

City of Kannapolis Planning and Zoning Commission

Virtual Meeting October 19, 2021 at 6:00 pm

Agenda

- 1. Call to Order
- 2. Roll Call and Recognition of Quorum
- 3. Approval of Agenda
- 4. Correction/Approval of Minutes Special Meeting August 30, 2021 & September 21, 2021
- 5. Public Hearing

a. <u>CZ-2021-16 – Conditional Zoning Map Amendment – Multiple unaddressed parcels on Enochville</u> and Cannon Farm Road

Continued from September 21, 2021: Public Hearing to consider a request to rezone multiple unaddressed properties located on Enochville Rd. and Cannon Farm Rd. from Residential Medium Density (RM-1) to Planned Unit Development – Conditional Zoning (PUD – Conditional Zoning) to allow for a single-family residential development. The subject properties are approximately 550.74 +/- acres and further identified as Rowan County Parcel Identification 244 011, 245 163, 249C094000001, 132 0130000001, 141 0100000001, 142 049000001, 132 108, 244 158, 244 169, 131 202, 131 145, 131 173, 131 07202, 131 144, 131 07201, 131 142 and 131 143.

b. <u>CZ-2021-20 - Conditional Zoning Map Amendment - 760 Kannapolis Parkway and 5941 Navajo</u> Trail

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

6. Recommendation to City Council

a. TA-2021-02 - Text Amendment - Tiny House and Pocket Neighborhood

Consider a recommendation to City Council regarding a text amendment to Article 4, Table 4.6-1 and Article 11, Section 11.9 of the Unified Development Ordinance (UDO), to add Tiny House Development and Pocket Neighborhood Development as a use permissible by issuance of a Special Use Permit in the RV and RC Zoning Districts, subject to specific standards.

b. <u>CPA-2021-01 – Comprehensive Plan Amendment – Stadium Drive</u>

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

- 7. Planning Director Update
- 8. Other Business
- 9. Adjourn



Planning and Zoning Commission October 19, 2021 Meeting

Staff Report

TO: Planning and Zoning Commission

FROM: Boyd Stanley, Assistant Planning Director

SUBJECT: Case #CZ-2021-16

Applicant: Lennar Carolinas, LLC.

Request to conditionally rezone multiple unaddressed properties located on Enochville and Cannon Farm Roads from Residential Medium Density (RM-1) to Planned Unit Development-Conditional Zoning (PUD-Conditional Zoning), further identified as Rowan County PINs #244 011, 245 163, 249C094000001, 132 0130000001, 141 0100000001, 142 049000001, 132 108, 244 158, 244 169, 131 202, 131 145, 131 173, 131 07202, 131 144, 131 07201, 131 142 and 131 143, to allow for a single-family residential development.

A. Actions Requested by Planning & Zoning Commission

- 1. Hold Public Hearing
- 2. Motion to adopt Statement of Consistency
- 3. Motion to adopt Resolution to Zone

B. Decision and Required Votes to Pass Requested Actions

Section 3.3.4.2 of the UDO allows the Planning and Zoning Commission to render a final decision on a rezoning request; subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision. If there is a denial, an approval by a vote of less than three-fourths, or an appeal of the decision, then only the City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

C. Background & Project Overview

Continued from September 21, 2021: The applicant, Lennar Carolinas, LLC, is proposing to rezone the subject property from Residential Medium Density (RM-1) to Planned Unit Development-Conditional Zoning (PUD-CZ) to allow for a single-family residential development.

The proposed Master Plan incorporates a variety of differing size single-family residential lots within both Kannapolis and Landis. The majority of the development is proposed to be in the City of Kannapolis with over half being allocated as age targeted. There are multiple points of access proposed

on both the North and South sides of Cannon Farm Road. Additional points of access are proposed at Enochville Road to the Southwest along with Johnson Street to the Northwest.

The Planned Unit Development (PUD) District option allows a mix of land uses and intensity. PUD zoning is intended to permit flexibility in the design and construction that cannot be achieved under conventional zoning standards. In this case, the required land use compositions in the PUD are being achieved per the UDO with both moderate and high density "clustered" pods of residential development along with vast amounts of open space. In addition to land use composition and percentages, the PUD District recommends certain architectural and recreational elements as outlined in the UDO. Specifically, the PUD District was selected in this case since it an extension of the existing Golf Club at Irish Creek and incorporates Kannapolis Lake while preserving environmentally sensitive areas with low-impact recreational uses. It is important to note there are significant architectural design elements that must be incorporated into this development.

D. Fiscal Considerations

None

E. Policy Issues

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

1. The size of the tract in question.

The size of the subject tracts is approximately 550.74 +/- acres.

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

This property is located in the "Future Planning Area" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Future Planning Area Character Area includes single-family residential as a primary use; therefore, the proposed use is in conformance with the goals and policies of the 2030 Plan.

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

The subject properties are located along Cannon Farm Road, Kannapolis Lake and the Golf Club at Irish Creek. The mix of traditional and age targeted housing along with the preservation of open-space and connectivity are compatible with existing development in the surrounding area.

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

A Traffic Impact Analysis was conducted in June of 2021 and the applicant is currently working with NCDOT and the City on suggested and required transportation improvements.

5. Will there be parking problems?

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

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

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

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

The character of the area has changed the past several years with the continued need and growth of a single-family-residential development.

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

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

- 9. What are the zoning districts and existing land uses of the surrounding properties? Surrounding properties are zoned RM-1, Medium-Density Residential and consist of single-family residential, open space and the existing Golf Club at Irish Creek.
- 10. Is the subject property suitable for the uses to which it has been restricted under the existing zoning classification?

The property is currently zoned RM-1. A rezoning is required to develop a Planned Unit Development, which incorporates a variety of lot sizes and housing types.

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

The proposed single-family residential use is compatible with the existing and proposed land uses in the area.

12. What length of time has the subject property remained vacant as zoned? $\ensuremath{\mathrm{N/A}}$

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

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

14. Was the existing zoning in error at the time of adoption? No.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates this property as being located in the "Future Planning" Character Area, which allows for the proposed single-family residential development. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety

of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

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

Based on the request being consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval with the following conditions for Zoning Map Amendment Case #CZ-2021-16:

- 1. The permitted uses allowed by this rezoning shall include the uses, densities and intensities as shown on the master plan approved with this rezone.
- 2. A Final Site Plan, in compliance with all applicable City UDO standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance Permit.
- 3. Comply with current Land Development Standards Manual.
- 4. All road intersections on where development has access and/or street frontage shall be approved by the City.
- 5. The Developer shall construct traffic improvements as required by the Traffic Impact Analysis approved with this rezoning.
- 6. The lane widths, sidewalks, pavement structure, road alignment, and road grades shall be constructed to current City standards.
- 7. Roads and parking lots shall comply with all Fire Codes and Autoturn templates for SU-30 and Bus-45 (mimics ladder truck) shall be used.
- 8. Streams and wetlands shall be identified by a qualified person and all buffers shown in accordance with Article 4 of the Kannapolis UDO. Construction of buildings, roads, and other structures must comply with AE Zone & RSOD Buffer requirements or be relocated.
- 9. A Stormwater Management Permit will be required for this Development in accordance with Article 9 of the Kannapolis UDO. Easements, maintenance agreements and viable access shall be provided for all stormwater structures and SCM's. Stormwater SCM's cannot be constructed in the undisturbed buffer.
- 10. All water and sewer mains shall be publicly maintained and located within a public right-of-way or utility easement. The water and sewer mains shall be located in the roadway under the pavement per the City's Typical Section Utility Layout, LDSM Detail 301.
- 11. Easements for Sanitary Sewer lines, Water lines and Storm Sewer pipes need to be a minimum of 20-feet wide. Additional width may be required depending on the depth of the line. Sanitary sewer lines and storm sewer lines shall be located within Common Open Space (easements centered on property lines shall not be permitted). Viable access shall be provided along all easements with a grade no greater than 15% for maintenance vehicles and cross slopes shall not exceed 5%.
- 12. The Fire Department shall approve locations of all hydrants
- 13. Additional Engineering and Fire comments are anticipated based on the latest version of the Master Plan.

Alternative Courses of Action

Motion to Approve (2 votes)

1. Should the Commission choose to approve the request for rezoning as presented in Case #CZ-2021-16, a motion should be made to adopt the following Statement of Consistency:

Statement of Consistency: The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being located in the "Future Planning" Character Area, which allows for the proposed professional office. Furthermore, the Commission finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.

2. Should the Commission choose to approve Case #CZ-2021-16, a motion should be made to adopt the Resolution to Zone.

Motion to Deny (2 votes)

1. Should the Commission choose to recommend denial of Case #CZ-2021-16, a motion should be made to adopt the following Statement of Consistency:

Statement of Consistency: The Planning and Zoning Commission finds this zoning map amendment as presented in Case #CZ-2021-16 to be <u>inconsistent</u> with the goals and policies of the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).

2. Should the Commission choose to deny Case #CZ-2021-16, 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. Site Plan
- 6. Neighborhood Meeting Information
- 7. Notice of Public Hearing
- 8. List of Notified Properties
- 9. Letter to Adjacent Property Owners
- 10. Posted Public Notice Sign
- 11. Resolution to Adopt a Statement of Consistency
- 12. Resolution to Zone

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager
- City Attorney



Planning Department 401 Laureate Way Kannapolis, NC 28081 704.920.4350 planningapps@kannapolisnc.gov

Conditional 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. One or more of the required documents may be waived due to the size of the parcel, the proposed use or the adequacy of existing infrastructure servicing the location. Submit digitals and 1 hard copy of applications and accompanying documents to the Planning Department at the address above.

	CONDITION	AL REZONING REQUEST
Conditional Rezoning – Requ Approval authority – Planning and Zo	est for an amendment to the oning Commission.	Kannapolis Zoning Map.
Requested Rezoning Property	Address:	
Proposed development:		
	SUBM	ITTAL CHECKLIST
Pre-Application Meeting – se	end an email to <u>planreviewappo</u> i	
Neighborhood Meeting (if re	equired)	
Zoning Map Amendment Ch	ecklist and Application – Comple	ete with all required signatures
Preliminary Major Site Plan		
PDF format on disc containing	ng all documents rotated and for	rmatted in sequential order based upon cover page
Fee: \$925.00 (\$600 Applicat	ion Fee, \$300 Legal Notices and	notification fee, # of property owners notified [see Fee Schedule])
	PROCE	SS INFORMATION
		uires a public hearing and public notification including newspaper vners and a sign posted prominently on the property (Section 3.1.5.1
Commission for consideration	on at a public hearing which	compliance and then forwarded to the Planning and Zoning is held monthly on the third Tuesday at 6:00pm in City Hall Laureate timust be received at least one month prior to the next scheduled
		ucting a public hearing, the Commission may: deny the application; on; or approve the application with conditions.
necessary to approve a cor	nditional rezoning request. Th ication to apply for a final ma	ns of the members present and not excused from voting, shall be the approval of a rezoning does not authorize development activity, agor site plan. Any final decision rendered by the Commission may be
		e Submittal Checklist and have included the required submittal items lso acknowledge that my application will be rejected if incomplete.
Applicant's Signature:	David Nelson	Date:



Planning Department 401 Laureate Way Kannapolis, NC 28081 704.920.4350 planningapps@kannapolisnc.gov

CONDITIONAL ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information	Property Owner Contact Information • same as a	pplicant
Name:	Name:	
Address:	Address:	
Phone:	Phone:	
Email:	Email:	
Project Information		
Project Address:		
Parcel:(attach separate list if necessary)	# of parcels: Approx. size of parcels:	
Current Zoning Designation:	Requested Zoning Designation:	
Reason for map amendment:		
requested, the property involved in this	d acknowledged that if the property is conditionally rezoned s request will be perpetually bound to the use(s) authorized to the use and the use of the conditionally changed or amended as provided for in	and
_		
David Nel son Applicant Signature	Date	
Property Owner Signature	Date	
	For Staff Use Only:	
Filing Fee:	Receipt #:	
Case #:	Date Received:	



Irish Creek - Lennar Carolinas LLC

Development Standards

Site Development Data

Acreage: 612.53 acres + 183.14 additional acres for Golf Club

Kannapolis Acreage: 466.12 acres Landis Acreage: 146.41 acres

Tax Parcels Kannapolis: 245 163; 249 C094000001; 244 011;

142 049000001; 132 0130000001; 132 108; 244 169; 244 158; 131 202; 131 145; 131 07202; 131 144; 131 07201; 131 142; 131 143; 1410010000001;

1410010000002; 131 173

Landis: 132-0130000002; 132-0130000001

Existing Zoning RM-1 (Kannapolis)

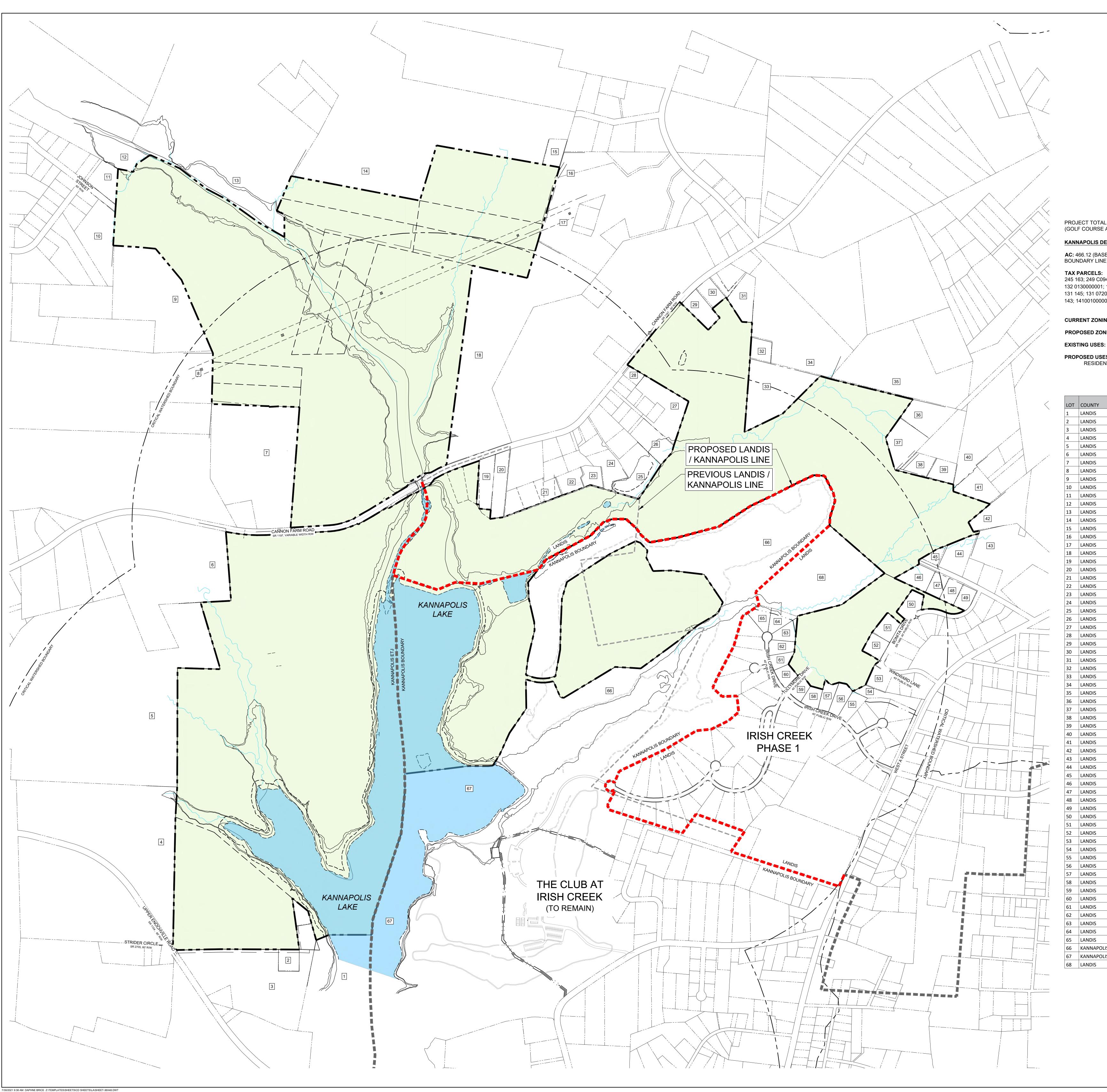
R-8 (Landis)

Proposed Zoning PUD-CZ (Kannapolis)

SFR-2/TNDO (Landis)

Existing Uses Golf Club; Vacant; Residential

Proposed Uses Golf Club; Single Family Residential





LENNAR

SITE DEVELOPMENT DATA

VICINITY MAP

PROJECT TOTAL: 612.53 AC (GOLF COURSE APPROXIMATELY 183.14 ADDITIONAL ACRES PER ROWAN COUNTY GIS)

KANNAPOLIS DEVELOPMENT DATA

AC: 466.12 (BASED ON KANNAPOLIS/LANDIS BOUNDARY LINE)

245 163; 249 C094000001; 244 011; 142 049000001; 131 145; 131 07202; 131 144; 131 07201; 131 142; 131 143; 1410010000001; 1410010000002; 131 173

CURRENT ZONING: RM-1

PROPOSED ZONING: PUD / PUD-CZ EXISTING USES: GOLF CLUB, VACANT/RESIDENTIAL

PROPOSED USES: GOLF CLUB, SINGLE FAMILY RESIDENTIAL

LANDIS DEVELOPMENT DATA

AC: 146.41 (BASED ON KANNAPOLIS/LANDIS BOUNDARY LINE)

TAX PARCELS: 132 0130000002, 132 0130000001

CURRENT ZONING: R-8

PROPOSED ZONING: SFR-2 / TNDO

EXISTING USES: GOLF CLUB, VACANT/RESIDENTIAL

PROPOSED USES: SINGLE FAMILY RESIDENTIAL

LOT	COUNTY	PARCEL	OWNER	DEED BOOK	DEED PAGE	EX. ZONING
L	LANDIS	249 CO9400001	MURDOCK HOLDINGS, LLC	1320	729	RM-1
2	LANDIS	5615-17-00-2960	DURHAM HOWARD CHESTER JR	790	234	RM-1
3	LANDIS	245164	DURHAM HOWARD CHESTER JR	787	317	RM-1
4	LANDIS	245162	DORIS SELLARI ETAL TRUSTEES	1313	228	RM-1
5	LANDIS	244046	FINGER, DAVID A JR ETAL	644	907	RM-1
5	LANDIS	244102	FINGER, DAVID A JR ETAL	623	161	RM-1
7	LANDIS	244126	JACK A. GOODNIGHT	718	41	RM-1
8	LANDIS	244148	G. DAVID BRODWAY JR	1101	516	RM-1
9	LANDIS	244008	DARYLE LEN BAXTER	650	69	RM-1
10	LANDIS	244B059	CLYDE SHREWSBURY	1280	619	RM-1
11	LANDIS	244B095	JIMMY D. MCGINNIS	561	116	RM-1
12	LANDIS	236010	TRACI LEIGH SMITH	1103	823	RM-1
13	LANDIS	23600901	MARTHA JANE MYERS DEAL	1334	598	RM-1
14	LANDIS	131072	FREDERICK E. SHIELDS JR.	1227	193	RM-1
 15	LANDIS	131156	JOEL K. CORRIHER	1112	624	RM-1
16	LANDIS	131263	MARJORIE C. MORGAN	1260	558	RM-1
	LANDIS		PHILLIP L. HELMS			
17		131224		1260	562	RM-1
18	LANDIS	131165	ROBERT S. SEVERT JR.	1268	280	RM-1
19	LANDIS	132114	JIMMY R. BAKER JR.	793	978	RM-1
20	LANDIS	132109	THOMAS F. BLACK	634	392	RM-1
21	LANDIS	132081	JEFFREY RAY RITCHIE	1246	890	RM-1
22	LANDIS	132002	KRISHNAL PROPERTIES LLC	1147	398	RM-1
23	LANDIS	132125	RYAN L. LEBEN	984	265	RM-1
24	LANDIS	132167	BARBARA ISENHOUR	674	330	RM-1
25	LANDIS	132127	PETE H. ALTMAN	1249	462	RM-1
26	LANDIS	132005C	TONDA C. ABSHER	1112	259	RM-1
27	LANDIS	132006	JACK SARTIN	1346	208	RM-1
28	LANDIS	132006E	WILLIAM H. IRVIN	1309	799	RM-1
29	LANDIS	131289	DAVID L. BAXTER	903	629	RM-1
30	LANDIS	131290	JAMES M. LIVENGOOD	1056	320	RM-1
31	LANDIS	131105	RONALD LEE ERVIN	1230	457	RM-1
32	LANDIS	131122	RANDY WILLIAM GOODNIGHT	564	1975	R-8
33	LANDIS	132009	KYONG SUK HONG BEAVER	664	227	R-8
34	LANDIS	131060B	JANE OVERCASH GOODNIGHT	426	601	R-8
35	LANDIS	131059	JOHNNY LAYBE BARNES	1037	826	R-8
35 36	LANDIS	132107	CRAIG ALLEN CHASTAIN	1340		_
					548	R-8
37	LANDIS	132132	CRAIG ALLEN CHASTAIN	695	381	R-8
38	LANDIS	132150	JB PITTARD	766	953	R-8
39	LANDIS	132151	JB PITTARD	766	953	R-8
40	LANDIS	132165	JB PITTARD	1337	134	R-8
41	LANDIS	132165	JB PITTARD	1337	134	R-8
42	LANDIS	132025	MARSHALL D MURPHY	1364	89	SFR-2
43	LANDIS	132091	MARIANNE C WILSON	801	957	R-8
44	LANDIS	132022	MARY W EIDSON	847	579	SFR-2
45	LANDIS	132023	MARY THERESA MARTIN	1245	10	SFR-2
46	LANDIS	132082	CARL EUGENE ROBERSON	548	20	SFR-2
47	LANDIS	132094	CODY LEE SMITH	1352	614	SFR-2
48	LANDIS	132092	CODY LEE SMITH	1352	614	SFR-2
49	LANDIS	132A086	BANJAMIN W SMAGACZ	1283	446	SFR-2
50	LANDIS	132096	DALE LEVON EDMISTON	623	940	SFR-2
51	LANDIS	132097	JONATHON MARK BRINGLE	1295	199	SFR-2
52	LANDIS	132098	JAMES DWIGHT MEASMER	1081	396	SFR-2
53	LANDIS	132099	KIMBERLIE MARTIN HARMON	1309	785	R-8
54	LANDIS	132C009	ATLANTIC AMERICAN PROPERTIES	1228	578	R-8
55	LANDIS	132C003	ATLANTIC AMREICAN PROPERTIES	1228	578	SFR-2
56	LANDIS	132C019	ATLANTIC AMREICAN PROPERTIES	1228	578	SFR-2
50 57	LANDIS	132C019	ATLANTIC AMREICAN PROPERTIES ATLANTIC AMREICAN PROPERTIES	1228	578	SFR-2
						+
58 50	LANDIS	132C021	ATLANTIC AMPRICAN PROPERTIES	1228	578	SFR-2
59	LANDIS	132C022	ATLANTIC AMREICAN PROPERTIES	1228	578	SFR-2
50	LANDIS	132C023	ATLANTIC AMREICAN PROPERTIES	1228	578	SFR-2
51	LANDIS	132C024	ATLANTIC AMREICAN PROPERTIES	1228	578	SFR-2
52	LANDIS	132C025	ATLANTIC AMREICAN PROPERTIES	1228	578	SFR-2
53	LANDIS	132C026	ATLANTIC AMREICAN PROPERTIES	1228	578	SFR-2
54	LANDIS	132C027	ATLANTIC AMREICAN PROPERTIES	1228	578	SFR-2
55	LANDIS	132C028	ATLANTIC AMREICAN PROPERTIES	1228	578	SFR-2
56	KANNAPOLIS	141 001000001	ATLANTIC AMERICAN PROPERTIES	1228	578	RM-1
	KANNAPOLIS	142 049000001	ATLANTIC AMERICAN PROPERTIES	1228	578	RM-1
	1					

IRISH CREEK

REVISION / ISSUANCE DESIGNED BY: LRD
DRAWN BY: LRD

RZ-1

7/30/2021 9:39 AM DAPHNE BRICE Z:\TEMPLATES\SHEETS\CD SHEETS\LA\SHEET-36X48.DWT

Irish Creek - Lennar Carolinas LLC **Development Standards**

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM

LandDesign.

LENNAR

Site Development Data

(Golf course approximately 183.14 additional acres per Rowan County GIS)

245 163; 249 C094000001; 244 011; 142 049000001; 132 0130000001; 132 108; 244 169; 244 158; 131 202; 131 145; 131 07202; 131 144; 131 07201; 131 142; 131 143; 1410010000001; 1410010000002; 131 173

132 0130000002, 132 0130000001 Existing Zoning RM-1 (Kannapolis)

R-8 (Landis) Proposed Zoning PUD-CZ (Kannapolis) SFR-2/ TNDO (Landis) Existing Uses Golf Club; Vacant; Residential Proposed Uses Golf Club; Single Family Residential

Landis Development Standards

Proposed Zoning: SFR-2 base zoning with TNDO overlay

Landis Development Ordinance (Articles 1-23) Effective Date May 11, 2021

Planned Development:

The Site shall be viewed as a planned/ unified development plan as to the elements and portions of the Site as generally provided on the Rezoning Plan. As such, side and rear yards, buffers and other similar zoning standards have been provided within the Rezoning package to allow an element of consistency between the portions of the project located within Landis and Kannapolis, respectively. Watershed Development criteria for each jurisdiction may be considered on a "Project Wide" basis as it relates to the criteria set forth in each ordinance.

Project Density will be provided in accordance with the Ordinance

For Lot standards, see sheet RZ-5 for details and standards

All lots shall front on public streets, per the Ordinance requirements

The average perimeter of all blocks shall not exceed 1,850 linear feet. In certain instances, due to environmental conditions and constraints- this block perimeter requirement shall be increased and planning staff may grant a variance as depicted on the Rezoning Plan.

Block faces with length greater than 750' shall be broken up with a dedicated pathway or break allowing through access.

Due to environmental conditions and constraints - cul de sacs may be greater than 250' in length, provided they allow for a connection to open space with a trailhead, or pathway.

A 20' Class C Buffer to be provided where required, in accordance with the Ordinance. For the purpose of open space calculations, Buffers may be used to meet requirements for open space for the project.

