

**CITY OF KANNPOLIS, NC
PLANNING AND ZONING COMMISSION**

**Minutes of Meeting
February 18, 2025**

The Kannapolis Planning and Zoning Commission met on Tuesday, February 18, 2025, at 6:00 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.

Commission Members Present: Chris Puckett, Chair
James Litaker, Vice-Chair
Daisy Malit
Ryan French
Larry Ensley
Scott Trott
Shelly Stein

Commission Members Absent: Mike McClain, ETJ Representative
Jamie Richardson

Visitors: Nate Buhler, Cambridge Properties
Joe Hatley
Ron Flanders

Staff Present: Richard Smith, Planning Director
Elizabeth McCarty, Assistant Planning Director
Kathryn Stapleton, Planner and Recording Secretary

CALL TO ORDER

Chair Puckett called the meeting to order at 6:00 P.M.

ROLL CALL AND RECOGNITION OF QUORUM

Recording Secretary Kathryn Stapleton called the roll. The presence of a quorum was recognized.

APPROVAL OF AGENDA

Chair Puckett asked for any changes to the agenda and hearing none, asked for a motion to approve the agenda. Mr. Ensley made the motion to approve, second by Vice-Chair Litaker, and the agenda was unanimously approved.

APPROVAL OF MINUTES

Chair Puckett asked for a motion regarding the December 17, 2024, minutes. Vice-Chair Litaker made the motion to approve, second by Mr. French, and the motion was unanimously approved.

PUBLIC HEARING

TA-2025-01 - Text amendment submitted by Nate Buhler, Cambridge Properties to Section 3.4.I(2) to reduce the minimum lot width to sixteen (16) feet in the Center City (CC) District.

1 Assistant Planning Director, Elizabeth McCarty, provided the application details for case #TA-2025-01,
2 attached to and made part of these minutes as Exhibit I. Ms. McCarty explained the request is to reduce the
3 minimum lot width from 20 feet to 16 feet in the Center City (CC) zoning district. She highlighted that the
4 CC District allows for mixed-use and is pedestrian friendly. Cambridge Properties is proposing a townhouse
5 development to be known as Millstone Village. Ms. McCarty noted that the future land use map designation,
6 Downtown Center Character Area, and the CC zoning district are similar. She provided that the Downtown
7 Center area promotes a density of 12-40 units per acre, mixed-use development, and activity in the downtown
8 area. Cambridge Properties is requesting to reduce the minimum lot width from 20 feet to 16 feet for all
9 development and uses. Staff reviewed the minimum lot width in all districts and the smallest lot is 18 feet for
10 townhouses in R8 and R18 districts. Staff recommends that the proposed 16-foot lot width be allowed with a
11 Special Use Permit, and for the decrease to be permitted only for townhomes. Proposed townhouses in the
12 CC district at 20 feet or more are permitted by right, but staff's recommendation is that if the proposed lot is
13 less than 20 feet then a Special Use Permit would be required. Staff added recommendations to be considered
14 would be for townhouses only, other uses would follow the 20-foot requirement, the smallest lot width would
15 be 16 ft, renderings need to be submitted to determine the townhouses are compatible with the surrounding
16 area and meet the intent of the CC District and the Downtown Center Character area. Garages and driveways
17 would be accessed from a rear alley to keep the front façade as the building line along the streets.

18
19 Ms. McCarty concluded her presentation and made herself available for questions.

20
21 Chair Puckett asked if there were any questions for staff. Vice-Chair Litaker asked if this was appropriate
22 for the long-term and the congestion downtown, Mr. Ensley asked what the current lot width is for
23 developments in Center City, and Mr. Trott asked if this was to get more houses in the same position. Ms.
24 McCarty responded the current lot width for Pennant Square is twenty (20) feet and by reducing the lot width,
25 they will be able to get additional houses.

26
27 Mr. French stated that sixteen (16) feet for a house is tight and Chair Puckett stated that anything that
28 encourages single family home ownership should be approved and he was in favor of encouraging home
29 ownership. Mr. Smith responded that the Commission should hear from the applicant, then have further
30 discussion.

31
32 Chair Puckett: Any other questions or comments for staff before we move forward?

33
34 Representative for applicant, Mr. Nate Buhler, Development Director of Cambridge Properties, provided a
35 brief background on the company and stated that their intent is to provide a mixed-used development that will
36 provide a fully walkable community. He addressed the Commission's concerns stating that the smaller lots
37 would allow for both purchase and rental properties, with the 16-foot townhome units offering a 3-story floor
38 plan. He stated the urban design aesthetics would remain consistent with the Center City District.

39
40 Mr. Buhler concluded his presentation and made himself available for questions.

41
42 Mr. Buhler responded to Commission questions regarding the number of units, apartments, townhomes,
43 previous similar developments, and the number of cars. He stated the multifamily phase is roughly 300 units
44 for rent and the townhome phase of 132 units will be for sale, with two (2) cars per unit, plus additional guest
45 parking. The applicant stated Cambridge has developed similar properties in south Charlotte and in
46 Huntersville.

47
48 Chair Puckett asked Mr. Smith if they do not build townhomes can they build multifamily by right and Mr.
49 Smith responded both uses are permitted by right and although the applicant has requested the reduced lot
50 width for the entire district, staff would support the request with the condition that the width would apply
51 only to townhomes and would require a Special Use Permit. Mr. Smith added that the overall project will be

1 adjacent to the Harris Teeter project in that area along with multifamily, which is already approved. He stated
2 that including the special use permit provision would allow for the Board of Adjustment to review it and still
3 continue to promote the urbanized product in the downtown area.

4
5 Mr. French asked about the cost per unit and Mr. Buhler responded there would be some variety in sales price,
6 based on square footage. Mr. Smith added that the Commission could not legally hold the applicant to a sales
7 price.

8
9 There being no additional questions or comments for staff or the applicant, Chair Puckett opened the Public
10 Hearing.

11
12 Chair Puckett closed the Public Hearing.

13
14 Chair Puckett asked for a motion regarding the Statement of Consistency. Vice Chair Litaker made a motion
15 to not approve the Statement of Consistency because this has been a problem in the past, it cannot be undone,
16 to go smaller does not make sense, second by Mr. Trott, and the motion was not approved 4-3 with Chair
17 Puckett, Ms. Stein, and Ms. Malit casting the dissenting votes.

18
19 Chair Puckett asked for a motion to recommend approval or denial to present to City Council. Vice Chair
20 Litaker made a motion to deny, second by Mr. French, and the motion to deny was approved 4-3, with Chair
21 Puckett, Ms. Stein, and Ms. Malit casting the dissenting votes.

22
23 **RECOMMENDATION TO CITY COUNCIL**

24 **TA-2025-02 – Text Amendment to several sections of the Kannapolis Development Ordinance (KDO)**

25 Ms. McCarty and Planner Kathryn Stapleton provided the text amendment details for case TA-2025-02,
26 attached to and made part of these minutes as Exhibit 2.

27
28 Ms. McCarty stated that staff presented a preview of over 20 proposed text amendments at the December
29 Commission meeting but opted to split them. She stated that she and Ms. Stapleton will be reviewing fifteen
30 (15) amendments for the Commission's consideration and that they will present them in the order that they
31 are listed in the staff report.

32
33 Mr. Ensley asked if the Commission could make a recommendation and vote on each proposed text
34 amendment separately. Mr. Smith stated that is the Board's decision. Chair Puckett asked if a Statement of
35 Consistency would need to be included for each one. Mr. Smith responded that the Statement of
36 Consistency for all proposed text amendments could be at the end.

37
38 Ms. McCarty discussed the below proposed text amendments:

- 39
40 1. Section 2.5.A(5)b.6(b): Extend expiration date of approved special use permits when
41 projects are delayed because of lack of sewer allocation.

42
43 Chair Puckett asked for a motion regarding the proposed text amendment. Mr. Ensley made the motion to
44 approve, second by Mr. French, and the motion was unanimously approved.

- 45
46 2. Section 2.5.B(2)d.1(c): Remove requirement for a mylar copy of a recorded minor
47 subdivision plat.

- 48
49 3. Section 2.5.B(3)e.1(c): Remove requirement for a mylar copy of a recorded major
50 subdivision plat.

1
2 Chair Puckett asked for a motion regarding the proposed text amendments. Mr. Trott made the motion to
3 approve, second by Vice Chair Litaker, and the motion was unanimously approved.
4

5 Ms. McCarty stated that Ms. Stapleton would continue with the fourth proposed text amendment. Ms.
6 Stapleton introduced herself and discussed the following text amendment adding that the Director of
7 Engineering reviewed the wording of the proposed amendment.
8

9 4. Section 3.8.H(3)a: Revise text of River/Stream Overlay (RSO) District to remove
10 duplication.
11

12 Mr. Ensley asked for the definition of an undisturbed stream. Ms. Stapleton replied that it is a stream that is
13 in its natural state. Mr. Smith addressed further questions about whether “undisturbed” is defined in the KDO.
14 Mr. Smith confirmed that it is explained. Chair Puckett asked for a motion regarding the proposed text
15 amendment. Mr. French made the motion to approve, second by Mr. Ensley, and the motion was unanimously
16 approved.
17

18 Ms. McCarty presented the next three amendments stating that they were minor corrections.
19

20 5. Section 4.2.D(5)e.3(b)2: Update street name of First Street to Martin Luther King Jr.
21 Avenue under Standards Specific to Principal Uses for Sexually Oriented Businesses.
22

23 Chair Puckett asked for a motion regarding the proposed text amendment. Mr. Ensley made the motion to
24 approve, second by Vice Chair Litaker, and the motion was unanimously approved.
25

26
27 6. Table 4.3.B(3): Amend Accessory Use/Structure Table to correct “L” to a “P” for a
28 storage building in the PD District.
29

30 Chair Puckett asked for a motion regarding the proposed text amendment. Mr. French made the motion to
31 approve, second by Ms. Malit, and the motion was unanimously approved.
32

33
34 7. Table 4.3.B(3): Correct the table header to change MU-ND to MU-N for the Mixed-Use
35 Neighborhood District.
36

37 Chair Puckett asked for a motion regarding the proposed text amendment. Mr. French made the motion to
38 approve, second by Vice Chair Litaker, and the motion was unanimously approved.
39

40
41 Ms. Stapleton discussed the proposed amendments below:
42

43 8. Section 5.9.D: Add standards for A-frame signs.
44

45 Regarding the proposed standard for display times, Mr. Trott asked what happens if the business does not
46 bring in the sign at closing time. Ms. Stapleton responded that the Planning Department would get notified
47 and that staff would follow up with the business. Mr. Smith added that the code enforcement staff of the
48 Planning Department does sign enforcement all the time. Chair Puckett asked for a motion regarding the
49 amendment. Vice-Chair Litaker made the motion to approve, second by Mr. French, and the motion was
50 unanimously approved.
51

1 Ms. Stapleton continued:

2
3 9. Section 5.9E(3)a.7: Add standards for curbside pickup signs.
4

5 Mr. Ensley asked if a curbside pickup sign is temporary or permanent. Mr. Smith responded that they are
6 permanent signs. Mr. Smith noted that this type of sign started prior to COVID and became even more
7 popular during COVID, and that the proposed amendment would provide standards for their use. Mr. Trott
8 asked where such signs are usually placed on a site. Mr. Smith replied that they tend to be in close proximity
9 the entrance of the establishment and not located near the access point with the street. Chair Puckett asked
10 for a motion regarding the proposed curbside pickup sign amendment. Mr. French made the motion to
11 approve, second by Mr. Ensley, and the motion was unanimously approved.
12

13 Ms. McCarty continued:

14 10. Section 5.1.C(6)b.2: Amend text to reference the minimum vehicular access requirements
15 of the North Carolina Fire Code.

16 11. Table 5.1.C(6)b.2: Delete table for Minimum Subdivision Access Points.
17

18 Mr. Smith noted for the Commissioners these amendments are North Carolina State Mandated.
19 Chair Puckett asked for a motion regarding the proposed amendments. Mr. French made the motion to
20 approve, second by Vice Chair Litaker, and the motion was unanimously approved. Mr. Trott asked about
21 existing developments that do not have two (2) access points are okay. Mr. Smith responded that those
22 developments are grandfathered, so no new access would be required.
23

24 Ms. Stapleton introduced proposed amendments 12 through 15, as a group, related to camping. Mr. Smith
25 began by stating that City Council asked Planning staff to explore a text amendment related to camping
26 because of homeless encampments around the City. Mr. Smith stated that two changes in state law have
27 changed to include that the property owner permission is needed to enforce trespassing by the Police
28 Department. He stated that with a lot of absentee property owners it is sometimes problematic to get their
29 authority to enforce trespassing, and that by adding requirements in the KDO, we can address these issues
30 through Code Enforcement first. Ms. Stapleton continued by reviewing the below proposed amendments
31 related to camping as a temporary use:
32

33 12. Table 4.4.B: Add camping to the Temporary Use/Structure Table.

34 13. Section 4.4.C(1)a: Add camping as a use that does not require a temporary use permit.

35 14. Section 4.4.D: Add standards specific to camping as a temporary use.
36

37 Mr. Ensley asked about campgrounds. Mr. Smith replied that the proposed amendment is for camping as
38 an urban use and not for a campground that is more of a county use. Mr. French asked about the definition
39 of camping. Ms. Stapleton read the definition of proposed text amendment, below.
40

41 15. Article 10: Add definition of camping to Article 10, Definitions.
42

43 Mr. French asked if the amendment is for camping in the backyard. Mr. Smith and Ms. Stapleton confirmed
44 that it is. Chair Puckett asked about cars, and staff confirmed that cars are included in the camping definition.
45 Mr. Smith explained that the text amendment will help the Police in addressing prevailing issues. Mr. French
46 asked about campers, and Mr. Smith responded that campers are already restricted by the KDO, and the
47 proposed amendment is related to tents and temporary shelters, and that a property owner may camp in their
48 own backyard. Mr. French further asked about camping in the front yard. Mr. Smith stated that as presented,
49 that camping would only be limited the rear yard but that the Commission could consider editing that proposed
50 standard. Mr. Smith said that we would not issue permits for camping but that the text amendment would
51 allow for monitoring of tents and temporary shelters and enforcement if it needs to occur.

1
2 Chair Puckett asked for a motion regarding amendments 12-15. Mr. Ensley made the motion to approve,
3 second by Vice-Chair Litaker, and the motion was unanimously approved.
4

5 Ms. Stapleton stated the requested actions for the Statement of Consistency and a recommendation of approval
6 of the text amendments to City Council. Mr. Smith stated that two motions are needed.
7

8 Chair Puckett asked for a motion to approve the Statement of Consistency which was made by Mr. Trott,
9 second by Vice-Chair Litaker, and the motion was unanimously approved.
10

11 Chair Puckett asked for a motion to recommend approval of TA-2025-02 as presented by staff which was
12 made by Mr. French, second by Mr. Ensley, and the motion was unanimously approved.
13
14

15 **PLANNING DIRECTOR UPDATE**

16 Mr. Smith provided an update regarding Planning Department staff including one retirement and two new
17 employees. Mr. Smith discussed the reorganization of the department with Pam Scaggs' promotion to City
18 Clerk. Mr. Smith also noted that a new City Attorney has been selected, Andrew Kelly, and starts February
19 19, 2025. Mr. Smith said that there will be overlap and transition from Mr. Safrit and Mr. Kelly.
20

21 Mr. Smith provided an update regarding planning-related items on upcoming City Council agendas to include
22 requests for an annexation on Camp Julia Rd for townhomes, an annexation on Hwy 73 for a self-service
23 storage use, an amendment to downtown private use zones, closure of Central Avenue, and a partial road
24 closure on Cannon Baller Way associated with Vida 2. Mr. Smith asked if there were any questions.
25

26 Mr. Trott asked about Rogers Lake Road and objects and articles that are in front of houses that do not seem
27 associated with any construction. Mr. Smith said that Code Enforcement will canvas the corridor. Chair
28 Puckett requested an update on Irish Creek. Mr. Smith stated that the development agreement was approved
29 by City Council and is pending approval by the Town of Landis which will consider it in March. Chair Puckett
30 followed up with a question about when they would turn dirt. Mr. Smith said that the project hopes to start
31 before the end of the year and the phase that will start first is the one closest to Landis.
32

33 Chair Puckett also inquired about Block 6. Mr. Smith said that there has been no movement, but that City
34 Council has a proposal that remains under consideration.
35

36 Mr. Ensley asked about wastewater allocation for Irish Creek and whether the project jumped ahead of other
37 projects. Mr. Smith responded that they did not, and he further explained that Irish Creek is unique because
38 of an interlocal agreement that City Council approved with the Town of Landis for utilities; allocation is not
39 through WSACC.
40

41 Mr. Puckett asked about surveying work along Rogers Lake Rd. and whether the road was being widened.
42 Mr. Smith said that he was not aware of any widening but that staff would ask NCDOT during the next TRC
43 meeting.
44

45 Mr. Ensley asked about a previous text amendment proposal for a car dealership on Trinity Church Road for
46 CarMax. Mr. Smith responded that the site is in both Kannapolis and Concord and that allocation for the
47 project will come from the City of Concord. Mr. Ensley further asked if the lot size for a car dealership use
48 could be limited. Mr. Smith responded that it probably could not, but he could check and that it was a non-
49 issue with this project because the small portion in Kannapolis is just for the parking; the structure is in
50 Concord.
51

1 Mr. Ensley asked about applications for wastewater allocation. Mr. Smith responded that four sites dropped
2 off the waitlist and the others remained intact. Mr. Ensley asked if they were on the 2026 or 2027 list. Mr.
3 Smith said it is for beyond 2027. Mr. Smith also noted that there recently was a call for non-residential projects
4 and that four projects applied for wastewater allocation.
5

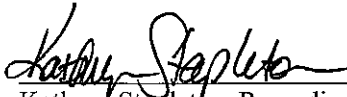
6 Mr. Ensley asked if the City has been impacted by the cut-off of federal funds. Mr. Smith was not aware of
7 anything directly. Vice-Chair Litaker commented that the Y in Harrisburg is unsure of federal funding that
8 they were to receive. Mr. Smith stated that at this point he is not aware of anything that has impacted the City.
9

10
11 **ADJOURN**

12 There being no further business, questions, or comments, Mr. Ensley made the motion to adjourn, second by
13 Vice-Chair Litaker, and the meeting adjourned at 6:55 PM on Tuesday, February 18 , 2025.
14

15
16 

17 Chris Puckett, Chair
18 Planning and Zoning Commission
19

20 

21 Kathryn Stapleton, Recording Secretary