CITY OF KANNPOLIS, NC
BOARD OF ADJUSTMENT
Minutes of Meeting
September 2, 2025
6:00 PM

(**NOTE:** The Board of Adjustment met prior to their regular meeting time in order to conduct training with new Board Attorney Evan Lee. Mr. Lee provided the Board with training beginning at 5:17 p.m. The training included the following topics: quasi-judicial hearings, presiding over the hearings, Board responsibilities, legal representation, hearing sequence, standing/testimony, evidence standards, witness testimony, staff appeals, Special Use Permits (SUPs), determinations, conditions, burden, written decision, and appeals.

Ms. Joshi inquired if Board members need to disclose if they made a site visit or are familiar with the property's location prior to the hearing. Mr. Lee replied that visiting or being familiar with a site's location is often not a conflict of interest. Mr. Lee said a Board member can mention their knowledge/relationship with the property so he as well as the Board can give their input on whether there is a conflict of interest. He also gave examples of conflict of interest. Ms. Joshi asked about when a representative of a company could testify in a case. Mr. Lee replied that a company's representative can speak in favor or against a case but cannot present the testimony/case for the applicant due to not having any standing. The Board concluded their training and moved into their regular meeting.)

The Kannapolis Board of Adjustment met on Tuesday, September 2, 2025, at 6:12 PM in the Laureate Center of City Hall. This meeting was held in accordance with required public notice, as well as announced on the City's website.

Board Members Present:	Emily Joshi, Chair
	Holden Sides, Vice Chair
	Jeff Parker
	Wilfred Bailey, Sr.
	Chris Dwiggins
	Angie McClain, ETJ Representative
	Ronald Flanders, Alternate
Board Members Absent:	Danielle Martini
Staff Present:	Richard Smith, Planning Director
	Ben Barcroft, Senior Planner
	Mia Alvarez, Planner
	Zulena Anderson, Planning Technician
	Pam Scaggs, City Clerk
Attorney:	Evan Lee, Board Attorney

Visitors Present:

Heather English
Kristi Harrington
Jason Harrington
Chad Hayes
Dale Lytac
Janelle Stack
Pat Stack
Tim Phillips
Justin Jordan

CALL TO ORDER

Chair Joshi called the meeting to order at 6:12 P.M.

OATH OF OFFICE

Newly appointed Board member Angie McClain was administered the Oath of Office by City Clerk Pam Scaggs.

ROLL CALL AND RECOGNITION OF QUORUM

Recording Secretary Zulena Anderson conducted the roll call and a quorum was determined to be present.

APPROVAL OF AGENDA

Chair Joshi asked for a motion to approve the agenda, which was made by Mr. Parker, second by Mr. Bailey, and the motion was unanimously approved.

APPROVAL OF MINUTES

Chair Joshi asked for a motion for the approval of August 5, 2025, minutes, which was made by Mr. Sides, second by Mr. Dwiggins, and the motion was unanimously approved.

SWORN IN FOR TESTIMONY

Mia Alvarez, Ben Barcroft, Kristi Harrington, and Heather English were sworn in for testimony.

EVIDENTIARY HEARING

BOA-2025-17 - Request for a Special Use Permit (SUP) Submitted by Kristi Harrington to allow for a private school on property located at 2204 Summit Ave.

Mr. Barcroft gave a presentation regarding case BOA-2025-17, which was entered into the record as Exhibit 1. He stated that the applicant is Kristi Harrington, the site comprises approximately seven acres, and the request is for a permit to allow a private school. He explained that the proposal involves utilizing an existing building on a church campus for a private K–12 school; the building is currently used for Sunday school classrooms.

Mr. Barcroft noted that the building proposed for the school is located entirely within the Residential 8 (R8) zoning district, while the east side of the site lies within the General Commercial (GC) district. He further detailed that the R8 portion of the site falls within the Urban Residential future land use designation, where the primary uses consist of single-family

and civic uses and the secondary uses include multifamily, small-format retail/office, and live-work. The GC portion of the site falls within the Urban Corridor future land use designation, with primary uses including retail, office, and multifamily, and secondary uses including institutional, light manufacturing, and single-family attached residences.

Mr. Barcroft then presented the site plan submitted by the applicant, identifying the proposed building for the school and outlining a previous planned traffic circulation plan. He also demonstrated the street views from Westview Street and Summit Avenue, shared drone footage, and presented the updated traffic circulation plan. Mr. Barcroft reviewed staff Findings of Fact as follows:

1. **The proposed conditional use will be in harmony with the area in which it is to be located and in general conformance with the City's Land Use Plan.**
   This property is in the "Urban Residential" and the "Urban Corridor" Character Areas in the Move Kannapolis Forward 2030 Comprehensive Plan. The specific building proposed to be used for the school lies solely within the "Urban Residential" area. The building and site are currently used as a place of worship, with surrounding uses consisting primarily of single-family residential dwellings. The applicant states that the proposed private school will serve as a natural extension of the existing church, providing a seamless transition for students advancing from preschool into the private school.

   Based on the character areas noted above, the proposed development is compatible with the future land use plan and existing uses in the surrounding area.

2. **Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.**
   The applicant states that the property has adequate on-site parking and an existing drive-thru to facilitate drop-off and pick-up without interfering with traffic on surrounding roads. A traffic circulation sketch has been provided to ensure that vehicles queuing for student drop-off remain on-site and do not spill onto adjacent streets.

   It has been determined that the existing church provides sufficient parking to support the proposed school use, even at a maximum capacity of 10 staff, 70 K–9 students, and 30 grade 10–12 students. The education building contains 10 spaces, while the church provides an additional 122 paved spaces.

   Per code requirements, parking must be provided at a ratio of 1 space per 8 K–9 students and 1 space per 2 grade 10–12 students. Based on the information provided, these requirements have been met.

3. **The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.**
   No vibration, noise, odor, dust, smoke, or gas beyond what would be anticipated for a private school is expected as a result of this proposed use.

4. **The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.**
   The proposed use would not impede development of the surrounding properties for uses allowed within their respective zoning districts. The proposed private school is compatible with the existing and surrounding uses.

5. **The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.**
   There is no apparent danger or detriment to the overall public safety, health and welfare resulting from the proposed use. The proposed use is subject to all the requirements of the Kannapolis Development Ordinance.

6. **The proposed use complies with all applicable provisions of the KDO.**
   The proposed use shall comply with all sections of the Kannapolis Development Ordinance, conditions of approval, and any other applicable local, state and Federal regulations. It is understood by the applicant that unless specifically relieved of a requirement, in writing, all KDO requirements must be met.

7. **The applicant consents in writing to all conditions of approval included in the approved special use permit.**
   The applicant has indicated that they will sign all Conditions of Approval for this special use permit.

Mr. Barcroft stated staff recommends approval of the Special Use Permit based on the staff Findings of Fact (or as modified by the Board), the conceptual site plan, and compliance with all local, state and federal requirements. He then made himself available for questions.

Mr. Bailey commented that the presentation was very detailed and covered adequate information.

There being no additional questions or comments for staff, the applicant was asked to step forward.

Kristi Harrington, 305 Cooper Rd., discussed that there is a need for private Christian education in the area with many individuals looking for private schools.

There being no additional questions or comments for staff or the applicant, Chair Joshi opened the hearing which was then closed due to no one present to speak.

Chair Joshi asked for a motion to accept the City's exhibits into the record, which was made by Mr. Sides, second by Mr. Parker and the motion was unanimously approved.

Chair Joshi asked for a motion to approve the Findings of Fact. Mr. Bailey made the motion to approve the Findings of Fact, second by Mr. Dwiggins, and the motion was unanimously approved.

Chair Joshi asked for a motion to approve the issuance of the Special Use Permit. Mr. Dwiggins made the motion to approve, second by Mr. Sides, and the motion was unanimously approved.

Chair Joshi asked for a motion to issue the Order of Approval. Mr. Sides made the motion to approve order, second by Mr. Parker, and the motion was unanimously approved.

BOA-2025-18 Appeal of the Planning Director's interpretation of Section 5.9 Sign Standards, Table 5.9.E(1)a: Standards for Sign Number, Area and Height in the GC District. the Kannapolis Development Ordinance submitted by Heather English

Mr. Barcroft gave a presentation regarding case BOA-2025-18, which was entered into the record as Exhibit 2. He stated that the applicant is Heather English, the site is located at 2815 N. Cannon Boulevard, and the parcel is approximately 1.17 acres in size. He further noted that the site is located within the General Commercial (GC) zoning district.

Mr. Barcroft explained that the applicant is appealing the Planning Director's interpretation of Section 5.9, Sign Standards, Table 5.9.E(1)(a): Standards for Sign Number, Area, and Height in the GC District. Staff determined that the requested wall sign must be reduced to no more than one (1) square foot per linear foot of wall.

He elaborated that Table 5.9.E(1)(a) specifies the following standard under the "Sign Area Max (SQ. FT.)" column for wall signs in the GC District: one (1) square foot per linear foot of the width of the building façade to which the wall sign is attached, not to exceed 120 square feet or 10 percent of the area of the façade. The applicant submitted a wall sign measuring 69.13 square feet on a wall that is 52 feet in length. Based on the maximum allowance of one (1) square foot per linear foot, the permitted sign area would be limited to 52 square feet.

Mr. Barcroft referred to Table 5.9.E(1)(a) to discuss wall sign standards for individual businesses and combined developments, noting that one sign is permitted per frontage. He presented the submitted site plan and clarified that only the proposed sign on the north side of the building is subject to the appeal. Mr. Barcroft also displayed the proposed elevation plan for the new tire shop, reiterating that the size of the proposed sign is 69.13 square feet.

Mr. Barcroft reviewed the policy and action requested as follows:

Section 2.5.D(4)a. of the KDO states: "Any person who has standing under N.C.G.S. Section 160D-1402 or the City may appeal a decision made by the Planning Director or Director of Engineering in carrying out a power or duty granted by this Ordinance, including any final and binding order, requirement, or determination, to the Board of Adjustment in accordance with the procedures and standards in this section and state law."

The Board of Adjustment should consider all facts and testimony after conducting the public hearing and render a decision accordingly to affirm or reverse the decision of the Planning Director.

Actions Requested:

Motion to accept the City's exhibits into the record.

Motion to affirm (wholly or partly) the decision, modify the decision, or reverse the decision.

Mr. Barcroft then made himself available for questions.

Ms. Joshi asked Mr. Lee if the hearing will still need to be opened for appeal cases. Mr. Lee said that the hearing will need to be opened to allow the applicant to present.

There being no additional questions or comments for staff, the applicant was asked to step forward.

Heather English, P.O. Box 363 Pleasant Garden, NC, said she is from Permit Solutions and will be presenting on behalf of Mavis Tires and Brakes which is the business that will be occupying the site and proposing the sign.

Ms. Joshi asked if a representative from Mavis Tires and Brakes was present. Ms. English responded that she was present to represent Mavis Tires and Brakes. Ms. Joshi explained that because the Board of Adjustment meeting is a quasi-judicial proceeding, only an attorney may speak on behalf of the applicant. She clarified that Ms. English could provide factual information related to the case but could not argue for an appeal or propose changes to the Kannapolis Development Ordinance (KDO).

Ms. Joshi further stated that if the request involves reconsideration of staff's interpretation of the Ordinance or a decision by the Board to modify how the Ordinance was applied, legal representation would be required to make that argument.

Ms. English expressed that she wished this requirement had been communicated to her when she submitted the application in July. She explained that she is a professional expediter but not an attorney, and that staff had not provided any instructions indicating that legal representation would be necessary. She noted that this information would have allowed her client to evaluate whether to retain an attorney for the hearing.

Ms. Joshi advised that the Board could consider a continuance to provide the applicant additional time to obtain legal representation, should the applicant wish to pursue a change in staff's interpretation of the KDO.

Mr. Lee asked Ms. English if she worked for the sign company. Ms. English replied that she is a third-party permit expediter and ordinance research consultant hired by sign companies and developers, with twenty years of experience.

Mr. Lee stated that, legally, Ms. English is not a party to the case because she is neither the property owner nor the applicant, and therefore not a direct representative of the business entity. Ms. English responded that she is an agent of the sign company, which in turn serves as an agent of Mavis Tires and Brakes.

Mr. Lee informed Ms. English that she could provide information regarding the proposed sign but could not argue whether staff had correctly applied the Ordinance. He added that, while he would not offer legal advice, one option would be to allow her to present factual information while keeping the case open.

Ms. English stated that she was uncertain how to proceed, as staff had advised her to apply for an appeal. She further explained that the applicant could have applied for a variance, which she believed was the appropriate course, but during her pre-application discussions with Mr. Barcroft and Mr. Smith, she was instructed to pursue an appeal instead.

Ms. Joshi asked Mr. Lee to clarify when he said Ms. English can make her statements and leave the case open. Mr. Lee said that Ms. English can present factual information and the case can be continued until the next meeting to allow time for the applicant to obtain an attorney. Ms.

English said she had submitted an application under the direction of staff with it being over a month since the original application.

Mr. Smith clarified that an applicant may apply for a variance if the requirements, such as demonstrating a hardship, are met; however, this case was submitted as an interpretation of the Ordinance.

Ms. Joshi informed Ms. English that it was her decision whether to proceed and present factual information for the case. Ms. English responded that she could withhold her opinion and limit her presentation to factual testimony, noting that she had asked Mr. Barcroft to present Table 5.9.E(1)(a) as the basis of her study and testimony.

Ms. Joshi clarified that testimony regarding Table 5.9.E(1)(a) would constitute an opinion on the application of the KDO, as it involves interpretation of the Ordinance rather than the purpose of the sign, hardships, or other factual information. She further stated that addressing differences between staff's interpretation and the applicant's interpretation would require representation by a licensed attorney.

Ms. Joshi advised Ms. English to consult with the applicant regarding whether they wished to obtain legal counsel who could use the information she had prepared and provide representation if the case were continued to the next month's meeting. Ms. English stated that she would request a continuance, as she believed it was her only option given that her case was based entirely on differing interpretations of the Ordinance language.

Ms. Joshi asked for a motion to continue the case to the October Board of Adjustment meeting. Mr. Sides made a motion to continue this case to the October meeting, second by Mr. Dwiggins, and the motion was unanimously approved.

PLANNING DIRECTOR UPDATES

Ms. Joshi asked if the bridge near the K Town Cars will be rebuilt. Mr. Smith said the bridge will be rebuilt and improved. He mentioned that often NCDOT will hire a company to demolish the bridge, while another company will be hired to build the bridge. Mr. Smith added that recently City Council has discussed the naming of the bridge as well as another bridge on Rogers Lake Road.

Mr. Smith welcomed Ms. McClain and mentioned she is the new ETJ representative. He clarified that the acronym ETJ, stands for Extra Territorial Jurisdiction which is the area outside of the City limits but still under the Kannapolis zoning jurisdiction. Mr. Smith also said the ETJ region is in Rowan County and no ETJ area exists in Cabarrus County. Kannapolis had zoning prior to Rowan County which enabled the ETJ region. Mr. Smith mentioned that Ms. McClain's husband is a former Board member and currently serves on the Planning and Zoning Commission.

Mr. Smith presented the story map to the Board. He explained that the department's website features two maps: one displaying development on a map of the city, and the other—a story map—that organizes projects by section or type, such as industrial, residential, and civic. He demonstrated that by clicking on each category individually, project thumbnails will appear.

Mr. Smith highlighted the Industrial section, pointing out 85 Exchange off Kannapolis Parkway, noting the project continues to grow as Amazon increases its presence in the area. He also discussed Gateway Business Park and LakeShore Corporate Park, where Chick-fil-A is expanding its presence. Metro 63 is projected to be occupied by the end of the year. On Stanley Drive, a new building has been completed by the same company that purchased the Stanley Black & Decker Distribution Center. Expansion of this development is expected to begin in 2026 or early 2027, with a sewer allocation permit already granted to the developer.

Mr. Smith also noted that Stolz Services, which has operated on Lane Street for several years, requested annexation when relocating in order to remain within Kannapolis city limits. Similarly, the Wayne Brothers Training Facility has additional property that was recently annexed into the City.

Moving to the Residential section of the story map, Mr. Smith reported that more than 6,000 residential units have been approved, with over half being multifamily. However, going forward, residential projects will be considered on a case-by-case basis, as City Council has directed staff to prioritize non-residential development.

Mr. Smith added that 200 S. Main Street is expected to be completed by the end of the year, while Coldwater Ridge II will include 72 affordable housing units. He also noted that Stadium Lofts Phase I is completed, with Phase II anticipated to begin development in a few years.

Ms. Joshi asked about Steiny Houses on Cornelia St. Mr. Smith replied it is a tiny house neighborhood which was developed by a Planning and Zoning Commission member. Mr. Bailey asked where the neighborhood is located. Mr. Smith said the development is near 8th St., Mountain St., and the YMCA.

Mr. Smith went over to the Civic section of the story map and mentioned he has received multiple inquiries about the new Northwest Cabarrus High School. Depending on state budgeting, construction of the school may start in 2027. He also mentioned the Cabarrus County Library and Active Living Center and that Altar Global HQ is in the former Kannapolis Recreation Park.

Mr. Parker inquired about the Kannapolis train station platform that has been under development for the last few years. Mr. Smith said staff is waiting on Norfolk Southern and North Carolina Railroad to decide what else is needed from the City to determine encroachments/railroad right-of-way. Construction was previously planned to start last July. Mr. Parker asked if a parking garage is planned. Mr. Smith replied that a parking garage is not included in the plans, but there is a shared agreement between the City and NCDOT to build a parking lot that will not only serve the train station but other sites nearby such as Vida and 200 Main. Mr. Smith noted that the trees will be preserved.

