



**Planning & Zoning Commission
March 4, 2020 Meeting**

Staff Report

DATE: February 26, 2020
TO: Planning & Zoning Commission
FROM: Gretchen Coperine, AICP, Senior Planner
SUBJECT: **Case #CZ-2020-01**
Conditional Zoning Map Amendment (715 Kannapolis Parkway)
Applicant: Blake Vida

This is a request to rezone property, located at 715 Kannapolis Parkway, from RE (Rural Estate) to C2-CZ (General Commercial-Conditional Zoning), to allow property to be developed for a veterinarian hospital.

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

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

C. Background & Project Overview

The applicant, Blake Vida, is proposing to rezone the subject property from RE (Rural Estates) to CZ-C2 (General Commercial Conditional Zoning District). The proposed use shown on the attached plan is a veterinarian hospital. The property lies within the CCTPOD (Coddle Creek Thoroughfare Protection Overlay District) for a distance of 200' from the Kannapolis Parkway right-of-way.

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 1.07 acres.

2. Does the proposal conform with and further the goals and policies of the Land Use Plan, other adopted plans, and the goals, objectives, and policies of this Ordinance?

This property is located in a “Suburban Activity 1” Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Suburban Activity 1 Character Area includes retail and office as primary uses along with light manufacturing, multi-family and single-family residential development as secondary uses. The proposed veterinary office fits within the primary uses allowed.

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

The property is located on the west side of Kannapolis Parkway, north of Finger Lake Drive. To the south is a multifamily residential development (Hawthorne at the Glen) and Afton Ridge shopping center. Property to the north, south and west is zoned RE (Rural Estates), and property to the east across Kannapolis Parkway is zoned RE and OI (Office Institutional). The property is also located within the CCTPOD (Coddle Creek Thoroughfare Protection Overlay District) and will require adherence to use and architectural regulations for this area. The proposed veterinary office provides small scale office use that is compatible with the adjacent residential area. Therefore, the proposed rezoning is considered compatible with the surrounding area.

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

The subject property will be accessed from Fingerlake Road. This access point is preferred over access from Kannapolis Parkway because it avoids conflicting movements from the subject site directly onto Kannapolis Parkway. Access to the site will need to be approved by NCDOT and the City.

5. Will there be parking problems?

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

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

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

7. Has there been any change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, and development?

Parcels further south of the site on Kannapolis Parkway and Glen Afton Blvd., known as Kannapolis Small Shops, were rezoned to CZ-C2 in 2016 and 2020, and construction of the retail shops was completed in 2018. Commercial development is anticipated to continue along Kannapolis Parkway in the near future.

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

There are adequate public facilities available to the property or within proximity, including water and access to Kannapolis Parkway. Sewer will need to be extended to serve the property.

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

To the south is a multifamily residential development and Afton Ridge shopping center. Property to the north, south and west is zoned RE (Rural Estates), and property to the east across Kannapolis Parkway is zoned RE and OI (Office Institutional). The property is also located within the CCTPOD (Coddle Creek Thoroughfare Protection Overlay District) and will require adherence to use and architectural regulations for this area.

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

The current zoning of RE (Rural Estates) does not allow commercial development.

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

The proposed commercial use is compatible with the adjacent residential neighborhood, based on the low intensity of the proposed office use.

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

The subject property has been vacant for an undetermined amount of time.

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

Kannapolis Parkway is predominately a commercial corridor. There are vacant parcels as well as underutilized parcels along the parkway.

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

No.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

Staff finds this rezoning consistent with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates this property as being located in a "Suburban Activity 1" Character Area, which allows for office development. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide lower intensity commercial development along Kannapolis Parkway that is appropriate for the area. The proposed use is compatible with the surrounding zoning, yet not anticipated to have an adverse effect on the capacity

or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Finally, there is adequate access or ability to extend to public facilities.

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

The Planning and Zoning Commission may choose to approve or deny the petition as presented.

Based on the request being consistent with the Move Kannapolis Forward 2030 Comprehensive Plan, staff recommends approval with the following conditions for Zoning Map Amendment Case #CZ-2020-01:

1. The permitted uses allowed by this rezoning shall only include a veterinary hospital and office as generally depicted on the site plan submitted with this rezoning.
2. A Site Plan, in compliance with all applicable City standards, shall be submitted and approved by City Staff prior to issuance of a Zoning Clearance Permit.
3. Any lighting installed on the subject property shall be full cut-off fixtures with all lighting directed downward and away from adjacent residential property.
4. A Type 3 Perimeter buffer yard shall be provided to buffer the adjacent single-family development.
5. Driveway locations shall be approved by the City in conjunction with NCDOT.
6. Driveways and parking lots shall comply with all Fire Codes and Autoturn (a traffic engineering program which specifies the required turning radii for vehicles including delivery trucks and emergency vehicles) shall be run for an SU-30 and Bus-45 (similar to a ladder truck).
7. A Stormwater Management Permit will be required for this Development in accordance with Article 9 of the Kannapolis UDO. Easements, maintenance agreements and viable access shall be provided for all stormwater structures and BMP's.
8. The project developer shall be responsible for extension of all water and sewer infrastructure needed to serve the project.
9. Hydrants and fire protection shall comply with UDO Appendix C.3 and Fire Codes.
10. The property shall be subject to the restrictions and guidelines of the CCTPOD (Coddle Creek Thoroughfare Protection Overlay District).

Alternative Courses of Action

Alternative Courses of Action

Motion to Approve (2 votes)

1. **Should the Commission choose to approve the request for rezoning as presented in Case #CZ-2020-01, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being located in a "Suburban Activity 1" Character Area, which allows for office development. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide lower intensity commercial development along Kannapolis Parkway that is appropriate for the area. The proposed use is compatible with the surrounding zoning, yet not anticipated to have an adverse effect on the capacity or safety of the surrounding street network,*

nor anticipated to generate parking problems or any adverse impact on the environment. Finally, there is adequate access or ability to extend to public facilities.

- 2. Should the Commission choose to approve Case #CZ-2020-01, a motion should be made to adopt the Resolution to Zone.**

Motion to Deny (2 votes)

- 1. Should the Commission choose to recommend denial of Case #CZ-2020-01, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #CZ-2020-01 to be inconsistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

- 2. Should the Commission choose to deny Case #CZ-2020-01, a motion should be made to deny the Resolution to Zone.**

I. Attachments

1. Rezoning Application
2. Vicinity Map
3. Zoning Map
4. 2030 Future Land Use and Character Map
5. Site Plan
6. Notice of Public Hearing
7. List of Properties Notified
8. Letter to Adjacent Property Owners
9. Posted Public Notice Sign
10. Resolution to Adopt a Statement of Consistency
11. Resolution to Zone

J. Issue Reviewed By:

- City Manager
- City Attorney
- Planning Director

KANNAPOLIS

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

Type of Action Requested (Check One):

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

Applicant: <u>Blake Vida</u>	Owner: <u>BV 715 Kannapolis Parkway, LLC</u>
Address: <u>42665 Freistadt Sq</u> <u>Sterling, VA 20166</u>	Address: <u>1414 Yanceyville St., Suite 300</u> <u>Greensboro, NC 27405</u>
Telephone: <u>203-509-2656</u>	Telephone: <u>336.553.3700</u>
Email: <u>blakevidadv@gmail.com</u>	Email: <u>LEASLEY@BISCUITVILLE.COM</u>

Legal relationship of applicant to property owner: Potential buyer of property

Property Location/Address: 715 Kannapolis Pkwy, Concord NC 28027

Tax Parcel Number: 46919396180000 Zoning District: RE Acreage of Site: 1.07

Applicant Name (Print): Blake Vida Property Owner Name (Print): BV 715 Kannapolis Parkway, LLC
By: Maurice Jennings Jr., Manager

Applicant Signature & Date: [Signature] 1/29/2020 Property Owner Signature & Date: [Signature] 1/29/20

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): _____

KANNAPOLIS

APPLICATION FOR AMENDMENT TO THE KANNAPOLIS ZONING MAP

Property Identification Number(s): 46919396180000
(attach separate list if necessary)

Present zoning classification: RE

Requested zoning classification: C2

Number of parcels: 1 Approximate size of area: 1.07 acres

Physical location of area: 715 Kannapolis Pkwy, Concord NC 28027

Are public utilities available? Public Water is available. Public Sewer is not available

Reason for map amendment Requesting a zoning classification that will allow for a veterinarian hospital.

