



**Planning and Zoning Commission  
July 8, 2020 Meeting**

**Staff Report**

**DATE:** June 26, 2020  
**TO:** Planning and Zoning Commission  
**FROM:** Gretchen Coperine, AICP, Assistant Planning Director  
**SUBJECT:** Case #CZ-2020-03  
**Conditional Zoning Map Amendment**  
**Applicant: Pulte Home Company, LLC**

Request to conditionally rezone property, located at 2845 & 2975 Jim Johnson Rd. from Cabarrus County CR (Countryside Residential) to RC-CZ (Residential Compact-Conditional Zoning), to allow for the development of 74 single-family detached homes.

**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 & Project Overview

The applicant, Pulte Home Company, LLC., is proposing to rezone the subject property Cabarrus County CR (Countryside Residential) to CZ-RC (Residential Compact Conditional Zoning District). The proposed use is a residential development of 74 single-family detached homes.

The subject property was annexed into the City on June 22, 2020 by City Council and must therefore be assigned a zoning designation within 60 days in accordance with state statute.

### 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 34.8 +/- combined 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 a “Complete Neighborhood 2” Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Complete Neighborhood 2 Character Area includes single-family attached and detached, multi-family, as well as civic and small format retail as primary uses along with small-format office and live-work development as secondary uses. In addition, the 2030 Plan calls for residential densities of between 4 and 18 dwelling units/acre in a “Complete Neighborhood 2” Character Area, while the proposed density for this development is just over 2 units/acre. The proposed single-family detached residential development is therefore in conformance with the goals and policies of the 2030 Plan.

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

The property is located on the west side of Jim Johnson Road, north of Travertine Trail. It abuts the Waterford subdivision along a portion of the southern property line, which is in the City limits. The Waterford subdivision is zoned RM-2 (Residential Medium Density). Property to the north, south and east is zoned CR (Countryside Residential) and is within unincorporated Cabarrus County. The proposed single-family detached residential development is compatible with the adjacent residential subdivision to the south as well as with the Castlebrooke Subdivision (also within City limits) approximately ¼ mile north of the subject development. Castlebrooke subdivision is

zoned RV (Residential Village). Therefore, the proposed rezoning is considered compatible with the surrounding area

It is important to note that the subject development is surrounded largely by unincorporated Cabarrus County. The unincorporated area is part of the Kannapolis Growth Area (as designated by the annexation agreement between the City of Concord and Kannapolis) and may be annexed into the City in the future.

**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 Jim Johnson Road, which is an NCDOT road. The project did not require a traffic impact analysis per NCDOT's or the City's requirements, however improvements to Jim Johnson will be necessary, including turn lanes and appropriate tapers. Access to the site will need to be approved by NCDOT and the City.

**5. Will there be parking problems?**

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

**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?**

Along the western portion of the site, running north/south, there is flood plain which measure approximately 100 feet from the western property line into the site. The preliminary plan submitted with this rezoning preserves the floodplain and does not show any development within that area. The plan also shows a stream running east/west within the site, for which the appropriate stream buffers have been provided. Most important, the development will be required to conform to all applicable local, state, and federal environmental regulations.

**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 residential character of the area has remained stable. However, as mentioned previously, it is located within the City's growth area and may be annexed and developed in the future under City zoning.

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

There are adequate public facilities available to the property or within proximity, which will be extended to serve the development.

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

The property is located on the west side of Jim Johnson Road, north of Travertine Trail. It abuts the Waterford subdivision along a portion of the southern property line, which

is in the City limits. The Waterford subdivision is zoned RM-2 (Residential Medium Density). Property to the north, south and east is zoned CR (Countryside Residential) and is within unincorporated Cabarrus County. The proposed single-family detached residential development is compatible with the adjacent residential subdivision to the south as well as with the Castlebrooke Subdivision (also within City limits), located approximately ¼ mile north of the subject development. Castlebrooke is zoned RV (Residential Village).

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

The property is currently zoned CR (Countryside Residential - Cabarrus County zoning district). State law requires that the City assigns a zoning designation within 60 days of the date of annexation, otherwise the parcel remains “unzoned”. As previously noted, the City Council annexed the subject property into the City limits on June 22, 2020.

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

The proposed residential use is compatible with the adjacent residential neighborhood.

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

The subject property has been vacant for an undetermined amount of time.

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

Jim Johnson Road is predominately a residential corridor. There are vacant parcels as well as underutilized parcels along Jim Johnson Road sufficient to accommodate future development and community needs.

**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 goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates this property as being located in a “Complete Neighborhood 2” Character Area, which allows for single-family detached development. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide residential development that is appropriate for the area. The proposed use is compatible with the surrounding zoning, yet not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated

to generate parking problems or any adverse impact on the environment. Finally, there is adequate access or ability to extend 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 for Zoning Map Amendment Case #CZ-2020-03:**

1. The permitted uses allowed by this rezoning shall only include 74 single-family detached units as generally depicted on the site plan submitted with this rezoning.
2. A Site Plan, in compliance with all applicable City standards, shall be submitted and approved by City Staff prior to issuance of a Zoning Clearance Permit.
3. Driveway location off Jim Johnson Road shall be approved by the City in conjunction with NCDOT.
4. Driveways and parking lots shall comply with all Fire Codes and Autoturn (a traffic engineering program which specifies the required turning radii for vehicles including delivery trucks and emergency vehicles) shall be run for an SU-30 and Bus-45 (similar to a ladder truck).
5. 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 storm control measures.
6. The project developer shall be responsible for extension of all water and sewer infrastructure needed to serve the project.
7. Hydrants and fire protection shall comply with UDO Appendix C.3 and Fire Codes.

### **Alternative Courses of Action**

#### **Motion to Approve (2 votes)**

1. **Should the Commission choose to approve the request for rezoning as presented in Case #CZ-2020-03, 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 goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being located in a "Complete Neighborhood 2" Character Area, which allows for single-family detached development. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide residential development that is appropriate for the area. The proposed use is compatible with the surrounding zoning, yet not anticipated to have an adverse effect on the*

*capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Finally, there is adequate access or ability to extend to public facilities.*

2. **Should the Commission choose to approve Case #CZ-2020-03, a motion should be made to adopt the Resolution to Zone.**

**Motion to Deny (2 votes)**

1. **Should the Commission choose to recommend denial of Case #CZ-2020-03, a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #CZ-2020-03 to be inconsistent with the goals and policies of the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #CZ-2020-03, a motion should be made to deny the Resolution to Zone.**

**I. Attachments**

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

**J. Issue Reviewed By:**

- City Manager
- City Attorney
- Planning Director



**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 | _____ |

Applicant: Pulte Home Company, LLC Owner: Luisa C. Beard

Address: 11121 Carmel Commons Blvd, Ste450 Address: 2975 Jim Johnson Rd  
Charlotte, NC 28226 Concord, NC 28027

Telephone: \_\_\_\_\_ Telephone: \_\_\_\_\_

Email: Fred.Matrulli@pultegroup.com Email: \_\_\_\_\_

Legal relationship of applicant to property owner: Applicant and Owner

Property Location/Address: 2975 Jim Johnson Road, Concord, NC 28027

Tax Parcel Number: 46729440442, 4672948282 Zoning District: Complete Neighborhood 2 Acreage of Site: 34.8±

Fred Matrulli Luisa C. Beard  
 Applicant Name (Print) Property Owner Name (Print)

\_\_\_\_\_  
 Applicant Signature & Date Luisa C. Beard 1/31/2020  
 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): \_\_\_\_\_



**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"/> |

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Fred Matrulli Luisa C. Beard  
Applicant Name (Print) Property Owner Name (Print)

DocuSigned by:  
*Fred Matrulli* 1/24/2020  
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, Luisa C. Beard, 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:**

The RC district is established to provide a high density residential district allowing compact development consisting of the full spectrum of residential unit types where adequate public facilities and services are available. Unit types may include single family attached dwellings, townhouses, duplexes and apartments, with a maximum of fifteen (15) dwelling units per acre except as otherwise provided in this Ordinance. RC may serve as a transitional district between lower density residential and low intensity commercial uses. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities while maintaining neighborhood compatibility. Design controls are required for multi-family and/or single-family attached projects as set forth in Article 11.

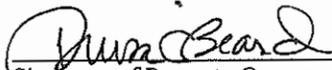
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**Condition(s) proposed by the applicant (attach separate sheet if necessary):**

Reduced density. We would like to developed this site with less than 3 units per acre. Due to the existing site constraints with topography and streams we feel this is the best use use of the land.

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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

Luisa C. Beard  
\_\_\_\_\_  
Signature of Property Owner

2975 Jim Johnson Rd, Concord, NC 28027  
\_\_\_\_\_  
Signature of Property Owner

Address

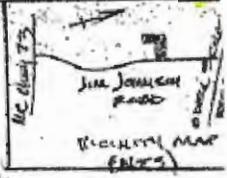
Address

Telephone # 704-796-1959  
\_\_\_\_\_  
Address

Telephone #  
\_\_\_\_\_  
Telephone #

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

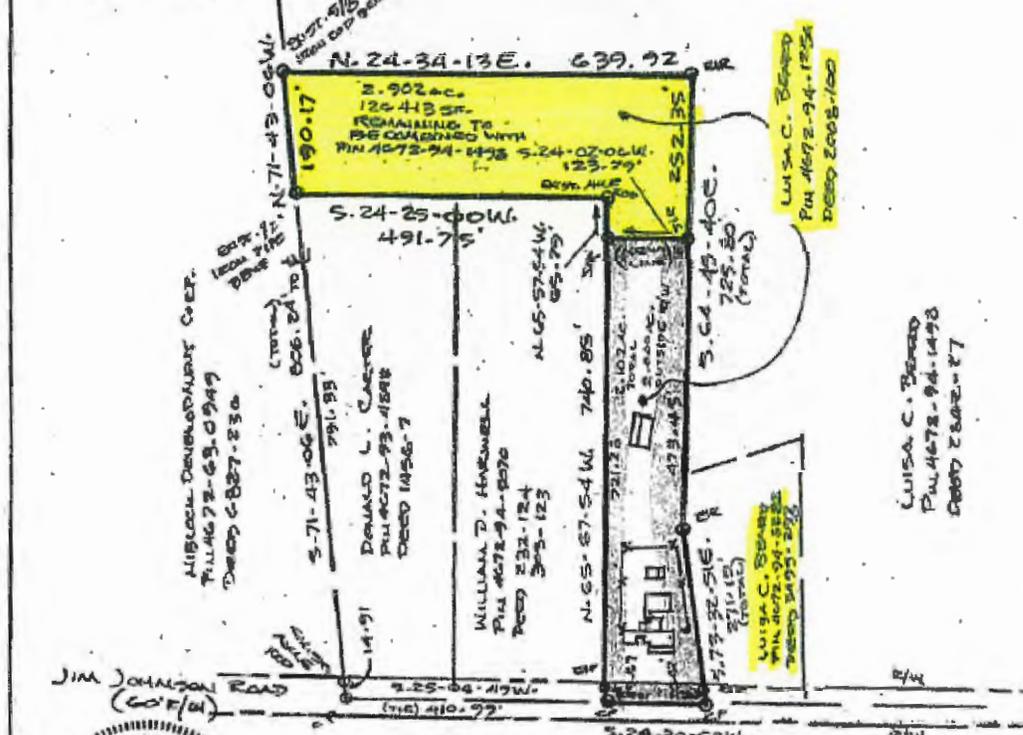
PROPERTY SUBJECT TO RECORDED OR UNRECORDED R/W'S, EASEMENTS, AGREEMENTS, COVENANTS.  
 THIS SURVEY IS A RECOMBINATION OF EXISTING PARCELS OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.  
 BOUNDARY PREDICATED ON MONUMENTS FOUND IN FIELD.  
 AREA BY COORDINATES RATIO OF PRECISION = 1:30,000+  
 EIR-EXIST. 1" IRON ROD EIP-EXIST. 1" IRON PIPE  
 SIR-1" IRON ROD SET CP-COMPUTED POINT IN ROAD  
 BOUNDARY SURVEYED BOUNDARY BY DEED



STATE HIGHWAY R/W  
 SUBJECT PROPERTY: OWNER - LUISA C. BEARD  
 PIN 4672-94-1254  
 DEED 2008-100  
 ZONE CR  
 CR ZONE: MIN. SOFT. = 1 acre  
 FRONT SETBACK = LOCAL ROAD=50'/MINOR COLL.=75'  
 SIDE SETBACK=20'  
 REAR SETBACK=30'

N-71-43-06W  
 DEED 2008-27  
 2-16-99

REVIEW OFFICER CERTIFICATIONS I, Jonathan Marshall, REVIEW OFFICER OF CABARRUS COUNTY, NC CERTIFY THAT THE MAP OR PLAT WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
Jonathan Marshall REVIEW OFFICER) 1/15/08 (DATE)  
*by: Kim Wicks*



CONVEYANCE PLAT:  
 PROPERTY OF  
 LUISA C. BEARD  
 PHYSICAL SURVEY OF

LOCATED IN WARD NO. \_\_\_\_\_ CITY OF \_\_\_\_\_ NO. 3 TOWNSHIP: CARRBORO COUNTY, NC

Deed Recorded in Book No. 2008 Page 2271 Scale 1"=200' Map Recorded in Map Book No. \_\_\_\_\_ Page \_\_\_\_\_

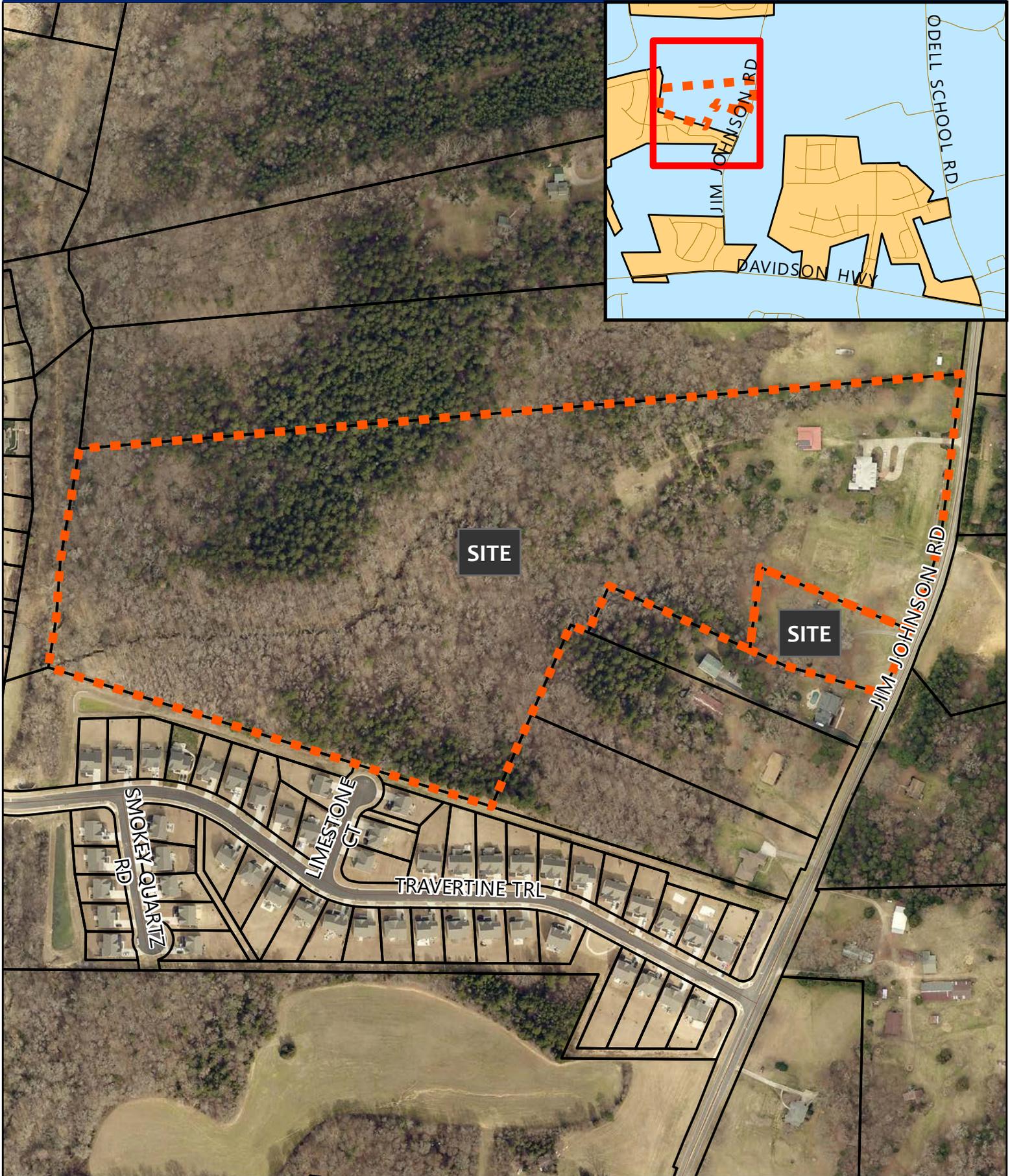
This is to certify that on NOV-27 20 07 (surveyed) the property shown on this plat and that the property lines, walls and buildings are as shown hereon: and that there are no encroachments on or from adjoining properties except as shown above.  
 BILLY B. LONG, JR.

BILLY B. LONG, JR. • FLB-L4178 • 1816 OLD HARMONY DRIVE NW • CONCORD, NC 28027  
 Property shown above does not lie in a flood hazard zone  
 By Billy B Long  
 Professional Land Surveyor License Number L4178



# Vicinity Map

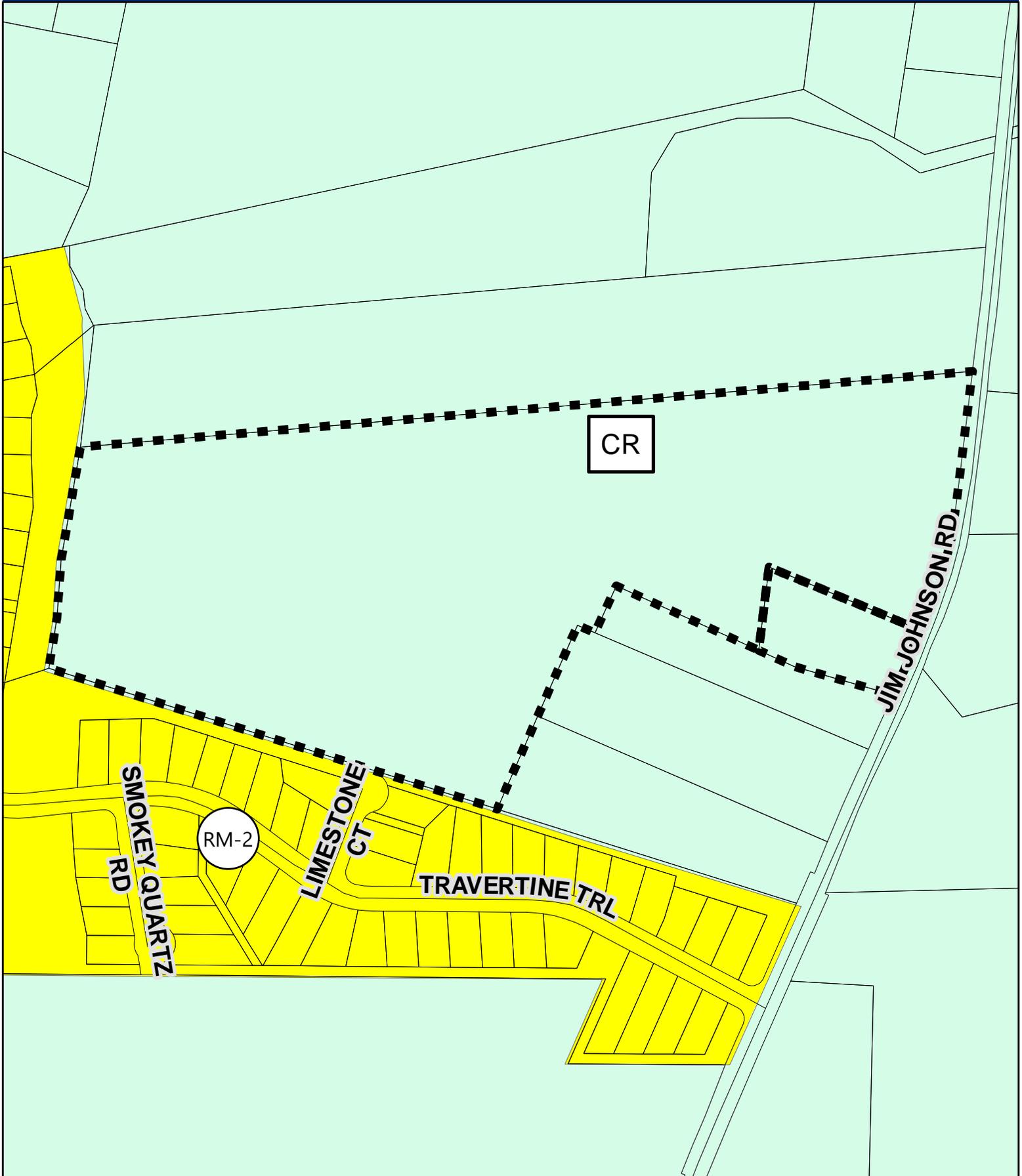
Case Number: CZ-2020-03  
Applicant: Pulte Home Company, LLC  
2975 Jim Johnson Rd





# Kannapolis Current Zoning

Case Number: CZ-2020-03  
Applicant: Pulte Home Company, LLC  
2975 Jim Johnson Rd



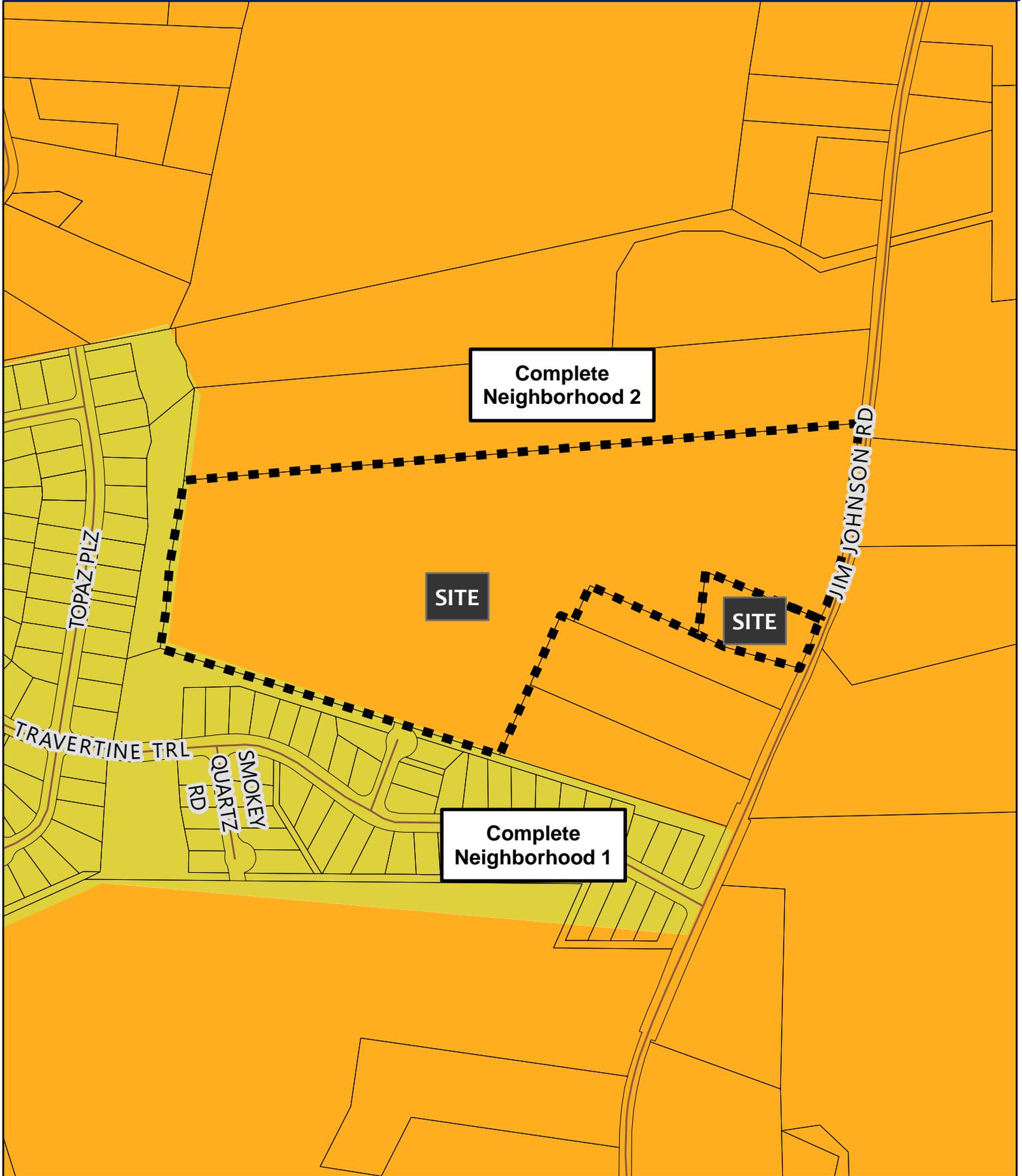


# Kannapolis 2030 Future Land Use Map

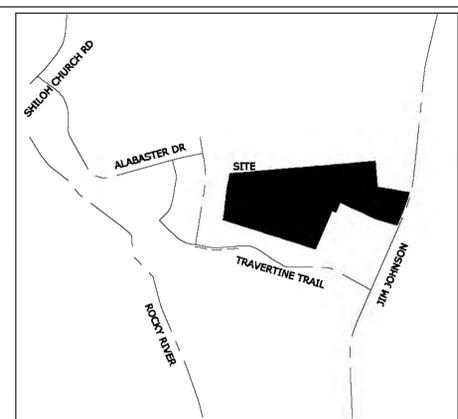
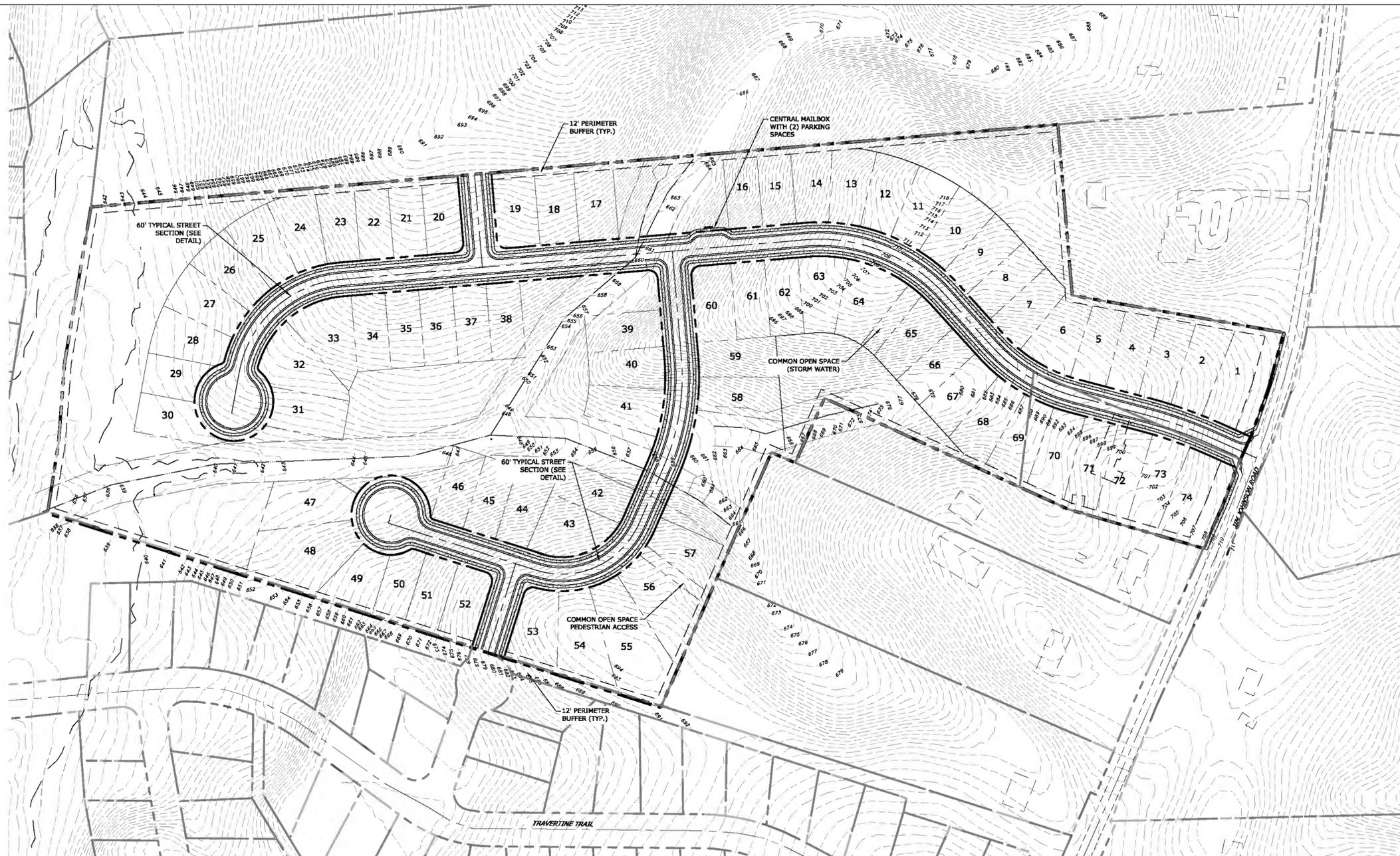
Case Number: CZ-2020-03

Applicant: Pulte Home Company, LLC

2975 Jim Johnson Rd



Plot Stamp: 1/16/2020 8:13:21 AM - Frank Cantrell  
 File: W:\PULTE CHA\PUL-Jim Johnson Road\Civil\DWG\01\_Base\Innovation-zoning\2020-01-15\_Base.dwg, Tab: C-500 GRADING SHEETS



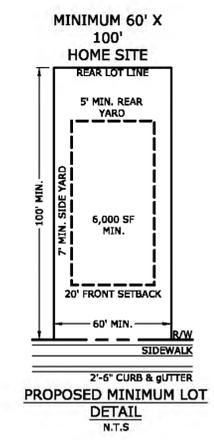
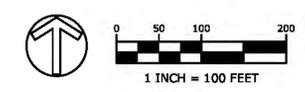
VICINITY MAP  
Not to Scale

SITE DATA TABLE

EXISTING TAX PARCEL NO.	4672940442
JURISDICTION	CONCORD, CABARRUS COUNTY
SITE ACREAGE	33.2 ± AC
TREE SAVE AREA	

IMPERVIOUS CALCULATIONS - SEE TABLE THIS SHEET  
 NOT WITHIN A DESIGNATED WATER SHED DISTRICT

ZONING	
EXISTING:	CR
PROPOSED:	RC
BUILDING DATA	
PROPOSED NUMBER OF LOTS	74 LOTS
DENSITY	
ALLOWABLE:	2.23 DUA = 74 LOTS
PROPOSED:	
SETBACKS/YARDS REQUIRED	
BUFFERS	
REQUIRED:	AS SHOWN
PROVIDED:	AS SHOWN
OPEN SPACE	
REQUIRED:	33.2 AC X XX% = 6.64 AC
PROVIDED:	7.0± AC
INTERNAL STREET CONNECTIVITY	
LINKS:	1.7
NODES:	
CONNECTIVITY:	



**Cardno**  
 CHARLOTTE  
 9800 SOUTHERN PINE BOULEVARD, SUITE 1  
 CHARLOTTE, NORTH CAROLINA 28273  
 TEL: (704) 927-9700 FAX: (980) 422-0938  
 www.cardno.com

**Pulte**  
 The way it should be

**SKETCH PLAN**  
**Jim Johnson Rd Development**  
**PULTE HOMES**  
 CABARRUS COUNTY, NORTH CAROLINA

DATE	DESCRIPTION

NORTH CAROLINA  
 PROFESSIONAL  
 SEAL  
 039811  
 ENGINEER  
 FRANK L. CANTRELL

DATE	10/07/2019
DRAWN	FC
DESIGNED	FC
CHECKED	FC
PROJECT #	REAL190002
SHEET TITLE	

NOT FOR CONSTRUCTION



PO Box 27283  
Richmond, VA 23261-7283

# Order Confirmation

Order# 0000657631

**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**                      \$546.56

**Payment Amount**                      \$546.56

**Amount Due**                              \$0.00

**Tax Amount:**                              0.00

**Payment Meth:**      Credit - Debit Card

**Tear Sheets**                      **Proofs**                      **Affidavits**                      **PO Number:**

0                              0                              1

**Ad Number**                      **Ad Type**                      **Ad Size**                      **Color**  
0000657631-01                      CLS Liner                      2 X 43 li                      \$0.00

**Production Method**  
AdBooker (liner)

**Production Notes**

**Product and Zone**                      **Placement**                      **Position**  
CON Independent Trib                      C-Announcements                      General-Spec Notice

**Run Schedule Invoice Text:**      NOTICE OF PUBLIC HEARING Planning and Zo

**Run Dates**                      6/26/2020, 7/ 3/2020

**TagLine:** NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONME  
OLISNCWEDNESDAYJULY82020AT600PMCONDITIONALZONINGMAF



**NOTICE OF PUBLIC HEARING**  
**Planning and Zoning Commission Meeting**  
**401 Laureate Way, Kannapolis, NC**

**Wednesday July 8, 2020 at 6:00 pm**

**Conditional Zoning Map Amendment - CZ-2020-03** - Public hearing to consider a request to rezone approximately 34.8 +/- acres located at 2845 & 2975 Jim Johnson Rd from Cabarrus County Zoning Designation of CR (Countryside Residential) to City of Kannapolis RC-CZ (Residential Compact-Conditional Zoning), further identified as Cabarrus County PINs #4672-94-8282 & 4672-94-0442 to allow for a 74-unit single-family detached residential development.

**Zoning Map Amendment - Z-2020-04** - Public hearing to consider a request to rezone approximately .45 +/- acres located at 100 N. Ridge Ave. from O-I (Office-Institutional) to RV (Residential Village), further identified as Cabarrus County PIN #5613-79-1905

**IN ORDER TO COMPLY WITH FEDERAL, STATE AND LOCAL RESTRICTIONS IMPOSED IN RESPONSE TO THE COVID-19 VIRUS, SOCIAL DISTANCING PRACTICES WILL BE OBSERVED DURING THIS MEETING.**

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email at [tccline@kannapolisnc.gov](mailto:tccline@kannapolisnc.gov) as soon as possible but no later than 48 hours before the scheduled event.

**Publish: Friday June 26, 2020, Friday July 3, 2020**

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
ROBERT & IVORY BLAKLEY	2940 JIM JOHNSON RD	CONCORD	NC	28027
LUISA C BEARD				
C/O GAIL C CHU	2975 JIM JOHNSON RD	CONCORD	NC	28027
WILLIAM DWIGHT HARWELL LF EST	2755 JIM JOHNSON RD	CONCORD	NC	28027
CHARLES & JEANETTE TREXLER	3030 JIM JOHNSON RD	CONCORD	NC	28027
JOSE BAUTISTA	2864 JIM JOHNSON RD	CONCORD	NC	28027
JACK W LAIL	3001 JIM JOHNSON RD	CONCORD	NC	28025
WATERFORD ON THE ROCKY RIVER HOMEOWNERS ASSOC				
C/O BRAESAEL MGMT CO	PO BOX 3070	MATTHEWS	NC	28106
BONSWA D BANKS TRUSTEE				
AVIE D BANKS TRUSTEE	2054 TOPAZ PLZ	DAVIDSON	NC	28036
SCOTT & BRITTANY SIEGEL	2036 TOPAZ PLZ	DAVIDSON	NC	28036
JOSHUA & RHIANNON ENGLEKA	2006 LIMESTONE CT	DAVIDSON	NC	28036
STEVEN & TRACY GOODE	9894 TRAVERTINE TRL	DAVIDSON	NC	28036
DWAYNE & KELIA KEELING	9958 TRAVERTINE TRL	DAVIDSON	NC	28036
EMMANUEL & VIDA SOWAH	9942 TRAVERTINE TRL	DAVIDSON	NC	28036
PAUL OYARO	9978 TRAVERTINE TRL	DAVIDSON	NC	28036
OSCAR & DILCIA MOLINA	1718 CABARRUS CROSSING DR	HUNTERSVILLE	NC	28078
TAEHOON KOO &				
LANHEE KIM	2010 LIMESTONE CT	DAVIDSON	NC	28036
STEPHEN & CHESETTA TUCKER	2024 TOPAZ PLZ	DAVIDSON	NC	28036
MARILYN BANKS	2030 TOPAZ PLZ	DAVIDSON	NC	28036
VIRAJ MYNEEDU &				
NAGA NARRA	9984 TRAVERTINE TRL	DAVIDSON	NC	28036
RYAN & MARINA HAEBERLE	2048 TOPAZ PLZ	DAVIDSON	NC	28036
ULRICH & EULOGIA BABSAA	9972 TRAVERTINE TRL	DAVIDSON	NC	28036
MATTHEW & BRIENNE WYLLIE	9966 TRAVERTINE TRL	DAVIDSON	NC	28036
KEVIN & SHANNON SHANUS	2733 JIM JOHNSON RD	CONCORD	NC	28027
JERMAINE & LASHREEE FULLER	9908 TRAVERTINE TRL	DAVIDSON	NC	28036
ALEXANDR & VERONIKA GALITSKIY	9890 TRAVERTINE TRL	DAVIDSON	NC	28036
SIRISHA TUMMALAPENTA	2002 LIMESTONE CT	DAVIDSON	NC	28036
THOMAS & LINDA ROBERTS	2042 TOPAZ PLZ	DAVIDSON	NC	28036
CEBERUS SFR HOLDINGS LP	1850 PARKWAY PL SE STE 900	MARIETTA	GA	30067
DANIEL & KIMBERLY CROWE	2811 JIM JOHNSON ROAD	CONCORD	NC	28027
ADITYA VINNAKOTA &				
GEETHALAKSHMI GUDDANTI	2078 TOPAZ PLZ	DAVIDSON	NC	28036
JAMES SR & KATHERINE WILLIAMS	9930 TRAVERTINE TRL	DAVIDSON	NC	28036
DAVID ZEHNACKER	9900 TRAVERTINE TRL	DAVIDSON	NC	28036
NOEL & ROSE HITE	2060 TOPAZ PLZ	DAVIDSON	NC	28036
STEPHEN R ATKINS	2009 LIMESTONE CT	DAVIDSON	NC	28036
THOMAS JR & KIESHA PRIDE	2072 TOPAZ PLZ	DAVIDSON	NC	28036
KIRSCHAN & DAWN BLYDEN	2066 TOPAZ PLZ	DAVIDSON	NC	28036
ANDREW & LYNDISI GREENE	9904 TRAVERTINE TRL	DAVIDSON	NC	28036
WAYNE JANICK	9927 TRAVERTINE TRL	DAVIDSON	NC	28036
PULTE HOME COMPANY, LLC	11121 CARMEL COMMONS BLVD			
ATTN: FRED MATRULLI	STE 450	CHARLOTTE	NC	28226



KANNAPOLIS  
Planning

June 25, 2020

Dear Property Owner:

**Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Wednesday, July 8, 2020 at 6:00 PM, for the following case:**

**CZ-2020-03 – Conditional Zoning Map Amendment – 2845 & 2975 Jim Johnson Rd.**

The purpose of the Public Hearing is to consider a request by Pulte Home Company, LLC to rezone property located at 2845 & 2975 Jim Johnson Rd. from Cabarrus County CR (Countryside Residential) to RC-CZ (Residential Compact-Conditional Zoning) to allow for a 74-unit single-family detached residential development. The subject properties are approximately 34.8 +/- combined acres in size and further identified as Cabarrus County Parcel Identification Number(s) 4672-94-8282 & 4672-94-0442 (see reverse side of this letter for a map showing the location of this property).

