

PLANNING & ZONING COMMISSION  
Meeting Agenda  
Tuesday, January 20, 2015 at 6:00 P.M.  
City Hall  
26 Union Street, 2<sup>nd</sup> Floor

- I. CALL TO ORDER
- II. CHANGES TO THE AGENDA
- III. APPROVAL OF THE MINUTES
- IV. OLD BUSINESS
- V. NEW BUSINESS

**1. Case SUP-01-15 (QUASI-JUDICIAL HEARING)**

**Brett Thornton & Seth Lingafeldt/Grow Strong, LLC.** have submitted a Special Use Permit application for property located at 535B Pitts School Road, NW for the development of a fitness center in a Limited Industrial (I-1) zoning district. PIN 4599-59-8381

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

**2. Case SUP-02-15 (QUASI-JUDICIAL HEARING)**

**Sylvia Williams** has submitted a Special Use Permit application for property located at 4462 Raceway Drive SW for the development of a fitness center in a Limited Industrial (I-1) zoning district. PIN 5518-77-9628

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

VI. PETITIONS AND REQUESTS –NO PUBLIC HEARINGS REQUIRED

**3. Case Z-01-15 (LEGISLATIVE HEARING)**

**Administrative** Zoning Map Amendment for recently annexed property located generally at 3560 US Highway 601, South from Cabarrus County GC (General Commercial) and LDR (Low Density Residential) to City of Concord C-2 (Commercial General) P/O 5539-71-5227

- a. Open Public Hearing by Motion
- b. Staff Presentation
- c. Staff Recommendation: Approval
- d. Applicant's Testimony
- e. Opponent's Testimony
- f. Close Public Hearing by Motion
- g. Approve Statement of Consistency by Motion
- h. Approve/Deny Zoning Amendment by Motion

VII. PRESENTATIONS AND DISCUSSION

Consideration of a text amendment to Article 8 relative to the minimum spacing requirements for tattoo shops. (Recommended by Commission at December meeting)

Consideration of a text amendment to Article 8 relative to self-service storage facilities in the C-2 (General Commercial) District. (Recommended by Commission at December meeting)

VIII. RECOGNITION OF PERSONS REQUESTING TO BE HEARD

IX. MATTERS NOT ON THE AGENDA



**DATE:** January 20, 2015

**SUBJECT:** Special Use Permit  
Indoor Fitness Facility (Personal Training) in the I-1 (Light Industrial) Zoning District

**CASE:** SUP-01-15

**APPLICANT:** Brett Thornton and Seth Lingafeldt/Grow Strong LLC

**LOCATION:** 535-B Pitts School Road  
PIN 4599-59-8381

**AREA:** 8.28+/- Acres

**EXISTING LAND USE:** Industrial/commercial multi-tenant structure

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

**REPORT PREPARED BY:** Kevin E. Ashley, AICP  
Planning and Development Manager

**BACKGROUND**

The applicant proposes to locate a fitness training facility into a multi-tenant development on the southwest quadrant of Pitts School Road and Weddington Road. Fitness centers are permissible in the Light Industrial district as a special use permit.

The structure is one of eleven (11) multi-tenant structures on the subject property. According to Cabarrus County records, the structures were built in 1996. These structures were developed as multi-tenant office/light industrial flex space. Each of these structures contains four (4) separate tenant units of 2,000 square feet each. The applicant proposes to utilize one of these units.

In June 2012, the Commission approved a special use permit (SUP-03-12) for the development of a fitness facility at 505 Pitts School Road (on the same parcel as the subject structure). If the Commission recalls, the owner of this property (JCH Enterprises) was the applicant for the text amendment that allowed fitness facilities and some other uses, such as limited office, to be established in the I-1 district.

The Ordinance requires 1.5 spaces per 1,000 square feet of floor area for fitness facilities, which would necessitate three spaces for the subject use. A staff site inspection indicates numerous vacant parking spaces on site during business hours, so adequate parking is available. Additionally, the application indicates that the classes will be held, generally speaking, contrary to traditional business hours when more parking would be available.

It should be noted, as previously discussed that the subject property is not in a traditional industrial development, and is within a multi-tenant development that was originally designed and developed to be a blend of industrial and office/light commercial.

## **APPROVAL CRITERIA**

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

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

The proposed fitness facility is permitted within an I-1 zone as a special use and will be located in an existing multi-tenant building... The proposed use is not adding to or altering the building and conforms to the general industrial character of the lot and other industrial uses in the vicinity. In 2012, the Commission approved a gymnastics academy/fitness center within another multi-tenant building located on the subject property. .

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

The subject property has direct access to Pitts School Road (three curb cuts) and Weddington Road (two curb cuts). Both are public streets. The proposed use will necessitate the provision of three (3) parking spaces. Numerous parking spaces are available for use on the 8 acre subject property. As classes are proposed at off-peak hours for adjacent uses parking is adequate. The proposed use will not generate significant increased traffic flow during peak business hours.

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

The proposed use will function similarly, or less intense than other uses located on the subject property and surrounding industrial areas, and will not generate noxious vibration, noise, dust, odor, smoke, or gas.

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

Establishment of the proposed business at the noted location should not significantly impede future development of surrounding properties. Adjoining properties would be allowed to develop or redevelop, as their zoning would permit.

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

The proposed use should not be detrimental to or endanger public health safety, or general welfare.

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

The proposed project complies with CDO requirements with respect to zoning. If the requested SUP is approved, the applicant must also apply for a Certificate of Compliance (COC) and comply with CDO signage requirements.

### **PROPOSED FINDINGS OF FACT**

1. The applicants is Brett Thornton and Seth Lingafeldt/Grow Strong LLC and the subject property is located at 535B Pitts School Road.
2. The property is owned by JCH Enterprises LLC (DB 1803, PG 123).
3. The subject property is zoned I-1 (Light Industrial)
4. The petitioner proposes to establish a fitness facility on the subject property. Fitness facilities are permitted in the I-1 (Light Industrial) zoning district only with the issuance of a Special Use Permit.
5. The petitioner proposes to utilize 2,000 square feet (or one unit) of the four tenant structure for the training facility.
6. The subject property has eleven (11) multi-tenant office/warehouse/flex space structures.
7. Three (3) parking spaces are required for the proposed use, at a rate of 1.5 spaces per 1,000 square feet of floor area.
8. The adopted Land Use Plan designates the property as Industrial.
9. The applicant shall be required to meet the standards of the Concord Development Ordinance (CDO).
10. The applicant shall be required to comply with all applicable regulatory requirements for operation of the proposed fitness facility.
11. The request is utilize an existing tenant space in a multi-tenant structure.

### **RECOMMENDATION AND SUGGESTED CONDITIONS**

Should the Commission votes to approve the Special Use Permit Application, staff recommends the Commission consider adopting of the following conditions:

- 1) Prior to occupying the structure as a fitness facility, a Certificate of Compliance (COC) shall be obtained from the City of Concord.
- 2) If the use vacates the tenant space for a period longer than 180 days, the Special Use Permit will expire.



NORTH CAROLINA  
High Performance Living

~~Jan. 20 6:10 pm~~  
Jan. 20 6:10 pm

Application for  
Special Use Permit

Date 8 December 2014

APPLICANT NAME: Brett Thornton, Seth Lingsfeldt COMPANY  
NAME Go2Strong, LLC

APPLICANT ADDRESS: 6030 Phylliss Lane

CITY: Mint Hill STATE NC ZIP 28227 PHONE NUMBER OF  
APPLICANT: 704-277-8444

OWNER OF PROPERTY (if different from applicant)  
John Hatcher Realty

OWNER ADDRESS: 1313 F Central Ave. CITY Charlotte STATE NC ZIP 28205

PROJECT ADDRESS (if an address exist):  
535 B Pitt School Rd. Concord, NC 28027

P.I.N.: 4511 51 8381

Area of Subject Property (in acres, or square feet): 2000 square feet

Lot Width: 25 Lot Depth: 80

Current Zoning Classification: I-1

Existing Land Use: Industrial Warehouse

Description of Use Requested: Strength and Conditioning Facility

**Certification**

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

Date: 8 December 2014 Applicant Signature: [Signatures]





Application for  
Special Use Permit

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

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SEE ATTACHED

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**City of Concord – Special Use Permit Narrative – GrowStrong, LLC**

**GrowStrong LLC, a CrossFit affiliate, 535 B Pitt School Road 28027**

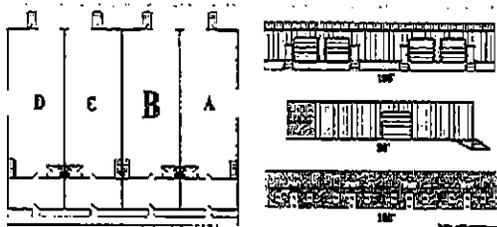
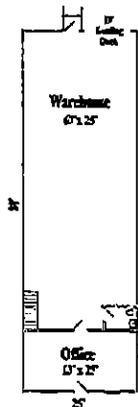
**Use of office and warehouse space** -The 2000sqft office/warehouse will be outfitted as a strength and conditioning gym and will offer CrossFit classes to the general public. A class will include up to 15 athletes and will be led by at least one CrossFit certified coach. Athletes will be instructed on proper Olympic weightlifting, gymnastics/bodyweight skills, various conditioning methods and mobility techniques. Athletes will also participate in a coach led workout of the day during each hour long class. Workouts can be any combination of the previously mentioned skills and techniques.

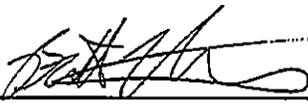
**Class times** - Monday thru Friday: 6 – 7am; 7 – 8am; 8 – 9am; 12 -1pm; 5 – 6pm; 6 – 7pm; 7 – 8pm

Saturday: 9 – 10am and 10 – 11am

**Benefit to the city of Concord** – GrowStrong LLC will empower Concord’s residents to lead active and fulfilling lives by proactively taking control of their health and fitness. GrowStrong LLC will create an open and supportive community atmosphere where friendships will be forged and thrive.

2,004 SF, 325 office, 1,675 warehouse  
Office Air Conditioned  
Warehouse gas heated  
100 Amp 3 Phase Electrical  
14' Eave Height  
10' Loading Dock Door  
Area over office floored for additional storage  
Use: Industrial Zoning



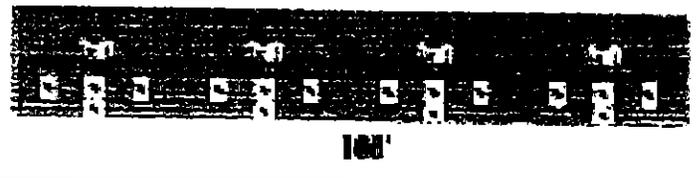
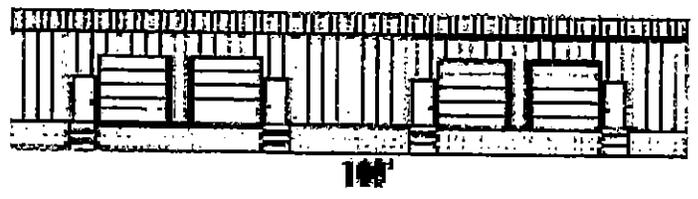
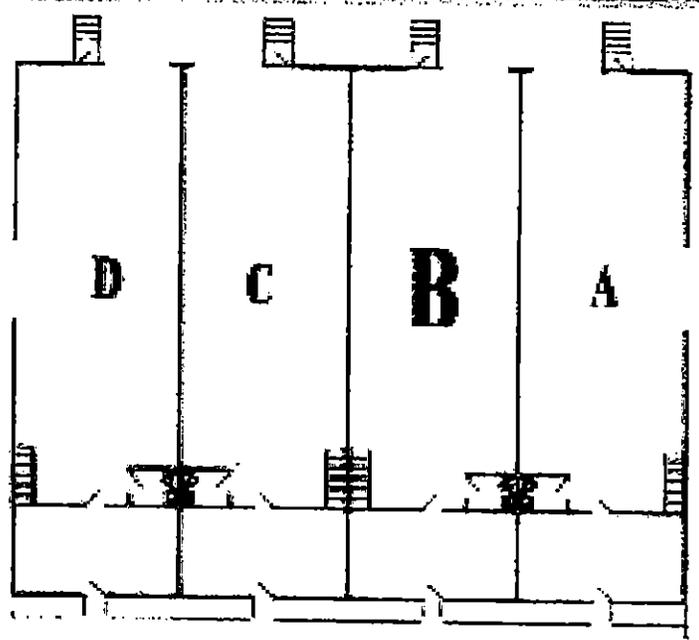
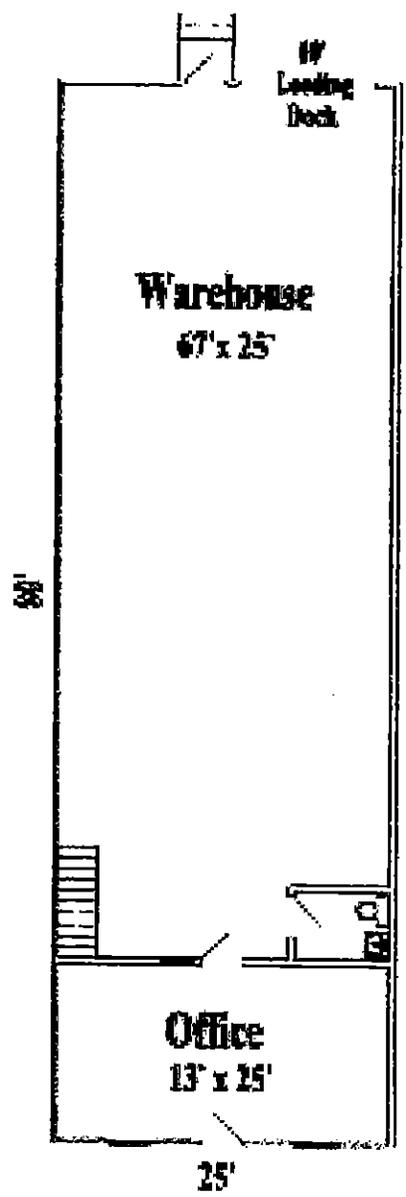
  
\_\_\_\_\_  
Brett Thornton, Partner

  
\_\_\_\_\_  
Seth Lingafeldt, Partner

Date 8 December 2014

2000 SF  
325 office  
1,675 warehouse

- 2,000 SF, 325 office, 1,675 warehouse
- Office Air Conditioned
- Warehouse gas heated
- 100 Amp 3 Phase Electrical
- 14' Eave Height
- 10' Loading Dock Door
- Area over office floored for additional storage
- Lite Industrial Zoning

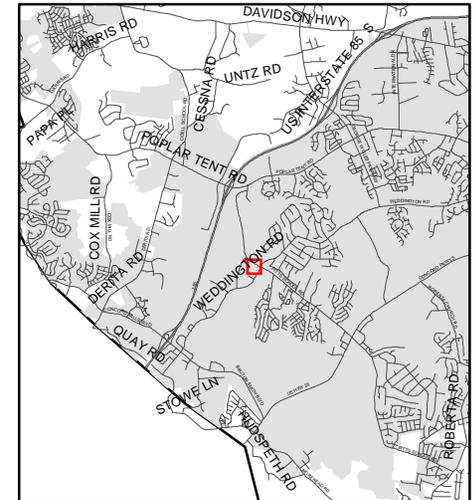


# SUP-01-15 AERIAL

## Special Use Permit Application

### Fitness center in a Limited Industrial (I-1) zoning district

535-B Pitts School Rd  
PIN 4599-59-8381



Source: City of Concord  
Planning Department

#### Disclaimer

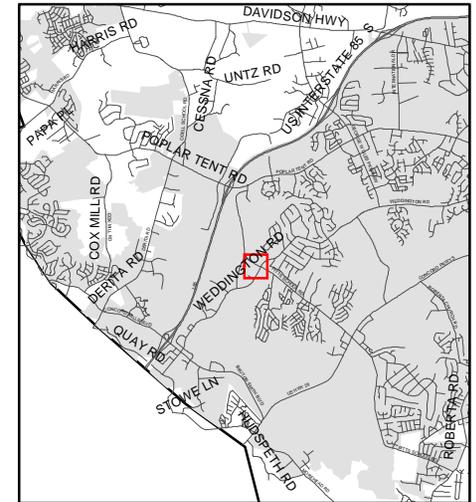
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# SUP-01-15 ZONING MAP

## Special Use Permit Application

### Fitness center in a Limited Industrial (I-1) zoning district

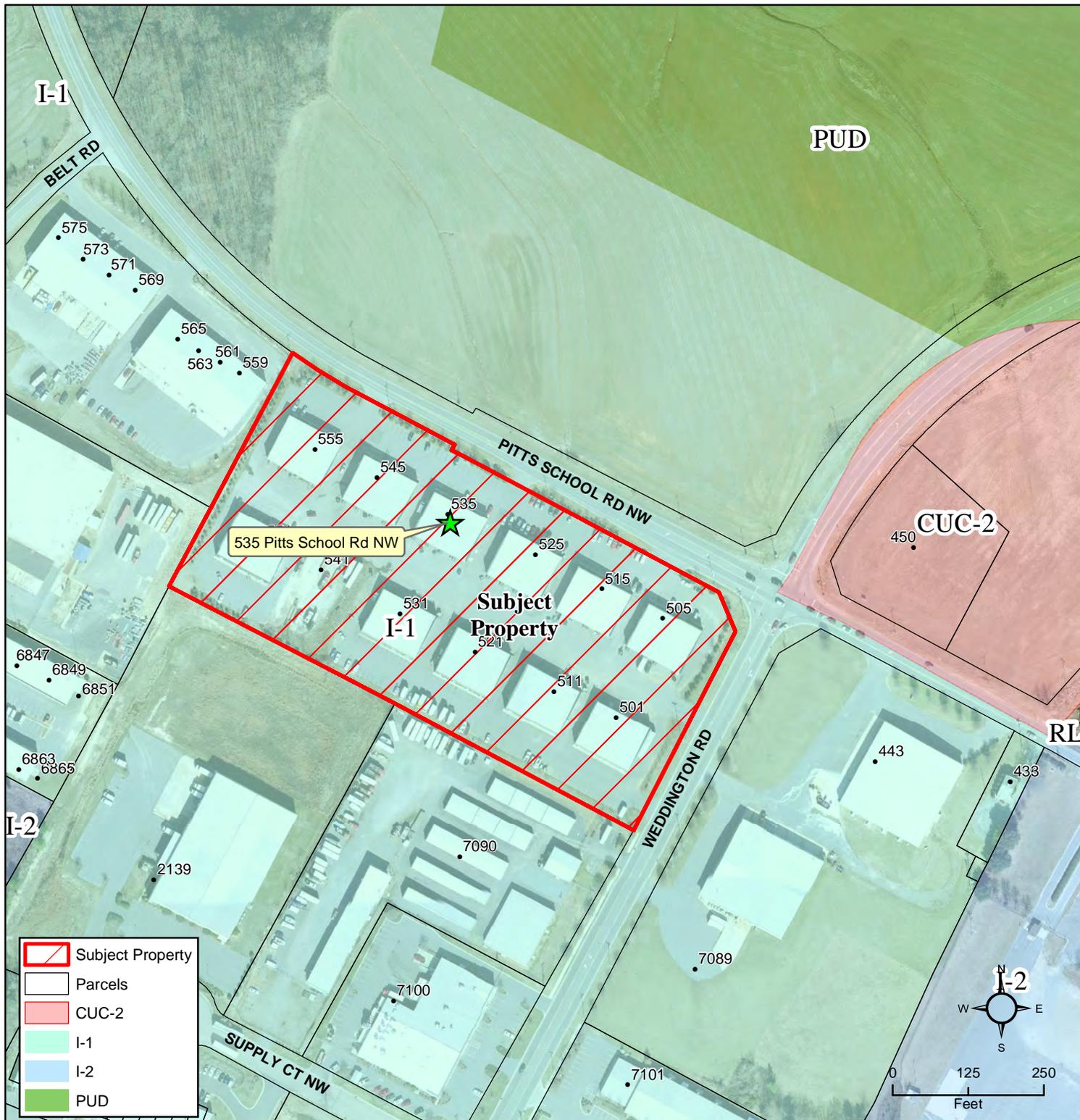
535-B Pitts School Rd  
PIN 4599-59-8381



Source: City of Concord  
Planning Department

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**DATE:** January 20, 2015

**SUBJECT:** Special Use Permit  
Indoor Fitness Facility in the I-1 (Light Industrial) Zoning District

**CASE:** SUP-02-15

**APPLICANT:** Sylvia Williams/Jubilation

**LOCATION:** 4462 Raceway Drive SW  
PIN 5518-77-9628

**AREA:** 1.81+/- Acres

**EXISTING LAND USE:** Industrial/commercial multi-tenant structure

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

**REPORT PREPARED BY:** Kevin E. Ashley, AICP  
Planning and Development Manager

**BACKGROUND**

The applicant proposes to locate a fitness training facility (for children) on the southwest corner of Stough Road and Raceway Drive SW, in the Motorsports Industrial Park. Fitness centers are permissible in the Light Industrial district as a special use permit.

The structure consists of approximately 15,000 square feet, and was constructed in 2000. The petitioner proposes to lease one unit of approximately 4,000 square feet in the six unit complex. Other uses within the structure include a pharmaceutical distributor and an engineering firm (which occupies two of the six units). The remaining three units are vacant.

Twenty two designated parking spaces are available on the subject property. A significant amount of unstriped additional parking is available at the rear of the property near the loading docks, in the event that it would be needed. The CDO requires that six (6) parking spaces be provided for the proposed use. The staff's site inspection indicated that most of the parking spaces on the site are unused.

The petitioner states that his facility is geared to fitness events for children and there will be occasional special events such as birthday parties, etc. Peak hours for his use are anticipated to be when other adjacent uses are not working; therefore parking would not be an issue.

It should be noted that the subject property is not in a traditional industrial development, and is within a multi-tenant development that was originally designed and developed to be a blend of industrial and office/light commercial.

## **APPROVAL CRITERIA**

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

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

The proposed fitness facility is permitted within an I-1 zone as a special use and will be located in an existing multi-tenant building... The proposed use is not adding to or altering the building and conforms to the general industrial character of the lot and other industrial uses in the vicinity.

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

The subject property has direct access to Raceway Drive, which is a public street. The proposed use will necessitate the provision of six (6) parking spaces. Twenty two designated parking spaces are available on site for use by all tenants, with additional unstriped paved area at the rear of the structure near the loading docks. The nature of the proposed use indicates that peak times would be late in the afternoon and on weekends, when school is not in session and during off-peak hours for other uses on site.

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

The proposed use will function similarly, or less intense than other uses located on the subject property and surrounding industrial areas, and will not generate noxious vibration, noise, dust, odor, smoke, or gas.

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

Establishment of the proposed business at the noted location should not significantly impede future development of surrounding properties. Adjoining properties would be allowed to develop or redevelop, as their zoning would permit.

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

The proposed use should not be detrimental to or endanger public health safety, or general welfare.

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

The proposed project complies with CDO requirements with respect to zoning. If the requested SUP is approved, the applicant must also apply for a Certificate of Compliance (COC) and comply with CDO signage requirements.

## **PROPOSED FINDINGS OF FACT**

1. The applicant is Sylvia Williams/Jubilation, and the subject property is located at 4462
2. The property is owned by Bobby H. and Sara C. Elliott (DB 2604, PG 0038).
3. The subject property is zoned I-1 (Light Industrial)

4. The petitioner proposes to establish a children's fitness facility on the subject property. Fitness facilities are permitted in the I-1 (Light Industrial) zoning district only with the issuance of a Special Use Permit.
5. The petitioner proposes to utilize 4,000 square feet of the 11,250 square foot structure for the training facility.
6. Three (3) parking spaces are required for the proposed use, at a rate of 1.5 spaces per 1,000 square feet of floor area.
7. The adopted Land Use Plan designates the property as Industrial.
8. The applicant shall be required to meet the standards of the Concord Development Ordinance (CDO).
9. The applicant shall be required to comply with all applicable regulatory requirements for operation of the proposed fitness facility.
10. The request is utilize an existing tenant space in a multi-tenant structure.

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

Should the Commission votes to approve the Special Use Permit Application, staff recommends the Commission consider adopting of the following conditions:

- 1) Prior to occupying the structure as a fitness facility, a Certificate of Compliance (COC) shall be obtained from the City of Concord.
- 2) If the use vacates the tenant space for a period longer than 180 days, the Special Use Permit will expire.

Date \_\_\_\_\_

APPLICANT NAME: Sylvia Williams COMPANY  
NAME Substation

APPLICANT ADDRESS:  
10936 Gold Pan Road

CITY: Charlotte STATE NC ZIP 28215 PHONE NUMBER OF 704-839-1977  
APPLICANT: \_\_\_\_\_

OWNER OF PROPERTY (if different from applicant)  
Sara Elliott

OWNER ADDRESS:  
4033 Brookwood Rd CITY Charlotte STATE NC ZIP 28215

PROJECT ADDRESS (if an address exist):  
4462 Railway Dr. SW

P.I.N.: 5578-77-9628

Area of Subject Property (in acres, or square feet): 1.81 ac

Lot Width: \_\_\_\_\_ Lot Depth: \_\_\_\_\_

Current Zoning Classification: I-1

Existing Land Use: Industrial

Description of Use Requested: Fitness Facility

**Certification**

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

Date: 12.30.14 Applicant Signature: [Signature]

**General Requirements**

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

- (a) The Planning and Zoning Commission must find that "the establishment, maintenance, or operation of the proposed use shall not be detrimental to, or endanger, the public health, safety or general welfare."  
The Establishment will not endanger or be detrimental to the public's health
- (b) The Planning and Zoning Commission must find that the proposed use "conforms to the character of the neighborhood, considering the location, type, and height of buildings or structures, and the type and extent of landscaping and screening on the site."  
The Establishment will conform to the character of the neighborhood. There are similar establishments
- (c) The Planning and Zoning Commission must find that the proposed use "provides ingress and egress so designed as to minimize traffic hazards and to minimize congestion on the public roads."  
There are more than enough parking available. There will not be any congestions on public roads due to establishment
- (d) The Planning and Zoning Commission must find that the proposed use "shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas."  
The Establishment shall not be noxious or offensive. All activities will be indoor
- (e) The Planning and Zoning Commission must find that "the establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district."  
Establish shall not impede the orderly development of surrounding properties

**Specific Requirements**

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

- (1) Nature of use(s) (type, number of units, and/or area):  
Children's Fitness, Party and Showers
- (2) Accessory uses (if any):  
N/A
- (3) Setback provisions:  
N/A
- (4) Height provisions:  
N/A





# SUP-02-15 AERIAL

## Fitness center in a Limited Industrial (I-1) zoning district

4462 Raceway Drive SW  
PIN: 5518-77-9628



Source: City of Concord  
Planning Department

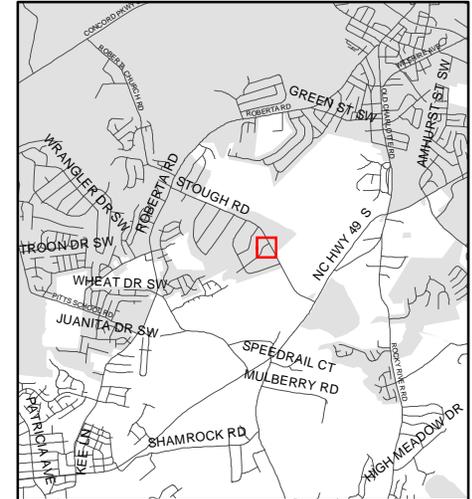
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# SUP-02-15 ZONING MAP

## Fitness center in a Limited Industrial (I-1) zoning district

4462 Raceway Drive SW  
PIN: 5518-77-9628



Source: City of Concord  
Planning Department

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**DATE:** January 20, 2015

**CASE #:** Z-01-15

**DESCRIPTION:** Administrative Zoning Map Amendment  
Cabarrus County General Commercial (GC) and Low Density Residential (LDR) to City of Concord General Commercial (C-2)

**OWNERS:** Elzena Harvey, Linda Fink and Nancy Barrow

**LOCATION:** 3560 US Highway 601 South, south of Zion Church Road, East

**PIN#s:** PIN: 5539-71-5227 (part of)

**AREA:** 29.16 +/- acres

**ZONING:** Cabarrus County General Commercial (C-2) and Low Density Residential (LDR)

**PREPARED BY:** Kevin E Ashley, AICP Planning and Development Manager

**BACKGROUND**

The subject property consists of approximately 29.16 acres, and is located on the west side of US Highway 601, South, south of NC Highway 49 and Zion Church Road, East. The property consists of vacant land.

**HISTORY**

The properties were annexed into the City through the voluntary annexation process, with an effective date of December 11, 2014.

**SUMMARY OF REQUEST**

As the property is now within the City limits, City zoning must be applied to the properties. The property has approximately 950 feet of frontage on US 601. The frontage is interrupted by a single family home, which has approximately 150 feet of frontage. This parcel is zoned Cabarrus County General Commercial and has not been annexed.

Cabarrus County GC zoning is on the property at the depth of approximately 681 feet on the west property line (coincident with the C-2 zoning to the west) and approximately 375 feet on the east

property line (which lies approximately halfway along the total depth of the Mount Hermon Church property). The GC zoning encompasses approximately 17 acres (58%) of the total land area of the site, and LDR zoning encompasses 12.16 acres (42%) of the site. Cabarrus County GC zoning is the functional equivalent of Concord’s C-2 district.

The majority of the property lies within a “mixed use node” as specified in the 2015 Land Use Plan (LUP). The Plan specifically states that C-2 is a consistent district within the mixed use node. The site could be designed in such a way as to locate required site improvements such as open space and stormwater retention to minimize impacts to the residential properties to the west.

Property to the north is zoned C-2 and is developed commercially. Land to the east is zoned O-I and is the church campus for Mount Hermon Lutheran Church. Land to the south is Cabarrus County LDR and is vacant land and single family residential (the home lies approximately 850 feet away and is ownership of the owner of the subject property). Land to the west is zoned RC and C-2 and is a combination of residential and single family residential.

<b>Existing Zoning and Land Uses</b>					
<b>Current Zoning of Subject Property</b>	<b>Zoning Within 500 Feet</b>		<b>Land Uses(s) of Subject Property</b>	<b>Land Uses within 500 Feet</b>	
Cabarrus County GC and LDR	<b>North</b>	City of Concord C-2	Vacant	<b>North</b>	Commercial and retirement home
	<b>South</b>	Cabarrus County LDG		<b>South</b>	Single family residential and vacant
	<b>East</b>	City of Concord O-I		<b>East</b>	Church campus
	<b>West</b>	City of Concord C-2 and R-C		<b>West</b>	Single family residential and retirement home

**COMPLIANCE WITH 2015 LAND USE PLAN**

The 2015 Land Use Plan (LUP) designates the majority of the subject property as a “mixed use node,” with a small portion of the southeast corner designated as “single family residential.” Mixed use nodes are intended to be broad in scale with somewhat flexible boundaries. The intent of the mixed use district is to “encourage a mixture of complimentary uses that will function as an integrated center allowing for pedestrian connections between developments and uses.” The developer, during technical site plan review process, will be required to demonstrate compliance with the pedestrian connection requirements of the CDO.

Given the presence of RC zoning (potential multifamily development), C-2 zoning and commercial uses, O-I zoning and church uses and single family residential zoning, the west side of US 601 appears to have a diverse blend of zoning and land uses to meet the intent of the mixed use designation. As a result, it is the staff’s opinion that the request is consistent with the LUP.

**APPROVAL CRITERIA in accordance with the Concord Development Ordinance the Commission shall consider the following questions.**

**1. The size of the tract in question.**

The size of the tract is approximately 29.16 acres.

**2. Whether the proposal conforms with and furthers the goals and policies of the Comprehensive Plan, other adopted plans, and the goals, objectives, and policies of this Ordinance.**

The 2015 Land Use Plan designates the property as a “mixed use node.” The proposed C-2 zoning is in consistent with the provisions of the 2015 Land Use Plan.

**3. The relationship of the uses envisioned under the new zoning and the uses currently present in adjacent tracts, as follows:**

- **Whether 1) the proposed rezoning is compatible with the surrounding area, or 2) there will be adverse effects on the capacity or safety of the portion of street network influenced by the rezoning, or 3) parking problems, or 4) environmental impacts that the new use will generate such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting, or other nuisances.**

The proposed zoning is compatible with the development pattern in the general vicinity as the request is 1) application of a similar zoning to the County zoning and 2) an extension of existing C-2 zoning, from the west, north and east sides of the property. Impacts on the street network would be examined at the time of technical site plan approval as would parking and environmental impacts. Any development on the site would be required to meet all minimum City, State and Federal regulations.

- **Any change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, and development.**

The proposed map amendment will not impact the character of the area as commercial zoning exists on the majority of the subject property, and the request extends existing C-2 zoning to the west. The subject property lies within a mixed use area where the development of commercial uses is encouraged.

- **The zoning districts and existing land uses of the surrounding properties.**

Surrounding land uses are a combination of commercial, institutional, single family and vacant. Zoning is a combination of C-2, O-I, RC and Cabarrus County LDR.

- **Whether the rezoning is compatible with the adjacent neighborhood, especially residential neighborhood stability and character.**

The proposed rezoning is compatible with the adjacent neighborhood, as it 1) recognizes existing County commercial zoning by applying the most similar zoning district and 2) extends an existing zoning district that is present on two sides of the property.

- **The length of time the subject property has remained vacant as zoned.**

The property consists of property that was voluntarily annexed by the City.

- **Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs.**

There appears to be an adequate supply of commercially zoned land in the subject area; however, the request for C-2 zoning is consistent with the provisions of the mixed use node contained in the LUP.

#### **SUGGESTED STATEMENT OF CONSISTENCY**

- The subject property is approximately 29.16 acres.
- The subject property is vacant land.
- Approximately 58% of the land area of the parcel is zoned Cabarrus County General Commercial (GC) and 42% of the land area is zoned Low Density Residential (LDR).
- The property was annexed on a voluntary basis with an effective date of December 11, 2014.
- The proposed zoning amendment is consistent with the 2015 Land Use Plan (LUP) because 1) C-2 zoning is specifically noted within the LUP as being consistent within the mixed use designation, and 2) a reasonable mixture of land uses and zoning exists within the general area to demonstrate compliance with the intent of the mixed use node. 1
- The zoning amendment is reasonable and in the public interest because Cabarrus County GC zoning is present on a majority of the property and the request serves to apply the most similar zoning to the subject property. Furthermore, the request is in a mixed use node and the diversity of land uses and zoning in the general area is consistent with the intent of the LUP.

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

The staff finds the request consistent with the 2015 Land Use Plan and the requirements of the Concord Development Ordinance and therefore recommends approval of the zoning amendment. However, the Commission should consider the evidence presented, and should decide whether to amend the subject property's zoning classification to C-2 (Commercial General). Because the proposal is a conventional zoning request, conditions may not be imposed on the zoning action.

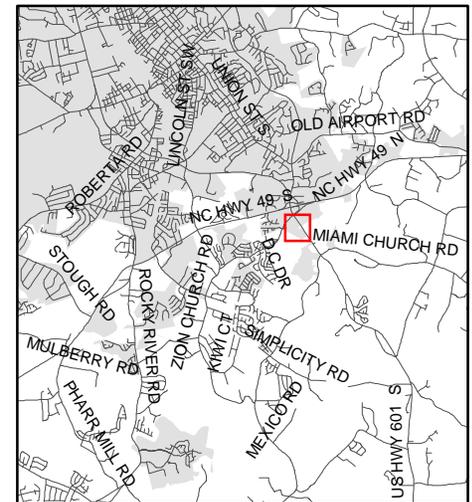
#### **PROCEDURAL CONSIDERATIONS**

This particular case is a conventional rezoning, which under the current provisions of the CDO, is "legislative" in nature. Legislative hearings DO NOT require the swearing or affirming of witnesses prior to testimony at the public hearing.

**Z-01-15  
AERIAL**

**Administrative Zoning Map  
Amendment  
Cabarrus County GC  
(General Commercial) and  
LDR (Low Density Residential)  
to City of Concord C-2  
(Commercial General)**

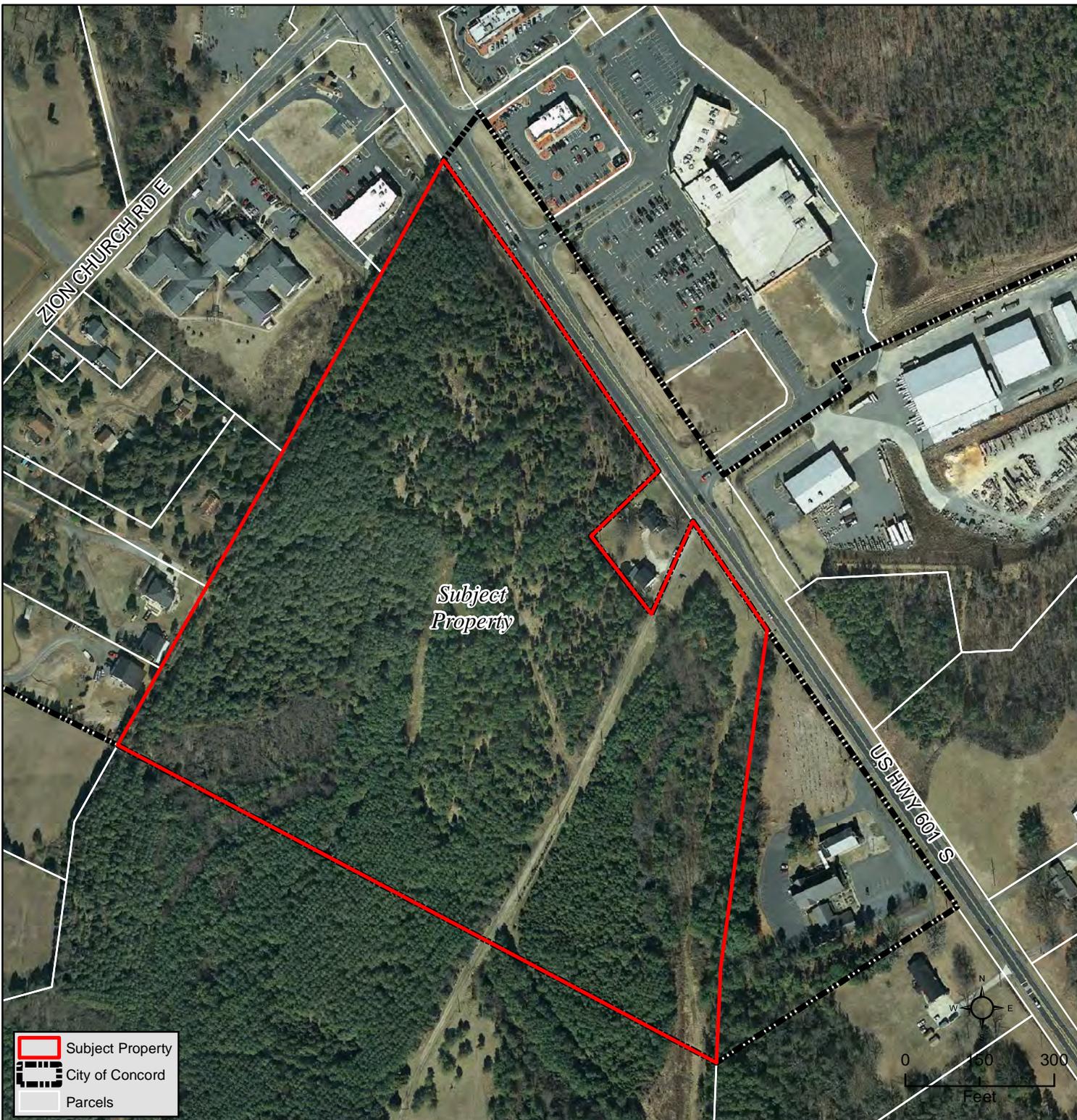
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P/O PIN: 5539-71-5227



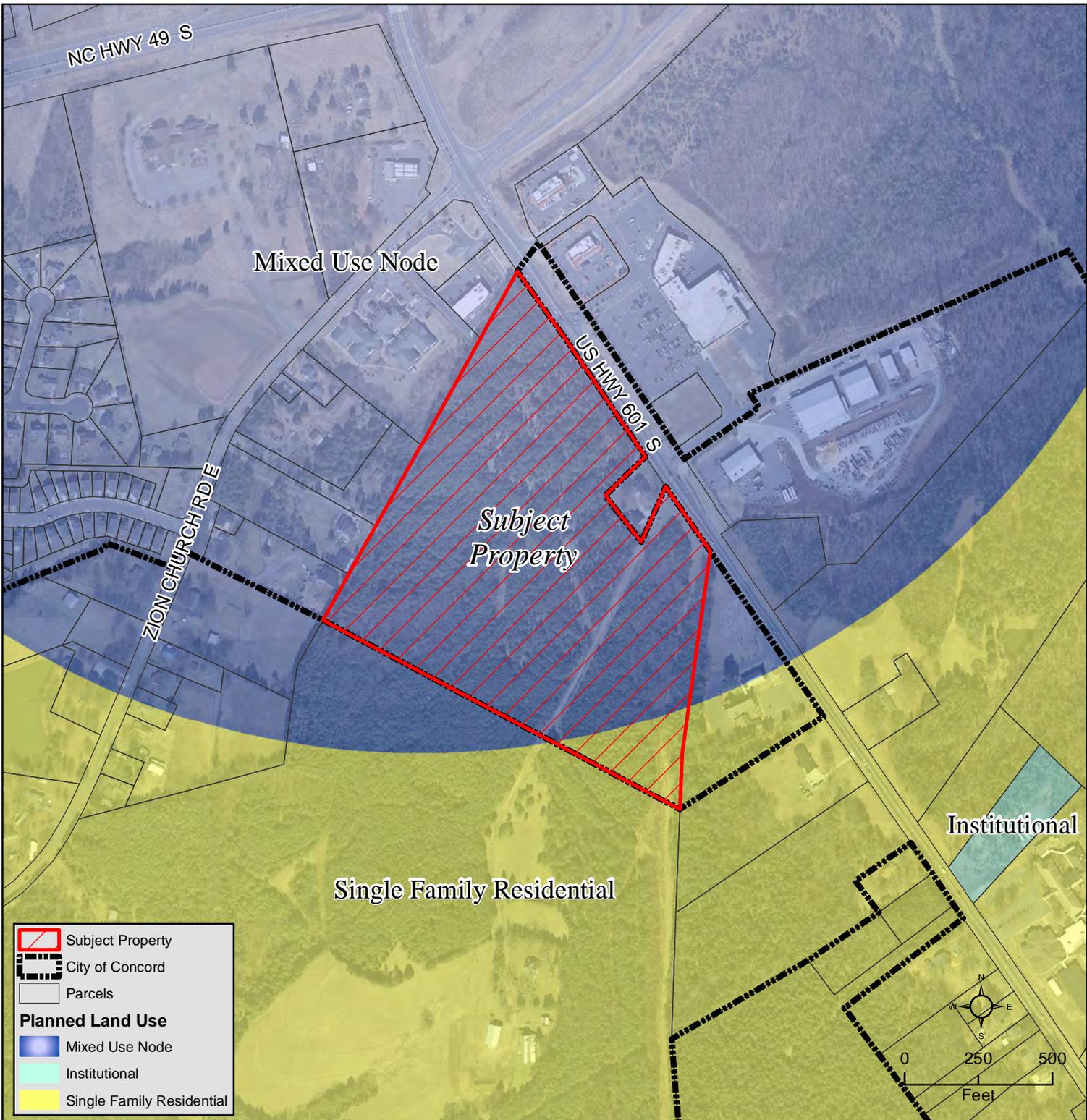
Source: City of Concord  
Planning Department

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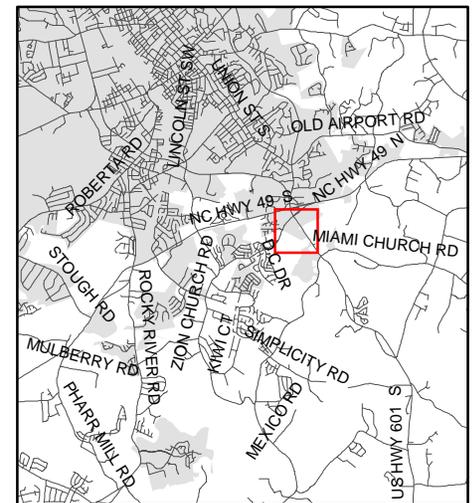
 Subject Property  
 City of Concord  
 Parcels



**Z-01-15  
LAND USE PLAN**

**Administrative Zoning Map  
Amendment  
Cabarrus County GC  
(General Commercial) and  
LDR (Low Density Residential)  
to City of Concord C-2  
(Commercial General)**

3560 US Highway 601  
P/O PIN: 5539-71-5227



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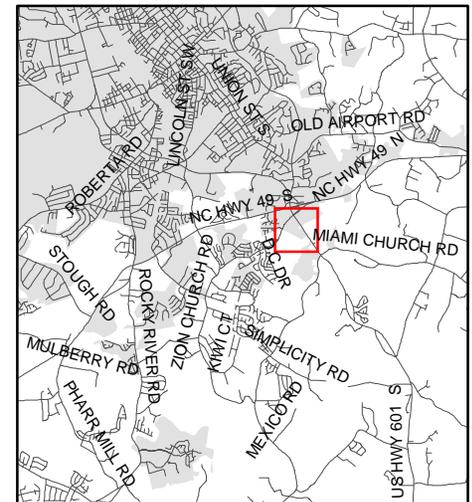
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**Z-01-15  
ZONING MAP**

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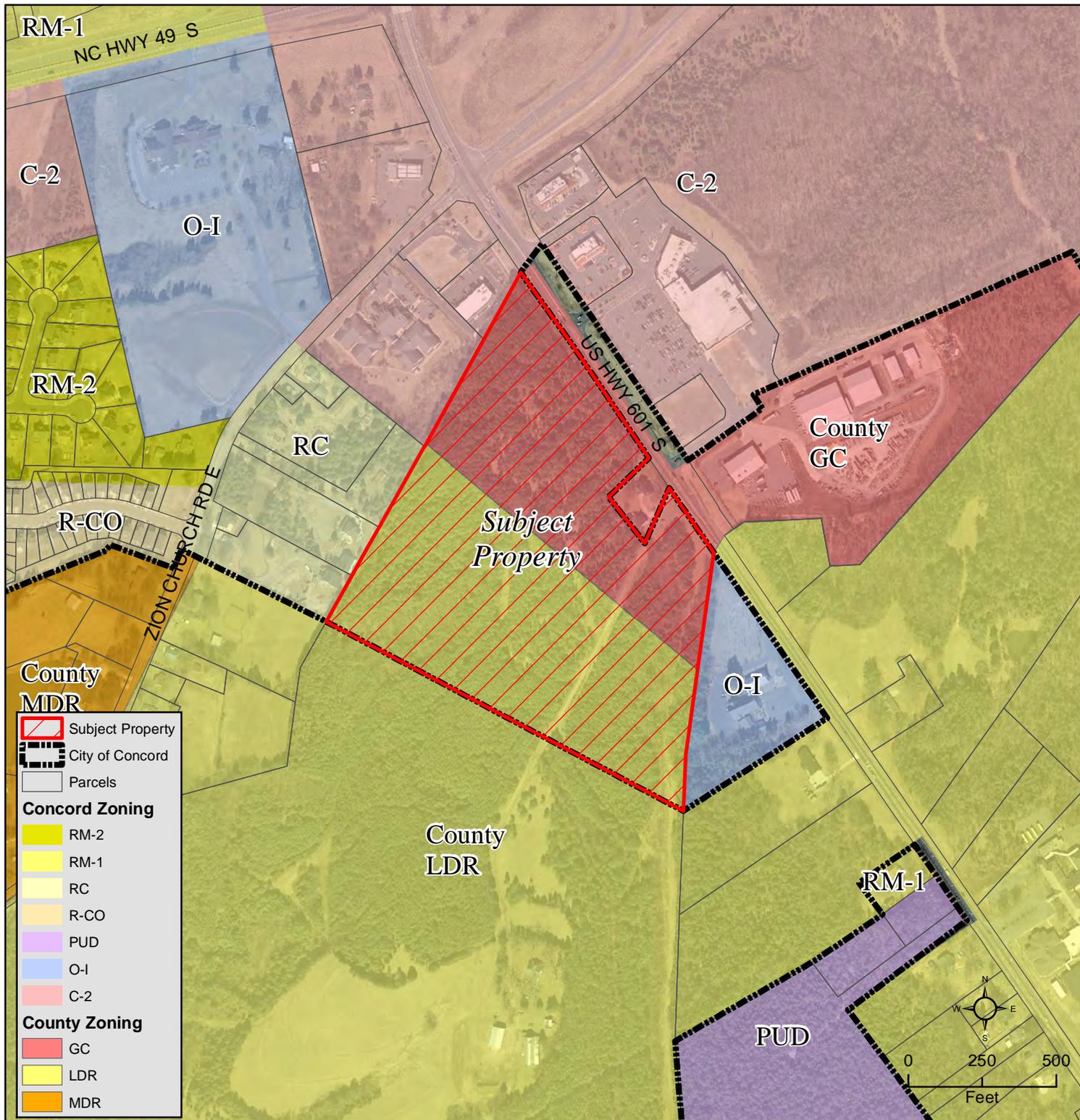
3560 US Highway 601  
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## Memo

**To:** Planning and Zoning Commission

**From:** Kevin E. Ashley AICP Planning and Development Manager

**Date:** January 20, 2015

**Re:** Consideration of a Potential Text Amendment Relative to Revision of Spacing Requirements for Tattoo Parlors in the C-2 District

At the December meeting, Marcus Mynes made a presentation to the Commission relative to an amendment to reduce spacing requirements for tattoo parlors in the C-2 district. The current requirement is a 500 foot distance from residential districts, uses, churches, schools, day cares and public parks. The Commission directed the staff to proceed in confirming the research conducted by Mr. Mynes, and to prepare an amendment for consideration.

Mr. Mynes presented information from 32 jurisdictions relative to their requirements, and the staff confirmed that the information in his report is accurate. Of the jurisdictions he surveyed, only Concord has spacing requirements from residential uses, although some have distance requirements from other tattoo parlors. Kannapolis does, however, impose a conditional use permit requirement on tattoo parlors, but it does appear that most jurisdictions in the State permit them by right in major business districts without minimum spacing.

The staff conducted some additional research of other jurisdictions throughout the State, to supplement Mr. Mynes research. The following summarizes that research.

Cabarrus County: permitted by right in LC and GC with no supplemental standards

Fayetteville: Permitted by right in 4 commercial and 1 industrial district with no supplemental standards

Greensboro: Permitted in Highway Commercial with no supplemental standards

Knightdale: Permitted in HB and MI with 1,000 spacing from each other.

**Wilmington: Permitted by right in all business districts**

**Raleigh: Permitted by right in commercial districts**

Based on the research and the direction of the Commission, the staff prepared an amendment to the Ordinance to reduce the spacing requirement from 500 to 300 feet. Staff has drafted the amendment to specify that the measurement would be from building wall to building wall, as opposed to property line. It would appear that this approach would be a better measurement of impact (if any) than measurement from property line to property line. Additionally, we have placed the same standards in Article 8 for body piercing establishments, as they are listed together in the chart of permitted uses, and typically many establishments provide both services.

The amendment is attached for your discussion (and potential revisions) and may be forwarded to the Council for consideration in February.

A. Tattoo Parlor

1. SEPARATION

Tattoo parlors shall be separated by at least ~~three~~ hundred (300) feet from any existing residential use, religious institution use, day care use, public park, or school (elementary, middle, or senior high). Distances to residences, religious uses, day cares or schools shall be measured radially from the building wall of the tattoo parlor to the building wall of the referenced use at the closest point.

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M. Body Piercing

1. SEPARATION

Body piercing establishments shall be separated by at least three hundred (300) feet from any existing residential use, religious institution use, day care use, public park, or school (elementary, middle, or senior high). Distances to residences, religious uses, day cares or schools shall be measured radially from the building wall of the tattoo parlor to the building wall of the referenced use at the closest point.

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#	Name (Signature)	Address	Email	Age
1	Marius M Mynn	197 alberta ct Concord	mmynes@yaho.com	28
2	Jenna Jones	187 alberta ct, Concord	jennainronjaos@hotmail	26
3	Hugh Phipps	1881 Warren Coleman Concord	gregory.phipps@yahoo.com	42
4	[Signature]	3110 Patrick Henry		
5	Debra Baruzzi	2644 Parks Lafferty Rd	RmbrEMSSFire@aol.com	52
6	Karina Rosales	1889 Warren Coleman Blvd	sweettimearrangement@gmail.com	
7	Peter Todd	1897 Warren Coleman Blvd	+preps+8712@gmail.com	
8	Lidia Clavel	4036 Grouse Dr.		40
9	Anna Macici	3875 Pintal Dr		38
10	Angel Garcia	6116 Mallard Pr	Jhernaz1@Email	23
11	Jennifer Kusmier	2803 Maryland Ave		CPEE-Edy
12	Darlene Polk	1401 Lake concord Rd.		44
13	Taylor Freeze	Woodland Dr Concord	#freeze0713@gmail.com	18
14	Lottie Hartan	Kaccoon	Lhartan@gmail.com	18
15	Amaya Wright	Azelahills drive 2802	Amaya@yaho	18
16	Lucy T	Concord		18
17	Zane R	Concord		
18	Stephanie Keller	Concord (28020)	Stephaniekchodwick@gmail.com	26
19	Regina Banks	Denver (28080)	regina685@gmail	29
20	Christina D...	9523 University Loan Drive APD	gdunk@unccl.edu	19

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#	Name (Signature)	Address	Email	Age
21	Matthew Coker	10307 Old Bettyford	matthewcoker@yahoo.com	24
22	Haley Pickett	210 Shue Rd	Haley-Pickett@yahoo.com	19
23	Bob Martin	3 Holly Ct	bmartin2238@gmail.com	24
24	Mohamed Ameer	2113 grave side lane	_____	24
25	Jafar Abeer	2113 grave side lane	_____	21
26	Delanya Polk	317 Heatherwood	_____	23
27	Cody High	3 Vitor street	_____	19
28	Amr Mr	Concord	_____	20
29	Kelly Jankowski	425 Amesbury Dr.	_____	17
30	Christopher Wallace	13605	_____	
31	Ruby Wah	13605 Haven Ridge	_____	19
32	Sam Anderson		_____	26
33	Taylor Minnick	1530 Bay Meadows Avenue W	_____	18
34	Deanna McDaniel	_____	_____	52
35	Samuel Houchens	5524 Hammermill Dr	Shouchens@gmail.com	18
36	Trinity Loxford	3522 Alister Ave	_____	18
37	Johnny Alvarenga	10901 Leyton Pl.	jalv0690@yahoo.com	24
38	Brandon McClelland	207 SANFORD ST. morrisville NC	brandonmcc947@gmail.com	
39	Morgan Dauzat	_____	morgan.dauzat@yahoo.com	
40	Richard Barbee	Concord	_____	18

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#	Name (Signature)	Address	Email	Age
41	Branna Lyles	7600 Pearl Ave		18
42	Kaytlyn Cole	8980 Cherrysford Ct		18
43	Amber Tao	Concord		17
44	Haylee Dunn	concord	ayates.	18
45	Duane Campbell	Concord	ligordduanos,	30
46	Rickey Gonzalez	concord	rickeyg978@gmail.com	27
47	Megan Pleasant	Charlotte	radioachvestar84@yahoo.com	30
48	John Smiths			
49	Stacy Johnson			
50	Kevin Avery	Charlotte	kevin.avery.66@gmail.com	35
51	Parker Hudson	Charlotte	@hudson3@unc.edu	
52	Kaylee Goodman	concord.	indicaasatlvaa@yahoo.com	
53	Cody Bridges	Belmont	cedigtbridges@abbey.bac.edu	18
54	Chandler Gardner	Belmont	gardner.chandler@yahoo.com	
55	Zoe LaPuh	Charlotte	zpeele@unc.edu	21
56	Kerry Ramon	Charlotte		17
57	Shannell Washington	Charlotte		26
58	Deborah	Charlotte, NC		29
59	Chloe	Charlotte, NC		22
60	Wesley Donohy	Salisbury, NC	giturdun1995	20

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61	Stephanie Taylor	10307 Old Betty Ford	_____	22
62	Karl Bene	Concord	KarlBene99@aol.com	20
63	Melanie Smith	Concord	MSmit420@aol.com	20
64	[Signature]	Mint Hill	_____	20
65	[Signature]	Hickory	fcesse05@gmail.com	23
66	Omar	Concord	Omar@UNC	19
67	Jasmine Black, <sup>fashion</sup> Black	Concord Chase Circle	_____	21
68	Annie Barbee	Concord	_____	16
69	Daniel Sarnance	Concord	daniel.sarnance@_____	
70	Ciara Hyatt	Concord	HyattCiara@_____	23
71	Kelley Blum	Concord	_____	17
72	[Signature]	Harrisburg	_____	28
73	[Signature]	Charlotte	_____	27
74	[Signature]	Charlotte	BWK911@Gmail.com	18
75	[Signature]			56
76	A. Gaima	Charlotte		26
77	[Signature]	Charlotte		27
78	[Signature]	Charlotte		19
79	[Signature]	Charlotte	[Signature]	24
80	[Signature]	Edmond	Edward89 Lambert@_____	25

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#	Name (Signature)	Address	Email	Age
81	Cuy	415 Finn Ln	Cnstruvs@aol.com	25
82	Michael Baine	6926 Topfield Dr Dallas, Tx	MichaelBaine@sidby.com	19
83	Karissa M. Hill	7224 Taxaway Lane	K_mac95@hotmail.com	19
84	Jaylee Christie	10505 Greenhead view Rd	hailseclassinst@gmail.com	18
85	Brittany Clark	207 Heatherwood Ct	brittanyclark984@gmail.com	24
86	Tracy Trotter	8808 Annabay Dr.	Trotter.C@gmail.com	21
87	Terence Sanford	417 Finn Ln	terence12a@gmail.com	18
88	Debra	8440 Huntclere Ct		18
89	John	5300 Galway Dr		28
90	Veronica	13329 Veronica Mi		44
91	Veronica	13329 Veronica dr.		43
92	Walter	1323 Walter Ln	-	24
93	Kaitlyn Peacock	250 Mae Rd	Kaitlyn-peacock@yahoo.com	19
94	Jason Rodriguez	16963 Turning Stick Ct	justbobbyrod@gmail.com	25
95	Darius Watson	10916 Education Way	dariusjason@gmail.com	24
96	Chris	10208 Scotsway dr.	doombg123@gmail.com	19
97	Daniel Sarnoza	12325 Taragate Dr	Daniel Sarnoza	
98	Latrese Gilkey	134 Johnson St SW	cheezemii@gmail.com	
99	Jose Luna	137 Johnson St	-	
100	Julian Grant	1527 Breezewood Dr.	grant.julian93@yahoo.com	21

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#	Name (Signature)	Address	Email	Age
101	Brandi Caldwell	Concord	Cabell10833@com	26
102	Shaw Zhou	Lego Dr	403265454@com	21
103	Derrick Shuck	Concord		38
104	Shanel B	Galax		23
105	Cody Whitaker	Mt Airy	baillie.cody@gmail.com	18
106	Vander Pape	Concord		18
107	Jayson	Concord		29
108	Joshua Mundy	High Point		20
109	Misha	High Point		15
110	Elizabeth	Concord	mishelshuck@gmail.com	28
111	Halton	Concord NC	michael.todd.cotton@gmail.com	46
112	James Taylor	11275 Wilson Grove Rd	j.taylor1990	24
113	Jeffrey	11430 Frank Gattle Ct	jeffrey@jeffrey.com	28
114	Shawna	3507 Pump Lane	Shawna@jeffrey.com	29
115	Campton Gardner	150 Robbiss St SW Concord		29
116	Mami	220 Simpson Dr		25
117	Chantal Murrison	330 Devonshire Drive	nmor333@att.net	18
118	Hannah Mynes	2768 Golf Ball Circle	hannahmynes@gmail.com	22
119	Stephanie Busse	222 Simpson Dr	stephaniebusse@gmail.com	25
120	Jeff Peterson	12000 ...	jeffpeterson12	24

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#	Name (Signature)	Address	Email	Age
121	<del>201</del> Sabastian	<del>201</del> Concord		18
122	<del>202</del> Kerita			22
123	<del>203</del> [Signature]	Concord		44
124	<del>204</del> [Signature]	Concord		20
125	<del>205</del> Maria Hall	Concord		24
126	<del>206</del> [Signature]	Concord		36
127	<del>207</del> [Signature]	Concord		18
128	<del>208</del> [Signature]	Concord		19
129	<del>209</del> Yulu Jua	Charlotte		24
130	<del>210</del> Benny	Charlotte		19
131	<del>211</del> Jimmy Ross	Monroe	—	
132	<del>212</del> Brian Ross	Monroe	—	31
133	<del>213</del> Timothy Ross	Monroe	—	28
134	<del>214</del> Charissa Ross			
135	<del>215</del> Anita Harris	Charlotte	—	25
136	<del>216</del> Chuck Ed	Charlotte		38
137	<del>217</del> [Signature]	Charlotte <sup>Lawrenceburg</sup>		28
138	<del>218</del> B. W. [Signature]	Charlotte	—	28
139	<del>219</del> Candace Juley	Charlotte		29
140	<del>220</del> Malik Robinson	Charlotte		

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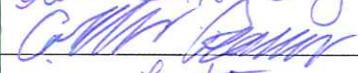
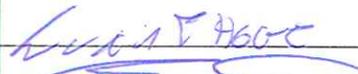
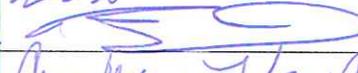
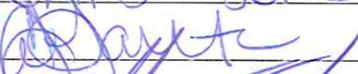
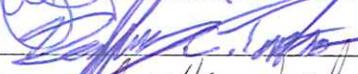
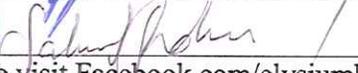
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#	Name (Signature)	Address	Email	Age
141	<del>141</del> 	2940 Shields Dr	MLStone11@carolina.rr.com	18
142	<del>142</del> Armando Mejia	6325 Woodbend Dr	Armando_345-@	19
143	<del>143</del> Ashley Valerius	Salisbury NC		20
144	<del>144</del> Kammi Jereuk	Huntersville NC		29
145	<del>145</del> Chris Furuk	Concord, NC		
146	<del>146</del> Alisha H. N. Melly	1117 Olde Sycamore Mint Hill, NC	alisha.hanan@gmail	31
147	<del>147</del> 			
148	<del>148</del> Erica Leatherman	813 South Ridge Ave		21
149	<del>149</del> John C. Mann	1502 Copperplate Rd.	J.moser60@yahoo	18
150	<del>150</del> Grace Meier	Huntersville		24
151	<del>151</del> 	Huntersville		24
152	<del>152</del> 	1921 Hamilton Dr Charlotte NC	tavenne9@yahoo.com	42
153	<del>153</del> Jacobson Thistle	10143 Fieldstone Ct	jnthorpe4@gmail.com	17
154	<del>154</del> Michel Johnson	10145 Fieldstone Ct		40
155	<del>155</del> Kyrrie A. Hoover	1230 Rebecca Bailey Dr. NC	Khoover9@unc.edu	20
156	<del>156</del> Chris Jones	153 Whitest. NC		24
157	<del>157</del> 	2106 Candlewood dr Concord NC	jadetartto@gmail.com	29
158	<del>158</del> 	133 White st. NC	Constanza@att.com	26
159	<del>159</del> Aroelle Woody	7910 Waterford St, NC	awood15410@yahoo.com	25
160	<del>160</del> 	2605 Windsor Chase Dr	salscheel@shaw.com	18

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#	Name (Signature)	Address	Email	Age
161	<del>321</del> Kayce Rush	277 Forest Walkway Mooresville	Kaycee@Rush720.com	24
162	<del>322</del> P. P. P.	717 Olde Sycamore Mill Hill	payton.sunnely@gmail.com	33
163	<del>323</del> Sunny One			
164	<del>324</del> Leah Merman	813 Sun In ridge	Brynary, Leah Merman	22
165	<del>325</del> M. H. H.	1300 Varsity Ln	nhaigle1@unc.edu	20
166	<del>326</del> Rob Hosa	1502 Copper Mine Ln	Rob Hosa e.com	46
167	<del>327</del> A. P. P.	9901 Vixen Lane	Tchman.kunz993	24
168	<del>328</del> A. C. C.	1921 Hamilton Forest Drive	amguilf74@gmail.com	30
169	<del>329</del> Jamiya Thorpe	10145 Fieldstone Ct	jamiya.thorpe@yahoo.com	
170	<del>330</del> Jamiya Thorpe	10145 Fieldstone Ct	Jamiya Thorpe	36
171	<del>331</del> Mollis Thorpe Jr.	10145 Fieldstone Ct	Mollis Thorpe Jr	18
172	<del>332</del> Matt H.	4508 Steadman Way	mhosa@bellsouth.net	25
173	<del>333</del> Matt Williams	2629 Maplewood		
174	<del>334</del> M. H. H.	693 Continental Dr	M. H. H. m. h. h.	33
175	<del>335</del> Netalibel F1	20 N. Church St	Netalibel F1@gmail.com	
176	<del>336</del> Nathan Buckley	125 Elwood	Nathan Buckley	16
177	<del>337</del> Concaral	Concaral		20
178	<del>338</del> Ashly Davis	Concord		18
179	<del>339</del> Timothy Right	Concord		26
180	<del>340</del> Madison Crabtree	2436 Beasden Ct.		14

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#	Name (Signature)	Address	Email	Age
181	Okeela Hamrick	Concord, NC	okeelahanamrick@gmail.com	18
182	Marquis K	Concord, NC	kmarq@gmail.com	18
183	Antwanette F	Concord, NC	nettee@gmail.com	19
184	Jimmy F. Ross	Monroe N.C.	RossJimmy86@yahoo.com	35
185	Jimmy Ross	Monroe NC		
186	Ruston Dumond	Concord N.C.	Stint2006@yahoo.com	
187	Shirley Epps	Concord N.C.	Epps575@gmail.com	
188	Alexis Barfield	Charlotte, NC	abarfield2@gmail.com	
189	Christopher Rivers	Charlotte, NC	Chris.Rivers@yahoo.com	
190	Jessie Hargett	Charlotte NC	jhoneyatt@gmail.com	24
191	Dana Fernandez	Asheville, NC	dafernandez3@gmail.com	
192	Tommy Galt	Charlotte NC	tommygalt@yahoo.com	
193	Marvin Qualls	Charlotte		30
194	Chris Cox	Charlotte	Chricox1tattoo@gmail.com	
195	Chantel P	Charlotte		29
196	Chantel P	Concord, NC	ChantelPcano23@gmail.com	20
197	ASSAF Holyland	Concord, NC	HateA MIEK@gmail.com	24
198	Walter Lyons	Charlotte, NC	WalterLyons@icloud.com	
199	Justin Ripp	Charlotte NC	marjynipman@yahoo.com	
200	Sarah Shackelford	Concord, NC	Shaxacklan@gmail.com	

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#	Name (Signature)	Address	Email	Age
201	Day Cooper	7505 Saddle Trail Ln	FYPM-COR2@ <sup>YAHOO</sup>	30
202	Christen Odom	CONCORD	odomchristen@gmail.com	
203	Angel Truong	Charlotte	_____	21
204	Michelle Mendez	High Point	_____	16
205	Elijanet Aquayo	High Point	_____	10
206	Elisea McMillan			
207		224 SWITCHBACK ST. 1327 Varsity Ln.	SINJUN24@YAHOO.COM	40
208	Alexander Torreson		Zander94@cardinalcross.com	20
209	Nicole Alvarez	CONCORD	_____	37
210	Japan King	Charlotte, NC 28227	Jindrayse@yahoo.com	26
211	Julia Geth	6308 Prosperity Charlotte	Ushani30@yahoo.com	26
212		3937 Barlowe Rd	tiannamendez@gmail.com	29
213	Juan Rivera	300 Gaddy Drive	Jrivera@me.com	23
214	Kishon L. Taylor	2106 Candlewood Dr <sup>CONCORD</sup> NC	_____	25
215	Alex Adams	Greensboro	_____	21
216	Christopher Curran	<del>1234 Saddle Trail Ln</del> CONCORD	_____	19
217	Quaseam Scott	CONCORD		21
218	Kyleigh Hepner	CONCORD	_____	18
219	Kaylea Fuller	Kaylea Fuller	_____	24
220	Brandon	CONCORD	_____	25

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233 total  
 49 - each pg  
 37 on last pg

Sheet1

Name	City	St	Code	Country	Signed	On
Marcus	Mynes	Concord	North			Carolina United
Lauren	Lockwood	Tampa	Florida	33616	United	States 2014-12-12
Jeremy	Mynes	Tampa	Florida	33616	United	States 2014-12-12
Toni	Rimmer	supply	North			Carolina 28462 United
Meghan	Lewis	Summerville	South			Carolina 29485 United
Jessica	Bauer	Tampa	Florida	33615	United	States 2014-12-12
katie	boylan	Clarksville	Tennessee	37043	United	States 2014-12-12
Jenna	Jones	Concord	North			Carolina 28027 United
Amanda	Gardner	Concord	North			Carolina 28025 United
Amy	Cancio	Tampa	Florida	33616	United	States 2014-12-12
kristi	stephens	Concord	North			Carolina 28027 United
Jessica	Rhoden	Charlotte	North			Carolina 28027 United
terry	tyner	Concord	North			Carolina 28025 United
Richard	Tarlton	Concord	North			Carolina 28027 United
Shirley	Seenes	Bolivia	North			Carolina 28422 United
Darryl	Wedding	charlotte	North			Carolina 28215 United
cw	smith	Marshville	North			Carolina 28103 United
camala	Murray	Tampa	Florida	33626	United	States 2014-12-12
Cory	Sutton	Troy	North			Carolina 27371 United
Maggie	Hailey	Wilson	North			Carolina 27896 United
tim	dibbert	Concord	North			Carolina 28025 United
Ronald	Jones	Warren	Michigan	48092	United	States 2014-12-12
aubrey	boynton	Windham	Ohio	44288	United	States 2014-12-12
Harriette	Griffin	Raleigh	North			Carolina 27608 United
jennifet	vicaro	New				Port
Frank	feitz	Palm				Harbor Florida 34681 United
becky	britt	Ruskin	Florida	33570	United	States 2014-12-12
Sara	Hester	Tampa	Florida	33635	United	States 2014-12-12
randy	clark	Spindale	North			Carolina 28160 United
kimberly	Stirewalt	Kannapolis	North			Carolina 28083 United
Taylor	Jones	Warren	Michigan	48092	United	States 2014-12-12
Sanantha	Garloch	Oak				Park Michigan 48237 United
Kate	Stemple	Charter Township of Clinton				Michigan 48035 United
JoAnn	Toughill	Concord	North			Carolina 28027 United
joey	stockton	Tampa	Florida	33635	United	States 2014-12-12
Robert	Hultman	Kannapolis	North			Carolina 28083 United
Kathleen	Clarke	Kannapolis	North			Carolina 28083 United
cassie	mcnutt	Leland	North			Carolina 28451 United
Victoria	Roth	Concord	North			Carolina 28027 United
Cody	Lovell	Kannapolis	North			Carolina 28081 United
Austynn	Rains	Oak				Island North
Ryan	Coons	San				Diego California 92129-1809 United
Terri	Kafka	Concord	North			Carolina 28027 United
Kevin	Miller	Concord	North			Carolina 28025 United
Michael	Meisenheimer	Concord	North			Carolina 28025 United
kristianna	watson	Kannapolis	North			Carolina 28081 United
Nicole	Orr	Kannapolis	North			Carolina 28083 United
Phillip	Hartsell	Midland	North			Carolina 28107 United

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Sunshine	Hancock Kannapolis North				Carolina28083United
Richard	Prymock SalisburyNorth				Carolina28146United
keith	christy Concord North				Carolina28025United
Hazel	MynesConcordNorth				Carolina28025United
Lucus	LewisWilmingtonNorth				Carolina28403United
Jalisa	harrold Tampa Florida	33617	United		States2014-12-12
Alexander	nary Kannapolis North				Carolina28081United
Sydney	Dail Snow				HillNorth
Bobbi	Meisenheimer Concord North				Carolina28025United
Nikki	Toughill Concord North				Carolina28027United
Amanda	Smalley Kannapolis North				Carolina28081United
Amanda	Curlee Mount				PleasantNorth
barbara	proffitt North				StreetMichigan48049United
Kimberly	Van Der Meid				NorthCarolina 28107 United
jessie	gibson tampa Florida	33262	United		States2014-12-12
Sharon	Sheets GastoniaNorth				Carolina28052United
Joe	Gibson Newport Rhode				Island02840United
heather	starnes CharlotteNorth				Carolina28262United
JD	Shaddock Kannapolis North				Carolina28081United
Rick	PaquetteConcord North				Carolina28027United
Mary	WilliamsonOak				IslandNorth
frank	rehak RockwellNorth				Carolina28138United
Mary	JenkinsNewportNorth				Carolina28570United
Michaela	Cartagena Lucama North				Carolina27851United
Christina	Yoakum Tampa Florida	33625	United		States2014-12-13
Kyle	McLain Concord North				Carolina28027United
Beth	MynesMount				Nebo West
Stephanie	Conley LakelandFlorida	33803	United		States2014-12-13
fran	and fred wilson North Carolina				27893United
Nancy	GimenezOdessa Florida	33556	United		States2014-12-13
Renee	Redfield Lenexa Kansas	66220	United		States2014-12-13
Amanda	BarrierConcordNorth				Carolina28025United
Sabrina	Rinehardt Concord North				Carolina28025United
Robert	Hayer Stanfield North				Carolina28163United
Billy	SuttonTroyNorth				Carolina27371United
Angela	Smith Cayce South				Carolina29033United
Brandon	smithConcordNorth				Carolina28027United
Brittany	vandermeid Midland North				Carolina28107United
Andrea	LockwoodMiamiFlorida	33133	United		States2014-12-13
deborah	sutton concord North				Carolina28025United
ginny	rimolde duluth Minnesota	55803	United		States2014-12-13
Dylan	talley Tampa Florida	33635	United		States2014-12-13
Kristen	kreme Tampa Florida	33635	United		States2014-12-13
Matthew	DerrOak				IslandNorth
Rachel	Diedrich Davison Michigan	48423	United		States2014-12-13
amenda	Smith Kannapolis North				Carolina28081United
Denise	Diedrich Davison Michigan	48423	United		States2014-12-13
Andrew	Hercula Warren Michigan	48092	United		States2014-12-13
James	Linck Detroit Michigan	48206	United		States2014-12-13

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Carolina28465United States2014-12-13

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Jacob	Martin	Southfield	Michigan	48034	United	States	2014-12-13
Donovan	Carter	Warren	Michigan	48092	United	States	2014-12-13
Adam	Javery	Warren	Michigan	48092	United	States	2014-12-13
Ashton	Folse	Pikeville	North			Carolina	27863
Brooks	Tarte	Monroe	North			Carolina	28112
cassandra	salazar	Concord	North			Carolina	28025
Krystal	Correal-Tippie	Marysville	Ohio	43046		States	2014-12-13
Daniel	Schulz	Warren	Michigan	48091	United	States	2014-12-13
Randall	Deese	Pageland	South			Carolina	29728
alice	slemmer	STRASBURG	Ohio	44680114		States	2014-12-13
Heather	Carpenter	Concord	North			Carolina	28025
Kelly	Alexander	Kannapolis	North			Carolina	28081
Cedar	Pieprzyk	East				Lansing	Michigan
John	Shaddock	Concord	North			Carolina	28025
James	Mills	Kannapolis	North			Carolina	28081
Jessica	Mineo	Tampa	Florida	33615	United	States	2014-12-13
Autumn	schild	Fort				Mill	South
Christopher	Funk	Southport	North			Carolina	28461
Anthony	Cholag	Ferndale	Michigan	48220	United	States	2014-12-13
Randy	Yoakum	Mango	Florida	33550	United	States	2014-12-13
Jeanne	Baloy	Tampa	Florida	33635	United	States	2014-12-13
Heather	Jabbouri	Macomb	Michigan	48044	United	States	2014-12-13
Anthony	Robison	Concord	North			Carolina	28025
devynn	rains	Rochester	Michigan	48307	United	States	2014-12-13
Karen	Gallman	Concord	North			Carolina	28027
Julia	Parrazal	Gold				Hill	North
Ryan	Yandle	Southport	North			Carolina	28461
Ryan	Sharpe	Midland	North			Carolina	28107
Penny	Godwin	Peachland	North			Carolina	28133
maci	billiot	Greenville	North			Carolina	27858
maria	mcvey	Lucama	North			Carolina	27851
Jessica	Miskena	West				Bloomfield	Michigan
Darren	Mitton	Avondale				Estates	Georgia
Katie	Moseff	Oakboro	North			Carolina	28129
Ashley	Hedgepath	boone	North			Carolina	28607
theresa	rains	Oak				Island	North
kyle	buck	Harrisburg	North			Carolina	28075
Sean	Yalda	Ann				Arbor	Michigan
russell	newman	Wilson	North			Carolina	27896
Amanda	Fowler	San				Francisco	California
Nathan	Leach	Concord	North			Carolina	28027
kellie	miller	Concord	North			Carolina	28027
Whitney	Campbell	Marshville	North			Carolina	28103
Jeff	Toughill	Concord	North			Carolina	28027
kyle	broflowski	Concord	North			Carolina	28025
Jerry	Brantley	Lucama	North			Carolina	27851
audrey	Porterfield	Oak				Island	North
Brittany	Stroupe	Boone	North			Carolina	28608
Kris	Parks	Rock				Hill	South

Sheet1

Charlotte	Murray	Dunedin	Florida	34698	United	States	2014-12-14
Cassandra	Lockwood	Miami	Florida	33133	United	States	2014-12-14
Jennifer	Meloy	Concord	North			Carolina	28025
Adam	B.Greensboro	North				Carolina	27403
Vanessa	Thompson	Wilson	North			Carolina	27896
Jimmy	bissette	Fuquay				Varina	North
Heather	Newman	Wilson	North			Carolina	27896
Tara	Farnham	Concord	North			Carolina	28025
Hayley	Carter	Madison				Heights	Michigan
Kimberly	Rennie	Sewell	New			Jersey	08080
Waripa	Myers	Blacklick	Ohio	43004	United	States	2014-12-14
Aaron	Toughill			3810	Australia		2014-12-14
Susan	Anderson	Concord	North			Carolina	28025
Iris	Parslow	Wilmington	North			Carolina	28412
Amanda	Rennie	Sewell	New			Jersey	08080
Geoff	Toughill			3200	Australia		2014-12-14
Claire	calfee	Lutz	Florida	33548	United	States	2014-12-14
mark	williams	Dade				City	Florida
Mathew	Bauer	Tampa	Florida	33635	United	States	2014-12-15
Jacob	Toughill	Blacklick	Ohio	43004	United	States	2014-12-15
Kevin	Strube	Mount				Pleasant	North
Linda	Atkinson	Kill Devil Hills	North			Carolina	27948
Jessica	Holland	Charlotte	North			Carolina	28216
Samantha	Brothers	Saint				Petersburg	Florida
Trey	Owen	Charlotte	North			Carolina	28211
Tom	Patton	Winston				Salem	North
Joseph	Brewster	Warren	Michigan	48092	United	States	2014-12-15
Janetta	Hawkins	Charlotte	North			Carolina	28209
Naomi	Wyche	Kannapolis	North			Carolina	28083
Amanda	richard	China				Grove	North
jessica	hitzing	Pontiac	Michigan	48340	United	States	2014-12-15
tawny	mcintosh	Charlotte	North			Carolina	28205
Katie	Gomio	Charlotte	North			Carolina	28227
Jessica	Burgess	Mooresville	North			Carolina	28117
Kristen	Adams	Matthews	North			Carolina	28105
Nicole	Stephens	Safety				Harbor	Florida
abe	garcia	Tampa	Florida	33615	United	States	2014-12-15
Tara	Nation	Webb				City	Missouri
David	Massey	Lenexa	Kansas	66219	United	States	2014-12-15
Hannah	Mynes	Oak				Island	North
David	Friedemann	Plant				City	Florida
Lee	Hill	Davidson	North			Carolina	28036
Terry	Witt	Lee's				Summit	Missouri
Pamela	Witowski	Kalkaska	Michigan	49646	United	States	2014-12-15
Miranda	Brenner	Charter Township of Clinton	Michigan			48036	United
Taylor	Turosz	Tampa	Florida	33612	United	States	2014-12-15
Denitra	Britt	Tampa	Florida	33602	United	States	2014-12-15
Justin	Barton	Bella				Vista	Arkansas
Robert	Ellis	Kannapolis	North			Carolina	28082

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debbie	hite North	StreetMichigan48049United
john	DeRaimo Charleston West	Virginia25314United
Amanda	Barbee Concord North	Carolina28027United
John	Bogle Saucier Mississippi 39574	UniteStates2014-12-16
Erin	Ozanic Pikeville Tennessee 37367	UniteStates2014-12-16
Carolyn	Price Fernandina	BeachFlorida32034United
Langston	GardnerConcordNorth	Carolina28025United
Yemar	Puello Tampa Florida 33614	United States2014-12-16
Matt	MinkOak	IslandNorth
Kemet	Ellis Kannapolis North	Carolina28081United
brad	Broughton Summerville South	Carolina29485United
Rosemary	massey Lenexa Kansas 66219	United States2014-12-16
Kimberly	PowellHarrisburgNorth	Carolina28075United
Michelle	Meeks Kannapolis North	Carolina28082United
Antonette	Marlow Maiden North	Carolina28650United
Merideth	Flagg Concord North	Carolina28027United
Kimberly	Howell Kannapolis North	Carolina28083United
Melissa	ClaytonTampaFlorida33635United	States2014-12-16
Lois	Dilks Concord North	Carolina28025United
Ariel	cholag Ferndale Michigan48220	United States2014-12-16
ulianov	Lombardia Tampa Florida 33614	UniteStates2014-12-16
Chris	Dilks Concord North	Carolina28025United
Noah	MorrisonConcordNorth	Carolina28027United
Ariene	DuranTampaFlorida33634United	States2014-12-16
Alexandria	DixonConcordNorth	Carolina28025United
billie	cookCocoaFlorida32927United	States2014-12-16
rorv	nicoson Supply North	Carolina28462United
sarah	carlson Southport North	Carolina28461United
nate	tate Concord North	Carolina28027United
marlene	busser Concord North	Carolina28027United
Evangelos	Foutris Royal	OakMichigan48073United
B	Jean	RollinsRaleighNorth
Silvia	LewisCharlotteNorth	Carolina28215United
Kayla	Quillin KalkaskaMichigan49646	United States2014-12-16
Richard	Amato Tampa Florida 33635	United States2014-12-16
Lauren	EarhartAtlantaGeorgia30313United	States2014-12-16
louise	haithcock Liberty North	Carolina27298United

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December 12, 2014

To whom it may concern,

My name is Todd Propst and my wife and I are the owners of the property located at 1875 Warren Coleman Blvd. I hope you will consider the variance on this property. I have meet with Marcus to discuss what I expect from my tenants both on how they run their business and how the outside of my buildings is to be maintained. I feel confident that Marcus will run a professional business located here.

Again I am asking you to allow him the variance he needs to open his business as I also have a small business located on the same property. As a small business owner we need as much help as we can get in order to make a living and to provide for our families.

If you have any questions please do not hesitate to give me a call.

Thank you,

A handwritten signature in black ink, appearing to read "Todd Propst", with a long horizontal line extending to the right.

Todd Propst

T.E.R.A.P. LLC

Email: [tpropst8712@gmail.com](mailto:tpropst8712@gmail.com)

Cell: 704-795-8120

# Cities That Surround Concord

## &

# The Zoning Regulations

*The below information, from what I have been told, is true and accurate. It can be verified with the corresponding zoning officer at the provided numbers.*

1

#	City	Contact	Phone #	Zoning Regulation
1.	Concord	<b>Craig Thomas</b>	704-920-5131	Tattoo parlors shall be separated by at least five hundred (500) feet from any residential district, existing residential use, religious institution use, day care use, public park, or school(elementary, middle, or senior high)
2.	Charlotte	Shad Spencer	704-353-1132	Each tattoo parlor shall be separated by 400 ft between each other. <b>No sub-regulation distance requirements from residence, church ect.</b>
3.	China Grove	Franklyn Grover	704-216-8588	Conditional use permit required (\$500) for tattoo parlors. <b>No sub-regulation distance requirements from residence, church ect.</b>
4.	Mathews	Mary Joe Goldnitz	704-708-1229	No restrictions <b>at all</b> if in proper zone (General retail) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
5.	Landis	Reed Linn	704-857-2411	No restrictions <b>at all</b> if in proper zone (B-3) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
6.	Mint Hill	John Hoard	04-545-9726	No restrictions <b>at all</b> if in proper zone (General Retail) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
7.	Mount Pleasant	Andy Goodall	704-933-5990	Conditional use permit required (\$500) for tattoo parlors. <b>No sub-regulation distance requirements at all from residence, church ect.</b>
8.	Kannapolis	Daniel Williams	704-933-5999	Conditional use permit required (\$600) for tattoo parlors. <b>No sub-regulation distance requirements at all from residence, church ect.</b>
9.	Harrisburg	Wayne Krimminger	704-455-0708	Conditional use permit required (\$400) for tattoo parlors. <b>No sub-regulation distance requirements at all from residence, church ect.</b>

10.	Huntersville	Bradley Priest	704-875-7000	No restrictions <b>at all</b> if in proper zone (General commercial) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
11.	Albemarle	Keith Wolfe	704-984-9400	No restrictions <b>at all</b> if in proper zone (General commercial) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
12.	Mooresville	Rebecca Harper	704-878-3118	No restrictions <b>at all</b> if in proper zone (General Retail) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
13.	Salisbury	Preston Mitchell	704-638-5244	No restrictions <b>at all</b> if in proper zone (General Retail) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
14.	Gastonia	Drew Pearson	704-866-6760	No restrictions <b>at all</b> if in proper zone (UMU District) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
15.	Enochville	Becky Bost	704-216-8588	No restrictions <b>at all</b> if in proper zone (CBI District) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
16.	Locust	Scott Efrid	704-888-5260	No restrictions <b>at all</b> if in proper zone (HC Zone) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
17.	Belmont	Alex Robinson	704-825-5586	No restrictions <b>at all</b> if in proper zone (HC Zone) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
18.	Midland	Richard Flowe	704-888-2232*1 7	No restrictions <b>at all</b> if in proper zone (General Retail) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
19.	Statesville	Elaine Anthony	704-878-3574	No restrictions <b>at all</b> if in proper zone (B3 & CB Zone) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
20.	Oakboro	Mike Eaford	704-485-3351	No restrictions <b>at all</b> if in proper zone (General Retail) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
21.	Rockwell	David Flowe	704-279-2180	No restrictions <b>at all</b> if in proper zone (General Retail) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
22.	Fairview	Ed Humphrys	704-753-1981	Conditional use permit required (\$400) for tattoo parlors. <b>No sub-regulation distance requirements at all from residence, church ect.</b>

23.	Weddington	Julian Berton	704-846-2709	Conditional use permit required (\$400) for tattoo parlors. <b>No sub-regulation distance requirements at all from residence, church ect.</b>
24.	Marshville	David Flowe	704-624-2515	No restrictions <b>at all</b> if in proper zone (General Retail) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
25.	Davidson	Alison Adams	704-940-9627	No restrictions <b>at all</b> if in proper zone (General Retail) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
26.	Lincolnton	Mark Carpenter	704-736-8930	No restrictions <b>at all</b> if in proper zone (General Retail) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
27.	Lexington	Josh Monk	336-248-3900	No restrictions <b>at all</b> if in proper zone (General Retail) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
28.	Thomasville	Molly Powell	229-227-3306	No restrictions <b>at all</b> if in proper zone (C-1 Zone) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
29.	Denver	Randy Hawkins	229-227-7001	Conditional use permit required (\$400) for tattoo parlors. <b>No sub-regulation distance requirements at all from residence, church ect.</b>
30.	Hickory	Holly Hogg	828-323-7422	No restrictions <b>at all</b> if in proper zone (N-C, CC1, CC2, C1, C2, C3) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
31.	Morgantown	Lee Anderson	828-438-5260	No restrictions <b>at all</b> if in proper zone (General Retail) <b>No sub-regulation distance requirements at all from residence, church ect.</b>
32.	High Point	Bob Robbins	336-883-3328	No restrictions <b>at all</b> if in proper zone (General Business) <b>No sub-regulation distance requirements at all from residence, church ect.</b>

Out of these 32 cities that surround concord, only seven of them have conditional use permits required, including numbers 3,7,8,,22,23,29. Out of the remaining cities, absolutely NONE have any sub-regulations distance requirements, as long as they are in the proper zone. This is wildly unfair and unrealistic to impose such a regulation against tattoo parlors. Vote now to change the law to a 300 ft. rule instead of 500 ft from residence church ect.

Thank you, Marcus M. Mynes

**change.org**  
Elysium Ink

Recipient: Concord NC Zoning Commission Board

Letter: Greetings,

Tattoo Parlors sub-regulations are unfair, and should be changed from the rule of being 500 Ft. away from residence, park, church, and school to only 300 Ft.!

# Comments

Name	Location	Date	Comment
Marcus Mynes	Concord, United States	2014-12-12	<p>I was told by the Concord NC zoning office that I WAS allowed to open my tattoo parlor at my specified location (1875 warren c coleman blvd) over the phone. Therefore I spent over \$8000 renovating this building and decorating getting ready to open. After two months and \$8000 later, I go to get my business license and am told by the zoning office, and i quote" oops we forgot to tell you about the sub-regulations distance requirement...you need to be 500 feet from a residence and there is a house 319 feet from your building!" Unquote</p> <p>This was a huge shock and wildly angering piece of vital information i should have received 2 months ago!!! So I was told that the only way I will still be allowed to open is by getting the zoning commission board members to vote and change the rule to 300 ft. Board members that vote on zoning issues include: Barbara J. Walker (Chair), Randall Peterman (Vice-Chairman), Terry B. Austin, R. Carpenter, Coleman Keeter, Clyde Kluttz, Jr., Alternate members include, Terry Crawford, and Hector Henry, III</p>
jeremy mynes	tampa, United States	2014-12-12	<p>I believe the stigmas against tattoos and piercings are an archaic belief system and are completely unfair when it comes to workplace and community acceptance.</p>
katie boylan	Clarksville, TN	2014-12-12	I support tattoo artists.
Jenna Jones	Concord, United States	2014-12-12	I agree strongly with this.
Amanda Gardner	Concord, NC	2014-12-12	A tattoo shop is not a club/bar; it is an art studio.
Amy Cancio	Tampa, FL	2014-12-12	Marcus spent a lot of money investing in his new structure only to be told he isn't within a certain limit. That is unfair. Not to mention he was misinformed of uninformed of the rule.
kristi stephens	Concord, NC	2014-12-12	Trying to help
Richard Tarlton	Concord, NC	2014-12-12	This is a unfair law.
Shirley Seenes	Bolivia, NC	2014-12-12	A tattoo isn't gonna hurt anybody why there is a restriction on where it can be is beyond me.
camala Murray	Tampa, FL	2014-12-12	tattoo's are a representation of expression. This is not harmful to anybody, if u dont agree dont go in.
Ronald Jones	Warren, MI	2014-12-12	This seems discriminatory towards a specific business. they not selling guns or porn. Its not a liquor store or a bar. Lighten up already.
Frank feitz	Palm Harbor, FL	2014-12-12	The playing field should be level
kimberly Stirewalt	Kannapolis, NC	2014-12-12	I agree with Marcus
Taylor Jones	Warren, MI	2014-12-12	Discrimination against tattoo parlors and tattooed people. Tattoos are an art form. Don't judge people by the colors of their skin!
Joann Toughill	Concord, United States	2014-12-12	Come on Concord, be part of the solution not the problem. Tattoos are a are a norm in society. There should be no stigma or exceptional rules placed on them or the business establishment that provides them.
Kimberly Miller	Tolland, CO	2014-12-12	This law is dumb and unfair to tattoo shops. Doctors lawyers and high class citizens have and enjoy tattoos. A tattoo shop should not be treated like a club or bar and should have fair zoning laws!

Name	Location	Date	Comment
Michael Meisenheimer	Concord, NC	2014-12-12	Tattoos have been giving a bad rap, but the people getting tattoos these days range from store clerks to teachers. Tattoos are going across walks of life so the places where tattoos are giving should be allowed to be near these places for ease of everyone.
Hazel Mynes	Oak Island, NC	2014-12-12	Please change zoning rules to line up with neighboring counties at 300 ft distance instead of 500 ft
Sydney Dail	Snow Hill, NC	2014-12-12	Its unfair he spent so much money getting the place ready then gets told he can't open it because of zoning rules.
barbara proffitt	North Street, MI	2014-12-12	how will he make a living now that he invested so much money and wasn't made aware of the restriction before doing so?
JD Shaddock	Kannapolis, NC	2014-12-12	Gone through it!
Mary Williamson	Oak Island, NC	2014-12-12	It's a business the community would benefit from
Mary Jenkins	Newport, NC	2014-12-12	I believe in the cause!!!
michaela cartagena	lucama, NC	2014-12-12	I'm signing because I believe in Marcus and support his passion!
Kyle McLain	Concord, NC	2014-12-13	This law is unfair.
Nancy Gimenez	Odessa, FL	2014-12-13	I would love to see nothing more than for this man to get his dream going!!!
Sabrina Rinehardt	Concord, NC	2014-12-13	Sabrina Rinehardt that's crazy and just wrong and if happened to you You would be mad and doing the same Not out \$8000 and walk away really no you wouldn't so why should they...????!!!!
Brandon smith	Concord, NC	2014-12-13	I Like Tattoos
Rachel Diedrich	Davison, MI	2014-12-13	my best friend owns a tattoo shop!!!
DeniseDenise Diedrich	Davison, MI	2014-12-13	I love tattoo shops
Andrew Hercula	Warren, MI	2014-12-13	Thats bullshit!
Donovan Carter	Warren, MI	2014-12-13	I believe certain laws are outdated and this is one of them.
Brooks Tarte	Monroe, NC	2014-12-13	Tattooing is a professional form of art. A tattoo parlor doesn't pose a threat to surrounding residences, churches, schools, or businesses as long as it is run by professionals.
alice slemmer	STRASBURG, OH	2014-12-13	I feel she should have been told of this zoning code. Before she spent all thisoney to open up a business. A business that I should remind you that would bring money and people into your town. Oh and let's not forget the tax money money and jobs. I certainly hope you will reconsider your position on this matter.
John Shaddock	Concord, NC	2014-12-13	Im a professional piercer
Christopher Funk	Southport, NC	2014-12-13	Tattoo artist.
maci billiot	Greenville, NC	2014-12-13	Allowing small businesses a chance to thrive
maria mcvey	Lucama, NC	2014-12-13	I believe
chad newman	Wilson, NC	2014-12-13	I believe in equal opportunity for everuone. Especially business owners trying to make a clean environment to serve the community.
kellie miller	Concord, NC	2014-12-13	Thats not right to do to people who make that their lifes work an I know that Marcus is a great tattoo artist.
jeffrey toughill	concord, NC	2014-12-14	Because its a free country
kyle broflowski	Concord, NC	2014-12-14	I believe in supporting tattoos as much as the right to vote.STOP THIS UNFAIR LAW!
Audrey Porterfield	Oak Island, NC	2014-12-14	These regulations are rediculous. Who cares how close they are to churches etc...

Name	Location	Date	Comment
CJ Lockwood	London, United Kingdom	2014-12-14	Children will be exposed to tattoos regardless of this law. Statistically speaking, it is highly likely that their own family members are tattooed. Restricting the location of a tattoo parlour for moral reasons is absolute archaic nonsense! This is 2014, tattoos have represented American popular culture for years and if administered safely pose no risk to the public whatsoever.
jennifer meloy	kannapolis, NC	2014-12-14	Im signing because I think its unfair to do this to buisness owners, why is it so bad, its like tatoo parlors are being put in the same category as bars clubs etc why is this, get real people, is it really that big of a deal I feel like people are getting more and more critical of tattooed people
mark williams	Dade City, FL	2014-12-14	These aren't pedophiles, they're artists. Most all are family owned business. They follow all laws and sterilization factors. The only pain anyone receives are the patrons who are of age and requesting it.
Mathew Bauer	Tampa, FL	2014-12-15	Because My cousin Marcus Michael Mynes is guy who is just trying to make a living on something he loves doing!! Don't deny someone that
Linda Atkinson	Kill Devil Hills, United States	2014-12-15	The sub-regulation is unfair. Information regarding this regulating should have been explained BEFORE money was spent! I really feel this is very unfair and should be rectified immediately !!!!
Jessica Holland	Charlotte, United States	2014-12-15	I SUPPORT LOCAL ARTISTS!!! HACK THE PLANET!
Trey Owen	Charlotte, United States	2014-12-15	Inconsistent zoning regulations, especially one that is such a significant outlier, is bad for all businesses, not just the ones unfairly targeted. This added complexity unnecessarily increases cost for any business seeking to grow in the region, and would therefore decrease job growth.
jessica hitzing	Pontiac, MI	2014-12-15	I support this reasoning
Tara Nation	webb city, MO	2014-12-15	I agree with this!
John Bogle	Saucier, MS	2014-12-16	Zoning and permits should be standard across the board unless there is a verifiable reason.
Kimberly Howell	Kannapolis, NC	2014-12-16	its time to get past the stereotypical view and let business owners make a living
Noah Morrison	Concord, NC	2014-12-16	Because I believe in the basic human right to pursue a career.
Alexandria Dixon	Concord, NC	2014-12-16	We need some more good tattoo shops in concord
billie cook	Cocoa, FL	2014-12-16	i believe
rory nicoson	Supply, NC	2014-12-16	+it is my right to petition
Nathan Tate	Concord, NC	2014-12-16	Equal rights for small business of any kind. Shouldn't matter if your selling computers or tattoos.
Kayla Quillin	Kalkaska, MI	2014-12-16	Freedom isn't free, so why does the government have to take it away.
louise haithcock	Liberty, NC	2014-12-16	It unfair to class tattoo palors as indecent and a danger to churches and children.

## Memo

**To:** Planning and Zoning Commission

**From:** Kevin E. Ashley AICP Planning and Development Manager

**Date:** January 20, 2015

**Re:** Consideration of a Text Amendment Relative to Self-Service Storage Facilities in the C-2 Commercial Zoning District

At the December meeting, Ginger Moore of Carlos Moore Architects presented a request to amend the CDO to remove the requirement in the C-2 zoning district that self-service storage facilities (also known as mini-warehouses) must have a separate retail or office component. After discussion of the matter, it was the consensus of the Commission that an ordinance amendment be drafted for their consideration at this meeting.

Staff has prepared an amendment that takes out the retail/office requirement and replaces it with a standard that requires that such developments minimize visibility from a public right-of-way. The uses could be adequately screened with a combination of landscaping, walls or in some instances, the placement of an intervening commercial use between the street and the mini-warehouses. As these uses will remain as a special use in C-2, compliance with this item could be reviewed on a case-by-case basis and the Commission would discuss compliance with this standard during deliberations on granting or denying the permit.

The amendment is in approval form and may be forwarded to Council for January consideration.

## **E. Mini-Warehouse/Self-Service Storage**

### **1. PURPOSE**

This Section sets standards for the establishment and maintenance of safe and attractive mini-warehouse developments that will remain a long-term asset to the community. The use of land for mini-warehousing/self-service storage shall be permitted as set forth in the Use Table subject to the criteria below.

### **2. MINIMUM/MAXIMUM LOT SIZES**

- A. Minimum lot size - one (1) acre
- B. Maximum lot size - none in the I-1 and I-2 Districts. All other districts have a maximum lot size of five (5) acres.

### **3. BUILDING ARTICULATION**

- A. The building height shall not exceed 48 feet and comply with the setbacks of Table 7.6.2 B.
- B. A parapet wall shall be constructed to screen roof-mounted heating and air conditioning and other equipment, if any.
- C. The exterior facades of all structures shall receive uniform architectural treatment, including masonry, stucco, brick, stone, EIFS, split face block, etc. and painting of surfaces. The colors selected shall be compatible with the character of the neighborhood. Metal may not be used on any perimeter wall of any building. The front façade of all structures shall comply with Article 7.10.
- D. Storage bay doors shall not face any abutting property located in a residential district, nor shall they be visible from any public street.

### **4. LANDSCAPING SCREENING AND BUFFERING**

- A. A type "B" buffer yard as prescribed in Article 11 shall be provided around the perimeter of the mini-warehouse development.
- B. Signs or other advertising mediums shall not be placed within the buffer yard.
- C. All areas on the site not covered by pavement or structures shall be brought to finished grade and planted with turf or other appropriate ground cover(s) and shall conform to the standards and planting requirements of Article 11.
- D. Outdoor storage areas shall be located to the rear of the principal structure and be screened with a wooden fence, masonry wall, or type no less than eight (8) feet in height. The Administrator may permit a landscaped buffer that

provides complete visual screening with a berm in some cases.

**5. ON-SITE MANAGER OR SECURITY SYSTEM REQUIRED**

No facility herein provided for shall be used or maintained unless and until an on-site manager shall be provided for such facility, or a security system has been installed.

**6 .COMMERCIAL ACTIVITY PROHIBITED**

It shall be unlawful for any owner, operator or lessee of any storage warehouse or portion thereof to offer for sale, or to sell any item of personal property or to conduct any type of commercial activity of any kind whatsoever other than leasing of the storage units or other associated activities, or to permit same to occur upon any area designated as a storage warehouse.

**7. PROHIBITED USES**

- A. No portion of any Mini-Warehouse/self-service storage shall be used, on a temporary or permanent basis, as a dwelling.
- B. Repair of Autos, Boats, Motors and Furniture Prohibited; Storage of Flammable Liquids Prohibited
- C. Because of the danger from fire or explosion caused by the accumulation of vapors from gasoline, diesel fuel, paint, paint remover, and other flammable materials, the repair, construction, or reconstruction of any boat, engine, motor vehicle, or furniture, and the storage of any propane or gasoline engine or propane or gasoline storage tank is prohibited within any structure on a tract of land designated as a mini-warehouse. All mini-warehouse units shall be made available for inspection by the Fire Marshal for uses of the property for purposes other than dead storage.

**8. LIGHTING**

All outdoor lights must be shielded to direct light and glare only onto the Lot or Parcel which the Mini Warehouse is located. Lighting and glare must be deflected, shaded and focused away from any adjoining residential property.

**9. OUTSIDE STORAGE**

No outside storage shall be permitted except for the storage of recreational vehicles per paragraph 13.d. Outdoor Storage areas shall not be permitted within a required setback or perimeter buffer;

**10. ACCESSIBILITY**

Vehicular ingress-egress locations into the property shall provide for the safe access of customers and emergency vehicles.

## 11. OFF-STREET PARKING STANDARDS

- A. Location of Customer Parking. Parking shall be provided by parking/driving lanes adjacent to the buildings.
- B. Interior Travel Lanes. Interior travel lanes shall have a minimum width of (12) feet for one way travel lanes and (24) feet for two way travel lanes.
- C. Off-street Parking. One parking space is required for every 200 storage units with a minimum of two spaces required. The parking spaces shall be provided adjacent to the manager's office.
- D. Vehicular Storage. Required parking spaces shall not be rented as, or used for, vehicular storage. However, additional parking area may be provided for recreational vehicle storage so long as it complys with 8.3.6.E.6.

## 12. ACCESSORY USES

The sale of customary equipment and supplies, such as hand trucks, straps, and tape, are permitted on site.

## 13. DEVELOPMENT IN C-2 DISTRICTS

Mini warehouse facilities may be developed in C-2 zoning districts provided that visibility from the public right-of-way is minimized. This standard may be accomplished through a combination of landscaping, screening, fences/walls or through the placement of an intervening use between the public right-of-way and the mini-warehouse use.

**Deleted:** only if they are part of a combined development with at least 25% of the site devoted to retail or office uses. Such uses shall be placed in front of the storage use.