The above information is true and accurate to the best of my knowledge. Signature of Applicant(s):

B. Dick

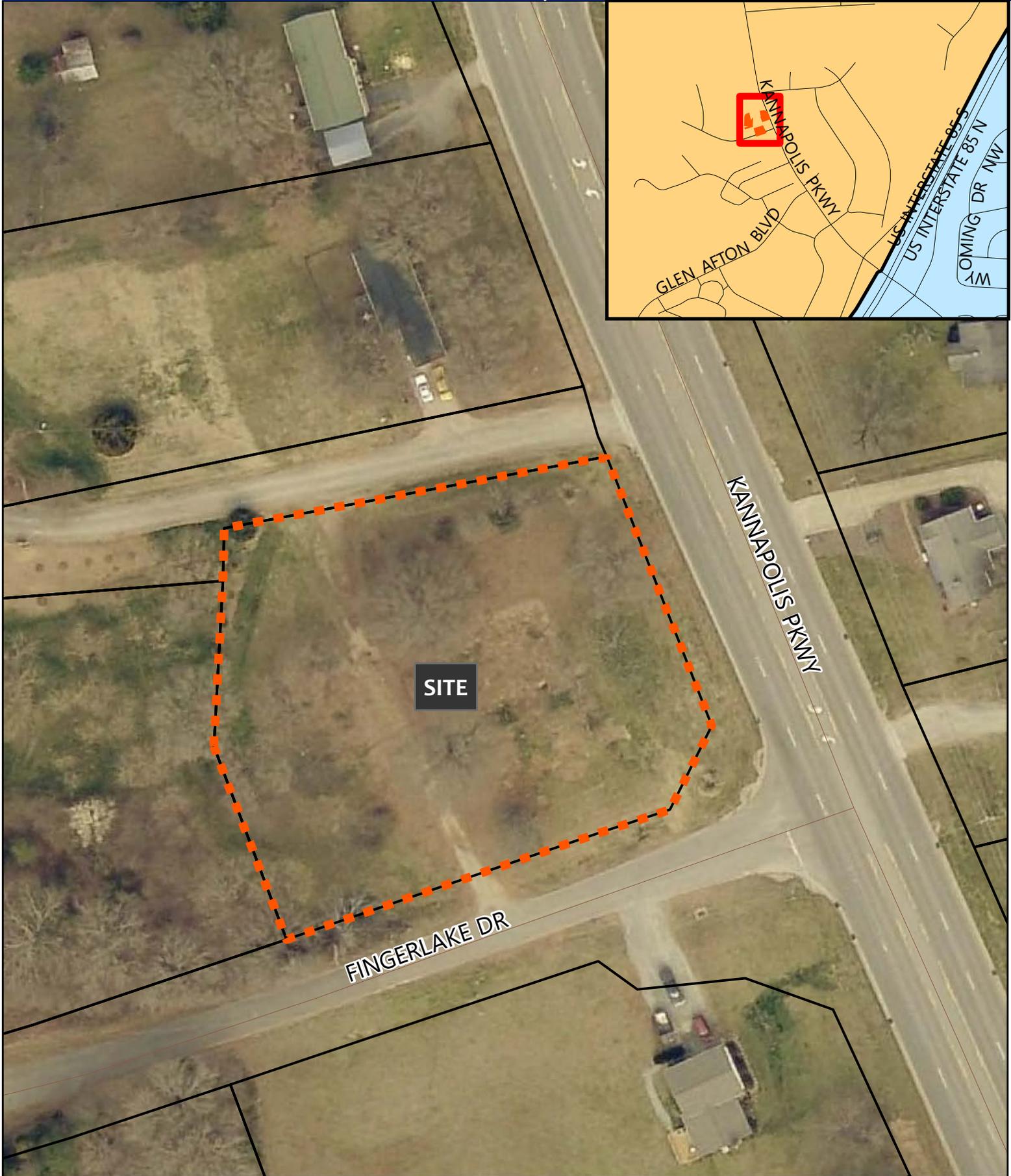
(attach separate sheet if necessary)

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



Vicinity Map

Case Number: CZ-2020-01
Blake Vida
715 Kannapolis Parkway



SITE

FINGERLAKE DR

KANNAPOLIS PKWY

GLEN AFTON BLVD
KANNAPOLIS PKWY

US INTERSTATE 85 S
US INTERSTATE 85 N
WOMING DR NW



Kannapolis Current Zoning

Case Number: CZ-2020-01

Blake Vida

715 Kannapolis Parkway





Kannapolis 2030 Future Land Use Map

Case Number: CZ-2020-01

Blake Vida

715 Kannapolis Parkway





PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000634530

Client: KANNAPOLIS,CITY OF
Phone: 7049204300

Pavor : 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 \$509.84
Payment Amount \$509.84

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>
0000634530-01	CLS Liner	2 X 41 li	\$0.00

Production Method **Production Notes**
AdBooker (liner)

<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 Planning and Zoning

Run Dates 2/21/2020, 2/28/2020

TagLine: NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONMEETING401LAUREATEWAYKANNAPOLISNCWEDNESDAYMARCH42020AT600PMCONDITIONALZONINGMAPA



KANNAPOLIS

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

Wednesday March 4, 2020 at 6:00 pm

Conditional Zoning Map Amendment - CZ-2020-01 - Public hearing to consider a request to rezone approximately 1.07 +/- acres located at 715 Kannapolis Parkway from RE (Rural Estate) to C-2-CZ (General Commercial-- Conditional Zoning), further identified as Cabarrus County PIN #4691-93-9618 to allow for development of a veterinarian hospital.

Zoning Map Amendment - Z-2020-02 - Public hearing to consider a request to rezone approximately .40 +/- acres located at 406 E D Street from B-1 (Neighborhood Commercial) to RV (Residential Village), further identified as Cabarrus County PINs #5613-77-2592.

Contact the Planning Department at 704-920-4350 with any questions.

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 tcline@kannapolisnc.gov.

Publish: Friday February 21, 2020 & Friday February 28, 2020

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
GEORGE A TUCKER TRUSTEE	4305 WEDDINGTON RD	CONCORD	NC	28027
SHWE INVESTMENT LLC A NC LLC	9122 DYLAN RIDGE CT	CONCORD	NC	28027
MBM INVESTMENT PROPERTIES,LLC	P O BOX 5328	CONCORD	NC	28026
GUY ROBINSON SR	789 KANNAPOLIS PKWY	CONCORD	NC	28027
FENN & ANN ALLEN	1177 FAWN RIDGE RD NW	CONCORD	NC	28027
SIBI JACOBE	6500 FINGERLAKE DR	CONCORD	NC	28027
CHARLES BARNWELL ESTATE				
C/O LINDA C LEVINSOHN	22 BEULAH CHURCH RD	TRYON	NC	28782
WILLIAM T DARLING	745 KANNAPOLIS PKWY	CONCORD	NC	28027
STONE PROPERTIES AND DEVELOPMENT LLC	134 PLANTATION DR	MOORESVILLE	NC	28117
MICHAEL & TUYEN DIEP	2708 KENDALLWOOD CT	KANNAPOLIS	NC	28081
FENN & ANN ALLEN	732 KANNAPOLIS PKWY	CONCORD	NC	28027
BV 715 KANNAPOLIS PARKWAY LLC	1414 YANCEYVILLE ST SUITE 300	GREENSBORO	NC	27405
BLAKE VIDA	42665 FREISTADT SQ	STERLING	VA	20166



February 18, 2020

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Wednesday, March 4, 2020 at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

CZ-2020-01 – Zoning Map Amendment – 715 Kannapolis Parkway

The purpose of the Public Hearing is to consider a request by Blake Vida to rezone property located at 715 Kannapolis Parkway from RE (Rural Estate) to C-2-CZ (General Commercial-Conditional Zoning) to allow for development of a veterinarian hospital. The subject property is approximately 1.07 +/- acres in size and further identified as Cabarrus County Parcel Identification Number(s) 4691-93-9618 (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,

Gretchen Coperine, AICP
Assistant Planning Director

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-2020-01

Blake Vida

715 Kannapolis Parkway





PLANNING

ZONING

COMMISSION

PUBLIC HEARING

INFORMATION

CALL 704-920-4350

CASE #CZ - 2020 - 01

Fingerlake Dr
6400



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE # CZ-2020-01**

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 March 4, 2020 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone property located at 715 Kannapolis Parkway, (Cabarrus County Parcel Identification Number(s) 4691-93-9618) owned by BV 715 Kannapolis Parkway, LLC, from City of Kannapolis Rural Estate (RE) Zoning Designation to City of Kannapolis General Commercial-Conditional Zoning (C-2-CZ) Zoning Designation;

NOW, THEREFORE BE IT RESOLVED *that the Planning and Zoning Commission finds this rezoning **consistent with** the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being located in a "Suburban Activity I" Character Area, which allows for office development. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will allow for an appropriate transitional commercial use between Kannapolis Parkway and the adjoining single-family residential neighborhood. The proposed use is compatible with the surrounding zoning, yet not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Finally, there is adequate access or ability to extend to public facilities.*

Adopted this the 4th day of March 2020:

David Steele, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE
Case #CZ-2020-01 (715 Kannapolis Parkway)

**City of Kannapolis Rural Estate (RE) Zoning District to
City of Kannapolis General Commercial-Conditional Zoning (C-2-CZ) Zoning District**

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

WHEREAS, Section 3.3.4.2.2 of the City of Kannapolis Unified Development Ordinance subjects this authority to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision; and

WHEREAS, the Commission conducted a public hearing on March 4, 2020 for consideration of rezoning petition Case #CZ-2020-01 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone property located at 715 Kannapolis Parkway, (Cabarrus County Parcel Identification Number(s) 4691-93-9618) owned by BV 715 Kannapolis Parkway, LLC, from City of Kannapolis Rural Estate (RE) Zoning Designation to City of Kannapolis General Commercial-Conditional Zoning (C-2-CZ) Zoning Designation; and

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

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

1. The size of the tract in question.

The size of the subject tract is approximately 1.07 acres.

2. Does the proposal conform with and further the goals and policies of the Land Use Plan, other adopted plans, and the goals, objectives, and policies of this Ordinance?

This property is located in a “Suburban Activity 1” Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Suburban Activity 1 Character Area includes retail and office as primary uses along with light manufacturing, multi-family and single-family residential development as secondary uses. The proposed veterinary office fits within the primary uses allowed.

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

The property is located on the west side of Kannapolis Parkway, north of Finger Lake Drive. To the south is a multifamily residential development (Hawthorne at the Glen) and Afton Ridge shopping center. Property to the north, south and west is zoned RE (Rural Estates), and property to the east across Kannapolis Parkway is zoned RE and OI (Office Institutional). The property is

also located within the CCTPOD (Coddle Creek Thoroughfare Protection Overlay District) and will require adherence to use and architectural regulations for this area. The proposed veterinary office provides small scale office use that is compatible with the adjacent residential area. Therefore, the proposed rezoning is considered compatible with the surrounding area.

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

The subject property will be accessed from Fingerlake Road. This access point is preferred over access from Kannapolis Parkway because it avoids conflicting movements from the subject site directly onto Kannapolis Parkway. Access to the site will need to be approved by NCDOT and the City.

5. Will there be parking problems?

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

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

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

7. Has there been any change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, and development?

Parcels further south of the site on Kannapolis Parkway and Glen Afton Blvd., known as Kannapolis Small Shops, were rezoned to CZ-C2 in 2016 and 2020, and construction of the retail shops was completed in 2018. Commercial development is anticipated to continue along Kannapolis Parkway in the near future.

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

There are adequate public facilities available to the property or within proximity, including water and access to Kannapolis Parkway. Sewer will need to be extended to serve the property.

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

To the south is a multifamily residential development and Afton Ridge shopping center. Property to the north, south and west is zoned RE (Rural Estates), and property to the east across Kannapolis Parkway is zoned RE and OI (Office Institutional). The property is also located within the CCTPOD (Coddle Creek Thoroughfare Protection Overlay District) and will require adherence to use and architectural regulations for this area.

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

The current zoning of RE (Rural Estates) does not allow commercial development.

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

The proposed commercial use is compatible with the adjacent residential neighborhood, based on the low intensity of the proposed office use.

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

The subject property has been vacant for an undetermined amount of time.

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

Kannapolis Parkway is predominately a commercial corridor. There are vacant parcels as well as underutilized parcels along the parkway.

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 C-2-CZ – General Commercial-Conditional Zoning District, subject to the following conditions:

1. The permitted uses allowed by this rezoning shall only include a veterinary hospital and office as generally depicted on the site plan submitted with this rezoning.
2. A Site Plan, in compliance with all applicable City standards, shall be submitted and approved by City Staff prior to issuance of a Zoning Clearance Permit.
3. Any lighting installed on the subject property shall be full cut-off fixtures with all lighting directed downward and away from adjacent residential property.
4. A Type 3 Perimeter buffer yard shall be provided to buffer the adjacent single-family development.
5. Driveway locations shall be approved by the City in conjunction with NCDOT.
6. Driveways and parking lots shall comply with all Fire Codes and Autoturn (a traffic engineering program which specifies the required turning radii for vehicles including delivery trucks and emergency vehicles) shall be run for an SU-30 and Bus-45 (similar to a ladder truck).
7. A Stormwater Management Permit will be required for this Development in accordance with Article 9 of the Kannapolis UDO. Easements, maintenance agreements and viable access shall be provided for all stormwater structures and BMP's.
8. The project developer shall be responsible for extension of all water and sewer infrastructure needed to serve the project.
9. Hydrants and fire protection shall comply with UDO Appendix C.3 and Fire Codes.
10. The property shall be subject to the restrictions and guidelines of the CCTPOD (Coddle Creek Thoroughfare Protection Overlay District).

Adopted this the 4th day of March 2020:

David Steele, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission