CITY OF CONCORD PLANNING & ZONING COMMISSION Meeting Agenda Tuesday, October 17, 2023 at 6:00 PM City Hall Council Chambers - 35 Cabarrus Avenue West

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

1. Z(CD)-13-23 (Legislative Hearing)

Kimberly Barb has submitted a Zoning Map Amendment application for +/- 124.0 acres of property located at 3700 Taylor Glen Ln from O-I-CD (Office-Institutional Conditional District) to O-I-CD (Office Institutional Conditional District). PINs 5509-09-5299, 5509-06-0817, 5509-18-2039.

- 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(CD)-20-23 (Legislative Hearing)

Charles and Stephanie Stapleton have submitted a Zoning Map Amendment application for +/- 0.953 acres of property located at 164 Wilkinson Ct. SE from TND-CD (Traditional Neighborhood Development – Conditional District) to RC-CD (Residential Compact – Conditional District). PINs 5630-18-0096, 5630-18-2009.

- 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. Z(CD)-22-22 (Legislative Hearing)

Niblock Homes has submitted a Zoning Map Amendment application for +/- 91.75 acres of property located at ~3303 NC HWY 49 from PUD (Planned Unit Development District) and RM-1 (Residential Medium Density) to RV-CD (Residential Village Conditional District). PINs 5549-69-0093, 5549-59-2272, 5549-49-9161, 5640-70-5379.

- 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.*

PLEASE NOTE: IN ACCORDANCE WITH ADA REGULATIONS, ANYONE WHO NEEDS A SPECIAL ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD NOTIFY THE PLANNING & NEIGHBORHOOD DEVELOPMENT DEPARTMENT AT 704-920-5152 AT LEAST TWENTY-FOUR (24) HOURS PRIOR THE MEETING.

- ${f VI.}$ PETITIONS AND REQUESTS NO PUBLIC HEARING REQUIRED/PRESENTATIONS AND DISCUSSIONS
- VII. RECOGNITION OF PERSONS REQUESTING TO BE HEARD
- VIII. MATTERS NOT ON THE AGENDA
- **IX.** <u>ADJOURNMENT</u>



DATE: October 17, 2023

REZONING CASE #: Z (CD)-13-23

ACCELA: CN-RZC-2023-00006

Zoning Map Amendment **DESCRIPTION:**

Zoning from O-I-CD to O-I-CD (Modification)

APPLICANT/OWNER: Kimberly M. Barb, PLA Stimmel Associates/

Reed VanderSlik, President & CEO ThriveMore

LOCATION: 3700 Taylor Glen Lane

PIN#s: 5509-09-5299, 5509-06-0817, and 5509-18-2039

AREA: +/- 124.02 acres

ZONING: O-I-CD (Office-Institutional Conditional District)

PREPARED BY: Kim Wallis, AICP, Senior Planner

BACKGROUND

The subject property consists of three (3) parcels, totaling approximately +/- 124.02 acres on the north side of Pitts School Rd NW, east and west of Plantation Rd NW, and south of Woodridge Ct. NW., about 3/4 mile northwest from the intersection of Concord Parkway South and Pitts School Rd. It is the site of the Taylor Glen Retirement Community.

The subject property was annexed on December 31, 1995 and zoned RM-2 (Medium Density Residential) on the southern portion, and O-I-CU (Office Institutional Conditional Use) on the north portion and the west parcel. On June 11, 1998, approximately 89.9 acres were rezoned from R-2 to O-I-CU for the purpose of constructing a multi-level care retirement home with conditions and was approved by the Planning and Zoning Commission (Z-29-97, CUP 02-98). On August 20, 2019, the southern +/- 29 acres was rezoned from RM-2 (Residential Medium Density) to O-I-CD (Office-Institutional Conditional District), and the north and the west parcels rezoned from O-I-CU (Office-Institutional Conditional Use) to O-I-CD (Office-Institutional Conditional District). This action brought the entire ownership into compliance with the current zoning terminology as "conditional use" zonings, such as the O-I-CU, are no longer options within the Concord Development Ordinance (CDO). On August 20, 2019 an amendment to the Land Use Plan was made which brought the home into both consistent land use (CI- Civic/Institutional) and zoning categories.

Planning and Zoning Commission Case # Z-13-23

Since the construction of the Retirement Home in 2001, a seven (7) foot green vinyl coated fence was installed along a portion of the perimeter of the property without the benefit of amending the zoning. On August 20, 2019, the conditional rezoning was amended to install the same style 'seven-foot (7') tall green vinyl coated chain link fence around the remaining perimeter of the property. The applicant agreed to keep all original conditions from the original rezoning and conditional use permit from 1998 (Z-29-97, CUP 02-98).

SUMMARY OF REQUEST

The applicant is proposing a Phase I Expansion to include a new multi-family villa with 17 units, 33 new single-family cottages, and a Memory Care expansion with the Greenhouse Homes which has 12 bedrooms. Note the site plan also includes in this expansion a new secondary remote private entrance (Hillside Way) off of Plantation Road, two new private roads (Carrol Circle and Geneve Court) which loop through the proposed single-family cottages, a new parking area near the Greenhouse homes and a parking area for the multi-family villa.

The conditional zoning process allows particular uses to be established on 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	
O-I-CD (Office- Institutional- Conditional District)	North	Residential Low Density (RL), Residential Village (RV), Light Industrial Conditional Use (I-1-CU)	Continuing Care Retirement Community,	North	Single-Family, Vacant
	South	RC (Residential Compact), RV (Residential Village)	including apartments for elderly individuals,	South	Single-Family, Religious Institution, Mobile Homes
	East	I-1 (Light Industrial), I-1 CU (Light Industrial Conditional Use), RV (Residential Village),O-1 (Office Institutional)	assisted living and skilled nursing facilities	East	Single-Family, Vacant

Wes	RM-2 (Residential Medium Density), O-I-CU (Office	West	Single-Family
	Institutional		
	Conditional Use)		

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 LUP designates the subject property as "Civic/Institutional (CI)". O-I (Office-Institutional) *is listed* as a corresponding zoning district to the "Civic/Institutional" land use category, and therefore is consistent with the land use plan.

The corresponding zoning districts for the "Civic/Institutional" land use category are AG (Agricultural District), RE (Rural Estate District), RL (Residential Low Density), RM-1 (Residential Medium Density), RM-2 (Residential Medium Density), RV (Residential Village), RC (Residential Compact), O-1 (Office-Institutional District), B-1 (Neighborhood Commercial/Office District), CC (City Center District), C-2 (General Commercial District), I-1 (Light Industrial District), I-2 General Industrial District.

From the 2030 Land Use Plan – "Civic/Institutional (CI)

The intent of the Civic /Institutional (CI) Future Land Use category is to identify areas to serve the community, such as public facilities, public and private schools, places of worship, cemeteries and other community gathering facilities.

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

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

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:

• **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.

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/-124.02 acres and currently zoned O-I-CD (Office-Institutional Conditional District).
- The subject property was voluntarily annexed on December 31, 1995.
- The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) as O-I-CD (Office-Institutional Conditional District) is a corresponding zoning district to the Civic/Institutional land use category and the proposed uses are compatible with those existing in the surrounding neighborhood. The modifications are as noted in the Summary of Request and includes the Phase 1 Expansion of the development, dating from 1998, meets the policy guidance to promote a mix of housing types to meet the needs of existing and future residents.

• 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. Maintain the conditions from Z-29-97; CUP-02-98; Z(CD)-16-19.
- 2. Compliance with "Conditional Site Plan," sheet number CSP-1.0, dated 9/14/2023.
- 3. Compliance with "Taylor Glen Cottage Elevations," sheet numbers D5.1, D5.2, D5.3, D5.4, D5.5, dated 5/19/2023.
- 4. Compliance with "Green House Elevations," sheet number D6.2, dated 7/7/2023.
- 5. Compliance with "Villa Elevations," sheet number D6.17, dated 5/19/2023.
- 6. Compliance with "8600 Commercial Double Swing Estate Gate" Main Entry Gate detail sheet, dated 8/23/2023.
- 7. Compliance with "9600 Industrial Top Track Cantilever Gate Item #9600TT1288721" Fence Panels detail sheet, dated 8/31/2023.
- 8. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.
- 9. Future modifications/additions to the approved site plan may require further approval from the Planning and Zoning Commission.

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.

1.	Required Attachments / Submittals: 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. NOTE: Neighborhood Meeting to be held on Monday July 31, 2023 at Pitts Baptist Church
5.	Money Received by Date:

Check # 34497 Amount: \$800.00 (Conditional) or \$600 (Conventional)

Cash: _____

The application fee is nonrefundable.

Date:



Staff member signature:

(Please type or print)

Applicant Name, Address, Telephone Number and email address: Kimberly M. Barb, PLA Stimmel Associates, PA 601 N. Trade Street, Winston Salem, NC 27101, Mobile: 336-817-4952 Email: kbarb@stimmelpa.com Owner Name, Address, Telephone Number: Reed VanderSlik, President & CEO of ThriveMore 7996 North Point Blvd., Suite 100 Winston-Salem, NC 27106 Mobile: 336-565-7057 Email: rvanderslik@thrivemorenc.org Project Location/Address: 3700 Taylor Glen Lane, Concord NC 28027 Parcel Identification Number (PIN): 5509-09-5299, 5509-06-0817, and 5509-18-2039 Area of Subject Property (acres or square feet): 124.0186 acres total Lot Width: 1,750 If varies Lot Depth: 2,650 If varies O-I-CU Current Zoning Classification: Proposed Zoning Classification: O-I-CU Existing Land Use: CI Future Land Use Designation: Senior Housing Surrounding Land Use: North SF Residential South O-I and SF Residential West SF Residential East SF Residential Reason for request: Phase 1 Expansion for new Cottages, Villa units and Greenhouse Memory Care Expansion Has a pre-application meeting been held with a staff member? Yes No

Zoning Map Amendment

THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY

(Please type or print)

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

Existing Independent Living Apartments Existing Assited Living and Skilled Nursing

New Multi-Family Villa + 17 units New Single Family Cottages + 33

New Green House Home [®] Memory Care Expansion + 12 bedrooms

Future Outparcel Uses - TBD (Child Care, MOB, Office, etc.)

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):

See 1998 original zoning conditions and excluded uses listed on CU-Site Plan See 2019 zoning conditions listed on CU-Site Plan

Maintain existing vegetation for required bufferyards to the extent possible.

New, required fire emergency access drive with gates proposed at Plantation Drive.

Ex entry gates for Taylor Glen to be relocated behind future outparcels on Taylor Glen Lane.

Main Entrance drive access updates are proposed to allow for more stacking.

TIA will be submitted as required along with request for new traffic signal at Pitts School Road.

All new internal drives will be private streets.

Neighborhood Concept for gated senior community to have sidewalks on interior cottage side only. Multiple pathways and interior walk connections througut the campus are proposed.

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

Signature of Applicant

Date

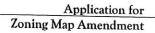
Signature of Owner(s)

Date

Planning & Neighborhood Development

35 Cabarrus Ave W P. O. Box 308 Concord, NC 28025 Phone 704-920-5152 Fax 704-920-6962 www.concordnc.gov

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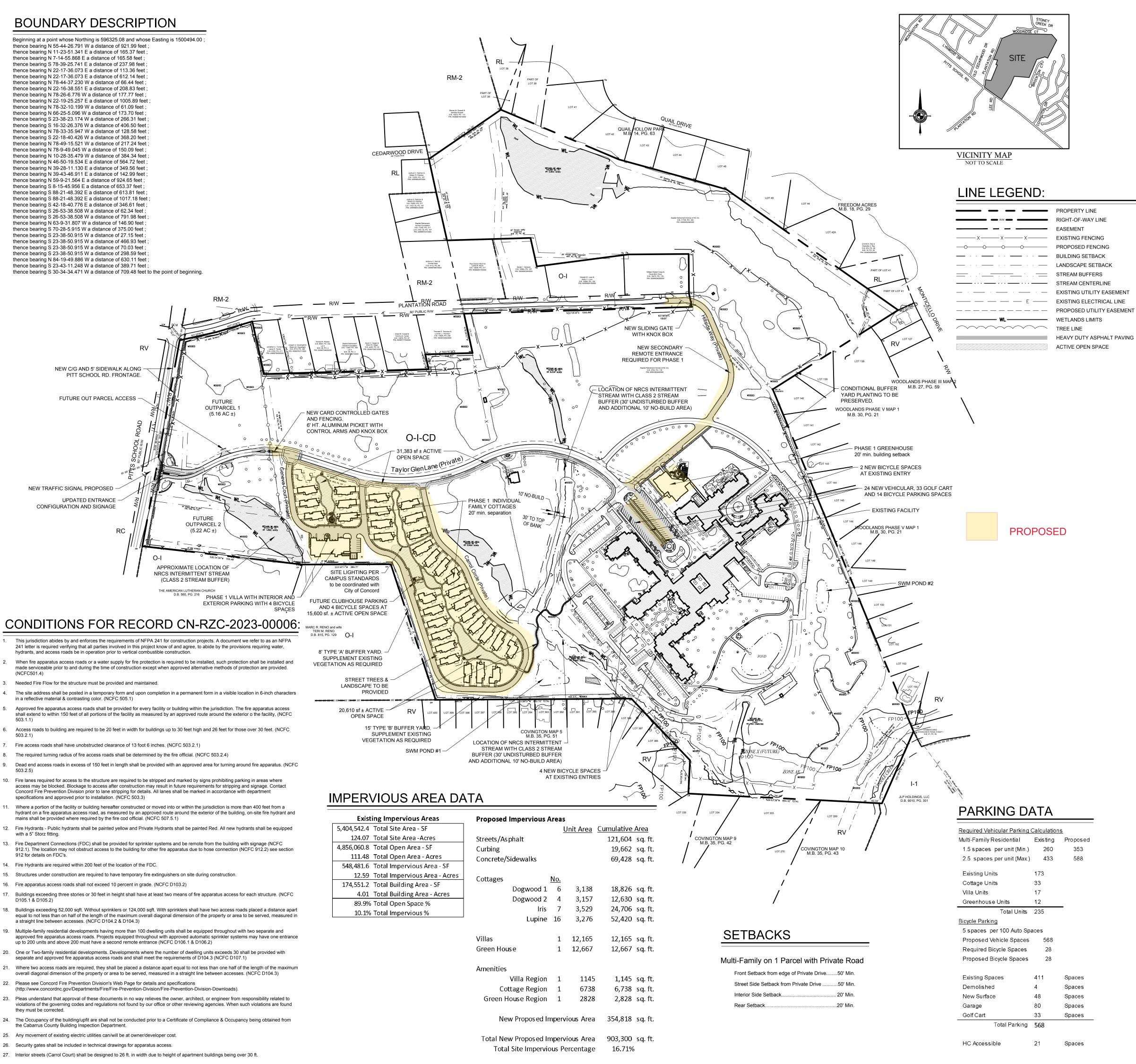




Certification

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: _5/25/23	
Applicant Signature:	
Property Owner or Agent of the Property Owner Signature:	



EXISTING ZONING CONDITIONS

EXISTING ZONING: O-I-CU (CASE # CUP-02-98 APPROVED ON JUNE 11, 1998)

1. ALL SITE LIGHTING AT TAYLOR GLEN SHALL BE DIRECTED AWAY FROM THE ADJOINING RESIDENTIAL

- 2. A COMBINATION OF BERMS, EXISTING PLANT MATERIAL, NEW PLANT MATERIAL, AND/OR FENCING
- SHALL BE INSTALLED TO PROVIDE AN OPAQUE SCREEN BETWEEN THE INITIAL PHASE OF TAYLOR GLEN AND THE FOLLOWING EXISTING ADJOINING LOTS IN "THE WOODLANDS" SUBDIVISION: 128, 138. 139, 140, 141, 142, 143, 144, 145, 146, 147, AND 149
- 3. WHEN COMPLETED, AND AT FULL BUILD OUT, THE TOTAL NUMBER OF UNITS IN TAYLOR GLEN, WITH EACH INDIVIDUAL BED IN THE CONGREGATE CARE UNIT INCLUDED AS A RESIDENTIAL UNIT, SHALL NOT EXCEED THE LIMIT OF UNITS ALLOWED UNDER THE CITY OF CONCORD ZONING ORDINANCE PER THE ORIGINAL PROPERTY ZONING (R-2, R-2.7, AND R-T)
- 4. THE FOLLOWING LAND USES, OTHERWISE PERMITTED IN O-I, SHALL BE EXCLUDED FROM THE
- ADVERTISING AGENCIES
- BUSINESS AND SECRETARIAL SCHOOLS CARNIVALS, CIRCUSES, AND FAIRS
- CEMETERIES
- CHRISTMAS TREES AND SEASONAL PLANT SALES COLLEGES, UNIVERSITIES AND PROFESSIONAL SCHOOLS
- COMMERCIAL PRINTING AND LITHOGRAPHY
- COMPUTER SERVICES CONVENTIONS AND TRADE SHOWS
- CORRECTIONAL INSTITUTIONS CREDIT UNIONS
- ELEMENTARY AND SECONDARY SCHOOLS
- ENGINEERING, ARCHITECTURAL AND SURVEYING SERVICES FUNERAL SERVICES AND CREMATORIES
- GOVERNMENT OFFICES INSURANCE AGENTS, BROKERS AND SERVICES
- JOB TRAINING AND VOCATIONAL
- JUNIOR COLLEGES AND TECHNICAL INSTITUTES
- MISCELLANEOUS BUSINESS SERVICES MUSEUMS AND ART GALLERIES
- NEWSPAPER PUBLISHING AND PRINTING PERIODICALS PUBLISHING AND PRINTING
- PERSONAL SUPPLY SERVICES
- PROFESSIONAL MEMBERSHIP ORGANIZATIONS
- PUBLIC AIRPORTS PUBLIC UTILITY OFFICES AND EQUIPMENT STORAGE
- PUBLIC UTILITY SUBSTATIONS REAL ESTATE AGENTS AND MANAGERS
- REAL ESTATE OPERATORS AND LESSORS
- REHABILITATION SERVICES
- SECURITY AND COMMODITY BROKERS, DEALERS, EXCHANGES, AND SERVICES
- TELEGRAPH AND OTHER MESSAGE COMMUNICATIONS
- VETERINARY SERVICES VOCATIONAL SCHOOLS
- THOSE TERMS ARE DEFINED BY THE NORTH CAROLINA STATE BUILDING CODE. SERVICE AND EMERGENCY VEHICULAR ACCESS TO TAYLOR GLEN SHALL BE LIMITED EXCLUSIVELY TO THE PITTS SCHOOL ROAD ENTRANCE.

5. THE HEIGHT OF THE TALLEST BUILDING OR BUILDINGS INCLUDED IN TAYLOR GLEN, MEASURED FROM

GRADE, SHALL NOT EXCEED THREE (3) STORIES, EXCLUDING ROOF STRUCTURES AND BASEMENTS AS

- 7. ALL CONSTRUCTION TRAFFIC SHALL ENTER AND EXIT TAYLOR GLEN FROM PITTS SCHOOL ROAD.
- 8. ALL ELECTRICAL SERVICES CONTROLLED BY THE BAPTIST RETIREMENT HOMES OF NORTH CAROLINA, INC. AT TAYLOR GLEN, SHALL BE UNDERGROUND.

09/12/2019 APPROVAL CONDITIONS CASE #Z(CD)-16-19

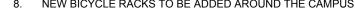
- REZONING FROM O-I-CU TO O-I-CD, FOR PINS: 5509-09-5299
- 5509-06-0817 • 5509-18-0045
- SUBSTANTIAL COMPLIANCE WITH THE "BAPTIST RETIREMENT HOMES, TAYLOR GLEN" CONDITIONAL SITE PLAN DATED 06/26/19, REVISED 09/03/19
- 2. ALL CONDITIONS FROM THE ORIGINAL CONDITIONAL REZONING (Z-29-97, ORDINANCE #98-47, CUP-02098) REMAIN IN EFFECT
- 3. FUTURE MODIFICATIONS/ADDITIONS TO THE APPROVED SITE PLAN MAY REQUIRE FURTHER APPROVAL FROM THE PLANNING AND ZONING COMMISSION.
- REMOVE THE EXISTING BARBED WIRE FENCE ALONG LATS 128.138-149 OF WOODRIDGE CT. NW AND STONEY CREEK DR. NW. AND INSTALL 6 FOOT HIGH EVERGREEN SCREENING BETWEEN THE PROPOSED FENCE AND THE REAR LOT LINES OF LOTS 140-149. EXISTING LANDSCAPE MATERIAL BEHIND THE REMAINING LOTS (150-153) OF STONEY CREEK DR NQ WILL PROVIDE SCREENING OF THE PROPOSED FENCE AS INDICATED ON THE SITE PLAN. THE PROPOSED FENCE ALONG LOTS 139-153 SHALL BE 7' IN HEIGHT, BLACK VINYL COATED.
- 5. THE TOP OF THE FENCE SHALL BE A TENSION WIRE RATHER THAN A SOLID PIPE.

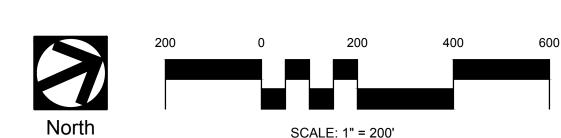
ADDITIONAL SITE DATA

- 1. EXISTING USE: MULTI-FAMILY 2. 2030 FUTURE LAND USE: CI - CIVIC INSTITUTIONAL
- 3. OVERALL SITE AREA: 124.07 AC
- 4. PHASE 1 AREA: 22 +/- AC
- 5. CENTRALIZED TRASH SERVICE PROVIDED TO MAIN BUILDING FOR VILLA AND CLUBHOUSE
- 6. MAXIMUM BUILDING HEIGHT: 60' (4-story per Text Amendment Approved 01/12/23)
- PROPOSED BUILDING HEIGHT: 59'-9 3/4' 7. MAXIMUM IMPERVIOUS AREA IN O-I: 70%
- PROPOSED IMPERVIOUS AREA: 16.4% (SEE CHART FOR BREAKDOWN)
- PER TABLE 10.5.13 OF THE CITY OF CONCORD DEVELOPMENT ORDINANCE, ZONING DISTRICT O-I HAS NO OPEN SPACE REQUIREMENTS. NO OPEN SPACE REQUIREMENTS FROM 1998 ORIGINAL ZONING.
- 9. PROPOSED ACTIVE OPEN SPACE TO INCLUDE 67,689 sf.± (1.55 Ac) INCLUDING NEW ASPHALT & MULCH WALKING TRAILS AND GREENS BETWEEN COTTAGES

ISSUES FOR RECORD CN-RZC-2023-00006:

- PROJECT RECEIVED PRELIMINARY WASTE WATER FLOW ALLOCATION APPROVAL ON SEPT. 20, 2022. FOR 50 UNITS AND MARCH 23, 2023 FOR 12 UNITS, THE PRELIMINARY FLOW ALLOCATION IS VALID UNTIL SEPT. 20, 2023 FOR THE 50 UNITS AND MARCH 23, 2024 FOR THE 12 UNITS. IF FINAL WASTE WATER FLOW ACCEPTANCE IS NOT ACQUIRED BY THOSE DEADLINES, THE PROJECT WILL HAVE TO REAPPLY FOR PRELIMINARY WASTE WATER FLOW APPROVAL.
- ANY DEVELOPMENT WITH THE 100 YEAR FLOODPAIN (AKA SFHA) MUST MEET ARTICLE 4 SECTION 4.7 OF THE CONCORD DEVELOPMENT ORDINANCE.
- 3. ALL MECHANICAL AREAS TO BE SCREENED.
- 4. GATES AND FENCING AT ENTRANCES TO BE 6' HT. ALUMINUM PICKET WITH KNOX BOX. DETAILS TO BE SUBMITTED TO CITY FOR REVIEW AND ACCEPTANCE PRIOR TO INSTALLATION.
- TRASH FOR COTTAGES TO BE COLLECTED WEEKLY AND TRASH FOR VILLA BUILDING & CLUBHOUSE TO BE TAKEN OVER TO EXISTING MAIN BUILDING DUMPSTER BY TAYLOR GLEN STAFF. NO NEW DUMPSTER PROPOSED
- 6. PARKING SPACES TO MEET CITY OF CONCORD STANDARDS, ALL ADA SPACES TO INCLUDE REQUIRED RAMPS & ACCESS AISLES.
- OPEN SPACES WILL INCLUDE WALKING TRAILS AND SIDEWALKS, BENCHES, FIRE PITS & COMMUNITY GATHERING AREAS.
- 8. NEW BICYCLE RACKS TO BE ADDED AROUND THE CAMPUS.







PROJECT:

Σ

REED VANDERSLIK **THRIVEMORE** 7996 NORTH POINT BLVD. SUITE 100

CLIENT:

09/14/23

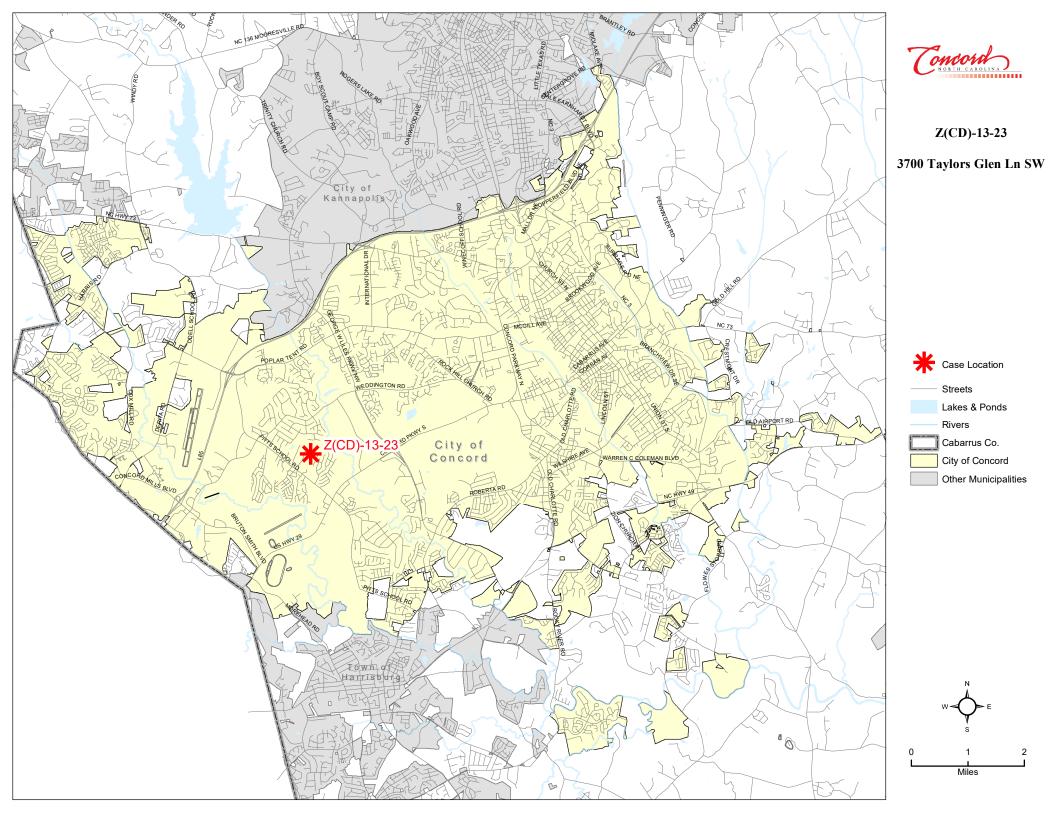
WINSTON SALEM NC 27106

KMB, TEG, CEC DRAWN:

22-070 JOB. NO: SHEET TITLE:

CONDITIONAL SITE PLAN

© STIMMEL ASSOCIATES, P.A.

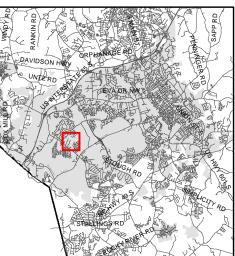




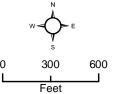
Z(CD)-13-23 AERIAL

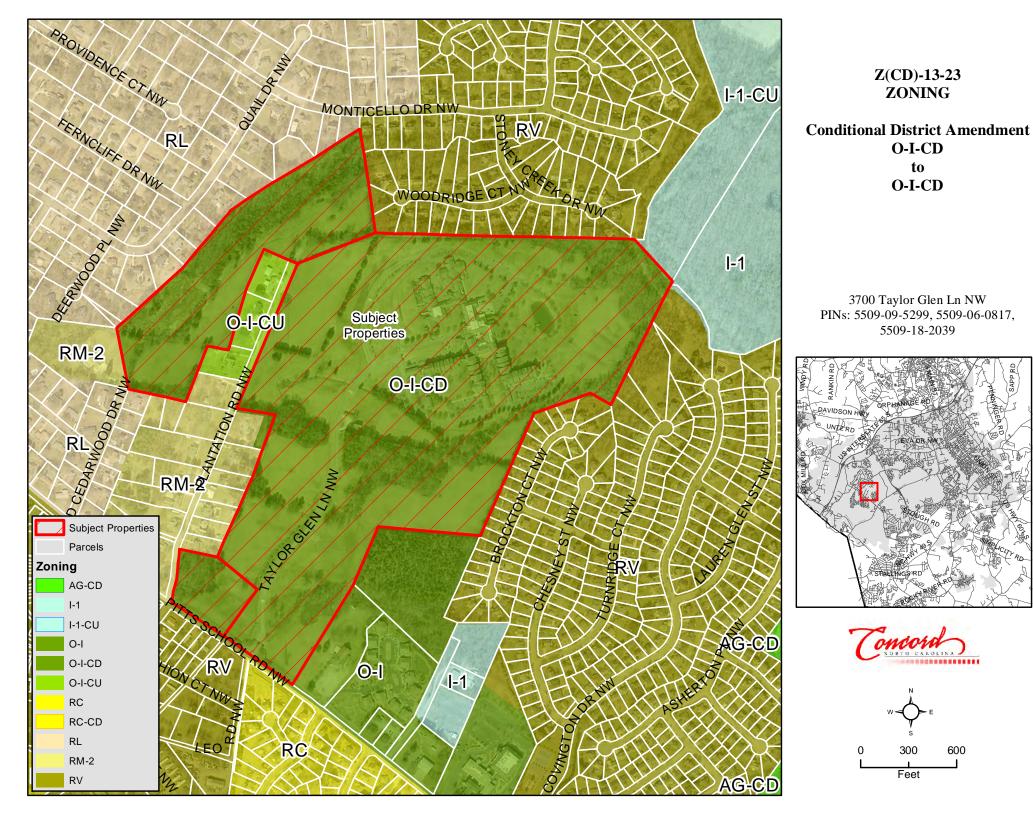
Conditional District Amendment
O-I-CD
to
O-I-CD

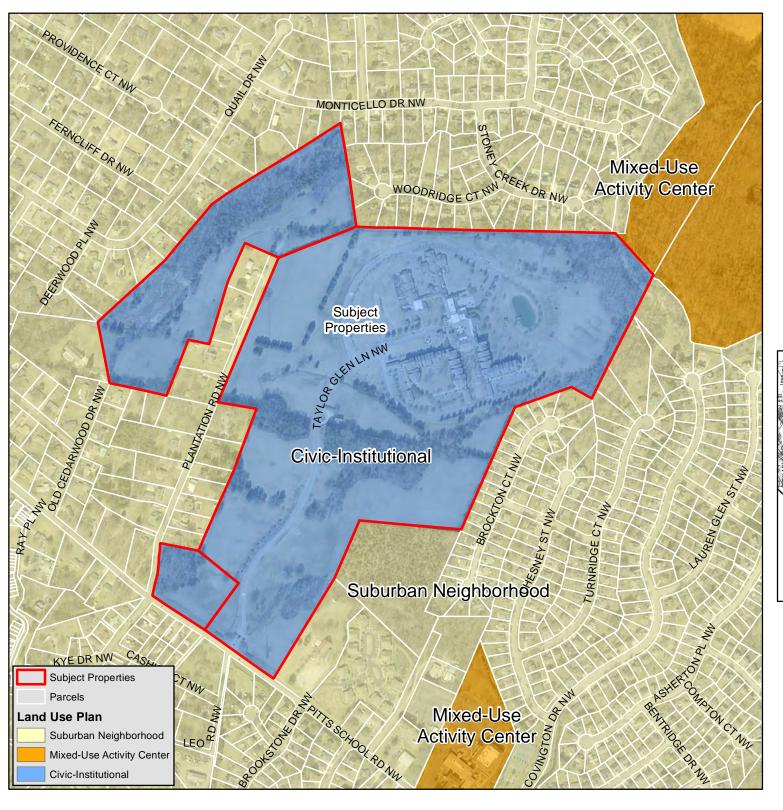
3700 Taylor Glen Ln NW PINs: 5509-09-5299, 5509-06-0817, 5509-18-2039







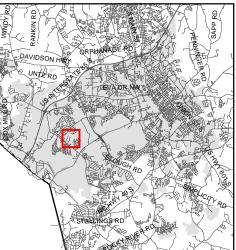


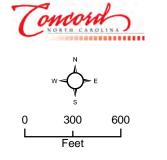


Z(CD)-13-23 LAND USE PLAN

Conditional District Amendment
O-I-CD
to
O-I-CD

3700 Taylor Glen Ln NW PINs: 5509-09-5299, 5509-06-0817, 5509-18-2039







Planning and Zoning Commission



DATE: October 17, 2023

REZONING CASE #: Z(CD)-20-23

ACCELA: CN-RZC-2023-00015

DESCRIPTION: Zoning Map Amendment

TND (Traditional Neighborhood Development - Infill) to RC-

CD (Residential Compact – Conditional District)

APPLICANT/OWNER: Charles and Stephanie Stapleton

LOCATION: 164 Wilkinson Ct SE

PIN#s: 5630-18-0096, 5630-18-2009

AREA: +/- 0.92 acres

PREPARED BY: Frederick Womble, Planner/George Daniels, Senior Planner

BACKGROUND

The subject property consists of two (2) parcels comprising approximately +/- 0.92 acres on the south side of Wilkinson Ct SE. The property is currently undeveloped.

At the January 2023 Planning and Zoning Commission meeting the Commission voted to amend the zoning from RC (Residential Compact) to TND (Traditional Neighborhood Development – Infill) for the purpose of building an eight (8) unit single family development. The TND zoning district allowed for smaller lot sizes than those permitted in the RC zoning district.

HISTORY

The property was annexed into the City before 1932 and the earliest recorded zoning was R-4 Residential. The zoning was converted to RC (Residential Compact) with the adoption of the Unified Development Ordinance (UDO) and remained with the conversion to the Concord Development Ordinance (CDO), until the zoning map amendement in January 2023 to TND zoning district. The property is vacant and does not appear to have ever been developed in the past.

SUMMARY OF REQUEST

The applicant is requesting to rezone the subject property from TND (Traditional Neighborhood Development – Infill) to RC-CD (Residential Compact – Conditional District) in order to construct four (4) single family infill homes on the site. The site plan also shows lots 5 and 6 that are going to be recombined into two existing lots with street frontage on Corban Ave SE.

The surrounding zoning on all sides of the subject properties is RC (Residential Compact). The surrounding land uses are primarily residential apartment (multi-family) buildings. Directly to the east are the Colonial Heights apartment buildings containing twenty (20) housing units, and across the street to the north is a single-story apartment building with four (4) units and two single family homes on individual lots. To the northwest further up on Wilkinson Ct SE there are twelve (12) newly constructed townhomes that back up to the downtown greenway.

The adjacent property to the west contains a duplex residential structure and across Hopkins St SE there is a two-story apartment building with sixteen (16) units. To the south the subject property backs up to a recently closed right-of-way and several single-family homes and a single-story apartment building that contains four (4) housing units.

The conditional zoning process allows particular uses to be established on 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 uses intended for the property and any proposed conditions that will govern development and use of the property. If a petition for conditional district zoing is approved, the conditions of approval shall become binding upon the property. Only those use and structures indicated in the approved petition and site plan may be developed on the site.

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

Existing Zoning and Land Uses (Subject Parcel)					
Current Zoning of Subject Property	Zoning Within 500 Feet		Land Uses(s) of Subject Property	Land Uses within 500 Feet	
	North	RC (Residential Compact)	Vacant land	North	Multi-family and single family residential
RC (Residential Compact)	South	RC (Residential Compact) & RM-1 (Residential Medium Density)		South	Multi-family and single family residential
	East	RC (Residential Compact)		East	Multi-family residential
	West	RC (Residential Compact)		West	Multi-family residential & single family attached

COMPLIANCE WITH 2030 LAND USE PLAN

The 2030 Land Use Plan (LUP) designates the subject property as "Mixed-Use Activity Center" for which RC (Residential Compact) is listed as a corresponding zoning district.

The corresponding zoning districts for the "Mixed Use Activity Center" land use category are RV (Residential Village), RC (Residential Compact), O-I (Office-Institutional), CC (City Center), TND (Traditional Neighborhood Development), MX-NC (Mixed Use-Neighborhood Center), MX-CC1 (MixedUse-Commercial Center Small, MX-CC2 (Mixed Use-Commercial Center Large), MX-IB (Mixed Use-Industrial/Business Center), PRD (Planned Residential Development), C-1 (Light Commercial), C-2 (General Commercial), PUD (Planned Unit Development), I-1 (Light Industrial)

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

Policy Guidance:

Objective 1.6:

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

Policy guidance for Objective 1.6:

Infill Housing: Promote a variety of compatible infill housing types in areas with access to adequate facilities and services.

Housing Balance: Ensure that zoning allows for a mix of housing types at a variety of prices to meet the demands of existing and future residents.

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

SUGGESTED STATEMENT OF CONSISTENCY

- The subject property is approximately +/- 0.92 acres and is zoned City of Concord TND (Traditional Neighborhood Development).
- The subject property was annexed into the City before 1932 and the earliest recorded zoning was R-4 (Residential), later converted to RC (Residential Compact) and amended to TND (Traditional Neighborhood Development) in January 2023.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as RC (Residential Compact) is a corresponding zoning classification to the Mixed-Use Activity Center classification.

• The zoning amendment is reasonable and in the public interest as it is complementary to the use, design and density with the adjacent residential land uses.

OR

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

SUGGESTED CONDITIONS

If approval is desired, staff recommends the following conditions:

- 1. Compliance with "Greenway Village Park Rezone Plan" document, dated 9/22/2023.
- 2. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.

PROCEDURAL CONSIDERATIONS

This particular case is a rezoning, which under the CDO, is legislative in nature. Legislative hearings do not require the swearing or affirming of witnesses prior to testimony at the public hearing.

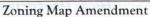


Zoning Map Amendment

APPLICATIONS NOT COMPLETED BY THE PUBLISHED APPLICATION DEADLINE WILL NOT BE CONSIDERED.

Required Attachments / Submittals:

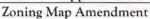
X	1.	Typed metes and bounds description of the property (or portion of property) in a Word
		document format.
X	2.	Cabarrus County Land Records printout of names and addresses of all immediately
		adjacent landowners, including any directly across the street.
X	3.	FOR CONDITIONAL DISTRICT APPLICATIONS 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 # <u>Q 80 32</u> Amount: \$ 800.00 (Conditional) or \$600 (Conventional)
		Cash:
		The application fee is nonrefundable





(Please type or print)

Applicant Name, Address, Telephor	ne Number and email address:		
Charles and Stephanie Stapleton, 4779 Rocky River Rd., Concord, NC 28027 (704) 791-5244, charles@hercenterprises.com			
Owner Name, Address, Telephone N	Number: e Stapleton, 4779 Rocky River Rd., Concord,		
NC 28027	5 Otapicton, 4770 Nooky Niver Na., Genera,		
Project Location/Address: 164 Wil	kinson Ct. SE, Concord, NC 28025		
Parcel Identification Number (PIN)	5630-18-0096, 5630-18-2009		
Area of Subject Property (acres or s	quare feet): 0.953 Acres		
Lot Width: 224'	Lot Depth: 186'		
Current Zoning Classification: TND	POR COMBITONAL DISTRICT APPLICA		
Proposed Zoning Classification: RC			
Existing Land Use: Vacant			
Future Land Use Designation: Resi	dential		
Surrounding Land Use: North RC	South RC		
RC East	West RC		
Reason for request: Rezoning from TND to RC-CD	Section 3.2.21. Staff will provide further suffer		
Has a pre-application meeting been	held with a staff member? X 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:
Ir	fill single family residential development.

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

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

Signature of Applicant

Date

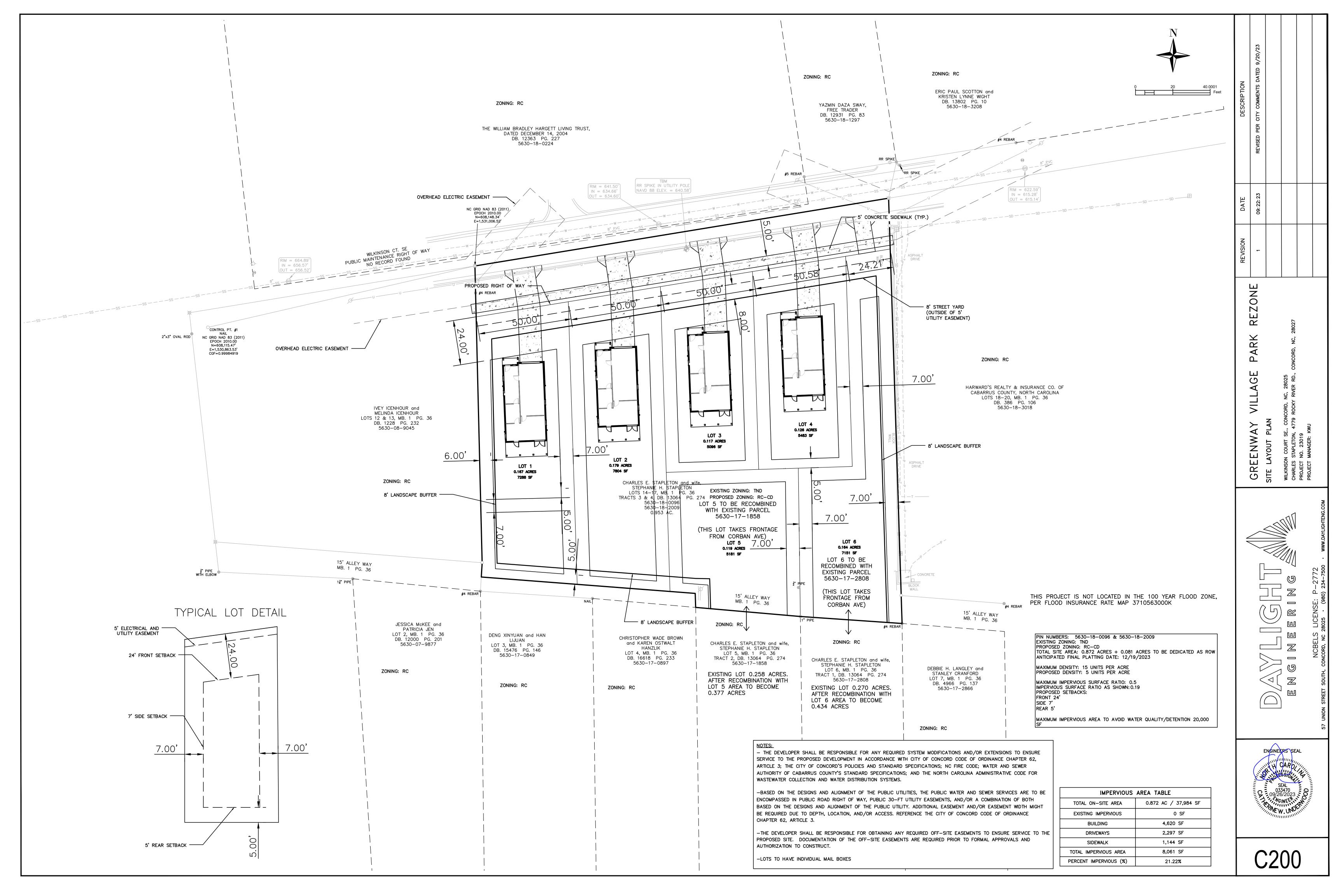
Date

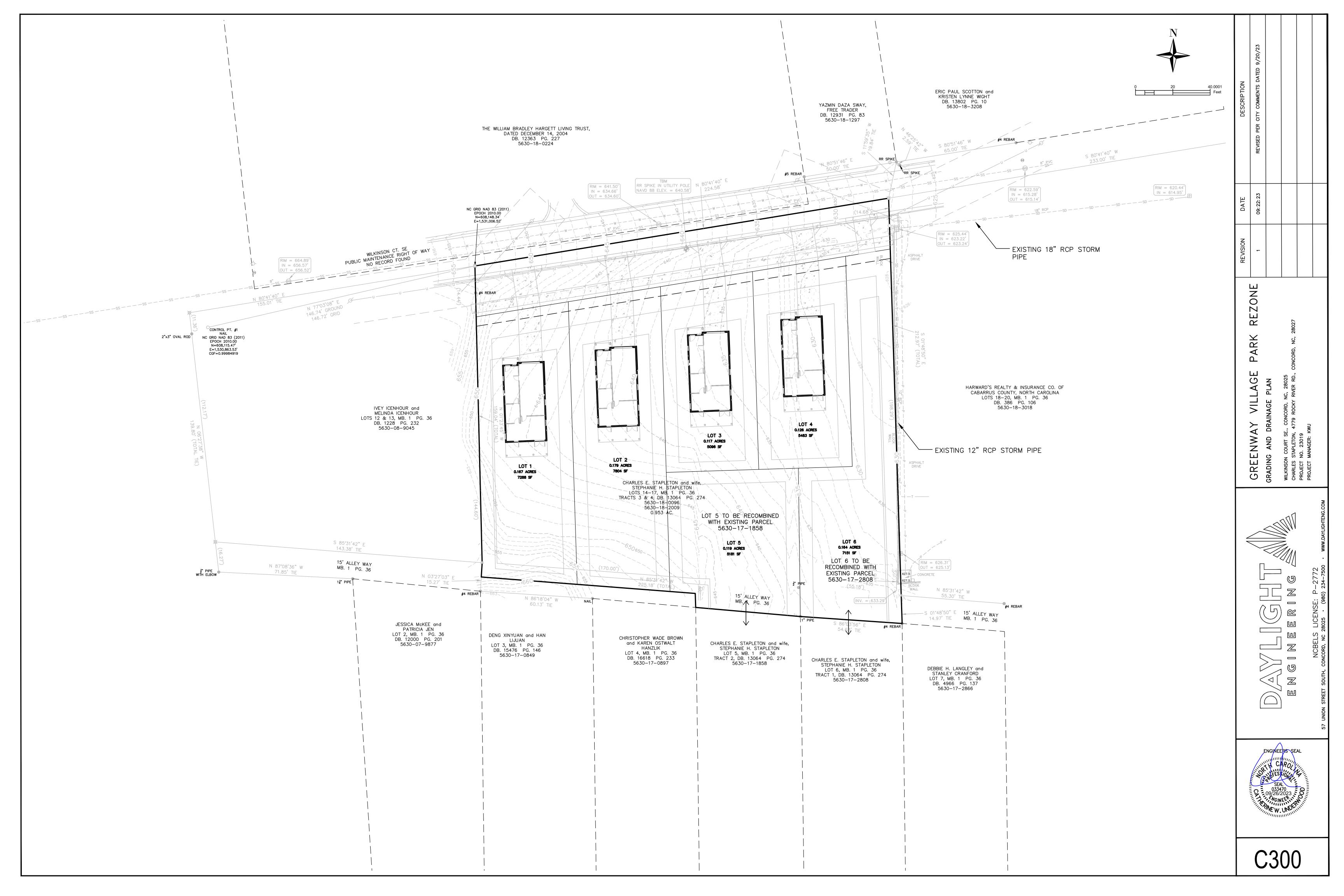


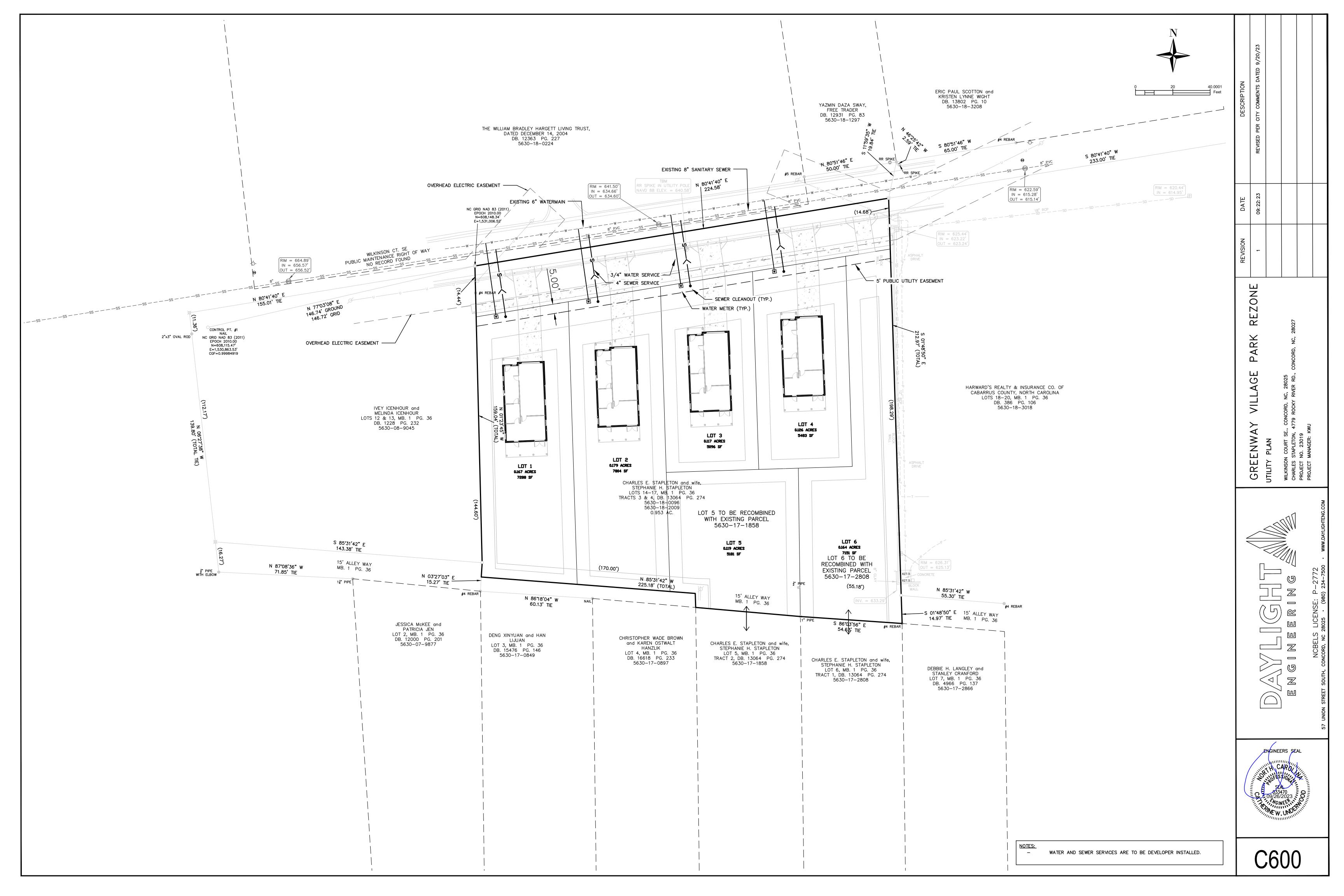
Certification

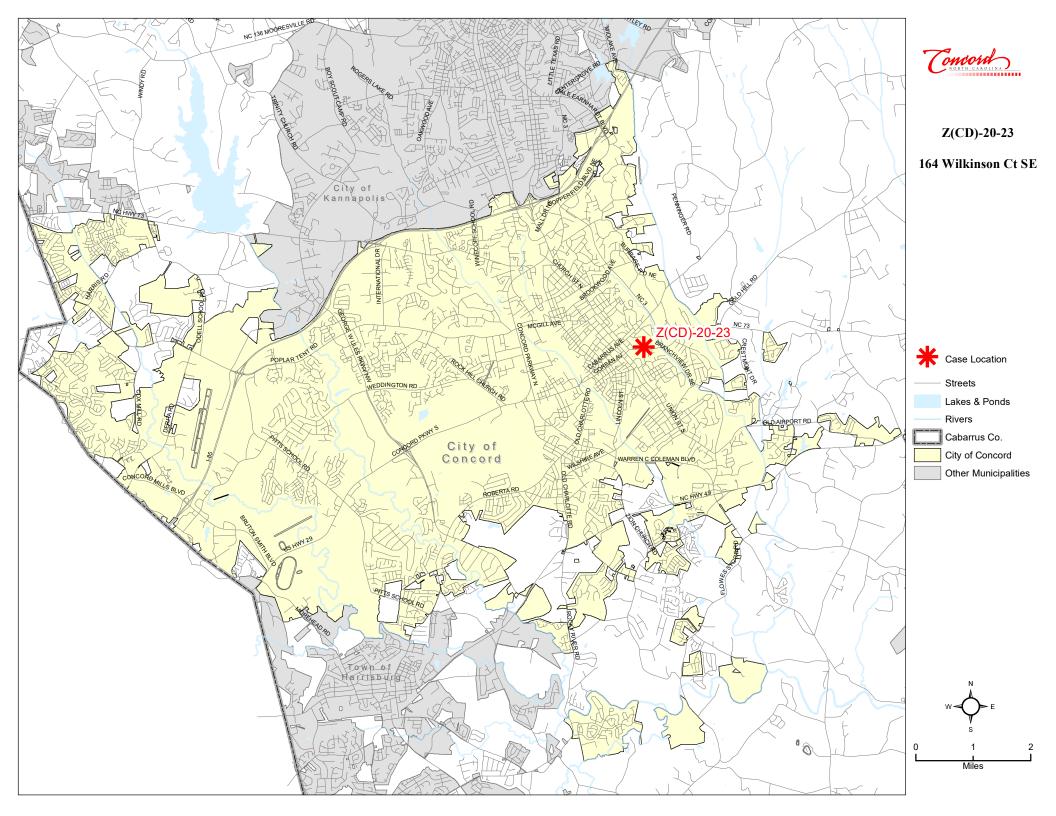
I hereby acknowledge and say that the information contained herein and herewith is true, and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department.

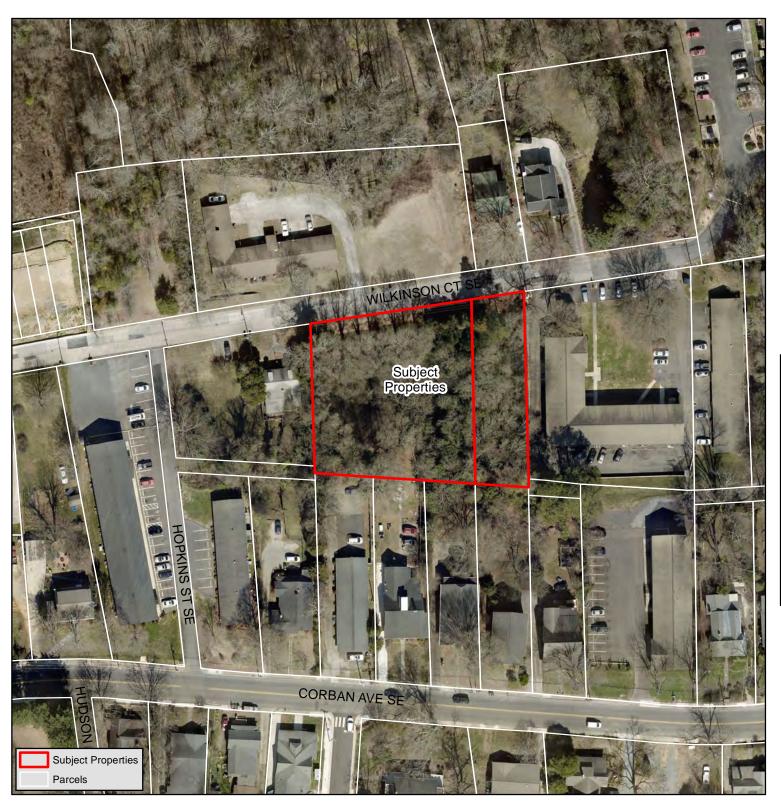
Property Owner or Agent of the Property Owner Signature:







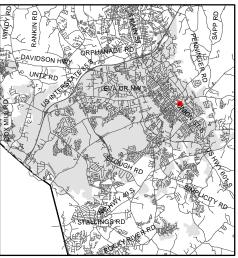


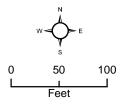


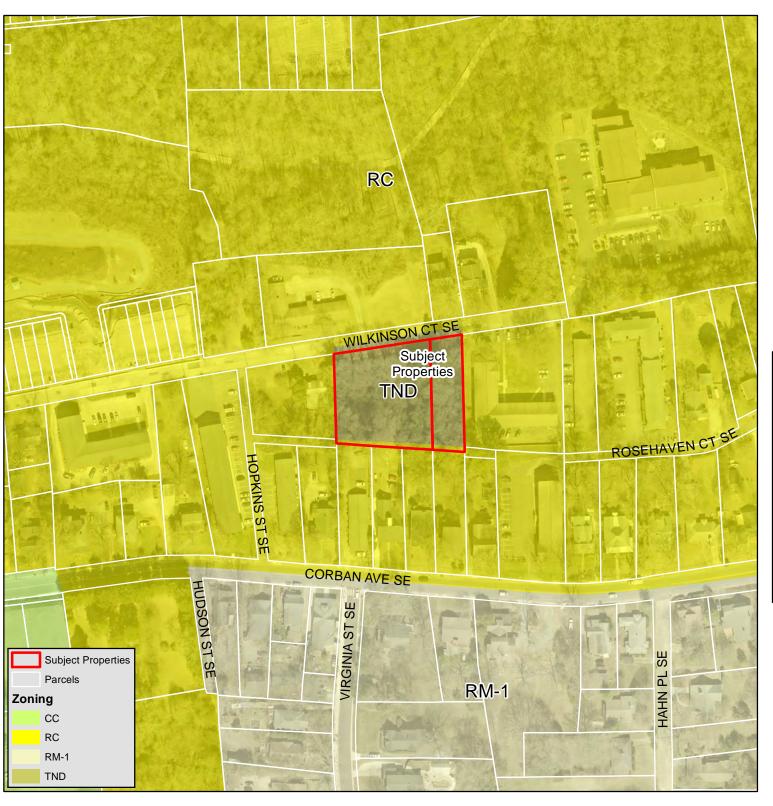
Z(CD)-20-23 AERIAL

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

164 Wilkinson Ct SE PIN: 5630-18-0096, 5630-18-2009



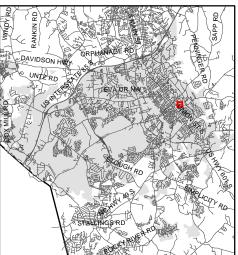


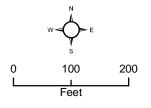


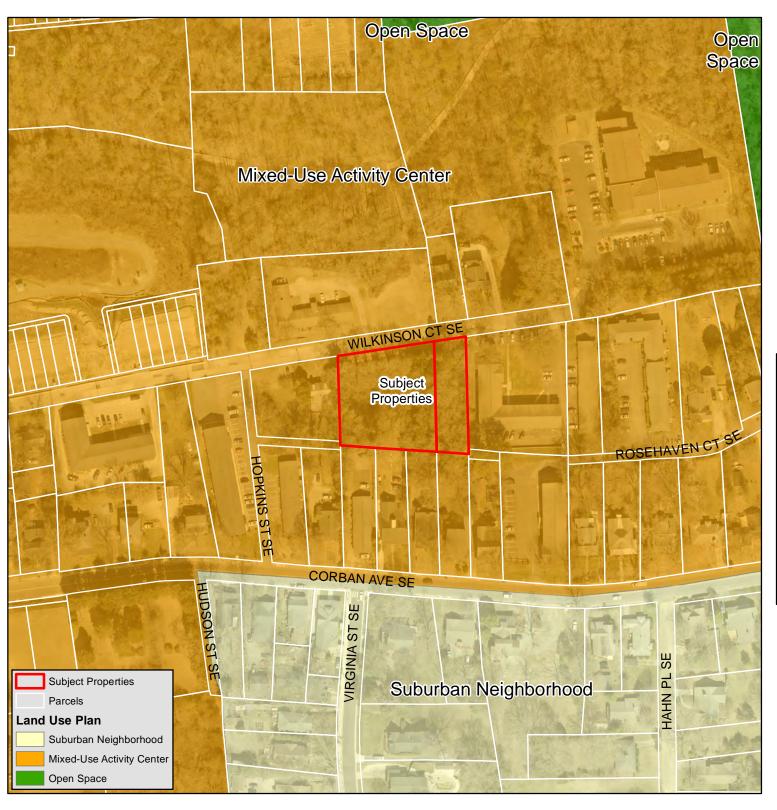
Z(CD)-20-23 ZONING

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

164 Wilkinson Ct SE PIN: 5630-18-0096, 5630-18-2009







Z(CD)-20-23 LAND USE PLAN

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

164 Wilkinson Ct SE PIN: 5630-18-0096, 5630-18-2009

