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

**Minutes of Meeting  
June 17, 2025**

The Kannapolis Planning and Zoning Commission met on Tuesday, June 17, 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  
Larry Ensley  
Scott Trott  
Jamie Richardson  
Shelly Stein  
Mike McClain, ETJ Representative

**Commission Members Absent:** Daisy Malit  
Ryan French

**Visitors:** Zimri Alvarez  
Elizabeth Alvarez  
Dale Fink  
Thomas Propst  
Rick Flowe

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

**CALL TO ORDER**

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

**ROLL CALL AND RECOGNITION OF QUORUM**

Recording Secretary Gabriela Wilkins called the roll. The presence of a quorum was recognized.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

1 Chair Puckett asked for a motion regarding the May 20, 2025, minutes. Vice-Chair Litaker made the  
2 motion to approve, second by Mr. Ensley, and the minutes were unanimously approved.

3  
4 **PUBLIC HEARING**

5 **CZ-2025-03 – Zoning Map Amendment – 1703 Lane Street**

6  
7 Planner Kathryn Stapleton provided details for case #CZ-2025-03, attached and made part of these  
8 minutes as Exhibit 1; and identified the applicant, address, and size of the property. Ms. Stapleton stated  
9 that the request is to rezone the property from City of Kannapolis Office Institutional (O-I) to City of  
10 Kannapolis Residential 4 – Conditional Zoning (R4-CZ) zoning district. Ms. Stapleton advised that this  
11 request is for an accessory dwelling unit (ADU).

12  
13 Ms. Stapleton directed the Commission’s attention to case maps and drone footage, further illustrating  
14 the location, current and surrounding zoning districts, existing property uses as well as the Character  
15 Area as determined by the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”). She  
16 further directed the Commission’s attention to site photos, stating that staff found consistency with the  
17 *2030 Plan* and is recommending approval of the rezoning request with the following conditions.

- 18 1. The permitted uses allowed by this rezoning shall be limited to those uses and accessory  
19 uses allowed by-right in the Residential 4 (R4) District. The intent of this rezoning submittal  
20 is to use a converted garage as an ADU.
- 21 2. The applicant shall be required to submit an application for a variance for the ADU. A  
22 variance is required:
  - 23 a. To allow the ADU to remain in its location which encroaches on the required ten  
24 (10) foot side yard setback and the twenty-five (25) foot rear yard setback.
  - 25 b. To exceed the allowable density for this property.

26  
27 Ms. Stapleton reminded the Commission of the actions requested, concluded her presentation, and made  
28 herself available for questions.

29  
30 Chair Puckett asked if there were any questions from the Commission for staff.

31  
32 Ms. Stein asked for more elaboration on how this circumstance happened for the applicant. Ms.  
33 Stapleton explained that Cabarrus County Construction Standards inadvertently issued a building  
34 permit prior to City zoning approval being issued. The applicant’s contractor did not come to the City  
35 for a zoning permit but rather went straight to Cabarrus County and was inadvertently issued a permit  
36 without zoning approval. Ms. Stapleton expressed that had they been notified prior to, they would have  
37 suggested a straight rezoning. Ms. Stapleton also shared that the applicant was present if the  
38 Commission had any further questions.

39  
40 Chair Puckett asked if the density was being exceeded, since there are now two units on the property.  
41 Ms. Stapleton confirmed that the density is exceeded.

42  
43 Mr. Ensley asked if the variance would have to go to the Board of Adjustment. Ms. Stapleton confirmed.  
44

1 There being no additional questions for staff, Chair Puckett asked if the applicant would like to speak.

2  
3 Applicant, Zimri Alvarez, explained her circumstances regarding the accessory dwelling unit. Ms.  
4 Alvarez had the accessory dwelling unit constructed for her daughter and grandson. She obtained  
5 building permits from the county, and upon calling the City of Kannapolis, learned that no zoning  
6 permits were completed first. Ms. Alvarez expressed that she was cooperative in meeting with staff and  
7 is before the Commission for potential approval.

8  
9 Elizabeth Alvarez thanked the Commission for their time. Ms. Alvarez shared that their contractor may  
10 have been misdirected in his means of obtaining permits for their job. However, she shared she was  
11 relieved that there was a possibility of resolving the matter. Ms. Alvarez shared that her mother made  
12 sacrifices for her and her son and that they were important to her. She also stated that Kannapolis is  
13 close to her, and she believes family is at the center, which is the same reasoning behind her mother's  
14 choice to construct the accessory dwelling unit for her family.

15  
16 Chair Puckett thanked Ms. Alvarez for trying to rectify a wrong, stating that many others would not  
17 take any steps to do so in that moment. Chair Puckett asked the Commission for any further questions.

18  
19 Mr. Ensley asked if there had been any complaints or concerns with the neighbors. Ms. Alvarez stated  
20 that she had been approached by one neighbor during construction, who was curious if she was going  
21 to make the unit available for rent. She explained that she was only creating it for her daughter and  
22 grandson.

23  
24 With there being no further questions, Chair Puckett opened the Public Hearing. There being no  
25 questions, the Public Hearing was closed.

26  
27 There being no further questions or comments for staff, Chair Puckett asked for a motion regarding the  
28 Statement of Consistency. Ms. Stein made the motion to approve, second by Mr. Trott, and the motion  
29 to approve the statement of consistency passed on a vote of 6-to-1. Mr. Ensley stated that he did not  
30 believe the use to be consistent, therefore he voted against the statement of consistency.

31  
32 Chair Puckett asked for a motion regarding the Resolution to Zone. Mr. Ensley made the motion to  
33 approve, second by Vice-Chair Litaker, and the motion was unanimously approved.

34  
35 **SIA-2025-01 – Special Intensity Allocation – 2322 and 2358 Coldwater Ridge Drive**

36  
37 Assistant Planning Director Elizabeth McCarty stated that one of the powers and duties of the Planning  
38 and Zoning Commission is to serve as the Watershed Review Board. The Watershed Review Board is  
39 authorized to approve Special Intensity Allocations (SIA) in accordance with the provisions of the  
40 KDO. Ms. McCarty stated that the last SIA case was two years ago for Kannapolis Crossing. She further  
41 explained that this site had been issued an SIA, but that that request, SIA-2019-02, has since expired.

Ms. McCarty provided details for case #SIA-2025-02, attached and made part of these minutes as Exhibit 2; and identified the applicant, address, and size of the property.

Ms. McCarty directed the Commission's attention to case maps and drone footage, further illustrating the location, current and surrounding zoning districts.

Ms. McCarty shared that the request for a Special Intensity Allocation (SIA) was for properties of a combined 2.99 acres. The request is for a 43 percent built-upon area within the Lake Concord WS-IV Protected Area for a proposed medical office building. Ms. McCarty stated that an SIA is required in order for a project to exceed the 24 percent maximum build upon area requirement. Ms. McCarty stated that the parcels are zoned General Commercial (GC) which allows up to an 80 percent impervious coverage.

Ms. McCarty explained the point system utilized for the Watershed Review Board in Table 3.8.I(9)b.2e of the Kannapolis Development Ordinance (KDO). The results from the applicant are 270 points:

- Tax Base Increase (\$2,000,000 or more): **75 points**
- Full-time jobs created (26 or more): **50 points**
- Community Value: **To be determined by Watershed Review Board**
- Type of Industry (Research & Development/Medical): **20 points**
- Revitalization of Existing Development: **0 points**
- Energy Reduction/Conservation Measures: **125 points**

Staff recommended that 30 points are applied to the community value category. Ms. McCarty stated that the total of 300 points would allow up to 70 percent impervious coverage. The applicant, however, is only requesting 43.06 percent. Ms. McCarty shared that at least 249 points are needed for the maximum 70 percent impervious.

Ms. McCarty further explained that the following conditions must be met for special intensity allocations. The allocation must comply with section 3.8.I of the KDO, in which the case does. The second condition is that it must not exceed the area available for allocation in the Lake Concord watershed, with the current balance of 182.49 acres. Ms. McCarty stated that the case would drop the balance by .22 acres.

Ms. McCarty explained that SIAs do not require public hearings. She reminded the Commission of the actions requested, concluded her presentation, and made herself available for questions. She notified the Commission that the applicant was present.

Chair Puckett asked the Commission if there were any questions for staff. He also asked for clarification that the actions requested were approval of the request and approval of the permit. Ms. McCarty confirmed.

Chair Puckett also asked for confirmation regarding the point value for the community value category. Ms. McCarty stated that the Commission may agree with staff's recommendation or may make adjustments. She reminded the Commission that the lowest score possible would be 270 points, which already exceeds the required minimum of 249 points for the 70 percent maximum impervious.

1 Mr. Ensley asked if this is a re-approval of what expired in 2019. Ms. McCarty explained that the  
2 approved balance from that previous approval has been returned to allocation. What is being asked for  
3 now is less.

4  
5 Chair Puckett asked if the applicant would like to speak before the Commission votes on the community  
6 value of 30 points. The applicant declined but made themselves available for any further questions.

7  
8 Chair Puckett asked for a motion regarding the 30 point recommendation by staff for the community  
9 value. Mr. Trott made the motion to approve, second by Vice-Chair Litaker, and the motion was  
10 unanimously approved.

11  
12 Chair Puckett asked for a motion regarding the Special Intensity Allocation request. Vice-Chair Litaker  
13 made the motion to approve with conditions stated by staff, second by Mr. Ensley with conditions stated  
14 by staff, and the motion was unanimously approved.

15  
16 Chair Puckett asked for a motion regarding the Special Intensity Allocation permit. Vice-Chair Litaker  
17 made the motion to approve with the conditions stated by staff, second by Mr. Trott, and the motion  
18 was unanimously approved.

#### 19 20 **PLANNING DIRECTOR UPDATE**

21 Mr. Smith shared with the Commission that there are several requests regarding the Thoroughfare  
22 Protection Overlay (TPO), especially in relation to Interstate 85. He asked the Commission for their  
23 feedback for staff to consider moving forward with the requests.

24  
25 Mr. Smith expanded on the various overlays within the City of Kannapolis. The overlay is a 200-foot  
26 protective area. The corridor preservation area is a means of protection to the corridor itself, in addition  
27 to right-of-way protection. Mr. Smith explained that the Thoroughfare Protection Overlay is intended  
28 to enhance the overall value of the corridor, be aesthetically pleasing, and have orderly development  
29 occur in purpose and design standards. He went on to further share some prohibited uses within the  
30 corridor overlays such as kennels and amusement parks. Mr. Smith shared that the primary use that  
31 staff receives comments on is vehicle-centric, such as auto repair and car sales. Other uses such as  
32 prefabricated buildings, motor freight facilities, and outdoor storage areas are also noted.

33  
34 Mr. Smith reminded the Commission of a previous overlay discussion regarding CarMax's interest in  
35 the Highway 73 site about two years ago. The project will still be constructed, however, the building  
36 will be now in Concord with only a small area of the parking lot proposed to be located in Kannapolis.  
37 Mr. Smith shared that there appearance criteria can be imposed for non-residential structures. He  
38 continued to share several locations and proposed uses such as convenience stores and car sales.

39  
40 Following the shared findings, Mr. Smith asked the Commission for their opinion related to proximity  
41 to the interstate. He asked if the ordinance should relax vehicle type uses closer to the interstate or keep  
42 what the ordinance currently has. Mr. Smith stated that there is one pending application for a text  
43 amendment that should be on the Commission's agenda for their next meeting.

44  
45 Chair Puckett asked Mr. Smith about a service station on Kannapolis Parkway. He shared that there is  
46 a potential need for more road visibility, but with the 200-foot buffer, it appears to be really restrictive.

1 Mr. Smith replied that the ordinance was amended related to major intersections. He shared that  
2 Highway 73 was one that was deemed appropriate for vehicle type uses. Mr. Smith shared that there  
3 are two convenience stores located near the intersection of Highway 73 and Kannapolis Parkway. He  
4 also expanded on the common question for proximity to the interstate for gas stations, which a proposed  
5 site is limited for accessibility.

6  
7 Mr. Ensley asked if the Lowes Foods that is currently under construction is going to have a fuel center.  
8 Mr. Smith clarified that it is his understanding that the Lowes Foods will not have a fuel center, but  
9 Harris Teeter, like the one proposed to be built downtown, has that as a standard feature of all their new  
10 stores.

11  
12 Mr. Ensley's concern regarding the buffers being overlay being relaxed is that it would allow for a  
13 busier thoroughfare like U.S. 29. He mentioned the possibility of having a set standard and being able  
14 to change that on a case-by-case basis. Mr. Smith provided recommendations for mitigating traffic and  
15 site use.

16  
17 Mr. Smith thanked Mr. Trott for his 12<sup>th</sup> year serving on the Commission. He announced that Mr. Trott  
18 will be rotating off after this meeting. A new appointee will be on the Commission in the upcoming  
19 July meeting.

20  
21 Mr. Smith made himself available for any other questions.

22  
23 Mr. Ensley asked if there had been any other updates regarding sewer allocation from Water and Sewer  
24 Authority of Cabarrus County (WSACC). Mr. Smith stated updates are typically around July or August.  
25 He shared there may be a possibility to allow a few smaller residential projects, however that is still to  
26 be determined.

27  
28 **ADJOURN**

29 There being no further business, questions, or comments, Mr. Ensley made the motion to adjourn,  
30 second by Vice-Chair Litaker, and the meeting adjourned at 6:36 PM on Tuesday, June 17, 2025.

31  
32  
33 

34  
35 Chris Puckett, Chair  
36 Planning and Zoning Commission

37 

38 Gabriela Wilkins, Recording Secretary



**Planning and Zoning Commission  
June 17, 2025, Meeting**

**Staff Report**

**TO:** Planning and Zoning Commission  
**FROM:** Kathryn Stapleton, Planner  
**SUBJECT:** Case #CZ-2025-03: Conditional Zoning Map Amendment  
Applicant: Zimri Alvarez

Request to conditionally rezone 1703 Lane Street to allow for a residential accessory dwelling unit.

**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 the City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

**C. Background & Project Overview**

The applicant, Zimri Alvarez, is proposing to conditionally rezone approximately 0.23 +/- acres of property from City of Kannapolis Office-Institutional (O-I) to Residential 4-Conditional Zoning (R4-CZ). The subject property is located at 1703 Lane Street and further identified as Cabarrus County Parcel Identification Number (PIN) 5624418667000. The intent of this rezoning request is to allow for a recently converted garage to be used as a residential accessory dwelling unit (ADU). An ADU is not a permitted use in the O-I district. Without prior zoning review by the City of Kannapolis, Cabarrus County Construction Standards inadvertently issued building and trade permits and a Certificate of Occupancy for this use. Cabarrus County Construction Standards has been made aware of this oversight. Because of the unique circumstances of this case, it was determined that the applicant would not need to conduct a neighborhood meeting.

**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 the 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?**

The subject property is within the Urban Residential Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Single-family detached is identified as a primary use.

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

No, the proposed rezoning is not in conflict with any ordinances. The proposed R4-CZ zoning is to correct the use of an ADU which is not permitted in the O-I zoning district.

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

No. The proximity to other R4 zoning and consistency with the Comprehensive Plan Character Area make the requested R4-CZ zoning district an appropriate change.

**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 proposed R4-CZ zoning designation is compatible with existing and allowed uses on surrounding land. Surrounding uses are primarily single-family detached dwellings. Five duplexes are on the adjacent property to the east.

**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 R4-CZ zoning allows for a single-family detached dwelling with an ADU. The uses are compatible with surrounding residential properties. Presently, however, the ADU does not meet the minimum setback requirements of the R4 District and will require a variance. This is included as a recommended condition of approval.

**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. The proposed 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 ‘Urban Residential’ Character Areas 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 not approve the petition as presented.

**Based on the request being consistent with the 2030 Plan, staff recommends approval for Zoning Map Amendment Case #CZ-2025-03 with the following conditions:**

1. The permitted uses allowed by this rezoning shall be limited to those uses and accessory uses allowed by-right in the Residential 4 (R4) District. The intent of this rezoning submittal is to use a converted garage as an ADU.
2. The applicant shall be required to submit an application for a variance for the ADU. A variance is required:
  - a. To allow the ADU to remain in its location which encroaches on the required ten (10) foot side yard setback and the twenty-five (25) foot rear yard setback.
  - b. To exceed the allowable density for this property (4 units per acre).

### **Alternative Courses of Action**

#### **Motion to Approve (2 votes)**

1. **Should the Commission choose to approve the request for rezoning as presented in Case #CZ-2025-03, 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 properties as located within the “Urban Residential” 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 #CZ-2025-03, a motion should be made to adopt the Resolution to Zone.**

#### **Motion to Deny (2 votes)**

1. **Should the Commission choose not to recommend approval of Case #CZ-2025-03, a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #CZ-2025-03 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 not to approve Case #CZ-2025-03, a motion should be made to not approve the Resolution to Zone.**

<b>I. Attachments</b>
-----------------------

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

<b>J. Issue Reviewed By:</b>
------------------------------

- Planning Director
- Assistant City Manager
- City Attorney



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
WITH REGARD TO CASE #CZ-2025-03**

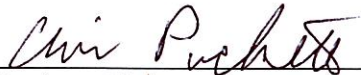
**WHEREAS**, Sections 160D-604 and 160D-605 of the North Carolina General Statutes specify that when adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable and explain why the action taken is reasonable and in the public interest; and

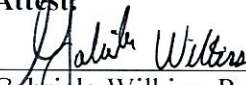
**WHEREAS**, Section 2.3.B(1).a. of the Kannapolis Development Ordinance delegates final authority to the Planning and Zoning Commission on zoning map amendments subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision; and

**WHEREAS**, on June 17, 2025, the Planning and Zoning Commission conducted a public hearing to consider a request to rezone approximately 0.23 +/- acres of property, located at 1703 Lane Street (Cabarrus County Parcel Identification Number 5624418667000), owned by Zimri Alvarez, from City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 4-Conditional Zoning (R4-CZ).

**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 "Urban Residential" Character Areas in the 2030 Plan. The Planning and Zoning Commission 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 17th day of June, 2025:**

  
Chris Puckett, Chairman  
Planning and Zoning Commission

Attest:  
  
Gabriela Wilkins, Recording Secretary  
Planning and Zoning Commission



## RESOLUTION TO ZONE

**Case #CZ-2025-03**  
(1703 Lane Street)

**From City of Kannapolis Office-Institutional (O-I) to  
City of Kannapolis Residential 4-Conditional Zoning (R4-CZ) 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, the City Council shall make the final decision on the application; and

**WHEREAS**, the Commission conducted a public hearing on June 17, 2025, for consideration of rezoning petition Case #CZ-2025-03 as submitted to the City of Kannapolis Planning Department; and

**WHEREAS**, the request was to rezone approximately 0.23 +/- acres of property, located at 1703 Lane Street (Cabarrus County Parcel Identification Number 5624418667000), owned by Zimri Alvarez, from City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 4-Conditional Zoning (R4-CZ).

**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?**

The subject property is within the Urban Residential Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Single-family detached is identified as a primary use.

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

No, the proposed rezoning is not in conflict with any ordinances. The proposed R4-CZ zoning is to correct the use of an ADU which is not permitted in the O-I zoning district.

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

No. The proximity to other R4 zoning and consistency with the Comprehensive Plan Character Area make the requested R4-CZ zoning district an appropriate change.



**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 proposed R4-CZ zoning designation is compatible with existing and allowed uses on surrounding land. Surrounding uses are primarily single-family detached dwellings. Five duplexes are on the adjacent property to the east.

**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 R4-CZ zoning allows for a single-family detached dwelling with an ADU. The uses are compatible with surrounding residential properties.

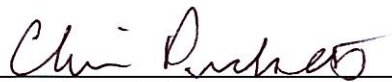
**7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?**

No, there are no anticipated significant environmental impacts from rezoning this property. The proposed 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 City of Kannapolis Office-Institutional (O-I) to Residential 4-Conditional Zoning (R4-CZ) Zoning Designation, subject to the following conditions:

1. The permitted uses allowed by this rezoning shall be limited to those uses and accessory uses allowed by-right in the Residential 4 (R4) District. The intent of this rezoning submittal is to use a converted garage as an ADU.
2. The applicant shall be required to submit an application for a variance for the ADU. A variance is required:
  - a. To allow the ADU to remain in its location which encroaches on the required ten (10) foot side yard setback and the twenty-five (25) foot rear yard setback.
  - b. To exceed the allowable density for this property (4 units per acre).

**Adopted this the 17th day of June, 2025:**

  
Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

  
Gabriela Wilkins, Recording Secretary  
Planning and Zoning Commission



**Watershed Review Board  
June 17, 2025, Meeting**

**Staff Report**

**TO:** Watershed Review Board (Planning & Zoning Commission)

**FROM:** Elizabeth McCarty, Assistant Planning Director

**SUBJECT:** Case #SIA-2025-01, Special Intensity Allocation  
Applicant: KFM Real Estate LLC

Consider a request for a Special Intensity Allocation (SIA) for properties located at 2322 and 2358 Coldwater Ridge Drive. **This request does not require a public hearing.** As referenced in Article 3 of the Kannapolis Development Ordinance, the Planning and Zoning Commission shall serve as the Watershed Review Board.

**A. Actions Requested by Watershed Review Board**

Consistent with Section 3.8.I.(10) of the Kannapolis Development Ordinance (KDO) the Planning and Zoning Commission shall serve as the Watershed Review Board.

1. Motion to approve, approve with conditions, or deny the Special Intensity Allocation request.
2. Motion to approve, approve with conditions or deny the Special Intensity Allocation Permit.

**B. Required Votes to Pass Requested Actions**

Majority present at meeting.

**C. Background**

KFM Real Estate LLC is requesting a Special Intensity Allocation (SIA) to develop property located at 2322 and 2358 Coldwater Ridge Drive for a medical office building. The subject properties are approximately 2.99 +/- combined acres and are further identified as Cabarrus County Parcel Identification Numbers 56225974010000 and 56225952090000, respectively. The two properties are in the Lake Concord WS-IV Protected Area Watershed, and both are zoned General Commercial (GC).

The applicant is requesting a SIA to exceed the 24 percent maximum impervious (built-upon) area permitted in the Lake Concord WS-IV Watershed; up to 70 percent is permitted with a SIA. The applicant is requesting a built-upon area of 43.06 percent.

The parcel located at 2358 Coldwater Ridge Drive (PIN 56225952090000) was included in a previous SIA request, Case #SIA-2019-02. The case resulted in the approval of a SIA for four parcels on Coldwater Ridge Drive. The maximum impervious surface was increased from 24 percent to 70 percent and allowed for the development of each lot with commercial uses and associated parking and driveways, contingent on the installation of bioretention ponds on the final site plan. The SIA permit from 2019 has expired and no project was constructed under the previous permit.

According to Section 3.8.I(9)2(b) of the KDO:

Applicants requesting a SIA shall present their request to the Planning Staff thirty (30) days prior to the next available Planning Commission meeting. Projects must be presented in the form of a SIA site plan, prepared by a professional engineer, and must minimize built-upon surface area, direct stormwater away from surface waters and incorporate BMPs to minimize water quality impacts. All property subject to a request for a SIA must be uniformly zoned.

With approval of a SIA, the applicant may develop a property with more than 24 percent impervious surface area, up to a maximum 70 percent impervious surface area, provided proper stormwater control measures are implemented. The KDO uses a point system with six (6) criteria to evaluate the merits of each SIA request. The potential increase in allowable impervious surface area is based upon the aggregate number of points.

The applicant is requesting a built-upon area of 43.06 percent, or 0.5 acres. Prior to any development, the project will be required to obtain final site plan approval.

#### **D. Fiscal Considerations**

None

#### **E. Policy Issues**

Per Table 3.8.I(9)b.2(e) of the KDO, the percentage of built upon area for a SIA shall be determined by the Special Intensity Allocation Point System. The accumulation of points is based on six categories. **Based on staff's analysis of the request, the following points are recommended for the proposed project:**

1. Tax Base Increase (\$2,000,000 or more): **75 points**
2. Full-time jobs created (26 or more): **50 points**
3. Community Value: Staff recommendation of **30 points** but to be determined by Watershed Review Board
4. Type of Industry (Research & Development/Medical): **20 points**
5. Revitalization of Existing Development: **0 points**
6. Energy Reduction/Conservation Measures: **125 points** (50 points for 10-20% increase in landscaping and 75 points for bioretention applications)

**Total Points Recommended by Staff: 300**

**Total Points requested by Applicant: 270**

A score of more than 249 Special Intensity Allocation points allows for the potential impervious (built-upon) area to be increased from 24 percent to up to 70 percent. As proposed, the applicant is requesting approval to develop a total of 43.06 percent of the undeveloped pervious area, or 0.5 acres. This is a 0.22 acre increase from the maximum built-upon area that is permitted without a SIA.

If the SIA is approved, the developer will be allowed an increase of 0.22 acres of impervious area. The balance that can be allocated by SIA in the Lake Concord WS-IV Protected Area Watershed is currently 182.49 acres. If this SIA is approved, the additional 0.22 acres of impervious area would be allocated from this available acreage, leaving a new balance of 182.27 acres in the Lake Concord WS-IV Protected Area Watershed that may be allocated by SIA.

#### **F. Legal Issues**

None

#### **G. Staff Recommendation and Alternative Courses of Action**

The Watershed Review Board may choose to approve, approve with conditions, or deny the Special Intensity Allocation as presented.

The request and attached site plan meet the criteria of approval for a Special Intensity Allocation. The grading of the site and the installation of an approved filter system will treat stormwater before it is discharged from the site.

Staff recommends approval of a Special Intensity Allocation of 0.22 acres in the Lake Concord WS-IV Protected Area Watershed for the property located at 2322 and 2358 Coldwater Ridge Drive.

**The following actions are required to approve the requested SIA for Case # SIA 2025-01:**

1. Per Table 3.8.I(9)b.2(e) of the KDO, assign sufficient points to allow for the requested increase in impervious coverage from 24 percent to 43.06 percent;
2. Motion to approve Special Intensity Allocation request;
3. Motion to approve the Special Intensity Allocation Permit.

Should the Board not assign sufficient points to allow for the requested increase in impervious coverage from 24 percent to 43.06 percent, motions to deny the SIA request and permit should be adopted.

#### **I. Attachments**

1. SIA Application
2. Vicinity Map
3. Zoning Map
4. Future Land Use Map
5. Preliminary Site Plan
6. SIA Permit (if approved)

#### **J. Issue Reviewed By:**

- Planning Director
- Assistant City Manager
- City Attorney





## **SPECIAL INTENSITY ALLOCATION PERMIT**

**SIA-2025-01**

**2322 and 2358 Coldwater Ridge Drive**

The Kannapolis Watershed Review Board, pursuant to Section 3.8 of the Kannapolis Development Ordinance (KDO), approved a Special Intensity Allocation (SIA) for the following use, subject to the following condition(s):

**Use:** Medical Office Building

**Description of Property:** Approximately 2.99 +/- combined acres located at 2322 and 2358 Coldwater Ridge Drive and further identified as Cabarrus County Parcel Identification Numbers 56225974010000 and 56225952090000.

**Watershed District:** Lake Concord WS-IV Protected Area

**SIA Acreage Allocated for Development:** 0.22 acres

The Watershed Review Board has found the subject parcels to meet the criteria described in Table 3.8.I(9)b.2(e) of the Kannapolis Development Ordinance (KDO):


- Tax Base Increase (\$2,000,000 or more): **75 points**
- Full-time jobs created (26 or more): **50 points**
- Community Value: **30 points**
- Type of Industry (Research & Development/Medical): **20 points**
- Revitalization of Existing Development: **0 points**
- Energy Reduction/Conservation Measures: **125 points**

**Total Points Awarded: 300**

The SIA Permit is contingent upon the developer installing bioretention applications and a minimum ten percent (10%) increase in landscaping above KDO minimum requirements on the final site plan. This condition is perpetually binding upon the subject property.

The right to develop a SIA shall terminate with the loss of the right to develop due to the expiration of a Zoning Compliance Permit or Building Permit.

The SIA Permit was approved by the Watershed Review Board of the City of Kannapolis, North Carolina on the 17th day of June 2025.

  
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Gabriela Wilkins, Recording Secretary  
Planning & Zoning Commission

  
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Chris Puckett, Chairman  
Planning & Zoning Commission