



**CITY OF KANNAPOLIS  
PLANNING & ZONING COMMISSION MEETING**

**March 18, 2025, at 6:00 pm**

**Agenda**

- 1. Call to Order**
- 2. Roll Call and Recognition of Quorum**
- 3. Approval of Agenda**
- 4. Approval of Minutes:** February 18, 2025
- 5. Public Hearing**
  - a. CZ-2025-01 – Conditional Zoning Map Amendment – 3397 Camp Julia Rd**

Public Hearing to consider a request to rezone property located at 3397 Camp Julia Road from Cabarrus County Low Density Residential (LDR) zoning district and City of Kannapolis Residential 4 (R4) zoning district to City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) zoning district to allow for a 324-unit townhouse development. The subject property is approximately 53.18 +/- acres and further identified as Cabarrus County Parcel Identification Number 56334589390000.
  - b. Z-2025-01 – Zoning Map Amendment – 9172 Davidson Hwy**

Public Hearing to consider a request to rezone property located at 9172 Davidson Highway from Cabarrus County Limited Commercial (LC) to City of Kannapolis General Commercial (GC). The subject property is approximately 0.38 +/- acres and further identified as Cabarrus County Parcel Identification Number 46823091760000.
- 6. Recommendation to City Council**
  - a. Text Amendment – TA-2025-03 – Tattoo or body piercing establishment in CC District by Special Use Permit (SUP)**

Consider a recommendation to City Council on an amendment to the Kannapolis Development Ordinance regarding allowing a tattoo or body-piercing establishment in the Center City (CC) zoning district by Special Use Permit (SUP)
  - b. Text Amendment – TA-2025-04 – Maximum number of dwellings in a pocket neighborhood development**

Consider a recommendation to City Council on an amendment to the Kannapolis Development Ordinance regarding increasing the maximum number of dwellings permitted in a pocket neighborhood development
- 7. Planning Director Update**
- 8. Other Business**
- 9. Adjourn**



**Planning and Zoning Commission  
March 18, 2025, Meeting**

**Staff Report**

**TO:** Planning and Zoning Commission  
**FROM:** Elizabeth McCarty, Assistant Planning Director  
**SUBJECT:** Case #CZ-2025-01: Conditional Zoning Map Amendment  
**Applicant:** QTR Development Partners LLC

Request to conditionally rezone 3397 Camp Julia Road to allow for a townhouse development.

\*\* Following the public notification of the public hearing, the applicant, QTR Development Partners LLC, requested to continue the public hearing to the scheduled April 15, 2025, meeting of the Planning and Zoning Commission. Necessary actions of the Planning and Zoning Commission as well as a project overview are provided below. A full staff report and recommendation will be provided for consideration at the April 15, 2025, meeting \*\*

**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, QTR Development Partners LLC, is proposing to conditionally rezone approximately 53.181+/- combined acres of property from Cabarrus County Low Density Residential (LDR) and City of Kannapolis Residential 4 (R4) zoning districts to City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) zoning district. The subject property is located at 3397 Camp Julia Road and further identified as Cabarrus County Parcel Identification Number (PIN) 56334589390000.

An approximately 50.569+/- acre portion of the existing 53.181+/- acre tract of contiguous property was voluntarily annexed into the City of Kannapolis on February 24, 2025. Per the North Carolina General Statutes, a zoning designation must be applied to the property by the Planning and Zoning Commission within 60 days of the effective date of the annexation. The remaining 2.61+/- acres fronting Patterson Road are within the City of Kannapolis and are presently zoned Residential 4 (R4). The applicant is requesting that both portions, the existing R4 and the recently annexed property, be conditionally rezoned to R8-CZ.

Further analysis and a staff recommendation will be provided for consideration at the April 15, 2025, meeting.



**Planning and Zoning Commission  
March 18, 2025, Meeting**

**Staff Report**

**TO:** Planning and Zoning Commission  
**FROM:** Kathryn Stapleton, Planner  
**SUBJECT:** **Case #Z-2025-01: Zoning Map Amendment – 9172 Davidson Hwy.  
Applicant: Sustar/Little, LLC**

Request to rezone property located at 9172 Davidson Hwy from Cabarrus County LC (Limited Commercial) to City of Kannapolis GC (General Commercial) 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 City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to City Council.

**C. Background & Project Overview**

The applicant, Sustar/Little, LLC, is requesting to rezone property located at 9172 Davidson Hwy from Cabarrus County LC (Limited Commercial) to City of Kannapolis GC (General Commercial) zoning district. The subject property is further identified as Cabarrus County Parcel Identification Number 46823091760000 and is approximately 4.11 +/- acres. This property was voluntarily annexed on February 24, 2025. Per the North Carolina General Statutes, an initial City of Kannapolis zoning designation must be applied to the property within sixty (60) days of annexation.

This is a map amendment request without conditions as the intent is to straight rezone the property from LC to GC. If approved, any of the permitted uses in the GC 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 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 is located within the “Secondary Activity Center” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Secondary Activity Center promotes service-oriented small and medium-sized commercial developments and is designed to provide connections with neighborhoods and surrounding areas.

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

No. The GC zoning designation is appropriate for this area. There is existing GC 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 GC zoning and the Comprehensive Plan Character Area makes the requested GC 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 GC zoning designation is compatible with existing and allowed uses on surrounding land.

**5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?**

Yes. This property is located adjacent to roads with adequate capacity and safety, and is a suitable use allowed under the requested zoning. Public water and sewer services are accessible to this site.

**6. Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?**

Yes. The requested zoning allows for a use that is compatible with existing adjacent general commercial 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 this property.

**F. Legal Issues**

None

**G. Finding of Consistency with Comprehensive Plan**

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject property as located within the Secondary Activity Center in the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

**H. Staff Recommendation and Alternative Courses of Action**

**Staff Recommendation**

The Planning and Zoning Commission may choose to approve or deny the petition as presented.

**Based on the request being consistent with the 2030 Plan, staff recommends approval for Zoning Map Amendment Case #Z-2025-01.**

**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-2025-01, 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 “Secondary Activity Center” Character Area in the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse

effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

2. **Should the Commission choose to approve Case #Z-2025-01, 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-2025-01, 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-2025-01 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-2025-01, 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. List of Notified Properties
6. Letter to Adjacent Property Owners
7. Resolution to Adopt a Statement of Consistency
8. Resolution to Zone

**J. Issue Reviewed By:**

- Planning Director
- Assistant City Manager



## 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](mailto: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: 9172 Davidson Hwy. Concord, NC 28027

Applicant: Sustar/Little, LLC

Proposed development: Annexation and rezoning from Cabarrus County LC to City of Kannapolis GC  
Annexation and rezoning from Cabarrus County LC to City of Kannapolis GC

### SUBMITTAL CHECKLIST

- Pre-Application Meeting
- Zoning Map Amendment Checklist and Application – Complete with all required signatures
- Fee: \$850.00 (\$500 Application Fee, \$300 Legal Notices and notification fee, & \$50 letter/sign public notice [see Fee Schedule])
- Please mark this box to authorize aerial drone photography of the site

### 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.*

Applicant's Signature: Signed by:  
*Patrick Sustar*  
07C3D3E75F3446F...

Date: 1/24/2025





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: Patrick Sustar  
Address: PO Box 6600  
Concord, NC 28027  
Phone: (980) 521-0811  
Email: psustar1@outlook.com

### Property Owner Contact Information same as applicant

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

### Project Information

Project Address: 9172 Davidson Hwy, Concord, NC 28027

Parcel: 4682-30-9176 # of parcels: 1 Approx. size of parcels: 0.38  
*(attach separate list if necessary)*

Current Zoning Designation: Select Requested Zoning Designation: GC

Reason for map amendment: Proposed annexation of 0.38 acres, which requires City of Kannapolis Zoning to be assigned.

**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.**

Signed by:	
<u>Patrick Sustar</u>	<u>1/24/2025</u>
Applicant Signature	Date
Signed by:	
<u>Patrick Sustar</u>	<u>1/24/2025</u>
Property Owner Signature	Date

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-2025-01  
Applicant: Sustar\Little, LLC  
9172 Davidson Hwy







# Kannapolis Current Zoning

Case Number: Z-2025-01  
Applicant: Sustar\Little, LLC  
9172 Davidson Hwy



PRAIRIE RD

R8

OI

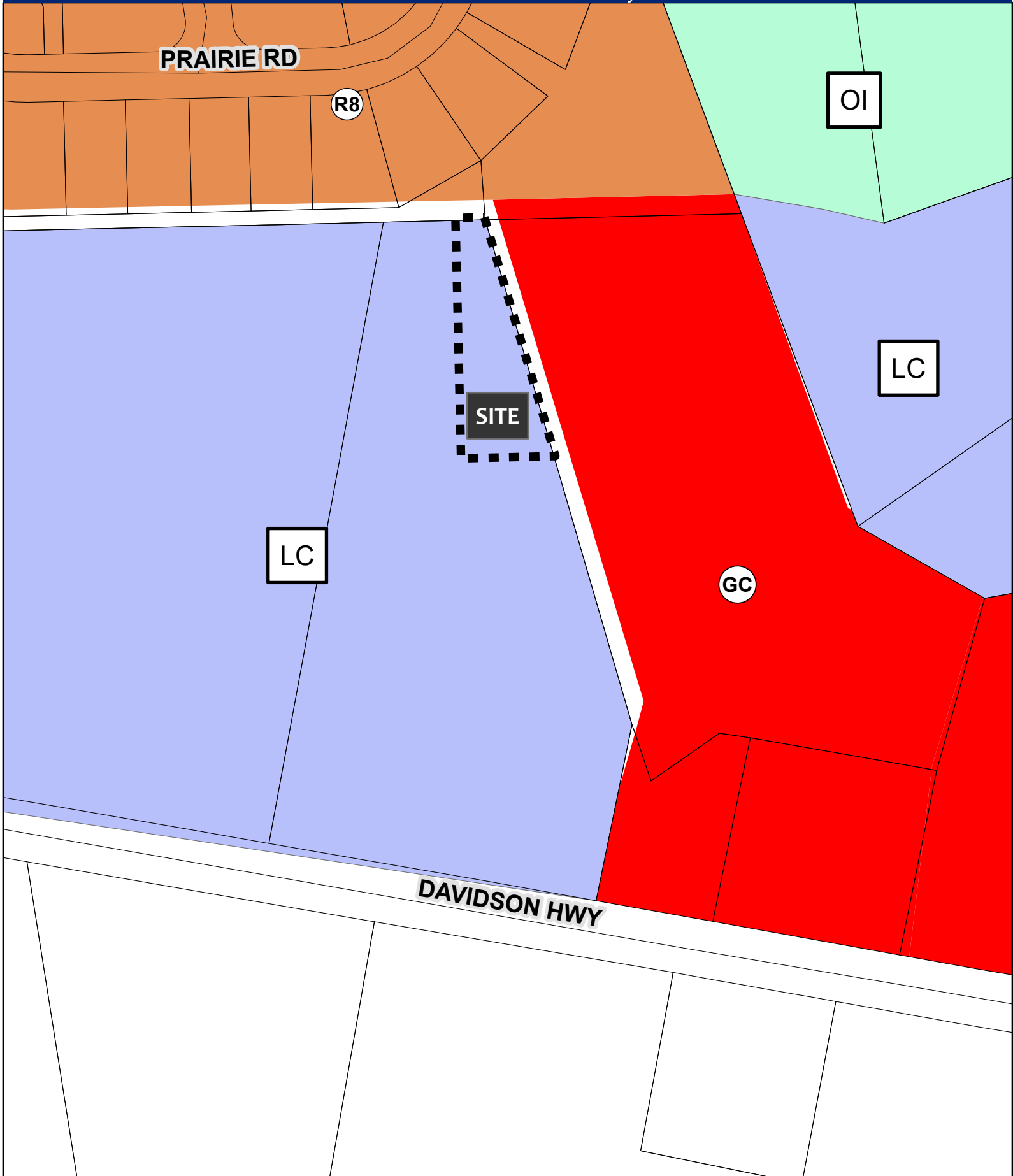
SITE

LC

LC

GC

DAVIDSON HWY



# Kannapolis 2030 Future Land Use Map

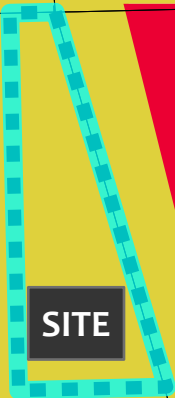


Case Number: Z-2025-01  
Applicant: Sustar\Little, LLC  
9172 Davidson Hwy



PRAIRIE RD

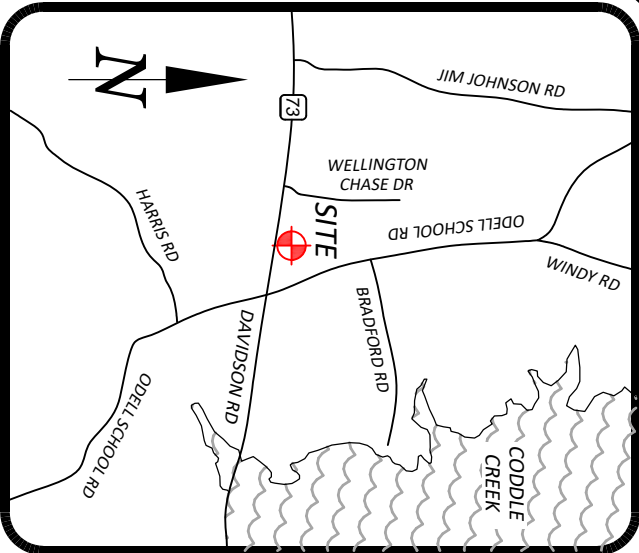
Complete  
Neighborhood 1



SITE

Secondary  
Activity  
Center

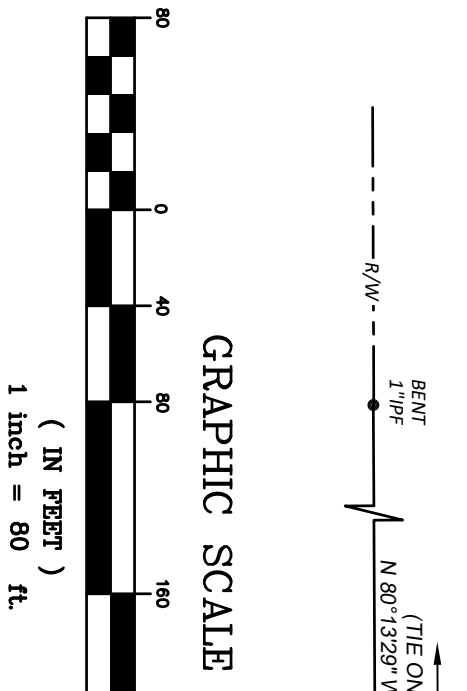
DAVIDSON HWY



**VICINITY MAP**  
(Not to Scale)

- NOTES**
1. AREA CALCULATED BY COORDINATE COMPUTATION.
  2. ADJOINING PROPERTY OWNERS NAMES WERE TAKEN FROM CABARRUS COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OR FORMERLY.
  3. IRON RODS AT ALL CORNERS UNLESS NOTED.
  4. THIS MAP IS SUBJECT TO ANY AND ALL APPLICABLE DEED RESTRICTIONS, EASEMENTS, AND OTHER INSTRUMENTAL COVENANTS AND PRELIMINARY PLANS WHICH MAY BE OF RECORD.
  5. ALL DISTANCES ARE HORIZONTAL, GROUND DISTANCES, MEASURED WITH ELECTRONIC MEASURING DEVICES.
  6. LOT SUBJECT TO ALL ZONING ORDINANCES OF CITY OF KANNAHPOULS AND CABARRUS COUNTY. BUILDER/OWNER MUST VERIFY THAT LOT IS IN COMPLIANCE WITH ALL COUNTY AND HOMEOWNERS ASSOCIATION ZONING ORDINANCES PRIOR TO ANY LAND DISTURBANCE OR CONSTRUCTION.
  7. THIS SURVEY WAS PERFORMED WITHIN 2000 FEET.
  8. NO CGCS MONUMENT FOUND WITHIN 2000 FEET.
  9. PROPERTY ZONED (GENERAL COMMERCIAL) IN CITY OF KANNAHPOULS AND PARCEL # 4682309125 MAY BE SUBJECT TO THE FOLLOWING: EASEMENT TO DUKE POWER COMPANY per DB 115 PG 375 AND PG 376.
  10. EASEMENT TO CONCORD TELEPHONE COMPANY per DB 496 PG 260.

- LEGEND**
- REBAR FOUND
  - IRON PIPE FOUND
  - ANGLE IRON FOUND
  - FLAT IRON FOUND
  - RIGHT-OF-WAY
  - SQUARE FOOT
  - TOTAL
  - PLAT BOOK
  - DEED BOOK
  - FRONT SETBACK
  - REAR YARD SETBACK
  - SIDE YARD SETBACK
  - BACK OF CURB
  - B.O.C
  - E.O.P
  - EDGE OF PAYMENT
  - LINE SURVEYED
  - LINE NOT SURVEYED
  - BUILDING SETBACKS
  - RIGHT-OF-WAY
  - OVERHEAD POWER LINE
  - MUNICIPAL LINE
  - LAND HOOK
  - ACCESS EASEMENT



**EASEMENT CURVE TABLE**

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
EC1	46.88'	82.11'	32°42'42"	N 01°27'55" W	46.24'
EC2	57.46'	102.11'	32°14'44"	S 01°41'54" E	56.71'



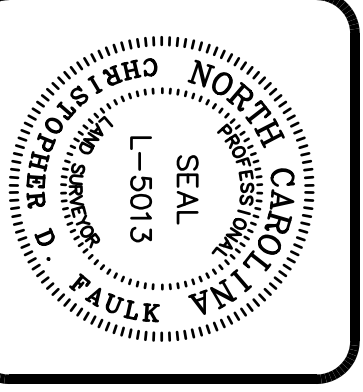
**DAVIDSON HIGHWAY**  
(HWY 73)  
VARIABLE WIDTH PUBLIC R/W  
per PB 87 PG 99



Know what's below.  
Call before you dig.  
**NORTH CAROLINA**  
ONE-CALL CENTER INC.  
DIAL 811 or 1-800-632-4949  
2 BUSINESS DAYS BEFORE DIGGING  
WWW.100CC.ORG

"I, CHRISTOPHER D. FAULK, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 1608 PAGE 161) PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 15th DAY OF OCTOBER, A.D., 2024.

**PROFESSIONAL LAND SURVEYOR**  
L-5013



**SITE NOTES**

BUILDING SETBACK REQUIREMENTS (MINIMUM) ZONED GC (GENERAL COMMERCIAL), CITY OF KANNAHPOULS:	BUILDING SETBACK REQUIREMENTS (MINIMUM) ZONED LC (LIMITED COMMERCIAL), CABARRUS COUNTY:
FRONT: 10 FEET	FRONT: 30 FEET
SIDE YARD: NONE	SIDE YARD: 20'
REAR YARD: NONE	REAR YARD: 10,000
LOT AREA: NONE	LOT AREA: 50 FEET
LOT WIDTH: 50 FEET	LOT WIDTH: 48 FEET
BUILDING HEIGHT (MAX): 48 FEET	BUILDING HEIGHT (MAX): 75 FEET
DENSITY (MAX): 18 UNITS PER ACRE	DENSITY (MAX): 75%
IMPERVIOUS RATIO (MAX): 0.8	IMPERVIOUS RATIO (MAX): 75%

**EASEMENT LINE TABLE**

LINE	BEARINGS	DISTANCE
EL1	N 10°03'21" E	137.23'
EL2	N 10°11'53" E	174.21'
EL3	N 88°46'25" E	12,230'
EL4	N 88°46'25" E	12,230'
EL5	N 88°46'25" E	91.08'
EL6	S 20°14'06" E	116.46'
EL7	S 10°16'37" W	233.35'
EL8	S 10°03'21" W	117.19'
EL9	N 80°03'58" W	10.01'
EL10	N 80°03'58" W	19.99'

**PURPOSE STATEMENT:**  
THE PURPOSE OF THIS PLAT IS TO RECONFIGURE THE PARCELS AS LISTED BELOW. NO OTHER CHANGES WERE MADE. THIS PLAT SUPERSEDES LOTS 2 & 3, PREVIOUSLY RECORDED PLAT BOOK 8, PAGE 7 FOUND IN THE CABARRUS COUNTY REGISTRY.

**RECOMBINATION PLAT**

AT PROPERTY KNOWN AS  
**# 9172 DAVIDSON HIGHWAY**  
HARRY G. HARTSELL SUBDIVISION  
PB 8 PG 7, DB 1608 PG 161; DB 10291 PG 179  
PARCEL # 4682-30-9176-0000, 4681-49-2903-0000,  
4681-49-3973-0000, 4682-40-2324-0000  
CABARRUS COUNTY, NC

**METROLINA**  
LAND SURVEYING, INC.  
SURVEYING • MAPPING • PLANNING

8521 CROWN CRESCENT CT.  
CHARLOTTE, NC 28227

P 704) 741-1700  
C (980) 721-2353  
NC-IC-4584 & SC-IC-6106

Job No. 071-24-004  
Date 10/15/24  
Proj. Mgr. DCC  
Drawn ERG  
Checked CDF  
Sheet 1

<u>AcctName1</u>	<u>MailAddress 1</u>	<u>MailCity</u>	<u>MailState</u>	<u>MailZip</u>
ROCKY RIVER ENTERPRISES LLC	9280 DAVIDSON HWY	CONCORD	NC	28027
SUSTAR/LITTLE LLC and A NC LTD LIABILITY CO	PO BOX 6600	CONCORD	NC	28027
WELLINGTON CHASE HOMEOWN ASSOC and C/O CUSICK COMMUNITY MGMT	8008 CORPORATE CENTER D CHARLOTTE	NC		28226
CLARK MARK and CLARK SHERRY WF	2146 PRAIRIE RD	CONCORD	NC	28027
COLES WILLIAM EDWARD JR and COLES SHANNA WEIGMAN WF	2158 PRAIRIE RD	CONCORD	NC	28027
CROSS LYMAN and CROSS DEBORAH WF	2176 PRAIRIE RD	CONCORD	NC	28027
GOODNIGHT DIANE and GOODNIGHT MARIAN	2175 PRAIRIE RD	CONCORD	NC	28027
GREINER MICHAEL and GREINER DIANE B	2152 PRAIRIE RD	CONCORD	NC	28027
LEWIS RICHARD JOHN and LEWIS GAIL CLAGETT SPOUSE	9581 HORSEBIT LN	CONCORD	NC	28027
SPANKE EDWARD and SPANKE LINDA WF	2164 PRAIRIE RD	CONCORD	NC	28027





KANNAPOLIS  
Planning

March 4, 2025

Dear Property Owner:

**Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, March 18, 2025, at 6:00 PM, at 401 Laureate Way, Kannapolis, NC for the following case:**

**Z-2025-01 – Zoning Map Amendment – 9172 Davidson Highway**

The purpose of this Public Hearing is to consider a request to rezone property located at 9172 Davidson Highway from Cabarrus County Limited Commercial (LC) to City of Kannapolis General Commercial (GC) zoning district. The subject property is approximately 0.38 +/- acres and further identified as Cabarrus County Parcel Identification Number 46823091760000 (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 704.920.4361 or [kstapleton@kannapolisnc.gov](mailto:kstapleton@kannapolisnc.gov).

Sincerely,



Kathryn Stapleton, CZO  
Planner

Enclosure

In accordance with Title II of the Americans with Disabilities Act (AD), any person requiring an accommodation to participate in a function or program of the City of Kannapolis, should contact Daniel Jenkins, Assistant Human Resource Director & ADA Coordinator, by phone at 704-920-4312, email [adacoordinator@kannapolisnc.gov](mailto:adacoordinator@kannapolisnc.gov), or in person at Kannapolis City Hall as soon as possible but not later than 48 hours before the scheduled event.



# Kannapolis Current Zoning

Case Number: Z-2025-01  
Applicant: Sustar\Little, LLC  
9172 Davidson Hwy



PRAIRIE RD

R8

OI

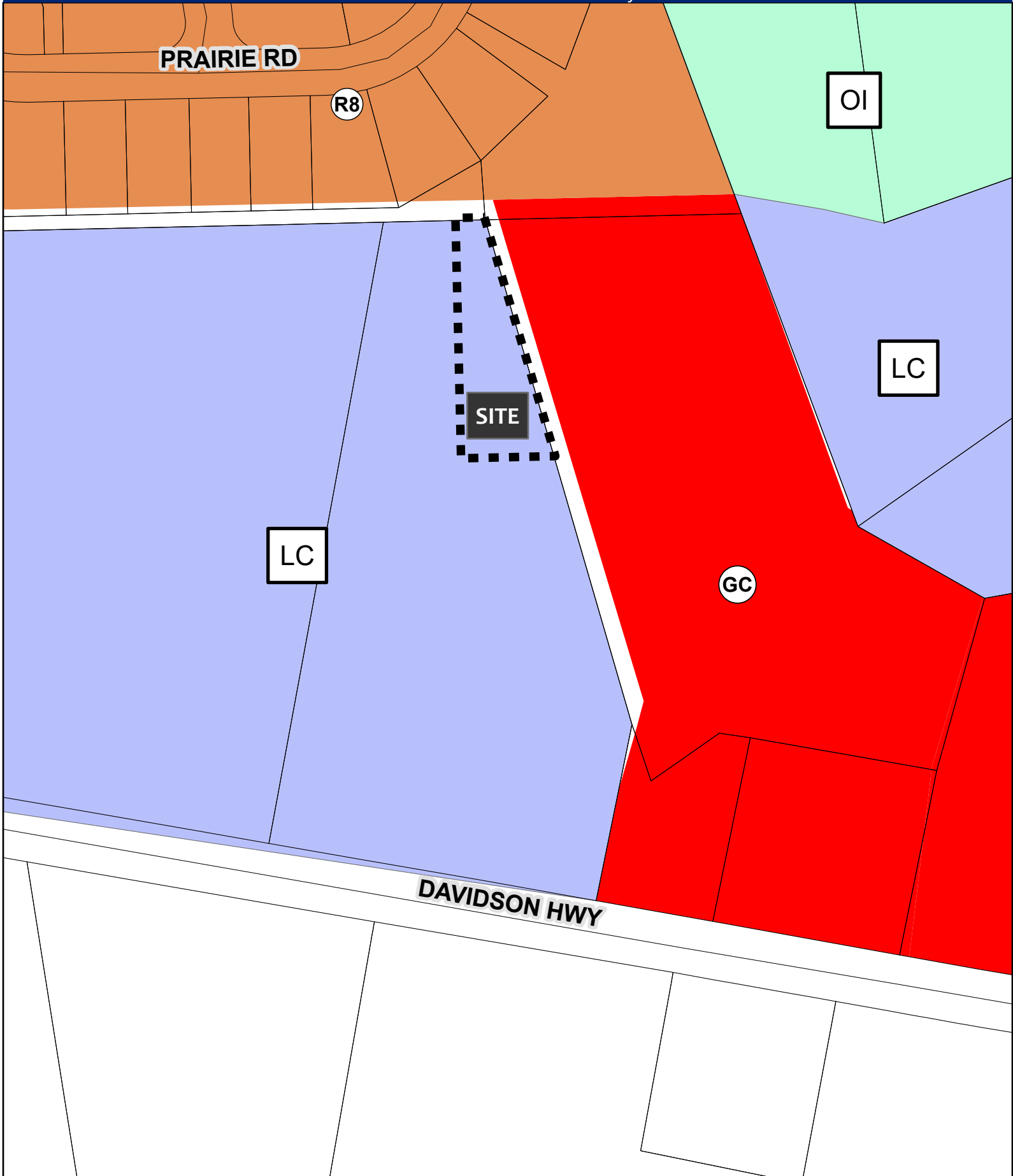
SITE

LC

LC

GC

DAVIDSON HWY







**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
WITH REGARD TO CASE #Z-2025-01**

**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 March 18, 2025 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone approximately 4.11 +/- acres of property located at 9172 Davidson Hwy., (Cabarrus County Parcel Identification Number 46823091760000), owned by Sustar/Little, LLC., from Cabarrus County LC (Limited Commercial) to City of Kannapolis GC (General Commercial) zoning district.

**NOW, THEREFORE BE IT RESOLVED** *The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan (“2030 Plan”), adopted by City Council, which designates the subject property as located within the Secondary Activity Center in the 2030 Plan. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.*

**Adopted this the 18<sup>th</sup> day of March, 2025:**

\_\_\_\_\_  
Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

\_\_\_\_\_  
Kathryn Stapleton, Recording Secretary  
Planning and Zoning Commission



## RESOLUTION TO ZONE

**Case #Z-2025-01  
(9172 Davidson Hwy)**

**From Cabarrus County Limited Commercial (LC) to  
City of Kannapolis General Commercial (GC) 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 March 18, 2025 for consideration of rezoning petition Case #Z-2025-01 as submitted to the City of Kannapolis Planning Department; and

**WHEREAS**, the request was to rezone 4.11 +/- acres of property located at 9172 Davidson Hwy., (Cabarrus County Parcel Identification Number 46823091760000), owned by Sustar/Little, LLC., from Cabarrus County LC (Limited Commercial) to City of Kannapolis GC (General Commercial) zoning district.

**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 is located within the "Secondary Activity Center" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Secondary Activity Center promotes service-oriented small and medium-sized commercial developments and is designed to provide connections with neighborhoods and surrounding areas.

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

No. The GC zoning designation is appropriate for this area. There is existing GC 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 GC zoning and the Comprehensive Plan Character Area makes the requested GC 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 GC zoning designation is compatible with existing and allowed uses on surrounding land.

5. **Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?**

Yes. This property is located adjacent to roads with adequate capacity and safety, and is a suitable use allowed under the requested zoning. Public water and sewer services are accessible to this site.

6. **Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?**

Yes. The requested zoning allows for a use that is compatible with existing adjacent general commercial 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 this property.

**NOW, THEREFORE BE IT RESOLVED** by the City of Kannapolis Planning and Zoning Commission that the above referenced properties be rezoned from Cabarrus County Limited Commercial (LC) to City of Kannapolis General Commercial (GC) Zoning Designation.

**Adopted this the 18th day of March 2025:**

\_\_\_\_\_  
Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

\_\_\_\_\_  
Kathryn Stapleton, Recording Secretary  
Planning and Zoning Commission



**Planning and Zoning Commission  
March 18, 2025, Meeting**

**Staff Report**

**TO:** Planning and Zoning Commission

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

**SUBJECT:** Case: TA-2025-03: Text Amendment

Consideration of a text amendment to Table 4.2.B(5): Principal Use Table to permit a tattoo or body-piercing establishment in the Center City (CC) zoning district by Special Use Permit (SUP)

**A. Actions Requested by Planning and Zoning Commission Members**

1. Consider Resolution to Adopt a Statement of Consistency for TA-2025-03
2. Consider motion to recommend approval of proposed text amendments by City Council

**B. Decision and Required Votes to Pass Requested Action**

Article 2, Section 2.5.A of the Kannapolis Development Ordinance (KDO) addresses the procedures for processing amendments to the text of the ordinance. The Planning and Zoning Commission shall review and make a recommendation to City Council on zoning text amendments. Per Section 2.5.A(1)b(5) of the KDO, the Commission's recommendation shall address whether the proposed amendment is consistent with the Comprehensive Plan and any other applicable plans and policies. The proposed text amendment is requested by Christian Dunn.

**C. Background**

The applicant, Christian Dunn, is requesting a text amendment to the Principal Use Table to permit a tattoo or body-piercing establishment in the Center City (CC) zoning district by Special Use Permit (SUP). Presently, a tattoo or body-piercing establishment is only permitted in the General Commercial (GC) zoning district with approval of a SUP. The applicant is requesting the text amendment to locate a tattoo business on Oak Avenue in the CC District.

The KDO defines a tattoo or body-piercing establishment as follows:

An establishment where designs, letters, figures, body piercing, or other marks are placed on the skin of any person, using ink or other substances that result in the permanent coloration or piercing of the skin by means of use of needles or other instruments designed to contact or puncture the skin.

The boundaries of the Center City (CC) zoning district and the Downtown Center Character Area overlap. The *Move Kannapolis Forward 2030 Comprehensive Plan* identifies the Downtown Center as the primary activity center in Kannapolis; it is the focus of commerce, government, entertainment, and cultural events in Kannapolis. The Downtown Center is characterized by the highest regional level of development intensity and density, with commercial, housing, civic, and cultural opportunities. It also is a target for jobs in the knowledge economy such as the North Carolina Research Campus (NCRC). The *Move Kannapolis Forward 2030 Comprehensive Plan* further recognizes ongoing public and private revitalization and placemaking investments in the Downtown Center. To implement this high level of development and complementary uses to the NCRC, the Downtown Center Character Area supports the primary uses of retail, institutional/civic, office, multifamily residential, and special activity/sports and entertainment venues. Secondary uses include light manufacturing and single family attached residential.

The applicant's proposed text amendment for tattoo and body-piercing establishments would apply throughout the CC District which encompasses the entirety of the City's downtown area. The GC District is the appropriate location for a tattoo and body-piercing establishment as reflected in the KDO. The GC District is the City's only zoning district where a tattoo or body-piercing establishment is permitted, and the use additionally requires approval of a SUP.

The City's General Commercial (GC) zoning is primarily along Activity Corridors as identified in the comprehensive plan. The comprehensive plan describes Activity Corridors as key travel corridors having existing commercial development that not only serve as a travel corridor but also as a destination. The purpose of the GC District, as stated in the KDO, is to accommodate a broad range of non-residential uses characterized primarily by retail, office, and service establishments. A tattoo or body-piercing establishment is more compatible in the General Commercial (GC) District than the Center City (CC) District.

The proposed text amendment to the KDO is attached as Exhibit A. Proposed changes are shown **bold, red text** for deletions and **bold, green text** for additions.

**D. Fiscal Considerations**

None

**E. Policy Issues**

The proposed text amendment to the KDO is **attached**.

**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.

As expounded upon in the background information above, the GC District is the suitable location for a tattoo and body-piercing establishment. The GC District is the City's only zoning district where a tattoo or body-piercing establishment is permitted, and the use additionally requires approval of a SUP. Staff recommends that the KDO remain unchanged regarding the zoning districts in which a tattoo and body-piercing establishment use is permitted.

Based on the foregoing analysis, staff recommends **denial** of the proposed text amendment to the Kannapolis Development Ordinance

**The following actions are required to recommend approval of TA-2025-03:**

1. Consider Resolution to Adopt a Statement of Consistency for TA 2025-03.
2. Consider motion to recommend approval of proposed text amendments by City Council.

**The following actions are required to recommend denial of TA-2025-03**

1. Consider Resolution to not Adopt a Statement of Consistency for TA-2025-03.
2. Consider motion to recommend denial of proposed text amendments by City Council.

**H. Attachments**

1. Proposed KDO change: Exhibit A
2. Resolution to Adopt a Statement of Consistency

**I. Issue Reviewed By:**

- City Manager
- Assistant City Manager





**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO  
TEXT AMENDMENT TA-2025-03**

**WHEREAS**, Section 160A-383 (2013), of the North Carolina General Statutes, modified in Section 160D-605, specifies that the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive and any other officially adopted plan that is applicable; and

**WHEREAS**, the text amendments to **Article 4, Table 4.2.B(5): Principal Use Table** is consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*; and

**WHEREAS**, the Planning and Zoning Commission met on March 18, 2025, to consider text amendment Case# TA-2025-03 as submitted by Christian Dunn and shown on Exhibit A (attached);

**NOW, THEREFORE BE IT RESOLVED** that the Planning and Zoning Commission finds the text amendment as represented in Case TA-2025-03 is consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, as well as state statutes, reasonable, and in the public interest, and is recommended for approval by the City Council based on consideration of the application materials, information presented, and the recommendation provided by Staff.

**Adopted this the 18th Day of March 2025:**

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Chris Puckett, Chairman  
Planning and Zoning Commission

Attest:

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Kathryn Stapleton, Recording Secretary  
Planning and Zoning Commission





**Planning and Zoning Commission  
March 18, 2025, Meeting**

**Staff Report**

**TO:** Planning and Zoning Commission Members

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

**SUBJECT: Case: TA-2025-04: Text Amendment**

Consideration of a text amendment to Section 4.2.D(3)a.4(b)3 to increase the maximum number of dwellings permitted in a pocket neighborhood development from twelve (12) to thirty (30). The proposed text amendment was submitted by Green Street Capital Partners LLC.

**A. Actions Requested by Planning and Zoning Commission Members**

1. Consider Resolution to Adopt a Statement of Consistency for TA-2025-04
2. Consider motion to recommend approval of proposed text amendments by City Council

**B. Decision and Required Votes to Pass Requested Action**

Article 2, Section 2.5.A of the Kannapolis Development Ordinance (KDO) addresses the procedures for processing amendments to the text of the ordinance. The Planning and Zoning Commission shall review and make a recommendation to the City Council on zoning text amendments. Per Section 2.5.A(1)b(5) of the KDO, the Commission's recommendation shall address whether the proposed amendment is consistent with the Comprehensive Plan and any other applicable plans and policies.

**C. Background**

The applicant, Green Street Capital Partners LLC, is requesting a text amendment to increase the number of dwelling units permitted within a pocket neighborhood development. The text amendment request is associated with a proposal by the applicant for a single-family detached residential development on Alpine Street.

The KDO defines a pocket neighborhood development as, "A clustered group of single-family dwellings oriented around a common open space." A pocket neighborhood development is a permitted use in the following zoning districts: Residential 8 (R8), Residential 18 (R18), Mixed-Use Neighborhood (MU-N), Planned Development (PD), and Planned Development-Traditional Neighborhood Development (PD-TND). Section 4.2.D(3)a.4 of the KDO establishes standards to facilitate the voluntary development of pocket neighborhoods that encourage affordable housing, encourage proper use of open space, and provide standards that minimize the impact of vehicle traffic and

parking. The *Move Kannapolis Forward 2030 Comprehensive Plan* supports the use of a diverse array of tools to promote affordable housing options such as pocket neighborhood developments.

The applicant is requesting a text amendment to Section 4.2.D(3)a.4(b)3 of the KDO that specifies the number of dwelling units permitted in a neighborhood pocket development. Presently, a development must have at least four (4) dwellings but no more than twelve (12) dwellings. The applicant is requesting that the maximum number of dwellings be increased from twelve (12) to thirty (30).

The proposed text amendment to the KDO is attached as Exhibit A. Proposed changes are shown **bold, red text** for deletions and **bold, green text** for additions.

**D. Fiscal Considerations**

None

**E. Policy Issues**

The proposed text amendment to the KDO is **attached**.

**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 amendments as presented. The Commission may also add, delete, or change any of the language as proposed.

Based on the foregoing analysis, staff supports **approval** of the proposed text amendment to the Kannapolis Development Ordinance.

**The following actions are required to recommend approval of TA-2025-04:**

1. Consider Resolution to Adopt a Statement of Consistency for TA 2025-04.
2. Consider motion to recommend approval of proposed text amendments by City Council.

**The following actions are required to recommend denial of TA-2025-04**

1. Consider Resolution to not Adopt a Statement of Consistency for TA-2025-04.
2. Consider motion to recommend denial of proposed text amendments by City Council.

**H. Attachments**

1. Proposed KDO change: Exhibit A
2. Site Plan: Exhibit B
3. Resolution to Adopt a Statement of Consistency

**I. Issue Reviewed By:**

- Assistant City Manager
- Planning Director

**EXHIBIT A**  
**PROPOSED TEXT AMENDMENT**  
**TA-2025-04**

**Kannapolis Development Ordinance**  
**Article 4, Section 4.2.D(3)a.4(b)3 Standards Specific to Pocket Neighborhood Development**

(b) General Standards

1. Pocket neighborhood developments shall be located on a parcel of land at least one-third ( $\frac{1}{3}$ ) of an acre and no greater than six acres in area, with at least 50 feet of frontage along a public street.
2. Only single-family detached dwellings and incidental and subordinate accessory uses are permitted as part of a pocket neighborhood development.
3. Developments shall include at least four dwellings but no more than ~~12~~ **30** dwellings. In no instance shall the gross density of the development exceed a 20 percent increase in the density of the underlying base zoning district.
4. At least 60 percent of the individual building lots shall front the common open space area provided in accordance with subsection (c) below, rather than a street or alley.
5. Each individual lot in a pocket neighborhood shall contain only one dwelling unit.
6. Individual lots and buildings shall comply with the standards in Table 4.2.D(3)a.4 below.



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO  
TEXT AMENDMENT TA-2025-04**

**WHEREAS**, Section 160A-383 (2013), of the North Carolina General Statutes, modified in Section 160D-605, specifies that the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive and any other officially adopted plan that is applicable; and

**WHEREAS**, the text amendment to **Article 4, Section 4.2.D(3)a.4(b)3 Standards Specific to Pocket Neighborhood Development**, is consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*; and

**WHEREAS**, the Planning and Zoning Commission met on March 18, 2025, to consider text amendment Case# TA-2025-04 as submitted by Green Street Capital Partners LLC and shown on Exhibit A (attached);

**NOW, THEREFORE BE IT RESOLVED** that the Planning and Zoning Commission finds the text amendment as represented in Case TA-2025-04 is consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, as well as state statutes, reasonable, and in the public interest, and is recommended for approval by the City Council based on consideration of the application materials, information presented, and the recommendation provided by Staff.

**Adopted this the 18th Day of March 2025:**

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Chris Puckett, Chairman  
Planning and Zoning Commission

Attest:

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Kathryn Stapleton, Recording Secretary  
Planning and Zoning Commission