



**City of Kannapolis  
Planning and Zoning Commission**

**Virtual Meeting  
November 16, 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 – October 19, 2021**
5. **Public Hearing**
  - a. **CZ-2021-16 – Conditional Zoning Map Amendment – Multiple unaddressed parcels on Enochville 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. **CZ-2021-17 – Conditional Zoning Map Amendment – Lakeshore Corporate Park**

Public Hearing to consider a request to rezone property located at 2888 Moose Rd. from Office-Institutional (O-I) to Heavy Industrial–Conditional Zoning (I-2–Conditional Zoning) to allow for a corporate/business park. The subject property is approximately 55.32 +/- acres and further identified as Rowan County Parcel Identification Number 145 023.
  - c. **CZ-2021-21 – Conditional Zoning Map Amendment – 210 Russell Street**

Public Hearing to consider a request to rezone properties located at 210 Russell Street and an unaddressed parcel on Russell Street from Residential Village (RV) to General Commercial–Conditional Zoning (C-2-CZ) to allow for development of a contractor’s office with additional storage buildings. The subject properties are approximately .61 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56136286510000 and 56136296360000.
  - d. **Z-2021-04 – Zoning Map Amendment – Unaddressed property on N. Main Street**

Public Hearing to consider a request to rezone unaddressed property located on N. Main Street from Neighborhood Commercial (B-1) to Residential Village (RV) to allow for single-family residential. The subject property is approximately .29 +/- acres and further identified as Rowan County Parcel Identification Number 156 400.

**7. Planning Director Update**

**8. Other Business**

**9. Adjourn**



**Planning and Zoning Commission  
November 16, 2021 Meeting**

**Staff Report**

**TO:** Planning and Zoning Commission  
**FROM:** Richard Smith, Planning Director  
**SUBJECT:** Case #CZ-2021-17  
Applicant: Fortius Capital Partners

Request to conditionally rezone property located at 2888 Moose Rd. from Office-Institutional (O-I) to I-2-CZ (Heavy Industrial-Conditional Zoning) to allow for a corporate/business park. The subject property is approximately 55.32 +/- acres and further identified as Rowan County Parcel Identification Number 145 023.

**A. Actions Requested by Planning & Zoning Commission**

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

**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 and 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 City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to City Council.

**C. Background & Project Overview**

The applicant, Fortius Capital Partners, is proposing to rezone the subject property from Office-Institutional (O-I) to I-2-CZ (Heavy Industrial-Conditional Zoning) to allow for a corporate industrial park that will include manufacturing, light assembly, warehousing and distribution. The attached site plan shows three buildings with approximately 702,250 combined square feet. The subject property is the former Kannapolis Intimidators Stadium owned by the City of Kannapolis.

**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 55.32 +/- 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 an “Employment Center” Character Area as designated in the Move Kannapolis Forward 2030 Comprehensive Plan. This designation calls for a mixture of uses including manufacturing, warehousing, research and assembly. The proposed use designation fits within the comprehensive plan recommendations.

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

The property is located on the north side of Lane Street, immediately adjacent to Interstate 85. The property to the south of the subject property is zoned C-2 General Commercial (City of Kannapolis), LC (Office/Limited Commercial – Cabarrus County) and O-I (Office Institutional). Lake Fisher is located to the west of the property as well as an O-I parcel. The properties to the north are zoned CBI (Commercial, Business, Industrial - Rowan County) and RA (Rural Agricultural – Rowan County). The property east of the subject property across Interstate 85 is also zoned CBI. Further, the City rezoned properties located southeast of this parcel to I-1 (Light Industrial) last year. The requested rezoning proposes a development of a scale that represents an appropriate use of the subject property and compatibility with the surrounding area.

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

The subject property will be accessed primarily from Lane Street. Currently, the developer is in the process of finalizing a Traffic Impact Analysis to assess necessary roadway improvements. A Conditional of Approval stating final approval will be necessary from the City and NCDOT has been added should this rezoning be approved. Anticipated improvements will need to be finalized with the City and NCDOT through the site plan review process.

**5. Will there be parking problems?**

Should the rezoning be approved, the site plan will have to meet parking requirements within Article 8 of the Unified Development Ordinance to provide adequate parking for the listed use.

**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?**

The proposed project lies within the Lake Fisher Watershed Critical Area. The maximum impervious for the critical area shall not exceed 50%. 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 continues to transform into a major commercial and industrial center with the improvements to Lane Street and the proximity to the interchange at I-85. Commercial and industrial development is anticipated to continue along this area of Lane Street in the near future.

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

There is adequate access or ability to extend to public facilities. Service is subject to allocation based upon sewer treatment capacity.

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

The property is located on the north side of Lane Street, immediately adjacent to Interstate 85. The property to the south of the subject property is zoned C-2 General Commercial (City of Kannapolis), LC (Office/Limited Commercial – Cabarrus County) and O-I (Office Institutional). Lake Fisher is located to the west of the property as well as an O-I parcel. The properties to the north are zoned CBI (Commercial, Business, Industrial - Rowan County) and RA (Rural Agricultural – Rowan County). The property east of the subject property across Interstate 85 is also zoned CBI. Further, the City rezoned properties located southeast of this parcel to I-1 (Light Industrial) last year. The proposed use is compatible with the surrounding commercial and industrial character of the surrounding area.

**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 O-I. A rezoning is required to develop a corporate industrial park on the property.

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

The proposed industrial use is compatible with the existing and proposed land uses in the area. Further, the applicant is requesting to limit the types of uses permitted on this property under the proposed zoning as part of their conditional rezoning application. This is voluntary by the applicant but, can be included as part of the conditions of approval.

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

N/A

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

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

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

No

**F. Legal Issues**

None

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

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates this property as being located in the “Employment Center” Character Area, which allows for the proposed professional industrial 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. Finally, there is adequate access or ability to extend to public facilities. 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-2021-17:**

1. The permitted uses allowed by this rezoning shall only include manufacturing, light assembly, warehousing and distribution, as generally depicted by the plan submitted for this rezoning. Further, the applicant is voluntarily offering to restrict the Heavy Industrial uses of the property so that the uses cannot include the following uses that are normally permitted under this zoning designation: Accessory Dwellings; Home Occupations; Single-family, detached; Animal Shelter; Botanical Gardens/Nature Preserves; Cemeteries, Crematories & Mausoleums; Correctional Institutions;

- Automotive Towing Services; Electronic Gaming Operations; Heavy Truck, RV, And Semi-Trailer Leasing; Mini-warehousing/Self-storage Leasing; Sewer/Septic Cleaning Services; Coal & Ore Supply (with outdoor storage); Farm Supply Product Sales (with outdoor storage); Motor Vehicle- Sales; Petroleum/Petro. Products (excl. Bulk Terminals); Petroleum/Petroleum Products – Bulk Terminals; Animal Production & Support (excl. Swine & Feed Lots); Auction Sales – Livestock Only; Crop Production; Forestry and Logging; Abrasive Products Manufacturing; Food Manuf. – Animal Slaughtering & Processing; Landfill – Demolition & Inert Debris; Mining/Extraction Industries; Paper/Paper Product Manufacturing; Petroleum, Asphalt & Coal Manufacturing; Primary Metal Processing/Manufacturing; Solid Waste Collection and/or Disposal (Non-Hazardous); Solid Waste Collection and/or Disposal (Hazardous, including Medical Waste Facilities); Waste Remediation/Recovery Serv. (incl. salvage/junk yard); Wood Products Manuf. – Sawmills; Petroleum – Bulk Storage; or Sewage Treatment Facility, private.
2. Comply with current Land Development Standards Manual.
  3. All road intersections where development has access and/or street frontage shall be approved by the City and NCDOT.
  4. The Developer will construct curb and gutter and sidewalk along the entire road frontage where development has access and/or street frontage. The improvements will be constructed to NCDOT and City standards. Internal streets shall meet current City standards and a dedicated public right-of-way per the City's Typical Section Local Residential Street, LDSM Detail 101.
  5. The internal lane widths, sidewalks, greenways, pavement structure, road alignment, and road grades shall be constructed to current City standards.
  6. 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.
  7. 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.
  8. Water and sewer main extensions and upgrades will be required for this project. The Developer shall be responsible for designing, permitting and constructing water and sewer mains in accordance with City and WSACC standards.
  9. 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.
  10. 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%.
  11. The Fire Department shall approve locations of all hydrants and turn-around locations & layouts.
  12. Emergency access shall remain open at all times.

Complying with these conditions does not relieve the Developer of the responsibility of complying with any and all local, state, or federal regulations concerning this development.

### **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-2021-17, 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 an “Employment Center” Character Area, which allows for industrial development. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development along Lane Street that is appropriate for the area. The proposed use is compatible with the surrounding zoning, yet 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. Service is subject to allocation based upon sewer treatment capacity.*

- 2. Should the Commission choose to approve Case #CZ-2021-17, 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-2021-17, 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-2021-17 to be **inconsistent** with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

- 2. Should the Commission choose to deny Case #CZ-2021-17, 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:**

- Assistant City Manager
- City Attorney



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: Fortius Capital Partners  
Address: 805 Trade Street, Suite 102  
Concord, NC 28027  
Phone: 980-354-3700  
Email: harris@fortiuscapitalpartners.com

#### Property Owner Contact Information same as applicant

Name: City of Kannapolis  
Address: 401 Laureate Way  
Kannapolis, NC 28081  
Phone: 704-920-4326  
Email: isacks@kannapolisnc.gov

#### Project Information

Project Address: 2888 Moose Road  
Parcel: 5634-14-42-1706 # of parcels: 1 Approx. size of parcels: 55 acres  
*(attach separate list if necessary)*

Current Zoning Designation: O-1 - Office-Institutional Requested Zoning Designation: I-2-CZ - Heavy Industrial Condition

Reason for map amendment: to accomodate the proposed Lakeshore Corporate Park.

Condition(s) proposed by the applicant (attach separate sheet if necessary): See Attached

*By signing below, it is understood and acknowledged that if the property is conditionally rezoned as requested, the property involved in this request will be perpetually bound to the use(s) authorized and subject to such condition(s) as imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.*

J. H. Morrison III 8/10/2021  
Applicant Signature Date

Lowell B. Leagy 9/13/21  
Property Owner Signature Date

#### For Staff Use Only:

Filing Fee: 925.00

Receipt #: \_\_\_\_\_

Case #: CZ-2021-17

Date Received: 8/11/2021



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.

### CONDITIONAL REZONING REQUEST

**Conditional Rezoning** – Request for an amendment to the Kannapolis Zoning Map.

*Approval authority – Planning and Zoning Commission.*

Requested Rezoning Property Address: 2888 Moose Road

Applicant: Fortius Capital Partners / Lakeshore Corporate Park, LLC

Proposed development: \_\_\_\_\_

Master Planned Class A Industrial Park spread over three buildings totaling approximately 690,000 SF

### SUBMITTAL CHECKLIST

- Pre-Application Meeting – send an email to [planreviewappointment@kannapolisnc.gov](mailto:planreviewappointment@kannapolisnc.gov)
- Neighborhood Meeting (if required)
- 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

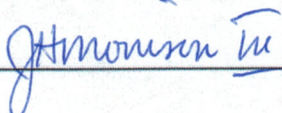
**Public Notification:** This is a legislative process that requires a public hearing and public notification including newspaper notice, first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Section 3.1.5.1 of the UDO).

