



**Board of Adjustment
March 17, 2020 Meeting**

Staff Report

DATE: March 9, 2020
TO: Board of Adjustment
FROM: Gretchen Coperine, AICP, Assistant Planning Director
SUBJECT: **Case# BOA-2019-11: Kellswater Commons CUP**
Request for a Conditional Use Permit to allow for construction of townhomes in the C-2 (General Commercial) zoning district.

A. Actions Requested by Board of Adjustment

1. Motion to accept the City's exhibits into the record.
2. Motion to approve/revise Findings of Fact for the Conditional Use Permit.
3. Motion to approve (approve with conditions) (deny) the issuance of the Conditional Use Permit
4. Motion to Issue Order of Approval.

B. Required Votes to Pass Requested Action

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

C. Background

The applicant, Meritage Homes of the Carolinas, Inc., is requesting a Conditional Use Permit (CUP) to allow the construction of 150 townhomes in the C-2 (General Commercial) zoning district, located at 3820 Kannapolis Parkway and portions of unaddressed properties, further identified as Cabarrus County Parcel Identification Number(s) 5602-39-3594, 5602-38-6551, 5602-38-7169, 5602-38-9296, 5602-38-8556, 5602-49-3071, 5602-49-1394 and 5602-39-8206 . Pursuant to Table 4.6-1 of the Unified Development Ordinance (UDO), a CUP is required to allow for townhomes in the C-2 zoning district. The subject portions of the parcels to be developed for townhomes total approximately 18.86 +/- acres. See attached Board of Adjustment map with Townhomes location.

Kellswater is one of the largest subdivisions within the City of Kannapolis. As part of the original master plan for the subdivision, commercial development was planned for the southeast corner of Kannapolis Parkway and Rogers Lake Road currently zoned C-2 (General Commercial). In response to market demands, the applicant is proposing 150 townhomes on a portion of the parcels zones C-2. A full Traffic Impact Analysis (TIA) has been

provided for the future commercial development as well as the currently proposed townhomes. The recommended traffic impacts will be required to be completed by the full project buildout.

At this time, only the townhome portion of this development is the subject of the Conditional Use Permit.

D. Fiscal Considerations

None

E. Policy Issues

Article 3.5 of the UDO requires that the Board of Adjustment shall only approve a conditional use permit if the applicant demonstrates that the criteria below have been met. Staff analysis of each criterion is noted.

Staff Findings of Fact - Based on application review

Yes No

 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 subject parcels are in the "Complete Neighborhood 2" Character Area, within a "Primary Activity Center" as designated on the Future Land Use and Character Map in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Both the Complete Neighborhood 2 and Primary Activity Center Character Areas allow single family attached residential as a primary use.

The proposed use is compatible with the character intent of the "Complete Neighborhood 2" Character Area, within a "Primary Activity Center" Character Area as well as comparable to the existing single-family homes and surrounding area.

 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 proposed townhome development will be accessed through an existing driveway cut on Rogers Lake Road. A full TIA was proposed for the entire future commercial development along with the proposed subject townhome development. At full project buildout, all traffic improvements will be required to be completed.

 The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

No vibration, odor, dust, smoke or gas is expected. No noise beyond typical residential uses is anticipated.

 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 improvement of surrounding property would not be impeded by the development of the subject property.

 The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

There is no apparent danger or detriment to the overall public safety, health and welfare resulting from the proposed uses. The proposed development is subject to all the requirements of the Unified Development Ordinance.

Compliance with any other applicable Sections of this Ordinance.

The proposed use shall comply with all sections of the City of Kannapolis Unified Development Ordinance, conditions of approval, and any other applicable local, state and federal regulations. It is understood by the applicant that unless specifically relieved of a requirement, in writing, all UDO requirements, including compliance with the Technical Review Committee site plan review and approval process, must be met.

F. Legal Issues

Board's Findings of Fact - Based on application review and public hearing.

In order to determine whether a conditional use permit is warranted, the Board must decide that each of the six findings as outlined below has been met and that the additional approval criteria has been satisfactorily addressed. If the Board concurs completely with the findings of the staff, no additional findings of fact are necessary and the staff findings should be approved as part of the decision. However, if the Board wishes to approve different findings (perhaps as a result of additional evidence or testimony presented at the public hearing), alternate findings need to be included as part of the six criteria below. Should a conditional use permit be approved, the Board may place conditions on the use as part of the approval to assure that adequate mitigation measures are associated with the use.

Yes

No

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.

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 proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

The establishment of the proposed use will not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

Compliance with any other applicable Sections of this Ordinance.

G. Recommendation

Based on the above findings, staff recommends **approval with conditions** of the Conditional Use Permit based on the staff Findings of Fact (or as modified by the Board), the conceptual site plan, and compliance with all local, state and federal requirements.

Conditions of Approval proposed by staff:

1. The uses permitted with this CUP shall only include 150 townhomes, in general conformance with the plan submitted with this application. Access for the subject development shall be provided off Rogers Lake Road. Appropriate design shall be finalized with site plan approval.
2. All road intersections where development has access and/or street frontage shall be approved by NCDOT and the City.
3. The developer will construct curb and gutter and sidewalk along the entire road frontage where development has access and/or street frontage. The improvements will be constructed to NCDOT and City standards.
4. The lane widths, sidewalks, pavement structure, road alignment, and road grades shall be constructed to current City standards.
5. Roads and parking lots shall comply with all Fire Codes and Autoturn shall be run for an SU-30 and Bus-45 (mimics ladder truck).
6. Streams and wetlands shall be identified by a qualified person and all buffers shown in accordance with Article 4 of the Kannapolis UDO. Construction of buildings, roads, and other structures must comply with AE Zone & RSOD Buffer requirements or be relocated.
7. A Stormwater Management Permit will be required for this Development in accordance with Article 9 of the Kannapolis UDO. Easements, maintenance agreements and viable access shall be provided for all stormwater structures and Stormwater Control Measures (SCM). SCM's cannot be constructed in the undisturbed buffer. Additional requirements are necessary to verify design of SCM within AE Zone see attached comments on sketch plan.
8. Water and sewer main extensions will be required for this project. The developer shall be responsible for designing, permitting and constructing water and sewer mains in accordance with City and WSACC standards.
9. All water and sewer mains shall be publicly maintained and located within a public right-of-way or utility easement. The water and sewer mains shall be located in the roadway under the pavement per the City's Typical Utility Layout.
10. Easements for sanitary sewer lines, water lines and storm sewer pipes need to be a minimum of 20-foot wide. Additional width may be required depending on the depth of the line. Sanitary sewer lines and storm sewer lines shall be located within Common Open Space (easements centered on property lines shall not be permitted). Viable access shall be provided along all easements with a grade no greater than 15% for maintenance vehicles and cross slopes shall not exceed 5%.
11. The Fire Department shall approve locations of all hydrants.
12. Prior to platting the 31st parcel/lot, an emergency access road is required. Emergency access shall remain open at all times. Prior to platting the 100th parcel/lot, a permanent second access (built to City standards) is required.
13. The concept plan and elevations are illustrative. Final Design of the project as reviewed by the Technical Review Committee shall be subject to meeting all city standards.

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 Conditional Use Permit.

H. Attachments

1. Conditional Use Permit Application
2. Vicinity Map
3. BOA Map with Townhouse Location
4. Zoning Map
5. 2030 Future Land Use Map
6. Site Plan
7. List of notified properties
8. Notice to Adjacent Property Owners
9. Posted Public Notice

I. Issue Reviewed By:

City Attorney	X
Planning Director	X
Director of Engineering	X
City Manager	X



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

Type of Action Requested (Check One):

- | | | | |
|------------------------|-------------------------------------|----------------------------------|--------------------------|
| Variance | <input type="checkbox"/> | SIA Application | <input type="checkbox"/> |
| Conditional Use Permit | <input checked="" type="checkbox"/> | Nonconformity Adjustment | <input type="checkbox"/> |
| Subdivision Exception | <input type="checkbox"/> | Watershed Boundary Modification | <input type="checkbox"/> |
| Zoning Text Amendment | <input type="checkbox"/> | Zoning Map Amendment | <input type="checkbox"/> |
| Appeal | <input type="checkbox"/> | Conditional Zoning Map Amendment | <input type="checkbox"/> |

Applicant: Meritage Homes of the Carolinas, Inc. Owner: MPV Kellswater LLC
 Address: 13925 Ballantyne Corporate Place, Suite 300 Address: 2400 South Blvd
Charlotte, NC 28277 Charlotte, NC 28203
 Telephone: 704-944-8943 Telephone: 704-561-5238
 Email: Reid.Owen@meritagehomes.com Email: KChapman@mpvre.com

Legal relationship of applicant to property owner: Under Contract

Property Location/Address: 3820 Kannapolis Pkwy, Kannapolis, NC 28081

Portions of
56024930710000,
56023885560000,
56023866510000,
56024913940000,
56023982060000,
56023935940000,
56023871690000,
56023892960000

Tax Parcel Number: _____ Zoning District: C-2 Acreage of Site: 18.86

J. Reid Owen
Applicant Name (Print)

James E Merrifield
Property Owner Name (Print)

J Reid Owen
Applicant Signature & Date

James E Merrifield
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): _____



CITY OF KANNAPOLIS PLANNING DEPARTMENT

CONDITIONAL USE PERMIT APPLICATION

I, J. Reid Owen, hereby petition the Board of Adjustment for a Conditional Use Permit as required by Table 4.6-1 of the Unified Development Ordinance for the following proposed property use: Single Family Attached Townhomes.

The location of the above-mentioned proposed use is indicated on the accompanying site plan, and the nature of the proposed use is more fully described as follows:

The proposed use within the C-2 District is Single Family Attached Townhomes,

which requires a conditional use permit.

APPROVAL CRITERIA

The Board of Adjustment does not have unlimited discretion in deciding whether to approve a conditional use permit. The Unified Development Ordinance requires that the applicant demonstrate successful compliance with several conditions to obtain a conditional use permit. In the spaces provided below, indicate the *facts* that you intend to provide to convince the Board that it can properly reach the following required conclusions:

A. The proposed conditional use conforms to the character of the neighborhood, considering the location, type, and height of buildings or structures and the type and extent of landscaping and screening on the site.

Yes, the proposed townhouses are an extension of the existing Kellswater Bridge

Subdivision and will provide a developmental transition between single family

detached dwelling to the south and the future commercial to the north.

B. Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize the traffic congestion on the public roads.

Yes, the townhouses will be accessed from the south via the existing County

Down Ave. as well as two locations along one of the commercial centers

future roadways, which will be constructed in conjunction with the townhouses.

C. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.

The proposed use of townhouses will not be noxious or offensive by reason of

vibration, noise, odor, dust, smoke, or gas

D. 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 proposed use of townhouses is an extension of the existing Kellswater Bridge

Subdivision. It will provide a transition between the existing single family detached

to the south and the future commercial to the north.

E. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

The townhouses shall not be detrimental to or endanger the public health,

safety, or general welfare.

F. Compliance with any other applicable Sections of this Ordinance.

The townhouses shall be in compliance with applicable sections of the Ordinance.

I certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.



Signature of Applicant

10/22/2019

Date

The Board may place conditions on the use requested as part of the approval to assure that adequate mitigation measures are associated with the use.

Required as part of Conditional Use Permit Submittal:

- Fee: Please refer to fee schedule to determine applicable fees.
Fees are nonrefundable and help to cover administrative and notification costs.
- Site plan in conformance with criteria listed in Appendix B.4.
- Tax cards for all adjacent property owners

STAFF USE ONLY

Scheduled meeting date: _____

Dates advertised in newspaper: _____ and _____

Date written notices mailed: _____

Date sign posted: _____

Board Decision: _____

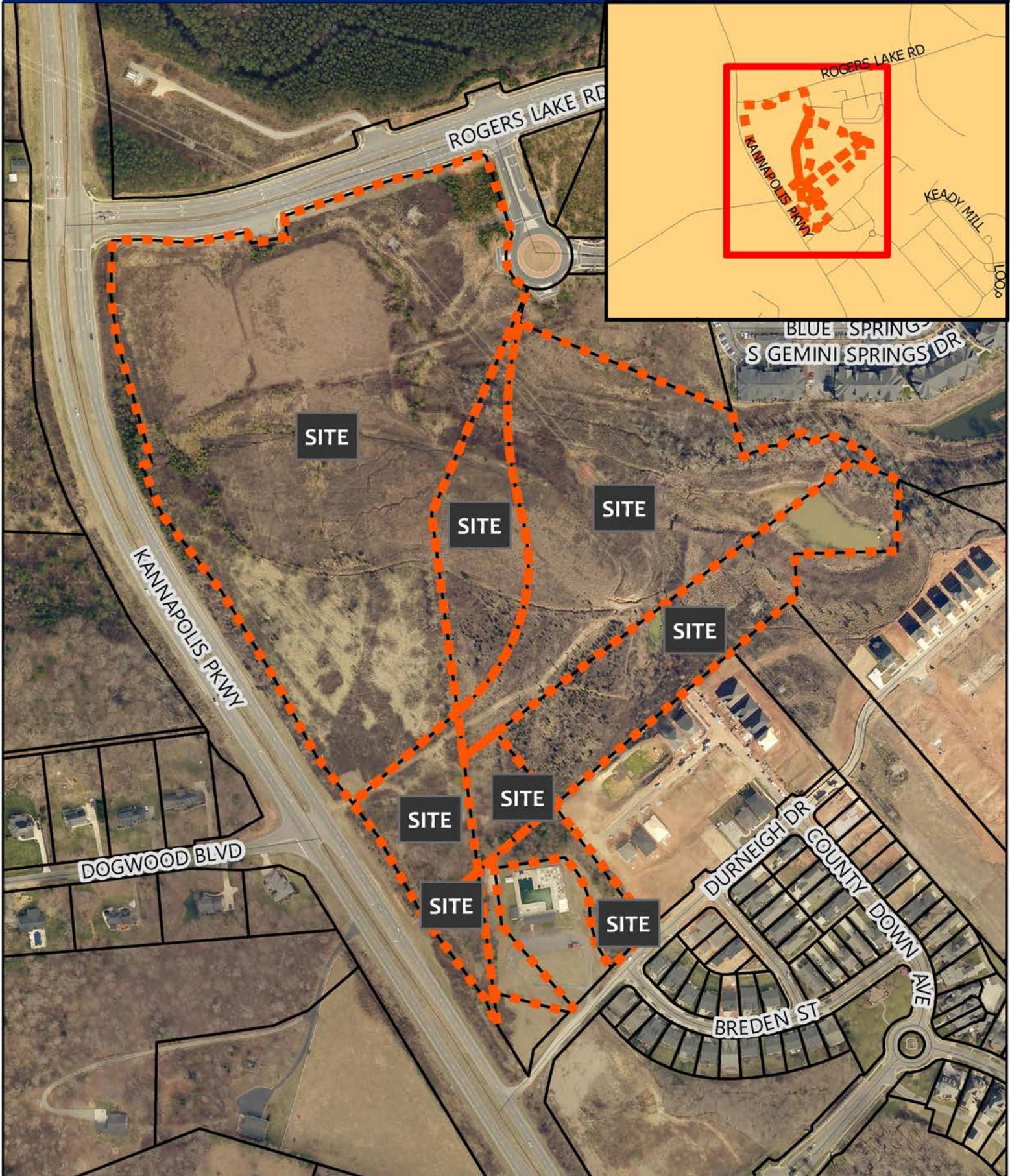
Conditions: _____

Date written notice of Board decision sent to applicant: _____



Vicinity Map

Case Number: BOA-2019-11
Applicant: Meritage Homes of the Carolinas, Inc.
Kellswater Commons

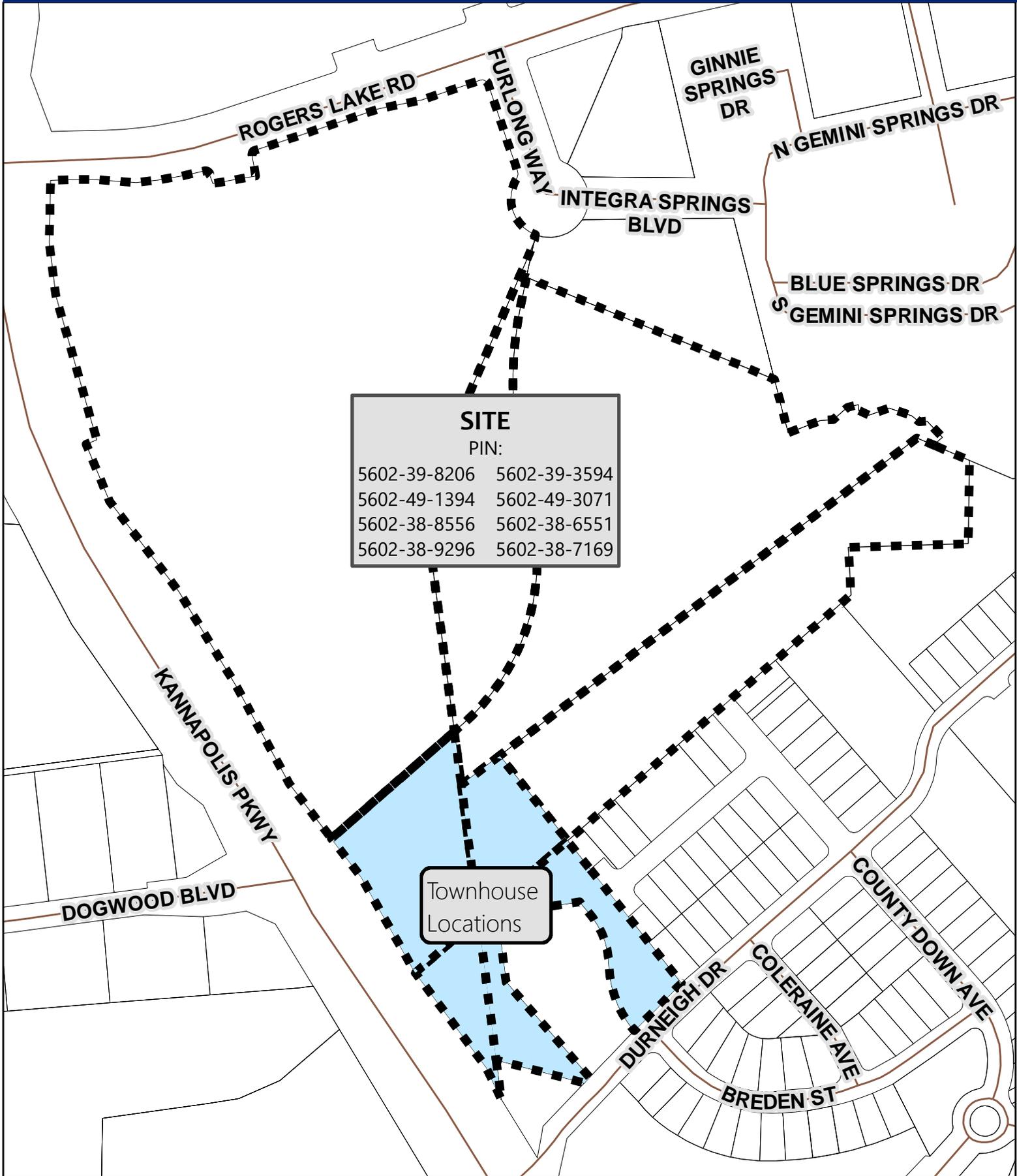




Board of Adjustment

Case Number: BOA-2019-11

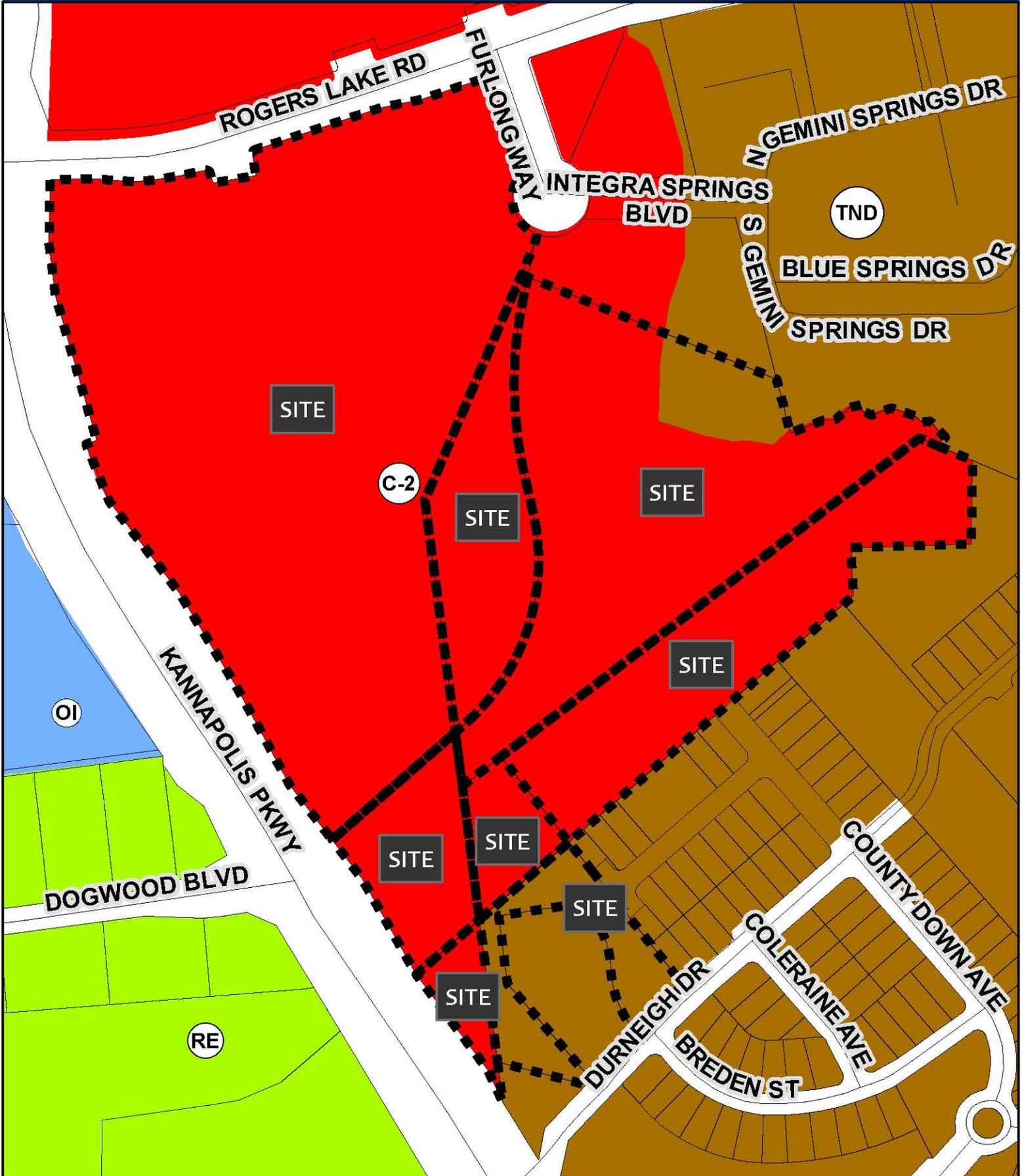
Applicant: Meritage Homes of the Carolinas, Inc.
Kellswater Commons





Kannapolis Current Zoning

Case Number: BOA-2019-11
Applicant: Meritage Homes of the Carolinas, Inc.
Kellswater Commons



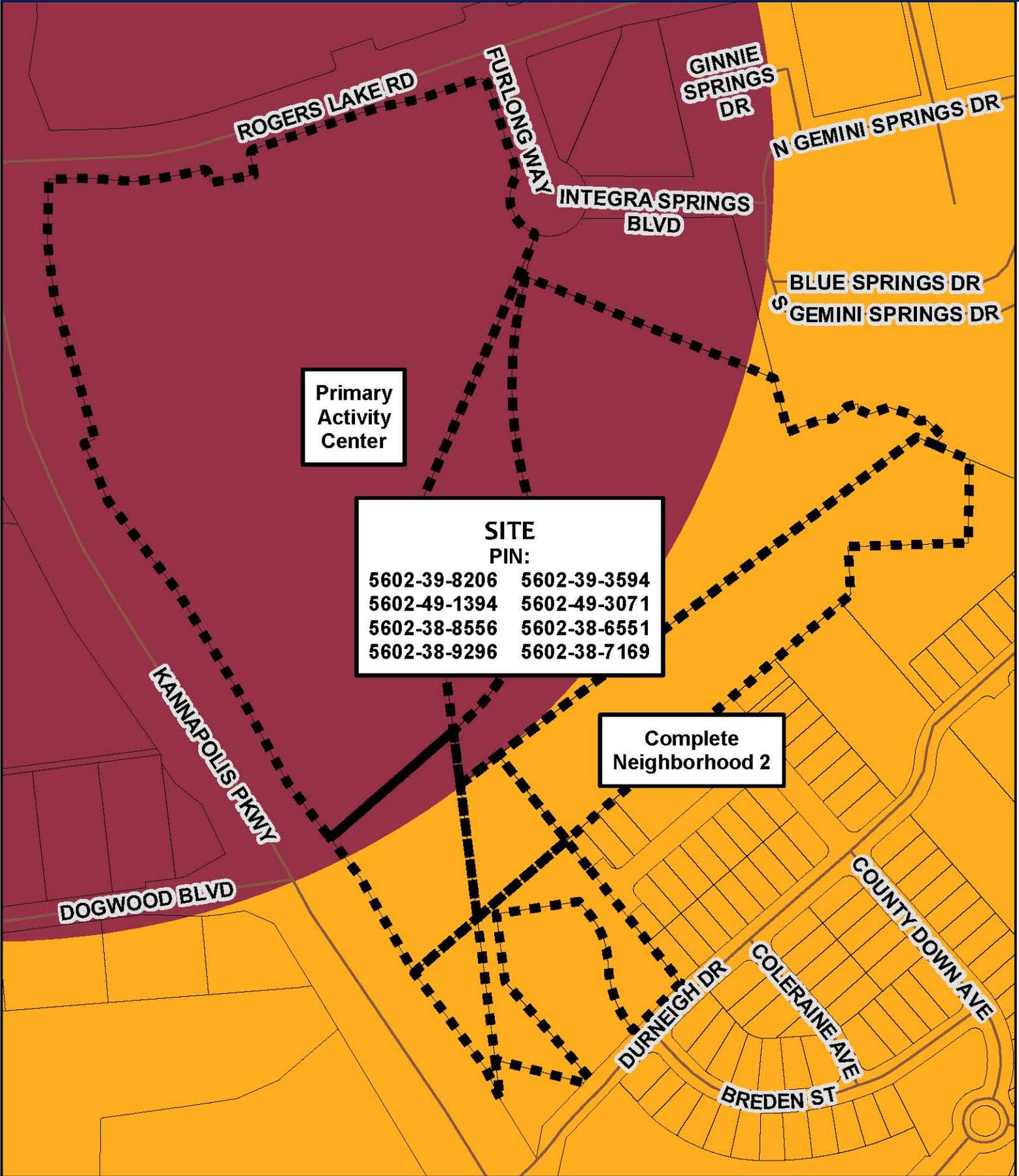


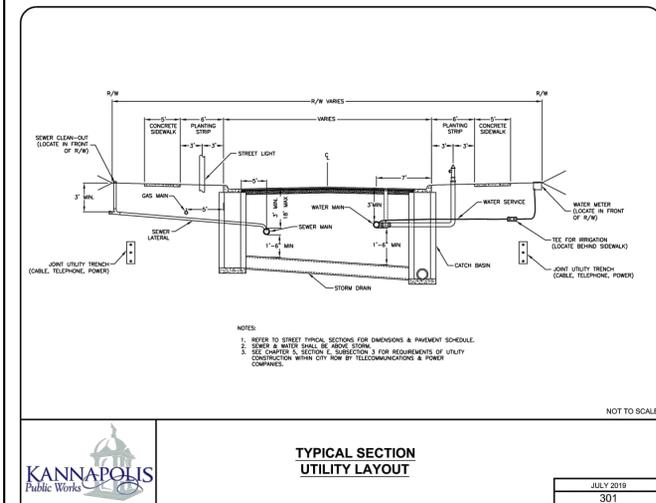
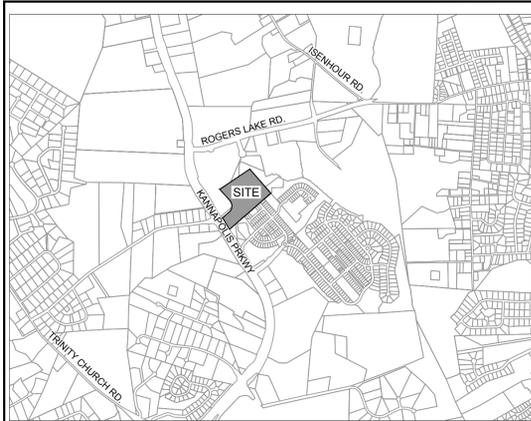
Kannapolis 2030 Future Land Use Map

Case Number: BOA-2019-11

Applicant: Meritage Homes of the Carolinas, Inc.

Kellswater Commons





KELLSWATER COMMONS CUP CONDITIONS:

1. COMPLY WITH CURRENT LAND DEVELOPMENT STANDARDS MANUAL.
2. ALL ROAD INTERSECTIONS ON WHERE DEVELOPMENT HAS ACCESS AND/OR STREET FRONTAGE SHALL BE APPROVED BY NCDOT AND THE CITY.
3. THE DEVELOPER WILL CONSTRUCT CURB AND GUTTER AND SIDEWALK ALONG THE ENTIRE ROAD FRONTAGE WHERE DEVELOPMENT HAS ACCESS AND/OR STREET FRONTAGE. THE IMPROVEMENTS WILL BE CONSTRUCTED TO NCDOT AND CITY STANDARDS.
4. THE LANE WIDTHS, SIDEWALKS, PAVEMENT STRUCTURE, ROAD ALIGNMENT, AND ROAD GRADES SHALL BE CONSTRUCTED TO CURRENT CITY STANDARDS.
5. ROADS AND PARKING LOTS SHALL COMPLY WITH ALL FIRE CODES AND AUTOTURN SHALL BE RUN FOR AN SU-30 AND BUS-45 (MIMICS LADDER TRUCK).
6. STREAMS AND WETLANDS SHALL BE IDENTIFIED BY A QUALIFIED PERSON AND ALL BUFFERS SHOWN IN ACCORDANCE WITH ARTICLE 4 OF THE KANNAPOLIS UDO. CONSTRUCTION OF BUILDINGS, ROADS, AND OTHER STRUCTURES MUST COMPLY WITH AE ZONE & RSOD BUFFER REQUIREMENTS OR BE RELOCATED.
7. A STORMWATER MANAGEMENT PERMIT WILL BE REQUIRED FOR THIS DEVELOPMENT IN ACCORDANCE WITH ARTICLE 9 OF THE KANNAPOLIS UDO. EASEMENTS, MAINTENANCE AGREEMENTS AND VIABLE ACCESS SHALL BE PROVIDED FOR ALL STORMWATER STRUCTURES AND SCM'S. STORMWATER SCM'S CANNOT BE CONSTRUCTED IN THE UNDISTURBED BUFFER. ADDITIONAL REQUIREMENTS ARE NECESSARY TO VERIFY DESIGN OF SCM WITHIN AE ZONE.
8. WATER AND SEWER MAIN EXTENSIONS WILL BE REQUIRED FOR THIS PROJECT. THE DEVELOPER SHALL BE RESPONSIBLE FOR DESIGNING, PERMITTING AND CONSTRUCTING WATER AND SEWER MAINS IN ACCORDANCE WITH CITY AND WSACC STANDARDS.
9. ALL WATER AND SEWER MAINS SHALL BE PUBLICLY MAINTAINED AND LOCATED WITHIN A PUBLIC RIGHT-OF-WAY OR UTILITY EASEMENT. THE WATER AND SEWER MAINS SHALL BE LOCATED IN THE ROADWAY UNDER THE PAVEMENT PER THE CITY'S TYPICAL UTILITY LAYOUT.
10. EASEMENTS FOR SANITARY SEWER LINES, WATER LINES AND STORM SEWER PIPES NEED TO BE A MINIMUM OF 20-FEET WIDE. ADDITIONAL WIDTH MAY BE REQUIRED DEPENDING ON THE DEPTH OF THE LINE. SANITARY SEWER LINES SHALL BE LOCATED WITHIN COMMON OPEN SPACE (EASEMENTS CENTERED ON PROPERTY LINES SHALL NOT BE PERMITTED). VIABLE ACCESS SHALL BE PROVIDED ALONG ALL EASEMENTS WITH A GRADE NO GREATER THAN 15% FOR MAINTENANCE VEHICLES AND CROSS SLOPES SHALL NOT EXCEED 5%.
11. THE FIRE DEPARTMENT SHALL APPROVE LOCATIONS OF ALL HYDRANTS.
12. PRIOR TO PLATTING THE 31ST PARCELLLOT, AN EMERGENCY ACCESS ROAD IS REQUIRED. EMERGENCY ACCESS SHALL REMAIN OPEN AT ALL TIMES.
13. PRIOR TO PLATTING THE 100TH PARCELLLOT, A PERMANENT SECOND ACCESS (BUILT TO CITY STANDARDS) IS REQUIRED.
14. THE KELLSWATER COMMONS TIA SHALL BE APPROVED BY THE CITY OF KANNAPOLIS PRIOR TO THE CONSTRUCTION DOCUMENT APPROVAL FOR THE KELLSWATER COMMONS TOWNHOMES

UTILITY PLAN NOTES:

1. PER UDO APPENDIX C.3.3 FIRE SERVICE REQUIREMENTS FOR C-2 ZONING, MAINS SHALL BE DESIGNED TO PROVIDE A FLOW OF 2,000 GPM AT 20 PSI.
2. TOWNHOMES SHALL HAVE SEPARATE SERVICES: WATER METERS AND SEWER CLEANOUTS.

NOTE:
 CONCEPTUAL SITE PLAN SUBJECT TO CHANGE.
 CONCEPTUAL SITE PLAN PREPARED AS A PRELIMINARY SITE CAPACITY STUDY AND DEVELOPMENT SUMMARY BASED ON INFORMATION PROVIDED BY CABARRUS COUNTY GIS DATA AND ASSUMPTIONS BASED ON THE DEVELOPMENT OF THE PROPERTY.



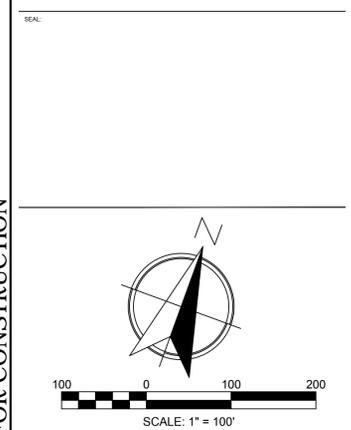
WK DICKSON
 community infrastructure consultants
 1213 W. MOREHEAD STREET, SUITE 300
 CHARLOTTE, NC 28208
 (704) 334-0078
 (704) 334-5348
 WWW.WKDICKSON.COM
 NC LICENSE NO. F-0374

MPV PROPERTIES
 Merrifield Patrick Vermillion

MeritageHomes

Kellswater Commons Townhomes
 Conditional Use Permit BOA-2019-11

Preliminary Utility Plan



PROJ. MGR.:	WGB
DESIGN BY:	ETS
DRAWN BY:	ETS
PROJ. DATE:	OCT. 2019
DRAWING NUMBER:	

C1.1
 WKD PROJ. NO.: 20190207.00.CL

REVISION	DATE	COMMENT

COPYRIGHT © W.K. DICKSON & CO., INC. ALL RIGHTS RESERVED. REPRODUCTION OR USE OF THE CONTENTS OF THIS DOCUMENT, ADDITIONS OR DELETIONS TO THIS DOCUMENT, IN WHOLE OR IN PART, WITHOUT WRITTEN CONSENT OF W.K. DICKSON & CO., INC., IS PROHIBITED. ONLY COPIES FROM THE ORIGINAL OF THIS DOCUMENT, MARKED WITH AN ORIGINAL SIGNATURE AND SEAL SHALL BE CONSIDERED TO BE VALID, TRUE COPIES.

PRELIMINARY DRAWINGS - DO NOT USE FOR CONSTRUCTION

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
ALESSANDRO M BOLOGNA	4968 DURNEIGH DR	KANNAPOLIS	NC	28081
ANGELA SHUNTICH	4897 BREDEN ST	KANNAPOLIS	NC	28081
BAILEY & JOY JEW	3650 COUNTY DOWN AVE	KANNAPOLIS	NC	28081
BOYCE & FELICIA DAVIS	5157 MCSWEENEY LN	KANNAPOLIS	NC	28081
CHARLES & MARGARET HURLBRINK	3583 COLERAINE AVE	KANNAPOLIS	NC	28081
CLAYTON & KATHRYN GRAHAM	5121 MCSWEENEY LN	KANNAPOLIS	NC	28081
COLE & JESSICA CAMPBELL	3656 COUNTY DOWN AVE	KANNAPOLIS	NC	28081
DAVID & AMY MILLER	1640 DALE EARNHARDT BLVD	KANNAPOLIS	NC	28083
DENNIS & CHARLOTTE BEAN	5126 MCSWEENEY LN	KANNAPOLIS	NC	28081
DONALD & CYNTHIA TURNER	5510 DOGWOOD BLVD	KANNAPOLIS	NC	28081
DONALD B STEWART JR	4885 BREDEN ST	KANNAPOLIS	NC	28081
GRADY & DANA HARDEMAN	3662 COUNTY DOWN AVE	KANNAPOLIS	NC	28081
H & H CONSTRUCTORS OF FAYETTEVILLE LLC	2919 BREEZEWOOD AVE STE 400	FAYETTEVILLE	NC	28303
INTEGRA POE LP	4890 W KENNEDY BLVD STE 240	TAMPA	FL	33609
JAMES SLAWTER & KAREN BURSCH	5120 MCSWEENEY LN	KANNAPOLIS	NC	28081
JAMES V DAVIS	4862 DURNEIGH DR	KANNAPOLIS	NC	28081
JOEL & SARAH MALDONADO	5139 MCSWEENEY LN	KANNAPOLIS	NC	28081
JOSHUA & CARA HAYES	4874 BREDEN ST	KANNAPOLIS	NC	28081
KAREN E EAGLE	3577 COLERAINE AVE	KANNAPOLIS	NC	28081
KEVIN H LOGAN & MARGIE CLEMENTS	4896 BREDEN ST	KANNAPOLIS	NC	28081
LUIS & VIVIAN NIEVES	4950 DURNEIGH DR	KANNAPOLIS	NC	28081
MERITAGE HOMES OF THE CAROLINAS INC	13925 BALLANTYNE CORPORATE PL			
ATTN: REID OWEN	STE 300	CHARLOTTE	NC	28277
MICHAEL & SHELLEY RINALDO	4880 BREDEN ST	KANNAPOLIS	NC	28081
MPV KELLSWATER LLC	2400 SOUTH BLVD	CHARLOTTE	NC	28203
MRECV-KW LLC	6836 MORRISON BLVD STE 410	CHARLOTTE	NC	28211
MRECV-KW LLC A DELAWARE LLC	11610 N COMMUNITY HOUSE RD			
C/O MTN REAL ESTATE GROUP LLC	STE 100	CHARLOTTE	NC	28277
NANCY J MARTIN	5145 MCSWEENEY LN	KANNAPOLIS	NC	28081
NORTHWEST SWIM & RACQUET CLUB	P O BOX 796	KANNAPOLIS	NC	28081
RICHARD & CONNIE TRAUGH	4956 DURNEIGH DR	KANNAPOLIS	NC	28081
RICHARD & LESLIE MCMILLAN	3624 COUNTY DOWN AVE	KANNAPOLIS	NC	28081
ROBERSON RANDY E JR	5163 MCSWEENEY LN	KANNAPOLIS	NC	28081
ROBERT & EDNA ANTY	4854 DURNEIGH DR	KANNAPOLIS	NC	28081
RYAN & NATALIE KEITH	4842 DURNEIGH DR	KANNAPOLIS	NC	28081
SCOTT & COURTNEY BROPHY	5151 MCSWEENEY LN	KANNAPOLIS	NC	28081
SHANE WATKINS	3565 COLERAINE AVE	KANNAPOLIS	NC	28081
SHAUNA SIMPSON	4846 DURNEIGH DR	KANNAPOLIS	NC	28081
SHELLEY MCGRAW	5127 MCSWEENEY LN	KANNAPOLIS	NC	28081
SYLVESTER JR & MIA LINDSAY	4850 DURNEIGH DR	KANNAPOLIS	NC	28081
THE REFUGE INC	230 REFUGE WAY	KANNAPOLIS	NC	28081
TODD & CIERA WILSON	5133 MCSWEENEY LN	KANNAPOLIS	NC	28081
WILLIAM & GALE REIGEL	4888 BREDEN ST	KANNAPOLIS	NC	28081



February 26, 2020

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasi-judicial public hearing on Tuesday, March 17, 2020 at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

BOA-2019-11 – Conditional Use Permit (CUP) – Kellswater Commons Townhomes

This public hearing is to consider a request for a Conditional Use Permit (CUP) to allow construction of 150 townhomes. Pursuant to Table 4.6-1 of the Unified Development Ordinance (UDO), a CUP is required to allow for construction of townhomes in the C-2 (General Commercial) zoning district. The subject properties are located at 3820 Kannapolis Parkway and include portions of unaddressed properties. The properties are approximately 18.86 +/- total acres and further identified as Cabarrus County Parcel Identification Number(s) 5602-39-3594, 5602-38-6551, 5602-38-7169, 5602-38-9296, 5602-38-8556, 5602-49-3071, 5602-49-1394 and 5602-39-8206. (Please see revers side of this letter for vicinity map showing 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 UDO; and are invited to attend the public hearing and present testimony, should you desire, to the Board of Adjustment.

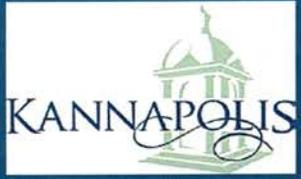
Should you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4350

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Lipp".

Ryan Lipp
Senior Planner

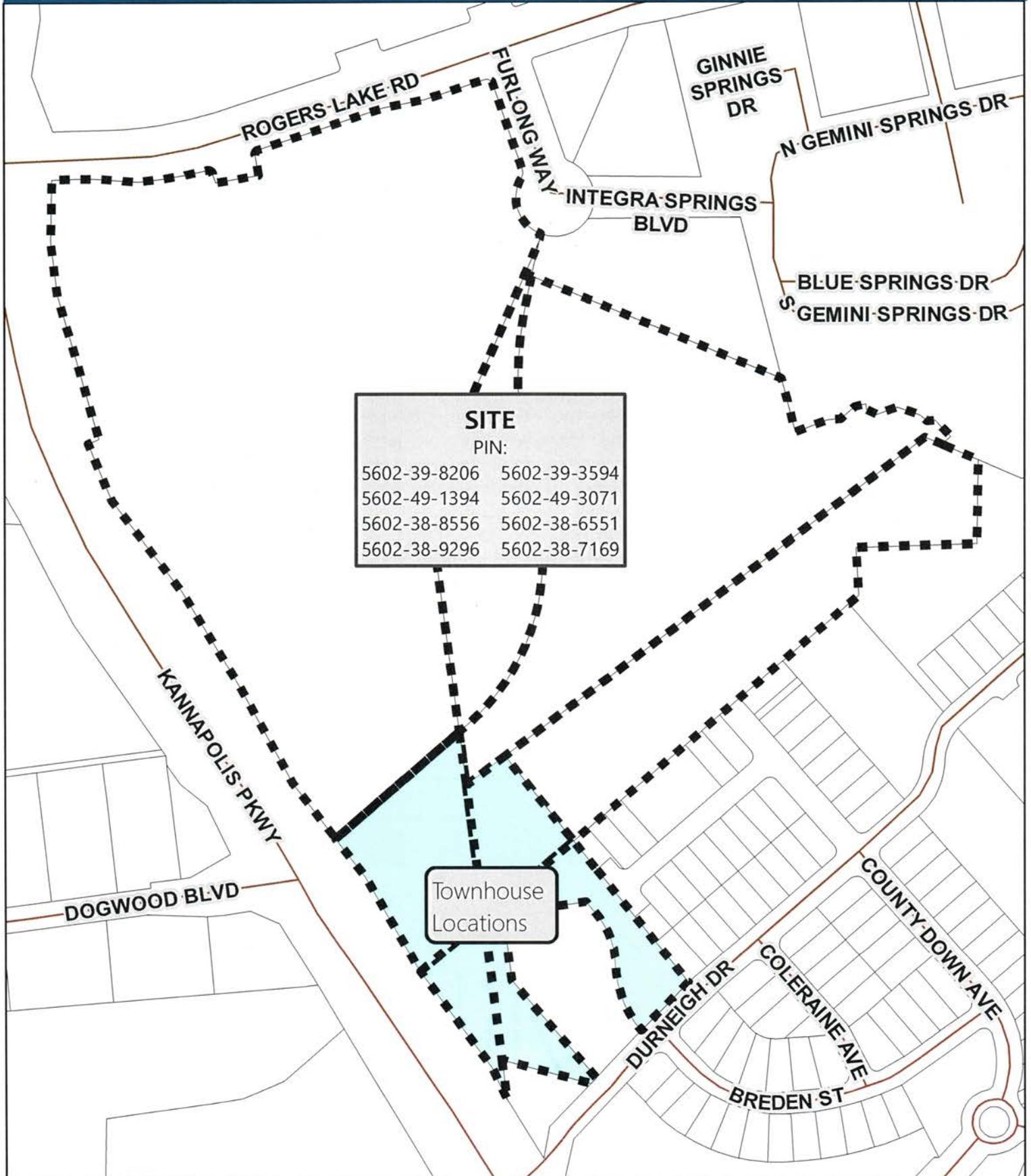
The meeting is accessible to people with disabilities. To request special accommodation in advance, contact the City's ADA Coordinator at 704-920.4302.



Board of Adjustment

Case Number: BOA-2019-11

Applicant: Meritage Homes of the Carolinas, Inc.
Kellswater Commons



SPEED
LIMIT
55

SPEED
LIMIT
55


KANNAPOLIS
BOARD OF

ADJUSTMENT
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE #BOA - 2019 - 11




KANNAPOLIS
BOARD OF
ADJUSTMENT
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE #BOA - 2019 - 11

