

CITY OF CONCORD PLANNING & ZONING COMMISSION
Meeting Agenda
Tuesday, May 16, 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**
- V. NEW BUSINESS**

1. Z(CD)-07-23 (Legislative Hearing)

Blake Troutman has submitted a Zoning Map Amendment application for +/- .86 acres of property located at 2564 Montford Ave NW from RM-2 (Residential Medium Density) to RV-CD (Residential Village Conditional District). PIN 5610-76-0765.

- 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.*

2. Z-10-23 (Legislative Hearing)

Kendall Toney has submitted a Zoning Map Amendment application for +/- .24 acres of property located at 911 Central Dr NW from C-2 (General Commercial) to RV (Residential Village). PIN 5611-84-8421.

- 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: May 16, 2023

REZONING CASE #: Z(CD)-07-23

ACCELA: CN-RZC-2023-00003

DESCRIPTION: Zoning Map Amendment
RM-2 (Residential Medium Density) to RV-CD (Residential Village Conditional District)

APPLICANT/OWNER: Blake Troutman

LOCATION: 2564 Montford Ave. NW

PIN#: 5610-76-0765

AREA: +/- 0.86 acres

ZONING: RM-2 (Residential Medium Density)

PREPARED BY: Autumn C. James, Planning & Development Manager

BACKGROUND

The subject property consists of one (1) parcel comprising +/- 0.86 acres on the corner of Montford Ave. NW and Peigler St. NW. The property currently has one single-family residential building.

To the north of the property the zoning is RM-2 (Residential Medium Density) and the properties are single-family residential. The adjacent properties to the south and west are zoned RC (residential compact) and RM-1 (Residential Medium Density) with single-family residences. The adjacent properties to the east are zoned RM-2 (Residential Medium Density). To the northwest, there are properties that are zoned RC-CD (Residential Compact Conditional District) and RV-CD (Residential Village Conditional District) that are single-family residential.

HISTORY

The subject property was annexed on 12/31/95 as a part of the large western forced annexation that filled a donut hole. It was initially zoned R-2 (residential) after annexation, then converted to RM-2 with the new UDO in 2000. The current residence was built in 1961, and was vacant land prior to that time. Blake Troutman acquired the property by deed recorded in the Cabarrus County Register of Deeds Book 16294 Page 0260 on November 29, 2022.

SUMMARY OF REQUEST

The applicant is requesting to rezone the subject property from RM-2 (Residential Medium Density) to RV-CD (Residential Village Conditional District) for the addition of one single-family home.

The Residential Village District is established to provide areas for detached and attached single-family homes, with a maximum of eight dwelling units per acre, in areas where large-lot development is discouraged and facilities and services are available. RV supports the principles of concentrating urban growth and reinforcing existing community centers, allowing limited commercial development and mixed use structures.

The conditional zoning process allows particular uses to be established on a case-by-case basis on a specific property. 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. If a petition for conditional district zoning is approved, the conditions of approval shall become binding upon the property. Only those uses and structures indicated in the approved petition and site plan may be developed on the site.

Existing Zoning and Land Uses (Subject Parcel)					
Current Zoning of Subject Property	Zoning Within 500 Feet		Land Uses(s) of Subject Property	Land Uses within 500 Feet	
RM-2 (Residential Medium Density)	North	RM-2 (Residential Medium Density)	Residential	North	Single-family residential
	South	RC (Residential Compact)		South	Single-family residential
	East	RM-2 (Residential Medium Density)		East	Single-family residential
	West	RM-2 (Residential Medium Density)		West	Single-family residential

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as “Suburban Neighborhoods (SN).” RV (Residential Village) is listed as a corresponding zoning district to the “Suburban Neighborhoods” land use category, and therefore is consistent with the land use plan.

The corresponding zoning districts for the “Urban Neighborhoods” land use category are RE (Rural Estate), RM-1 (Residential Medium Density), RM-2 (Residential Medium Density), PRD (Planned Residential Development District), C-1 (Light Commercial and Office), PUD (Planned Unit Development), RV (Residential Village), TND (Traditional Neighborhood Development), B-1

(Neighborhood Commercial), RL (Residential Low Density), O-I (Office-Institutional) and R-CO (Residential County Originated).

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 1.6: Provide a diverse mix and range of housing options throughout the City that will accommodate the current and future needs of the citizens of Concord.

- *Infill Housing: Promote a variety of compatible infill housing types in areas with access to adequate facilities and services.*
- *Housing Balance: Ensure that zoning allows for a mix of housing types at a variety of prices to meet the demands of existing and future residents.*
- *Mixed-Density Housing: Foster a compatible mix of higher density housing types at different densities within mixed-used activity centers and village centers.*

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- 0.86 acres and currently zoned RM-2 (Residential Medium Density).
- The subject property was annexed on 12/31/95 as a part of the large western forced annexation that filled a donut hole. It was initially zoned R-2 (residential) after annexation, then converted to RM-2 with the new UDO in 2000. The current residence was built in 1961, and was vacant land prior to that time. Blake Troutman acquired the property by deed recorded in the Cabarrus County Register of Deeds Book 16294 Page 0260 on November 29, 2022.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as RV-CD (Residential Village Conditional District) is a corresponding zoning classification to the Suburban Neighborhood Land Use Category 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. Only one single-family residence to be added to this parcel.
2. Technical Plat 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:

Blake Troutman (910) 622-2436
2564 Montford Ave NW troutmanrental@gmail.com
Concord, NC 28027

Owner Name, Address, Telephone Number:

Blake Troutman
2564 Montford Ave. NW
Concord, NC 28027

Project Location/Address: 2564 Montford Ave NW

Parcel Identification Number (PIN): 56107607650000

Area of Subject Property (acres or square feet): .86 ac.

Lot Width: 143 ft Lot Depth: 180 ft

Current Zoning Classification: RM-2

Proposed Zoning Classification: RV-CD

Existing Land Use: Residential

Future Land Use Designation: Residential

Surrounding Land Use: North Residential South Residential

East Residential West Residential

Reason for request:

Create one single family home

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:

Create one single family residential home.
Will have easement to sewer on Montford.


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):

Must have one unit on the single lot created

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 3/30/23
Date


Signature of Owner(s) 3/30/23
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: 3/30/23

Applicant Signature: *[Handwritten Signature]*

Property Owner or Agent of the Property Owner Signature:
[Handwritten Signature]

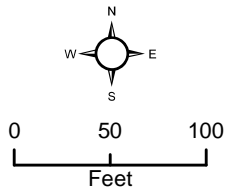
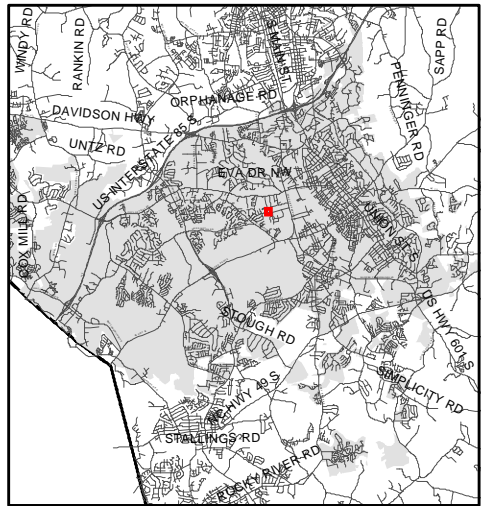


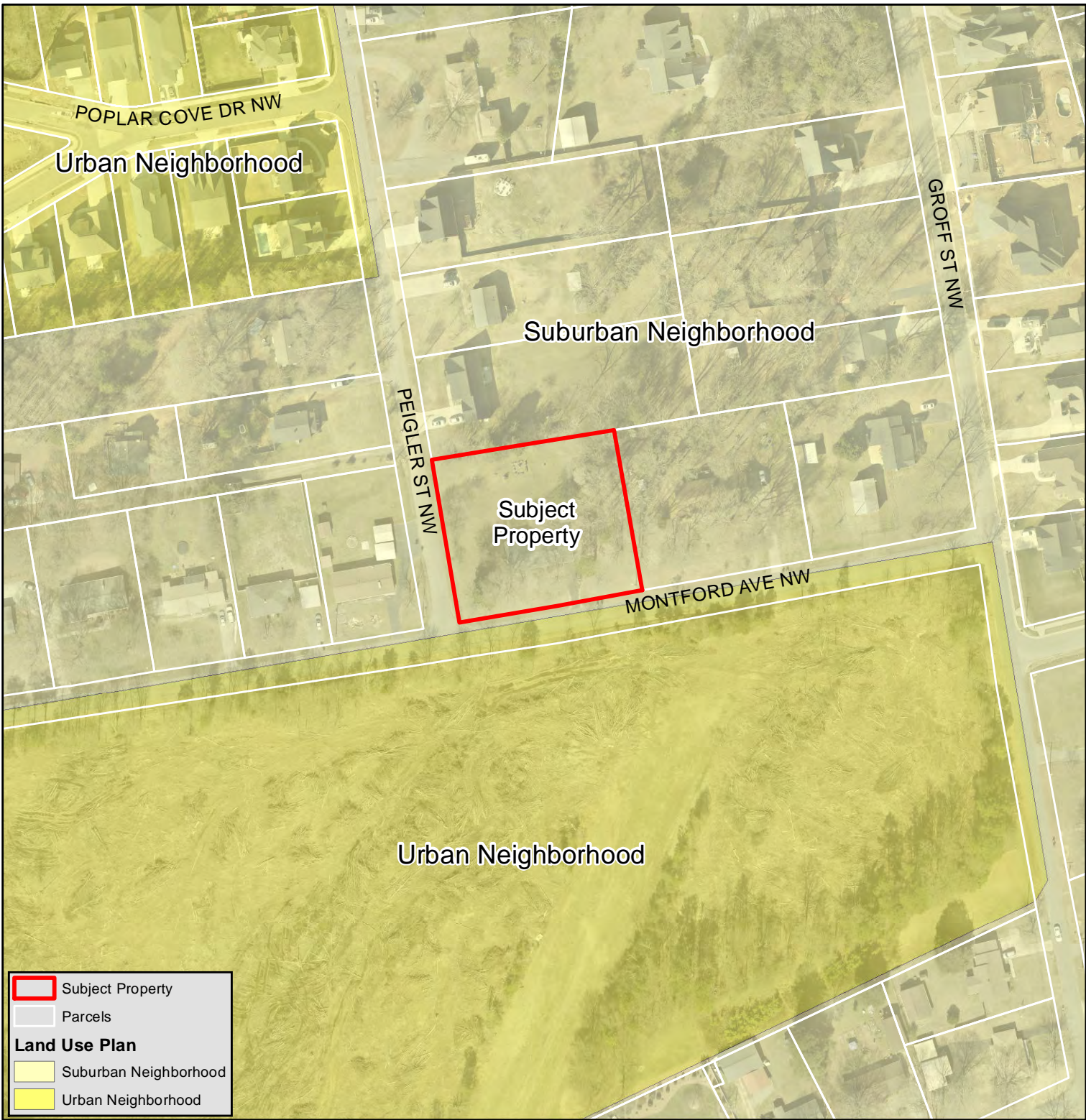
 Subject Property
 Parcels





**Z(CD)-07-23
 AERIAL**

**Rezoning application
 RM-2 (Residential Medium
 Density)
 to
 RV-CD (Residential Village
 -Conditional District)**

2564 Montford Ave NW
 PIN: 5610-76-0765



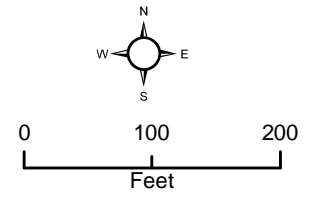
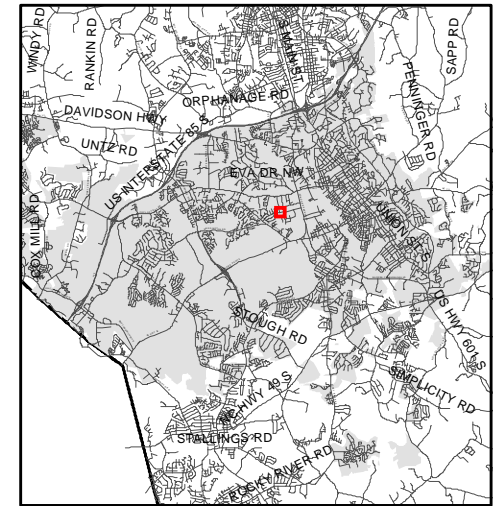


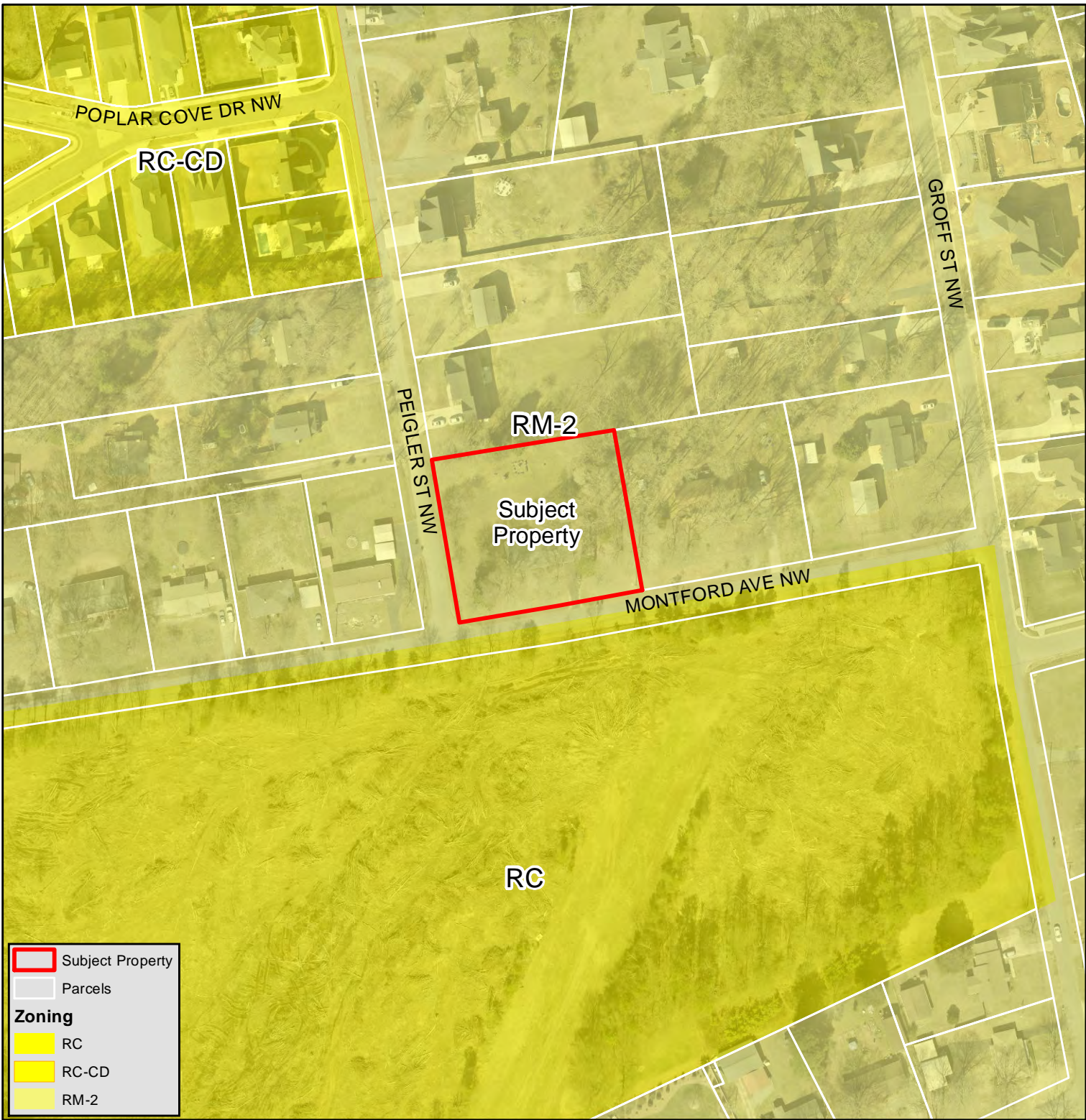
	Subject Property
	Parcels
Land Use Plan	
	Suburban Neighborhood
	Urban Neighborhood

**Z(CD)-07-23
LAND USE PLAN**

**Rezoning application
RM-2 (Residential Medium
Density)
to
RV-CD (Residential Village
-Conditional District)**

2564 Montford Ave NW
PIN: 5610-76-0765



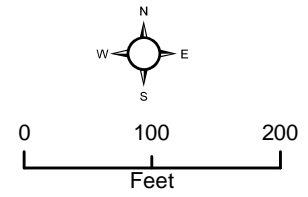
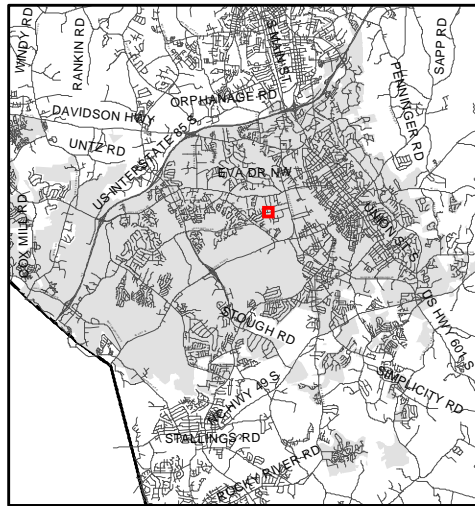


	Subject Property
	Parcels
Zoning	
	RC
	RC-CD
	RM-2

**Z(CD)-07-23
ZONING**

**Rezoning application
RM-2 (Residential Medium
Density)
to
RV-CD (Residential Village
-Conditional District)**

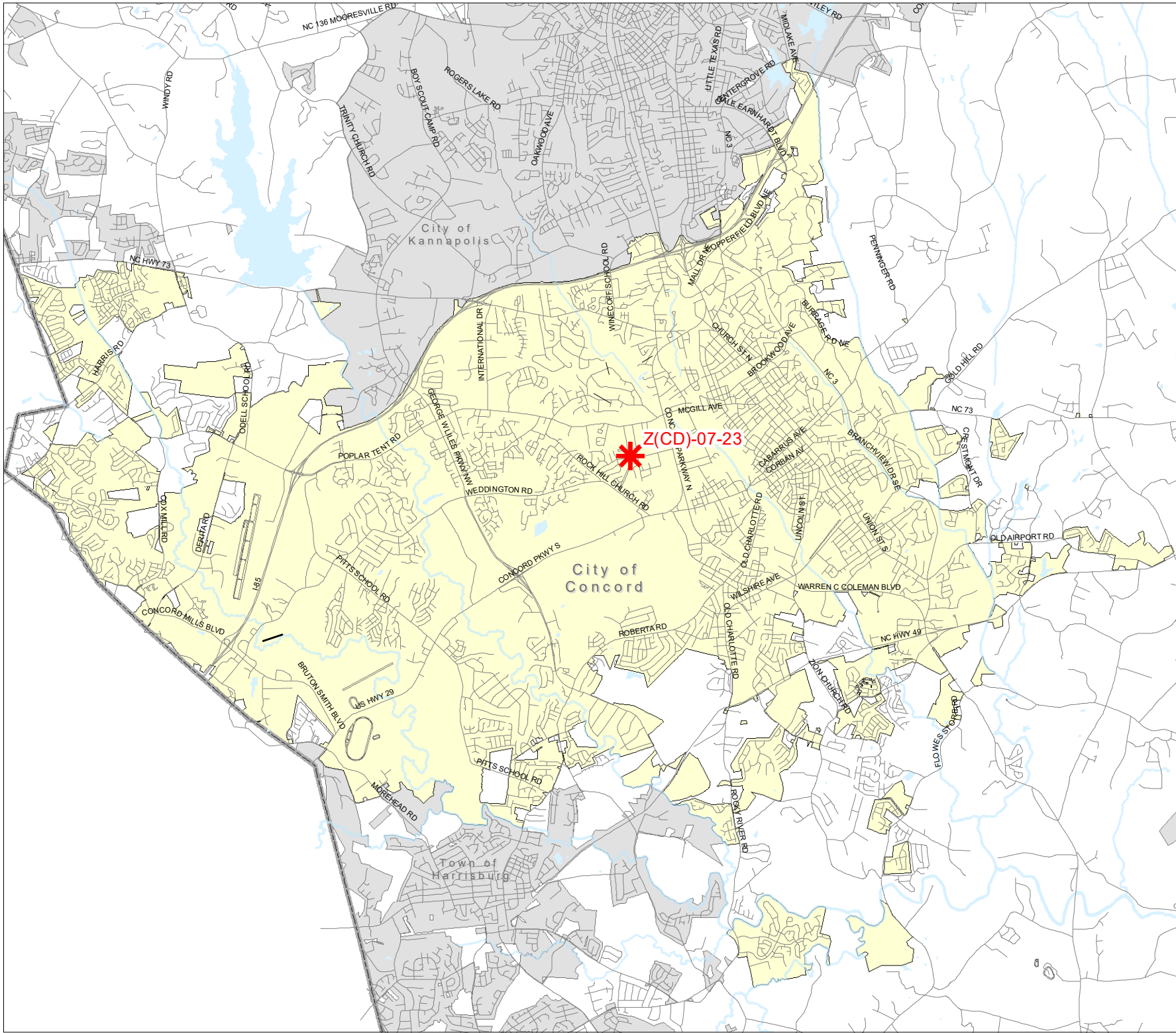
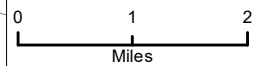
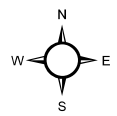
2564 Montford Ave NW
PIN: 5610-76-0765



Z(CD)-07-23

Rezoning application
RM-2 (Residential
Medium Density)
to
RV-CD (Residential
Village-Conditional
District)

- Case Location
- Streets
- Lakes & Ponds
- Rivers
- Cabarrus Co.
- City of Concord
- Other Municipalities





DATE: May 16, 2023

REZONING CASE #: Z-10-23

ACCELA: CN-RZZ-2023-00006

DESCRIPTION: Zoning Map Amendment
C-2 (General Commercial) to RV (Residential Village)

APPLICANT/OWNER: Kendall Toney

LOCATION: 911 Central Dr NW

PIN#s: 5611-84-8421

AREA: +/- .24 acres

PREPARED BY: Jeff Ellis, Planner

BACKGROUND

The subject property consists of one (1) parcel comprising approximately .24 acres at the intersection of Collingswood Dr NW and Central Dr NW. The property currently contains one (1) residential home.

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 is requesting to rezone the subject property from C-2 (General Commercial) to RV (Residential Village) for the zoning district to be in accordance with the property's use and to correspond with the Land Use Plan map designation. To the north of the property (across Collingsworth Dr NW) the zoning is C-2 (General Commercial). These properties consist of single-family homes, empty lots, and some trailer storage.

Directly to the east, the adjacent property is zoned C-2 (General Commercial) and is the site of a former CVS Pharmacy. To the south, the property is zoned C-2 (General Commercial) and consists of single-family homes. To the west the zoning is from RV (Residential Village) and this area is developed with single-family homes.

Because the request is for straight zoning of RV (Residential Village) and not a conditional district, all permitted uses with the RV (Residential Village) zoning classification would be allowed on the site.

Existing Zoning and Land Uses (Subject Parcel)					
Current Zoning of Subject Property	Zoning Within 500 Feet		Land Uses(s) of Subject Property	Land Uses within 500 Feet	
C-2 (General Commercial)	North	C-2 (General Commercial)	Residential	North	Single-family residential
	South	C-2 (General Commercial)		South	Commercial
	East	C-2 (General Commercial)		East	Commercial
	West	RV (Residential Village)		West	Single-family residential

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as “Urban Neighborhoods (UN)” for which RV (Residential Village) is listed as a corresponding zoning district.

The corresponding zoning districts for the “Urban Neighborhoods” land use category are RM-1 (Residential Medium Density), RM-2 (Residential Medium Density), RV (Residential Village), RC (Residential Compact), PRD (Planned Residential Development District), C-1 (Light Commercial and Office), PUD (Planned Unit Development), TND (Traditional Neighborhood Development), and O-I (Office-Institutional), and R-CO (Residential County Originated)

From the 2030 Land Use Plan – “Urban Neighborhoods” (UN)

The Urban Neighborhood (UN) Future Land Use category includes a mix of moderate- to high-density housing options. These neighborhoods are relatively compact and may contain one or more of the following housing types: small lot, single family detached, townhomes, condominiums, or apartments. The design and scale of development in an urban neighborhood encourages active living with a complete 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.

Policy Guidance:

Objective 1.3: Ensure that the Future Land Use Map allows sufficient development opportunities to meet existing and projected needs for residential, commercial, industrial and other land uses.

- *Monitor Land Use: Monitor existing, approved and planned land uses and compare development capacities with projected demands for all types of residential and non-residential development. The Future Land Use Map should provide adequate land to meet projected demands and provide market flexibility throughout the city.*

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- .24 acres and is zoned City of Concord C-2 (General Commercial).
- The subject property was annexed on June 30, 1992, and zoned B-3. The zoning was later converted to C-2 (General Commercial) in 2000.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as RV (Residential Village) is a corresponding zoning classification to the Commercial Land Use Category.
- 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 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 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.

**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: _____

Kendall Toney , 9802534687

admin@trg-rei.com

Owner Name, Address, Telephone Number: _____ TRG REI LLC

Project Location/Address: _____ 911 Centeal Drive NW 28027

P.I.N.: _____ 56118484210000

Area of Subject Property (acres or square feet): _____ .24 acres

Lot Width: _____ 93 Lot Depth: _____ 156

Current Zoning Classification: _____ C2

Proposed Zoning Classification: _____ RV

Existing Land Use: _____ Residential

Future Land Use Designation: _____ Residential

Surrounding Land Use: North _____ Commerical/Residential South _____ Residential
East _____ Commerical/Residential West _____ Commerical/Residential

Reason for request: Would like to ensure property can be occupied, marketed, used and sold as residential without limitations

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:

residential use

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):

going to renovate the property and modernize it to maximize its potential

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.

kendall toney 4/25/2023

 _ 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: 4/26/2023

Applicant Signature: *kendall toney*

Property Owner or Agent of the Property Owner Signature:
kendall toney

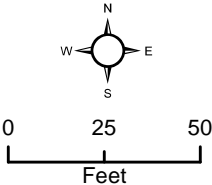
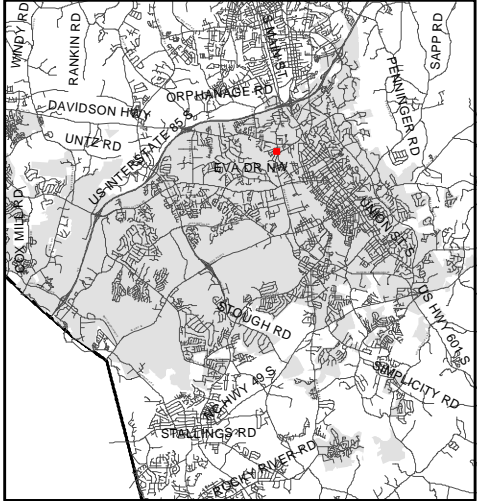
**Z-10-23
AERIAL**

**Rezoning application
C-2 (General Commercial)
to
RV (Residential Village)**

911 Central Dr NW
PIN: 5611-84-8421



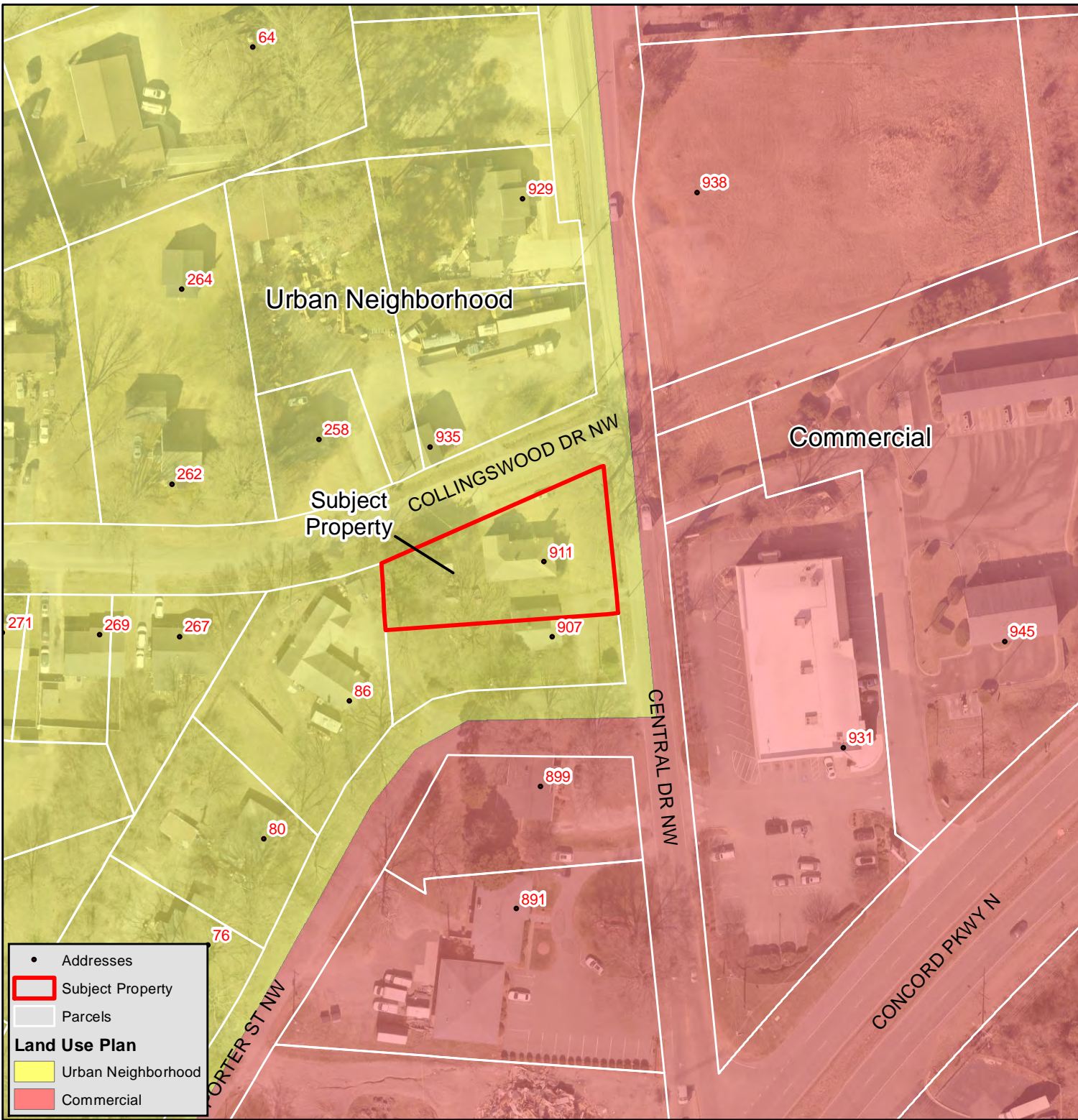
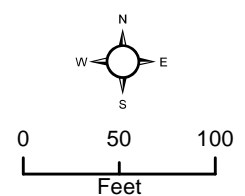
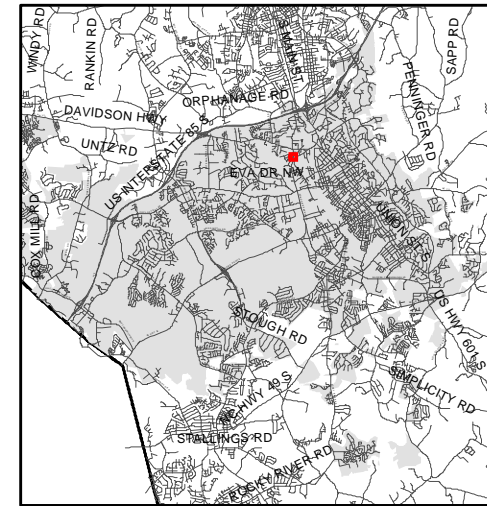
- Addresses
- ▭ Subject Property
- ▭ Parcels



Z-10-23 LAND USE PLAN

Rezoning application
C-2 (General Commercial)
to
RV (Residential Village)

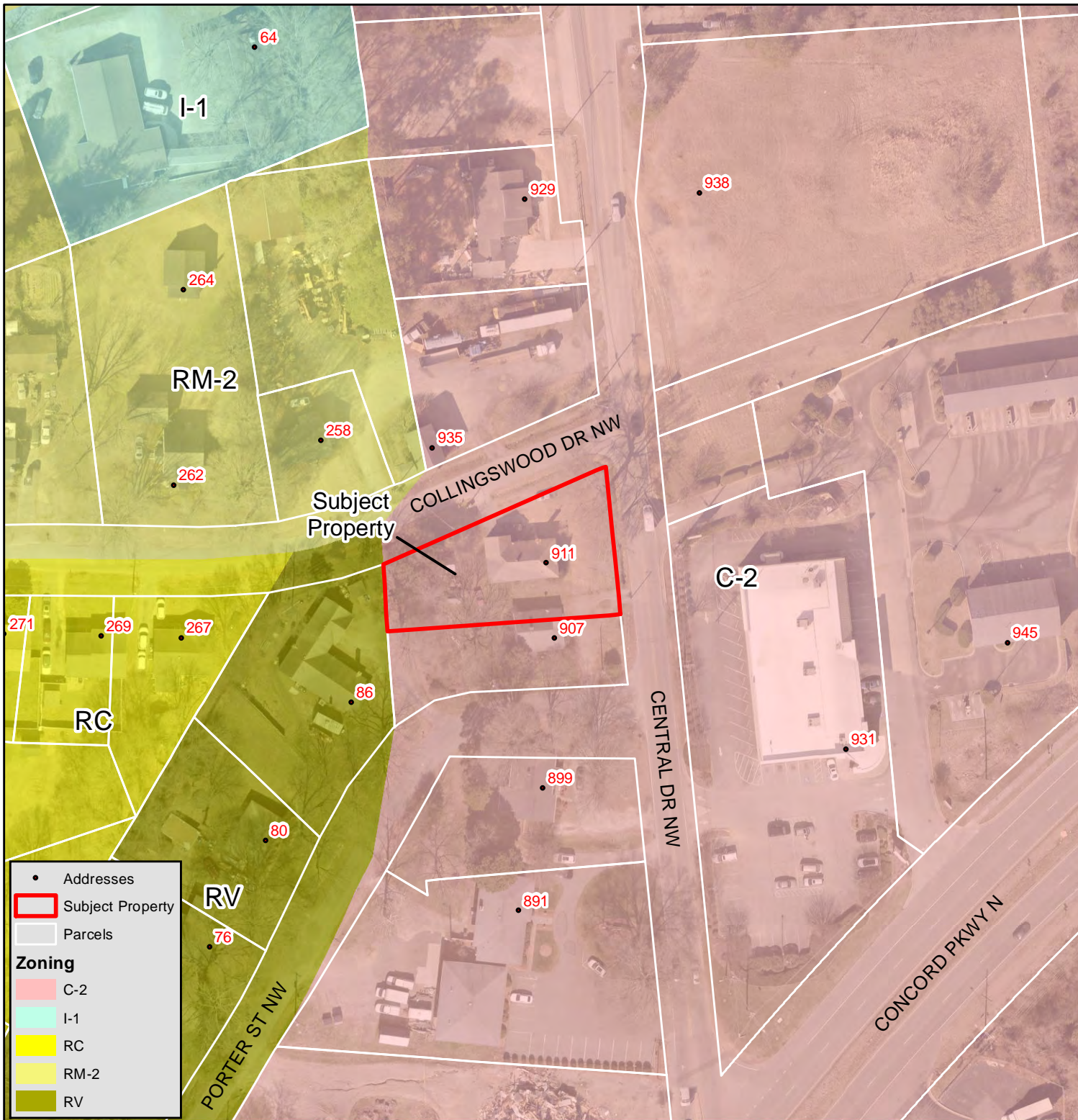
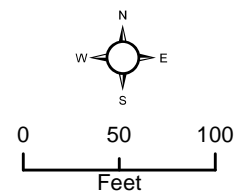
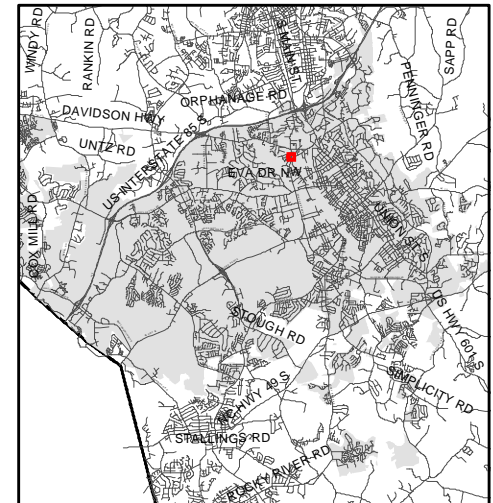
911 Central Dr NW
PIN: 5611-84-8421



Z-10-23 ZONING

Rezoning application C-2 (General Commercial) to RV (Residential Village)

911 Central Dr NW
PIN: 5611-84-8421



- Addresses
- ▭ Subject Property
- ▭ Parcels

Zoning

- ▭ C-2
- ▭ I-1
- ▭ RC
- ▭ RM-2
- ▭ RV

Z-10-23

Rezoning application
C-2 (General Commercial)
to
RV (Residential Village)

Case Location

- Streets
- Lakes & Ponds
- Rivers
- Cabarrus Co.
- City of Concord
- Other Municipalities

