

**CITY OF CONCORD PLANNING & ZONING COMMISSION**  
**Meeting Agenda**  
**Tuesday, November 21, 2023, at 6:00 PM**  
**City Hall Council Chambers - 35 Cabarrus Avenue West**

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

**1. Z(CD)-16-23 (Legislative Hearing)**

**Caren Wingate** has submitted a Zoning Map Amendment application for +/- 5.96 acres of property located at 497 & 529 Woodhaven Pl. NW from AG (Agricultural) to I-1 (Light Industrial). PINs 4690-77-5057, 4690-76-3809.

- 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)-21-23 (Legislative Hearing)**

**Michael Newman** has submitted a Zoning Map Amendment application for +/- 11.13 acres of property located at 2976 Zion Church Rd. from Cabarrus County GI (General Industrial) to City of Concord I-2-CD (Heavy Industrial – Conditional District). PIN 5529-85-3566.

- 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.*

#### **4. Z(CD)-18-23 (Legislative Hearing)**

**Justin Mueller** has submitted a Zoning Map Amendment application for +/- 63.3 acres of property located at 1199 Odell School Rd. from un-zoned to RM-2 (Residential Medium Density). p/o PIN 4681-64-7428

- 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.*

#### **5. SUP-03-23 (Quasi-Judicial Hearing)**

**Benjamin Herrick** has submitted a Special Use Permit application for +/- 0.8 acres of property located at 4515 Morehead Rd for the purpose of the addition of a permanent wireless communication tower. p/o PIN 4598-56-5792.

- 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**

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

### **VIII. MATTERS NOT ON THE AGENDA**

### **IX. ADJOURNMENT**



**DATE:** November 21, 2023

**REZONING CASE #:** Z (CD)-16-23

**ACCELA:** CN-RZC-2023-00009

**DESCRIPTION:** Zoning Map Amendment  
Zoning from AG (Agricultural) to I-1-CD (Light Industrial Conditional District)

**APPLICANT/OWNER:** Caren Wingate, Wingate Advisory Group

**LOCATION:** 497 & 529 Woodhaven Pl. NW

**PIN#s:** 4690-77-5057, 4690-76-3809

**AREA:** +/- 5.96 acres

**ZONING:** AG (Agricultural)

**PREPARED BY:** George Daniels, Senior Planner  
Autumn C. James, Planning & Development Manager

**BACKGROUND**

The subject property consists of two (2) parcels, totaling approximately +/- 5.96 acres on Woodhaven Dr NW. The property is across the street from The Station at Poplar Tent apartments and backs up to a self-storage facility and a concrete plant. To the north of the property are two single family homes and to the south is a vacant piece of land.

**HISTORY**

The subject property was annexed on December 31, 1995 as part of the large western area annexation, and zoned RD (Rural Development), this was later converted to AG (Agricultural) with the adoption of the Unified Development Ordinance in 2000. The smaller parcel (4690-76-3809) contains a house and an outbuilding, the original house was built according to the tax records in the 1930's and added onto over the years. The larger parcel (4690-77-5057) is undeveloped.

As required by the Concord Development Ordinance (CDO), the petitioner did notice all adjacent property owners by letter (in lieu of a meeting), delivered by certified mail at least twenty (20) days prior to the hearing date. The letter provided an overview of the zoning request and the petitioner's contact information. Proof of notification by certified letter was provided to the Planning Department.

**SUMMARY OF REQUEST**

Five Star Fabricating, Inc. proposes to rezone +/-5.96 acres on Woodhaven PI NW in Concord for the development of a +/-50,750 square foot industrial building. The building will be divided into two separate suites, each with approximately 20% office space, and 80% warehouse space. There will be five overhead doors in each of the two suites.

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.

In accordance with the Concord Development Ordinance (CDO), all reviewing departments of the DRC (Development Review Committee) have reviewed and approved the proposed site plan.

<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>	
AG (Agricultural)	<b>North</b>	AG (Agricultural, I-1 (Light Industrial))	Undeveloped, Single-Family Residential	<b>North</b>	Single-Family Residential, Distribution
	<b>South</b>	O-I (Office- Institutional), RC (Residential Compact)		<b>South</b>	Undeveloped, Single- Family Residential
	<b>East</b>	I-2 (General Industrial), I-2- CU (General Industrial – Conditional Use)		<b>East</b>	Industrial, Self-Storage
	<b>West</b>	MX-IB (Mixed Use – Industrial Business)		<b>West</b>	Multi-Family, Medical Offices

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

The 2030 LUP designates the subject property as “Industrial Employment (IE)”. I-1 (Light Industrial) *is listed* as a corresponding zoning district to the “Industrial Employment” land use category, and therefore is consistent with the land use plan.

The corresponding zoning districts for the “Industrial Employment” land use category are C-2 (General Commercial District), MX-IB (Mixed Use Industrial/Business Center, I-1 (Light Industrial District), I-2 General Industrial District.

**From the 2030 Land Use Plan – “Industrial/Employment (IE)”**

*The intent of the Industrial/Employment (IE ) Future Land Use category is to identify those areas*

*that have either already developed as industrial or are suited for additional industrial development due to the presence of infrastructure and access to transportation routes, such as major highways and railroads. These industrial areas should be preserved for employment uses to generate jobs for the community.*

*Industrial uses have already developed in several areas throughout the community, most of which are light industrial in function and impact. The 2030 Plan identifies the need to protect industrial lands, and to encourage additional growth in industrial/employment uses in designated areas, particularly around Concord Regional Airport, and along I-85 between Pitts School Road and Rocky River. Additionally, some light industrial/employment uses are encouraged to locate in Mixed-Use Districts, depending upon their intensity, as identified earlier in this section.*

**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 1.3: 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,*

**SUGGESTED STATEMENT OF CONSISTENCY**

- The subject property is approximately +/-5.96 acres and currently zoned AG (Agricultural).
  - The subject property was annexed on December 31, 1995.
  - The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) as I-1-CD (Light Industrial - Conditional District) is a corresponding zoning district to the Industrial/Employment land use category and the proposed uses are compatible with those existing in the surrounding area.
  - The zoning amendment is reasonable and in the public interest as it is complementary to the use, design and density with the adjacent land uses.
- OR
- The zoning amendment is not reasonable and in the public interest as the design is not compatible with the surrounding area.

**SUGGESTED CONDITIONS**

If approval is desired, staff recommends the following conditions:

1. Compliance with “Woodhaven Place NW, Site Plan and Data,” sheet number RZ-1, dated 10/31/2023.
2. Compliance with “Woodhaven Place NW, Renderings & Details,” sheet number RZ-2, dated 10/31/2023.
3. Compliance with Article 7.11, Design Standards for Industrial Districts, in the Concord Development Ordinance (CDO).
4. Compliance and Article 11, Landscaping and Buffering Standards, in the Concord Development Ordinance (CDO).

Planning and Zoning Commission  
Case # Z(CD)-16-23

5. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.
6. 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.



Application for  
Zoning Map Amendment

(Please type or print)

Applicant Name, Address, Telephone Number and email address: \_\_\_\_\_

Caren Wingate, Agent for Petitioner - 1030 Edgehill Rd S, Suite 101 Charlotte, NC 28207  
704-641-2154; cwingate@wingadgroup.com

Owner Name, Address, Telephone Number: \_\_\_\_\_

Janet G Harvey, Trustee

Project Location/Address: 497 & 529 Woodhaven Dr NW

P.I.N.: 46907750570000 & 46907638090000

Area of Subject Property (acres or square feet): 5.96 acres

Lot Width: 372.06 feet Lot Depth: 649.84 feet

Current Zoning Classification: AG

Proposed Zoning Classification: I-1 (CD)

Existing Land Use: Residential

Future Land Use Designation: Light Industrial

Surrounding Land Use: North I-1 South O-I

East IE & I-2-CU West MX-IB

Reason for request: There are plans to redevelop the property for light industrial use.

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

Staff member signature: \_\_\_\_\_ Date: \_\_\_\_\_



**THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY**

(Please type or print)

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

The Petitioner would like to construct one industrial building of 50,750 sf, divided into two suites.

The Petitioner will use 25,750 sf (51%) and will lease out the remaining suite of 25,000 sf (49%).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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):

We will include a list of conditions and exclusions, as recommended by Planning.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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. 7/10/2023

*Caren Wagner*  
Signature of Applicant      Agent for Applicant      Date *July 10, 2023*

DocuSigned by: *Janet S. Harrell*      DocuSigned by: *Kay Turner*      7/8/2023  
Signature of Owner(s)      Date





*Certification*

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

Date: July 10, 2023

Applicant Signature: Caren Wynne, Agent for Applicant

Property Owner or Agent of the Property Owner Signature:

DocuSigned by:	DocuSigned by:	7/10/2023
<u>Janet S. Hayslip</u>	<u>Harshika Kay Turman</u>	7/8/2023

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**Rezoning General Notes**

- Parking Spaces:** parking spaces shall be a minimum of 9' x 18'. There are 58 spaces illustrated, with the parking calculation as follows:  
Proposed Office Areas: 12,000 sf / 400 = 30 spaces  
Employees at greatest shift: 42 (2/3 employees) = 28 spaces  
HC parking spaces: 4
- Bicycle Parking:** 4 spaces + 1 / 50,000 GFA = 5 spaces
- Impervious Surface & Breakdown:** Maximum impervious surfaces: 80% Proposed impervious surfaces: approximately 60.44%  
Total Site Area: 242,194 sf  
Building: 50,750 sf (20%)  
Asphalt / Parking/Truck Court: 91,787 sf (37%)  
Sidewalks / Concrete: 3,915 sf (1%)  
Total impervious: 146,452 sf (60%)
- Loading Docs:** loading docks on east side of site to be screened with 25' buffer and shrubbery along edge of asphalt, such that they are not visible from the street right-of-way, in accordance with Concord Ordinance Section 10.3.3.6.
- Signage:** All signage will be permitted separately.
- Dumpster Enclosure:** The dumpster's will be enclosed as per the Site Plan and dumpster details on RZ-1. Materials will be compatible with the building.
- Mechanical Equipment:** The mechanical equipment will be primarily located on the roof and screened from all public R/W by a raised building parapet. Any mechanical equipment located on the ground will be screened by landscaping.
- Building Height:** The maximum building height for a I-1 Zone is 72'. As illustrated in the renderings and elevations, the parapet height is approximately 36'.
- Internal Pedestrian Connectivity:** As illustrated on the Site Plan there is a proposed sidewalk connection from the building to the public sidewalk located in Woodhaven Place R/W.
- Elevations:** see elevations and renderings for compliance with Article 7.11  
- Materials to be Concrete tilt wall construction with conventional steel and TPO roof (with interior roof drains). Front facade to only have 20% Metal panels.
- Electric Site Plan:** The developer understands that the electric service vendor is their choice.

Any movement of existing utilities may be at the owner / developer expense. Load Data will be provided to the electric company in a timely manner to respect electrical equipment lead times. The developer will consider either providing all site lighting or leasing poles from the electrical company.

**12. Fire Comments:**

- The petitioner understands that additional comments will be generated for site and building when technical drawings are generated.
- The petitioner understands that this jurisdiction abides by and enforces the requirements of NFPA 241 for construction projects. A NFPA 241 letter will be required, verifying that all parties know and agree to abide by the provision requiring water, hydrants, and access roads to be in operation prior to vertical combustible construction.
- Fire apparatus access roads and a water supply for fire protection will be installed and made serviceable prior to and during the time of construction, unless approved alternative methods of protection are provided (NCFC 501.4).
- Necessary fire flow will be provided and maintained.
- The site address will be posted in a temporary form during construction and in a permanent form after completion of construction. The permanent address will be in a visible location in 6" high characters in a reflective material and contrasting color (NCFC 505.1).
- All required fire access roads shall be in accordance with (NCFC 503.1.1 & 503.2. Fire access roads shall be 26' in width for building heights over 30-feet.)

**13. Landscape Requirements:** The petitioner understands that, as a condition of approval, the proposed development shall be subject to all landscape requirements of the City of Concord Development Ordinance Article 11

**14. Curb / Gutter & Sidewalk:** Curb and gutter will be required on the petitioner's side of Woodhaven Place NW as well as a continuous sidewalk, from north property line to south property line.

**15. Preliminary Sewer Allocation:** this project is subject to Concord's Sewer Allocation Policy and a preliminary flow allocation approval is required prior to submittal of construction documents

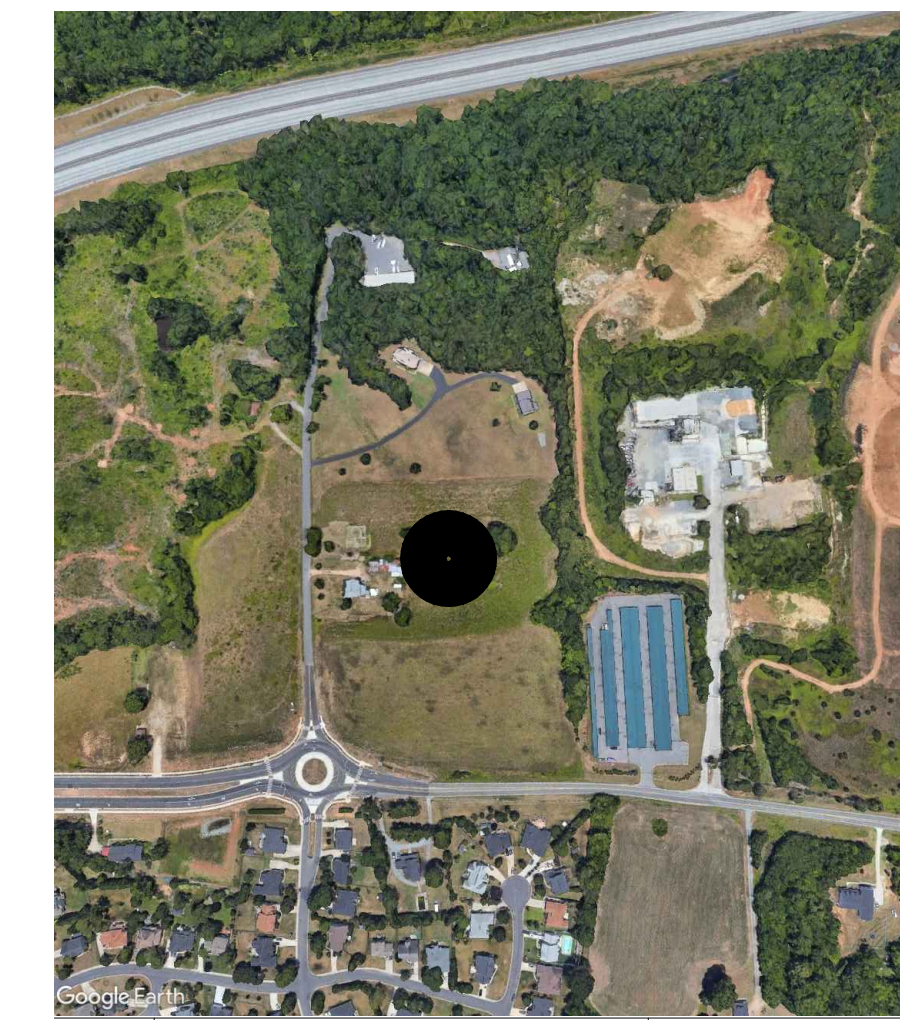
**Distribution Development**  
Woodhaven Place NW, Concord, NC

**Developer:** Five Star Race Car Bodies  
8899 368TH Ave.  
Twin Lakes, WI. 53181  
262-877-2171  
FiveStarFabricating.com  
**Concord Rezoning File:** CN-RZC-2023-00009

**Site Data:**  
**Existing Zoning:** AG  
**Proposed Zoning:** I-1 (CD)

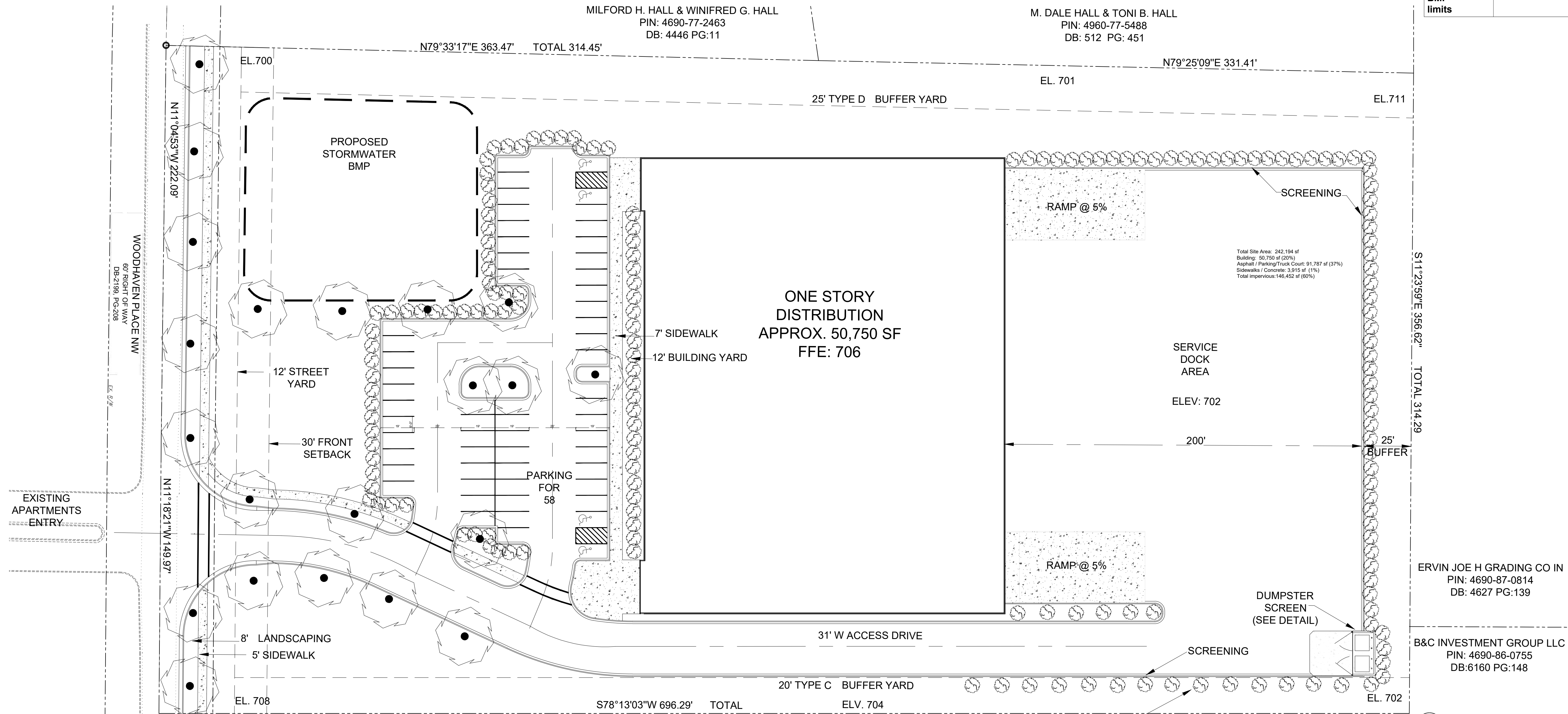
**PIN:** 4690-77-5057 / DB: 10313 PG: 292  
**PIN:** 4690-76-3809 / DB: 10313 PG: 292

**Acreage (to CL or Woodhaven):** 5.816 acres  
**Actual Acreage:** 5.56 acres



**3 VICINITY MAP** scale: NTS

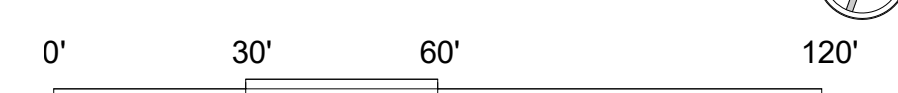
LEGEND	
Property Line	-----
R/W Line	-----
Setbacks & Buffers	-----
Concrete	[Pattern]
Stormwater BMP limits	-----



NOTE: Proposed development is subject to all landscape requirements by the City of Concord Development Ordinance Article 11.

POPLAR TENT PRESBYTERIAN  
PIN: 4690-76-5687  
DB: 803 PG:157

Loading docks on east side of site to be screened with 25' buffer and shrubbery along edge of asphalt, such that they are not visible from the street right-of-way, in accordance with Concord Ordinance Section 10.3.3.6.



**DISTRIBUTION FACILITY**  
WOODHAVEN PLACE NW  
CONCORD, NORTH CAROLINA  
CN - RZC - 2023 - 00009

REVISIONS		
No.	Description	Date
1	RZ-1 SUBMITTAL	09.01.23
2	RZ-1 SUBMITTAL REV.	09.26.23
3	RZ-1 SUBMITTAL REV.	10.12.23
4	RZ-1 SUBMITTAL REV.	10.18.23
5	RZ-1 SUBMITTAL REV.	10.27.23
6	RZ-1 SUBMITTAL REV.	10.31.23

**SITE PLAN AND DATA**

**RZ-1**  
Copyright 2023 ODA ARCHITECTURE



**ODA ARCHITECTURE**  
 2010 south tryon st., suite 1a  
 charlotte, nc 28203  
 704.332.1615  
 www.oda.us.com

**DISTRIBUTION FACILITY**  
 WOODHAVEN PLACE NW  
 CONCORD, NORTH CAROLINA

CN - RZC - 2023 - 00009

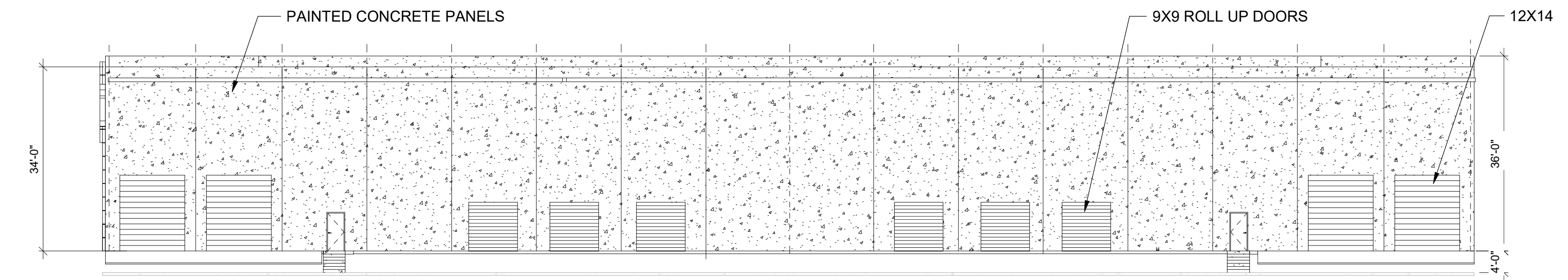
**REVISIONS**

No.	Description	Date
1	RZ-1 SUBMITTAL	09.01.23
2	RZ-1 SUBMITTAL REV.	09.26.23
3	RZ-1 SUBMITTAL REV.	10.12.23
4	RZ-1 SUBMITTAL REV.	10.18.23
5	RZ-1 SUBMITTAL REV.	10.26.23
6	RZ-1 SUBMITTAL REV.	10.31.23

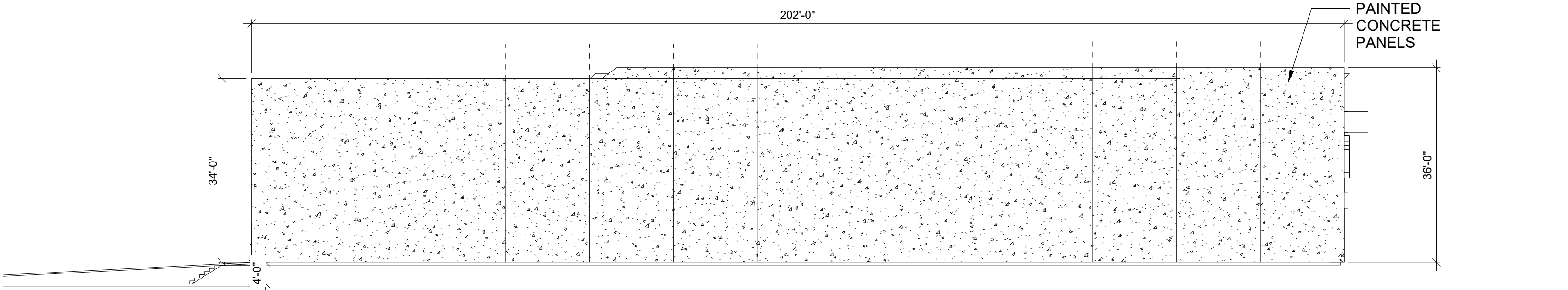
**RENDERINGS & DETAILS**

**RZ-2**

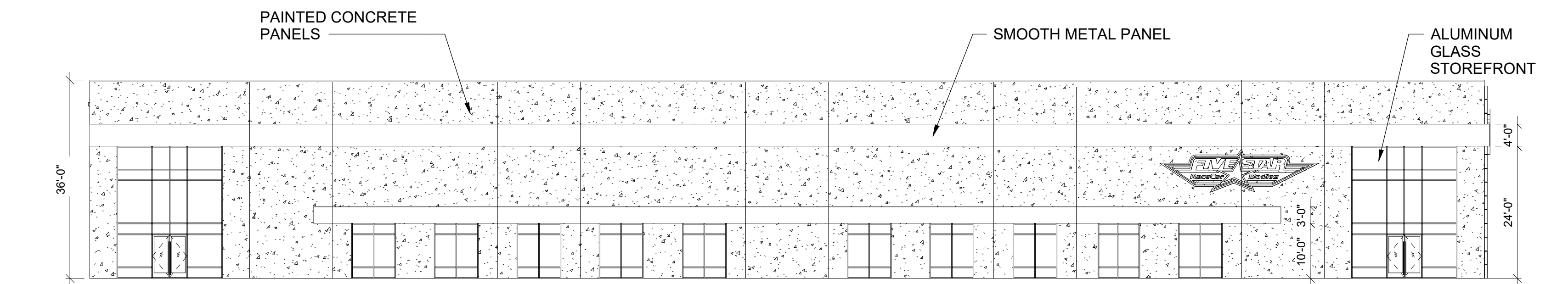
Copyright 2023 ODA ARCHITECTURE



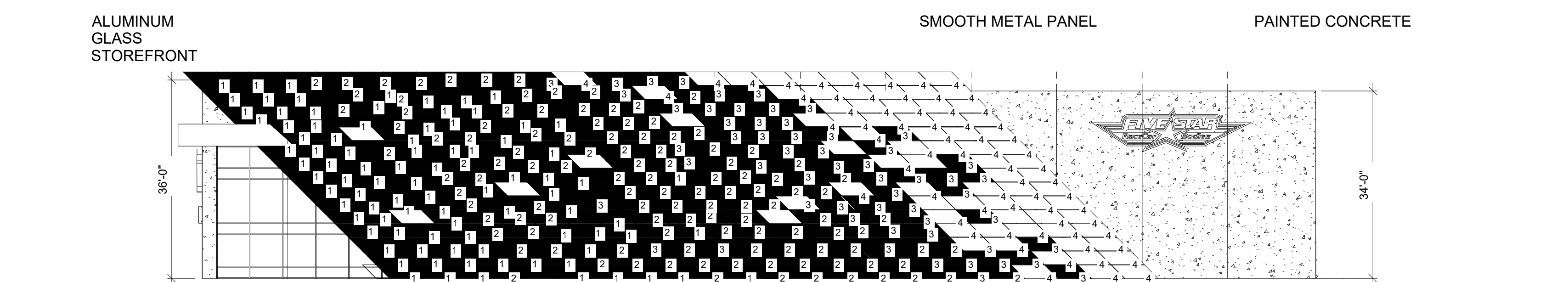
**4 BUILDING ELEVATION - EAST** scale: 1/16" = 1'-0"



**3 BUILDING ELEVATION - NORTH** scale: 1/16" = 1'-0"

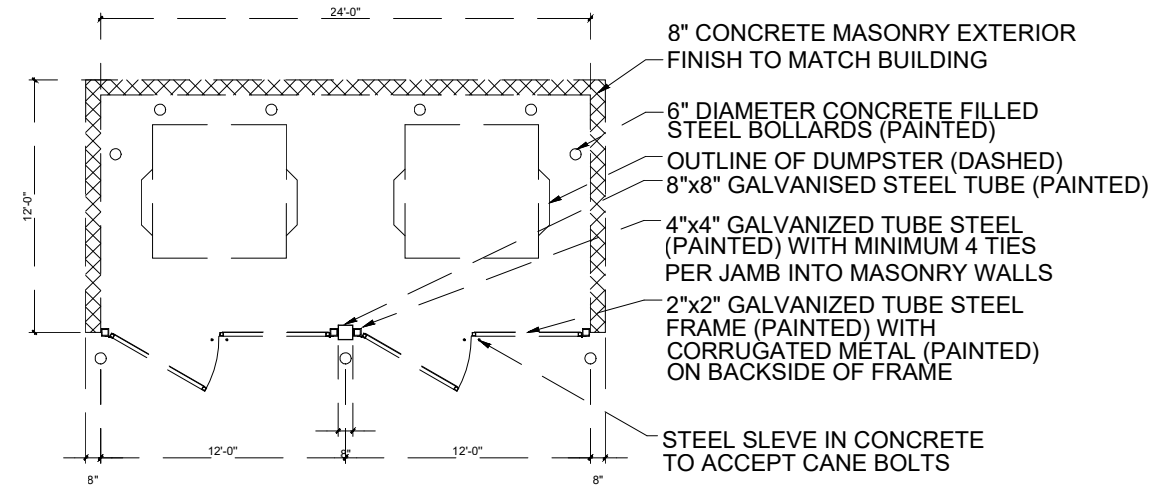


**2 BUILDING ELEVATION - WEST** scale: 1/16" = 1'-0"



**1 BUILDING ELEVATION - SOUTH** scale: 1/16" = 1'-0"

NOTE:  
 ALL EXPOSED CONCRETE MASONRY  
 UNITS, STEEL AND BOLLARDS TO BE  
 PAINTED, COLOR TO BE DETERMINED  
 BY ARCHITECT



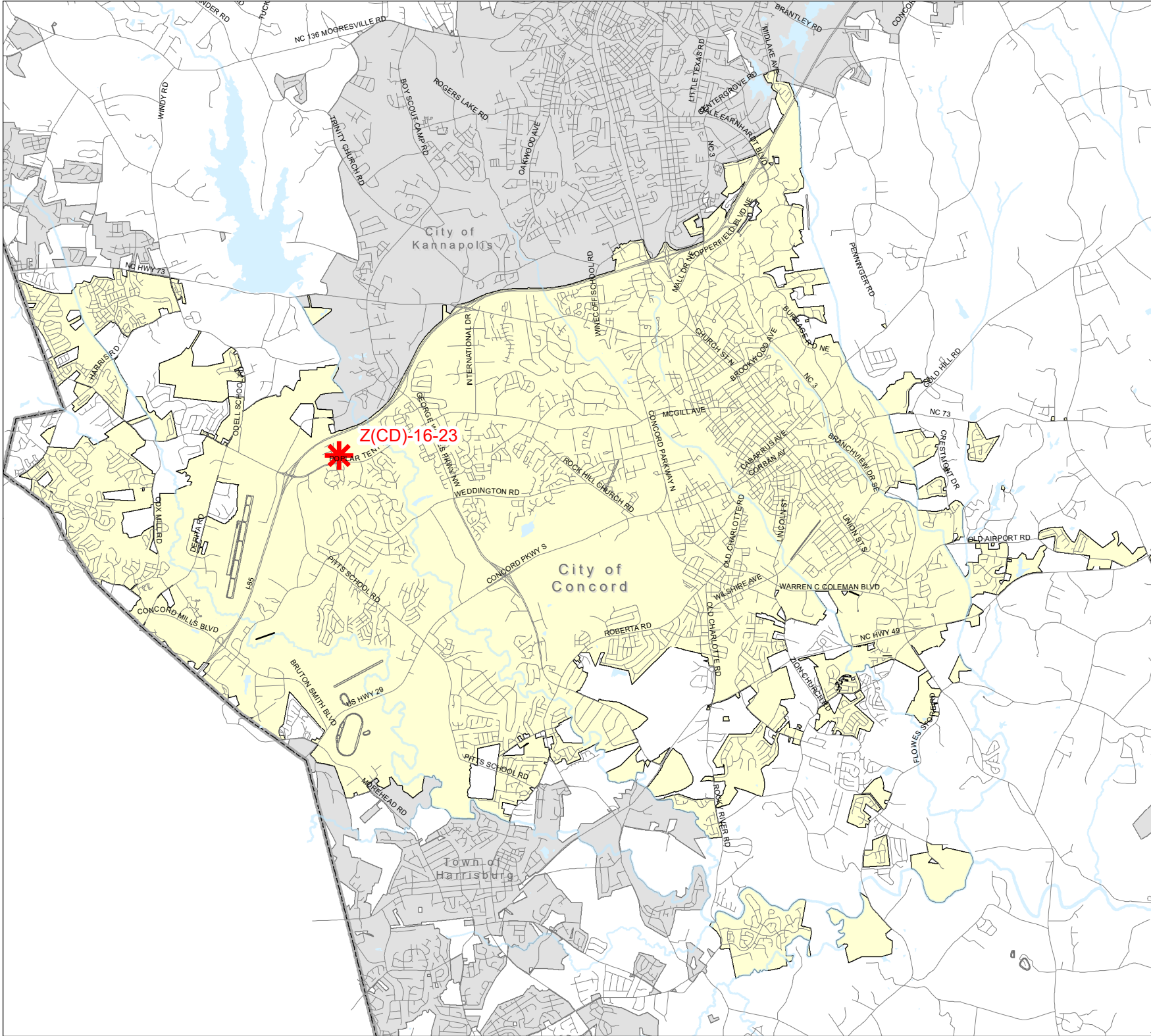
**6 DUMPSTER DETAIL** scale: NTS



**5 RENDERING** scale: NTS

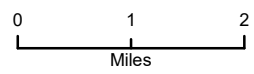
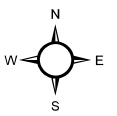
Z(CD)-16-23

497 & 529 Woodhaven Dr NW



**Z(CD)-16-23**  
\*  
WOODHAVEN DR

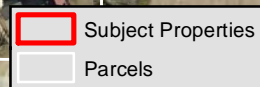
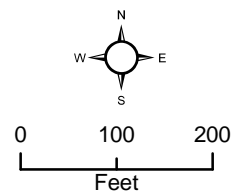
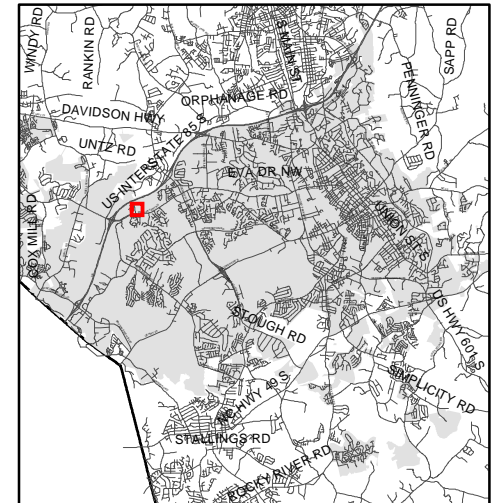
- Case Location
- Streets
- Lakes & Ponds
- Rivers
- Cabarrus Co.
- City of Concord
- Other Municipalities



**Z(CD)-16-23  
AERIAL**

**Rezoning application  
AG (Agricultural) to  
I-1 (Light Industrial)**

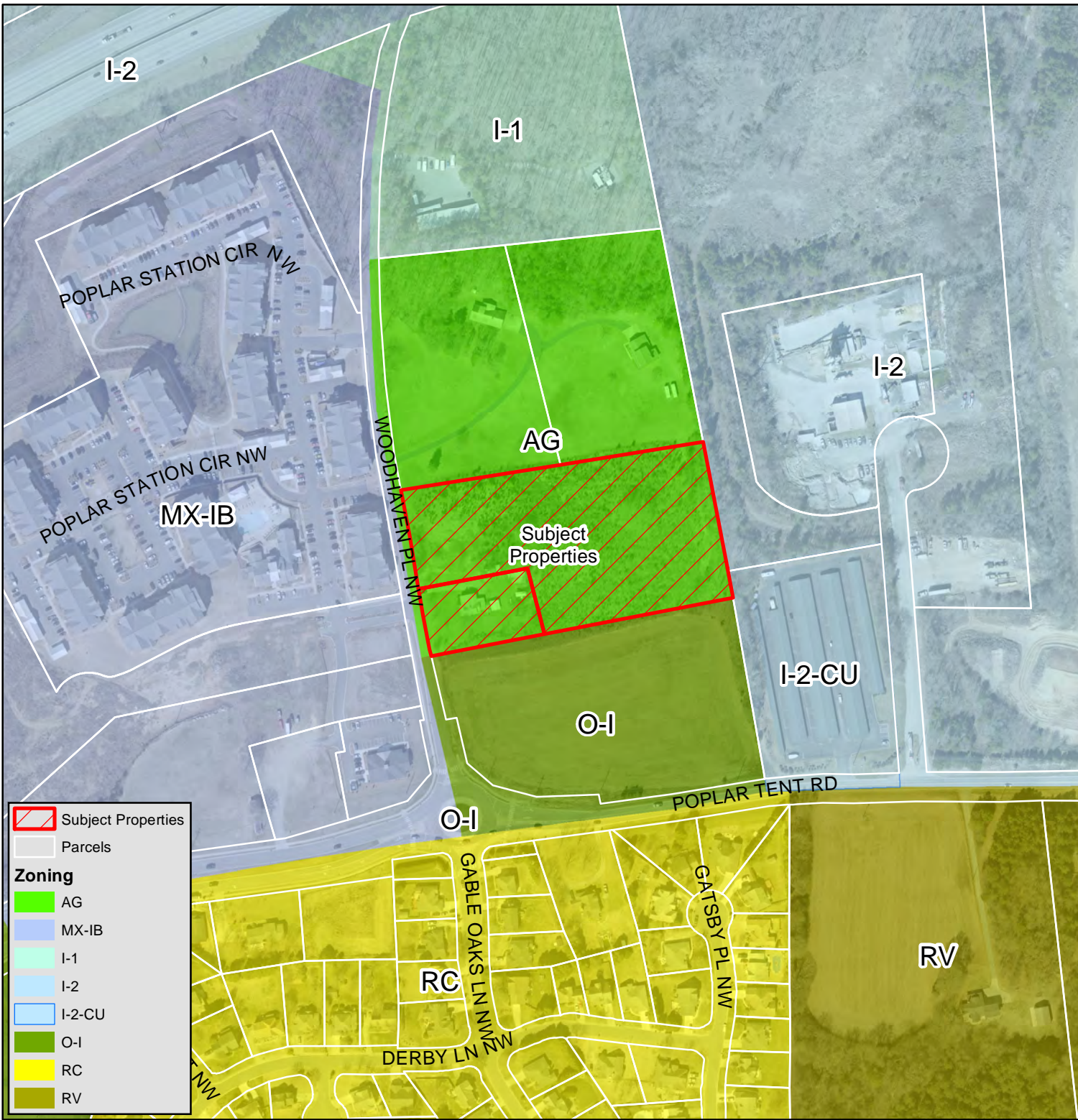
497 & 529 Woodhaven Dr NW  
PINs: 4690-77-5057 & 4690-76-3809



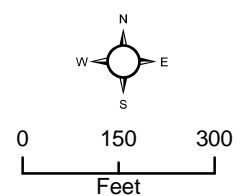
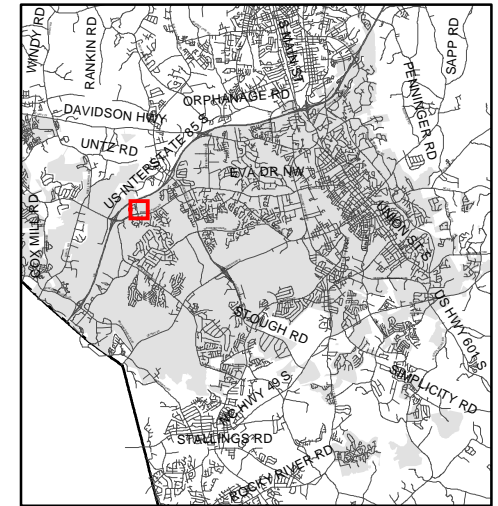
**Z(CD)-16-23  
ZONING**

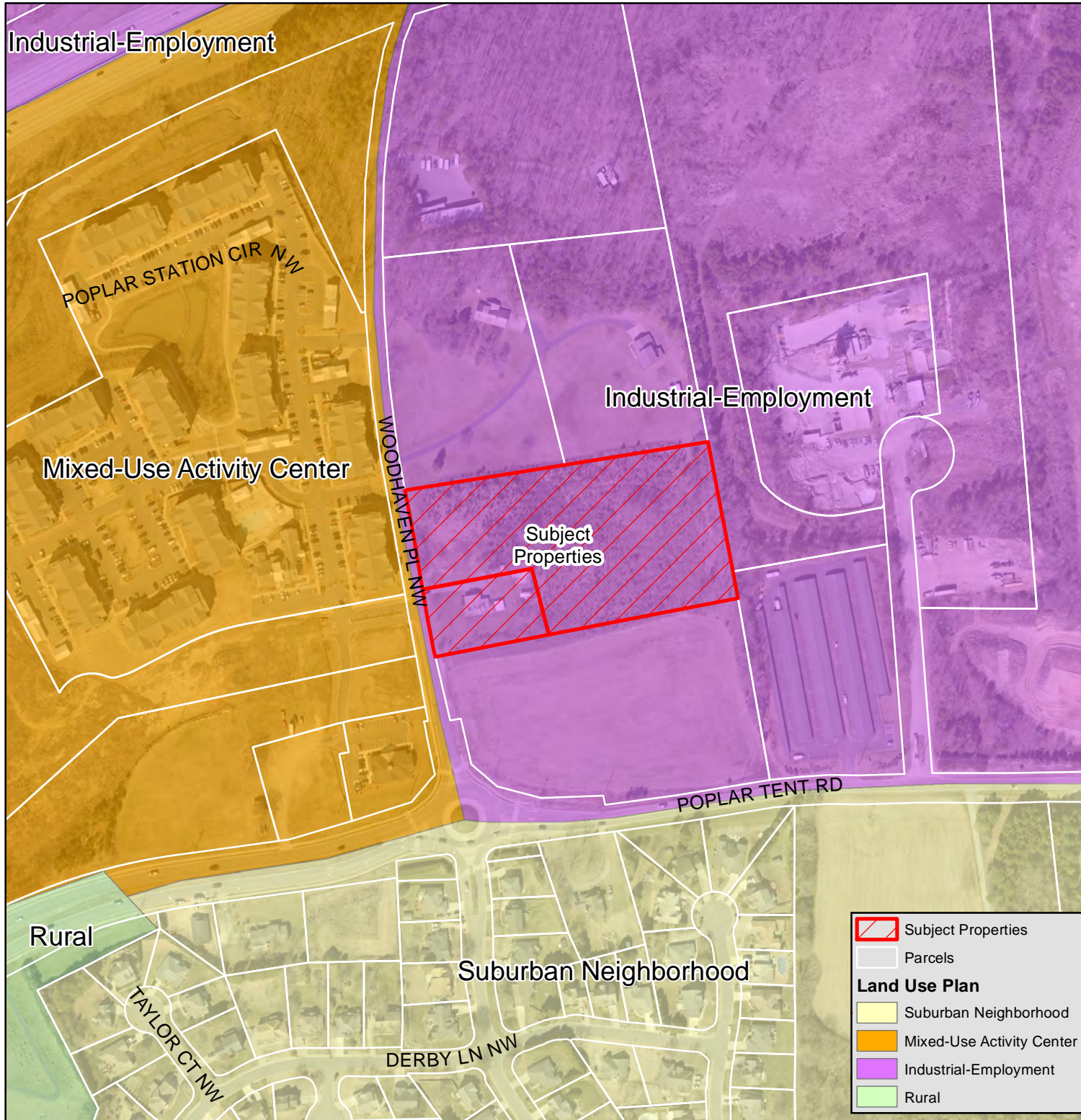
**Rezoning application  
AG (Agricultural) to  
I-1 (Light Industrial)**

497 & 529 Woodhaven Dr NW  
PINs: 4690-77-5057 & 4690-76-3809



	Subject Properties
	Parcels
<b>Zoning</b>	
	AG
	MX-IB
	I-1
	I-2
	I-2-CU
	O-I
	RC
	RV

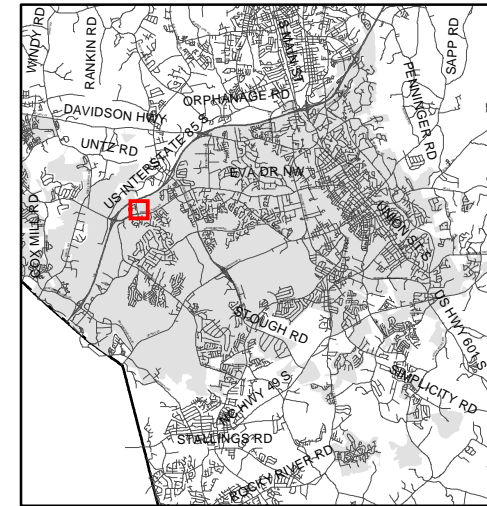




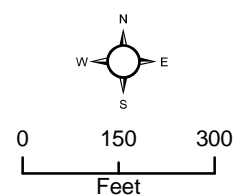
**Z(CD)-16-23  
LAND USE PLAN**

**Rezoning application  
AG (Agricultural) to  
I-1 (Light Industrial)**

497 & 529 Woodhaven Dr NW  
PINs: 4690-77-5057 & 4690-76-3809



	Subject Properties
	Parcels
<b>Land Use Plan</b>	
	Suburban Neighborhood
	Mixed-Use Activity Center
	Industrial-Employment
	Rural





**DATE:** November 21, 2023

**REZONING CASE #:** Z(CD)-21-23

**ACCELA:** CN-RZC-2023-00016

**DESCRIPTION:** Zoning Map Amendment  
Unzoned (formerly Cabarrus County GI (General Industrial) to I-2-CD (Heavy Industrial Conditional District)

**APPLICANT/OWNER:** Michael Newman, MDV Engineering, on behalf of Rick Alexander, Ready Mix of the Carolinas, LLC

**LOCATION:** 2976 Zion Church Rd

**PIN#:** 5529-85-3566

**AREA:** +/- 11.13 Acres

**ZONING:** Unzoned – formerly Cabarrus County GI (General Industrial)

**PREPARED BY:** Kim Wallis, AICP, Senior Planner

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

**BACKGROUND**

The subject property consists of one (1) parcel comprising +/- 11.13 acres on Zion Church Rd. near the intersection with Litaker Ln, approximately one-half mile south of the intersection with Warren C. Coleman Blvd S and one-half mile north of the intersection with Hwy 49. The property currently is vacant/undeveloped. The subject property was located in Cabarrus County and was annexed into the City of Concord on October 12, 2023.

To the north of the property the zoning is I-2 (General Industrial) and Cabarrus County GI (General Industrial) and the properties are industrial and vacant. Properties to the east, across Zion Church Road, are zoned County MDR (Medium Density Residential) and I-2 (General Industrial District) and are a few single family residential and manufacturing/industrial (as part of an Industrial Park). The properties to the south are zoned County OI (Office/Institutional) and RC-CD (Residential Compact Conditional District) and are industrial and single family residential. The properties to the west and north-west are I-2 (General Industrial District) and are industrial. To the southwest there are properties zoned RC and RC-CD (Residential Compact, Residential Compact-Conditional District) that are single family residential.



**HISTORY**

In 2000, the County parcel was zoned High Density Residential and rezoned to GI (General Industrial) at some later point prior to annexation. This parcel may have been farmland or pasture at one time before it became a mostly wooded parcel. The property to the north, (Industrial Ct, Commerce Dr and Armentrout Dr area) was annexed in 2007. The property to the South, Amhurst Subdivision, was annexed in 2020.

**SUMMARY OF REQUEST**

The applicant is requesting to rezone the subject property from unzoned (formerly Cabarrus County GI (General Industrial)) to I-2-CD (Heavy Industrial - Conditional District) to construct a concrete ready-mix plant with a 6,300 sq. ft. shop building. In addition to the proposed building, outdoor storage of sand and aggregate material will also be included.

The Heavy Industrial District is established to provide for areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. I-2 Districts should be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses. The I-2 District is established in order to provide sites for activities which involve major transportation terminals, and manufacturing facilities that have a greater impact on the surrounding area than industries found in the I-1 District. I-2 Districts should not be located adjacent to any property that is zoned for residential use, including mixed-use developments with an adjacent residential designation. I-2 District should be restricted so as to have direct access to or within proximity to a major or minor thoroughfare. This shall not apply where an existing building or structure used as permitted within the I-2 District has been established prior to the adoption of this Ordinance on a parcel subject to an application for rezoning.

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.

In accordance with the Concord Development Ordinance (CDO), all reviewing departments of the DRC (Development Review Committee) have reviewed and approved the proposed site plan.

<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>	
County GI	<b>North</b>	I-2 (General Industrial)	Vacant/Undeveloped	<b>North</b>	Industrial

(General Industrial)		Cabarrus County GI (General Industrial)		
	South	County OI (Office/Institutional) RC-CD (Residential Compact Conditional District) I-1 (Light Industrial)		Industrial, Single Family Residential
	East	Cabarrus County MDR (Medium Density Residential) I-2 (General Industrial)	East	Industrial, manufacturing, Single Family Residential
	West	I-2 (General Industrial) RC-CD (Residential Compact Conditional District)	West	Industrial, Single Family Residential

**COMPLIANCE WITH 2030 LAND USE PLAN**

The 2030 Land Use Plan (LUP) designates the subject property as “Industrial-Employment (IE).” I-2 (General Industrial) is listed as a corresponding zoning district to the “Industrial-Employment” land use category, and therefore is consistent with the land use plan.

The corresponding zoning districts for the “Industrial-Employment” land use categories are B-1 (Neighborhood Commercial); O-I (Office and Institutional); C-2 (General Commercial); PID (Public Interest District); MX-IB (Mixed-Use Industrial/Business Center); I-1 (Light Industrial); and I-2 (General Industrial).

**From the 2030 Land Use Plan – “Industrial/Employment” (EI)**

*The intent of the Industrial/Employment (IE) Future Land Use category is to identify those areas that have either already developed as industrial or are suited for additional industrial development due to the presence of infrastructure and access to transportation routes, such as major highways and railroads. These industrial areas should be preserved for employment uses to generate jobs for the community.*

*Industrial uses have already developed in several areas throughout the community, most of which are light industrial in function and impact. The 2030 Plan identifies the need to protect industrial lands, and to encourage additional growth in industrial/employment uses in designated areas, particularly around Concord Regional Airport, and along I-85 between Pitts*

*School Road and Rocky River. Additionally, some light industrial/employment uses are encouraged to locate in Mixed-Use Districts, depending upon their intensity, as identified earlier in this section.*

*Policy Guidance:*

*Objective 1.4: Protect existing and future industrial sites from encroachment of development that would limit their intended uses.*

- *Adjacent development: Ensure that adjacent development and street networks are designed to safely and compatibly accommodate planned industrial uses and resulting traffic.*

*Objective 4.2: Ensure that industrial and commercial developments are designed to limit encroachment of incompatible traffic, noise, odors and lighting into nearby residential areas.*

- *Buffers: Buffers should be used to screen uses and activities that may detract from the enjoyment of adjacent land uses. Where large buffers are not necessary, the landscape design should soften land use transitions.*

*Objective 8.1: Create jobs.*

*Objective 8.2: Increases and diversify the tax base.*

- *Increase the number of jobs and diversity of employment opportunities in sustainable and recession-proof sectors with wages that equal or exceed the County's average.*
- *Grow existing business and industry.*

**SUGGESTED STATEMENT OF CONSISTENCY**

- The subject property is approximately +/- 11.13 acres and currently unzoned (previously Cabarrus County zoning GI (General Industrial)).
- The subject property, prior to annexation, was zoned Cabarrus County High Density Residential in 2000 and rezoned to Cabarrus County GI (General Industrial) at some later point.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as I-2-CD (Heavy Industrial Conditional District) is a corresponding zoning classification to the Industrial/Employment Future Land Use Category and meets the policy guidance to promote new industry and increase the number of jobs.
- 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 “Ready-Mix Concrete Facility Conditional Rezoning Site Plan,” sheet number RZ-1, dated 11/02/2023.
2. Outdoor Storage Requirements shall be adhered to as noted in Article 8.3.6.B of the Concord Development Ordinance (CDO).
3. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.
4. 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.**

**Required Attachments / Submittals:**

- 1. Typed metes and bounds description of the property (or portion of property) in a Word document format.
- 2. Cabarrus County Land Records printout of names and addresses of all immediately adjacent landowners, including any directly across the street.
- 3. FOR CONDITIONAL DISTRICT APPLICATIONS ONLY, a plan drawn to scale (conditional district plan), and elevations if applicable submitted digitally.
- 4. If applicable, proof of a neighborhood meeting (signature page) or receipt from certified letters mailed to adjoining property owners if project increases density or intensity (See Section 3.2.3). Staff will provide further information on this requirement during the required pre-application meeting.
- 5. Money Received by \_\_\_\_\_ Date: \_\_\_\_\_  
Check # \_\_\_\_\_ Amount: \$ 800.00 (Conditional) or \$600 (Conventional)  
Cash: \_\_\_\_\_

***The application fee is nonrefundable.***



(Please type or print)

Applicant Name, Address, Telephone Number and email address: READY MIX OF THE CAROLINAS, LLC

P.O. BOX 325, LOCUST, NC 28097

PH: 704-888-2224 EMAIL: RICK.ALEXANDER@RMXCAROLINAS.COM

Owner Name, Address, Telephone Number: READY MIX OF THE CAROLINAS, LLC

P.O. BOX 325, LOCUST, NC 28097

PH: 704-888-2224 EMAIL: RICK.ALEXANDER@RMXCAROLINAS.COM

Project Location/Address: 2976 ZION CHURCH RD, CONCORD, NC 28025

P.I.N.: 5529853566.0000

Area of Subject Property (acres or square feet): 11.13 ACRES

Lot Width: ±270'

Lot Depth: ±1800'

Current Zoning Classification: GI, GENERAL INDUSTRIAL (Cabarrus County)

Proposed Zoning Classification: I-2-CD, GENERAL INDUSTRIAL CONDITIONAL

Existing Land Use: VACANT UNDEVELOPED

Future Land Use Designation: INDUSTRIAL EMPLOYMENT

Surrounding Land Use: North GENERAL INDUSTRIAL

South Undeveloped

East RESIDENTIAL

West GENERAL INDUSTRIAL

Reason for request: TO CONSTRUCT A CONCRETE READY MIX PLANT WITH A  
6,300 SF SHOP BUILDING

Has a pre-application meeting been held with a staff member? YES, with Autumn James 8-23-23

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:

**CONCRETE PRODUCT MANUFACTURING AND SHOP BUILDING**


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):

**THE APPLICANT VOLUNTARILY LIMITS DEVELOPMENT OF THE PROPERTY TO THE  
CONDITIONS LISTED AND IMPROVEMENTS SHOWN ON THE SITE PLAN AND  
REQUIRED BY THE CDO.**

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  
**READY MIX OF THE CAROLINAS, LLC**  
**Rick Alexander**

  
Signature of Owner(s) Date  
**READY MIX OF THE CAROLINAS, LLC**  
**Rick Alexander**

*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: 9-5-23

Applicant Signature:   
**READY MIX OF THE CAROLINAS, LLC**  
**Rick Alexander**

Property Owner or Agent of the Property Owner Signature:  
  
**READY MIX OF THE CAROLINAS, LLC**  
**Rick Alexander**



**SITE ANALYSIS**

TAX PARCEL NUMBER	5529853566.0000
EXISTING SITE AREA	11.134 ACRES (485,210 SF)
ZONING - EXISTING (CABARRUS COUNTY)	GI (GENERAL INDUSTRIAL)
ZONING - PROPOSED (CITY OF CONCORD ANNEXATION)	I-2 (GENERAL INDUSTRIAL)
PROPOSED USE	CONCRETE MIXING BATCH PLANT - INDUSTRIAL
MAX. BUILDING HEIGHT ALLOWED	72 FEET
PROPOSED BUILDING HEIGHT	±28 FEET
CONTROL BUILDING (2-STORY)	970 SF
OFFICE (GROSS FLOOR AREA ON 2-FLOOR)	485 SF
STORAGE & BREAKROOM (GROSS FLOOR AREA ON 1-FLOOR)	485 SF
MAINTENANCE SHOP BUILDING (1-STORY)	6,300 SF
TOTAL BUILDINGS	7,270 SF
PROPOSED # OF EMPLOYEES	12 EMPLOYEES
PARKING REQUIRED (2 per 3 Employees @ peak shift, plus company vehicles)	8 SPACES
PARKING PROVIDED	9 SPACES
PROPOSED IMPERVIOUS AREA	±154,560 SF (3.548 ACRES)
PROPOSED PERCENT IMPERVIOUS	31.9%
MAX. PERCENT IMPERVIOUS ALLOWED	90.0%

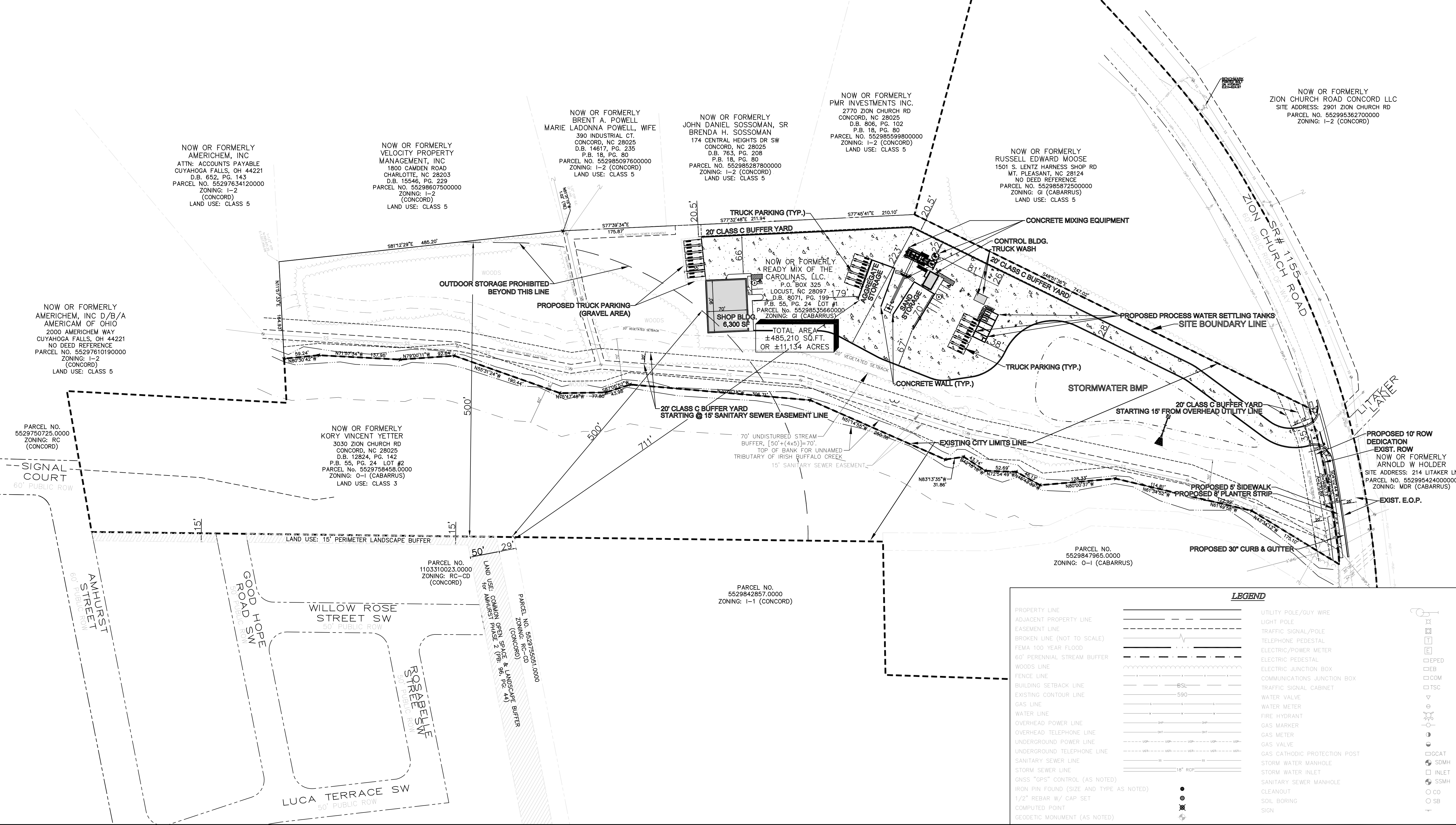
**NOTES:**

- THE DEVELOPER SHALL BE RESPONSIBLE FOR ANY REQUIRED SYSTEM MODIFICATIONS AND/OR EXTENSIONS TO ENSURE SERVICE TO THE PROPOSED DEVELOPMENT IN ACCORDANCE WITH CITY OF CONCORD CODE OF ORDINANCE CHAPTER 62, ARTICLE 3; THE CITY OF CONCORD'S POLICIES AND STANDARD SPECIFICATIONS; NC FIRE CODE; WATER AND SEWER AUTHORITY OF CABARRUS COUNTY'S STANDARD SPECIFICATIONS; AND THE NORTH CAROLINA ADMINISTRATIVE CODE FOR WASTEWATER COLLECTION AND WATER DISTRIBUTION SYSTEMS.
  - PUBLIC PORTIONS OF THE DEVELOPER EXTENDED PUBLIC WATER AND SEWER SERVICES ARE TO BE ENCOMPASSED IN PUBLIC ROAD RIGHT OF WAY, PUBLIC 30-FT UTILITY EASEMENTS, AND/OR A COMBINATION OF BOTH BASED ON THE DESIGNS AND ALIGNMENT OF THE PUBLIC UTILITY. ADDITIONAL EASEMENT AND/OR EASEMENT WIDTH MIGHT BE REQUIRED DUE TO DEPTH, LOCATION, AND/OR ACCESS. REFERENCE THE CITY OF CONCORD CODE OF ORDINANCE CHAPTER 62, ARTICLE 3.
  - ALL SIGNS SHALL BE IN ACCORDANCE WITH THE STANDARDS SET FORTH IN ARTICLE 12 OF THE CDO.
  - ALL SURFACES WHERE VEHICLES WILL BE MANEUVERING WILL BE PAVED. THIS INCLUDES DRIVEWAYS, ROADS, PARKING SPOTS, AISLES, ETC.
  - PARKING AND BUILDING SIZE AND LOCATION ARE SUBJECT TO CHANGE WITH FINAL ENGINEERING.
- CONDITIONS:**
- ALL USES PERMITTED IN THE I-2 ZONING DISTRICT AS OUTLINED IN THE CITY OF CONCORD CDO SHALL BE PERMITTED EXCLUDING THOSE LISTED BELOW IN ITEM 1.1.
    - LIVESTOCK AUCTION, RESOURCE EXTRACTION USE CATEGORY, PASSENGER TERMINALS USE CATEGORY, SEWAGE TREATMENT FACILITY, SEXUALLY ORIENTED BUSINESS, RACETRACK & SPECTATOR SPORTS, FLEA MARKET, VEHICLE SALES & SERVICE USE CATEGORY, PORTABLE TOILET SERVICE, TRUCK TERMINAL, HAZARDOUS WASTE FACILITY, SANITARY LANDFILL, WASTE RELATED SERVICE USE CATEGORY, COAL OR ORE SUPPLY WITH OUTDOOR STORAGE, FOOD MANUFACTURING WITH ANIMAL SLAUGHTERING & PROCESSING, TOBACCO MANUFACTURING, AND METAL PLATING.
  - A MINIMUM TYPE C BUFFER SHALL BE INSTALLED ALONG THE ZION CHURCH ROAD STREET FRONTAGE. THIS BUFFER IS PROVIDED AS SCREENING OF THIS USE FROM THE PUBLIC STREET.
    - THE PROVIDED TYPE C BUFFER PLANTINGS SHALL ALSO COUNTED TOWARD THE REQUIRED 12' LEVEL 4 STREET YARD.
    - THE 6' CATEGORY 1 AND THE 8' CATEGORY 2 BUILDING YARDS SHALL BE ALLOWED TO BE MOVED TO THE PERIMETER OF THE PARKING AREAS. BUILDING YARD PLANTINGS WILL BE IN ADDITION TO BUFFER AND YARD PLANTINGS.
    - THE PARKING LOT YARD PLANTINGS SHALL BE ALLOWED TO BE PLANTED AROUND THE PERIMETER OF THE PARKING AREAS. PARKING LOT YARD PLANTINGS WILL BE IN ADDITION TO BUFFER AND YARD PLANTINGS.
  - ALL REQUIRED PARKING AREAS SHALL BE PAVED AND MAINTAINED.
  - ANY DUMPSTER LOCATED ON THE PROPERTY SHALL BE ENCLOSED WITH AN OPAQUE SOLID WALL OF NOT LESS THAN EIGHT FEET.
  - NO OUTSIDE STORAGE OF PARTS OR TIRES IS ALLOWED



**VICINITY MAP**  
SCALE: NTS

**MDV Engineering**  
C/O Ayer Design Group  
215 Johnston Street  
Rock Hill, SC 29770  
Phone: 704-400-1044 Email: rmcneise@mdveng.com  
P-0883



**PROJECT**  
**READY-MIX CONCRETE FACILITY**  
2976 ZION CHURCH ROAD  
CONCORD, NC 28025  
(CABARRUS COUNTY)

**FOR**  
**READY MIX OF THE CAROLINAS II, LLC.**  
P.O. BOX 325  
LOCUST, NC 28097

**REVISIONS**

11.02.23	PER CITY COMMENTS
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DWG. NAME : 2023-105  
DRAWN BY : MDN  
DATE : 10.20.23  
SCALE: 1:80

**CONDITIONAL REZONING SITE PLAN**  
**RZ-1**

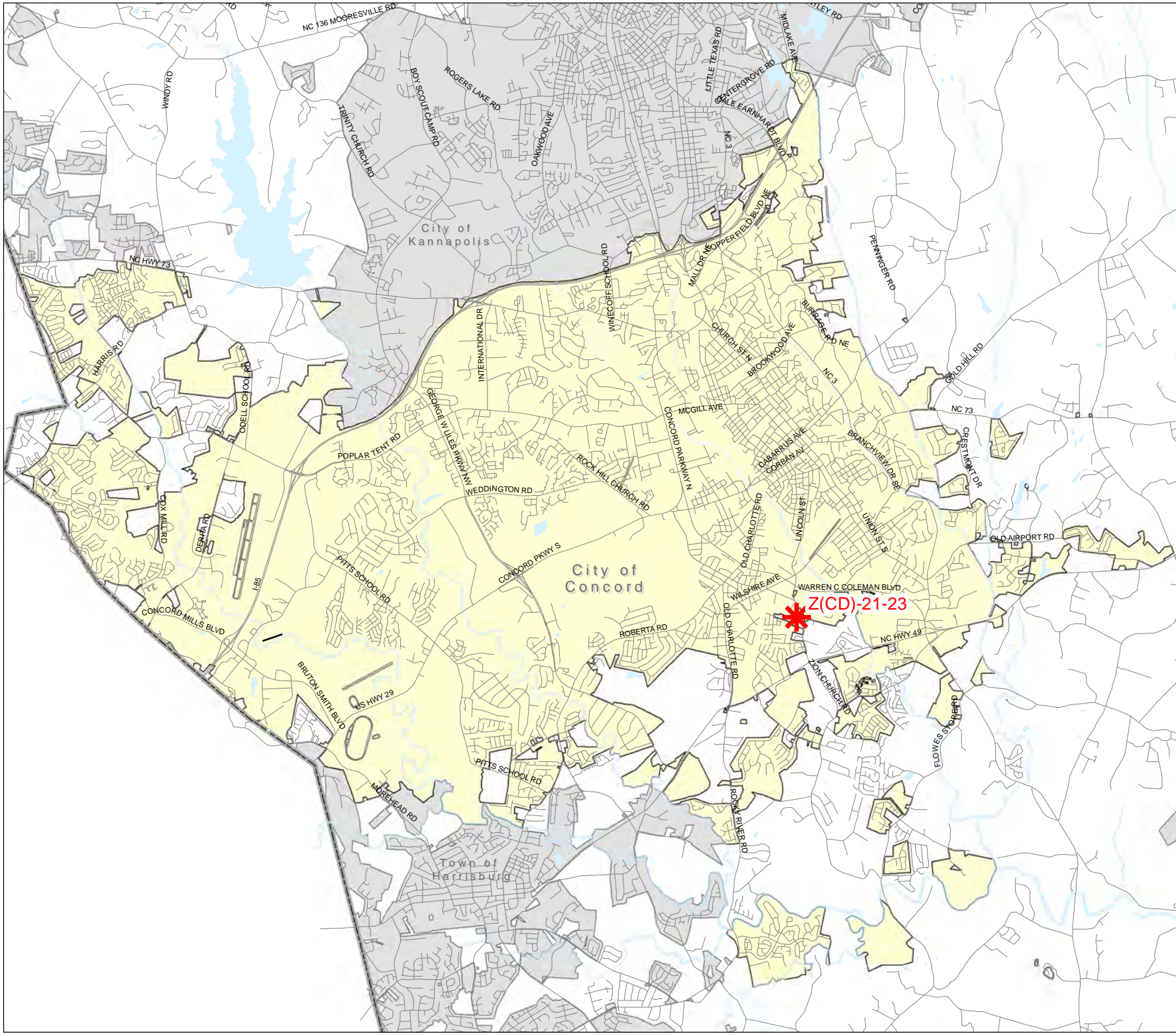
**LEGEND**

PROPERTY LINE	UTILITY POLE/GUY WIRE
ADJACENT PROPERTY LINE	LIGHT POLE
EASEMENT LINE	TRAFFIC SIGNAL/POLE
BROKEN LINE (NOT TO SCALE)	TELEPHONE PEDESTAL
FEMA 100 YEAR FLOOD	ELECTRIC/POWER METER
60' PERENNIAL STREAM BUFFER	ELECTRIC PEDESTAL
WOODS LINE	ELECTRIC JUNCTION BOX
FENCE LINE	COMMUNICATIONS JUNCTION BOX
BUILDING SETBACK LINE	TRAFFIC SIGNAL CABINET
EXISTING CONTOUR LINE	WATER VALVE
GAS LINE	WATER METER
WATER LINE	FIRE HYDRANT
OVERHEAD POWER LINE	GAS MARKER
OVERHEAD TELEPHONE LINE	GAS METER
UNDERGROUND POWER LINE	GAS VALVE
UNDERGROUND TELEPHONE LINE	GAS CATHODIC PROTECTION POST
SANITARY SEWER LINE	STORM WATER MANHOLE
STORM SEWER LINE	STORM WATER INLET
GNSS "GPS" CONTROL (AS NOTED)	SANITARY SEWER MANHOLE
IRON PIN FOUND (SIZE AND TYPE AS NOTED)	CLEANOUT
1/2" REBAR W/ CAP SET	SOIL BORING
COMPUTED POINT	SIGN
GEODETIC MONUMENT (AS NOTED)	

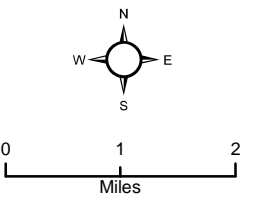


Z(CD)-21-23

2976 Zion Church Rd



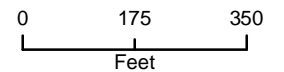
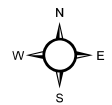
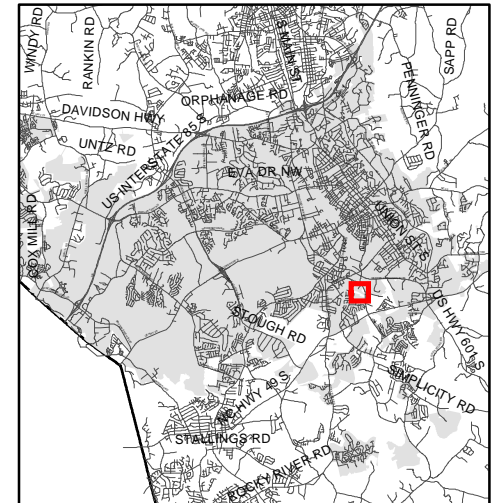
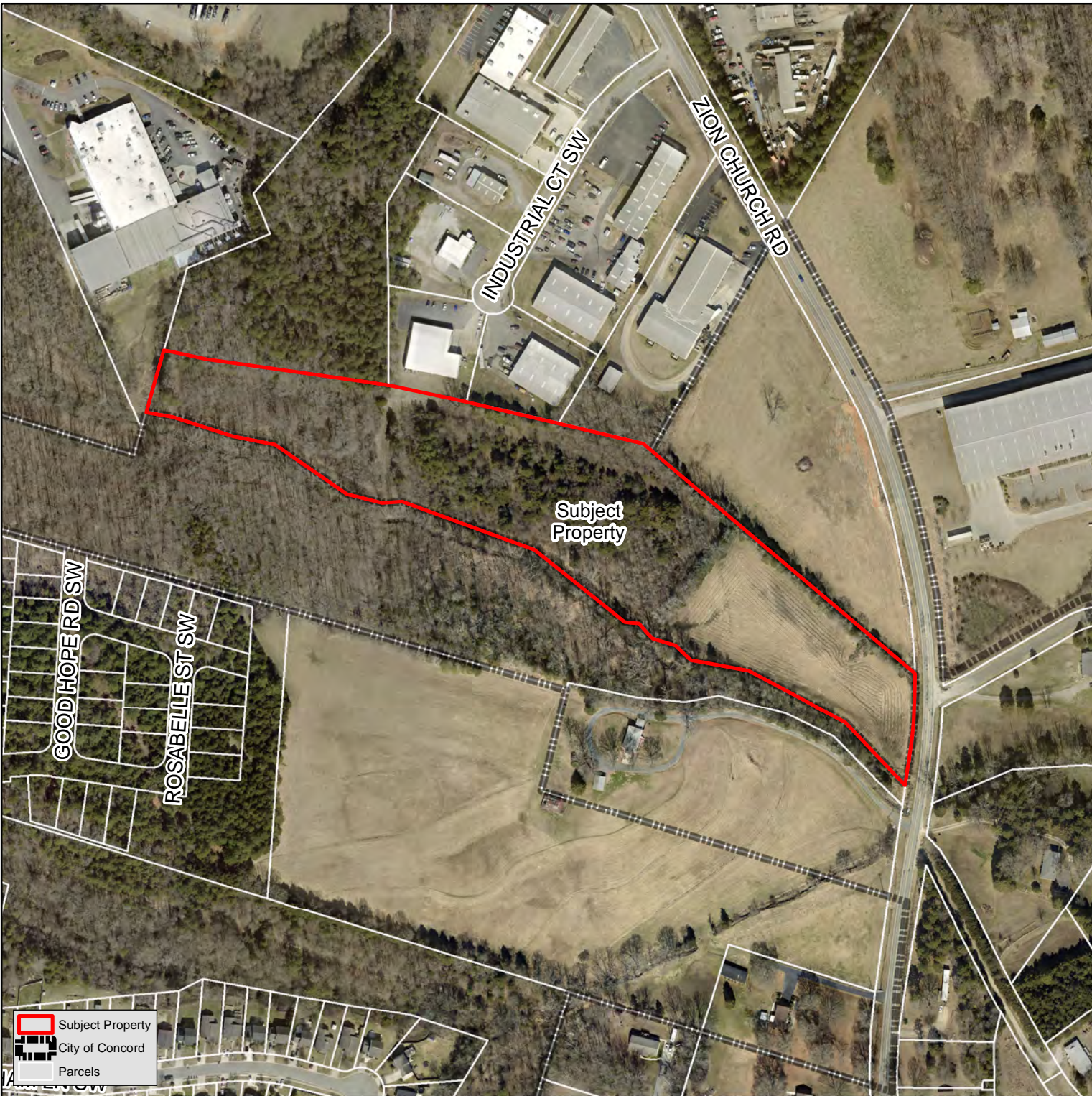
- Case Location
- Streets
- Lakes & Ponds
- Rivers
- Cabarrus Co.
- City of Concord
- Other Municipalities



**Z(CD)-21-23  
AERIAL**

**Rezoning application  
Unzoned (formerly  
County GI - General Industrial)  
to  
I-2-CD (General Industrial -  
Conditional District)**

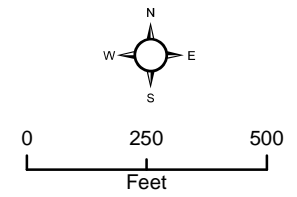
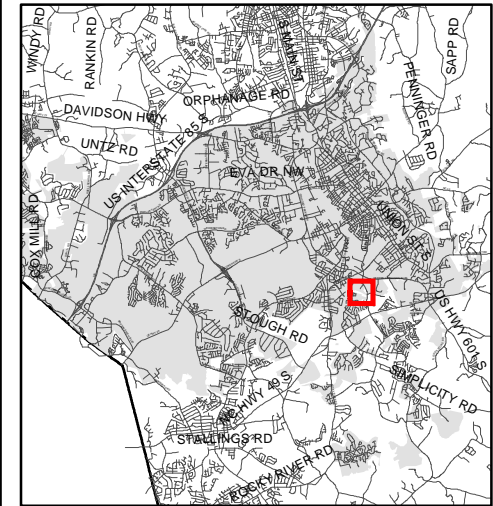
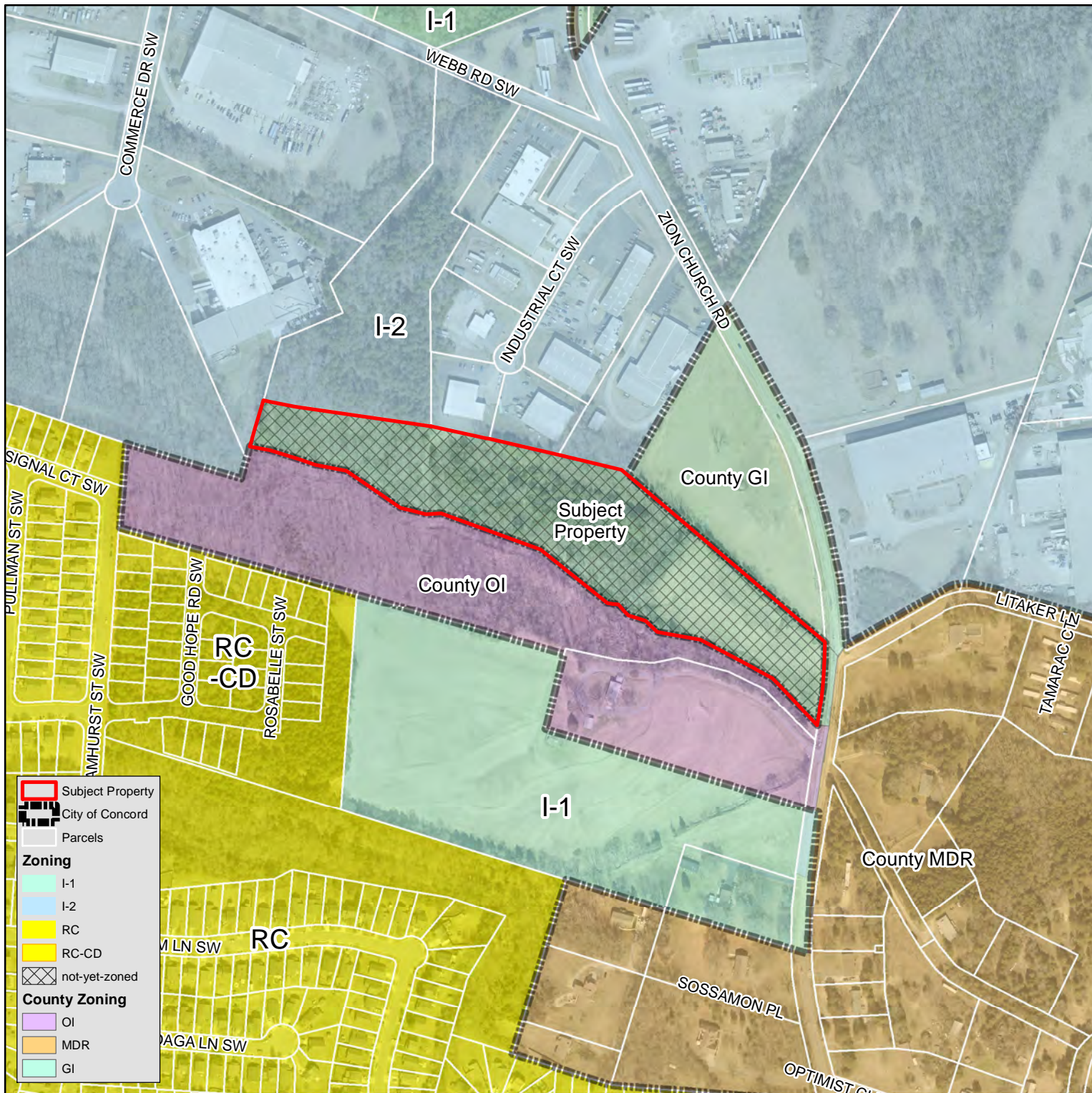
2976 Zion Church Rd  
PIN: 5529-85-3566



**Z(CD)-21-23  
ZONING**

**Rezoning application  
Unzoned (formerly  
County GI - General Industrial)  
to  
I-2-CD (General Industrial -  
Conditional District)**

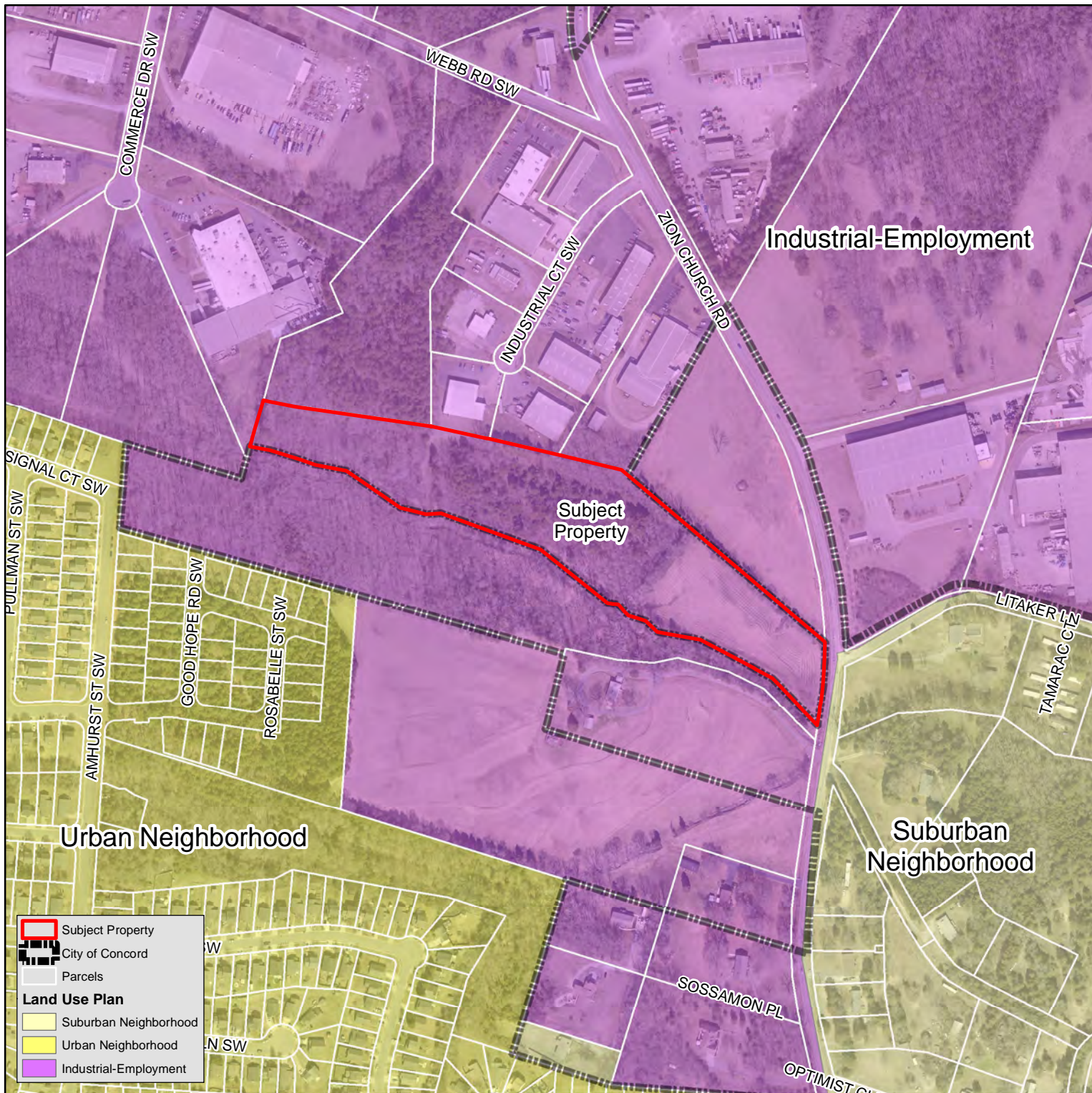
2976 Zion Church Rd  
PIN: 5529-85-3566



**Z(CD)-21-23  
LAND USE PLAN**

**Rezoning application  
Unzoned (formerly  
County GI - General Industrial)  
to  
I-2-CD (General Industrial -  
Conditional District)**

2976 Zion Church Rd  
PIN: 5529-85-3566



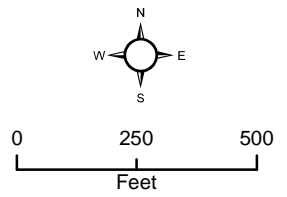
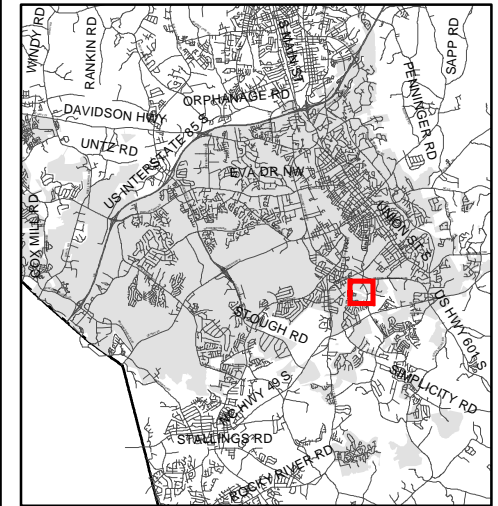
Subject Property

City of Concord

Parcels

**Land Use Plan**

- Suburban Neighborhood
- Urban Neighborhood
- Industrial-Employment



AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF  
CONCORD, NORTH CAROLINA TO INCLUDE +/- 11.13 ACRES OF  
PROPERTY LOCATED AT 2976 ZION CHURCH RD, CONCORD, NC

WHEREAS, the City Council has been petitioned under G.S. 160A-58.1 by the City of Concord, on October 12<sup>th</sup>, 2023, to annex the area described below; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petitions; and

WHEREAS, the City Clerk has certified the sufficiency of the petitions and a public hearing on the question of this annexation was held at Concord City Hall, 35 Cabarrus Avenue West, on October 12, 2023, after due notice by The Independent Tribune on October 1<sup>st</sup>, 2023; and

WHEREAS, the City Council finds that the petitions meet requirements of G.S. 160A-58.1;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord, North Carolina, that:

SECTION 1. By virtue of the authority granted by G.S. 160A-58.1, the following described territory is hereby annexed and made part of the City of Concord, as of the 12<sup>th</sup> day of October 2023:

*All that tract or parcel of land, lying and being in Township 11, Cabarrus County, North Carolina containing 485,210 square feet or 11.134 acres and being more particularly described as follows (basis of bearing is the North Carolina State Plane Coordinate System NAD 83 (2011)):*

*Commencing at a point marked by an 1/2" rebar set on the west right of way line of Zion Church Road, NC State Route 1155 (60' public right of way), said point being the southeast corner of the subject parcel belonging to Ready Mix of the Carolinas, LLC (deed recorded in Deed Book 8071, Page 199, Cabarrus County Register of Deeds) and the northeast corner of the property belonging to Kory Vincent Yetter (Deed Book 12824, Page 142), said point also being the Point of Beginning; thence, leaving the west right of way line of Zion Church Road along the common boundary line with Kory Vincent Yetter, generally along an existing creek, the following sixteen (16) courses:*

*N43°34'13"W a distance of 175.10 feet to a point; N61°49'58"W a distance of 122.92 feet to a point; N61°34'52"W a distance of 114.81 feet to a point; N80°00'37"W a distance of 128.33 feet to a point; N45°43'39"W a distance of 46.13 feet to a point; N72°54'49"W a distance of 52.69 feet to a point; N42°16'18"W a distance of 43.74 feet to a point; N83°13'35"W a distance of 31.86 feet to a point; N51°14'55"W a distance of 250.38 feet to a point; N70°01'18"W a distance of 306.71 feet to a point; S87°05'52"W a distance of 43.98 feet to a point; N75°47'48"W a distance of 77.80 feet to a point; N55°31'24"W a distance of 190.44 feet to a point; N79°00'11"W a distance of 92.64 feet to a point; N71°57'34"W a distance of 137.95 feet to a point; N80°30'42"W a distance of 59.24 feet to a point; thence, leaving the creek and along the common boundary line with Americam, Inc. (Deed Book 652, Page 143) N11°57'33"E a distance of 164.93' feet to a point marked by an 1-1/2" open top pipe, said point having North Carolina State Plane Coordinates N: 595,931.25 sFT, E: 1,527,492.68 sFT; thence, along the common boundary line with Velocity Property Management, Inc. (Deed Book 15546, Page 229) S81°12'29"E a distance of 485.20 feet to a point, said point being N51°31'15"W, 1.02 feet from an 1/2" open top pipe southeast of the property line; thence, along the common boundary line with Brent A. Powell and Marie Ladonna Powell (Deed Book 14617, Page 235) S77°39'34"E a distance of 175.87 feet to a point marked by an 1/2" rebar set; thence, along the common boundary line with John Daniel Sossoman, Sr. and Brenda H. Sossoman (Deed Book 763, Page 208) S77°32'48"E a distance of 211.94 feet to a point marked by an 1/2" rebar set; thence along the common boundary line with PMR Investments Inc. (Deed Book*

806, Page 102) S77°45'41"E a distance of 210.10 feet to a point marked by an 1/2" open top pipe; thence, along the common boundary line with Russell Edward Moose (no deed reference) S48°51'36"E a distance of 747.02 feet to a point marked by an 1/2" rebar set on the west right of way line of Zion Church Road; thence, along a curve to the right in the west right of way line of Zion Church Road an arc distance of 270.89 feet to a point marked by an 1/2" rebar set, said curve having a radius of 1,480.73 feet, a chord bearing of S04°02'44"W, and a chord distance of 270.51 feet, said point also being the Point of Beginning.

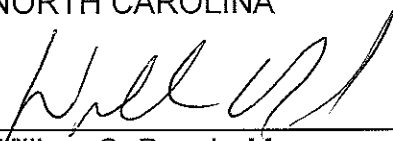
SECTION 2. Upon and after the 12<sup>th</sup> day of October 2023 the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Concord and shall be entitled to the same privileges and benefits as other parts of the City of Concord. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

SECTION 3. The Mayor of the City of Concord shall cause to be recorded in the office of the Register of Deeds of Cabarrus County, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.


SECTION 4. Notice of adoption of this ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Concord.

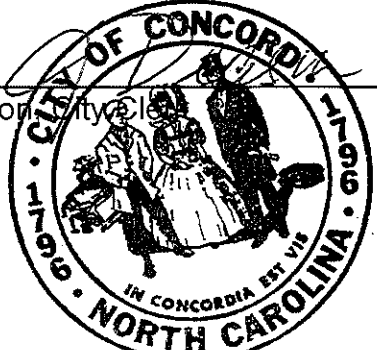
Adopted this 12<sup>th</sup> day of October 2023.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

  
\_\_\_\_\_  
William C. Dusch, Mayor

ATTEST:

  
\_\_\_\_\_  
Kim Deason, City Clerk



  
\_\_\_\_\_  
Valerie Kolczynski, City Attorney



**DATE:** November 21, 2023

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

**ACCELA:** CN-RZC-2022-00012

**DESCRIPTION:** Zoning Map Amendment  
Zoning from PUD (Planned Unit Development) and RM-1 (Residential Medium Density) to RV-CD (Residential Village Conditional District)

**APPLICANT/OWNER:** Niblock Homes, LLC

**LOCATION:** 3303 NC HWY 49 N (Heglar Rd & NC HWY 49)

**PIN#s:** 5549-69-0093, 5549-59-2272, 5549-49-9161, 5640-70-5379

**AREA:** +/- 93.23 acres

**ZONING:** PUD (Planned Unit Development) and RM-1 (Residential Medium Density)

**PREPARED BY:** Autumn C. James, Planning & Development Manager  
Kevin Ashley, AICP - Deputy Planning Director

**BACKGROUND**

The subject property consists of +/- 93.23 acres generally at the northeast quadrant of NC Highway 49 North and Heglar Road. The property is most commonly known as the Buffalo Ranch property. The majority of the property is currently zoned Planned Unit Development (PUD) and Residential Medium Density (RM-1).

**HISTORY**

The subject property is the site of the former Buffalo Ranch tourist attraction and the subject property previously contained various agricultural support uses associated with this former land use. A lake is located generally in the center of the property. The larger portion of the property was annexed on a voluntary basis in 2006 and was zoned to PUD for the development of 190 single family homes, along with a supporting neighborhood commercial area. At the time of approval of the accompanying subdivision plat, two (2) parcels, encompassing approximately 1.41 acres were included within the area of the plat, but were never annexed. These two parcels were annexed with an effective date of May, 2017. The entire PUD zoning was subsequently amended to include these parcels.



## SUMMARY OF REQUEST

Niblock Homes, LLC proposes to rezone +/-93.23 acres at the northeast quadrant of NC HWY 49 North and Heglar Rd. in Concord for the development of a residential single family detached subdivision. The developer has acquired RM-1 Zoned land along Heglar Road to assemble into the boundary of the 2017 subdivision. This project is proposed to have 135 single family residential lots with 1.47 dwelling units per acre (DUA). There will be three (3) phases to this subdivision. The average lot size will be approximately 7,590 square feet (55'x138').

The commercial area anticipated with the initial PUD zoning is proposed to be eliminated with this zoning petition as the developer contends that the site is no longer conducive to commercial development.

The proposed development has one entrance on NC Highway 49, two entrances on Heglar Road and street "stubs" to undeveloped land to the north and to the east in order to facilitate extension of the street network in the event that those properties develop. The approved 2017 plan included an entrance on Old Airport Road, which necessitated crossing an environmentally sensitive area. This access point has been eliminated but the development meets all minimum CDO connectivity requirements and all Fire Code requirements for access.

The proposed development has phase one (57 lots) and phase two (24 lots) located on the east side of the lake and phase three (54 lots) is located on the west side of the lake. An amenity center is proposed generally on the northeast side of the lake. The lake is proposed to be utilized as an amenity, with a trail around the perimeter and the construction of a wooden dock. Seven (7) storm water retention facilities are dispersed throughout the development.

The developer has completed a Transportation Impact Analysis (TIA) which identifies several improvements to help mitigate the impact of the development. These improvements include the installation of a right turn lane on NC 49 at the main access (in phase 1) and restriping the southbound approach of Heglar Road at NC 49 to allow for a right turn lane and a shared through-left lane. This TIA has been accepted by both NCDOT and the City's Transportation Department.

The site plan has been reviewed by the Development Review Committee (DRC) and the plan meets the minimum requirements of the CDO.

Property to the north is zoned Cabarrus County Low Density Residential (LDR) and is residential and agricultural land. Land to the south is zoned Cabarrus County Countryside Residential (CR) and is single family residential, agricultural and vacant land. Property to the east is zoned PUD (Planned Unit Development) and Cabarrus County LDR (Low Density Residential), and property to the west is zoned City of Concord PUD and is predominately single family residential.

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	
PUD (Planned Unit Development) and RM-1 (Residential Medium Density)	North	Cabarrus County LDR (Low Density Residential)	Vacant & Residential	North	Residential, agricultural
	South	Cabarrus County CR (Countryside Residential)		South	Residential, agricultural, vacant
	East	PUD (Planned Unit Development) and Cabarrus County LDR (Low Density Residential)		East	Residential, agricultural
	West	PUD (Planned Unit Development)		West	Vacant, Residential

**COMPLIANCE WITH 2030 LAND USE PLAN**

The 2030 LUP designates the subject properties as “Village Center (VC)” and “Suburban Neighborhood (SN). RV (Residential Village) is listed as a corresponding zoning district to both the “Village Center (VC)” and “Suburban Neighborhood (SN) land use categories, and therefore is consistent with the land use plan.

The corresponding zoning districts for the “Village Center” land use category are RV (Residential Village), O-I (Office Institutional), MX-NC (Mixed Use-Neighborhood Center), MX-CC1 (Mixed Use-Commercial Center Small) , PRD (Planned Residential Development), C-1 (Light Commercial), C-2 (General Commercial District), PUD (Planned Unit Development), RC (Residential Compact), R-CO (Residential – County Originated)

The corresponding zoning districts for the “Suburban Neighborhood” land use category are RE (Rural Estate) , RM-1 (Residential Medium Density), RM-2 (Residential Medium Density), PRD (Planned Residential Development), C-1 (Light Commercial), PUD (Planned Unit Development), RV (Residential Village), TND (Traditional Neighborhood Development), B-1 (Neighborhood Commercial/Office District), RL (Residential Low Density), O-I (Office Institutional), R-CO (Residential – County Originated)

**From the 2030 Land Use Plan – “Village Center (VC)”**

*Village Center areas are typically located at key intersections of minor transportation corridors. These centers are often located in areas with FLU categories that are residential and/or rural in focus with limited non -residential development nearby. Oftentimes areas designated as Village Centers already contain some non-residential development, usually highway oriented retail, office, or light industrial, with supportive zoning. Village Centers represent opportunities to create small/mid-size commercial and mixed-use centers and limit strip commercial in areas that are predominantly residential in character.*

*As with the larger Mixed-Use Activity Centers, the smaller Village Center creates an alternative to strip commercial development by concentrating non-residential uses in areas where infrastructure and residential demand support them. Consequently, none of the designated Village Centers proposed would develop without residential growth preceding it, thus creating the demand. Similarly, Village Centers would not develop if there was inadequate infrastructure, such as roads, water and sewer service.*

*The characteristics of developed Village Centers will vary greatly depending on the surrounding land use pattern and existing development intensity. The types of uses within Village Centers will vary, but encouragement should be given to mixed uses and those uses that are neighborhood serving (i.e. restaurants/diners, gas stations, small convenience stores, hardware stores, etc.) which reduce the need for residents to travel long distances in a car to meet basic needs. Additionally, emphasis should be given to pedestrian oriented development and interconnectivity between uses within the Village Center and out to the surrounding residential areas.*

**From the 2030 Land Use Plan – “Suburban Neighborhood (SN)”**

*The Suburban Neighborhood (SN) Future Land Use category includes single-family areas that are formed as subdivisions or communities, with a relatively uniform housing type and density throughout. They may support a variety of single-family detached residential types, from low-density single-family homes to denser formats of smaller single-family homes. In areas designated Suburban Neighborhood, homes are typically oriented interior to the neighborhood and are typically buffered from surrounding development by transitional uses or landscaped areas. Single family attached dwellings are an option for infill development within the suburban neighborhood future land use category. These neighborhoods are often found in close proximity to suburban commercial, office, and industrial centers, and help provide the consumers and employment base needed to support these centers. Lots at intersections of collector and arterial streets within or at the edges of suburban neighborhoods may support small-scale, neighborhood serving, pedestrian-oriented commercial or service uses such as coffee shops, cafes, beauty salons and light retail. Pedestrian oriented uses exclude uses with drive-in, drive-through or automobile related services.*

**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 1.3: 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.*

*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.*

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

### **SUGGESTED STATEMENT OF CONSISTENCY**

- The subject property is approximately +/- 93.23 acres and currently zoned PUD (Planned Unit Development) and RM-1 (Residential Medium Density).
- The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) as RV-CD (Residential Village - Conditional District) is a corresponding zoning district to the Village Center (VC) and Suburban Neighborhood (SN) land use categories and the proposed uses are compatible with those existing in the surrounding area.
- 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. Furthermore the RV-CD zoning is reasonable as the site is no longer conducive for the commercial uses required with PUD zoning.

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 “Rezoning Plan Lakeside Reserve,” sheet number RZ-2, dated 8/14/2023.
2. At each of the three (3) subdivision entries (Heglar Rd., Heglar Rd. and Old Farm Rd., NC Hwy 49) the divided roadway will also include a landscaped median island with a stamped roadway that resembles brick.
3. Any roadway improvements or easements requested by the City of Concord or NCDOT, at site plan review, shall not limit the width of perimeter buffers.
4. The existing lake must be buffered in accordance with Article 4 of the Concord Development Ordinance (CDO) due to the direct connection of the lake to a jurisdictional stream.
5. All buffers must be in compliance with Article 4 of the Concord Development Ordinance (CDO) and cannot be located in lot lines
6. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.
7. 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.

Planning and Zoning Commission  
Case # Z(CD)-22-22

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

**Required Attachments / Submittals:**

1. Typed metes and bounds description of the property (or portion of property) in a Word document format.
2. Cabarrus County Land Records printout of names and addresses of all immediately adjacent landowners, including any directly across the street.
3. **FOR CONDITIONAL DISTRICT APPLICATIONS ONLY**, a plan drawn to scale (conditional district plan), and elevations if applicable submitted digitally.
4. If applicable, proof of a neighborhood meeting (signature page) or receipt from certified letters mailed to adjoining property owners if project increases density or intensity (See Section 3.2.3). Staff will provide further information on this requirement during the required pre-application meeting.
5. Money Received by \_\_\_\_\_ Date: \_\_\_\_\_  
Check # \_\_\_\_\_ Amount: \$ 800.00 (Conditional) or \$600 (Conventional)  
Cash: \_\_\_\_\_

*The application fee is nonrefundable.*



(Please type or print)

Applicant Name, Address, Telephone Number and email address: \_\_\_\_\_  
Niblock Homes, 759 Concord Parkway North, Suite 20, Concord, NC 28027  
704-788-4818, wniblock@niblockhomes.com

Owner Name, Address, Telephone Number: \_\_\_\_\_  
Niblock Homes, LLC. , 759 Concord Parkway North, Suite 20, Concord, NC 28027  
704-788-4818

Project Location/Address: Heglar Rd. & Hwy 49  
P.I.N.: 5549-69-0093, 5549-59-2272, 5549-49-9161, 5640-70-5379

Area of Subject Property (acres or square feet): Total: 93.23 Ac. or Net: 91.75 Ac.

Lot Width: 55' & 49' Lot Depth: 138' & 105'

Current Zoning Classification: PUD & RM-1

Proposed Zoning Classification: RV-CD

Existing Land Use: Vacant & Residential

Future Land Use Designation: Development

Surrounding Land Use: North Vacant/Residential South Vacant/Residential  
East Vacant/Residential West Vacant/Residential

Reason for request: Residential single-family detached subdivision

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

Staff member signature: \_\_\_\_\_ Date: \_\_\_\_\_



**THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY**

(Please type or print)

1. List the Use(s) Proposed in the Project:  
 Residential Single Family detached subdivision.

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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 Attached plans

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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.

 10/14/22  
 Signature of Applicant Date

 10/14/22  
 Signature of Owner(s) Date



- PROJECT NOTES:**
- Project was awarded preliminary flow allocation July 19, 2022. The approval is valid until July 19, 2023. The project must obtain final flow acceptance by that date. If not obtained, the project must reapply for a preliminary flow acceptance.
  - Per City Code Sec. 62-98 (9) - Developer is to pay a one-time fee for expansions of existing pump stations. City to calculate fee based on the present worth of the cost for the city to operate and maintain, rehabilitate, and repair the pump station and force main in perpetuity. The fee would be based on the expansion not the entire pump station.
  - Technical review of Transportation elements to be performed with site/construction plans and may result in minor and/or major changes in the overall layout and design of the streets and lots.



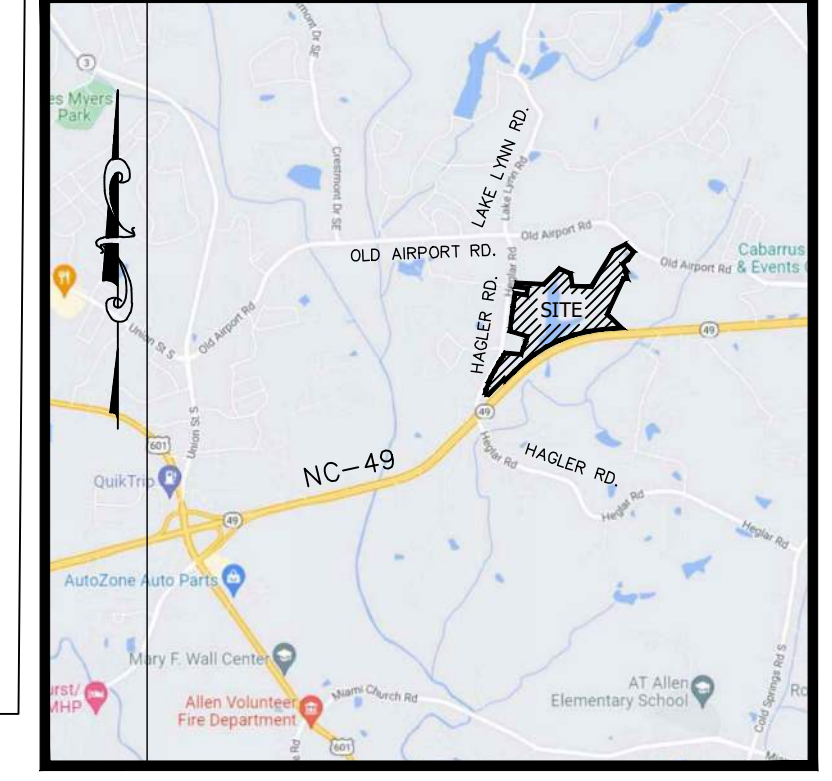
Know what's below.  
Call before you dig.

- Stormwater Notes:**
- The existing Lake is to be buffered with a 30' Undisturbed Stream/Lake Buffer & a 10' Vegetative No-Build setback in accordance with Article 4 of the City of Concord's Development Ordinance.

LAKESIDE SUBDIVISION (RC-CD)			
Phase	Area (Ac.)	Number of Lots	Typical Lot Sizes
1	42.46 Ac.	57 (Single Family)	55' x 138'
2	13.27 Ac.	24 (Single Family)	55' x 138'
3	36.02 Ac.	54 (Single Family)	55' x 138'

**SITE LEGEND**

DETAIL SYMBOL	DETAIL DESCRIPTION
(Solid line)	EXISTING PROPERTY LINE
(Dashed line)	PROPOSED LOTLINE
(Dotted line)	PROPOSED BUILDING SETBACK LINE
(Thick solid line)	PROPOSED ROAD PAVEMENT
(Patterned area)	PROPOSED CONCRETE SIDEWALK
(Patterned area)	PROPOSED SIDEWALK RAMP
(Patterned area)	PROPOSED OPEN SPACE HATCH
(Patterned area)	PROPOSED STORM DRAINAGE ESMT.
(Patterned area)	PROPOSED UTILITY EASEMENT
(Patterned area)	PROPOSED BRICK PAVERS



VICINITY MAP  
NO SCALE

**SITE NOTES:**  
Parcel ID: 5549-69-0093 DB 14315 PG 144, 5549-69-2272 DB 14315 PG 144, 5640-70-5379 DB 14315 PG 144, 5549-49-9161 DB 15200 PG 152.  
Net Site Size: 91.75 acres.  
Current Site Zoning: PUD & RM-1 (Concord)  
Proposed Site Rezone: RV-CD (Concord)  
Proposed Density: 1.47 DUA  
Average Lot Size: 55' x 138' or 7,590 sq ft; Minimum Required Lot Size: 7,500 sq ft  
Overlay District: This property does not lie within an Overlay District.  
Flood: This property is not within the 100 and 500 year floodplains.  
Watershed: This site does not lie in a Regulated Water Quality Watershed.  
Stream and Wetlands: This site does have existing lakes, streams and wetlands within this property, which are all shown on this plan.

**SITE DEVELOPMENT NOTES:**  
Proposed Lots: 135 Single Family Residential Lots. (See Project Data chart below)  
Subdivision Phasing: Three Phases. (Ph. 1, 2 & 3-Residential)  
Storm Water-Water Quality: This project must provide water quality treatment for the first 1" of rain and detain the stormwater runoff flows to the predeveloped rates for the 1 yr & 10 yr 24 hr storm events for Concord.  
Impervious Allocation: See Chart.  
Building Form: Residential (Type VB - Frame Construction)  
(Max. 3,600 SF, 2-Story, Height less than 30' at gutter line)  
Open Space: Required 10%, Provided 49% (44.63 acres) (Phases 1, 2 & 3)  
Active Open Space Provided: 3.12 acres (Amenity Center & 5,311 LF Walking Trail plus 5' either side of trail)  
SCM not included in Open Space (See Open Space table)  
Setbacks:  
Front: 24' (per RV-CD Zoning) or 20' if garages are recessed 4' behind front plane of the main structure. 20' will only be allowed on Corner or Front setback not both.  
Side: 7' (per RV-CD Zoning)  
Corner: 24' (per RV-CD Zoning) or 20' if garages are recessed 4' behind front plane of the main structure. 20' will only be allowed on Corner or Front setback not both.  
Rear: 5'

**GENERAL NOTES:**

- THIS PLAN IS NOT A CERTIFIED SURVEY. BOUNDARY SURVEY WAS OBTAINED FROM A SURVEY CONDUCTED BY ESP ASSOCIATES, DATED JUNE 2, 2006. THE EXISTING TOPOGRAPHIC SURVEY WAS OBTAINED FROM NORSTAR SURVEYING.
- ALL EXISTING UTILITY LOCATIONS ARE APPROXIMATE AND SHOULD BE FIELD-VERIFIED PRIOR TO CONSTRUCTION. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN. CONFLICTS BETWEEN EXISTING UTILITIES AND PROPOSED EXCAVATION SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY.
- THE CONTRACTOR SHALL PROVIDE A MINIMUM OF 48 HOURS NOTICE TO OWNER OR REPRESENTATIVE PRIOR TO INTERRUPTION OF ANY EXISTING UTILITY.
- THE CONTRACTOR IS RESPONSIBLE FOR REPAIR AND/OR REPLACEMENT OF ANY UTILITIES DAMAGED DURING CONSTRUCTION.
- HANDICAP SIGNAGE SHALL BE IN ACCORDANCE WITH CURRENT A.D.A STANDARDS.
- THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL NECESSARY PERMITS AND APPROVALS HAVE BEEN OBTAINED PRIOR TO CONSTRUCTION. THESE PERMITS AND APPROVALS MAY INCLUDE BUT ARE NOT LIMITED TO GRADING, DEMOLITION, ZONING, BUILDING, DRIVEWAY, DETENTION, SUBDIVISION, SPECIAL USE, SEWER AND WATER.
- CONTACT THE APPROPRIATE UTILITY COMPANY TO RELOCATE ANY EXISTING UTILITY POLES.
- BEFORE YOU DIG, STOP. CALL THE NC ONE-CALL CENTER AT 1-800-632-4949. "IT'S THE LAW".
- APPROVAL OF THIS PLAN IS NOT AN AUTHORIZATION TO GRADE ADJACENT PROPERTIES. WHEN FIELD CONDITIONS WARRANT OFF-SITE GRADING, PERMISSION MUST BE OBTAINED FROM THE AFFECTED PROPERTY OWNERS.

**ROAD DATA**

ROAD NAME	CLASSIFICATION	LENGTH
BIG SKY DRIVE (to Bloomington Ln)	RESIDENTIAL COLLECTOR	1118.81'
BIG SKY DRIVE CUL-DE-SAC	LOCAL STREET	476.12'
LAKOTA DRIVE	LOCAL STREET	564.23'
CHAMBERWOOD DRIVE	RESIDENTIAL COLLECTOR	1,268.93'
BLUESTONE DRIVE	LOCAL STREET	471.13'
ABBEEWOOD DRIVE	RESIDENTIAL COLLECTOR	1,254.29'
TILLMAN LANE	LOCAL STREET	1,399.22'
TRADITIONS LANE	LOCAL STREET	787.39'
BLOOMINGTON LANE	LOCAL STREET	461.70'

Total Length of Proposed Roads: 7,801.82'

**CONNECTIVITY RATIO CALC: 1.4 MIN**

Item	LINKS	NODES	RATIO
Connectivity Ratio	16	11	1.45

**OPEN SPACE REQ CALCS**

Item	SF	AC	%
Net Site	3,996,584	91.75	100%
Open Space-0-2 dua	399,658	9.17	10%
Active Open Space Prop	136,024	3.12	7%
Amenity Center	56,360	1.29	7%
Walking Trail: 5,311 LF Trail	79,665	1.83	4%
Total Open Space Prop. (P. 1, 2 & 3)	1,943,967	44.63	49%

**TREE SAVE/PRESERVATION**

Item	SF	AC	%
Net Site	3,996,584	91.75	100%
Open Space-0-2 dua	399,658	9.17	10%

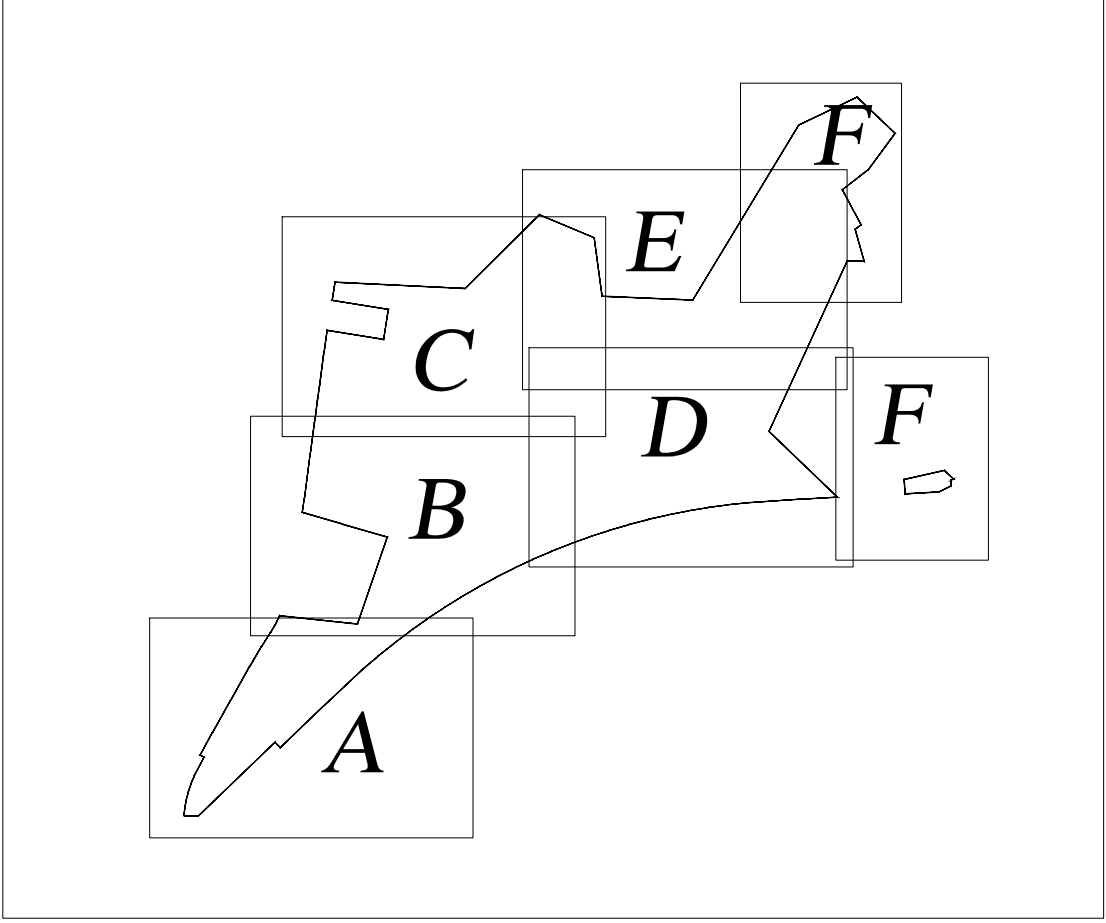
**SITE DATA**

Phase	# of Lots	LF of Streets	Street R/W	Area in Lots	Area in COS	SCM ESMT Areas	Lot Area %	Phase Area %	Total Area	Total (Acres)
Phase 1	57	3,269'	5.02 Ac.	11,00 Ac.	23.92 Ac.	2.52 Ac.	25.9%	46.3%	1,849,580.70	42.46
Phase 2	24	1,092'	1.88 Ac.	6.60 Ac.	4.33 Ac.	0.46 Ac.	49.7%	14.5%	577,827.82	13.27
Phase 3	54	3,441'	4.57 Ac.	12.15 Ac.	16.38 Ac.	2.93 Ac.	33.7%	39.3%	1,569,175.44	36.02
<b>Totals</b>	<b>135</b>	<b>7,801.82</b>	<b>11.47 Ac.</b>	<b>29.74 Ac.</b>	<b>44.63 Ac.</b>	<b>5.91 Ac.</b>	<b>100.0%</b>	<b>3,996,583.95</b>	<b>91.75</b>	

**PERCENTAGE OF UNITS**

Phase	# of Units	Single Family	Per Unit	Total Bedrooms
Phase 1	57	57	(3 Bedroom)	171
Phase 2	24	24	(3 Bedroom)	72
Phase 3	54	54	(3 Bedroom)	162
<b>Area in 8' Buffer:</b>	<b>71,861.09</b>	<b>SF or 1.65</b>	<b>Acres (Buffer included in COS areas above)</b>	
<b>Area in 50' Buffer:</b>	<b>188,691.68</b>	<b>SF or 4.33</b>	<b>Acres (Buffer included in COS areas above)</b>	
<b>Totals</b>	<b>260,552.77</b>	<b>5.98</b>	<b>Acres (Buffer included in COS areas above)</b>	

**SHEET INDEX**



**Parcel Area Table**

Parcel #	Area (SQ FT)	Area (Ac)
1	9441	0.22
2	8698	0.20
3	8694	0.20
4	8701	0.20
5	7850	0.18
6	8591	0.20
7	8665	0.20
8	8310	0.19
9	7995	0.17
10	7658	0.18
11	8762	0.20
12	8185	0.19
13	8410	0.19
14	7935	0.18
15	9028	0.21
16	9374	0.22
17	9199	0.21
18	7990	0.17
19	7990	0.17
20	7990	0.17

**Parcel Area Table**

Parcel #	Area (SQ FT)	Area (Ac)
21	7990	0.17
22	8520	0.20
23	8520	0.20
24	8476	0.19
25	7990	0.17
26	7996	0.18
27	7659	0.18
28	8966	0.21
29	8966	0.21
30	8966	0.21
31	8966	0.21
32	8966	0.21
33	8966	0.21
34	7702	0.18
35	9556	0.22
36	7990	0.17
37	9743	0.23
38	7803	0.18
39	8002	0.18
40	7941	0.18

**Parcel Area Table**

Parcel #	Area (SQ FT)	Area (Ac)
41	8027	0.18
42	8381	0.19
43	7986	0.18
44	9143	0.22
45	7990	0.17
46	8027	0.18
47	7990	0.17
48	7984	0.18
49	7626	0.18
50	8392	0.19
51	7511	0.17
52	10335	0.24
53	7990	0.17
54	9827	0.23
55	8833	0.20
56	8764	0.20
57	7990	0.17
58	7990	0.17
59	7990	0.17
60	7990	0.17
61	8846	0.21
62	9924	0.23
63	7990	0.17
64	7990	0.17
65	7990	0.17
66	7990	0.17
67	7990	0.17
68	7990	0.17
69	7990	0.17
70	7990	0.17
71	7990	0.17
72	7990	0.17
73	7990	0.17
74	7990	0.17
75	7990	0.17
76	7990	0.17
77	7990	0.17
78	7990	0.17
79	7990	0.17
80	7990	0.17

**Parcel Area Table**

Parcel #	Area (SQ FT)	Area (Ac)
81	9846	0.23
82	9924	0.23
83	7990	0.17
84	7990	0.17
85	7990	0.17
86	7990	0.17
87	7990	0.17
88	7990	0.17
89	7990	0.17
90	7990	0.17
91	7990	0.17
92	7990	0.17
93	8568	0.20
94	8781	0.20
95	8781	0.20
96	8781	0.20
97	8781	0.20
98	8781	0.20
99	8781	0.20
100	8781	0.20
101	8781	0.20
102	7666	0.18
103	8246	0.19
104	8806	0.20
105	9003	0.21
106	9003	0.21
107	8170	0.19
108	8170	0.19
109	8170	0.19
110	8170	0.19
111	7990	0.17
112	7990	0.17
113	7990	0.17
114	9946	0.23
115	9946	0.23
116	9946	0.23
117	9946	0.23
118	10321	0.23
119	9979	0.23
120	7990	0.17

**Overall Impervious Data**

Site	SF	Ac
Site	3,996,584	91.75

**Phasing**

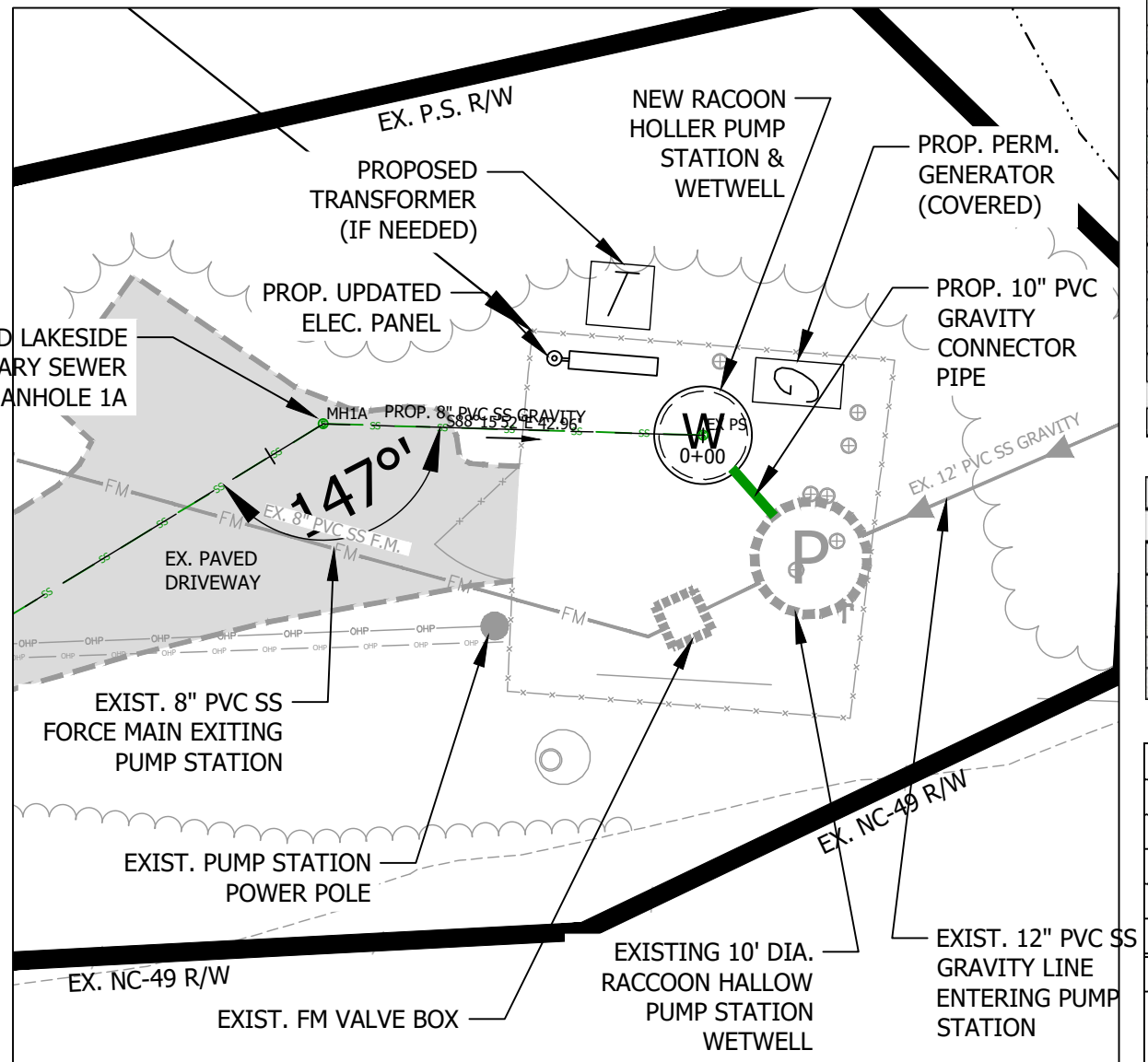
Phase	Units	Acres	DUA
Phase 1	57	16.971	0.39
Phase 2	24	7.227	0.18
Phase 3	54	16.877	0.39
<b>Total</b>	<b>135</b>	<b>41.075</b>	<b>1.47</b>

**Impervious Area Calcs**

Item	SF	Ac
Proposed Impervious	4,184	0.095
Amenity Area	16,971	0.39
Streets BC to BC	227,188	5.22
Sidewalks in RW	82,460	1.89
Walking Trail	25,253	0.58
Surplus	0	0.00
<b>Total Est. Impervious</b>	<b>22,944</b>	<b>0.52</b>

**Individual Lot Impervious Breakdown**

Item	Dim	Dim	Total SF
Blgd	40.00	75.00	3,000.00
Driveway	20.00	24.00	480.00
Driveway Apron in RW	20.00	18.00	360.00
Sidewalk in lot	0.00	0.00	0.00
Patio	12.00	12.00	144.00
Misc			200.00
<b>Total</b>			<b>4,184.00</b>

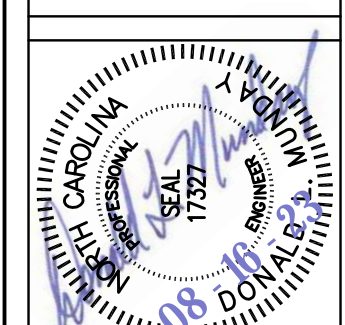


**PUMP STATION PLAN**  
SCALE: 1" = 20'

**PIEDMONT DESIGN ASSOCIATES, P.A.**  
ENGINEERING, SURVEYING & PLANNING  
Suite 101 Westfield Center 125 East Plaza Drive  
Concord, NC 28027  
Phone: (704) 664-2888 Fax: (704) 664-1178 www.pdpa.com  
N.C. B.E.L.S. License #: C-1007

PREPARED FOR:  
**NIBLOCK HOMES**  
759 CONCORD PKWY N, STE 20  
CONCORD, NC 28027  
704-788-4818

**REZONING PLAN**  
LAKESIDE RESERVE  
NC HIGHWAY 49  
CONCORD, CABARRUS Co., NORTH CAROLINA










**REVISIONS**

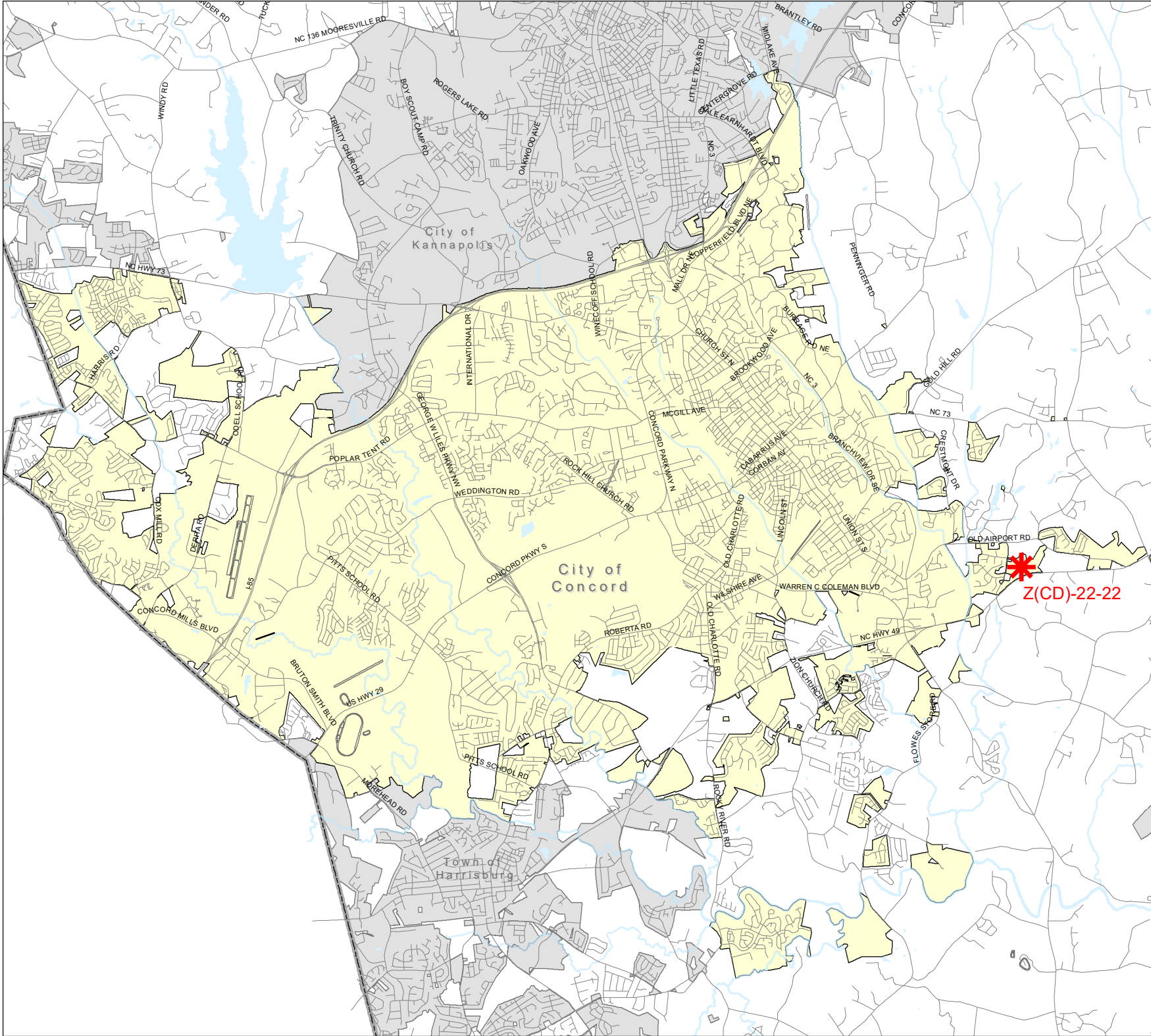
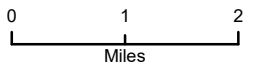
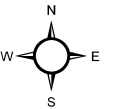
NO.	DATE	DESCRIPTION	BY
A			
B			
C			

Date: 07/29/2022  
Scale: As Noted  
Drawn: CLF  
Checked: DLM  
Project: 2020-04-02  
Job:  
Sheet: **RZ-2**  
08/14/23  
of 1 Sheets

Z(CD)-22-22

Heglar Rd &  
NC HWY 49

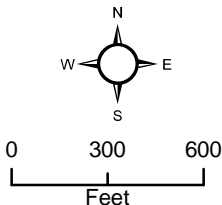
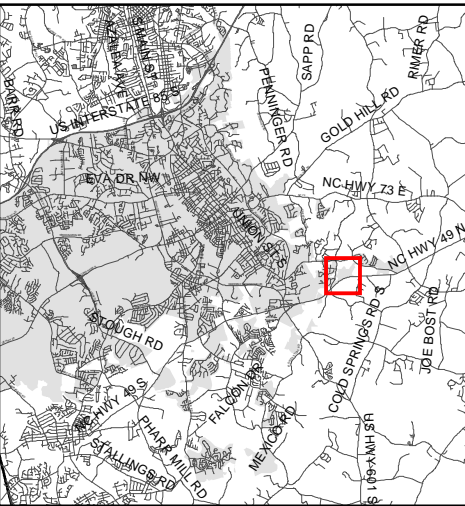
-  Case Location
-  Streets
-  Lakes & Ponds
-  Rivers
-  Cabarrus Co.
-  City of Concord
-  Other Municipalities

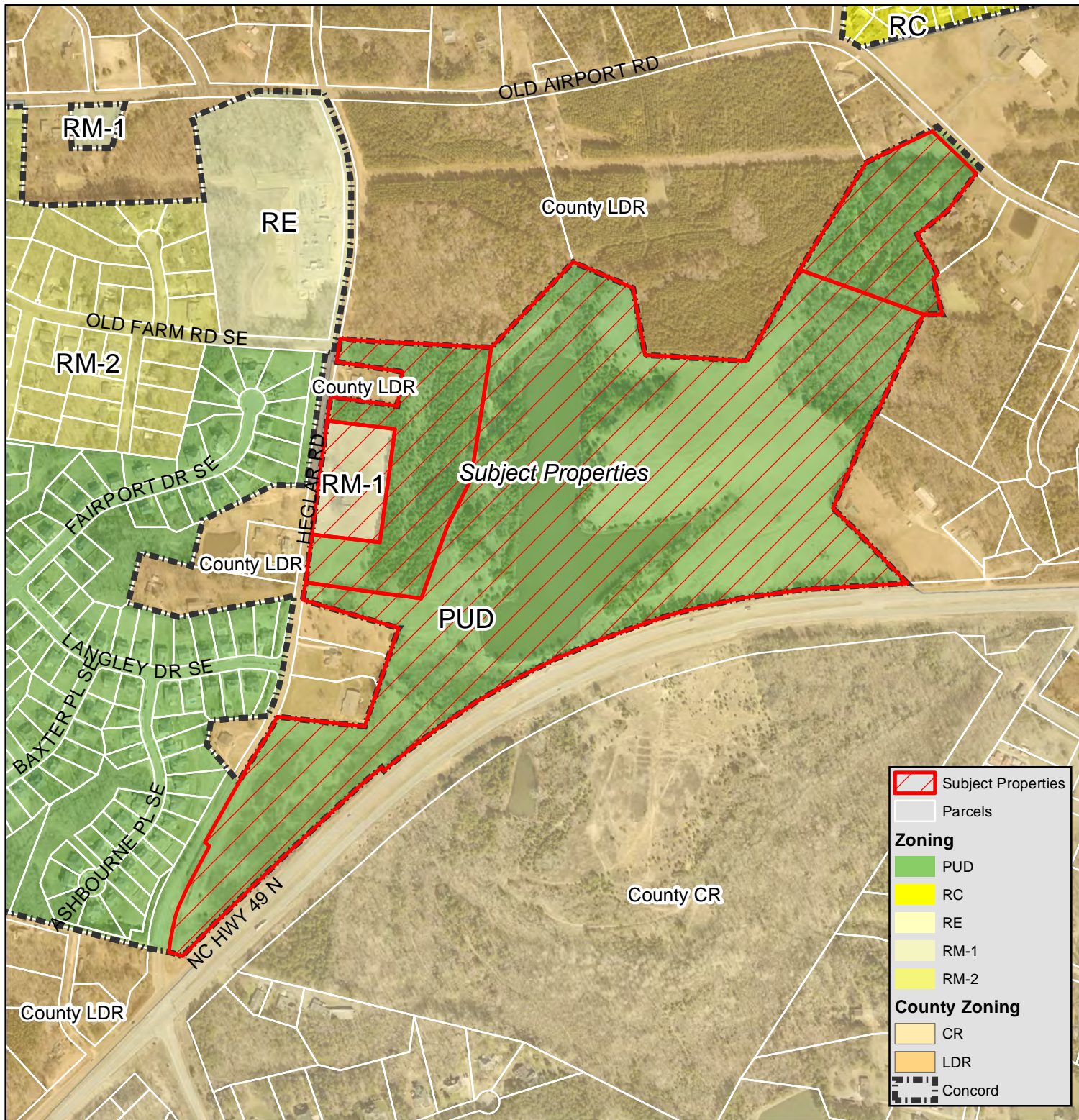


**Z(CD)-22-22  
AERIAL**

**Rezoning application  
RM-1 (Residential Medium Density)  
& PUD (Planned Unit Development)  
to  
RV-CD (Residential Village -  
Conditional District)**

Heglar Rd & NC Hwy 49  
PINs: 5549-69-0093, 5549-59-2272,  
5549-49-9161 & 5640-70-5379

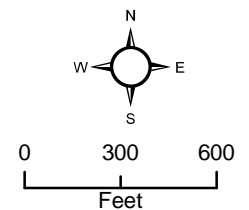
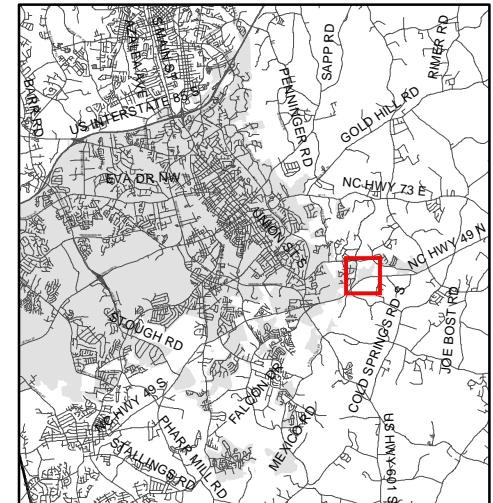




**Z(CD)-22-22  
ZONING**

**Rezoning application  
RM-1 (Residential Medium Density)  
& PUD (Planned Unit Development)  
to  
RV-CD (Residential Village -  
Conditional District)**

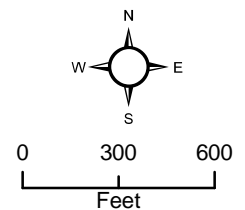
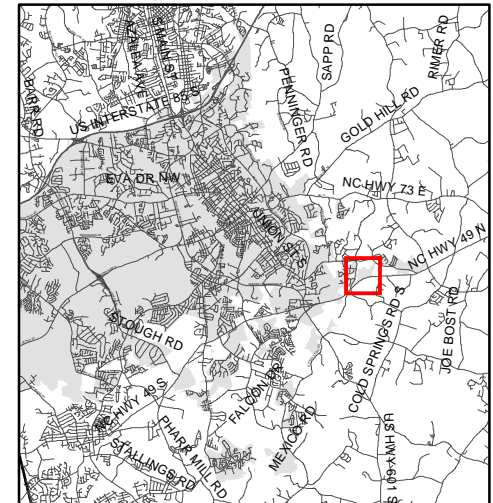
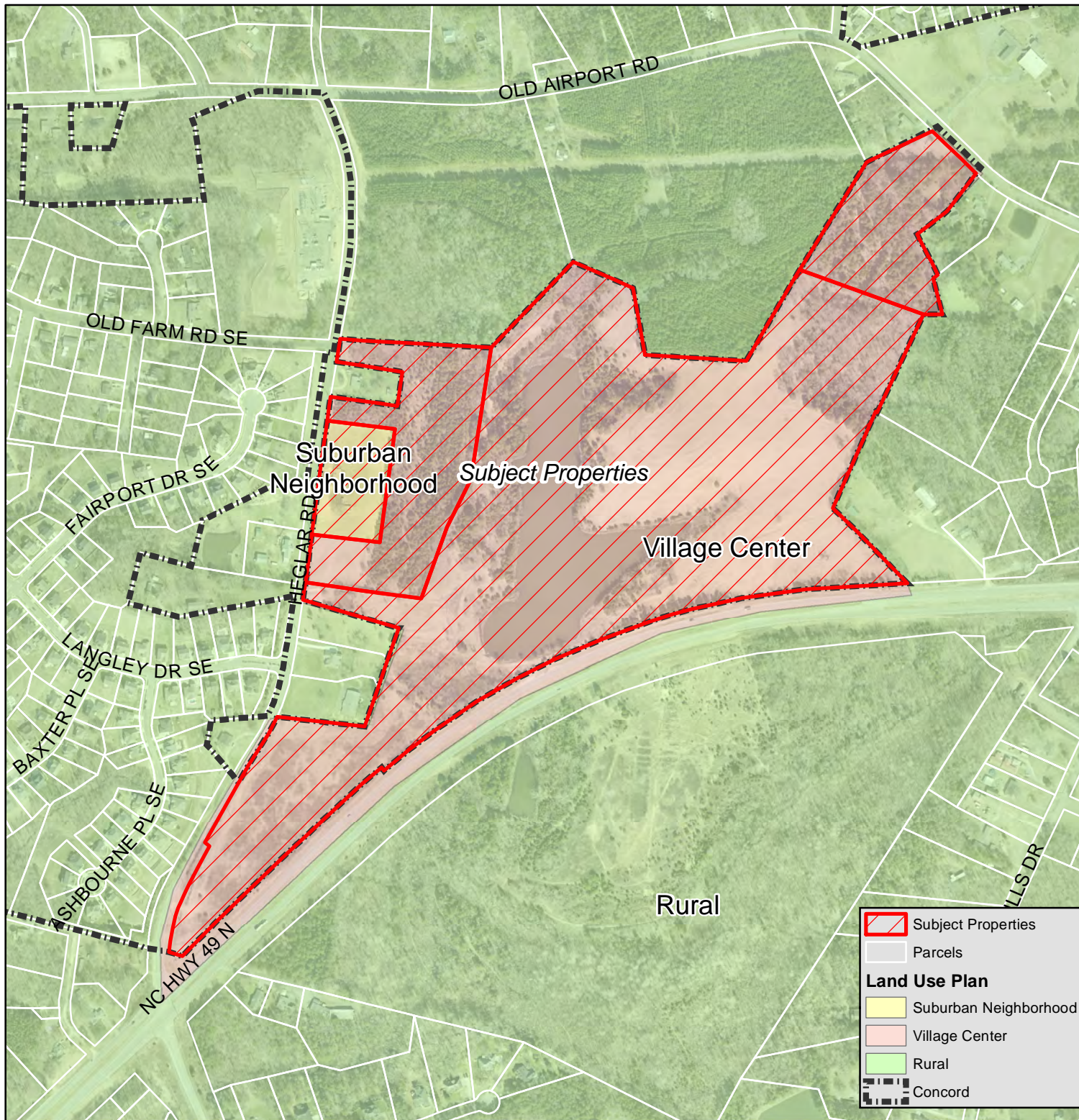
Heglar Rd & NC Hwy 49  
PINs: 5549-69-0093, 5549-59-2272,  
5549-49-9161 & 5640-70-5379



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

**Rezoning application  
RM-1 (Residential Medium Density)  
& PUD (Planned Unit Development)  
to  
RV-CD (Residential Village -  
Conditional District)**

Heglar Rd & NC Hwy 49  
PINs: 5549-69-0093, 5549-59-2272,  
5549-49-9161 & 5640-70-5379





**DATE:** November 21, 2023

**REZONING CASE #:** Z (CD)-18-23

**ACCELA:** CN-RZC-2023-00014

**DESCRIPTION:** Zoning Map Amendment  
Unzoned (formerly Cabarrus County LDR (Low Density Residential)) to City of Concord RM-2-CD (Residential Medium Density – Conditional District)

**APPLICANT/OWNER:** Justin Mueller

**LOCATION:** 1199 Odell School Rd.

**PIN#s:** p/o 4681-64-7428

**AREA:** +/- 63.5 acres

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

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

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

**BACKGROUND**

The subject property consists of +/- 63.5 acres generally located between Untz Rd. to the east and Harris Rd to the west. The petitioner seeks approval of a rezoning for the development of a single family residential subdivision.

**HISTORY**

The subject property was previously located in Cabarrus County and zoned Low Density Residential (LDR), containing a single family residence and agricultural land. The vacant agricultural portion of this property was annexed into the City of Concord on July 13, 2023.

As required by the CDO, the applicant held a neighborhood meeting on June 1, 2023 and according to the sign in sheet, three (3) individuals attended. The sign in sheet is attached to the Commission’s packets.

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

#### SUMMARY OF REQUEST

The applicant proposes to rezone +/-63.5 acres from unzoned (formerly Cabarrus County LDR (Low Density Residential)) to City of Concord RM-2-CD (Residential Medium Density – Conditional District) for the development of a maximum of ninety-five (95) single-family detached homes.

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. Conditions recommended by City Staff have also been reviewed and accepted by the petitioner. Those conditions are listed at the conclusion of this staff report.

The site plan indicates the subject property totals +/- 65.5 acres with 95 single-family detached homes. The proposed zoning of RM-2 (Residential Medium Density) allows for a max density of 4 dwelling units per acre with a minimum lot area of 10,000 square feet. As proposed, the maximum density of the project would be no more than 1.51 dwelling units per acre with the minimum lot area being approximately 15,000 square feet. Areas of open space are included throughout the site, with the amount of required open space to be 10% (6.33 acres) with the proposal of 17.050 acres of common open space comprised of 3.71 acres of active open space (COS2, COS4, COS7) with mini-park and parkway attributes and 13.299 acres of passive open space. A proposed tree preservation area is located in COS7. Pedestrian connection to the open space will be facilitated through a natural trail system.

A Traffic Impact Analysis (TIA) was prepared for the project in accordance with City of Concord requirements. The TIA is intended to identify transportation improvements necessary to help mitigate the impact of the development. These improvements include construction of both left and right turn lanes on Odell School Road. While Odell School Rd is a State maintained facility, the development did not necessitate NCDOT's requirements for a TIA. Therefore, NCDOT deferred to the City's ordinance. The City Transportation Department noted the TIA as complete, although could not recommend the rezoning due to the ordinance requirements as to analyzing the capacity of Odell School Road.

During the annexation public hearing at City Council, the developer stated that it is intention is to develop the site as "executive housing." Council has expressed that development of this type of housing is a future goal.

The site plan has been reviewed by the Development Review Committee and with the exception of the Transportation ordinance, there are no objections to the petition.

Property to the north is zoned Cabarrus County Agricultural/Open Space (AO) and consists of single family residences or vacant parcels of land. To the south, zoned City of Concord Residential Village – Conditional District (RV-CD) is the single family residential subdivision, Annsborough Park. Properties to the east are zoned either Cabarrus County Low Density Residential (LDR) or

Residential Village – Conditional District (RV-CD), and the properties to the west are zoned Cabarrus County Low Density Residential (LDR). These properties are vacant or residential.

Existing Zoning and Land Uses (Subject Parcel)					
Current Zoning of Subject Property	Zoning Within 500 Feet		Land Uses(s) of Subject Property	Land Uses within 500 Feet	
Unzoned – formerly Cabarrus County LDR (Low Density Residential)	North	Cabarrus County AO (Agricultural/Open Space)	Residential & Vacant	North	Residential & Vacant
	South	RV-CD (Residential Village – Conditional District)		South	Residential & Vacant
	East	Cabarrus County LDR (Low Density Residential) and RV-CD (Residential Village – Conditional District)		East	Residential & Vacant
	West	Cabarrus County LDR (Low Density Residential)		West	Residential & Vacant

**COMPLIANCE WITH 2030 LAND USE PLAN**

The 2030 LUP designates the subject property as “Suburban Neighborhood (SN). RM-2 (Residential Medium Density) is listed as a corresponding zoning district the “Suburban Neighborhood (SN) land use categories, and therefore is consistent with the land use plan.

The corresponding zoning districts for the “Suburban Neighborhood” land use category are RE (Rural Estate) , RM-1 (Residential Medium Density), RM-2 (Residential Medium Density), PRD (Planned Residential Development), C-1 (Light Commercial), PUD (Planned Unit Development), RV (Residential Village), TND (Traditional Neighborhood Development), B-1 (Neighborhood Commercial/Office District), RL (Residential Low Density), O-I (Office Institutional), R-CO (Residential – County Originated)

**From the 2030 Land Use Plan – “Suburban Neighborhood (SN)”**

*The Suburban Neighborhood (SN) Future Land Use category includes single-family areas that are formed as subdivisions or communities, with a relatively uniform housing type and density throughout. They may support a variety of single-family detached residential types, from low-density single-family homes to denser formats of smaller single-family homes. In areas designated Suburban Neighborhood, homes are typically oriented interior to the neighborhood and are*



*typically buffered from surrounding development by transitional uses or landscaped areas. Single family attached dwellings are an option for infill development within the suburban neighborhood future land use category. These neighborhoods are often found in close proximity to suburban commercial, office, and industrial centers, and help provide the consumers and employment base needed to support these centers. Lots at intersections of collector and arterial streets within or at the edges of suburban neighborhoods may support small-scale, neighborhood serving, pedestrian-oriented commercial or service uses such as coffee shops, cafes, beauty salons and light retail. Pedestrian oriented uses exclude uses with drive-in, drive-through or automobile related services.*

**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 1.3: 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.*

*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.*

- *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 +/- 63.5 acres and currently unzoned – formerly Cabarrus County LDR (Low Density Residential)
- The subject property was voluntarily annexed on July 13, 2023.
- The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) as RM-2-CD (Residential Medium Density - Conditional District) is a corresponding zoning district to the Suburban Neighborhood (SN) land use category and the proposed use is compatible with those existing in the surrounding area.
- 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 “Myers Residential on Odell,” sheet number RZ-1, dated 10/04/2023.
2. Street yard landscaping requirements, including required street trees, shall be adhered to as noted in Article 11 of the Concord Development Ordinance (CDO)

3. Active open space shall be included and maintained in areas noted as COS2, COS4 and COS7, sheet number RZ-5, dated 10/23/2023.
4. Connection to open space to be maintained through the inclusion of a natural trail system for pedestrian connectivity, sheet number RZ-1, dated 10/04/2023.
5. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.
6. 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.**

**Required Attachments / Submittals:**

- 1. Typed metes and bounds description of the property (or portion of property) in a Word document format.
  
- 2. Cabarrus County Land Records printout of names and addresses of all immediately adjacent landowners, including any directly across the street.
  
- 3. **FOR CONDITIONAL DISTRICT APPLICATIONS ONLY**, a plan drawn to scale (conditional district plan), and elevations if applicable submitted digitally.
  
- 4. If applicable, proof of a neighborhood meeting (signature page) or receipt from certified letters mailed to adjoining property owners if project increases density or intensity (See Section 3.2.3). Staff will provide further information on this requirement during the required pre-application meeting.
  
- 5. Money Received by \_\_\_\_\_ Date: \_\_\_\_\_  
Check # \_\_\_\_\_ Amount: \$ 800.00 (Conditional) or \$600 (Conventional)  
Cash: \_\_\_\_\_

***The application fee is nonrefundable.***

(Please type or print)

Applicant Name, Address, Telephone Number and email address:

Justin Mueller, 51 Union Street South, Suite 100, Concord, NC 28025  
704-578-5688, justin@sdgcarolinas.com

Owner Name, Address, Telephone Number:

Unica U B O  
1201 Odell School Rd. Concord, NC 28027

Project Location/Address: 1201 Odell School Rd. Concord, NC 28027

Parcel Identification Number (PIN): Portion of ~~0000000000~~ 46816474280000

Area of Subject Property (acres or square feet): 63.30 AC

Lot Width: n/a

Lot Depth: n/a

Current Zoning Classification: ~~0000000000~~ N/A

Proposed Zoning Classification: RM-2 (City)

Existing Land Use: Single Family Home

Future Land Use Designation: Single Family Detached Subdivision

Surrounding Land Use: North Single Family

South Single Family

East Single Family

West Single Family

Reason for request:

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

Staff member signature: \_\_\_\_\_

Date: \_\_\_\_\_

**THIS PAGE APPLICABLE TO CONDITIONAL DISTRICT REQUESTS ONLY**

(Please type or print)

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

Single Family residence and any accessory uses permitted in RM-2

2. List the Condition(s) you are offering as part of this project. Be specific with each description.

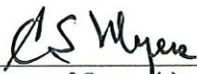
(You may attach other sheets of paper as needed to supplement the information):

~~None~~

None

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      08/02/2023  
Date

  
Signature of Owner(s)      8-8-2023  
Date  
CS Myers - Managing Director of UNICA UBO

  
Nancy Myers - Managing Director of UNICA UBO      8-8-2023  
Date



NORTH CAROLINA  
High Performance Living



Application for  
Zoning Map Amendment


*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: 08/02/2023

Applicant Signature: 

Property Owner or Agent of the Property Owner Signature:



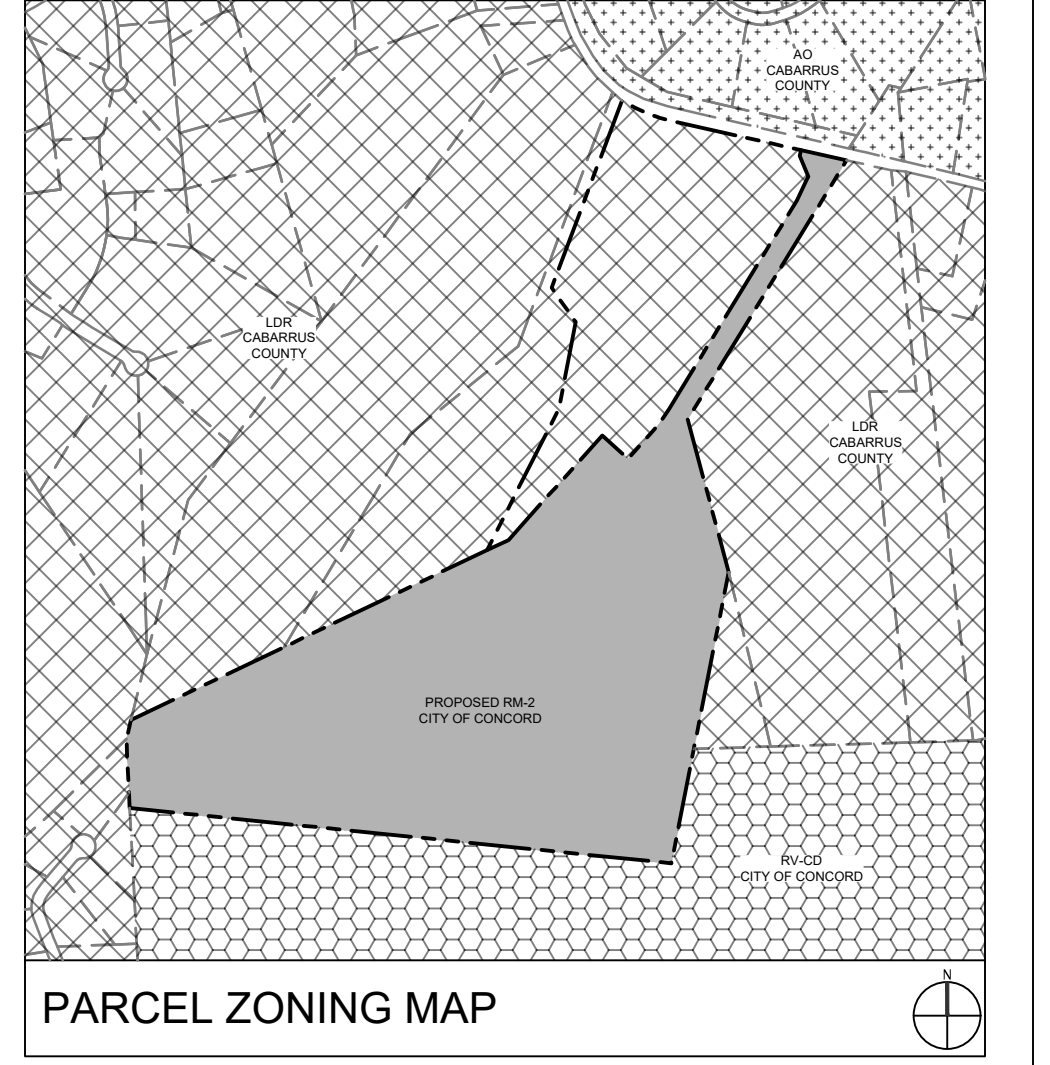
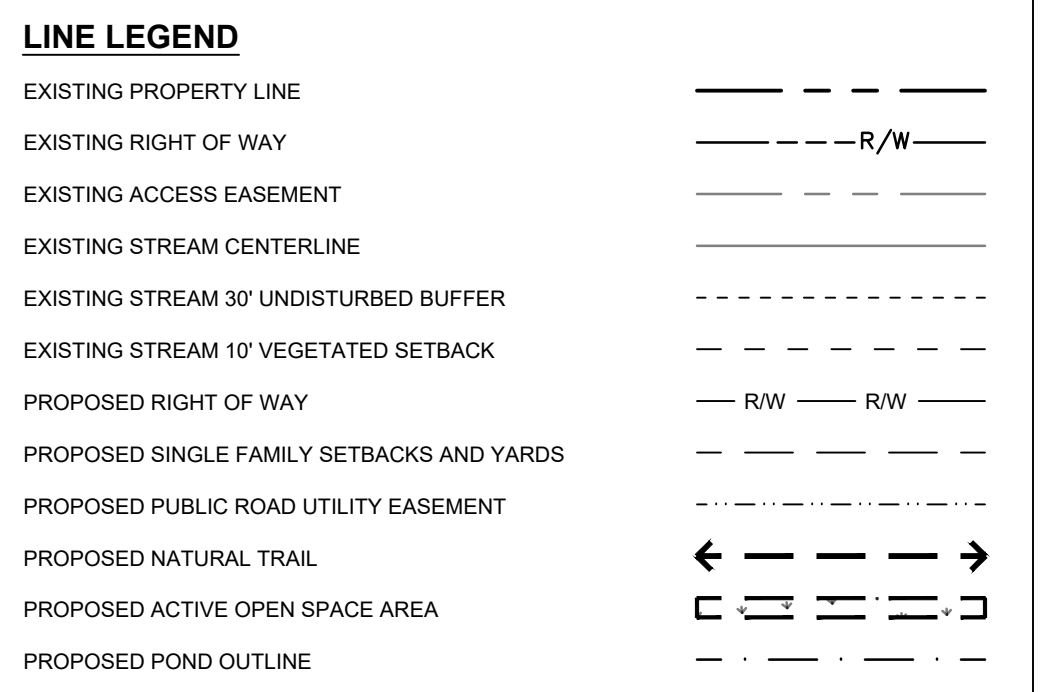
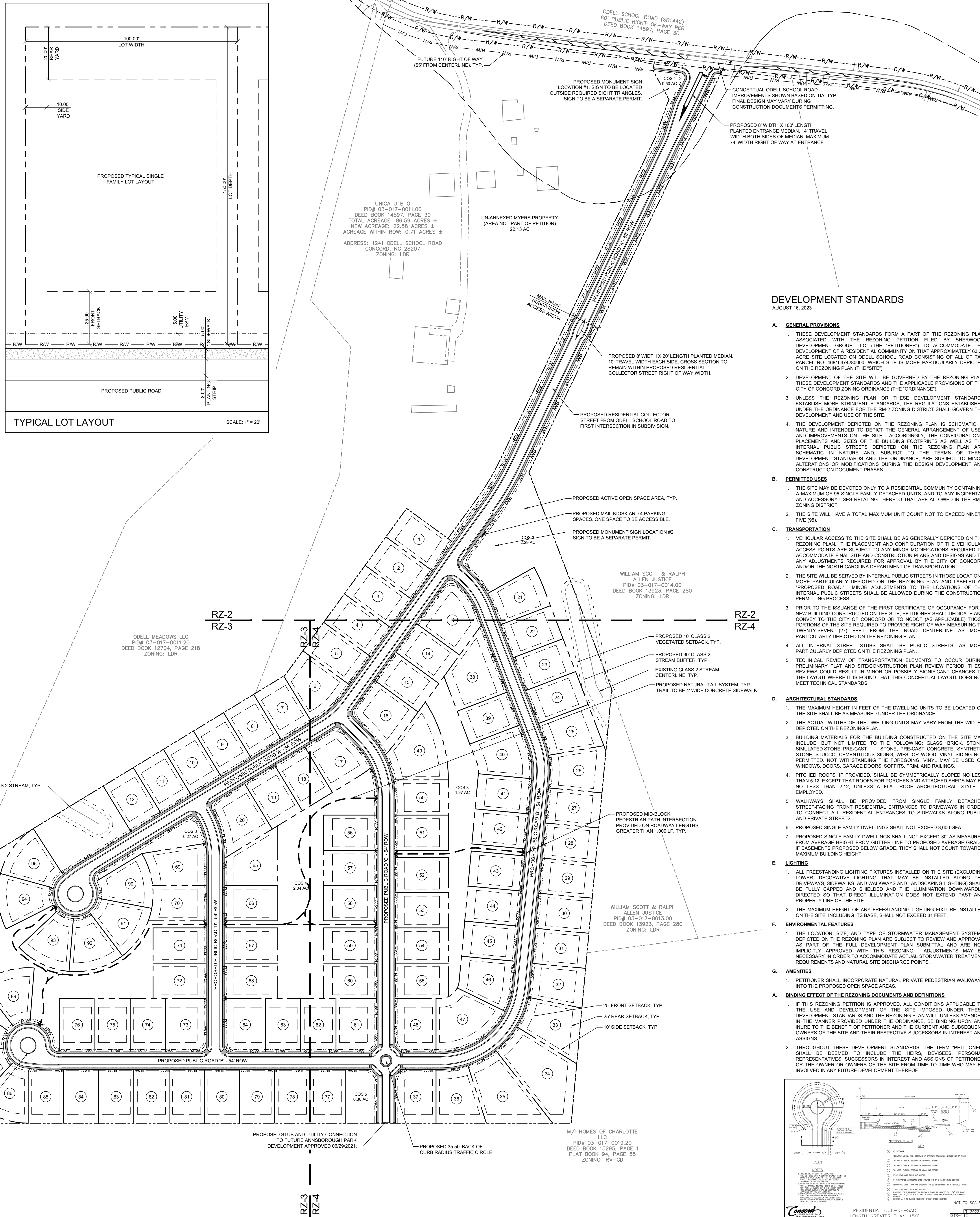
CS Myers - Managing Director of UNICA UBO

  
Nancy Myers - Managing Director of UNICA UBO



PARCEL AREA TABLE			PARCEL AREA TABLE			PARCEL AREA TABLE		
Parcel #	Area (SF)	Area (AC)	Parcel #	Area (SF)	Area (AC)	Parcel #	Area (SF)	Area (AC)
1	15969.11	0.367	33	20565.83	0.472	65	18642.38	0.428
2	16249.44	0.373	34	33479.46	0.769	66	15000.00	0.344
3	16250.00	0.373	35	26604.81	0.611	67	15000.00	0.344
4	16250.00	0.373	36	18162.27	0.417	68	15000.00	0.344
5	16250.00	0.373	37	17056.86	0.392	69	17448.16	0.401
6	19164.05	0.440	38	23122.82	0.531	70	15354.16	0.352
7	15000.00	0.344	39	15000.00	0.344	71	15000.00	0.344
8	15000.00	0.344	40	18429.69	0.423	72	15000.00	0.344
9	15000.00	0.344	41	15000.00	0.344	73	17056.86	0.392
10	15000.00	0.344	42	15000.00	0.344	74	15000.00	0.344
11	15000.00	0.344	43	15000.00	0.344	75	15000.00	0.344
12	15000.00	0.344	44	15000.00	0.344	76	14998.90	0.344
13	20867.51	0.479	45	15000.00	0.344	77	15000.00	0.344
14	15000.00	0.344	46	17711.65	0.407	78	15000.00	0.344
15	15000.00	0.344	47	23375.03	0.537	79	15000.00	0.344
16	19345.39	0.444	48	17056.86	0.392	80	15000.00	0.344
17	18484.87	0.424	49	25064.89	0.575	81	15000.00	0.344
18	15000.00	0.344	50	15060.16	0.346	82	15000.00	0.344
19	15000.00	0.344	51	15000.00	0.344	83	15000.00	0.344
20	18997.95	0.436	52	15000.00	0.344	84	15000.00	0.344
21	16115.67	0.370	53	15000.00	0.344	85	15000.00	0.344
22	15000.00	0.344	54	15000.00	0.344	86	15997.38	0.367
23	15000.00	0.344	55	14965.11	0.367	87	15997.38	0.367
24	15000.00	0.344	56	15000.00	0.344	88	15997.38	0.367
25	16646.30	0.382	57	15000.00	0.344	89	15997.38	0.367
26	17504.42	0.402	58	15000.00	0.344	90	15995.15	0.367
27	15030.85	0.345	59	15000.00	0.344	91	15997.38	0.367
28	15023.25	0.345	60	15000.00	0.344	92	15997.38	0.367
29	15015.65	0.345	61	17056.86	0.392	93	15997.38	0.367
30	15008.05	0.345	62	15000.00	0.344	94	15997.38	0.367
31	15001.19	0.344	63	15000.00	0.344	95	15997.38	0.367
32	15824.05	0.363	64	17056.86	0.392			

COS AREA TABLE			COS AREA TABLE			COS AREA TABLE		
Parcel #	Area (SF)	Area (AC)	Parcel #	Area (SF)	Area (AC)	Parcel #	Area (SF)	Area (AC)
COS 1	21953.77	0.504	COS 4	88654.86	2.035	COS 7	447899.65	10.282
COS 2	99680.33	2.288	COS 5	13105.32	0.301			
COS 3	59595.41	1.368	COS 6	11652.17	0.267			



**DEVELOPMENT SUMMARY:**

OWNER: UNICA LUBO  
 OWNER ADDRESS: 1241 ODELL SCHOOL ROAD, CONCORD, NC 28027  
 TAX PARCEL PIN NUMBERS: 468164728000  
 PARCEL SIZE: 83.30 ACRES  
 MAXIMUM LOT COUNT: 95 UNITS  
 MAXIMUM DENSITY: 1.51 DUA

EXISTING ZONING: UNZONED  
 EXISTING USE: RESIDENTIAL HOUSE/ FARM

PROPOSED ZONING: RM-2 (CD)  
 PERMITTED USES: SINGLE FAMILY DWELLING, ACCESSORY USES

**RM-2 ZONING REQUIREMENTS:**  
 MIN. LOT AREA: 10,000 SF  
 MIN. LOT WIDTH: 75'  
 MIN. LOT DEPTH: 100'  
 IMPERVIOUS SURFACE RATIO: N/A  
 MIN. STREET FRONTAGE: 15'  
 MAX. DENSITY: 1.51 DUA  
 MAX. BUILDING HEIGHT: 30'

**PROPOSED ZONING REQUIREMENTS:**  
 MIN. LOT AREA: 10,000 SF  
 MIN. LOT WIDTH: 100'  
 MIN. LOT DEPTH: 100'  
 IMPERVIOUS SURFACE RATIO: N/A  
 MIN. STREET FRONTAGE: 15'  
 MAX. DENSITY: 1.51 DUA  
 MAX. BUILDING HEIGHT: 30'

**MINIMUM SETBACKS:**  
 MIN. FRONT SETBACK: 25'  
 MIN. REAR SETBACK: 25'  
 MIN. INTERIOR SIDE SETBACK: 10'  
 MIN. REAR SETBACK: 25'  
 ACC. STRUCTURES REAR: 5'  
 ACC. STRUCTURES REAR: 5'

**MINIMUM HEIGHTS:**  
 MAX. FRONT SETBACK: N/A  
 MAX. CORNER SETBACK: 25'  
 MIN. INTERIOR SIDE SETBACK: 10'  
 MIN. REAR SETBACK: 25'  
 ACC. STRUCTURES REAR: 5'  
 ACC. STRUCTURES REAR: 5'

**MAXIMUM HEIGHT OF 30' MEASURED FROM GUTTER LINE TO AN AVERAGE MEASUREMENT TO PROPOSED GRADE. IF BASEMENTS ARE BELOW GRADE, THEN THEY WILL NOT BE COUNTED TOWARDS MAXIMUM HEIGHT.**

**BUFFER REQUIREMENTS:**  
 30' UNDISTURBED STREAM BUFFER  
 10' VEGETATED SETBACK FROM STREAM BUFFER

**PARKING REQUIREMENTS:**  
 SINGLE FAMILY PARKING REQUIRED: MIN. 2 PER LOT = 190 SPACES  
 SINGLE FAMILY PARKING PROVIDED: MIN. 2 PER LOT = 190 SPACES

**STREET CONNECTIVITY REQUIREMENTS:**  
 REQUIRED RATIO: 1:40  
 PROVIDED RATIO: 1:43  
 10 LINKS / 7 NODES = 1.43

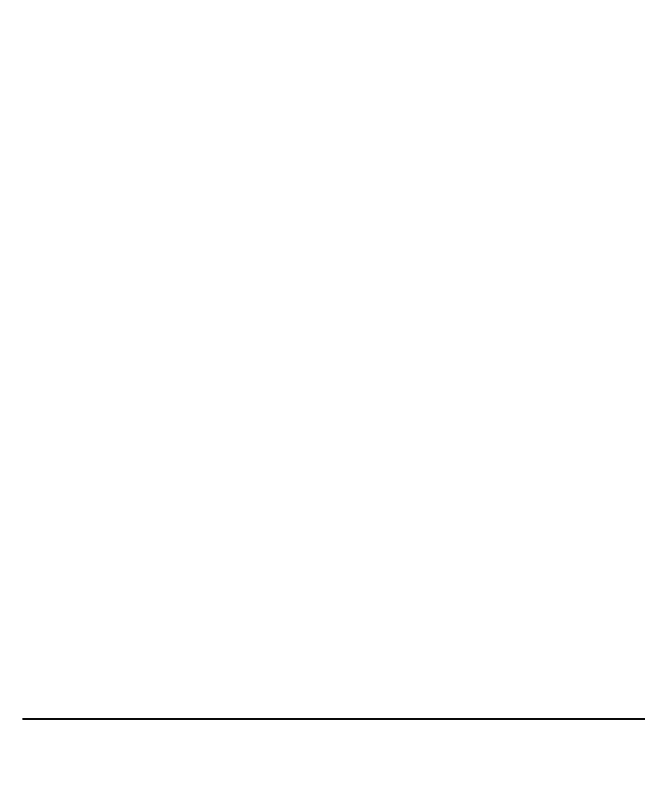
**STREET DESIGN REQUIREMENTS:**  
 MAXIMUM CUL-DE-SAC LENGTH: 800'  
 MAXIMUM CUL-DE-SAC LENGTH PROPOSED: 587' (PROPOSED PUBLIC ROAD 'B')  
 MAXIMUM BLOCK LENGTH: 1,000'  
 PROPOSED MAXIMUM BLOCK LENGTH: 830' (WITH MID-BLOCK CROSSING)  
 STREET YARD REQUIRED: CLASS 1 (8' WIDTH, 1 SHADE TREE PER 40-50', 0.24 POINTS/SF)  
 STREET YARD PROVIDED: CLASS 1 (8' WIDTH, 1 SHADE TREE PER 40-50', 0.24 POINTS/SF)

**TREE PRESERVATION REQUIREMENTS:**  
 50% OF REQUIRED OPEN SPACE: 3.16 AC  
 ARTICLE 11 OF THE CITY OF CONCORD DEVELOPMENT ORDINANCE APPLIES.

**CONDITIONAL DEVELOPMENT NOTES:**

- HYDRAULIC FLOW TEST SHALL BE CONDUCTED TO DETERMINE NEEDED FIRE FLOW REQUIREMENTS ARE MET FOR THE STRUCTURES AND WILL BE PROVIDED AND MAINTAINED PROPOSED DEVELOPMENT UNDER 100 UNITS THEREFORE SPRINKLERS NOT REQUIRED.
- TRAFFIC IMPACT ANALYSIS WILL BE REQUIRED AND TRANSPORTATION IMPROVEMENTS ALONG ODELL SCHOOL ROAD WILL BE DETERMINED BY TIA.
- SUBDIVISION ENTRY MONUMENT SIGNS TO BE PERMITTED SEPARATE TO SUBDIVISION CONSTRUCTION DOCUMENTS.
- PROPOSED SUBDIVISION IS A DUKE ENERGY PROJECT.
- PRELIMINARY SEWER ALLOCATION APPROVAL REQUIRED PRIOR TO SUBDIVISION PLAN REVIEW.

**SEE SHEET RZ-6 FOR BUILDING ELEVATIONS.**  
**SEE SHEET RZ-5 FOR OPEN SPACE AND MAINTENANCE PLAN AND IMPERVIOUS SUMMARY.**

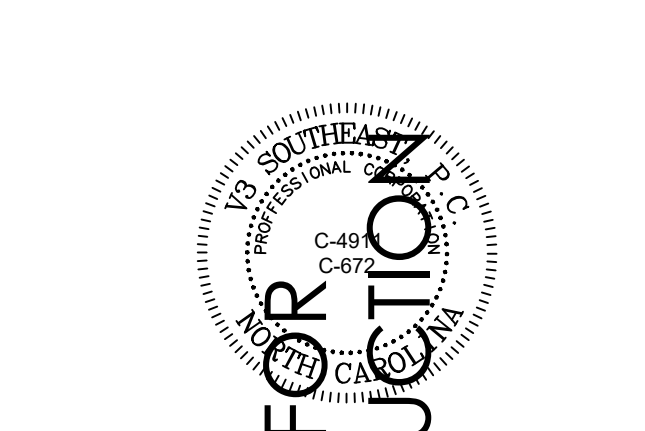


**Myers Residential on Odell**

1199 Odell School Road  
 Concord, NC 28027



**NOT FOR CONSTRUCTION**



**CONCEPTUAL MASTER PLAN**

**REVISIONS:**

NO.	DATE	DESCRIPTION
1	10.04.23	1st Day Comments

**RZ-1**

**REZONING PETITION #:** CN-RZC-2023-00014





**V3 Southeast**  
 3700 South Blvd., Suite 200  
 Charlotte, NC 28209  
 p: 704-940-2883  
 www.v3co.com

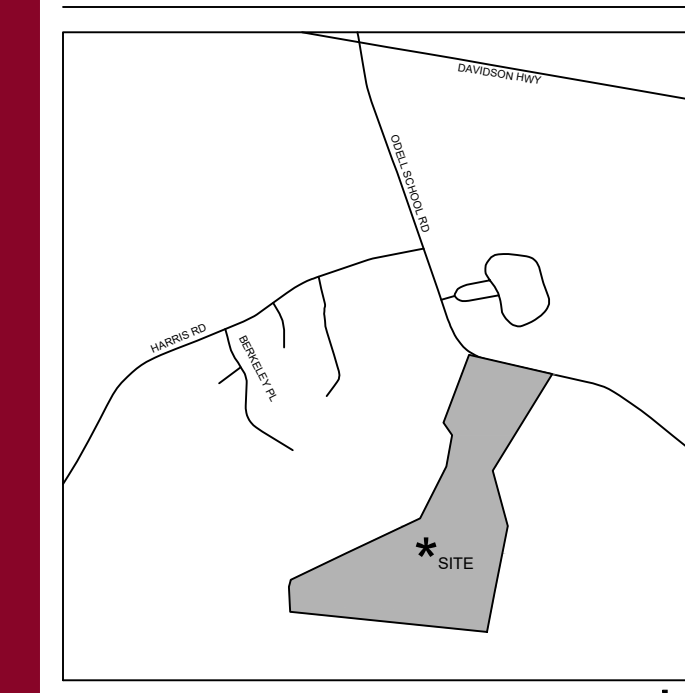


landscape architecture | planning  
 civil engineering | surveying

VISIO VERERE VIRTUTE

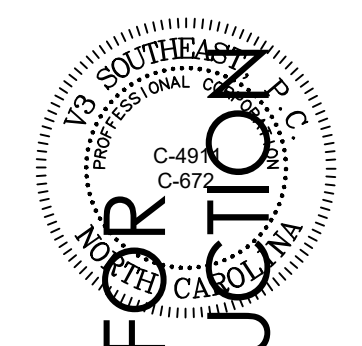
### Myers Residential on Odell

1199 Odell School Road  
 Concord, NC 28027



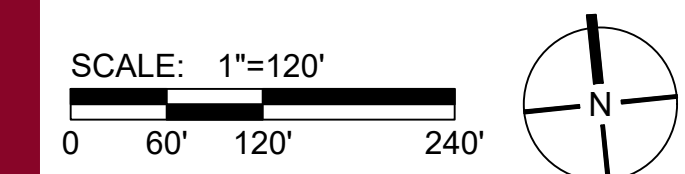
VICINITY MAP N.T.S.

TOPOGRAPHIC SURVEY DATED MONTH XX, 20XX PROVIDED BY V3  
 SOUTHEAST, P.C., 2923 S. TRYON ST., STE. 200, CHARLOTTE, NC 28203,  
 704-940-2883



NOT FOR  
 CONSTRUCTION

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 action to the fullest extent possible.



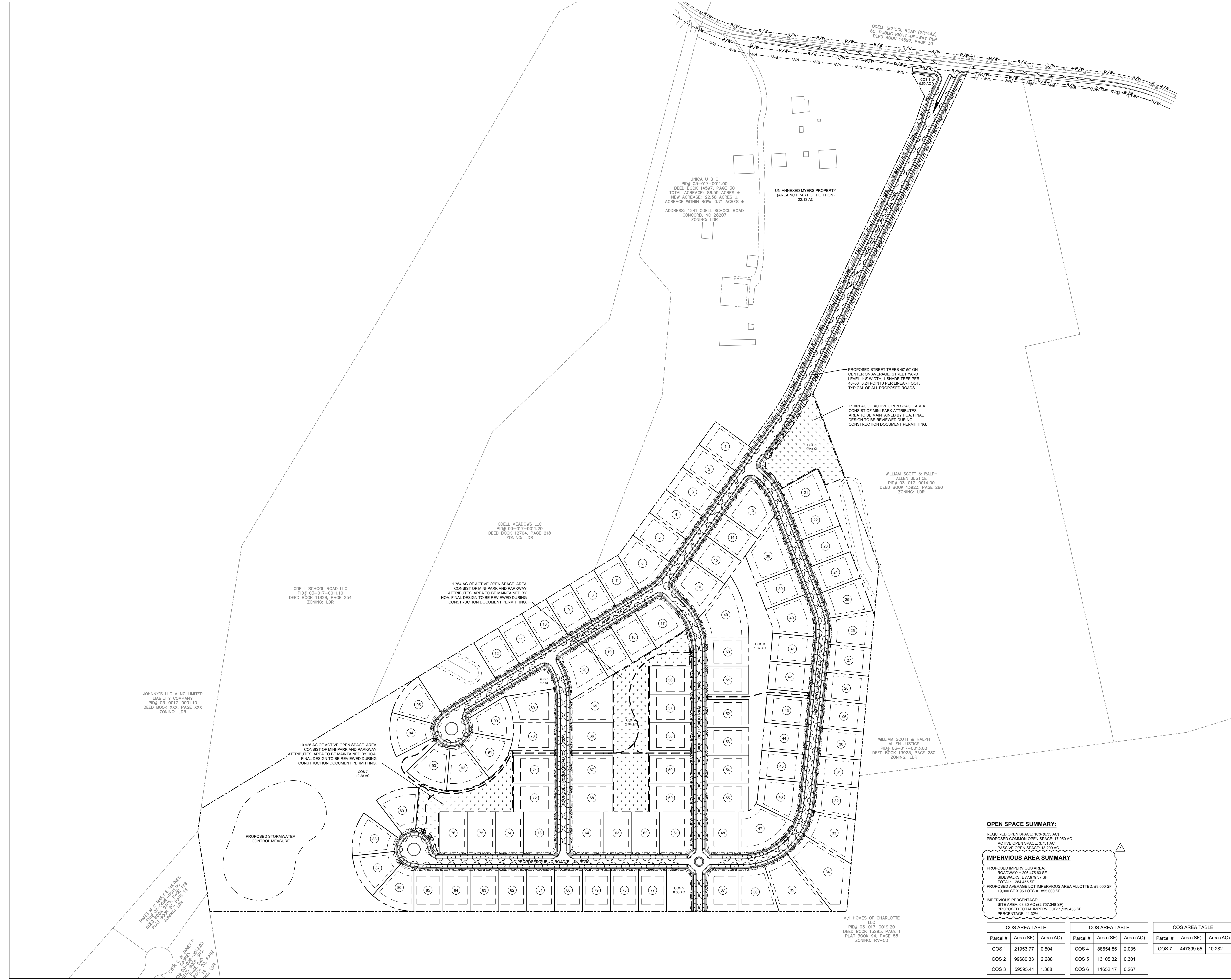
DATE: 08.16.23 PM: RAC  
 DRAWN BY: LWH REVIEWED BY: RAC  
 PROJECT NUMBER: 00952.01

#### OPEN SPACE AND MAINTENANCE PLAN

REVISIONS:		
1	10.04.23	1st City Comments
2	10.23.23	Revised Impervious Summary

**RZ-5**

REZONING PETITION #: CN-RZC-2023-00014



#### OPEN SPACE SUMMARY:

REQUIRED OPEN SPACE: 10% (8.33 AC)  
 PROPOSED COMMON OPEN SPACE: 17.050 AC  
 ACTIVE OPEN SPACE: 3.751 AC  
 PASSIVE OPEN SPACE: 13.299 AC

#### IMPERVIOUS AREA SUMMARY

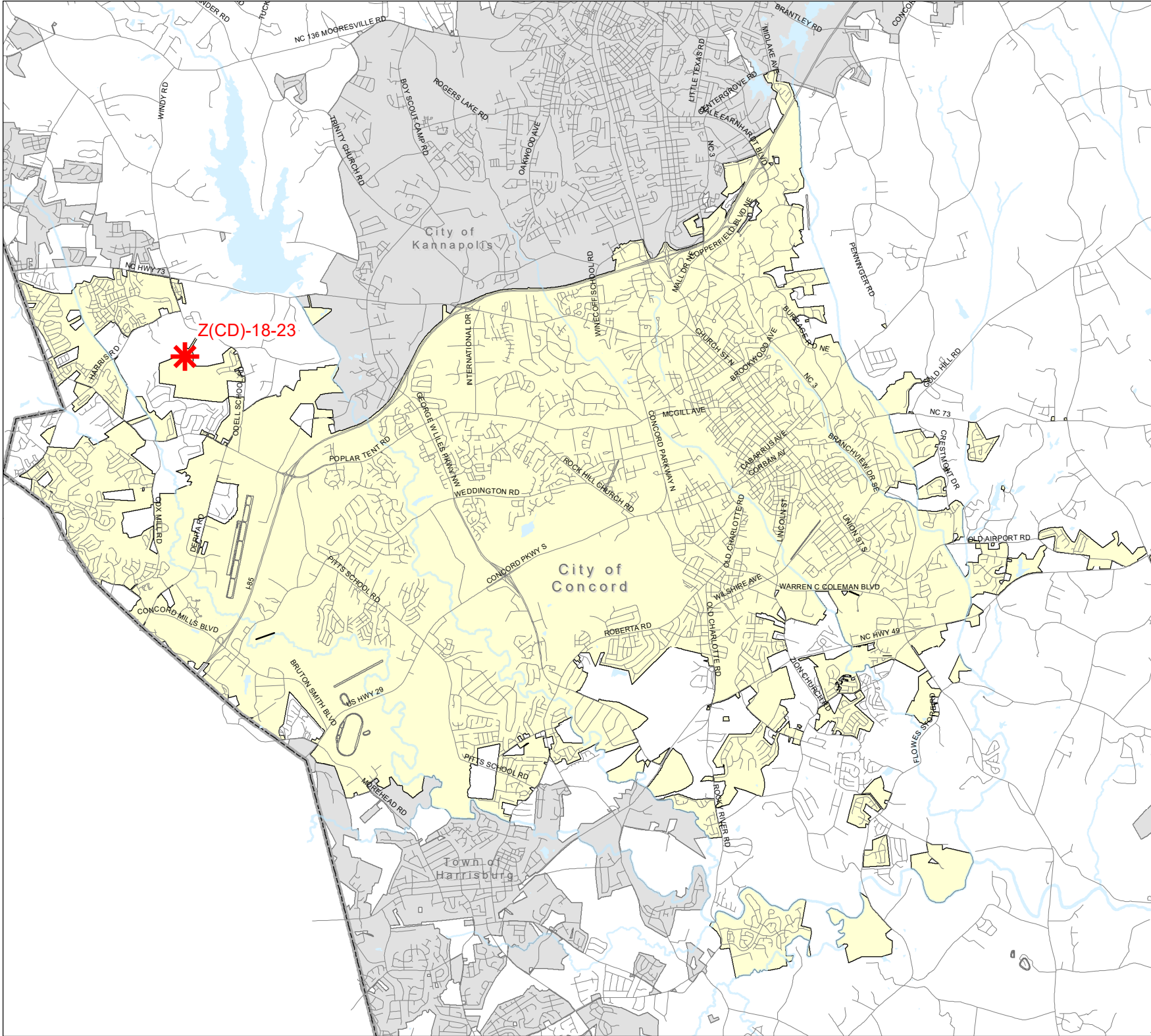
PROPOSED IMPERVIOUS AREA:  
 ROADWAY: ±206,475.63 SF  
 SIDEWALKS: ±77,979.37 SF  
 TOTAL: ±284,455 SF  
 PROPOSED AVERAGE LOT IMPERVIOUS AREA ALLOTTED: ±9,000 SF  
 ±9,000 SF X 95 LOTS = ±855,000 SF

IMPERVIOUS PERCENTAGE:  
 SITE AREA: 69.30 AC (±2,767,348 SF)  
 PROPOSED TOTAL IMPERVIOUS: 1,139,455 SF  
 PERCENTAGE: 41.32%

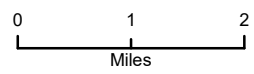
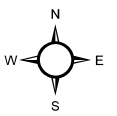
COS AREA TABLE			COS AREA TABLE			COS AREA TABLE		
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COS 2	99680.33	2.288	COS 5	13105.32	0.301			
COS 3	59595.41	1.368	COS 6	11652.17	0.267			

Z(CD)-18-23

1199 Odell School Rd



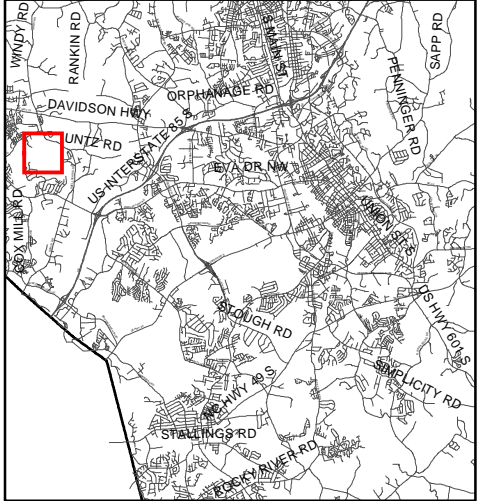
- Case Location
- Streets
- Lakes & Ponds
- Rivers
- Cabarrus Co.
- City of Concord
- Other Municipalities



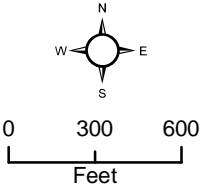
**Z(CD)-18-23  
AERIAL**

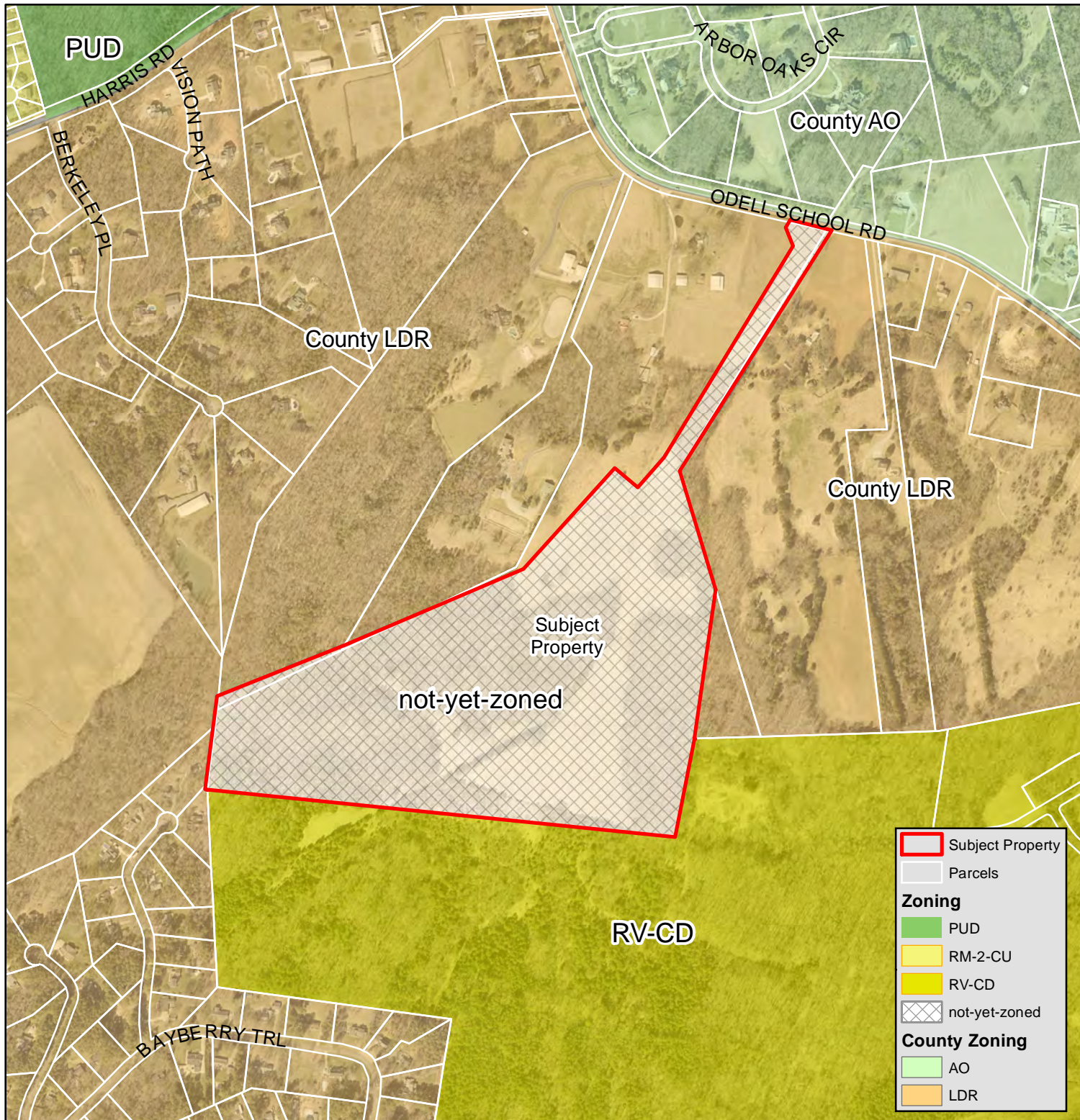
**Rezoning application  
Unzoned (formerly County LDR)  
to  
RM-2 (Residential Medium  
Density)**

1199 Odell School Rd  
PIN: 4681-64-7428 (part of)



 Subject Property  
 Parcels  
 City of Concord

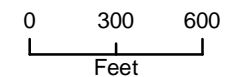
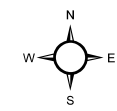
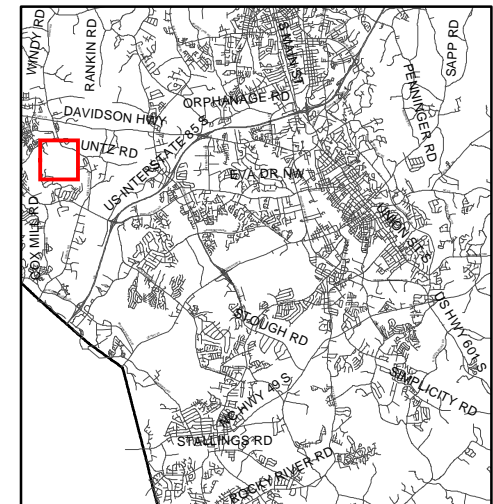




**Z(CD)-18-23  
ZONING**

**Rezoning application  
Unzoned (formerly County LDR)  
to  
RM-2 (Residential Medium  
Density)**

1199 Odell School Rd  
PIN: 4681-64-7428 (part of)







**DATE:** November 21, 2023

**SUBJECT:** Special Use Permit  
New Wireless Telecommunications Tower

**CASE:** SUP-03-23

**ACCELA:** CN-SUP-2023-00004

**APPLICANT:** Benjamin Herrick, on behalf of Verizon

**LOCATION:** 4515 Morehead Rd.  
p/o PIN 4598-56-5792

**AREA:** +/- 0.8 acres

**EXISTING LAND USE:** Existing cell tower site adjacent to gas station

**EXISTING ZONING:** C-2 (General Commercial)

**PREPARED BY:** Frederick Womble, 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 applicant is requesting to remove an existing 91’-6” temporary WCF and to construct a new 85’ freestanding non-concealed WCF (monopole) which requires a Special Use Permit per CDO Section 8.7. The subject property annexed effective on September 30, 1990.. The subject parcel is currently zoned C-2 (General Commercial). The subject parcel is approximately +/- 0.81 acres that is currently utilized as a temporary tower site for Verizon Wireless. Verizon Wireless has utilized this temporary site for the past several years to handle increased RF coverage needs to accommodate the crowds associated with annual NASCAR race events. The parent property is owned by Philip Little.

Section 8.7.3 sets forth the following dimensional requirements for Wireless Support Structures:

- A. Height: Freestanding nonconcealed wireless communication facilities (WCFs) are limited in all nonresidential districts to a maximum height of 199 feet. This measure includes the foundation of the WCF but does not include the lightning rods for the dissipation of lightning or lights required by the FAA that do not provide support for any antennae.

*The application meets this standard.*

- B. Setbacks: For WCFs shall be determined according to the underlying zoning district, plus an additional eighteen inches for every one-foot of tower height. The approving authority may grant reductions to this setback requirement as a part of the special use permit approval.

*The applicant is proposing a setback easement of 137' (10' for underlying zoning district + 1.5 x height of the tower) and any parcels affected by the tower setback are under common ownership of the landlord (Phillip Little). The applicant will provide notice to any future landowners that no additional buildings should be located inside the 137' setback easement. Additionally, the applicant states that the tower is designed with a 25' engineered fall zone radius. (See Exhibit B)*

C. Buffers:

1. A landscaped buffer shall surround the base of the WCF equipment compound. Existing trees and shrubs on the site should be preserved and may be used in lieu of required landscaping where approved by the Administrator. Grading shall be minimized and limited only to the area necessary for the new WCF.
2. If the proposed WCF is the principal use of the property then landscaping per Article 11, Landscaping and Buffering, shall be applicable. Additionally a buffer equivalent to that required for an Industrial use adjoining a Residential use shall be provided around the WCF equipment compound.

*The proposed tower is not the principal use of the property and will be located within an existing Verizon leasehold area of the larger parcel that is currently utilized as a gas station and mini-mart. There is no landscape buffer proposed for this new tower site as the applicant contends that there are no residences with direct views of the tower compound area. There is an existing parking lot/campground for RV-style camping to the north of the tower compound location. Additionally, the temporary tower that has been in use has not been screened with landscaping and the community has accepted this installation for several years. (See Exhibits B & C)*

D. Aesthetics:

3. Freestanding non-concealed WCFs, including those used for mitigation, shall be limited to monopole type antenna support structures.

*The application meets this standard.*

- E. Collocation Capacity: Freestanding non-concealed structures up to 120 feet in height shall accommodate at least two antenna arrays.

*The site has been designed to accommodate the proposed Verizon Wireless antenna loading and that of one additional user. (See Exhibits B & D)*

The applicant contends that the proposed WCF will not cause signal or frequency interference with public safety facilities or traffic control devices. Verizon Wireless operates only on licensed frequencies. They have stated that no lighting is required by the FAA, no commercial messages will be displayed, and no storage of any type will be allowed at the site. Per the TOWAIR report,

the proposed tower will require FAA notification and FCC registration. Documentation of compliance with ANSI standards for power output cannot be provided until antenna permits are applied for; seismic and foundation analysis will be provided at the building permit stage.

Verizon is the intended user of the tower, although space is available for at least one other tenant.

The application, site plan, including tower elevations, applicant's compliance statement & narrative, structural analysis 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. Applicant "Ordinance Compliance Statement and Narrative"
- D. Structural Integrity Analysis

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

1. The applicant is Benjamin Herrick, Faulk & Foster Real Estate, Inc. on behalf of Verizon Wireless and the subject property is located at 4515 Morehead Road.
2. The property is owned by Philip A. Little.
3. The subject property is zoned C-2 (General Commercial).
4. The property consists of +/- 0.8 acres of land.
5. The adopted Land Use Plan designates the property as Amusements-Motor Sports.
6. The applicant submitted an application to construct a new wireless communication facility (WCF) at 4515 Morehead Road (Exhibit A)
7. The applicant submitted a site plan, "NASCAR BP" dated August 23, 2023. (Exhibit B)
8. The applicant submitted an "Ordinance Compliance Statement and Narrative", dated June 1, 2023, which describes efforts to secure colocation within the search area and documentation provided to meet application requirements. Additionally, the applicant submitted Google Earth Street view photos of the existing temporary tower to meet the photo simulation requirements of the WCF ordinance. (Exhibit C).
9. The applicant submitted an engineer's letter regarding the structural integrity of the tower (Exhibit D).

#### **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. With special use permits, the burden of proof is on the applicant to prove compliance with the conclusions of law. The following criteria shall be issued by the Commission as the basis for review and approval of the project:

#### **General 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 applicant has provided documentation regarding additional engineering on the tower, and additional documentation will be provided that the site meets all federal, state, and local requirements. The applicant states that the site will contribute to the health, safety*



*and welfare of the surrounding community by facilitating 911 calls and provided essential communication to first responders in the event of accidents, crime, natural disasters or other emergencies in association with NASCAR events.*

- 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 applicant has submitted visualizations of the existing temporary tower from the residences in the 1,500’ zone around the tower and located along Hwy. 29 to the south/southwest of the tower site. The applicant asserts that no landscaping and screening of the tower site are necessary, as there are no residences with a direct view of the tower compound. The existing temporary WCF operated under similar conditions with no issue in terms of neighborhood character and visual impact.*

- 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 proposed unstaffed facility is a passive use which does not create any significant increase in traffic or adverse impacts that would hinder the use of surrounding properties. The facility will use the existing access easement as indicated on the drawings provided for site ingress/egress.*

- 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 proposed unstaffed facility does not create any significant glare, noise, traffic or other adverse impacts.*

- 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 majority of surrounding properties are already developed and the applicant asserts that the proposed facility will not hinder the use of the surrounding properties. The only adjacent property that is not currently developed is under the same ownership as the subject property and is presently utilized as a parking lot/campground for RV style camping.*

- F. 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.*

Per CDO Section 8.7.7 Approval Authority, subsection B.:

All freestanding non-qualifying WCFs shall be subject to a special use permit. In addition to the requirements for use permits, the approving authority, in determining whether a non-qualifying WCF is in harmony with the area or the effects and general compatibility of a non-qualifying WCF with adjacent properties may consider the aesthetic effects of the non-qualifying WCF as well as mitigating factors concerning aesthetics.

### **Aesthetics**

The Planning and Zoning Commission may disapprove an application on the grounds that the non-qualifying WCFs aesthetic effects are unacceptable, or may condition approval on changes in non-qualifying WCF height, design, style, buffers, or other features of the non-qualifying WCF or its surrounding area. Such changes need not result in performance identical to that of the original application.

Factors relevant to aesthetic effects are: the protection of the view in sensitive or particularly scenic areas and areas specially designated in adopted plans such as unique natural features, scenic roadways and historic sites, the concentration of non-qualifying WCFs in the proposed area, and whether the height, design, placement or other characteristics of the proposed non-qualifying WCF could be modified to have a less intrusive visual impact.

*The applicant has provided a visual simulation for the proposed equipment and asserts that the non-concealed monopole will minimize visual intrusiveness. Included in the application is analysis regarding the City's hierarchy of preferences for wireless telecommunications towers included in Section 8.7.2 regarding siting. A new freestanding non-concealed tower is the least-desirable facility/structure type (of four alternatives).*

### **Electromagnetic Field**

The approving authority, when considering a use permit for freestanding non-qualifying WCFs, shall not be required to make a determination of the electromagnetic field (EMF) effects of the non-qualifying WCF on the health of the public. The documentation required by this section that stipulates that the non-qualifying WCF not exceed the federal limits for power density requirements shall satisfy the applicant's compliance with this required finding.

*This application will be conditioned on antenna applicants (tenants) supplying verification that their proposed installations will meet EMF/power output standards.*

### **Siting Alternatives and Ordinance Purpose**

If the approval authority determines that the proposed additional service, coverage, or capacity to be achieved by the location of the proposed non-qualifying WCF can be achieved by use of one or more alternative non-qualifying WCFs sited in alternative locations that better serve the stated purposes set forth in this section, it may disapprove the proposed non-qualifying WCF application.

The purposes of the section are:

1. Minimize the impacts of wireless communication facilities (WCFs) on surrounding areas by establishing standards for location, structural integrity and compatibility;
2. Encourage the location and collocation of wireless communication equipment on existing structures thereby minimized new visual, aesthetic and public safety impacts, effects upon the natural environment and wildlife, and to reduce the need for additional antenna-supporting structures;
3. Encourage coordination between suppliers of wireless communication services in the City of Concord;

4. Respond to the policies embodied in the Telecommunications Act of 1996 and section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, 47 U.S.C. § 1455(a) and in accordance with the rules promulgated by the Federal Communications Commission;
5. Protect the unique natural beauty and rural character of the City while meeting the needs of its citizens to enjoy the benefits of wireless communications services; and
6. Encourage the use of public lands, buildings and structures as locations for wireless telecommunications infrastructure as a method to establish a precedence of quality concealment products that will minimize the aesthetic impact of related infrastructure while generating revenue for the City.

*The new permanent tower will replace an existing temporary tower that was used to handle crowds associated with NASCAR events. The applicant contends that there are no other existing structures in the area upon which to co-locate that would serve the specific needs of this site, which is the motor speedway.*

#### **RECOMMENDATION AND SUGGESTED CONDITIONS**

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

1. Development shall be in accordance with the “NASCAR BP” site plan and construction drawings dated 8-23-2023 (Sheets T-1 & T-2; Site Survey Sheets 1 & 2; N1; C0-C3; C8)
2. Foundation analysis will be submitted in conjunction with Building Permit application.
3. Seismic analysis will be submitted in conjunction with Building Permit application.
4. A passing structural analysis, including proposed Verizon antennas, will be submitted in conjunction with Building Permit application.
5. Tenants on tower will be responsible for submitting documentation that power outputs do not exceed maximum standards.
6. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.

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 # \_\_\_\_\_ Amount: \$ 600.00 Cash: \_\_\_\_\_  
*The application fee is nonrefundable.*



Date June 27, 2023

APPLICANT NAME: Benjamin Herrick COMPANY NAME: Faulk & Foster obo Verizon

APPLICANT ADDRESS: 420 Timberlea Drive #60

CITY: Rochester Hills STATE MI ZIP 48309

PHONE NUMBER OF APPLICANT: 248-891-9214

OWNER OF PROPERTY (if different from applicant) Philip A Little

OWNER ADDRESS: PO Box 595 CITY Harrisburg STATE NC ZIP 28075

PROJECT ADDRESS (if an address exist): 4515 Morehead Road, Concord NC 28027

P.I.N.: 45985657920000

Area of Subject Property (in acres, or square feet): approx 40,000 square feet

Lot Width: 200 Lot Depth: 200

Current Zoning Classification: C-2

Existing Land Use: Commercial gas station plus temporary cell tower

Description of Use Requested:

Commercial gas station plus permanent cell tower

**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: 6/27/2023 Applicant Signature: *Benjamin S. Herrick*

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.”  
Applicant states that the proposed use is not detrimental to or a danger to public health, safety or general welfare but will in fact benefit the public health, safety and general welfare of the area.
- (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.”  
Applicant states that the proposed use conforms to the character of the neighborhood as the site has been used seasonally for a temporary tower for several consecutive years.
- (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.”  
Applicant states that the existing ingress / egress is adequate to service the proposed facility as demonstrated by the last several years of temporary use.
- (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.”  
Applicant states that the proposed facility generates no odor, dust, smoke or gas and any noise generated by an emergency generator is minimal and sporadic.
- (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.”  
Applicant states that the proposed use will not impete the development of this area as the use is in harmony with existing uses of this property.

### 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):  
Adding one permanent wireless communication tower where the site has been used for a temporary tower for several consecutive years.
- (2) Accessory uses (if any):  
No additional accessory uses are propose.
- (3) Setback provisions:  
Permanent fall zone easement included with the lease - see attached documents.
- (4) Height provisions: Proposed tower is 85' to top of steel plus an additional 5' lightning arrester for a total height of 90' above ground level.

- 
- (5) Off-street parking and loading provisions:  
No additional parking spaces are needed; site is adequately served by existing parking
- 
- (6) Sign provisions:  
Only signage proposed is required by the FCC; see plans.
- 
- (7) Provisions for screening, landscaping and buffering:  
See narrative and ordinance compliance statement.
- 
- (8) Provisions for vehicular circulation and access to streets:  
No additional roadways or driveways are needed for this project.
- 
- (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:  
No changes to the existing impervious materials are anticipated.
- 
- (10) Adequate, safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways, off-street parking and loading spaces, facilities for waste disposal, and illumination:  
No additional facilities of this type are required for this project.
- 
- (11) An adequate amount, and safe location of, play areas for children and other recreational uses, according to the concentration of residential occupancy:  
This project will be secure from access by children.
- 
- (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):  
See attached ordinance compliance statement.
- 
- (13) Open space (including flood hazard area):  
See attached ordinance compliance statement.
- 
- (14) Improvements within the common open space:  
N/A
- 
- (15) Parking Areas:  
No additional parking is required for this project.
- 
- (16) Sidewalks, trails and bikeways:  
N/A
- 
- (17) Lighting and utilities:  
Adequate utilities already exist and have been used by the temporary facility.
- 
- (18) Site furnishings:  
N/A
- 
- (19) Adequate fire, police, water and sewer services: Site is adequately served already; no water or sewer needed.

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(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:  
See attached ordinance compliance statement.

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EXHIBIT B



8921 RESEARCH DRIVE  
CHARLOTTE, NC 28262

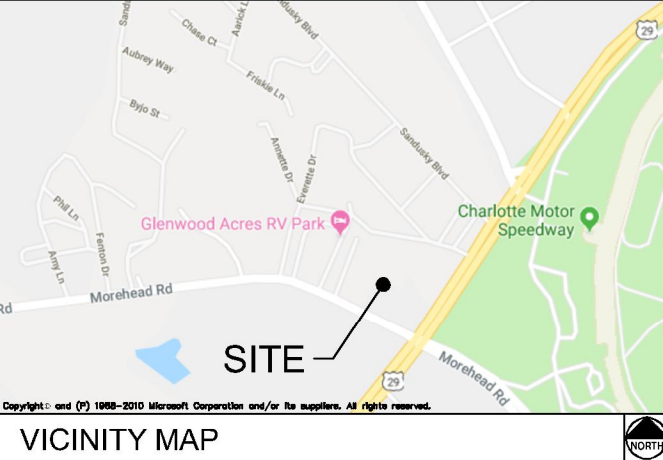
### NASCAR BP

#### SITE ADDRESS (E-911 TBD)

4515 MOREHEAD ROAD  
CONCORD, NC 28027  
CABARRUS COUNTY  
LATITUDE: 35° 21' 01.7" N  
LONGITUDE: 80° 41' 29.8" W  
TAX/PIN #: 45985657920000  
ZONING: C-2

**CONCORD POLICE DEPARTMENT**  
8111 CONCORD MILLS BOULVD #100  
CONCORD, NC 28027  
PHONE: (704) 979-1000  
ATTN.: CUSTOMER SERVICE

**CONCORD FIRE DEPARTMENT-STATION 11**  
8955 WEDDINGTON RD  
CONCORD, NC 28027  
PHONE: (704) 920-5516  
ATTN.: CUSTOMER SERVICE



FROM CHARLOTTE OFFICE: HEAD SOUTHWEST TOWARD RESEARCH DR 276 FT; TURN RIGHT ONTO RESEARCH DR 0.4 MI; TURN LEFT ONTO W W.T.HARRIS BLVD 0.4 MI; TURN LEFT ONTO THE INTERSTATE 85 N RAMP 0.3 MI; MERGE ONTO I-85 N 2.0 MI; USE THE RIGHT 2 LANES TO TAKE EXIT 48 TOWARD MATTHEWS 0.9 MI; MERGE ONTO I-485 INNER 0.3 MI; USE THE RIGHT 2 LANES TO TAKE EXIT 32 FOR US 29 N 0.4 MI; USE ANY LANE TO TURN LEFT ONTO US-29 N 2.3 MI; TURN LEFT ONTO MOREHEAD RD AND THE SITE WILL BE ON THE RIGHT 433 FT

#### DRIVING DIRECTIONS

**MUNICIPALITY:**  
CITY OF CONCORD

**STATE:**  
NORTH CAROLINA

**TOWER TYPE:**  
MONOPOLE TOWER

**TOWER HEIGHT:**  
85' (90' TO HIGHEST APPURTENANCE)

**NUMBER OF CARRIERS:**  
0 EXISTING, 1 PROPOSED

**USE:**  
PROPOSED TELECOMMUNICATIONS TOWER AND UNMANNED EQUIPMENT

**FLOOD INFO**  
SITE IS LOCATED WITHIN FEMA FLOOD MAP AREA 3710459800L DATED 11/16/18 WITHIN FLOOD ZONE X.

**PROJECT SUMMARY**

**DEVELOPER**  
VERIZON WIRELESS  
8921 RESEARCH DRIVE  
CHARLOTTE, NC 28262  
PHONE: (704) 577-8785  
ATTN: MICHAEL HAVEN

**POWER COMPANY**  
DUKE ENERGY  
PHONE: (800) 777-9898  
ATTN.: CUSTOMER SERVICE

**PROPERTY OWNER**  
PHILLIP A. LITTLE  
4521 MOREHEAD RD  
CONCORD, NC 28027  
PHONE: N/A  
ATTN.: N/A

**CONSULTANT**  
KIMLEY-HORN AND ASSOCIATES, INC.  
11720 AMBER PARK DRIVE, SUITE 600  
ALPHARETTA, GEORGIA 30009  
PHONE: (770) 545-6105  
ATTN.: DAVID FRANKLIN

**CONTACTS**

SHEET NO.	SHEET TITLE
T1	COVER SHEET
T2	APPENDIX B - BUILDING CODE SUMMARY
--	SITE SURVEY (SHEET 1 OF 2)
--	SITE SURVEY (SHEET 2 OF 2)
N1	GENERAL NOTES
C0	DEMO PLAN
C1	OVERALL PARCEL PLAN
C1.1	OVERALL SITE PLAN
C2	SITE PLAN
C3	EQUIPMENT PAD LAYOUT
C4	EQUIPMENT RACK DETAIL - FRONT
C5	EQUIPMENT RACK DETAIL - REAR
C6	FENCE POST LOCATION DETAIL
C6.1	FENCE DETAILS
C6.2	FENCE DETAILS
C7	SITE SIGNAGE DETAILS
C8	ANTENNA AND TOWER ELEVATION DETAILS
M1	MECHANICAL PLAN AND NOTES
E1	ELECTRICAL NOTES
E2	UTILITY SERVICE ROUTING PLAN
E2.1	EXISTING METER RACK
E3	OVERALL UTILITY ROUTING PLAN
E4	ELECTRICAL SINGLE LINE DIAGRAM
E5	PANEL SCHEDULE
E6	ELECTRICAL DETAILS
E6.1	PAD MOUNTED CABLE TRAY DETAILS
E7	GROUNDING NOTES
E8	GROUNDING PLAN
E9	GROUNDING SINGLE LINE DIAGRAM
E10	GROUNDING DETAILS
E11	GROUNDING DETAILS

#### SHEET INDEX

**CITY OF CONCORD PLANNING & NEIGHBORHOOD DEVELOPMENT DEPARTMENT**  
35 CABARRUS AVE W  
CONCORD, NC 28025  
PHONE: (704) 920-5152  
ATTN.: CUSTOMER SERVICE

#### PERMIT INFORMATION

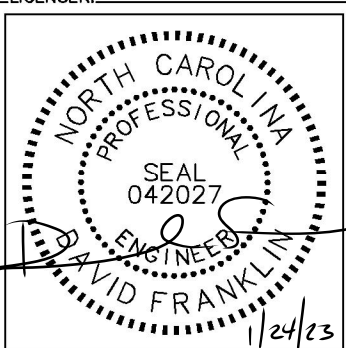


**PROJECT INFORMATION:**  
SITE NAME:  
NASCAR BP  
SITE No.: 398899  
PROJECT #: 20151304684  
4515 MOREHEAD ROAD  
CONCORD, NC 28027  
CABARRUS COUNTY

**PLANS PREPARED BY:**  
**Kimley»Horn**  
11720 AMBER PARK DRIVE, SUITE 600  
ALPHARETTA, GA 30009  
PHONE: 770-619-4280  
WWW.KIMLEY-HORN.COM  
NC License F-0102

REV: DATE: ISSUED FOR: BY:

REV	DATE	ISSUED FOR	BY
8			
7			
6			
5			
4	01/18/23	CONSTRUCTION	DMF
3	07/01/20	CONSTRUCTION	DMF
2	08/21/19	CONSTRUCTION	DMF
1	08/06/19	CONSTRUCTION	DMF
0	04/10/19	CONSTRUCTION	DMF



**KHA PROJECT NUMBER:**  
018985878

**DRAWN BY:** KAB **CHECKED BY:** TDM

**SHEET TITLE:**  
COVER SHEET

**SHEET NUMBER:**  
T1

K:\ATL\_Wireless\000\_Verizon\2016\_Sites\Nascar\CAD\2019\CAD\CD\ECor-GB.dwg 01/24/23 2:12 PM by: christopher.strange

2018 APPENDIX B BUILDING CODE SUMMARY FOR ALL COMMERCIAL PROJECTS (EXCEPT 1 AND 2-FAMILY DWELLINGS AND TOWNHOUSES)

Name of Project: VERIZON WIRELESS - NASCAR BP
Address: 4515 MOREHEAD ROAD, CONCORD, NC
Owner/Authorized Agent: DAVID FRANKLIN

Table with columns: DESIGNER, FIRM, NAME, LICENSE #, TELEPHONE #, E-MAIL. Includes David Franklin, Kimley-Horn & Assoc.

2018 NC BUILDING CODE: New Building, Addition, or Renovation. Includes checkboxes for existing building code and risk category.

BASIC BUILDING DATA. Includes checkboxes for construction type, sprinklers, standpipes, and fire district.

Gross Building Area Table. Columns: FLOOR, EXISTING (SQ FT), NEW (SQ FT), SUB-TOTAL. Includes 3rd Floor, 2nd Floor, Mezzanine, 1st Floor, and Basement.

ALLOWABLE AREA. Includes checkboxes for Assembly, Business, Educational, Factory, Hazardous, Institutional, Mercantile, Residential, and Storage.

Accessory Occupancy Classification(s). Includes checkboxes for Non-separated Use and Separated Use.

Frontage area increases from Section 506.2 are computed thus:
a. Perimeter which fronts a public way or open space having 20 feet minimum width = (F)
b. Total Building Perimeter = (P)
c. Ratio (F/P) = (F/P)
d. W = Minimum width of public way = (W)
e. Percent of frontage increase Fp = 100[(F/P) - 0.25] x W/30 = (%)

ALLOWABLE HEIGHT. Table with columns: ALLOWABLE, SHOWN ON PLANS, CODE REFERENCE. Includes Building Height in Feet (Table 504.3) and Building Height in Stories (Table 504.4).

Provide code reference if "Shown on Plans" quantity is not based on Table 504.3 or 504.4.

FIRE PROTECTION REQUIREMENTS

Table with columns: BUILDING ELEMENT, FIRE SEPARATION DISTANCE (FEET), RATING, DETAIL # AND SHEET #, DESIGN # FOR RATED ASSEMBLY, SHEET # FOR RATED PENETRATION, SHEET # FOR RATED JOINTS. Includes Structural Frame, Bearing Walls, Nonbearing Walls and Partitions, Floor Construction, etc.

PERCENTAGE OF WALL OPENING CALCULATIONS

Table with columns: FIRE SEPARATION DISTANCE (FEET) FROM PROPERTY LINES, DEGREE OF OPENINGS PROTECTION (TABLE 705.8), ALLOWABLE AREA (%), ACTUAL SHOWN ON PLANS (%).

LIFE SAFETY SYSTEM REQUIREMENTS

Emergency Lighting, Exit Signs, Fire Alarm, Smoke Detection Systems, Carbon Monoxide Detection.

LIFE SAFETY PLAN REQUIREMENTS

- List of requirements including Fire and/or smoke rated wall locations, Exterior wall opening area with respect to distance to assumed property lines, Occupancy Use for each area, etc.

ACCESSIBLE DWELLING UNITS (SECTION 1107). Table with columns: TOTAL UNITS, ACCESSIBLE UNITS REQUIRED, ACCESSIBLE UNITS PROVIDED, TYPE A UNITS REQUIRED, TYPE A UNITS PROVIDED, TYPE B UNITS REQUIRED, TYPE B UNITS PROVIDED, TOTAL ACCESSIBLE UNITS PROVIDED.

ACCESSIBLE PARKING (SECTION 1106). Table with columns: LOT OR PARKING AREA, TOTAL # OF PARKING SPACES, # OF ACCESSIBLE SPACES PROVIDED, TOTAL # ACCESSIBLE UNITS PROVIDED.

PLUMBING FIXTURE REQUIREMENTS (TABLE 2902.1)

Table with columns: USE, WATERCLOSETS, URINALS, LAVATORIES, SHOWERS, DRINKING FOUNTAINS. Includes sub-columns for Male, Female, Unisex.

SPECIAL APPROVALS

Special approval: Local Jurisdiction, Department of Insurance, OSC, DPI, DHHS, etc., describe below.

ENERGY SUMMARY

The following data shall be considered minimum and any special attribute required to meet the energy code shall also be provided.

Exempt Building, Climate Zone, Method of Compliance. Includes checkboxes for Performance or Prescriptive.

THERMAL ENVELOPE (Prescriptive method only)

Roof/Ceiling Assembly, Exterior Walls, Walls below grade. Includes U-Value, R-Value, and Skylight information.

Floors over unconditioned space. Includes U-Value, R-Value, and insulation information.

Floors slab on grade. Includes U-Value, R-Value, and insulation information.

NOTE: SCOPE OF WORK INCLUDES INSTALLATION OF PRE-FABRICATED CONCRETE FOUNDATION SYSTEM, STEEL CELL TOWER, AND PRE-FABRICATED EQUIPMENT CABINETS.

2018 APPENDIX B BUILDING CODE SUMMARY FOR ALL COMMERCIAL PROJECTS (STRUCTURAL DESIGN)

DESIGN LOADS. Includes Importance Factors, Live Loads, Ground Snow Load, and Wind Load.

SEISMIC DESIGN CATEGORY. Includes checkboxes for A, B, C, D and Risk Category parameters.

Basic structural system. Includes checkboxes for Bearing Wall, Building Frame, Moment Frame, etc.

LATERAL DESIGN CONTROL. Includes checkboxes for Earthquake and Wind.

SOIL BEARING CAPACITIES. Includes checkboxes for Field Test and Presumptive Bearing capacity.

2018 APPENDIX B BUILDING CODE SUMMARY FOR ALL COMMERCIAL PROJECTS (MECHANICAL DESIGN)

MECHANICAL SUMMARY

MECHANICAL SYSTEMS, SERVICE SYSTEMS AND EQUIPMENT. Includes Thermal Zone, Interior design conditions, Building heating/cooling load, Mechanical Spacing Conditioning System, List equipment efficiencies.

2018 APPENDIX B BUILDING CODE SUMMARY FOR ALL COMMERCIAL PROJECTS (ELECTRICAL DESIGN)

ELECTRICAL SUMMARY

ELECTRICAL SYSTEM AND EQUIPMENT. Includes Method of Compliance, Lighting schedule, and Additional Efficiency Package Options.

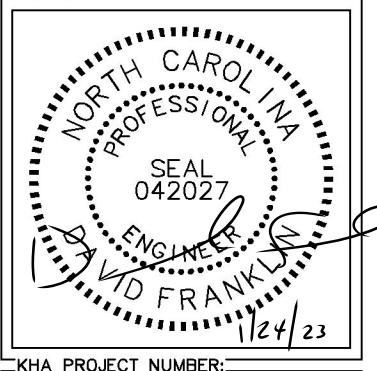


PROJECT INFORMATION: SITE NAME: NASCAR BP, SITE No.: 398899, PROJECT #: 20151304684, 4515 MOREHEAD ROAD, CONCORD, NC 28027, CABARRUS COUNTY



Table with columns: REV, DATE, ISSUED FOR, BY. Includes revisions 8, 7, 6, 5, 4, 3, 2, 1, 0.

LICENSER table with columns: REV, DATE, ISSUED FOR, BY. Includes entries for 01/18/23 and 04/10/19.



KHA PROJECT NUMBER: 018985878

DRAWN BY: KAB, CHECKED BY: TDM

SHEET TITLE: APPENDIX B - BUILDING CODE SUMMARY

SHEET NUMBER: T2

Vertical text on the left margin: K:\ATL\_Wireless\000\_Verizon\2016 Sites\Nascar\CAD\2019\CAD\GD\ECor-GB.dwg, 01/24/23 2:12 PM by: chris.tophler.strange

**NOTES**

- THIS SITE SURVEY HAS BEEN PREPARED PARTIALLY FROM AN ACTUAL FIELD SURVEY AND PARTIALLY FROM MAPS AND DEEDS OF RECORD.
- PROPERTY SUBJECT TO ANY VALID & ENFORCEABLE EASEMENTS, RESTRICTIONS & RIGHT OF WAY OF RECORD.
- ALL PROPERTY OWNERS ARE NOW OR FORMERLY. ADJACENT OWNER INFORMATION TAKEN FROM COUNTY TAX RECORDS.
- AREA BY COMPUTER (COORDINATE METHOD).
- ALL DISTANCES SHOWN ARE GROUND DISTANCES UNLESS OTHERWISE NOTED.
- NORTH ORIENTATION BASED UPON NC GRID AND WAS ESTABLISHED BY SURVEY GRADE LEICA DUAL FREQUENCY GPS RECEIVER.
- THIS MAP IS OF LEASED PROPERTY AND DOES NOT CREATE A SUBDIVISION OF LAND.
- THIS MAP IS FOR LEASE PURPOSES AND IS NOT A BOUNDARY SURVEY OF THE ENTIRE TRACT.
- SUBJECT PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE AS PER FEMA FIRM COMMUNITY PANEL NUMBER 3710459800K, EFFECTIVE DATE OF MARCH 2, 2009.

**LEGEND**

- = COMPUTED POINT
- D.B. = DEED BOOK
- EOP = EDGE OF PAVEMENT
- IPF = #4 REBAR FOUND
- IPS = #4 REBAR SET
- MOB = MOBILE HOME
- R/W = RIGHT OF WAY

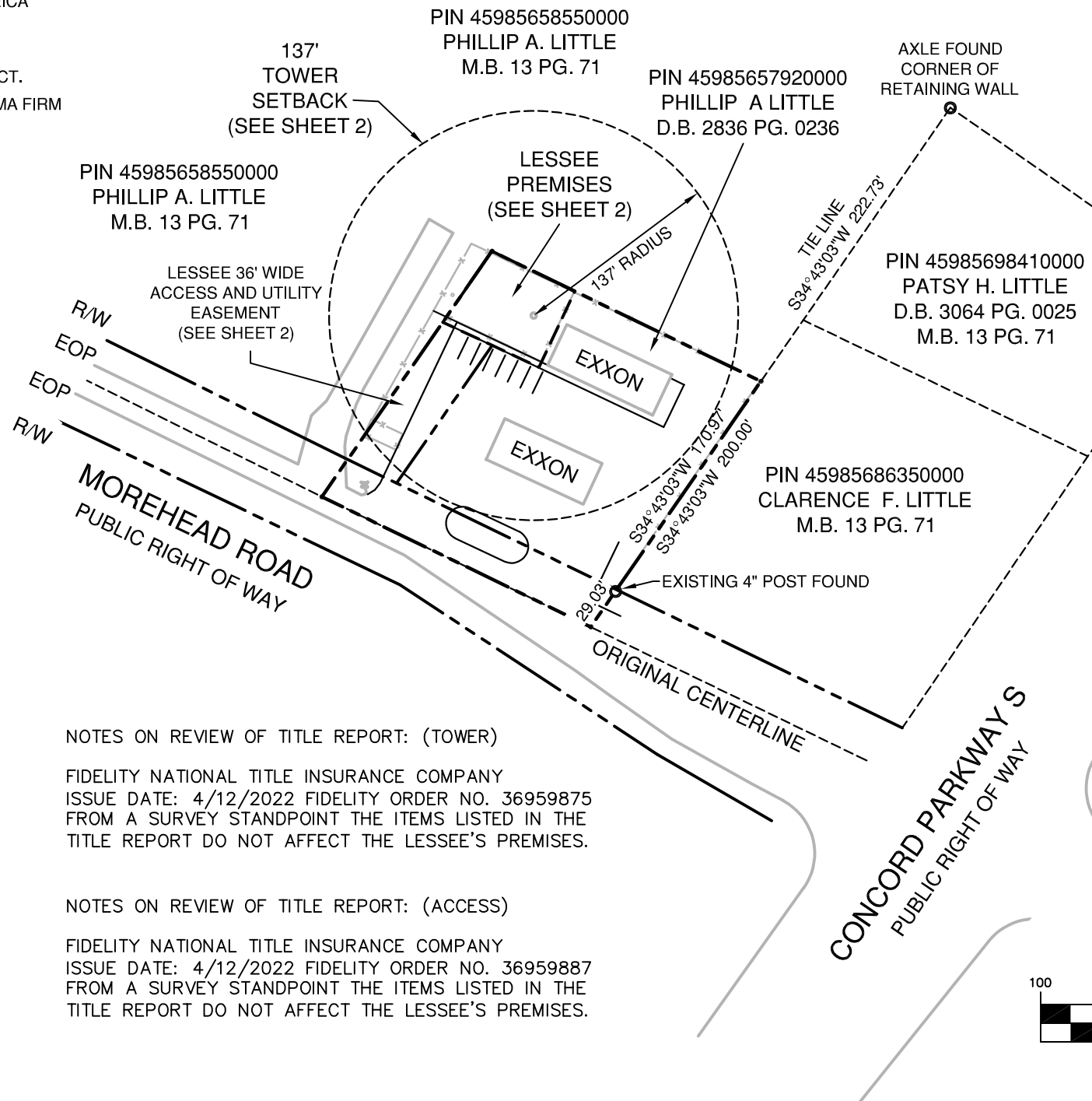
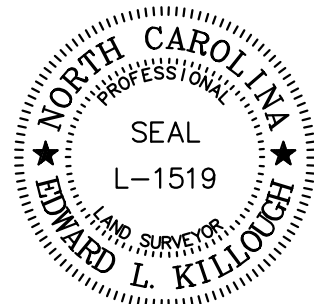
**LINETYPE LEGEND**

- = PARENT TRACT PARCEL LINES
- - - = ADJACENT PARCEL LINES
- - - = LESSEE LEASE LINES
- x - x - = FENCE LINES
- - - = EASEMENT LINES

I HEREBY CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION AND ACCURATELY DEPICTS THE LOCATIONS OF THIS SITE AS SURVEYED IN THE FIELD AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN. I FURTHER CERTIFY THAT THIS MAP WAS DRAWN BY ME FROM AN ACTUAL GPS SURVEY MADE BY ME AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY

1. CLASS OF SURVEY: A
2. POSITIONAL ACCURACY: <0.10'
3. TYPE OF GPS SURVEY PROCEDURE: NCGS NETWORK RTK USING A LEICA GS14 RECEIVER
4. DATES OF SURVEY: DECEMBER 8, 2016
5. DATUM/EPOCH: NAD 83(NSRS2011)
6. PUBLISHED/FIXED-CONTROL: VRS NETWORK
7. GEOID MODEL: GEOID12B (CONUS)
8. COMBINED GRID FACTOR: 0.999844
9. UNITS: U.S. SURVEY FEET

*Edward L. Killough*  
 EDWARD L. KILLOUGH L-1519 DATE: 1/24/23  
 P.O. BOX 369  
 INDIAN TRAIL, NC 28079  
 TELEPHONE NO. 704 821-7111

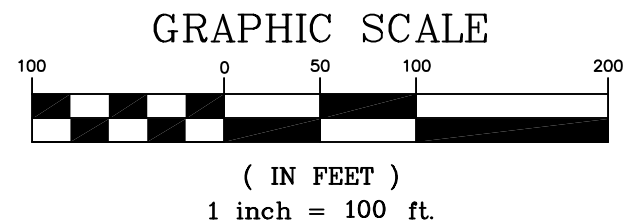
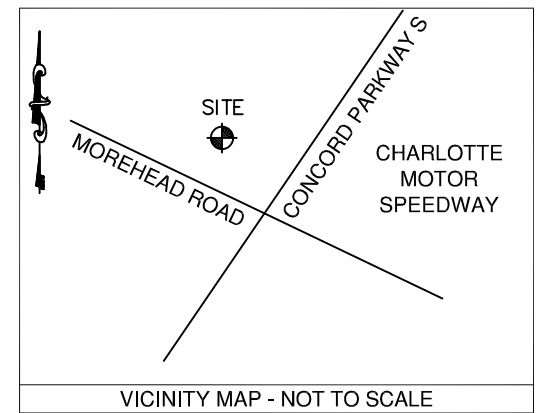


**NOTES ON REVIEW OF TITLE REPORT: (TOWER)**

FIDELITY NATIONAL TITLE INSURANCE COMPANY  
 ISSUE DATE: 4/12/2022 FIDELITY ORDER NO. 36959875  
 FROM A SURVEY STANDPOINT THE ITEMS LISTED IN THE TITLE REPORT DO NOT AFFECT THE LESSEE'S PREMISES.

**NOTES ON REVIEW OF TITLE REPORT: (ACCESS)**

FIDELITY NATIONAL TITLE INSURANCE COMPANY  
 ISSUE DATE: 4/12/2022 FIDELITY ORDER NO. 36959887  
 FROM A SURVEY STANDPOINT THE ITEMS LISTED IN THE TITLE REPORT DO NOT AFFECT THE LESSEE'S PREMISES.



**Kimley»Horn**  
 11720 AMBER PARK DRIVE, SUITE 600, ALPHARETTA, GA 30009  
 PHONE: 770-825-0744 WWW.KIMLEY-HORN.COM

Drawn by: EK Check by: EK Approved by: EK Date: 1/24/23

**NASCAR BP**  
 4515 MOREHEAD ROAD  
 CONCORD, NC 28027  
 CABARRUS COUNTY

**verizon wireless**  
 Cellco Partnership d/b/a Verizon Wireless

REVISIONS			
No.	DATE	DESCRIPTION	BY
3	1/24/23	ADDED 137' TOWER SETBACK AND REISSUED	EK
2	6/27/19	REVISED ACCESS AND UTILITY EASEMENT AND REISSUED	EK
1	3/23/18	CHANGED TEXT PER ATTORNEY REQUEST AND REISSUED	EK
0	1/25/18	ISSUED AS FINAL DRAWING	EK
A1	10/25/17	ISSUED FOR REVIEW	EK

**SITE SURVEY**  
**PROPOSED TOWER**  
 DRAWING No. SHEET 1 OF 2  
 REV 3



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**1.00 GENERAL NOTES**

- 1.01 ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE DRAWINGS AND SPECIFICATIONS. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE STATE, LOCAL AND NATIONAL CODES, ORDINANCES AND OR REGULATIONS APPLICABLE TO THIS PROJECT.
- 1.02 THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE WORK OF ALL TRADES AND SHALL CHECK ALL DIMENSIONS. ALL DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE PROJECT MANAGER AND/OR ENGINEER AND BE RESOLVED BEFORE PROCEEDING WITH WORK. WHERE THERE IS A CONFLICT BETWEEN DRAWING AND VERIZON SPECIFICATIONS, THE VERIZON PROJECT ENGINEER SHOULD BE CONTACTED FOR CLARIFICATION.
- 1.03 ALL INFORMATION SHOWN ON THE DRAWINGS RELATIVE TO EXISTING CONDITIONS IS GIVEN AS THE BEST PRESENT KNOWLEDGE, BUT WITHOUT GUARANTEE OF ACCURACY. WHERE ACTUAL CONDITIONS CONFLICT WITH THE DRAWINGS, THEY SHALL BE REPORTED TO THE PROJECT MANAGER AND/OR ENGINEER SO THAT PROPER REVISIONS MAY BE MADE. MODIFICATION OF DETAILS OF CONSTRUCTION SHALL NOT BE MADE WITHOUT WRITTEN APPROVAL OF THE PROJECT MANAGER AND/OR ENGINEER.
- 1.04 CONTRACTOR SHALL REVIEW AND BE FAMILIAR WITH SITE CONDITIONS AS SHOWN ON THE ATTACHED SITE PLAN AND/OR SURVEY DRAWINGS.
- 1.05 WAVEGUIDE BRIDGE AND EQUIPMENT CABINETS ARE SHOWN FOR REFERENCE ONLY. REFER TO SEPARATE DRAWINGS FOR SPECIFIC INFORMATION.
- 1.06 ALL FINISHED GRADES SHALL SLOPE MINIMUM 1/4 IN./FT. AWAY FROM EQUIPMENT IN ALL DIRECTIONS. CONTRACTOR SHALL SLOPE SWALES AS REQUIRED ALONG EXISTING TERRAIN TO DRAIN AWAY FROM COMPOUND AND ACCESS DRIVE.
- 1.07 THE PROPOSED TOWER AND TOWER FOUNDATIONS WERE DESIGNED BY OTHERS. TOWER INFORMATION PROVIDED ON THESE PLANS ARE PROVIDED FOR REFERENCE PURPOSES ONLY. NOTIFY ENGINEER OR PROJECT MANAGER OF ANY CONFLICTS OR DISCREPANCIES. CONTRACTOR TO OBTAIN COPY OF TOWER DESIGN DRAWINGS, IF AVAILABLE, FROM VERIZON PROJECT MANAGER TO CONFIRM COAX ROUTING AND ANTENNA MOUNT INFORMATION.
- 1.08 THE CONTRACTOR SHALL PROVIDE ADEQUATE EXCAVATION SLOPING, SHORING, BRACING, AND GUYS IN ACCORDANCE WITH ALL NATIONAL, STATE, AND LOCAL SAFETY ORDINANCES.
- 1.09 UPON COMPLETION OF CONSTRUCTION, CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE CAUSED BY CONSTRUCTION ACTIVITIES TO THE EXISTING ACCESS ROAD AND COMPOUND GRAVEL AREAS. ANY NEW FILL MATERIALS SHALL BE COMPACTED.
- 1.10 THE CONTRACTOR IS HEREBY NOTIFIED THAT PRIOR TO COMMENCING CONSTRUCTION, HE IS RESPONSIBLE FOR CONTACTING THE UTILITY COMPANIES INVOLVED AND SHALL REQUEST A VERIFICATION AT THE CONSTRUCTION SITE OF THE LOCATIONS OF THEIR UNDERGROUND UTILITIES AND WHERE THEY MAY POSSIBLY CONFLICT WITH THE PLACEMENT OF IMPROVEMENTS AS SHOWN ON THESE PLANS. THE CONTRACTOR OR ANY SUBCONTRACTOR FOR THIS CONTRACT WILL BE REQUIRED TO NOTIFY "NORTH CAROLINA 811" 48 HOURS IN ADVANCE OF PERFORMING ANY WORK BY CALLING THE TOLL FREE NUMBER (800) 632-4949 (OR 811). ANY UTILITIES DAMAGED BY CONSTRUCTION ACTIVITIES SHALL BE REPAIRED BY THE CONTRACTOR, AT NO EXPENSE TO THE OWNER.
- 1.11 CONTRACTOR TO PROVIDE DUMPSTER AND PORTABLE TOILET FACILITY DURING CONSTRUCTION.
- 1.12 CONTRACTOR TO PROVIDE STYMIE LOCK OR EQUIVALENT AS APPROVED BY VERIZON PROJECT MANAGER.
- 1.13 CONTRACTOR TO PROVIDE ANY NECESSARY SIGNAGE PER VERIZON PROJECT MANAGER'S INSTRUCTIONS. SEE DETAIL ON SHEET C11.

**2.00 GENERAL STRUCTURAL NOTES**

- 2.01 DESIGN: 2012 INTERNATIONAL BUILDING CODE WITH SOUTH CAROLINA AMENDMENTS.
- 2.02 STRUCTURAL STEEL W SHAPES SHALL CONFORM TO THE REQUIREMENTS OF ASTM A992 GR. 50. TUBING SHALL CONFORM TO ASTM A-500 GR. B. PIPE SHALL CONFORM TO ASTM A53 GR. B. CHANNELS AND ALL OTHER STRUCTURAL STEEL SHALL CONFORM TO ASTM A36 UNLESS OTHERWISE NOTED.
- 2.03 ALL DETAILING, FABRICATION, AND ERECTION OF STRUCTURAL STEEL, UNLESS OTHERWISE NOTED, SHALL CONFORM TO THE REQUIREMENTS OF THE AISC SPECIFICATIONS FOR BUILDINGS, LATEST EDITION.
- 2.04 WELDING SHALL BE DONE BY AN AWS CERTIFIED WELDER AND IN COMPLIANCE WITH AWS D1.1 ALL WELDS SIZES SHALL BE THE MAXIMUM ALLOWED BY THE MATERIAL BEING WELDED WITH E70XX ELECTRODES.
- 2.05 UNLESS OTHERWISE NOTED, ALL FIELD CONNECTIONS SHALL BE FULL DEPTH CONNECTIONS MADE WITH 3/4" DIAMETER HIGH STRENGTH BOLTS (ASTM A325-X).
- 2.06 CONNECTIONS SHALL BE DESIGNED AS BEARING TYPE WITH THREADS EXCLUDED FROM THE SHEAR PLANE.
- 2.07 HOT DIP GALVANIZE ALL STRUCTURAL STEEL, GRATING, HANDRAILS, AND HARDWARE. TOUCH UP ALL FIELD WELDS AND ABRADED AREAS WITH GALVANIZING PAINT. REPAIR OF ABRADED OR UNCOATED AREAS SHALL CONFORM TO THE LATEST VERSION OF ASTM A780-93A.
- 2.08 GALVANIZED STEEL SUBJECTED TO FIELD WELDING FOR STRUCTURAL CONNECTIONS SHALL BE PROPERLY PREPARED FOR A MINIMUM DISTANCE OF 1 INCH FROM THE WELD. APPROVED METHODS OF PREPARATION INCLUDE USING SUITABLE MASKING MATERIALS PRIOR TO GALVANIZING IN THE SHOP OR GRINDING THE COATING OFF IN THE FIELD. AFTER WELDING, APPLY EPOXY ZINC COATING SYSTEM SHERWIN-WILLIAMS AEROSOL ZINC CLAD 5 OR ENGINEER APPROVED EQUAL PER MANUFACTURER'S RECOMMENDATIONS.
- 2.09 CONTRACTOR / STEEL FABRICATOR SHALL VERIFY ALL DIMENSIONS, EXISTING COLUMN LOCATIONS, AND LOAD BEARING COLUMNS AS REQUIRED BEFORE FABRICATION OF ANY STEEL.
- 2.10 CONTRACTOR / STEEL FABRICATOR SHALL CONFORM TO THE MINIMUM EDGE DISTANCE REQUIREMENTS IN ACCORDANCE TO THE LATEST EDITION OF THE AISC MANUAL OF STEEL CONSTRUCTION.
- 2.11 ALL STRUCTURAL STEEL SHALL BE FABRICATED TO FIT AT BOLTED CONNECTIONS WITHIN 1/16 INCH TOLERANCE. STRUCTURAL STEEL SHALL NOT BE FLAME CUT UNDER ANY CIRCUMSTANCES WITHOUT APPROVAL OF THE ENGINEER.
- 2.12 CONTRACTOR / STEEL FABRICATOR SHALL CAP OR SEAL ALL PIPES/TUBES AS REQUIRED TO PREVENT RAINWATER INTRUSION.
- 2.13 CONTRACTOR / STEEL FABRICATOR SHALL SUBMIT SHOP DRAWINGS FOR ENGINEER'S REVIEW PRIOR TO ANY STEEL FABRICATION. AT THE CONTRACTOR'S OPTION, FIELD SPLICES MAY BE USED FOR ERECTION PURPOSES. IF FIELD SPLICES ARE USED, THE SHOP DRAWINGS SHALL INCLUDE ALL DETAILS FOR THE PROPOSED FIELD SPLICES.
- 2.14 AT THE CONTRACTORS OPTION, SHOP WELDS MAY BE USED INSTEAD OF FIELD WELDS.
- 2.15 GRATING SHALL BE 1 1/4" X 3/8" MCNICHOLS (OR APPROVED EQUAL). GRATING TO BE ATTACHED TO THE STRUCTURAL STEEL PLATFORM FRAMING USING STANDARD GRATING CLIPS IN ACCORDANCE WITH GRATING MANUFACTURERS' STANDARDS AND RECOMMENDATIONS.
- 2.16 IT IS ASSUMED THAT THE SHELTER IS ADEQUATE TO RESIST EQUIPMENT LOADING AND SPAN THE BEAM SPACINGS SHOWN. CONTRACTOR TO VERIFY MAXIMUM SPAN ALLOWANCES WITH THE SHELTER MANUFACTURER AND NOTIFY THE ENGINEER IF SPANS ARE NOT WITHIN TOLERANCE. CONNECT SHELTER TO STRUCTURAL STEEL PER MANUFACTURER'S RECOMMENDATIONS.



8821 RESEARCH DRIVE  
CHARLOTTE, NORTH CAROLINA 28262

PROJECT INFORMATION:

SITE NAME:  
NASCAR BP  
SITE No.: 398899  
PROJECT #: 20151304684  
4515 MOREHEAD ROAD  
CONCORD, NC 28027  
CABARRUS COUNTY

PLANS PREPARED BY:

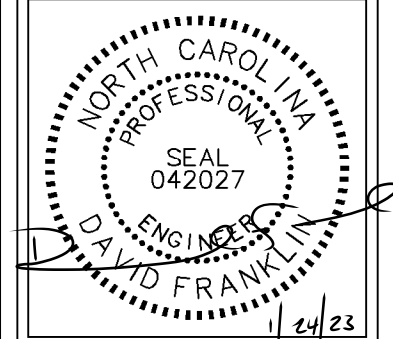


11720 AMBER PARK DRIVE, SUITE 600  
ALPHARETTA, GA 30009  
PHONE: 770-619-4280  
WWW.KIMLEY-HORN.COM  
NC License F-0102

REV: DATE: ISSUED FOR:

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1	01/18/23	CONSTRUCTION	DMF
0	04/10/19	CONSTRUCTION	DMF

LICENSER:



KHA PROJECT NUMBER:

018985878

DRAWN BY: CHECKED BY:

KAB TDM

SHEET TITLE:

GENERAL NOTES

SHEET NUMBER:

N1



8821 RESEARCH DRIVE  
CHARLOTTE, NORTH CAROLINA 28262

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CABARRUS COUNTY

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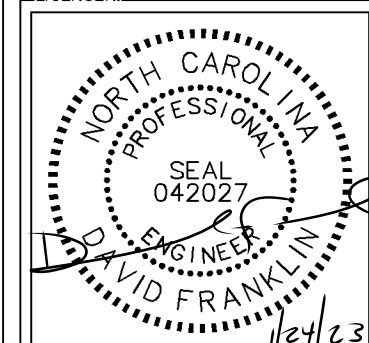


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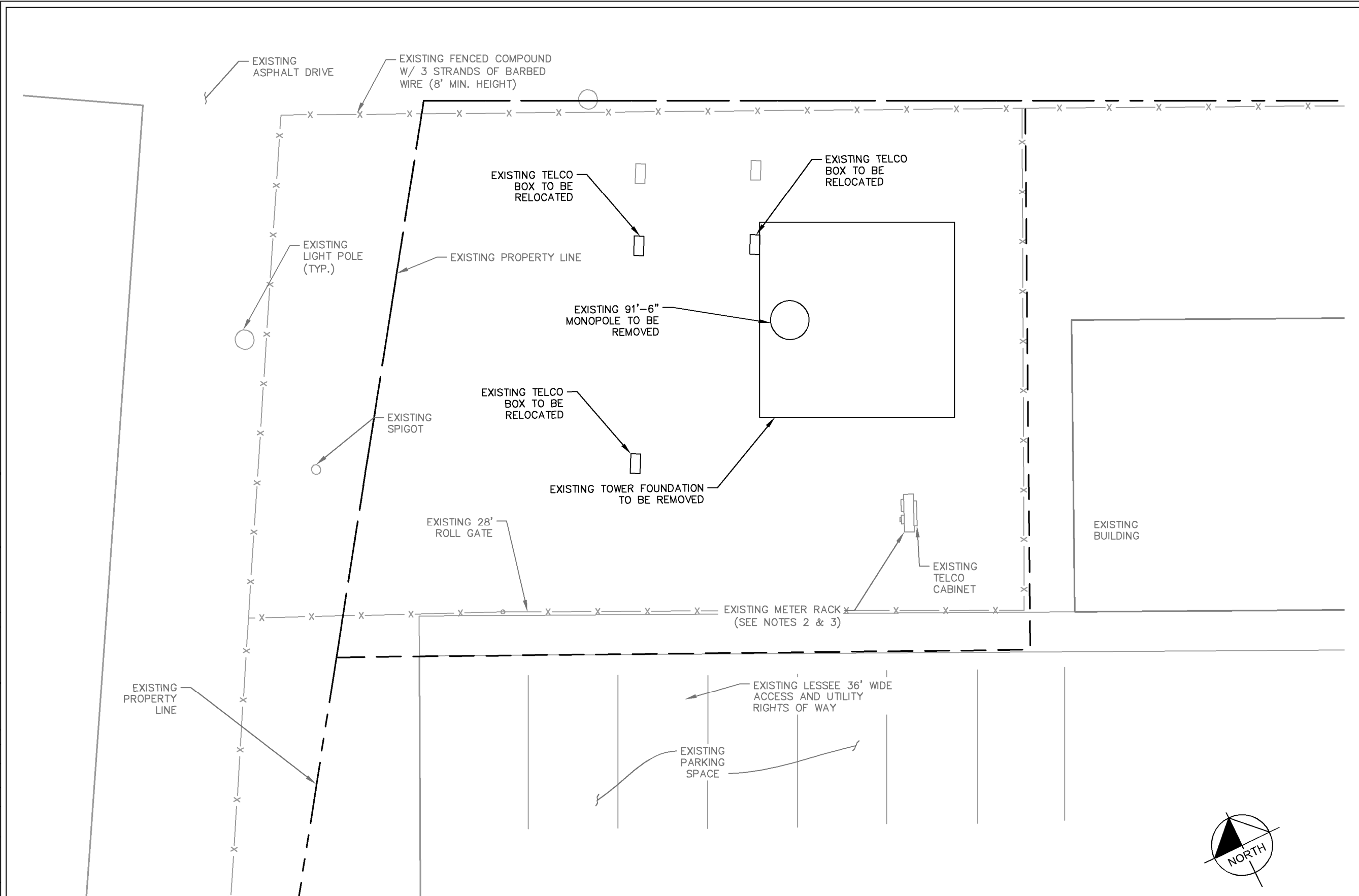
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DEMO PLAN

SHEET NUMBER:

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DEMO NOTE:

- EXISTING TOWER FOUNDATION AND TOWER TO BE REMOVED BY VZW.
- EXISTING LOAD CENTER, GENERATOR PLUG AND COILED SO CORD TO BE REMOVED.
- EXISTING CONDUITS ON GROUND WEST OF EXISTING H-FRAME TO BE REMOVED BY GC.

1 DEMO PLAN  
C0 SCALE: 1" = 10'



TOWER SETBACKS TO PROPERTY LINES (FROM TOWER CENTER)	
NORTH	27'-2"
SOUTH	29'-5"
EAST	24'-7"
WEST	41'-2"



8821 RESEARCH DRIVE  
CHARLOTTE, NORTH CAROLINA 28262

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CONCORD, NC 28027  
CABARRUS COUNTY

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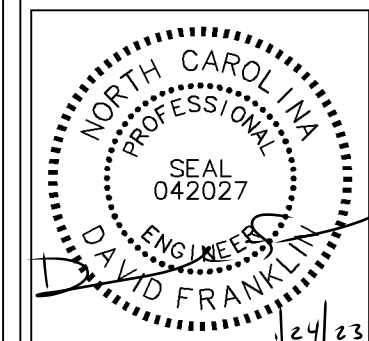


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0	04/10/19	CONSTRUCTION	DMF

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KHA PROJECT NUMBER:

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KAB

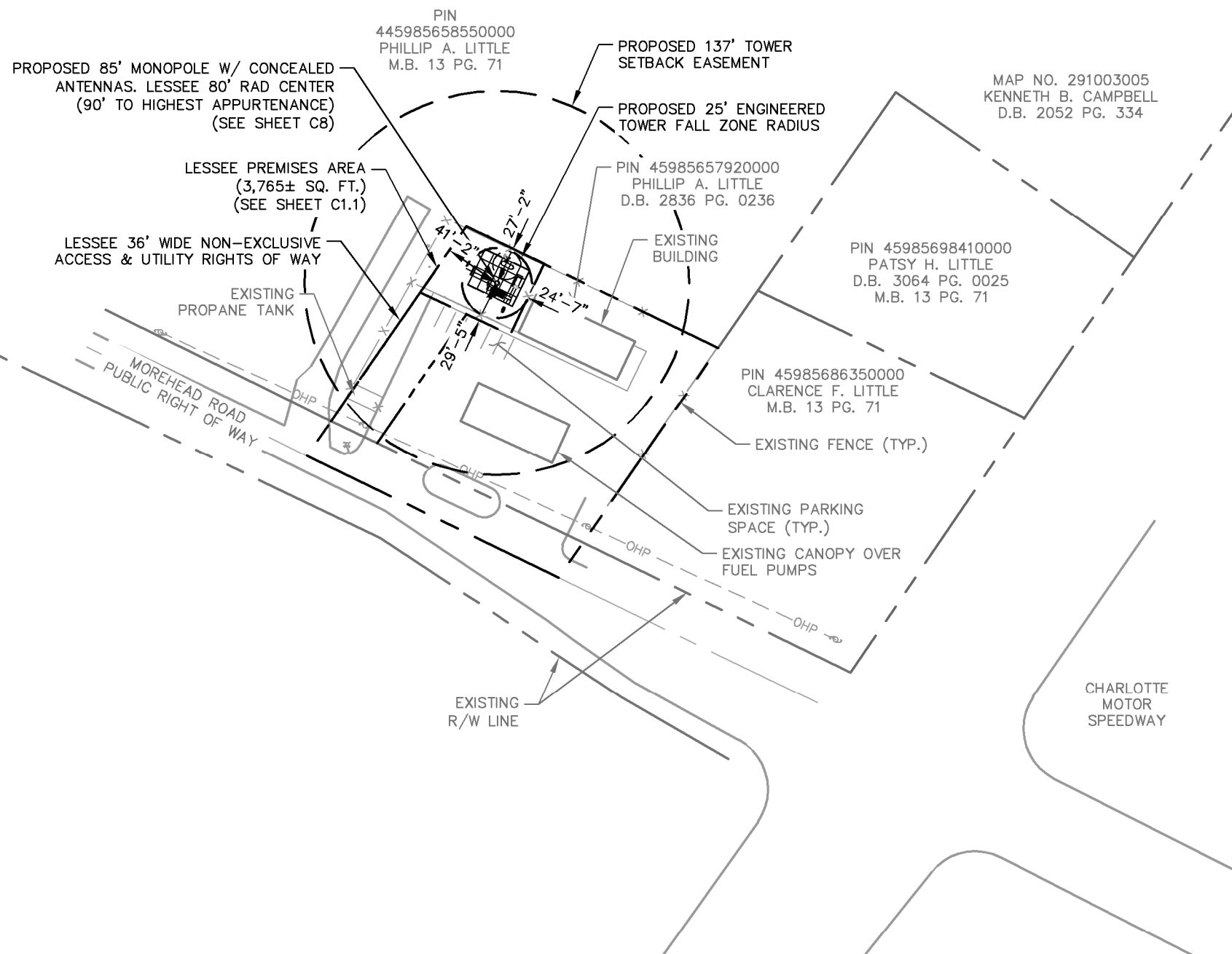
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OVERALL PARCEL PLAN

SHEET NUMBER:

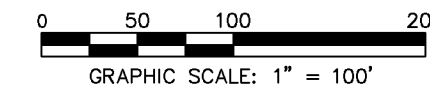
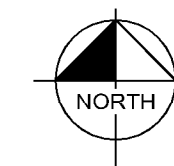
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SURVEY NOTE:

1. VERIZON WIRELESS STAFF SHALL COORDINATE WITH THE PROPERTY OWNER TO OBTAIN THE PROPER EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND.
2. PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY EDWARD L. KILLOUGH DATED 01/25/18 AND SITE VISIT ON 05/08/18.

1 OVERALL PARCEL PLAN  
C1 SCALE: 1" = 100'



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**verizon**

8821 RESEARCH DRIVE  
CHARLOTTE, NORTH CAROLINA 28262

PROJECT INFORMATION:

SITE NAME:  
NASCAR BP  
SITE No.: 398899  
PROJECT #: 20151304684  
4515 MOREHEAD ROAD  
CONCORD, NC 28027  
CABARRUS COUNTY

PLANS PREPARED BY:

**Kimley»Horn**

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PIN  
445985658550000  
PHILLIP A. LITTLE  
M.B. 13 PG. 71

PROPOSED 137'  
TOWER SETBACK  
EASEMENT

PROPOSED 25' ENGINEERED  
TOWER FALL ZONE RADIUS

PROPOSED 85' MONOPOLE W/ CONCEALED  
ANTENNAS. LESSEE 80' RAD CENTER  
(90' TO HIGHEST APPURTENANCE)  
(SEE SHEET C8)

LESSEE PREMISES AREA  
(3,765± SQ. FT.)  
(SEE SHEET C2)

LESSEE 36' WIDE NON-EXCLUSIVE  
ACCESS & UTILITY RIGHTS OF WAY

EXISTING  
BUILDING

EXISTING PARKING  
SPACE (TYP.)

EXISTING PROPANE  
TANK AREA

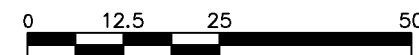
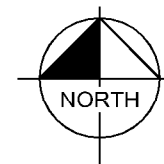
EXISTING FENCE (TYP.)

PIN 45985657920000  
PHILLIP A. LITTLE  
D.B. 2836 PG. 0236

PIN 45985686350000  
CLARENCE F. LITTLE  
M.B. 13 PG. 71

EXISTING CANOPY OVER  
FUEL PUMPS

MOREHEAD ROAD  
PUBLIC RIGHT OF WAY



GRAPHIC SCALE: 1" = 25'

**1** OVERALL SITE PLAN  
C1.1 SCALE: 1" = 25'

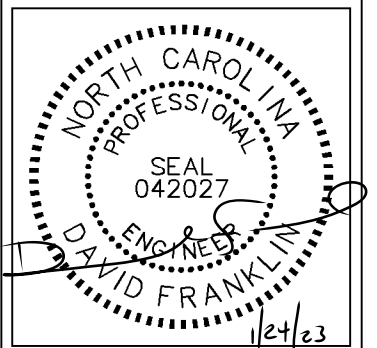
**SURVEY NOTE:**

- 1. VERIZON WIRELESS STAFF SHALL COORDINATE WITH THE PROPERTY OWNER TO OBTAIN THE PROPER EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND.
- 2. PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY EDWARD L. KILLOUGH DATED 01/25/18 AND SITE VISIT ON 05/08/18.

REV: DATE: ISSUED FOR: BY:

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2	07/01/20	CONSTRUCTION	DMF
1	08/26/19	CONSTRUCTION	DMF
0	04/10/19	CONSTRUCTION	DMF

LICENSER:



KHA PROJECT NUMBER:

018985878

DRAWN BY: CHECKED BY:

KAB TDM

SHEET TITLE:

**OVERALL SITE PLAN**

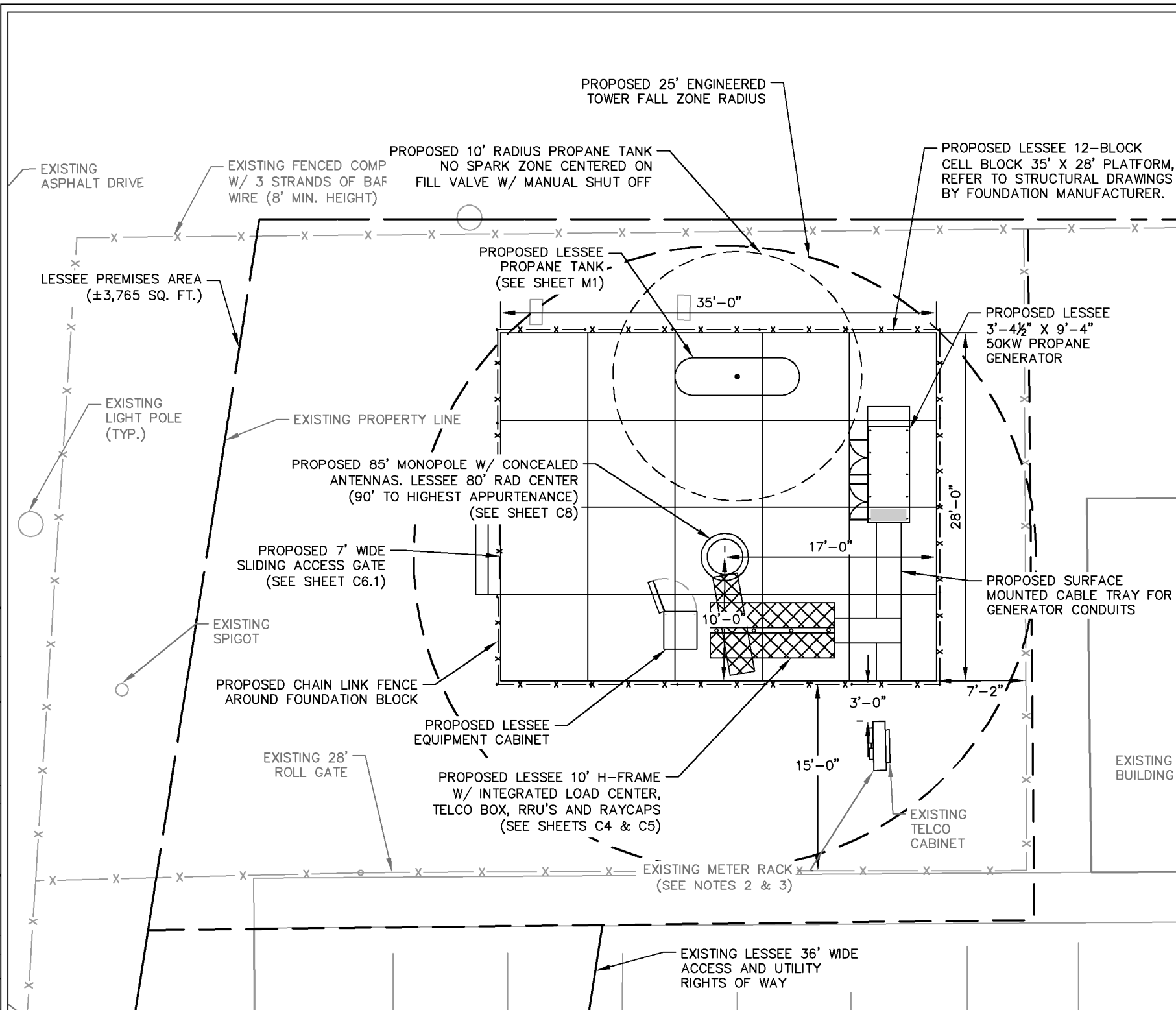
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**C1.1**

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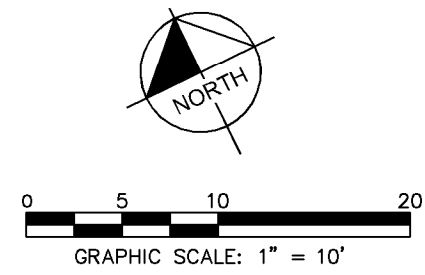


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**1** SITE PLAN  
**C2** SCALE: 1" = 10'

- SITE NOTES:**
1. VERIZON WIRELESS STAFF SHALL COORDINATE WITH THE PROPERTY OWNER TO OBTAIN THE PROPER EASEMENT AGREEMENTS TO CONSTRUCT AND MAINTAIN EQUIPMENT IN AND AROUND THE TOWER COMPOUND.
  2. PROPOSED COMPOUND LAYOUT BASED ON SURVEY PROVIDED BY EDWARD L. KILLOUGH DATED 01/25/18 AND SITE VISIT ON 05/08/18.
  3. CONTRACTOR TO CONFIRM WITH VERIZON CONSTRUCTION MANAGER THAT THE EQUIPMENT SHOWN HAS BEEN ORDERED/SCHEDULED FOR DELIVERY TO THIS SITE.
  4. THE BASIS OF EQUIPMENT DESIGN INCLUDES ONE (1) RF CABINET AND ONE (1) FUTURE BATTERY CABINET.
  5. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING AND MODIFYING SCOPE OF WORK TO ACCOMMODATE ANY CHANGES IN THE EXACT EQUIPMENT PROCURED BY VERIZON WIRELESS. COORDINATE ANY CHANGES WITH VERIZON WIRELESS CONSTRUCTION MANAGER.
  6. ROUTE FIBER UP TOWER PER STRUCTURAL ANALYSIS BY TOWER OWNER.
  7. TOWER DIMENSIONS SHOWN ON THIS PLAN ARE FOR TOWER CENTER LOCATION. CONTRACTOR TO OBTAIN COPY OF TOWER ERECTION DRAWINGS FROM VERIZON CONSTRUCTION MANAGER PRIOR TO DRILLING TOWER FOUNDATIONS. CASSIONS AND TOWER SHOWN ON THIS PLAN ARE ILLUSTRATIVE, SEE DESIGN DRAWING BY OTHERS. DO NOT SCALE.
  8. FASTEN PROPANE TANK SUPPORTS USING SIMPSON STRONG-TIE TITEN HD CONCRETE ANCHORS. MINIMUM ANCHOR DIAMETER IS 1/2"Ø, MINIMUM EMBEDMENT IS 2 1/2" AND MINIMUM CLEAR DISTANCE FROM ANCHOR TO EDGE OF CONCRETE IS 2". INSTALL ANCHOR IN STRICT ACCORDANCE WITH ANCHOR MANUFACTURER'S INSTALLATION INSTRUCTIONS. CONTRACTOR TO NOTIFY ENGINEER PRIOR TO PLACING PAD AND TANK IF THE ANCHOR REQUIREMENTS LISTED ABOVE CANNOT BE ACCOMMODATED DUE TO ACTUAL TANK PROCURED. CONTRACTOR MAY SUBMIT ALTERNATIVE ANCHOR PRODUCT FOR ENGINEER'S APPROVAL. SUBMITTAL SHALL INCLUDE ANCHOR TECHNICAL DATA AND ICC-ES AC193 APPROVAL FOR USE WITH CRACKED CONCRETE.
  9. CELLBLOCKS AND RELATED HARDWARE IS FURNISHED AND DELIVERED BY VERIZON AND INSTALLED BY GC.
  10. GC TO PROVIDE MINIMUM 3" THICK LEVEL COMPACTED SAND BED FOR SUPPORT OF CELLBLOCKS FOUNDATION.



PROJECT INFORMATION:

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NASCAR BP  
SITE No.: 398899  
PROJECT #: 20151304684  
4515 MOREHEAD ROAD  
CONCORD, NC 28027  
CABARRUS COUNTY

PLANS PREPARED BY:

**Kimley»Horn**

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NC License F-0102

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0	04/10/19	CONSTRUCTION	DMF

LICENSER:

**DAVID FRANKLIN**  
NORTH CAROLINA PROFESSIONAL ENGINEER  
SEAL 042027  
1/24/23

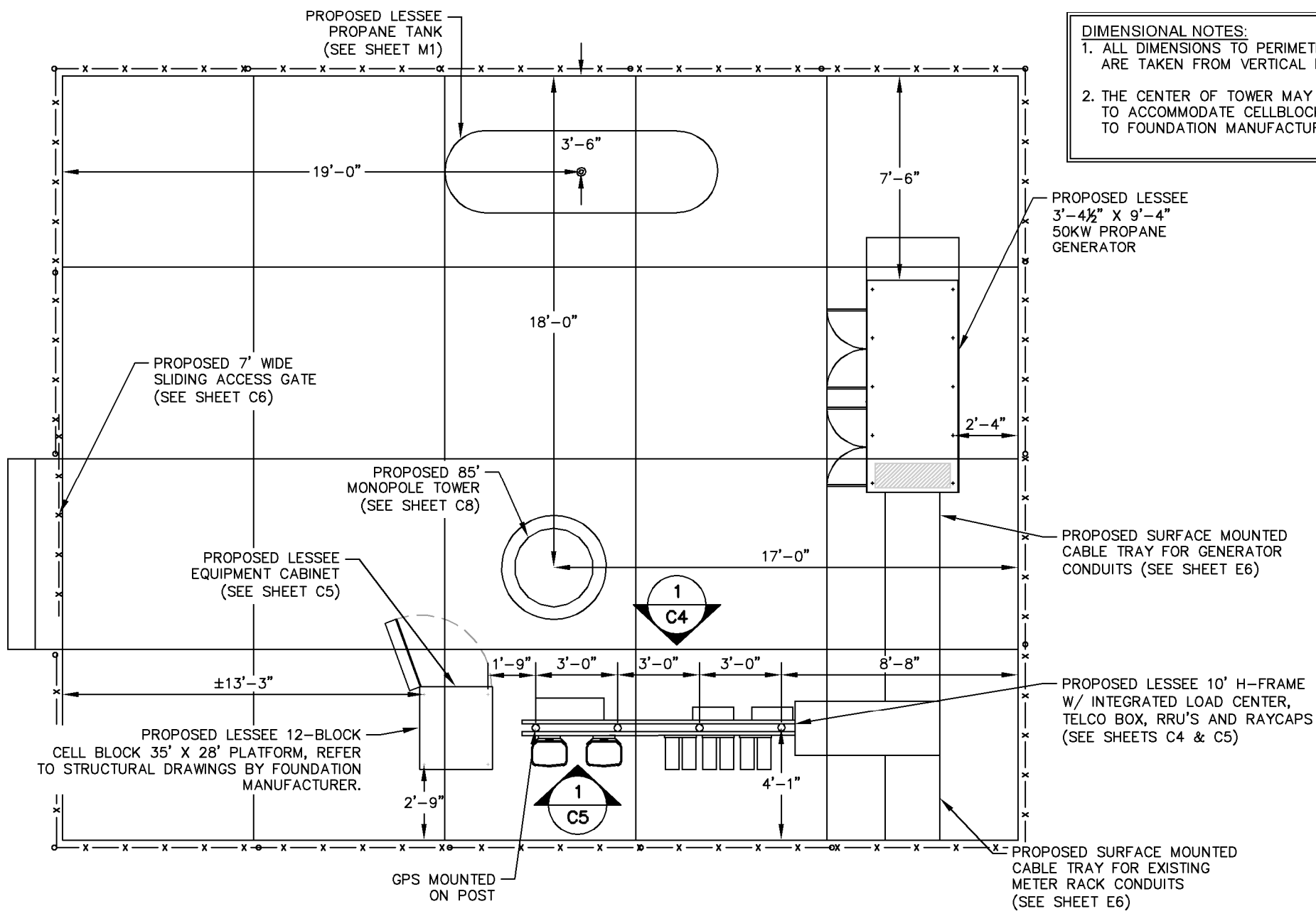
KHA PROJECT NUMBER:  
018985878

DRAWN BY: **KAB** CHECKED BY: **TDM**

SHEET TITLE:  
**SITE PLAN**

SHEET NUMBER:  
**C2**

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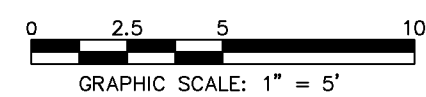


**DIMENSIONAL NOTES:**  
 1. ALL DIMENSIONS TO PERIMETER OF CELLBLOCKS PAD ARE TAKEN FROM VERTICAL FACE OF CELLBLOCKS.  
 2. THE CENTER OF TOWER MAY SHIFT LOCATION SLIGHTLY TO ACCOMMODATE CELLBLOCKS REINFORCING, REFER TO FOUNDATION MANUFACTURES DRAWINGS.

**1**  
**C3** **EQUIPMENT PAD LAYOUT**  
 SCALE: 1" = 5'

**EQUIPMENT PAD/ROUTING NOTES:**

- REFER TO THE SITE PLAN FOR EQUIPMENT PAD LOCATION AND ORIENTATION.
- RUN 2" FLEX TELCO CONDUIT FROM BOTTOM OF TELCO BOX TO SIDE OF RF CABINET WITH CHASE NIPPLE THROUGH FACTORY KNOCKOUT.
- RUN 2" FLEX POWER CONDUIT AND 1" FLEX ALARM CONDUIT FROM BOTTOM OF ILC TO SIDE OF RF CABINET WITH CHASE NIPPLES THROUGH FACTORY KNOCKOUTS.
- RUN 2" FLEX FIBER CONDUIT FROM BOTTOM OF OVP TO SIDE OF RF CABINET WITH CHASE NIPPLE THROUGH FACTORY KNOCKOUT.
- RUN (1) 1 1/2" FLEX POWER CONDUIT FOR EVERY (6) RRU CIRCUITS FROM BOTTOM OF OVP TO SIDE OF RF CABINET WITH CHASE NIPPLE THROUGH FACTORY KNOCKOUT.
- SUPPORT FLEX CONDUIT ON HORIZONTAL H-FRAME RAILS OR ON VERTICAL SITE STRUT SNT10 RAILS ADDED TO H-FRAME FOR CONDUIT/CABLE MANAGEMENT.
- RUN HYBRID CABLE FOR TOWER MOUNTED RRU'S OVERHEAD ON TRAPEZE SUSPENDED FROM WAVE GUIDE BRIDGE. SWEEP DOWN ONTO H-FRAME RAILS, THEN LOOP UNDER OVP AND CONNECT TO BOTTOM OF OVP. ATTACH GROUND KITS TO HYBRID CABLE BEFORE LOOPING UNDER OVP, AND BOND TO TDSGA GROUND BAR AT BASE OF H-FRAME.
- RUN COAX CABLE FOR GROUND MOUNTED RRU'S (IF USED) OVERHEAD ON TRAPEZE SUSPENDED FROM WAVE GUIDE BRIDGE. TERMINATE COAX ON ICE BRIDGE AND TRANSITION TO JUMPERS JUST BEFORE REACHING H-FRAME. ATTACH GROUND KITS TO COAX CABLE ON TOWER SIDE OF LAST ICE BRIDGE POST AND BOND TO TDSGA GROUND BAR NEAR TOP OF POST.
- GPS ANTENNA TO BE MOUNTED TO STANDARD HEIGHT POST WITH EXTENDED MOUNTING PIPE, USING COMMSCOPE GPS-U MOUNTING KIT. MOUNT AS NEAR AS AS PRACTICAL TO RBA84 CABINET.
- BOLT CABINETS AND GENERATOR TO SLAB USING FASTENERS SPECIFIED BY EQUIPMENT MANUFACTURER IN FACTORY PROVIDED MOUNTING HOLES.

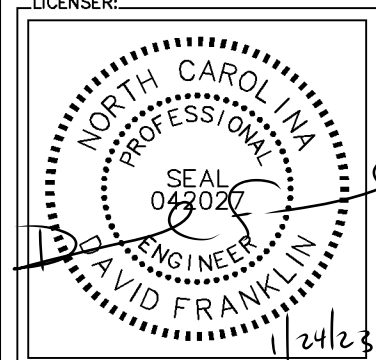


**PROJECT INFORMATION:**  
 SITE NAME:  
 NASCAR BP  
 SITE No.: 398899  
 PROJECT #: 20151304684  
 4515 MOREHEAD ROAD  
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 CABARRUS COUNTY

**PLANS PREPARED BY:**  
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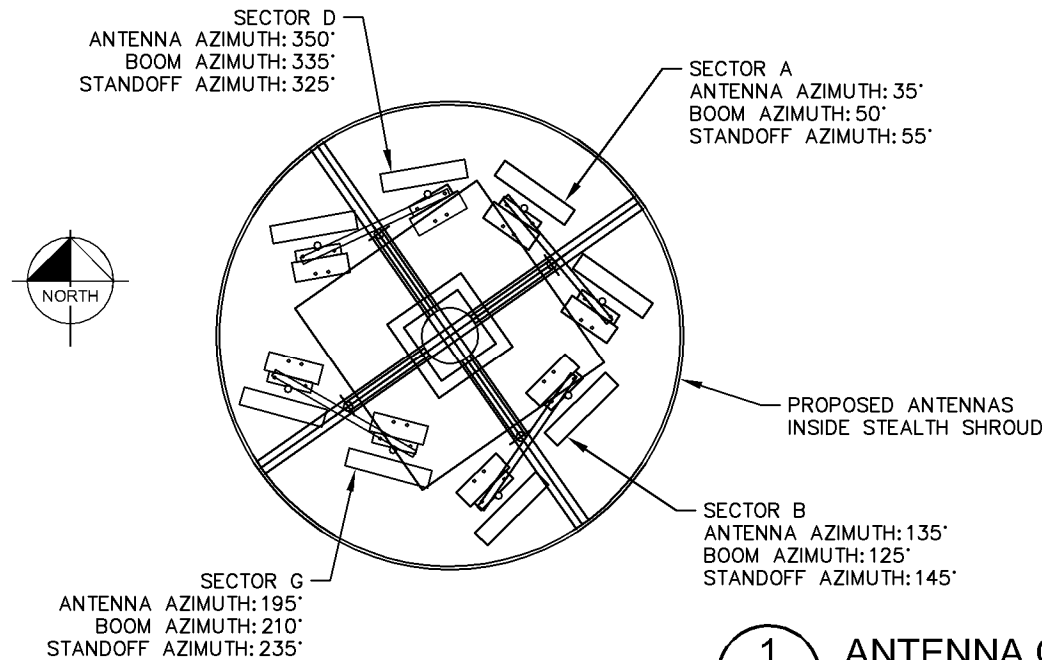


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 018985878

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 KAB TDM

SHEET TITLE:  
**EQUIPMENT PAD LAYOUT**

SHEET NUMBER:  
**C3**

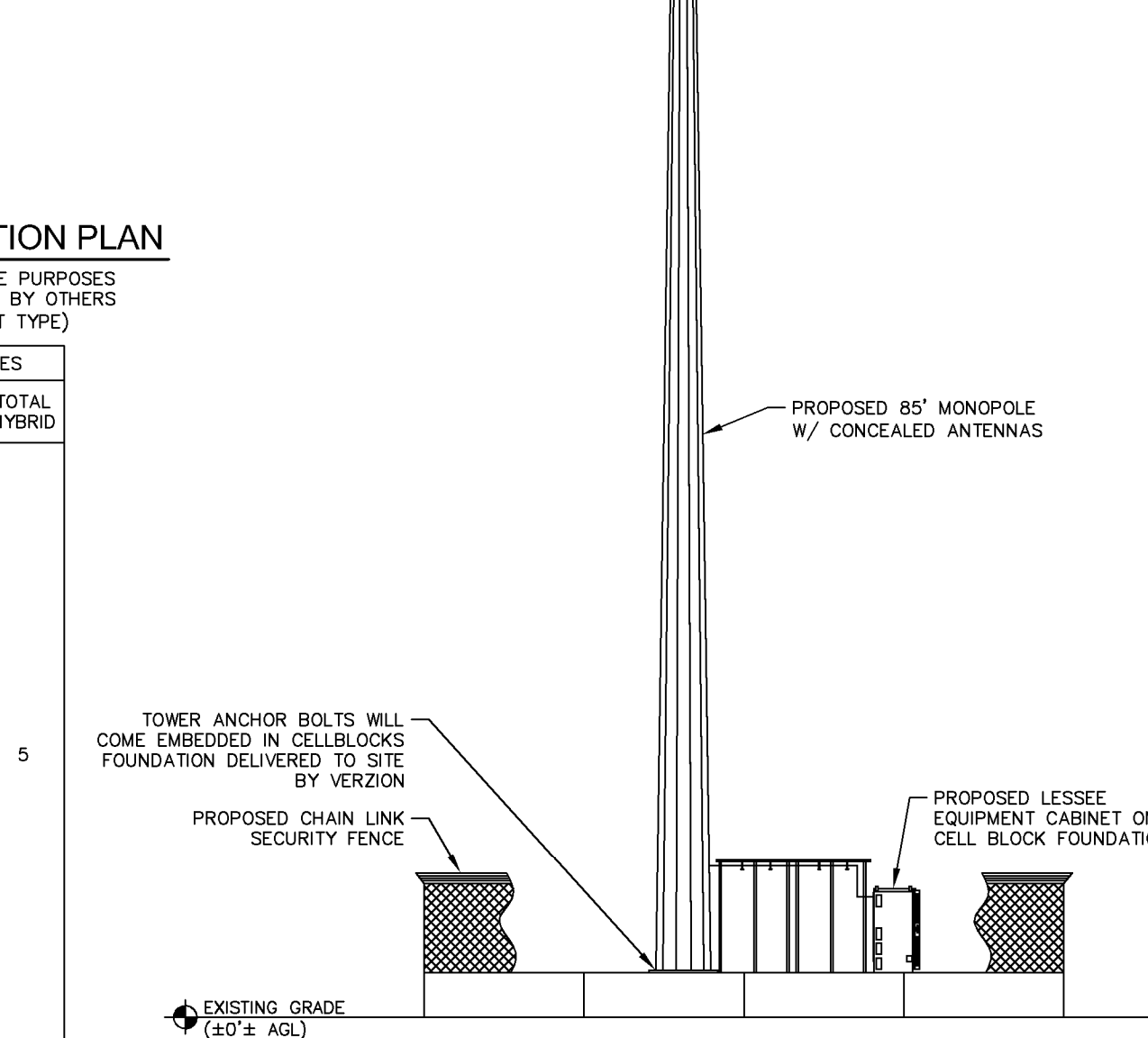
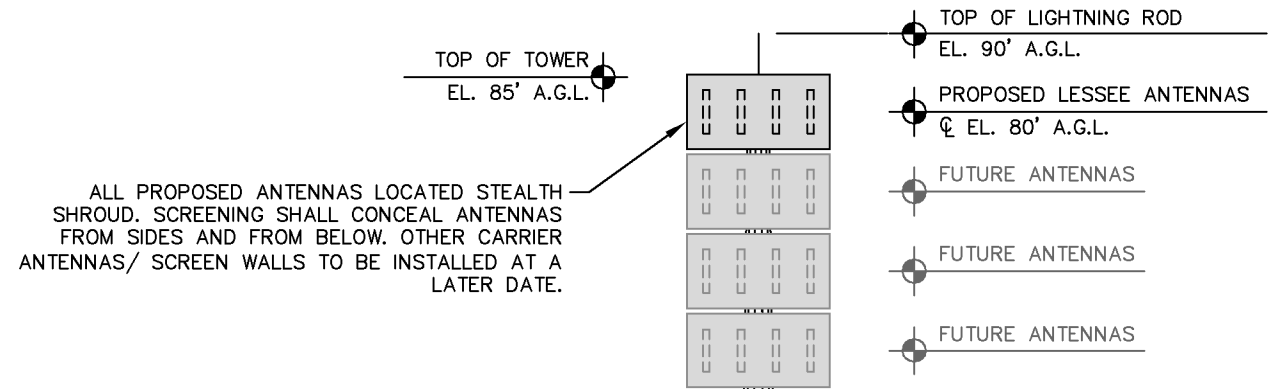


**1**  
**C8** **ANTENNA ORIENTATION PLAN**  
(NOT TO SCALE, FOR ILLUSTRATIVE PURPOSES ONLY, SEE STRUCTURAL ANALYSIS BY OTHERS TO CONFIRM ANTENNA MOUNT TYPE)

ANTENNA SECTOR	AZIMUTH IN DEGREES	MECHANICAL DOWN TILT	LICENSED FREQUENCY	ANTENNA* (QTY) MAKE/MODEL	REMOTE RADIO UNIT	COMPOSITION CABLES			TOTAL HYBRID
						LENGTH	COAX QTY	COAX SIZE	
A1	35°	3°	700	(1) AMPHENOL/HEX338CW0000G	4449	-	-	-	5
			850			-	-	-	
			1900			-	-	-	
A4	35°	3°	700	(1) AMPHENOL/HEX338CW0000G	4449	-	-	-	5
			850			-	-	-	
			2100			-	-	-	
B1	135°	3°	700	(1) AMPHENOL/HEX338CW0000G	4449	-	-	-	5
			850			-	-	-	
			1900			-	-	-	
B4	135°	3°	700	(1) AMPHENOL/HEX338CW0000G	4449	-	-	-	5
			850			-	-	-	
			2100			-	-	-	
G1	195°	3°	700	(1) AMPHENOL/HEX338CW0000G	4449	-	-	-	5
			850			-	-	-	
			1900			-	-	-	
G4	195°	3°	700	(1) AMPHENOL/HEX338CW0000G	4449	-	-	-	5
			850			-	-	-	
			2100			-	-	-	
D1	350°	3°	700	(1) AMPHENOL/HEX338CW0000G	4449	-	-	-	5
			850			-	-	-	
			1900			-	-	-	
D4	350°	3°	700	(1) AMPHENOL/HEX338CW0000G	4449	-	-	-	5
			850			-	-	-	
			2100			-	-	-	

**NOTES:**

- ALL INFORMATION ON THIS PAGE IS PROVIDED BY VERIZON WIRELESS AND/OR OTHERS AND IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. CONTRACTOR SHALL CONTACT THE VERIZON WIRELESS CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION FOR ALL DETAILED ANTENNA, AND COAX CABLE INFORMATION.
- REFER TO STRUCTURAL ANALYSIS BY TOWER OWNER FOR ANALYSIS OF PROPOSED TOWER.
- IT IS UNDERSTOOD THAT KIMLEY-HORN MAKES NO WARRANTY, EITHER EXPRESSED OR IMPLIED, FINDINGS, DESIGNS, RECOMMENDATIONS, SPECIFICATIONS, OPINION, OR PROFESSIONAL ADVICE RELATING TO THE STRUCTURAL ADEQUACY OF THE PROPOSED TOWER OR ATTACHMENT OF ANTENNAS OR OTHER APPURTENANCES.



**2**  
**C8** **MONOPOLE TOWER ELEVATION - NW VIEW (FACING SW)**  
NOT TO SCALE

**NOTES:**

- ALL PROPOSED ATTACHMENTS TO TOWER BASED ON TOWER DESIGN DRAWINGS BY OTHERS (SEE GENERAL NOTE 1.07, SHEET N1).
- THE TOWER ELEVATION SHOWN IS FOR REFERENCE ONLY.
- COAX/FIBER CABLE LENGTHS ARE APPROXIMATE. CONTRACTOR TO VERIFY CORRECT LENGTH IN FIELD AT TIME OF CONSTRUCTION.
- PROPOSED TOWER WILL BE GALVANIZED STEEL-GRAY IN COLOR.



PROJECT INFORMATION:

SITE NAME:  
NASCAR BP  
SITE No.: 398899  
PROJECT #: 20151304684  
4515 MOREHEAD ROAD  
CONCORD, NC 28027  
CABARRUS COUNTY

PLANS PREPARED BY:

**Kimley»Horn**

11720 AMBER PARK DRIVE, SUITE 600  
ALPHARETTA, GA 30009  
PHONE: 770-619-4280  
WWW.KIMLEY-HORN.COM  
NC License F-0102

REV: DATE: ISSUED FOR: BY:

8			
7			
6			
5			
4			
3			
2	01/18/23	CONSTRUCTION	DMF
1	08/26/19	CONSTRUCTION	DMF
0	04/10/19	CONSTRUCTION	DMF

LICENSER:

**FOR ILLUSTRATIVE PURPOSES ONLY - NO SIGNATURE REQUIRED**

KHA PROJECT NUMBER:  
018985878

DRAWN BY: KAB CHECKED BY: TDM

SHEET TITLE:  
**ANTENNA AND TOWER ELEVATION DETAILS**

SHEET NUMBER:  
C8

K:\ATL\_Wireless\000\_Verizon\2016 Sites\Nascar\CAD\2019\CAD\CD\Ecor-CB.dwg 01/24/23 2:04 PM by: christopher.strange

# ORDINANCE COMPLIANCE STATEMENT AND NARRATIVE – June 1, 2023

Application: **Special Use**

Verizon Site Name: **NASCAR BP**

**Project Description:** Verizon proposes to place an 85’ permanent tower in the area that its annual temporary tower has been installed for the past several years.

**Tower Address:** 4515 Morehead Road, Concord NC 28027; PIN 45985657920000; zoning C-2

**Property Owner:** Little



**Note on the google earth aerial photo and street view, you can see the that this has been the area used for a temporary tower.**



**This parcel is located in close proximity to the motor speedway, which is the main focus of the network objectives.**

Map Cabarrus

Map Layers Share Property Open Data

Property Data

Physical Address: 4515 MOREHEAD RD CONCORD NC 28027

PIN: 45985657920000

Property Real ID: 02-046 -0007.10

Account Name: LITTLE PHILLIP A

Mailing Address: —

Land Units: 1 LT

Land Value: \$733000

Building Value: \$259170

OBXF Value: \$33330

Assessed Value: \$1025500

Market Value: \$1025500

Sale Date: 4/2000

Sale Price: —

Dist. Book: 00000

Lat: 35.350433590288404 Lon: -80.69165396701922

## NARRATIVE

Verizon Wireless has been utilizing a temporary tower in this area for the past several years to handle additional crowds associated with NASCAR events. However, the need for a permanent solution has now presented itself, and Verizon Wireless would like to change the temporary structure to a permanent location.

### ORDINANCE COMPLIANCE STATEMENT

Verizon Wireless offers this Ordinance Compliance Statement in support of its application pursuant to the Homer Township Zoning Ordinance.

#### 8.4 Accessory Uses

##### 8.4.1 PERMITTED ACCESSORY USES

- A. The uses listed in Column A, below, shall be permitted by right (unless noted otherwise) in any of the zoning districts set forth in Column B, below:

(A) Accessory Use	(B) Zoning Districts
Wireless Telecommunications Antennas or Tower (subject to § 8.7)	All Zoning Districts
Other Telecommunication Antennas or Tower	See Use Table (Article 8)

**We will begin by analyzing how this project meets all of the criteria of Section 8.7 of the City of Concord Development Ordinance.**

#### 8.7 Wireless Communications Facilities Generally

##### 8.7.1 Purpose and Applicability

- A. This Section 8.7 applies to all telecommunications facilities except as specifically noted otherwise. Special procedures for qualifying small wireless facilities, qualifying utility poles, and qualifying city utility poles are addressed separately in Section 8.9.
- B. The purpose of this section is to:
1. Minimize the impacts of wireless communication facilities (WCFs) on surrounding areas by establishing standards for location, structural integrity and compatibility;
  2. Encourage the location and collocation of wireless communication equipment on existing structures thereby minimizing new visual, aesthetic and public safety impacts, effects upon the natural environment and wildlife, and to reduce the need for additional antenna-supporting structures;
  3. Encourage coordination between suppliers of wireless communication services in the City of Concord;

**This project is not a small wireless facility, qualifying utility pole or a qualifying city utility pole. Therefore Section 8.7 applies.**

4. Respond to the policies embodied in the Telecommunications Act of 1996 and section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, 47 U.S.C. § 1455(a) and in accordance with the rules promulgated by the Federal Communications Commission;
5. Protect the unique natural beauty and rural character of the City while meeting the needs of its citizens to enjoy the benefits of wireless communications services; and
6. Encourage the use of public lands, buildings and structures as locations for wireless telecommunications infrastructure as a method to establish a precedence of quality concealment products that will minimize the aesthetic impact of related infrastructure while generating revenue for the City.

**Verizon Wireless is aware of these general provisions and affirmatively states that this project is in compliance with the spirit of the ordinance.**








- C. Nothing in this ordinance shall be interpreted to excuse compliance with, or to be in lieu of any other requirement of state or local law, except as specifically provided herein. Without limitation, the provisions of this ordinance do not permit placement of telecommunications facilities on privately-owned utility poles or wireless support structures, or on private property, without the consent of the property owner or any person who has an interest in the property

**Verizon Wireless maintains a leasehold interest in the subject property that fully allows the scope of this zoning application as well as the ongoing use.**

#### 8.7.2 SITING

WCFs and associated equipment shall be permitted in accordance with the use table in Section 8.2 subject to the following:

- A. Siting of a non-qualifying WCF shall be in accordance with the following siting alternatives hierarchy:

Priority	Facility/ Structure Type	Location	Example
Ideal 	Concealed Attached Wireless Communication Facility	City or County Owned Site	
		Other Publicly Owned Site	
		Non-Publicly Owned Site	
	Collocation or Combining on Existing Antenna Supporting Structure	City or County Owned Site	
		Other Publicly Owned Site	
		Non-Publicly Owned Site	
 Less Desired	Freestanding Concealed or Nonconcealed Attached WCF	Owned Site City or County Owned Site	 or 
		Other Publicly Owned Site	
		Non-Publicly Owned Site	
	Freestanding WCF	City or County Owned Site	

Verizon Wireless is aware of this chart and has done its very best to find alternatives. As you will see below, however, this project is a Freestanding non-concealed WCF on non-publicly owned property.



B. In determining the order of ranking preference, the facility/structure type shall be evaluated first, and only after the facility/structure type has been identified shall the location be evaluated. Where a lower ranked alternative is proposed, the applicant must file relevant information as indicated below, including, but not limited to an affidavit by a radio frequency engineer demonstrating that despite diligent efforts to adhere to the established hierarchy within the Geographic Search Area, as determined by a qualified radio frequency engineer, higher ranked options are not technically feasible, practical, or justified given the location of the proposed WCF and the existing land uses of the subject property and surrounding properties within 300 feet of the subject property.

**A letter from the radio frequency engineer is included with this application package. This was the only viable option in this area.**

- C. In all residential districts, non-qualifying WCFs shall only be permitted on parcels with a minimum lot size of five acres.
- D. Nonconcealed attached non-qualifying WCFs shall only be allowed on transmission towers, buildings, water towers, subject to approval of the Administrator.

**As noted above, this property is not located in a residential district. This project similarly does not involve a non-concealed attached WCF.**

Jurisdiction:	Concord
Zoned:	C-2
Watershed Class:	Not within a watershed district.
Watershed Name:	Not within a watershed district.
Watershed PCA:	Not within a watershed district.
Mobile Home District:	Not within an overlay district.

E. In addition to locations authorized for non-concealed, attached WCFs in subsection D., concealed, attached WCFs shall be allowed on

transmission towers, buildings, water towers, utility poles in city right-of-way, city utility poles, and light stanchions, subject to approval of the Administrator.

**This project is not located in a right of way or on a utility pole or light stanchion.**

F. WCFs, wireless support structures, and associated equipment shall be constructed and maintained in conformance with all applicable building code requirements.

**Verizon Wireless is aware of this ordinance provision.**

G. WCFs and associated equipment shall not interfere with normal radio and television reception in the vicinity.

**Verizon Wireless is aware of this ordinance provision and operates only on licensed frequencies. No radio or television reception interference is anticipated.**

H. Lighting shall not exceed the FAA minimum standard. Any lighting required by the FAA shall be of the minimum intensity and the number of flashes per minute (i.e., the longest duration between flashes) allowed by the FAA. Dual lighting standards shall be required and strobe lighting standards prohibited unless required by the FAA. The lights shall be oriented so as not to project directly onto surrounding residential property, consistent with FAA requirements.

**Tower lighting is neither required nor proposed for this project.**

I. Commercial messages shall not be displayed on any WCF.

**This WCF contains no commercial messages. The only signage is required by FCC guidelines for identification and proximity to RF emissions as required by rule.**

J. The WCF equipment compound shall not be used for the storage of any excess equipment or hazardous materials, nor be used as habitable space. No outdoor storage yards shall be allowed in a WCF equipment compound.

**Verizon Wireless is aware of this ordinance provision and the plans contain no outdoor storage yards, hazardous materials, habitable space or excess equipment. This ordinance provision is met.**

- K. The WCF shall cause no signal or frequency interference with public safety facilities or traffic control devices and shall not physically interfere with other attachments that may be located on the existing pole or structure.

Qualifying WCFs shall not be required to meet the siting requirements listed in subparts A. through D.

**No interference is anticipated from this project. Verizon Wireless operates only on licensed frequencies.**

### **8.7.3 DIMENSIONS**

When permitted, a WCF shall conform to the following dimensional requirements:

#### **A. Heights**

1. Attached WCF: The top of the WCF shall not be more than 20 feet above the building.
2. Freestanding Concealed or Nonconcealed WCF: In all residential zoning districts, the maximum height shall be limited to 25 feet above the allowable building height of the underlying zoning district. In all nonresidential districts the maximum height shall be 199 feet. This measure shall include the foundation of the WCF, but exclude lightning rods for the dissipation of lightning or lights required by the FAA that do not provide support for any antennae.

**These ordinance provisions are met. The proposed permanent tower is 85' and the property is in a C-2 zone. It is not attached to a building.**

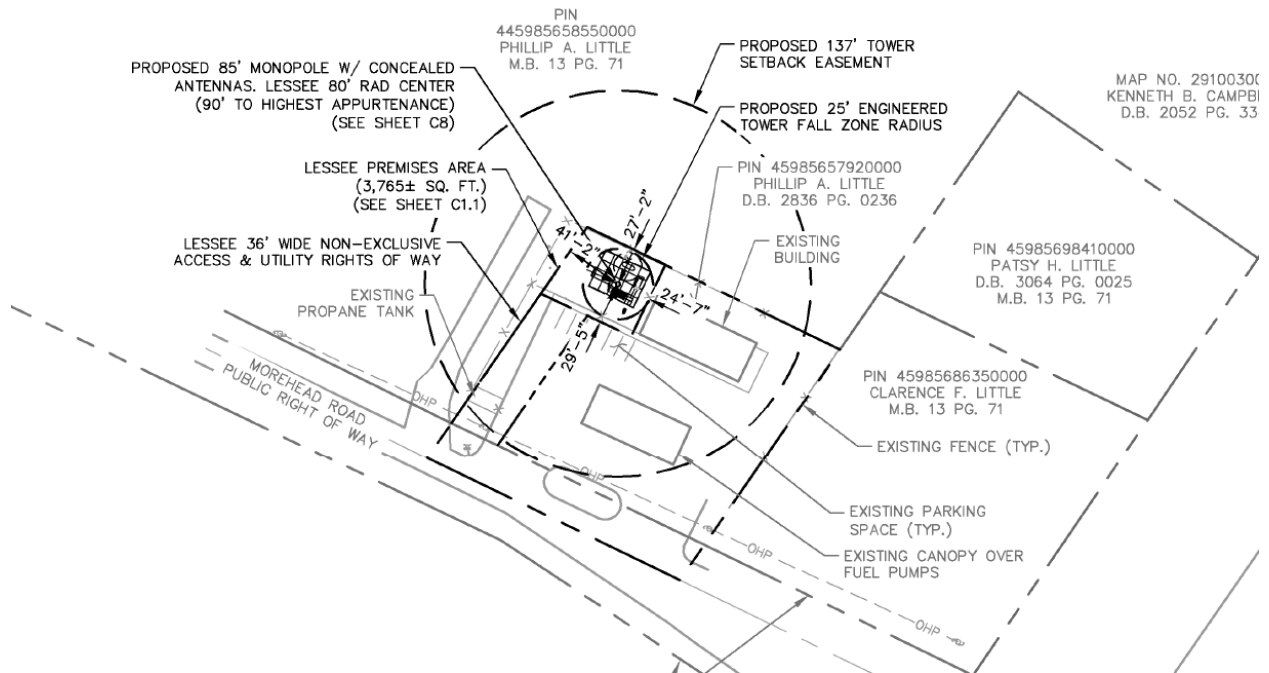
3. Mitigation of an existing WCF: The maximum height of a new WCF arising from mitigation shall not exceed 115% of the height of the tallest WCF that is being mitigated, to a maximum height of 199 feet.
4. Regardless of whether the facility is a qualifying WCF or a non-qualifying WCF, in no instance in an area zoned single family residential where the existing utilities are installed underground may a utility pole, city utility pole, or wireless support structure exceed forty (40) feet above ground level, unless the city grants a mitigation waiver or a variance approving a taller utility pole, city utility pole, or wireless support structure. For the purposes of this subsection, single family residential shall mean properties with the following zoning designation, unless otherwise defined by law: RE, RL, RM-1, RM-2, RV, or RC.

**Neither of these two ordinance provisions apply to this case.**

## B. Setbacks

1. Attached WCF: The building or structure to which the WCF will be attached shall maintain the normal setbacks of the district. The attached, WCF may encroach into the setback not more than 5 feet.
2. Freestanding WCF: Setbacks for WCFs shall be determined according to the underlying zoning district, plus an additional eighteen inches for every one-foot of tower height. The approving authority may grant reductions to this setback requirement as a part of the special use permit approval. Qualifying freestanding WCFs shall be exempt from this provision.
3. Mitigation of an existing WCF: A new WCF approved as mitigation shall not be required to meet setback requirements so long as the new WCF is no closer to any property lines or dwelling units as the WCF being mitigated.

**Sup-part 2 of this section is dispositive. In this case the tower is designed with a 25' fall zone. Even so, a 137' tower setback easement has been recorded to provide notice to any future landowners that no additional buildings should be placed inside the 137' tower setback easement.**



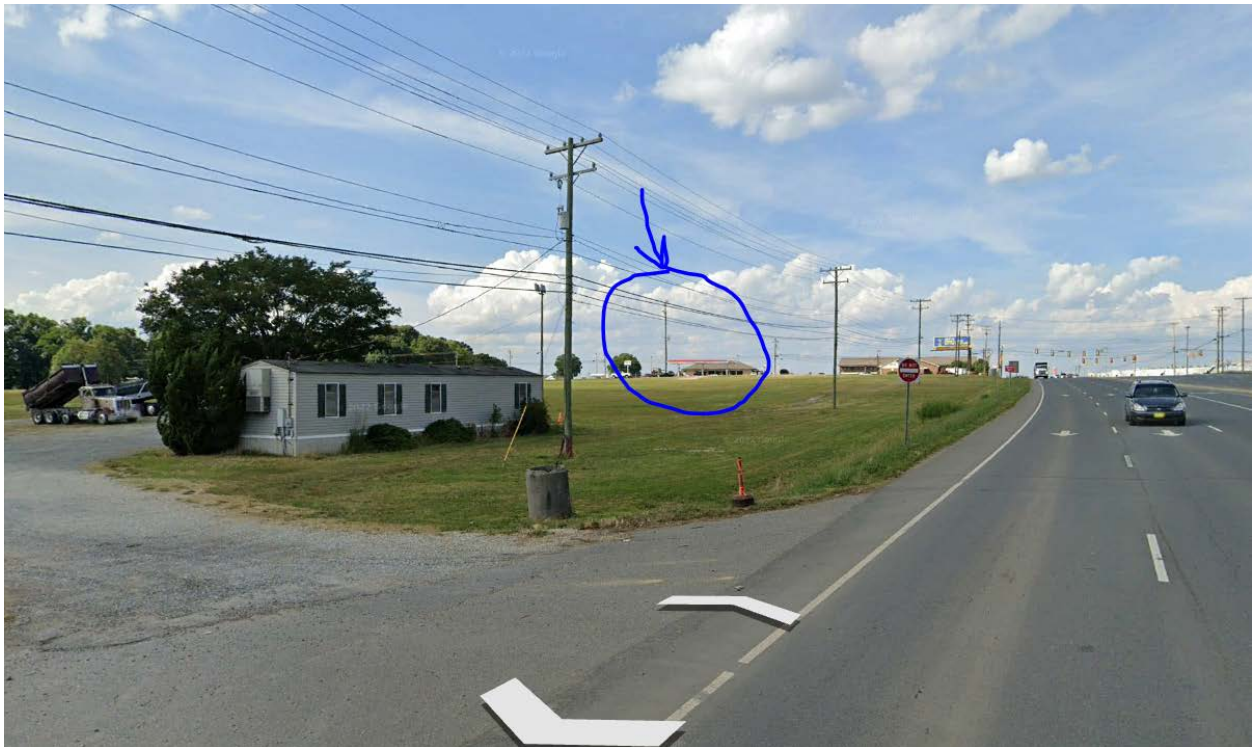
**The parcels affected by 137' tower setback easement are under common ownership. A setback easement of 137' encompasses 1.5 times the tower height plus a 10' buffer.**

### C. Buffers

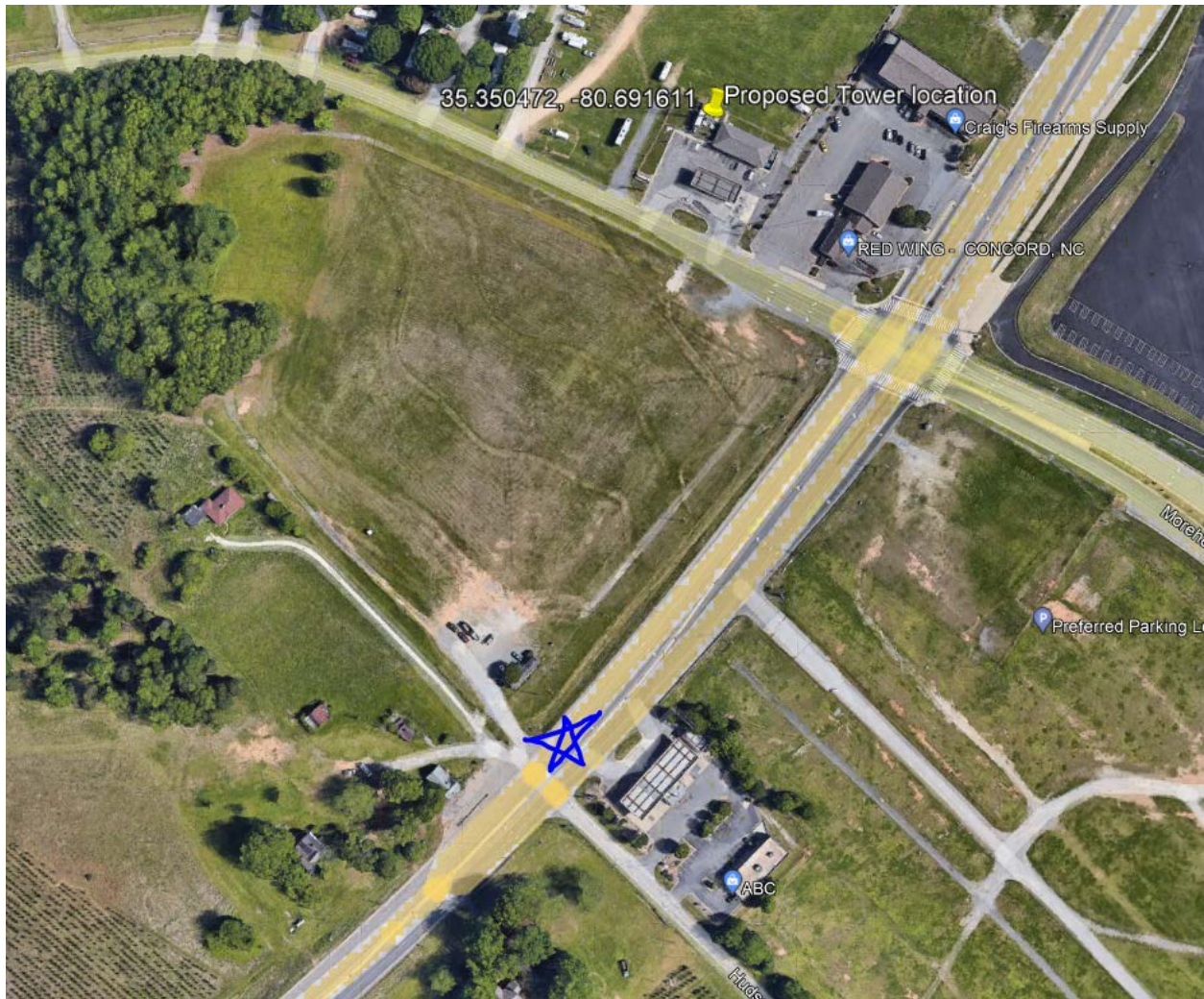
1. A landscaped buffer shall surround the base of the WCF equipment compound. Existing trees and shrubs on the site should be

preserved and may be used in lieu of required landscaping where approved by the Administrator. Grading shall be minimized and limited only to the area necessary for the new WCF.

**In this case the area to be used has already been developed and is used as a gas station and mini-mart. No additional landscaping is proposed. There are no residences that will have a direct view of the tower compound area. The google earth street-view image below shows what it looks like from a nearby building. This image includes the temporary tower that is typically seen during the NASCAR season.**



**The google image was done from the location highlighted below.**



**Additional landscaping on the front of this will not provide any further screening. Similarly, screening to the rear is not required to protect the viewshed – there are no residences and the area is used as a parking lot / campground for RV style camping. The temporary tower has not been screened with landscaping and the community has accepted this installation without issue for several years.**

1. Limited only to the area necessary for the new WCF.
2. If the proposed WCF is the principal use of the property then landscaping per Article 11, Landscaping and Buffering, shall be applicable. Additionally a buffer equivalent to that required for an Industrial use adjoining a Residential use shall be provided around the WCF equipment compound.
3. If the proposed WCF is to be located in front of an existing structure on the same zone lot, a street buffer shall also be required.
4. In addition to the required landscape buffer, on sites in residential districts adjoining public rights-of-way an opaque fence shall surround the WCF equipment compound.

**In this case, the project is not the principal use, is not located in the front of a building and does not adjoin a residential district. A security fence is proposed and these ordinance provisions are met.**

#### **D. Aesthetics**

1. Concealed attached WCFs, including feed lines and antennae, shall be designed so as to be compatible with the façade, roof, wall or structure on which it is affixing so that it matches the existing structural design, color and texture.
2. Freestanding concealed WCFs shall be designed so as to be compatible with adjacent structures and landscapes to the extent feasible with specific design considerations as to height, scale, color and texture.
3. Freestanding non-concealed WCFs, including those used for mitigation, shall be limited to monopole type antenna support structures.

**In this case a monopole structure is proposed and this ordinance provision is met.**

#### **E. Collocation Capacity**

New non-qualifying wireless support structures must provide for collocation capacity as set forth herein:

- Freestanding nonconcealed structures up to 120 feet in height shall accommodate at least two antenna arrays.
- Freestanding nonconcealed structures between 121 feet and 150 feet shall accommodate at least three antenna arrays.
- Freestanding nonconcealed structures between 151 feet and 199 feet shall be engineered and constructed to accommodate at least four antenna arrays.

**This structure is capable of housing additional users and therefore this ordinance provision is met. The structure is less than 120' so one additional user is required. The drawings show more than two additional users can be accommodated.**

#### **8.7.4 APPLICATION REQUIREMENTS**

In addition to all of the requirements of site plan and Special Use Permit review (if required), the following information must be supplied with the site plan and use permit (if required) application for WCFs:

##### **A. For an eligible facilities request:**

1. Existing equipment on the wireless tower or base station
2. Proposed new equipment
3. Copy of lease agreement. Such submissions need not disclose financial lease terms.

**The application package contains these items.**

4. Name and contact information for applicant as well as any contractors or consultants performing work on behalf of the applicant
5. Application fee

**The application package contains these items.**

- B. For a substantial modification or a new non-qualifying wireless support structure:
  1. A complete site plan, certified by a professional engineer or other qualified professional, which demonstrates that the site and the wireless support structure complies as proposed with the standards set forth in this Section 8.7. The site plan shall include:
    - a. Height
    - b. Configuration
    - c. Location
    - d. Mass and scale
    - e. Materials and color
    - f. Illumination
    - g. Information addressing the following items:
      - i. The extent of any commercial development within the search ring of the proposed facility
      - ii. The proximity of the antenna support structure to any residential dwellings;
      - iii. The proximity of the antenna support structure to any public buildings or facilities;
      - iv. For a new wireless support structure, certification by a registered engineer that the facility has sufficient structural integrity to accommodate multiple users, and the number of additional users that can be accommodated.

**The application package contains these items.**



- 
2. Identification of the intended user(s);
  3. Documentation from the FAA that the lighting is the minimum lighting required by the FAA;
  4. Documentation that the power output levels do not exceed federally approved levels or American National Standards Institute (ANSI) standards for power density, whichever provides the stricter requirements.
  5. A statement of the number of collocation sites and documentation regarding structural integrity
  6. A copy of the lease agreement. Such submissions need not disclose financial lease terms.
  7. Documentation consisting of a certificate of insurance showing evidence of general liability coverage of at least \$1,000,000 and the certificate shall contain a requirement that the insurance company notify the city 30 days prior to the cancellation, modification, or failure to renew the insurance coverage required.

**The application package contains these items.**

8. Certification from a professional engineer that the structure has been designed to and will withstand 100 miles per hour wind velocity.
9. Relevant FCC licensing;
10. Name and contact information for applicant as well as any contractors or consultants performing work on behalf of the applicant
11. Application fee.

**The application package contains these items.**

1. Application fee.
- C. In addition to the requirements listed in subsection B. above, for a new non-qualifying wireless support structure:
1. A written report demonstrating applicants' meaningful efforts to secure shared use of existing wireless support structures. Copies of written requests and responses for shared use shall be provided with the application, along with any letters of rejection stating the reasons for rejection. The applicant shall provide information necessary to determine whether collocation is reasonably feasible. Collocation is not reasonably feasible if it is technically or commercially impractical to locate on an existing wireless support structure or the owner of the existing wireless support structure is unwilling to enter into a contract for such use at fair market value.
  2. Seismic analysis of the tower, stamped and sealed by a professional engineer or other qualified professional.
  3. Delineation of the fall zone for the structure;
  4. Simulated photographic evidence of the proposed structure's appearance from all residential areas within 1,500 feet, and from other vantage points chosen by the city.
  5. Supplemental information may be required by Section 8.7.4.B.

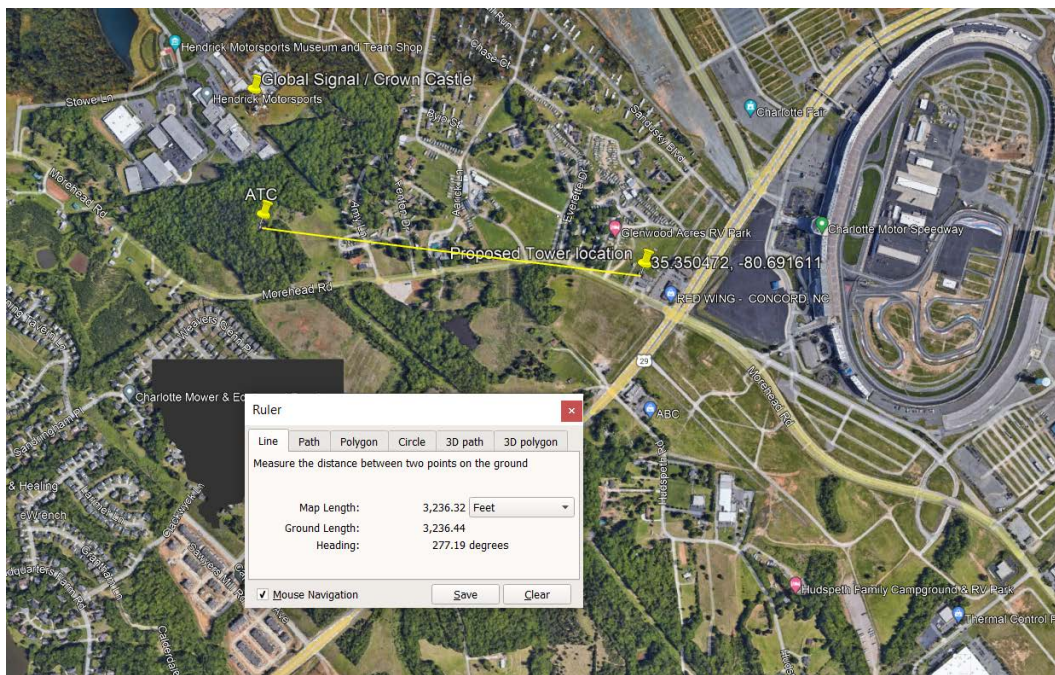
**There are no existing structures in the area upon which to collocate that would serve the specific needs of this site, which is the motor speedway. The only residences in the 1500' zone around the tower are located along Hwy 29 to the South / Southwest of the tower. We've included google earth street view photos with the temporary tower in clear view and highlighted the areas from which these images were taken. This satisfies the requirement for photo simulations.**





**Nearby Towers:**

There are two towers nearby to the West of the proposed site. Verizon Wireless is a tenant on the Crown Castle tower Navigation off Stowe Lane. Installing on the ATC tower would interfere with the existing installation and the network would not perform very well. This tower is far enough from the existing installation to prevent interference and serve the motor speedway even at its peak use.



## **Conclusion**

Verizon Wireless is asking for permission to install this permanent structure instead of the annual temporary tower that has been utilized each year for the past several years. As you can see from the compliance statement, the project meets or exceeds each ordinance provisions.

Dated: June 1, 2023

/s/ Benjamin S. Herrick

**Benjamin S. Herrick, Faulk & Foster Real  
Estate, Inc. on behalf of Verizon Wireless**



N E L L O

EXHIBIT D

1201 S Sheridan St  
South Bend, IN 46619

Phone: 574-288-3632  
Fax: 574-288-5860  
www.nelloinc.com

September 29, 2023

Brett Slough  
Verizon Wireless  
PO BOX 21074  
Tulsa, OK 74121

Re: Structural Analysis Report  
Site Name: Carolina Flanged Pole, Cabarrus County, NC  
85' NTP Nello Tapered Pole  
Job Number: SO31163 – Pass/Fail of SO19435

Dear Mr. Slough:

Nello is pleased to provide you with the results of the structural analysis performed on the 85' tall tapered pole for the Carolina Flanged Pole, Cabarrus County site in North Carolina. The purpose of the analysis was to determine the suitability of the tower with the three (3) carrier loading below. Given the shielding nature of the radome, the list of appurtenances and weight provided by Verizon have been taken into account within the loading of the radome.

Elevation	Appurtenance		Lines		Mount	
	Qty.	Model	Qty.	Size	Qty	Model
85'	1	6' Lightning Rod				
75'-85'	1	144" x 10' Radome - Raycap # VZ23-01398W-05R0	3	HYBRIFLEX 1-5/8"		
65'-75'	1	144" x 10' Radome - Raycap # VZ23-01398W-05R0	3	HYBRIFLEX 1-5/8"		
55'-65'	1	144" x 10' Radome - Raycap # VZ23-01398W-05R0	3	HYBRIFLEX 1-5/8"		

This analysis has been performed in accordance with the ANSI/TIA-222-G standard based upon a 115 MPH 3-second gust ultimate wind speed with no ice and 40 MPH 3-second gust wind speed with 3/4" ice.

Based on our analysis, this tower remains in compliance with the aforementioned tower code. Nello did not design the foundation for this structure. Therefore, it was not analyzed as part of this structural package. However, it is highly recommended that the foundation be analyzed by an engineer, based on these revised reactions from this study, to confirm that it has adequate capacity for the changes noted above

Nello appreciates the opportunity to provide this report and our continuing professional services. If you have any questions or need further assistance on this or any other projects please do not hesitate to call.

Respectfully submitted,

Jason Lambert, P.E.  
Vice-President, Engineering



10/18/2023

**Report Date:** October 20, 2023

**Client:** Verizon Wireless  
3651 Junction Blvd  
Raleigh, NC 27063  
Attn: Brett Slough  
(919) 755-4914  
brett.slough@verizonwireless.com

**Structure:** Proposed 85-ft Monopole  
**Site Name:** Nascar BP  
**Site Address:** 4515 Morehead Road  
**City, County, State:** Concord, Cabarrus County, NC  
**Latitude, Longitude:** 35.350472°, -80.691611°

**PJF Project:** A24323-0780.001.7610

Paul J. Ford and Company is pleased to submit this “**Foundation Analysis Letter**” for the above-mentioned site.

**Analysis Criteria:**


This analysis has been performed in accordance with the 2018 North Carolina Building Code.

All foundation loading was obtained from the Nello structural analysis, reference job number SO31163, dated 09/22/2023.

In our analysis we have found the foundation to be **SUFFICIENT** for the loading listed in the referenced Nello analysis.

We at Paul J. Ford and Company appreciate the opportunity of providing our continuing professional services to you and Verizon Wireless. If you have any questions or need further assistance on this or any other projects, please give us a call.

Respectfully Submitted by:  
Paul J. Ford and Company

  
Thomas J. Dehnke, PE  
Project Manager  
tdehnke@pauljford.com

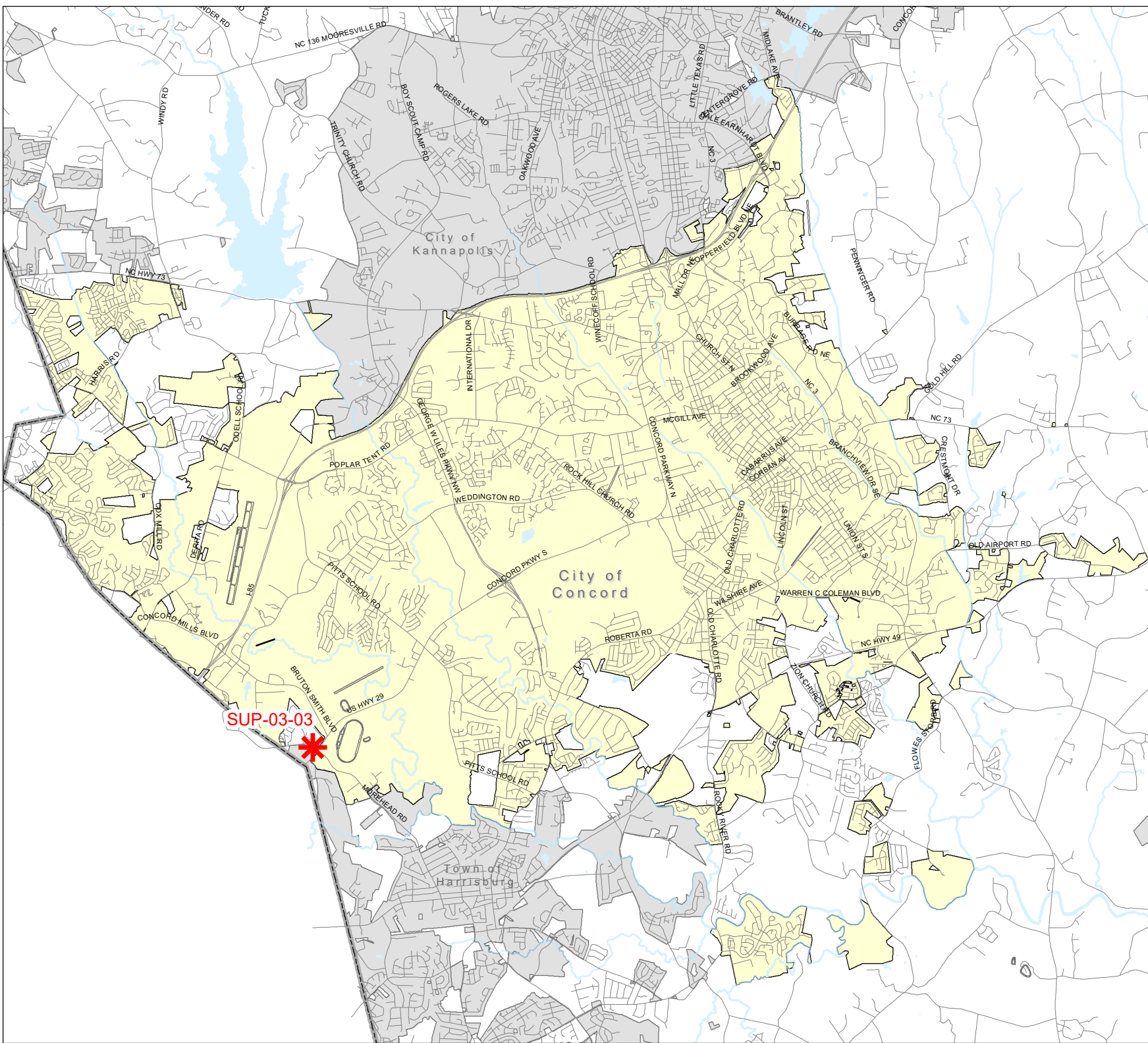
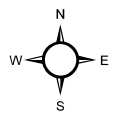


10/20/2023

SUP-03-23

4515 Morehead Rd

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



SUP-03-03

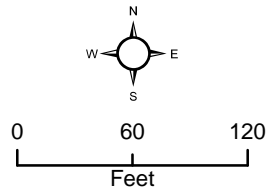
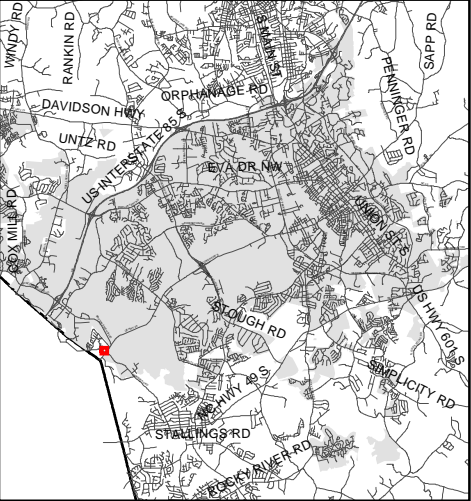







**SUP-03-23  
AERIAL**

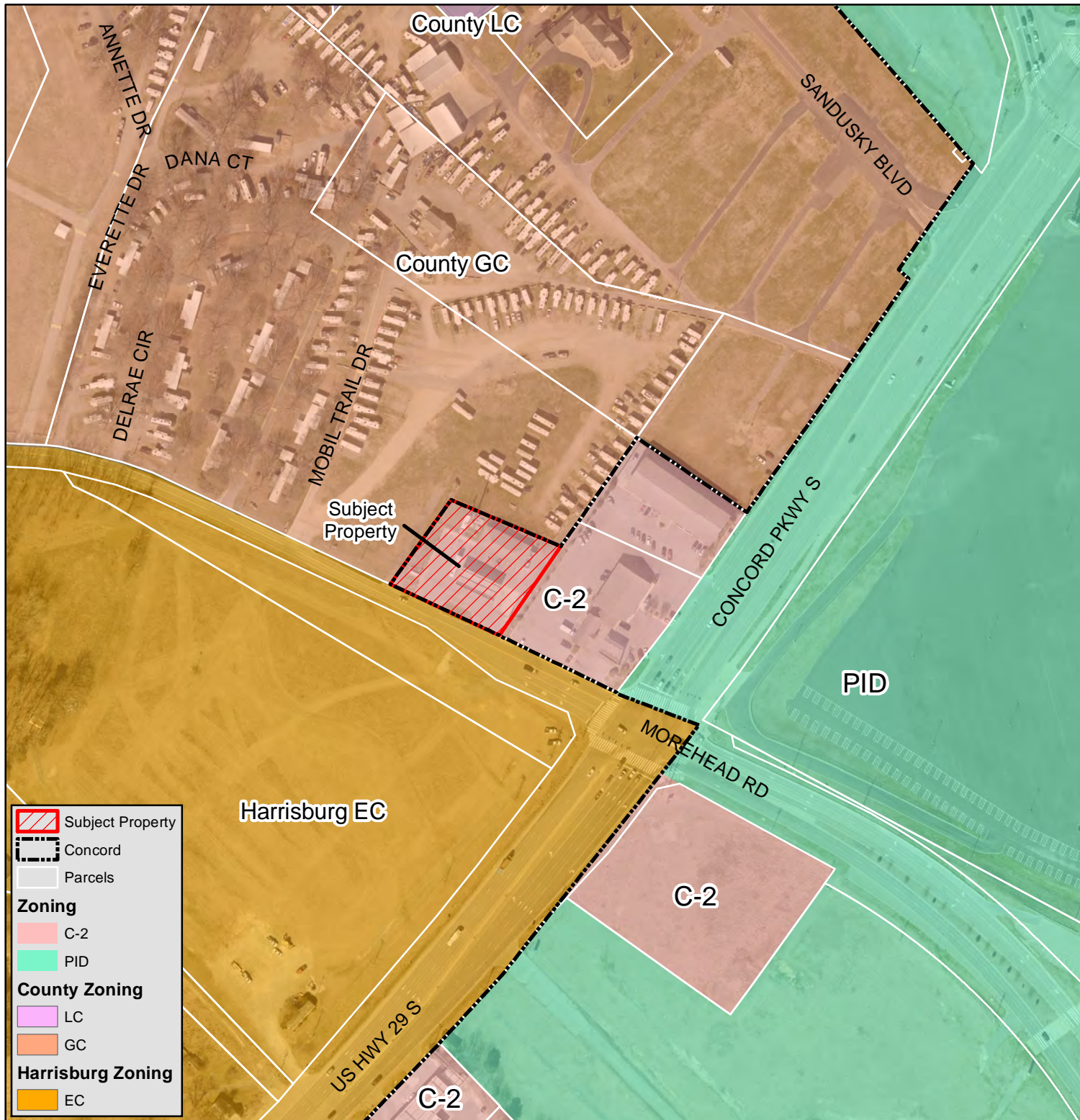
**Special Use Permit  
Application  
Cell Tower in a  
C-2 (General Commercial)  
Zoning District**

4515 Morehead Rd  
PIN: 4598-56-5792 (part of)



-  Subject Property
-  Concord
-  Parcels



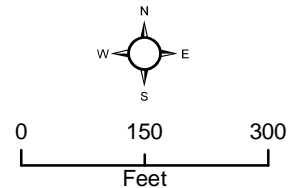
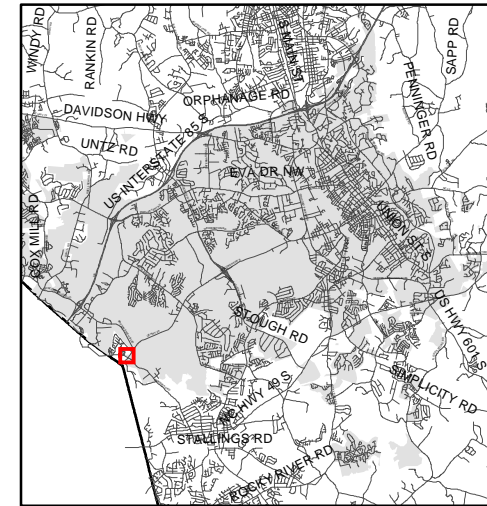


	Subject Property
	Concord
	Parcels
<b>Zoning</b>	
	C-2
	PID
<b>County Zoning</b>	
	LC
	GC
<b>Harrisburg Zoning</b>	
	EC

**SUP-03-23  
ZONING**

**Special Use Permit  
Application  
Cell Tower in a  
C-2 (General Commercial)  
Zoning District**

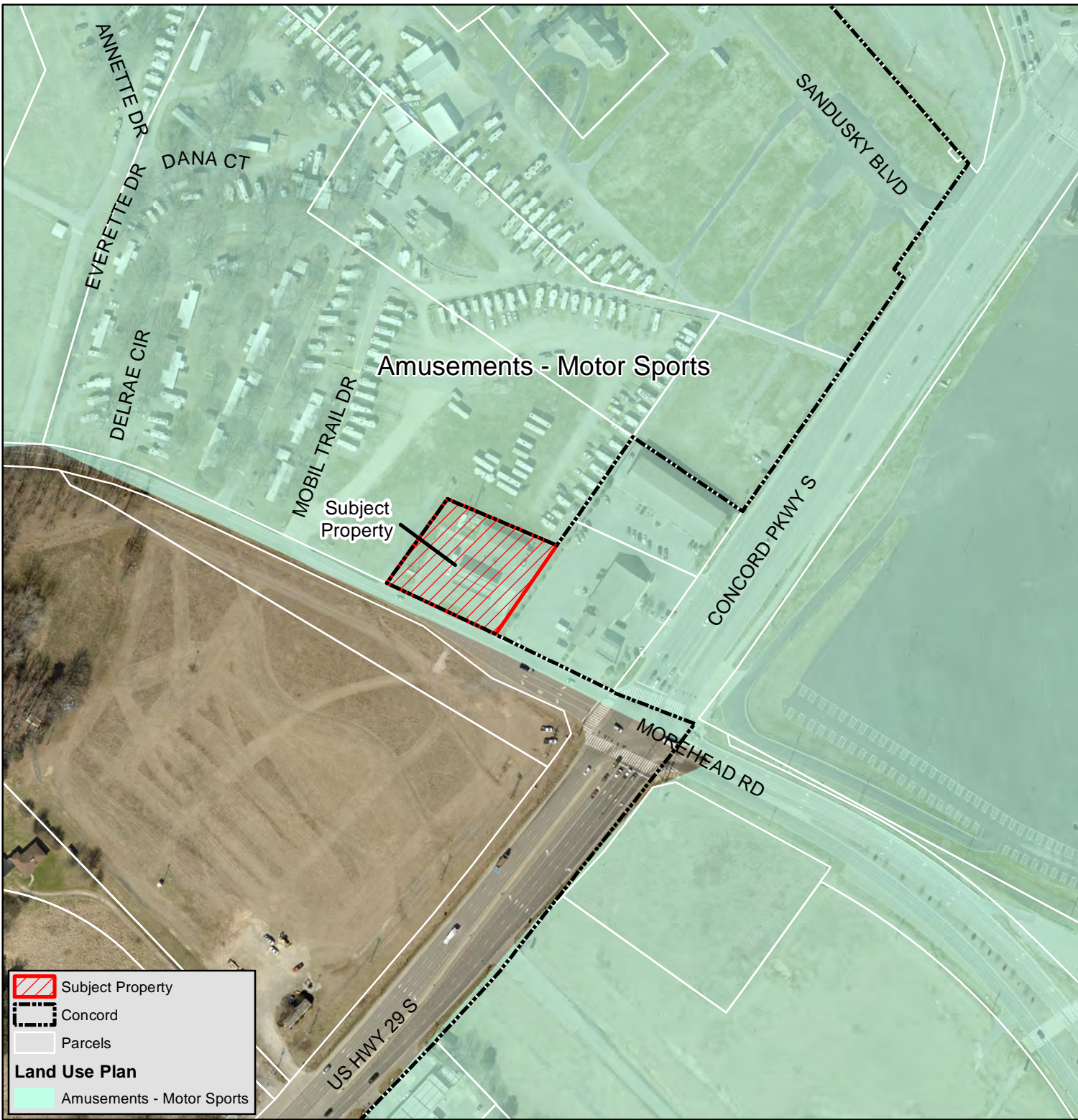
4515 Morehead Rd  
PIN: 4598-56-5792 (part of)







**SUP-03-23  
LAND USE PLAN**

**Special Use Permit  
Application  
Cell Tower in a  
C-2 (General Commercial)  
Zoning District**

4515 Morehead Rd  
PIN: 4598-56-5792 (part of)



 Subject Property  
 Concord  
 Parcels  
**Land Use Plan**  
 Amusements - Motor Sports

