



**Planning & Zoning Commission
October 29, 2019 Meeting**

Staff Report

DATE: November 6, 2019
TO: Planning & Zoning Commission
FROM: Gretchen Coperine, AICP, Senior Planner
SUBJECT: **Case #CZ-2019-07: Unaddressed parcels on Orphanage Road
Conditional Zoning Map Amendment
Applicant: CHLC Investments, LLC**

The applicant is requesting to rezone properties located on Orphanage Road from I-1 (Light Industrial) to PUD-CZ (Planned Unit Development-Conditional Zoning).

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

Section 3.3.4.2 of the UDO allows the Planning and Zoning Commission to render a final decision on a rezoning request; 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. 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

The applicant is proposing to rezone properties located on Orphanage Road from I-1 (Light Industrial) to PUD-CZ (Planned Unit Development-Conditional Zoning). The attached site plan shows a mix of single-family (91 units) and townhome (186 units) residential development with a total of 277 proposed units.

A neighborhood meeting was held August 28, 2019 at the Hampton Inn located at 612 Dickens Place NE, Concord, NC from 6:00pm to 8pm to address neighborhood concerns (see attached Sign-In Sheet and meeting minutes). The topics discussed were: traffic congestion, perimeter borders and landscaping, price point and ownership, and construction phasing concerns.

An additional community meeting was held on October 7, 2019 from 6pm to 8:15pm, for which a mailed notice of an additional community meeting was sent via USPS, with meeting date, time and location. This additional community meeting was held as a response to concerns expressed by residents in proximity to the proposed development that they did not receive adequate notice of the Planning and Zoning public hearing originally scheduled for October 2, 2019. The topics discussed were similar to those raised at the community meeting held August 28th, as well as additional topics. (See attached Sign-In Sheet and meeting minutes).

D. Fiscal Considerations

None

E. Policy Issues

Section 3.3.5 of the UDO states that the Planning and Zoning Commission may consider the following questions, at a minimum, in reviewing an application for rezoning:

1. The size of the tract in question.

The size of the subject tract is approximately 71.8 +/- acres.

2. Does the proposal conform with and further the goals and policies of the Land Use Plan, other adopted plans, and the goals, objectives, and policies of this Ordinance?

This property is located in the “Suburban Activity 1” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The “Suburban Activity 1” Character Area calls for single-family and multi-family residential uses, as well as retail, office and light manufacturing uses. The PUD-CZ conditional zoning district with this rezoning proposes a mix of single-family (91 units) and townhome (186 units) residential development with a total of 277 proposed units, which fit with the Suburban Activity 1 Character Area.

3. Is the proposed rezoning compatible with the surrounding area?

The subject property is located in close proximity to existing single family residential development and north of Interstate 85. The requested rezoning proposes a mixture of single family and townhomes of a scale that represents an appropriate transition between the interstate and the residential area surrounding the subject property.

4. Will there be adverse effects on the capacity or safety of the portion of street network influenced by the rezoning?

The subject property is accessed from Orphanage Road, which is an NCDOT road. The project did not require a traffic impact analysis per NCDOT’s requirements, however NCDOT has indicated the following improvements to Orphanage Road will be required:

- Road A will be the full movement access
 - Due to the ADT along Orphanage Rd and traffic generated by the development, project will need a left-turn lane (LTL) (100’ min. storage) and right-turn lane (RTL) (100’ min. storage) at this location
 - Since Orphanage Road will need to be widened for a LTL into the site and will also need a receiving lane across from it, that receiving lane should be striped as a LTL into Applegate Dr with equal storage length.

- Road C will be allowed as a Right-in/Right-out (RI/RO)
 - A 3' min. width median island with associated widening (5' min.) to accommodate will be needed along Orphanage
 - Porkchop islands shall not be used on the access road to dictate RI/RO
 - Median island will need to extend 50' min. from where the radius of the access ties into the tangent on Orphanage Rd in each direction

A full site plan submittal will be required should the rezoning be approved. Appropriate roadway design will be required at that time per NCDOT roadway and safety standards.

5. Will there be parking problems?

The site plan submitted with this request for rezoning includes adequate parking for the listed uses.

6. Will there be environmental impacts that the new use will generate, such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting, or other nuisances?

There are no anticipated environmental impacts such as water, air, or noise pollution issues associated with the rezoning request. In addition, all development will be required to conform to all applicable local, state, and federal environmental regulations.

The required site plan will also be reviewed by City staff to ensure the development meets all stormwater requirements.

There is a large amount of floodplain along the southern and eastern portion of the site, which will not be impacted by development as depicted in the proposed plan.

7. Has there been any change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, and development?

The character of the area in immediate proximity to the proposed use has remained relatively stable over the recent past.

8. Is there compliance with the adequate public facilities criteria?

Utilities will need to be extended to serve the proposed use.

9. What are the zoning districts and existing land uses of the surrounding properties?

The parcels to the north across Orphanage Road are zoned RM-2 (Medium Density Residential) and developed with single-family homes. Parcels to the east are zoned I-1 (Light Industrial) and are developed with single-family residential and park uses. Parcels to the west are zoned RV (Residential Village) and C-1 (Light Commercial) and are developed with single family homes. The southern portion of the subject site is bound by Interstate 85.

10. Is the subject property suitable for the uses to which it has been restricted under the existing zoning classification?

The subject property is currently zoned I-1, which does not permit residential development, therefore the applicant is seeking a rezoning to PUD-CZ in order to develop a mix of detached single-family and attached townhomes. The I-1 zone allows uses more intense than those being proposed. The uses allowed under the current zoning are less compatible with the existing residential character of the immediate area. Therefore, the proposed residential uses are more suitable than industrial uses for the subject property.

11. Is the zoning compatible with the adjacent neighborhood, especially residential neighborhood stability and character?

The proposed residential uses are less intense than others allowed in the I-1 zone and would therefore be more compatible with the existing residential neighborhoods in the area.

12. What length of time has the subject property remained vacant as zoned?

Aerial records show the property being vacant since at least 1993.

13. Is there an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs?

There is an adequate supply of parcels in the subject area to accommodate different development types.

14. Was the existing zoning in error at the time of adoption?

No.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

Staff finds this rezoning **consistent** with the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which locates this property within the Suburban Activity 1 Character Area, and calls for single and multifamily residential uses. Staff finds the request for rezoning reasonable and in the public interest because it provides for residential uses of a scale appropriate for transitioning between the Interstate to the south and the single-family residential neighborhoods in proximity to the subject parcel. The proposed rezoning is compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity and safety of the surrounding street network, nor is anticipated to generate parking problems or any adverse impact on the environment. Finally, utilities will be extended to provide adequate access to public facilities.

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 Move Kannapolis Forward 2030 Comprehensive Plan, staff recommends approval with the following conditions (as agreed to by the applicant) for Zoning Map Amendment Case #CZ-2019-07:

1. The uses permitted with this rezoning shall only include 277 total units (186 townhomes and 91 single-family) and amenity building, in general conformance with the plan submitted with this rezoning.
2. 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.
3. For the townhome portion of the site, the developer, its successors or assigns shall adhere to the Multi-Family Residential Design Standards detailed in Article 11.2. of the UDO.
4. Any lighting installed on the subject property shall be full cut-off fixtures with all lighting directed downward and away from adjacent properties.
5. 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 RSOD Buffer requirements.
6. 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 BMP's. Stormwater BMP's cannot be constructed in the undisturbed buffer.
 7. Hydrants and fire protection shall comply with UDO Appendix C.3 and Fire Codes.

Alternative Courses of Action

APPROVAL

Motion 1 – Statement of Consistency

Should the Commission choose to approve the request for rezoning as presented in Case #CZ-2019-07, a motion should be made to adopt the following Statement of Consistency:

Statement of Consistency: *The Planning and Zoning Commission finds this rezoning consistent with the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which locates this property within the Suburban Activity 1 Character Area, and calls for single and multifamily residential uses. Staff finds the request for rezoning reasonable and in the public interest because it provides for residential uses of a scale appropriate for transitioning between the Interstate to the south and the single-family residential neighborhoods in proximity to the subject parcel. The proposed rezoning is compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity and safety of the surrounding street network, nor is anticipated to generate parking problems or any adverse impact on the environment. Finally, utilities will be extended to provide adequate access to public facilities.*

Motion 2 – Approval to rezone – Resolution to Zone

Should the Commission choose to approve the rezoning request, a motion should be made to adopt the Resolution to Zone (see attached).

DENIAL

Motion 1 – Statement of Consistency

Should the Commission choose to deny the rezoning request as presented in Case #CZ-2019-07, 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-2019-07 to be inconsistent with the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, because (state reason(s)) and is neither reasonable nor in the public interest because (state reason(s)) and is therefore denied based on the criteria in Section 3.3.5 of the UDO for evaluating zoning requests, consideration of the application materials and information presented at the Public Hearing..*

Motion 2 – Denial of Rezoning

Should the Commission choose to deny the rezoning request, a motion should be made to not adopt the Resolution to Zone.

I. Attachments

1. Conditional Rezoning Application
2. Vicinity Map
3. Zoning Map
4. Future Land Use Map
5. Site Plan
6. Proposed Elevations
7. Neighborhood Meeting Information 8.28.19 (Mailing List, Sign-In Sheet and Minutes)
8. Notice of Public Hearing for 10.2.2019
9. Notice to Adjacent Property Owners for 10.2.2019
10. Notice of Meeting Postponement
11. Notice of Additional Community Meeting
12. Additional Neighborhood Meeting Information 10.22.19 (Sign In Sheet and Minutes)
13. Notice of Public Hearing for 11.6.2019
14. List of Notified Properties
15. Letter to Adjacent Property Owners
16. Posted Public Notice
17. Resolution to Adopt a Statement of Consistency
18. Resolution to Zone

J. Issue Reviewed By:

- City Manager
- City Attorney
- Planning Director



Childer's Park at Buffalo Creek - Property #1 of 2

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

Type of Action Requested (Check One):

- Variance
Conditional Use Permit
Subdivision Exception
Zoning Text Amendment
Appeal
SIA Application
Nonconformity Adjustment
Watershed Boundary Modification
Zoning Map Amendment
Conditional Zoning Map Amendment [checked]

Applicant: CHLC Investments, LLC Owner: Church of God Orphanage
Address: 6412 Bannington Drive Address: 3485 Orphanage Circle
Charlotte, NC 28226 Concord, NC 28027
Telephone: 704-562-2988 Telephone: (704) 938-7368 (Brad McDaniel, broker)
Email: mark.carpenter@chlandcompany.com Email: brad@apmrentals.net

Legal relationship of applicant to property owner:

Property Location/Address: South of Orphanage Road at Applegate Drive

Tax Parcel Number: 56019913760000 Zoning District: I-1 Acreage of Site: 62.32 Acres

CHLC Investments, LLC
Church of God Orphanage
Applicant Name (Print)

Church of God Orphanage
Property Owner Name (Print)

[Signature] 8/30/19
Applicant Signature & Date
Mark E. Carpenter 8-29-19

[Signature] 8/30/19
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

APPLICATION FOR A CONDITIONAL ZONING DISTRICT

(to be attached to the Rezoning Application)

I, ~~Church of God Orphanage~~ **Mark Carpenter**, on behalf of **CHLC Investments, LLC** hereby petition for a Conditional Zoning District for the following exact land use(s), subject to the following condition(s):

The following use(s) is/are permitted by right or conditional in the general zoning district upon which the "CZ" district is based:

Single family detached homes, single family attached homes (townhomes) and associated accessory uses.