**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: 

Date: 8/10/2021



# Vicinity Map

CZ-2021-17

Applicant: Fortius Capital Partners Lakeshore Corporate Park, LLC

Location: 2888 Moose Rd



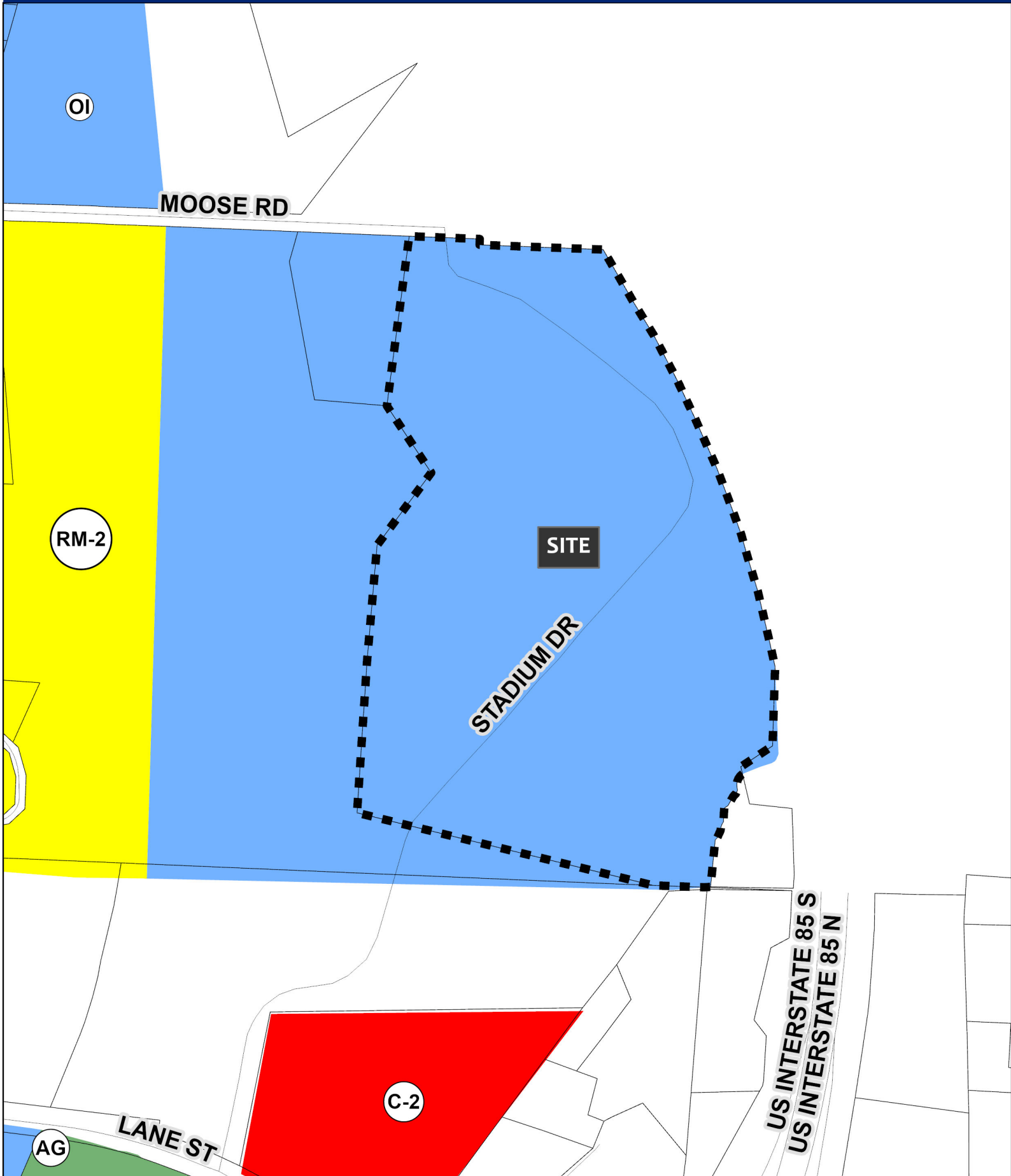


# Kannapolis Future Zoning

CZ-2021-17

Applicant: Fortius Capital Partners Lakeshore Corporate Park, LLC

Location: 2888 Moose Rd



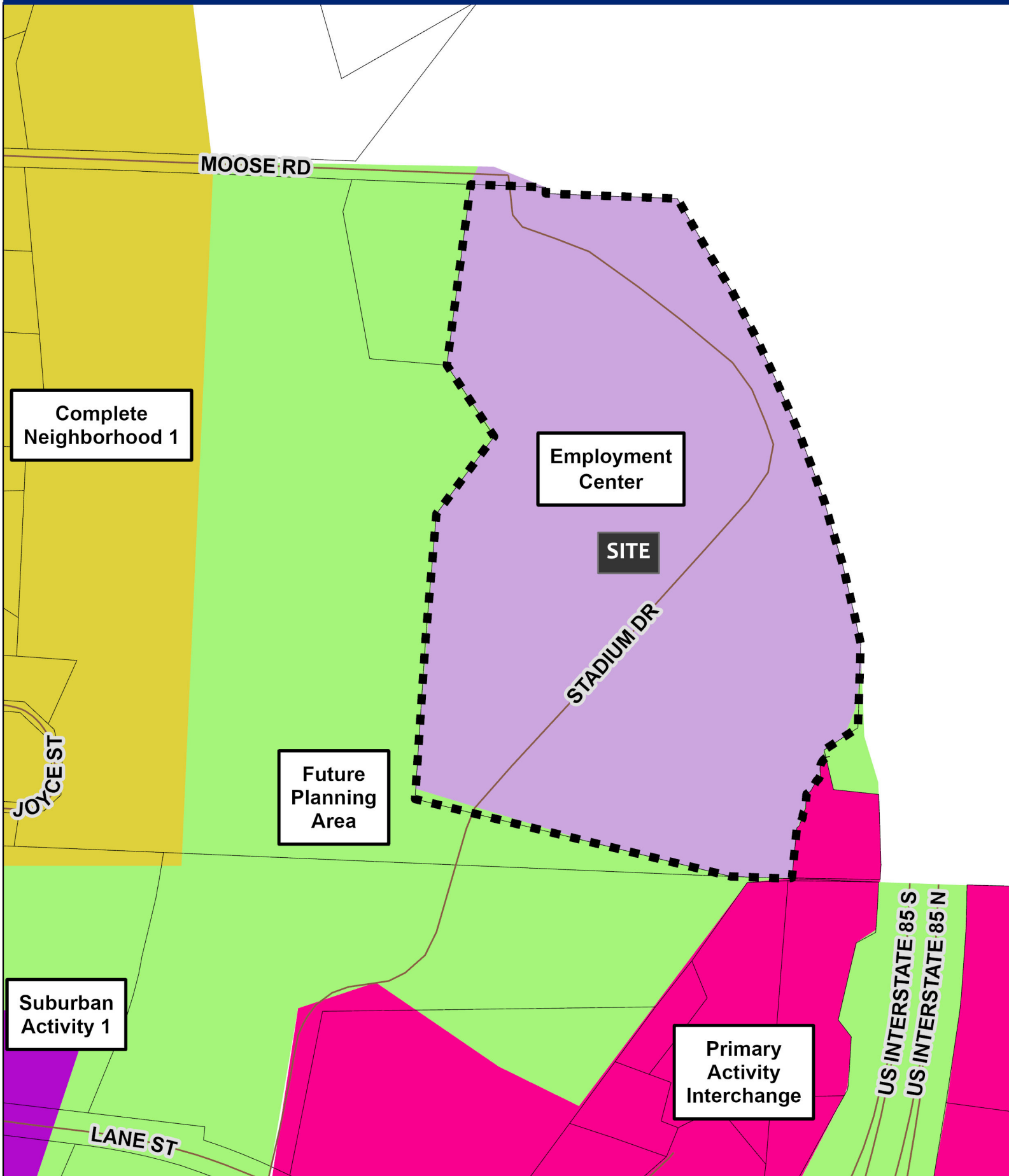


# Kannapolis 2030 Future Land Use Map

CZ-2021-17

Applicant: Fortius Capital Partners Lakeshore Corporate Park, LLC

Location: 2888 Moose Rd



POTENTIAL PUBLIC  
PARKING FOR GREENWAY

±3.0 ACRES RESERVED FOR  
MUNICIPAL USE

10' PAVED MULTI-USE PATH  
THROUGH PARK w/ CONNECTIVITY  
TO PUBLIC GREENWAY

POTENTIAL PUBLIC  
PARKING FOR GREENWAY

### DEVELOPMENT SUMMARY

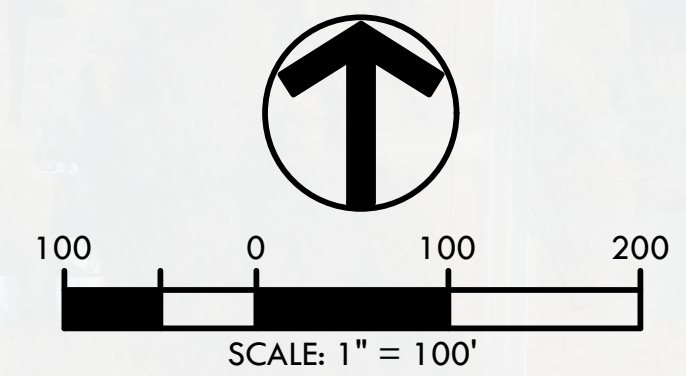
PARCEL AREA: ± 55.46 ACRES  
PROPOSED:  
BUILDING = ±702,250 SF (29.1 %)  
CONCRETE = ±179,211 SF  
PAVEMENT = ±472,386 SF  
TOTAL IMPERVIOUS AREA: ± 31.1 ACRES



## LAKESHORE CORPORATE PARK

CONCEPT 3.2

CITY OF KANNAPOLIS, NORTH CAROLINA





Real Estate Investments & Development

September 16, 2021

Mr. Richard Smith  
Planning Director  
City of Kannapolis  
401 Laureate Way  
Kannapolis, NC 28081

Re: Community Meeting for Rezoning of Kannapolis Intimidators Stadium

Dear Richard,

Fortius Capital Partners invited neighbors to attend a community meeting for the rezoning of the Intimidators Stadium site. We held that meeting at the stadium on Thursday, September 9<sup>th</sup>, 2021, at 6:00 PM. We were prepared with refreshments and project presentation boards and take-home information.

In attendance were three representatives from our firm and two City of Kannapolis representatives; however, there were no neighbors in attendance. Seeing that no neighbors were going to attend, we left the site at approximately 6:45.

We thank you and Irene Sacks for attending and showing your support.

Sincerely,

A handwritten signature in blue ink that reads "Harris Morrison". The signature is written in a cursive style with a small flourish at the end.

Harris Morrison





Real Estate Investments & Development

Notification to Property Owners for Re-zoning  
of the former Kannapolis Intimidators Stadium

**Name:** City of Kannapolis  
**Address:** P.O. Box 1199  
Kannapolis, NC 28082  
**Date:** Tuesday, August 31, 2021

RE: Notice of public hearing regarding Case # CZ-2021-17: an application submitted by Fortius Capital Partners to rezone, Parcel ID 145 023.

Dear Property Owner:

Fortius Capital Partners is under contract to purchase the former Kannapolis Intimidator Stadium on Lane Street in Kannapolis, NC. Our plan is to construct a Class-A business park called Lakeshore Corporate Park, attracting businesses in advanced manufacturing, light assembly, warehousing and distribution.

As we seek a rezoning to accommodate this change of use, we would like to share our vision and plans with our future neighbors. We invite you to attend an informational session, which is detailed below.

Zoning Change:

**FROM:** O-1  
**TO:** Conditional I-2

The date, time and place of the session is:

**SESSION:** Informational Session on Re-zoning  
**DATE:** Thursday, September 9<sup>th</sup>  
**TIME:** 6:00 PM  
**PLACE:** Former Kannapolis Intimidators Stadium  
Main Stadium Entrance (Under Press Box in covered area)  
2888 Moose Road  
Kannapolis, NC 28083

All interested persons are invited to attend the above-described session and will have an opportunity to speak.

If you are disabled and need special assistance, please contact us at least 3 days before the session and let us know. While we cannot offer transportation to and from the meeting, we will accommodate access to the meeting upon arrival. Please contact Dave Davis at (980) 354-3831 or [dave@fortiuscapitalpartners.com](mailto:dave@fortiuscapitalpartners.com).

A handwritten signature in blue ink that reads "Harris Morrison".  
Harris Morrison



PO Box 27283  
Richmond, VA 23261-7283

# Order Confirmation

Order# 0000751901

**Client:** KANNAPOLIS,CITY OF  
**Phone:** 7049204300

**Payor :** KANNAPOLIS,CITY OF  
**Phone:** 7049204300

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

**Account:** 3143368  
**Address:** ACTS PAYABLE/WANDA/TEARSHEET  
KANNAPOLIS NC 28081

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

**Fax:** 7049337463  
**EEmail:** bbell@kannapolisnc.gov

**Total Amount**                      \$815.34  
**Payment Amount**                      \$815.34

**Amount Due**                      \$0.00

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

**Tax Amount:**                      0.00

**Payment Meth:**      Credit - Debit Card

**Ad Number**                      **Ad Type**                      **Ad Size**                      **Color**  
0000751901-01                      CLS Liner                      2 X 65 li                      \$0.00

**Production Method**  
AdBooker (liner)

**Production Notes**

**Product and Zone**                      **Placement**                      **Position**  
CON Independent Trib                      C-Announcements                      General-Spec Notice  
**Run Schedule Invoice Text:**      NOTICE OF VIRTUAL PUBLIC HEARING Planning and  
**Run Dates**                      11/ 5/2021, 11/12/2021  
**TagLine:** NOTICEOFVIRTUALPUBLICHEARINGPLANNINGANDZONINGCOMMISSION  
ANNAPOLISNCTUESDAYNOVEMBER162021AT600PMCONDITIONALZO



**NOTICE OF VIRTUAL PUBLIC HEARING  
Planning and Zoning Commission Meeting  
401 Laureate Way, Kannapolis, NC**

**Tuesday November 16, 2021 at 6:00 pm**

**Conditional Zoning Map Amendment - CZ-2021-16** - Public Hearing to consider a request to rezone multiple unaddressed properties located at 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.

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**Conditional Zoning Map Amendment - CZ-2021-21** - Public Hearing to consider a request to rezone properties located at 210 Russell Street and an unaddressed parcel on Russell Street from Residential Village (RV) to General Commercial-Conditional Zoning (C-2-CZ) to allow for development of a contractor's office with additional storage buildings. The subject properties are approximately .61 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56136286510000 and 56136296360000.

**Zoning Map Amendment - Z-2021-04** - Public Hearing to consider a request to rezone unaddressed property located on N. Main Street from Neighborhood Commercial (B-1) to Residential Village (RV) to allow for single-family residential. The subject property is approximately .29 +/- acres and further identified as Rowan County Parcel Identification Number 156 400.

IN ORDER TO COMPLY WITH FEDERAL, STATE AND LOCAL RESTRICTIONS IMPOSED IN RESPONSE TO THE COVID-19 VIRUS, THIS MEETING WILL BE HELD ELECTRONICALLY VIA ZOOM. PLEASE VISIT WWW.KANNAPOLISNC.GOV FOR PUBLIC ACCESS INSTRUCTIONS AND FOR ANYONE WANTING TO SPEAK DURING THE PUBLIC HEARING.

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

**Publish: November 5, 12, 2021.**

OWNNAME	TAXADD1	CITY	STATE	ZIPCODE
BOARD OF LIGHT & WATER COMMISSION OF THE CITY OF CONCORD	PO BOX 308	CONCORD	NC	28026
JERRY T LILES	34 CROWELL DR NW	CONCORD	NC	28025-0000
BETTY JEAN COCHRAN	2810 MOOSE RD	KANNAPOLIS	NC	28083
DIANNE S HARTIS & JANICE WENSIL	526 COLLINS ST	KANNAPOLIS	NC	28083
MARY PURSER	2821 MOOSE RD	KANNAPOLIS	NC	28083
SHARON BRADSHAW	2831 MOOSE RD	KANNAPOLIS	NC	28083
J Y PHARR ESTATE	2540 SHERWOOD AVE	CHARLOTTE	NC	28207
HONNIE P SPENCER	284 KNOXVIEW LN	MOORESVILLE	NC	28117
HARTIS DIANNE S FORTIUS CAPITAL PARTNERS	526 COLLINS AVE	KANNAPOLIS	NC	28083
LAKESHORE COPORPORATE PARK, LLC	805 TRADE ST. STE 102	CONCORD	NC	28027



**KANNAPOLIS**  
Planning

November 3, 2021

Dear Property Owner:

**Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a virtual Public Hearing on Tuesday November 16, 2021 at 6:00 PM, for the following case:**

**CZ-2021-17 – Conditional Zoning Map Amendment – 2888 Moose Road**

The purpose of the Public Hearing is to consider a request to rezone property located at 2888 Moose Rd. from Office-Institutional (O-I) to Heavy Industrial–Conditional Zoning (I-2–Conditional Zoning) to allow for a corporate/business park. The subject property is approximately 55.32 +/- acres and further identified as Rowan County Parcel Identification Number 145 023 (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 [WWW.KANNAPOLISNC.GOV](http://WWW.KANNAPOLISNC.GOV) FOR MORE INFORMATION ON HOW TO PARTICIPATE OR CALL THE NUMBER LISTED BELOW.**

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 [tccline@kannapolisnc.gov](mailto:tccline@kannapolisnc.gov) as soon as possible but no later than 48 hours before the scheduled event.

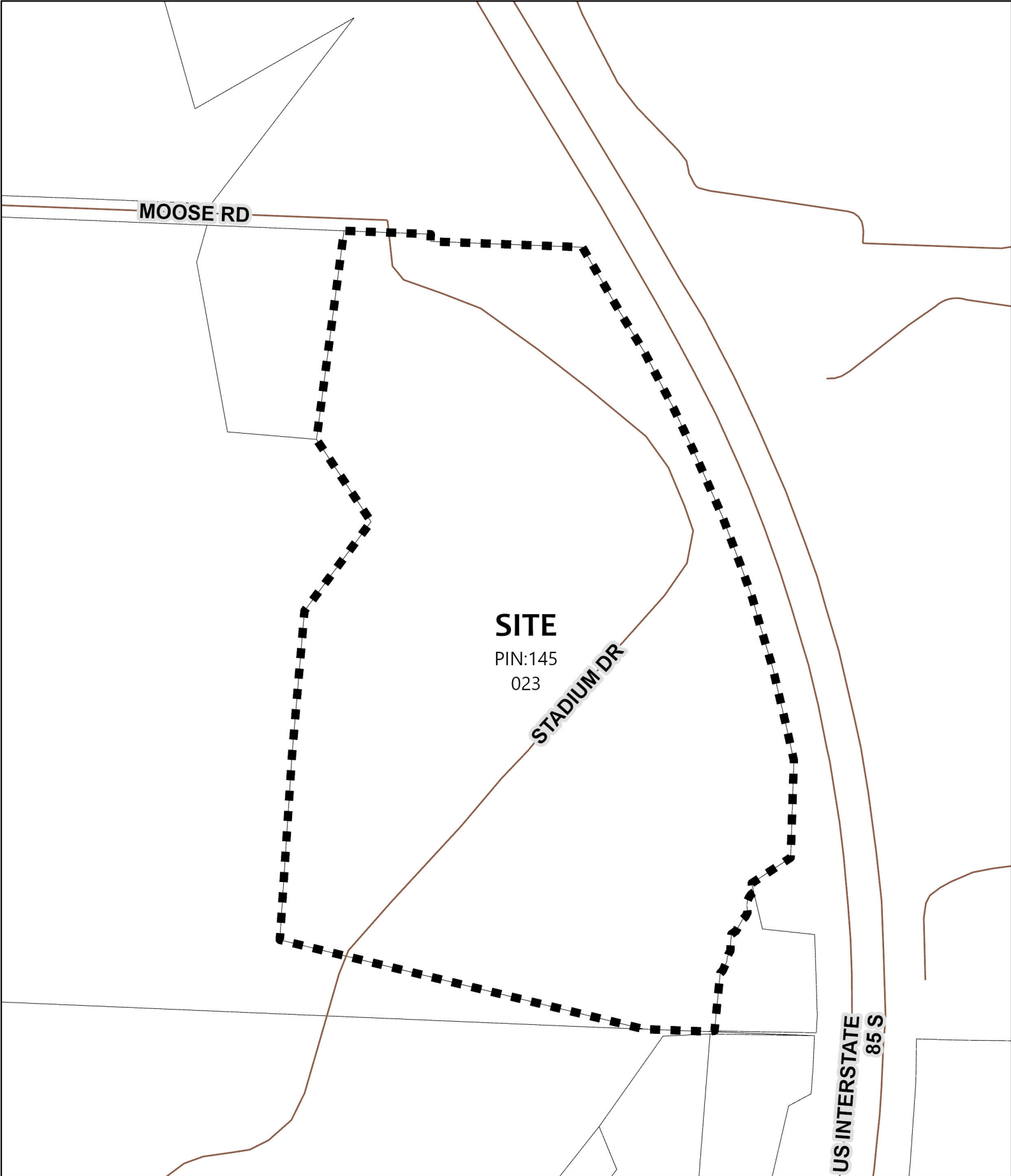


# Zoning Map Amendment

CZ-2021-17

Applicant: Fortius Capital Partners Lakeshore Corporate Park, LLC

Location: 2888 Moose Rd



Stadium Dr 2899

KANNAPLIS  
**PLANNING**  
**ZONING**  
**COMMISSION**  
PUBLIC HEARING  
INFORMATION  
CALL 704-920-4350  
CASE # CZ-2021-17

Welcome



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
WITH REGARD TO CASE #CZ-2021-17**

**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 November 16, 2021 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone property located at 2888 Moose Road, (Rowan County Parcel Identification Number 145 023) owned by City of Kannapolis, from Office-Institutional (O-I) to Heavy Industrial–Conditional Zoning (I-2–CZ) Zoning Designation.

**NOW, THEREFORE BE IT RESOLVED** *that 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 an “Employment Center” Character Area, which allows for industrial development. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development along Lane Street that is appropriate for the area. The proposed use is compatible with the surrounding zoning, yet 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. Service is subject to allocation based upon sewer treatment capacity.*

**Adopted this the 16<sup>th</sup> day of November 2021:**

---

Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



## **RESOLUTION TO ZONE**

**Case #CZ-2021-17  
(2888 Moose Road)**

### **From Office-Institutional (O-I) to Heavy Industrial–Conditional Zoning (I-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 November 16, 2021 for consideration of rezoning petition Case #CZ-2021-17 as submitted to the City of Kannapolis Planning Department; and

**WHEREAS**, the request was to property located at 2888 Moose Road, (Rowan County Parcel Identification Number 145 023) owned by City of Kannapolis, from Office-Institutional (O-I) to Heavy Industrial–Conditional Zoning (I-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 55.32 +/- 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 an “Employment Center” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This designation calls for a mixture of uses including manufacturing, warehousing, research and assembly. The proposed use designation fits within the comprehensive plan recommendations.

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

The property is located on the north side of Lane Street, immediately adjacent to Interstate 85. The property to the south of the subject property is zoned C-2 General Commercial (City of Kannapolis), LC (Office/Limited Commercial – Cabarrus County) and O-I (Office Institutional). Lake Fisher is located to the west of the property as well as an O-I parcel. The properties to the north are zoned CBI (Commercial, Business, Industrial - Rowan County) and RA (Rural Agricultural – Rowan County). The property east of the subject property across Interstate 85 is also zoned CBI. Further, the City



rezoned properties located southeast of this parcel to I-1 (Light Industrial) last year. The requested rezoning proposes a development of a scale that represents an appropriate use of the subject property and compatibility with the surrounding area.

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

The subject property will be accessed primarily from Lane Street. Currently, the developer is in the process of finalizing a Traffic Impact Analysis to assess necessary roadway improvements. A Conditional of Approval stating final approval will be necessary from the City and NCDOT has been added should this rezoning be approved. Anticipated improvements will need to be finalized with the City and NCDOT through the site plan review process.

**5. Will there be parking problems?**

Should the rezoning be approved, the site plan will have to meet parking requirements within Article 8 of the Unified Development Ordinance to provide adequate parking for the listed use.

**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?**

The proposed project lies within the Lake Fisher Watershed Critical Area. The maximum impervious for the critical area shall not exceed 50%. 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 continues to transform into a major commercial and industrial center with the improvements to Lane Street and the proximity to the interchange at I-85. Commercial and industrial development is anticipated to continue along this area of Lane Street in the near future.

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

There is adequate access or ability to extend to public facilities. Service is subject to allocation based upon sewer treatment capacity.

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

The property is located on the north side of Lane Street, immediately adjacent to Interstate 85. The property to the south of the subject property is zoned C-2 General Commercial (City of Kannapolis), LC (Office/Limited Commercial – Cabarrus County) and O-I (Office Institutional). Lake Fisher is located to the west of the property as well as an O-I parcel. The properties to the north are zoned CBI (Commercial, Business, Industrial - Rowan County) and RA (Rural Agricultural – Rowan County). The property east of the subject property across Interstate 85 is also zoned CBI. Further, the City rezoned properties located southeast of this parcel to I-1 (Light Industrial) last year. The proposed use is compatible with the surrounding commercial and industrial character of the surrounding area.

**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 O-I. A rezoning is required to develop a corporate industrial park on the property.

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

The proposed industrial use is compatible with the existing and proposed land uses in the area. Further, the applicant is requesting to limit the types of uses permitted on this property under the proposed

zoning as part of their conditional rezoning application. This is voluntary by the applicant but, can be included as part of the conditions of approval.

**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 Office-Institutional (O-I) to Heavy Industrial-Conditional Zoning (I-2-CZ) District Designation, subject to the following conditions:

1. The permitted uses allowed by this rezoning shall only include manufacturing, light assembly, warehousing and distribution, as generally depicted by the plan submitted for this rezoning. Further, the applicant is voluntarily offering to restrict the Heavy Industrial uses of the property so that the uses cannot include the following uses that are normally permitted under this zoning designation: Accessory Dwellings; Home Occupations; Single-family, detached; Animal Shelter; Botanical Gardens/Nature Preserves; Cemeteries, Crematories & Mausoleums; Correctional Institutions; Automotive Towing Services; Electronic Gaming Operations; Heavy Truck, RV, And Semi-Trailer Leasing; Mini-warehousing/Self-storage Leasing; Sewer/Septic Cleaning Services; Coal & Ore Supply (with outdoor storage); Farm Supply Product Sales (with outdoor storage); Motor Vehicle- Sales; Petroleum/Petro. Products (excl. Bulk Terminals); Petroleum/Petroleum Products – Bulk Terminals; Animal Production & Support (excl. Swine & Feed Lots); Auction Sales – Livestock Only; Crop Production; Forestry and Logging; Abrasive Products Manufacturing; Food Manuf. – Animal Slaughtering & Processing; Landfill – Demolition & Inert Debris; Mining/Extraction Industries; Paper/Paper Product Manufacturing; Petroleum, Asphalt & Coal Manufacturing; Primary Metal Processing/Manufacturing; Solid Waste Collection and/or Disposal (Non-Hazardous); Solid Waste Collection and/or Disposal (Hazardous, including Medical Waste Facilities); Waste Remediation/Recovery Serv. (incl. salvage/junk yard); Wood Products Manuf. – Sawmills; Petroleum – Bulk Storage; or Sewage Treatment Facility, private.
2. Comply with current Land Development Standards Manual.
3. All road intersections where development has access and/or street frontage shall be approved by the City and NCDOT.
4. The Developer will construct curb and gutter and sidewalk along the entire road frontage where development has access and/or street frontage. The improvements will be constructed to NCDOT and City standards. Internal streets shall meet current City standards and a dedicated public right-of-way per the City’s Typical Section Local Residential Street, LDSM Detail 101.
5. The internal lane widths, sidewalks, greenways, pavement structure, road alignment, and road grades shall be constructed to current City standards.
6. 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.
7. 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.

8. Water and sewer main extensions and upgrades will be required for this project. The Developer shall be responsible for designing, permitting and constructing water and sewer mains in accordance with City and WSACC standards.
9. 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.
10. Easements for Sanitary Sewer lines, Water lines and Storm Sewer pipes need to be a minimum of 20-foot 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%.
11. The Fire Department shall approve locations of all hydrants and turn-around locations & layouts.
12. Emergency access shall remain open at all times.

**Adopted this the 16<sup>th</sup> day of November 2021:**

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

**Attest:**

\_\_\_\_\_  
Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



**Planning and Zoning Commission  
November 16, 2021 Meeting**

**Staff Report**

**TO:** Planning and Zoning Commission  
**FROM:** Boyd Stanley, Assistant Planning Director  
**SUBJECT:** Case #CZ-2021-21  
Applicant: Trice Family Trust & Aileen Jenkins Trice Trust

Request to conditionally rezone 210 Russell Street and unaddressed parcels located on Russell Street and South Ridge Avenue from Residential Village (RV) and General Commercial (C-2) to C-2-CZ (General Commercial-Conditional Zoning) to allow for a contractor's office with two (2) additional storage buildings. Cabarrus County PIN Numbers 56136286510000, 56136275430000 and 56136296360000.

**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 City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to City Council.

**C. Background & Project Overview**

The applicant, Phillip Trice, is proposing to rezone the subject properties from Residential Village (RV) and General Commercial (C-2) to C-2-CZ (General Commercial-Conditional Zoning) to allow for a contractor's office building, two storage buildings paved parking area and an outdoor storage area. The attached site plan shows the buildings, parking, storage areas, landscaping/screening 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 are approximately 1.08 +/- 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?**

These properties are located within the “Secondary Activity Center” and “Urban Residential” Character Areas as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Both of these Character Area designations allow for office and smaller-scale non-residential uses consistent with the proposed use(s) and site plan.

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

The subject properties are located in an area surrounded by a mix of vacant properties, residential, industrial and commercial uses. The proposed uses of a contractor’s office and storage are consistent with the surrounding area uses.

**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 remained the same for many years but will be changing significantly with the new Roger’s Lake Road Railroad Crossing Improvement (Fly-over), which will help mitigate traffic congestion in the area.

**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?**

All surrounding properties are zoned General Commercial (C-2) and Residential Village (RV). The surrounding land uses are a mix of vacant, 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?**

A portion of the property is already zoned C-2, which permits the proposed uses. A conditional rezoning is required to add the additional two properties to accommodate the desired site plan and uses.

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

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

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

N/A

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

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

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

No

**F. Legal Issues**

None

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

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates these properties as being located in the “Secondary Activity Center” and “Urban Residential” Character Areas, which allow for the proposed use. Both of these Character Area designations allow for office and smaller-scale non-residential uses consistent with the proposed use(s) and site plan. 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-2021-21:**

1. The permitted uses allowed by this rezoning shall only include a contractor's shop with storage 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. Grading limits shall be designed to preserve the existing trees and natural buffer along the eastern property boundary bordering Oakshade Avenue.
4. The proposed outdoor storage area shall be buffered along Oakshade Avenue and the NCDOT right-of-way to the south with the equivalent plantings of a Type 4 Landscape Buffer.
5. 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-2021-21, 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 in the "Secondary Activity Center" and "Urban Residential" Character Areas, which allow for the proposed use. Both of these Character Area designations allow for office and smaller-scale non-residential uses consistent with the proposed use(s) and site plan. 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 is it 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-2021-21, 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-2021-21, 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-2021-21 to be inconsistent with the goals and policies of the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #CZ-2021-21, 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





## 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.

### REZONING REQUEST

**Rezoning** – Request for an amendment to the Kannapolis Zoning Map. *Approval authority – Planning and Zoning Commission.*

Requested Rezoning Property Address: 210 RUSSELL STREET

Applicant: TRIECE FAMILY TRUST AND AILEEN JENKINS TRIECE TRUST

Proposed development: ONE WAREHOUSE WITH SMALL OFFICE AND TWO OTHER WAREHOUSES

### SUBMITTAL CHECKLIST

- Pre-Application Meeting – send an email to [planreviewappointment@kannapolisnc.gov](mailto:planreviewappointment@kannapolisnc.gov)
- Zoning Map Amendment Checklist and Application – Complete with all required signatures
- Fee: \$825.00 (\$500 Application Fee, \$300 Legal Notices and notification fee, # of property owners notified [see Fee Schedule])

### PROCESS INFORMATION

**Public Notification:** This is a legislative process that requires a public hearing and public notification including newspaper notice, first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Section 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 third Tuesday at 6:00pm in City Hall Laureate Center. All items listed above on the submittal checklist must be received at least one month prior to the next scheduled 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.

**Scope of Approval:** An affirmative vote of three-fourths of the members present and not excused from voting, shall be necessary to approve a rezoning request. The approval of a rezoning does not authorize development activity, but does authorize the application to apply for a final major site plan. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

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

Applicant's Signature: Philip J. Linn, TRUSTEE

Date: 10/14/21



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

**ZONING MAP AMENDMENT APPLICATION**

Approval authority – Planning and Zoning Commission

**Applicant Contact Information**

Name: PHILIP TRIECE, TRUSTEE  
 Address: P.O. BOX 7177  
WILMINGTON NC 28406  
 Phone: 910-520-8947  
 Email: histriec@msn.com

**Property Owner Contact Information**  same as applicant

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

**Project Information**

Project Address: 210 RUSSELL STREET  
 Parcel: 56136286510000, 56136296360000, 56136275430000 # of parcels: 3 Approx. size of parcels: .482 ac } 1.1 ac  
 (attach separate list if necessary) .344 ac } TOTAL  
.284 ac  
 Current Zoning Designation: RV - Residential Village Requested Zoning Designation: ~~RV - Residential Village~~ C-2  
 Reason for map amendment: DEVELOPMENT AS OFFICE AND  
WAREHOUSES FOR ROOFING CONTRACTOR. ONE OF 3  
PARCELS ALREADY ZONED C-2, AND CONSISTENT WITH  
C-2 ACROSS THE STREET + COMING NCDOT BRIDGE ALONG SOUTHSIDE OF PARCELS.

**By signing below, it is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound to the use(s) authorized unless subsequently changed or amended as provided for in the Zoning Ordinance.**

Philip Triage, TRUSTEE  
 Applicant Signature

10/14/21  
 Date

Philip Triage, TRUSTEE  
 Property Owner Signature

10/14/21  
 Date

**For Staff Use Only:**

Filing Fee: \_\_\_\_\_

Receipt #: \_\_\_\_\_

Case #: \_\_\_\_\_

Date Received: \_\_\_\_\_



# Vicinity Map

CZ-2021-21

Applicant: Philip Trice

Location: 210 Russell St.



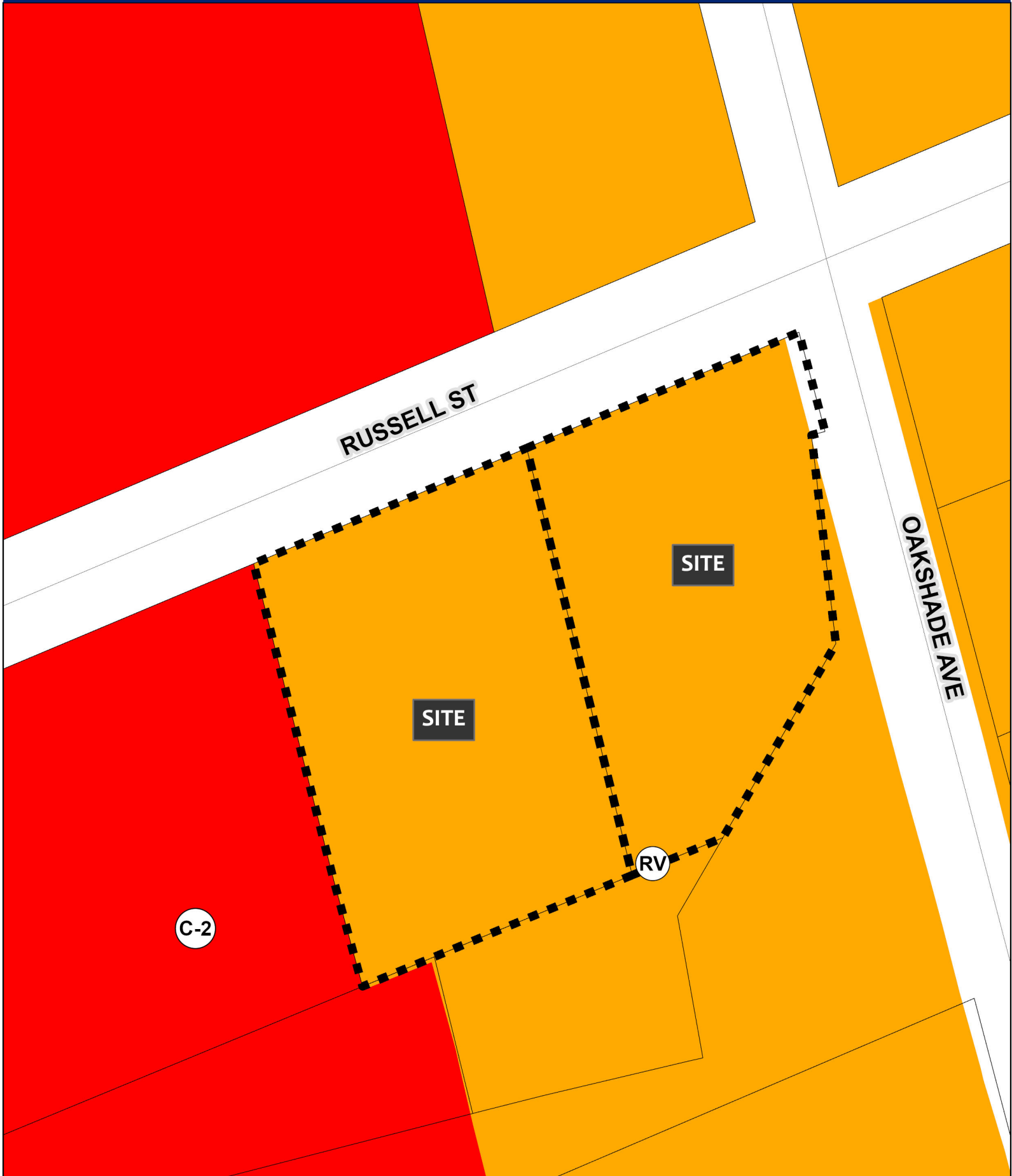


# Kannapolis Zoning

CZ-2021-21

Applicant: Philip Triage

Location: 210 Russell St.



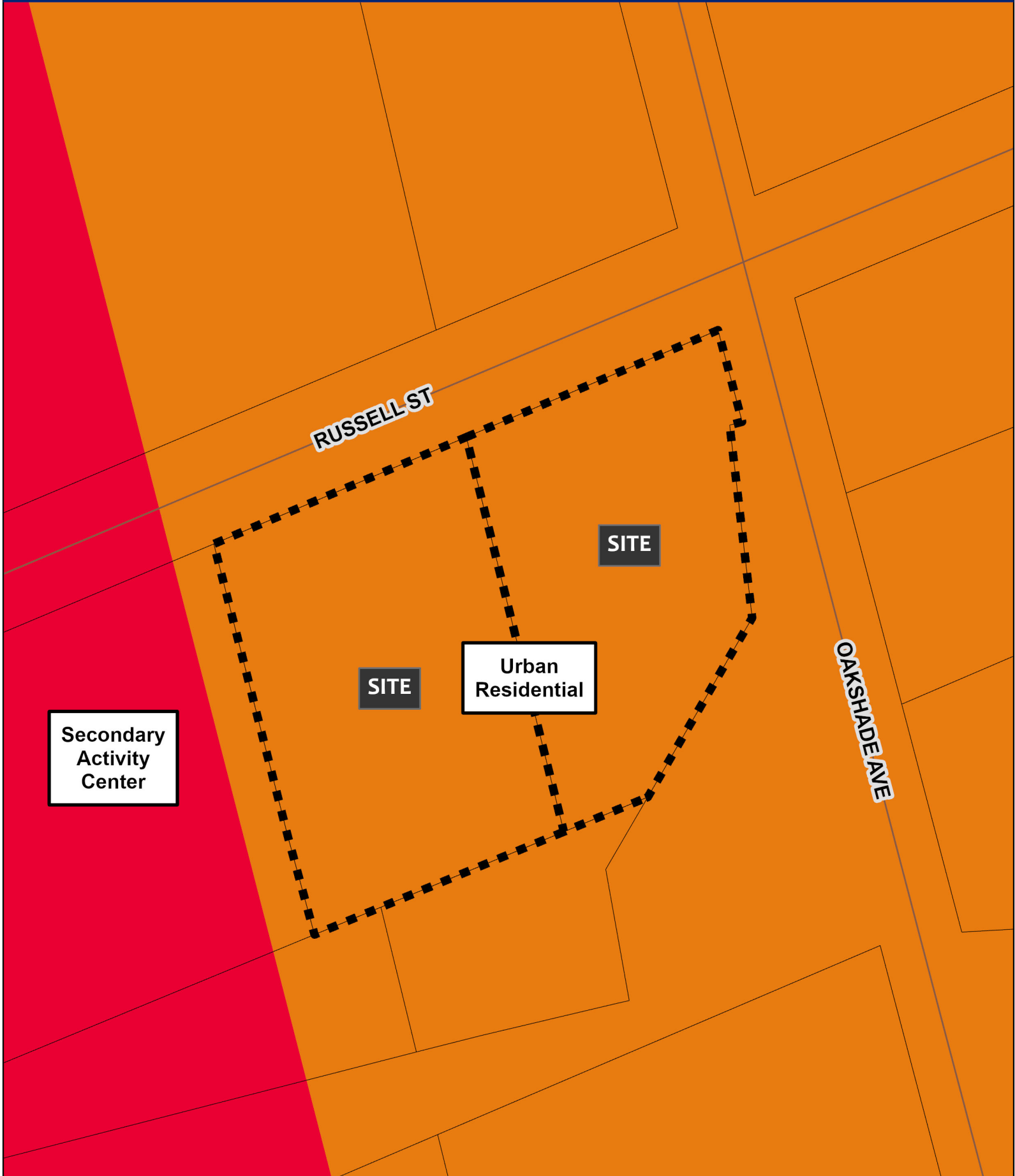


# Kannapolis 2030 Future Land Use Map

CZ-2021-21

Applicant: Philip Tiece

Location: 210 Russell St.





**From:** Phil Triage <[histriece@msn.com](mailto:histriece@msn.com)>  
**Sent:** Tuesday, November 9, 2021 7:24 AM  
**To:** Boyd Stanley <[bstanley@kannapolisnc.gov](mailto:bstanley@kannapolisnc.gov)>  
**Cc:** 'Dale Fink' <[dfink@awck.com](mailto:dfink@awck.com)>  
**Subject:** 210 Russell St Community Meeting

**CAUTION:** This email originated from outside the City of Kannapolis email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Boyd,

Yesterday at 6:00 p.m., we held a Community Meeting at 1310 S. Ridge Avenue, concerning the rezoning of 210 Russell Street for commercial use. Nearby owners had been notified by mail of the meeting. Phil Triage and Randy Triage were in attendance representing the petitioners. No one else attended the meeting that was concluded at 7:00 p.m.

Last Wednesday, Phil Triage spoke with Chad Raitz on an unrelated matter. Chad advised Phil that he had received notice of the Community Meeting, and had no objection to the rezoning.

Phil Triage  
Cell: 910-520-8947

Notice to Interested Parties  
Of Community Meeting

Subject: Community Meeting – Rezoning Application filed by Aileen Jenkins Triage Trust to rezone to Conditional C-2 approximately .63 acres located at 210 Russell Street in Kannapolis. The rezoning includes 210 Russell St and the adjoining lot located at the southwestern corner of Russell Street and Oakshade Avenue.

Date and Time of Community Meeting: Monday, November 8<sup>th</sup>, 2021, at 6:00 p.m.

Place of Meeting: 1310 S. Ridge Avenue in Kannapolis (corner of Rogers Lake Road)

Applicant: Phil Triage, Trustee for Aileen Jenkins Triage Trust

Rezoning Meeting: Kannapolis Planning Commission Meeting at 6:00 p.m., November 16, 2021, at Kannapolis City Hall, 401 Laureate Way in Kannapolis

Rezoning Case Number: CZ-2021-21

The property owned by the Applicant that adjoins the west side of the 210 Russell Street lot is currently zoned C-2 for commercial use. It is located at the corner of S. Ridge Avenue and Russell Street, and the driveway into the development will be from S. Ridge Avenue into this lot. Rezoning of the .63 acres to Conditional C-2 will allow for development of a total of 1.1 acres for use by a contractor for an office and storage.

The Applicant will hold the Community Meeting noted above to discuss the rezoning proposal with nearby property owners. County records indicate that you own property located near the site. Should you decide not to attend the Community Meeting or have questions or concerns, please contact the Applicant, Phil Triage, by e-mail at [histrice@msn.com](mailto:histrice@msn.com), or by cell phone at 910-520-8947.

The proposed site plan is enclosed.

CC: Boyd Stanley, Kannapolis Planning Department

Date of Mailing: November 1, 2021





PO Box 27283  
Richmond, VA 23261-7283

# Order Confirmation

Order# 0000751901

**Client:** KANNAPOLIS,CITY OF  
**Phone:** 7049204300

**Payor :** KANNAPOLIS,CITY OF  
**Phone:** 7049204300

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

**Account:** 3143368  
**Address:** ACTS PAYABLE/WANDA/TEARSHEET  
KANNAPOLIS NC 28081

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

**Fax:** 7049337463  
**EEmail:** bbell@kannapolisnc.gov

**Total Amount**                      \$815.34  
**Payment Amount**                      \$815.34

**Amount Due**                      \$0.00

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

**Tax Amount:**                      0.00

**Payment Meth:**      Credit - Debit Card

**Ad Number**                      **Ad Type**                      **Ad Size**                      **Color**  
0000751901-01                      CLS Liner                      2 X 65 li                      \$0.00

**Production Method**  
AdBooker (liner)

**Production Notes**

**Product and Zone**                      **Placement**                      **Position**  
CON Independent Trib                      C-Announcements                      General-Spec Notice  
**Run Schedule Invoice Text:**      NOTICE OF VIRTUAL PUBLIC HEARING Planning and  
**Run Dates**                      11/ 5/2021, 11/12/2021  
**TagLine:** NOTICEOFVIRTUALPUBLICHEARINGPLANNINGANDZONINGCOMMISSION  
ANNAPOLISNCTUESDAYNOVEMBER162021AT600PMCONDITIONALZO



**NOTICE OF VIRTUAL PUBLIC HEARING  
Planning and Zoning Commission Meeting  
401 Laureate Way, Kannapolis, NC**

**Tuesday November 16, 2021 at 6:00 pm**

**Conditional Zoning Map Amendment - CZ-2021-16** - Public Hearing to consider a request to rezone multiple unaddressed properties located at 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.

**Conditional Zoning Map Amendment - CZ-2021-17** - Public Hearing to consider a request to rezone property located at 2888 Moose Rd. from Office-Institutional (O-I) to Heavy Industrial-Conditional Zoning (I-2-Conditional Zoning) to allow for a corporate/business 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-2021-21** - Public Hearing to consider a request to rezone properties located at 210 Russell Street and an unaddressed parcel on Russell Street from Residential Village (RV) to General Commercial-Conditional Zoning (C-2-CZ) to allow for development of a contractor's office with additional storage buildings. The subject properties are approximately .61 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56136286510000 and 56136296360000.

**Zoning Map Amendment - Z-2021-04** - Public Hearing to consider a request to rezone unaddressed property located on N. Main Street from Neighborhood Commercial (B-1) to Residential Village (RV) to allow for single-family residential. The subject property is approximately .29 +/- acres and further identified as Rowan County Parcel Identification Number 156 400.

IN ORDER TO COMPLY WITH FEDERAL, STATE AND LOCAL RESTRICTIONS IMPOSED IN RESPONSE TO THE COVID-19 VIRUS, THIS MEETING WILL BE HELD ELECTRONICALLY VIA ZOOM. PLEASE VISIT WWW.KANNAPOLISNC.GOV FOR PUBLIC ACCESS INSTRUCTIONS AND FOR ANYONE WANTING TO SPEAK DURING THE PUBLIC HEARING.

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

**Publish: November 5, 12, 2021.**

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
FOPE LLC	4121 TUFFY LN	CHARLOTTE	NC	28278
PEGGY L GRIGGS	116 EDINBURG DR	KANNAPOLIS	NC	28083
AUSTIN HALL	1209 OAKSHADE AVE	KANNAPOLIS	NC	28083
JUNIOR LAMARR HALL ESTATE	1305 OAKSHADE AVE	KANNAPOLIS	NC	28083
LONESTAR PROPERTIES NC INC	PO BOX 729	LOCUST	NC	28097
MAULDIN INVESTMENTS PROP LLC	210 COOK ST	KANNAPOLIS	NC	28083
NC DEPT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH	NC	27699
PEDRO & MARIA MALDONADO PARRA	310 RUSSELL STREET	KANNAPOLIS	NC	28083
CHAD & SUZANNE RAITZ	2405 PINE CAPE CT	KANNAPOLIS	NC	28083
BARBARA ROCHE	1303 OAKSHADE AVE	KANNAPOLIS	NC	28083
JOHN RANDOLPH TRIECE TRUSTEE				
ATTN: PHILIP TRIECE, TRUSTEE	827 EVERGREEN AVE	KANNAPOLIS	NC	28081
JEFFREY UNDERWOOD	104 E ERVIN ST	WALHALLA	SC	29691



**KANNAPOLIS**  
Planning

November 3, 2021

Dear Property Owner:

**Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a virtual Public Hearing on Tuesday, November 16, 2021 at 6:00 PM, for the following case:**

**CZ-2021-21 – Conditional Zoning Map Amendment – 210 Russell Street**

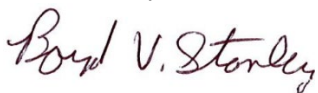
The purpose of the Public Hearing is to consider a request to rezone properties located at 210 Russell Street and an unaddressed parcel on Russell Street from Residential Village (RV) to General Commercial–Conditional Zoning (C-2-CZ) to allow for development of a contractor’s office with additional storage buildings. The subject properties are approximately .61 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56136286510000 and 56136296360000 (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 [WWW.KANNAPOLISNC.GOV](http://WWW.KANNAPOLISNC.GOV) 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

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 [tccline@kannapolisnc.gov](mailto:tccline@kannapolisnc.gov) as soon as possible but no later than 48 hours before the scheduled event.

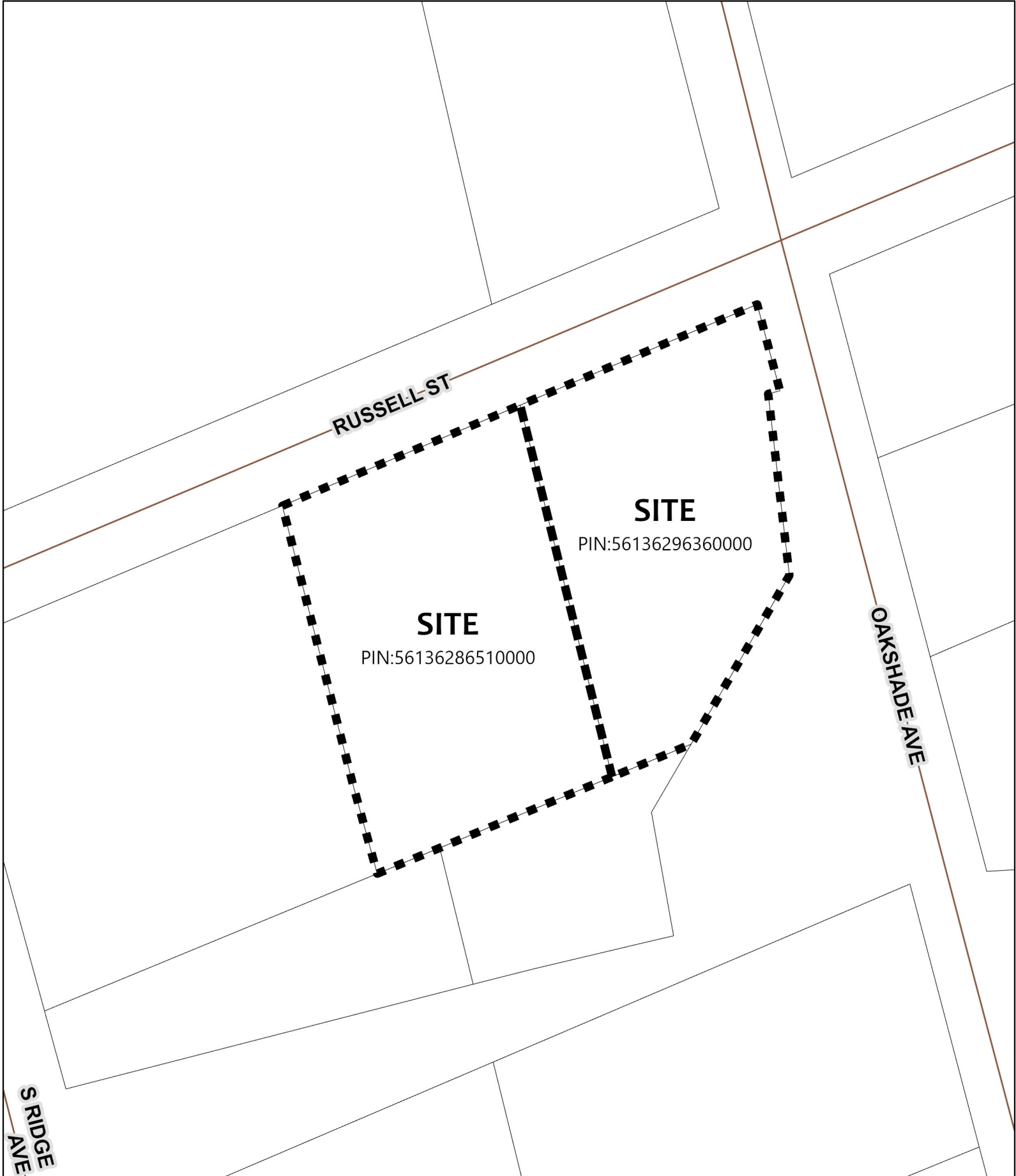


# Zoning Map Amendment

CZ-2021-21

Applicant: Philip Triece

Location: 210 Russell St.





  
KANNAPOLIS  
**PLANNING**  
**ZONING**  
**COMMISSION**  
PUBLIC HEARING  
INFORMATION  
CALL 704-920-4350  
CASE # CZ - 2021 - 21



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
WITH REGARD TO CASE #CZ-2021-21**

**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 November 16, 2021 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone property located at 210 Russell Street and unaddressed parcels on Russell Street and South Ridge Avenue, (Cabarrus County Parcel Identification Numbers 56136286510000, 56136275430000 and 56136296360000) owned by the John Randolph Tiece Trustee and Philip Timothy Tiece Trustee from Residential Village (RV) 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 “Secondary Activity Center” and “Urban Residential” Character Areas, which allow for the proposed use. Both of these Character Area designations allow for office and smaller-scale non-residential uses consistent with the proposed use(s) and site plan. 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 is it 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 16<sup>th</sup> day of November 2021:**

---

Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



## **RESOLUTION TO ZONE**

**Case #CZ-2021-21**

**(210 Russell Street and unaddressed parcels located on Russell Street and South Ridge Avenue)**

### **From City of Kannapolis Residential Village (RV) and General Commercial (C-2) 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 November 16, 2021 for consideration of rezoning petition Case #CZ-2021-21 as submitted to the City of Kannapolis Planning Department; and

**WHEREAS**, the request was to rezone properties located at 210 Russell Street and unaddressed parcels on Russell Street and South Ridge Avenue, (Cabarrus County Parcel Identification Numbers 56136286510000, 56136275430000 and 56136296360000) owned by John Randolph Tiece Trustee and Philip Timothy Tiece Trustee, from Residential Village (RV) and General Commercial (C-2) 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 are approximately 1.08 +/- 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?**

These properties are located within the “Secondary Activity Center” and “Urban Residential” Character Areas as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Both of these Character Area designations allow for office and smaller-scale non-residential uses consistent with the proposed use(s) and site plan.

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

The subject properties are located in an area surrounded by a mix of vacant properties, residential, industrial and commercial uses. The proposed uses of a contractor’s office and storage are consistent with the surrounding area uses.

**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 remained the same for many years but will be changing significantly with the new Roger's Lake Road Railroad Crossing Improvement (Fly-over), which will help mitigate traffic congestion in the area.

**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?**

All surrounding properties are zoned General Commercial (C-2) and Residential Village (RV). The surrounding land uses are a mix of vacant, 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?**

A portion of the property is already zoned C-2, which permits the proposed uses. A conditional rezoning is required to add the additional two properties to accommodate the desired site plan and uses.

**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 Residential Village (RV) and General Commercial (C-2) to General Commercial–Conditional Zoning (C-2-CZ) District Designation, subject to the following conditions:

1. The permitted uses allowed by this rezoning shall only include a contractor’s shop with storage 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. Grading limits shall be designed to preserve the existing trees and natural buffer along the eastern property boundary bordering Oakshade Avenue.
4. The proposed outdoor storage area shall be buffered along Oakshade Avenue and the NCDOT right-of-way to the south with the equivalent plantings of a Type 4 Landscape Buffer.
5. Must comply with the current Land Development Standards Manual (LDSM).

**Adopted this the 16<sup>th</sup> day of November 2021:**

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

**Attest:**

\_\_\_\_\_  
Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



**Planning and Zoning Commission  
November 16, 2021 Meeting**

**Staff Report**

**TO:** Planning & Zoning Commission  
**FROM:** Boyd Stanley, Assistant Planning Director  
**SUBJECT:** **Case #Z-2021-04: Unaddressed parcel on N. Main Street**  
**Applicant: J'Daniel Howell**

Request to rezone approximately .29 +/- unaddressed acres located on N. Main Street from Neighborhood Commercial (B-1) to Residential Village (RV). Rowan County Parcel ID 156 400.

**A. Actions Requested by Planning and 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 City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to City Council.

**C. Background**

The applicant, J'Daniel Howell, is proposing to rezone the subject unaddressed property located on N. Main Street, further identified as Rowan County PIN# 156 400, from Neighborhood Commercial (B-1) to Residential Village (RV). This is a map amendment request without any conditions as the intent is to straight rezone the property. If rezoned, any of the permitted uses in the RV zoning district would be allowed on the property.

**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 area is approximately .29 +/- 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 within the “Urban Residential” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character Area lists single-family attached and detached residential as primary uses. The proposed rezoning to Residential Village (RV) is consistent with this Plan.
- 3. Is the proposed rezoning compatible with the surrounding area?**  
The surrounding area consists mostly of single-family detached residences.
- 4. Will there be adverse effects on the capacity or safety of the portion of street network influenced by the rezoning?**  
There is no anticipated adverse impact on the street network as a result of this rezoning.
- 5. Will there be parking problems?**  
No parking problems are anticipated.
- 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.
- 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?**  
N/A
- 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?**  
The surrounding properties to the west and north are zoned Neighborhood Commercial (B-1) and Residential Village (RV) to the south.
- 10. Is the subject property suitable for the uses to which it has been restricted under the existing zoning classification?**  
The subject property as zoned B-1 allows for a single-family residence with the issuance of a Special Use Permit but does not allow for a possible duplex/attached residential use, which may be desired.

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

The surrounding area consists of single-family detached residences.

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

The property has been vacant for an undetermined amount of time.

**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 is an adequate supply of parcels in the subject area to accommodate a wide variety of development types.

**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 zoning map amendment **consistent** with the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates the subject property as being located in the “Urban Residential” Character Area. The proposed rezoning is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity and safety of the surrounding street network. Further, the proposed rezoning is not 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 of Zoning Map Amendment Case #Z-2021-04**

**Alternative Courses of Action**

**Motion to Approve (2 votes)**

- 1. Should the Commission choose to approve the request for rezoning as presented in Case #Z-2021-04, a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this zoning map amendment **consistent** with the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which places the subject property in the “Urban Residential” Character Area. The proposed rezoning is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the*

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

2. **Should the Commission choose to approve Case #Z-2021-04, a motion should be made to adopt the Resolution to Zone.**

**Motion to Deny (2 votes)**

1. **Should the Commission choose to recommend denial of Case #Z-2021-04 a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #Z-2021-04 to be inconsistent with the goals and policies of the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #Z-2020-04 a motion should be made to deny the Resolution to Zone.**

**I. Attachments**

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

**J. Issue Reviewed By:**

- Planning Director
- Assistant City Manager
- City Attorney

## Zoning Map Amendment Checklist

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. 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 digital and 1 hard copy of applications and accompanying documents to the Planning Department at the address above.

### REZONING REQUEST

**Rezoning** – Request for an amendment to the Kannapolis Zoning Map. Approval authority – Planning and Zoning Commission.

Requested Rezoning Property Address Parcel ID - 156 400 -

Applicant J Daniel Howell

Proposed development Construction of single family home or duplex

Construction of single family home or duplex

### SUBMITTAL CHECKLIST

- Pre-Application Meeting – send an email to [planreviewappointment@kannapolisnc.gov](mailto:planreviewappointment@kannapolisnc.gov)
- Zoning Map Amendment Checklist and Application – Complete with all required signatures
- Fee: \$825.00 (\$500 Application Fee, \$300 Legal Notices and notification fee, # of property owners notified [see Fee Schedule])

### PROCESS INFORMATION

**Public Notification:** This is a legislative process that requires a public hearing and public notification including newspaper notice, first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Section 3.1.3.1 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 third Tuesday at 8:00pm in City Hall Laureate Center. All items listed above on the submittal checklist must be received at least one month prior to the next scheduled 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.

**Scope of Approval:** An affirmative vote of three-fourths of the members present and not excused from voting, shall be necessary to approve a rezoning request. The approval of a rezoning does not authorize development activity, but does authorize the application to apply for a final major site plan. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

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

Applicant's Signature: J Daniel Howell

Date: 11-11-21



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

### ZONING MAP AMENDMENT APPLICATION

Approval authority - Planning and Zoning Commission

#### Applicant Contact Information

Name: J'Daniel Howell  
Address: 2935 NC 152 W  
China Grove, NC 28023  
Phone: 980-622-0990  
Email: windyhillhomebuilder@outlook.com

#### Property Owner Contact Information same as applicant

Name: Jodie Hutzler and Grace Hutzler  
Address: 3103 N Main St  
Kannapolis NC 28081  
Phone: 704-870-1749  
Email: hutzlerjodie@gmail.com

#### Project Information

Project Address: 3103 N Main st. (lot across street, lot doesn't have address - see attached map)  
Parcel: 156-400 # of parcels: 1 Approx. size of parcels: .376 acres  
(attach separate list if necessary)  
Current Zoning Designation: B-1 - Neighborhood Commercial/Off Requested Zoning Designation: RV - Residential Village  
Reason for map amendment: To allow for consturction of single family home or duplex.

By signing below, it is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound to the use(s) authorized unless subsequently changed or amended as provided for in the Zoning Ordinance.

J'Daniel Howell \_\_\_\_\_ 11-11-21 \_\_\_\_\_  
Applicant Signature Date  
Susan Hutzler, Grace Hutzler \_\_\_\_\_ October 5, 2021 \_\_\_\_\_  
Property Owner Signature Date

#### For Staff Use Only:

Filing Fee: \_\_\_\_\_ Receipt #: \_\_\_\_\_  
Case #: \_\_\_\_\_ Date Received: \_\_\_\_\_



# Vicinity Map

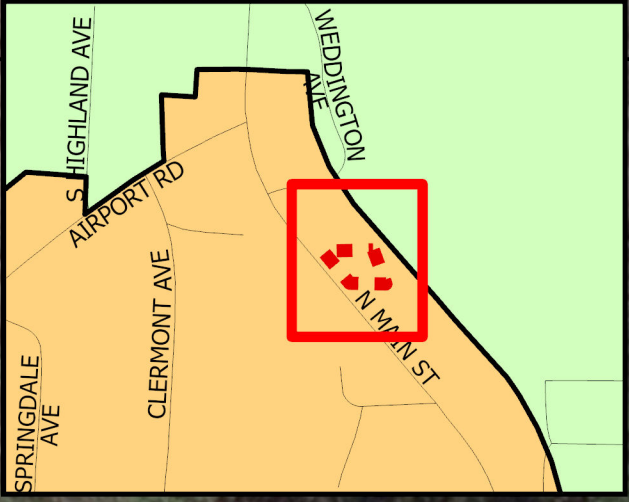
Z-2021-04

Applicant: JD Howell

Location: across from 3103 N Main St.



WEDDINGTON  
AVE



**SITE**  
PIN: 156 400  
formerly 156 042

N MAIN ST



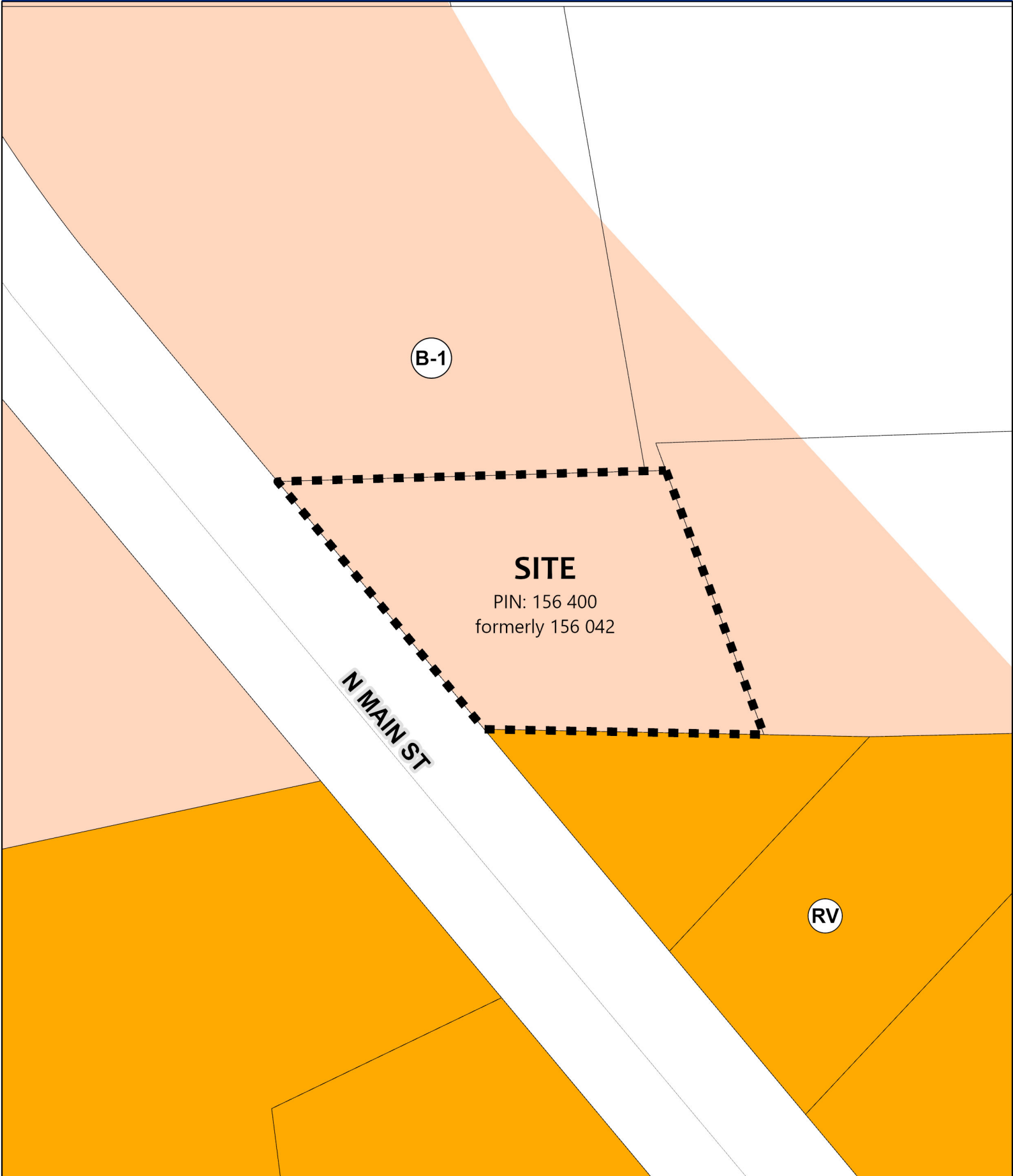


# Kannapolis Zoning

Z-2021-04

Applicant: JD Howell

Location: across from 3103 N Main St.





# Kannapolis 2030 Future Land Use Map

Z-2021-04

Applicant: JD Howell

Location: across from 3103 N Main St.



WEDDINGTON AVE

N MAIN ST

**SITE**

PIN: 156 400  
formerly 156 042

Urban  
Residential





PO Box 27283  
Richmond, VA 23261-7283

# Order Confirmation

Order# 0000751901

**Client:** KANNAPOLIS,CITY OF  
**Phone:** 7049204300

**Payor :** KANNAPOLIS,CITY OF  
**Phone:** 7049204300

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

**Account:** 3143368  
**Address:** ACTS PAYABLE/WANDA/TEARSHEET  
KANNAPOLIS NC 28081

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

**Fax:** 7049337463  
**EEmail:** bbell@kannapolisnc.gov

**Total Amount**                      \$815.34  
**Payment Amount**                 \$815.34

**Amount Due**                         \$0.00

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

**Tax Amount:**                         0.00

**Payment Meth:**      Credit - Debit Card

**Ad Number**                      **Ad Type**                      **Ad Size**                      **Color**  
0000751901-01                      CLS Liner                      2 X 65 li                      \$0.00

**Production Method**  
AdBooker (liner)

**Production Notes**

**Product and Zone**                      **Placement**                      **Position**  
CON Independent Trib                      C-Announcements                      General-Spec Notice  
**Run Schedule Invoice Text:**      NOTICE OF VIRTUAL PUBLIC HEARING Planning and  
**Run Dates**                      11/ 5/2021, 11/12/2021  
**TagLine:** NOTICEOFVIRTUALPUBLICHEARINGPLANNINGANDZONINGCOMMISSION  
ANNAPOLISNCTUESDAYNOVEMBER162021AT600PMCONDITIONALZO



**NOTICE OF VIRTUAL PUBLIC HEARING  
Planning and Zoning Commission Meeting  
401 Laureate Way, Kannapolis, NC**

**Tuesday November 16, 2021 at 6:00 pm**

**Conditional Zoning Map Amendment - CZ-2021-16** - Public Hearing to consider a request to rezone multiple unaddressed properties located at 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.

**Conditional Zoning Map Amendment - CZ-2021-17** - Public Hearing to consider a request to rezone property located at 2888 Moose Rd. from Office-Institutional (O-I) to Heavy Industrial-Conditional Zoning (I-2-Conditional Zoning) to allow for a corporate/business 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-2021-21** - Public Hearing to consider a request to rezone properties located at 210 Russell Street and an unaddressed parcel on Russell Street from Residential Village (RV) to General Commercial-Conditional Zoning (C-2-CZ) to allow for development of a contractor's office with additional storage buildings. The subject properties are approximately .61 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56136286510000 and 56136296360000.

**Zoning Map Amendment - Z-2021-04** - Public Hearing to consider a request to rezone unaddressed property located on N. Main Street from Neighborhood Commercial (B-1) to Residential Village (RV) to allow for single-family residential. The subject property is approximately .29 +/- acres and further identified as Rowan County Parcel Identification Number 156 400.

IN ORDER TO COMPLY WITH FEDERAL, STATE AND LOCAL RESTRICTIONS IMPOSED IN RESPONSE TO THE COVID-19 VIRUS, THIS MEETING WILL BE HELD ELECTRONICALLY VIA ZOOM. PLEASE VISIT WWW.KANNAPOLISNC.GOV FOR PUBLIC ACCESS INSTRUCTIONS AND FOR ANYONE WANTING TO SPEAK DURING THE PUBLIC HEARING.

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

**Publish: November 5, 12, 2021.**

OWNNAME	TAXADD1	CITY	STATE	ZIPCODE
M T HEIRS HOLTZCLAW				
C/O MARSHA HATCHER	PO BOX 210976	BROOKLYN	NY	11221
WILMER JR & HARRIET MELTON	918 S CHAPEL ST	KANNAPOLIS	NC	28083-9784
BEVERLY CARPENTER	4608 22ND AVE	MOUNT RAINIER	MD	20712
AMERICAN HAMILTON LLC	803 W HILL ST STE C	CHARLOTTE	NC	28208-0000
JAMES & ELIZABETH ROBERTS	9511 GWYNNDALE DR	CLINTON	MD	20735
JIMMY RAY & GILDA WILKINSON	9403 MOORESVILLE RD	CONCORD	NC	28027
ALI MOHAMAD OBAD ALYAKDANI	1011 N MINERAL SPRINGS	DURHAM	NC	27703-0000
ROSEMAN INVESTMENTS LLC	6060 CHISHOLM TRL	KANNAPOLIS	NC	28081-0000
PETIT COLAS	2826 CLERMONT AVE	KANNAPOLIS	NC	28081
JANET ALLEN & KAREN BLACK	3005 N MAIN ST	KANNAPOLIS	NC	28081-8114
JUSTIN JORDAN	2810 N CANNON BLVD	KANNAPOLIS	NC	28083-9124
SUSIE M HOLTZCLAW	PO BOX 164	LANDIS	NC	28088
JESSE MANCUSO	3005 N MAIN ST	KANNAPOLIS	NC	28081-8114
FRANKLIN CALDWELL	2998 N MAIN ST	KANNAPOLIS	NC	28081
RUFINO VILLATORO	1001 CRYSTALWOOD CT NW	CONCORD	NC	28027
EDWIN JONES	10210 WINDRIFT RD	CHARLOTTE	NC	28215
JAMES & ELIZABETH ROBERTS	9511 GWYNNDALE DR	CLINTON	MD	20735
VICTOR & MONICA HERNANDEZ	803 WRIGHT AVE	KANNAPOLIS	NC	28083-3069
GOVIND PAUDYAL	101 AIRPORT RD	KANNAPOLIS	NC	28081-8107
J'DANIEL HOWELL	2935 NC 152 2	CHINA GROVE	NC	28023



**KANNAPOLIS**  
Planning

November 3, 2021

Dear Property Owner:

**Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a virtual Public Hearing on Tuesday, November 16, 2021 at 6:00 PM, for the following case:**

**Z-2021-04 – Zoning Map Amendment – Unaddressed parcel on N. Main Street**

The purpose of the Public Hearing is to consider a request to rezone unaddressed property located on N. Main Street from Neighborhood Commercial (B-1) to Residential Village (RV) to allow for single-family residential. The subject property is approximately .29 +/- acres and further identified as Rowan County Parcel Identification Number 156 400 (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 [WWW.KANNAPOLISNC.GOV](http://WWW.KANNAPOLISNC.GOV) 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,



Ryan Lipp  
Senior Planner

Enclosure

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



# Zoning Map Amendment

Z-2021-04

Applicant: JD Howell

Location: across from 3103 N Main St.

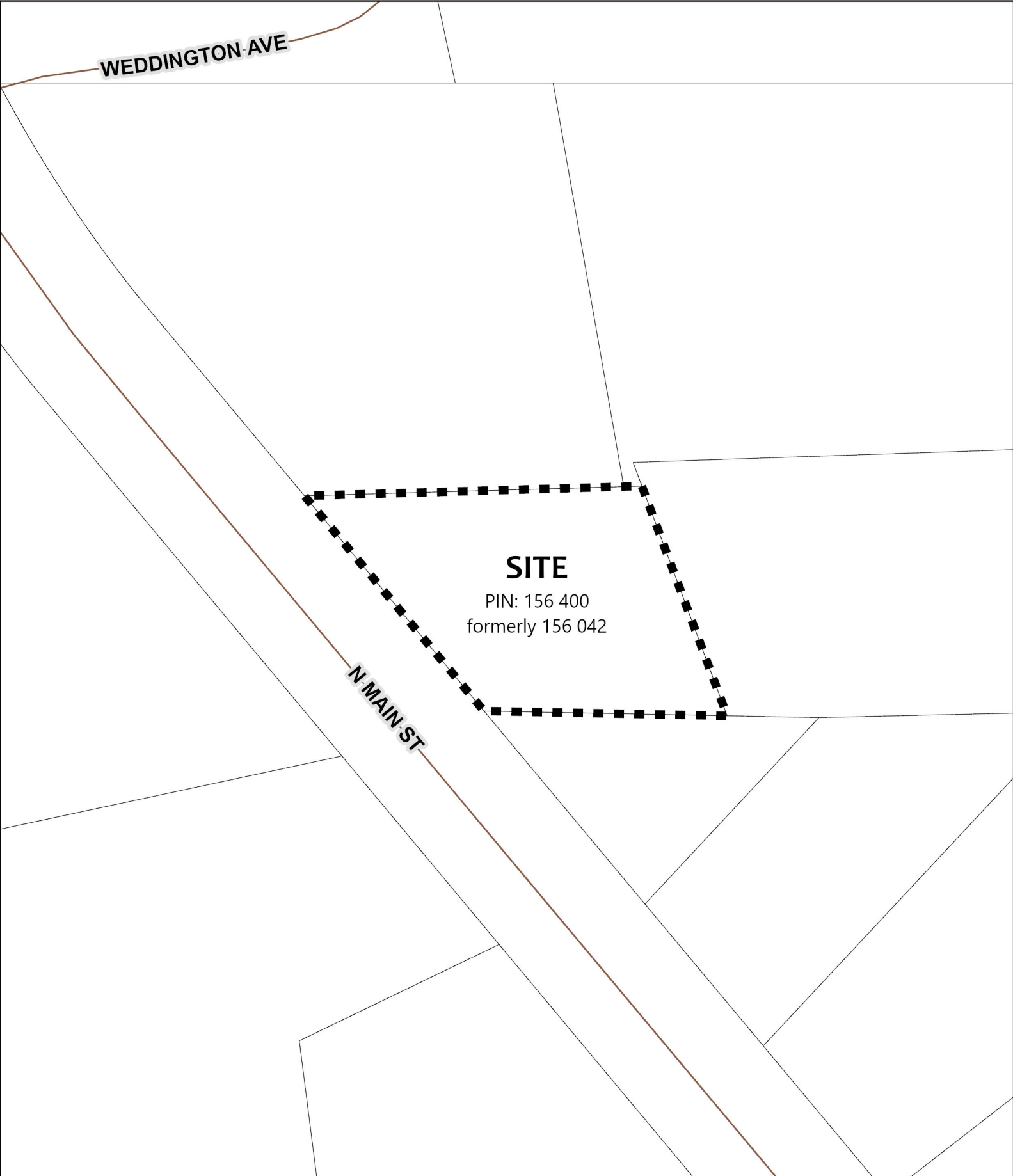


WEDDINGTON AVE

N MAIN ST

**SITE**

PIN: 156 400  
formerly 156 042





**PLANNING**

**ZONING**

**COMMISSION**

**PUBLIC HEARING  
INFORMATION**

**CALL 704-920-4350**

**CASE Z - 2021 -04**

**FOR SALE**  
**LAND FOR SALE**





**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
WITH REGARD TO CASE #Z-2021-04**

**WHEREAS**, Sections 160D-604 and 160D-605 of the North Carolina General Statutes specify that when adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable and explain why the action taken is reasonable and in the public interest; and

**WHEREAS**, Section 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 November 16, 2021 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone unaddressed property located on N. Main Street, (Rowan County Parcel Identification Number 156 400) owned by Susie Holtzclaw from Neighborhood Commercial (B-1) to Residential Village (RV) Zoning Designation.

**NOW, THEREFORE BE IT RESOLVED** *that the Planning and Zoning Commission finds this zoning map amendment consistent with the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, which places the subject property in the “Urban Residential” Character Area. The proposed rezoning is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity and safety of the surrounding street network, nor is it anticipated to generate parking problems or any adverse impact on the environment.*

**Adopted this the 16<sup>th</sup> day of November 2021:**

---

Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission





**RESOLUTION TO ZONE**  
**Case #Z-2021-04**  
(Unaddressed parcel on N. Main Street)

**City of Kannapolis Neighborhood Commercial (B-1) Zoning District to  
City of Kannapolis Residential Village (RV Zoning 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 November 16, 2021 for consideration of rezoning petition Case #Z-2021-04 as submitted to the City of Kannapolis Planning Department; and

**WHEREAS**, the request was to rezone unaddressed property located on N. Main Street., (Rowan County Parcel Identification Number 156 400) owned by Susie Holtzclaw. from Neighborhood Commercial (B-1) Zoning Designation to a Residential Village (RV) 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 area is approximately .29 +/- 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 within the “Urban Residential” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character Area lists single-family attached and detached residential as primary uses. The proposed rezoning to Residential Village (RV) is consistent with this Plan.

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

The surrounding area consists mostly of single-family detached residences.

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

There is no anticipated adverse impact on the street network as a result of this rezoning.

**5. Will there be parking problems?**

No parking problems are anticipated.

**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.

**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?**

N/A.

**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?**

The surrounding properties to the west and north are zoned Neighborhood Commercial (B-1) and Residential Village (RV) to the south.

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

The subject property as zoned B-1 allows for a single-family residence with the issuance of a Special Use Permit but does not allow for a possible duplex/attached residential use, which may be desired.

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

The surrounding area consists of single-family detached residences.

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

The parcels have been vacant for an undetermined amount of time.

**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 is an adequate supply of parcels in the subject area to accommodate a wide variety of development types.

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

No.

RESOLUTION TO ZONE (Case #Z-2020-04)  
City of Kannapolis Neighborhood Commercial (B-1) Zoning District to  
City of Kannapolis Residential Village (RV) Zoning District

**NOW, THEREFORE BE IT RESOLVED** by the City of Kannapolis Planning and Zoning Commission that the above referenced property be rezoned from City of Kannapolis Neighborhood Commercial (B-1) to City of Kannapolis Residential Village (RV) Zoning District

**Adopted this the 16<sup>th</sup> day of November 2021:**

---

Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission