



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

**Staff Report**

**DATE:** April 24, 2019  
**TO:** Planning & Zoning Commission  
**FROM:** Gretchen Coperine, Senior Planner  
**SUBJECT:** **Case #Z-2019-01: Vance Avenue**  
**Applicant: Long Ridge Development**

The applicant is requesting to rezone various parcels approximately 4.1 +/- total acres located on Vance Avenue and Central Avenue from RV (Residential Village) to CC (Center City).

**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**

Long Ridge Development is proposing to extend the Center City district to sixteen properties, further identified as Cabarrus County PIN #'s 5613-49-5412, 5613-49-4367, 5613-49-4313, 5613-49-3269, 5613-49-3205, 5613-49-6593, 5613-49-7547, 5613-49-7691, 5613-49-8644, 5613-49-9607, 5613-49-6647, 5613-49-7701, 5613-49-7764, 5613-49-8727, 5613-49-8880 and a portion of parcel 5613-49-6342.

This is a map amendment request without any conditions. It is appropriate in the Center City district to have map amendments without conditions as the existing UDO standards for the Center City district achieve the desired uses and dimensional standards. It is the recommendation of staff that the map amendment be approved without conditions.

**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 area is approximately 4.1 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 the "Urban Residential" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Urban Residential character area calls for primary uses of single-family detached and attached residential and civic uses. Secondary uses are intended to be a mixture of multifamily residential, small retail and office, and live-work units. Uses permitted in the CC zoning district are consistent with the primary and secondary uses called for in the Urban Residential Character Area.
- 3. Is the proposed rezoning compatible with the surrounding area?**  
The surrounding area is predominantly single-family detached residences. The CC district is compatible with the current uses in the area.
- 4. Will there be adverse effects on the capacity or safety of the portion of street network influenced by the rezoning?**  
The streets serving the site may require either physical improvements or dedication of additional right-of-way to the City at the time that the property is developed.
- 5. Will there be parking problems?**  
No parking problems are anticipated. Site plan approval is required prior to any development of the site and proposed development will be required to comply with all applicable parking standards of the UDO.
- 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 environmental impacts such as water, air, or noise pollution, or excessive lighting issues associated with the rezoning request. In addition, future 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?**  
This area is adjacent to Downtown Kannapolis which is undergoing revitalization. The proposed rezoning will enhance those revitalization efforts.
- 8. Is there compliance with the adequate public facilities criteria?**  
Any additional extensions of utilities will be reviewed during site plan review and will be the responsibility of the developer.
- 9. What are the zoning districts and existing land uses of the surrounding properties?**  
Properties to the east and south are zoned Center City and to the north and west zoned RV, with single family residential uses.

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

The subject properties are zoned RV, which would require specific setbacks for single-family residential. The CC district does not have minimum lot or setback dimensional standards.

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

The proposed zoning will permit a wide variety of single-family development which could serve as a catalyst for redevelopment in the neighborhood.

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

The area proposed to be rezoned is currently occupied with single family residential homes, with a small portion vacant.

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

There is an adequate supply of parcels in the subject area to accommodate a wide variety of development types.

**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 *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which is located in the “Urban Residential” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Urban Residential Character Area calls for primary uses of single-family detached and attached residential and civic uses. Secondary uses are intended to be a mixture of multifamily residential, small retail and office, and live-work units. Uses permitted in the proposed CC zoning district are consistent with the primary and secondary uses called for in the Urban Residential Character Area. The proposed rezoning is compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity and safety of the surrounding street network, nor is anticipated to generate parking problems or any adverse impact on the environment. Finally, utilities are available to provide adequate access 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 of Zoning Map Amendment Case #Z-2019-01**

**Alternative Courses of Action**

**APPROVAL**

**Motion 1 – Statement of Consistency**

**Should the Commission choose to approve the request for rezoning as presented in Case #Z-2019-01, a motion should be made to adopt the following Statement of Consistency:**

Staff finds this rezoning **consistent** with the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which is located in the “Urban Residential” Character Area as designated in the Move Kannapolis Forward 2030 Comprehensive Plan. The Urban Residential Character Area calls for primary uses of single-family detached and attached residential and civic uses. Secondary uses are intended to be a mixture of multifamily residential, small retail and office, and live-work units. Uses permitted in the proposed CC zoning district are consistent with the primary and secondary uses called for in the Urban Residential Character Area. The proposed rezoning is compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity and safety of the surrounding street network, nor is anticipated to generate parking problems or any adverse impact on the environment. Finally, utilities are available to provide adequate access to public facilities.

