



**Planning & Zoning Commission
July 10, 2019 Meeting**

Staff Report

TO: Planning & Zoning Commission
FROM: Gretchen Coperine, AICP, Senior Planner
SUBJECT: **Case #SIA-2019-03, Davita Kannapolis**
Applicant: Crossland Southeast

Consider a request for a Special Intensity Allocation (SIA) for a property located at 614 S. Cannon Blvd. The property is identified as Cabarrus County Parcel Identification Number 5623-05-0490, totaling approximately 1.12 +/- acres. **This request does not require a public hearing.**

A. Actions Requested by Planning & Zoning Commission

Consistent with Section 4.16.10.1 of the Unified Development Ordinance (UDO) the Planning and Zoning Commission is appointed to serve as the Watershed Review Board.

1. Motion to approve (deny) Special Intensity Allocation Request.
2. Motion to approve (deny) the Special Intensity Allocation Permit.

B. Required Votes to Pass Requested Actions

Majority present at meeting.

C. Background

Crossland Southeast is requesting a Special Intensity Allocation (SIA) in order to develop property located at 614 S. Cannon Blvd. The owner, CTL Kannapolis, LLC, proposes to develop a medical facility to serve dialysis patients. The property is located in the Lake Concord WS-IV Protected Area Watershed and is currently zoned C-2 (General Commercial). There are no proposed changes to the zoning.

The applicant is requesting a SIA to exceed the 24% maximum impervious (built upon) area permitted in the watershed, allowing up to 70% impervious coverage as permitted with an SIA.

Stormwater control is required for all SIA requests in accordance with Section 4.16.9.2.3 of the UDO which states: *“Projects must be presented in the form of a SIA site plan, prepared by a Professional Engineer, and must minimize built-upon surface area, direct stormwater away from surface waters and incorporate Best Management Practices (BMPs) to minimize water quality impacts.”* Any BMPs proposed will need to be approved by the City Engineer during full site plan review.

With approval of a SIA, an applicant may develop a property with more than 24% impervious surface area, up to a maximum 70% impervious surface area, provided proper stormwater control measures are implemented. The UDO employs a point system, outlining six (6) criteria that are used to evaluate the merits of each SIA request. The potential increase in allowable impervious area is based upon the point ratings for each of these criteria.

The applicant is requesting an increase of 0.52 acres of impervious area, for a total impervious area of 0.78 acres.

Prior to development of the property, the project will be required to obtain final site plan approval.

D. Fiscal Considerations

None

E. Policy Issues

Per Section 4.16.9.2.5 of the UDO, the percentage of built upon area for a SIA shall be determined by the Special Intensity Allocation Point System (Table 4.16-4). The accumulation of points is based on six categories. **Based on staff’s analysis of the request, the following points are recommended for the proposed project:**

- Tax Base Increase of \$2,000,000 or more: 75 points
- Full time jobs Created of 1-10: 15 points
- Community Value: To be determined by Watershed Review Board
- Research & Development/Medical Industry: 20 points
- Revitalization of Existing Development: 0 points
- Energy Reduction/Conservation Measures: 100 points

Total Points Recommended by Staff: 210

Scoring between 200-249 Special Intensity Allocation points allows for the potential impervious (built upon) area to be increased from 24% to up to 60% of the undeveloped pervious surface area within the property. As proposed, the applicant is requesting approval to develop a total of 70% of the undeveloped pervious area, which is equal to 0.52 additional acres. Based on the staff recommended allocation of points the applicant would need an additional 39 points allocated by the Watershed Review Board for Community Value to be able to develop up to 70% as requested.

If the SIA is approved, the developer will be allowed an increase of 0.52 acres of impervious area, provided that the Watershed Review Board allocates an additional 39 points. The UDO caps the total amount that can be allocated by SIA in the Lake Fisher WS-IV Protected Area Watershed to 184.89 acres (based on available acreage). Should this SIA be approved, the additional 0.52 acres of impervious area would be allocated from the allowed acreage to be developed in the Lake Concord WS-IV Protected Area Watershed leaving a balance of 184.37 acres.

