



**City of Kannapolis
Planning and Zoning Commission Meeting**

June 18, 2024 at 6:00 pm

Agenda

- 1. Call to Order**
- 2. Roll Call and Recognition of Quorum**
- 3. Approval of Agenda**
- 4. Approval of Minutes:** May 21, 2024
- 5. Public Hearing**
 - a) Zoning Map Amendment – Z-2024-04 – 1652, 1655 & 1656 Garnet Street**

Public Hearing to consider a request to rezone property located at 1652, 1655 & 1656 Garnet Street from City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 8 (R8) zoning district. The subject properties are approximately 0.25 +/- acres per lot and are further identified as Cabarrus County Parcel Identification Numbers 56232094430000, 56233014000000, and 56232093770000.
- 6. Cannon Boulevard Corridor Meeting Update**
- 7. Planning Director Update**
- 8. Other Business**
- 9. Adjourn**



**Planning and Zoning Commission
June 18, 2024, Meeting**

Staff Report

TO: Planning and Zoning Commission

FROM: Kathryn Stapleton, Planner

SUBJECT: Case #Z-2024-04: 1652, 1655, & 1656 Garnet Street
Applicant: James York

Applicant is requesting to rezone properties located at 1652, 1655, and 1656 Garnet Street from Office-Institutional (O-I) to 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 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, James York, and property owners, Prosperity Unlimited Inc. and Bethel Baptist Ministries are requesting to apply City of Kannapolis Residential 8 (R8) zoning district to three (3) properties that have a total of approximately 0.75 +/- acres. These properties are located at 1652, 1655, & 1656 Garnet Street, further identified as Cabarrus County Parcel Identification Numbers 56232094430000, 56232093770000, and 56233014000000 which are currently zoned Office-Institutional (O-I). This is a map amendment request without conditions as the intent is to straight rezone the property from Office-Institutional (O-I) to Residential 8 (R8). If rezoned, 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 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?**
Yes. This area of the City's future growth area is identified as "Urban Residential" Character Area. This Character Area identifies single family detached residential and single family attached as primary 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 proximity to other R8 zoning and the Comprehensive Plan Character Area makes the requested R8 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 existing use of two (2) of the properties are residential and they are adjacent to residential land uses.
- 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, the properties are located adjacent to roads with adequate capacity and safety, and are a suitable use allowed under the requested zoning.
- 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 uses 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 these properties.

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

There are adequate public facilities available to the properties or within close proximity. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.

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 properties as located within the “Urban Residential” Character Area of the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and 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 *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval for Zoning Map Amendment Case #Z-2024-04

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-2024-04, 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 “Urban Residential” Character Area in the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and 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-2024-04, 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-2024-04, 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-2024-04 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)).*

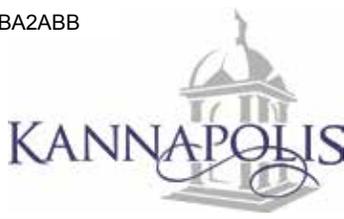
2. **Should the Commission choose to deny Case #Z-2024-04, a motion should be made to deny the Resolution to Zone.**

I. Attachments

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

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager
- City Attorney



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: 1655 Garnet St, 1656 Garnet St, 1652 Garnet St

Applicant: Prosperity Unlimited Inc (1655) and Bethel Baptist Church Ministries (1656 and 1652)

Proposed development: New SFR on 1655 Garnet

SUBMITTAL CHECKLIST

- Pre-Application Meeting
- Zoning Map Amendment Checklist and Application – Complete with all required signatures
- Fee: \$825.00 (\$500 Application Fee, \$300 Legal Notices and notification fee, # of property owners notified [see Fee Schedule])

PROCESS INFORMATION

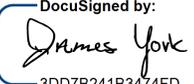
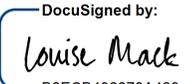
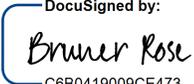
Public Notification: This is a legislative process that requires a public hearing and public notification including newspaper notice, first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Section 2.4.F of the KDO).

