



CITY OF KANNAPOLIS PLANNING & ZONING COMMISSION MEETING

May 20, 2025 at 6:00 pm

Agenda

- 1. Call to Order**
- 2. Roll Call and Recognition of Quorum**
- 3. Approval of Agenda**
- 4. Approval of Minutes:** April 15, 2025
- 5. Public Hearing**
 - a. Z-2025-03 – Zoning Map Amendment – 2305 Lane Street**

Public Hearing to consider a request to rezone property located at 2305 Lane Street from City of Kannapolis Office-Institutional (O-I) zoning district to City of Kannapolis Residential 4 (R4) zoning district. The subject property is approximately 0.45 +/- acres and further identified as Cabarrus County Parcel Identification Number 56248159610000.
 - b. Z-2025-04 – Zoning Map Amendment – 5400 and 5425 Odell School Road**

Public Hearing to consider a request to assign City of Kannapolis zoning to recently annexed properties located at 5400 and 5425 Odell School Road. The subject properties are currently zoned Cabarrus County Office/Institutional (OI), and the request is to assign City of Kannapolis Agricultural (AG) zoning district. The subject properties are approximately 13.95 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46736668550000 and 46735792770000. This property was voluntarily annexed on April 28, 2025. Per the North Carolina General Statutes, a City of Kannapolis zoning designation must be applied to the property within sixty (60) days of annexation.
 - c. CZ-2025-02 – Conditional Zoning Map Amendment – 2423 and 2575 Jim Johnson Road and an Unaddressed parcel on Jim Johnson Road**

Public Hearing to consider a request to assign City of Kannapolis zoning to recently annexed properties located at 2423 and 2575 Jim Johnson Road and an Unaddressed parcel on Jim Johnson Road. The subject properties are currently zoned Cabarrus County Countryside Residential (CR), and the request is to assign City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) to allow for a residential development. The subject properties are approximately 87.748 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46729232550000, 46729217120000, and 46728256200000. This property was voluntarily annexed on April 28, 2025. Per the North Carolina General Statutes, a City of Kannapolis zoning designation must be applied to the property within sixty (60) days of annexation.
- 7. Planning Director Update**
- 8. Other Business**
- 9. Adjourn**



**Planning and Zoning Commission
May 20, 2025 Meeting**

Staff Report

TO: Planning and Zoning Commission
FROM: Kathryn Stapleton, Planner
SUBJECT: **Case #Z-2025-03: Zoning Map Amendment – 2305 Lane Street**
Applicant: John and Gwendolyn Sedlack

Request to rezone property located at 2305 Lane Street from City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 4 (R4) zoning district.

A. Actions Requested by Planning & Zoning Commission

1. Hold Public Hearing
2. Motion to adopt Statement of Consistency
3. Motion to adopt Resolution to Zone

B. Decision and Required Votes to Pass Requested Actions

Section 2.3.B.(1)a of the Kannapolis Development Ordinance (KDO) allows the Planning and Zoning Commission to render a final decision on a rezoning request. If there is a denial, an approval by a vote of less than three-fourths, or an appeal of the decision, then only City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to City Council.

C. Background & Project Overview

The applicant, John Sedlack, is requesting to rezone property located at 2305 Lane Street from City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 4 (R4) zoning district. The subject property is further identified as Cabarrus County Parcel Identification Number 56248159610000 and is approximately 0.45 +/- acres.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.A.(2).c. of the KDO states that Amending the Zoning Map is a matter committed to the legislative discretion of the Planning and Zoning Commission or of the City Council, as authorized by this section. In determining whether to adopt or deny the proposed amendment, the Planning and Zoning Commission or City Council, as applicable, may consider, and weigh the relevance of, whether and to what extent the proposed Zoning Map amendment:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

Yes. This area is located within the “Complete Neighborhood 1” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The “Complete Neighborhood 1” promotes single-family detached and attached residential as primary uses and multifamily residential as a secondary use.

2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?

No. The R4 zoning designation is appropriate for this area. There is existing R4 zoning on nearby properties.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

No. The proximity to other R4 zoning and consistency with the Comprehensive Plan Character Area make the requested R4 zoning district an appropriate change.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Yes. The R4 zoning designation is compatible with existing and allowed uses on surrounding land. Surrounding uses are primarily single-family detached dwellings.

5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?

Yes. This property is located adjacent to roads with adequate capacity and safety, and is a suitable use allowed under the requested zoning. Public water and sewer services are accessible to this site.

6. Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?

Yes. The requested zoning allows for a use that is compatible with existing adjacent residential uses.

7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

No. There are no anticipated significant environmental impacts from rezoning this property. This property is located in the Coldwater Creek (Lake Fisher) WS-IV Protected Watershed. Any development will be required to conform to all applicable local, state, and federal environmental regulations.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject property as located within the “Complete Neighborhood 1” Character Area in the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

The Planning and Zoning Commission may choose to approve or deny the petition as presented.

Based on the request being consistent with the 2030 Plan, staff recommends approval for Zoning Map Amendment Case #Z-2025-03.

Alternative Courses of Action

Motion to Approve (2 votes)

- 1. Should the Commission choose to approve the request for rezoning as presented in Case #Z-2025-03, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject property as located within the “Complete Neighborhood 1” Character Area in the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

2. Should the Commission choose to approve Case #Z-2025-03, a motion should be made to adopt the Resolution to Zone.

Motion to Deny (2 votes)

1. Should the Commission choose to recommend denial of Case #Z-2025-03, a motion should be made to adopt the following Statement of Consistency:

Statement of Consistency: *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #Z-2025-03 to be **inconsistent** with the goals and policies of the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. Should the Commission choose to deny Case #Z-2025-03, a motion should be made to deny the Resolution to Zone.

I. Attachments

1. Rezoning Application
2. Vicinity Map
3. Zoning Map
4. 2030 Future Land Use and Character Map
5. List of Notified Properties
6. Letter to Adjacent Property Owners
7. Resolution to Adopt a Statement of Consistency
8. Resolution to Zone

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager



KN-Z-2025-00021

Zoning Map Amendment Checklist

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. Please either bring this application to the address above or email to bbarcroft@kannapolisnc.gov. The fees may also be paid online with a link provided by staff.

REZONING REQUEST

Rezoning – Request for an amendment to the Kannapolis Zoning Map. Approval authority – Planning and Zoning Commission.

Requested Rezoning Property Address: 2305 Lane STREET

Applicant: JOHN SEDLAK, GWEN SEDLAK

Proposed development: _____

SUBMITTAL CHECKLIST

- ☒ Pre-Application Meeting
- ☒ Zoning Map Amendment Checklist and Application – Complete with all required signatures
- ☐ Fee: \$850.00 (\$500 Application Fee, \$300 Legal Notices and notification fee, & \$50 letter/sign public notice [see Fee Schedule])
- ☒ Please mark this box to authorize aerial drone photography of the site

PROCESS INFORMATION

Public Notification: This is a legislative process that requires a public hearing and public notification including newspaper notice, first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Section 2.4.F of the KDO).

Review Process: All applications will be reviewed for compliance and then forwarded to the Planning and Zoning Commission for consideration at a public hearing which is held monthly on the third Tuesday at 6:00pm in City Hall Laureate Center. The pre-application meeting, submittal of application, and payment of fees, must be completed prior to scheduling the public hearing. Please review Section 2.4.D. of the KDO.

Action by Planning and Zoning Commission: After conducting a public hearing, the Commission may: deny the application; conduct an additional public hearing on the application; or approve the application.

Scope of Approval: An affirmative vote of three-fourths of the members present and not excused from voting, shall be necessary to approve a rezoning request. The approval of a rezoning does not authorize development activity, but does authorize the application to apply for a final major site plan. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

By signing below I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if incomplete.

Applicant's Signature: _____

Date: _____

4-9-25
4-9-25



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information

Name: John Sedlak

Address: 2309 Lane STREET

Kannapolis NC 28083

Phone: 704-490-0622

Email: SimplySed68@yahoo.com

Property Owner Contact Information

☒ Same as applicant

Name: _____

Address: _____

Phone: _____

Email: _____

Project Information

Project Address: 2305 LANE STREET Kannapolis NC 28083

Parcel: 5624815961

of parcels: 1

Approx. size of parcels: 0.45 AC

(attach separate list if necessary)

Current Zoning Designation: Select OI

Requested Zoning Designation: Select ~~RI~~ / R4

Reason for map amendment: RE-ZONE PARCEL TO RESIDENTIAL ZONING.

By signing below, it is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound to the use(s) authorized unless subsequently changed or amended as provided for in the Zoning Ordinance.

Applicant Signature

Property Owner Signature

4-9-25

4-9-25

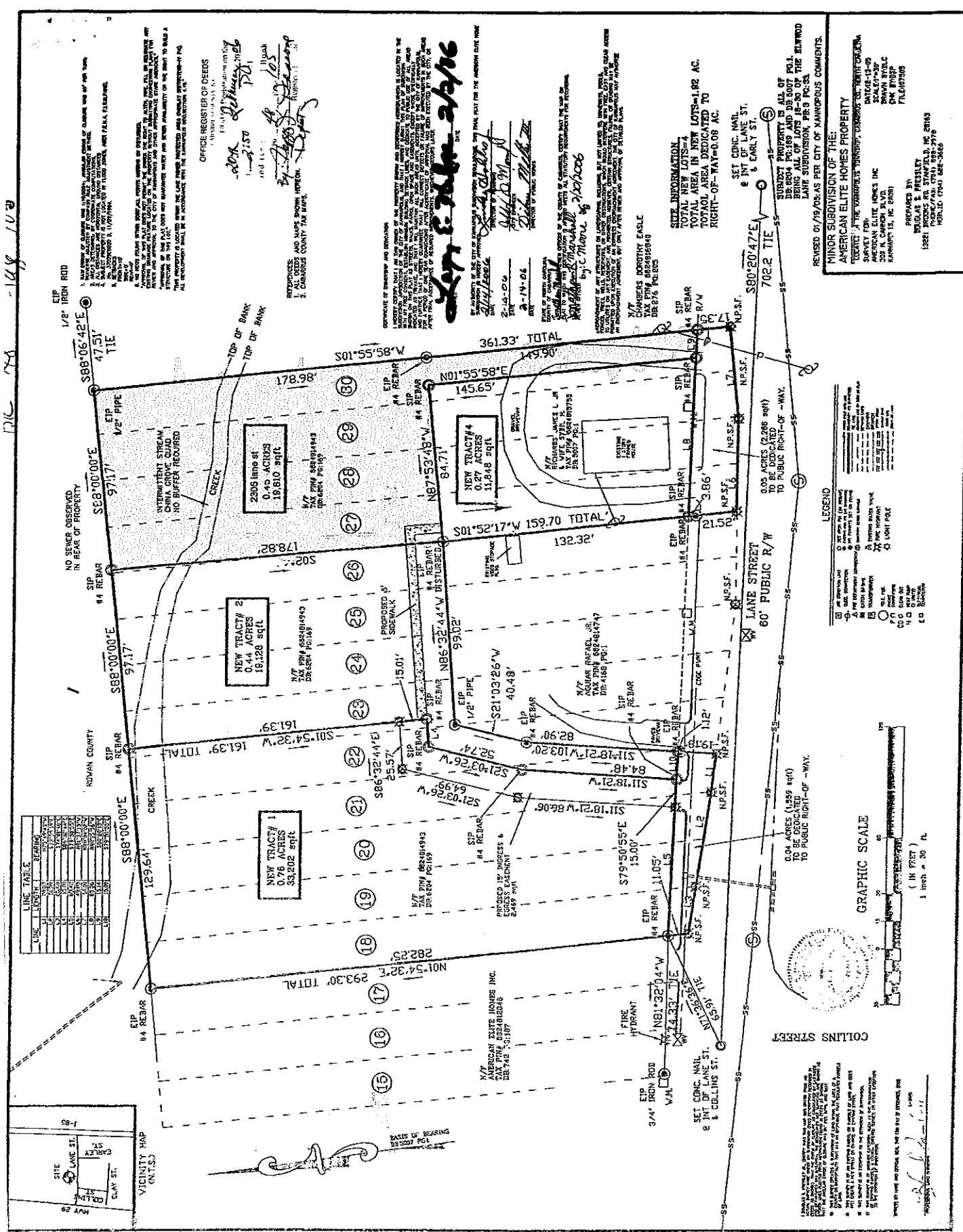
4-9-25

Date

Note: This is not a permit to occupy a structure. Owner and/or applicant are responsible for the location of utility lines and easements. Zoning Map Amendment does not guarantee the availability of water and/or sewer.

171-100

105



REVISIONS
1. ALL DEEDS AND MAPS SHOW HEREON
2. CHANGES COUNTY TAX MAPS

OFFICE REGISTER OF DEEDS
CLAY COUNTY, MISSISSIPPI
JULY 1, 2010
2:50 PM
JULY 1, 2010
2:50 PM

PREPARED BY:
JULIUS & MESSLEY
13221 JONES BLVD., SUITE 200
MOBILE, AL 36688
(904) 686-2868

AMERICAN ELITE HOMES PROPERTY
SUBDIVISION OF THE
THE HANCOCK TRUST, CHARLES T. HANCOCK
SURVEY FOR
AMERICAN ELITE HOMES INC
300 N. CANNON BLVD.
ANNAPOLIS, MD 21401
PL0007500

LEGEND
1. ALL DEEDS AND MAPS SHOW HEREON
2. CHANGES COUNTY TAX MAPS

GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft

PLAT MAP
CLAY ST.
LANE ST.
SITE

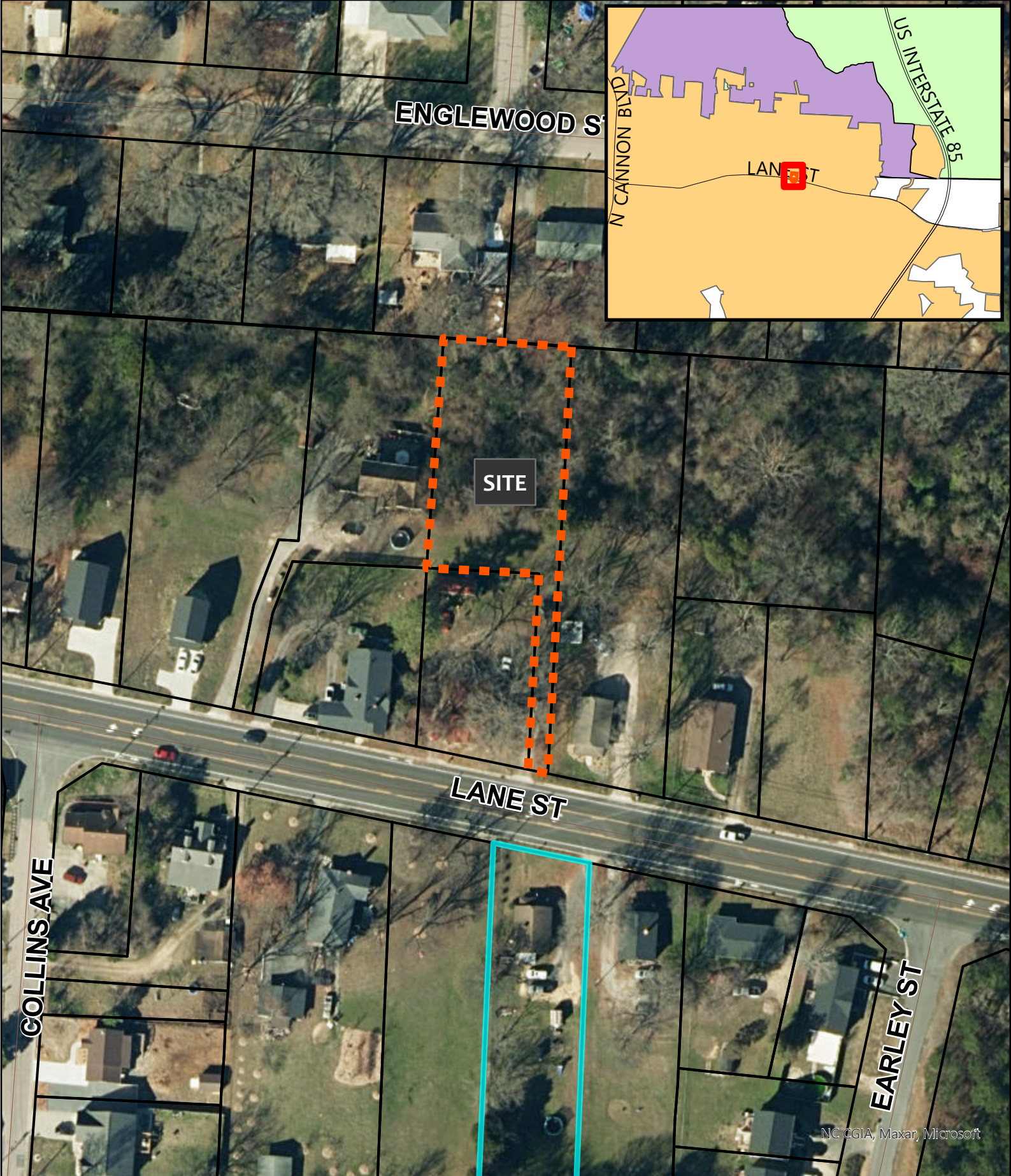
VIOLATION MAP
(NOTED)

CLAY ST.
LANE ST.
SITE



Vicinity Map

Case Number: CZ-2025-03
Applicant: John and Gwendolyn Sedlak
2305 Lane St





Kannapolis Current Zoning

Case Number: CZ-2025-03
Applicant: John and Gwendolyn Sedlak
2305 Lane St





Kannapolis 2030 Future Land Use Map

Case Number: CZ-2025-03
Applicant: John and Gwendolyn Sedlak
2305 Lane St



ENGLEWOOD ST

CENTERFIELD ST

SITE

Complete
Neighborhood 1

LANE ST

COLLINS AVE

EARLEY ST

CITY OF KANNAPOLIS

MEMORANDUM

TO: Amanda Boan
The Independent Tribune
FROM: Gabriela Wilkins, Planning Technician
DATE: May 5, 2025
SUBJECT: Display Ad

Please publish this Notice of Public Hearing as a **display ad** in the non-legal section of *The Independent Tribune*.

Publish dates: Thursday, May 8, 2025
Thursday, May 15, 2025

Send invoice of publication to: gwilkins@kannapolisnc.gov

Call me at 704-920-4358 if you have any questions.

Thank you.
Gabriela Wilkins
gwilkins@kannapolisnc.gov



**NOTICE OF PUBLIC HEARING
Planning and Zoning Commission Meeting**

Tuesday, May 20, 2025, at 6:00 pm

Zoning Map Amendment – Z-2025-03 – 2305 Lane Street – Public Hearing to consider a request to rezone property located at 2305 Lane Street from City of Kannapolis Office-Institutional (O-I) zoning district to City of Kannapolis Residential 4 (R4) zoning district. The subject property is approximately 0.45 +/- acres and further identified as Cabarrus County Parcel Identification Number 56248159610000.

Zoning Map Amendment – Z-2025-04 – 5400 and 5425 Odell School Road – Public Hearing to consider a request to assign City of Kannapolis zoning to recently annexed properties located at 5400 and 5425 Odell School Road. The subject properties are currently zoned Cabarrus County Office/Institutional (OI), and the request is to assign City of Kannapolis Agricultural (AG) zoning district. The subject properties are approximately 13.95 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46736668550000 and 46735792770000.

Conditional Zoning Map Amendment – CZ-2025-02 – 2423 and 2575 Jim Johnson Road and an Unaddressed parcel on Jim Johnson Road – Public Hearing to consider a request to assign City of Kannapolis zoning to recently annexed properties located at 2423 and 2575 Jim Johnson Road and an Unaddressed parcel on Jim Johnson Road. The subject properties are currently zoned Cabarrus County Countryside Residential (CR), and the request is to assign City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) zoning district to allow for a residential development. The subject properties are approximately 87.748 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46729232550000, 46729217120000, and 46728256200000.

In accordance with Title II of the Americans with Disabilities Act (AD), any person requiring an accommodation to participate in a function or program of the City of Kannapolis, should contact Daniel Jenkins, Assistant Human Resource Director & ADA Coordinator, by phone at 704-920-4312, email adacoordinator@kannapolisnc.gov, or in person at Kannapolis City Hall as soon as possible but not later than 48 hours before the scheduled event.

FID	OWNNAME	OWN2	TAXADD1	CITY	STATE	ZIPCODE
51923	FURR GARRY MARTIN JR		2301 ENGLEWOOD ST	KANNAPOLIS	NC	28083-3032
53238	LIPPARD CHRISTOPHER BRIAN		2210 ENGLEWOOD ST	KANNAPOLIS	NC	28083
53989	HARRINGTON GARY LANE & WF	HARRINGTON RUBY A	360 CORRIHER GRANGE RD	MOORESVILLE	NC	28115
54343	HARKEY DONNA DAVIS		2212 ENGLEWOOD ST	KANNAPOLIS	NC	28083-3031
55657	CRAVER ROBERT EUGENE HEIRS		2302 ENGLEWOOD ST	KANNAPOLIS	NC	28083
55658	HAYES BRENDA M & HUS	HAYES FELIX E	2304 ENGLEWOOD ST	KANNAPOLIS	NC	28083
55667	POORE TOBY DEWAYNE		2303 ENGLEWOOD ST	KANNAPOLIS	NC	28083-3032
56195	HARRINGTON WILLIAM T & WF	HARRINGTON VANNIE	2213 ENGLEWOOD ST	KANNAPOLIS	NC	28083
56441	RODRIGUEZ JESUS HAYRO CABRERA & SPOUSE	DIAZ BRENDA YACKELYN ORELLANA	2208 ENGLEWOOD ST	KANNAPOLIS	NC	28083-3031

OBJECTID_12	AcctName1	AcctName2	MailAddr1	MailCity	MailState	MailZipCod
94851	ALL 4 U HOMES LLC		4177 OLIVIA LN	ROCKWELL	NC	28138
94852	AGUIAR RAFAEL JR	AGUIAR CAROL BAKER WF	2307 LANE ST	KANNAPOLIS	NC	28083
95224	SALAZAR ROGACIANO SOTELO	IRIASTE ITZEL ARELY SPOUSE	2306 LANE ST	KANNAPOLIS	NC	28083
95271	SALAZAR ROGACIANO SOTELO		2306 LANE ST	KANNAPOLIS	NC	28083
95453	SEDLAK GWENDOLYN S	SEDLAK JOHN W HSB	2309 LANE ST	KANNAPOLIS	NC	28083
95476	RIOS DAVID	RIOS MARIA TERESA WF	3915 PINTAIL DR	CONCORD	NC	28025
95510	BARRETT JAMES DAVID		2310 LANE ST	KANNAPOLIS	NC	28083
95520	GIBSON AUSTIN C	GIBSON MART A	2314 LANE ST	KANNAPOLIS	NC	28083
95550	KARRIKER ROBERT L	KARRIKER BOBBIE K WF	660 CORINTH CHURCH RD	MOORESVILLE	NC	28115
95578	R & M ALLEN PROPERTIES LLC		854 KEMP RD	MOORESVILLE	NC	28117
95614	SEDLAK JOHN W	SEDLAK GWENDOLYN S WF	2309 LANE ST	KANNAPOLIS	NC	28083
96004	MATLOCK JESSIE		1812 LINDA AVE	KANNAPOLIS	NC	28083
96005	GARVIN EDWARD BRYAN		12739 CAPITOL CORNERS DR	HUNTERSVILLE	NC	28078
102475	GARVIN EDWARD BRYAN		12739 CAPITOL CORNERS DR	HUNTERSVILLE	NC	28078
102615	PROVIDENCE PROPERTIES OF THE CAROLINAS LLC		1520 CANDLEWYCK CT	KANNAPOLIS	NC	28081
102637	PERKINS ALAN B	PERKINS ZANDRA B SPOUSE	2313 LANE ST	KANNAPOLIS	NC	28083



May 5, 2025

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, May 20, 2025, at 6:00 PM, at 401 Laureate Way, Kannapolis, NC for the following case:

Z-2025-03 – Zoning Map Amendment – 2305 Lane Street

The purpose of this Public Hearing is to consider a request to rezone property located at 2305 Lane Street from City of Kannapolis Office Institutional (O-I) to City of Kannapolis Residential 4 (R4) zoning district. The subject property is approximately 0.45 +/- acres and further identified as Cabarrus County Parcel Identification Number 56248159610000 (see reverse side of this letter for a map showing the location of this property).

As an abutting property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Development Ordinance. You are invited to attend the public hearing and will be provided an opportunity to speak to the Planning and Zoning Commission, if you believe it to be necessary for their decision making on this matter.

If you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4361 or email kstapleton@kannapolisnc.gov.

Sincerely,

Kathryn Stapleton, CZO
Planner

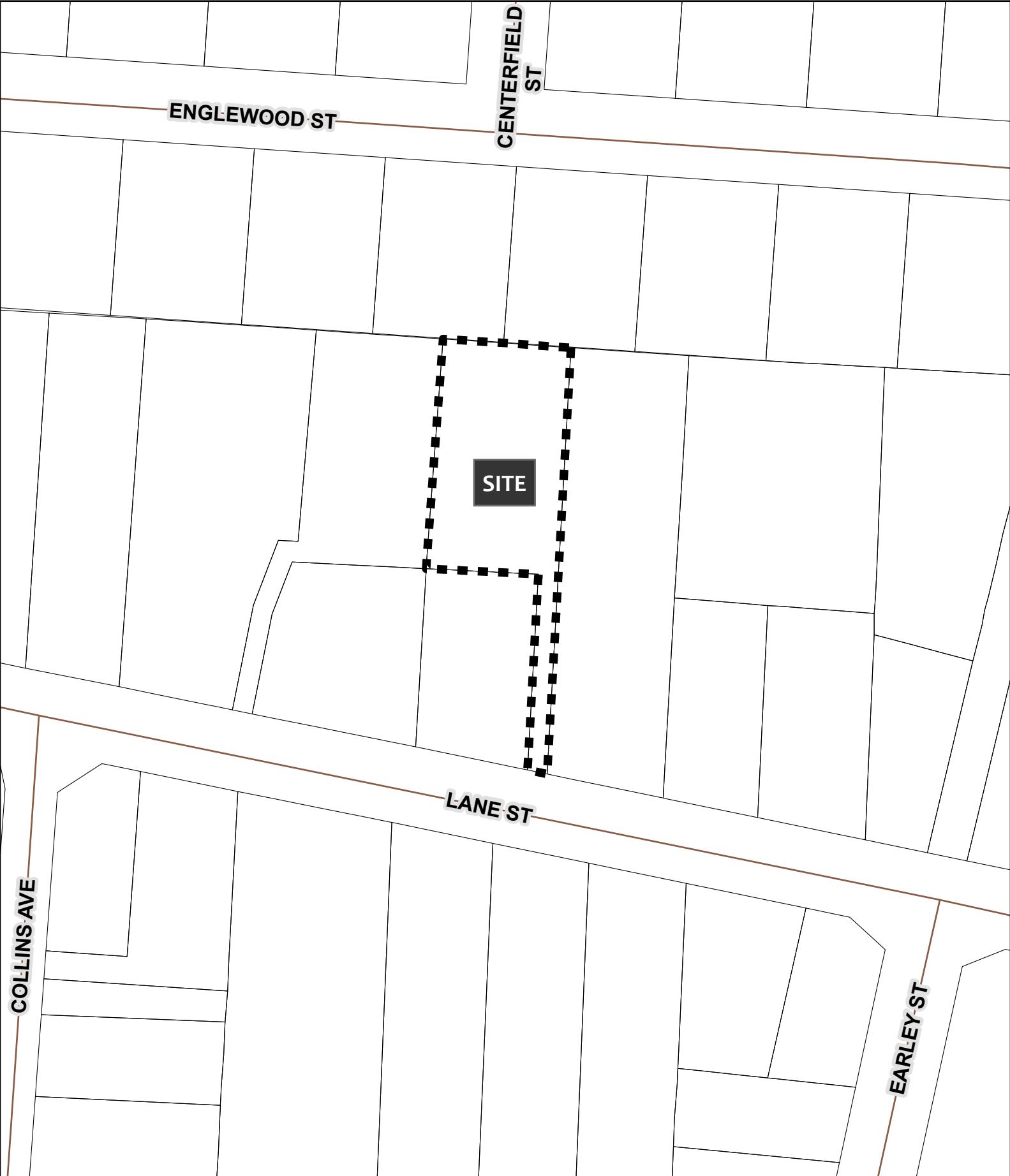
Enclosure

In accordance with Title II of the Americans with Disabilities Act (AD), any person requiring an accommodation to participate in a function or program of the City of Kannapolis, should contact Daniel Jenkins, Assistant Human Resource Director & ADA Coordinator, by phone at 704-920-4312, email adacoordinator@kannapolisnc.gov, or in person at Kannapolis City Hall as soon as possible but not later than 48 hours before the scheduled event.



Rezoning

Case Number: CZ-2025-03
Applicant: John and Gwendolyn Sedlak
2305 Lane St





KANNAPOLIS

PLANNING

ZONING

COMMISSION

PUBLIC HEARING INFORMATION
CALL 704-920-4350 CASE # Z-2025-03



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE #Z-2025-03**

WHEREAS, Sections 160D-604 and 160D-605 of the North Carolina General Statutes specify that when adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable and explain why the action taken is reasonable and in the public interest; and

WHEREAS, Section 2.3.B(1).a. of the Kannapolis Development Ordinance delegates final authority to the Planning and Zoning Commission on zoning map amendments subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision; and

WHEREAS, on May 20, 2025 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone approximately 0.45 +/- acres of property located at 2305 Lane St., (Cabarrus County Parcel Identification Number 56248159610000), owned by John W. and Gwendolyn S. Sedlack, from City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 4 (R4) zoning district.

NOW, THEREFORE BE IT RESOLVED *The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan (“2030 Plan”), adopted by City Council, which designates the subject property as located within the Complete Neighborhood 1 in the 2030 Plan. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.*

Adopted this the 20th day of May, 2025:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Gabriela Wilkins, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE

Case #Z-2025-03 (2305 Lane Street)

From City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 4 (R4) Zoning Designation

WHEREAS, Section 2.3.B.(1).a of the Kannapolis Development Ordinance (KDO) specifically delegates authority to the Planning and Zoning Commission to take final action on a rezoning application provided, if the application is approved by less than a three quarters majority of voting members or denied, or if the Planning and Zoning Commission's decision is appealed, the City Council shall make the final decision on the application; and

WHEREAS, the Commission conducted a public hearing on May 20, 2025, for consideration of rezoning petition Case #Z-2025-03 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone 0.45 +/- acres of property located at 2305 Lane St., (Cabarrus County Parcel Identification Number 56248159610000), owned by John W. and Gwendolyn S. Sedlack, from City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 4 (R4) zoning district.

WHEREAS, the Commission has approved the request for rezoning and found it to be consistent with the City of Kannapolis *Move Kannapolis Forward, 2030 Comprehensive Plan*, reasonable and in the public interest; and

WHEREAS, per Section 2.5.A.(2).c of the Kannapolis Development Ordinance, the Planning and Zoning Commission makes the following findings in support of and in analysis of the rezoning:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

Yes. This area is located within the "Complete Neighborhood 1" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The "Complete Neighborhood 1" promotes single-family detached and attached residential as primary uses and multifamily residential as a secondary use.

2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?

No. The R4 zoning designation is appropriate for this area. There is existing R4 zoning on nearby properties.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

No. The proximity to other R4 zoning and consistency with the Comprehensive Plan Character Area make the requested R4 zoning district an appropriate change.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Yes. The R4 zoning designation is compatible with existing and allowed uses on surrounding land. Surrounding uses are primarily single-family detached dwellings.

5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?

Yes. This property is located adjacent to roads with adequate capacity and safety, and is a suitable use allowed under the requested zoning. Public water and sewer services are accessible to this site.

6. Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?

Yes. The requested zoning allows for a use that is compatible with existing adjacent residential uses.

7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

No. There are no anticipated significant environmental impacts from rezoning this property. This property is located in the Coldwater Creek (Lake Fisher) WS-IV Protected Watershed. Any development will be required to conform to all applicable local, state, and federal environmental regulations.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the above referenced properties be rezoned from City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 4 (R4) Zoning Designation.

Adopted this the 20th day of May, 2025:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Gabriela Wilkins, Recording Secretary
Planning and Zoning Commission



**Planning and Zoning Commission
May 20, 2025 Meeting**

Staff Report

TO: Planning and Zoning Commission

FROM: Kathryn Stapleton, Planner

SUBJECT: **Case #Z-2025-04: Zoning Map Amendment –
5400 and 5425 Odell School Road
Applicant: D. Keith Wayne - Coddle Creek, LLC**

Request to rezone property located at 5400 and 5425 Odell School Road from Cabarrus County Office-Institutional (OI) to City of Kannapolis Agricultural (AG) zoning district.

A. Actions Requested by Planning & Zoning Commission

1. Hold Public Hearing
2. Motion to adopt Statement of Consistency
3. Motion to adopt Resolution to Zone

B. Decision and Required Votes to Pass Requested Actions

Section 2.3.B.(1)a of the Kannapolis Development Ordinance (KDO) allows the Planning and Zoning Commission to render a final decision on a rezoning request. If there is a denial, an approval by a vote of less than three-fourths, or an appeal of the decision, then only City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to City Council.

C. Background & Project Overview

The applicant, Coddle Creek, LLC, is requesting to rezone properties located at 5400 and 5425 Odell School Road from Cabarrus County Office/Institutional (OI) to City of Kannapolis Agricultural (AG) zoning district. The subject properties are further identified as Cabarrus County Parcel Identification Numbers 46736668550000 and 46735792770000 and are approximately 13.95 +/- combined acres. If approved, any of the permitted uses in the AG zoning district would be allowed on the property. The AG zoning district designation also may serve as a “holding zone” within future growth areas.

The subject properties were voluntarily annexed into the City on April 28, 2025. Per North Carolina General Statutes, an initial City of Kannapolis zoning designation must be applied to a property within sixty (60) days of annexation.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.A.(2).c. of the KDO states that Amending the Zoning Map is a matter committed to the legislative discretion of the Planning and Zoning Commission or of the City Council, as authorized by this section. In determining whether to adopt or deny the proposed amendment, the Planning and Zoning Commission or City Council, as applicable, may consider, and weigh the relevance of, whether and to what extent the proposed Zoning Map amendment:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

Yes. This rezoning is located within a Cluster Residential Character Area and a Primary Activity Center. It is adjacent to an Employment Center Character Area. Cluster Residential provides opportunities for neighborhood-serving walkable commercial and civic uses. Primary uses include single-family detached and attached residential. Secondary uses include neighborhood-serving retail and office, trails and greenways. Primary uses within the Primary Activity Center and the Employment Center Character Area include office, retail, and manufacturing, and secondary uses of institutional and light industrial.

2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?

No. The AG zoning designation is appropriate for this area.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

No. The properties were recently annexed into the City of Kannapolis.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Yes. The AG zoning designation is compatible with existing and allowed uses on surrounding land. The surrounding uses are primarily single-family detached dwellings and the adjacent construction supply company in the Concrescere Corporate Park.

5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?

Yes. The subject properties are located adjacent to roads with adequate capacity and safety, and is a suitable use allowed under the requested zoning. Public water and sewer services are accessible to this site.

6. Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?

Yes. The subject properties are within the City's future growth area. The AG District serves as a "holding zone" and is designed to facilitate orderly growth and development in areas expected to experience increased urbanization over time. The Primary Activity Center Character Area provides opportunities for larger format retail commercial establishments and smaller commercial shop/dine activities.

7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

No. There are no anticipated significant environmental impacts from rezoning this property. The property is within the Coddle Creek WS-II Protected Watershed. Any development will be required to conform to all applicable local, state, and federal environmental regulations.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* ("2030 Plan"), adopted by City Council, which designates the subject property as located within the "Cluster Neighborhood" Character Area and a Primary Activity Center in the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

The Planning and Zoning Commission may choose to approve or deny the petition as presented.

Based on the request being consistent with the 2030 Plan, staff recommends approval for Zoning Map Amendment Case #Z-2025-04.

Alternative Courses of Action

Motion to Approve (2 votes)

1. Should the Commission choose to approve the request for rezoning as presented in Case #Z-2025-04, a motion should be made to adopt the following Statement of Consistency:

Statement of Consistency: Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject property as located within the “Cluster Neighborhood” Character Area and a Primary Activity Center in the 2030 Plan. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

2. Should the Commission choose to approve Case #Z-2025-04, a motion should be made to adopt the Resolution to Zone.

Motion to Deny (2 votes)

1. Should the Commission choose to recommend denial of Case #Z-2025-04, a motion should be made to adopt the following Statement of Consistency:

Statement of Consistency: *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #Z-2025-04 to be **inconsistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. Should the Commission choose to deny Case #Z-2025-04, a motion should be made to deny the Resolution to Zone.

I. Attachments

1. Rezoning Application
2. Vicinity Map
3. Zoning Map
4. 2030 Future Land Use and Character Map
5. List of Notified Properties
6. Letter to Adjacent Property Owners
7. Resolution to Adopt a Statement of Consistency
8. Resolution to Zone

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

Petition for Non-Contiguous Annexation

So that we may efficiently review your request in a timely manner, it is important that all required documents are submitted with your application. Submit digitals and 1 hard copy of applications and accompanying documents to the Planning Department at the address above.

ANNEXATION REQUEST

Approval authority – City Council.

Property Address: 5400 Odell School Rd / 5425 Odell School Rd

Applicant: Coddle Creek, LLC

Address: 357 Conrescere Pkwy City: Davidson State: NC Zip: 28036

Contact number: (704) 361-1887 Email: keith.wayne@waynebrothers.com

SUBMITTAL CHECKLIST

- ☒ Pre-Application Meeting – send an email to planreviewappointment@kannapolisnc.gov 3-14-25
- ☒ Annexation Checklist and Application – Complete with all required property owner signatures
- ☒ Stamped, signed black and white 18 x 24" survey of subject property prepared by a registered engineer or surveyor (not preliminary)
- ☒ Metes and Bounds description of subject property

PROCESS INFORMATION


Annexation involves two (2) separate City Council meetings:

First meeting: The City Clerk will certify the sufficiency of the annexation and City Council will set a date for the public meeting.

Second meeting: City Council will review the petition and either approve or decline the annexation request:

1. Newspaper notification at least ten (10) days prior to the second Council meeting
2. Notification to the County or municipality from which the subject property is being annexed
3. Public Hearing
4. State recordation of the Resolution to Extend the Corporate City Limits, the signed/stamped 18X24" survey (can not be stamped as preliminary) and the Metes and Bounds Description.

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if incomplete.

Applicant's Signature:  Date: 3/24/25



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

PETITION REQUESTING A NON-CONTIGUOUS ANNEXATION

Approval authority – City of Kannapolis City Council

DATE: 3/24/25

To the City Council of the City of Kannapolis, North Carolina:

1. We, the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the City of Kannapolis.
2. The area to be annexed, located at 5400 Odell School Rd / 5425 Odell School Rd, further identified as Cabarrus County Parcel Identification Number _____, is non-contiguous to the primary limits of the City of Kannapolis, is approximately _____ acres, and the boundaries of such territory are as follows:
46736668550000 9.35 acres / 46735792770000 4.6 acres
See Attached Signed, Stamped Survey Map and Metes and Bounds Description
3. This petition is signed by all property owners of the area to be annexed.
4. ☒ The undersigned owners acknowledge that the following City service(s) is (are) not presently available for immediate taps upon annexation: water ☐ sewer ☒; and, subsequently agree that the City shall not provide water and sewer service to the area to be annexed except in accordance with the City's standard water and sewer policy.
5. Please check ONE box below:
☐ The undersigned owners declare that zoning vested rights have been established on the area to be annexed under G.S. 160D-108 or G.S. 160D-108.1 and provide proof of such rights by attachment hereto.
☒ The undersigned owners hereby declare that no such vested rights have been established and that any vested rights previously acquired are hereby terminated.

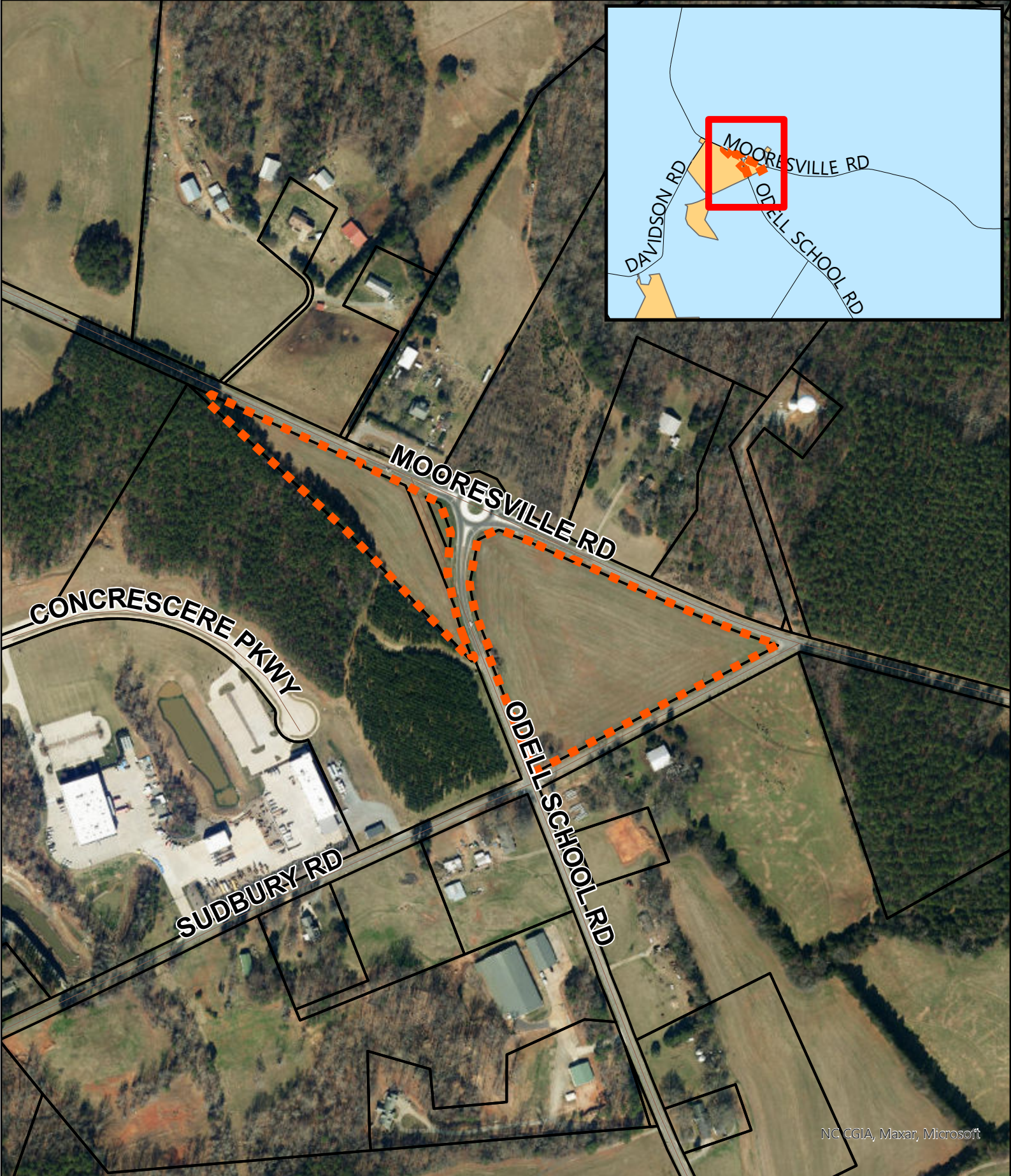
<u>Name</u> (print or type)	<u>Address</u>	<u>Signature*</u>
1. <u>D. Keith Wayne</u>	<u>357 Concrescere Pkway, Davidson, NC 28036</u>	<u>[Signature]</u>
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

*Family members (e.g., husbands and wives) need to sign separately. Signatures for corporations, institutions, etc., are by those with the authority to sign legal documents.



Vicinity Map

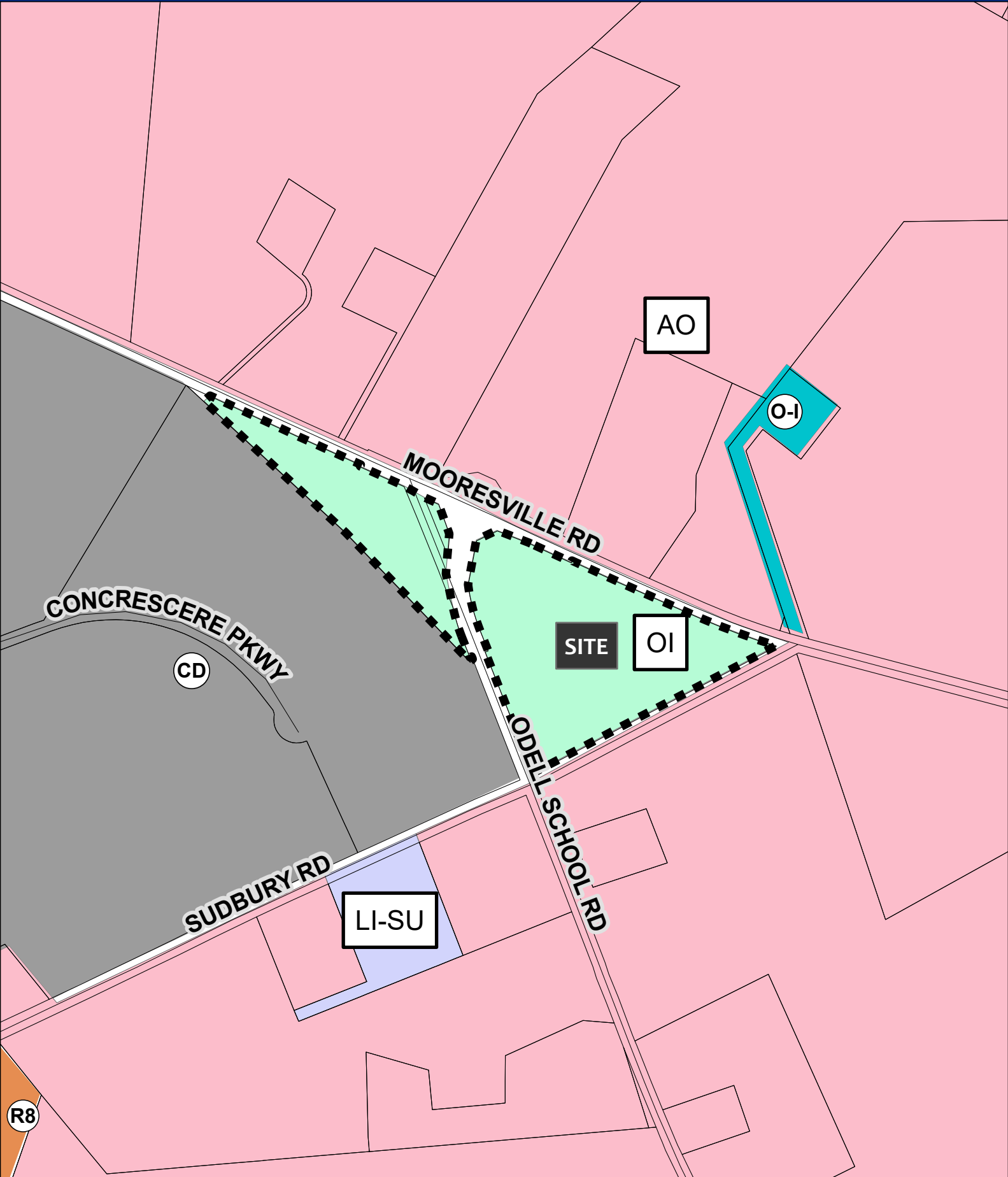
Case Number: Z-2025-04
Applicant: Coddle Creek LLC
5400 and 5425 Odell School Rd





Kannapolis Current Zoning

Case Number: Z-2025-04
Applicant: Coddle Creek LLC
5400 and 5425 Odell School Rd





Kannapolis 2030 Future Land Use Map

Case Number: Z-2025-04
Applicant: Coddle Creek LLC
5400 and 5425 Odell School Rd



PIN14	AcctName1	AcctName2	MailAddr1	MailAddr2	MailCity	MailState	MailZipCod
46737725980000	CITY OF KANNAPOLIS		401 LAUREATE WAY		KANNAPOLIS	NC	28081
46735871560000	BENTON ELDON LAVON	BENTON TRUDY BEAM WF	10920 MOORESVILLE RD		DAVIDSON	NC	28036
46736784470000	FULMER LESLIE STANMORE JR	FULMER SANDRA/WIFE	10710 MOORESVILLE ROAD		DAVIDSON	NC	28036
46737824530000	MORRISON WILLIAM E	MORRISON EMMY H WF	6311 BENTRIDGE DR		CHARLOTTE	NC	28226
46736631750000	CHAMPION JAMES D JR TRUSTEE		5321 ODELL SCHOOL RD		DAVIDSON	NC	28036
46736668670000	MORRISON BOYCE M JR	MORRISON DAVID STEWART TRUSTEE	33752 DARLINGTON ST		LEWES	DE	19958
46736668670000	MORRISON BOYCE M JR	MORRISON DAVID STEWART TRUSTEE	33752 DARLINGTON ST		LEWES	DE	19958
46736668670000	MORRISON BOYCE M JR	MORRISON DAVID STEWART TRUSTEE	33752 DARLINGTON ST		LEWES	DE	19958
46737702730000	MORRISON WILLIAM EMERSON		6311 BENTRIDGE DRIVE		CHARLOTTE	NC	28226
46737576410000	MORRISON JOHN HALL		4850 ODELL SCHOOL RD		DAVIDSON	NC	28036
46735638560000	CODDLE CREEK LLC		357 CONCRESCERE PKWY		DAVIDSON	NC	28036
46736709420000	BENTON EVAN LAVON	BENTON HOLLY M WF	10900 MOORESVILLE RD		DAVIDSON	NC	28036
46736841200000	WALLY FRED DALE		10800 MOORESVILLE RD		DAVIDSON	NC	28036
46737629640000	MORRISON WILLIAM EMERSON		6311 BENTRIDGE DRIVE		CHARLOTTE	NC	28226
46734773880000	HIGHWAY 3 ASSOCIATES 1 LLC		C/O MR MICHAEL WIGGINS	2845 SHARON RD	CHARLOTTE	NC	28211
46739705900000	READLING FAMILY LIMITED	PARTNERSHI	10200 MOORESVILLE RD		DAVIDSON	NC	28036
46735897790000	BENTON ELDON LAVON		10920 MOORESVILLE ROAD		DAVIDSON	NC	28036
46736672630000	GERMANSON PAULA MORRISON	GERMANSON JOHN DAVID HSB	5201 MOONLIGHT TRL SW		CONCORD	NC	28025



KANNAPOLIS

Planning

May 5, 2025

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, May 20, 2025, at 6:00 PM, at 401 Laureate Way, Kannapolis, NC for the following case:

Z-2025-04 – Zoning Map Amendment – 5400 and 5425 Odell School Rd

The purpose of this Public Hearing is to consider a request to rezone properties located at 5400 and 5425 Odell School Road from Cabarrus County Office Institutional (OI) to City of Kannapolis Agricultural (AG) zoning district. The subject properties are approximately 13.95 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46736668550000 and 46735792770000 (see reverse side of this letter for a map showing the location of these properties). These properties were voluntarily annexed on April 28, 2025. Per the North Carolina General Statutes, an initial City of Kannapolis zoning designation must be applied to the properties within sixty (60) days of annexation.

As an abutting property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Development Ordinance. You are invited to attend the public hearing and will be provided an opportunity to speak to the Planning and Zoning Commission, if you believe it to be necessary for their decision making on this matter.

If you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4361 or email kstapleton@kannapolisnc.gov.

Sincerely,



Kathryn Stapleton, CZO
Planner

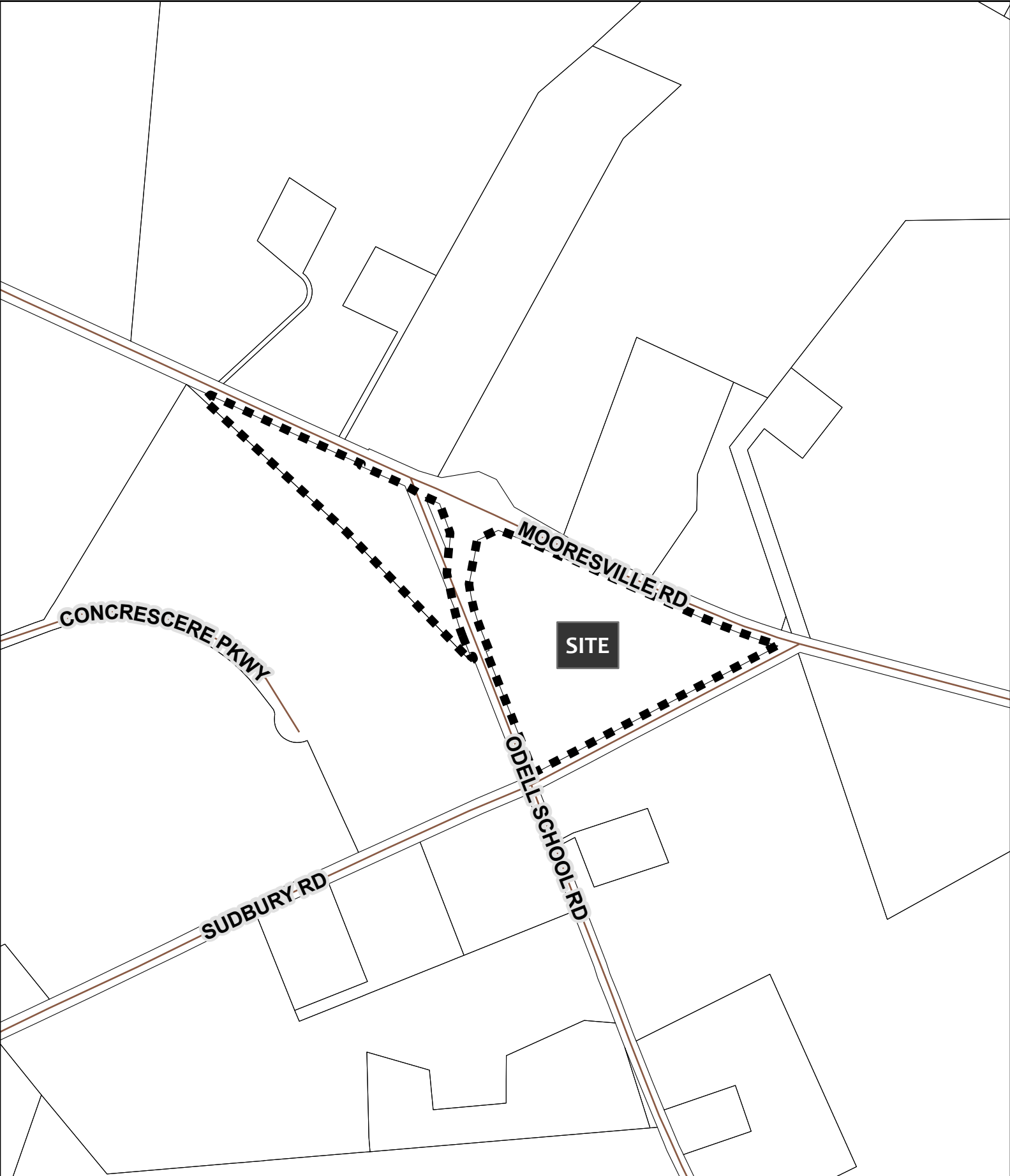
Enclosure

In accordance with Title II of the Americans with Disabilities Act (AD), any person requiring an accommodation to participate in a function or program of the City of Kannapolis, should contact Daniel Jenkins, Assistant Human Resource Director & ADA Coordinator, by phone at 704-920-4312, email adacoordinator@kannapolisnc.gov, or in person at Kannapolis City Hall as soon as possible but not later than 48 hours before the scheduled event.



Rezoning

Case Number: Z-2025-04
Applicant: Coddle Creek LLC
5400 and 5425 Odell School Rd





KANNAPOLIS

PLANNING

ZONING

COMMISSION

PUBLIC HEARING INFORMATION
CALL 704-920-4350 CASE # Z-2025-04

KANNAH POLIS

**PLANNING
ZONING
COMMISSION**

PUBLIC HEARING INFORMATION
CALL 704-920-4350 CASE # Z-2025-04





**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE #Z-2025-04**

WHEREAS, Sections 160D-604 and 160D-605 of the North Carolina General Statutes specify that when adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable and explain why the action taken is reasonable and in the public interest; and

WHEREAS, Section 2.3.B(1).a. of the Kannapolis Development Ordinance delegates final authority to the Planning and Zoning Commission on zoning map amendments subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision; and

WHEREAS, on May 20, 2025 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone approximately 13.95 +/- combined acres of property located at 5400 and 5425 Odell School Road, (Cabarrus County Parcel Identification Numbers 46736668550000 and 46735792770000), owned by Coddle Creek, LLC, from Cabarrus County Office/Institutional (OI) to City of Kannapolis Agricultural (AG) zoning district.

NOW, THEREFORE BE IT RESOLVED *The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan (“2030 Plan”), adopted by City Council, which designates the subject property as located within the Cluster Residential Character Area in the 2030 Plan. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.*

Adopted this the 20th day of May, 2025:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Gabriela Wilkins, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE

**Case #Z-2025-04
(5400 and 5425 Odell School Road)**

**From Cabarrus County Office-Institutional (O-I) to
City of Kannapolis Agricultural (AG) Zoning Designation**

WHEREAS, Section 2.3.B.(1).a of the Kannapolis Development Ordinance (KDO) specifically delegates authority to the Planning and Zoning Commission to take final action on a rezoning application provided, if the application is approved by less than a three quarters majority of voting members or denied, or if the Planning and Zoning Commission's decision is appealed, the City Council shall make the final decision on the application; and

WHEREAS, the Commission conducted a public hearing on May 20, 2025, for consideration of rezoning petition Case #Z-2025-04 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone 13.95 +/- combined acres of property located at 5400 and 5425 Odell School Road, (Cabarrus County Parcel Identification Numbers 46736668550000 and 46735792770000), owned by Coddle Creek, LLC, from Cabarrus County Office-Institutional (O-I) to City of Kannapolis Agricultural (AG) zoning district.

WHEREAS, the Commission has approved the request for rezoning and found it to be consistent with the City of Kannapolis *Move Kannapolis Forward, 2030 Comprehensive Plan*, reasonable and in the public interest; and

WHEREAS, per Section 2.5.A.(2).c of the Kannapolis Development Ordinance, the Planning and Zoning Commission makes the following findings in support of and in analysis of the rezoning:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

Yes. This rezoning is located within a Cluster Residential Character Area and a Primary Activity Center. It is adjacent to an Employment Center Character Area. Cluster Residential provides opportunities for neighborhood-serving walkable commercial and civic uses. Primary uses include single-family detached and attached residential. Secondary uses include neighborhood-serving retail and office, trails and greenways. Primary uses within the Primary Activity Center and the Employment Center Character Area include office, retail, and manufacturing, and secondary uses of institutional and light industrial.

2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?

No. The AG zoning designation is appropriate for this area.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

No. The properties were recently annexed into the City of Kannapolis.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Yes. The AG zoning designation is compatible with existing and allowed uses on surrounding land. The surrounding uses are primarily single-family detached dwellings and the adjacent construction supply company in the Concrescere Corporate Park.

5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?

Yes. This property is located adjacent to roads with adequate capacity and safety, and is a suitable use allowed under the requested zoning. Public water and sewer services are accessible to this site.

6. Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?

Yes. The subject properties are within the City's future growth area. The AG District serves as a "holding zone" and is designed to facilitate orderly growth and development in areas expected to experience increased urbanization over time. The Primary Activity Center Character Area provides opportunities for larger format retail commercial establishments and smaller commercial shop/dine activities.

7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

No. There are no anticipated significant environmental impacts from rezoning this property. The property is within the Coddle Creek WS-II Protected Watershed. Any development will be required to conform to all applicable local, state, and federal environmental regulations.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the above referenced properties be rezoned from Cabarrus County Office-Institutional (O-I) to City of Kannapolis Agricultural (AG) Zoning Designation.

Adopted this the 20th day of May, 2025:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Gabriela Wilkins, Recording Secretary
Planning and Zoning Commission



**Planning and Zoning Commission
May 20, 2025, Meeting**

Staff Report

TO: Planning and Zoning Commission

FROM: Elizabeth McCarty, Assistant Planning Director

SUBJECT: **Case #CZ-2025-02: Conditional Zoning Map Amendment**
Applicant: Blue River Development

Request to conditionally rezone 2423 and 2575 Jim Johnson Road and an Unaddressed parcel on Jim Johnson Road to allow for a residential development.

A. Actions Requested by Planning & Zoning Commission

1. Hold Public Hearing
2. Motion to adopt Statement of Consistency
3. Motion to adopt Resolution to Zone

B. Decision and Required Votes to Pass Requested Actions

Section 2.3.B.(1)a of the Kannapolis Development Ordinance (KDO) allows the Planning and Zoning Commission to render a final decision on a rezoning request. If there is a denial, an approval by a vote of less than three-fourths, or an appeal of the decision, then only the City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

C. Background & Project Overview

The applicant, Blue River Development, is requesting a Conditional Zoning Map Amendment to assign zoning to recently annexed properties located at 2423 and 2575 Jim Johnson Road and an Unaddressed parcel on Jim Johnson Road. The subject properties are currently zoned Cabarrus County Countryside Residential (CR), and the request is to assign City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) to allow for a residential development. The subject properties are approximately 87.748 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46729232550000, 46729217120000, and 46728256200000. The properties were voluntarily annexed on April 28, 2025. Per the North Carolina General Statutes, a City of Kannapolis zoning designation must be applied to the properties within sixty (60) days of annexation.

The applicant is proposing to construct a 264-unit residential development having a mix of single-family townhouses and single-family detached dwellings. The attached conceptual Rezoning Plan, dated April 8, 2025, proposes 122 single-family detached units, 142 townhouse units, and an amenity area. The required neighborhood meeting for a conditional zoning application was held on March 13, 2025, at 6 p.m. at the Laureate Center, 401 Laureate Way. The neighborhood meeting notification and summary are attached.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.A.(2).c. of the KDO states that Amending the Zoning Map is a matter committed to the legislative discretion of the Planning and Zoning Commission or of the City Council, as authorized by this section. In determining whether to adopt or deny the proposed amendment, the Planning and Zoning Commission or the City Council, as applicable, may consider, and weigh the relevance of, whether and to what extent the proposed Zoning Map amendment:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

The subject properties are within the Complete Neighborhood 2 Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Single-family detached residential and single-family attached residential are identified as primary uses in the Complete Neighborhood 2 Character Area. The desired density is 4-18 units/acre. Therefore, the proposed development is consistent with the goals and objectives of the Plan.

2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?

No, the proposed rezoning is not in conflict with any ordinances.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

No, the property was recently annexed into the City of Kannapolis.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Yes, the proposed rezoning and use of the property for a residential development is compatible with existing surrounding land uses, primarily single-family detached dwellings. The subject properties abut City of Kannapolis Residential 4 (R4) residential lots within the Waterford on the Rocky River subdivision, to the north, and City of Kannapolis Residential 18 (R18) residential lots within the Pelhem Pointe subdivision, to the south. Both existing residential developments consist of single-family detached dwellings. The property to the west is zoned City of Kannapolis Agricultural (AG) and will be a future City of Kannapolis park, Westside Park.

The portion of the subject property that lies on the east side of Jim Johnson Road abuts another subdivision of single-family detached lots, Emerson Glen, zoned City of Kannapolis Residential 18-Conditional Zoning (R18-CZ). Other surrounding residential properties are zoned Cabarrus County Countryside Residential (CR).

5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?

Yes, the proposed zoning is compatible with surrounding development. The applicant has initiated a Traffic Impact Analysis (TIA) to determine the proposed development's impact on roads and any necessary mitigation improvements. Jim Johnson Road and Davidson Highway are NCDOT maintained roads and will need to meet NCDOT requirements.

Roads internal to the proposed development will need to meet City road requirements. This includes the alignment and continuation of adjacent platted right-of-way for roads to interconnect the street system to enhance the safe and efficient movement of pedestrians, bicyclists, motor vehicles, and emergency vehicles within the proposed development and with neighboring developments. Additionally, on-street parking is shown on the rezoning plan in the vicinity of the townhouses to provide adequate parking.

6. Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?

Yes, the property is within the growth area for the City of Kannapolis, and the proposed rezoning is consistent with surrounding zoning and existing residential uses. The rezoning and proposed development results in logical street and greenway connections.

7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

No, there are no anticipated significant environmental impacts from rezoning this property. An unnamed tributary and floodplain are on the site. The proposed development will be required to conform to all applicable local, state, and federal environmental regulations.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan
--

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* ("2030 Plan"), adopted by City Council, which designates the subject property as located within the 'Complete Neighborhood 2' Character

Areas in the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

The Planning and Zoning Commission may choose to approve or not approve the petition as presented.

Based on the request being consistent with the 2030 Plan, staff recommends approval for Zoning Map Amendment Case #CZ-2025-02 with the following conditions:

1. The permitted uses allowed by this rezoning shall be limited to those uses and accessory uses allowed by-right in the Residential 8 (R8) District. The intent of this rezoning submittal is to provide for a residential community with a mix of single-family detached dwelling units, townhouse units, and an amenity area.
2. The number of single-family units shall not exceed 264 as depicted on the Rezoning Plan with 122 single-family detached dwelling units and 142 townhouse units. The applicant may convert up to 84 townhouse units to single-family detached units subject to approval and coordination with the City regarding the Traffic Impact Analysis.
3. As depicted on the Rezoning Plan, the internal road network shall be designed to connect Smokey Quartz Road and Laurens Drive. Traffic calming measures, as determined at site plan submittal, shall be installed at the connection points.
4. A pedestrian bridge shall be constructed from the proposed development to the proposed extension of the Rocky River Greenway at the planned Westside Park.
5. On-street parking shall be provided in proximity to the townhouse units. A minimum of one (1) parking space shall be provided for every six (6) townhouse units.
6. A fifteen-foot (15') perimeter buffer shall be provided.
7. At such time that wastewater capacity is available for the proposed residential development, an updated Traffic Impact Analysis (TIA) shall be required.
8. NCDOT driveway permits shall be obtained for site access points. Access points shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required to accommodate final site and construction plans and designs and any adjustments required for approval by the City of Kannapolis and/or the North Carolina Department of Transportation (NCDOT).
9. The development depicted on the Rezoning Plan is schematic in nature and is intended to show the general arrangement of such uses and improvements on the site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations, and they may be altered or modified in accordance with the City of Kannapolis Development Ordinance.
10. A final site plan, in compliance with the applicable Kannapolis Development Ordinance standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance permit.

Alternative Courses of Action

Motion to Approve (2 votes)

1. **Should the Commission choose to approve the request for rezoning as presented in Case #CZ-2025-02, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: Staff finds this rezoning consistent with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject properties as located within the “Urban Residential” Character Area in the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

2. **Should the Commission choose to approve Case #CZ-2025-02, a motion should be made to adopt the Resolution to Zone.**

Motion to Deny (2 votes)

1. **Should the Commission choose not to recommend approval of Case #CZ-2025-02, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #CZ-2025-02 to be inconsistent with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose not to approve Case #CZ-2025-02, a motion should be made to not approve the Resolution to Zone.**

I. Attachments

1. Rezoning Application
2. Vicinity Map
3. Zoning Map
4. 2030 Future Land Use and Character Map
5. Site Plan
6. Neighborhood Meeting Information
7. List of Notified Properties
8. Letter to Adjacent Property Owners
9. Resolution to Adopt a Statement of Consistency
10. Resolution to Zone

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager
- City Attorney



Conditional Zoning Map Amendment Checklist

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. Please either bring this application to the address above or email to bbarcroft@kannapolisnc.gov. The fees may also be paid online with a link provided by staff.

CONDITIONAL REZONING REQUEST

Conditional Rezoning – Request for an amendment to the Kannapolis Zoning Map.

Approval authority – Planning and Zoning Commission.

Requested Rezoning Property Address: 2423 Jim Johnson Rd. & 2575 Jim Johnson Rd., Concord, NC, 28027

Applicant: Blue River Development

Proposed development: Project proposes to rezone ±85.19 acres (3 parcels) from Cabarrus County CR existing zoning to City of Kannapolis proposed zoning of R8-CZ to develop a residential community.

SUBMITTAL CHECKLIST

- ☒ Pre-Application Meeting
- ☒ Neighborhood Meeting
- ☒ Zoning Map Amendment Checklist and Application – Complete with all required signatures
- ☒ Plot/Site Plan
- ☒ Please mark this box to authorize aerial drone photography of the site
- ☒ Fee: \$950.00 (\$600 Application Fee, \$300 Legal Notices and notification fee, & \$50 for letter/sign public notice[see Fee Schedule])

PROCESS INFORMATION

Public Notification: This is a legislative process that requires a public hearing and public notification including newspaper notice, first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Table 2.4.F(2) of the Kannapolis Development Ordinance [KDO]).

Review Process: All applications will be reviewed for compliance and then forwarded to the Planning and Zoning Commission for consideration at a public hearing which is held monthly on the 3rd Tuesday at 6:00pm in City Hall Laureate Center. **The pre-application meeting, neighborhood meeting, submittal of application and site plan, and payment of fees, must be completed prior to scheduling the public hearing. Please review Section 2.4.D. of the KDO.**

Action by Planning and Zoning Commission: After conducting a public hearing, the Commission may: deny the application; conduct an additional public hearing on the application; or approve the application with conditions.

Scope of Approval: An affirmative vote of three-fourths of the members present and not excused from voting, shall be necessary to approve a conditional rezoning request. The approval of a rezoning does not authorize development activity, but does authorize the application to apply for a final major site plan. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

By signing below I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if incomplete.

Applicant's Signature: _____

Date: 4/11/25



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

CONDITIONAL ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information

Name: Blue River Development
Address: 3715 Davinci Ct., Ste. 300
Peachtree Corners, GA 30092
Phone: 404.895.8035
Email: sfreeman@blueriverdevelopment.com

Property Owner Contact Information ☐ same as applicant

Name: Irvin, William Jerry & William Jason
Address: 2423 & 2575 Jim Johnson Rd
Concord NC , 28027
Phone: _____
Email: _____

Project Information

Project Address: 2423 Jim Johnson Rd. & 2575 Jim Johnson Rd., Concord, NC, 28027
Parcel: see attached # of parcels: 3 Approx. size of parcels: 85.19 ac
(attach separate list if necessary) Cabarrus County - CR
Current Zoning Designation: Select Requested Zoning Designation: R8-CZ
Reason for map amendment: To rezone and allow development of a
new residential community.

Condition(s) proposed by the applicant (attach separate sheet if necessary): see technical data sheet

By signing below, it is understood and acknowledged that if the property is conditionally rezoned as requested, the property involved in this request will be perpetually bound to the use(s) authorized and subject to such condition(s) as imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

Applicant Signature

Date

4/11/25

William Jason Irvin

Yvonne Rodriguez

04 / 10 / 2025 04 / 09 / 2025

Property Owner Signature

Date

Title	Irvin BRD-CZ Rezoning Application
File name	Irvin BRD-CZ Rezoning Application.pdf
Document ID	9e5961a215d9de8b0e3b30689368bbf339bf5c38
Audit trail date format	MM / DD / YYYY
Status	<ul style="list-style-type: none"> Signed

Document History



04 / 08 / 2025
10:55:58 UTC-4

Sent for signature to William J. Irvin (williamji@mail.com) and Yvonne I. Rodriguez (bogey13@aol.com) from mikebulvin@gmail.com
IP: 98.17.70.190



04 / 08 / 2025
22:21:46 UTC-4

Viewed by Yvonne I. Rodriguez (bogey13@aol.com)
IP: 24.74.66.221



04 / 09 / 2025
06:50:09 UTC-4

Signed by Yvonne I. Rodriguez (bogey13@aol.com)
IP: 24.74.66.221



04 / 10 / 2025
16:34:59 UTC-4

Viewed by William J. Irvin (williamji@mail.com)
IP: 174.238.96.140



04 / 10 / 2025
16:36:07 UTC-4

Signed by William J. Irvin (williamji@mail.com)
IP: 174.238.96.140



04 / 10 / 2025
16:36:07 UTC-4

The document has been completed.



Vicinity Map

Case Number: CZ-2025-02
Applicant: Blue River Development
2423 and 2575 Jim Johnson Rd

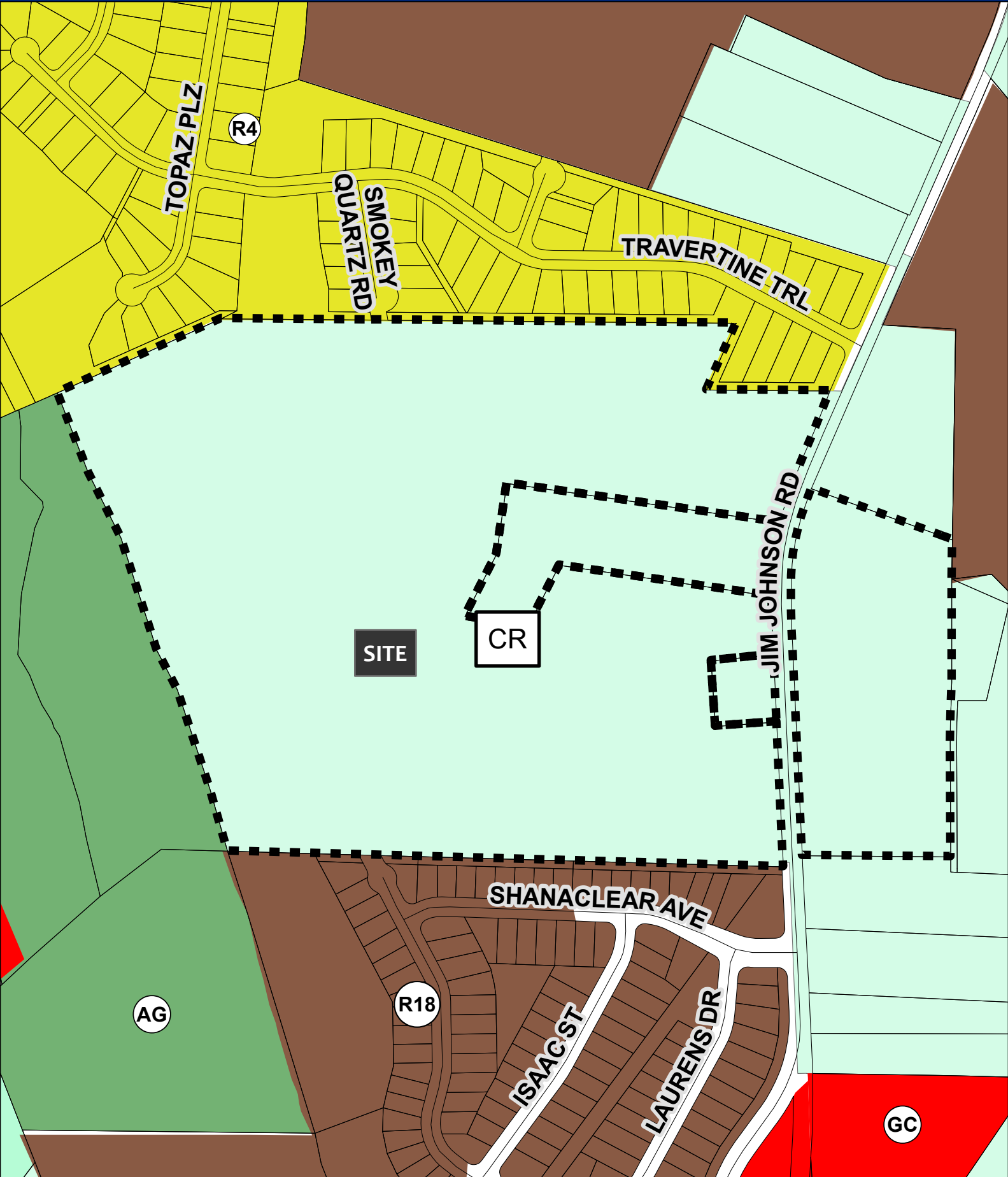




Kannapolis Current Zoning



Case Number: CZ-2025-02
Applicant: Blue River Development
2423 and 2575 Jim Johnson Rd, and Unaddressed Parcel





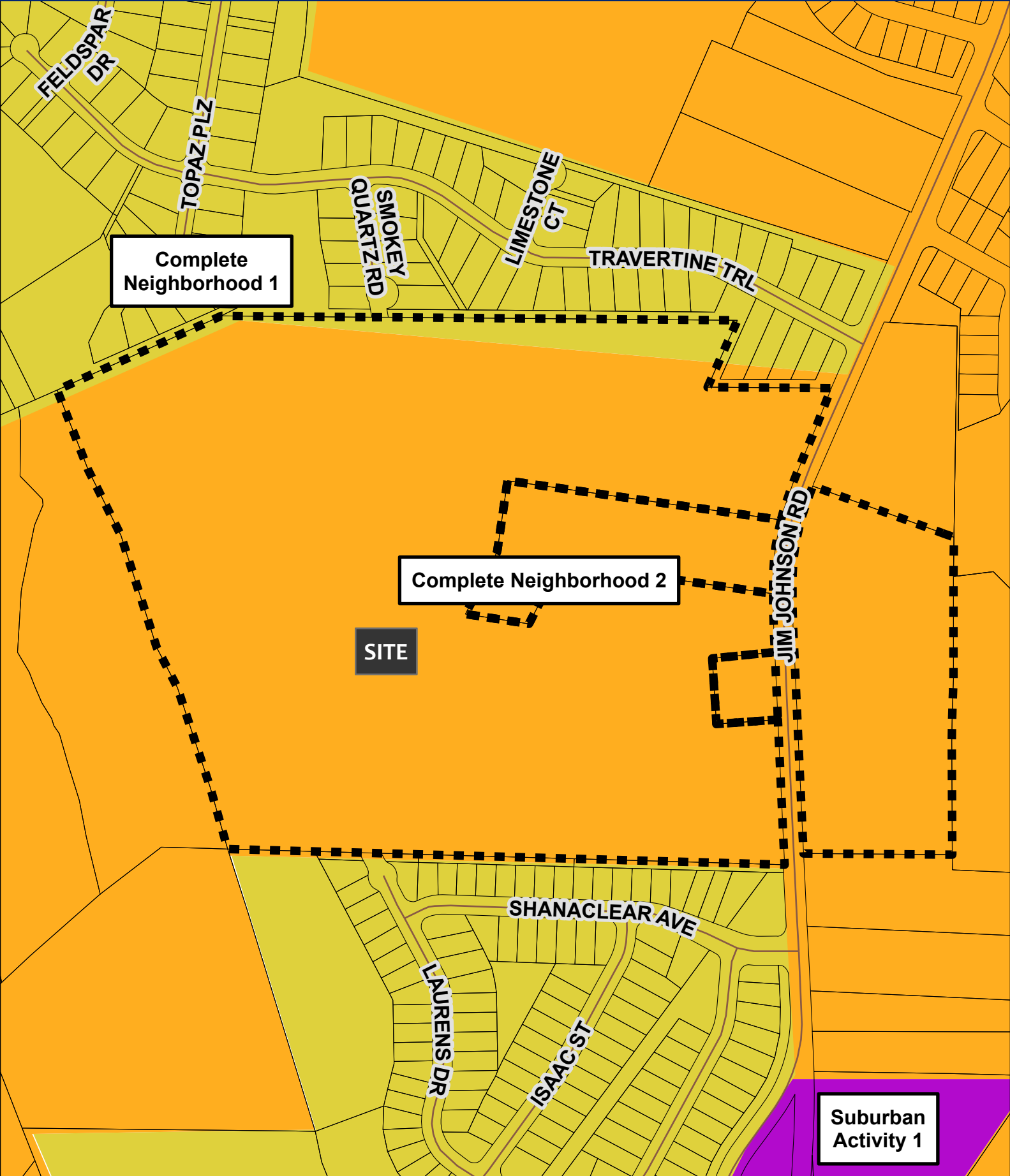
Kannapolis 2030 Future Land Use Map



Case Number: CZ-2025-02

Applicant: Blue River Development

2423 and 2575 Jim Johnson Rd, and Unaddressed Parcel



NOTICE TO INTERESTED PARTIES OF A REZONING PETITION
BLUE RIVER DEVELOPMENT – PETITION # TBD – JIM JOHNSON RD.

Subject: Rezoning Petition No. TBD

Petitioner/Developer: Blue River Development

Current Land Use: Vacant

Existing Zoning: CR – (Countryside Residential) (County)

Rezoning Requested: R8 - CZ (Residential – 8, Conditional) (Kannapolis)

Date and Time of Meeting: **Thursday, March 13, 2025, at 6:00 p.m.**

Meeting Location: ***Kannapolis City Hall & Police Headquarters
Laureate Center
401 Laureate Way
Kannapolis, NC 28081***

RSVP: Please email CommunityMeeting@mvalaw.com before March 12, 2025, to RSVP and reference petition BRD-Kannapolis

Date of Notice: 2/27/2025

Moore & Van Allen is assisting Blue River Development (the “Petitioner”) on a petition to be filed to annex and rezone an approximately ±85.20-acre site located at 2575 & 2473 Jim Johnson Road (the “Site”), in Kannapolis, North Carolina. The request is to annex and rezone from the Cabarrus County zoning of CR (Countryside Residential) to R8-CZ (Residential -8, Conditional). The Site lies on both sides of Jim Johnson Rd., north of Davidson Highway, and south of Travertine Trail. The request is to allow the development of a residential community with a mix of single family and townhouse units. Access to the site will be from Jim Johnson Rd., with proposed internal connections to existing stubs at Smokey Quartz Road and Laurens Drive.

The Petitioner will hold an **In-Person Community Meeting** to discuss this rezoning proposal with nearby property owners and organizations. The City of Kannapolis Mapping Department’s records indicate that you are either a representative of a registered neighborhood organization or an owner of property near the site.

Accordingly, we are extending an invitation to participate in the upcoming Community Meeting to be held in the Laureate Center of the Kannapolis City Hall & Police Headquarters, 401 Laureate Center, Kannapolis, NC, 28081, on Thursday, March 13, 2025, at 6:00 p.m.

Please email CommunityMeeting@mvalaw.com to RSVP by March 12th and reference petition BRD-Kannapolis.

Representatives of the Petitioner look forward to discussing this exciting rezoning proposal with you at the Community Meeting. Thank you.

cc: Richard Smith, Director of Planning, City of Kannapolis, NC
Stephen Freeman, Blue River Development
Bridget Grant, Moore & Van Allen, PLLC
Lisa Thompson, Moore & Van Allen, PLLC

Site location:



5 Lon: -80.75334961670764

PIN14	AcctName1	AcctName2	MailAddr1	MailAddr2	MailCity	MailState	MailZipCod
46728334760000	SMITH CLAYTON A JR	SMITH COURTNEY M WF	1978 SMOKEY QUARTZ RD		DAVIDSON	NC	28036
46728345090000	WATERFORD ON THE ROCKY RIVER	HOMEOWNERS ASSN INC	C/O KUESTER MANAGEMENT GROUP	PO BOX 3340	FORT MILL	SC	29716
46728136260000	QUIROZ VICTOR OMAR	QUIROZ ANDREA MARGARITA WF	10168 SHANACLEAR AVE		CONCORD	NC	28027
46727354620000	NGUYEN HUONG L		1982 TOPAZ PLZ		DAVIDSON	NC	28036
46727375110000	SHARMA AMIT	SHARMA ALPNA WF	1994 TOPAZ PLZ		DAVIDSON	NC	28036
46728256200000	IRVIN WILLIAM JERRY	IRVIN ANITA FRYE	2575 JIM JOHNSON RD		CONCORD	NC	28027
46729104980000	KROLAK MITCHEL	KROLAK KELLI WF	2310 ISAAC ST		CONCORD	NC	28027
46729126720000	GICHABA JACKLINE N	DADIE MANDJOBA L SPOUSE	10104 SHANACLEAR AVE		CONCORD	NC	28027
46728157920000	PELHAM POINTE HOMEOWNERS ASSOCIATION INC		11111 CARMEL COMMONS BLVD	STE 410	CHARLOTTE	NC	28226
46729126220000	YU MIN JIE	LIN XIU LING SPOUSE	10108 SHANACLEAR AVE		CONCORD	NC	28027
46728394980000	CHANDA VISHNU	MEKA SIRISHA WF	9905 TRAVERTINE TRL		DAVIDSON	NC	28036
46726420700000	WATERFORD ON THE ROCKY RIVER	HOMEOWNERS ASSN INC	C/O KUESTER MANAGEMENT GROUP	PO BOX 3340	FORT MILL	SC	29716
46728117130000	PELHAM POINTE HOMEOWNERS ASSOCIATION INC		11111 CARMEL COMMONS BLVD	STE 410	CHARLOTTE	NC	28226
46728316100000	SINGH TEJPRATAP RAJBAHADUR	SINGH JAYA WF	1985 SMOKEY QUARTZ RD		DAVIDSON	NC	28036
46728103540000	PELHAM POINTE HOMEOWNERS ASSOCIATION INC		11111 CARMEL COMMONS BLVD	STE 410	CHARLOTTE	NC	28226
46728355900000	JANICK WAYNE	JANICK ANA WF	9927 TRAVERTINE TRL		DAVIDSON	NC	28036
46729232550000	IRVIN W JERRY		2423 JIM JOHNSON RD		CONCORD	NC	28027
46728196850000	SUDHARSUN VIDYASAKAR KUDUVA	VIDYASAKAR DIVYA KUDUVA SPOUSE	10124 SHANACLEAR AVE		CONCORD	NC	28027
46728256200000	IRVIN WILLIAM JERRY	IRVIN ANITA FRYE	2575 JIM JOHNSON RD		CONCORD	NC	28027
46727343980000	CASON VICKI		1976 TOPAZ PLZ		DAVIDSON	NC	28036
46729304780000	MEKA ANUSHA		9901 TRAVERTINE TRL		DAVIDSON	NC	28036
46729346540000	WATERFORD ON THE ROCKY RIVER	HOMEOWNERS ASSN INC	C/O KUESTER MANAGEMENT GROUP	PO BOX 3340	FORT MILL	SC	29716
46729326360000	GALITSKIY ALEXANDR	GALITSKY VERONIKA WF	9890 TRAVERTINE TRL		DAVIDSON	NC	28036
46728184770000	KOPPULA PRADEEP K	BATHINI APARNA WF	10131 SHANACLEAR AVE		CONCORD	NC	28027
46729345580000	WARNER ULLA MELISSA A	ULLA MICHAEL L HSB	9874 TRAVERTINE TRL		DAVIDSON	NC	28036
46727364360000	DAGAMA FRANCISCO V	DAGAMA LETICIA M WF	1988 TOPAZ PLZ		DAVIDSON	NC	28036
46729314580000	VEDULA VISHNU VARDHAN	NETI NAGA RAJYALAKSHMI WF	9895 TRAVERTINE TRL		DAVIDSON	NC	28036
46728116280000	GITHINJI STEPHEN PHILIP	KIRUBI SUSAN WF	2136 LAURENS DR		CONCORD	NC	28027
46728346710000	PRATAP PAVAN KUMAR	AYTHA SWATHI WF	9937 TRAVERTINE TRL		DAVIDSON	NC	28036
46728314460000	SUNKARA TULASILAKSHMI		1977 SMOKEY QUARTZ RD		DAVIDSON	NC	28036
46727395480000	WATERFORD ON THE ROCKY RIVER	HOMEOWNERS ASSN INC	C/O KUESTER MANAGEMENT GROUP	PO BOX 3340	FORT MILL	SC	29716
46728196250000	MOHAMMED FAZIL ALI	KHAN KAUSER YOUSUF WF	10128 SHANACLEAR AVE		CONCORD	NC	28027
46729380280000	RODRIGUEZ LARRY DEAN	RODRIGUEZ YVONNE I WF	2600 JIM JOHNSON RD		CONCORD	NC	28027
46729116040000	PRESLEY TARYN A	PRESLEY TARA L SPOUSE	10116 SHANACLEAR AVE		CONCORD	NC	28027
46729333720000	FABIN MATTHEW	FABIN SHANNON WF	9871 TRAVERTINE TRL		DAVIDSON	NC	28036
46728186650000	MANNIKERI PRAKASH	HOMBALEGOWDA SHWETHA TUNGANI	10132 SHANACLEAR AVE		CONCORD	NC	28027
46729185080000	FOGERTY STEVEN S TRUSTEE	FOGERTY OLGA D TRUSTEE	2310 JIM JOHNSON RD		CONCORD	NC	28027
46728164380000	SWETT ALLYSON M		10147 SHANACLEAR AVE		CONCORD	NC	28027
46728364790000	MESARICK ROBERT ALAN	MESARICK REBECCA ELIZABETH WF	9923 TRAVERTINE TRL		DAVIDSON	NC	28036
46729145270000	PELHAM POINTE HOMEOWNERS ASSOCIATION INC		11111 CARMEL COMMONS BLVD	STE 410	CHARLOTTE	NC	28226
46729313350000	WATERFORD ON THE ROCKY RIVER	HOMEOWNERS ASSN INC	C/O KUESTER MANAGEMENT GROUP	PO BOX 3340	FORT MILL	SC	29716
46729352090000	FKH SFR PROPCO B-HLD LP		C/O FIRST KEY HOMES LLC	1850 PARKWAY PL SE STE 900	MARIETTA	GA	30067
46729117600000	PELHAM POINTE HOMEOWNERS ASSOCIATION INC		11111 CARMEL COMMONS BLVD	STE 410	CHARLOTTE	NC	28226
46727376300000	BRADFORD HURD IV	BRADFORD JESSICA COURTNEY M	2000 TOPAZ PLZ		DAVIDSON	NC	28036
46727202450000	CITY OF KANNAPOLIS		401 LAUREATE WAY		KANNAPOLIS	NC	28081
46728137030000	PELHAM POINTE HOMEOWNERS ASSOCIATION INC		11111 CARMEL COMMONS BLVD	STE 410	CHARLOTTE	NC	28226
46729136530000	RICHARDS ELMOND	RICHARDS JANET V WF	PO BOX 6328		CONCORD	NC	28027
46728174570000	FU DANNY KA SHING	FU ANNIE YEE WF	10139 SHANACLEAR AVE		CONCORD	NC	28027
46729106440000	HSIANG CALLIE L	HSIANG HSENG W HSB	10120 SHANACLEAR AVE		CONCORD	NC	28027
46728125240000	RAJAPPA VEERENDRA KUMAR HOSADURGA	NANDEESH PRATHIBHA WF	2148 LAURENS DR		CONCORD	NC	28027

46728145420000	HENTZE PETER CONRAD JR		2153 LAURENS DR	CONCORD	NC	28027
46728315330000	BLUM ROSS SHERWIN	BLUM BETHANY ANNE WF	1981 SMOKEY QUARTZ RD	DAVIDSON	NC	28036
46729336040000	POOLE JEREMY C	ABBOTT KRISTI D WF	9886 TRAVERTINE TRL	DAVIDSON	NC	28036
46728166850000	SHEPHERD CHANDRA	SHEPHERD SETH HSB	10144 SHANACLEAR AVE	CONCORD	NC	28027
46728184170000	TOLMAN KIRT	TOLMAN KRISTIN WF	10135 SHANACLEAR AVE	CONCORD	NC	28027
46729352780000	JOHNSTON ROBERT W	JOHNSTON HOLLY BREANNA WF	9859 TRAVERTINE TRL	DAVIDSON	NC	28036
46728394280000	PATHAK JATIN R		9909 TRAVERTINE TRL	DAVIDSON	NC	28036
46727233480000	CITY OF KANNAPOLIS		C/O WALTER M SAFRIT II	KANNAPOLIS	NC	28081
46728116620000	CHINTAKRINDI NARENDRA R	CHINTAKRINDI JYOTHI S SPOUSE	2140 LAURENS DR	CONCORD	NC	28027
46728156060000	EASTON DOUGLAS SCOT	EASTON JENNIFER LINDSAY SPOUSE	10156 SHANACLEAR AVE	CONCORD	NC	28027
46728115970000	SIMPSON BRADFORD L	SIMPSON MIRANDA T WF	2144 LAURENS DR	CONCORD	NC	28027
46728336000000	GILLEY CHRISTOPHER P	GILLEY MELISSA J WF	1986 SMOKEY QUARTZ RD	DAVIDSON	NC	28036
46728194370000	HPA US1 LLC		120 S RIVERSIDE PLZ STE 2000	CHICAGO	IL	60606
46728374680000	NG RICHARD C	TAM KIRTRINA WF	9917 TRAVERTINE TRL	DAVIDSON	NC	28036
46726413990000	WATERFORD ON THE ROCKY RIVER	HOMEOWNERS ASSN INC	C/O KUESTER MANAGEMENT GROUP	PO BOX 3340	FORT MILL	SC
46727152030000	CITY OF KANNAPOLIS		401 LAUREATE WAY	KANNAPOLIS	NC	28081
46727343050000	BELTZ MATTHEW D TRUSTEE	BELTZ ELLEN T TRUSTEE	1970 TOPAZ PLZ	DAVIDSON	NC	28036
46728166260000	STACKS VALERIA L	STACKS RICKY L HSB	10148 SHANACLEAR AVE	CONCORD	NC	28027
46728355340000	WICKER JONATHAN	WICKER MARYAN SPOUSE	9933 TRAVERTINE TRL	DAVIDSON	NC	28036
46729116730000	MULTANI GURMUKH SINGH	KAUR NARINDER SPOUSE	10112 SHANACLEAR AVE	CONCORD	NC	28027
46729343410000	EAMANI CHANDRASHEKHARA R	EAMANI SANDHYA WF	9867 TRAVERTINE TRL	DAVIDSON	NC	28036
46728136860000	NDALA ANTHONY		10164 SHANACLEAR AVE	CONCORD	NC	28027
46728335330000	SALAZAR GIOVANNI	SALAZAR LAUREN WF	1982 SMOKEY QUARTZ RD	DAVIDSON	NC	28036
46729355240000	MCNEIL SAMUEL S III	MCNEIL SEMONNA M WF	9868 TRAVERTINE TRL	DAVIDSON	NC	28036
46728384480000	BOMMISSETTY VENKATA P	MYLAVARAPU SUSHMA MEENAKSHI	9913 TRAVERTINE TRL	DAVIDSON	NC	28036
46820210070000	SHEPHERD JAMES M		2430 JIM JOHNSON RD	CONCORD	NC	28027
46820204200000	SHEPHERD JAMES M		2430 JIM JOHNSON RD	CONCORD	NC	28027
46820340840000	M/I HOMES OF CHARLOTTE LLC		5350 77 CENTER DR STE 100	CHARLOTTE	NC	28217
46820340840000	M/I HOMES OF CHARLOTTE LLC		5350 77 CENTER DR STE 100	CHARLOTTE	NC	28217
46727323910000	WATERFORD ON THE ROCKY RIVER	HOMEOWNERS ASSN INC	C/O KUESTER MANAGEMENT GROUP	PO BOX 3340	FORT MILL	SC
46728186050000	TECZA JAIME JOHN	TECZA CATHERINE JOANNE WF	10136 SHANACLEAR AVE	CONCORD	NC	28027
46728176450000	EVANS RICKY LEE	EVANS CLARA ALLEN WF	10140 SHANACLEAR AVE	CONCORD	NC	28027
46728146460000	METSGER JAMES DUANE	METSGER MELISSA ANNE WF	10160 SHANACLEAR AVE	CONCORD	NC	28027
46728155500000	STOKES JASON M	STOKES AMBER WF	10151 SHANACLEAR AVE	CONCORD	NC	28027
46728164970000	JOHN BIBIN BABY	PERUVAMOOTIL MANJU GEORGE WF	10143 SHANACLEAR AVE	CONCORD	NC	28027
46729324480000	MANNEM AJITHA	TATINENI SAI HSB	9887 TRAVERTINE TRL	DAVIDSON	NC	28036
46728156660000	JOHNSON GREGORY	SANDERS-JOHNSON TAMARA SPOUSE	10152 SHANACLEAR AVE	CONCORD	NC	28027
46729217120000	IRVIN WILLIAM JASON		2575 JIM JOHNSON RD	CONCORD	NC	28027
46729336810000	HUSS FRANK JOHN	HUSS REGINA M WF	9880 TRAVERTINE TRL	DAVIDSON	NC	28036
46728346180000	MHL NORTH CAROLINA LLC		801 MOTT SHUE DR SW	CONCORD	NC	28027



KANNAPOLIS

Planning

May 5, 2025

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, May 20, 2025, at 6:00 PM, at 401 Laureate Way, Kannapolis, NC for the following case:

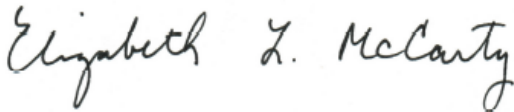
CZ-2025-02 – Conditional Zoning Map Amendment – 2423 and 2575 Jim Johnson Road and an Unaddressed parcel on Jim Johnson Road

The purpose of this Public Hearing is to consider a request to assign City of Kannapolis zoning to recently annexed properties located at 2423 and 2575 Jim Johnson Road and an Unaddressed parcel on Jim Johnson Road. The subject properties are currently zoned Cabarrus County Countryside Residential (CR), and the request is to assign City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) zoning district to allow for a residential development. The subject properties are approximately 87.748 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46729232550000, 46729217120000, and 46728256200000. (see reverse side of this letter for a map showing the location of properties). The subject properties were voluntarily annexed on April 28, 2025. Per the North Carolina General Statutes, a City of Kannapolis zoning designation must be applied to the properties within sixty (60) days of annexation.

As an abutting property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Development Ordinance. You are invited to attend the public hearing and will be provided an opportunity to speak to the Planning and Zoning Commission, if you believe it to be necessary for their decision making on this matter.

If you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4362 or emccarty@kannapolisnc.gov.

Sincerely,



Elizabeth L. McCarty, AICP
Assistant Planning Director

Enclosure

In accordance with Title II of the Americans with Disabilities Act (AD), any person requiring an accommodation to participate in a function or program of the City of Kannapolis, should contact Daniel Jenkins, Assistant Human Resource Director & ADA Coordinator, by phone at 704-920-4312, email adacoordinator@kannapolisnc.gov, or in person at Kannapolis City Hall as soon as possible but not later than 48 hours before the scheduled event.

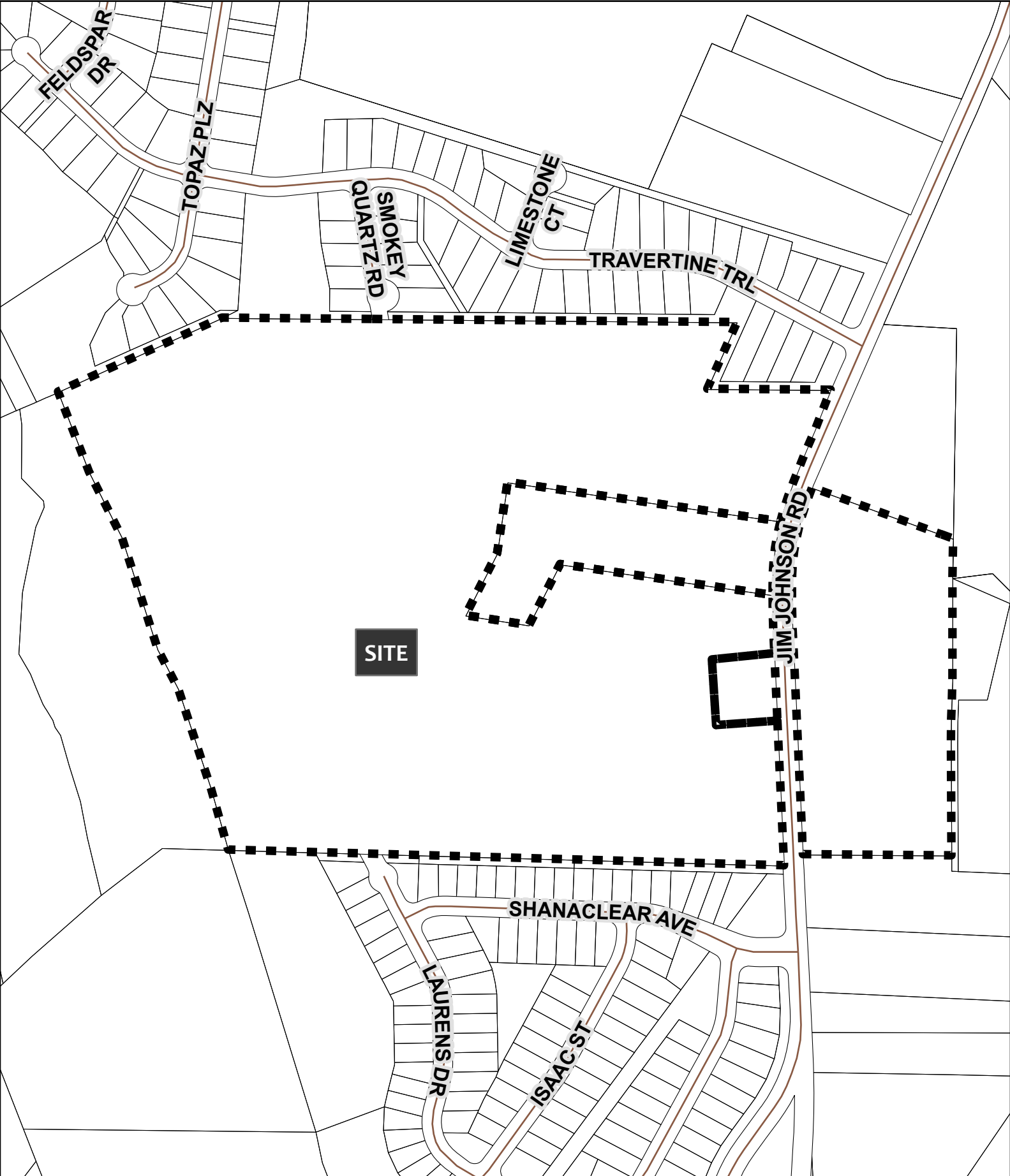


Conditional Rezoning

Case Number: CZ-2025-02

Applicant: Blue River Development

2423 and 2575 Jim Johnson Rd, and Unaddressed Parcel





WARNING
PETROLEUM
PIPELINE
1-800-610-5678

435

KANNAPOLIS
PLANNING
ZONING
COMMISSION
PUBLIC HEARING INFORMATION
CALL 704-920-4350 CASE # CZ-2025-02



PLANNING

ZONING

COMMISSION

**PUBLIC HEARING
INFORMATION**

CALL 704-920-4350

CASE # CZ-2025-02



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE #CZ-2025-02**

WHEREAS, Sections 160D-604 and 160D-605 of the North Carolina General Statutes specify that when adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable and explain why the action taken is reasonable and in the public interest; and

WHEREAS, Section 2.3.B(1).a. of the Kannapolis Development Ordinance delegates final authority to the Planning and Zoning Commission on zoning map amendments subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision; and

WHEREAS, on May 20, 2025, the Planning and Zoning Commission conducted a public hearing to consider a request to rezone approximately 87.748 +/- acres of property located at 2423 and 2575 Jim Johnson Road and an Unaddressed parcel on Jim Johnson Road (Cabarrus County Parcel Identification Numbers 46729232550000, 46729217120000, and 46728256200000), as petitioned by Blue River Development and owned by William Jerry Irvin and William Jason Irvin, from Cabarrus County Countryside Residential (CR) to City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) zoning district.

NOW, THEREFORE BE IT RESOLVED *The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan (“2030 Plan”), adopted by City Council, which designates the subject property as located within the “Complete Neighborhood 2” Character Areas in the 2030 Plan. The Planning and Zoning Commission finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.*

Adopted this the 20th day of May 2025:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Gabriela Wilkins, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE

Case #CZ-2025-02

(2423 and 2575 Jim Johnson Road and an Unaddressed parcel on Jim Johnson Road)

**From Cabarrus County Countryside Residential (CR) to
City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) Zoning Designation**

WHEREAS, Section 2.3.B.(1).a of the Kannapolis Development Ordinance (KDO) specifically delegates authority to the Planning and Zoning Commission to take final action on a rezoning application provided, if the application is approved by less than a three quarters majority of voting members or denied, or if the Planning and Zoning Commission's decision is appealed, the City Council shall make the final decision on the application; and

WHEREAS, the Commission conducted a public hearing on May 20, 2025, for consideration of rezoning petition Case #CZ-2025-02 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone 87.748 +/- acres of property located at 2423 and 2575 Jim Johnson Road and an Unaddressed parcel on Jim Johnson Road, (Cabarrus County Parcel Identification Numbers 46729232550000, 46729217120000, and 46728256200000), as petitioned by Blue River Development and owned by William Jerry Irvin and William Jason Irvin, from Cabarrus County Countryside Residential (CR) to City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) zoning district.

WHEREAS, the Commission has approved the request for rezoning and found it to be consistent with the City of Kannapolis *Move Kannapolis Forward, 2030 Comprehensive Plan*, reasonable and in the public interest; and

WHEREAS, per Section 2.5.A.(2).c of the Kannapolis Development Ordinance, the Planning and Zoning Commission makes the following findings in support of and in analysis of the rezoning:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

The subject properties are within the Complete Neighborhood 2 Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Single-family detached residential and single-family attached residential are identified as primary uses in the Complete Neighborhood 2 Character Area. The desired density is 4-18 units/acre. Therefore, the proposed development is consistent with the goals and objectives of the Plan.

2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?

No, the proposed rezoning is not in conflict with any ordinances.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

No, the property was recently annexed into the City of Kannapolis.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Yes, the proposed rezoning and use of the property for a residential development is compatible with existing surrounding land uses, primarily single-family detached dwellings. The subject properties abut City of Kannapolis Residential 4 (R4) residential lots within the Waterford on the Rocky River subdivision, to the north, and City of Kannapolis Residential 18 (R18) residential lots within the Pelhem Pointe subdivision, to the south. Both existing residential developments consist of single-family detached dwellings. The property to the west is zoned City of Kannapolis Agricultural (AG) and will be a future City of Kannapolis park, Westside Park.

The portion of the subject property that lies on the east side of Jim Johnson Road abuts another subdivision of single-family detached lots, Emerson Glen, zoned City of Kannapolis Residential 18-Conditional Zoning (R18-CZ). Other surrounding residential properties are zoned Cabarrus County Countryside Residential (CR)

5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?

Yes, the proposed zoning is compatible with surrounding development. The applicant has initiated a Traffic Impact Analysis (TIA) to determine the proposed development's impact on roads and any necessary mitigation improvements. Jim Johnson Road and Davidson Highway are NCDOT maintained roads and will need to meet NCDOT requirements.

Roads internal to the proposed development will need to meet City road requirements. This includes the alignment and continuation of adjacent platted right-of-way for roads to interconnect the street system to enhance the safe and efficient movement of pedestrians, bicyclists, motor vehicles, and emergency vehicles within the proposed development and with neighboring developments. Additionally, on-street parking is shown on the rezoning plan in the vicinity of the townhouses to provide adequate parking.

6. Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?

Yes, the property is within the growth area for the City of Kannapolis, and the proposed rezoning is consistent with surrounding zoning and existing residential uses. The rezoning and proposed development results in logical street and greenway connections.

7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

No, there are no anticipated significant environmental impacts from rezoning this property. An unnamed tributary and floodplain are on the site. The proposed development will be required to conform to all applicable local, state, and federal environmental regulations.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the above referenced property be rezoned from Cabarrus County Countryside Residential (CR) to City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) Zoning Designation, subject to the following conditions:

1. The permitted uses allowed by this rezoning shall be limited to those uses and accessory uses allowed by-right in the Residential 8 (R8) District. The intent of this rezoning submittal is to provide for a residential community with a mix of single-family detached dwelling units, townhouse units, and an amenity area.
2. The number of single-family units shall not exceed 264 as depicted on the Rezoning Plan with 122 single-family detached dwelling units and 142 townhouse units. The applicant may convert up to 84 townhouse units to single-family detached units subject to approval and coordination with the City regarding the Traffic Impact Analysis.
3. As depicted on the Rezoning Plan, the internal road network shall be designed to connect Smokey Quartz Road and Laurens Drive. Traffic calming measures, as determined at site plan submittal, shall be installed at the connection points.
4. A pedestrian bridge shall be constructed from the proposed development to the proposed extension of the Rocky River Greenway at the planned Westside Park.
5. On-street parking shall be provided in proximity to the townhouse units. A minimum of one (1) parking space shall be provided for every six (6) townhouse units.
6. A fifteen-foot (15') perimeter buffer shall be provided.
7. At such time that wastewater capacity is available for the proposed residential development, an updated Traffic Impact Analysis (TIA) shall be required.
8. NCDOT driveway permits shall be obtained for site access points. Access points shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required to accommodate final site and construction plans and designs and any adjustments required for approval by the City of Kannapolis and/or the North Carolina Department of Transportation (NCDOT).
9. The development depicted on the Rezoning Plan is schematic in nature and is intended to show the general arrangement of such uses and improvements on the site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations, and they may be altered or modified in accordance with the City of Kannapolis Development Ordinance.
10. A final site plan, in compliance with the applicable Kannapolis Development Ordinance standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance permit.

Adopted this the 20th day of May 2025:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Gabriela Wilkins, Recording Secretary
Planning and Zoning Commission