian connectivity is important in Suburban Neighborhoods.*
- *Houses are typically oriented internally to the neighborhood and are often buffered from surrounding development.*
- *Uses tend to be more auto-oriented, though bicycle/pedestrian connectivity between neighborhoods and to nearby neighborhood commercial areas are important.*

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.

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.*
- ***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.*

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.*

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately 31.74 acres.
- The subject property was voluntarily annexed on June 30, 1996.

- The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) as RV (Residential Village) and conditional district variations are considered corresponding zoning districts to the land use category. Residential areas that are formed as single-family detached subdivisions or multi-family communities are already present in this area. Furthermore, the request presents an infill housing development that is lower in density than the neighboring multi-family development, and slightly higher than the single-family subdivision to the east, allowing for a use intensity transition and a different type of housing style and density. This would further the guidance of Section 1.6 of the LUP by encouraging infill development with a mix of housing options. Furthermore, the LUP Objective 6.2 encourages tree preservation in all new development.
- The zoning amendment is reasonable and in the public interest as it provides a different housing type that is not available in the general vicinity. However, it is compatible with the nearby higher density residential developments including multi-family. It also provides a development that meets, and in some cases exceeds, the minimum required CDO standards, specifically related to open space and tree preservation. The associated TIA (Traffic Impact Analysis) has been approved by the City and NCDOT and minimum traffic mitigation measures will be required as indicated on the site plan. However, it should be noted that NC 73 (Davidson Highway) is considered by our Transportation Department to be currently over capacity, without the addition of any traffic that would result from this development according to the Cabarrus Rowan Metropolitan Planning Organization (CRMPO), Comprehensive Transportation Plan (CTP) and the latest available daily traffic count from NCDOT.

OR

- The zoning amendment is not reasonable and not in the public interest as it would permit a 99 unit development on a major thoroughfare, NC 73 (Davidson Highway), which is considered by the City of Concord’s Transportation Department to be currently over capacity, without the addition of any traffic that would result from this development according to the Cabarrus Rowan Metropolitan Planning Organization (CRMPO), Comprehensive Transportation Plan (CTP) and the latest available daily traffic count from NCDOT. Although the proposal provides a development that meets, and in some cases, exceeds the minimum required CDO standards, specifically related to open space and tree preservation, and is consistent with surrounding development, the legislative approval of additional housing or development on a road known to be over capacity may not be in the public interest.

SUGGESTED RECOMMENDATION AND CONDITIONS

The staff finds the request consistent with the 2030 Land Use Plan. The plan also meets the requirements of the Concord Development Ordinance. Because this petition is a conditional district request, the Commission, should they decide to approve the request, may, according to Section 3.2.8.E of the CDO, suggest **“reasonable additional conditions or augment those already provided with the petition, but only those conditions mutually agreed upon by the petitioner and the Commission or Council may be incorporated into the approval. Any such condition should relate to the relationship of the proposed use to surrounding property, proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, the timing of development, street and right-of-way improvements, water and sewer improvements, storm water drainage, the provision of open space and other matters that the Commission or Council may find appropriate.”**

In the event that the Commission approves the petition, staff recommends the following conditions:

1. Substantial compliance with the “Davidson Highway Single-Family Attached Ranch Homes Rezoning Plan” dated June 08, 2021 and revised January 5, 2022.
2. The applicant must be approved for a Special Use Permit with a corresponding site plan and elevations consistent with the approved conditional district rezoning prior to the proposed use/development being permitted.
3. All fire access, turning, and cul-de-sac dimensions shall meet all the North Carolina Fire Code.
4. Technical site plan approval shall be required.

PROCEDURAL CONSIDERATIONS

This particular case is a rezoning to a conditional district, 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.

REVISED APPLICATION

**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). A recorded deed is sufficient, if the deed contains a separate description of the property to be rezoned. If the property contains multiple tracts, deeds shall be provided describing each tract or multiple tracts.
- 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**, 6 copies of a plan drawn to scale (conditional district plan) for the initial submittal to be reviewed by Development Review Committee. Staff will advise of additional submission requirements for the Planning Commission hearing after the initial review.
- 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.

FEEES PREVIOUSLY PAID WITH INITIAL SUBMITTAL

(Please type or print)

Applicant Name, Address, Telephone Number and email address: Eddie Moore, AICP
McAdams, 3430 Toringdon Way, Suite 110, Charlotte, NC 28277
704-724-3594, emoore@mcadamsco.com

Owner Name, Address, Telephone Number: Refer to attached Joinder Agreements

Project Location/Address: South of Davidson Highway opposite Winecoff School Road

P.I.N.: 5611-55-7793, 5611-55-4639, 5611-66-0107 + 5611-56-9073

Area of Subject Property (acres or square feet): +/- 31.74 acres

Lot Width: 570' - Davidson HWY Lot Depth: +/- 2,200'

Current Zoning Classification: RC + RM-2

Proposed Zoning Classification: RV-CD

Existing Land Use: Single-family dwellings, auto repair facility, + vacant

Future Land Use Designation: Urban + Suburban Neighborhood

Surrounding Land Use: North Single-Family Residential South Vacant

East Single-Family Residential West Institutional, Multi-Family Res. +
Single-Family Res.

Reason for request: Develop an age targeted, 1-story single-family attached ranch development.

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

Staff member signature: _____ Date: 01/14/2021 +
04/29/2021

THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

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

Up to 99 single-family attached ranch dwellings.

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):

Conditions provided on Sheet RZ.02.

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

10/13/2021
Date

Refer to attached Joinder Agreements
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: 10/13/2021

Applicant Signature: Eddie M

Property Owner or Agent of the Property Owner Signature:

Staff Use Only:

1. Scheduled for Planning and Zoning Commission consideration:
 Date: _____ Time: _____ Location: _____
2. Date advertised, written notice(s) sent, and property posted: _____
3. Record of decision: Motion to: ___ Approve ___ Deny
 _____ ___ Yea ___ Nay
 _____ ___ Yea ___ Nay
 _____ ___ Yea ___ Nay
 _____ ___ Yea ___ Nay
 _____ ___ Yea ___ Nay
 _____ ___ Yea ___ Nay
4. Planning and Zoning Commission recommendation: ___ Approved ___ Denied
 If denied, was an appeal filed? _____
5. Date applicant notified of Planning and Zoning Commission action: _____
6. Scheduled for City Council consideration:
 Date: _____ Time: _____ Location: _____
7. Dates advertised: (a) First notice: _____ (b) Second notice: _____
8. City Council recommendation: ___ Approved ___ Denied
9. Date applicant notified of City Council action: _____
10. Comments: *(see minutes for details)*

Additional Requirements for Conditional District Amendments Only
(SEE SECTION 3.2.8)

A petition for conditional zoning must include a site plan, drawn to scale, with supporting information and text that specifies the actual use or uses intended for the property and any proposed conditions that will govern development and use of the property. The following information shall be provided, if applicable:

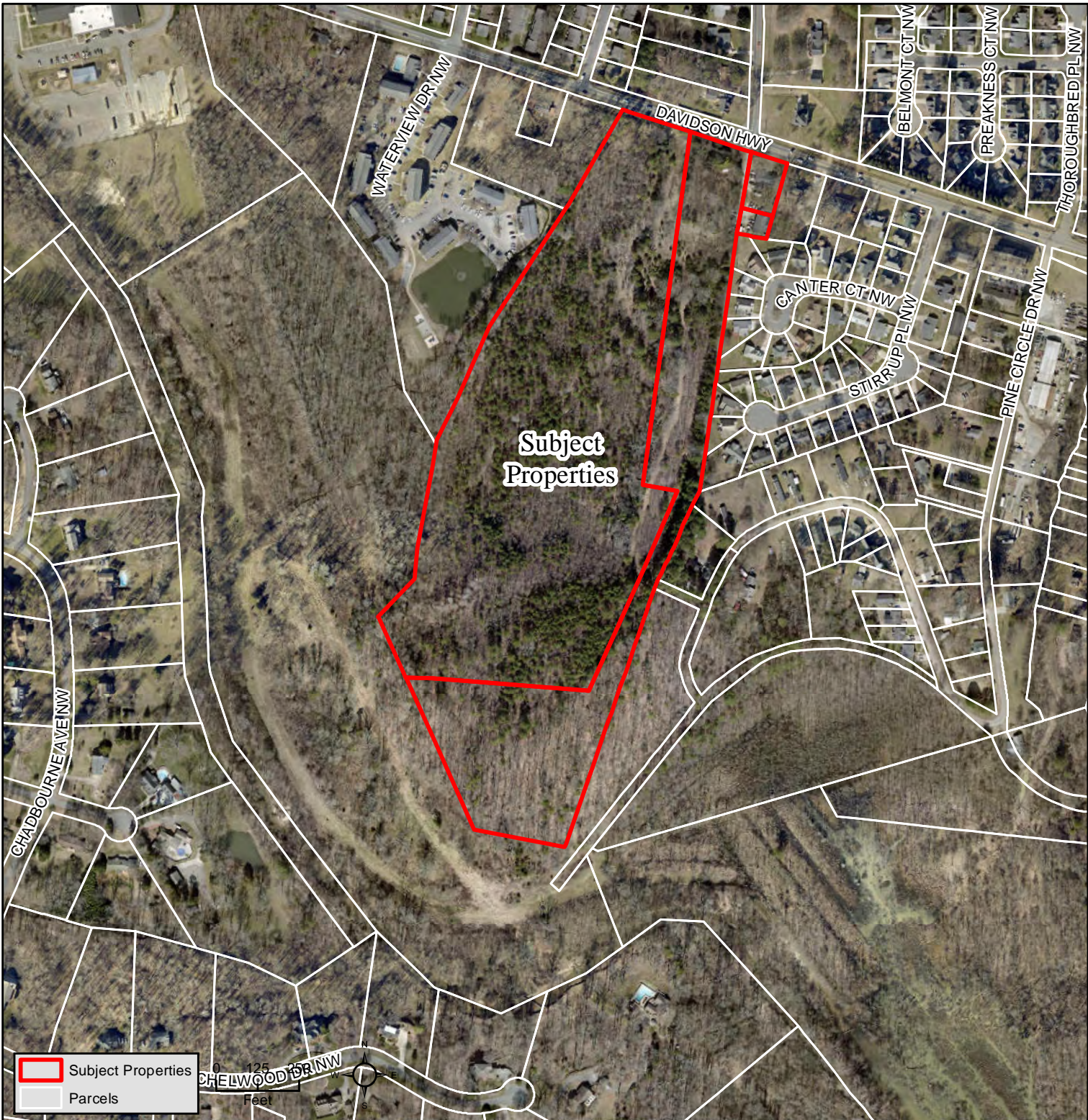
1. A boundary survey and vicinity map showing the property's total acreage, zoning classification(s), location in relationship to major streets, railroads, the date, and a north arrow;
2. All existing easements, reservations and rights-of-way;
3. Areas in which structures are proposed;
4. Proposed use of all land and structures including the number of residential units and square footage of nonresidential development;
5. Proposed and required screening and landscaping as specified in Article 11;
6. Existing and proposed points of access to public streets and to adjacent property;
7. Location of 100 year floodplains and location of proposed stream buffers as specified in Article 4;
8. General parking and circulation plans;
9. Additional data and information as specified in Article 9, if applicable.

In the course of evaluating the application, the Administrator, Planning and Zoning Commission or City Council may request additional information from the petitioner. This information may include the following;

1. The exterior features of the proposed development including height and exterior finish;
2. Existing and general topography of the site;
3. Existing vegetation and tree cover; and
4. Location and number of proposed signs.

The site plan and all supporting materials and text shall constitute part of the petition for all purposes under this Chapter.

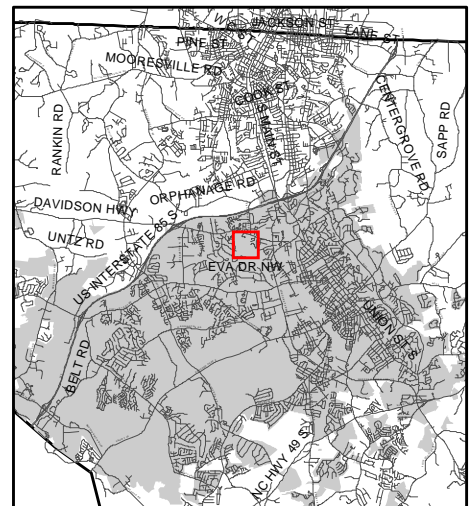
For conditional district rezonings, after receipt of the petition, the staff shall forward the petition including the site plan to the Development Review Committee (DRC) for review and comments prior to the hearing. The DRC shall concur that the site plan sufficiently meets minimum requirements prior to the item proceeding to the Planning Commission for public hearing. Comments from the DRC may necessitate changes to the rezoning plan prior to the public hearing.



**Z(CD)-14-21
Aerial**

**Application for
Zoning Map Amendment
RC (Residential Compact) &
RM-2 (Residential Medium Denisty)
to
RV-CD (Residential Village -
Conditional District)**

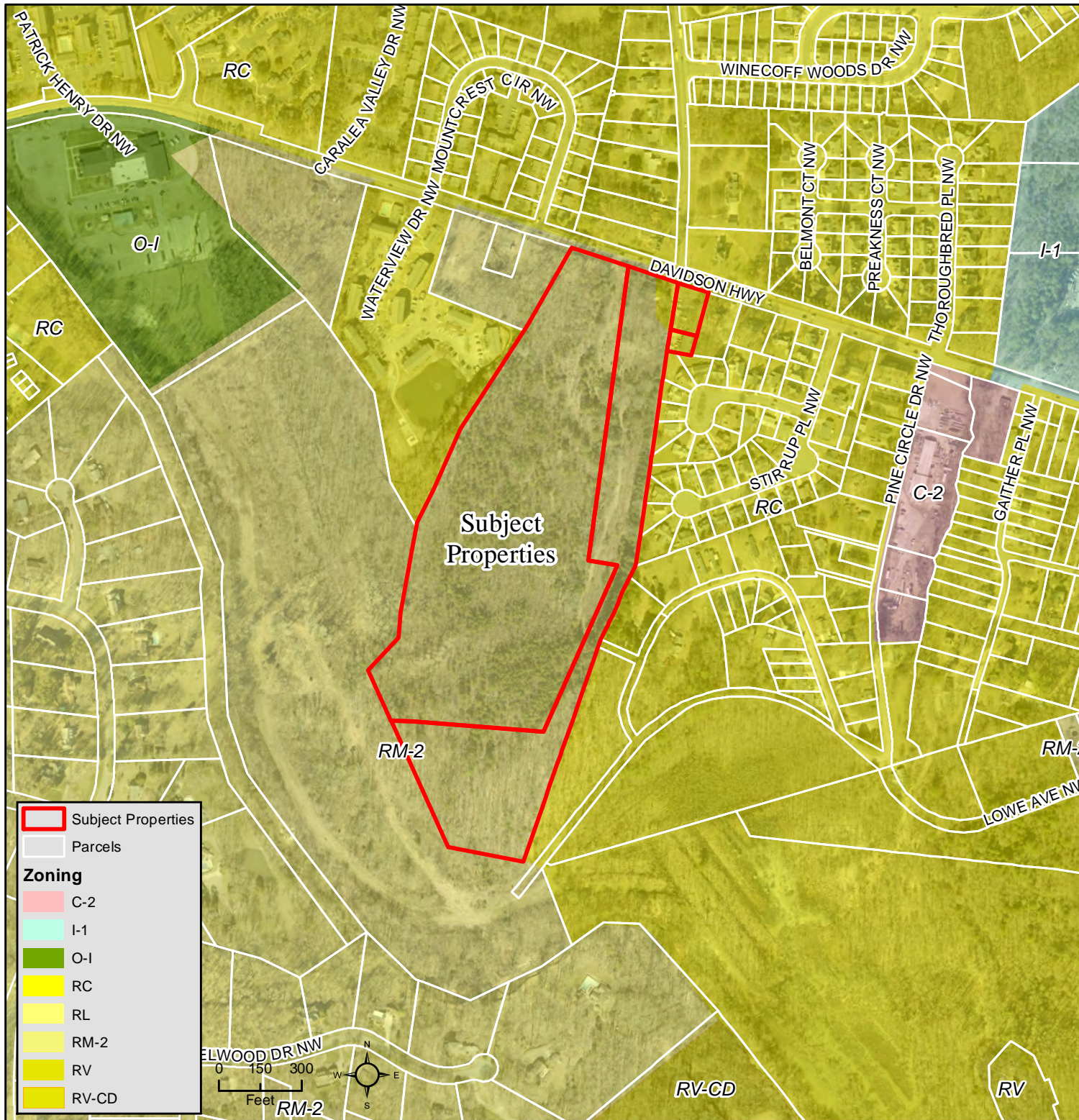
Davidson Hwy
PIN's: 5611-55-7793,
5611-55-4639, 5611-66-0107
& 5611-56-9073



Source: City of Concord
Planning Department

Disclaimer

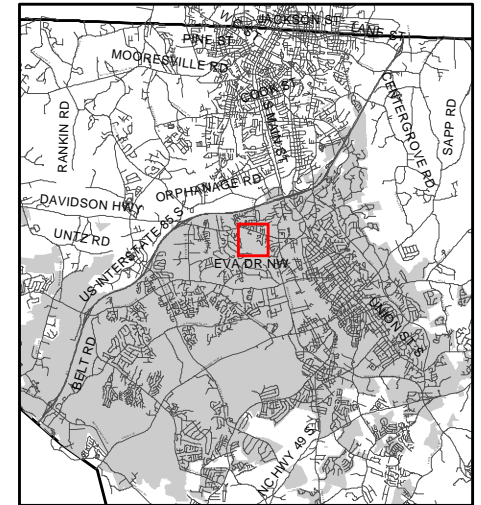
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**Z(CD)-14-21
Zoning**

**Application for
Zoning Map Amendment
RC (Residential Compact) &
RM-2 (Residential Medium Denisty)
to
RV-CD (Residential Village -
Conditional District)**

Davidson Hwy
PIN's: 5611-55-7793,
5611-55-4639, 5611-66-0107
& 5611-56-9073



Source: City of Concord
Planning Department

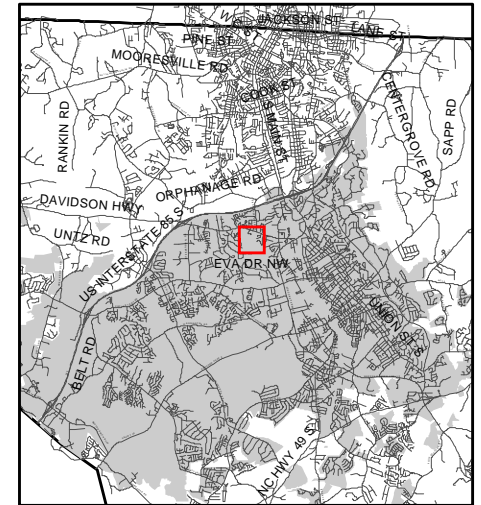
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**Z(CD)-14-21
Land Use Plan**

**Application for
Zoning Map Amendment
RC (Residential Compact) &
RM-2 (Residential Medium Density)
to
RV-CD (Residential Village -
Conditional District)**

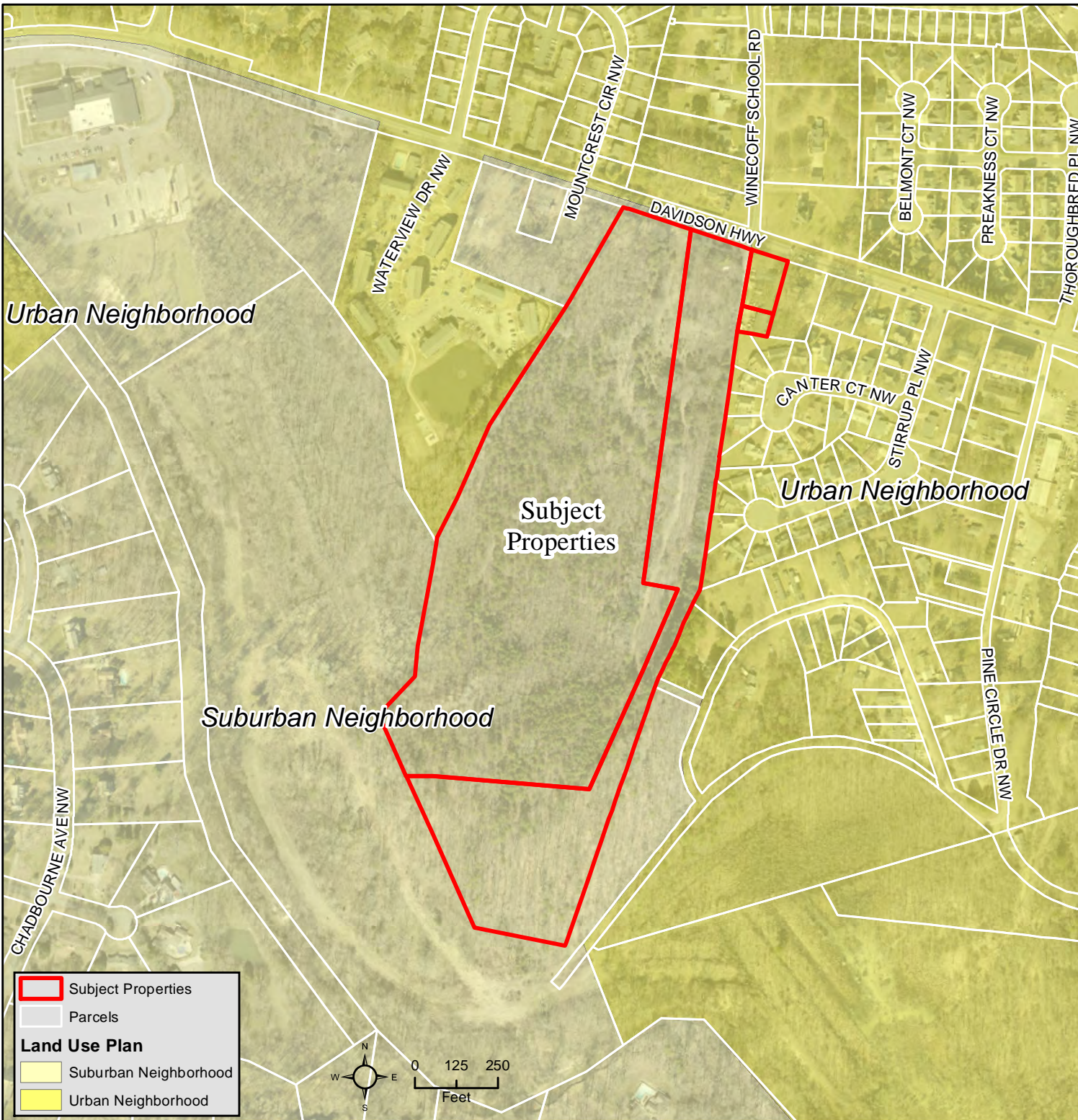
Davidson Hwy
PIN's: 5611-55-7793,
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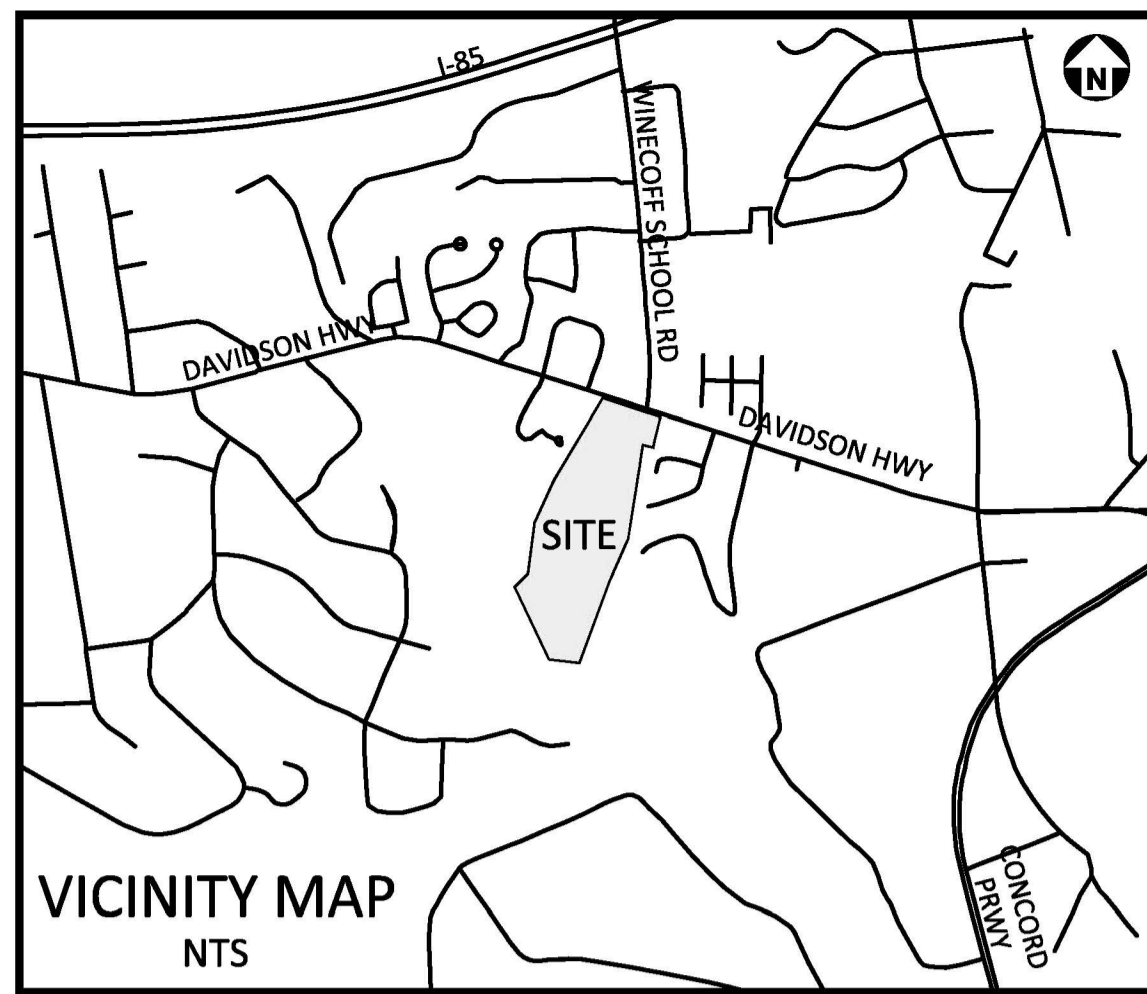


Source: City of Concord
Planning Department

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SITE LEGEND

---	PROPERTY LINE
- - - -	RIGHT-OF-WAY LINE
---	BUFFER LINE
---	CENTERLINE
---	LIMITS OF DISTURBANCE
▒	FLOODPLAIN 0.2% ANNUAL CHANGE
▒	FLOODPLAIN 1.0% ANNUAL CHANGE
▒	TREE SAVE

SITE DATA

DEVELOPER/APPLICANT
RIVER ROCK CAPITAL PARTNERS
517 ALCOVE ROAD, SUITE 302
MOORESVILLE, NC 28117

PID: 5611554639, 5611557793, 5611660107, 5611560073

EXISTING ZONING: RM-2 & RC
PROPOSED ZONING: RV (CD)

MINIMUM PERIMETER SETBACKS:
ALONG DAVIDSON HWY: 25' TYPE D BUFFER
SIDE: 8' TYPE A BUFFER WITH 20' BUILDING SETBACK
REAR: 8' TYPE A BUFFER WITH 20' BUILDING SETBACK

DEVELOPMENT AREA:
AREA: 231.74 AC
LOT COUNT: 99 UNITS
LOT DENSITY: 3.12 UNITS/AC
OPEN SPACE PROVIDED: ± 14.88 AC
STORMWATER DETENTION PROVIDED: ± 1.28 AC

LINEAR FEET OF ROADS:

STREET 'A' - 303
STREET 'B' - 1,163
STREET 'C' - 980
STREET 'D' - 437

TOTAL DEVELOPMENT

REQUIRED OPEN SPACE:	15% OF GROSS SITE OR 4.76 AC (31.74 AC x 15%)
PROVIDED ACTIVE OPEN SPACE:	± 5.79 AC
TOTAL PROVIDED OPEN SPACE:	± 14.88 AC
PROVIDED TREE SAVE:	29.5% OF GROSS SITE OR ± 9.36 AC
REQUIRED STREET TREES:	1 SHADE TREE EACH SIDE OF ROAD PER 50'
PROVIDED STREET TREES:	2,263 FEET OF STREETS - 115 REQUIRED TREES (LOCATION OF STREET TREES TBD)
REQUIRED STREET CONNECTIVITY RATIO:	1.4
PROVIDED STREET CONNECTIVITY RATIO:	1.5 (9 LINKS / 6 NODES)
TOTAL ACRES OF RIGHT-OF-WAY:	± 3.78 AC
TOTAL ACRES OF SUBLOTS:	± 4.64 AC

IMPERVIOUS AREA

STRUCTURES =	210,960 SF
STREETS =	93,530 SF
SIDEWALKS =	34,719 SF
DRIVEWAYS =	50,284 SF
TOTAL IMPERVIOUS =	389,493 SF
MAXIMUM IMPERVIOUS PER ZONING:	50% OF GROSS SITE OR ± 15.87 AC
PROVIDED IMPERVIOUS (ACREAGE):	28.17 OR ± 8.94 AC

MINIMUM SETBACKS

FRONT BUILDING SETBACK:	20 FEET
FRONT GARAGE SETBACK:	24 FEET
REAR SETBACK:	10 FEET
CORNER SETBACK:	20 FEET

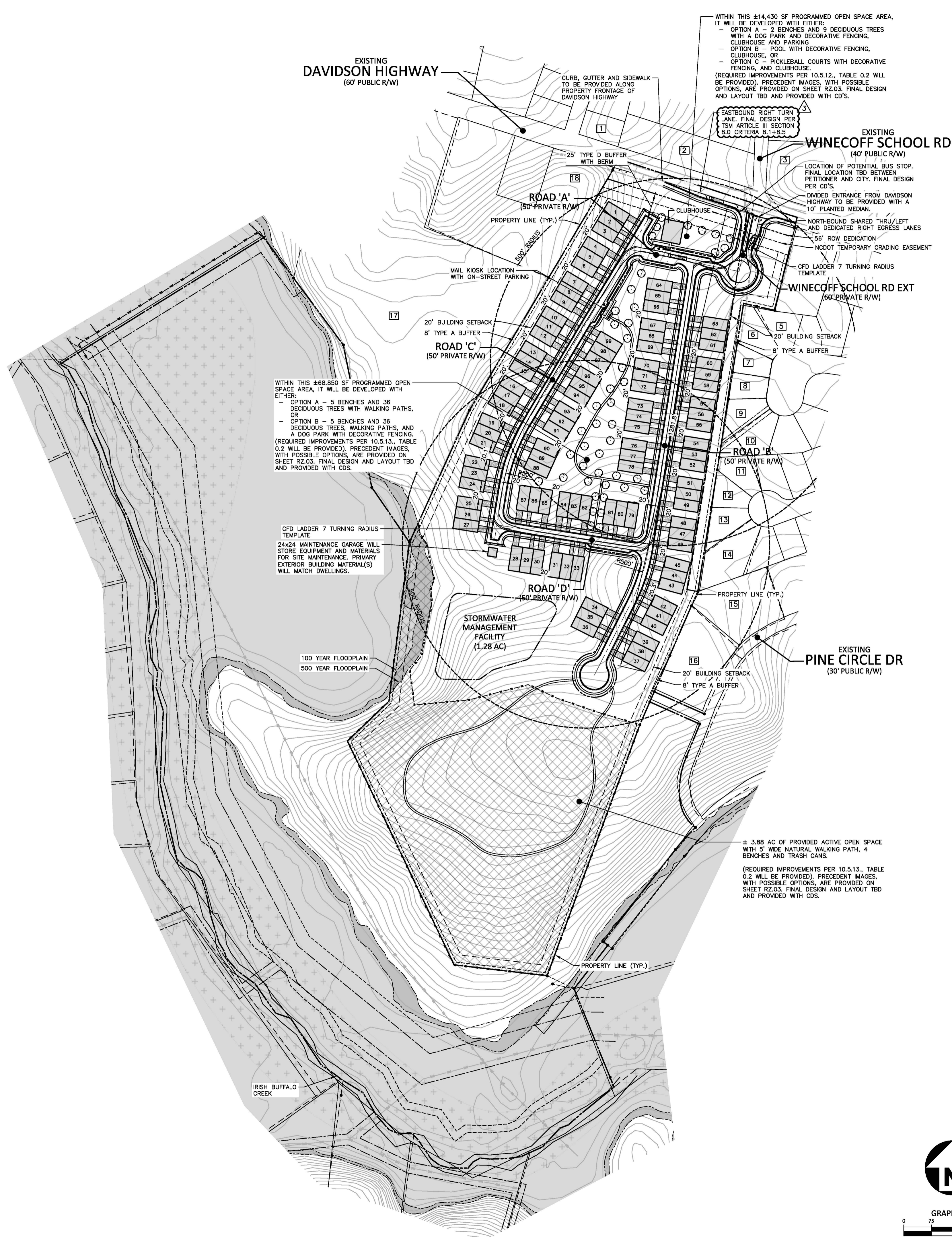
PARKING COUNT

REQUIRED (1.5 PER DWELLING):	149 SPACES
33 DWELLINGS WITH 1 CAR GARAGES:	66 SPACES (INCLUDES 1 GARAGE SPACE & 1 DRIVEWAY SPACE)
66 DWELLINGS WITH 2 CAR GARAGES:	264 SPACES (INCLUDES 2 GARAGE SPACES & 2 DRIVEWAY SPACES)
ON STREET PARKING:	24 SPACES
TOTAL PARKING PROVIDED:	354 SPACES
BICYCLE PARKING PROVIDED:	20 SPACES (1 PER EVERY 5 UNITS)

ADJACENT PROPERTY OWNERS

PARCEL	DEED	OWNER	ZONING
1	5611565429	681-0136 PAGE REALTY INC	RC
2	5611567463	2821-0032 THOMAS H & VICTORIA H JOHNSON	RC
3	5611561356	DONALD B & CAROLYN C BRAFFORD	RC
4	5611661009	9072-0127 RESEARCH CITY LLC	RC
5	5611650947	12377-145 CCA RESIDENTIAL #2 LLC	RC
6	5611559964	8169-0218 WILLIAM A & JACQUELINE ZEARLEY	RC
7	5611559856	12165-126 HOME SFR BORROWER LLC	RC
8	5611559841	5445-0152 ADRIANA KIPP	RC
9	5611559723	14309-073 KAY TEMBO & ALDREA SPEIGHT	RC
10	5611559667	13761-228 YAMASA CO LTD	RC
11	5611559536	13518-137 LINDA KISER	RC
12	5611558591	1166-0280 PATRICK ROSS & JULIE TOWELL TENNIS	RC
13	5611558960	2612-0060 ALAN W FEENEY	RC
14	5611558396	2972-0323 EDMOND & CYNTHIA DUBE	RC
15	5611559253	14009-172 CAROLYN T & JIMMY R SIMPSON	RC
16	5611557071	13294-339 GREGORIO SOTO HERNANDEZ	RC
17	5611468269	14547-203 WATERS EDGE OWNER LLC	RC
18	5611563241	11295-033 WAFRICO HOLDINGS LLC & PHILIP S CONRAD	RM-2

NOTE: PROPERTY INFORMATION BASED ON CABARRUS COUNTY GIS



McADAMS

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**DAVIDSON HIGHWAY
SINGLE-FAMILY ATTACHED
RANCH HOMES
REZONING PLAN
2821 DAVIDSON HWY
CONCORD, NORTH CAROLINA, 28027**

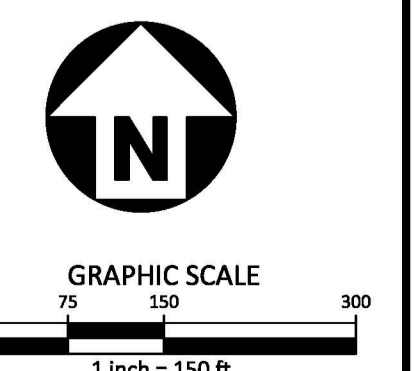
REVISIONS

NO.	DATE	PER CITY COMMENTS
1	07.08.2021	PER CITY COMMENTS
2	10.13.2021	PER CITY COMMENTS
3	11.15.2021	PER CITY COMMENTS

PLAN INFORMATION

PROJECT NO. 2021210332
FILENAME 2021210332-RZ1
CHECKED BY EM
DRAWN BY JDS
SCALE 1"=150'
DATE 06.08.2021

**REZONING PLAN
RZ.01**



M:\Projects\WCO_2021\210332\04-Production\Engineering\2021210332-RZ1.dwg, 11/15/2021 10:02:52 AM, Drew Singleton

TECHNICAL DATA SHEET + CONDITIONAL NOTES

**DAVIDSON HIGHWAY SINGLE-FAMILY ATTACHED RANCH HOMES
CONDITIONAL REZONING PLAN
CONCORD, NORTH CAROLINA**

GENERAL PROVISIONS

THE DEVELOPMENT DEPICTED ON RZ.01 ILLUSTRATES THE GENERAL ARRANGEMENT OF THE PROPOSED USES FOR THIS DEVELOPMENT. HOWEVER, THE FINAL CONFIGURATION OF THE PROPOSED USES WITHIN THE DEVELOPMENT MAY CHANGE WITHIN THE LIMITS OF THE CONCORD DEVELOPMENT ORDINANCE (CDO). ANY POTENTIAL FUTURE MODIFICATIONS OF THE APPROVED ZONING PLAN SHALL FALL WITHIN THE PARAMETERS OF ARTICLE 3.2.8 I.

ARCHITECTURAL STANDARDS + BUILDING DESIGN:

- BUILDING HEIGHT, RHYTHM, ARTICULATION, MASSING, AND BULK ARE COMPATIBLE THROUGHOUT THE SITE. ARCHITECTURAL DIFFERENCES IN THE CHOICE OF ELEVATIONS, ROOF LINES, AND EXTERIOR COLORS FOR EACH RESIDENTIAL FLOOR PLAN WILL BE PROVIDED THROUGHOUT THE SITE.
- BUILDINGS WILL HAVE A MULTIFACETED EXTERIOR FORM IN WHICH ARTICULATED FACADES ARE COMBINED WITH WINDOW AND DOOR PLACEMENTS, AS WELL AS OTHER DETAILING, TO CREATE AN INTERESTING AND ATTRACTIVE ARCHITECTURAL DESIGN WHICH IS COMPRISED OF MORE THAN FLAT WALLS WITH MINIMAL FEATURES.
- ARCHITECTURAL BUILDING TREATMENT CONSISTS OF VARYING FRONT AND REAR FACADES OF THE BUILDING PLANES, VARYING ROOF PITCHES, CARRIAGE STYLE GARAGE DOORS INCLUDING HARDWARE AND UPPER WINDOWS, AND EXTERIOR CARRIAGE AND GOOSENECK LIGHTS.
- RENDERINGS OF THE SINGLE-FAMILY ATTACHED DWELLINGS ARE PROVIDED ON SHEET RZ.02. PETITIONER AND/OR BUILDER MAY USE SIMILAR EXTERIOR MATERIALS AND DIFFERING COLORS.
- LIVABLE AREA WITHIN THE BUILDINGS WILL BE LIMITED TO 1-STORY IN HEIGHT.
- BUILDINGS SHALL USE DISTINCT, BUT COMPLEMENTARY MATERIALS AND COLORS USING A COMBINATION OF THE FOLLOWING MATERIALS: A. STUCCO OR EIFS WITH SMOOTH, SAND OR LIGHT LACE FINISH; B. ENGINEERED FIBER CEMENT BOARD, WOOD, AS A PRIMARY AND/OR ACCENT MATERIAL; C. BRICK, AS PRIMARY OR ACCENT MATERIAL; D. SPLIT-FACED BLOCK, AS A PRIMARY AND ACCENT MATERIAL; E. STACKED STONE, AS AN ACCENT MATERIAL; F. MARBLE, TRAVERTINE, OR OTHER RELATED STONE MATERIALS AS ACCENT MATERIALS; AND G. UNGLAZED TILE AS AN ACCENT AND/OR ROOFING MATERIAL.
- THE FOLLOWING MATERIALS ARE PROHIBITED: A. METAL OR ALUMINUM SIDING; B. UNFINISHED CONCRETE BLOCK, CONCRETE TILT SLAB, AND PAINTED OR WHITE BRICK OR BLOCK SIDING; AND C. VINYL SIDING (NOTE THAT VINYL MAY BE USED FOR SOFFIT).

PERMITTED USES + SETBACKS:

- UP TO 99 SINGLE-FAMILY ATTACHED RANCH DWELLINGS.
- SETBACKS:
 - MINIMUM 24' DRIVEWAY LENGTH AND GARAGE SETBACK FROM PRIVATE STREET ROW.
 - MINIMUM 20' BUILDING FRONT AND CORNER SIDE SETBACK FROM PRIVATE STREET ROW.
 - MINIMUM 20' BUILDING SEPARATION.
 - MINIMUM 10' DRIVEWAY SEPARATION.

TREE SAVE + OPEN SPACE AREAS:

- TREE SAVE AND OPEN SPACE AREAS, AS DEPICTED ON THE PLAN, WILL BE OWNED, PRESERVED, AND MAINTAINED BY A PROPERTY OWNERS ASSOCIATION IN ACCORDANCE TO ARTICLE 10.5.8.
- LAND DESIGNATED AS OPEN SPACE SHALL BE MAINTAINED AS OPEN SPACE AND MAY NOT BE SEPARATELY SOLD, SUBDIVIDED, OR DEVELOPED PER OPEN SPACE REQUIREMENTS. FINISHED GRADE AND TURF ESTABLISHMENT FOR ALL DISTURBED AREAS AND LANDSCAPING AND/OR SCREENING WHERE REQUIRED PER ARTICLE 11. B WILL BE PROVIDED. COMPLETE AND CONSTRUCT IMPROVEMENTS AS SET FORTH IN TABLE 0.2 D. THE SIZE OF THE OPEN SPACE REQUIRED SHALL BE THE MINIMUM SHOWN IN TABLE 10.5.13. E.
- EXTERNAL BUFFERS AROUND THE PERIMETER OF THE PROPERTY WILL BE SET BY THE REQUIREMENTS OF THE CDO FOR BUFFERING AND ADJACENT PROPERTY OWNERS TO RESIDENTIAL USES.
- PRESERVE AND UTILIZE ACTIVE OPEN SPACE BY SETTING ASIDE A MINIMUM OF 4.6 ACRES OR 15% OF THE SITE. REFER TO SHEETS RZ.01 AND RZ.03 FOR DESIGNATED ACTIVE OPEN SPACE AREAS.
- OFFER PROGRAMMED OPEN SPACE OPPORTUNITIES IN PROXIMITY TO RESIDENTIAL USES AS PROVIDED ON SHEETS RZ.01 AND RZ.03. SHEETS RZ.01 AND RZ.03 PROVIDE SIZES AND PROGRAMMING FOR EACH AREA.

LANDSCAPE + LIGHTING STANDARDS:

- LANDSCAPE STANDARDS SHALL BE IN ACCORDANCE WITH ARTICLE 11 OF THE CDO.
- A 25' TYPE D BUFFER WITH A BERM PROPOSED ALONG DAVIDSON HIGHWAY. A TEMPORARY GRADING EASEMENT IS PROPOSED PER TIP PROJECT ALONG DAVIDSON HIGHWAY. OWNER WILL WORK WITH CITY STAFF IN REPLANTING A PORTION OF THE BUFFER IF THE PROPOSED TEMPORARY GRADING EASEMENT IMPACTS THE EXISTING PLANTED BUFFER SHOULD DAVIDSON HIGHWAY IMPROVEMENTS OCCUR AFTER THE SITE IS DEVELOPED.
- LIGHTING STANDARDS SHALL BE IN ACCORDANCE WITH ARTICLES 7 AND 10 OF THE CDO.

TRAFFIC ACCESS + DAVIDSON HIGHWAY ROAD IMPROVEMENTS:

- ANY PROPOSED PHASING WILL REQUIRE FURTHER REVIEW AND APPROVAL BY CITY TRANSPORTATION AND NCDOT.
- A REQUEST FOR ROLLING TERRAIN MAY BE SUBMITTED AND THAT THE SITE WILL BE REVISED ACCORDINGLY IF NECESSARY.
- TRANSPORTATION TECHNICAL REVIEW WILL BE DONE THROUGHOUT THE SITE PLAN/CONSTRUCTION DOCUMENTS REVIEW AND APPROVAL PROCESS AND MAY REQUIRE MINOR AND/OR SIGNIFICANT CHANGES TO THE SITE AS IT IS SHOWN IN THIS PLAN. APPROVAL OF REZONING PLAN DOES NOT CONSTITUTE APPROVAL OF ANY TRANSPORTATION RELATED ELEMENT THAT DOES NOT MEET TECHNICAL STANDARDS.
- RIGHT-OF-WAY ALONG DAVIDSON HIGHWAY WILL BE DEDICATED PER TIP PROJECT R-5706 AND ILLUSTRATED ON RZ.01.
- ALL IMPROVEMENTS IN THE APPROVED TIA WILL BE INCORPORATED INTO THE CONSTRUCTION DOCUMENTS.

WATER + SEWER:

- THE PETITIONER UNDERSTANDS THAT WATER AND SEWER SERVICES WILL BE PROVIDED BY THE CITY OF CONCORD FOR THE OVERALL PROJECT. THE PETITIONER IS RESPONSIBLE TO INCUR ALL COSTS/ INFRASTRUCTURE FOR PROVIDING THE WATER AND SEWER THROUGHOUT THE PROJECT FOR EACH STRUCTURE. THE PETITIONER WILL COMPLY WITH ALL CITY OF CONCORD WATER AND SEWER SPECIFICATIONS. A WATER AND SEWER AUTHORIZATION TO CONSTRUCT OR FULLY EXECUTED DEVELOPERS' AGREEMENT MUST BE RECEIVED FROM CITY OF CONCORD'S ENGINEERING DEPARTMENT PRIOR TO OBTAINING A GRADING PERMIT FOR ANY PORTION OF THE DEVELOPMENT UTILIZING CITY OF CONCORD WATER AND SEWER SERVICE.
- PROJECT PHASING MAY BE REQUIRED DUE TO LIMITATIONS OF AVAILABLE SEWER CAPACITY ALLOCATION. FLOW ACCEPTANCE IS NOT GUARANTEED UNTIL PROJECT PERMITTING.
- ANY UTILITY RELOCATION/MODIFICATIONS ASSOCIATED WITH NCDOT ROADWAY IMPROVEMENTS AND/OR THE NCDOT DRIVEWAY PERMIT WILL BE AT THE DEVELOPER'S EXPENSE AND WILL NEED TO BE INCLUDED IN THE PROJECT SCOPE. ADDITIONAL EASEMENTS MAY BE REQUIRED TO ACCOMMODATE THE RELOCATED AFFECTED PUBLIC UTILITIES.
- IN GENERAL, THE INTERNAL WATER AND SEWER UTILITIES THAT SERVE THE MULTI-FAMILY APARTMENT DEVELOPMENT ARE TYPICALLY PRIVATE AND SERVED BY MASTER WATER SERVICE METER ASSEMBLIES.
- ANY PUBLIC WATER AND SEWER SERVICES ARE TO BE ENCOMPASSED IN PUBLIC ROAD RIGHT OF WAY, PUBLIC 30' UTILITY EASEMENTS, AND/OR A COMBINATION OF BOTH BASED ON THE DESIGNS AND ALIGNMENT OF THE PUBLIC UTILITY. ADDITIONAL EASEMENT AND/OR EASEMENT WIDTH MIGHT BE REQUIRED DUE TO DEPTH, LOCATION, AND/OR ACCESS. REFERENCE THE CITY OF CONCORD CODE OF ORDINANCE CHAPTER 62, ARTICLE 3. ADDITIONAL ACCESS EASEMENTS THROUGH THE SITE TO THE PUBLIC SEWER THAT EXTENDS FROM THE WSACC INTERCEPTOR MUST BE CONVEYED TO THE CITY AND MUST BE GRADED TO MEET THE CITY OF CONCORD CODE OF ORDINANCE CHAPTER 62, ARTICLE 62-98.
- DUE TO LIMITATIONS OF AVAILABLE SEWER CAPACITY, FLOW ACCEPTANCE IS NOT GUARANTEED AND CONDITIONS MAY BE IMPOSED IF CAPACITY IS APPROVED. SEWER FLOW ACCEPTANCE REQUESTS ARE NOT FORMALLY PROCESSED BY THE CITY UNTIL AFTER SITE PLANS HAVE RECEIVED FORMAL TECHNICAL APPROVAL AND THE SITE DEVELOPMENT CASE HAS MOVED INTO THE UTILITY PERMITTING CYCLE.

MODIFICATION OF APPROVED CONDITIONAL REZONING PLAN:

ANY POTENTIAL FUTURE MODIFICATIONS OF THE APPROVED CONDITIONAL REZONING PLAN SHALL FALL WITHIN THE PARAMETERS OF ARTICLE 3.2.8 I. FOLLOWING APPROVAL OF THE CONDITIONAL REZONING PLAN, NO MAJOR MODIFICATION OF THE LAND USE CATEGORY DESIGNATIONS, DESIGN STANDARDS, USES, DENSITIES OR ANY OTHER CONDITIONS OF THE MASTER PLAN SHALL BE PERMITTED UNLESS A NEW PLAN IS APPROVED. HOWEVER, THE ADMINISTRATOR MAY APPROVE THE FOLLOWING MODIFICATIONS:

- INCREASING THE NUMBER OF BUILDINGS.

- INCREASING THE NUMBER OF DWELLING UNITS BY MORE THAN FIVE (5) UNITS OR 10% OF THE TOTAL, WHICHEVER IS LESS.
- ADDITION OF ACCESS POINTS TO A PUBLIC STREET.
- REDUCING NUMBER OF PARKING SPACES, LANDSCAPING, BUFFERS OR SETBACKS BELOW MINIMUM STANDARDS.
- MOVING PROPOSED STRUCTURES CLOSER TO ADJACENT RESIDENTIAL PROPERTIES OR ADJACENT RESIDENTIAL ZONING.
- REDUCING OPEN SPACE.
- INCREASING THE MASS OR HEIGHT OF BUILDINGS.

GENERAL NOTES:

- THE DEVELOPMENT WILL PROVIDE UNDERGROUND UTILITIES. THE PETITIONER IS NOT RESPONSIBLE FOR BURYING EXISTING ABOVE GROUND UTILITIES ALONG DAVIDSON HIGHWAY.
- IF NEEDED, PHASING WILL BE DETERMINED AND PRESENTED DURING THE PRELIMINARY PLAT AND FINAL PLAT PROCESSES. ANY PROPOSED ADDITIONAL PHASING WILL BE DETERMINED AT A LATER DATE PRESENTED TO THE CITY OF CONCORD DURING THE PRELIMINARY AND FINAL PLAT PROCESSES.
- THE PETITIONER UNDERSTANDS THAT SUBMITTALS TO AND APPROVALS OBTAINED FROM THE CITY OF CONCORD DEVELOPMENT SERVICES DEPARTMENT PRIOR TO GRADING AND/OR CONSTRUCTION ARE REQUIRED.
- RESTRICTIVE COVENANTS WILL BE CREATED AND RECORDED PRIOR TO FINAL PLAT RECORDATION, TO ESTABLISH PERMITTED USES, MAINTENANCE RESPONSIBILITY, AND LAND OWNERSHIP OF THE PROPERTY OWNERS ASSOCIATION.
- DEVELOPMENT OF THIS SITE WILL BE SUBJECT TO CDO STANDARDS AND REQUIREMENTS IN EFFECT ON THE DATE OF REZONING SUBMITTAL.
- THE PROPOSED DEVELOPMENT WILL BE IN DESIGNED IN ACCORDANCE WITH ARTICLE 4 - SECTION 4.7 OF THE CDO FOR FLOODPLAIN DEVELOPMENT.

FIRE DEPARTMENT:

- THIS JURISDICTION ABIDES BY AND ENFORCES THE REQUIREMENTS OF NFPA 241 FOR CONSTRUCTION PROJECTS. A DOCUMENT WE REFER TO AS AN NFPA 241 LETTER IS REQUIRED VERIFYING THAT ALL PARTIES INVOLVED IN THIS PROJECT KNOW OF AND AGREE, TO ABIDE BY THE PROVISION REQUIRING WATER, HYDRANTS, AND ACCESS ROADS BE IN OPERATION PRIOR TO VERTICAL COMBUSTIBLE CONSTRUCTION.
- WHEN FIRE APPARATUS ACCESS ROADS OR A WATER SUPPLY FOR FIRE PROTECTION IS REQUIRED TO BE INSTALLED, SUCH PROTECTION SHALL BE INSTALLED AND MADE SERVICEABLE PRIOR TO AND DURING THE TIME OF CONSTRUCTION EXCEPT WHEN APPROVED ALTERNATIVE METHODS OF PROTECTION ARE PROVIDED. (NCFC 501.4)
- NEEDED FIRE FLOW FOR THE STRUCTURE MUST BE PROVIDED AND MAINTAINED.
- THE SITE ADDRESS SHALL BE POSTED IN A TEMPORARY FORM AND UPON COMPLETION IN A PERMANENT FORM IN A VISIBLE LOCATION IN 6-INCH CHARACTERS IN A REFLECTIVE MATERIAL & CONTRASTING COLOR. (NCFC 505.1)
- APPROVED FIRE APPARATUS ACCESS ROADS SHALL BE PROVIDED FOR EVERY FACILITY OR BUILDING WITHIN THE JURISDICTION. THE FIRE APPARATUS ACCESS SHALL EXTEND TO WITHIN 150 FEET OF ALL PORTIONS OF THE FACILITY AS MEASURED BY AN APPROVED ROUTE AROUND THE EXTERIOR OF THE FACILITY. (NCFC 503.1.1)
- ACCESS ROADS TO BUILDING ARE REQUIRED TO BE 20 FEET IN WIDTH FOR BUILDINGS UP TO 30 FEET HIGH AND 26 FEET FOR THOSE OVER 30 FEET. (NCFC 503.2.1)
- FIRE ACCESS ROADS SHALL HAVE UNOBSTRUCTED CLEARANCE OF 13 FOOT 6 INCHES. (NCFC 503.2.1)
- THE REQUIRED TURNING RADIUS OF FIRE ACCESS ROADS SHALL BE DETERMINED BY THE FIRE OFFICIAL. (NCFC 503.2.4)
- DEAD END ACCESS ROADS IN EXCESS OF 150 FEET IN LENGTH SHALL BE PROVIDED WITH AN APPROVED AREA FOR TURNING AROUND FIRE APPARATUS. (NCFC 503.2.5)
- FIRE LANES REQUIRED FOR ACCESS TO THE STRUCTURE ARE REQUIRED TO BE STRIPPED AND MARKED BY SIGNS PROHIBITING PARKING IN AREAS WHERE ACCESS MAY BE BLOCKED. BLOCKAGE TO ACCESS AFTER CONSTRUCTION MAY RESULT IN FUTURE REQUIREMENTS FOR STRIPPING AND SIGNAGE. CONTACT CONCORD FIRE PREVENTION DIVISION PRIOR TO LANE STRIPPING FOR DETAILS. ALL LANES SHALL BE MARKED IN ACCORDANCE WITH DEPARTMENT SPECIFICATIONS AND APPROVED PRIOR TO INSTALLATION. (NCFC 503.3)
- WHERE A PORTION OF THE FACILITY OR BUILDING HEREAFTER CONSTRUCTED OR MOVED INTO OR WITHIN THE JURISDICTION IS MORE THAN 400 FEET FROM A HYDRANT ON A FIRE APPARATUS ACCESS ROAD, AS MEASURED BY AN APPROVED ROUTE AROUND THE EXTERIOR OF THE BUILDING, ON-SITE FIRE HYDRANT AND MAINS SHALL BE PROVIDED WHERE REQUIRED BY THE FIRE CODE OFFICIAL. (NCFC 507.5.1)
- FIRE HYDRANTS - PUBLIC HYDRANTS SHALL BE PAINTED YELLOW AND PRIVATE HYDRANTS SHALL BE PAINTED RED. ALL NEW HYDRANTS SHALL BE EQUIPPED WITH A 5" STORZ FITTING.
- FIRE DEPARTMENT CONNECTIONS (FDC) SHALL BE PROVIDED FOR SPRINKLER SYSTEMS AND BE REMOTE FROM THE BUILDING WITH SIGNAGE. (NCFC 912.1). THE LOCATION MAY NOT OBSTRUCT ACCESS TO THE BUILDINGS FOR OTHER FIRE APPARATUS DUE HOSE CONNECTION (NCFC 912.2) SEE SECTION 912 FOR DETAILS ON FDC'S.
- FIRE HYDRANTS ARE REQUIRED WITHIN 200 FEET OF THE LOCATION OF THE FDC.
- STRUCTURES UNDER CONSTRUCTION ARE REQUIRED TO HAVE TEMPORARY FIRE EXTINGUISHERS ON SITE DURING CONSTRUCTION.
- FIRE APPARATUS ACCESS ROADS SHALL NOT EXCEED 10 PERCENT IN GRADE. (NCFC D103.2)
- BUILDINGS EXCEEDING THREE STORIES OR 30 FEET IN HEIGHT SHALL HAVE AT LEAST TWO MEANS OF FIRE APPARATUS ACCESS FOR EACH STRUCTURE. (NCFC D105.1 & D105.2)
- BUILDINGS EXCEEDING 62,000 SQFT. WITHOUT SPRINKLERS OR 124,000 SQFT. WITH SPRINKLERS SHALL HAVE TWO ACCESS ROADS PLACED A DISTANCE APART EQUAL TO NOT LESS THAN ONE HALF OF THE LENGTH OF THE MAXIMUM OVERALL DIAGONAL DIMENSION OF THE PROPERTY OR AREA TO BE SERVED, MEASURED IN A STRAIGHT LINE BETWEEN ACCESSES. (NCFC D104.2 & D104.3)
- MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS HAVING MORE THAN 100 DWELLING UNITS SHALL BE EQUIPPED THROUGHOUT WITH TWO SEPARATE AND APPROVED FIRE APPARATUS ACCESS ROADS. PROJECTS EQUIPPED THROUGHOUT WITH APPROVED AUTOMATIC SPRINKLER SYSTEMS MAY HAVE ONE ENTRANCE UP TO 200 UNITS AND ABOVE 200 MUST HAVE A SECOND REMOTE ENTRANCE (NCFC D106.1 & D106.2)
- ONE OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS. DEVELOPMENTS WHERE THE NUMBER OF DWELLING UNITS EXCEEDS 30 SHALL BE PROVIDED WITH SEPARATE AND APPROVED FIRE APPARATUS ACCESS ROADS AND SHALL MEET THE REQUIREMENTS OF D104.3 (NCFC D107.1)
- WHERE TWO ACCESS ROADS ARE REQUIRED, THEY SHALL BE PLACED A DISTANCE APART EQUAL TO NOT LESS THAN ONE HALF OF THE LENGTH OF THE MAXIMUM OVERALL DIAGONAL DIMENSION OF THE PROPERTY OR AREA TO BE SERVED, MEASURED IN A STRAIGHT LINE BETWEEN ACCESSES. (NCFC D104.3)
- PLEASE SEE CONCORD FIRE PREVENTION DIVISION'S WEB PAGE FOR DETAILS AND SPECIFICATIONS ([HTTP://WWW.CONCORDNC.GOV/DEPARTMENTS/FIRE/FIRE-PREVENTION-DIVISION/FIRE-PREVENTION-DIVISION-DOWNLOADS](http://www.concordnc.gov/departments/fire/fire-prevention-division/fire-prevention-division-downloads)).
- PLEASE UNDERSTAND THAT APPROVAL OF THESE DOCUMENTS IN NO WAY RELIEVES THE OWNER, ARCHITECT, OR ENGINEER FROM RESPONSIBILITY RELATED TO VIOLATIONS OF THE GOVERNING CODES AND REGULATIONS NOT FOUND BY OUR OFFICE OR OTHER REVIEWING AGENCIES. WHEN SUCH VIOLATIONS ARE FOUND THEY MUST BE CORRECTED.
- THE OCCUPANCY OF THE BUILDING/UPFIT AREA SHALL NOT BE CONDUCTED PRIOR TO A CERTIFICATE OF COMPLIANCE & OCCUPANCY BEING OBTAINED FROM THE CABARRUS COUNTY BUILDING INSPECTION DEPARTMENT.

ELECTRIC:

- CUSTOMER CHOICE AREA. DUKE ENERGY & CITY OF CONCORD ARE THE ELECTRIC UTILITY SERVICE PROVIDERS PRESENT.
- IF CITY OF CONCORD IS CHOSEN:
 - CITY OF CONCORD ELECTRIC SERVICE CONTRACTS / AGREEMENTS MUST BE COMPLETED & SUBMITTED.
 - A 5' ELECTRIC UTILITY EASEMENT WILL BE REQUIRED ON BOTH SIDES OF ALL ROADS.
 - ANY MOVEMENT OF ANY EXISTING ELECTRIC UTILITIES CAN BE AT OWNER/DEVELOPER COST.
 - ALL ELECTRICAL INSTALLATIONS MUST COMPLY WITH THE CITY OF CONCORD TECHNICAL STANDARDS MANUAL.
- ANY MOVEMENT OF EXISTING ELECTRIC UTILITIES CAN BE AT OWNER / DEVELOPER COST.

SINGLE-FAMILY ATTACHED RANCH HOME BUILDING RENDERINGS



3-UNIT ATTACHED RANCH HOME RENDERING

NOTE: MATERIALS IN RENDERING INCLUDE HORIZONTAL, VERTICAL AND SHAKE FIBER CEMENT BOARD AND BLOCK SKIRTING. OPTIONS FOR PRIMARY EXTERIOR BUILDING MATERIALS ARE OUTLINED IN ARCHITECTURAL STANDARDS + BUILDING DESIGN 3--6. BUILDINGS SHALL BE 24' IN HEIGHT AT THE PEAK.



3-UNIT ATTACHED RANCH HOME RENDERING

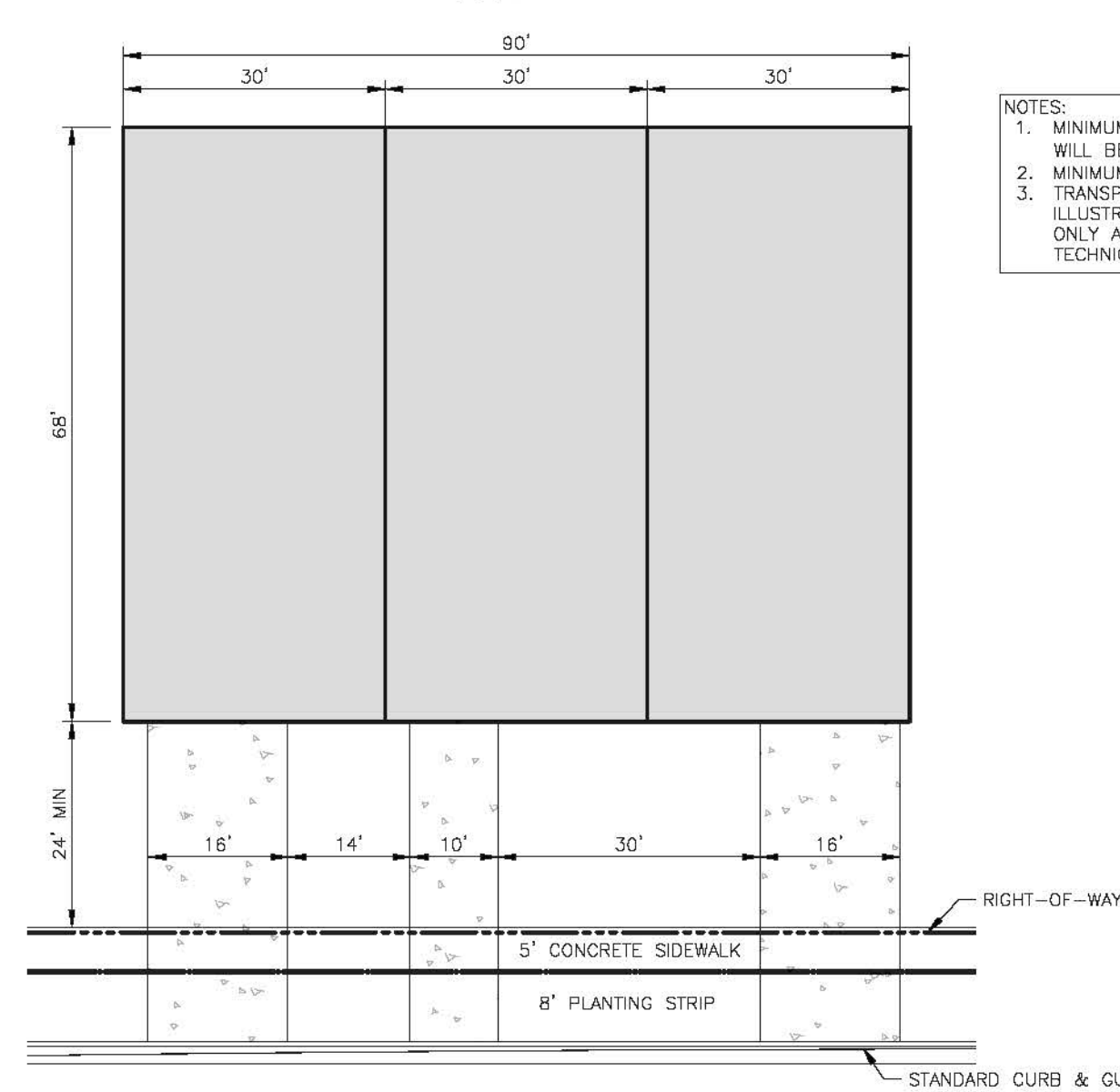
NOTE: MATERIALS IN RENDERING INCLUDE HORIZONTAL, VERTICAL AND SHAKE FIBER CEMENT BOARD AND BLOCK SKIRTING. OPTIONS FOR PRIMARY EXTERIOR BUILDING MATERIALS ARE OUTLINED IN ARCHITECTURAL STANDARDS + BUILDING DESIGN 3--6. BUILDINGS SHALL BE 24' IN HEIGHT AT THE PEAK.



3-UNIT ATTACHED RANCH HOME SIDE AND REAR RENDERING

NOTE: MATERIALS IN RENDERING INCLUDE HORIZONTAL, VERTICAL AND SHAKE FIBER CEMENT BOARD AND BLOCK SKIRTING. OPTIONS FOR PRIMARY EXTERIOR BUILDING MATERIALS ARE OUTLINED IN ARCHITECTURAL STANDARDS + BUILDING DESIGN 3--6. BUILDINGS SHALL BE 24' IN HEIGHT AT THE PEAK.

**TYPICAL LOT SETBACKS & DIMENSIONS
NTS**



NOTES:
1. MINIMUM SPACING BETWEEN DRIVEWAYS WILL BE 10'.
2. MINIMUM DRIVEWAY WIDTH WILL BE 10'.
3. TRANSPORTATION ELEMENTS SHOWN IN ILLUSTRATIONS ARE FOR ILLUSTRATION ONLY AND DO NOT NECESSARILY MEET TECHNICAL STANDARDS.

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CLIENT

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**DAVIDSON HIGHWAY
SINGLE-FAMILY ATTACHED
RANCH HOMES
REZONING PLAN
2821 DAVIDSON HWY
CONCORD, NORTH CAROLINA, 28027**

REVISIONS

NO.	DATE	PER CITY COMMENTS
1	07.08.2021	PER CITY COMMENTS
2	10.13.2021	PER CITY COMMENTS
3	11.15.2021	PER CITY COMMENTS

PLAN INFORMATION

PROJECT NO.	2021210332
FILENAME	2021210332-RZ1
CHECKED BY	EM
DRAWN BY	JDS
SCALE	
DATE	06.08.2021

SHEET

REZONING NOTES

RZ.02



Staff Report
Planning and Zoning Commission

DATE: January 18, 2022

DESCRIPTION: Zoning Map Amendment from City of Concord C-2 (General Commercial) to RC-CD (Residential Compact Conditional District)

CASE NUMBER: Z (CD)-28-21

APPLICANTS Dr. Aimy Steele, Reach Consulting

LOCATION: 848 Old Charlotte Road

PARCEL PIN: PIN 5529-48-0610

AREA: +/- 1.27 acres

ZONING: Concord C-2 (General Commercial)

REPORT PREPARED BY: Monterai Adams, Senior Planner

BACKGROUND

The subject property is located on the southwestern side of the intersection of Dulin Dr. SW. and Old Charlotte Rd. SW. and is +/- 1.27 acres. The parcel contains a church and daycare center. All existing structures would be demolished in order to develop the site with thirteen (13) multi-family townhomes, a parking lot, and passive common open space.

HISTORY

Annexation documentation shows that the subject property was annexed into the City June 30, 1986.

On September 16, 2021 an application was filed to rezone the parcel from City of Concord C-2 (General Commercial) to RC-CD (Residential Compact Conditional District) in order to construct (13) townhomes, a parking lot, and passive common open space.

Note: The proposed request is inconsistent with the 2030 LUP (Land Use Plan). Therefore the Planning and Zoning Commission will be reviewing the proposal, adopting a Statement of Consistency, and forwarding the request to City Council with a recommendation of approval or denial. If approval is recommended, the Planning and Zoning Commission must also recommend a corresponding Land Use Category. If approval is recommended, Staff suggest the Urban Neighborhood Land Use Category for consistency with the proposed zoning designation and density.

SUMMARY OF REQUEST

The applicant has requested to rezone the subject property from City of Concord C-2 (General Commercial) to RC-CD (Residential Compact Conditional District) in order to construct (13) townhomes within two buildings, a centralized parking lot, and passive common open space. Under the current C-2 zoning classification, multi-family would only be permitted with a 1) Special Use Permit on a maximum of 30% of the total land area of the parcel (exclusive of special flood hazard area and stream buffers) or 2) as part of a vertical mixed use dwelling/live work with commercial or office uses on the ground floor. As a conditional district rezoning request the applicant has submitted conditions, an associated site plan, and elevations.

According to the site plan, submitted as a condition of rezoning, the proposal would be limited to thirteen (13) new townhome units (approximately 1,600 SF each), divided between two (2) structures. The proposed residential buildings face inward toward the parking lot with the rear facades facing the residential property to the west and Old Charlotte Rd. Parking for the townhomes would come in the form of a shared parking lot centered between the buildings and accessed from Dulin Dr. SW. The proposed parking meets minimum requirements for the development and would not be highly visible from Old Charlotte Rd. due to the building locations but would be visible from Dulin. The overall density of the project would be 10.2 DUA. The maximum density of RC zoning is 15 du/a. Furthermore the permitted density for the existing C-2 zoning district would be a maximum of 15 du/a, provided that no more than 30% of the total land area of the parcel (exclusive of special flood hazard area and stream buffers) was dedicated to the multi-family use. Additionally, if developed under C-2, multi-family units above nonresidential uses and part of a vertical mixed use are not subject to maximum density requirements but must meet all other CDO standards including the maximum height limits.

In accordance with the CDO, setbacks from the front property line to the parking lot are 20'. The applicant has proposed a concrete walkway to connect each townhome entrance to the public sidewalk in front of each unit and the sidewalk would connect into the parking lot. The sidewalk would be back of curb. The property is setback 20ft from the adjacent single-family detached structure to the west. Street side setbacks include 20ft from the future right of way for Old Charlotte Rd and 20feet off of the Dulin right-of-way. Units are depicting space for private patio areas within those 20ft setbacks.

Required open space for the RC zoning district is a minimum of 20% or 0.244 acres if the density is greater than four units per acre. Under the current conditional district proposal, the applicant has provided 21.1 % 0.2569 acres in the form of passive greenspace along the south side of the property, behind parking lot. The applicant is proposing a playground/exercise area which is depicted on the site plan.

In addition to the open space, the site plan provides for a 20' Type C buffer along the southern property line. The abutting properties to the south are zoned C-1 (Light Commercial) and C-2. The minimum buffer between C-1 and a multi-family use is 15ft wide while the C-2 zoning would warrant a 20ft buffer. The property directly to the west is zoned RC and is developed as single-family attached. According to the CDO, the proposed use is required to install an 8' wide Type A Buffer to meet minimum standards. As shown on the site plan, minimum buffer standards have been provide along both abutting property lines. Further the City Arborist has reviewed the proposed street yard buffers widths and although the applicant did not submit a detailed landscape plan, the Arborist has certified that required plantings would feasibly fit within the allotted space.

The CDO also requires that elevation renderings be submitted for multi-family developments. The applicant has submitted two rendering of the proposed structures. As can be seen on the images,

the multi-family structures are 2 stories tall. Materials include hardie board, treated wood trim, and architectural asphalt shingles. Each unit has a covered entry over the front door and the units are elevated from grade by steps onto the front stoop. While the materials meet the standards in the Concord Development Ordinance the rendering doesn't align with the site plan. The view from the front of the elevation will face a parking lot.

Although the proposal is for a multi-family use based on site design, the structures are two-story and designed architecturally consistent with townhomes, the maximum building height under the proposal is 35 feet. The existing C-2 zoning would allow a new non-residential structure to be a maximum of 48 ft. However, portions of the building exceeding thirty-five (35) feet shall be setback an additional two (2) feet from the required building setback for each foot of height in excess of thirty-five (35) feet. The residential structures adjacent directly and across the street from the subject property are all one to one and half stories.

The site plan has been reviewed by all applicable City departments and no outstanding issues have been left unresolved. If approved, the request will need to be forwarded to City Council for approval and a Land Use Plan amendment to accommodate the proposed use and zoning district.

Properties to the north are zoned RC and are developed as single-family detached and single-family Properties to the east and west are zoned RC and are developed as single-family detached. Properties to the south are zoned C1-CD and C-2. The C1-CD parcel is the location of the Snobbs Salon and Spa. The property to the south, on the north corner of the Union Cemetery and Old Charlotte Rd intersection, is zoned C-2 and is primarily vacant aside from a small non-residential structure. The most recent permit issued for the site is was for Ages Ago Antiques in 2018. It is unclear if the use is still active. Prior to 2018 the lot had been permitted for a farmers market and various other temporary uses over the years.

Existing Zoning and Land Uses					
Zoning of Subject Property	Zoning Within 500 Feet		Land Uses(s) of Subject Property	Land Uses Within 500 Feet	
C-2 (General Commercial)	North	RV (Residential Village) and RC (Residential Compact)	Church along with parking lot and daycare	North	Single Family Detached
	East	O-I (Office and Intuitional), RV (Residential Village)		East	Single Family Detached
	South	C-2 (General Commercial)		South	Salon and Spa and a nonresidential lot
	West	C-2 (General Commercial), RV (Residential Village)		West	Single Family Detached

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 LUP designates the subject property as a “*Suburban Neighborhood*” for 848 Old Charlotte Road. RC (residential Compact) is not a corresponding zoning district to the “*Suburban Neighborhood*” land use category, and therefore is not consistent with the Land Use Plan. Approval of the conditional rezoning plan would require a Land Use Plan amendment by City Council. For consistency with the proposed zoning of RC-CD, and the proposed density of 10.2 du/a, if approval is desired, Planning Staff recommends the Urban Neighborhood Land Use Category. Urban Neighborhood would allow RC zoning and up to 15du/a. The Urban Neighborhood density could only be accomplished through a special purpose district such as a PUD. Property designated as Urban Neighborhood is located to the north, west and east. Property to the south is designated as Suburban Neighborhood, consistent with the subject property.

Existing Land Use Category:

“Suburban Neighborhood” (SN)

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.

Recommended Land Use Category (If approval of the zoning map amendment is desired):-

“Urban Neighborhood” (UN)

The Urban Neighborhood (UN) Future Land Use category includes a mix of moderate- to high-density housing options. These neighborhoods are relatively compact, and may contain one or more of the following housing types: small lot, single family detached, townhomes, condominiums, or apartments. The design and scale of development in an urban neighborhood encourages active living with a complete and comprehensive network of walkable streets. Cul-de-sacs are restricted to areas where topography, environment, or existing development makes other connections prohibitive. Lots at intersections of collector and arterial streets within or at the edges of urban neighborhoods may support neighborhood- and community-serving, pedestrian-oriented commercial or service uses such as coffee shops, cafes, beauty salons and light retail. Drive-through uses may be appropriate if designed and located so they access side streets and do not compromise pedestrian safety. Non-residential and multi-family uses are typically developed

with minimal street setbacks in the urban neighborhood future land use category.

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.*

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.*

- **Infill Housing:** *Promote a variety of compatible infill housing types in areas with access to adequate facilities and services.*
- **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.*
- **Mixed-Density Housing:** *Foster a compatible mix of higher density housing types at different densities within mixed-use activity centers and village centers.*

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.*

Policy Guidance for Objectives 4.1 to 4.3:

- **Land Use and Intensity Transitions:** *Zoning use and site development standards should promote a gradient in the type and intensity of uses. For instance, higher density residential development can provide a compatible transition between medium-density residences and neighborhood commercial centers.*
- **Buffers:** *Buffers should be used to screen uses and activities that may detract from the enjoyment of adjacent land uses. Where large buffers are not necessary, the landscape design should soften land use transitions;*
- **Building and Site Design Standards:** *Where land use transitions are necessary to support a walkable mix of uses or housing types, a variety of development standards should ensure that the location, scale, height and orientation of buildings and site improvements provide for compatible transitions.*

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately 1.27 Acres +/- and is zoned C-2 (General Commercial).
- The subject property was incorporated into the City Limits June 30, 1986 and consists of one (1) parcel of record (5529-48-0610) with nonresidential structures and associated parking.
- The proposed zoning amendment is inconsistent to the 2030 Land Use Plan (LUP) as RC (Residential Compact) is not considered a corresponding zoning district to the Suburban Neighborhood land use category. However, the conditional rezoning would permit the development of a 13-unit infill multi-family residential development which would provide a new housing type that does not exist within the area. The proposal would further the LUP Guidance 1.6 encouraging compatible infill development and housing varieties. Urban Neighborhood also surrounds the subject property on three sides.
- The zoning amendment is reasonable and in the public interest because would provide for a type of residential infill development not found within the near vicinity, providing a unique housing type to meet a variety of housing needs. The proposal also meets all minimum CDO standards and ensures compatibility between neighboring land uses through transitions in land use intensity and buffers. Although the proposal is for a multi-family use, the proposal could be viewed as a transition between the commercial intersection of Old Charlotte Rd and Union Cemetery Rd, and the two-story, single-family detached, development to the north and west.

SUGGESTED RECOMMENDATION AND CONDITIONS

The staff finds the request inconsistent with the 2030 Land Use Plan, and will require an amendment to the Land Use Plan in order to provide consistency. The plan also meets the requirements of the Concord Development Ordinance. Because this petition is a conditional district request, the Commission, should they decide to approve the request, may, according to Section 3.2.8.E of the CDO, suggest **“reasonable additional conditions or augment those already provided with the petition, but only those conditions mutually agreed upon by the petitioner and the Commission or Council may be incorporated into the approval. Any such condition should relate to the relationship of the proposed use to surrounding property, proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, the timing of development, street and right-of-way improvements, water and sewer improvements, storm water drainage, the provision of open space and other matters that the Commission or Council may find appropriate.”**

In the event that the Commission approve the petition, staff recommends the following conditions:

1. Compliance with the “Sky Summer Landing Rental Townhomes Rezoning Site Plan” Sheet 1 of 3 dated 12-13-21 and last revised 12-13-21 and the elevation rendering sheets titled A-200, A-201, and A-203, submitted at the 1/18/22 rezoning hearing.
2. No more than 13 dwelling units shall be permitted on the site.
3. Per the submitted site plan, during the Preliminary Plat review, detailed renderings of the proposed playground or workout area shall be submitted.
4. Compliance with all minimum requirements of the CDO and all other applicable adopted use and site design regulations.

5. Technical site plan review and approval shall be required.

PROCEDURAL CONSIDERATIONS

This particular case is a rezoning to a conditional district, 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.



Applicant Name, Address, Telephone Number and email address: Dr. Aimy Steele
6012 Bayfield Parkway, Ste #142, Concord, NC 28027

Owner Name, Address, Telephone Number: James & Rhoda Waters
550 E. Stonewall Street, Apt #1610, Charlotte, NC 28202

Project Location/Address: 848 Old Charlotte Road, Concord, NC 28027
P.I.N.: 5529-48-0610

Area of Subject Property (acres or square feet): 1.27 acres

Lot Width: 316.91 ft Lot Depth: 180.83 ft

Current Zoning Classification: C2 (General Commercial)

Proposed Zoning Classification: RC-CD (Residential Compact Conditional District)

Existing Land Use: Church

Future Land Use Designation: Multi-Family Homes (Townhome units)

Surrounding Land Use: North SFR South Commerical Hair Salon
East SFR West SFR

Reason for request: The owner desires to create a moderately priced multi-family development for the purpose of providing homes to lease that are reasonably affordable for moderate income residents.

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

Staff member signature: _____ Date: _____

THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

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

Multi-Family Homes (Townhome units)

RC-CD (Residential Compact Conditional District)

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):

Conditions include offering lease opportunities to those who fall within the income range of income who need a safe, affordable, and reasonable space to live.

The owners support the results of the 2019 Affordable Housing Market Study done on behalf of the City of Concord which found that more affordable units rental units are needed here in the City and County. The owners plan to offer rental homes that are priced for those in the 80% AMI (Area Median Income) range.

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.

Aimy Steele
Signature of Applicant

9/16/21
Date

Rhoda Waters
Signature of Owner(s)

Sep 17, 2021
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: 9/16/21

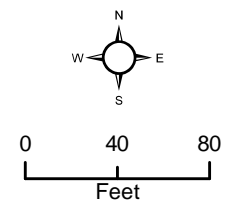
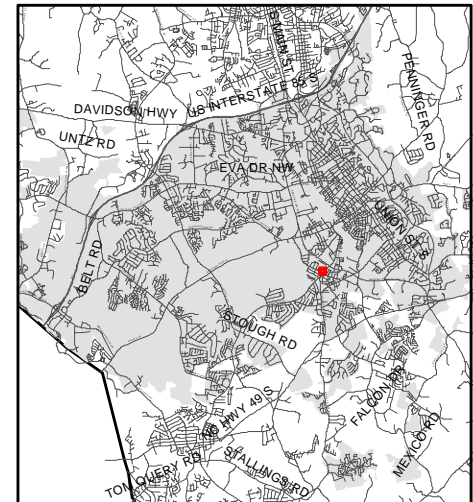
Applicant Signature: *Aimy Steele*


Property Owner or Agent of the Property Owner Signature:
Aimy Steele 
Rhoda Waters (Sep 17, 2021 08:51 EDT)

**Z(CD)-28-21
AERIAL**

**Rezoning application from
C-2 (General Commercial) to
RC-CD (Residential Compact
Conditional District) and
Land Use Plan Amendment
from Suburban Neighborhood
to Urban Neighborhood
for the purpose of developing
15 multi-family units**

Old Charlotte Rd SW & Dulin Dr SW
PIN: 5529-48-0610

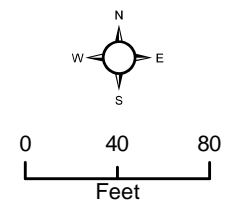
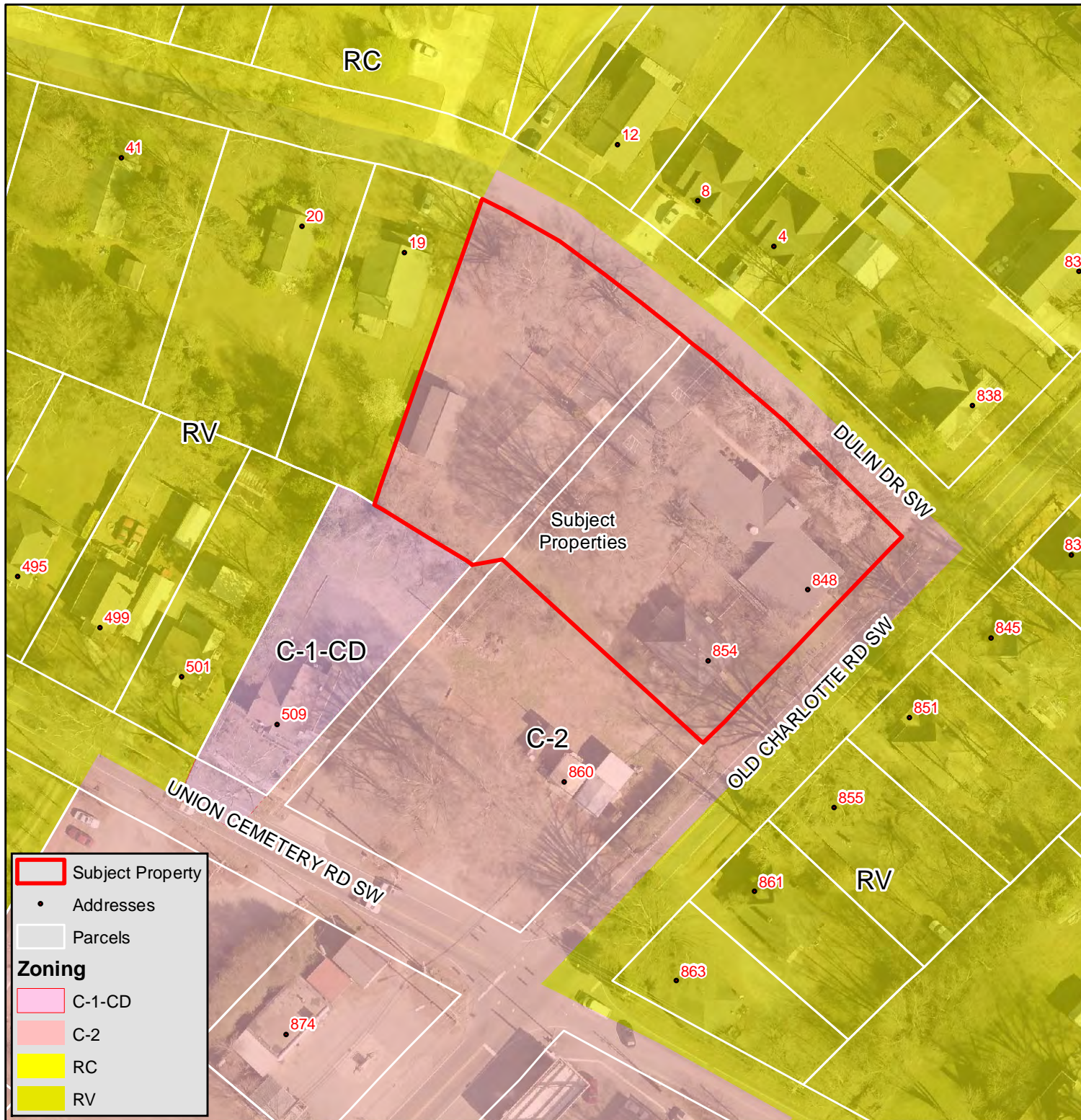
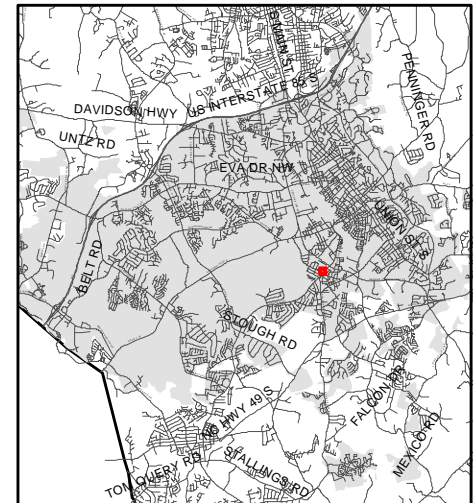


-  Subject Property
-  Addresses
-  Parcels

Z(CD)-28-21 ZONING

**Rezoning application from
C-2 (General Commercial) to
RC-CD (Residential Compact
Conditional District) and
Land Use Plan Amendment
from Suburban Neighborhood
to Urban Neighborhood
for the purpose of developing
15 multi-family units**

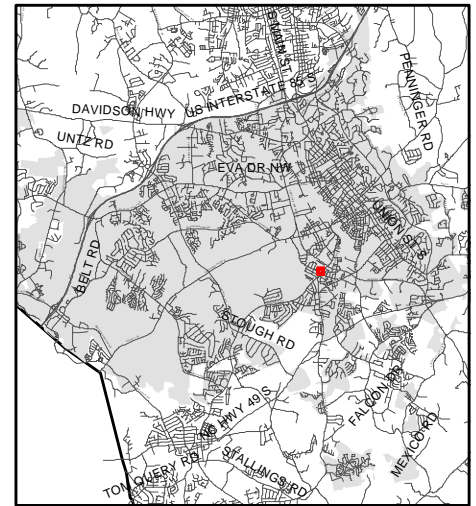
Old Charlotte Rd SW & Dulin Dr SW
PIN: 5529-48-0610



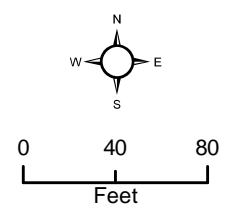
**Z(CD)-28-21
LAND USE PLAN**

**Rezoning application from
C-2 (General Commercial) to
RC-CD (Residential Compact
Conditional District) and
Land Use Plan Amendment
from Suburban Neighborhood
to Urban Neighborhood
for the purpose of developing
15 multi-family units**

Old Charlotte Rd SW & Dulin Dr SW
PIN: 5529-48-0610

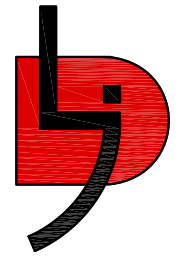


	Subject Property
	Addresses
	Parcels
Land Use Plan	
	Suburban Neighborhood
	Urban Neighborhood





1
A203 RENDERING
N.T.S.



LDJ INNOVATIVE
DESIGN GROUP, PLLC

1800 Camden Road,
Suite 107 #193
Charlotte NC, 28203-0001

Civil Engineer:
Company Name
Company Address
Company Address
Telephone Number

Structural Engineer:
Company Name
Company Address
Company Address
Telephone Number

Plumbing, Mechanical, Electrical Engineer:
Company Name
Company Address
Company Address
Telephone Number

Consultant:
Company Name
Company Address
Company Address
Telephone Number

Drawn

Checked

Date

Revisions

1 Date

2 Date

3 Date

4 Date

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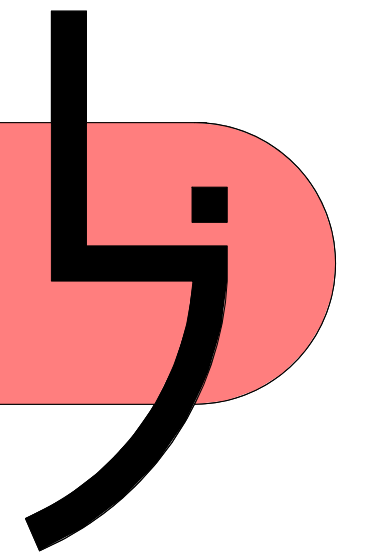
Sky Summer Landing
Concord, NC

Project Number 003

Title
RENDERING

Sheet of
A203

Plate



LDJ INNOVATIVE
DESIGN GROUP, PLLC

1800 Camden Road,
Suite 107 #193
Charlotte NC, 28203-0001



1 FRONT ELEVATION
SCAL 1/4" = 1'-0"
E:

Drawn	
Checked	
Date	
Revisions	
1 Date	
2 Date	
3 Date	
4 Date	

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**Sky Summer
Landing**
Charlotte, NC 28208

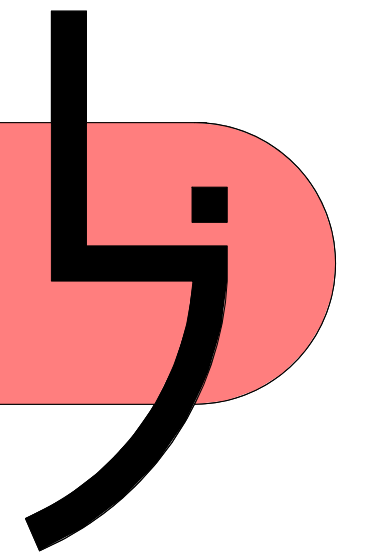
Project Number 003

Title
Elevations

Sheet of
A200
Plate



2 LEFT SIDE ELEVATION
SCAL 1/4" = 1'-0"
E:

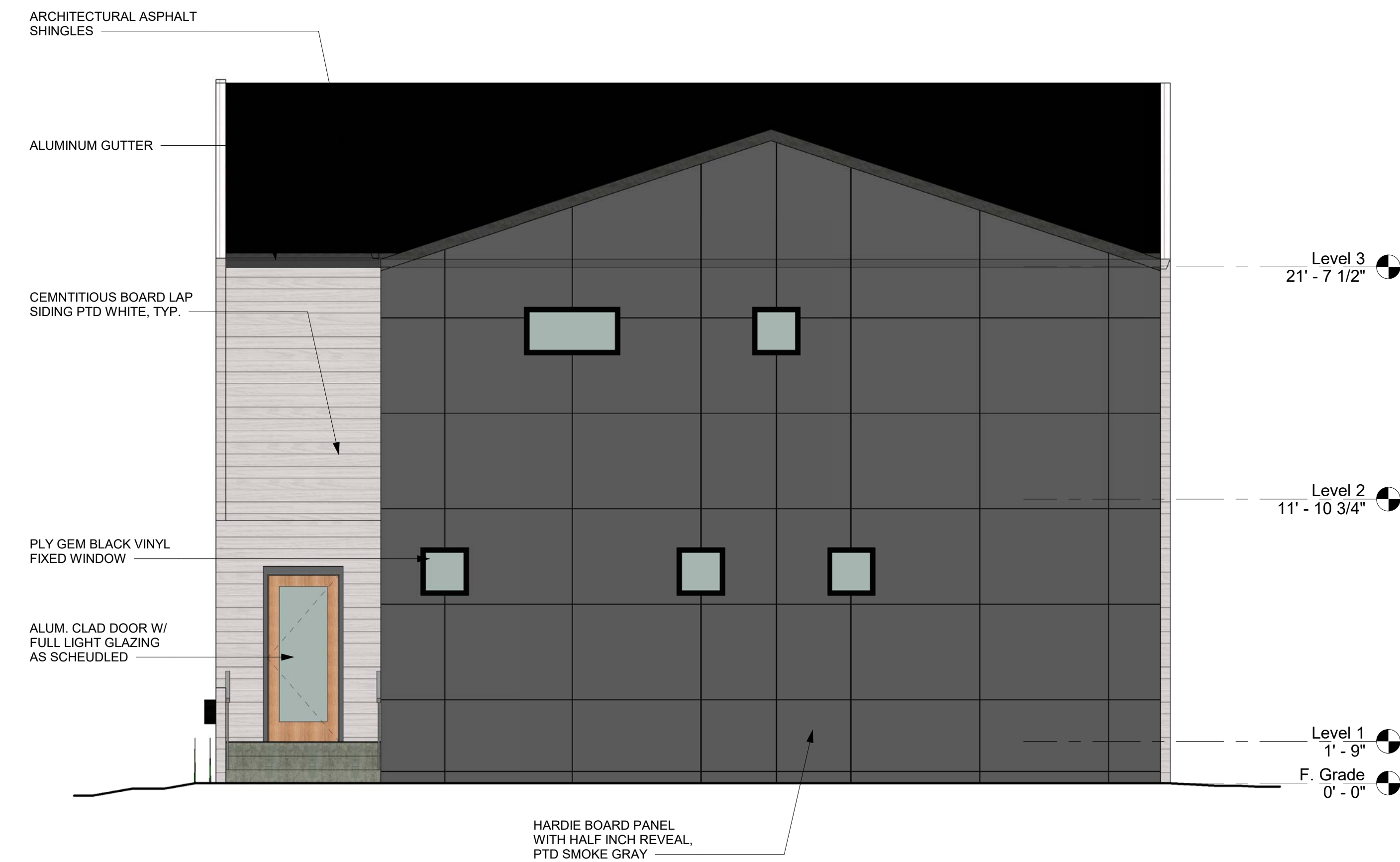


LDJ INNOVATIVE
DESIGN GROUP, PLLC

1800 Camden Road,
Suite 107 #193
Charlotte NC, 28203-0001



1 REAR ELEVATION
A102 SCAL 1/4" = 1'-0"
E:



2 RIGHT SIDE ELEVATION
A102 SCAL 1/4" = 1'-0"
E:

Drawn	
Checked	
Date	
Revisions	
1 Date	
2 Date	
3 Date	
4 Date	

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**Sky Summer
Landing**
Charlotte, NC 28208

Project Number 003

Title
Elevations

Sheet of

A201

Plate



DATE: January 18, 2022

REZONING CASE #: Z-31-21

ACCELA: CN-RZZ-2021-00018

DESCRIPTION: Zoning Map Amendment
I-2 (Heavy Industrial) to I-1 (Light Industrial)

APPLICANT/OWNER: Mark Hermans, Fortune Ave, LLC

LOCATION: 4525 Fortune Ave NW

PIN#s: 5601-74-6913

AREA: +/- 2.056 acres

ZONING: I-2 (Heavy Industrial)

PREPARED BY: Brad Lagano, Senior Planner

BACKGROUND

The subject property consists of one (1) parcel comprising approximately 2.056 acres at 4525 Fortune Ave NW. The property is currently wooded and vacant.

HISTORY

The property was annexed into the City on June 30, 1992 and rezoned to I-2 (Heavy Industrial) at that time.

SUMMARY OF REQUEST

The applicant is requesting to rezone the subject property from I-2 (Heavy Industrial) to I-1 (Light Industrial) to increase marketability as flex/industrial space. The properties to the west across International Drive, south, and east are zoned either I-1 or I-2 with Industrial Uses or are wooded, vacant lots. The closest developed property across Trade St to the west is zoned C-2 as is the large undeveloped tract to the north. There is residential development to the northeast that falls under the Residential Village (RV) zoning for single-family homes.

Because the request is for the traditional base zoning of I-1 (Light Industrial) and not a conditional district, all permitted uses with the I-1 (Light Industrial) 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	
	I-2 (Heavy Industrial)	North		C-2 (General Commercial)	Vacant
South		I-2 (Heavy Industrial)	South	Vacant	
East		I-2 (Heavy Industrial), RV (Residential Village)	East	General Motors Facility, Single-Family Residential	
West		C-2 (General Commercial), I-1 (Light Industrial), I-2 Heavy Industrial)	West	Pregel Manufacturing, Ascendum Heavy Machinery	

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as “Industrial Employment” for which I-1 (Light Industrial) is listed as a corresponding zoning district.

From the 2030 Land Use Plan – “Industrial Employment” (IE):

The intent of the Industrial/Employment (IE) Future Land Use category is to identify those areas that have either already developed as industrial or are suited for additional industrial development due to the presence of infrastructure and access to transportation routes, such as major highways and railroads. These industrial areas should be preserved for employment uses to generate jobs for the community.

Industrial uses have already developed in several areas throughout the community, most of which are light industrial in function and impact. The 2030 Plan identifies the need to protect industrial lands, and to encourage additional growth in industrial/employment uses in designated areas, particularly around Concord Regional Airport, and along I-85 between Pitts School Road and Rocky River. Additionally, some light industrial/employment uses are encouraged to locate in Mixed-Use Districts, depending upon their intensity, as identified earlier in this section.

Policy Guidance:

Objective 1.4: Protect existing and future industrial sites from encroachment of development that would limit their intended uses.

- *Adjacent Development: Ensure that adjacent development and street networks are designed to safely and compatibly accommodate planned industrial uses and resulting traffic.*

- *Site Development: Limit non-industrial uses to those that are accessory to existing uses or uses to be developed concurrently with the accessory uses.*

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/-2.056 acres and is zoned City of Concord I-2 (Heavy Industrial).
- The subject property was annexed into the City on June 30, 1992 and rezoned to I-2 (Heavy Industrial) at that time.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as I-1 (Light Industrial) is a corresponding zoning classification to the “Industrial Employment” Land Use Category. The subject property is located adjacent to established industrial and commercial uses as well as vacant lots. The proposed I-1 (Light Industrial) zoning will allow for less intense industrial uses on the property. This zoning would be compatible with the adjacent industrial zoning to the west and south, the commercial zoning to the north, and the residential village zoning to the northeast.
- 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 industrial uses. The proposed zoning will not increase the use intensity of the site, but will allow for continued operation of an industrial nature.

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.

Applicant Name, Address, Telephone Number and email address: _____
FORTUNE AVE LLC, 980-354-3762
markh@newbranchre.com

Owner Name, Address, Telephone Number: FORTUNE AVE LLC
805 TRADE ST. UNIT 102
CONCORD NC 28027

Project Location/Address: 4525 FORTUNE AVE. NW
P.I.N.: 56017469130000

Area of Subject Property (acres or square feet): 2.056 ACRES

Lot Width: 365' Lot Depth: 220'

Current Zoning Classification: I-2

Proposed Zoning Classification: I-1

Existing Land Use: VACANT

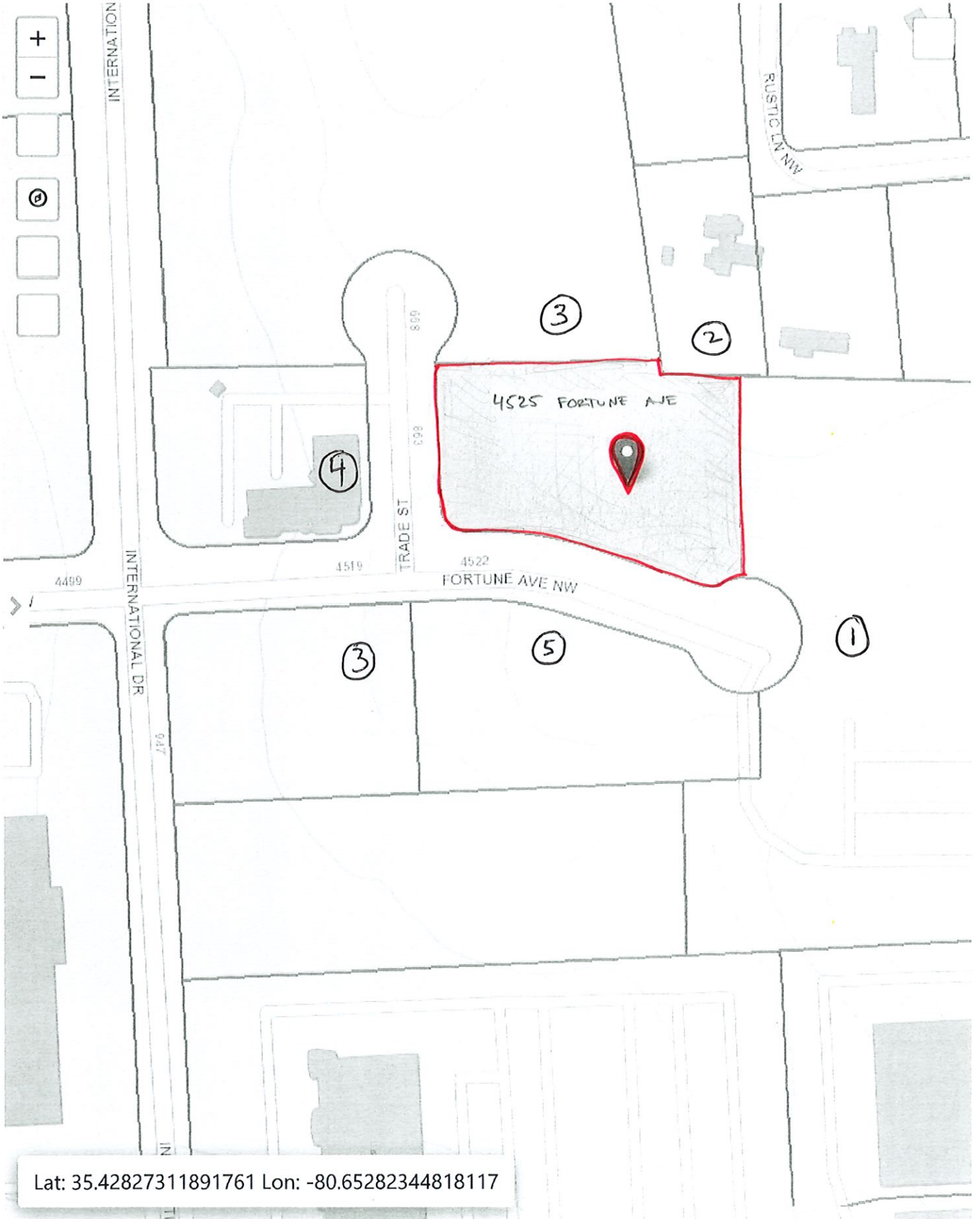
Future Land Use Designation: SPECULATIVE

Surrounding Land Use: North VACANT South VACANT
East OFFICE West MANUFACTURING

Reason for request: SPECULATIVE

Has a pre-application meeting been held with a staff member? DRC - 10/28/2021 11:AM

Staff member signature: [Signature] Date: 11/09/21

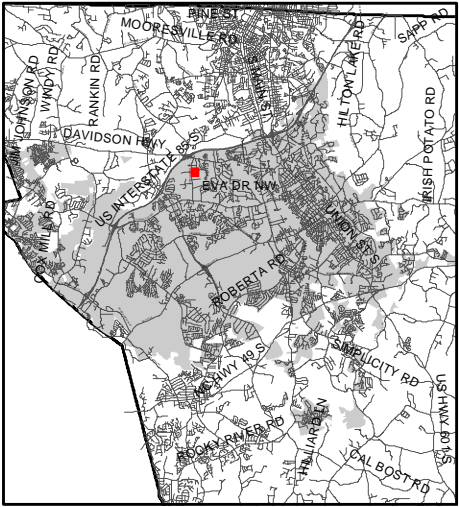




**Z-31-21
AERIAL**

**Application for
Zoning Map Amendment
I-2 (General Industrial) to
I-1 (Light Industrial)**

4525 Fortune Ave NW
PIN: 5601-74-6913



Source: City of Concord
Planning Department

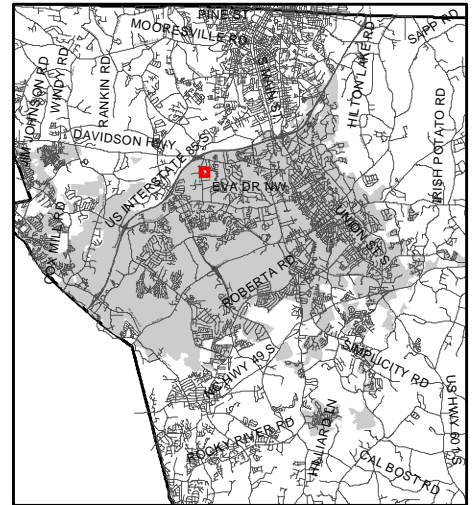
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Z-31-21 ZONING

Application for Zoning Map Amendment I-2 (General Industrial) to I-1 (Light Industrial)

4525 Fortune Ave NW
PIN:5601-74-6913



Source: City of Concord
Planning Department

Disclaimer

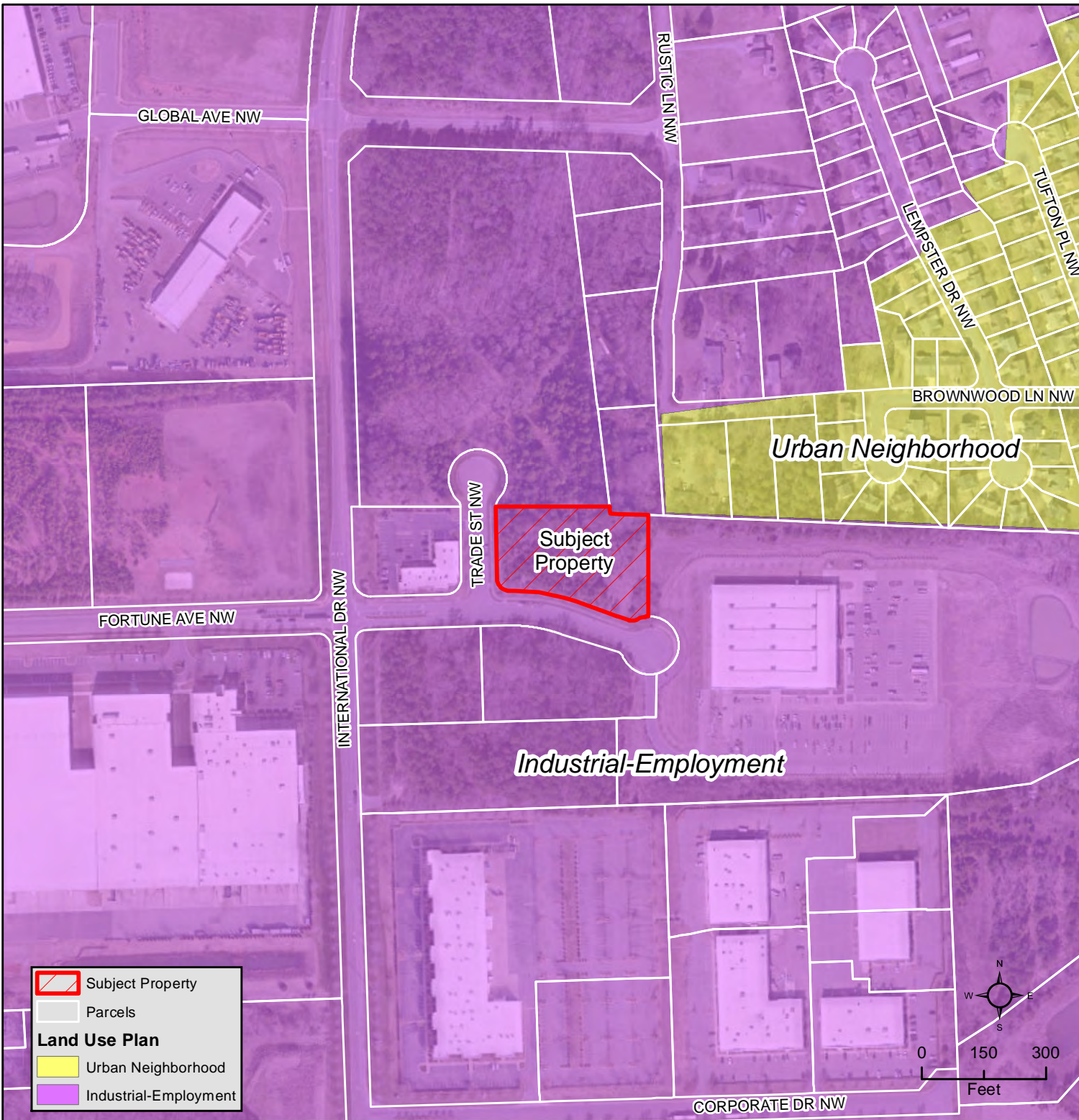
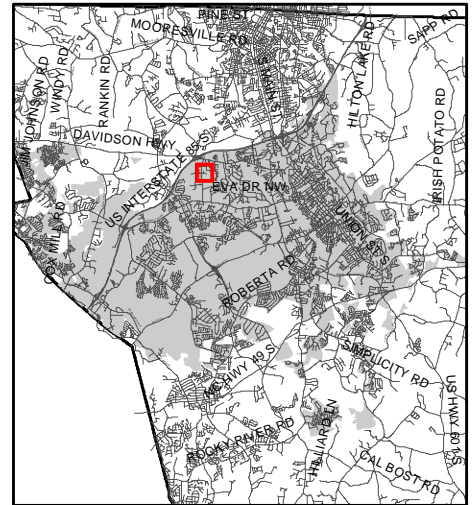
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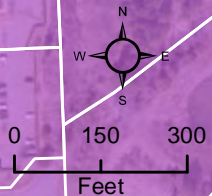
**Z-31-21
LAND USE PLAN**

**Application for
Zoning Map Amendment
I-2 (General Industrial) to
I-1 (Light Industrial)**

4525 Fortune Ave NW
PIN:5601-74-6913



	Subject Property
	Parcels
Land Use Plan	
	Urban Neighborhood
	Industrial-Employment



Source: City of Concord
Planning Department

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