You are being notified because you are an abutting property owner.

**NOTE: IN ORDER TO COMPLY WITH FEDERAL, STATE AND LOCAL RESTRICTIONS IMPOSED IN RESPONSE TO THE COVID-19 VIRUS, SOCIAL DISTANCING PRACTICES WILL BE OBSERVED DURING THIS MEETING.**

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  
Assistant Planning Director

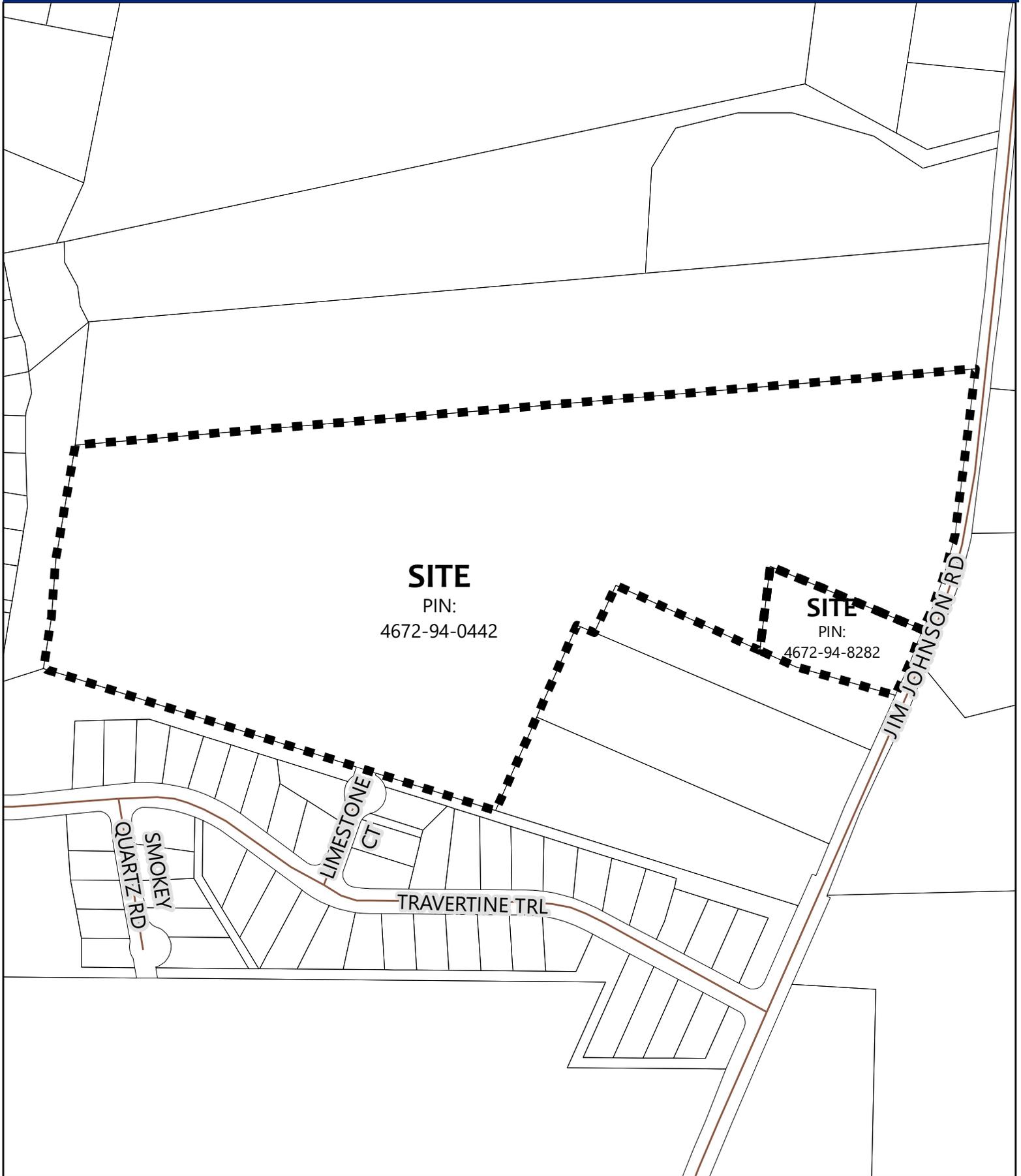
Enclosure

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email at [tccline@kannapolisnc.gov](mailto:tccline@kannapolisnc.gov) as soon as possible but no later than 48 hours before the scheduled event.



# Conditional Rezoning

Case Number: CZ-2020-03  
Applicant: Pulte Home Company, LLC  
2975 Jim Johnson Rd





**PLANNING**

**ZONING**

**COMMISSION**

**PUBLIC HEARING**

**INFORMATION**

**CALL 704-920-4350**

**CASE # CZ - 2020 - 03**



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
WITH REGARD TO CASE # CZ-2020-03**

**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 July 8, 2020 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone property located at 2845 & 2975 Jim Johnson Road, (Cabarrus County Parcel Identification Number(s) 4672-94-8282 & 4672-94-0442) owned by Luisa Beard, from City of Kannapolis Rural Estate (RE) Zoning Designation to City of Kannapolis General Commercial-Conditional Zoning (C-2-CZ) Zoning Designation;

**NOW, THEREFORE BE IT RESOLVED** *that the Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being located in a “Complete Neighborhood 2” Character Area, which allows for single-family detached development. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide residential development that is appropriate for the area. The proposed use is compatible with the surrounding zoning, yet not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Finally, there is adequate access or ability to extend to public facilities.*

**Adopted this the 8<sup>th</sup> day of July 2020:**

---

David Steele, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



## **RESOLUTION TO ZONE**

**Case #CZ-2020-03 (2845 & 2975 Jim Johnson Rd.)**

### **Cabarrus County Countryside Residential (CR) Zoning District to City of Kannapolis General Commercial-Conditional Zoning (C-2-CZ) Zoning 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 3.3.4.2.2 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 July 8, 2020 for consideration of rezoning petition Case #CZ-2020-03 as submitted to the City of Kannapolis Planning Department; and

**WHEREAS**, the request was to rezone property located at 2845 & 2975 Jim Johnson Road, (Cabarrus County Parcel Identification Number(s) 4672-94-8282 & 4672-94-0442) owned by Luisa Beard, from Cabarrus County Countryside Residential (CR) Zoning Designation to City of Kannapolis General Commercial-Conditional Zoning (C-2-CZ) Zoning Designation; and

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

**WHEREAS**, per Section 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 subject tract is approximately 34.8 +/- combined 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 a "Complete Neighborhood 2" Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Complete Neighborhood 2 Character Area includes single-family attached and detached, multi-family, as well as civic and small format retail as primary uses along with small-format office and live-work development as secondary uses. In addition, the 2030 Plan calls for residential densities of between 4 and 18 dwelling units/acre in a "Complete Neighborhood 2" Character Area, while the proposed density for this development is just over 2 units/acre. The proposed single-family detached residential development is therefore in conformance with the goals and policies of the 2030 Plan.

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

The property is located on the west side of Jim Johnson Road, north of Travertine Trail. It abuts the Waterford subdivision along a portion of the southern property line, which is in the City limits. The Waterford subdivision is zoned RM-2 (Residential Medium Density). Property to the north, south and east is zoned CR (Countryside Residential) and is within unincorporated Cabarrus County. The proposed single-family detached residential development is compatible with the adjacent residential subdivision to the south as well as with the Castlebrooke Subdivision (also within City limits) approximately ¼ mile north of the subject development. Castlebrooke subdivision is zoned RV (Residential Village). Therefore, the proposed rezoning is considered compatible with the surrounding area.

It is important to note that the subject development is surrounded largely by unincorporated Cabarrus County. The unincorporated area is part of the Kannapolis Growth Area (as designated by the annexation agreement between the City of Concord and Kannapolis) and may be annexed into the City in the future

**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 Jim Johnson Road, which is an NCDOT road. The project did not require a traffic impact analysis per NCDOT's or the City's requirements, however improvements to Jim Johnson will be necessary, including turn lanes and appropriate tapers. Access to the site will need to be approved by NCDOT and the City.

**5. Will there be parking problems?**

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

**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?**

Along the western portion of the site, running north/south, there is flood plain which measure approximately 100 feet from the western property line into the site. The preliminary plan submitted with this rezoning preserves the floodplain and does not show any development within that area. The plan also shows a stream running east/west within the site, for which the appropriate stream buffers have been provided. Most important, the development will be required to conform to all applicable local, state, and federal environmental regulations.

**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 residential character of the area has remained stable. However, as mentioned previously, it is located within the City's growth area and may be annexed and developed in the future under City zoning.

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

There are adequate public facilities available to the property or within proximity, which will be extended to serve the development.

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

The property is located on the west side of Jim Johnson Road, north of Travertine Trail. It abuts the Waterford subdivision along a portion of the southern property line, which is in the City limits. The Waterford subdivision is zoned RM-2 (Residential Medium Density). Property to the north, south and east is zoned CR (Countryside Residential) and is within unincorporated Cabarrus County. The proposed single-family detached residential development is compatible with the adjacent residential subdivision to the south as well as with the Castlebrooke Subdivision (also within City limits), located approximately ¼ mile north of the subject development. Castlebrooke is zoned RV (Residential Village).

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

The property is currently zoned CR (Countryside Residential - Cabarrus County zoning district). State law requires that the City assigns a zoning designation within 60 days of the date of annexation, otherwise the parcel remains “unzoned”. As previously noted, the City Council annexed the subject property into the City limits on June 22, 2020.

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

The proposed residential use is compatible with the adjacent residential neighborhood.

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

The subject property has been vacant for an undetermined amount of time.

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

Jim Johnson Road is predominately a residential corridor. There are vacant parcels as well as underutilized parcels along Jim Johnson Road sufficient to accommodate future development and community needs.

**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 C-2-CZ – General Commercial-Conditional Zoning District, subject to the following conditions:

1. The permitted uses allowed by this rezoning shall only include 74 single-family detached units as generally depicted on the site plan submitted with this rezoning.
2. A Site Plan, in compliance with all applicable City standards, shall be submitted and approved by City Staff prior to issuance of a Zoning Clearance Permit.
3. Driveway location off Jim Johnson Road shall be approved by the City in conjunction with NCDOT.
4. Driveways and parking lots shall comply with all Fire Codes and Autoturn (a traffic engineering program which specifies the required turning radii for vehicles including delivery trucks and emergency vehicles) shall be run for an SU-30 and Bus-45 (similar

to a ladder truck).

5. 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 storm control measures.
6. The project developer shall be responsible for extension of all water and sewer infrastructure needed to serve the project.
7. Hydrants and fire protection shall comply with UDO Appendix C.3 and Fire Codes.

**Adopted this the 8<sup>th</sup> day of July 2020:**

---

David Steele, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



**Planning and Zoning Commission  
July 8, 2020 Meeting**

**Staff Report**

**DATE:** July 1, 2020  
**TO:** Planning & Zoning Commission  
**FROM:** Ryan Lipp, Senior Planner  
**SUBJECT:** **Case #Z-2020-04: 100 N Ridge Ave.  
Zoning Map Amendment  
Applicant: Edward Wright**

Request to rezone approximately .45 +/- acres located at 100 N. Ridge Ave. from O-I (Office-Institutional) to RV (Residential Village).

**A. Actions Requested by Planning and Zoning Commission**

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

**B. Decision and Required Votes to Pass Requested Actions**

Section 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, Edward Wright is proposing to rezone the subject property, further identified as Cabarrus County PIN# 5613-79-1905. This is a map amendment request without any conditions as the intent is to rezone the property from O-I (Office-Institutional) to RV (Residential Village). If rezoned, any of the permitted uses in the RV zoning district would be allowed on the property.

**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 area is approximately .45 +/- 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 within the “Urban Residential” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Urban Residential Character Area calls for primary uses of single-family detached/attached residential, along with civic uses. The RV zoning district proposed with this rezoning would allow for the residential and other uses designated in the Urban Residential character area and the density of the lot mirrors what is described for this character area.
- 3. Is the proposed rezoning compatible with the surrounding area?**  
The surrounding area consists of predominantly single-family detached residences. The proposed RV designation is primarily a single-family zoning designation and is therefore compatible with the surrounding area.
- 4. Will there be adverse effects on the capacity or safety of the portion of street network influenced by the rezoning?**  
There is no anticipated adverse impact on the street network as a result of this rezoning.
- 5. Will there be parking problems?**  
No parking problems are anticipated. At the time of permitting, any proposed development is required to comply with all applicable parking standards of the UDO.
- 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, or excessive lighting issues associated with the rezoning request.
- 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 surrounding area is anticipated to experience development in the near future due to its proximity to the adjacent downtown development.
- 8. Is there compliance with the adequate public facilities criteria?**  
Utility improvements or connections will be reviewed during permitting and will be the responsibility of the developer.
- 9. What are the zoning districts and existing land uses of the surrounding properties?**  
Properties to the north and south are zoned RV. Properties to the east are zoned RV. Properties across Ridge Ave to the west are zoned CC (Center City) and RV.

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

The subject parcel is zoned OI. The area is primarily single family residential. Given the size and location, the property is most suitable for single family use.

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

The RV zoning is compatible with the existing single family uses in the surrounding area.

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

The property is currently being utilized as a single-family dwelling.

**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 a wide variety of 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 zoning map **consistent** with the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which places the subject property in the “Urban Residential” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The RV zoning district proposed with this rezoning is consistent with the residential primary uses of the Urban Residential Character Area. 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, there is access to adequate 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 of Zoning Map Amendment Case #Z-2020-04**

**Alternative Courses of Action**

**Motion to Approve (2 votes)**

- 1. Should the Commission choose to approve the request for rezoning as presented in Case #Z-2020-04, a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this zoning map **consistent** with the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, which places the subject property in the “Urban Residential” Character Area as designated in the **Move Kannapolis Forward 2030 Comprehensive Plan**. The RV zoning district proposed with this rezoning is consistent with the residential primary uses of the Urban Residential Character Area. 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, there is access to adequate public facilities.*

2. **Should the Commission choose to approve Case #Z-2020-04, a motion should be made to adopt the Resolution to Zone.**

**Motion to Deny (2 votes)**

1. **Should the Commission choose to recommend denial of Case #Z-2020-04 a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #Z-2020-04 to be inconsistent with the goals and policies of the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #Z-2020-04 a motion should be made to deny the Resolution to Zone.**

**I. Attachments**

1. Rezoning Application
2. Vicinity Map
3. Zoning Map
4. Future Land Use Map
5. Notice of Public Hearing
6. List of Properties Notified
7. Letter to Adjacent Property Owners
8. Posted Public Notice Sign
9. Resolution to Adopt a Statement of Consistency
10. Resolution to Zone

**J. Issue Reviewed By:**

- City Manager
- City Attorney
- Planning Director

# KANNAPOLIS

## 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	<input checked="" type="checkbox"/>
Appeal	_____	Conditional Zoning Map Amendment	_____

Applicant: Edward Wright Owner: Edward Wright  
Address: 100 N. Ridge Ave. Address: 100 N. Ridge Ave.  
Kannapolis, NC, 28083 Kannapolis, NC 28083  
Telephone: 305-525-2541 Telephone: 305-525-2541  
Email: Wrightdesign75@gmail.com Email: wrightdesign75@gmail.com

Legal relationship of applicant to property owner: same

Property Location/Address: 100 N. Ridge Ave. Kannapolis, NC 28083

Tax Parcel Number: \_\_\_\_\_ Zoning District: \_\_\_\_\_ Acreage of Site: \_\_\_\_\_

Requesting Zoning (if applicable): \_\_\_\_\_

Edward Wright  
Applicant Name (Print)

Edward Wright  
Property Owner Name (Print)

[Signature] 05/27/20  
Applicant Signature & Date

[Signature] 05/27/20  
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(s), and one (1) copy of any required site plan for staff review **must** be submitted by the deadline. All fees are nonrefundable and help to cover administrative and notification costs.*

### For Staff Use Only:

Filing Fee: \$825.-  
Application No.: 2-2020-04

Receipt # M- (\$525.00)\*  
Date Submitted (Complete): 6/9/2020

*Need \$300. Ad.*

KANNAPOLIS

APPLICATION FOR AMENDMENT TO THE KANNAPOLIS ZONING MAP

Property Address: 100 N Ridge Ave. Kannapolis, NC 28083

Property Identification Number(s): (attach separate list if necessary)

Present zoning classification: OI Requested zoning classification: RV

Number of parcels: 1 Approximate size of parcels: 4922

Are public utilities available?

Reason for map amendment: It is a residential home where my family lives and would like the correct zoning of residential to be shown.

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

Edward Wright Applicant Name (Print)

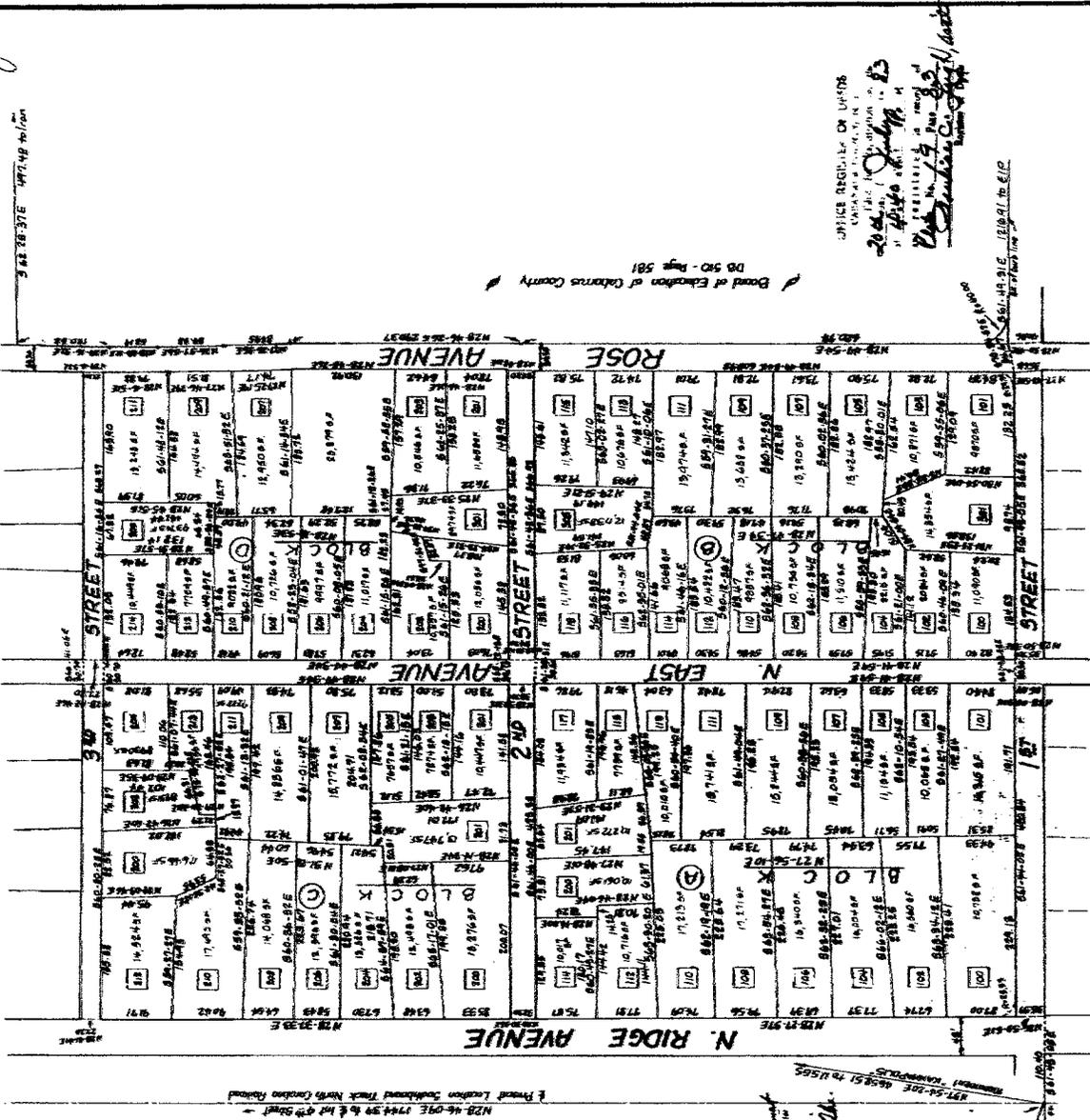
Edward Wright Property Owner Name (Print)

Applicant Signature & Date 05/27/20

Property Owner Signature & Date 05/27/20

Required as part of Zoning Map Amendment Submittal:

Fee: Please refer to fee schedule on the City's website to determine applicable fees. Fees are nonrefundable and help to cover administrative and notification costs.



**KANNAPOLIS SUBDIVISION**  
**N.E. SECTION I (Map of 2)**  
 Property of Cannon Holding Corporation

Township # 4  
 Scale 1" = 100'

Richard S. Nery NCPLS L-1996  
 Rt 5 Box 100H  
 Huntersville, N.C. 28018

Dec. 6, 1982

REVISIONS	
1	Added name of applicant
2	Added name of subdivision
3	Added name of subdivision
4	Added name of subdivision

No changes of all lot numbers unless noted otherwise.  
 P.K. (note of street intersection lines)  
 Street intersections subject to a radius unless noted otherwise. However, driveways shown are to be intersection of street lines.  
 Lot lines shown on this map indicate existing lines. Numbers in each block street lines shown are lot numbers.  
 X indicates party filing in accordance with an approved deed.  
 Bearings referred to in this map are as shown on an approved deed.  
 Central meridian USGS 4. Station "KANNAPOLIS" is 1,619,609.41  
 Y = 649,604.26

VICINITY MAP

1" = 500'

11941 Northville, Map 1 (Map) are the corner of the property shown and described herein, and that (1) said boundary line shall be established by a survey which shall show the minimum building setback distance, all streets, alleys, paths, utility lines and private use easements, and that the said survey shall be filed with the subdivision jurisdiction of Cabarrus County.

1-10-83  
 Date

*[Signature]*  
 Assistant Surveyor

STATE OF NORTH CAROLINA  
 DEPARTMENT OF TRANSPORTATION  
 DIVISION OF HIGHWAYS

CONSTRUCTION

APPROVED *[Signature]*  
 DATE: Feb. 10, 1983

By *[Signature]*  
 12-2-83  
 State Highway Engineer

My commission expires January 23, 1985

*[Signature]*  
 Chairman, Planning Board

The Cabarrus County Planning Board hereby approves this final plat for this subdivision.

4-20-83  
 Date

The Cabarrus County Board of County Commissioners approves this final plat provided this plat is recorded with the Register of Deeds within (40) days of approval.

7-26-83  
 Date

*[Signature]*  
 Chairman, Board of County Commissioners

JUSTICE REGISTRY OF UPDATES  
 20th Floor  
 1100 North Tryon St.  
 Charlotte, N.C. 28202

20th Floor  
 1100 North Tryon St.  
 Charlotte, N.C. 28202

CABARRUS COUNTY, NC

5/27/2020 7:02:31 PM

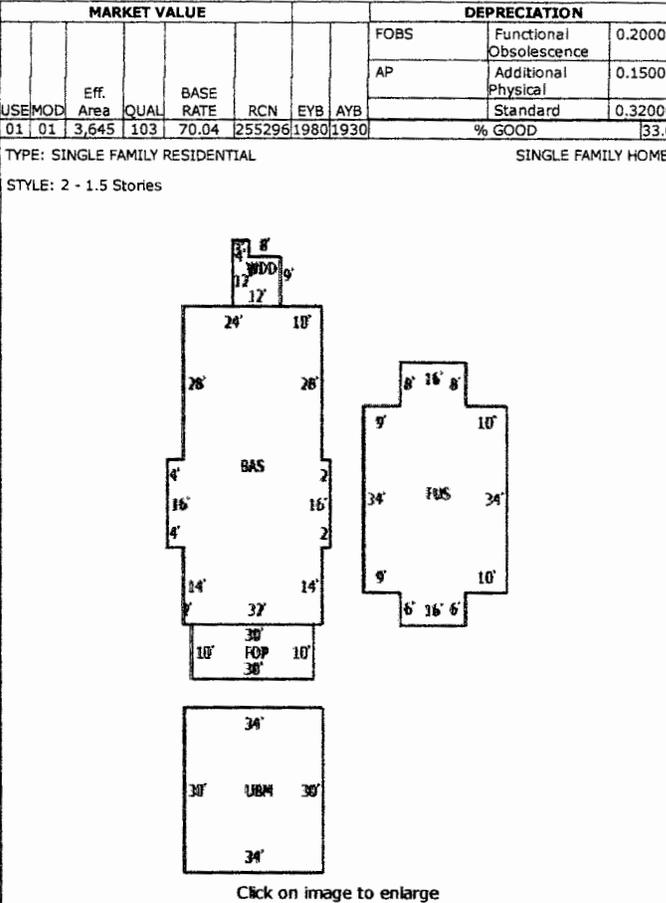
WRIGHT EDWARD PEREZ-WRIGHT ROSALYN M WF  
100 N RIDGE AVE NC  
98481

Return/Appeal Notes: Parcel: 5613 79 1905 0000  
PLAT: 19/83  
ID NO: 04 020 0028.10 0000

Reval Year: 2012 Tax Year: 2015 COUNTY TAX (100), KANNAPOLIS CITY TAX (100)  
Appraised by 12 on 02/26/2015 50006 NCRC/KANNAPOLIS DOWNTOWN

CARD NO. 1 of 1  
1.0000 LT  
TW-04 CI-04 FR-00 SRC= Estimated EX- AT- LAST ACTION 20150511

CONSTRUCTION DETAIL		MARKET VALUE		DEPRECIATION		CORRELATION OF VALUE		
Foundation - 3				FOBS	Functional Obsolescence	0.20000		
Continuous Footing	5.00			AP	Additional Physical	0.15000		
Sub Floor System - 5					Standard	0.32000		
Wood	9.00							
Exterior Walls - 10		USE	MOD	Area	QUAL	BASE RATE	RCN	
Aluminum/Vinyl Siding	30.00	01	01	3,645	103	70.04	255296	
Roofing Structure - 06							1980	
Irregular/Cathedral	13.00						1930	
Roofing Cover - 03		TYPE: SINGLE FAMILY RESIDENTIAL						
Asphalt or Composition Shingle	3.00	STYLE: 2 - 1.5 Stories						
Interior Wall Construction - 5		SINGLE FAMILY HOME						
Drywall/Sheetrock	20.00							
Interior Floor Cover - 08								
Sheet Vinyl	10.00							
Interior Floor Cover - 12								
Hardwood	0.00							
Heating Fuel - 03								
Gas	1.00							
Heating Type - 04								
Forced Air - Ducted	4.00							
Air Conditioning Type - 03								
Central	4.00							
Bedrooms/Bathrooms/Half-Bathrooms								
6/2/0	19.000							
Bedrooms								
BAS - 2 FUS - 4 LL - 0								
Bathrooms								
BAS - 1 FUS - 1 LL - 0								
Half-Bathrooms								
BAS - 0 FUS - 0 LL - 0								
Office								
BAS - 0 FUS - 0 LL - 0	0							
<b>TOTAL POINT VALUE</b>	<b>118.000</b>							
<b>BUILDING ADJUSTMENTS</b>								
Quality	3	Average	1.0000					
Shape/Design	3	MF3	1.0000					
Size	Size	Size	0.8700					
<b>TOTAL ADJUSTMENT FACTOR</b>	<b>0.870</b>							
<b>TOTAL QUALITY INDEX</b>	<b>103</b>							



DEPR. BUILDING VALUE - CARD		CORRELATION OF VALUE	
DEPR. OB/XF VALUE - CARD	3,720	DEPR. TO	MARKET
MARKET LAND VALUE - CARD	120,580		
TOTAL MARKET VALUE - CARD	208,550		
TOTAL APPRAISED VALUE - CARD	208,550		
TOTAL APPRAISED VALUE - PARCEL	208,550		
TOTAL PRESENT USE VALUE - PARCEL	0		
TOTAL VALUE DEFERRED - PARCEL	0		
TOTAL TAXABLE VALUE - PARCEL \$	208,550		
<b>PRIOR</b>			
BUILDING VALUE	144,520		
OBXF VALUE	3,720		
LAND VALUE	120,580		
PRESENT USE VALUE	0		
DEFERRED VALUE	0		
TOTAL VALUE	268,820		
<b>PERMIT</b>			
CODE	DATE	NOTE	NUMBER
ROUT: WTRSHD:			
<b>SALES DATA</b>			
OFF. RECORD	DATE	DEED	INDICATE
BOOK/PAGE	MO/YR	TYPE Q/U/V/E	SALES PRICE
123210023	1 2017	QC E I	0
112280075	12 2014	GW U I	155000
006080291	3 1986	WD U I	42000
HEATED AREA 3,482			
<b>NOTES</b>			
ADDED SIDING 1993			

SUBAREA		GS	AREA	%	RPL CS	CODE	DESCRIPTION	COUNT	LT	HT	TH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	SIZE FACT	AYB	EYB	ANN DEP RATE	OVR	% COND	OB/XF DEPR. VALUE	
BAS		2,068	100	144843	09D	STORAGE BRV	10	20	200			26.00	100	1	1.25	1970	1985	S3		30		1950	
FOP		300	035	7354	03L	CARPOT ML	20	10	200			2.00	100	1	0.88	1980	1998	S5		50		880	
FUS		1,414	088	87130	05K	FEN WD.PK	0	0	250			3.25	100	1	1.25	1985	1985	S5		30		244	
UBM		1,020	020	14288								8.60	100	1	1.00	1985	1994	S5		30		645	
WDD		120	020	1681																		3,719	
<b>TOTAL OB/XF VALUE</b>																							
FIREPLACE		1	-	None																			0
<b>TOTALS</b>		4,922		255,296																			

**BUILDING DIMENSIONS** BAS=528W4516E4S14E2E32N14E2N16W2N28W10W24Area:2068;FOP=S10E30N10W30Area:300; FUS=W16N6W9N34E9N8E16S8E10S34W10S6Area:1414; WDD=N9W8N3W4S12E12Area:120;UBM=S30E34N30W34Area:1020;TotalArea:4922

HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRON TAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES	ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJUST	ADJUSTED UNIT PRICE	LAND VALUE	VERRIDE VALUE	LAND NOTES
OFFICE	0400	O1	87	229	1.1000	2	0.9000	LOC	PS	1,400.00	87.000	FF	0.990	1,386.00	120582	0	
<b>TOTAL MARKET LAND DATA</b>																	120,580
<b>TOTAL PRESENT USE DATA</b>																	

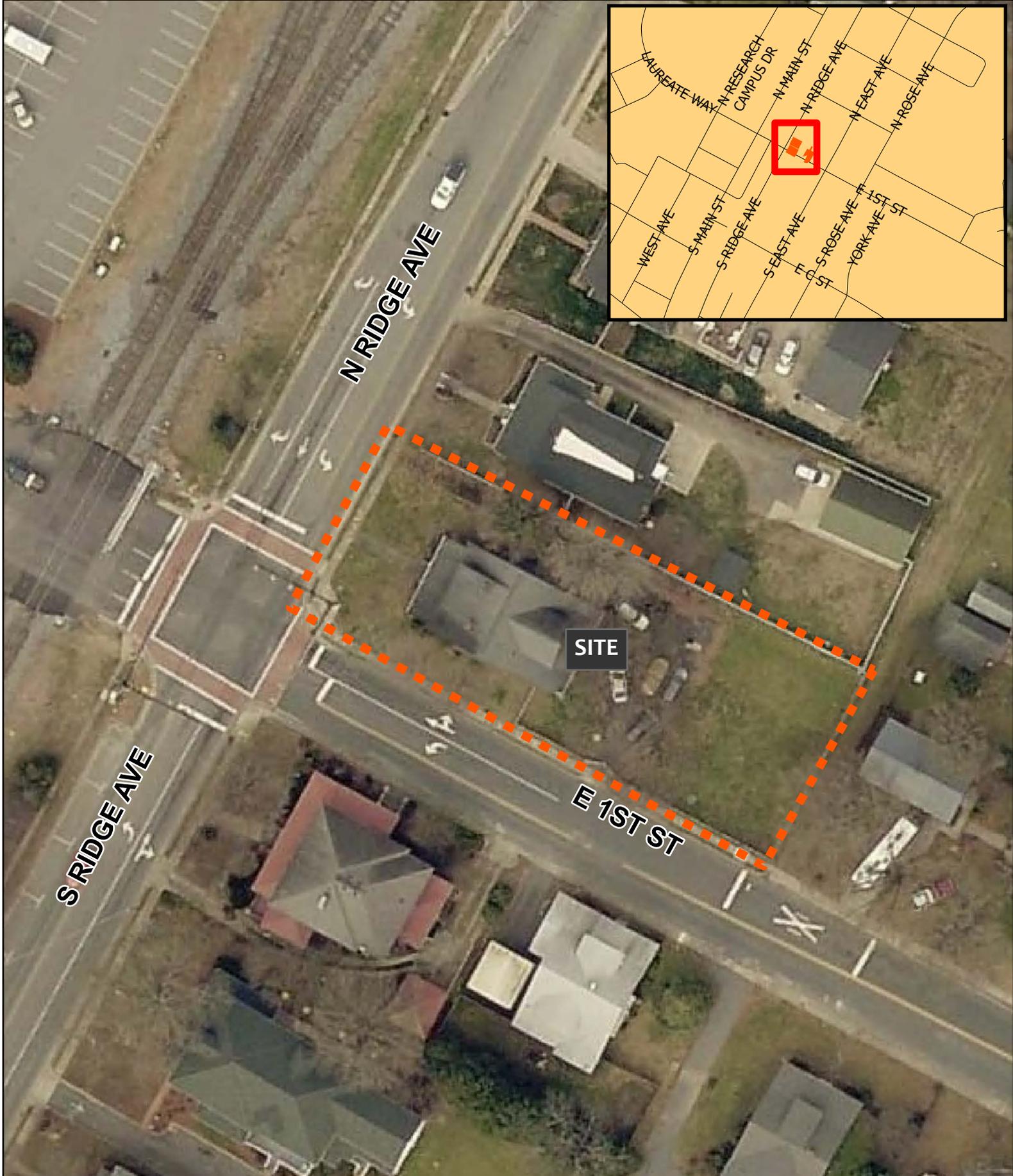


# Vicinity Map

Case Number: Z-2020-04

Applicant: Edward Wright

100 N Ridge Ave



N RIDGE AVE

S RIDGE AVE

SITE

E 1ST ST



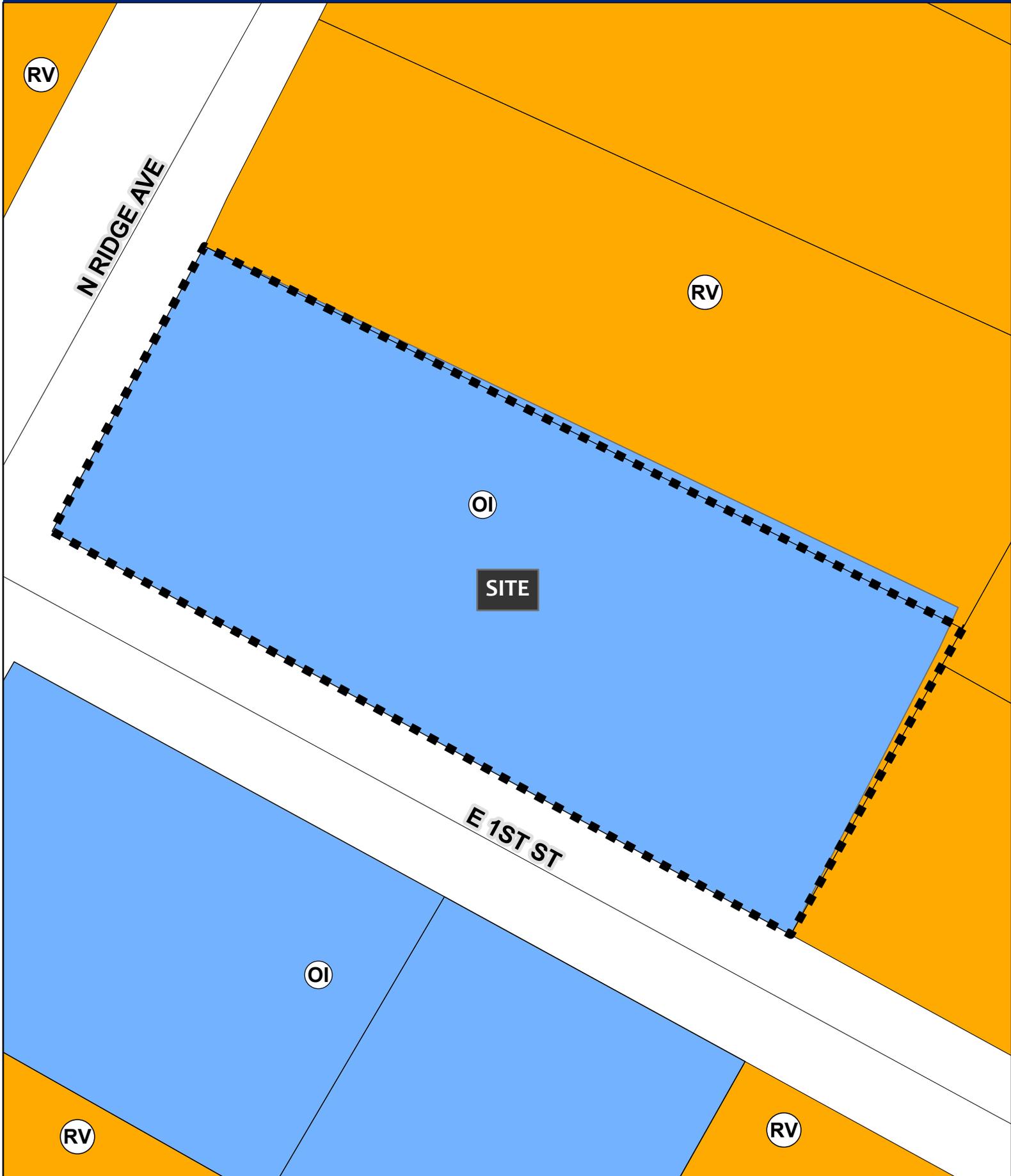


# Kannapolis Current Zoning

Case Number: Z-2020-04

Applicant: Edward Wright

100 N Ridge Ave





# Kannapolis 2030 Future Land Use Map

Case Number: Z-2020-04

Applicant: Edward Wright

100 N Ridge Ave





PO Box 27283  
Richmond, VA 23261-7283

# Order Confirmation

Order# 0000657631

**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**                      \$546.56

**Payment Amount**                      \$546.56

**Amount Due**                              \$0.00

**Tax Amount:**                              0.00

**Payment Meth:**      Credit - Debit Card

**Tear Sheets**                      **Proofs**                      **Affidavits**                      **PO Number:**

0                                      0                                      1

**Ad Number**                      **Ad Type**                      **Ad Size**                      **Color**  
0000657631-01                      CLS Liner                      2 X 43 li                      \$0.00

**Production Method**  
AdBooker (liner)

**Production Notes**

**Product and Zone**                      **Placement**                      **Position**  
CON Independent Trib                      C-Announcements                      General-Spec Notice

**Run Schedule Invoice Text:**      NOTICE OF PUBLIC HEARING Planning and Zo

**Run Dates**                      6/26/2020, 7/ 3/2020

**TagLine:** NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONME  
OLISNCWEDNESDAYJULY82020AT600PMCONDITIONALZONINGMAF



**NOTICE OF PUBLIC HEARING**  
**Planning and Zoning Commission Meeting**  
**401 Laureate Way, Kannapolis, NC**

**Wednesday July 8, 2020 at 6:00 pm**

**Conditional Zoning Map Amendment - CZ-2020-03** - Public hearing to consider a request to rezone approximately 34.8 +/- acres located at 2845 & 2975 Jim Johnson Rd from Cabarrus County Zoning Designation of CR (Countryside Residential) to City of Kannapolis RC-CZ (Residential Compact-Conditional Zoning), further identified as Cabarrus County PINs #4672-94-8282 & 4672-94-0442 to allow for a 74-unit single-family detached residential development.

**Zoning Map Amendment - Z-2020-04** - Public hearing to consider a request to rezone approximately .45 +/- acres located at 100 N. Ridge Ave. from O-I (Office-Institutional) to RV (Residential Village), further identified as Cabarrus County PIN #5613-79-1905

**IN ORDER TO COMPLY WITH FEDERAL, STATE AND LOCAL RESTRICTIONS IMPOSED IN RESPONSE TO THE COVID-19 VIRUS, SOCIAL DISTANCING PRACTICES WILL BE OBSERVED DURING THIS MEETING.**

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email at [tccline@kannapolisnc.gov](mailto:tccline@kannapolisnc.gov) as soon as possible but no later than 48 hours before the scheduled event.

**Publish: Friday June 26, 2020, Friday July 3, 2020**

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
STEPHANIE TROUTMAN	104 SOUTH EAST AVENUE	KANNAPOLIS	NC	28081
EDWARD & ROSLYN WRIGHT	100 N RIDGE AVE	KANNAPOLIS	NC	28083
DEBBI ROWELL	204 E 1ST ST	KANNAPOLIS	NC	28083
PENSCO TRUST COMPANY				
CUSTD FBO TONY L ABERNATHY IRA	426 31ST ST	SUNSET BEACH	NC	28468
ATLANTIC AMERICAN PROPERTIES INC.	226 OAK AVE	KANNAPOLIS	NC	28081
MYRTLE KETCHIE ROBERTS LF EST	102 N RIDGE AVE	KANNAPOLIS	NC	28083
MARK & JANET HILL	101 N EAST AVE	KANNAPOLIS	NC	28083
ROBERT PENINGER & CYNTHIA SPRY	104 N RIDGE AVE	KANNAPOLIS	NC	28083
BARRY & LISA HEDRICK	200 E 1ST ST	KANNAPOLIS	NC	28083
J SCOTT PROPERTIES LLC/A LLC	PO BOX 1009	KANNAPOLIS	NC	28082
BARRY & LISA HEDRICK	200 E 1ST ST	KANNAPOLIS	NC	28083
MAXINE CARTER & DEBORAH CARTER	105 N EAST AVE	KANNAPOLIS	NC	28083
WARREN BELK				
C/O LARRY BELK	207 N EAST AVE	KANNAPOLIS	NC	28083
MALLORY & CHARLOTTE PENLAND	106 N RIDGE AVE	KANNAPOLIS	NC	28081
PAMELA PURVIS	1010 LAUREN GLEN DR	CHINA GROVE	NC	28023
JOHN GENTLE	109 N EAST AVE	KANNAPOLIS	NC	28083
ATLANTIC AMERICAN PROPERTIES	226 OAK AVE	KANNAPOLIS	NC	28081
NORTH CAROLINA RAILROAD CO	2809 HIGHWOODS BLVD STE 100	RALEIGH	NC	27604



KANNAPOLIS  
Planning

June 25, 2020

Dear Property Owner:

**Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Wednesday, June 8, 2020 at 6:00 PM, for the following case:**

**Z-2020-04 – Conditional Zoning Map Amendment – 100 N. Ridge Ave.**

The purpose of the Public Hearing is to consider a request by Ed to rezone property Edward Wright at 100 N. Ridge Ave. from O-I (Office-Institution) to RV (Residential Village). The subject property is approximately .45 +/- acres and further identified as Cabarrus County Parcel Identification Number(s) 5613-79-1905 (see reverse side of this letter for a map showing the location of this property).

You are being notified because you are an abutting property owner.

**NOTE: IN ORDER TO COMPLY WITH FEDERAL, STATE AND LOCAL RESTRICTIONS IMPOSED IN RESPONSE TO THE COVID-19 VIRUS, SOCIAL DISTANCING PRACTICES WILL BE OBSERVED DURING THIS MEETING.**

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

Sincerely,



Ryan Lipp  
Senior Planner

Enclosure

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email at [tccline@kannapolisnc.gov](mailto:tccline@kannapolisnc.gov) as soon as possible but no later than 48 hours before the scheduled event.

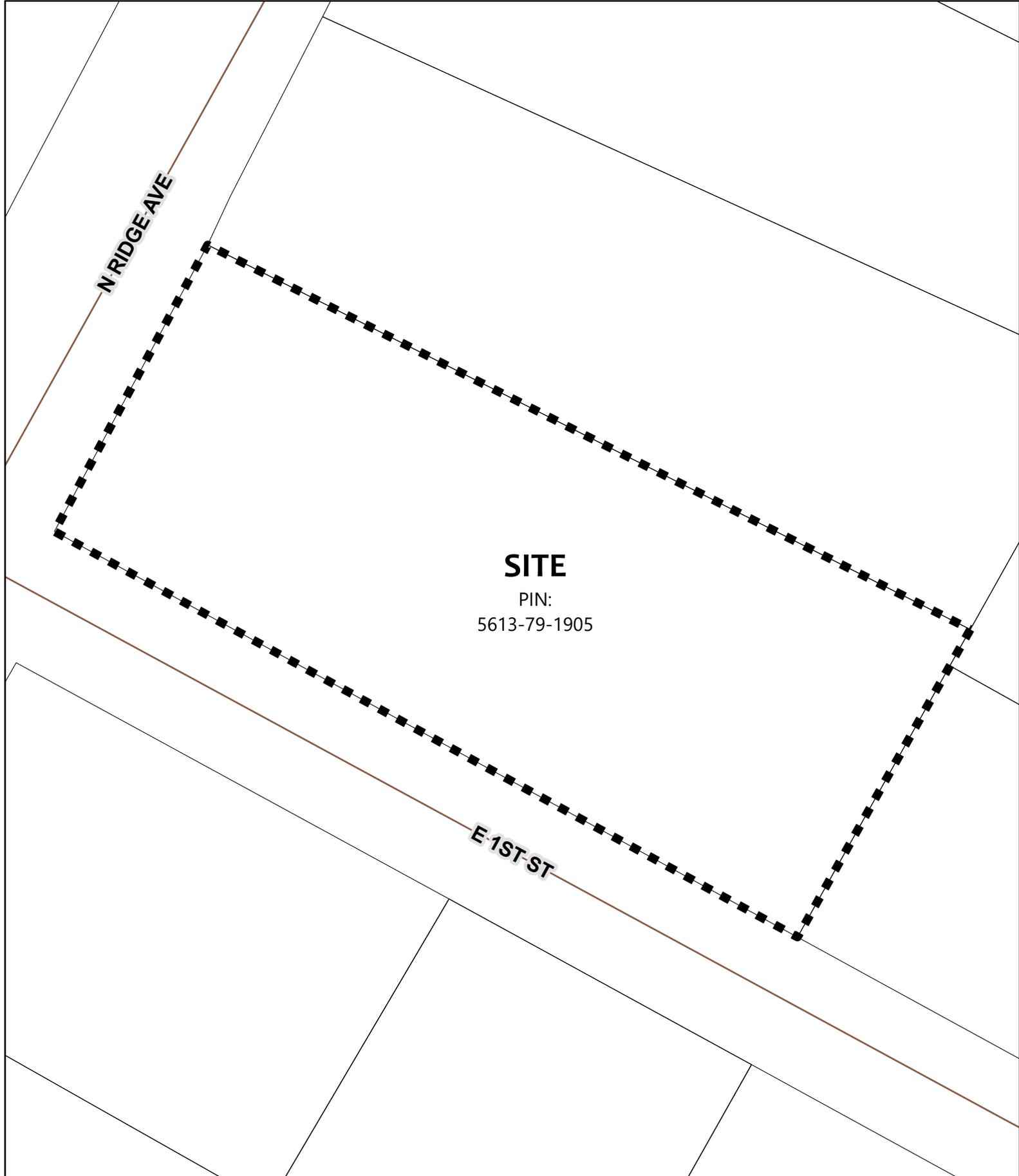


# Zoning Map Amendment

Case Number: Z-2020-04

Applicant: Edward Wright

100 N Ridge Ave







**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
WITH REGARD TO CASE #Z-2020-04**

**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 July 8, 2020 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone a property located at 100 N. Ridge Ave. (Cabarrus County Parcel Identification Number 5613-79-1905) owned by Edward & Roslyn Wright, from City of Kannapolis Office-Institutional (O-I) Zoning Designation to a City of Kannapolis Residential Village (RV) Designation.

**NOW, THEREFORE BE IT RESOLVED** *that the Planning and Zoning Commission finds this zoning map consistent with the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which places the subject property in the “Urban Residential” Character Area as designated in the Move Kannapolis Forward 2030 Comprehensive Plan. The RV zoning district proposed with this rezoning is consistent with the residential primary uses of the Urban Residential Character Area. 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, there is access to adequate public facilities.*

**Adopted this the 8<sup>th</sup> day of July 2020:**

\_\_\_\_\_  
David Steele, Chairman  
Planning and Zoning Commission

**Attest:**

\_\_\_\_\_  
Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



**RESOLUTION TO ZONE**  
**Case #Z-2020-04 (100 N. Ridge Ave.)**

**City of Kannapolis Office-Institutional (O-I) Zoning District to  
City of Kannapolis Residential Village (RV) Zoning 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 3.3.4.2.2 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 July 8, 2020 for consideration of rezoning petition Case #Z-2020-04 as submitted to the City of Kannapolis Planning Department; and

**WHEREAS**, the request was to rezone property located at 100 N. Ridge Ave., (Cabarrus County Parcel Identification Number 5613-79-1905) owned by Edward & Roslyn Wright, from City of Kannapolis Office-Institutional (O-I) Zoning Designation to a City of Kannapolis Residential Village (RV) Zoning Designation; and

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

**WHEREAS**, per Section 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 subject area is approximately .45 +/- 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 within the "Urban Residential" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Urban Residential Character Area calls for primary uses of single-family detached/attached residential, along with civic uses. The RV zoning district proposed with this rezoning would allow for the residential and other uses designated in the Urban Residential character area and the density of the lot mirrors what is described for this character area.

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

The surrounding area consists of predominantly single-family detached residence. The proposed RV designation is primarily a single-family zoning designation and is therefore compatible with the surrounding area.

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

There is no anticipated adverse impact on the street network as a result of this rezoning.

**5. Will there be parking problems?**

No parking problems are anticipated. At the time of permitting, any proposed development is required to comply with all applicable parking standards of the UDO.

**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, or excessive lighting issues associated with the rezoning request.

**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 surrounding area is anticipated to experience development in the near future due to its proximity to the adjacent downtown development.

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

Utility improvements or connections will be reviewed during permitting and will be the responsibility of the developer.

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

Properties to the north and south are zoned RV. Properties to the east are zoned RV. Properties across Ridge Ave to the west are zoned CC (Center City) and RV.

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

The subject parcel is zoned OI. The area is primarily single family residential. Given the size and location, the property is most suitable for single family use.

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

The RV zoning is compatible with the existing single family uses in the surrounding area.

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

The property is currently being utilized as a single-family dwelling.

**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 a wide variety of 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 RV – Residential Village Zoning District

**Adopted this the 8<sup>th</sup> day of July 2020:**

---

David Steele, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



**Planning and Zoning Commission  
July 8, 2020 Meeting  
Staff Report**

**DATE:** June 26, 2020  
**TO:** Planning and Zoning Commission Members  
**FROM:** Gretchen Coperine, AICP, Assistant Planning Director  
**SUBJECT:** **Text Amendment – TA-2020-01 Article 4.16, Watershed Protection Overlay District, Table 4.16-3 Maximum Development Intensity**

Public Hearing to consider a text amendment to Table 4.16-3 of the Unified Development Ordinance (UDO) to allow use of high-density development option within watershed areas as allowed by State statute.

**A. Actions Requested by Planning and Zoning Commission Members**

1. Consider Resolution to Adopt a Statement of Consistency for TA-2020-01
2. Consider motion to recommend approval of proposed text amendments by City Council

**B. Decision and Required Votes to Pass Requested Action**

Article 3.8 of the UDO addresses the procedures for processing amendments to the text of the ordinance. Per Section 3.8.2, “*Any person, board, department, or commission may apply for a change in zoning ordinance text*”. The proposed text amendment was initiated by the Planning Department.

Per Sections 3.8.3.2 and 3.8.3.3 of the UDO, a majority vote of the Planning and Zoning Commission is required to recommend approval of a text amendment. A recommendation to approve is then forwarded to City Council who shall, either approve or deny the text amendment by a majority vote.

**C. Background**

Staff is proposing to amend Article 4.16, to allow us of high-density development option within watershed areas as allowed by State statute to allow for an increase in the maximum built-upon area.

The State of North Carolina allows development within watersheds under a low-density development option (which our UDO currently allows) and a high-density option (which our UDO does not currently allow). Staff is of the opinion that by aligning our current regulations with the State's regulations, development within watershed areas will:

- 1) not be unduly limited as long as all local and state regulations and requirements are met;
- 2) be to the benefit of property owners and the general public as land may be allowed to be developed in a sustainable and environmentally conscious manner.

#### **D. Fiscal Considerations**

None.

#### **E. Policy Issues**

The proposed text amendment to the UDO is **attached** as **additions and deletions**:

#### **F. Legal Issues**

None

#### **G. Alternative Courses of Action and Staff Recommendation**

The Planning and Zoning Commission may choose to recommend approval or denial of the text amendment as presented. The Commission may also add, delete, or change any of the language as proposed.

Based on the foregoing analysis, staff recommends **approval** of the proposed text amendments to **Article 4.16, Table 4.16-3** of the Unified Development Ordinance.

#### **The following actions are required to recommend approval of TA 2020-01**

1. Consider Resolution to Adopt a Statement of Consistency for TA 2020-01
2. Consider motion to recommend approval of proposed text amendments by City Council.

#### **The following actions are required to recommend denial of TA 2020-01**

1. Consider Resolution to not Adopt a Statement of Consistency for TA 2020-01
2. Consider motion to recommend denial of proposed text amendments by City Council.

#### **H. Attachments**

1. Application for Text Amendment to the Unified Development Ordinance
2. Proposed UDO changes
3. Resolution to Adopt a Statement of Consistency

#### **I. Issue Reviewed By:**

City Manager  
City Attorney  
City Engineer  
Planning Director



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 (checked)
Appeal
SIA Application
Nonconformity Adjustment
Watershed Boundary Modification
Zoning Map Amendment
Conditional Zoning Map Amendment

Applicant: Zachary D. Gordon, AICP Planning Director
Owner:
Address: 401 Laureate Way Kannapolis, NC 28081
Telephone: 704-920-4355
Email: zgordon@kannapolisnc.gov

Legal relationship of applicant to property owner: N/A

Property Location/Address: N/A

Tax Parcel Number: N/A Zoning District: N/A Acreage of Site: N/A

Zachary D. Gordon
Applicant Name (Print) Property Owner Name (Print)

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: N/A Receipt #: N/A

Application No.: TA-2020-01 Date Submitted (Complete): N/A



**CITY OF KANNAPOLIS**

**AN APPLICATION TO AMEND THE TEXT OF  
THE UNIFIED DEVELOPMENT ORDINANCE**

I Zachary D. Gordon, AICP, hereby make application for an amendment to the following section(s) of the Unified Development Ordinance:

Article 4.16 Watershed Protection Overlay District

In the space provided below, or on a separate sheet, present your requested text for the Ordinance provisions in question:

**See attached Staff Report**

---

State your reasons for amending the text of the Ordinance:

**See attached Staff Report**



---

Signature of applicant

**Fee:** Please refer to fee schedule to determine applicable fees. All fees are nonrefundable and help to cover administrative and notification costs.

---

Table 4.16-3: Maximum Development Intensity

(A) DISTRICT	(B) MINIMUM LOT SIZE	<u>LOW DENSITY</u>			<u>HIGH DENSITY</u> * -
		(C) MINIMUM LAND REQUIRED PER DWELLING UNIT	(D) MAXIMUM DENSITY (DWELLING UNITS/ACRE)	(E) MAXIMUM BUILT- UPON AREA	<u>ALL TYPES</u>
Coddle Creek Reservoir WS-II CA	Determined by underlying zoning district, provided the limitations of Column C or D of this Table are complied with.	3 acres	0.33	6% <sup>(1)</sup>	<u>6% to 24%</u>
Coddle Creek Reservoir WS-II BW		1 acre	1.0	12%	<u>12% to 30%</u>
Dutch Buffalo Creek WS-II CA		2 acres	0.5	6% <sup>(1)</sup>	<u>6% to 24%</u>
Dutch Buffalo Creek WS-II BW		1 acre	1.0	12%	<u>12% to 30%</u>
Lake Concord WS-IV CA		20,000 sf	2.0	24%	<u>24% to 50%</u>
Lake Concord WS-IV PA		20,000 sf	2.0	24%	<u>24% to 70%</u>
Lake Fisher WS-IV CA		20,000 sf	2.0	24%	<u>24% to 50%</u>
Lake Fisher WS-IV PA		20,000 sf	2.0	24%	<u>24% to 70%</u>
Kannapolis Lake WS-III CA		40,000 sf	1.0	12%	<u>12% to 30%</u>
Kannapolis Lake WS-III BW		20,000 sf	2.0	24%	<u>24% to 50%</u>
Tuckertown Reservoir WS-IV CA		20,000 sf	2.0	24%	<u>24% to 50%</u>

Notes: <sup>(1)</sup> Applicable to non-residential development only.

**\* In accordance with 15A NCAC 02B .0624**



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO  
TEXT AMENDMENT TA-2020-01**

**WHEREAS**, Section 160A-383 (2013) of the North Carolina General Statutes specifies that the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive and any other officially adopted plan that is applicable; and

**WHEREAS**, the text amendment to **Article 4, Watershed Protection Overlay District, Table 4.16-3, Maximum Development Intensity** of the Unified Development Ordinance (UDO) to allow use of high density development option within watershed areas as allowed by state statute; and

**WHEREAS**, the Planning and Zoning Commission conducted a Public Hearing on July 8, 2020 for consideration of text amendment Case# TA-2020-01 as submitted by the Planning Department staff;

**NOW, THEREFORE BE IT RESOLVED** that the Planning and Zoning Commission finds the text amendment as represented in Case TA-2020-01 consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, as well as state statutes, reasonable, and in the public interest, and is recommended for approval by the City Council based on consideration of the application materials, information presented at the Public Hearing, and the recommendation provided by Staff.

**Adopted this the 8<sup>th</sup> Day of July 2020;**

---

David Steele, Chairman  
Planning and Zoning Commission

Attest:

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



## **Planning Department**

### **Staff Report**

**July 8, 2020**

#### **Planning & Zoning Commission Meeting**

**DATE:** June 25, 2020

**TO:** Planning & Zoning Commission

**FROM:** Gretchen Coperine, AICP, Assistant Planning Director

**SUBJECT:** **CPA-2020-20 Move Kannapolis Forward 2030 Future Land Use and Character Map Amendment – Addition of approximately 26 acres on North Avenue Extension, and assignment of “Suburban Activity 1” Character Area**

#### **A. Actions Requested by Planning & Zoning Commission**

1. Motion to recommend approval of the proposed Future Land Use and Character Map amendment by City Council.

#### **B. Decision and Required Votes to Pass Requested Actions**

A simple majority vote of the Planning & Zoning Commission will be required to recommend approval/denial. City Council has final decision making authority to approve or deny the amendment.

#### **C. Background**

The City Council in 2018 adopted the 2030 Move Kannapolis Forward Comprehensive Plan. At the time, the subject parcel was inadvertently not included in the Future Land Use and Character Map.

Staff is proposing that the area be added to the Future Land Use and Character Map, and a Future Land Use and Character Area designation of “Suburban Activity 1” be applied to the subject area (see attached map). The Suburban Activity – 1 Character Area allows for a

mixture of uses including but not limited to retail, office, light manufacturing, as well as a mix of residential product types. This same Character Area exists to the north and west of the subject parcel.

**D. Fiscal Considerations**

None

**E. Policy Issues**

The 2030 Move Kannapolis Forward Comprehensive, Future Land Use and Character Area Map will be amended as a result of Council's direction.

**F. Legal Issues**

None

**G. Staff Recommendation and Alternative Courses of Action**

**Staff Recommendation**

Staff is proposing that the subject parcels be added to the Move Kannapolis Forward 2030 Comprehensive Plan, and that a Future Land Use and Character Area designation of "Suburban Activity 1" be applied to the subject area (see attached map).

**Course of Action**

In accordance with Section 2.3.2. Powers and Duties, of the UDO, the Planning and Zoning Commission shall provide an advisory function to assist in making decisions pertaining to amendments to the Comprehensive Plan. The Commission shall have the powers and duties including, but not limited to, the preparation of a comprehensive plan and amendments to the plan and its elements and to submit the amendments to the City Council. In accordance with Section 2.4.1. Powers and Duties, of the UDO, the City Council shall render final decisions pertaining to amendments to the Comprehensive Plan. The City Council shall have the powers and duties to initiate, adopt, and amend a Comprehensive Plan and map.

**Based on the foregoing analysis, staff recommends approval of the proposed Land Use Plan amendment, as presented.**

**APPROVAL**

**The following action is required to recommend approval of proposed Land Use Plan amendment**

1. Consider motion to recommend approval of proposed Move Kannapolis Forward 2030 Comprehensive Plan Future Land Use and Character Map amendment by City Council.

**DENIAL**

**The following actions are required to recommend denial of proposed Land Use Plan amendment**

1. Consider motion to recommend denial of proposed Move Kannapolis Forward 2030 Comprehensive Plan Future Land Use and Character Map amendment by City Council.

**I. Attachments**

1. Move Kannapolis Forward 2030 Comprehensive Plan Future Land Use and Character Map (Proposed)

**J. Issue Reviewed By:**

- City Manager
- Deputy City Manager
- City Attorney
- Planning Director
- Economic & Community Development Director
- Communications Director



# Kannapolis 2030 Future Land Use Map

Case Number: CPA-2020-01  
Applicant: City of Kannapolis

