City of Kannapolis
Planning and Zoning Commission

401 Laureate Way, Kannapolis, NC
September 2, 2020 at 6:00 pm

Agenda

1. **Call to Order**

2. **Roll Call and Recognition of Quorum**

3. **Approval of Agenda**

4. **Correction/Approval of Minutes –** August 5, 2020

5. **Public Hearing**

   a. **<u>CZ-2020-07 – Conditional Zoning Map Amendment – North Avenue Extension</u>**
   Public hearing to consider a request to rezone approximately 25.05 acres of property located at 319 & 320 North Ave. Extension from Cabarrus County MDR (Medium Density Residential) to City of Kannapolis RC-CZ (Residential Compact-Conditional Zoning), further identified as Cabarrus County PINs # 5622-45-0020 and 5622-35-7092 to allow for a 270-unit multi-family residential development.

   b. **<u>Z-2020-05 – Zoning Map Amendment – 675 Winecoff School Road</u>**
   Public hearing to consider a request to rezone approximately .25 +/- acres located at 675 Winecoff School Rd. from RC (Residential Compact) to C-2 (General Commercial), further identified as Cabarrus County PIN #5611-59-8729.

   c. **<u>Z-2020-06 – Zoning Map Amendment – West F Street and Sycamore Avenue</u>**
   Public hearing to consider a request to rezone approximately .65 +/- combined acres located at 405 West F St., 421 Sycamore Ave. and 417 Sycamore Ave. from RV (Residential Village) to CC (Center City), further identified as Cabarrus County PIN #5613-48-1369, 5613-48-0472 and 5613-48-1552.

6. **Planning Director Update**

7. **Other Business**

8. **Adjourn**

CITY OF KANNPOLIS, NC
PLANNING AND ZONING COMMISSION

Minutes of Regular Meeting
August 5, 2020

The Kannapolis Planning and Zoning Commission met on Wednesday, August 5, 2020 at 6:00 PM at City Hall, 401 Laureate Way, Kannapolis, North Carolina. This meeting was held in accordance with the notice attached to and made part of these minutes as Appendix 1.

Commission Members Present:	David Steele, Chairman
	Chris Puckett, Vice-Chairman
	Jeff Parker
	Larry Ensley
	Scott Trott
	Travis Gingras
Commission Members Absent:	Alan Overcash
	Paula Severt, ETJ Rep
Visitors:	Henry Atkins, Jr.
	Henry Atkins
	Steven Tice
Staff Present:	Zac Gordon, AICP, Planning Director
	Gretchen Coperine, AICP, Assistant Planning Director
	David Hancock, IT
	Tony Eury, IT Director

CALL TO ORDER
Chairman Steele called the meeting to order at 6:00 P.M.

ROLL CALL AND RECOGNITION OF QUORUM
Recording Secretary Pam Scaggs called the roll. The presence of a quorum was recognized.

APPROVAL OF AGENDA
Chairman Steele asked for a motion to approve the Agenda which was made by Mr. Trott, seconded by Mr. Parker and the motion was unanimously approved.

APPROVAL OF MINUTES
Chairman Steele asked for a motion to approve the May 6, 2020 and July 8, 2020 Meeting Minutes which was made by Mr. Ensley, seconded by Mr. Parker the motion was unanimously approved.

PUBLIC HEARING

DRAFT MINUTES NOT APPROVED

CZ-2020-06 – Conditional Zoning Map Amendment – Sears St. and Barnett St.

Assistant Planning Director, Gretchen Coperine, gave a PowerPoint presentation regarding case CZ-2020-06, attached to and made part of these minutes as Exhibit 1. Ms. Coperine noted that the requested rezoning to C-2-CZ (General Commercial-Conditional Zoning) will allow a restaurant with a drive-thru. She responded to questions from the Commission regarding whether the proposed improvements align with the Cannon Blvd. Corridor Plan, streetscape improvements along Sears St., the use of the remaining RV property, removal of existing structures, and the type of proposed restaurant.

Henry Atkins, Jr. identified himself as the applicant and made himself available for questions. Mr. Atkins responded to a question regarding parking.

Chairman Steele requested a motion to either adopt or deny the Statement of Consistency for case CZ-2020-06. Mr. Parker made the motion to approve, which was seconded by Mr. Trott and the motion unanimously approved.

Chairman Steele made the motion to approve the Resolution to Zone for case CZ-2020-06 which was seconded by Mr. Ensley and the motion was unanimously approved.

TA-2020-02 – Text Amendment – Street Improvement Standards, Sidewalk, Curb & Gutter

Planning Director, Zac Gordon, gave a PowerPoint presentation regarding case TA-2020-02, attached to and made part of these minutes as Exhibit 2. Mr. Gordon explained that the amendments will clarify the requirements for when improvements are required for streets, sidewalks, curb, and gutter, in conjunction with development proposals. He noted that updates to the proposed amendments were made as a result of conferring with City Engineer, Scott Kaufhold, and Assistant City Manager, Wilmer Melton, attached to and made part of these minutes as Exhibit 3. Mr. Gordon reviewed the proposed text changes. He responded to questions regarding whether the state is required to comply with City regulations, definition of a residential development, standards for location of sidewalk and a concern regarding "affordable housing" as it relates to the cost of sidewalk, curb and gutter requirements being passed on to the end-user.

Chairman Steele asked for a motion to adopt a Statement of Consistency for TA-2020-02 which was made by Mr. Trott, seconded by Mr. Parker and the motion was unanimously approved.

Chairman Steele asked for a motion to recommend approval by City Council which was made by Mr. Parker, seconded by Mr. Ensley and the motion was unanimously approved.

PLANNING DIRECTOR UPDATE

Planning Director, Zac Gordon, updated the Commission regarding downtown development projects, and other City projects. Mr. Gordon also provided an update on the Unified Development Ordinance (UDO) rewrite and the Cannon Blvd. Corridor Plan.

OTHER BUSINESS

Mr. Gordon responded to questions from the Commission regarding street improvements across I85, development interest at Exit 65 and use of old ballpark.

DRAFT MINUTES NOT APPROVED

ADJOURN

There being no further business, questions or comments, Mr. Ensley made the motion to adjourn which was seconded by Mr. Puckett and the motion was unanimously approved.

The meeting adjourned at 7:04 PM on Wednesday July 8, 2020.

_____
David Steele, Chairman
Planning and Zoning Commission

_____
Pam Scaggs, Recording Secretary

DRAFT MINUTES NOT APPROVED

Planning and Zoning Commission
September 2, 2020 Meeting

Staff Report

TO: Planning and Zoning Commission

FROM: Gretchen Coperine, AICP, Assistant Planning Director

SUBJECT: **Case #CZ-2020-07**
Conditional Zoning Map Amendment
Applicant: Pedcor Investments, LLC

Request to conditionally rezone property located at 319 & 320 North Ave. Extension from Cabarrus County MDR (Medium Density Residential) to City of Kannapolis RC-CZ (Residential Compact-Conditional Zoning), further identified as Cabarrus County PINs # 5622-45-0020 and 5622-35-7092 to allow for a 270-unit multi-family residential development.

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, Pedcor Investments, LLC., is proposing to rezone the subject property from the current Cabarrus County MDR (Medium Density Residential) zoning district designation to City of Kannapolis RC-CZ (Residential Compact-Conditional Zoning), to allow for a 270-unit multi-family residential development.

The subject property was annexed into the City on August 24, 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 25.05 +/- 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 "Suburban Activity 1" Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Suburban Activity 1 Character Area includes multi-family residential development as a primary use. The proposed use 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 north of Interstate 85, just southwest of the Northlite Commons Shopping Center. Property to the north is zoned C-2 and is located within the City of Kannapolis city limits. Property to the immediate east, west and south is zoned MDR and is located in unincorporated Cabarrus County. Property to the north and south is within the City of Concord, and zoned C-2 and I-1, respectively. Uses within the surrounding area include commercial, single-family residential, and institutional uses. The proposed multi-family residential development is compatible with the surrounding mix of uses and provides an appropriate transition between the residential and commercial uses in the area.

4. **Will there be adverse effects on the capacity or safety of the portion of street network influenced by the rezoning?**
   The proposed project was required to provide a Traffic Impact Analysis. That analysis recommended and NCDOT and the City have agreed to the improvements below. These improvements are intended to mitigate any impacts on the roadway network

from the proposed development. In addition, the developer will be responsible for making the necessary improvements to the access roadways into the development.

Concord Lake Road and Mt.Olivet Road/ Access A

- Construction of the westbound approach with one ingress lane and two egress lanes: one left-turn lane with 100' of storage and one through/right shared lane
- Conversion of the existing right-turn lane on Mt. Olivet Road to a through/right shared lane
- Construction of a southbound left-turn lane on Concord Lake Road with 150' of storage
- Construction of intersection geometry such that left turns on northbound/southbound and eastbound/westbound approaches can be made concurrently
- Modification of the traffic signal to provide permitted-only left turns on the westbound approach and permitted-protected left turns (with flashing yellow arrow) on all other approaches
- Construction of pedestrian crosswalk, appropriate accessible ramps, and pedestrian signals across Concord Lake Road on the northbound approach and across Access A on the westbound approach

North Avenue Extension and Access B (Gated Emergency Access Only)

- Construction of the southbound approach with one ingress lane and one egress lane and an internal protected stem length of 100'

5. **Will there be parking problems?**
   The site plan submitted with this request for rezoning includes adequate parking for the proposed 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?**
   No environmental impacts are anticipated. More 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 character of the area has remained stable.

8. **Is there compliance with the adequate public facilities criteria?**
   There are adequate public facilities available to the property or within close 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 north of Interstate 85, just southwest of the Northlite Commons Shopping Center. Property to the north is zoned C-2 and is within City of Kannapolis city limits. Property to the immediate east, west and south is zoned MDR and is located in unincorporated Cabarrus County. Property to the north and south is within the City of Concord, and zoned C-2 and I-1, respectively. Uses within the surrounding area include commercial, single-family residential, and institutional uses. The proposed multi-family residential development is compatible with the surrounding mix of uses and provides an appropriate transition between the residential and commercial uses in the area.

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 MDR (Medium Density 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 August 24, 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 commercial and residential neighborhoods.

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?**
    There are parcels in the surrounding area that would be sufficient to accommodate future zoning 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 *"*Suburban Activity 1*"* Character Area, which allows for multi-family 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-2020-07:

1. The permitted uses allowed by this rezoning shall only include 270 multi-family units as generally depicted on the site plan submitted with this rezoning.
2. A Final Site Plan, in compliance with all applicable City standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance Permit.
3. Compliance with the current Land Development Standards Manual (LDSM).
4. Final design of all road intersections on which development has access to and/or street frontage on shall be approved by NCDOT and the City.
5. The developer will construct curb and gutter and sidewalk along the entire road frontage where development has access and/or street frontage. The improvements will be constructed to NCDOT and City standards.
6. The lane widths, sidewalks, pavement structure, road alignment, and road grades shall be constructed in compliance with current City standards.
7. Roads and parking lots shall comply with all Fire Codes and Autoturn shall be run for an SU-30 and Bus-45 (mimics ladder truck).
8. Streams and wetlands shall be identified by a qualified person and all buffers shown in accordance with Article 4 of the Kannapolis UDO. Construction of buildings, roads, and other structures must comply with AE Zone & RSOD Buffer requirements or be relocated.
9. A Stormwater Management Permit will be required for this Development in accordance with Article 9 of the Kannapolis UDO. Easements, maintenance agreements and viable access shall be provided for all stormwater structures and SCM's. Stormwater SCM's cannot be constructed in the undisturbed buffer. Additional requirements are necessary to verify design of SCM within AE Zone see attached comments on sketch plan.
10. Water and sewer main extensions will be required for this project. The developer shall be responsible for designing, permitting and constructing water and sewer mains in accordance with City and WSACC standards.
11. All water and sewer mains shall be publicly maintained and located within a public right-of-way or utility easement. The water and sewer mains shall be located in the roadway under the pavement per the City's Typical Section Utility Layout, LDSM Detail 301.

12. Easements for Sanitary Sewer lines, Water lines and Storm Sewer pipes need to be a minimum of 20-feet wide. Additional width may be required depending on the depth of the line. Sanitary sewer lines and storm sewer lines shall be located within Common Open Space (easements centered on property lines shall not be permitted). Viable access shall be provided along all easements with a grade no greater than 15% for maintenance vehicles and cross slopes shall not exceed 5%.
13. The Fire Department shall approve locations of all hydrants.
14. Fire apparatus access roads shall remain open at all times.

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-2020-07, 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 goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being located in a "Suburban Activity 1" Character Area, which allows for multi-family development. Furthermore, the Commision 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.*

Should the Commission choose to approve Case #CZ-2020-07, 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-2020-07, 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-2020-07 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-2020-07, 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 Notified Properties
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

DocuSign Envelope ID: 24493630-637F-4096-B55A-32DAB57C3306

Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

Conditional Zoning Map Amendment Checklist

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the size of the parcel, the proposed use or the adequacy of existing infrastructure servicing the location. Submit digitals and 1 hard copy of applications and accompanying documents to the Planning Department at the address above.

CONDITIONAL REZONING REQUEST

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

Requested Rezoning Property Address: 319 North Avenue Extension, Kannapolis, NC

Applicant: Pedcor Investments, A Limited Liability Company

Proposed development: Emerson Hills Apartment Homes, a 270-unit multifamly apartment development

SUBMITTAL CHECKLIST

- ☐ **Pre-Application Meeting – send an email to planreviewappointment@kannapolisnc.gov**
- ☐ Neighborhood Meeting (if required)
- ☐ **Zoning Map Amendment Checklist and Application – Complete with all required signatures**
- ☐ Preliminary Major Site Plan
- ☐ **PDF format on disc containing all documents rotated and formatted in sequential order based upon cover page**
- ☐ **Fee:** $925.00 ($600 Application Fee, $300 Legal Notices and notification fee, # of property owners notified [see Fee Schedule])

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

Applicant's Signature: _____ *Date:* 7/31/2020

DocuSign Envelope ID: 24493630-637F-4096-B55A-32DAB57C3306

Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

CONDITIONAL ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information

Name: Michael Byron - Pedcor Investments, A Limited Liability Company

Phone: 317-218-2702 Email: mbyron@pedcor.net

Property Owner Information ☐ same as applicant

Name: L W Maulden, care of Ashlynn Sides; William L. Sides

Phone: 704-791-8512 Email: janistuckerhomes@yahoo.com

Project Information

Project Address: 319 and 320 North Avenue Extension, Kannapolis, NC 28083

Parcel: 04-080-004.10; 04-080-004.00 # of parcels: 2 Approx. size of parcels: 25.05

(attach separate list if necessary)

Current Zoning Designation: MDR Requested Zoning Designation: RC

Reason for map amendment: RC zoning will allow the planned 270 multifamily apartment units.

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

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

Michael J. Byron — 7/31/2020

Applicant Signature — Date

DocuSigned by:
Ashlynn M Sides — 7/31/2020

Property Owner Signature — Date

Ashlynn M Sides for William L Sides — 7/31/2020

Sara L Sides — 7/31/2020

For Staff Use Only:

Filing Fee: _____ Receipt #: _____

Case #: _____ Date Received: _____

DocuSign Envelope ID: DA73A12B-E008-4CDC-88FD-437F78B6AA0B

Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

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Applicant's Signature: _____ *Date:* 7/31/2020

DocuSign Envelope ID: DA73A12B-E008-4CDC-88FD-437F78B6AA0B

Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

CONDITIONAL ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information

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Phone: 317-218-2702 Email: mbyron@pedcor.net

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Applicant Signature — Date: 7/31/2020

DocuSigned by:
Philip Magaldi
Property Owner Signature — Date: 7/30/2020

DocuSigned by:
24BB05FAA563435...
Property Owner Signature — Date: 7/30/2020

For Staff Use Only:

Filing Fee: _____ Receipt #: _____

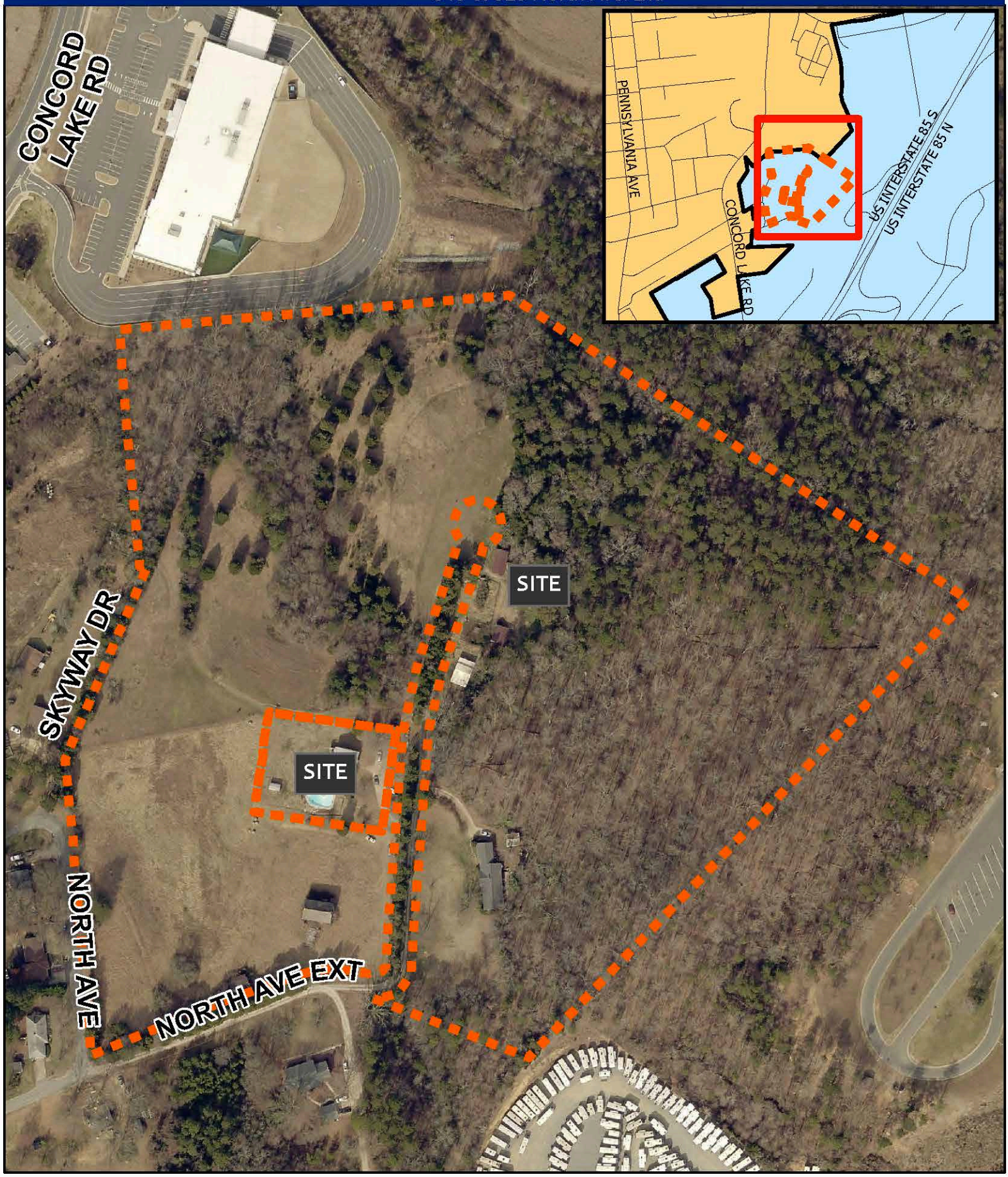
Case #: _____ Date Received: _____

Vicinity Map

Case Number: CZ-2020-07

Applicant: Pedcor Investments LLC

319 & 320 North Ave. Ext.

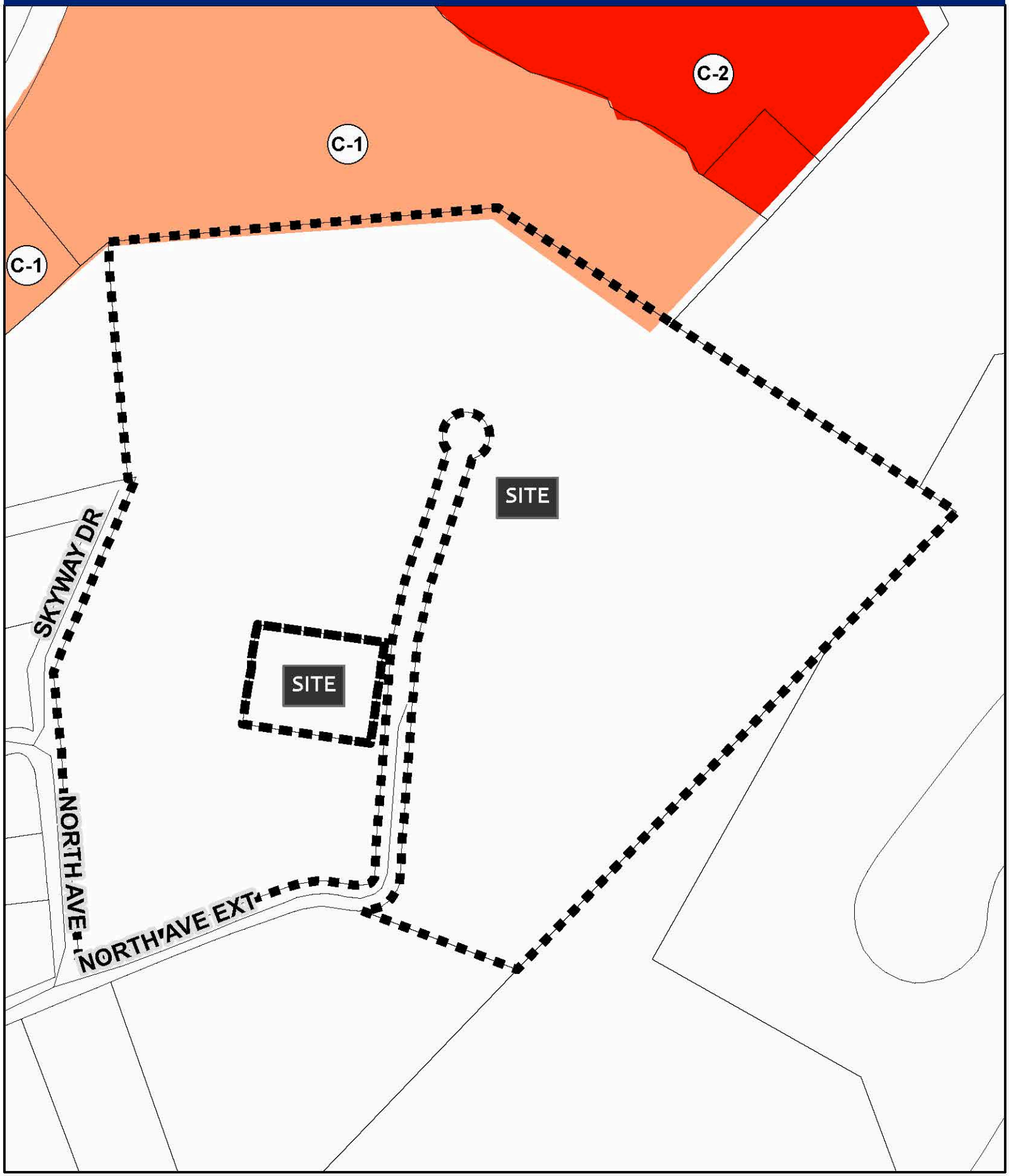


Kannapolis Current Zoning

Case Number: CZ-2020-07

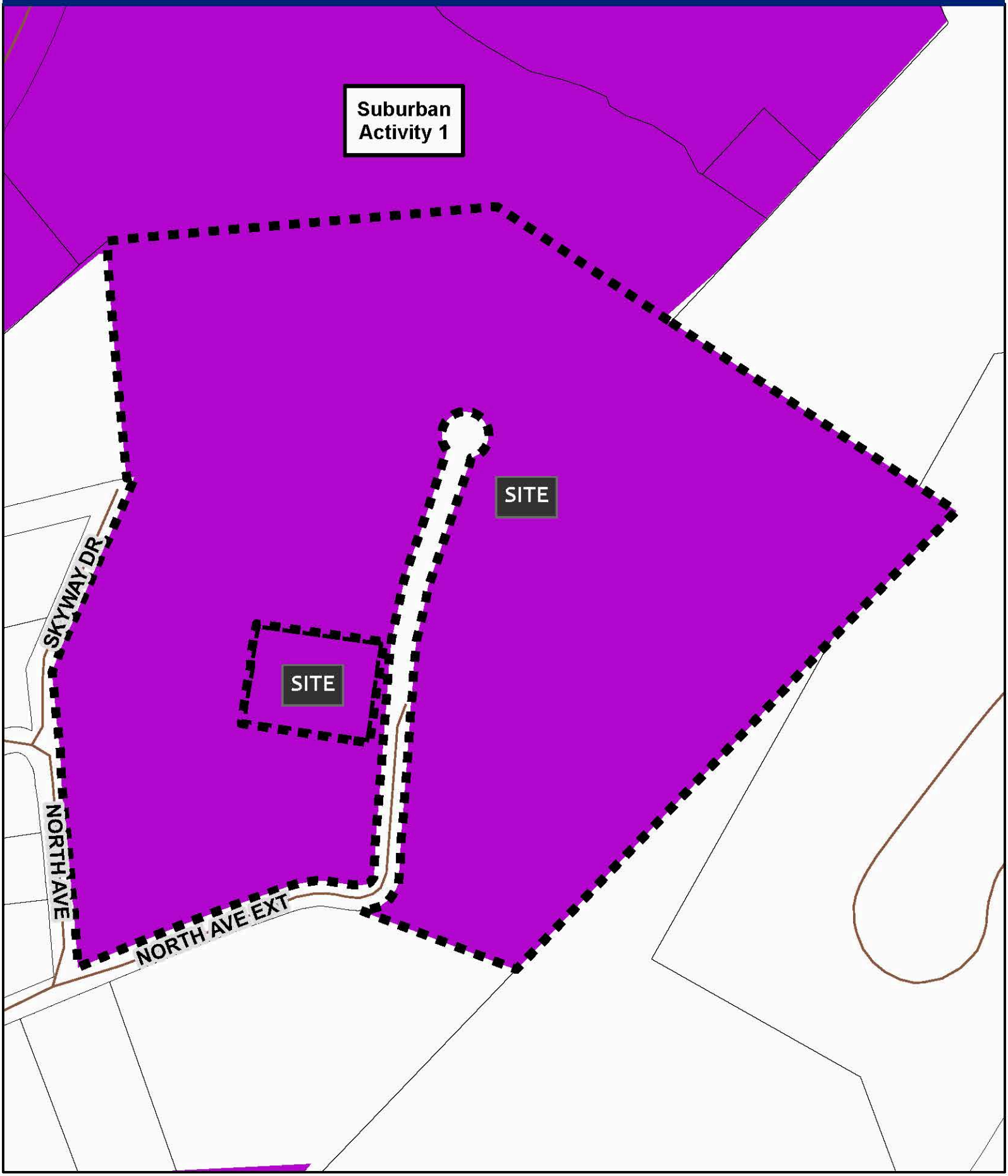
Applicant: Pedcor Investments LLC

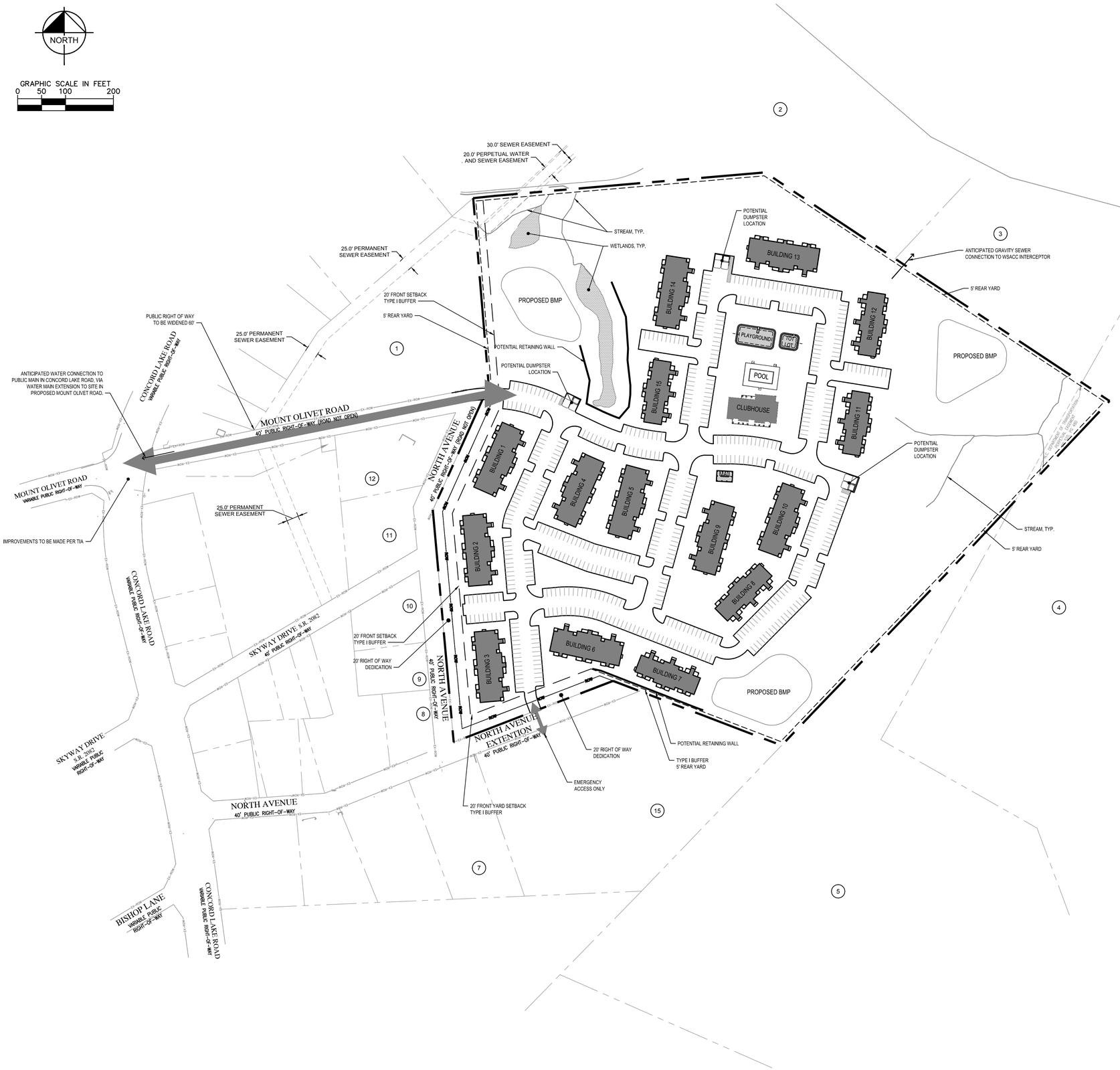
319 & 320 North Ave. Ext.

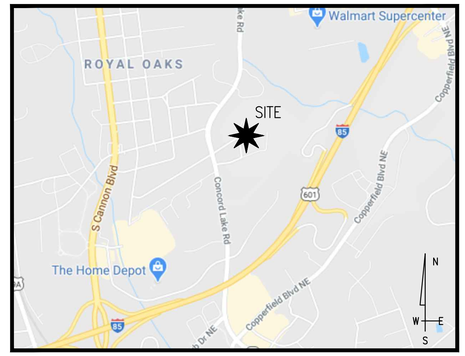


Kannapolis 2030 Future Land Use Map

Case Number: CZ-2020-07
Applicant: Pedcor Investments LLC
319 & 320 North Ave. Ext.







SITE LOCATION MAP

NOT TO SCALE

REZONING LEGEND	
EXISTING RIGHT OF WAY	
PROPOSED RIGHT OF WAY	
PROPERTY LINE	
REAR YARD	
LANDSCAPE BUFFER	
PROPOSED ACCESS LOCATION	
EXISTING STREAM	
EXISTING WETLANDS	

SITE DEVELOPMENT DATA	
TAX PARCEL	4-080-0004.11 & 04-080-0001.10
SITE ACREAGE	26.198 ACRES
EXISTING ZONING	MDR
PROPOSED ZONING	RC-CZ (RESIDENTIAL COMPACT CONDITIONAL ZONING)
EXISTING USE	RESIDENTIAL
PROPSOED USE	MULTIFAMILY RESIDENTIAL
BUILDINGS PROPOSED	16
PROPOSED UNITS	270 UNITS
DEVELOPMENT STANDARDS	
PRINCIPLE STRUCTURES	
FRONT YARD SETBACK	20' MIN
SIDE YARD SETBACK	7' MIN
REAR YARD SETBACK	5' MIN
ACCESSORY STRUCTURES	
SIDE YARD SETBACK	5' MIN
REAR YARD SETBACK	5' MIN
IMPERVIOUS SURFACE RATIO ALLOWED	0.5
MAX BUILDING HEIGHT	48'-0"
DENSITY ALLOWED	UP TO 15 DWELLING UNITS / ACRE
DENSITY PROPOSED	10 DWELLING UNITS / ACRE
PARKING	2 SPACES / UNIT MINIMUM

ADJACENT PROPERTY OWNERS LIST:

	PIN:	OWNER:	ZONING:
1	56223554440000	RICHARD J. KISER AND WIFE, MARGIE S. KIZER	MDR
2	56224600330000	RED APPLE AT KANNAPOLIS, LLC	C-1
3	56225507640000	EARNHARDT INTERCHANGE PROPERTY OWNERS ASSOCIATION, INC.	C-2
4	56225333840000	NC DEPARTMENT OF TRANSPORTATION	MDR
5	56224432880000	SLUSSER INVESTMENTS NC, LLC	I-1
6	56224404090000	JOHN B. FEATHER AND WIFE, LORI J. FEATHER	MDR
7	56223463990000	PATSY RUTH HURST AND DONALD REID ROBERTS	MDR
8	56223456410000	JAMES MARSHALL	MDR
9	56223457330000	ERIC JEROME FLAKE AND PATRICIA DOUGLAS	MDR
10	56223458320000	BARRY D. LEIGH AND WIFE, ANGELA U. LEIGH	MDR
11	56223449990000	RICHARD J. KISER AND WIFE, MARGIE SHUE KISER	MDR
12	56223551260000	RICHARD J. KISER AND WIFE, MARGIE SHUE KISER	MDR
13	56223512040000	LARRY JOSEPH WILLIAMSON	OI
14	56223512590000	EDWIN E. GRASS	OI
15	56223409590000	RICHARD J. KISER AND WIFE, MARGIE SHUE KISER	MDR
16	56223429930000	RICHARD J. KISER AND WIFE, MARGIE SHUE KISER	MDR
17	56223408940000	SCOTT C. ROBERTSON	OI
18	56223417050000	SCOTT C. ROBERTSON	OI
19	56223416620000	ELLA H. RICHARDSON	OI
20	56223415820000	ELLA H. RICHARDSON	OI
21	56223423520000	WILLIE FRANK RYNE AND WIFE, BETTY CHAMBER RHYNE	OI

No.	REVISIONS	DATE	BY

Kimley»Horn
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200 SOUTH TRYON ST, SUITE 200, CHARLOTTE, NC 28202
PHONE: 704-333-5131
WWW.KIMLEY-HORN.COM
NC LICENSE #F-0102

KHA PROJECT 017046010
DATE 7/31/2020
SCALE AS SHOWN
DESIGNED BY TS
DRAWN BY TS
CHECKED BY MP

MAJOR CONDITIONAL SITE PLAN

NORTH AVE MULTIFAMILY REZONING
PREPARED FOR
PEDCOR INVESTMENTS
KANNAPOLIS NC

SHEET NUMBER
RZ-1

Plotted By:Schroeder, Teddie Sheet Set:Pedcor - Kannapolis Rezoning Layout:RZ-2 REZONING SITE PLAN July 30, 2020 04:57:54pm \\kimley-horn.com\SE_CHL\CHL_PR\017046 Pedcor\010 Kannapolis\02 - DWG\Rezoning\RZ-2 REZONING SITE PLAN.dwg
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DEVELOPMENT STANDARDS

JULY 31, 2020

1. GENERAL PROVISIONS

A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE MAJOR SITE PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY PEDCOR INVESTMENTS TO ACCOMMODATE THE DEVELOPMENT OF A MULTI-FAMILY RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 26.198 ACRE SITE LOCATED WEST OF NORTH AVE, NORTH OF WEST AVE EXTENSION, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE MAJOR SITE PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NO(S). 04-080-0004.00 AND 04-080-0004.10.

B. THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE MAJOR SITE PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF KANNAPOLIS UNIFIED DEVELOPMENT ORDINANCE (THE "ORDINANCE"). THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE RC ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.

C. THE DEVELOPMENT DEPICTED ON THE MAJOR SITE PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINTS AS WELL AS THE INTERNAL DRIVES AND PARKING AREAS DEPICTED ON THE MAJOR SITE PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.

D. FUTURE AMENDMENTS TO THE MAJOR SITE PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

A. THE SITE MAY ONLY BE DEVOTED TO A MULTI-FAMILY RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 270 DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE RC ZONING DISTRICT. CUSTOMARY INCIDENTAL AND ACCESSORY USES MAY INCLUDE, WITHOUT LIMITATION, A LEASING AND MANAGEMENT OFFICE, AMENITIES FOR THE RESIDENTS SUCH AS A CLUBHOUSE, A FITNESS CENTER, A SWIMMING POOL AND A PLAYGROUND, AND ACCESSORY GARAGE STRUCTURES.

3. TRANSPORTATION

A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE MAJOR SITE PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGN AND/OR REQUIRED BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").

B. THE ALIGNMENT OF THE INTERNAL DRIVEWAYS AND VEHICULAR CIRCULATION AREAS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

C. DEDICATION AND FEE SIMPLE CONVEYANCE OF ALL RIGHT OF WAY LOCATED WITHIN THE SITE SHALL OCCUR PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A BUILDING TO BE CONSTRUCTED ON THE SITE.

D. THE CONSTRUCTION AND APPROVAL OF THE TRANSPORTATION IMPROVEMENTS LOCATED ON THE SITE SHALL OCCUR PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A BUILDING TO BE CONSTRUCTED ON THE SITE.

E. VEHICULAR ACCESS: ACCESS WILL BE PROVIDED FROM CONCORD LAKE ROAD, IN THE GENERAL LOCATION SHOWN ON THE MAJOR SITE PLAN. ADJUSTMENTS TO THE LOCATION OF THE STREET AND ACCESS POINTS MAY OCCUR, AS REQUIRED TO MEET STATE AND LOCAL AGENCY STANDARDS AND COORDINATE WITH FINAL SUBDIVISION AND SITE PLAN DESIGN.

F. A NEW PUBLIC STREET WILL BE CONSTRUCTED, EXTENDING FROM CONCORD LAKE AT MOUNT OLIVET TO THE PROJECT SITE, IN THE GENERAL LOCATION SHOWN ON THE MAJOR SITE PLAN AND AS FOLLOWS. THE PUBLIC STREET SHALL FOLLOW THE CITY OF KANNAPOLIS LOCAL RESIDENTIAL STREET TYPICAL SECTION.

H. PETITIONER / DEVELOPER OR THEIR ASSIGNEE, AGREE THAT AS THIS REZONING TO RC AND CONDITIONAL ZONING (CZ) IS APPROVED, PROJECT IMPROVEMENTS IDENTIFIED BY THE TIA SHALL BE CONSTRUCTED BY THE PETITIONER OR THEIR ASSIGNEE.

4. ARCHITECTURAL AND DESIGN STANDARDS

A. THE MAXIMUM HEIGHT OF ANY BUILDING CONSTRUCTED ON THE SITE THAT WILL CONTAIN MULTI-FAMILY DWELLING UNITS SHALL BE 48 FEET AS MEASURED UNDER THE ORDINANCE.

B. ATTACHED TO THE MAJOR SITE PLAN ARE CONCEPTUAL, ARCHITECTURAL RENDERINGS OF THE FRONT, SIDE AND REAR ELEVATIONS OF THE BUILDINGS TO BE CONSTRUCTED ON THE SITE THAT WILL CONTAIN THE MULTI-FAMILY DWELLING UNITS THAT ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF THESE BUILDING ELEVATIONS. ACCORDINGLY, THE FRONT, SIDE AND REAR ELEVATIONS OF THE BUILDINGS TO BE CONSTRUCTED ON THE SITE THAT WILL CONTAIN THE MULTI-FAMILY DWELLING UNITS SHALL BE DESIGNED AND CONSTRUCTED SO THAT THESE BUILDING ELEVATIONS ARE SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE ATTACHED RELEVANT CONCEPTUAL, ARCHITECTURAL RENDERINGS WITH RESPECT TO ARCHITECTURAL STYLE AND CHARACTER. NOTWITHSTANDING THE FOREGOING, CHANGES AND ALTERATIONS TO THESE BUILDING ELEVATIONS THAT DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER SHALL BE PERMITTED.

C. ATTACHED TO THE MAJOR SITE PLAN ARE CONCEPTUAL, ARCHITECTURAL RENDERINGS OF THE FRONT, SIDE AND REAR ELEVATIONS OF A CLUBHOUSE OR AMENITY BUILDING TO BE CONSTRUCTED ON THE SITE THAT ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF THESE BUILDING ELEVATIONS. ACCORDINGLY, THE FRONT, SIDE AND REAR ELEVATIONS OF A CLUBHOUSE OR AMENITY BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE DESIGNED AND CONSTRUCTED SO THAT THESE BUILDING ELEVATIONS ARE SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE ATTACHED RELEVANT CONCEPTUAL, ARCHITECTURAL RENDERINGS WITH RESPECT TO ARCHITECTURAL STYLE AND CHARACTER. NOTWITHSTANDING THE FOREGOING, CHANGES AND ALTERATIONS TO THESE BUILDING ELEVATIONS THAT DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER SHALL BE PERMITTED.

D. ATTACHED TO THE MAJOR SITE PLAN ARE CONCEPTUAL, ARCHITECTURAL RENDERINGS OF THE FRONT, SIDE AND REAR ELEVATIONS OF ACCESSORY GARAGE STRUCTURES TO BE CONSTRUCTED ON THE SITE THAT ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF THESE BUILDING ELEVATIONS. ACCORDINGLY, THE FRONT, SIDE AND REAR ELEVATIONS OF ACCESSORY GARAGE STRUCTURES TO BE CONSTRUCTED ON THE SITE SHALL BE DESIGNED AND CONSTRUCTED SO THAT THESE BUILDING ELEVATIONS ARE SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE ATTACHED RELEVANT CONCEPTUAL, ARCHITECTURAL RENDERINGS WITH RESPECT TO ARCHITECTURAL STYLE AND CHARACTER. NOTWITHSTANDING THE FOREGOING, CHANGES AND ALTERATIONS TO THESE BUILDING ELEVATIONS THAT DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER SHALL BE PERMITTED.

5. STREETSCAPE/LANDSCAPING/BUFFERS

A. LANDSCAPING AND BUFFERS SHALL COMPLY WITH ARTICLE 7 OF THE ORDINANCE.

6. ENVIRONMENTAL FEATURES

A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH ARTICLE 9 OF THE ORDINANCE.

B. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE MAJOR SITE PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE PROPOSED GRADING DURING THE CONSTRUCTION DOCUMENT DESIGN PHASE, ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

7. CONSTRUCTION SCHEDULE AND PHASING

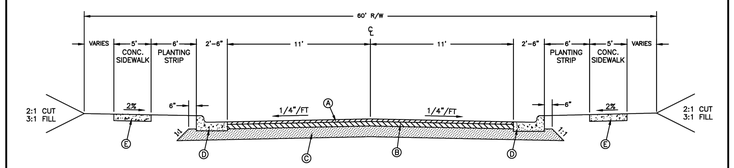
A. THIS DEVELOPMENT WILL BE CONSTRUCTED IN PHASES. PROPOSED PHASING WILL BE DETERMINED AND PRESENTED DURING THE PRELIMINARY AND/OR FINAL PLAT PROCESS.

8. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE MAJOR SITE PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.

B. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

C. ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.



PAVEMENT SCHEDULE

A. 2" S9.5B SURFACE COURSE (PLACED IN 2 – 1" LIFTS)
B. 2.5" I19.0C INTERMEDIATE COURSE
C. 8" AGGREGATE BASE COURSE (w/5.5" UNDER CURB)
   OR 4" B25.0C BASE COURSE (w/4" UNDER CURB)
D. 2'-6" CURB & GUTTER (2'-0" VALLEY GUTTER MAY BE USED WITH PRIOR APPROVAL)
E. 4" CONCRETE SIDEWALK

NOT TO SCALE

KANNAPOLIS Public Works

TYPICAL SECTION
LOCAL RESIDENTIAL STREET

DECEMBER 2019
101

No.	REVISIONS	DATE	BY

Kimley»Horn
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PHONE: 704-333-5131
WWW.KIMLEY-HORN.COM
NC LICENSE #F-0102

KHA PROJECT 017046010
DATE 7/31/2020
SCALE AS SHOWN
DESIGNED BY ---
DRAWN BY MP
CHECKED BY ---

DEVELOPMENT STANDARDS

NORTH AVE MULTIFAMILY REZONING
PREPARED FOR
PEDCOR INVESTMENTS
KANNAPOLIS NC

SHEET NUMBER
RZ-2

Plotted By:Schroeder, Teddie Sheet Set:Pedcor – Kannapolis Rezoning Layout:RZ-3 DEVELOPMENT STANDARDS July 31, 2020 12:33:13pm \\kimley-horn.com\SE_CHL\CHL_PRJ\017046 Pedcor\010 Kannapolis\02 – DWG\Rezoning\RZ-3 DEVELOPMENT STANDARDS.dwg
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1 12A6B RIGHT RENDERED ELEVATION
N.T.S.

2 12A6B REAR RENDERED ELEVATION
N.T.S.

3 12A6B LEFT RENDERED ELEVATION
N.T.S.

4 12A6B FRONT RENDERED ELEVATION
N.T.S.

5 12B6C RIGHT RENDERED ELEVATION
N.T.S.

6 12B6C REAR RENDERED ELEVATION
N.T.S.

7 12B6C LEFT RENDERED ELEVATION
N.T.S.

8 12B6C FRONT RENDERED ELEVATION
N.T.S.

NORTH AVE MULTIFAMILY APARTMENTS
KANNAPOLIS, NC

PEDCOR COMPANIES

EXTERIOR MATERIAL LEGEND

- COMPOSITION ROOF
- BRICK VENEER
- FIBER CEMENT SIDING

Plotted By: Schroeder, Teddie Sheet Set: Pedcor — Kannapolis Rezoning Layout: RZ-4 ARCHITECTURAL ELEVATIONS July 30, 2020 04:08:50pm \\kimley-horn.com\SE_CHL\CHL_PRJ\017046 Pedcor\010 Kannapolis\02 — DWG\Rezoning\RZ-4 ARCHITECTURAL ELEVATIONS.dwg
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KHA PROJECT 017046010
DATE 7/31/2020
SCALE AS SHOWN
DESIGNED BY ---
DRAWN BY MP
CHECKED BY ---

ARCHITECTURAL ELEVATIONS

NORTH AVE MULTIFAMILY REZONING
PREPARED FOR
PEDCOR INVESTMENTS
KANNAPOLIS NC

SHEET NUMBER
RZ-3

Order Confirmation

Order# 0000668468

PO Box 27283
Richmond, VA 23261-7283

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/TEARSHEETS
KANNAPOLIS NC 28081

Sales Rep	Accnt Rep	Ordered By
aboan	aboan	Pam

Fax: 7049337463
EMail: byow@kannapolisnc.gov

Total Amount	**$620.50**
Payment Amount	**$620.50**
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
0000668468-01	CLS Liner	2 X 49 li	$0.00

Production Method
AdBooker (liner)

Production Notes

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

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Planning and Zoning

Run Dates 8/21/2020, 8/28/2020

TagLine: NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONM
LISNCWEDNESDAYSEPTEMBER22020AT600PMCONDITIONALZON

KANNAPOLIS

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

Wednesday September 2, 2020 at 6:00 pm

Conditional Zoning Map Amendment – CZ-2020-07 – Public hearing to consider a request to rezone approximately 25.05 acres of property located at 319 & 320 North Ave. Extension from Cabarrus County MDR (Medium Density Residential) to City of Kannapolis RC-CZ (Residential Compact-Conditional Zoning), further identified as Cabarrus County PINs # 5622-45-0020 and 5622-35-7092 to allow for a 270-unit multi-family residential development.

ZoningMap Amendment – Z-2020-05 – Public hearing to consider a request to rezone approximately .25 +/- acres located at 675 Winecoff School Rd. from RC (Residential Compact) to C-2 (General Commercial), further identified as Cabarrus County PIN #5611-59-8729.

ZoningMap Amendment – Z-2020-06 – Public hearing to consider a request to rezone approximately .65 +/- combined acres located at 405 West F St., 421 Sycamore Ave. and 417 Sycamore Ave. from RV (Residential Village) to CC (Center City), further identified as Cabarrus County PIN #5613-48-1369, 5613-48-0472 and 5613-48-1552.

IN ORDER TO COMPLY WITH FEDERAL, STATE AND LOCAL RESTRICTIONS IMPOSED IN RESPONSE TO THE COVID-19 VIRUS, SOCIAL DISTANCING PRACTICES WILL BE OBSERVERED 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 tcline@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Publish: August 21, 28, 2020.

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
PATSY HURST				
DONALD ROBERTS	PO BOX 782	ALBEMARLE	NC	28002
KIMBERLY ADKINS	533 BIRD FARM ED	COVINGTON	VA	24426
ERIC FLAKE	409 NORTH AVENUE	KANNAPOLIS	NC	28083
BARRY & ANGELA LEIGH	415 NORTH AVE	KANNAPOLIS	NC	28083
RICHARD & MARGIE KISER	1109 SKYWAY DR	KANNAPOLIS	NC	28083
ELLA RICHARDSON	301 NORTH AVE	KANNAPOLIS	NC	28083
JAMES MARSHALL	401 NORTH AVE	KANNAPOLIS	NC	28083
WILLIAM SIDES	319 NORTH AVE EXT	KANNAPOLIS	NC	28083
BROADWELL INVESTMENTS LLC	1921 CONCORD LAKE RD	KANNAPOLIS	NC	28083
L W MAULDEN				
C/O ASHLYNN SIDES	319 NORTH AVENUE EXT	KANNAPOLIS	NC	28083
EARNHARDT INTERCHANGE PROPERTY OWNERS ASSOCIATION	14021 CONLAN CIR	CHARLOTTE	NC	28277
N C DEPT OF TRANSPORTATION	206 CHARTER ST	ALBEMARLE	NC	28001
RV RETAILER CAROLINAS REAL ESTATE LLC	100 SE 3RD AVE STE 1850	FT LAUDERDALE	FL	33394
JOHN & LORI FEATHER	314 N AVENUE EXT	KANNAPOLIS	NC	28083
NORTH CAROLINA CHARTER EDUCATIONAL FOUNDATION INC.	800 CORPORATE DR STE 700	FT LAUDERDALE	FL	33334
PEDCORE INVESTMENTS				
ATTN: MICHAEL BYRON	770 3RD AVE SW	CARMEL	IN	46032

KANNAPOLIS
Planning

August 20, 2020

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Wednesday, September 2, 2020 at 6:00 PM, for the following case:

CZ-2020-07 – Conditional Zoning Map Amendment – North Ave. Extension

The purpose of the Public Hearing is to consider a request by Pedcor Investments, LLC to rezone property located at 319 & 320 North Ave. Extension from Cabarrus County MDR (Medium Density Residential) to City of Kannapolis RC-CZ (Residential Compact-Conditional Zoning) to allow for a 270-unit multi-family residential development. The subject properties are approximately 25.05 +/- combined acres and further identified as Cabarrus County Parcel Identification Number(s) 5622-45-0020 and 5622-35-7092 (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

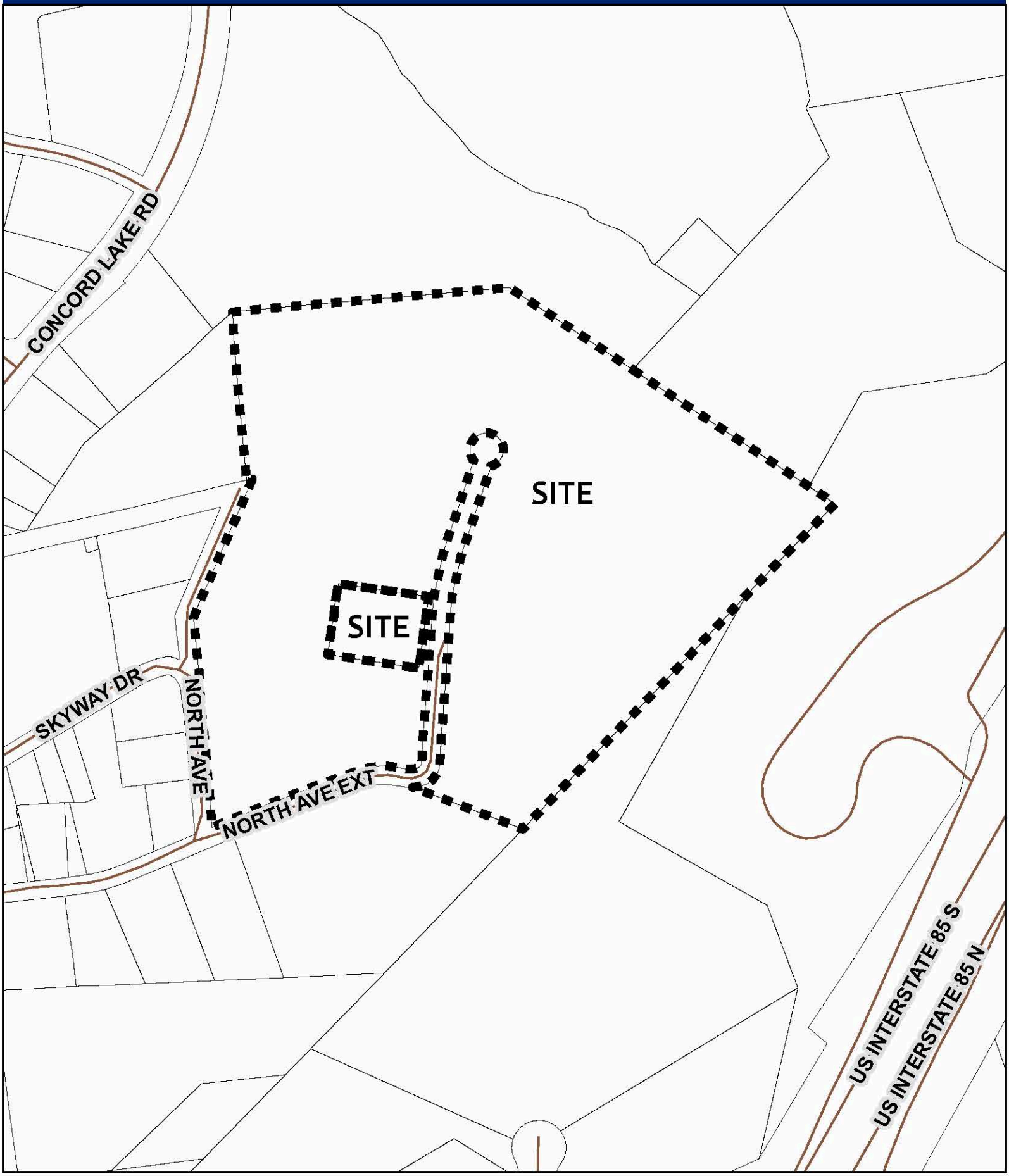
Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email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

Zoning Map Amendment

Case Number: CZ-2020-07

Applicant: Pedcor Investments LLC

319 & 320 North Ave. Ext.



NORTH
KANNAPOLIS
PLANNING
ZONING
COMMISSION
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE # CZ - 2020 - 07
S 29
Adkins
Charlotte N.C.

RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO CASE #CZ-2020-07

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 September 2, 2020 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone a properties located at 319 and 320 North Ave. Extension, (Cabarrus County Parcel Identification Number(s) 5622-45-0020 and 5622-35-7092) owned by L. W. Maulden, from Cabarrus County Medium Density Residential (MDR) Zoning Designation to City of Kannapolis Residential Compact-Conditional Zoning (RC-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 "Suburban Activity 1" Character Area, which allows for multi-family development. Furthermore, the Commision 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 2nd day of September 2020:

_____
David Steele, Chairman
Planning and Zoning Commission

Attest:

_____
Pam Scaggs, Recording Secretary
Planning and Zoning Commission

RESOLUTION TO ZONE

Case #CZ-2020-07 (319 & 320 North Ave. Extension)

Cabarrus County Medium Density Residential (MDR) to
City of Kannapolis Residential Compact-Conditional Zoning (RC-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 September 2, 2020 for consideration of rezoning petition Case #CZ-2020-07 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone property located at 319 and 320 North Ave. Extension, (Cabarrus County Parcel Identification Number(s) 5622-45-0020 and 5622-35-7092) owned by L W Maulden, from Cabarrus County Medium Density Residential (MDR) Zoning Designation to City of Kannapolis Residential Compact-Conditional Zoning (RC-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 tracts is approximately 25.05 +- 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 "Suburban Activity 1" Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Suburban Activity 1 Character Area includes multi-family residential development as a primary use. The proposed use 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 north of Interstate 85, just southwest of the Northlite Commons Shopping Center. Property to the north is zoned C-2 and is located within the City of Kannapolis city limits. Property to the immediate east, west and south is zoned MDR and is located in unincorporated Cabarrus County. Property to the north and south is within the City of Concord, and zoned C-2 and I-1, respectively. Uses within the surrounding area include commercial, single-family residential, and institutional uses. The proposed multi-family residential

development is compatible with the surrounding mix of uses and provides an appropriate transition between the residential and commercial uses in the area.

4. **Will there be adverse effects on the capacity or safety of the portion of street network influenced by the rezoning?**
   The proposed project was required to provide a Traffic Impact Analysis. That analysis recommended and NCDOT and the City have agreed to the improvements below. These improvements are intended to mitigate any impacts on the roadway network from the proposed development. In addition, the developer will be responsible for making the necessary improvements to the access roadways into the development.

   Concord Lake Road and Mt.Olivet Road/ Access A
   - Construction of the westbound approach with one ingress lane and two egress lanes: one left-turn lane with 100' of storage and one through/right shared lane
   - Conversion of the existing right-turn lane on Mt. Olivet Road to a through/right shared lane
   - Construction of a southbound left-turn lane on Concord Lake Road with 150' of storage
   - Construction of intersection geometry such that left turns on northbound/southbound and eastbound/westbound approaches can be made concurrently
   - Modification of the traffic signal to provide permitted-only left turns on the westbound approach and permitted-protected left turns (with flashing yellow arrow) on all other approaches
   - Construction of pedestrian crosswalk, appropriate accessible ramps, and pedestrian signals across Concord Lake Road on the northbound approach and across Access A on the westbound approach

   North Avenue Extension and Access B (Gated Emergency Access Only)
   - Construction of the southbound approach with one ingress lane and one egress lane and an internal protected stem length of 100'

5. **Will there be parking problems?**
   The site plan submitted with this request for rezoning includes adequate parking for the proposed 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?**
   No environmental impacts are anticipated. More 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 character of the area has remained stable.

8. **Is there compliance with the adequate public facilities criteria?**
   There are adequate public facilities available to the property or within close 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 north of Interstate 85, just southwest of the Northlite Commons Shopping Center. Property to the north is zoned C-2 and is within City of Kannapolis city limits. Property to the immediate east, west and south is zoned MDR and is located in unincorporated Cabarrus

County. Property to the north and south is within the City of Concord, and zoned C-2 and I-1, respectively. Uses within the surrounding area include commercial, single-family residential, and institutional uses. The proposed multi-family residential development is compatible with the surrounding mix of uses and provides an appropriate transition between the residential and commercial uses in the area.

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 MDR (Medium Density 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 August 24, 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 commercial and residential neighborhoods.

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?**
    There are parcels in the surrounding area that would be sufficient to accommodate future zoning 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 RC-CZ – Residential Compact-Conditional Zoning District, subject to the following conditions:

1. The permitted uses allowed by this rezoning shall only include 270 multi-family units as generally depicted on the site plan submitted with this rezoning.
2. A Final Site Plan, in compliance with all applicable City standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance Permit.
3. Compliance with the current Land Development Standards Manual (LDSM).
4. Final design of all road intersections on which development has access to and/or street frontage on shall be approved by NCDOT and the City.
5. The developer will construct curb and gutter and sidewalk along the entire road frontage where development has access and/or street frontage. The improvements will be constructed to NCDOT and City standards.
6. The lane widths, sidewalks, pavement structure, road alignment, and road grades shall be constructed in compliance with current City standards.
7. Roads and parking lots shall comply with all Fire Codes and Autoturn shall be run for an SU-30 and Bus-45 (mimics ladder truck).
8. Streams and wetlands shall be identified by a qualified person and all buffers shown in accordance with Article 4 of the Kannapolis UDO. Construction of buildings, roads, and other structures must comply with AE Zone & RSOD Buffer requirements or be relocated.

9. A Stormwater Management Permit will be required for this Development in accordance with Article 9 of the Kannapolis UDO. Easements, maintenance agreements and viable access shall be provided for all stormwater structures and SCM's. Stormwater SCM's cannot be constructed in the undisturbed buffer. Additional requirements are necessary to verify design of SCM within AE Zone see attached comments on sketch plan.
10. Water and sewer main extensions will be required for this project. The developer shall be responsible for designing, permitting and constructing water and sewer mains in accordance with City and WSACC standards.
11. All water and sewer mains shall be publicly maintained and located within a public right-of-way or utility easement. The water and sewer mains shall be located in the roadway under the pavement per the City's Typical Section Utility Layout, LDSM Detail 301.
12. Easements for Sanitary Sewer lines, Water lines and Storm Sewer pipes need to be a minimum of 20-feet wide. Additional width may be required depending on the depth of the line. Sanitary sewer lines and storm sewer lines shall be located within Common Open Space (easements centered on property lines shall not be permitted). Viable access shall be provided along all easements with a grade no greater than 15% for maintenance vehicles and cross slopes shall not exceed 5%.
13. The Fire Department shall approve locations of all hydrants.
14. Fire apparatus access roads shall remain open at all times..

Adopted this the 2nd day of September 2020:

_____
David Steele, Chairman
Planning and Zoning Commission

Attest:

_____
Pam Scaggs, Recording Secretary
Planning and Zoning Commission

Planning & Zoning Commission
September 2, 2020 Meeting

Staff Report

TO: Planning & Zoning Commission

FROM: Gretchen Coperine, AICP, Assistant Planning Director

SUBJECT: **Case #Z-2020-05: 675 Winecoff School Road**
Zoning Map Amendment
Applicant: Gary McCoy

Request to rezone approximately 0.25 +/- acres located at 675 Winecoff School Road. from RC (Residential Compact) to C-2 (General Commercial).

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

Section 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, Gary McCoy, is proposing to rezone the subject property, further identified as Cabarrus County PIN# 5611-59-8729. This is a map amendment request without any conditions as the intent is to rezone the property from RC (Residential Compact) to C-2 (General Commercial). If rezoned, any of the permitted uses in the C-2 zoning district would be allowed on the property. The property is currently improved with a billboard, which was granted a "Certificate of Non-conformity Adjustment (CONA)" by the Board of Adjustment on September 19, 2017 to allow the conversion of the existing single-sided static billboard to a double-sided digital billboard.

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 0.25 +/- 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 "Suburban Activity 1" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Suburban Activity 1 Character Area calls for commercial uses. Therefore, the proposed C-2 district is consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan.*

3. **Is the proposed rezoning compatible with the surrounding area?**
   The surrounding area consists of predominantly commercial development on the east side of Winecoff School Road. The proposed C-2 designation 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 or redevelopment in the near future.

8. **Is there compliance with the adequate public facilities criteria?**
   Any 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?**
   The surrounding area consists of predominantly commercial development on the east side of Winecoff School Road. The proposed C-2 designation is therefore compatible with the surrounding area.

10. **Is the subject property suitable for the uses to which it has been restricted under the existing zoning classification?**
    Given the size and location, the property is not be suitable for single family use permitted under the current RC zoning designation.

11. **Is the zoning compatible with the adjacent neighborhood, especially residential neighborhood stability and character?**
    The C-2 zoning is compatible with the existing commercial uses in the surrounding area.

12. **What length of time has the subject property remained vacant as zoned?**
    An exact length of time is not known.

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 "Suburban Activity 1" Character Area. The C-2 zoning district proposed with this rezoning is consistent with the commercial uses of the Suburban Activity 1 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-2020-05

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-2020-05, 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 "Suburban Activity 1" Character Area. The C-2 zoning district proposed with this rezoning is consistent with the commercial uses of the Suburban Activity 1Character 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-2020-05, 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-2020-05 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-2020-05 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-2020-05 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

be

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	✓
Appeal	_____	Conditional Zoning Map Amendment	_____

Applicant: Gary McCoy
Address: 6420 Rea Rd. Ste A1, Box 307
Charlotte, NC 28277
Telephone: 704-517-7821
Email: garymccoy@mindspring.com

Owner: Obelisk Outdoor Advertising, LLC
Address: 6420 Rea Rd. Ste A1, Box 307
Charlotte, NC 28277
Telephone: 704-517-7821
Email: garymccoy@mindspring.com

Legal relationship of applicant to property owner: Partner/Manager

Property Location/Address: 675 Winecoff School Rd., Kannapolis

Tax Parcel Number: 5611 59 8729 0000 Zoning District: RC Acreage of Site: 1/4 acre +/-

Requesting Zoning (if applicable): C-2

Gary McCoy
Applicant Name (Print)

Gary W. McCoy 8/7/20
Applicant Signature & Date

Obelisk Outdoor Advertising, LLC
Property Owner Name (Print)

Gary W. McCoy 8/7/20
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: _____ Receipt # _____

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

KANNAPOLIS

APPLICATION FOR AMENDMENT TO THE KANNAPOLIS ZONING MAP

Property Address: 675 Winecoff School Rd., Kannapolis

Property Identification Number(s): 5611 59 8729 0000
(attach separate list if necessary)

Present zoning classification: R-3 Requested zoning classification: C-2

Number of parcels: 1 Approximate size of parcels: 1/4 acre+/-

Are public utilities available? No

Reason for map amendment: To bring parcel zoning into agreement with Move Kannapolis Forward: 2030 Comprehensive Plan and in conformance with the commercial and industrial nature of the parcel and surrounding areas. Since 1984 the property is solely used for the commercial purpose of an outdoor advertising sign, and the neighboring parcels are likewise increasingly commercial and industrial in nature.

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

Gary McCoy
Applicant Name (Print)

Obelisk Outdoor Advertising LLC
Property Owner Name (Print)

Gary D. McCoy 8-7-20
Applicant Signature & Date

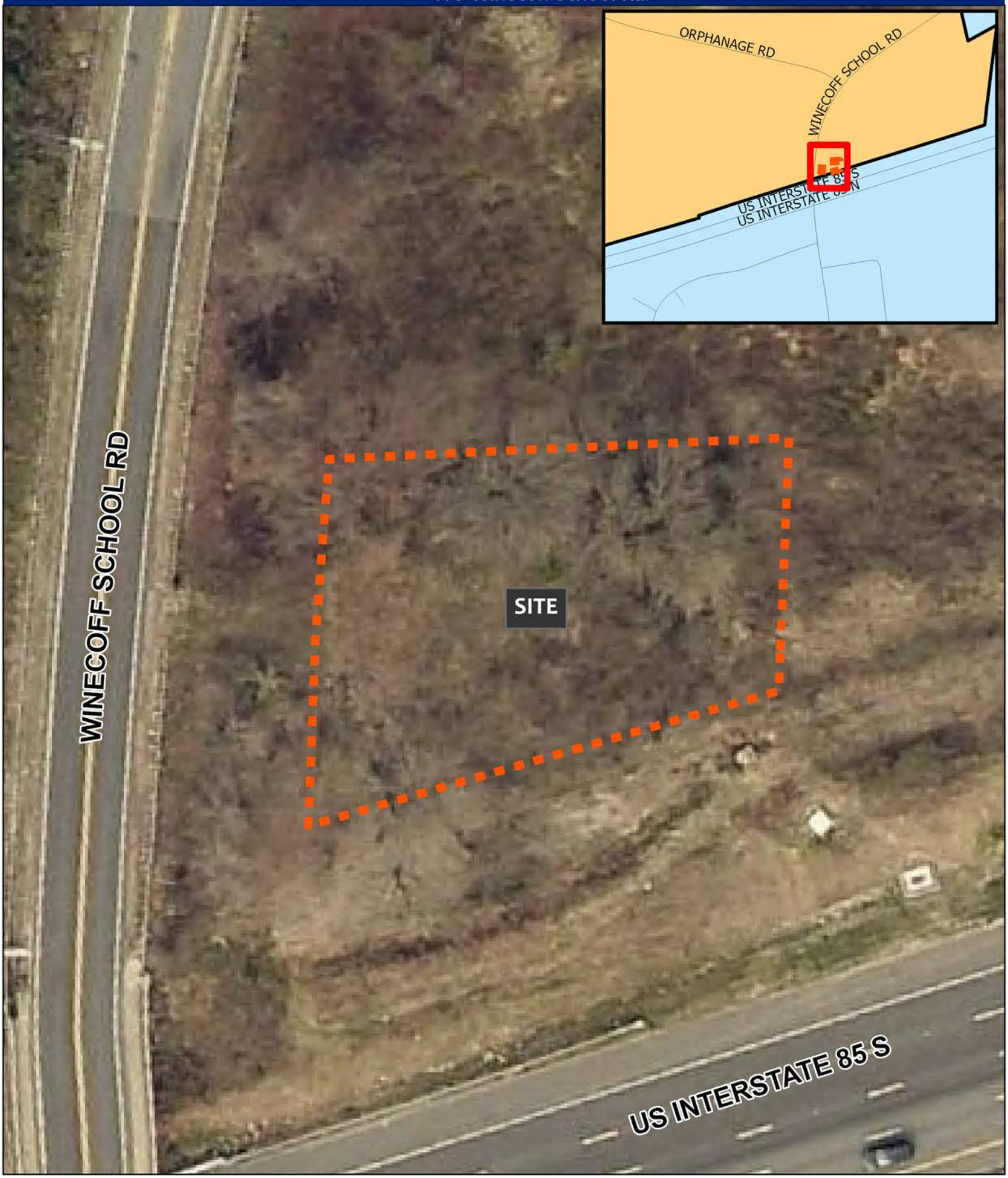
Gary D. McCoy 8-7-20
Property Owner Signature & Date

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.**

Vicinity Map

Case Number: Z-2020-05
Applicant: Gary McCoy
675 Winecoff School Rd.



Kannapolis Current Zoning

Case Number: Z-2020-05
Applicant: Gary McCoy
675 Winecoff School Rd.

Kannapolis Current Zoning

Case Number: Z-2020-05
Applicant: Gary McCoy
675 Winecoff School Rd.

Order Confirmation

Order# 0000668468

PO Box 27283
Richmond, VA 23261-7283

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/TEARSHEETS
KANNAPOLIS NC 28081

Sales Rep	Accnt Rep	Ordered By
aboan	aboan	Pam

Fax: 7049337463
EMail: byow@kannapolisnc.gov

Total Amount	**$620.50**
Payment Amount	**$620.50**
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
0000668468-01	CLS Liner	2 X 49 li	$0.00

Production Method
AdBooker (liner)

Production Notes

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

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Planning and Zoning

Run Dates 8/21/2020, 8/28/2020

TagLine: NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONM
LISNCWEDNESDAYSEPTEMBER22020AT600PMCONDITIONALZON

KANNAPOLIS

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

Wednesday September 2, 2020 at 6:00 pm

Conditional Zoning Map Amendment – CZ-2020-07 – Public hearing to consider a request to rezone approximately 25.05 acres of property located at 319 & 320 North Ave. Extension from Cabarrus County MDR (Medium Density Residential) to City of Kannapolis RC-CZ (Residential Compact-Conditional Zoning), further identified as Cabarrus County PINs # 5622-45-0020 and 5622-35-7092 to allow for a 270-unit multi-family residential development.

ZoningMap Amendment – Z-2020-05 – Public hearing to consider a request to rezone approximately .25 +/- acres located at 675 Winecoff School Rd. from RC (Residential Compact) to C-2 (General Commercial), further identified as Cabarrus County PIN #5611-59-8729.

ZoningMap Amendment – Z-2020-06 – Public hearing to consider a request to rezone approximately .65 +/- combined acres located at 405 West F St., 421 Sycamore Ave. and 417 Sycamore Ave. from RV (Residential Village) to CC (Center City), further identified as Cabarrus County PIN #5613-48-1369, 5613-48-0472 and 5613-48-1552.

IN ORDER TO COMPLY WITH FEDERAL, STATE AND LOCAL RESTRICTIONS IMPOSED IN RESPONSE TO THE COVID-19 VIRUS, SOCIAL DISTANCING PRACTICES WILL BE OBSERVERED 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 tcline@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Publish: August 21, 28, 2020.

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
OBELISK OUTDOOR ADVERTISING, LLC	6420 REA RD UNIT 307	CHARLOTTE	NC	28277
WINECOFF COMMONS LLC	711 CENTRAL AVE	CHARLOTTE	NC	28204
WINECOFF SP LLC	PO BOX 35193	CHARLOTTE	NC	28235
FRANK LITAKER	200 W MINNEHAHA PKWY	MINNEAPOLIS	MN	55419
FRANCES TRIECE	734 ORPHANAGE RD	CONCORD	NC	28027
GARY MCCOY	6420 REA RD ST A1 BOX 307	CHARLOTTE	NC	28277

KANNAPOLIS
Planning

August 20, 2020

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Wednesday, September 2, 2020 at 6:00 PM, for the following case:

Z-2020-05 – Zoning Map Amendment – 675 Winecoff School Rd.

The purpose of the Public Hearing is to consider a request by Gary McCoy to rezone property located at 675 Winecoff School Rd. from RC (Residential Compact) to C-2 (General Commercial). The subject property is approximately .25 +/- acres and further identified as Cabarrus County Parcel Identification Number(s) 5611-59-8729 (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,

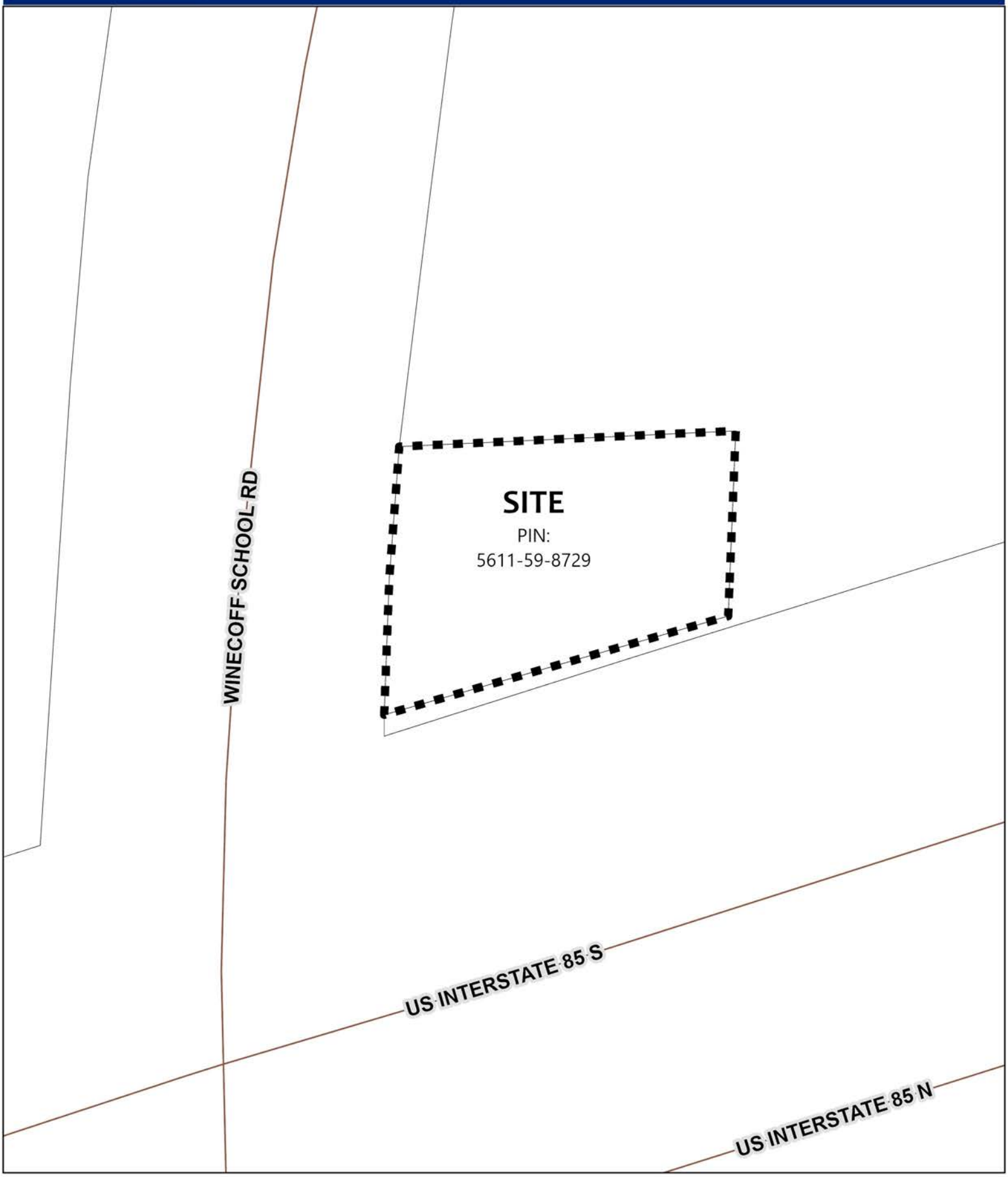
Gretchen Coperine, AICP
Assistant Planning Director

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 tcline@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Zoning Map Amendment

Case Number: Z-2020-05
Applicant: Gary McCoy
675 Winecoff School Rd.



SPEED
LIMIT
35

CITYWIDE
SPEED LIMIT 35
UNLESS
OTHERWISE POSTED

KANNAPOLIS

PLANNING

ZONING

COMMISSION

PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE # Z -2020 - 05

RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO CASE #Z-2020-05

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 September 2, 2020 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone a property located at 675 Winecoff School Rd. (Cabarrus County Parcel Identification Number 5611-59-8729) owned by Obelisk Outdoor Advertising, LLC, from City of Kannapolis Residential Compact (RC) Zoning Designation to a City of Kannapolis General Commercial (C-2) Zoning 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 "Suburban Activity 1" Character Area. The C-2 zoning district proposed with this rezoning is consistent with the commercial uses of the Suburban Activity 1Character 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 2nd day of September 2020:

_____
David Steele, Chairman
Planning and Zoning Commission

Attest:

_____
Pam Scaggs, Recording Secretary
Planning and Zoning Commission

RESOLUTION TO ZONE

Case #Z-2020-05 (675 Winecoff School Rd.)

City of Kannapolis Residential Compact (RC) Zoning District to
City of Kannapolis General Commercial (C-2) 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 September 2, 2020 for consideration of rezoning petition Case #Z-2020-05 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone property located at 675 Winecoff School Rd., (Cabarrus County Parcel Identification Number 5611-59-8729) owned by Obelisk Outdoor Advertising, LLC, from City of Kannapolis Residential Compact (RC) Zoning Designation to a City of Kannapolis General Commercial (C-2) 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 .25 +/- 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 "Suburban Activity 1" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Suburban Activity 1 Character Area calls for commercial uses. Therefore, the proposed C-2 district is consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*.

3. **Is the proposed rezoning compatible with the surrounding area?**
   The surrounding area consists of predominantly commercial development on the east side of Winecoff School Road. The proposed C-2 designation 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.

8. **Is there compliance with the adequate public facilities criteria?**
   Any 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?**
   The surrounding area consists of predominantly commercial development on the east side of Winecoff School Road. The proposed C-2 designation is therefore compatible with the surrounding area.

10. **Is the subject property suitable for the uses to which it has been restricted under the existing zoning classification?**
    Given the size and location, the property is not be suitable for single family use permitted under the current RC zoning designation.

11. **Is the zoning compatible with the adjacent neighborhood, especially residential neighborhood stability and character?**
    The C-2 zoning is compatible with the existing commercial uses in the surrounding area.

12. **What length of time has the subject property remained vacant as zoned?**
    An exact length of time is not known.

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 C-2 – General Commercial Zoning District

Adopted this the 2nd day of September 2020:

_____
David Steele, Chairman
Planning and Zoning Commission

Attest:

_____
Pam Scaggs, Recording Secretary
Planning and Zoning Commission

Planning and Zoning Commission
September 2, 2020 Meeting

Staff Report

TO: Planning & Zoning Commission

FROM: Gretchen Coperine, Assistant Planning Director

SUBJECT: **Case #Z-2020-06: West F St. and Sycamore Ave.**
Zoning Map Amendment
Applicant: Long Ridge Development

Request to rezone approximately .65 +/- combined acres located at 405 West F St., 421 Sycamore Ave. and 417 Sycamore Ave. from RV (Residential Village) to CC (Center City).

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, Long Ridge Development is proposing to rezone the subject properties, further identified as Cabarrus County PINs# 5613-48-1369, 5613-48-0472 and 5613-48-1552. This is a map amendment request without any conditions as the intent is to rezone the property from RV (Residential Village) to CC (Center City). If rezoned, any of the permitted uses in the CC 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 .65 +/- 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 within the "Urban Residential" and "City Center" Character Areas as designated in the ***Move Kannapolis Forward 2030 Comprehensive Plan***. Both Character Areas call for various uses, including residential, commercial, retail and office, to name a few.

3. **Is the proposed rezoning compatible with the surrounding area?**
   The surrounding area consists of single-family detached residences as well as planned multi-family and commercial uses. The proposed CC designation allows a mixture of uses 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.

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?**
   It is anticipated that the surrounding area will experience new development in the near future due to its proximity to the adjacent downtown development.

8. **Is there compliance with the adequate public facilities criteria?**
   Public facilities are available 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, south and west are zoned RV. Properties to the east are zoned CC.

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 RV and would allow single family detached homes.

11. **Is the zoning compatible with the adjacent neighborhood, especially residential neighborhood stability and character?**
    The surrounding area consists of single-family detached residences as well as planned future multi-family and commercial uses. The proposed CC designation allows a mixture of uses and is therefore compatible with the surrounding area.

12. **What length of time has the subject property remained vacant as zoned?**
    One of the parcels is currently vacant. The other parcels are developed with single-family detached homes.

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 amendment **consistent** with the ***Move Kannapolis Forward 2030 Comprehensive Plan,*** adopted by City Council, which places the subject property in the "Urban Residential" and "City Center" Character Areas. The CC zoning district proposed with this rezoning is consistent with both of these Character Areas. The proposed rezoning is also 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-2020-06

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-2020-06, 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* **consistent** *with the* ***Move Kannapolis Forward 2030 Comprehensive Plan****, adopted by City Council, which places the subject property in the "Urban Residential" and "City Center" Character Areas. The*

CC zoning district proposed with this rezoning is consistent with both Character Areas. 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-2020-06, 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-2020-06 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-2020-06 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-2020-06 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	✓
Appeal	_____	Conditional Zoning Map Amendment	_____

Applicant: LONG RIDGE DEVELOPMENT
Address: 204 OAK AVE KANNAPOLIS NC 28081
Telephone: (704) 932-7076
Email: JOSHUA@LONGRIDGEDEVELOPMENT.US

Owner: DAVID MILLER REALTY & INVESTMENT INC
Address: 1640 DALE EARNHARDT BLVD KANNAPOLIS NC 28083
Telephone: (704) 791-5845
Email: DAVID@APIMENTAL.NET

Legal relationship of applicant to property owner: CLIENT

Property Location/Address: 405 W I, 421 SYCAMORE AVE, 417 SYCAMORE AVE

Tax Parcel Number: _____ Zoning District: RU Acreage of Site: .65

Requesting Zoning (if applicable): CC

JOSHUA MASSEY
Applicant Name (Print)

Applicant Signature & Date

DAVID MILLER
Property Owner Name (Print)

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: _____ Receipt # _____

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

KANNAPOLIS

APPLICATION FOR AMENDMENT TO THE KANNAPOLIS ZONING MAP

Property Address: 405 W F, 421 SYCAMORE AVE
417 SYCAMORE AVE

Property Identification Number(s): 5613481552000 5613480472000 5613481369000
(attach separate list if necessary)

Present zoning classification: RU Requested zoning classification: CC

Number of parcels: 3 Approximate size of parcels: .65

Are public utilities available? YES

Reason for map amendment: INCREASE IN DENSITY

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

JOSHUA MASTERS
Applicant Name (Print)

DAVID MILLER
Property Owner Name (Print)

8/3/2020
Applicant Signature & Date

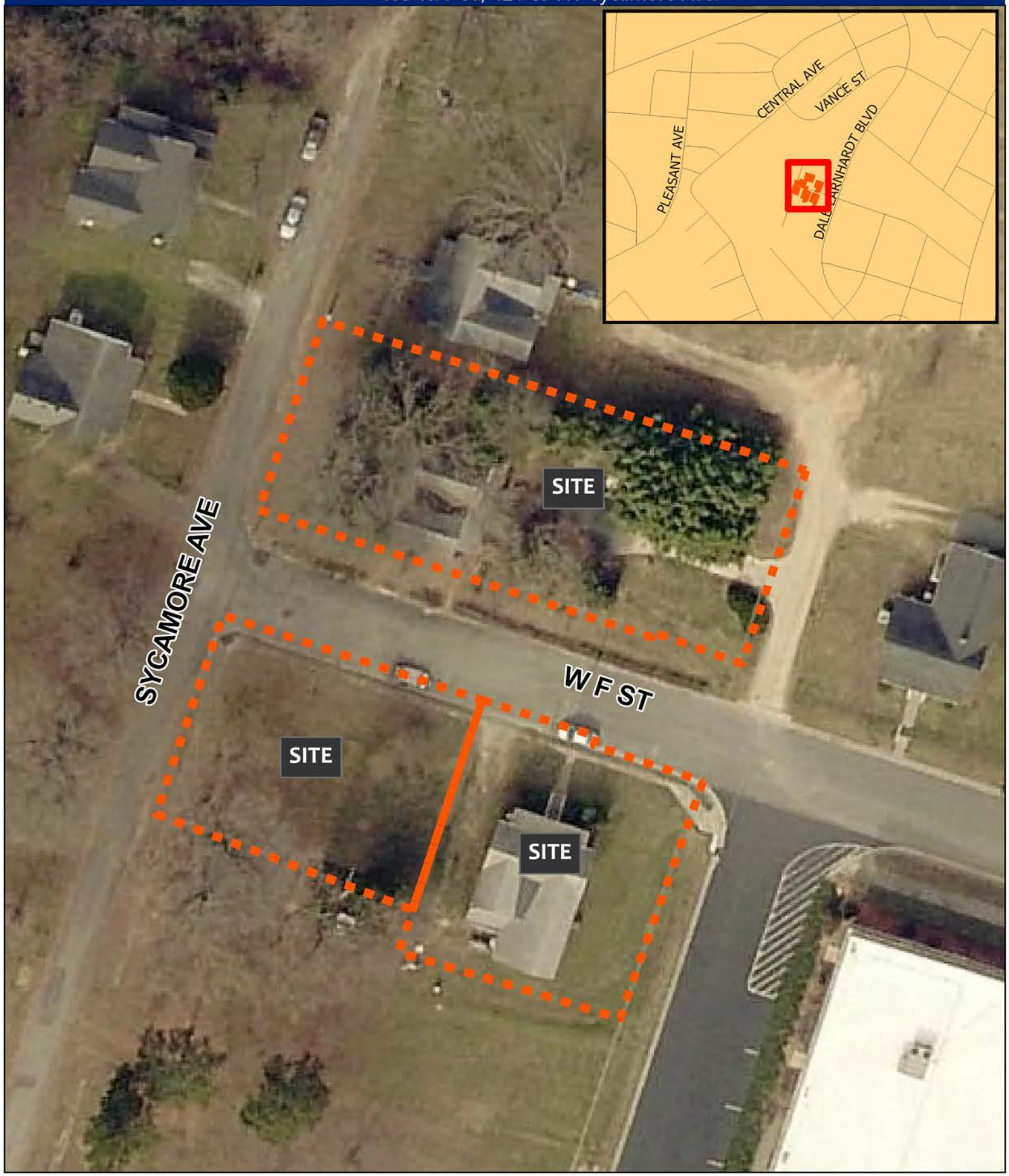
Property Owner Signature & Date

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.**

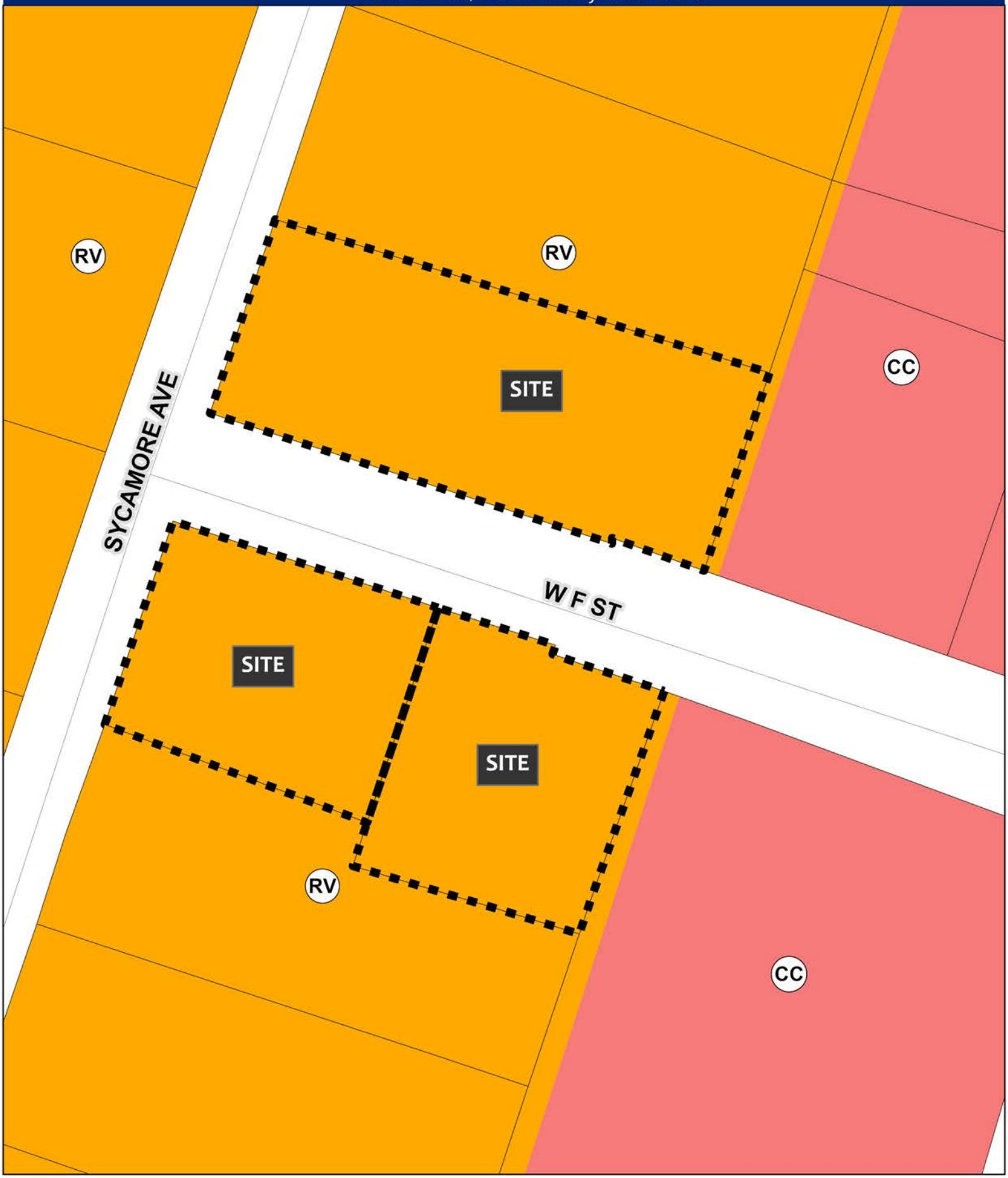
Vicinity Map

Case Number: Z-2020-06
Applicant: Long Ridge Development
405 W. F St., 421 & 417 Sycamore Ave.



Kannapolis Current Zoning

Case Number: Z-2020-06
Applicant: Long Ridge Development
405 W. F St., 421 & 417 Sycamore Ave.



Kannapolis 2030 Future Land Use Map

Case Number: Z-2020-06
Applicant: Long Ridge Development
405 W. F St., 421 & 417 Sycamore Ave.

Order Confirmation

Order# 0000668468

PO Box 27283
Richmond, VA 23261-7283

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/TEARSHEETS
KANNAPOLIS NC 28081

Sales Rep	Accnt Rep	Ordered By
aboan	aboan	Pam

Fax: 7049337463
EMail: byow@kannapolisnc.gov

Total Amount	**$620.50**
Payment Amount	**$620.50**
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
0000668468-01	CLS Liner	2 X 49 li	$0.00

Production Method
AdBooker (liner)

Production Notes

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

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Planning and Zoning

Run Dates 8/21/2020, 8/28/2020

TagLine: NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONM
LISNCWEDNESDAYSEPTEMBER22020AT600PMCONDITIONALZON

KANNAPOLIS

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

Wednesday September 2, 2020 at 6:00 pm

Conditional Zoning Map Amendment – CZ-2020-07 – Public hearing to consider a request to rezone approximately 25.05 acres of property located at 319 & 320 North Ave. Extension from Cabarrus County MDR (Medium Density Residential) to City of Kannapolis RC-CZ (Residential Compact-Conditional Zoning), further identified as Cabarrus County PINs # 5622-45-0020 and 5622-35-7092 to allow for a 270-unit multi-family residential development.

ZoningMap Amendment – Z-2020-05 – Public hearing to consider a request to rezone approximately .25 +/- acres located at 675 Winecoff School Rd. from RC (Residential Compact) to C-2 (General Commercial), further identified as Cabarrus County PIN #5611-59-8729.

ZoningMap Amendment – Z-2020-06 – Public hearing to consider a request to rezone approximately .65 +/- combined acres located at 405 West F St., 421 Sycamore Ave. and 417 Sycamore Ave. from RV (Residential Village) to CC (Center City), further identified as Cabarrus County PIN #5613-48-1369, 5613-48-0472 and 5613-48-1552.

IN ORDER TO COMPLY WITH FEDERAL, STATE AND LOCAL RESTRICTIONS IMPOSED IN RESPONSE TO THE COVID-19 VIRUS, SOCIAL DISTANCING PRACTICES WILL BE OBSERVERED 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 tcline@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Publish: August 21, 28, 2020.

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
ADALBERTO & ROSA SANTIAGOPELAEZ	515 GIBSON DR NW	CONCORD	NC	28025
DAVID MILLER REALTY & INVESTMENT INC.	1640 DALE EARNHARDT BLVD	KANNAPOLIS	NC	28083
ELTON & MARGOT CRISMAN	427 SYCAMORE AVENUE	KANNAPOLIS	NC	28081
ATLANTIC AMERICAN PROPERTIES INC.	226 OAK AVE	KANNAPOLIS	NC	28081
MARK & JANE MCPIKE	708 BROAD STREET	KANNAPOLIS	NC	28081
MURDOCK HOLDINGS LLC	210 OAK AVE	KANNAPOLIS	NC	28081
GAIL KARRIKER	2240 FLAT ROCK RD	CHINA GROVE	NC	28023
RUBEN INVESTMENT LLC	705 BROAD ST	KANNAPOLIS	NC	28081
GREATHORN DEVELOPMENT CORP	PO BOX 518	CORNELIUS	NC	28031
CURB REALTY INC C/O MICHAEL HUDDLESTON	48 MUSIC SQUARE E	NASHVILLE	TN	37203
LONG RIDGE DEVELOPMENT ATTN: JOSHUA MASTERS	204 OAK AVE	KANNAPOLIS	NC	28081

KANNAPOLIS
Planning

August 20, 2020

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Wednesday, September 2, 2020 at 6:00 PM, for the following case:

Z-2020-06 – Zoning Map Amendment – West F St. and Sycamore Ave.

The purpose of the Public Hearing is to consider a request by Long Ridge Development to rezone property located at 405 West F St., 421 Sycamore Ave. and 417 Sycamore Ave. from RV (Residential Village) to CC (Center City). The subject properties are approximately .65 +/- combined acres and further identified as Cabarrus County Parcel Identification Number(s) 5613-48-1369, 5613-48-0472 and 5613-48-1552 (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,

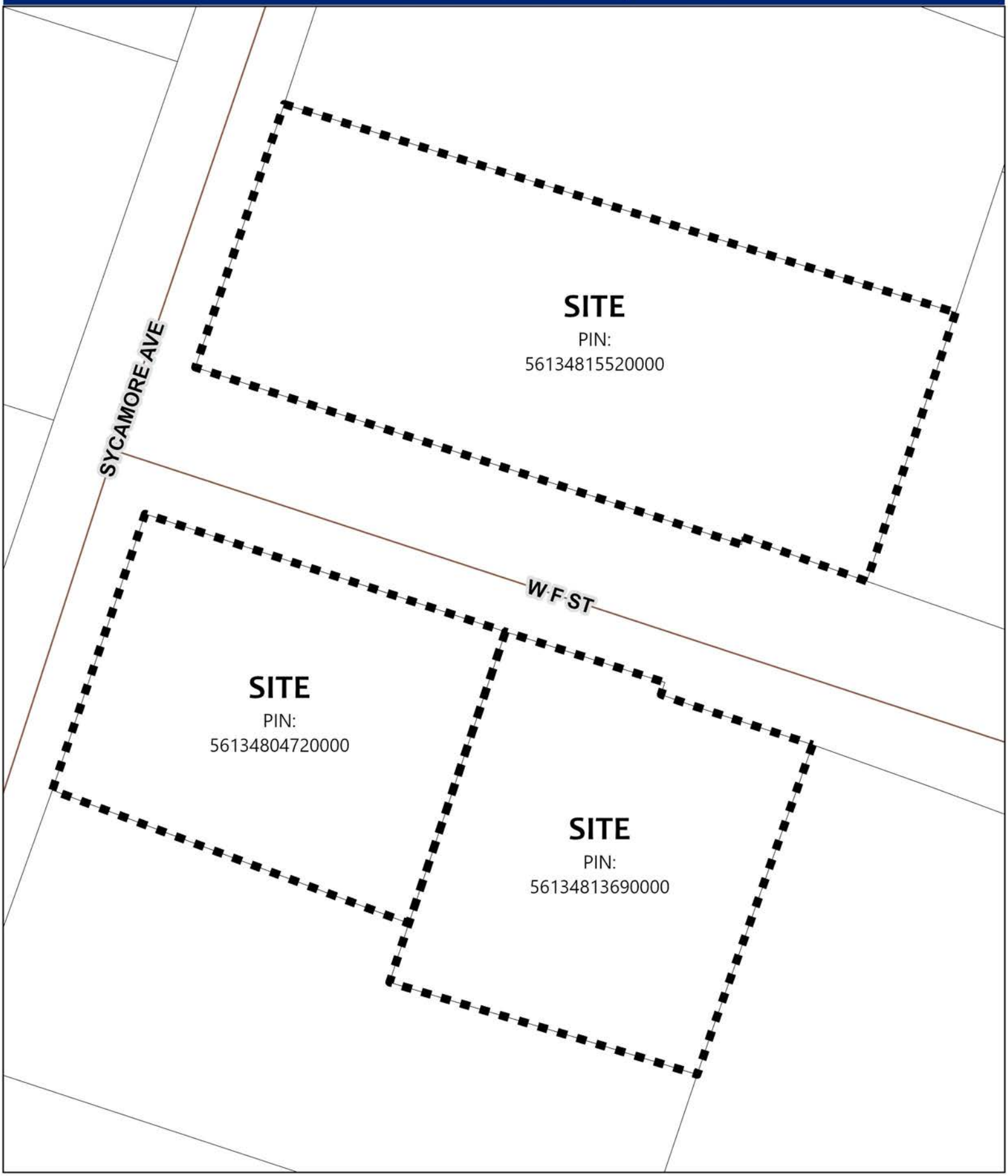
Gretchen Coperine, AICP
Assistant Planning Director

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 tcline@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Zoning Map Amendment

Case Number: Z-2020-06
Applicant: Long Ridge Development
405 W. F St., 421 & 417 Sycamore Ave.



PLANNING
ZONING
COMMISSION
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE # J-2020-01

KANNAPOLIS
PLANNING
ZONING
COMMISSION
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE # Z - 2020 - 06

RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO CASE #Z-2020-06

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 September 2, 2020 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone properties located at 405 West F St., 421 Sycamore Ave. and 417 Sycamore Ave., (Cabarrus County Parcel Identification Numbers 5613-48-1369, 5613-48-0472 and 5613-48-1552) owned by David Miller Realty & Investments, Inc. from City of Kannapolis Residential Village (RV) Zoning Designation to a City of Kannapolis Center City (CC) Zoning 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" and "City Center" Character Areas. The CC zoning district proposed with this rezoning is consistent with both Character Areas. 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 2nd day of September 2020:

_____
David Steele, Chairman
Planning and Zoning Commission

Attest:

_____
Pam Scaggs, Recording Secretary
Planning and Zoning Commission

RESOLUTION TO ZONE

Case #Z-2020-06 (West F St. and Sycamore Ave.)

City of Kannapolis Residential Village (RV) Zoning District to
City of Kannapolis Center City (CC) 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 September 2, 2020 for consideration of rezoning petition Case #Z-2020-06 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone property located at 405 West F St., 421 Sycamore Ave. and 417 Sycamore Ave., (Cabarrus County Parcel Identification Numbers 5613-48-1369, 5613-48-0472 and 5613-48-1552) owned by David Miller Realty & Investments, Inc. from City of Kannapolis Residential Village (RV) Zoning Designation to a City of Kannapolis Center City (CC) 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 .65 +/- 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 within the "Urban Residential" and "City Center" Character Areas as designated in the ***Move Kannapolis Forward 2030 Comprehensive Plan***. Both Character Areas call for various uses, including residential, commercial, retail and office to name a few.

3. **Is the proposed rezoning compatible with the surrounding area?**
   The surrounding area consists of single-family detached residences as well as future multi-family and commercial uses. The proposed CC designation allows a mixture of uses 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.

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?**
   Public facilities 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, south and west are zoned RV. Properties to the east are zoned CC.

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 RV and would allow single family detached homes.

11. **Is the zoning compatible with the adjacent neighborhood, especially residential neighborhood stability and character?**
    The surrounding area consists of single-family detached residences as well as future multi-family and commercial uses. The proposed CC designation allows a mixture of uses and is therefore compatible with the surrounding area.

12. **What length of time has the subject property remained vacant as zoned?**
    One of the parcels is currently vacant. The other parcels are developed with single-family detached homes.

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 CC – Center City Zoning District

Adopted this the 2nd day of September 2020:

_____
David Steele, Chairman
Planning and Zoning Commission

Attest:

_____
Pam Scaggs, Recording Secretary
Planning and Zoning Commission