Tree Conservation:

Conservation of tree areas to be provided in accordance with the Ordinance. For the purpose of open space calculations, Tree Conservation areas may be used to meet requirements for open space for the project.

Open space for the project may be combined with Buffers and Tree Conservation areas to meet project requirements. Additionally, the existing Golf Club property that is to remain shall be used to satisfy requirements for the project's open space

Kannapolis Development Standards

Proposed Zoning: PUD-CZ Kannapolis Unified Development Ordinance (UDO)

Revised July 8, 2021

Planned Development:

The Site shall be viewed as a planned/ unified development plan as to the elements and portions of the Site as generally provided on the Rezoning Plan. As such, side and rear yards, buffers and other similar zoning standards have been provided within the Rezoning package to allow an element of consistency between the portions of the project located within Landis and Kannapolis, respectively. Watershed Development criteria for each jurisdiction may be considered on a "Project Wide" basis as it relates to the criteria set forth in each ordinance.

Design standards:

Project Density will be provided in accordance with the Ordinance

For Lot standards, see sheet RZ-5 for details and standards

All lots shall front on public streets, per the Ordinance requirements

Block faces with length greater than 750' shall be broken up with a dedicated pathway or break allowing through access.

Street Network Connectivity Ratio of 1.65 will be permitted for this project, based on Environmental conditions and constraints

A 25' Perimeter Buffer (Type 3) to be provided as required in the Ordinance. For the purpose of open space calculations,

Buffers may be used to meet requirements for open space for the project.

Conservation of tree areas to be provided in accordance with the Ordinance. For the purpose of open space calculations, Tree Conservation areas may be used to meet requirements for open space for the project.

Open space for the project may be combined with Buffers and Tree Conservation areas to meet project requirements. Additionally, the existing Golf Club that is to remain shall be used to satisfy requirements for the project's open space

Recreation Elements:

Not less than 20 percent (20%) of the residential units are located within 660 feet of a pedestrian, equestrian, golf cart path, or bicycle trail. Where appropriate and feasible, stormwater features such as ponds may be used in conjunction with recreational facilities or amenities and will be designed in accordance with the stormwater management standards of the

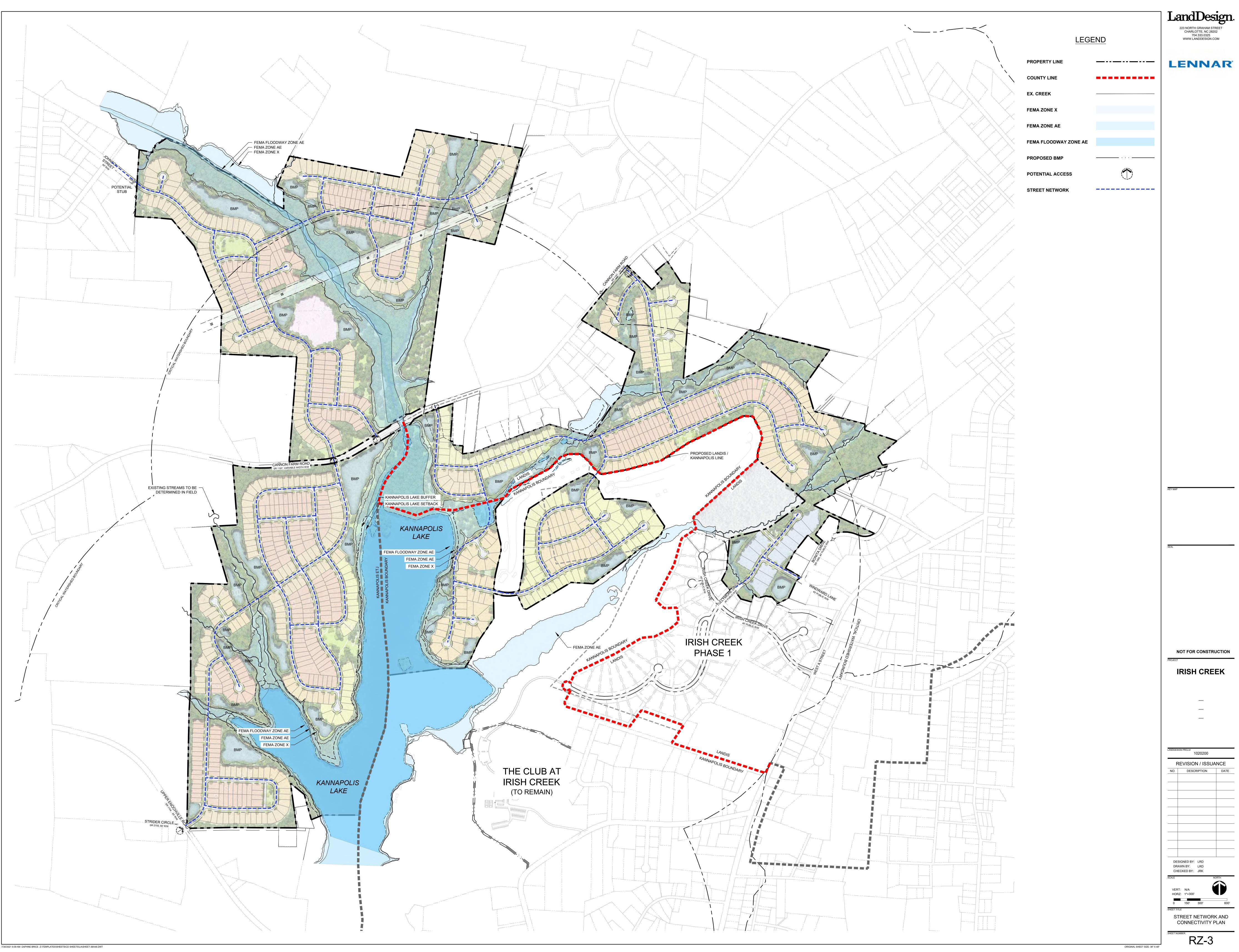
NOT FOR CONSTRUCTION

IRISH CREEK

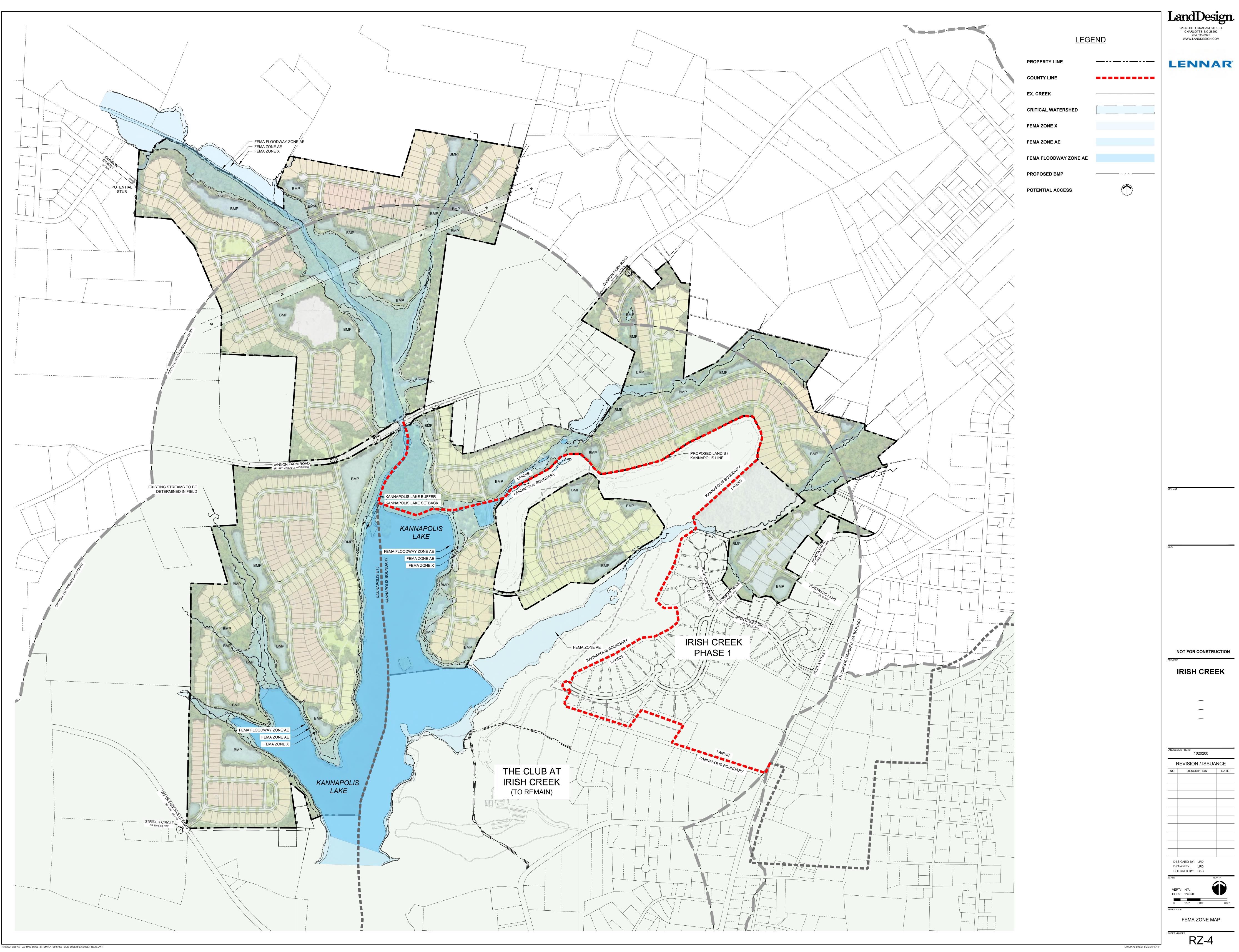
REVISION / ISSUANCE

DESIGNED BY: LRD DRAWN BY: LRD

SCHEMATIC SITE PLAN



REVISION / ISSUANCE



LandDesign.

REVISION / ISSUANCE

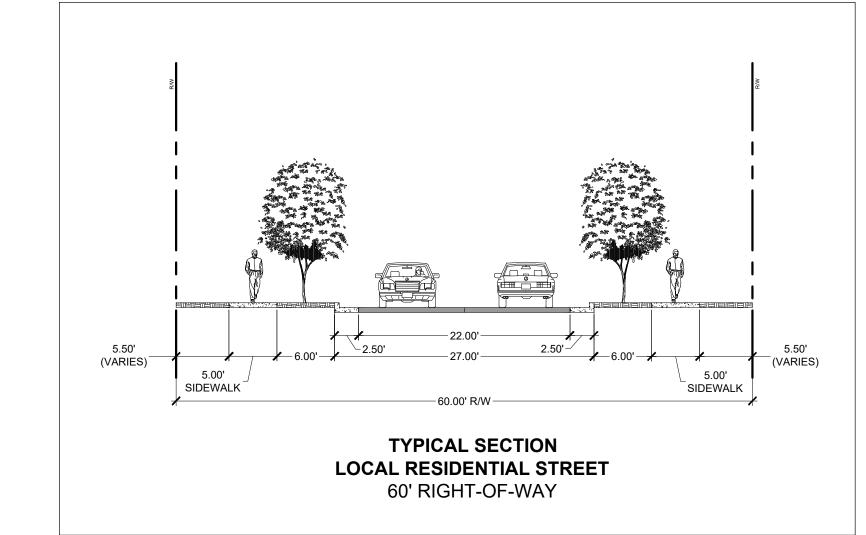
LOT BREAKDOWN

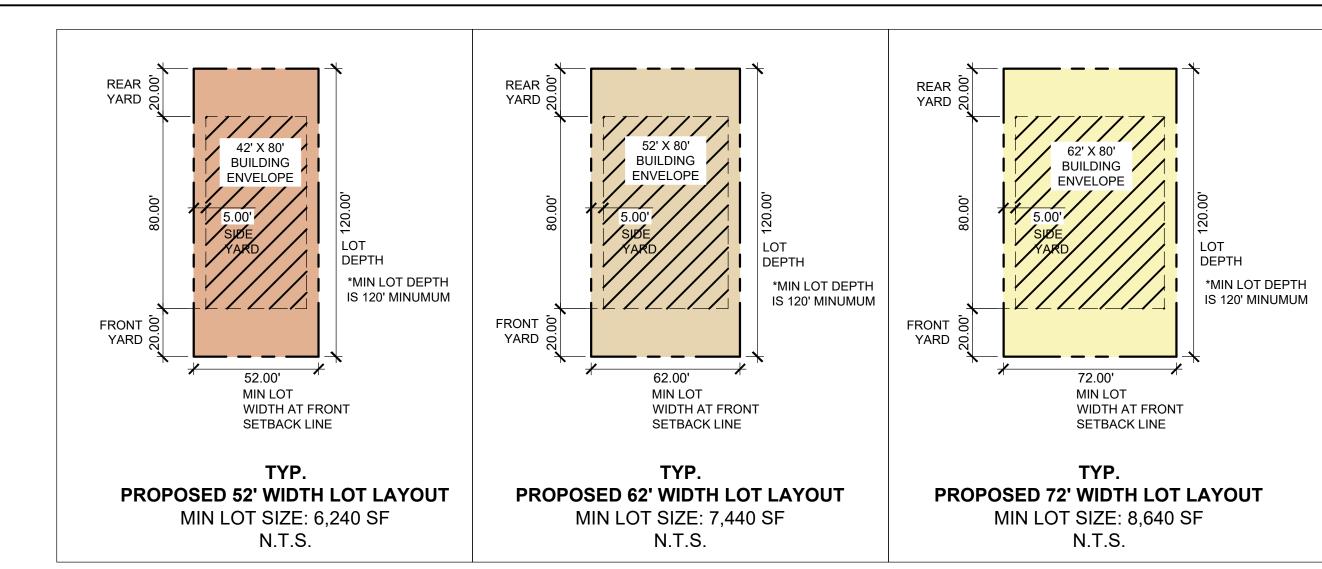
LOT COLOR	LOT TYPE	NUMBER OF LOTS
	AGE TARGETED 52' LOTS (FORD SERIES)	197
	AGE TARGETED 62' LOTS (MEADOW SERIES)	226
	AGE TARGETED 72' LOTS (PINNACLE SERIES)	148
	TOTAL	571
		·
	TRADITIONAL 52' LOTS (WALK SERIES)	225
	TRADITIONAL 62' LOTS (ENCLAVE SERIES)	229
	TRADITIONAL 100' LOTS	13
	TOTAL	467
	GRAND TOTAL	1038

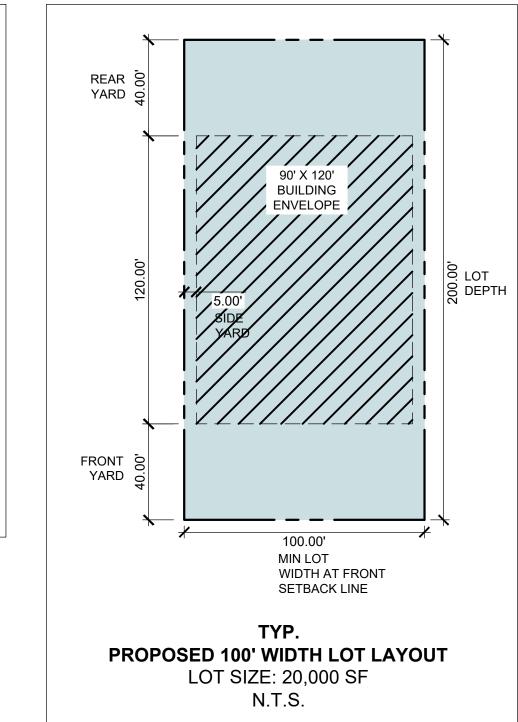
MUNICIPALITY	NUMBER OF LOTS
KANNAPOLIS	792
LANDIS	246
N/ATERCHER	NUMBER OF LOTS
WATERSHED	

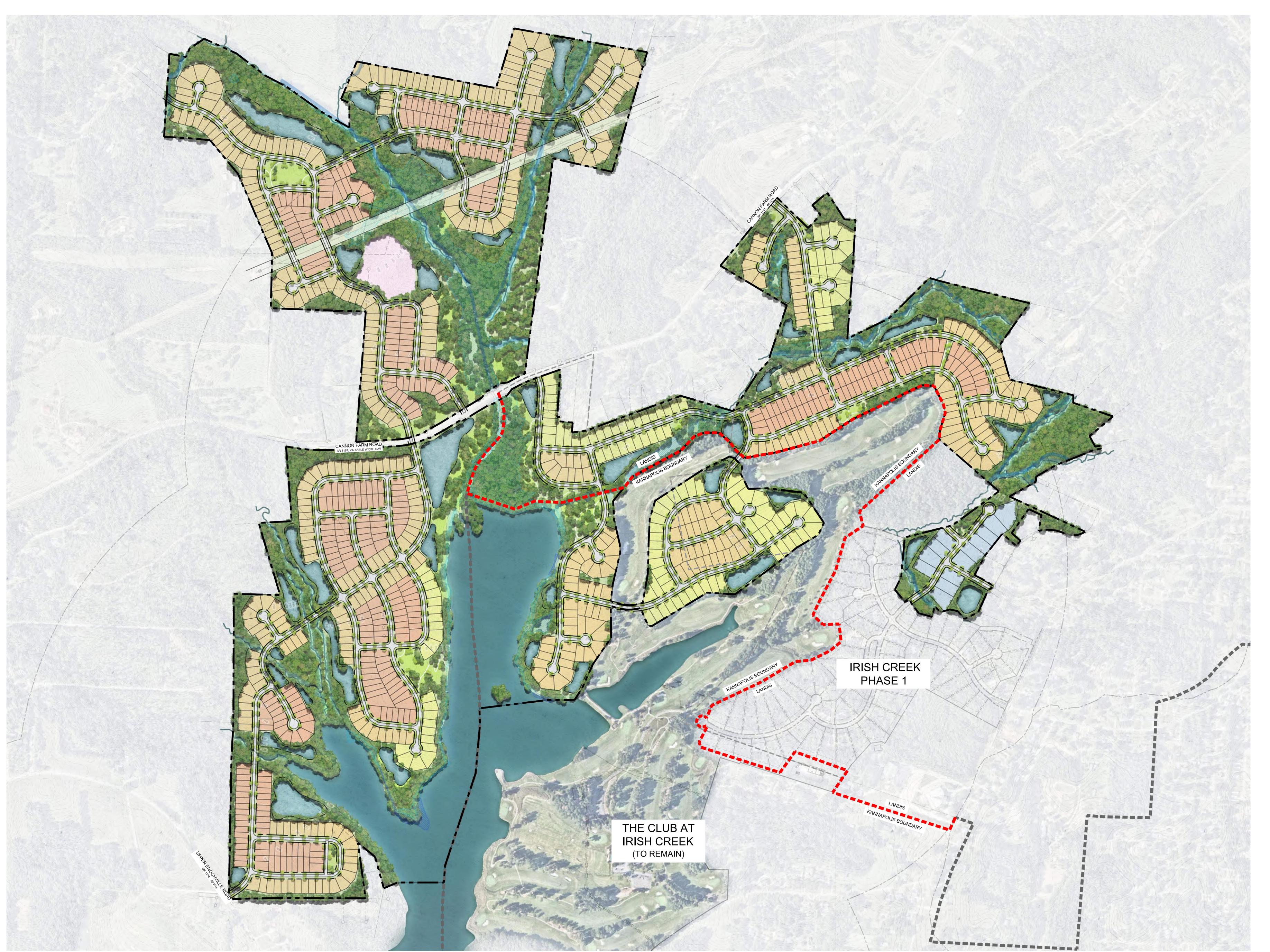
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WS-III-CA









NOT FOR CONSTRUCTION

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM

LENNAR

IRISH CREEK

REVISION / ISSUANCE

NO. DESCRIPTION DATE

DRAWN BY: -CHECKED BY: -
SCALE

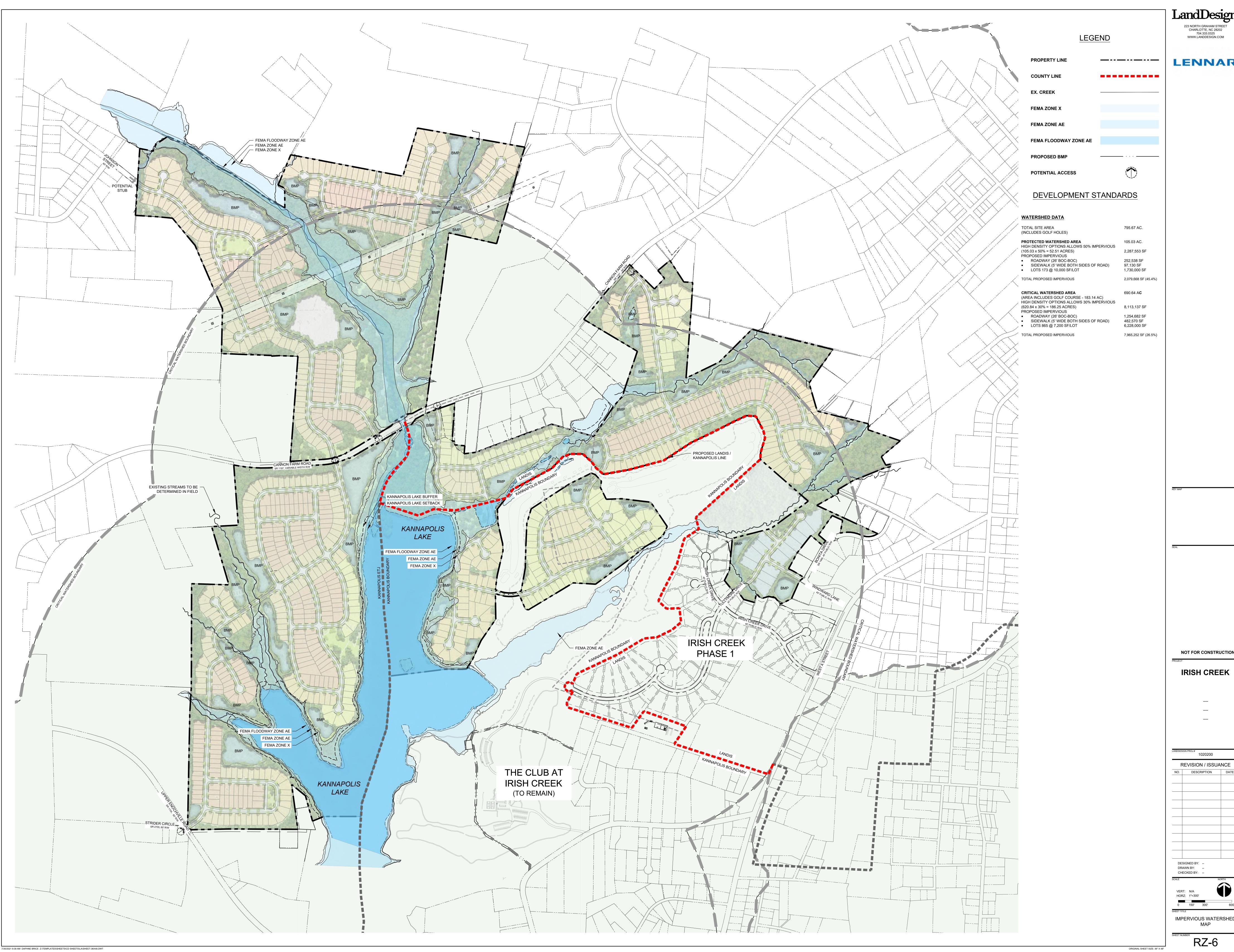
NORTH

VERT: N/A
HORZ: 1"=300'

TYPICAL LOT SH

RZ-5

7/30/2021 9:39 AM DAPHNE BRICE Z:\TEMPLATES\SHEETS\CD SHEETS\LA\SHEET-36X48.DWT



223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM

LENNAR'

REVISION / ISSUANCE

DESIGNED BY: --

IMPERVIOUS WATERSHED

RZ-6

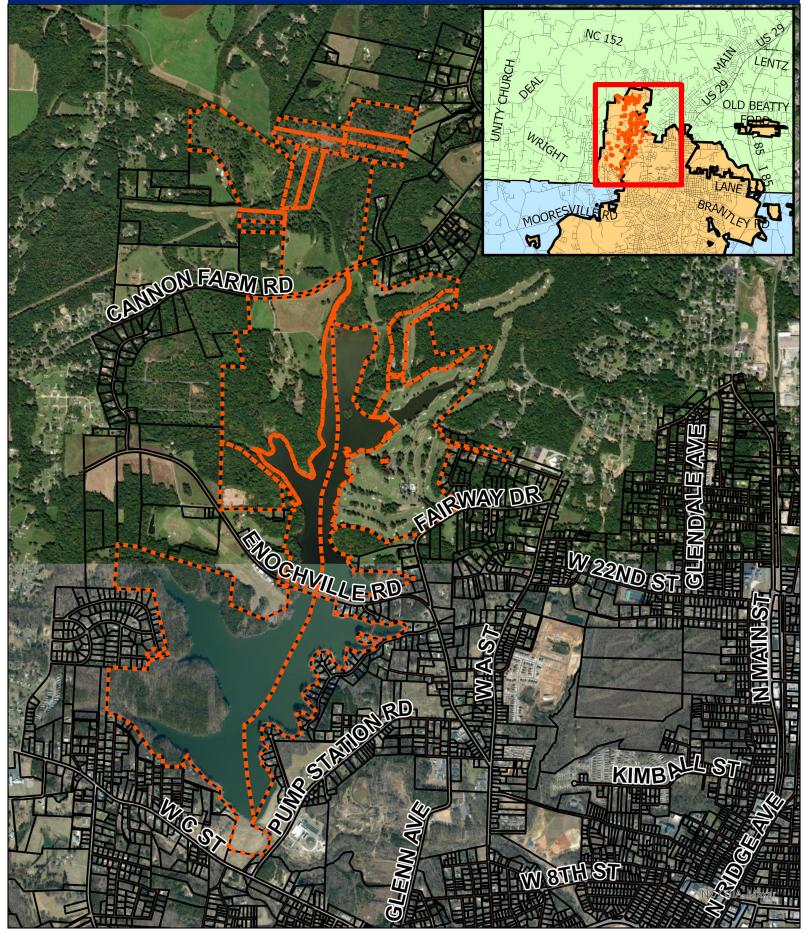


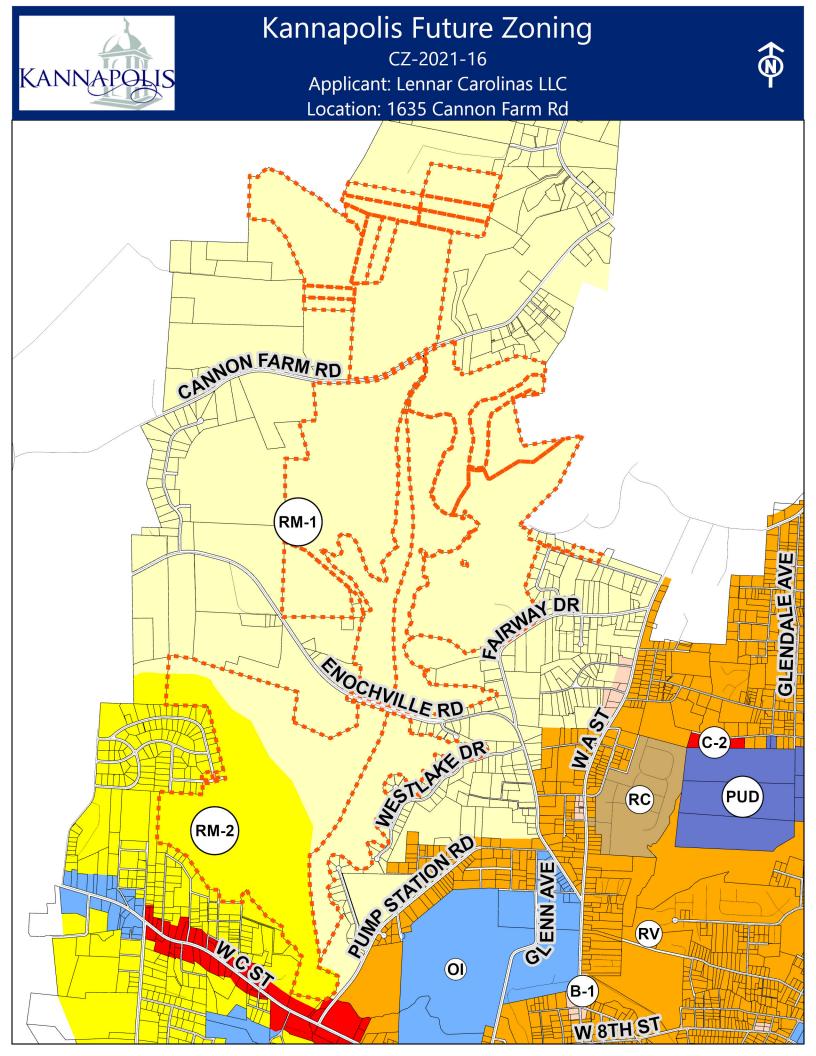
Vicinity Map

CZ-2021-16







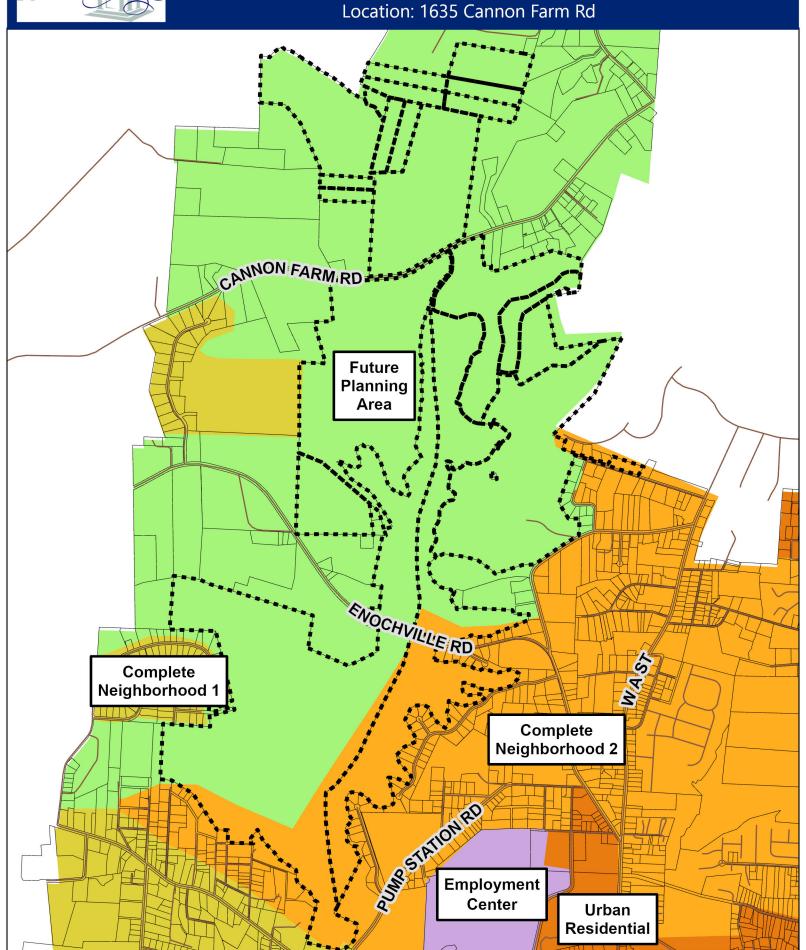




Kannapolis 2030 Future Land Use Map

Applicant: Lennar Carolinas LLC





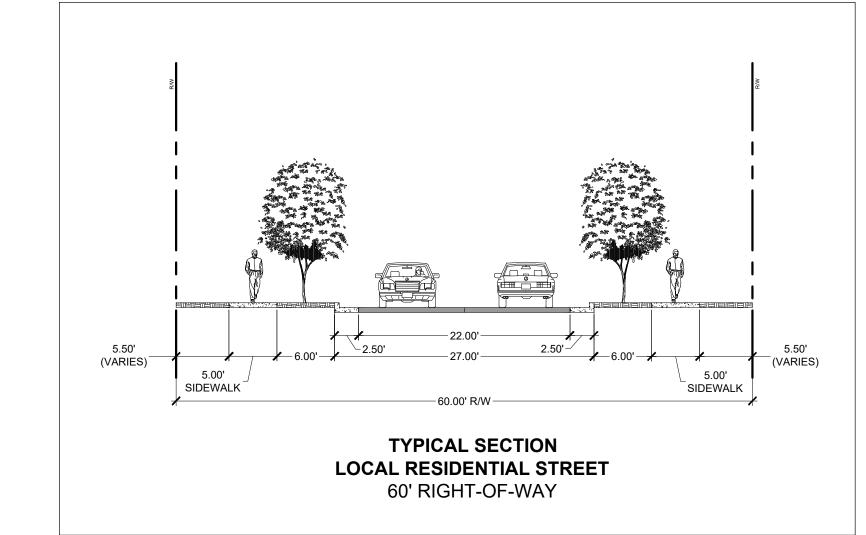
LOT BREAKDOWN

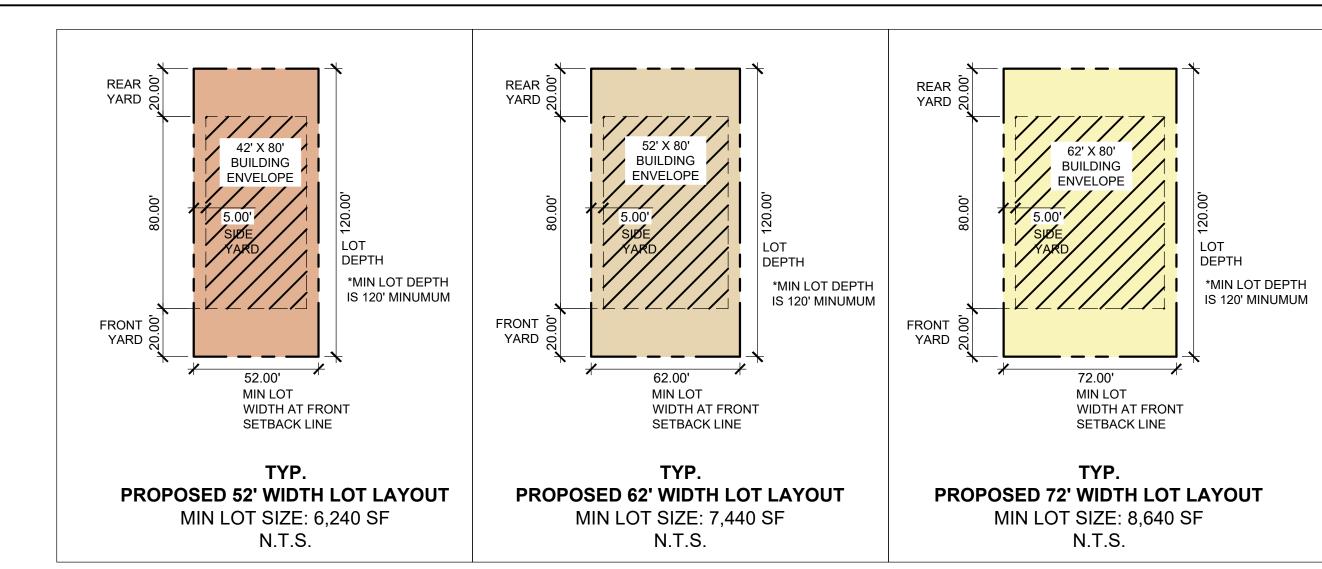
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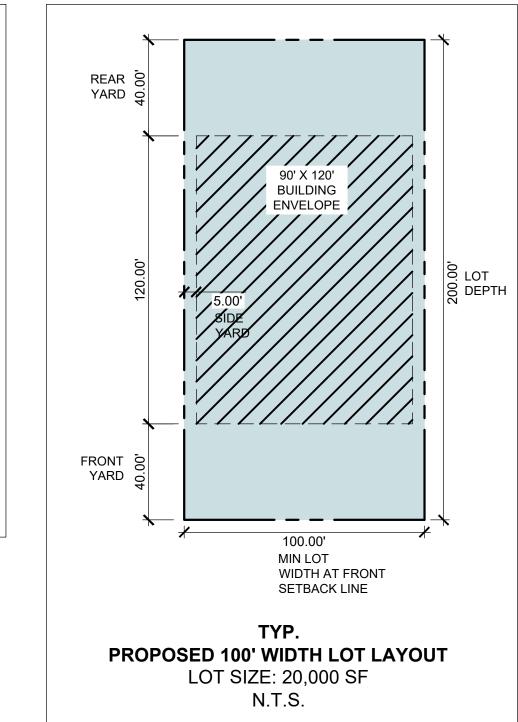
MUNICIPALITY	NUMBER OF LOTS
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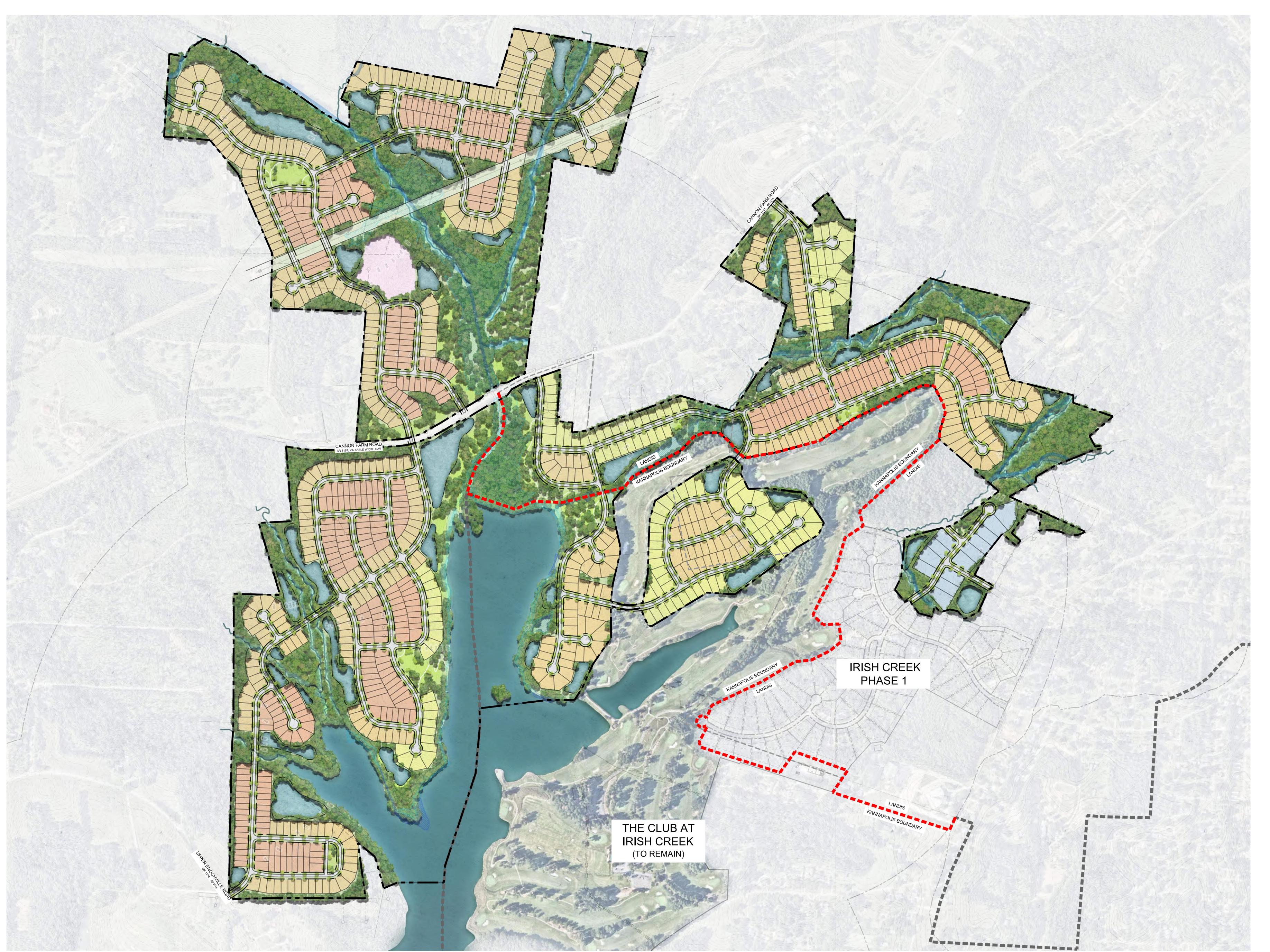
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WS-III-CA









NOT FOR CONSTRUCTION

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM

LENNAR

IRISH CREEK

REVISION / ISSUANCE

NO. DESCRIPTION DATE

DRAWN BY: -CHECKED BY: -
SCALE

NORTH

VERT: N/A
HORZ: 1"=300'

TYPICAL LOT SH

RZ-5

7/30/2021 9:39 AM DAPHNE BRICE Z:\TEMPLATES\SHEETS\CD SHEETS\LA\SHEET-36X48.DWT

NOTICE TO INTERESTED PARTIES OF A REZONING PETITION Irish Creek – (Petition Number TBA) – Lennar Carolinas, LLC

Subject: Rezoning Petition Number - TBA

Petitioner/Developer: Lennar Carolinas, LLC

Current Land Use: Vacant

Existing Zoning: RM-1/ Residential Medium Density District

City of Kannapolis

Rezoning Requested: PDD/ Planned Development District

<u>Date and Time of Meeting:</u> <u>Tuesday, April 13, 2021 at 6:00 p.m.</u>

Virtual Meeting RSVP: Please email LDelbridge@landdesign.com and

BSinnorai@landdesign.com to provide your email address in order to receive a secure virtual meeting link or to request a hard copy of the presentation material. Reference Lennar Irish Creek in your

response.

Date of Notice: 03/29/2021

We are assisting Lennar Carolinas, LLC (the "Petitioner") on a request to file a rezoning for an approximately +/- 729 acre site located adjacent to The Club at Irish Creek and Kannapolis Lake. The site lies north of Enochville Rd and on either side of Cannon Farm Road, located on both sides of Kannapolis Lake. The request is to allow the development of the site with residential in accordance with Kannapolis UDO requirements for Planned Development District (PDD).

In accordance with local and state orders in place to prevent the further spread of COVID-19, the Petitioner will hold a **Virtual Community Meeting** to discuss this rezoning proposal with nearby property owners and organizations. The City of Kannapolis Mapping Department's records indicate that you are either a representative of a registered neighborhood organization or an owner of property near the Site.

Accordingly, we are extending an invitation to participate in the upcoming Virtual Community Meeting to be held on Tuesday, April 13, 2021, at 6:00 p.m.

Please email <u>LDelbridge@landdesign.com</u> and <u>BSinnorai@landdesign.com</u> to provide your email address in order to receive a secure virtual meeting link by April 11th.

Residents who expect they will be unable to access the virtual meeting or have questions about this matter are asked to email the above addresses in order to make alternative arrangements/ receive the presentation information. Presentation materials will be shared upon request after the virtual meeting.

Representatives of the Petitioner look forward to discussing this exciting rezoning proposal with you at the Virtual Community Meeting.

Thank you.

cc: David Nelson, Lennar Carolinas, LLC Christian Jones, Lennar Carolinas, LLC Shaun Tooley, LandDesign, PLA Nathan Doolittle, LandDesign Lauren Delbridge, LandDesign Bea Sinnorai, LandDesign

Site Location

See attached parcel exhibit



Irish Creek - Lennar Kannapolis - Community Meeting Report April 13, 2021

> Petitioner: Lennar Carolinas, LLC Rezoning Petition Number: TBD Property: see attached exhibit

Persons and Organizations Contacted with Dates and Explanation of how Contacted

The required Public Input/ Community Meeting was held virtually on Tuesday, April 13, 2021. A representative of the Petitioner mailed written notice of the date, time and details of the Virtual Community Meeting to all individuals set out on Exhibit A by US Mail on March 30,2021. Copy of the written notice is attached as Exhibit B.

Time and Date of Meeting

The Community Meeting required by the Ordinance was held virtually (via Go-To Meeting ID 246 992 605)) on Tuesday, April 13, 2021 at 6:00pm.

Persons in Attendance at Meeting

The Petitioner's representatives at the Community Meeting were:

- David Nelson (Lennar)
- Matt Pannell (Lennar)
- Christian Jones (Lennar)
- Nate Doolittle (LandDesign)
- Shaun Tooley (LandDesign)
- Robb Klauk (LandDesign)
- Lauren Delbridge (LandDesign)

Additionally, the Zac Gordon and Wilmer Melton attended on behalf of the City of Kannapolis.

The Community representatives in attendance were:

Ernie Willard James Renwick

Jo Stephens Justin

Shannon Fry Charlie & Sherri Joe Niggel Justin Kiles

Mark and Sally Peterson Tab & Suzanne Boyd

Tanner Wrightman Zamoras
Susan Boyer Justin Kies
Carmen Seamon Andrew Martin
Chris Paula Severt

Pete Altman

Summary of Issues Discussed at Meeting:

 David Nelson & Shaun Tooley opened the meeting at 6:00pm and welcomed everyone in attendance. The development team was introduced and described the need for the Virtual Meeting

LANDDESIGN.COM

- in lieu of the more typical face to face meeting for community input. The development team reviewed the site plan and context of the project.
- It is the expectation of the development team + municipalities to have additional community input meetings to allow for public involvement.
- Kannapolis and Landis are working on a joint agreement to allow Kannapolis to provide a unified review of zoning and plan review, in order for the project to be executed in a seamless and cohesive manner
- Landis/ Kannapolis & NCDOT are working together on Traffic Impact Study (TIS) process.
- The home offering will be a mixture of Active Adult and Traditional Market Homes. Estimate is that 60-70% may be Active Adult.
- Total number of homes is expected to be about 1,000 homes.

Summary of Questions/ Comments and Responses

- · Golf Course is anticipated to remain private
- Price point- \$300's and \$400's.
- Project Timeline Zoning 3rd Quarter 2021

Break Ground early 2022

Homes constructed 2023

- Kannapolis & Landis boundary may be modified if agreed upon in joint agreement
- Ph1 Niblock Homes to continue their construction
- Utility availability to annexed parties. Only the limits of this project will be annexed as part of this
 process
- What environmental protections are in place? Kannapolis Ordinance will be followed
- Will the roadway accessing the Golf Course be widened? Findings of TIS are not complete yet.
- Enochville School closing recently and impact on schools.
- TIA Scope/ Study 10 intersections studied. The findings will be incorporated into the zoning process and commitments
- Lake will remain as is no fishing/ boating..etc
- Active Adult likely to be 600-700 homes
- MF options for this project? No townhomes being considered at this time as part of the project.
- Congestion concerns from Community. Will need to have additional conversations upon TIS resolution
- Will Golf Course be run by Kannapolis? No, that is not the expectation.

The Community Meeting was adjourned and the team thanks everyone for their participation in this important aspect of the project. Additional opportunities to continue this discussion will be provided once the project is submitted for rezoning.



IRISH CREEK REZONING

COMMUNITY MEETING

MEETING OUTLINE

- DEVELOPMENT TEAM
- PROPERTY LOCATION
- ZONING CURRENT VS. PROPOSED
- MASTER PLANNING CONCEPT
- Q & A

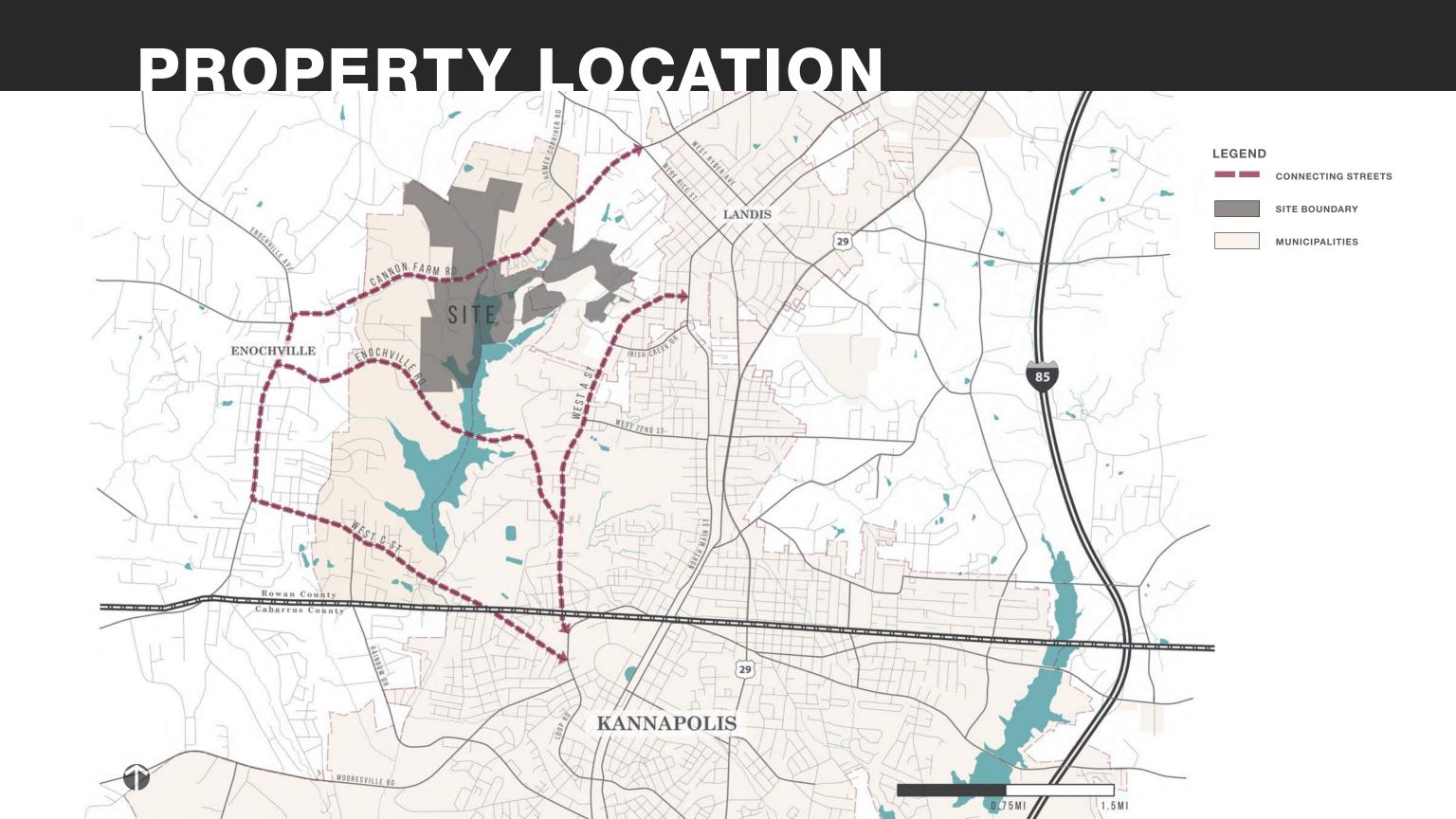
DEVELOPMENT TEAM



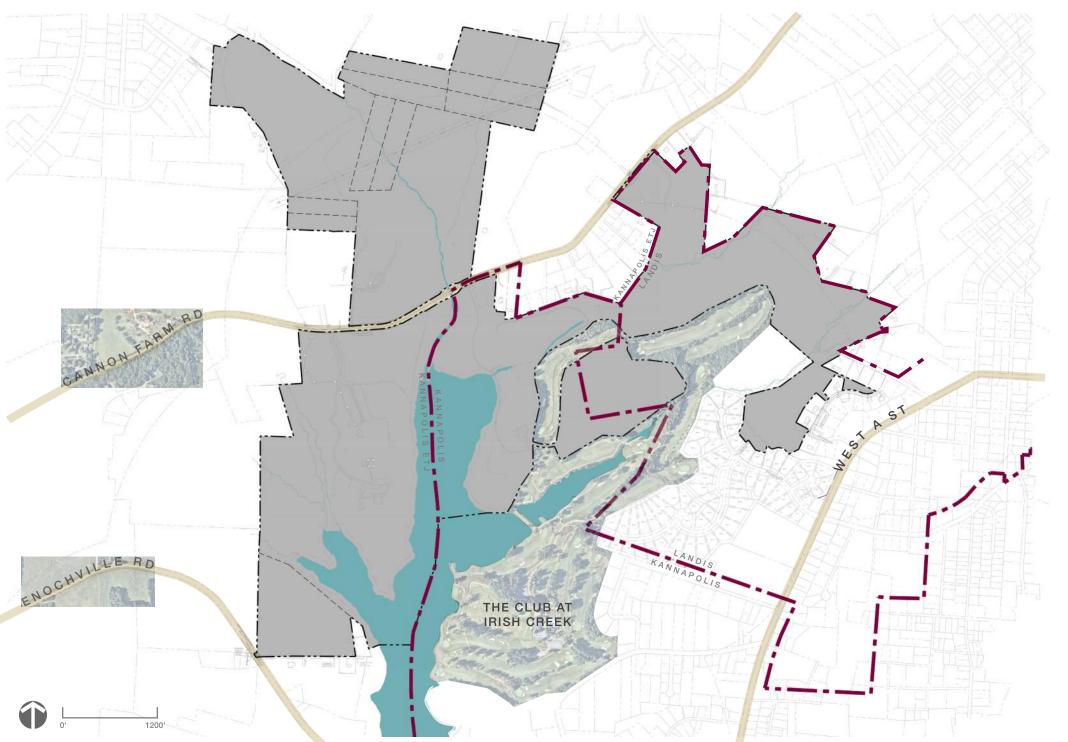


Moving forward.

RAMEY KEMP ASSOCIATES

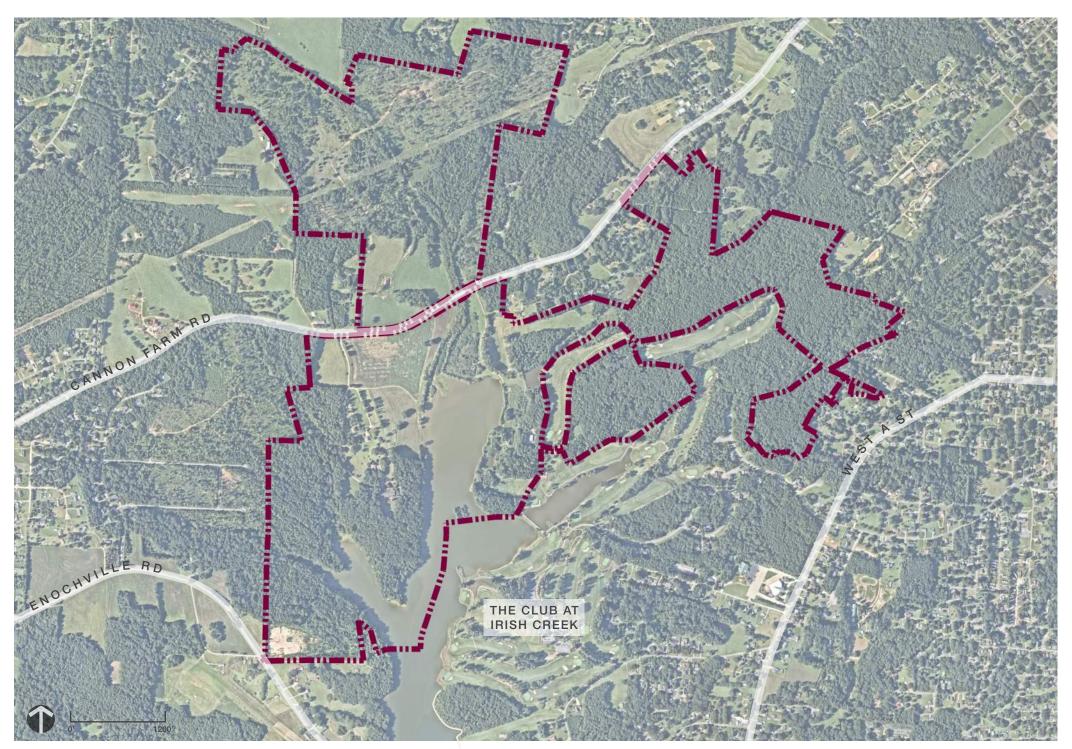


PROPERTY LOCATION



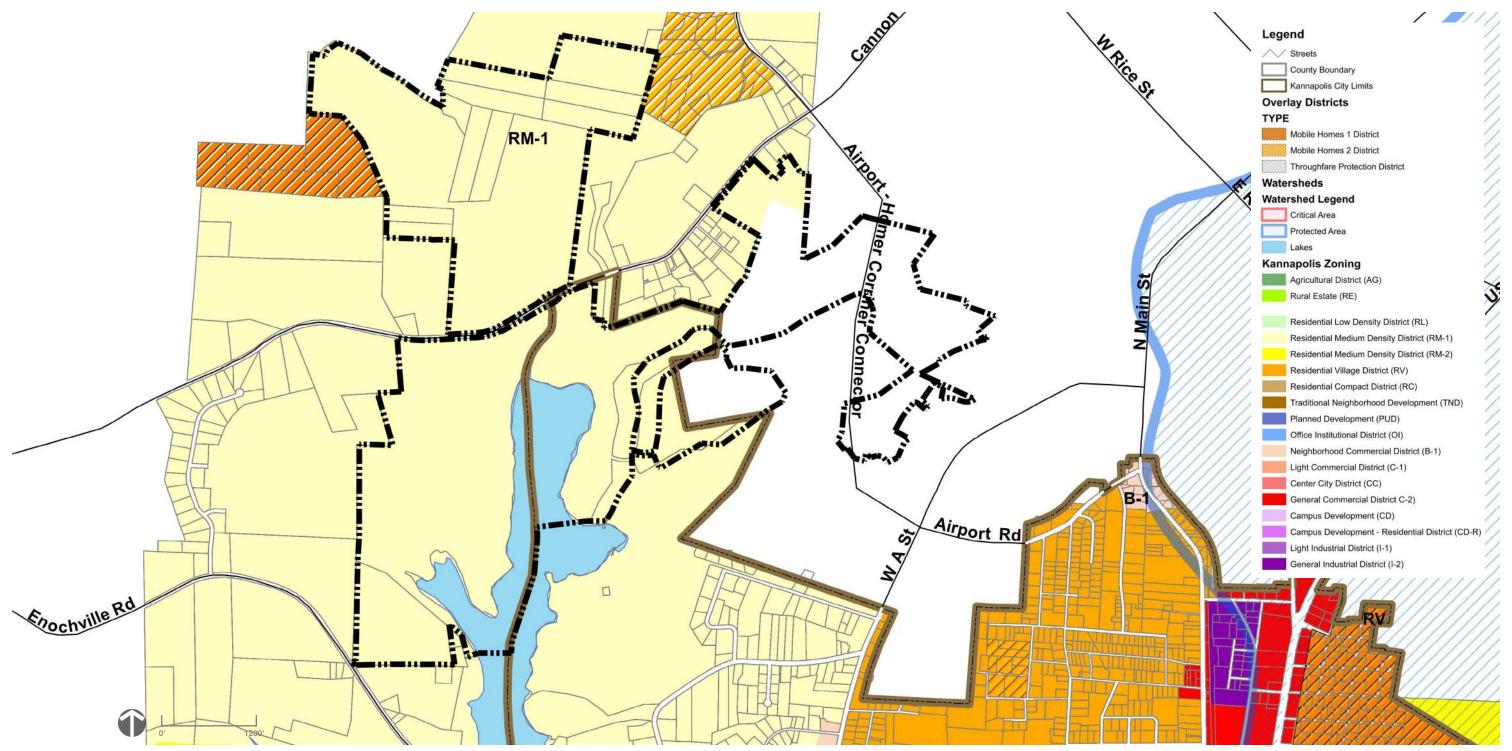
RESIDENTIAL ACREAGE: ±556.4 AC GOLF COURSE ACREAGE: ±172.7 AC

PROPERTY LOCATION

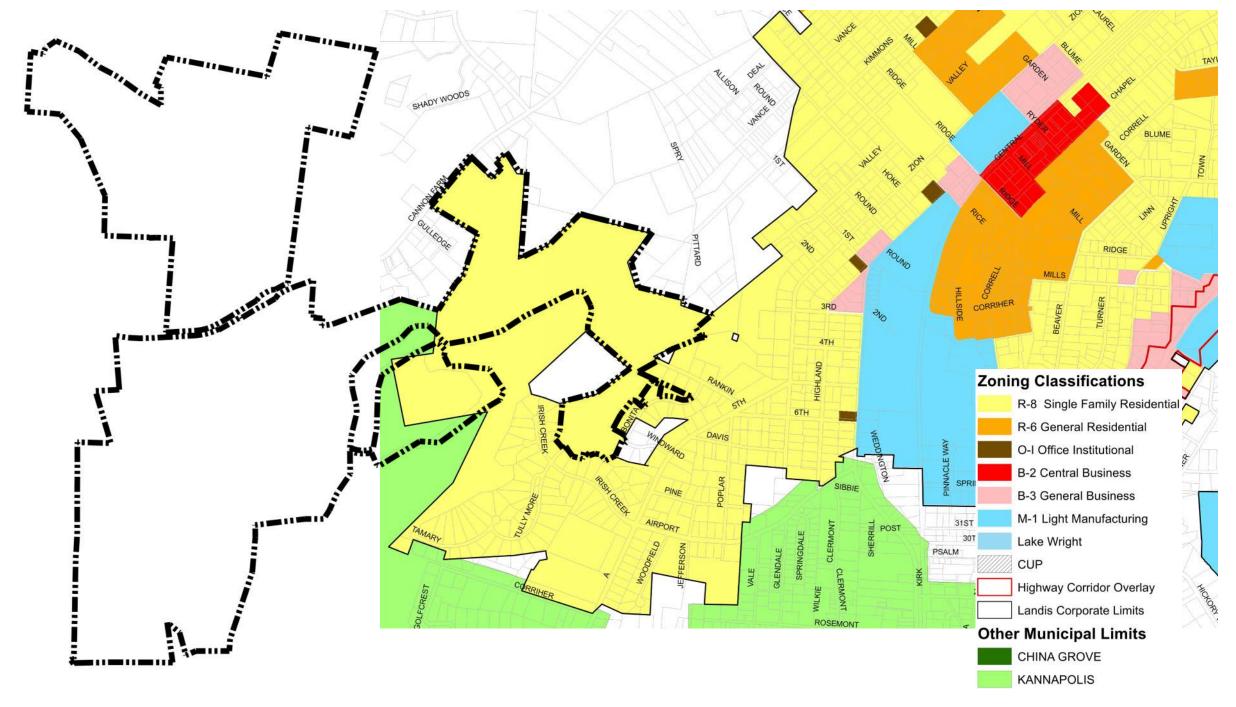


RESIDENTIAL ACREAGE: ±556.4 AC GOLF COURSE ACREAGE: ±172.7 AC

CURRENT ZONING | KANNAPOLIS



CURRENT ZONING LANDIS





CURRENT VS. PROPOSED ZONING

CURRENT ZONING:

RM-1: Residential Medium Density District (Kannapolis)

15,000 sf min lot size, 3.0 max dwelling units per acre (DUA), 75' min lot width

R-8: Single Family Residential (Landis)

This district is established to provide areas for low-density residential purposes. Minimum lot size will be 8,000 sf

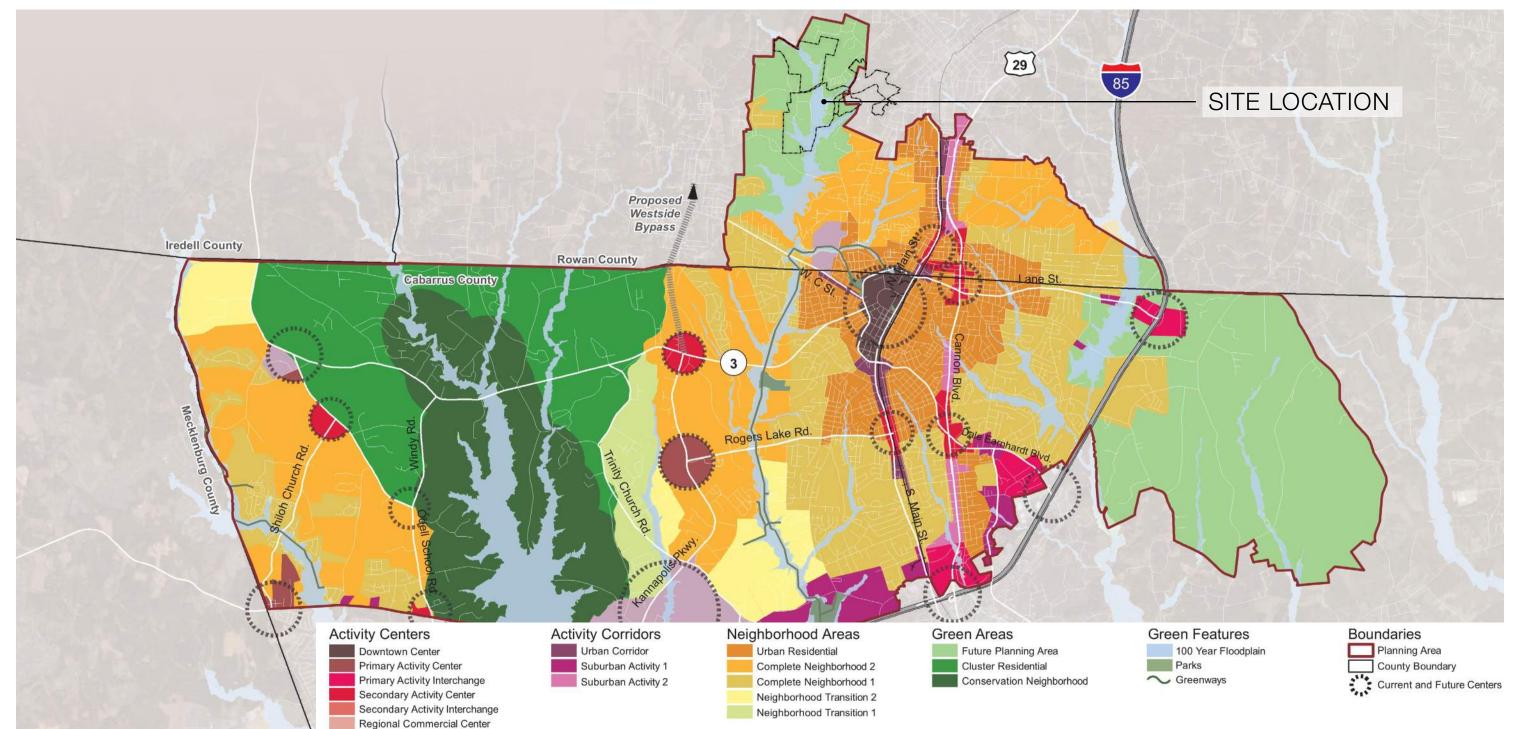
PROPOSED ZONING:

PDD: Planned Development District

To encourage innovative and efficient land planning and physical design concepts. Dimensional standards that apply to the PDD will be set in the Conditional Zoning process.

FUTURE LAND USE MAP

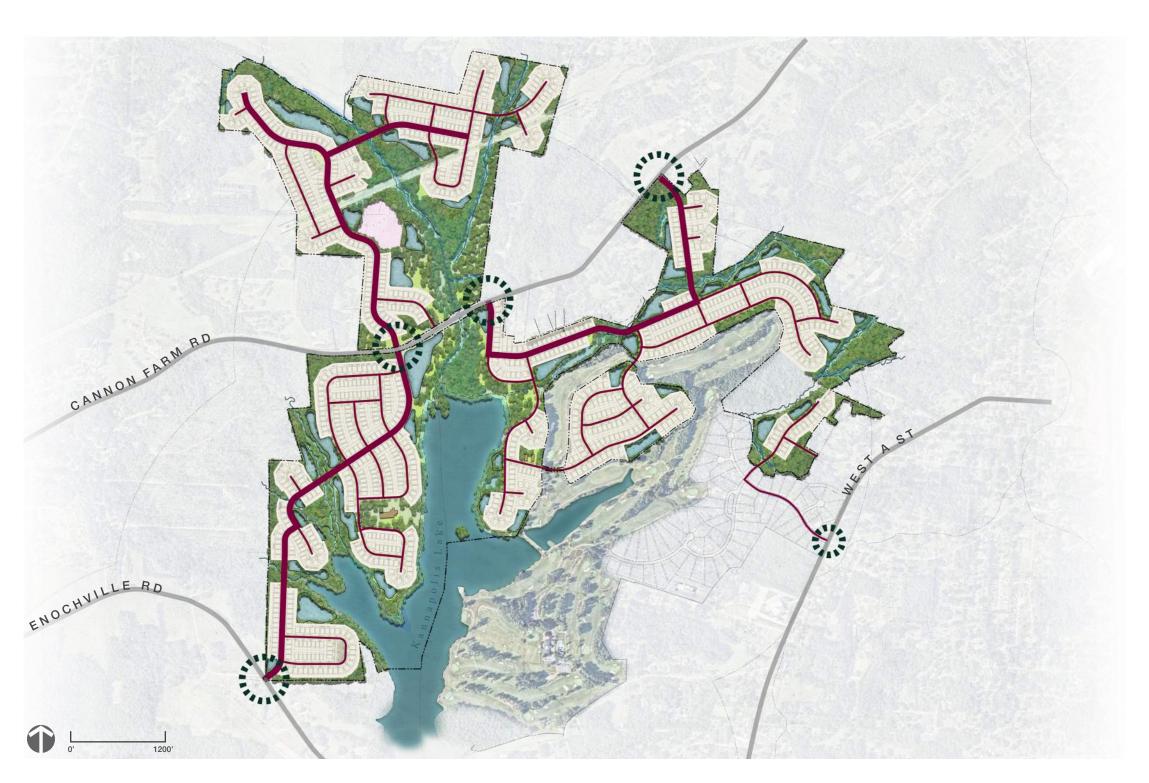
Employment Center



CONCEPT MASTER PLAN



SITE PLAN DIAGRAM



SITE PLAN DIAGRAM





THANK YOU



Order Confirmation

Order# 0000740694

Client:

KANNAPOLIS.CITY OF

Payor:

KANNAPOLIS, CITY OF

Phone:

7049204300

Phone:

7049204300

Account:

3143368

Account: 3143368

Address: ACTS PAYABLE/WANDA/TEARSHEETS

Address: ACTS PAYABLE/WANDA/TEARSHEETS

KANNAPOLIS NC 28081

Sales Rep

KANNAPOLIS NC 28081 Accnt Rep

Credit - Debit Card

Public Notice

Ordered By

Fax:

7049337463

aboan

aboan

Pam

EMail:

bbell@kannapolisnc.gov

Total Amount

\$1,024.42

Payment Amount

\$1.024.42

Amount Due

\$0.00

Tear Sheets

Proofs

Affidavits

PO Number:

Tax Amount: Payment Meth: 0.00

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Invoice Text:

Ad Type

Ad Size

Color

Ad Number 0000740694-01

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Production Method

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Placement

Position

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C-Announcements

General-Spec Notice

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Run Schedule Invoice Text:

NOTICE OF PUBLIC HEARING Planning and Zoning

Run Dates

9/10/2021, 9/17/2021

TagLine: NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONMEETING401LAUF

Production Notes

LISNCTUESDAYSEPTEMBER212021AT600PMCONDITIONALZONINGMAP

Ad Content Proof

Note: Ad size does not reflect actual ad

KANNAPOLIS

NOTICE OF PUBLIC HEARING nning and Zoning Commission Meeting 401 Laureate Way, Kannapolis, NC

Tuesday September 21, 2021 at 6:00 pm

Conditional Zoning Map Amendment - CZ-2021-12 - Public Hearing to consider a request to rezone properties located at 5395 Mooresville Rd., 5414, 5450-6412 - September 1997 - Se

Conditional Zoning Map Amendment - CZ-2021-14 - Public Hearing to consider a request to rezone property located at 4312 Orphanage Rd. from Residential Medium Density (RM-QC-0016) and Residential Compact-Conditional Zoning (RC-Conditional Zoning) to allow for a 16-unit townhome development. The subject property is approximately 2.4 +/- zera and further identified as Cabarrus Country Parcel Identification Number 56017978000000.

Conditional Zoning Map Amendment - CZ-2021-15 - Public Hearing to consider a request to rezone unaddressed prop-erty located on Kannapolic Parkway from Agricultural (AG) to Residential Compact conditional Zoning (RC-Conditional Zoning) to allow for unit townhome development. All subject property is approximately 12.84 +/- acres and fur-ther identified as Cabarrus County Parcel Identification Number 5603122580000.

Conditional Zoning Map Amendment CZ-2021-16 - Public Hearing to consider a request to rezone multiple unaddressed properties located the review of the resone multiple unaddressed properties located the Medium Density (RM-1) to Planned Unit Develop Carlon of Carlon Car

Conditional Zoning Map Amendment - CZ-2021-17 · Public Hearing to consider a request to rezone property located at 2888 Moose Rd. from Office-institutional (0-1) to Heavy Industrial - Conditional Zoning) to allow for an industrial park. The subject property is approximately 55.32 +/- acres and further identified as Rowan County Parcel Identification Number 145 023.

Conditional Zoning Map Amendment – CZ-2021-19 - Public Hearing to consider a request to rezone property located at 11175 Sudbury Rd. International Conditions of the Conditional Condition

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kanapolis, should contact the office of Tina H Cline, Human Resource Director, by phone at 704-920-4302 or by email at tcline@kanapolisn.cgov, as soon as possible but no later than 48 hours before the scheduled event.

Publish: September 10, September 17, 2021.

OWNNAME EILA ADAMS	TAXADD1 286 RIVERSIDE DR	CITY PORT REPUBLIC	STATE NJ	ZIPCODI 08241-976
ODD & PATRICIA ADAMS	1018 WESTLAKE DR	KANNAPOLIS	NC	28081-814
ETE HOWARD III & SARAH ALTMAN	1155 CANNON FARM RD	CHINA GROVE	NC	28023-653
ENNETH & PATRICIA ARGO	1830 ENOCHVILLE RD	KANNAPOLIS	NC	28081-834
MMIE & SHEENA ATKINSON TLANTIC AMERICAN PROP INC	124 DEXTER AV PO BOX 28	KANNAPOLIS KANNAPOLIS	NC NC	28081-000 28082-002
TLANTIC AMERICAN PROP INC T/A	PO POV 1400	IZANINA BOL IO	NO	00000 444
ANNAPOLIS COUNTRY CLUB ANDALL & DEBORAH AUTEN	PO BOX 1198 1311 TOWNSGATE CT	KANNAPOLIS KANNAPOLIS	NC NC	28082-119 28081-810
MMY JR & DONNA BAKER	1343 CANNON FARM RD	CHINA GROVE	NC	28023-653
ILLIAM & PATRICIA BARE	2201 WOODCREST DR	KANNAPOLIS	NC	28081-96
EGORY & RACHEL BAREFOOT	1095 OLIPHANT LN	KANNAPOLIS	NC	28081-94
ARYLE BAXTER	1670 CANNON FARM RD	CHINA GROVE	NC	28023-65
AMES BEICHNER RED BLACK	139 HARMONY LN 2203 WOODCREST DR	CHINA GROVE KANNAPOLIS	NC NC	28023-93
HOMAS & BARBAR BLACK	1275 CANNON FARM RD	CHINA GROVE	NC NC	28023-65
ORMAN & MARYBRENENSTUHL	820 CORRIHER ST	KANNAPOLIS	NC	28081-000
RIMES JR & WILLIE BROADWAY	1690 CANNON FARM RD	CHINA GROVE	NC	28023-654
IATTHEW & TOU BROADWAY	1809 ENOCHVILLE RD	KANNAPOLIS	NC	28081-000
ARY BROOME	440 JOHNSON ST	CHINA GROVE	NC	28023-65
ONY & VICKI BYRD ENNIFER CANNON	1853 ENOCHVILLE RD 457 EASTWOOD DR	KANNAPOLIS	NC NC	28081 28146-400
ARLOS A SANCHEZ ENTERPRISE LLC	1307 TOWNSGATE CT	SALISBURY KANNAPOLIS	NC NC	28081
AMES CHAPMAN &	1007 10001007112 01	TO WAR WILL OLIO	140	20001
ANDRA KAY CHAPMAN TRUSTEES	1851 WETHERBURN DR	KANNAPOLIS	NC	28081
IMOTHY CHAPMAN	3766 UPPER ENOCHVILLE RD	KANNAPOLIS	NC	28081
AMES & DEENA CHAVIS	2208 KENWOOD DR	KANNAPOLIS	NC	28081
RADY & LORI CHEEK REGORY CHILDERS SR	2399 TULLY MOORE DR 829 CORRIHER ST	LANDIS KANNAPOLIS	NC NC	28088 28081-95
REGORY CHILDERS SR OHNNY & ANNETTE CLEVELAND	136 HORSESHOE DR	SALISBURY	NC NC	28081-95 28146-75
NN C CLINE	11395 MT OLIVE RD	GOLD HILL	NC	28071
OUISE CONNOR TRUSTEE	15 EL PORTAL DR	TEQUESTA	FL	33469
OEL & CRYSTAL CORRIHER	550 HARMONY LN	CHINA GROVE	NC	28023-55
AROLD L CROWDER	2228 KENWOOD DR	KANNAPOLIS	NC	28081
OSCHO & MARTHA DEAL	350 SAW RD	CHINA GROVE	NC	28023
AROLD W DIETRICH JR VERETTE & CLARA DIXON	109 ORCHARD AVE 107 ORCHARD AVE	KANNAPOLIS KANNAPOLIS	NC NC	28081 28081
HOMAS & JEANNE DIXON	1840 ENOCHVILLE RD	KANNAPOLIS	NC NC	28081
ERRY & LINDA DUDLEY	2206 KENWOOD DR	KANNAPOLIS	NC	28081
ANIEL DUNHAM	7900-D STEVENS MILL RD #235	STALLINGS	NC	28104-29
DDIE B DURHAM	1311 LOWRANCE AVE	KANNAPOLIS	NC	28081
IOWARD DURHAM JR	3796 ENOCHVILLE RD	KANNAPOLIS	NC	28081-93
EFFREY & & TINA EASTER :LIZABETH GRAINDA &	1061 FAIRWAY DR	KANNAPOLIS	NC	28081-000
LIZABETH POWELL	PO BOX 1290	CORNELIUS	NC	28031
RENT ENGELHARDT &				
ETH ROARK	825 CORRIHER ST	KANNAPOLIS	NC	28081
AROLYN A ESCHENBACH	1105 WESTLAKE DR	KANNAPOLIS	NC NC	28081-00
MARSHALL & VIOLET EUBANKS	904 CUB ST 207 N MERIAH ST	KANNAPOLIS LANDIS	NC NC	28081-93- 28088-12
RICKY FELTS & KATHY GILLON	1147 WESTLAKE DR	KANNAPOLIS	NC	28081
SANDY FIELDS	2025 N ENOCHVILLE AVE	MOORESVILLE	NC	28115
AVID A JR FINGER ETAL				
C/O DPJ ASSOC	945 COVENTRY RD	KANNAPOLIS	NC	28081
GEORGE FLENTKE & SUSAN SMITH	PO BOX 1366	KANNAPOLIS	NC	28082-13
RICHARD FOSTER DAVID & SHANNON FRYE	1016 DAKOTA ST 2379 FERNDALE CT	KANNAPOLIS LANDIS	NC NC	28083-00 28088
DEBRA C FUNDERBURK	2111 GOLF CREST DR	KANNAPOLIS	NC	28081
REGORY GANDEE & PAMELA CAIN	1141 WESTLAKE DR	KANNAPOLIS	NC	28081-000
IORVILLE GANDEE	1209 PENDLETON DR	KANNAPOLIS	NC	28081
CHRISTOPHER & EVANGELINE GARDNER	1221 PENDLETON DR	KANNAPOLIS	NC	28081
OHN & DAWN GERIG	1140 WESTLAKE DR	KANNAPOLIS	NC	28081
MARIO & DORIS GIUGNINO	823 CORRIHER ST	KANNAPOLIS	NC	28081
O DANNY PAYNE	4504 VINCENT ST	KANNAPOLIS	NC	28081-78
ILL & BONNIEGOODNIGHT	1204 FAIRWAY DR	KANNAPOLIS	NC	28081
OUGLAS GOODNIGHT	1202 FAIRWAY DR	KANNAPOLIS	NC	28081-93
ULA MAE GOODNIGHT				
O CAROL SATTERWHITE	1150 OLD US HIGHWAY 70 112 N ARBOR AVE.	SALISBURY KANNAPOLIS	NC NC	28147
LOYD III & SHELIA GOODNIGHT JACK & PEGGE GOODNIGHT	112 N ARBOR AVE. 1560 CANNON FARM RD	KANNAPOLIS CHINA GROVE	NC NC	28081 28023-65
/ILSON & CYNTHIA GRASSMANN	PO BOX 47	KANNAPOLIS	NC	28082
OSHUA M GRZEGORCZYK	2220 KENWOOD DR	KANNAPOLIS	NC	28081
ARRY & PATRICE GULLEDGE	1864 ENOCHVILLE RD	KANNAPOLIS	NC	28081-83
EANA HAGER	1220 HOLLAND OAKS DR	CHINA GROVE	NC	28023-68
ARRY & GRACE HAMILTON	118 WHITE AVE	KANNAPOLIS	NC	28081-96
OLAN & LOUISE HANNON HED & KELLY HARGETT	1859 WETHERBURN DR 1865 ENOCHVILLE RD	KANNAPOLIS KANNAPOLIS	NC NC	28081 28081
OHNNIE JR & MARTHA HARRELL	1808 CREST ST	KANNAPOLIS	NC NC	28082-03
AYLENE R HARRELL	115 HOMESTEAD AVE	KANNAPOLIS	NC	28081
INDSAY & PAMELA HARRINGTON	2008 SHERWOOD ST	KANNAPOLIS	NC	28081
ONY & RHONDA HARRINGTON	1042 WESTLAKE DR	KANNAPOLIS	NC	28081
OSEPH T & COURTNEY HEDRICK	1101 FAIRWAY DR	KANNAPOLIS	NC	28081-00
HARLES & SARA HEISER	1050 WESTLAKE DR	KANNAPOLIS CHINA GROVE	NC NC	28081-00
HILLIP & NANCY HELMS ARRY HENDLEY	550 HOMER CORRIHER RD 1016 FAIRWAY DR	CHINA GROVE KANNAPOLIS	NC NC	28023 28081
RRRY HENDLEY HRISTOPHER & JENNIFER HILL	1100 WESTLAKE DR	KANNAPOLIS	NC NC	28081
AMES & DEBORAH HORNE	135 HARMONY LN	CHINA GROVE	NC	28023
	1860 ENOCHVILLE RD	KANNAPOLIS	NC	28081
	1855 WETHERBURN DR	KANNAPOLIS	NC	28081
SHERRY HUBBARD		CONCORD	NC	28027-00
SHERRY HUBBARD DHN & KATHY HUMPHREY UTCHS REAL ESTATE INC	621 GEORGETOWN DR		NC	28081-00
SHERRY HUBBARD OHN & KATHY HUMPHREY IUTCHS REAL ESTATE INC TEPHEN &JONNA HYLTON	621 GEORGETOWN DR 2105 GOLFCREST DR	KANNAPOLIS		
SHERRY HUBBARD OHN & KATHY HUMPHREY JUTCHS REAL ESTATE INC ITEPHEN &JONNA HYLTON IARBARA ISENHOUR	621 GEORGETOWN DR 2105 GOLFCREST DR PO BOX 59	LANDIS	NC	28088
SHERRY HUBBARD OHN & KATHY HUMPHREY UTCHS REAL ESTATE INC TEPHEN &JONNA HYLTON ARBARA ISENHOUR ERRELL & BETTY JAMES	621 GEORGETOWN DR 2105 GOLFCREST DR PO BOX 59 7964 HIGHWAY 29 N B	LANDIS DANIELSVILLE	NC GA	30633-32
SHERRY HUBBARD OHN & KATHY HUMPHREY UITCHS REAL ESTATE INC TEPHEN & JONNA HYLTON ARBARA ISENHOUR ERRELL & BETTY JAMES ICHOLUS & DEBRA JOHNSTON	621 GEORGETOWN DR 2105 GOLFCREST DR PO BOX 59 7964 HIGHWAY 29 N B 2060 CANNON FARM RD	LANDIS DANIELSVILLE CHINA GROVE	NC GA NC	30633-32 28023
SHERRY HUBBARD OHN & KATHY HUMPHREY HUTCHS REAL ESTATE INC STEPHEN & JONNA HYLTON HARBARA ISENHOUR FERRELL & BETTY JAMES HICHOLUS & DEBRA JOHNSTON HICHAEL JONES	621 GEORGETOWN DR 2105 GOLFCREST DR PO BOX 59 7964 HIGHWAY 29 N B 2060 CANNON FARM RD 2212 KENWOOD DR	LANDIS DANIELSVILLE CHINA GROVE KANNAPOLIS	NC GA NC NC	30633-32 ⁻ 28023 28081
SHERRY HUBBARD OHN & KATHY HUMPHREY UTCHS REAL ESTATE INC TEPHEN & JONNA HYLTON ARBARA ISENHOUR ERRELL & BETTY JAMES IICHOLUS & DEBRA JOHNSTON IICHAEL JONES EROME & BONNIE KADELA	621 GEORGETOWN DR 2105 GOLFCREST DR PO BOX 59 7964 HIGHWAY 29 N B 2060 CANNON FARM RD	LANDIS DANIELSVILLE CHINA GROVE	NC GA NC	30633-32 28023 28081
SHERRY HUBBARD OHN & KATHY HUMPHREY UTCHS REAL ESTATE INC TEPHEN & JONNA HYLTON ARBARA ISENHOUR ERRELL & BETTY JAMES ICHOLUS & DEBRA JOHNSTON IICHAEL JONES EROME & BONNIE KADELA ON & JEAN KADELA	621 GEORGETOWN DR 2105 GOLFCREST DR PO BOX 59 7964 HIGHWAY 29 N B 2060 CANNON FARM RD 2212 KENWOOD DR 1070 WESTLAKE DR	LANDIS DANIELSVILLE CHINA GROVE KANNAPOLIS KANNAPOLIS	NC GA NC NC	30633-32 28023 28081 28081-81
SHERRY HUBBARD OHN & KATHY HUMPHREY IUTCHS REAL ESTATE INC ITEPHEN & JONNA HYLTON IARBARA I SENHOUR ERRELL & BETTY JAMES IICHOLUS & DEBRA JOHNSTON IICHAEL JONES EROME & BONNIE KADELA ON & JEAN KADELA ANNAPOLIS CH OF GOD TRUSTEES	621 GEORGETOWN DR 2105 GOLFCREST DR PO BOX 59 7964 HIGHIWAY 29 N B 2060 CANNON FARM RD 2212 KENWOOD DR 1070 WESTLAKE DR 1132 WESTLAKE DR	LANDIS DANIELSVILLE CHINA GROVE KANNAPOLIS KANNAPOLIS KANNAPOLIS	NC GA NC NC NC	28023 28081 28081-814 28081-814
SHERRY HUBBARD OHN & KATHY HUMPHREY HUTCHS REAL ESTATE INC HITCHS REAL ESTATE INC HITCHS REAL ESTATE INC HARBARA ISENHOUR HERRELL & BETTY JAMES HIGHOLUS & DEBRA JOHNSTON HICHAEL JONES EROME & BONNIE KADELA ON & JEAN KADELA KANNAPOLIS CH OF GOD TRUSTEES HONALD KINARD HONNY KING	621 GEORGETOWN DR 2105 GOLFCREST DR PO BOX 59 7964 HIGHWAY 29 N B 2060 CANNON FARM RD 2212 KENWOOD DR 1070 WESTLAKE DR 1132 WESTLAKE DR 2211 W A ST 3501 WINSLOW DR 2232 KENWOOD DR	LANDIS DANIELSVILLE CHINA GROVE KANNAPOLIS KANNAPOLIS KANNAPOLIS KANNAPOLIS CHARLOTTE KANNAPOLIS	NC GA NC NC NC NC NC NC	30633-32 28023 28081 28081-814 28081 28081 28269 28081
SHERRY HUBBARD OHN & KATHY HUMPHREY IUTCHS REAL ESTATE INC ITEPHEN & JONNA HYLTON IARBARA ISENHOUR ERRELL & BETTY JAMES IICHOLUS & DEBRA JOHNSTON IICHAEL JONES EROME & BONNIE KADELA ON & JEAN KADELA JANNAPOLIS CH OF GOD TRUSTEES IONALD KINARD	621 GEORGETOWN DR 2105 GOLFCREST DR PO BOX 59 7964 HIGHWAY 29 N B 2060 CANNON FARM RD 2212 KENWOOD DR 1070 WESTLAKE DR 1132 WESTLAKE DR 2211 W A ST 3501 WINSLOW DR	LANDIS DANIELSVILLE CHINA GROVE KANNAPOLIS KANNAPOLIS KANNAPOLIS KANNAPOLIS CHARLOTTE	NC GA NC NC NC NC NC	30633-32 28023 28081 28081-814 28081 28081 28081 28269

OWNNAME AMOORENC LLC	TAXADD1 PO BOX 2816	CITY RANCHO SANTA FE	CA	92067-281
ZACHARY LAWING	1300 MOOSE RD	KANNAPOLIS	NC	28083-977
YAN & TINA LEBEN	1259 CANNON FARM RD	CHINA GROVE	NC	28023-653
AMES & MARY LEE	411 WINONA AVE	KANNAPOLIS	NC	28081
PHILLIP & GAYLE LEE	1204 PENDLETON DR	KANNAPOLIS	NC	28081
OSEPH JR & JOANNE LEVY	1064 WESTLAKE DR	KANNAPOLIS	NC	28081
SONNIE COX & MARVIN FERGUSON EVANS M LOGAN JR	1009 WESTLAKE DR 1060 FAIRWAY DR	KANNAPOLIS KANNAPOLIS	NC NC	28081 28081
ECTOR & MARIA MARQUEZ	1107 WESTLAKE DR	KANNAPOLIS	NC	28083
OONALD & FLORANNE MCDANIEL	1810 ENOCHVILLE RD	KANNAPOLIS	NC	28081
MALLORY SCOTT & DEBBIE MCDANIEL	1875 ENOCHVILLE RD	KANNAPOLIS	NC	28081
YLE & KATHRYN MCGARITY	1833 ENOCHVILLE RD	KANNAPOLIS	NC	28081
IMMIE & RETHA MCGINNIS	460 JOHNSON ST	CHINA GROVE	NC	28023
FABIUS JR & MOLLIE MCKEE	1312 TOWNSGATE CT	KANNAPOLIS	NC	28081
PATRICIA F MCQUAY ETAL	7917 JOHNSON MILL RD	BAHAMA	NC	27503
VILLIAM & JODIE MEEHAN DAVID & JOYCE MELSON	1821 ENOCHVILLE RD 406 BRENTWOOD CIR	KANNAPOLIS KANNAPOLIS	NC NC	28081 28081
JIMMY & AMY MILES	2290 W A ST	KANNAPOLIS	NC	28081-932
DLIN MILES &	2230 W / O I	TO WATER OLIO	110	20001 30
SHELBY MILES	PO BOX 82	KANNAPOLIS	NC	28082
CRYSTAL MILLER	123 WHITE AV	KANNAPOLIS	NC	28081-00
DAVID & CATHERINE MILLER	2009 SHERWOOD ST	KANNAPOLIS	NC	28081-00
AYNELL K MILLER	123 WHITE AVE	KANNAPOLIS	NC	28081-96
IRBY & BEVERLY MILLER IMMY L MOON	2113 GOLF CREST DR 2214 KENWOOD DR	KANNAPOLIS KANNAPOLIS	NC NC	28081-95 28081
TEVEN & KAREN MOORE	408 BRENTWOOD CIR	KANNAPOLIS	NC	28081
OSEPH & MARIE MORGAN	245 HARMONY LN	CHINA GROVE	NC	28023
IC MULLIS	5680 WRIGHT RD	KANNAPOLIS	NC	28081-89
MURDOCK HOLDINGS LLC	5000 WRIGHT RE	TO WHAT II OLIO	110	20001 00
C/O ATLANTIC AMERICAN PROP INC.	PO BOX 28	KANNAPOLIS	NC	28082
ASON MYERS & TYLER MYERS	1045 WESTLAKE DR	KANNAPOLIS	NC	28081
IIBLOCK HOMES LLC	759 CONCORD PKWY N STE 20	CONCORD	NC	28027-60
OSEPH & SABRINA NIGGEL	2351 FERNDALE CT	LANDIS	NC	28088
ONALD & CHRISTINA NISPERLY	1678 HERITAGE OAKS CT	TARPON SPRINGS	FL	34689-17
MELTON JR &KAY NIXON	1850 ENOCHVILLE RD	KANNAPOLIS	NC	28081-00
MARC & SONDRA ORINSON	1101 WESTLAKE DR 385 FRY ST	KANNAPOLIS	NC NC	28081-00
IMBERLY ORVIN LAN OVERCASH	2107 GOLFCREST DR	CHINA GROVE KANNAPOLIS	NC NC	28023-00 28081-95
DUSTIN & MADELINE OVERCASH	124 ORCHARD AV	KANNAPOLIS	NC	28081-93
OBBY & TAMMY PARKER	1056 WESTLAKE DR	KANNAPOLIS	NC	28081
ARL HENDERSON PETHEL JR	180 DUNLAP LOOP	STATESVILLE	NC	28625-93
EREMY PHILLIPS	817 CORRIHER ST	KANNAPOLIS	NC	28081-00
ICTOR & CANDACE PHILLIPS	2230 KENWOOD DR	KANNAPOLIS	NC	28081
/ILLIAM E III & JOY PILLSBURY	119 ARLENE AVE	KANNAPOLIS	NC	28081
ONALD & MICHELE PITTS	1216 FAIRWAY DR	KANNAPOLIS	NC	28081
OBERT & LUANNE POSS	45 HAMBY DR	ASHEVILLE	NC	28803
GALE J POWLEY	1106 WESTLAKE DR	KANNAPOLIS	NC	28081
ROBERT & CYNTHIA QUERY	2224 TULLY MORE DRIVE	LANDIS	NC	28088
IFFANY REILLY 1ARVIN & ELIZABETH RIDINGS	2270 MILLER RD	SALISBURY KANNAPOLIS	NC NC	28147 28081
JEFFREY & JENNIFER RITCHIE	835 CORRIHER ST PO BOX 8174	LANDIS	NC	28088-81
ROBERT L RIVENBARK	1055 WESTLAKE DR	KANNAPOLIS	NC	28081
ILL ROBERTS	1069 WESTLAKE DR	KANNAPOLIS	NC	28081
MONTY RODGERS	411 JACKSON PARK RD	KANNAPOLIS	NC	28083
VANDER & MATTIE ROWELL	1316 TOWNSGATE CT	KANNAPOLIS	NC	28081
VALTER M II & LYNNE SAFRIT	1200 PENDLETON DR	KANNAPOLIS	NC	28081
ARLOS & FARZANEH SANCHEZ	1307 TOWNGATE CT	KANNAPOLIS	NC	28081
OSE JR & CRYSTAL SANTIAGO	1857 ENOCHVILLE RD	KANNAPOLIS	NC	28081-00
EORGE & DIANNE SARTIANO	1033 WESTLAKE DR	KANNAPOLIS	NC	28081
VILLIAM & SHARON SEAFORD	1327 ARLINGTON AVE	KANNAPOLIS	NC NC	28083-97
MARVIN& BERTHA SELF OORIS SELLARI ETAL TRUSTEES	403 PINEWOOD AVE 4250 ENOCHVILLE RD	KANNAPOLIS KANNAPOLIS	NC NC	28081 28081
ROBERT A JR & PAULA SEVERT	1310 CANNON FARM RD	CHINA GROVE	NC	28083-00
OHN & CAROL SHAW	1146 WESTLAKE DR	KANNAPOLIS	NC	28081
DDIE SHERRILL	1077 FAIRWAY DR	KANNAPOLIS	NC	28082
ARAH SHERRILL	1650 CANNON FARM RD	CHINA GROVE	NC	28023
REDERICK E SHIELDS JR	725 HARMONY LN	CHINA GROVE	NC	28023-00
/ANDA SHOUP	2007 SHERWOOD ST	KANNAPOLIS	NC	28081
LYDE & SHERLYN SHREWSBURY	485 JOHNSON ST	CHINA GROVE	NC	28023
UDY SLOAN	4007 WEST AVE DD	MANINA DOLLO	NC.	0000
/O DAVID SLOAN TRUSTEES	1027 WESTLAKE DR	KANNAPOLIS	NC	28081
AMES & TRACI SMITH AMES SMITH	115 PIPELINE RD 1213 PENDLETON DR	CHINA GROVE KANNAPOLIS	NC NC	28023-85 28081
AMES SMITH EGINALD & JUDY SMITH	1213 PENDLETON DR 1118 WESTLAKE DR	KANNAPOLIS KANNAPOLIS	NC NC	28081 28081
RANCIS KOSTER & CAROL S SPALDING	1012 WESTLAKE DR	KANNAPOLIS	NC	28081
IARK J SPITZER	2115 GOLFCREST DR	KANNAPOLIS	NC	28081-00
IICHAEL J SPRENGER TRUSTEE	56 JAMES FOLEY DR	NORTH ATTLEBORO	MA	02760
UY & JUDITH STARNES	1197 FAIRWAY DR	KANNAPOLIS	NC	28081
TEVEN HINSON LLLP	PO BOX 26	KANNAPOLIS	NC	28082
SUSAN R STONER TRUSTEE	1775 ENOCHVILLE RD	KANNAPOLIS	NC	28081-00
OBERT & LINDA STREBLE	1304 TOWNSGATE CT	KANNAPOLIS	NC	28081
D FEENEY CONSTRUCTION CO INC	4324 BRITLEY LN	HARRISBURG	NC	28075
HARLES & SHERRI THACKER	940 TAMARY WAY	LANDIS	NC	28088
RED TRAMMELL ENE & JOYCE TRAMMELL	2234 KENWOOD DR 401 PINEWOOD ST	KANNAPOLIS KANNAPOLIS	NC NC	28081-97 28081
ATTHEW TRIER & PATRICIA CARSON	1130 DUKE ST	KANNAPOLIS	NC NC	28081
OBERT & JANIS TUCKER	1127 WESTLAKE DR	KANNAPOLIS	NC	28081
LPHAEUS & LINDA TUTTEROW	2224 KENWOOD DR	KANNAPOLIS	NC	28081
ACHIN & SHEFALEE VALIA	315 S MAIN ST	LANDIS	NC	28088
MOTHY & GAIL VAUGHN	1229 PENDLETON DR	KANNAPOLIS	NC	28081
ONY & LARAINE WALDEN	1400 FAWN RIDGE RD NW	CONCORD	NC	28027
OBERT & JENNIFER WALKER	1019 WESTLAKE DR	KANNAPOLIS	NC	28081-00
/ESTLAKE PROPERTY OWNERS ASSOC	PO BOX 132	KANNAPOLIS	NC	28082-01
RNEST JR & CARMELLA WILLARD	2232 TULLY MORE DR	LANDIS	NC	28088-20
EORGE P IV & CAITLIN WILLIAMS	1135 WESTLAKE DR	KANNAPOLIS	NC	28081-00
EORGE D JR & CATHY WILSON	1225 PENDLETON DR	KANNAPOLIS	NC	28081
ASON WISE	1039 WESTLAKE DR	KANNAPOLIS	NC	28081-81
ERRY & JULIA YOUNG IARCO & DOROTHY ZAMORA	PO BOX 560007 960 TAMARY WAY	CHARLOTTE LANDIS	NC NC	28256 28088
TEVEN & SUSAN ZEISEL	644 ROCK CREEK RD	CHAPEL HILL	NC	27514
	1063 WESTLAKE DR	KANNAPOLIS	NC	28081
NTHONY & TINA ZELLARS			-	,
NTHONY & TINA ZELLARS ENNAR CAROLINAS, LLC	6501 CARMEL ROAD			



September 9, 2021

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, September 21, 2021 at 6:00 PM, at City Hall, located at 401 Laureate Way, for the following case:

CZ-2021-16 – Conditional Zoning Map Amendment – Multiple unaddressed properties on Enochville Road and Cannon Farm Road

The purpose of the Public Hearing is to consider a request to rezone multiple unaddressed properties located on Enochville Rd. and Cannon Farm Rd. from Residential Medium Density (RM-1) to Planned Unit Development – Conditional Zoning (PUD – Conditional Zoning) to allow for a single-family residential development. The subject properties are approximately 550.74 +/- acres and further identified as Rowan County Parcel Identification 244 011, 245 163, 249C094000001, 132 0130000001, 141 0100000001, 142 049000001, 132 108, 244 158, 244 169, 131 202, 131 145, 131 173, 131 07202, 131 144, 131 07201, 131 142 and 131 143 (see reverse side of this letter for a map showing the location of this property).

You are being notified because you are an abutting property owner.

NOTE: IN ORDER TO COMPLY WITH FEDERAL, STATE AND LOCAL RESTRICTIONS IMPOSED IN RESPONSE TO THE COVID-19 VIRUS, SOCIAL DISTANCING PRACTICES WILL BE OBSERVED DURING THIS MEETING.

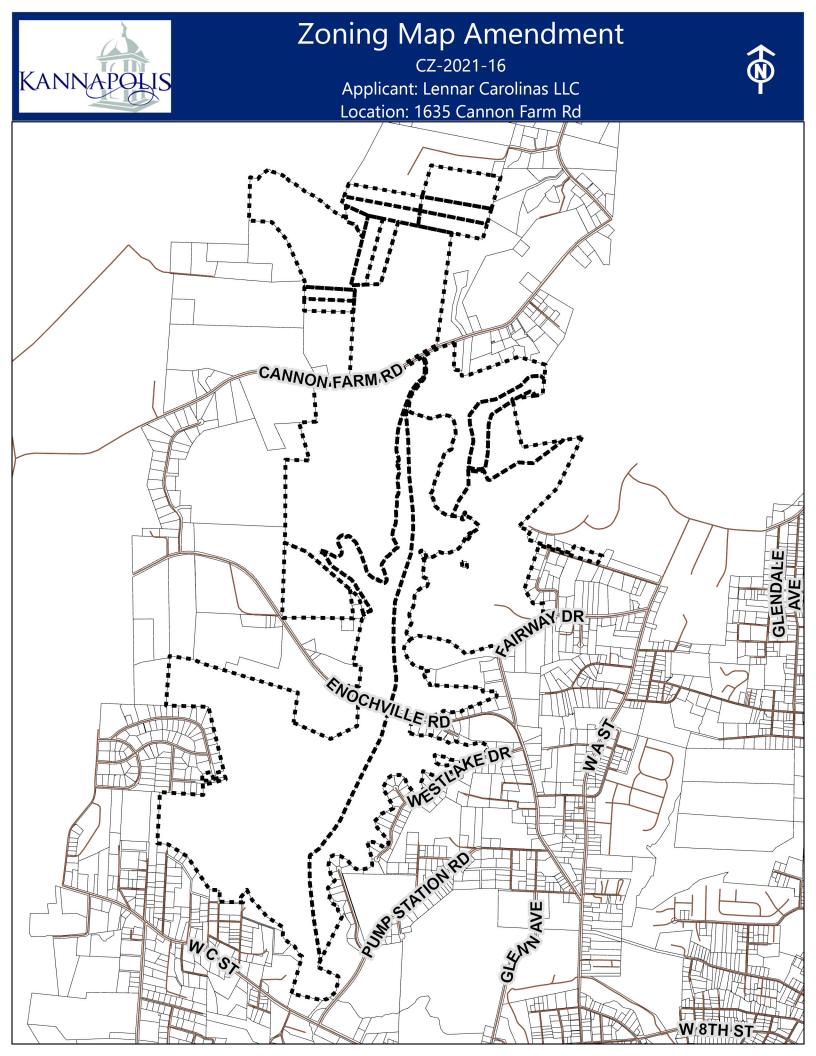
If you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4350.

Sincerely,

Richard B. Smith Planning Director

Enclosure

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email at tcline@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.













RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO CASE #CZ-2021-16

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 3.3.4.2.B. of the Unified 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 September 21, 2021 and October 19, 2021 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone multiple unaddressed properties located on Cannon Farm and Enochville Roads and, (Rowan County Parcel Identification Numbers 244 011, 245 163, 249C094000001, 132 0130000001, 141 0100000001, 142 049000001, 132 108, 244 158, 244 169, 131 202, 131 145, 131 173, 131 07202, 131 144, 131 07201, 131 142 and 131 143) owned by Atlantic American Properties Inc., from Residential Medium Density (RM-1) to Planned Unit Development—Conditional Zoning (PUD—CZ) Zoning Designation.

NOW, THEREFORE BE IT RESOLVED that the Planning and Zoning finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being located in the "Future Planning" Character Area, which allows for the proposed professional office. Furthermore, the Commission finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.

Adopted this the 19th day of October 2021:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary

Planning and Zoning Commission



RESOLUTION TO ZONE

Case #CZ-2021-16

(Multiple unaddressed properties on Cannon Farm and Enochville Roads)

From Residential Medium Density (RM-2) to Planned Unit Development–Conditional Zoning (PUD–CZ) District

WHEREAS, Section 3.3.4.1 of the City of Kannapolis Unified Development Ordinance (UDO) specifically delegates authority from the City Council to the Planning and Zoning Commission to take final action on a rezoning petition; and

WHEREAS, Section 3.3.4.2.B. of the City of Kannapolis UDO subjects this authority 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, the Commission conducted a public hearing on September 21, 2021 and October 19, 2021 for consideration of rezoning petition Case #CZ-2021-16 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone multiple unaddressed properties located on Cannon Farm and Enochville Roads, (Rowan County Parcel Identification Numbers 244 011, 245 163, 249C094000001, 132 0130000001, 141 0100000001, 142 049000001, 132 108, 244 158, 244 169, 131 202, 131 145, 131 173, 131 07202, 131 144, 131 07201, 131 142 and 131 143) owned by Atlantic American Properties Inc., from Residential Medium Density (RM-2) to Planned Unit Development—Conditional Zoning (PUD—CZ) Zoning Designation; and

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

WHEREAS, per Section 3.3.5 of the Kannapolis UDO, the Planning and Zoning Commission makes the following findings in support of and in analysis of the rezoning:

1. The size of the tract in question.

The size of the subject tracts is approximately 550.74 +/- acres.

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

This property is located in the "Future Planning Area" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Future Planning Area Character Area includes single-family residential as a primary use; therefore, the proposed use is in conformance with the goals and policies of the 2030 Plan.

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

The subject properties are located along Cannon Farm Road, Kannapolis Lake and the Golf Club at Irish Creek. The mix of traditional and age targeted housing along with the preservation of open-space and connectivity are compatible with existing development in the surrounding area.

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

A Traffic Impact Analysis was conducted in June of 2021 and the applicant is currently working with NCDOT and the City on suggested and required transportation improvements.

5. Will there be parking problems?

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

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

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

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

The character of the area has changed the past several years with the continued need and growth of a single-family-residential development.

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

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

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

Surrounding properties are zoned RM-1, Medium-Density Residential and consist of single-family residential, open space and the existing Golf Club at Irish Creek.

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

The property is currently zoned RM-1. A rezoning is required to develop a Planned Unit Development, which incorporates a variety of lot sizes and housing types.

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

The proposed single-family residential use is compatible with the existing and proposed land uses in the area.

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

N/A.

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

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

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

No.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the above referenced property, as shown on the site plan submitted to the City, be rezoned from Residential Medium Density (RM-2) to Planned Unit Development–Conditional Zoning (PUD–CZ) District Designation, subject to the following conditions:

- 1. The permitted uses allowed by this rezoning shall include the uses, densities and intensities as shown on the master plan approved with this rezone.
- 2. A Final Site Plan, in compliance with all applicable City UDO standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance Permit.
- 3. Comply with current Land Development Standards Manual.
- 4. All road intersections on where development has access and/or street frontage shall be approved by the City.
- 5. The Developer shall construct traffic improvements as required by the Traffic Impact Analysis approved with this rezoning.
- 6. The lane widths, sidewalks, pavement structure, road alignment, and road grades shall be constructed to current City standards.
- 7. Roads and parking lots shall comply with all Fire Codes and Autoturn templates for SU-30 and Bus-45 (mimics ladder truck) shall be used.
- 8. Streams and wetlands shall be identified by a qualified person and all buffers shown in accordance with Article 4 of the Kannapolis UDO. Construction of buildings, roads, and other structures must comply with AE Zone & RSOD Buffer requirements or be relocated.
- 9. A Stormwater Management Permit will be required for this Development in accordance with Article 9 of the Kannapolis UDO. Easements, maintenance agreements and viable access shall be provided for all stormwater structures and SCM's. Stormwater SCM's cannot be constructed in the undisturbed buffer.
- 10. All water and sewer mains shall be publicly maintained and located within a public right-of-way or utility easement. The water and sewer mains shall be located in the roadway under the pavement per the City's Typical Section Utility Layout, LDSM Detail 301.
- 11. Easements for Sanitary Sewer lines, Water lines and Storm Sewer pipes need to be a minimum of 20-feet wide. Additional width may be required depending on the depth of the line. Sanitary sewer lines and storm sewer lines shall be located within Common Open Space (easements centered on property lines shall not be permitted). Viable access shall be provided along all easements with a grade no greater than 15% for maintenance vehicles and cross slopes shall not exceed 5%.
- 12. The Fire Department shall approve locations of all hydrants

Adopted this the 19th day of October 2021:

13. Additional Engineering and Fire comments are anticipated based on the latest version of the Master Plan.

	Chris Puckett, Chairman
	Planning and Zoning Commission
Attest:	
Pam Scaggs, Recording Secretary	
Planning and Zoning Commission	



Planning and Zoning Commission October 19, 2021 Meeting

Staff Report

TO: Planning and Zoning Commission

FROM: Boyd Stanley, Assistant Planning Director

SUBJECT: Case #CZ-2021-20

Applicant: Ron Schumer

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

A. Actions Requested by Planning & Zoning Commission

- 1. Hold Public Hearing
- 2. Motion to adopt Statement of Consistency
- 3. Motion to adopt Resolution to Zone

B. Decision and Required Votes to Pass Requested Actions

Section 3.3.4.2 of the UDO allows the Planning and Zoning Commission to render a final decision on a rezoning request; subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision. If there is a denial, an approval by a vote of less than three-fourths, or an appeal of the decision, then only the City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

C. Background & Project Overview

The applicant, Ron Schumer, is proposing to rezone the subject property from Rural Estate (RE) to C-2-CZ (General Commercial-Conditional Zoning) to allow for 1,425 square foot building for a Brewster's Ice Cream Shop. The attached site plan shows the building, drive-thru circulation, covered patios and overall required site improvements.

D. Fiscal Considerations

None

E. Policy Issues

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

1. The size of the tract in question.

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

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

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

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

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

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

A Traffic Impact Analysis was not required for this rezoning.

5. Will there be parking problems?

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

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

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

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

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

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

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

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

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

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

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

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

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

- 12. What length of time has the subject property remained vacant as zoned? $\rm N/A$
- 13. Is there an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs?

 There are parallel in the surrounding area that would be sufficient to accommodate

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

14. Was the existing zoning in error at the time of adoption? No.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates this property as being located in the "Suburban Activity 1" Character Area, which allows for the proposed retail development. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

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

Based on the request being consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval with the following conditions for Zoning Map Amendment Case #CZ-2021-20:

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

Alternative Courses of Action

Motion to Approve (2 votes)

1. Should the Commission choose to approve the request for rezoning as presented in Case #CZ-2021-20, a motion should be made to adopt the following Statement of Consistency:

Statement of Consistency: The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being located in the "Suburban Activity 1" Character Area, which allows for the proposed ice cream retail store. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Finally, there is adequate access or ability to extend to public facilities. Sanitary sewer service is subject to allocation based upon sewer treatment capacity

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

Motion to Deny (2 votes)

1. Should the Commission choose to recommend denial of Case #CZ-2021-20, a motion should be made to adopt the following Statement of Consistency:

Statement of Consistency: The Planning and Zoning Commission finds this zoning map amendment as presented in Case #CZ-2021-20 to be <u>inconsistent</u> with the goals and policies of the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).

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

I. Attachments

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

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager
- City Attorney





Conditional 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. One or more of the required documents may be waived due to the size of the parcel, the proposed use or the adequacy of existing infrastructure servicing the location. Submit digitals and 1 hard copy of applications and accompanying documents to the Planning Department at the address above.

CONDITIONAL REZONING REQUEST
Conditional Rezoning – Request for an amendment to the Kannapolis Zoning Map. Approval authority – Planning and Zoning Commission.
Requested Rezoning Property Address: 760 Kannapolis Pkwy, Concord, NC 28027 Applicant: Ron Schumer
Proposed development: Proposed approximately 1,425 SF ice cream shop with associated parking and vehicular drive area
SUBMITTAL CHECKLIST
Pre-Application Meeting – send an email to planreviewappointment@kannapolisnc.gov
Neighborhood Meeting (if required) * Meeting time to be set at a later date*
Zoning Map Amendment Checklist and Application – Complete with all required signatures
✔ Preliminary Major Site Plan
PDF format on disc containing all documents rotated and formatted in sequential order based upon cover page
Fee: \$ 925.00 (\$ 600 Application Fee, \$ 300 Legal Notices and notification fee, # of property owners notified [see Fee Schedule])

PROCESS INFORMATION

Public Notification: This is a legistlative 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 3.1.5.1 of the UDO).

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 3rd Tuesday at 6:00pm in City Hall Laureate Center. The application and all fees must be paid prior to scheduling the public hearing.

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 with conditions.

Scope of Approval: An affirmative vote of three-fourths of the members present and not excused from voting, shall be necessary to approve a conditional 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: Man Communication Date: 8/27/21



Planning Department 401 Laureate Way Kannapolis, NC 28081 704.920.4350 planningapps@kannapolisnc.gov

CONDITIONAL ZONING MAP AMENDMENT APPLICATION

Approval authority - Planning and Zoning Commission

Applicant Contact Information	Property Owner Contact Information same as applicant Name: Janice Dagenhart
Address: 6728 Aronomink Drive	Address: 5941 Mavaio Tol
Applicant Contact Information Name: Ron Schumer Address: 6728 Aronomink Drive Charlotte, NC 28210	Address: 5941 Navajo Tri Concord, NC 28027
Phone:	Phone:
Email: ronschumer@gmail.com	Phone:
Project Information	
Project Address: 760 Kannapolis Pkwy, Concord, NC 280	027
Parcel: 5601-04-1012-0000; 5601-04-2085-0000 # of pare (attach separate list if necessary)	cels: 2 Approx. size of parcels: 1.15 AC
Current Zoning Designation: RE - Rural Estate	Requested Zoning Designation: C-2-CZ - General Commercial Cc
Reason for map amendment: Rezone to a district con	sistent with the highway overlay to support proposed use
requested, the property involved in this request v	edged that if the property is conditionally rezoned as will be perpetually bound to the use(s) authorized and
subject to such condition(s) as imposed, unless su Zoning Ordinance.	bsequently changed or amended as provided for in the
Applicant Signature	9/8/21
Property Owner Signature	Date
For Sta	ff Use Only:
Filing Fee:	Receipt #:
Case #:	Date Received:



Planning Department 401 Laureate Way Kannapolis, NC 28081 704.920.4350 planningapps@kannapolisnc.gov

CONDITIONAL ZONING MAP AMENDMENT APPLICATION Approval authority – Planning and Zoning Commission

Applicant Contact Information	Property Owner Contact Information ☐ same as applicar		
Name: Ron Schumer	Name: Charles Barnwell Estate C/O Linda Levinsohn		
Address: 6728 Aronomink Drive	Address:		
Charlotte, NC 28210			
Phone:	Phone: (828) 894-2900		
Email: ronschumer@gmail.com	Email: clevinsohn63@gmail.com		
Project Information			
Project Address: 760 Kannapolis Pkwy, Concord, NC 280	· · · · · · · · · · · · · · · · · · ·		
Parcel: 5601-04-1012-0000; 5601-04-2085-0000 # of parce (attach separate list if necessary)	els: 2 Approx. size of parcels: 1.15 AC		
Current Zoning Designation: RE - Rural Estate	Requested Zoning Designation: C-2-CZ - General Commercial Co		
Reason for map amendment: Rezone to a district cons	sistent with the highway overlay to support proposed use		
requested, the property involved in this request w	dged that if the property is conditionally rezoned as ill be perpetually bound to the use(s) authorized and bsequently changed or amended as provided for in the		
Applicant Signature	Date		
linda Cheryl Levinsolin	8/30/2021		
Property Owner Signature	Date		
For Staff	f Use Only:		
Filing Fee:	Receipt #:		
Case #:	Date Received:		



Planning Department 401 Laureate Way Kannapolis, NC 28081 704.920.4350 planningapps@kannapolisnc.gov

CONDITIONAL ZONING MAP AMENDMENT APPLICATION

Approval authority - Planning and Zoning Commission

Applicant Contact Information Name: Ron Schumer	Property Owner Contact Information ☐ same as applicant Name: Charles Barnwell Estate C/O Linda Levinsohn
Address: 6728 Aronomink Drive	Address:
Charlotte, NC 28210	/ Notif 000.
Phone:	Phone: (828) 894-2900
Email: ronschumer@gmail.com	Email: clevinsohn63@gmail.com
Project Information Project Address: 760 Kannapolis Pkwy, Concord, 1	NC 28027
Parcel: 5601-04-1012-0000; 5601-04-2085-0000 # (attach separate list if necessary) #	of parcels: 2 Approx. size of parcels: 1.15 AC
Current Zoning Designation: RE - Rural Estate	Requested Zoning Designation: C-2-CZ - General Commercial Co
Reason for map amendment: Rezone to a distri	ict consistent with the highway overlay to support proposed use
requested, the property involved in this requ	knowledged that if the property is conditionally rezoned as uest will be perpetually bound to the use(s) authorized and ess subsequently changed or amended as provided for in the
Property Owner Signature	Date
F	For Staff Use Only:
Filing Fee:	Receipt #:
Case #	Date Received:



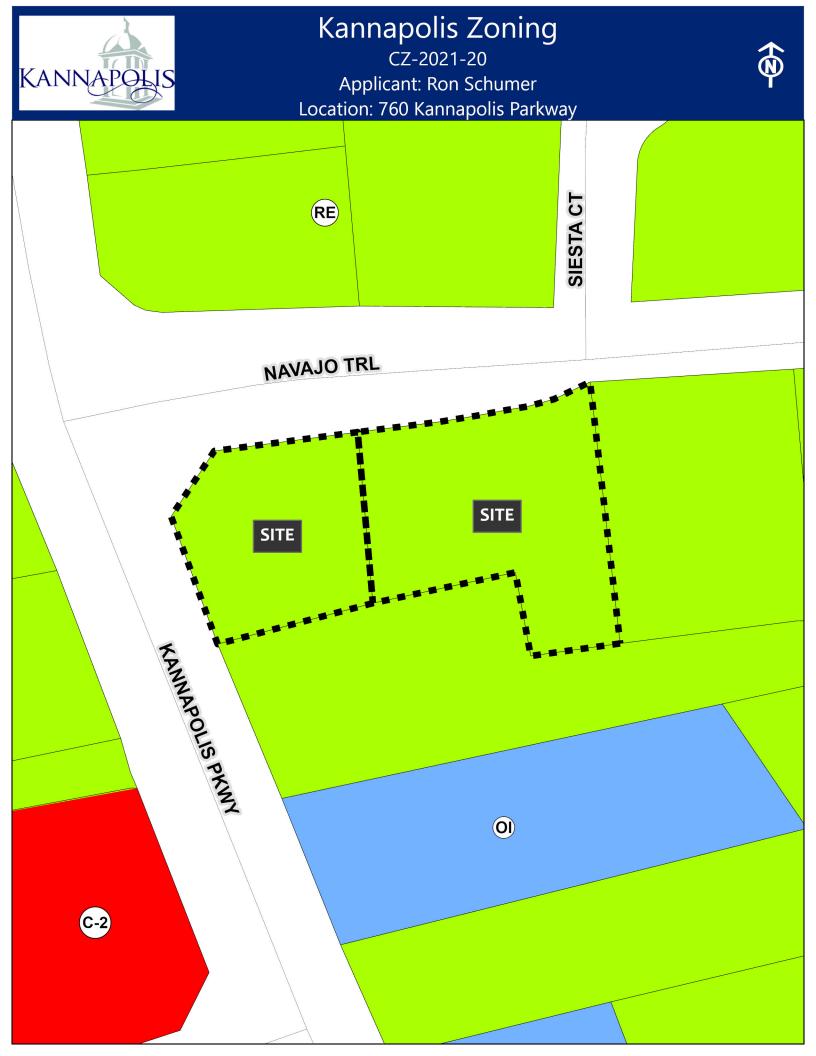
Vicinity Map

CZ-2021-20











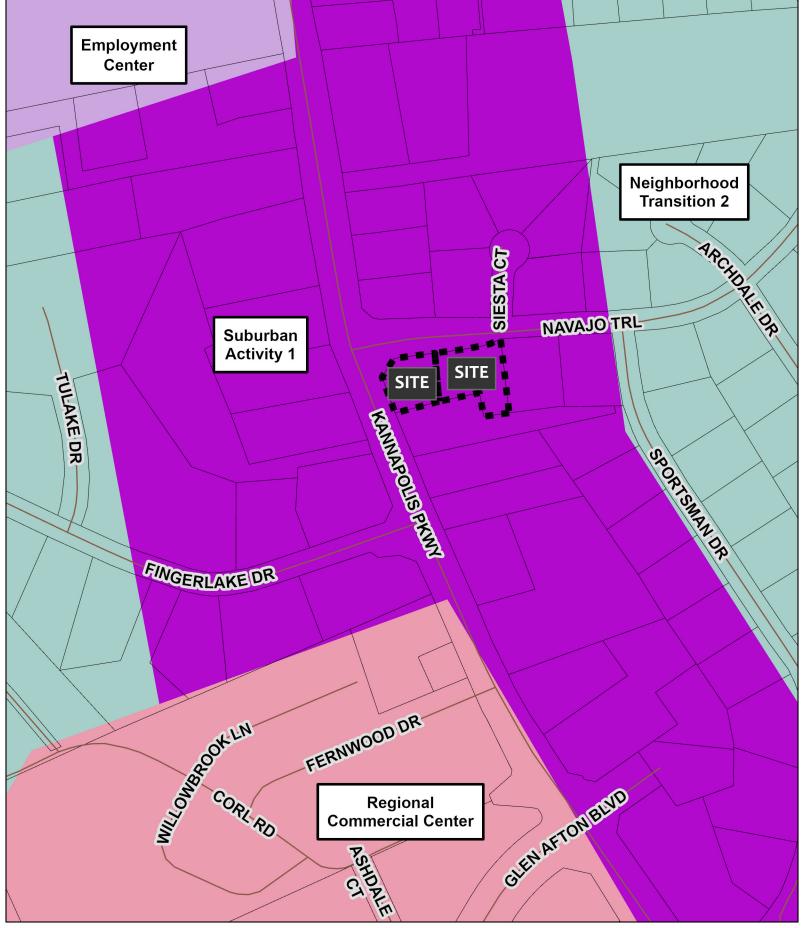
Kannapolis 2030 Future Land Use Map

CZ-2021-20











October 7, 2021

COMMUNITY MEETING REPORT

Dewberry Engineers, Inc (Dewberry) assisted Ron Schumer (Petitioner) with an in-person community meeting regarding the rezoning petition for the parcels located at 760 Kannapolis Parkway and 5941 Navajo Trail filed with the Kannapolis Planning Department. The community meeting was held the evening of October 4th, 2021 at 6:00pm at the Concord #9 Fire Station community meeting room to discuss the proposed Bruster's Ice Cream shop and site development to be located on the parcels, and the associated rezoning of the existing the land from Rural Estate (RE) to Commercial (C-2). Letters were sent two (2) weeks prior to the meeting by certified mail to the residents based on the address file provided by the City. Additionally, for those property owners who were not living outside of Kannapolis, letters were sent via FedEx overnight to ensure timely delivery.

Dewberry received one (1) requests for the presentation electronically via phone. At the time of this report, no other requests for hard copies of the presentation have been received.

The presenters arrived at the Concord #9 Fire Station at approximately 5:00pm to setup boards, projectors, sign-n sheets, etc. the presentation began at 6:00pm with 6 attendees present. The presentation lasted approximately 20 minutes, and a PDF copy of the materials presented is enclosed with this report.

At the conclusion there was an open question/answer session and attendees. Multiple questions were asked:

- One question was whether a traffic light would be installed at Navajo Trail and Kannapolis Parkway. Tristan McMannis responded that the plan had been provided to NCDOT, and they had not requested a traffic light or turn lane, and had indicated that the appropriate encroachment applications be submitted for improvements within the right-of-way along Kannapolis Parkway.
- As a follow-up, another attendee wanted to know what improvements would be constructed along Navajo Trail. Tristan McMannis responded that the intent would be to maintain the existing open-ditch drainage system along Navajo Trail, but a new sidewalk and street trees would be installed along that frontage.
- One attendee inquired if there would be significant grading or earthwork on the site. Mr. McMannis responded that the intent would be to work with the topography and minimize import to the site to minimize site impacts, construction costs, and preserve existing trees.
- A couple of attendees inquired about hours of operation. Mr. Schumer responded that hours of operation are generally 11am to 9pm. One of the attendees suggested possibly staying open later when the local high school has football games.
- One attendee inquired about non-dairy offerings at the proposed site. Mr. Schumer responded that Bruster's does have non dairy, but also gluten free options available, and Mr. Gantt read some offerings from the Bruster's web site.
- Multiple attendees wanted to know if we were aware of other development coming to the area –
 the presenters indicated some of the recent development in the area such as Chipotle and the
 potential foot doctor off of Fingerlake Drive.

Please note, at the conclusion of the question answer session at about 6:45 pm, as the original 6 attendees were departing, a seventh attendee arrived late. The presenters went through the presentation again with

the new attendee who owns property near the site but is not a resident. This attendee indicated he had plans to sell or develop his property. He did have some questions in addition to those provided above:

- The attendee inquired if NCDOT would require turn lanes or traffic lights as his experience is that there is significant congestion along Kannapolis Parkway during morning and late afternoon Rush Hours. Mr. McMannis reiterated that the plan had been shared with NCDOT and that no roadway improvements were requested, only that encroachment permits be submitted for work in the right-of-way along Kannapolis Parkway. Mr. Schumer also indicated that the proposed development would not likely contribute to the morning congestion as the facility is not open during morning rush hour.
- The attendee voiced concerns about the driveway on Navajo Trail and proximity to Kannapolis Parkway. Mr. McMannis responded that the driveway separation from Kannapolis Parkway met the standard for driveway separation per NCDOT.

The public meeting was concluded at approximately 7:15pm, and no others community members arrived while the materials were taken down and removed which took approximately 15 minutes. Enclosed with this report is a scanned PDF of the meeting sign-in sheet, it appears all but one (1) attendee signed the sheet.

Presenters: Mr. Ron Schumer (Petitioner)

Mr. Tristan McMannis, PLA, Dewberry Engineers Inc (Consultant)

Mr. Gantt Howell (Commercial Broker)

Respectfully submitted by,

Dewberry Engineers Inc.

Tristan M. McMannis, PLA Senior Project Manager

Encl.



PUBLIC MEETING FOR BRUSTER'S ICE CREAM SHOP IN KANNAPOLIS - October 4, 2021

First Name	Last Name	Address	Phone	Email
Share P. Sapp-Maire	REMAX	234, Dale Gruhmost Bhat, Kann NS	7,4-433-8617-	Sheresonomour o amail 1000
Shane P. Sapp-Moure Chanles Mullis Craix Flam Billock Paul Gorpon Robert Connell	Mullic	234. Dale Garhmant Bhd. Komps 5911 Navajo Traij 5850 Alexander Rd 800 Siest A CT 489 SAINT Johnsch Res	764-918-0846	Shanesappmove ognail (Coz Navajo Tini) Loutlast, com cpbllock 28 @ yahoo, com Gordonda 4 @ MSN, com
Crais & Pam Bullack	Bullocke	5800 Alexander Rd	704-796-5019	Cobillack 23 @ value, com
Paul GORDON	GORDON	800 SiesTA CT	704 786 0687	GORDONDA 4 @ M SN. COM
Pahent Carrell	Connell	1189 SHOUT Johns Che Pot	704-918-0041	RAC18599 yahoo.com
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Brusters Ice Cream Shop – Community Meeting for Rezoning Petition

Intersection of Kannapolis Parkway and Navajo Trail, Kannapolis, NC

October 4, 2021

Introductions







Ron Schumer (Petitioner)

Tristan McMannis, PLA, LEED AP BD+C Dewberry Engineers Inc. (Landscape Architect)

Gantt Howell
Coldwell Banker
Commercial
(Broker)

Background and Purpose of Rezoning

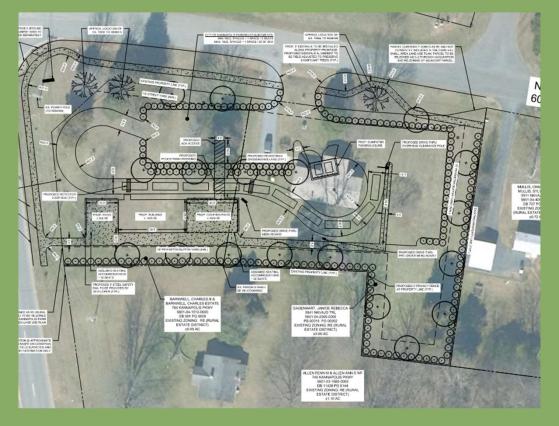
- Site currently contains one (1) single family home, the other parcel is vacant
- Property falls within the <u>Farm Hill</u> <u>Small Area Plan</u> which supports commercial/retail development along Kannapolis Parkway
- Mr. Schumer is the petitioner and looking to open a Brusters Ice Cream Shop franchise on the site.
- Site is currently zoned Rural Estate (RE), and site needs to be rezoned to C-2 (Commercial) to support the use.





Proposed Improvements

- Proposed rezoning to C-2 to support:
 - Construction of an approximately 1,425-sf Brusters Ice Cream building
 - Parking lot for approximately 21 vehicles
 - Outdoor patio and dining space
 - Drive-thru and service window
 - Construction of pedestrian sidewalks around perimeter of site
 - Proposed driveway connection onto Navajo Trail
 - Installation of code required landscape and buffers













Questions?

Tristan McMannis, PLA, LEED AP BD+C

704.264.1233 | tmcmannis@dewberry.com

*Questions may be asked up to 10 days after meeting – email or call using contact info above





Order Confirmation

Order# 0000746494

Client: Phone: KANNAPOLIS, CITY OF

Payor:

KANNAPOLIS, CITY OF

KANNAPOLIS NC 28081

7049204300

Phone:

7049204300

Account:

3143368

Account: 3143368

Address:

ACTS PAYABLE/WANDA/TEARSHEETS

Address: ACTS PAYABLE/WANDA/TEARSHEETS

KANNAPOLIS NC 28081

Accnt Rep

Fax:

7049337463

Sales Rep aboan

aboan

Ordered By Pam

EMail:

bbell@kannapolisnc.gov

Total Amount

\$607.76

Payment Amount

\$607.76

Amount Due

\$0.00

Tear Sheets

Proofs

Affidavits 1

PO Number:

Tax Amount:

0.00

n

0

Payment Meth:

Credit - Debit Card

Ad Size

Color

Ad Number 0000746494-01 Ad Type **CLS Liner**

2 X 49 li

\$0.00

Production Method

AdBooker (liner)

Production Notes

Product and Zone

Placement

Position

Inserts

CON Independent Trib

C-Announcements

Run Schedule Invoice Text:

General-Spec Notice

2

NOTICE OF PUBLIC HEARING Planning and Zoning

Run Dates

10/8/2021, 10/15/2021

TagLine: NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONVIRTUALMEETINGTUESDAYOCTOBER

192021AT600PMCONDITIONALZONINGMAPAMENDMENTCZ202116CO



NOTICE OF PUBLIC HEARING **Planning and Zoning Commission** Virtual Meeting

Tuesday October 19, 2021 at 6:00 pm

Conditional Zoning Map Amendment - CZ-2021-16 - Continued from September 21, 2021, Public Hearing to consider a request to rezone multiple unaddressed properties located on Enochville Rd. and Cannon Farm Rd. from Residential Medium Density (RM-1) to Planned Unit Development - Conditional Zoning (PUD - Conditional Zoning) to allow for a sin-Tional Zonnig (PD) - Conditional Zonnig) to allow for a single-family residential development. The subject properties are approximately 550.74 +/- acres and further identified as Rowan County Parcel Identification 244 011, 245 163, 249C094000001, 132 0130000001, 141 0100000001, 142 049000001, 132 108, 244 158, 244 169, 131 202, 131 145, 131 173, 131 07202, 131 144, 131 07201, 131 142 and 131 143.

Conditional Zoning Map Amendment - CZ-2021-20 - Public Conditional Zoning Map Amendment - CZ-2021-20 - PUBLIC Hearing to consider a request to rezone property located at 760 Kannapolis Pkwy. and 5941 Navajo Trl. from Rural Estate (RE) to General Commercial-Conditional Zoning (C2-Conditional Zoning) to allow for an ice cream shop with a drive-thru. The subject properties are approximately 1.15 +/- acres and further identified as Cabarrus County Parcel Identification Numbers 56010410120000 and 56010420850000.

Anyone who requires an auxiliary aid or service for effec-Anyone who requires all auxiliary and of service of encetive communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email at tcline@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Publish: October 8, October 15, 2021.

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
MARLENE SCRUGGS	5871 NAVAJO TRL	CONCORD	NC	28027
THEODORE BULLOCK	5879 ALEXANDER RD	CONCORD	NC	28027
CHARLES & SYLVIA MULLIS	PO BOX 1250	CONCORD	NC	28026
JANICE DAGENHART	5941 NAVAJO TRAIL	CONCORD	NC	28025
ROBERT A CONNELL	489 ST JOHN'S CHURCH RD	CONCORD	NC	28025
GUY ROBINSON SR	789 KANNAPOLIS PKWY	CONCORD	NC	28027
FENN & ANN ALLEN	1125 LANDONS CT	CHINA GROVE	NC	28023
GEORGE A TUCKER TRUSTEE	2520 PLANTATION RD NW	CONCORD	NC	28027
NELSON PROPERTIES LLC NC LTD	842 KINGS CROSSING DR NW	CONCORD	NC	28027
CHARLES B BARNWELL ESTATE				
C/O LINDA LEVINSOHN	22 BEULAH CHURCH RD	TRYON	NC	28782
DARLING WILLIAM T	745 KANNAPOLIS PKWY	CONCORD	NC	28027
PAUL & DEBORAH GORDON	800 SIESTA COURT	CONCORD	NC	28027
STONE PROPERTIES AND DEVELOPMENT LLC	134 PLANTATION DR	MOORESVILLE	NC	28117
BV 715 KANNAPOLIS PARKWAY LLC	1414 YANCEYVILLE ST SUITE 300	GREENSBORO	NC	27405
RON SCHUMER	6728 ARONOMINK DR	CHARLOTTE	NC	28210



October 8, 2021

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a virtual Public Hearing on Tuesday, October 19, 2021 at 6:00 PM, for the following case:

CZ-2021-20 - Conditional Zoning Map Amendment - 760 Kannapolis Pkwy & 5941 Navajo Trl.

The purpose of the Public Hearing is to consider a request to rezone property located at 760 Kannapolis Pkwy. and 5941 Navajo Trl. from Rural Estate (RE) to General Commercial—Conditional Zoning (C-2-CZ) to allow for an ice cream shop with a drive-thru. The subject properties are approximately 1.15 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56010410120000 and 56010420850000 (see reverse side of this letter for a map showing the location of this property).

You are being notified because you are an abutting property owner.

NOTE: THIS MEETING IS BEING HELD VIRTUALLY. PLEASE VISIT THE CITY OF KANNAPOLIS WEBSITE AT <u>WWW.KANNAPOLISNC.GOV</u> FOR MORE INFORMATION ON HOW TO PARTICIPATE OR CALL THE NUMBER LISTED BELOW.

Should you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4350.

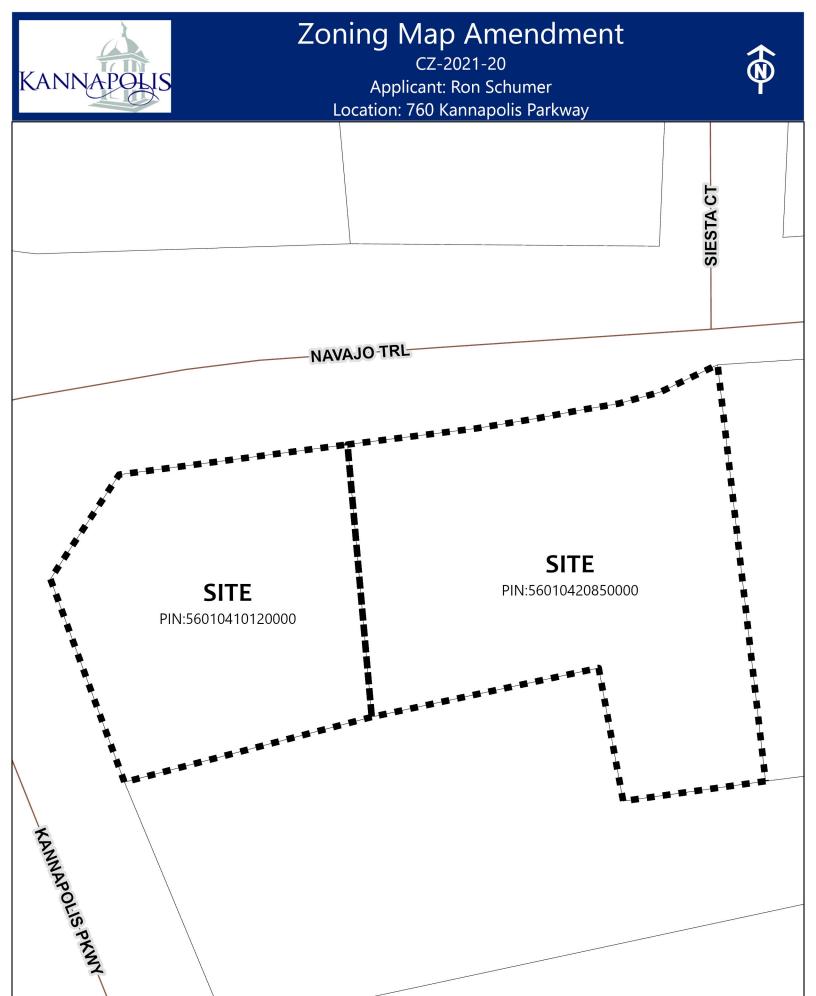
Sincerely,

Boyd V. Stanley, AICP Assistant Planning Director

Syd V. Storley

Enclosure

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email at tcline@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.







RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO CASE #CZ-2021-20

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 3.3.4.2.B. of the Unified 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 October 19, 2021 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone property located at 760 Kannapolis Parkway and 5941 Navajo Trail, (Cabarrus County Parcel Identification Numbers 56010410120000 and 56010420850000) owned by the Estate of Charles Barnwell and Janice Dagenhart from Rural Estate (RE) to General Commercial-Conditional Zoning (C-2-CZ) Zoning Designation.

NOW, THEREFORE BE IT RESOLVED that the Planning and Zoning finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being located in the "Suburban Activity 1" Character Area, which allows for the proposed ice cream retail store. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Finally, there is adequate access or ability to extend to public facilities. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.

Adopted this the 19th day of October 2021:

	Chris Puckett, Chairman
Attest:	Planning and Zoning Commission
Pam Scaggs, Recording Secretary Planning and Zoning Commission	



RESOLUTION TO ZONE

Case #CZ-2021-20 (760 Kannapolis Parkway and 5941 Navajo Trail)

From City of Kannapolis Rural Estate (RE) to City of Kannapolis General Commercial—Conditional Zoning (C-2-CZ) District

WHEREAS, Section 3.3.4.1 of the City of Kannapolis Unified Development Ordinance (UDO) specifically delegates authority from the City Council to the Planning and Zoning Commission to take final action on a rezoning petition; and

WHEREAS, Section 3.3.4.2.B. of the City of Kannapolis UDO subjects this authority 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, the Commission conducted a public hearing on October 19, 2021 for consideration of rezoning petition Case #CZ-2021-20 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone property located at 760 Kannapolis Parkway and 5941 Navajo Trail, (Cabarrus County Parcel Identification Numbers 56010410120000 and 56010420850000) owned by the Estate of Charles Barnwell, and Janice Dagenhart, from Rural Estate (RE) to General Commercial—Conditional Zoning (C-2-CZ) Zoning Designation; and

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

WHEREAS, per Section 3.3.5 of the Kannapolis UDO, the Planning and Zoning Commission makes the following findings in support of and in analysis of the rezoning:

1. The size of the tract in question.

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

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

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

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

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

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

A Traffic Impact Analysis was not required for this rezoning.

5. Will there be parking problems?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

N/A.

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

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

14. Was the existing zoning in error at the time of adoption? No.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the above referenced property, as shown on the site plan submitted to the City, be rezoned from Cabarrus County Agricultural Open (AO) to City of Kannapolis Residential Village—Conditional Zoning (RV-CZ) District Designation, subject to the following conditions:

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

Adopted this the 19th day of October 2021:	
	Chris Puckett, Chairman
	Planning and Zoning Commission
Attest:	
Dam Canaga Baserding Carretony	
Pam Scaggs, Recording Secretary	
Planning and Zoning Commission	



Planning and Zoning Commission October 19, 2020 Meeting

Staff Report

DATE: October 11, 2021

TO: Planning and Zoning Commission Members

FROM: Ryan Lipp, Senior Planner

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

A. Actions Requested by Planning and Zoning Commission Members

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

B. Decision and Required Votes to Pass Requested Action

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

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

C. Background

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

This text amendment proposes to:

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

D. Fiscal Considerations

None

E. Policy Issues

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

F. Legal Issues

None

G. Alternative Courses of Action and Staff Recommendation

The Planning and Zoning Commission may choose to recommend approval or denial of the text amendment as presented. The Commission may also add, delete, or change any of the language as proposed.

Based on the foregoing analysis, staff recommends <u>approval</u> of the proposed text amendment to **Article 4, Table 4.6-1, Article 11, and Appendix A** of the Unified Development Ordinance, as shown per staff edits.

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

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

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

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

H. Attachments

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

I. Issue Reviewed By:

Planning Director

		Planning & Zoning Commission October 7, 2020 TA-2020-03
•	Assistant City Manager City Attorney	



Planning and Zoning Commission and Board of Adjustment General Application Form

(Not for Site Plan Review Submittals)

Type of Action Requested (Check One):	
Variance	SIA Application
Conditional Use Permit	Nonconformity Adjustment
Subdivision Exception	Watershed Boundary Modification
Zoning Text Amendment	Zoning Map Amendment
Appeal	Conditional Zoning Map Amendment
Applicant: Kannapais Real Estatef	Owner:
Address: 500 S Cannon Blvd	Address:
Kannapolis 28083	
V	Talanhana
	Telephone:
Email: Kreashelly Egmail. an	Email:
Legal relationship of applicant to property own Property Location/Address:	er:
	District: Acreage of Site:
Requesting Zoning (if applicable):	<u> </u>
amas Carlyla R. Hadaya	
James Carlyle Rutledge Applicant Name (Print)	Property Owner Name (Print)
Applicant Signature & Date	Property Owner Signature & Date
The agenda deadline is the first day of the n considered for placement on the next meeting	nonth preceding the month of the meeting. To be agenda, the signed application, application fee(s), staff review must be submitted by the deadline. All
For Sta	ff Use Only:
Filing Fee:	Receipt #
Application No.:	Date Submitted (Complete):



APPLICATION TO AMEND THE TEXT OF THE UNIFIED DEVELOPMENT ORDINANCE

I <u>Vames Carly le Rutledge</u> , hereby make application for an amendment to the following section(s) of the Unified Development Ordinance:
In the space provided below, or on a separate sheet, present your requested text for the Ordinance provisions in question: Pocket Community Ordinance attached
State your reasons for amending the text of the Ordinance: See attached
I certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Demonstrate P-10-2 Date Da
knowledge, information, and belief. Figure Parfile Partledge 9-10-21

Required as part of Text Amendment Submittal:

Fee: Please refer to fee schedule on the City's website to determine applicable fees. Fees are nonrefundable and help to cover administrative and notification costs.

5.14.6. - Pocket Neighborhood

- A. **Purpose and Intent** The pocket neighborhood development type is proposed to establish standards to facilitate the voluntary development of a group of smaller single-family detached dwellings built in close proximity to one another around a small green or open space with off-street parking areas to the rear or in common areas. This approach is well-suited to small, vacant or undeveloped infill sites in established neighborhoods.
- B. **Applicability** The pocket neighborhood development option is applicable only within zoning districts that permit single-family detached dwellings.

C. Site Configuration

- 1. **Development Size** It shall be located on a parcel of land at least one-third ($\frac{1}{3}$) of an acre and no greater than 6 acres in area, with at least 50 feet of frontage along a public street.
- 2. **Allowable Uses** Only the following uses shall be allowed: single-family detached dwellings and incidental and subordinate accessory uses, along with a building for the purposes of common storage or recreation, and other common elements.
- 3. **Number of Dwellings** It shall include at least 4 dwellings but no more than 12 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. Common Elements

- (a) It shall include common elements that comprise at least 30 percent of the total site and include open space, improved pedestrian walkways that provide pedestrian access to each dwelling and connect to the public sidewalk network, parking area(s), and a perimeter buffer area that incorporates landscaping materials, existing vegetation, or other features to buffer the pocket neighborhood from adjacent development.
- (b) The common open space shall include a central green, lawn, or garden area fronting the dwellings, containing at least 375 square feet of area for each dwelling in the development.
- (c) If a common building is provided, it shall not be larger than 1,500 square feet and shall not be used as a permanent dwelling unit.
- 5. Perimeter Landscape Yard (Insert Kannapolis Landscaping Standards comparable for Type D perimeter I andscape yard. If none use definition from HighPoint Section TABLE 5.5.11.B for type D perimeter landscape yard)
 - (a) A pocket neighborhood shall incorporate a Type D perimeter landscape yard, in accordance with <u>Section 5.5</u>, Landscaping Standards, where the neighborhood abuts lots with existing single-family detached dwellings. The perimeter landscape yard shall be considered part of the common elements.
 - (b) No individual lot or dwelling unit shall encroach into the perimeter landscape yard.

6. Lot Frontage Kannapolis Table 4.7-1

(a) The lots in pocket neighborhoods are exempt from the minimum street frontage requirement for platted lots in Table 4.7-1, Minimum Street Frontage.

(b) At least 60 percent of the individual building lots shall front the common open space area, not a street or alley.

7. Off-Street Parking Exempt from Kannapolis Minimum Parking Standards

- (a) Pocket neighborhoods are exempt from the parking standards in Table XXXXX, Table of Minimum Parking Standards.
- (b) The pocket neighborhood shall include a shared parking area that accommodates resident and guest parking.
- (c) Off-street parking areas shall include at least 1 parking space for each dwelling unit plus 1 designated guest parking space for every four dwelling units.
- (d) Provision of resident parking spaces within a shared parking area is not required in cases where resident parking is provided through individual driveways or by parking spaces along alleys.
- (e) In no instance shall a parking space be more than 300 linear feet from the dwelling it serves.
- (f) Off-street parking areas shall meet the standards in Table 5.4.7.E, Dimensional Standards for Parking Spaces and Aisles, and shall meet the paving and maintenance requirement for a private drive accessing a public street (Section <u>5.4.7</u> K.3)

TABLE 5.4.7.E: DIMENSIONAL STANDARDS FOR PARKING SPACES AND AISLES				
PARKING ANGLE (DEGREES)	SPACE WIDTH (FEET)	SPACE DEPTH (FEET)	MINIMUM AISLE WIDTH (FEET)	
Parallel (0°)	9	20	12	
Angled (30°)	9	17.3	11	
Angled (45°)	9	19.8	13	
Angled (60°)	9	21	18	
Perpendicular (90°)	9	18	24	

- 8. **Private Drives** Vehicular entryways into pocket neighborhoods and accessways serving off-street parking areas and individual dwelling lots shall be configured as private drives.
- 9. **Detached Shared Garages** If provided, detached garages serving more than 1 dwelling shall be accessed via a private drive or alley. A garage shall not exceed 5 car bays or include individual garage doors wider than 12 feet each.
- 10. **Storage Space** Each individual dwelling shall have at least 40 square feet of covered storage space outside the heated floor area. Storage space may be located on an individual lot or on common land adjacent to a common building. This includes accessible attic spaces and crawl spaces.

D. Individual Lot Configuration

1. Each individual lot in a pocket neighborhood shall contain only 1 dwelling unit. Table 5.14.6.D, Pocket Neighborhood Lots, sets out the dimensional requirements for individual lots.

EXPAND

REQUIREMENT
None
20
10 from common elements; zoning district requirement from street [1]
5 [1]
None [2]

NOTES:

- [1] Porch steps, ramps, fences, and walkways may encroach into the front setback in accordance with <u>Section 10.2</u>, Rules of Measurement, but no other structures shall be permitted to encroach into the required setback.
- [2] When an individual lot includes a driveway, the minimum rear setback shall be 20 feet.

E. Dwelling Unit Configuration

1. Maximum Height A dwelling unit shall not exceed 30 feet above grade.

- 2. **Dwelling size** A pocket neighborhood dwelling unit shall have not more than 2,000 square feet of gross floor area.
- 3. Fences Exempt Kannapolis Fence standards if any
 - (a) Pocket neighborhoods are exempted from the standards in <u>Section 5.11</u>, Fences.
 - (b) Fences within front yards or side yards forward of the front facade plane shall not exceed 3 feet in height. Fences in rear yards or side yards behind the front facade plane shall not exceed 6 feet in height.
 - (c) In no instance shall a fence be placed within a use or access easement.

FIGURE 5.14.6.E EXAMPLES OF DWELLING UNIT CONFIGURATION





Open side of house with windows facing the private yard

Closed side of the house – skylights bring light into the interior without peering at the neighbor

F. **Homeowner's Association** A pocket neighborhood shall have a homeowner's or property owner's association that maintains control of all common elements and is responsible for the maintenance of such elements within the neighborhood. Association documents shall be reviewed by the City prior to approval of the development, and recorded with the development.

(Ord. No. <u>7287/17-29</u>, § 11, 4-3-2017; Ord. No. <u>7365/17-108</u>, § 1, 11-20-2017; Ord. No. <u>7399/18-28</u>, §§ 4.A—4.C, 3-19-2018; Ord. No. <u>7542/19-59</u>, § 4.D, 7-15-2019; Ord. No. <u>7622/20-38</u>, § 19, 8-5-2020)

5.14.7. - Tiny Home Neighborhood

- A. **Purpose and Intent** The tiny home neighborhood development type is proposed to establish standards to facilitate the voluntary development of a group of very small single-family detached dwellings built in close proximity to one another on minimally sized lots and including common open space. This approach is well-suited to small, vacant or undeveloped infill sites in established neighborhoods.
- B. **Applicability** The tiny home neighborhood development option is applicable only within zoning districts that permit single-family detached dwellings.

C. Site Configuration

- 1. **Development Size** It shall be located on a parcel of land at least one-fourth (¼) of an acre and no greater than 2 acres in area, with at least 50 feet of frontage along a public street.
- 2. **Allowable Uses** Only the following uses shall be allowed: single-family detached dwellings and incidental and subordinate accessory uses, along with a building for the purposes of common storage or recreation, and other common elements.
- 3. Number of Dwellings It shall include at least 4 dwellings but no more than 12 dwellings.

4. Common Elements

- (a) It shall include common elements that comprise at least 40 percent of the total site area that include open space, improved pedestrian walkways that access each dwelling and connect to the public sidewalk network, and a perimeter landscape yard that incorporates landscaping materials, existing vegetation or other features to buffer the tiny home neighborhood from adjacent development.
- (b) It may include a shared parking area, a common building used for recreation and/or storage, a picnic area, community garden space, or other common amenity.
- (c) If a common building is provided, it shall not be larger than 1,000 square feet and shall not be used as a permanent dwelling unit.
- 5. Perimeter Landscape Yard (Insert Kannapolis Landscaping Standards comparable for Type D perimeter landscape yard. If none use definition from HighPoint Section TABLE 5.5.11.B for type D perimeter landscape yard)
 - (a) A tiny home neighborhood shall incorporate a Type D perimeter landscape yard, in accordance with <u>Section 5.5</u>, Landscaping Standards, where the neighborhood abuts lots with existing single-family detached dwellings. The perimeter landscape yard shall be considered part of the common elements.
 - (b) No individual lot or dwelling unit shall encroach into the perimeter landscape yard.
- 6. **Lot Frontage** The lots in tiny home neighborhoods are exempt from the minimum street frontage requirement for platted lots in Table 4-7.1, Minimum Street Frontage. Exempt from Kannapolis Standards

7. Off-Street Parking Exempt from Kannapolis Minimum Parking Standards

- (a) Tiny home neighborhoods are exempt from the parking standards in Table XXXXX, Table of Minimum Parking Standards.
- (b) The pocket neighborhood shall include a shared parking area that accommodates resident and guest parking.
- (c) Off-street parking areas shall include at least 1 parking space for each dwelling unit plus 1 designated guest parking space for every four dwelling units.
- (d) Provision of resident parking spaces within a shared parking area is not required in cases where
- (e) If provided, off-street parking areas shall meet the standards in Table 5.4.7.E, Dimensional Standards for Parking Spaces and Aisles, and shall meet the paving and maintenance requirement for a private drive accessing a public street (Section 5.4.7 K.3).

TABLE 5.4.7.E: DIMENSIONAL STANDARDS FOR PARKING SPACES AND AISLES				
PARKING ANGLE	SPACE WIDTH	SPACE DEPTH	MINIMUM	
(DEGREES)	(FEET)	(FEET)	AISLE WIDTH	
(BESILES)	(,)	(,,	(FEET)	

Parallel (0°)	9	20	12
Angled (30°)	9	17.3	11
Angled (45°)	9	19.8	13
Angled (60°)	9	21	18
Perpendicular (90°)	9	18	24

- 8. **Private Drives** Vehicular entryways into a tiny home neighborhood and accessways serving off-street parking areas shall be configured as private drives.
- 9. **Fences** Fences are permitted only within the perimeter landscape yard and to protect community garden areas, and shall meet the standards of <u>Section 5.11</u>, Fences, except that fences around community garden areas shall be 4 feet or less in height.

D. **Individual Lot Configuration** Each individual lot in a tiny home neighborhood shall contain only 1 dwelling unit. Table 5.14.7.D, Tiny Home Neighborhood Lots sets out the dimensional requirements for individual lots.

EXPAND

FEATURE	REQUIREMENT
Minimum lot area (sq. ft.)	None
Minimum lot width (ft)	None
Minimum front setback (ft)	5 from common elements; or zoning district minimum street setback [1]
Minimum side & rear setback (ft)	3
Minimum separation between dwelling units (ft)	10

	_	_	_	_	
N	O	П	F	ς	•

[1] Porch steps, ramps, fences and walkways may encroach into the front setback in accordance with <u>Section 10.2</u>, Rules of Measurement, but no other structures shall be permitted to encroach into the required setback.

E. Dwelling Unit Configuration

- 1. Maximum Height A tiny home dwelling unit shall not exceed 18 feet above grade.
- 2. **Dwelling Size** A tiny home dwelling unit shall have less than 600 square feet of gross floor area.
- 3. **Dwelling Orientation** A tiny home dwelling shall face interior common open space or a street. No dwelling shall face a perimeter landscape yard.
- F. **Homeowner's Association** A tiny home neighborhood shall have a homeowner's or property owner's association that maintains control of all common elements and is responsible for the maintenance of such elements within the neighborhood. Association documents shall be reviewed by the City prior to approval of the development, and recorded with the development.

(Ord. No. <u>7399/18-28</u>, § 3, 3-19-2018; Ord. No. <u>7542/19-59</u>, § 4.E, 7-15-2019)

Reasons for amending the text of the Ordinance:

In order for the cluster community section of the 2030 comprehensive plan to be brought into reality, we need development rules in place that can allow this to happen while increasing the value of our community, and most importantly, protecting Kannapolis Residents. This form of development is more progressive and inclusive of future residents that wish to own their own home in our beautiful city but choose to live large in small footprints with minimal upkeep and a healthy balance of privacy and sense of community. These groups that are currently not being served in our community include empty nesters, single seniors, young professionals, and couples without children. This text amendment will allow for quality developments to be constructed in our community that better suit these underserved groups.

TABLE 4.6-1: PRINCIPAL USES PERMITTED IN ZONING DISTRICTS

* All uses permitted in the CC, CD, and I-1 Districts are subject to supplemental design regulations in Article 11 of this Ordinance.

P - Permitted Use S - Permitted Use with Supplemental Regulation SU - Special Use (-) Prohibited Use									ONING I	DISTR	CTS						
USE	NAICS	AG	RE	ΡI	DM-1	RM-2	RV		B-1		CC*	C-1	C-2	CD-R^	CD*	I-1*	I-2
332	NAIGO		SIDEN		IXIVI-1	IXIVI-Z	17.4	i.c	D-1	O-I		O-1	U-Z	CD-IX	OD	1-1	1-2
Accessory Dwellings (§ 5.3) ⁽³⁾	-		SU/S		SU/S	SU/S	SU/S	SU/S	-	_	SU/S	SU/S	SU/S	_	SU/S	SU/S	SU/S
Duplex, Triplex (§ 4.7-1) (4)	-	-	-	-	-	-	P/S	P/S			SU/S	-	-	_	-	-	-
Family Care Home (see Appendix A for definition)		P	P	P	P	P	P	P	SU	P	SU/S			_	_	_	
Home Occupations (§ 5.12) (19)	-	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	_	P/S	P/S	P/S
Rural Home Occupations (§ 5.33)		P/S	-	-	-		-	-	-	-	-		-	_	-	-	
Multi-family Dwellings - 4 or more dwelling units (§ 11.2)	-		_	_	_		SU/S	P/S	SU/S	SU/S	P/S		SU/S	P/S	_	_	
Single-family, attached (§ 11.2)	-	_	_	_	-	_	P/S	P/S	SU/S		P/S	_	-	P/S	_	-	_
Single-family, detached (§ 5.25)	-	P/S	Р	P	Р	P	P	P	SU	P	SU/S	_	_	-	_	SU/S	SU/S
Single-family, manufactured home	-		ed in M	H-1. M						•	00,0			_		00,0	00/1
Single-family, modular home (§ 5.25)	-	P/S	P	P	P	Р	P	P	SU	SU	SU/S	_	_	_	_	-	_
Pocket Neighborhood Development (§ 11.9)	_	-	_				-	SU/S	-	-	-	_	_	_	_	_	_
Tiny House Neighborhood Development (§ 11.9)	_	_	_		_	_	SU/S			_	_	_		_	_		_
The state of the grade participants (3 1110)	INS	TITUTI	ONAL	AND (CIVIC		00,0	00,0									
Animal Shelter	-	SU	-		-	-	-	-	-	_	-	_	P	-	-	P	P
Auditorium/Indoor Public Assembly, up to 350 seats	-	SU	SU	SU	SU	SU	SU	SU	Р	Р	Р	Р	P	_	_	-	
Auditorium/Indoor Public Assembly, more than 350 seats	_	-	-	-	-	-	SU	SU	SU	SU	<u>.</u> Р	P	<u>.</u> Р	-	_	-	-
Botanical Gardens/Nature Preserves	71213, 71219	Р	Р	Р	Р	Р	P	P	P	P	<u>.</u> Р	P	<u>.</u> Р	_	Р	P	Р
Cemeteries, Crematories, & Mausoleums (§ 5.9)	81222	SU/S	SU/S	SU/S	SU/S	SU/S	SU/S	SU/S		SU/S	SU/S	SU/S	P/S	_		P/S	P/S
Child Care Center (§ 5.16) (5)(12)	6244	SU/S	SU/S	SU/S	SU/S	SU/S	SU/S	SU/S	P/S	P/S	P/S	P/S	P/S	-	P/S	SU/S	
Civic, Social, and Fraternal Organizations	8134	SU	SU	SU	SU	SU	SU	SU	P	P	P	P	P	-	-	-	-
Correctional Institutions	92214	-	-	-	-	-	-	-	-	-	SU	-	-	-	-	SU	SU
Country Club	71391	Р	Р	Р	Р	Р	Р	Р	-	-	-	Р	Р	-	-	-	-
Convention Center/Visitors Bureau	561591	-	-	-	-	-	-	-	-	-	Р	Р	Р	-	Р	-	_
Golf Course, public or private	71391	Р	Р	Р	Р	Р	Р	Р	-	-	-	Р	Р	-	-	-	_
Government Buildings (excl. correctional institutions) and Facilities	-	SU	SU	SU	SU	SU	SU	SU	Р	Р	Р	Р	Р	-	Р	Р	Р
Hospital	622	_	-	-	-	-	-	-	-	-	Р	Р	Р	-	Р	-	_
Museums and Art Galleries	71211, 71212	SU	SU	SU	SU	SU	SU	SU	SU	SU	Р	Р	Р	-	Р	-	-
Outdoor Banquet Facility (§ 5.36) ⁽²¹⁾	=	SU/S	SU/S	SU/S	SU/S	SU/S	-	-	-	-	-	-	-	-	-	-	-
Park - Public, neighborhood	71219	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	Р	Р
Park - Public, other than neighborhood	71219	Р	SU	SU	SU	SU	SU	SU	Р	Р	Р	Р	Р	-	Р	Р	Р
Performing Arts Companies & Artists	7111	-	-	-	-	-	-	_	Р	Р	Р	Р	Р	-	-	-	-
Postal Service Facilities	491	-	-	-	-	-	-	-	-	Р	Р	SU	Р	-	Р	Р	Р
Recreational Sports Clubs (Hunting Clubs, Fishing Clubs, etc.)	713990	SU	SU	SU	SU	SU	SU	SU	Р	Р	Р	Р	Р	-	-	-	-
Religious Institutions (§ 5.29) (13)(17)	813110	SU/S	SU/S	SU/S	SU/S	SU/S	SU/S	SU/S	SU/S	P/S	P/S	P/S	P/S	-	-	-	-
Residential Care Facilities (includes Group Homes) (§ 5.17)	623	SU/S	SU/S	SU/S	SU/S	SU/S	SU/S	SU/S	SU/S	SU/S	P/S	P/S	P/S	-	-	-	-
School - Boarding	6111	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	-	-	-	-
School - Business, Computer and Management	6114	-	-	-	-	-	-	-	-	SU	Р	Р	Р	-	-	Р	Р
School - Charter, Private & Parochial	61111	SU	SU	SU	SU	SU	SU	SU	Р	SU	SU	Р	Р	-	-	-	-
School - Fine Arts	61161	-	-	-	-	-	-	-	Р	SU	Р	Р	Р	-	Р	-	-
School - Public, Elementary & Secondary	6111	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	-
											Р	Р	Р		Р	Р	Р
School - Technical and Trade	6116	-	-	-	-	-	-	-	SU	SU	Р	Р	Р	-	Г	Г	

11.9. COTTAGE & TINY HOUSE DESIGN STANDARDS

11.9.1. POCKET NEIGHBORHOOD.

11.9.1.1. PURPOSE AND INTENT

The purpose of this section is to establish design standards to facilitate the voluntary development of pocket neighborhoods that:

- Encourage affordable housing for current and future residents of the City;
- Encourage proper use of open space to provide health, safety and general welfare of the community members;
- Provide for standards that minimize the impact of automobile traffic and parking.

11.9.1.2. APPLICABILITY

11.9.1.2.1 The provisions of this section apply to pocket neighborhood developments as permitted by Table 4.6-1 of this Ordinance.

11.9.1.2.2 Only single-family detached dwellings and incidental and subordinate accessory uses are permitted as part of a pocket neighborhood development.

11.9.1.2.3 Pocket neighborhood developments shall be located on a parcel of land at least one-third (1/3) of an acre and no greater than 6 acres in area, with at least 50 feet of frontage along a public street.

11.9.1.3. MINIMUM DESIGN STANDARDS

11.9.1.3.1. Developments shall include at least 4 dwellings but no more than 12 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.

11.9.1.3.2. Developments shall include common elements that comprise at least 30 percent of the total site and include open space, improved pedestrian facilities that provide for connectivity to each dwelling unit and public sidewalk network, and parking area(s).

11.9.1.3.3 The common open space shall include a central green, lawn, or garden area fronting the dwellings, containing at least 375 square feet of area for each dwelling in the development.

11.9.1.3.4 If a common building is provided, it

shall not be larger than 1,500 square feet and shall not be used as a permanent dwelling unit.

11.9.1.3.5. LANDSCAPING REQUIREMENTS.

A landscaping plan shall be submitted which shall incorporate all applicable landscaping requirements as set forth in Article 7 of this ordinance, except that:

A pocket neighborhood shall incorporate a Type II
 perimeter landscape yard in accordance with
 table 7.4-3, of this ordinance, where the
 neighborhood abuts lots with existing singlefamily detached dwellings. The perimeter
 landscape yard shall be considered part of the
 common elements.

11.9.1.3.6. LOT FRONTAGE.

- The lots in pocket neighborhoods are exempt from the minimum street frontage requirement for platted lots in Table 4.7-1, Minimum Street Frontage.
- At least 60 percent of the individual building lots shall front the common open space area, not a street or alley.

11.9.1.3.7. OFF-STREET PARKING.

- Pocket neighborhoods are exempt from the parking standards in Table8.3-1, Off-Street Vehicular Parking Space Requirements.
- The pocket neighborhood shall include a shared parking area that accommodates resident and guest parking.
- Off-street parking areas shall include at least 1 parking space for each dwelling unit plus 1 designated guest parking space for every four dwelling units.
- Provision of resident parking spaces within a shared parking area is not required in cases where resident parking is provided through individual driveways or by parking spaces along alleys.
- In no instance shall a parking space be more than 300 linear feet from the dwelling it serves.
- Off-street parking areas shall comply with the minimum standards of the Land

Development Standards Manual (LDSM)

- **11.9.1.3.8.** Vehicular entryways into pocket neighborhoods and accessways serving off-street parking areas and individual dwelling lots shall be configured as private drives.
- **11.9.1.3.9.** If provided, detached garages serving more than 1 dwelling shall be accessed via a private drive or alley. A garage shall not exceed 5 car bays or include individual garage doors wider than 12 feet each.
- **11.9.1.3.10.** Each individual dwelling shall have at least 40 square feet of covered storage space outside the heated floor area. Storage space may be located on an individual lot or on common land adjacent to a common building. This includes accessible attic spaces and crawl spaces.
- **11.9.1.4.** Each individual lot in a pocket neighborhood shall contain only 1 dwelling unit.

11.9.1.5. DIMENSIONAL STANDARDS.

- **11.9.1.5.1.** Minimum dimensional standards are established in table 11.9-1 of this section.
- **11.9.1.5.1.** A dwelling unit shall not exceed 30 feet above grade.
- **11.9.1.5.2.** A pocket neighborhood dwelling unit shall have not more than 2,000 square feet of gross floor area.
 - 11.9.1.5.3. Fences. Fences within front yards or side yards forward of the front facade plane shall not exceed 3 feet in height. Fences in rear yards or side yards behind the front facade plane shall not exceed 6 feet in height.
 - In no instance shall a fence be placed within a use or access easement.
- **11.9.1.6.** Homeowner's Association. A pocket neighborhood shall have a homeowner's or property owner's association that maintains control of all common elements and is responsible for the maintenance of such elements within the neighborhood. Confirmation of the establishment of the HOA shall be provided to the City prior to final plat approval.
- (Ord. No. <u>7287/17-29</u> , § 11, 4-3-2017; Ord. No. <u>7365/17-108</u> , § 1, 11-20-2017; Ord. No. <u>7399/18-28</u> , § 4.A—4.C, 3-19-2018; Ord. No. <u>7542/19-59</u> , § 4.D, 7-15-2019; Ord. No. <u>7622/20-38</u> , § 19, 8-5-2020)

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FEATURE	REQUIREMENT
Maximum lot size (sq ft)	7500
Minimum lot width (ft)	20
Minimum front setback (ft)	10 from common elements; zoning districtrequirement from street [1]
Minimum side setback (ft)	5 [1]
Minimum rear setback (ft)	None [2]

NOTES:

- [1] Porch steps, ramps, fences, and walkways may encroach into the front setback in accordance with <u>Section 10.2</u>, Rules of Measurement, but no other structures shall be permitted to encroach into the required setback.
- [2] When an individual lot includes a driveway, the minimum rear setback shall be 20 feet.

11.9.2. TINY HOUSE NEIGHBORHOOD.

11.9.2.1. PURPOSE AND INTENT.

The purpose of this section is to establish design standards to facilitate the voluntary development of tiny house neighborhoods.

11.9.2.2. APPLICABILITY.

- **11.9.2.2.1** The provisions of this section apply to tiny house neighborhood developments as permitted by Table 4.6-1 of this Ordinance.
- **11.9.2.2.2** Only single-family detached dwellings and incidental and subordinate accessory uses are permitted as part of a pocket neighborhood development.
- **11.9.2.2.3** Tiny house neighborhood developments shall be located on a parcel of land at least one-fourth (½) of an acre and no greater than 2 acres in area, with at least 50 feet of frontage along a public street.

11.9.2.3. Site Configuration.

- **11.9.2.3.1. Number of Dwellings** Tiny house developments shall include at least 4 dwellings but no more than 12 dwellings.
- **11.9.2.3.2. Developments** shall include common elements that comprise at least 30 percent of the total site and include open space, improved pedestrian facilities that provide for connectivity to each dwelling unit and public sidewalk network, and parking area(s).
- **11.9.1.3.3** It may include a shared parking area, a common building used for recreation and/or storage, a picnic are, community garden space, or other common amenity.
- **11.9.1.3.4** If a common building is provided, it shall not be larger than 1,000 square feet and shall not be used as a permanent dwelling unit.

11.9.1.3.5. LANDSCAPING REQUIREMENTS.

A landscaping plan shall be submitted which shall incorporate all applicable landscaping requirements as set forth in Article 7 of this ordinance, except that:

- A tiny house neighborhood shall incorporate a Type II perimeter landscape yard in accordance with table 7.4-3, of this ordinance, where the neighborhood abuts lots with existing singlefamily detached dwellings. The perimeter landscape yard shall be considered part of the common elements.
- **11.9.2.3.6.** The lots in tiny home neighborhoods are exempt from the minimum street frontage requirement for platted lots in Table 4-7.1, Minimum Street Frontage.

11.9.2.3.7. OFF-STREET PARKING.

- Tiny house neighborhoods are exempt from the parking standards in Table 8.3-1, Off-Street Vehicular Parking Space Requirements.
- The pocket neighborhood shall include a shared parking area that accommodates resident and guest parking.
- Off-street parking areas shall include at least 1 parking space for each dwelling unit plus 1 designated guest parking space for every four dwelling units.
- Provision of resident parking spaces within a shared parking area is not required in cases where resident parking is provided through individual driveways or by parking spaces along alleys.
- If provided, off-street parking areas shall comply with the minimum standards of the Land Development Standards Manual (LDSM).
- **11.9.2.3.8.** Vehicular entryways into a tiny home neighborhood and accessways serving off-street parking areas shall be configured as private drives.
- **11.9.2.3.9.** Fences are permitted only within the perimeter landscape yard and to protect community garden areas and shall be 4 feet or less in height.
- **11.9.2.4. Individual Lot Configuration** Each individual lot in a tiny home neighborhood shall contain only 1 dwelling unit.

11.9.2.5. Dwelling Unit Configuration.

- **11.9.2.5.1.** Minimum dimensional standards are established in table 11.9-2 of this section.
- **11.9.2.5.1.** A tiny home dwelling unit shall not exceed 18 feet above grade.

- **11.9.2.5.2.** A tiny home dwelling unit shall have less than 600 square feet of gross floor area.
- **11.9.2.5.3.** A tiny home dwelling shall face interior common open space or a street. No dwelling shall face a perimeter landscape yard.
- **11.9.2.6. Homeowner's Association** A tiny home neighborhood shall have a homeowner's or property owner's association that maintains control of all

common elements and is responsible for the maintenance of such elements within the neighborhood. Confirmation of the establishment of the HOA shall be provided to the City prior to final plat approval.

(Ord. No. <u>7399/18-28</u>, § 3, 3-19-2018; Ord. No. <u>7542/19-59</u>, § 4.E, 7-15-2019).

FEATURE	REQUIREMENT
Minimum lot area (sq. ft.)	None
Minimum lot width (ft)	None
Minimum front setback (ft)	5 from common elements; or zoning district minimum streetsetback [1]
Minimum side & rear setback (ft)	3
Minimum separation between dwellingunits (ft)	10

PHARMACY - Any place where prescription drugs are dispensed or compounded. (Source: NCGS § 90-85.3)

PHASED SUBDIVISION APPLICATION OR PHASED SITE PLAN APPLICATION - An application for subdivision or site plan approval in which the applicant proposes not to immediately subdivide or develop the property but to develop the property in one or more individual phase(s) over a period of time. A phased subdivision application may include an application for approval of, or conversion to, horizontal or vertical condominiums, non-residential development projects, planned unit developments, mixed-use projects, and residential developments. A phased subdivision application or phased site plan application must be filed as part of an application for a specific plan or Master Preliminary Plan.

PHYSICIAN - An individual licensed to practice medicine pursuant to Article 1 of Chapter 90, NCGS.

PILINGS - Foundational structures placed into the earth to secure buildings and other structures.

PLACE OF PUBLIC ASSEMBLY - A fairground, auditorium, stadium, church, theater, or any other place where people assemble. (Source: NCGS § 130A-334)

PLANNED CAPACITY - See Adequate Public Facilities Standards of this Ordinance.

PLANNED CAPITAL IMPROVEMENT - See Adequate Public Facilities Standards of this Ordinance.

PLANNED DEVELOPMENT - A tract of land under single, corporation, partnership, or association ownership, planned and developed as an integral unit in a single development operation or a definitely programmed series of development operations and according to an approved development plan.

PLANNED UNIT DEVELOPMENT (PUD) - An area of land zoned and improved as a development for which the otherwise applicable bulk use and other requirements may be modified in order to allow for more flexible planning in conformance with the development approval process and developed in accordance with the provisions of section 4.9 of this Ordinance.

PLANNING COMMISSION - The City of Kannapolis Planning Commission. Also referred to as the "Commission."

PLANT - Any member of the plant kingdom, including seeds, roots and other parts or their propagules.

PLAT - The legal map of a subdivision.

POCKET NEIGHBORHOOD DEVELOPMENT-A clustered group of single-family dwellings oriented around a common open space.

POINT SOURCE - Any discernible, confined, and discrete conveyance, including, but specifically not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, or concentrated animal-feeding operation from which wastes are or may be discharged to the waters of the State. (Source: NCGS § 143-213)

POSITIVE DRAINAGE - Clear, unobstructed flow of stormwater away from any building.

POST-FIRM – Construction or other development for which the START OF CONSTRUCTION occurred on or after the effective date of the initial Flood Insurance Rate Map.

PRACTICABLE ALTERNATIVE - Alternative to proposed project which is available and capable of being executed after taking into consideration cost, existing technology, and logistics in light of overall project purposed, and having less impacts to wetlands or river streams. It may involve using an alternative site in the general region that is available to the developer and may feasibly be used to accomplish the project.

THROUGH LOT - See "Lot, Through."

TIME SHARE - A "time share" as defined in NCGS 93A-41(9).

TINY HOUSE DEVELOPMENT- A clustered group of single-family dwellings, not exceeding 600 square feet of gross floor area, oriented around a common open space.

TIRE COLLECTION SITE - A site used for the storage of scrap tires. (Source: NCGS § 130A-309.53)

- TIRE PROCESSING SITE A site actively used to produce or manufacture usable materials, including fuel, from scrap tires. (Source: NCGS § 130A-309.53)
- TOTAL PERMISSIBLE DWELLING UNITS OR SQUARE FOOTAGE The total density or intensity of a project computed pursuant to Section 4.7 of this Ordinance.
- TOWNHOUSE A single-family dwelling unit constructed in a series, group or row of attached units separated by property lines and with a yard on at least two sides. (Source: North Carolina State Building Code, Vol. 1, § 201.2 and Vol. VII, § 202). The term "townhouse" also includes a single-family dwelling constructed in a series or group of attached units with property lines separating each unit. (Source: North Carolina State Building Code, Vol. 1, § 201.3)
- TOXIC WASTE That waste, or combinations of wastes, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunctions in reproduction) or physical deformities, in such organisms or their offspring. (Source: NCGS § 143-213)
- TRACT All contiguous land and bodies of water being disturbed or to be disturbed as a unit, regardless of ownership.
- TRAIL Any paved greenway, unpaved greenway, or wildlife/botanical greenway dedicated to public use. The term "trail" includes:
 - 1. Park trail. -- A trail designated and managed as a unit of the North Carolina State Parks System under NCGS Chapter 113, Article 2C.
 - 2. Designated trail. -- A trail designated by the Secretary pursuant to this Article as a component of the State trails system and that is managed by another governmental agency or by a corporation listed with the Secretary of State.
 - 3. A State scenic trail, State recreation trail, or State connecting trail under NCGS 113A-86 when the intended primary use of the trail is to serve as a park trail or designated trail.
 - 4. Any other trail that is open to the public and that the owner, lessee, occupant, or person otherwise in control of the land on which the trail is located allows to be used as a trail without compensation, including a trail that is not designated by the Secretary as a component of the State trails system

(Source: North Carolina Trails System Act, NCGS § 113A-85)

- TRANSFER STATION, HAZARDOUS A facility used for storage of non-hazardous waste for a period of less than ninety (90) days.
- TRANSIENT Housing or accommodations which are typically occupied by residents for periods of two (2) weeks or less, including, but not limited to, hotels, motels, and travel lodges.
- TRANSIT SYSTEM The property, equipment and improvements of whatever nature owned, used, constructed, maintained, controlled or operated to provide mass transportation for passengers or to provide for the movement of people, including park-and-ride stations, transfer stations, parking lots, malls, and skyways.



RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO TEXT AMENDMENT TA-2021-02

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, Table 4.6-1 and Article 11, Section 11.9 of the Unified Development Ordinance (UDO), to add Tiny House Development and Pocket Neighborhood Development as a use permissible by issuance of a Special Use Permit in the RV and RC Zoning Districts, is consistent with policy 4.6.2 Support Development of Integrated Affordable Housing and policy 4.6.4 Use Diverse Solutions for Adding Affordable Housing Stock, of the *Move Kannapolis Forward 2030 Comprehensive Plan*, because it encourages development of small, vacant, or undeveloped infill lots in established neighborhoods and allows for greater flexibility in housing options.

WHEREAS, the Planning and Zoning Commission conducted a Public Hearing on October 19, 2021 for consideration of text amendment Case# TA-2021-02 as submitted by the Planning Department staff;

NOW, THEREFORE BE IT RESOLVED that the Planning and Zoning Commission finds the text amendment as represented in Case TA-2021-02 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 at the Public Hearing, and the recommendation provided by Staff.

Adopted this the 19th Day of October 2021;

	Chris Puckett, Chairman Planning and Zoning Commission
Attest:	
Pam Scaggs, Recording Secretary Planning and Zoning Commission	



Planning and Zoning Commission October 19, 2021

Staff Report

TO: Planning and Zoning Commission

FROM: Richard Smith, Planning Director

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

Amendments

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

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

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

C. Background

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

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

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

D. Fiscal Considerations

None

E. Policy Issues

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

F. Legal Issues

None

G. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

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

Courses of Action

Based on the foregoing analysis, staff recommends <u>approval</u> of the proposed Land Use Plan amendment, as presented.

APPROVAL

The following action is required for the Planning and Zoning Commission to recommend <u>approval</u> of the proposed amendment to the 2030 Plan "Future Land Use and Character Map":

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

DENIAL

The following actions are required to recommend <u>denial</u> of the proposed amendment to the 2030 Plan "Future Land Use and Character Map":

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

H. Attachments

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

I. Issue Reviewed By:

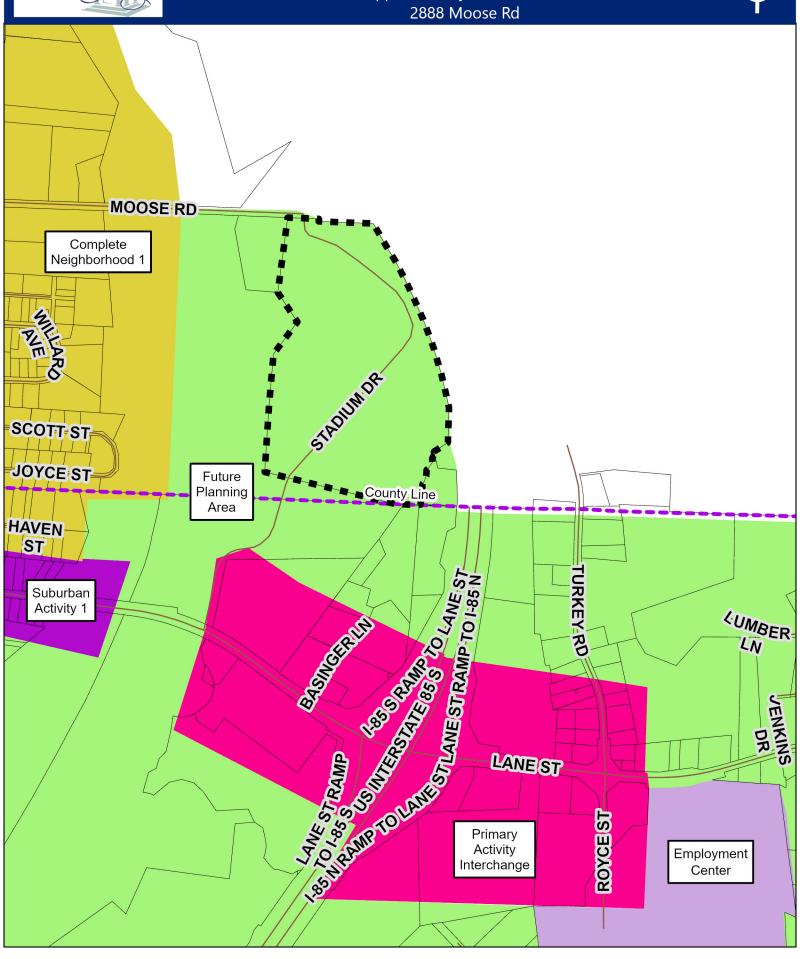
- City Manager
- Assistant City Manager
- Economic & Community Development Director

Kannapolis

Kannapolis 2030 Future Land Use Map

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





Kannapolis 2030 Future Land Use Map (Proposed) Case Number: CPA-2021-01 KANNAPOLIS Applicant: City Staff Initiated 2888 Moose Rd MOOSE RD Complete Neighborhood 1 SCOTT ST JOYCE ST Future County Line Planning Area HAVEN WANTER STRAMP AD HEROSTRAMP AD HEROSTRAMP TO 1-85 N LANE ST LANE ST RAMP TO 1-85 N ST TURKEY-RO Suburban Activity 1 LUMBER LN VENKINS -**LANEST** ROYCEST **Employment** Center