



Planning Department

Staff Report

June 5, 2019

Planning & Zoning Commission Meeting

DATE: May 21, 2019

TO: Planning & Zoning Commission

FROM: Gretchen Coperine, AICP, Senior Planner

SUBJECT: **CPA-2019-01 Move Kannapolis Forward 2030 Future Land Use and Character Map Amendment – Addition of approximately 334 acres north of Old Beatty Ford Rd., on the east and west side of Interstate 85, and assignment of “Primary Activity Center – Interchange” Character Area**

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

A simple majority vote of the Planning & Zoning Commission will be required to pass the motion to recommend approval/denial. City Council shall have final decision making authority.

C. Background

On December 17, 2018, City Council passed Resolution #2018-56 requesting from the General Assembly of North Carolina special local legislation to annex into the City of Kannapolis various properties adjacent to Interstate 85 in Rowan County. On April 29, 2019, the General Assembly of North Carolina passed Session Law 2019-12 (Senate Bill 63) extending the City’s Extraterritorial Jurisdiction to the subject parcels, with an effective date of annexation of June 30, 2020. The annexation is to facilitate the proposed development of the properties as a mixed-use project, consisting of office, retail and residential uses. The parcels subject to such

legislation equal approximately 334 acres and consist of Rowan County Parcels: 147-028, 147-068, 147-029, 147-070, 147-047, 147-069, 147-025, 139-077, 147-031, 135-068, 147-088, 135-090 and 135-091. These parcels are located adjacent or in close proximity to the future Interstate-85 Exit 65 (Old Beatty Ford Rd.) currently under construction. (See attached map).

In order to ensure that future development is consistent with the 2030 Move Kannapolis Forward Comprehensive Plan, staff is recommending that the subject parcels be added to the Move Kannapolis Forward 2030 Comprehensive Plan and that a future land use designation be applied to these parcels. The subject parcels are within Area Three of Rowan County's Land Use Plan (adopted in 2012). That plan recommends a mixture of uses and consideration for the Lake Fisher Watershed.

Staff is proposing that a Future Land Use and Character Area designation of "Primary Activity Center - Interchange" be applied to the subject area (see attached map). The Primary Activity Center - Interchange allows for a mixture of uses including but not limited to retail, office, light manufacturing, as well as a mix of residential product types. This same Character Area has also been assigned to the area adjacent to Exit 58 (Cannon Blvd.), Exit 60 (Dale Earnhardt Blvd.), and Exit 63.

D. Fiscal Considerations

None

E. Policy Issues

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

F. Legal Issues

None

G. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

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

Course of Action

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

Section 2.4.1. Powers and Duties, of the UDO, the City Council shall render final decisions pertaining to amendments to the Comprehensive Plan. The City Council shall have the powers and duties to initiate, adopt, and amend a Comprehensive Plan and map.

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

APPROVAL

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

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

DENIAL

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

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

I. Attachments

1. General Assembly of North Carolina Session Law 2019-12 (Senate Bill 63)
2. Map of parcels to be designated in the Move Kannapolis Forward 2030 Comprehensive Plan
3. Move Kannapolis Forward 2030 Comprehensive Plan Future Land Use and Character Map (Proposed)

J. Issue Reviewed By:

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

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

**SENATE BILL 63
RATIFIED BILL**

**AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF
THE CITY OF KANNAPOLIS.**

The General Assembly of North Carolina enacts:

SECTION 1.(a) The following described property is added to the corporate limits of the City of Kannapolis:

Tract 1

Being that certain parcel of land lying and being situate in Rowan County, North Carolina and being more particularly described as follows: Beginning at a rebar located at the northwest corner of Jane Elizabeth and Michael Lance Casey, recorded in Book 1261, Page 618, said point being on the southern right of way line of Backwoods Lane, said point having North Carolina state plane coordinates (NAD83/2011) of N: 653,986.54 feet and E: 1,537,405.46 feet, said point being the POINT OF BEGINNING; thence with the western line of said Casey South 09°39'03" West 562.18 feet to an iron pipe located on the northern right of way line of Beatty Ford Road (NCDOT Project: W-5516), a variable width public right of way; thence along the northern right of way line of said Beatty Ford Road South 89°46'14" West 120.46 feet to an iron pipe on the northern line of Mark Alvin and Joy Lane Roberts, recorded in Book 1259, Page 768; thence following the northern line of said Roberts North 86°38'01" West 275.35 feet to an iron pipe; thence South 08°16'21" West 17.46 feet to an iron pipe on the northern right of way line of Beatty Ford Road; thence along the northern right of way line of said Beatty Ford Road the following twenty-six calls: South 89°46'14" West 102.31 feet to a right of way monument; North 78°16'33" West 194.21 feet to a right of way monument; South 89°45'18" West 219.89 feet to a right of way monument; South 84°24'31" West 160.81 feet to a point; South 78°48'27" West 132.46 feet to a right of way monument; South 89°47'42" West 255.04 feet to a right of way monument; North 83°54'05" West 316.93 feet to a right of way monument; South 76°49'15" West 133.16 feet to a right of way monument; North 82°39'13" West 191.45 feet to a right of way monument; South 79°05'32" West 137.66 feet to a right of way monument; North 78°02'56" West 214.82 feet to a right of way monument; South 81°19'36" West 101.20 feet to a right of way monument; North 82°38'28" West 150.80 feet to a right of way monument; South 89°43'16" West 265.51 feet to a right of way monument; South 73°12'14" West 192.85 feet to a right of way monument; North 89°52'49" West 55.10 feet to a right of way monument; North 70°21'37" West 117.05 feet to a point; South 73°32'58" West 143.63 feet to a right of way monument; South 89°45'17" West 71.93 feet to a right of way monument; North 79°48'00" West 249.13 feet to a right of way monument; North 89°49'34" West 27.99 feet to a right of way monument; South 76°43'29" West 202.22 feet to a right of way monument; North 89°50'55" West 75.16 feet to a point; North 00°13'44" West 70.00 feet to a point; North 88°19'45" West 603.34 feet to a point; South 89°46'16" West 591.99 feet to a point on the eastern right of way line of Interstate 85; thence along the eastern right of way line of said Interstate 85 North 20°59'51" West 314.11 feet to a point; thence with a curve to the right having an arc length of 542.18 feet, a radius of 11,378.98 feet, and a chord bearing and distance of North 04°00'03" East 542.13 feet to a point at the southwest corner of Jamie Lee and Deborah Helms Morris, recorded in Book 830, Page



* S 6 3 - V - 3 *

668; thence leaving the right of way of Interstate 85 and with the southern line of said Morris South 87°47'21" East 1.92 feet to an iron pipe; thence South 87°47'21" East 155.50 feet to a rebar at the southwest corner of Jamie Lee and Deborah Helms Morris, recorded in Book 729, Page 915; thence with the southern line of said Morris South 87°49'20" East 836.49 feet to a rebar at the southwest corner of Joshua L and Alisha G. Vanover, recorded in Book 1122, Page 761; thence with the southern line of said Vanover South 87°28'13" East 262.83 feet to a rebar at the southwest corner of Cecil G. and Betty G. Keller, recorded in Book 566, Page 340; thence with the southern line of said Keller the South 87°27'14" East 272.32 feet to a rebar at the southwest corner of Stephen M. and Cathy Jo Garmon, recorded in Book 562, Page 646; thence with the southern line of said Garmon South 87°24'28" East 272.17 feet to a rebar at the southwest corner of Stephen M. and Cathy Jo Garmon, recorded in Book 625, Page 878; thence South 87°27'09" East 273.24 feet to a rebar at the southwest corner of Stephen M. and Cathy Jo Garmon, recorded in Book 612, Page 967; thence with the line of said Garmon South 87°27'47" East 476.63 feet to a pipe found planted in stone; thence North 02°29'49" East 318.00 feet to a rebar at the southwest corner of Barbara Rainwater Lentz, recorded in Book 1034, Page 820; thence South 85°45'30" East 1,442.85 feet to a rebar on the western line of Tammy L. Efird, recorded in Book 1117, Page 961; thence with the western line of said Efird South 03°53'01" West 197.16 feet to a rebar; thence South 79°51'08" East 1,453.95 feet to the POINT OF BEGINNING, containing 4,513,597 Square Feet, 103.618 Acres, more or less.