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

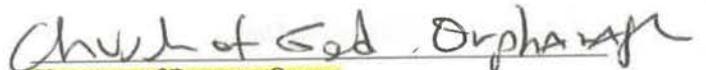
please see attached sheet

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.


Signature of Property Owner

3485 Orphanage Blvd
Concord, NC 28027

Address
704-788-1164
Telephone #

for 
Signature of Property Owner

3485 Orphanage Circle
Concord, NC 28027

Address
704-788-1164
Telephone #

Please refer to fee schedule to determine applicable fees.
Fees are nonrefundable and help to cover administrative and notification costs.



Childer's Park at Buffalo Creek - Property #2 of 2

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

Type of Action Requested (Check One):

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

Applicant: CHLC Investments, LLC Owner: Willie H Foster

Address: 6412 Bannington Drive Address: 3900 Davidson Highway
Charlotte, NC 28226 Concord, NC 28027

Telephone: 704-562-2988 Telephone: (704) 782-1996

Email: mark.carpenter@chlandcompany.com Email: NA

Legal relationship of applicant to property owner: Contract buyer

Property Location/Address: South of Orphanage Road at Applegate Drive

Tax Parcel Number: 56110725210000 Zoning District: I-1 Acreage of Site: 9.46 Acres

CHLC Investments, LLC Willie Foster

Applicant Name (Print) Property Owner Name (Print)

Mark E. Carpenter 8-29-19 Willie H Foster

Applicant Signature & Date 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
APPLICATION FOR A CONDITIONAL ZONING DISTRICT
(to be attached to the Rezoning Application)

I, Mark E. Carpenter on behalf of CHLC Investments, LLC, hereby petition for a Conditional Zoning District for the following exact land use(s), subject to the following condition(s):

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Single family detached homes, single family attached homes (townhomes) and associated accessory uses.

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

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Signature of Property Owner

Signature of Property Owner

Address

Address

Telephone #

Telephone #

Please refer to fee schedule to determine applicable fees.

Fees are nonrefundable and help to cover administrative and notification costs.

CITY OF KANNAPOLIS
APPLICATION FOR A CONDITIONAL ZONING DISTRICT
(to be attached to the Rezoning Application)

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

please see attached sheet

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CHLC Investments, LLC

Signature of Property Owner

Mark E. Carpenter 8-29-19

6412 Bannington Rd.
Charlotte, NC 28226

Address

(704) 562-2988

Telephone #

Mollie H. Foster

Signature of Property Owner

3900 Davidson Hwy.

Address

704-782-1996 Charlotte NC 28027

Telephone #

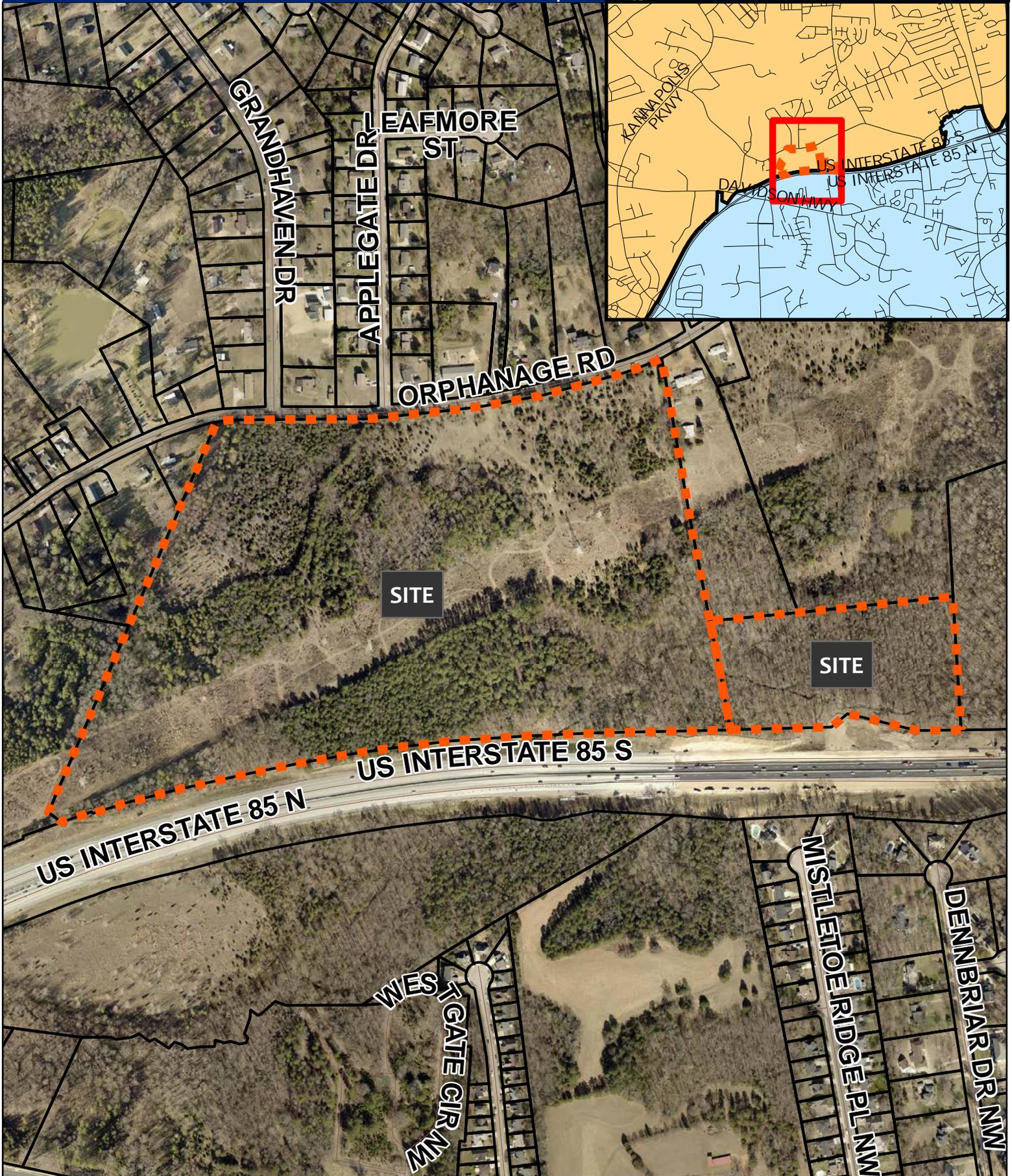
Please refer to fee schedule to determine applicable fees.

Fees are nonrefundable and help to cover administrative and notification costs.



Vicinity Map

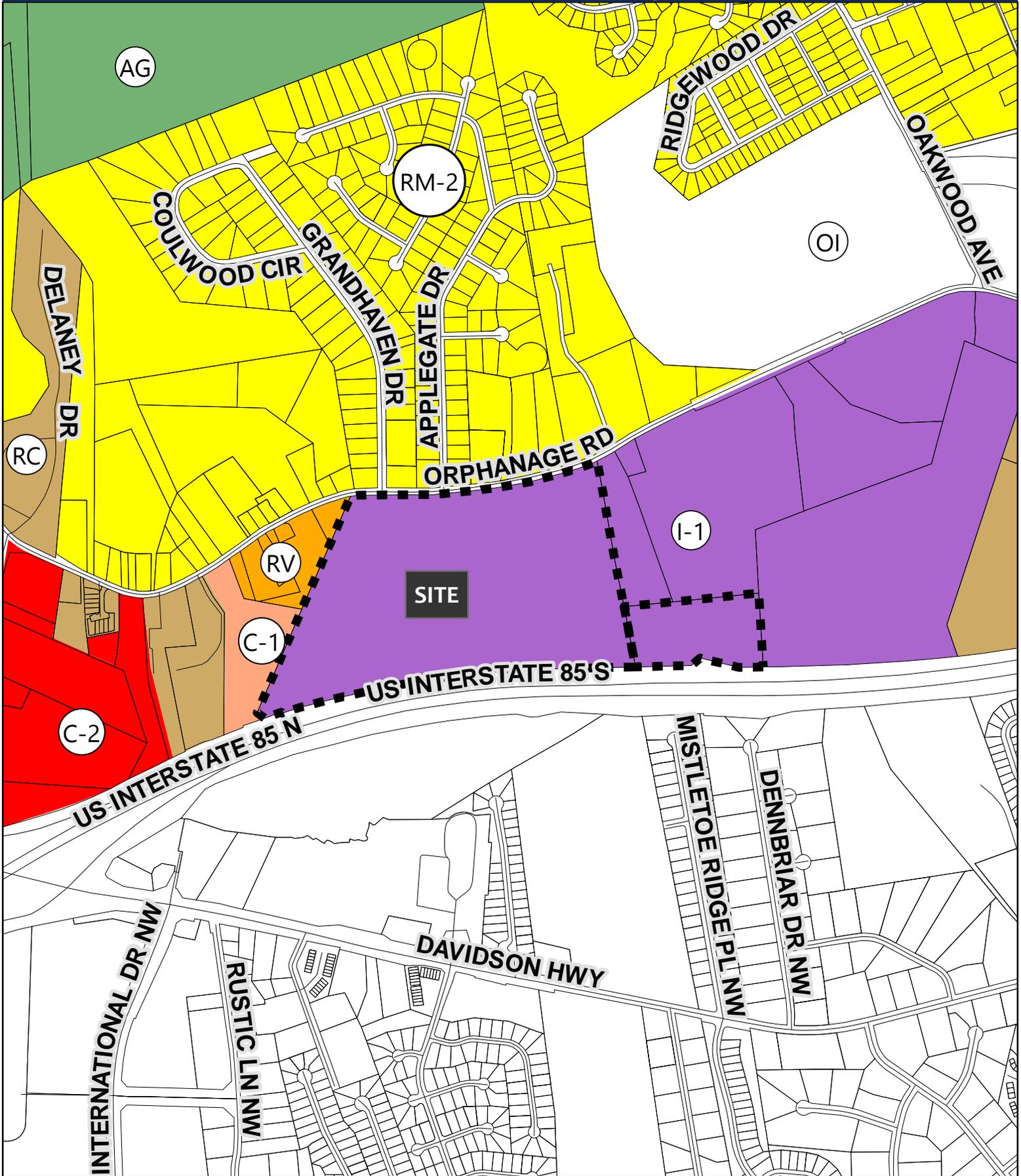
Case Number: CZ-2019-07
Applicant: CHLC Investments, LLC
Address: Orphanage Rd.





Kannapolis Current Zoning

Case Number: CZ-2019-07
Applicant: CHLC Investments, LLC
Address: Orphanage Rd.