**Motion 2 – Approval to rezone – Resolution to Zone**

Should the Commission choose to approve Case #Z-2019-01, a motion should be made to adopt the Resolution to Zone (see attached).

**DENIAL**

**Motion 1 – Statement of Consistency**

Should the Commission choose to recommend denial of Case #Z-2019-01 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 represented in Case #Z-2019-01 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 neither reasonable nor in the public interest because (state reason(s) and is therefore denied based on the criteria listed in Section 3.3.5. of the UDO for evaluating zoning requests, consideration of the application materials and information presented at the Public Hearing.*

**Motion 2 – Denial of Rezoning**

Should the Commission choose to deny the rezoning request, a motion should be made to not adopt the Resolution to Zone.

**I. Attachments**

1. Rezoning Application
2. Vicinity Map
3. Zoning Map
4. Future Land Use Map
5. Community Meeting
6. Notice of Public Hearing
7. List of Notified Properties
8. Letter to Adjacent Property Owners
9. Posted Public Notice
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	_____
Appeal	_____	Conditional Zoning Map Amendment	<input checked="" type="checkbox"/>

Applicant: LONG RIDGE DEVELOPMENT Owner: ATLANTIC AMERICAN  
PROPERTIES, LLC PROPERTIES

Address: 300 MCGILL AVE Address: 226 DAL AVE  
SUITE 200 CONCORD 28027 KANNAPOLIS

Telephone: 704-701-1993 Telephone: \_\_\_\_\_

Email: JOSHUA@LONGRIDGEDEVELOPMENT.COM Email: \_\_\_\_\_

Legal relationship of applicant to property owner: \_\_\_\_\_

Property Location/Address: SEE ATTACHED

Tax Parcel Number: \_\_\_\_\_ Zoning District: \_\_\_\_\_ Acreage of Site: \_\_\_\_\_

JOSHUA MASTERS \_\_\_\_\_  
Applicant Name (Print) Property Owner Name (Print)

[Signature] \_\_\_\_\_  
Applicant Signature & Date Property Owner Signature & Date

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

For Staff Use Only:

Filing Fee: \$625.00

Receipt # M-11190

Application No.: CZ-2019-03

Date Submitted (Complete): 4/3/2019

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

I, JOSHUA R. MASTON, 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:**

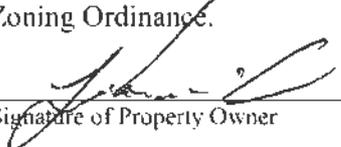
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**Condition(s) proposed by the applicant (attach separate sheet if necessary):**

*SEE ATTACHED*

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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.

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

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

300 MCGILL AVE  
\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

SUITE 300 CONCORD NC  
\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

704 701-1933  
\_\_\_\_\_  
Telephone #

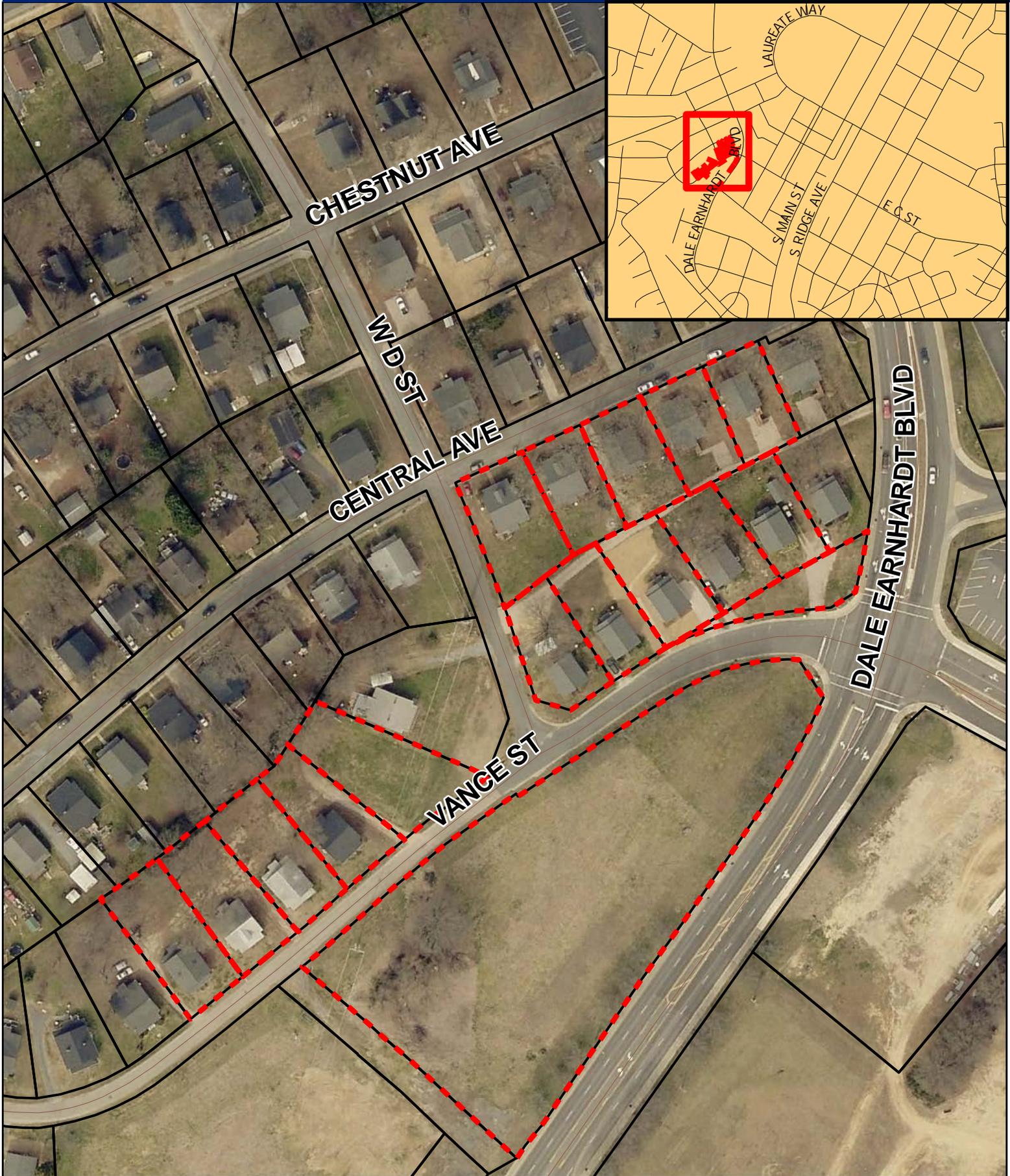
\_\_\_\_\_  
Telephone #

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



# Vicinity Map

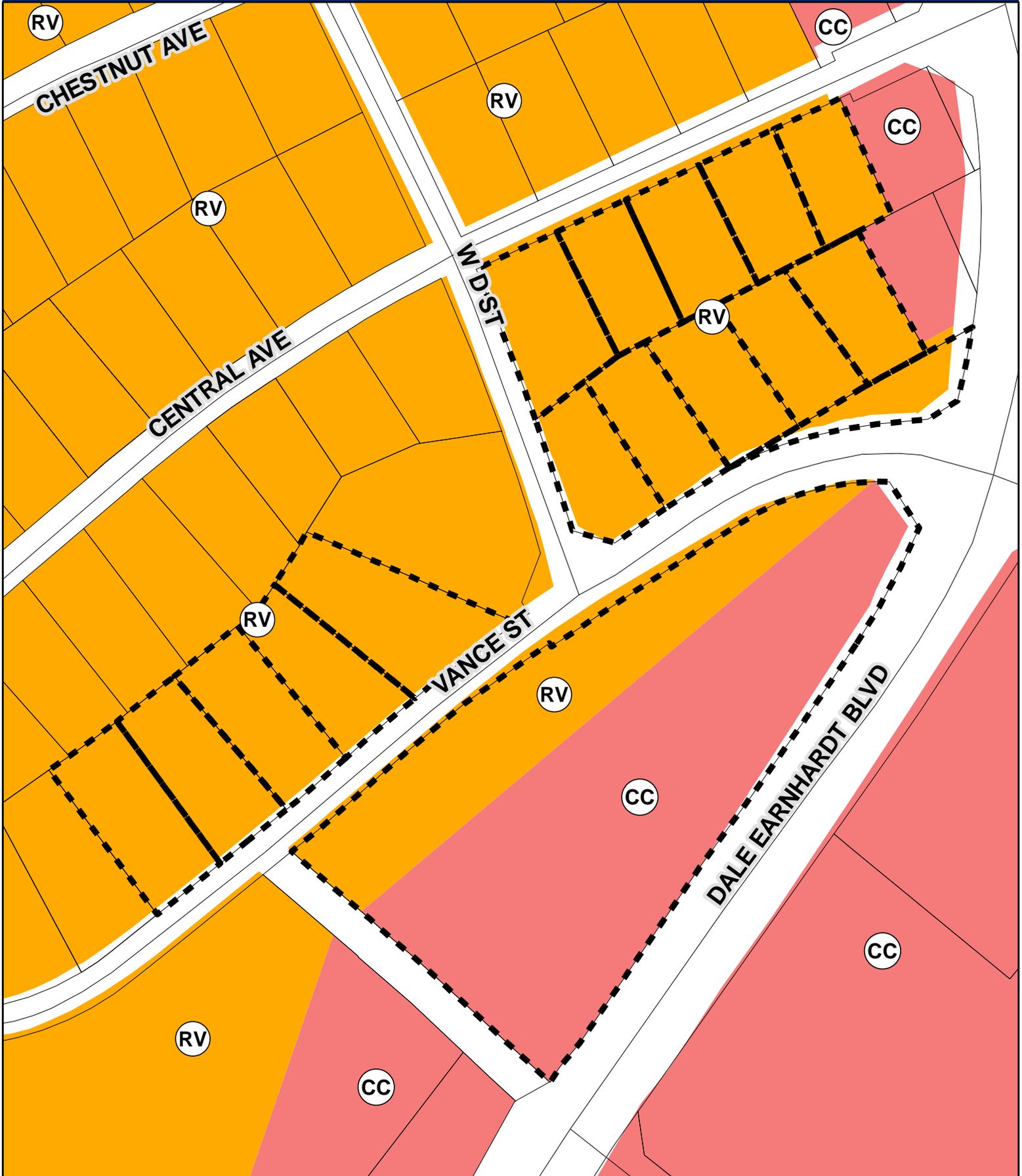
Case Number: Z-2019-01  
Long Ridge Development  
Vance St.





# Kannapolis Current Zoning

Case Number: Z-2019-01  
Long Ridge Development  
Vance St.





# Kannapolis 2030 Future Land Use Map

Case Number: Z-2019-01  
Long Ridge Development  
Vance St.



# LONG RIDGE DEVELOPMENT & PROPERTIES, LLC

## Vance Street Rezoning & Proposed Development, Kannapolis NC

### Meeting Minutes

3/18/2019

Present: Joshua R. Masters, Long Ridge Development  
Matthew S. Black, Long Ridge Development  
Brock P. VanScoter Long Ridge Development

Location: City of Kannapolis Recreation Room, Village Park

#### **1. Opening Presentation 10:00 AM**

Brock P. VanScoter gave opening remarks and introduction about Long Ridge Development & Properties, LLC.

#### **2. Discussion 10:04 AM**

Joshua R. Masters presented and explained the proposed rezoning, and proposed development of Properties along Vance Street in Kannapolis. Literature was provided along with a presentational board.

#### **3. Open Discussion from the attending public. 10:10 AM**

A Question of project timeline was asked, Joshua Masters responded with construction within the next six months.

No Additional concerns were asked.

#### **4. Meeting Concluded. 10:15 AM**

##### **Sign In Sheet:**

Joshua Hughes 704-857-3098

Justin Kies 980-228-7537

Gary Wagers 980-621-3016

Rebekah Brooks 704-699-3612

Ronnie Walker 980-330-9521

Chris Howell 704-791-0829

Joshua Masters 704-701-1993

Matthew Black 704-699-0779

Brock VanScoter 704-699-5332



PO Box 27283  
Richmond, VA 23261-7283

# Order Confirmation

Order# 0000559341

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  
E-Mail: byow@kannapolisnc.gov

Total Amount                      \$585.78  
Payment Amount                    \$585.78

Amount Due                              \$0.00

Tax Amount:                              0.00

Payment Meth:      Credit - Debit Card

Tear Sheets                      Proofs                      Affidavits                      PO Number:  
0    0    1

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Color</u>
0000559341-01	CLS Liner	2 X 46 li	\$0.00

Production Method  
AdBooker (liner)

Production Notes

<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 Kannapolis City Hall

Run Dates                      4/19/2019, 4/26/2019

TagLine: NOTICEOFPUBLICHEARINGKANNAPOLISCITYHALLLAUREATECENTER401LAUREATEWAYKANNAPOLI  
SNC28081PLANNINGANDZONINGCOMMISSIONMEETINGWEDNESDAYMAY1



**NOTICE OF PUBLIC HEARING**  
**Kannapolis City Hall**  
**Laureate Center**  
**401 Laureate Way, Kannapolis, NC 28081**

**Planning and Zoning Commission Meeting**  
**Wednesday May 1, 2019 at 6:00 pm**

**Public Hearing Notice**

**Public Hearing Notice - Zoning Map Amendment - Z-2019-01**  
- Public hearing to consider a request to rezone sixteen parcels approximately 4.1 +/- total acres located along Vance Street and Central Avenue from RV (Residential Village) to CC (Center City-), further identified as Cabarrus County PIN #'s 5613-49-5412, 5613-49-4367, 5613-49-4313, 5613-49-3269, 5613-49-3205, 5613-49-6593, 5613-49-7547, 5613-49-7691, 5613-49-8644, 5613-49-9607, 5613-49-6647, 5613-49-7701, 5613-49-7764, 5613-49-8727, 5613-49-8880 and a portion of parcel 5613-49-6342.

If you have questions or concerns regarding these cases, please contact the City of Kannapolis Planning Department at 704-920-4350.

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](mailto:tcline@kannapolisnc.gov).