Mr. Smith went to the commercial section of the Story map and mentioned the Caliber Collision development and Lowes Foods which should be open to the public around May 2026. He also mentioned the Marriott Hotel which will have its own linear park and Zaxby's. Mr. Smith then went to the mixed-use section of the story map and explained that mixed-use often consists of non-residential and residential projects mixed/combined. Loop Yard is located off Dale Earnhardt Blvd. and will include around 161 townhomes as well as a medical use building and a shopping

center. He discussed that Millstone Village will consist of a Harris Teeter grocery store, retail units, and a separate building designated for a bank or restaurant while Phase II includes approximately 160 townhomes and an over 300-unit apartment community.

Mr. Bailey asked if there is a picture of Rogers Lake showing the train tracks. Mr. Smith replied there is a NCDOT drawing but not an aerial view. Mr. Bailey asked if there is a timeline for the Rogers Lake bridge. Mr. Smith said the bridge might be completed late next year, and had been delayed due to miscalculations.

Mr. Sides asked if NCDOT is responsible for landscaping. Mr. Smith replied that NCDOT is responsible for landscaping with improvements and should be seen with the completions of the bridge on Rogers Lake Road as well as the one on Martin Luther King Blvd.

Mr. Parker mentioned that he has been told by many citizens that there are no lights in the parking lot off the research campus and was wondering how to request lights for the parking lot. Mr. Smith answered that the property owner for the research campus may change in the near future and that there has been discussions on possibly the City owning the property where the research campus is located.

ADJOURN

There being no further business, Chair Joshi made the motion to adjourn, which was made by Mr. Sides, second by Mr. Parker and the motion was unanimously approved.
The meeting was adjourned at 7:13 PM on Tuesday, September 2, 2025.

CLOSED SESSION

Chair Joshi made a motion for a closed session, which was made by Mr. Sides, second by Mr. Dwiggins and the motion was unanimously approved.

Emily Joshi, Chair
Board of Adjustments

Zulena Anderson, Planning Technician
Board of Adjustments

EXHIBIT 1

Board of Adjustment
September 2, 2025 Meeting

Staff Report

TO: Board of Adjustment

FROM: Ben Barcroft, Senior Planner

SUBJECT: **Case# BOA-2025-17: Special Use Permit – 2204 Summit Ave.**
Applicant: Kristi Harrington

Request for a Special Use Permit to allow for a private school on property located at 2204 Summit Ave.

A. Actions Requested by Board of Adjustment

1. Motion to accept the City's exhibits into the record.
2. Motion to approve/revise Findings of Fact for the Special Use Permit.
3. Motion to approve (approve with conditions) (deny) the issuance of the Special Use Permit
4. Motion to Issue Order of Approval.

B. Required Votes to Pass Requested Action

A majority vote is required to approve, approve with conditions, or deny the requested actions.

C. Background

The applicant, Kristi Harrington, is requesting a Special Use Permit (SUP) to allow for a private school in the Residential 8 (R8) zoning district on a portion of an approximately 6.93 +/- acre property located at 2204 Summit Ave., further identified as Rowan County Parcel Identification Number 160 121. The proposal involves the use of an existing building that is part of a church campus for a private K–12 school. The building is currently utilized for Sunday School classrooms.

Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), issuance of a SUP is required for a private school in the R8 zoning district.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.A(5) of the KDO requires that the Board of Adjustment shall only approve a special use permit if the applicant demonstrates that the criteria below have been met. Staff analysis of each criterion is noted.

Staff Findings of Fact - Based on application review:

Yes	No	
X		**The proposed conditional use will be in harmony with the area in which it is to be located and in general conformance with the City's Land Use Plan.**

This property is in the "Urban Residential" and the "Urban Corridor" Character Areas in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The specific building proposed to be used for the school lies solely within the "Urban Residential" area. The building and site are currently used as a place of worship, with surrounding uses consisting primarily of single-family residential dwellings. The applicant states that the proposed private school will serve as a natural extension of the existing church, providing a seamless transition for students advancing from preschool into the private school.

Based on the character areas noted above, the proposed development is compatible with the future land use plan and existing uses in the surrounding area.

X		**Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.**

The applicant states that the property has adequate on-site parking and an existing drive-thru to facilitate drop-off and pick-up without interfering with traffic on surrounding roads. A traffic circulation sketch has been provided to ensure that vehicles queuing for student drop-off remain on-site and do not spill onto adjacent streets.

It has been determined that the existing church provides sufficient parking to support the proposed school use, even at a maximum capacity of 10 staff, 70 K–9 students, and 30 grade 10–12 students. The education building contains 10 spaces, while the church provides an additional 122 paved spaces.

Per code requirements, parking must be provided at a ratio of 1 space per 8 K–9 students and 1 space per 2 grade 10–12 students. Based on the information provided, these requirements have been met.

X		**The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.**

No vibration, noise, odor, dust, smoke, or gas beyond what would be anticipated for a private school is expected as a result of this proposed use.

X		**The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.**

The proposed use would not impede development of the surrounding properties for uses allowed within their respective zoning districts. The proposed private school is compatible with the existing and surrounding uses.

X		**The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.**

There is no apparent danger or detriment to the overall public safety, health and welfare resulting from the proposed use. The proposed use is subject to all the requirements of the Kannapolis Development Ordinance.

X		**The proposed use complies with all applicable provisions of the KDO.**

The proposed use shall comply with all sections of the Kannapolis Development Ordinance, conditions of approval, and any other applicable local, state and Federal regulations. It is understood by the applicant that unless specifically relieved of a requirement, in writing, all KDO requirements must be met.

X		**The applicant consents in writing to all conditions of approval included in the approved special use permit.**

The applicant has indicated that they will sign all Conditions of Approval for this special use permit.

F. Legal Issues

Board's Findings of Fact - Based on application review and public hearing.

In order to determine whether a special use permit is warranted, the Board must decide that each of the six findings as outlined below has been met and that the additional approval criteria has been satisfactorily addressed. If the Board concurs completely with the findings of the staff, no additional findings of fact are necessary, and the staff findings should be approved as part of the decision. However, if the Board wishes to approve different findings (perhaps as a result of additional evidence or testimony presented at the public hearing), alternate findings need to be included as part of the six criteria below. Should a special use permit be approved, the Board may place conditions on the use as part of the approval to assure that adequate mitigation measures are associated with the use.

Yes	No	
		The proposed conditional use will be in harmony with the area in which it is to be located and in general conformance with the City's Land Use Plan.

_____

		Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.

_____

		The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

_____

☐ ☐ **The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.**

☐ ☐ **The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.**

☐ ☐ **The proposed use complies with all applicable provisions of the KDO.**

☐ ☐ **The applicant consents in writing to all conditions of approval included in the approved special use permit.**

G. Recommendation

Based on the above findings, staff recommends **approval** of the Special Use Permit based on the staff Findings of Fact (or as modified by the Board), the conceptual site plan, and compliance with all local, state and federal requirements.

The Board of Adjustment should consider all facts and testimony after conducting the Public Hearing and render a decision accordingly to approve, approve with conditions, or deny the Special Use Permit.

H. Attachments

1. Special Use Permit Application
2. Vicinity Map
3. Zoning Map
4. Future Land Use Map
5. Traffic Circulation Plan
6. List of Notified Properties
7. Notice to Adjacent Property Owners
8. Posted Public Notice

I. Issue Reviewed By:

Planning Director	X
Assistant City Manager	X
City Attorney	X

Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

KANNAPOLIS

Special Use Permit

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on this form below are submitted with your application. Please either bring this application to the address above or email to bbarcroft@kannapolisnc.gov. The fees may also be paid online with a link provided by staff.

SPECIAL USE PERMIT REQUEST

Special Use Permit (SUP) – Request for SUP as required by Table 4.3.B(3) of the Kannapolis Development Ordinance (KDO).
Approval authority – Board of Adjustment.

Property Address: 2204 Summit Avenue, Kannapolis, NC 28081

Applicant: Living Faith Tutorial, Inc. c/o Kristi Harrington

SUBMITTAL CHECKLIST

- ☑ **Pre-Application Meeting**
- ☑ **SUP Checklist and Application – Complete with all required signatures**
- ☑ **Plot/Site Plan showing the proposed use**
- ☑ **Fee: $650.00 ($600 Application Fee + notification fee [see Fee Schedule])**
- ☑ **Please mark this box to authorize aerial drone photography of the site**

PROCESS INFORMATION

Public Notification: This is a quasi-judicial process that requires a public hearing and public notification including first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Table 2.4.F(2) of the KDO).

Review Process: All applications will be reviewed for compliance and then forwarded to the Board of Adjustment for consideration at a public hearing which is held monthly on the 1st Tuesday at 6:00pm in City Hall Laureate Center. **The pre-application meeting, application and site plan submittal, and payment of fees, must be completed prior to scheduling the public hearing. Please review Section 2.4.D of the KDO.**

Action by Board of Adjustment: After conducting a public hearing, the Board of Adjustment may: approve; approve with conditions; deny; or conduct an additional public hearing on the application. Per Section 2.5.A(5)c, the Board may approve a petition only if compliance with all standards is obtained.

Scope of Approval: Per Section 2.5.A(5)a.2 of the KDO, approval of a SUP does not authorize any development activity, but shall authorize the applicant to apply for final site plan approval. Zoning clearance permits will not be issued until the SUP and final site plan have been approved.

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if incomplete.

Applicant's Signature: Kristi Harrington *Date:* 6/24/25

Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

SPECIAL USE PERMIT APPLICATION

Approval authority – Board of Adjustment

Applicant Contact Information

Name: Kristi Harrington

Address: 305 Cooper Rd
Salisbury, NC 28147

Phone: 704-793-3725

Email: [redacted]

Property Owner Contact Information ☑ same as applicant

Name: Blackwelder Park Baptist

Address: 2204 Summit Ave
Kannapolis, NC 28081

Phone: 704-932-4266

Email: [redacted]

Project Information

Project Address: 2204 Summit Ave Kannapolis NC 28081 Zoning District R8

Parcel PIN: 160 121 Size of property (in acres): 6.93 acres

Current Property Use: Sunday school classrooms

Proposed Use: Private school K-12

The location of the above-mentioned proposed use is indicated on the accompanying site plan, and the nature of the proposed use is more fully described as follows *(attach separate sheet if necessary)*:

The building next to the church sanctuary - 3 story brick building facing Summit Ave.

Proposed use - private school K-12

REVIEW STANDARDS

The Board of Adjustment does not have unlimited discretion in deciding whether to approve a Special Use Permit (SUP). Per Section 2.5.A(5)c of the Kannapolis Development Ordinance (KDO,) the applicant must demonstrate successful compliance with all standards to obtain a SUP. In the space provided below, indicate the ***facts*** that you intend to provide to convince the Board that it can properly reach the following conclusions:

1. **The proposed special use will be in harmony with the area in which it is to be located and in general conformance with the City's Comprehensive Plan.**

The building is part of several on the property which include a preschool, church and family life center.

The private school will be a natural extension of the existing church and will allow

for the natural transition of students from the preschool into the private school.

2. **Adequate measures shall be taken to provide ingress and egress to minimize traffic hazards and traffic congestion on the public roads.**
There is adequate parking and existing drive thru the property to allow for drop off and pick up which would not interfere with traffic on the surrounding roads. see attached.

3. **The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.**
There are no anticipated impacts.

4. **The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.**
There are no known reasons that the proposed school would affect such.

5. **The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare.**
There are no anticipated impacts on safety and health.

6. **The proposed use complies with all applicable provisions of the KDO.**
Yes

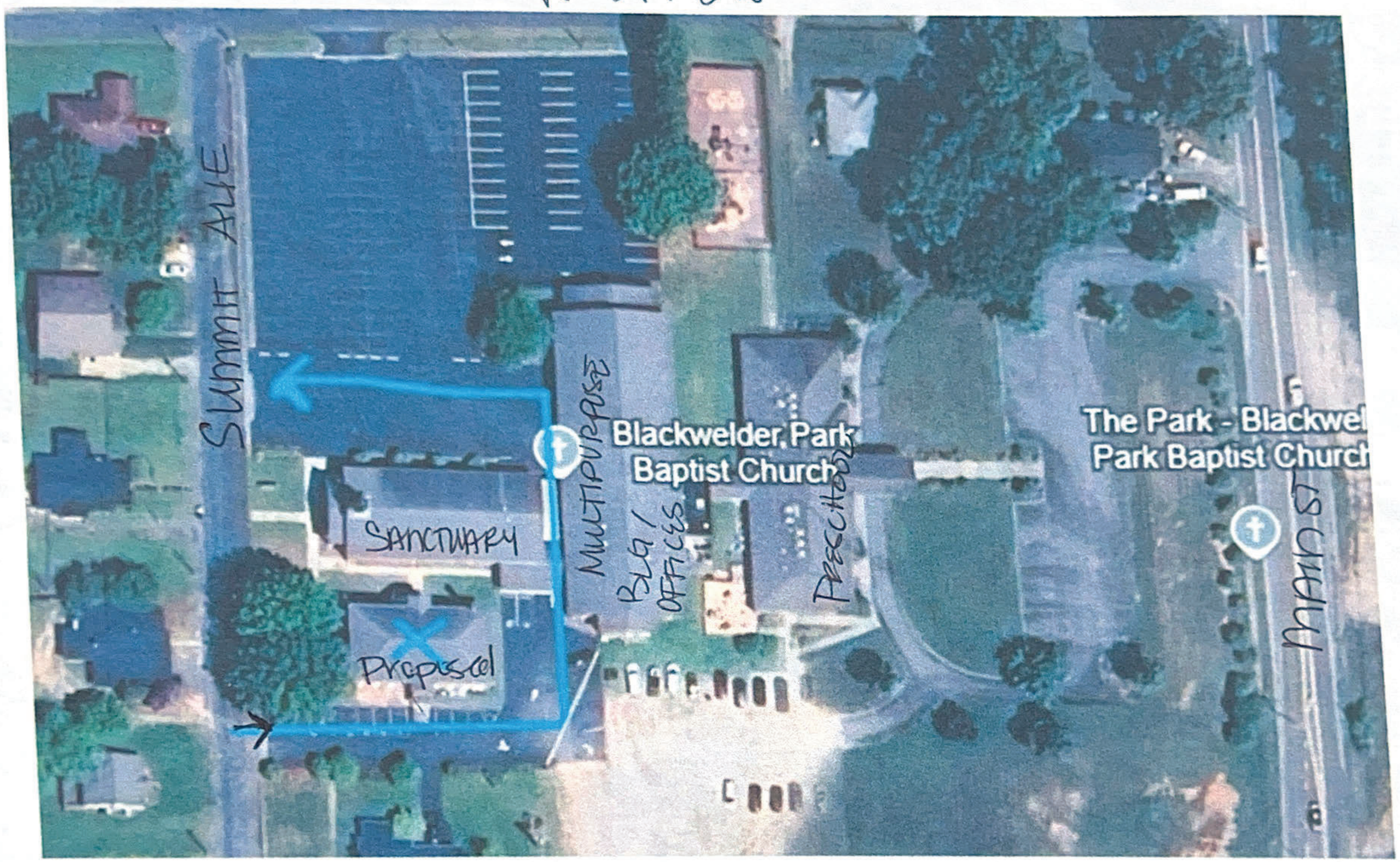
7. **The applicant consents in writing to all conditions of approval included in the approved special use permit.**
The applicant is willing to consent in writing to all conditions of approval, contingent upon review and mutual agreement of the final conditions as discussed and approved through the permitting process.

By signing below, I certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I acknowledge that the Board of Adjustment may add conditions on the requested use as part of the approval to assure that adequate mitigation measures are associated with the use. For example, landscaping or fencing may be required, or a shift of operations away from adjoining properties may be stipulated.

Kristi Harrington — 6/24/25
Applicant Signature — Date

(TRUSTEE) — 7-2-25
Property Owner Signature — Date

WESTVIEW ST.



22nd ST.

