



**CITY OF KANNAPOLIS
PLANNING & ZONING COMMISSION MEETING**

August 19, 2025, at 6:00 pm

Agenda

1. Call to Order

2. Roll Call and Recognition of Quorum

3. Approval of Agenda

4. Approval of Minutes: July 15, 2025

5. Public Hearing

a. Z-2025-06 – Zoning Map Amendment – 5056 Wig Street

Public Hearing to consider a request to assign City of Kannapolis zoning to recently annexed property located at 5056 Wig Street. The subject property is currently zoned Cabarrus County Low Density Residential (LDR), and the request is to assign City of Kannapolis Residential 8 (R8) zoning district. The subject property is approximately 0.26 +/- acres and furthered identified as Cabarrus County Parcel Identification Number 56034954710000.

b. Z-2025-07 – 5911 Charleston Avenue

Public Hearing to consider a request to assign City of Kannapolis zoning to recently annexed property located at 5911 Charleston Avenue. The subject property is currently zoned Cabarrus County Low Density Residential (LDR), and the request is to assign to City of Kannapolis Residential 8 (R8) zoning district. The subject property is approximately 0.26 +/- acres and furthered identified as Cabarrus County Parcel Identification Number 56035917630000.

6. Recommendation to City Council

a. Text Amendment – TA-2025-06 – KDO Updates

Consider a recommendation to City Council regarding multiple staff proposed text amendments to the Kannapolis Development Ordinance.

7. Planning Director Update

8. Other Business

9. Adjourn



**Planning and Zoning Commission
August 19, 2025 Meeting**

Staff Report

TO: Planning and Zoning Commission

FROM: Kathryn Stapleton, Planner

SUBJECT: **Case #Z-2025-06: Zoning Map Amendment – 5056 Wig Street**
Applicant: Melissa Walter/KEBLG LLC

Request to rezone property located at 5056 Wig Street from Cabarrus County Low Density Residential (LDR) to City of Kannapolis Residential 8 (R8) zoning district.

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

Section 2.3.B.(1)a of the Kannapolis Development Ordinance (KDO) allows the Planning and Zoning Commission to render a final decision on a rezoning request. If there is a denial, an approval by a vote of less than three-fourths, or an appeal of the decision, then only City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to City Council.

C. Background & Project Overview

The applicant, Melissa Walter/KEBLG LLC, is requesting to rezone property located at 5056 Wig Street from Cabarrus County Low Density Residential (LDR) to City of Kannapolis Residential 8 (R8) zoning district. The subject property is further identified as Cabarrus County Parcel Identification Number 56034954710000 and is approximately 0.26 +/- acres. This property was voluntarily annexed into the City at the June 23, 2025 City Council meeting.

Per the North Carolina General Statutes, a City of Kannapolis zoning designation must be applied to the property within sixty (60) days of annexation. If the requested R8 zoning designation is approved, any of the permitted uses in the R8 zoning district would be allowed on the property.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.A.(2).c. of the KDO states that Amending the Zoning Map is a matter committed to the legislative discretion of the Planning and Zoning Commission or of the City Council, as authorized by this section. In determining whether to adopt or deny the proposed amendment, the Planning and Zoning Commission or City Council, as applicable, may consider, and weigh the relevance of, whether and to what extent the proposed Zoning Map amendment:

- 1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?**

Yes. This area is located within the “Complete Neighborhood 1” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The “Complete Neighborhood 1” promotes single-family detached and single-family attached residential as primary uses and neighborhood-serving retail and small format office as secondary uses.

- 2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?**

No. The R8 zoning designation is appropriate for this area. There is existing R8 zoning on nearby properties.

- 3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?**

No. The property was recently annexed into the City of Kannapolis.

- 4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?**

Yes. The R8 zoning designation is compatible with existing and allowed uses on surrounding land. Surrounding uses are primarily single-family detached dwellings.

- 5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?**

Yes. This property is located adjacent to roads with adequate capacity and safety, and is a suitable use allowed under the requested zoning. Public water and sewer services are accessible to this site.

6. Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?

Yes. The requested zoning allows for a use that is compatible with existing adjacent residential uses.

7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

No. There are no anticipated significant environmental impacts from rezoning this property. Any development will be required to conform to all applicable local, state, and federal environmental regulations.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject property as located within the “Complete Neighborhood 1” Character Area in the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

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 *2030 Plan*, staff recommends approval for Zoning Map Amendment Case #Z-2025-06.

Alternative Courses of Action

Motion to Approve (2 votes)

- 1. Should the Commission choose to approve the request for rezoning as presented in Case #Z-2025-06, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject property as located within the

“Complete Neighborhood 1” Character Area in the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

2. **Should the Commission choose to approve Case #Z-2025-06, a motion should be made to adopt the Resolution to Zone.**

Motion to Deny (2 votes)

1. **Should the Commission choose to recommend denial of Case #Z-2025-06, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #Z-2025-06 to be inconsistent with the goals and policies of the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #Z-2025-06, a motion should be made to deny the Resolution to Zone.**

I. Attachments

1. Rezoning Application
2. Vicinity Map
3. Zoning Map
4. 2030 Future Land Use and Character Map
5. List of Notified Properties
6. Letter to Adjacent Property Owners
7. Resolution to Adopt a Statement of Consistency
8. Resolution to Zone

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager



Zoning Map Amendment Checklist

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" 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.

REZONING REQUEST

Rezoning – Request for an amendment to the Kannapolis Zoning Map. Approval authority – Planning and Zoning Commission.

Requested Rezoning Property Address: 5056 Wig St. Kannapolis, NC 28081

Applicant: Melissa Walter / KEBLG LLC

Proposed development: New single family residential home

New single family residential home

SUBMITTAL CHECKLIST

- ☒ Pre-Application Meeting
- ☒ Zoning Map Amendment Checklist and Application – Complete with all required signatures
- ☒ Fee: \$850.00 (\$500 Application Fee, \$300 Legal Notices and notification fee, & \$50 letter/sign public notice [see Fee Schedule])
- ☒ Please mark this box to authorize aerial drone photography of the site

PROCESS INFORMATION

Public Notification: This is a legislative process that requires a public hearing and public notification including newspaper notice, 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 Planning and Zoning Commission for consideration at a public hearing which is held monthly on the third Tuesday at 6:00pm in City Hall Laureate Center. **The pre-application meeting, submittal of 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 Planning and Zoning Commission: After conducting a public hearing, the Commission may: deny the application; conduct an additional public hearing on the application; or approve the application.

Scope of Approval: An affirmative vote of three-fourths of the members present and not excused from voting, shall be necessary to approve a rezoning request. The approval of a rezoning does not authorize development activity, but does authorize the application to apply for a final major site plan. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

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: Melissa Walter

Date: 7/16/2025



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information

Name: Melissa Walter
Address: PO Box 651
Harrisburg, NC 28075
Phone: 607-242-5546
Email: [REDACTED]

Property Owner Contact Information ☒ same as applicant

Name: KEBL LLC
Address: PO Box 651
Harrisburg, NC 28075
Phone: 704-4387090
Email: [REDACTED]

Project Information

Project Address: 5056 Wig St. Kannapolis, NC 28081
Parcel: 56034954710000 # of parcels: 1 Approx. size of parcels: 0.26ac
(attach separate list if necessary)
Current Zoning Designation: Select Requested Zoning Designation: R8
Reason for map amendment: Currently Zoned LDR, Would like to build a single family home and
use Kannapolis Utilities.

By signing below, it is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound to the use(s) authorized unless subsequently changed or amended as provided for in the Zoning Ordinance.

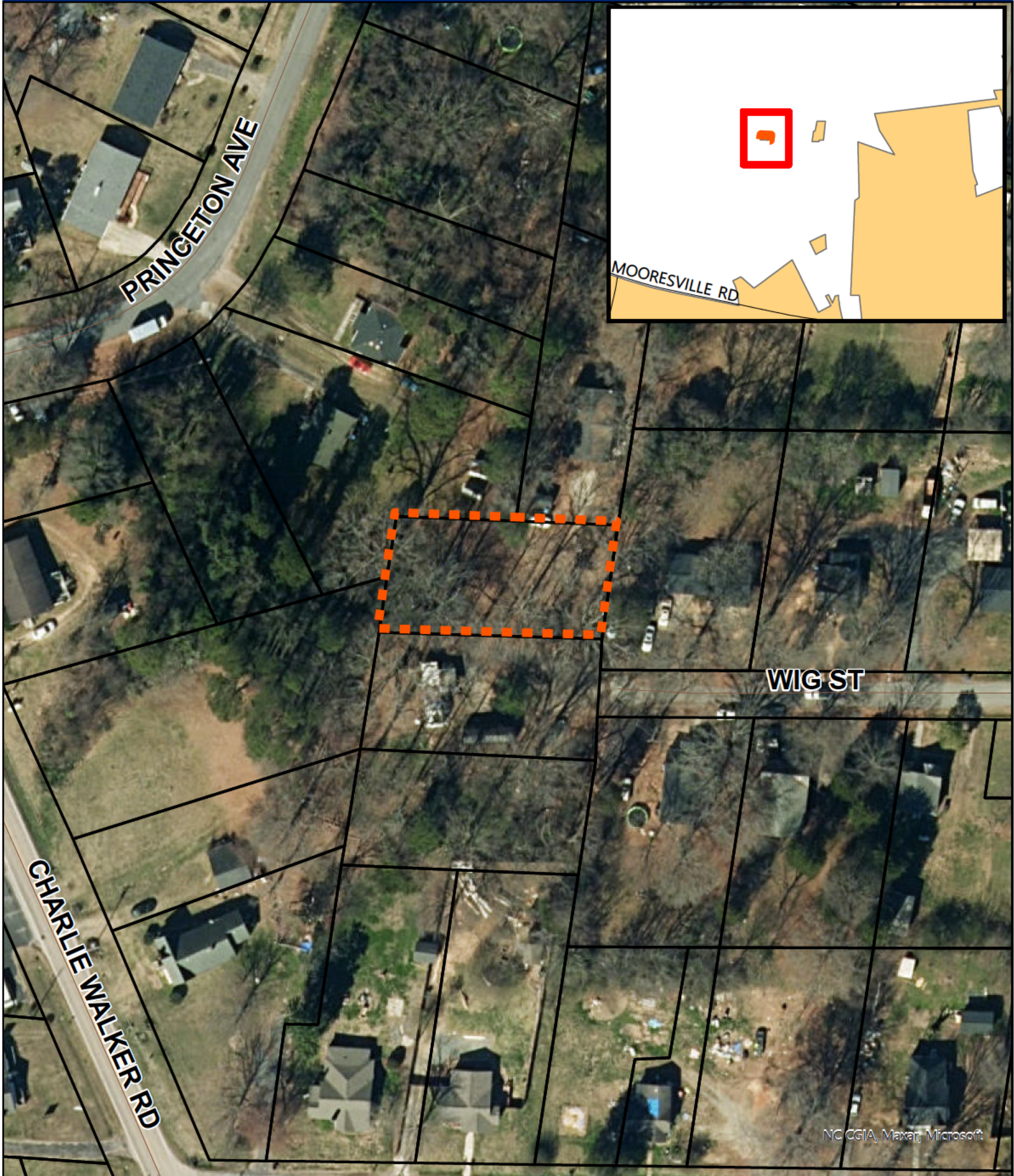
<u>Melissa Walter</u>	<u>7/16/2025</u>
Applicant Signature	Date
<u>Jason Gaddis</u>	<u>7/16/2025</u>
Property Owner Signature	Date

Note: This is not a permit to occupy a structure. Owner and/or applicant are responsible for the location of utility lines and easements. Zoning Map Amendment does not guarantee the availability of water and/or sewer.



Vicinity Map

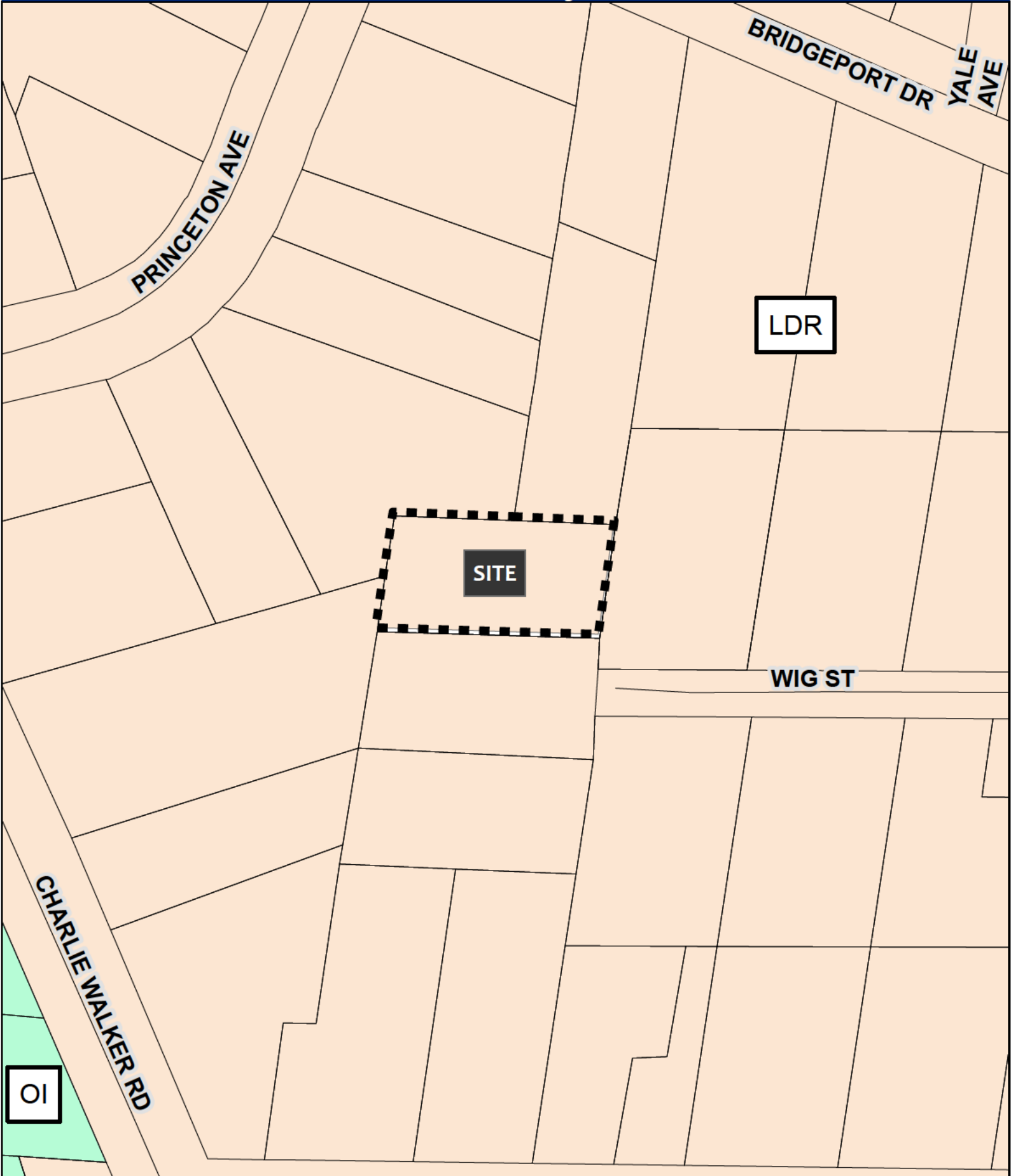
Case Number: Z-2025-06
Applicant: Melissa Walter/KEBLG LLC
5056 Wig St





Kannapolis Current Zoning

Case Number: Z-2025-06
Applicant: Melissa Walter/KEBLG LLC
5056 Wig St

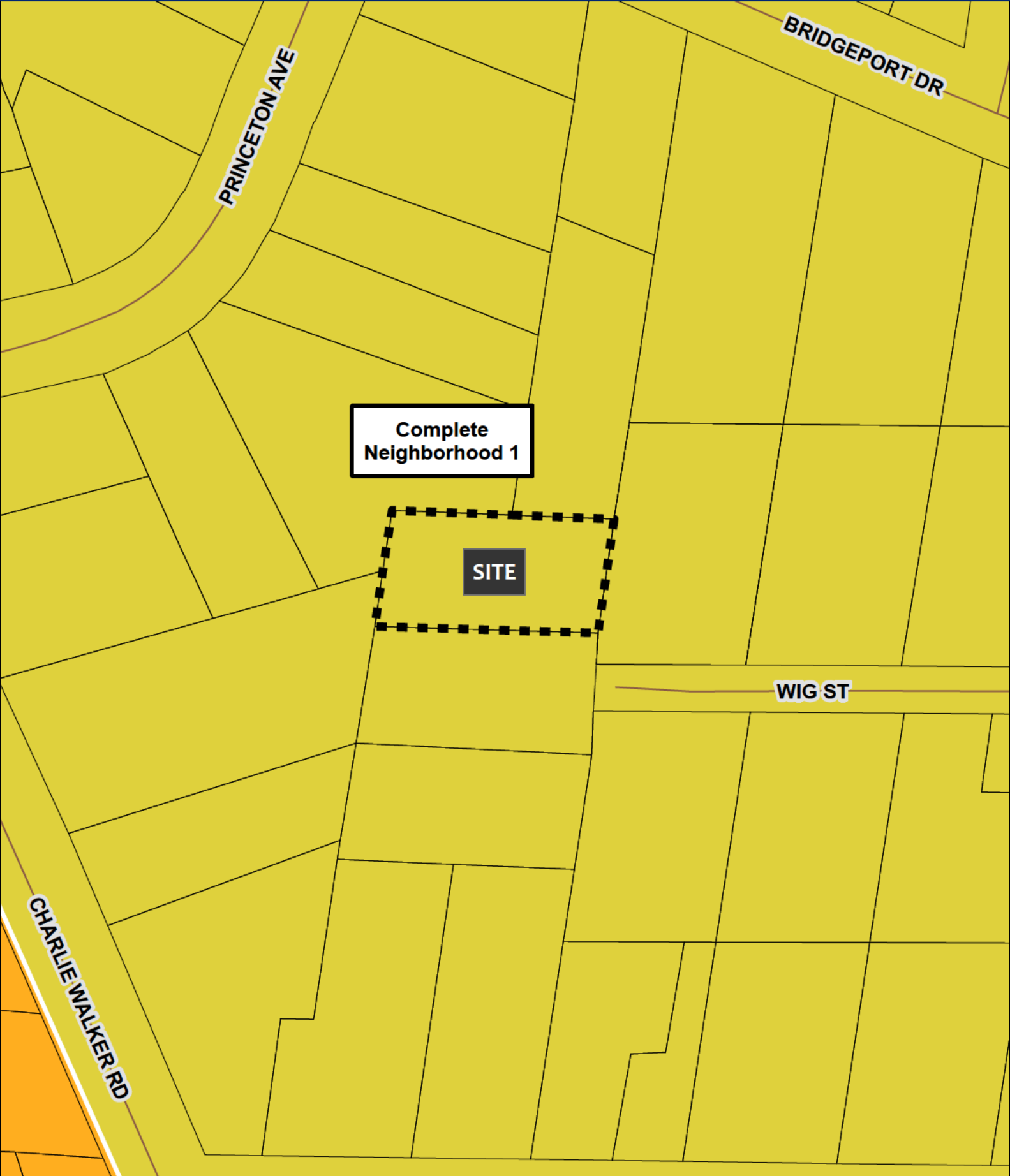




Kannapolis 2030 Future Land Use Map



Case Number: Z-2025-06
Applicant: Melissa Walter/KEBLG LLC
5056 Wig St



CITY OF KANNAPOLIS

MEMORANDUM

TO: Amanda Boan
The Independent Tribune
FROM: Gabriela Wilkins, Planning Technician
DATE: August 1, 2025
SUBJECT: Display Ad

Please publish this Notice of Public Hearing as a **display ad** in the non-legal section of *The Independent Tribune*.

Publish dates: Thursday, August 7, 2025
Thursday, August 14, 2025

Send invoice of publication to: gwilkins@kannapolisnc.gov

Call me at 704-920-4358 if you have any questions.

Thank you.
Gabriela Wilkins
gwilkins@kannapolisnc.gov



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

Tuesday, August 19, 2025, at 6:00 pm

Zoning Map Amendment – Z-2025-06 – 5056 Wig Street – Public Hearing to consider a request to assign City of Kannapolis zoning to recently annexed property located at 5056 Wig Street. The subject property is currently zoned Cabarrus County Low Density Residential (LDR), and the request is to assign City of Kannapolis Residential 8 (R8) zoning district. The subject property is approximately 0.26 +/- acres and furthered identified as Cabarrus County Parcel Identification Number 56034954710000.

Zoning Map Amendment – Z-2025-07 – 5911 Charleston Avenue – Public Hearing to consider a request to assign City of Kannapolis zoning to recently annexed property located at 5911 Charleston Avenue. The subject property is currently zoned Cabarrus County Low Density Residential (LDR), and the request is to assign to City of Kannapolis Residential 8 (R8) zoning district. The subject property is approximately 0.26 +/- acres and furthered identified as Cabarrus County Parcel Identification Number 56035917630000.

In accordance with Title II of the Americans with Disabilities Act (AD), any person requiring an accommodation to participate in a function or program of the City of Kannapolis, should contact Daniel Jenkins, Assistant Human Resource 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 48 hours before the scheduled event.

AcctName1	AcctName2	MailAddr1	MailAddr2	MailAddr3	MailCity	MailState	MailZipCod
FLEMING SYLVESTER L	FLEMING SARA C	397 BRADSHAW RD			MOUNT ULLA	NC	28125
WHITE GLORIA JEAN		5910 PRINCETON AVE			KANNAPOLIS	NC	28081
MCCAIN MATTIE M		C/O FRANKLIN MCCAIN	3800 BUNCOMBE DR		GREENSBORO	NC	27407
HEILIG RANDY	HEILIG DEDRA WF	5912 PRINCETON AVE			KANNAPOLIS	NC	28081
COVENANT PRESBYTERIAN CHURCH		5835 CHARLIE WALKER RD			KANNAPOLIS	NC	28081
GARLIN RENITA		5054 WIG ST			KANNAPOLIS	NC	28081
CAUTHEN SHERMAN C		219 TRANQUIL LAKE DR			CHINA GROVE	NC	28023
COVENANT PRESBYTERIAN CHURCH		5835 CHARLIE WALKER RD			KANNAPOLIS	NC	28081
FISHER WHITT ESTATE		% JAMES D FISHER	41 JERSEY STREET		SAN FRANCISCO	CA	94114
MONTER MAXIMO SOTO		401 BLACKHAWK DR			KANNAPOLIS	NC	28081
YOUNG MARY E		5039 ATHENS ST			KANNAPOLIS	NC	28081
COVENANT PRESBYTERIAN CHURCH		5835 CHARLIE WALKER RD			KANNAPOLIS	NC	28081
WASHINGTON GREGORY		5930 CHARLESTON AVE			KANNAPOLIS	NC	28081
COVENANT PRESBYTERIAN CHURCH		5835 CHARLIE WALKER RD			KANNAPOLIS	NC	28081
ARGUETA JOSE ISAIAS ARGUETA		5102 ATHENS ST			KANNAPOLIS	NC	28081
STEELE VINCENT LEE &	STEELE CYNTHIA WF	5826 CHARLIE WALKER RD			KANNAPOLIS	NC	28081
STEWART LAURA MAE RUSSELL		C/O WILLIS RUSSELL	2321 BEAVER POND RD		KANNAPOLIS	NC	28083
STEWART LAURA MAE RUSSELL		C/O WILLIS RUSSELL	2321 BEAVER POND RD		KANNAPOLIS	NC	28083
COVENANT PRESBYTERIAN CHURCH		5835 CHARLIE WALKER RD			KANNAPOLIS	NC	28081
PENALOZA PAULINO ALBERTO SORROZA	HERRERA MARIA ANTONIETA	SORROZA SPOUSE	5051 BRIDGEPORT DR		KANNAPOLIS	NC	28081
DAVIS DOMINICK		5047 WIG ST			KANNAPOLIS	NC	28081
COVENANT PRESBYTERIAN CHURCH		5835 CHARLIE WALKER RD			KANNAPOLIS	NC	28081
MORRISON MELISSA		2931 TOWNSEND DR			FRISCO	TX	75033
GUERRA LOLA PARKS		170-22 130TH AVE APT 12A			JAMAICA	NY	11434
MORRISON MELISSA		2931 TOWNSEND DR			FRISCO	TX	75033
IGNACIO PAREDES TOLEDO	MANCIA YECENIA BARAHONA SPOUSE	907 WASHINGTON LN			KANNAPOLIS	NC	28083



August 1, 2025

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, August 19, 2025, at 6:00 PM, at 401 Laureate Way, Kannapolis, NC for the following case:

Z-2025-06 – Zoning Map Amendment – 5056 Wig Street

The purpose of this Public Hearing is to consider a request to rezone property located at 5056 Wig Street from Cabarrus County Low Density Residential (LDR) to City of Kannapolis Residential 8 (R8) zoning district. The subject property is approximately 0.26 +/- acres and further identified as Cabarrus County Parcel Identification Number 56034954710000 (see reverse side of this letter for a map showing the location of this property). This property was voluntarily annexed on June 23, 2025. Per the North Carolina General Statutes, an initial City of Kannapolis zoning designation must be applied to the property within sixty (60) days of annexation.

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 invited to attend the public hearing and will be provided an opportunity to speak to the Planning and Zoning Commission, if you believe it to be necessary for their decision making on this matter.

If you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4361 or email kstapleton@kannapolisnc.gov.

Sincerely,

Kathryn Stapleton, CZO
Planner

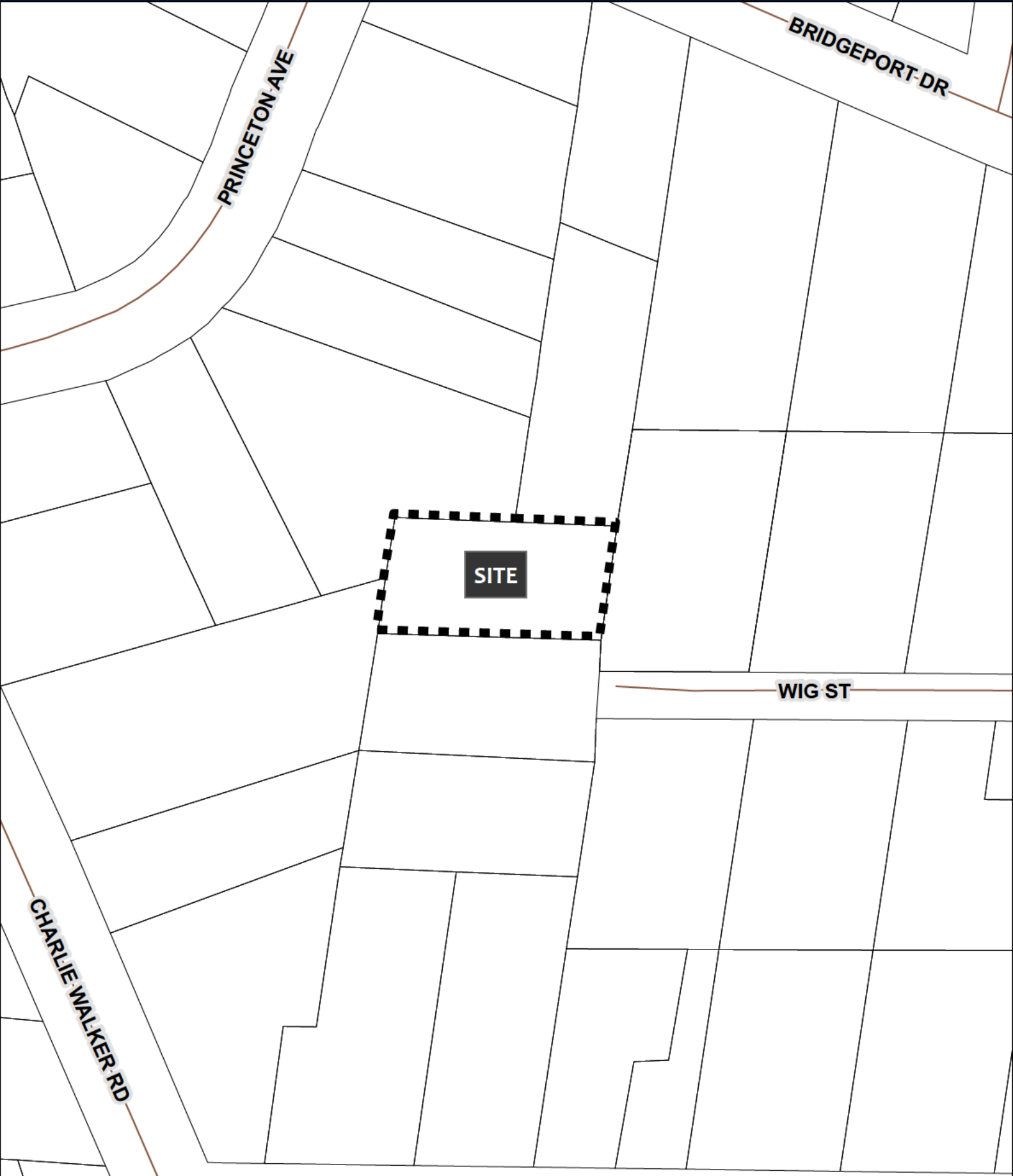
Enclosure

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



Rezoning

Case Number: Z-2025-06
Applicant: Melissa Walter/KEBLG LLC
5056 Wig St





PLANNING

ZONING

COMMISSION

**PUBLIC HEARING
INFORMATION**

CALL 704-920-4350

CASE Z-2026-06



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE #Z-2025-06**

WHEREAS, Sections 160D-604 and 160D-605 of the North Carolina General Statutes specify 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 2.3.B(1).a. of the Kannapolis 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 August 19, 2025, the Planning and Zoning Commission conducted a public hearing to consider a request to rezone approximately 0.26 +/- acres of property located at 5056 Wig Street (Cabarrus County Parcel Identification Number 56034954710000), owned by Melissa Walter/KEBLG, LLC, from Cabarrus County Low Density Residential (LDR) to City of Kannapolis Residential 8 (R8) zoning district.

NOW, THEREFORE BE IT RESOLVED *The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan ("2030 Plan"), adopted by City Council, which designates the subject property as located within the "Complete Neighborhood 1" Character Area in the 2030 Plan. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.*

Adopted this the 19th day of August, 2025:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Gabriela Wilkins, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE

Case #Z-2025-06 (5056 Wig Street)

From Cabarrus County Low Density Residential (LDR) to City of Kannapolis Residential 8 (R8) Zoning Designation

WHEREAS, Section 2.3.B.(1).a of the Kannapolis Development Ordinance (KDO) specifically delegates authority to the Planning and Zoning Commission to take final action on a rezoning application provided, if the application is approved by less than a three quarters majority of voting members or denied, or if the Planning and Zoning Commission's decision is appealed, City Council shall make the final decision on the application; and

WHEREAS, the Commission conducted a public hearing on August 19, 2025, for consideration of rezoning petition Case #Z-2025-06 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone 0.26 +/- acres of property located at 5056 Wig Street, (Cabarrus County Parcel Identification Number 56034954710000) owned by Melissa Walter/KEBLG LLC, from Cabarrus County Low Density Residential (LDR) to City of Kannapolis Residential 8 (R8) zoning district.

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 2.5.A.(2).c of the Kannapolis Development Ordinance, the Planning and Zoning Commission makes the following findings in support of and in analysis of the rezoning:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

Yes. This area is located within the "Complete Neighborhood 1" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The "Complete Neighborhood 1" promotes single-family detached and single-family attached residential as primary uses and neighborhood-serving retail and small format office as secondary uses.

2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?

No. The R8 zoning designation is appropriate for this area. There is existing R8 zoning on nearby properties.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

No. The property was recently annexed into the City of Kannapolis.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Yes. The R8 zoning designation is compatible with existing and allowed uses on surrounding land. Surrounding uses are primarily single-family detached dwellings.

5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?

Yes. This property is located adjacent to roads with adequate capacity and safety, and is a suitable use allowed under the requested zoning. Public water and sewer services are accessible to this site.

6. Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?

Yes. The requested zoning allows for a use that is compatible with existing adjacent residential uses.

7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

No. There are no anticipated significant environmental impacts from rezoning this property. Any development will be required to conform to all applicable local, state, and federal environmental regulations.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the above referenced property be rezoned from Cabarrus County Low Density Residential (LDR) to City of Kannapolis Residential 8 (R8) Zoning Designation.

Adopted this the 19th day of August, 2025:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Gabriela Wilkins, Recording Secretary
Planning and Zoning Commission



**Planning and Zoning Commission
August 19, 2025 Meeting**

Staff Report

TO: Planning and Zoning Commission
FROM: Kathryn Stapleton, Planner
SUBJECT: **Case #Z-2025-07: Zoning Map Amendment – 5911 Charleston Avenue**
Applicant: Jonathan Ejim/Conon Investments LLC

Request to rezone property located at 5911 Charleston Avenue from Cabarrus County Low Density Residential (LDR) to City of Kannapolis Residential 8 (R8) zoning district.

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

Section 2.3.B.(1)a of the Kannapolis Development Ordinance (KDO) allows the Planning and Zoning Commission to render a final decision on a rezoning request. If there is a denial, an approval by a vote of less than three-fourths, or an appeal of the decision, then only City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to City Council.

C. Background & Project Overview

The applicant, Jonathan Ejim/Conon Investments LLC, is requesting to rezone property located at 5911 Charleston Avenue from Cabarrus County Low Density Residential (LDR) to City of Kannapolis Residential 8 (R8) zoning district. The subject property is further identified as Cabarrus County Parcel Identification Number 56035917630000 and is approximately 0.26 +/- acres. This property was voluntarily annexed by City Council at their July 28, 2025 meeting.

Per the North Carolina General Statutes, a City of Kannapolis zoning designation must be applied to the property within sixty (60) days of annexation. If the requested R8 zoning designation is approved, any of the permitted uses in the R8 zoning district would be allowed on the property.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.A.(2).c. of the KDO states that Amending the Zoning Map is a matter committed to the legislative discretion of the Planning and Zoning Commission or of the City Council, as authorized by this section. In determining whether to adopt or deny the proposed amendment, the Planning and Zoning Commission or City Council, as applicable, may consider, and weigh the relevance of, whether and to what extent the proposed Zoning Map amendment:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

Yes. This area is located within the “Complete Neighborhood 1” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The “Complete Neighborhood 1” promotes single-family detached and single-family attached residential as primary uses and neighborhood-serving retail and small format office as secondary uses.

2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?

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Yes. This property is located adjacent to roads with adequate capacity and safety, and is a suitable use allowed under the requested zoning. Public water and sewer services are accessible to this site.

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No. There are no anticipated significant environmental impacts from rezoning this property. Any development will be required to conform to all applicable local, state, and federal environmental regulations.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject property as located within the “Complete Neighborhood 1” Character Area in the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

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 2030 Plan, staff recommends approval for Zoning Map Amendment Case #Z-2025-07.

Alternative Courses of Action

Motion to Approve (2 votes)

- 1. Should the Commission choose to approve the request for rezoning as presented in Case #Z-2025-07, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject property as located within the

“Complete Neighborhood 1” Character Area in the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

2. **Should the Commission choose to approve Case #Z-2025-07, a motion should be made to adopt the Resolution to Zone.**

Motion to Deny (2 votes)

1. **Should the Commission choose to recommend denial of Case #Z-2025-07, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #Z-2025-07 to be inconsistent with the goals and policies of the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #Z-2025-07, a motion should be made to deny the Resolution to Zone.**

I. Attachments

1. Rezoning Application
2. Vicinity Map
3. Zoning Map
4. 2030 Future Land Use and Character Map
5. List of Notified Properties
6. Letter to Adjacent Property Owners
7. Resolution to Adopt a Statement of Consistency
8. Resolution to Zone

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager



X

Zoning Map Amendment Checklist

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" 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.

REZONING REQUEST

Rezoning – Request for an amendment to the Kannapolis Zoning Map. Approval authority – Planning and Zoning Commission.

Requested Rezoning Property Address: 5911 CHARLESTON AVE KANNAPOLIS NC 28081

Applicant: Jonathan Ejim (Conon Investments LLC)

Proposed development: Recently annexed parcel needs City of Kannapolis Zoning designation.

R8 zoning is the closest in proximity and could allow for subdivision for 2 single family homes.

SUBMITTAL CHECKLIST

- ☐ Pre-Application Meeting
- ☐ Zoning Map Amendment Checklist and Application – Complete with all required signatures
- ☐ Fee: \$850.00 (\$500 Application Fee, \$300 Legal Notices and notification fee, & \$50 letter/sign public notice [see Fee Schedule])
- ☒ Please mark this box to authorize aerial drone photography of the site

PROCESS INFORMATION

Public Notification: This is a legislative process that requires a public hearing and public notification including newspaper notice, 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 Planning and Zoning Commission for consideration at a public hearing which is held monthly on the third Tuesday at 6:00pm in City Hall Laureate Center. **The pre-application meeting, submittal of 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 Planning and Zoning Commission: After conducting a public hearing, the Commission may: deny the application; conduct an additional public hearing on the application; or approve the application.

Scope of Approval: An affirmative vote of three-fourths of the members present and not excused from voting, shall be necessary to approve a rezoning request. The approval of a rezoning does not authorize development activity, but does authorize the application to apply for a final major site plan. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

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: Jonathan Ejim
DocuSigned by:
65069923025F49B...

Date: 7/30/2025 | 10:41 AM EDT



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

ZONING MAP AMENDMENT APPLICATION
Approval authority – Planning and Zoning Commission

Applicant Contact Information	Property Owner Contact Information <input checked="" type="checkbox"/> same as applicant
Name: Jonathan Ejim (Conon Investments LLC)	Name: _____
Address: 677 SHELLBARK DR CONCORD, NC 28025	Address: _____
Phone: 704-507-9161	Phone: _____
Email: [REDACTED]	Email: _____

Project Information

Project Address: 5911 CHARLESTON AVE KANNAPOLIS NC 28081

Parcel: 56035917630000 # of parcels: 1 Approx. size of parcels: .26 acres
(attach separate list if necessary)

Current Zoning Designation: ~~Select~~ LDR Requested Zoning Designation: R8 ☐

Reason for map amendment: Parcel was recently annexed into the City of Kannapolis and needs zoning designation.
R8 zoning currently exists on nearby properties and seems to most closely match the surrounding neighborhood.

By signing below, it is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound to the use(s) authorized unless subsequently changed or amended as provided for in the Zoning Ordinance.

DocuSigned by: Jonathan Ejim	7/30/2025 10:41 AM EDT
Applicant Signature	Date
DocuSigned by: Jonathan Ejim	7/30/2025 10:41 AM EDT
Property Owner Signature	Date

Note: This is not a permit to occupy a structure. Owner and/or applicant are responsible for the location of utility lines and easements. Zoning Map Amendment does not guarantee the availability of water and/or sewer.

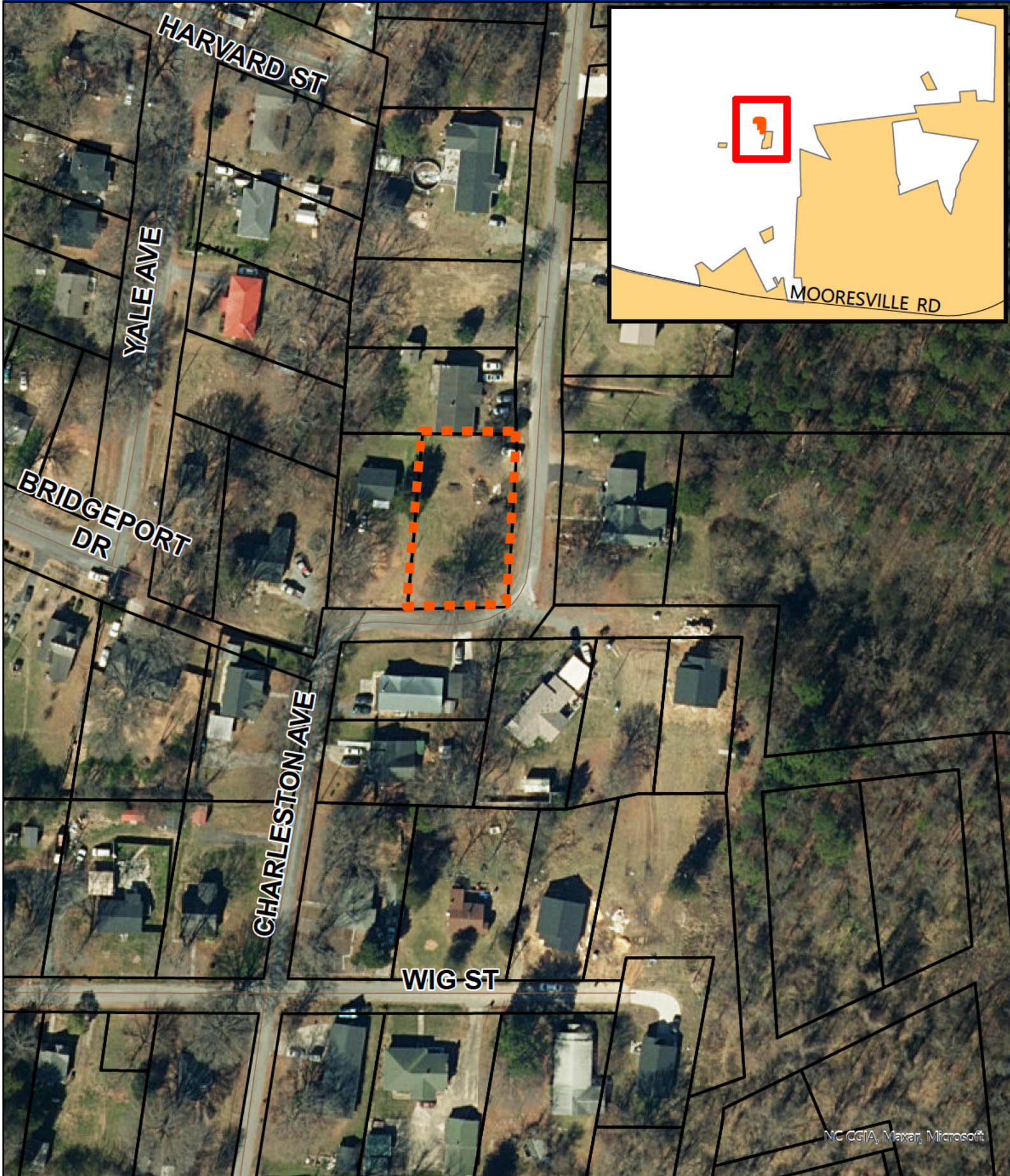


Vicinity Map

Case Number: Z-2025-07

Applicant: Jonathan Ejim (Conon Investments LLC)

5911 Charleston Ave





Kannapolis Current Zoning



Case Number: Z-2025-07
Applicant: Jonathan Ejim (Conon Investments LLC)
5911 Charleston Ave





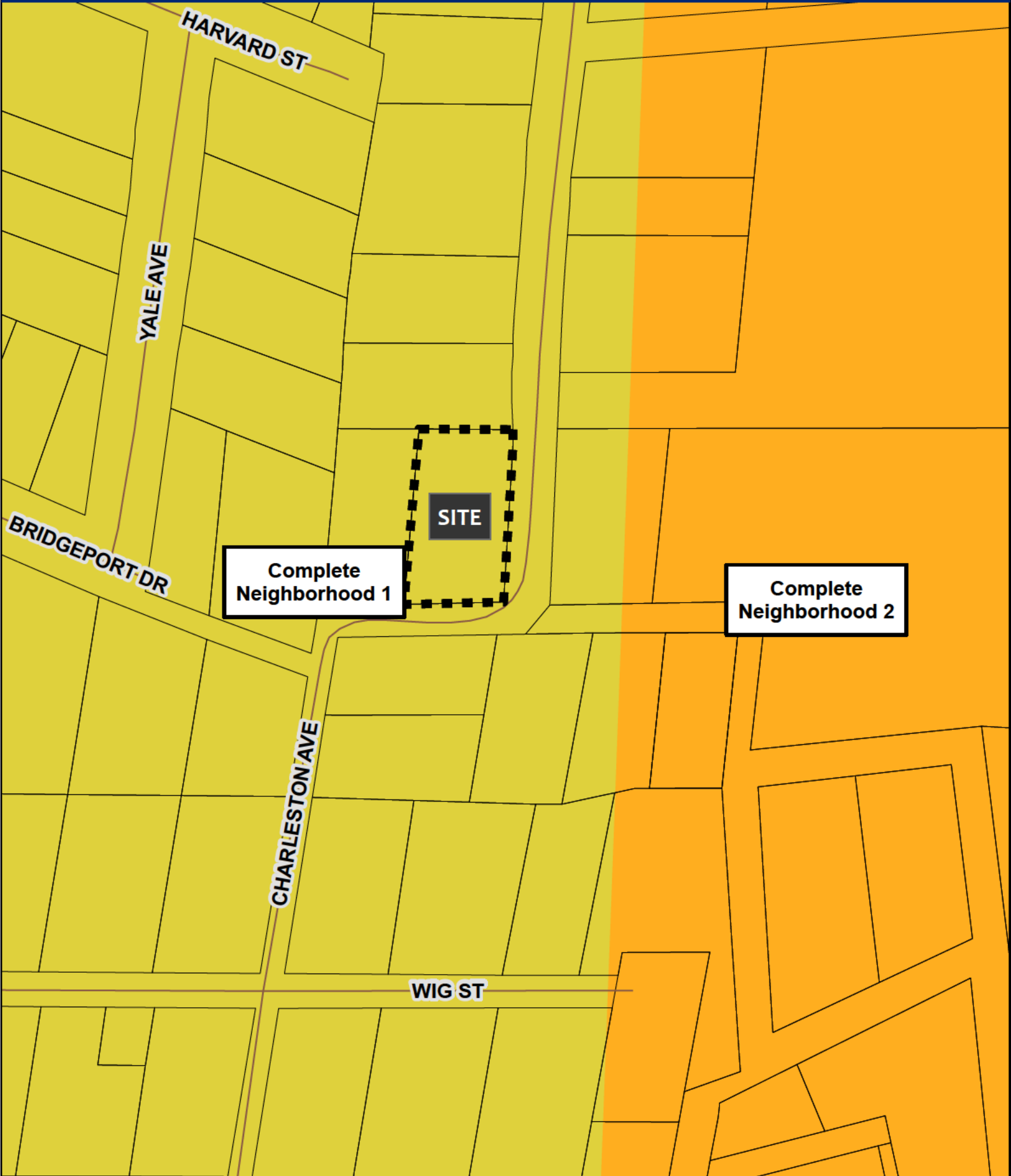
Kannapolis 2030 Future Land Use Map



Case Number: Z-2025-07

Applicant: Jonathan Ejim (Conon Investments LLC)

5911 Charleston Ave



CITY OF KANNAPOLIS

MEMORANDUM

TO: Amanda Boan
The Independent Tribune
FROM: Gabriela Wilkins, Planning Technician
DATE: August 1, 2025
SUBJECT: Display Ad

Please publish this Notice of Public Hearing as a **display ad** in the non-legal section of *The Independent Tribune*.

Publish dates: Thursday, August 7, 2025
Thursday, August 14, 2025

Send invoice of publication to: gwilkins@kannapolisnc.gov

Call me at 704-920-4358 if you have any questions.

Thank you.
Gabriela Wilkins
gwilkins@kannapolisnc.gov



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

Tuesday, August 19, 2025, at 6:00 pm

Zoning Map Amendment – Z-2025-06 – 5056 Wig Street – Public Hearing to consider a request to assign City of Kannapolis zoning to recently annexed property located at 5056 Wig Street. The subject property is currently zoned Cabarrus County Low Density Residential (LDR), and the request is to assign City of Kannapolis Residential 8 (R8) zoning district. The subject property is approximately 0.26 +/- acres and furthered identified as Cabarrus County Parcel Identification Number 56034954710000.

Zoning Map Amendment – Z-2025-07 – 5911 Charleston Avenue – Public Hearing to consider a request to assign City of Kannapolis zoning to recently annexed property located at 5911 Charleston Avenue. The subject property is currently zoned Cabarrus County Low Density Residential (LDR), and the request is to assign to City of Kannapolis Residential 8 (R8) zoning district. The subject property is approximately 0.26 +/- acres and furthered identified as Cabarrus County Parcel Identification Number 56035917630000.

In accordance with Title II of the Americans with Disabilities Act (AD), any person requiring an accommodation to participate in a function or program of the City of Kannapolis, should contact Daniel Jenkins, Assistant Human Resource 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 48 hours before the scheduled event.

PIN14	AcctName1	AcctName2	MailAddr1	MailAddr2	MailAddr3	MailCity	MailState	MailZipCod
56035907930000	BRAWLEY DENNIS		6825 PLYLER ROAD			KANNAPOLIS	NC	28081
56035934510000	SMITH GLENDA D		1045 STANDING OAK DR			SALISBURY	NC	28146
56035924620000	SMITH GLENDA D		1045 STANDING OAK DR			SALISBURY	NC	28146
56035914760000	PARKER CHAPEL CHURCH		285 ESTHER CIRCLE			KANNAPOLIS	NC	28083
56035925380000	DIXON MARVA SHAW		5904 CHARLESTON AVENUE			KANNAPOLIS	NC	28081
56045030310000	EDWARDS LARRY D &	EDWARDS ROSALIND W /WIFE	37 SHEFFIELD DRIVE			WILLINGBORO	NJ	08046
56045060650000	SMITH GLENDA D		1045 STANDING OAK DR			SALISBURY	NC	28146
56035935770000	SMITH GLENDA D		1045 STANDING OAK DR			SALISBURY	NC	28146
56035935770000	SMITH GLENDA D		1045 STANDING OAK DR			SALISBURY	NC	28146
56035927930000	CANNON JOHN F	CANNON BRIDGETTE N	5912 CHARLESTON AVE			KANNAPOLIS	NC	28081
56035939120000	WASHINGTON GREGORY	WASHINGTON BRUNETTA LINDSAY WF	5930 CHARLESTON AVE			KANNAPOLIS	NC	28081
56034997320000	CALERO ROBERTA WYNNE		5940 YALE AVE			KANNAPOLIS	NC	28081
56035935170000	SMITH GLENDA D		1045 STANDING OAK DR			SALISBURY	NC	28146
56034995950000	THOMPSON MILDRED M		5829 CHARLESTON AVE			KANNAPOLIS	NC	28081
56035918550000	VALADEZ PABLO MORG	HERNANDEZ CONSUELO FUENTES/WF	5923 CHARLESTON AVENUE			KANNAPOLIS	NC	28081
56035918550000	VALADEZ PABLO MORG	HERNANDEZ CONSUELO FUENTES/WF	5923 CHARLESTON AVENUE			KANNAPOLIS	NC	28081
56044090900000	HAYNIE LISA R		5738 SUMTER AVE			KANNAPOLIS	NC	28081
56034999820000	WASHINGTON GREGORY	WASHINGTON MAURICE Q	5930 CHARLESTON AVE			KANNAPOLIS	NC	28081
56035976590000	SMITH GLENDA D		1045 STANDING OAK DR			SALISBURY	NC	28146
56035915130000	MALDONADO JOSE CARMEN		5838 CHARLESTON AVE			KANNAPOLIS	NC	28081
56035904610000	TRUJILLO EDWARD	MANCINI THERESA WF	5828 CHARLESTON AVE			KANNAPOLIS	NC	28081
56035906190000	DAVID MILLER REALTY &	INVESTMENTS INC	C/O DAVID & AMY MILLER	1640 DALE EARNHARDT BLVD		KANNAPOLIS	NC	28083
56034994610000	CANNON RUTH P	CANNON RUTH ESTATE	C/O MARCIA CANNON	6125 8TH ST NW		WASHINGTON	DC	20011
56045000070000	UPTREND LLC		3020 PROSPERITY CHURCH RD STE I	STE 110		CHARLOTTE	NC	28269
56035917630000	FUENTES MICHEL MORG		904 HOKE ST			KANNAPOLIS	NC	28081
56045010720000	BYNUM JOYCE ANN		5955 CHARLESTON AVE			KANNAPOLIS	NC	28081
56034998850000	HAMRICK LARRY DONNELL		305 ROLLING GREEN AVE			NEW CASTLE	DE	19720
56034985970000	EAVES TREY L		5027 BRIDGEPORT DR			KANNAPOLIS	NC	28081
56035916100000	SHAW YOLANDA L		5848 CHARLESTON AVENUE			KANNAPOLIS	NC	28081
56035919620000	BYNUM JOYCE ANN		5955 CHARLESTON AVE			KANNAPOLIS	NC	28081



August 1, 2025

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, August 19, 2025, at 6:00 PM, at 401 Laureate Way, Kannapolis, NC for the following case:

Z-2025-07 – Zoning Map Amendment – 5911 Charleston Avenue

The purpose of this Public Hearing is to consider a request to rezone property located at 5911 Charleston Avenue from Cabarrus County Low Density Residential (LDR) to City of Kannapolis Residential 8 (R8) zoning district. The subject property is approximately 0.26 +/- acres and further identified as Cabarrus County Parcel Identification Number 56035917630000 (see reverse side of this letter for a map showing the location of this property). This property was voluntarily annexed on July 28, 2025. Per the North Carolina General Statutes, an initial City of Kannapolis zoning designation must be applied to the property within sixty (60) days of annexation.

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 invited to attend the public hearing and will be provided an opportunity to speak to the Planning and Zoning Commission, if you believe it to be necessary for their decision making on this matter.

If you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4361 or email kstapleton@kannapolisnc.gov.

Sincerely,

Kathryn Stapleton, CZO
Planner

Enclosure

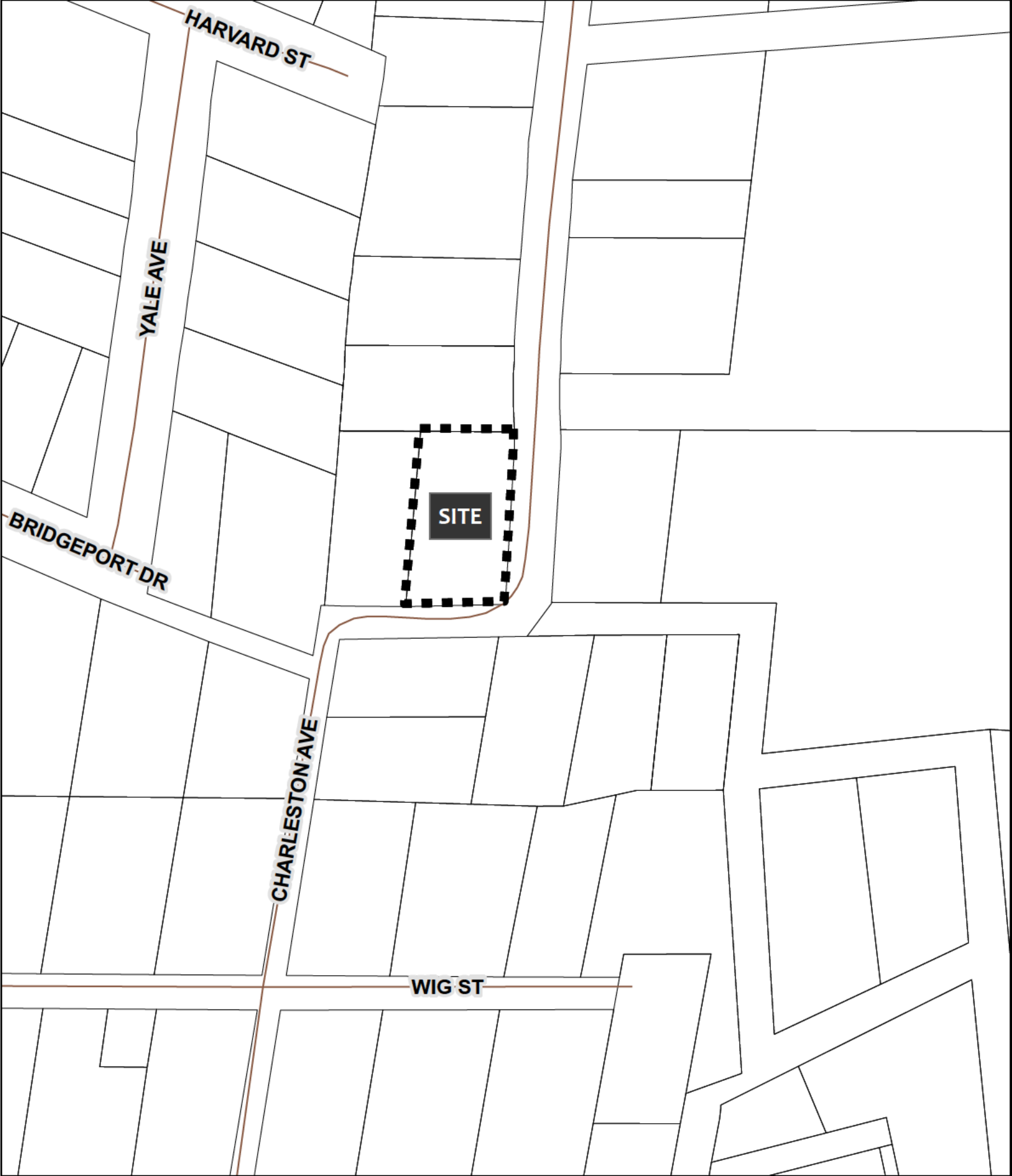
In accordance with Title II of the Americans with Disabilities Act (AD), any person requiring an accommodation to participate in a function or program of the City of Kannapolis, should contact Daniel Jenkins, Assistant Human Resource Director & ADA Coordinator, by phone at 704-920-4312, email adacoordinator@kannapolisnc.gov,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



Rezoning

Case Number: Z-2025-07

Applicant: Jonathan Ejim (Conon Investments LLC)
5911 Charleston Ave







**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE #Z-2025-07**

WHEREAS, Sections 160D-604 and 160D-605 of the North Carolina General Statutes specify 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 2.3.B(1).a. of the Kannapolis 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 August 19, 2025, the Planning and Zoning Commission conducted a public hearing to consider a request to rezone approximately 0.26 +/- acres of property located at 5911 Charleston Avenue (Cabarrus County Parcel Identification Number 56035917630000), owned by Jonathan Ejim/Conon Investments LLC, from Cabarrus County Low Density Residential (LDR) to City of Kannapolis Residential 8 (R8) zoning district.

NOW, THEREFORE BE IT RESOLVED *The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan ("2030 Plan"), adopted by City Council, which designates the subject property as located within the "Complete Neighborhood 1" Character Area in the 2030 Plan. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.*

Adopted this the 19th day of August, 2025:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Gabriela Wilkins, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE

Case #Z-2025-07
(5911 Charleston Avenue)

**From Cabarrus County Low Density Residential (LDR) to
City of Kannapolis Residential 8 (R8) Zoning Designation**

WHEREAS, Section 2.3.B.(1).a of the Kannapolis Development Ordinance (KDO) specifically delegates authority to the Planning and Zoning Commission to take final action on a rezoning application provided, if the application is approved by less than a three quarters majority of voting members or denied, or if the Planning and Zoning Commission's decision is appealed, City Council shall make the final decision on the application; and

WHEREAS, the Commission conducted a public hearing on August 19, 2025, for consideration of rezoning petition Case #Z-2025-07 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone 0.26 +/- acres of property located at 5911 Charleston Avenue, (Cabarrus County Parcel Identification Number 56035917630000) owned by Jonathan Ejim/Conon Investments LLC, from Cabarrus County Low Density Residential (LDR) to City of Kannapolis Residential 8 (R8) zoning district.

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 2.5.A.(2).c of the Kannapolis Development Ordinance, the Planning and Zoning Commission makes the following findings in support of and in analysis of the rezoning:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

Yes. This area is located within the "Complete Neighborhood 1" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The "Complete Neighborhood 1" promotes single-family detached and single-family attached residential as primary uses and neighborhood-serving retail and small format office as secondary uses.

2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?

No. The R8 zoning designation is appropriate for this area. There is existing R8 zoning on nearby properties.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

No. The property was recently annexed into the City of Kannapolis.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Yes. The R8 zoning designation is compatible with existing and allowed uses on surrounding land. Surrounding uses are primarily single-family detached dwellings.

5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?

Yes. This property is located adjacent to roads with adequate capacity and safety, and is a suitable use allowed under the requested zoning. Public water and sewer services are accessible to this site.

6. Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?

Yes. The requested zoning allows for a use that is compatible with existing adjacent residential uses.

7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

No. There are no anticipated significant environmental impacts from rezoning this property. Any development will be required to conform to all applicable local, state, and federal environmental regulations.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the above referenced property be rezoned from Cabarrus County Low Density Residential (LDR) to City of Kannapolis Residential 8 (R8) Zoning Designation.

Adopted this the 19th day of August, 2025:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Gabriela Wilkins, Recording Secretary
Planning and Zoning Commission



Planning and Zoning Commission
August 19, 2025, Meeting
Staff Report

TO: Planning and Zoning Commission Members

FROM: Elizabeth McCarty, Assistant Planning Director

SUBJECT: **Case: TA-2025-06: Text Amendments**

Consideration of text amendments:

1. Table 5.2.E(1)a: Add minimum off-street parking requirement for Event Center use.
2. Table 4.3.B(3): Amend the Accessory Use/Structure Table to permit an accessory dwelling unit (ADU) in the Mixed-Use Neighborhood (MU-N) zoning district.
3. Section 4.3.D(1): Amend the Standards Specific to an Accessory Dwelling Unit (ADU) to require a minimum side setback of ten (10) feet for an ADU in the MU-N District.
4. Table 4.4.B: Add Mobile/modular Classroom to the Temporary Use/Structure Table and identify zoning districts in which it is permitted.
5. Table 4.4.C(1): Add a maximum time limit for Mobile/modular Classroom to the Temporary Use Permit Time Lengths Table.
6. Section 4.4.D(13): Amend the Standards Specific to Temporary Uses and Structures to add Mobile/modular Classroom.
7. Article 10, Definitions: Add a definition of Mobile/modular Classroom.
8. Section 4.4.D(5): Amend the Standards Specific to Temporary Uses and Structures to add standards to a Mobile Food Vending use that is located within the Midway area.
9. Table 4.2.B(5): Amend the Principal Use Table to permit Commercial Vehicle Sales and Rentals in the Light Industrial (LI) District.
10. Section 4.2.D(5)g.2: Amend the standards specific to Commercial Vehicle Service and Repair to remove standards that reference the GC District.
11. Section 5.5.D(1): Amend the standards for fences and walls to add that in-ground wired fences shall be located outside of the public right-of-way.
12. Section 5.1.C(6)b.2(c): Remove subsection (c) because reference to Table 5.1.C(6)b.2 was removed with a previous text amendment.
13. Table 5.3.G(4): Amend heading descriptions related to the use of adjacent property to determine required landscape buffer type.
14. Table A-2: Remove notes from table header.

A. Actions Requested by Planning and Zoning Commission Members

1. Consider Resolution to Adopt a Statement of Consistency for TA-2025-06
2. Consider motion to recommend approval of proposed text amendments by City Council

B. Decision and Required Votes to Pass Requested Action

Article 2, Section 2.5.A of the KDO addresses the procedures for processing amendments to the text of the ordinance. These proposed text amendments were initiated by staff. These proposed amendments are the second part of a previously approved staff initiated request for a text amendment. The Planning Commission reviews proposed text amendments and makes recommendations to City Council.

C. Background

Staff is proposing several text amendments to the Kannapolis Development Ordinance:

1. Amend Table 5.2.E(1)a to add a minimum off-street parking requirement for Event Center use.
2. Amend Table 4.3.B(3), Accessory Use/Structure Table, to permit an Accessory Dwelling Unit in the MU-N District.
3. Amend Section 4.3.D(1), Standards Specific to an Accessory Dwelling Unit (ADU), to add a minimum side setback requirement for an ADU in the Mixed-Use Neighborhood (MU-N) District.
4. Amend Table 4.4.B, Temporary Use/Structure Table, to add Mobile/modular Classroom use.
5. Amend Table 4.4.C(1), Temporary Use Permit Time Lengths, to add Mobile/modular Classroom use.
6. Amend Section 4.4.D to add standards specific to Mobile/modular Classroom uses.
7. Amend Article 10, Definitions, to add a definition of Mobile/modular Classroom.
8. Amend Section 4.4.D(5) to add standards specific to a Mobile Food Vending use located within the Midway area.
9. Amend Table 4.2.B(5), Principal Use Table, to permit Commercial Vehicle Sales and Rentals in the Light Industrial (LI) zoning district.
10. Amend Section 4.2.D(5)g.2 to remove standards specific to Commercial Vehicle Service and Repair in the GC District as the use is not permitted in the GC District.
11. Amend Section 5.5.D(1) to clarify that in-ground wired fences (invisible fences) are not permitted within the public right-of-way.
12. Amend Section 5.1.C.(6)b.2(c) to delete subsection (c) as Table 5.1.C(6)b.2 was deleted with a previously approved text amendment that now references the requirements of the North Carolina Fire Code.
13. Amend Table 5.3.G(4), Required Buffer Type, to modify the heading descriptions that are used to determine the required landscape buffer.
14. Amend Table A-2, Acceptable Plant Species, to remove notes from table header.

The proposed text amendments to the KDO are attached as Exhibit A. Proposed changes are shown **bold, red text** for deletions and **bold, green text** for additions.

D. Fiscal Considerations

None

E. Policy Issues

The proposed text amendments to the KDO are **attached**.

F. Legal Issues

None

G. Alternative Courses of Action and Staff Recommendation

The Planning and Zoning Commission may choose to recommend approval or denial of the text amendment as presented. The Commission may also add, delete, or change any of the language as proposed.

Based on the foregoing analysis, staff recommends **approval** of the proposed text amendment to of the Kannapolis Development Ordinance, as shown per staff edits to Exhibits A.

The following actions are required to recommend approval of TA-2025-06:

1. Consider Resolution to Adopt a Statement of Consistency for TA 2025-06
2. Consider motion to recommend approval of proposed text amendments by City Council.

The following actions are required to recommend denial of TA-2025-06:

1. Consider Resolution to not Adopt a Statement of Consistency for TA-2025-06
2. Consider motion to recommend denial of proposed text amendments by City Council.

H. Attachments

1. Proposed KDO changes: Exhibit A
2. Resolution to Adopt a Statement of Consistency

I. Issue Reviewed By:

- Planning Director
- City Manager
- Assistant City Manager
- City Attorney

EXHIBIT A
PROPOSED TEXT AMENDMENTS
TA-2025-06

1. Parking Requirements – Amend Table 5.2.E(1)a to add a minimum off-street parking requirement for Event Center use.

Table 5.2.E(1)a: Minimum Number of Off-street Parking Spaces

PRINCIPAL USE CATEGORY/TYPE	MINIMUM NUMBER OF PARKING SPACES [1]	
	TOD, CC, MU-UC, AND MU-AC DISTRICTS	ALL OTHER AREAS IN THE CITY
Recreation/Entertainment		
Event Center	n/a	1.0 per 3 guests at maximum capacity

2. Accessory Use/Structure Table- Amend Table 4.3.B(3): Accessory Use/Structure Table to permit an Accessory dwelling unit in the MU-N District.

Table 4.3.B(3): Accessory Use/Structure Table

P = Permitted by right, or, in planned development district, if specified in PD Plan; **S** = Special use; **-** = Prohibited

ACCESSORY USE/STRUCTURE	AG	RESIDENTIAL							MIXED-USE					NONRESIDENTIAL				PD			LEGACY			USE-SPECIFIC STANDARDS	
	AG	R1	R2	R4	R6	R7	R8	R18	MU-N	MU-SC	MU-UC	MU-AC	TOD	CC	OI	GC	LI	HI	PD	PD-TND	PD-C	CD	CD-R		C-1
Accessory dwelling unit	P	P	P	P	P	P	P	-	P	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	4.3.D(1)

3. Standards Specific to an Accessory Dwelling Unit – Amend Section 4.3.D(1), Standards Specific to an Accessory Dwelling Unit (ADU), to add a minimum side setback requirement for an ADU in the Mixed-Use Neighborhood (MU-N) District.

(1) ACCESSORY DWELLING UNIT (ADU)

A. GENERAL STANDARDS

1. An accessory dwelling unit (ADU) must comply with all applicable local, State and Federal housing codes.
2. Only one accessory dwelling unit shall be permitted per lot.
3. The accessory dwelling unit shall comply with all dimensional and design requirements that apply to a principal structure in the zoning district where it is located, **except that an accessory dwelling unit shall be set back a minimum of ten (10) feet from the side lot lines in the MU-N District.**

4. Temporary Use/Structure Table – Amend Table 4.4.B: Temporary Use/Structure Table to add Mobile/modular classroom use.

Table 4.4.B: Temporary Use/Structure Table

P = Permitted by right - = Prohibited

TEMPORARY USE/STRUCTURE	AG	RESIDENTIAL							MIXED-USE						NONRESIDENTIAL				PD			LEGACY			USE-SPECIFIC STANDARDS	
	AG	R1	R2	R4	R6	R7	R8	R18	MU-ND	MU-SC	MU-UC	MU-AC	TOD	CC	OI	GC	LI	HI	PD	PD-TND	PD-C	CD	CD-R	C-1		
Camping	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P	P	P	P	P	4.4.D(12)
Construction-related temporary structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	4.4.D(1)
Donation bin	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	4.4.D(2)
Farmers’ market (as temporary use)	P	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	P	P	P	P	-	P	4.4.D(3)
Flea market (as temporary use)	-	-	-	-	-	-	-	-	-	P	-	-	-	P	-	P	-	-	-	-	-	-	-	-	-	4.4.D(4)
Mobile food vending	P	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	P	-	-	P	P	P	P	-	P	4.4.D(5)
Mobile/modular classroom	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S	P	P	P	-	-	P	4.4.D(13)
Model sales home/unit	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	-	4.4.D(6)
Outdoor sales	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	P	-	-	-	P	-	-	-	P	4.4.D(7)
Religious or non-profit events, onsite	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Seasonal sale	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	P	-	-	-	P	-	P	-	P	4.4.D(8)
Special event	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	P	-	-	-	P	P	P	-	P	4.4.D(9)
Storage in portable shipping container	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	4.4.D(10)
Yard Sale	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	4.4.D(11)

5. Temporary Use Permit Time Lengths – Amend Table 4.4.C(1): Temporary Use Permit Time Lengths to add Mobile/modular classroom use.

Table 4.4.C(1): Temporary Use Permit Time Lengths

TEMPORARY USE/STRUCTURE TYPE	MINIMUM TIME BETWEEN PERMITS [1]	MAXIMUM TIME ALLOWED [2]
Construction-related temporary structure	None	1 year
Farmers' market, Temporary	None	30 days
Flea market, Temporary	None	30 days
Mobile Food Vending	None	90 days
Mobile/modular classroom	None	2 years
Model sales home/unit	None	3 years [3]
Sales, outdoor	Promotional activity: 1 day Sidewalk vendor: 90 days	Promotional activity: 21 days Sidewalk vendor: 90 days
Seasonal Sales	Fireworks stand: 90 days All others: None	Fireworks stand: 45 days All others: 180 days
Special event	Carnivals, circuses, fairs, amusement rides, and similar amusement enterprises: 90 days All others: None	Carnivals, circuses, fairs, amusement rides, and similar amusement enterprises: 21 days On-site religious or non-profit events: None All others: 60 days
<p>NOTES:</p> <p>[1] The minimum period of time between an expired temporary use permit on a parcel and application for another temporary use permit on the same parcel per fiscal year (July 1st to June 30th).</p> <p>[2] The maximum period of time of validity of the temporary use permit. Even if at any time the temporary use does not occupy the permitted site, the limit shall not be extended, except as expressly allowed for the specific use by Error! Reference source not found., Error! Reference source not found..</p> <p>[3] The temporary use permit shall remain valid no longer than the time required for the construction of the development</p>		

6. Standards Specific to Temporary Uses and Structures – Amend Section 4.4.D to add standards specific to mobile/modular classroom uses.

(13) MOBILE/MODULAR CLASSROOM

- a. **A unit visible from the public right-of-way shall be screened with landscaping in accordance with Section 5.3, Landscaping and Buffer Standards.**
- b. **A unit visible from the public right-of-way shall be constructed with facade materials consistent with the standards of Section 5.7.E(4).**

7. Definitions – Amend Article 10: Definitions to add a definition of mobile modular classroom.

Mobile/modular classroom

A temporary, prefabricated structure designed to function as a classroom or educational space, typically used to accommodate student overflow, renovations, or emergency needs.

8. Standards Specific to Temporary Uses and Structures – Amend Section 4.4.D(5) to add standards specific to Mobile Food Vending.

(5) MOBILE FOOD VENDING

Mobile food vending shall comply with the following standards, except in conjunction with special events recognized by the City where mobile food vendors are permitted or non-profit fundraising events of five days or less **or in accordance with Section 4.4.D(5)b, below, for the Midway Area of the City:**

a. General Standards

1. Mobile food vending is prohibited on vacant properties.
2. A minimum separation of 400 feet from any other mobile food vending is required.
3. Mobile food vending units shall not be located within minimum required setbacks, sight distance triangles, or required buffers. All sidewalk encroachments shall require permit approval from the City.
4. Mobile food vending units shall not impede drive aisles, loading or service areas, or fire lanes.
5. A minimum of one off-street parking space shall be provided, except in the MU-AC, TOD, and CC districts.
6. The landowner shall ensure that trash receptacles are provided within ten feet of the location where food is ordered or consumed on site and that all trash, litter, and refuse are removed from the site at the end of each business day.
7. The hours of operation shall be limited to between 8:00 a.m. and 9:00 p.m. Overnight storage of mobile food vending units on site is prohibited.
8. The service shall not operate as a drive-through service.

b. Standards Specific to Midway Area

The following exceptions to the general standards shall apply only to properties located within the Midway Area, defined as commercially zoned parcels fronting on South Main Street between Dale Earnhardt Boulevard and Rogers Lake Road. All other provisions of this Ordinance shall remain in effect unless expressly modified.

1. **Mobile food vending shall be permitted on vacant properties, subject to the written consent of the property owner.**
2. **Overnight storage of a mobile food vending unit is permitted on site.**
3. **A mobile food vending unit may operate a drive-through service, subject to traffic safety review and approval by the Planning Director.**
4. **The temporary use permit shall remain valid, provided that all required permits are maintained and the site remains in compliance with sanitation, parking, and access requirements.**

9. Principal Use Table – Amend Table 4.2.B(5): Principal Use Table to permit Commercial vehicle sales and rentals in the Light Industrial (LI) zoning district.

Table 4.2.B(5): Principal Use Table

P = Permitted by right, or, in planned development district, if specified in PD Plan; **S** = Special use; **-** = Prohibited

Principal Use Category or Type	AG	Residential								Mixed-Use						Non-Residential				PD			Legacy			Use-Specific Standards
	AG	R1	R2	R4	R6	R7	R8	R18	MU-N	MU-SC	MU-UC	MU-AC	TOD	CC	OI	GC	LI	HI	PD	PD-	PD-C	CD	CD-R	C-1		
Vehicle Sales and Services																										
Commercial vehicle sales and rentals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-P	-	-	-	-	-	-	-	-	
Commercial vehicle service and repair	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	-	-	-	-	4.2.D(5)g.2

10. Commercial Vehicle and Service and Repair Specific Standards – Amend Section 4.2.D(5)g.2 to remove standards that are applied to the GC District as the use is not permitted in the GC District.

2. Commercial Vehicle Service and Repair

(a) A commercial vehicle service and repair establishment shall be located at least 200 feet from any residential development, residential district, school, or child care center.

~~(b) In the GC District, all service and repair of vehicles shall be conducted in a wholly enclosed building.~~

~~(c) In the GC District, each vehicle awaiting or undergoing service or repair may be stored on-site for a maximum period of six weeks.~~

~~(d)~~ The demolition or junking of commercial vehicles is prohibited. Commercial vehicles shall not be stored on site as a source of parts or for sale, lease, or rent.

11. Fence and Wall Standards – Amend Section 5.5.D(1) to clarify that in-ground wired fences (invisible fences) are not permitted within the public right-of-way.

D. GENERAL STANDARDS

(1) GENERAL

- a. Fences, **including in-ground wired fences**, and walls shall be located outside of the public right-of-way.
- b. Fences and walls are allowed on the property line between two or more parcels of land held in private ownership.
- c. Fences and walls may be located within any required yard.
- d. Nothing in this section shall be construed to prevent the installation of temporary fencing to protect existing trees, limit sedimentation, or control erosion.

12. Minimum Vehicle Access Points to External Street System – Amend Section 5.1.C.(6)b.2(c) to remove options for fewer access points. Table 5.1.C(6)b.2 was deleted with a previously approved text amendment to instead reference North Carolina Fire Code requirements.

~~(c) A subdivision may be approved with fewer access points than required by Table 5.1.C(6)b.2, if the applicant demonstrates any of the following:~~

- ~~1. The provision of additional vehicular access points is not possible due to existing lot configurations, the absence of connecting streets, or environmental or topographic constraints;~~
- ~~2. NCDOT will not authorize additional access points; or~~
- ~~3. Alternative access can be provided in a manner acceptable to the City that is supported by a transportation impact analysis.~~

13. Required Buffer Type – Amend Table 5.3.G(4): Required Buffer Type, to clarify the adjacent property use and/or zoning classification that is used to determine the required landscape buffer.

(4) REQUIRED BUFFER TYPE

Table 5.3.G(4): Required Buffer Type specifies the type of perimeter landscape buffer that new development shall provide between it and adjacent property, based on the proposed use of the development site and the use of the adjacent property, or, if the adjacent land is vacant, the zoning district classification of the adjacent land. The required buffer types in Table 5.3.G(4) are indicated by letters corresponding to the buffer types defined in Table n Table 5.3.G(3): Landscape Buffer Options.

Table 5.3.G(4): Required Buffer Type

A = TYPE A BUFFER B = TYPE B BUFFER C = TYPE C BUFFER D = TYPE D BUFFER " - " = NO PERIMETER BUFFER YARD REQUIRED

USE PROPOSED	EXISTING USE OR ZONING OF VACANT LAND ON ADJACENT SITE [1]			
	ADJACENT EXISTING USE SINGLE-FAMILY DETACHED DWELLING OR TOWNHOUSE	ADJACENT EXISTING USE MULTIFAMILY DWELLING	ADJACENT EXISTING USE USE IN THE CIVIC/INSTITUTIONAL OR COMMERCIAL USE CLASSIFICATIONS	ADJACENT EXISTING USE USE IN THE INDUSTRIAL USE CLASSIFICATION
	ADJACENT LAND IS VACANT AND ZONED R1, R2, R4, R6, R7	ADJACENT LAND IS VACANT AND ZONED R8, R18	ADJACENT LAND IS VACANT AND ZONED O-I, MU-N, MU-AC, CC, MU- UC, MU-SC, TOD, GC	ADJACENT LAND IS VACANT AND ZONED LI, HI
Single-Family Detached Dwelling or Townhouse	-	B	B	D
Multifamily dwelling	C	A	B	D
Any use in the Civic/Institutional or Commercial use classification	C	B	-	C
Uses in the Industrial use classification	D	D	D	-
NOTES:				
[1] The zoning district classification of vacant land is indicated in brackets in the table heading row. If the vacant land is classified in a conditional zoning district, the classification of the corresponding base zoning district shall apply for purposes of determining required buffer type. If the vacant land is classified in a planned development district, the use of the adjacent site that is indicated on the PD Master Plan for the district shall apply for purposes of determining required buffer type.				

14. Landscaping Table – Amend Table A-2: Acceptable Plant Species to remove notes from table header.

Table A-2: Acceptable Plant Species

~~* NOT ALLOWED FOR REQUIRED PLANTING | ** NOT RECOMMENDED FOR REQUIRED PLANTING | † UNDER 15' TALL ONLY.~~

		SHADE TOLERANT	TOLERATES POOR DRAINAGE	NATIVE	BLOOMING	FOLIAGE (DECIDUOUS, SEMI-DECIDUOUS, OR EVERGREEN)	PLACEHOLDER
COMMON NAME	SCIENTIFIC NAME						



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO
TEXT AMENDMENT TA-2025-06**

WHEREAS, Section 160A-383 (2013), of the North Carolina General Statutes, modified in Section 160D-605, specifies that the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive and any other officially adopted plan that is applicable; and

WHEREAS, the text amendments to the below sections of the Kannapolis Development Ordinance (KDO) are consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*:

1. Amend Table 5.2.E(1)a to add a minimum off-street parking requirement for Event Center use.
2. Amend Table 4.3.B(3), Accessory Use/Structure Table, to permit an Accessory Dwelling Unit in the MU-N District.
3. Amend Section 4.3.D(1), Standards Specific to an Accessory Dwelling Unit (ADU), to add a minimum side setback requirement for an ADU in the Mixed-Use Neighborhood (MU-N) District.
4. Amend Table 4.4.B, Temporary Use/Structure Table, to add Mobile/modular Classroom use.
5. Amend Table 4.4.C(1), Temporary Use Permit Time Lengths, to add Mobile/modular Classroom use.
6. Amend Section 4.4.D to add standards specific to Mobile/modular Classroom uses.
7. Amend Article 10, Definitions, to add a definition of Mobile/modular Classroom.
8. Amend Section 4.4.D(5) to add standards specific to a Mobile Food Vending use located within the Midway area.
9. Amend Table 4.2.B(5), Principal Use Table, to permit Commercial Vehicle Sales and Rentals in the Light Industrial (LI) zoning district.
10. Amend Section 4.2.D(5)g.2 to remove standards specific to Commercial vehicle Service and Repair in the GC District as the use is not permitted in the GC District.
11. Amend Section 5.5.D(1) to clarify that in-ground wired fences (invisible fences) are not permitted within the public right-of-way.
12. Amend Section 5.1.C.(6)b.2(c) to delete subsection (c) as Table 5.1.C(6)b.2 was deleted with a previously approved text amendment that now references the requirements of the North Carolina Fire Code.
13. Amend Table 5.3.G(4), Required Buffer Type, to modify the heading descriptions that are used to determine the required landscape buffer.
14. Amend Table A-2, Acceptable Plant Species, to remove notes from table header.

and;

WHEREAS, the Planning and Zoning Commission met on August 19, 2025, to consider text amendment Case# TA-2025-06 as submitted by the Planning Department staff and as shown on Exhibit A (attached);

NOW, THEREFORE BE IT RESOLVED that the Planning and Zoning Commission finds the text amendments as represented in Case# TA-2025-06 are consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, as well as state statutes, reasonable, and in the public interest, and are recommended for approval by City Council based on consideration of the application materials, information presented, and the recommendation provided by Staff.

Adopted this the 19th Day of August 2025:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Gabriela Wilkins, Recording Secretary
Planning and Zoning Commission