

**CITY OF CONCORD PLANNING & ZONING COMMISSION**  
**Meeting Agenda**  
**Tuesday, August 15, 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-15-23 (Legislative Hearing)**

**Administrative** zoning map amendment for property located at 786 Bartram Ave from Cabarrus County Medium Density Residential (MDR) to Residential – County Originated (R-CO). PIN 5539-30-7799.

- 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.*

**2. Z-14-23 (Legislative Hearing)**

**Moises Maldonado** has submitted a Zoning Map Amendment application for +/- 0.93 acres of property located at 91 Pitts School Rd NW from I-1 (Light Industrial) to RV (Residential Village) for the purpose of rebuilding the existing single-family home. PIN 5509-24-3559.

- 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.*

**3. SUP-02-23 (Quasi-Judicial Hearing)**

**Alex Horner** has submitted a Special Use Permit application for +/- 39.3 acres of property located at ~2900 New Town Way for the purpose of a trucking terminal with associated parking and utilities to serve the facility. p/o PIN 5519-78-1062.

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

**VI. PETITIONS AND REQUESTS – NO PUBLIC HEARING REQUIRED/PRESENTATIONS AND DISCUSSIONS**

**1. TA-06-23** Consider a text amendment to amend two subsections of Article 12 Sign Standards, 12.4.5 Projecting Signs and 12.4.7.B Window Signs. The intention of the text amendment is to add flexibility for projecting and window signage in Center City.

a. Staff Presentation

b. Commission Guidance-- *Motion, second, and vote needed*

**VII. RECOGNITION OF PERSONS REQUESTING TO BE HEARD**

**VIII. MATTERS NOT ON THE AGENDA**

**IX. ADJOURNMENT**



**DATE:** August 15, 2023

**REZONING CASE #:** Z-15-23

**DESCRIPTION:** Administrative Zoning Map Amendment  
Cabarrus County MDR (Medium Density Residential) to R-CO  
(Residential County Originated)

**APPLICANT:** City of Concord - Administrative

**LOCATION:** 786 Bartram Ave.

**PIN#s:** 5539-30-7799

**AREA:** +/- 0.16 acres

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

*Note: Because this rezoning request pertains to a recently annexed property, a City zoning classification must be adopted.*

**SUMMARY OF REQUEST**

This is an administrative zoning request for a 786 Bartram Ave, in the Hallstead Subdivision, on the northeast side of the Zion Church Rd and Zion Church Rd East intersection. This parcel was previously zoned Cabarrus County MDR (Medium Density Residential) and was annexed into the City of Concord on July 13, 2023. The request is for R-CO (Residential County Originated) zoning.

**BACKGROUND**

The original developer of Hallstead was required to submit an annexation petition to the City, prior to recording subdivision plats, in order to obtain City utilities. The initial phase was annexed into the City limits following this procedure. In error, the developer did not follow this procedure with the second map of the first phase, and as a result, this second map was recorded, and homes were constructed and sold without submission of an annexation petition. Subsequently, the original developer ceased work in the subdivision, and their property (both raw land and individual lots) were purchased by NW Southeast Holdings, LLC. In order to obtain City utilities for these purchased lots, NW Southeast Holdings, LLC submitted an annexation petition. A total of 53 individually owned single family homes that were platted in the second phase of the development were not annexed. The City conducted outreach to the remaining property owners in 2012 and 2013, providing information on annexation. Some property owners chose to annex, while others remained outside the City limits. Periodically, the City received annexation petitions, such as the subject request, in order to receive solid waste services.

R-CO (Residential County Originated) is a zoning district that was created with the adoption of the updated Unified Development Ordinance (UDO) on July 12, 2007. This zoning district was created for cases where an existing development, or an area that has approved plans, is annexed and there is not a compatible zoning district in the City of Concord. Setbacks and lot dimension standards will follow what is specified on the recorded plats, allowing the subject property to transition from Cabarrus County to City of Concord while avoiding the creation of non-conforming lots.

**SURROUNDING ZONING AND LAND USES**

Concord’s primary corporate limits are surrounding this property, as it is one (1) of thirty-six (36) parcels that were never annexed within the subdivision. Surrounding properties within the subdivision are developed with single-family detached homes and are zoned R-CO (Residential County Originated). The subject property is consistent with surrounding R-CO (Residential County Originated) properties

<b>Existing Zoning and Land Uses (Subject Parcel)</b>					
<b>Current Zoning of Subject Property</b>	<b>Zoning Within 500 Feet</b>		<b>Land Uses(s) of Subject Property</b>	<b>Land Uses within 500 Feet</b>	
Cabarrus County MDR (Medium Density Residential)	<b>North</b>	City of Concord R-CO (Residential County Originated)	Single Family Residential	<b>North</b>	Single-family residential
	<b>South</b>	City of Concord R-CO (Residential County Originated)		<b>South</b>	Single-family residential
	<b>East</b>	City of Concord R-CO (Residential County Originated)		<b>East</b>	Single family residential
	<b>West</b>	City of Concord R-CO (Residential County Originated)		<b>West</b>	Single family residential

**COMPLIANCE WITH 2030 LAND USE PLAN**

The 2030 Land Use Plan (LUP) designates the subject property as “Suburban Neighborhood” for which R-CO (Residential County Originated) is as a corresponding zoning district.

**From the 2030 Land Use Plan – “Suburban Neighborhood”:**

*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.*

*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.*

**Goal 4: Ensure compatibility between neighboring land uses.**

**Objective 4.1:** *Use a combination of land use transitions, intensity gradients, buffering and design to ensure that land use transitions are compatible.*

The following general land use challenges and opportunities in Section 5.2 relate to the proposed amendment.

**Ensuring compatibility between neighboring land uses:** *As the diversity of uses and housing types increases, the potential for incompatibility increases. To maintain compatibility between adjacent uses, the City will need to ensure that there are seamless transitions between uses which will require a combination of separating certain uses, buffering between uses, and addressing the design, scale, height, orientation and intensity of development as appropriate to the land use transition and the site.*

The following goals, objectives and policy guidance relate to the proposed zoning amendment.

**SUGGESTED STATEMENT OF CONSISTENCY**

- The subject property consists of one (1) parcel, comprising approximately 0.1 acres at 78 Bartram Ave., within the Hallstead Subdivision.
- The subject property was annexed into the City on July 13, 2023.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as R-CO is a corresponding zoning classification to the “Suburban Neighborhood” Land Use Category.

The subject property is located within an established residential neighborhood and the proposed R-CO (Residential County Originated) zoning will limit development to remain a single-family detached home, consistent with the surrounding neighborhoods.

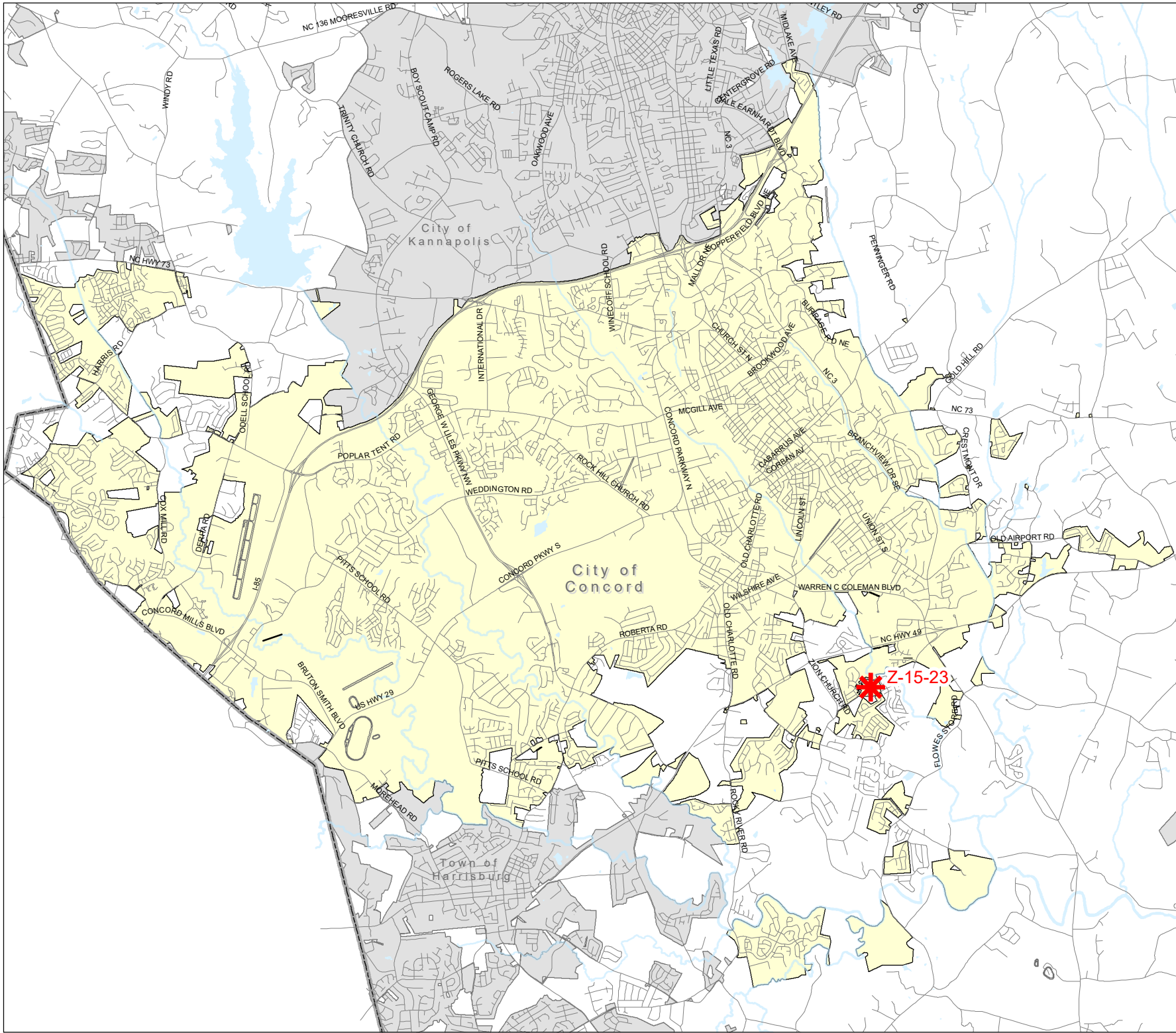
- The zoning amendment is reasonable and in the public interest as it will remain consistent with the existing subdivision, and adjacent, single-family developments to the north, south, east, and west. The R-CO district would allow for a transition into City of Concord zoning and would avoid the creation of any non-conforming lots.

**PROCEDURAL CONSIDERATIONS**

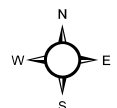
This particular case is a rezoning, which under the CDO, is legislative in nature. Legislative hearings do not require the swearing or affirming of witnesses prior to testimony at the public hearing. As the request is not a Conditional District no conditions may be applied.

**Z-15-23**

**786 Bartram Ave**



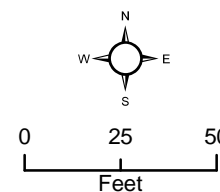
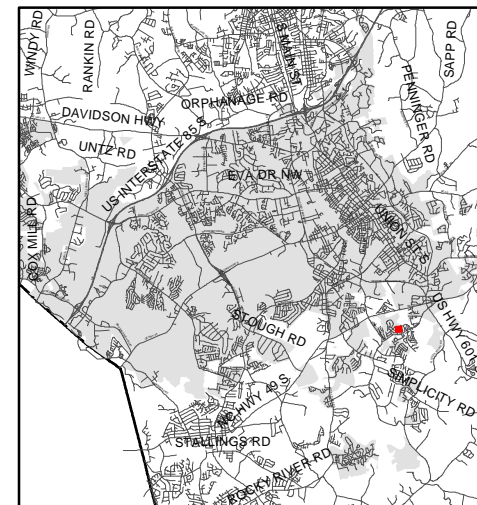
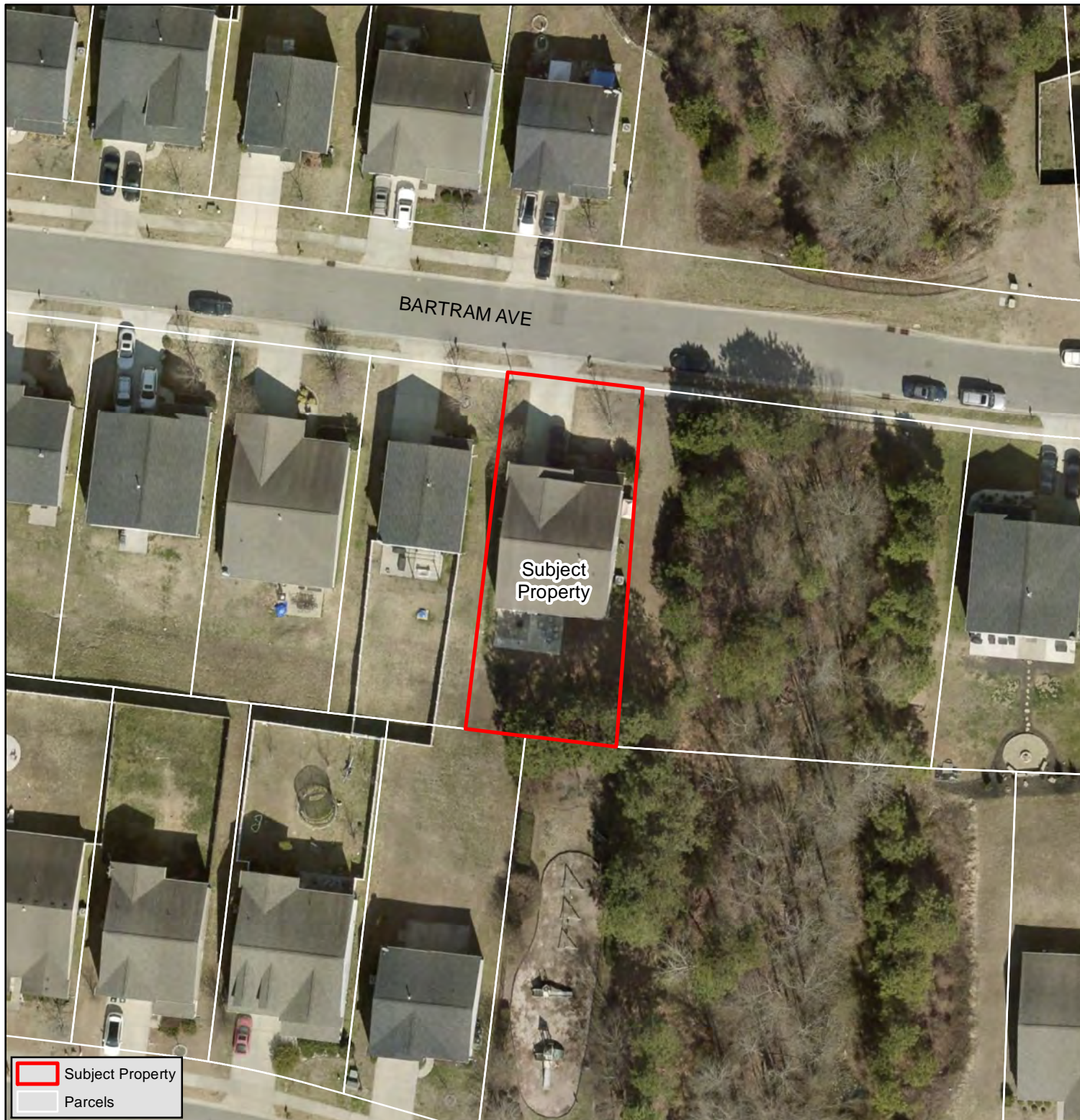
- Case Location
- Streets
- Lakes & Ponds
- Rivers
- Cabarrus Co.
- City of Concord
- Other Municipalities



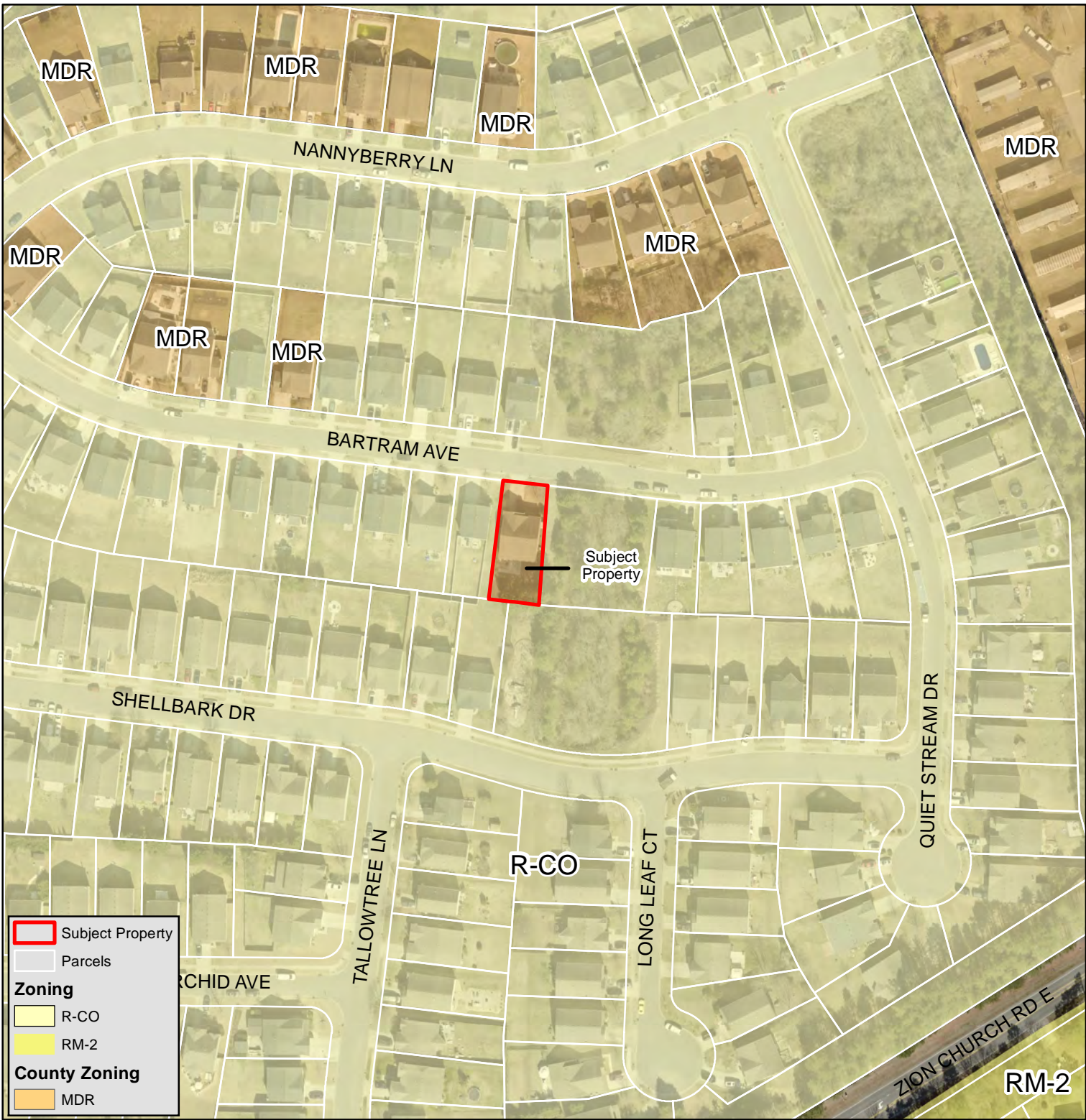
**Z-15-23  
AERIAL**

**Administrative rezoning  
Cabarrus County MDR  
(Medium Density Residential)  
to  
R-CO (Residential  
County Originated)**

786 Bartram Ave  
PIN: 5639-30-7799





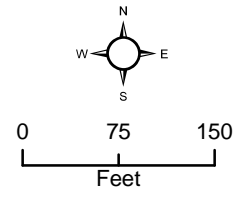
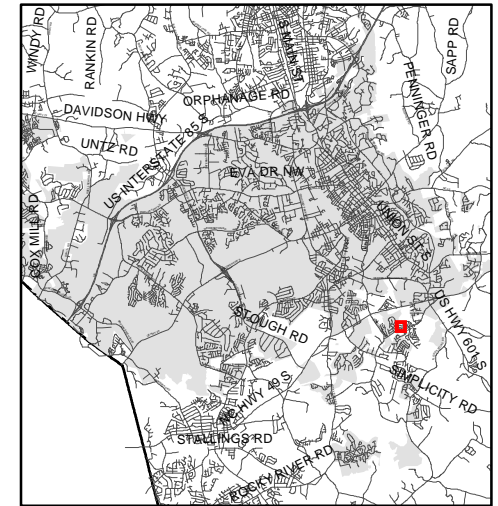


	Subject Property
	Parcels
<b>Zoning</b>	
	R-CO
	RM-2
<b>County Zoning</b>	
	MDR

**Z-15-23  
ZONING**

**Administrative rezoning  
Cabarrus County MDR  
(Medium Density Residential)  
to  
R-CO (Residential  
County Originated)**

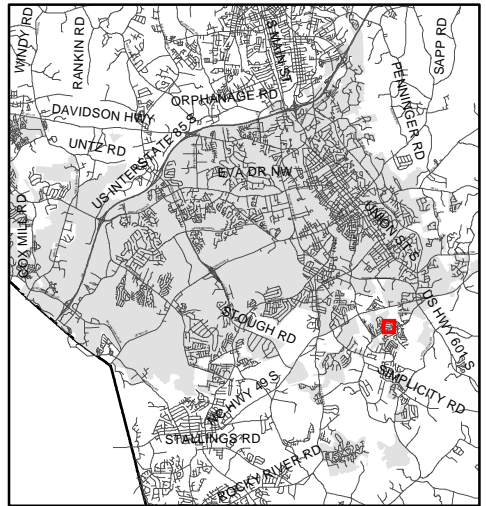
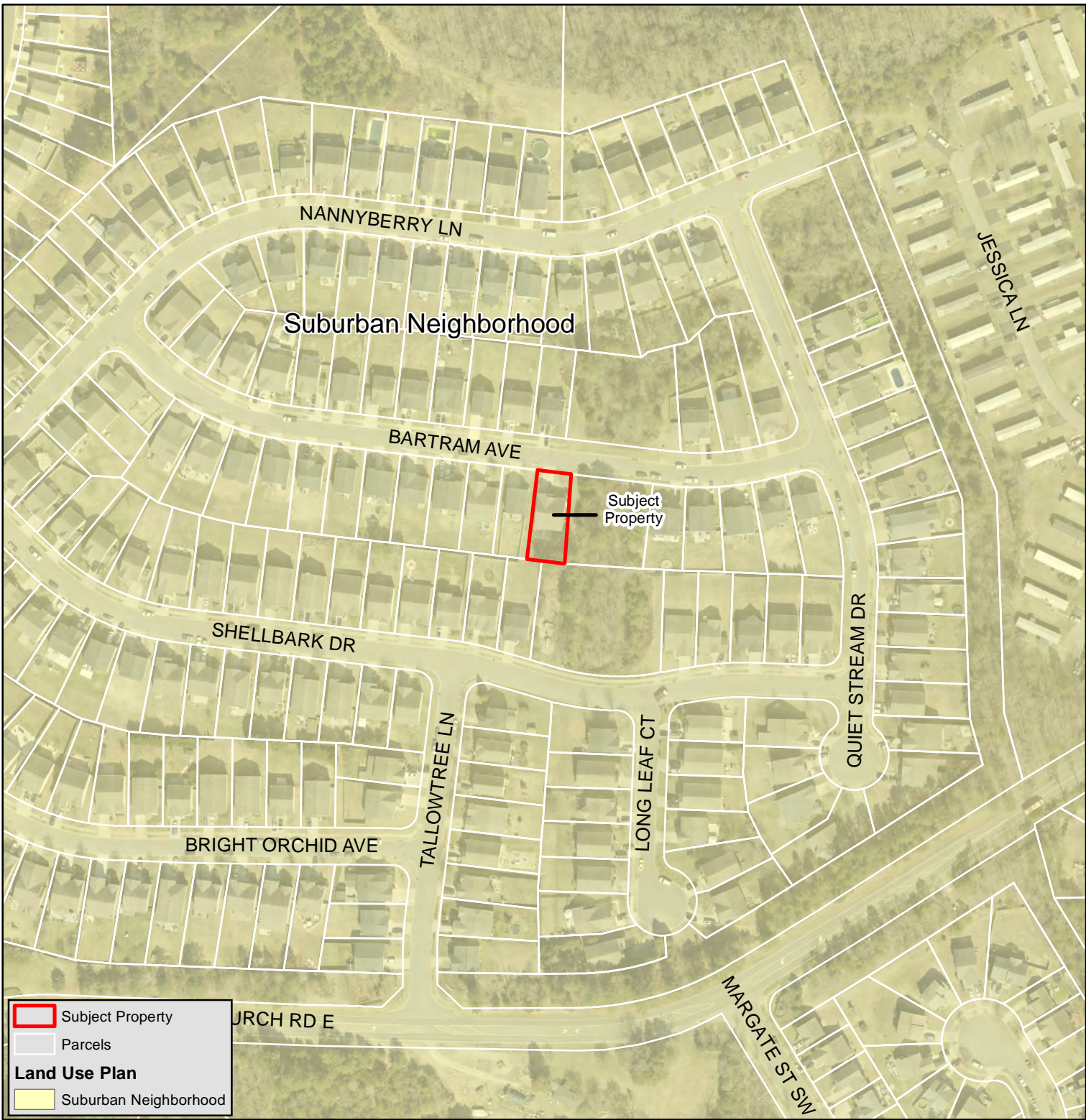
786 Bartram Ave  
PIN: 5639-30-7799





**Z-15-23  
LAND USE PLAN**

**Administrative rezoning  
Cabarrus County MDR  
(Medium Density Residential)  
to  
R-CO (Residential  
County Originated)**


786 Bartram Ave  
PIN: 5639-30-7799

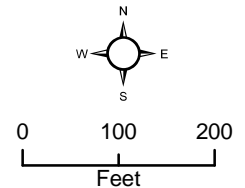


 Subject Property

 Parcels

**Land Use Plan**

 Suburban Neighborhood





**DATE:** August 15, 2023

**REZONING CASE #:** Z-14-23

**ACCELA:** CN-RZZ-2023-00010

**DESCRIPTION:** Zoning Map Amendment  
I-1 (Light Industrial) to RV (Residential Village)

**APPLICANT/OWNER:** Moises Maldonado

**LOCATION:** 91 Pitts School Rd. NW

**PIN#:** 5509-24-3559

**AREA:** +/- 0.93 acres

**ZONING:** I-1 (Light Industrial)

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

**BACKGROUND**

The subject property consists of one (1) parcel comprising +/- 0.93 acres on a lot on the south side of Pitts School Rd., north of the intersection of Concord Parkway S and Pitts School Rd NW.

**HISTORY**

This parcel was part of a city-initiated annexation occurring December 31, 1995, and was zoned I-1 (Light Industrial) at the time. The property was acquired by Moises Alid Maldonado Gonzalez and Rosa Yanira Galvez Morales by deed recorded in Cabarrus County Register of Deeds Book 16452 Page 0306 as recorded on April 18, 2023 and has an existing single family home. According to Cabarrus County tax records, the home was constructed in 1975 and has approximately 2,000 square feet of floor area.

**SUMMARY OF REQUEST**

The applicant is requesting to rezone the subject property from I-1 to RV (Residential Village) so that he can rebuild the single-family residence.

<b>Existing Zoning and Land Uses (Subject Parcel)</b>					
<b>Current Zoning of Subject Property</b>	<b>Zoning Within 500 Feet</b>		<b>Land Uses(s) of Subject Property</b>	<b>Land Uses within 500 Feet</b>	
I-1 (Light Industrial)	<b>North</b>	RV (Residential Village)	Single Family Residence	<b>North</b>	Single Family Residential
	<b>South</b>	I-1 (Light Industrial)		<b>South</b>	Vacant
	<b>East</b>	C-2 (General Commercial)		<b>East</b>	Single Family Residential; Vacant
	<b>West</b>	RM-2 (Residential Medium Density)		<b>West</b>	Single Family Residential

***COMPLIANCE WITH 2030 LAND USE PLAN***

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

***From the 2030 Land Use Plan – “Mixed Use Activity Center” (MUAC)***

The intent of the Mixed-Use Activity Center (MUAC) Future Land Use category is to identify areas that serve broader economic, entertainment, and community activities as compared to mixed-use neighborhoods. Uses and buildings are located on small blocks with 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.

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

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

The intent of the Mixed-Use Activity Center designation is to encourage the development of a mixture of complementary uses that will function as an integrated center allowing for pedestrian

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

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 +/- 0.93 acres and currently zoned I-1 (Light Industrial).
- The subject property was a forced annexation occurring December 31, 1995, and was zoned I-1 (Light Industrial) at the time.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as RV (Residential Village) is a corresponding zoning classification to the Mixed Use Activity Center (MUAC) Land Use Category.
- 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. 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.

(Please type or print)

Applicant Name, Address, Telephone Number and email address: Moises Alid Maldonado Gonzalez, 91 Pitts School Rd. NW Concord NC 28027, 980-833-7836, moisesalid@gmail.com

Owner Name, Address, Telephone Number: Moises Maldonado  
Same

Project Location/Address: 91 Pitts School Rd. NW Concord NC 28027

P.I.N.: 5509243559

Area of Subject Property (acres or square feet): 2,138 SF

Lot Width: 152.67 Lot Depth: 264.24

Current Zoning Classification: Industrial

Proposed Zoning Classification: Residential

Existing Land Use: Industrial

Future Land Use Designation: Residential

Surrounding Land Use: North Residential South Residential

East Residential West Residential

Reason for request: Switch zoning from industrial to residential.

Has a pre-application meeting been held with a staff member? 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: 6/8/23

Applicant Signature:  \_\_\_\_\_

Property Owner or Agent of the Property Owner Signature:  \_\_\_\_\_

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (TITLE REFERENCES AS SHOWN ON PLAT); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM TITLE REFERENCES AS SHOWN ON PLAT; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY MEETS OR EXCEEDS 1:10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56. 1600).

THIS 8th DAY OF MAY, 2023.

PROFESSIONAL LAND SURVEYOR

- BOUNDARY LINE
- TIE LINE
- RIGHT OF WAY
- ADJOINING LINE (NOT SURVEYED)

NOTES:

1. PID 55092435590000 & 55092436640000
2. THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RECORDED OR UNRECORDED EASEMENTS, SETBACKS AND BUFFERS INCLUDING THOSE WITHIN THE APPLICABLE UNIFIED DEVELOPMENT ORDINANCE (UDO), RIGHTS-OF-WAY, IMPERVIOUS AREAS & BUILT UPON AREA (BUA) RESTRICTIONS, AND/OR RESTRICTIVE COVENANTS, OTHER THAN SHOWN.
3. THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP (FIRM) NO. 3710550900K, WITH A DATE OF IDENTIFICATION OF 11/16/2018.

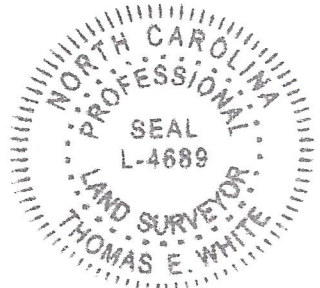
ZONE X DEFINITION: "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

4. SURVEY MADE WITHOUT THE BENEFIT OF A TITLE EXAMINATION.

5. PROPERTY ZONED: I-1 SETBACKS SHOWN ARE PER CURRENT ZONING CLASSIFICATION AND ARE SUBJECT TO INTERPRETATION BY THE PROPER ZONING ADMINISTRATION.

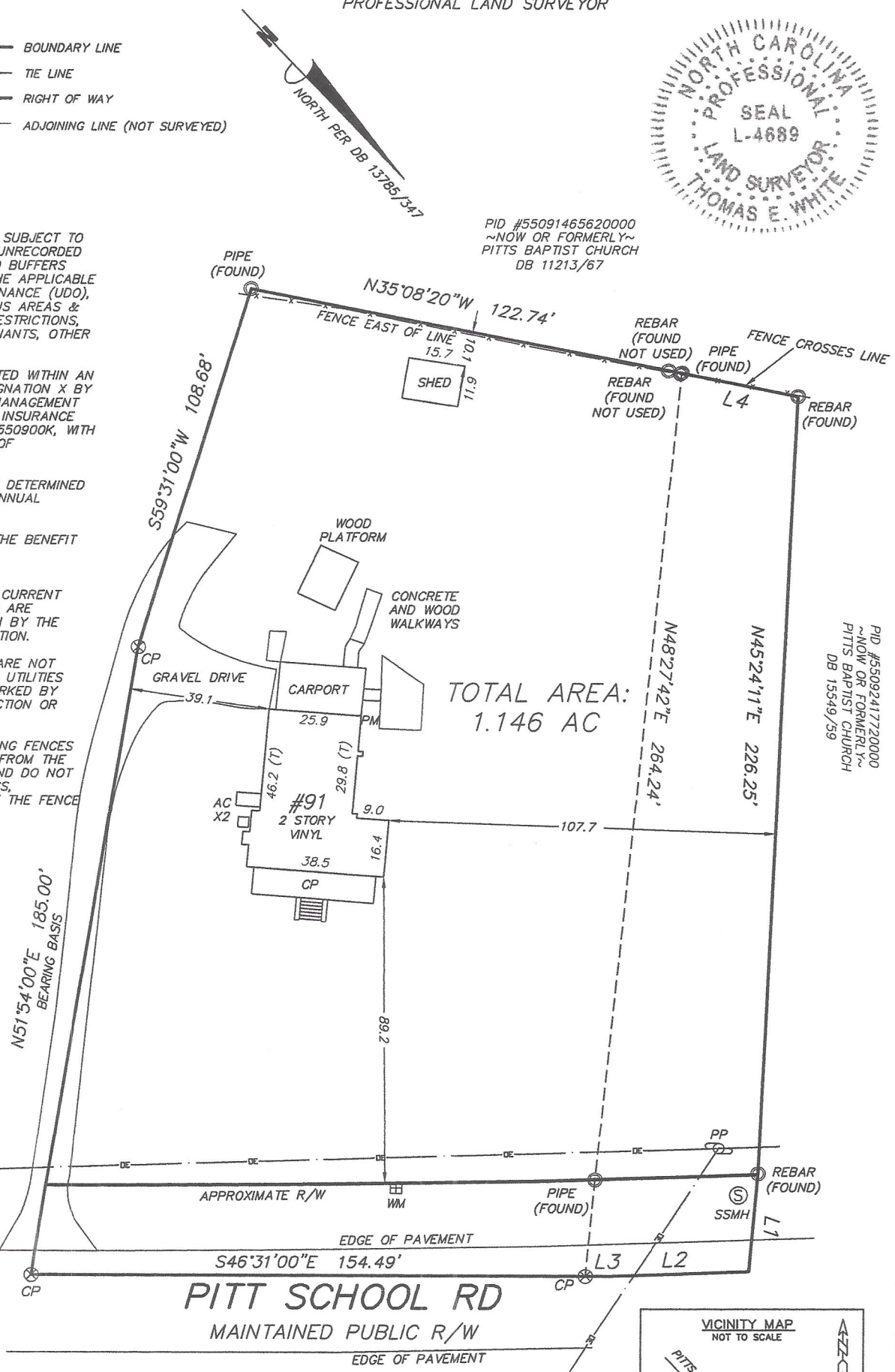
6. UNDERGROUND UTILITIES ARE NOT SHOWN. ALL UNDERGROUND UTILITIES ARE TO BE ACCURATELY MARKED BY OTHERS PRIOR TO CONSTRUCTION OR EXCAVATION.

7. LINES SHOWN REPRESENTING FENCES AND WALLS ARE MEASURED FROM THE APPROXIMATE CENTERLINE AND DO NOT ACCOUNT FOR THE THICKNESS, PLUMBNESS OR MEANDER OF THE FENCE UNLESS OTHERWISE STATED.



PID #55091465620000  
~NOW OR FORMERLY~  
PITTS BAPTIST CHURCH  
DB 11213/67

PID #55092417720000  
~NOW OR FORMERLY~  
PITTS BAPTIST CHURCH  
DB 15549/59



TOTAL AREA:  
1.146 AC

PID #55092441170000  
~NOW OR FORMERLY~  
4 KIDS LLC  
DB 8417/277

N51°54'00"E 185.00'  
BEARING BASIS

LINE	BEARING	LENGTH
L1	N48°08'37"E	28.85'
L2	N48°38'16"W	40.54'
L3	N46°26'33"W	4.90'
L4	N34°33'16"W	33.12'

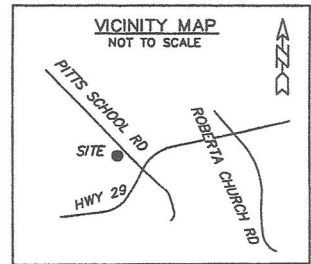
SCALE 1"=40'

PHYSICAL SURVEY  
OF

#91 PITT SCHOOL RD  
CITY OF CONCORD, CABARRUS COUNTY, NORTH CAROLINA

Moises Maldonado

SURVEYED FOR \_\_\_\_\_  
MAP BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ DEED BOOK 13785 PAGE 345  
DRAWN BY MM FIELD WORK GW SK FIELD BOOK # \_\_\_\_\_



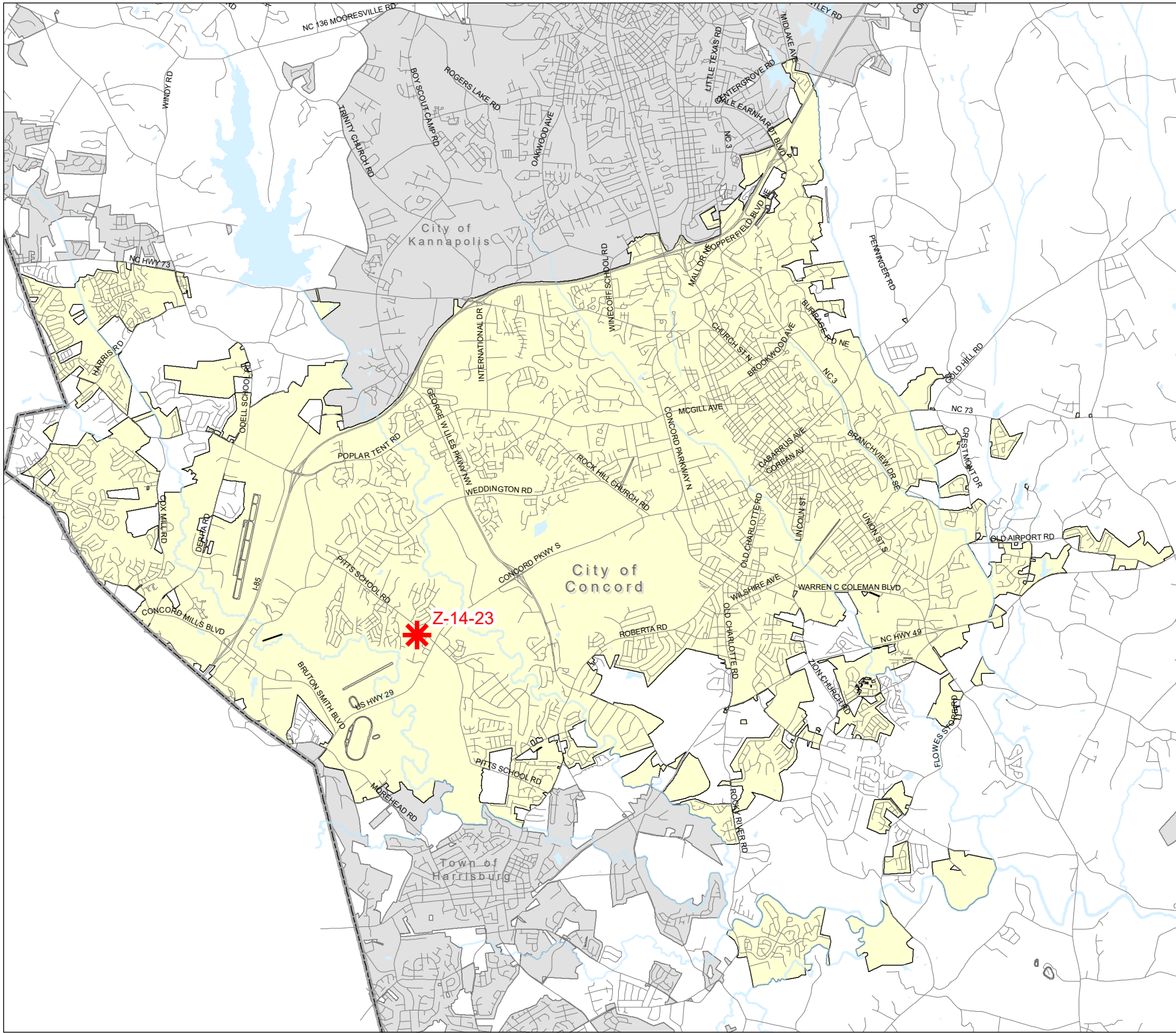
CAROLINA SURVEYORS, INC  
P.O. BOX 267  
PINEVILLE, N.C. 28134  
(704) 889-7601  
FAX: (704) 889-7614  
CERTIFICATE OF AUTHORIZATION  
NC-C-1242 SC:886

CARLSON\2023\BAT\Pitt School Rd #91  
2023\P\Pitt School Rd #91  
PROJECT: 23-0202

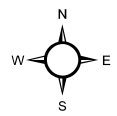


Z-14-23



91 Pitts School Rd NW



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



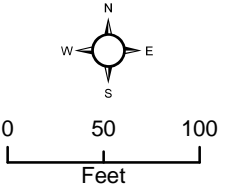
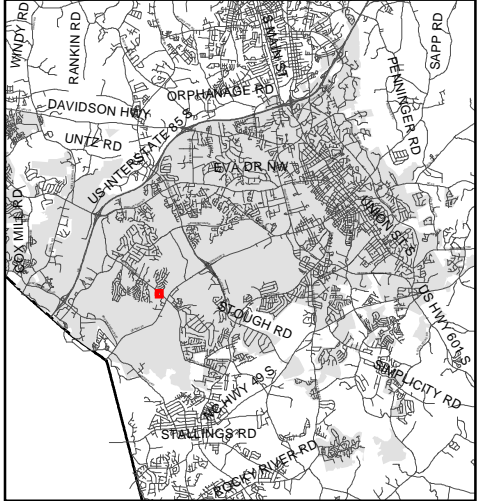


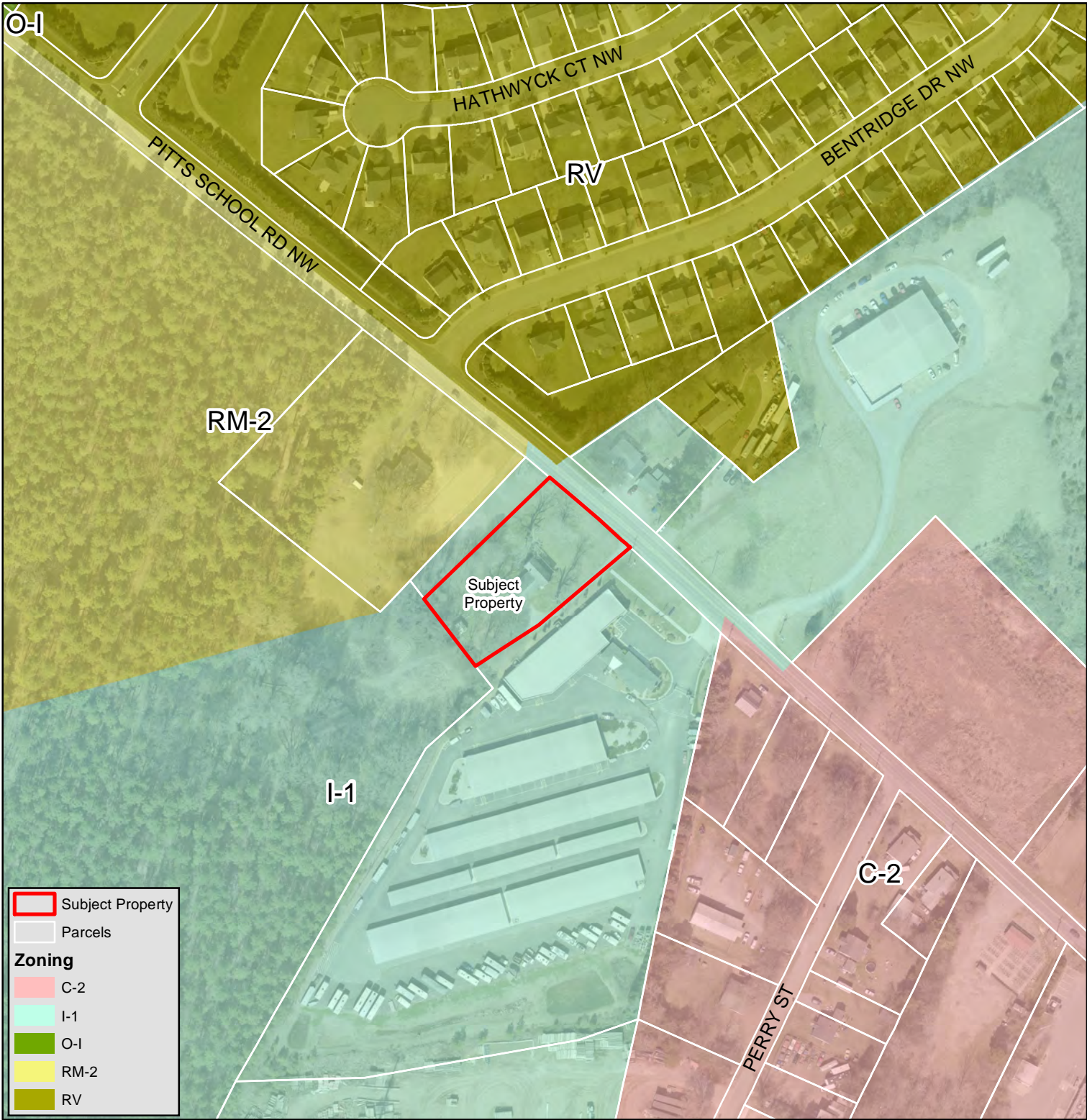
 Subject Property  
 Parcels

**Z-14-23  
AERIAL**

**Rezoning application  
I-1 (Light Industrial)  
to  
RV (Residential Village)**

91 Pitts School Rd NW  
PIN: 5509-24-3559

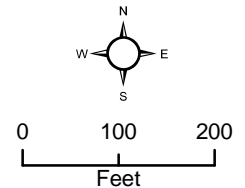
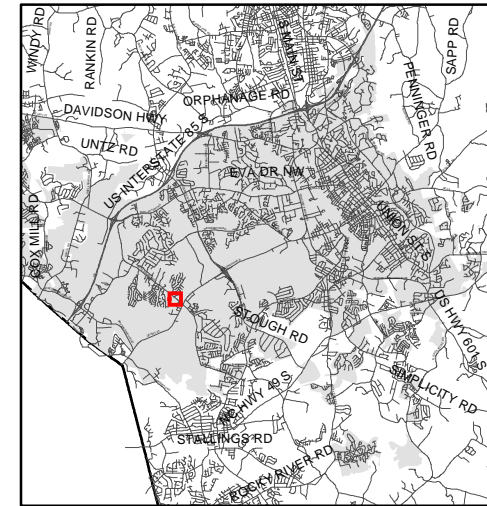




**Z-14-23  
ZONING**

**Rezoning application  
I-1 (Light Industrial)  
to  
RV (Residential Village)**

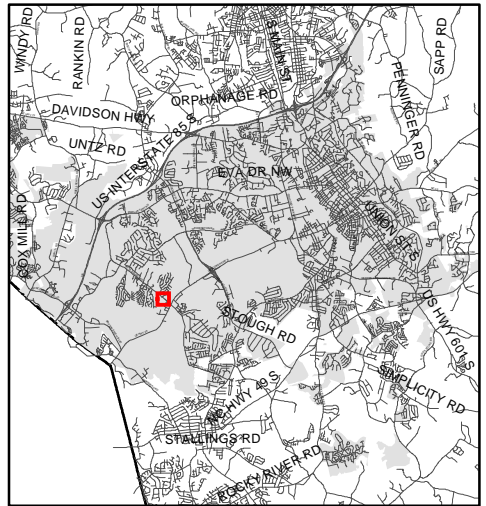
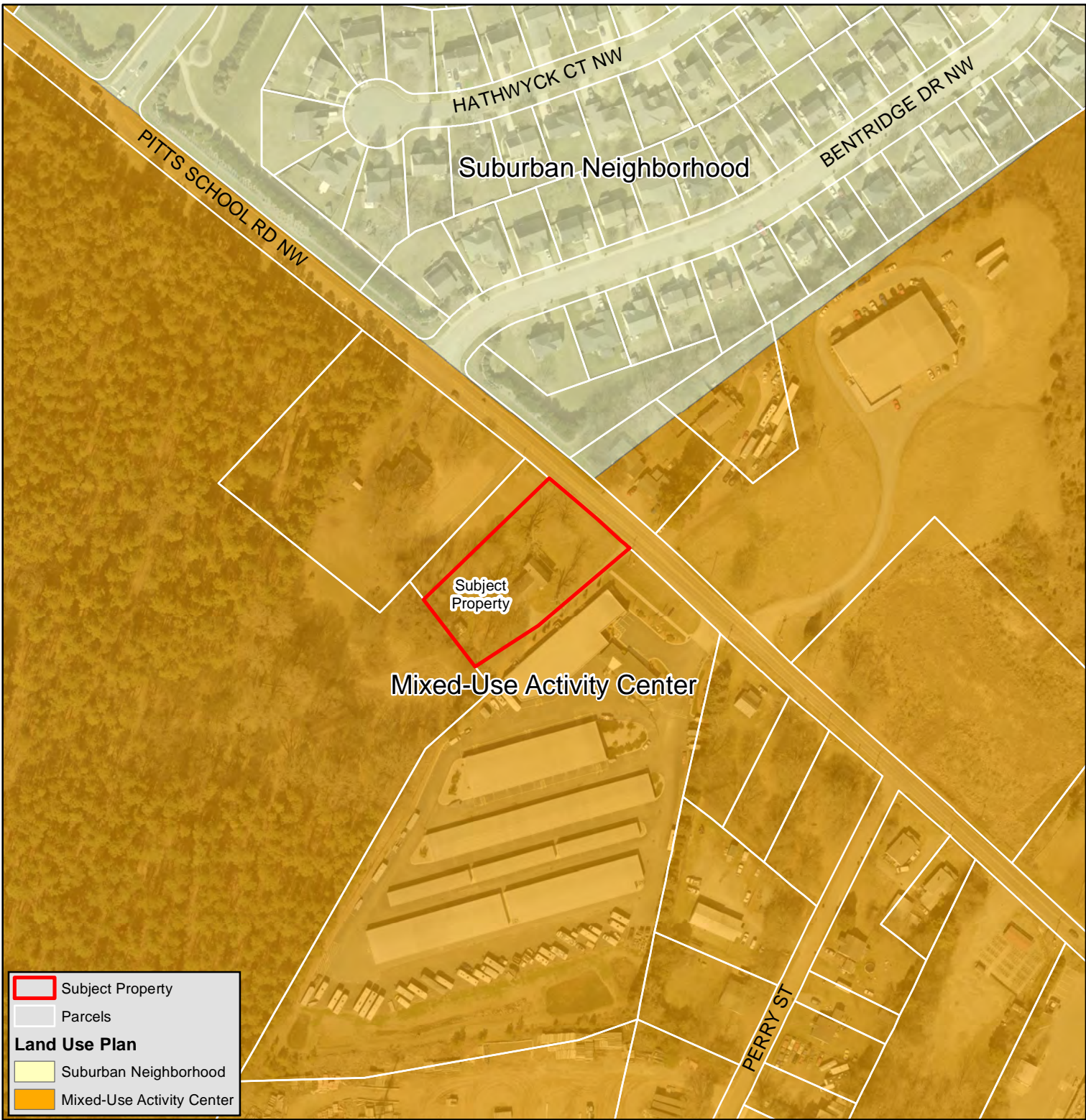
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PIN: 5509-24-3559



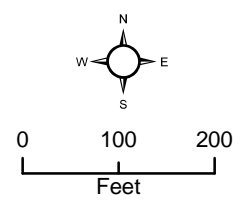
**Z-14-23  
LAND USE PLAN**

**Rezoning application  
I-1 (Light Industrial)  
to  
RV (Residential Village)**

91 Pitts School Rd NW  
PIN: 5509-24-3559



	Subject Property
	Parcels
<b>Land Use Plan</b>	
	Suburban Neighborhood
	Mixed-Use Activity Center





**DATE:** August 15, 2023  
**SUBJECT:** Special Use Permit  
**CASE:** SUP-02-23  
**ACCELA:** CN-SUP-2023-00003  
**APPLICANT:** Alex Horner on behalf of Old Dominion Freight Lines (ODFL)  
**LOCATION:** 2900 New Town Way SW  
**PIN#s:** p/o 5519-78-1062  
**AREA:** 39.30 +/- Acres  
**EXISTING LAND USE:** Vacant  
**EXISTING ZONING:** I-2 (General Industrial)  
**PREPARED BY:** George Daniels, Senior Planner

**Please note:** Per CDO Section 6.2.1 “*Special Use Permits are issued on a case by case basis. Special uses are generally compatible with the land uses permitted by right in a zoning district, but require individual review as to their location, design, and configuration. Special uses ensure the appropriateness of the use at a particular location within a given zoning district.*” Approval or denial of a Special Use Permit should be based on the information ascertained from the public hearing and reflected in the Findings of Fact and Conclusions of Law.

**BACKGROUND**

The subject property consists of a 39.30+/- acre portion of a larger 78.05 +/- acre parcel, located at 2900 New Town Way SW. The property is owned by Bootsmead Leasco, LLC and is part of the larger Grounds of Concord properties (formerly the site of Philip Morris). New Town Way SW is located on the western side of the Grounds of Concord properties and is accessed via George W. Liles Pkwy SW.

The applicant is proposing to develop a 53,429 square foot 102 door trucking terminal. The property is zoned I-2 (General Industrial). Truck terminals are only permitted in I-2 zoning districts, and only with the issuance of a Special Use Permit. The 2030 Land Use plan designates the site as Industrial/Employment, and I-2 is considered a consistent zoning district within that land use designation.

To the north, east and south the zoning is I-2 (General Industrial) and this area is all part of the Grounds of Concord Industrial Park. The west side is bordered by George W. Liles Pkwy SW.

Across George W. Liles Pkwy SW the zoning is a mix of RM-2 (Residential Medium Density), I-1 (Light Industrial) and AG (Agricultural). There are several single-family houses in the residential zoned area and a contractors office and auto repair shop in the I-1 district.

The proposed trucking terminal building measures 668 feet long and 80 feet wide and will have 102 truck door docks. The truck traffic for the site will be served by two interior streets in the Grounds of Concord and then access onto the northbound lane of George W. Liles Pkwy SW.

No loading areas will be visible from residential properties or from George W. Liles Pkwy SW. The site sits approximately 20 feet below George W. Liles Pkwy SW and there will be a berm with evergreen planting to provide complete visual screening of the loading areas. An additional planting area has been added to the site in the NW corner to maintain this screening in the event the adjacent parcel to the north is developed in the future. No vehicle maintenance is proposed at this facility, and there will be no outdoor storage of goods.

The site plan, landscape plan, and building elevations and other documents have been reviewed by the Development Review Committee and meet the standards of the Concord Development Ordinance (CDO). As such, if approved, the site plan will be subject to technical site plan approval.

#### **EXHIBITS**

- A. Application
- B. Site Plan
- C. Landscape Plan
- D. Elevations

#### **PROPOSED FINDINGS OF FACT**

1. The subject property is located at 2900 New Town Way SW
2. The property is owned by Bootsmead Leasco, LLC.
3. The request is for a trucking terminal.
4. The subject property is zoned I-2 (General Industrial).
5. The property consists of 78.05 +/- acres, but the Special Use Permit is for +/- 39.30 acres to develop the trucking terminal.
6. The adopted Land Use Plan designates the property as Industrial/Employment.  
The submitted site plan and supplemental materials meet the requirements of the Concord Development Ordinance.

#### **APPROVAL CRITERIA (Conclusions of Law)**

In accordance with CDO Article 6.2, the Commission shall permit only those uses that are part of the special use permit. The following criteria shall be issued by the Commission as the basis for review and approval of the project:

**1) The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.**

The ODFL Concord project will be designed and constructed in accordance with all applicable ordinances and regulations. Special attention has been given to life-safety design elements and the project will not be detrimental to public health, safety and general welfare in operation, maintenance and establishment in perpetuity.

**2) The proposed conditional use conforms to the character of the neighborhood, considering the location, type, and height of buildings or structures and the type and extent of landscaping and screening on the site.**

The ODFL Concord project is industrial/commercial in nature and the property and surrounding properties are zoned as such. The proposed building will be similar to nearby structures in size, height, style and will meet or in most cases exceed neighboring sites in screening and quality of architectural design.

**3) Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.**

The ODFL Concord facility is not a relatively significant traffic volume producer and the trips are spread-out throughout the day/night and therefore will not be detrimental to traffic/congestion. The driveways are designed in accordance with all driveway separation, radius, width and throat requirements. The site is located at the end of a new road extension further reducing impact.

**4) The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.**

The ODFL Concord project will adhere to all applicable requirements in both construction and operation. No real vibration, odor, dust, smoke or gas will be emitted from the site. Any noise created by tractor trailers operating at the facility will be greatly mitigated by surrounding berms and other screening elements.

**5) The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.**

The ODFL Concord project will not impede surrounding development in the industrial zoning district. In fact, this project will directly facilitate the orderly development and improvement of surrounding via the extension of New Town Way SW and utilities which future developments will be able to connect to.

**6) Compliance with any other applicable Sections of this Ordinance.**

Based upon the submitted materials the proposed use and associated site plan comply with the City's ordinances and other governing laws.








**RECOMMENDATION AND SUGGESTED CONDITIONS**

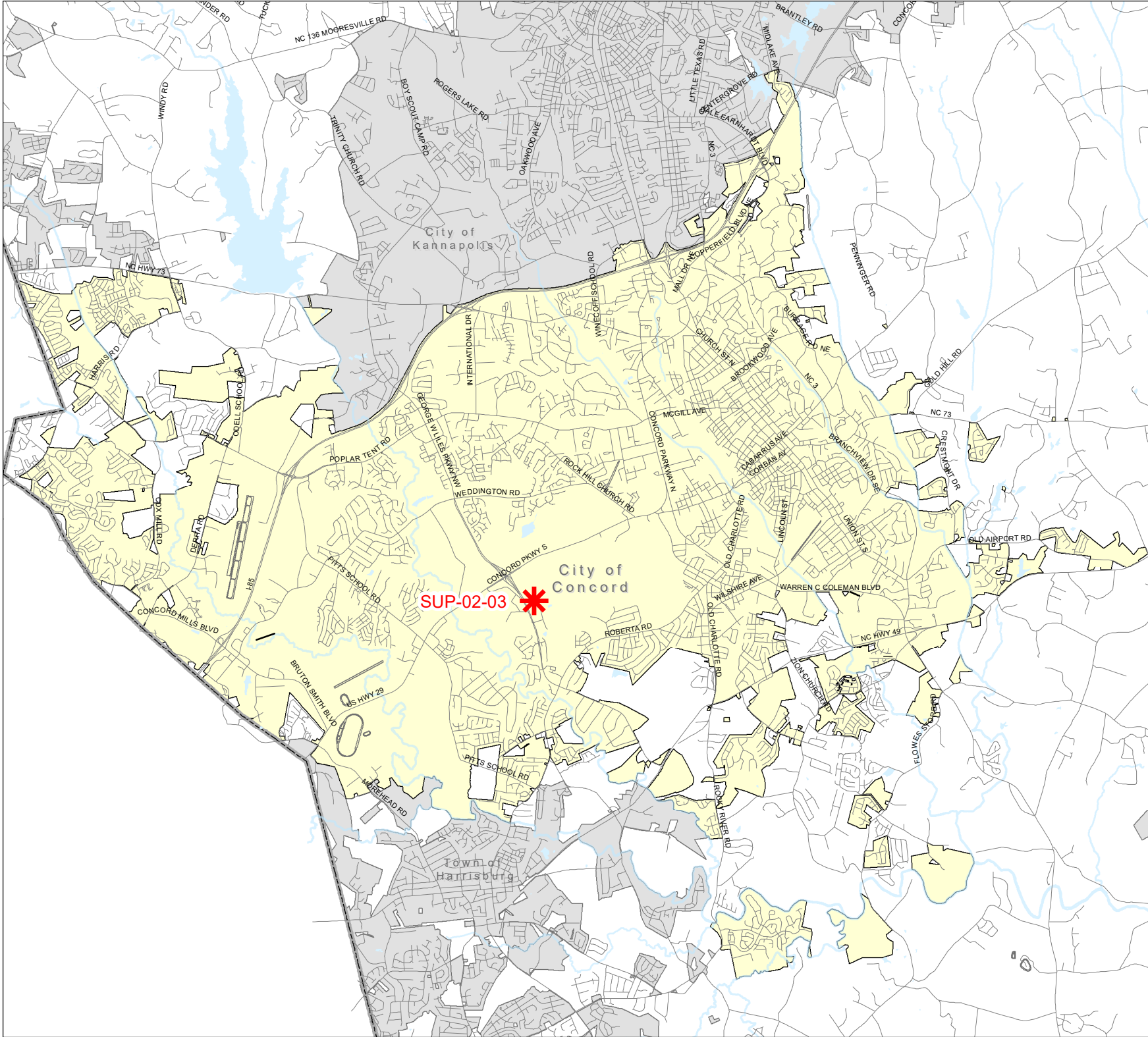
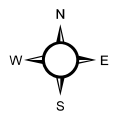
If the Commission votes to approve the special use permit, staff recommends the Commission consider adopting with the following conditions:

- 1) Compliance with the submitted elevations "ODFL Concord, NC Exterior Elevations" (2 sheets) dated 07/10/23.
- 2) Compliance with the Site Plan C4.0 dated 7/10/23.
- 3) As noted on Landscape Plan, sheet L.10 dated 7/10/23, supplemental evergreen plantings will be added to the northwest corner of the site to ensure visual screening of the loading dock doors in the event that existing trees are removed from the neighboring site with future development.
- 4) All loading docks and bay doors must be screened and should not be visible from George W. Lyles Pkwy.
- 5) Technical site review and approval shall be required.
- 6) The project shall comply with all State and Federally mandated standards such as stormwater requirements, floodplain protection requirements, Building Code, minimum Fire Code requirements, North Carolina Department of Transportation (NCDOT) or City of Concord minimum safety standards.

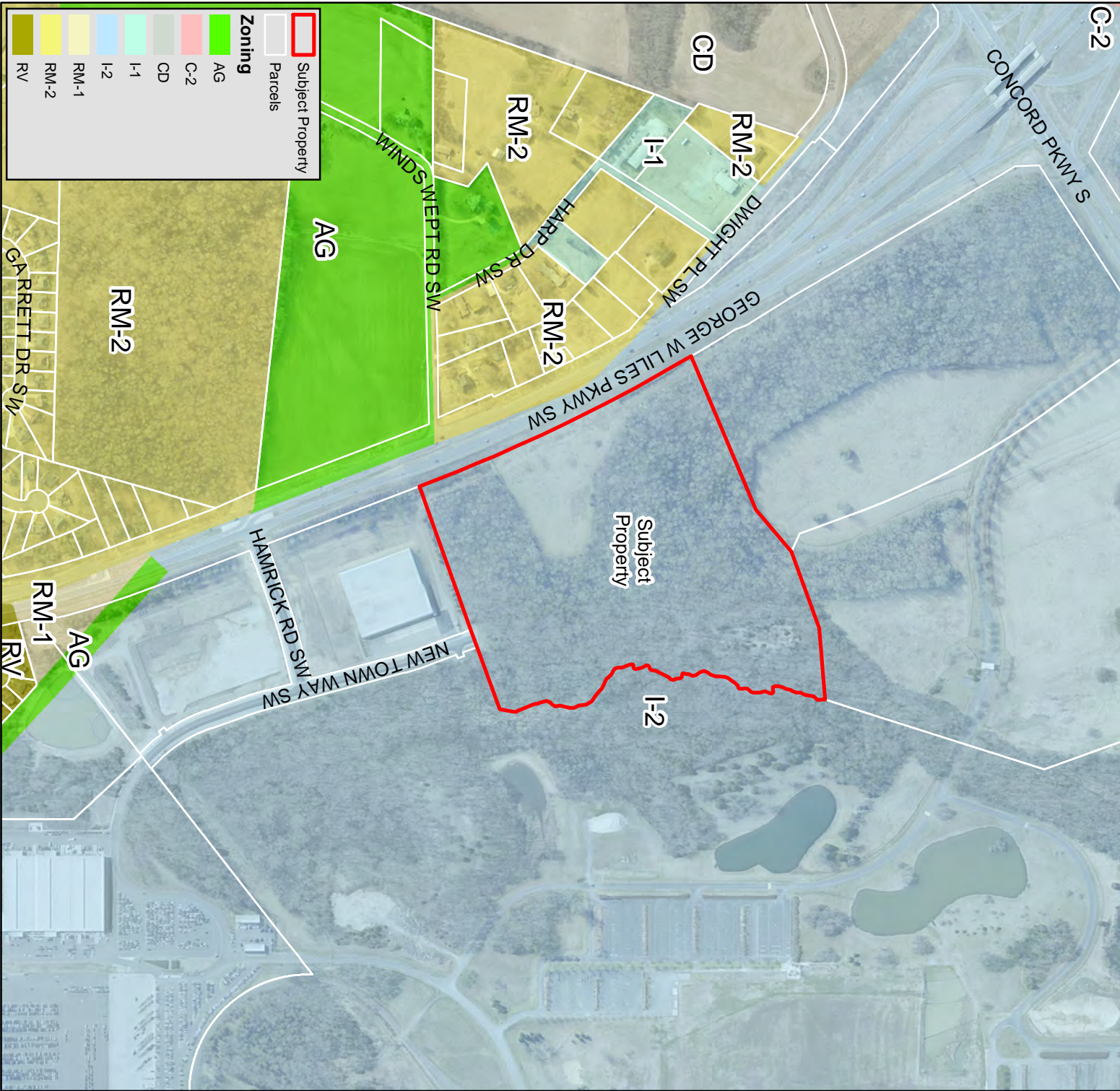
SUP-02-23

2900 New Town Way SW

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







**Zoning**

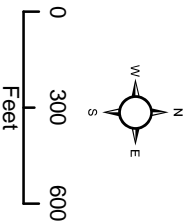
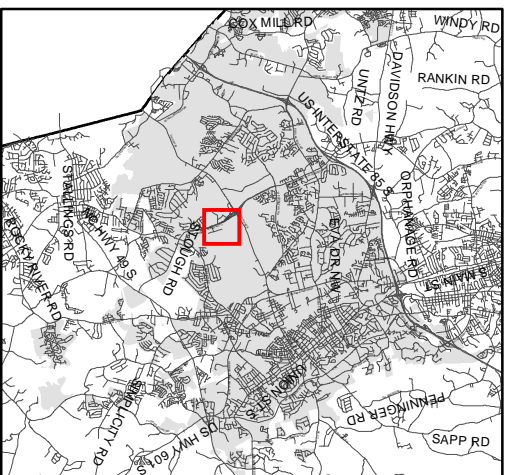
- AG
- C-2
- CD
- I-1
- I-2
- RM-1
- RM-2
- RV

**Subject Property**

**Parcels**

**SUP-02-23**  
**ZONING**  
 Special Use Permit  
 Application  
 Old Dominion Freight Lines  
 Trucking Terminal in an  
 I-2 (General Industrial)  
 Zoning District

2900 New Town Way SW  
 PIN: 5519-07-9329 (part of)



Mixed-Use  
Activity Center

CONCORD PKWYS

Industrial-Employment

Subject  
Property

Suburban  
Neighborhood

HARP DR SW

GEORGE W LILES PKWY SW

WINDSWEPT RD SW

Rural

NEW TOWN WAY SW  
HAMRICK RD SW

Suburban  
Neighborhood

GARRETT DR SW

 Subject Property

 Parcels

**Land Use Plan**

 Suburban Neighborhood

 Urban Neighborhood

 Mixed-Use Activity Center

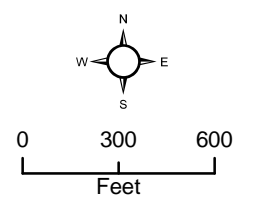
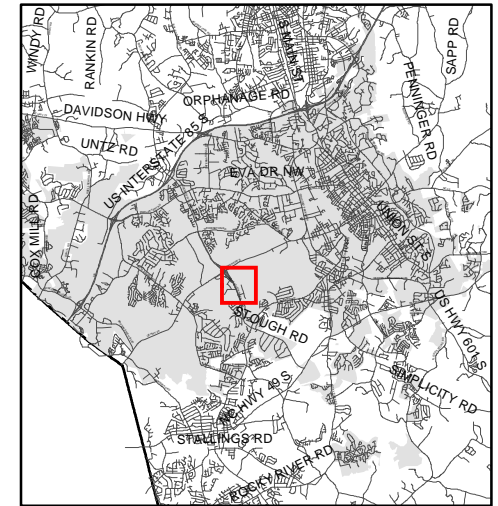
 Industrial-Employment

 Rural

**SUP-02-23  
LAND USE PLAN**

**Special Use Permit  
Application  
Old Dominion Freight Lines  
Trucking Terminal in an  
I-2 (General Industrial)  
Zoning District**

2900 New Town Way SW  
PIN: 5519-07-9329 (part of)

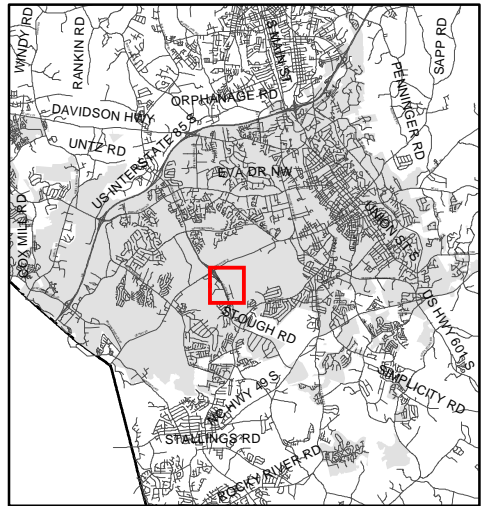






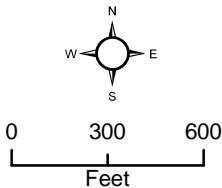
SUP-02-23  
AERIAL

**Special Use Permit  
Application  
Old Dominion Freight Lines  
Trucking Terminal in an  
I-2 (General Industrial)  
Zoning District**

2900 New Town Way SW  
PIN: 5519-07-9329 (part of)



 Subject Property  
 Parcels



Required Attachments/ Submittals:

- 1. Typed metes and bounds description of the property (or portion of property) in a Word document.
  
- 2. Cabarrus County Land Records printout of names and addresses of all immediately adjacent landowners, including any directly across the street.
  
- 3. A site plan drawn to scale (conditional district plan), and elevations if applicable (submitted digitally).
  
- 4. Money Received by \_\_\_\_\_ Date: \_\_\_\_\_  
Check # 4190 Amount: \$ 600.00 Cash: \_\_\_\_\_

*The application fee is nonrefundable.*



Date 5/17/23

APPLICANT NAME: Alex C. Horner, PE COMPANY NAME: Hoyt + Berenyi, LLC

APPLICANT ADDRESS: 346 Seacoast Parkway, Suite 200

CITY: Mount Pleasant STATE SC ZIP 29464

PHONE NUMBER OF APPLICANT: 828-989-2672

OWNER OF PROPERTY (if different from applicant) Bootsmead Leasco, LLC

OWNER ADDRESS: 1717 S Boulder Ave, Suite 400 CITY Tulsa STATE OK ZIP 74119

PROJECT ADDRESS (if an address exist): #TBD New Town Way SW, Concord, NC

P.I.N.: Portion of 5519-78-10620000

Area of Subject Property (in acres, or square feet): 39.3018 acres

Lot Width: ~1305' Lot Depth: Varies

Current Zoning Classification: I-2

Existing Land Use: Vacant

Description of Use Requested:

ODFL 102 Door trucking terminal with associated parking and utilities to serve the facility.

**Certification**

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

Date: 5/17/23 Applicant Signature: Alexander C. Horner

Digitally signed by Alexander C. Horner  
DN: C=US, E=ahorner@hoytberenyi.com,  
CN=Alexander C. Horner  
Date: 2023.05.18 12:11:01-04'00'

Date: \_\_\_\_\_ Property Owner Signature: \_\_\_\_\_

### General Requirements

The Concord Development Ordinance (CDO) imposes the following general requirements. Under each requirement, the applicant should explain, with reference to the attached plans (when applicable) how the proposed use satisfies these requirements.

- (a) The Planning and Zoning Commission must find that “the establishment, maintenance, or operation of the proposed use shall not be detrimental to, or endanger, the public health, safety or general welfare.”  
The ODFL Concord project will be designed and constructed in accordance with all applicable ordinances and regulations.  
Special attention has been given to life-safety design elements and the project will be an improvement to public health,  
safety and general welfare in operation, maintenance and establishment in perpetuity.
- (b) The Planning and Zoning Commission must find that the proposed use “conforms to the character of the neighborhood, considering the location, type, and height of buildings or structures, and the type and extent of landscaping and screening on the site.”  
The ODFL Concord project is Industrial/commercial in nature and the property and surrounding properties are zoned as  
such. The proposed building will be similar to nearby structures in size, height, style and will meet or in most cases exceed  
neighboring sites in screening and quality of architectural design.
- (c) The Planning and Zoning Commission must find that the proposed use “provides ingress and egress so designed as to minimize traffic hazards and to minimize congestion on the public roads.”  
The ODFL Concord facility is not a relatively significant traffic volume producer and the trips are spread-out throughout the  
day/night and therefore will not be detrimental to traffic/congestion. The driveways are designed in accordance with all driveway  
separation, radius, width and throat requirements. The site is located at the end of a new road extension further reducing impact.
- (d) The Planning and Zoning Commission must find that the proposed use “shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.”  
The ODFL Concord project will adhere to all applicable requirements in both construction and operation. No real vibration, odor,  
dust, smoke or gas will be emitted from the site. Any noise created by tractor trailers operating at the facility will be greatly  
mitigated by surrounding berms and other screening elements.
- (e) The Planning and Zoning Commission must find that “the establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.”  
The ODFL Concord project will not impede surrounding development in the Industrial Zoning district. In fact, this project will  
directly facilitate the orderly development and improvement of surrounding via the extension of New Town Way SW and utilities  
which future developments will be able to connect to.

### Specific Requirements

The Concord Development Ordinance also imposes SPECIFIC REQUIREMENTS on the proposed use(s) requested by the applicant. The applicant should be prepared to demonstrate that, if the land is used in a manner consistent with the plans, specifications, and other information presented to the Planning and Zoning Commission, the proposed use(s) will comply with specific requirements concerning the following:

- (1) Nature of use(s) (type, number of units, and/or area):  
The ODFL Concord project is Industrial/commercial in nature and the property and surrounding properties are zoned as such. The  
singular proposed building and other improvements adhere to all applicable area, coverage, type requirements.
- (2) Accessory uses (if any):  
The ODFL Concord project is a singular use - trucking terminal serving a less-than-truckload carrier.
- (3) Setback provisions:  
All required setbacks including building, wetland, stream, parking, front and street setbacks are met or exceeded .
- (4) Height provisions:

All height requirements will be met. The building will be less than 30 feet high.

(5) Off-street parking and loading provisions:

Off-street parking requirement of 1 per employee + 1 per company vehicle at peak shift is met and exceeded. The design has gone to great lengths to ensure the loading docks are not visible from a thoroughfare or collector street right-of-way.

(6) Sign provisions:

The proposed monument sign will adhere to all sign standards as described in Article 12.

(7) Provisions for screening, landscaping and buffering:

The design for site was largely modified to ensure berms around the perimeter of the site could be created to screen loading doors from the right-of-way. Landscaping and buffering standards including street yard, parking lot yard & island plantings will be met.

(8) Provisions for vehicular circulation and access to streets:

Ingress and egress to the site has been designed in accordance with all applicable requirements. Tractor-trailers and emergency vehicles can safely and easily navigate the site. Circulation through the truck yard and employee parking area allows two-way circulation. The primary tractor-trailer movement is a counterclockwise path around the yard and the site is designed as such.

(9) Adequate and safe design for grades, paved curbs and gutters, drainage systems, and treatment or turf to handle storm water, prevent erosion, and subdue dust:

The grading and drainage design meets all applicable requirements to facilitate adequate drainage for pervious and impervious surfaces. No slopes exceed 3:1 and the minimum slopes are 1% and 0.5% for the site and storm pipes respectively.

(10) Adequate, safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways, off-street parking and loading spaces, facilities for waste disposal, and illumination:

Pedestrian path from employee parking area is designed to minimize crossing through the truck yard and is ADA compliant. Roadways, driveways, parking and loading designed in accordance with all applicable requirements. Trash compactor with private haul-off is proposed. Photometric plan will be provided with site lighting design to ensure no impact off property.

(11) An adequate amount, and safe location of, play areas for children and other recreational uses, according to the concentration of residential occupancy:

Not applicable as this is not a residential area..

(12) Fences, walls, or year-round screen planting abutting residential districts, to protect residences from parking lot illumination, headlights, fumes, heat, blowing papers, and dust (to reduce the visual encroachment on privacy and residents):

Not applicable as this is not a residential area..

(13) Open space (including flood hazard area):

Not applicable as this is not a residential area..

(14) Improvements within the common open space:

Open Space Not Applicable per Table 10.5.13.

(15) Parking Areas:

Parking areas adhere to all specific requirements.

(16) Sidewalks, trails and bikeways:

Sidewalks adhere to all specific requirements. Trails and bikeways are not proposed as part of this project.

(17) Lighting and utilities:

Lighting and utilities will adhere to all specific requirements.

(18) Site furnishings:

Site furnishings will adhere to all specific requirements.

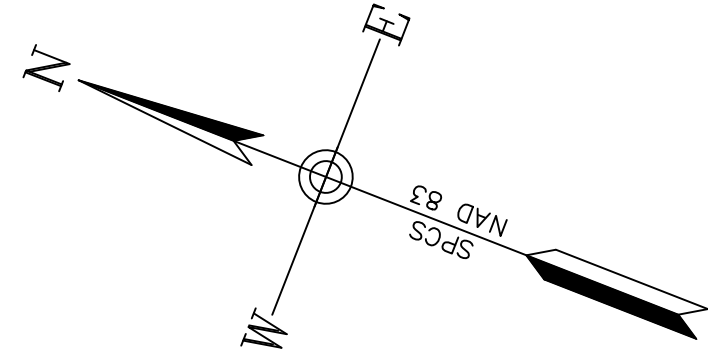
(19) Adequate fire, police, water and sewer services:

Site will adhere to all emergency service access and circulation requirements. Water and sewer requirements will also be met.

(20) Other requirements as may be requested by the applicant or specified by the City Council for protection of the public health, safety, welfare and convenience:

Site will adhere to any and all reasonably requested requirements. Overall, this project will be a improvement to the community by bringing many well-paying jobs and providing a development the meets and exceeds all applicable requirements and matches the character of neighboring sites.





**10' VEGETATED STREAM BUFFER**  
MB. 89, PG. 4

**30' UNDISTURBED STREAM BUFFER**  
MB. 89, PG. 4

**ODFL SITE DATA SUMMARY:**

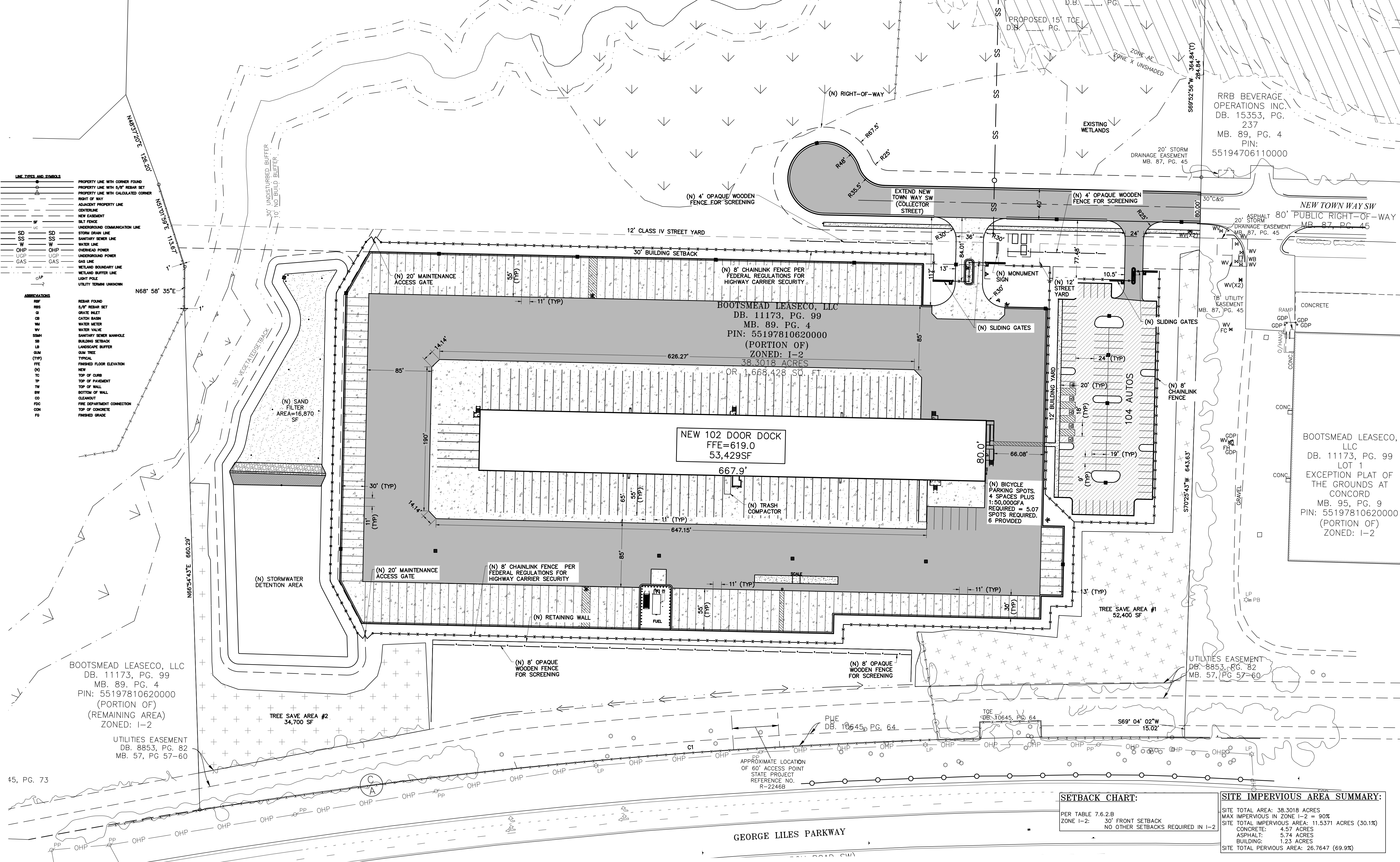
- LAND SIZE AS A WHOLE: 38.302 ACRES
- DEVELOPED ACRES: ~20 ACRES (871,200 SF)
- PAVED AREA TOTAL: 10.8 ACRES (470,448 SF)
- CONCRETE: 4.9 ACRES
- HEAVY DUTY ASPHALT: 5.1 ACRES
- LIGHT DUTY: 0.8 ACRES
- PARKING: 102 SPACES
- DOCK DOORS: 149 TRAILER SPACES (34 PUPS)
- VAN PARKING SPACES: 37 SPACES
- TRACTOR SPACES: 105 SPACES (INCLUDING 5 ADA SPACES)
- EMPLOYEE SPACES:

**LINE TYPES AND SYMBOLS**

---	PROPERTY LINE WITH CORNER FOUND
- - -	PROPERTY LINE WITH 5/8" REBAR SET
- - -	PROPERTY LINE WITH CALCULATED CORNER
- - -	RIGHT OF WAY
- - -	ADJACENT PROPERTY LINE
- - -	CENTERLINE
- - -	NEW EXISTENT
- - -	SILT FENCE
- - -	UNDERGROUND COMMUNICATION LINE
- - -	STORM DRAIN LINE
- - -	SANITARY SEWER LINE
- - -	WATER LINE
- - -	OVERHEAD POWER
- - -	UNDERGROUND POWER
- - -	GAS LINE
- - -	WETLAND BOUNDARY LINE
- - -	WETLAND BUFFER LINE
- - -	LIGHT POLE
- - -	UTILITY TOWER UNKNOWN

**ABBREVIATIONS**

RF	REBAR FOUND
RS	5/8" REBAR SET
G	GRATE INLET
CB	CATCH BASIN
WM	WATER METER
WV	WATER VALVE
SSM	SANITARY SEWER MANHOLE
SB	BUILDING SETBACK
LB	LANDSCAPE BUFFER
QSM	QUICK TREE
QSM (TYP)	TYPICAL
FFE	FINISHED FLOOR ELEVATION
NEW	NEW
TO	TOP OF CURB
TP	TOP OF PAVEMENT
TM	TOP OF WALL
BTM	BOTTOM OF WALL
CO	CLEANOUT
FC	FIRE DEPARTMENT CONNECTION
CC	TOP OF CONCRETE
FG	FINISHED GRADE



BOOTSMEAD LEASECO, LLC  
DB. 11173, PG. 99  
MB. 89, PG. 4  
PIN: 55197810620000  
(PORTION OF)  
(REMAINING AREA)  
ZONED: I-2

UTILITIES EASEMENT  
DB. 8853, PG. 82  
MB. 57, PG 57-60

45, PG. 73

GEORGE LILES PARKWAY

**SETBACK CHART:**

PER TABLE 7.6.2.B  
ZONE I-2: 30' FRONT SETBACK  
NO OTHER SETBACKS REQUIRED IN I-2

**SITE IMPERVIOUS AREA SUMMARY:**

SITE TOTAL AREA: 38.3018 ACRES  
MAX IMPERVIOUS IN ZONE I-2 = 90%  
SITE TOTAL IMPERVIOUS AREA: 11.5371 ACRES (30.1%)  
CONCRETE: 4.57 ACRES  
ASPHALT: 5.74 ACRES  
BUILDING: 1.23 ACRES  
SITE TOTAL PERVIOUS AREA: 26.7647 (69.9%)



Hoyt+Berenyi, PLLC  
346 Seacoast Pkwy, Ste 200  
Mt. Pleasant, SC 29464  
PPLC License# P-2360

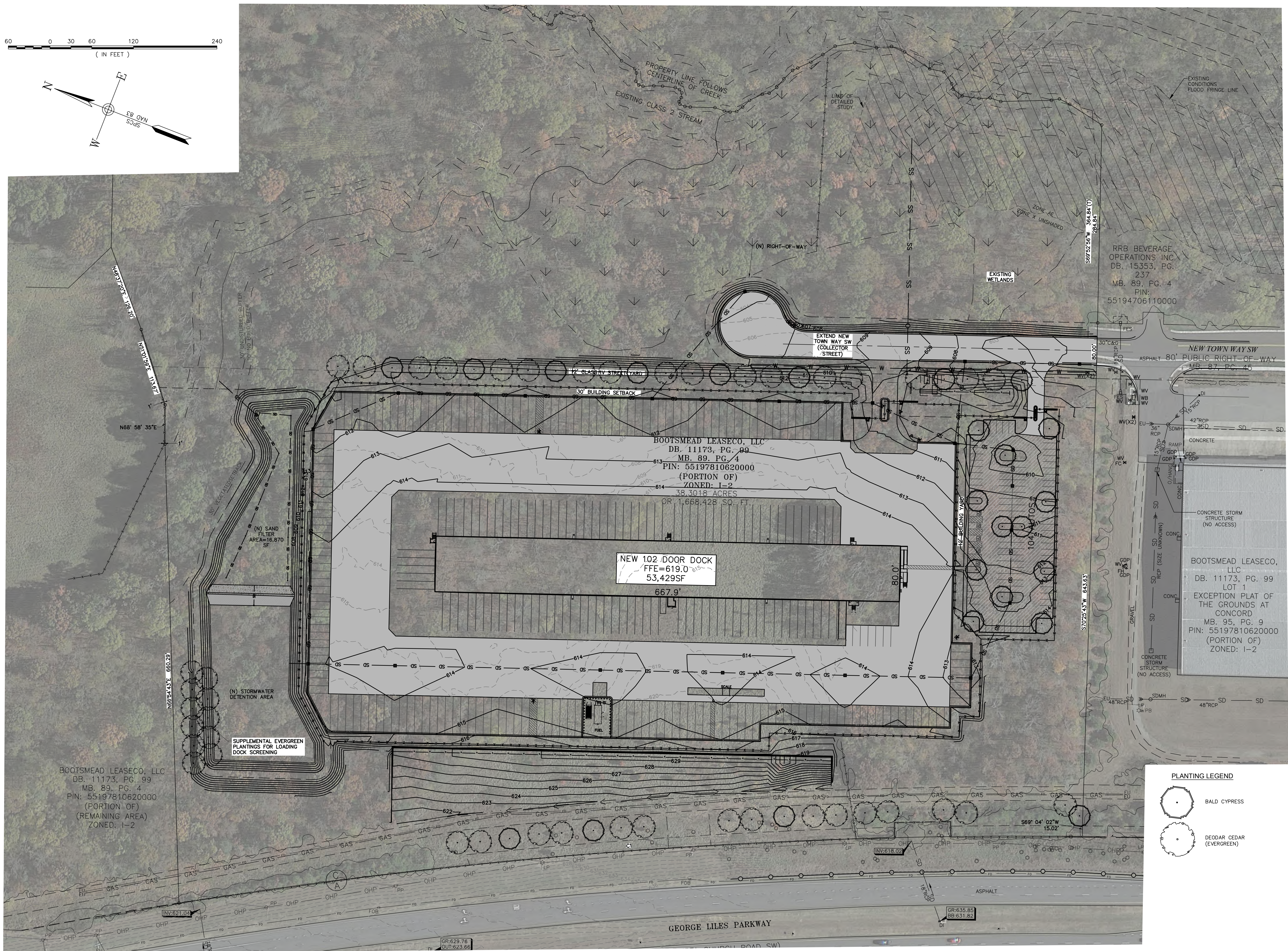
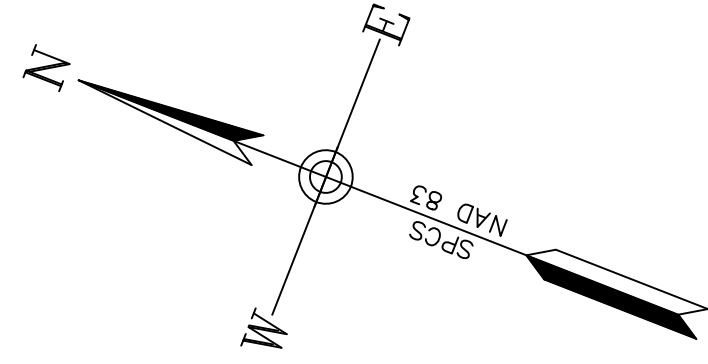
Drawings for:  
**ODFL Concord**  
PIN: 55197810620000  
2900 New Town Way SW  
City of Concord, NC 28027

REV	DATE	DESCRIPTION	BY
C	7/10/23	REVISED PER CITY OF CONCORD SUP CONDITIONS OF APPROVAL	ACH
B	7/10/23	REVISED PER CITY OF CONCORD SUP COMMENTS	ACH
A	7/10/23	REVISED PER CITY OF CONCORD COMMENTS	ACH

DRAWN BY: Alex C. Horner, P.E.  
CHECKED BY: Kyle M. Hoyt, P.E.  
DATE: May 19, 2023  
PROJECT #: 21-006  
SCALE: 1" = 60'  
SHEET TITLE: Site Plan

SHEET NUMBER:

**C4.0**



**PLANTING LEGEND**

	BALD CYPRESS
	DECODAR CEDAR (EVERGREEN)

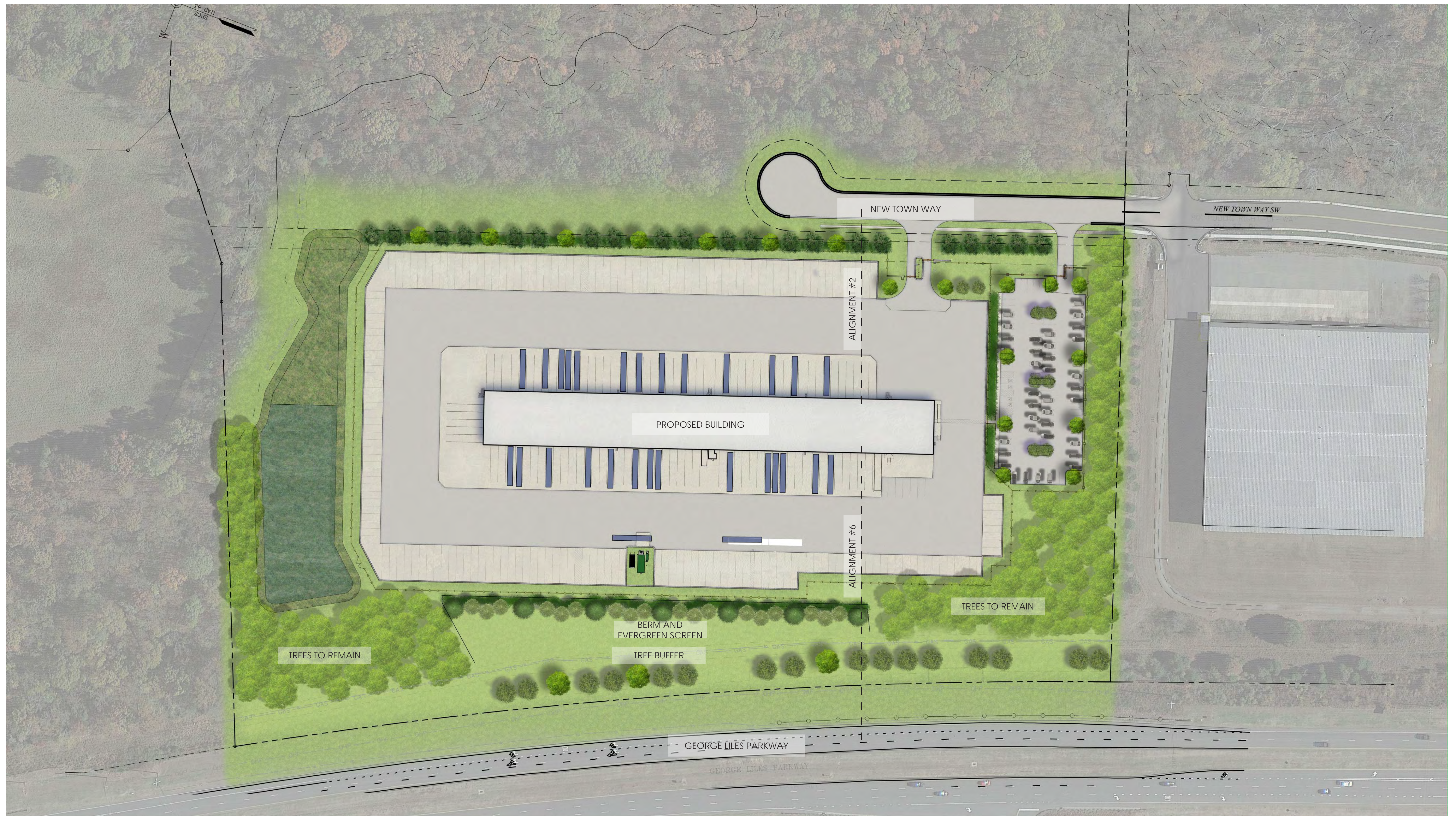


Hoyt+Berenyi, PLLC  
346 Seacoast Pkwy, Ste 200  
Mt. Pleasant, SC 29464  
PPLC License# P-2360

**ODFL Concord**  
PIN: 55197810620000  
2900 New Town Way SW  
City of Concord, NC 28027

REV	DATE	DESCRIPTION	ACH	BY
C	7/10/23	REVISED PER CITY OF CONCORD SUP CONDITIONS OF APPROVAL	ACH	
B	7/10/23	REVISED PER CITY OF CONCORD SUP COMMENTS	ACH	
A	7/10/23	REVISED PER CITY OF CONCORD COMMENTS	ACH	

DRAWN BY: Alex C. Homer, P.E.  
CHECKED BY: Kyle M. Hoyt, P.E.  
DATE: May 19, 2023  
PROJECT #: 21-006  
SCALE: 1" = 60'  
SHEET TITLE: **Landscape Plan**  
SHEET NUMBER: **L1.0**

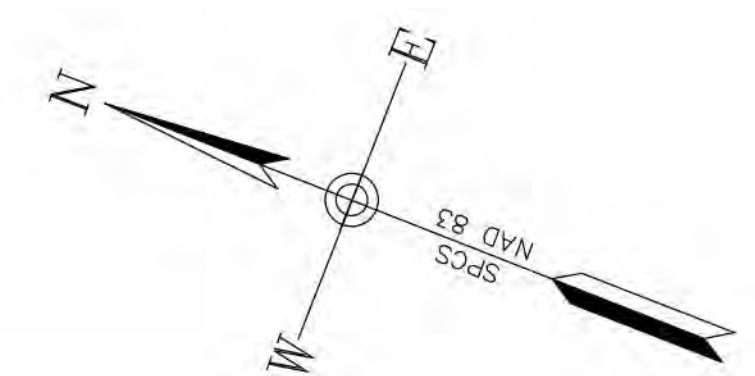


OLD DOMINION FREIGHT LINE

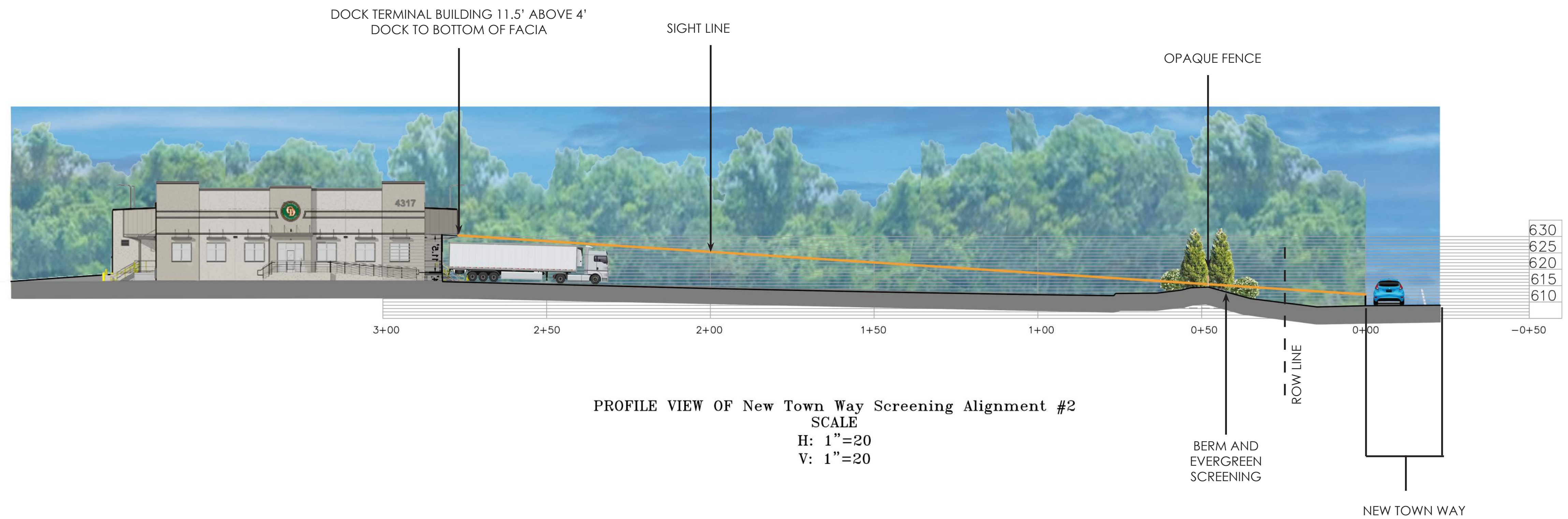
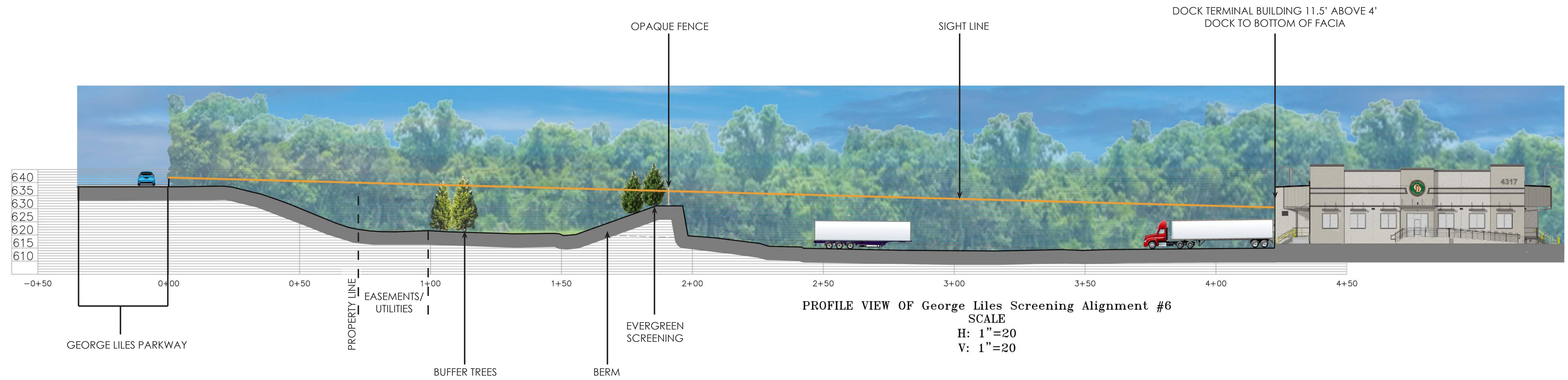


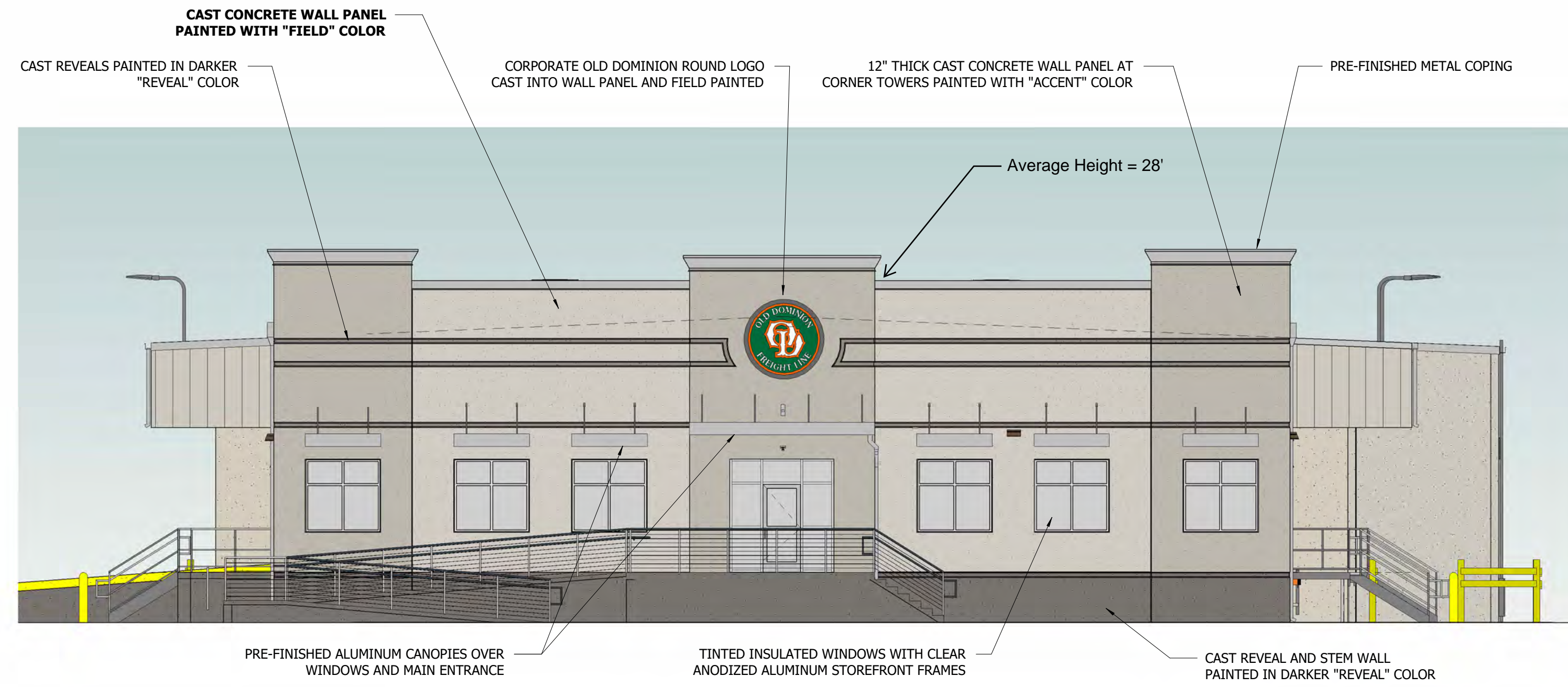
CONCORD, NC | JULY 10, 2023

Plan

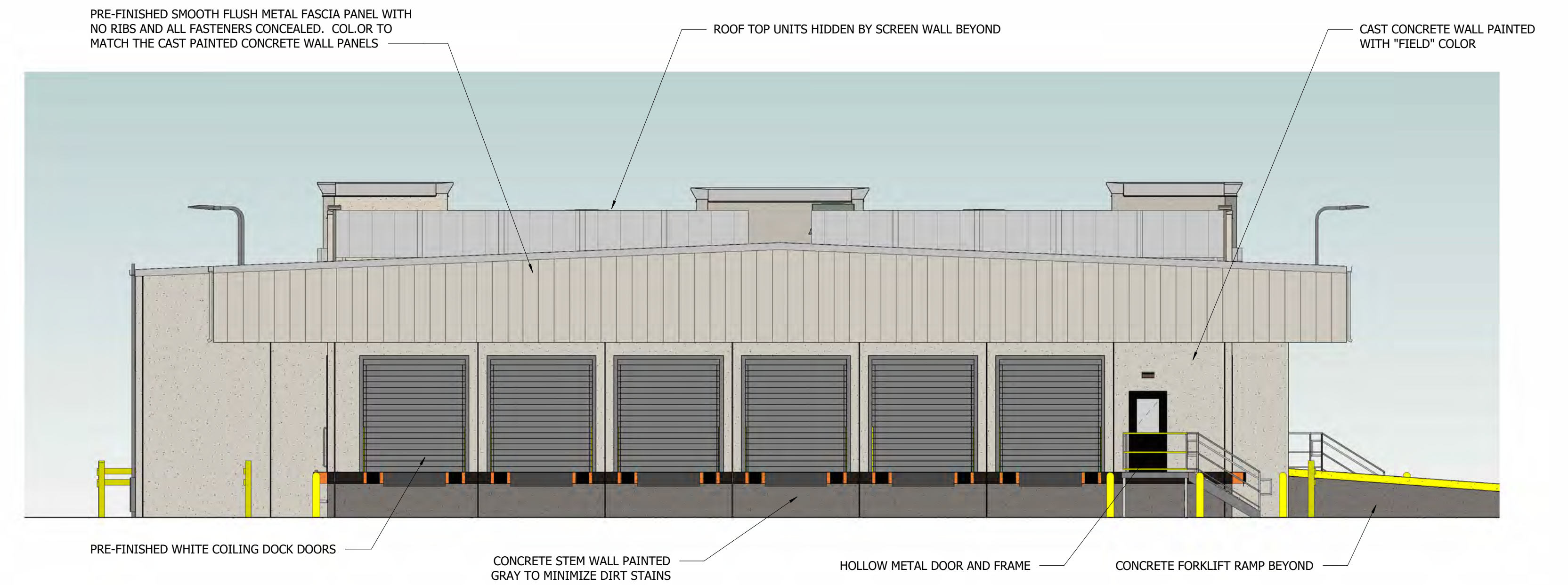


REMARK





3 SOUTH ELEVATION  
1/8" = 1'-0"



2 NORTH ELEVATION  
1/8" = 1'-0"

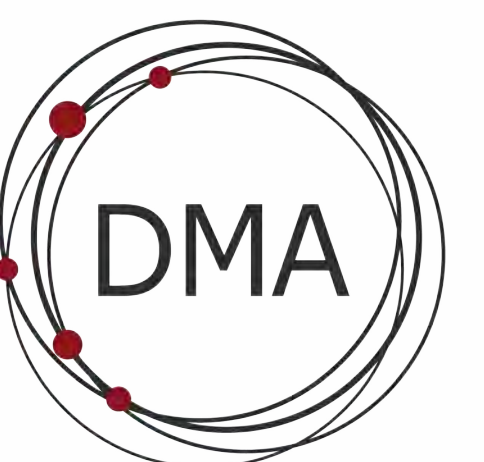


1 PERSPECTIVE VIEW

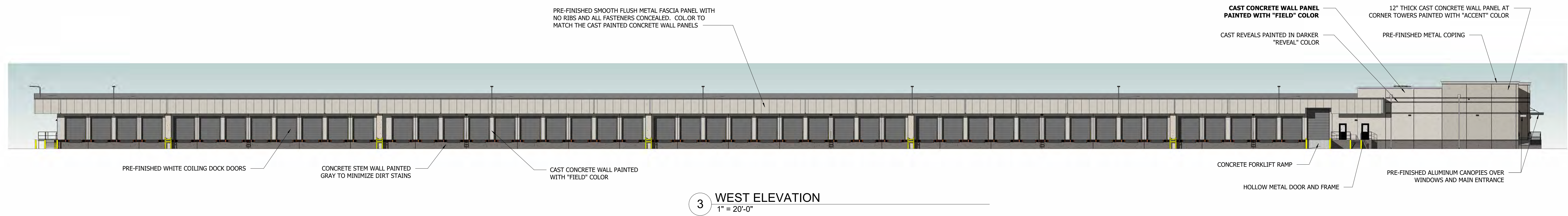


ODFL CONCORD, NC  
EXTERIOR ELEVATIONS

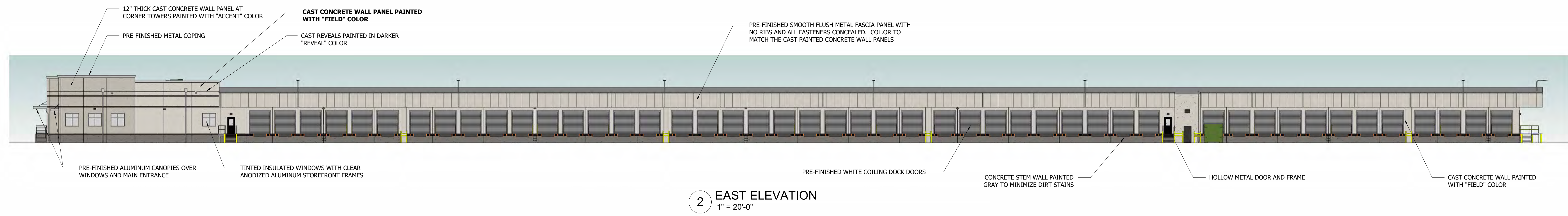
30 x 42 = 1/8" = 1'-0"  
11 x 17 = NO SCALE  
07/10/23



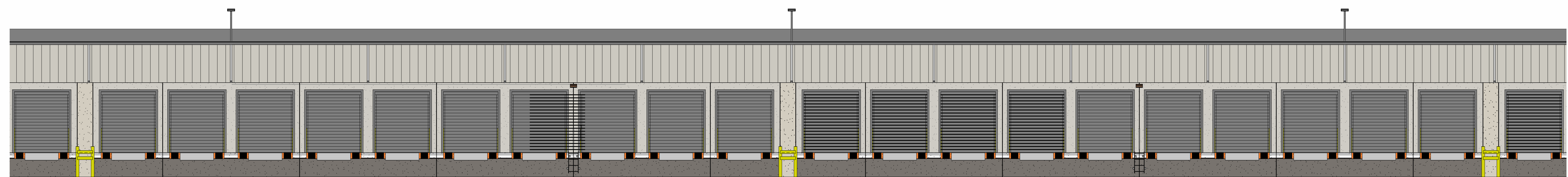
DAVID MOLLENKOPF, ARCHITECT  
49 Music Square W-Suite 600  
Nashville, Tennessee 37203  
615.296.9146  
www.theMDGlc.com



3 WEST ELEVATION  
1" = 20'-0"



2 EAST ELEVATION  
1" = 20'-0"

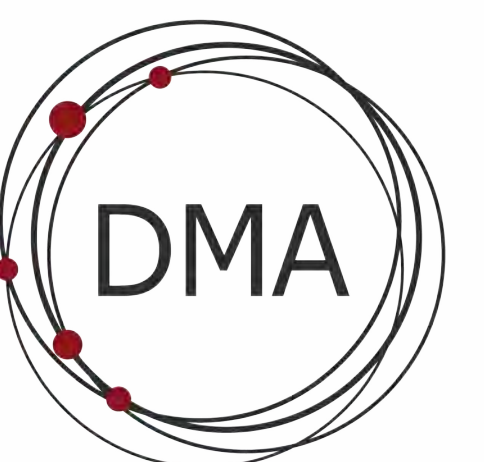


1 TYPICAL SIDE ELEVATION  
1/8" = 1'-0"



ODFL CONCORD, NC  
EXTERIOR ELEVATIONS

30 x 42 = As Indicated  
11 x 17 = NO SCALE  
07/10/2023



DAVID MOLLENKOPF, ARCHITECT  
49 Music Square W-Suite 600  
Nashville, Tennessee 37203  
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www.theMDGllc.com



**DATE:** August 15, 2023

**CASE:** TA-06-23 Text Amendment (Sign Ordinance Revisions)

**PREPARED BY:** Kayleigh Mielenz, Senior Planner

**BACKGROUND:**

Article 12 of the Concord Development Ordinance contains regulations for exterior signage. City Planning is proposing to amend two subsections of Article 12, 12.4.5 Projecting Signs and 12.4.7.B Window Signs. The text amendment aims to address feedback that Staff has received from business owners within the Center City (CC) zoning district regarding signage. While some of these proposed changes are applicable in the CC district, some are also applicable in other zoning districts.

Sign contractors and business owners have expressed the desire for the City to increase the flexibility and clarity of the regulations for window signs. The proposed text amendment aims to address this feedback by:

1. Increasing the maximum window sign area from 10% to 20% in Center City.
2. Clarifying that window signs stating the address and hours of operation for a business are not included in the calculation of window sign area.
3. Clarifying that window signs applied to the glazing of recessed storefront entrances are included in the calculation of window sign area.

Additionally, staff has received feedback that the maximum sign area for projecting signs in Center City is too restrictive. Projecting signs in the Center City district are currently limited to 6 SF while other zoning districts may have up to 16 SF of projecting signage. Staff is proposing to increase the maximum size of projecting signs in Center City to 12 SF and finds that an appropriate size for the Center City district.

Staff is also proposing to allow projecting signs in all districts to be placed anywhere on a wall where a wall sign is displayed. This adds flexibility as the current regulations limit the placement to being centered under or above the wall sign.

In the proposed ordinance language, new language proposed is red, bold and underlined and language proposed to be deleted is strikethrough.

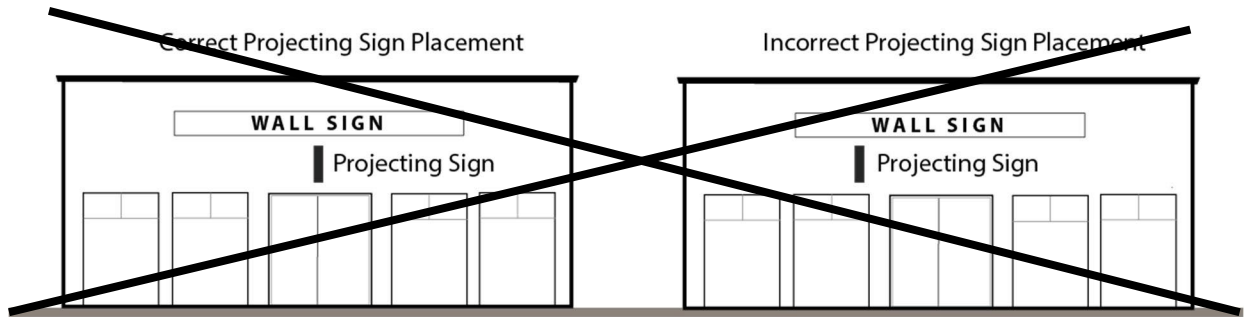
# ARTICLE 12 SIGN STANDARDS

## 12.1.1. PROJECTING SIGNS

### B. Permitted Sign Location

Projecting signs may be displayed on any building wall where a wall sign is permitted to be displayed. ~~When projecting signs are displayed on the same building wall as a wall sign, the projecting sign shall be mounted in a location that is either directly above or below the wall sign (the primary sign where multiple wall signs are displayed) and centered on the midpoint of such sign. Alternatively,~~ **Additionally**, a projecting sign may be displayed at the intersection (corner) of two building walls.

~~Figure 12-8: Permitted Location of Projecting Signs When Displayed with Wall Signs~~



### D. Permitted Sign Area

Projecting signs may have an area of up to 16 square feet within the C-2, C-1, OI, B-1 and up to ~~€~~ **12** square feet within the CC districts.



#### 12.4.7. INCIDENTAL SIGNS.

##### B. Window Signs

The following standards shall apply to Window Signs

1. Window signs may be displayed by any use which is permitted to display a wall sign.
2. Window signs shall only be permitted to be displayed on windows and doors on the first floor of each building frontage.
- 3. Address and hours of operation on windows shall not count in the calculation of window sign area.**
- 4. If the storefront entrance is recessed, any signs applied to the glazing of the recessed doors and recessed windows shall count toward the calculation of window sign area.**
- ~~3.~~ **5.** In the Center City zoning district, window signs **require a sign permit and** are permitted to cover up to ~~10%~~ **20%** of the glazed area of the first floor building frontage on which they are located.
- ~~4.~~ **6.** In all other districts window signs may occupy an area that is equal to the permitted area of wall signage allowed on each building frontage. Where both window and wall signage are displayed on the same building frontage, the combined area of all window and wall signs displayed on that frontage shall not exceed the 8% square footage limit as set forth in the Wall Sign standards in this Article.
- ~~5.~~ ~~Up to 16 square feet of signage may be displayed on the glazed portion of doors and on windows within four (4) feet of the edge of each customer entrance without counting toward the limits set forth in (3) and (4) above. This exemption shall not apply to any sign exceeding four (4) square feet in area.~~