



**Planning & Zoning Commission
September 25, 2019 Meeting**

Staff Report

DATE: October 2, 2019
TO: Planning & Zoning Commission
FROM: Gretchen Coperine, AICP, Senior Planner
SUBJECT: **Case #CZ-2019-06: 4301 Kannapolis Parkway
Conditional Zoning Map Amendment
Applicant: Redwood USA, LLC**

The applicant is requesting to rezone property located at 4301 Kannapolis Parkway from Agricultural (AG) to Residential Compact-Conditional Zoning (RC-CZ).

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

Section 3.3.4.2 of the UDO allows the Planning and Zoning Commission to render a final decision on a rezoning request; subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision. If there is a denial, an approval by a vote of less than three-fourths, or an appeal of the decision, then only the City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

C. Background

The applicant is proposing to rezone the subject property from AG (Agricultural) to RC-CZ (Residential Compact-Conditional Zoning). The attached plan shows a 166-unit residential development. The units are intended to be single-level, attached rental units.

The property owner is Julia Hatley, who also owned property abutting the subject parcel and fronting Kannapolis Parkway. In 2008 under rezoning case Z-08-17, parcels 1 and 15 of the then-Hatley

property were rezoned for commercial use. (See attached Z-08-17 plan for reference). At the time, various connection points were established to adjacent properties, to which the subject rezoning plan proposes to connect.

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 37 +/- 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 largely within the “Complete Neighborhood 2” Character Area, with a small portion within the “Neighborhood Transition 1” and “Primary Activity Center” Character Areas as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*.

The Complete Neighborhood 2 Character Area calls for primary uses of single-family detached and attached residential, multi-family residential, small format retail and civic uses. Secondary uses are intended to be small format office and live-work units.

The Neighborhood Transition 1 Character Area calls for primary uses of single-family detached and attached residential and civic uses. Secondary uses are intended to be multifamily residential, small retail and office, and live-work units.

The Primary Activity Center Character Area calls for primary uses of retail, office and multi-family. Secondary uses are intended to be institutional, light manufacturing and single-family attached residential.

The RV-CZ conditional zoning district with this rezoning proposes a 166-unit single-level attached residential apartment development, which fits with the Character Areas within which the property is situated.

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

The subject property is located on the west side of Kannapolis Parkway. Parcels to the north and east are zoned Agricultural (AG) and could be developed in the future. Parcels to the east and south along Kannapolis Parkway are zoned C-2 (General Commercial). Parcels to the south are also zoned Residential Low Density (RL) and Office-Institutional (O-I). Parcels to the west are zoned Residential Medium Density (RM-1).

The requested rezoning proposes a residential development of a scale that represents an appropriate transition between the commercial uses on Kannapolis Parkway and the medium - density residential zoning to the west of the subject property.

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

The subject property is accessed from Kannapolis Parkway, which is a State-owned road. As such, NCDOT and the City will need to review and approve the location of access from Kannapolis Parkway. A full site plan submittal will be required should the rezoning be

approved. Improvements along Kannapolis Parkway shall be determined at final site plan review, and would typically include turn lanes into the development.

5. Will there be parking problems?

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

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

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

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

At the time of final site plan approval, appropriate City, County and State reviews will ensure there are no negative impacts to the existing floodplain on this site.

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 area along Kannapolis Parkway is continuing to develop/redevelop as a major residential, office and commercial corridor. Adequate utilities exist or will be extended as development/redevelopment occurs along the Parkway.

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

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

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

The subject property is located on the west side of Kannapolis Parkway. Parcels to the north and east are vacant and zoned Agricultural (AG) and could be developed in the future. Parcels to the east and south along Kannapolis Parkway are also vacant and zoned C-2 (General Commercial). Parcels to the south are vacant and zoned Residential Low Density (RL) and Office-Institutional (O-I). Parcels to the west are zoned Residential Medium Density (RM-1) and developed with single-family homes.

Most parcels adjacent to the subject property are vacant. The exceptions are the medical use to the east of the property along Kannapolis Parkway and an existing single-family home to the south along Kannapolis Parkway.

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

The subject property is currently zoned AG, which does not permit single-family attached residences. Therefore, the applicant is seeking to rezone to RV-CZ to be able to develop a 166-unit, single-level attached residential apartment development. Townhome development is also a suitable use for the property.

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

The requested rezoning proposes a single-family attached development of a scale that represents an appropriate transition between the commercial uses on Kannapolis Parkway and the residential zoned land surrounding the subject property.

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

The subject property has a structure on the site.

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

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

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

No.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

Staff finds this rezoning **consistent** with the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which locates this property largely within the “Complete Neighborhood 2” Character Area, with a small portion within the “Neighborhood Transition 1” and “Primary Activity Center” Character Areas. Staff finds the request for rezoning reasonable and in the public interest because it allows for residential land use of a scale appropriate for transitioning between the more intense commercial uses to the east along Kannapolis Parkway and the medium-density single-family residential zoned uses to the west of the subject parcel. The proposed rezoning is compatible with surrounding zoning and is not anticipated to have an adverse effect on the capacity and safety of the adjacent street network, nor is anticipated to generate parking problems or any adverse impact on the environment. Finally, the proposed development will be adequately served by public water and sewer service.

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 of Zoning Map Amendment Case #CZ-2019-06:

1. The uses permitted with this rezoning shall only include 166-unit single-level attached residential units, in general conformance with the site plan and architectural elevations submitted with this rezoning.
2. The concept plan is illustrative. Final Design of the project as reviewed by the Technical Review Committee shall be subject to meeting all applicable UDO and other city standards.
3. Final roadway design shall be determined during site plan review.
4. Final site access shall be approved by NCDOT and the City.
5. All lighting installed on the subject property shall utilize full cut-off fixtures with all lighting directed downward and away from adjacent properties.
6. Streams and wetlands shall be identified by a qualified professional and all buffers shown in accordance with Article 4 of the Kannapolis UDO. Construction of buildings, roads, and other structures must comply with RSOD Buffer requirements.

7. **A Stormwater Management Permit will be required for this Development in accordance with Article 9 of the Kannapolis UDO. Easements, maintenance agreements and adequate access shall be provided for all stormwater structures and BMP's. Stormwater BMP's cannot be constructed in the undisturbed buffer.**
8. **Fire hydrants and fire protection equipment shall comply with Appendix C.3 of the UDO and all applicable Fire Codes.**

Alternative Courses of Action

APPROVAL

Motion 1 – Statement of Consistency

Should the Commission choose to approve the request for rezoning as presented in Case #CZ-2019-06, a motion should be made to adopt the following Statement of Consistency:

Statement of Consistency: The Planning and Zoning Commission finds this rezoning **consistent** with the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which locates largely within the “Complete Neighborhood 2” Character Area, with a small portion within the “Neighborhood Transition 1” and “Primary Activity Center” Character Areas. Staff finds the request for rezoning reasonable and in the public interest because it allows for residential land use of a scale appropriate for transitioning between the more intense commercial uses to the east along Kannapolis Parkway and the medium-density single-family residential zoned uses to the west of the subject parcel. The proposed rezoning is compatible with surrounding zoning and is not anticipated to have an adverse effect on the capacity and safety of the adjacent street network, nor is anticipated to generate parking problems or any adverse impact on the environment. Finally, the proposed development will be adequately served by public water and sewer service.

Motion 2 – Approval to rezone – Resolution to Zone

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

DENIAL

Motion 1 – Statement of Consistency

Should the Commission choose to deny the rezoning request as presented in Case #CZ-2019-06, 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 #CZ-2019-06 to be **inconsistent** with the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, because (state reason(s) and is neither reasonable nor in the public interest because (state reason(s) and is therefore denied based on the criteria in Section 3.3.5 of the UDO for evaluating zoning requests, consideration of the application materials and information presented at the Public Hearing..*

Motion 2 – Denial of Rezoning

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

I. Attachments

1. Conditional Rezoning Application
2. Vicinity Map
3. Zoning Map
4. Future Land Use Map
5. Z-08-17 Plan for Reference
6. Site Plan
7. Proposed Elevation
8. Neighborhood Meeting and Information
9. Notice of Public Hearing
10. List of Notified Properties
11. Letters to Adjacent Property Owners
12. Posted Public Notice
13. Resolution to Adopt a Statement of Consistency
14. Resolution to Zone

J. Issue Reviewed By:

- City Manager
- City Attorney
- Planning Director



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

Type of Action Requested (Check One):

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

Applicant: <u>Redwood USA, LLC</u>	Owner: <u>Julia O. Hatley</u>
Address: <u>7510 East Pleasant Valley Road</u> <u>Independence, OH 44131</u>	Address: <u>4801 Kannapolis Parkway</u> <u>Kannapolis, NC 28081</u>
Telephone: <u>330-819-3977</u>	Telephone: <u>704-699-4235</u>
Email: <u>BDyer@byRedwood.com</u>	Email: <u>n/a</u>

Legal relationship of applicant to property owner: Applicant is under contract to purchase property from owner

Property Location/Address: 4443 Kannapolis Parkway

Tax Parcel Number: 56031119960000 Zoning District: RC-CZ Acreage of Site: +/- 37 ac

<u>Bob Dyer (Director of Acquisitions)</u>	<u>Julia O. Hatley</u>
Applicant Name (Print)	Property Owner Name (Print)
 <u>8/27/19</u>	
Applicant Signature & Date	Property Owner Signature & Date

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

For Staff Use Only:

Filing Fee: _____	Receipt # _____
Application No.: _____	Date Submitted (Complete): _____

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

I, Bob Dyer (Redwood USA, LLC), hereby petition for a Conditional Zoning District for the following exact land use(s), subject to the following condition(s):

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

Residential (multifamily) apartment neighborhood. See attached site plan and accompanied documents.

