

RESOLUTION OF KINGS GRANT SPLIT JURISDICTION AUTHORITY

WHEREAS, Childress Klein Properties/affiliate owns a 48.21-acre property located adjacent and to the east of Concord Mills Mall with 11.54 acres of such property being located within Concord and 36.67 acres within Charlotte Extraterritorial Jurisdiction (ETJ);

WHEREAS, The City Council has been petitioned under G.S. 160D-203 & 204 to consider split jurisdiction of the 11.54-acre portion located within Concord;

WHEREAS, the 11.54-acre Concord portion is zoned in Concord to allow multi-family uses but with different land use/development regulations than Charlotte resulting in different regulations that hinder a preferred unified development of the overall 48.21-acre property;

WHEREAS, the 11.54-acre Concord portion is located directly behind Concord Mills Mall with a site location orientation that is directed more seamlessly with the 36.67-acre Charlotte ETJ portion, thereby better suited to be governed by Charlotte planning and development regulations without affecting taxation or other regulatory matters which shall stay within Concord;

WHEREAS, in December of 2021, Charlotte City Council unanimously approved the rezoning of the 36.67-acre Charlotte ETJ portion for multi-family uses per Rezoning Petition #2021-028, and this rezoning referenced the possible development of the Concord portion for multi-family uses and accounted for a total of 700 units for the overall 48.21-acre property (212 units for Concord piece) for transportation commitments purposes, and furthermore, Charlotte Water plans to provide water and sanitary sewer services to the overall 48.21-acre property;

WHEREAS, G.S. 160D-203 & 204 allow Concord and Charlotte by mutual agreement pursuant to Article 20 of Chapter 160A and with the consent of the landowner (which consent has been provided and requested) to assign exclusive planning/development regulation jurisdiction for the entire 48.21-acre property (to include the 11.54-acre Concord portion) to Charlotte provided that such mutual agreement shall not affect taxation or other non-regulatory matters;

WHEREAS, pursuant to G.S. 160D-203 & 204, adoption of resolutions by Concord City Council and then Charlotte City Council will allow the Charlotte to consider a rezoning for the 11.54-acre portion of the 48.21-acre property (Rezoning Petition #2023-028) to move through the normal rezoning process whereby Charlotte planning/development jurisdiction would vest in Charlotte upon approval of the rezoning (but not before and if not approved, Concord planning/development regulations will still apply); and

WHEREAS, on June 8, 2023, Concord City Council adopted a resolution to allow Charlotte planning/development regulations to apply to the 11.54-acre Concord portion of the overall 48.21-acre property in the manner and pursuant to the statements of purposes set forth above;

NOW THEREFORE, by authority of G.S. 160D-203 & 204, Charlotte City Council hereby adopts this resolution to allow Charlotte planning/ development regulations to apply to the 11.54-acre Concord portion of the overall 48.21-acre property in the manner and pursuant to the statements of purpose set forth above.