Tract 2

Being that certain parcel of land lying and being situate in Rowan County, North Carolina and being more particularly described as follows: Beginning at an iron pipe located on the western line of Mark Alvin and Joy Lane Roberts, recorded in Book 1259, Page 768, said point being on the southern right of way line of Beatty Ford Road (NCDOT Project: W-5516), said point having North Carolina state plane coordinates (NAD83/2011) of N: 653,370.91 feet and E: 1,536,904.69 feet, said point being the POINT OF BEGINNING; thence leaving the right of way of Beatty Ford Road and with the western line of said Roberts South 08°14'15" West 71.30 feet to an iron pipe at the northwest corner of Terry O. Basinger, recorded in Book 1258, Page 10; thence with the western line of said Basinger South 08°16'21" West 156.53 feet to an iron pipe at the northwestern corner of Larry Wayne and Barbara Beaver Basinger, recorded in Book 1256, Page 787; thence with the western line of said Basinger South 08°10'18" West 155.84 feet to an iron pipe at the northwest corner of Norman R. Basinger, recorded in Book 1258, Page 318; thence with the line of said Basinger South 08°16'09" West 148.73 feet to an iron pipe; thence South 86°39'37" East 696.71 feet to an iron pipe at the northwest corner of Julius Ray and Phillis Diane Nesbit Rivers, recorded in Book 1162, Page 436; thence with the line of said Rivers South 02°53'05" West 605.29 feet to a rebar at the southwest corner of Galen L and Patricia Burris, recorded in Book 566, Page 885 and being the common with the northwest corner of Justin Michael Sr. and Tracey Morrison, recorded in Book 1068, Page 720, said point being in the right of way of Bruner Sloop Road; thence crossing Bruner Sloop Road and following the western line of said Morrison South 02°08'20" West 21.70 feet to an iron pipe; thence South 02°14'02" West 513.89 feet to a rebar on the eastern line of Ernest Lester and Evelyn B. Cole, recorded in Book 1115, Page 743; thence with the northern line of said Cole North 84°26'06" West 1,345.98 feet to a rebar; thence South 04°03'36" West 324.86 feet to a rebar on the northern line of Earlene Honbarrier Wallace, recorded in Book DC#78, Page 447; thence with the northern line of said Honbarrier North 84°20'22" West 1,354.84 feet to a rebar at the northeastern corner of Thomas Franklin Corl, recorded in Book 1216, Page 4; thence with the northern line of said Corl North 83°54'31" West 285.75 feet to an iron pipe; thence North 05°08'31" East 10.15 feet to a rebar; thence North 84°51'29" West 505.27 feet to an iron pipe; thence North 14°41'40" East 89.75 feet to a rebar; thence North 84°54'48" West 80.00 feet to a rebar; thence South 14°41'43" West 99.86 feet to an iron pipe, recorded Paul Jeffrey and Donna Richardson Fritts, recorded in Book 987, Page 101; thence with the northern line of said Fritts North 84°51'29" West 122.06

feet to a stone on the eastern line of Floyd W and Frances J Propst, recorded in Book 1249, Page 426; thence with the line of said Propst North 06°01'59" East 546.59 feet to an iron pipe; thence North 85°54'04" West 1,010.54 feet to an iron pipe; thence South 02°02'05" East 287.08 feet to an iron pipe at the northeast corner of Ralph E. Archie Trustee, recorded in Book 1058, Page 582; thence with the northern line of said Archie Trustee North 87°56'32" West 399.89 feet to an iron pipe at the northeast corner of David and Linda Leonard, recorded in Book 1304, Page 445; thence with the northern line of said Leonard North 88°04'29" West 324.40 feet to a point on the eastern right of way line of Interstate 85 (NCDOT TIP Project I-3802B); thence with the eastern right of way line of said Interstate 85 the following 4 calls: with a curve to the right having an arc length of 236.25 feet, a radius of 1,080.00 feet, and a chord bearing and distance of North 17°11'54" East 235.78 feet to a point; North 32°28'49" East 470.08 feet to a point; North 17°09'26" East 241.87 feet to a point; North 01°55'53" East 323.82 feet to a point on the southern right of way line of the aforementioned Beatty Ford Road; thence with the southern right of way line of said Beatty Ford Road the following twenty-seven calls: North 76°21'18" East 236.62 feet to a point; North 89°46'16" East 515.00 feet to a point; North 00°13'44" West 70.00 feet to a point; North 89°48'04" East 65.11 feet to a right of way monument; South 77°52'00" East 209.91 feet to a right of way monument; North 86°20'13" East 29.35 feet to a right of way monument; North 80°10'04" East 259.29 feet to a right of way monument; North 89°46'58" East 90.00 feet to a right of way monument; South 77°27'35" East 46.14 feet to a right of way monument; North 85°30'09" East 140.51 feet to a right of way monument; South 53°46'57" East 93.10 feet to a right of way monument; North 86°54'08" East 200.23 feet to a right of way monument; North 73°05'27" East 104.38 feet to a right of way monument; South 60°11'28" East 109.78 feet to a right of way monument; North 70°06'41" East 58.33 feet to a right of way monument; South 84°53'47" East 50.22 feet to a right of way monument; North 86°52'14" East 200.14 feet to a right of way monument; North 77°04'23" East 159.05 feet to a right of way monument; South 83°18'22" East 249.83 feet to a right of way monument; North 76°15'29" East 151.07 feet to a right of way monument; South 69°05'05" East 111.45 feet to a right of way monument; North 82°19'31" East 348.77 feet to a right of way monument; North 89°48'26" East 250.15 feet to a right of way monument; South 82°38'16" East 302.74 feet to a right of way monument; North 89°48'06" East 149.98 feet to a point; North 74°50'05" East 155.24 feet to a right of way monument; North 89°46'35" East 193.31 feet to the POINT OF BEGINNING, containing 7,532,704 Square Feet, 172.927 Acres, more or less.

Tract 3

Being that certain parcel of land lying and being situate in Rowan County, North Carolina and being more particularly described as follows: Beginning at a rebar located at the northeast corner of Gladys Beaver Tate, recorded in Book 1053, Page 117, said point being on the southern line of Oscar Eugene and Irene Moose, recorded in Book 1258, Page 316, said point having North Carolina state plane coordinates (NAD83/2011) of N: 653,045.35' and E: 1,530,500.33 feet, said point being the POINT OF BEGINNING; thence with said southern line of Moose South 89°22'52" East 1,146.92 feet to an iron pipe; thence South 89°22'52" East 0.42 feet to a point on the western right of way line of Interstate 85; thence with the western right of way line of Interstate 85 with a curve to the left having an arc length of 728.25 feet, a radius of 11,662.84 feet, and a chord bearing and distance of South 02°57'30" East 728.13 feet to a point; thence along a spiral having the following six (6) chords: (1) South 04°48'01" East 23.01 feet; (2) South 04°53'56" East 24.47 feet; (3) South 04°59'05" East 26.46 feet; (4) South 05°03'05" East 26.40 feet; (5) South 05°05'43" East 26.34 feet; and (6) South 05°06'58" East 24.26 feet; thence with a curve to the left having an arc length of 90.32 feet, a radius of 23,026.00 feet, and a chord bearing and distance of South 05°13'55" East 90.32 feet to the northeast corner of Charles Ray Ryner, recorded in Book 753, Page 434; thence leaving the right of way of Interstate 85 and following the northern line of said Ryner North 88°04'29" West 19.68 feet to an iron pipe; thence North 87°52'54" West 485.52 feet to an iron pipe at the northeast corner of Vaughn H. and Nancy

A. Wilhelm; North 87°27'06" West 907.72 feet to an iron pipe; thence North 13°01'11" East 9.30 feet to an axle on the eastern line of Deborah Beaver Brown, recorded in Book 884, Page 774; thence with the eastern line of said Brown North 13°01'11" East 501.70 feet to an iron pipe on the southern line of Linda S. Brooks, recorded in Book 1245, Page 953; thence North 76°06'05" East 120.88 feet to an iron rod; thence North 03°55'04" West 368.99 feet to a rebar; thence North 03°59'32" West 25.94 feet; to the POINT OF BEGINNING, containing 1,178,923 square feet, or 27.06 acres, more or less.

Additional tracts:

The following territory described by Rowan County Property Identification Number:

1. 147 068 (North of and immediately adjacent to the new Old Beatty Ford Road right-of-way; West and immediately adjacent to the I-85 right-of-way)
2. 147 028 (Northwest of and immediately adjacent to property 147-068; immediately adjacent and to the East of China Grove Road)
3. 147 070 (South of and immediately adjacent to the new Old Beatty Ford Road right-of-way; West and immediately adjacent to the I-85 right-of-way)
4. 147 029 (South of and immediately adjacent to the new Old Beatty Ford Road right-of-way; immediately adjacent and to the East of China Grove Road)
5. 135 091 (West of and immediately adjacent to the property 135 068 which is part of Tract 2, as described in this act, south of the new Old Beatty Ford Road right-of-way)
6. 135 090 (West of and immediately adjacent to the property 135 068 which is part of Tract 2, as described in this act, south of the new Old Beatty Ford Road right-of-way)

SECTION 1.(b) This section becomes effective June 30, 2020. Property in the territory described in this section as of January 1, 2020, is subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2020.

SECTION 2. The City of Kannapolis may exercise extraterritorial jurisdiction in the territory described in Section 1 of this act.

SECTION 3. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 29th day of April, 2019.

s/ Philip E. Berger
Presiding Officer of the Senate

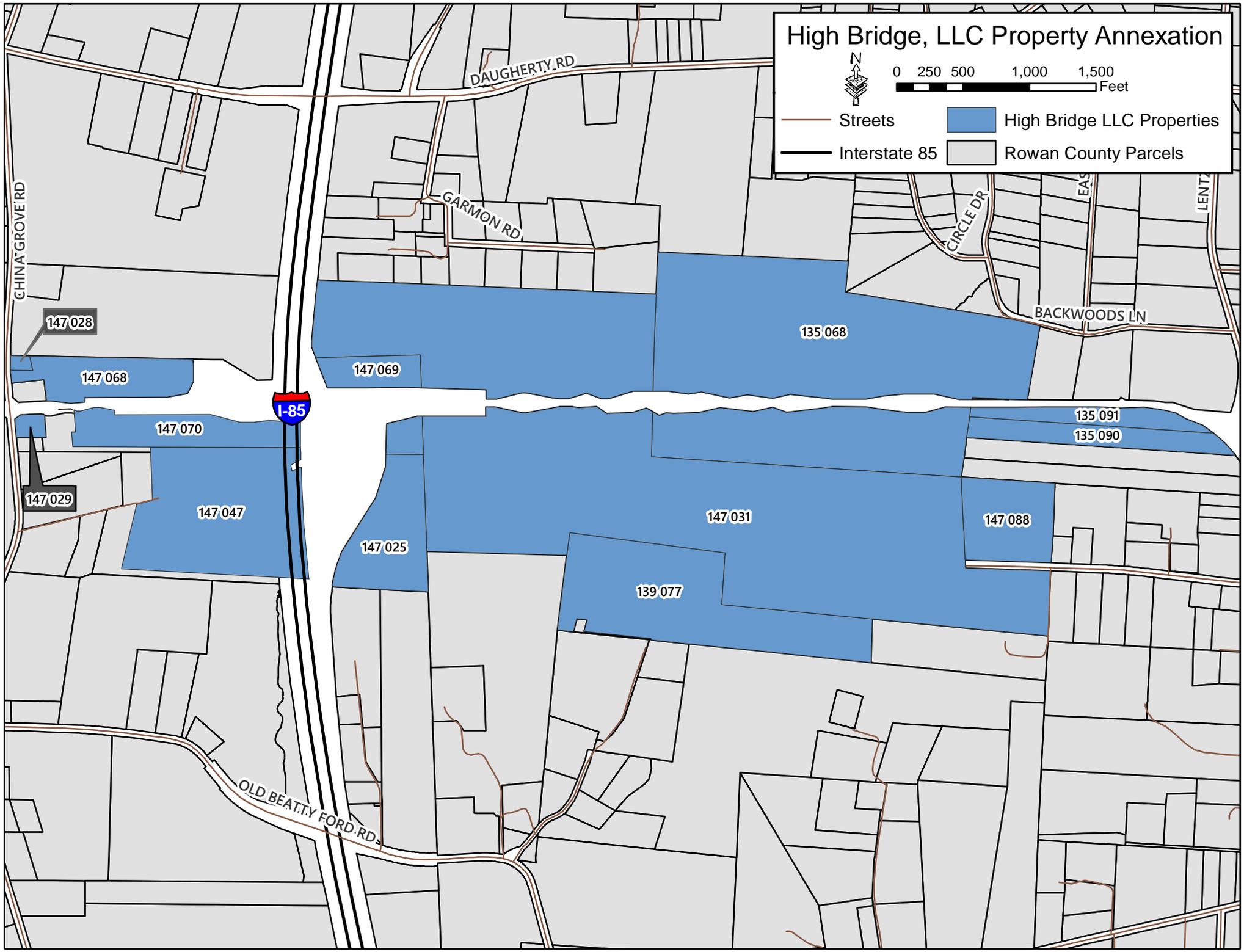
s/ Tim Moore
Speaker of the House of Representatives

High Bridge, LLC Property Annexation



0 250 500 1,000 1,500 Feet

- Streets
- Interstate 85
- High Bridge LLC Properties
- Rowan County Parcels





Kannapolis 2030 Future Land Use Map

Case Number: CPA-2019-03
Applicant: City of Kannapolis

