



**Planning & Zoning Commission  
May 6, 2020 Meeting**

**Staff Report**

**DATE:** April 20, 2020  
**TO:** Planning & Zoning Commission  
**FROM:** Gretchen Coperine, AICP, Senior Planner  
**SUBJECT:** **Case #CZ-2020-05**  
**Conditional Zoning Map Amendment**  
**Applicant: Catherine Davis**

Request to conditionally rezone property, located at 3575 Kannapolis Parkway, from RE (Rural Estate) to C2-CZ (General Commercial-Conditional Zoning), to allow property to be developed for a design and engineering office and services facility.

**A. Actions Requested by Planning & Zoning Commission**

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

**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, Catherine Davis, is proposing to rezone the subject property from RE (Rural Estate) to CZ-C2 (General Commercial Conditional Zoning District). The proposed use is a design and engineering office and services facility. The property lies within the CCTPOD (Coddle Creek Thoroughfare Protection Overlay District).

The attached survey shows an existing single-family detached home which will be upfitted for the proposed office use. Should the use be approved by Planning and Zoning Commission, the site will need to come into compliance with all applicable Unified Development Ordinance requirements during the site plan approval phase, particularly as it relates to parking and landscaping.

#### **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 6.82 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 "Complete Neighborhood 2" Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Complete Neighborhood 2 Character Area includes office as primary uses along. The proposed design and engineering office and services facility 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, south of Dogwood Blvd. Property to the north, south and west is zoned RE (Rural Estates), and property to the east across Kannapolis Parkway is zoned TND (Traditional Neighborhood Development) and C-2 (General Commercial). 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 existing surrounding uses are mostly residential with a commercial node at the southeast corner of Kannapolis Pkwy. and Rogers Lake Road planned for future development.

The proposed design and engineering office and services facility 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 Kannapolis Pkwy. Currently, the site access on Kannapolis Pkwy. is through a private right-of-way through the residential parcel to the north. Final access location will need to be finalized with the City and NCDOT through the site plan review process.

**5. Will there be parking problems?**

Should the rezoning be approved, the site plan will have to meet parking requirements within Article 8 of the Unified Development Ordinance to provide 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 south of the site located 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. Recently, a Conditional Use Permit was issued approving 150 townhomes across the subject site on Kannapolis Pkwy. 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, sewer and access to Kannapolis Parkway.

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

The property is located on the west side of Kannapolis Parkway, south of Dogwood Blvd. Property to the north, south and west is zoned RE (Rural Estates), and property to the east across Kannapolis Parkway is zoned TND (Traditional Neighborhood Development) and C-2 (General Commercial). The subject property is 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?**

N/A

**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 “*Complete Neighborhood 2*” 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-2020-05:**

1. The permitted uses allowed by this rezoning shall only include design and engineering office and service facility.
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 additional 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. The project developer shall be responsible for extension of all water and sewer infrastructure needed to serve the project.
8. Hydrants and fire protection shall comply with UDO Appendix C.3 and Fire Codes.
9. 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-2020-05, 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 “Complete Neighborhood 2” 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-2020-05, 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-2020-05, 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-2020-05 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-2020-05, 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. Survey
6. Neighborhood Meeting Information
7. Notice of Public Hearing
8. List of Properties Notified
9. Letter to Adjacent Property Owners
10. Posted Public Notice Sign
11. Resolution to Adopt a Statement of Consistency
12. 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             | _____                               |
| Appeal                 | _____ | Conditional Zoning Map Amendment | <input checked="" type="checkbox"/> |

Applicant: <u>Catherine Davis</u>	Owner: <u>Cathleen Craven, CG Craven Leasing LLC</u>
Address: <u>805 Trade Street NW, Suite 102</u> <u>Concord, NC 28087</u>	Address: <u>3589 Kannapolis Parkway</u> <u>Kannapolis, NC 28081</u>
Telephone: <u>704-786-8888 x1111</u>	Telephone: <u>704-425-5144</u>
Email: <u>cated@newbranchre.com</u>	Email: <u>cgrottoncraven@gmail.com</u>

Legal relationship of applicant to property owner: real estate broker

Property Location/Address: 3575 Kannapolis Parkway, Kannapolis, NC 28081

Tax Parcel Number: 56023737850000 Zoning District: RE Acreage of Site: 6.823

Catherine Davis  
Applicant Name (Print)  
Catherine Davis 2-14-20  
Applicant Signature & Date

Cathleen Craven  
Property Owner Name (Print)  
Cathleen Craven 2-14-20  
Property Owner Signature & Date

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

For Staff Use Only:

Filing Fee: \_\_\_\_\_ Receipt # \_\_\_\_\_

Application No.: \_\_\_\_\_ Date Submitted (Complete): \_\_\_\_\_

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

I, Cathleen Craven, hereby petition for a Conditional Zoning District for the following exact land use(s), subject to the following condition(s):

**The following use(s) is/are permitted by right or conditional in the general zoning district upon which the "CZ" district is based:** I seek a conditional commercial use for the property

and existing structure to be utilized in a commercial operations as:

- Design and Engineering Services (NAICS 5413)
- Industrial Design Services (NAICS 54142)
- Office Administration (NCAIS 5611)

These all fall under permitted uses within O-1, C-1 and C-2 zoning districts.

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

Conditional rezoning to allow for the above mentioned uses will allow a local Automotive Firm to conduct business in the existing office space at 3575 Kannapolis Parkway. The entity is Irish Gold Automation. The business already holds a local presence in Kannapolis and seeks to use the office and storage space at 3575 Kannapolis Parkway for executive offices and storage of small equipment. The executive of the company will work from this location, along with an administrator. No impact to traffic or property intensity/density will be made. No alterations to existing structure or property will be made.

See attachment (page 3) of this application form for business information about Irish Gold Automation.

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

Cathleen Craven  
Signature of Property Owner

\_\_\_\_\_  
Signature of Property Owner

3589 Kannapolis Parkway

Kannapolis, NC 28081

Address  
704-425-5144

\_\_\_\_\_  
Address

Telephone #

\_\_\_\_\_  
Telephone #

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

**Irish Gold Automation:**

**Industrial Automation Programming and Engineering Services**

Turn to IGA for industrial automation programming and engineering services. We specialize in providing a variety of services to meet our clients' needs, budgets, and timeframes. With our more than 40 years of industry experience, you can rely on us to deliver a quality service on time and within budget.

2.13.2020

Meeting Minutes/Responses

Community Re-Zoning Meeting for:

Parcel: 5602 37 3785 0000  
Address: 3575 Kannapolis Parkway  
Kannapolis, NC 28081

Meeting Held: Thursday, February 13, 2020  
5 pm  
3589 Kannapolis Parkway  
Kannapolis, NC 28081

Attendees: (2)  
Kay Craven, property owner/applicant  
Cate Davis, Real Estate Broker

Goal: To notify and address questions/concerns with the leasing of property at 3575 Kannapolis Parkway to an automotive engineering firm for general office and storage facility.

Invitees: Adjacent parcel owners, as identified by The City of Kannapolis. The neighbors were notified per letter via first-class mail on February 3, 2020:

1. Mr. Adam Brake
2. Mr. and Mrs. Joseph Brooks
3. Rooster Holdings, LLC

**STAFF USE ONLY**

Neighborhood Meeting Date: \_\_\_\_\_

Planning Commission Meeting Date: \_\_\_\_\_

Dates advertised in newspaper: \_\_\_\_\_ and \_\_\_\_\_

Date written notices mailed: \_\_\_\_\_

Date rezoning sign requested: \_\_\_\_\_

Planning Commission Decision: \_\_\_\_\_

Added Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Appeal? \_\_\_\_\_

City Council Meeting Date: \_\_\_\_\_

Dates advertised in newspaper: \_\_\_\_\_ and \_\_\_\_\_

Date written notices mailed: \_\_\_\_\_

City Council Decision: \_\_\_\_\_

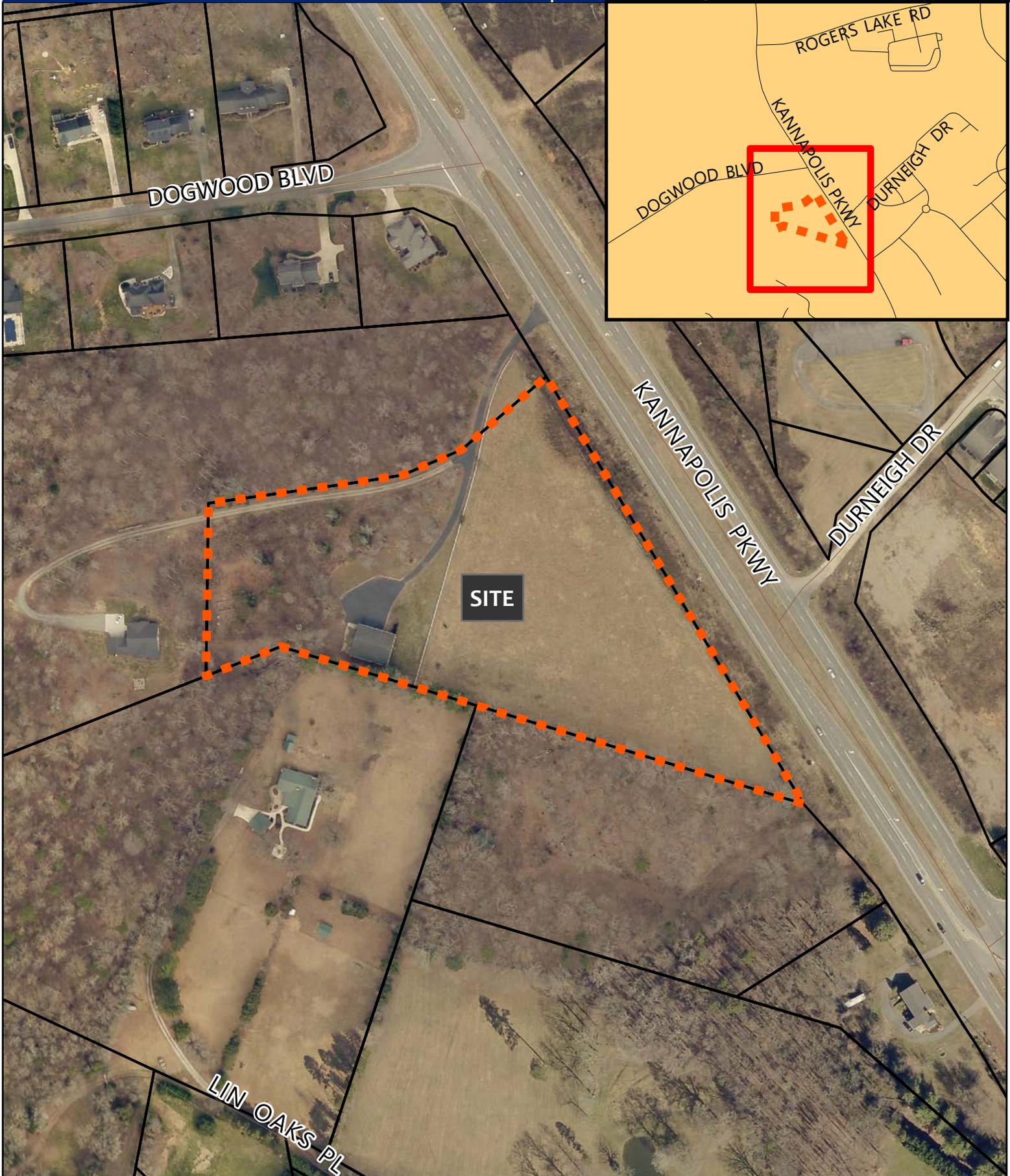
Added Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date applicant notified of final decision: \_\_\_\_\_



# Vicinity Map

Case Number: CZ-2020-05  
Catherine Davis  
3575 Kannapolis Parkway





# Kannapolis Current Zoning

Case Number: CZ-2020-05  
Catherine Davis  
3575 Kannapolis Parkway





# Kannapolis 2030 Future Land Use Map

Case Number: CZ-2020-05

Catherine Davis

3575 Kannapolis Parkway



**Primary  
Activity  
Center**

DOGWOOD BLVD

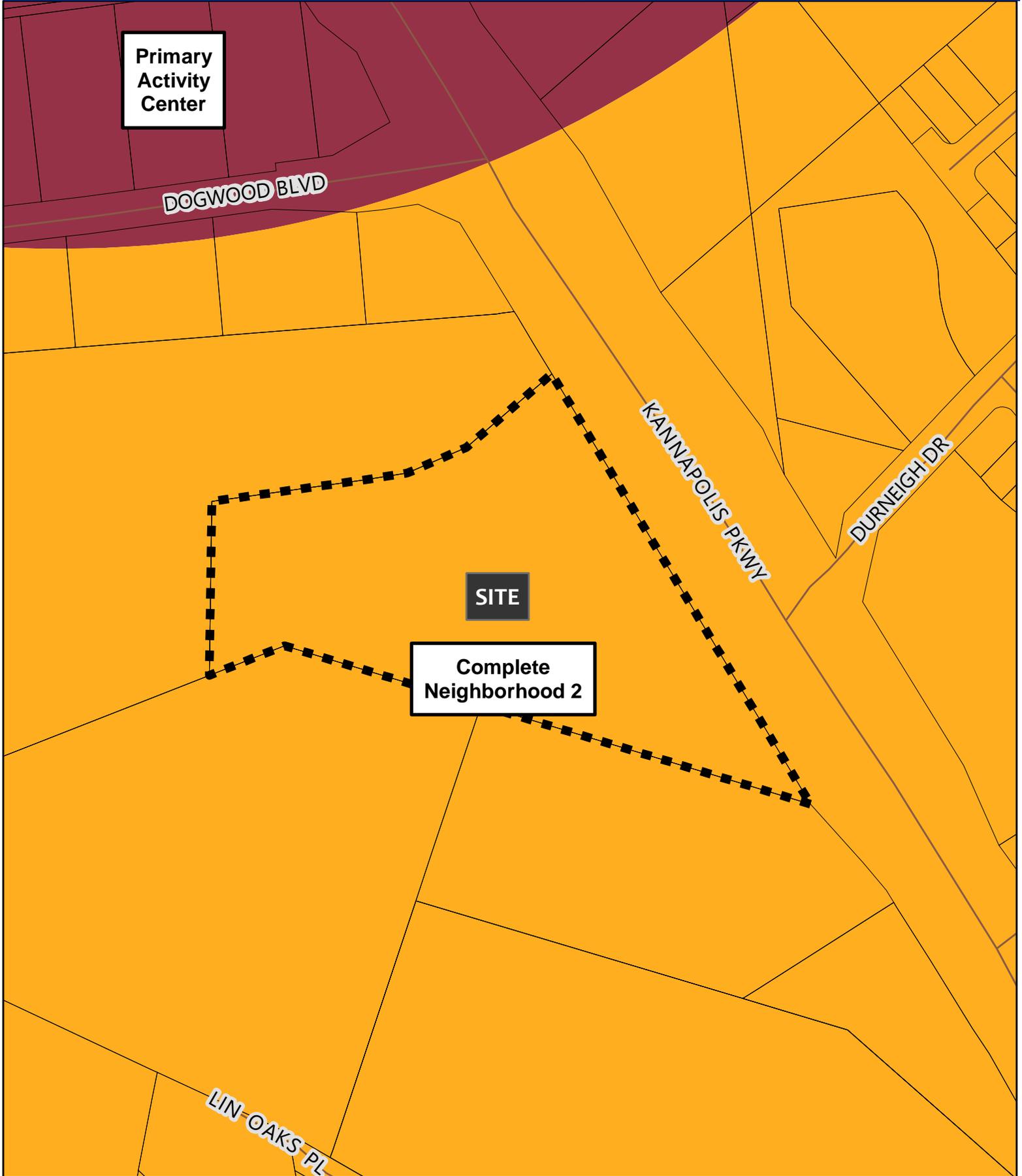
**SITE**

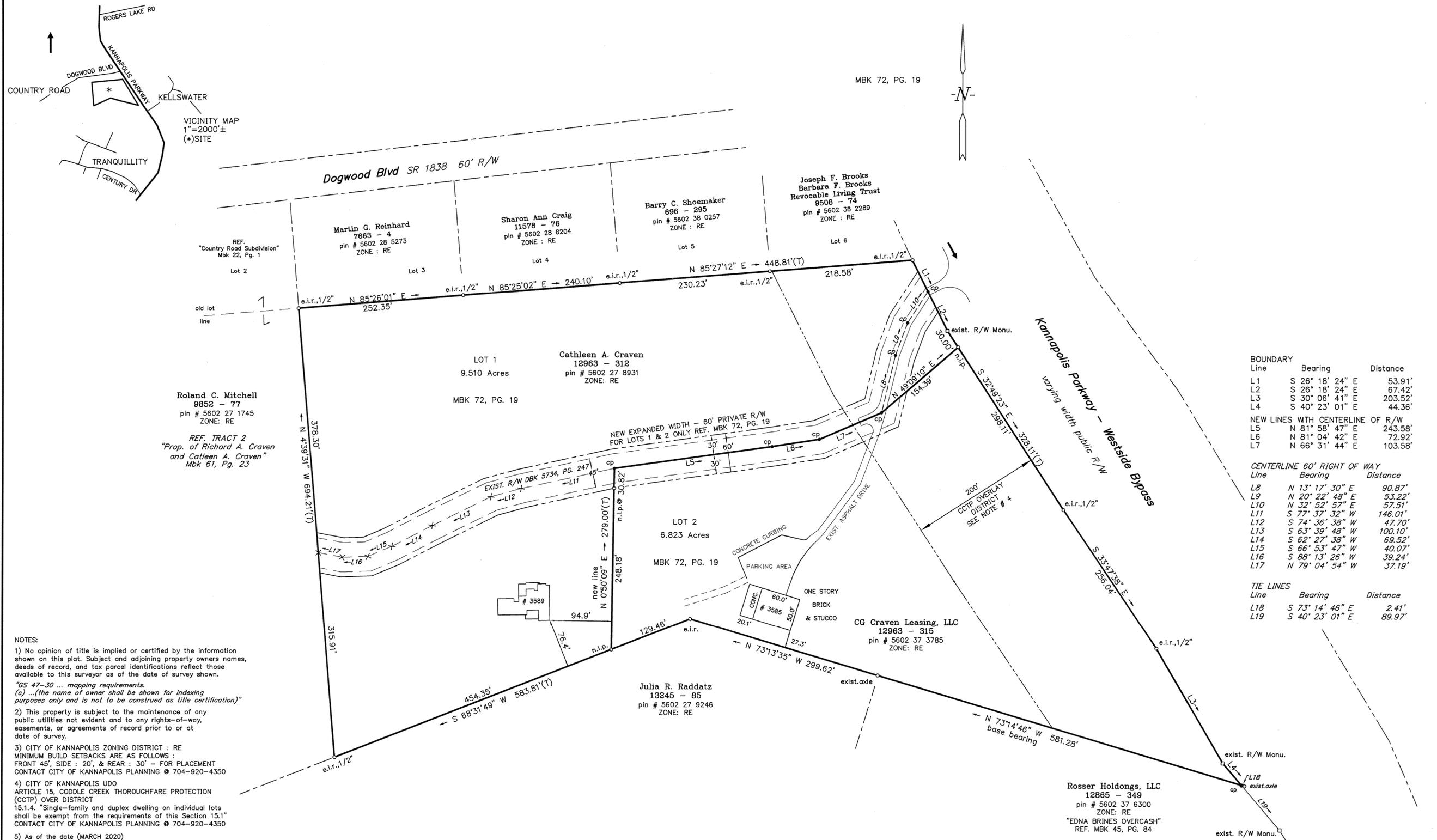
**Complete  
Neighborhood 2**

KANNAPOLIS PKWY

DURNEIGH DR

LIN OAKS PL





BOUNDARY Line	Bearing	Distance
L1	S 26° 18' 24" E	53.91'
L2	S 26° 18' 24" E	67.42'
L3	S 30° 06' 41" E	203.52'
L4	S 40° 23' 01" E	44.36'

NEW LINES WITH CENTERLINE OF R/W	Bearing	Distance
L5	N 81° 58' 47" E	243.58'
L6	N 81° 04' 42" E	72.92'
L7	N 66° 31' 44" E	103.58'

CENTERLINE 60' RIGHT OF WAY	Bearing	Distance
L8	N 13° 17' 30" E	90.87'
L9	N 20° 22' 48" E	53.22'
L10	N 32° 52' 57" E	57.51'
L11	S 77° 37' 32" W	146.01'
L12	S 74° 36' 38" W	47.70'
L13	S 63° 39' 48" W	100.10'
L14	S 62° 27' 38" W	69.52'
L15	S 66° 53' 47" W	40.07'
L16	S 88° 13' 26" W	39.24'
L17	N 79° 04' 54" W	37.19'

TIE LINES	Bearing	Distance
L18	S 73° 14' 46" E	2.41'
L19	S 40° 23' 01" E	89.97'

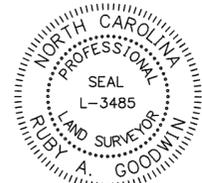
NOTES:

- No opinion of title is implied or certified by the information shown on this plat. Subject and adjoining property owners names, deeds of record, and tax parcel identifications reflect those available to this surveyor as of the date of survey shown.
- This property is subject to the maintenance of any public utilities not evident and to any rights-of-way, easements, or agreements of record prior to or at date of survey.
- CITY OF KANNAPOLIS ZONING DISTRICT : RE MINIMUM BUILD SETBACKS ARE AS FOLLOWS : FRONT 45', SIDE : 20', & REAR : 30' - FOR PLACEMENT CONTACT CITY OF KANNAPOLIS PLANNING @ 704-920-4350
- CITY OF KANNAPOLIS UDO ARTICLE 15, CODDLE CREEK THOROUGHFARE PROTECTION (CCTP) OVER DISTRICT 15.1.4. "Single-family and duplex dwelling on individual lots shall be exempt from the requirements of this Section 15.1" CONTACT CITY OF KANNAPOLIS PLANNING @ 704-920-4350
- As of the date (MARCH 2020) of this PLAT this property does not lie in a Special Flood Hazard Zone. VERSION NUMBER : 2.3.3.2 MAP NUMBER : 3710560200K MAP REVISED : NOVEMBER 16, 2018 Published by : Federal Emergency Management Agency

LEGEND:  
 n.i.p. = New Iron Pin, (SET)  
 e.i.p. = Existing Iron Pipe, as described (FOUND)  
 e.i.r. = Existing Iron Rod, as described (FOUND)  
 cp = Computed Point / No Physical Monu.  
 ——— SURVEYED LINES — SOLID  
 - - - - - ROAD RIGHT OF WAY  
 - - - - - EASEMENTS LINES  
 - - - - - LOT/TRACT/DEED LINES  
 - - - - - ADJOINING PROPERTY LINES

Mel G. Thompson & Associates, PA  
 PROFESSIONAL LAND SURVEYORS  
 303 South Main Street  
 Kannapolis, N.C. 28081  
 Telephone (704) 938-4661  
 Corporate License # (C-06886)

*Ruby A. Goodwin*  
 RUBY A. GOODWIN, P.L.S. (L-3485)  
 ASBUILT SKETCH - MARCH 2020



3/10/2020

ASBUILT SKETCH  
 "LOT 2" MBK 72, PG. 19  
 PREPARED FOR:  
**Cathleen A. Craven**  
 Twp # 4, Cabarrus Co., Kannapolis, N.C.  
 ORIGINAL BOUNDARY SURVEY : 9/12/2002  
 REVISED : 11/8/2004  
 MBK 61, PG. 23 PREPARED : 1/16/2012  
 MBK 72, PG. 19 PREPARED : AUG./2016  
 ASBUILT SKETCH : MARCH, 2020  
 Scale : 1" = 100' Job # 16 06 03



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1. Mr. Adam Brake
2. Mr. and Mrs. Joseph Brooks
3. Rooster Holdings, LLC



PO Box 27283  
Richmond, VA 23261-7283

# Order Confirmation

Order# 0000646331

**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**      **Acct Rep**      **Ordered By**  
aboan              aboan              Pam

**Fax:** 7049337463  
**EMail:** byow@kannapolisnc.gov

**Total Amount**                      \$711.44  
**Payment Amount**                  \$711.44

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

<b>Ad Number</b>	<b>Ad Type</b>	<b>Ad Size</b>	<b>Color</b>
0000646331-01	CLS Liner	2 X 55 li	\$0.00

**Production Method**  
AdBooker (liner)

**Production Notes**

<b>Product and Zone</b>	<b>Placement</b>	<b>Position</b>	<b># Inserts</b>
CON Independent Trib	C-Announcements	General-Spec Notice	?
<b>Run Schedule Invoice Text:</b> NOTICE OF PUBLIC HEARING Planning and Zoning			
<b>Run Dates</b> 4/24/2020, 5/ 1/2020			

<b>Product and Zone</b>	<b>Placement</b>	<b>Position</b>
NCC Online	C-Announcements	General-Spec Notice
<b>Run Schedule Invoice Text:</b> NOTICE OF PUBLIC HEARING Planning and Zoning		
<b>Run Dates</b> 4/24/2020, 5/ 1/2020		

**TagLine:** NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONVIRTUA  
020AT600PMCONDITIONALZONINGMAPAMENDMENTCZ202002PUBLI



**NOTICE OF PUBLIC HEARING**  
**Planning and Zoning Commission**  
**Virtual Meeting**

**Wednesday May 6, 2020 at 6:00 pm**

**Conditional Zoning Map Amendment - CZ-2020-02** - Public hearing to consider a request to rezone approximately 1.945 +/- acres located at 5741 & 5791 Wabash Ave. and 413 Archdale Dr. from RE (Rural Estate) to C-2-CZ (General Commercial-Conditional Zoning), further identified as Cabarrus County PINs #5601-12-3347, 5601-12-4384, 5601-12-4168 to allow for development of a hotel.

**Conditional Zoning Map Amendment - CZ-2020-05** - Public hearing to consider a request to rezone approximately 6.82 +/- acres located at 3575 Kannapolis Parkway from RE (Rural Estate) to C-2-CZ (General Commercial-Conditional Zoning), further identified as Cabarrus County PIN #5602-37-3785 to allow for development of an automotive engineering office and storage facility Contact the Planning Department at 704-920-4350 with any questions.

**Zoning Map Amendment - Z-2020-03** - Public hearing to consider a request to rezone approximately 3.63 +/- acres located at 3948 Trinity Church Rd. from AG (Agricultural) to RL (Residential Low Density), further identified as Cabarrus County PIN #4693-70-2086

IN ORDER TO COMPLY WITH FEDERAL, STATE AND LOCAL RESTRICTIONS IMPOSED IN RESPONSE TO THE COVID-19 VIRUS, PUBLIC PARTICIPATION IN THIS MEETING WILL BE EXCLUSIVELY BY REMOTE TECHNOLOGY. IF YOU WOULD LIKE TO PARTICIPATE (EITHER BY MONITORING THE MEETING OR OFFERING COMMENTS), PLEASE VISIT THE CITY OF KANNAPOLIS WEBSITE AT <https://www.kannapolisnc.gov/Government-Departments/Planning/Planning-Zoning-Commission-Board-of-Adjustment> FOR FURTHER INSTRUCTIONS.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email at [tccline@kannapolisnc.gov](mailto:tccline@kannapolisnc.gov) as soon as possible but no later than 48 hours before the scheduled event.

