



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

**December 14, 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 – November 16, 2021**
5. **Public Hearing**
  - a. **CZ-2021-22 – Conditional Zoning Map Amendment – 267 N Cannon Blvd**

Public Hearing to consider an amendment to the previously approved rezoning conditions for property located at 267 North Cannon Boulevard, zoned General Commercial-Conditional Zoning (C-2-CZ) and further identified as Cabarrus County Parcel Identification Number(s) 56230967940000. The requested changes include increasing the operating hours to Sunday through Saturday, 6:00 AM to 11:00 PM.
  - b. **CZ-2021-18 – Conditional Zoning Map Amendment – 2802 Lane St.**

Public Hearing to consider a request to rezone properties located at 2802 Lane Street and an unaddressed parcel on Lane Street from Cabarrus County Limited Commercial (LC) to City of Kannapolis Residential Compact-Conditional Zoning (RC-CZ) to allow for a 266-unit multi-family apartment development. The subject properties are approximately 35.59 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56334815830000 and 56335809780000.
  - c. **CZ-2021-23 – Conditional Zoning Map Amendment – 6600 Fingerlake Drive and multiple parcels on Kannapolis Parkway**

Public Hearing to consider a request to rezone eleven (11) properties located at 6600 Fingerlake Drive, as well as 843, 873, 877, 881, 885, 911, 915, 923, 927 and 935 Kannapolis Parkway from Rural Estate (RE) zoning district to Residential Compact-Conditional Zoning (RC-CZ) zoning district to allow for a 396-unit multi-family apartment development. The subject properties are approximately 26.52 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46918491960000, 46919463850000, 46918402550000, 46918463560000, 46919414050000, 46919455550000, 46919406110000, 46918465840000, 4691946861000, 46919426490000, and 4691942771.
  - d. **CZ-2021-16 – Conditional Zoning Map Amendment – Multiple parcels on Enochville and Cannon Farm Rd**

Continued from November 16, 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.

- 7. Planning Director Update**
- 8. Other Business**
  - a. Approval of 2022 Meeting Schedule
- 9. Adjourn**



**Planning and Zoning Commission  
December 14, 2021 Meeting**

**Staff Report**

**TO:** Planning and Zoning Commission  
**FROM:** Boyd Stanley, Assistant Planning Director  
**SUBJECT:** Case #CZ-2021-22  
Condition of Approval Amendment 267 N. Cannon Blvd  
Applicant: Wisdom Realty, LLC

Request to amend conditions of approval for property located at 267 North Cannon Boulevard, further identified as Cabarrus County PINs # 56230967940000. The project was previously approved under Case No.: CZ-2018-01 (259-267 N Cannon).

**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 an amendment request to the previously approved conditions of Case No. CZ-2018-01; subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision. If there is a denial, an approval by a vote of less than three-fourths, or an appeal of the decision, then only the City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

**C. Background & Project Overview**

The applicant, Brian Freeman, Wisdom Realty, LLC, is requesting to amend condition of approval number 4 (attached) from CZ-2018-01 as follows:

**Current Condition**

#4: The business hours of operation shall not open before 8am Monday through Saturday and 2pm Sundays, and shall not extend beyond 11pm on any day of the week

**Proposed Condition**

*The business hours of operation shall not open before 6am Sunday through Saturday and shall not extend beyond 11pm on any day of the week*

**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 tract is approximately 2 +/- 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 “Urban Residential” Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*.
- 3. Is the proposed rezoning compatible with the surrounding area?**  
The subject property is currently zoned General Commercial-Conditional Zoning (C-2-CZ) and this amendment does not propose to change the zoning or density of the property.
- 4. Will there be adverse effects on the capacity or safety of the portion of street network influenced by the rezoning?**  
This amendment will not increase the unit count or density of the project. Therefore, it is not intended to have an adverse impact on the road network.
- 5. Will there be parking problems?**  
N/A
- 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?**  
N/A
- 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 stable.
- 8. Is there compliance with the adequate public facilities criteria?**  
There are adequate public facilities available to the property including water, sewer and access to Cannon Boulevard and Willow Drive.
- 9. What are the zoning districts and existing land uses of the surrounding properties?**  
The subject property is currently zoned General Commercial-Conditional Zoning (C-2-CZ) and this amendment does not propose to change the zoning or density of the property.
- 10. Is the subject property suitable for the uses to which it has been restricted under the existing zoning classification?**  
Yes, the zoning of the property is not changing with this amendment.

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

The commercial use is less intense than others allowed in the C-2 zone and is therefore compatible with adjacent neighborhood.

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

The subject property is not vacant.

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

Cannon Boulevard is predominately a commercial corridor. There are vacant parcels as well as underused parcels along Cannon Boulevard.

**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 an “Urban Residential” Character Area, which may include a mixture of residential, small format retail and office uses. Furthermore, staff finds the request for amending the conditional rezoning reasonable and in the public interest because as it does not propose to substantially change the currently approved project under Case No.: CZ-2018-01. The proposed use and these amendments are 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.

**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-2021-22:**

1. Unless otherwise stated here, all Conditions of Approval under CZ-2018-01 remain effective.
2. Previous Condition of Approval No. 4 shall now state: *The business hours of operation shall not open before 6am Sunday through Saturday and shall not extend beyond 11pm on any day of the week*

**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-2021-22, a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this amendment 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 “Urban Residential” Character Area, which may include a mixture of residential, small format retail and office uses. Furthermore, staff finds the request for amending the conditional rezoning reasonable and in the public interest because as it does not propose to substantially change the currently approved project under Case No.: CZ-2018-01. The proposed use and these amendments are 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.*

**Should the Commission choose to approve Case #CZ-2021-22, 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-2021-22, 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-2021-22 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-2021-22, 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. Previous Conditions of Approval for CZ-2018-01
6. Notice of Public Hearing
7. List of Notified Properties
8. Notice to Adjacent Property Owners
9. Posted Public Notice
10. Resolution to Adopt a Statement of Consistency
11. Resolution to Zone

**J. Issue Reviewed By:**

- Planning Director
- Assistant City Manager



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:

259<sup>±</sup> 267 North Cannon Blvd, Kannapolis, NC 28083

Applicant:

Wisdom Realty, LLC

Proposed development:

Changing Morning hours of operations at Jucko's and Shortstops  
 "formally the split"

### 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.

By:

*Ben [Signature]*

Date:

11/7/2021



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: Brian Freeman  
Address: 405 Shuping Mill Rd  
Salisbury NC 28146  
Phone: (704) 965-0039  
Email: brianfreemanpharmd@gmail.com

#### Property Owner Contact Information same as applicant

Name: Wisdom Realty LLC  
Address: 405 Shuping Mill Rd  
Salisbury NC 28146  
Phone: (704) 965-0039  
Email: brianfreemanpharmd@gmail.com

#### Project Information

Project Address: 259 E 267 N Cannon Blvd, Kannapolis, NC 28083

Parcel: 5623-09-6794 # of parcels: 1 Approx. size of parcels: 2 Acres  
(attach separate list if necessary) C-2-CZ

Current Zoning Designation: RV-Residential Village Requested Zoning Designation: ~~RV-CZ-Residential Village Conc~~ C-2-CZ

Reason for map amendment: A fast food restaurant to lease 267 N Cannon that serves breakfast. Amend hours of operation to allow breakfast to serve and remove Sunday opening at 11pm.

Condition(s) proposed by the applicant (attach separate sheet if necessary):  
Amend hours of operation to 6AM-11PM All week

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.

Brian Freeman  
Applicant Signature

11/6/2021  
Date

Brian Freeman  
Property Owner Signature

11/6/2021  
Date

#### For Staff Use Only:

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

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

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

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

November 7, 2021

Dear Planning Department,

Here is my application to amend the conditional zoning of 5623-09-6794 (267 North Cannon Blvd).

I have already had the preapplication meeting.

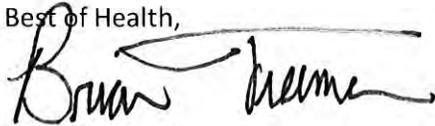
I have enclosed a sample letter of what I will mail to the neighbors to inform them of the community meeting to be held Saturday November 27<sup>th</sup> at 2pm. This will allow us to meet outside, under cover of the pavilion, and still be light and warm enough.

I would like to be heard at the meeting on Tuesday dec 21 at 6pm, if I meet all the requirements.

Check is enclosed.

I can be reached at 704-965-0039 or [brianfreemanpharmd@gmail.com](mailto:brianfreemanpharmd@gmail.com)

Best of Health,

A handwritten signature in cursive script that reads "Brian Freeman". The signature is written in black ink and is positioned above the printed name.

Brian Freeman

November 9, 2021

Dear Neighbor,

My name is Brian Freeman, Owner of Jocko's Mini Golf and The Split Restaurant (259 and 267 North Cannon Blvd). I am applying for a change in the conditional rezoning of the property.

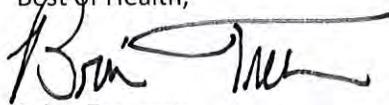
I am applying to change the opening hour from 8am weekdays to 6am and opening hour on Sunday from 2pm to 6am. I am required to hold a community meeting so you can ask questions and we can discuss the rezoning application before it goes before the city.

This is the only change I am requesting to the conditional zoning requirements that we all agreed to in our agreement. The reason for the request, is I have someone interested in leasing the restaurant and they serve breakfast too. It's a family friendly concept, with no alcohol.

**The Community meeting will be held, Saturday November 27<sup>th</sup> at 2pm.** We can meet outside at the Pavilion. Also, the golf course will be open to the community after the meeting at no cost to play.

If you are unable to attend but would still like to ask questions or provide me your comments, I can be reached at 704-965-0039 or [brianfreemanpharmd@gmail.com](mailto:brianfreemanpharmd@gmail.com).

Best of Health,

A handwritten signature in black ink, appearing to read "Brian Freeman". The signature is stylized with a large initial "B" and a long horizontal stroke.

Brian Freeman

Jocko's and The Split



# Vicinity Map

CZ-2021-22

Applicant: Wisdom Realty, LLC

Location: 259 & 267 N. Cannon Blvd.





# Kannapolis Zoning

CZ-2021-22

Applicant: Wisdom Realty, LLC

Location: 259 & 267 N. Cannon Blvd.





# Kannapolis 2030 Future Land Use Map

CZ-2021-22

Applicant: Wisdom Realty, LLC

Location: 259 & 267 N. Cannon Blvd.





## CERTIFICATE OF RECORDING OFFICER

I, Bridgette Bell, the duly appointed and acting City Clerk for the City of Kannapolis, North Carolina, do hereby certify and acknowledge that the attached is a true and accurate copy of a Resolution to Rezone #CZ-2018-01 as adopted by the Kannapolis City Council said City at a regular held meeting held on October 22, 2018. Said Resolution and proceedings having been recorded in Minute Book 2018, and are on file and of record in the Office of the City Clerk.

**WITNESS** my hand and the official seal of the City of Kannapolis, this 30th day of October 2018.



  
\_\_\_\_\_  
Bridgette Bell, MMC, NCCMC  
City Clerk



**Resolution #2018-46**

**RESOLUTION TO ZONE  
Case # CZ-2018-01  
(267 North Cannon Boulevard)**

**City of Kannapolis General Commercial (C-2) and  
Residential Medium Density (RM-1) Zoning District to  
City of Kannapolis General Commercial Conditional Zoning District (C-2-CZ) and RM-1**

**WHEREAS**, Section 3.3.4.1 of the City of Kannapolis Unified Development Ordinance 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 of the City of Kannapolis Unified Development Ordinance 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 Planning and Zoning Commission conducted a public hearing on September 5, 2018 for consideration of rezoning petition Case #CZ-2018-01 as submitted to the City of Kannapolis Planning Department; and

**WHEREAS**, the request was to rezone properties located at 267 North Cannon Boulevard (Cabarrus County Parcel Identification Number(s) 5623-09-6794) owned by Wisdom Realty, LLC., from City of Kannapolis Zoning Designation C-2 – General Commercial and RM-1 – Residential Medium Density to City of Kannapolis Zoning Designation C-2-CZ – General Commercial Conditional Zoning; and

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

**WHEREAS**, the decision of the Planning and Zoning Commission has been appealed to the City Council and in accordance with Section 3.3.4.2 of the UDO, when an appeal is filed, City Council has final decision making authority on this request; and

**WHEREAS**, on October 22, 2018, City Council rezoned property located at 267 North Cannon Boulevard (Cabarrus County Parcel Identification Number(s) 5623-09-6794) owned by Wisdom Realty, LLC., from City of Kannapolis Zoning Designation C-2 – General Commercial and RM-1 – Residential Medium Density to City of Kannapolis Zoning Designation C-2-CZ – General Commercial Conditional Zoning and RM-1 on a portion of the subject property along the western property line abutting Cabarrus County Parcel 5623-09-4716; and

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

**WHEREAS**, per Section 3.3.5 of the Kannapolis UDO, the City Council makes the following findings in support and in analysis of the rezoning:

**1. The size of the tract in question.**

The size of the subject tract is approximately 2 +/- 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 "Urban Residential" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*, which consists of multiple uses within walking distance of each other. The Urban Residential character area calls for primary uses of single-family detached and attached residential and civic uses. Secondary uses are intended to be a mixture of multifamily residential, small retail and office, and live-work units. The C-2-CZ conditional zoning district with this rezoning proposes an ice cream shop, and miniature golf course with associated clubhouse and pavilion, which fit with the secondary uses of the Urban Residential character district.

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

The subject property is located at the entrance of the Idlewood/Knollwood neighborhood which includes approximately 90 residences, including 26 townhomes/condominiums, on approximately 80 acres. The requested rezoning proposes an ice cream shop and mini golf course of a scale that represents an appropriate transition between the commercial uses on Cannon Boulevard and the residential area behind the subject property.

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

The subject property is accessed from three curb cuts along Cannon Boulevard (NCDOT road) and two curb cuts along Willow Drive (City road). The curb cuts were installed for the former commercial uses on the property. Per discussions with NCDOT, the access point on Cannon Boulevard closest to Willow Drive may be closed off, leaving one access point along Cannon Boulevard in order to improve vehicular and pedestrian safety. Access on to Willow would have to be approved by the City.

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

The site plan submitted with this request for rezoning includes adequate parking for the listed 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 issues associated with the rezoning request. In addition, all development will be required to conform to all applicable local, state, and federal environmental regulations.

With regard to lighting, Staff recommends a condition that any new site lighting to be installed shall be full cut-off fixtures with all lighting directed away from adjacent properties, including properties along Willow Drive.

The required site plan will also be reviewed by City staff to ensure the development meets all stormwater requirements.

**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 former KFC on the site was closed and replaced by a new restaurant approximately ¾ of a mile south on Cannon Boulevard. The character of the area in proximity to the proposed use has

remained relatively stable over the recent past.

8. **Is there compliance with the adequate public facilities criteria?**  
There are adequate public facilities available to the property, including water, sewer and access to Cannon Boulevard and Willow Drive. It is not anticipated that any new development would require additional public facilities.
9. **What are the zoning districts and existing land uses of the surrounding properties?**  
Property to the south is zoned C-2 (General Commercial) and includes retail uses. Property to the north (across Willow Drive) is zoned RM-1 and is currently vacant woodland. Lady's Funeral Home is located across Cannon Boulevard to the east, and is zoned O-I (Office Institutional). Property to the west is zoned RM-1 and contains an existing single family detached residence.
10. **Is the subject property suitable for the uses to which it has been restricted under the existing zoning classification?**  
The portion of the subject property that is being requested to be rezoned is currently zoned RM-1. The RM-1 portion of the property would not be permitted to include any C-2 uses. The C-2 portion of the site would allow all uses permitted by right in the C-2 zoning district listed in Table 4.7-1 of the UDO. Most of the uses allowed by right within the C-2 zone are more intense than the uses proposed by this rezoning request.
11. **Is the zoning compatible with the adjacent neighborhood, especially residential neighborhood stability and character?**  
The proposed commercial uses are less intense than others allowed in the C-2 zone and would therefore be more compatible with the adjacent neighborhood.
12. **What length of time has the subject property remained vacant as zoned?**  
The subject property is not vacant.
13. **Is there an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs?**  
Cannon Boulevard is predominately a commercial corridor. There are vacant parcels as well as underused parcels along Cannon Boulevard.
14. **Was the existing zoning in error at the time of adoption?**  
No.

**NOW, THEREFORE BE IT RESOLVED** by the Kannapolis City Council that the above referenced property be rezoned City of Kannapolis C-2-CZ – General Commercial Conditional Zoning District, subject to the following conditions:

1. The uses permitted with this rezoning shall only include restaurant, and mini golf with associated club house and pavilion. A Site Plan shall be submitted and approved by City Staff prior to issuance of a Zoning Clearance Permit.
2. A minimum 21 foot natural landscape buffer shall be provided along the western portion of the subject property.
3. Any lighting installed on the subject property shall be full cut-off fixtures with all lighting directed downward and away from adjacent property on Willow Drive.
4. The business hours of operation shall not open before 8am Monday through Saturday and 2pm Sundays, and shall not extend beyond 11pm on any day of the week.
5. Driveway locations shall be approved by NCDOT and the City.
6. Driveways and parking lots shall comply with all Fire Codes and Autoturn (a traffic engineering

**RESOLUTION TO ZONE (Case #CZ-2018-01)**

City of Kannapolis General Commercial (C-2) and Residential Medium Density (RM-1) to  
City of Kannapolis General Commercial-Conditional Zoning District (C-2-CZ) and RM-1

- program which specifies the required turning radii for vehicles including delivery trucks and emergency vehicles) shall be run for an SU-30 and Bus-45 (mimics ladder truck).
7. Streams and wetlands shall be identified by a qualified person and all buffers shown in accordance with Article 4 of the Kannapolis UDO. Construction of buildings, roads, and other structures must comply with RSOD Buffer requirements or be relocated.
  8. 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 BMP's. Stormwater BMP's cannot be constructed in the undisturbed buffer.
  9. The applicant is responsible for verifying that the water meters, service lines and sanitary sewer connections are adequately sized for the building.
  10. Hydrants and fire protection shall comply with UDO Appendix C.3 and Fire Codes.

**Adopted this the 22<sup>nd</sup> Day of October, 2018**

  
\_\_\_\_\_

Milton D. Hinnant, Mayor

**Attest:**

  
\_\_\_\_\_

Bridgette Bell, MMC, NCCMC  
City Clerk



**Anolis Partners, PLLC**  
 Firm License # P-1191  
 7140 Regencywood Road  
 Concord, NC 28027  
 Lic. No. 28027  
 Lead Site Design: [Name]  
 Site Design: [Name]  
 Survey: [Name]  
 Telephone: 704.333.4401  
 Facsimile: 704.346.7001  
 Website: [URL]

**PRELIMINARY  
 NOT FOR  
 CONSTRUCTION**

**PROPOSED SKETCH PLAN  
 FOR  
 KANNAFOLUS NORTH CAROLINA  
 267 N CANNON BLVD  
 SYNERGY RESOURCES**

Project Number:	17181338
Date:	10-18-2018
Drawn By:	CM
Checked By:	MP
Scale:	10:1 (if necessary)
Sheet Title:	

**PRELIMINARY  
 SITE PLAN**

Sheet No:  
**C-2.0**



VICINITY MAP (N.T.S.)

NORTH CANNON BOULEVARD - U.S. HWY 29/601  
 100' PUBLIC R/W



**Summary of Rezoning Proposal**  
and  
**Modifications to Rezoning and Conditional Use Applications**  
Rezoning of property at 259-267 N. Cannon Blvd. - Case No. CZ-2018-01  
Wisdom Realty, LLC - Brian Freeman, Owner

- We appreciate the Planning Commission's unanimous approval of our applications. However, certain of the residents of the neighborhood appealed that approval. We had numerous meetings with their representatives, Mr. Griggs and Mr. Flowe, and are pleased to have reached an agreement to make the following modifications to our application.
- The neighborhood is now in support of this rezoning, as modified below, as shown by **the attached 7-page petition in support** which includes the signatures of many of the residents of the neighborhood.
- Our agreement with the neighbors is as follows, and we hereby modify our filed applications as per the below and **the attached modified site plan**, and agree to the following additional restrictions:
  1. **An amended site plan dated 10-18-2018 is attached to this summary.** This site plan replaces the site plan attached to our original applications, and shows the additional buffer areas to which we've agreed.
  2. **We've agreed to maintain a portion of the property as RM-1 zoning**, as shown on the attached site plan.
  3. **We've agreed to record a deed restriction on the property which will keep anything from being built in the buffer area shown on the site plan.** We can use the area during construction for **grading, staging and the installation of utilities.** After that it will remain undisturbed. The deed restrictions will be recorded after City Council approval and after the appeal period expires, and can only be modified with the written approval of the Willow Woods Townhomes Association, for the part adjoining Willow Drive, and by William C. McKinley, for the part adjoining his property. The deed restriction will expire 50 years from recording unless renewed.
  4. **The buffer is 17 feet wide along Willow Drive, approximately 21 to 17 feet from the western property line adjoining Willow, and 35 feet along the McKinley property line.** This area will be protected from development by a) this conditional use rezoning; b) the recorded deed restriction; and c) the RM-1 zoning. While not an opaque buffer, existing trees and vegetation will be maintained and no structures can be built in this area, other than any small retaining walls which may be needed to reinforce the hillside.
  5. **All the other limiting conditions set forth in our original applications still apply** except as modified hereby, including no alcohol, limited operating hours, use limited to restaurant and mini-golf only, and cut-off lighting.
- The Moving Kannapolis Forward land use plan calls for the entire N. Cannon Blvd. corridor to be "soft" commercial. This proposal is exactly that and in fact down-zones the property to soft rather than "hard" (C-2) commercial. The fact that it is conditional use ensures that the property will always be used and developed as promised. The application and these modifications specifically limit the uses which can be made of the property. The neighbors are now fully in favor of this proposal.
- Brian Freeman will present his vision for the property and his experience in operating and growing other successful businesses. He has provided a PowerPoint presentation showing the layout and uses of the property. He will own and operate the business himself. Our general contractor and attorney are also here to answer any questions. We hope that the City Council will appreciate our investment in helping move Kannapolis forward and will approve this recreational use for a long-underutilized and highly visible portion of central Kannapolis. **Thank you.**



PO Box 27283  
Richmond, VA 23261-7283

# Order Confirmation

Order# 0000756393

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

**Payer:** 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**      **Acct Rep**      **Ordered By**  
aboan              aboan              Pam

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

**Total Amount**                      \$841.32  
**Payment Amount**                  \$841.32  

---

**Amount Due**                          \$0.00  
**Tax Amount:**                          0.00  
**Payment Meth:**      Credit - Debit Card

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

**Ad Number**                      **Ad Type**                      **Ad Size**                      **Color**  
0000756393-01                      CLS Liner                      2 X 68 li                      \$0.00

**Production Method**                      **Production Notes**  
AdBooker (liner)

**Product and Zone**                      **Placement**                      **Position**                      #  
CON Independent Trib                      C-Announcements                      General-Spec Notice  
**Run Schedule Invoice Text:**                      NOTICE OF PUBLIC HEARING Planning and Zoning  
**Run Dates**                      12/ 3/2021, 12/10/2021  
**TagLine:** NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONMEETING4  
LISNCTUESDAYDECEMBER142021AT600PMCONDITIONALZONINGMA



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

**Tuesday December 14, 2021 at 6:00 pm**

**Conditional Zoning Map Amendment - CZ-2021-22** - Public Hearing to consider an amendment to the previously approved rezoning conditions for property located at 267 North Cannon Boulevard, zoned General Commercial-Conditional Zoning (C-2-CZ) and further identified as Cabarrus County Parcel Identification Number(s) 56230967940000. The requested changes include increasing the operating hours to Sunday through Saturday, 6:00 AM to 11:00 PM.

**Conditional Zoning Map Amendment - CZ-2021-18** - Public Hearing to consider a request to rezone properties located at 2802 Lane Street and an unaddressed parcel on Lane Street from Cabarrus County Limited Commercial (LC) to City of Kannapolis Residential Compact-Conditional Zoning (RC-CZ) to allow for a 266-unit multi-family apartment development. The subject properties are approximately 35.59 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56334815830000 and 56335809780000.

**Conditional Zoning Map Amendment - CZ-2021-23** - Public Hearing to consider a request to rezone eleven (11) properties located at 6600 Fingerlake Drive, as well as 843, 873, 877, 881, 885, 911, 915, 923, 927 and 935 Kannapolis Parkway from Rural Estate (RE) zoning district to Residential Compact-Conditional Zoning (RC-CZ) zoning district to allow for a 396-unit multi-family apartment development. The subject properties are approximately 26.52 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46918491960000, 46919463850000, 46918402550000, 46918463560000, 46919414050000, 46919455550000, 46919406110000, 46918465840000, 4691946861000, 46919426490000, and 46919427710000.

**Conditional Zoning Map Amendment - CZ-2021-16** - Continued from November 16, 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 0490000001, 132 108, 244 158, 244 169, 131 202, 131 145, 131 173, 131 07202, 131 144, 131 07201, 131 142 and 131 143.

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: December 3, December 10, 2021.**

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
BOBBY GRIFFIN	604 WALKER ST	KANNAPOLIS	NC	28081
BRANDON & EMILY FARABEE	604 WILLOW DR	KANNAPOLIS	NC	28083
CASAG PROPERTIES LLC	406 E 4TH ST	KANNAPOLIS	NC	28083
CHRISTOPHER DIERKES	311 SILVERLEAF CIR	KANNAPOLIS	NC	28083
HERMITAGE PLACE LTD PARTNRSHIP	P O BOX 648	CONCORD	NC	28026
HOPETON BAILEY	314 WISTERIA LN	KANNAPOLIS	NC	28083
ISAIAH 58 REALTY LLC	208 W WENDOVER AVE	GREENSBORO	NC	27401
JAMES S DAVIS	303 SILVERLEAF CIRCLE	KANNAPOLIS	NC	28083
JOANN CARPENTER	310 WISTERIA LN	KANNAPOLIS	NC	28083
JOANN CROSBY TR	322 WISTERIA LN	KANNAPOLIS	NC	28083
LADYS FUNERAL HOME	268 N CANNON BLVD	KANNAPOLIS	NC	28083
MYF COMPANY LLC	2403 PINE CAPE CT	KANNAPOLIS	NC	28083
NORRIS DEARMON	301 WISTERIA LN	KANNAPOLIS	NC	28083
SHAWN GRAHAM	307 SILVERLEAF CIR	KANNAPOLIS	NC	28083
SUSAN BAME	315 SILVERLEAF CIR	KANNAPOLIS	NC	28083
WALTER MAGUIRE & TAMI PARKER	318 WISTERIA LN	KANNAPOLIS	NC	28083
WALTER SMITH & BARBARA MEIDL	710 WILLOW DR	KANNAPOLIS	NC	28083
WILLIAM MCKINLEY	705 NANCE STREET	KANNAPOLIS	NC	28081
WILLOW WOODS TOWNHOME ASSO INC C/O TREASURER	322 WISTERIA LN	KANNAPOLIS	NC	28083
WISDOM REALTY LLC ATTN: BRIAN FREEMAN	405 SHUPING MILL RD	SALISBURY	NC	28146



November 30, 2021

Dear Property Owner:

**Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, December 14, 2021 at 6:00 PM, at City Hall, located at 401 Laureate Way, for the following case:**

**CZ-2021-22 – Conditional Zoning Map Amendment – 267 North Cannon Boulevard**

The purpose of the Public Hearing is to consider an amendment to the previously approved rezoning conditions for property located at 267 North Cannon Boulevard, zoned General Commercial-Conditional Zoning (C-2-CZ) and further identified as Cabarrus County Parcel Identification Number(s) 56230967940000. The requested changes include increasing the operating hours to Sunday through Saturday, 6:00 AM to 11:00 PM. (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 Unified Development Ordinance. You are welcome to attend the public hearing and present testimony to the Planning and Zoning Commission if you so desire.

If you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4350 or [bstanley@kannapolisnc.gov](mailto:bstanley@kannapolisnc.gov).

Sincerely,

Boyd 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.

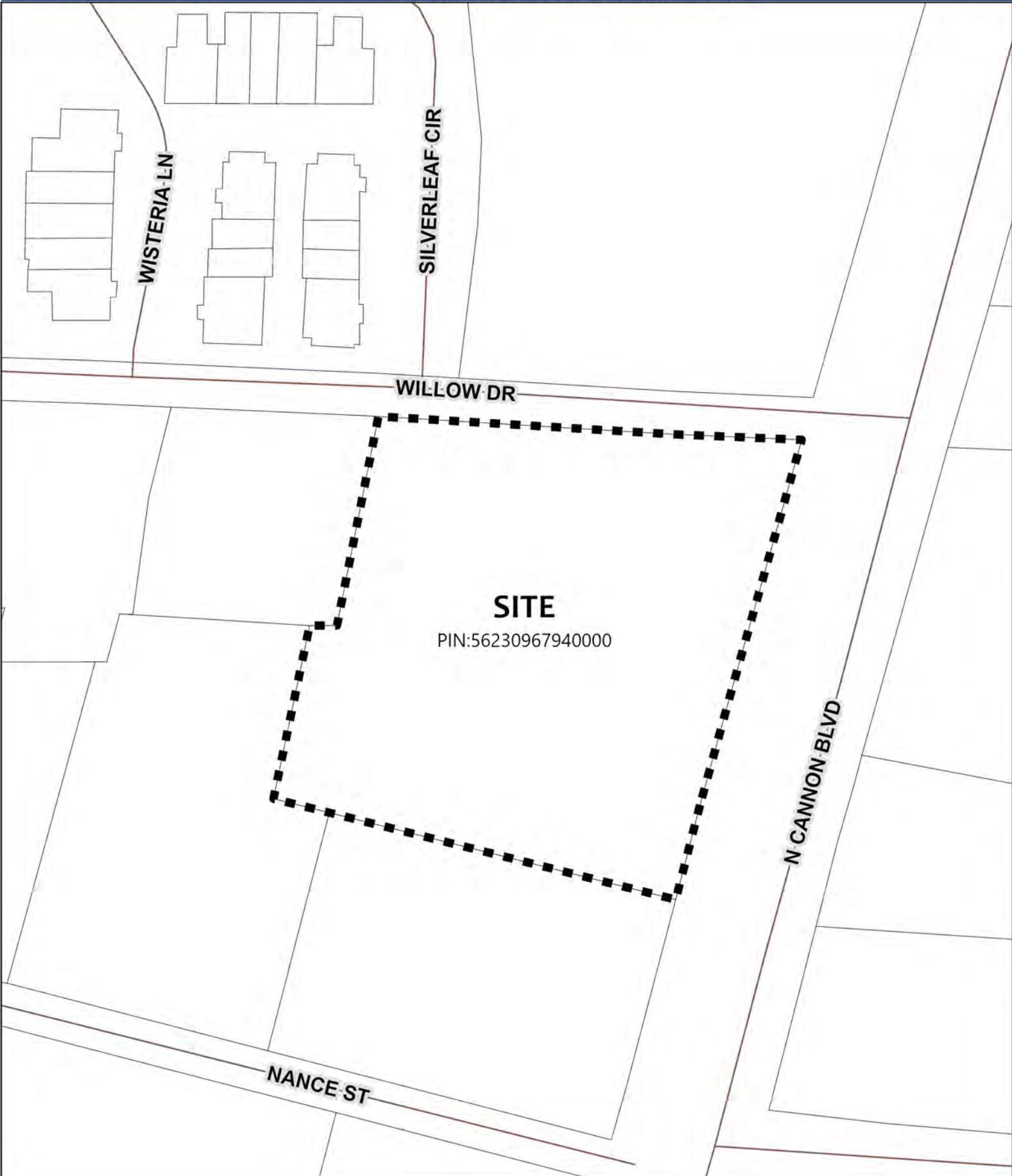


# Zoning Map Amendment

CZ-2021-22

Applicant: Wisdom Realty, LLC

Location: 259 & 267 N. Cannon Blvd.





**PLANNING**

**ZONING**

**COMMISSION**

**PUBLIC HEARING  
INFORMATION**

**CALL 704-920-4350**

**CASE # CZ - 2021 -22**

*The Split*  
RESTAURANT

7

WALKWAY PRACTICE EXERCISE



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
WITH REGARD TO CASE #CZ-2021-22**

**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 December 14, 2021 the Planning and Zoning Commission conducted a public hearing to consider an amendment to previously approved conditions under Case # CZ-2018-01 on property located at 267 North Cannon Boulevard, (Cabarrus County Parcel Identification Number 56230967940000) owned by Wisdom Realty LLC.

**NOW, THEREFORE BE IT RESOLVED** *that the Planning and Zoning finds this amendment 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 “Urban Residential” Character Area, which may include a mixture of residential, small format retail and office uses. Furthermore, staff finds the request for amending the conditional rezoning reasonable and in the public interest because as it does not propose to substantially change the currently approved project under Case No.: CZ-2018-01. The proposed use and these amendments are 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.*

**Adopted this the 14<sup>th</sup> day of December 2021:**

---

Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



## **RESOLUTION TO ZONE**

**Case #CZ-2021-22  
(267 N Cannon Blvd.)**

### **Amendment to previously approved conditions under Case No. CZ-2018-01**

**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 July 14, 2021 for consideration of petition Case #CZ-2021-22 as submitted to the City of Kannapolis Planning Department; and

**WHEREAS** the request is to amend conditions of approval previously approved under Case No. CZ-2018-01 on property located at 267 North Cannon Boulevard (Cabarrus County Parcel Identification Numbers 56230967940000) owned by Wisdom Realty LLC., zoned City of Kannapolis General Commercial-Conditional Zoning (C-2-CZ); 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 tract is approximately 2 +/- 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 "Urban Residential" Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*.

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

The subject property is currently zoned General Commercial-Conditional Zoning (C-2-CZ) and this amendment does not propose to change the zoning or density of the property.

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

This amendment will not increase the unit count or density of the project. Therefore, it is not intended to have an adverse impact on the road network.

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

N/A.

**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?**

N/A.

**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 stable.

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

There are adequate public facilities available to the property including water, sewer and access to Cannon Boulevard and Willow Drive.

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

The subject property is currently zoned General Commercial-Conditional Zoning (C-2-CZ) and this amendment does not propose to change the zoning or density of the property.

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

Yes, the zoning of the property is not changing with this amendment.

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

The commercial use is less intense than others allowed in the C-2 zone and is therefore compatible with adjacent neighborhood.

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

The subject property is not vacant.

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

Cannon Boulevard is predominately a commercial corridor. There are vacant parcels as well as underused parcels along Cannon Boulevard.

**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 conditions for the above referenced property be amended, subject to the following conditions:

1. Unless otherwise stated here, all Conditions of Approval under CZ-2018-01 remain effective.
2. Previous Condition of Approval No. 4 shall now state: *The business hours of operation shall not open before 6am Sunday through Saturday and shall not extend beyond 11pm on any day of the week.*

**Adopted this the 14<sup>th</sup> day of December 2021:**

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

**Attest:**

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



**Planning and Zoning Commission  
December 14, 2021 Meeting**

**Staff Report**

**TO:** Planning and Zoning Commission  
**FROM:** Boyd Stanley, Assistant Planning Director  
**SUBJECT:** Case #CZ-2021-18  
Applicant: Creighton Call, Continuum Holding Company, LLC

Request to conditionally rezone 2802 Lane Street and an unaddressed parcel located on Lane Street from Cabarrus County Limited Commercial (LC) zoning district to City of Kannapolis Residential Compact-Conditional Zoning (RC-CZ) zoning district to allow for a 266-unit multi-family apartment development. Cabarrus County PIN Numbers 56334815830000 and 56335809780000.

**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 subject parcels were recently annexed into the City from unincorporated Cabarrus County on December 13, 2021 by City Council and must therefore be assigned a City of Kannapolis zoning designation within 60 days in accordance with state statute.

The applicant, Creighton Call, Continuum Holding Company, LLC., is proposing to rezone the subject properties from Cabarrus County Limited Commercial (LC) zoning district to City of Kannapolis Residential Compact-Conditional Zoning (RC-CZ) zoning district to allow for a 266-unit multi-family apartment development as shown on the attached site plan.

As shown on the preliminary site plan, a total of 10, 3-story multi-family buildings along with an amenity building and pool are being proposed. In addition, the site is heavily impacted by streams and wetlands, which are being preserved. It is anticipated the development will be gated at both access points. The main gated entrance will be the designated access to Lane Street and adjoining developing properties adjacent to the amenity. The applicant is requesting the secondary gated access at Pinebrook Trail be designated for emergency vehicles only. Preliminary comments indicate improvements will be required along Pinebrook Trail to accommodate a Fire Apparatus and other emergency vehicles.

The properties are located entirely within the Critical Watershed Protection Overlay Area for Lake Fisher (WS-IV CA), which limits maximum built-upon area to 24% impervious. Watershed Protection Overlay Districts are required to be adopted by local jurisdictions by the North Carolina Environmental Commission. There is an option to develop at a higher-density of up to a 50% built-upon area assuming a higher-quality development, which incorporates enhanced water quality and stormwater management controls in compliance with the State standards. The applicant is proposing to utilize the high-density option with a maximum +/-35% built-upon area.

#### **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 35.59 +/- 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 "Primary Activity Center-Interchange" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character Area designation is adjacent to Interstate 85 and allows for a mix of uses including multi-family residential 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 use of a multi-family residential development is 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 is required and the applicant's engineer is working with NCDOT and City Staff on required transportation improvements.

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

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

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

The properties are located entirely within the Critical Watershed Protection Overlay Area for Lake Fisher (WS-IV CA), The applicant is proposing to utilize the high-density option with a maximum of +/- 35% built-upon area.

**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 this area is rapidly changing with development currently underway of the adjacent Metro 63 industrial site and plans to redevelop the nearby Old Intimidators Stadium as Lakeshore Industrial Park. Recent round-about and interchange improvements along Lane Street have helped ease traffic congestion in anticipation of this new growth.

**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), Light Industrial (I-1), Office Institutional (O-I Cabarrus County) and Light Commercial (L-C Cabarrus County). 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?**

The properties are currently zoned LC. A rezoning is required to develop multi-family apartments on the properties.

**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 within the "Primary Activity Center-Interchange" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character Area designation is adjacent to Interstate 85 and allows for a mix of uses including multi-family residential 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-2021-18:**

1. The permitted uses allowed by this rezoning shall only include 266 multi-family units 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. Compliance with the current Land Development Standards Manual (LDSM).
4. Final design of all road intersections which development has access to and/or street frontage on shall be approved by NCDOT and the City.
5. The lane widths, sidewalks, pavement structure, road alignment, and grades of all interior roads shall be constructed in compliance with current City standards.
6. Roads and parking lots shall comply with all Fire Codes and Autoturn shall be run for an SU-30 and Bus-45 (mimics ladder truck).
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. Stormwater SCM's cannot be constructed in the undisturbed buffer. Additional requirements are necessary to verify design of SCM within AE Zone see attached comments on sketch plan.
8. Water and sewer main extensions 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.
12. Fire apparatus access roads shall remain open at all times.
13. All proposed buildings shall require architectural review and strict adherence to the renderings, community examples, color pallets, architectural materials and overall design elements

provided by the applicant and required by Article 11.2 Multi-Family Design Standards of the UDO. Additional information is forthcoming from the applicant prior to the Public Hearing.

### **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-2021-18, 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 within the “Primary Activity Center-Interchange” Character Area as designated in the Move Kannapolis Forward 2030 Comprehensive Plan. This Character Area designation is adjacent to Interstate 85 and allows for a mix of uses including multi-family residential 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-2021-18, 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-2021-18, 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-2021-18 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-2021-18, 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. Elevation Rendering
7. Neighborhood Meeting Information
8. Notice of Public Hearing
9. List of Notified Properties
10. Letter to Adjacent Property Owners

11. Posted Public Notice Sign
12. Resolution to Adopt a Statement of Consistency
13. Resolution to Zone

**J. Issue Reviewed By:**

- Planning Director
- Assistant City Manager
- City Attorney



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

## Conditional Zoning Map Amendment Checklist

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

### CONDITIONAL REZONING REQUEST

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

Requested Rezoning Property Address: 2802 LANE ST (PID 56334815830000, and 56335809780000)  
Applicant: Creighton Call, Continuum Holding Company, LLC  
Proposed development: \_\_\_\_\_  
Up to 250 Multifamily Apartment Units at approximately 7.02 Units per Acre.

### 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 1<sup>st</sup> Wednesday 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: 8/9/2021



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: Creighton Call, Continuum Holding Company, LLC

Address: 1420 E. 7th Street, Suite 100  
Charlotte, NC 28204

Phone: 704.607.7278

Email: creightoncall704@gmail.com

### Property Owner Contact Information same as applicant

Name: Richard D Locklear

Address: P.O. Box 56  
Landis, NC 28088

Phone: 704.857.6182

Email: carolynd@ricklocklear.com

### Project Information

Project Address: 2802 E Lane St. Approx. 950' east of the intersections of I-85 and Lane Street

Parcel: 56334815830000 and 56335809780000 # of parcels: 2 Approx. size of parcels: 35.59  
(attach separate list if necessary) **LC (Cabarrus)**

Current Zoning Designation: AG - Agricultural Requested Zoning Designation: RC-CZ - Residential Compact Cc

Reason for map amendment: To develop the property as up to 250 multi-family apartment units

\_\_\_\_\_

Condition(s) proposed by the applicant (attach separate sheet if necessary): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**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.**

 8/9/21  
Applicant Signature Date

DocuSigned by:  
Richard D. Locklear 8/9/2021  
Property Owner Signature Date

### For Staff Use Only:

Filing Fee: \_\_\_\_\_ Receipt #: \_\_\_\_\_

Case #: \_\_\_\_\_ Date Received: \_\_\_\_\_

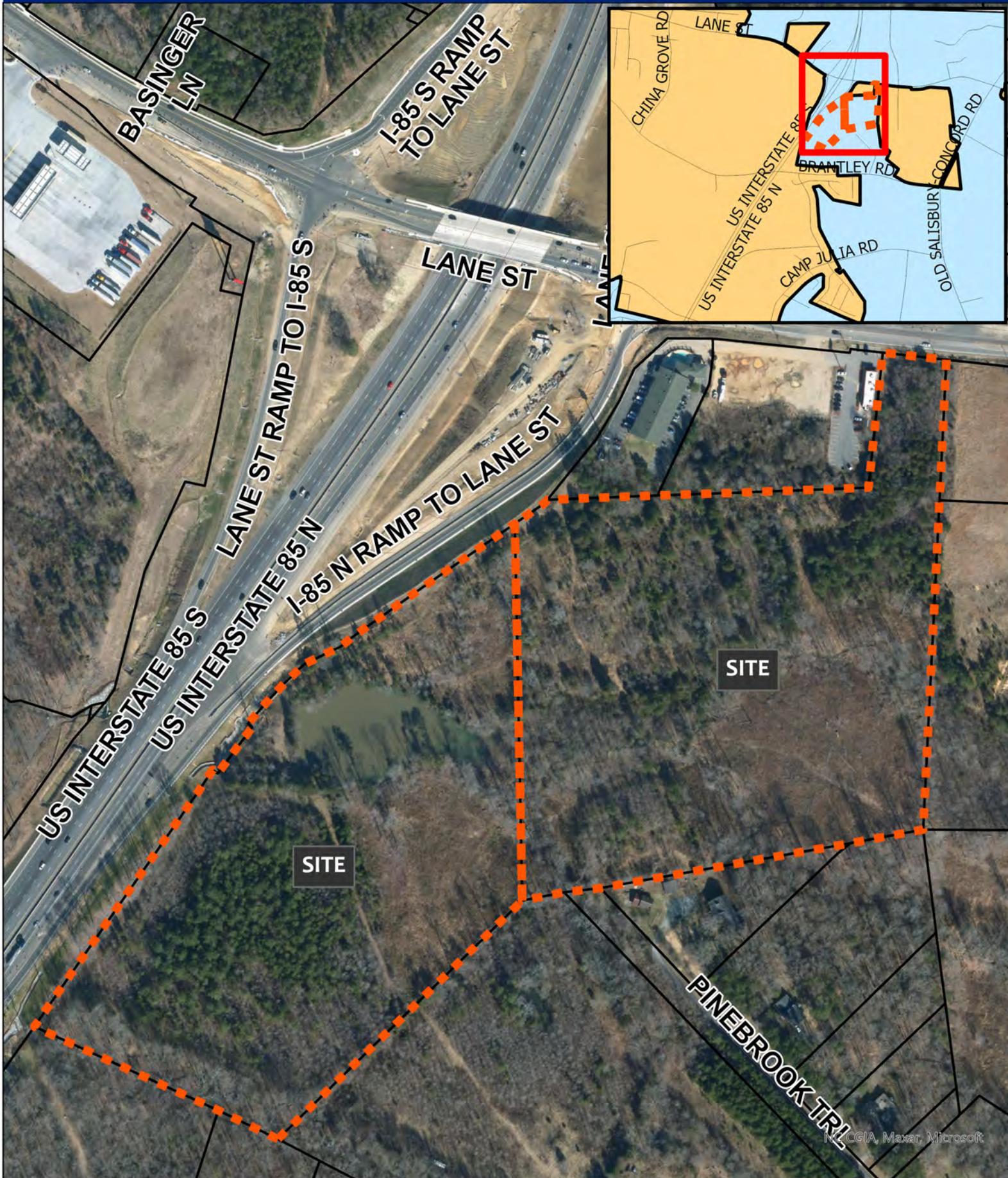


# Vicinity Map

CZ-2021-18

Applicant: Creighton Call, Continuum Holding Company, LLC

Location: 2802 Lane St.



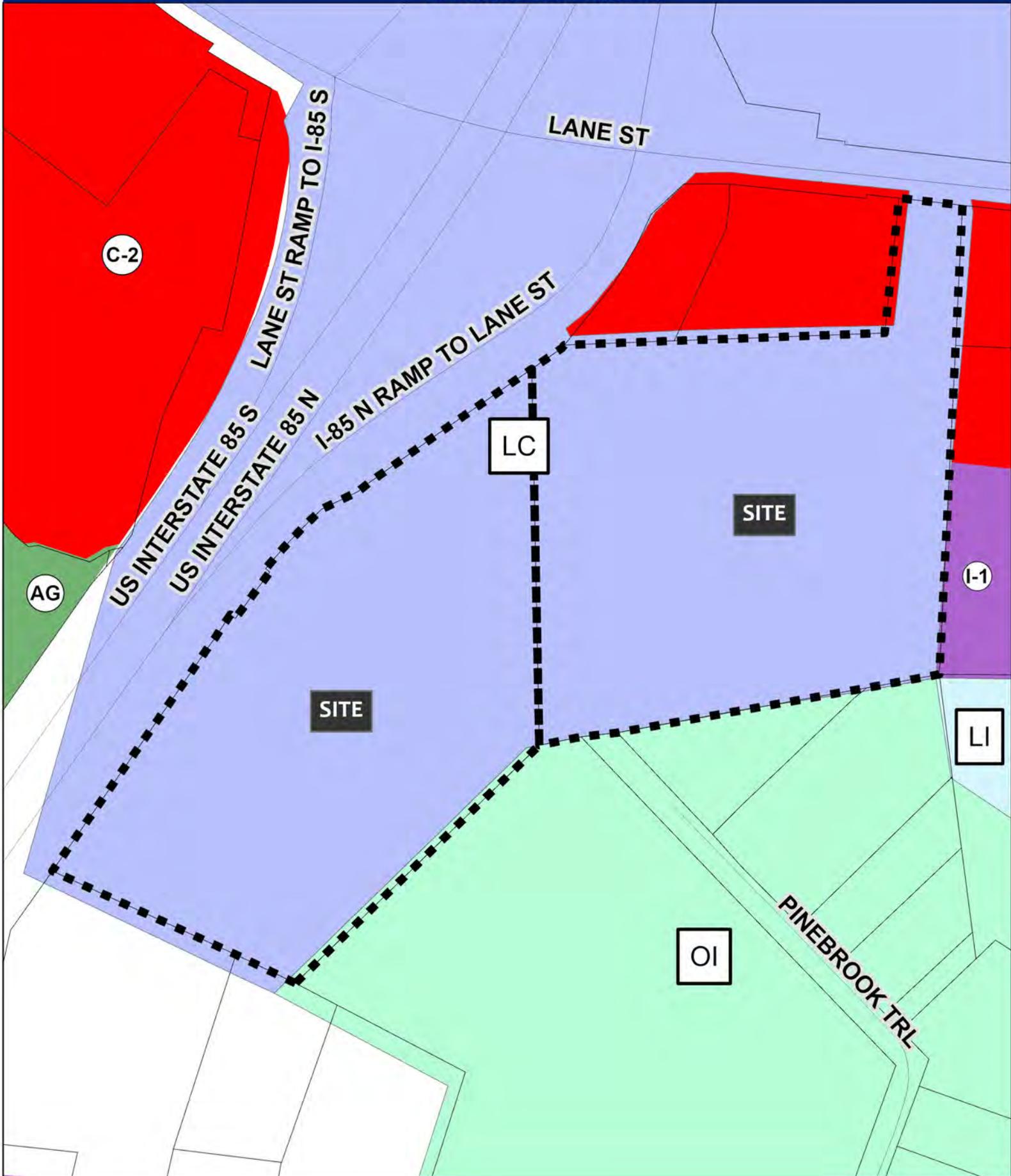


# Kannapolis Zoning

CZ-2021-18

Applicant: Creighton Call, Continuum Holding Company, LLC

Location: 2802 Lane St.



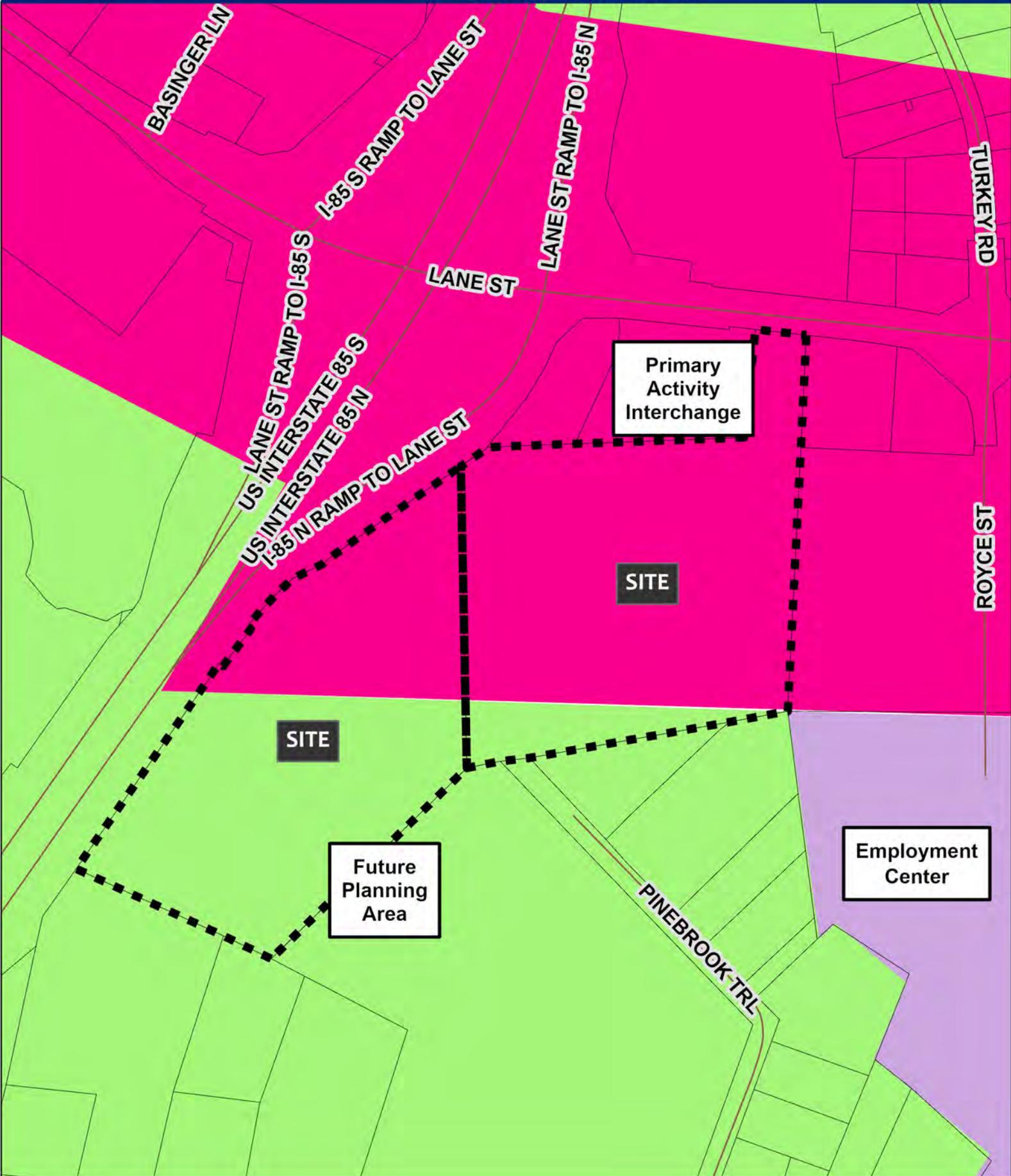


# Kannapolis 2030 Future Land Use Map

CZ-2021-18

Applicant: Creighton Call, Continuum Holding Company, LLC

Location: 2802 Lane St.







**SITE DATA**

PARCEL ID:	56335809780000, 56334815830000
AREA:	± 35.59 AC
EXISTING ZONING:	LC (CABARRUS COUNTY)
PROPOSED ZONING:	RC-CZ (R-8 KDO)
WATERSHED:	LAKE FISHER WS-IV CA
PROPOSED USE:	MULTIFAMILY APARTMENTS
PROPOSED YIELD:	266 UNITS
MAXIMUM DENSITY PER ZONING:	8 DU/A (284 UNITS)
PROPOSED DENSITY:	7.47 DU/A (266 UNITS)

**SETBACKS AND BUFFERS**

FRONT SETBACK	10'
SIDE SETBACK	5'
REAR SETBACK	5'
RESIDENTIAL BUFFER	6' CLASS B BUFFER
INDUSTRIAL BUFFER	16' CLASS D BUFFER
MINIMUM BUILDING SEPARATION	20'
MAXIMUM BUILDING HEIGHT	48'

**OPEN SPACE**

REQUIRED OPEN SPACE:	± 7.11 AC (20%)
PROPOSED OPEN SPACE:	> 17.80 AC (50%)

**PARKING**

REQUIRED OFF-STREET PARKING:	1.5 (1-2BR) 2.0 (3+BR) SPACES PER UNIT
APPROXIMATE 1 AND 2 BEDROOM PARKING:	386
APPROXIMATE 3 BEDROOM PARKING:	80
APPROXIMATE REQUIRED PARKING:	466
PROVIDED PARKING:	483 SPACES



# LANE STREET MULTIFAMILY PLAN

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY BGE INC. SHALL BE WITHOUT LIABILITY TO BGE INC.



**Building Exterior**

For Conceptual purposes only, subject to change



## Clubhouse & Leasing Center Exterior

For Conceptual purposes only, subject to change



For Conceptual purposes only, subject to change

## Clubhouse & Leasing Center Exterior



**Resort style pool**

For Conceptual purposes only, subject to change



For Conceptual purposes only, subject to change

**Fitness Center**



For Conceptual purposes only, subject to change

**Club Room**



# Pocket Park

For Conceptual purposes only, subject to change



July 1, 2021

**RE: Lane Street Townhomes Rezoning – Official Community Meeting**

Dear Kannapolis Neighbor,

On behalf of Continuum Holding Company, LLC (the “Petitioner”) we would like to invite you to a Official Community Meeting to discuss the proposed rezoning of approximately 35.59 acres along Lane Street, east of interstate 85. The project includes Tax Parcels #56334815830000, and 56335809780000. A map of the proposed Project boundary is attached. The project will include approximately 187 townhome units.

In accordance with the requirements of the City of Kannapolis Zoning Ordinance, the Petitioner will hold a Community Meeting prior to the Public Hearing of this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Kannapolis Planning Commission’s records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoin, is located across the street from, or is near the Property.

We invite you to attend the Official Community Meeting at **Mt. Mitchell Fire Department** located at **5875 Old Salisbury-Concord Rd. Kannapolis, NC 28083** on **Tuesday, July 13<sup>th</sup> at 6:00 pm**. If you are interested in attending the live presentation and discussion session at the scheduled time, **please RSVP by sending an email to [AGrant@BGEinc.com](mailto:AGrant@BGEinc.com)**. Please reference the petition number, petitioner, or site location, and include your name, address, and telephone number in your RSVP. We can also e-mail or provide physical copies of the presentation to neighbors that are unable to attend at the scheduled time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew P. Grant", is located below the "Sincerely," text.

Andrew P. Grant, PE  
Manager, Land/Site





August 16, 2021

**RE: Lane Street Townhomes Rezoning – Community Notification**

Dear Kannapolis Neighbor,

On behalf of Continuum Holding Company, LLC (the “Petitioner”), we are providing this letter to the properties owners in the vicinity of our proposed rezoning of approximately 35.59 acres along Lane Street, east of interstate 85. The Kannapolis Planning Commission’s records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoin, is located across the street from, or is near our Site.

The project includes Tax Parcels #56334815830000, and 56335809780000. A map of the proposed Project boundary is attached. The project will include up to 250 apartment home units and associated infrastructure and amenities.

Also included is our initial Rezoning Plan for your review. The intent of our development is to provide significant open space, natural area, and/or buffers from surrounding parcels where feasible. Our plan also proposes to direct the development’s traffic entirely to Lane Street. There have been significant improvements to Lane Street in the recent past to help accommodate our Site, and we are reviewing with the City and NCDOT if any additional improvements are required.

If you have any questions about the project or rezoning schedule, please feel free to reach out to City of Kannapolis Planning Staff or Andrew Grant, PE with BGE Inc. by e-mail at [AGrant@BGEinc.com](mailto:AGrant@BGEinc.com). Please reference the petition number, petitioner, or site location, and include your name, address, and telephone number with your questions so we are best able to respond.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew P. Grant".

Andrew P. Grant, PE  
Director, Land/Site



# LANE STREET TOWNHOMES - NEIGHBORHOOD MEETING

## SIGN-IN SHEET

7 / 13 / 2021

Name	ADDRESS	EMAIL
Spencer McNeil (ANDREW GRAUT)	1111 Metropolitan V, Suite 200 CHARLOTTE, NC 28204	SMCNAB@BGEINC.COM
JAMIE & MATT FREEMAN	5480 PINEBROOK TR KANNAPOLIS 28083	jame.e.freeman@gmail
CREIGHTON CAUL	1811 CHATHAM AVE CHARLOTTE, NC 28205	CREIGHTONCAUL 704E CAUL2.COM
Jeremy Link	5875 <del>th</del> Old Salisbury- Concord Rd Kannapolis NC 28083	mt.mitchellfire@ gmail.com



07/14/2021

Civil Engineer  
Andrew Grant, PE  
BGE, Inc.  
1111 Metropolitan Avenue, Suite 200,  
Charlotte, North Carolina 28204

Developer/Applicant  
Creighton Call  
Continuum Holding Company, LLC

Kannapolis Planning Director  
Richard Smith  
401 Laureate Way  
Kannapolis, NC 28081

**Community Meeting Summary**

**Continuum Holding Company, LLC - Lane Street Townhomes Rezoning  
Parcels 5633-48-15-83-0000, 5633-58-09-78-0000  
Kannapolis, North Carolina**

Below is a summary report of the community meeting held at Mt. Mitchell Fire Department on July 13, 2021 from 6-7pm for the Continuum Holding Company, LLC - Lane Street Townhomes Rezoning. The civil engineer, Andrew Grant, presented at the meeting to explain the intent of the proposed site. Each question from community members in attendance is listed below with the corresponding responses. Each question asked also lists the community member who asked the question. If a question was asked multiple times, by other community member(s), this will be stated after the initial resident's name. A table is located at the end of this report listing the name of each community member in attendance and their address.

A. Jamie and Matt Freeman:

*Construction Entrance on Pinebrook Trail?*

'Response: The Main construction entrance will be from Lane Street, additional construction will have to occur on Pinebrook trail, but currently we are planning the entrance from Lane Street.'

- B. Jamie and Matt Freeman:  
*What is the timeline for beginning of construction?*  
 'Response: 8-12 months.'
- C. Jamie and Matt Freeman:  
*What are optional uses?*  
 'Response: Primary Activity Interchanges such as this site are shown in slides with primary uses such as retail and office spaces and secondary uses like single family attached residential homes'
- D. Jamie and Matt Freeman:  
*What are approximate costs of the townhomes?*  
 'Response \$300,000'
- E. Jamie and Matt Freeman:  
*Currently do you believe there are amenities in the area for 200 people?*  
 'Response: The area will grow based on the city comprehensive plan, and city improved infrastructure in the area, such as the roundabouts will contribute to this growth.'
- F. Jamie and Matt Freeman:  
*What is the time it will take till construction is done?*  
 'Response: Approximately 3 years'
- G. Jamie and Matt Freeman:  
*Noted: They were not supportive with the plan and construction.*

<b>Community Meeting Attendees 09/10/2019</b>			
<b>Name</b>	<b>Address</b>	<b>Name</b>	<b>Address</b>
Jamie Freeman	5480 Pinebrook Trail, Kannapolis	Jeremy Links	5875 Old Salisbury-Concord Road, Kannapolis
Matt Freeman	5480 Pinebrook Trail, Kannapolis		

Subject: Lane Street Rezoning

From : [creightoncall704@gmail.com](mailto:creightoncall704@gmail.com)

To: kncraven@windstream.net

Cc: Andrew Grant <AGrant@bgeinc.com>

Hello Kathy,

Andrew Grant at BGE provided my your information as an interested community neighbor in the Lane Street rezoning that my company is working on.

I would like to provide you an update to our rezoning process. Attached is the final concept plan for the rezoning of the Lane Street property that will be voted upon by Kannapolis Planning and Zoning Board on 12/16.

The attached site plan includes all previous buffers, access , gated community, emergency access only via Pinebrook, all which is consistent with the previous version. We did finalize the Army Corp of Engineering stream and wetland delineation process, which was favorable. This allowed us to add one additional multifamily building to the site plan bring the total allowable units to 266. This is up slightly from 250 units on the last submittal.

Please let me know if you have additional questions, or would like to discuss over the phone.

Thank you,



Date: Tue 11/30/2021 9:53 AM

From: [creightoncall704@gmail.com](mailto:creightoncall704@gmail.com)

To: jamie.e.freeman@gmail.com

FW: Lane Street rezoning - follow-up phone call request

Good morning Jamie and Matt,

I hope you are doing well and that you had a nice Thanksgiving.

I would like to provide you an update to our rezoning process. Attached is the final concept plan for the rezoning of the Lane Street property that will be voted upon by Kannapolis Planning and Zoning Board on 12/16.

The attached site plan includes all previous buffers, access , gated community, emergency access only via Pinebrook, all which is consistent with the previous version. We did finalize the Army Corp of Engineering stream and wetland delineation process, which was favorable. This allowed us to add one additional multifamily building to the site plan bring the total allowable units to 266. This is up slightly from 250 units on the last submittal.

Please let me know if you have additional questions, or would like to discuss over the phone.



Thank you,

Creighton Call

704-607-7278

From: creightoncall704@gmail.com <creightoncall704@gmail.com>

Sent: Tuesday, August 17, 2021 8:37 AM

To: jamie.e.freeman@gmail.com

Subject: Lane Street rezoning - follow-up phone call request

Good morning Jamie and Matt,

I would like to have a follow-up phone call on the plan we submitted yesterday for rezoning in Kannapolis. Based on further market research and property due diligence, we determined that the site is better suited for an amenitized, class-A, multifamily apartment community.

We have had a few calls with the City of Kannapolis to potentially gate the community; including the secondary entrance on Pinebrook Trail. They are considering that request. Our goal is to address your concern about increased traffic on Pinebrook Trail. The revised concept and plan also has much larger buffer on the subject property adjacent to your home.

Please let me know your availability for a phone call. My phone number is below so feel free to call me if that is easier.

Thank you,

Creighton Call

704-607-7278



PO Box 27283  
Richmond, VA 23261-7283

# Order Confirmation

Order# 0000756393

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

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

**Total Amount**                      \$841.32  
**Payment Amount**                      \$841.32

**Amount Due**                      \$0.00

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

**Tax Amount:**                      0.00  
**Payment Meth:**      Credit - Debit Card

**Ad Number**                      **Ad Type**                      **Ad Size**                      **Color**  
0000756393-01                      CLS Liner                      2 X 68 li                      \$0.00

**Production Method**                      **Production Notes**  
AdBooker (liner)

**Product and Zone**                      **Placement**                      **Position**                      **#**  
CON Independent Trib                      C-Announcements                      General-Spec Notice  
**Run Schedule Invoice Text:**                      NOTICE OF PUBLIC HEARING Planning and Zoning  
**Run Dates**                      12/ 3/2021, 12/10/2021  
**TagLine:** NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONMEETING4  
LISNCTUESDAYDECEMBER142021AT600PMCONDITIONALZONINGMA



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

**Tuesday December 14, 2021 at 6:00 pm**

**Conditional Zoning Map Amendment - CZ-2021-22** - Public Hearing to consider an amendment to the previously approved rezoning conditions for property located at 267 North Cannon Boulevard, zoned General Commercial-Conditional Zoning (C-2-CZ) and further identified as Cabarrus County Parcel Identification Number(s) 56230967940000. The requested changes include increasing the operating hours to Sunday through Saturday, 6:00 AM to 11:00 PM.

**Conditional Zoning Map Amendment - CZ-2021-18** - Public Hearing to consider a request to rezone properties located at 2802 Lane Street and an unaddressed parcel on Lane Street from Cabarrus County Limited Commercial (LC) to City of Kannapolis Residential Compact-Conditional Zoning (RC-CZ) to allow for a 266-unit multi-family apartment development. The subject properties are approximately 35.59 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56334815830000 and 56335809780000.

**Conditional Zoning Map Amendment - CZ-2021-23** - Public Hearing to consider a request to rezone eleven (11) properties located at 6600 Fingerlake Drive, as well as 843, 873, 877, 881, 885, 911, 915, 923, 927 and 935 Kannapolis Parkway from Rural Estate (RE) zoning district to Residential Compact-Conditional Zoning (RC-CZ) zoning district to allow for a 396-unit multi-family apartment development. The subject properties are approximately 26.52 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46918491960000, 46919463850000, 46918402550000, 46918463560000, 46919414050000, 46919455550000, 46919406110000, 46918465840000, 4691946861000, 46919426490000, and 46919427710000.

**Conditional Zoning Map Amendment - CZ-2021-16** - Continued from November 16, 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 0490000001, 132 108, 244 158, 244 169, 131 202, 131 145, 131 173, 131 07202, 131 144, 131 07201, 131 142 and 131 143.

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: December 3, December 10, 2021.**

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
LEWIS K BRANTLEY TRUST				
C/O RICHARD LOCKLEAR TRUSTEE	P O BOX 56	LANDIS	NC	28088
MARK & KATHY CRAVEN	2833 BRANTLEY ROAD	KANNAPOLIS	NC	28083
FARI LLC				
ATTN: SADRUDDIN	1215 CHADBOURNE AVE	CONCORD	NC	28027
MATTHEW & JAMIE FREEMAN	5480 PINEBROOK TRL	KANNAPOLIS	NC	28083
KAYLA GARMON	2841 BRANTLEY RD	KANNAPOLIS	NC	28083
WILLIAM & LAURA HEGGINS	2827 BRANTLEY RD	KANNAPOLIS	NC	28083
JAY SREE SAI LLC	2808 LANE ST	KANNAPOLIS	NC	28083
DANIEL MEYER	2851 LANE ST	KANNAPOLIS	NC	28083
	PO BOX 54710			
PFJ SOUTHEAST LLC	STORE #56	LEXINGTON	KY	40555
SHAUN P QUAN	5550 PINEBROOK TRL	KANNAPOLIS	NC	28083
SUMMIT AVENUE LANE STREET LLC	1440 S TRYON ST STE 104	CHARLOTTE	NC	28203
JAMES & CAROLYN SWARTZ	2877 BRANTLEY ROAD	KANNAPOLIS	NC	28083
CONTINUUM HOLDING COMPANY, LLC				
ATTN: CREIGHTON CALL	1420 E 7TH ST. STE 100	CHARLOTTE	NC	28204



November 30, 2021

Dear Property Owner:

**Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, December 14, 2021 at 6:00 PM, at City Hall, located at 401 Laureate Way, for the following case:**

**CZ-2021-18 – Conditional Zoning Map Amendment – 2802 Lane Street and an unaddressed parcel on Lane Street**

The purpose of the Public Hearing is to consider a request to rezone properties located at 2802 Lane Street and an unaddressed parcel on Lane Street from Cabarrus County Limited Commercial (LC) to City of Kannapolis Residential Compact-Conditional Zoning (RC-CZ) to allow for a 266-unit multi-family apartment development. The subject properties are approximately 35.59 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56334815830000 and 56335809780000 (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 Unified Development Ordinance. You are welcome to attend the public hearing and present testimony to the Planning and Zoning Commission if you so desire.

If you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4350 or [bstanley@kannapolisnc.gov](mailto:bstanley@kannapolisnc.gov).

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.

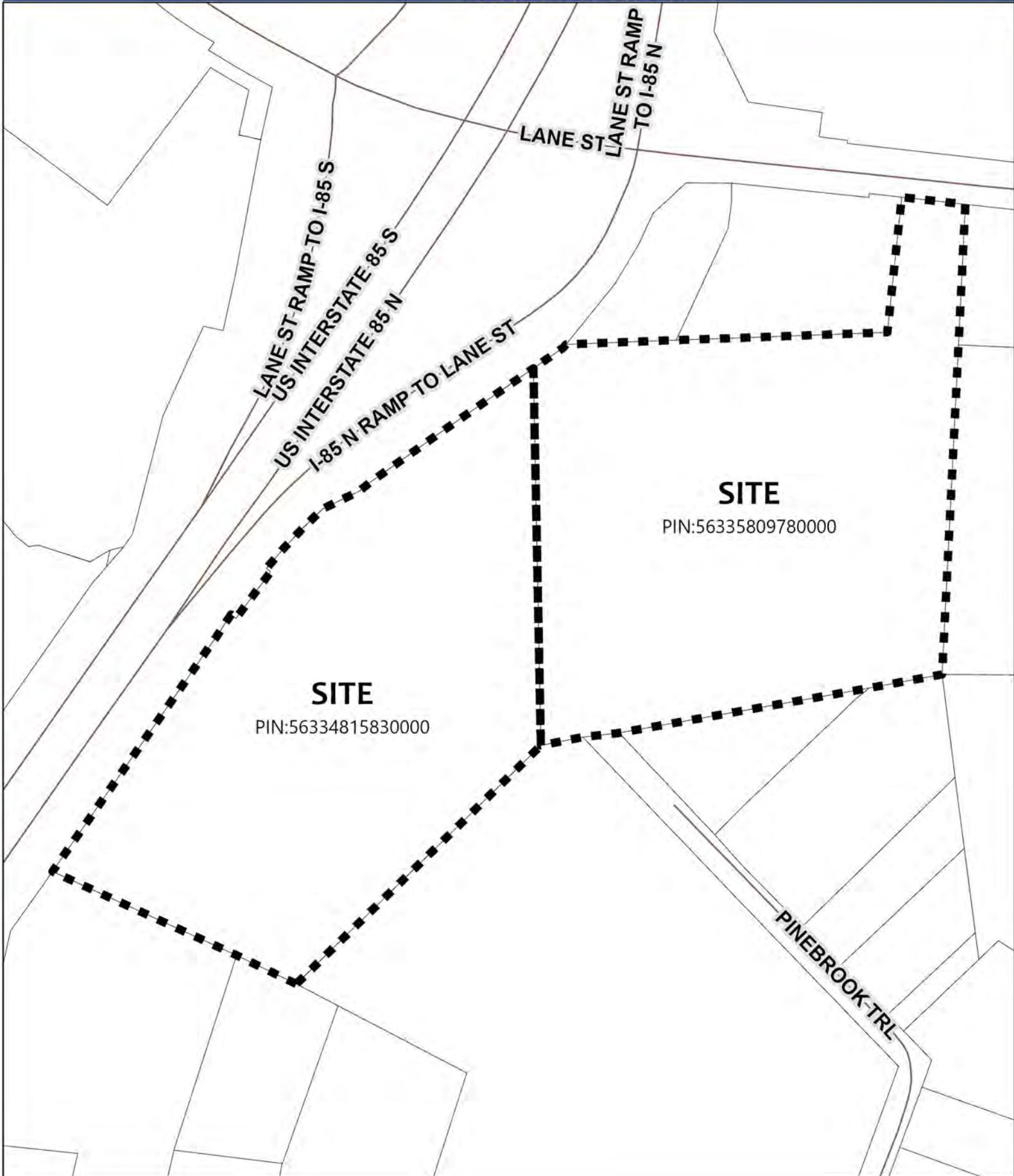


# Zoning Map Amendment

CZ-2021-18

Applicant: Creighton Call, Continuum Holding Company, LLC

Location: 2802 Lane St.



KANNAPOLIS  
**PLANNING**  
**ZONING**  
**COMMISSION**  
PUBLIC HEARING  
INFORMATION  
CALL 704-920-4350  
CASE CZ - 2021 -18





**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
WITH REGARD TO CASE #CZ-2021-18**

**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 December 14, 2021 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone property located at 2802 Lane Street and unaddressed parcels located on Lane Street, (Cabarrus County Parcel Identification Numbers 56334815830000 and 56335809780000) owned by Lewis K Brantley Trust, Sadie S Brantley Trust and Richard Locklear Trustee from Cabarrus County Limited Commercial (LC) Zoning Designation to City of Kannapolis Residential Compact-Conditional Zoning (RC-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 “Primary Activity Center-Interchange” Character Area as designated in the Move Kannapolis Forward 2030 Comprehensive Plan. This Character Area designation is adjacent to Interstate 85 and allows for a mix of uses including multi-family residential 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 14<sup>th</sup> day of December 2021:**

---

Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



## **RESOLUTION TO ZONE**

**Case #CZ-2021-18**

**(2802 Lane Street and an unaddressed parcel located on Lane Street)**

### **From Cabarrus County Limited Commercial (LC) Zoning Designation to City of Kannapolis Residential Compact-Conditional Zoning (RC-CZ) Zoning Designation**

**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 December 14, 2021 for consideration of rezoning petition Case #CZ-2021-18 as submitted to the City of Kannapolis Planning Department; and

**WHEREAS**, the request was to rezone 2802 Lane Street and an unaddressed parcel located on Lane Street, (Cabarrus County Parcel Identification Numbers 56334815830000 and 56335809780000) owned by Lewis K Brantley Trust, Sadie S Brantley Trust and Richard Locklear Trustee from Cabarrus County Limited Commercial (LC) Zoning Designation to City of Kannapolis Residential Compact-Conditional Zoning (RC-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 35.59 +/- 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 “Primary Activity Center-Interchange” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character Area designation is adjacent to Interstate 85 and allows for a mix of uses including multi-family residential 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 use of a multi-family residential development is 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 is required and the applicant's engineer is working with NCDOT and City Staff on required transportation improvements.

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

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

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

The properties are located entirely within the Critical Watershed Protection Overlay Area for Lake Fisher (WS-IV CA), The applicant is proposing to utilize the high-density option with a maximum of +/- 35% built-upon area.

**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 this area is rapidly changing with development currently underway of the adjacent Metro 63 industrial site and plans to redevelop the nearby Old Intimidators Stadium as Lakeshore Industrial Park. Recent round-about and interchange improvements along Lane Street have helped ease traffic congestion in anticipation of this new growth.

**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), Light Industrial (I-1), Office Institutional (O-I Cabarrus County) and Light Commercial (L-C Cabarrus County). 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?**

The properties are currently zoned LC. A rezoning is required to develop multi-family apartments on the properties.

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

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

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

N/A.

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

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

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

No.

**NOW, THEREFORE BE IT RESOLVED** by the City of Kannapolis Planning and Zoning Commission that the above referenced property, as shown on the site plan submitted to the City, be rezoned from Cabarrus County Limited Commercial (LC) Zoning Designation to City of Kannapolis Residential Compact-Conditional Zoning (RC-CZ) Zoning Designation, subject to the following conditions:

1. The permitted uses allowed by this rezoning shall only include 266 multi-family units 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. Compliance with the current Land Development Standards Manual (LDSM).
4. Final design of all road intersections which development has access to and/or street frontage on shall be approved by NCDOT and the City.
5. The lane widths, sidewalks, pavement structure, road alignment, and grades of all interior roads shall be constructed in compliance with current City standards.
6. Roads and parking lots shall comply with all Fire Codes and Autoturn shall be run for an SU-30 and Bus-45 (mimics ladder truck).
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. Stormwater SCM's cannot be constructed in the undisturbed buffer. Additional requirements are necessary to verify design of SCM within AE Zone see attached comments on sketch plan.
8. Water and sewer main extensions 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.
12. Fire apparatus access roads shall remain open at all times.
13. All proposed buildings shall require architectural review and strict adherence to the renderings, community examples, color pallets, architectural materials and overall design elements provided by the applicant and required by Article 11.2 Multi-Family Design Standards of the UDO. Additional information is forthcoming from the applicant prior to the Public Hearing.

**Adopted this the 14<sup>th</sup> day of December 2021:**

---

Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



**Planning and Zoning Commission  
December 14, 2021 Meeting**

**Staff Report**

**TO:** Planning and Zoning Commission  
**FROM:** Boyd Stanley, Assistant Planning Director  
**SUBJECT:** Case #CZ-2021-23  
Applicant: Phillip Martin, HHH Land, LLC / HHHunt

Request to conditionally rezone 6600 Fingerlake Drive as well as multiple parcels located on Kannapolis Parkway from Rural Estate (RE) zoning district to Residential Compact-Conditional Zoning (RC-CZ) zoning district to allow for a 396-unit multi-family apartment development. Cabarrus County PIN Numbers 46918491960000, 46919463850000, 46918402550000, 46918463560000, 46919414050000, 46919455550000, 46919406110000, 46918465840000, 4691946861000, 46919426490000, and 46919427710000.

**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 Martin, HHH Land, LLC / HHHunt, is proposing to rezone properties located at 6600 Fingerlake Drive as well as 843, 873, 877, 881, 885, 911, 915, 923, 927 and 935 Kannapolis Parkway from Rural Estate (RE) zoning district to Residential Compact-Conditional Zoning (RC-CZ) zoning district to allow for a 396-unit multi-family apartment development as shown on the attached site plan.

As shown on the preliminary site plan, a total of 9, 3 and 4-story multi-family buildings along with an amenity building and pool are being proposed. In addition, there are total of 5 detached garage

buildings along with shared common open space and gathering areas throughout the site. As shown in the applicant's preliminary site plan, residential buildings are centered around centralized green space. Two points of access are also being proposed onto Kannapolis Parkway.

#### **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 26.52 +/- 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 "Suburban Activity Center", "Neighborhood Transition 2 Area" and "Employment Center" Character Areas as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The majority of the properties fall outside of the "Employment Center" designation to the North, which encompasses a larger, previously approved mixed-use project. Therefore, the use of these properties for multi-family residential is consistent with the City's vision for this area as generally depicted on the preliminary 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 and nearby commercial uses. The proposed use multi-family residential is 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 is currently underway and the Traffic Engineers have received comments from NCDOT and City Staff on the initial submittal.

**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 continues to develop with commercial, residential and an industrial mix of land uses.

**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 RE (Rural Estate) and PUD (Planned Unit Development). 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 conditional rezoning is required 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 located within the “Suburban Activity Center”, “Neighborhood Transition 2 Area” and “Employment Center” Character Areas as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The majority of the properties fall outside of the “Employment Center” designation to the North, which encompasses a larger, previously approved mixed-use project. Therefore, the use of these properties for multi-family residential is consistent with the City’s vision for this area as generally depicted on the preliminary 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-2021-18:**

1. The permitted uses allowed by this rezoning shall only include 396 multi-family units 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. Compliance with the current Land Development Standards Manual (LDSM).
4. Final design of all road intersections which development has access to and/or street frontage on shall be approved by NCDOT and the City.
5. The lane widths, sidewalks, pavement structure, road alignment, and grades of all interior roads shall be constructed in compliance with current City standards.
6. Roads and parking lots shall comply with all Fire Codes and Autoturn shall be run for an SU-30 and Bus-45 (mimics ladder truck).
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. Stormwater SCM's cannot be constructed in the undisturbed buffer. Additional requirements are necessary to verify design of SCM within AE Zone see attached comments on sketch plan.
8. Water and sewer main extensions 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.
12. Fire apparatus access roads shall remain open at all times.
13. All proposed buildings shall require architectural review and strict adherence to the renderings, community examples, color pallets, architectural materials and overall design elements provided by the applicant and required by Article 11.2 Multi-Family Design Standards of the UDO.

**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-2021-23, 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 these properties as located within the “Suburban Activity Center”, “Neighborhood Transition 2 Area” and “Employment Center” Character Areas as designated in the Move Kannapolis Forward 2030 Comprehensive Plan. The majority of the properties fall outside of the “Employment Center” designation to the North, which encompasses a larger, previously approved mixed-use project. Therefore, the use of these properties for multi-family residential is consistent with the City’s vision for this area as generally depicted on the preliminary 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.*

2. **Should the Commission choose to approve Case #CZ-2021-23, 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-2021-23, 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-2021-23 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-2021-23, 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. Elevation Rendering
7. Neighborhood Meeting Information
8. Notice of Public Hearing
9. List of Notified Properties
10. Letter to Adjacent Property Owners
11. Posted Public Notice Sign
12. Resolution to Adopt a Statement of Consistency
13. Resolution to Zone

**J. Issue Reviewed By:**

- Planning Director
- Assistant City Manager
- City Attorney



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

## Conditional Zoning Map Amendment Checklist

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

### CONDITIONAL REZONING REQUEST

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

*Approval authority – Planning and Zoning Commission.*

Requested Rezoning Property Address: 885 Kannapolis Parkway, Concord, NC 28027

Applicant: HHH Land, LLC /HHHunt

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

396 multifamily apartment homes and associated private/public infrastructure

### 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

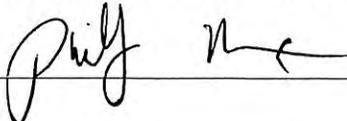
**Public Notification:** This is a legislative process that requires a public hearing and public notification including newspaper notice, first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Section 3.1.5.1 of the UDO).

**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: 11/11/21



ADDITIONAL SIGNATURES ADDENDUM

[Consult "Guidelines" (Form 3G) for guidance in completing this form]

NOTE: This form should not be used to add new parties after a contract has been formed

Property Address: 877,881,885,843 & 0 Kannapolis Pkwy, Concord, NC 28027-5315

This ADDITIONAL SIGNATURES ADDENDUM is attached to and made a part of the following named document including any addendum listed here (describe form and addendum by name) Conditional Zoning Map Amendment

("Document").

The number of parties who need to sign the Document exceed the space provided in the Document. The sole purpose of this Addendum is to provide additional spaces for the identification and signature of the Document by all necessary parties.

By signing this Addendum, each of the additional parties named below acknowledges receipt of the Document and agrees to be bound by all the terms, conditions and/or other provisions contained in the Document.

THE NORTH CAROLINA ASSOCIATION OF REALTORS®, INC. AND THE NORTH CAROLINA BAR ASSOCIATION MAKE NO REPRESENTATION AS TO THE LEGAL VALIDITY OR ADEQUACY OF ANY PROVISION OF THIS FORM IN ANY SPECIFIC TRANSACTION.

Party Name (print): Timothy Coleman DocuSigned by: Timothy W. Coleman DocuSigned by: EECB92A0348440B... Signature: [Signature] Date: 11/9/2021 Buyer [ ] Seller [X] Other [ ]

Party Name (print): Rhonda Coleman DocuSigned by: Rhonda Coleman DocuSigned by: EECB92A0348440B... Signature: [Signature] Date: 11/9/2021 Buyer [ ] Seller [X] Other [ ]

Party Name (print): Trenton Coleman DocuSigned by: Trenton Coleman DocuSigned by: EECB92A0348440B... Signature: [Signature] Date: 11/9/2021 Buyer [ ] Seller [X] Other [ ]

Party Name (print): Dina Coleman DocuSigned by: Dina Coleman DocuSigned by: EECB92A0348440B... Signature: [Signature] Date: 11/9/2021 Buyer [ ] Seller [X] Other [ ]

Party Name (print): William Coleman, Jr. DocuSigned by: Tracy Ray Coleman, as Agent Pursuant to Durable Power of Attorney by William Luther Coleman, Jr. DocuSigned by: EECB92A0348440B... Signature: [Signature] Date: 11/9/2021 Buyer [ ] Seller [X] Other [ ]

Party Name (print): James Coleman DocuSigned by: James Coleman DocuSigned by: C24F8E198CF240D... Signature: [Signature] Date: 11/9/2021 Buyer [ ] Seller [X] Other [ ]

Party Name (print): Signature: Date: Buyer [ ] Seller [ ] Other [ ]

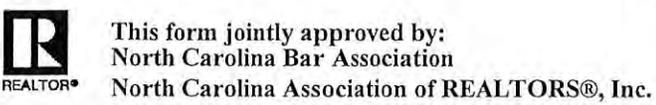
Party Name (print): Signature: Date: Buyer [ ] Seller [ ] Other [ ]

Party Name (print): Signature: Date: Buyer [ ] Seller [ ] Other [ ]

By: Signature of authorized representative Date Print name and title Buyer [ ] Seller [ ] Other [ ]

Entity Party Name (print): Signature of authorized representative Date Print name and title Buyer [ ] Seller [ ] Other [ ]

By: Signature of authorized representative Date Print name and title Buyer [ ] Seller [ ] Other [ ]



STANDARD FORM 3-T Revised 7/2020 © 7/2020



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: 923 Kannapolis Parkway, Concord NC 28027

Applicant: HHH Land, LLC /HHHunt

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

396 multifamily apartment homes and associated private/public infrastructure

### SUBMITTAL CHECKLIST

- Pre-Application Meeting – send an email to [planreviewappointment@kannapolisnc.gov](mailto:planreviewappointment@kannapolisnc.gov)
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- 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: DocuSigned by:  
*Mike Wallace*  
ED35CDDF585942F... Date: 11/12/2021



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: 927 Kannapolis Parkway, Concord, NC 28027

Applicant: HHH Land, LLC /HHHunt

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

396 multifamily apartment homes and associated private/public infrastructure

### SUBMITTAL CHECKLIST

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### PROCESS INFORMATION

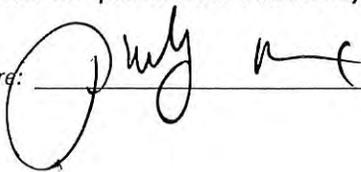
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**Scope of Approval:** An affirmative vote of three-fourths of the members present and not excused from voting, shall be necessary to approve a conditional rezoning request. The approval of a rezoning does not authorize development activity, but does 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.

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Applicant's Signature: 

Date: 11/11/21



ADDITIONAL SIGNATURES ADDENDUM

[Consult "Guidelines" (Form 3G) for guidance in completing this form]

NOTE: This form should not be used to add new parties after a contract has been formed

Property Address: 927, 935, 911 & 915 Kannapolis Pkwy, Concord, NC

This ADDITIONAL SIGNATURES ADDENDUM is attached to and made a part of the following named document including any addendum listed here (describe form and addendum by name) Conditional Zoning Map Amendment Application

("Document").

The number of parties who need to sign the Document exceed the space provided in the Document. The sole purpose of this Addendum is to provide additional spaces for the identification and signature of the Document by all necessary parties.

By signing this Addendum, each of the additional parties named below acknowledges receipt of the Document and agrees to be bound by all the terms, conditions and/or other provisions contained in the Document.

THE NORTH CAROLINA ASSOCIATION OF REALTORS®, INC. AND THE NORTH CAROLINA BAR ASSOCIATION MAKE NO REPRESENTATION AS TO THE LEGAL VALIDITY OR ADEQUACY OF ANY PROVISION OF THIS FORM IN ANY SPECIFIC TRANSACTION.

Party Name (print) ~~Christina~~ Coley Signature: [Signature] Date: 11/9/2021 Buyer [ ] Seller [X] Other [ ]

Party Name (print) Christopher Coley Signature: [Signature] Date: 11/9/2021 Buyer [ ] Seller [X] Other [ ]

Party Name (print) Rhonda Coley Signature: [Signature] Date: 11/9/2021 Buyer [ ] Seller [X] Other [ ]

Party Name (print) Signature: Date: Buyer [ ] Seller [ ] Other [ ]

Party Name (print): Signature: Date: Buyer [ ] Seller [ ] Other [ ]

Party Name (print): Signature: Date: Buyer [ ] Seller [ ] Other [ ]

Party Name (print): Signature: Date: Buyer [ ] Seller [ ] Other [ ]

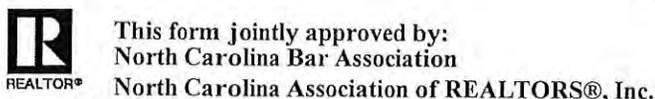
Party Name (print): Signature: Date: Buyer [ ] Seller [ ] Other [ ]

Entity Party Name (print):

By: Signature of authorized representative Date Print name and title Buyer [ ] Seller [ ] Other [ ]

Entity Party Name (print):

By: Signature of authorized representative Date Print name and title Buyer [ ] Seller [ ] Other [ ]



STANDARD FORM 3-T Revised 7/2020 © 7/2020



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: 6600 Finger Lake Drive, Concord NC 28027

Applicant: HHH Land, LLC /HHHunt

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

396 multifamily apartment homes and associated private/public infrastructure

### 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

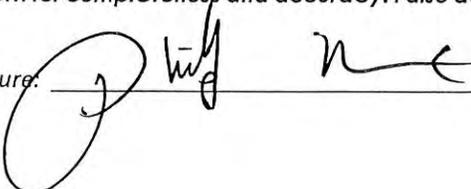
**Public Notification:** This is a legislative process that requires a public hearing and public notification including newspaper notice, first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Section 3.1.5.1 of the UDO).

**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: 11/11/21



## **Executive Summary**

### **Kannapolis Multifamily Development**

**While other companies just build places to live, at HHHunt we build a better way of life.**

A leader in real estate development and management throughout the Southeast since 1966, HHHunt offers home choices designed for how you live – whether that’s an apartment home, a new home, planned community or senior living community. No matter your stage or phase of life, we’ve got you covered in the most sought-after locations in Virginia, North Carolina, South Carolina and Maryland. HHHunt has corporate offices in Blacksburg, Richmond and Hampton Roads, VA, and Raleigh, NC.

For over 50 years, the Apartment Living Division has been a cornerstone of HHHunt’s growth. With a current portfolio of over 23 Communities and 8,000 apartment homes in North Carolina, South Carolina, Virginia, and Maryland, our growth continues as we enter new markets. We have excelled over the years by building new apartment communities in superb locations with outstanding amenities and services and have maintained meaningful community partnerships.

#### **Project Executive Summary**

The proposed Kannapolis Parkway Development is to be located Kannapolis Parkway (SR-1430) north of Fingerlake Drive. This development is planned to consist of 396 dwelling units of Class A multi-family apartment homes in a mix of 3 story garden style and 4 story manor buildings. It also proposes a stand-alone clubhouse/amenity center, sidewalks, ample green space, bark park, pet spa, outdoor recreation, coworking space and garages. Development will involve construction of 10 apartment buildings on nearly 26.48 acres.



appropriate in this area due to an increase need for housing units as well as the comprehensive plan designating this area Suburban Activity 1 and Neighborhood Transition 2; both of which allow multi-family as an acceptable land use. These parcels are also located firmly in the between and Employment Center and Regional Commercial Center designation in the comprehensive plan, making it suitable for residential in a walkable form.

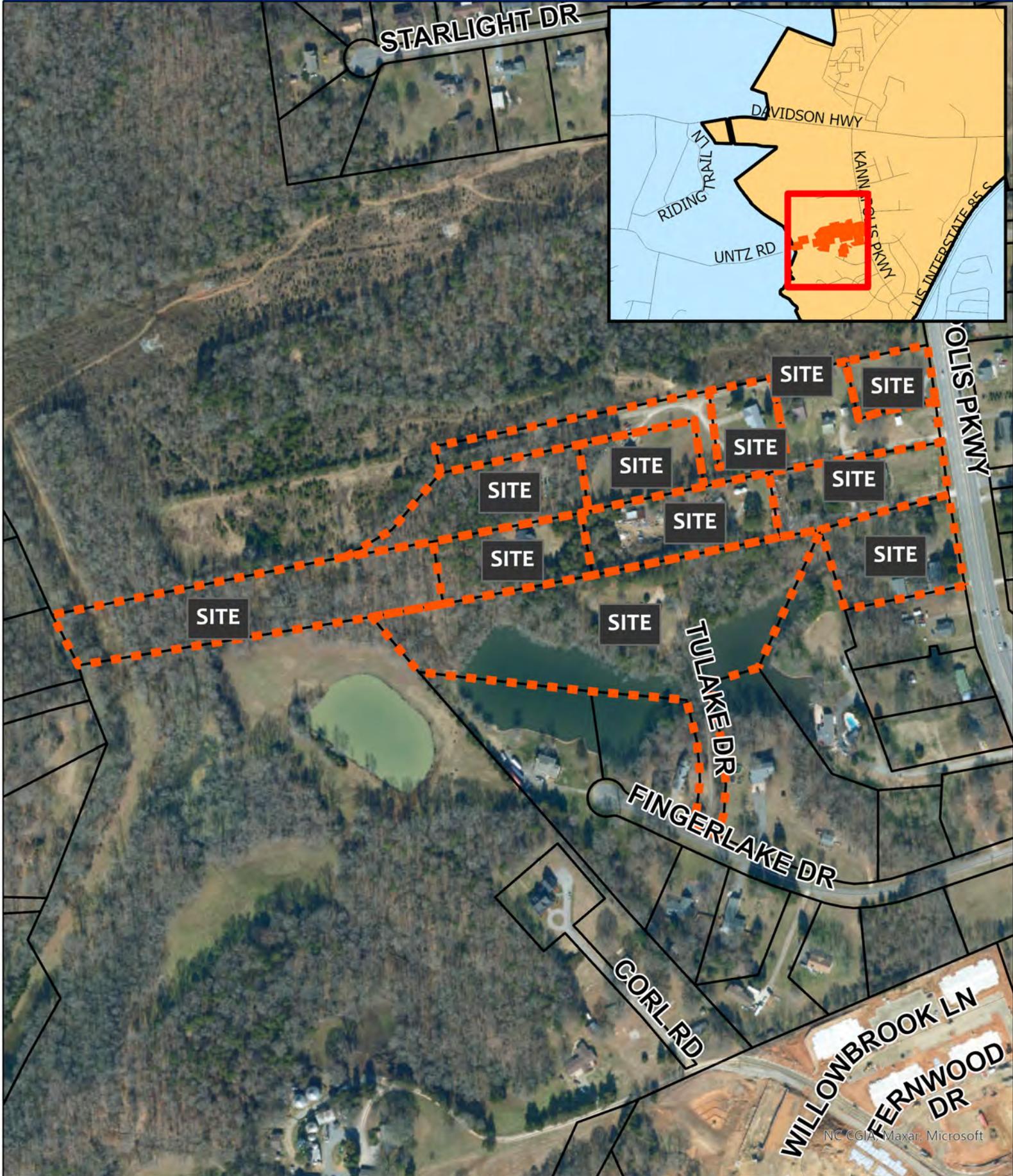
A Traffic Impact Analysis is being prepared and in progress from our consultant, Kimley Horn. The report should be finalized within the next 30 days.



# Vicinity Map

CZ-2021-23

Applicant: HHH Land, LLC / HHHunt  
Location: 843, 873, 877, 881, 885, 911, 915, 923,  
927, 935 Kannapolis Pkwy and 6600 Fingerlake Dr.



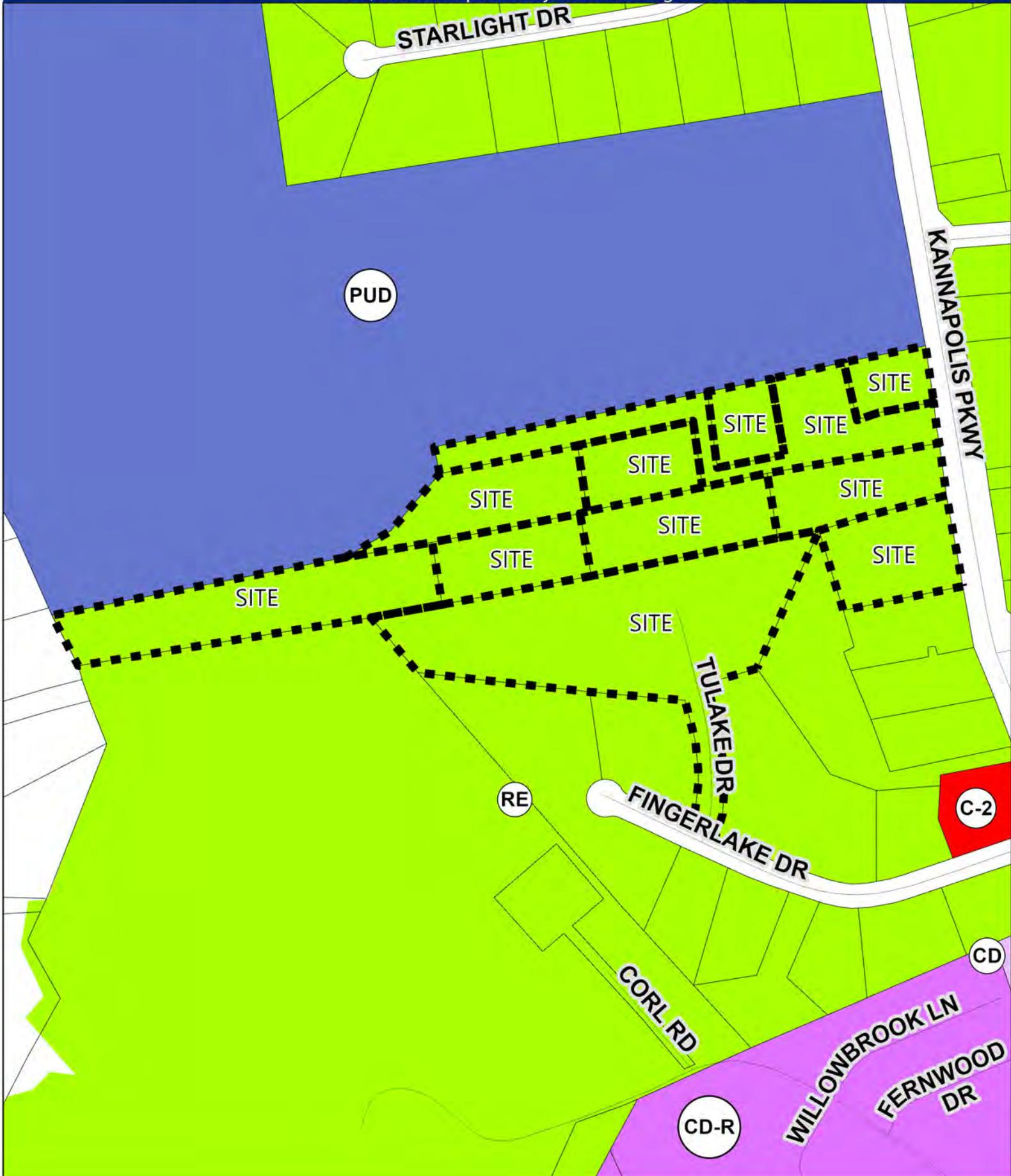


# Kannapolis Zoning

CZ-2021-23

Applicant: HHH Land, LLC / HHHunt

Location: 843, 873, 877, 881, 885, 911, 915, 923, 927, 935 Kannapolis Pkwy and 6600 Fingerlake Dr.



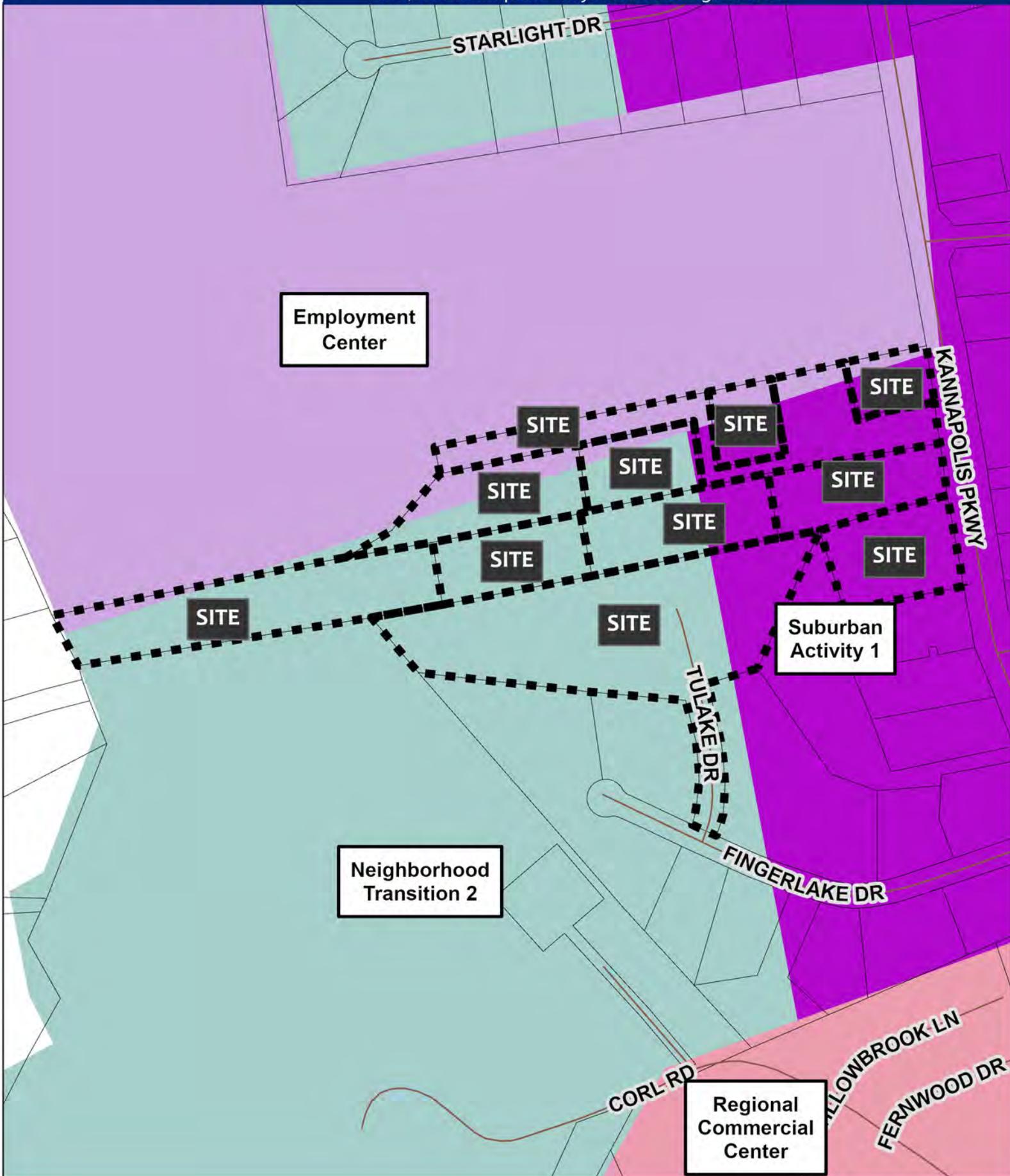


# Kannapolis 2030 Future Land Use Map

CZ-2021-23

Applicant: HHH Land, LLC / HHHunt

Location: 843, 873, 877, 881, 885, 911, 915, 923, 927, 935 Kannapolis Pkwy and 6600 Fingerlake Dr.





Pennoni Associates Inc.  
 5430 Waide Park Boulevard  
 Suite 106  
 Raleigh, NC 27607  
 T 919.925.1173 F 919.493.6548

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

ABBERLY KANNAPOLIS  
 843-927 KANNAPOLIS PARKWAY  
 KANNAPOLIS, NC

EXISTING CONDITIONS PLAN

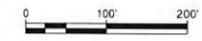
HHHNT CORPORATION  
 11237 NICKOLS ROAD  
 GLEN ALLEN, VA 23059

NO.	DATE	REVISIONS	BY

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OTHERS OR OTHERS ON THE EXTENSION OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ACCEPTANCE BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES AND CANNOT BE HELD AGAINST PENNONI ASSOCIATES AND CANNOT BE HELD AGAINST PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

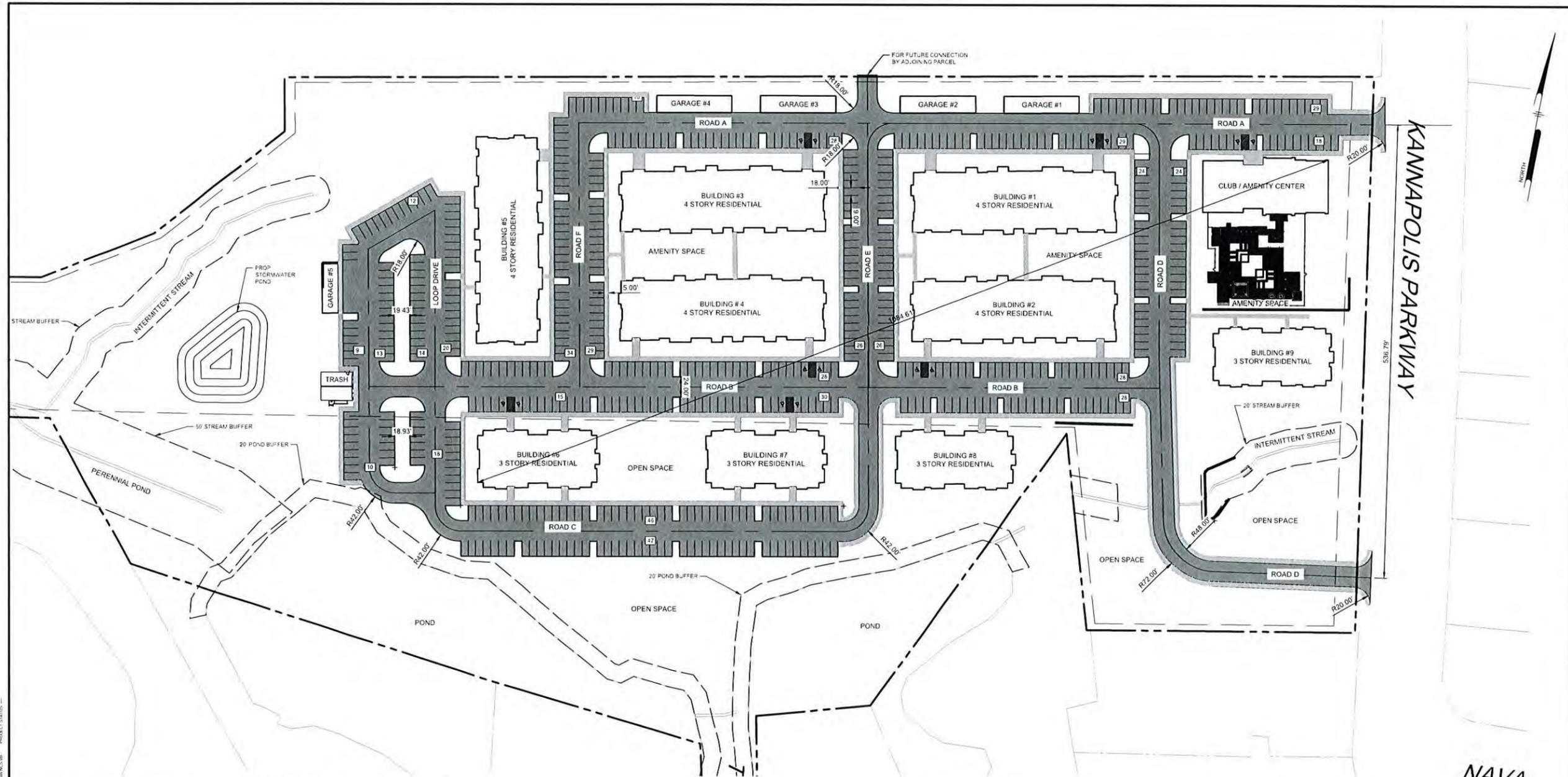
PROJECT: HHHNT21001  
 DATE: 2021-11-12  
 DRAWING SCALE: 1"=100'  
 DRAWN BY: CO  
 APPROVED BY: EM

**CS0201**  
 SHEET 2 OF 3



**NOT FOR CONSTRUCTION**

PROJECT STATUS: 11/23/2021 1:04 PM BY: E:\michael...  
 PENNONI ASSOCIATES INC. 45371425070000  
 45371425070000



**KANNAPOLIS PARKWAY  
CITY OF KANNAPOLIS  
CABARRUS COUNTY, NC  
MULTIFAMILY DEVELOPEMNT**

**SITE DATA**

SITE AREA: 26.52 AC  
 PERMITTED MAX DENSITY PER ACRE = 15 UNITS PER AC x 6.52  
 AC = 397.8 UNITS  
 NUMBER OF UNITS PROVIDED = 396  
 PROVIDED DENSITY = 396 UNITS / 26.52 AC = 13.88 UNITS PER AC  
 PROJECT IS UNDER DENSITY

CURRENT ZONING:  
 RE-RURAL ESTATE  
 REQUESTED ZONING:  
 RESIDENTIAL COMPACT (RC) DISTRICT

REQUIREMENTS: STANDARD

BUILDING SETBACK (FRONT): 30 FT  
 BUILDING SETBACK INTERIOR (SIDE): 6 FT  
 BUILDING SETBACK (REAR): 5 FT  
 MAXIMUM BUILDING HEIGHT: 48 FT

PARKING SETBACK: 30 FT  
 MAXIMUM IMPERVIOUS: 80%  
 ON-SITE PARKING: 1.5 x 372 (1&2 BR UNITS) +  
 2 x 24 (3 BR UNITS) = 606 SPACES  
 TOTAL ON-SITE PARKING: 634 SPACES  
 594 SURFACE + UP TO 40 GARAGE SPACES

**UNIT DATA**

UNIT TYPE	PERCENT OF TOTAL	CONCEPTUAL UNIT TOTALS	CONCEPTUAL UNIT GSF RANGES
1 BEDROOM	44-48%	184	650-1050 SF
2 BEDROOM	42-48%	188	1000-1375 SF
3 BEDROOM	4-7%	24	1350-1450 SF
TOTAL NUMBER OF UNITS		396	

**BUILDING DATA**

BUILDING TYPE	BUILDING COVERAGE	GROSS BUILDING AREA	TOTAL BUILDING AREA
3 STORY BUILDING	9,160 SF	27,480 SF	109,920 SF
4 STORY BUILDING	17,460 SF	69,840 SF	349,200 SF
GARAGE (ACCESSORY)	1,800 SF	1,800 SF	9,000 SF
CLUB/AMENITY CENTER (ACCESSORY)	9,200 SF	9,200 SF	9,200 SF
TOTAL PRINCIPAL BUILDING AREA			459,120 SF
TOTAL PRINCIPAL + ACCESSORY BUILDING AREA			477,320 SF

NA/11



**NOT FOR CONSTRUCTION**

**Pennoni**  
 Firm Logo  
 PENNONI ASSOCIATES INC.  
 5430 Wade Park Boulevard  
 Suite 106  
 Raleigh, NC 27607  
 T 919.929.1173 F 919.493.6548

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR  
 AND OWNER MUST BE NOTIFIED OF ANY  
 DISCREPANCIES BEFORE PROCEEDING WITH WORK

ABBERLY KANNAPOLIS  
 863-927 KANNAPOLIS PARKWAY  
 KANNAPOLIS, NC  
**SITE PLAN**  
 HHHUNT CORPORATION  
 11237 NICKOLS ROAD  
 GLEN ALLEN, VA 23059

NO.	DATE	REVISIONS	BY

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES  
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 OR APPROVAL BY PENNONI ASSOCIATES FOR THE  
 SPECIFIC PURPOSE INTENDED SHALL BE AT OWNERS  
 SOLE RISK AND WITHOUT LIABILITY OR LEGAL  
 EXPOSURE TO PENNONI ASSOCIATES AND OWNER.  
 PENNONI ASSOCIATES AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI  
 ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND  
 EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT: HHHNT21001  
 DATE: 2021-11-12  
 DRAWING SCALE: 1"=60'  
 DRAWN BY: CO  
 APPROVED BY: EM

**CS1001**  
 SHEET 3 OF 3



VICINITY MAP



LEGEND:

- 1. 4 Story Residential
- 2. 3 Story Residential
- 3. Club/Amenity Center
- 4. Garage
- 5. Trash & Recycling
- 6. Storm Water(BMP)

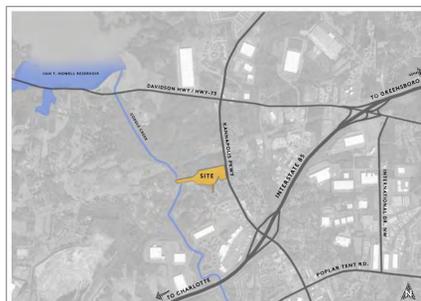
**ABBERLY KANNAPOLIS**  
 CONCEPTUAL SITE PLAN  
 COMMUNITY MEETING

ABBERLY KANNAPOLIS SITE

1"=80' 40' 80' 160' DATE: 11.01.2021



VICINITY MAP



LEGEND:

- 1. 4 Story Residential
- 2. 3 Story Residential
- 3. Club/Amenity Center
- 4. Garage
- 5. Trash & Recycling
- 6. Storm Water (BMP)

ABBERLY KANNAPOLIS

CONCEPTUAL SITE PLAN  
COMMUNITY MEETING

ABBERLY KANNAPOLIS SITE

1"=80' 40' 80' 160' N

DATE: 11.01.2021

Residential Buildings are Organized Around Centralized Green Space

Pedestrian Connectivity will Tie the Individual Spaces as Well as a Secondary Walking Loop



# ABBERLY KANNAPOLIS

OPEN SPACE AND AMENITY AREAS

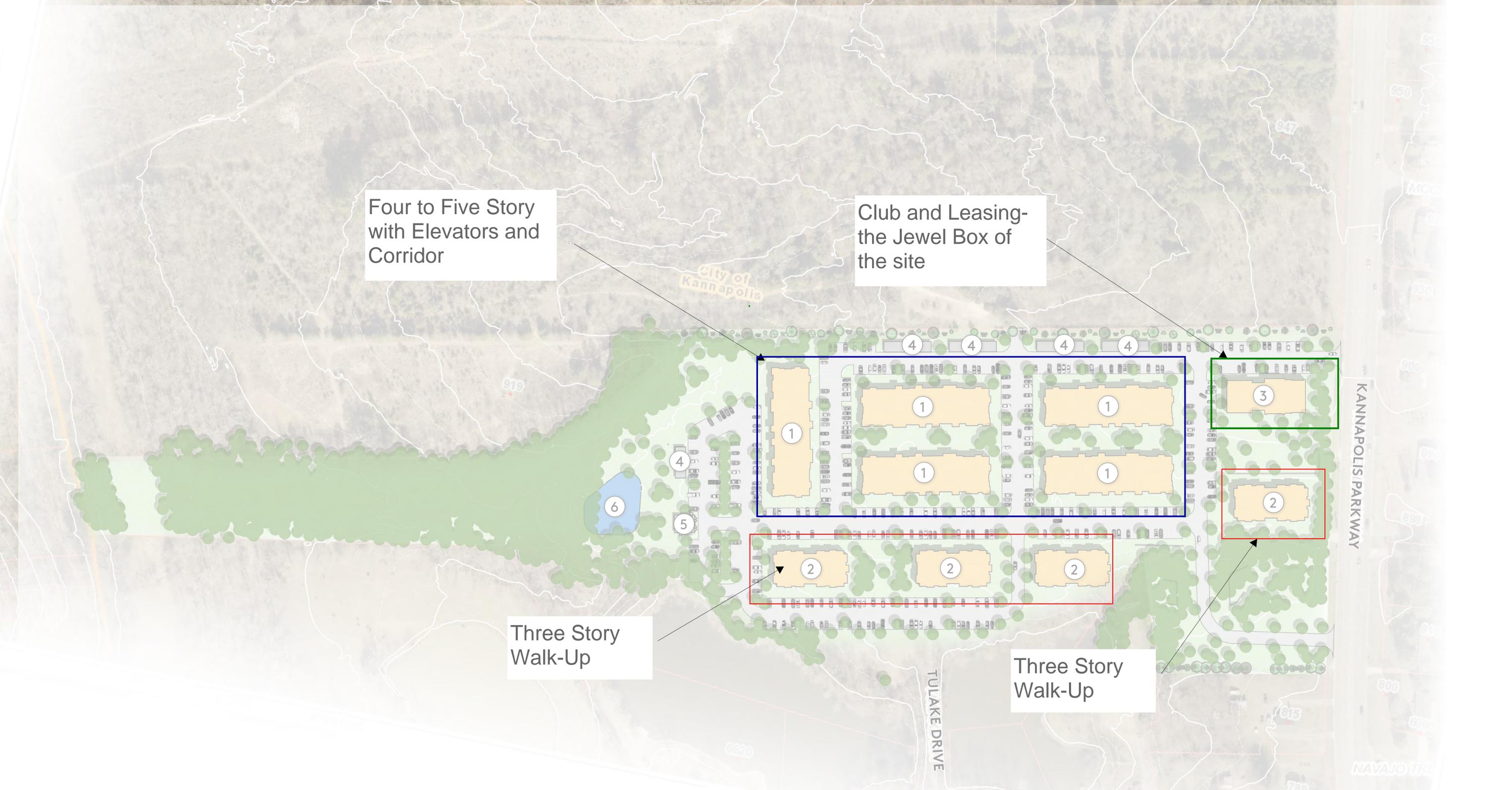
ABBERLY KANNAPOLIS SITE  
1"=80' 40' 80' 160' N  
DECEMBER 8, 2021

# ABBERLY LIBERTY CROSSING AMENITIES COURTYARD - CURRENTLY UNDER CONSTRUCTION



# ABBERLY LIBERTY CROSSING AMENITIES AREA - CURRENTLY UNDER CONSTRUCTION





Four to Five Story  
with Elevators and  
Corridor

Club and Leasing-  
the Jewel Box of  
the site

Three Story  
Walk-Up

Three Story  
Walk-Up

ARCHITECTURAL DESIGN WILL BE DEVELOPED THROUGH  
OBSERVATION OF SURROUNDING CONTEXT IN TERMS OF  
HISTORIC AND CURRENT DEVELOPMENT WHILE ALSO  
REFLECTING THE NATURAL SITE CONDITIONS.

# ABBERLY KANNAPOLIS

ARCHITECTURAL STYLES

ABBERLY KANNAPOLIS SITE  
1"=80' 40' 80' 160' N  
DECEMBER 8, 2021

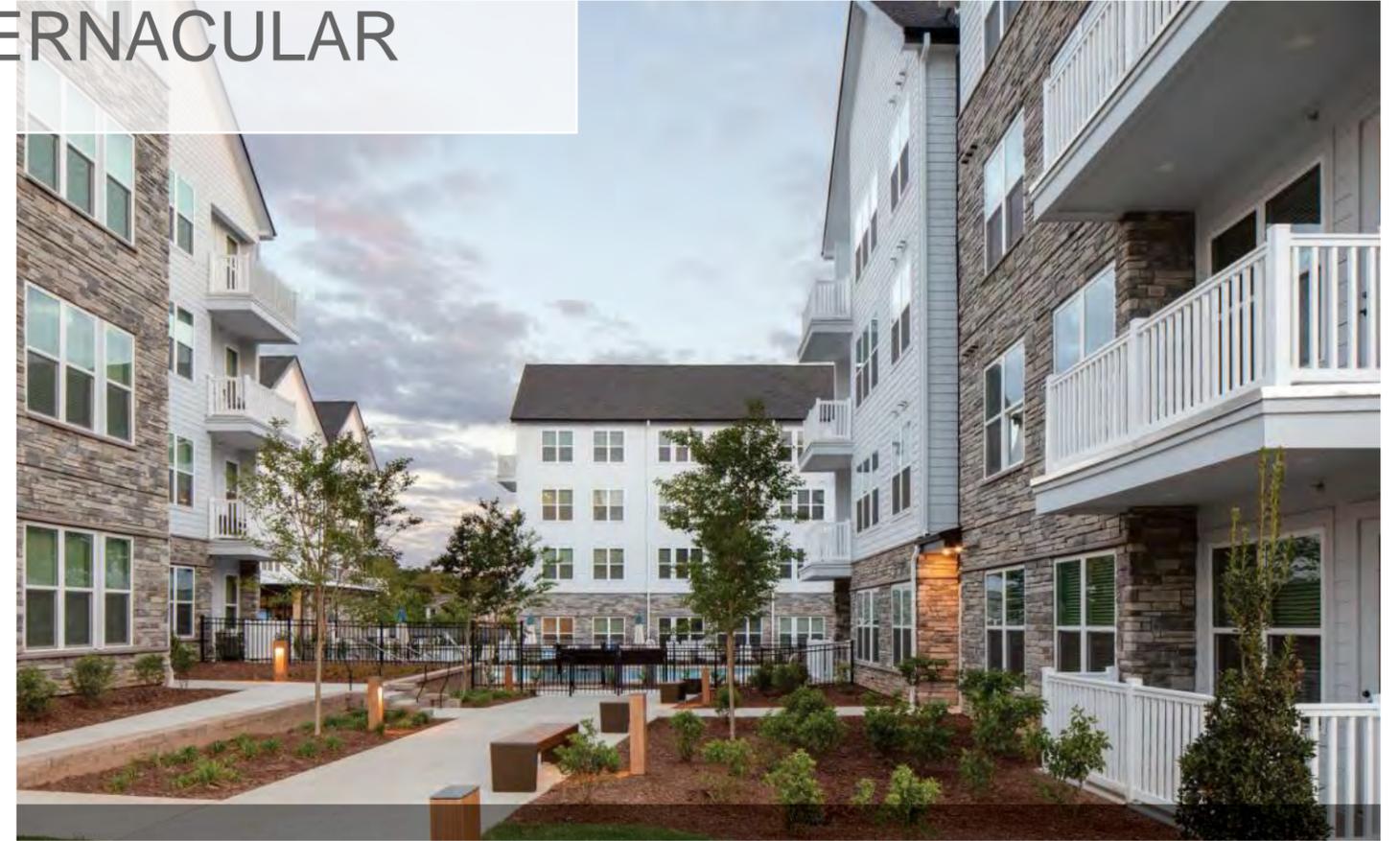
ABBERLY LIBERTY CROSSING  
CLUB AND LEASING - CURRENTLY UNDER CONSTRUCTION



ABBERLY LIBERTY CROSSING  
TYPICAL BUILDINGS - 3 AND 4 STORY SPLIT SHOWN - CURRENTLY UNDER CONSTRUCTION



# INDUSTRIAL FARMHOUSE / SOUTHERN VERNACULAR



# INDUSTRIAL FARMHOUSE / SOUTHERN VERNACULAR



# CONTEMPORARY STYLING OPTIONS



# CONTEMPORARY STYLING OPTIONS































October 21, 2021

Subject: Neighborhood Meeting, Kannapolis Parkway

Dear Neighbors,

HHHunt is requesting the rezoning of an approximately 26± acres located at 885 Kannapolis Parkway in Kannapolis from RE-Rural Estate to RC - Residential Compact Conditional District to allow development of a multifamily neighborhood. In accordance with the requirements of the City of Kannapolis Unified Development Ordinance, the Petitioner will hold a Neighborhood Meeting for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The City of Kannapolis records indicate that you are an owner of property that adjoins, is located across the street from, or is near the Property.

We are sending this letter as an invitation for you to attend a neighborhood meeting on Tuesday, November 2nd at 7:00 PM in the community room at Concord Fire Station #7 located at 250 International Drive NW in Concord. We are excited to share the details of the project to and answer any questions you may have. We hope you will consider joining us.

**Location: Concord Fire Station #7**

**250 International Drive NW**

**Date: Monday, July 12 at 6:00 PM**

**Time: 6:00 – 7:30 PM**

Sincerely,

Phillip J. Martin  
HHHunt

APN	SITE_ADDR	SITE_CITY	SITE_ZIP	OWNER_NAME_1	MAIL_ADDR
4691 84 0255	873 KANNAPOLIS PKWY	CONCORD	28027	COLEMAN, WILLIAM L	843 KANNAPOLIS PKWY
4691 84 6356	877 KANNAPOLIS PKWY	CONCORD	28027	COLEMAN, TRACY R	877 KANNAPOLIS PKWY
4691 84 6584	915 KANNAPOLIS PKWY	CONCORD	28027	COLEY, GLYNIS A	915 KANNAPOLIS PKWY
4691 84 9196	6600 FINGERLAKE DR	CONCORD	28027	ENSLEY, LARRY F	6600 FINGERLAKE DR
4691 94 0611	911 KANNAPOLIS PKWY	CONCORD	28027	COLEY, RHONDA M	625 ST PETERS CHURCH RD
4691 94 1405	881 KANNAPOLIS PKWY	CONCORD	28027	COLEMAN, TIMOTHY W	881 KANNAPOLIS PKWY
4691 94 2649	927 KANNAPOLIS PKWY	CONCORD	28027	COLEY, HENRY E	625 ST PETERS CHURCH RD
4691 94 2771	935 KANNAPOLIS PKWY	CONCORD	28027	COLEY, HOWARD EUGENE	625 ST PETERS CHURCH RD
4691 94 5555	885 KANNAPOLIS PKWY	CONCORD	28027	COLEMAN, TRENTON K	885 KANNAPOLIS PKWY
4691 94 6385	843 KANNAPOLIS PKWY	CONCORD	28027	COLEMAN, WILLIAM L	843 KANNAPOLIS PKWY
4691 94 6861	923 KANNAPOLIS PKWY	CONCORD	28027	WALLACE, CARLA S	3429 TRINITY CHURCH RD
4691 76 7299	6339 DAVIDSON HWY	CONCORD	28027	HIGHWAY 73 PARKWAY LLC	2400 SOUTH BLVD STE 300
4691 82 0986	6331 CORL RD	CONCORD	28027	MOTLEY, FRED PENN	6331 CORL RD
4691 94 4064	745 KANNAPOLIS PKWY	CONCORD	28027	DARLING, WILLIAM T	745 KANNAPOLIS PKWY
4691 94 7062	789 KANNAPOLIS PKWY	CONCORD	28027	ROBINSON, GUY ANDREW	789 KANNAPOLIS PKWY
4691 94 7136	815 KANNAPOLIS PKWY	CONCORD	28027	TUCKER, GEORGE A	2520 PLANTATION RD NW
4691 74 1293	6542 UNTZ RD	CONCORD	28027	METCALF, TERRY H	6542 UNTZ RD
4691 74 2097	6542 UNTZ RD	CONCORD	28027	METCALF, TERRY H	6542 UNTZ RD
4691 73 3800	6549 UNTZ RD	CONCORD	28027	MARSHALL, KENNETH H	6549 UNTZ RD
4691 95 9100	938 KANNAPOLIS PKWY	CONCORD	28027	STEVENS, EARL E	938 KANNAPOLIS PKWY
4691 94 9757	890 KANNAPOLIS PKWY	CONCORD	28027	WALLACE, CARLA R	3429 TRINITY CHURCH RD
4691 94 9928	930 KANNAPOLIS PKWY	CONCORD	28027	FOULKS, DONN P	930 KANNAPOLIS PKWY
4691 93 0813	380 TULAKE DR	CONCORD	28027	WILLEY, PATRICIA T	380 TULAKE DR
4691 94 9496	820 KANNAPOLIS PKWY	CONCORD	28027	TRIPLE SEVEN WORKS LLC	3403 KANNAPOLIS PKWY
5601 04 0221	6000 NAVAJO TRL	CONCORD	28027	BULLOCK, THEODORE	5879 ALEXANDER RD
5601 04 0304	810 KANNAPOLIS PKWY	CONCORD	28027	PAGE, RONALD M	2008 WHITE ROCKS RD
5601 04 9874	898 KANNAPOLIS PKWY	CONCORD	28027	WALLACE, CARLA R	3429 TRINITY CHURCH RD
4691 83 7796	6620 FINGERLAKE DR	CONCORD	28027	WALTON ROGER E JR	6620 FINGERLAKE DR
4691 93 1433	6555 FINGERLAKE DR	CONCORD	28027	HENLEY, AARON P	6555 FINGERLAKE DR
4691 93 2377	6495 FINGERLAKE DR	CONCORD	28027	CARBAJAL, GERMAN GONZALEZ	6495 FINGERLAKE DR
4691 93 3725	6500 FINGERLAKE DR	CONCORD	28027	JACOB, SLBI	6500 FINGERLAKE DR



October 28, 2021

Subject: Clarification -Neighborhood Meeting, Kannapolis Parkway

Dear Neighbors,

## DATE CORRECTION!

On our previous letter, there was an error on the date at the bottom that was different from what was stated previously in the letter. We are sorry for the confusion and hope you can still attend.

On **Tuesday, November 2, 2021 at 6PM** HHHunt will host a neighborhood meeting to discuss the rezoning of approximately 26 acres located at 885 Kannapolis Parkway from RE-Rural Estate to RC-Residential Compact Conditional District to permit the development of a multifamily community. The meeting will be held at Concord Fire Station #7 located at 250 International Drive NW in Concord.

**Location: Concord Fire Station #7**

**250 International Drive NW**

**Date: Tuesday, Nov 2nd**

**Time: 6:00 – 7:30 PM**

Sincerely,

Phillip J. Martin  
HHHunt

KANNAPOLIS PARKWAY COMMUNITY MEETING

November 2<sup>nd</sup>, 2021 6:00 PM



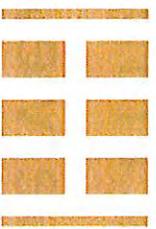
Name	Address	Phone	Email	Contact with Details? Yes/No
Danesse M. 15			Vanesse - m.15 @allestate.com	
Martha Enslay			enslay@tct.net	yes
Jenise & Tracy Coleman			jenise.dj@ata.net	yes
M. Willey			m.willey@mindspring.com	
Tom Best			tombest1@aol.com	yes
Tim Coleman	881 WANNAPOLIS PKWY			
NANCY COLEMAN	CAROLINA NC-28027			
Gina Coleman	885 Kann. Pkwy		gcoleman928@gmail.com	yes
Lindsay Ruggs			lindsayruggshomes@gmail.com	yes

## Kannapolis Community Meeting Notes

November 2, 2021

Kannapolis Fire station #7 (250 International Drive NW)

- Meeting began at 6:05 pm
- Phillip Martin (PM) from HHHunt introduced members of the HHHunt team (Kyle Burns (KB), Paige Gardner (PG), Hans Klinger (HK)) and traffic consultant Joe Wilson (JW), Kimley Horn.
- PM started the slide show and provided an overview of HHHunt, it's different divisions, existing nearby communities and the company's promise to be an engaged community partner.
- PG explained the limits of the property and the layout of the conceptual plan being proposed.
- JW gave a brief summary that the traffic study is in progress and that it will report on the incremental increase in traffic resulting from this community and whether traffic system upgrades will be recommended.
- PG continued with explaining the community features and showing pictures from other HHHunt apartment communities.
- PG concluded the formal presentation with a timeline of the approvals, construction, and when the first residents move in.
- HK thanked everyone for coming to the meeting and asked for questions
- Questions and responses from attendees:
  1. *What impacts will be made to the tulake and fingerlake ponds?* Stormwater from the development will be collected and treated onsite with no direct drainage to the ponds.
  2. *Will the residents be allowed to fish in the ponds?* It is not our intention to make the ponds open to active fishing activity. There is always a risk that someone may decide to go fishing but in our experience this does not happen often.
  3. *Will there be any buffers on the ponds?* Final wetland limits still need to be delineated that may exist along the pond edges but we anticipate a 50' buffer from the pond edge.
  4. *What will happen to the wildlife that use this property and the ponds?* A portion of the community exists to the west in a floodplain that will not be developed other than a sanitary sewer line and stormwater pond. Wildlife will still be able to use the ponds since no impact is anticipated to them.
  5. *Will the community have access to Tulake Drive?* No access to this road is planned.
  6. *Will there be a traffic signal on Kannapolis Pkwy for the new community?* A signal at the community entrance is not likely, but the final traffic report will make that conclusion.
  7. *Can you do any more buffering or screening of the community for the residents around the ponds?* There will be landscaping around the community and possibly a retaining wall on the southern edge of the community that will be determined during final construction plan design.
  8. *Will HHHunt assist with the maintenance of the ponds? There is possibly a maintenance agreement in place for the owners of the ponds.* HHHunt will check title records to understand what legal commitments exist for the ponds.
- Meeting concluded at 6:47 pm

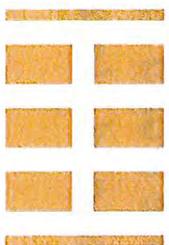


**HHUNT**

Because it's how you live that matters



Information estimated and current as of November 2, 2021 & subject to change.



# HHHUNT

Because it's how you live that matters



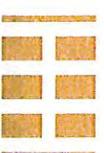
# HHHUNT

HOMES



# HHHUNT

APARTMENT LIVING



# HHHUNT

COMMUNITIES

Information estimated and current as of November 2, 2021 & subject to change.



## HHHunt's Vision

To improve the world and how people live by creating meaningful experiences and places of great distinction

## We Promise To Be

Employee  
Centered

Customer  
Focused

A Provider of Quality  
Goods and Services

An Engaged  
Community Partner

## We Value

Trust

Competence

Passion

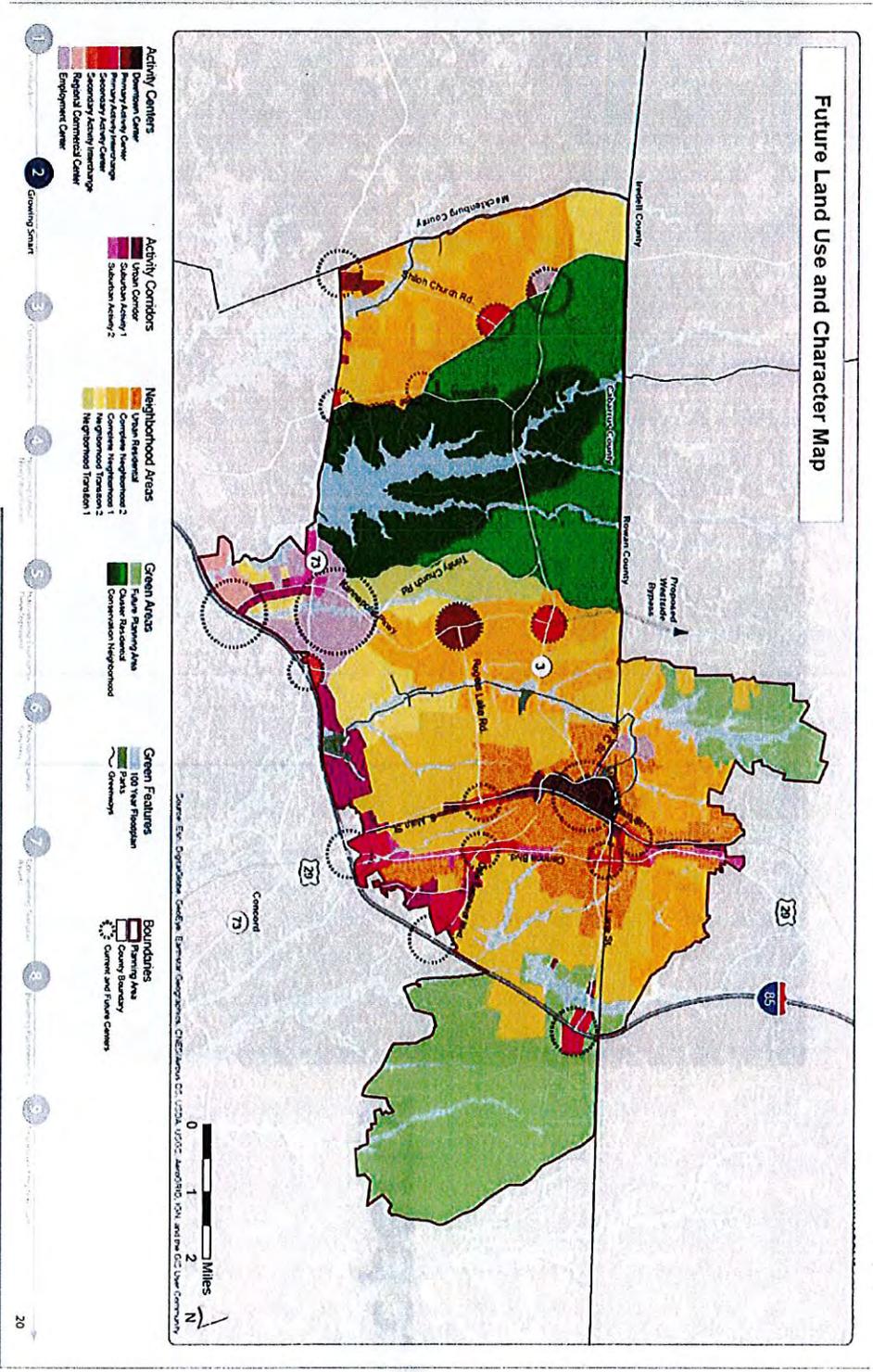
Forward Thinking

Collaboration





# Future Land Use



Information estimated and current as of November 2, 2021 & subject to change.

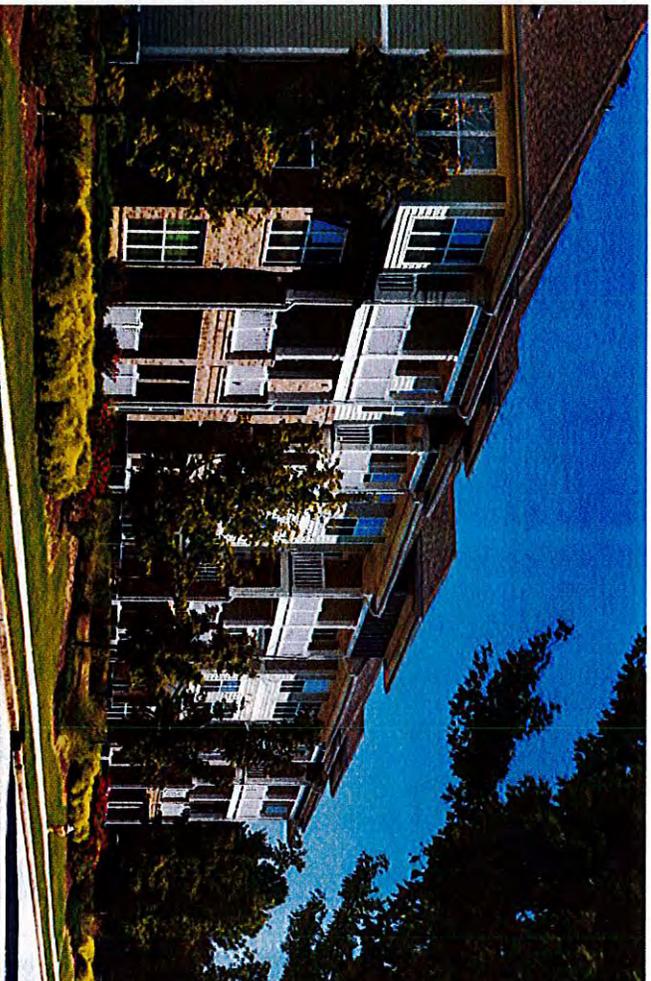
# Overall Plan



Information estimated and current as of November 2, 2021 & subject to change.



# Community Features

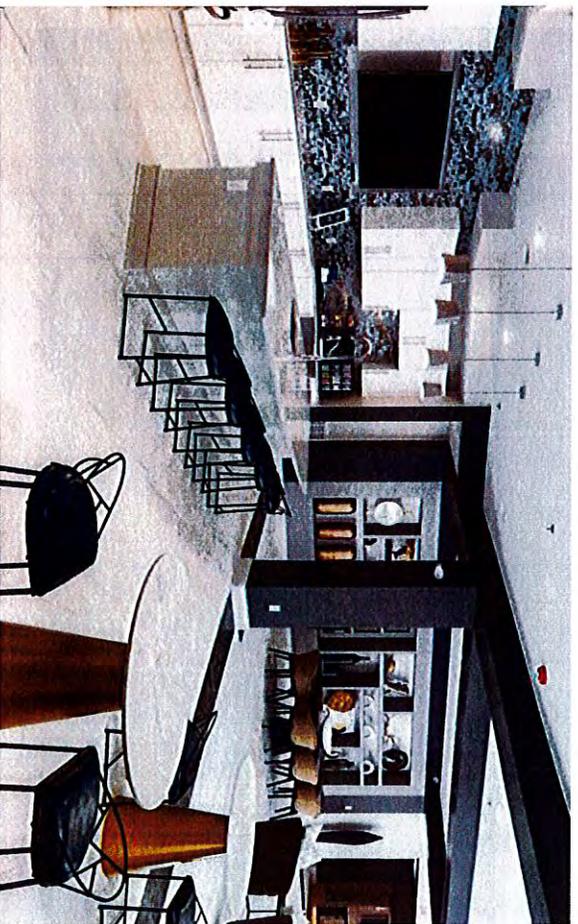


- Sidewalks
- Green Space
- Street Trees
- Street Lighting
- Balconies
- Outdoor Recreation
- Bark Park
- Clubhouse
- Fitness Center, Lounge, Gameroom, Coworking Space, Pet Spa, etc

Information estimated and current as of November 2, 2021 & subject to change.



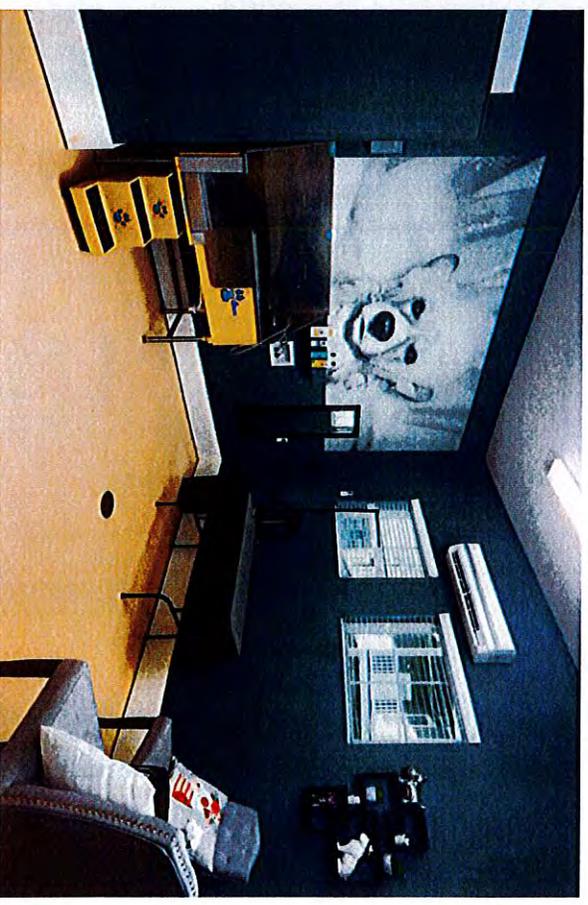
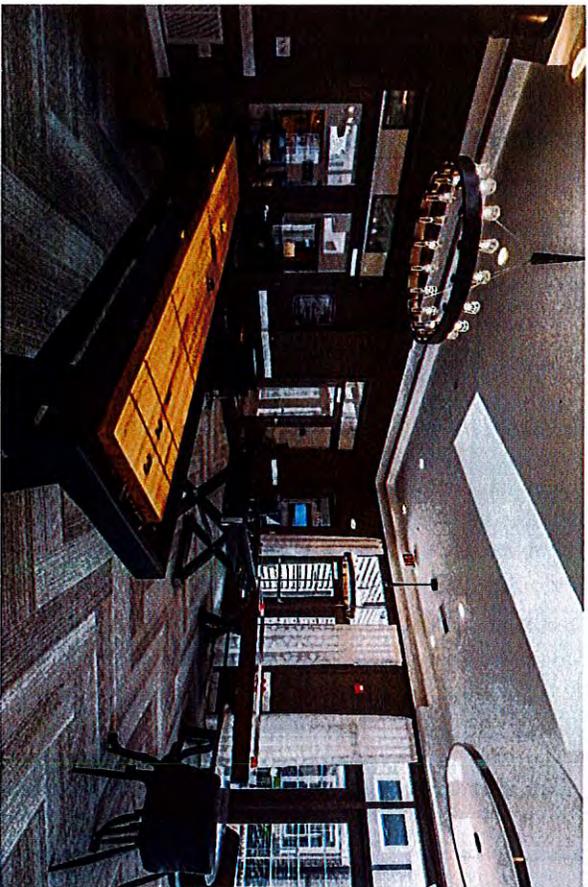
# Community Features



Information estimated and current as of November 2, 2021 & subject to change.



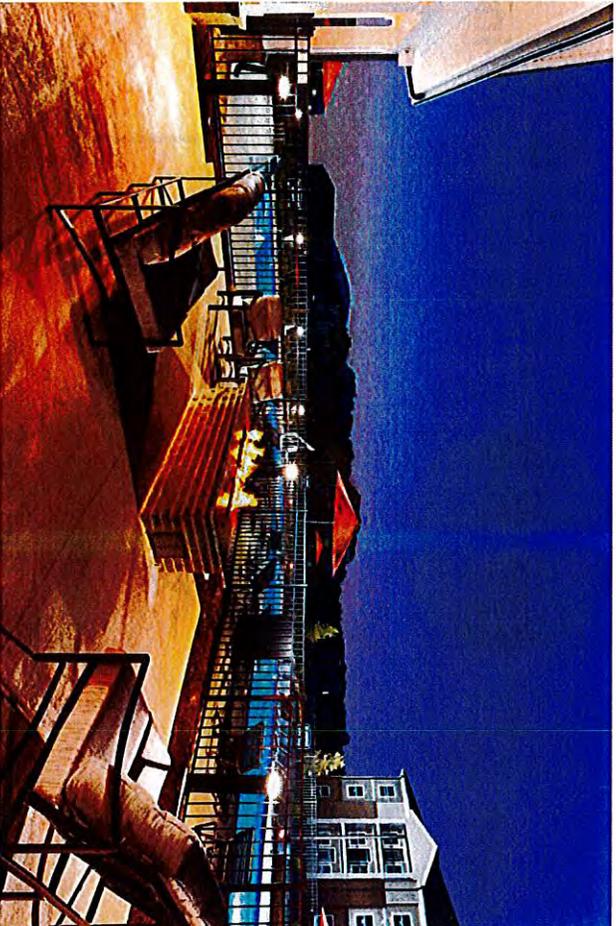
# Community Features



Information estimated and current as of November 2, 2021 & subject to change.

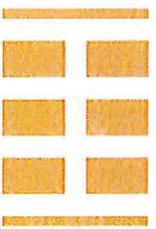


# Community Features



Information estimated and current as of November 2, 2021 & subject to change.





**HHUNT**

Because it's how you live that matters

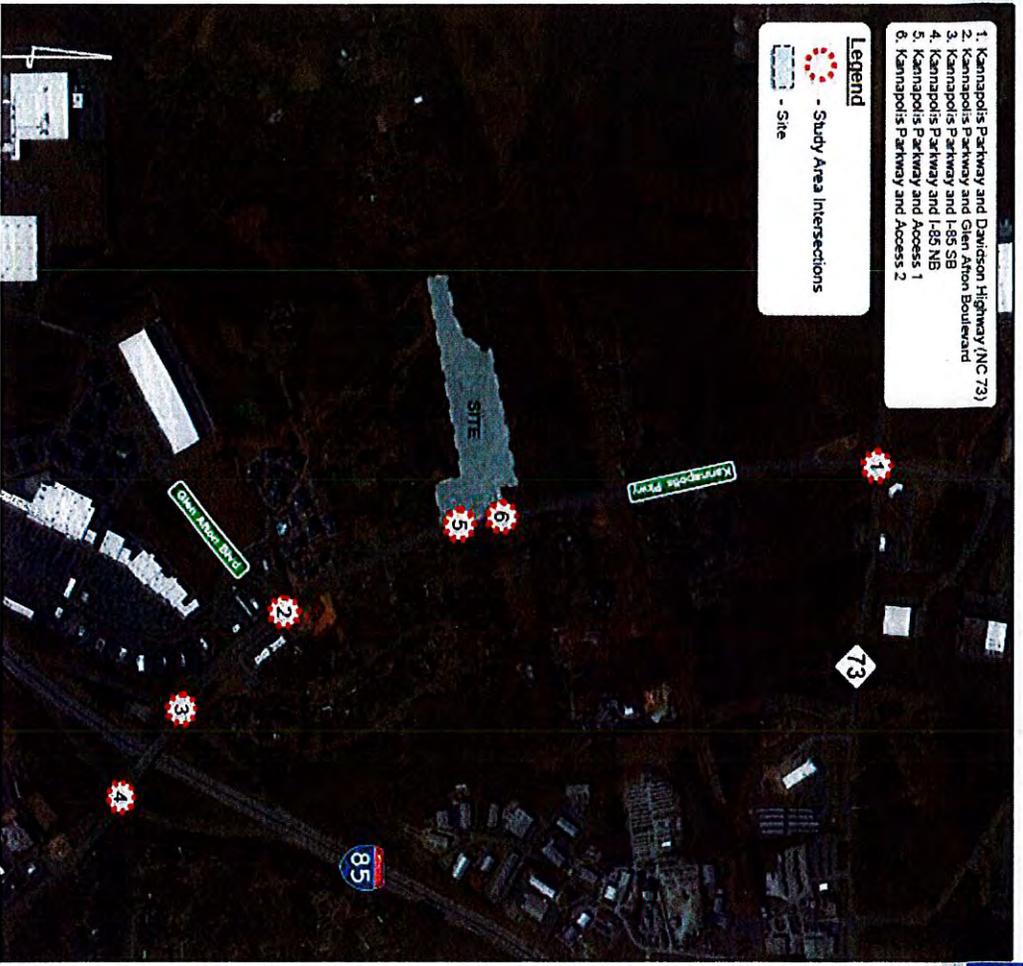
Information estimated and current as of November 2, 2021 & subject to change.



1. Kannapolis Parkway and Davidson Highway (NC 73)
2. Kannapolis Parkway and Glen Arvon Boulevard
3. Kannapolis Parkway and I-85 SB
4. Kannapolis Parkway and I-85 NB
5. Kannapolis Parkway and Access 1
6. Kannapolis Parkway and Access 2

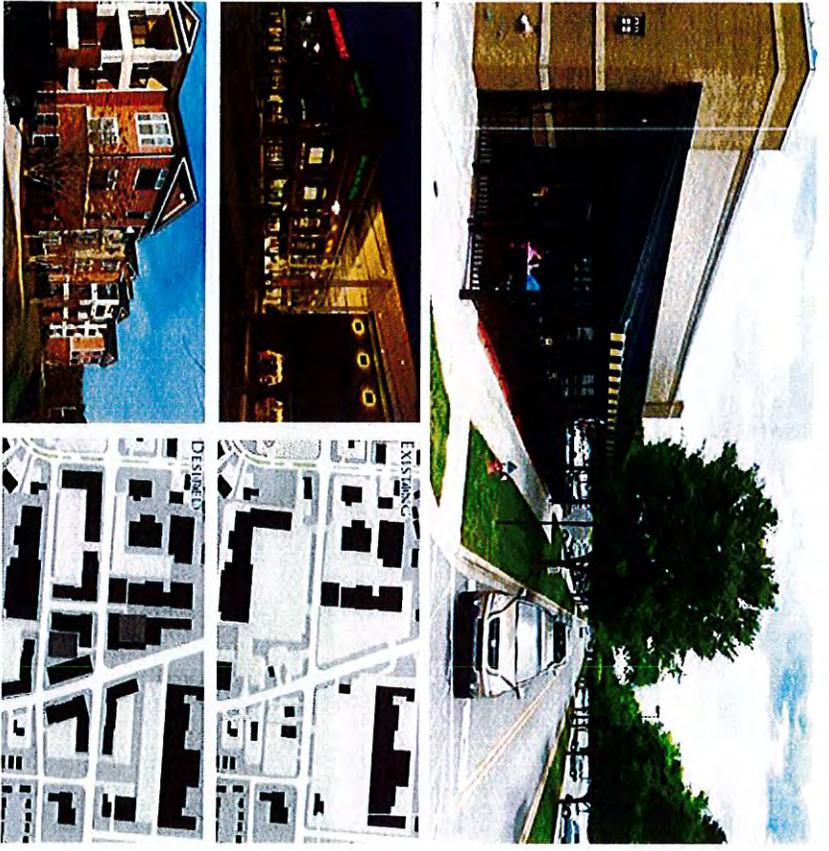
**Legend**

-  - Study Area Intersections
-  - Site



Information estimated and current as of November 2, 2021 & subject to change.

## Suburban Activity 1



### Character Intent

The Suburban Activity 1 Character Area includes primarily regional-scale commercial development that can accommodate large format commercial developments. Lighting, landscaping, and fully connected sidewalks and roads should link blocks and provide safe vehicular and pedestrian access within and between developments. In some locations, buildings placed close to the street create a comfortable pedestrian environment while shared parking strategies reduce overall impervious surface area.

### Development Opportunities

- Building upgrades
- Sidewalk and greenway connections
- Infill development
- Low impact development retrofits
- Pocket parks

### Primary Uses

- Retail
- Office

### Secondary Uses

- Renewable energy generation
- Community gardens
- Pedestrian connections
- Landscaping
- Crosswalks and pedestrian amenities
- Light manufacturing
- Multifamily residential
- Single family attached residential

### Characteristics of Urban Form

	Existing	Desired
<b>Building Heights:</b>	1 - 3 Stories	1 - 4 Stories
<b>Serbacks:</b>	20 - 100 ft.	5 - 30 ft.
<b>Block Length:</b>	600 - 2400 ft.	600 - 800 ft.
<b>Street Character:</b>	Hierarchical, Curvilinear	Enhanced network
<b>Parking:</b>	Surface lots	Rear, Side, On-street, Mid-block surface parking
<b>Residential Density:</b>	n/a	6 - 16 units/acre



PO Box 27283  
Richmond, VA 23261-7283

# Order Confirmation

Order# 0000756393

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

**Payer :** 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**      **Acct Rep**      **Ordered By**  
aboan              aboan              Pam

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

**Total Amount**                      \$841.32  
**Payment Amount**                  \$841.32  

---

**Amount Due**                        \$0.00  
**Tax Amount:**                        0.00  
**Payment Meth:**      Credit - Debit Card

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

**Ad Number**                      **Ad Type**                      **Ad Size**                      **Color**  
0000756393-01                      CLS Liner                      2 X 68 li                      \$0.00

**Production Method**                      **Production Notes**  
AdBooker (liner)

**Product and Zone**                      **Placement**                      **Position**                      #  
CON Independent Trib                      C-Announcements                      General-Spec Notice  
**Run Schedule Invoice Text:**                      NOTICE OF PUBLIC HEARING Planning and Zoning  
**Run Dates**                      12/ 3/2021, 12/10/2021  
**TagLine:** NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONMEETING4  
LISNCTUESDAYDECEMBER142021AT600PMCONDITIONALZONINGMA



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

**Tuesday December 14, 2021 at 6:00 pm**

**Conditional Zoning Map Amendment - CZ-2021-22** - Public Hearing to consider an amendment to the previously approved rezoning conditions for property located at 267 North Cannon Boulevard, zoned General Commercial-Conditional Zoning (C-2-CZ) and further identified as Cabarrus County Parcel Identification Number(s) 56230967940000. The requested changes include increasing the operating hours to Sunday through Saturday, 6:00 AM to 11:00 PM.

**Conditional Zoning Map Amendment - CZ-2021-18** - Public Hearing to consider a request to rezone properties located at 2802 Lane Street and an unaddressed parcel on Lane Street from Cabarrus County Limited Commercial (LC) to City of Kannapolis Residential Compact-Conditional Zoning (RC-CZ) to allow for a 266-unit multi-family apartment development. The subject properties are approximately 35.59 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56334815830000 and 56335809780000.

**Conditional Zoning Map Amendment - CZ-2021-23** - Public Hearing to consider a request to rezone eleven (11) properties located at 6600 Fingerlake Drive, as well as 843, 873, 877, 881, 885, 911, 915, 923, 927 and 935 Kannapolis Parkway from Rural Estate (RE) zoning district to Residential Compact-Conditional Zoning (RC-CZ) zoning district to allow for a 396-unit multi-family apartment development. The subject properties are approximately 26.52 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46918491960000, 46919463850000, 46918402550000, 46918463560000, 46919414050000, 46919455550000, 46919406110000, 46918465840000, 46919468610000, 46919426490000, and 46919427710000.

**Conditional Zoning Map Amendment - CZ-2021-16** - Continued from November 16, 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 0490000001, 132 108, 244 158, 244 169, 131 202, 131 145, 131 173, 131 07202, 131 144, 131 07201, 131 142 and 131 143.

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: December 3, December 10, 2021.**

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
AARON P HENLEY & GERMAINE HENLEY	6555 FINGERLAKE DR	CONCORD	NC	28027
THEODORE BULLOCK	5879 ALEXANDER RD	CONCORD	NC	28027
CARLA R WALLACE	3429 TRINITY CHURCH RD	CONCORD	NC	28027
TRACY & JANICE COLEMAN	877 KANNAPOLIS PARKWAY	CONCORD	NC	28027
TRENTON & GINA COLEMAN	885 KANNAPOLIS PARKWAY	CONCORD	NC	28027
WILLIAM L COLEMAN JR	843 KANNAPOLIS PKWY	CONCORD	NC	28027
CHRISTOPHER COLEY	915 KANNAPOLIS PKWY	CONCORD	NC	28027
H E COLEY	625 ST PETERS CHURCH RD	GOLD HILL	NC	28071
HOWARD & RHONDA COLEY & CHRISTOPHER & GLYNIS COLEY	625 ST PETERS CHURCH RD	GOLD HILL	NC	28071
WILLIAM DARLING	745 KANNAPOLIS PKWY	CONCORD	NC	28027
EARL & JEAN STEVENS	938 KANNAPOLIS PARKWAY	CONCORD	NC	28027
LARRY & MARTHA ENSLEY	6600 FINGER LAKE DRIVE	CONCORD	NC	28027
GEORGE A TUCKER TRUSTEE	2520 PLANTATION RD NW	CONCORD	NC	28027
GERMAN GONZALEZ CARBAJAL & ANGELA ARGETA	6495 FINGERLAKE DR	CONCORD	NC	28027
HIGHWAY 73 PARKWAY LLC C/O MPV PROPERTIES LLC	2400 SOUTH BLVD STE 300	CHARLOTTE	NC	28203
HOWARD E COLEY	625 ST PETERS CHURCH RD	GOLD HILL	NC	28071
SIBI JACOB	6500 FINGERLAKE DR	CONCORD	NC	28027
JOHN F II & DONNA FOULKS	930 KANNAPOLIS PARKWAY	CONCORD	NC	28027
KERMIT & LOIS MARSHALL	6549 UNTZ RD	CONCORD	NC	28027
TERRY & MAVIS METCALF	6542 UNTZ RD	CONCORD	NC	28027
FRED MOTLEY	6331 CORL ROAD	CONCORD	NC	28027
RONALD PAGE	2008 WHITE ROCKS RD	WAKE FOREST	NC	27587
PATRICIA T WILLEY	380 TULAKE DR	CONCORD	NC	28027
ROBINSON GUY ANDREW SR	789 KANNAPOLIS PKWY	CONCORD	NC	28027
TIMOTHY & RHONDA COLEMAN	881 KANNAPOLIS PKWY	CONCORD	NC	28027
TRIPLE SEVEN WORKS LLC	4730 RHETT DR	EVANS	GA	30809
ROGER WALTON JR	6620 FINGERLAKE DR	CONCORD	NC	28027
HHH LAND, LLC / HHHUNT	1401 SUNDAY DR			
ATTN: PHILLIP MARTIN	STE 109	RALEIGH	NC	27607
THE COLEMAN FAMILY	1339 CONCORD PKWY N	CONCORD	NC	28025



November 30, 2021

Dear Property Owner:

**Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, December 14, 2021 at 6:00 PM, at City Hall, located at 401 Laureate Way, for the following case:**

**CZ-2021-23 – Conditional Zoning Map Amendment – 6600 Fingerlake Drive and multiple parcels located on Kannapolis Parkway**

The purpose of the Public Hearing is to consider a request to rezone eleven (11) properties located at 6600 Fingerlake Drive, as well as 843, 873, 877, 881, 885, 911, 915, 923, 927 and 935 Kannapolis Parkway from Rural Estate (RE) zoning district to Residential Compact-Conditional Zoning (RC-CZ) zoning district to allow for a 396-unit multi-family apartment development. The subject properties are approximately 26.52 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46918491960000, 46919463850000, 46918402550000, 46918463560000, 46919414050000, 46919455550000, 46919406110000, 46918465840000, 4691946861000, 46919426490000, and 4691942771 (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 Unified Development Ordinance. You are welcome to attend the public hearing and present testimony to the Planning and Zoning Commission if you so desire.

If you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4350 or [bstanley@kannapolisnc.gov](mailto:bstanley@kannapolisnc.gov).

Sincerely,

Boyd V. Stanley, AICP  
Assistant Planning Director

Enclosure

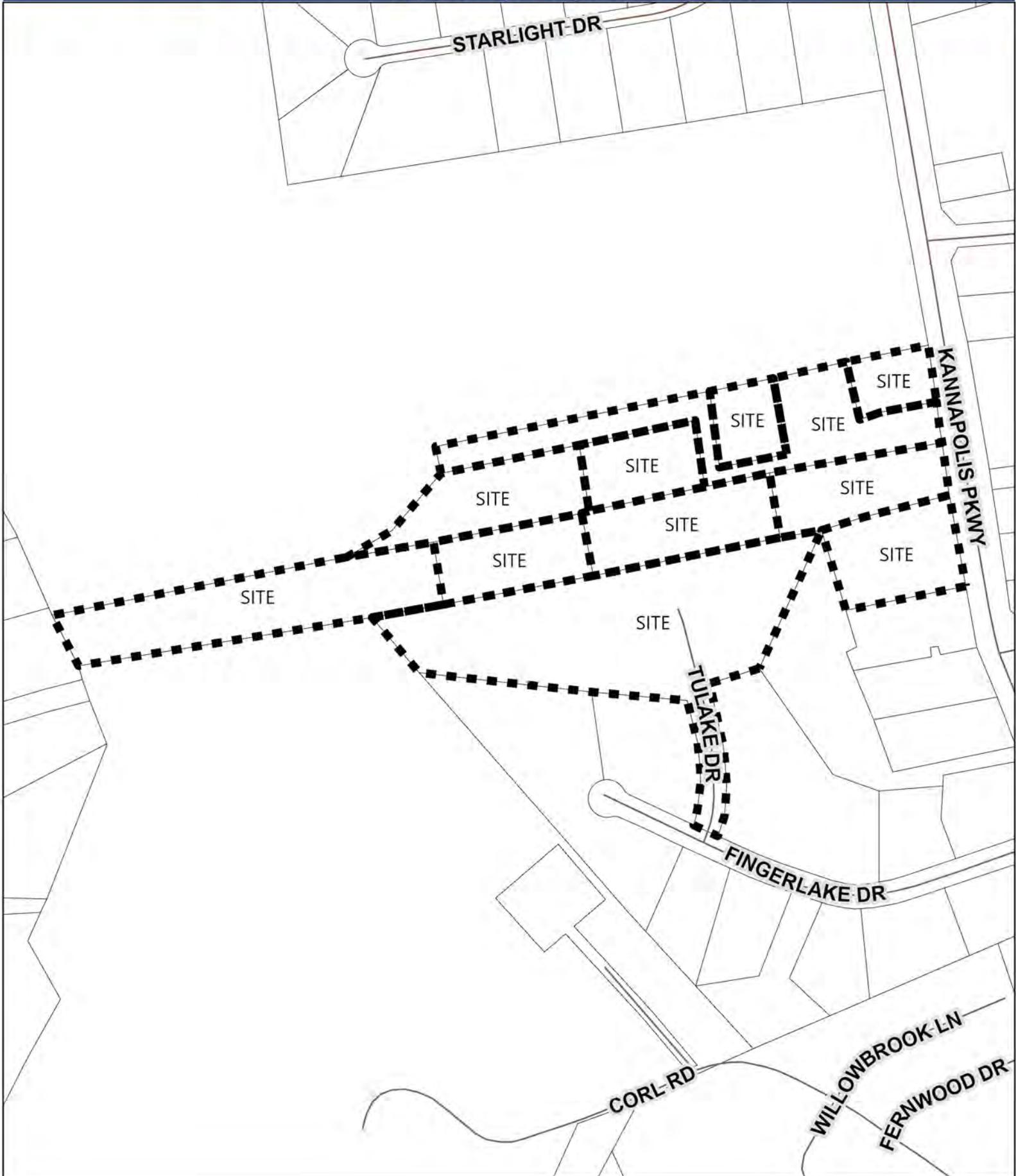
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# Zoning Map Amendment

CZ-2021-23

Applicant: HHH Land, LLC / HHHunt  
Location: 843, 873, 877, 881, 885, 911, 915, 923,  
927, 935 Kannapolis Pkwy and 6600 Fingerlake Dr.



KANNAPOLIS  
**PLANNING**  
**ZONING**  
**COMMISSION**  
PUBLIC HEARING  
INFORMATION  
CALL 704-920-4350  
CASE # CZ-2021-23

FO  
6.9

Var  
70-4

WARNING  
PIPING  
IN PROGRESS





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**tal**  
CO  
704-786-63  
VANESSA  
704-490-3

KANNAPOLIS  
**PLANNING**  
**ZONING**  
**COMMISSION**  
PUBLIC HEARING  
INFORMATION  
CALL 704-920-4350  
CASE # 02-2021-23

6600 WYBURN LAKE



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
WITH REGARD TO CASE #CZ-2021-23**

**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 December 14, 2021 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone property located at 6600 Fingerlake Drive as well as multiple parcels located on Kannapolis Parkway, (Cabarrus County Parcel Identification Numbers 46918491960000, 46919463850000, 46918402550000, 46918463560000, 46919414050000, 46919455550000, 46919406110000, 46918465840000, 4691946861000, 46919426490000, and 46919427710000) owned by Larry & Martha Ensley, William Coleman Jr., Tracy & Janice Coleman, Timothy & Rhonda Coleman, Trenton & Gina Coleman, Howard & Rhonda Coley, Christopher & Glynis Coley, Carla Wallace, H.E. Coley and Howard Coley from Rural Estate (RE) Zoning Designation to Residential Compact-Conditional Zoning (RC-CZ) Zoning Designation.

**NOW, THEREFORE BE IT RESOLVED** *that the Planning and Zoning finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being located in the “Suburban Activity Center”, “Neighborhood Transition 2 Area” and “Employment Center” Character Areas as designated in the Move Kannapolis Forward 2030 Comprehensive Plan. The majority of the properties fall outside of the “Employment Center” designation to the North, which encompasses a larger, previously approved mixed-use project. Therefore, the use of these properties for multi-family residential is consistent with the City’s vision for this area as generally depicted on the preliminary 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.*

**Adopted this the 14<sup>th</sup> day of December 2021:**

---

Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



## **RESOLUTION TO ZONE**

**Case #CZ-2021-23**

**(6600 Fingerlake Drive and multiple parcels located on Kannapolis Parkway)**

### **From Rural Estate (RE) Zoning Designation to Residential Compact-Conditional Zoning (RC-CZ) Zoning Designation**

**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 December 14, 2021 for consideration of rezoning petition Case #CZ-2021-23 as submitted to the City of Kannapolis Planning Department; and

**WHEREAS**, the request was to rezone property located at 6600 Fingerlake Drive as well as multiple parcels located on Kannapolis Parkway, (Cabarrus County Parcel Identification Numbers 46918491960000, 46919463850000, 46918402550000, 46918463560000, 46919414050000, 46919455550000, 46919406110000, 46918465840000, 46919468610000, 46919426490000, and 46919427710000) owned by Larry & Martha Ensley, William Coleman Jr., Tracy & Janice Coleman, Timothy & Rhonda Coleman, Trenton & Gina Coleman, Howard & Rhonda Coley, Christopher & Glynis Coley, Carla Wallace, H.E. Coley and Howard Coley from Rural Estate (RE) Zoning Designation to Residential Compact-Conditional Zoning (RC-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 26.52 +/- 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 “Suburban Activity Center”, “Neighborhood Transition 2 Area” and “Employment Center” Character Areas as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The majority of the properties fall outside of the “Employment Center” designation to the North, which encompasses a larger, previously approved mixed-use project. Therefore, the use of these properties for multi-family residential is consistent with the City’s vision for this area as generally depicted on the preliminary 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 and nearby commercial uses. The proposed use multi-family residential is 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 is currently underway and the Traffic Engineers have received comments from NCDOT and City Staff on the initial submittal.

**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 continues to develop with commercial, residential and an industrial mix of land uses.

**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 RE (Rural Estate) and PUD (Planned Unit Development). 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 conditional rezoning is required 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 Rural Estate

(RE) Zoning Designation to Residential Compact-Conditional Zoning (RC-CZ) Zoning Designation, subject to the following conditions:

1. The permitted uses allowed by this rezoning shall only include 396 multi-family units 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. Compliance with the current Land Development Standards Manual (LDSM).
4. Final design of all road intersections which development has access to and/or street frontage on shall be approved by NCDOT and the City.
5. The lane widths, sidewalks, pavement structure, road alignment, and grades of all interior roads shall be constructed in compliance with current City standards.
6. Roads and parking lots shall comply with all Fire Codes and Autoturn shall be run for an SU-30 and Bus-45 (mimics ladder truck).
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. Stormwater SCM's cannot be constructed in the undisturbed buffer. Additional requirements are necessary to verify design of SCM within AE Zone see attached comments on sketch plan.
8. Water and sewer main extensions 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.
12. Fire apparatus access roads shall remain open at all times.
13. All proposed buildings shall require architectural review and strict adherence to the renderings, community examples, color pallets, architectural materials and overall design elements provided by the applicant and required by Article 11.2 Multi-Family Design Standards of the UDO.

**Adopted this the 14<sup>th</sup> day of December 2021:**

---

Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



**Planning and Zoning Commission  
December 14, 2021 Meeting**

**Staff Report**

**TO:** Planning and Zoning Commission  
**FROM:** Boyd Stanley, Assistant Planning Director  
**SUBJECT:** Case #CZ-2021-16  
Applicant: Lennar Carolinas, LLC.

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

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

1. Hold Public Hearing
2. Motion to adopt 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, or if there is no appeal of the decision. If there is a denial, an approval by a vote of less than three-fourths, or an appeal of the decision, then only the City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

**C. Background & Project Overview**

At their September 21, 2021 meeting, the Planning and Zoning Commission heard the applicant, Lennar Carolinas, LLC's request to rezone the subject properties from Residential Medium Density (RM-1) to Planned Unit Development-Conditional Zoning (PUD-CZ) to allow for a single-family residential development. The Commission voted to table their decision and requested more information regarding the proposed development's Traffic Impact Analysis (TIA), the Legislative Annexation Agreement with the Town of Landis, Rowan County Public School capacity and City of Kannapolis fire protection coverage and response times. The applicant requested to defer the hearings at both the October and

November meetings for additional time to prepare exhibits and respond to the Commission's requests. These items are addressed below following the project overview.

The proposed Master Plan incorporates a variety of differing size single-family residential lots within both Kannapolis and Landis. The majority of the development is proposed to be in the City of Kannapolis with over half being allocated as age targeted. There are multiple points of access proposed on both the North and South sides of Cannon Farm Road. Additional points of access are proposed at Enochville Road to the Southwest along with Johnson Street to the Northwest.

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

In response to citizen concerns regarding fire and life safety, staff met with the Kannapolis Fire Department (KFD) and received a letter from Chief Winecoff explaining the importance of site connectivity to both Cannon Farm and Enochville Roads. Based on the current site plan, KFD can maintain their Class 1 ISO rating by providing a response area of less than 5 miles.

The legislative annexation agreement with the Town of Landis is on schedule to be finalized in January 2022. Also, staff received correspondence from Rowan County Schools stating there is adequate school capacity at all grade levels to accommodate the increase in households.

The applicant is preparing to discuss the improvements recommended and required by the Traffic Impact Analysis (TIA) and will provide exhibits at the meeting. Traffic counts have been conducted, which will necessitate both onsite and offsite improvements.

**D. Fiscal Considerations**

None

**E. Policy Issues**

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

- 1. The size of the tract in question.**  
The size of the subject tracts is approximately 550.74 +/- acres.
  
- 2. Does the proposal conform with and further the goals and policies of the Land Use Plan, other adopted plans, and the goals, objectives, and policies of this Ordinance?**  
This property is located in the "Future Planning Area" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Future Planning Area Character

Area includes single-family residential as a primary use; therefore, the proposed use is in conformance with the goals and policies of the 2030 Plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

N/A

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

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

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

No.

**F. Legal Issues**

None

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

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

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

**Staff Recommendation**

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

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

1. The permitted uses allowed by this rezoning shall include the uses, densities and intensities as shown on the master plan approved with this rezone.
2. A Final Site Plan, in compliance with all applicable City UDO standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance Permit.
3. Comply with current Land Development Standards Manual.
4. All road intersections on where development has access and/or street frontage shall be approved by the City.
5. The Developer shall construct traffic improvements as required by the Traffic Impact Analysis approved with this rezoning.
6. The lane widths, sidewalks, pavement structure, road alignment, and road grades shall be constructed to current City standards.
7. Roads and parking lots shall comply with all Fire Codes and Autoturn templates for SU-30 and Bus-45 (mimics ladder truck) shall be used.
8. Streams and wetlands shall be identified by a qualified person and all buffers shown in accordance with Article 4 of the Kannapolis UDO. Construction of buildings, roads, and other structures must comply with AE Zone & RSOD Buffer requirements or be relocated.

9. A Stormwater Management Permit will be required for this Development in accordance with Article 9 of the Kannapolis UDO. Easements, maintenance agreements and viable access shall be provided for all stormwater structures and SCM's. Stormwater SCM's cannot be constructed in the undisturbed buffer.
10. All water and sewer mains shall be publicly maintained and located within a public right-of-way or utility easement. The water and sewer mains shall be located in the roadway under the pavement per the City's Typical Section Utility Layout, LDSM Detail 301.
11. Easements for Sanitary Sewer lines, Water lines and Storm Sewer pipes need to be a minimum of 20-feet wide. Additional width may be required depending on the depth of the line. Sanitary sewer lines and storm sewer lines shall be located within Common Open Space (easements centered on property lines shall not be permitted). Viable access shall be provided along all easements with a grade no greater than 15% for maintenance vehicles and cross slopes shall not exceed 5%.
12. The Fire Department shall approve locations of all hydrants
13. Additional Engineering and Fire comments are anticipated based on the latest version of the Master Plan.

### **Alternative Courses of Action**

#### **Motion to Approve (2 votes)**

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

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

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

#### **Motion to Deny (2 votes)**

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

**Statement of Consistency:** *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #CZ-2021-16 to be 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-2021-16, a motion should be made to deny the Resolution to Zone.**

**I. Attachments**

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

**J. Issue Reviewed By:**

- Planning Director
- Assistant City Manager
- City Attorney



## 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: 1635 Cannon Farm Road

Applicant: Lennar Carolinas, LLC - Mark Henninger

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

Single Family Residential

### 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 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 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: MARK HENNINGER DocuSigned by:  
Mark Henninger  
E5F907A36E8743B... Date: 8/16/2021



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: Lennar Carolinas, LLC - Mark Henninger  
Address: 6501 Carmel Road, Suite 425  
Charlotte, NC 28226  
Phone: 704-309-3288  
Email: Mark.Henninger@Lennar.com and castlebaygroup@gmail.com

### Property Owner Contact Information same as applicant

Name: Atlantic American Properties, Inc. - Thomas Sanctis, Mark Spitzer  
Address: 226 Oak Avenue  
Kannapolis, NC 28081  
Phone: 704-273-1128  
Email: tsanctis@castlecooke.com and mspitzer@castlecooke.com

### Project Information

Project Address: 1635 Cannon Farm Road  
Parcel: See Attached List of Parcels # of parcels: 18 (Kannapolis) Approx. size of parcels: 466.12 (Kannapolis)  
*(attach separate list if necessary)*  
Current Zoning Designation: RM-1 - Residential Medium Dens Requested Zoning Designation: PUD-CZ - Planned Unit Developm  
Reason for map amendment: Single Family Residential Development

Condition(s) proposed by the applicant (attach separate sheet if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

**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.**

<b>MARK HENNINGER</b>	<small>DocuSigned by:</small> <u>Mark Henninger</u> <small>ESP907A36E6743B...</small>	<u>8/16/2021</u>
Applicant Signature		Date
<b>Tom Sanctis</b>	<small>DocuSigned by:</small> <u>Mark Spitzer</u> <small>27D2D262C445497...</small>	<u>8/17/2021</u>
Property Owner Signature		Date

#### For Staff Use Only:

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



## Irish Creek – Lennar Carolinas LLC Development Standards

### Site Development Data

Acreage: 612.53 acres + 183.14 additional acres for Golf Club  
Kannapolis Acreage: 466.12 acres  
Landis Acreage: 146.41 acres

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

Landis: 132-0130000002; 132-0130000001

Existing Zoning	RM-1 (Kannapolis) R-8 (Landis)
Proposed Zoning	PUD-CZ (Kannapolis) SFR-2/ TNDO (Landis)
Existing Uses	Golf Club; Vacant; Residential
Proposed Uses	Golf Club; Single Family Residential

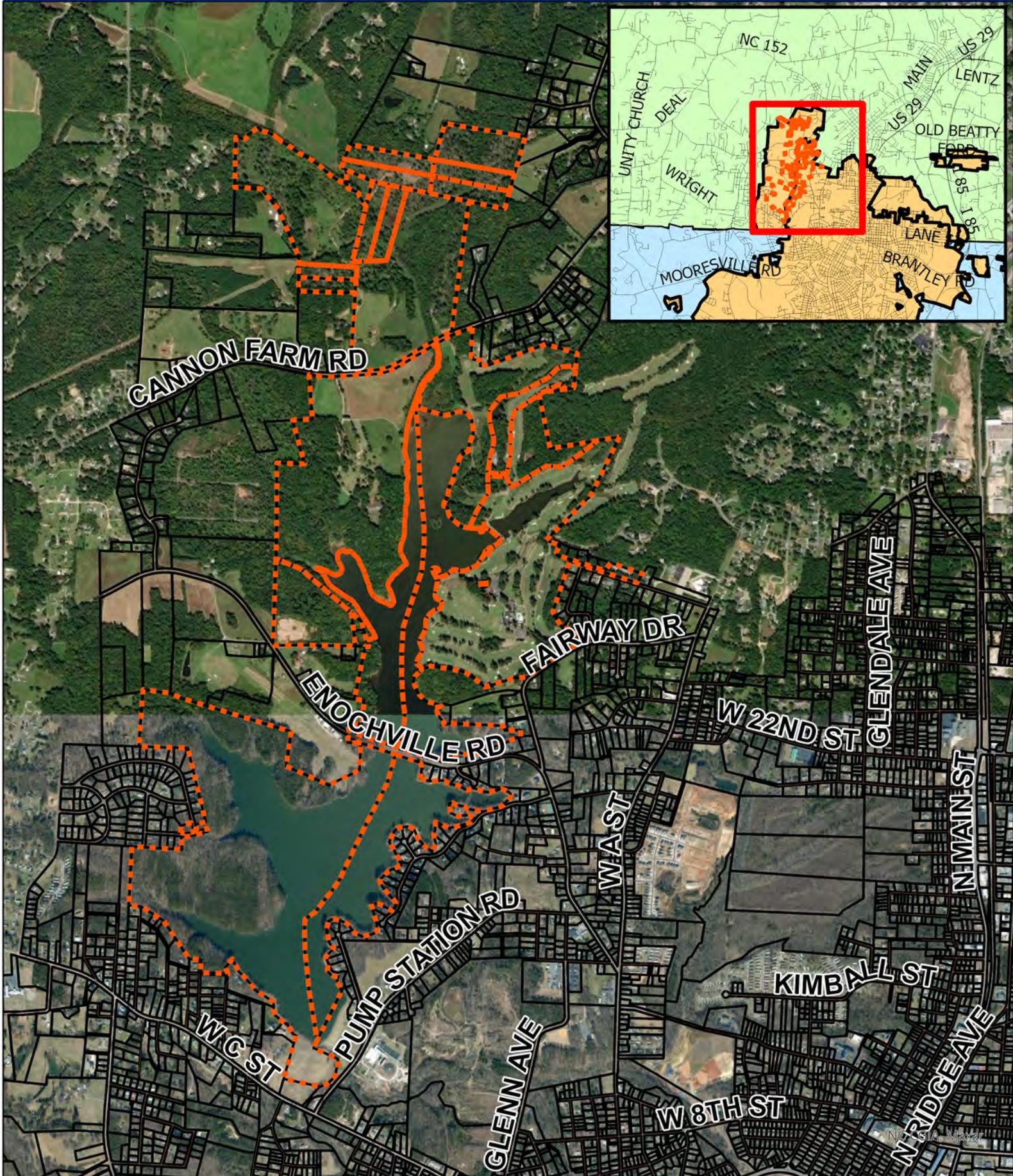


# Vicinity Map

CZ-2021-16

Applicant: Lennar Carolinas LLC

Location: 1635 Cannon Farm Rd



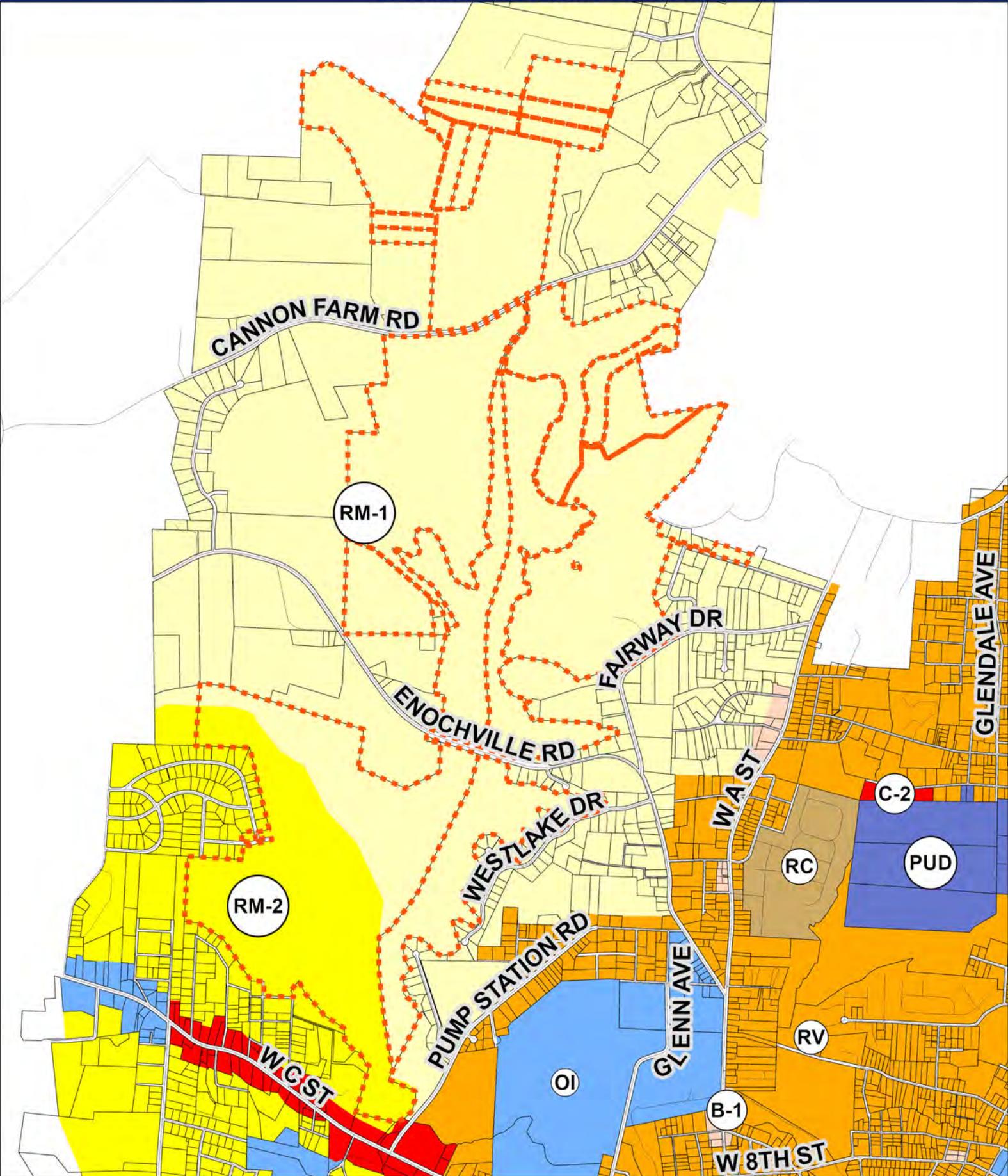


# Kannapolis Future Zoning

CZ-2021-16

Applicant: Lennar Carolinas LLC

Location: 1635 Cannon Farm Rd



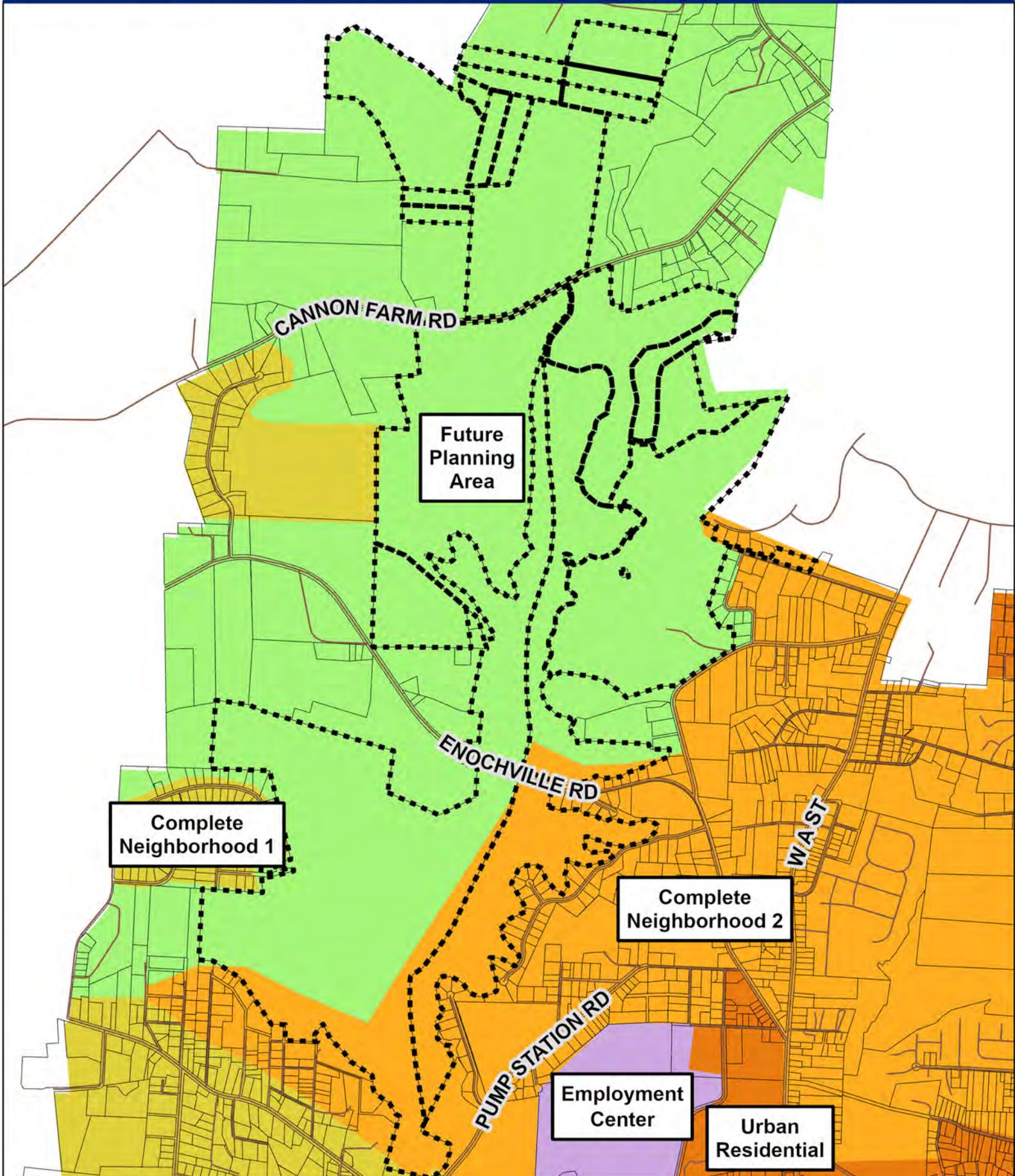


# Kannapolis 2030 Future Land Use Map

CZ-2021-16

Applicant: Lennar Carolinas LLC

Location: 1635 Cannon Farm Rd

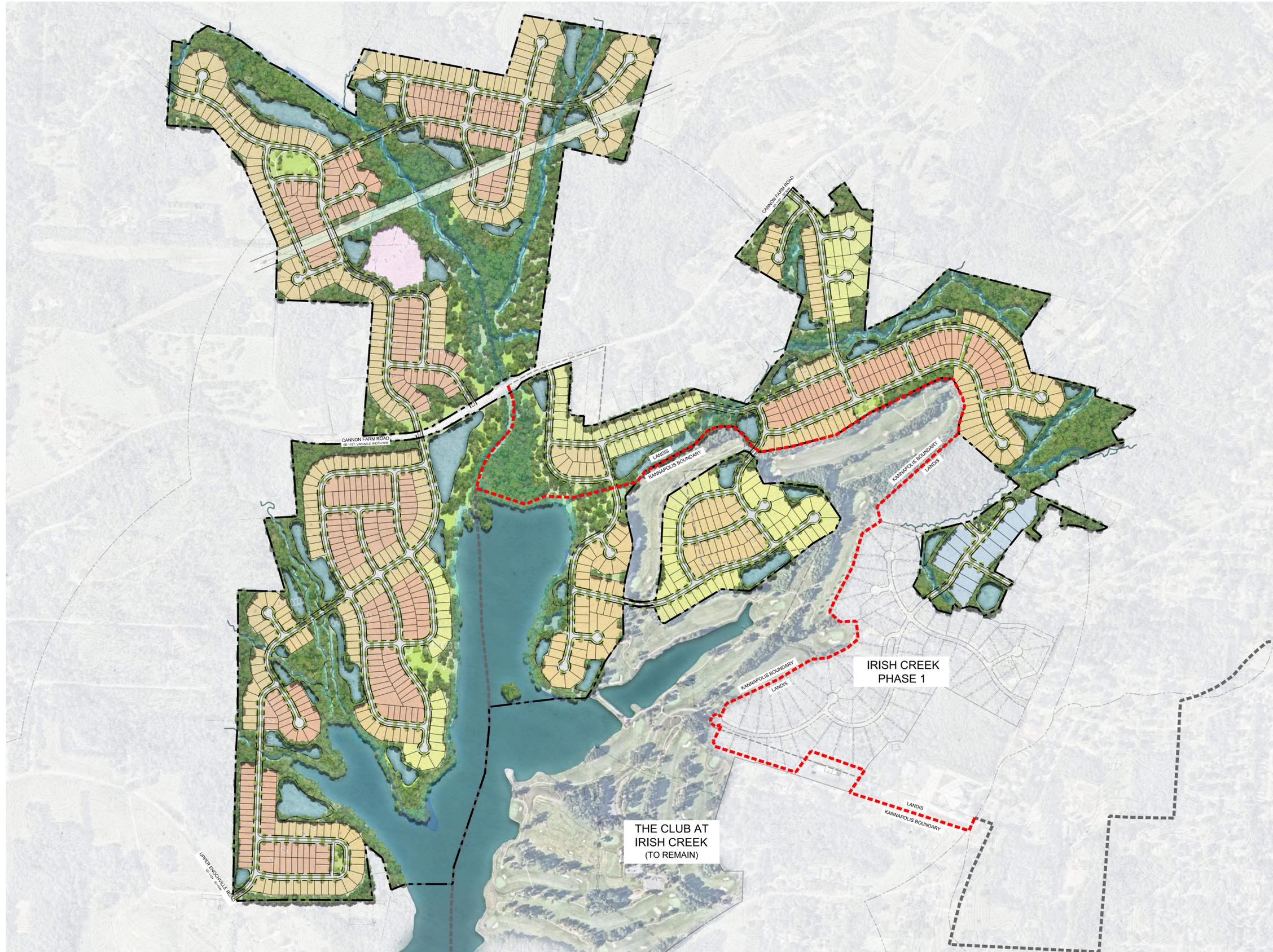
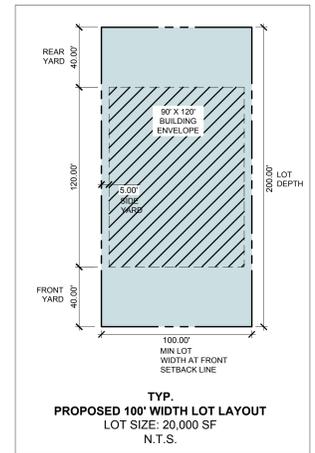
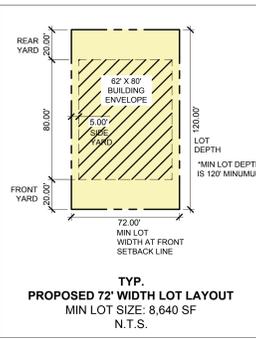
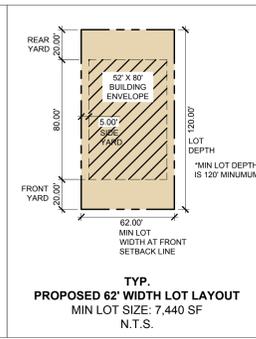
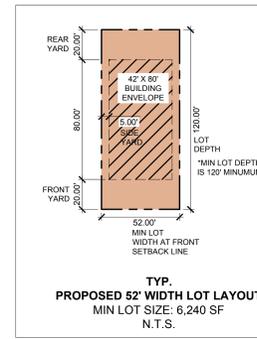
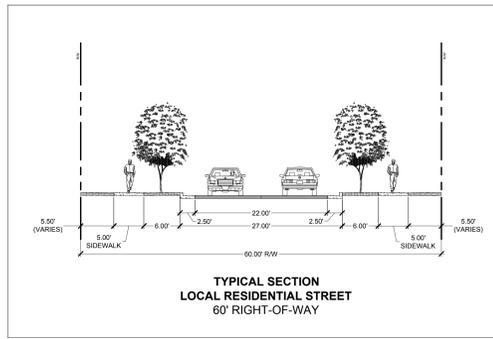


**LOT BREAKDOWN**

LOT COLOR	LOT TYPE	NUMBER OF LOTS
Orange	AGE TARGETED 52' LOTS (FORD SERIES)	197
Yellow	AGE TARGETED 62' LOTS (MEADOW SERIES)	226
Light Green	AGE TARGETED 72' LOTS (PINNACLE SERIES)	148
	<b>TOTAL</b>	<b>571</b>
Light Blue	TRADITIONAL 52' LOTS (WALK SERIES)	225
Dark Blue	TRADITIONAL 62' LOTS (ENCLAVE SERIES)	229
White	TRADITIONAL 100' LOTS	13
	<b>TOTAL</b>	<b>467</b>
	<b>GRAND TOTAL</b>	<b>1038</b>

MUNICIPALITY	NUMBER OF LOTS
KANNAPOLIS	792
LANDIS	246

WATERSHED	NUMBER OF LOTS
WS-III-BW	173
WS-III-CA	865



NOT FOR CONSTRUCTION

**IRISH CREEK**

DESIGNED BY: --  
DRAWN BY: --  
CHECKED BY: --

DATE: --

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

TYPICAL LOT SHEET

RZ-5



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

Subject: Rezoning Petition Number - TBA  
Petitioner/Developer: Lennar Carolinas, LLC  
Current Land Use: Vacant  
Existing Zoning: RM-1/ Residential Medium Density District  
City of Kannapolis  
Rezoning Requested: PDD/ Planned Development District

**Date and Time of Meeting:** **Tuesday, April 13, 2021 at 6:00 p.m.**

**Virtual Meeting RSVP:** **Please email [LDelbridge@landdesign.com](mailto:LDelbridge@landdesign.com) and [BSinnorai@landdesign.com](mailto:BSinnorai@landdesign.com) to provide your email address in order to receive a secure virtual meeting link or to request a hard copy of the presentation material. Reference Lennar Irish Creek in your response.**

Date of Notice: 03/29/2021

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

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

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

***Please email [LDelbridge@landdesign.com](mailto:LDelbridge@landdesign.com) and [BSinnorai@landdesign.com](mailto:BSinnorai@landdesign.com) to provide your email address in order to receive a secure virtual meeting link by April 11<sup>th</sup>.***

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

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

Thank you.

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

Lauren Delbridge, LandDesign  
Bea Sinnorai, LandDesign

**Site Location**

**See attached parcel exhibit**



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

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

**Persons and Organizations Contacted with Dates and Explanation of how Contacted**

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

**Time and Date of Meeting**

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

**Persons in Attendance at Meeting**

The Petitioner’s representatives at the Community Meeting were:

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

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

The Community representatives in attendance were:

- |                         |                    |
|-------------------------|--------------------|
| Ernie Willard           | James Renwick      |
| Jo Stephens             | Justin             |
| Shannon Fry             | Charlie & Sherri   |
| Joe Niggel              | Justin Kiles       |
| Mark and Sally Peterson | Tab & Suzanne Boyd |
| Tanner Wrightman        | Zamoras            |
| Susan Boyer             | Justin Kies        |
| Carmen Seamon           | Andrew Martin      |
| Chris                   | Paula Severt       |
| Pete Altman             |                    |

**Summary of Issues Discussed at Meeting:**

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

in lieu of the more typical face to face meeting for community input. The development team reviewed the site plan and context of the project.

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

#### **Summary of Questions/ Comments and Responses**

- Golf Course is anticipated to remain private
- Price point- \$300's and \$400's.
- Project Timeline – Zoning 3<sup>rd</sup> Quarter 2021  
Break Ground early 2022  
Homes constructed 2023
- Kannapolis & Landis boundary may be modified if agreed upon in joint agreement
- Ph1 – Niblock Homes to continue their construction
- Utility availability to annexed parties. Only the limits of this project will be annexed as part of this process
- What environmental protections are in place? Kannapolis Ordinance will be followed
- Will the roadway accessing the Golf Course be widened? Findings of TIS are not complete yet.
- Enochville – School closing recently and impact on schools.
- TIA Scope/ Study – 10 intersections studied. The findings will be incorporated into the zoning process and commitments
- Lake will remain as is – no fishing/ boating..etc
- Active Adult – likely to be 600-700 homes
- MF options for this project? No townhomes being considered at this time as part of the project.
- Congestion concerns from Community. Will need to have additional conversations upon TIS resolution
- Will Golf Course be run by Kannapolis? No, that is not the expectation.

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



# IRISH CREEK REZONING

COMMUNITY MEETING

• APRIL 13, 2021 •

# MEETING OUTLINE

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

# DEVELOPMENT TEAM

**LENNAR®**



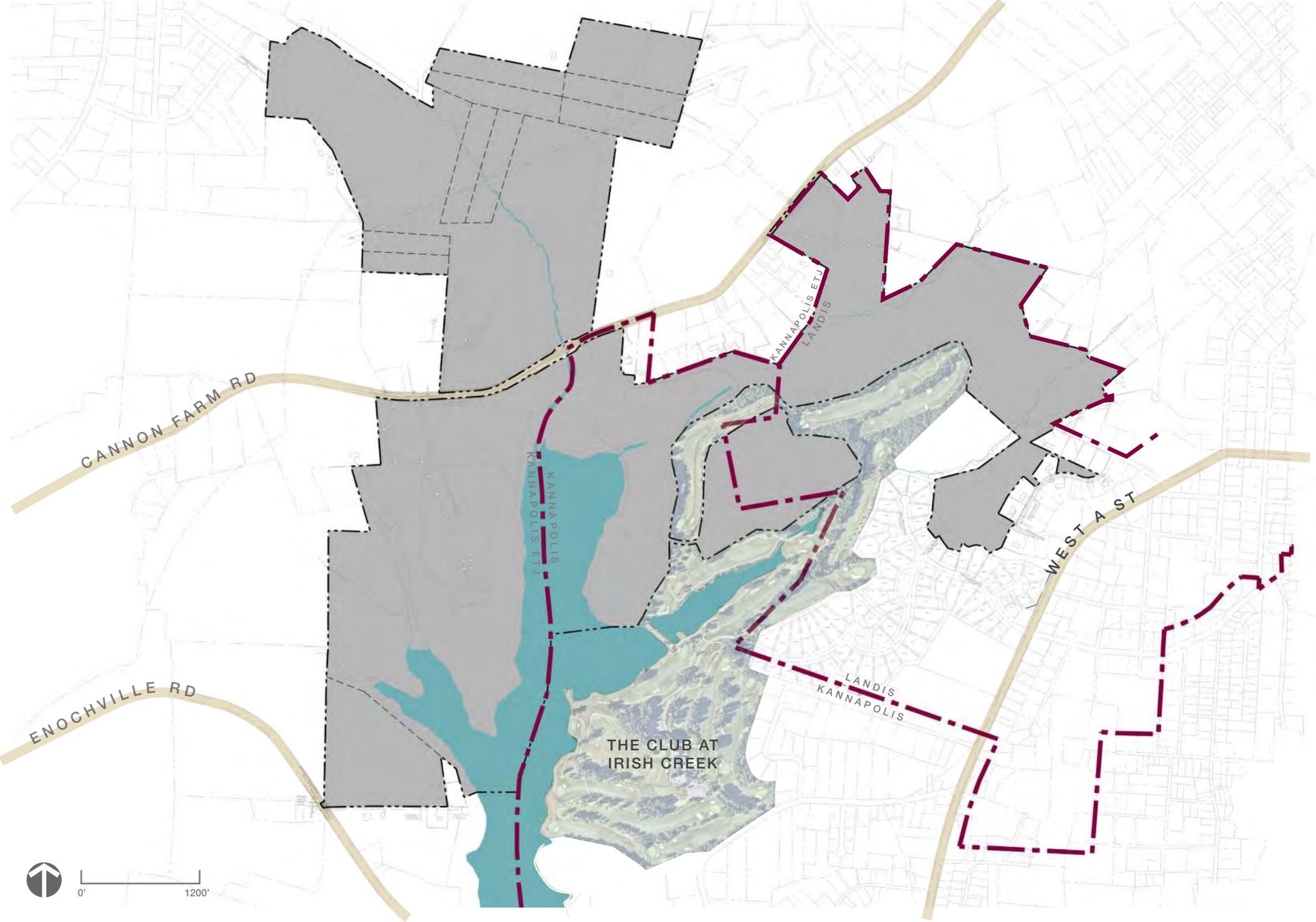
Moving forward.

**RKA**  
RAMEY KEMP ASSOCIATES

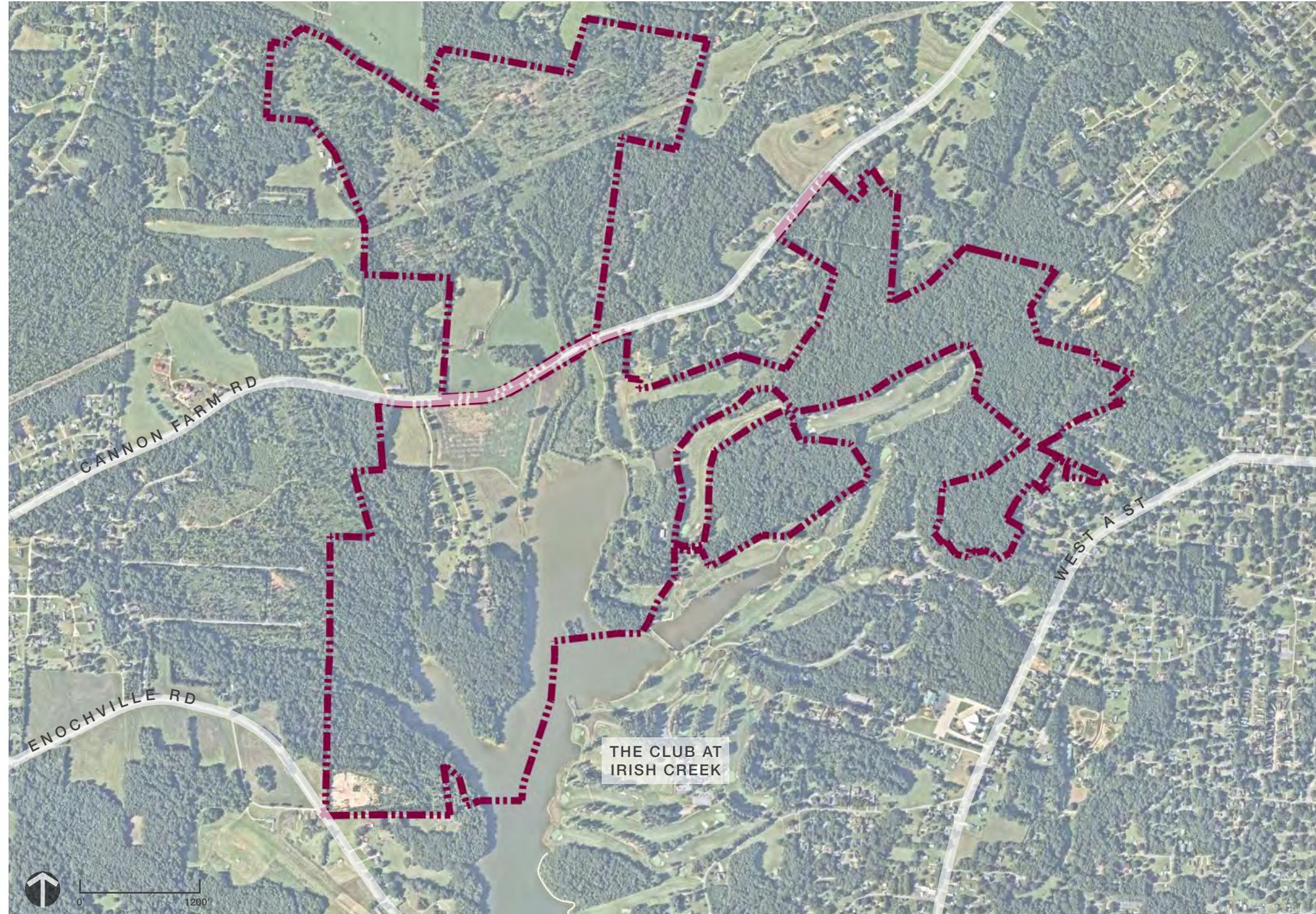


# PROPERTY LOCATION

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

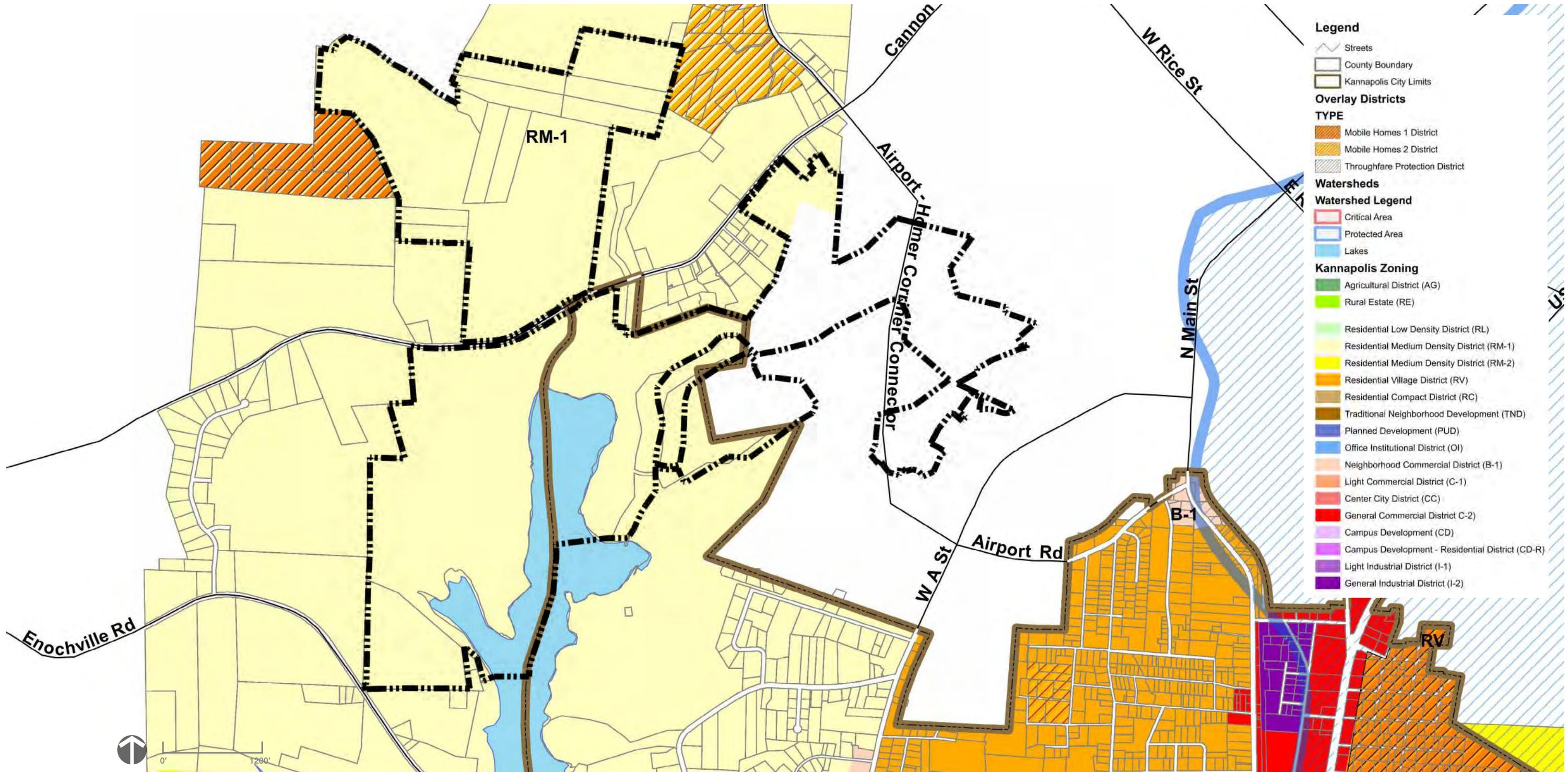


# PROPERTY LOCATION

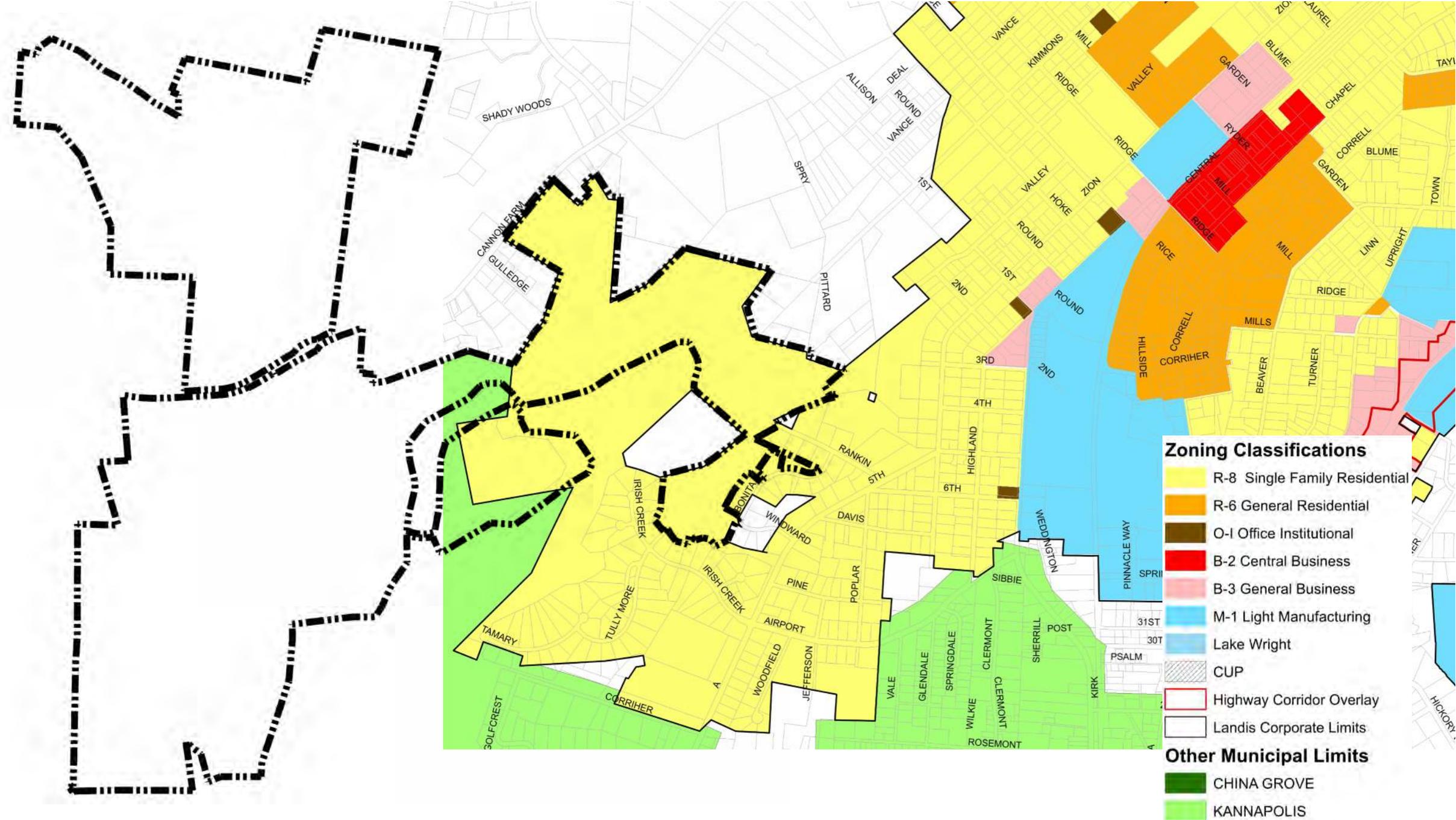


RESIDENTIAL ACREAGE: ±556.4 AC  
GOLF COURSE ACREAGE: ±172.7 AC

# CURRENT ZONING | KANNAPOLIS



# CURRENT ZONING | LANDIS



# CURRENT VS. PROPOSED ZONING

## CURRENT ZONING:

**RM-1:** Residential Medium Density District (Kannapolis)

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

**R-8:** Single Family Residential (Landis)

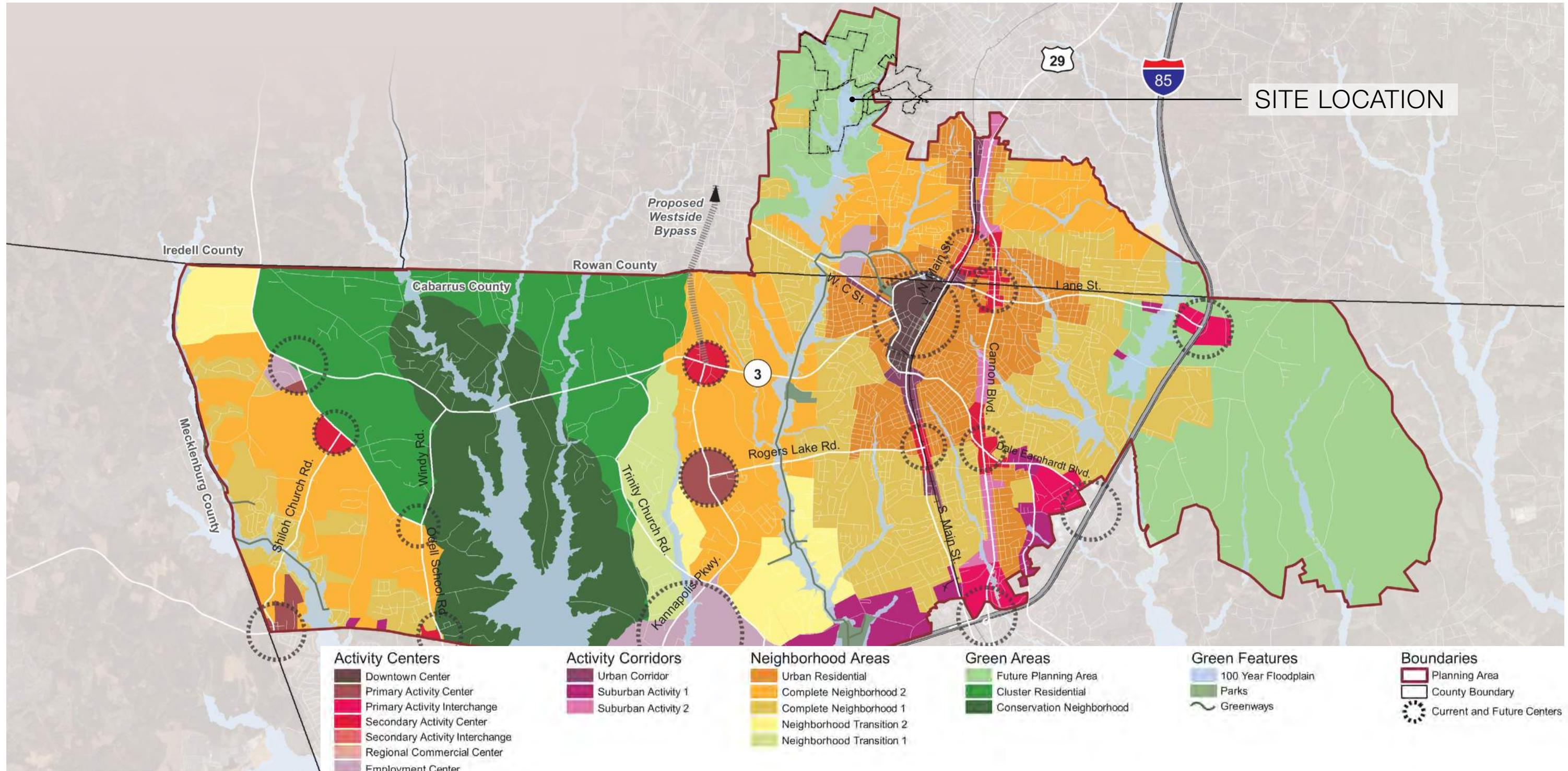
This district is established to provide areas for low-density residential purposes. Minimum lot size will be 8,000 sf

## PROPOSED ZONING:

**PDD:** Planned Development District

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

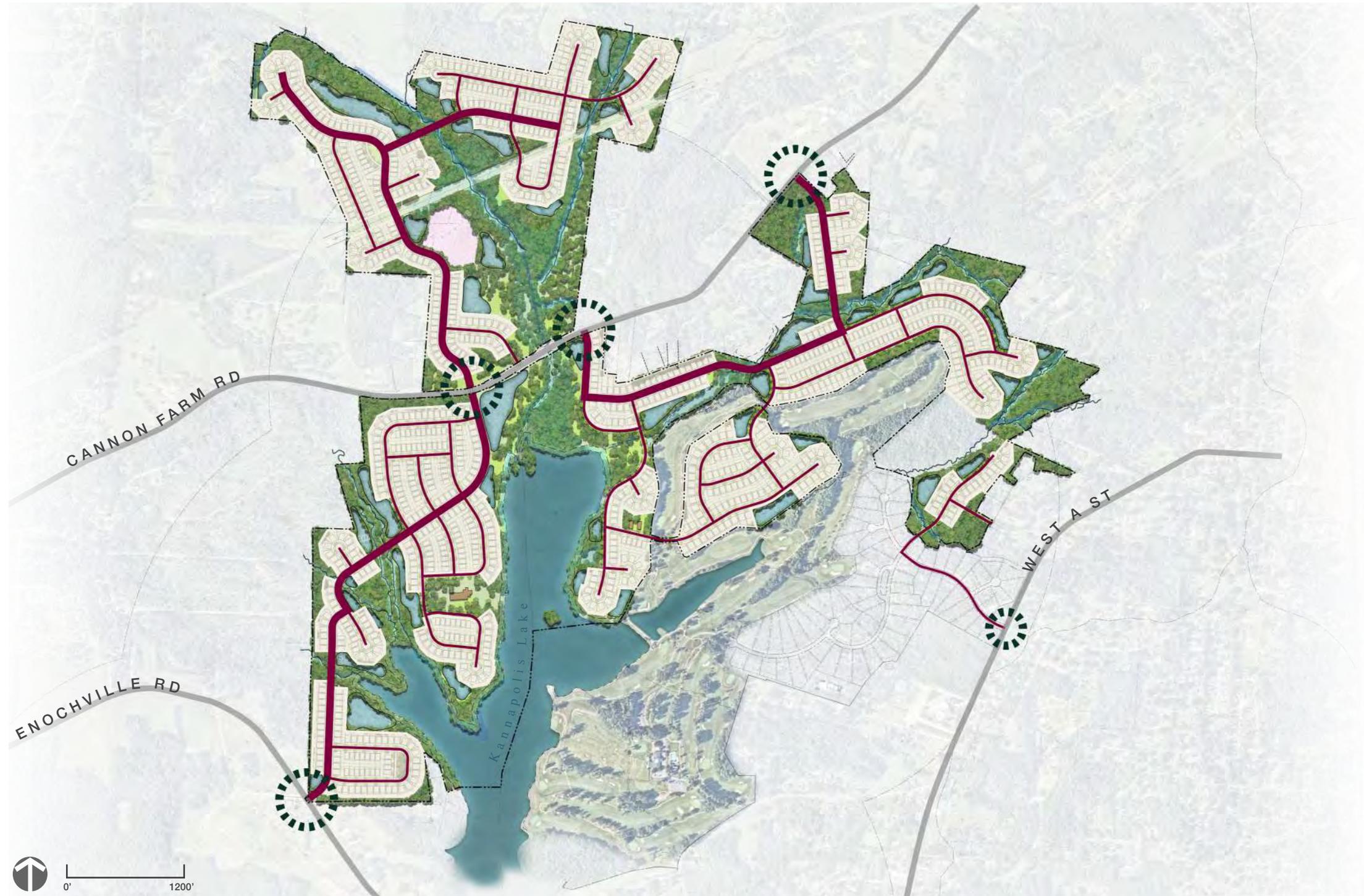
# FUTURE LAND USE MAP



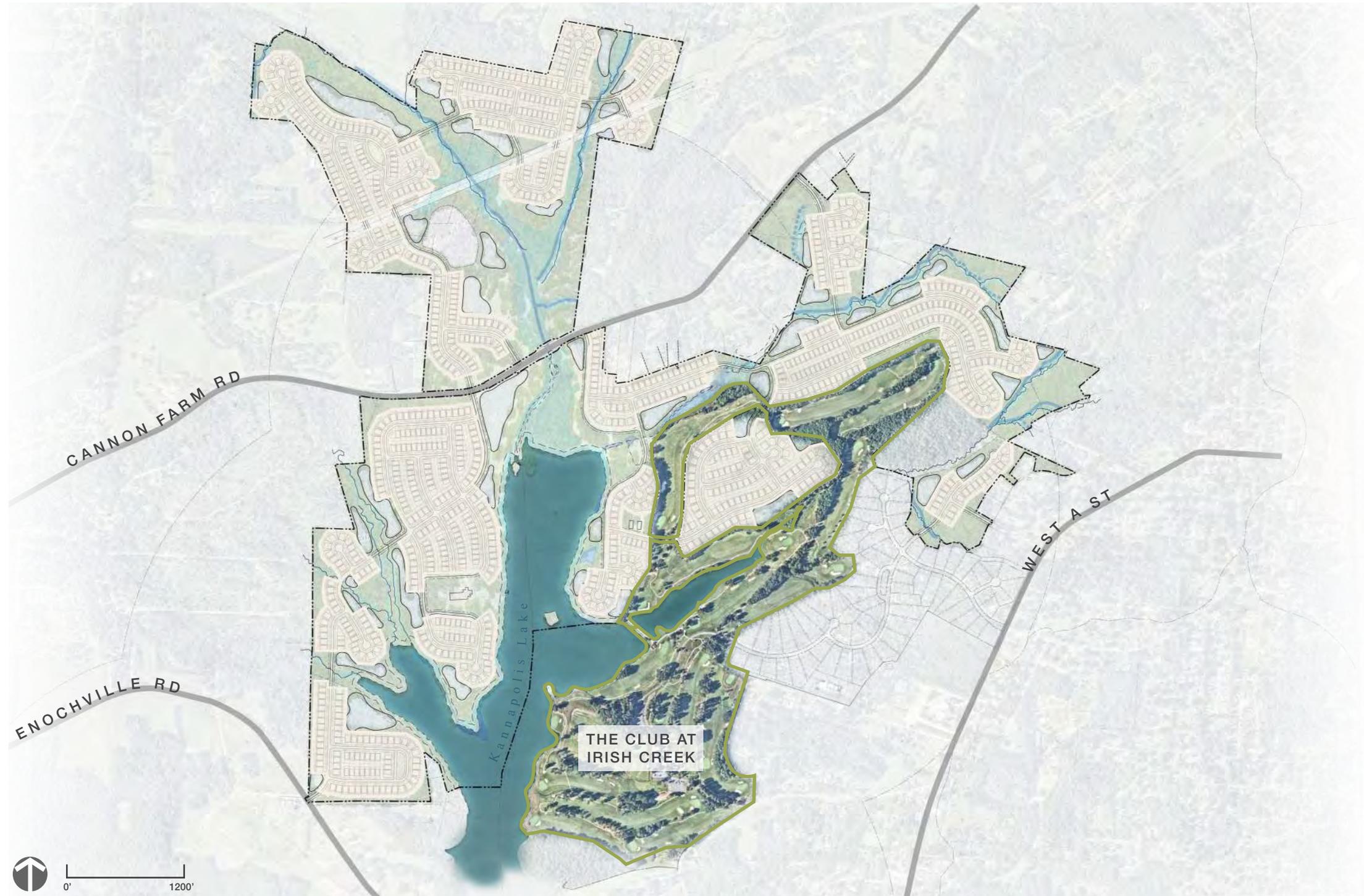
# CONCEPT MASTER PLAN



# SITE PLAN DIAGRAM



# SITE PLAN DIAGRAM





# THANK YOU

• APRIL 13, 2021 •



Richard Smith, Planning Director  
401 Laureate Way  
Kannapolis, NC 28081

October 9<sup>th</sup>, 2021

Mr. Smith,

Thank you for the opportunity to discuss the emergency service plans in place as Kannapolis experiences growth in the northwestern area of the city. As part of the fire department's strategic planning process, a standard of cover was developed identifying future station needs based on anticipated expansion of the city boundaries. Factors in developing the plan were analyzing road miles and the response times based on that distance. As a regulatory agency, the Insurance Services Office (ISO) requires that a fire department maintain a response area of less than five miles. So, with that, several points as noted below:

- The Kannapolis Fire Department currently maintains that requirement either through station placement or contractual services and based on that and other factors, has a Class 1 ISO rating. (One being the best rating on a scale of 1-10).
- It was decided during the planning process last year that a northwestern station was needed to not only backfill for rising call volume in the city's core but to also provide emergency services for the West A/ Enochville Road corridor.
- Based on the recommendation of the standard of cover, an area had been identified along Pump Station Rd for a future fire station.
- As plans have been submitted for the Irish Creek project, and if there is access along the reservoir from Enochville Road to Cannon Farm Road, the department can cover the development in its entirety and remain with the required five-mile limit.
- In the event it is decided the road will not connect, the department can contract with another closer department to provide services to that area exceeding the five-mile limit. Either of these options will ensure that all our citizens in the newly developed area will receive the same quality of emergency services as the existing areas of the city.



I look forward to answering any additional questions regarding the fire departments plan for this developmental project.

Best Regards,

A handwritten signature in red ink that reads "Tracy Winecoff". The signature is fluid and cursive, with a large, stylized flourish at the end.

Tracy Winecoff  
Fire Chief, Kannapolis Fire Department



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

October 15, 2021

Rowan County

Subject: Irish Creek Subdivision

Lennar Carolinas, LLC  
6701 Carmel Rd, Suite 425  
Charlotte, NC 28226

Mr. Matt Pannell,

The Department has completed a review of the Traffic Impact Analysis (TIA) for the proposed Irish Creek Subdivision located in Rowan County. Based on the TIA findings and in accordance with the guidelines set forth by the NCDOT Policy on Street and Driveway Access Manual, the following improvements shall be required to mitigate the traffic impacts of the proposed development on NCDOT facilities:

**NCDOT DIVISION 9 – DISTRICT 1:**

**Cannon Farm Road and Site Access A**

- Construct a Cannon Farm Rd eastbound right turn lane with 100' of storage and the appropriate taper.
- Construct a Cannon Farm Rd eastbound left turn lane with 100' of storage and the appropriate taper.
- Construct a site access with 100' internal protected stem and 50' turning radius.

**Cannon Farm Road and Site Access B, C, D, & E**

- Construct a site access with 100' internal protected stem and 50' turning radius.

### **Cannon Farm Road and Enochville Avenue**

- Install traffic signal
- Construct an Enochville Ave southbound left turn lane with 100' of storage and the appropriate taper.
- Construct an Enochville Ave northbound right turn lane with 150' of storage and the appropriate taper.

### **Enochville Ave and Enochville Road**

- Construct an Enochville Ave southbound left turn lane with 100' of storage and the appropriate taper.
- Construct an Enochville Rd westbound right turn lane with 100' of storage and the appropriate taper.

### **Enochville Ave and West C Street**

- Construct an Enochville Ave southbound left turn lane with 200' of storage and the appropriate taper.
- Construct an Enochville Rd northbound right turn lane with 100' of storage and the appropriate taper.

### **Enochville Ave and Tuckaseegee Road**

- Install a traffic signal.

## **NCDOT DIVISION 10 – DISTRICT 1:**

### **West C Street and Loop Road**

- Restripe West C St to extend eastbound left turn lane to provide approximately 250' of storage to village park driveway.

### **Mooresville Road (NC 3) and Tuckaseegee Road**

- Construct a Tuckaseegee Rd southbound right turn with 100' of storage and the appropriate taper.

The above referenced improvements shall be designed and submitted as part of the Driveway Permit Application package. These improvements include work to be completed in both Rowan and Cabarrus Counties, prior to construction encroachment agreements must be approved by the respective NCDOT District office.

**If you have any questions or concerns regarding these requirements, please contact our office at 704-630-3200.**

Sincerely yours,

DocuSigned by:  
  
7AA7144FF694423...  
Kelly Seitz, PE  
District Engineer

PKS: etg

Attachments(s)

cc: Mr. Richard Smith, City of Kannapolis Planning Director  
Mr. Scott Kaufhold, PE, City of Kannapolis Engineering Director  
Mr. Wilmer Melton, City of Kannapolis Assistant City Manager  
Mr. S.P. Ivey, PE, Division Engineer  
Mr. J.P. Couch, PE, Division Traffic Engineer  
Mr. Marc Morgan, PE, District Engineer  
Mr. Tony Tagliaferri, PE, Division Traffic Engineer  
Mr. Andrew Eagle, PE, Ramey Kemp Associates



PO Box 27283  
Richmond, VA 23261-7283

# Order Confirmation

Order# 0000756393

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

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

**Total Amount**                      \$841.32  
**Payment Amount**                      \$841.32

**Amount Due**                      \$0.00

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

**Tax Amount:** 0.00  
**Payment Meth:** Credit - Debit Card

**Ad Number**              **Ad Type**              **Ad Size**              **Color**  
0000756393-01              CLS Liner              2 X 68 li              \$0.00

**Production Method**              **Production Notes**  
AdBooker (liner)

**Product and Zone**              **Placement**              **Position**              **#**  
CON Independent Trib              C-Announcements              General-Spec Notice  
**Run Schedule Invoice Text:**              NOTICE OF PUBLIC HEARING Planning and Zoning  
**Run Dates**              12/ 3/2021, 12/10/2021  
**TagLine:** NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONMEETING4  
LISNCTUESDAYDECEMBER142021AT600PMCONDITIONALZONINGMA



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

**Tuesday December 14, 2021 at 6:00 pm**

**Conditional Zoning Map Amendment - CZ-2021-22** - Public Hearing to consider an amendment to the previously approved rezoning conditions for property located at 267 North Cannon Boulevard, zoned General Commercial-Conditional Zoning (C-2-CZ) and further identified as Cabarrus County Parcel Identification Number(s) 56230967940000. The requested changes include increasing the operating hours to Sunday through Saturday, 6:00 AM to 11:00 PM.

**Conditional Zoning Map Amendment - CZ-2021-18** - Public Hearing to consider a request to rezone properties located at 2802 Lane Street and an unaddressed parcel on Lane Street from Cabarrus County Limited Commercial (LC) to City of Kannapolis Residential Compact-Conditional Zoning (RC-CZ) to allow for a 266-unit multi-family apartment development. The subject properties are approximately 35.59 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56334815830000 and 56335809780000.

**Conditional Zoning Map Amendment - CZ-2021-23** - Public Hearing to consider a request to rezone eleven (11) properties located at 6600 Fingerlake Drive, as well as 843, 873, 877, 881, 885, 911, 915, 923, 927 and 935 Kannapolis Parkway from Rural Estate (RE) zoning district to Residential Compact-Conditional Zoning (RC-CZ) zoning district to allow for a 396-unit multi-family apartment development. The subject properties are approximately 26.52 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46918491960000, 46919463850000, 46918402550000, 46918463560000, 46919414050000, 46919455550000, 46919406110000, 46918465840000, 46919468610000, 46919426490000, and 46919427710000.

**Conditional Zoning Map Amendment - CZ-2021-16** - Continued from November 16, 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 0490000001, 132 108, 244 158, 244 169, 131 202, 131 145, 131 173, 131 07202, 131 144, 131 07201, 131 142 and 131 143.

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: December 3, December 10, 2021.**

OWNNAME	TAXADD1	CITY	STATE	ZIPCODE
LEILA ADAMS	286 RIVERSIDE DR	PORT REPUBLIC	NJ	08241-9766
TODD & PATRICIA ADAMS	1018 WESTLAKE DR	KANNAPOLIS	NC	28081-8149
PETE HOWARD III & SARAH ALTMAN	1155 CANNON FARM RD	CHINA GROVE	NC	28023-6536
KENNETH & PATRICIA ARGO	1830 ENOCHVILLE RD	KANNAPOLIS	NC	28081-8343
JIMMIE & SHEENA ATKINSON	124 DEXTER AV	KANNAPOLIS	NC	28081-0000
ATLANTIC AMERICAN PROP INC	PO BOX 28	KANNAPOLIS	NC	28082-0028
ATLANTIC AMERICAN PROP INC T/A KANNAPOLIS COUNTRY CLUB	PO BOX 1198	KANNAPOLIS	NC	28082-1198
RANDALL & DEBORAH AUTEN	1311 TOWNSGATE CT	KANNAPOLIS	NC	28081-8102
JIMMY JR & DONNA BAKER	1343 CANNON FARM RD	CHINA GROVE	NC	28023-6538
WILLIAM & PATRICIA BARE	2201 WOODCREST DR	KANNAPOLIS	NC	28081-9612
REGORY & RACHEL BAREFOOT	1095 OLIPHANT LN	KANNAPOLIS	NC	28081-9442
DARYLE BAXTER	1670 CANNON FARM RD	CHINA GROVE	NC	28023-6541
JAMES BEICHNER	139 HARMONY LN	CHINA GROVE	NC	28023-9382
FRED BLACK	2203 WOODCREST DR	KANNAPOLIS	NC	28081-9612
THOMAS & BARBAR BLACK	1275 CANNON FARM RD	CHINA GROVE	NC	28023-6537
NORMAN & MARYBRENENSTUHL	820 CORRIHER ST	KANNAPOLIS	NC	28081-0000
GRIMES JR & WILLIE BROADWAY	1690 CANNON FARM RD	CHINA GROVE	NC	28023-6541
MATTHEW & TOU BROADWAY	1809 ENOCHVILLE RD	KANNAPOLIS	NC	28081-0000
GARY BROOME	440 JOHNSON ST	CHINA GROVE	NC	28023-6573
TONY & VICKI BYRD	1853 ENOCHVILLE RD	KANNAPOLIS	NC	28081
JENNIFER CANNON	457 EASTWOOD DR	SALISBURY	NC	28146-4000
CARLOS A SANCHEZ ENTERPRISE LLC	1307 TOWNSGATE CT	KANNAPOLIS	NC	28081
JAMES CHAPMAN & SANDRA KAY CHAPMAN TRUSTEES	1851 WETHERBURN DR	KANNAPOLIS	NC	28081
TIMOTHY CHAPMAN	3766 UPPER ENOCHVILLE RD	KANNAPOLIS	NC	28081
JAMES & DEENA CHAVIS	2208 KENWOOD DR	KANNAPOLIS	NC	28081
BRADY & LORI CHEEK	2399 TULLY MOORE DR	LANDIS	NC	28088
GREGORY CHILDERS SR	829 CORRIHER ST	KANNAPOLIS	NC	28081-9552
JOHNNY & ANNETTE CLEVELAND	136 HORSESHOE DR	SALISBURY	NC	28146-7516
ANN C CLINE	11395 MT OLIVE RD	GOLD HILL	NC	28071
LOUISE CONNOR TRUSTEE	15 EL PORTAL DR	TEQUESTA	FL	33469
JOEL & CRYSTAL CORRIHER	550 HARMONY LN	CHINA GROVE	NC	28023-5522
HAROLD L CROWDER	2228 KENWOOD DR	KANNAPOLIS	NC	28081
OSCHO & MARTHA DEAL	350 SAW RD	CHINA GROVE	NC	28023
HAROLD W DIETRICH JR	109 ORCHARD AVE	KANNAPOLIS	NC	28081
EVERETTE & CLARA DIXON	107 ORCHARD AVE	KANNAPOLIS	NC	28081
THOMAS & JEANNE DIXON	1840 ENOCHVILLE RD	KANNAPOLIS	NC	28081
TERRY & LINDA DUDLEY	2206 KENWOOD DR	KANNAPOLIS	NC	28081
DANIEL DUNHAM	7900-D STEVENS MILL RD #235	STALLINGS	NC	28104-2929
EDDIE B DURHAM	1311 LOWRANCE AVE	KANNAPOLIS	NC	28081
HOWARD DURHAM JR	3796 ENOCHVILLE RD	KANNAPOLIS	NC	28081-9308
JEFFREY & TINA EASTER	1061 FAIRWAY DR	KANNAPOLIS	NC	28081-0000
ELIZABETH GRAINDA & ELIZABETH POWELL	PO BOX 1290	CORNELIUS	NC	28031
BRENT ENGELHARDT & BETH ROARK	825 CORRIHER ST	KANNAPOLIS	NC	28081
CAROLYN A ESCHENBACH	1105 WESTLAKE DR	KANNAPOLIS	NC	28081-0000
MARSHALL & VIOLET EUBANKS	904 CUB ST	KANNAPOLIS	NC	28081-9340
F & B, LLC	207 N MERIAH ST	LANDIS	NC	28088-1215
RICKY FELTS & KATHY GILLON	1147 WESTLAKE DR	KANNAPOLIS	NC	28081
SANDY FIELDS	2025 N ENOCHVILLE AVE	MOORESVILLE	NC	28115
DAVID A JR FINGER ETAL C/O DPJ ASSOC	945 COVENTRY RD	KANNAPOLIS	NC	28081
GEORGE FLENTKE & SUSAN SMITH	PO BOX 1366	KANNAPOLIS	NC	28082-1366
RICHARD FOSTER	1016 DAKOTA ST	KANNAPOLIS	NC	28083-0000
DAVID & SHANNON FRYE	2379 FERNDAL CT	LANDIS	NC	28088
DEBRA C FUNDERBURK	2111 GOLF CREST DR	KANNAPOLIS	NC	28081
GREGORY GANDEE & PAMELA CAIN	1141 WESTLAKE DR	KANNAPOLIS	NC	28081-0000
NORVILLE GANDEE	1209 PENDLETON DR	KANNAPOLIS	NC	28081
CHRISTOPHER & EVANGELINE GARDNER	1221 PENDLETON DR	KANNAPOLIS	NC	28081
JOHN & DAWN GERIG	1140 WESTLAKE DR	KANNAPOLIS	NC	28081
MARIO & DORIS GIUGNINO	823 CORRIHER ST	KANNAPOLIS	NC	28081
ROSIE GOBBLE				
C/O DANNY PAYNE	4504 VINCENT ST	KANNAPOLIS	NC	28081-7805
BILL & BONNIEGOODNIGHT	1204 FAIRWAY DR	KANNAPOLIS	NC	28081
DOUGLAS GOODNIGHT	1202 FAIRWAY DR	KANNAPOLIS	NC	28081-9345
EULA MAE GOODNIGHT				
C/O CAROL SATTERWHITE	1150 OLD US HIGHWAY 70	SALISBURY	NC	28147
FLOYD III & SHELIA GOODNIGHT	112 N ARBOR AVE.	KANNAPOLIS	NC	28081
JACK & PEGGE GOODNIGHT	1560 CANNON FARM RD	CHINA GROVE	NC	28023-6540
WILSON & CYNTHIA GRASSMANN	PO BOX 47	KANNAPOLIS	NC	28082
JOSHUA M GRZEGORCZYK	2220 KENWOOD DR	KANNAPOLIS	NC	28081
LARRY & PATRICE GULLEDGE	1864 ENOCHVILLE RD	KANNAPOLIS	NC	28081-8343
JEANA HAGER	1220 HOLLAND OAKS DR	CHINA GROVE	NC	28023-6809
LARRY & GRACE HAMILTON	118 WHITE AVE	KANNAPOLIS	NC	28081-9617
B OLAN & LOUISE HANNON	1859 WETHERBURN DR	KANNAPOLIS	NC	28081
CHED & KELLY HARGETT	1865 ENOCHVILLE RD	KANNAPOLIS	NC	28081
JOHNNIE JR & MARTHA HARRELL	1808 CREST ST	KANNAPOLIS	NC	28082-0395
RAYLENE R HARRELL	115 HOMESTEAD AVE	KANNAPOLIS	NC	28081
LINDSAY & PAMELA HARRINGTON	2008 SHERWOOD ST	KANNAPOLIS	NC	28081
TONY & RHONDA HARRINGTON	1042 WESTLAKE DR	KANNAPOLIS	NC	28081
JOSEPH T & COURTNEY HEDRICK	1101 FAIRWAY DR	KANNAPOLIS	NC	28081-0000
CHARLES & SARA HEISER	1050 WESTLAKE DR	KANNAPOLIS	NC	28081-0000
PHILLIP & NANCY HELMS	550 HOMER CORRIHER RD	CHINA GROVE	NC	28023
LARRY HENDLEY	1016 FAIRWAY DR	KANNAPOLIS	NC	28081
CHRISTOPHER & JENNIFER HILL	1100 WESTLAKE DR	KANNAPOLIS	NC	28081
JAMES & DEBORAH HORNE	135 HARMONY LN	CHINA GROVE	NC	28023
SHERRY HUBBARD	1860 ENOCHVILLE RD	KANNAPOLIS	NC	28081
JOHN & KATHY HUMPHREY	1855 WETHERBURN DR	KANNAPOLIS	NC	28081
HUTCHS REAL ESTATE INC	621 GEORGETOWN DR	CONCORD	NC	28027-0000
STEPHEN & JONNA HYLTON	2105 GOLFCREST DR	KANNAPOLIS	NC	28081-0000
BARBARA ISENHOUR	PO BOX 59	LANDIS	NC	28088
FERRELL & BETTY JAMES	7964 HIGHWAY 29 N B	DANIELSVILLE	GA	30633-3218
NICHOLUS & DEBRA JOHNSTON	2060 CANNON FARM RD	CHINA GROVE	NC	28023
MICHAEL JONES	2212 KENWOOD DR	KANNAPOLIS	NC	28081
JEROME & BONNIE KADELA	1070 WESTLAKE DR	KANNAPOLIS	NC	28081-8149
JON & JEAN KADELA	1132 WESTLAKE DR	KANNAPOLIS	NC	28081
KANNAPOLIS CH OF GOD TRUSTEES	2211 W A ST	KANNAPOLIS	NC	28081
RONALD KINARD	3501 WINSLOW DR	CHARLOTTE	NC	28269
BONNY KING	2232 KENWOOD DR	KANNAPOLIS	NC	28081
CHRISTOPHER & MELISSA KNOTTS	1217 PENDLETON DR	KANNAPOLIS	NC	28081
KRISHNAL PROPERTIES LLC	23 BARCELONA	IRVINE	CA	92614
SERGEY & NATALIA KRUPENKO	1820 ENOCHVILLE RD	KANNAPOLIS	NC	28081

OWNNAME	TAXADD1	CITY	STATE	ZIPCODE
LAMOORENC LLC	PO BOX 2816	RANCHO SANTA FE	CA	92067-2816
ZACHARY LAWING	1300 MOOSE RD	KANNAPOLIS	NC	28083-9776
RYAN & TINA LEBEN	1259 CANNON FARM RD	CHINA GROVE	NC	28023-6537
JAMES & MARY LEE	411 WINONA AVE	KANNAPOLIS	NC	28081
PHILLIP & GAYLE LEE	1204 PENDLETON DR	KANNAPOLIS	NC	28081
JOSEPH JR & JOANNE LEVY	1064 WESTLAKE DR	KANNAPOLIS	NC	28081
BONNIE COX & MARVIN FERGUSON	1009 WESTLAKE DR	KANNAPOLIS	NC	28081
EVANS M LOGAN JR	1060 FAIRWAY DR	KANNAPOLIS	NC	28081
HECTOR & MARIA MARQUEZ	1107 WESTLAKE DR	KANNAPOLIS	NC	28083
DONALD & FLORANNE MCDANIEL	1810 ENOCHVILLE RD	KANNAPOLIS	NC	28081
MALLORY SCOTT & DEBBIE MCDANIEL	1875 ENOCHVILLE RD	KANNAPOLIS	NC	28081
KYLE & KATHRYN MCGARITY	1833 ENOCHVILLE RD	KANNAPOLIS	NC	28081
JIMMIE & RETHA MCGINNIS	460 JOHNSON ST	CHINA GROVE	NC	28023
FABIUS JR & MOLLIE MCKEE	1312 TOWNSGATE CT	KANNAPOLIS	NC	28081
PATRICIA F MCQUAY ETAL	7917 JOHNSON MILL RD	BAHAMA	NC	27503
WILLIAM & JODIE MEEHAN	1821 ENOCHVILLE RD	KANNAPOLIS	NC	28081
DAVID & JOYCE MELSON	406 BRENTWOOD CIR	KANNAPOLIS	NC	28081
JIMMY & AMY MILES	2290 W A ST	KANNAPOLIS	NC	28081-9322
OLIN MILES & SHELBY MILES	PO BOX 82	KANNAPOLIS	NC	28082
CRYSTAL MILLER	123 WHITE AV	KANNAPOLIS	NC	28081-0000
DAVID & CATHERINE MILLER	2009 SHERWOOD ST	KANNAPOLIS	NC	28081-0000
FAYNELL K MILLER	123 WHITE AVE	KANNAPOLIS	NC	28081-9617
KIRBY & BEVERLY MILLER	2113 GOLF CREST DR	KANNAPOLIS	NC	28081-9570
JIMMY L MOON	2214 KENWOOD DR	KANNAPOLIS	NC	28081
STEVEN & KAREN MOORE	408 BRENTWOOD CIR	KANNAPOLIS	NC	28081
JOSEPH & MARIE MORGAN	245 HARMONY LN	CHINA GROVE	NC	28023
VIC MULLIS	5680 WRIGHT RD	KANNAPOLIS	NC	28081-8929
MURDOCK HOLDINGS LLC				
C/O ATLANTIC AMERICAN PROP INC.	PO BOX 28	KANNAPOLIS	NC	28082
JASON MYERS & TYLER MYERS	1045 WESTLAKE DR	KANNAPOLIS	NC	28081
NIBLOCK HOMES LLC	759 CONCORD PKWY N STE 20	CONCORD	NC	28027-6035
JOSEPH & SABRINA NIGGEL	2351 FERDALE CT	LANDIS	NC	28088
RONALD & CHRISTINA NISPERLY	1678 HERITAGE OAKS CT	TARPON SPRINGS	FL	34689-1711
MELTON JR & KAY NIXON	1850 ENOCHVILLE RD	KANNAPOLIS	NC	28081-0000
MARC & SONDR A ORINSON	1101 WESTLAKE DR	KANNAPOLIS	NC	28081-0000
KIMBERLY ORVIN	385 FRY ST	CHINA GROVE	NC	28023-0000
ALAN OVERCASH	2107 GOLFCREST DR	KANNAPOLIS	NC	28081-9570
DUSTIN & MADELINE OVERCASH	124 ORCHARD AV	KANNAPOLIS	NC	28081-0000
BOBBY & TAMMY PARKER	1056 WESTLAKE DR	KANNAPOLIS	NC	28081
EARL HENDERSON PETHEL JR	180 DUNLAP LOOP	STATESVILLE	NC	28625-9346
JEREMY PHILLIPS	817 CORRIHER ST	KANNAPOLIS	NC	28081-0000
VICTOR & CANDACE PHILLIPS	2230 KENWOOD DR	KANNAPOLIS	NC	28081
WILLIAM E III & JOY PILLSBURY	119 ARLENE AVE	KANNAPOLIS	NC	28081
RONALD & MICHELE PITTS	1216 FAIRWAY DR	KANNAPOLIS	NC	28081
ROBERT & LUANNE POSS	45 HAMB Y DR	ASHEVILLE	NC	28803
GALE J POWLEY	1106 WESTLAKE DR	KANNAPOLIS	NC	28081
ROBERT & CYNTHIA QUERY	2224 TULLY MORE DRIVE	LANDIS	NC	28088
TIFFANY REILLY	2270 MILLER RD	SALISBURY	NC	28147
MARVIN & ELIZABETH RIDINGS	835 CORRIHER ST	KANNAPOLIS	NC	28081
JEFFREY & JENNIFER RITCHIE	PO BOX 8174	LANDIS	NC	28088-8174
ROBERT L RIVENBARK	1055 WESTLAKE DR	KANNAPOLIS	NC	28081
JILL ROBERTS	1069 WESTLAKE DR	KANNAPOLIS	NC	28081
MONTY RODGERS	411 JACKSON PARK RD	KANNAPOLIS	NC	28083
EVANDER & MATTIE ROWELL	1316 TOWNSGATE CT	KANNAPOLIS	NC	28081
WALTER M II & LYNNE SAFRIT	1200 PENDLETON DR	KANNAPOLIS	NC	28081
CARLOS & FARZANEH SANCHEZ	1307 TOWNGATE CT	KANNAPOLIS	NC	28081
JOSE JR & CRYSTAL SANTIAGO	1857 ENOCHVILLE RD	KANNAPOLIS	NC	28081-0000
GEORGE & DIANNE SARTIANO	1033 WESTLAKE DR	KANNAPOLIS	NC	28081
WILLIAM & SHARON SEAFORD	1327 ARLINGTON AVE	KANNAPOLIS	NC	28083-9747
MARVIN& BERTHA SELF	403 PINWOOD AVE	KANNAPOLIS	NC	28081
DORIS SELLARI ETAL TRUSTEES	4250 ENOCHVILLE RD	KANNAPOLIS	NC	28081
ROBERT A JR & PAULA SEVERT	1310 CANNON FARM RD	CHINA GROVE	NC	28083-0000
JOHN & CAROL SHAW	1146 WESTLAKE DR	KANNAPOLIS	NC	28081
EDDIE SHERRILL	1077 FAIRWAY DR	KANNAPOLIS	NC	28082
SARAH SHERRILL	1650 CANNON FARM RD	CHINA GROVE	NC	28023
FREDERICK E SHIELDS JR	725 HARMONY LN	CHINA GROVE	NC	28023-0000
WANDA SHOUP	2007 SHERWOOD ST	KANNAPOLIS	NC	28081
CLYDE & SHERLYN SHREWSBURY	485 JOHNSON ST	CHINA GROVE	NC	28023
JUDY SLOAN				
C/O DAVID SLOAN TRUSTEES	1027 WESTLAKE DR	KANNAPOLIS	NC	28081
JAMES & TRACI SMITH	115 PIPELINE RD	CHINA GROVE	NC	28023-8579
JAMES SMITH	1213 PENDLETON DR	KANNAPOLIS	NC	28081
REGINALD & JUDY SMITH	1118 WESTLAKE DR	KANNAPOLIS	NC	28081
FRANCIS KOSTER & CAROL S SPALDING	1012 WESTLAKE DR	KANNAPOLIS	NC	28081
MARK J SPITZER	2115 GOLFCREST DR	KANNAPOLIS	NC	28081-0000
MICHAEL J SPRENGER TRUSTEE	56 JAMES FOLEY DR	NORTH ATTLEBORO	MA	02760
GUY & JUDITH STARNES	1197 FAIRWAY DR	KANNAPOLIS	NC	28081
STEVEN HINSON LLLP	PO BOX 26	KANNAPOLIS	NC	28082
SUSAN R STONER TRUSTEE	1775 ENOCHVILLE RD	KANNAPOLIS	NC	28081-0000
ROBERT & LINDA STREBLE	1304 TOWNSGATE CT	KANNAPOLIS	NC	28081
T D FEENEY CONSTRUCTION CO INC	4324 BRITLEY LN	HARRISBURG	NC	28075
CHARLES & SHERRI THACKER	940 TAMARY WAY	LANDIS	NC	28088
FRED TRAMMELL	2234 KENWOOD DR	KANNAPOLIS	NC	28081-9734
GENE & JOYCE TRAMMELL	401 PINWOOD ST	KANNAPOLIS	NC	28081
MATTHEW TRIER & PATRICIA CARSON	1130 DUKE ST	KANNAPOLIS	NC	28081
ROBERT & JANIS TUCKER	1127 WESTLAKE DR	KANNAPOLIS	NC	28081
ALPHA EUS & LINDA TUTTEROW	2224 KENWOOD DR	KANNAPOLIS	NC	28081
SACHIN & SHEFALEE VALIA	315 S MAIN ST	LANDIS	NC	28088
TIMOTHY & GAIL VAUGHN	1229 PENDLETON DR	KANNAPOLIS	NC	28081
TONY & LARAIN E WALDEN	1400 FAWN RIDGE RD NW	CONCORD	NC	28027
ROBERT & JENNIFER WALKER	1019 WESTLAKE DR	KANNAPOLIS	NC	28081-0000
WESTLAKE PROPERTY OWNERS ASSOC	PO BOX 132	KANNAPOLIS	NC	28082-0132
ERNEST JR & CARMELLA WILLARD	2232 TULLY MORE DR	LANDIS	NC	28088-2056
GEORGE P IV & CAITLIN WILLIAMS	1135 WESTLAKE DR	KANNAPOLIS	NC	28081-0000
GEORGE D JR & CATHY WILSON	1225 PENDLETON DR	KANNAPOLIS	NC	28081
JASON WISE	1039 WESTLAKE DR	KANNAPOLIS	NC	28081-8150
TERRY & JULIA YOUNG	PO BOX 560007	CHARLOTTE	NC	28256
MARCO & DOROTHY ZAMORA	960 TAMARY WAY	LANDIS	NC	28088
STEVEN & SUSAN ZEISEL	644 ROCK CREEK RD	CHAPEL HILL	NC	27514
ANTHONY & TINA ZELLARS	1063 WESTLAKE DR	KANNAPOLIS	NC	28081
LENNAR CAROLINAS, LLC	6501 CARMEL ROAD			
ATTN: MARK HENNIGER	STE 425	CHARLOTTE	NC	28226



September 9, 2021

Dear Property Owner:

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

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

The purpose of the Public Hearing is to consider a request to rezone multiple unaddressed properties located on Enochville Rd. and Cannon Farm Rd. from Residential Medium Density (RM-1) to Planned Unit Development – Conditional Zoning (PUD – Conditional Zoning) to allow for a single-family residential development. The subject properties are approximately 550.74 +/- acres and further identified as Rowan County Parcel Identification 244 011, 245 163, 249C094000001, 132 0130000001, 141 0100000001, 142 0490000001, 132 108, 244 158, 244 169, 131 202, 131 145, 131 173, 131 07202, 131 144, 131 07201, 131 142 and 131 143 (see reverse side of this letter for a map showing the location of this property).

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

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

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

Sincerely,

Richard B. Smith  
Planning Director

Enclosure

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

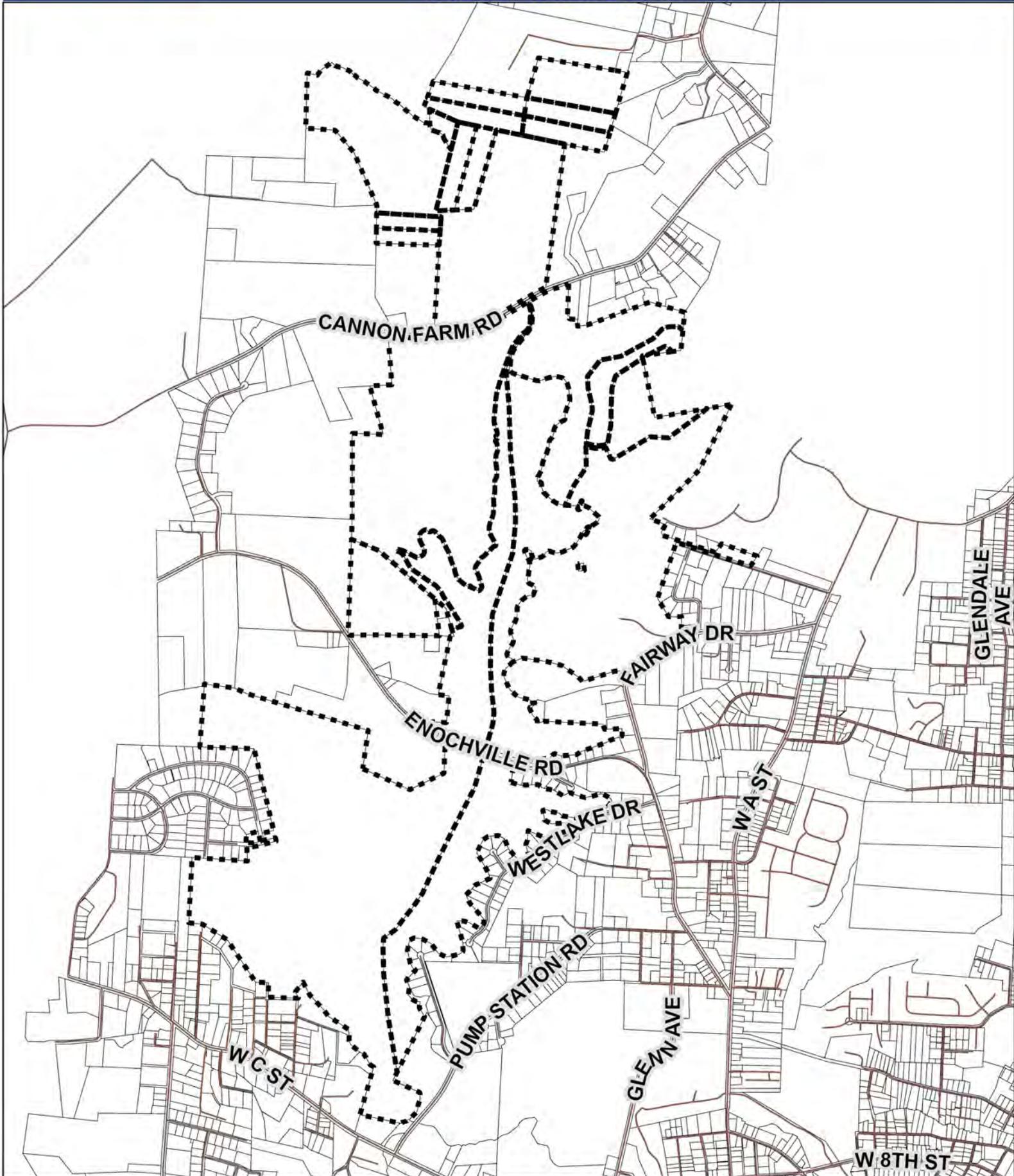


# Zoning Map Amendment

CZ-2021-16

Applicant: Lennar Carolinas LLC

Location: 1635 Cannon Farm Rd





**PLANNING**

**ZONING**

**COMMISSION**

**PUBLIC HEARING**

**INFORMATION**

**CALL 704-920-4350**

**CASE CZ-2021-16**



KANNAPOLIS  
**PLANNING**  
**ZONING**  
**COMMISSION**  
PUBLIC HEARING  
INFORMATION  
CALL 704-920-4350  
CASE # CZ-2021-16





**PLANNING**

**ZONING**

**COMMISSION**

**PUBLIC HEARING  
INFORMATION**

**CALL 704-920-4350**

**CASE CZ-2021-16**



KANNONVILLE  
**PLANNING**  
**ZONING**  
**COMMISSION**  
PUBLIC HEARING  
INFORMATION  
CALL 704-920-4350  
CASE #CZ-2021-16



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

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

**WHEREAS**, Section 3.3.4.2.B. of the Unified Development Ordinance delegates final authority to the Planning and Zoning Commission on zoning map amendments subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision; and

**WHEREAS**, on December 14, 2021 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone multiple unaddressed properties located on Cannon Farm and Enochville Roads and, (Rowan County Parcel Identification Numbers 244 011, 245 163, 249C094000001, 132 0130000001, 141 0100000001, 142 049000001, 132 108, 244 158, 244 169, 131 202, 131 145, 131 173, 131 07202, 131 144, 131 07201, 131 142 and 131 143) owned by Atlantic American Properties Inc., from Residential Medium Density (RM-1) to Planned Unit Development–Conditional Zoning (PUD–CZ) Zoning Designation.

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

**Adopted this the 14<sup>th</sup> day of December 2021:**

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Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

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Pam Scaggs, Recording Secretary  
Planning and Zoning Commission



## **RESOLUTION TO ZONE**

**Case #CZ-2021-16**

**(Multiple unaddressed properties on Cannon Farm and Enochville Roads)**

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

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

**WHEREAS**, Section 3.3.4.2.B. of the City of Kannapolis UDO subjects this authority to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision; and

**WHEREAS**, the Commission conducted a public hearing on December 14, 2021 for consideration of rezoning petition Case #CZ-2021-16 as submitted to the City of Kannapolis Planning Department; and

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

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

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

**1. The size of the tract in question.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

N/A.

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

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

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

No.

**NOW, THEREFORE BE IT RESOLVED** by the City of Kannapolis Planning and Zoning Commission that the above referenced property, as shown on the site plan submitted to the City, be rezoned from Residential

Medium Density (RM-2) to Planned Unit Development–Conditional Zoning (PUD–CZ) District Designation, subject to the following conditions:

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

**Adopted this the 14<sup>th</sup> day of December 2021:**

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Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

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Pam Scaggs, Recording Secretary  
Planning and Zoning Commission