**Publish: Friday April 19, 2019, Friday April 26, 2019**

AcctName1	Addr1	City	State	ZipCod
ADAM J KELLER	4980 HILTON LAKE RD	KANNAPOLIS	NC	28083
ATLANTIC AMERICAN PROPERTIES INC	226 OAK AVE	KANNAPOLIS	NC	28081
CARL D LOWERY	315 CHESTNUT AVE	KANNAPOLIS	NC	28081
CEDARVIEW PROPERTIES LLC	3600 OLD SALISBURY CONCORD RD	CONCORD	NC	28025
CITY OF KANNAPOLIS ATTN: CITY MANAGER	401 LAUREATE WY	KANNAPOLIS	NC	28081
COLLEEN EAGLE C/O DONNA E KNIGHT	320 W CENTRAL AVE	KANNAPOLIS	NC	28081
CORNERSTONE CABARRUS LLC	PO BOX 210	KANNAPOLIS	NC	28082
CURTIS & JANET VANCE	323 CENTRAL AVENUE	KANNAPOLIS	NC	28081
DAVID H MURDOCK D/B/A DHM HOLDING COMPANY	PO BOX 28	KANNAPOLIS	NC	28082
GARY & JEAN WAGERS	7700 UNTZ ROAD	CONCORD	NC	28027
GRADEN & KENNETTE YATES	4235 BURGIN ST	KANNAPOLIS	NC	28081
JAMES R JACOBS	332 CENTRAL AVE	KANNAPOLIS	NC	28081
JOEL & MINTA STOFFORD	906 BROOKMONT AVE	SALISBURY	NC	28146
KENNETH & REBEKAH BROOKS	7776 UNTZ RD	CONCORD	NC	28027
LONG RIDGE DEVELOPMENT & PROPERTIES, LLC ATTN: JOSHUA MASTERS	300 MCGILL AVE SUITE 300	CONCORD	NC	28027
MURDOCK HOLDINGS LLC	1 DOLE DR	WESTLAKE VLG	CA	91362
PATRICIA SMITH	318 VANCE AVE	KANNAPOLIS	NC	28081
PATRICIO ACOSTA JR	322 CENTRAL AVE	KANNAPOLIS	NC	28083
PATTCO PROPERTIES	10019 HUNTERS TRACE DR	CONCORD	NC	28027
RICHARD & SHERRY BARGOIL	2120 CLUB RD	CHARLOTTE	NC	28205
SHANE SELLERS	327 CENTRAL AVE	KANNAPOLIS	NC	28081
SHERI L SINGSAAS	333 CENTRAL AVE	KANNAPOLIS	NC	28081
SOUTHERN MAGNOLIA HOMES INC	6814 HIGHGROVE PLACE	CONCORD	NC	28027
TIMOTHY & ERIN HYMAN	5660 N OAKMONT ST	KANNAPOLIS	NC	28081
TONY D BRIGMAN	317 CHESTNUT AVE	KANNAPOLIS	NC	28081
WATTS SIDNEY RANDALL LF EST	141 WARRIOR CT	CHINA GROVE	NC	28023
WILLIAM & RITA HENDLEY	409 TURNER ST	LANDIS	NC	28088
WILLIAM D WADE	270 KENDRA DR SW	CONCORD	NC	28025



April 17, 2019

Dear Property Owner:

**Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Wednesday, May 1, 2019 at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:**

**Z-2019-01 – Zoning Map Amendment – Vance Avenue**

The purpose of this Public Hearing is to consider a request by Long Ridge Development, LLC to rezone sixteen parcels approximately 4.1 +/- total acres located along Vance Street and Central Avenue from RV (Residential Village) to CC (Center City-), further identified as Cabarrus County PIN #'s 5613-49-5412, 5613-49-4367, 5613-49-4313, 5613-49-3269, 5613-49-3205, 5613-49-6593, 5613-49-7547, 5613-49-7691, 5613-49-8644, 5613-49-9607, 5613-49-6647, 5613-49-7701, 5613-49-7764, 5613-49-8727, 5613-49-8880 and a portion of parcel 5613-49-6342. (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  
Senior Planner

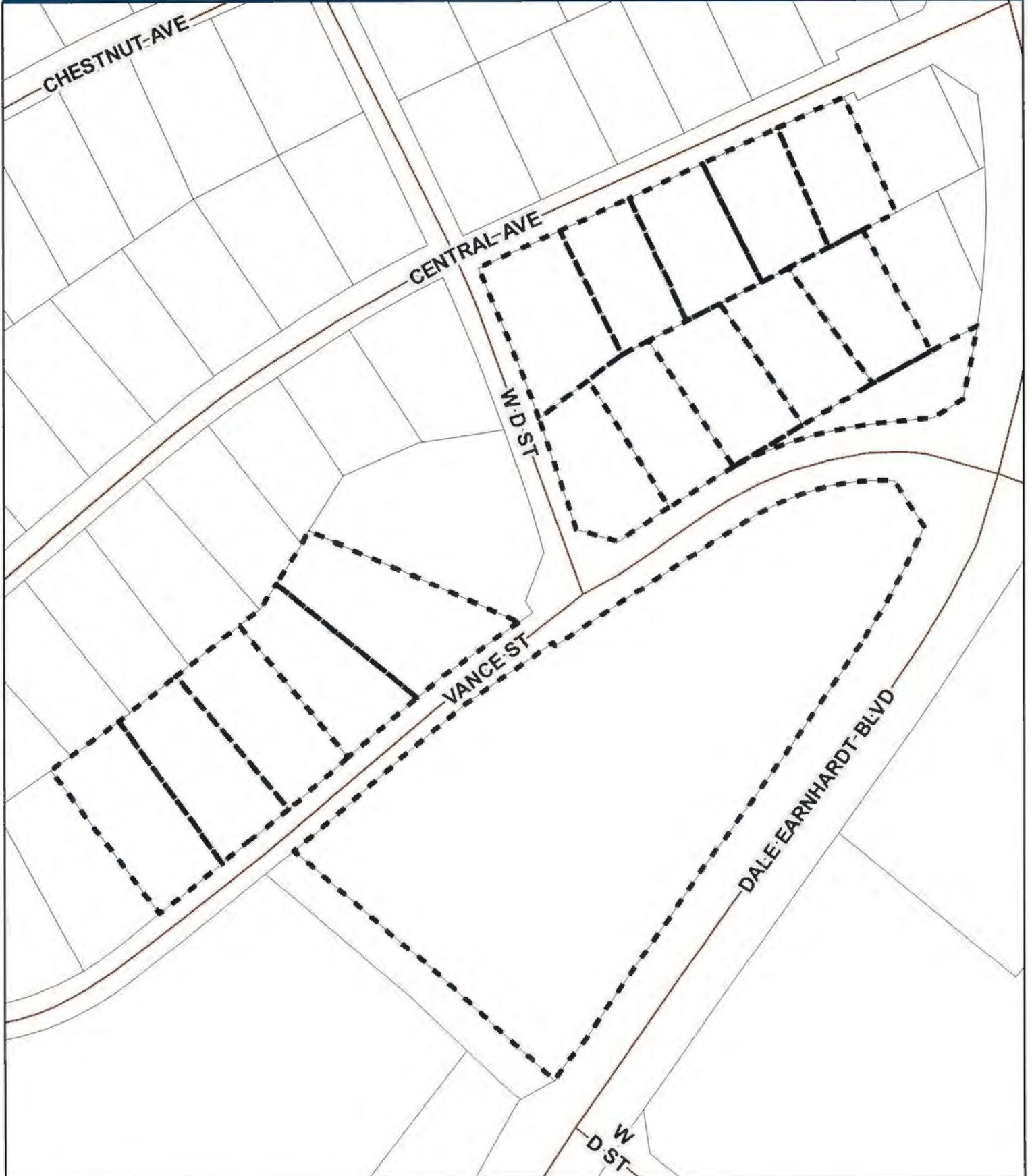
Enclosure

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 [teline@kannapolisnc.gov](mailto:teline@kannapolisnc.gov).



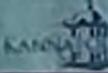
# Rezone- Vance St.

Case Number: Z-2019-01  
Long Ridge Development  
Vance St.



 **Vance** St  
304

 **Dale Earnhardt** St  
399

  
**PLANNING**  
**ZONING**  
**COMMISSION**  
PUBLIC HEARING  
INFORMATION  
CALL 704-920-4350  
CASE # 7-2019-01

KANNONVILLE  
**PLANNING**  
**ZONING**  
**COMMISSION**  
PUBLIC HEARING  
INFORMATION  
CALL 704-920-4350  
CASE # Z - 2019 -01



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
WITH REGARD TO CASE #Z-2019-01**

**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 3.3.4.2.2 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 1, 2019 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone sixteen (16) properties located along Vance Street and Central Avenue, (Cabarrus County Parcel Identification Number(s) 5613-49-5412, 5613-49-4367, 5613-49-4313, 5613-49-3269, 5613-49-3205, 5613-49-6593, 5613-49-7547, 5613-49-7691, 5613-49-8644, 5613-49-9607, 5613-49-6647, 5613-49-7701, 5613-49-7764, 5613-49-8727, 5613-49-8880 and a portion of parcel 5613-49-6342) owned by Atlantic American Properties from City of Kannapolis Residential Village (RV) Zoning Designation to City of Kannapolis Center City (CC) Zoning Designation.

**NOW, THEREFORE BE IT RESOLVED** *that the Planning and Zoning Commission finds this rezoning **consistent** with the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which is located in the “Urban Residential” Character Area as designated in the Move Kannapolis Forward 2030 Comprehensive Plan. The Urban Residential Character Area calls for primary uses of single-family detached and attached residential and civic uses. Secondary uses are intended to be a mixture of multifamily residential, small retail and office, and live-work units. Uses permitted in the proposed CC zoning district are consistent with the primary and secondary uses called for in the Urban Residential Character Area. The proposed rezoning is compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity and safety of the surrounding street network, nor is anticipated to generate parking problems or any adverse impact on the environment. Finally, utilities will be extended to provide adequate access to public facilities.*

**Adopted this the 1<sup>st</sup> day of May 2019:**

---

Scott Trott, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



## **RESOLUTION TO ZONE**

**Case #Z-2019-01 (Vance Street & Central Avenue)**

### **City of Kannapolis Residential Village (RV) Zoning District to City of Kannapolis Center City (CC) 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 1, 2019 for consideration of rezoning petition Case #Z-2019-01 as submitted to the City of Kannapolis Planning Department; and

**WHEREAS**, the request was to rezone sixteen (16) properties located along Vance Street and Central Avenue, (Cabarrus County Parcel Identification Number(s) 5613-49-5412, 5613-49-4367, 5613-49-4313, 5613-49-3269, 5613-49-3205, 5613-49-6593, 5613-49-7547, 5613-49-7691, 5613-49-8644, 5613-49-9607, 5613-49-6647, 5613-49-7701, 5613-49-7764, 5613-49-8727, 5613-49-8880 and a portion of parcel 5613-49-6342) owned by Atlantic American Properties from City of Kannapolis Residential Village (RV) Zoning Designation to City of Kannapolis Center City (CC) 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 4.1 +/- 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 the "Urban Residential" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Urban Residential character area calls for primary uses of single-family detached and attached residential and civic uses. Secondary uses are intended to be a mixture of multifamily residential, small retail and office, and live-work units. Uses permitted in the CC zoning district are consistent with the primary and secondary uses called for in the Urban Residential Character Area.

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

The surrounding area is predominantly single-family detached residences. The CC district is compatible with the current uses in the area.

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

The streets serving the site may require either physical improvements or dedication of additional right-of-way to the City at the time that the property is developed.

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

No parking problems are anticipated. Site plan approval is required prior to any development of the site and proposed development will be required to comply with all applicable parking standards of the UDO.

**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 environmental impacts such as water, air, or noise pollution, or excessive lighting issues associated with the rezoning request. In addition, future 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?**

This area is adjacent to Downtown Kannapolis which is undergoing revitalization. The proposed rezoning will enhance those revitalization efforts.

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

Any additional extensions of utilities will be reviewed during site plan review and will be the responsibility of the developer.

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

Properties to the east and south are zoned Center City and to the north and west zoned RV, with single family residential uses.

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

The subject properties are zoned RV, which would require specific setbacks for single-family residential. The CC district does not have minimum lot or setback dimensional standards.

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

The proposed zoning will permit a wide variety of single-family development which could serve as a catalyst for redevelopment in the neighborhood.

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

The area proposed to be rezoned is currently occupied with single family residential homes, with a small portion vacant.

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

There is an adequate supply of parcels in the subject area to accommodate a wide variety of development types.

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

No.

RESOLUTION TO ZONE (Case #Z-2019-01)  
City of Kannapolis Residential Village (RV) Zoning District to  
City of Kannapolis Center City (CC) Zoning District

**NOW, THEREFORE BE IT RESOLVED** by the City of Kannapolis Planning and Zoning Commission that the above referenced property be rezoned CC – Center City Zoning District

**Adopted this the 1<sup>st</sup> day of May 2019:**

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Scott Trott, Chairman  
Planning and Zoning Commission

**Attest:**

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Pam Scaggs, Recording Secretary  
Planning and Zoning Commission