



**Planning & Zoning Commission
May 1, 2019 Meeting**

Staff Report

DATE: April 17, 2019
TO: Planning & Zoning Commission
FROM: Gretchen Coperine, AICP, Senior Planner
SUBJECT: **Case #SIA-2019-02, Coldwater Ridge Lots 8-11**
Applicant: ArborLane Investments, Inc.

Consider a request for a Special Intensity Allocation (SIA) for properties located at 2358, 2366, 2374 and 2382 Coldwater Ridge Dr. The properties are identified as Cabarrus County Parcel Identification Numbers 5622-59-5209, 5622-59-3270, 5622-59-2141, and 5622-59-1003, totaling approximately 4.36 +/- 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

ArborLane Investments, Inc. is requesting a Special Intensity Allocation (SIA) in order to develop property along Coldwater Ridge Dr. The applicant proposes to develop each lot with permitted commercial uses with associated parking and driveways. The property is located in the Lake Fisher WS-IV Protected Area Watershed and 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, up to 70% 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 2.66 acres of impervious area, for a total impervious area as follows:

Lot Number	Address	Impervious Requested
Lot 8	2382 Coldwater Ridge Dr.	15,816 sf (0.36 ac)
Lot 9	2374 Coldwater Ridge Dr.	32,950 sf (0.75 ac)
Lot 10	2366 Coldwater Ridge Dr.	33,233 sf (0.76 ac)
Lot 11	2358 Coldwater Ridge Dr.	34,044 sf (0.78 ac)

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 26 or more: 50 points
- Community Value: To be determined by Watershed Review Board
- Retail Trade Type of Industry: 10 points
- Revitalization of Existing Development: 0 points
- Energy Reduction/Conservation Measures: 0 points

Total Points Recommended by Staff: 135

Scoring between 100-149 Special Intensity Allocation points allows for the potential impervious (built upon) area to be increased from 24% to up to 40% 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 2.66 acres. Based on the staff recommended allocation of points the applicant would need an additional 114 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 2.66 acres of impervious area as long as the Watershed Review Board allocates an additional 114 points. The UDO caps the total amount that can be allocated by SIA in the Lake Fisher WS-IV Protected Area Watershed to 152.64 acres (based on available acreage). Should this SIA be approved, the additional 2.66 acres of impervious area would be allocated from the allowed acreage to be developed in the Lake Fisher WS-IV Protected Area Watershed leaving a balance of 149.98 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 2.66 acres in the Lake Fisher WS-IV Protected Area Watershed for the property located at 2358, 2366, 2374 and 2382 Coldwater Ridge Drive as long as the Planning and Zoning Commission assigns at least 114 points to allow for the increase.

The following actions are required to approve the requested SIA for Case # SIA 2019-02:

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: Arbor Lane ~~INC~~ Investments, INC Owner: SAME

Address: 630 Windsor Pk NE Address: _____
CONCORD NC. 28025-2550

Telephone: 704 796 1683 Telephone: _____

Email: tdprealty@yahoo.com Email: _____

Legal relationship of applicant to property owner: Treasurer & Secretary

Property Location/Address: 2392, 2374, 2366, 2358 COLDWATER RIDGE DRIVE
5622-59 - 1003/1410/3290/5209
Tax Parcel Number: _____ Zoning District: G2 Acreage of Site: 4.36 AC TOTAL
4 LOTS

T David Propst
Applicant Name (Print)

T. David Propst 3/25/19
Applicant Signature & Date

T David Propst
Property Owner Name (Print)

T. David Propst
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: \$325

Application No.: SIA-2019-02

Receipt # M-11188

Date Submitted (Complete): 4/1/2019

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: Arbor Lane Investments, Inc.
INC.

Applicant's Address: 630 Windsor PI NE Concord, N.C. 28025-2550

Applicant's Phone: 704 796 1683

Applicant's Email: tdprealty@yahoo.com

Property Owner: T. David Propst

Address or Location of Property seeking SIA: LOTS 8-11 COLD WATER RIDGE DRIVE

Parcel ID #(s): 5022-59-1003/1410/3290/5209

Deed Book/Page: 5280-232 County: CABARRUS

Area of Property: 4.36 ACRES Current Zoning: C2
TOTAL OF 4 LOTS

Select Watershed Location

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

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

Acreage of Built-Upon Area Requested for SIA: 2.66 AC (NOTE: ADDITION OF LOT 8 LIES OUTSIDE OF PROTECTED AREA)

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:



Vicinity Map

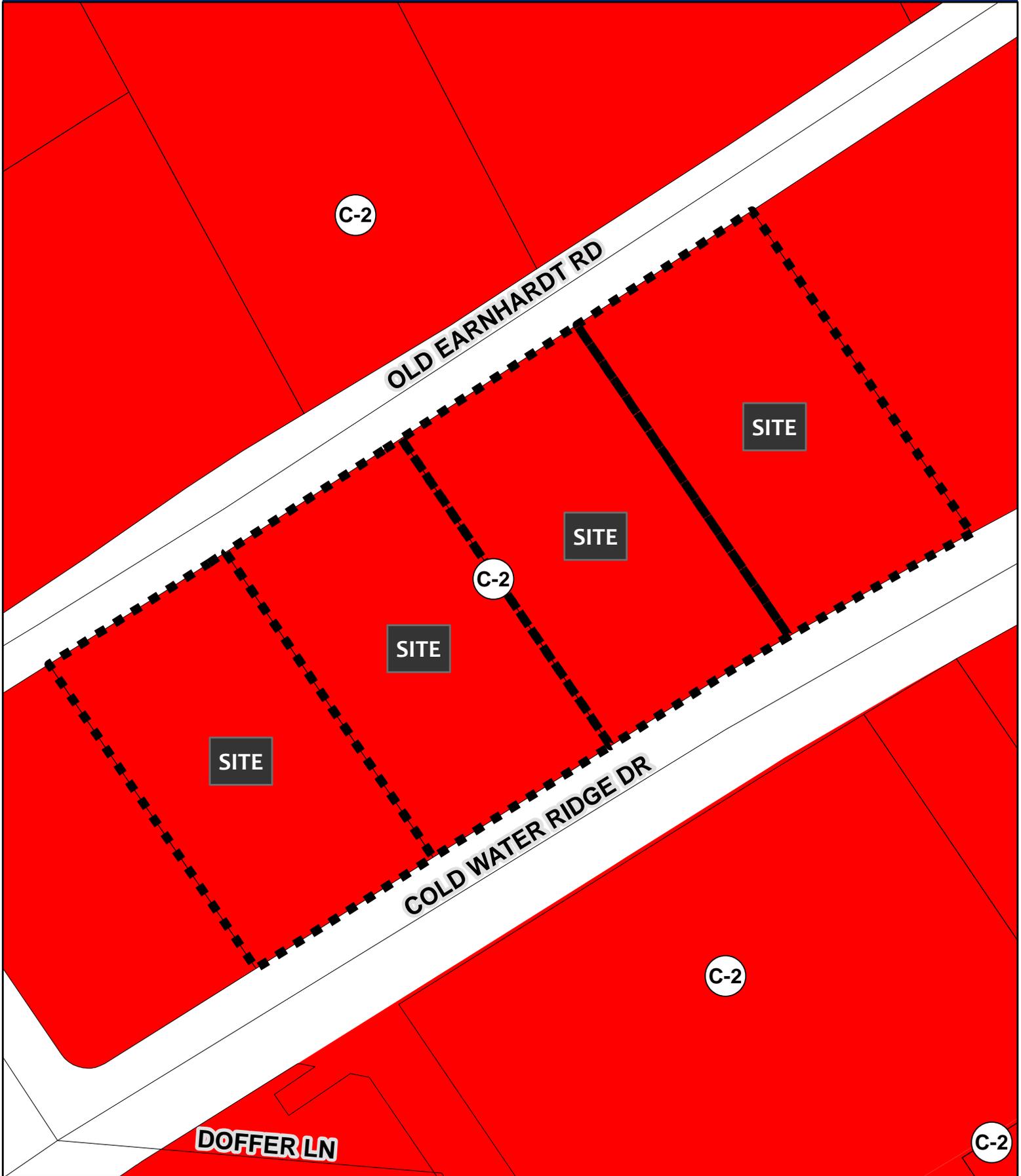
Case Number: SIA-2019-02
Applicant: Arbor Lane Investments, Inc.





Current Zoning

Case Number: SIA-2019-02
Applicant: Arbor Lane Investments, Inc.





Future Land Use Plan

Case Number: SIA-2019-02

Applicant: Arbor Lane Investments, Inc.



DALE
EARNHARDT
BLVD

Primary
Activity
Interchange

OLD EARNHARDT RD

SITE

SITE

SITE

SITE

COLD WATER RIDGE DR

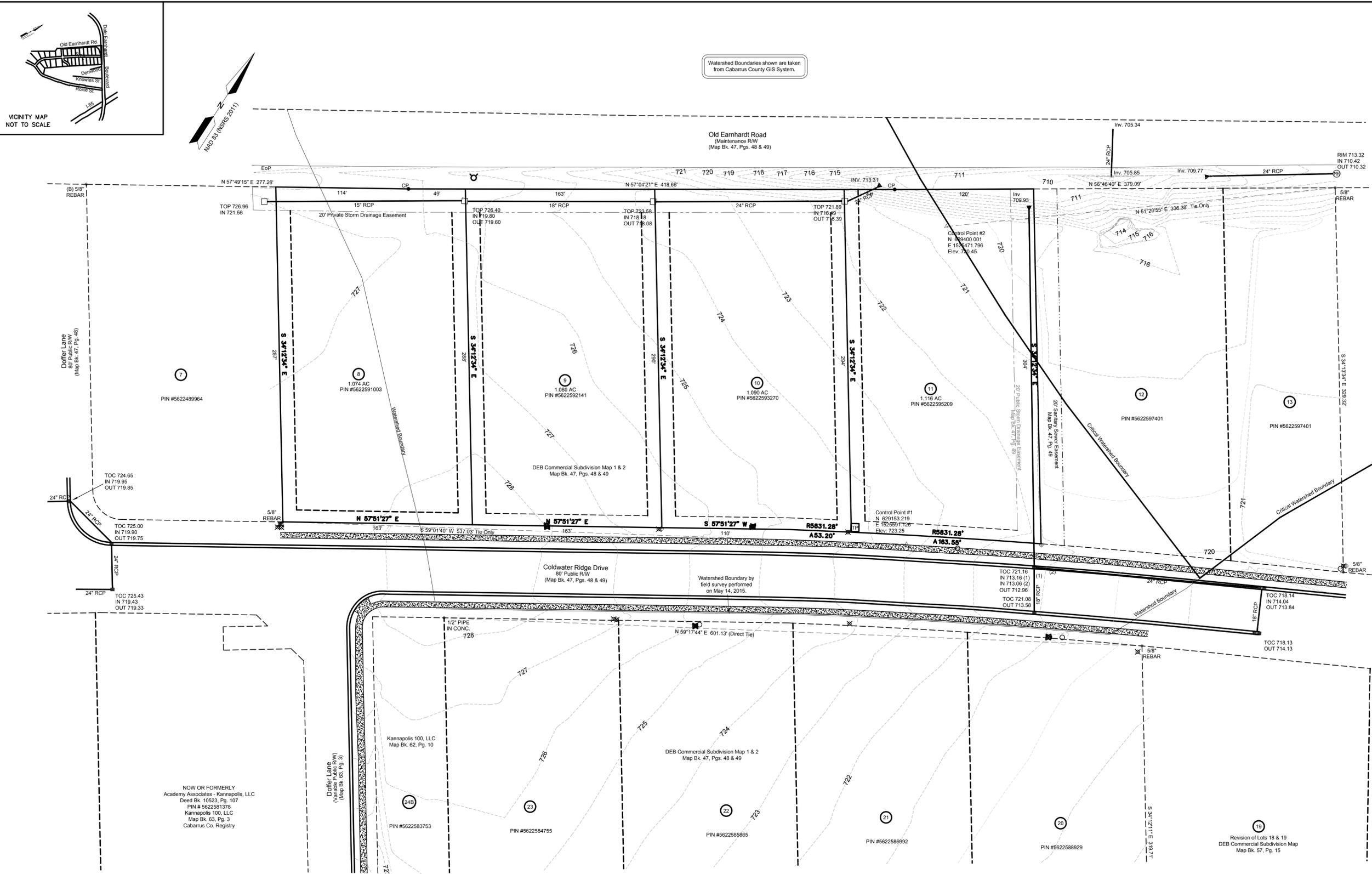
DOFFER LN



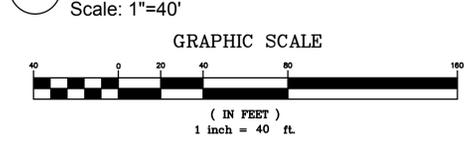
GENERAL NOTES

- A. ALL WORK TO BE DONE IN ACCORDANCE WITH CITY OF KANNAPOLIS, WSACC, NCDOT, NCDE&NR STANDARD SPECIFICATIONS AND PROJECT SPECIFICATIONS. WHEN SPECIFICATIONS ARE IN CONFLICT THE STRICTER SHALL BE HELD.
- B. EXISTING UTILITIES ARE SHOWN IN THEIR APPROXIMATE LOCATIONS ONLY. ANY DAMAGE DONE TO EXISTING UTILITIES, WHETHER SHOWN OR NOT ON THIS PLAN, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES, SHOWN OR NOT SHOWN ON THE PLAN, PRIOR TO BEGINNING CONSTRUCTION, TO ENSURE PROPER LOCATION OF UTILITIES, THE CONTRACTOR SHALL CONTACT NCOCC (NC ONE CALL CENTER) AT 1-800-632-4949 AT LEAST 48 HOURS PRIOR TO CONSTRUCTION.
- C. THE ENGINEER HAS MADE NO EXAMINATION TO DETERMINE WHETHER ANY HAZARDOUS OR TOXIC MATERIALS ARE PRESENT OR CONTAINED IN, UNDER, OR ON THE SUBJECT PROPERTY OR ITS WATERS; OR IF ANY HAZARDOUS OR TOXIC MATERIALS HAVE CONTAMINATED THIS OR OTHER PROPERTIES OR ITS WATERS IN ANY WAY WHATSOEVER. NO SUBSURFACE EXAMINATION OF ANY TYPE HAS BEEN MADE BY THE ENGINEER AND ACCORDINGLY, NO OPINION EXPRESSED OR INFERRED ON ALL SUCH MATTERS. FURTHER, NO OPINION IS RENDERED AS TO ANY VIOLATION OF ANY ENVIRONMENTAL LAWS OR REGULATIONS, EITHER FEDERAL, STATE OR LOCAL, RELATED TO THE INFORMATION SHOWN ON THIS PLAN AND THE ENGINEER IS IN NO WAY LIABLE FOR ANY VIOLATION OF SUCH ENVIRONMENTAL LAWS SHOULD THEY EXIST.
- D. SURVEY INFORMATION AS SHOWN TAKEN FROM A SURVEY PREPARED BY NORSTAR LAND SURVEYING, INC.; R. SCOTT DYER PLS, DATED MAY 22, 2015.

Watershed Boundaries shown are taken from Cabarrus County GIS System.



1 EXISTING CONDITIONS PLAN



NOW OR FORMERLY
Academy Associates - Kannapolis, LLC
Deed Bk. 10523, Pg. 107
PIN # 5622581378
Kannapolis 100, LLC
Map Bk. 63, Pg. 3
Cabarrus Co. Registry

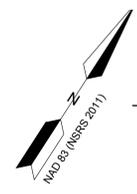
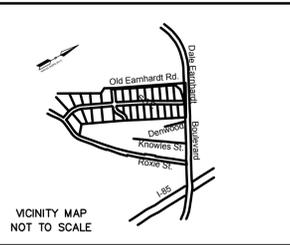
aw
ck
alley, williams, carmen, & king, inc.
CONSULTING ENGINEERS
FIRM LICENSE No. F-0203
120 SOUTH MAIN STREET
KANNAPOLIS, NC 28082
P.O. BOX 1248
704/938-1515

**LOTS 8-11 COLDWATER RIDGE
COLDWATER RIDGE DRIVE
KANNAPOLIS, NC**

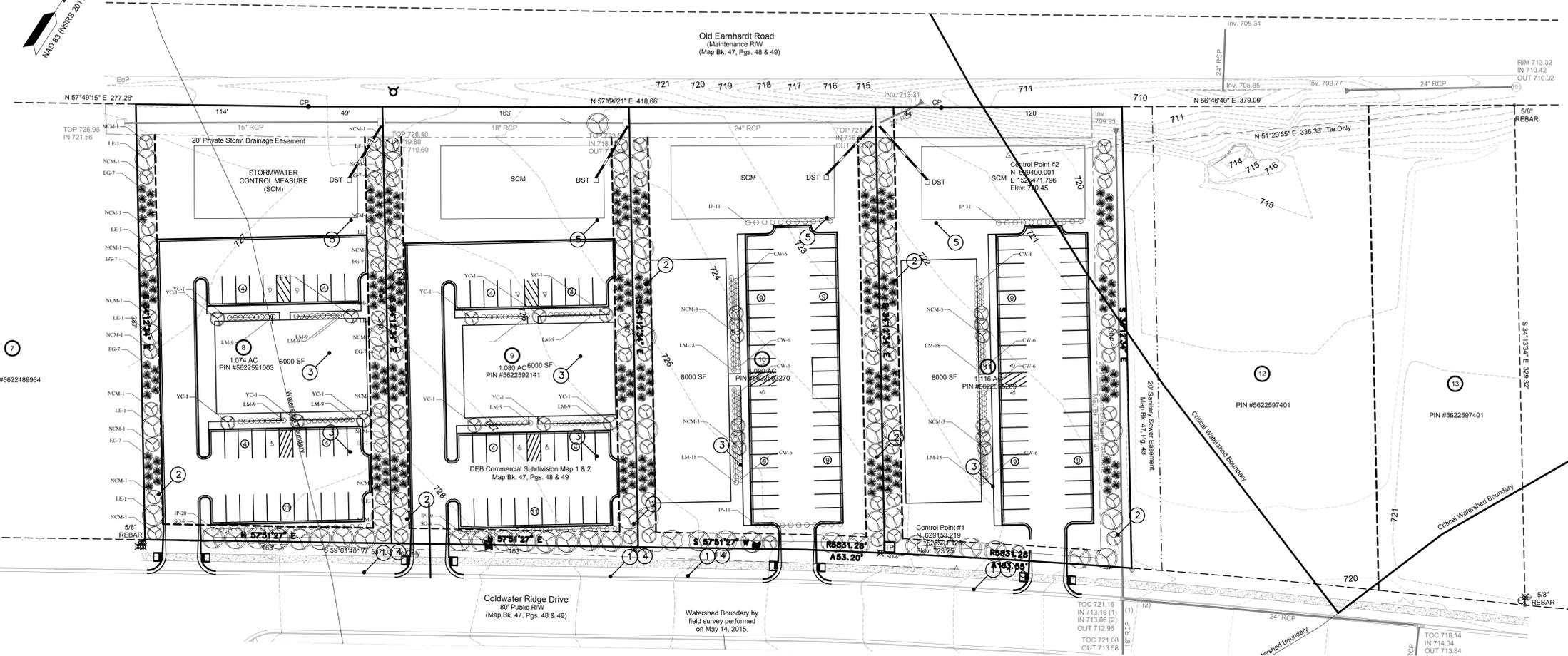
REVISION	DESCRIPTION	DATE	INITIAL	SCALE	DATE
				1"=40"	4/1/19
				PROFILE	
				HORIZ.	
				VERT.	

**PRELIMINARY
SITE PLAN**

JOB NO. **19506**
SHEET NO. **1.0**
OF **2**



Watershed Boundaries shown are taken from Cabarrus County GIS System.



GENERAL NOTES

- A. ALL WORK TO BE DONE IN ACCORDANCE WITH CITY OF KANNAPOLIS, WSACC, NCDOT, NCDE&NR STANDARD SPECIFICATIONS AND PROJECT SPECIFICATIONS. WHEN SPECIFICATIONS ARE IN CONFLICT THE STRICTER SHALL BE HELD.
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- D. SURVEY INFORMATION AS SHOWN TAKEN FROM A SURVEY PREPARED BY NORSTAR LAND SURVEYING, INC.; R. SCOTT DYER PLS, DATED MAY 22, 2015.

SITE NOTES

- OWNER: ARBOR LANE INVESTMENTS, INC.
630 WINDSOR PL NE
CONCORD, NC 28025
- DB 5280 PG 232
- MB 47 PG48
- ZONING: C-2
- DIMENSIONAL STANDARDS
MIN LOT SIZE - N/A
IMPERVIOUS RATIO - 0.8
MIN STREET FRONTAGE - 30'
MIN LOT WIDTH - 50'
MIN LOT DEPTH - 100'
MAX BUILDING HT - 48'
- BUILDING SETBACKS
FRONT - 10'
SIDE - N/A
REAR - N/A
- THESE LOTS ARE LOCATED WITHIN THE PROTECTED AREA OF THE LAKE FISHER WATERSHED WITH 24% IMPERVIOUS COVERAGE. THEREFORE WE WILL BE REQUESTING A SPECIAL INTENSITY ALLOCATION (SIA) FOR EACH LOT OF 70%.
- STORM WATER MANAGEMENT PERMIT
- HIGH DENSITY OPTION
STORM WATER DETENTION AND WATER QUALITY ARE REQUIRED FOR EACH LOT

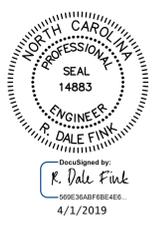
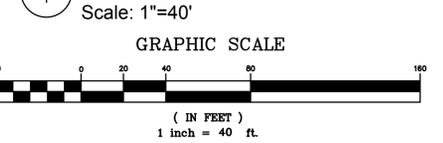
Cold Water Ridge - Plant List

Key	Common Name	Botanical Name	Min. Size	Quantity
LE	Allele Lacebark Elm	Ulmus parvifolia 'Emer II'	3"-3.5" cal. / 12'-14' ht. / 6'-8' spread	
SO	Shumard Oak	Quercus shumardii	3" cal. / 12'-14' ht. / 4'-5' spread	
NCM	Natchez Crape Myrtle	Lagerstroemia (indica x faurieri) 'Natchez'	Multi-trunk / 9'-10' ht. / 4'-5' spread	
YC	Daybreak Yoshino Cherry	Prunus x yedoensis 'Akebono'	1.5"-2" cal. / 8'-10' ht. / 5'-6' spread	
EG	Emerald Green Arborvitae	Thuja occidentalis 'Smaragd'	15 gal. container, 5'-6" min. ht.	
LM	Purple Daydream Dwarf Loropetalum	Loropetalum chinense 'PILC-III' PP25471	3 gal. container	
CW	Canadale Gold Wintercreeper	Euonymus fortunei 'Canadale Gold'	3 gal. container	
IP	Indian Princess® Indian Hawthorn	Rhaphiolepis indica 'Monto'	3 gal. container	

General Notes:
Mulch all plant beds with pine needles, or small size pine bark to a depth of 3 inches. Mulch beds around trees in lawn areas extending to a minimum radius of 4 feet from the tree trunk. Plant beds around shrubs shall extend a minimum of 1 foot beyond the spread of the shrubs. Irrigate regularly, but do not overwater. Conduct soil tests to determine soil amendment needs. Till all plant beds incorporating compost 12 inches deep into soil for 50/50 mix. Dig tree and shrub pits 2x as wide root ball. Adjustment of pH may be necessary to get soils to around 6.5. Plant beds should be built up 6" to 8" above grade.

Calculations:
6K BLDG Buffer Yards Lot 9_Type 1_12' Buffers At Sides _ 287 LF + 290 LF_ 577 x 0.6 = 346 points, providing 346 points PLUS 10% = 380 points, providing 408 points
 require 1 shade tree per 100' = 6, providing 10 = 120 points
 require 2 ornamental trees per 100 lin. ft. = 12, providing 20 = 120 points
 require 5 evergreen large or medium shrubs per 100' = 29, providing 56 large evergreen shrubs = 168 points
Building Yard Lot 9_Cat 2_8' min. width _ 100 lin. ft. facing new parking areas
 require 1 ornamental tree per 30' = 3, providing 3 ornamental trees = 18 points
 require 1 evergreen small or medium shrubs per 3' = 33, providing 36 medium evergreen shrubs = 72 points
 require 0.5 points per lin. ft. = 100 x 0.5 = 50 points, providing 90 points = 180%
Parking Lot Yards Lot 9
 require evergreen shrubs 6' on center = 18, providing 18 PLUS 10% = 20 shrubs 5.5' on center
 require shade trees 40' on center, providing shade trees in street yard
Street Yard Lot 9_C-2 Zoning_8' min. width _ 163 lin. ft. deeded street frontage _ 163 X .5 = 82 points required, providing 82 PLUS 10% = 90 points
 require 1 shade tree or 2 ornamental trees per 50', 163/50 = 3 shade or 6 ornamental trees
 providing 8 shade trees = 96 points
8K BLDG Buffer Yards Lot 10_Type 1_12' Buffers At Sides _ 290 LF + 293 LF_ 583 x 0.6 = 350 points, providing 350 points PLUS 10% = 385 points, providing 408 points
 require 1 shade tree per 100' = 6, providing 10 = 120 points
 require 2 ornamental trees per 100 lin. ft. = 12, providing 20 = 120 points
 require 5 evergreen large or medium shrubs per 100' = 29, providing 56 large evergreen shrubs = 168 points
Building Yard Lot 10_Cat 2_8' min. width _ 160 lin. ft. facing new parking areas
 require 1 ornamental tree per 30' = 5, providing 5 ornamental trees = 36 points = 120%
 require 1 evergreen small or medium shrubs per 3' = 53, providing 60 medium evergreen shrubs = 180 points = 113%
 require 0.5 points per lin. ft. = 160 x 0.5 = 80 points, providing 216 points = 270%
Parking Lot Yards Lot 10
 require evergreen shrubs 6' on center = 10, providing 10 PLUS 10% = 11 shrubs 5.5' on center
 require shade trees 40' on center, providing shade trees in street yard
Street Yard Lot 10_C-2 Zoning_8' min. width _ 163 lin. ft. deeded street frontage _ 163 X .5 = 82 points required, providing 82 PLUS 10% = 90 points
 require 1 shade tree or 2 ornamental trees per 50', 163/50 = 3 shade or 6 ornamental trees
 providing 8 shade trees = 96 points

EXISTING SITE PLAN



KEYED NOTES

- KEYED NOTES LISTED BELOW ARE REFERENCED FROM THIS PLAN USING THIS SYMBOL (1)
- 10' FRONT BUILDING SETBACK
 - PERIMETER BUFFER YARD
 - BUILDING YARD
 - PARKING LOT YARD
 - SCM OUTLET STRUCTURE

aw alley, williams, carmen, & king, inc.
ck CONSULTING ENGINEERS
 FIRM LICENSE No. F-0203
 120 SOUTH MAIN STREET P.O. BOX 1248
 KANNAPOLIS, NC 28082 704/938-1515

LOTS 8-11 COLDWATER RIDGE
COLDWATER RIDGE DRIVE
KANNAPOLIS, NC

REVISION	DESCRIPTION	DATE	INITIAL	SCALE	DATE
				1"=40"	4/1/19
				PROFILE	
				HORIZ:	
				VERT:	

PRELIMINARY SITE PLAN

JOB NO. **19506**
 SHEET NO. **2.0**
 OF **2**



SPECIAL INTENSITY ALLOCATION PERMIT
SIA-2019-02 – 2358, 2366, 2374 and 2392 Coldwater Ridge Drive

May 1, 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: Commercial Uses

Description of Property: Located at 2358, 2366, 2374 and 2382 Coldwater Ridge Dr. The properties are identified as Cabarrus County Parcel Identification Numbers 5622-59-5209, 5622-59-3270, 5622-59-2141, and 5622-59-1003.

Watershed District: Lake Fisher WS-IV Protected Area

Acreage Allocated for Development: 2.66 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 26 or more: 50 points
- Community Value: To be determined by Watershed Review Board
- Retail Trade Type of Industry: 10 points
- Revitalization of Existing Development: 0 points
- Energy Reduction/Conservation Measures: 0 points

Total Points Awarded: 135

The SIA Permit is perpetually binding upon the property described above.

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 1st day of May 2019.

Scott Trott, Chairman
Planning & Zoning Commission

Pam Scaggs, Recording Secretary
Planning & Zoning Commission