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

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



Signature of Property Owner

Julia O. Hatley

4801 Kannapolis Parkway, Kannapolis NC 28081

Address
704-699-4235

Telephone #

Signature of Property Owner

Address

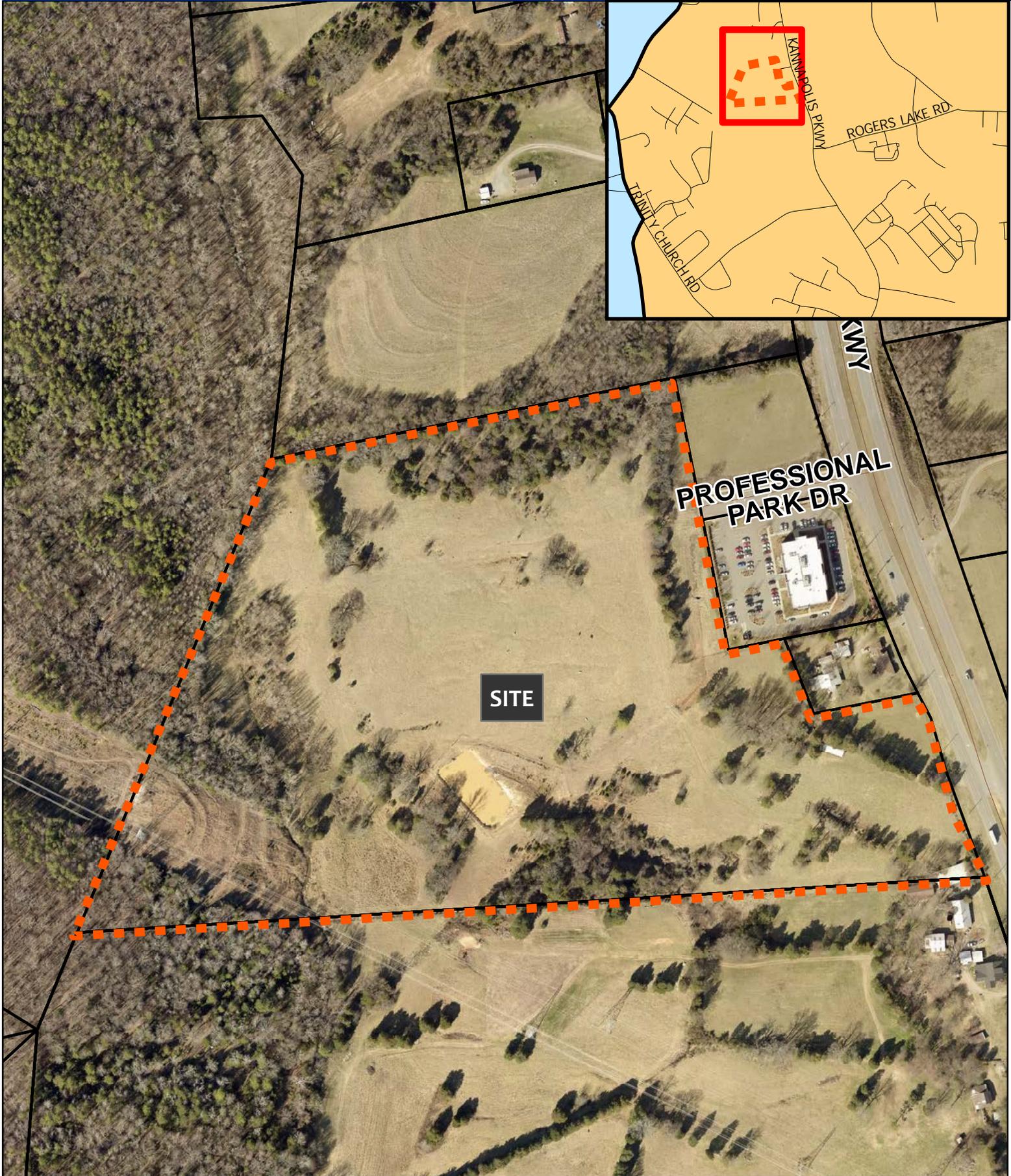
Telephone #

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



Vicinity Map

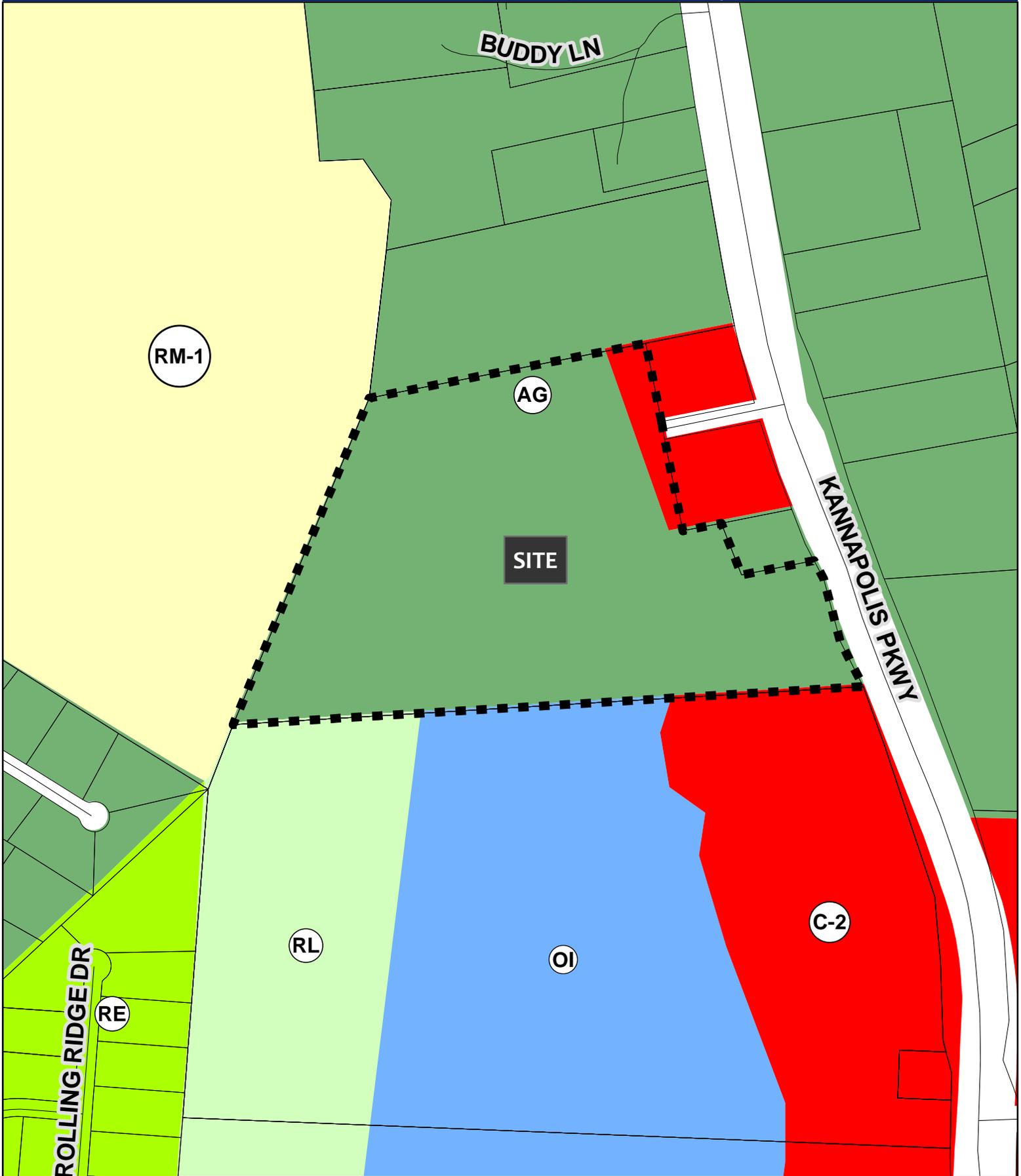
Case Number: CZ-2019-06
Applicant: Redwood USA, LLC
4443 Kannapolis Parkway





Kannapolis Current Zoning

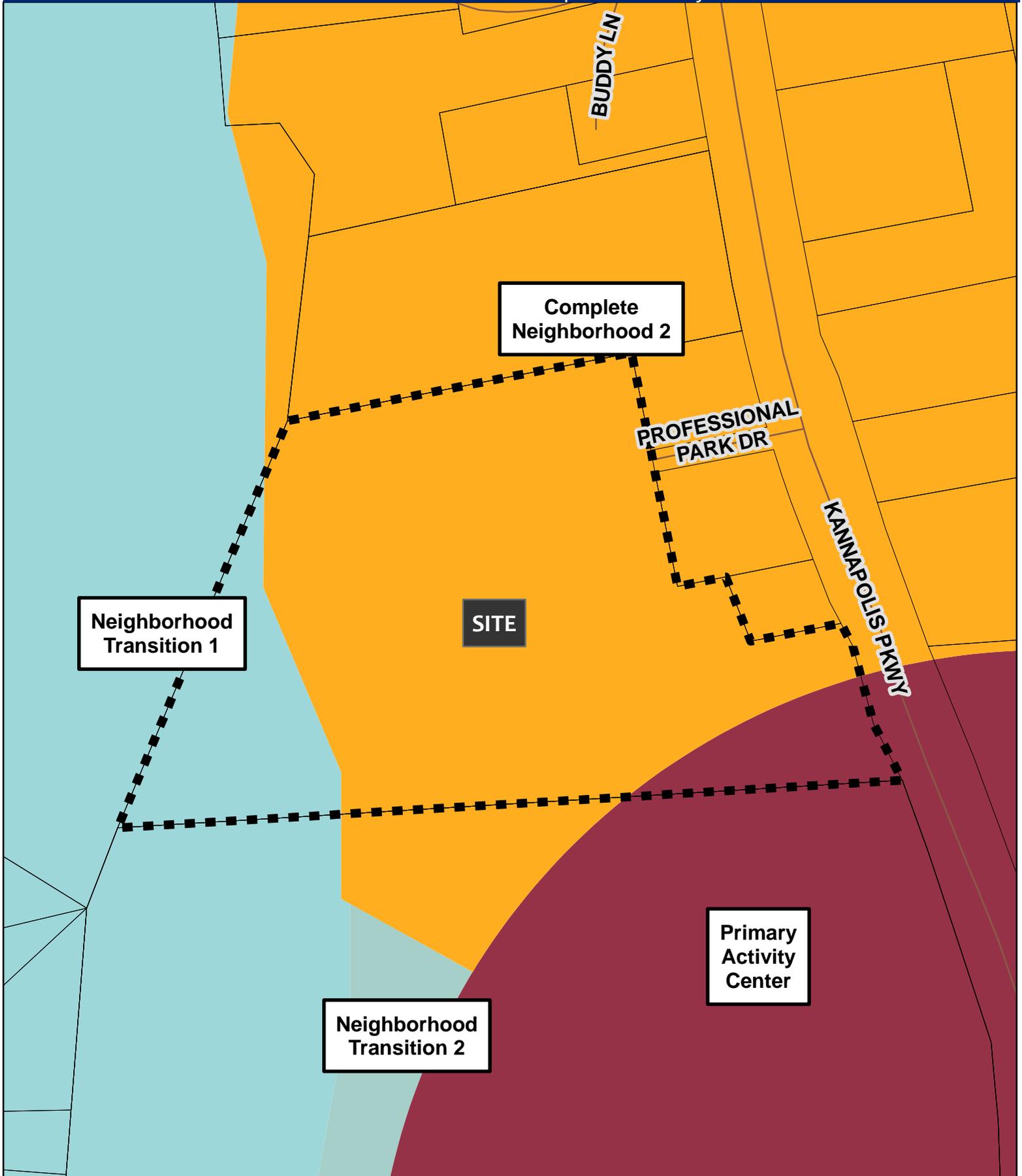
Case Number: CZ-2019-06
Applicant: Redwood USA, LLC
4443 Kannapolis Parkway

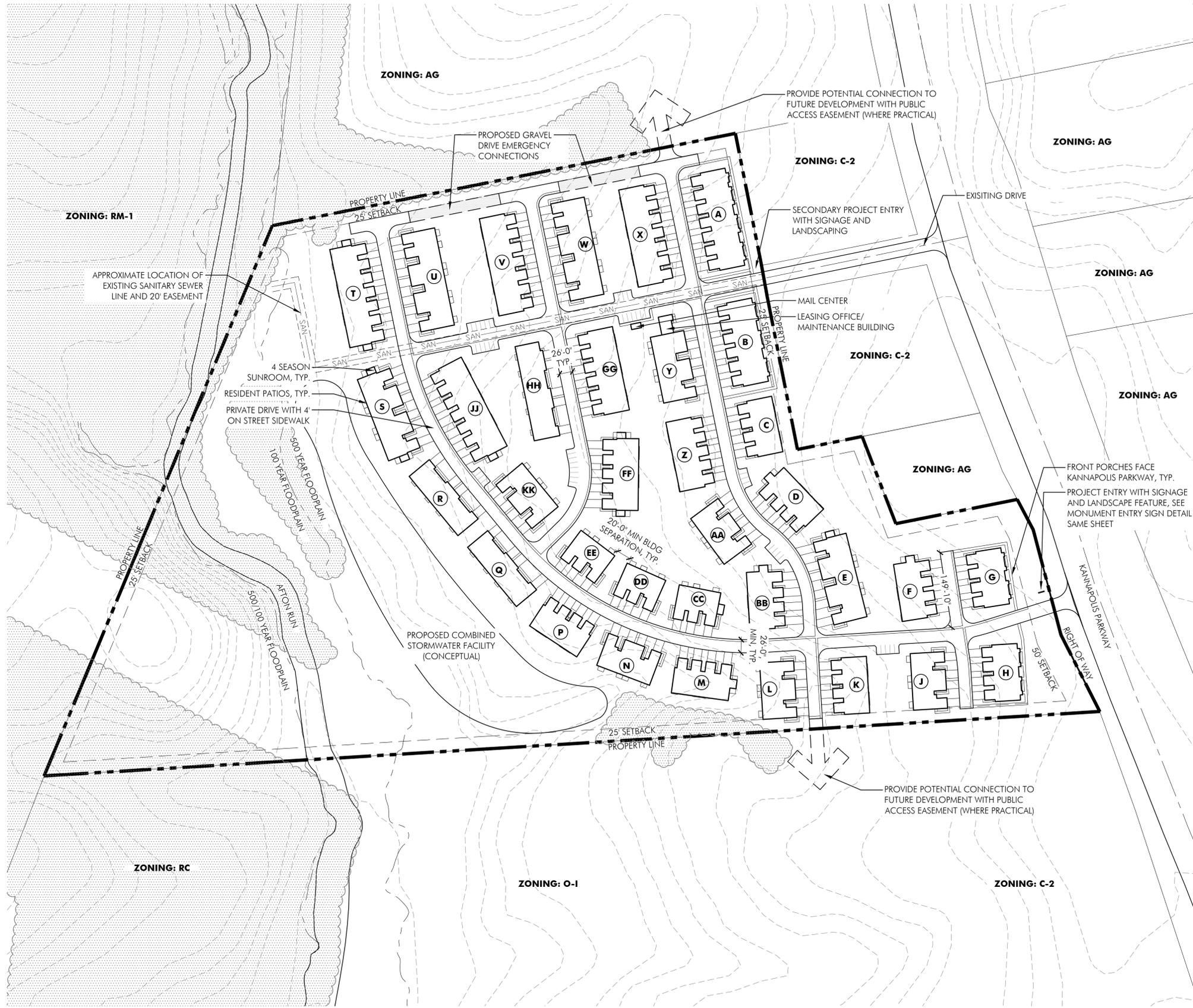




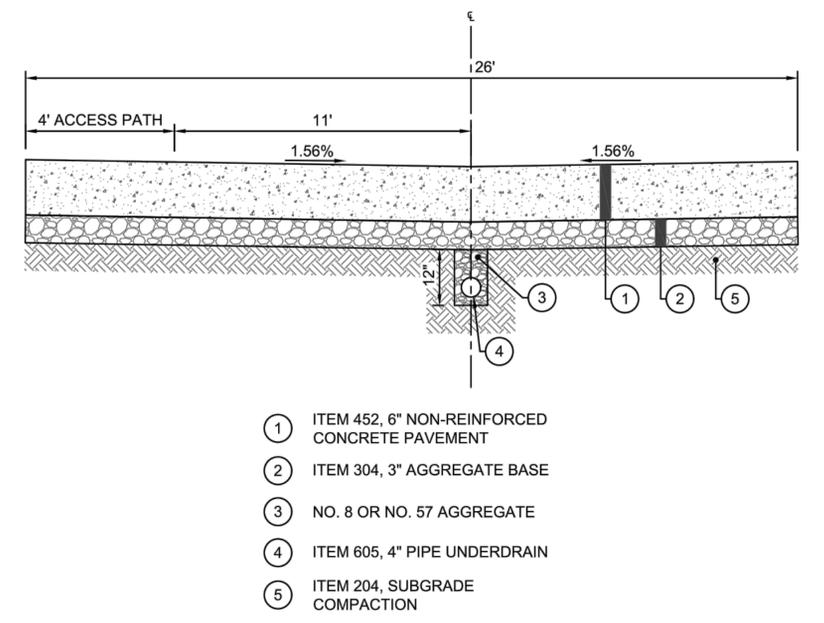
Kannapolis 2030 Future Land Use Map

Case Number: CZ-2019-06
Applicant: Redwood USA, LLC
4443 Kannapolis Parkway





SITE DATA	
TOTAL ACREAGE	±37.1 AC
EXISTING ZONING	AG
PROPOSED ZONING	RC-CZ (RESIDENTIAL CLUSTER - CONDITIONAL ZONING)
TOTAL UNITS	166
DENSITY	±4.48 DU/AC
OPEN SPACE REQUIRED	±3.3 AC (12%)
OPEN SPACE PROVIDED	±9.5 AC (26%)
PARKING REQUIRED (MIN. 1.5/UNIT - MAX 2.5/UNIT)	249 - 415
TOTAL PARKING PROVIDED	713
GARAGE (2 SP/UNIT)	332
DRIVEWAY (2 SP/UNIT)	332
GUEST	49

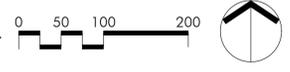


Typical Private Roadway Section
Not To Scale



Monument Entry Sign (32 SF face)
1/2" = 1'-0"

Site Plan
SCALE: 1" = 100'-0"



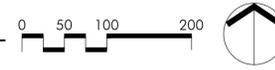


SITE DATA	
TOTAL ACREAGE	±37.1 AC
OPEN SPACE REQUIRED	±3.3 AC (12%)
OPEN SPACE PROVIDED	±18.13 AC (49%)

LEGEND

- EXISTING TREES TO REMAIN
- PROPOSED OPEN SPACE

Open Space Plan
SCALE: 1" = 100'-0"



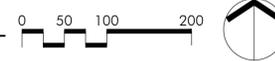


LANDSCAPE REQUIREMENTS		
TYPE	MIN. REQ. PER SETBACK WIDTH	PROVIDED
BUFFER YARD TYPE 1	1 SHADE, 2 ORNAMENTAL, 5 SHRUB (PER 100 LF)	
TOTAL LF OF TYPE 1 BUFFER = 3086	(0.6 MULTIPLIER) 19 SHADE, 36 ORNAMENTAL, 92 SHRUB	9 SHADE, 26 ORNAMENTAL/EVERGREEN (1 ORNAMENTAL/EVERGREEN PER 4 SHRUBS REQ.) 1719 LF OF BUFFER WITHIN EXISTING TREES TO REMAIN
BUFFER YARD TYPE 2	1 SHADE, 2 ORNAMENTAL, 10 SHRUB (PER 100 LF)	
TOTAL LF OF TYPE 2 BUFFER = 991	(0.75 MULTIPLIER) 7 SHADE, 15 ORNAMENTAL, 19 SHRUB	7 SHADE, 34 ORNAMENTAL/EVERGREEN (1 ORNAMENTAL/EVERGREEN PER 4 SHRUBS REQ.)
BUFFER YARD TYPE 3	1 SHADE, 3 ORNAMENTAL, 15 SHRUB (PER 100 LF)	
TOTAL LF OF TYPE 3 BUFFER = 1274	(0.8 MULTIPLIER) 1 SHADE, 3 ORNAMENTAL, 15 SHRUB	11 SHADE, 69 ORNAMENTAL/EVERGREEN (1 ORNAMENTAL/EVERGREEN PER 4 SHRUBS REQ.)
STREET YARD	1 SHADE TREE / 100 LF	
TOTAL LF OF STREET YARD = 452	5 TREES	6 SHADE TREES

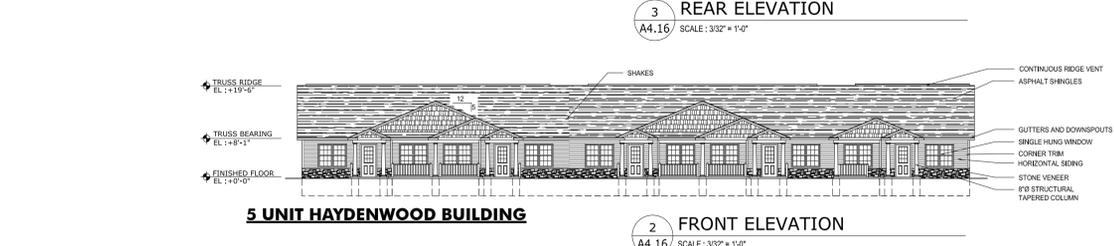
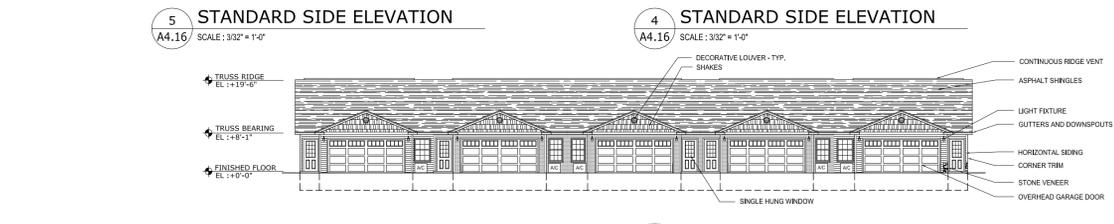
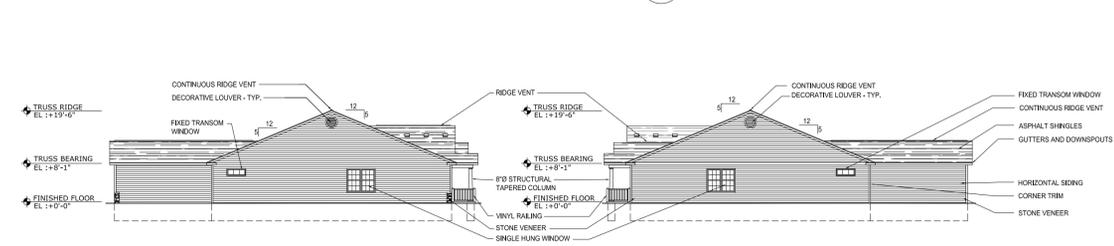
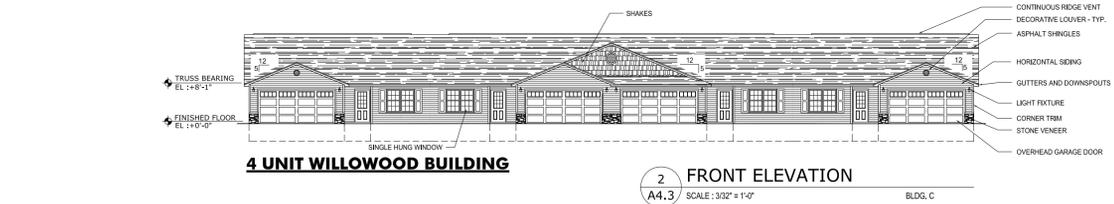
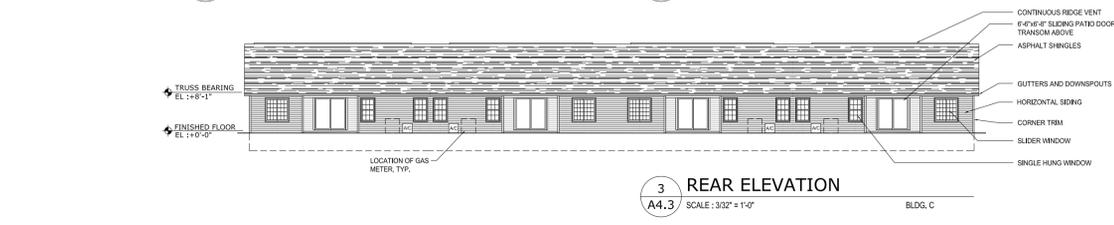
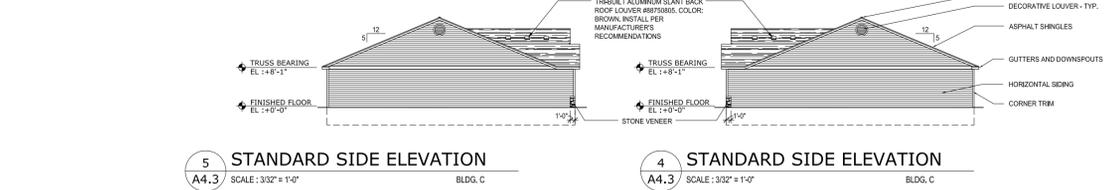
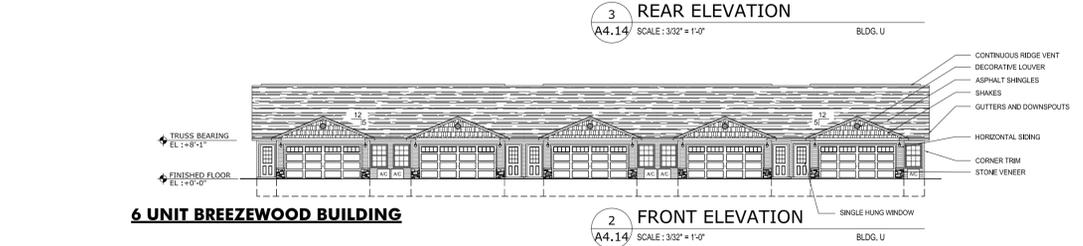
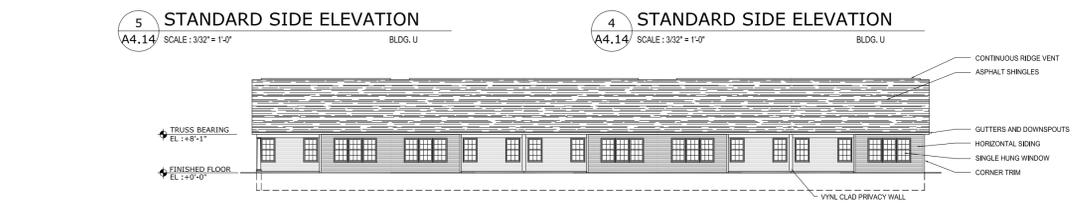
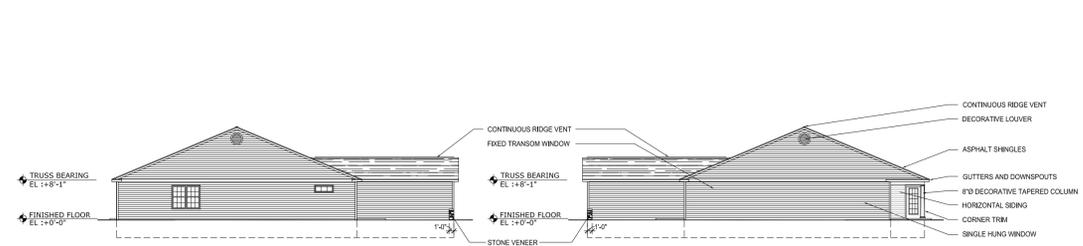
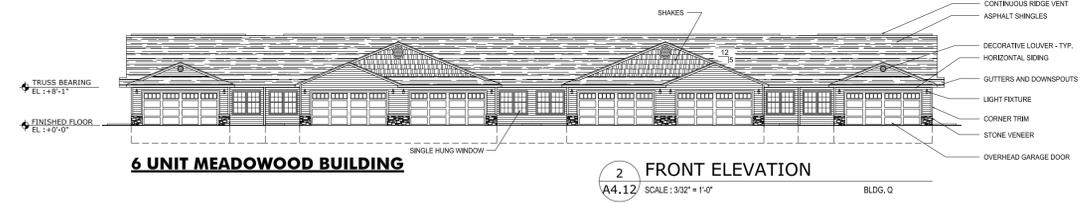
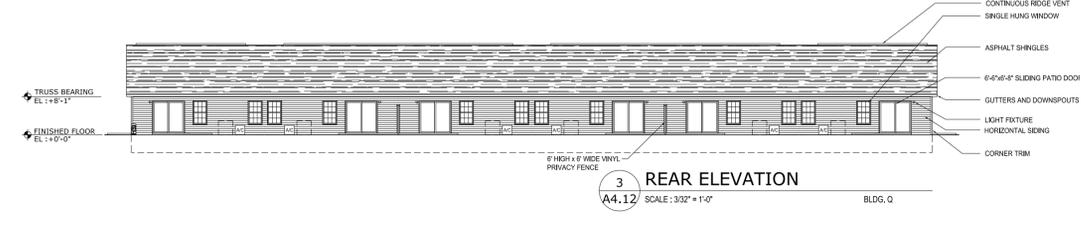
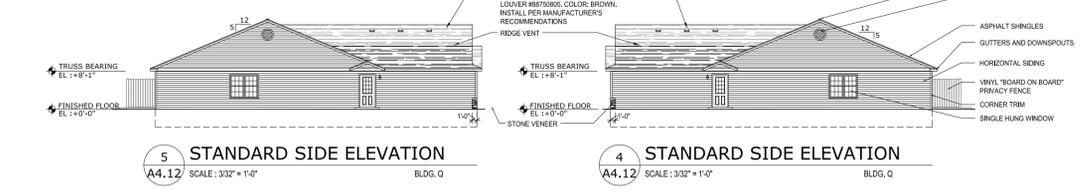
POINTS FOR INDIVIDUAL PLANT TYPES		
	SHADE TREE	12
	ORNAMENTAL TREE	6
	LARGE SHRUB	3
	MEDIUM SHRUB	2
	SMALL SHRUB	1

