



**City of Kannapolis
Planning and Zoning Commission Meeting**

December 12, 2023 at 6:00 pm

Agenda

- 1. Call to Order**
- 2. Roll Call and Recognition of Quorum**
- 3. Approval of Agenda**
- 4. Public Hearing**
 - a. Conditional Zoning Map Amendment – CZ-2023-06 - 9600 Davidson Highway**

Public Hearing to consider a request to rezone property located at 9600 Davidson Hwy from Cabarrus County Countryside Residential (CR) to City of Kannapolis Residential 18 (R18) zoning district. The subject property is approximately 9.785 +/- acres and further identified as Cabarrus County Parcel Identification Number 46822015490000.
 - b. Zoning Map Amendment – Z-2023-13 – 2313 N Main Street**

Public Hearing to consider a request to rezone property located at 2313 N Main Street from City of Kannapolis General Commercial (GC) to City of Kannapolis Residential 8 (R8) zoning district. The subject property is approximately 0.17 +/- acres and further identified as Rowan County Parcel Identification Number 160 119.
- 6. Cannon Boulevard Survey Discussion**
- 7. Planning Director Update**
- 8. Other Business**
- 9. Adjourn**



**Planning and Zoning Commission
December 12, 2023 Meeting**

Staff Report

TO: Planning and Zoning Commission
FROM: Elizabeth McCarty, Assistant Planning Director
SUBJECT: **Case #CZ-2023-06: Conditional Zoning Map Amendment**
Applicant: Alpesh Patel

Request to conditionally rezone property located at 9600 Davidson Highway to allow for a townhome development.

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

Section 2.3.B.(1).a of the Kannapolis Development Ordinance (KDO) allows the Planning and Zoning Commission to render a final decision on a rezoning request. If there is a denial, an approval by a vote of less than three-fourths, or an appeal of the decision, then only the City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

C. Background & Project Overview

The applicant, Alpesh Patel, is proposing to rezone approximately 9.7 +/- acres of property located at 9600 Davidson Highway, further identified as Cabarrus County Parcel Identification Number 46822015490000, from Cabarrus County Countryside Residential (CR) zoning district to City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) zoning district to allow for a 54-unit townhome development.

The subject property was voluntarily annexed into the City of Kannapolis on October 23, 2023. Per the North Carolina General Statutes, a zoning designation must be applied to the property by the Planning and Zoning Commission within 60 days of the effective date of the annexation.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.A.(2).c of the KDO states that Amending the Zoning Map is a matter committed to the legislative discretion of the Planning and Zoning Commission or of the City Council, as authorized by this section. In determining whether to adopt or deny the proposed amendment, the Planning and Zoning Commission or the City Council, as applicable, may consider, and weigh the relevance of, whether and to what extent the proposed Zoning Map amendment:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

The property is in the “Complete Neighborhood 1” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Complete Neighborhood 1 Character Area lists single family detached residential, single family attached residential, and civic as primary uses. Multifamily residential, neighborhood-serving retail, small format office, and live-work are listed as secondary uses. Therefore, the proposed use is consistent with the goals and objectives of the Plan.

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

No, the proposed rezoning is not in conflict with any ordinances.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

No, the property was recently annexed into the City of Kannapolis.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Yes, the proposed rezoning and use of the property for a townhome development is consistent with existing surrounding land uses. The subject property is adjacent to residential zoning districts to the north (City of Kannapolis R8), east (Cabarrus County CR Countryside Residential), and south (City of Concord RC-CD Residential Compact-Conditional District and Cabarrus County LDR Low Density Residential). An existing commercial use operates on the abutting property to the west which is zoned City of Kannapolis GC General Commercial.

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

Yes, the proposed zoning is compatible with surrounding uses. Access points and design are subject to approval by the North Carolina Department of Transportation and the City of Kannapolis. Currently, there is no public sewer or water service to the site. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.

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

Yes, the property is within a future growth area for the City of Kannapolis and the proposed development of townhomes is consistent with surrounding zoning and existing uses.

7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

No significant negative environmental impacts are anticipated. Much of the property is currently wooded. An unnamed tributary runs along the rear property line. The proposed development will be required to conform to all applicable local, state, and federal environmental regulations.

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 the subject property as located within the “Complete Neighborhood 1” Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Staff finds the request for rezoning compatible with the surrounding zoning, and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. 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 Conditional Zoning Map Amendment Case #CZ-2023-06.

1. The permitted uses allowed by this rezoning shall be limited to those uses and accessory uses allowed by-right in the Residential 8 (R8) district. Intent with this rezoning submittal is to provide for a residential community.
2. Density shown may flex within a ten percent (10%) increase or decrease at time of site plan submittal based on actual site conditions.

3. The development and uses depicted on the rezoning Concept Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the rezoning Concept Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the City of Kannapolis Development Ordinance.
4. NCDOT driveway permit shall be obtained for site access points. Access points shall be as generally depicted on the rezoning Concept Plan. The placement and configuration of the access points are subject to any minor modifications required to accommodate final site and construction plans and designs and any adjustments required for approval by the City of Kannapolis and/or the North Carolina Department of Transportation (NCDOT).
5. The alignments of the internal streets, driveways, and vehicular circulation areas may be modified by the Applicant to accommodate changes in traffic patterns, parking layouts, and any adjustments required for approval by the City of Kannapolis and/or NCDOT.
6. A final Site Plan, in compliance with the applicable Kannapolis Development Ordinance standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance permit.
7. Final Site plan shall comply with current Kannapolis Land Development Standards Manual.

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-2023-06, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *Staff finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates the subject property as located within the “Complete Neighborhood 1” Character Area in the Move Kannapolis Forward 2030 Comprehensive Plan. Staff finds the request for rezoning compatible with the surrounding zoning, and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network nor anticipated to generate parking problems or any adverse impact on the environment.*

2. **Should the Commission choose to approve Case #CZ-2023-06, 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-2023-06, 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-2023-06 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-2023-06, 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 Details
7. Notice of Public Hearing
8. List of Notified Properties
9. Letter to Adjacent Property Owners
10. Posted Public Notice Sign
11. Resolution to Adopt a Statement of Consistency
12. Resolution to Zone

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager
- City Attorney



Conditional Zoning Map Amendment Checklist

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the size of the parcel, the proposed use or the adequacy of existing infrastructure servicing the location. Submit digitals and 1 hard copy of applications and accompanying documents to the Planning Department at the address above.

CONDITIONAL REZONING REQUEST

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

Approval authority – Planning and Zoning Commission.

Requested Rezoning Property Address: 9600 Davidson Hwy, Concord, NC 28027

Applicant: Alpesh Patel

Proposed development: 54 Townhomes

SUBMITTAL CHECKLIST

- Pre-Application Meeting – send an email to 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 (Table 2.4.F(2) of the Kannapolis Development Ordinance [KDO]).

Review Process: All applications will be reviewed for compliance and then forwarded to the Planning and Zoning Commission for consideration at a public hearing which is held monthly on the 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: A. J. Patel

Date: 08-28-2023



CONDITIONAL ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information

Name: Alpesh Patel
Address: 1483 Coffeetree Drive NW
Concord, NC 28027
Phone: 785-787-5220 and 478-206-7846
Email: alpeshshell@yahoo.com

Property Owner Contact Information same as applicant

Name: Shilpabahen K Patel
Address: 1483 Coffeetree Drive NW
Concord, NC 28027
Phone: 785-787-5220 and 478-206-7846
Email: alpeshshell@yahoo.com

Project Information

Project Address: 9600 Davidson Hwy, Concord, NC 28027
Parcel: 46822015490000 # of parcels: 54 Approx. size of parcels: 1900 sf
(attach separate list if necessary)
Current Zoning Designation: CR (County) Requested Zoning Designation: R-8 CZ
Reason for map amendment: Property annexed into the City of Kannapolis. Rezoning to match adjacent properties

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

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.

A.P. Patel
Applicant Signature

08-28-2023
Date

S.K. Patel
Property Owner Signature

08-28-2023
Date

R8-CZ Zoning Conditions

1. The permitted uses allowed by this rezoning shall be limited to those uses and accessory uses allowed by-right in the R-8 zone. Intent with this rezoning submittal is to provide for a residential community.
2. Density shown may flex within a 10% increase or decrease at time of site plan submittal based on actual site conditions.
3. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and the improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the City of Kannapolis Development Ordinance.
4. NCDOT driveway permit shall be obtained for site access points. Access points shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required to accommodate final site and construction plans and designs and any adjustments required for approval by the City of Kannapolis and/or the North Carolina Department of Transportation ("NCDOT").
5. The alignments of the internal streets, driveways and vehicular circulation areas may be modified by Applicant to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the City of Kannapolis and/or NCDOT
6. A final Site Plan, in compliance with the applicable Kannapolis Development Ordinance standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance Permit.
7. Final Site plan shall Comply with current Land Development Standards Manual.



Vicinity Map

Case Number: CZ-2023-06

Applicant: Alpesh Patel

9600 Davidson Hwy



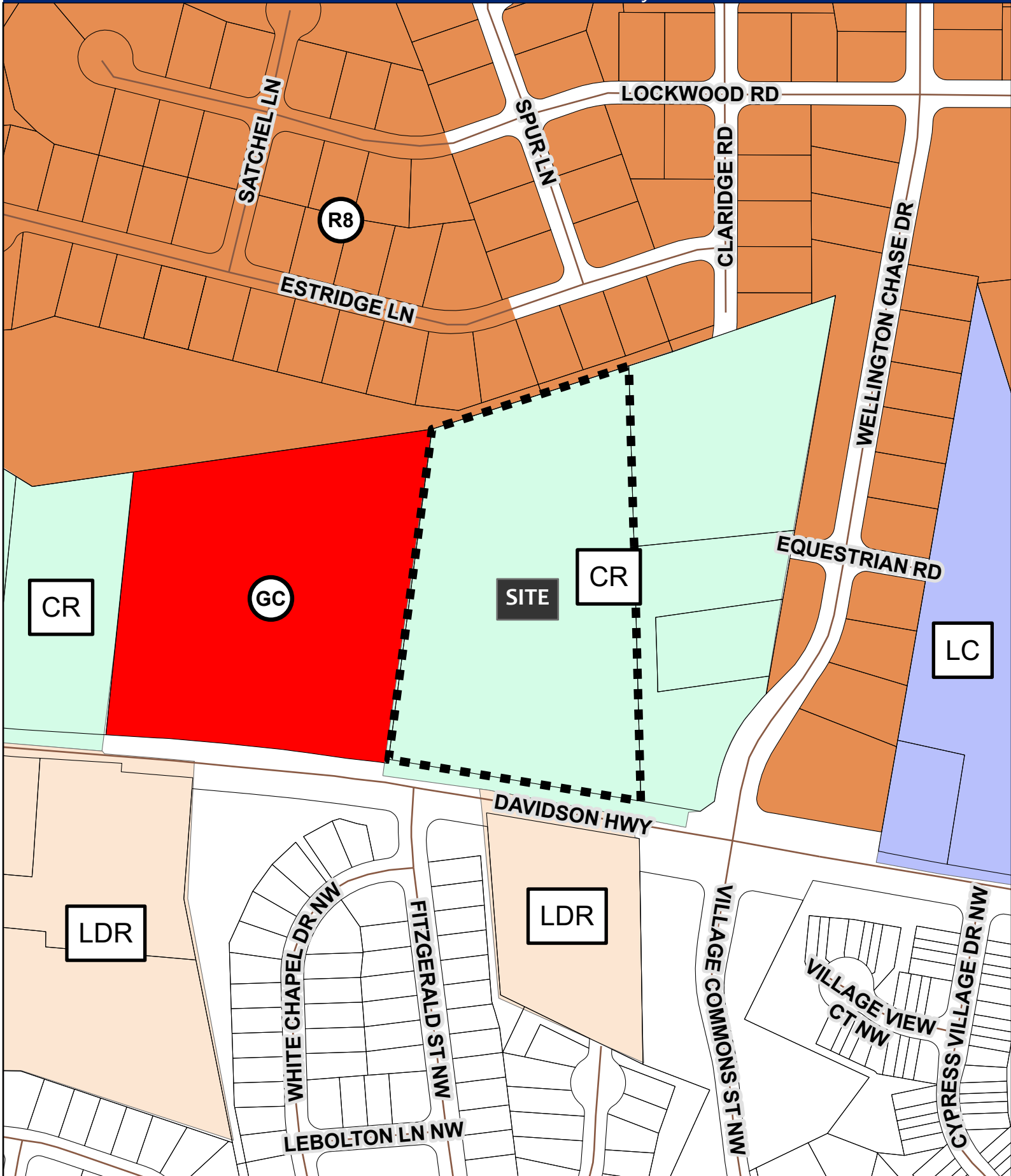


Kannapolis Current Zoning

Case Number: CZ-2023-06

Applicant: Alpesh Patel

9600 Davidson Hwy

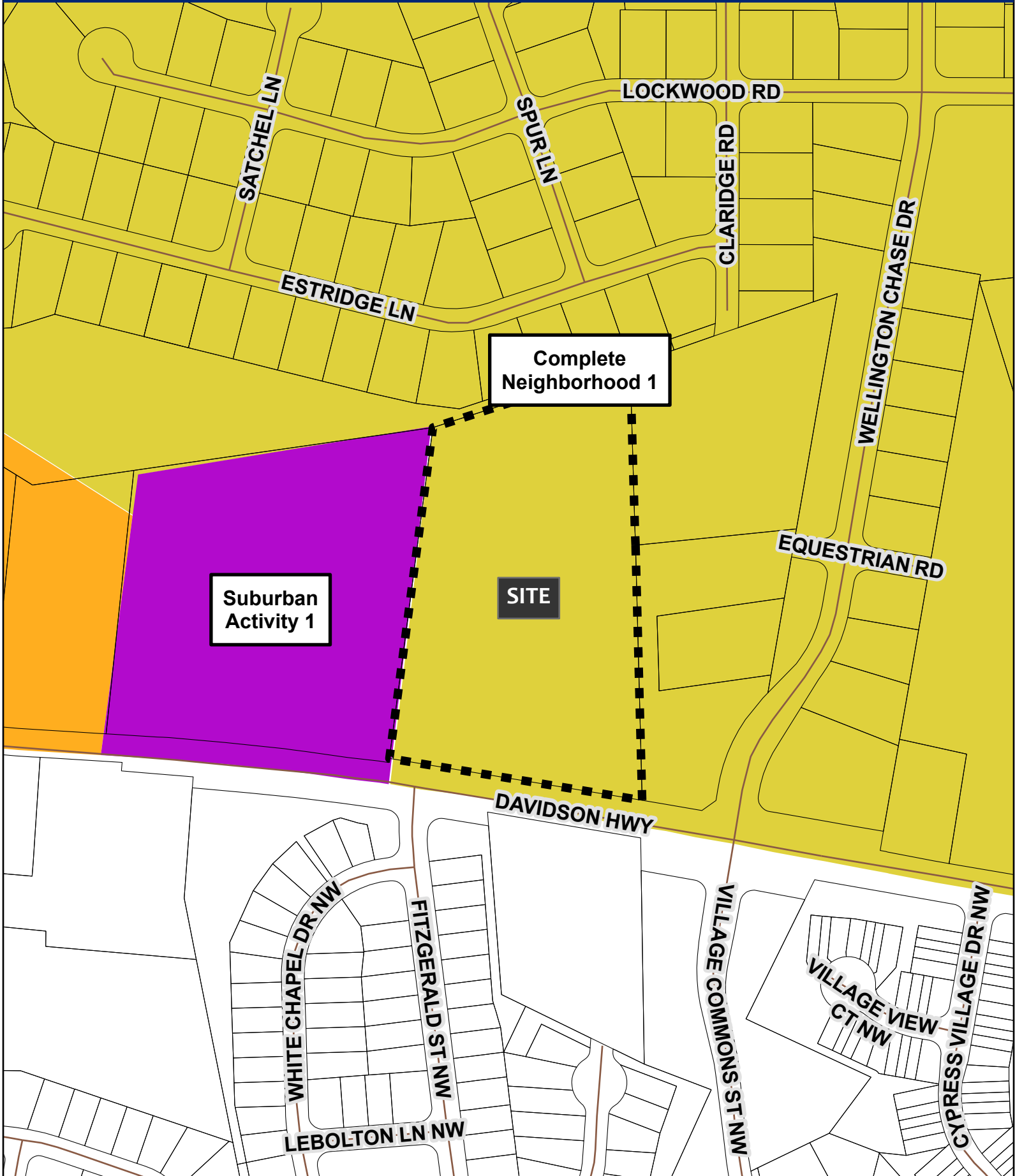


Kannapolis 2030 Future Land Use Map

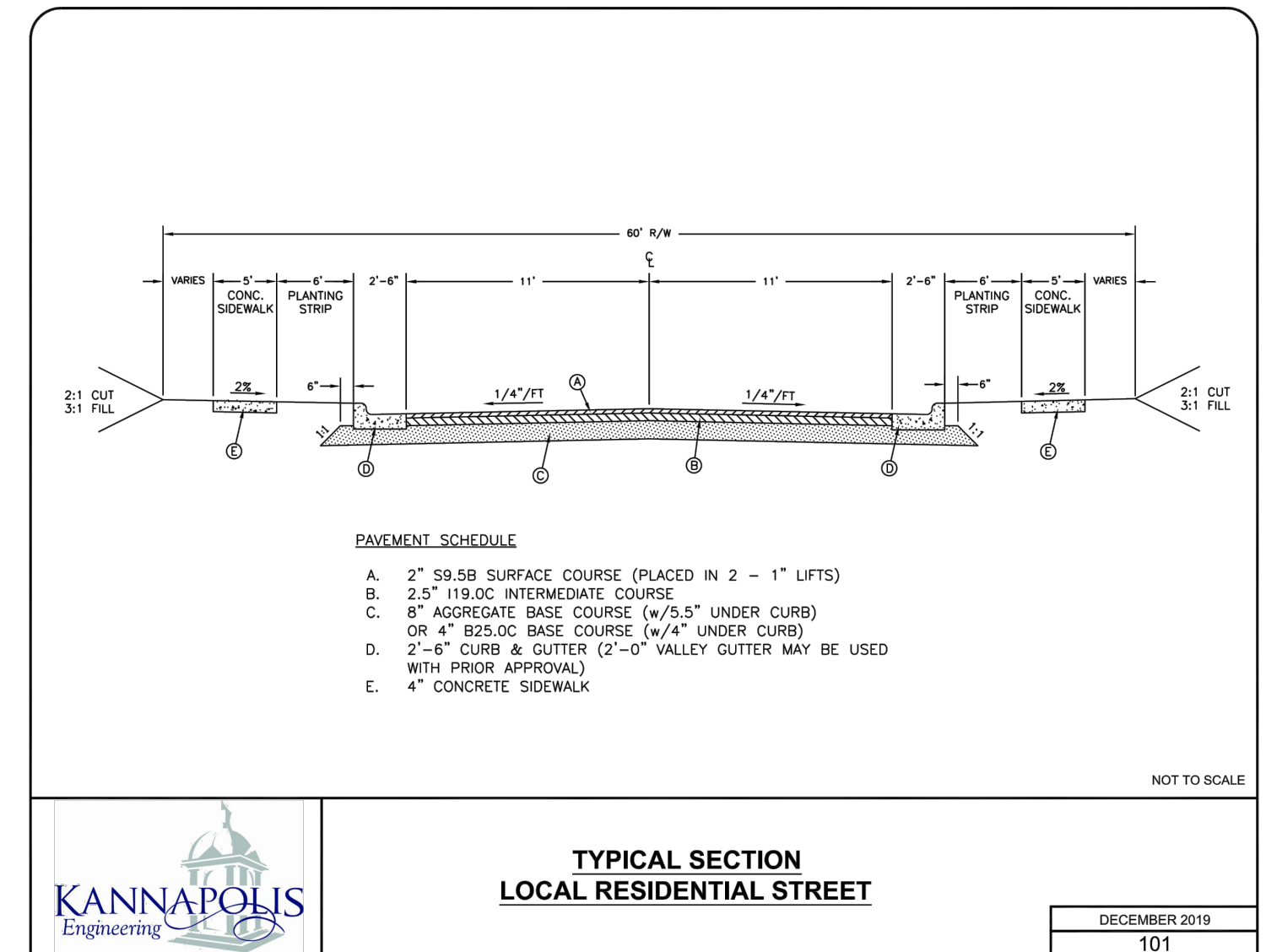
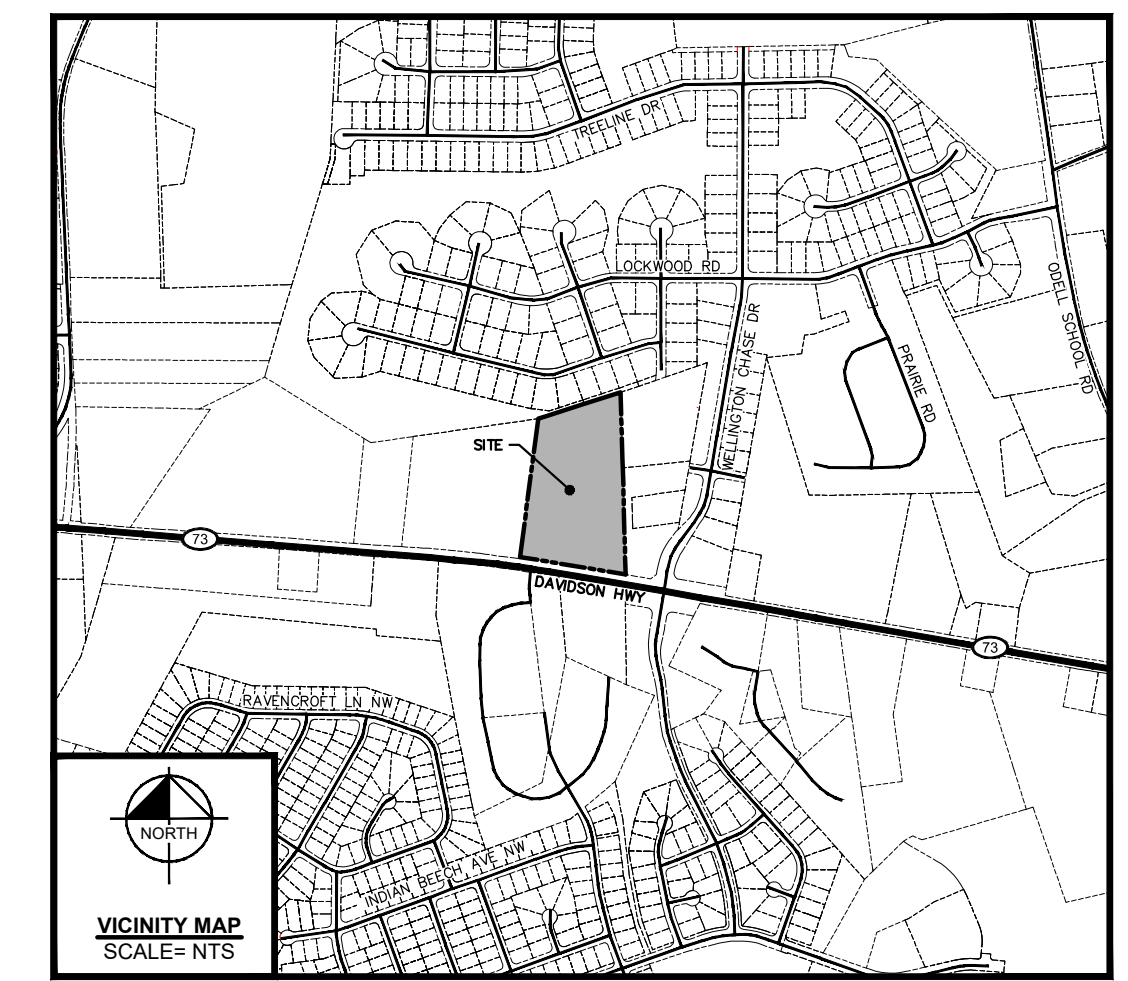
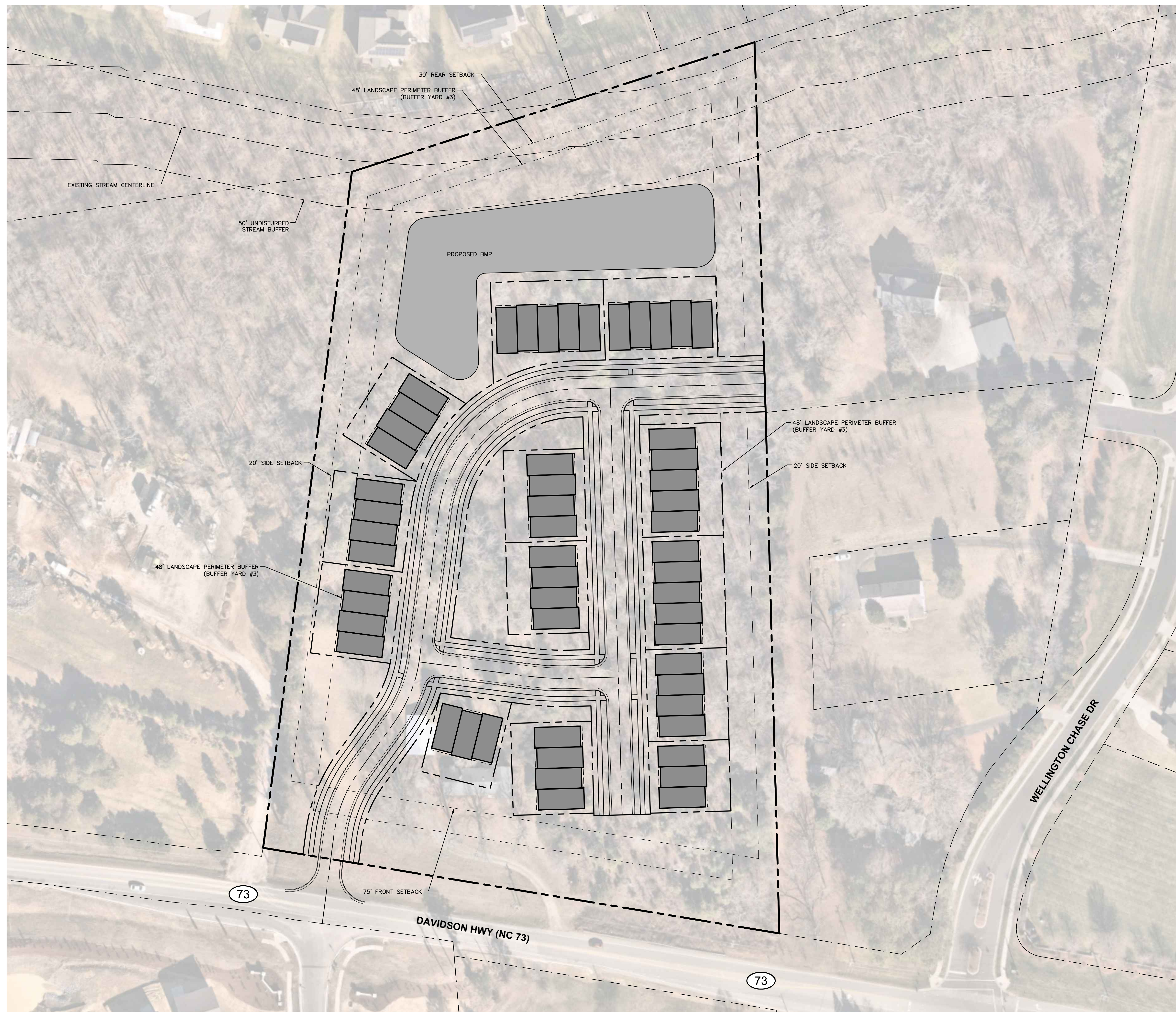
Case Number: CZ-2023-06

Applicant: Alpesh Patel

9600 Davidson Hwy



Plotted By: Atuncar, Carlos Layout: CSP1-01 Aerial-1B December 13, 2022 10:02:10am K:\CHL_PRA_Marketing_Land Development Marketing\Kiran Broker\NC 73 Hwy - Kannapolis\02 - DMC\References\Parcels.dwg



SITE DATA TABLE	
DEVELOPMENT DATA:	
TAX PARCEL ID:	46822015490000
EXISTING LAND USE:	RESIDENTIAL
PROPOSED LAND USE:	RESIDENTIAL
TOTAL SITE AREA:	±9.37 ACRES
TOTAL NUMBER TOWNHOMES:	54
GARAGE AND DRIVEWAY PARKING PROVIDED:	108
MINIMUM PARKING RATIO PER UNITS:	2.0
ZONING DATA:	
FEMA FLOOD PANEL:	370225C0030D
STREAM WATERSHED:	NA
EXISTING ZONING DISTRICT:	CR (COUNTY)
PROPOSED ZONING DISTRICT:	R-8 (RESIDENTIAL 8 - CITY)
LANDSCAPE PERIMETER BUFFER:	48' (BUFFER YARD #3)
DEVELOPMENT STANDARDS	
FRONT SETBACK:	10'
SIDE SETBACK:	5'
REAR SETBACK:	5'
MAX HEIGHT:	35'
MINIMUM BUILDING SEPARATION:	10'
PROPOSED DENSITY:	5.76 DUA

9600 Davidson Hwy Neighborhood Meeting Summary

Subject: Neighborhood Community Meeting – Rezoning application filed by Alpesh Patel to rezone approximately 9.7 acres located on parcel 03-014-0034.00 off Davidson Highway, Concord, NC.

