

CITY OF CONCORD PLANNING & ZONING COMMISSION

Meeting Agenda

Tuesday, January 17, 2023 at 6:00 PM

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

1. Z(CD)-16-22

Kate Underwood., has submitted a Zoning Map Amendment application for +/- .953 acres of property located at 164 Wilkinson Ct. SE from RC (Residential Compact) to TND (Traditional Neighborhood Development) for the purpose of developing up to 8 single family detached houses. PINs 5630-18-0077 and 5630-18-2007.

- 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.*

V. NEW BUSINESS

1. Z(CD)-20-22--MOTION TO TABLE****

Niblock Homes, LLC has submitted a Zoning Map Amendment application for +/- 48.347 acres of property located at 2601 Eva Dr. NW from RC-CD (Residential Compact-Conditional District), RM-2 (Residential Medium Density), and O-I (Office Institutional) to RC-CD (Residential Compact-Conditional District) to add 7.551 acres and 24 units to the existing Cumberland Neighborhood. Added acreage includes: PINs 5610-60-8138, 5611-70-1105, and 5610-79-5613.

2. Z-23-22

City of Concord Parks and Recreation has submitted a Zoning Map Amendment application for +/- 10.299 acres of property located at 9546 Poplar Tent Rd. from Cabarrus County LDR (Low Density Residential) to RE (Rural Estate). PIN 4680-39-2552

- 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(CD)-25-22

Greg Hartley has submitted a Zoning Map Amendment application for +/- 111.05 acres located at 6594 Bruton Smith Blvd, 5301 Stowe Ln, 7605, and 7609 Hendrick Auto Plaza from C-2 (General Commercial), I-1 (Light Industrial), and PID (Public Interest District) to I-2-CD (General Industrial-Conditional District). PINs: p/o 4598-97-4061, 4598-28-4478, and 4599-10-9019.

- 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. RECOGNITION OF PERSONS REQUESTING TO BE HEARD

VII. MATTERS NOT ON THE AGENDA

VIII. ADJOURNMENT



DATE: January 17, 2023 (Continued from December 20, 2022)

REZONING CASE #: Z(CD)-16-22

ACCELA: CN-RZZ-2022-00009

DESCRIPTION: Zoning Map Amendment
RC (Residential Compact) to TND (Traditional Neighborhood Development – Infill)

APPLICANT/OWNER: Charles and Stephanie Stapleton

LOCATION: 164 Wilkinson Ct SE

PIN#s: 5630-18-0077, 5630-18-2007

AREA: +/- 0.953 acres

PREPARED BY: George Daniels, Senior Planner

BACKGROUND

The subject property consists of two (2) parcels comprising approximately 0.953 acres on the south side of Wilkinson Ct SE. The property is currently undeveloped.

HISTORY

The property was annexed into the City before 1932 and the earliest recorded zoning was R-4 Residential. The zoning was converted to RC (Residential Compact) with the adoption of the Unified Development Ordinance (UDO) and remained with the conversion to the Concord Development Ordinance (CDO). The property is vacant and does not appear to have ever been developed in the past. This case was previously considered on December 20, 2022, but was tabled to January to get greater clarity on revised elevations to include the garages and increased height and trash collection.

SUMMARY OF REQUEST

The applicant is requesting to rezone the subject property from RC (Residential Compact) to TND (Traditional Neighborhood Development – Infill) in order to construct eight (8) single family homes on the site. The TND zoning would allow for smaller lot sized than permitted in the RC (Residential Compact) zoning district.

The TND option is designed to permit the development of land in a manner consistent with traditional neighborhoods. Its provisions adapt the urban conventions which were normal in the United States from colonial times until the 1940's.

The TND zoning allows development either as a “greenfield” for larger parcels of raw land, or “infill” for smaller parcels in urbanized areas, such as the subject property. In October, 2016 a similar TND-infill zoning was approved on the west side of Marsh Avenue NW between Union Street North and Church Street. This zoning permitted the development of four (4) single family residences which equated to a density of 18 dwelling units per acre. The proposed density of the subject property is eight (8) units per acre. The Mixed Use Activity Center (MUAC) land use designation permits up to thirty (30) dwelling units per acre.

The surrounding zoning on all sides of the subject properties is RC (Residential Compact). The surrounding land uses are primarily residential apartments (multi-family) buildings. Directly to the east are the Colonial Heights apartment buildings which contains twenty (20) housing units. Across the street to the north is a single-story apartment building with four (4) units and two single family homes on individual lots. To the northwest further up on Wilkinson Ct SE there are twelve (12) newly constructed townhomes that back up to the downtown greenway. Directly to the west the adjacent property contains a duplex residential structure and then across Hopkins St SE there is a two-story apartment building that contains sixteen (18) units. To the south the subject property backs up to an unopened right-of-way and then to several single-family homes and a single-story apartment building that contains four (4) housing units.

The CDO specifies that TND zoning is processed as a conditional district and a site plan is required. The development will be required to match the submitted site plan, building elevations and specified conditions. A TND (Traditional Neighborhood District) is also required to have a set of restrictive covenants and a property owners association once developed.

The site plan has been reviewed by the Development Review Committee (DRC) and there are no objections to the proposed rezoning.

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	
RC (Residential Compact)	North	RC (Residential Compact)	Vacant land	North	Multi-family and single family residential
	South	RC (Residential Compact) & RM-1 (Residential Medium Density)		South	Multi-family and single family residential
	East	RC (Residential Compact)		East	Multi-family residential
	West	RC (Residential Compact)		West	Multi-family residential & single family attached

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as “Mixed-Use Activity Center” for which TND (Traditional Neighborhood District) is listed as a corresponding zoning district.

From the 2030 Land Use Plan – “Mixed-Use Activity Center”:

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 streets 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.

Policy Guidance:

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.

Mixed-Density Housing: Foster a compatible mix of higher density housing types at different densities within mixed-use activity centers and village centers.

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- 0.953 acres and is zoned City of Concord RC (Residential Compact)
- The subject property was annexed into the City before 1932 and the earliest recorded zoning was R-4 (Residential), later converted to RC (Residential Compact)
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as TND (Traditional Neighborhood Development) is a corresponding zoning classification to the Mixed-Use Activity Center classification and meets the policy guidance to promote infill housing development and a mix of higher density housing types.
- The zoning amendment is reasonable and in the public interest as it is complementary to the use, design and density with the adjacent residential land uses.

OR

- The zoning amendment is not reasonable and in the public interest as the design is not compatible with the surrounding residential area.

SUGGESTED CONDITIONS

If approval is desired, staff recommends the following conditions:

1. Compliance with “Greenway Village Park Conditional Rezoning Plan” sheets C200CZ and C201CZ dated 1/11/2023.
2. Building elevations to be consistent in appearance and materials to the elevations submitted in the “House Scheme” document drawn by Objectechne Studio dated 1/6/2023. No exterior vinyl materials with the exception of soffit, fascia and windows. Maximum building height 39’-6”.
3. Adoption of the “Restrictive Covenants for the Greenway Village Park” document as required for TND (Traditional Neighborhood District).
4. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.

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.

**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) in a Word document format.

- 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**, a plan drawn to scale (conditional district plan), and elevations if applicable submitted digitally.

- 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.



(Please type or print)

Applicant Name, Address, Telephone Number and email address:

Kate Underwood, 45 Spring St. SW, Concord, NC 28025
980-234-7500, kateunderwood@cesicgs.com

Owner Name, Address, Telephone Number:

Charles Stapleton and Stephanie Stapleton, 4779 Rocky River Rd., Concord,
NC 28027

Project Location/Address: 164 Wilkinson Ct. SE, Concord, NC 28025

Parcel Identification Number (PIN): 5630-18-0077, 5630-18-2007

Area of Subject Property (acres or square feet): 0.953 Acres

Lot Width: 224' Lot Depth: 186'

Current Zoning Classification: RC

Proposed Zoning Classification: TND-CD

Existing Land Use: Vacant

Future Land Use Designation: Residential

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

Reason for request:

Rezoning from RC to TND-CD

Has a pre-application meeting been held with a staff member? Yes No

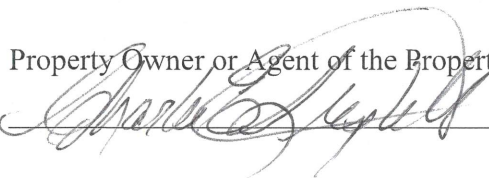
Staff member signature: _____ Date: _____

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: 14 July 2022

Applicant Signature: 

Property Owner or Agent of the Property Owner Signature: 

THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

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

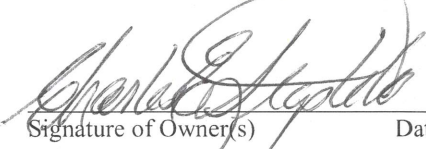
Infill single family residential development

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.

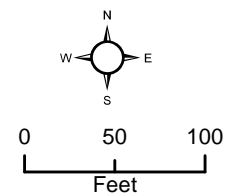
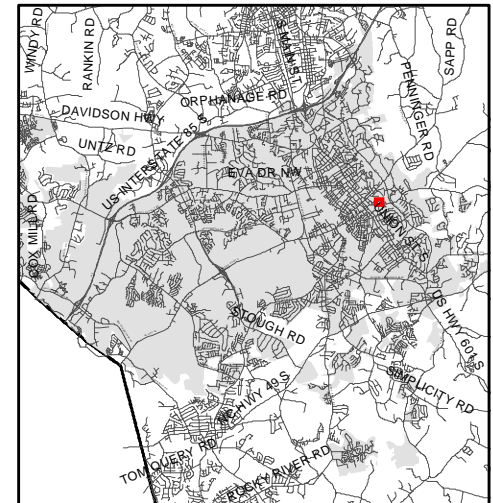

Signature of Applicant 7/14/22
Date


Signature of Owner(s) 7/14/22
Date

Z(CD)-16-22
AERIAL

Rezoning application
RC (Residential Compact)
to TND (Traditional
Neighborhood District)

164 Wilkinson Ct SE
PIN: 5630-18-0077, 5630-18-2007

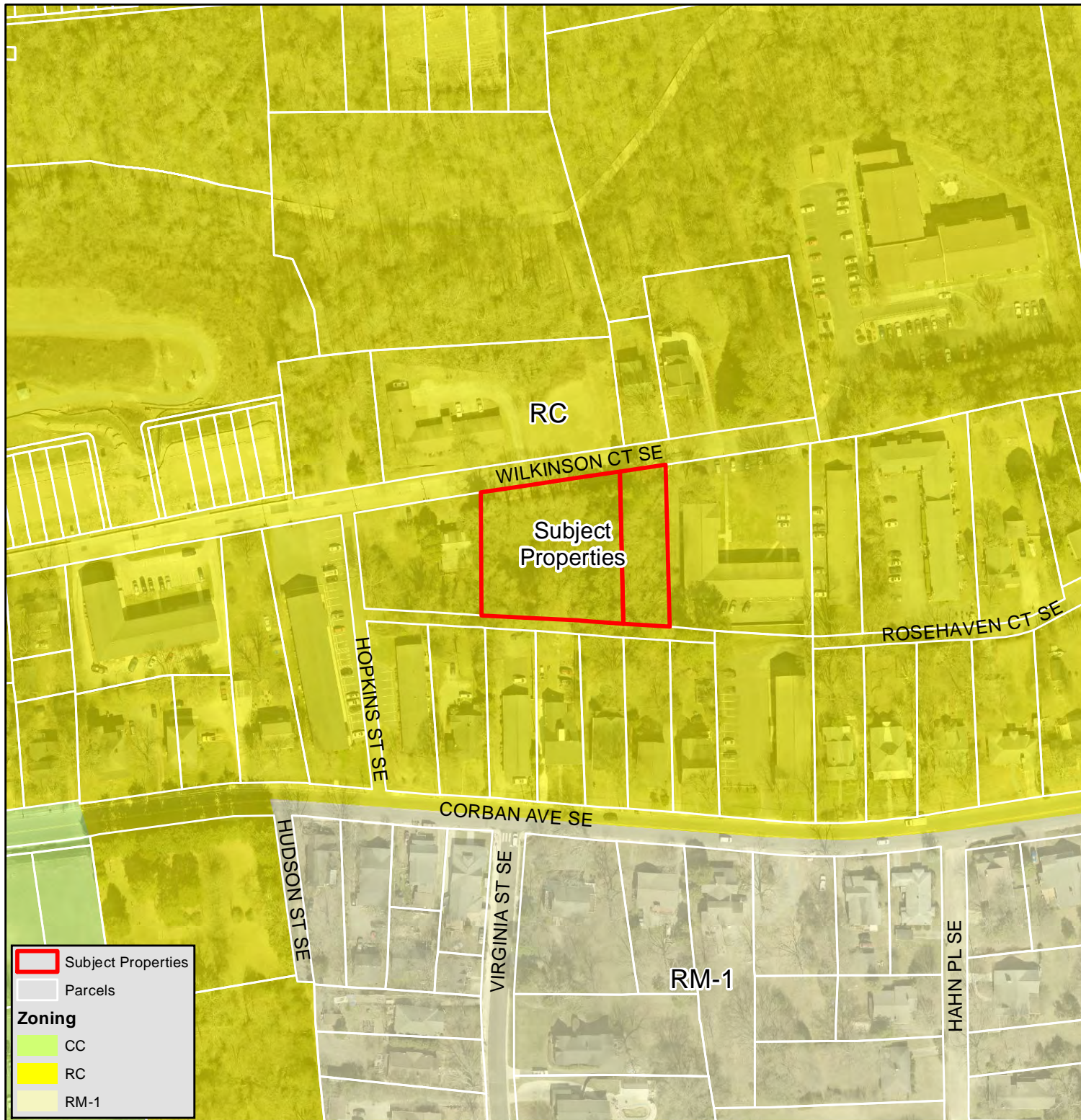


- Addresses
- ▭ Subject Properties
- ▭ Parcels

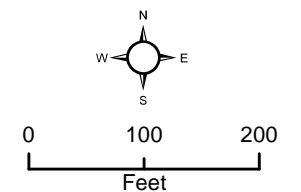
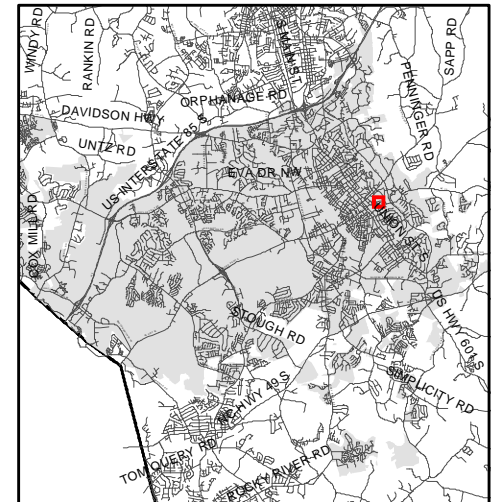
**Z(CD)-16-22
ZONING**

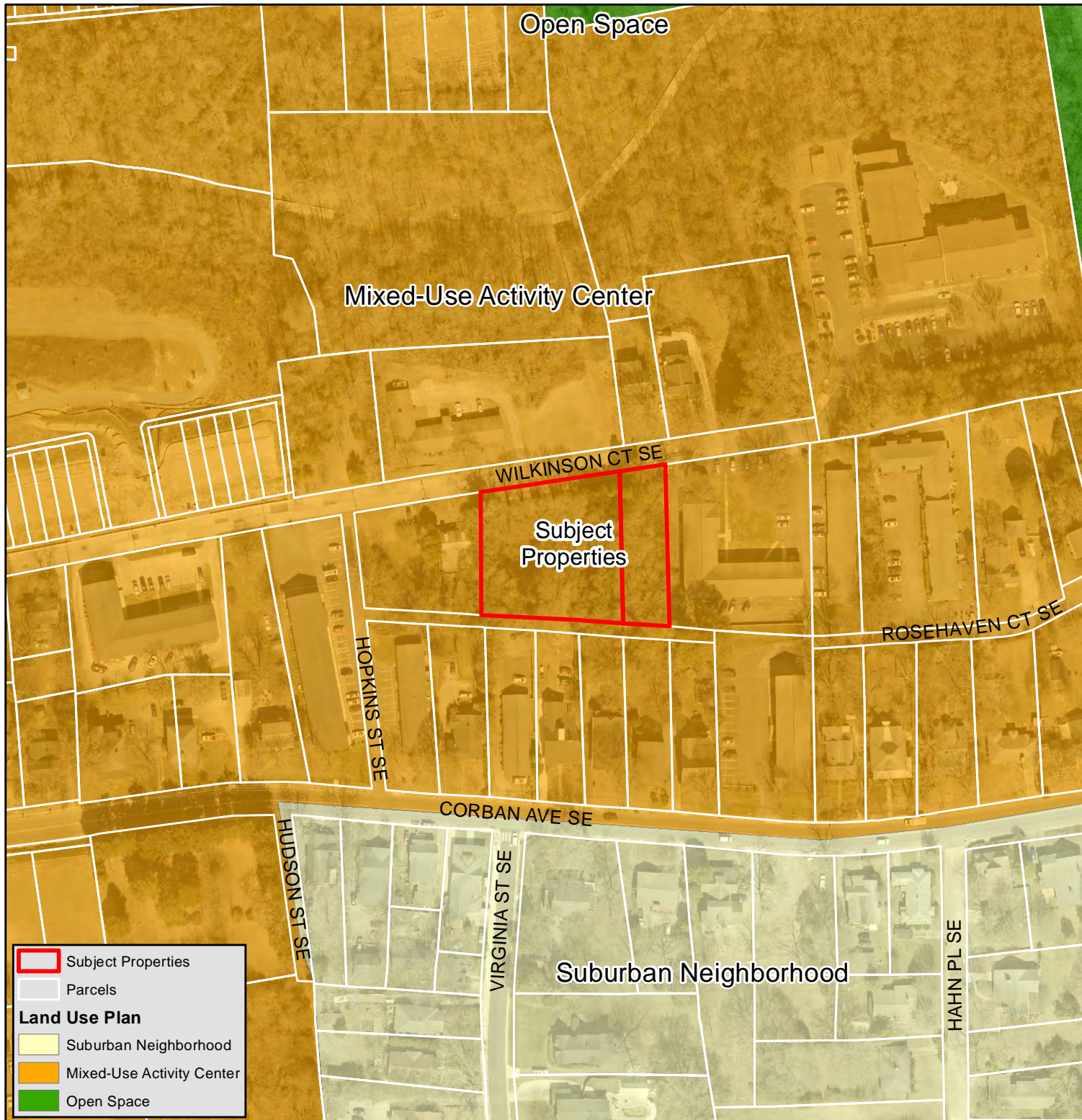
**Rezoning application
RC (Residential Compact)
to TND (Traditional
Neighborhood District)**

164 Wilkinson Ct SE
PIN: 5630-18-0077, 5630-18-2007



	Subject Properties
	Parcels
Zoning	
	CC
	RC
	RM-1

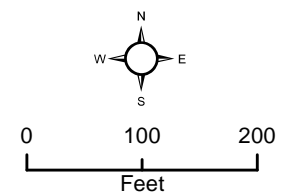
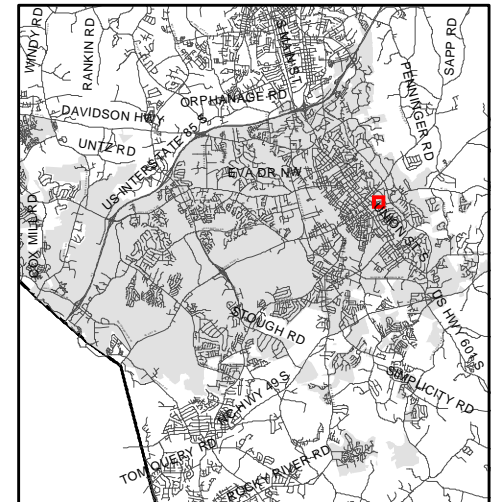




**Z(CD)-16-22
LAND USE PLAN**

**Rezoning application
RC (Residential Compact)
to TND (Traditional
Neighborhood District)**

164 Wilkinson Ct SE
PIN: 5630-18-0077, 5630-18-2007

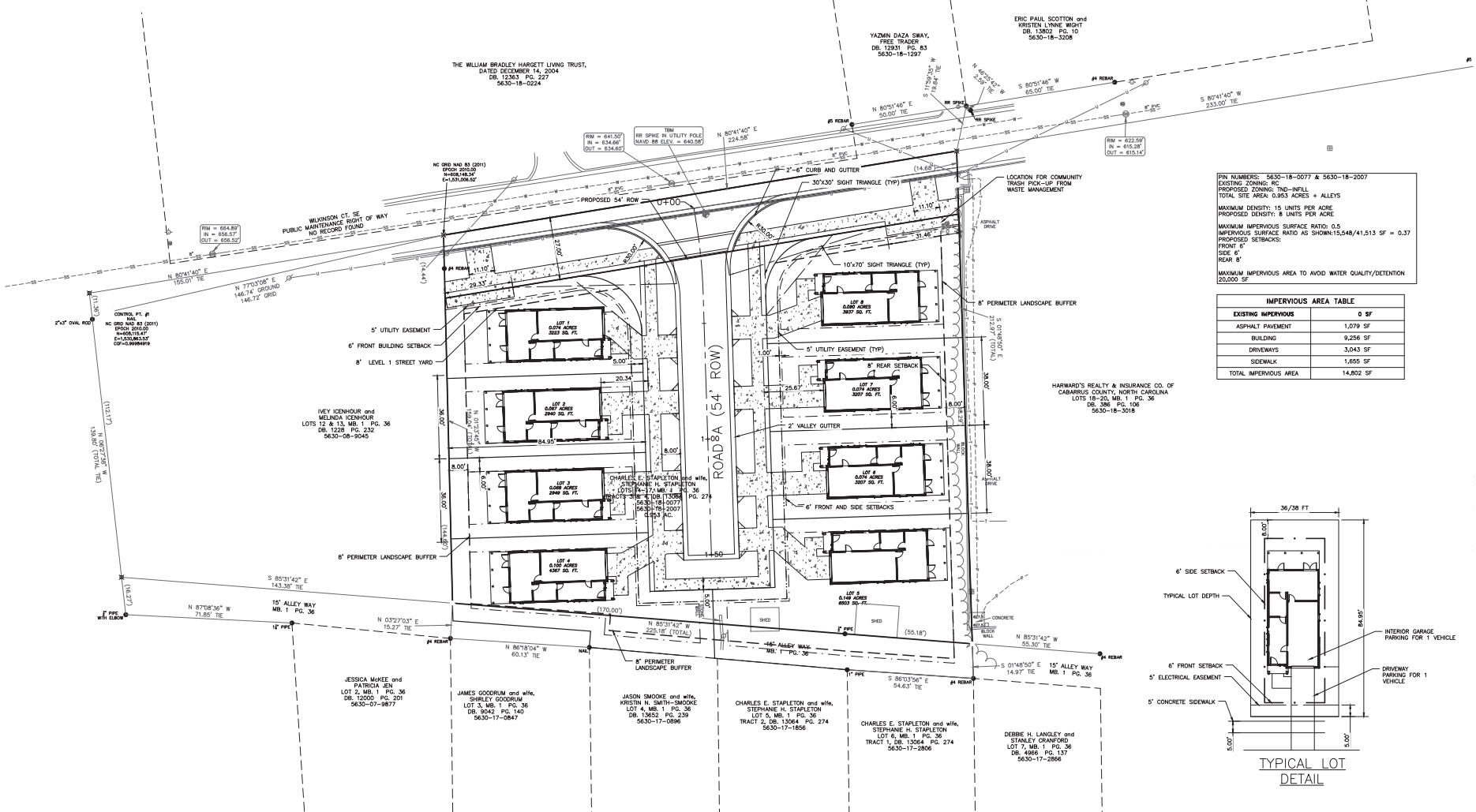
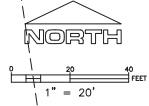


NOTES:

- THE DEVELOPER SHALL BE RESPONSIBLE FOR ANY REQUIRED SYSTEM MODIFICATIONS AND/OR EXTENSIONS TO ENSURE SERVICE TO THE PROPOSED DEVELOPMENT IN ACCORDANCE WITH CITY OF CONCORD CODE OF ORDINANCE CHAPTER 62, ARTICLE 3; THE CITY OF CONCORD'S POLICIES AND STANDARD SPECIFICATIONS; NC FIRE CODE; WATER AND SEWER AUTHORITY OF CABARRUS COUNTY'S STANDARD SPECIFICATIONS; AND THE NORTH CAROLINA ADMINISTRATIVE CODE FOR WASTEWATER COLLECTION AND WATER DISTRIBUTION SYSTEMS.

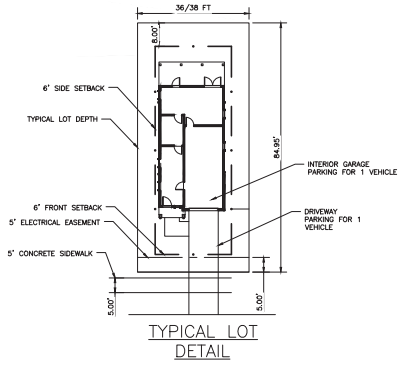
- BASED ON THE DESIGNS AND ALIGNMENT OF THE PUBLIC UTILITIES, THE PUBLIC WATER AND SEWER SERVICES ARE TO BE ENCOMPASSED IN PUBLIC ROAD RIGHT OF WAY, PUBLIC 30-FT UTILITY EASEMENTS, AND/OR A COMBINATION OF BOTH. BASED ON THE DESIGNS AND ALIGNMENT OF THE PUBLIC UTILITY, ADDITIONAL EASEMENT AND/OR EASEMENT WIDTH MIGHT BE REQUIRED DUE TO DEPTH, LOCATION, AND/OR ACCESS. REFERENCE THE CITY OF CONCORD CODE OF ORDINANCE CHAPTER 62, ARTICLE 3.

- THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ANY REQUIRED OFF-SITE EASEMENTS TO ENSURE SERVICE TO THE PROPOSED SITE. DOCUMENTATION OF THE OFF-SITE EASEMENTS ARE REQUIRED PRIOR TO FORMAL APPROVALS AND AUTHORIZATION TO CONSTRUCT.



PRN NUMBERS: 5630-18-0077 & 5630-18-2007
 EXISTING ZONING: RC
 PROPOSED ZONING: TWO-INFLLL
 TOTAL SITE AREA: 5.053 ACRES + ALLEYS
 MAXIMUM DENSITY: 15 UNITS PER ACRE
 PROPOSED DENSITY: 8 UNITS PER ACRE
 MAXIMUM IMPERVIOUS SURFACE RATIO: 0.5
 IMPERVIOUS SURFACE RATIO AS SHOWN: 5,548/41,513 SF = 0.37
 PROPOSED SETBACKS:
 FRONT 6'
 SIDE 6'
 REAR 8'
 MAXIMUM IMPERVIOUS AREA TO AVOID WATER QUALITY/DETENTION: 20,000 SF

IMPERVIOUS AREA TABLE	
EXISTING IMPERVIOUS	0 SF
ASPHALT PAVEMENT	1,079 SF
BUILDING	9,236 SF
DRIVEWAYS	3,043 SF
SIDEWALK	1,658 SF
TOTAL IMPERVIOUS AREA	14,022 SF



LEGEND

	BOUNDARY		LANDSCAPING BUFFER
	RIGHT OF WAY		BUILDING SETBACK
	PROPOSED CENTERLINE		PROPOSED SIDEWALK
	PROPOSED CURB AND GUTTER		
	PROPOSED PAVEMENT		
	EXISTING PAVEMENT		

North Carolina One-Call Center
 800-442-2222
 CALL 1-800-442-2222
 BEFORE YOU DIG!
 It's The Law!

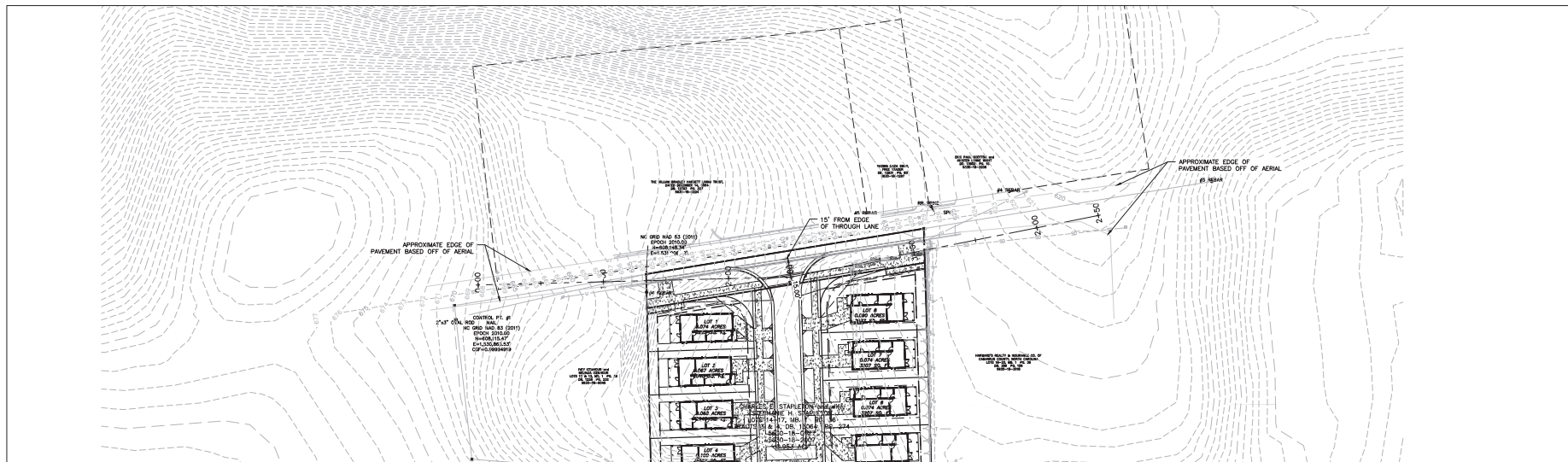
REVISION	DATE	DESCRIPTION
1.	10.27.2022	ADDRESS CONCORD COMMENTS DATED 10.26.2022
2.	11.14.2022	REVISED TO ADDRESS TRASH PICK-UP CONCERNS
3.	1.11.2023	REVISED TO INCORPORATE CHANGES

GREENWAY VILLAGE PARK
 CONDITIONAL REZONING PLAN
 WILKINSON COURT SE, CONCORD, NC
 CHARLES STAPLETON
 PREPARED BY: 210205.000
 CHECKED BY: NRB
 PROJECT START: 01.15.21

CES CIVIL GEOTECHNICAL SURVEYING
 PO BOX 268
 CONCORD, NC 28026-0268
 P. 704.786.7404
 F. 704.786.7454
 www.cesnc.com
 NCBELS CORP. NO. C-0263
 ©COPYRIGHT 2012

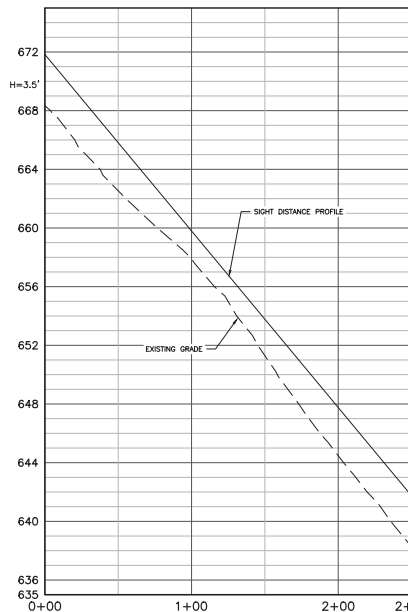
PRELIMINARY NOT FOR CONSTRUCTION

01/11/2023
C200CZ



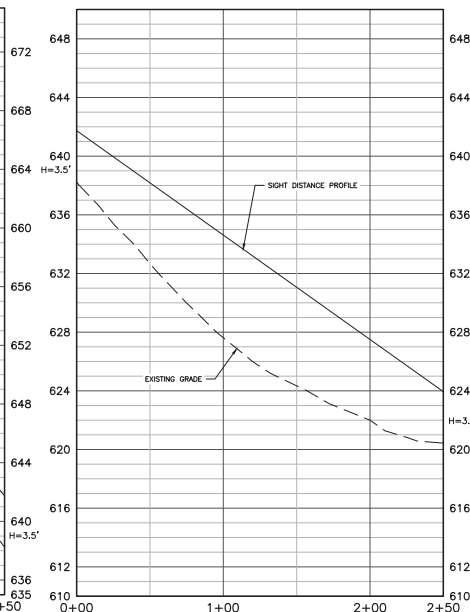
SIGHT DISTANCE CALCULATION:
 PASSENGER VEHICLE: 100 FT PER 10 MPH
 WILKINSON COURT SPEED LIMIT: 20 MPH
 DESIGN SPEED = 20 MPH + 5 MPH = 25 MPH
 SIGHT DISTANCE REQUIRED = 100 FT * 2.5 = 250 FT

ALIGNMENT - SD LEFT



662.54	662.54	667.88	667.88	661.30	661.30	644.48	644.48
--------	--------	--------	--------	--------	--------	--------	--------

ALIGNMENT - SD RIGHT



632.87	632.87	627.62	627.62	624.34	624.34	622.20	622.20
--------	--------	--------	--------	--------	--------	--------	--------

PROFILE SCALE
 VERTICAL SCALE: 1" = 4'
 HORIZONTAL SCALE: 1" = 40'

North Carolina One-Call Center
 CALL 1-800-4-A- Dig
 Call BEFORE you Dig!
 "It's The Law"

REVISION	DATE	DESCRIPTION
1.	10.27.2022	ADDRESS CHANGE COMMENTS DATED 10.26.2022
2.	11.14.2022	REVISED TO ADDRESS TRASH PICK-UP CONCERN
3.	1.11.2023	REVISED TO INCORPORATE CHANGES

GREENWAY VILLAGE PARK
 SIGHT DISTANCE PROFILES
 WILKINSON COURT SE, CONCORD, NC
 CHARLES STANLTON
 PROJECT NUMBER: 18U
 DESIGNED BY: JMU
 CHECKED BY: NGB
 PROJECT START: 8.15.21

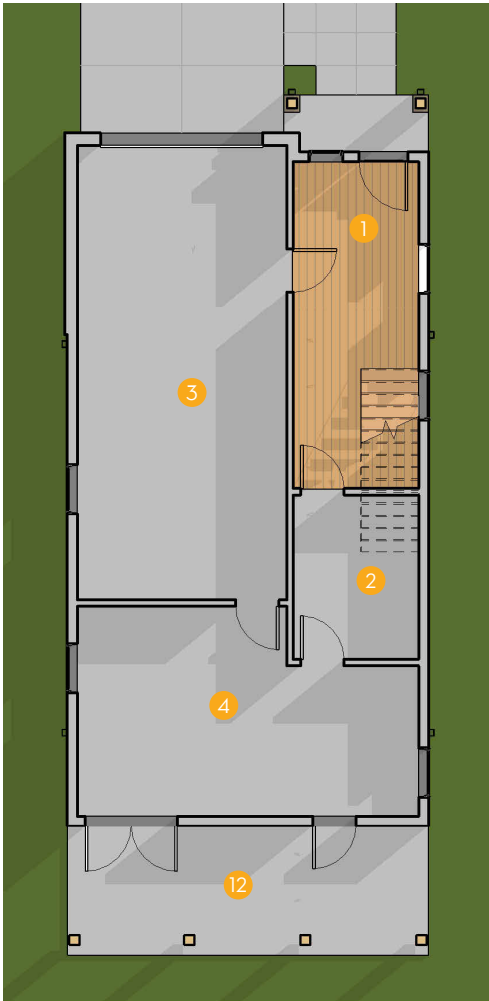


PO BOX 268
 CONCORD, NC 28026-0268
 P. 704.786.5404
 F. 704.786.7454
 WWW.CESASURV.COM
 NCBELS CORP. NO. C-0263
 ©COPYRIGHT 2012

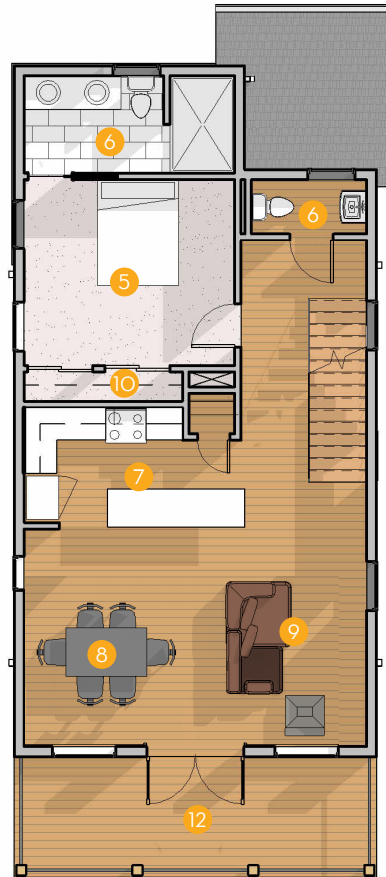
ENGINEERS SEAL
 PRELIMINARY
 NOT FOR
 CONSTRUCTION

01/11/2023

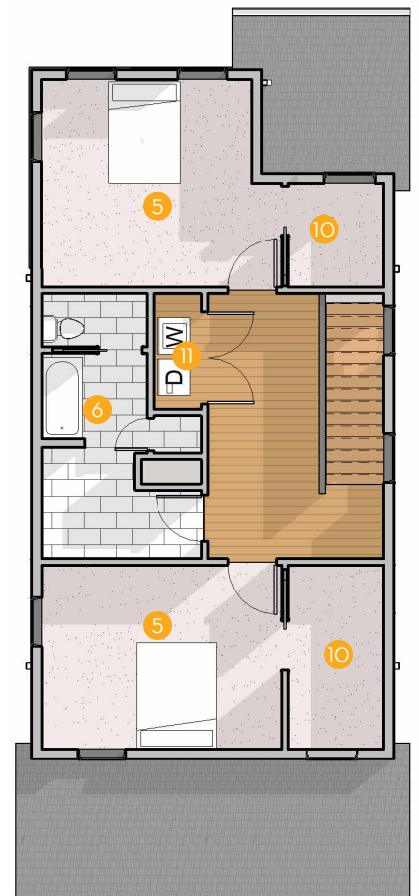
C201CZ



1st Level



2nd Level



3rd Level

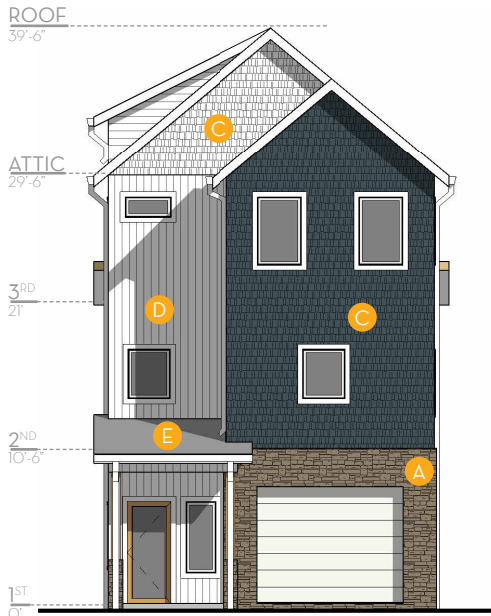
Rooms

- | | |
|--------------|------------|
| 1 ENTRY | 7 KITCHEN |
| 2 MECHANICAL | 8 DINING |
| 3 GARAGE | 9 LIVING |
| 4 STORAGE | 10 CLOSET |
| 5 BEDROOM | 11 LAUNDRY |
| 6 BATHROOM | 12 PORCH |

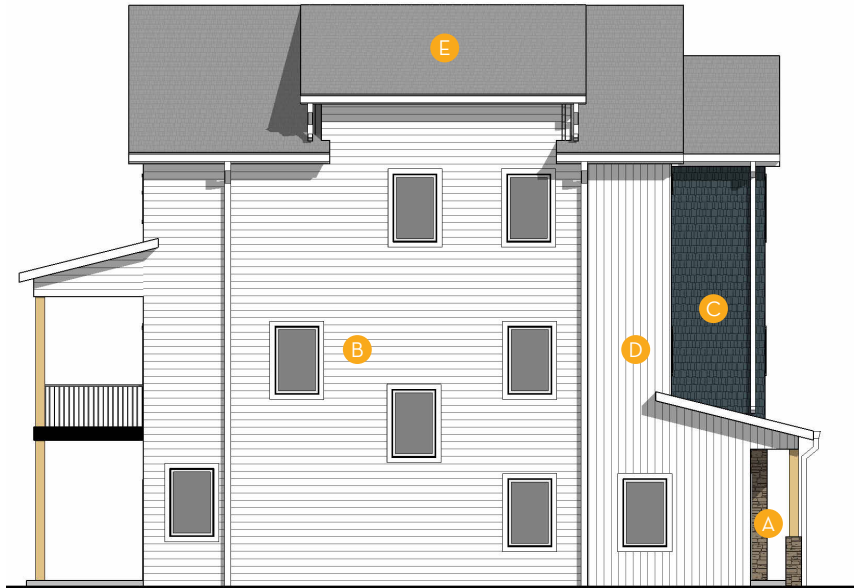
House Scheme



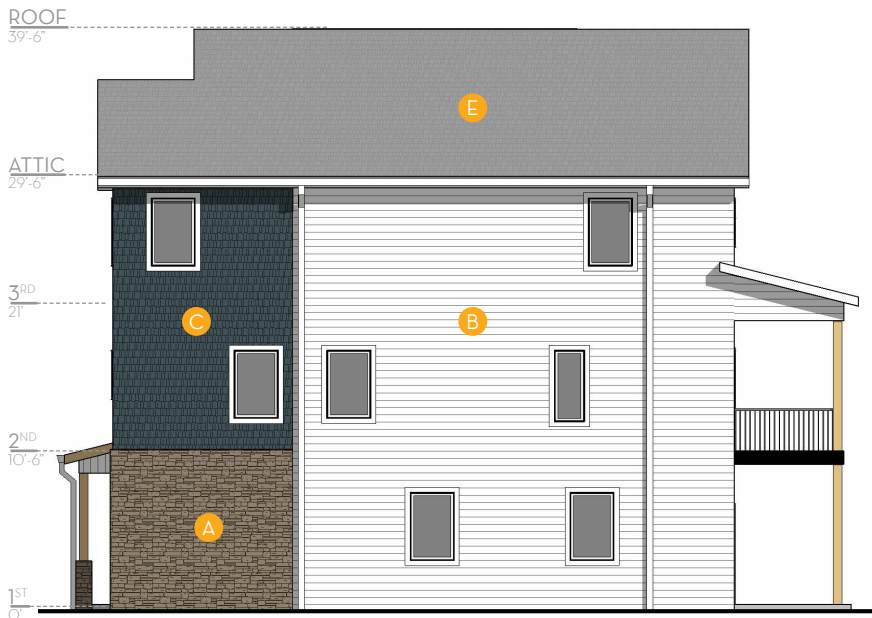
1/06/2023



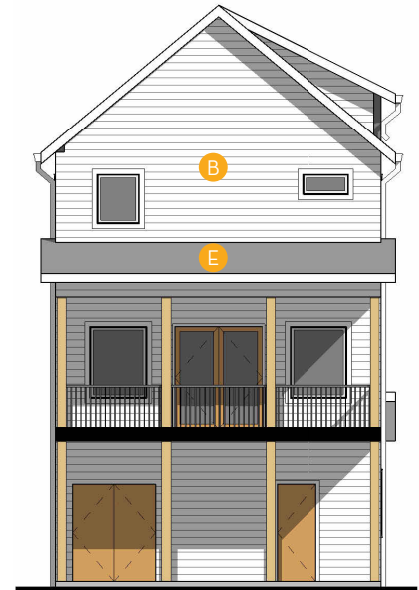
Front Elevations



Side Elevation



Side Elevation



Rear Elevation

Materials

- A STONE
- B HORIZONTAL SIDING
- C SHAKE SIDING
- D VERTICAL SIDING
- E ROOF SHINGLES

House Scheme



1/06/2023



Retaining Wall Materials

Proposed stacked block retaining wall material palette to be similar to the stone veneer of the homes. If stacked block wall can not be achieved a veneer of similar appearance will be added to the engineered block wall.

OUTLINE OF RESTRICTIVE COVENANTS

- ARTICLE I Definitions: Owner; Lot; Declarant
- ARTICLE II Membership Rights:
1. Right to Approve Additional Covenants
- ARTICLE III General Provisions:
1. Amendment
- ARTICLE IV Use Restrictions:
1. Land use Building Type: Single family detached house
2. Setback; See Plat
3. No mobile or modular homes or temporary residences
4. No Nuisances
5. Garbage, clothesline, woodpiles screened
6. Damaged Property
7. Guns Restricted
8. All Terrain or other Off Road Vehicles

RESTRICTIVE COVENANTS

FOR THE GREENWAY VILLAGE PARK

STATE OF NORTH CAROLINA COUNTY OF CABARRUS

Lots 1-8

This declaration was made on the date hereinafter set forth by Charles Stapleton hereinafter referred to as "Declarant."

**ARTICLE I
DEFINITIONS**

Section 1. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any lot which is a part of the properties, including contract sellers, but excluding those having such interest merely as security for performance of an obligation.

Section 2. "Unit/Lot" shall mean and refer to a portion of the Properties, whether improved or unimproved, which may be independently owned and is intended for development use and occupancy as an attached or detached residence for a single family. The term shall refer to the land, if any, which is part of the Unit as well as any improvements thereon.

In the case of a parcel of vacant land or land on which improvements are under construction, the parcel shall be deemed to be a single Unit until such time as a subdivision plat is filed of record on all or a portion of the parcel. Thereafter the portion encompassed by such plat shall contain the number of Units determined as set forth in the preceding paragraph and any portion not encompassed by such plat shall continue to be treated in accordance with this paragraph.

Section 3. "The Community and Properties" shall mean and refer to that certain real property herein before described, and such additions thereto as may hereafter be brought within the jurisdiction of the Community

Section 4. "Declarant" shall mean and refer to Charles Stapleton, its successors and assigns if such successors or assigns should acquire more than one undeveloped Lot from the Declarant for the purpose of development.

Section 5. "Builders" shall mean a licensed general contractor constructing a dwelling or other structure on a Lot.

**ARTICLE II
MEMBERSHIP RIGHTS**

Section 1. Right to Approve Additional Covenants. No person shall record any declaration of covenants, conditions, and restrictions or similar instrument affecting any portion of the Community without Declarant's review and written consent. Any attempted recordation without such consent shall result in such instrument being void and of no force and effect unless subsequently approved by written consent signed by Declarant and recorded in the public records.

**ARTICLE III
GENERAL PROVISIONS**

Section 1. Amendment. This Declaration may be amended as provided in this section. Amendments to this Declaration shall become effective upon recordation, unless a later effective date is specified therein.

(a) By Declarant. So long as Declarant owns any property described on Exhibits "A" or "B", it may unilaterally amend this Declaration to (a) bring any provision hereof into compliance with any applicable governmental statute, rule, regulation, or judicial determination; (b) enable any title insurance company to issue title insurance coverage; (c) if such amendment is required by an institutional or governmental lender or purchaser of mortgage loans; or (d) if such amendment is necessary to enable any governmental agency or private insurance company to insure or guarantee Mortgage loans. However, any such amendment shall not adversely affect the title to any Owners Unit unless any such Unit Owner shall consent thereto in writing. Further, so long as Declarant has the right unilaterally to subject additional property to this Declaration, Declarant may unilaterally amend this Declaration for any other purpose; provided, however, any such amendment shall not materially adversely affect the substantive rights of any Unit

Any amendment shall become effective upon recording in the Public Records, unless a later effective date is specified in the amendment. Any procedural challenge to an amendment must be made within one (1) year of its recordation or such amendment shall be presumed to have been validly adopted. In no event shall a change of conditions or circumstances operate to amend any provisions of this Declaration.

ARTICLE IV USE RESTRICTIONS

Section 1. Land Use and Building Type. No Lot shall be used except for residential purposes and for single family houses.

Section 2. The building setback distances from property line shall be as shown on the recorded plat.

Section 3. Character of Structures. No trailer, basement, tent, shack, garage, barn, or other outbuilding erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any structure of temporary character be used as a residence on the property. No mobile homes or modular homes shall be permanently or temporarily located on a Lot.

Section 4. Nuisances. No noxious or offensive activity shall be carried on upon any Unit nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

Section 5. Garbage, Clotheslines and Woodpiles. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

Section 6. Damaged property. Any dwelling or outbuilding on any Lot which may be destroyed in whole or in part by fire, windstorm or for any other cause or act of God must be rebuilt or all debris removed and the Lot restored to a slightly condition with reasonable promptness.

Section 7. Guns. The use of firearms on the Properties or in the Community is prohibited. This includes "BB" guns, pellet guns and small firearms of all types.

Section 8. All Terrain or Other Off-road Vehicles. All terrain or other off-road vehicles are prohibited from all Common Areas.



DATE: January 17, 2023

REZONING CASE #: Z-23-22

ACCELA: CN-RZZ-2022-00013

DESCRIPTION: Zoning Map Amendment
Cabarrus County LDR (Low Density Residential) to
Concord RE (Rural Estate)

APPLICANT/OWNER: City of Concord

LOCATION: 9546 Poplar Tent Rd

PIN#s: 4680-39-2552

AREA: +/- 10.299 acres

ZONING: Unzoned – formerly Cabarrus County LDR (Low Density Residential)

PREPARED BY: Autumn C. James, Senior Planner

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

BACKGROUND

The subject property consists of one (1) parcel comprising approximately 10.299 acres on the north side of Poplar Tent Rd near the intersection of International Dr NW. This is a city owned parcel that was previously zoned Cabarrus County Low Density Residential (LDR) and was annexed into the City of Concord on December 8, 2022. The property is currently undeveloped/vacant. The intended use is a trailhead park.

HISTORY

The property was acquired by the City of Concord by deed recorded in Cabarrus County Register of Deeds Book 15154 Page 0178 as recorded on May 7, 2021. The property was annexed into the City on December 8, 2022.

Because this rezoning request is pertaining to a recently annexed property, a City zoning classification must be adopted. Should the Planning and Zoning Commission decide to deny the rezoning request, an alternative zoning designation must be applied considering Land Use Plan consistency.

SUMMARY OF REQUEST

The applicant is requesting to rezone the subject property Cabarrus County LDR (Low Density Residential) to Concord RE (Rural Estate) for a trailhead park.

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	
Unzoned (formerly Cabarrus County Low Density Residential (LDR))	North	Cabarrus County LDR	Undeveloped/vacant	North	Vacant
	South	Cabarrus County LDR		South	Single-Family Residential
	East	RV-CD		East	Conservation
	West	RM-1		West	School

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as “Suburban Neighborhoods” for which RE (Rural Estate) is listed as a corresponding zoning district.

From the 2030 Land Use Plan – “Suburban Neighborhoods” (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.

Policy Guidance:

Objective 1.7: Encourage the development of public and private entertainment and recreational facilities to meet the needs of Concord’s residents and visitors.

- *While parks and other recreational facilities are appropriate throughout the City, regional recreational and entertainment uses, such as amusement facilities, should be focused within the Entertainment Corridor Character Area where related noise, traffic, and visual impacts are more compatible with surrounding uses.*

Objective 5.4: Expand and develop new parks and recreation facilities to serve the needs of existing and future citizens of Concord.

- *Coordinate parks establishment and improvement with the Comprehensive Parks and Recreation Master Plan.*

Objective 5.5: Coordinate the expansion and development of greenways that can be used for bicycle and pedestrian corridors with the development review and capital improvements planning processes.

- *Secure and improve greenways as vital transportation improvements through the development and capital improvements processes in coordination with the Comprehensive Parks and Recreation Master Plan.*

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- 10.299 acres and currently unzoned.
- The subject property was annexed into the City on December 8, 2022 and is currently unoccupied/vacant.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as RE (Rural Estate) is a corresponding zoning classification to the Suburban Neighborhood Land Use Category.
- The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning surrounding the subject property and the adjacent residential uses.

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.



(Please type or print)

Applicant Name, Address, Telephone Number and email address:

City of Concord (Parks & Recreation Dept. - Bob Dowless); 147 Academy Ave. NW, PO
Box 308 Concord NC 28026; 704-920-5600; dowless@concordnc.gov

Owner Name, Address, Telephone Number:

City of Concord

Project Location/Address: 9546 Poplar Tent Road, Concord NC 28027

Parcel Identification Number (PIN): 4680-39-2552-000

Area of Subject Property (acres or square feet): 10.299 ac. appx.

Lot Width: 359' appx. (frontage) Lot Depth: varies (see survey)

Current Zoning Classification: Cabarrus Co. LDR (Low Density Residential)

Proposed Zoning Classification: Concord RE (Rural Estate)

Existing Land Use: undeveloped/vacant

Future Land Use Designation: city park

Surrounding Land Use: North rural residential South rural residential

East undeveloped (conservation) West school (private)

Reason for request: Development of Concord city greenway trailhead park

Has a pre-application meeting been held with a staff member? Yes No

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:

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.

Signature of Applicant

Date

Signature of Owner(s)

Date

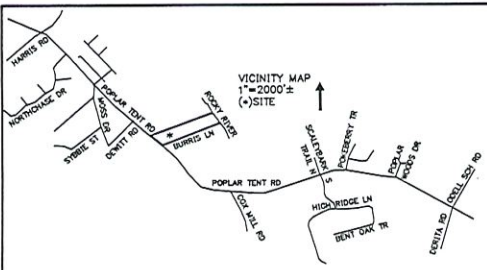
Certification

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: 11-28-22

Applicant Signature: Bob Powers

Property Owner or Agent of the Property Owner Signature:



ORIENTED WITH
NC GRID / NAD 83(2011)
BY GPS READING



CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER FOUR, OVERLAY ZONES
Section 4-10 Requirements of the Waterbody Buffer Zone

6. The Waterbody Buffer Zone shall be determined and clearly delineated on site prior to any development or pre-development activity occurring in order to protect the required buffer from encroachment or damage. No development, including soil disturbing activities or grading, shall occur within the established buffer area.

See this Ordinance chapter for all requirements and restrictions.

Catawba Lands
Conservancy
13265 - 57
(REF. TRACT 01)
MBK 78, PGS 31-34
& MBK 78, PGS 69-72)
pln # 4680 49 2592
ZONE : LDR

Jong Hak Lee
6183 - 179
pln # 4680 39 0991
ZONE : LDR

Jeremy J. Burris
3161 - 310
pln # 4680 39 7491
ZONE : LDR

Kenneth Wayne
Burris
575 - 15
pln # 4680 39 0139
ZONE : LDR

Poplar Tent Rd
60' public R/W
MBK 40, PG. 83

- NOTES:
- 1) No opinion of title is implied or certified by the information shown on this plat. Subject and adjoining property owners names, deeds of record, and tax parcel identifications reflect those available to this surveyor as of the date of survey shown.
 - 2) This property is subject to the maintenance of any public utilities not evident and to any rights-of-way, easements, or agreements of record prior to or at date of survey.
 - 3) As of the date (10/2/2019) of this SURVEY this property DOES lie in a Special Flood Hazard Zone. VERSION NUMBER : 2.3.3.2 MAP NUMBER : 3710488000K MAP REVISED : NOVEMBER 16, 2018 Published by : Federal Emergency Management Agency
 - 4) Property lies in Cabarrus County Zoning District : LDR MINIMUM BUILDING SETBACK ARE AS FOLLOWS: FRONT - 75', SIDE - 20' SINGLE 40' TOTAL, & REAR - 30'

State of North Carolina, Cabarrus County

I, MEL G. THOMPSON, certify that this plat was drawn under my supervision from an actual survey made under my supervision; that the ratio of precision is 1 : 10,000+; that the boundaries not surveyed are shown as broken lines plotted from information found in documents of record as shown hereon; that this plat was prepared in accordance with G.S. 47 - 30 as amended. Witness my original signature, registration number and seal this 11th day of OCTOBER, 2019.

I, MEL G. THOMPSON, certify to G.S. 47-30(1)(1a-1) "The survey is of an existing parcel or parcels of land and does not create a new street or change an existing street."

I, MEL G. THOMPSON, certify that this plat was drawn under my supervision from an actual GPS CONTROL & GROUND RUN survey made BY ME and that the following information was used to perform the survey:

- (1) Class of Survey : Survey Class "C" Boundary Survey
- (2) Positional accuracy : ± 0.05 FT @ 95% CONFIDENCE LEVEL
- (3) Type of GPS field procedure : RTK/PPS
- (4) Dates of GPS CONTROL survey : OCT 2, 2019
- (5) Datum/Epoch : NAD 83(2011)
- (6) Published/Freezed-control use : NONE WITHIN 2000'
- (7) Geoid model : EGM2008
- (8) Combined grid factor : 0.999980822
- (9) Units : US FT

MEL G. THOMPSON, P.L.S. (L-2484)



State of North Carolina, Cabarrus County

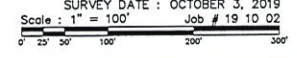
I, Greg Balk, Review Officer of CABARRUS COUNTY, certify that the map or plat to which this certification is affixed meets all statutory requirements for recordings.

Greg Balk (706) 10/11/2019
Review Officer / Date

FILED Oct 11, 2019 11:17 am	FILED
BOOK 00082	CABARRUS COUNTY NC
PAGE 0001 THRU 0001	WAYNE NIXON REGISTER OF DEEDS
INSTRUMENT # 28028	
EXCISE TAX \$0.00	

BOUNDARY SURVEY OF
10.299 Acres

PROPERTY OF
Orval Clifford Cox
Twp # 2, Cabarrus Co., N.C.
Tax Ref. : pln # 4680 39 2552
Deed Ref. : Dbk 558, Pg. 564
SURVEY DATE : OCTOBER 3, 2019
Job # 19.10.02



LEGEND:
n.i.p. = New Iron Pin, (SET)
i.i.p. = Existing Iron Pipe, as described (FOUND)
e.i.r. = Existing Iron Rod, as described (FOUND)
cp = Computed Point / No Physical Monu.
--- SURVEYED LINES - SOLID
--- ROAD RIGHT OF WAY
--- CASSEMENTS LINES
--- LOT/TRACT/DEED LINES
--- ADJOINING PROPERTY LINES
--- MINIMUM BUILDING SETBACK

Mel G. Thompson & Associates, PA
PROFESSIONAL LAND SURVEYORS
303 South Main Street
Kannapolis, N.C. 28081
Telephone (704) 938-4661
Corporate License # (C-0686)

**Z-23-22
AERIAL**

**Poplar Tent
Trailhead Park**


**Cabarrus County LDR
(Low Density Residential)
to
RE (Rural Estate)**

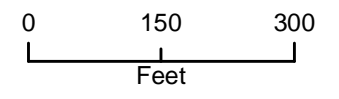
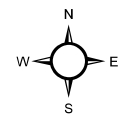
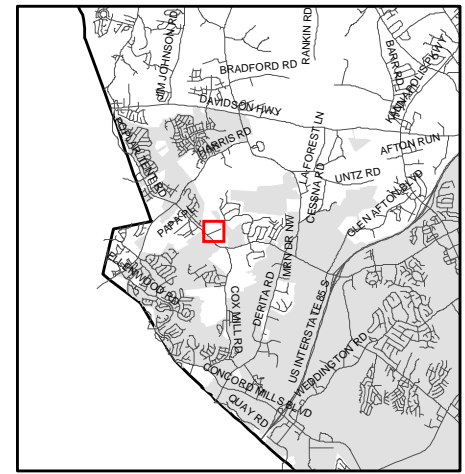
9546 Poplar Tent Rd
PIN: 4680-39-2552

Subject Property

BURRIS LN

POPLAR TENT RD

	Subject Property
	Parcels

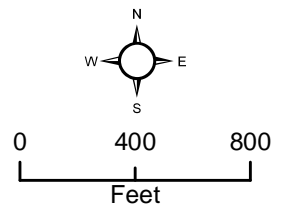
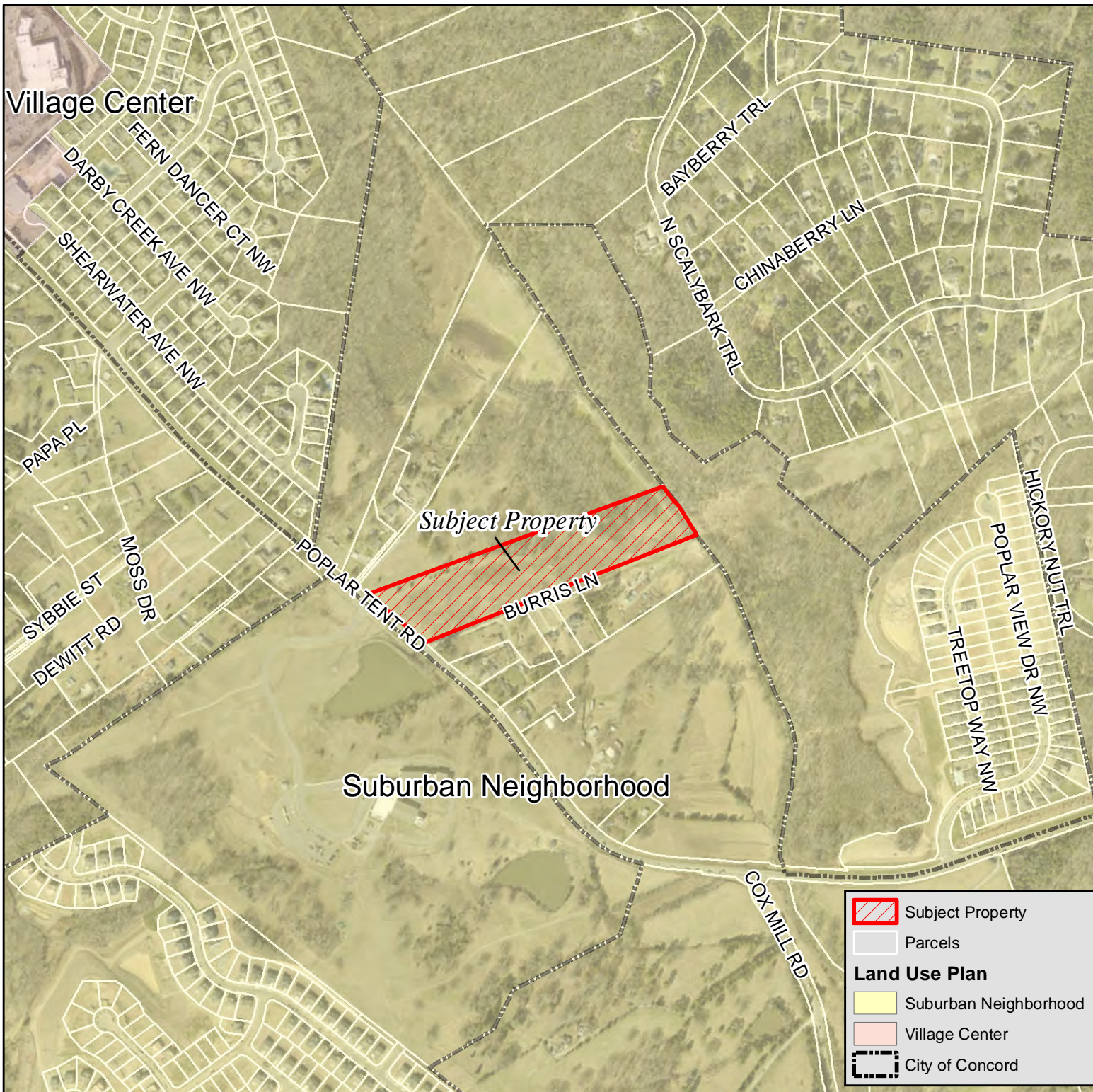
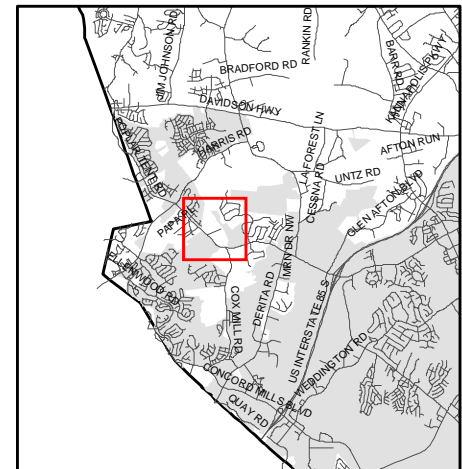


**Z-23-22
LAND USE PLAN**

**Poplar Tent
Trailhead Park**

**Cabarrus County LDR
(Low Density Residential)
to
RE (Rural Estate)**

9546 Poplar Tent Rd
PIN: 4680-39-2552

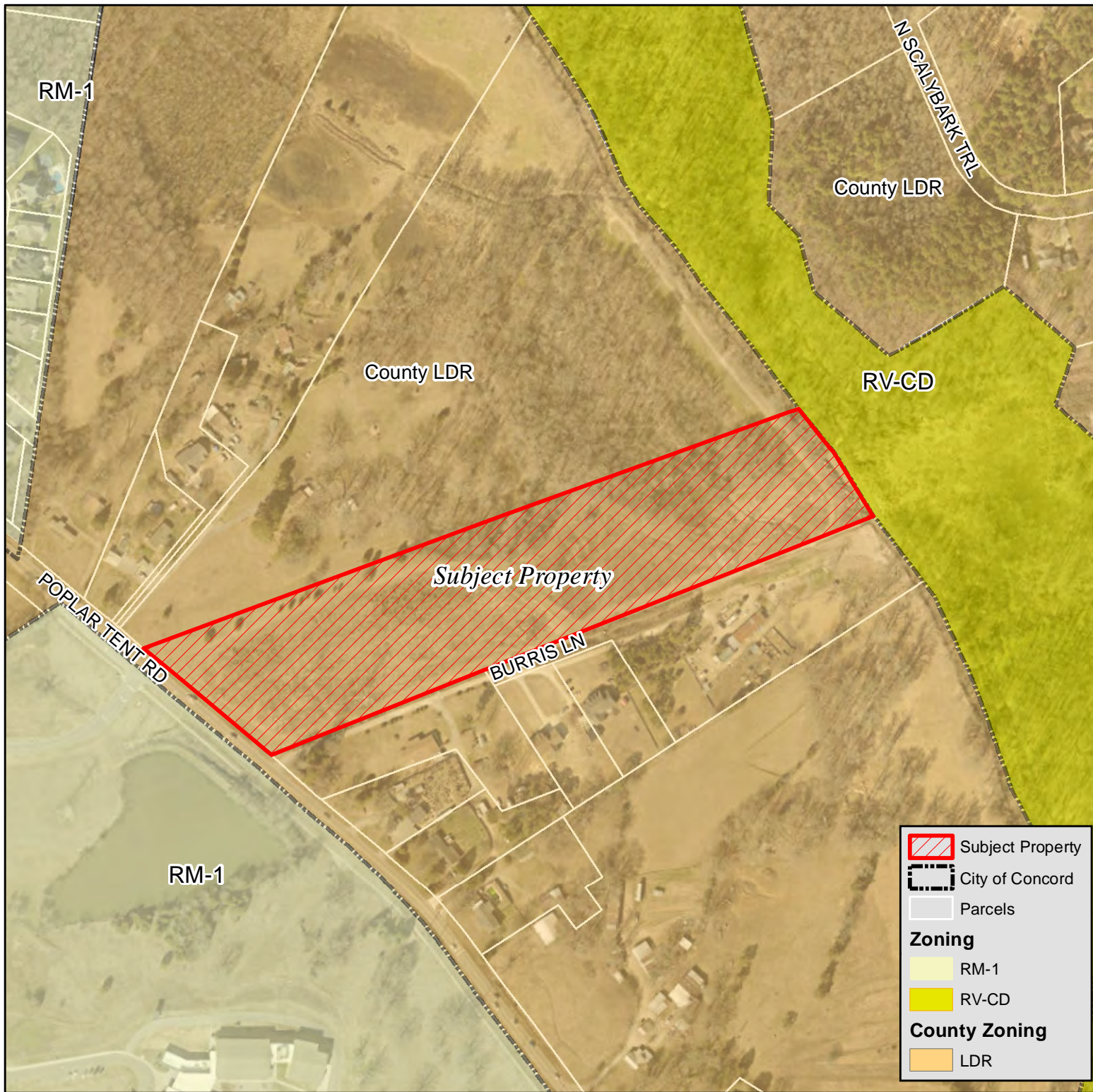
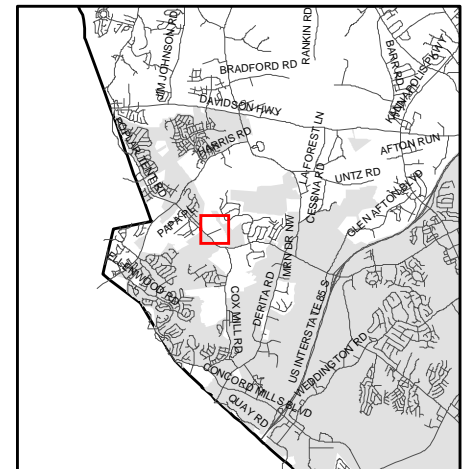


**Z-23-22
ZONING**

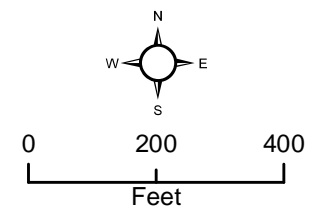
**Poplar Tent
Trailhead Park**

**Cabarrus County LDR
(Low Density Residential)
to
RE (Rural Estate)**

9546 Poplar Tent Rd
PIN: 4680-39-2552



	Subject Property
	City of Concord
	Parcels
Zoning	
	RM-1
	RV-CD
County Zoning	
	LDR





DATE: January 17, 2023

CASE #: Z(CD)-25-22

ACCELA CASE #: CN-RZC-2022-00013

DESCRIPTION: Zoning Map Amendment from Light Industrial (I-1), General Commercial (C-2), and Public Interest District (PID) to General Industrial Conditional District (I-2-CD)

APPLICANT: Greg Hartley

OWNER: HSREI, LLC and Charlotte Motor Speedway, LLC

LOCATION: 7301, 7609 Hendrick Auto Plaza NW, 5301 Stowe Ln, 7605 GM One Team Dr NW

PINs#: 4599-20-1297, 4599-10-7252 (formerly 4599-10-9019), 4598-28-4478, p/o 4598-97-4061

AREA: +/- 111.05 acres

ZONING: Public Interest District (PID) and Light Industrial (I-1)

PREPARED BY: Scott Sherrill, AICP, Planning & Development Manager

BACKGROUND

The subject property consists of three and a portion of a fourth parcel, comprising approximately +/-111.05 acres located at 7301 and 7609 Hendrick Auto Plaza NW, 5301 Stowe Ln, and 7605 GM One Team Dr NW on the south side of Bruton Smith Blvd. The subject property is located in the City of Concord, and was annexed on July 13, 1990, amended on September 13, 1990, and annexed on June 27, 1996: after annexation, it was zoned Planned Unit Development (PUD) and Light Industrial (I-1). The property at 7605 and 7609 Hendrick Auto Plaza NW was rezoned from General Commercial (C-2) to Light Industrial (I-1) on October 13, 2022 with a land use plan amendment from Commercial to Industrial-Employment. The property is owned by HSREI, LLC and Charlotte Motor Speedway, LLC. The applicant seeks a rezoning to I-2-CD (General Industrial Conditional District) and plans to develop an advanced manufacturing industrial park which will be an extension of the Hendrick campus.

HISTORY

The properties at 7605 and 7609 Hendrick Auto Plaza NW and 5301 Stowe Ln are owned by HSREI, LLC and used as GM Charlotte Technical Center, Hendrick Truck, and Truck Fleet

Painting Center. The property at 7301 Hendrick Auto Plaza NW is owned by Charlotte Motor Speedway, LLC, and used as the Rock City Campground.

SUMMARY OF REQUEST

The subject property under consideration is +/- 111.05 acres. The proposal is to limit the uses of the subject property to any one or a multiple of those allowed within I-2, except Livestock Auction, All Resource Extraction, Animal Shelter, Sexually Oriented Business, Animal Clinic/Hospital/Kennel, Animal Obedience School, Flea Market, Hazardous Waste Facility, Sanitary Landfill, Land Clearing/Inert Debris Landfill, Junkyard/Salvage Yard, and Food Manufacturing with Animal Slaughtering and Processing.

To the north of the subject property are other HSREI properties: Hendrick Chrysler, Dodge, Jeep, Ram, Fiat, Hendrick Pre-Owned, Hendrick Kia, and Hendrick Volkswagen. To the east of the subject property is additional land owned by Charlotte Motor Speedway, LLC and generally used for parking on the remainder of parcel 4598-97-4061, and Apollo Mobile Home Park. To the south of the subject property is additional mobile home park, vacant land, and Hendrick Motorsports. To the west of the subject property is West Cabarrus Church and Hope Academy.

The applicant sent certified mail to adjacent property owners and neighborhoods within ½ mile of the site to notify them of the request.

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-1 (Light Industrial) and PID (Public Interest District)	North	C-2 (General Commercial)	Campground	North	Automobile Sales and Service
	South	I-1 (Light Industrial) and Cabarrus County GC (General Commercial)		South	Motorsports, mobile home park, vacant
	East	PID (Public Interest District) and Cabarrus County LC-SU (Limited Commercial-Special Use)		East	Mobile Home Park
	West	C-2 (General Commercial)		West	Church and School

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as “Industrial Employment” and “Amusements Motor Sports”: the rezoning request is consistent with each future land use category.

Applicable LUP Guidance:

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.

From the 2030 Land Use Plan – “Amusements/Motor Sports” (AMS):

Motor Sports related uses are a land use unique to Concord, and includes the Charlotte Motor Speedway and its parking areas, as well as other various uses that have located around eh Speedway which support the racing industry. This area has noise level and traffic pattern characteristics that may impact surrounding development warranting a special land use classification.

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- 111.05 acres and is currently zoned Light Industrial (I-1) and Public Interest District (PID).
- The subject property was annexed on July 13, 1990, amended September 13, 1990, and June 27, 1996, and is currently occupied by automotive sales, research, and related uses.
- The proposed zoning amendment is consistent with the City of Concord’s 2030 Land Use Plan: the General Industrial Conditional District (I-2-CD) is consistent with both the Industrial Employment and Amusements/Motor Sports future land use categories.
- The zoning amendment is reasonable and in the public interest as it is comparable to existing and proposed surrounding land uses and removes confusion associated with parcels with multiple zoning districts.

SUGGESTED CONDITIONS

If approval is desired, staff recommends the following conditions:

1. General Industrial (I-2) uses permitted; except: Livestock Auction, All resource extraction, Animal Shelter, Sexually Oriented Business, Animal Clinic/Hospital/Kennel, Animal Obedience School, Flea Market, Hazardous Waste Facility, Sanitary Landfill, Land Clearing/Inert Debris Landfill, Junkyard/Salvage Yard, Food Manufacturing with Animal Slaughtering and Processing
2. The site plan labeled “REZONING EXHIBIT” dated 1/11/22 [sic] meets the general requirements for a bubble diagram of the site, and future buildings will be required to meet CDO requirements and Technical Standards at the time of submittal.
3. Technical Site Plan will be required. Project to meet all CDO requirements.
4. Sewer Capacity Limitations - Recently, Concord City Council adopted a sewer allocation policy. The policy outlines that any project requiring a permit based upon 15A NCAC Subchapter 2T rules and WSACC Sewer Allocation and Commitment Policy shall be evaluated for preliminary allocation by City Council. Currently this project is slated as an Economic Development project and has been approved as such for sewer allocation. The

projected sewer allocation is currently 4,375 gpd. The final sewer allocation shall not be more than the preliminary sewer allocation approved. Economic Development project's preliminary sewer allocation remain valid until final sewer allocation is received or City Council rescinds.

5. Master Plan - A master plan of the proposed development with the proposed utility mains is to be formally submitted to ensure the preliminary main diameters and general horizontal alignment is acceptable to the City.
6. General Water -Sewer Requirements: In general, the Developer shall be responsible for any required system modifications and/or extensions to ensure service to the proposed development in accordance with City of Concord Code of Ordinance Chapter 62, Article 3; The City of Concord's policies and standard specifications; NC Fire Code; Water and Sewer Authority of Cabarrus County's standard specifications; and the North Carolina Administrative Code for wastewater collection and water distribution systems.
7. Roadway Utility Extension-Modification: 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 include in the project scope. Additional easements maybe required to accommodate the relocated water main.
8. Limited Downstream Sewer Collection System Capacity - Subject to downstream sewer capacity analysis associated with potential limited sewer capacity within the existing sewer collection system. Any modifications associated with sewer capacity limitations will be at the developer's expense and will need to be include in the project scope.
9. Public Water & Sewer Easements: The Developer shall be responsible for obtaining any required off-site easements to ensure service to the proposed site. Documentation of the off-site easements are required prior to formal approvals and authorization to construct. Public portions of the water and sewer services are to be encompassed in public road right of way, public 30-ft 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 sewer easements are to be indicated to ensure the adjacent parcels located within the tributary sewer basin can be served, per City of Concord Code of Ordinance Chapter 62, Article 3, Section 62-98.
10. 2 remote means of access will be required for fire apparatus. Dimension of access roads will be dependent upon final site design and submittal.
11. All Fire and Life Safety requirements will be met.
12. TIA will need to be completed prior to preliminary plat and/or site plan approvals.
13. Known access points are reflected on the plans—additional access points may be provided to accommodate future users, subject to requirements for City/NCDOT driveway permits as applicable.
14. The site must meet Article 4 of the CDO for stormwater management, including but not limited to stormwater treatment and detention.

SUGGESTED RECOMMENDATION AND CONDITIONS

The staff finds the request to be consistent 2030 Land Use Plan and staff has no objections to the petition.

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.



Application for
Zoning Map Amendment

(Please type or print)

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

Greg Hartley, 601 South Cedar Street, Suite 101, (980) 417-4288, ghartley@acro-ds.com

Mailing Address: P.O. Box 32216 Charlotte, NC 28232

Owner Name, Address, Telephone Number: _____

HSREI, LLC, 4400 Papa Joe Hendrick Blvd. Charlotte, NC 28262 704-455-0647

Charlotte Motor Speedway, LLC P.O. Box 600 Concord, NC 28026

Project Location/Address: xxxx & 7609 Hendrick Auto Plz NW, Concord, 7301 Hendrick Auto Plz NW, Concord, 5301 Stowe Ln, Charlotte
7605 GM One Team Dr NW, Concord

P.I.N.: xxxx-xx-xxxx, xxxx-xx-xxxx, 4599-10-9019, part of 4598-97-4061 & 4598-28-4478

Area of Subject Property (acres or square feet): 4837176

Lot Width: Varies Lot Depth: Varies

Current Zoning Classification: C-2, I-1 & PID

Proposed Zoning Classification: I-2(CD)

Existing Land Use: Vacant - Event Parking, Office, motorsports race shops and warehouse/advanced manufacturing

Future Land Use Designation: Uses allowed in I-2 as part of this Conditional ReZoning

Surrounding Land Use: North Auto Sales, Temp. Lodging, Golf Course South Vacant and Trailer Park

East Trailer Park

West Automotive sales, race shops, church

Reason for request: Development of vacant parcel

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

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:

Any one or a multiple of those allowed within I-2,
Except: Livestock Auction, All resource extraction, Animal Shelter, Sexually Oriented
Business, Animal Clinic/Hospital/Kennel, Animal Obedience School Flea Market, Hazardous
Waste Facility, Sanitary Landfill, Land Clearing / Inert Debris Landfill, Junkyard / Salvage
Yard, Food Manufacturing with Animal Slaughtering and Processing.

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):
Not all Concord UDO standard I-2 uses will be allowed within the zoning boundary
associated with this Re-zoning.
Excluded Uses Are as Follows: Livestock Auction, All resource extraction, Animal Shelter,
Sexually Oriented Business, Animal Clinic/Hospital/Kennel, Animal Obedience School Flea
Market, Hazardous Waste Facility, Sanitary Landfill, Land Clearing / Inert Debris Landfill,
Junkyard / Salvage Yard, Food Manufacturing with Animal Slaughtering and Processing,

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.

DocuSigned by:
Greg Hartley 12/22/2022
34A74FB2E83543C...
Signature of Applicant Date

DocuSigned by:
M. Carter 12/22/2022
9C2FF27C49BA45C...
Signature of Owner: HSREI Date

DocuSigned by:
Cary Harrington, SVP 12/22/2022
A767A0E2C8F24C0...
Signature of Owner: Charlotte Motor Speedway 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: 12/22/2022

Applicant Signature: _____
DocuSigned by:
Greg Hartley
34A74FB2E83543C...

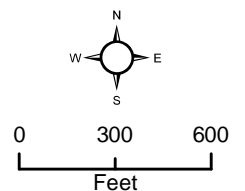
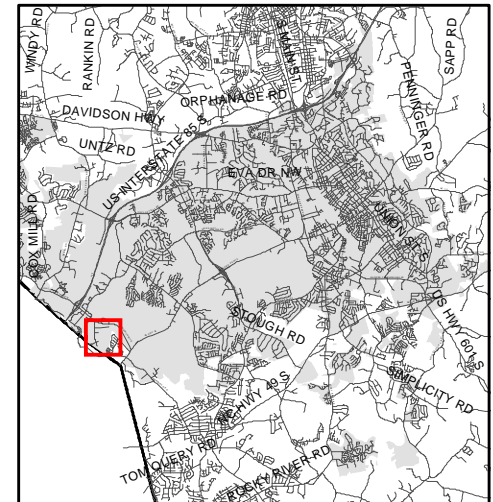
Property Owner or Agent Signature: _____
DocuSigned by:
M. Carter
9C2FF27C49BA45C...

Charlotte Motor Speedway: _____
DocuSigned by:
Cary Harrington, SVP
A767A0F2C8F24C0...

**Z(CD)-25-22
AERIAL**

**Rezoning application
I-1 (Light Industrial) &
PID (Public Interest District)
to
I-2-CD (General Industrial -
Conditional District)**

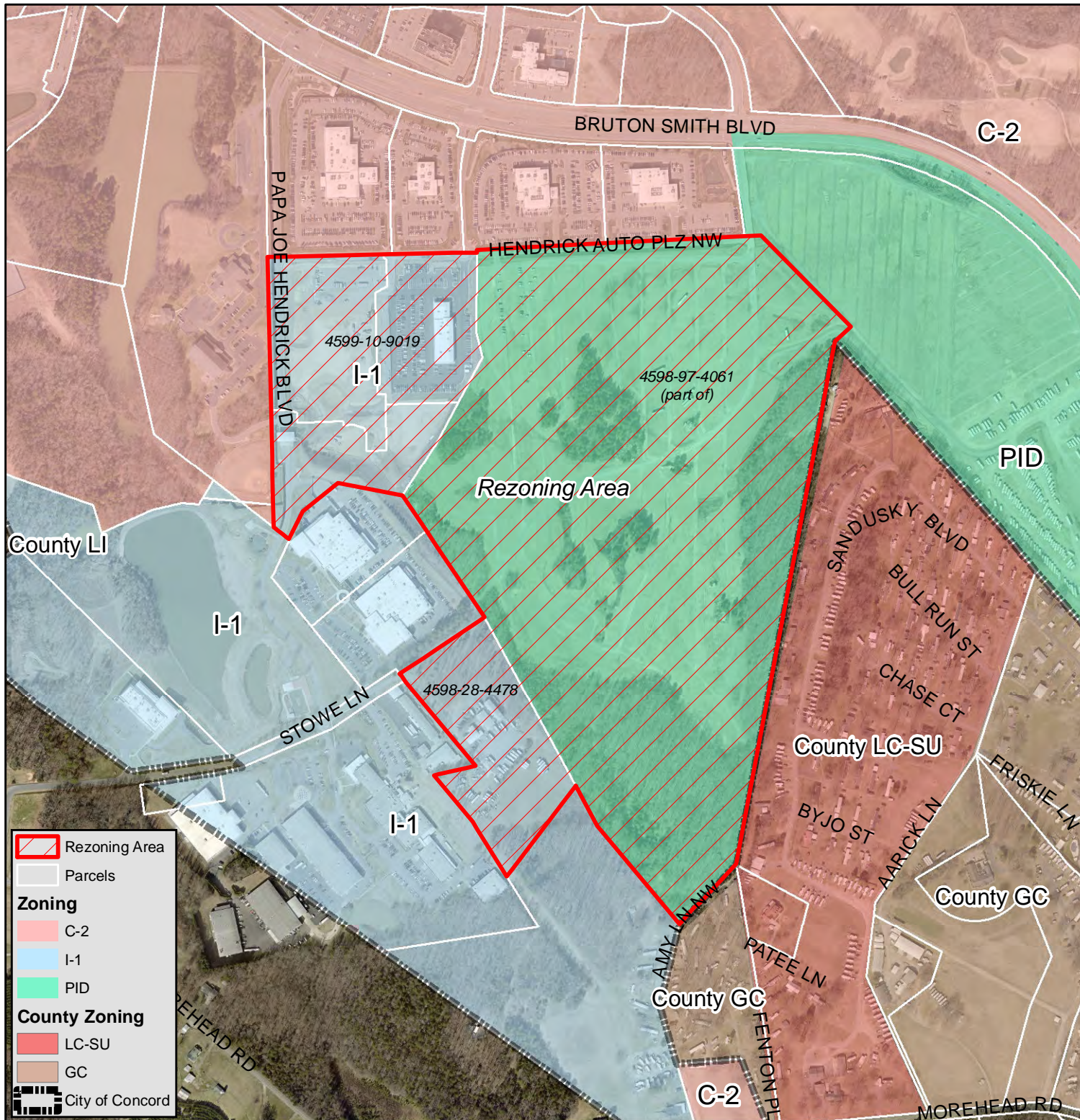
Hendrick Auto Plaza NW &
Stowe Ln
PINs: 4599-10-9019, 4598-28-4478
& part of 4598-97-4061



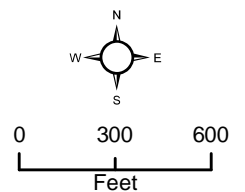
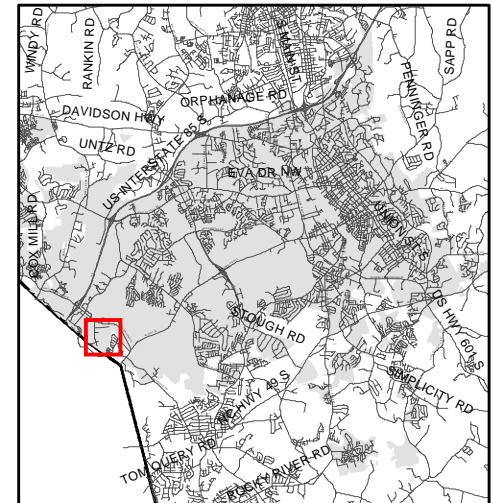
**Z(CD)-25-22
ZONING**

**Rezoning application
I-1 (Light Industrial) &
PID (Public Interest District)
to
I-2-CD (General Industrial -
Conditional District)**

Hendrick Auto Plaza NW &
Stowe Ln
PINs: 4599-10-9019, 4598-28-4478
& part of 4598-97-4061



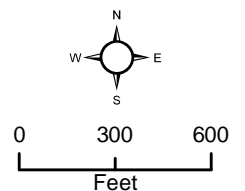
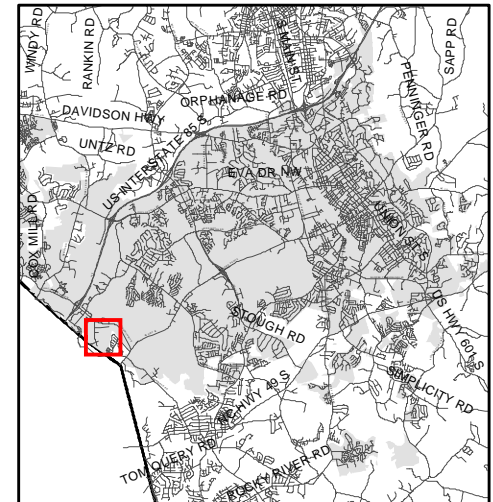
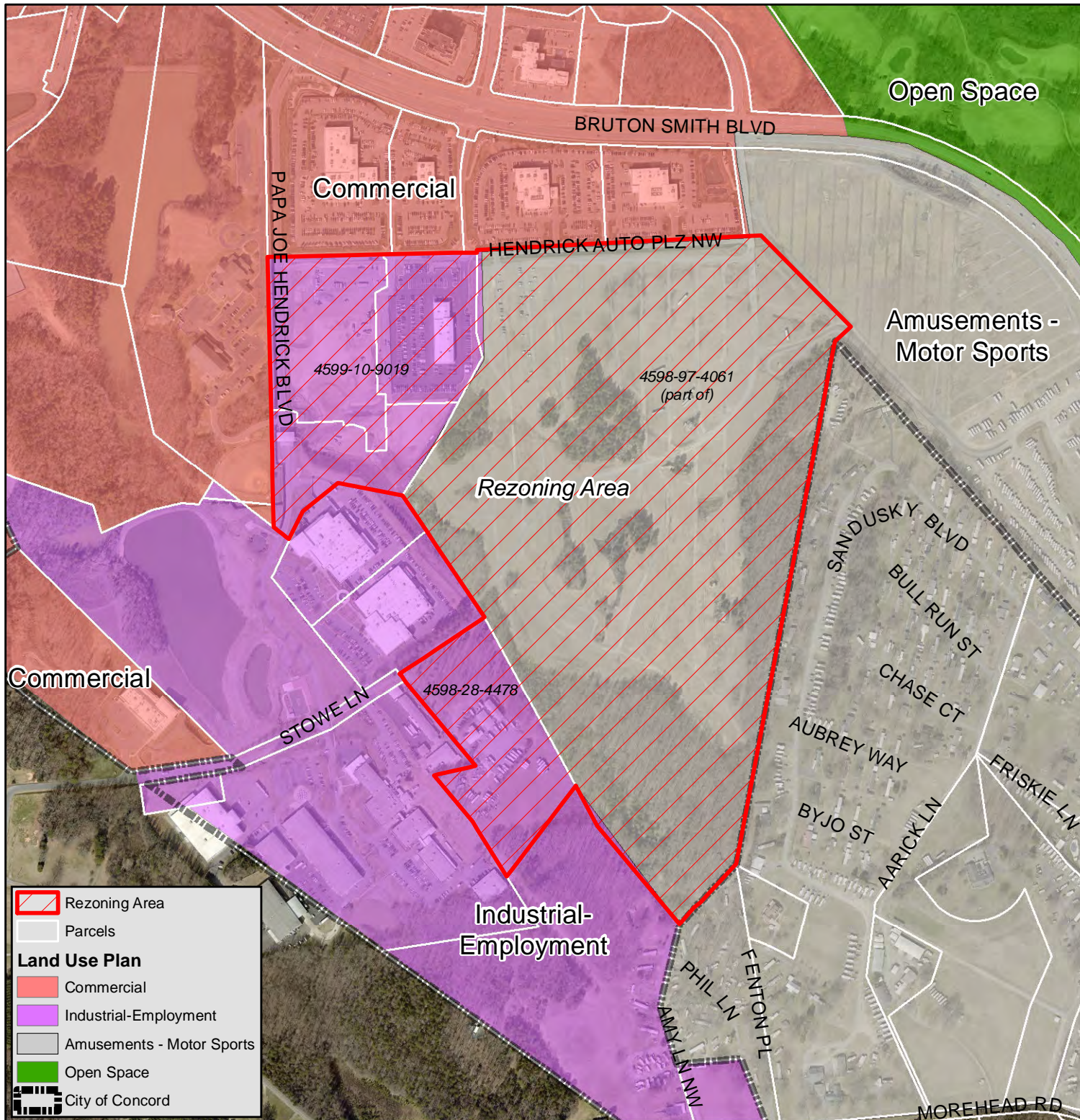
	Rezoning Area
	Parcels
Zoning	
	C-2
	I-1
	PID
County Zoning	
	LC-SU
	GC
	City of Concord

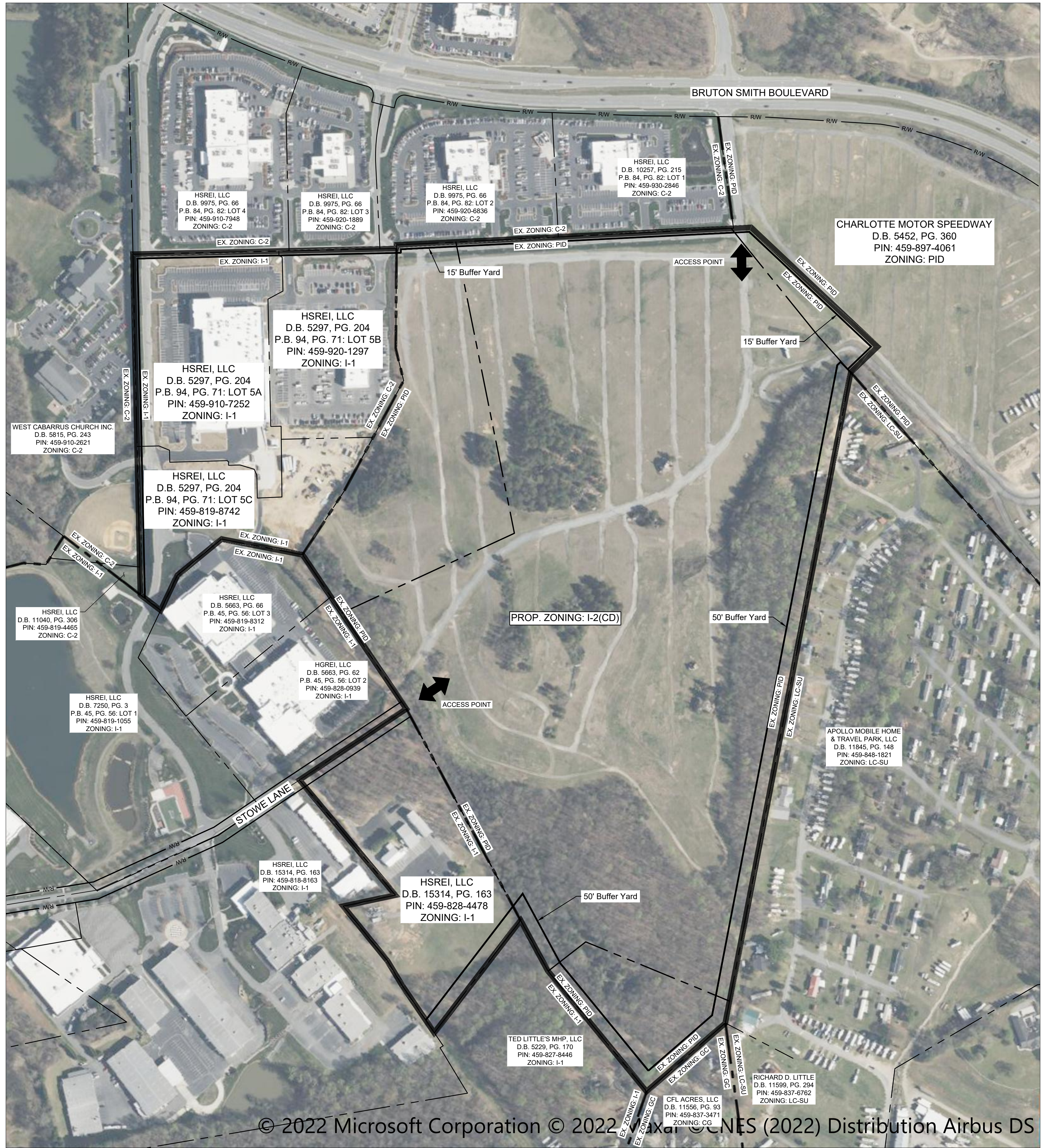


**Z(CD)-25-22
LAND USE PLAN**

**Rezoning application
I-1 (Light Industrial) &
PID (Public Interest District)
to
I-2-CD (General Industrial -
Conditional District)**

Hendrick Auto Plaza NW &
Stowe Ln
PINs: 4599-10-9019, 4598-28-4478
& part of 4598-97-4061





© 2022 Microsoft Corporation © 2022 Maxar © CNES (2022) Distribution Airbus DS

Setbacks
 Concord Zoning, Article 7, Table 7.6.2.B
 Front: 30'
 Side: 0'
 Rear: 0'

Buffer Yards
 Buffers subject to reductions as allowed within the Concord Development Ordinance.

PREPARED BY
ACRO-DS
 ACRO DEVELOPMENT SERVICES
 ENGINEERS • SURVEYORS
 601 S. Cedar Street, Suite 101
 Charlotte, NC 28202
 P: 980-224-8518
 E: acro@acro-ds.com

PROJECT LOCATION
 CITY OF CONCORD,
 CABARRUS COUNTY,
 NORTH CAROLINA

PROJECT NAME
 AMC - 150

PROJECT NUMBER
 2022-141

EXHIBIT TITLE
REZONING EXHIBIT

SHEET NUMBER **1/1** DATE **01/11/2022**

SCALE: 1" = 200'
 0' 100' 200' 400'
 0' .5" 1" 2"

