



BOARD OF ADJUSTMENT AGENDA

**Kannapolis City Hall
Laureate Center - Kannapolis, N.C.**

**Tuesday, August 6, 2024
6:00 PM**

- 1. Call to Order**
- 2. Roll Call and Recognition of Quorum**
- 3. Approval of Agenda**
- 4. Approval of Minutes – July 9, 2024**
- 5. Swearing In for Testimony**
- 6. Public Hearing:**
 - a. BOA-2024-12 – Special Use Permit – 917 West C St.**

Continued from the July 9, 2024 meeting. Public Hearing to consider a request for a Special Use Permit (SUP) to allow for an event center on property located at 917 West C Street. Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance, a SUP is required for event center uses in the Mixed-Use (MU-N) zoning district. The subject property is 0.77 +/- acres and is more specifically identified as Cabarrus County Parcel Identification Numbers 56142291400000.
 - b. BOA-2024-05 – Special Use Permit – 2918 S Main St.**

Public Hearing to consider a request for a Special Use Permit (SUP) to allow for a self-service storage use on property located at 2918 S. Main Street. Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance, a SUP is required for self-service storage uses in the General Commercial (GC) zoning district. The subject property, more specifically identified as Cabarrus County Parcel Identification Number 56128252670000, is located within both the City of Kannapolis and the City of Concord with approximately 2.3 +/- acres in Kannapolis.
 - c. BOA-2024-13 – Special Use Permit – Unaddressed Parcel on S Main St.**

Public Hearing to consider a request for a Special Use Permit (SUP) to allow for a self-service storage use on unaddressed property located on S. Main Street and more specifically identified as Cabarrus County Parcel Identification Number 56128244450000. Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance, a SUP is required for self-service storage uses in the General Commercial (GC) zoning district. The subject property is approximately 2.977 +/- acres.
- 7. Planning Director Updates**
- 8. Other Business**
 - a. Approval of Amended Rules of Procedure**
 - b. Election of FY25 Officers**
- 9. Adjourn**



**Board of Adjustment
August 6, 2024 Meeting**

Staff Report

TO: Board of Adjustment
FROM: Ben Barcroft, Senior Planner
SUBJECT: Case# BOA-2024-05: Special Use Permit – 2918 S Main St.
Applicant: Rick Meeks

Request for a Special Use Permit to allow for a self-service storage facility on property located at 2918 S Main St.

A. Actions Requested by Board of Adjustment

1. Motion to accept the City's exhibits into the record.
2. Motion to approve/revise Findings of Fact for the Special Use Permit.
3. Motion to approve (approve with conditions) (deny) the issuance of the Special Use Permit
4. Motion to Issue Order of Approval.

B. Required Votes to Pass Requested Action

A majority vote is required to approve, approve with conditions, or deny the requested actions.

C. Background

The applicant, Rick Meeks, is requesting a Special Use Permit (SUP) to allow for a self-service storage facility in the General Commercial (GC) zoning district. The subject property, more specifically identified as Cabarrus County Parcel Identification Number 56128252670000, is located within both the City of Kannapolis and the City of Concord with approximately 2.3 +/- acres in Kannapolis. **(Please see attached vicinity map showing the location of this property.)** It is our understanding that the City of Concord rezoned the portion of this property that lies within their jurisdiction on July 11, 2024. Concord rezoned the property to industrial in order to allow for the self-service storage facility.

Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), issuance of a SUP is required for Self-service storage uses in the GC zoning district.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.A(5) of the KDO requires that the Board of Adjustment shall only approve a special use permit if the applicant demonstrates that the criteria below have been met. Staff analysis of each criterion is noted.

Staff Findings of Fact - Based on application review:

Yes No

 The proposed conditional use will be in harmony with the area in which it is to be located and in general conformance with the City's Land Use Plan.

This property is in the "Suburban Activity 1" Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This area calls for primary uses consisting of retail and office. This Character Area is composed of commercial, civic and utility uses. Specific nearby property uses consist of an existing storage facility, an electrical power station, and major powerlines, as well as other non-residential uses.

Based on the character areas noted above, the proposed development is compatible with the future and existing uses in the surrounding area.

 Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.

The proposed use of a self-service storage facility is not anticipated to cause any traffic hazards or traffic congestion.

 The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

No vibration, noise, odor, dust, smoke, or gas beyond what would be anticipated for a self-service storage facility is expected as a result of this proposed use.

 The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

The proposed use would not impede development of the surrounding properties for uses allowed within their respective zoning districts. The proposed self-service storage facility would have a minimal impact on the surrounding properties.

 The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

There is no apparent danger or detriment to the overall public safety, health and welfare resulting from the proposed use. The proposed use is subject to all the requirements of the Kannapolis Development Ordinance.

The proposed use complies with all applicable provisions of the KDO.

The proposed use shall comply with all sections of the Kannapolis Development Ordinance, conditions of approval, and any other applicable local, state and Federal regulations. It is understood by the applicant that unless specifically relieved of a requirement in writing, all KDO requirements must be met.

The applicant consents in writing to all conditions of approval included in the approved special use permit.

The applicant has been informed they must sign the Conditions of Approval for this special use permit.

F. Legal Issues

Board's Findings of Fact - Based on application review and public hearing.

In order to determine whether a special use permit is warranted, the Board must decide that each of the six findings as outlined below has been met and that the additional approval criteria has been satisfactorily addressed. If the Board concurs completely with the findings of the staff, no additional findings of fact are necessary, and the staff findings should be approved as part of the decision. However, if the Board wishes to approve different findings (perhaps as a result of additional evidence or testimony presented at the public hearing), alternate findings need to be included as part of the six criteria below. Should a special use permit be approved, the Board may place conditions on the use as part of the approval to assure that adequate mitigation measures are associated with the use.

Yes **No**

The proposed conditional use will be in harmony with the area in which it is to be located and in general conformance with the City's Land Use Plan.

Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.

The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

The proposed use complies with all applicable provisions of the KDO.

The applicant consents in writing to all conditions of approval included in the approved special use permit.

G. Recommendation

Based on the above findings, staff recommends **approval** of the Special Use Permit based on the staff Findings of Fact (or as modified by the Board), the conceptual site plan, and compliance with all local, state and federal requirements.

The Board of Adjustment should consider all facts and testimony after conducting the Public Hearing and render a decision accordingly to approve, approve with conditions, or deny the Special Use Permit.

H. Attachments

1. Special Use Permit Application
2. Vicinity Map
3. Zoning Map
4. Future Land Use Map
5. Conceptual Site Plan
6. Elevation Rendering
7. Trip Generation Table
8. List of Notified Properties
9. Notice to Adjacent Property Owners
10. Posted Public Notice

I. Issue Reviewed By:

Planning Director	X
Assistant City Manager	X
City Attorney	X



Special Use Permit

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

SPECIAL USE PERMIT REQUEST

Special Use Permit (SUP) – Request for SUP as required by Table 4.3.B(3) of the Kannapolis Development Ordinance (KDO).

Approval authority – Board of Adjustment.

Property Address: 2918 S Main St, Concord, NC 28027

Applicant: Rick Meeks

SUBMITTAL CHECKLIST

- Pre-Application Meeting
- SUP Checklist and Application – Complete with all required signatures
- Plot/Site Plan showing the proposed use
- Fee: \$625.00 (\$600 Application Fee + notification fee [see Fee Schedule])

PROCESS INFORMATION

Public Notification: This is a quasi-judicial process that requires a public hearing and public notification including first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Table 2.4.F(2) of the KDO).

Review Process: All applications will be reviewed for compliance and then forwarded to the Board of Adjustment for consideration at a public hearing which is held monthly on the 1st Tuesday at 6:00pm in City Hall Laureate Center. **The pre-application meeting, application and site plan submittal, and payment of fees, must be completed prior to scheduling the public hearing. Please review Section 2.4.D of the KDO.**

Action by Board of Adjustment: After conducting a public hearing, the Board of Adjustment may: approve; approve with conditions; deny; or conduct an additional public hearing on the application. Per Section 2.5.A(5)c, the Board may approve a petition only if compliance with all standards is obtained.

Scope of Approval: Per Section 2.5.A(5)a.2 of the KDO, approval of a SUP does not authorize any development activity, but shall authorize the applicant to apply for final site plan approval. Zoning clearance permits will not be issued until the SUP and final site plan have been approved.

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if incomplete.

Applicant's Signature: Rick Meeks Date: 11/19/24



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

SPECIAL USE PERMIT APPLICATION

Approval authority – Board of Adjustment

Applicant Contact Information

Name: Rick Meeks
Address: 313 S Main St, Ste 100
Kannapolis, NC 28081
Phone: 704-796-8125
Email: rmeeks34@gmail.com

Property Owner Contact Information same as applicant

Name: Mills Roy D Trustee Mills Roy D Revoc Trst 3/13/1997
Address: 983 Roy Hartley Rd
Lexington, NC 27295
Phone: 704-425-0560
Email: _____

Project Information

Project Address: 2918 S Main St, Concord, NC 28027 Zoning District GC
Parcel PIN: 56128252670000 Size of property (in acres): 2.3

Current Property Use: Vacant Land

Proposed Use: Self Storage Facility

The location of the above-mentioned proposed use is indicated on the accompanying site plan, and the nature of the proposed use is more fully described as follows (attach separate sheet if necessary):

We plan to build approx 34,400 sq ft of self storage on this parcel

REVIEW STANDARDS

The Board of Adjustment does not have unlimited discretion in deciding whether to approve a Special Use Permit (SUP). Per Section 2.5.A(5)c of the Kannapolis Development Ordinance (KDO,) the applicant must demonstrate successful compliance with all standards to obtain a SUP. In the space provided below, indicate the **facts** that you intend to provide to convince the Board that it can properly reach the following conclusions:

- 1. The proposed special use will be in harmony with the area in which it is to be located and in general conformance with the City's Comprehensive Plan.**

Similar size storage facility on adjacent property to the East, a larger storage facility 700 ft SE across Ridge Av,
industrial building across street to S, Duke Energy sub station adjacent to N and auto repair shop adjacent to N

2. Adequate measures shall be taken to provide ingress and egress to minimize traffic hazards and traffic congestion on the public roads.

Yes, coordinated with DOT

3. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

No, very little traffic flow

4. The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

No, all adjacent properties already developed

5. The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare.

No

6. The proposed use complies with all applicable provisions of the KDO.

Yes

7. The applicant consents in writing to all conditions of approval included in the approved special use permit.

Yes

By signing below, I certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I acknowledge that the Board of Adjustment may add conditions on the requested use as part of the approval to assure that adequate mitigation measures are associated with the use. For example, landscaping or fencing may be required, or a shift of operations away from adjoining properties may be stipulated.

Rick Maske

Applicant Signature

1/19/24

Date

R. D. Miller TTG

Property Owner Signature

1/19/24

Date



Vicinity Map

Case Number: BOA-2024-05

Applicant: Rick Meeks

2918 S Main St



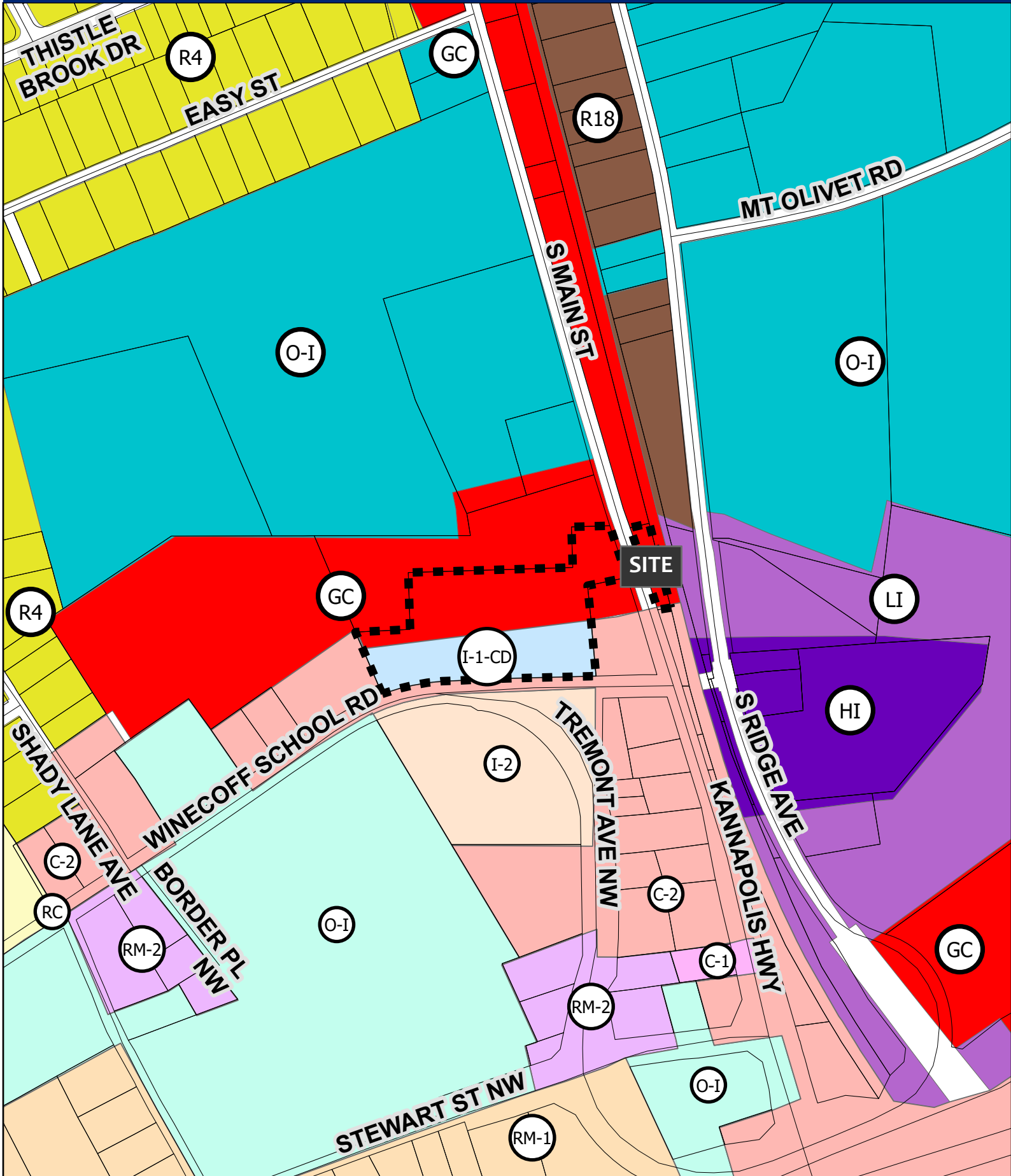


Kannapolis Current Zoning

Case Number: BOA-2024-05

Applicant: Rick Meeks

2918 S Main St

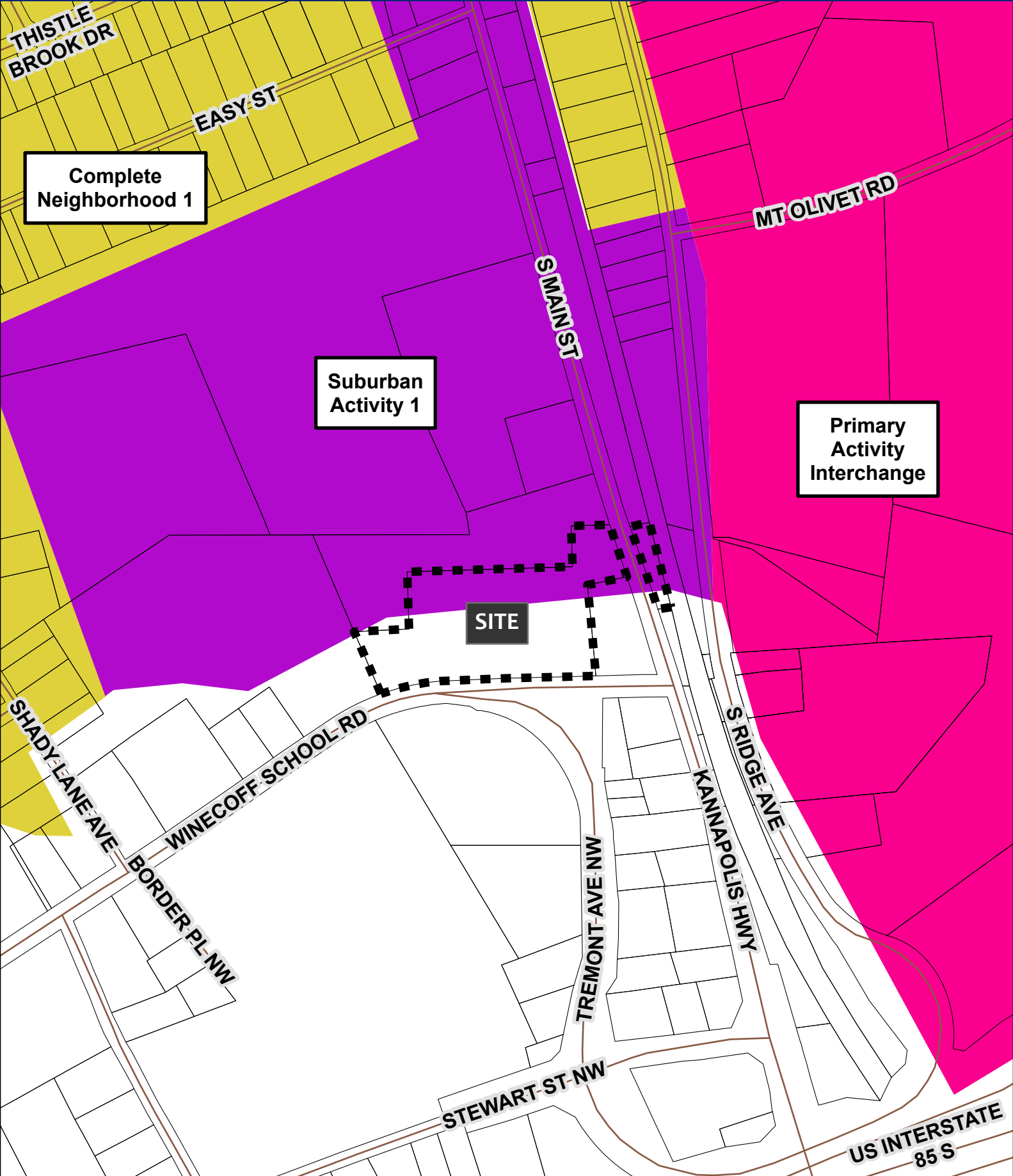


Kannapolis 2030 Future Land Use Map

Case Number: BOA-2024-05

Applicant: Rick Meeks

2918 S Main St



**Complete
Neighborhood 1**

**Suburban
Activity 1**

**Primary
Activity
Interchange**

SITE

THISTLE
BROOK DR

EASY ST

S MAIN ST

MT OLIVET RD

SHADY LANE AVE

WINECOFF SCHOOL RD

BORDER PL-NW

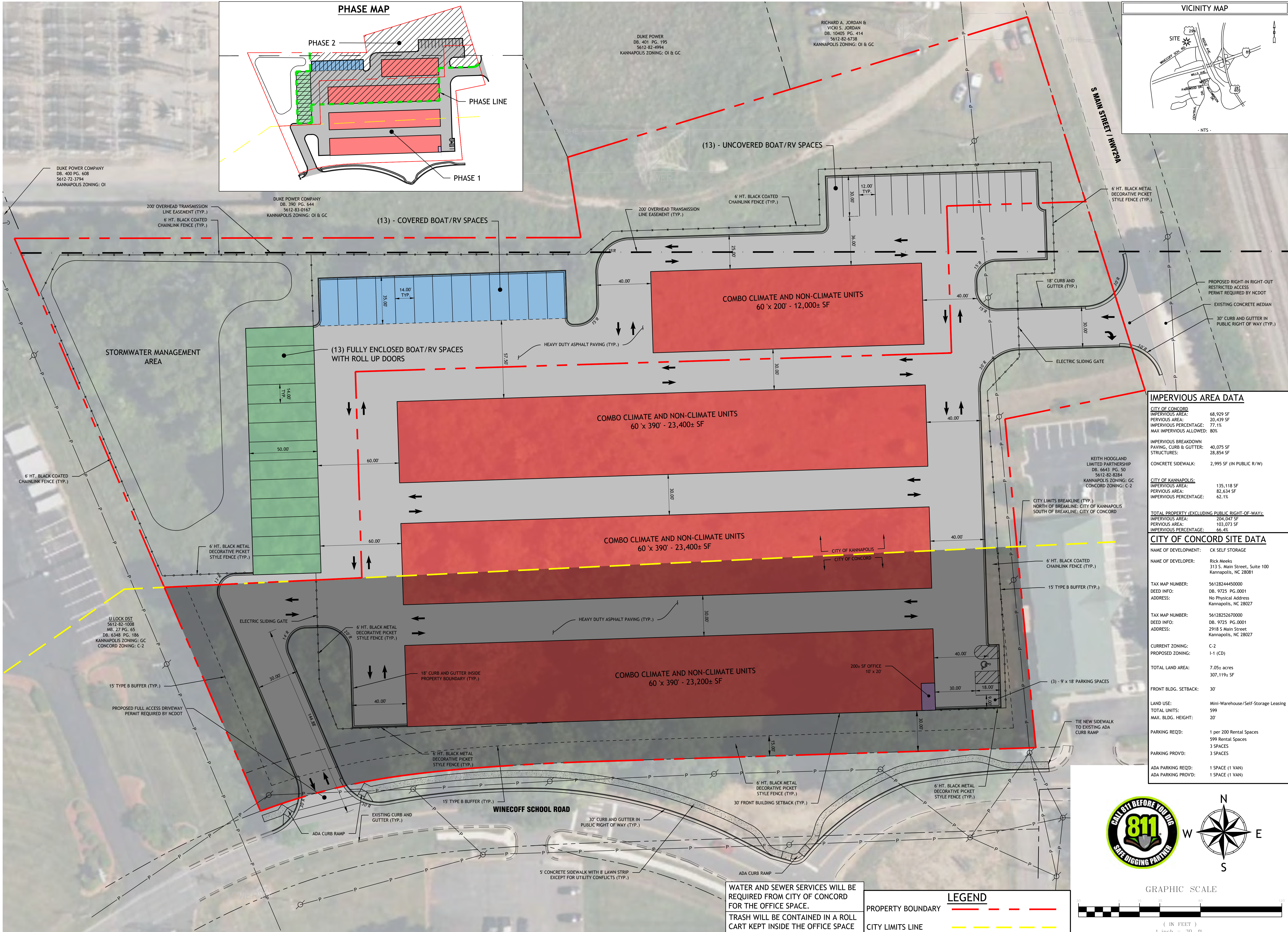
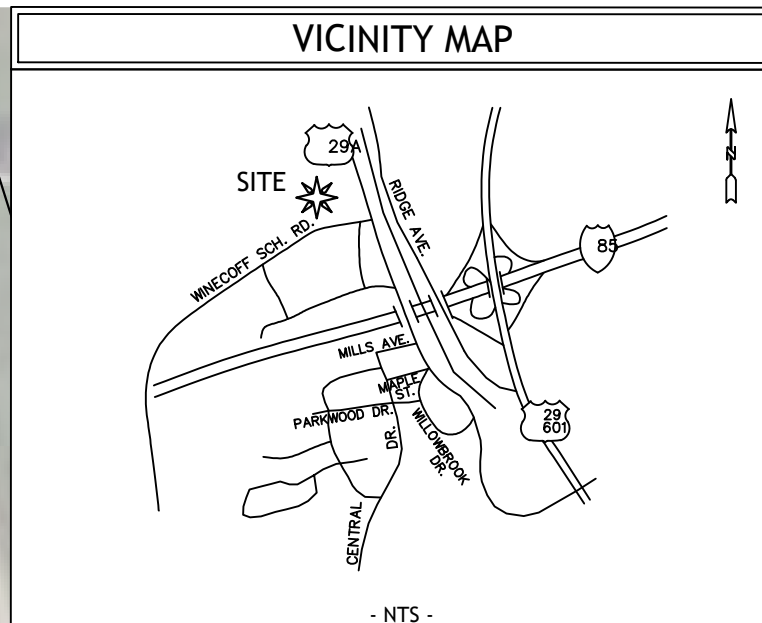
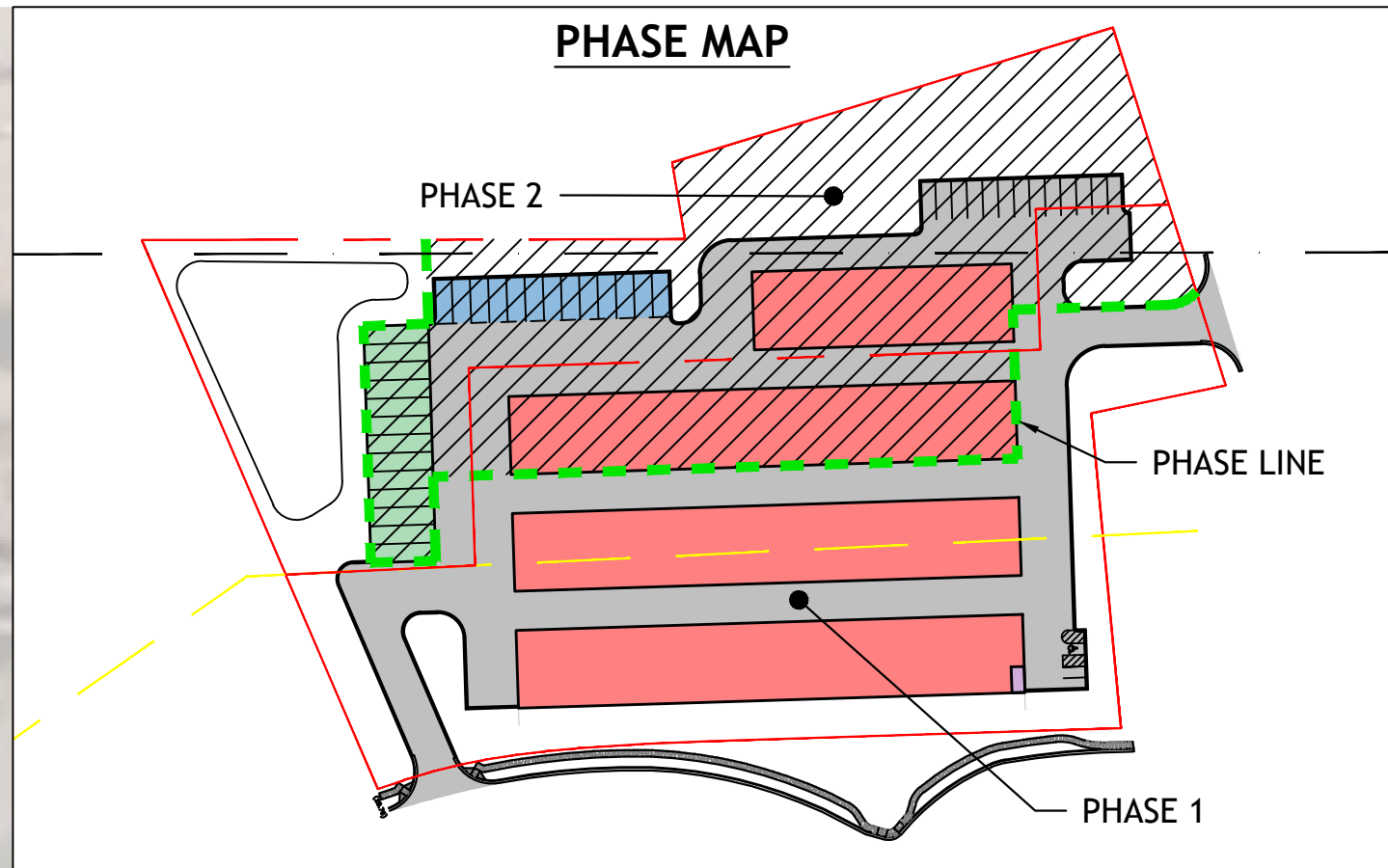
TREMONT AVE-NW

STEWART ST-NW

S RIDGE AVE

KANNAPOLIS HWY

US INTERSTATE
85 S



IMPERVIOUS AREA DATA

CITY OF CONCORD	IMPERVIOUS AREA:	68,929 SF
	PERVIOUS AREA:	20,439 SF
	IMPERVIOUS PERCENTAGE:	77.1%
	MAX IMPERVIOUS ALLOWED:	80%
	IMPERVIOUS BREAKDOWN	40,075 SF
	PAVING, CURB & GUTTER:	28,854 SF
	STRUCTURES:	
	CONCRETE SIDEWALK:	2,995 SF (IN PUBLIC R/W)
CITY OF KANNAPOLIS	IMPERVIOUS AREA:	135,118 SF
	PERVIOUS AREA:	82,634 SF
	IMPERVIOUS PERCENTAGE:	62.1%
TOTAL PROPERTY (EXCLUDING PUBLIC RIGHT-OF-WAY):		
	IMPERVIOUS AREA:	204,047 SF
	PERVIOUS AREA:	103,073 SF
	IMPERVIOUS PERCENTAGE:	66.4%

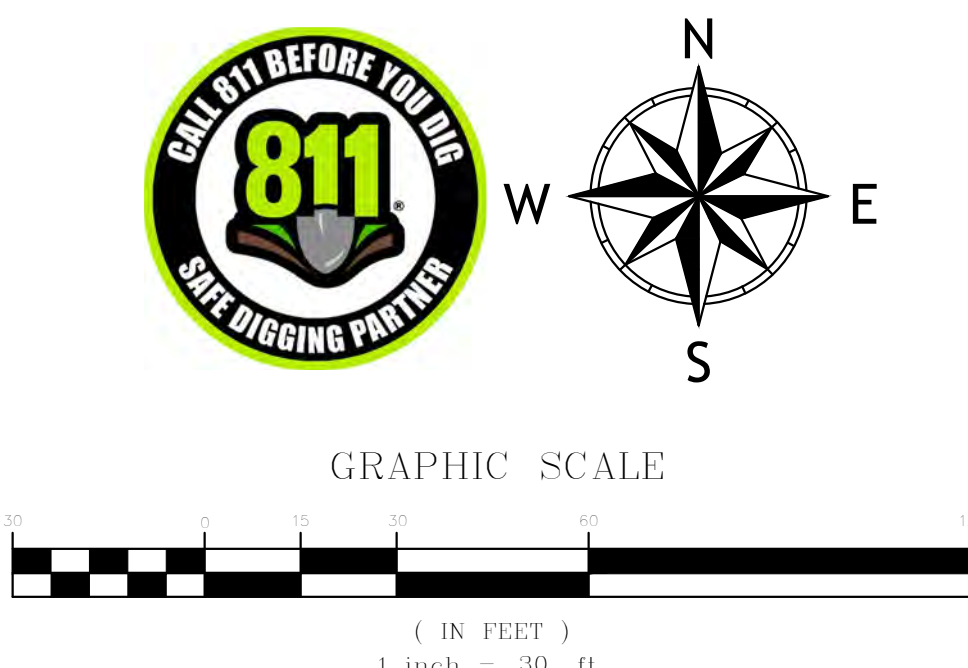
CITY OF CONCORD SITE DATA

NAME OF DEVELOPMENT:	CK SELF STORAGE
NAME OF DEVELOPER:	Rick Meeks 313 S. Main Street, Suite 100 Kannapolis, NC 28081
TAX MAP NUMBER:	56128244450000
DEED INFO:	DB: 9725 PG: 0001
ADDRESS:	No Physical Address Kannapolis, NC 28027
TAX MAP NUMBER:	56128252670000
DEED INFO:	DB: 9725 PG: 0001
ADDRESS:	2918 S Main Street Kannapolis, NC 28027
CURRENT ZONING:	C-2
PROPOSED ZONING:	I-1 (CD)
TOTAL LAND AREA:	7.05± acres 307,119± SF
FRONT BLDG. SETBACK:	30'
LAND USE:	Mini-Warehouse/Self-Storage Leasing
TOTAL UNITS:	599
MAX. BLDG. HEIGHT:	20'
PARKING REQD:	1 per 200 Rental Spaces 599 Rental Spaces 3 SPACES
PARKING PROV'D:	3 SPACES
ADA PARKING REQD:	1 SPACE (1 VAN)
ADA PARKING PROV'D:	1 SPACE (1 VAN)

WATER AND SEWER SERVICES WILL BE REQUIRED FROM CITY OF CONCORD FOR THE OFFICE SPACE.
TRASH WILL BE CONTAINED IN A ROLL CART KEPT INSIDE THE OFFICE SPACE

LEGEND

PROPERTY BOUNDARY	---
CITY LIMITS LINE	---



Project Number: ----
 DWG Name: SP-10.dwg
 Drawing Scale: AS NOTED
 Date of Project: ----
 Engineer of Record:
 Christopher L. Price, P.E.
 North Carolina PEF 029755

bluewater
 civil design
 bluewater.civil.design, llc
 718 Lowndes Hill Road • Greenville, SC 29607
 www.bluewatercivil.com • info@bluewatercivil.com

Developer:
 Rick Meeks
 313 S. Main Street, Suite 100
 Kannapolis, NC 28081

CK SELF STORAGE
 202 Winecoff School Road, Concord, NC
 2918 S Main Street, Concord, NC

PLN REVISION	ISSUE DATE	ISSUE COMMENT
A	06-16-2023	ISSUED FOR REVIEW
B	02-09-2024	REVISED PER CONCORD COMMENTS
C	05-10-2024	REMOVED KIOSK
D	06-03-2024	REVISED PER COMMENTS
E	07-17-2024	REVISED PER KANN. COMMENTS

PRELIMINARY
 SITE PLAN

SP-10

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
116 STREET PROPERTIES LLC	15105 JOHN J DELANEY DR STE D	CHARLOTTE	NC	28277
3 G MANUFACTURING INC A NCC	201 WINECOFF SCHOOL RD	CONCORD	NC	28027
WILLIAM S AUSTIN	PO BOX 3067	CONCORD	NC	28025
CABARRUS COUNTY	PO BOX 707	CONCORD	NC	28026
CAROLINA CEMETERY PARK	PO BOX 3257	CONCORD	NC	28025
DUKE POWER COMPANY	400 S. TRYON ST ST22M	CHARLOTTE	NC	28201
WILLIAM T GOULD JR	2850 S RIDGE AVE	CONCORD	NC	28025
RICHARD & VICKI JORDAN	2346 COLD SPRINGS RD	CONCORD	NC	28025
KEITH HOOGLAND PARTNERSHIP	2701 W LAWRENCE AVE STE A	SPRINGFIELD	IL	62704
LYNDON & KELLY LACKEY	2091 TREMONT AVE NW	CONCORD	NC	28027
MIGUEL ANGEL MARTINEZ LUCERO				
JUAN MANUEL MARTINEZ LUCERO	2831 S MAIN ST	CONCORD	NC	28027
ROY D MILLS TRUSTEE				
ROY D MILLS REVOC TRST 3/13/97	983 ROY HARTLEY RD	LEXINGTON	NC	27295
NORTH CAROLINA RAILROAD CO	2809 HIGHWOODS BLVD STE 100	RALEIGH	NC	27604
PBD HOLDINGS LLC	2941 S RIDGE AVE	CONCORD	NC	28025
RESEARCH CITY LLC	341 BECKWICK LN	CONCORD	NC	28025
SATYA SAI INC A NC CORPORATION	2020 KANNAPOLIS HWY	CONCORD	NC	28027
	PO BOX 71870			
U LOCK DST	6890 S 2300 E	SALT LAKE CTY	UT	84171
RICK MEEKS	313 S MAIN ST, STE 100	KANNAPOLIS	NC	28081



July 17, 2024

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasi-judicial public hearing on Tuesday August 6, 2024, at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

BOA-2024-05 – Special Use Permit – 2918 S. Main Street

The purpose of this Public Hearing is to consider a request for a Special Use Permit (SUP) to allow for a self-service storage use on property located at 2918 S. Main Street. Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance, a SUP is required for self-service storage uses in the General Commercial (GC) zoning district. The subject property, more specifically identified as Cabarrus County Parcel Identification Number 56128252670000, is located within both the City of Kannapolis and the City of Concord with approximately 2.3 +/- acres in Kannapolis. **(Please see attached vicinity 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 welcome to attend the public hearing and present testimony to the Board of Adjustment if you so desire.

If you have any questions about the public hearing or request, please do not hesitate to contact the Planning Department at 704.920.4350 or bbarcroft@kannapolisnc.gov.

Sincerely,

Ben Barcroft
Senior Planner

Enclosure

The meeting is accessible to people with disabilities. To request special accommodation in advance, contact the City's ADA Coordinator at 704-920.4322 as soon as possible but no later than 48 hours before the scheduled meeting.

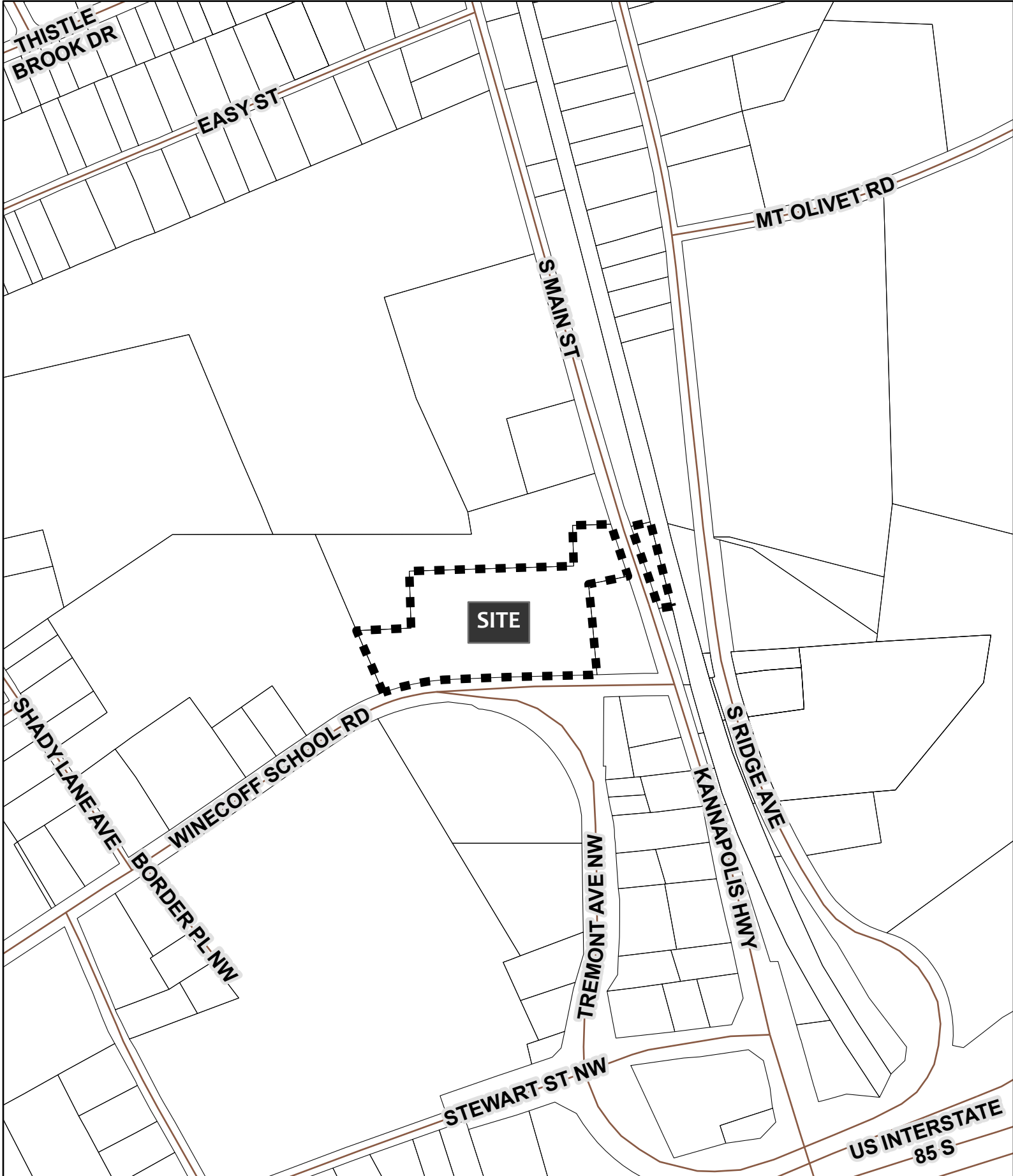


Special Use Permit

Case Number: BOA-2024-05

Applicant: Rick Meeks

2918 S Main St





BOARD OF

ADJUSTMENT

**PUBLIC HEARING
INFORMATION**

CALL 704-920-4350

CASE #BOA - 2024 -05

HEATING & AIR
ELECTRICAL
WORK
Blue Collar Trades - LICENSED & INSURED
TEL: 803-6412

GL
CARMEN LE
TAX & INSUR
704-786-08



BOARD OF

ADJUSTMENT

**PUBLIC HEARING
INFORMATION**

CALL 704-920-4350

CASE # BOA - 2024 -05



**Board of Adjustment
August 6, 2024 Meeting**

Staff Report

TO: Board of Adjustment
FROM: Mia Alvarez, Planner
SUBJECT: Case# BOA-2024-13: Special Use Permit – Unaddressed Parcel on S Main St.
Applicant: Rick Meeks

Request for a Special Use Permit to allow for a self-service storage facility on an unaddressed property located on S Main St.

A. Actions Requested by Board of Adjustment

1. Motion to accept the City’s exhibits into the record.
2. Motion to approve/revise Findings of Fact for the Special Use Permit.
3. Motion to approve (approve with conditions) (deny) the issuance of the Special Use Permit
4. Motion to Issue Order of Approval.

B. Required Votes to Pass Requested Action

A majority vote is required to approve, approve with conditions, or deny the requested actions.

C. Background

The applicant, Rick Meeks, is requesting a Special Use Permit (SUP) to allow for a self-service storage facility in the General Commercial (GC) zoning district on approximately 2.977 +/- acres of unaddressed property located on S. Main Street, and further identified as Cabarrus County Parcel Identification Number 56128244450000.

Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance (KDO), issuance of a SUP is required for Self-service storage uses in the GC zoning district. Although they are separate parcels, the Board should consider reviewing this request similarly to the previous request for the same use for the adjacent property located at 2918 South Main Street.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.A(5) of the KDO requires that the Board of Adjustment shall only approve a special use permit if the applicant demonstrates that the criteria below have been met. Staff analysis of each criterion is noted.

Staff Findings of Fact - Based on application review:

Yes No

The proposed conditional use will be in harmony with the area in which it is to be located and in general conformance with the City's Land Use Plan.

This property is in the "Suburban Activity 1" Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This area calls for primary uses consisting of retail and office. This Character Area is composed of commercial, civic and utility uses. Specific nearby property uses consists of an existing storage facility, an electrical power station, and major powerlines, as well as other non-residential uses.

Based on the character areas noted above, the proposed development is compatible with the future and existing uses in the surrounding area.

Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.

The proposed use of a self-service storage facility is not anticipated to cause any traffic hazards or traffic congestion.

The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

No vibration, noise, odor, dust, smoke, or gas beyond what would be anticipated for a self-service storage facility is expected as a result of this proposed use.

The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

The proposed use would not impede development of the surrounding properties for uses allowed within their respective zoning districts. The proposed self-service storage facility would have a minimal impact on the surrounding properties.

The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

There is no apparent danger or detriment to the overall public safety, health and welfare resulting from the proposed use. The proposed use is subject to all the requirements of the Kannapolis Development Ordinance.

The proposed use complies with all applicable provisions of the KDO.

The proposed use shall comply with all sections of the Kannapolis Development Ordinance, conditions of approval, and any other applicable local, state and Federal

regulations. It is understood by the applicant that unless specifically relieved of a requirement in writing, all KDO requirements must be met.

The applicant consents in writing to all conditions of approval included in the approved special use permit.

The applicant has been informed they must sign the Conditions of Approval for this special use permit.

F. Legal Issues

Board's Findings of Fact - Based on application review and public hearing.

In order to determine whether a special use permit is warranted, the Board must decide that each of the six findings as outlined below has been met and that the additional approval criteria has been satisfactorily addressed. If the Board concurs completely with the findings of the staff, no additional findings of fact are necessary, and the staff findings should be approved as part of the decision. However, if the Board wishes to approve different findings (perhaps as a result of additional evidence or testimony presented at the public hearing), alternate findings need to be included as part of the six criteria below. Should a special use permit be approved, the Board may place conditions on the use as part of the approval to assure that adequate mitigation measures are associated with the use.

Yes

No

The proposed conditional use will be in harmony with the area in which it is to be located and in general conformance with the City's Land Use Plan.

Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.

The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

The proposed use complies with all applicable provisions of the KDO.

The applicant consents in writing to all conditions of approval included in the approved special use permit.

G. Recommendation

Based on the above findings, staff recommends **approval** of the Special Use Permit based on the staff Findings of Fact (or as modified by the Board), the conceptual site plan, and compliance with all local, state and federal requirements.

The Board of Adjustment should consider all facts and testimony after conducting the Public Hearing and render a decision accordingly to approve, approve with conditions, or deny the Special Use Permit.

H. Attachments

1. Special Use Permit Application
2. Vicinity Map
3. Zoning Map
4. Future Land Use Map
5. Conceptual Site Plan
6. List of Notified Properties
7. Notice to Adjacent Property Owners
8. Posted Public Notice

I. Issue Reviewed By:

Planning Director	X
Assistant City Manager	X
City Attorney	X



Special Use Permit

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

SPECIAL USE PERMIT REQUEST

Special Use Permit (SUP) – Request for SUP as required by Table 4.3.B(3) of the Kannapolis Development Ordinance (KDO).
Approval authority – Board of Adjustment.

Property Address: 2918 S Main St, Concord, NC 28027

Applicant: Rick Meeks

SUBMITTAL CHECKLIST

- Pre-Application Meeting
- SUP Checklist and Application – Complete with all required signatures
- Plot/Site Plan showing the proposed use
- Fee: \$625.00 (\$600 Application Fee + notification fee [see Fee Schedule])

PROCESS INFORMATION

Public Notification: This is a quasi-judicial process that requires a public hearing and public notification including first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Table 2.4.F(2) of the KDO).

Review Process: All applications will be reviewed for compliance and then forwarded to the Board of Adjustment for consideration at a public hearing which is held monthly on the 1st Tuesday at 6:00pm in City Hall Laureate Center. **The pre-application meeting, application and site plan submittal, and payment of fees, must be completed prior to scheduling the public hearing. Please review Section 2.4.D of the KDO.**

Action by Board of Adjustment: After conducting a public hearing, the Board of Adjustment may: approve; approve with conditions; deny; or conduct an additional public hearing on the application. Per Section 2.5.A(5)c, the Board may approve a petition only if compliance with all standards is obtained.

Scope of Approval: Per Section 2.5.A(5)a.2 of the KDO, approval of a SUP does not authorize any development activity, but shall authorize the applicant to apply for final site plan approval. Zoning clearance permits will not be issued until the SUP and final site plan have been approved.

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if incomplete.

Applicant's Signature: Rick Meeks Date: 7/16/24



SPECIAL USE PERMIT APPLICATION

Approval authority – Board of Adjustment

Applicant Contact Information

Name: Rick Meeks
Address: 313 S Main St, Ste 100
Kannapolis, NC 28081
Phone: 704-796-8125
Email: rmeeks34@gmail.com

Property Owner Contact Information same as applicant

Name: Mills Roy D Trustee Mills Roy D Revoc Trst 3/13/1997
Address: 983 Roy Hartley Rd
Lexington, NC 27295
Phone: 704-425-0560
Email: _____

Project Information

Project Address: 2918 S Main St, Concord, NC 28027 Zoning District GC
Parcel PIN: 56128244450000 Size of property (in acres): 2.977

Current Property Use: Vacant land

Proposed Use: Self storage facility with boat/RV parking

The location of the above-mentioned proposed use is indicated on the accompanying site plan, and the nature of the proposed use is more fully described as follows (attach separate sheet if necessary): _____

We plan to construct 12,000 sq. ft. of self storage, 9100 sq ft of enclosed boat/RV storage and 9100 sq. ft. of covered boat/RV storage on this parcel

REVIEW STANDARDS

The Board of Adjustment does not have unlimited discretion in deciding whether to approve a Special Use Permit (SUP). Per Section 2.5.A(5)c of the Kannapolis Development Ordinance (KDO,) the applicant must demonstrate successful compliance with all standards to obtain a SUP. In the space provided below, indicate the **facts** that you intend to provide to convince the Board that it can properly reach the following conclusions:

- 1. The proposed special use will be in harmony with the area in which it is to be located and in general conformance with the City's Comprehensive Plan.**

There is a similar size self storage facility on the adjacent property to the west, another larger self storage facility approx. 700 ft. to the SE across Ridge Ave, a Duke Energy sub station on the adjacent property to the NE, an industrial building directly across the street to the S and an auto repair shop on the adjacent N property

2. Adequate measures shall be taken to provide ingress and egress to minimize traffic hazards and traffic congestion on the public roads.

Yes, we have coordinated with DOT

3. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

No, there should be very little activity as the facility will generate very little daily traffic and be used for self storage

4. The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

No, all adjacent properties are developed

5. The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare.

No

6. The proposed use complies with all applicable provisions of the KDO.

Yes

7. The applicant consents in writing to all conditions of approval included in the approved special use permit.

Yes

By signing below, I certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I acknowledge that the Board of Adjustment may add conditions on the requested use as part of the approval to assure that adequate mitigation measures are associated with the use. For example, landscaping or fencing may be required, or a shift of operations away from adjoining properties may be stipulated.

Rick Marks

Applicant Signature

7/16/24

Date

R.A. Miller TTE

Property Owner Signature

7/16/24

Date



Vicinity Map

Case Number: BOA-2024-13

Applicant: Rick Meeks

Unaddressed S Main St



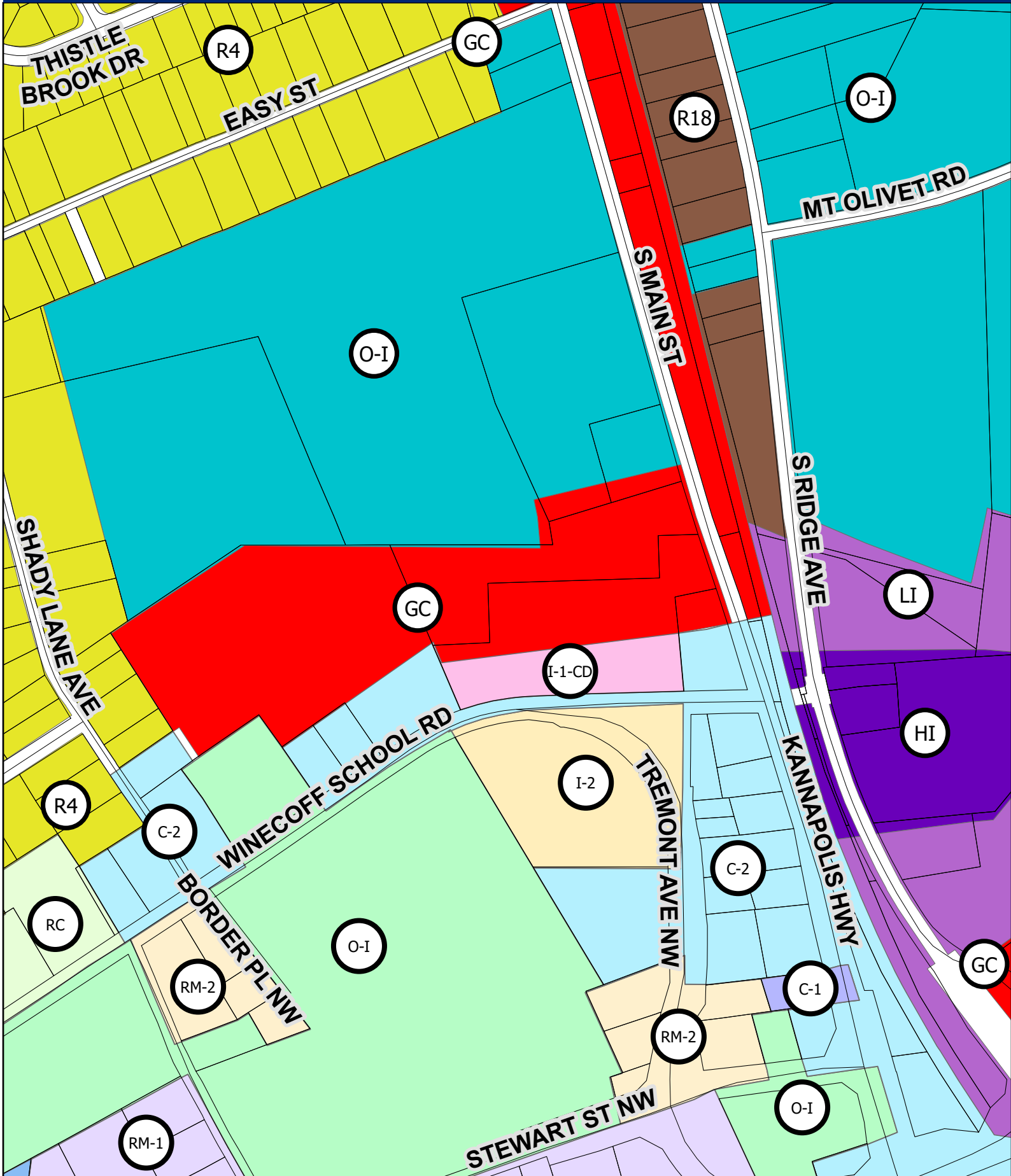


Kannapolis Current Zoning

Case Number: BOA-2024-13

Applicant: Rick Meeks

Unaddressed S Main St



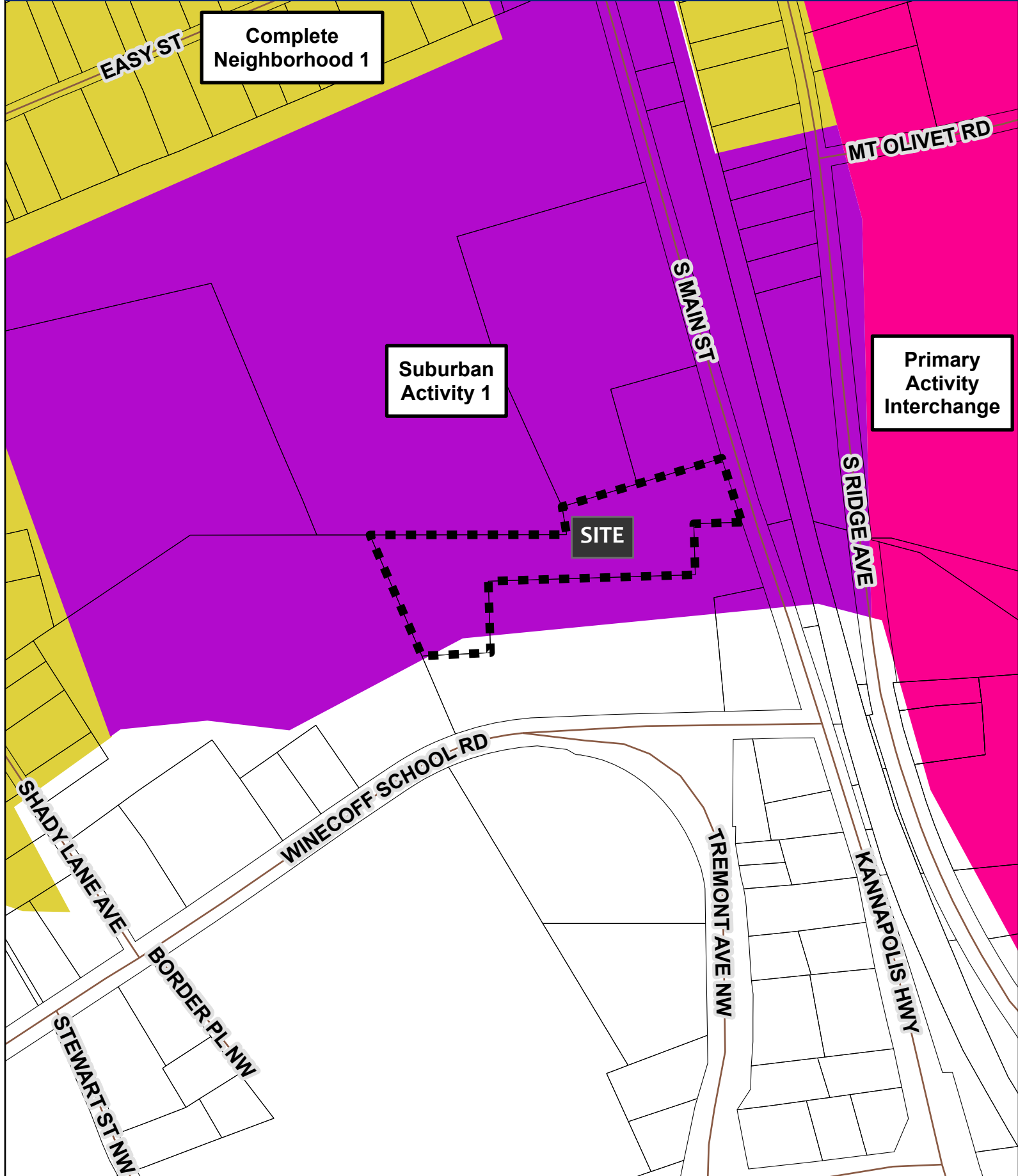


Kannapolis 2030 Future Land Use Map

Case Number: BOA-2024-13

Applicant: Rick Meeks

Unaddressed S Main St



**Complete
Neighborhood 1**

**Suburban
Activity 1**

**Primary
Activity
Interchange**

SITE

EASY ST

MT OLIVET RD

S MAIN ST

SRIDGE AVE

SHADY LANE AVE

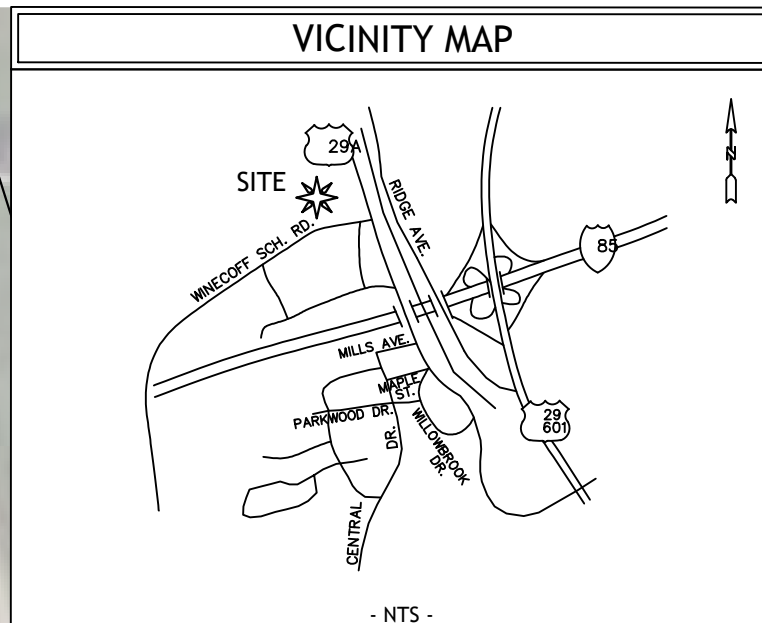
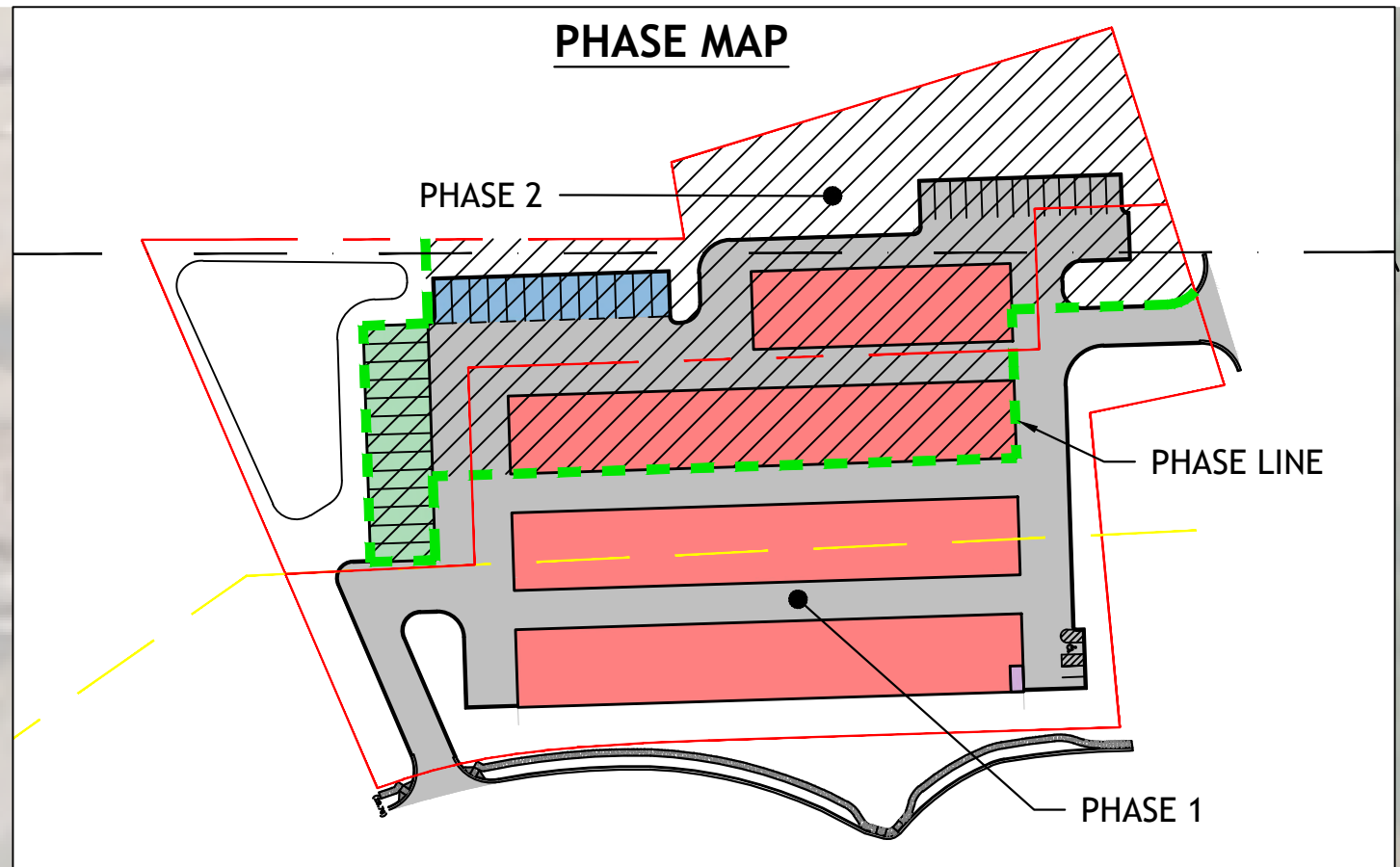
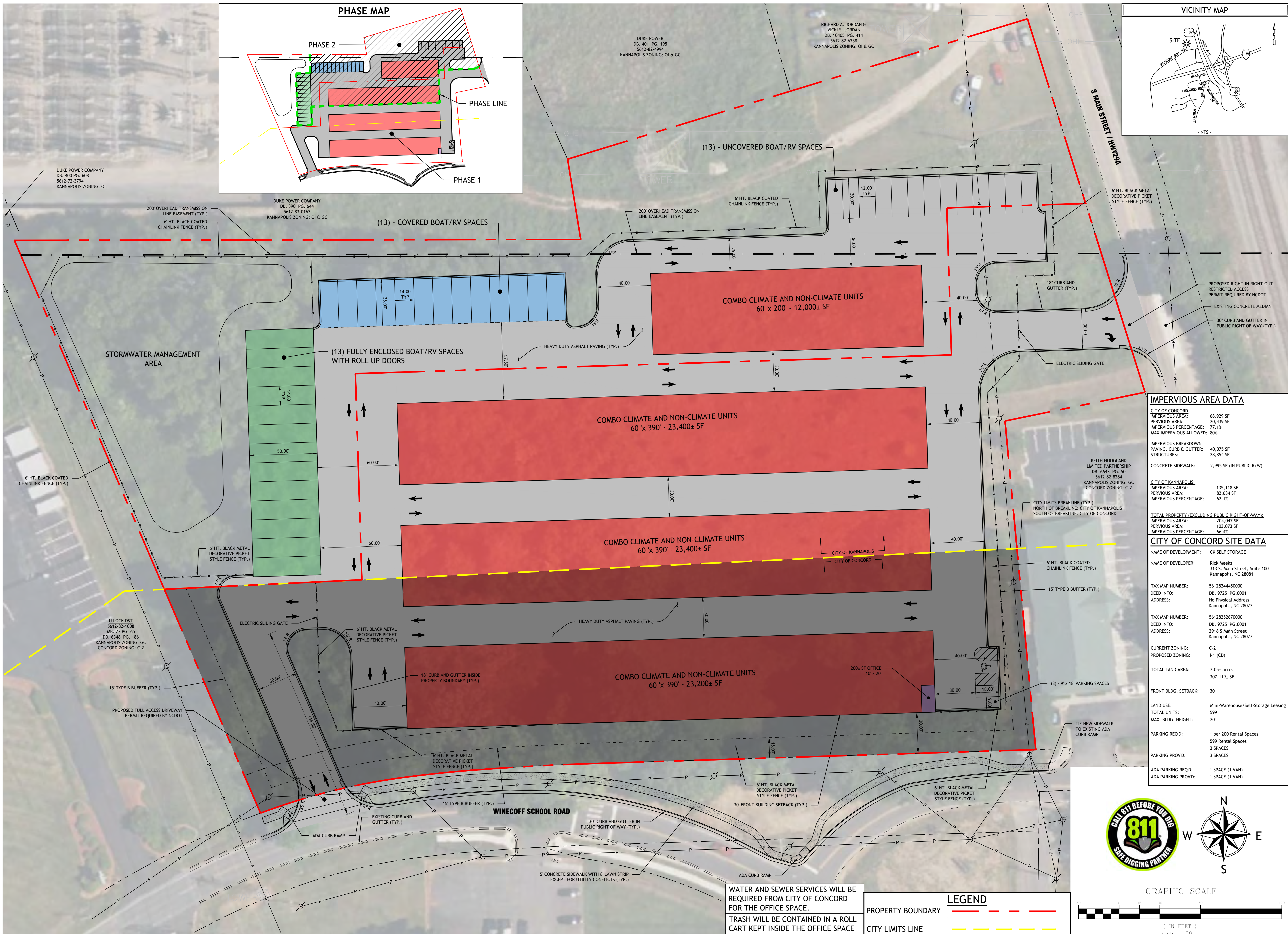
WINECOFF SCHOOL RD

TREMONT AVE NW

KANNAPOLIS HWY

BORDER PL NW

STEWART ST NW



IMPERVIOUS AREA DATA

CITY OF CONCORD	
IMPERVIOUS AREA:	68,929 SF
PERVIOUS AREA:	20,439 SF
IMPERVIOUS PERCENTAGE:	77.1%
MAX IMPERVIOUS ALLOWED:	80%
IMPERVIOUS BREAKDOWN	
PAVING, CURB & GUTTER:	40,075 SF
STRUCTURES:	28,854 SF
CONCRETE SIDEWALK:	2,995 SF (IN PUBLIC R/W)
CITY OF KANNAPOLIS	
IMPERVIOUS AREA:	135,118 SF
PERVIOUS AREA:	82,634 SF
IMPERVIOUS PERCENTAGE:	62.1%
TOTAL PROPERTY (EXCLUDING PUBLIC RIGHT-OF-WAY):	
IMPERVIOUS AREA:	204,047 SF
PERVIOUS AREA:	103,073 SF
IMPERVIOUS PERCENTAGE:	66.4%

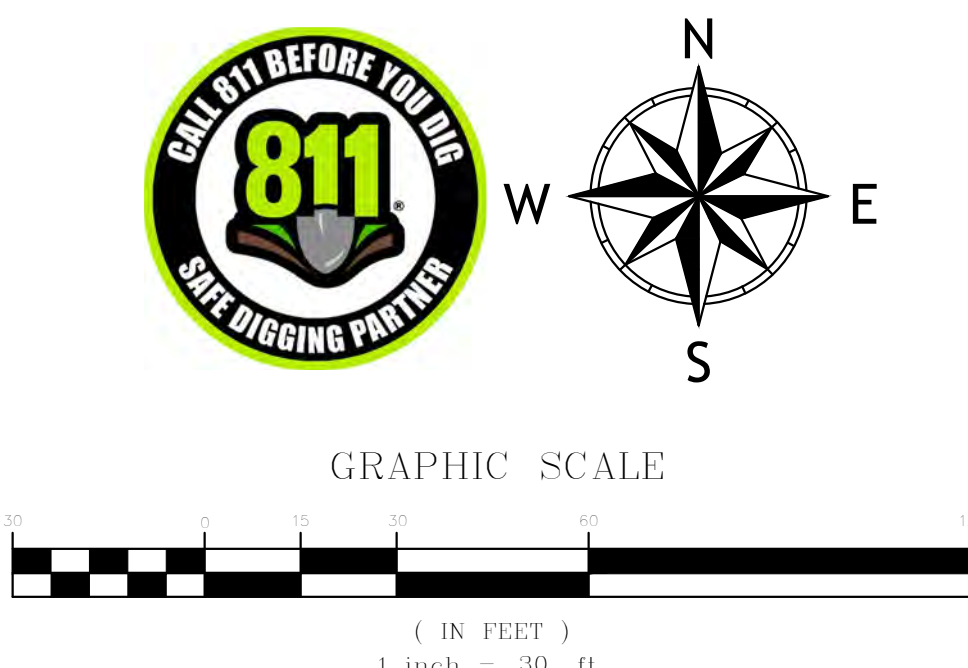
CITY OF CONCORD SITE DATA

NAME OF DEVELOPMENT:	CK SELF STORAGE
NAME OF DEVELOPER:	Rick Meeks 313 S. Main Street, Suite 100 Kannapolis, NC 28081
TAX MAP NUMBER:	56128244450000
DEED INFO:	DB: 9725 PG: 0001 No Physical Address Kannapolis, NC 28027
ADDRESS:	
TAX MAP NUMBER:	56128252670000
DEED INFO:	DB: 9725 PG: 0001 2918 S Main Street Kannapolis, NC 28027
ADDRESS:	
CURRENT ZONING:	C-2
PROPOSED ZONING:	I-1 (CD)
TOTAL LAND AREA:	7.05± acres 307,119± SF
FRONT BLDG. SETBACK:	30'
LAND USE:	Mini-Warehouse/Self-Storage Leasing
TOTAL UNITS:	599
MAX. BLDG. HEIGHT:	20'
PARKING REQD:	1 per 200 Rental Spaces 599 Rental Spaces 3 SPACES
PARKING PROV'D:	3 SPACES
ADA PARKING REQD:	1 SPACE (1 VAN)
ADA PARKING PROV'D:	1 SPACE (1 VAN)

WATER AND SEWER SERVICES WILL BE REQUIRED FROM CITY OF CONCORD FOR THE OFFICE SPACE.
TRASH WILL BE CONTAINED IN A ROLL CART KEPT INSIDE THE OFFICE SPACE

LEGEND

PROPERTY BOUNDARY	---
CITY LIMITS LINE	---



Project Number: -----
 DWG Name: Main and Winecoff SP-10.dwg
 Drawing Scale: AS NOTED
 Date of Project: -----
 Engineer of Record:
Christopher L. Price, P.E.
 North Carolina P.E. 029755

bluewater
 civil design, llc
 bluewater.civil.design, llc
 718 Lowndes Hill Road • Greenville, SC 29607
 www.bluewatercivil.com • info@bluewatercivil.com

Certificates of Authorization:
 SC C04212 - GA PEF005865
 NC P0868 - AL CA4065E

Developer:
 Rick Meeks
 313 S. Main Street, Suite 100
 Kannapolis, NC 28081

CK SELF STORAGE
 202 Winecoff School Road, Concord, NC
 2918 S Main Street, Concord, NC

REVISIONS

PLN REVISION	ISSUE DATE	ISSUE COMMENT
A	06-16-2023	ISSUED FOR REVIEW
B	02-09-2024	REVISED PER CONCORD COMMENTS
C	05-10-2024	REMOVED KIOSK
D	06-03-2024	REVISED PER COMMENTS
E	07-17-2024	REVISED PER KANN. COMMENTS

PRELIMINARY SITE PLAN
SP-10

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
3 G MANUFACTURING INC A NCC	201 WINECOFF SCHOOL RD	CONCORD	NC	28027
CABARRUS COUNTY	PO BOX 707	CONCORD	NC	28026
DUKE POWER COMPANY	400 S. TRYON ST ST22M	CHARLOTTE	NC	28201
GOULD WILLIAM THOMAS JR	2850 S RIDGE AVE	CONCORD	NC	28025
KEITH HOOGLAND PARTNERSHIP	2701 W LAWRENCE AVE STE A	SPRINGFIELD	IL	62704
MIGUEL ANGEL MARTINEZ LUCERO				
JUAN MANUEL MARTINEZ LUCERO	2831 S MAIN ST	CONCORD	NC	28027
NORTH CAROLINA RAILROAD CO	2809 HIGHWOODS BLVD STE 100	RALEIGH	NC	27604
RESEARCH CITY LLC	341 BECKWICK LN	CONCORD	NC	28025
RICHARD & VICKI JORDAN	2346 COLD SPRINGS RD	CONCORD	NC	28025
ROY D MILLS TRUSTEE				
ROY D MILLS REVOC TRST 3/13/97	983 ROY HARTLEY RD	LEXINGTON	NC	27295
	PO BOX 71870			
U LOCK DST	6890 s 2300 E	SALT LAKE CTY	UT	84171
RICK MEEKS	313 S MAIN ST. STE 100	KANNAPOLIS	NC	28081

July 17, 2024

Dear Property Owner,

Please be advised that the City of Kannapolis Board of Adjustment will conduct a quasi-judicial public hearing on Tuesday August 6, 2024, at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

BOA-2024-13 – Special Use Permit – Unaddressed parcel on S. Main Street

The purpose of this Public Hearing is to consider a request for a Special Use Permit (SUP) to allow for a self-service storage use on unaddressed property located on S. Main Street and more specifically identified as Cabarrus County Parcel Identification Number 56128244450000. Pursuant to Table 4.2.B(5) of the Kannapolis Development Ordinance, a SUP is required for self-service storage uses in the General Commercial (GC) zoning district. The subject property is approximately 2.977 +/- acres. **(Please see attached vicinity 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 welcome to attend the public hearing and present testimony to the Board of Adjustment if you so desire.

If you have any questions about the public hearing or request, please do not hesitate to contact the Planning Department at 704.920.4350 or bbarcroft@kannapolisnc.gov.

Sincerely,



Ben Barcroft
Senior Planner

Enclosure

The meeting is accessible to people with disabilities. To request special accommodation in advance, contact the City's ADA Coordinator at 704-920.4322 as soon as possible but no later than 48 hours before the scheduled meeting.

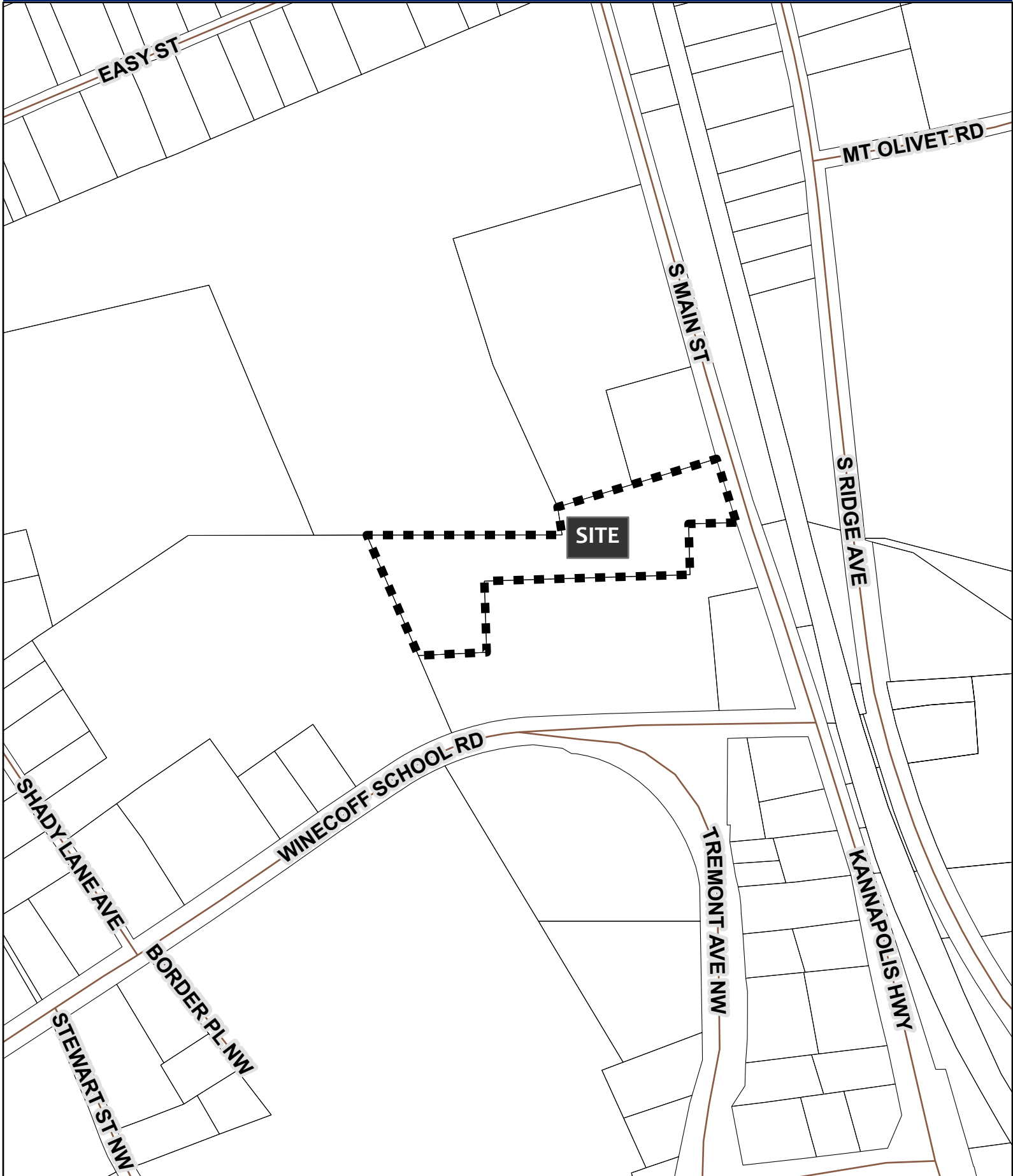


Special Use Permit

Case Number: BOA-2024-13

Applicant: Rick Meeks

Unaddressed S Main St





BOARD OF

ADJUSTMENT

**PUBLIC HEARING
INFORMATION**

CALL 704-920-4350

CASE # BOA - 2024 -13





BOARD OF ADJUSTMENT RULES OF PROCEDURE

I. GENERAL RULES

The City of Kannapolis Board of Adjustment, hereinafter referred to as the “Board”, shall perform the duties and responsibilities as prescribed under the provisions of Section 2.3.C.(1) of the Kannapolis Development Ordinance (KDO); the Laws of the State of North Carolina (NCGS §160D-301); and these Rules of Procedure.

II. MEMBERSHIP, APPOINTMENT AND TERMS

- A. Members appointed to the Board shall reside within the City of Kannapolis.
- B. The Board shall consist of seven (7) regular members and two (2) alternate members appointed by City Council. The membership of the Board shall include proportional representation for extraterritorial areas (ETJ), as provided in NCGS §160D-307. Alternate members shall be appointed for the same term, at the same time, and in the same manner as regular members. Each alternate member, while attending any regular or special meeting of the Board, and serving in the absence of any regular member, shall have and may exercise all the powers and duties of a regular member.
- C. All members of the Board shall serve a term of three (3) years, except City Council shall appoint members to the Board to fill vacancies occurring for reasons other than expiration of terms for the period of the unexpired term only. City Council may reappoint members to successive terms without limitation.
- D. Before serving on the Board, each member shall take the oath of office in accordance with NCGS §160A-61.
- E. Members may be compensated per diem, based upon meetings actually attended and reasonable and necessary expenses, as determined by the appointing Council or by intergovernmental agreement.
- F. City Council may remove any member of the Board for just cause, as may be permitted by law. City Council shall provide the member with a public hearing, if requested.

III. OFFICERS, SECRETARY AND STAFF

- A. At an annual organizational meeting, the Board shall elect one of its members as Chair and one as Vice-Chair.

- B. The Planning Director shall appoint a recording secretary to serve the Board. The secretary shall serve as clerk to the Board and shall keep detailed minutes of all proceedings, attested to by a majority of the members of the Board voting. The secretary shall also maintain all records of Board meeting, hearings and proceedings, as well as the correspondence of the Board, and is authorized to administer oaths at quasi-judicial proceedings before the Board.
- C. The Planning Director shall serve as professional staff for the Board.

IV. RULES OF PROCEDURE

The Board of Adjustment shall adopt all rules and procedures for the conduct of its business, consistent with state law. The rules shall be maintained by the Planning Director and shall be made available on the City's website.

V. MEETINGS

- A. The Board shall hold regular meetings each month in City Hall, Laureate Center located at 401 Laureate Way, Kannapolis, NC. However, meetings may be scheduled at or continued to another convenient place in the City in any case where the Planning Administrator or Chair determines it is in the public interest to do so. Meetings may also be canceled (see E below).
- B. The Chair of the Board shall conduct all meetings in accordance with these Rules of Procedure. In the absence of the Chair, the Vice-Chair shall act as Chair and shall have all powers of the Chair. In the absence of both, the Board shall elect a temporary Chair to conduct the meeting. The Chair shall be in charge of all proceedings before the Board and take such action necessary to preserve order and integrity of all proceedings. The Chair or Recording Secretary shall administer oaths.
- C. The Board of Adjustment shall follow quasi-judicial procedures when deciding appeals or application for zoning variances or special use permits.
- D. All members must vote on every issue unless they have disqualified themselves for one or more of the reasons listed here. No member may participate in or vote on any matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conduct includes, but is not limited to, a member having a fixed option prior to hearing the matter that is not susceptible to change; undisclosed ex parte communications; a close familial, business, or other associational relationship with affected person; or a financial interest in the outcome of the matter. Upon objection raised to a member's participation, the remaining members of the Board shall rule on the objection by majority vote. (See also *Rules of Conduct for Members*.)
- E. If there are no appeals, or other business for the Board, or if so many members notify the Secretary that they cannot attend the meeting that a quorum will not be available, the Planning Administrator or Chair shall notify Board members of the cancellation.
- F. A quorum shall consist of four (4) members of the Board, but the Board shall not pass on any question relating to an appeal from a decision, order, requirement, or determination of the Planning Administrator or an application for a variance when fewer than six (6)

members qualified to vote are present. If at the time of a hearing, there are not enough voting members present to decide upon a variance or appeal, the Chair shall continue the hearing until such time as sufficient voting members are present.

G. All meetings shall be open to the public. Roberts Rules of Order will govern the meeting. The order of business at regular meetings shall be as follows:

1. Call to Order
2. Roll call and Recognition of Quorum
3. Approval of Agenda
4. Approval of Minutes
5. Swearing-in of persons to provide testimony
6. Public Hearing:
 - a. Presentation of facts by Planning Administrator
 - b. Presentation by applicant
 - c. Public Comment
7. Cross examination/rebuttal by applicant
8. Close Public Hearing
9. Board consideration of action on the case:
 - a. Motion to accept the City's exhibits into the record
 - b. Motion to approve/revise Findings of Fact
 - c. Motion to approve (approve with conditions) (deny)
 - d. Motion to Issue Order of Approval
10. Planning Director Update
11. Other Business
12. Adjournment

VI. APPLICATIONS AND APPEALS.

A. Hearings.

1. Application deadline. After notice of application or appeal is received, including all documentation required on the application, and payment of fees, a hearing shall be set for the next regularly scheduled meeting provided that the application or appeal is received by the required deadline.
2. Notice. The Planning Administrator shall give public notice of the hearing in accordance with state requirements and the KDO.
3. Conduct of the Hearing. Any party may appear in person, by agent, or by attorney at the hearing. The Board of Adjustment may subpoena witnesses and compel the production of evidence.

B. Decisions.

1. Time. Decisions by the Board shall be made not later than thirty (30) days from the date of the hearing.
2. Form. The Board's decision shall be shown in the record of the case as entered in the Board's minutes and signed by the Secretary and the Chairperson and a copy shall be filed with the City Clerk. Such record shall show the reason for the determinations, with a summary of the evidence introduced and the findings of fact made by the Board. When a variance is granted, the record shall state in detail any exceptional difficulty or unnecessary hardship upon which the appeal was based and which the Board finds to exist. The decision may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed. The record shall state in detail what, if any, conditions and safeguards the Board imposed in connection with granting the variance.
3. Voting at Hearings. The concurring vote of six (6) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Planning Administrator, or to decide in favor of the applicant, any matter on which the Board is required to pass, or to grant a variance from the provisions of the KDO.
4. Notice and Public Record of Decisions. The Planning Administrator shall give written notice of the decision to the appellant and/or the applicant and property owners, as well as to every aggrieved party who has filed a written request for such notice with the Secretary or Planning Administrator when the hearing is held. Such notice shall be delivered by email service and registered mail. A copy of the decision shall also be filed in the Planning Department. The decision shall be a public record, available for inspection at all reasonable times.
5. Judicial Review. Every decision of the Board shall be subject to review by the Superior Court by proceedings in the nature of certiorari. Any petition for review by the Superior Court shall be filed with the Clerk of Superior Court within thirty (30) days after the decision of the Board is filed in the office of the City Clerk; or after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the Secretary or Planning Administrator at the time of its hearing of the case, whichever is later. Such notice shall be delivered by email service and registered mail.

C. Types of Appeals. Any person owning property or residing in the area of zoning jurisdiction may appeal from any order or act of the Planning Administrator pertaining to zoning administration of the KDO. The Board shall hear and decide all appeals from and review any order, requirement, decision, or determination made by the Planning Administrator. In deciding appeals, the Board may hear both those based on an allegedly improper or erroneous interpretation of the KDO and those based on alleged hardship resulting from strict interpretation of the KDO.

D. Procedure for Filing Appeals. The Board shall not hear any appeal unless notice thereof is filed within 30 days after the order, requirement, decision, or determination is made by the Planning Administrator. The applicant must file the application for a hearing with the

Planning Administrator, who shall act as clerk for the Board on receiving this notice. All applications shall be made upon forms furnished for that purpose, and all information required thereon shall be complete before an appeal may be considered as having been filed.

VII. RULES OF CONDUCT FOR MEMBERS AND ALTERNATE MEMBERS

Members of the Board may be removed for cause, including violation of the rules stated below.

- A. Faithful attendance at all Board meetings and conscientious performance of the duties required of Board members shall be considered a prerequisite of continuing membership on the Board. Absence from three consecutive regular Board meetings within any three-month period shall be grounds for City Council to consider terminating the appointment of such person.
- B. All members shall vote on all issues brought before the Board unless excused by the Board.
- C. No member may participate in or vote on any matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conduct includes, but is not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change; undisclosed ex parte communications; a close familial, business, or other associational relationship with affected person; or a financial interest in the outcome of the matter. Upon objection raised to a member's participation, the remaining members of the Board shall rule on the objection by majority vote. (See also *Meetings*.)

VIII. AMENDMENTS

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than four members of the Board, provided that such amendment is presented in writing at a regular or special meeting before the meeting at which the vote is taken.

ADOPTED the 16th day of January 2001.

AMENDED this the 6th day of August 2024.

Emily Joshi, Chair

A. Pam Scaggs, Recording Secretary