Date and Time of Meeting: Tuesday, November 28, 2023, at 6:00-7:00PM

Place of Meeting: Kannapolis Town Hall
Laureate Center
401 Laureate Way
Kannapolis, NC 28081

Applicant: Alpesh Patel

Meeting notifications for the neighborhood community meeting were mailed November 17, 2023 by USPS to the persons and organizations attached on Exhibit "A". A copy of the notification is also attached as Exhibit "B".

There were 11 adjacent residents as shown on Exhibit "C". Representatives of the developer were also in attendance.

The meeting was a drop-in option for the attendees, who generally asked questions about site context (where it is located) and statistics. Attendees offered comments on amount of proposed growth in the area, traffic increases, quality of homes, density, overcrowding schools, and safety.

Specific questions asked and answered during the meeting included:

1. Does this take into account the Davidson Conservatory Easement?

Easements for Davidson Conservatory do not exist on this property

2. Most of this property is a gulley? There is a significant grade change. How is that handled?

We explained that detailed grading on the site will be taken care of during construction documents and would work with the property's topography.

3. Will the entrance be full access onto 73? What happens when 73 is widened?

We explained that we will work with NCDOT to determine the allowable entrance orientation for the development.

4. Will the property be fenced?

We explained that there is not a plan for a fence to be installed around the property.

5. Voiced concern over the proximity of houses to 73.

We explained that we are showing a 75' building set back off of the R/W, and that based on aerial imagery, there is 125' from edge of pavement to the closest house, which will also be a 48' buffer, which surrounds the property.

6. Will the houses be sprinklered? Is there concern with only one entrance to for 54 homes?

We explained that the houses are not planned to be sprinklered. Fire flow analysis will be run to confirm there is enough available flow. We also explained that we are meeting fire code with total number of units with one ingress/egress point.

7. Raised concerns about the existing stream flooding when it rains.

We explained that with the inclusion of the stormwater pond, that the site has to maintain and mitigate the current storm effects on the property based on City and State requirements.

The last attendees left around 6:50 and the meeting ended promptly at 7 p.m.

EXHIBIT A

List of adjacent property owners

PIN14	AcctName1	MailAddr1	MailCity	MailState	MailZipCod
46812929530000	FITZPATRICK WALTER WAYNE	9521 DAVIDSON HWY	CONCORD	NC	28027
46822055770000	HENDERSON ALEXANDRA D	2055 WELLINGTON CHASE DR	CONCORD	NC	28027
46821081010000	REDDI KARTHIKEYAN RAMASAMY JEYRAM	9638 WHITE CHAPEL DR NW	CONCORD	NC	28027
46822152300000	WELLINGTON CHASE HOMEOWN ASSOC	C/O CUSICK COMMUNITY MGMT	CHARLOTTE	NC	28226
46821171970000	KALLURI VENKATA S	9631 ESTRIDGE LN	CONCORD	NC	28027
46812909670000	HERITAGE RIDGE COMMUNITY	2221 E LAMAR BLVD STE 790	ARLINGTON	TX	76006
46822000240000	HARIHARAN ANJU	1670 FITZGERALD ST NW	CONCORD	NC	28027
46821065980000	BIG GREEN TREE LAWN CARE SERVICE INC	19205 CARTER CIR	CORNELIUS	NC	28031
46822069090000	SCHMIDT BRIAN J	9520 EQUESTRIAN RD	CONCORD	NC	28027
46812975570000	MOSS CREEK VILLAGE MASTER	3030 LATROBE DR	CHARLOTTE	NC	28211
46822132220000	MCDANIEL JONATHAN	9601 ESTRIDGE LN	CONCORD	NC	28027
46820290120000	WELLINGTON CHASE HOMEOWN ASSOC	C/O CUSICK COMMUNITY MGMT	CHARLOTTE	NC	28226
46821050710000	FORESTAR (USA) REAL ESTATE	C/O REAL ESTATE TAX DEPT	ARLINGTON	TX	76006
46822111250000	BAIRISHETTY SHIRISH KUMAR	9619 ESTRIDGE LN	CONCORD	NC	28027
46822053610000	DIETSCHI EUGEN M & ROSARIO/TTS	2007 WELLINGTON CHASE DR	CONCORD	NC	28027
46821070490000	HAPANI SHITALBEN GANGADASBHAI	9642 WHITE CHAPEL DR NW	CONCORD	NC	28027
46822131540000	WELLINGTON CHASE HOMEOWN ASSOC	C/O CUSICK COMMUNITY MGMT	CHARLOTTE	NC	28226
46822121290000	GADDE SUMANA	9611 ESTRIDGE LN	CONCORD	NC	28027
46822101130000	NELSON PATRICK T	9623 ESTRIDGE LN	CONCORD	NC	28027
46822142150000	KOONTZ RUSSELL	9591 ESTRIDGE LN	CONCORD	NC	28027
46821181950000	PALADUGU VENKATA RAMA KRISHNA PRASAD	9627 ESTRIDGE LN	CONCORD	NC	28027
46822152290000	RUOCCO DANIEL	9581 ESTRIDGE LN	CONCORD	NC	28027
46822015490000	PATEL SHILPABAHEN	1483 COFFEETREE DR NW	CONCORD	NC	28027
	City of Kannapolis	401 Laureate Way	KANNAPOLIS	NC	28081

EXHIBIT B

Notification Mailed to property owners

NOTICE TO INTERESTED PARTIES OF NEIGHBORHOOD COMMUNITY MEETING

Subject: Neighborhood Community Meeting – Rezoning application filed by Alpesh Patel to rezone approximately 9.7 acres located on parcel 03-014-0034.00 off Davidson Highway, Concord, NC.

Date and Time of Meeting: Tuesday, November 28, 2023, at 6:00-7:00PM

Place of Meeting: Kannapolis Town Hall
Laureate Center
401 Laureate Way
Kannapolis, NC 28081

Applicant: Alpesh Patel

We are assisting Alpesh Patel (the "Applicant") with the Rezoning application filed with the City of Kannapolis Planning Department. The applicant is requesting to rezone an approximately 9.7-acre site (the "Site") along Davidson Highway from the CR zoning district to the R-8 CZ zoning district. The purpose of the rezoning is to permit the development of a single-family attached dwelling community within the City of Kannapolis.

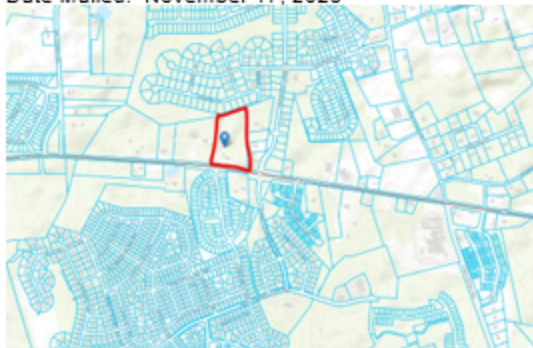
The applicant will hold a Neighborhood Community Meeting prior to the Public Hearing on this Rezoning application to discuss the request with the nearby property owners. The Cabarrus County GIS (Geographical Information Systems) Mapping Department records indicate that either you are an owner of property that adjoins or is within 200 feet of the Site.

Accordingly, on behalf of the Applicant, we give you notice that we, along with the representatives of the Applicant, will hold a Neighborhood Community Meeting regarding this application on Tuesday, November 28th, 2023, located at the Laureate Center at 6:00PM. We, along with the Applicant's representatives, look forward to sharing this rezoning proposal with you and to answer any questions you may have with respect to this application.

Any questions or comments before the meeting may be emailed to: andrew.loftin@kimley-horn.com.

cc: Richard Smith, Director of Planning, City of Kannapolis
Alpesh Patel, Developer
Sara Shirley, L.A., Kimley-Horn and Associates, Inc.
Andrew Loftin, P.E., Kimley-Horn and Associates, Inc.

Date Mailed: November 17, 2023



Subject Property
9600 Davidson Highway
PIN: 46822015490000
Property Real ID: 03-014-0034.00



PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000855045

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Pavor : CITY OF KANNAPOLIS
Phone: 7049204300

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Sales Rep **Acct Rep** **Ordered By**
aboan aboan Pam

Fax: 7049337463
EMail: ap@kannapolisnc.gov

Total Amount \$399.88

Payment Amount \$399.88

Amount Due \$0.00

Tax Amount: 0.00

Payment Meth: Credit - Debit Card

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

Ad Number **Ad Type** **Ad Size** **Color**
0000855045-01 CLS Legal 2 X 42 li \$0.00

Production Method
AdBooker (liner)

Production Notes

Product and Zone **Placement** **Position** **# Inserts**
CON Independent Trib C-Legal Ads Legal Notices 2

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING 401 Laureate Way,


Run Dates 12/ 1/2023, 12/ 8/2023

Product and Zone **Placement** **Position** **# Inserts**
NCC Online C-Legal Ads Legal Notices 7

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING 401 Laureate Way,

Run Dates 12/ 1/2023, 12/ 2/2023, 12/ 3/2023, 12/ 4/2023, 12/ 5/2023, 12/ 6/2023, 12/ 7/2023

TagLine: NOTICEOFPUBLICHEARING401LAUREATEWAYKANNAPOLISNCPLANNINGZONINGCOMMISSIONTUESD
AYDECEMBER122023AT600PMCONDITIONALZONINGMAPAMENDME



NOTICE OF PUBLIC HEARING
401 Laureate Way, Kannapolis, NC

Planning & Zoning Commission
Tuesday, December 12, 2023 at 6:00 pm

Conditional Zoning Map Amendment - CZ-2023-06 - Public Hearing to consider a request to rezone property located at 9600 Davidson Highway from Cabarrus County Countryside Residential (CR) zoning district to City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) zoning district. The subject property is approximately 9.7 +/- acres and further identified as Cabarrus County Parcel Identification Number 46822015490000.

Zoning Map Amendment - Z-2023-13 - Public Hearing to consider a request to rezone property located at 2313 N. Main Street from City of Kannapolis General Commercial (GC) zoning district to City of Kannapolis Residential 8 (R8) zoning district. The subject property is approximately 0.17 +/- acres and further identified as Rowan County Parcel Identification Number 160 119.

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 Heather James, Human Resource Director, by phone at 704-920-4322 or by email at hames@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Publish: December 1, December 8, 2023.

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
PATRICK & BROOKE NELSON	9623 ESTRIDGE LN	CONCORD	NC	28027
ALEXANDRA D HENDERSON	2055 WELLINGTON CHASE DR	CONCORD	NC	28027
SHIRISH KUMAR BAIRISHETTY				
BINDU PRIYA GOPISHETTY RAM	9619 ESTRIDGE LN	CONCORD	NC	28027
BIG GREEN TREE LAWN CARE SERVICE INC	19205 CARTER CIR	CORNELIUS	NC	28031
EUGEN M & ROSARIO DIETSCHI/TTS				
DIETSCHI FMLY TRST DTD 8/10/05	2007 WELLINGTON CHASE DR	CONCORD	NC	28027
WALTER FITZPATRICK	9521 DAVIDSON HWY	CONCORD	NC	28027
FORESTAR (USA) REAL ESTATE GROUP				
C/O REAL ESTATE TAX DEPT	2221 E LAMAR BLVD	ARLINGTON	TX	76006
GADDE SUMANA				
SATISH KOLLIPARA	9611 ESTRIDGE LN	CONCORD	NC	28027
ANJU HARIHARAN				
SARIN RATHEESH KUMAR	1670 FITZGERALD ST NW	CONCORD	NC	28027
HERITAGE RIDGE COMMUNITY ASSON	2221 E LAMAR BLVD STE 790	ARLINGTON	TX	76006
RAMASAMY JEYRAM REDDI KARTHIKEYAN	9638 WHITE CHAPEL DR NW	CONCORD	NC	28027
RUSSELL & ASHLEIGH KOONTZ	9591 ESTRIDGE LN	CONCORD	NC	28027
SATISH VETTAMPARAMBIL CHAMI KRISHNAN				
MEGHA MURALEEDHARAN	9642 WHITE CHAPEL DR NW	CONCORD	NC	28027
JONATHAN & CHERYL MCDANIEL	9601 ESTRIDGE LN	CONCORD	NC	28027
MOSS CREEK VILLAGE MASTER ASSN	3030 LATROBE DR	CHARLOTTE	NC	28211
VENKATA RAMA KRISHNA PRASAD PALADUGU				
NARMADA PALADUGU	9627 ESTRIDGE LN	CONCORD	NC	28027
SHILPABAHEN PATEL	1483 COFFEETREE DR NW	CONCORD	NC	28027
DANIEL RUOCCO				
TANIA DE LE CRUZ	9581 ESTRIDGE LN	CONCORD	NC	28027
BRIAN J & KELLY SCHMIDT	9520 EQUESTRIAN RD	CONCORD	NC	28027
VENKATA & SRILAKSHMI KALLURI	9631 ESTRIDGE LN	CONCORD	NC	28027
WELLINGTON CHASE HOMEOWN ASSOC	8008 CORPORATE CENTER DR			
C/O CUSICK COMMUNITY MGMT	STE 100	CHARLOTTE	NC	28226
ALPESH PATEL				
SHILPABAHEN PATEL	1483 COFFEETREE DR NW	CONCORD	NC	28027



KANNAPOLIS
Planning

November 30, 2023

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, December 12, 2023 at 6:00 PM, for the following case:

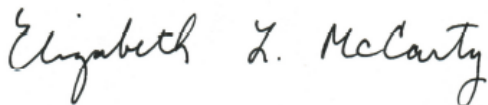
CZ-2023-06 – Zoning Map Amendment – 9600 Davidson Highway

This Public Hearing was rescheduled from the November 14, 2023, meeting and the purpose is to consider a request to rezone property located at 9600 Davidson Highway from Cabarrus County Countryside Residential (CR) to City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) zoning district to allow for a 54-unit townhome development. The subject property is approximately 9.7 +/- acres and further identified as Cabarrus County Parcel Identification Number 46822015490000 (see reverse side of this letter for a map showing the location of this property).

As an abutting property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Development Ordinance. You are invited to attend the public hearing and will be provided with an opportunity to speak to the Planning and Zoning Commission, if you believe it to be necessary for their decision making on this matter.

If you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4362 or emccarty@kannapolisnc.gov.

Sincerely,



Elizabeth McCarty, 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 Heather James, Human Resource Director, by phone at 704-920-4322 or by email at hjames@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

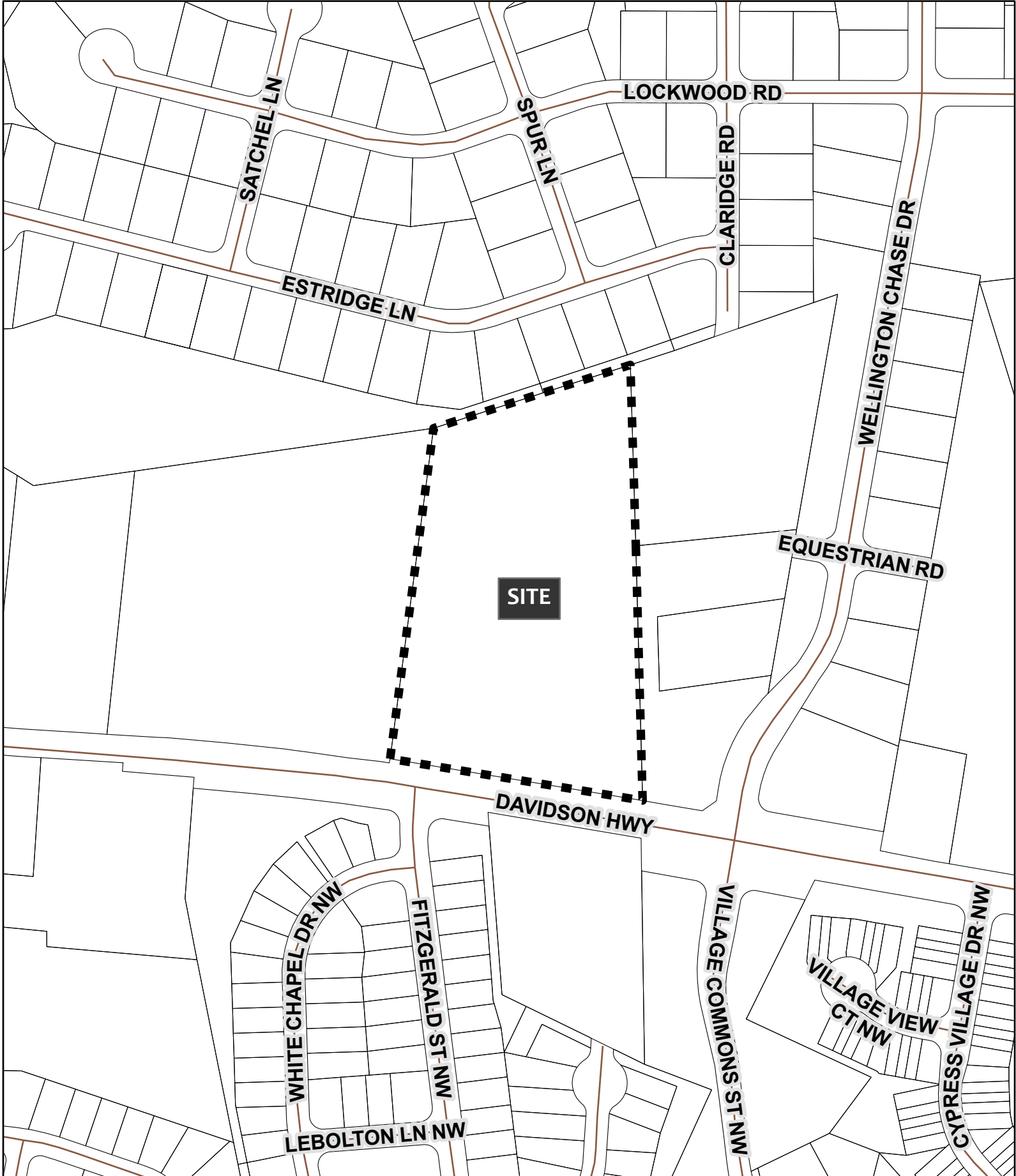


Conditional Rezoning

Case Number: CZ-2023-06

Applicant: Alpesh Patel

9600 Davidson Hwy



KANNAPOLIS
PLANNING
ZONING
COMMISSION
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE C-Z-2023-06



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE #CZ-2023-06**

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

WHEREAS, Section 2.3.B(1).a. of the Kannapolis Development Ordinance delegates final authority to the Planning and Zoning Commission on zoning map amendments subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision; and

WHEREAS, on December 12, 2023, the Planning and Zoning Commission conducted a public hearing to consider a request to conditionally rezone property located at 9600 Davidson Highway (Cabarrus County Parcel Identification Number 46822015490000) owned by Shilpabahen Patel, from Cabarrus County Countryside Residential (CR) Zoning Designation to City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) Zoning Designation,

NOW, THEREFORE BE IT RESOLVED *The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates the subject property as located within the “Complete Neighborhood 1” Character Area in the Move Kannapolis Forward 2030 Comprehensive Plan. Staff finds the request for rezoning compatible with the surrounding zoning, and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network nor anticipated to generate parking problems or any adverse impact on the environment.*

Adopted this the 12th day of December 2023:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE

Case #CZ-2023-06
9600 Davidson Highway

From Cabarrus County Countryside Residential (CR) Zoning Designation to City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) Zoning Designation

WHEREAS, Section 2.3.B.(1).a of the Kannapolis Development Ordinance (KDO) specifically delegates authority to the Planning and Zoning Commission to take final action on a rezoning application provided, if the application is approved by less than a three quarters majority of voting members or denied, or if the Planning and Zoning Commission's decision is appealed, the City Council shall make the final decision on the application; and

WHEREAS, the Commission conducted a public hearing on December 12, 2023 for consideration of rezoning petition Case #CZ-2023-06, as submitted by Alpesh Patel; and

WHEREAS, the request was to rezone property located at 9600 Davidson Highway (Cabarrus County Parcel Identification Number 46822015490000) owned by Shilpababen Patel, from Cabarrus County Countryside Residential (CR) Zoning Designation to City of Kannapolis Residential 8-Conditional Zoning (R8-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 2.5.A.(2).c of the Kannapolis Development Ordinance, the Planning and Zoning Commission makes the following findings in support of and in analysis of the rezoning:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

The property is in the "Complete Neighborhood 1" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Complete Neighborhood 1 Character Area lists single family detached residential, single family attached residential, and civic as primary uses. Multifamily residential, neighborhood-serving retail, small format office, and live-work are listed as secondary uses. Therefore, the proposed use is consistent with the goals and objectives of the Plan.

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

No, the proposed rezoning is not in conflict with any ordinances.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

No, the property was recently annexed into the City of Kannapolis.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Yes, the proposed rezoning and use of the property for a townhome development is consistent with existing surrounding land uses. The subject property is adjacent to residential zoning districts to the north (City of Kannapolis R8), east (Cabarrus County CR Countryside Residential), and south (City of Concord RC-CD Residential Compact-Conditional District and Cabarrus County LDR Low Density Residential). An existing commercial use operates on the abutting property to the west which is zoned City of Kannapolis GC General Commercial.

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

Yes, the proposed zoning is compatible with surrounding uses. Access points and design are subject to approval by the North Carolina Department of Transportation and the City of Kannapolis. Currently, there is no public sewer or water service to the site. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.

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

Yes, the property is within a future growth area for the City of Kannapolis and the proposed development of townhomes is consistent with surrounding zoning and existing uses.

7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

No significant negative environmental impacts are anticipated. Much of the property is currently wooded. An unnamed tributary runs along the rear property line. The proposed development will be required to conform to all applicable local, state, and federal environmental regulations.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission, that the above referenced property be rezoned from Cabarrus County Countryside Residential (CR) Zoning Designation to City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) Zoning Designation, subject to the following conditions:

1. The permitted uses allowed by this rezoning shall be limited to those uses and accessory uses allowed by-right in the Residential 8 (R8) district. Intent with this rezoning submittal is to provide for a residential community.
2. Density shown may flex within a ten percent (10%) increase or decrease at time of site plan submittal based on actual site conditions.
3. The development and uses depicted on the rezoning Concept Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the rezoning Concept Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the City of Kannapolis Development Ordinance.
4. NCDOT driveway permit shall be obtained for site access points. Access points shall be as generally depicted on the rezoning Concept Plan. The placement and configuration of the access points are subject to any minor modifications required to accommodate final site and construction plans and designs and any adjustments required for approval by the City of Kannapolis and/or the North Carolina Department of Transportation (NCDOT).

5. The alignments of the internal streets, driveways, and vehicular circulation areas may be modified by the Applicant to accommodate changes in traffic patterns, parking layouts, and any adjustments required for approval by the City of Kannapolis and/or NCDOT.
6. A final Site Plan, in compliance with the applicable Kannapolis Development Ordinance standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance permit.
7. Final Site plan shall comply with current Kannapolis Land Development Standards Manual

Adopted this the 12th day of December 2023:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary Planning and
Zoning Commission



**Planning and Zoning Commission
December 12, 2023 Meeting**

Staff Report

TO: Planning and Zoning Commission
FROM: Kathryn Stapleton, Planner
SUBJECT: Case #Z-2023-13: 2313 N. Main Street
Applicant: John Suther

Applicant is requesting to rezone property located at 2313 N. Main Street from General Commercial (GC) to Residential 8 (R8) zoning district.

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

Section 2.3.B.(1).a of the Kannapolis Development Ordinance (KDO) allows the Planning and Zoning Commission to render a final decision on a rezoning request. If there is a denial, an approval by a vote of less than three-fourths, or an appeal of the decision, then only the City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

C. Background & Project Overview

The applicant, John Suther, is requesting to rezone approximately 0.17 +/- acres of property located at 2313 N. Main Street, further identified as Rowan County Parcel 160 119.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.A.(2).c of the KDO states that Amending the Zoning Map is a matter committed to the legislative discretion of the Planning and Zoning Commission or of the City Council, as authorized by this section. In determining whether to adopt or deny the proposed amendment, the Planning and Zoning Commission or the City Council, as applicable, may consider, and weigh the relevance of, whether and to what extent the proposed Zoning Map amendment:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

Yes. This area of the City's future growth area is identified as "Urban Corridor" Character Area as well as "Urban Residential". The Urban Residential designation identifies single family detached residential and single family attached as primary uses.

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

No, the R8 zoning designation is appropriate for this area. There is existing R8 zoning on nearby properties.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

No, but the proximity to other R8 zoning and the Comprehensive Plan Character Areas make this zoning change appropriate for this area.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Yes, the property is adjacent to residential land uses.

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

Yes, this property is located adjacent to roads with adequate capacity and safety, and is a suitable use allowed under the requested zoning.

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

Yes, the requested zoning allows uses compatible with existing adjacent residential uses.

7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

No, there are no anticipated significant environmental impacts from rezoning this property.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates the subject property as located within the "Urban Corridor" Character Area and "Urban Residential" in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Staff finds the request for rezoning 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.

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 for Zoning Map Amendment Case #Z-2023-13

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-2023-13, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: Staff finds this rezoning consistent with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates the subject property as located within the “Urban Corridor” and “Urban Residential” Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Staff finds the request for rezoning 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.

2. **Should the Commission choose to approve Case #Z-2023-13, 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-2023-13, 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-2023-13 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-2023-13, 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. Notice of Public Hearing
6. List of Notified Properties
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 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: 2313 N. Main St. Kannapolis, NC 28081

Applicant: John Suther

Proposed development: Single Family Detached
Single Family Detached

SUBMITTAL CHECKLIST

- Pre-Application Meeting – send an email to 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

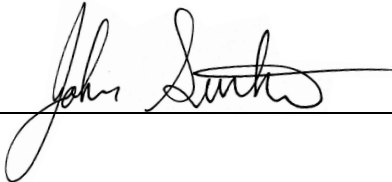
Public Notification: This is a legislative process that requires a public hearing and public notification including newspaper notice, first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Section 3.1.5.1 of the UDO).

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: 

Date: 11.17.23



ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information

Name: John Suther
Address: 1316 S. Main St. Ste. D
Kannapolis, NC 28081
Phone: 704-856-9148
Email: john.suther@sutherengineering.com

Property Owner Contact Information same as applicant

Name: _____
Address: _____
Phone: _____
Email: _____

Project Information


Project Address: 2313 N. Main St. Kannapolis, NC 28081

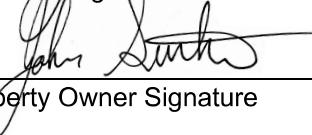
Parcel: 160 119 # of parcels: 1 Approx. size of parcels: 0.17 AC
(attach separate list if necessary)

Current Zoning Designation: GC Requested Zoning Designation: R8

Reason for map amendment: Proposed map amendment to R8 to build single family detached residential. Currently the two adjoining properties are single family detached residential. There was previously a single family detached residence on this property the subject property was lost to a fire per the neighbors somewhere between the year 2010 and 2014. This map amendment would provide an allowable use in order to build a new single family detached structure in keeping with the neighborhood and with the previous use of the property

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.

 11.17.23
Applicant Signature Date

 11.17.23
Property Owner Signature Date

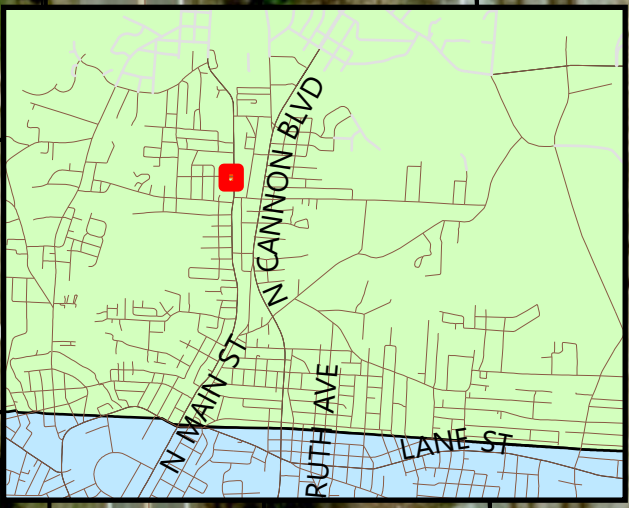
Note: This is not a permit to occupy a structure. Owner and/or applicant are responsible for the location of utility lines and easements. Zoning Map Amendment does not guarantee the availability of water and/or sewer.

For Staff Use Only:

Filing Fee: _____ Receipt #: _____
Case #: _____ Date Received: _____



Vicinity Map
Case Number: Z-2023-13
Applicant: John Suther
2313 N Main St



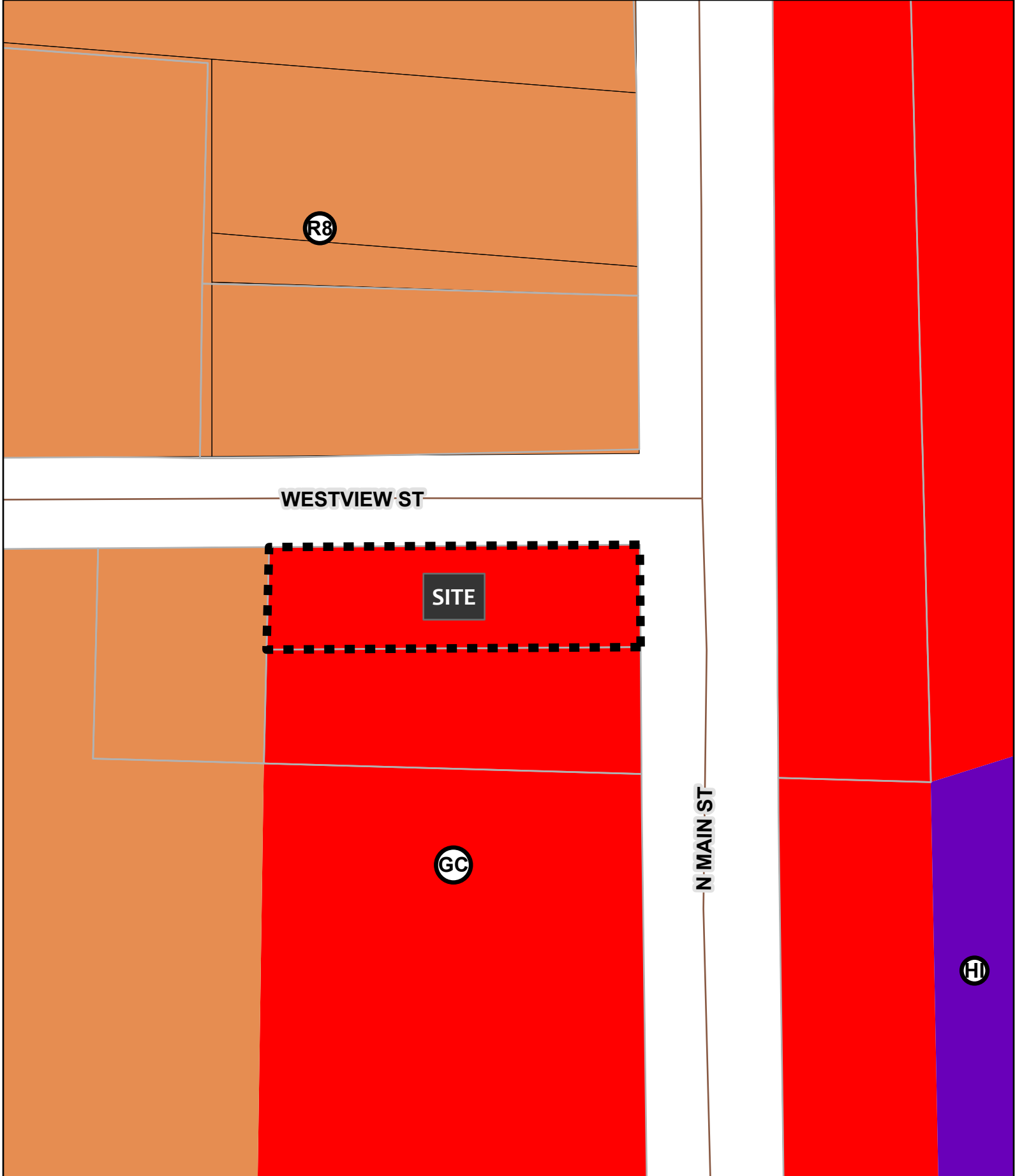


Kannapolis Current Zoning

Case Number: Z-2023-13

Applicant: John Suther

2313 N Main St



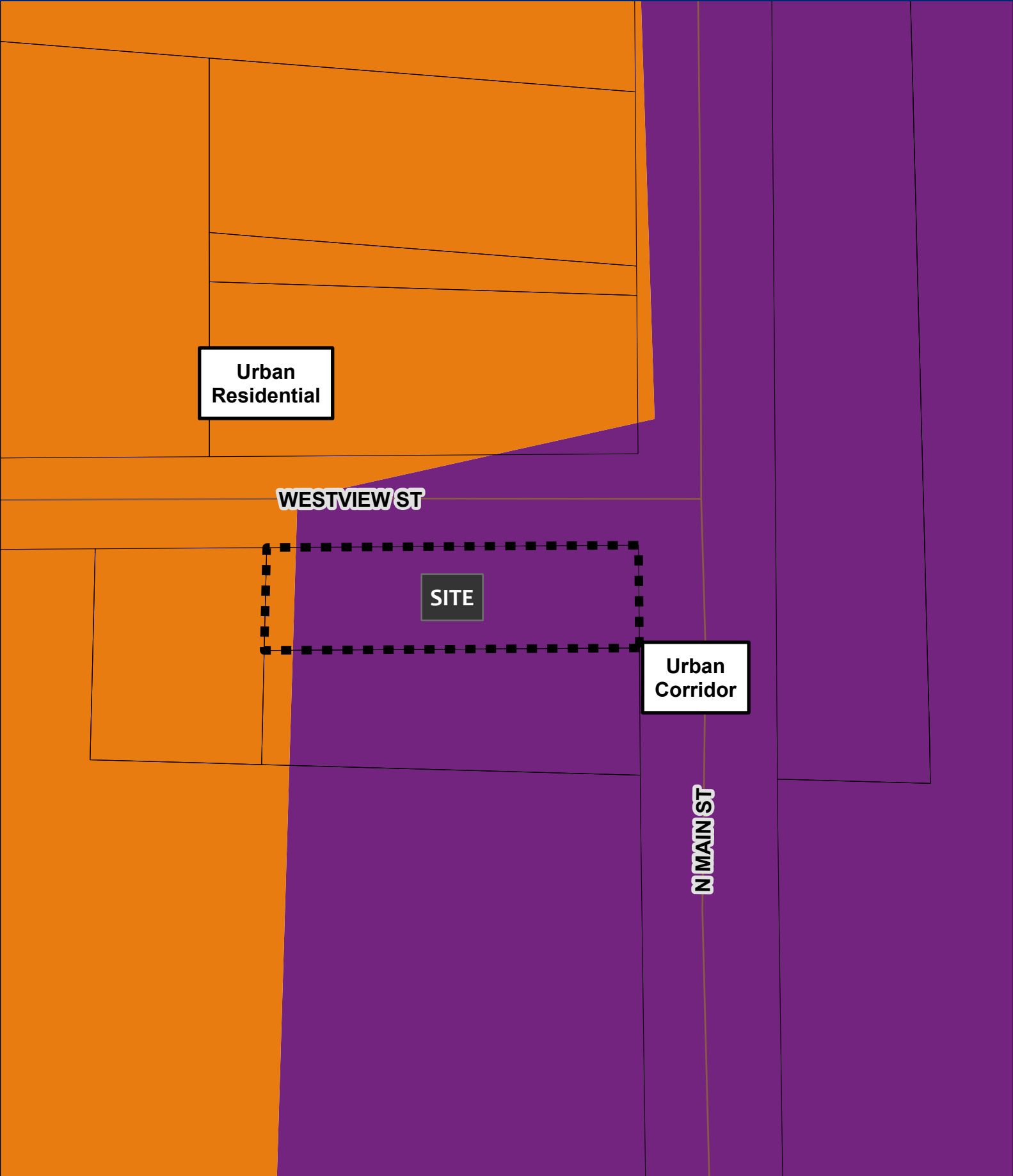


Kannapolis 2030 Future Land Use Map

Case Number: Z-2023-13

Applicant: John Suther

2313 N Main St



Urban Residential

WESTVIEW ST

SITE

Urban Corridor

N MAIN ST



PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000855045

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Pavor : CITY OF KANNAPOLIS
Phone: 7049204300

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Sales Rep **Acct Rep** **Ordered By**
aboan aboan Pam

Fax: 7049337463
EMail: ap@kannapolisnc.gov

Total Amount \$399.88

Payment Amount \$399.88

Amount Due \$0.00

Tax Amount: 0.00

Payment Meth: Credit - Debit Card

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

Ad Number **Ad Type** **Ad Size** **Color**
0000855045-01 CLS Legal 2 X 42 li \$0.00

Production Method
AdBooker (liner)

Production Notes

Product and Zone **Placement** **Position** **# Inserts**
CON Independent Trib C-Legal Ads Legal Notices 2

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING 401 Laureate Way,

Run Dates 12/ 1/2023, 12/ 8/2023

Product and Zone **Placement** **Position** **# Inserts**
NCC Online C-Legal Ads Legal Notices 7

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING 401 Laureate Way,

Run Dates 12/ 1/2023, 12/ 2/2023, 12/ 3/2023, 12/ 4/2023, 12/ 5/2023, 12/ 6/2023, 12/ 7/2023

TagLine: NOTICEOFPUBLICHEARING401LAUREATEWAYKANNAPOLISNCPLANNINGZONINGCOMMISSIONTUESD
AYDECEMBER122023AT600PMCONDITIONALZONINGMAPAMENDME



NOTICE OF PUBLIC HEARING
401 Laureate Way, Kannapolis, NC

Planning & Zoning Commission
Tuesday, December 12, 2023 at 6:00 pm

Conditional Zoning Map Amendment - CZ-2023-06 - Public Hearing to consider a request to rezone property located at 9600 Davidson Highway from Cabarrus County Countryside Residential (CR) zoning district to City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) zoning district. The subject property is approximately 9.7 +/- acres and further identified as Cabarrus County Parcel Identification Number 46822015490000.

Zoning Map Amendment - Z-2023-13 - Public Hearing to consider a request to rezone property located at 2313 N. Main Street from City of Kannapolis General Commercial (GC) zoning district to City of Kannapolis Residential 8 (R8) zoning district. The subject property is approximately 0.17 +/- acres and further identified as Rowan County Parcel Identification Number 160 119.

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 Heather James, Human Resource Director, by phone at 704-920-4322 or by email at hames@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Publish: December 1, December 8, 2023.

PARCEL_ID	OWNNAME	TAXADD1	CITY	STATE	ZIPCODE
160 119	BLACKWELDER PARK BAPTIST CHURC	2204 SUMMIT AVE	KANNAPOLIS	NC	28081-2460
161 001	EDDIE B DURHAM	1311 LOWRANCE AVE	KANNAPOLIS	NC	28081
160 282	GODS TABERNACLE SPIRITED CHURCH	2405 N MAIN ST	KANNAPOLIS	NC	28081
160 046A	MARYROSE HOLLON	102 WESTVIEW ST	KANNAPOLIS	NC	28081-0000
160 049	DWIGHT KELLY	2017 WEST A ST	KANNAPOLIS	NC	28081-9316
160 120	MARGARET M LISK	2311 N MAIN ST	KANNAPOLIS	NC	28081
160 247	HOMER JR & NANCY MILAM	2401 N MAIN ST	KANNAPOLIS	NC	28081
NCR NCR	NORTH CAROLINA RAILROAD CO	2809 HIGHWOODS BLVD STE 100	RALEIGH	NC	27604
162 137	SOMO INVESTMENTS LLC	10010 ALLYSON PARK DR	CHARLOTTE	NC	28277-2932
160 048	CHRISTOPHER R WHITLEY	104 WESTVIEW ST	KANNAPOLIS	NC	28081-2464



KANNAPOLIS
Planning

November 30, 2023

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, December 12, 2023 at 6:00 PM, for the following case:

Z-2023-13 – Zoning Map Amendment – 2313 N Main Street

The purpose of this Public Hearing is to consider a request to rezone property located at 2313 N Main Street from City of Kannapolis General Commercial (GC) to City of Kannapolis Residential 8 (R8) zoning district. The subject property is approximately 0.17 +/- acres and further identified as Rowan County Parcel Identification Number 160 119 (see reverse side of this letter for a map showing the location of this property).

As an abutting property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Development Ordinance. You are invited to attend the public hearing and will be provided an opportunity to speak to the Planning and Zoning Commission, if you believe it to be necessary for their decision making on this matter.

If you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4361 or kstapleton@kannapolisnc.gov.

Sincerely,



Kathryn Stapleton
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 Heather James, Human Resource Director, by phone at 704-920-4322 or by email at hjames@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

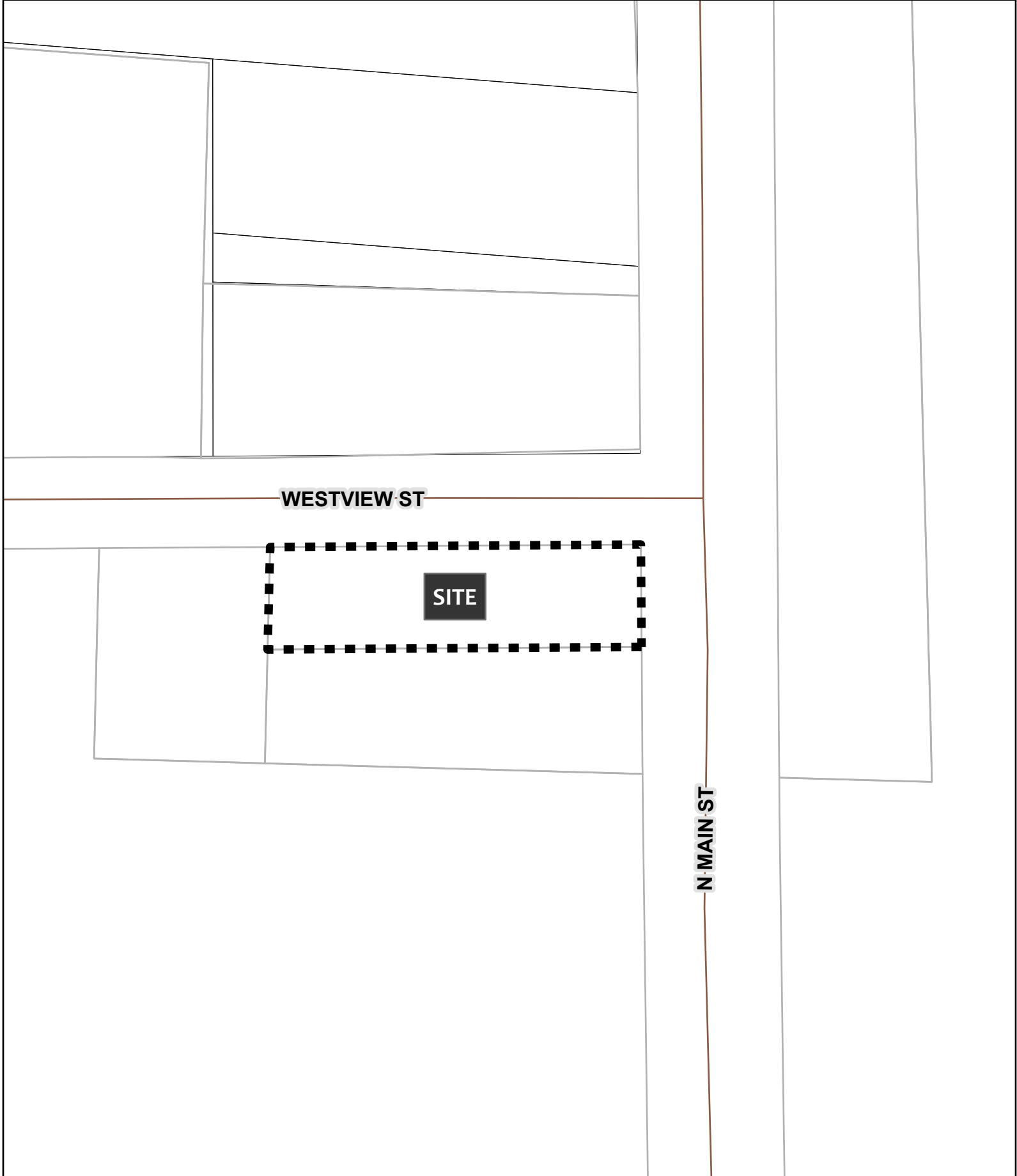


Conditional Rezoning

Case Number: Z-2023-13

Applicant: John Suther

2313 N Main St





PLANNING

ZONING

COMMISSION

PUBLIC HEARING
INFORMATION
CALL **704-920-4350**

CASE # Z-2023-13



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE #Z-2023-13**

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

WHEREAS, Section 2.3.B(1).a. of the Kannapolis Development Ordinance delegates final authority to the Planning and Zoning Commission on zoning map amendments subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision; and

WHEREAS, on December 12, 2023, the Planning and Zoning Commission conducted a public hearing to consider a request to rezone property located at 2313 North Main Street (Rowan County Parcel Identification Number 160 119) owned by Southland Realty & Development, LLC, from City of Kannapolis General Commercial (GC) Zoning Designation to City of Kannapolis Residential 8 (R8) Zoning Designation,

NOW, THEREFORE BE IT RESOLVED *The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates the subject property as located within the “Urban Corridor” and “Urban Residential” Character Area in the Move Kannapolis Forward 2030 Comprehensive Plan. Staff finds the request for rezoning 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.*

Adopted this the 12th day of December 2023:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE

**Case #Z-2023-13
2313 N Main Street**

From City of Kannapolis General Commercial (GC) Zoning Designation to City of Kannapolis Residential 8 (R8) Zoning Designation

WHEREAS, Section 2.3.B.(1).a of the Kannapolis Development Ordinance (KDO) specifically delegates authority to the Planning and Zoning Commission to take final action on a rezoning application provided, if the application is approved by less than a three quarters majority of voting members or denied, or if the Planning and Zoning Commission’s decision is appealed, the City Council shall make the final decision on the application; and

WHEREAS, the Commission conducted a public hearing on December 12, 2023 for consideration of rezoning petition Case #Z-2023-13, as submitted by John Suther; and

WHEREAS, the request was to rezone property located at 2313 North Main Street (Rowan County Parcel Identification Number 160 119) owned by Southland Realty & Development, LLC, from City of Kannapolis General Commercial (GC) Zoning Designation to City of Kannapolis Residential 8 (R8) 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 2.5.A.(2).c of the Kannapolis Development Ordinance, the Planning and Zoning Commission makes the following findings in support of and in analysis of the rezoning:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

Yes. This area of the City’s future growth area is identified as “Urban Corridor” Character Area as well as “Urban Residential”. The Urban Residential designation identifies single family detached residential and single family attached as primary uses.

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

No, the R8 zoning designation is appropriate for this area. There is existing R8 zoning on nearby properties.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

No, but the proximity to other R8 zoning and the Comprehensive Plan Character Areas make this zoning change appropriate for this area.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Yes, the property is adjacent to residential land uses.

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

Yes, this property is located adjacent to roads with adequate capacity and safety, and is a suitable use allowed under the requested zoning.

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

Yes, the requested zoning allows uses compatible with existing adjacent residential uses.

- 7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?**

No, there are no anticipated significant environmental impacts from rezoning this property.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission, that the above referenced property be rezoned from City of Kannapolis General Commercial (GC) Zoning Designation to City of Kannapolis Residential 8 (R8) Zoning Designation.

Adopted this the 12th day of December 2023:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary Planning and
Zoning Commission