

## Legislation Details (With Text)

<b>File #:</b>	15-20970	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Public Hearing Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	8/7/2023	<b>In control:</b>		City Council Business Meeting	
<b>On agenda:</b>	8/28/2023	<b>Final action:</b>		8/28/2023	
<b>Title:</b>	Public Hearing and Decision on Kings Grant Split Jurisdiction Resolution				
<b>Attachments:</b>	1. Concord Split Jurisdiction Request Map, 2. King Grant Resolution, 3. Concord Split Jurisdiction Request Resolution				

Date	Ver.	Action By	Action	Result
8/28/2023	1	City Council Business Meeting	Close the Public Hearing	Pass
8/28/2023	1	City Council Business Meeting	Approve	Pass

## Public Hearing and Decision on Kings Grant Split Jurisdiction Resolution

### Action:

- A. Conduct a public hearing on the request from Childress Klein Properties/Affiliates to adopt a resolution to enter into a mutual agreement with the City of Concord to assign planning/development regulations to 11.54 acres at 8847, 8755, and 8699 Quay Road in Concord (parcel identification numbers: 4589-62-4465 and 4589-52-8820), to the City of Charlotte per NC General Statute Section 160D-203, and**
- B. Adopt a Resolution to enter into a mutual agreement with the City of Concord to assign planning/development regulations to 11.54 acres at 8847, 8755 and 8699 Quay Road in Concord (parcel identification numbers: 4589-62-4465 and 4589-52-8820) to the City of Charlotte per NC General Statute Section 160D-203.**

### Staff Resource(s):

Alyson Craig, Planning, Design & Development  
David Pettine, Planning, Design & Development  
David Czerr, Charlotte Water

### Explanation

- NC General Statute Section 160D-203 and 204 provide that upon adoption of resolutions by each elected body, parcels located within the planning and development regulation jurisdiction of more than one local government may, by mutual agreement and with the written consent of the landowner, assign exclusive planning and development regulation jurisdiction for the entire parcel to any one of those local governments. Such agreement shall only be applicable to development regulations and shall not affect taxation or other nonregulatory matters.
- The City of Charlotte has received a request from the property owner of a 48.21-acre planned development located in both the City of Charlotte's Extraterritorial Jurisdiction (ETJ) and the City of Concord to have the City of Charlotte's planning and development regulations assigned to the parcels located within the City of Concord.
- The requested area is comprised of two parcels covering 11.54-acres of the proposed development (parcel identification numbers: 4589-52-8820 and 4589-62-4465), to promote a preferred unified development.
- In December of 2021, Charlotte City Council unanimously approved the rezoning of the 36.67-acre Charlotte ETJ portion of the site for multi-family uses per Rezoning Petition #2021-028.
- On June 8, 2023, Concord City Council adopted a resolution to allow Charlotte's planning and

development regulations to apply to the 11.54-acre Concord portion of the overall 48.81-acre property. Concord's resolution acknowledges water and sewer services would be provided by Charlotte to the overall 48.21-acre property.

- Approval of the proposed resolution would allow Charlotte's development regulations to apply to the overall property, subject to rezoning of the City of Concord's parcels through the City of Charlotte's rezoning process. Should the resolution or the rezoning not be approved by Charlotte's City Council, the City of Concord's development regulations would still apply to the property.
- If approved and the property is developed under the City of Charlotte's regulations:
  - Emergency services will continue to be provided by the City of Concord,
  - Schools will continue to be provided by Cabarrus County,
  - Plan review will now be provided by the City of Charlotte
  - Building Permits will now be issued by Mecklenburg County,
  - Code enforcement will continue to be provided by the City of Concord,
  - Streets will continue to be maintained by the City of Concord,
  - New streets will now to be built to the City of Charlotte's standards,
  - Water and sewer would be provided by the City of Charlotte and will be subject to the appropriate user fees.

**Attachment(s)**

Map

Resolution

Resolution of Concord City Council