

DATE: December 16, 2014

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

CASE: SUP-07-14

APPLICANT: Brian LeRiche/Functional Training Studio, Inc.

LOCATION: 8018 Myint Lane
PIN 4680-25-2129

AREA: 1.0+/- 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 structure east of Derita Road. Fitness centers are permissible in the Light Industrial district as a special use permit.

The structure consists of approximately 11,250 square feet, and was constructed in 2012. The petitioner proposes to lease one unit of approximately 2,300 square feet in the five unit complex. Other uses within the structure include a carpet cleaning office and a motorsports related office.

The property shares a common driveway with two properties to the west, which were also developed and owned by Keystone Properties. All properties have interconnected driveways, where it is possible to travel between parcels to the east and vehicular traffic is able to maneuver between the two parcels. Fourteen (14) parking spaces are available on the subject property. Additional parking is available on the neighboring properties in the unlikely event that it is needed. This adjacent property is a multi-tenant office/light industrial structure and at the time of site inspection by staff, the parking lot was not fully utilized. The CDO requires that three (3) parking spaces be provided for the proposed use.

The petitioner states that his facility is for small groups and individuals by appointment only and walk-ins are not permissible. 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. In 2013, the Commission approved a gymnastics academy/fitness center within the building located directly to the west.

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 Mynit Lane, which is a public street. The proposed use will necessitate the provision of three (3) parking spaces. Fourteen parking spaces are available for use on the subject property. As training sessions are for small groups 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 applicant is Brian LeRiche/Functional Training Studio, Inc., LLC, and the subject property is located at 8018 Myint Lane, Suite 130.
2. The property is owned by Keystone Properties and Development LLC (DB 8560, PG 103).
3. The subject property is zoned I-1 (Light Industrial)
4. The petitioner proposes to establish a personal training facility on the subject property, which is defined by the CDO as a “fitness facility.” 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, 300 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

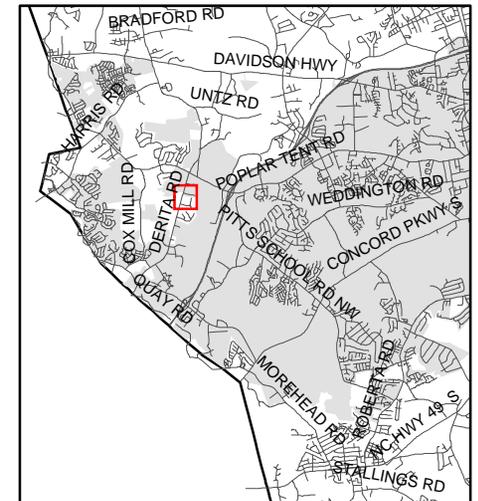
Should the Commission votes to approve the Special Use Permit Application, staff recommends the Commission consider adopting of the following conditions:

- 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.

**SUP-07-14
ZONING MAP**

**Special Use Permit Application
Development of a Fitness Center
in a Limited Industrial (I-1)
Zoning District**

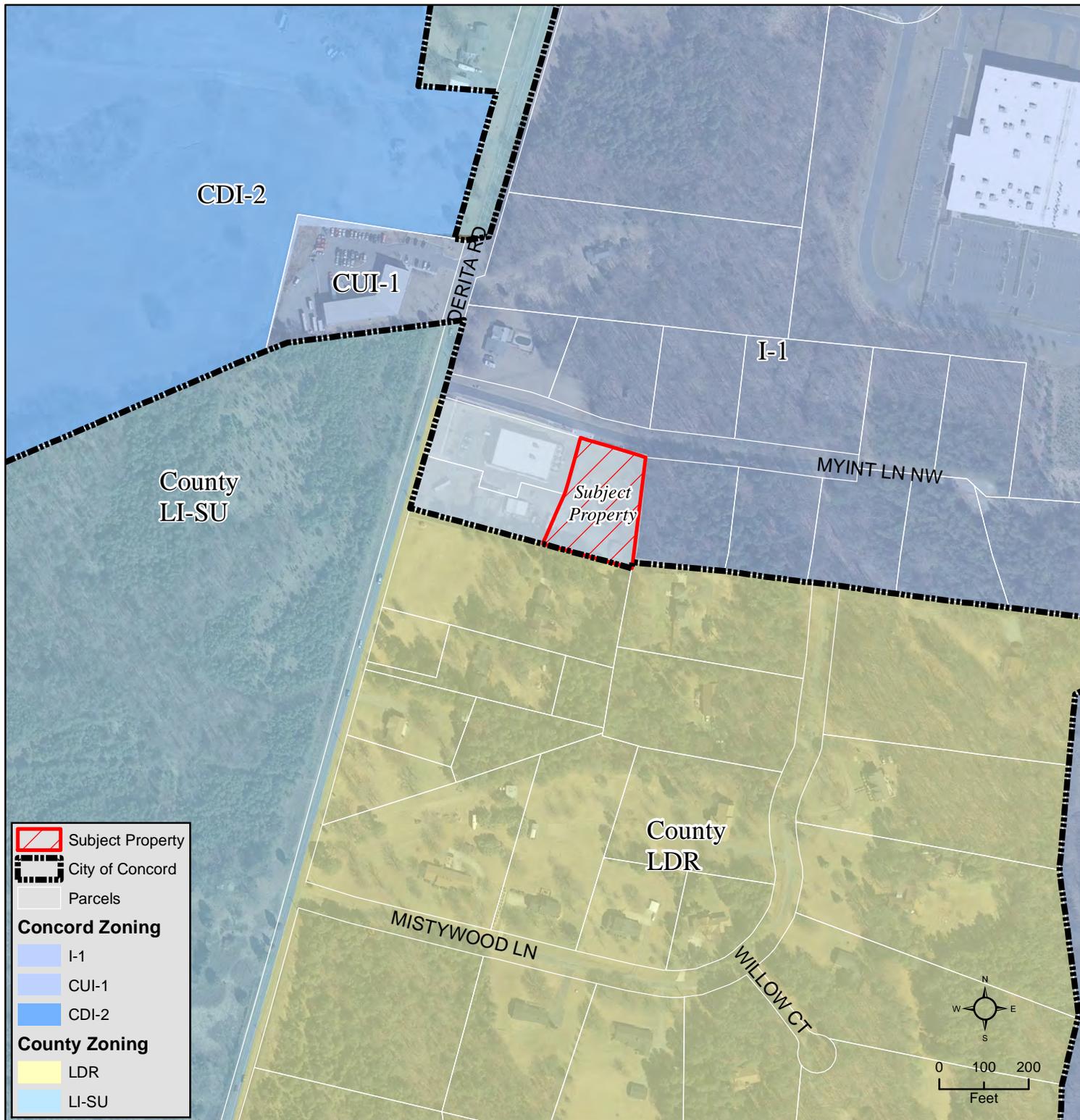
8018 Myint Ln NW
PIN: 4680-95-2129



Source: City of Concord
Planning Department

Disclaimer

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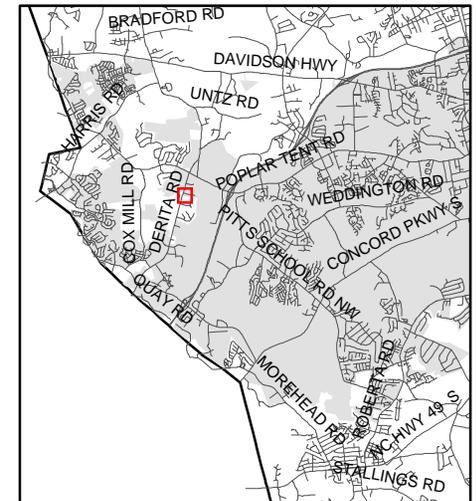


| | |
|-----------------------|------------------|
| | Subject Property |
| | City of Concord |
| | Parcels |
| Concord Zoning | |
| | I-1 |
| | CUI-1 |
| | CDI-2 |
| County Zoning | |
| | LDR |
| | LI-SU |

**SUP-07-14
AERIAL**

**Special Use Permit Application
Development of a Fitness Center
in a Limited Industrial (I-1)
Zoning District**

8018 Myint Ln NW
PIN: 4680-95-2129



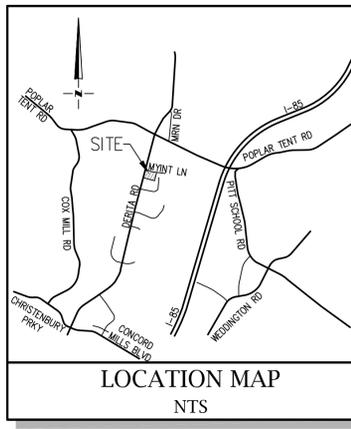
Source: City of Concord
Planning Department

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-  Subject Property
-  City of Concord
-  Parcels



TAX PARCEL NUMBERS:
 -4680950302 (EXISTING BUILDING),
 -4680951779 (SOUTH PARCEL),
 -4680952119 (EAST PARCEL)

DEED BOOK & PAGE: 8560/103

SITE ACREAGE:
 -43,569 SF (1.0 ACRES)-EXISTING BUILDING
 -42,486 SF (0.975 ACRES)-SOUTH PARCEL
 -43,584 SF (1.0 ACRES)-EAST PARCEL

CURRENT ZONING: L-1

EXISTING USE: VACANT

PROPOSED USE L-1: INDUSTRIAL OFFICE (15%)
 AND WAREHOUSE (85%)

FRONT SETBACK: 30'

MIN. REQUIRED PARKING: 9 EA
 1 SPACE / 400 GFA OF SALES/OFFICE
 15% OF TOTAL PROPOSED BUILDING AREA IS OFFICE
 15% X 22,500 SF = 3,375 SF

PROPOSED ON-SITE PARKING: 32 EA
 -THIS PHASE
 PROPOSED HANDICAP PARKING: 1 EA

IMPERVIOUS CALCULATIONS
 EX BUILDING AREA TO REMAIN: 11,166 SF
 EX ASPHALT/CONC. AREA TO REMAIN: 13,819 SF
 EX SIDEWALK AREA TO REMAIN: 1,144 SF
 EX GRAVEL AREA TO REMAIN: 1,657 SF

PHASE II
 TOTAL PROP. IMPERVIOUS AREA: 50,688 SF
 PROPOSED BUILDING AREA: 23,300 SF
 PROPOSED ASPHALT/CONC. AREA: 26,290 SF
 PROPOSED SIDEWALK AREA: 1,098 SF

TOTAL
 PROPOSED IMPERVIOUS AREA: 78,474 SF
 PERCENT IMPERVIOUS AREA: 60.5%

DEVELOPMENT SUMMARY

25' WIDE TYPE "D" BUFFER YARD

- TOTAL LF OF BUFFER YARD: 477 LF
- MIN. REQ. 1 SHADE TREE PER 50 LF: 10 (10 TOTAL)
- MIN. REQ. 1 ORNAMENTAL TREE PER 50 LF: 10 (10 TOTAL)
- MIN. REQ. POINTS PER LINEAR FOOT: 0.9
- TOTAL REQUIRED POINTS: 429.3
- APPROXIMATE EXISTING SHADE TREES (POINTS): 25 (300)
- PROVIDED SHADE TREES (POINTS): 7 (84)
- PROVIDED ORNAMENTAL TREES (POINTS): 8 (46)
- TOTAL PROVIDED POINTS: 432

12' WIDE LEVEL 3 STREET YARD

- TOTAL LF OF STREET YARD: 270 LF
- MIN. REQ. 2 ORNAMENTAL TREES PER 50 LF: 13 (13 TOTAL)
- MIN. REQ. POINTS PER LINEAR FOOT: 0.6
- TOTAL REQUIRED POINTS: 180.8
- PROVIDED ORNAMENTAL TREES (POINTS): 17 (102)
- PROVIDED SMALL SHRUBS (POINTS): 78 (78)
- TOTAL PROVIDED POINTS: 181

BUILDING YARD FOR BUILDING #2

- BUILDING IS 11,250 SF: CATEGORY 3
- TOTAL LF OF BUILDING YARD: 150
- MINIMUM WIDTH (FT): 12
- MIN. REQ. 1 SHADE TREES PER 50 LF: 3 (3 TOTAL)
- MIN. REQ. 1 ORNAMENTAL TREES PER 50 LF: 3 (3 TOTAL)
- MIN. REQ. 12 SMALL/EVERGREEN SHRUBS PER 30 LF (60 TOTAL): 12
- MIN. REQ. POINTS PER LINEAR FOOT: 0.8
- TOTAL REQUIRED POINTS: 3 (36)
- PROVIDED SHADE TREES (POINTS): 3 (18)
- PROVIDED ORNAMENTAL TREES (POINTS): 66 (66)
- TOTAL PROVIDED POINTS: 120

BUILDING YARD FOR BUILDING #3

- BUILDING IS 11,250 SF: CATEGORY 3
- TOTAL LF OF BUILDING YARD: 70
- MINIMUM WIDTH (FT): 12
- MIN. REQ. 1 SHADE TREES PER 50 LF: 1 (1 TOTAL)
- MIN. REQ. 1 ORNAMENTAL TREES PER 50 LF: 1 (1 TOTAL)
- MIN. REQ. 12 SMALL/EVERGREEN SHRUBS PER 30 LF (28 TOTAL): 12
- MIN. REQ. POINTS PER LINEAR FOOT: 0.8
- TOTAL REQUIRED POINTS: 56
- PROVIDED SHADE TREES (POINTS): 1 (12)
- PROVIDED ORNAMENTAL TREES (POINTS): 1 (6)
- PROVIDED SMALL SHRUBS (POINTS): 38 (38)
- TOTAL PROVIDED POINTS: 56

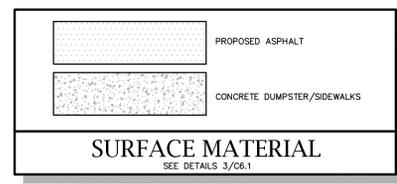
PARKING LOT YARD

- TOTAL VEHICLE SPACES: 32
- MIN. REQ. 2 SMALL TREE PER 10 SPACES: 6
- PROVIDED SMALL MATURING TREES: 6
- MIN. REQ. 8 SMALL SHRUBS PER 10 SPACES: 26
- PROVIDED SMALL SHRUBS: 26

LANDSCAPE SUMMARY

- KEY NOTES:**
- (A) CONTRACTOR SHALL INSTALL 5' WIDE SIDEWALK PER NCDOT 848.01 SEE DETAIL 9/C6.1.
 - (B) CONTRACTOR SHALL INSTALL 2'-6" CURB AND GUTTER PER NCDOT 846.01 SEE DETAIL 11/C6.1.
 - (C) CONTRACTOR SHALL INSTALL A 6" WIDE ASPHALT BARRIER CURB AS INDICATED ON THE PLANS.
 - (D) CONTRACTOR SHALL INSTALL NCDOT WHEELCHAIR RAMP WITH RED FIBERGLASS MATS WITH TRUNCATED DOMES PER 848.05 SEE DETAIL 10/C6.1.
 - (E) INSTALL HANDICAP PARKING SIGNAGE SEE DETAILS 4-6/C6.1.
 - (F) SEE ARCHITECTURAL PLANS FOR DUMPSTER ENCLOSURE PLANS.
 - (G) CONTRACTOR SHALL INSTALL A 20' X 20' CONCRETE APRON IN FRONT OF DUMPSTER ENCLOSURE.
 - (H) CONTRACTOR SHALL INSTALL 4 CONCRETE BOLLARDS AT REAR OF DUMPSTER ENCLOSURE SEE DETAIL 2/C6.1.
 - (I) CONTRACTOR SHALL INSTALL CONCRETE BOLLARDS AT CORNER OF BUILDING AS INDICATED ON SITE PLANS SEE DETAIL 2/C6.1.
 - (J) CONTRACTOR SHALL CREATE A 3' WIDE CURB CUT WITH A PAVED FLUME FROM THE PARKING LOT INTO THE NOTCHED INLET OF SB 14 SEE DETAIL 1/C6.2.
 - (K) CONTRACTOR SHALL INSTALL TREE PER TREE PLANTING DETAIL 7/C6.1.
 - (L) CONTRACTOR SHALL INSTALL SHRUBS PER SHRUB PLANTING DETAIL 8/C6.1.
 - (M) PROPOSED 60' TREE CIRCLE FOR PARKING STALLS.
 - (N) STORMWATER BMP EASEMENT. (PDE=PRIVATE DRAINAGE EASEMENT)
 - (O) 10' X 70' SIGHT TRIANGLE.
 - (P) CONTRACTOR SHALL INSTALL A MINIMUM 4' TALL FENCE 2' OFF OF CONCRETE VAULT.
 - (Q) INSTALL A MINIMUM 3' GATE FOR MAINTENANCE WITH LOCK FOR MAINTENANCE AND INSPECTIONS OF STORMWATER BMP.
 - (R) PROPOSED 77 L.F. RETAINING WALL SHALL BE DESIGNED SO THAT IT CAN SUPPORT THE PROPOSED DRIVEWAY. SEE THE GRADING PLAN (SHEET C4.0) FOR PROPOSED SPOT ELEVATIONS. WALL TO BE DESIGNED AND PERMITTED BY OTHERS.
 - (S) PROPOSED 65 L.F. RETAINING WALL TO BE INTEGRAL WITH BUILDING FOUNDATION. FOUNDATION/WALL TO BE DESIGNED AND PERMITTED BY OTHERS.
 - (T) CONTRACTOR SHALL INSTALL SLOTTED DRAIN WITH A 2' WIDE CONCRETE APRON. SEE GRADING PLAN C4.0 AND DETAIL 1/C6.3.
 - (U) CONTRACTOR SHALL INSTALL GUARDRAIL 1' BEHIND BACK OF CURB ALONG RETAINING WALLS.
 - (V) CONTRACTOR SHALL REMOVE EXISTING WELLHOUSE STRUCTURE AND CONSTRUCT A NEW BELOW GRADE FOUNDATION FOR THE WELLHOUSE THAT IS CAPABLE OF SUPPORTING H-20 LOADING.
 - (W) CONTRACTOR SHALL INSTALL 5' WIDE SIDEWALK WITH TURNED DOWN FACE SEE DETAIL 1/C6.1.

- SITE NOTES:**
- DIMENSIONS AND COORDINATE POINTS ARE TO BACK OF CURB OR CORNER OF BUILDING UNLESS OTHERWISE NOTED.
 - ALL IMPROVEMENTS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH NORTH CAROLINA AND TOWN OF STALLINGS LAND DEVELOPMENT STANDARDS.
 - ANY DISCREPANCIES FOUND IN THE FIELD SHALL BE CALLED TO THE ATTENTION OF THE OWNER OR ENGINEER PRIOR TO PROCEEDING WITH WORK.
 - PRIOR TO BEGINNING CONSTRUCTION, THE GENERAL CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS AND APPROVALS NOT ALREADY OBTAINED BY THE DESIGN TEAM FROM ALL REGULATORY AUTHORITIES AND SHALL KEEP COPIES OF ALL APPLICABLE PERMITS ON SITE.
 - THE GENERAL CONTRACTOR SHALL CONTACT ALL OWNERS OF EASEMENTS, UTILITIES, AND RIGHT-OF-WAYS, PUBLIC AND PRIVATE, PRIOR TO WORKING IN THESE AREAS.
 - GENERAL CONTRACTOR SHALL MAINTAIN THE SITE IN A MANNER SO THAT WORKMEN AND THE PUBLIC SHALL BE PROTECTED FROM INJURY.
 - DO NOT SCALE DRAWING FOR ACTUAL DIMENSIONS, AS IT IS A REPRODUCTION AND SUBJECT TO DISTORTION.
 - ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES(UTMCD), 1988 EDITION AS AMENDED.
 - ALL PAVEMENT MARKINGS SHALL BE FOUR (4) INCHES WIDE UNLESS INDICATED OTHERWISE ON THE DRAWINGS.
 - CONTRACTOR SHALL SAW-CUT EXISTING ASPHALT PAVEMENT AREAS TO TIE IN SMOOTHLY TO PROPOSED PAVEMENT AT CONNECTION TO NEW ASPHALT PARKING AREA.
 - REFER TO ARCHITECTURAL PLANS FOR ACTUAL BUILDING DIMENSIONS.
 - CONTRACTOR SHALL COORDINATE WITH OWNER, SUB CONTRACTORS AND UTILITIES TO INSURE ALL THAT CONDUITS ARE INSTALLED UNDER THE CURB AND GUTTER, SIDEWALKS AND PAVEMENT ARE INSTALLED BEFORE THE FINISHED SURFACE IS LAID.



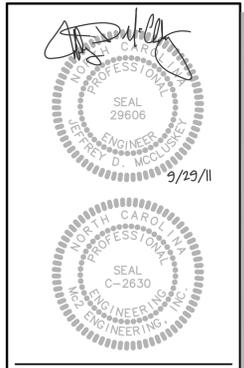
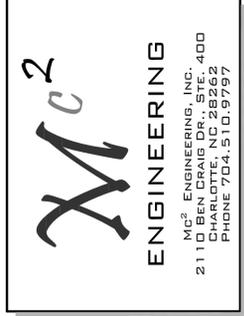
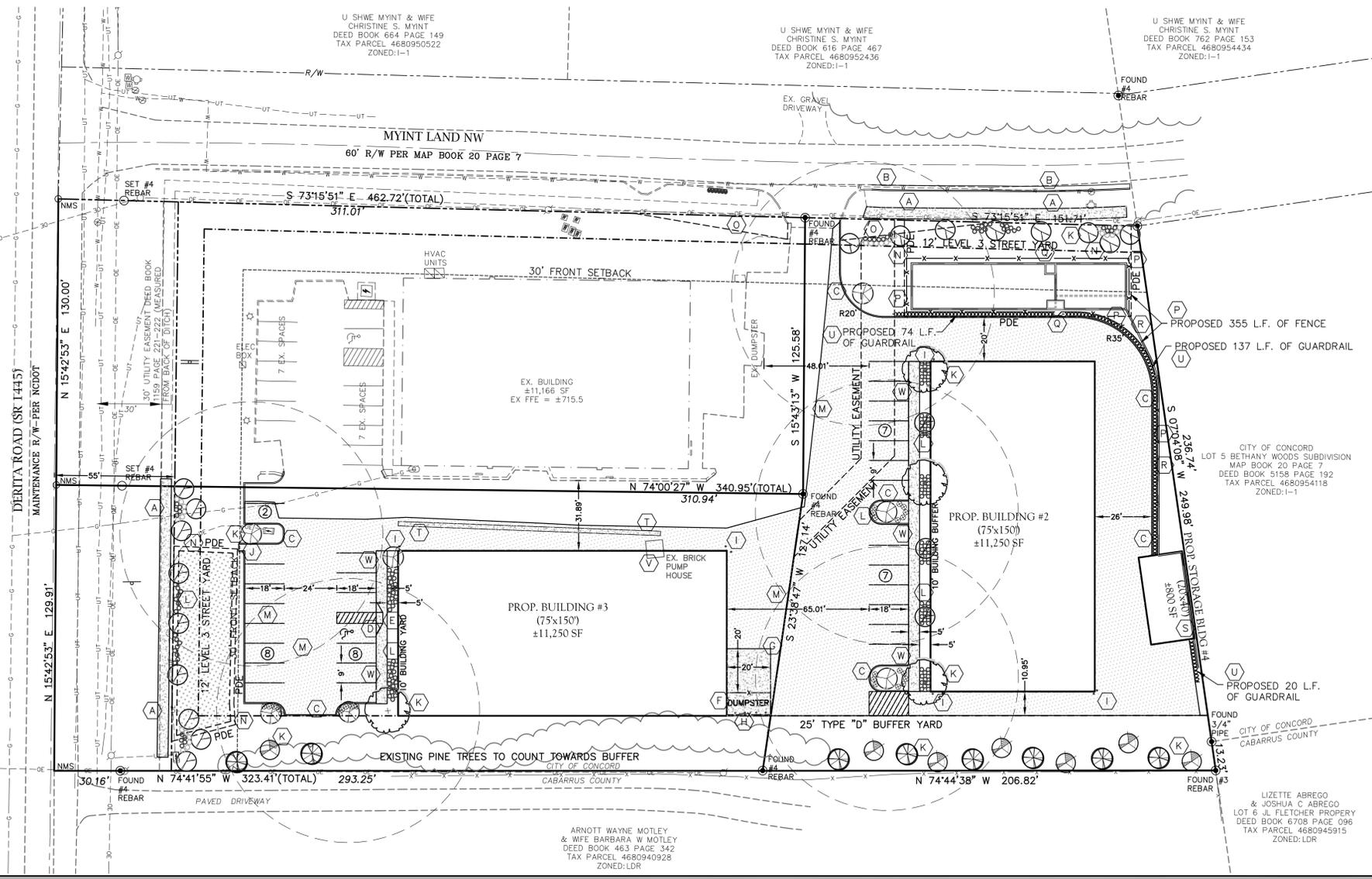
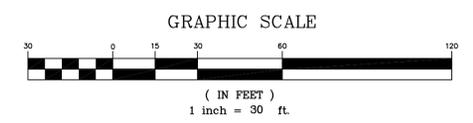
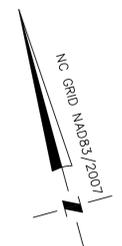
- TREE PLANTING NOTES:**
- ALL STRAPPING & TOP 3/4 OF WIRE BASKET MUST BE CUT AWAY & REMOVED FROM THE ROOT BALL PRIOR TO BACKFILLING PLANTING PIT. REMOVE TOP 1/2 OF THE BURLAP FROM THE ROOT BALL.
 - FOR NEW PLANTING AREAS, REMOVE CONSTRUCTION DEBRIS. UN-COMPACT & AMEND THE TOP 24" OF EXISTING SOIL TO MEET TOPSOIL/PLANTING MIX STANDARDS FOR TREES.
 - LARGE MATURING TREES MAY NOT BE PLANTED WHERE OVERHEAD DISTRIBUTION OR TRANSMISSION LINES EXIST. IF TREES CONFLICT WITH POWER LINES OR SIGNS, CALL THE URBAN FORESTER TO RESOLVE BEFORE PLANTING.
 - ADJUST TREE-PLANTING LOCATIONS TO AVOID UNDERGROUND UTILITIES.
 - SUBSURFACE DRAINAGE FACILITIES MAY BE REQUIRED IN THE STREET RIGHT-OF-WAY IF DEEMED NECESSARY BY THE INSPECTOR.
 - NON-STANDARD ITEMS (i.e. PAVERS, IRRIGATION SYSTEMS, etc.) IN THE RIGHT-OF-WAY REQUIRE A RIGHT-OF-WAY ENCROACHMENT AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION BEFORE INSTALLATION.

- GENERAL NOTES:**
- SIGHT TRIANGLES SHOWN ARE THE MINIMUM REQUIRED.
 - APPROVAL OF THIS PLAN IS NOT AUTHORIZATION TO GRADE ADJACENT PROPERTIES. WHEN FIELD CONDITIONS WARRANT OFF-SITE GRADING, PERMISSION MUST BE OBTAINED FROM THE AFFECTED PROPERTY OWNERS.
 - IN ORDER TO INSURE PROPER DRAINAGE, MAINTAIN A MINIMUM OF 0.5% SLOPE ALONG THE CURB AND GUTTER.

| SYMBOL | QTY | COMMON NAME | SCIENTIFIC NAME | CALIPER | MIN. HEIGHT |
|----------|-----|-------------------|--------------------------------|----------------|-------------|
| (Symbol) | 4 | TULIP POPLAR | <i>Liriodendron tulipifera</i> | 2" | 10' |
| (Symbol) | 7 | EASTERN RED CEDAR | <i>Juniperus virginiana</i> | 2" | 10' |
| (Symbol) | 20 | GRAPE MYRTLE | <i>Lagerstroemia indica</i> | 1" (3-5 STEMS) | 6' |
| (Symbol) | 8 | FOSTER HOLLY | <i>Ilex fosteri</i> | 1 1/2" | 6' |
| (Symbol) | 7 | YOSHINO CHERRY | <i>Prunus yedoensis</i> | 1 1/2" | 6' |
| (Symbol) | 157 | INDIAN HAWTHORN | <i>Raphiolepis indica</i> | 18-24" | |
| (Symbol) | 26 | NANDINA | <i>Nandina domestica</i> | 18-24" | |
| (Symbol) | 26 | LOROPETALUM | <i>Loropetalum chinense</i> | 18-24" | |

NOTE:
 1. CONTRACTOR SHALL REMOVE LIMBS BELOW 6 FEET OF ALL TREES LOCATED WITHIN SITE TRIANGLES.

PLANT MATERIALS LIST



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MYINT LANE COMMERCIAL CENTER PHASE II
 8010 MYINT LANE
 CONCORD, NC 28027

KEYSTONE PROPERTIES & DEVELOPMENT LLC
KPI PARTNERS INC.
 8010 MYINT LANE, SUITE 130A
 CONCORD, NC 28027

SITE PLAN

REVISIONS

| NO. | DESCRIPTION |
|-----|-------------|
| | |
| | |
| | |
| | |
| | |

CAD FILE: 11-022 BASE.DWG
 PROJECT NO.: 11-022
 DESIGNED BY: JDM
 REVIEWED BY: JDM
 DATE: SEPTEMBER 29, 2011



Required Attachments/ Submittals:

1. Typed metes and bounds description of the property (or portion of property). A recorded deed is sufficient, if the deed describes only the subject property.
2. Cabarrus County Land Records printout of names and addresses of all immediately adjacent landowners, including any directly across the street.
3. 6 copies of a plan drawn to scale (conditional district plan) for the initial submittal to be reviewed by internal City Staff. 16 folded copies, with all plan review comments address, are required to be submitted for Planning and Zoning Commission meetings. (Check with staff for final submittal dates)
4. Money Received by KEA Date: 4/25/14
Check # 13A Amount: \$ 400.00 Cash: _____

The application fee is nonrefundable.



Date 11/24/14

APPLICANT NAME: Brian LeRiche COMPANY
NAME Fractious Training Studio Inc.

APPLICANT ADDRESS:
12507 Jessica Pl

CITY: Charlotte STATE NC ZIP 28269 PHONE NUMBER OF
APPLICANT: 203-907-9773

OWNER OF PROPERTY (if different from applicant)
Keystone Properties & Development LLC (Todd Cooper)

OWNER ADDRESS:
8018 Myint Ln Suite 140 CITY Concord STATE NC ZIP 28027

PROJECT ADDRESS (if an address exist):
8018 Myint Ln Suite 130

P.I.N.: 271743126

Area of Subject Property (in acres, or square feet): 2300 sqft

Lot Width: _____ Lot Depth: _____

Current Zoning Classification: I1

Existing Land Use: Camp Bowwow, Chem Dry, Carolinas Speedworks

Description of Use Requested: Personal Training

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: 11/24/14 Applicant Signature: Brian LeRiche

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."
Use is not detrimental or endanger to the public health and safety
- (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."
Use conforms to neighborhood and structure of building
- (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."
Building is located off side road
- (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."
Use is not noxious or offensive from noise, dust, smoke or gas
- (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."
Use shall not impede the orderly development of surrounding property for permitted use

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):
Indoor Fitness Facility (1) Unit - Suite 130
- (2) Accessory uses (if any):
N/A
- (3) Setback provisions:
N/A
- (4) Height provisions:

- N/A
- (5) Off-street parking and loading provisions:
yes
- (6) Sign provisions:
N/A
- (7) Provisions for screening, landscaping and buffering:
N/A
- (8) Provisions for vehicular circulation and access to streets:
yes
- (9) Adequate and safe design for grades, paved curbs and gutters, drainage systems, and treatment or turf to handle storm water, prevent erosion, and subdue dust:
N/A
- (10) Adequate, safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways, off-street parking and loading spaces, facilities for waste disposal, and illumination:
yes
- (11) An adequate amount, and safe location of, play areas for children and other recreational uses, according to the concentration of residential occupancy:
N/A
- (12) Fences, walls, or year-round screen planting abutting residential districts, to protect residences from parking lot illumination, headlights, fumes, heat, blowing papers, and dust (to reduce the visual encroachment on privacy and residents):
N/A
- (13) Open space (including flood hazard area):
N/A
- (14) Improvements within the common open space:
N/A
- (15) Parking Areas:
yes
- (16) Sidewalks, trails and bikeways:
N/A
- (17) Lighting and utilities:
yes
- (18) Site furnishings:
N/A
- (19) Adequate fire, police, water and sewer services:



Application for
Special Use Permit

Yes

(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:

N/A

Staff Use Only:

1. Scheduled for Planning and Zoning Commission consideration:
 Date: _____ Time: _____ Location: _____
2. Date advertised, written notice(s) sent, and property posted: _____
3. Record of decision: Motion to: ___ Approve ___ Deny

| | | | |
|-------|-----|-----|-----|
| _____ | Yea | ___ | Nay |
| _____ | Yea | ___ | Nay |
| _____ | Yea | ___ | Nay |
| _____ | Yea | ___ | Nay |
| _____ | Yea | ___ | Nay |
| _____ | Yea | ___ | Nay |
| _____ | Yea | ___ | Nay |
4. Planning and Zoning Commission recommendation: ___ Approved ___ Denied
 If denied, was an appeal filed? _____
5. Date applicant notified of Planning and Zoning Commission action: _____
6. Scheduled for City Council consideration:
 Date: _____ Time: _____ Location: _____
7. Dates advertised: (a) First notice: _____ (b) Second notice: _____
8. City Council recommendation: ___ Approved ___ Denied
9. Date applicant notified of City Council action: _____
10. Comments: *(see minutes for details)*