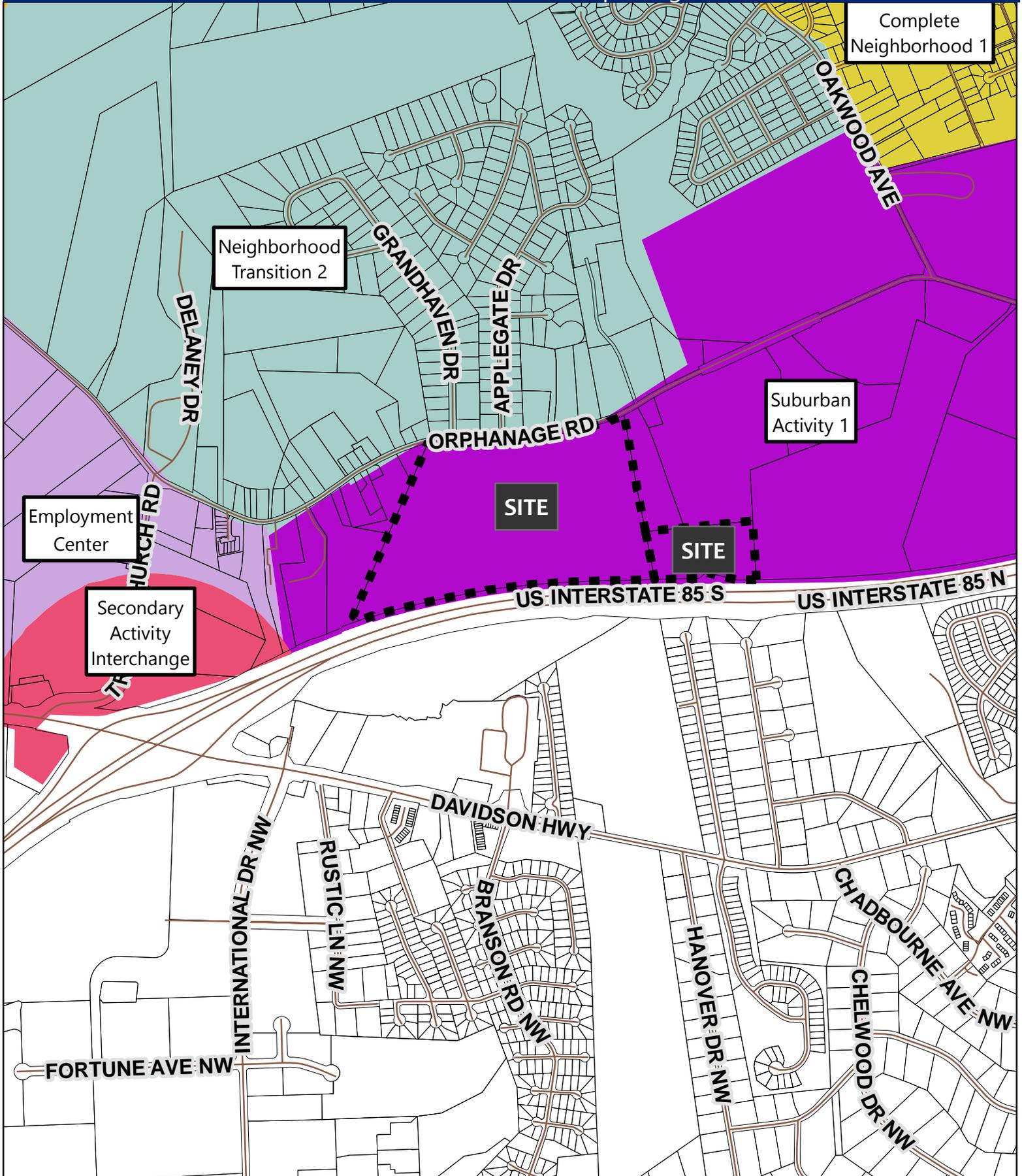


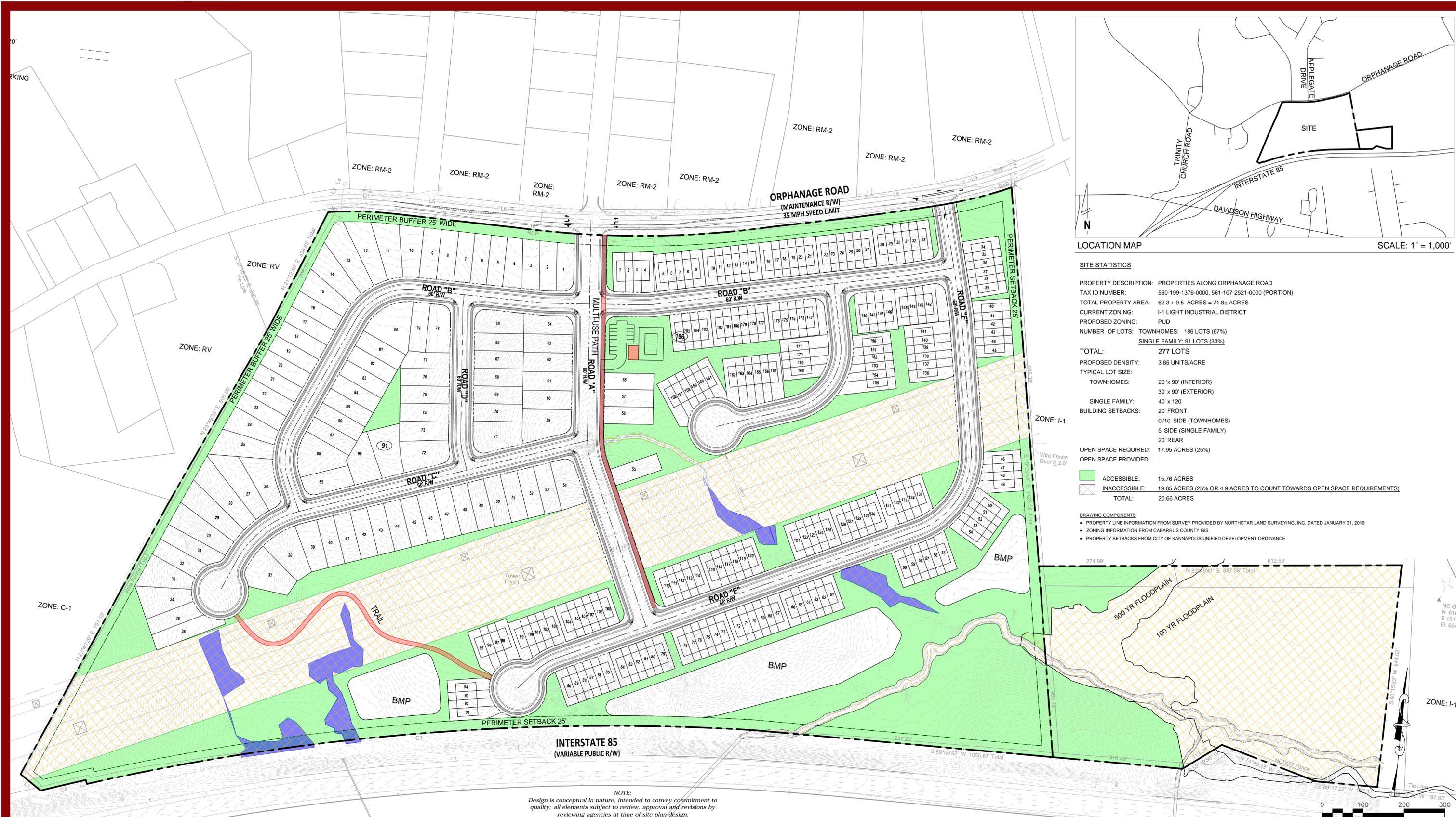
Kannapolis 2030 Future Land Use Map

Case Number: CZ-2019-07

Applicant: CHLC Investments, LLC

Address: Orphanage Rd.





LOCATION MAP SCALE: 1" = 1,000'

SITE STATISTICS

PROPERTY DESCRIPTION: PROPERTIES ALONG ORPHANAGE ROAD
 TAX ID NUMBER: 560-199-1376-0000, 561-107-2521-0000 (PORTION)
 TOTAL PROPERTY AREA: 62.3 + 9.5 ACRES = 71.8± ACRES
 CURRENT ZONING: I-1 LIGHT INDUSTRIAL DISTRICT
 PROPOSED ZONING: PUD
 NUMBER OF LOTS: TOWNHOMES: 186 LOTS (67%)
 SINGLE FAMILY: 91 LOTS (33%)

TOTAL: 277 LOTS
 PROPOSED DENSITY: 3.85 UNITS/ACRE
 TYPICAL LOT SIZE:
 TOWNHOMES: 20' x 90' (INTERIOR)
 30' x 90' (EXTERIOR)
 SINGLE FAMILY: 40' x 120'
 BUILDING SETBACKS:
 20' FRONT
 0/10' SIDE (TOWNHOMES)
 5' SIDE (SINGLE FAMILY)
 20' REAR

OPEN SPACE REQUIRED: 17.95 ACRES (25%)
 OPEN SPACE PROVIDED:
 ACCESSIBLE: 15.76 ACRES
 INACCESSIBLE: 19.65 ACRES (25% OR 4.9 ACRES TO COUNT TOWARDS OPEN SPACE REQUIREMENTS)
 TOTAL: 20.66 ACRES

- DRAWING COMPONENTS**
- PROPERTY LINE INFORMATION FROM SURVEY PROVIDED BY NORTHSTAR LAND SURVEYING, INC. DATED JANUARY 31, 2019
 - ZONING INFORMATION FROM CABARRUS COUNTY GIS
 - PROPERTY SETBACKS FROM CITY OF KANNAPOLIS UNIFIED DEVELOPMENT ORDINANCE

NOTE:
 Design is conceptual in nature, intended to convey commitment to quality; all elements subject to review, approval and revisions by reviewing agencies at time of site plan/design.

Conceptual Rezoning Plan Childers Park at Buffalo Creek



City of Kannapolis, North Carolina

September 4, 2019
 revised: October 11, 2019
 Page 1 of 3



CONCEPTUAL ELEVATIONS

Childers Park at Buffalo Creek



8008 Corporate Center Drive, Suite 110 | Charlotte, NC 28226 | 704.375.2438

City of Kannapolis, North Carolina

September 4, 2019

Page 3 of 3

Note: Images shown are conceptual in nature, actual elevations are subject to change based on approved builder(s), final review by authorizing agencies and site conditions.

Childers Park at Buffalo Creek Community Meeting Report

Applicant: CHLC Investments, LLC

Planned Unit Development (PUD) Conditional Rezoning

On Wednesday August 21st, 2019 a written notice of the date, time and location of the Community Meeting (attached to this summary) was mailed to the attached contact list.

The Community Meeting was held on August 28th, 2019 at 6:00 p.m. at the Hampton Inn by Hilton located at 612 Dickens Place NE in Concord, NC. The first attendees arrived by 5:30 p.m. and the last attendee left by 7:45 p.m.

The Community Meeting was attended by those individuals identified on the attached sign-in sheet. The Applicant was represented at the Community Meeting by Mark Carpenter and Ray Holt with CHLC Investments, LLC (Applicant), and Sara Shirley with American Engineering (Applicant's Agent).

SUMMARY OF DISCUSSION:

As attendees arrived, they were greeted and invited to sign-in and see the exhibits of the proposed Conceptual rezoning plan. A powerpoint presentation providing a full-size conceptual rezoning plan, conceptual elevations and general site statistics was shown to the group. Attendees were invited to provide comments and ask questions about the proposed plan.

Throughout the conversations held, the following topics were discussed:

General Information provided about the site:

- General site statistics were provided about the site and questions were answered related to the properties involved with this rezoning project – acreage involved, identifying the external boundaries of the site and context of the site within the existing neighborhood;
- Current zoning and uses were discussed and explained, how the site could currently be developed under the existing zones;
- Information about the proposed zone and proposed use was provided and attendees were shown the proposed number of homes, amenities and stormwater facilities, the general layout and proposed setbacks from property lines, neighborhood context and how this site would fit into the existing neighborhood.

Comments and/or Concerns addressed about the site:

Traffic congestion concerns: Neighbors are concerned about the amount of traffic (and speeding vehicles) to-date from an existing daycare, nearby schools, and the interstate combined with traffic to be generated by the proposed development. Representatives discussed the preliminary review from NCDOT and their subsequent requirements and improvements to be made by the proposed development, including turn lanes.

Perimeter borders and landscaping: Neighbors were concerned about views along Orphanage Road. Representatives discussed the perimeter buffer requirements to be met as part of the rezoning application.

Price Point and ownership for proposed homes: The community requested information for the projected price points and whether the homes would be for-sale or rental properties. Representatives discussed builders are being interviewed and the price points would be determined at time of construction, based on the market pricing and availability. Representatives also explained all the homes would be for-sale homes to be sold at market rate. Citizens would like to see a well-maintained neighborhood (to lessen crime concerns) that would help their property values.

Construction Phasing: The community requested information for the phasing of the project. Representatives discussed site infrastructure would be constructed in most likely one phase, while builders would choose to build a predetermined number of homes phased out over time. Representatives discussed the overall construction time could range from 3-5 years, depending on the market.

Invitee List

OBJECTID_1	PIN14	AcctName1	AcctName2	MailAddr1	MailCity	MailState	MailZipCod
1	56029074530000	ARNOLD STEPHEN A & WF TERRY T		4142 ORPHANAGE RD	CONCORD	NC	28027
2	56028050530000	SILER WAYMAN	SILER TERESA J WF	4260 ORPHANAGE RD	CONCORD	NC	28027
3	56029011240000	MEYER RONALD C		2007 APPLGATE DR	CONCORD	NC	28027
4	56028062910000	SHAVER EDWIN E II	SHAVER BRENDA F/WIFE	2005 GRANDHAVEN DRIVE	CONCORD	NC	28025
5	56028031030000	INTERNATIONAL CHURCH OF THE	FOURSQUARE GOSPEL	1910 W SUNSET BLVD STE 200	LOS ANGELES	CA	90026
6	56029094150000	READLING PAUL O JR		4136 ORPHANAGE RD	CONCORD	NC	28027
7	56028071000000	SHAVER EDWIN E II	SHAVER BRENDA F/WIFE	2005 GRANDHAVEN DRIVE	CONCORD	NC	28025
8	56018948530000	AUSTIN SARAH B LLC		PO BOX 3067	CONCORD	NC	28025
9	56029054270000	HOUSER DEVIN WAGONER	HOUSER BRAD HSB	4188 ORPHANAGE RD	CONCORD	NC	28027
10	56029054270000	HOUSER DEVIN WAGONER	HOUSER BRAD HSB	4188 ORPHANAGE RD	CONCORD	NC	28027
11	56029054270000	HOUSER DEVIN WAGONER	HOUSER BRAD HSB	4188 ORPHANAGE RD	CONCORD	NC	28027
12	56120042620000	MILLER GEORGE DAVID		4101 ORPHANAGE ROAD	CONCORD	NC	28027
13	56029031150000	LAMARTINIERE JEAN A		2006 APPLGATE DR	CONCORD	NC	28027
14	56028044080000	SILER WAYMAN	SILER TERESA J WF	4260 ORPHANAGE RD	CONCORD	NC	28027
15	56028040410000	BROOKS BARBARA L		4250 ORPHANAGE RD	CONCORD	NC	28027
16	56110946730000	LITTLE CHARLES W & OLA TRSTEEES	LITTLE FAMILY TRUST THE	4115 ORPHANAGE ROAD	CONCORD	NC	28027
17	56029042920000	Z AND J HOLDING LLC		4220 ORPHANAGE RD	CONCORD	NC	28027
18	56019913760000	CHURCH OF GOD ORPHANAGE		3485 ORPHANAGE CIRCLE	CONCORD	NC	28027
19	56018915130000	LINKER FRANKLIN L		4317 ORPHANAGE ROAD	CONCORD	NC	28027
20	56018936200000	AUSTIN SARAH B LLC		PO BOX 3067	CONCORD	NC	28025
21	56017898130000	FISHER JAMES ALBERT JR		PO BOX 1224	KANNAPOLIS	NC	28082
22	56017994870000	LINKER FRANKLIN L		4317 ORPHANAGE ROAD	CONCORD	NC	28027
23	56028091320000	CRAWFORD GARY	CRAWFORD JANET WF	2004 GRANDHAVEN DR	CONCORD	NC	28027
24	56120014190000	CATCHPOLE LLC		6120 CHISHOLM TRL	KANNAPOLIS	NC	28081
25	56120036980000	ANDERSON REID PHILLIP		4102 ORPHANAGE RD	CONCORD	NC	28027
26	56028093280000	WARLICK JUDITH SHARPE		2014 GRANDHAVEN DR	CONCORD	NC	28027
27	56111995780000	CITY OF KANNAPOLIS		401 LAUREATE WAY	KANNAPOLIS	NC	28081
28	56111909240000	CHURCH OF GOD ORPHANAGE		3485 ORPHANAGE CIRCLE	CONCORD	NC	28027
29	56028093280000	WARLICK JUDITH SHARPE		2014 GRANDHAVEN DR	CONCORD	NC	28027
30	56110725210000	FOSTER WILLIE H		3900 DAVIDSON HWY	CONCORD	NC	28027

Mailed Notice



NEIGHBORHOOD MEETING NOTICE

**Wednesday, August 28th
6:00 PM**

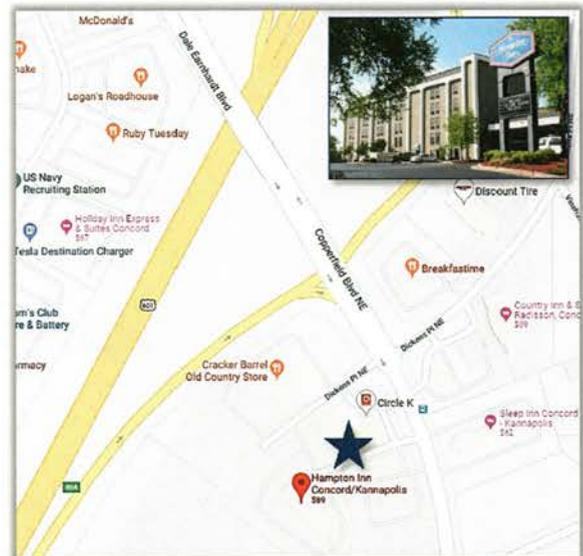
About the project:

The property for rezoning consideration consists of 71 +/- acres along Orphanage Road at the intersection with Applegate Drive. The current zone is I-1 (Industrial). We are considering the development of a single-family neighborhood with a mix of detached homes and townhomes as a mixed-use development under the PUD (Planned development) zone.

Rendered plans showing proposed homes, open space and amenities will be available at the meeting, as well as representatives to answer any questions.

**The meeting will be held at:
Hampton Inn by Hilton**

612 Dickens Place NE | Concord, NC 28025



Questions and Comments may be directed to:

Sara Shirley
704.749.1021
sshirley@american-ea.com

Mark Carpenter
704.562.2988
Mark.carpenter@chlandcompany.com

Gretchen Coperine
704.920.4362
gcoperine@kannapolisnc.gov



Sign-In Sheet



**CHILDERS PARK
BUFFALO CREEK**



NEIGHBORHOOD MEETING – SIGN IN
AUGUST 28, 2019 6:00 P.M. HAMPTON INN BY HILTON

	NAME OF ATTENDEE (PRINT)	ADDRESS OF ATTENDEE (PRINT)
1	ALLEN + JUDY WARLUCK	2014 GRANDHAVEN DR, CONCORD NC 28027
2	Ed SHAVER II	1005 GRANDHAVEN DR. CONCORD NC 28027
3	Reid Anderson	4102 Orphanage rd 28027
4	Doug + Beth Roy	4100 Orphanage Rd 28027
5	LeDey Arnold	4142 Orphanage Rd 28027
6	Bradley McDaniel	1640 Dale Earnhardt Blvd 28027
7	GARY + Janet CRAWFORD	2084 GRANDHAVEN DR. 28027
8	James Pfoster	3900 Davidson Hwy 28027
9	David Miller	4101 Orphanage Rd 28027
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22		
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24		
25		



PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000597631

Client: KANNAPOLIS,CITY OF
Phone: 7049204300

Payor : KANNAPOLIS,CITY OF
Phone: 7049204300

Account: 3143368
Address: ACTS PAYABLE/WANDA/TEARSHEETS
KANNAPOLIS NC 28081

Account: 3143368
Address: ACTS PAYABLE/WANDA/TEARSHEET
KANNAPOLIS NC 28081

Sales Rep **Accnt Rep** **Ordered By**
aboan aboan Pam

Fax: 7049337463
EMail: byow@kannapolisnc.gov

Total Amount \$595.02
Payment Amount \$595.02

Amount Due	\$0.00	<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>	<u>PO Number:</u>
Tax Amount:	0.00	0	0	1	
Payment Meth:	Credit - Debit Card				

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Color</u>
0000597631-01	CLS Liner	2 X 47 li	\$0.00

Production Method
AdBooker (liner)

Production Notes

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
CON Independent Trib	C-Announcements	General-Spec Notice	2

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Kannapolis City Hall 401

Run Dates 9/20/2019, 9/27/2019

TagLine: NOTICEOFPUBLICHEARINGKANNAPOLISCITYHALL401LAUREATEWAYKANNAPOLISNC28081PLANNING ANDZONINGCOMMISSIONMEETINGWEDNESDAYOCTOBER2019AT600



KANNAPOLIS

NOTICE OF PUBLIC HEARING
Kannapolis City Hall
401 Laureate Way, Kannapolis, NC 28081

Planning and Zoning Commission Meeting
Wednesday October 2, 2019 at 6:00 pm

Zoning Map Amendment - CZ-2019-06 - Public hearing to consider a request to rezone approximately 37 +/- acres located at 4301 Kannapolis Parkway from AG (Agricultural) to RC-CZ (Residential Compact-Conditional Zoning), further identified as Cabarrus County PIN #5603-11-1996 to allow for a 166-unit townhome development.

Zoning Map Amendment - CZ-2019-07 - Public hearing to consider a request to rezone approximately 71.78 +/- acres located on Orphanage Road from I-1 (Light Industrial) to PUD-CZ (Planned Unit Development-Conditional Zoning), further identified as Cabarrus County PIN #5601-99-1376 & 5611-07-2521 to allow for a mixture of a single-family (90 units) and townhome (191 units) residential development with a total of 281 proposed units.

If you have questions or concerns regarding these cases, please contact the City of Kannapolis Planning Department at 704-920-4350.

Hearing impaired persons desiring additional information or having questions regarding this subject should call the North Carolina Relay Number for the Deaf (1-800-735-8262). The meeting facility is accessible to people with disabilities. To request special accommodations in advance, contact the City's ADA Coordinator at 704-920-4302 or email tccline@kannapolisnc.gov.

Publish: Friday September 20, Friday September 27th, 2019.



September 18, 2019

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Wednesday, October 2, 2019 at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

CZ-2019-07 – Zoning Map Amendment – Childers Park at Buffalo Creek

The purpose of the Public Hearing is to consider a request by CHLC Investments, LLC to rezone properties located on Orphanage Road from I-1 (Light Industrial) to PUD-CZ (Planned Unit Development-Conditional Zoning) to allow for a mixture of a single-family (90 units) and townhome (191 units) residential development with a total of 281 proposed units. The subject properties are approximately 71.78 +/- acres in size and further identified as Cabarrus County Parcel Identification Number(s) 5601-99-1376 & 5611-07-2521 (see reverse side of this letter for vicinity 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 Unified Development Ordinance; and are invited to attend the public hearing and present testimony, should you desire, to the Planning and Zoning Commission.

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,

Gretchen Coperine, AICP
Senior Planner

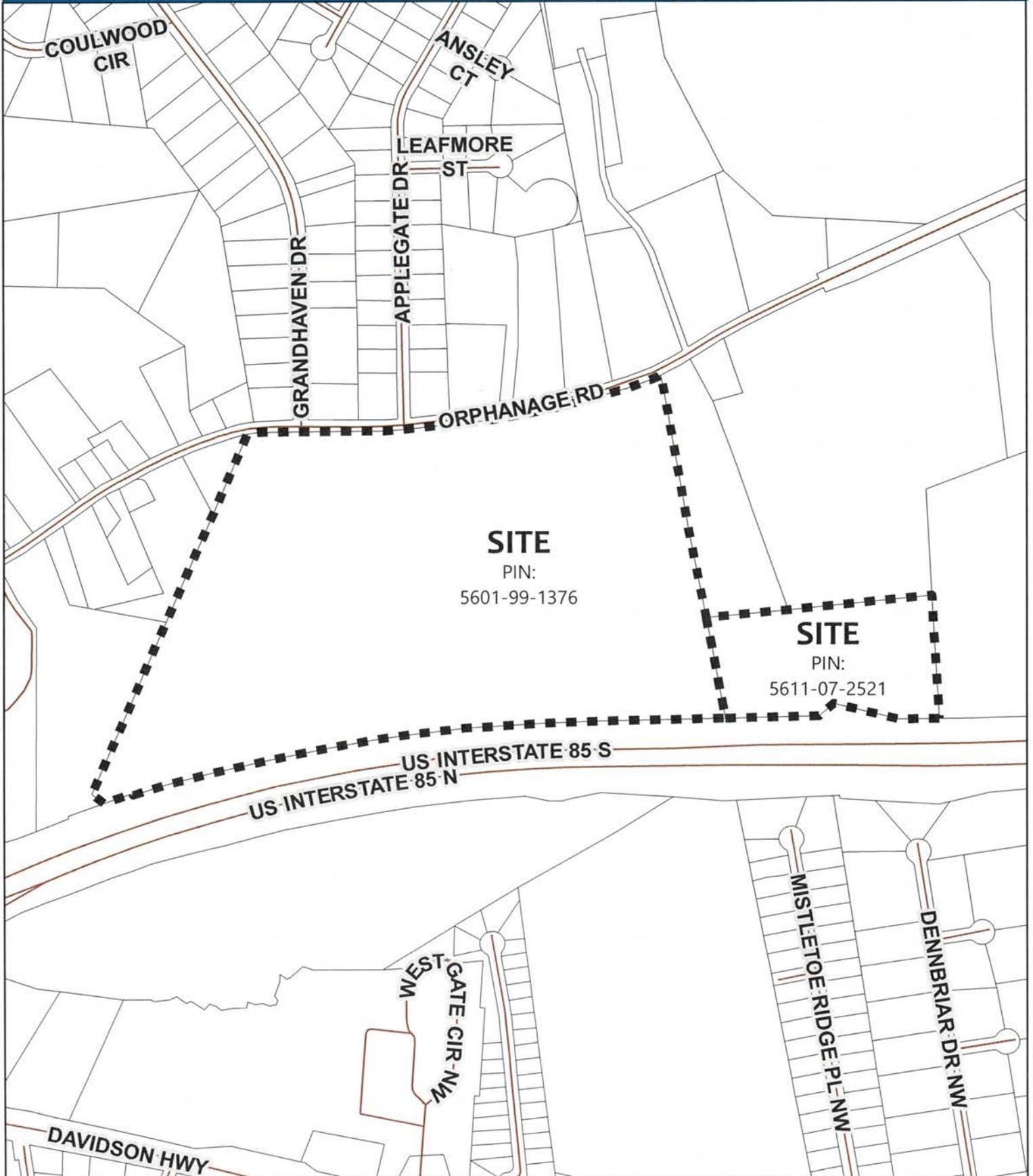
Enclosure

The meeting facility is accessible to people with disabilities. To request special accommodation in advance, contact the City's ADA Coordinator at 704-920-4302 or e-mail to tcline@kannapolisnc.gov.



Conditional Rezoning

Case Number: CZ-2019-07
Applicant: CHLC Investments, LLC
Address: Orphanage Rd.





September 24, 2019

Re: Postponement of Public Hearing for CZ-2019-07 – Childers Park at Buffalo Creek

Dear Property Owner:

You previously received notification of an October 2, 2019 Public Hearing regarding a rezoning request for parcels located on Orphanage Road (CZ-2019-07 – Childers Park at Buffalo Creek). In an effort to address neighborhood concerns, the applicant, CHLC Investments, LLC, is postponing the public hearing scheduled for October 2, 2019 until November 6, 2019.

You will receive a formal notice for the November 6, 2019 Planning and Zoning meeting.

You will also receive separate notification regarding an additional community meeting which is anticipated to be held at City Hall when a date and time for that meeting has been finalized.

Should you have any questions, please do not hesitate to call the Planning Department at 704.920.4350.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gretchen Coperine".

Gretchen Coperine, AICP
Senior Planner

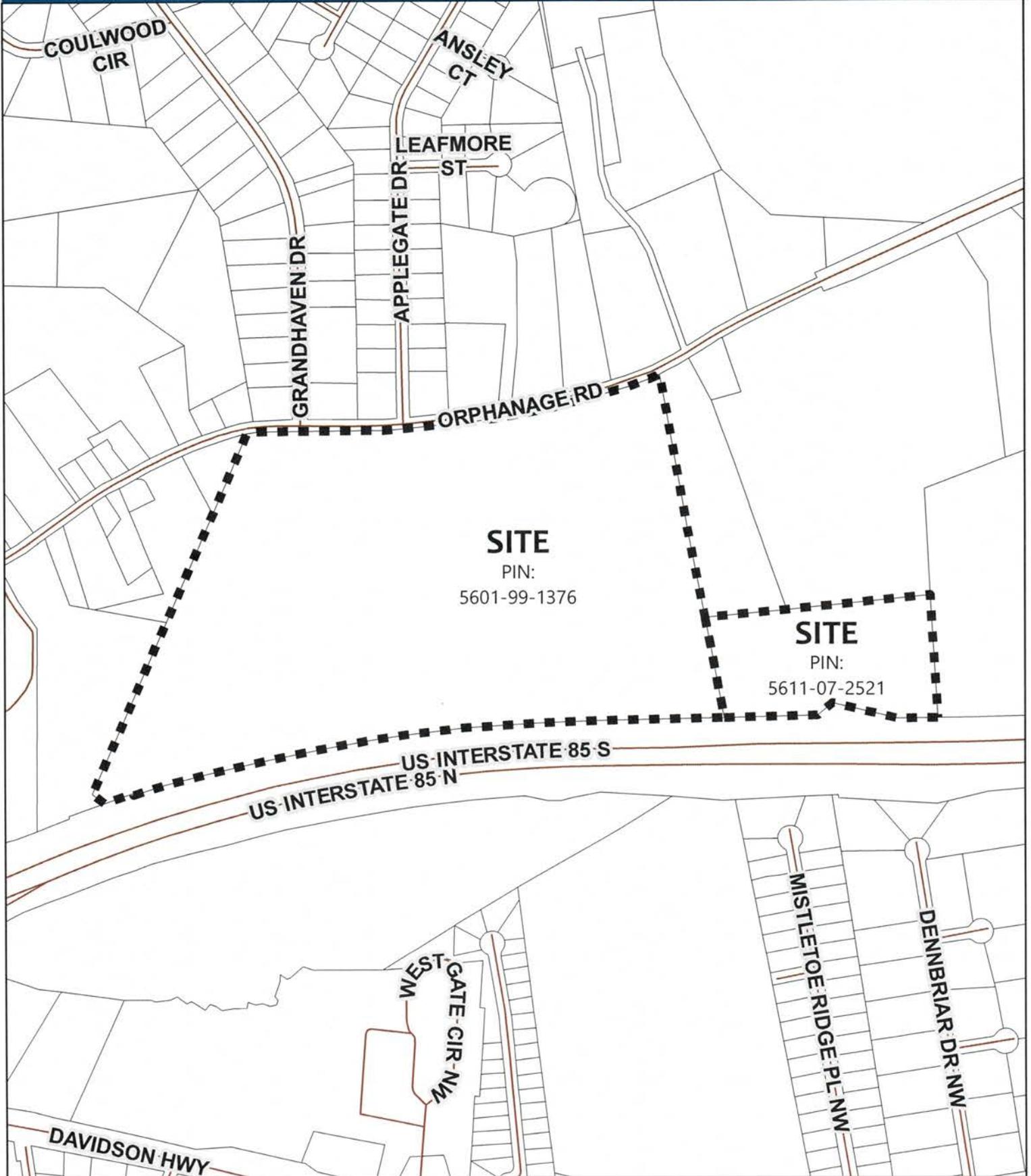
Enclosure

The meeting facility is accessible to people with disabilities. To request special accommodation in advance, contact the City's ADA Coordinator at 704-920-4302 or e-mail to tcline@kannapolisnc.gov.



Conditonal Rezoning

Case Number: CZ-2019-07
Applicant: CHLC Investments, LLC
Address: Orphanage Rd.





October 7, 2019

Dear Property Owner:

Please be advised that CHLC Investments, LLC will conduct an additional Neighborhood Meeting on Tuesday, October 22, 2019 at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

CZ-2019-07 – Zoning Map Amendment – Childers Park at Buffalo Creek

The purpose of this meeting is to further discuss a request by CHLC Investments, LLC to rezone properties located on Orphanage Road from I-1 (Light Industrial) to PUD-CZ (Planned Unit Development-Conditional Zoning) to allow for a mixture of a single-family (90 units) and townhome (191 units) residential development with a total of 281 proposed units. (Please see enclosed map showing location of this property).

Should you have any questions about this Neighborhood Meeting, please do not hesitate to call the Planning Department at 704.920.4350.

Sincerely,

Gretchen Coperine, AICP
Senior Planner

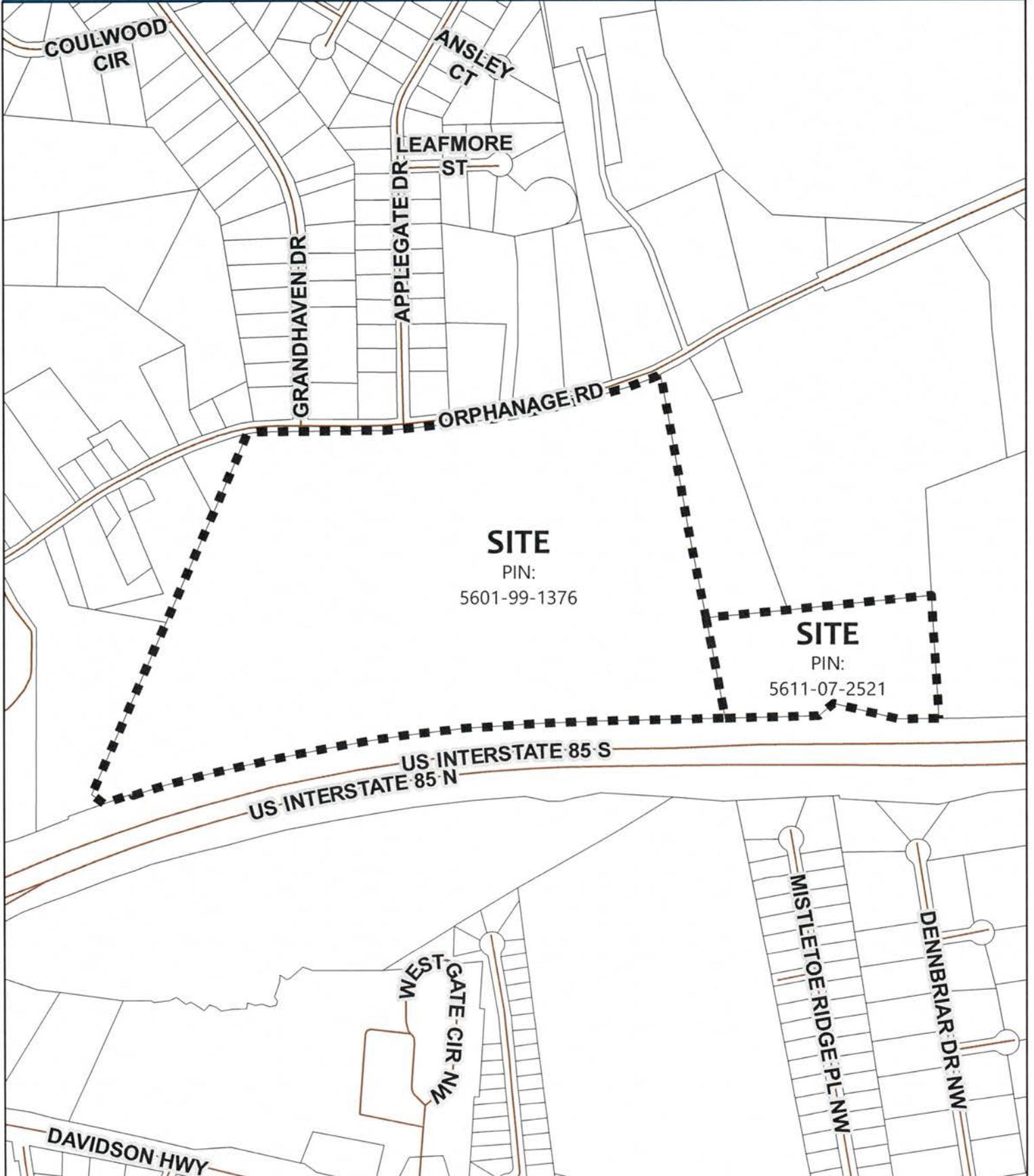
Enclosure

The meeting facility is accessible to people with disabilities. To request special accommodation in advance, contact the City's ADA Coordinator at 704-920-4302 or e-mail to tcline@kannapolisnc.gov .



Conditonal Rezoning

Case Number: CZ-2019-07
Applicant: CHLC Investments, LLC
Address: Orphanage Rd.



Childers Park at Buffalo Creek Rezoning (CZ-2019-07)

Date: 10.22.19

Location: City Hall

Additional Community Meeting Minutes

Background:

On October 7, 2019, a mailed notice of an additional community meeting was sent via USPS, with meeting date, time and location. This additional community meeting was held as a response to concerns expressed by residents in proximity to the proposed development that they did not receive adequate notice of the Planning and Zoning public hearing originally scheduled for October 2, 2019.

Discussion at community meeting:

- Will there be direct access to the City park to the east of the development? No, due to floodplain.
- Will sidewalk be installed all along Orphanage Road? No, only required along frontage of the subject property.
- How will runoff be handled? As part of the site plan process, developer is required to provide stormwater control measures (SCM) to handle development of the site.
- Concern about falling ice from oak trees along Duke Power easement fatally injuring people. The developer cannot control what Duke Power does within their easement.
- How many similar developments has the developer built? The developer has been in business for 30 years.
- Traffic volumes on Orphanage Road? Currently 9200 vpd along the property frontage and drops off to 6800 close to the interstate. These numbers do not indicate a traffic issue.
- There is traffic that backs up to the Church which makes it difficult to make a left turn on Orphanage Rd. That is a safety concern.
- Where are construction entrances going to be places? This will be determined at the site plan process but usually and likely they will be at one of the access points shown on the proposed plan.
- Timeline for building the entire project? Anticipated to start in about 9 months if approved and buildout at about 2-3 years.
- Kellswater has higher end homes. Why would anyone want to buy in the development? This development offers missing middle housing at a price point that some buyers are looking for.
- Is the developer the current owner of the property? No, but under contract to purchase.
- Is there a builder selected yet? No.
- Are amenities being proposed with the development? Yes, an amenity center is shown.
- Who is responsible for HOA rules? The HOA.
- How can residents voice concerns to Planning and Zoning Commission? Either in writing to be included with the staff report or in person at the public hearing.
- Will there be screening from Orphanage Rd? Yes, there is a 25-foot buffer proposed on the plans.
- Will there be school bus stops in the development? That is decided at site plan phase.
- Will there be a sound barrier wall against the interstate? No there is proposed natural vegetation to remain as well as SCMs.
- Where will people living in this development work? Some in Charlotte, and some in the remainder of the region.



DATE: 10-22-19

SIGN OR PRINT NAME LEGIBLE	PLEASE PRINT ADDRESS/ORGANIZATION
ALLEN + JUDITH WARUCK	2014 GRANDHAVEN DR CONCORD 28027
GARY + JAVET CRAWFORD	2004 GRANDHAVEN DR. CONCORD 28827
Brittany + Tyler Prinity	2733 Lamplighter Dr. Kannapolis 28081 "Lantern" "Gran"
Joe + Kim Hall	4918 Copper Creek Tr Kann 28081
Tony & Trina Meltvedt	2402 Westminster Dr, Concord NC 28027
Jay + Carol Taylor	2401 Westminster Dr. Concord N.C. 28027
Kathi Brooks	4108 ORPHANAGE RD, CONCORD, 28027
Reid Anderson	4102 Orphanage rd 28027



DATE: 10-22-19

SIGN OR PRINT NAME LEGIBLE	PLEASE PRINT ADDRESS/ORGANIZATION
Michelle Blalock	1523 Burning Lantern Lane Kann
RICK+BECKY HOLMES	2717 LAMPLIGHTER DR.
Dayton M Clear	4214 Peypetree Lane
Doug By	400 Ophange Rd.
Valerie Mann	2111 Applegate DR
Steve Mann	2111 Applegate DR
Marilyn Kasen	2424 Applegate Dr



DATE: 10-22-19

SIGN OR PRINT NAME LEGIBLE	PLEASE PRINT ADDRESS/ORGANIZATION
Mark Carpenter	CHLC Investments
Ray Holf	CHLC Investments
gretchen cooperine	city of kannapolis
Suzanne Appels	Stoneycreek - HOA
Din Walker	2013 Grantbaven Dr.
Rhonda Huskins	1523 Buening Lanteen Ln.
Robert Grant	2442 Applegate Dr
Randall Pepper	Stoneycreek HOA



DATE: 10-22-19

SIGN OR PRINT NAME LEGIBLE	PLEASE PRINT ADDRESS/ORGANIZATION
DONNA Scovill	2729 Lamplighter Dr
Glenn Scovill	Kannapolis, NC 28081
Janet mullis	2425 applegate Dr.
Billy Joemullis	concord NC 28027
Keith Waldrop	1501 Candlewick Ct
Carrie Waldrop	"
Veronica Cherry	2010 Applegate Dr. Concord NC 28027
STAN SCHAENING	2406 ASHFORD DR CONCORD, 28027
RYAN KRUSE	2438 APPLGATE 28027
Terry Arnold	4142 Orphanage Rd 28027



DATE: 10-22-19

SIGN OR PRINT NAME LEGIBLE	PLEASE PRINT ADDRESS/ORGANIZATION
David Marlow	4561 Coulwood Cir. Concord, N.C. 28027
KIRK PINSKA	2209 APPLEGATE Dr. Concord, NC 28027



DATE: 10-22-19

SIGN OR PRINT NAME LEGIBLE	PLEASE PRINT ADDRESS/ORGANIZATION
Beth Roy	4100 Orphanage Rd. Concord NC

Childers Park at Buffalo Creek Rezoning (CZ-2019-07)

Date: 10.22.19

Location: City Hall

Additional Community Meeting Minutes

Background:

On October 7, 2019, a mailed notice of an additional community meeting was sent via USPS, with meeting date, time and location. This additional community meeting was held as a response to concerns expressed by residents in proximity to the proposed development that they did not receive adequate notice of the Planning and Zoning public hearing originally scheduled for October 2, 2019.

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- Will there be a sound barrier wall against the interstate? No there is proposed natural vegetation to remain as well as SCMs.
- Where will people living in this development work? Some in Charlotte, and some in the remainder of the region.



DATE: 10-22-19

SIGN OR PRINT NAME LEGIBLE	PLEASE PRINT ADDRESS/ORGANIZATION
ALLEN + JUDITH WARUCK	2014 GRANDHAVEN DR CONCORD 28027
GARY + JAVET CRAWFORD	2004 GRANDHAVEN DR. CONCORD 28827
Brittany + Tyler Prinity	2733 Lamplighter Dr. Kannapolis 28081 "Lantern" "Gran"
Joe + Kim Hall	4918 Copper Creek Tr Kann 28081
Tony & Trina Meltvedt	2402 Westminster Dr, Concord NC 28027
Jay + Carol Taylor	2401 Westminster Dr. Concord NC. 28027
Kathi Brooks	4108 ORPHANAGE RD, CONCORD, 28027
Reid Anderson	4102 Orphanage rd 28027



DATE: 10-22-19

SIGN OR PRINT NAME LEGIBLE	PLEASE PRINT ADDRESS/ORGANIZATION
Michelle Blalock	1523 Burning Lantern Lane Kann
RICK+BECKY HOLMES	2717 LAMPLIGHTER DR.
Dayton M Clear	4214 Peypetree Lane
Doug By	400 Ophange Rd.
Valerie Mann	2111 Applegate DR
Steve Mann	2111 Applegate DR
Marilyn Kasen	2424 Applegate Dr



DATE: 10-22-19

SIGN OR PRINT NAME LEGIBLE	PLEASE PRINT ADDRESS/ORGANIZATION
Mark Carpenter	CHLC Investments
Ray Holf	CHLC Investments
gretchen cooperine	city of kannapolis
Suzanne Appels	Stoneycreek - HOA
Din Walker	2013 Grantbaven Dr.
Rhonda Huskins	1523 Buening Lanteen Ln.
Robert Grant	2442 Applegate Dr
Randall Pepper	Stoneycreek HOA



DATE: 10-22-19

SIGN OR PRINT NAME LEGIBLE	PLEASE PRINT ADDRESS/ORGANIZATION
DONNA Scovill	2729 Lamplighter Dr
Glenn Scovill	Kannapolis, NC 28081
Janet mullis	2425 applegate Dr.
Billy Joemullis	concord nc 28027
Keith Waldrop	1501 Candlewick Ct
Carrie Waldrop	"
Veronica Cherry	2010 Applegate Dr. Concord NC 28027
STAN SCHAENING	2406 ASHFORD DR CONCORD, 28027
RYAN KRUSE	2438 APPLGATE 28027
Terry Arnold	4142 Orphanage Rd 28027



DATE: 10-22-19

SIGN OR PRINT NAME LEGIBLE	PLEASE PRINT ADDRESS/ORGANIZATION
Beth Roy	4100 Orphanage Rd. Concord NC



PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000606344

Client: KANNAPOLIS,CITY OF
Phone: 7049204300

Pavor : KANNAPOLIS,CITY OF
Phone: 7049204300

Account: 3143368
Address: ACTS PAYABLE/WANDA/TEARSHEETS
KANNAPOLIS NC 28081

Account: 3143368
Address: ACTS PAYABLE/WANDA/TEARSHEET
KANNAPOLIS NC 28081

Sales Rep **Accnt Rep** **Ordered By**
aboan aboan Pam

Fax: 7049337463
EMail: byow@kannapolisnc.gov

Total Amount \$510.84
Payment Amount \$510.84

Amount Due	\$0.00	<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>	<u>PO Number:</u>
Tax Amount:	0.00	0	0	1	
Payment Meth:	Credit - Debit Card				

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Color</u>
0000606344-01	CLS Liner	2 X 40 li	\$0.00

Production Method **Production Notes**
AdBooker (liner)

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
CON Independent Trib	C-Announcements	General-Spec Notice	2

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Kannapolis City Hall 401

Run Dates 10/25/2019, 11/ 1/2019

TagLine: NOTICEOFPUBLICHEARINGKANNAPOLISCITYHALL401LAUREATEWAYKANNAPOLISNC28081PLANNING ANDZONINGCOMMISSIONMEETINGWEDNESDAYNOVEMBER62019AT6



KANNAPOLIS

NOTICE OF PUBLIC HEARING

Kannapolis City Hall
401 Laureate Way, Kannapolis, NC 28081

Planning and Zoning Commission Meeting
Wednesday November 6, 2019 at 6:00 pm

Zoning Map Amendment - CZ-2019-07 - Public hearing to consider a request to rezone approximately 71.78 +/- acres located on Orphanage Road from I-1 (Light Industrial) to PUD-CZ (Planned Unit Development-- Conditional Zoning), further identified as Cabarrus County PIN #5601-99-1376 & 5611-07-2521 to allow for a mixture of a single-family (90 units) and townhome (191 units) residential development with a total of 281 proposed units.

If you have questions or concerns regarding these cases, please contact the City of Kannapolis Planning Department at 704-920-4350.

Hearing impaired persons desiring additional information or having questions regarding this subject should call the North Carolina Relay Number for the Deaf (1-800-735-8262). The meeting facility is accessible to people with disabilities. To request special accommodations in advance, contact the City's ADA Coordinator at 704-920-4302 or email tccline@kannapolisnc.gov.

Publish: Friday October 25, 2019, Friday November 1, 2019

AcctName1	MailAddr1	City	State	ZipCode
STEPHEN & TERRY ARNOLD	4142 ORPHANAGE RD	CONCORD	NC	28027
WAYMAN & TERESA SILER	4260 ORPHANAGE RD	CONCORD	NC	28027
RONALD C MEYER	2007 APPLGATE DR	CONCORD	NC	28027
EDWIN E II & BRENDA SHAVER	2005 GRANDHAVEN DRIVE	CONCORD	NC	28025
INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL	1910 W SUNSET BLVD STE 200	LOS ANGELES	CA	90026
PAUL O READLING JR	4136 ORPHANAGE RD	CONCORD	NC	28027
SARAH B AUSTIN LLC	PO BOX 3067	CONCORD	NC	28025
BRAD & DEVIN HOUSER	4188 ORPHANAGE RD	CONCORD	NC	28027
GEORGE MILLER	4101 ORPHANAGE ROAD	CONCORD	NC	28027
JEAN A LAMARTINIERE	2006 APPLGATE DR	CONCORD	NC	28027
BARBARA L BROOKS	4250 ORPHANAGE RD	CONCORD	NC	28027
CHARLES W & OLA LITTLE TRSTEEES				
THE LITTLE FAMILY TRUST	4115 ORPHANAGE ROAD	CONCORD	NC	28027
Z AND J HOLDING LLC	4220 ORPHANAGE RD	CONCORD	NC	28027
CHURCH OF GOD ORPHANAGE	3485 ORPHANAGE CIRCLE	CONCORD	NC	28027
FRANKLIN L LINKER	4317 ORPHANAGE ROAD	CONCORD	NC	28027
JAMES FISHER JR	PO BOX 1224	KANNAPOLIS	NC	28082
GARY & JANET CRAWFORD	2004 GRANDHAVEN DR	CONCORD	NC	28027
CATCHPOLE LLC	6120 CHISHOLM TRL	KANNAPOLIS	NC	28081
REID ANDERSON	4102 ORPHANAGE RD	CONCORD	NC	28027
ALLEN & JUDITH WARLICK	2014 GRANDHAVEN DR	CONCORD	NC	28027
WILLIE H FOSTER				
C/O JAMES FOSTER	3900 DAVIDSON HWY	CONCORD	NC	28027
CHLC INVESTMENTS, LLC				
ATTN: MARK CARPENTER / RAY HOLT	6412 BANNINGTON DR	CHARLOTTE	NC	28226
DOUGLAS & BETH ROY	4100 ORPHANAGE RD	CONCORD	NC	28027
REGINA GUYER	2414 WESTMINSTER DR	CONCORD	NC	28027
ROBERT GRANT	2442 APPLGATE DR	CONCORD	NC	28027
LARRY & WILMA BLACKBURN	2211 GRANDHAVE DR	CONCORD	NC	28027
ROBERT HUDSPETH	4355 COULWOOD CIR	CONCORD	NC	28027
JOHN MARLOW SR	4361 COULWOOD CIR	CONCORD	NC	28027
JERALD & DIANE CHAPPELLE	2360 WESTMINSTER DR	CONCORD	NC	28027
DAVID PLYLER	2102 APPLGATE DR	CONCORD	NC	28027
IRIS WALKER	2013 GRANDHAVEN DR	CONCORD	NC	28027
KATHI BROOKS	4108 ORPHANAGE RD	CONCORD	NC	28027
TIM & ALICIA BROUILLETTE	4111 PEPPERTREE AVE	CONCORD	NC	28027
BILLY & JANET MULLIS	2425 APPLGATE DR	CONCORD	NC	28027
RYAN KRUSE	2438 APPLGATE DR	CONCORD	NC	28027
BRANDLEY MCDANIEL	1640 DALE EARNHARDT BLVD	KANNAPOLIS	NC	28023
TYLER & BRITTANY PRINTY	2733 LAMPLIGHTER DR	KANNAPOLIS	NC	28081
JOE & KIM HALL	4918 COPPER CREEK TR	KANNAPOLIS	NC	28081
TONY & TRINA MELTVEDT	2402 WESTMINSTER DR	CONCORD	NC	28027
JAY & CAROL TAYLOR	2407 WESTMINSTER DR	CONCORD	NC	28027
MICHELL BLALOCK	1523 BURNING LANTERN LN	KANNAPOLIS	NC	28081
RICK & BECKY HOLMES	2717 LAMPLIGHTER DR	KANNAPOLIS	NC	28081
DAYTON MCLEAN	4214 PEPPERTREE AVE	CONCORD	NC	28027
STEVE & VALERIE MANN	2111 APPLGATE DR	CONCORD	NC	28027
MARILYN KASEN	2424 APPLGATE DR	CONCORD	NC	28027
RHONDA HUSKINS	1523 BURNING LANTERN LN	KANNAPOLIS	NC	28081
GLENN & DONNA SCOVIL	2729 LAMPLIGHTER DR	KANNAPOLIS	NC	28081
KEITH & CARRIE WALDROP	1501 CANDLEWYCK CT	KANNAPOLIS	NC	28081
VERONICA CHERRY	2010 APPLGATE DR	CONCORD	NC	28027
STAN SCHAENING	2406 ASHFORD DR	CONCORD	NC	28027
KIRK PINSKA	2209 APPLGATE DR	CONCORD	NC	28027



October 23, 2019

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Wednesday, November 6, 2019 at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

CZ-2019-07 – Zoning Map Amendment – Childers Park at Buffalo Creek

The purpose of the Public Hearing is to consider a request by CHLC Investments, LLC to rezone properties located on Orphanage Road from I-1 (Light Industrial) to PUD-CZ (Planned Unit Development-Conditional Zoning) to allow for a mixture of a single-family (90 units) and townhome (191 units) residential development with a total of 281 proposed units. The subject properties are approximately 71.78 +/- acres in size and further identified as Cabarrus County Parcel Identification Number(s) 5601-99-1376 & 5611-07-2521 (see reverse side of this letter for vicinity 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 Unified Development Ordinance; and are invited to attend the public hearing and present testimony, should you desire, to the Planning and Zoning Commission.

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,

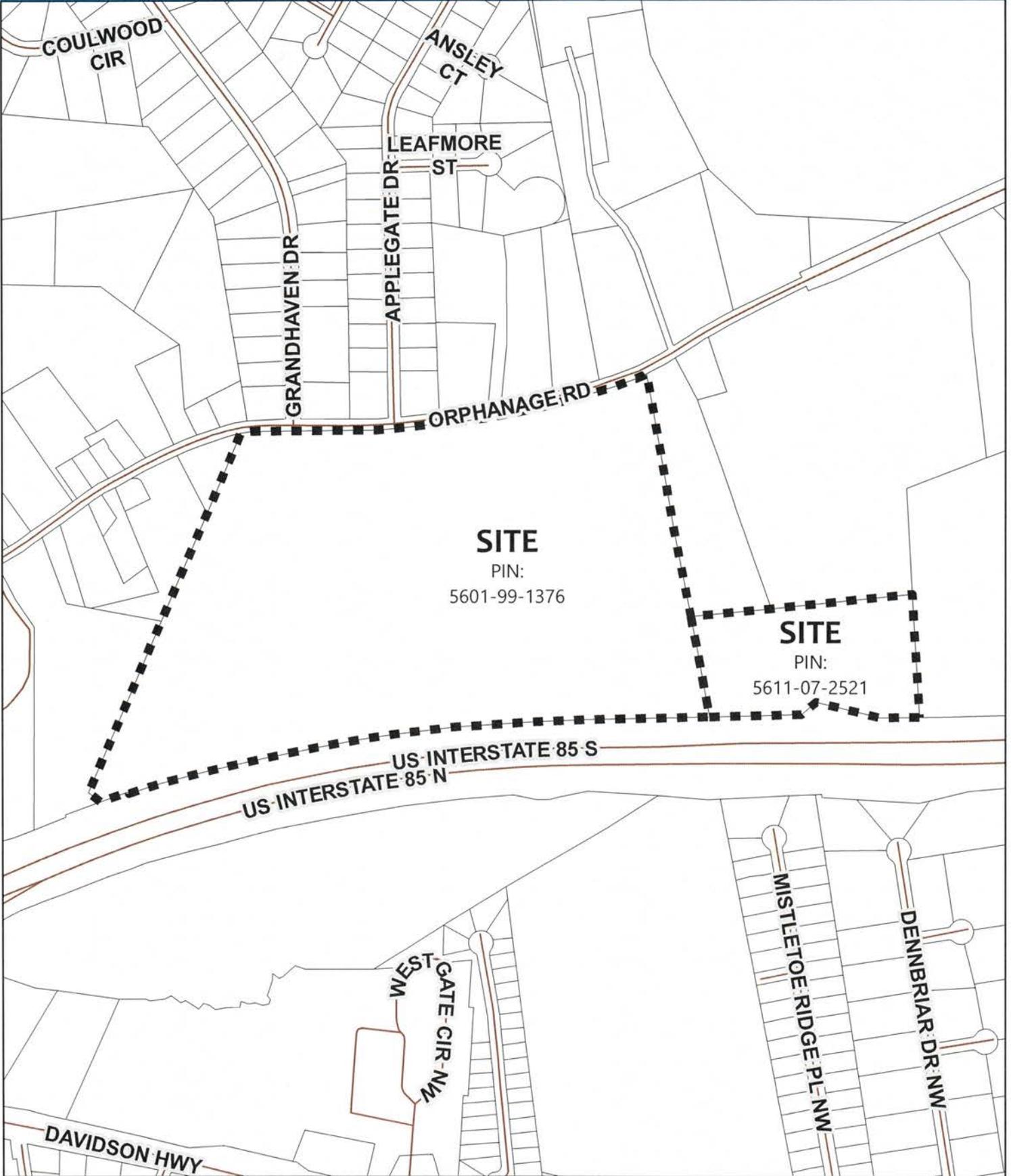
Gretchen Coperine, AICP
Senior Planner

Enclosure

The meeting facility is accessible to people with disabilities. To request special accommodation in advance, contact the City's ADA Coordinator at 704-920-4302 or e-mail to tcline@kannapolisnc.gov.

Conditional Rezoning

Case Number: CZ-2019-07
Applicant: CHLC Investments, LLC
Address: Orphanage Rd.





PLANNING

ZONING

COMMISSION

PUBLIC HEARING
INFORMATION
CALL **704-920-4350**
CASE # CZ - 2019 - 07

GRANDHAVEN



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE # CZ-2019-07**

WHEREAS, Section 160A-383 (2013) of the North Carolina General Statutes specifies 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 3.3.4.2 of the Unified 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 November 6, 2019 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone properties located on unaddressed parcels on Orphanage Road (Cabarrus County Parcel Identification Number(s) 5601-99-1376 & 5611-07-2521) owned by Church of God Orphanage and Willie Foster (respectively), from City of Kannapolis Zoning Designation I-1 (Light Industrial) to PUD-CZ (Planned Unit Development-Conditional Zoning).

NOW, THEREFORE BE IT RESOLVED *that the Planning and Zoning Commission finds this rezoning consistent with the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which locates this property within the Suburban Activity 1 Character Area, and calls for single and multifamily residential uses. Staff finds the request for rezoning reasonable and in the public interest because it provides for residential uses of a scale appropriate for transitioning between the Interstate to the south and the single-family residential neighborhoods in proximity to the subject parcel. The proposed rezoning is compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity and safety of the surrounding street network, nor is anticipated to generate parking problems or any adverse impact on the environment. Finally, utilities will be extended to provide adequate access to public facilities.*

Adopted this the 6th day of November 2019:

Chris Puckett, Vice-Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE
Case # CZ-2019-07
(Unaddressed parcels on Orphanage Road)

**City of Kannapolis Light Industrial (I-1) Zoning District to
City of Kannapolis Planned Unit Development-Conditional Zoning (PUD-CZ) District**

WHEREAS, Section 3.3.4.1 of the City of Kannapolis Unified Development Ordinance specifically delegates authority from the City Council to the Planning and Zoning Commission to take final action on a rezoning petition; and

WHEREAS, Section 3.3.4.2 of the City of Kannapolis Unified Development Ordinance subjects this authority 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, the Commission conducted a public hearing on November 6, 2019 for consideration of rezoning petition Case #CZ-2019-07 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone properties located on unaddressed parcels on Orphanage Road (Cabarrus County Parcel Identification Number(s) 5601-99-1376 & 5611-07-2521) owned by Church of God Orphanage and Willie Foster, respectively, from City of Kannapolis Zoning Designation I-1 (Light Industrial) to PUD-CZ (Planned Unit Development-Conditional Zoning); and

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

WHEREAS, per Section 3.3.5 of the Kannapolis UDO, the Planning and Zoning Commission makes the following findings in support of and in analysis of the rezoning:

1. The size of the tract in question.

The size of the tracts to be rezoned is 71.78 ± acres.

2. Does the proposal conform with and further the goals and policies of the Land Use Plan, other adopted plans, and the goals, objectives, and policies of this Ordinance?

This property is located in the “Suburban Activity 1” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The “Suburban Activity 1” Character Area calls for single-family and multi-family residential uses, as well as retail, office and light manufacturing uses. The PUD-CZ conditional zoning district with this rezoning proposes a mix of single-family (91 units) and townhome (186 units) residential development with a total of 277 proposed units, which fit with the Suburban Activity 1 Character Area.

3. Is the proposed rezoning compatible with the surrounding area?

The subject property is located in close proximity to existing single family residential development and north of Interstate 85. The requested rezoning proposes a mixture of single family and townhomes of a scale that represents an appropriate transition between the interstate and the residential area surrounding the subject property.

4. Will there be adverse effects on the capacity or safety of the portion of street network influenced by the rezoning?

The subject property is accessed from Orphanage Road, which is an NCDOT road. The project did not require a traffic impact analysis per NCDOT's requirements, however NCDOT has indicated the following improvements to Orphanage Road will be required:

- Road A will be the full movement access
 - Due to the ADT along Orphanage Rd and traffic generated by the development, project will need a left-turn lane (LTL) (100' min. storage) and right-turn lane (RTL) (100' min. storage) at this location
 - Since Orphanage Road will need to be widened for a LTL into the site and will also need a receiving lane across from it, that receiving lane should be striped as a LTL into Applegate Dr with equal storage length.
- Road C will be allowed as a Right-in/Right-out (RI/RO)
 - A 3' min. width median island with associated widening (5' min.) to accommodate will be needed along Orphanage
 - Porkchop islands shall not be used on the access road to dictate RI/RO
 - Median island will need to extend 50' min. from where the radius of the access ties into the tangent on Orphanage Rd in each direction

A full site plan submittal will be required should the rezoning be approved. Appropriate roadway design will be required at that time per NCDOT roadway and safety standards.

5. Will there be parking problems?

The site plan submitted with this request for rezoning includes adequate parking for the listed uses.

6. Will there be environmental impacts that the new use will generate, such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting, or other nuisances?

There are no anticipated environmental impacts such as water, air, or noise pollution issues associated with the rezoning request. In addition, all development will be required to conform to all applicable local, state, and federal environmental regulations.

The required site plan will also be reviewed by City staff to ensure the development meets all stormwater requirements.

There is a large amount of floodplain along the southern and eastern portion of the site, which will not be impacted by development as depicted in the proposed plan.

7. Has there been any change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, and development?

The character of the area in immediate proximity to the proposed use has remained relatively stable over the recent past.

8. Is there compliance with the adequate public facilities criteria?

Utilities will need to be extended to serve the proposed use.

9. What are the zoning districts and existing land uses of the surrounding properties?

The parcels to the north across Orphanage Road are zoned RM-2 (Medium Density Residential) and developed with single-family homes. Parcels to the east are zoned I-1 (Light Industrial) and are developed with single-family residential and park uses. Parcels to the west are zoned RV

(Residential Village) and C-1 (Light Commercial) and are developed with single family homes. The southern portion of the subject site is bound by Interstate 85.

10. Is the subject property suitable for the uses to which it has been restricted under the existing zoning classification?

The subject property is currently zoned I-1, which does not permit residential development, therefore the applicant is seeking a rezoning to PUD-CZ in order to develop a mix of detached single-family and attached townhomes. The I-1 zone allows uses more intense than those being proposed. The uses allowed under the current zoning are less compatible with the existing residential character of the immediate area. Therefore, the proposed residential uses are more suitable than industrial uses for the subject property.

11. Is the zoning compatible with the adjacent neighborhood, especially residential neighborhood stability and character?

The proposed residential uses are less intense than others allowed in the I-1 zone and would therefore be more compatible with the existing residential neighborhoods in the area.

12. What length of time has the subject property remained vacant as zoned?

Aerial records show the property being vacant since at least 1993.

13. Is there an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs?

There is an adequate supply of parcels in the subject area to accommodate different development types.

14. Was the existing zoning in error at the time of adoption?

No.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the above referenced property be rezoned City of Kannapolis PUD-CZ – Planned Unit Development-Conditional Zoning District, subject to the following conditions:

- 1. The uses permitted with this rezoning shall only include 277 total units (186 townhomes and 91 single-family) and amenity building, in general conformance with the plan submitted with this rezoning.**
- 2. 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.**
- 3. For the townhome portion of the site, the developer, its successors or assigns shall adhere to the Multi-Family Residential Design Standards detailed in Article 11.2. of the UDO.**
- 4. Any lighting installed on the subject property shall be full cut-off fixtures with all lighting directed downward and away from adjacent properties.**
- 5. 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 RSOD Buffer requirements.**
- 6. 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 BMP's. Stormwater BMP's cannot be constructed in the undisturbed buffer.**
- 7. Hydrants and fire protection shall comply with UDO Appendix C.3 and Fire Codes.**

RESOLUTION TO ZONE (Case #CZ-2019-07)
City of Kannapolis Light Industrial (I-1) to
City of Kannapolis Planned Unit Development-Conditional Zoning (PUD-CZ)

Adopted this the 6th day of November 2019:

Chris Puckett, Vice-Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission