

**CITY OF CONCORD PLANNING & ZONING COMMISSION**  
**Meeting Agenda**  
**Tuesday, September 17, 2024, 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-10-24 (Legislative Hearing)**

**Cabarrus County** has submitted a Zoning Map Amendment application for +/- 5.8 acres of property located at 2892 Zion Church Road from Cabarrus County GI (General Industrial) to City of Concord I-2 (General Industrial). PIN 5529-85-8725.

- a. Open Public Hearing by Motion - *Motion, second, and vote needed.*
- b. Staff Presentation
- c. Staff Recommendation
- d. Applicant's/Proponent's Testimony
- e. Opponent's Testimony
- f. Close Public Hearing by Motion - *Motion, second, and vote needed.*
- g. Approve Statement of Consistency by Motion - *Motion, second, and vote needed.*
- h. Approve/Deny Zoning Amendment by Motion - *Motion, second, and vote needed.*

**2. Z-11-24 (Legislative Hearing)**

**Josh Swart/ Straight Path Real Estate Solutions** has submitted a Zoning Map Amendment application for +/- 1.55 acres of property located at 2308 Kannapolis Highway & 3 Mills Avenue NW from City of Concord O-I-CU (Office-Institutional Conditional Use District) and C-1 (Light Commercial and Office District) to City of Concord RC (Residential Compact) and C-1 (Light Commercial and Office District). PINs 5612-90-4158; 5612-90-5040.

- a. Open Public Hearing by Motion - *Motion, second, and vote needed.*
- b. Staff Presentation
- c. Staff Recommendation
- d. Applicant's/Proponent's Testimony
- e. Opponent's Testimony
- f. Close Public Hearing by Motion - *Motion, second, and vote needed.*
- g. Approve Statement of Consistency by Motion - *Motion, second, and vote needed.*
- h. Approve/Deny Zoning Amendment by Motion - *Motion, second, and vote needed.*

**3. Z (CD)-09-24 (Legislative Hearing)**

**Steven Ross** has submitted a Zoning Map Amendment application for +/- 1.81 acres of property located at 4349 Roberta Rd. from RM-2 (Residential Medium Density) to RV-CD (Residential Village – Conditional District). p/o PIN 5518-28-2295.

- 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)-27-23 (Legislative Hearing)**

**Capital Land Partners, LLC** has submitted a Zoning Map Amendment application for +/- 13.03 acres of property located at 805 Branchview Dr SE from RM-1 (Residential Medium Density) to RV-CD (Residential Village – Conditional District). PIN 5630-55-3690.

- 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. Z-12-24 (Legislative Hearing)**

**Keith Troutman** has submitted a Zoning Map Amendment application for +/- 0.344 acres of property located at 2120 Barnhardt Ave. from RM-2 (Residential Medium Density) to C-2 (General Commercial). PIN 5610-98-5054.

- a. Open Public Hearing by Motion - *Motion, second, and vote needed.*
- b. Staff Presentation
- c. Staff Recommendation
- d. Applicant's/Proponent's Testimony
- e. Opponent's Testimony
- f. Close Public Hearing by Motion - *Motion, second, and vote needed.*
- g. Approve Statement of Consistency by Motion - *Motion, second, and vote needed.*
- h. Approve/Deny Zoning Amendment by Motion - *Motion, second, and vote needed.*

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

**1. TA-09-24 (Articles 4 and 14 – Sign Regulations and Definitions)**

Consider text amendment to Articles 4 and 14 the Concord Development Ordinance (CDO) to address recent changes to the General Statutes regarding on-premise signage, and to clarify height measurement provisions for ground mounted signs.

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

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

**VIII. MATTERS NOT ON THE AGENDA**

**IX. ADJOURNMENT**



**DATE:** September 17, 2024

**REZONING CASE #:** Z-10-24

**ACCELA:** CN-RZZ-2024-00007

**DESCRIPTION:** Zoning Map Amendment  
Cabarrus County GI (General Industrial) to City of Concord I-2  
(General Industrial)

**APPLICANT/OWNER:** Kelly Sifford - Cabarrus County

**LOCATION:** 2892 Zion Church Road

**PIN#:** 5529-85-8725

**AREA:** +/- 5.8 acres

**ZONING:** 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 totaling +/- 5.8 acres of property located on Zion Church Rd. The property is currently zoned Cabarrus County GI (General Industrial). The property is owned by Russell and Jennifer Moose and the authorized petitioner for the rezoning request is Cabarrus County. The applicant seeks approval to rezone the subject property from Cabarrus County GI (General Industrial) to City of Concord I-2 (General Industrial).

**HISTORY**

The subject property was previously located in Cabarrus County and zoned General Industrial (GI), annexed into the City on August 8, 2024.

**SUMMARY OF REQUEST**

The applicant proposes to rezone +/- 5.8 acres from Cabarrus County GI (General Industrial) to City of Concord I-2 (General Industrial). The submitted request is not for a conditional district, so although the property is owned by Cabarrus County and the anticipated use is for an animal shelter, all uses permitted within the I-2 (General Industrial) zoning classification would be permitted. Any development of the subject property would require technical site plan review and approval and must meet the standards set forth in the CDO (Concord Development Ordinance) as well as other

applicable regulations. I-2 zoning is the most similar zoning to Cabarrus County GI as it permits a similar range of uses.

<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>	
Formerly Cabarrus County GI (General Industrial)	<b>North</b>	City of Concord I-2 (General Industrial)	Vacant	<b>North</b>	Industrial
	<b>South</b>	City of Concord I-2 CD (General Industrial-Conditional District)		<b>South</b>	Residential, Vacant
		City of Concord I-1 (Light Industrial) Cabarrus County O-I (Office/Institutional) Cabarrus County MDR (Medium Density Residential)			
	<b>East</b>	City of Concord I-2 (General Industrial)		<b>East</b>	Industrial
<b>West</b>	City of Concord I-2 (General Industrial) City of Concord I-2 CD (General Industrial-Conditional District) Cabarrus County O-I (Office/Institutional)	<b>West</b>	Industrial, Vacant		

**COMPLIANCE WITH 2030 LAND USE PLAN**

The 2030 Land Use Plan (LUP) designates the subject properties 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 category are 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” (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.*

**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.*

*Goal 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 for the rezoning petition is approximately +/- 5.8 acres and is currently zoned Cabarrus County GI (General Industrial).
- The subject property was annexed into the City on August 8, 2024.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as I-2 (General Industrial) is a corresponding zoning classification to the Industrial-Employment (IE) Land Use Category.
- The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning adjacent to the subject property.

**OR**

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

**SUGGESTED RECOMMENDATION AND CONDITIONS**

City staff does not have any issues with the proposal. No conditions may be applied as the request is not for a “Conditional District.”

**PROCEDURAL CONSIDERATIONS**

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

**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:

Cabarrus County  
 P.O. Box 707  
 Concord, NC 28026  
 704-920-2142  
 HSP@co.cabarruscounty.us

Owner Name, Address, Telephone Number:

Russell Edward Moose  
 1501 S Lentz Harness Shop Road  
 Mount Pleasant, NC 28124

Project Location/Address: 2892 Zion Church Road, Concord, NC 28025

Parcel Identification Number (PIN): 5529858725

Area of Subject Property (acres or square feet): 5.80

Lot Width: 1059.6 ft Lot Depth: approximately 450 ft

Current Zoning Classification: GI

Proposed Zoning Classification: I-2

Existing Land Use: Vacant

Future Land Use Designation: Government use/Animal Shelter

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

Reason for request:

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

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





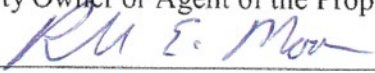


***Certification***

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

Date: 6-5-2024

Applicant Signature: 

Property Owner or Agent of the Property Owner Signature:  
 

# SURROUNDING PROPERTY OWNERS

PMR INVESTMENTS INC A NC CORP

P. O BOX 348

CONCORD, NC 28026

EDWIN B LUMPKIN JR

110 METRO PKWY

PELHAM, AL 35124

RUSSELL EDWARD MOOSE

1501 S LENTZ HARNESS SHOP ROAD

MOUNT PLEASANT, NC 28124

ZION CHURCH ROAD CONCORD, LLC

1181 MIDDLE RD

FAYETTEVILLE, NC 28312

ARNOLD W HOLDER

214 LITAKER LANE

CONCORD, NC 28025

READY MIX OF THE CAROLINAS, LLC

P. O. BOX 325

LOCUST, NC 28097

May 31, 2024

City of Concord  
Ms. Autumn James  
P.O. Box 308  
Concord, NC 28026

Dear Ms. James;


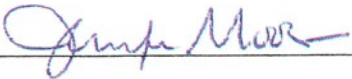
I am writing to authorize Cabarrus County and their staff to act as agent in the annexation and any associated rezoning processes to the equivalent city zoning, that may be required with regard to my property located at 2892 Zion Church Road in Concord. I am the owner of record and documentation of that has been provided with the application. You may reach out to me at [moosecattle73@gmail.com](mailto:moosecattle73@gmail.com) or through my broker, Ryan Kinney at his cell 704-778-6100 if you have any questions.

Thanks

Russell Moose

   
\_\_\_\_\_

Jennifer Moose

   
\_\_\_\_\_

Lying and being in No. 11 Township, Cabarrus County, N.C., on the west side of Zion Church Road and adjoining the property of John Furr, Reed and Callie Lee Moose and bounded as follows:

BEGINNING at a point on the east edge of Zion Church Road, an old corner of Callie Lee Moose and John Furr, and runs thence with the line of Furr N. 43-49 W. 808.5 feet to an iron stake, an old corner of Moose and Furr and Reed; thence with the line of Reed N 36-42 E, 526.9 feet to a point in the Zion Church Road; thence three new lines with said road as follows: 1<sup>st</sup>, S. 23-34 E. 459.6 feet; 2<sup>nd</sup>, S 10-19 E. 300 feet; 3<sup>rd</sup> S. 3-53 E. 300 feet to the BEGINNING, containing 5.80 acres more or less.

## RECORD 352

STATE OF NORTH CAROLINA—CABARRUS COUNTY

THIS INDENTURE Made this the 2nd day of August  
 in the year of our Lord one thousand nine hundred and Sixty-Five (1965), between  
Callie Lee Meese and husband W. E. Meese

of the County of Cabarrus and State of North Carolina of the first part, and

Paul M. Meese and wife June E. Meese  
 of the County of Cabarrus and State of North Carolina, of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten Dollars (\$10.00 and other valuable considerations) DOLLARS;  
 to the said parties of the first part in hand paid, the receipt whereof is hereby acknowledged, have bargained, sold and conveyed, and by these presents do bargain, sell and convey unto the said parties of the second part, their heirs and assigns,  
 the following described real estate, situate, lying and being in the County of Cabarrus and State of North Carolina, bounded as follows, to-wit:

Lying and being in No. 11 Township, Cabarrus County, N. C., on the west side of Zion Church Road and adjoining the property of John Furr, Reed and Callie Lee Meese and bounded as follows:

BEGINNING at a point on the east edge of Zion Church Road, an old corner of Callie Lee Meese and John Furr, and runs thence with the line of Furr N. 43-49 W. 808.5 feet to an iron stake, an old corner of Meese and Furr and Reed; thence with the line of Reed N. 34-42 E. 526.9 feet to a point in the Zion Church Road; thence three new lines with said Road as follows: 1st, S. 23-34 E. 459.6 feet; 2nd, S. 10-19 E. 300 feet; 3rd, S. 3-53 E. 300 feet to the BEGINNING, containing 5.80 acres more or less.

TO HAVE AND TO HOLD all and singular the above granted premises, with the appurtenances, unto the said parties of the second part, their heirs and assigns forever. And the said Callie Lee Meese and husband W. E. Meese parties of the first part, for themselves, their heirs, executors and administrators, do hereby covenant with the said parties of the second part, their heirs and assigns, that they <sup>are</sup> seized of said premises in fee simple; that the said premises are free from all encumbrances; that they <sup>have</sup> good right and lawful authority to sell the same; that they will warrant and defend the said premises unto the said part ~~ies~~ of the second part, their heirs and assigns, against the lawful claims of all persons whatsoever.

IN TESTIMONY WHEREOF, the said part ~~ies~~ of the first part ha ~~ve~~ hereunto set their hands and seals, the day and year first above written.

Callie Lee Meese (Seal)  
W. E. Meese (Seal)  
 \_\_\_\_\_ (Seal)  
 \_\_\_\_\_ (Seal)  
 \_\_\_\_\_ (Seal)  
 \_\_\_\_\_ (Seal)

Signed, sealed and delivered in the presence of:

STATE OF NORTH CAROLINA—CABARRUS COUNTY.

I, \_\_\_\_\_ in and for said County and State, do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the annexed instrument; and the said \_\_\_\_\_

being by me privately examined, separate and apart from \_\_\_\_\_ said husband \_\_\_\_\_ touching \_\_\_\_\_ voluntary execution of the same, doth state that \_\_\_\_\_ signed the same freely and voluntarily, without fear or compulsion of \_\_\_\_\_ said husband or any other person, and that \_\_\_\_\_ doth still voluntarily assent thereto. Therefore, let the said instrument, together with this certificate, be registered.

Witness my hand and \_\_\_\_\_ seal, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_\_.  
 My commission expires \_\_\_\_\_, 19\_\_\_\_. (Seal)

STATE OF NORTH CAROLINA, Cabarrus COUNTY.

I, Marinelle Click, a Notary Public \_\_\_\_\_ in and for said County and State, do hereby certify that Callie Lee Meese and husband W. E. Meese personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Therefore, let the said deed, together with this certificate, be registered.

Witness my hand and notarial seal, this 5th day of AUGUST, A.D., 1965.  
Marinelle Click (Seal)  
 My commission expires September 3, 1965.

STATE OF NORTH CAROLINA—CABARRUS COUNTY.

The execution of the foregoing deed was this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, acknowledged/proven before the undersigned, \_\_\_\_\_ in and for the County aforesaid, by \_\_\_\_\_ Therefore, let the said deed, together with this certificate, be registered.

Witness my hand and \_\_\_\_\_ seal, date above written.  
 My commission expires \_\_\_\_\_, 19\_\_\_\_. (Seal)

STATE OF NORTH CAROLINA—CABARRUS COUNTY. Superior Court August 7, 1965.

The foregoing certificate of Marinelle Click, a Notary Public of Cabarrus County, is adjudged to be in due form and according to law. Therefore, let the said deed, with the certificate, be registered.

This the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_\_. Helen E. McClureck Deputy Clerk of Superior Court.

I hereby certify that the within deed filed in the office for registration on the 7 day of August, A.D., 1965, at 10:15 o'clock A.M., and was duly registered, this the 9th day of August, A.D., 1965, at 2:10 o'clock P.M.

Prepared by Williams, Williford & Regar \_\_\_\_\_  
Attys. Concord, N. C. \_\_\_\_\_ James L. Bond Register of Deeds.



Cabarrus County Tax Administration  
Land Records Division  
2022

# DATA ENTRY WORK ORDER

### Property Identification

#### Current Parcel Information

PIN: 5529-96-5634 Real ID (Old ID) 11 - 33 - 6.3  
5529-85-8725

Account # 5008800 11-33-20.0

#### New Parcel Information (If applicable)

PIN: \_\_\_\_\_ Real ID (Old ID) \_\_\_\_\_

New Property/Legal Description: \_\_\_\_\_

### Nature of Problem

- Name Change     PIN/Real ID Change     Description Change  
 Other \_\_\_\_\_

### Correct in Tax Year(s) Check all that apply:

- Current Year     Future Years     Prior Years \_\_\_\_\_

### Owner Information

New/Correct Name: Moose Russell Edward

New Account Number: 148027

Old/Incorrect Name: Moose Paul M.

Mailing Address: 1501 S Lentz Harness Shop Rd  
Mt Pleasant NC 28124

Phone Number: 704-917-8855

Email address: moosecattle73@gmail.com

### Comments/Instructions

27 ac Paul Mellon Moose Dec'd 12-22-2019  
580 ac

Will + Death Cert Attached

# Last Will and Testament

FILED

2020 JAN -7 P 1:10

CABARRUS COUNTY, C.S.C

OF

BY



**PAUL M. MOOSE**

I, **PAUL M. MOOSE**, a resident of Cabarrus County, North Carolina, declare this to be my Last Will, hereby revoking all wills and codicils heretofore made by me.

## ITEM I

I direct that my just debts, the expenses of my last illness, my funeral expenses (or expenses of my cremation, if applicable), including the cost of a suitable monument at my grave and perpetual care of the cemetery lot in which I am interred, whether or not such expenditures exceed the limitations otherwise imposed by law, and the cost of administration of my estate, be paid out of the assets of my estate as soon as practicable after my death.

## ITEM II

After carrying out the provisions of Item I, I hereby make the following specific bequests:

a. I give, devise and bequeath unto my son, **RUSSELL EDWARD MOOSE**, all of that real property as may be owned by me at the time of my death and located in Cabarrus County, North Carolina, to be his, absolutely and in fee simple. I also give and bequeath unto my said son my dog, Jake Demand, should he be living at the time of my death.

b. I give, devise and bequeath unto my daughter, **PAULA MOOSE McGEE STACY**, all of that real property as may be owned by me at the time of my death and located in Stanly County, North Carolina, to be hers, absolutely and in fee simple

## ITEM III

I hereby devise all the remainder of my property of every sort, kind and description, both real and personal, belonging to me at the time of my death, per stirpes and in equal shares, to my son, **RUSSELL EDWARD MOOSE** and my daughter, **PAULA MOOSE**

PMM (initials)



**McGEE STACY**, to be theirs absolutely and in fee simple, they to share and share alike.

**ITEM IV**

I hereby grant to my Executor, the continuing, absolute, discretionary power to deal with any property, real or personal, held in my estate or in any trust as freely as I might in the handling of my own affairs. Such powers may be exercised independently without prior or subsequent approval of any judicial authority, and no person dealing with the personal representative shall be required to inquire into the propriety of any of their actions. In furtherance of the administration of my estate as outlined hereinabove, and without limiting the generality of the foregoing, I hereby grant to my said personal representative the following specific powers and authority in addition to, and not in substitution of, powers conferred by law:

A. To compromise, settle, or adjust any claim or demand, by or against my estate or trust and to agree to any modification of any contract or agreement.

B. To retain any security or other property owned by me at the time of my death, so long as such retention appears advisable, and to exchange any such security or property for other securities or properties and to retain such items received in exchange.

C. To sell, exchange, assign, transfer, and convey any property, real or personal, held in my estate or in any trust fund, at public or private sale, at such time and price and upon such terms and conditions (including credit) as he may determine to be advisable and for the best interest of my trust(s).

D. To invest and reinvest (including accumulated income) in any property (real or personal) as he may deem advisable, including stock and unsecured obligations, undivided interests, interests in investment trusts, and leases, all without diversification as to kind or amount and without being restricted in any way by any statute or court decision (now or hereinafter existing) regulating or

PMM (initials)

LAST WILL AND TESTAMENT  
OF  
PAUL M. MOOSE  
Page 3

limiting investments by fiduciaries.

E. To borrow money (from himself individually or from others) upon such terms and conditions as he/she/it may determine and to mortgage and pledge estate and trust assets as security for the repayment thereof.

F. To lease any real estate for such term or terms and upon such conditions and rentals, and in such manner, as he may deem advisable (with or without privilege of purchase), and any lease so made shall be binding for the full term thereof even though same shall extend beyond the duration of the trust(s). To insure against fire or other risk. To make repairs, replacements, and improvements, structural or otherwise, to any such real estate. To subdivide real estate, to dedicate same to public use and to grant easements as he may deem proper.

Without in any way limiting the generality of the foregoing, and subject to North Carolina General Statutes Section 32-26, I hereby grant to my Executor all the powers set forth in North Carolina General Statutes Section 32-27, and these powers are hereby incorporated by reference and made a part of this instrument, and such powers are intended to be in addition to, and not in substitution of, the powers conferred by law.

ITEM V

I do hereby nominate and appoint **RUSSELL EDWARD MOOSE** Executor of this my Last Will. In the event that he shall be unable or unwilling to serve, then I hereby nominate and appoint **PAULA MOOSE McGEE STACY** Substitute Executrix of this my Last Will.

ITEM VI

(A) Throughout this Will, wherever the context requires or permits, genders shall be interchangeable, and the singular number shall be deemed to include the plural, and vice versa.

PMM (initials)

LAST WILL AND TESTAMENT  
OF  
PAUL M. MOOSE  
Page 4

(B) Throughout this Will, the term "devise" shall be deemed to refer to distributions of real property or personal property or both, depending on the context in which such term is used.

IN WITNESS WHEREOF, I, **PAUL M. MOOSE**, the Testator, sign my name to this Will, this 2 day of September 2008, and being first duly sworn, do hereby declare to the undersigned authority that I execute, seal, and declare this instrument to be my Last Will and Testament and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am twenty-five years of age or older, of sound mind, and under no constraint or undue influence.

Paul M. Moose (SEAL)  
**PAUL M. MOOSE**

We, David H Black and KATHY SIMPSON, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testator, **PAUL M. MOOSE**, signs and executes this instrument as his Last Will and Testament in our presence and that he signs it willingly, and that each of us, in the presence and hearing of the Testator, and at his request, hereby signs this Will as witness to the Testator's signing, and to the best of our knowledge the Testator is twenty-five years of age or older, of sound mind, and under no constraint or undue influence.

David H Black

Witness

Kathy Simpson

Witness

PMM(initials)

LAST WILL AND TESTAMENT  
OF  
PAUL M. MOOSE  
Page 5

STATE OF NORTH CAROLINA

COUNTY OF Cabarrus

Subscribed, sworn to and acknowledged before me by **PAUL M. MOOSE**, the Testator, and subscribed and sworn to before me by Kathy Simpkins and David H. Black, the witnesses, this 2<sup>nd</sup> day of September, 2008.

  
\_\_\_\_\_  
Notary Public

My commission expires: 4-16-2011

PM/M(initials)

STATE OF NORTH CAROLINA

CABARRUS County

**FILED**

File No.

20E 17

In The General Court Of Justice  
Superior Court Division Before The Clerk

IN THE MATTER OF THE ESTATE OF

MUL MELLON MOOSE

2021 JUL 15 11:41

ACCOUNT

Deceased  Minor  Adult Ward  Trust

ANNUAL  FINAL

I, the undersigned representative, being first duly sworn, say that the following is a complete and accurate account of my receipts, disbursements and other transactions as representative of this estate or trust.

G.S. 28A-21-1, -21-2, -21-3, -23-1; 35A-1264, -1266

Accounting Period From 01/07/2020 Extending To \_\_\_\_\_  
BY \_\_\_\_\_ Date Of Death 12/22/2019

NOTE: If Date Of Death is prior to January 1, 2013, do not use this version of the form. Instead, use the Rev. 12/17 version of the form.

**PART I. SUMMARY**

1. Subtotal Personal Property on Inventory or Subtotal Personal Property Held/Invested as Shown on Last Account	\$ 122,812.73
2. Minus Loss from Sale of Personal Property when Compared to Value Listed on Inventory or Prior Account (Include or attach explanation.)	
3. <b>SUBTOTAL</b>	\$ -
4. Plus Total Receipts as Shown on Reverse [Part III.] (costs apply to this amount)	\$ 32,057.91
5. <b>TOTAL ASSETS</b>	\$ 274,31.75
6. Minus Disbursements (Debts or Expenses) as Shown on Reverse [Part IV.]	\$ 150,244.48
7. <b>SUBTOTAL</b>	\$ 0
8. Minus Distributions (Inheritance to Heirs) as Shown on Reverse [Part V.]	\$ -
9. <b>BALANCE AT END OF ACCOUNTING PERIOD (When filing Final Account, this should equal zero.)</b>	\$ 154,870.64

**PART II. BALANCE HELD OR INVESTED**

(Complete ONLY when filing an Annual Account with assets remaining in the Estate.)

	Account No.	Balance
1. On Deposit in Banks, etc.		\$
		\$
		\$
2. Invested in Securities, etc.		\$
3. Tangible Personal Property		\$
4. <b>SUBTOTAL - PERSONAL PROPERTY</b>		\$
5. Real Estate Willed to the Estate and Not Sold (fair market value at date of death)		\$
6. Real Estate Acquired by the Estate Under G.S. 28A-15-1		\$
7. Other		\$
<b>TOTAL BALANCE HELD OR INVESTED (Must equal Balance shown in Part I. above)</b>		\$ 0.00

Name And Address Of Fiduciary  Change Of Address

Name And Address Of Co-Fiduciary  Change Of Address

Signature Of Fiduciary *[Signature]* Title EXEC

Signature Of Co-Fiduciary Title

**SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME**

**SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME**

Date 6/28/2021 Signature Of Person Authorized To Administer Oaths *[Signature]*  
 Deputy CSC  Assistant CSC  Clerk Of Superior Court

Date \_\_\_\_\_ Signature Of Person Authorized To Administer Oaths \_\_\_\_\_  
 Deputy CSC  Assistant CSC  Clerk Of Superior Court

Date Commission Expires \_\_\_\_\_  Notary

Date Commission Expires \_\_\_\_\_  Notary

County Where Notarized \_\_\_\_\_

County Where Notarized \_\_\_\_\_

SEAL

SEAL

**OUTCOME OF AUDIT BY CLERK AND ORDER**

Bond?  Yes, reviewed.  Not applicable.

The above account has been audited by me and the vouchers or verified proofs submitted in support were examined. The account is  approved  disapproved.  
 As this is the final account, the fiduciary is discharged.

Date 7/15/2021 Signature *[Signature]*

AOC-E-506, Rev. 5/19

© 2019 Administrative Office of the Courts

Assistant CSC  
 Clerk Of Superior Court

**PART III. RECEIPTS**

- NOTES: 1. Rent from real property not willed to the estate goes to the heirs and is not a receipt of the estate.  
 2. List loans to the estate for the purpose of paying claims.  
 3. If a sale of personal property results in a gain over the value listed on the Inventory (AOC-E-505), list the gain as a receipt. If a sale results in a loss as compared to the value listed on the Inventory, report the loss on Side One, Part I of this form.  
 4. Do not report, as a receipt, changes in value (when compared to the value listed in the Inventory) of items which have not been sold.  
 5. If any real property willed to the estate has been sold, report the entire proceeds as a receipt.  
 6. If any real property not willed to the estate has been sold in a special proceeding to create assets with which to pay claims of the estate, report as a receipt only that portion of the proceeds received from the Commissioners (the balance not needed to pay claims of the estate is distributed in the special proceeding).

Date	Received From	Description	Amount Or Value
7-6-20	ANNUITY ZURICH	LIFE INSURANCE	\$ 19,105.98
7-17-20	MONDELEZ	DIVIDEND	222.45
8-11-20	MET LIFE	LIFE INSURANCE	7976.30
10-30-20	KRAFT	DIVIDEND	22.80
1-7-21	MET LIFE	DIVIDEND	104.22
2-4-21			62.52
4-13-21	5TH 3RD TRADITIONAL IRA	IRA	4394.22
9-30-20	MET LIFE	DIVIDEND	81.42

NOTE: The AOC-E-506 Part III Continuation may be used as an attachment. **Sum Total From Attachment(s), If Any** \$ 32,069.91  
**TOTAL PART III** \$ 27,431.75

**PART IV. DISBURSEMENTS (Debts or Administrative Expenses)**

- NOTES: 1. Disbursements are expenditures of and for the estate and do not include expenses regarding real property not willed to the estate.  
 2. List payments to creditors out of loans to the estate, or reimbursements by the estate to persons who had directly paid creditors of the estate.  
 3. Provide copies of receipts, cancelled or imaged checks, or other satisfactory detailed proof of payments.

Date	Paid Or Disbursed To	Description	Amount Or Value
			\$

NOTE: The AOC-E-506 Part IV Continuation may be used as an attachment. **Sum Total From Attachment(s), If Any** \$  
**TOTAL PART IV.** \$

**PART V. DISTRIBUTIONS (Inheritance to Heirs)**

- NOTES: 1. Provide copies of receipts, cancelled or imaged checks, or other satisfactory detailed proof of delivery or distribution.  
 2. Attach itemized description of unrealized gains or losses or assets not sold but distributed. Do not include unrealized gain or loss amounts in Total Part V.

Date	Distributed To	Amount
4-5-21	PAULA M. EHRHARDT	77,435.32 \$ 75,122.24 Rm
4-5-21	RUSSELL E. MOOSE	77,435.32 \$ 75,122.24 Rm

NOTE: The AOC-E-506 Part V Continuation may be used as an attachment. **Sum Total From Attachment(s), If Any** \$  
**TOTAL PART V.** \$ 150,244.48

154,880.64

NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
N.C. VITAL RECORDS

CERTIFICATE OF DEATH

001808

REGISTRATION DISTRICT NO. **013-81** LOCAL NO. COUNTY OF DEATH **Cabarrus** STATE FILE NO.

RECEIVED #1  
TYPE/PRINT IN PERMANENT BLACK, BLUE, BLACK OR BLUE INK

DECEDENT'S LEGAL NAME  
1a. FIRST **Paul** 1b. MIDDLE **Mellon** 1c. LAST **Moose** 1d. SUFFIX 1e. LAST NAME PRIOR TO FIRST MARRIAGE

2. SEX **M** 3a. AGE-LAST BIRTHDAY (Yrs) **84** 3b. UNDER 1 YEAR Months Days 3c. UNDER 1 DAY Hours Minutes 4. DATE OF BIRTH (Month/Day/Year) **April 19 1935** 5. BIRTHPLACE (Country/State or Foreign Country) **Cabarrus Co NC** 6. DATE OF DEATH (Month/Day/Year) **12/22/2019**

PLACE OF DEATH (Check only one)  
7a. IF DEATH OCCURRED IN A HOSPITAL  Inpatient  ER/Outpatient  DOA  Hospice facility  Nursing home/Long term care facility  Decedent's home  Other (Specify)  
7b. IF DEATH OCCURRED SOMEWHERE OTHER THAN A HOSPITAL

7c. FACILITY NAME (if not institution, give street and number) **Tucker Hospice House** 7d. CITY OR TOWN **Kannapolis** 7e. COUNTY OF DEATH **Cabarrus**

8. MARITAL STATUS  Married  Married, but separated  Widowed  Divorced  Never married  Unknown  
9. SURVIVING SPOUSE (Give name prior to first marriage) 10a. DECEDENT'S USUAL OCCUPATION (Do not use retired) **Manager** 10b. KIND OF BUSINESS/INDUSTRY **Small Engine Parts Distributor**

11. SOCIAL SECURITY NUMBER **246-46-5396** 12a. RESIDENCE-STATE OR FOREIGN COUNTRY **NC** 12b. COUNTY **Cabarrus** 12c. CITY OR TOWN **Concord**

12d. STREET AND NUMBER **37 Fleetwood Dr SW** 12e. W/SIDE CITY LIMITS  Yes  No 12f. ZIP CODE **28027** 13. WAS DECEDENT EVER IN U.S. ARMED FORCES?  Yes  No

14. DECEDENT'S EDUCATION (Check the box that best describes the highest degree or level of school completed at the time of death)  
 8th grade or less  
 9th-12th grade; no diploma  
 High school graduate or GED completed  
 Some college credit, but no degree  
 Associate degree (e.g., AA, AS)  
 Bachelor's degree (e.g., BA, AB, BS)  
 Master's degree (e.g., MA, MS, MEd, MEd, MSW, MBA)  
 Doctorate (e.g., PhD, EdD) or Professional degree (e.g., MD, DDS, DVM, LLJ, JD)  
15. DECEDENT OF HISPANIC ORIGIN? (Check the box that best describes whether the decedent is Spanish/Hispanic/Latino. Check the "No" box if decedent is not Spanish/Hispanic/Latino)  
 No, not Spanish/Hispanic/Latino  
 Yes, Mexican, Mexican American, Chicano  
 Yes, Puerto Rican  
 Yes, Cuban  
 Yes, other Spanish/Hispanic/Latino (Specify)  
16. DECEDENT'S RACE (Check one or more races to indicate what the decedent considered himself or herself to be)  
 White  Other Asian (Specify)  
 Black or African American  
 American Indian or Alaska Native (Name of the enrolled or principal tribe)  
 Native Hawaiian  
 Guamanian or Chamorro  
 Samoan  
 Other Pacific Islander (Specify)  
 Asian Indian  Japanese  
 Chinese  Korean  Other (Specify)  
 Filipino  Vietnamese

17. FATHER/PARENT NAME (First, Middle, Last) (Last Name Prior to First Marriage) **William Edward Moose** 18. MOTHER/PARENT NAME (First, Middle, Last) (Last Name Prior to First Marriage) **Callie Lee**

19a. INFORMANT'S NAME **Russell E Moose** 19b. RELATIONSHIP TO DECEDENT **son** 19c. MAILING ADDRESS (Street and Number, City, State, Zip Code) **1501 Lentz Harness Shop Rd S Mt Pleasant NC 28124**

20a. METHOD OF DISPOSITION  Burial  Cremation  
 Donation  Entombment  Removal from State  Other (Specify)  
20b. PLACE OF DISPOSITION (Name of cemetery, crematory, other place) **Oakwood Cemetery** 20c. LOCATION (City or Town and State) **Concord, NC**

21a. SIGNATURE OF FUNERAL DIRECTOR *[Signature]* 21b. LICENSE NUMBER **1014 FSL** 21c. NAME OF EMBALMER **Russell Joyner** 21d. LICENSE NUMBER **1820 FSL**

22. NAME AND ADDRESS OF FUNERAL HOME **Wilkinson Funeral Home 100 Branchview Dr NE Concord, NC 28025**

23. PART I. Enter the chain of events (diseases, injuries or complications) that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology on lines b, c and/or d. Enter only one cause on a line. DO NOT ABBREVIATE. Approximate interval: Onset to death

IMMEDIATE CAUSE (Final disease or condition resulting in death) → a. **Cerebrovascular Disease**  
Due to (or as a consequence of)  
b. Due to (or as a consequence of)  
c. Due to (or as a consequence of)  
d. Due to (or as a consequence of)

PART II. Other significant conditions contributing to death but not resulting in the underlying cause given in PART I. 24a. WAS AN AUTOPSY PERFORMED?  Yes  No 24b. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH?  Yes  No

25. MANNER OF DEATH  Natural  Homicide  Accident  Pending  Suicide  Cannot be determined  
26a. WAS CASE REFERRED TO MEDICAL EXAMINER?  Yes  No  
26b. IF YES  Declined by Medical Examiner  
27. TIME OF DEATH (Approximate) **1028** 28. DID TOBACCO USE CONTRIBUTE TO DEATH?  Yes  Probably  No  Unknown  
29. IF FEMALE:  Pregnant at time of death  Not pregnant within past year  Not pregnant, but pregnant within 42 days of death  Not pregnant, but pregnant 43 days to 1 year before death  Unknown if pregnant within the past year

30. DATE PRONOUNCED (Month/Day/Year) 31a. DATE OF INJURY (Month/Day/Year) 31b. TIME OF INJURY 31c. INJURY AT WORK?  Yes  No 31d. PLACE OF INJURY-at home, farm, street, factory, office, building, etc. 31e. IF TRANSPORTATION INJURY SPECIFY:  Driver/Operator  Passenger  Pedestrian  Other (Specify)

31f. DESCRIBE HOW INJURY OCCURRED 31g. LOCATION OF INJURY (Street/Number/City/State)

32. CERTIFIER (Check only one)  
 Certifying physician/nurse practitioner/physician assistant - To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner stated.  
 Medical Examiner - On the basis of examination, and/or investigation, in my opinion death occurred at the time, date, and place, and due to the cause(s) and manner stated.

33a. SIGNATURE AND TITLE OF CERTIFIER *[Signature]* NP-C 33b. LICENSE NUMBER **5D04554** 33c. DATE SIGNED (Month/Day/Year) **12-22-19**

34. NAME AND ADDRESS OF CERTIFIER (Print legibly) **Terri M Todd NP-C 5005 Hospice Lane Kannapolis, NC 28081** 35. DATE REGISTERED BY STATE

34. FOR LOCAL REGISTRAR (Name) **Gwen K. Ghol AR** 35. DATE FILED (Month/Day/Year) **DEC 23 2019**

DATE CORRECTED (Mo/Day/Yr) ITEM(S) CORRECTED:  
DATE AMENDED (Mo/Day/Yr) ITEM(S) AMENDED:

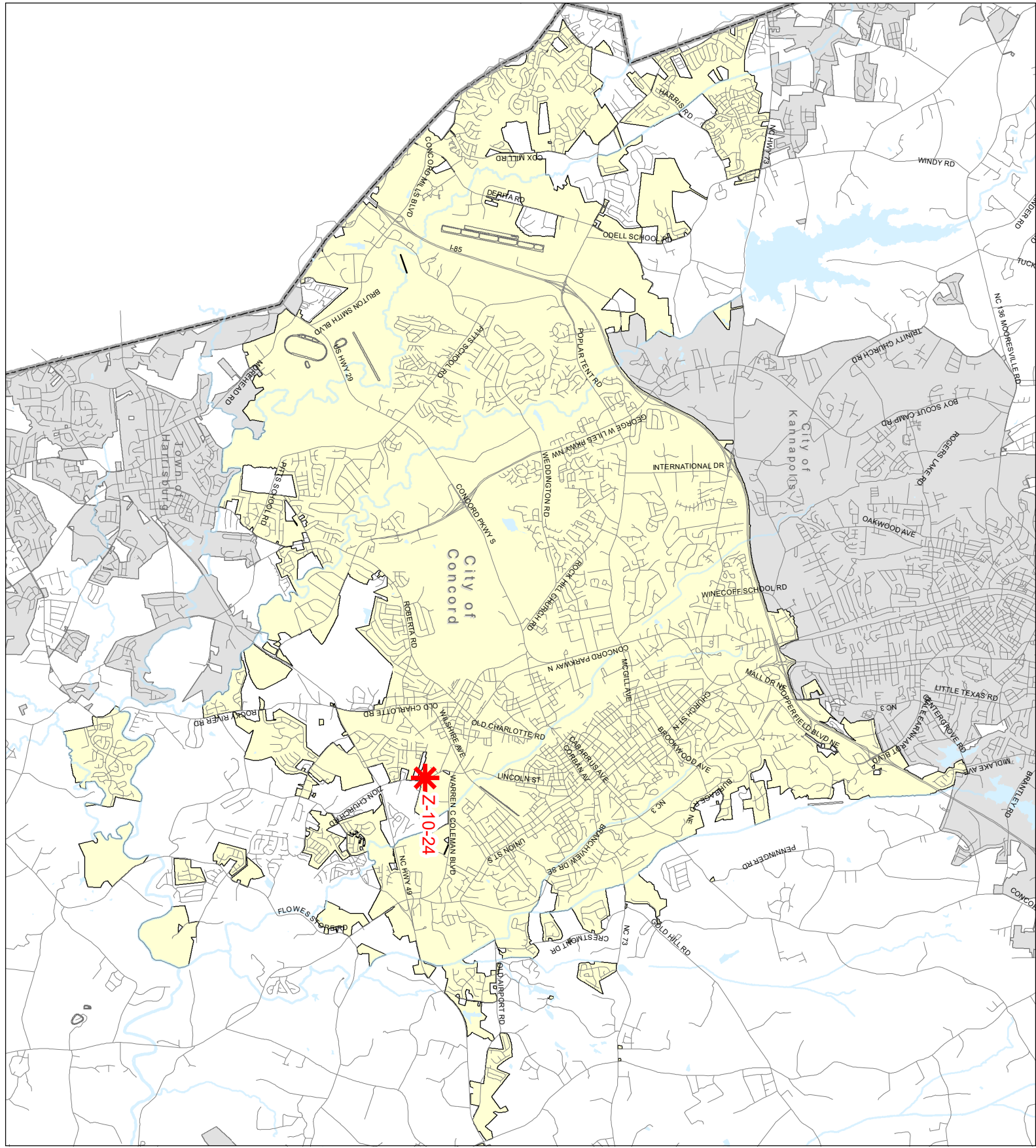
DOB: 12/22/19  
 TOD: 1028  
 Paul Mellon 4/19/35 83246

BURIAL/CREMATION PERMIT  
 Medical Examiner: Authorization for Disposition/Transportation  
 After the medical examiner completes and signs this burial/cremation permit/transportation authorization, it constitutes authority for burial, cremation, transportation or removal from the state.  
 A copy of this form should be a Burial/Cremation Permit.

Lying and being in No. 11 Township, Cabarrus County, N.C., on the west side of Zion Church Road and adjoining the property of John Furr, Reed and Callie Lee Moose and bounded as follows:








BEGINNING at a point on the east edge of Zion Church Road, an old corner of Callie Lee Moose and John Furr, and runs thence with the line of Furr N. 43-49 W. 808.5 feet to an iron stake, an old corner of Moose and Furr and Reed; thence with the line of Reed N 36-42 E, 526.9 feet to a point in the Zion Church Road; thence three new lines with said road as follows: 1<sup>st</sup>, S. 23-34 E. 459.6 feet; 2<sup>nd</sup>, S 10-19 E. 300 feet; 3<sup>rd</sup> S. 3-53 E. 300 feet to the BEGINNING, containing 5.80 acres more or less.

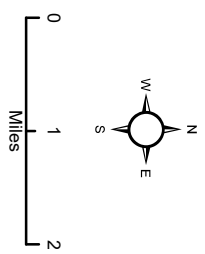




Z-10-24

2892 Zion Church Rd

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



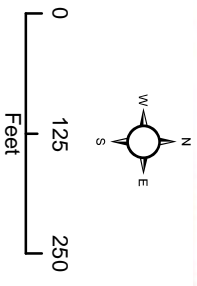
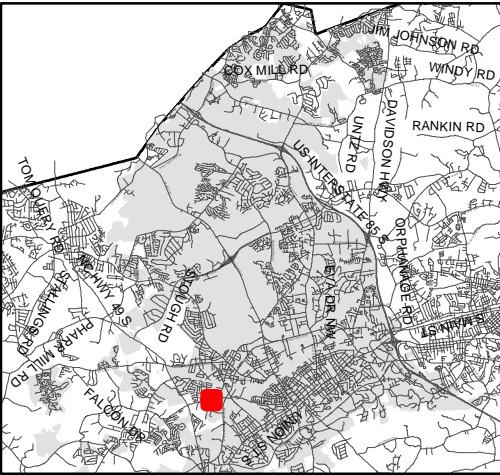


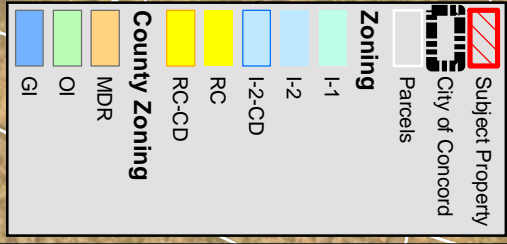
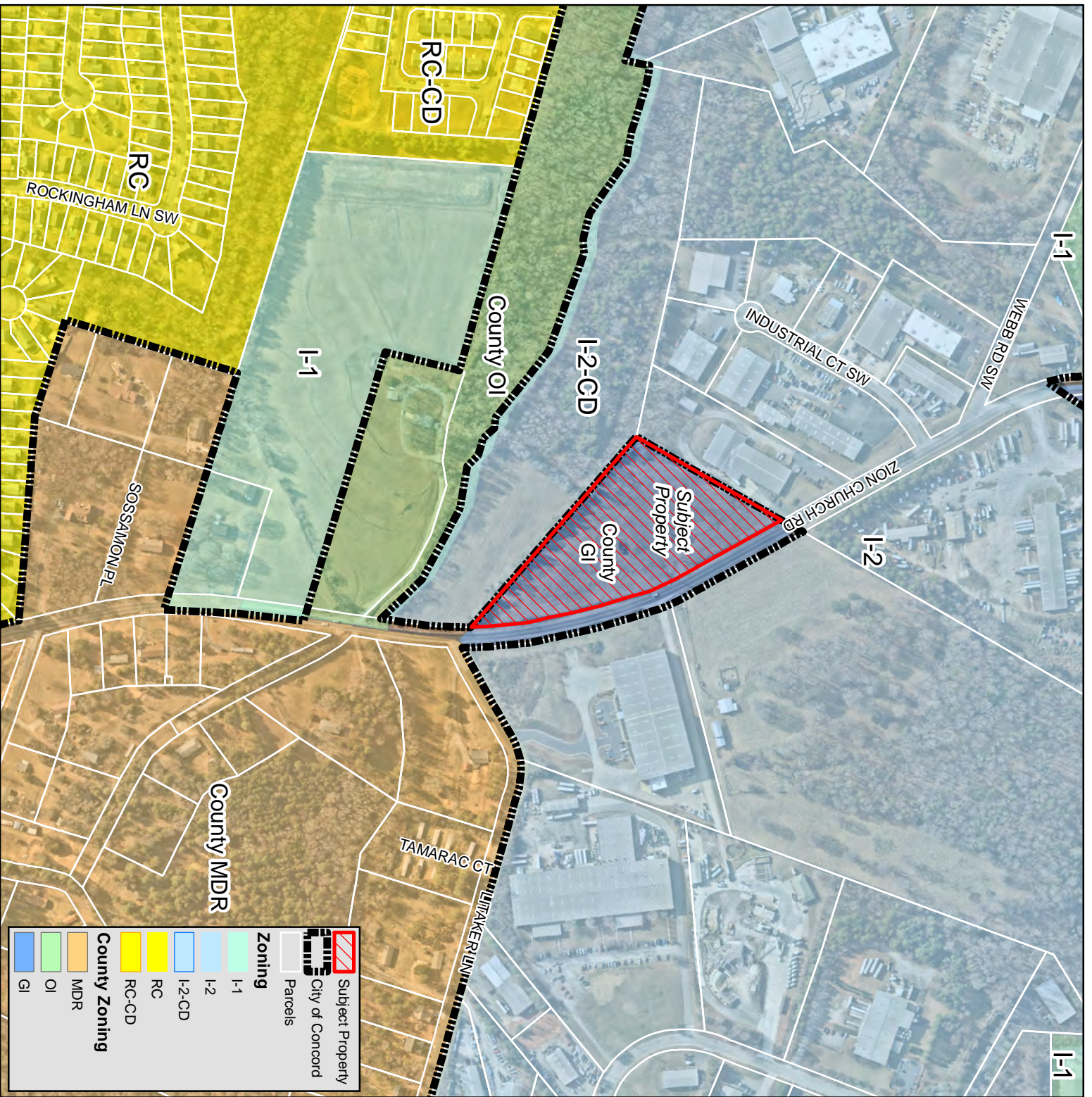
Subject Property
   
 City of Concord
   
 Parcels

**Z-10-24  
AERIAL**

**Rezoning application  
County GI (General Industrial)  
to City of Concord I-2  
(General Industrial)**

2892 Zion Church Rd  
PIN: 5529-85-8725

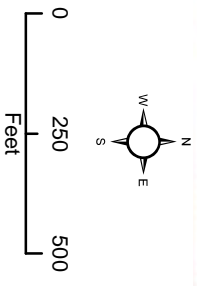
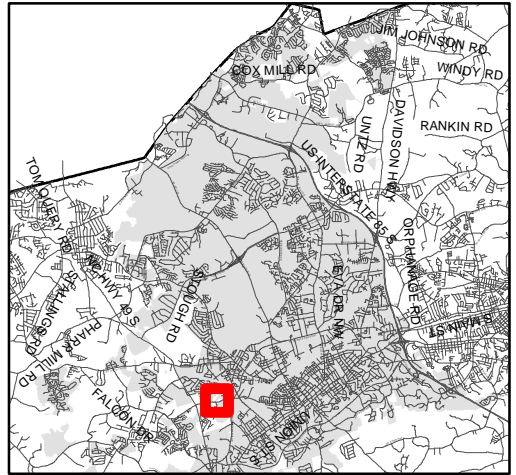


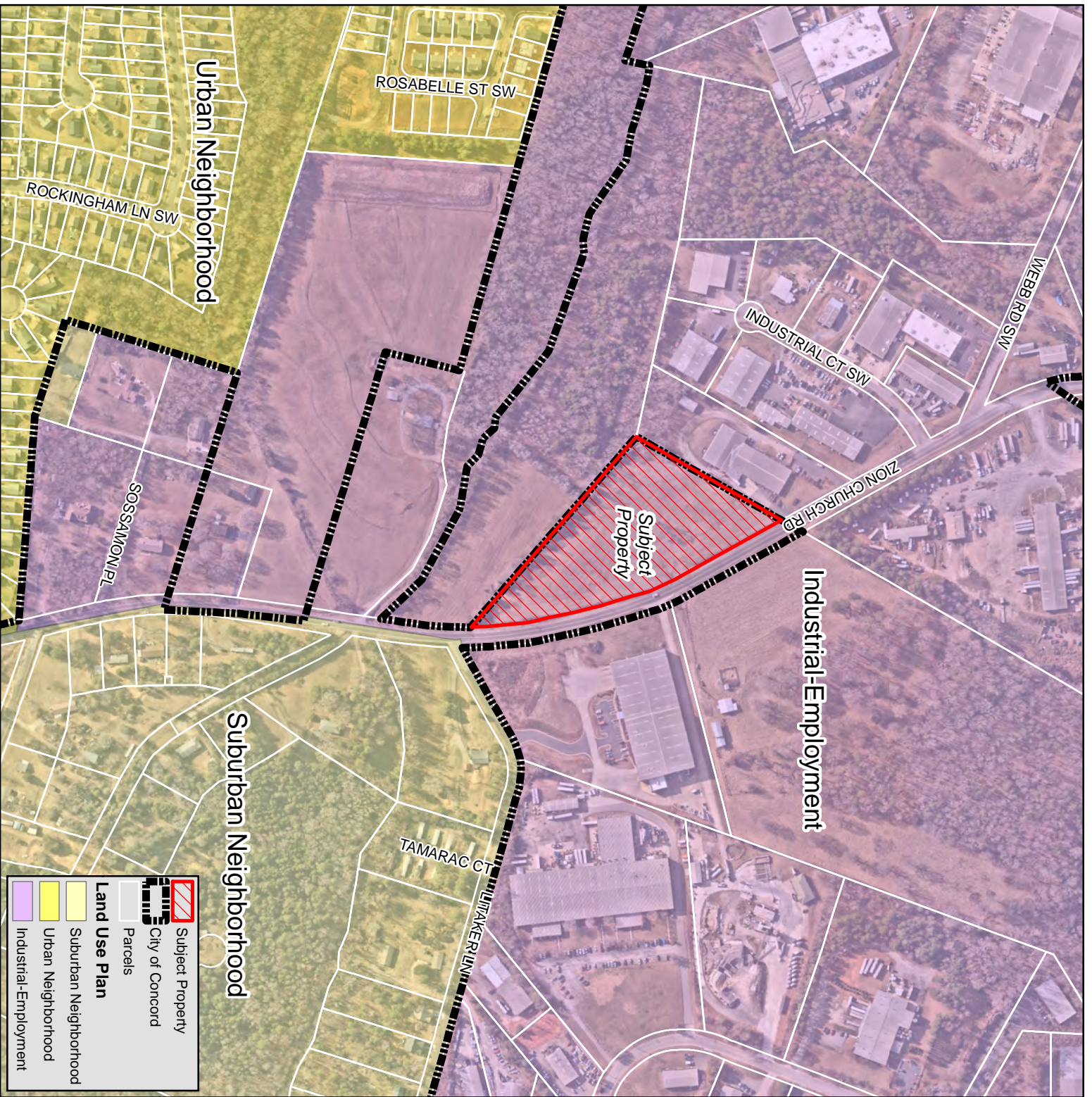


**Z-10-24  
ZONING**

**Rezoning application  
County GI (General Industrial)  
to City of Concord I-2  
(General Industrial)**

2892 Zion Church Rd  
PIN: 5529-85-8725

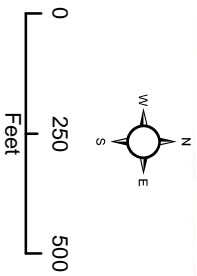
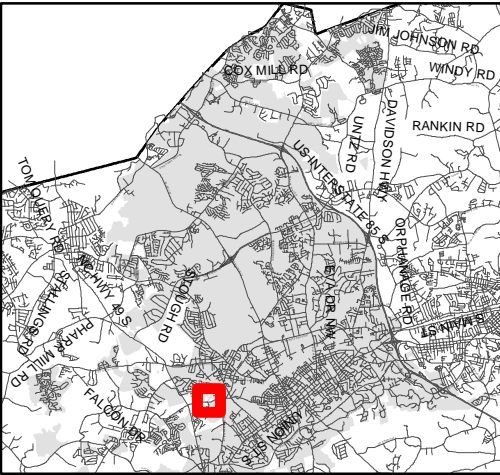




	Subject Property
	City of Concord
	Parcels
Land Use Plan	
	Urban Neighborhood
	Suburban Neighborhood
	Industrial-Employment

**Z-10-24**  
**LAND USE PLAN**  
 Rezoning application  
 County GI (General Industrial)  
 to City of Concord I-2  
 (General Industrial)

2892 Zion Church Rd  
 PIN: 5529-85-8725





**DATE:** September 17, 2024

**REZONING CASE #:** Z-11-24

**ACCELA:** CN-RZZ-2024-00009

**DESCRIPTION:** Zoning Map Amendment  
O-I-CU (Office-Institutional-Conditional Use and C-1  
(Light Commercial & Office) to RC (Residential Compact)  
and C-1 (Light Commercial & Office)

**APPLICANT/OWNER:** Straight Path Real Estate Solutions, LLC

**LOCATION:** 2308 Kannapolis Hwy & 3 Mills Ave NW

**PIN#:** 5612-90-4158, 5612-90-5040

**AREA:** +/- 1.55 acres

**ZONING:** O-I-CU (Office-Institutional-Conditional Use) & C-1 (Light  
Commercial & Office)

**PREPARED BY:** George Daniels, Senior Planner

**BACKGROUND**

The rezoning request consists of two (2) parcels comprising +/- 1.55 acres located on the west side of Kannapolis Hwy between the intersections of Maple Ave NW and Mills Ave NW. The parcel to the north (3 Mills Ave NW) is owned by The Collaborative Wellness and Medicine Project PA, and is currently zoned C-1 (Light Commercial & Office). This property contains a single-family dwelling and a duplex unit. The second parcel located at 2308 Kannapolis Hwy is owned by Dakota West, LLC and is currently zoned O-I-CU (Office-Institutional-Conditional Use). This site contains an unoccupied office building and parking lot.

**HISTORY**

This area was annexed into the City of Concord sometime before 1984. Both properties at this time were zoned R-3 (Residential). With the conversion to the UDO in 2000 the zoning was converted to RC (Residential Compact). In December of 2003 the Planning and Zoning Commission amended the zoning of the northern parcel, 3 Mills Ave NW, to C-1. The applicant at that time requested the rezoning to convert the property to office use, however that change of use did not take place and the property still contains a single-family house and duplex unit. The zoning for the southern property, 2308 Kannapolis

Hwy, was amended in January of 2003 to O-I-CU (Office-Institutional-Conditional Use) with the condition the property would be used for a physician’s office only.

**SUMMARY OF REQUEST**

The applicant is requesting that the property located at 3 Mills Ave NW and currently zoned C-1 (Light Commercial & Office), be amended to RC (Residential Compact) zoning. This is to align the zoning with the current residential use. The surrounding residential properties are all zoned RC so this would match the surrounding area and revert the property to previous zoning before the change in 2003.

The second property located at 2308 Kannapolis Hwy is currently zoned O-I-CU (Office-Institutional-Conditional Use), with the only permitted use as a physician’s office. The applicant wishes to amend the zoning to C-1 (Light Commercial & Office) and use the existing building as a real estate office.

Because the request is not a conditional rezoning, if the request were to be approved, all permitted uses within the C-1 (Light Commercial & Office) & RC (Residential Compact) districts would be allowed. Some of the main uses permitted in C-1 zoning are office uses, retail sales, health clubs, indoor recreation, restaurants and places of worship. C-1 is intended to be for smaller scale commercial uses and is more limited to what is permitted in C-2 (General Commercial) zoning. For example, taxidermists, tobacco and hemp stores, shopping centers over 25,000 sf, major auto mobile repair, car washes, machine shops, small engine repair are not allowed.

<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>	
C-1 (Light Commercial & Office) & O-I-CU (Office-Institutional-Conditional Use)	<b>North</b>	RC (Residential Compact), C-2 (General Commercial)	Residential and Physicians office (Unoccupied)	<b>North</b>	Residential
	<b>South</b>	RC (Residential Compact), C-1 (Light Commercial and Office)		<b>South</b>	Office. Residential
	<b>East</b>	RC (Residential Compact), C-2 (General Commercial)		<b>East</b>	Office. Residential
	<b>West</b>	RC (Residential Compact)		<b>West</b>	Residential

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

The 2030 Land Use Plan (LUP) designates the subject properties as “Urban Neighborhood” (UN). O-I (Office Institutional) *is listed* as a corresponding zoning district to the “Urban Neighborhood” land use category, and therefore is consistent with the land use plan.

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

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

*The Urban Neighborhood (UN) Future Land Use category includes a mix of moderate- to high-density housing options. These neighborhoods are relatively compact and may contain one or more of the following housing types: small lot, single family detached, townhomes, condominiums, or apartments. The design and scale of development in an urban neighborhood encourages active living with a complete comprehensive network of walkable streets. Cul-de-sacs are restricted to areas where topography, environment, or existing development makes other connections prohibitive. Lots at intersections of collector and arterial streets within or at the edges of urban neighborhoods may support neighborhood- and community-serving, pedestrian-oriented commercial or service uses such as coffee shops, cafes, beauty salons and light retail. Drive-through uses may be appropriate if designed and located so they access side streets and do not compromise pedestrian safety. Non-residential and multi-family uses are typically developed with minimal street setbacks in the urban neighborhood future land use category.*

**The following goals from the recently adopted Strategic Plan also relate to the proposed zoning amendment:**

*Goal 2: Create Economic Opportunities for Individuals and Businesses  
Expand Housing Choices.*

### **SUGGESTED STATEMENT OF CONSISTENCY**

- The subject properties for the rezoning petition are approximately +/- 1.55 acres and are currently zoned C-1 (Light Commercial & Office) & O-I-CU (Office-Institutional-Conditional Use)
- The subject properties were annexed into the City prior to 1984.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as C-1 (Light Commercial & Office), and RC (Residential Compact) are corresponding zoning classifications to the Urban Neighborhood Land Use Category.

- The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning and land use adjacent to the subject property and will allow for an expanded use of the existing unoccupied office building.

OR

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

**SUGGESTED RECOMMENDATION AND CONDITIONS**

City staff does not have any issues with the proposal. No conditions may be applied as the request is not for a “Conditional District.”

**PROCEDURAL CONSIDERATIONS**

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



**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 Monterai Adams Date: 7/17/24  
Check # 4166 Amount: \$ 1000.00 (Conditional) or \$800 (Conventional)  
Cash: \_\_\_\_\_

*The application fee is nonrefundable.*

(Please type or print)

Applicant Name, Address, Telephone Number and email address:

Straight Path Real Estate Solutions LLC  
 246 Church st N Concord, Nc 28025 704-397-4855 swart.josh@gmail.com

Owner Name, Address, Telephone Number:

DAKOTA WEST LLC & THE COLLABORATIVE WELLNESS AND MEDICINE  
 PROJECT P A - 5650 Irish Potato Rd Kannapolis, NC 28083

Project Location/Address: 2308 Kannapolis Highway & 3 Mills Ave NW Concord, NC

Parcel Identification Number (PIN): 56129041580000 & 56129050400000

Area of Subject Property (acres or square feet): .73 & .82

Lot Width: 169 Lot Depth: 211

Current Zoning Classification: O-I-CU & C-1

Proposed Zoning Classification: C-1 and RC

Existing Land Use: Residential & Medical

Future Land Use Designation: \_\_\_\_\_

Surrounding Land Use: North Residential South Residential

East Residential West Residential

Reason for request:

Rezoning for office use (2308 Kannapolis) and residential (3 Mills)

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:

3 Mills Ave NW is currently C-1 zoned but has two existing residential properties on it. A single-family home (3 Mills Ave NW, occupied) and a duplex (2306 Kannapolis Highway, unoccupied). We want to re-zone this property to RC to go along with its current use and the surrounding properties.

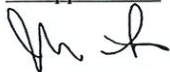
2308 Kannapolis Highway is currently zoned O-I-CU and was used as a physician's office. We want to re-zone this property to C-1 to allow us to use the property as our real estate office.

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

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

N/A

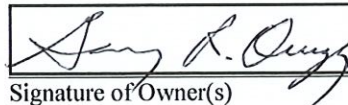
I make this request for Conditional district zoning voluntarily. The uses and conditions described above are offered of my own free will. I understand and acknowledge that if the property in question is rezoned as requested to a Conditional District the property will be perpetually bound to the use(s) 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

7-17-24

Date



Signature of Owner(s)

7-17-24

Date

***Certification***

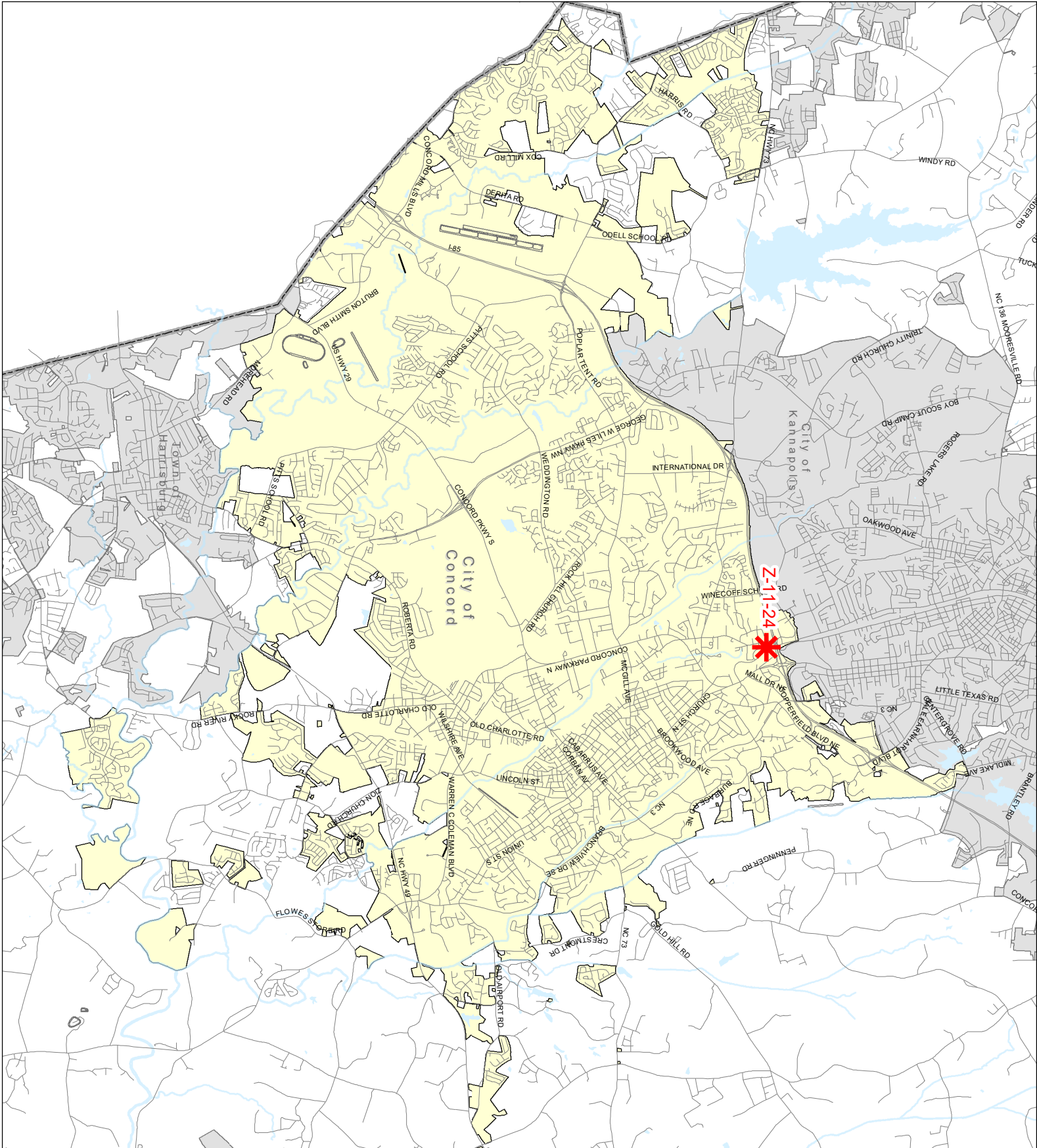
*I hereby acknowledge and say that the information contained herein and herewith is true, and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department.*

Date: 7-17-24

Applicant Signature: *[Signature]*

Property Owner or Agent of the Property Owner Signature:







*[Signature]*

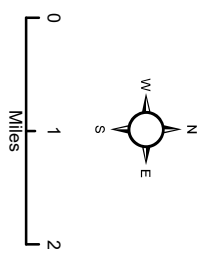


Z-11-24

2308 Kannapolis Hwy  
& 3 Mills Ave NW

**\***  
Case Location

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





Subject Properties  
 Parcels

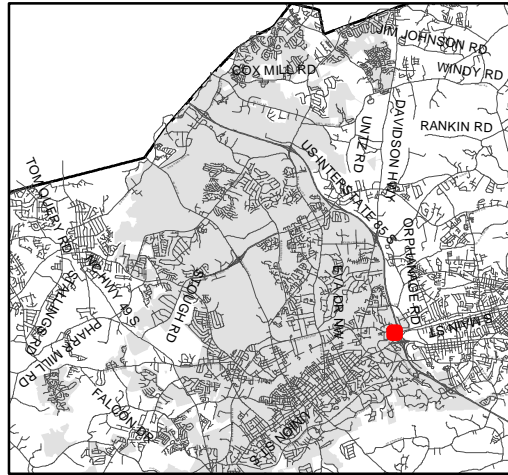
**Z-11-24  
AERIAL**

**Rezoning application  
O-I-CU (Office-Institutional  
-Conditional Use & C-1  
(Light Commercial & Office)**

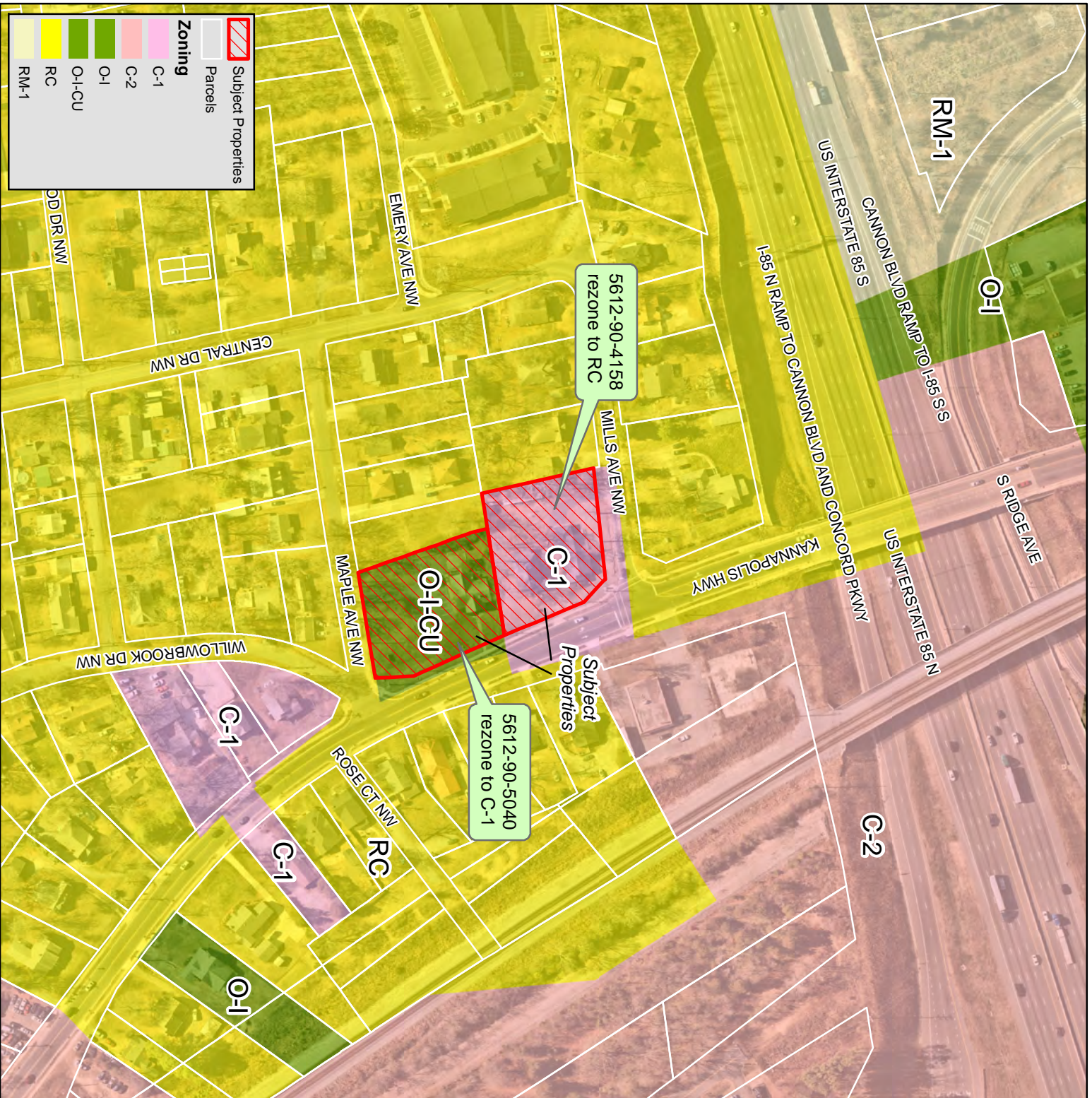
to

**C-1 (Light Commercial & Office)  
& RC (Residential Compact)**

2308 Kannapolis Hwy &  
3 Mills Ave NW  
PIN: 5612-90-4158 &  
5612-90-5040



0      62.5      125  
Feet



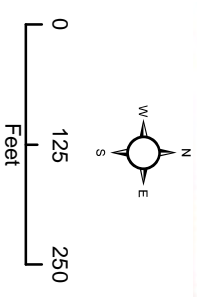
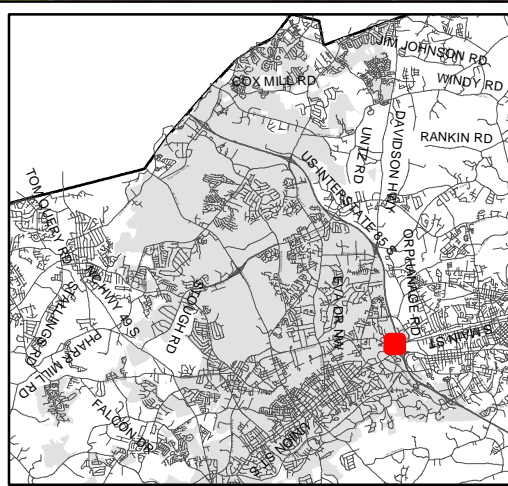
	Subject Properties
	Parcels
	RM-1
	RC
	O-I-CU
	O-I
	C-2
	C-1

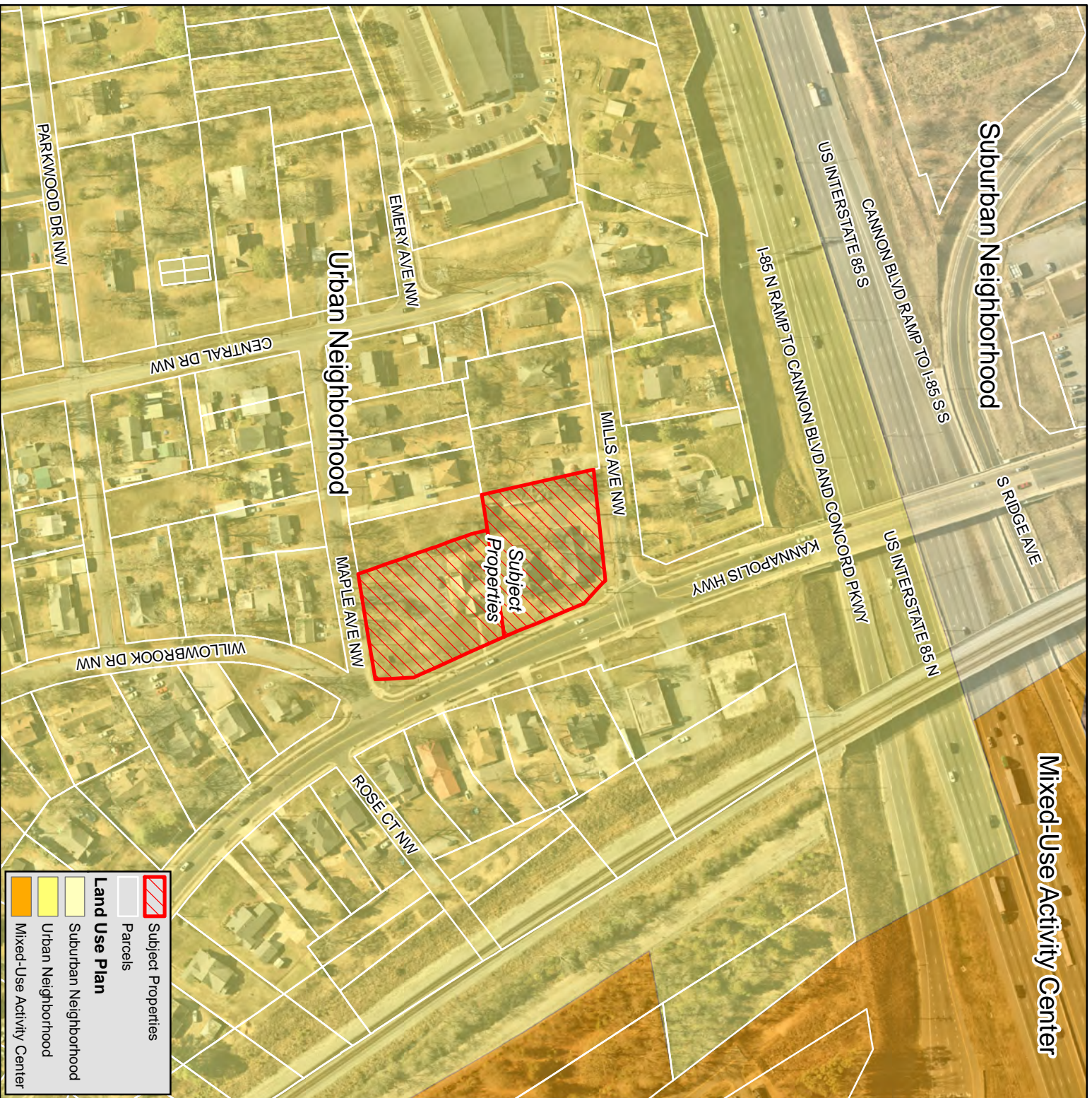
**Z-11-24  
ZONING**

**Rezoning application  
O-I-CU (Office-Institutional  
-Conditional Use & C-1  
(Light Commercial & Office))  
to**

**C-1 (Light Commercial & Office)  
& RC (Residential Compact)**

2308 Kannapolis Hwy &  
3 Mills Ave NW  
PIN: 5612-90-4158 &  
5612-90-5040



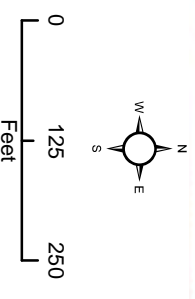
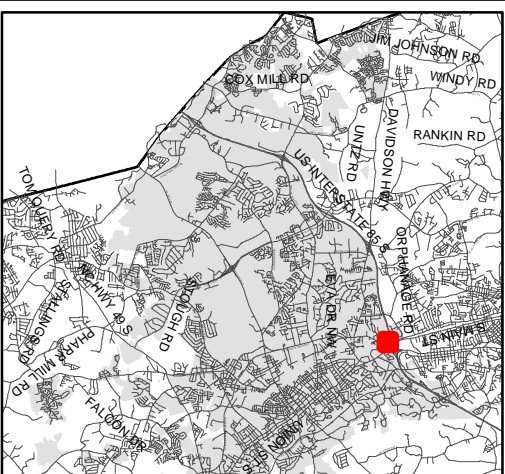


Z-11-24  
LAND USE PLAN

Rezoning application  
O-I-CU (Office-Institutional  
-Conditional Use & C-1  
(Light Commercial & Office))  
to

C-1 (Light Commercial & Office)  
& RC (Residential Compact)

2308 Kannapolis Hwy &  
3 Mills Ave NW  
PIN: 5612-90-3158 &  
5612-90-5040







**DATE:** September 17, 2024

**REZONING CASE #:** Z(CD)-09-24

**ACCELA:** CN-RZC-2024-00010

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

**APPLICANT/OWNER:** Steven Ross

**LOCATION:** 4349 Roberta Rd.

**PIN#s:** p/o 5518-28-2295

**AREA:** +/- 1.81 acres

**ZONING:** RM-2 (Residential Medium Density)

**PREPARED BY:** Fred Womble, Senior Planner

**BACKGROUND**

The subject property consists of +/- 1.81 acres generally located along the east side of the Roberta Rd. right-of-way. The petitioner is proposing to rezone the parcel to Residential Village Conditional District (RV-CD) to take advantage of the smaller minimum lot width and lot size permitted. There is an existing single-family detached home on the parcel that would remain. The developer previously subdivided off Lots 2 & 3 shown on the applicant’s site plan and is in the process of subdividing off Lot 4. Only Lots 1, 5, and 6 shown on the site plan are proposed to be rezoned with this application.

**HISTORY**

The subject property was previously located in Cabarrus County and annexed into the City of Concord on June 30, 2001. Upon annexation, the parcel was zoned RM-2. The parcel has historically been utilized residentially and possibly as a small farm a number of years ago.

**SUMMARY OF REQUEST**

The petitioner is proposing to rezone a portion of the parcel to Residential Village Conditional District (RV-CD) to take advantage of the smaller minimum lot width and lot size permitted for the construction of two (2) single-family detached homes. There is an existing single-family detached home on the parcel that would remain. The developer previously subdivided off Lots 2 & 3 shown on the applicant’s site plan and is in the process of subdividing off lot 4. Only Lots 1, 5, and 6 shown on the site plan are proposed to be rezoned. Vehicular access to these lots will be

achieved via an existing curb cut on Roberta Road leading to an existing gravel drive leading up to the existing dwelling on Lot 1. The applicant proposes to improve this access by pouring a 24' x 110' portion of new driveway that will be used as paved shared access to both Lot 5 and Lot 6.

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. The plan has also been reviewed by the Development Review Committee and there are no objections to the petition.



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

**COMPLIANCE WITH 2030 LAND USE PLAN**

The 2030 LUP designates the subject property as “Suburban Neighborhood (SN). RV (Residential Village) is listed as a corresponding zoning district in the “Suburban Neighborhood (SN) land use category, 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.*

**The following goals from the recently adopted Strategic Plan also relate to the proposed zoning amendment:**

*Goal 2: Create Economic Opportunities for Individuals and Businesses  
Expand Housing Choices.*

**SUGGESTED STATEMENT OF CONSISTENCY**

- The subject property is approximately +/- 1.81 acres and currently zoned RM-2 (Residential Medium Density).
- The subject property was voluntarily annexed on July 13, 2023.
- 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 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 RECOMMENDATION AND CONDITIONS**

1. An 8-foot-wide undisturbed Type A buffer shall be installed outside of the side yard setbacks.
2. All lots shall meet the 50' minimum lot width requirement for the RV district at the front setback line, per Article 14 definitions of lot width.
3. Compliance with "4349 Roberta Road Sketch Plan," dated July 2024.
4. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.
5. 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:

Steven Ross, 210 Oak Ave Kannapolis NC 28081, 704-305-3794,  
premiersr77@gmail.com

Owner Name, Address, Telephone Number:

Ross Brother Properties, LLC, 210 Oak Ave Kannapolis NC 28081,  
704-305-3794

Project Location/Address: 4349 Roberta Rd, Concord NC 28027

Parcel Identification Number (PIN): 55182822950000 **PO**

Area of Subject Property (acres or square feet): 2.34 Acres

Lot Width: 210+/- Lot Depth: 500+/-

Current Zoning Classification: RM-2

Proposed Zoning Classification: RV-CD

Existing Land Use: RM-2

Future Land Use Designation: Residential

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

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:

Add 3 homes fronting on Roberta Road and give access to additional homes.

---

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):

N / A

---

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

  
\_\_\_\_\_  
Signature of Applicant                      Date


  
\_\_\_\_\_  
Signature of Owner(s)                      Date

***Certification***

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

Date: 6/11/2024

Applicant Signature: 

Property Owner or Agent of the Property Owner Signature:  


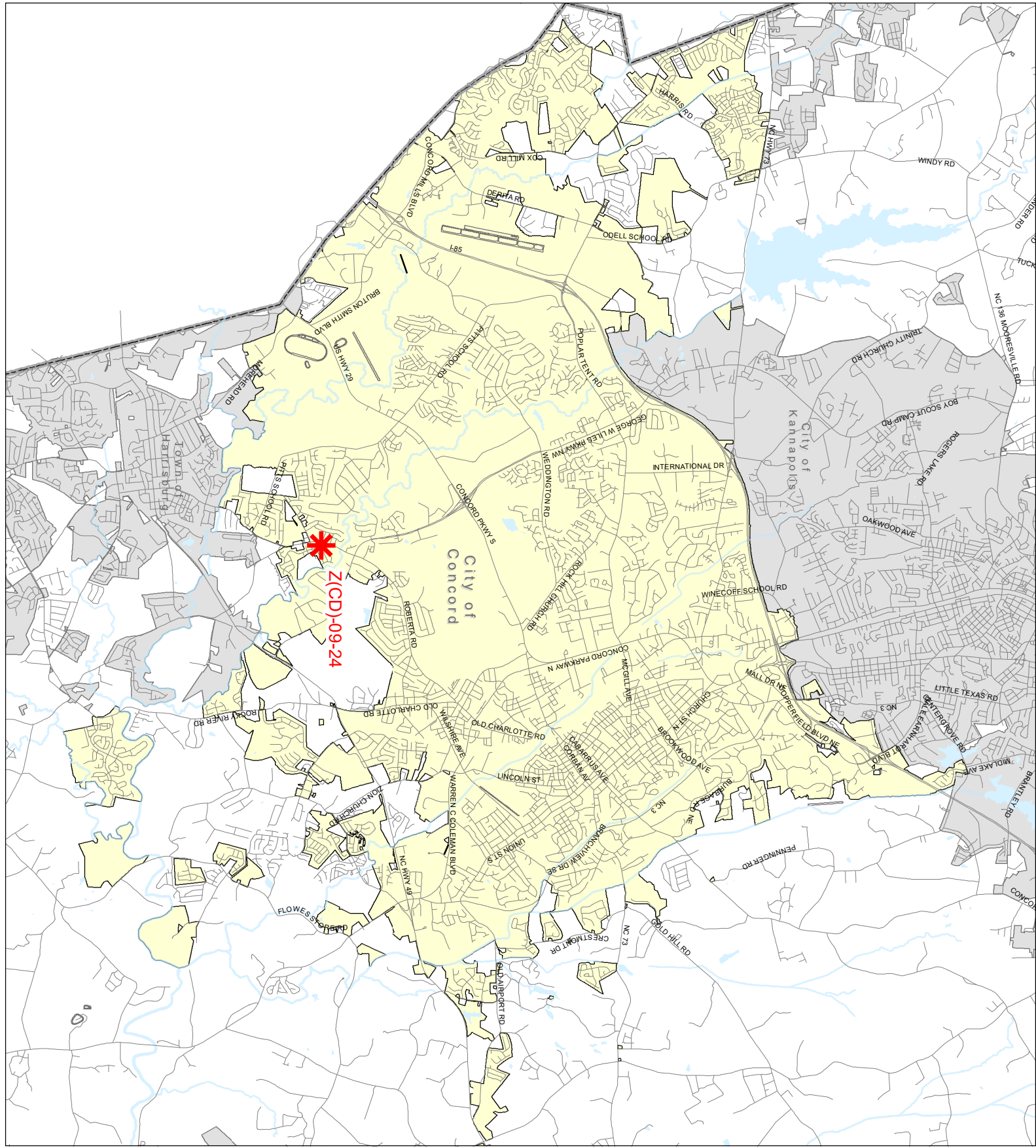


**BEING A 1.80 ACRE PARCEL** ON THE WEST SIDE OF ROBERTA ROAD, (SR#1304) LYING AND BEING IN THE CITY OF CONCORD, MECKLENBURG COUNTY, NORTH CAROLINA BEING DESCRIBED AS PART OF LOT 1 SHOWN ON MAP BOOK (MB) 96 PAGE (PG) 20 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**POINT OF BEGINNING** BEING A #4 REBAR ON THE EASTERN EDGE OF THE MAINTAINED R/W FOR ROBERTA ROAD SR#1304 HAVING NC GRID COORDINATES OF *N:588,247.94FT-E:1,512,039.16FT NAD 83 (2011)*; THENCE FROM SAID REBAR WITH SAID R/W **N 18-09-27 E – 208.70'** TO #4 REBAR ON SAID R/W AND BEING THE SOUTH EASTERN CORNER OF JC KISER, DB 13225 PG 164; THENCE WITH SAID KISER **S 75-45-23 E – 150.06'** TO A REBAR, BEING THE SOUTH WESTERN CORNER OF LOT 8, GLENGROVE SUBD, MB 51 PG 77; THENCE WITH SAID SUBDIVISION **S 75-28-35 E – 207.19'** (CROSSING A REBAR AT 164.11') TO A REBAR, BEING THE NORTH WESTERN CORNER OF LOT 2, "4349 ROBERTA RD", MB 96 PG 20, THENCE **S 15-28-26 W – 290.74'** (CROSSING A REBAR AT 74.87' AND 149.88') TO A REBAR IN THE LINE OF LOT 127, GLENGROVE SUBD, MB 44 PG 73; THENCE WITH SAID SUBDIVISION **N 87-48-47 W – 93.15'** TO A REBAR, THE NORTH EAST CORNER OF WA FURR, DB 492 PG 520 AND THE SOUTH EAST CORNER OF WA FURR, DB 470 PG 499; THENCE TWO CALLS WITH SAID FURR 1) **N 14-09-23 E – 100.06'** TO A REBAR 2) **N 75-09-29 W – 274.03'** TO THE POINT OF BEGINNING. CONTAINING 1.80 ACRES OF LAND AND SHOWN ON A SURVEY BY HARRISBURG SURVEYING.

**Property Owners Adjacent &  
Across Street From: 4349  
ROBERTA RD CONCORD NC  
28027**






<b>Address</b>	<b>Owner</b>
4323 ROBERTA RD CONCORD NC 28027	Jessica Kiser & Justin Kiser
3611 COURAGE CT SW CONCORD NC 28027	BELSIAN GEORGE ANCELEM RAJA JAGTAP TRAPTI
3607 COURAGE CT SW CONCORD NC 28027	CARDOZA SILVANY LF EST
4444 TRIUMPH DR SW CONCORD NC 28027	ROSS BROTHER PROPERTIES LLC
4448 TRIUMPH DR SW CONCORD NC 28027	ROSS BROTHER PROPERTIES LLC
4381 ROBERTA RD CONCORD NC 28027	FURR WILLIAM R FURR MARLA A
4458 TRIUMPH DR SW CONCORD NC 28027	NIESSNER ZACHARY NIESSNER RANDY
4453 TRIUMPH DR SW CONCORD NC 28027	ZAD JOSEPH DAVID
4394 GREYGATE CT SW CONCORD NC 28027	OGILVIE TAMMY TRUSTEE
4398 GREYGATE CT SW CONCORD NC 28027	WELLS KIM R

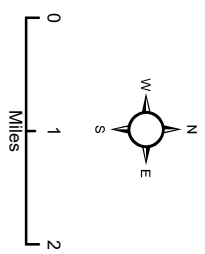


Z(CD)-09-24

4349 Roberta Rd

 Case Location

-  Streets
-  Lakes & Ponds
-  Rivers
-  City of Concord
-  Other Municipalities



NUM	DISTANCE	BEARING
L1	30.85'	S69°37'45"W
L2	15.22'	S15°31'42"W
L3	8.01'	N82°28'43"W

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	7°28'05"	121.22'	930.00'	S11°46'19"W	121.13'

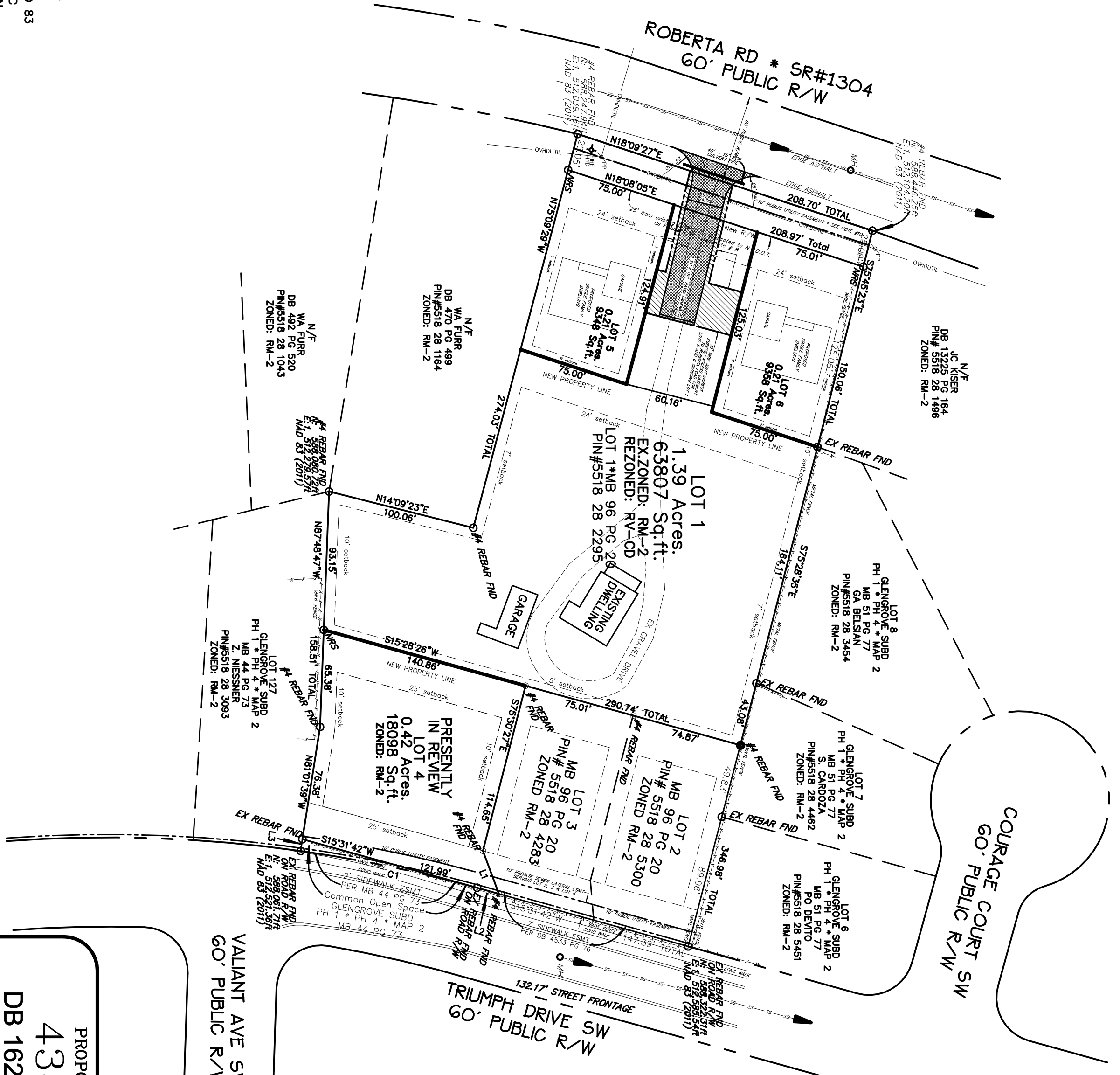
**SITE CALCULATION:**  
 TOTAL LOT AREA: 1.81AC  
 TOTAL NUMBER OF LOTS BEFORE DIVISION: 1  
 TOTAL NUMBER OF LOTS IN SUBDIVISION: 3  
 NET ACREAGE INCLUDED IN LOTS: 1.81AC  
 NO OPEN SPACE REQUIRED  
 5,000 SF MINIMUM LOT AREA

**ZONED : RM-2 CONCORD PRESENT SETBACKS:**  
 FRONT: ROBERTA RD 25'  
 REAR: 25'  
 SIDE: 10'  
 MAXIMUM BUILDING HEIGHT: 35'  
 ACCESSORY STRUCTURE SETBACKS:  
 REAR: 5'  
 SIDE: 5'

**ZONED : RV-CD CONCORD PROPOSED SETBACKS:**  
 FRONT: ROBERTA RD-NEW R/W 24'  
 REAR: 5'  
 SIDE: 7'  
 MAXIMUM BUILDING HEIGHT: 35'  
 ACCESSORY STRUCTURE SETBACKS:  
 REAR: 5'  
 SIDE: 5'

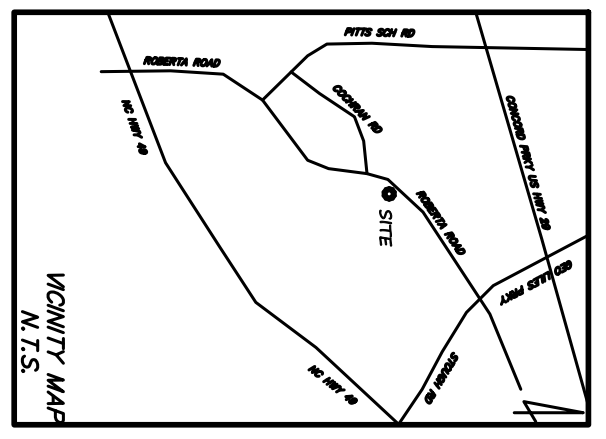
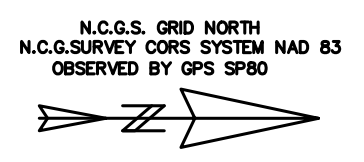
**EXISTING STRUCTURES: 1  
 PROPOSED STRUCTURES: 2  
 TOTAL STRUCTURES: 3  
 USE: SINGLE FAMILY RESIDENTIAL**

**TOTAL UNITS PER ACRE (UPA)  
 ALLOWED IN RV ZONING: 8  
 TOTAL UNITS PER ACRE (UPA)  
 CALCULATED AS FOLLOWS:  
 TOTAL UNITS: 3  
 PROPOSED SITE: 1.66 UPA**



- NOTES:**
- PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHTS-OF-WAY OR EASEMENTS NOT OBSERVED.
  - LOT 1 HAS ACCESS TO ROBERTA ROAD. LOTS 2,3 & 4 HAVE ACCESS TO TRIUMPH DRIVE ONLY.
  - IRON PINS ARE AT ALL CORNERS UNLESS OTHERWISE NOTED INFORMATION AS SHOWN.
  - BOUNDARY PREDICATED BY MONUMENTS FOUND AND RECORD INFORMATION AS SHOWN.
  - AREAS DETERMINED BY THE COGO CALCULATION METHOD.
  - THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT THEREFORE OTHER EASEMENTS OR ENCUMBRANCES MAY EXIST THAT WERE NOT OBSERVED BY THIS SURVEYOR.
  - THE BEARING AND DISTANCES SHOWN HEREON ARE GROUND, NAD 83 (2011 ADJUSTMENT) BASED UPON THE NORTH CAROLINA GEODETIC STATE PLANE COORDINATE SYSTEM. THIS INFORMATION WAS TAKEN FROM A GPS OBSERVATION ON SEPTEMBER 21, 2022 USING A SP 80 IN CONJUNCTION WITH THE N.C.G.S., V.R.S. AND BASED ON THE C.O.R.S.
  - THE FUTURE R/W ALONG THIS SECTION OF ROBERTA ROAD IS 110'. THE EXISTING R/W WIDTH IS 60' (30' FROM CENTERLINE) THEREFORE HALF THE DIFFERENCE BETWEEN EXISTING AND FUTURE R/W, WHICH IS 25' IS BEING DEDICATED AS FUTURE R/W BY THIS PLAT.
  - NO PART OF THIS PROPERTY IS LOCATED IN A ZONE "AE" SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, F.I.R.M.A.P.:37015181800K, EFFECTIVE DATE: 11/16/2018
  - THE 10' UTILITY EASEMENT SHOWN ALONG ROBERTA ROAD AND TRIUMPH DRIVE SW ARE FOR FUTURE UTILITIES AS NEEDED.
  - THE PURPOSE OF THIS PLAT IS TO SHOW PROPOSED LAY OUT FOR NEW DEVELOPMENT AFTER REZONING TO RC

**DEVELOPERS CONTACT:**  
 ROSS BROTHERS PROPERTIES LLC  
 210 OAK AVENUE  
 KANNAPOLIS NC 28081  
 704 415-7037



**LEGEND**

- PROPOSED PROPERTY LINE
- EXISTING FROM PIN
- EXISTING LIGHT POLE
- EXISTING PROPERTY LINE NOT SURVEYED
- EXISTING CAMP AND GUTTER
- EXISTING FENCE
- EXISTING UNDERGROUND ELECTRIC LINE
- EXISTING OVERHEAD POWER LINE
- EXISTING UNDERGROUND TELEPHONE LINE
- EXISTING WATER VALVE
- EXISTING WATER METER
- EXISTING GAS METER
- EXISTING GAS VALVE
- EXISTING GAS LINE
- EXISTING GAS LINE
- EXISTING SPOT ELEVATION
- EXISTING CROSS WALK POLE
- EXISTING SIGNAL POLE
- EXISTING CLEANOUT
- EXISTING TELEPHONE POLE

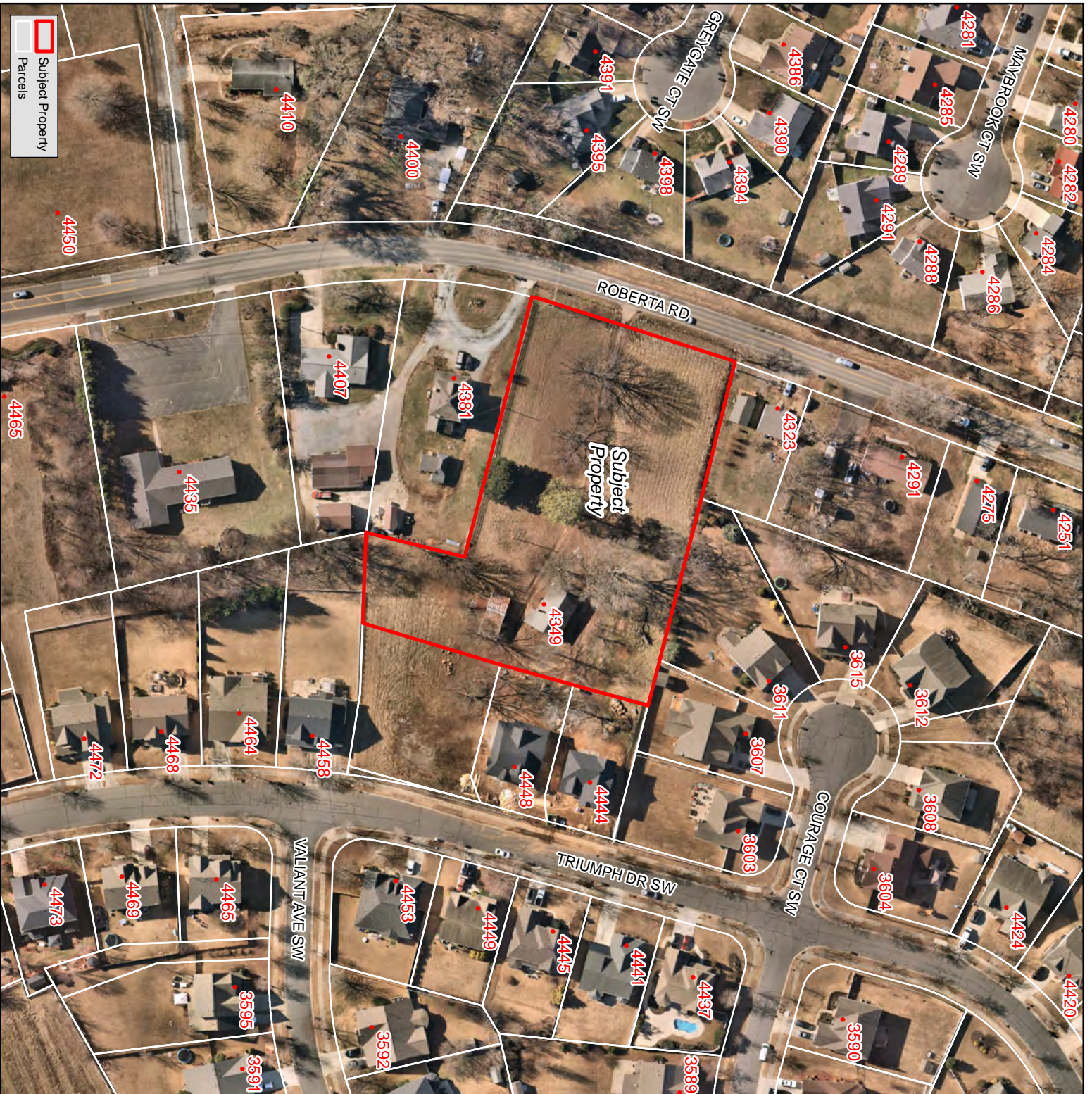
**PROPOSED DEVELOPMENT SKETCH FOR REZONING**  
**4349 ROBERTA ROAD**  
**DB 16212 PG 157 \* PIN# 5518 28 2295**  
**LOT 1 \* MB 96 PG 20**  
 SURVEY FOR & OWNED BY:  
**ROSS BROTHERS PROPERTIES, LLC**  
 210 OAK AVE, KANNAPOLIS, NC 28081

**HARRISBURG SURVEYING**  
 DATE: JULY 2024  
 SCALE: 1" = 60'  
 TOWNSHIP NO. 2:  
 CITY OF CONCORD  
 COUNTY: CABARRUS  
 STATE: NORTH CAROLINA

**DEUT. V. 27-17/PROV. V. 22-28**  
 115 Plaza Dr Harrisburg, N.C.  
 (704) 455-9553 PHONE  
 http://www.harrisburgsurveying.com

**SDG**  
 COMPI BY: JTW  
 REVISION #: 7/18/2024  
 CHANGED FROM: ZONING TO RVC

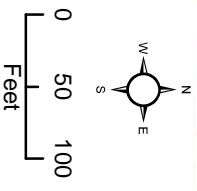
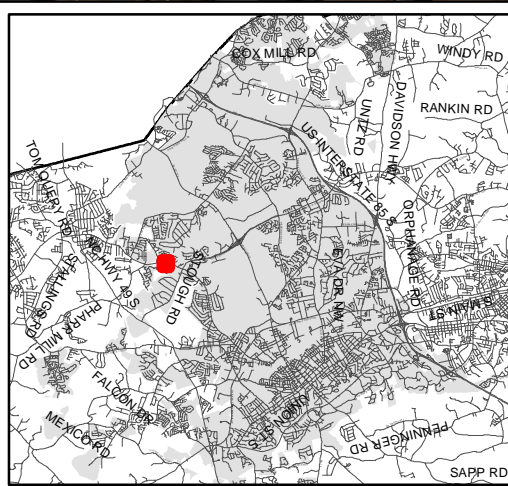
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 220901 JULY 2024 REZONING

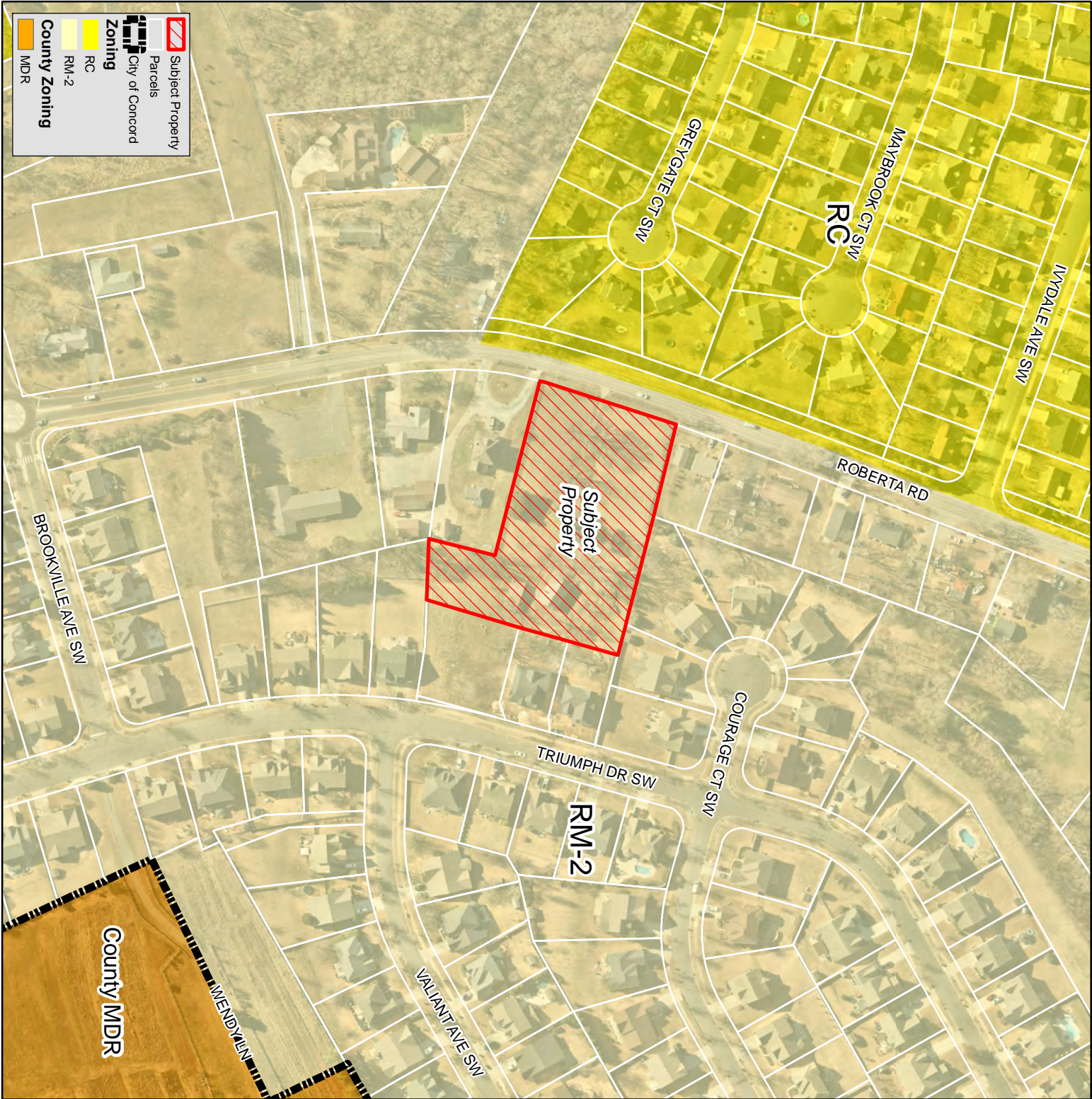


**Z(CD)-09-24  
AERIAL**

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

4349 Roberta Rd  
PIN: 518-28-2295 (part of)

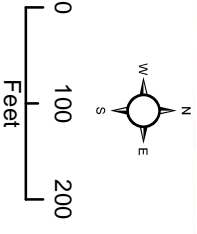
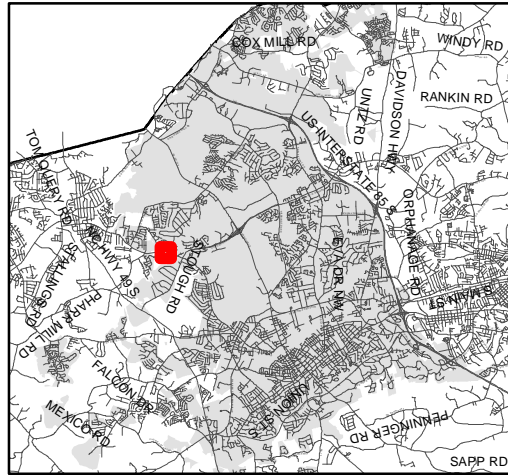


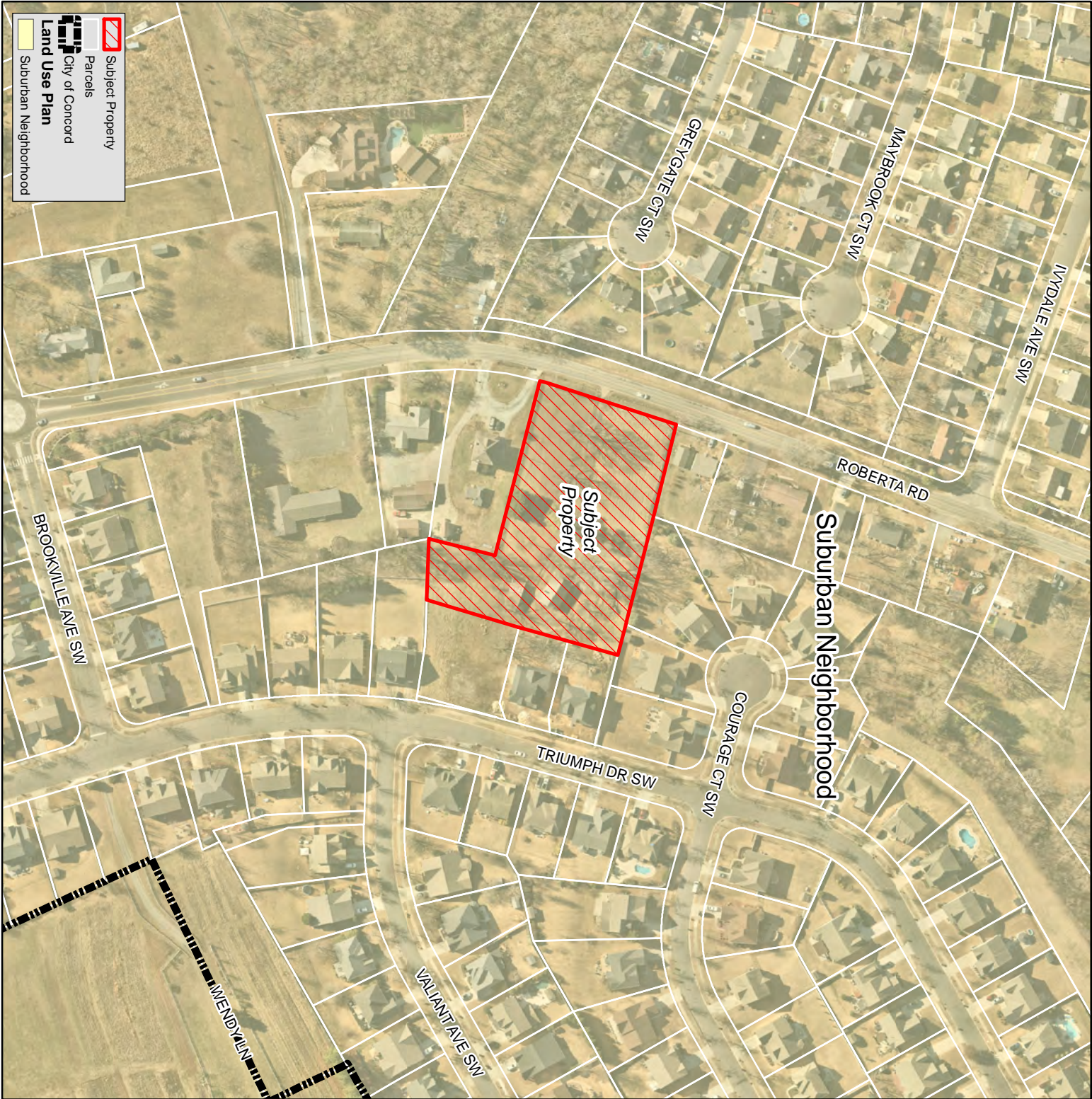







Z/CD)-09-24  
ZONING

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

4349 Roberta Rd  
PIN: 5518-28-2295 (part of)



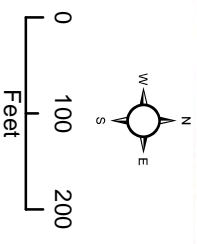
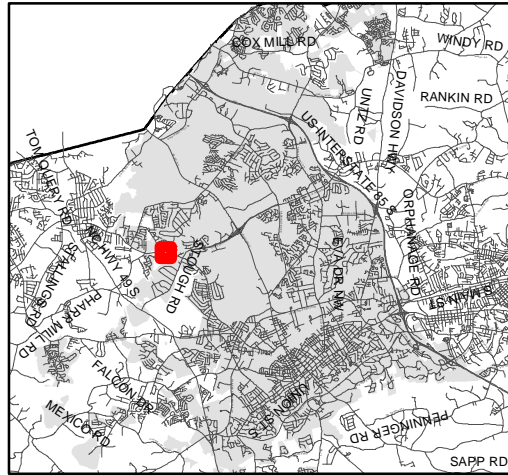


 Subject Property  
 Parcels  
 City of Concord  
 Land Use Plan  
 Suburban Neighborhood

**Z/CD)-09-24  
LAND USE PLAN**

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

4349 Roberta Rd  
PIN: 5518-28-2295 (part of)





**DATE:** September 17, 2024

**REZONING CASE #:** Z(CD)-27-23

**ACCELA:** CN-RZC-2023-00023

**DESCRIPTION:** Zoning Map Amendment  
RM-1 (Residential Medium Density) to RV-CD (Residential Village – Conditional District)

**APPLICANT/OWNER:** Capital Land Partners, LLC/Hermitage Associates

**LOCATION:** 805 Branchview Dr SE

**PIN#s:** 5630-55-3690

**AREA:** +/- 13.03 acres

**PREPARED BY:** George Daniels, Senior Planner

**BACKGROUND**

The subject property consists of one parcel comprising 13.03 acres on the northeast side of Branchview Dr SE, west of the intersection of Crestside Dr SE. The property is currently undeveloped.

**HISTORY**

The property was annexed into the City before 1979 and the earliest recorded zoning was R-1 Residential. The zoning was converted to RM-1 (Residential Medium Density) with the adoption of the Unified Development Ordinance (UDO) and remained with the conversion to the Concord Development Ordinance (CDO). The property is vacant/wooded and does not appear to have ever been developed in the past.

**SUMMARY OF REQUEST**

The applicant is requesting to rezone the subject property from RM-1 (Residential Medium Density) to RV-CD (Residential Village – Conditional District) to construct a single-family attached (townhomes) development. The site would contain a maximum of eighty (80) townhomes, on individual lots. This would be at a density of 6.5 dwelling units per acre (RV zoning has a maximum allowance of 8 units per acre). For comparison with the surrounding zoning, RM-1 (Residential Medium Density) allows for a maximum density of 3 units per acre. The zoning application is conditional on meeting the site plan that has been submitted. The plan includes additional guest parking areas as required by the CDO, amenity areas (pocket park, dog park and



playground), and buffers and screenings from adjacent residential properties. Forty-eight (48) of the proposed townhomes would have front-loaded driveway access, while thirty-two (32) would have rear-loaded driveways.

A TIA (Traffic Impact Analysis) has been completed and approved for this project. Part of this analysis has resulted in the plan including improvements to Branchview Dr SE. These are shown on the plans as a left turn lane with 100 feet of storage from the eastbound lane, and a right turn lane with 100 feet of storage on the lane headed west. Traffic exiting the site will have full access to turn left or right onto Branchview Dr SE.

The surrounding zoning on all sides of the subject property is RM-1 (Residential Medium Density). The surrounding land use is single-family residential homes. To the north the property is abutted by homes in the Winecoff Hills subdivision and to the east by the Mountain Brook subdivision. Across Branchview Dr SE is the McEachern Greenway with this segment connecting McGee Park with Myers Park. Myers Park is located approximately 400 feet south of the property across Branchview Dr SE and Lawndale Ave SE.

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

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

The applicant has applied for sewer allocation and will be considered at the September 24<sup>th</sup> Council Meeting.

<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>	
RC (Residential Compact)	<b>North</b>	RM-1 (Residential Medium Density)	Vacant land	<b>North</b>	Single-family residential
	<b>South</b>	RM-1 (Residential Medium Density)		<b>South</b>	Single-family residential, public park
	<b>East</b>	RM-1 (Residential Medium Density)		<b>East</b>	Single-family residential
	<b>West</b>	RM-1 (Residential Medium Density)		<b>West</b>	Single-family residential

## COMPLIANCE WITH 2030 LAND USE PLAN

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

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

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

### **Policy Guidance:**

#### *Land Use Goals and Objectives*

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

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

#### *Housing and Neighborhoods Goals*

*Goal 9: Create sustainable neighborhoods through the provision of an adequate housing supply with diverse housing types and price levels for the growth population.*

*Objective 9.1 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.*

The following goals from the recently adopted Strategic Plan also relate to the proposed zoning amendment:

*Goal 2: Create Economic Opportunities for Individuals and Businesses  
Expand Housing Choices.*

### **SUGGESTED STATEMENT OF CONSISTENCY**

- The subject property is approximately 13.03 acres and is zoned RM-1 (Residential Medium Density)
- The subject property was annexed into the City before 1979 and the earliest recorded zoning was R-1 (Residential), later converted to RM-1 (Residential Medium Density).
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as RV (Residential Village) is a corresponding zoning classification to the Suburban Neighborhood classification.
- The zoning amendment is reasonable and in the public interest as it provides an additional single-family housing option to the area and is compatible in 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 and adjacent RM-1 (Residential Medium Density) zoning.

### **SUGGESTED CONDITIONS**

If approval is desired, staff recommends the following conditions:

1. Compliance with “Branchview Townhomes Rezoning Plan” document, dated 7/26/2024, sheets RZ-1 through RZ-4.
2. Compliance with the “Street Tree Planting @ Front Loaded Units”
3. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.

### **PROCEDURAL CONSIDERATIONS**

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

**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: \_\_\_\_\_

Capital Land Partners, LLC, Chris Boone, 2907 Providence Road, Suite 250, Charlotte, NC 28211, 704-516-4138  
chrisb@capitalandpartners.com

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

Hermitage Associates, 167 Church Street NE, Concord, NC 28025

Project Location/Address: 805 Branchview Drive SE Concord, NC 28025

P.I.N.: 5630-55-3690

Area of Subject Property (acres or square feet): 13.03 ac

Lot Width: SEE SCHEDULE 1 ATTACHED Lot Depth: SEE SCHEDULE 1 ATTACHED

Current Zoning Classification: RM-1

Proposed Zoning Classification: RV-CD

Existing Land Use: RESIDENTIAL/VACANT

Future Land Use Designation: Residential Townhome Community

Surrounding Land Use: North Residential South Residential

East Residential West Residential

Reason for request: To allow the development of residential townhome units uses on the site.

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:

See attached rezoning plan

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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 rezoning plan

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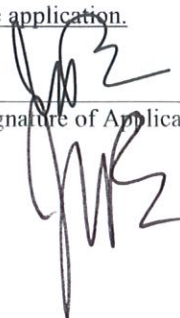



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I make this request for Conditional district zoning voluntarily. The uses and conditions described above are offered of my own free will. I understand and acknowledge that if the property in question is rezoned as requested to a Conditional District 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.

  
 Signature of Applicant      10-26-23  
 Date

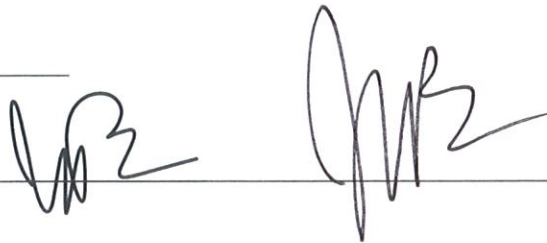
  
 Signature of Owner(s)      10/27/23  
 Date

***Certification***

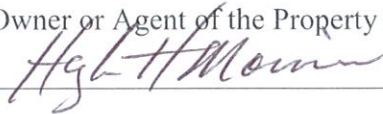
*I hereby acknowledge and say that the information contained herein and herewith is true, and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department.*

Date: 10-26-23

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



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



# BRANCHVIEW TOWNHOMES

CITY OF CONCORD, CABARRUS COUNTY, NORTH CAROLINA - CN-RZC-2023-00023  
REZONING PLAN



## 2 PROJECT IMAGERY



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919 berryhill rd, ste 101 • dhorfotte, nc 28208  
704.532.1204 • www.dpor.design  
NC Firm License # C-0560

CLIENT/OWNER  
CAPITAL LAND PARTNERS, LLC  
10000 WOODHOLLOW DRIVE  
CHARLOTTE, NC 28211  
704.518.4138  
LAND USE ATTORNEY

VICINITY MAP

## BRANCHVIEW TOWNHOMES

BRANCHVIEW DRIVE  
CONCORD, NC 28025

PROJECT NUMBER  
23001

DATE  
8-18-2023

ISSUED FOR  
REZONING

NO.	DATE	DESCRIPTION	BY
0	08-18-2023	1ST SUBMISSION	RT
1	10-24-2023	2ND SUBMISSION	RT
2	03-01-2024	3RD SUBMISSION	RT
3	04-15-2024	4TH SUBMISSION	RT
4	07-26-2024	5TH SUBMISSION	AF

PROJ. MANAGER: HN  
DRAWN BY: RT  
CHECKED BY: HN  
SCALE:

SCALE AS INDICATED  
DRAWING ILLUSTRATIVE SITE PLAN

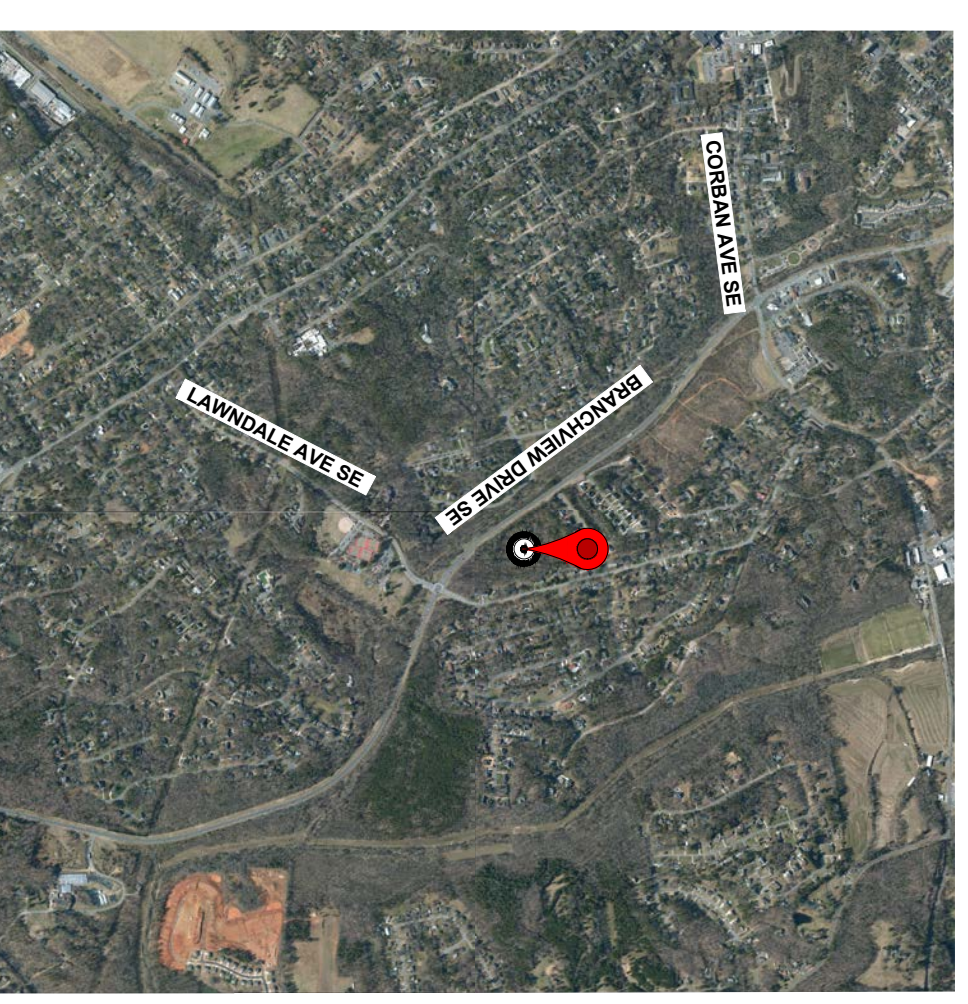
RZ-1





**LEGEND**

- EXISTING PROPERTY LINE
- PROPOSED LOT LINE
- PROPOSED PUBLIC STREET RIGHT-OF-WAY
- PROPOSED PRIVATE ALLEY RIGHT-OF-WAY
- SIGHT DISTANCE TRIANGLE
- PROPOSED SETBACK LINE
- PROP. RETAINING WALL
- PROPOSED COMMON OPEN SPACE
- PROPOSED FIRE HYDRANT



**SITE DEVELOPMENT DATA:**

**SITE:**  
 TOTAL SITE AREA: 1.103 AC.  
 TAX PARCEL #: 5635559600000

**EXISTING ZONING:** RM-1  
**PROPOSED ZONING:** RV/CJ  
**PROPOSED USE:** NOT TO EXCEED 80 ATTACHED DWELLING UNITS

**PROPOSED DENSITY:** 80 DU / 13.03 AC. = 6.2 DU PER AC. (MAXIMUM)

**PARKING RATIO REQUIRED:** 2 PER UNIT  
**PARKING SPACES REQUIRED:** 200 SPACES (160 RESIDENT + 40 VISITOR)  
**PARKING SPACES PROVIDED:** 200 SPACES MIN., INCLUDING 40 VISITOR PARKING, PARKING LOT AND PARALLEL ON-STREET PARKING.  
 \*PER SECTION 7.7.4.E.10 AND 7.7.4.E.2

**COS PROVIDED:** 2.60 AC (20.0%)

**COS REQUIRED:**  
 COS 1: 28,000 SF (0.84 AC.) ; PASSIVE  
 COS 2: 34,000 SF (0.78 AC.) ; PASSIVE  
 COS 3: 68,000 SF (1.56 AC.) ; ACTIVE  
 COS 4: 57,000 SF (0.94 AC.) ; PASSIVE  
 COS 5: 40,000 SF (0.92 AC.) ; PASSIVE  
 COS 6: 218,100 SF = 4.96 AC (38.0%)  
 (STORMWATER POND AREA INCLUDED)

**TREESAVE REQUIRED:** 1.30 AC (60% OF REQUIRED COS)  
**TREESAVE PROVIDED:** 1.30 AC

**SETBACKS:**

**TOWNHOMES:**

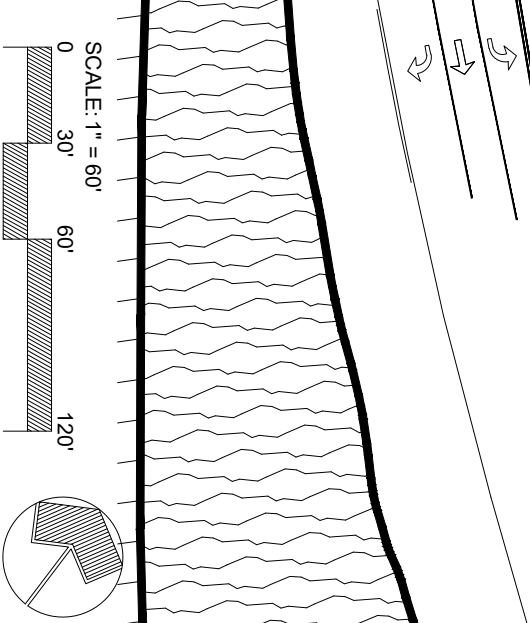
**FRONT LOADED:** 24' (20' FROM PROPERTY LINE IF GARAGE RECESSED 4')  
**FRONT YARD:** 24' MIN. (BUILDING SEPARATION IS 14')  
**CORNER LOT:** 24'  
**REAR YARD:** 5'  
**REAR LOADED:** 10'  
**FRONT YARD:** 7.5' (BUILDING SEPARATION IS 15')  
**SIDE YARD:** 7.5' (RECORDED (7.7.4.E.2))  
**CORNER LOT:** 10'  
**REAR YARD:** 10' FROM EOP (ALLEY GARAGE SETBACK)

**NOTES:**

A. ALTERNATES NEED TO BE CONSTRUCTED TO LOAD BEARING STANDARDS TO SUPPORT SOLID WASTE VEHICLES.  
 B. PROJECT PHASING MAY BE REQUIRED DUE TO LIMITATIONS OF AVAILABLE SEWER CAPACITY ALLOCATION.  
 C. FLOW ACCEPTANCE IS NOT GUARANTEED UNTIL PROJECT PERMITTING.  
 D. REQUIRED SITE DISTANCE SHALL BE MAINTAINED AT ALL INTERSECTIONS, INCLUDING ALLEYS.  
 E. PROPOSED 30' TYPE D BUFFER WITH 6' BERM ALONG BRANCHVIEW ROAD FRONTAGE IS PER PER TABLE 11.4.2 BUFFER YARD LANDSCAPE REQUIREMENTS.  
 F. BUFFER YARD LANDSCAPE REQUIREMENTS: THE PERMITTEE SHALL MAINTAIN EXISTING RM-1 NEIGHBORHOOD IS PER TABLE 11.4.2 BUFFER YARD LANDSCAPE REQUIREMENTS. THE PERMITTEE PROPOSES VOLUNTARILY 25' UNDISTURBED BUFFER AS SHOWN ON THE PLAN, EXCEPT ADJACENT TO THE BATESKIN AND CARPENTERS STREETS. FROM THE PROPOSED BUFFER TO THE EXISTING SEWER MAINS, PERMITS SHALL BE OBTAINED AS TO THE PROPOSED BUFFER. FROM THE PROPOSED BUFFER TO THE EXISTING SEWER MAINS, PERMITS SHALL BE OBTAINED AS TO THE PROPOSED BUFFER. FROM THE PROPOSED BUFFER TO THE EXISTING SEWER MAINS, PERMITS SHALL BE OBTAINED AS TO THE PROPOSED BUFFER. FROM THE PROPOSED BUFFER TO THE EXISTING SEWER MAINS, PERMITS SHALL BE OBTAINED AS TO THE PROPOSED BUFFER.  
 G. FRONT LOT OF WAY: DRIVEWAY WIDTH OF 10' MINIMUM IS REQUIRED.  
 H. ALL TOWNHOMES ARE TO BE SUBDIVIDED WITH SUB-LOT LINES AS SHOWN ON THE PLAN.

**Estimated Impervious Area Summary**

Imperv. Area (Ac)	% of Imp. Area of Site Area
Proposed Townhomes	29.95%
Proposed Alley, CMB & Misc.	1.50%
Proposed Streets	19.48%
<b>Total Proposed BUA</b>	<b>50.94%</b>
	<b>60% Max. Allowed</b>



**CLIENT OWNER:**  
**CAPITAL LAND PARTNERS, LLC**  
 290 W. 10TH STREET, SUITE 200  
 CHARLOTTE, NC 28211  
 LAND USE ATTORNEY

**PROJ. MANAGER:** HN  
**DESIGNER:** RN  
**CHECKED BY:** RN

**SCALE:**  
 AS INDICATED  
**SCHEMATIC SITE PLAN**

**BRANCHVIEW TOWNHOMES**

BRANCHVIEW DRIVE  
 CONCORD, NC 28025

PROJECT NUMBER: 23001  
 DATE: 8-18-2023

**ISSUED FOR REZONING**

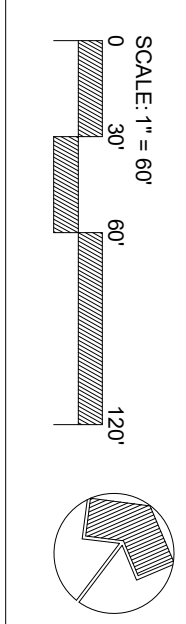
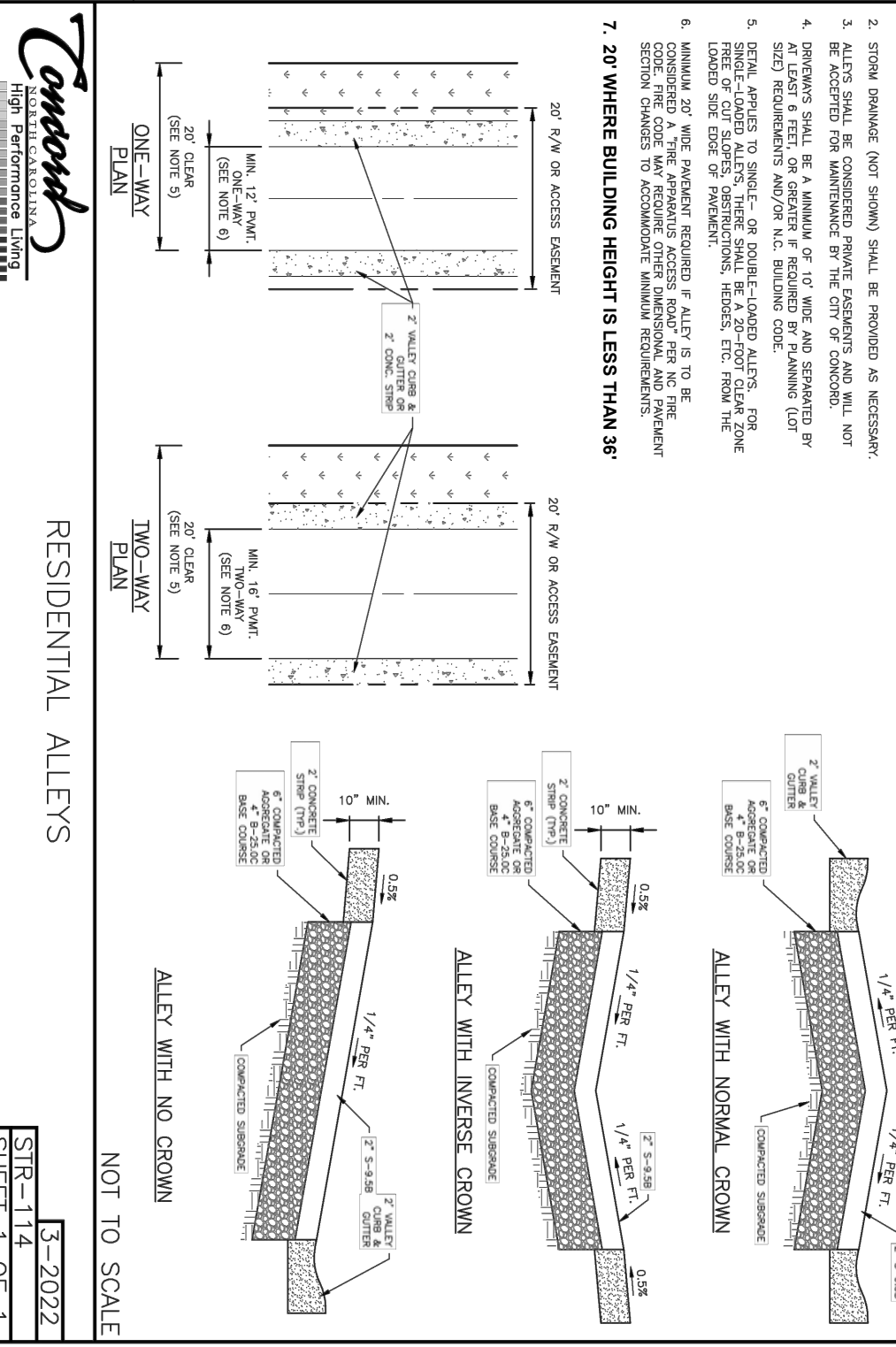
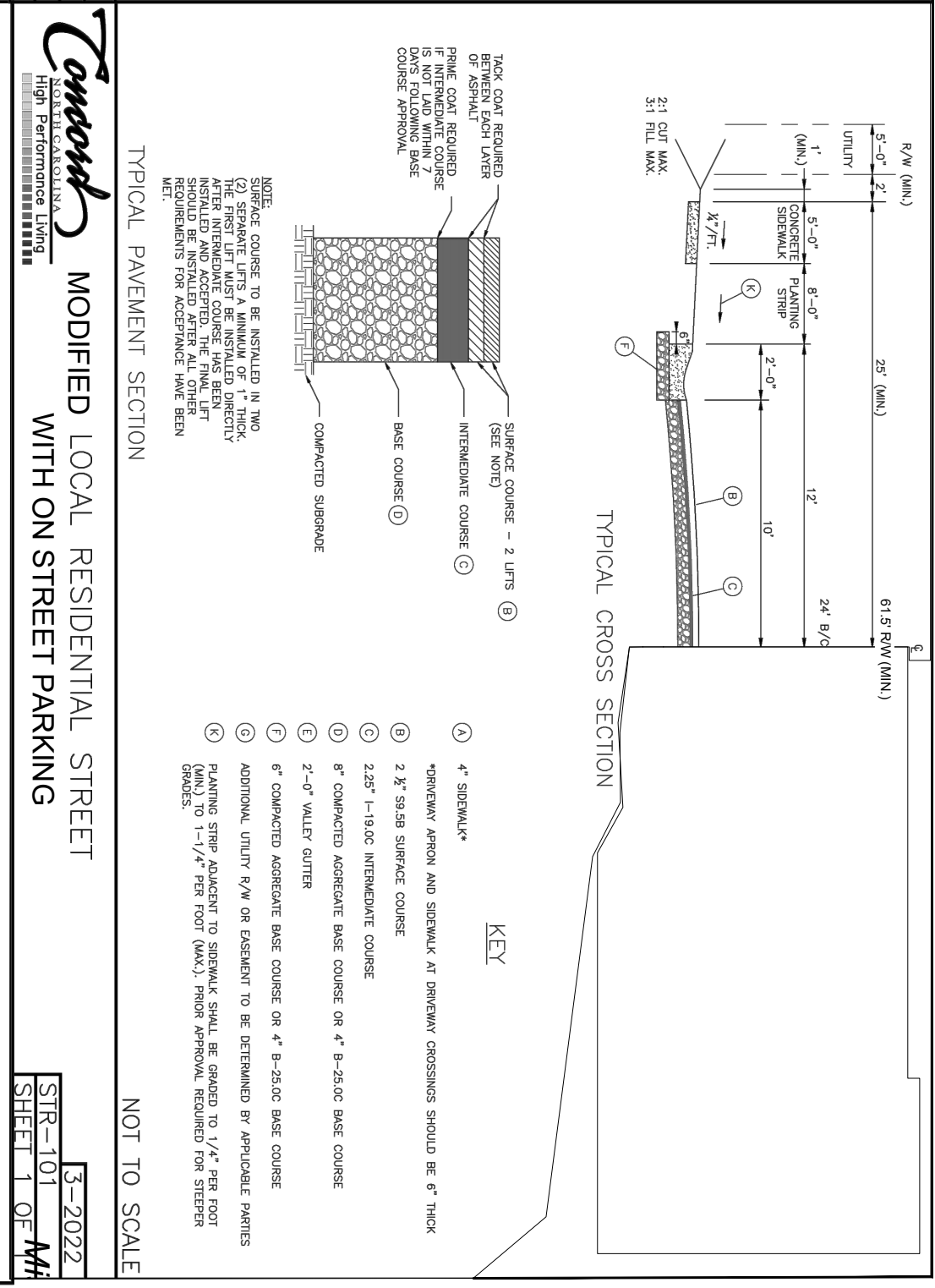
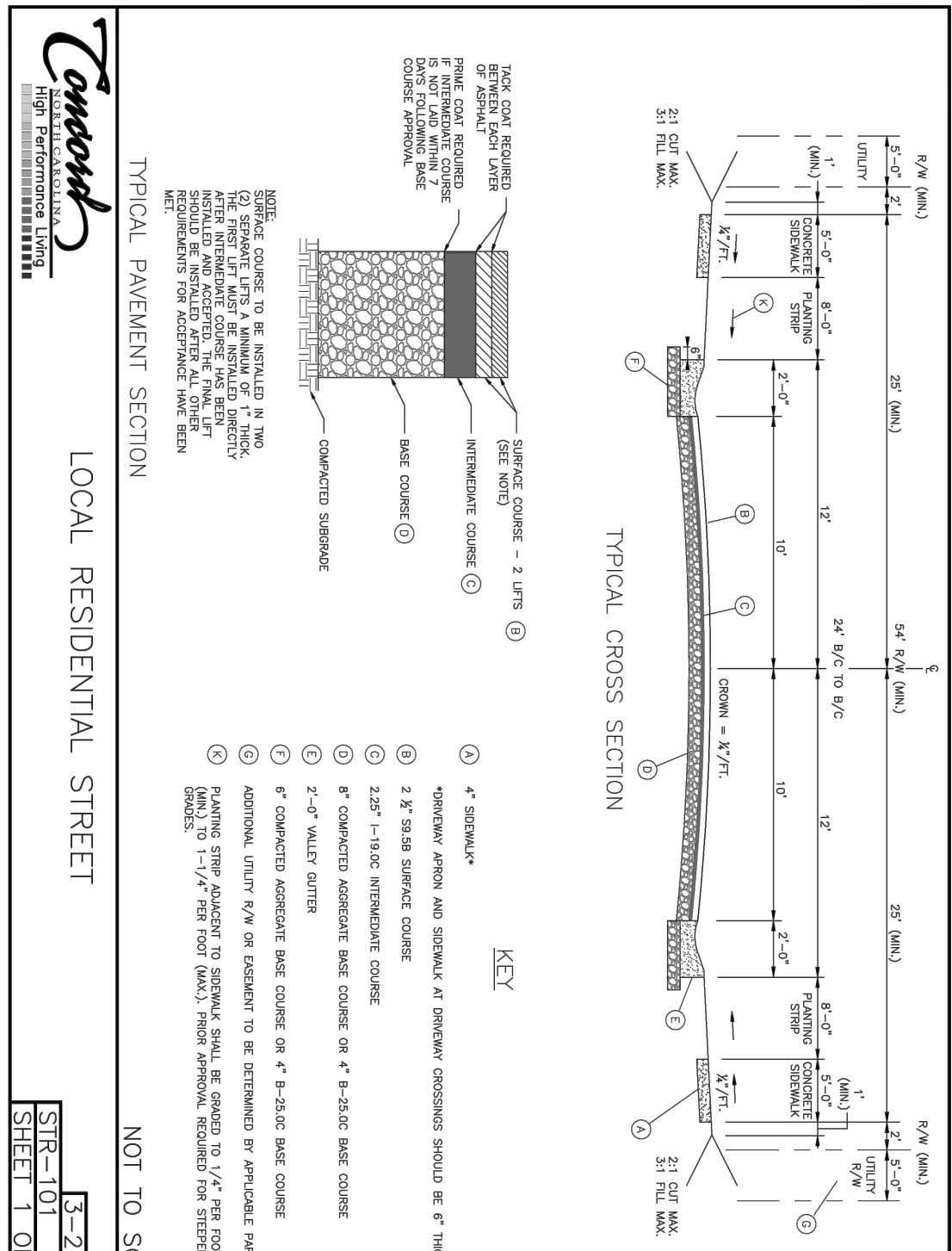
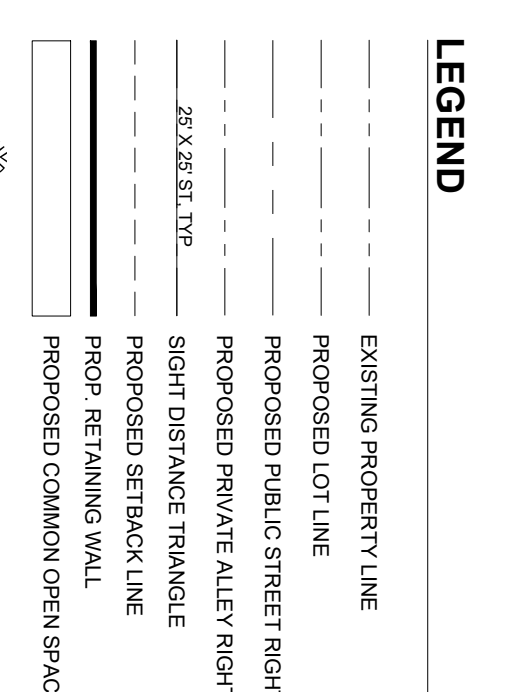
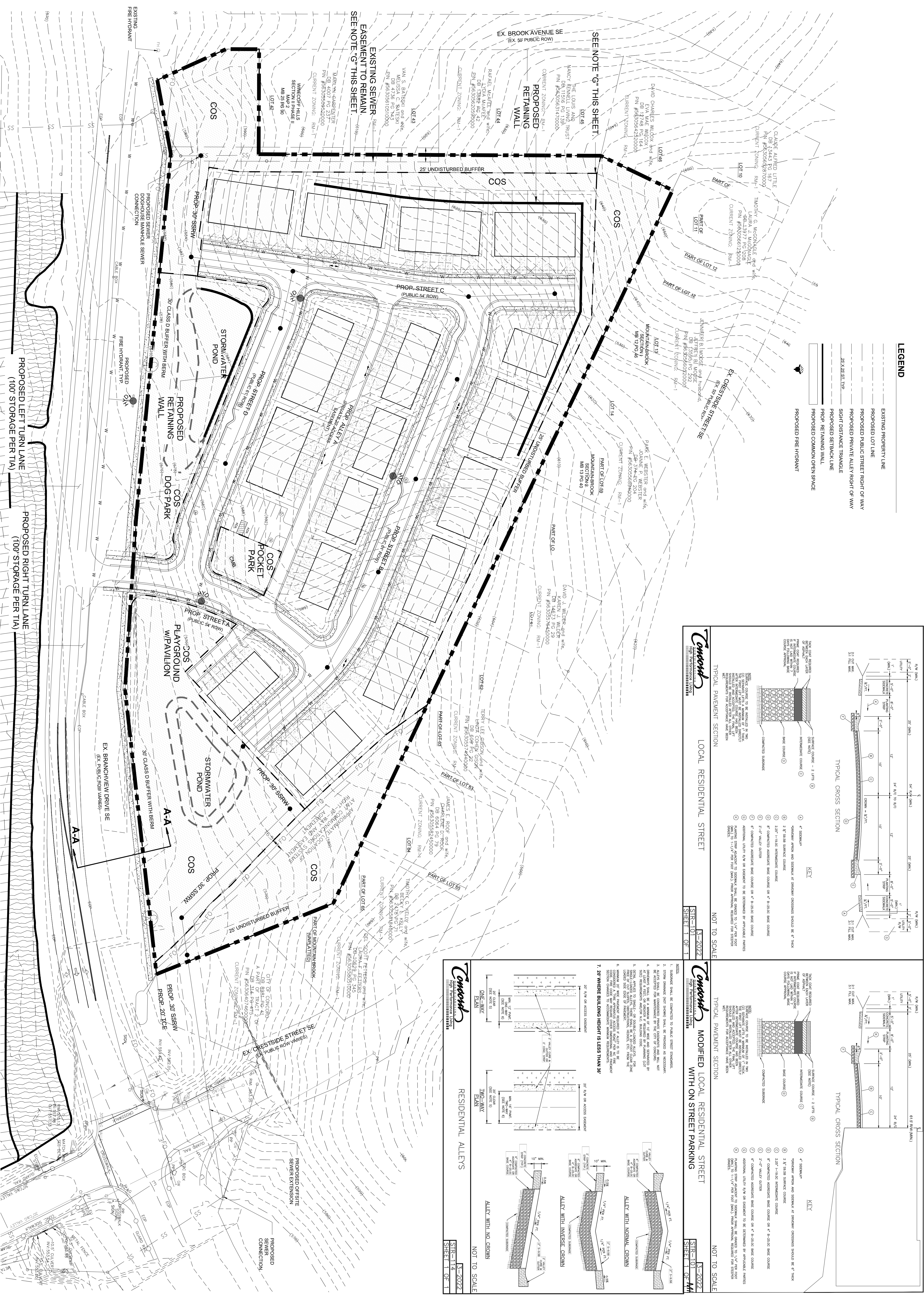
NO.	DATE	DESCRIPTION	BY
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1	10-25-2023	2ND SUBMISSION	RT
2	03-01-2024	3RD SUBMISSION	RT
3	04-15-2024	4TH SUBMISSION	RT
4	07-26-2024	5TH SUBMISSION	AP

RZ-2

ORIGINAL SHEET SIZE: 34" X 46"



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NC Firm License # C-0560

CLIENT/OWNER  
**CAPITAL LAND PARTNERS, LLC**  
704.532.1204 · www.dpdrdesign.com  
CHARLOTTE, NC 28211  
704.518.6118

LANDSCAPE ARCHITECT  
LANCE HARRINGTON

PROJECT  
**BRANCHVIEW TOWNHOMES**

BRANCHVIEW DRIVE  
CONCORD, NC 28025

PROJECT NUMBER  
23001

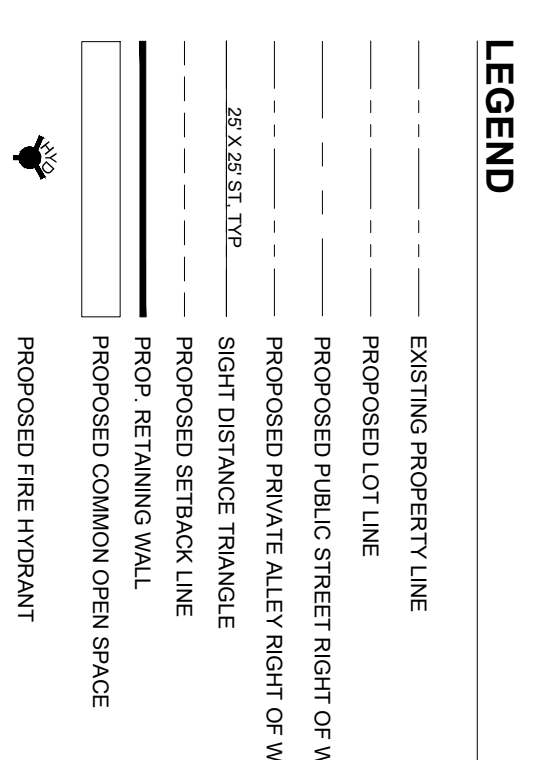
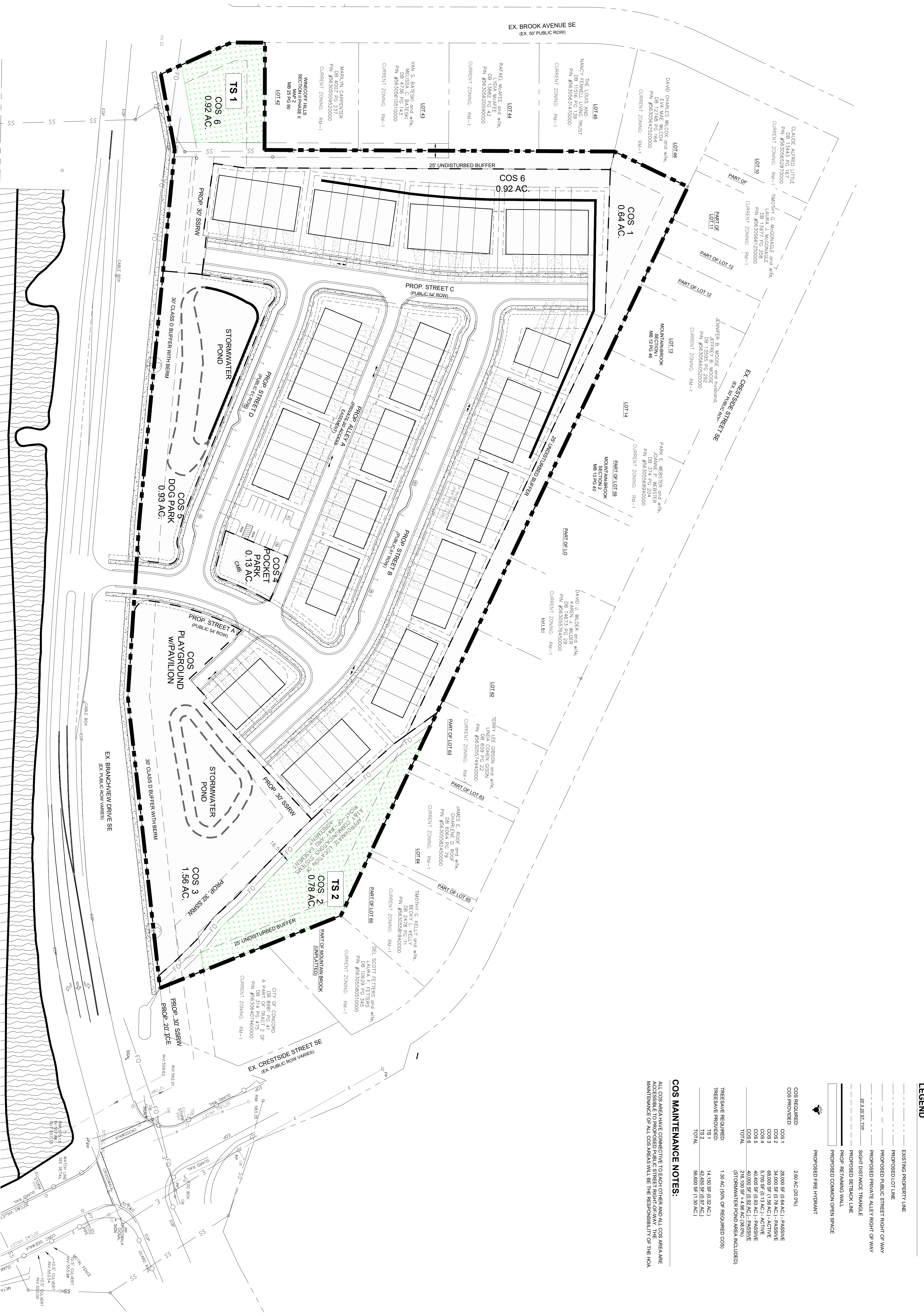
DATE  
8-18-2023

DESIGNED FOR  
**REZONING**

NO.	DATE	DESCRIPTION	BY
0	08-18-2023	1ST SUBMISSION	RT
1	10-25-2023	2ND SUBMISSION	RT
2	03-01-2024	3RD SUBMISSION	RT
3	04-15-2024	4TH SUBMISSION	RT
4	07-26-2024	5TH SUBMISSION	AF

SCALE  
AS INDICATED  
SCHEMATIC UTILITY PLAN

**RZ-3**



COS REQUIRED		TRESSAVE REQUIRED	
COS 1	28,000 SF (0.64 AC)	COS 1	14,150 SF (0.32 AC)
COS 2	34,000 SF (0.78 AC) - PASSIVE	COS 2	42,450 SF (0.97 AC)
COS 3	88,000 SF (2.00 AC) - ACTIVE	TS 2	56,600 SF (1.30 AC)
COS 4	5,700 SF (0.13 AC) - ACTIVE	TOTAL	
COS 5	40,400 SF (0.93 AC) - PASSIVE		
COS 6	216,100 SF (4.90 AC) (90,800 SF (2.05 AC) (STORMWATER POND AREA INCLUDED))		
TOTAL	269 AC (60.0%)		

**COS MAINTENANCE NOTES:**  
 ALL COS AREAS HAVE CONNECTIVE TO EACH OTHER AND ALL COS ARE ACCESSIBLE TO PROPOSED PUBLIC STREET RIGHT-OF-WAY. THE MAINTENANCE OF ALL COS AREAS WILL BE THE RESPONSIBILITY OF THE HOA.

master planning · civil engineering  
 urban design · landscape architecture  
 919 berryhill rd, ste 101 · dpor@nc.com  
 704.532.1204 · www.dpor.design  
 NC Firm License # C-0560

**CLIENT/OWNER**  
 CAPITAL LAND PARTNERS, LLC  
 CHARLOTTE, NC 28211  
 704.518.4118

**LAND DEVELOPER**

**VICINITY MAP**

**PROJECT**  
 BRANCHVIEW TOWNHOMES

**BRANCHVIEW DRIVE**  
 CONCORD, NC 28025

**PROJECT NUMBER**  
 23001

**DATE**  
 8-18-2023

**ISSUED FOR**  
 REZONING

NO.	DATE	DESCRIPTION	BY
0	08-18-2023	1ST SUBMISSION	RT
1	10-25-2023	2ND SUBMISSION	RT
2	03-01-2024	3RD SUBMISSION	RT
3	04-15-2024	4TH SUBMISSION	RT
4	07-26-2024	5TH SUBMISSION	AF

NO.	DATE	DESCRIPTION	BY
1	08-18-2023	1ST SUBMISSION	RT
2	03-01-2024	3RD SUBMISSION	RT
3	04-15-2024	4TH SUBMISSION	RT
4	07-26-2024	5TH SUBMISSION	AF

**SCALE**  
 AS INDICATED

**SCHEMATIC COS AND TRESSAVE PLAN**

**RZ-3A**

ORIGINAL SHEET SIZE: 34" X 34"

**DEVELOPMENT STANDARDS:**

**1. GENERAL PROVISIONS:**

- a) **SITE LOCATION.** THESE DEVELOPMENT STANDARDS, THE SCHEMATIC SITE PLAN, AND RELATED GRAPHICS FORM THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY CAPITAL LAND PARTNERS, LLC (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THE APPROXIMATELY 13.03 ACRE SITE LOCATED AT 809 BRANCHVIEW DRIVE SE (THE "SITE").
- b) **ZONING DISTRICT OR ZONING.** DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE ORDINANCE OF THE CITY OF CONCORD, NC, THAT APPLICABLE TO THE SITE. THE PETITIONER REQUESTS THE CITY OF CONCORD TO AMEND THE ORDINANCE (THE "ORDINANCE") UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS. THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE R-CV ZONING CLASSIFICATION SHALL GOVERN.

**2. PERMITTED USES & DEVELOPMENT AREA:**

- a) THE DEVELOPMENT AREA MAY BE DEVELOPED WITH UP TO 80 RESIDENTIAL TOWNHOME UNITS, AS ALLOWED BY RIGHT, AND UNDER PRESCRIBED CONDITIONS, TOGETHER WITH ACCESSORY USES, INCLUDING BUT NOT LIMITED TO: (1) OFF-STREET PARKING; (2) STORAGE; (3) OPEN SPACE AND RECREATION; (4) GATHERING SPACES, DOG PARKS, MAINTENANCE BUILDINGS, OUTDOOR RECREATIONAL USES, AND/OR OTHER USES TYPICALLY ASSOCIATED WITH RESIDENTIAL COMMUNITIES).

**3. ACCESS AND TRANSPORTATION:**

- a) ACCESS, ACCESS TO THE SITE WILL BE FROM BRANCHVIEW DRIVE, AS GENERAL Y DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CITY OF CONCORD AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- b) IMPROVEMENTS AND PHASING. THE PETITIONER SHALL INSTALL PHASED TRANSPORTATION IMPROVEMENTS TO THE FOLLOWING:
  - i. PHASING. THE PETITIONER MAY DEVELOP IN PHASES AS DEPICTED ON THE PLAN.

**4. STREET NETWORK:**

- i. THE OVERALL STREET NETWORK IS CONCEPTUAL IN NATURE AND MAY BE ADJUSTED DURING THE PERMITTING PROCESS SO LONG AS THE PROVISIONS OF THE ORDINANCE ARE ADHERED TO.
- ii. APPROVAL OF REZONING PLAN DOES NOT CONSTITUTE APPROVAL OF ANY TECHNICAL ELEMENT SHOWN ON PLAN WHICH MAY NOT MEET TECHNICAL STANDARDS. TECHNICAL ELEMENTS WHICH DO NOT MEET TECHNICAL STANDARDS AND WILL NEED TO BE REVISOR FOR TECHNICAL PLAN APPROVAL. SUCH REVISIONS MAY REQUIRE SIGNIFICANT ALTERATIONS TO THE CONCEPTUAL LAYOUT DEPICTED IN THESE PLANS.
- iii. THIS COMMUNITY HAS A CONTROLLED ACCESS (CA) DICTATED BY NCDOT.
- iv. THE PROPOSED ROAD IMPROVEMENTS ARE SUBJECT TO THE RESULTS OF A TYPE A TIA.

**5. TRIP GENERATION TABLE (PER 11TH GENERATION TIE MANUAL)**

Code	Land Use	Size	Unit	Daily	AM Peak	PM Peak
215	Single-Family Attached Housing	80	CU	250	250	250
			IN	QUR	TOTD	QUR
			IN	250	250	250
			IN	QUR	TOTD	QUR
			IN	250	250	250
			IN	QUR	TOTD	QUR
			IN	250	250	250

- i. THE PROJECT FRONTAGE WILL REQUIRE LEFT AND RIGHT TURN LANE IMPROVEMENTS, AS DEPICTED ON THE SITE PLAN, AND AS OUTLINED IN THE TIA REPORT APPROVED BY NCDOT AND CITY OF CONCORD.

**4. DESIGN INTENT STATEMENT:**

- a) THE PETITIONER PROPOSES TO DEVELOP A WALKABLE RESIDENTIAL COMMUNITY WHERE THE RESIDENTS OF THE COMMUNITY WILL HAVE CONVENIENT AND EASY ACCESS TO A SERIES OF PASSIVE AND ACTIVE OPEN SPACES THAT ARE INTERCONNECTED BY A NETWORK OF STREETS, SIDEWALKS, AND TRAILS.
- b) LOT LINES SHALL BE SUBJECT TO THE LATEST CITY OF CONCORD LAND DEVELOPMENT DESIGN GUIDELINES AND ORDINANCE.
- c) LOCATION OF ADDITIONAL PARKING SHOWN ON SITE PLAN IS FOR REFERENCE ONLY. ACTUAL LOCATIONS MAY VARY BASED ON ENGINEERING DESIGN.

- d) THE CITY IS UNDER NO OBLIGATION TO ACCEPT THE PROPOSED STREETS FOR PUBLIC MAINTENANCE. PROPERLY DESIGNED AND CONSTRUCTED STREETS THAT MEET THE STREET ACCEPTANCE REQUIREMENTS ARE ELIGIBLE TO APPLY/REQUEST THE STREETS TO BE ACCEPTED INTO THE PUBLIC SYSTEM.
- e) THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE CITY OF CONCORD FIRE MARSHALL APPROVAL AND 2018 NC FIRE CODE.

- f) THE FOLLOWING MINIMUM STANDARDS ARE REQUIRED FOR THE SUCCESSFUL DEVELOPMENT OF THIS PROPERTY. OTHER MODIFICATIONS MAY BE REQUESTED DURING THE FINAL DESIGN OF THE PROJECT AS PROVIDED IN THE CONCORD DEVELOPMENT ORDINANCE:
  - i. TRANSITION FROM VERTICAL CURB AT INLETS TO VALLEY CURB IS TEN (10) FEET ON EACH SIDE OF THE CURB INLETS. MINIMUM ALLOWED ON CASE BY CASE BASIS IS 5' SUCH REQUEST AND APPROVAL WILL BE MADE DURING TECHNICAL SITE PLAN REVIEW.
  - ii. THE MINIMUM HORIZONTAL CENTERLINE SEPARATION BETWEEN DOMESTIC WATER LINES AND SANITARY SEWER LINES SHALL BE FIVE (5) FEET.

**5. STREETSCAPE, LANDSCAPING, AND OPEN SPACE:**

- a) SETBACKS AND YARDS AS REQUIRED BY ORDINANCE WILL BE PROVIDED AND AS CALLED OUT ON SHEET RZ-2.
- b) THE PETITIONER SHALL PROVIDE AN SIX (6) FOOT SIDEWALK BEHIND THE EXISTING DITCH ALONG THE SITES FRONTAGE ON BRANCHVIEW DRIVE, EXTENDING TO CRESTVIEW DRIVE.
- c) COMMUNITY GATHERING SPACE SHALL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN AND IS INTENDED TO PROVIDE SPACES OF OPEN SPACE THROUGHOUT THE DEVELOPMENT. COMMUNITY GATHERING SPACES MAY INCLUDE BENCHES, PLAY STRUCTURES, TRAILS, SIGNATURE LANDSCAPING, LAWNS AND/OR OTHER FEATURES THAT PROVIDE OPPORTUNITIES TO RECREATE OR FOSTER COMMUNITY ENGAGEMENT.
- d) STORMWATER AREAS ARE INCLUDED IN OPEN SPACE AND MEET REQUIREMENTS SET FORTH IN ARTICLE 10.5.4.

- e) A SIX (6) FOOT PRIVACY FENCE SHALL BE INSTALLED ALONG THE REAR AND SIDE BOUNDARIES ADJUTING EXISTING HOMES WHERE THE PROPOSED RETAINING WALL DOES NOT EXCEEDS 3' HIGH.

- f) ALL CLUSTER MAILBOXES SHALL BE SUBJECT TO THE LATEST USPS CLUSTER MAILBOX GUIDELINES AND CITY OF CONCORD ORDINANCE.
- g) THE PETITIONER AGREES TO SUBMIT A LANDSCAPE PLAN AND LIGHTING PLAN WITH THE CONSTRUCTION DOCUMENTS.

- h) ALL STREET TREES SHALL BE MAINTAINED BY THE PROPERTY OWNER OR THE HOMEOWNERS ASSOCIATION. THE MAINTENANCE OF STREET TREES IN PLANTING STRIPS BETWEEN CURBS AND SIDEWALKS WHICH ARE WITHIN THE STREET RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF THE RESPECTIVE HOMEOWNERS ASSOCIATION.

- i) SIGNAGE WITHIN THE DEVELOPMENT SHALL MEET THE REQUIREMENTS OF THE ORDINANCE.

**6. ENVIRONMENTAL FEATURES:**

- a) THE SITE SHALL COMPLY WITH STORMWATER AND WATER QUALITY REQUIREMENTS AS SET FORTH IN THE ORDINANCE AND APPLICABLE NCDOT DESIGN MANUAL.
- b) THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FINAL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED FROM AN ENGINEERING PERSPECTIVE WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
- c) ANY JURISDICTIONAL STREAMS PRESENT ON THE SITE SHALL BE SUBJECT TO REQUIRED STREAM BUFFERS AS SET FORTH IN THE ORDINANCE.

- d) ANY IMPACTS TO JURISDICTIONAL STREAMS AND/OR WETLANDS ON SITE SHALL REQUIRE APPROPRIATE PERMITS) WITH THE CORPS OF ENGINEERS AND OTHER AUTHORITIES HAVING JURISDICTION OVER SUCH IMPACT. THE APPLICANT SHALL PROVIDE CITY OF CONCORD WITH SUCH PERMIT PRIOR TO CONSTRUCTION DRAWING APPROVAL.

**7. LIGHTING AND ELECTRICAL:**

- a) ANY MOVEMENT OF EXISTING CITY OF CONCORD ELECTRICAL UTILITIES CAN BE AT THE OWNER/DEVELOPER COST.
- b) ALL ELECTRICAL INSTALLATIONS MUST COMPLY CITY OF CONCORD TECHNICAL STANDARDS MANUAL.

**8. WASTEWATER:**

- a) PROPOSED SITE IS TO BE SERVED WITH PUBLIC PORTABLE WATER AND GRAVITY SANITARY. ALL PUBLIC SEWERWATER SHALL BE DESIGNED IN ACCORDANCE WITH THE CITY'S STANDARDS.

- b) IF APPLICABLE, COPIES OF ALL CORRESPONDING SEWER EASEMENT AGREEMENTS AND PLAT MAPS WILL BE SUBMITTED TO THE CITY PLANNING DEPARTMENT FOR REVIEW AND COMMENTS. FINAL VERSIONS OF THESE DOCUMENTS WILL BE RECORDED AT THE REGISTER OF DEEDS AND THEN SENT TO THE WATER RESOURCE DEPARTMENT FOR FILING.

- c) PROPOSED GRAVITY SEWER SYSTEM AND POTABLE WATER MAIN SYSTEMS SHALL BE DEDICATED TO THE CITY OF CONCORD FOR OWNERSHIP AND MAINTENANCE.

**9. WATER**

- a) THE APPLICANT SHALL EXTEND THE EXISTING WATER MAIN ALONG THE PROJECT FRONTAGE AT BRANCHVIEW DRIVE. THE SIZE OF THE WATER MAIN WILL BE BASED UPON DEVELOPER'S CALCULATIONS TO SERVE THE SITE WITH REQUIRED POTABLE AND FINE FLOW DEMAND.

**10. AMENDMENTS TO THE REZONING PLAN:**

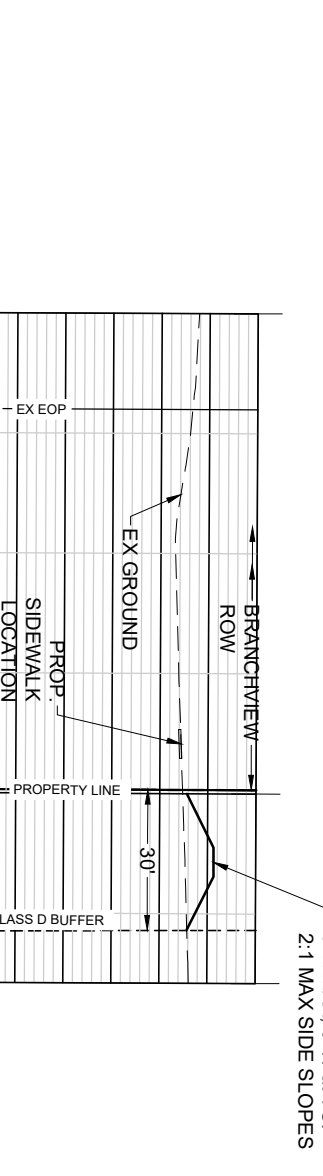
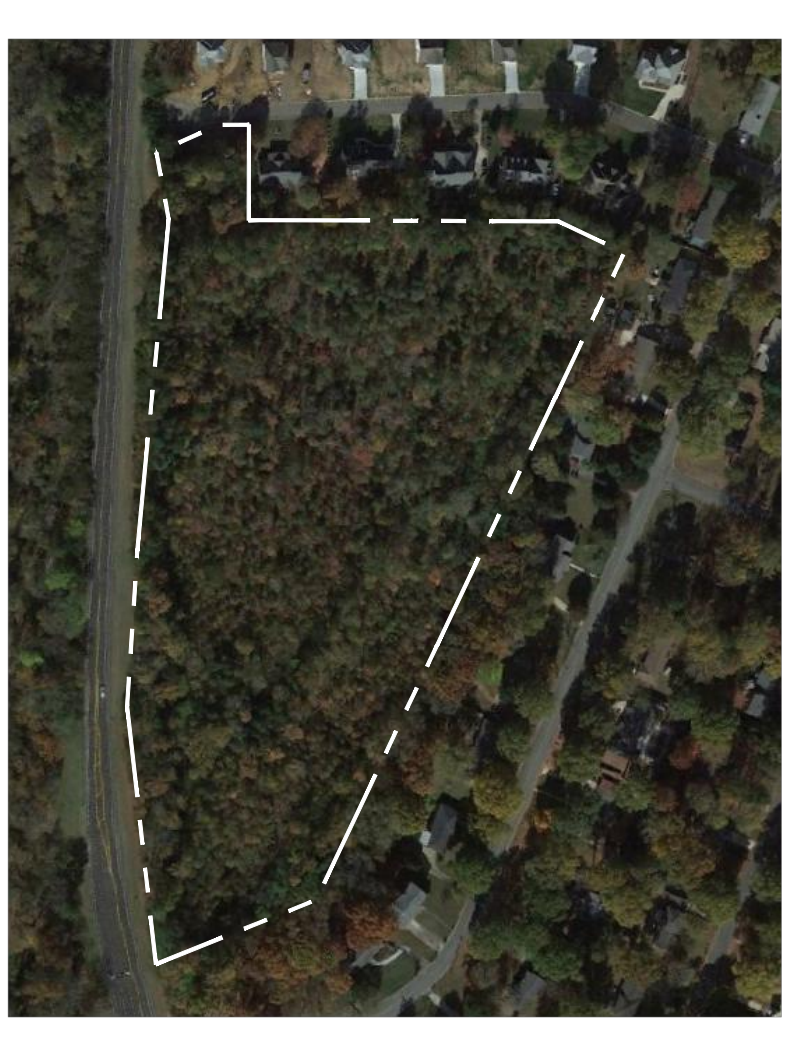
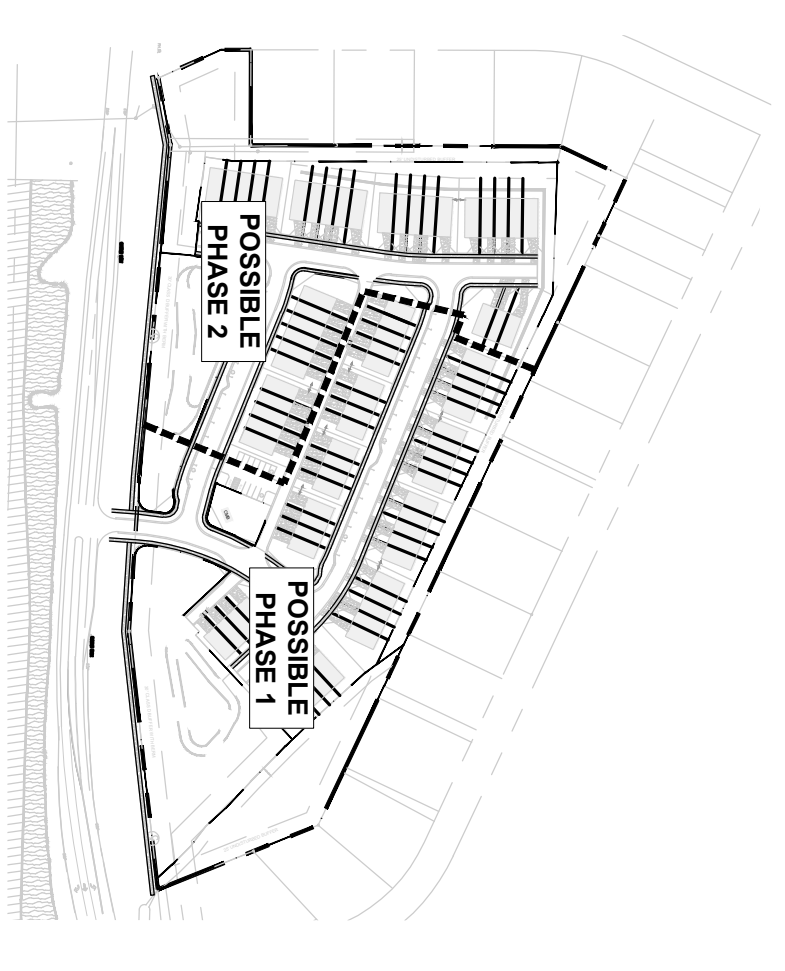
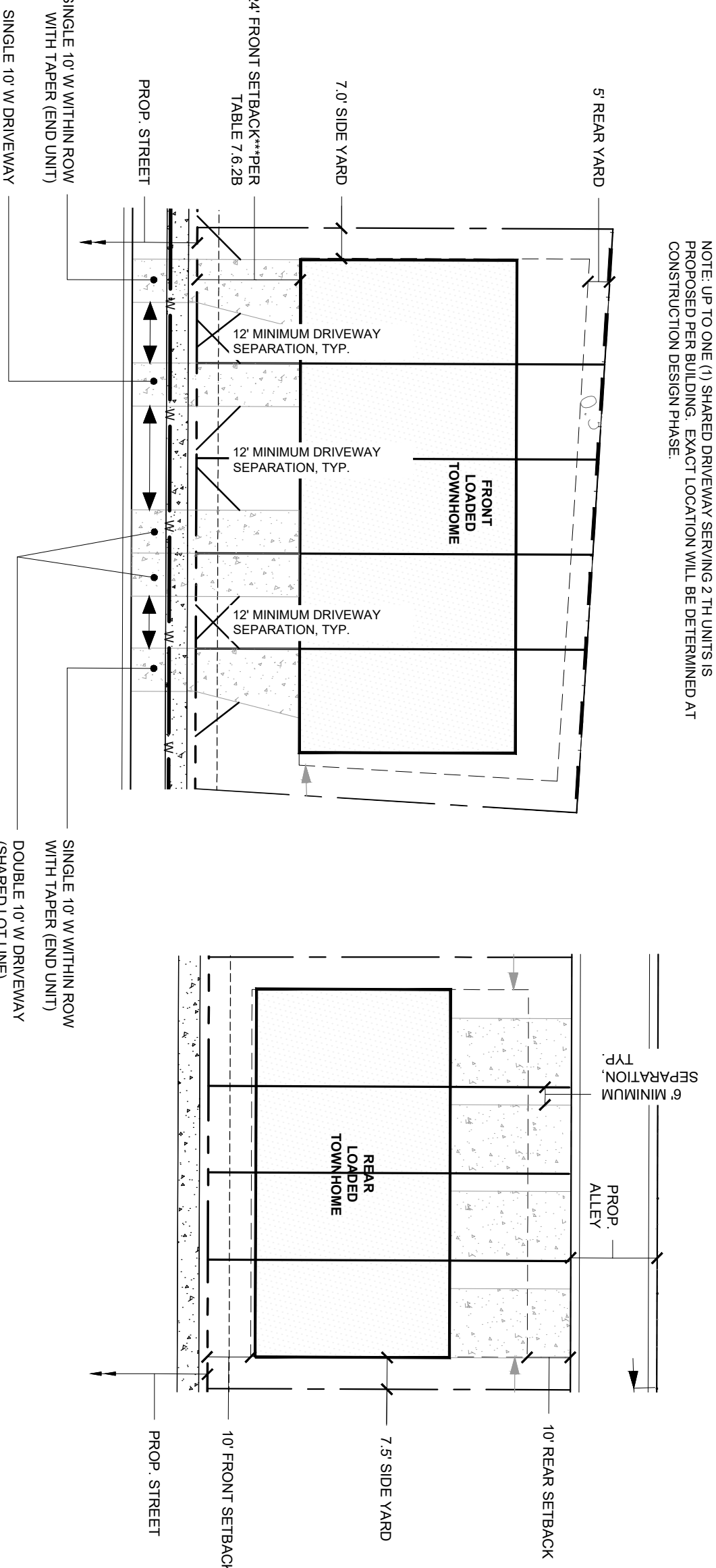
- a) FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE PARCELS. SUCH AMENDMENTS SHALL BE FILED WITH THE CITY OF CONCORD IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE.

**11. BINDING EFFECT OF THE REZONING APPLICATION:**

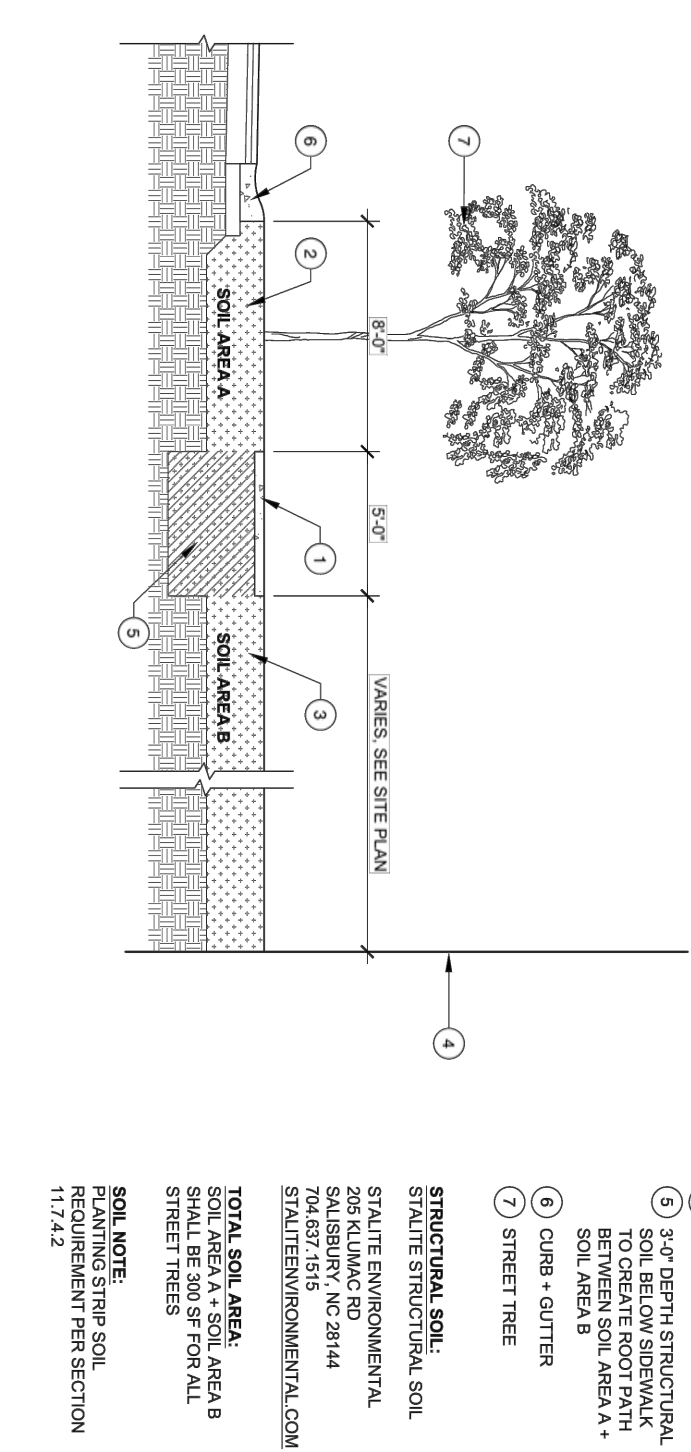
- a) IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPROVED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INSURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

**12. RECORDED OF THE REZONING PLAN:**

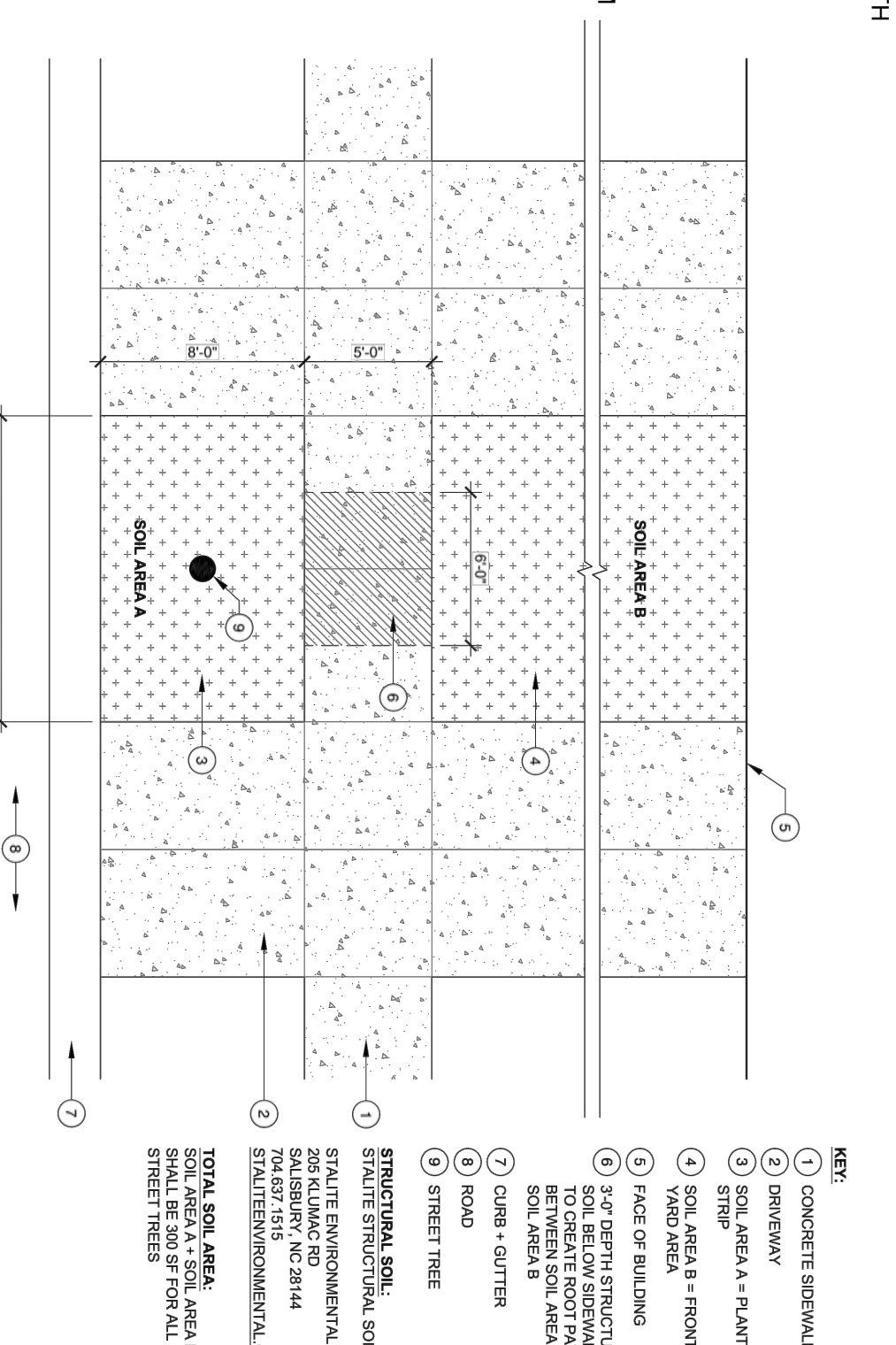
- a) THE ZONING PLAN SHALL BE RECORDED WITH CABARRUS COUNTY REGISTER OF DEEDS ONCE APPROVED BY THE CITY.



**6. STREET TREE PLANTING @ FRONT LOADED UNITS**



**5. STREET TREE PLANTING @ FRONT LOADED UNITS**



master planning, civil engineering  
urban design, landscape architecture

919 berryhill rd, ste 101, dnofornc, nc 28208  
704.532.1204 · www.dpdrdesign.com  
NC Firm License # C-0560

CLIENT OWNER  
**CAPITAL LAND PARTNERS, LLC**  
CHARLOTTE, NC 28211  
704.518.6138

LAND DEVELOPER  
BRANCHVIEW DRIVE  
CONCORD, NC 28025

PROJECT NUMBER  
23001

DATE  
8-18-2023

DESIGNED FOR  
**REZONING**

NO.	DATE	DESCRIPTION	BY
0	08-18-2023	1ST SUBMISSION	RT
1	10-25-2023	2ND SUBMISSION	RT
2	03-01-2024	3RD SUBMISSION	RT
3	04-15-2024	4TH SUBMISSION	RT
4	07-26-2024	5TH SUBMISSION	AP

SCALE  
AS INDICATED

PROJ. MANAGER: HY  
DRAWN BY: RT  
CHECKED BY: HY

REZONING NOTES

**RZ-4**

ORIGINAL SHEET SIZE: 24" X 36"

BRANCHVIEW DRIVE  
CONCORD, NC 28025

PROJECT NUMBER  
23001

DATE  
8-18-2023

DESIGNED FOR  
**REZONING**

NO.	DATE	DESCRIPTION	BY
0	08-18-2023	1ST SUBMISSION	RT
1	10-25-2023	2ND SUBMISSION	RT
2	03-01-2024	3RD SUBMISSION	RT
3	04-15-2024	4TH SUBMISSION	RT
4	07-26-2024	5TH SUBMISSION	AP

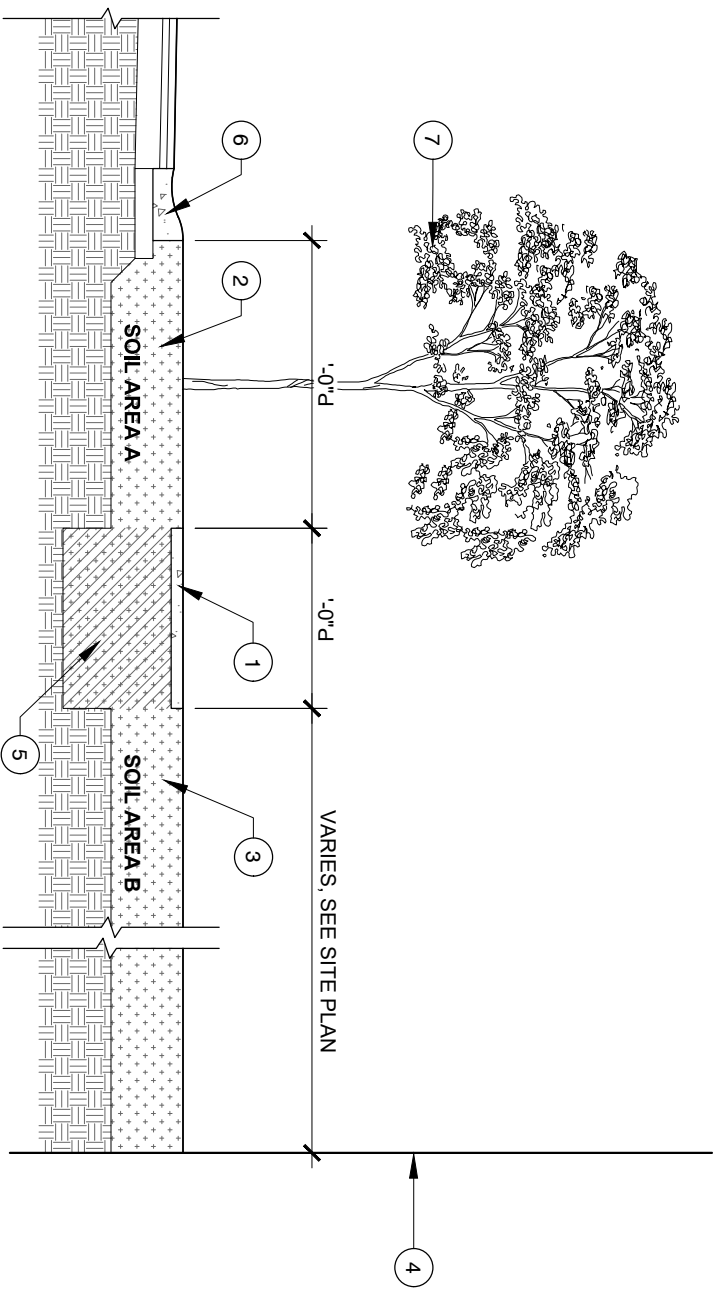
SCALE  
AS INDICATED

PROJ. MANAGER: HY  
DRAWN BY: RT  
CHECKED BY: HY

REZONING NOTES

**RZ-4**

ORIGINAL SHEET SIZE: 24" X 36"



**KEY:**

- ① CONCRETE SIDEWALK
- ② SOIL AREA A = PLANTING STRIP
- ③ SOIL AREA B = FRONT YARD AREA
- ④ FACE OF BUILDING
- ⑤ 3'-0" DEPTH STRUCTURAL SOIL BELOW SIDEWALK TO CREATE ROOT PATH BETWEEN SOIL AREA A + SOIL AREA B
- ⑥ CURB + GUTTER
- ⑦ STREET TREE

**STRUCTURAL SOIL:**

STALITE STRUCTURAL SOIL  
 STALITE ENVIRONMENTAL  
 205 KLUMAC RD  
 SALISBURY, NC 28144  
 704.637.1515  
[STALITEENVIRONMENTAL.COM](http://STALITEENVIRONMENTAL.COM)

**TOTAL SOIL AREA:**

SOIL AREA A + SOIL AREA B SHALL BE 300 SF FOR ALL STREET TREES

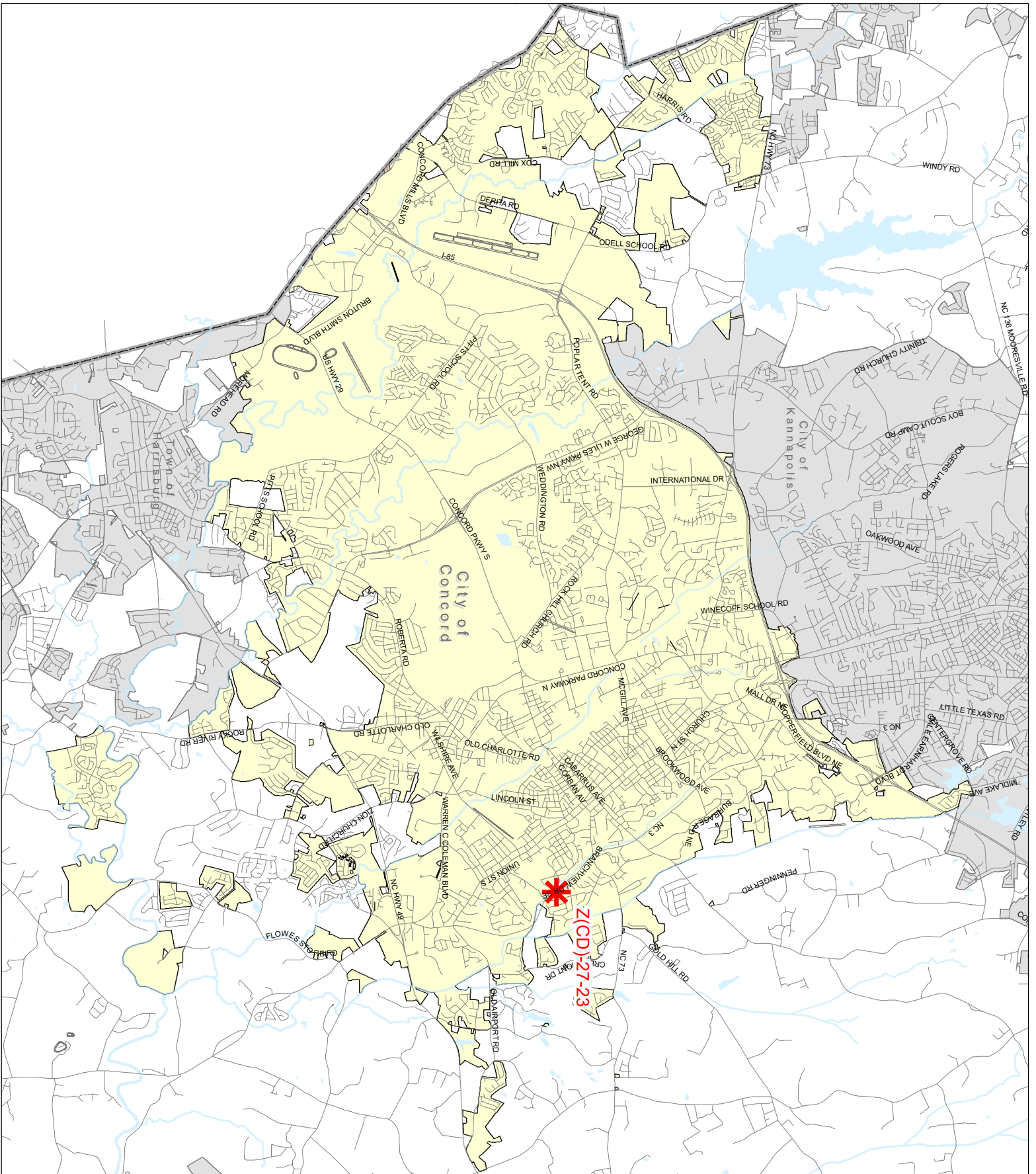
**SOIL NOTE:**

PLANTING STRIP SOIL REQUIREMENT PER SECTION 11.7.4.2

# 6 STREET TREE PLANTING @ FRONT LOADED UNITS








SECTION

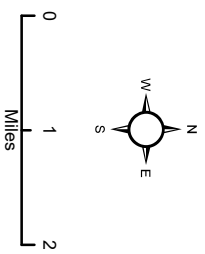
3/16" = 1'-0"



Z(CD)-27-23

Rezoning application  
 RM-1 (Residential  
 Medium Density)  
 to RV-CD (Residential  
 Village - Conditional  
 District)

-  Case Location
-  Streets
-  Subject Properties
-  Lakes & Ponds
-  Rivers
-  City of Concord
-  Other Municipalities

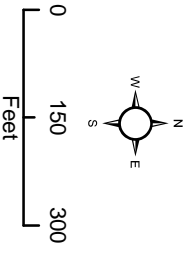


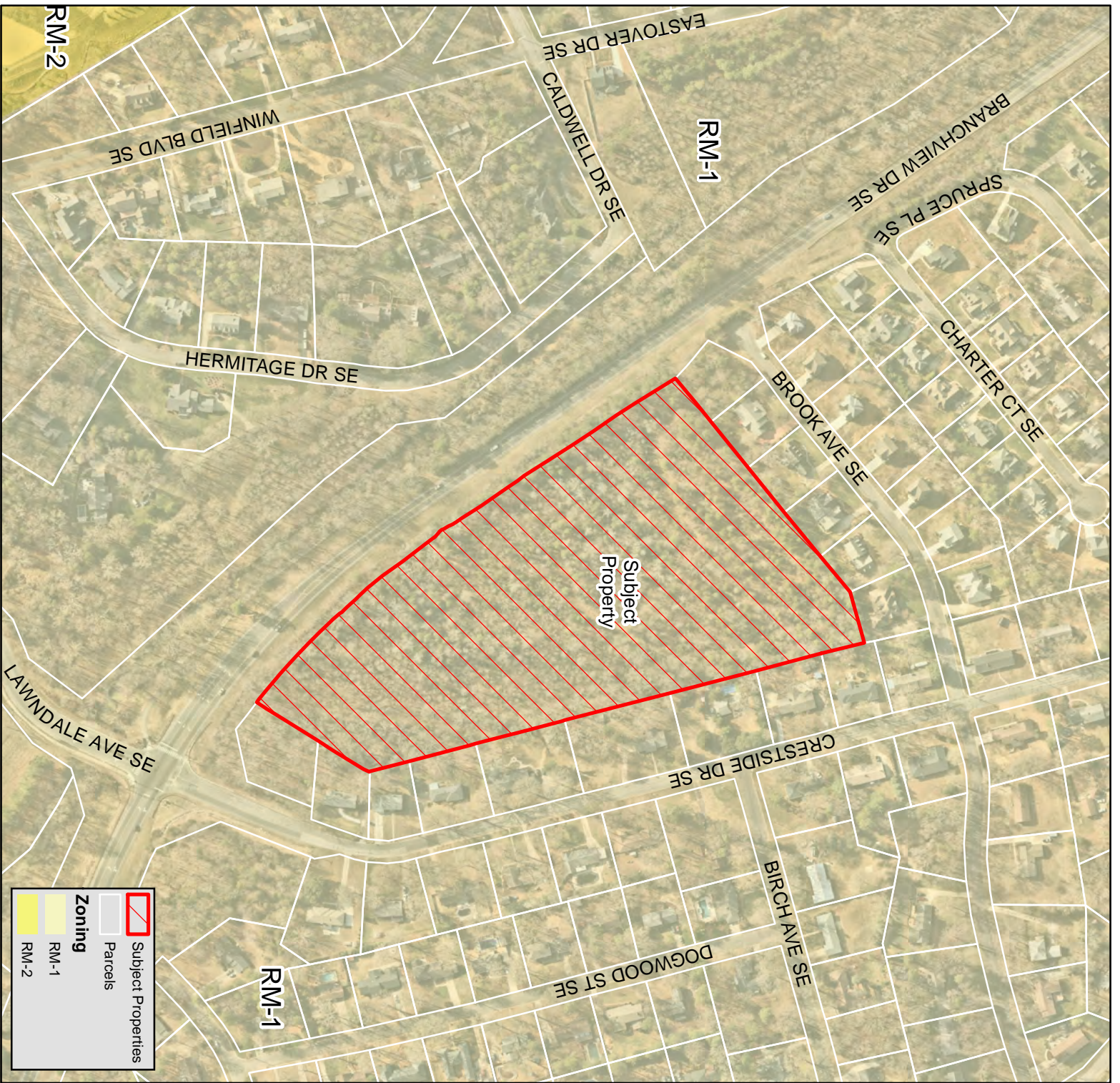


Z/CD)-27-23  
**AERIAL**

**Rezoning application  
 RM-1 (Residential Medium Density)  
 to RV-CD (Residential Village -  
 Conditional District)**

805 Branchview Dr SE  
 PIN: 5630-55-3690



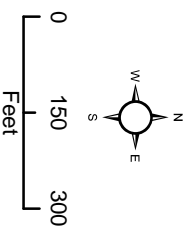
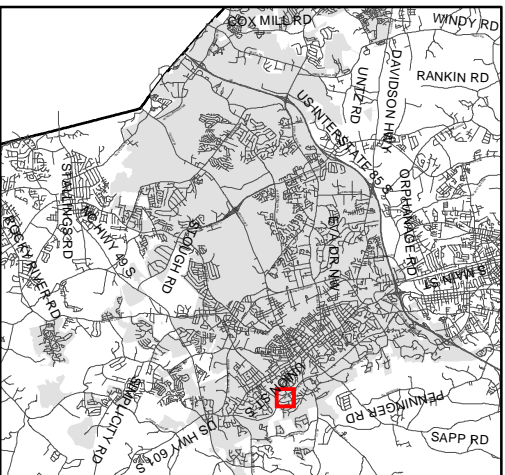


	Subject Properties
	Parcels
<b>Zoning</b>	
	RM-1
	RM-2

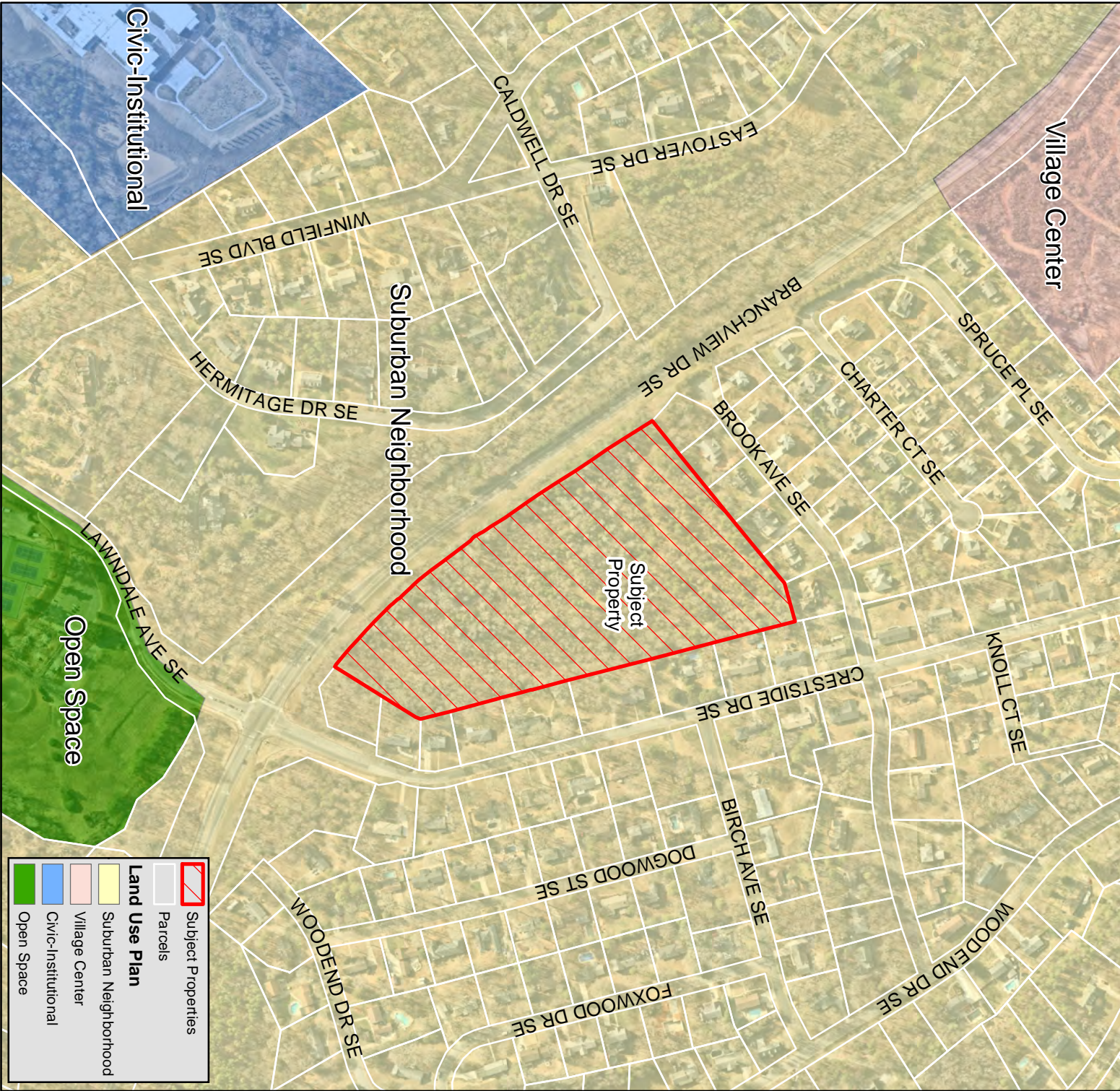
Z/CD)-27-23  
ZONING

**Rezoning application  
RM-1 (Residential Medium Density)  
to RV-CD (Residential Village -  
Conditional District)**

805 Branchview Dr SE  
PIN: 5630-55-3690





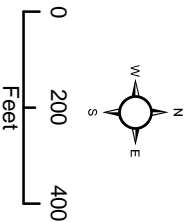


	Subject Properties
	Parcels
Land Use Plan	
	Suburban Neighborhood
	Village Center
	Civic-Institutional
	Open Space

**Z/CD)-27-23  
LAND USE PLAN**

**Rezoning application  
RM-1 (Residential Medium Density)  
to RV-CD (Residential Village -  
Conditional District)**

805 Branchview Dr SE  
PIN: 5630-55-3690





**DATE:** September 17, 2024

**REZONING CASE #:** Z-12-24

**ACCELA:** CN-RZZ-2024-00010

**DESCRIPTION:** Zoning Map Amendment  
RM-2 (Residential Medium Density) to C-2 (General Commercial)

**APPLICANT/OWNER:** Blue Pure Life, LLC / Keith Troutman

**LOCATION:** 2120 Barnhardt Avenue NW

**PIN#:** 5610-98-5054

**AREA:** +/- 0.344 acres

**ZONING:** RM-2 (Residential Medium Density)

**PREPARED BY:** Fred Womble, Senior Planner

**BACKGROUND**

The subject property consists of one (1) parcel totaling +/- 0.344 acres located along the northern right-of-way line of Barnhardt Ave. NW. The parcel is owned by Blue Pure Life, LLC and is currently utilized as a hair salon. The applicant seeks approval to rezone the subject property from RM-2 (Residential Medium Density) to C-2 (General Commercial).

**HISTORY**

The subject property was previously located in Cabarrus County and annexed into the City in 1995. Upon annexation, the parcel was zoned R-2 which was converted to RM-2 with the conversion to the UDO. The commercial structure presently located on the parcel was built in or around 1986 and has operated as a hair salon since then.

**SUMMARY OF REQUEST**

The applicant proposes to rezone the subject property from RM-2 (Residential Medium Density) to C-2 (General Commercial) to continue operation of a hair salon. The submitted request is not for a conditional district, so all uses permitted within the C-2 (General Commercial) zoning classification would be permitted. Any development of the subject property would require technical site plan review and approval and must meet the standards set forth in the CDO (Concord Development Ordinance) as well as other applicable regulations. The property is surrounded on all sides by C-2 zoning and the petition represents an extension of the established district.

Existing Zoning and Land Uses (Subject Parcel)					
Current Zoning of Subject Property	Zoning Within 500 Feet		Land Uses(s) of Subject Property	Land Uses within 500 Feet	
RM-2 (Residential Medium Density)	North	C-2 (General Commercial)	Commercial	North	Vacant
	South	C-2 (General Commercial)		South	Commercial
	East	C-2 (General Commercial)		East	Commercial
	West	C-2 (General Commercial)		West	Residential, Vacant

**COMPLIANCE WITH 2030 LAND USE PLAN**

The 2030 Land Use Plan (LUP) designates the subject properties as “Commercial” (C). C-2 (General Commercial) *is listed* as a corresponding zoning district to the “Commercial” land use category, and therefore is consistent with the land use plan.

The corresponding zoning districts for the “Commercial” land use category are B-1 (Neighborhood Commercial/Office), O-I (Office-Institutional), C-1 (Light Commercial and Office), C-2 (General Commercial), MX-NC (Mixed Use-Neighborhood Center), MX-CC1 (Mixed Use-Commercial Center Small), MX-CC2 (Mixed Use-Commercial Center Large), MX-IB (Mixed Use-Industrial/Business Center), and PUD (Planned Unit Development).

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

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

**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.*

*Goal 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.*

**The following goals from the recently adopted Strategic Plan also relate to the proposed zoning amendment:**

*Goal 2: Create Economic Opportunities for Individuals and Businesses*

*1. Support business expansion and job creation initiatives.*

**SUGGESTED STATEMENT OF CONSISTENCY**

- The subject property for the rezoning petition is approximately +/- 0.344 acres and is currently zoned RM-2 (Residential Medium Density).
- The subject property was annexed into the City in 1995.
- The proposed zoning is consistent with the 2030 Land Use Plan (LUP) as C-2 (General Commercial) is a corresponding zoning classification to the Commercial (C) Land Use Category.
- The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning adjacent to the subject property, and reflects the historical use of the property.

**OR**

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

**SUGGESTED RECOMMENDATION AND CONDITIONS**

City staff does not have any issues with the proposal. No conditions may be applied as the request is not for a “Conditional District.”

**PROCEDURAL CONSIDERATIONS**

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

**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. *no changes/leaving as is*
  
- 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: Troutman Enterprises, of Concord INC  
BLUE PURE LIFE, LLC  
Keith Troutman 60 Burrage Rd Concord NC 28025  
KdTBH04@hotmail.com

Owner Name, Address, Telephone Number: Keith Troutman, 60 Burrage Rd, Concord, NC 28025

Project Location/Address: 2120 Barnhardt Ave NW CONCORD, NC

P.I.N.: 56109850540000

Area of Subject Property (acres or square feet): .027 acre

Lot Width: 50 Lot Depth: 237

Current Zoning Classification: RM 2

Proposed Zoning Classification: C2

Existing Land Use: Has been beauty Salon for 35 years

Future Land Use Designation: continued as Hair Salon, same people

Surrounding Land Use: North C2 South C2

East ~~RM~~ single family West C2

Reason for request: Not really sure, we built this building in 1986 for a Hair Salon, it has been a Salon ever since, we did have 1 of the stylist move out

Has a pre-application meeting been held with a staff member? over email not in person

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

they requested this which we are fine with  
Date: \_\_\_\_\_



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

(Please type or print)

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

Continued use as a hair salon as the structure was built for 1986.

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):

This was requested by the Concord staff which is fine with us. Two of the same stylists are still there and we lease out the building to them. But they been great helping keep the salon operating. ALL the surrounding properties are currently zoned C2.

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.

Kush Grodman 7/30/24  
Signature of Applicant Date

Kush Grodman 7/30/24  
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.*

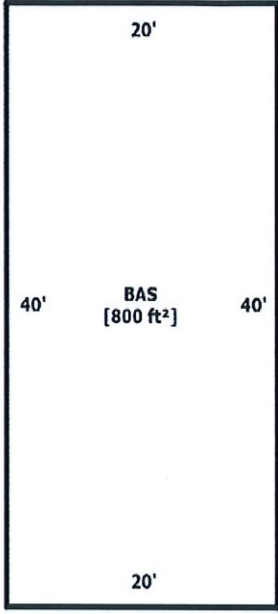
Date: 7/30/24

Applicant Signature: Keah Moobner

Property Owner or Agent of the Property Owner Signature:  
Keah Moobner



<b>BLUE PURE LIFE LLC</b> 2120 BARNHARDT AVE NW CONCORD NC 28027 87961		Return/Appeal Notes: Parcel: <b>5610 98 5054 0000</b> PLAT: 00000/00000 ID NO: 02 015 0015.30 0000																									
CONCORD CITY TAX (100), COUNTY TAX (100) Reval Year: 2024 Tax Year: 2024 NORTH SIDE BARNHARDT AVE Appraised by RE on 01/11/2016 50001 CONCORD PARKWAY NORTH		CARD NO. 1 of 1 0.2700 AC SRC= TW-02 CI-02 FR-00 EX- AT- LAST ACTION 20240102																									
<b>CONSTRUCTION DETAIL</b>		<b>MARKET VALUE</b>																									
Foundation - 4 Spread Footing 6.00 Sub Floor System - 2 Slab on Grade- Residential/Commercial 6.00 Exterior Walls - 21 Face Brick 25.00 Roofing Structure - 07 Wood Truss 8.00 Roofing Cover - 04 Built Up Tar and Gravel/Rubber 4.00 Interior Wall Construction - 5 Drywall/Sheetrock 8.00 Interior Floor Cover - 09 Pine or Soft Woods 14.00 Interior Floor Cover - 11 Ceramic Clay Tile 0.00 Heating Fuel - 03 Gas 1.00 Heating Type - 04 Forced Air - Ducted 6.00 Air Conditioning Type - 03 Central 6.00 Commercial Heat & Air - 3 Split Units 0.00 Structural Frame - 02 Wood Frame 10.00 Ceiling & Insulation - 03 Suspended - Ceiling and Wall Insulated 7.00 Half-Bathrooms BAS - 0 FUS - 0 LL - 0 Plumbing Fixtures 2.00 7.000 Office BAS - 0 FUS - 0 LL - 0 0 <b>TOTAL POINT VALUE</b> 108.000 <b>BUILDING ADJUSTMENTS</b> Quality 3 Average 1.0000 Shape/Design 3 MF3 1.0000 Size Size Size 1.3000 <b>TOTAL ADJUSTMENT FACTOR</b> 1.300 <b>TOTAL QUALITY INDEX</b> 140		<b>DEPRECIATION</b> Standard 0.31000 % GOOD 69.0 <b>TOTAL MARKET VALUE - CARD</b> 100,460 <b>DEPR. OB/XF VALUE - CARD</b> 0 <b>MARKET LAND VALUE - CARD</b> 65,000 <b>TOTAL MARKET VALUE - CARD</b> 165,460 <b>TOTAL APPRAISED VALUE - CARD</b> 165,460 <b>TOTAL APPRAISED VALUE - PARCEL</b> 165,460 <b>TOTAL PRESENT USE VALUE - PARCEL</b> 0 <b>TOTAL VALUE DEFERRED - PARCEL</b> 0 <b>TOTAL TAXABLE VALUE - PARCEL \$</b> 165,460 <b>PRIOR</b> BUILDING VALUE 44,310 OBXF VALUE 0 LAND VALUE 38,000 PRESENT USE VALUE 0 DEFERRED VALUE 0 <b>TOTAL VALUE</b> 82,310 <b>PERMIT</b> CODE DATE NOTE NUMBER AMOUNT ROUT: WTRSHD: <b>SALES DATA</b> <table border="1"> <tr> <th>OFF. RECORD</th> <th>DATE</th> <th>DEED</th> <th>INDICATE SALES PRICE</th> </tr> <tr> <td>BOOK</td> <td>PAGE</td> <td>MO/YR</td> <td>TYPE Q/U/V/I</td> </tr> <tr> <td>16298</td> <td>0159</td> <td>12 2022</td> <td>GW Q I 180000</td> </tr> </table> <b>BUILDING AREA</b> 800 <b>NOTES</b> SHARONS HAIR STYLING APPEALED VALUE 1/95 N/C PMT 23753 1/86 BLD		OFF. RECORD	DATE	DEED	INDICATE SALES PRICE	BOOK	PAGE	MO/YR	TYPE Q/U/V/I	16298	0159	12 2022	GW Q I 180000												
OFF. RECORD	DATE	DEED	INDICATE SALES PRICE																								
BOOK	PAGE	MO/YR	TYPE Q/U/V/I																								
16298	0159	12 2022	GW Q I 180000																								
<b>MARKET VALUE</b> Eff. Area 800 QUAL 140 BASE RATE 182.00 RCN 145600 EYB 2006 AYB 1986 TYPE: COMMERCIAL-RETAIL COMMERCIAL STYLE: 1 - 1.0 Story		<b>DEPRECIATION</b> Standard 0.31000 % GOOD 69.0																									
<b>CONSTRUCTION DETAIL</b>		<b>CORRELATION OF VALUE</b>																									
Credence to Market <b>DEPR. BUILDING VALUE - CARD</b> 100,460 <b>DEPR. OB/XF VALUE - CARD</b> 0 <b>MARKET LAND VALUE - CARD</b> 65,000 <b>TOTAL MARKET VALUE - CARD</b> 165,460 <b>TOTAL APPRAISED VALUE - CARD</b> 165,460 <b>TOTAL APPRAISED VALUE - PARCEL</b> 165,460 <b>TOTAL PRESENT USE VALUE - PARCEL</b> 0 <b>TOTAL VALUE DEFERRED - PARCEL</b> 0 <b>TOTAL TAXABLE VALUE - PARCEL \$</b> 165,460 <b>PRIOR</b> BUILDING VALUE 44,310 OBXF VALUE 0 LAND VALUE 38,000 PRESENT USE VALUE 0 DEFERRED VALUE 0 <b>TOTAL VALUE</b> 82,310 <b>PERMIT</b> CODE DATE NOTE NUMBER AMOUNT ROUT: WTRSHD: <b>SALES DATA</b> <table border="1"> <tr> <th>OFF. RECORD</th> <th>DATE</th> <th>DEED</th> <th>INDICATE SALES PRICE</th> </tr> <tr> <td>BOOK</td> <td>PAGE</td> <td>MO/YR</td> <td>TYPE Q/U/V/I</td> </tr> <tr> <td>16298</td> <td>0159</td> <td>12 2022</td> <td>GW Q I 180000</td> </tr> </table> <b>BUILDING AREA</b> 800 <b>NOTES</b> SHARONS HAIR STYLING APPEALED VALUE 1/95 N/C PMT 23753 1/86 BLD		OFF. RECORD	DATE	DEED	INDICATE SALES PRICE	BOOK	PAGE	MO/YR	TYPE Q/U/V/I	16298	0159	12 2022	GW Q I 180000	Credence to Market <b>DEPR. BUILDING VALUE - CARD</b> 100,460 <b>DEPR. OB/XF VALUE - CARD</b> 0 <b>MARKET LAND VALUE - CARD</b> 65,000 <b>TOTAL MARKET VALUE - CARD</b> 165,460 <b>TOTAL APPRAISED VALUE - CARD</b> 165,460 <b>TOTAL APPRAISED VALUE - PARCEL</b> 165,460 <b>TOTAL PRESENT USE VALUE - PARCEL</b> 0 <b>TOTAL VALUE DEFERRED - PARCEL</b> 0 <b>TOTAL TAXABLE VALUE - PARCEL \$</b> 165,460 <b>PRIOR</b> BUILDING VALUE 44,310 OBXF VALUE 0 LAND VALUE 38,000 PRESENT USE VALUE 0 DEFERRED VALUE 0 <b>TOTAL VALUE</b> 82,310 <b>PERMIT</b> CODE DATE NOTE NUMBER AMOUNT ROUT: WTRSHD: <b>SALES DATA</b> <table border="1"> <tr> <th>OFF. RECORD</th> <th>DATE</th> <th>DEED</th> <th>INDICATE SALES PRICE</th> </tr> <tr> <td>BOOK</td> <td>PAGE</td> <td>MO/YR</td> <td>TYPE Q/U/V/I</td> </tr> <tr> <td>16298</td> <td>0159</td> <td>12 2022</td> <td>GW Q I 180000</td> </tr> </table> <b>BUILDING AREA</b> 800 <b>NOTES</b> SHARONS HAIR STYLING APPEALED VALUE 1/95 N/C PMT 23753 1/86 BLD		OFF. RECORD	DATE	DEED	INDICATE SALES PRICE	BOOK	PAGE	MO/YR	TYPE Q/U/V/I	16298	0159	12 2022	GW Q I 180000
OFF. RECORD	DATE	DEED	INDICATE SALES PRICE																								
BOOK	PAGE	MO/YR	TYPE Q/U/V/I																								
16298	0159	12 2022	GW Q I 180000																								
OFF. RECORD	DATE	DEED	INDICATE SALES PRICE																								
BOOK	PAGE	MO/YR	TYPE Q/U/V/I																								
16298	0159	12 2022	GW Q I 180000																								



Click on image to enlarge

SUBAREA		GS	%	RPL CS	CODE	QUALITY	DESCRIPTION	COUNT	LT	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	SIZE FACT	AYB	EYB	ANN DEP RATE	% OVR	COND	OB/XF DEPR. VALUE	
BAS		800	100	145600																		0
FIREPLACE		1	None	0																		0
SUBAREA TOTALS		800		145,600																		0

**BUILDING DIMENSIONS** BAS=W20S40E20N40Area:800;TotalArea:800

HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONTAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES				ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJUST	ADJUSTED UNIT PRICE	LAND VALUE	OVERRIDE VALUE	LAND NOTES	
COMMERCIAL	0700	RM-2	50	237	1.0000	0	1.0000	RF	AC	LC	TO	OT	PW	65,000.00	1.000	LT	1.000	65,000.00	65000		0

**TOTAL MARKET LAND DATA**  
**TOTAL PRESENT USE DATA**

1985 obtained Budy Permit to Build for Manuel & Sharon Lisa  
 Completed in 1986 and obtained a sign off to open for Business as "Sharon Lisa design"

Bought for Sharon when thru mental 3/2024  
 - she requested the work till May 2024 + others staged  
 then the bullshit started

Bought on 12/2022 check All documents prove that -

Rezoning application

BLUE PURE LIFE LLC
2120 BARNHARDT AVE NW CONCORD NC 28027
87961

Return/Appeal Notes: Parcel: 5610 98 5054 0000

PLAT: 00000/00000

ID NO: 02 015 0015.30 0000

CONCORD CITY TAX (100), COUNTY TAX (100)

CARD NO. 1 of 1

0.2700 AC

SRC=

Reval Year: 2024 Tax Year: 2024

NORTH SIDE BARNHARDT AVE

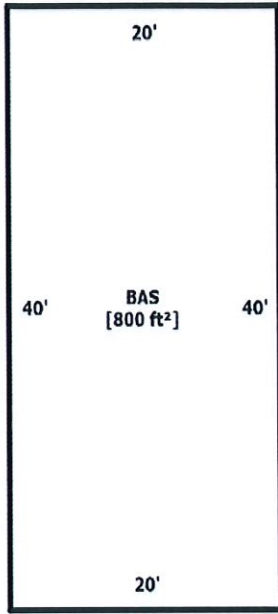
TW-02

CI-02 FR-00 EX-

AT- LAST ACTION 20240102

Appraised by RE on 01/11/2016 50001 CONCORD PARKWAY NORTH

Table with columns: CONSTRUCTION DETAIL, MARKET VALUE, DEPRECIATION, CORRELATION OF VALUE. Includes sub-tables for BUILDING ADJUSTMENTS, SUBAREA, BUILDING DIMENSIONS, LAND INFORMATION, and various value calculations.



Click on image to enlarge

**COOK JAMES GRADY** **COOK MARY C**  
 479 CONCORD PKWY N CONCORD NC 28027  
 129635

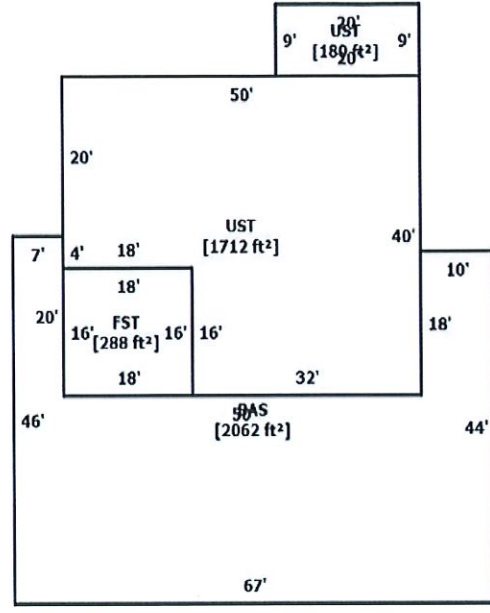
Return/Appeal Notes: **Parcel: 5610 98 6066 0000**  
 PLAT: 00000/00000  
 ID NO: 02 015 0015.10 0000

CONCORD CITY TAX (100), COUNTY TAX (100)  
 WEST SIDE CONCORD PKWY  
 Appraised by RE on 09/12/2023 50001 CONCORD PARKWAY NORTH

CARD NO. 1 of 2  
 1.0000 LT SRC=  
 TW-02 CI-02 FR-00 EX- AT- LAST ACTION 20240102

CONSTRUCTION DETAIL		MARKET VALUE				DEPRECIATION			CORRELATION OF VALUE	
Foundation - 4	USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB	Standard	0.70000
Spread Footing	6.00									
Sub Floor System - 5	16	07	5,982	99	113.85	681051	1985	1950	% GOOD	30.0
Wood	12.00									
Exterior Walls - 20										
Jumbo/Commercial Brick	23.00									
Roofing Structure - 07										
Wood Truss	8.00									
Roofing Cover - 04										
Built Up Tar and Gravel/Rubber	4.00									
Interior Wall Construction - 4										
Plywood Panel	7.00									
Interior Wall Construction - 5										
Drywall/Sheetrock	0.00									
Interior Floor Cover - 08										
Sheet Vinyl	6.00									
Interior Floor Cover - 14										
Carpet	0.00									
Heating Fuel - 03										
Gas	1.00									
Heating Type - 04										
Forced Air - Ducted	6.00									
Air Conditioning Type - 03										
Central	6.00									
Commercial Heat & Air - 3										
Split Units	0.00									
Structural Frame - 04										
Masonry	12.00									
Ceiling & Insulation - 08										
Not Suspended - No Insulation	3.00									
Average Rooms Per Floor - 8										
Average Rooms Per Floor	0.00									
Floor Number - 01										
Floor	0.00									
Half-Bathrooms										
BAS - 0 FUS - 0 LL - 0										
Plumbing Fixtures	4.00									
Office										
BAS - 0 FUS - 0 LL - 0	0									
<b>TOTAL POINT VALUE</b>										96.000

TYPE: SHOPPING CENTER-STRIP  
 STYLE: 2 - 1.5 Stories  
 COMMERCIAL



Click on image to enlarge

CREDENCE TO MARKET	
DEPR. BUILDING VALUE - CARD	204,320
DEPR. OB/XF VALUE - CARD	10,610
MARKET LAND VALUE - CARD	627,260
<b>TOTAL MARKET VALUE - CARD</b>	<b>842,190</b>

<b>TOTAL APPRAISED VALUE - CARD</b>	842,190
<b>TOTAL APPRAISED VALUE - PARCEL</b>	1,033,000
<b>TOTAL PRESENT USE VALUE - PARCEL</b>	0
<b>TOTAL VALUE DEFERRED - PARCEL</b>	0
<b>TOTAL TAXABLE VALUE - PARCEL \$</b>	<b>1,033,000</b>

PRIOR	
BUILDING VALUE	477,540
OBXF VALUE	7,120
LAND VALUE	348,480
PRESENT USE VALUE	0
DEFERRED VALUE	0
<b>TOTAL VALUE</b>	<b>833,140</b>

PERMIT				
CODE	DATE	NOTE	NUMBER	AMOUNT
ROUT: WTRSHD:				

SALES DATA						
OFF. RECORD	DATE	DEED	TYPE	Q/U/V/I	INDICATE SALES PRICE	
BOOK	PAGE	MO	YR			PRICE
13450	0342	4	2019	SW F I		150000
11807	0078	3	2016	SW E I		0
10961	0053	5	2014	SW E I		0

**NOTES**  
 WICKEN'S AUTOMOTIVE FAMILY FLORIST  
 ELDERADO PORTRAIT LOFT

SUBAREA		CODE	DESCRIPTION	COUNT	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	SIZE FACT	AYB	EYB	ANN DEP RATE	OVR	% COND	OB/XF DEPR. VALUE
TYPE	GS AREA	09	PAVING ASP		0	0	4,500	4.10	100	1	1.15	1985	1998	55		50	10609
BAS	2,062	100															10,609
FST	288	060															19696
FUS	2,948	095															318894
UST	1,892	050															107702
FIREPLACE	1 - None																0
<b>SUBAREA TOTALS</b>	7,190																681,051

**BUILDING DIMENSIONS** UST=W20S9E20N9Area:180;UST=W50S20S4E18S16E32N40Area:1712;BAS=W7S46E67N44W10S18W50N20Area:2062;FST=S16E18N16W18Area:288;FUS=Area:2948;TotalArea:7190

LAND INFORMATION																	
HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONTAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES	ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJST	ADJUSTED UNIT PRICE	LAND VALUE	OVERRIDE VALUE	LAND NOTES
COMMERCIAL	0700	C-2	223	150	1.0000	0	1.0000		PS	18.00	34848.000	SF	1.000	18.00	627264		0
<b>TOTAL MARKET LAND DATA</b>																627,260	
<b>TOTAL PRESENT USE DATA</b>																	

TROUTMAN LAND INVESTMENTS INC  
 499 CONCORD PKWY N CONCORD NC 28027  
 7027700

Return/Appeal Notes: Parcel: 5610 98 4246 0000  
 PLAT: 00000/00000  
 ID NO: 02 015 0016.00 0000

CONCORD CITY TAX (100), COUNTY TAX (100)  
 W/S HWY 29 P/O LOT 2  
 Appraised by RE on 01/11/2016 50001 CONCORD PARKWAY NORTH

CARD NO. 1 of 1  
 3.0000 AC SRC=  
 TW-02 CI-02 FR-00 EX- AT- LAST ACTION 20240102

CONSTRUCTION DETAIL		MARKET VALUE							DEPRECIATION			CORRELATION OF VALUE								
TOTAL POINT VALUE	USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB	% GOOD			CREDENCE TO								
BUILDING ADJUSTMENTS	10	00										DEPR. BUILDING VALUE - CARD								
TOTAL ADJUSTMENT FACTOR												DEPR. OB/XF VALUE - CARD								
TOTAL QUALITY INDEX												MARKET LAND VALUE - CARD								
												TOTAL MARKET VALUE - CARD								
												TOTAL APPRAISED VALUE - CARD								
												TOTAL APPRAISED VALUE - PARCEL								
												TOTAL PRESENT USE VALUE - PARCEL								
												TOTAL VALUE DEFERRED - PARCEL								
												TOTAL TAXABLE VALUE - PARCEL \$								
												PRIOR								
												BUILDING VALUE								
												OBXF VALUE								
												LAND VALUE								
												PRESENT USE VALUE								
												DEFERRED VALUE								
												TOTAL VALUE								
												PERMIT								
									CODE	DATE	NOTE	NUMBER	AMOUNT							
									ROUT: WTRSHD:											
									SALES DATA											
									OFF. RECORD	DATE	DEED TYPE	Q/U/V/I	INDICATE SALES PRICE							
									BOOK	PAGE	MO/YR									
									HEATED AREA											
									NOTES											
									APPEALED 1999 & 2004 REVAL											
SUBAREA		GS AREA	RPL %	CS	CODE	DESCRIPTION	COUNT	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	AYB	EYB	ANN DEP RATE	OVR	% COND	OB/XF DEPR. VALUE	
FIREPLACE					02	GARAGE FR		24	22	528	14.00	100.00		1975	1985	S3		30	2218	
SUBAREA TOTALS																				2,218
BUILDING DIMENSIONS																				
LAND INFORMATION																				
HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONT TAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES				ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJUST	ADJUSTED UNIT PRICE	LAND VALUE	OVERRIDE VALUE	LAND NOTES
COMMERCIAL	0700	C-2	261	484	1.6170	7	0.4300	+03	+00	+00	-40	-20	PS	215,000.00	3.000	AC	0.695	149,425.00	448275	0
TOTAL MARKET LAND DATA															3.000				448,280	
TOTAL PRESENT USE DATA																				

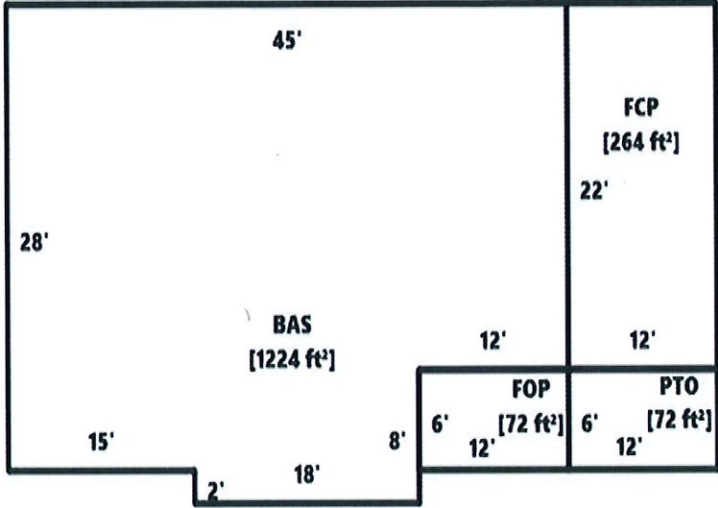
TROUTMAN LAND INVESTMENTS INC  
 2132 BARNHARDT AVE NW CONCORD NC 28027  
 7027700

Return/Appeal Notes: Parcel: 5610 98 4070 0000  
 PLAT: 00000/00000  
 ID NO: 02 015 0015.00 0000

CONCORD CITY TAX (100), COUNTY TAX (100)  
 Reval Year: 2024 Tax Year: 2024 N/S BARNHARDT AVENUE  
 Appraised by RE on 06/25/2024 50001 CONCORD PARKWAY NORTH

CARD NO. 1 of 1  
 1.6000 AC SRC= Estimated  
 TW-02 CI-02 FR-00 EX- AT- LAST ACTION 20240625

CONSTRUCTION DETAIL	MARKET VALUE							DEPRECIATION			CORRELATION OF VALUE				
Foundation - 3								FOBS	Functional	0.15000	CREDENCE TO MARKET				
Continuous Footing 5.00								Obsolence							
Sub Floor System - 4	USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB	Standard	0.53000	DEPR. BUILDING VALUE - CARD 89,470				
Plywood 8.00	01	01	1,503	146	183.96	279592	1971	1961	% GOOD	32.0	DEPR. OB/XF VALUE - CARD 2,300				
Exterior Walls - 21	TYPE: SINGLE FAMILY RESIDENTIAL							SINGLE FAMILY HOME				MARKET LAND VALUE - CARD 278,780			
Face Brick 35.00	STYLE: 5 - Ranch w/ basement											TOTAL MARKET VALUE - CARD 370,550			
Roofing Structure - 04												TOTAL APPRAISED VALUE - CARD 370,550			
Hip 8.00												TOTAL APPRAISED VALUE - PARCEL 370,550			
Roofing Cover - 03												TOTAL PRESENT USE VALUE - PARCEL 0			
Asphalt or Composition												TOTAL VALUE DEFERRED - PARCEL 0			
Shingle 3.00												TOTAL TAXABLE VALUE - PARCEL \$ 370,550			
Interior Wall Construction - 5												PRIOR			
Drywall/Sheetrock 20.00												BUILDING VALUE 29,180			
Interior Floor Cover - 09												OBXF VALUE 1,610			
Pine or Soft Woods 10.00												LAND VALUE 292,720			
Heating Fuel - 02												PRESENT USE VALUE 0			
Oil, Wood or Coal 0.00												DEFERRED VALUE 0			
Heating Type - 04												TOTAL VALUE 323,510			
Forced Air - Ducted 4.00												PERMIT			
Air Conditioning Type - 03												CODE DATE NOTE NUMBER AMOUNT			
Central 4.00												ROUT: WTRSHD:			
Bedrooms/Bathrooms/Half-Bathrooms												SALES DATA			
2/1/0 7.000												OFF. RECORD DATE DEED TYPE Q/U/V/I INDICATE SALES PRICE			
Bedrooms												749 0110 4 1990 WD Q I 97000			
BAS - 2 FUS - 0 LL - 0												495 0537 10 1978 WD Q V 39500			
Bathrooms												HEATED AREA 1,224			
BAS - 1 FUS - 0 LL - 0												NOTES			
Half-Bathrooms												1 O/B NV-APPEALED 1999 & 2 004 REVAL			
BAS - 0 FUS - 0 LL - 0												2004- RENT = \$500 /M			
Office															
BAS - 0 FUS - 0 LL - 0 0															
TOTAL POINT VALUE 104.000															
BUILDING ADJUSTMENTS															
Quality 3	Average	1.0000													
Shape/Design 3	MF3	1.0000													
Size	Size	Size	1.4000												
TOTAL ADJUSTMENT FACTOR 1.400															
TOTAL QUALITY INDEX 146															



Click on image to enlarge

SUBAREA		TYPE	GS AREA	%	RPL CS	CODE	DESCRIPTION	COUNT	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	SIZE FACT	AYB	EYB	ANN DEP RATE	% OVR	COND	OB/XF DEPR. VALUE	
BAS			1,224	100	225167	24	SHED FRAME		20	40	800	8.00	100	1	1.20	1977	1994		SS		30	2304
FCP			264	025	12141	TOTAL OB/XF VALUE																2,304
FOP			72	035	4599																	
PTO			72	005	736																	
UBM*			918	020	33849																	
FIREPLACE		4 - 2 Story Single/1 Story Double			3,100																	
SUBAREA TOTALS			2,550		279,592																	

BUILDING DIMENSIONS FCP=W12S22E12N22Area:264;BAS=W45S28E15S2E18N8E12N22Area:1224;FOP=S6E12N6W12Area:72;UBM=Area:918;PTO=S6W12N6E12Area:72;To talArea:2550

LAND INFORMATION		HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRON TAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES	ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJUST	ADJUSTED UNIT PRICE	LAND VALUE	OVERRIDE VALUE	LAND NOTES
COMMERCIAL		0700	C-2	298	237	1.0000	0	0.4000	+00 +00 +00 +00 -30 SZ/ACC	PW	10.00	69696.000	SF	0.400	4.00	278784		0	
TOTAL MARKET LAND DATA																		278,780	
TOTAL PRESENT USE DATA																			

TROUTMAN LAND INVESTMENTS INC  
 505 CONCORD PKWY N CONCORD NC 28027  
 7027700

Return/Appeal Notes: Parcel: 5610 98 3488 0000  
 PLAT: 00000/00000  
 ID NO: 02 015 0017.00 0000

CONCORD CITY TAX (100), COUNTY TAX (100)  
 Reval Year: 2024 Tax Year: 2024 LOT 1 E E BARNHARDT  
 Appraised by RE on 01/11/2016 50001 CONCORD PARKWAY NORTH

CARD NO. 1 of 1  
 3.6800 AC SRC=  
 TW-02 CI-02 FR-00 EX- AT- LAST ACTION 20240102

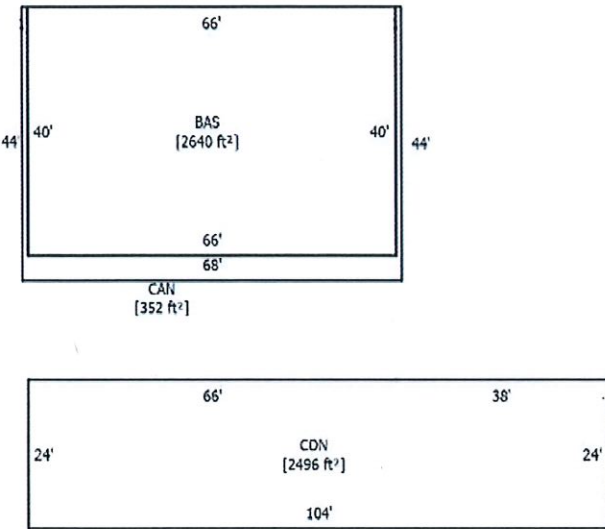
CONSTRUCTION DETAIL		MARKET VALUE							DEPRECIATION				CORRELATION OF VALUE								
TOTAL POINT VALUE	USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB					CREDENCE TO								
	10	00							% GOOD				DEPR. BUILDING VALUE - CARD 0								
BUILDING ADJUSTMENTS	TYPE: COMMERCIAL-RETAIL														DEPR. OB/XF VALUE - CARD 0						
TOTAL ADJUSTMENT FACTOR	STYLE:														MARKET LAND VALUE - CARD 418,550						
TOTAL QUALITY INDEX															TOTAL MARKET VALUE - CARD 418,550						
											TOTAL APPRAISED VALUE - CARD 418,550										
											TOTAL APPRAISED VALUE - PARCEL 418,550										
											TOTAL PRESENT USE VALUE - PARCEL 0										
											TOTAL VALUE DEFERRED - PARCEL 0										
											TOTAL TAXABLE VALUE - PARCEL \$ 418,550										
											PRIOR										
											BUILDING VALUE 0										
											OBXF VALUE 0										
											LAND VALUE 389,340										
											PRESENT USE VALUE 0										
											DEFERRED VALUE 0										
											TOTAL VALUE 389,340										
											PERMIT										
											CODE DATE NOTE NUMBER AMOUNT										
											ROUT: WTRSHD:										
											SALES DATA										
											OFF. RECORD DATE DEED INDICATE SALES										
											BOOK PAGE MO/YR TYPE Q/U/V/I PRICE										
											HEATED AREA										
											NOTES										
											APPEALED 1999 & 2004 REVA L NC										
SUBAREA			CODE	QUALITY	DESCRIPTION	COUNT	LT	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	SIZE FACT	AYB	EYB	ANN DEP RATE	OVR	% COND	OB/XF DEPR. VALUE		
TYPE	GS AREA	RPL % CS	TOTAL OB/XF VALUE 0																		
FIREPLACE																					
SUBAREA																					
TOTALS																					
BUILDING DIMENSIONS																					
LAND INFORMATION																					
HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONTAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES				ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJUST	ADJUSTED UNIT PRICE	LAND VALUE	OVERRIDE VALUE	LAND NOTES	
COMMERCIAL	0700	C-2	445	0	1.5120	7	0.3500	+05	+00	+00	-40	-30	PS	215,000.00	3.680	AC	0.529	113,735.00	418545	0	
															SHP/RW						
TOTAL MARKET LAND DATA															3.680		418,550				
TOTAL PRESENT USE DATA																					

**WILLIAMS PROPERTIES II LLC**  
 475 CONCORD PKWY N CONCORD NC 28027  
 11255

Return/Appeal Notes: Parcel: 5610 97 6860 0000  
 PLAT: 00000/00000  
 HESS WILCO ID NO: 02 017 0019.20 0000  
 CARD NO. 1 of 2  
 1.1400 AC SRC= Estimated  
 TW-02 CI-02 FR-00 EX- AT- LAST ACTION 20240103

CONCORD CITY TAX (100), COUNTY TAX (100)  
 WEST SIDE HWY 29  
 Appraised by RE on 09/12/2023 50001 CONCORD PARKWAY NORTH

CONSTRUCTION DETAIL		MARKET VALUE						DEPRECIATION			CORRELATION OF VALUE								
Foundation - 4	Spread Footing	USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB	Standard	0.33000	CREDENCE TO		MARKET					
6.00	6.00	11	07	3,477	136	217.60	756595	2005	1990	% GOOD	67.0	DEPR. BUILDING VALUE - CARD		506,920					
Sub Floor System - 2	Slab on Grade- Residential/Commercial	TYPE: CONVENIENCE STORE COMMERCIAL										DEPR. OB/XF VALUE - CARD		56,360					
6.00	6.00	STYLE: 1 - 1.0 Story										MARKET LAND VALUE - CARD		893,840					
Exterior Walls - 11	Concrete Block											TOTAL MARKET VALUE - CARD		1,457,120					
20.00	20.00											TOTAL APPRAISED VALUE - CARD		1,457,120					
Roofing Structure - 10	Steel Frame or Truss											TOTAL APPRAISED VALUE - PARCEL		1,483,410					
11.00	11.00											TOTAL PRESENT USE VALUE - PARCEL		0					
Roofing Cover - 04	Built Up Tar and Gravel/Rubber											TOTAL VALUE DEFERRED - PARCEL		0					
4.00	4.00											TOTAL TAXABLE VALUE - PARCEL \$		1,483,410					
Interior Wall Construction - 5	Drywall/Sheetrock											PRIOR							
8.00	8.00											BUILDING VALUE		394,720					
Interior Floor Cover - 15	Quarry or Hard Tile											OBXF VALUE		36,000					
18.00	18.00											LAND VALUE		496,580					
Heating Fuel - 04	Electric											PRESENT USE VALUE		0					
1.00	1.00											DEFERRED VALUE		0					
Heating Type - 10	Heat Pump											TOTAL VALUE		927,300					
6.00	6.00											PERMIT							
Air Conditioning Type - 04	Packaged Roof Top											CODE	DATE	NOTE	NUMBER	AMOUNT			
6.00	6.00											ROUT: WTRSHD:							
Commercial Heat & Air - 2	Packaged Units											SALES DATA							
0.00	0.00											OFF. RECORD	DATE	DEED		INDICATE			
Structural Frame - 04	Masonry											BOOK	PAGE	MOYR	TYPE	Q/U/V/I	SALES PRICE		
12.00	12.00											743	0431	2	1990	WD	Q	V	200000
Ceiling & Insulation - 03	Suspended - Ceiling and Wall Insulated											3627	0125	1	2002	GW	E	I	0
7.00	7.00											BUILDING AREA 2,640							
Half-Bathrooms	BAS - 0 FUS - 0 LL - 0											NOTES							
Plumbing Fixtures	4.00											THE MARKET PMT 449 4/90 PMT 450 4/90							
Office	BAS - 0 FUS - 0 LL - 0																		
0	0																		
TOTAL POINT VALUE		110.000																	



Click on image to enlarge

SUBAREA				CODE	DESCRIPTION	COUNT	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	SIZE FACT	AYB	EYB	ANN DEP RATE	OVR	% COND	OB/XF DEPR. VALUE	
TYPE	GS AREA	% RPL	CS	09	PAVING ASP				16,960	4.10	100	1	1.10	1990	2000			50	38245	
	2,640	100	574464	10	PAVING CON				4,500	7.00	100	1	1.15	1990	2000			50	18113	
TOTAL OB/XF VALUE																				56,358
FIREPLACE				1 - None 0																
SUBAREA TOTALS				5,488 756,595																

BUILDING DIMENSIONS BAS=W66S40E66N40Area:2640;CAN=W1S44E68N44W1S40W66N40Area:352;CDN=W66S24E104N24W38Area:2496;TotalArea:5488

LAND INFORMATION																					
HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONT TAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES				ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJST	ADJUSTED UNIT PRICE	LAND VALUE	OVERRIDE VALUE	LAND NOTES	
COMMERCIAL	0700	C-2	200	250	1.0000	0	1.0000	+00	+00	+00	+00	-10	PS	18.00	49658.000	SF	1.000	18.00	893844	0	
TOTAL MARKET LAND DATA																			893,840		
TOTAL PRESENT USE DATA																					

**JASSAL SUKHCHAIN SINGH**  
 480 CONCORD PKWY N CONCORD NC 28027  
 18204

**JASSAL SANJIT KAUR WF**

Return/Appeal Notes:

Parcel: 5610 98 9442 0000

PLAT: 00083/00074

CONCORD WELDING SUPPLY ID NO: 02 015 0014.00 0000  
 CARD NO. 1 of 1

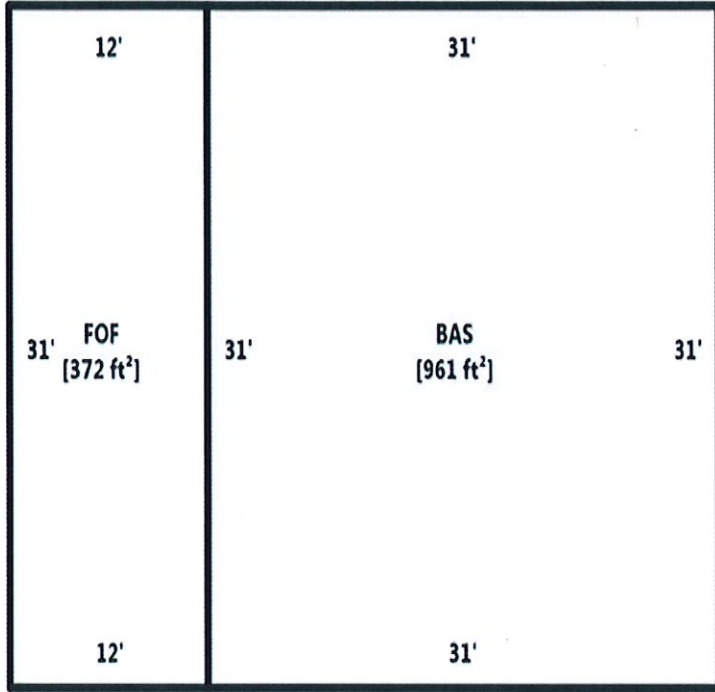
9,9800 AC  
 TW-02

SRC=

AT- LAST ACTION 20240103

CONCORD CITY TAX (100), COUNTY TAX (100)  
 Reval Year: 2024 Tax Year: 2024 PLAT FOR 9.98 AC TROUTMAN LAND INVESTMENTS INC  
 Appraised by RE on 07/18/2022 50001 CONCORD PARKWAY NORTH

CONSTRUCTION DETAIL		MARKET VALUE							DEPRECIATION			CORRELATION OF VALUE		
FOUNDATION	AREA	USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB	Standard	0.70000	CREDENCE TO MARKET		
Foundation - 4 Spread Footing	8.00	53	06	1,519	106	74.20	112710	1969	1964	% GOOD	30.0	DEPR. BUILDING VALUE - CARD 33,810		
Sub Floor System - 2 Slab on Grade- Residential/Commercial	8.00	TYPE: SERVICE GARAGE INDUSTRIAL WAREHOUSE/INDUSTRIAL										DEPR. OB/XF VALUE - CARD 5,820		
Exterior Walls - 11 Concrete Block	29.00	STYLE: 1 - 1.0 Story										MARKET LAND VALUE - CARD 445,570		
Roofing Structure - 01 Flat	7.00											TOTAL MARKET VALUE - CARD 485,200		
Roofing Cover - 04 Built Up Tar and Gravel/Rubber	5.00											TOTAL APPRAISED VALUE - CARD 485,200		
Interior Wall Construction - 1 Masonry or Minimum	5.00											TOTAL APPRAISED VALUE - PARCEL 485,200		
Interior Floor Cover - 03 Concrete Finished	2.00											TOTAL PRESENT USE VALUE - PARCEL 0		
Heating Fuel - 01 None	0.00											TOTAL VALUE DEFERRED - PARCEL 0		
Heating Type - 01 None	0.00											TOTAL TAXABLE VALUE - PARCEL \$ 485,200		
Air Conditioning Type - 01 None	0.00											PRIOR		
Commercial Heat & Air - 2 Packaged Units	0.00											BUILDING VALUE 27,780		
Structural Frame - 04 Masonry	13.00											OBXF VALUE 3,430		
Ceiling & Insulation - 08 Not Suspended - No Insulation	4.00											LAND VALUE 413,810		
Average Rooms Per Floor - 2	0.00											PRESENT USE VALUE 0		
Floor Number - 01	0.00											DEFERRED VALUE 0		
Half-Bathrooms												TOTAL VALUE 445,020		
BAS - 0 FUS - 0 LL - 0												PERMIT		
Plumbing Fixtures	5.000											CODE DATE NOTE NUMBER AMOUNT		
Office												ROUT: WTRSHD:		
BAS - 0 FUS - 0 LL - 0	0											SALES DATA		
<b>TOTAL POINT VALUE</b>	<b>86.000</b>											OFF. RECORD DATE DEED TYPE Q/UW/I INDICATE SALES PRICE		
<b>BUILDING ADJUSTMENTS</b>												149870320 3 2021 GW Q I 535000		
Non-Std Wall Height	12	Non-Std Wall Height										BUILDING AREA 1,333		
Quality	3	Average										NOTES		
Shape/Design	3	MF3										APPEALED 1999 & 2004 REVAL		
Size	Size	Size										APPEALED VAL. 1995 7 ACERS FLOODS		
TOTAL ADJUSTMENT FACTOR		1.230												
TOTAL QUALITY INDEX		106												



Click on image to enlarge

SUBAREA				CODE	DESCRIPTION	COUNT	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	SIZE FACT	AYB	EYB	ANN DEP RATE	% OVR	% COND	OB/XF DEPR. VALUE
BAS	961	100	71306	06	PAVING CON	0	0	1,300	6.50	100	1	1.15	1985	1998		S5		50	4859
FOF	372	150	41404		FENCE CL4	0	0	200	16.00	100	1	1.00	1993	1994		S5		30	960
<b>TOTAL OB/XF VALUE</b>																			5,819
<b>FIREPLACE</b>				1 - None															
<b>SUBAREA TOTALS</b>				1,333 112,710															

**BUILDING DIMENSIONS** BAS=W31S31E31N31Area:961;FOF=W12S31E12N31Area:372;TotalArea:1333

LAND INFORMATION																					
HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONTAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES				ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJUST	ADJUSTED UNIT PRICE	LAND VALUE	OVERRIDE VALUE	LAND NOTES	
COMMERCIAL	0700	C-2	450	500	1,4650	7	0.3400	+04 +00 +00 -20 -50				PS	215,000.00	4.100	AC	0.498	107,070.00	438987		0	5.39 FLD
FLOOD ZONE 100	9610	I-2			1.0000	0	1.0000	100 YR FLD				PS	1,500.00	2.890	AC	1.000	1,500.00	4335			
FLOOD WAY	9612	I-2			1.0000	0	1.0000	FLOODWAY				PS	750.00	2.990	AC	1.000	750.00	2243			
<b>TOTAL MARKET LAND DATA</b>															9.980						
<b>TOTAL PRESENT USE DATA</b>																					



SCANNED AND RETURNED

FILED  
 CABARRUS COUNTY NC  
 WAYNE NIXON  
REGISTER OF DEEDS

FILED Dec 01, 2022  
 AT 03:48 pm  
 BOOK 16298  
 START PAGE 0159  
 END PAGE 0162  
 INSTRUMENT # 33771  
 EXCISE TAX \$360.00  
 BJW

## NORTH CAROLINA GENERAL WARRANTY DEED

Excise Stamps: \$ 360.00

Parcel Identifier number: 2-15-15.3

Return to: Grantee

Prepared by: HOWARD S. IRVIN, Attorney  
 Hartsell & Williams, PA  
 Post Office Box 368  
 Concord, NC 28026-0368

THIS DEED is made and entered into this the first day of December 2022 by and between

**SHARON KISER BAUCOM DEAL (Widow)**  
**a/k/a SHARON KISER BAUCOM (Widow)**  
 2668 Cold Springs Road, South  
 Concord, NC 28025

**Hereinafter GRANTOR**

**And**

**BLUE PURE LIFE, LLC,**  
 A North Carolina Limited Liability Company  
 Post Office Box 507  
 Concord, NC 28026-0507

**Hereinafter GRANTEE**

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee, in fee simple, all that certain lot or parcel of land being more fully described on Legal Description attached hereto. as Exhibit "A".

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: all easements or right of way, restrictions and covenants, minimum building setbacks, zoning laws and ordinances of record, affecting the property hereby conveyed.

**IN WITNESS WHEREOF**, the Grantor has duly executed the foregoing as of the day and year shown herein.

**(SEE SIGNATURES ATTACHED)**

Sharon Kiser Baucom Deal (Seal)  
Sharon Kiser Baucom Deal

Sharon Kiser Baucom (Seal)  
Sharon Kiser Baucom

North Carolina, Cabarrus County

I, Howard S. Irvin, a Notary Public for said County and State certify that the following person personally appeared before me this day and acknowledged to me that she voluntarily signed the foregoing document for the purposes stated therein and, in the capacity indicated:

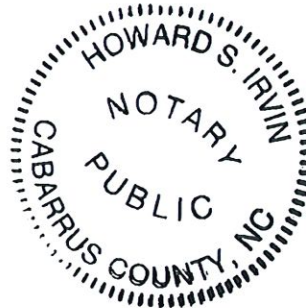
Sharon Kiser Baucom Deal a/k/a Sharon Kiser Baucom (Widow).

WITNESS my hand and notary stamp, this the first day of December 2022.

Howard S. Irvin  
Howard S. Irvin  
Notary Public

My Commission Expires:  
June 17, 2027

Notary Stamp



## EXHIBIT "A"

Lying and Being in the City of Concord, Number Two (2) Township of Cabarrus County, North Carolina on the North side of Barnhardt Avenue and Being on the West side of, but not adjoining, United States Highway 29, and being more fully described as follows: **Old Description**

BEGINNING at an iron stake on the North side of Barnhardt Avenue, said iron being South 79-42 West 150.0 feet from the right of way of U. S. Highway 29 and at the intersection of Barnhardt Avenue, and runs thence with the North side of Barnhardt Avenue South 79-42 West 50.0 feet to a point; thence North 16-20-13 West 236.66 feet to a point in the rear of said property; thence with the rear of the property North 82-49 East 75.0 feet to a point; thence South 10-18 East 231.27 feet to the point of BEGINNING, as surveyed and platted by Billy B. Long, R.L.S., October 7, 1986.

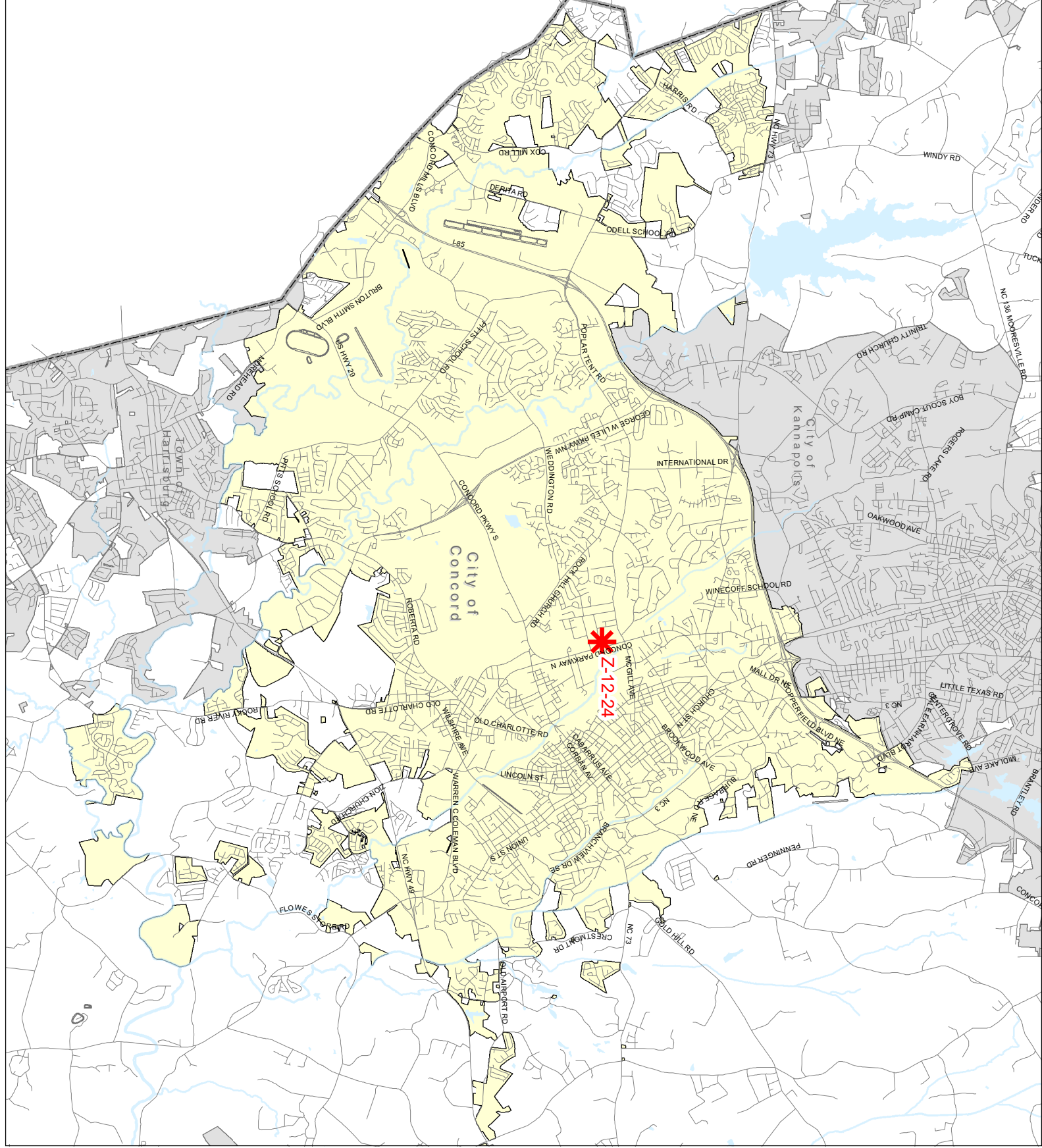
See plat of the property of E. E. Barnhardt, Mary Virginia Barnhardt & Katherine Barnhardt recorded in Map Book 9, Page 40, Cabarrus Registry.

For informational purposes only, being known as 2120 Barnhardt Avenue, NW, Concord, NC 28025.

For back reference, see the following Deeds: Book 2023, Page 298, and Book 2010, Page 1, Book 741, Page 306, Deed Book 495, Page 538, and Deed 495, Page 537, Cabarrus Registry.








Tony R. Deal, spouse of Sharon Kiser Baucom Deal died in Cabarrus County on April 28, 2022 (see Estate file 22E585 in the Office of the Clerk of Superior Court for Cabarrus County, North Carolina).

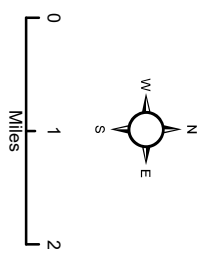
SKBD



Z-12-24

2120 Barnhardt Ave NW

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

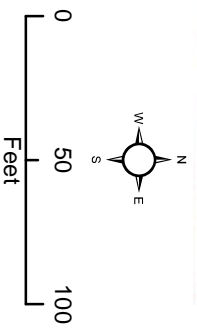
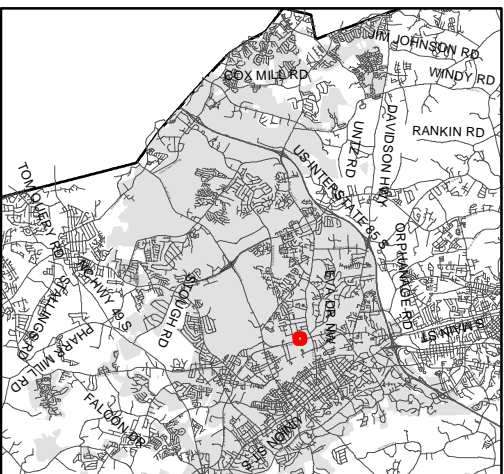


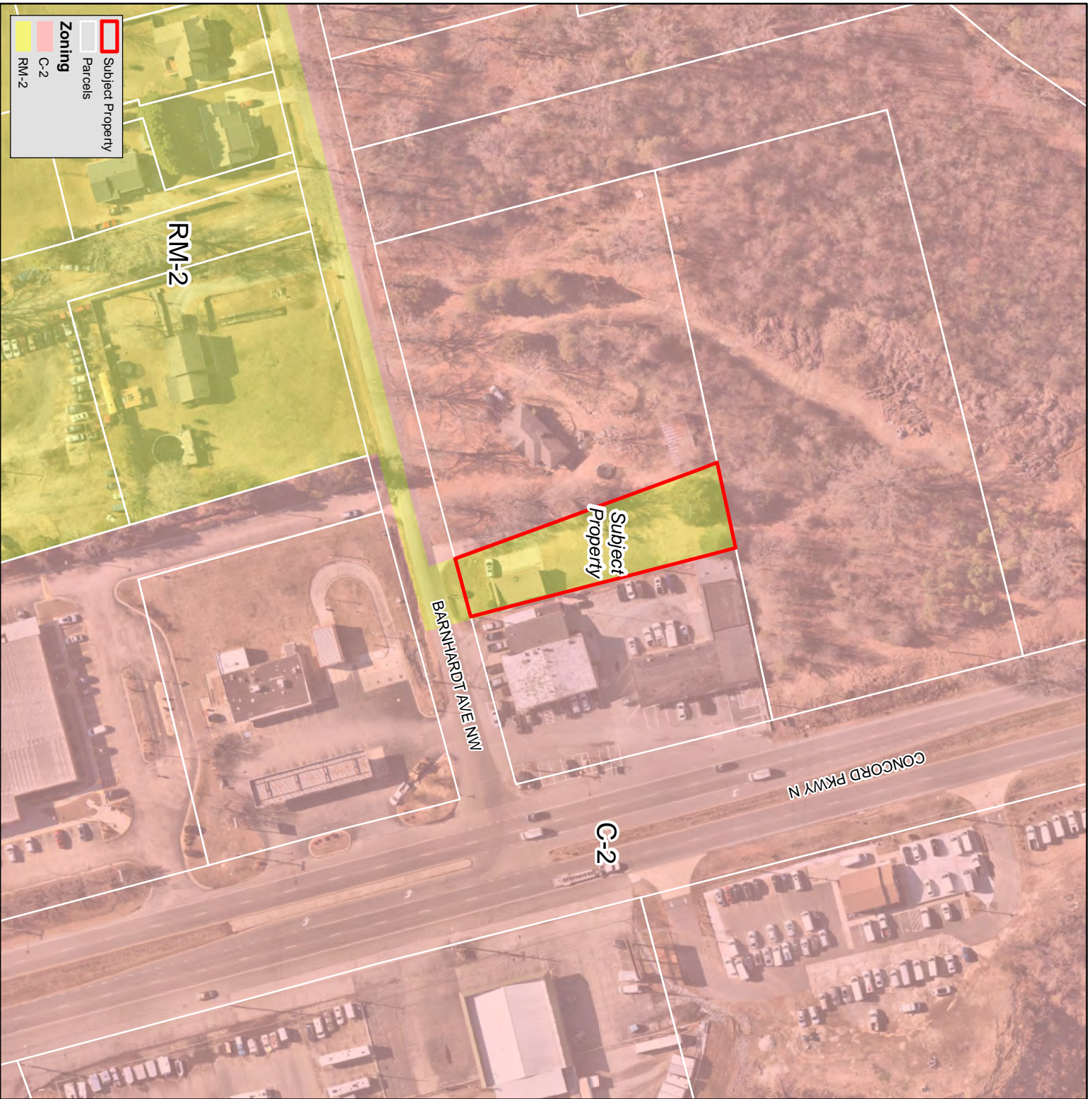


Z-12-24  
AERIAL

Rezoning application  
RM-2 (Residential  
Medium Density to  
C-2 (General Commercial))

2120 Barnhardt Ave NW  
PIN: 5610-98-5054





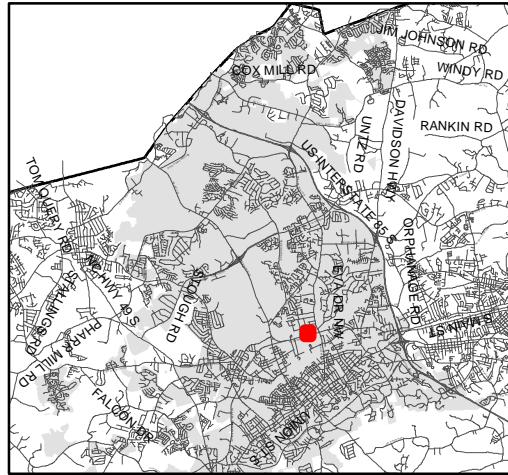
**Zoning**

- Subject Property
- Parcels
- RM-2
- C-2

**Z-12-24  
ZONING**

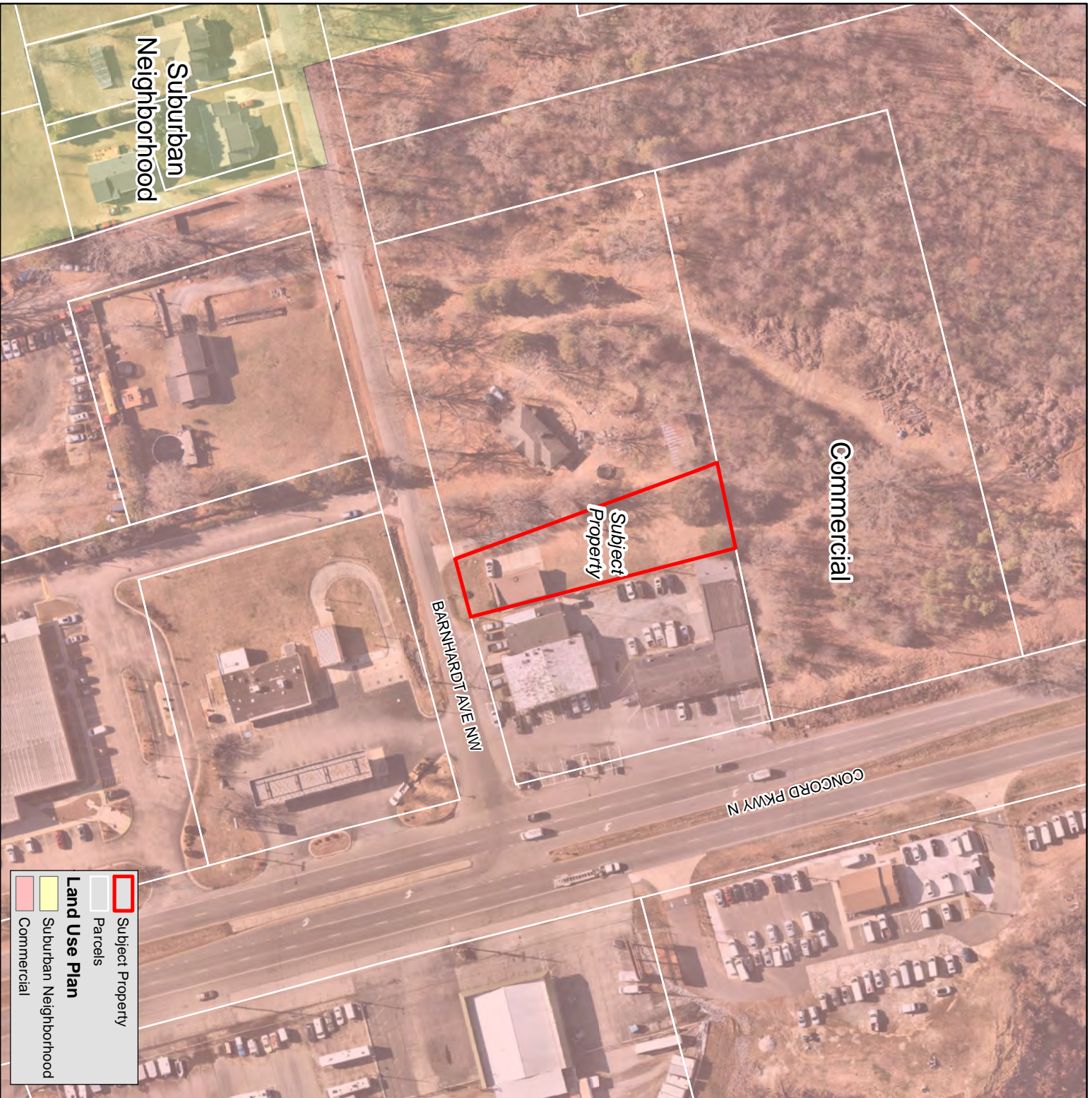
**Rezoning application  
RM-2 (Residential  
Medium Density) to  
C-2 (General Commercial)**

2120 Barnhardt Ave NW  
PIN: 5610-98-5054



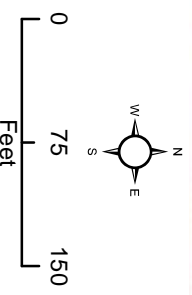
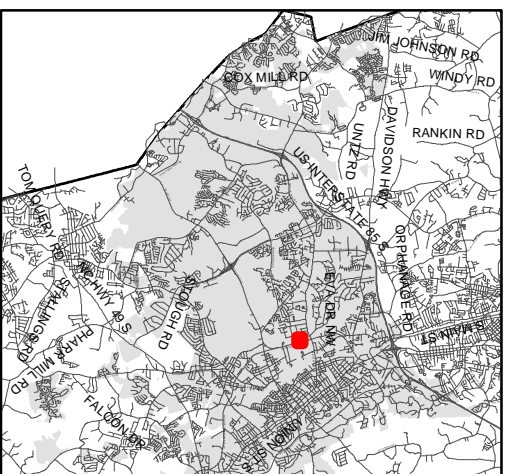
**Concord**  
NORTH CAROLINA

0 75 150  
Feet



**Z-12-24**  
**LAND USE PLAN**  
 Rezoning application  
 RM-2 (Residential  
 Medium Density to  
 C-2 (General Commercial))

2120 Barnhardt Ave NW  
 PIN: 5610-98-5054







**DATE:** June 18, 2024

**CASE:** TA-09-24 Text Amendment (Articles 12 and 14 – Sign Standards and Definitions)

**PREPARED BY:** Kevin Ashley, AICP- Deputy Planning Director

**BACKGROUND**

In June of 2024, the General Assembly approved Senate Bill 607, which was titled “An Act to Provide Additional Regulatory Relief to the Citizens of North Carolina.” The bill contained various provisions ranging from the licensing of barbers and cosmetologists to amending regulations within the Coastal Area Management Act (CAMA). Within the bill was a section which substantially changes how jurisdictions can regulate on-premise signage. The Bill’s provision regarding signs is titled “Reconstruction/Removal of On-Premise Advertising Signs,” and is codified as G.S. 160D-912.1.

Article 12 requires that changing the sign panels or face of a nonconforming sign (one that was permitted under a previous ordinance but does not comply with current requirements) is not permissible unless the sign is brought into complete compliance with current regulations. This provision resulted in numerous nonconforming signs becoming compliant.

SB 607 states that any on-premise sign that was legally permitted under a previous sign ordinance may be reconstructed or replaced anywhere on the site provided that the sign is not increased in size and meets the requirements under which it was initially permitted. The burden of proof lies with the local jurisdiction if there is an assertion that the sign was not legally permitted. This bill prohibits the ability of a jurisdiction to bring nonconforming signs into compliance and is applicable to signs that were removed on or after October 1, 2021.

Additionally, we have had several concerns with developers relative to the measurement of the height of ground mounted signs when the property lies below the grade of the street. There are several of these instances along Concord Parkway, and we are proposing clarifying language to allow the measurement of signs to occur from street level. This specific language was included in the pre-CDO zoning ordinance and worked well.

The Ordinance is in approval form and may be referred to City Council for public hearing upon consensus of the Commission.

# ARTICLE 12

## SIGN STANDARDS

### 12.1.12. ~~NONCONFORMING SIGNS.~~ RECONSTRUCTION/REMOVAL OF ON-PREMISE SIGNS

~~In accordance with G.S. 160D-912.1, any lawfully erected on-premise sign may be relocated or reconstructed within the same parcel provided that the total advertising surface is not increased in area, and that the sign complies with the minimum ordinance requirements in effect when the sign was erected. For the purposes of this section, reconstruction shall mean erecting or constructing anew, including any new or modern instrumentalities, parts or equipment that were allowed under ordinance requirements in effect when the sign was erected. All construction work related to reconstruction under this section shall commence within two (2) years of the date of removal. In the interest of encouraging the eventual removal of signs that do not meet the current standards of the ordinance, the following standards are established to require the removal of nonconforming signs under certain circumstances. These provisions shall apply only to permanent signs which were lawfully established prior to November 10, 21016. Signs which were not lawfully established, or, which are prohibited in Section 12.2.1, shall be subject to immediate discontinuance and removal.~~

#### ~~A. Discontinuance of Occupancy and/or Use~~

~~Where one or more nonconforming signs are located on a parcel of land or building whose occupancy or use has been discontinued, such nonconforming sign(s) shall be removed, replaced or otherwise brought into conformance with the current standards of this Ordinance.~~

#### ~~B. Change of Use~~

~~Whenever an application for a zoning permit is submitted for the change of use of a property, a permit may be issued only upon the condition that all nonconforming signs on the property be removed or otherwise brought into compliance with the standards of this ordinance prior to the establishment of the new use.~~

#### ~~C. Alteration of Nonconforming Signs~~

~~Nonconforming signs shall not be altered in any manner unless the alteration brings the sign into full compliance with the standards of this ordinance. Prohibited alterations include the replacement of sign faces or panels, except that multi-tenant signs with changeable panels may remain in use regardless of changes in the individual tenants, but must be made conforming upon a change in the ownership of the property. Also, maintenance of a nonconforming sign is not considered to be an alteration.~~

#### ~~D. Removal or Damage~~

~~Nonconforming signs that are voluntarily removed, or which are damaged to an extent greater than or equal to 50% of their replacement value shall not be reestablished or repaired except in full conformance with the current standards of this Ordinance.~~

#### ~~E. Exceptions~~

~~Signs that were permitted in accordance with the standards of an overlay district, PID, or other conditional district shall be exempt from the requirements of this section.~~

## Definition to Article 14

**Sign, On-Premise Advertising:** a sign visible from any local or State road or highway that advertises activities conducted on the property upon which it is located or advertises the sale or lease of the property upon which it is located.

## 12.1.6

- C. **Computation of Height.** The height of a freestanding sign shall be computed as the vertical distance from the point of the sign that is level with the highest paved portion of the street right-of-way or recorded access easement to the top of the highest attached component of the sign. The highest paved portion of the street right-of-way or recorded access easement shall be measured along the frontage of the property where the sign will be located at the point nearest the sign location. **When an establishment is located directly below the elevation of the street, and strict interpretation of the height restriction would create unreasonable hardship in terms of limiting visibility (as determined by the Administrator), the top of the sign may be measured from street level.** It will be the responsibility of the applicant to provide a document prepared by a licensed North Carolina surveyor demonstrating the grade from which the height of the sign will be measured. The design, colors and/or materials of the base or supports of any sign that is below the paved portion of the street right-of-way or recorded access easement shall be consistent with, or complimentary to, the portions of the sign above that point.

Figure 12-2: Measurement of Sign Height