LEGEND
 EXISTING TREES TO REMAIN

Conceptual Landscape/Buffer Plan
 SCALE: 1" = 100'-0"



PROPOSED ELEVATIONS



EXTERIOR FINISH MATERIAL SELECTIONS

ITEM	MATERIAL/STYLE	COLOR
1	DECORATIVE LOUVER	VINYL WHITE
2	ASPHALT SHINGLES	DIMENSIONAL 30 YEAR LAMINATED WEATHERED WOOD
3	GUTTERS AND DOWNSPOUTS	PREFINISHED ALUMINUM WHITE
4	HORIZONTAL SIDING	VINYL VARIES (SEE PAGE 19)
5	SHAKE SIDING	VINYL VARIES (SEE PAGE 19)
6	CORNER TRIM	VINYL WHITE
7	STONE VENEER	PRESTIGE OHIO WHITE VEIN
8	OVERHEAD GARAGE DOOR	RAISED PANEL PAN STEEL WHITE
9	SINGLE HUNG WINDOW	VINYL STANDARD WHITE
10	SLIDING PATIO DOOR	VINYL WHITE
11	COACH LIGHT	METAL & GLASS BLACK
12	COLUMN	VINYL WHITE
13	LOUVER	ALUMINUM BROWN
14	PRIVACY FENCE	VINYL WHITE

ARCHITECTURAL MATERIALS



SIDING COLORS - BY NORANDEX



NOTES:
 1. BUILDING FRONT SIDING COLORS WILL VARY BETWEEN THE ABOVE 3 OPTIONS
 2. SHAKES BY FOUNDRY SPECIALTY SIDING - TO MATCH SIDING COLORS

AS BUILT ARCHITECTURAL EXAMPLES





August 21, 2019

REO Funding Solutions III LLC
C/O Ryan LLC
PO Box 56607
Atlanta GA 30343

Re: **Neighborhood Meeting**
Proposed Redwood Neighborhood

To whom it may concern,

Cabarrus County GIS online records show that you own a parcel of land (PP# 46939219000000) in close proximity to a new neighborhood Redwood Living LLC will be developing on the west side of Kannapolis Parkway in the City of Kannapolis. Enclosed is an aerial map outlining our parcel in red. We are hosting a neighborhood meeting to share our plans, introduce our company, and answer any questions you may have. The meeting will be held on Thursday, August 29 at 6pm at 335D Redwood Lane NW, Concord NC 28027 (This is the Redwood model located behind Harris Teeter.). We hope you will consider joining us at this time.

Bob Dyer
Redwood Living LLC
bdyer@byredwood.com
330 819 3977

Neighborhood Meeting Summary Report

Meeting held 8/29/19 at the model in the Redwood Neighborhood in the Redwood Concord community at 335D Redwood Lane NW, Concord, NC 28027.

Redwood employees in attendance were Richard Batt, Bob Dyer and Tina Cummins. Attached is the sign in sheet for the meeting, a copy of the letter sent to neighbors within 200 feet, and a list of neighbors to receive an invitation as provided by the City of Kannapolis.

Items discussed included the following,

- Size of units, lease rates, and unit descriptions.
- The location of the existing retention basin and relocation.
- A shared barn on the southern boundary line that Norris stated he would need to remove.
- Traffic flow at the southerly most entranceway with restrictions on turns out of neighborhood turning left (north).
- Connectivity to the north and south.
- Benefits of first floor living.
- Growth in Kannapolis that attendees have witnessed over recent years. Discussion about garden style walk up apartments to the south.
- Length of time for the approval process and expectations for the start of construction.
- Questions from attendees if city officials are supportive of our concept.
- Date and time of the Planning Commission public hearing.

All in attendance appeared supportive of concept and believed that there were many people in Kannapolis that would be interested in this type of development. They all said they would try to come to the Kannapolis Planning Commission meeting to be held on October 2, 2019. The meeting lasted from approximately 6pm until 7:15pm.

<u>Name</u>	<u>Address</u>	<u>Phone #</u>
LOWNIE HATLEY	4801 KANNAPOLIS PKWY	704 933-13
NORRIS JAMES	4709 KANNAPOLIS PKWY	704-932-24
NARTY JAMES	6145 GOLD HILL RD	(704)-791-2730
MICHELE JAMES	6145 GOLD HILL RD	704-793-508



PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000597631

Client: KANNAPOLIS,CITY OF
Phone: 7049204300

Payor : KANNAPOLIS,CITY OF
Phone: 7049204300

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

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

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

Fax: 7049337463
EMail: byow@kannapolisnc.gov

Total Amount \$595.02
Payment Amount \$595.02

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

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

Production Method
AdBooker (liner)

Production Notes

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

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

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

TagLine: NOTICEOFPUBLICHEARINGKANNAPOLISCITYHALL401LAUREATEWAYKANNAPOLISNC28081PLANNING
ANDZONINGCOMMISSIONMEETINGWEDNESDAYOCTOBER2019AT600



KANNAPOLIS

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

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

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

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

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

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

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

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
KP MOB I LLC A NC LLC	270 COPPERFIELD BLVD	CONCORD	NC	28025
JULIA OVERCASH HATLEY	4801 KANNAPOLIS PKWY	KANNAPOLIS	NC	28081
NORRIS & DIANNE JAMES	4709 KANNAPOLIS PKWY	KANNAPOLIS	NC	28081
SALLY C AUSTIN	4655 EAGLE POINTE CT	DENVER	NC	28037
REO FUNDING SOLUTIONS III LLC				
C/O RYAN LLC	PO BOX 56607	ATLANTA	GA	30343
FLAGSHIP 4949 KANNAPOLIS LLC	2701 COLTSGATE RD STE 300	CHARLOTTE	NC	28211
REDWOOD USA, LLC				
ATTN: BOB DYER	7510 EAST PLEASANT VALLEY RD	INDEPENDENCE	OH	44131



September 18, 2019

Dear Property Owner:

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

CZ-2019-06 – Zoning Map Amendment – Redwood Kannapolis Parkway

The purpose of the Public Hearing is to consider a request by Redwood USA, LLC to rezone properties located at 4301 Kannapolis Parkway from AG (Agricultural) to RC-CZ (Residential Compact-Conditional Zoning) to allow for a 166-unit townhome development. The subject property is approximately 37 +/- acres in size and further identified as Cabarrus County Parcel Identification Number(s) 5603-11-1996 (see reverse side of this letter for vicinity map showing the location of this property).

As an abutting property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Unified Development Ordinance; and are invited to attend the public hearing and present testimony, should you desire, to the Planning and Zoning Commission.

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

Sincerely,

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

Gretchen Coperine, AICP
Senior Planner

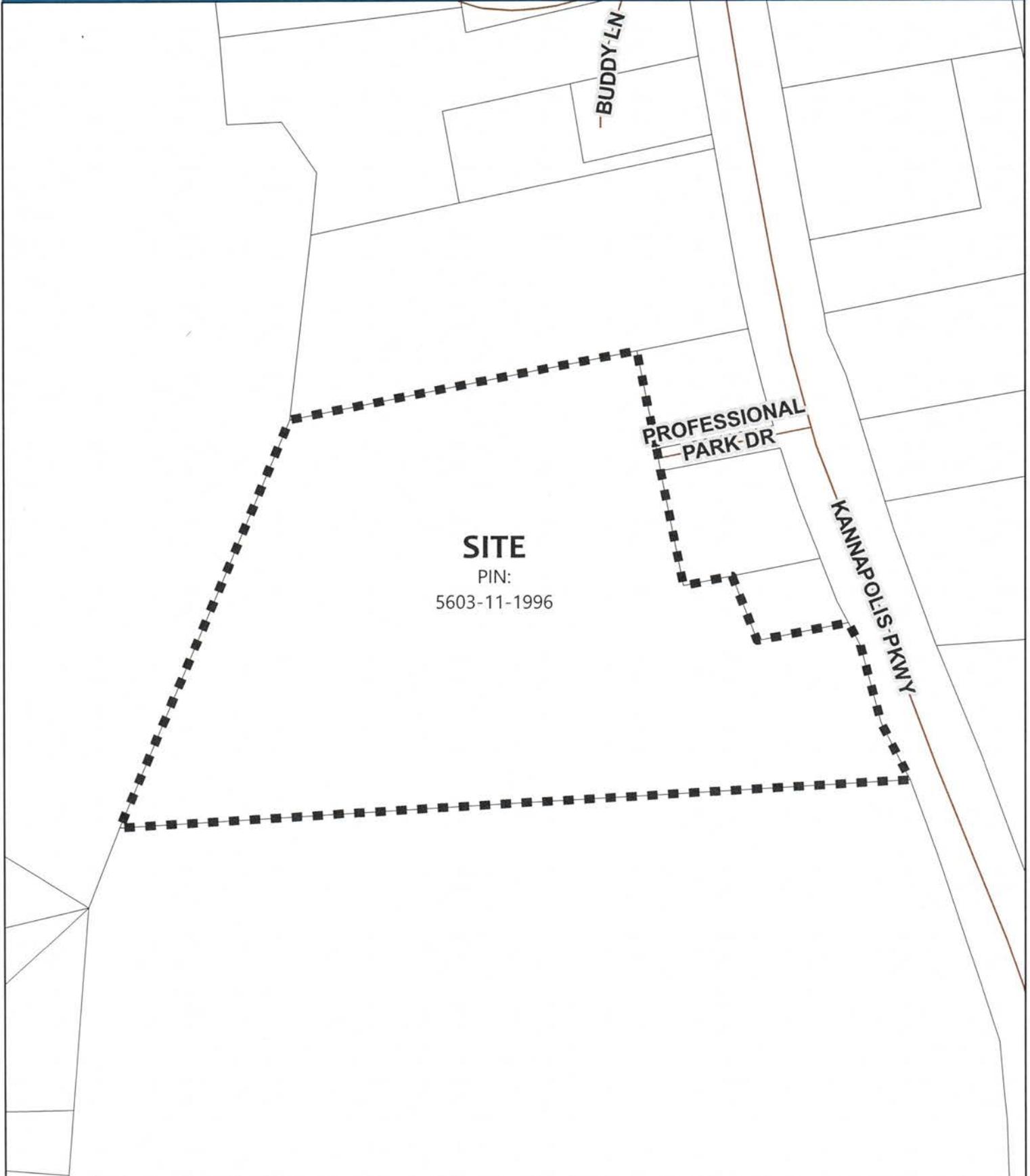
Enclosure

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



Conditional Rezoning

Case Number: CZ-2019-06
Applicant: Redwood USA, LLC
4301 Kannapolis Parkway





KANNAPOLIS
PLANNING
ZONING
COMMISSION
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE #CZ - 2019 - 06



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE # CZ-2019-06**

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 October 2, 2019 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone property located 4301 Kannapolis Parkway (Cabarrus County Parcel Identification Number(s) 5603-11-1996) owned by Julia Hatley, from City of Kannapolis Zoning Designation AG (Agricultural) Zoning to City of Kannapolis Zoning Designation to RC-CZ (Residential Compact-Conditional Zoning)-Conditional Zoning.

NOW, THEREFORE BE IT RESOLVED *that the Planning and Zoning Commission finds this rezoning consistent with the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which locates this property largely within the “Complete Neighborhood 2” Character Area, with a small portion within the “Neighborhood Transition 1” and “Primary Activity Center” Character Areas. Staff finds the request for rezoning reasonable and in the public interest because it allows for residential land use of a scale appropriate for transitioning between the more intense commercial uses to the east along Kannapolis Parkway and the medium-density single-family residential zoned uses to the west of the subject parcel. The proposed rezoning is compatible with surrounding zoning and is not anticipated to have an adverse effect on the capacity and safety of the adjacent street network, nor is anticipated to generate parking problems or any adverse impact on the environment. Finally, the proposed development will be adequately served by public water and sewer service.*

Adopted this the 2nd day of October 2019:

David Steele, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE

Case # CZ-2019-06

(4301 Kannapolis Parkway)

**City of Kannapolis Agricultural (AG) Zoning District to
City of Kannapolis Residential Compact-Conditional Zoning (RC-CZ) District**

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

WHEREAS, Section 3.3.4.2 of the City of Kannapolis Unified Development Ordinance subjects this authority to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision; and

WHEREAS, the Commission conducted a public hearing on October 2, 2019 for consideration of rezoning petition Case #CZ-2019-06 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone property located at 4301 Kannapolis Parkway (Cabarrus County Parcel Identification Number(s) 5603-11-1996) owned by Julia Hatley, from City of Kannapolis Zoning Designation AG (Agricultural) Zoning to City of Kannapolis Zoning Designation to RC-CZ (Residential Compact-Conditional Zoning)-Conditional Zoning; and

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

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

1. The size of the tract in question.

The size of the tracts to be rezoned is 37 ± 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 largely within the “Complete Neighborhood 2” Character Area, with a small portion within the “Neighborhood Transition 1” and “Primary Activity Center” Character Areas as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*.

The Complete Neighborhood 2 Character Area calls for primary uses of single-family detached and attached residential, multi-family residential, small format retail and civic uses. Secondary uses are intended to be small format office and live-work units.

The Neighborhood Transition 1 Character Area calls for primary uses of single-family detached and attached residential and civic uses. Secondary uses are intended to be multifamily residential, small retail and office, and live-work units.

The Primary Activity Center Character Area calls for primary uses of retail, office and multi-family. Secondary uses are intended to be institutional, light manufacturing and single-family attached residential.

The RV-CZ conditional zoning district with this rezoning proposes a 166-unit single-level attached residential apartment development, which fits with the Character Areas within which the property is situated.

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

The subject property is located on the west side of Kannapolis Parkway. Parcels to the north and east are zoned Agricultural (AG) and could be developed in the future. Parcels to the east and south along Kannapolis Parkway are zoned C-2 (General Commercial). Parcels to the south are also zoned Residential Low Density (RL) and Office-Institutional (O-I). Parcels to the west are zoned Residential Medium Density (RM-1).

The requested rezoning proposes a residential development of a scale that represents an appropriate transition between the commercial uses on Kannapolis Parkway and the medium - density residential zoning to the west of the subject property.

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

The subject property is accessed from Kannapolis Parkway, which is a State-owned road. As such, NCDOT and the City will need to review and approve the location of access from Kannapolis Parkway. A full site plan submittal will be required should the rezoning be approved. Improvements along Kannapolis Parkway shall be determined at final site plan review and would typically include turn lanes into the development.

5. Will there be parking problems?

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

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

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

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

At the time of final site plan approval, appropriate City, County and State reviews will ensure there are no negative impacts to the existing floodplain on this site.

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 area along Kannapolis Parkway is continuing to develop/redevelop as a major residential, office and commercial corridor. Adequate utilities exist or will be extended as development/redevelopment occurs along the Parkway.

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

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

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

The subject property is located on the west side of Kannapolis Parkway. Parcels to the north and

east are vacant and zoned Agricultural (AG) and could be developed in the future. Parcels to the east and south along Kannapolis Parkway are also vacant and zoned C-2 (General Commercial). Parcels to the south are vacant and zoned Residential Low Density (RL) and Office-Institutional (O-I). Parcels to the west are zoned Residential Medium Density (RM-1) and developed with single-family homes.

Most parcels adjacent to the subject property are vacant. The exceptions are the medical use to the east of the property along Kannapolis Parkway and an existing single-family home to the south along Kannapolis Parkway.

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

The subject property is currently zoned AG, which does not permit single-family attached residences. Therefore, the applicant is seeking to rezone to RV-CZ to be able to develop a 166-unit, single-level attached residential apartment development. Townhome development is also a suitable use for the property.

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

The requested rezoning proposes a single-family attached development of a scale that represents an appropriate transition between the commercial uses on Kannapolis Parkway and the residential zoned land surrounding the subject property.

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

The subject property has a structure on the site.

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

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

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

No.

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

1. **The uses permitted with this rezoning shall only include 166-unit single-level attached residential units, in general conformance with the site plan and architectural elevations submitted with this rezoning.**
2. **The concept plan is illustrative. Final Design of the project as reviewed by the Technical Review Committee shall be subject to meeting all applicable UDO and other city standards.**
3. **Final roadway design shall be determined during site plan review.**
4. **Final site access shall be approved by NCDOT and the City.**
5. **All lighting installed on the subject property shall utilize full cut-off fixtures with all lighting directed downward and away from adjacent properties.**
6. **Streams and wetlands shall be identified by a qualified professional and all buffers shown in accordance with Article 4 of the Kannapolis UDO. Construction of buildings, roads, and other structures must comply with RSOD Buffer requirements.**
7. **A Stormwater Management Permit will be required for this Development in accordance with Article 9 of the Kannapolis UDO. Easements, maintenance agreements and adequate**

access shall be provided for all stormwater structures and BMP's. Stormwater BMP's cannot be constructed in the undisturbed buffer.

- 8. Fire hydrants and fire protection equipment shall comply with Appendix C.3 of the UDO and all applicable Fire Codes.**

Adopted this the 2nd day of October 2019:

David Steele, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission