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

**Minutes of Virtual Meeting
October 19, 2021**

The Kannapolis Planning and Zoning Commission met virtually on Monday October 19, 2021 at 6:00 PM. This meeting was held in accordance with the attached notice, as well as notice published on the City's website and the bulletin board in the lobby of City Hall.

Commission Members Present: Chris Puckett, Chair
Jeff Parker, Vice-Chair
Daniel O'Kelly
James Litaker
Larry Ensley
Scott Trott
Shelly Stein
Travis Gingras
Robert Severt, ETJ Representative

Commission Members Absent:

Visitors: Tristan McMannis
Ron Schumer
Drake Stein

Staff Present: Richard Smith, Planning Director
Boyd Stanley, Assistant Planning Director
Ryan Lipp, Senior Planner
Wilmer Melton, Assistant City Manager
David Hancock, IT
Tony Eury, IT Director
Pam Scaggs, Recording Secretary

CALL TO ORDER

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

ROLL CALL AND RECOGNITION OF QUORUM

Ms. Scaggs called the roll. The presence of a quorum was recognized.

APPROVAL OF AGENDA

Chair Puckett noted that the applicant for Case No. CZ-2021-16 requested to defer the rezoning request to the November meeting and asked for approval as well as approval for the amended agenda. Both were approved by unanimous vote.

APPROVAL OF MINUTES

Chair Puckett asked for a motion to approve the August 30, 2021 Special Meeting and the September 21, 2021 Meeting Minutes. Vice-Chair Parker noted that he presided over the September meeting since Chair Puckett was absent and asked that the minutes be changed to reflect. Dr. Litaker made the motion to approve as amended, second by Mr. Gingras and the motion was unanimously approved.

1
2 **PUBLIC HEARING**

3 **CZ-2021-20 – Request by Ron Schumer to conditionally rezone property located at 760 Kannapolis**
4 **Parkway and 5941 Navajo Trail from Rural Estate (RE) to City of Kannapolis Residential Village–**
5 **Conditional Zoning (RV-CZ) Zoning Designation.**

6 Assistant Planning Director, Boyd Stanley, gave a PowerPoint presentation regarding case CZ-2021-20.
7 Mr. Stanley provided the application details, attached to and made part of these minutes as Exhibit 1,
8 stating that the request was to allow for an ice cream store with drive thru.
9

10 Mr. Stanley directed the Commission's attention to the Vicinity, Zoning and Future Land Use maps,
11 further detailing the location, zoning and future land use per the *Move Kannapolis Forward 2030*
12 *Comprehensive Plan*. He directed the Commission's attention to street views, elevation examples and the
13 preliminary site plan. Mr. Stanley talked about the size of the proposed building, location of both the
14 covered and uncovered patio, access to the site, location and stacking of the drive-thru lane, parking,
15 sidewalks, and the proposed landscaping and buffering.
16

17 Mr. Stanley reviewed Consistency with the *2030 Plan*, Policy Issues and staff findings, and stated that
18 staff is recommending approval of the rezoning request with the conditions as shown in the Staff Report
19 (Exhibit 1). Mr. Stanley reminded the Commission of the actions requested of them, concluded his
20 presentation and made himself available for questions
21

22 Mr. Stanley deferred questions from the Commission to the applicant regarding any NCDOT changes,
23 location of dumpsters, whether an additional traffic signal is required, and lighting, particularly from cars
24 waiting in the drive thru.
25

26 Representative for the applicant, Tristan McMannis, addressed the Commission questions stating that
27 NCDOT reviewed the proposed development in July and found that an encroachment permit for right-of-
28 way improvements (turn lanes) may be required but that an additional traffic signal was not required. Mr.
29 McMannis stated that they are exploring options with regards to location of the dumpster adding that
30 additional landscaping to screen that area from adjacent residential is also being discussed. He talked
31 about additional landscaping along the western side of project along Kannapolis Parkway to help screen
32 lighting from cars.
33

34 Applicant, Ron Schumer, made himself available for questions.
35

36 There being no additions questions or comments for staff, Chair Puckett opened the Public Hearing which
37 was then closed with no public comment being made.
38

39 Chair Puckett requested a motion to either adopt or deny the Statement of Consistency for case CZ-2021-
40 20. Mr. Gingras made the motion to approve, second by Ms. Stein and the motion was unanimously
41 approved.
42

43 Chair Puckett asked for a motion regarding the Resolution to Zone for case CZ-2021-20. Mr. Trott made
44 the motion to approve, second by Vice-Chair Parker and the motion was unanimously approved.
45

46 Ms. Stein asked to be recused from Case No. TA-2021-02. Mr. Trott made the motion to approve Ms.
47 Stein's request, second by Dr. Litaker and the motion was unanimously approved.
48

49 **TA-2021-02 – Request by Kannapolis Real Estate Agency, Inc. for a Text Amendment to add Tiny**
50 **House & Pocket Neighborhood Development as a use permissible by issuance of a Special Use Permit**
51 **in the RV and RC Zoning Districts.**

1 Senior Planner, Ryan Lipp gave a PowerPoint presentation regarding case TA-2021-02 (attached to and
2 made part of these minutes as Exhibit 2) stating that the request is to amend Article 4, *Zoning Districts*
3 *and Dimensional Regulations*, Table 4.6-1, *Principal Uses Permitted in Zoning Districts*, Article 11, *Site*
4 *Design Standards*, and Appendix A, *Definitions*. Mr. Lipp stated that the requested amendments are to
5 add Tiny House and Pocket Neighborhood Developments as a permissible use by a Special Use Permit
6 in the Residential Village (RV) and Residential Compact (RC) zoning districts. He explained that this
7 amendment request is an attempt to provide affordable housing for the City of Kannapolis.

8
9 Mr. Lipp reviewed the proposed text amendments as shown in Exhibit 2 and responded to questions from
10 the Commission regarding the minimum number of homes, whether the proposed amendment will be
11 carried over to the Kannapolis Development Ordinance (KDO), and confirmation that these homes will
12 not be mobile homes. Mr. Lipp stated that the minimum number of homes is four (4) with a maximum of
13 twelve (12) homes and that if approved, it will be carried over to the KDO. He confirmed that the homes
14 will not be mobile homes.

15
16 Representatives for the applicants, Drake & Shelly Stein provided a PowerPoint presentation regarding
17 the proposed text amendment. They talked about the various options for the layout of the neighborhood,
18 porches, connectivity, parking, as well as the size and appearance of the homes. They also provided a
19 video presentation of similar neighborhoods in other North Carolina towns. Mr. & Mrs. Stein talked about
20 an existing pocket community in Kannapolis, the targeted demographics, and consistency with the *2030*
21 *Comprehensive Plan*.

22
23 There was question and discussion whether the Pocket Neighborhoods could be used as short-term
24 rentals. Mrs. Stein responded that it depends upon whether short-term rentals will be permitted in the
25 KDO and whether the homeowner's association would allow short-term rental options.

26
27 Chair Puckett recommended that parameters be put in place to keep pocket neighborhoods within the
28 affordable housing range. Vice-Chair Parker agreed. Planning Director, Richard Smith, stated that a
29 Special Use Permit will be required but stated that **it's not legally possible** to enforce a selling price for
30 the homes. Mr. Stein suggested that working with Habitat for Humanity is a possible way to ensure
31 affordable housing. Chair Puckett asked if there was a definition of affordable housing in the UDO? Mr.
32 Smith responded that there is not a definition and added that typically the cost of homes is 80 percent
33 market driven and 20 percent affordable housing.

34
35 Vice-Chair Parker expressed safety concern with regards to proximity to other housing and Dr. Litaker
36 questioned whether pocket neighborhoods will be affordable. Mr. Smith responded that pocket
37 neighborhoods are referenced in the *2030 Move Kannapolis Forward Comprehensive Plan* and that the
38 proposed text amendment will allow an opportunity to see the recommended use come to fruition. Mr.
39 Ensley asked if there was a way to keep pocket neighborhoods available only to Habitat for Humanity
40 and similar organizations to ensure that it remains as affordable housing? Mr. Smith acknowledged the
41 suggestion and indicated that several City owned properties, as well as previous mobile home park
42 property may offer the opportunity to work with Habitat for Humanity or similar organizations.

43
44 Mr. Gingras asked if there is a minimum requirement for open space? Mr. Smith responded that there is
45 and directed Mr. Gingras to the text amendment. Mr. Gingras asked if there are stormwater requirements?
46 Mr. Smith responded that there are and that it would have to meet the typical development requirements
47 which are addressed during Technical Review.

48
49 Chair Puckett requested a motion to approve or deny the Statement of Consistency for case TA-2021-02.
50 Mr. Ensley made the motion to approve, second by Mr. Trott and the motion was unanimously approved.
51

1 Mr. Ensley made the motion to recommend approval of the text amendment to City Council with the
2 amendment that City Council provide at least two (2) city owned properties to allow Habitat for Humanity
3 or similar organizations to utilize the land for a Pocket Neighborhood or Tiny Home Community, second
4 by Dr. Litaker and the motion was unanimously approved.

5
6 Ms. Stein re-joined the Commission.

7
8 **CPA-2021-01 – Request by the City of Kannapolis to amend the Future Land Use and Character**
9 **Map from “Future Planning Area” to Employment Center” for Rowan County PIN #145 023 as well**
10 **as to amend the Future Land Use and Character Map from “Future Planning Area” to “Primary**
11 **Activity Interchange” for Rowan County PIN #145 089 and Cabarrus County PINs**
12 **#56344173260000, 56344132700000, 56344036180000, 56344122130000, 56344019060000,**
13 **56344068490000, 56345033580000, 56345133400000, 56335809780000, and 56334815830000.**

14 Planning Director, Richard Smith provided a PowerPoint presentation regarding case CPA-2021-01,
15 attached to and made part of these minutes as Exhibit 3. Mr. Smith stated that the requested amendments
16 were due to the proposed use for the former Intimidator’s stadium site as a logistics/warehouse type facility
17 as well as development interest in the other properties.

18
19 Mr. Smith directed the Commission’s attention to the Vicinity Maps as well as the current and proposed
20 Future Land Use maps to illustrate the requested changes. Vice-Chair Parker asked for clarification of
21 “Employment Center”. Mr. Smith referred to the 2030 Plan and discussed the intent of the “Employment
22 Center” classification. Mr. Smith also referred to the character intent for “Primary Activity Center –
23 Interchange” and talked about permitted uses.

24
25 Chair Puckett asked for a motion to recommend approval to City Council which was made by Mr. Trott,
26 second by Vice-Chair Parker made the motion was unanimously approved.

27 28 **PLANNING DIRECTOR UPDATE**

29 Mr. Smith stated that the State is currently reviewing recommended watershed related changes made by the
30 City Engineer to the Kannapolis Development Ordinance (KDO). He added that he hopes to have an
31 updated KDO draft for review at November meeting with adoption in December or January.

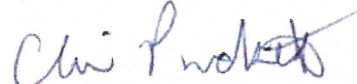
32 33 **OTHER BUSINESS**

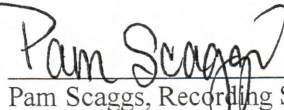
34 Mr. Smith advised that there are four rezoning cases scheduled for the November meeting.

35
36 Mr. Trott asked if the November meeting will be in person or virtual? Mr. Smith responded that the Planning
37 & Zoning Commission is following the direction of City Council and that if they remain virtual, the
38 Commission will as well but added that he will advise as soon as possible.

39 40 **ADJOURN**

41 There being no further business, questions or comments, Chair Puckett made the motion to adjourn. The
42 meeting unanimously adjourned at 7:26 PM on Tuesday October 19, 2021.

43
44
45 
46 Chris Puckett, Chair
47 Planning and Zoning Commission

48
49 
50 Pam Scaggs, Recording Secretary
51



PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000746494

APPENDIX A Planning & Zoning Minutes October 19, 2021

Client: KANNAPOLIS, CITY OF
Phone: 7049204300

Payer: KANNAPOLIS, CITY OF
Phone: 7049204300

Account: 3143368
Address: ACTS PAYABLE/WANDA/TEARSHEETS
KANNAPOLIS NC 28081

Account: 3143368
Address: ACTS PAYABLE/WANDA/TEARSHEETS
KANNAPOLIS NC 28081

Sales Rep **Accnt Rep** **Ordered By**
aboan aboan Pam

Fax: 7049337463
EMAIL: bbell@kannapolisnc.gov

Total Amount \$607.76
Payment Amount \$607.76

Amount Due \$0.00

Tax Amount: 0.00

Payment Meth: Credit - Debit Card

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

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Color</u>
0000746494-01	CLS Liner	2 X 49 li	\$0.00

Production Method
AdBooker (liner)

Production Notes

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
CON Independent Trib	C-Announcements	General-Spec Notice	2

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

Run Dates 10/ 8/2021, 10/15/2021

TagLine: NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONVIRTUALMEETINGTUESDAYOCTOBER
192021AT600PMCONDITIONALZONINGMAPAMENDMENTCZ202116CO



NOTICE OF PUBLIC HEARING Planning and Zoning Commission Virtual Meeting

Tuesday October 19, 2021 at 6:00 pm

Conditional Zoning Map Amendment - CZ-2021-16 - Continued from September 21, 2021, Public Hearing to consider a request to rezone multiple unaddressed properties located on Enochville Rd. and Cannon Farm Rd. from Residential Medium Density (RM-1) to Planned Unit Development - Conditional Zoning (PUD - Conditional Zoning) to allow for a single-family residential development. The subject properties are approximately 550.74 +/- acres and further identified as Rowan County Parcel Identification 244 011, 245 163, 249C094000001, 132 0130000001, 141 0100000001, 142 0490000001, 132 108, 244 158, 244 169, 131 202, 131 145, 131 173, 131 07202, 131 144, 131 07201, 131 142 and 131 143.

Conditional Zoning Map Amendment - CZ-2021-20 - Public Hearing to consider a request to rezone property located at 760 Kannapolis Pkwy. and 5941 Navajo Trl. from Rural Estate (RE) to General Commercial-Conditional Zoning (C-2-Conditional Zoning) to allow for an ice cream shop with a drive-thru. The subject properties are approximately 1.15 +/- acres and further identified as Cabarrus County Parcel Identification Numbers 56010410120000 and 56010420850000.

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 Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email at tccline@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Publish: October 8, October 15, 2021.

EXHIBIT 1

Planning and Zoning Minutes October 19, 2021



Planning and Zoning Commission October 19, 2021 Meeting

Staff Report

TO: Planning and Zoning Commission

FROM: Boyd Stanley, Assistant Planning Director

SUBJECT: Case #CZ-2021-20
Applicant: Ron Schumer

Request to conditionally rezone property located at 760 Kannapolis Parkway and 5941 Navajo Trail from Rural Estate (RE) to C-2-CZ (General Commercial-Conditional Zoning) to allow for an ice cream shop with a drive-thru. Cabarrus County PIN Numbers 56010410120000 and 56010420850000.

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 3.3.4.2 of the UDO allows the Planning and Zoning Commission to render a final decision on a rezoning request; 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. 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, Ron Schumer, is proposing to rezone the subject property from Rural Estate (RE) to C-2-CZ (General Commercial-Conditional Zoning) to allow for 1,425 square foot building for a Brewster's Ice Cream Shop. The attached site plan shows the building, drive-thru circulation, covered patios and overall required site improvements.

D. Fiscal Considerations

None

E. Policy Issues

Section 3.3.5 of the UDO states that the Planning and Zoning Commission may consider the following questions, at a minimum, in reviewing an application for rezoning:

1. The size of the tract in question.

The size of the subject tracts is approximately 1.15 +/- acres.

2. Does the proposal conform with and further the goals and policies of the Land Use Plan, other adopted plans, and the goals, objectives, and policies of this Ordinance?

This property is located in the “Suburban Activity 1” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Suburban Activity 1 Character Area includes retail and office as primary uses; therefore, the proposed use is in conformance with the goals and policies of the 2030 Plan.

3. Is the proposed rezoning compatible with the surrounding area?

The subject property is located along Kannapolis Parkway which is envisioned to develop with a mix of commercial and multi-family residential uses. The requested rezoning proposes a development of a scale that represents an appropriate use of the subject property.

4. Will there be adverse effects on the capacity or safety of the portion of street network influenced by the rezoning?

A Traffic Impact Analysis was not required for this rezoning.

5. Will there be parking problems?

The site plan submitted with this request for rezoning includes adequate parking for the proposed uses.

6. Will there be environmental impacts that the new use will generate, such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting, or other nuisances?

There are no anticipated environmental impacts such as water, air, or noise pollution, or excessive lighting issues associated with the rezoning request. The development will be required to conform to all applicable local, state, and federal environmental regulations.

7. Has there been any change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, and development?

The character of the area has changed the past several years with the growth of a mixture of commercial and residential development along Kannapolis Parkway.

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

There are public facilities available to the property or within close proximity, which will be extended to serve the development. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.

9. What are the zoning districts and existing land uses of the surrounding properties?

Properties adjacent to the subject property are all zoned Rural Estate (RE). Properties in close proximity to the south are zoned Campus Development (CD), Office Institutional (O-I), Commercial (C2) and RE. The surrounding land uses are a mix of residential and non-residential uses.

10. Is the subject property suitable for the uses to which it has been restricted under the existing zoning classification?

The property is currently zoned RE. A rezoning is required to develop an ice cream shop on the property.

11. Is the zoning compatible with the adjacent neighborhood, especially residential neighborhood stability and character?

The proposed use is compatible with the existing and proposed land uses in the area.

12. What length of time has the subject property remained vacant as zoned?

N/A

13. Is there an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs?

There are parcels in the surrounding area that would be sufficient to accommodate future zoning and community needs.

14. Was the existing zoning in error at the time of adoption?

No.

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*, adopted by City Council, which designates this property as being located in the “Suburban Activity 1” Character Area, which allows for the proposed retail development. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also 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. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.

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 with the following conditions for Zoning Map Amendment Case #CZ-2021-20:

1. The permitted uses allowed by this rezoning shall only include an ice cream shop and associated site improvements as generally depicted on the site plan submitted with this rezoning.
2. A Final Site Plan, in compliance with all applicable City UDO standards shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance Permit.
3. Must comply with the current Land Development Standards Manual (LDSM).

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-2021-20, a motion should be made to adopt the following Statement of Consistency:

Statement of Consistency: *The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being located in the "Suburban Activity 1" Character Area, which allows for the proposed ice cream retail store. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also 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. Finally, there is adequate access or ability to extend to public facilities. Sanitary sewer service is subject to allocation based upon sewer treatment capacity*

2. Should the Commission choose to approve Case #CZ-2021-20, 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 #CZ-2021-20, 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-2021-20 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 #CZ-2021-20, a motion should be made to deny the Resolution to Zone.**

I. Attachments

- | |
|---|
| <ol style="list-style-type: none">1. Rezoning Application2. Vicinity Map3. Zoning Map4. 2030 Future Land Use and Character Map5. Site Plan6. Neighborhood Meeting Information7. Notice of Public Hearing8. List of Notified Properties9. Letter to Adjacent Property Owners10. Posted Public Notice Sign11. Resolution to Adopt a Statement of Consistency12. Resolution to Zone |
|---|

