



**DATE:** August 19, 2014

**CASE #:** Z-13-14

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

**OWNERS:** 9051 Davidson HWY

**LOCATION:** Southwest side of Davidson Hwy, West of Odell School Rd

**PIN#s:** PINs: 4681-49-9538 and 4681-49- 8600

**AREA:** 1.43 +/- acres

**ZONING:** Cabarrus County Office Institutional (O-I)

**PREPARED BY:** Starla Rogers, Sr. Planner

**BACKGROUND**

The subject properties total approximately 1.43 acres, and are located on the south side of Davidson Highway, west of Odell School Road. The property consists of two parcels, which are improved with the Odell Volunteer Fire Department.

**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 property directly to the south (owned by Cabarrus County Schools) has the former campus of Odell Elementary School and was annexed with an effective date of June 12<sup>th</sup>, 2014 and subsequently rezoned to City O-I (Office Institutional). According to Cabarrus County Tax Records, the property was property was built upon in 1962.

**SUMMARY OF REQUEST**

As the property is now within the City limits, City zoning must be applied to the properties. The combined properties have approximately 320 feet of street frontage on Davidson Highway, are approximately 1.43 acres, and are zoned Cabarrus County Office Institutional (O-I). Staff proposes 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 and Fire Departments are also conforming to that zoning district. No conflicts should arise.

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

<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 O-I and LC	<b>North</b>	Kannapolis C-2, County LC, and County AO	Institutional Volunteer Fire Station	<b>North</b>	Vacant, residential and commercial
	<b>South</b>	C-2 and Cabarrus County O-I		<b>South</b>	Vacant and institutional
	<b>East</b>	Cabarrus County O-I		<b>East</b>	Single family residential and vacant
	<b>West</b>	C-2		<b>West</b>	Residential and vacant

**COMPLIANCE WITH 2015 LAND USE PLAN**

The 2015 Land Use Plan (LUP) designates the subject property as a “Village Center.” The Village Center designation permits a wide variety of land uses. O-I zoning is appropriate in the subject land use designation 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 1.43 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 “village center.” The proposed O-I 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 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 and the Odell Volunteer Fire Department is located on the subject site. No issues related to the street network, parking, and/or environmental impacts are foreseen. The property was recently annexed into the City and a City zoning classification must be approved for the property.

- **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 existing 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 agricultural, institutional and commercial zoning. Land uses are a combination of residential, commercial 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 1.43 acres.
- The subject property is improved with the Odell Volunteer Fire Station.
- The property is zoned Cabarrus County O-I (Office Institutional) and the Land Use Plan designates the property as a “village center.”
- The surrounding properties are zoned Cabarrus County O-I (Office Institutional), City of Concord C-2 (General Commercial), City of Kannapolis C-2 (General Commercial) \ and

Cabarrus County LC (Light Commercial), Cabarrus County AO (Agricultural Open Space) and is a combination of vacant land, residential and commercial properties.

- The proposed zoning amendment is consistent with the 2015 Land Use Plan (LUP) because the LUP allows designates O-I (Office Institutional) as a corresponding zoning district.
- The zoning amendment is reasonable and in the public interest because the land use is existing and no substantial changes in character would occur to the surrounding area. Furthermore, the amendment is reasonable because it allows the continuing use of the property, which is a public necessity.

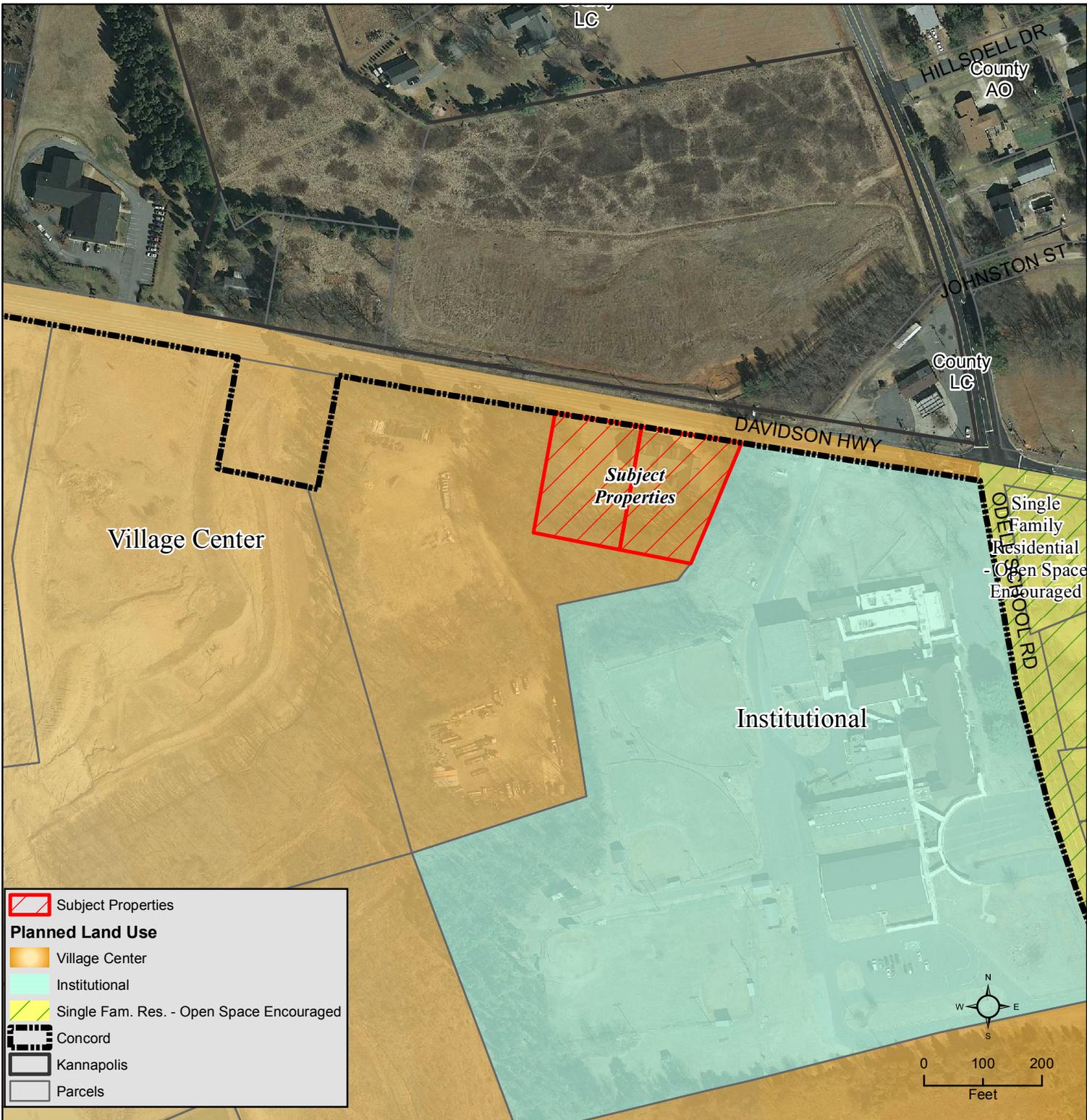
#### **SUGGESTED RECOMMENDATION AND CONDITIONS**

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.

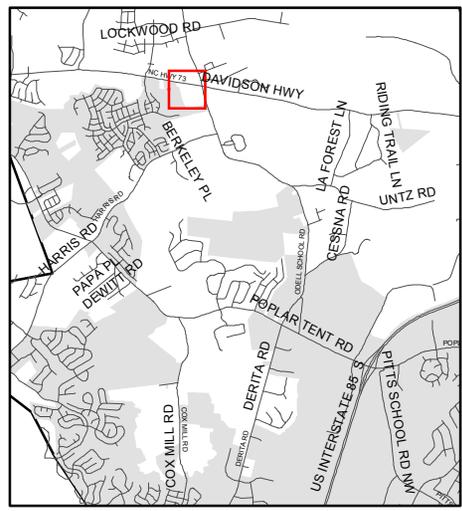




**Z-13-14  
LAND USE PLAN**

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

9051 Davidson Hwy  
PINs: 4681-49-9538, 8600



Source: City of Concord  
Planning Department

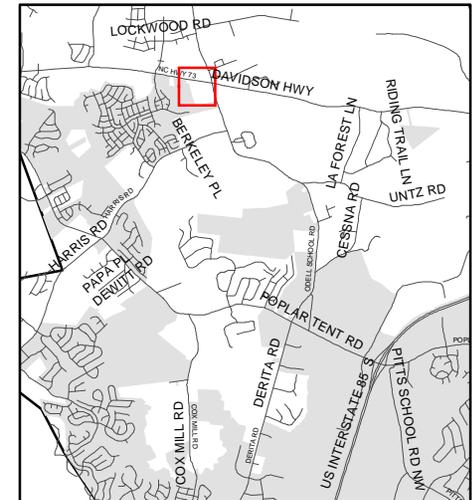
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**Z-13-14  
ZONING MAP**

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