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.

James York	DocuSigned by:  3DD7B241B3474FD...	5/6/2024
<i>Applicant's Signature:</i> _____ <i>Date:</i> _____		
Louise Mack	DocuSigned by:  B2ECB492278A423...	5/6/2024
Bruner Rose	DocuSigned by:  C6B0419009CE473...	5/6/2024



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: James York
Address: PO BOX 1095 CONCORD, NC 28026
Phone: 704-957-8931
Email: jyorkrealty@gmail.com

Property Owner Contact Information same as applicant

Name: Prosperity Unlimited Inc. & Bethel Baptist Ministries
Address: Bethel- 2474 DALE EARNHARDT BLVD
Prosperity- PO BOX 1095 CONCORD, NC 28026
Phone: Prosperity- 704-467-2378 Imack@prosperitycdc.org
Email: Bethel- brose@bbc-ministries.org 704-933-7405

Project Information

Project Address: 1655 Garnet St. Kannapolis, NC 28083 parcel- 56233014000000
Parcel: 56232093770000 & 56232094430000 # of parcels: 3 Approx. size of parcels: ~.25ac/ lot
(attach separate list if necessary)
Current Zoning Designation: O1 Requested Zoning Designation: R8
Reason for map amendment: Planned new construction of one single family residence at 1655 Garnet St. No immediate plans for the two lots owned by Bethel Baptist.

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: <u>James York</u>		5/6/2024
Applicant Signature		Date
DocuSigned by: <u>Louise Mack</u>	Louise Mack	5/6/2024
Property Owner Signature		Date
DocuSigned by: <u>Bruner Rose</u>	Bruner Rose	5/6/2024

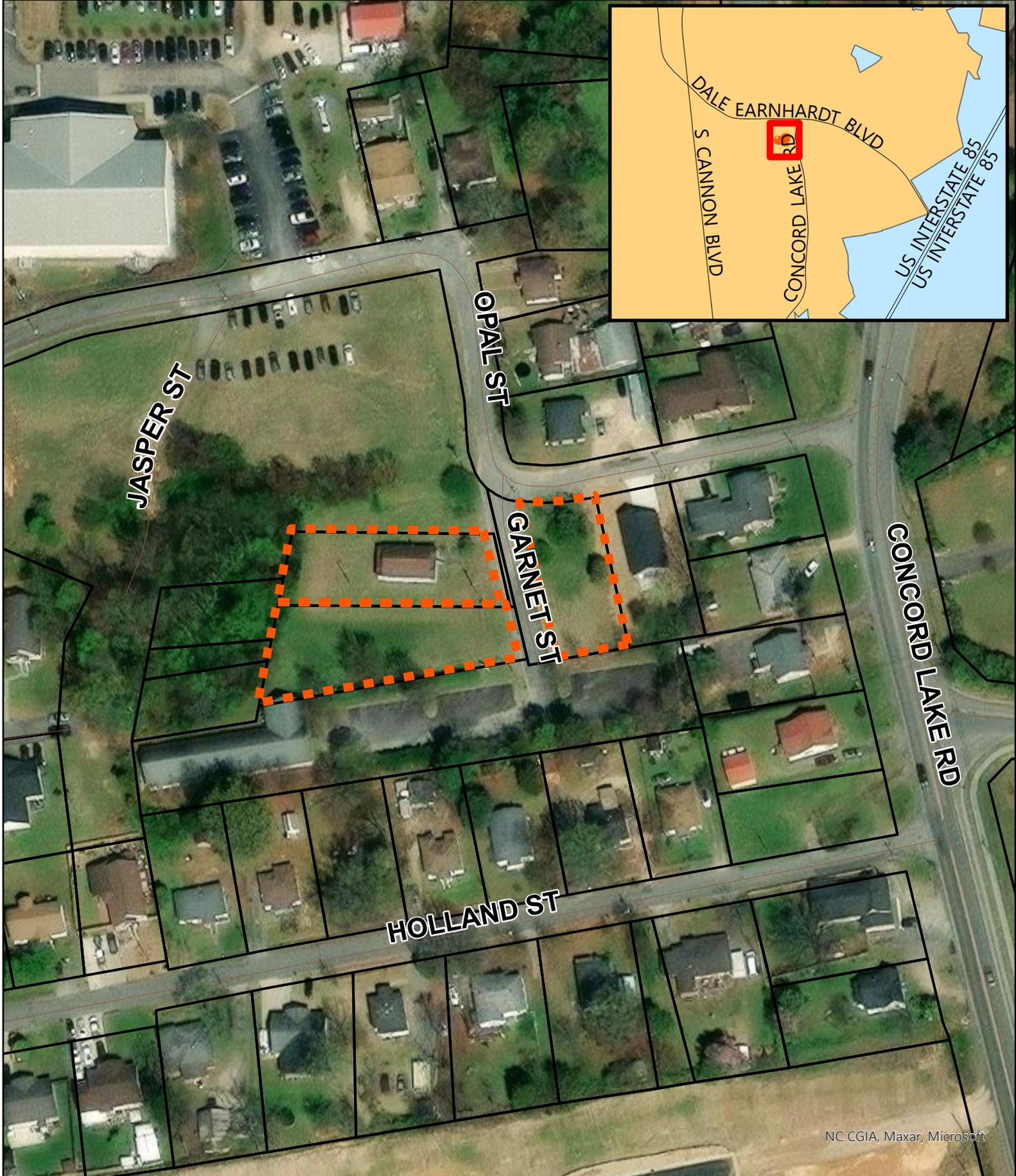
Note: This is not a permit to occupy a structure. Owner and/or applicant are responsible for the location of utility lines and easements. Zoning Map Amendment does not guarantee the availability of water and/or sewer.



Vicinity Map

Case Number: Z-2024-04

Applicant: Prosperity Unlimited Inc and Bethel Baptist Church Ministries
1655 Garnet St, 1656 Garnet St, and 1652 Garnet St

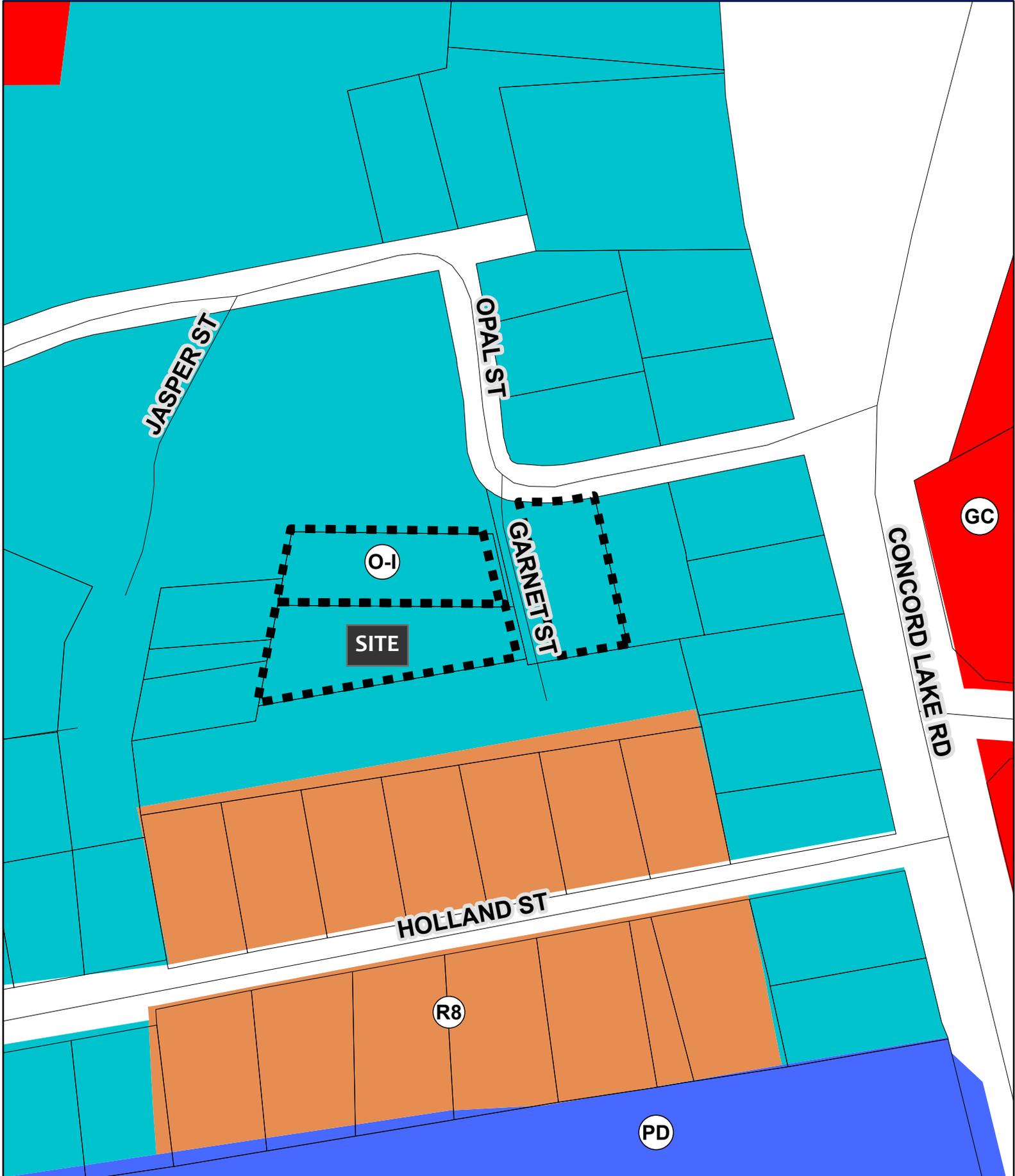




Kannapolis Current Zoning

Case Number: Z-2024-04

Applicant: Prosperity Unlimited Inc and Bethel Baptist Church Ministries
1655 Garnet St, 1656 Garnet St, and 1652 Garnet St



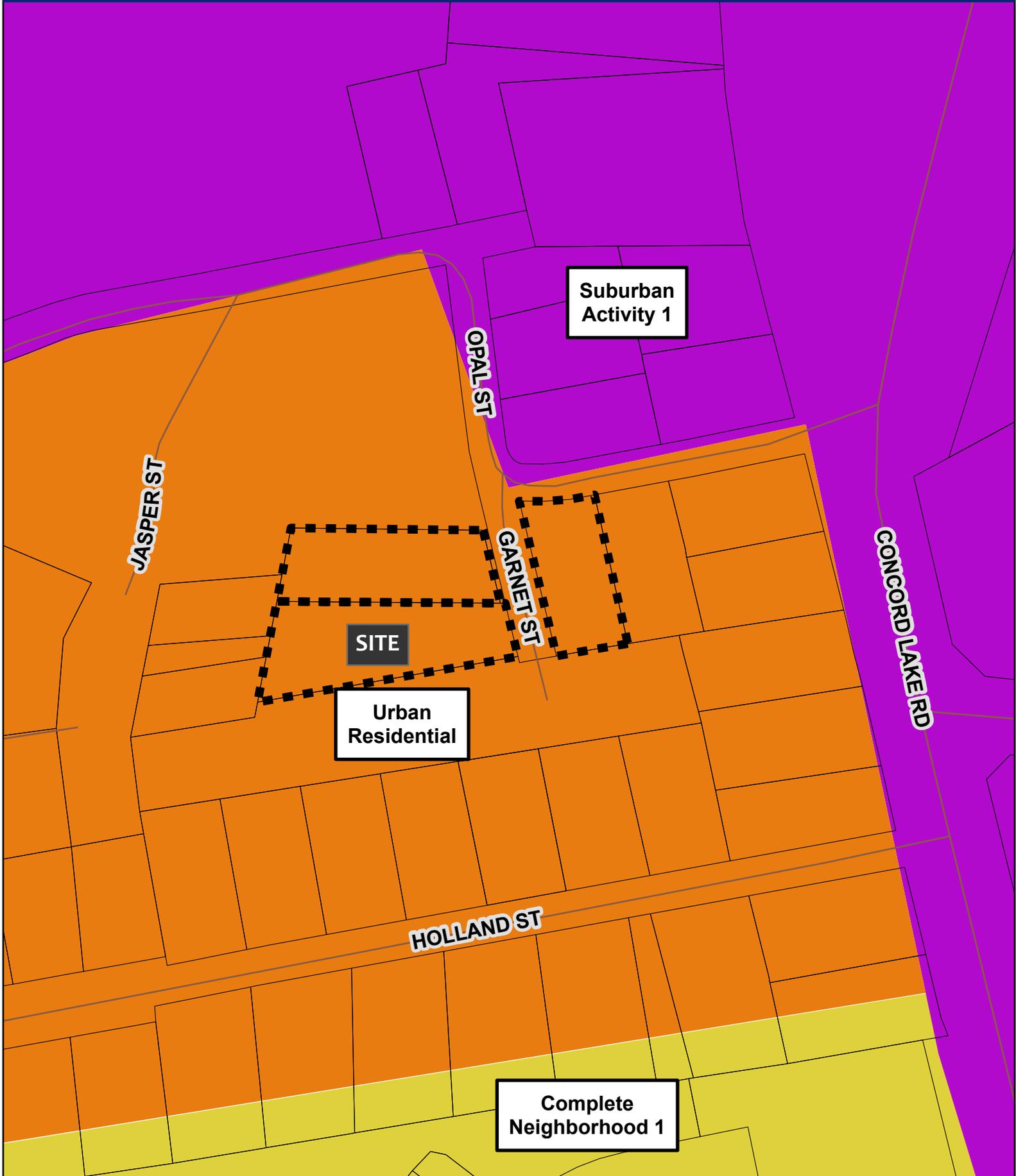


Kannapolis 2030 Future Land Use Map



Case Number: Z-2024-04

Applicant: Prosperity Unlimited Inc and Bethel Baptist Church Ministries
1655 Garnet St, 1656 Garnet St, and 1652 Garnet St





PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000870359

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Pavor : CITY OF KANNAPOLIS
Phone: 7049204300

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Sales Rep **Acct Rep** **Ordered By**
aboan hdrclifr Pam

Fax: 7049337463
EMail: ap@kannapolisnc.gov

Total Amount \$348.40

Payment Amount \$348.40

Amount Due \$0.00

Tax Amount: 0.00

Payment Meth: Credit - Debit Card

Tear Sheets **Proofs** **Affidavits** **PO Number:**
0 0 1

Ad Number **Ad Type** **Ad Size** **Color**
0000870359-01 CLS Legal 2 X 35 li \$0.00

Production Method
AdBooker (liner)

Production Notes

Product and Zone **Placement** **Position** **# Inserts**
CON Independent Trib C-Legal Ads Legal Notices 2

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Planning and Zoning

Run Dates 6/ 7/2024, 6/14/2024

Product and Zone **Placement** **Position** **# Inserts**
NCC Online C-Legal Ads Legal Notices 7

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Planning and Zoning

Run Dates 6/ 7/2024, 6/ 8/2024, 6/ 9/2024, 6/10/2024, 6/11/2024, 6/12/2024, 6/13/2024

TagLine: NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONMEETINGTUESDAYJUNE182024AT600P
MZONINGMAPAMENDMENTZ202404165216551656GARNE



NOTICE OF PUBLIC HEARING
Planning and Zoning Commission Meeting

Tuesday, June 18, 2024, at 6:00 pm

Zoning Map Amendment - Z-2024-04 - 1652, 1655 & 1656 Garnet Street -
Public Hearing to consider a request to rezone property located at 1652, 1655 & 1656 Garnet Street from City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 8 (R8) zoning district. The subject properties are approximately 0.25 +/- acres per lot and are further identified as Cabarrus County Parcel Identification Numbers 56232094430000, 56233014000000, and 56232093770000.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Heather James, Human Resource Director, by phone at 704-920-4322 or by email at hjames@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Publish: June 7, 14, 2024

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
JIMMY & VERLEEN BENNETT	1701 BERNARD AVENUE	KANNAPOLIS	NC	28083
BETHEL BAPTIST CHURCH	1209 OPAL ST	KANNAPOLIS	NC	28083
BETHEL BAPTIST CHURCH MINISTRIES	2474 DALE EARNHARDT BLVD	KANNAPOLIS	NC	28083
MARY BLACKMON HEIR				
C/O MITCHELL STANBACK	309 TRIECE ST	KANNAPOLIS	NC	28081
KENNETH E BRIDGES JR	1618 CONCORD LAKE RD	KANNAPOLIS	NC	28083
MARTHA BROWN	620 HYDE ST	KANNAPOLIS	NC	28083
NOE DAVID CARDENAS				
VERONICA AGUSTINIANO	1212 HOLLAND STREET	KANNAPOLIS	NC	28083
CHOCTAW AMERICAN INSURANCE INC	10900 NE 4TH ST	BELLEVUE	WA	98004
LEE A CRAWFORD	1210 HOLLAND STREET	KANNAPOLIS	NC	28083
CREATIVE WOOD DESIGNERS LLC	2209 YADKIN AVE	CHARLOTTE	NC	28205
ANGELO CURETON	1608 CONCORD LAKE RD	KANNAPOLIS	NC	28083
DBH CONSTRUCTION & RENOVATION LLC	21838 SHEARER RD	DAVIDSON	NC	28036
MARC & ENZA FRIEDMAN	PO BOX 4974	MOORESVILLE	NC	28117
DAVID A GOODSON	2247 KNOWLES ST	KANNAPOLIS	NC	28083
EDUARDO & GRISELDA GUTIERREZ	78 CENTRAL AVENUE	CHINA GROVE	NC	28023
JOSE & MARTHA HERNANDEZ	1209 HOLLAND ST	KANNAPOLIS	NC	28083
ERIC L IRVIN	1616 CONCORD LAKE RD	KANNAPOLIS	NC	28083
SARAH L MCCORKLE				
TARAN DAVIS	1610 CONCORD LAKE RD	KANNAPOLIS	NC	28083
STEPHANIE MORRIS	12424 CLACKWYCK LN	CHARLOTTE	NC	28262
MULBERRY LLC	411 WALNUT ST # 16025	GREEN CV SPGS	FL	32043
HAZEL L NESBIT	1217 OPAL ST	KANNAPOLIS	NC	28081
PROSPERITY UNLIMITED INC	PO BOX 1095	CONCORD	NC	28026
J D ROBINSON	1211 HOLLAND ST	KANNAPOLIS	NC	28083
JONAS T ROBINSON	815 CRESTWAY CT	MARSHVILLE	NC	28103
LUTHER L ROBINSON	1219 OPAL ST	KANNAPOLIS	NC	28083
ERIC W ROSE	1205 HOLLAND STREET	KANNAPOLIS	NC	28083
KEVIN M ROWLAND	3025 ROCKINGHAM CT	CONCORD	NC	28025
LARRY SHIVERS				
ANGIE FORREST	7342 SISK CARTER RD	ROCKWELL	NC	28138
MITCHELL STANBACK & OTHERS				
JAMES STANBACK	1216 HOLLAND STREET	KANNAPOLIS	NC	28083
JOEL STOFFORD	913 BRIGHTON DR	KANNAPOLIS	NC	28081
JODI D TURNER	11001 TAVERNAY PARKWAY	CHARLOTTE	NC	28262
JOHN A & ELIZABETH WHITE ESTATE				
C/O BARBARA REID	604 CAROLYN AVE	KANNAPOLIS	NC	28083
RONALD WHITE JR	1226 HOLLAND ST	KANNAPOLIS	NC	28083
WILLIAM C WOOD JR	1614 CONCORD LAKE RD	KANNAPOLIS	NC	28083
EMANUEL MARTINEZ XOLO				
MARTA A MARTINEZ ATLAS	1700 CONCORD LAKE RD	KANNAPOLIS	NC	28083
PROSPERITY UNLIMITED INC.				
ATTN: JAMES YORK	PO BOX 1095	CONCORD	NC	28026



KANNAPOLIS
Planning

June 4, 2024

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, June 18, 2024, at 6:00 PM, at 401 Laureate Way, Kannapolis, NC for the following case:

Z-2024-04 – Conditional Zoning Map Amendment – 1652, 1655 & 1656 Garnet Street

The purpose of this Public Hearing is to consider a request to rezone property located at 1652, 1655 & 1656 Garnet Street from City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 8 (R8) zoning district. The subject properties are approximately 0.25 +/- acres per lot and are further identified as Cabarrus County Parcel Identification Numbers 56232094430000, 56233014000000, and 56232093770000 (see reverse side of this letter for a map showing the location of this property).

As an abutting property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Development Ordinance. You are 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 704.920.4362 or emccarty@kannapolisnc.gov.

Sincerely,



Kathryn Stapleton, CZO
Planner

Enclosure

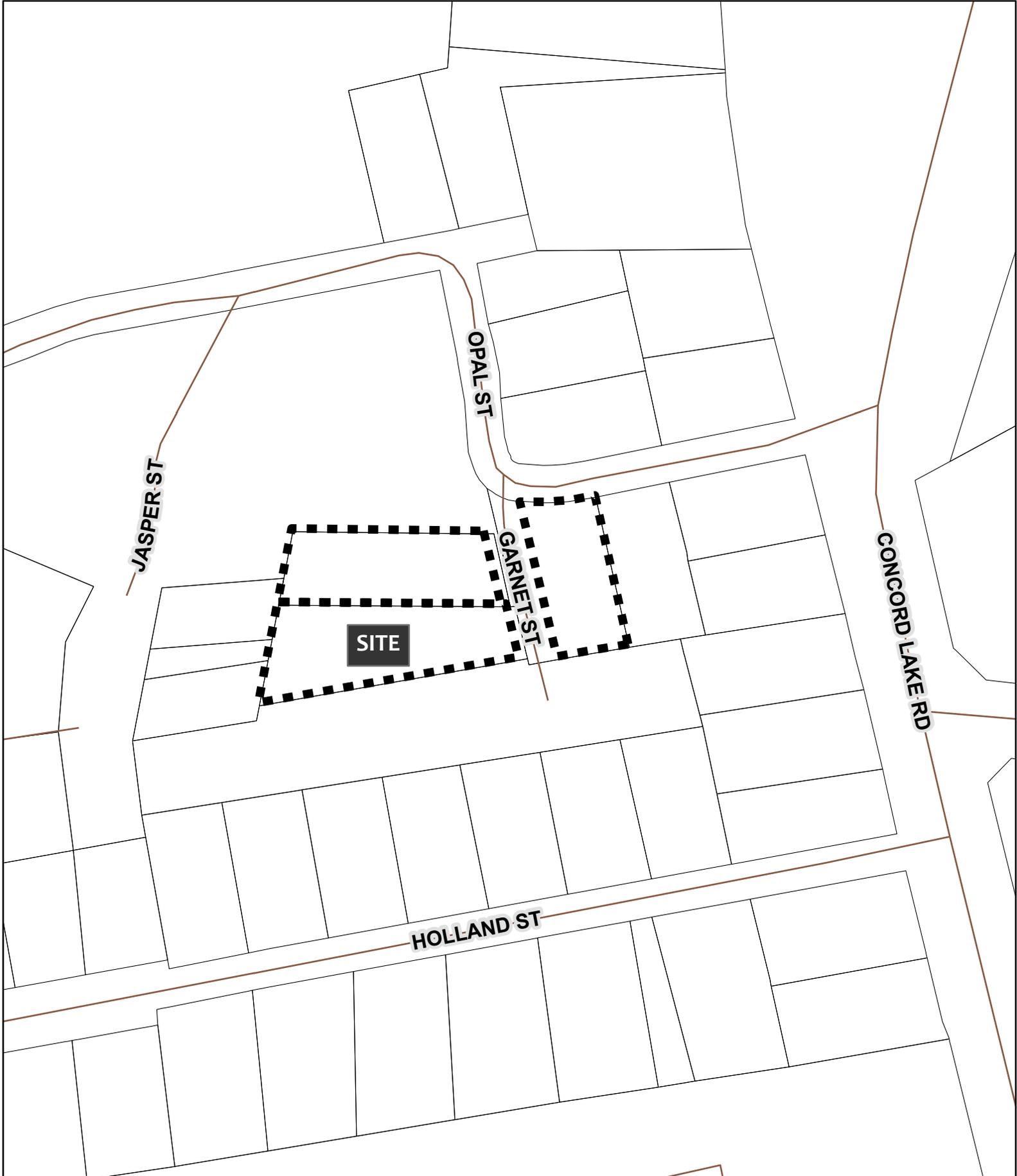
Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Heather James, Human Resource Director, by phone at 704-920-4322 or by email at hjames@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.



Conditional Rezoning

Case Number: Z-2024-04

Applicant: Prosperity Unlimited Inc and Bethel Baptist Church Ministries
1655 Garnet St, 1656 Garnet St, and 1652 Garnet St



KANNAPOLIS

PLANNING

ZONING

COMMISSION

PUBLIC HEARING INFORMATION
CALL 704-920-4350 CASE # CZ-2024-04



KANNAPOLIS
PLANNING
ZONING
COMMISSION
PUBLIC HEARING INFORMATION
CALL 704-920-4350 CASE # CZ-2024-04





**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE #Z-2024-04**

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 18, 2024 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone approximately 0.75 +/- combined acres of property located at 1652, 1655 & 1656 Garnet Street, (Cabarrus County Parcel Identification Numbers 56232094430000, 56232093770000, and 56233014000000) owned by Bethel Baptist Church Ministries and Prosperity Unlimited Inc., from City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 8 (R8) Zoning Designation.

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 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 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 18th day of June 2024:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE

Case #Z-2024-04
(1652, 1655 & 1656 Garnet Street)

From City of Kannapolis Office-Institutional (O-I) 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, the City Council shall make the final decision on the application; and

WHEREAS, the Commission conducted a public hearing on June 18, 2024 for consideration of rezoning petition Case #Z-2024-04 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone 0.75 +/- combined acres of property located at 1652, 1655 & 1656 Garnet Street, (Cabarrus County Parcel Identification Numbers 56232094430000, 56232093770000, and 56233014000000) owned by Bethel Baptist Church Ministries and Prosperity Unlimited Inc., from City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 8 (R8) Zoning Designation; and

WHEREAS, the Commission has approved the request for rezoning and found it to be consistent with the City of Kannapolis *Move Kannapolis Forward, 2030 Comprehensive Plan*, reasonable and in the public interest; and

WHEREAS, per Section 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 of the City's future growth area is identified as "Urban Residential" Character Area. This Character Area identifies single family detached residential and single family attached as primary 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 proximity to other R8 zoning and the Comprehensive Plan Character Area makes the requested R8 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 existing use of two (2) of the properties are residential and they are adjacent to residential land uses.

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, the properties are located adjacent to roads with adequate capacity and safety, and are a suitable use allowed under the requested zoning.

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 uses 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 these properties. +

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the above referenced properties be rezoned from City of Kannapolis Office-Institutional (O-I) Zoning Designation to City of Kannapolis Residential 8 (R8) Zoning Designation.

Adopted this the 18th day of June 2024:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission