



**DATE:** July 15, 2014

**CASE #:** Z-09-14

**DESCRIPTION:** Administrative Zoning Map Amendment  
Cabarrus County Office Institutional (O-I) and Limited  
Commercial (LC) to City of Concord Office Institutional (O-I).

**OWNERS:** 8941 Davidson Highway – Cabarrus County Board of Education  
9105 Davidson Highway– Douglas Martin Foster

**LOCATION:** Southwest quadrant of Davidson Highway (NC 73) and Odell  
School Road

**PIN#s:** 4681-59-2182 and 49-5378

**AREA:** 26.1+/- acres

**ZONING:** Cabarrus County Office Institutional (O-I) and Limited  
Commercial (LC)

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

**BACKGROUND**

The subject properties total approximately 26.1 acres, and are located at the southwest corner of Davidson Highway (NC 73 and Odell School Road). The property consists of two parcels. One parcel is vacant and one accommodates the site of the former Odell Elementary School campus. The parcels are intended to be assembled for the development of a new elementary school.

**HISTORY**

The properties were annexed into the City through the voluntary annexation process, with an effective date of June 12, 2014. . The voluntary annexation procedure was initiated in order for the site to obtain City water and sewer services. The westernmost parcel is vacant land. The corner property (owned by Cabarrus County Schools) has the former campus of Odell Elementary School. According to Cabarrus County Tax Records, the various buildings on the properties were constructed between 1929 and 1960.

**SUMMARY OF REQUEST**

As the property is now within the City limits, City zoning must be applied to the properties. The westernmost property has approximately 420 feet of street frontage on Davidson Highway, is approximately 6.3 acres and is zoned Cabarrus County Limited Commercial (LC). The easternmost parcel has approximately 225 feet of frontage on Davidson Highway and approximately 925 feet of frontage on Odell School Road, is approximately 19.8 acres in size, and is zoned Cabarrus County Office Institutional. As previously discussed, it is the intent of the Cabarrus County Schools to assemble the properties and construct a new elementary school.

Although the westernmost property has commercial zoning (and schools are permissible in the equivalent City zoning of C-1), staff is proposing O-I zoning for both properties, to maintain consistency in permitting and to avoid future confusion with appraisals and financing. The City’s O-I zoning is the functional equivalent of the County O-I zoning.

Property to the west and south is zoned Cabarrus County O-I, and City of Concord C-2 General Commercial and is a mixture of residential, vacant and institutional uses. Land to the east is zoned County O-I and is a combination of residential and vacant land. Land to the north is zoned a combination of Kannapolis General Commercial (C-2) and Cabarrus County LC, and is a combination of vacant land, residential and commercial properties.

Existing Zoning and Land Uses					
Current Zoning of Subject Property	Zoning Within 500 Feet		Land Uses(s) of Subject Property	Land Uses within 500 Feet	
	Cabarrus County O-I and LC	North		Kannapolis C-2 and Cabarrus County LC	Vacant and school campus (redevelopment plans under review)
South		C-2 and Cabarrus County O-I	South	Vacant and residential	
East		Cabarrus County O-I	East	Single family residential and vacant	
West		C-2	West	Residential and vacant	

**COMPLIANCE WITH 2015 LAND USE PLAN**

The 2015 Land Use Plan (LUP) designates the subject property as a combination of “Village Center” and “Institutional”. The Institutional designation has been applied to existing school sites, or those sites where significant expenditure for development of schools have occurred. The Village Center designation permits a wide variety of land uses. O-I zoning is appropriate in both land use designations and the request is therefore 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 26.1 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 combination of “institutional” and “village center.” The proposed O-I zoning is 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 vicinity of the Davidson Highway/NC 73 intersection. The southwest quadrant of that intersection is clearly institutional in nature as the former Odell School campus has been in existence for many years; the Odell Volunteer Fire Department is located directly to the west, and the intention of Cabarrus County Schools is to redevelop the site as a new elementary school campus. Street network issues, parking and environmental impacts will be addressed at the time of technical site plan review.

- **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 the general neighborhood is predominately institutional in nature and the anticipated use has been established on the site for many years.

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

Surrounding properties are a combination of institutional and commercial zoning. Land uses are a combination of residential, single family and institutional.

- **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 essentially recognizes an existing condition and applies similar zoning to the established county zoning.

- **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 O-I zoned land in the subject area; however, this request serves to recognize and existing, established land use.

### **SUGGESTED STATEMENT OF CONSISTENCY**

- The subject property is approximately 26.1 acres.
- The 2015 Land Use Plan designates the property as a combination of institutional and village center and application of O-I zoning is consistent with the provisions of the LUP.
- The subject property was annexed, on a voluntary basis, with an effective date of June 12, 2014.
- The surrounding properties are zoned Cabarrus County Limited Commercial (LC) and Office Institutional (O-I), Kannapolis General Commercial (C-2), and City of Concord General Commercial (C-2). The uses surrounding the property are a combination of commercial, institutional, residential and vacant land.

### **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 O-I Office-Institutional). Because the proposal is a conventional zoning request, conditions may not be imposed on the zoning action.

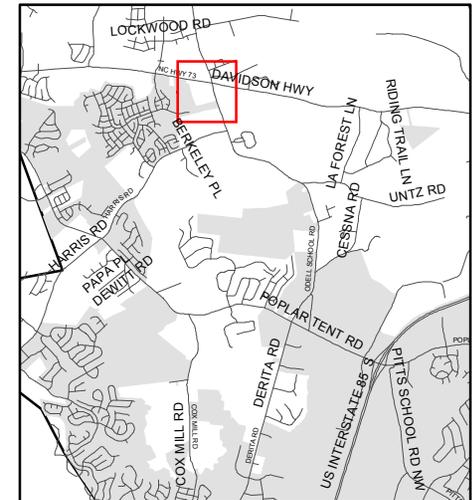
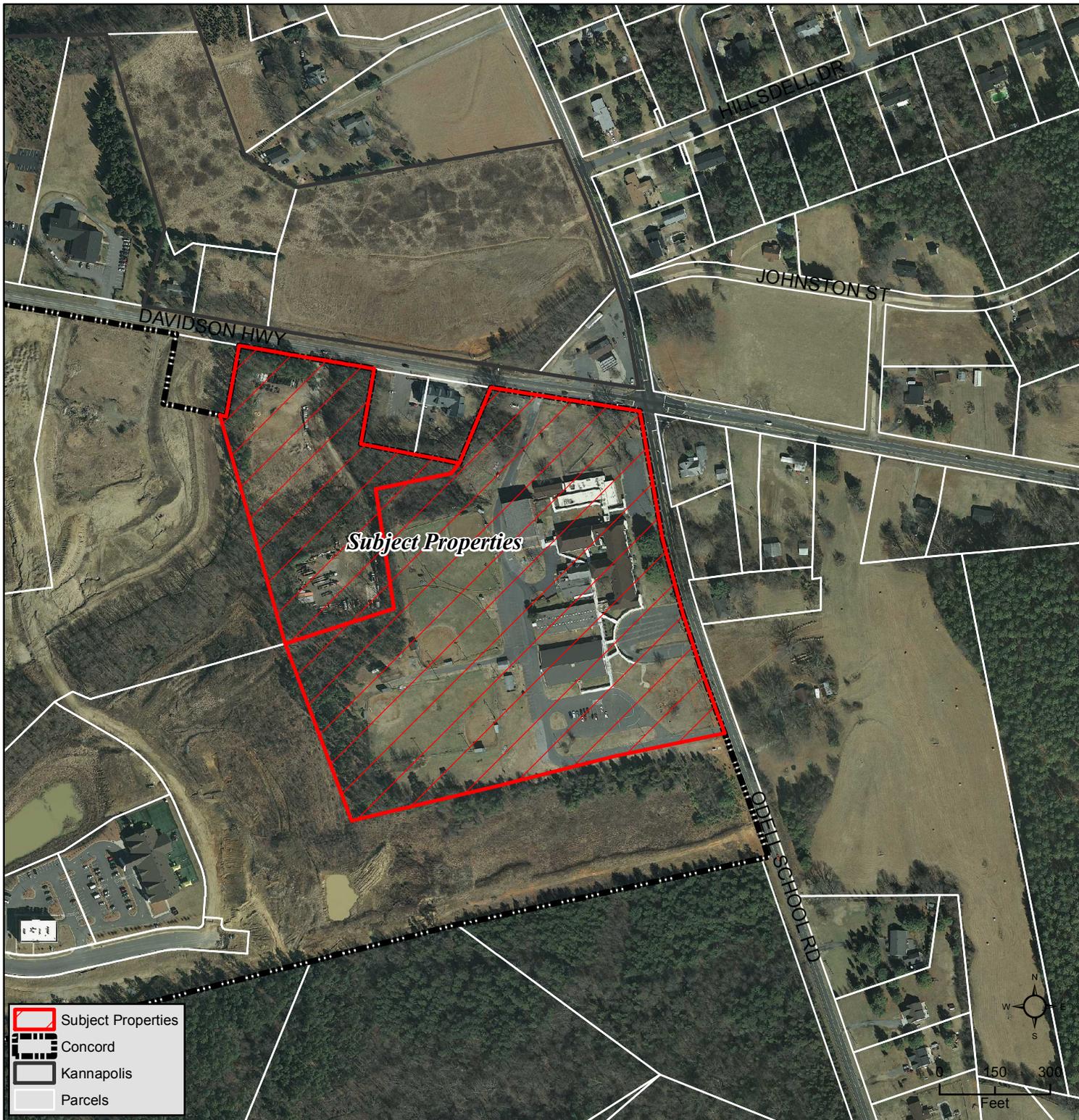
### **PROCEDURAL CONSIDERATIONS**

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-09-14  
AERIAL**

**Administrative Zoning  
Map Amendment  
from Cabarrus County O-I  
(Office Institutional) and LC  
(Light Commercial) to  
City of Concord O-I  
(Office-Institutional)**

8941 and 9105 Davidson Hwy  
Pins: 4681-59-2182 & 4681-49-5378

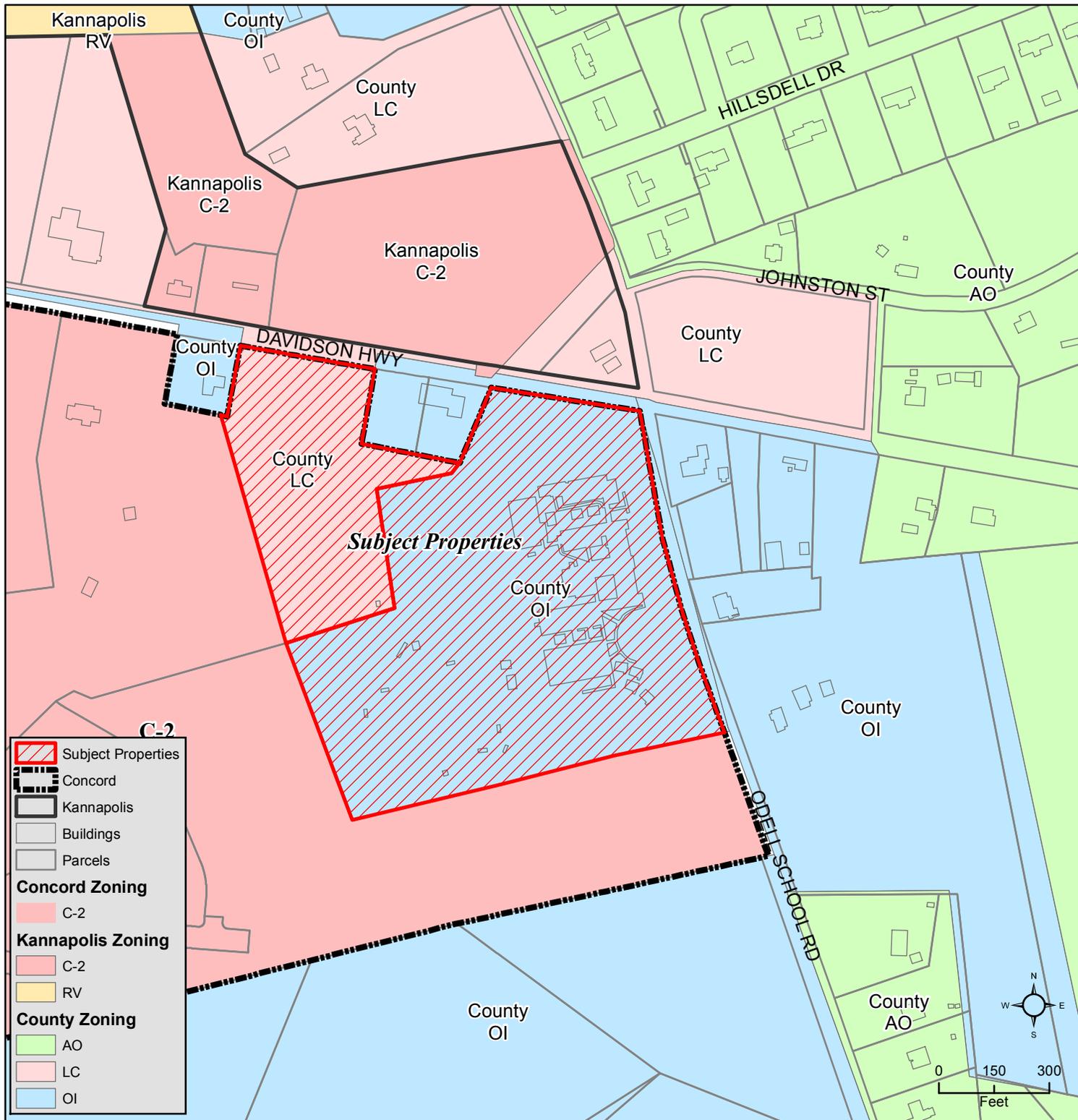


Source: City of Concord  
Planning Department

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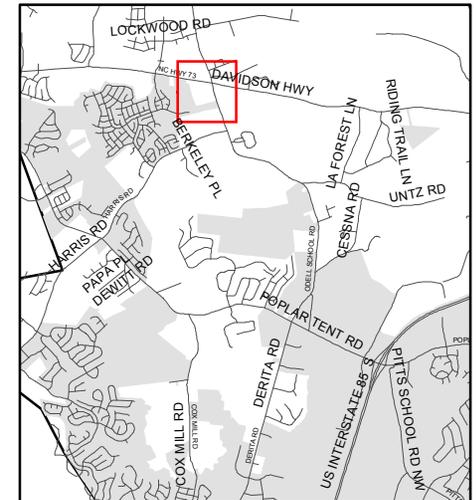




**Z-09-14  
ZONING MAP**

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