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager
- City Attorney

EXHIBIT 2

Planning & Zoning Meeting October 19, 2021



Planning and Zoning Commission October 19, 2020 Meeting

Staff Report

DATE: October 11, 2021

TO: Planning and Zoning Commission Members

FROM: Ryan Lipp, Senior Planner

SUBJECT: **Text Amendment – TA-2021-02 -Article 4, Zoning Districts and Dimensional Regulation, Table 4.6-1, Principal Uses Permitted in Zoning Districts, Article 11, Site Design Standards, Appendix A, Definitions**– Public Hearing to consider a text amendment to Article 4, Table 4.6-1 and Article 11, Section 11.9 of the Unified Development Ordinance (UDO), to add Tiny House Development and Pocket Neighborhood Development as a use permissible by issuance of a Special Use Permit in the RV and RC Zoning Districts, subject to specific standards.

A. Actions Requested by Planning and Zoning Commission Members

1. Consider Resolution to Adopt a Statement of Consistency for TA-2021-02
2. Consider motion to recommend approval of proposed text amendments by City Council

B. Decision and Required Votes to Pass Requested Action

Article 3.8 of the UDO addresses the procedures for processing amendments to the text of the ordinance. Per Section 3.8.2, *“Any person, board, department, or commission may apply for a change in zoning ordinance text”*. The proposed text amendment was initiated by Kannapolis Real Estate Agency, Inc.

Per Sections 3.8.3.2 and 3.8.3.3 of the UDO, a majority vote of the Planning and Zoning Commission is required to recommend approval of a text amendment. A recommendation to approve is then forwarded to City Council who shall, either approve or deny the text amendment by a majority vote.

C. Background

The applicant is proposing to amend Article 4, Table 4.6-1 and add section 11.9, Cottage and Tiny House Design Standards to Article 11 of the Unified Development Ordinance (UDO), to add Pocket Neighborhood Development and Tiny House Development as a use permissible by issuance of a Special Use Permit in the RV and RC Zoning Districts, subject to specific standards. Definitions are proposed to be added to Appendix A, Definitions.

This text amendment proposes to:

1. Add Pocket Neighborhood Development and Tiny House Development as a use permissible by issuance of a Special Use Permit in the RV and RC districts;
2. Add Section 11.9 Cottage and Tiny House Design Standards to Article 11;
3. Add Pocket Neighborhood Development and Tiny House Development to Appendix A, Definitions.

D. Fiscal Considerations

None

E. Policy Issues

The proposed text amendment to the UDO is **attached** and shown per applicant's proposal and staff recommended edits.

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 **Article 4, Table 4.6-1, Article 11, and Appendix A** of the Unified Development Ordinance, as shown per staff edits.

The following actions are required to recommend approval of TA-2021-02:

1. Consider Resolution to Adopt a Statement of Consistency for TA 2021-02
2. Consider motion to recommend approval of proposed text amendments by City Council.

The following actions are required to recommend denial of TA-2021-02

1. Consider Resolution to not Adopt a Statement of Consistency for TA 2021-02
2. Consider motion to recommend denial of proposed text amendments by City Council.

H. Attachments

1. Application for Text Amendment to the Unified Development Ordinance
2. Proposed UDO changes: Article 4, Article 5, Appendix A
3. Resolution to Adopt a Statement of Consistency

I. Issue Reviewed By:

- Planning Director

- Assistant City Manager
- City Attorney

EXHIBIT 3

Planning & Zoning Minutes October 19, 2021



Planning and Zoning Commission October 19, 2021

Staff Report

TO: Planning and Zoning Commission

FROM: Richard Smith, Planning Director

SUBJECT: **CPA-2021-01** – *Move Kannapolis Forward 2030 Comprehensive Plan* Amendments

Amend *Move Kannapolis Forward 2030 Comprehensive Plan* “Future Land Use and Character Map” designation of the area near Stadium Drive, the Interstate 85 and Lane Street interchange area, specifically Rowan County Parcel 145 023 from “Future Planning Area” to “Employment Center”. Further, amend the *Move Kannapolis Forward 2030 Comprehensive Plan* “Future Land Use and Character Map” designation for this area for Rowan County Parcel 145 089 and Cabarrus County PINs 56344173260000, 56344132700000, the remainder of 56344036180000, 56344122130000, 56344019060000, 56344068490000, 56345033580000, 56345133400000, all of 56335809780000, and 56334815830000 from “Future Planning Area” to “Primary Activity Interchange”.

A. Actions Requested by Planning & Zoning Commission

Motion to recommend to City Council approval of the proposed amendments to the *Move Kannapolis Forward 2030 Comprehensive Plan* Future Land Use and Character Map.

B. Decision and Required Votes to Pass Requested Actions

A simple majority vote of the Planning & Zoning Commission will be required to recommend approval/denial. City Council has final decision-making authority to approve or deny the amendments.

C. Background

In March 2018, the City Council adopted the *Move Kannapolis Forward 2030 Comprehensive Plan*. This plan includes a “Future Land Use and Character Map”, which provides guidance for future land development in the City of Kannapolis.

The City of Kannapolis will be closing on the sale of the former Intimidator's stadium site at the end of the year. This parcel is currently designated on the "Future Land Use and Character Map" in the 2030 Plan as being located in a "Future Planning Area". Staff is proposing that the Future Land Use Character designation for the stadium parcel be changed from "Future Planning Area" to "Employment Center". This proposed change in designation is in response to a request by the future property owners to develop the former stadium site for a logistics/warehouse type facilities. This request is consistent with a previous amendment recommendation approved by the Commission and ultimately amended by City Council for parcels located on Lane Street near this interchange area. A request for rezoning of the stadium parcel has been submitted to the Planning Department and will be placed on the Commission's agenda for the November meeting.

The additional parcels listed are also designated on the "Future Land Use and Character Map" in the 2030 Plan as being located in a "Future Planning Area". Staff is recommending for these remaining parcels listed to be designated as "Primary Activity Interchange". These additional parcels are recommended for amendment based on the level of interest staff has received regarding these areas and the natural development tendencies of typical interstate interchange areas.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.3.2.1 of the UDO states that "*The Commission shall provide an advisory function to assist in making decisions pertaining to amendments to the Comprehensive Plan*", and further "*To prepare amendments to the plan and its elements and to submit the amendments to the City Council*". In accordance with Section 2.4.1 of the UDO, the City Council has final authority to amend the 2030 Plan.

F. Legal Issues

None

G. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

Staff is proposing that the Future Land Use and Character Map of the Move Kannapolis Forward 2030 Comprehensive Plan be amended to change the current designation for the above referenced parcels from "Future Planning Area" to "Employment Center" and from "Future Planning Area" to "Primary Activity Interchange". (See attached map)

Courses of Action

Based on the foregoing analysis, staff recommends **approval** of the proposed Land Use Plan amendment, as presented.

APPROVAL

The following action is required for the Planning and Zoning Commission to recommend **approval** of the proposed amendment to the 2030 Plan “Future Land Use and Character Map”:

1. Consider motion to recommend approval of proposed Move Kannapolis Forward 2030 Comprehensive Plan Future Land Use and Character Map amendment by City Council.

DENIAL

The following actions are required to recommend **denial** of the proposed amendment to the 2030 Plan “Future Land Use and Character Map”:

1. Consider motion to recommend denial of proposed Move Kannapolis Forward 2030 Comprehensive Plan Future Land Use and Character Map amendment by City Council.

H. Attachments

1. Move Kannapolis Forward 2030 Comprehensive Plan Future Land Use and Character Map (Current)
2. Move Kannapolis Forward 2030 Comprehensive Plan Future Land Use and Character Map (Proposed)

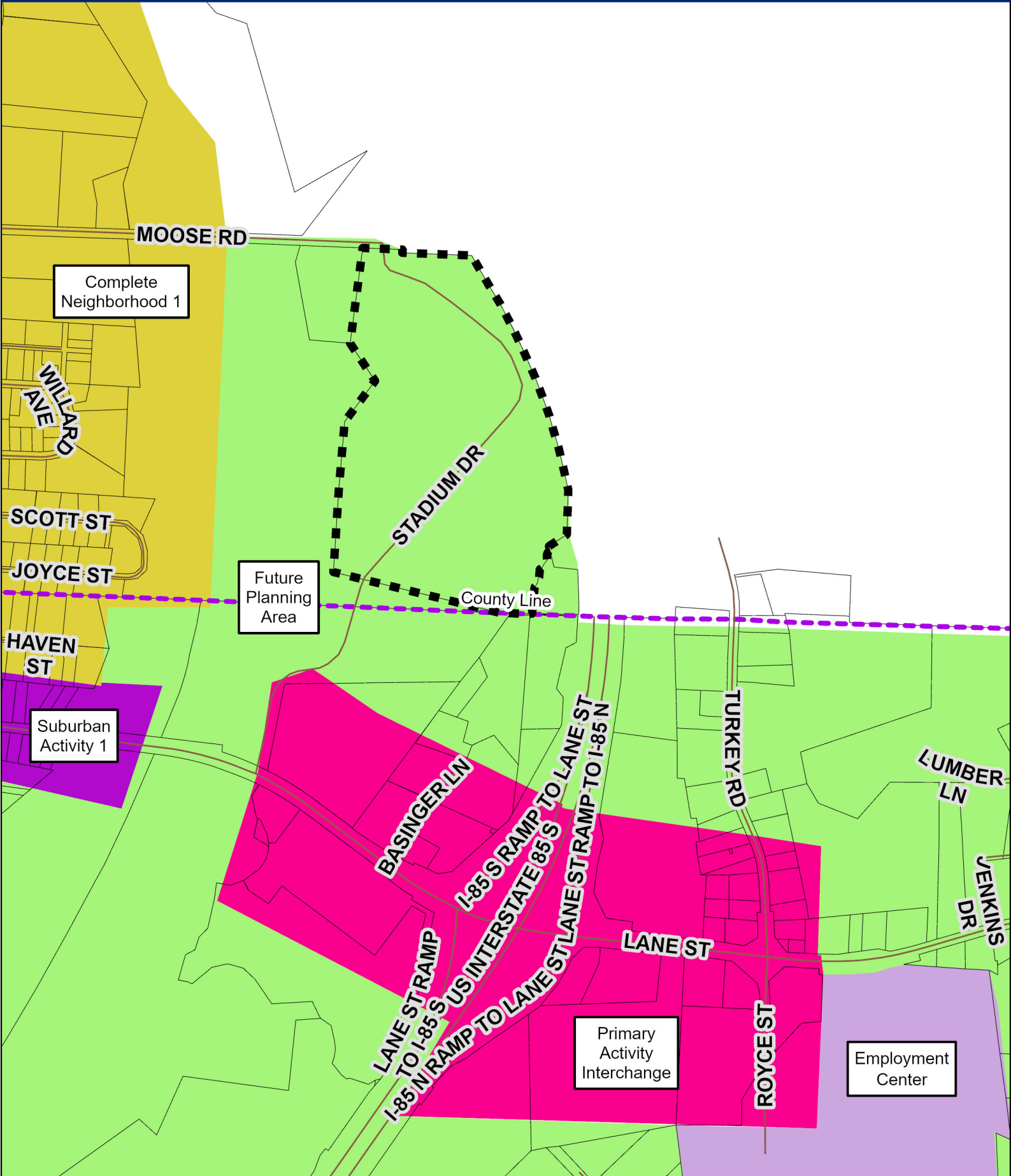
I. Issue Reviewed By:

- City Manager
- Assistant City Manager
- Economic & Community Development Director



Kannapolis 2030 Future Land Use Map

Case Number: CPA-2021-01
Applicant: City Staff Initiated
2888 Moose Rd





Kannapolis 2030 Future Land Use Map (Proposed)

Case Number: CPA-2021-01
Applicant: City Staff Initiated
2888 Moose Rd