F. Legal Issues

None

G. Staff Recommendation and Alternative Courses of Action

The Planning and Zoning Commission may choose to approve or deny the Special Intensity Allocation as presented.

The request and attached site plan meet the criteria of approval for a Special Intensity Allocation. The grading of the site and the installation of an approved filter system will treat stormwater before it is discharged from the site.

Staff recommends approval of a Special Intensity Allocation of 0.52 acres in the Lake Concord WS-IV Protected Area Watershed for the property located at 614 S Cannon Blvd., subject to the Planning and Zoning Commission assigning at least 39 points to allow for the increase and the following condition:

1. The SIA permit is contingent upon the developer installing a bio-retention pond on the final site plan. This condition is perpetually binding upon the subject property.

The following actions are required to approve the requested SIA for Case # SIA 2019-03:

1. Per Table 4.16-4, assign sufficient points to allow for the requested increase in impervious coverage from 24% to 70%.
2. Motion to approve Special Intensity Allocation request
3. Motion to approve the Special Intensity Allocation Permit

Should the Commission not assign sufficient points to allow for the requested increase in impervious coverage from 24% to 70%, motions to deny the SIA request and permit should be adopted.

I. Attachments

1. SIA Application
2. Vicinity Map
3. Zoning Map
4. Future Land Use Map
5. Preliminary Site Plan
6. SIA Permit (If Approved)

J. Issue Reviewed By:

- City Manager
- City Attorney
- Planning Director
- City Engineer

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

Applicant: CHARLES AND SOUTHWEST Owner: CTL Kannapolis LLC
Address: 121 WEST TRADE ST Address: 1616 Camden Rd
SUTHERS, CHARLOTTE, NC Suite 550, Charlotte NC
Telephone: 704 414 7477 Telephone: 704 644 4599
Email: djames@csere.com Email: dwood@providencegroup.com

Legal relationship of applicant to property owner: DEVELOPER

Property Location/Address: 614 S CANNON BLVD, KANNAPOLIS, NC 28083

Tax Parcel Number: 56230504900000 Zoning District: C-2 Acreage of Site: 1.12 AC

<u>Barry James</u>	<u>CTL Kannapolis, LLC</u>
Applicant Name (Print)	Property Owner Name (Print)
<u>[Signature]</u> <u>5/7/19</u>	<u>[Signature]</u> <u>MANAGER 5/7/19</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): _____

SPECIAL INTENSITY ALLOCATION APPLICATION

The Planning Commission acting as the Watershed Review Board is authorized to approve Special Intensity Allocations (SIAs). The Board may grant a SIA of up to 70% (seventy percent) built-upon area on all or part of the land area of a project based on the criteria for approval. A SIA must minimize built-upon surface area, direct stormwater away from the surface waters, and incorporate best management practices (BMPs) to minimize water quality impacts. A plan must be submitted in the form of a SIA site plan, and must be prepared by a Professional Engineer.

Applicant: CHOSLAWD SOUTHWEST
 Applicant's Address: 121 WEST TRADE ST, STE 2550 CHARLOTTE, NC
 Applicant's Phone: 704 414 7497 28202
 Applicant's Email: bjames@csere.com
 Property Owner: CTL KANNAPOLIS LLC
 Address or Location of Property seeking SIA: 614 S CANNON BLVD, KANNAPOLIS, NC 28083
 Parcel ID #(s): 56236504900000
 Deed Book/Page: 5955 / 0311 County: CABARRUS
 Area of Property: 1.12 AC Current Zoning: C-2

Select Watershed Location

- Lake Fisher WS-IV Protected Area
- Lake Concord WS-IV Protected Area
- Kannapolis Lake WS-III Balance of Watershed

Davita Kannapolis - SIA Acreage Calculation	
Total Acreage	1.12 Acres
Total Impervious Requested @ 70%	0.78 Acres
Current Impervious Allowed @ 24%	0.27 Acres
Additional Impervious Requested for SIA	0.52 Acres

Percent of Built-Upon Area Requested for SIA: 70%
 Acreage of Built-Upon Area Requested for SIA: 0.52 ACRES

CRITERIA FOR APPROVAL

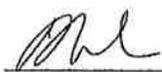
The Watershed Review Board will determine the criteria for approval based on Table 4.16-4 of the Kannapolis Unified Development Ordinance. Planning staff will work with the applicant to determine the total points for a project. The table is a point based system and is as follows:

Table 4.16-4 Special Intensity Allocation Point System

Categories Used for SIA Consideration	Potential Points										
1. Tax Base Increase <i>(estimated tax value of completed project)</i> \$200,000 - \$500,000 \$500,000 - \$999,999 \$1,000,000 to \$1,999,999 \$2,000,000 or more	15 25 50 75										
2. Full-time Jobs Created 1 - 10 11 - 25 26 or more	15 25 50										
3. Community Value (determined by Watershed Review Board)	up to 150										
4. Type of Industry Retail Trade Office / Institutional Industrial / Manufacturing Research & Development / Medical	10 10 20 20										
5. Revitalization of Existing Development	50										
6. Energy Reduction / Conservation Measures 10-20% Increase in Landscaping (above UDO > 20% Increase in Landscaping (above UDO Bioretention Applications LEED Certification	50 75 75 100										
<table border="1"> <thead> <tr> <th colspan="2">Potential Impervious Allowance</th> </tr> </thead> <tbody> <tr> <td>100 - 149 points</td> <td>40% Imp.</td> </tr> <tr> <td>150 - 199 points</td> <td>50% Imp.</td> </tr> <tr> <td>200 - 249 points</td> <td>60% Imp.</td> </tr> <tr> <td>> 249 points</td> <td>70% Imp.</td> </tr> </tbody> </table>		Potential Impervious Allowance		100 - 149 points	40% Imp.	150 - 199 points	50% Imp.	200 - 249 points	60% Imp.	> 249 points	70% Imp.
Potential Impervious Allowance											
100 - 149 points	40% Imp.										
150 - 199 points	50% Imp.										
200 - 249 points	60% Imp.										
> 249 points	70% Imp.										

The right to develop a SIA shall terminate with the loss of the right to develop due to the expiration of a Zoning Compliance Permit or Building Permit. In such cases, allocated acreage or unused allocated acreage shall be returned to the total acreage eligible for allocation.

This application must be filed with the Planning and Zoning Department the first Friday of the month preceding the month of the meeting. The Planning Commission meets the first Wednesday of each month at 6:00pm unless otherwise scheduled.



Signature of Owner



Signature of Agent

1614 CAMDEN ROAD, SUITE 550, CHARLOTTE NC
28203

Owner's Address

704 644 4599

Owner's Telephone

Complete application received ___/___/___

By: _____



Vicinity Map

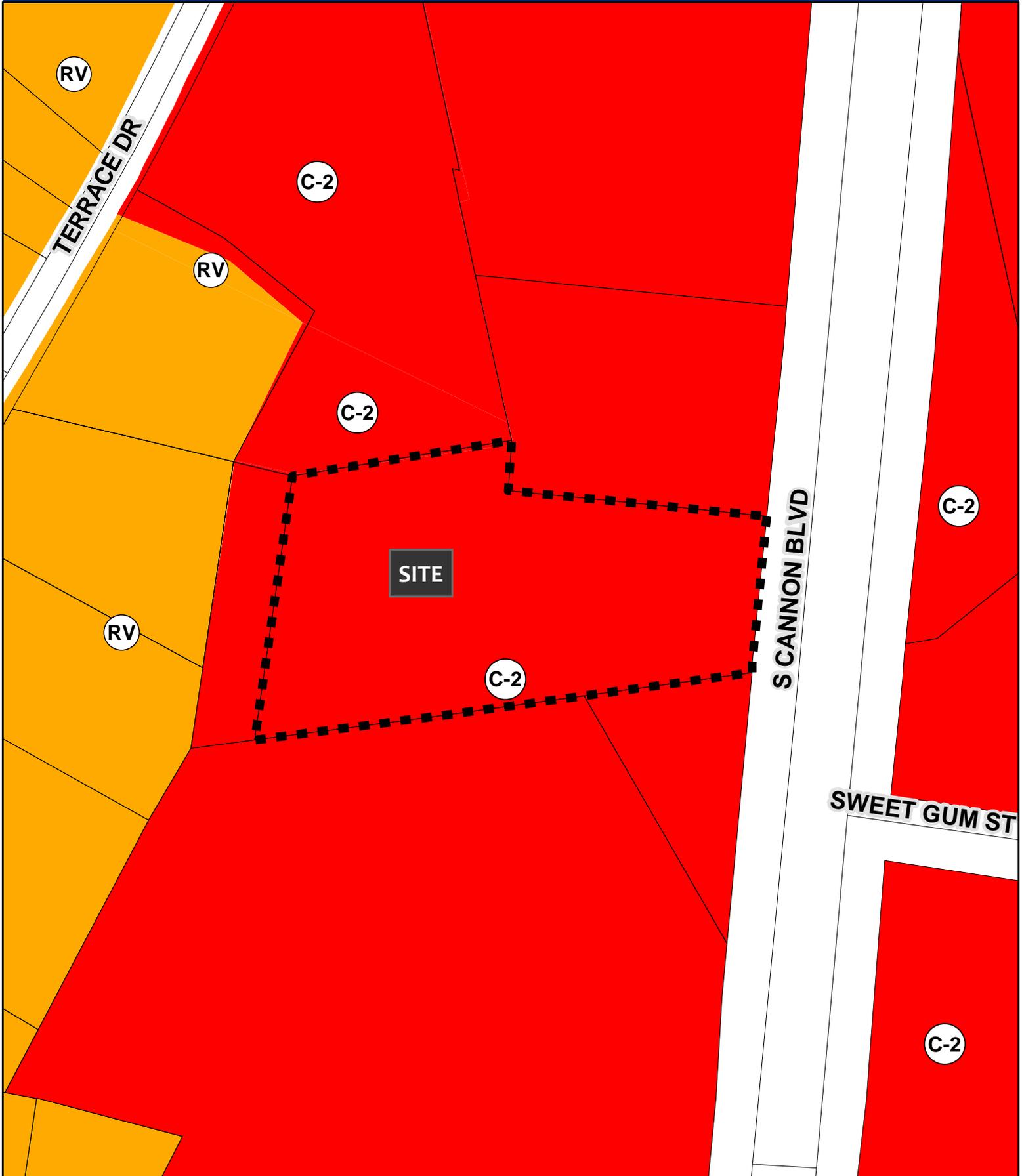
Case Number: SIA-2019-03
Applicant: Crosland Southeast





