

CITY OF CONCORD PLANNING & ZONING COMMISSION
Meeting Agenda
Tuesday, July 18, 2023 at 6:00 PM
City Hall Council Chambers - 35 Cabarrus Avenue West

- I. CALL TO ORDER - *Chair***
- II. CHANGES TO THE AGENDA**
- III. ELECTION OF OFFICERS (VICE-CHAIR)**
- IV. APPROVAL OF THE MINUTES - *Motion, second, and vote needed.***
- V. OLD BUSINESS**
- VI. NEW BUSINESS**

1. Z-11-23 (Legislative Hearing)

Michael D. Rizzo has submitted a Zoning Map Amendment application for +/- 0.17 acres of property located at 239 Brookwood Ave NW from C-2 (General Commercial District) to RV (Residential Village). p/o PIN 5621-30-1719.

- 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 with Conditions by Motion - *Motion, second, and vote needed.*

VII. RECOGNITION OF PERSONS REQUESTING TO BE HEARD

VIII. MATTERS NOT ON THE AGENDA

IX. ADJOURNMENT



DATE: July 18, 2023

REZONING CASE #: Z-11-23

ACCELA: CN-RZZ-2023-00003

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

APPLICANT/OWNER: Michael Rizzo

LOCATION: 239 Brookwood Ave NW

PIN#: p/o 5621-30-1719

AREA: +/- 0.17 acres

ZONING: C-2 (General Commercial)

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

BACKGROUND

The subject property consists of one (1) parcel comprising +/- 0.30 acres on a lot on the corner of Brookwood Ave NW and Gibson Dr NW. The applicant is requesting to rezone +/- 0.17 acres on the right and rear of the property.

HISTORY

The property was annexed into the City of Concord prior to 1932. The masonry building on the property is the former site of Roseman Carpet Cleaning. The property was acquired by Michael D. Rizzo by deed recorded in Cabarrus County Register of Deeds Book 16076 Page 0103 as recorded on June 17, 2022 and is currently unoccupied.

SUMMARY OF REQUEST

The applicant is requesting to rezone a portion the subject property C-2 (General Commercial) to RV (Residential Village) to build a single-family residence. The applicant is planning to utilize and maintain the existing masonry building on the C-2 zoned parcel to be used as a workshop for his custom cutlery business, and build a residence on the proposed rezoned portion for his personal residence.

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	RV (Residential Village)	Commercial	North	Single Family Residential
	South	RC (Residential Compact)		South	Single Family Residential
	East	RV (Residential Village)		East	Single Family Residential
	West	RC (Residential Compact)		West	Single Family Residential

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as “Commercial (C).” RV (Residential Village) is not a corresponding zoning district to the “Commercial” land use category, and therefore is not consistent with the land use plan. Approval of the rezoning would require a Land Use Plan amendment to Urban Neighborhood (UN) by City Council. The property is directly adjacent to UN designated property and RV is considered a consistent zoning district.

From the 2030 Land Use Plan – “Commercial” (C)

The Commercial Future Land Use category includes a mix of commercial land use types. While these areas continue to support additional commercial development and redevelopment, much of the new commercial development should be concentrated within the Mixed-Use Activity Centers and Village Centers. Strip commercial development along major corridors is discouraged in the 2030 Plan. Instead, commercial development integrated into Mixed-Use Activity Centers at key intersections is desired. Areas designated as Commercial are intended to represent those that include a variety of commercial uses at different intensities, including large scale malls, lifestyle centers, and community shopping centers.

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 +/- 0.30 acres and currently zoned C-2 (Commercial).
- The subject property was annexed into the City of Concord prior to 1932 and is currently unoccupied.
- The proposed zoning is not consistent with the 2030 Land Use Plan (LUP) as RV (Residential Village) is not a corresponding zoning classification to the Commercial Land Use Category. However, the subject property is located adjacent to other properties zoned residential and would be compatible with the adjacent zoning to the north, south, east, and west.
- The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning adjacent to the subject property.

SUGGESTED RECOMMENDATION AND CONDITIONS

City staff does not have any issues with the proposal. The zoning map amendment will also need a Land Use Plan Amendment to the 2030 Land Use Plan. 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. 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:

Michael D. Rizzo 23 Grove St. (203)-885-2679
Danbury, CT 06810 md.rizzo.88@gmail.com

Owner Name, Address, Telephone Number:

Michael D. Rizzo 23 Grove St. Danbury, CT 06810 (203)-885-2679

Project Location/Address: 239 Brookwood Ave. NW Concord, NC 28025

Parcel Identification Number (PIN): _____

Area of Subject Property (acres or square feet): 7558 sq. ft.

Lot Width: 49.09'

Lot Depth: 129.61'

Current Zoning Classification: Commercial (C-2)

Proposed Zoning Classification: Residential (RV)

Existing Land Use: None

Future Land Use Designation: Residential Home

Surrounding Land Use: North Residential

South Residential

East Residential

West Commercial

Reason for request:

To build a residential home.

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: 5/12/23

Applicant Signature: 

Property Owner or Agent of the Property Owner Signature: 

STATUTORY REQUIREMENTS FOR RECORDING.

DATE: _____

REVIEW OFFICER: _____


SAN MH

BROOKWOOD AVE NW
60' PUBLIC R/W

GIBSON STREET NW
60' PUBLIC R/W

FOUND
22.12ft
71.84ft
(2011)

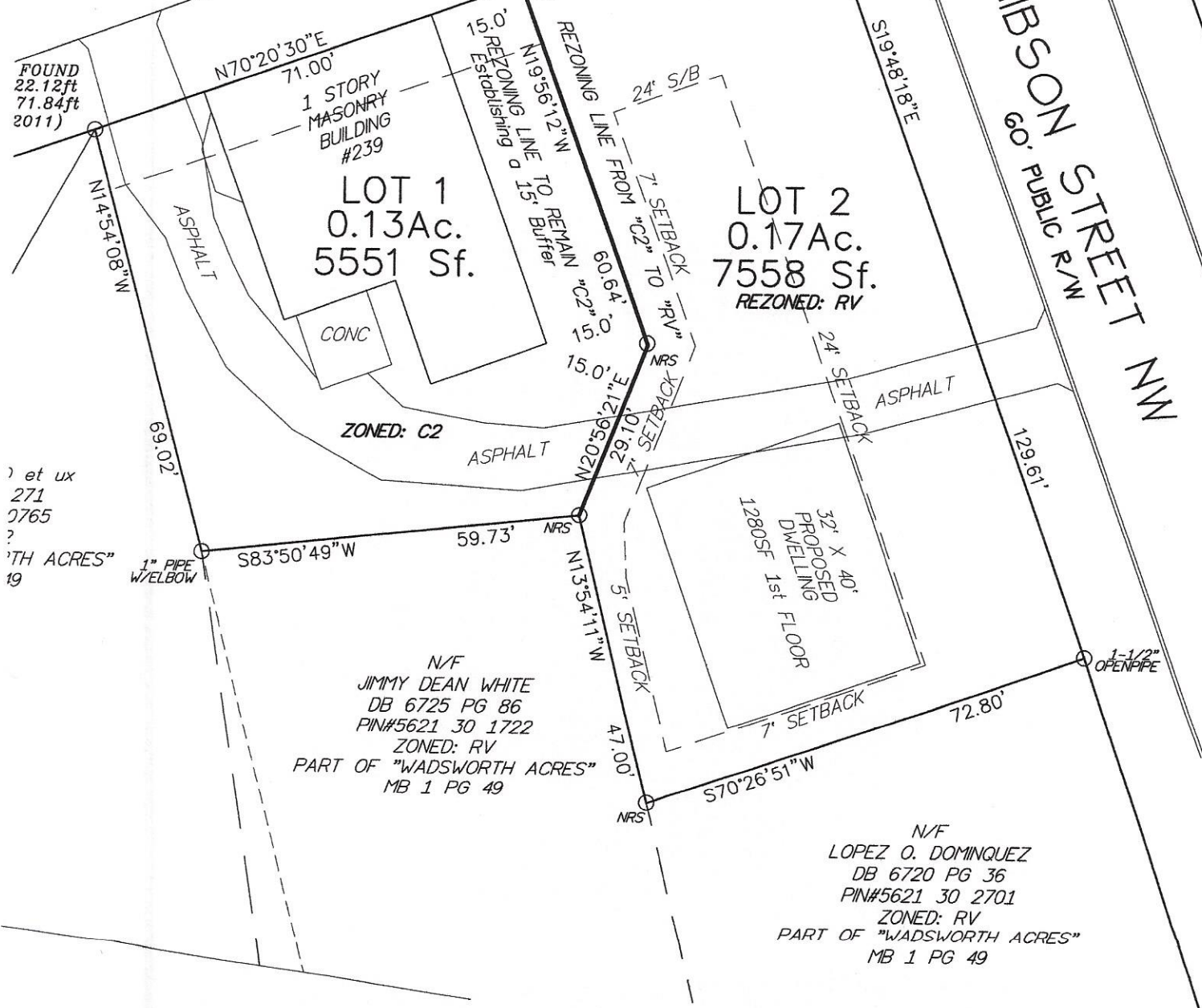
LOT 1
0.13Ac.
5551 Sf.

LOT 2
0.17Ac.
7558 Sf.
REZONED: RV

N/F
JIMMY DEAN WHITE
DB 6725 PG 86
PIN#5621 30 1722
ZONED: RV
PART OF "WADSWORTH ACRES"
MB 1 PG 49

N/F
LOPEZ O. DOMINQUEZ
DB 6720 PG 36
PIN#5621 30 2701
ZONED: RV
PART OF "WADSWORTH ACRES"
MB 1 PG 49

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






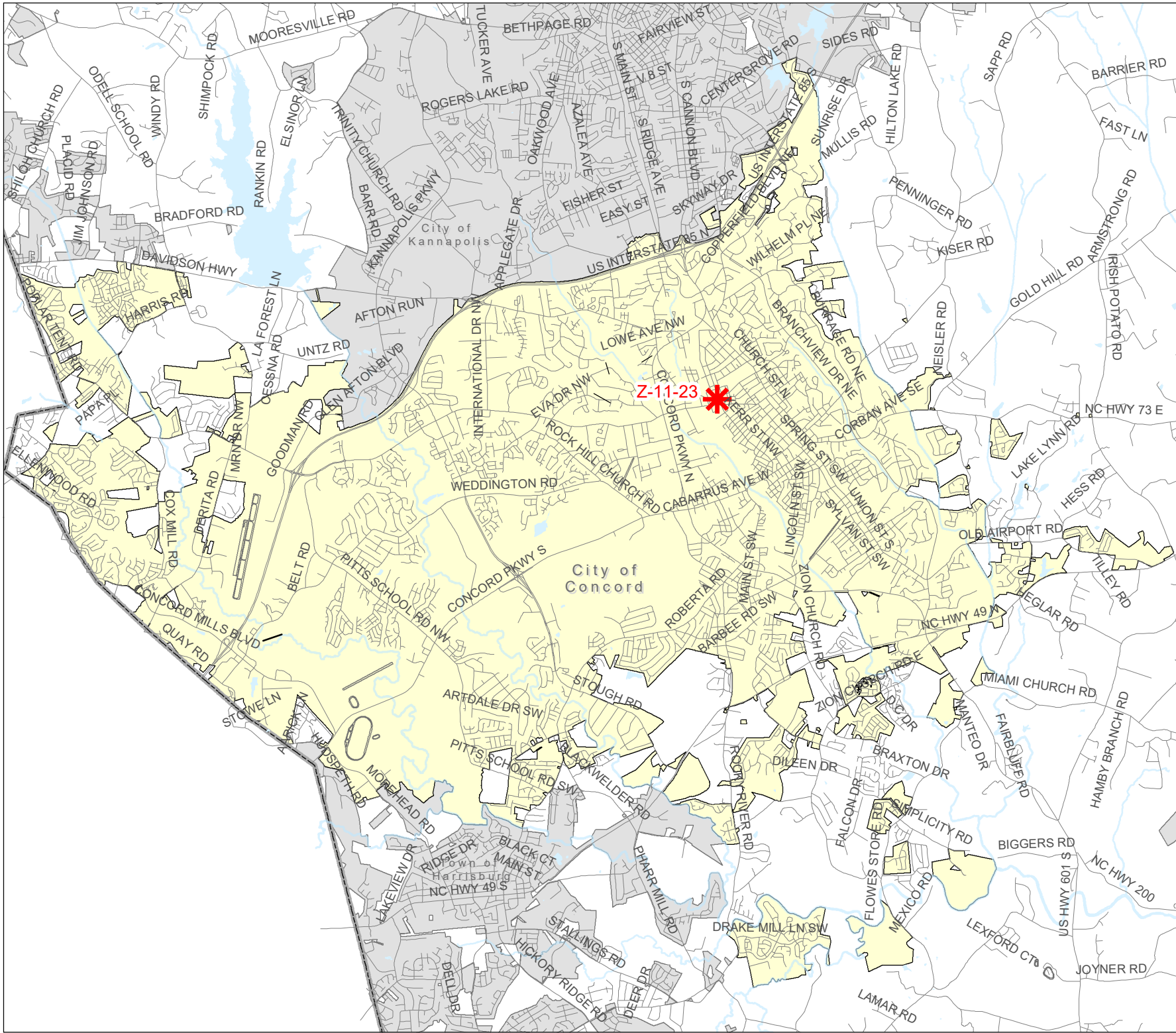
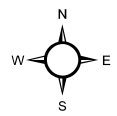


Z-11-23

239 Brookwood Ave NW

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

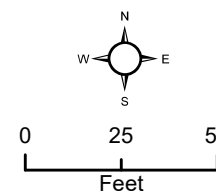
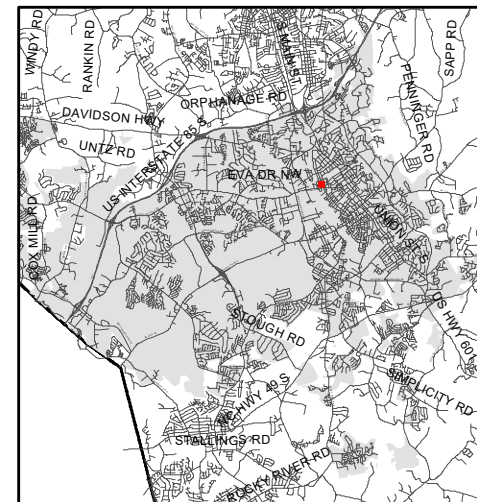
-  Case Location
-  Streets
-  Lakes & Ponds
-  Rivers
-  Cabarrus Co.
-  City of Concord
-  Other Municipalities



**Z-11-23
AERIAL**

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

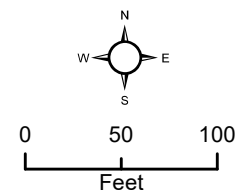
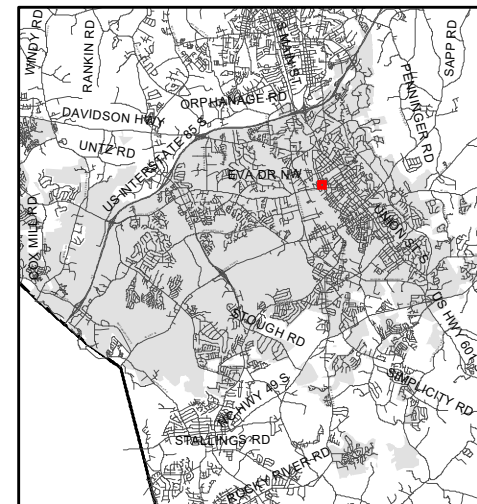
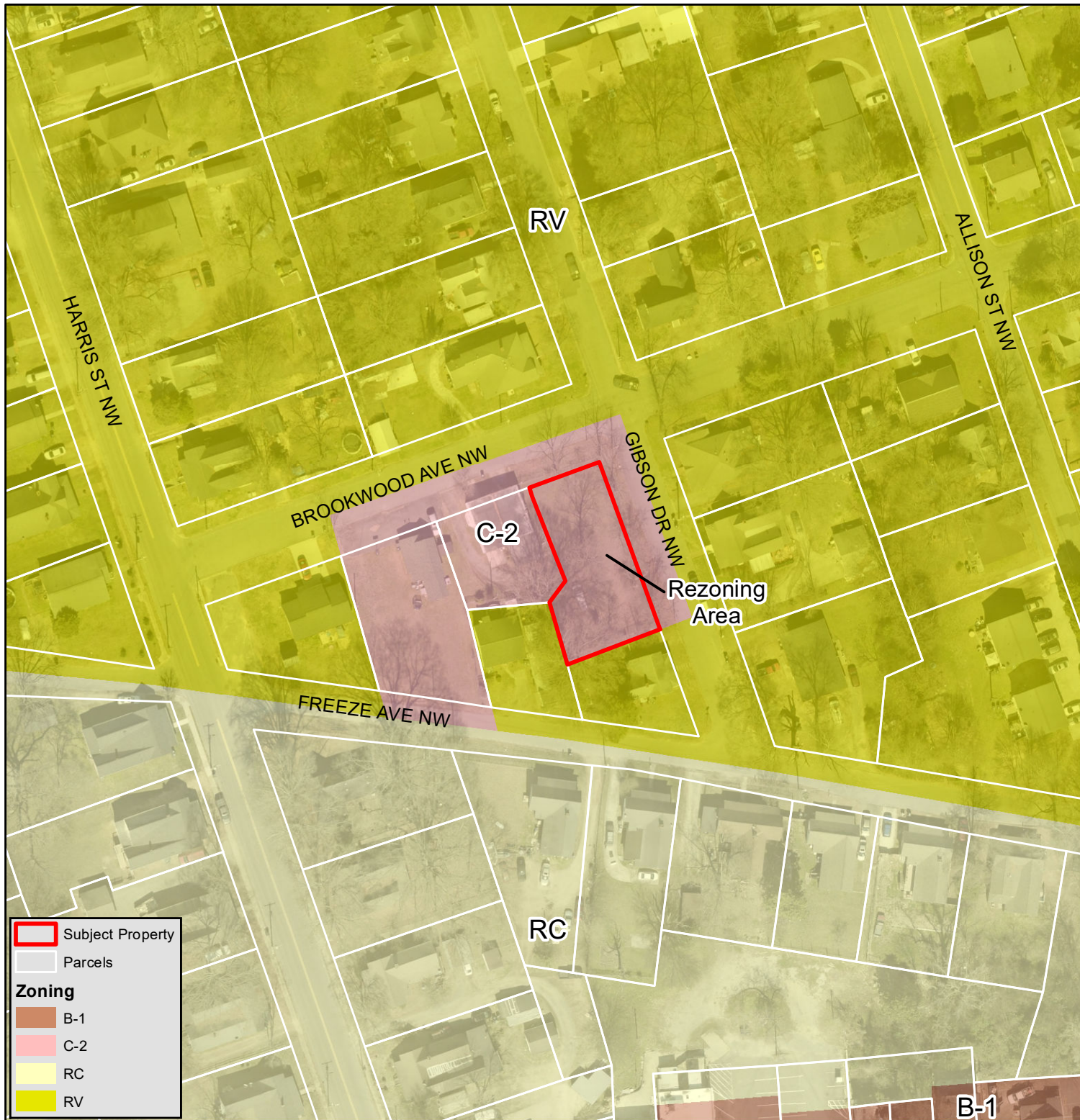
239 Brookwood Ave NW
PIN: 5621-30-1719 (part of)

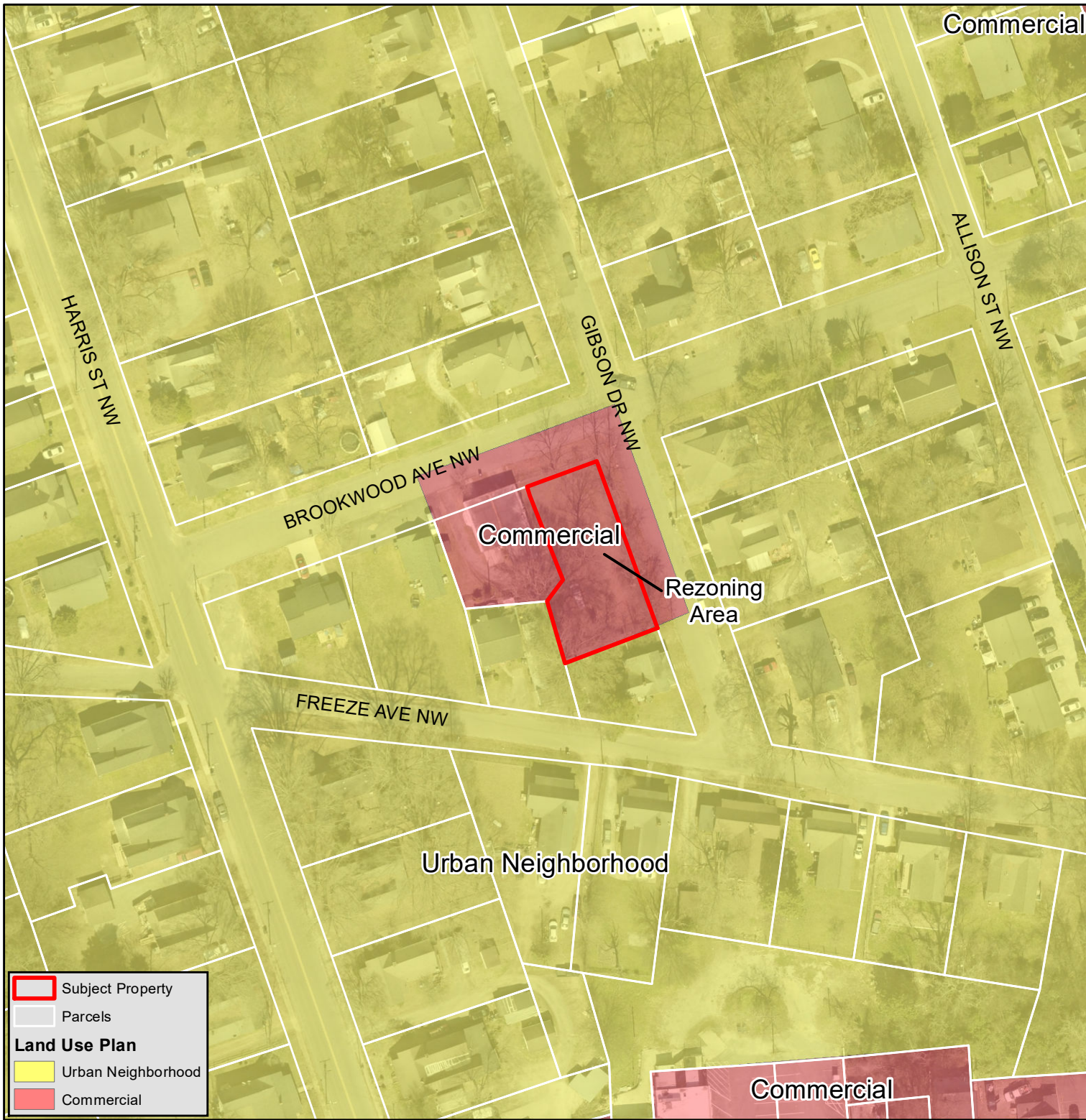


Z-11-23 ZONING

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

239 Brookwood Ave NW
PIN: 5621-30-1719 (part of)





Commercial

**Z-11-23
LAND USE PLAN**

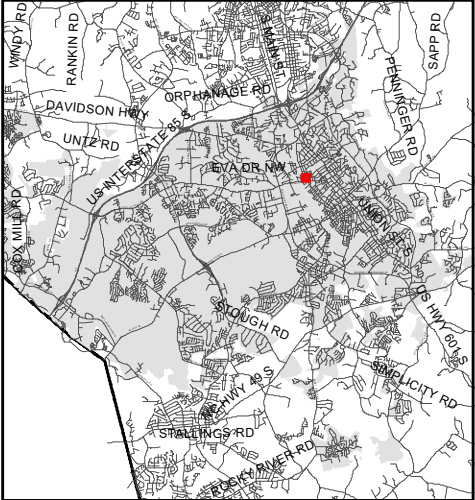
**Rezoning application
C-2 (General Commercial)
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239 Brookwood Ave NW
PIN: 5621-30-1719 (part of)

Commercial
Rezoning Area

Urban Neighborhood

Commercial



	Subject Property
	Parcels
Land Use Plan	
	Urban Neighborhood
	Commercial

