Department of Planning

Board of Adjustment
November 19, 2019

Staff Report

TO: Board of Adjustment

FROM: Ryan Lipp – Senior Planner

SUBJECT: **Case # BOA-2019-10 – Cloverleaf Plaza Comprehensive Sign Package**

Request for a Comprehensive Sign Package to be reviewed as a Conditional Use Permit

A. Action Requested by Board of Adjustment

1. Motion to accept the City's exhibits into the record
2. Motion to approve/revise findings of fact proposed by Planning Staff
3. Motion to approve (approve with conditions) (deny) the issuance of the Comprehensive Sign Package
4. Motion to approve Order of Approval/Denial

B. Required Votes to Pass Requested Action

A majority vote is required to approve or deny the requested actions.

C. Background

The applicant, Meredith Schultz, is requesting approval of a Comprehensive Sign Package. As an option to the sign standards in the Unified Development Ordinance (UDO), freestanding structures in excess of twenty-five thousand (25,000) square feet and/or master planned developments in excess of 10 acres shall be allowed to submit an application for a Comprehensive Sign Package. The purpose of a Comprehensive Sign Package is to encourage innovative, creative, and effective signage by providing an alternative to the general permanent signage criteria in Article 12. The Comprehensive Sign Package shall be reviewed as a Conditional Use Permit. The applicant is not limited to any dimensional regulations, except that the overall concept should follow these guidelines:

- The design, character, location and/or materials of all freestanding and attached signs proposed in a Comprehensive Sign Package shall be demonstrably more attractive than signs otherwise permitted on the parcel(s) proposed for development under the minimum sign standards in Article 12.
- All signs must be architecturally integrated into/with the design of the building and/or site using similar and coordinated design features, materials, colors, etc.

Cloverleaf Plaza is located off Cannon Boulevard just north of I-85 at Exit 58. (See Vicinity Map). The site is zoned General Commercial (C-2). The property has access to South Cannon Boulevard to the west, and Cloverleaf Parkway to the south. Cloverleaf Parkway further connects to Concord Lake Road to the east.

D. Policy Issues

Section 12.6 of the UDO states: *"As an option to the permanent signage standards set forth in this Chapter, freestanding structures in excess of twenty-five thousand (25,000) square feet and/or master planned developments in excess of 10 acres shall be allowed to submit an application for a Comprehensive Sign Package. All Comprehensive Sign Packages shall be reviewed as a Conditional Use Permit."*

Staff Findings of Fact - Based on application review

Yes	No	
X		**The proposed conditional use will be in harmony with the area in which it is to be located and in general conformance with the City's Land Use Plan.** The *Move Kannapolis Forward 2030 Comprehensive Plan* designates the subject parcel as being located in a "Primary Activity Interchange" Character Area. The subject site is zoned C-2, and the shopping center use is a permitted use in the district. Signage is permitted in the C-2 zoning district. The proposed sign package will be in conformance with the highway commercial uses recommended for this character area.
X		**Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.** The Comprehensive Sign Package proposes directional signage for each development to aid in the flow of traffic in and out of the site. The guidelines call for the signage to meet all visibility requirements of the City or State, whichever has jurisdiction. This would require all signage to be located outside of the public street Right-of-Way and the required sight triangle of any intersection. The plans submitted by the applicant would comply with these location restrictions and as a result, the proposed Comprehensive Sign Package will not create any traffic hazards or traffic congestion on public roads.
X		**The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.**

The proposed use will not produce any noxious or offensive noise, odor, dust, smoke, or gas.

X		**The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.** The Comprehensive Sign Package will not impede the orderly development of the surrounding properties as they are all on premise signs. The only off premise sign will be where the existing monument sign is currently located.
X		**The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.** The proposed signs will be required to comply with all applicable regulations of the North Carolina Building Code which will help safeguard public health and safety. Therefore, the signs will not be detrimental to or endanger the public health, safety, or general welfare.
X		**Compliance with any other applicable Sections of this Ordinance.** The Comprehensive Sign Package complies with all requirements of Article 12.6. Applicant has submitted a site plan that identifies locations of freestanding, multi-tenant, and directional signage. Applicant has also met the requirements of Article 12.6 by providing a list of guidelines for all future signage in the development.

F. Recommendation

Based upon an assessment of the criteria noted above, staff recommends approval of the Comprehensive Sign Package requested by Meredith Schultz for Cloverleaf Plaza, to provide innovative, creative, and effective signage, as an alternative to the permanent signage criteria in Article 12 subject to the following conditions:

1. ***Any signage not specifically identified in the Comprehensive Sign Package shall conform to the minimum signage criteria contained in Article 12 of the UDO.***

2. ***All signage must be located outside of the public street Right-of-Way.***

However, the Board of Adjustment should consider all facts and testimony after conducting the public hearing and render a decision accordingly to approve, approve with conditions, or deny the requested Conditional Use Permit.

G. Attachments

1. Application
2. Master Signage Plan
3. Letter from Quick Trip
4. Vicinity Map
5. Zoning Map
6. Future Land Use Map
7. Public Hearing notice to abutting property owners

8. List of abutting property owners
9. Posted Public Notice Sign

H. Issue Reviewed By:

Planning Director	X
City Attorney	X

KANNAPOLIS

Planning and Zoning Commission and Board of Adjustment
General Application Form
(Not for Site Plan Review Submittals)

Type of Action Requested (Check One):

Comprehensive Sign Plan Review	✓	SIA Application	_____
Conditional Use Permit	_____	Nonconformity Adjustment	_____
Subdivision Exception	_____	Watershed Boundary Modification	_____
Zoning Text Amendment	_____	Zoning Map Amendment	_____
Appeal	_____	Conditional Zoning Map Amendment	_____

Applicant: Meredith Schultz
Address: PO Box 14394
Charleston, SC 29422
Telephone: (c) 843-560-0383
Email: meredith@pretiumpm.com

Owner: Benbrooke Cloverleaf Partners, LL
Address: 4 West Red Oak Lane Suite 105
White Plains, NY 10604
Telephone: (o) 914-470-5700
Email: RFL@Benbrooke.com

Legal relationship of applicant to property owner: agent to owner

Property Location/Address: 928 Cloverleaf Plaza, Kannapolis NC 28083

Tax Parcel Number: 5622126997 0000 Zoning District: C-2 Acreage of Site: 19.41

Meredith Schultz
Applicant Name (Print)

Rich Lubkin
Property Owner Name (Print)

Meredith Schultz 10/22/19
Applicant Signature & Date

10/22/2019
Property Owner Signature & Date

The agenda deadline is the first day of the month preceding the month of the meeting. To be considered for placement on the next meeting agenda, the signed application, application fee, and five (5) copies of any required site plans for staff review must be submitted by the deadline. However, to remain on the next meeting agenda, fifteen (15) copies of such plans, determined by staff to conform to all ordinance standards, must be submitted at least ten (10) days before the meeting date. All fees are nonrefundable and help to cover administrative and notification costs.

For Staff Use Only:

Filing Fee: _____ Receipt # _____

Application No.: _____ Date Submitted (Complete): _____

Last Updated: 10 27 2015

CLOVERLEAF
PLAZA

Signage Criteria

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Signage Criteria

I. Introduction

A. Intent

The purpose of these criteria is to establish the standards for the configuration, fabrication, installation, and operation of occupant signage and project identification for the referenced property.

Compliance with these regulations ensures that the tenant will have a sign that meets industry standards of materials, and fabrication. It insures the Landlord and City of Kannapolis of properly installed signage and in addition, a center free of poorly designed, fabricated and installed signs.

B. Submission Requirements

The sign contractor must submit two sets of professionally prepared drawings, to scale by the sign company, for Landlord approval prior to fabrication and permit submission to the municipality. Signs installed without approvals shall be removed at the tenant's expense. Drawings shall be submitted to: Pretium Property Management, LLC, PO BOX 2155, Haddonfield, NJ 08033.

These drawings must show:

1. Elevation view of storefront showing sign (drawn to accurate scale) with dimensions of height of letters and length of sing.
2. Full Specifications of all materials and colors in the sign.
3. Cross-section view of sign showing dimension of letter and raceway.
4. One or more section drawings as necessary to full describe the methods of assembly and electrical components used.

C. Responsibilities, Limitations, Liabilities:

All tenants must have a sign (or signs) that conform to the sign criteria. The following applies to all building and free-standing occupant signage.

- The tenant shall be responsible for the sign and its erection
- NO sign may be erected on the buildings or the property without first securing written approval of the Landlord.
- All permits as required by local building or sign codes shall be obtained by the tenant or its sign contractor.

- All costs for permitting, fabrication, and installation of signs shall be borne by the tenant.

II. Tenant Fascia Signage (Building Signage)

A. Description

1. Type of Sign
   - The required type sign on Multiple-Tenant or Single-Tenant building is an LED internally illuminated, individual channel letter sign mounted on a raceway.

2. Number of Primary ID Signs
   - The following applies to the primary identification signage (tenant name and logo).
     a) Each tenant shall have one sign (except as indicated below).
     b) Building tenants may have multiple signs under the following circumstances.
        (i) If the tenant's space is a corner location, then tenant may place a sign on each of the two sides of the building
        (ii) If the tenant's space consists of an entire building, then tenant may place signs on each of the three signs of its building.

3. Letter Style
   - Letter style is subject to Landlord approval

4. Size and Location
   - Maximum Width: A sign shall not extend over more than 75% of the store front and should be centered on the front.
   - Maximum Letter Heights: Letter height for all tenants shall be a minimum of 14" and a maximum of 28". Two rows of letters shall be permitted but may not exceed the maximum height of 28" cumulatively. *All portions of each letter must be contained within the sign band area.*
   - Sign shall be centered vertically within the sign zone area established by the Landlord.
   - Signs shall be located horizontally so that the sign is within the limits of the tenant's demising walls. Exact locations may be adjusted by the Landlord to match various architectural features of the building.

5. Type Face and Colors
   - Color and typeface are subject to Landlord approval.

6. Logos
   - Logos will be permitted with Landlord approval.

7. Secondary Signage
   - Secondary signage (not involving the tenant name or logo) shall be permitted at the sole discretion of the Landlord.
   - Sidewalk "blade" signs- Tenants shall be encouraged to install signage that is readable to pedestrians on the sidewalk in front of the Tenant's storefront. Such signs shall be located on the under canopy of the metal awning overhang nearest to tenant's main storefront door. Such signs shall be installed per the following specifications.
     (a) All sidewalk signs shall be no larger than 36" wide and 12" tall and shall be mounted with the bottom edge at no lower than ninety-six inches above the finished floor elevation.
     (b) The sidewalk sign will be constructed of metal and painted with an enamel paint. Deviations from the materials must be approved by Landlord.

8. INSTALLATION AND CONSTRUCTION
   - Channel letters signs shall be mounted to the building utilizing a raceway to minimize the number of required penetrations in the building wall. Sign letters shall be fastened to minimize the number of required penetrations of the building wall. Sign letters shall be fastened to the metal continuous wiring bar (raceway) which will house all wiring, transformers, and supports for the sign letters and shall be centered vertically on the back of the letters.

     The raceway shall be constructed using continuous steel structure. Structure to be skinned using a minimum 22-gauge paint grip or .063 aluminum. Raceways shall be 3" x 10" x length of sign. Multiple rows of letters shall be mounted on the individual raceways and letters are to be centered vertically on the raceway.

     Channels shall be constructed using formed and welded aluminum only. The backs shall be 22-gauge paint grip and pop rivets on top seams of .063 minimum thickness with returns being 4.5" deep of .050 minimum thickness. Each bottom portion of a stroke shall have a 1/4" diameter weep hole.

     Raceways shall have full-service access panels sealing out water with ¼" diameter weep holes spaced at a maximum of 3' apart across the bottoms.

     Raceways shall be painted to match the building sign band color.

     Raceway shall be mounted to the building's designated sign band through the rear of the raceway using hardware adequate to support the sign.

III. Property Identification Signage

A. Types and Design

The property will have three types of property identification signage.

1. Ground mounted monument sign will be incorporated into the hardscape plan of the property. This sign, the "monument sign" will only display the name of the property "Cloverleaf Plaza". The design for this sign is shown in schematically in Exhibit C. subject to final design modifications.
2. Pylon signs with occupant identification panels as shown on Exhibit D and Exhibit E.
    a. Tenant panel design subject to Landlord approval
    b. Tenant panel location to be determined by Landlord.

B. Locations

The above-described signs shall be located as shown on the Signage Site Plan attached as Exhibit F.

EXHIBIT "A"

TENANT SIGNS TO BE CENTERED VERTICALLY
IN SIGN ZONES (SHOWN HIGHLIGHTED/HATCHED)

EXHIBIT "B"

TENANT SIGNS TO BE CENTERED VERTICALLY
AND HORIZONTALLY IN SIGN ZONES (SHOWN HIGHLIGHTED/HATCHED)

EXHIBIT "C"

Not to scale

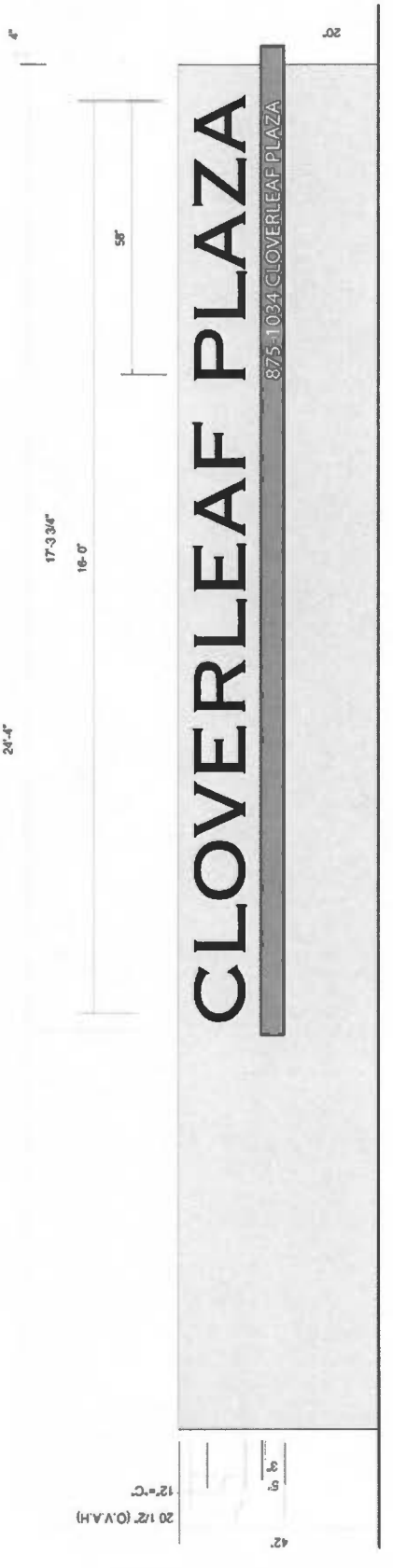

EXHIBIT "D"

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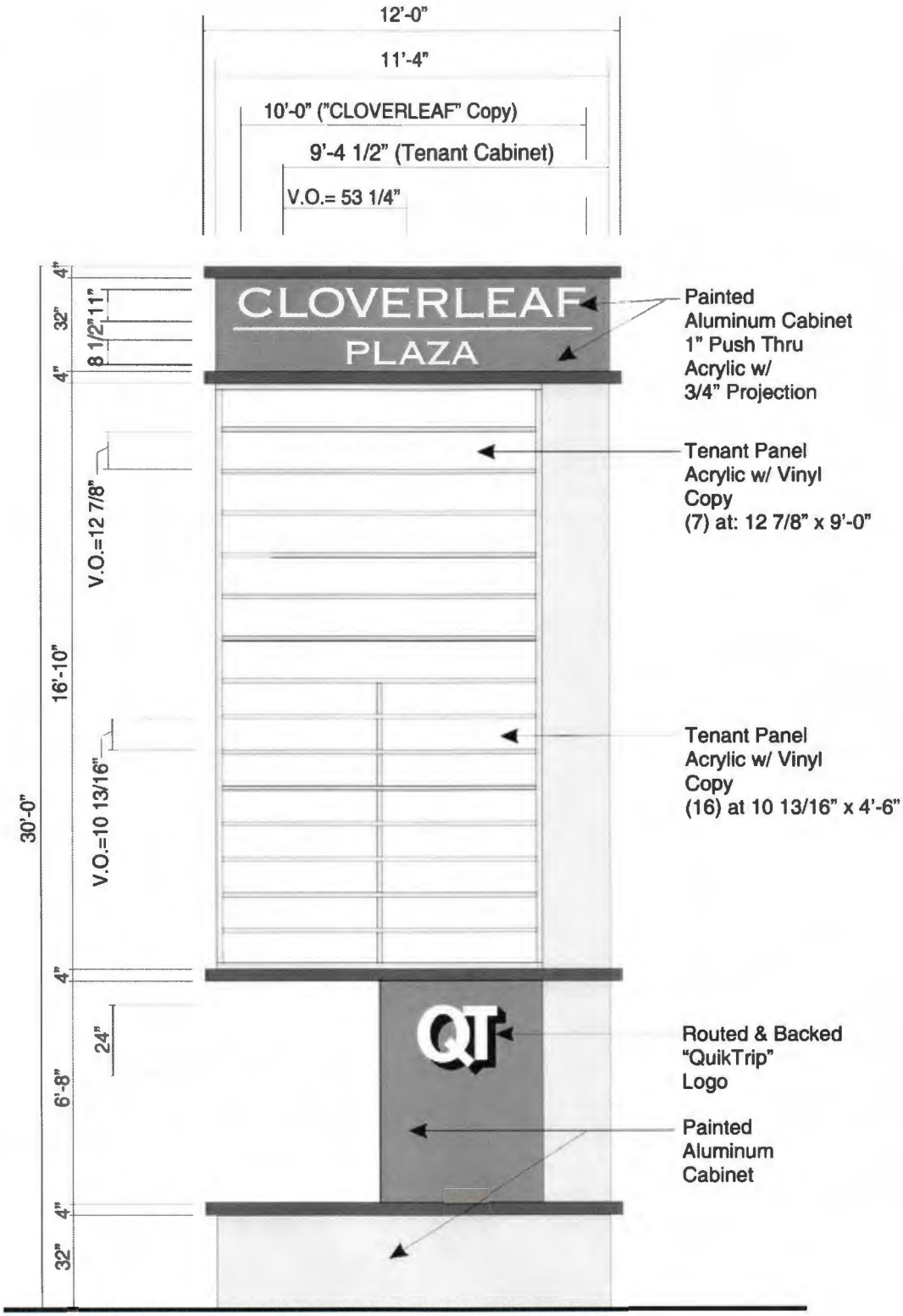


EXHIBIT "E"

Not to scale

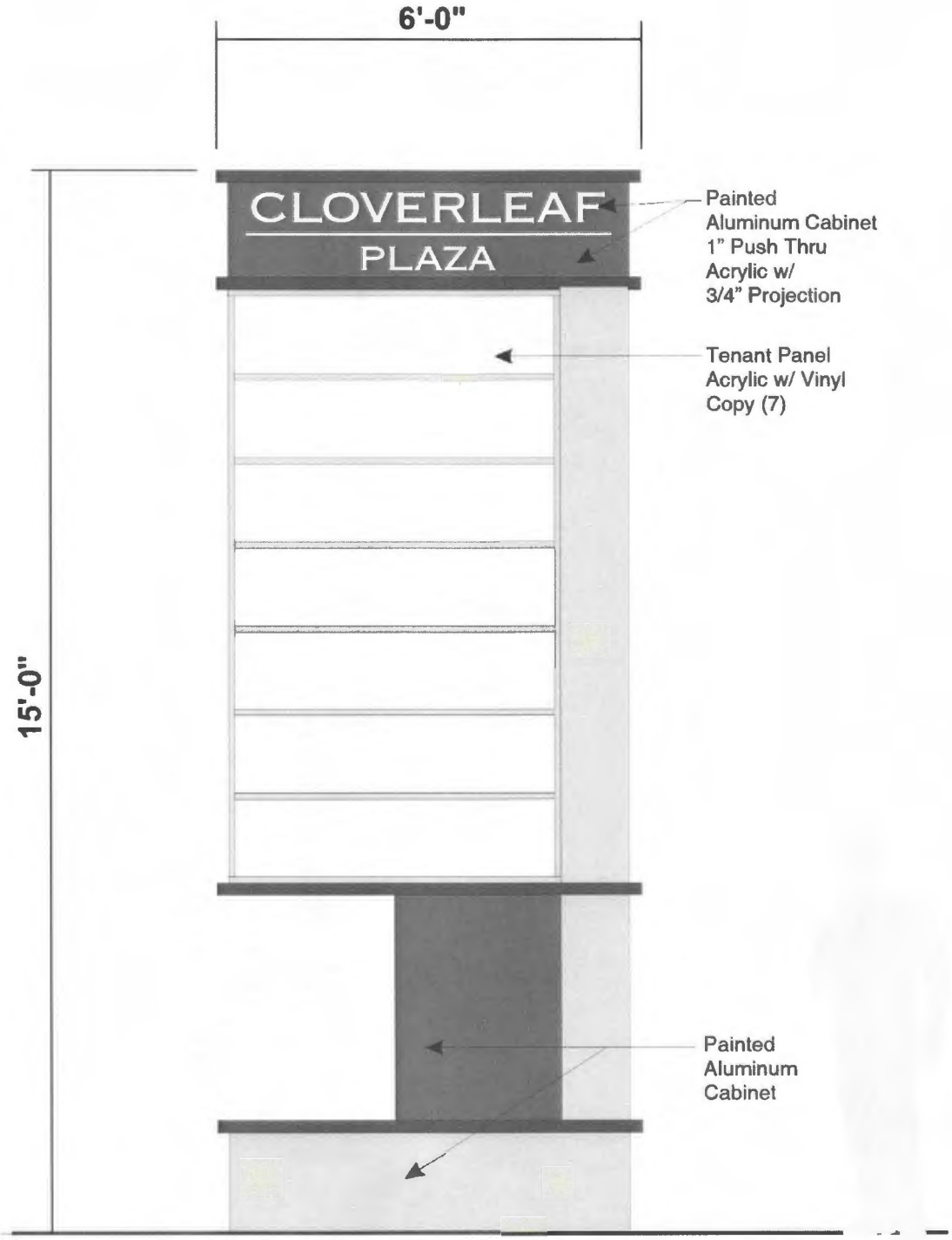
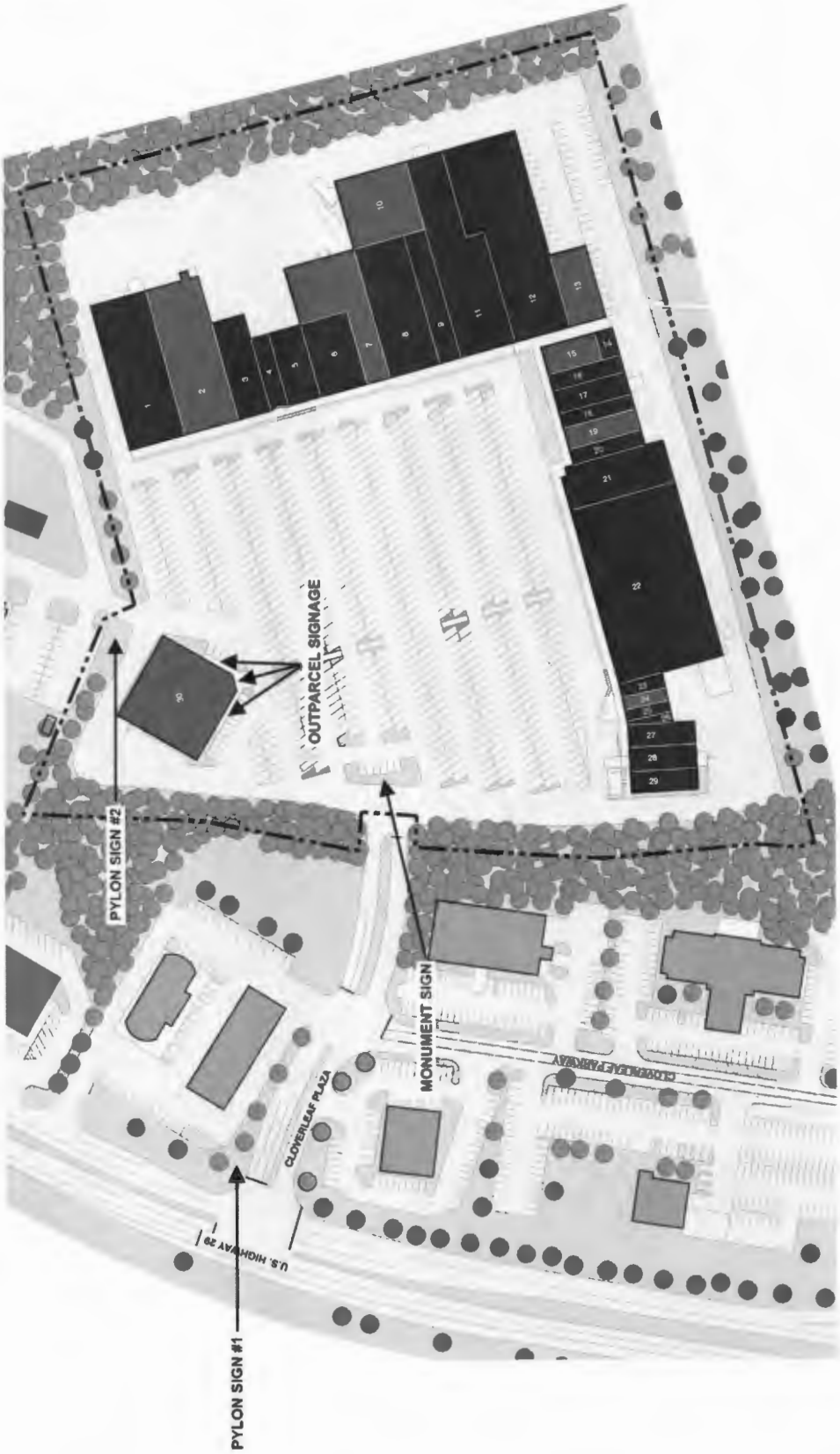


EXHIBIT "F"


PYLON SIGN #1
U.S. HIGHWAY 29
CLOVERLEAF PLAZA
PYLON SIGN #2
MONUMENT SIGN
OUTPARCEL SIGNAGE

QuikTrip® Corporation

CAROLINA DIVISION
3701 Arco Corporate Dr Suite 150
Charlotte, NC 28273
(704) 559-8000

Craig Romrell
Real Estate Manager
704 307-8703
cromrell@quiktrip.com

August 7, 2018

Benbrooke Cloverleaf Partners, LLC
Successor-in-Interest to
Cloverleaf Shopping Ctr. Assoc.
c/o Pretium Property Management, Inc.
911 Kings Highway South
Cherry Hill, New Jersey 08034

Re: Pylon Sign/Sign Easement
US Highway 29-Cannon Boulevard
Kannapolis, North Carolina

Dear Benbrooke Cloverleaf Partners, LLC:

This letter is QuikTrip Corporation's acknowledgement and conditional support of the proposed new pylon sign to be constructed at QuikTrip Store #1022, located at 821 Cloverleaf Plaza, in Kannapolis, North Carolina 28083 (the "Property"). The proposed new signage is shown on the attached elevations and renderings.

QuikTrip acknowledges that the new pylon sign will replace the two existing Cloverleaf Plaza signs currently located on the Property. QuikTrip also expresses support for the inclusion of the QuikTrip store logo on the new pylon signage.

QuikTrip Corporation's support for the new Cloverleaf pylon signage is contingent upon (i) QuikTrip Corporation's subsequent written approval of the final signage package and construction plans following approval by the applicable governmental entity, (ii) the termination of the existing sign easement, and (iii) the recordation of a new sign easement executed by the parties in the land records.

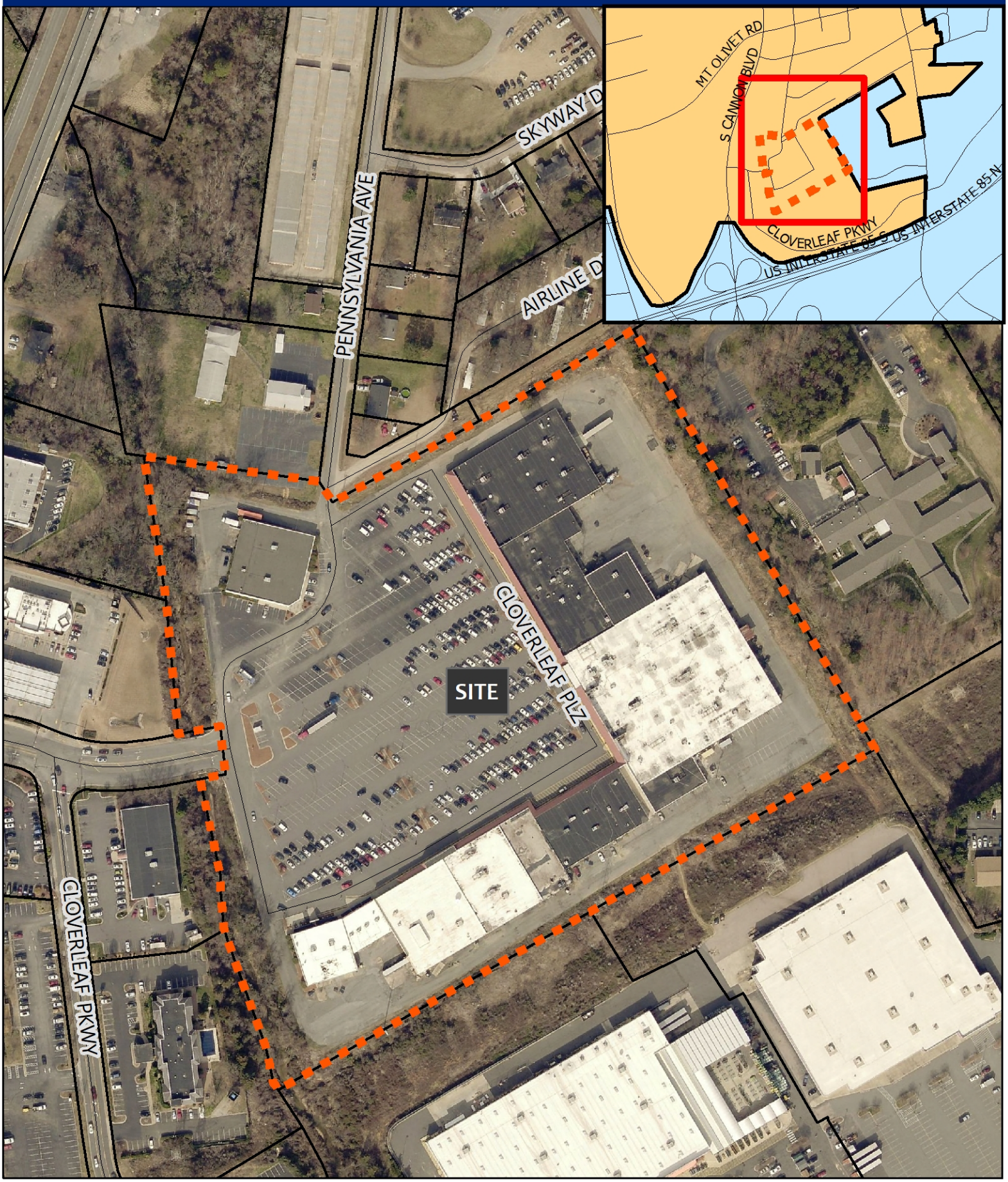
Please let me know if you require any additional information related to the referenced matter.

Thank you,

Craig Romrell
Real Estate Manager
QuikTrip Corporation

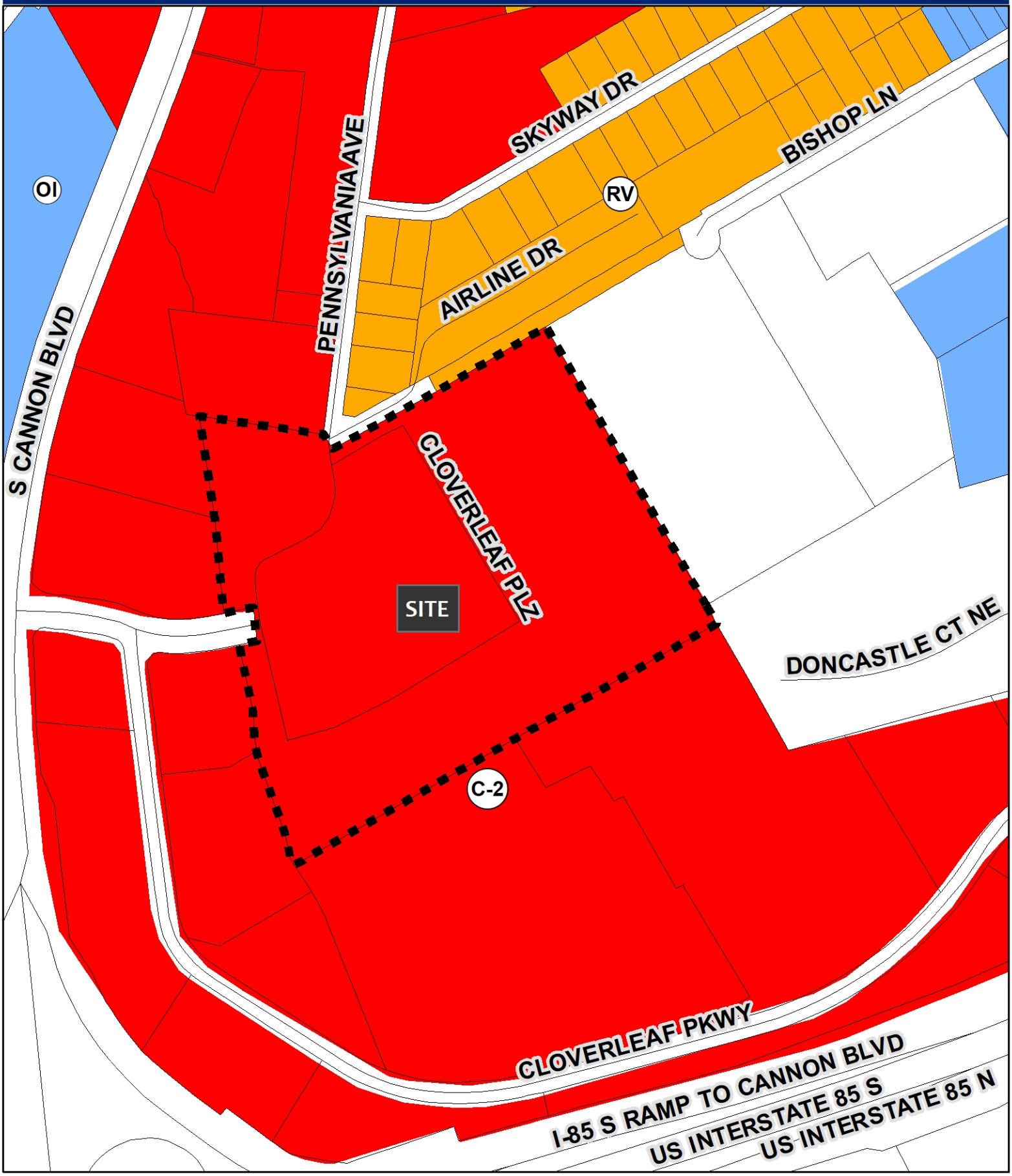
Vicinity Map

Case Number:BOA-2019-10
Applicant: Meredith Schultz
928 Cloverleaf Plaza



Kannapolis Current Zoning

Case Number:BOA-2019-10
Applicant: Meredith Schultz
928 Cloverleaf Plaza

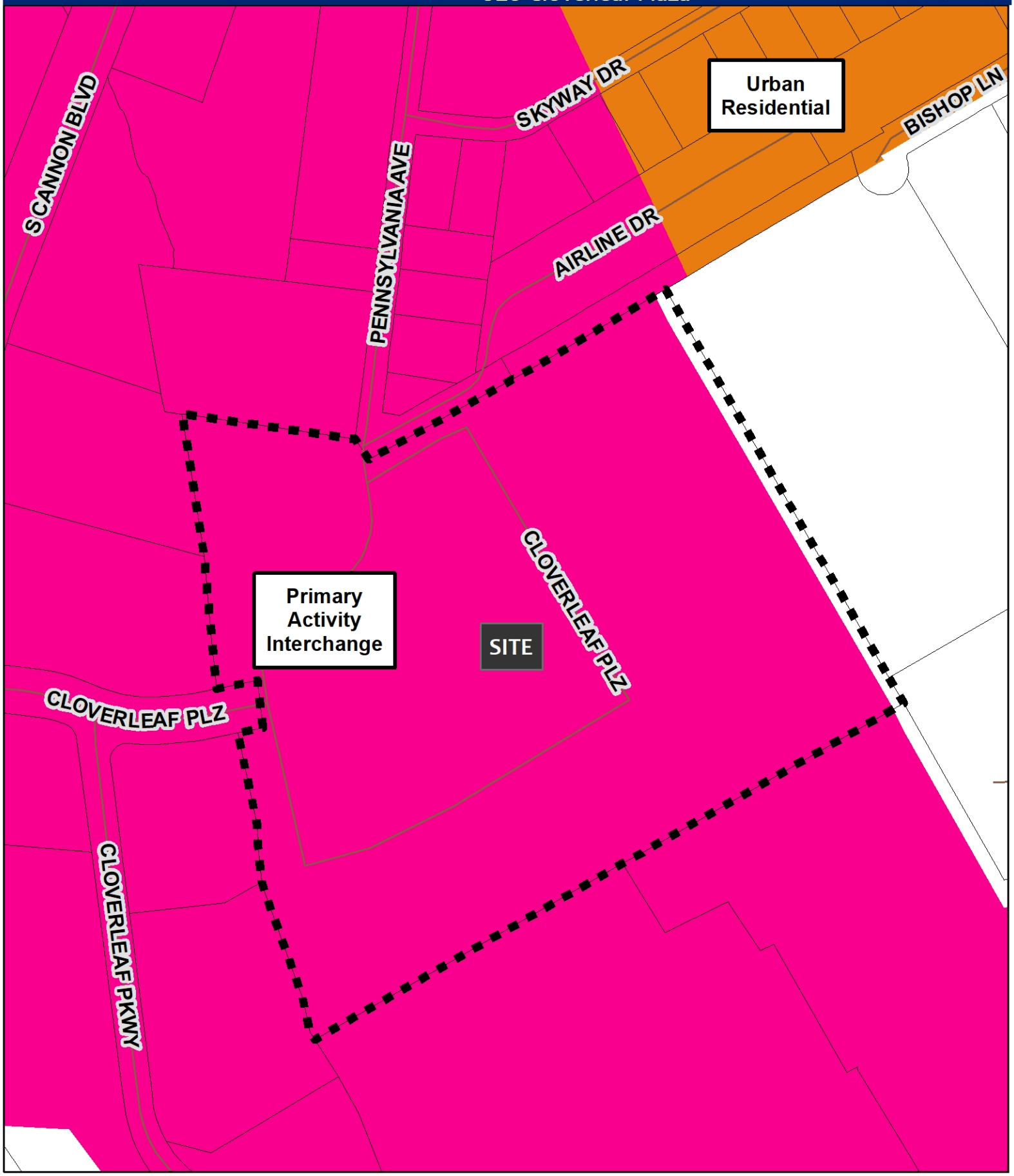


Kannapolis 2030 Future Land Use Map

Case Number: BOA-2019-10

Applicant: Meredith Schultz

928 Cloverleaf Plaza



KANNAPOLIS
Planning

October 29, 2019

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasi-judicial public hearing at 6:00 PM on Tuesday November 19, 2019 at City Hall, located at 401 Laureate Way, for the following case:

BOA-2019-10 – Cloverleaf Comprehensive Sign Package

This public hearing is to consider a request for a Comprehensive Sign Package which would allow the applicant to provide innovative, creative, and effective signage by providing an alternative to the general permanent signage criteria in Article 12 of the Unified Development Ordinance (UDO). The subject property is located at 1034 Cloverleaf Plaza, is approximately 19.41 +/- acres, and is more specifically identified as Cabarrus County Parcel Identification Number 5622-12-6997. The property is zoned General Commercial (C-2). (**Please see reverse side of this letter for vicinity map the location of this property.)**

As an adjacent property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Unified Development Ordinance (UDO); and are invited to attend the public hearing and present testimony, should you desire, to the Board of Adjustment.

Section 12.6 of the UDO states "*As an option to the permanent signage standards set forth in this Chapter, freestanding structures in excess of twenty-five thousand (25,000) square feet and/or master planned developments in excess of 10 acres shall be allowed to submit an application for a Comprehensive Sign Package. All Comprehensive Sign Packages shall be reviewed as a Conditional Use Permit.*"

Should you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4350

Sincerely,

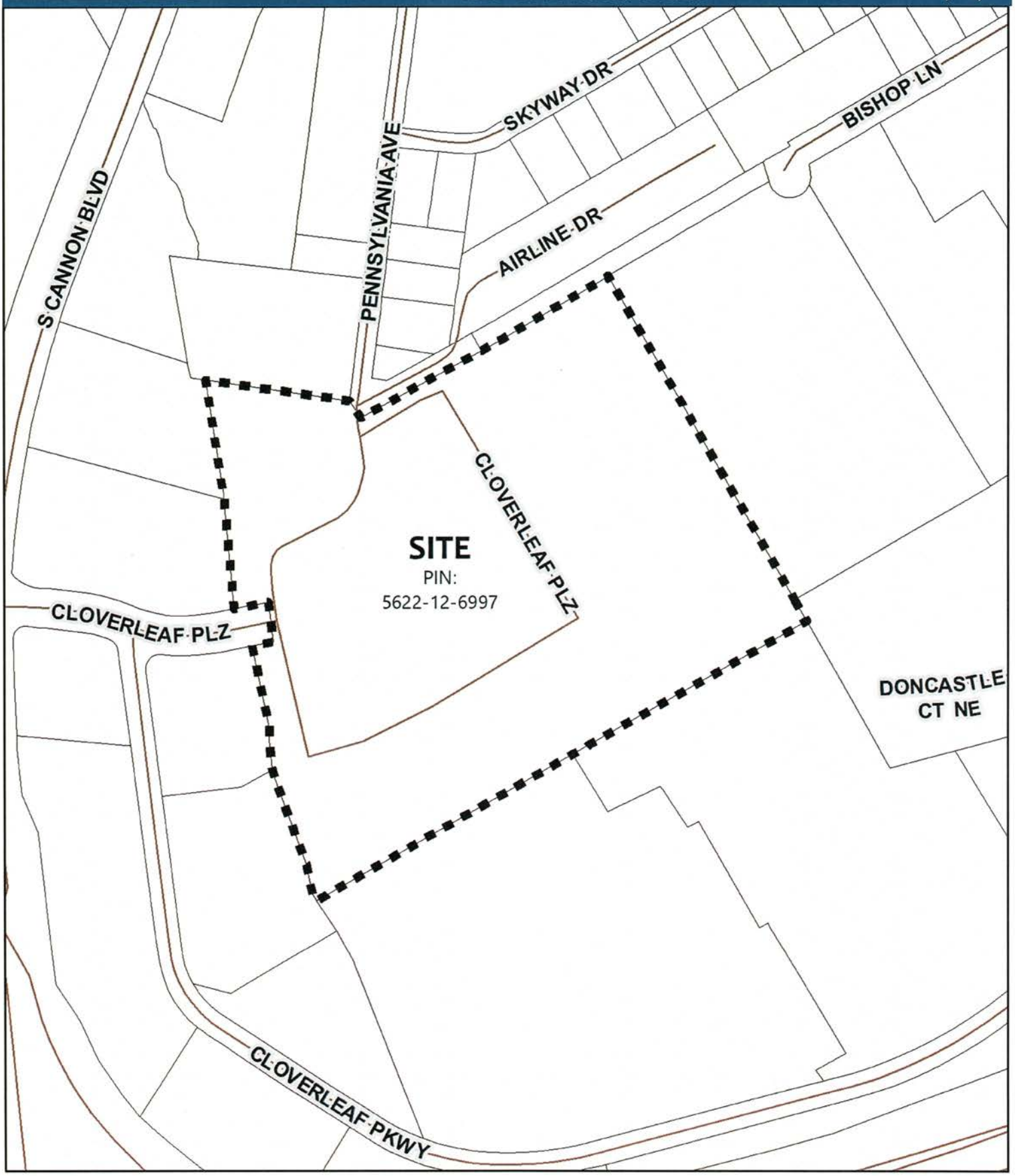
Ryan Lipp
Senior Planner

Enclosure

The meeting is accessible to people with disabilities. To request special accommodation in advance, contact the City's ADA Coordinator at 704-920.4302.

Comprehensive Sign Package

Case Number: BOA-2019-10
Applicant: Meredith Schultz
928 Cloverleaf Plaza



AcctName1	MailAddr1	MailCity	MailState	MailZipCod
LESLIE PENA	6921 WILSON GROVE RD	MINT HILL	NC	28227
GILES & MARTHA MISENHEIMER EST	584 CAMROSE CIRCLE NE	CONCORD	NC	28025
CABARRUS BAPTIST ASSOCIATION	930 LEE-ANN DR NE	CONCORD	NC	28025
D & E LIMITED LLC	3140 CHELWOOD DR	CONCORD	NC	28027
NEWTON PROPERTIES	77 MCCACHERN BLVD SE STE 1	CONCORD	NC	28025
SMV CONCORD LLC A DA LLC C/O CAMMEBY'S INTERNATIONAL LTD	45 BROADWAY STE 2450	NEW YORK	NY	10006
RODRIGO SANTACRUZ SANDRA OLIVARES	904 SKYWAY DR	KANNAPOLIS	NC	28083
N&J LAND INVESTMENTS LLC	80 BURRAGE RD NE	CONCORD	NC	28025
COMMUNITY BANK OF RAYMORE ATTN: TRUST DEPT/KAREN BLEDSOE	PO BOX 200	RAYMORE	MO	64083
CABARRUS ALLIED PARTNERS LLC	3030 S CANNON BLVD	KANNAPOLIS	NC	28083
SALVATION ARMY THE (A GA CORP)	P O BOX 5669	CHARLOTTE	NC	28299
SDI PROPERTIES INC A NC CORP	50 DEVONSHIRE DR	CLIFTON	NJ	07013
HD DEVELOPMENT OF MARYLAND INC PROPERTY TAX DEPT #3607	PO BOX 105842	ATLANTA	GA	30348
LAKSHMI HOTEL GROUP INC	1225 AUDUBON DR	GASTONIA	NC	28054
BUCKINGHAM PLACE REAL ESTATE	366 ELM AVE SW	ROANOKE	VA	24016
BENBROOKE CLOVERLEAF PARTNERS LLC	911 KINGS HWY S	CHERRY HILL	NJ	08034
DARA PROPERTIES OF KANNAPOLIS	799-B BREVARD ROAD	ASHEVILLE	NC	28806
MEREDITH SCHULTZ	PO BOX 14394	CHARLESTON	SC	29422

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PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE # BOA - 2019 - 10
DOLLAR GENERAL

FAMILY STORE
DONATION CENTER
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CASE # 19 10