Current Zoning

Case Number: SIA-2019-03
Applicant: Crosland Southeast





Future Land Use Plan

Case Number: SIA-2019-03
Applicant: Crosland Southeast



Urban Residential

SITE

Suburban Activity 2

Secondary Activity Center

PLUM ST

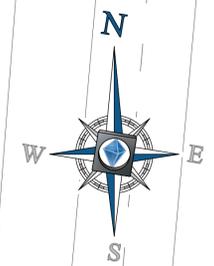
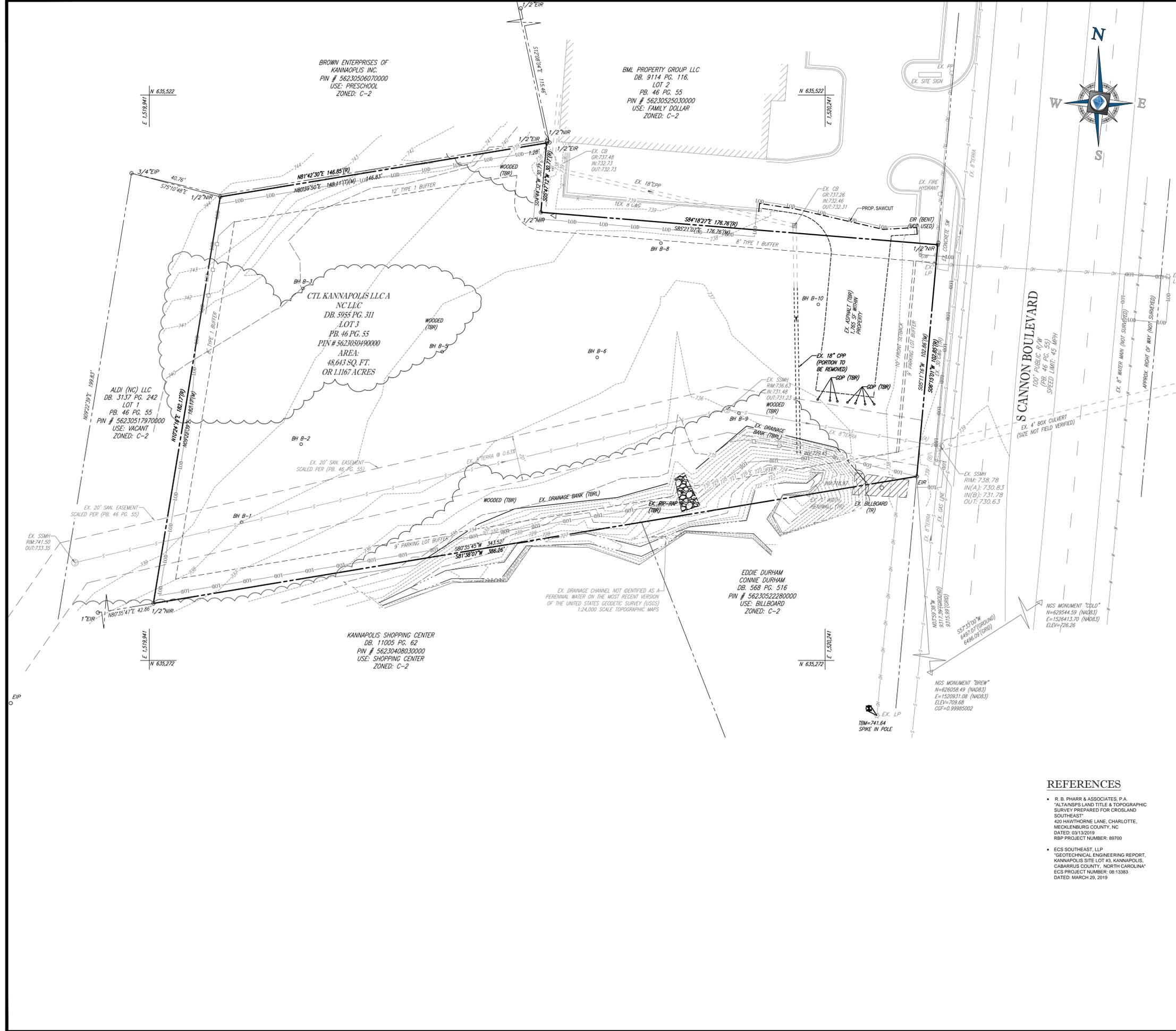
TERRACE DR

S CANNON BLVD

S CANNON BLVD

SWEET GUM ST

CHAPEL ST



GENERAL DEMOLITION NOTES:

- THIS PLAN REFERENCES DOCUMENTS AND SURVEY INFORMATION INCLUDING TOPOGRAPHY BY:
R. B. PHARR & ASSOCIATES, P.A.
"ALTANSPS LAND TITLE & TOPOGRAPHIC SURVEY PREPARED FOR CROSLAND SOUTHEAST"
420 HAWTHORNE LANE, CHARLOTTE, MECKLENBURG COUNTY, NC
DATED: 03/13/2019
- CONTRACTOR SHALL PERFORM ALL WORK IN ACCORDANCE WITH THE REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, (29 U.S.C. 651 et seq.), AS AMENDED AND ANY MODIFICATIONS, AMENDMENTS OR REVISIONS TO SAME.
- BOHLER ENGINEERING HAS NO CONTRACTUAL, LEGAL, OR OTHER RESPONSIBILITY FOR JOB SITE SAFETY OR JOB SITE SUPERVISION, OR ANYTHING RELATED TO SAME.
- THE DEMOLITION PLAN IS INTENDED TO PROVIDE GENERAL INFORMATION, ONLY, REGARDING ITEMS TO BE DEMOLISHED AND/OR REMOVED. THE CONTRACTOR MUST ALSO REVIEW THE OTHER SITE PLAN DRAWINGS AND INCLUDE IN DEMOLITION ACTIVITIES ALL INCIDENTAL WORK NECESSARY FOR THE CONSTRUCTION OF THE NEW SITE IMPROVEMENTS.
- CONTRACTOR MUST RAISE ANY QUESTIONS CONCERNING THE ACCURACY OR INTENT OF THESE PLANS OR SPECIFICATIONS, CONCERNING REGARDING THE APPLICABLE SAFETY STANDARDS, OR THE SAFETY OF THE CONTRACTOR OR THIRD PARTIES IN PERFORMING THE WORK ON THIS PROJECT, WITH BOHLER ENGINEERING, IN WRITING, AND RESPONDED TO BY BOHLER, IN WRITING, PRIOR TO THE INITIATION OF ANY SITE ACTIVITY AND ANY DEMOLITION ACTIVITY. ALL DEMOLITION ACTIVITIES MUST BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THESE PLANS AND SPECIFICATIONS AND ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS, RULES, REQUIREMENTS, STATUTES, ORDINANCES AND CODES.

DEMOLITION LEGEND

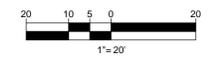
EXISTING NOTE	TYPICAL NOTE TEXT	DEMOLITION NOTE
---	EASEMENT LINE	---
=====	CONCRETE CURB & GUTTER	=====
X X	FENCE	X X
PP	UTILITY POLE	PP
LP	LIGHT POLE	LP
---	UNDERGROUND WATER LINE	---
---	UNDERGROUND GAS LINE	---
--- ---	OVERHEAD WIRE	--- ---
☒	TELEPHONE BOX	☒
=====	STORM SEWER	=====
=====	SANITARY SEWER MAIN	=====
⊙	HYDRANT	⊙
⊙	SANITARY MANHOLE	⊙
⊙	STORM MANHOLE	⊙
⊙	STORM INLET	⊙
---	HEADWALL	---
⊠	WELL LOCATION	⊠
WM	WATER METER	WM
EM	ELECTRIC METER	EM
EM	GAS METER	EM
~~~~~	WOODS	~~~~~

**ANNOTATION LEGEND:**

- TBR: TO BE REMOVED
- TR: TO REMAIN
- TBL: TO BE RELOCATED

**REFERENCES**

- R. B. PHARR & ASSOCIATES, P.A.  
"ALTANSPS LAND TITLE & TOPOGRAPHIC SURVEY PREPARED FOR CROSLAND SOUTHEAST"  
420 HAWTHORNE LANE, CHARLOTTE, MECKLENBURG COUNTY, NC  
DATED: 03/13/2019  
RBP PROJECT NUMBER: 89700
- ECS SOUTHEAST, LLP  
"GEO-TECHNICAL ENGINEERING REPORT, KANNAPOLIS SITE LOT #3, KANNAPOLIS, CABARRUS COUNTY, NORTH CAROLINA"  
ECS PROJECT NUMBER: 08-13383  
DATED: MARCH 29, 2019



**BOHLER ENGINEERING NC, PLLC**  
 SITE CIVIL AND CONSULTING ENGINEERING  
 LAND SURVEYING  
 PROGRAM MANAGEMENT  
 LANDSCAPE ARCHITECTURE  
 SUSTAINABLE DESIGN  
 TRANSPORTATION SERVICES  
 1927 S. TRYON STREET, SUITE 310  
 CHARLOTTE, NC 28203  
 Phone: (980) 272-3400  
 Fax: (980) 272-3401  
 NC@BohlerEng.com

**REVISIONS**

REV	DATE	COMMENT	BY
1	6/28/19	SIA COMMENTS	ODR

**811**  
 KNOW WHAT'S BELOW  
 ALWAYS CALL 811  
 BEFORE YOU DIG  
 It's fast. It's free. It's the law.

**NOT APPROVED FOR CONSTRUCTION**

PROJECT No.: NCC182180  
 DRAWN BY: ODR  
 CHECKED BY: BMM  
 DATE: 6/14/2019  
 SCALE: 1" = 20'  
 CAD I.D.: SSO

**CONSTRUCTION DOCUMENTS**  
 FOR  
**CROSLAND SOUTHEAST**  
 LOCATION OF SITE  
 614 S CANNON BLVD.  
 KANNAPOLIS, NC  
 CABARRUS COUNTY, 28083

**BOHLER ENGINEERING NC, PLLC**  
 NCBELS P-1132  
 1927 S. TRYON STREET, SUITE 310  
 CHARLOTTE, NC 28203  
 Phone: (980) 272-3400  
 Fax: (980) 272-3401  
 NC@BohlerEng.com

**SEAL**  
 NORTH CAROLINA  
 045609  
 BOHLER ENGINEERING NC, PLLC  
 BRITAIN B. MILLER  
 06/14/2019

SHEET TITLE:  
**EXISTING CONDITIONS & DEMOLITION PLAN**  
 SHEET NUMBER:  
**C-201**





**SPECIAL INTENSITY ALLOCATION PERMIT**  
**SIA-2019-03 – 614 S. Cannon Blvd.**

**July 10, 2019**

The Kannapolis Watershed Review Board, pursuant to Section 4.16.9 of the City of Kannapolis Unified Development Ordinance, approved a Special Intensity Allocation (SIA) for the following use, subject to the following condition(s):

**Use:** Medical facility to serve dialysis patients

**Description of Property:** Located at 614 S. Cannon Blvd., the property is further identified as Cabarrus County Parcel Identification Number 5623-05-0490.

**Watershed District:** Lake Concord WS-IV Protected Area

**Acreage Allocated for Development:** .52 acres

The Watershed Review Board has found the subject parcels to meet the criteria as described in Table 4.16-4 of the Kannapolis Unified Development Ordinance (UDO):

- Tax Base Increase of \$2,000,000 or more: 75 points
- Full time jobs Created of 1-10: 15 points
- Community Value: To be determined by Watershed Review Board
- Research & Development/Medical Industry: 20 points
- Revitalization of Existing Development: 0 points
- Energy Reduction/Conservation Measures: 100 points

**Total Points Awarded: 210**

The SIA Permit is contingent upon the developer installing a bio-retention pond on the final site plan. This condition is perpetually binding upon the subject property.

The right to develop an SIA shall terminate with the loss of the right to develop due to the expiration of a Zoning Compliance Permit or Building Permit.

The SIA Permit was approved by the Watershed Review Board of the City of Kannapolis, North Carolina on the 10th day of July 2019.

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Scott Trott, Chairman  
Planning & Zoning Commission

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Pam Scaggs, Recording Secretary  
Planning & Zoning Commission