**Publish: April 24, May 1, 2020.**

<b>AcctName1</b>	<b>MailAddr1</b>	<b>MailCity</b>	<b>MailState</b>	<b>MailZipCod</b>
JOSEPH F & BARBARA BROOKS	5501 DOGWOOD BLVD	KANNAPOLIS	NC	28081
ROSSER HOLDINGS LLC	6100 MOORESVILLE RD	KANNAPOLIS	NC	28081
CG CRAVEN LEASING LLC	3589 KANNAPOLIS PKWY	KANNAPOLIS	NC	28081
JULIA R RADDATZ & ADAM BRAKE	3093 LIN OAKS PL	KANNAPOLIS	NC	28081
CATHERINE DAVIS	805 TRADE ST. NW STE 102	CONCORD	NC	28087



April 23, 2020

Dear Property Owner:

**Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Wednesday, May 6, 2020 at 6:00 PM for the following case:**

**CZ-2020-05 – Conditional Zoning Map Amendment – 3575 Kannapolis Parkway**

The purpose of the Public Hearing is to consider a request by Catherine Davis to rezone property located at 3575 Kannapolis Pkwy. from RE (Rural Estate) to C-2-CZ (General Commercial-Conditional Zoning) to allow development of an automotive engineering office and storage facility. The subject property is approximately 6.82 +/- acres and further identified as Cabarrus County Parcel Identification Number(s) 5602-37-3785 (see reverse side of this letter for vicinity map showing the location of this property).

You are being notified because you are an abutting property owner.

**NOTE: IN ORDER TO COMPLY WITH FEDERAL, STATE AND LOCAL RESTRICTIONS IMPOSED IN RESPONSE TO THE COVID-19 VIRUS, PUBLIC PARTICIPATION IN THIS MEETING WILL BE EXCLUSIVELY BY REMOTE TECHNOLOGY. IF YOU WOULD LIKE TO PARTICIPATE (EITHER BY MONITORING THE MEETING OR OFFERING COMMENTS), PLEASE VISIT THE CITY OF KANNAPOLIS PLANNING WEBSITE <https://www.kannapolisnc.gov/Government-Departments/Planning/Planning-Zoning-Commission-Board-of-Adjustment> FOR FURTHER INSTRUCTIONS.**

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

Sincerely,

Gretchen Coperine, AICP  
Assistant Planning Director

Enclosure

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email at [tccline@kannapolisnc.gov](mailto:tccline@kannapolisnc.gov) as soon as possible but no later than 48 hours before the scheduled event.

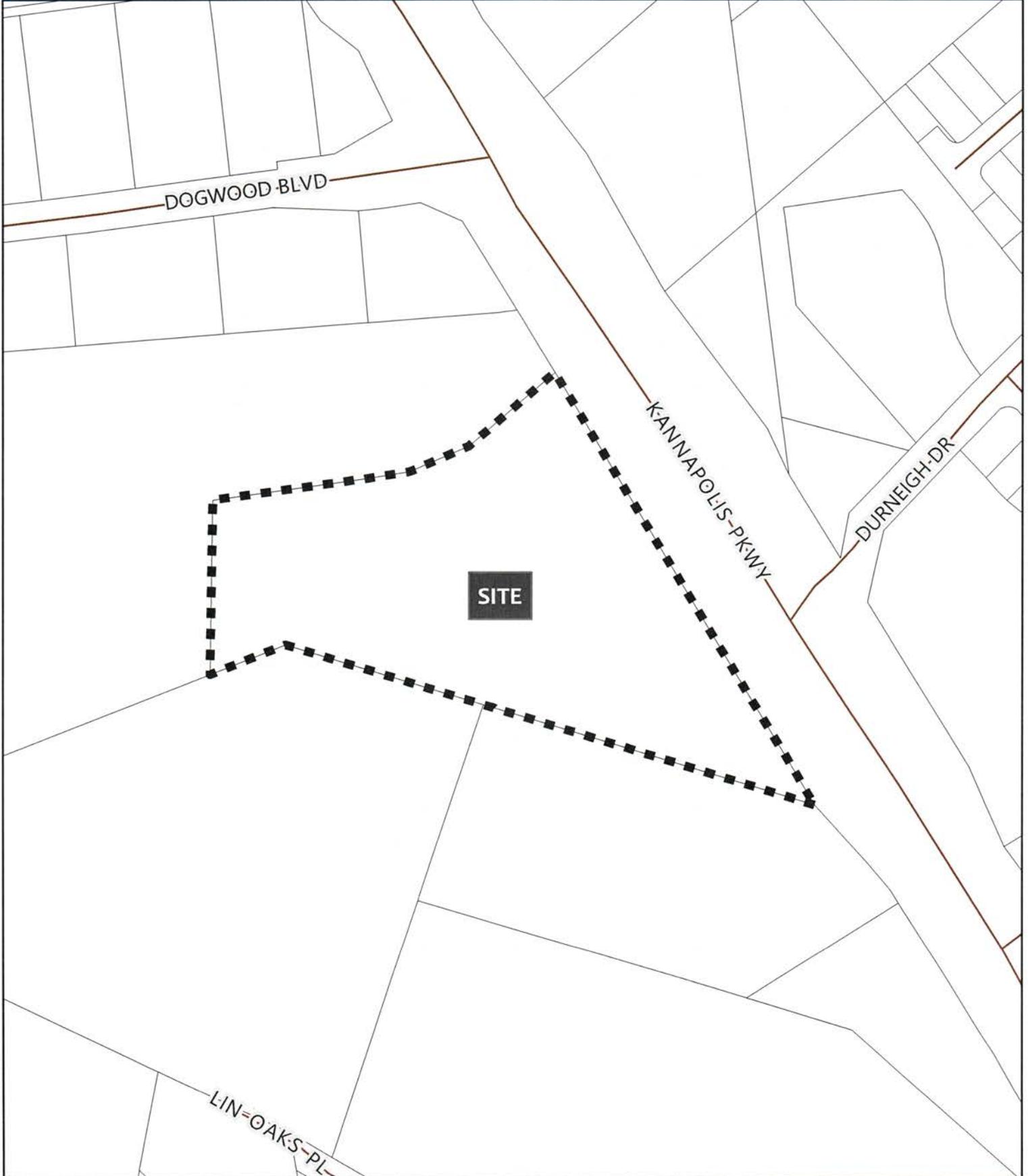


# Conditional Rezoning

Case Number: CZ-2020-05

Catherine Davis

3575 Kannapolis Parkway



SPEED  
LIMIT  
55

KANNAPOLIS  
**PLANNING**  
**ZONING**  
**COMMISSION**  
PUBLIC HEARING  
INFORMATION  
CALL 704-920-4350  
CASE # CZ-2020-05



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
WITH REGARD TO CASE # CZ-2020-05**

**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 May 6, 2020 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone property located at 3575 Kannapolis Parkway, (Cabarrus County Parcel Identification Number(s) 5602-37-3785) owned by CG Craven Leasing 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 "Complete Neighborhood 2" 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.*

**Adopted this the 6<sup>th</sup> day of May 2020:**

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David Steele, Chairman  
Planning and Zoning Commission

**Attest:**

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Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



**RESOLUTION TO ZONE**  
**Case #CZ-2020-05 (3575 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 May 6, 2020 for consideration of rezoning petition Case #CZ-2020-05 as submitted to the City of Kannapolis Planning Department; and

**WHEREAS**, the request was to rezone property located at 3575 Kannapolis Parkway, (Cabarrus County Parcel Identification Number(s) 5602-37-3785) owned by CG Craven Leasing 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 6.82 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 "Complete Neighborhood 2" Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Complete Neighborhood 2 Character Area includes office as primary uses along. The proposed design and engineering office and services facility 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, south of Dogwood Blvd. Property to the north, south and west is zoned RE (Rural Estates), and property to the east across Kannapolis Parkway is zoned TND (Traditional Neighborhood Development) and C-2 (General Commercial). 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 existing surrounding uses are mostly residential with a commercial node at the southeast corner of Kannapolis Pkwy. and Rogers Lake Road planned for future development

The proposed design and engineering office and services facility 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 Kannapolis Pkwy. Currently, the site access on Kannapolis Pkwy. is through a private right-of-way through the residential parcel to the north. Final access location will need to be finalized with the City and NCDOT through the site plan review process.

**5. Will there be parking problems?**

Should the rezoning be approved, the site plan will have to meet parking requirements within Article 8 of the Unified Development Ordinance to provide 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 south of the site located 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. Recently, a Conditional Use Permit was issued approving 150 townhomes across the subject site on Kannapolis Pkwy. 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, sewer and access to Kannapolis Parkway.

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

The property is located on the west side of Kannapolis Parkway, south of Dogwood Blvd. Property to the north, south and west is zoned RE (Rural Estates), and property to the east across Kannapolis Parkway is zoned TND (Traditional Neighborhood Development) and C-2 (General Commercial). The subject property is 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?**

N/A.

**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 design and engineering office and service facility.
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 additional 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. The project developer shall be responsible for extension of all water and sewer infrastructure needed to serve the project.
8. Hydrants and fire protection shall comply with UDO Appendix C.3 and Fire Codes.
9. The property shall be subject to the restrictions and guidelines of the CCTPOD (Coddle Creek Thoroughfare Protection Overlay District).

**Adopted this the 6<sup>th</sup> day of May 2020:**

---

David Steele, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission