

PLANNING & ZONING COMMISSION
Tuesday, August 16, 2022 at 6:00 PM - Meeting Agenda
City Hall Council Chambers - 35 Cabarrus Avenue West

- I. CALL TO ORDER - *Chair***
- II. CHANGES TO THE AGENDA**
- III. APPROVAL OF THE MINUTES - *Motion, second, and vote needed.***
- IV. OLD BUSINESS**
- V. NEW BUSINESS**

1. Z(CD)-03-22

Vamsheddar Devarishati has submitted a Zoning Map Amendment application for +/- 7.66 acres of property located at 4145 Davidson Highway from C-2 (General Commercial) to RC-CD (Residential Compact-Conditional District) in order to develop 117 apartments and 6,000 square feet of commercial. PINs 5601-86-5796, 5601-86-7863, 5601-86-8679, 5601-86-4853, and 5601-86-6204.

- i. Open Public Hearing by Motion- *Motion, second, and vote needed.*
- ii. Staff Presentation
- iii. Staff Recommendation
- iv. Applicant's/Proponents' Testimony
- v. Opponents' Testimony
- vi. Close Public Hearing by Motion- *Motion, second, and vote needed.*
- vii. Approve Statement of Consistency by Motion- *Motion, second, and vote needed.*
- viii. Recommendation on Zoning Amendment by Motion- *Motion, second, and vote needed.*

2. Z-12-22

Epworth United Methodist Church, Inc., has submitted a Zoning Map Amendment application for +/- 3.923 acres of property located at 1012 and 1030 Burrage Road NE from RM-1 (Residential Medium Density) and RC (Residential Compact) to O-I (Office-Institutional). PINs 5621-48-4363 and 5621-48-2146.

- i. Open Public Hearing by Motion- *Motion, second, and vote needed.*
- ii. Staff Presentation
- iii. Staff Recommendation
- iv. Applicant's/Proponents' Testimony
- v. Opponents' Testimony
- vi. Close Public Hearing by Motion- *Motion, second, and vote needed.*
- vii. Approve Statement of Consistency by Motion- *Motion, second, and vote needed.*
- viii. Approve/Deny Zoning Amendment by Motion - *Motion, second, and vote needed.*

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

1. TA-09-22 (Administrative)

Administrative Text Amendment to Concord Development Ordinance (CDO) Article 8 Supplemental Regulations for food trucks.

- a. Staff Presentation - *No action needed*
- b. Applicant/Other Testimony
- c. Statement of Consistency - *Motion, second, and vote needed.*
- d. Recommendation on Text Amendment - *Motion, second, and vote needed.*

VII. RECOGNITION OF PERSONS REQUESTING TO BE HEARD

VIII. MATTERS NOT ON THE AGENDA



DATE: August 16, 2022

REZONING CASE #: Z(CD)-03-22

ACCELA: CN-RZC-2022-00004

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

APPLICANT/OWNER: Vamsheedhar Devarishati/Joe M. Calloway

LOCATION: 4145 Davidson Hwy

PIN#s: 5601-86-5796, 5601-86-7834, 5601-86-8679, 5601-86-4583, and 5601-86-6204

AREA: +/- 7.66 acres

ZONING: C-2 (General Commercial)

PREPARED BY: George Daniels, Senior Planner

Background

The subject property consists of five (5) parcels, comprising approximately +/-7.66 acres located at 4145 Davidson Hwy (NC Hwy 73) and is about 1/3 of a mile east of Interstate 85 and exit 55. Three (3) of the parcels front Davidson Hwy and the remaining two (2) parcels are on Rural Dr NW. The properties along Davidson Hwy currently contain a single-family home and a small commercial garage building. The properties on Rural Dr NW contain 11 mobile homes.

History

The property was annexed into the City on June 30, 1992 as part of a larger involuntary annexation that also included Interstate 85 and an area northeast up to Interstate 85 and Central Dr and southeast along Irish Buffalo Creek to US Hwy 29. The subject properties were zoned B-3 (General Commercial) and converted to C-2 (General Commercial) with the adoption of the Unified Development Ordinance (UDO) in 2000.

Summary of Request

The applicant seeks a rezoning to RC-CD (Residential Compact-Conditional District) for the purpose of developing 117 apartments and 6,000 square feet of commercial space.

The RC (Residential Compact) zoning district allows commercial uses (limited to convenience retail, O-I, B-1, and C-1 uses, and restaurants) as an accessory to a multi-family development up to 5% of the gross floor area development. The proposed site plan meets this requirement with 120,000 total square feet for the project of which 6,000 square feet is shown as commercial space.

The subject property is +/- 7.66 acres, the site plan shows 117 units at 14.9 dwelling units per acre (du/a). The maximum density for the RC zoning district is 15 du/a. The required open space is 20% and the applicant is showing 1.39 acres (20%) of open space provided. The open space will consist of a club house and pool area and a mini park. There is also some passive open space and a picnic area along the east side of the site. Standards for density and open space have been met.

The site plan will be subject to City of Concord Multi-family regulations as set forth in CDO Article 7.8. Elevations have been provided for the multi-family buildings and single commercial building, and the elevations will follow development standards

In accordance with the CDO, all reviewing departments of the DRC (Development Review Committee) have reviewed the rezoning plan. However, the Transportation Department has stated that the provided Transportation Impact Analysis (TIA) identified a lack of capacity along the section of NC Hwy 73 between International Dr and Central Dr, and does not propose mitigations to address this inadequacy. Transportation has stated that a 1.0 volume/capacity ratio is the theoretical capacity of this section of NC Hwy 73. Currently there is a volume/capacity ratio of 1.73 and this project would increase to approximately 1.86.

To the north of the property across Davidson Hwy the zoning is MX-CC2 (Mixed Use) and the land is vacant. This parcel is pending a City Council decision on amending the zoning to I-1 (Light Industrial). To the east the zoning is PUD (Planned Unit Development) and the site of the Oak Park Townhomes which has 18 single-family attached dwellings. Also, to the east and to the south is the Oak Park single-family subdivision which is zoned RV (Residential Village). On the southwest side of the site across from Rural Dr NW there are two single family homes with RV (Residential Village) zoning. Directly adjacent to the site on the west the zoning is RC-CU (Residential Compact-Conditional Use) and this is the 20-unit Kenton Glen townhome development. Across the Rural Dr NW from Kenton Glen there is a C-2-CD (General Commercial – Conditional District) zoning area that was approved for a convenience store and retail office space, however this project was not developed. An application has recently been submitted for these properties to revise the conditional zoning.

Existing Zoning and Land Uses (Subject Parcels)					
Current Zoning of Subject Property	Zoning within 500 Feet		Land Uses(s) of Subject Property	Land Uses within 500 Feet	
C-2 (General Commercial)	North	MX-CC2 (Mixed Use)	Single-Family, commercial, Mobile Homes	North	Vacant
	South	RV (Residential Village)		South	Residential
	East	PUD (Planned Unit Development) & RV (Residential Village)		East	Residential
	West	RV (Residential Village) & C-2-CD (General Commercial – Conditional District)		West	Residential

Compliance with 2030 Land Use Plan

The 2030 Land Use Plan (LUP) designates the subject property as “Industrial Employment” for which RC (Residential Compact) is not listed as a corresponding zoning district. Rezoning to RC-CD (Residential Compact – Conditional District) will therefore also require a Land Use Plan Amendment to be approved by City Council. The land use recommendation by staff is “Urban Neighborhood” as this would be compatible with the surrounding land use.

Industrial Employment Land Use Category Details

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.

Urban Neighborhoods Land Use Category Details

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 a 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.

Suggested Statement of Consistency

- The subject property is approximately +/- 7.66 acres and is currently zoned C-2 (General Commercial).
- The subject property was annexed on June 30, 1992, and is currently occupied by a single-family home, a garage building and 11 mobile homes
- The proposed zoning amendment is not consistent with the City of Concord's 2030 Land Use Plan; however, the property is adjacent to areas developing as single-family attached and single-family detached. The proposed development would be consistent with the City of Concord's Urban Neighborhood designation as RC (Residential Compact) and conditional district variations are considered corresponding zoning classifications to the Urban Neighborhood Land Use Category. The proposed zoning is comparable to existing and proposed surrounding land uses.
- The zoning amendment is reasonable and in the public interest as it would add an additional housing type to the area, along with limited retail. Multi-family housing is not currently found within the general vicinity and thus the proposal would increase housing type options.

OR

- The zoning amendment is not reasonable and not in the public interest due to the existing and proposed vehicular capacity along Davidson Hwy (NC Hwy 73) between International Dr and Central Dr. Furthermore, the proposed site plan demonstrates maximum allowable density with minimum required open space.

Suggested Recommendation and Conditions

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

If approval is desired, staff recommends the following conditions agreed upon by the applicant:

1. Compliance with Sheets RZ-1.0 and RZ-2.0 of the "Zoning Plan Amendment" with revision date of 6/17/22.
2. The subject plan is not designed to construction drawing standards and therefore, any intended or perceived deviation from technical standards of the plan shall not constitute approval to deviate from, or negate, technical standards within the

Concord Development Ordinance, Technical Standards Manual, or any other regulatory document.

3. No more than 117 multi-family units shall be developed.
4. The commercial uses are limited to convenience retail, O-I, B-1, and C-1 uses, and restaurants as an accessory to the multi-family development up to 5% of the gross floor area development.
5. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies
6. To accommodate the Fire Department aerial apparatus requirement, a building yard width reduction to 6 feet is allowed where it is necessary to remain below the 30-foot maximum distance between building edge and parking spot ends. Remaining landscaping not practical to be placed in reduced building yards to be relocated to common open space or perimeter buffers.
7. NCDOT required improvements or site plan revisions shall not reduce the minimum width or planting densities of required landscape, except as stated for the building yards in item #6.
8. City of Concord Transportation Department approval on the condition that Concord City Council approves the traffic impacts which have been shown in the TIA.

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. 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.
4. Money Received by Kirsten Boyd Sullivan Date: 01/31/22
Check # 1134 Amount: \$ 800.00 (Conditional) or \$600 (Conventional)
Cash: _____

The application fee is nonrefundable.

(Please type or print)

Applicant Name, Address, Telephone Number and email address: _____



Vamsheedhar Devarishati , 712 Copper Tree LN Waxhaw NC 28173 , 7047064851
vdevarishati@gmail.com

Owner Name, Address, Telephone Number: _____
Joe M. Calloway 4145 & 4121 & 4137 Davidson Highway, Concord NC

Project Location/Address: _____

P.I.N.: 5601-86-5796, 5601-86-78634, 5601-86-8679, 5601-86-4853, and 5601-86-6204

Area of Subject Property (acres or square feet): 7.66 AC

Lot Width: _____ Lot Depth: _____

Current Zoning Classification: C-2

Proposed Zoning Classification: RC-CD

Existing Land Use: Industrial Employment

Future Land Use Designation: Mixed use land Use Amendment

Surrounding Land Use: North _____ South _____

East _____ West _____

Reason for request: Mixed use development - 114 Apartments with 10,101 SF retail

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:

Mixed use - 114 Multifamily Apartments with 10,101 SF retail

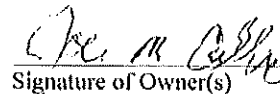
2. List the Condition(s) you are offering as part of this project. Be specific with each description.
 (You may attach other sheets of paper as needed to supplement the information):

Units : 114

Retail : 10,101 SF

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.

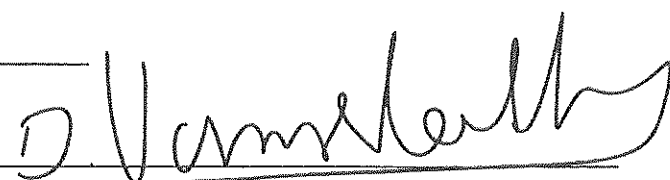
 1-25-2022
 Signature of Applicant Date

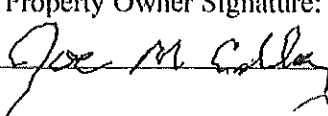
 1-25-2022
 Signature of Owner(s) Date

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: 1-25-2022

Applicant Signature: 

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
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 _____ ___ 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.

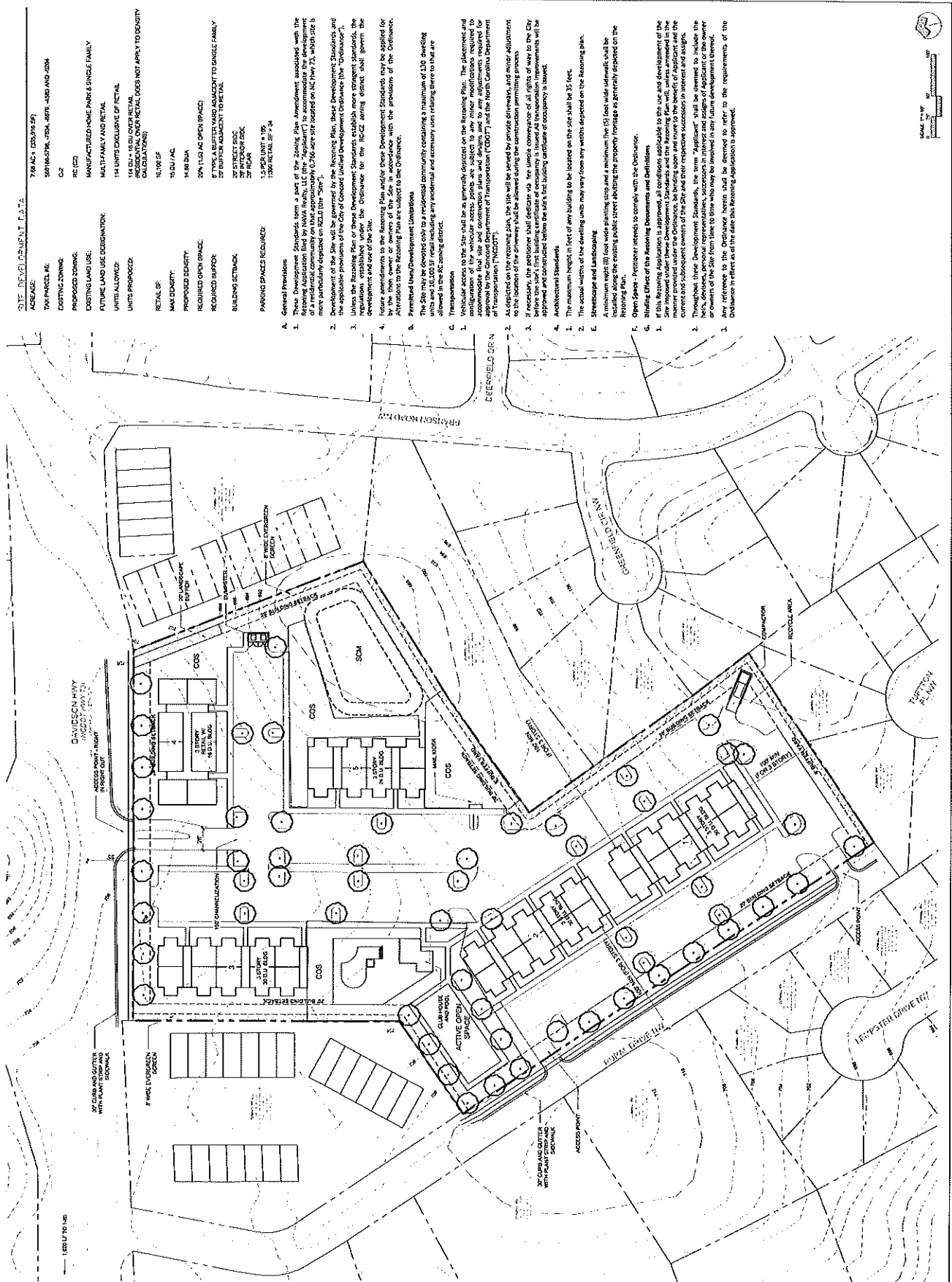
In the course of evaluating the application, the Administrator, Planning and Zoning Commission or City Council may request additional information from the petitioner. This information may include the following:

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.

NO.	DATE	DESCRIPTION	BY
1	08/14/18	PRELIMINARY	DAVIDSON
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1800 P 70 140

THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

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

Because of RC zoning restriction we
 are reducing the commercial square foot.
 Based on the new calculation we are going
 with 6500-6700 square foot of commercial.

2. List the Condition(s) you are offering as part of this project. Be specific with each description.

(You may attach other sheets of paper as needed to supplement the information):

I make this request for Conditional district zoning voluntarily. The uses and conditions described above are offered of my own free will. I understand and acknowledge that if the property in question is rezoned as requested to a Conditional District the property will be perpetually bound to the use(s) specifically authorized and subject to such conditions as are imposed, unless subsequently amended as provided under the City of Concord Development Ordinance (CDO). All affected property owners (or agents) must sign the application.

D. Varnaldehy 4/26/2022
 Signature of Applicant Date

 Signature of Owner(s) Date

Certification

I hereby acknowledge and say that the information contained herein and herewith is true, and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department.

Date: 4/26/2022

Applicant Signature: D. Vameler

Property Owner or Agent of the Property Owner Signature:

Processed By Monterai Adams 4/26/22

CONDITION OF APPROVAL: NCDOT required improvements or site plan revisions shall not reduce the minimum width or planting densities of required landscape.

SITE DEVELOPMENT DATA

ACREAGE:	7.85 AC ± (342,251 SF) TOTAL
TAX PARCEL #S:	560186-5796, -7634, -8679, -4583 AND -6204
EXISTING ZONING:	C-2
PROPOSED ZONING:	RC (CD)
EXISTING LAND USE:	MANUFACTURED HOME PARK & SINGLE FAMILY
FUTURE LAND USE DESIGNATION:	MULTI-FAMILY AND RETAIL
UNITS ALLOWED:	117 UNITS
UNITS PROPOSED:	117 UNITS
MAX DENSITY:	15 DWELLING UNITS PER ACRE (DUA)
PROPOSED DENSITY:	14.90 DUA
REQUIRED OPEN SPACE:	20% (1.39 AC OPEN SPACE) 1.39 AC PROVIDED (60,618 SF)
REQUIRED BUFFER:	8' TYPE A BUFFER YARD ADJACENT TO SINGLE FAMILY (RC) 20' TYPE C BUFFER ADJACENT TO RETAIL (C-2)
BUILDING SETBACK:	20' STREET SIDE 20' INTERIOR SIDE 20' REAR
BUILDING DATA	
BUILDING HEIGHT:	35' MAXIMUM - 3 STORY MAX
BUILDING SEPARATION:	25' MIN
BUILDING TYPE:	VB
BUILDING FLOOR AREA:	#1: 30,660 SF +/- #2: 30,660 SF +/- #3: 30,660 SF +/- #4: 6000 SF (5% MAX RESIDENTIAL BLDG FLOOR AREA) #5: 28,020 SF +/-
TOTAL FLOOR AREA:	120,000 SF x 0.05 = 6000 SF RETAIL
PARKING SPACES REQUIRED:	1.5 PER UNIT = 195 1:300 RETAIL SF = 20
PARKING SPACES PROVIDED:	263 SPACES
IMPERVIOUS AREAS	
BUILDINGS:	201,716 SF +/- TOTAL
ASPHALT:	49,020 SF +/-
SIDEWALK:	124,090 SF +/-
AMENITY:	12,806 SF +/-
	16,000 SF +/-

A. General Provisions

- These Development Standards form a part of the Zoning Plan Amendment associated with the Rezoning Application filed by NAVA Realty, LLC (the "Applicant") to accommodate the development of a residential community on that approximately 7.85 acre site located on NC Hwy 73, which site is more particularly depicted on RZ1.0 (the "Site").
- Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Concord Unified Development Ordinance (the "Ordinance").
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the RC zoning district shall govern the development and use of the Site.
- Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of the Ordinance. Alterations to the Rezoning Plan are subject to the Ordinance.

B. Permitted Uses/Development Limitations

The Site may be devoted only to a residential community containing a maximum of 117 dwelling units and 6500 SF retail including any incidental and accessory uses relating there to that are allowed in the RC zoning district.

C. Transportation

- Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Concord Department of Transportation ("CDOT") and the North Carolina Department of Transportation ("NCDOT").
- As depicted on the rezoning plan, the site will be served by private driveways, and minor adjustment to the location of the driveway shall be allowed during the construction permitting process
- If necessary, the petitioner shall dedicate via fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued. All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued.

D. Architectural Standards

- The maximum height in feet of any building to be located on the site shall be 35 feet.
- The actual widths of the dwelling units may vary from any widths depicted on the Rezoning plan.

E. Streetscape and Landscaping

- A minimum eight (8) foot wide planting strip and a minimum five (5) foot wide sidewalk shall be installed along the existing public streets (Rural Drive and Hwy 73) abutting the property frontage as generally depicted on the Rezoning Plan.
- In areas where 26' wide aerial access lanes are required by Concord Fire, the Developer shall be permitted to reduce the building yard to 6' wide provided the same number of plants normally required per the UDO will be provided elsewhere on the site.

F. Open Space - Petitioner intends to comply with the Ordinance. Open space shall be improved with landscaping and seating.

G. Binding Effect of the Rezoning Documents and Definitions

- If this Rezoning Application is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Applicant and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- Throughout these Development Standards, the term "Applicant" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Applicant or the owner or owners of the Site from time to time who may be involved in any future development thereof.
- Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Application is approved.



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urban design · landscape architecture
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704.332.1204 · www.dprassociates.net
NC Firm License # C-0560

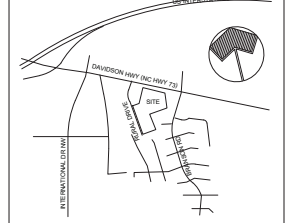
CLIENT / OWNER
DAVIDSON MEADOWS
712 COPPERTREE LANE
WAXHAW, NC 28173
704-706-4851

DAVIDSON MEADOWS

DAVIDSON MEADOWS

DAVIDSON MEADOWS

KEY MAP



PROJECT

DAVIDSON MEADOWS

4145 DAVIDSON HIGHWAY
CONCORD, NC 28027

PROJECT NUMBER
21061

DATE
04-25-22

ISSUED FOR

REVISIONS

NO.	DATE	DESCRIPTION	BY
5-25-22		PER CITY COMMENTS	DBS
6-17-22		RETAIL FOOTPRINT	DBS

PROJ. MANAGER: B.S.
DRAWN BY: KTD
CHECKED BY: B.S.

SEAL

SCALE: 1" = 50'

DRAWING

ZONING PLAN AMENDMENT

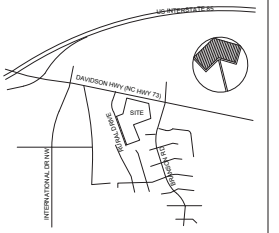
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ORIGINAL SHEET SIZE: 24" X 36"

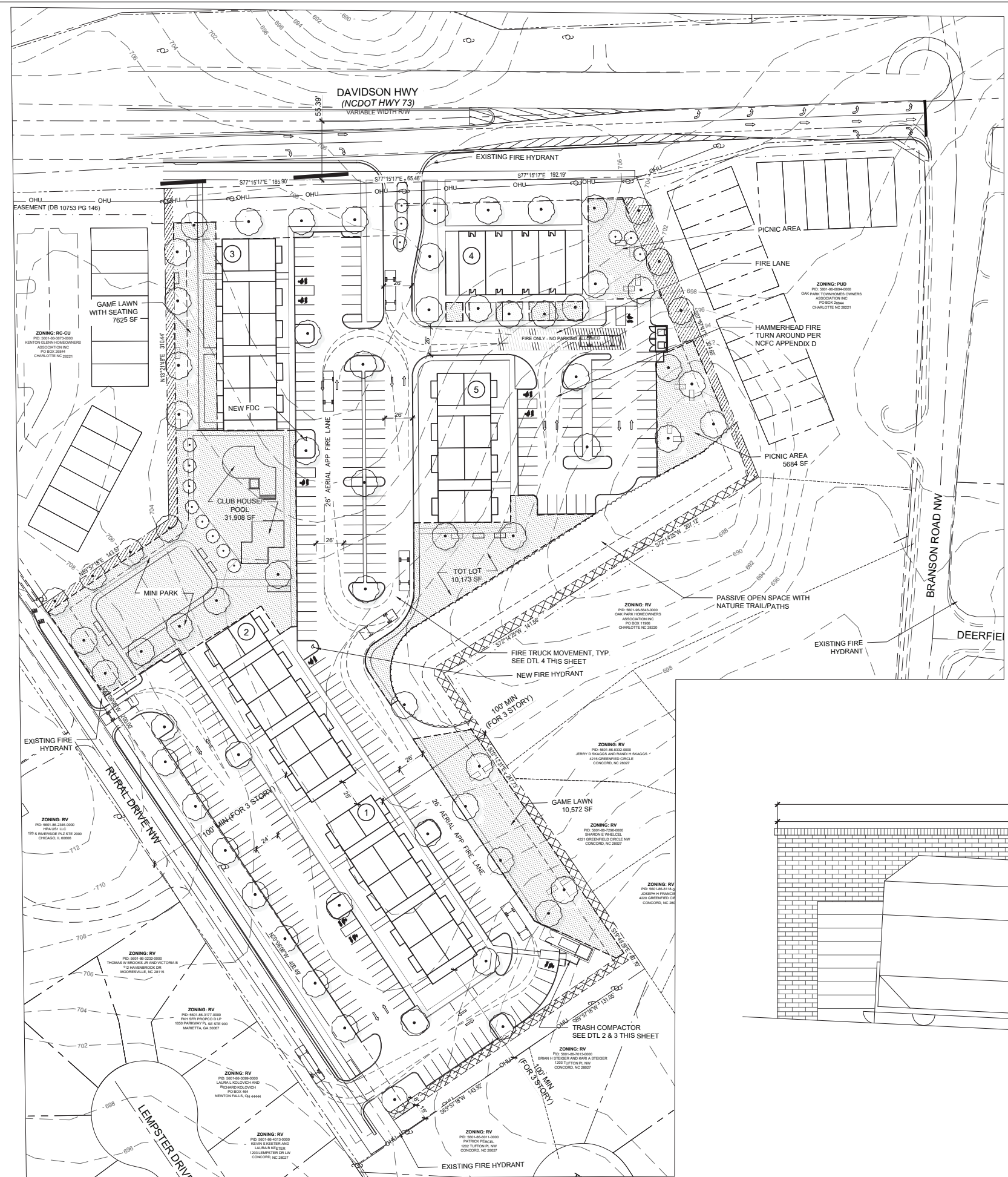
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The stormwater discharge from the SCM appears to be in a depression, based on the supplied topography on the site plan. If the site plan is approved, the owner/developer will be required to facilitate conveyance of the storm discharge as to not negatively impact the neighboring properties.

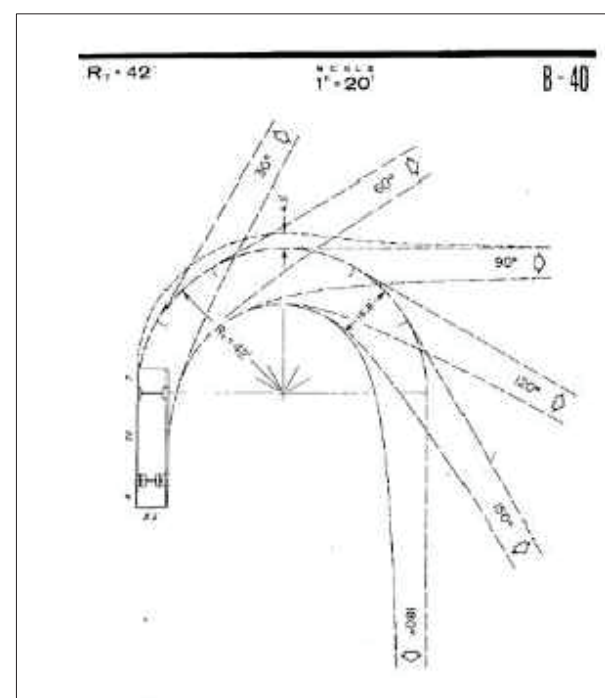
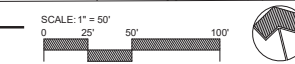




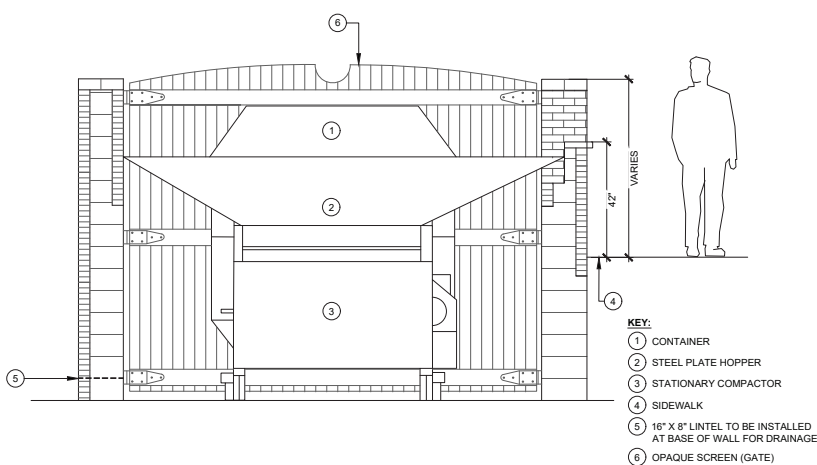
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5-25-22		PER CITY COMMENTS	DBS
6-17-22		RETAIL FOOTPRINT	DBS



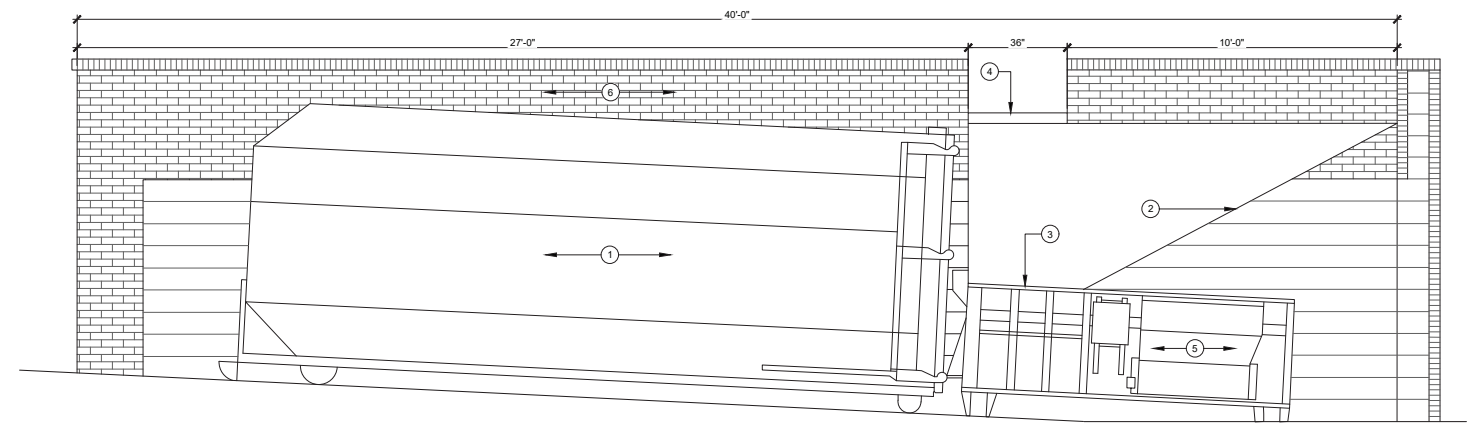
1 OPEN SPACE PLAN AND FIRE LADDER TRUCK MOVEMENT
NTS



4 B-40 FIRE LADDER TRUCK MOVEMENT
NTS



3 TYPICAL COMPACTOR SECTION
NTS



2 TYPICAL COMPACTOR - SIDE ELEVATION
ELEVATION

- NOTES:**
- STEEL PLATE HOPPER TO BE CONSTRUCTED AND ATTACHED SO THAT IT REMAINS ON SITE DURING TRASH REMOVAL.
 - DO NOT ATTACH HOPPER DIRECTLY TO MASONRY WALL.
 - HOPPER HEIGHT TO BE A MIN. OF 54" (4' - 6") ABOVE BASE GRADE.
 - SEE CIVIL DWGS FOR STORM DRAINAGE (OR SANITARY CONNECTION) AS REQUIRED BY LOCAL CODES.
 - SEE CIVIL ENGINEER DWGS FOR CONNECTION OR FREEZE PROOF YARD HYDRANT.
 - ALL EQUIPMENT SHALL BE SINGLE PHASE ELECTRIC, TO BE COORDINATED WITH MFR AND ELECTRICAL CONTRACTOR.
 - STATIONARY COMPACTOR TO BE RJ-225 ON SITE COMPACTOR BY MARATHON EQUIPMENT CO.
 - CONTAINER TO BE RJ-40 OCVL ROLL-OFF OCTAGON.
 - COMPACTOR CONTAINER BY MARATHON EQUIPMENT CO.
- KEY:**
- CONTAINER
 - STEEL PLATE HOPPER
 - OPENING, HOPPER OPENING TO BE COORDINATED WITH STATIONARY COMPACTOR OPENING
 - 42" HIGH OPENING AT SIDEWALK CONNECTION
 - STATIONARY TRASH COMPACTOR
 - MASONRY VENEER, SPLIT FACE CMU OR BRICK TO MATCH BUILDING(S)

Plotted: C:\DPR_Dropbox\Projects\Active\2021\21061 Davidson Apartments-Navo Reilly-Concord\CAD\SHEETS\SITE\REZONING PLAN\21061-BASE MANUAL.dwg / 6/17/2022 4:55 PM
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DAVIDSON APARTMENTS
Concord, NC

3-24-22



DAVIDSON APARTMENTS

CONCORD, NC

5-23-22





DAVIDSON APARTMENTS
CONCORD, NC
5-23-22





DAVIDSON APARTMENTS

CONCORD, NC

5-23-22





+/-34'-4"

+/-145'

DAVIDSON APARTMENTS
CONCORD, NC
5-23-22





DAVIDSON APARTMENTS
CONCORD, NC
5-23-22





DAVIDSON APARTMENTS
CONCORD, NC
5-23-22



DAVIDSON APARTMENTS
CONCORD, NC
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CONCORD, NC
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DAVIDSON APARTMENTS

CONCORD, NC

5-23-22





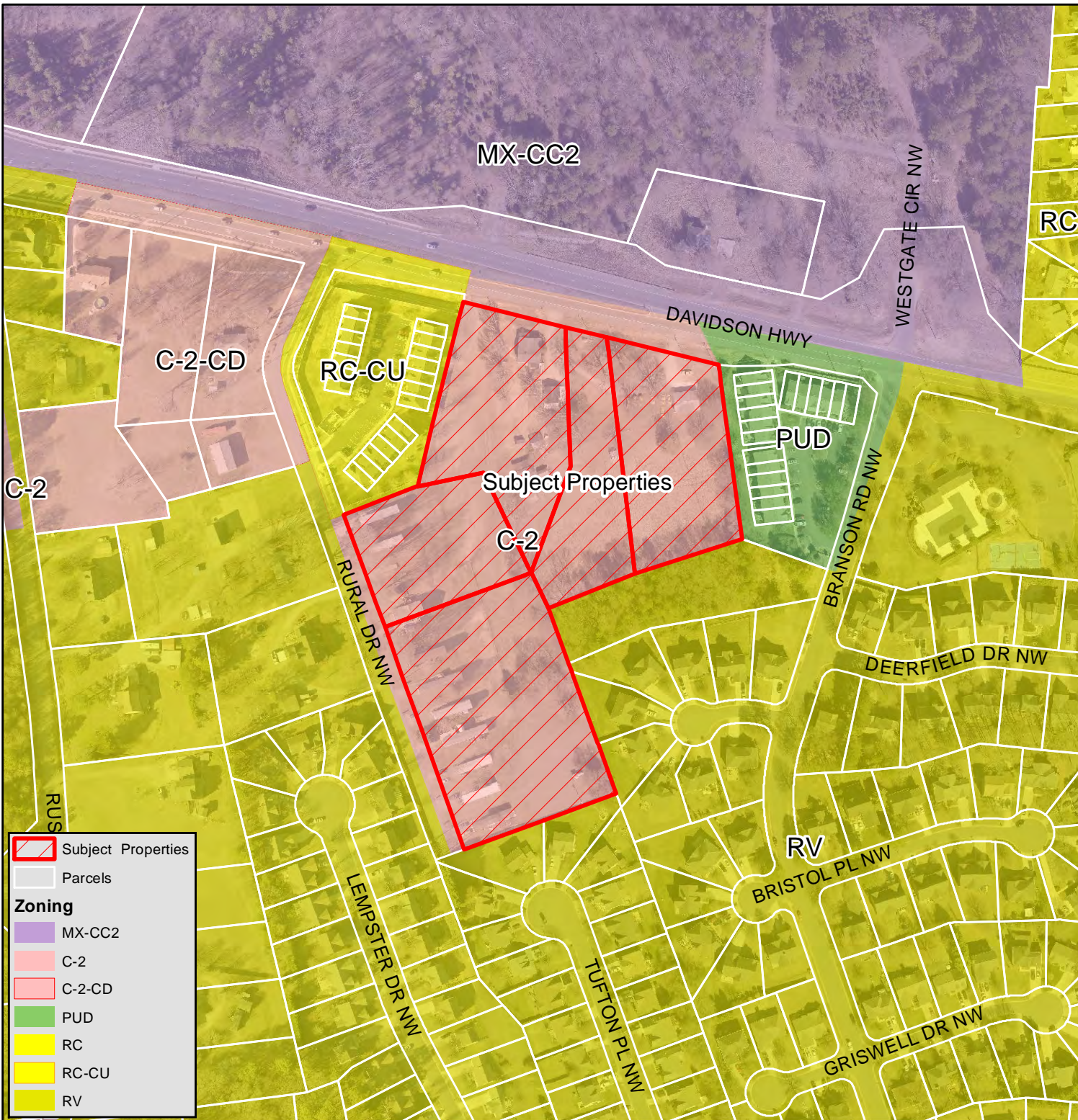
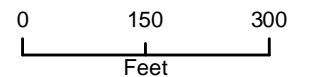
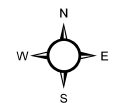
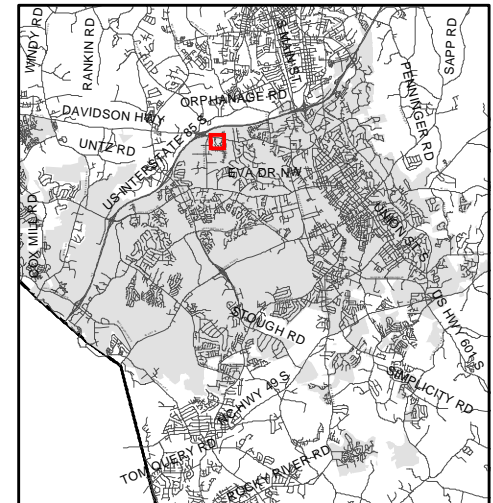
DAVIDSON APARTMENTS
CONCORD, NC
5-23-22



Z(CD)-03-22 ZONING

**Rezoning application
C-2 (General Commercial) to
RC-CD (Residential Compact
- Conditional District)**

4145 Davidson Hwy
PINs: 5601-86-5796, 5601-86-7834,
5601-86-8679, 5601-86-4583, 5601-86-6204

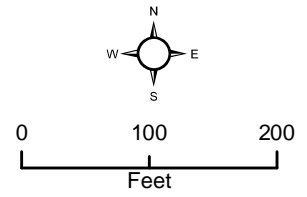
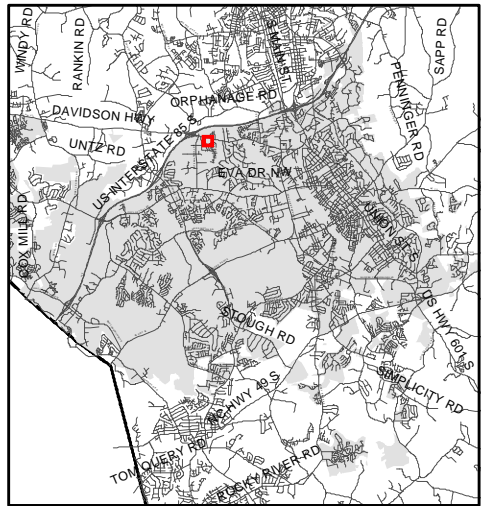




**Z(CD)-03-22
AERIAL**

**Rezoning application
C-2 (General Commercial) to
RC-CD (Residential Compact
- Conditional District)**

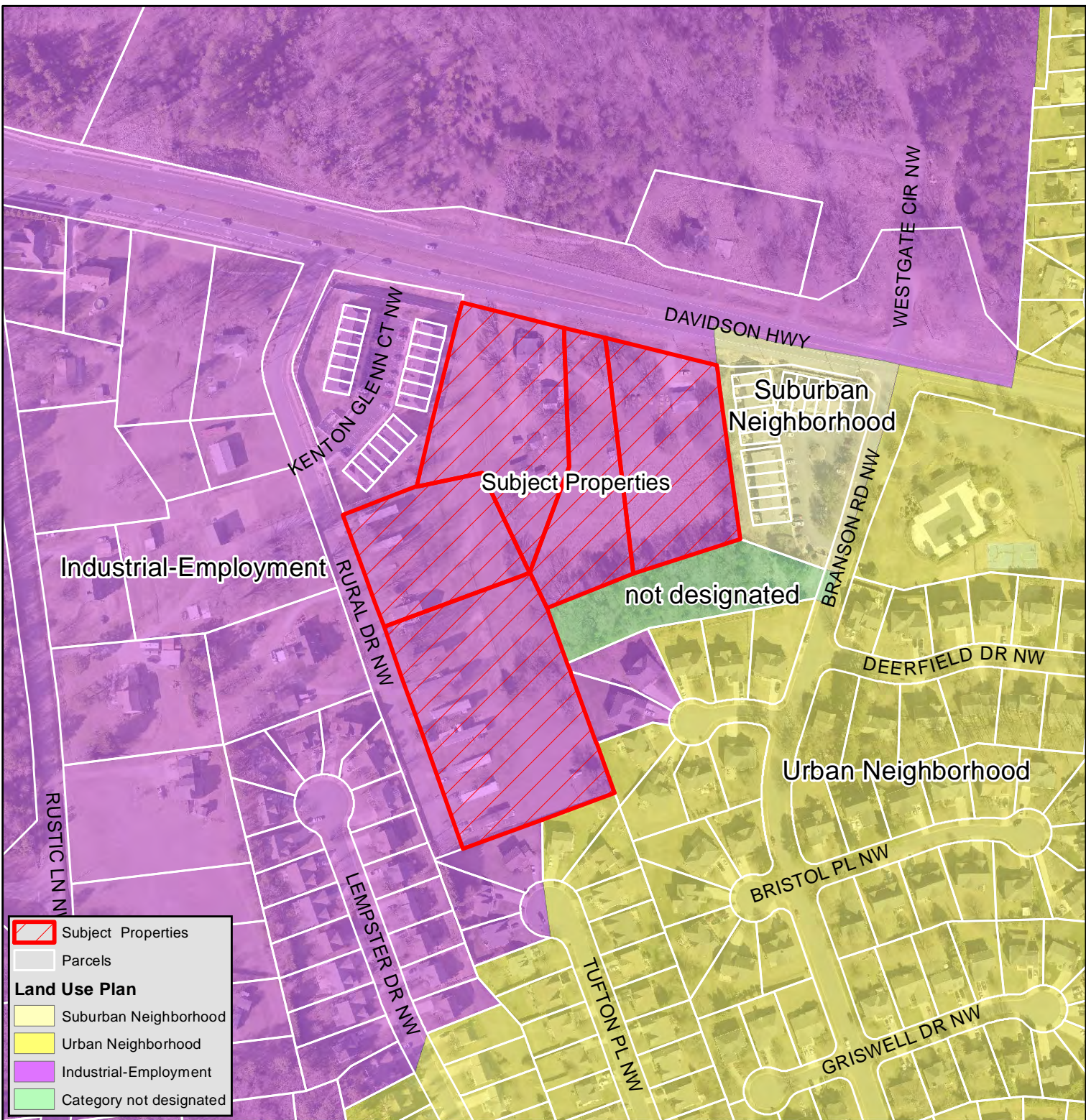
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PINs: 5601-86-5796, 5601-86-7834,
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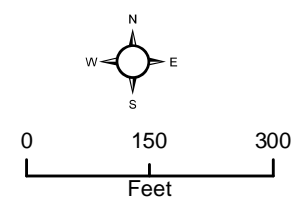
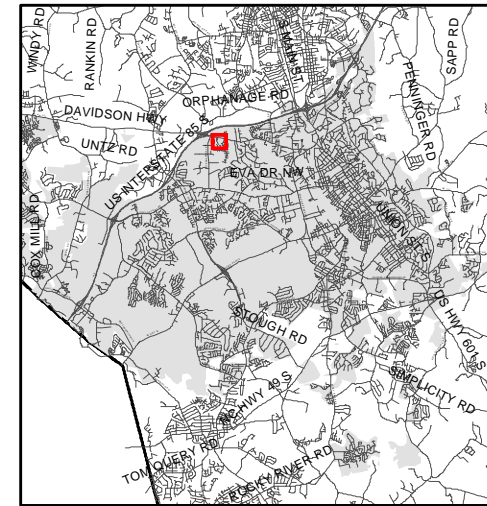
**Z(CD)-03-22
LAND USE PLAN**

**Rezoning application
C-2 (General Commercial) to
RC-CD (Residential Compact
- Conditional District)**

4145 Davidson Hwy
PINs: 5601-86-5796, 5601-86-7834,
5601-86-8679, 5601-86-4583, 5601-86-6204



	Subject Properties
	Parcels
Land Use Plan	
	Suburban Neighborhood
	Urban Neighborhood
	Industrial-Employment
	Category not designated





DATE: August 16, 2022

REZONING CASE #: Z-12-22

ACCELA: CN-RZZ-2022-00007

DESCRIPTION: Zoning Map Amendment
RM-1 (Residential Medium Density) and RC (Residential Compact) to O-I (Office-Institutional)

APPLICANT/OWNER: Epworth United Methodist Church, Inc.

LOCATION: 1012 and 1030 Burrage Road NE

PINs: 5621-48-4363 and 5621-48-2146

AREA: +/- 3.923 acres

ZONING: 1012 Burrage Road NE - RM-1 (Residential Medium Density)
1030 Burrage Road NE - RC (Residential Compact)

PREPARED BY: Brad Lagano, Senior Planner

BACKGROUND

The first subject property at 1012 Burrage Road NE is approximately 1.288 acres with a residential structure. The second subject property at 1030 Burrage Road NE is approximately 2.635 acres and is where Epworth United Methodist Church is located. The two parcels combined are approximately 3.923 acres.

HISTORY

The subject properties were annexed into the City between 1968 and 1981 and rezoned to RM-1 (Residential Medium Density) and RC (Residential Compact) at that time.

SUMMARY OF REQUEST

The applicant is requesting to rezone the subject properties from RM-1 (Residential Medium Density) and RC (Residential Compact) to O-I (Office-Institutional) to make the zoning classification more appropriate for the current and future church uses. The properties to the north are zoned RC (Residential Compact). One is wooded and vacant and the other consists of residential condominiums. Properties to the east and south are zoned RM-1 (Residential Medium Density) and consist of single-family residential structures. Properties to the west are zoned C-1 (Light Commercial and Office) and primarily consist of medical offices.

This request is for the traditional base zoning of O-I (Office-Institutional) and not a conditional district, therefore all permitted uses with the O-I (Office-Institutional) zoning classification would be allowed on the property.

Existing Zoning and Land Uses (Subject Parcel)					
Current Zoning of Subject Property	Zoning Within 500 Feet		Land Uses(s) of Subject Property	Land Uses within 500 Feet	
RM-1 (Residential Medium Density) and RC (Residential Compact)	North	RC (Residential Compact)	Vacant	North	Vacant
	South	RM-1 (Residential Medium Density)		South	Single-Family Residential
	East	RM-1 (Residential Medium Density)		East	Single-Family Residential
	West	C-1 (Light Commercial and Office)		West	Medical Offices

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as MUAC (Mixed-Use Activity Centers) for which O-I (Office-Institutional) is listed as an applicable zoning district. Rezoning this property to O-I (Office-Institutional) will therefore not require a LUP Amendment.

The applicable zoning districts for the MUAC (Mixed-Use Activity Centers) future land use category are widespread and include:

- RV (Residential Village)
- RC (Residential Compact)
- O-I (Office-Institutional)
- CC (Center City)
- TND (Traditional Neighborhood Development)
- MXD (Mixed Use District)
- PRD (Planned Residential Development).
- C-1 (Light Commercial and Office)
- C-2 (General Commercial)
- PUD (Planned Unit)
- I-1 (Light Industrial)

From the 2030 Land Use Plan – Mixed Use Activity Centers (MUAC)

The intent of the Mixed-Use Activity Center (MUAC) Future Land Use category is to identify areas that serve broader economic, entertainment, and community activities as compared to mixed-use neighborhoods. Uses and buildings are located on small blocks with street designed to encourage pedestrian activities. Buildings in the core of the mixed-use center may stand three or more stories. Residential units or office space may be found above storefronts. Parking is satisfied by using on-

street parking, structured parking, and shared rear lot parking strategies. Structured parking should be encouraged to be incorporated into the principal structure.

A large-scale mixed-use activity center may be surrounded by one or more neighborhoods that encourage active living with a comprehensive and interconnected network of walkable streets.

Areas designated as Mixed-Use Activity Centers Future Land Use category are large geographic areas located at key intersections of major transportation corridors, that have high growth potential, where the infrastructure can support denser development. Mixed-Use Activity Centers are located along major corridors where transit facilities are currently planned or envisioned in the future. Mixed-Use Activity Centers may not necessarily be constructed as a single development at one time. The very nature of these areas allows them to be approved in phases and to evolve over time into an area made up of a mix of land uses, usually centered on some type of public transit facility, which affords people the opportunity to live, work, shop, and, in some cases, have immediate access to recreation facilities in one general area. It is also the goal of these districts to reduce vehicle trips by making them single destination points for multiple consumer needs.

The intent of the Mixed-Use Activity Center designation is to encourage the development of a mixture of complimentary uses that will function as an integrated center allowing for pedestrian connections between developments and uses. Each of the eleven proposed Mixed-Use Activity Center locations identified on the Land Use Plan have different characteristics and will develop uniquely. The size of these areas is relatively large, with the intent that mixed-use development should occur within a one-half mile radius of a transit stop (an estimated ten-minute walking distance). Due to the fact that each area designated as a MUAC, applying one development solution to each is not practical. The key is to coordinate development of each parcel within the context of the larger district. Coordinating connectivity and planning for future uses will be critical in this process.

Goal 1: Maintain a sustainable balance of residential, commercial, and industrial land uses.

Objective 1.5: Foster an attractive and functional mix of living, working, shopping, and recreational uses within Mixed-Use Activity Centers and Village Centers.

Policy Guidance:

- *Mixed-Use Zoning: Ensure that applicable zoning districts and development regulations facilitate development of a mix of compatibility integrated residential and non-residential uses within each Mixed-Use Activity Center and Village Center.*
- *Land Use Transition: Encourage land use transitions and development that foster physical continuity.*

SUGGESTED STATEMENT OF CONSISTENCY

- The subject properties are approximately +/- 3.923 acres and are zoned RM-1 (Residential Medium Density) and RC (Residential Compact).
- The subject properties were annexed into the City between 1968 and 1981 and rezoned to RM-1 (Residential Medium Density) and RC (Residential Compact) at that time.

- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as O-I (Office-Institutional) is an applicable zoning classification to the Mixed-Use Activity Center (MUAC) Future Land Use Category. This zoning would be compatible with the adjacent RM-1 (Residential Medium Density), RC (Residential Compact), and C-1 (Light Commercial and Office) zoning districts. It would also meet Objective 1.5 by “*fostering an attractive and functional mix of living, working, shopping, and recreational uses within Mixed-Use Activity Centers and Village Centers*” as well as support the corresponding policy guidance: “*Mixed-Use Zoning: Ensure that applicable zoning districts and development regulations facilitate development of a mix of compatibility integrated residential and non-residential uses within each Mixed-Use Activity Center and Village Center.*”
- The zoning amendment is reasonable and in the public interest as it is consistent with the adjacent zoning districts as well as existing commercial uses in close proximity to the subject properties.

SUGGESTED RECOMMENDATION AND CONDITIONS

Staff finds the request is consistent with the 2030 Land Use Plan and staff has no objections to the petition. No conditions may be applied as the request is not for a conditional district.

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.

ATTACHMENTS

- A. Zoning Map Amendment Application
- B. Aerial View Map
- C. Zoning Map
- D. Land Use Plan Map



NORTH CAROLINA

High Performance Living



Application for
Zoning Map Amendment

Applicant Name, Address, Telephone Number and email address: _____

EPWORTH UNITED METHODIST CHURCH - 1030 BURRAGE RD NE -
CONCORD, NC 28025 - (704) 786-6183 - epworthsecretary@epworthnc.com

Owner Name, Address, Telephone Number: _____

SAME AS ABOVE

Project Location/Address: 1012 BURRAGE RD NE, CONCORD AND 1030 BURRAGE RD NE, CONCORD

P.I.N.: 5621-48-2146 + 5621-48-4363

Area of Subject Property (acres or square feet): +/- 3.923

Lot Width: +/- 546 ft Lot Depth: +/- 328 ft

Current Zoning Classification: RC ←

Please note: 1012 Burrage Rd is zoned RM-1 while 1030 Burrage Rd is zoned RC.

Proposed Zoning Classification: O-1

Existing Land Use: Church

Future Land Use Designation: MUAC

Surrounding Land Use: North RC South RC RM-1

East RC RM-1 West C-1

Reason for request: CHANGE ZONING FROM RESIDENTIAL TO COMMERCIAL
SO THAT ZONING IS APPROPRIATE FOR THE PROPERTIES AND USE THEREOF,

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

Staff member signature: [Signature]

Date: 6/11/22

Certification

I hereby acknowledge and say that the information contained herein and herewith is true, and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department.

Date: 6/13/2012

Applicant Signature: *[Signature]*

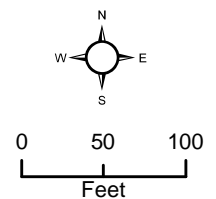
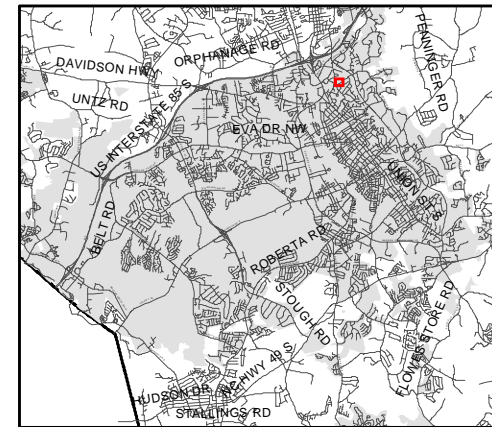
Property Owner or Agent of the Property Owner Signature:

Kathy Taylor Chair of Board of Trustees

**Z-12-22
AERIAL**

**Rezoning application from
RM-1 (Residential Medium
Density) & RC (Residential
Compact) to
O-I (Office-Institutional)**

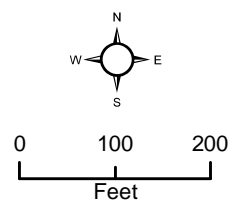
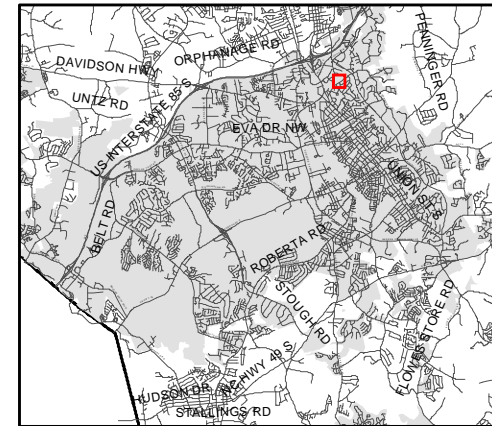
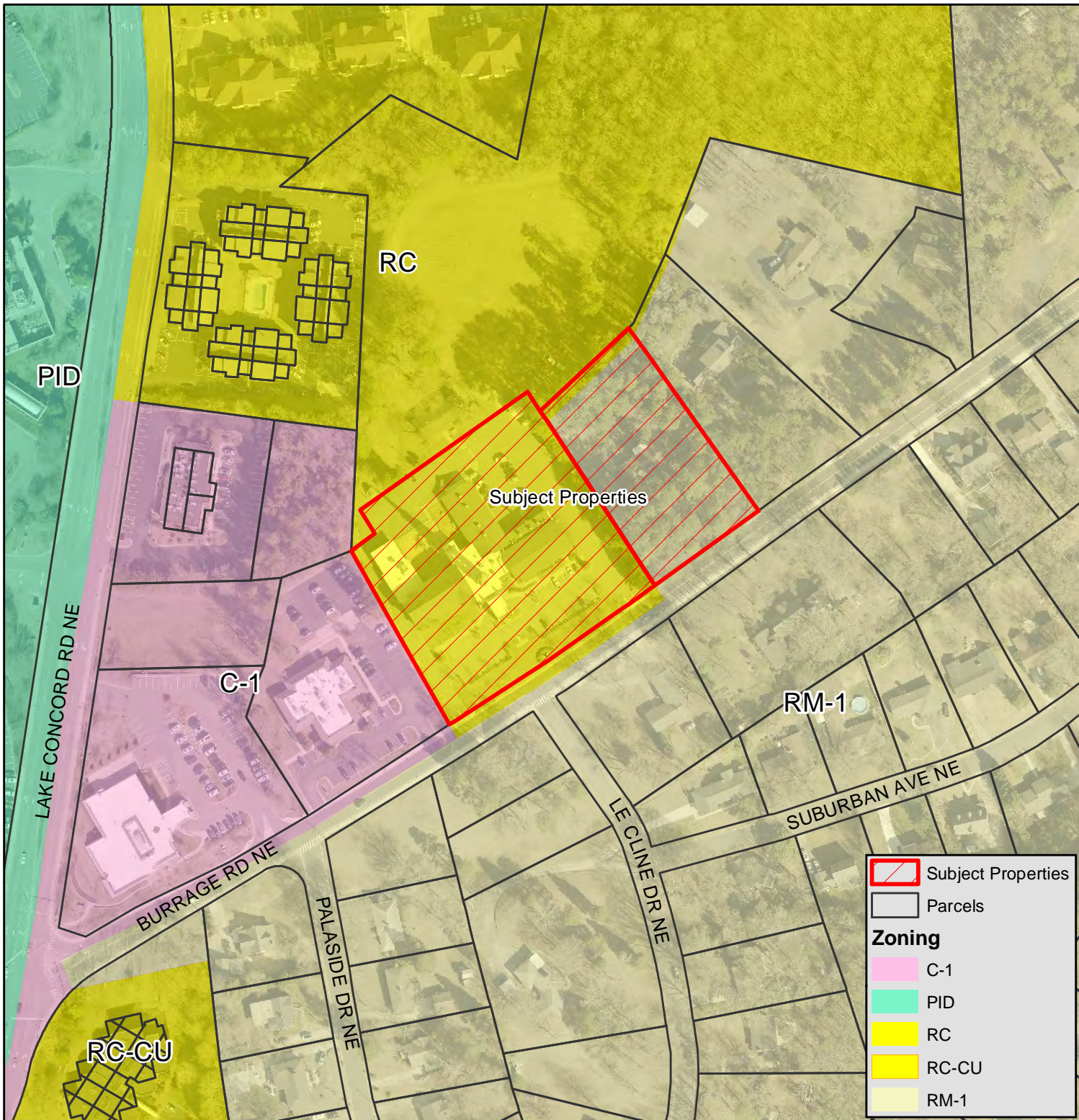
1012 & 1030 Burrage Rd NE
PINs: 5621-48-4363 & 5621-48-2146



**Z-12-22
ZONING MAP**

**Rezoning application from
RM-1 (Residential Medium
Density) & RC (Residential
Compact) to
O-I (Office-Institutional)**

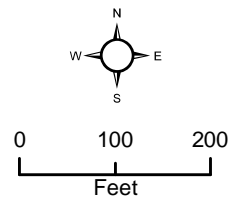
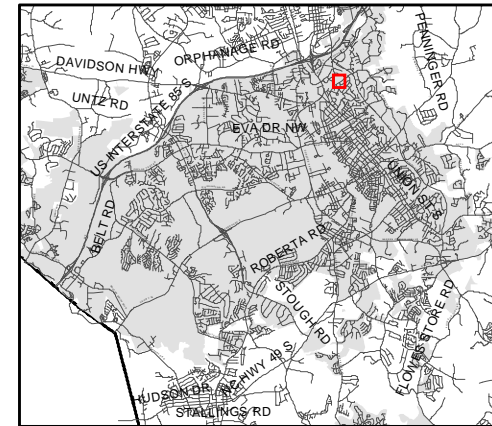
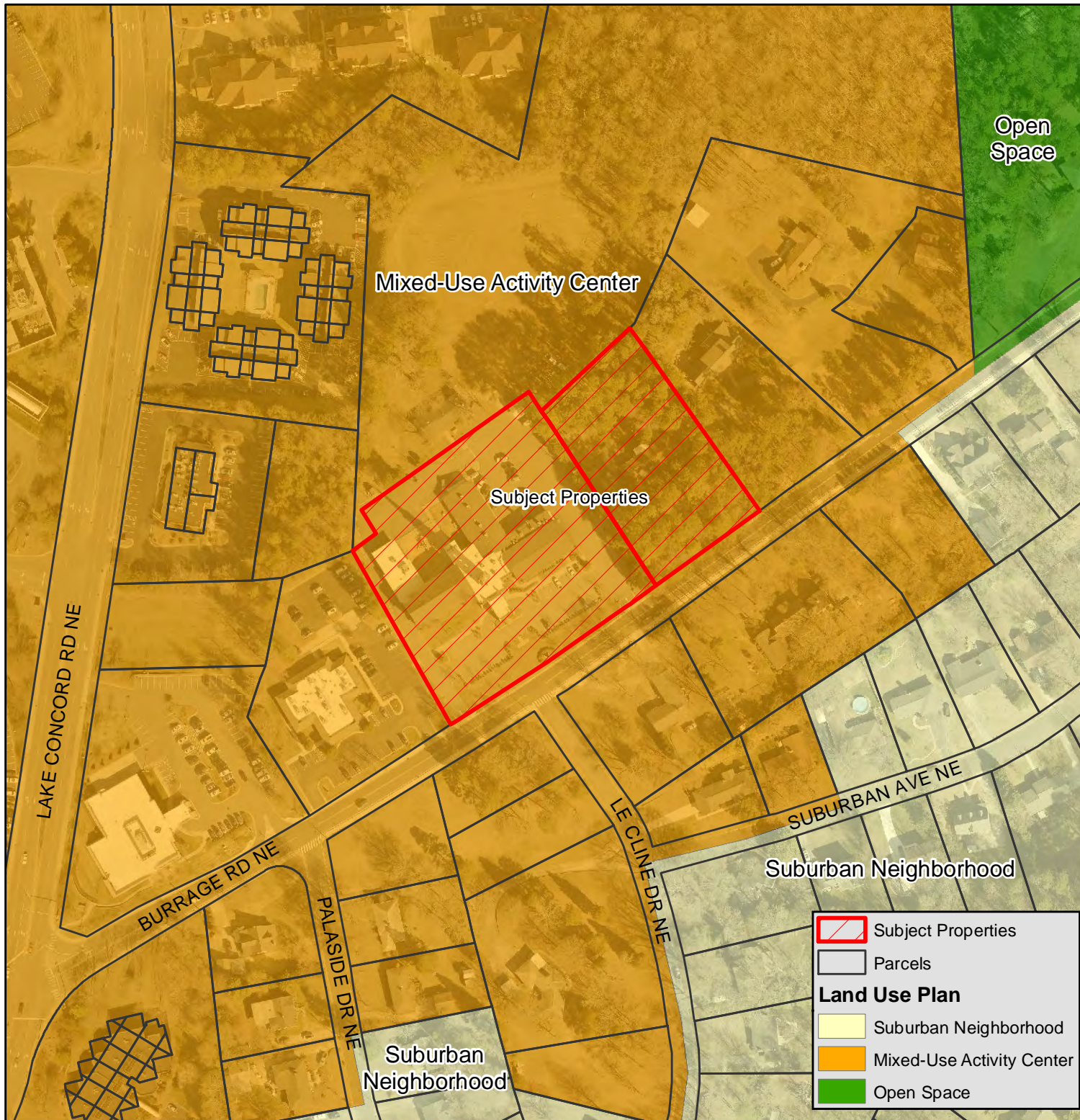
1012 & 1030 Burrage Rd NE
PINs: 5621-48-4363 & 5621-48-2146



**Z-12-22
LAND USE PLAN**

**Rezoning application from
RM-1 (Residential Medium
Density) & RC (Residential
Compact) to
O-I (Office-Institutional)**

1012 & 1030 Burrage Rd NE
PINs: 5621-48-4363 & 5621-48-2146



DATE: August 16, 2022

CASE: TA-09-22 Text Amendment – Food Trucks

PREPARED BY: Scott Sherrill, AICP, Development Review Manager

BACKGROUND: TA-09-22, ADMINISTRATIVE

Periodically, updates are needed based on issues encountered in the administration of the CDO. In this case, the City amended a Food Truck ordinance in 2021 to clarify regulations and simplify the administration of permits for food trucks. In the 2021 ordinance, the City did not include a regulation requiring that food trucks be removed over night, relying on a Health Department regulation that required the same. Staff has encountered a situation where a business has located on a trailer, connected to utilities, and essentially established a more permanent footprint than would be established for a food truck. The ordinance change recommendation would be to prohibit the overnight parking of food trucks on a site in such a manner that it is visible from the public right of way. Staff views this as a means of clarifying regulatorily what is intended by the word “temporary” in the definition of food trucks.

The proposed text amendment would also add the modifier “Zoning” to Center City District, and reduce the maximum allowable signage from 32 square feet to 8 square feet, which is the size of a sandwich board.

Statement of Reasonableness and Consistency:

The proposal is not inconsistent with the 2030 Land Use Plan: the topic is not specifically addressed.

The proposal is reasonable in establishing a regulation to clarify the temporary nature of food trucks.

Action Requested:

Consider the drafted text amendment and make a recommendation to Council on the text amendment and statement of reasonableness and consistency.

Food Truck
8.3.5.Q.5.

5. Other Regulations Applying to All Food Truck operations:

A. All food trucks shall be located within a surface parking lot or within a designated parking space or spaces on public streets.

B. Food Truck Vendors outside the Center City Zoning District shall not locate within 50ft of an existing single-family use.

C. Food truck vendors shall have a minimum of 2 dedicated parking spaces per operation.

D. Food truck operators are responsible for the proper disposal of waste and trash associated with the operation.

E. No amplified music, microphones or bullhorns shall be permitted as part of the food truck operation.

F. The only signage permitted for food trucks shall be a menu board, measuring no larger than ~~328~~ 328 sf, and placed no further than 10ft from the wall of the food truck. Menu boards shall not be illuminated.

G. Pennants, balloons, facsimile signage, or other items barred by Article 12 are expressly prohibited.

H. 75' of separation is required from the main entrance of the nearest restaurant during the restaurant's posted hours of operation.

I. All food trucks must leave the site every night or be parked so that the vehicle/mobile food unit is not visible from public rights-of-way.