Vicinity Map

Case Number: BOA-2025-17

Applicant: Living Faith Tutorial, Inc

2204 Summit Ave



Kannapolis Current Zoning

Case Number: BOA-2025-17

Applicant: Living Faith Tutorial, Inc

2204 Summit Ave



Kannapolis 2030 Future Land Use Map

Case Number: BOA-2025-17

Applicant: Living Faith Tutorial, Inc

2204 Summit Ave



Westview St
Westview St
Summit Ave
N Main St
29
Main St
Ave
aza Ave

PARCEL_ID	OWNNAME	TAXADD1	CITY	STATE	ZIPCODE	OWN2
NCR NCR	NORTH CAROLINA RAILROAD	2809 HIGHWOODS BLVD STE 100	RALEIGH	NC	27604	COMPANY
160 287	A&A NC-1 LLC	11494 RISING STAR COURT	CHARLOTT	NC	28215-7375	
160 125	JDW HOMES LLC	11494 RISING STAR CT	CHARLOTT	NC	28215-7375	
160 105	CROWE DORIS K	300 W 22ND ST	KANNAPOL	NC	28081	
160 282	GODS TABERNACLE SPIRITED CHURCH	2405 N MAIN ST	KANNAPOL	NC	28081	
160 247	MILAM HOMER L JR & WF	2401 N MAIN ST	KANNAPOL	NC	28081-2447	MILAM NANCY J
160 286	JDW HOMES LLC	11494 RISING STAR CT	CHARLOTT	NC	28215-7375	
160 119	SOUTHLAND REALTY & DEVELOPMENT, LLC	2655 NC 153 HWY	CHINA GRC	NC	28023-7587	
160 285	JDW HOMES LLC	11494 RISING STAR CT	CHARLOTT	NC	28215-7375	
160 181	DURHAM EDDIE B	1311 LOWRANCE AVE	KANNAPOL	NC	28081-5823	
160 123	JDW HOMES LLC	11494 RISING STAR CT	CHARLOTT	NC	28215-7375	
160 122	BLACKWELDER PARK BAPTIST CH	2204 SUMMIT AVE	KANNAPOL	NC	28081-2460	INC
160 108	BEAVER PATSY B	206 W 22ND ST	KANNAPOL	NC	28081-2451	
160 107	136 HEMLOCK LLC	84810 HONEYCUTT RD STE 200-V88	RALEIGH	NC	27615-2260	
160 050	CORL GINA LYNN ETAL	209 N EAST AVE	KANNAPOL	NC	28083	
160 048	WHITLEY CHRISTOPHER R	104 WESTVIEW ST	KANNAPOL	NC	28081-2464	
160 259	SWEET STAYS THIS WAY LLC	3120 TWIN FALLS LN	MATTHEW	NC	28105-4494	
160 254	522 PROPERTIES LLC	904 S ZION ST	LANDIS	NC	28088-2032	
160 124	JJTE 1 LLC	12773 PHILADELPHIA CHURCH RD	STANFIELD	NC	28163-5508	
160 106	SMITH DANNY RAY TRUSTEE	2203 SUMMIT AVE	KANNAPOL	NC	28081	
160 104	522 PROPERTIES LLC	904 S ZION ST	LANDIS	NC	28088-2032	
160 230	STEWART CLAYTON DEAN & WF	2215 SUMMIT AVE	KANNAPOL	NC	28081-2459	HINSON SAMANTHA RAE
160 179	COLAS PETIT FRERE ANDRE	2826 CLERMONT AVE	KANNAPOL	NC	28081-9301	
160 118	RODRIGUEZ-BLANCO ASHLEY & SPOUSE	101 WESTVIEW ST	KANNAPOL	NC	28081-2463	SANDOVAL ELWIN
160 049	KELLY DWIGHT DAVID	2017 WEST A ST	KANNAPOL	NC	28081-9316	
160 183	DURAN ALVIN & SPOUSE	2213 SUMMIT AVE	KANNAPOL	NC	28081-2459	BATISTA MILAGROS
160 121	BLACKWELDER PARK BAPTIST CH	2204 SUMMIT AVE	KANNAPOL	NC	28081-2460	INC
160 120	LISK MARGARET M	2311 N MAIN ST	KANNAPOL	NC	28081	
160 100	MCGRUDER MONICA	205 WESTVIEW ST	KANNAPOL	NC	28081-2465	
160 046A	HOLLON MARYROSE	102 WESTVIEW ST	KANNAPOL	NC	28081-0000	

KANNAPOLIS
Planning

August 26, 2025

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasi-judicial public hearing on Tuesday September 2, 2025, at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

BOA-2025-17 – Special Use Permit – 2204 Summit Ave.

The purpose of this public hearing is to consider a request for a Special Use Permit (SUP) to allow for a private school use on a portion of property located at 2204 Summit Ave. Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), issuance of a SUP is required for a private school in the Residential 8 (R8) zoning district. The subject property is approximately 6.93 +/- acres, zoned R8, and is further identified as Rowan County Parcel Identification Number 160 121. The proposal involves the use of an existing building on a church property currently utilized for Sunday School classrooms for a private K–12 school. **(Please see attached 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 Development Ordinance. You are welcome to attend the public hearing and present testimony to the Board of Adjustment if you desire.

If you have any questions about the public hearing or request, please do not hesitate to contact the Planning Department at 704.920.4355 or bbarcroft@kannapolisnc.gov.

Sincerely,

Ben Barcroft
Senior Planner

Enclosure

In accordance with Title II of the Americans with Disabilities Act (ADA), any person requiring an accommodation to participate in a function or program of the City of Kannapolis should contact Daniel Jenkins, Assistant Human Resources Director & ADA Coordinator by phone at 704-920-4312, email adacoordinator@kannapolisnc.gov, or in person at Kannapolis City Hall as soon as possible, but not later than forty-eight (48) hours prior.


KANNAPOLIS
BOARD OF
ADJUSTMENT
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE #BOA - 2025 -17


KANNAPOLIS
BOARD OF
ADJUSTMENT
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE # APP - 2025 -17
SUNDAY SCHOOL 10
WORSHIP 11
PICKLEBALL
TUESDAY 6-8
COME SEE US!
Baptist Church
1 hope. 1 heart. 1 missi

STATE OF NORTH CAROLINA

CITY OF KANNAPOLIS

IN RE: 2204 Summit Ave	:	
Kristi Harrington	:	
	:	
	:	**ORDER FOR A**
APPLICATION # 2025-17-BOA	:	**SPECIAL USE PERMIT**

The applicant, Kristi Harrington, is requesting a Special Use Permit (SUP) to allow for a private school in the Residential 8 (R8) zoning district on a portion of an approximately 6.93 +/- acre property located at 2204 Summit Ave., further identified as Rowan County Parcel Identification Number 160 121. The proposal involves the use of an existing building that is part of a church campus for a private K–12 school. The building is currently utilized for Sunday School classrooms.

Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), issuance of a SUP is required for a private school in the R8 zoning district.

The following were accepted into evidence and constitute a part of the record in this matter:

1. Special Use Permit Application
2. Vicinity Map
3. Zoning Map
4. Future Land Use Map
5. Traffic Circulation Plan
6. List of Notified Properties
7. Notice to Adjacent Property Owners
8. Posted Public Notice

The Board considered the approval criteria set out in Section 2.5.A(5) of the Kannapolis Development Ordinance.

Having heard all the evidence and arguments presented at the hearing, the Board makes the following FINDINGS OF FACT:

1. The proposed special use will be in harmony with the area in which it is to be located and in general conformance with the City's Land Use Plan.

   This property is in the "Urban Residential" and the "Urban Corridor" Character Areas in the Move Kannapolis Forward 2030 Comprehensive Plan. The specific building proposed to be used for the school lies solely within the "Urban Residential" area. The building and site are currently used as a place of worship, with surrounding uses consisting primarily of single-family residential dwellings. The applicant states that the proposed private school will serve as a natural extension of the existing church, providing a seamless transition for students advancing from preschool into the private school. Based on the character areas noted above, the proposed development is compatible with the future land use plan and existing uses in the surrounding area.

2. Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.

   The applicant states that the propelty has adequate on-site parking and an existing drive-thru to facilitate drop-off and pick-up without interfering with traffic on surrounding roads. A traffic circulation sketch was provided to ensure that vehicles queuing for student drop-off remain on-site and do not spill onto adjacent streets. The existing church provides sufficient parking to support the proposed school use, even at a maximum capacity of 10 staff, 70 K-9 students, and 30 grade 10-12 students. The education building contains 10 spaces, while the church provides an additional 122 paved spaces. Per code requirements,

parking must be provided at a ratio of 1 space per 8 K-9 students and 1 space per 2 grade 10-12 students. Based on the info1mation provided, these requirements have been met.

3. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.

   No vibration, noise, odor, dust, smoke, or gas beyond what would be anticipated for a private school is expected as a result of this proposed use.

4. The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

   The proposed use would not impede development of the surrounding properties for uses allowed within their respective zoning districts. The proposed private school is compatible with the existing and surrounding uses.

5. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger public health, safety, or general welfare.

   There is no apparent danger or detriment to the overall public safety, health and welfare resulting from the proposed use. The proposed use is subject to all the requirements of the Kannapolis Development Ordinance.

6. The proposed use complies with applicable provisions of the KDO.

   The proposed use shall comply with all sections of the Kannapolis Development Ordinance, conditions of approval, and any other applicable local, state and Federal regulations. It is understood by the applicant that unless specifically relieved of a requirement, in writing, all KDO requirements must be met.

7. The applicant consents in writing to all conditions of approval included in the approved special use permit.

   The applicant has indicated that they will sign all Conditions of Approval for this special use permit.

Based on the above Findings of Fact, the Board **approves** the Special Use Permit for Application Number 2025-16 BOA subject to its compliance with all local, state and federal requirements.

This the 2nd day of September, 2025.

Chairman

Secretary

EXHIBIT 2

Board of Adjustment
September 2, 2025 Meeting

Staff Report

TO: Board of Adjustment

FROM: Ben Barcroft, Senior Planner

SUBJECT: **Case# BOA-2025-18:**
Appeal of an interpretation of the Kannapolis Development Ordinance
Applicant: Heather English

Appeal of the Planning Director's interpretation of Section 5.9 Sign Standards, Table 5.9.E(1)a: Standards for Sign Number, Area and Height in the GC District.

A. Actions Requested by Board of Adjustment

1. To affirm (or reverse) an interpretation of the Kannapolis Development Ordinance.

B. Required Votes to Pass Requested Action

A majority vote is required to approve, approve deny the requested actions.

C. Background

The applicant, Heather English, is appealing the Planning Director's interpretation of Section 5.9, Sign Standards, Table 5.9.E(1)(a) regarding the number, area, and height of signs in the GC (General Commercial) district. Staff has determined that the requested wall sign must be reduced to no more than one (1) square foot per linear foot of wall. The property is located at 2815 N. Cannon Blvd., more specifically identified as Rowan County Parcel Identification Number 133 228. The property is zoned General Commercial (GC) and is approximately 1.17 +/- acres.

Table 5.9.E(1)(a) specifies the following standard under the Sign Area Max (SQ. FT.) column for wall signs in the GC District:

> 1 sq. ft. per linear foot of the width of the building to which the wall sign is attached, not to exceed 120 sq. ft. or 10 percent of the area of the façade to which the wall sign is attached.

The applicant submitted a wall sign measuring 69.13 square feet on a wall that is 52 feet in length. Based on the maximum allowance of one (1) square foot of sign area per linear foot of wall, the sign would be limited to 52 square feet.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.D(4)a. of the KDO states: "Any person who has standing under N.C.G.S. Section 160D-1402 or the City may appeal a decision made by the Planning Director or Director of Engineering in carrying out a power or duty granted by this Ordinance, including any final and binding order, requirement, or determination, to the Board of Adjustment in accordance with the procedures and standards in this section and state law."

F. Legal Issues

Board's Findings of Fact - Based on application review and public hearing.

Affirm	Reverse	
☐	☐	**The Planning Director's decision to request changes to a sign application.**

G. Recommendation

The Board of Adjustment should consider all facts and testimony after conducting the public hearing and render a decision accordingly to affirm or reverse the decision of the Planning Director.

H. Attachments

1. Application
2. Appeal Letter
3. Email Chain
4. Vicinity Map
5. Zoning Map
6. Sign Plans
7. List of Notified Properties
8. Notice to Adjacent Property Owners
9. Posted Public Notice

I. Issue Reviewed By:

Planning Director	X
Assistant City Manager	X
City Attorney	X

Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

Appeal

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on this form below are submitted with your application. Please either bring this application to the address above or email to bbarcroft@kannapolisnc.gov. The fees may also be paid online with a link provided by staff.

APPEAL REQUEST

Appeal – Request for Appeal as required by Section 2.5.D(4) of the Kannapolis Development Ordinance (KDO).
Approval authority – Board of Adjustment.

Property Address: 2815 N Cannon Blvd, Kannapolis NC

Applicant: Heather English for Allen Industries INC

SUBMITTAL CHECKLIST

- [x] **Pre-Application Meeting**
- [x] **Appeal Checklist and Application – Complete with all required signatures**
- [x] **Fee: $350.00 ($300 Application Fee + notification fee [see Fee Schedule])**

PROCESS INFORMATION

Public Notification: This is a quasi-judicial process that requires a public hearing and public notification including first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Section 2.4.F of the KDO).

Review Process: All applications will be reviewed for compliance and then forwarded to the Board of Adjustment for consideration at a public hearing which is held monthly on the 1st Tuesday at 6:00pm in City Hall Laureate Center. **The pre-application meeting, submittal of the application, and payment of fees must be completed prior to scheduling the public hearing. Please review Section 2.4.D of the KDO.**

Action by Board of Adjustment: After conducting a public hearing, the Board of Adjustment may affirm or reverse the decision by the Administrator.

Scope of Approval: Per Section 2.5.D(4)c of the KDO, approval of an Appeal is limited to determining whether the decision or interpretation by the Administrator was in accordance with the intent and requirements of the Ordinance, and accordingly, will affirm or reverse the decision.

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if incomplete.

Applicant's Signature: Heather S English *Date:* 7-29-2025

Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

APPEAL APPLICATION

Approval authority – Board of Adjustment

Applicant Contact Information

Name: Heather English for Allen Industries INC

Address: 6434 Burnt Poplar Rd

Greensboro, NC 27409

Phone: (336) 799-4670

Email: [redacted]

Property Owner Contact Information ☐ same as applicant

Name: Mavis Southeast LLC

Address: 100 Hillside Ave

White Plains, NY 10603

Phone: (914) 984-2500

Email: [redacted]

Project Information

Project Address: Mavis @ 1101 S Chapel St

Zoning District GC

Parcel PIN: 133 228

Size of property (in acres): 1.17

I, Heather S English ***, hereby appeal to the Board of Adjustment from an adverse decision or interpretation of a Planning Administrator.***

The adverse decision/interpretation was made with respect to property described above.

I hereby request the following:

1. An interpretation of a zoning district boundary on the official Zoning Map:

2. An interpretation of the following section(s) of the Kannapolis Development Ordinance:
   Section 5.9 Sign Standards / Table 5.9.E(1)a Standards for Sign Number, Area & Height in the GC District

In the space provided below, or on the back of this form, present your interpretation of the Zoning Map/Ordinance provisions in question and state what reasons you have for believing that your interpretation is the correct one.

Exact text wording of ordinance indicates that wall signs are allowed: 1 Sq Ft per linear foot of width of the building to which the wall sign is attached NTE 120 Sq Ft OR 10% of the area of the facade where the wall sign is attached. There is no wording here that infers thgat compliance with both calculations is required.

I certify that all the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

Heather S English
Applicant Signature

7-29-2025
Date

July 30th, 2025

City of Kannapolis

Planning Department / Board of Adjustments

401 Laureate Way

Kannapolis, NC 28081

Re: Appeal Application for Interpretation of Wall Signage Allowance for GC Districts

Dear City Planning Department & Board Members,

I have been working with Allen Industries and Mavis Tire & Brakes to permit signage for the new site being constructed at 2815 N Cannon Blvd there in Kannapolis. Our client Mavis Southeast performed sign ordinance due diligence early in their development process and had preselected the signs for this property based on those results. It is our understanding that the allowance for wall attached signage as it is stated verbatim in Section 5.9 City Sign Standards is as follows: 1 Sq Ft per linear foot of width of the building to which wall sign is attached, not to exceed 120 Sq Ft. or 10 percent of the area of the façade to which wall sign is attached. The exact text of the ordinance provides (2) clear calculation formulas for the wall sign area allowed. Our client selected sign sizes for this site based upon the 10% formula; however, upon permit review, staff has indicated that sign area must comply with both calculations.

I have been immersed in the sign industry for a little over 20 years and have read and continue to read many sign ordinances on a daily basis. Typically when a jurisdiction provides (2) calculation formulas for allowable sign area there is a qualifier that follows whether that be “whichever formula is less” or “whichever formula gives a greater result.” The 1 Sq Ft per linear foot of wall width calculation and the 10% formula allowances are both on the conservative side when looking at the majority of sign area calculations across other jurisdictions. We can look at specific wall examples, but I assert that the 1:1 ratio will mostly always give you a smaller result for allowed signage area such that it becomes an irrelevant calculation. Given that this zoning district is the one with the highest level of commercial uses, it stands to reason that the sign allowances should be the greatest for this area but also kept within a reasonable amount. I believe the intent of the ordinance was to allow a business either 1 Sq Ft of sign area for each linear foot of wall width OR 10% of the wall area whichever may be more limited to 120 Sq Ft maximum.

I look forward to discussing this with all in more detail as I prepare these preapplication materials for the meeting tomorrow as well as the Board meeting in September. We appreciate everyone’s careful consideration to this request as we endeavor to serve our business clients and to help them have successful operations there in Kannapolis.

Thanks so much!

Heather S. English

President

HSE Permit Solutions

PO Box 363

Pleasant Garden, NC 27313

(336) 799-4670

[redacted]

EXHIBIT 1e

Outlook

Fw: PRB2025-01459 Signs for Mavis Tire & Brakes @1101 S Chapel St

From Ben Barcroft <bbarcroft@kannapolisnc.gov>
Date Thu 7/24/2025 4:10 PM
To Heather English [redacted]

1 attachment (517 KB)
Appeal packet.pdf;

Heather,

I can schedule you for a pre-application meeting for an Appeal on the 30th via Teams. If we receive all required materials that day, you can be added to the September agenda. Please see the attached application for details.

Thanks,

Ben Barcroft
Senior Planner
City of Kannapolis
401 Laureate Way
Kannapolis, NC 28081
704.723.2913 - cell

From: Heather English [redacted]
Sent: Wednesday, July 23, 2025 11:29 AM
To: Ben Barcroft <bbarcroft@kannapolisnc.gov>
Cc: Kathryn Stapleton <kstapleton@KannapolisNC.gov>; Richard Smith <rsmith@kannapolisnc.gov>
Subject: Re: PRB2025-01459 Signs for Mavis Tire & Brakes @1101 S Chapel St

CAUTION: This email originated from outside the City of Kannapolis email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ben,

We have been directed to proceed with scheduling a pre-application meeting in order to apply for the Appeal or Variance whichever process you all deem required given the circumstances here. We would like to get this taken care of as soon as possible. Please advise. I believe you mentioned that next Wednesday July 30th would be the earliest available timeframe. I can make myself available any time that day as I have nothing on my schedule as of now.

Thanks,

Heather S. English
HSE Permit Solutions

PO Box 363
Pleasant Garden, NC 27313
(336) 799-4670 office
(336) 312-2624 mobile

On Wednesday, July 16, 2025 at 04:13:06 PM EDT, Ben Barcroft <bbarcroft@kannapolisnc.gov> wrote:

Heather,

- The sign area may be up to 1 square foot per linear foot of the wall to which the sign is attached,
- Not to exceed 120 square feet total,
- and not to exceed 10% of the total façade area of that wall.

The sign size must comply with all three conditions—meaning it cannot exceed the smallest of these limits. Meeting only one criterion is not sufficient.

Thanks,

Ben Barcroft
Senior Planner
City of Kannapolis
401 Laureate Way
Kannapolis, NC 28081
704.723.2913 - cell
bbarcroft@kannapolisnc.gov
www.kannapolisnc.gov

KANNAPOLIS

From: Heather English [redacted]
Sent: Wednesday, July 16, 2025 3:53 PM
To: Ben Barcroft <bbarcroft@kannapolisnc.gov>
Cc: Kathryn Stapleton <kstapleton@KannapolisNC.gov>; Richard Smith <rsmith@kannapolisnc.gov>
Subject: Re: PRB2025-01459 Signs for Mavis Tire & Brakes @1101 S Chapel St

CAUTION: This email originated from outside the City of Kannapolis email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ben,

I see that you have already entered comments in the portal for the wall attached signs. I am looking at the ordinance now.

WALL SIGNS	Individual Business and Combined Developments	1 per frontage [3]	1 sq. ft. per linear foot of width of the building to which wall sign is attached, not to exceed 120 sq. ft. or 10 percent of the area of the façade to which wall sign is attached	Not to extend above the vertical wall

The signs proposed are under the 10% formula allowance based upon the area of the wall.

Thanks,

Heather S. English
HSE Permit Solutions
PO Box 363
Pleasant Garden, NC 27313
(336) 799-4670 office
(336) 312-2624 mobile

On Wednesday, July 16, 2025 at 03:39:06 PM EDT, Ben Barcroft <bbarcroft@kannapolisnc.gov> wrote:

Heather,

Thank you for checking in. I just became aware that this review hadn't been assigned to me, so I hadn't had the opportunity to review it until now. I'm currently working on it and will approve and send the request for payment if everything is good.

Thanks,

Ben Barcroft
Senior Planner
City of Kannapolis
401 Laureate Way
Kannapolis, NC 28081
704.723.2913 - cell
bbarcroft@kannapolisnc.gov
www.kannapolisnc.gov

KANNAPOLIS

From: Heather English [redacted]
Sent: Wednesday, July 16, 2025 9:59 AM
To: Kathryn Stapleton <kstapleton@KannapolisNC.gov>; Ben Barcroft <bbarcroft@kannapolisnc.gov>
Subject: PRB2025-01459 Signs for Mavis Tire & Brakes @1101 S Chapel St

CAUTION: This email originated from outside the City of Kannapolis email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning!

Can someone let me know where the Planning Review stands for the Mavis Tire signage that I submitted? We made a change at the very end of June that reduced the area of the proposed signs, but I have heard nothing back on that yet. Please advise.

Thanks,

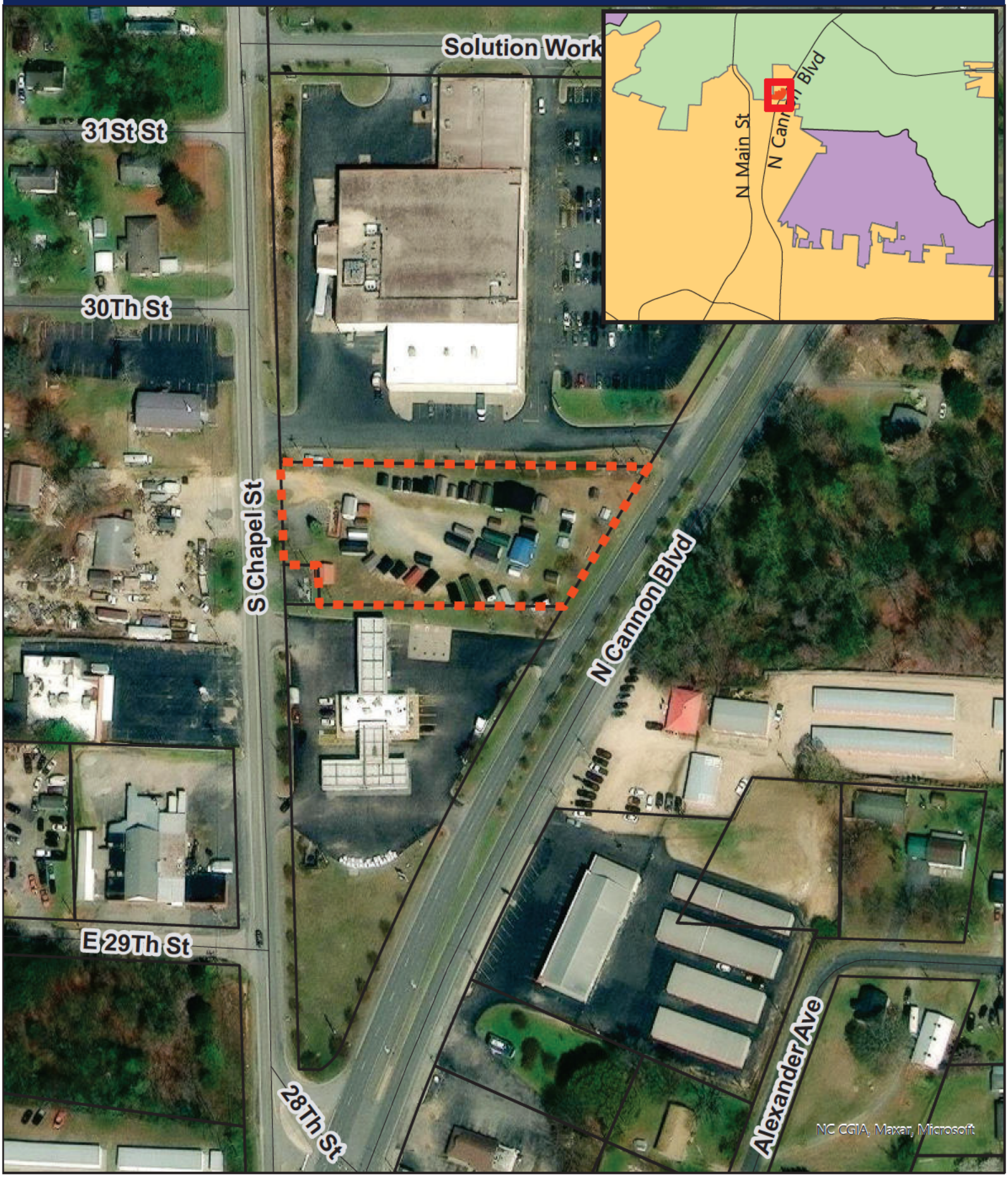
Heather S. English
HSE Permit Solutions
PO Box 363
Pleasant Garden, NC 27313
(336) 799-4670 office
(336) 312-2624 mobile
Pursuant to NC General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by anyone at any time. This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is confidential, proprietary, privileged, work product, and/or otherwise exempt from disclosure under applicable law. If you are not the intended recipient or receive this message in error, the sender does not intend delivery to you and does not waive any privilege, protections, or other rights pertaining to this message and any attachments. You should therefore immediately contact the sender by reply email and delete the original message, including any attachments.
Pursuant to NC General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by anyone at any time. This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is confidential, proprietary, privileged, work product, and/or otherwise exempt from disclosure under applicable law. If you are not the intended recipient or receive this message in error, the sender does not intend delivery to you and does not waive any privilege, protections, or other rights pertaining to this message and any attachments. You should therefore immediately contact the sender by reply email and delete the original message, including any attachments.

Vicinity Map

Case Number: BOA-2025-18

Applicant: Heather English for Allen Industries INC

2815 N Cannon Blvd



Kannapolis Current Zoning

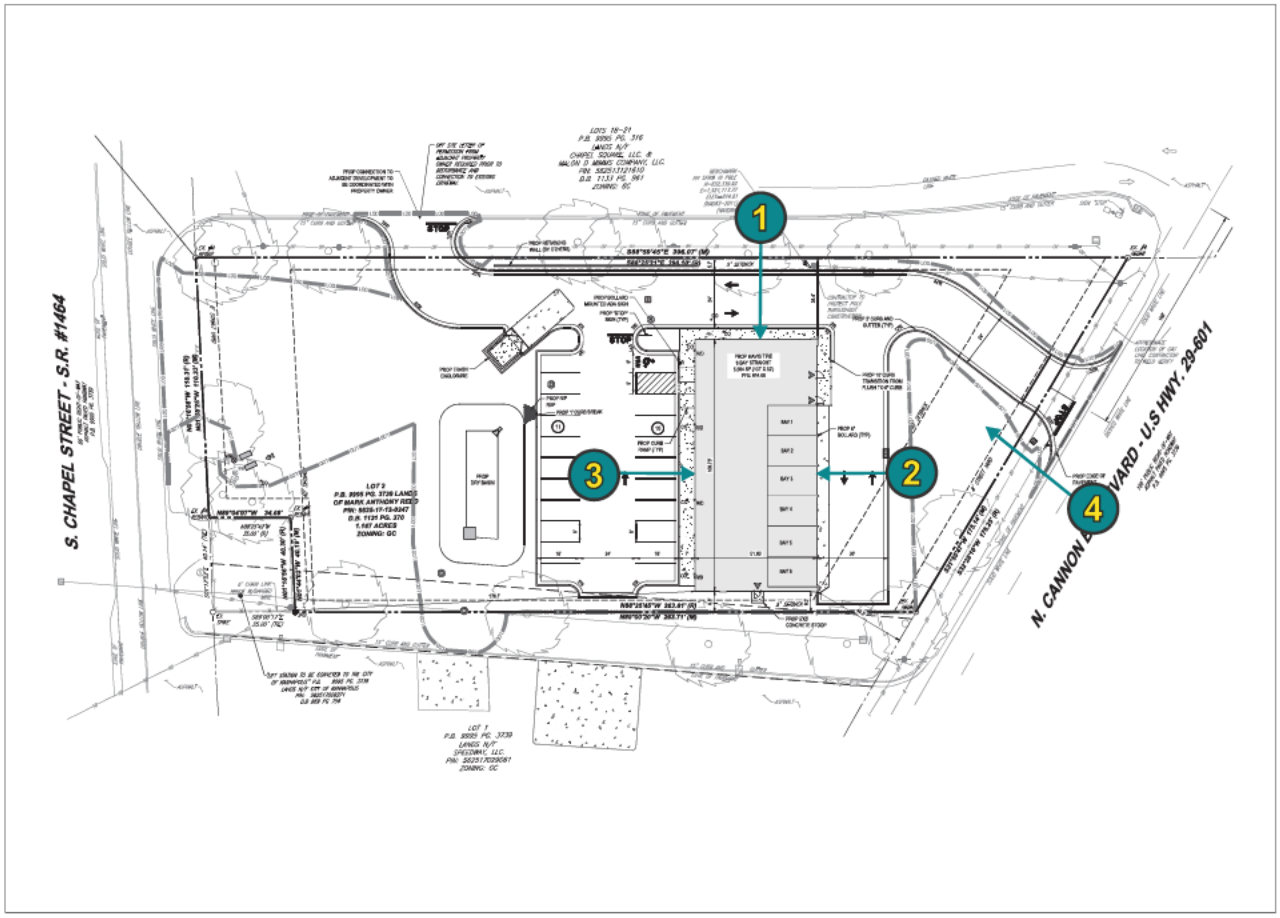
Case Number: BOA-2025-18

Applicant: Heather English for Allen Industries INC

2815 N Cannon Blvd



Site Plan
Proposed



GENERAL SIGNAGE

1 - 23WL - 23" Thermoformed Cabinet Set

2 - 26WL - 26" Thermoformed Cabinet Set

3 - 26WL - 26" Thermoformed Cabinet Set

4 - New Pylon - New Steel

N

Allen Industries
YOUR BRAND AT ITS BEST™
1-800-967-2553
www.allenindustries.com

Copyright © 2025 Allen Industries, Inc.
This is an original, unpublished drawing, created by Allen Industries, Inc. This drawing is submitted to you in confidence for your use solely in connection with the project being planned for you by Allen Industries, Inc. and is not to be shown to anyone outside your organization, nor used, reproduced, copied or exhibited in any fashion whatsoever. The designs shown on the drawing (except for any registered trademarks that may belong to a client of Allen Industries, Inc.) remain the property of Allen Industries, Inc.

Client:	Mavis Tire # 2285
Address:	1101 S. Chapel St. Kannapolis, NC 38083

Date:	Estimate #:	Job #:	Page #:
04/22/25	E23509	-	2 of 16

File Name: MAV-E23509_Kannapolis, NC_201

Sales:	Design:	PM:
House	RS	AS

#	Date	Description	Initial
1	06/17/25	Revised to Newest Cloud Layout	AMS
2			
3			
4			
5	-	-	-
6	-	-	-

Client Review Status
Allen Industries, Inc. requires that an approved drawing be obtained from the client prior to any production release or production release revision.

Client Signature: | Approval Date:

52' 0" OAW Elevation (Facing Chapel Square S/C)



North Elevation
Scale: 1/8"=1'-0"

1 Sq Ft of Sign Area per Linear Foot of Wall Width = 52 Sq Ft
22' 5" x 52' 0" OAW Elevation = 1,165.8 Sq Ft of Wall Area x 10% = 116.5 Sq Ft
69.13 Sq Ft of Sign Area Proposed



South Elevation (Entrance)
Scale: 1/8"=1'-0"

Allen Industries
YOUR BRAND AT ITS BEST™
1-800-967-2553
www.allenindustries.com

Copyright © 2025 Allen Industries, Inc.
This is an original, unpublished drawing, created by Allen Industries, Inc. This drawing is submitted to you in confidence for your use solely in connection with the project being planned for you by Allen Industries, Inc. and is not to be shown to anyone outside your organization, nor used, reproduced, copied or exhibited in any fashion whatsoever. The designs shown on the drawing (except for any registered trademarks that may belong to a client of Allen Industries, Inc.) remain the property of Allen Industries, Inc.

Client: Mavis Tire # 2285
Address: 1101 S. Chapel St. Kannapolis, NC 38083

Date:	Estimate #:	Job #:	Page #:
04/22/25	E23509	-	4 of 16

File Name: MAV-E23509_Kannapolis, NC_201

Sales:	Design:	PM:
House	RS	AS

#	Date	Description	Initial
1	06/17/25	Revised to Newest Cloud Layout	AMS
2			
3			
4			
5	-	-	-
6	-	-	-

Client Review Status
Allen Industries, Inc. requires that an approved drawing be obtained from the client prior to any production release or production release revision.

Client Signature: | Approval Date:

PARCEL_II	OWNNAME	TAXADD1	CITY	STATE	ZIPCODE	OWN2
156 255	MELTON WILMER JR & WF	918 S CHAPEL ST	KANNAPOLIS	NC	28083-978	MELTON HARRIET L
162 00101	ISBANIOLY NABIL J	24571 MAGGIE FRICK RD	RICHFIELD	NC	28137-768	ISBANIOLY ADELMA M
156 09901	MELTON WILMER III ETAL	1102 S CHAPEL ST	KANNAPOLIS	NC	28083	
162 005	SPEEDWAY LLC	539 S MAIN ST	FINLAY	OH	45840-000	
156 305	NEW PINEY GROVE BAPT CH	1000 S CHAPEL ST	KANNAPOLIS	NC	28083	
156 105B	ANDRADE ZENON RAFAEL	170 EARNEST MILLER RD	SALISBURY	NC	28147-944	CAMPECHANO CANDIDO
156 101	NEW PINEY GROVE BAPT CHURCH	1000 S CHAPEL ST	KANNAPOLIS	NC	28083	
133 05702	JORDAN JUSTIN HARRISON	2810 N CANNON BLVD	KANNAPOLIS	NC	28083-912	
133 05701	PAIGE FLORENCE THOMASINA &	15618 FARMSWORTH LN	TAMPA	FL	33624-181	HOWARD BRUCE A
156 105	MELTON WILMER III ETAL	1102 S CHAPEL ST	KANNAPOLIS	NC	28083	
133 188	INFANTE WILSON	2812 N CANNON BLVD	KANNAPOLIS	NC	28081	
133 05708	10FSS 2806 N CANNON BLVD KANAPOLIS NC LL	2424 RIDGE RD	ROCKWALL	TX	75087-511	
133 055	CHAPEL SQUARE LLC	85-A MILL ST STE 100	ROSWELL	GA	30075	MALON D MIMMS COMPANY LLC
133 057	ELIJAH HARRISON CONSTRUCTION LLC	2810 N CANNON BOULEVARD	KANNAPOLIS	NC	28083-912	
133 228	REED MARK ANTHONY	35 CURTIS DR	ARDEN	NC	28704-977	
133 274	KANNAPOLIS CITY OF	401 LAUREATE WAY	KANNAPOLIS	NC	28081	

KANNAPOLIS
Planning

August 26, 2025

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasi-judicial public hearing on Tuesday September 2, 2025, at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

BOA-2025-18 – Appeal of an interpretation of the Kannapolis Development Ordinance

The purpose of this public hearing is to consider an appeal of the Planning Director's interpretation of Section 5.9, Sign Standards, Table 5.9.E(1)(a) of the Kannapolis Development Ordinance (KDO). The appeal concerns the number, area, and height of wall signs permitted in the General Commercial (GC) zoning district. Staff have determined that the requested wall sign must be reduced to no more than one (1) square foot per linear foot of wall. The subject property is zoned GC, contains approximately 1.17 +/- acres, and is located at 2815 N. Cannon Blvd., further identified as Rowan County Parcel Identification Number 133 228. **(Please see attached 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 Development Ordinance. You are welcome to attend the public hearing and present testimony to the Board of Adjustment if you desire.

If you have any questions about the public hearing or request, please do not hesitate to contact the Planning Department at 704.920.4355 or bbarcroft@kannapolisnc.gov.

Sincerely,

Ben Barcroft
Senior Planner

Enclosure

In accordance with Title II of the Americans with Disabilities Act (ADA), any person requiring an accommodation to participate in a function or program of the City of Kannapolis should contact Daniel Jenkins, Assistant Human Resources Director & ADA Coordinator by phone at 704-920-4312, email adacoordinator@kannapolisnc.gov, or in person at Kannapolis City Hall as soon as possible, but not later than forty-eight (48) hours prior.


KANNAPOLIS
BOARD OF
ADJUSTMENT
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE #BOA - 2025 -18