



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

**February 15, 2022 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 – January 18, 2022**
- 5. Public Hearing**
  - a. **CZ-2021-23 – Conditional Zoning Map Amendment - Multiple parcels on Kannapolis Parkway**

Continued from January 18, 2022, this Public Hearing is to consider an amended request to rezone ten (10) properties located at 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 277-unit multi-family apartment development. The subject properties are approximately 18.7 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46919463850000, 46918402550000, 46918463560000, 46919414050000, 46919455550000, 46919406110000, 46918465840000, 4691946861000, 46919426490000, and 4691942771.
  - b. **Z-2022-01 – Zoning Map Amendment – 125 Lowrance Avenue**

Public Hearing to consider a request to rezone property located at 125 Lowrance Avenue from General Commercial (C-2) zoning district to Residential Medium Density (RM-2) zoning district. The subject property is approximately .404 +/- acres and further identified as Cabarrus County Parcel Identification Number 56135294710000.
- 6. Planning Director Update**
- 7. Other Business**
- 8. Adjourn**



**Planning and Zoning Commission  
February 15, 2022 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

Continued request to conditionally rezone 885 Kannapolis Parkway 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 277-unit multi-family apartment development. Cabarrus County PIN Numbers 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 conditionally rezone properties located at 885, 873, 877, 881, 843, 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 277-unit multi-family apartment development as shown on the attached site plan.

As shown on the preliminary site plan, a total of seven 3 and 4-story multi-family buildings along with an amenity building and clubhouse are being proposed. In addition, there are a total of four 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.

The initial request, which was presented at the December 14, 2021, Planning and Zoning Commission meeting, included 396 units with an additional +/- 7.82 acres located at 6600 Fingerlake Drive. During the Public Hearing, an existing covenant for the Fingerlake neighborhood, which restricts this property from the proposed development type, was brought to the attention of the Commission during the Public Hearing. The request for rezoning was continued and the applicant agreed to work to resolve the issue with the adjoining neighborhood. The rezoning request was subsequently continued at the January 18, 2022 Planning and Zoning Commission meeting. The applicant has indicated that they have met with the adjoining neighborhood and the covenant issue has not been resolved to date. The property located at 6600 Fingerlake Drive has been removed from the revised application and site plan that is now being considered. This change in the pending request causes the project to revert back to the original plan that staff originally encouraged the developer to review further for additional property inclusion.

During City staffs' August 18, 2021 pre-application meeting with the applicant, it was recommended that additional properties be added to provide for better transition and connectivity with adjoining properties and future developments along the corridor in order to gain staff support. The previous plan gained a favorable staff recommendation because it was able to absorb the additional property and provide for future access and connectivity opportunities with both larger and smaller tracts of land. The revised plan, which excludes the property at 6600 Fingerlake Drive, provides an "insulated" design with all proposed points of access on Kannapolis Parkway.

Since the initial hearing, staff has begun the process of drafting a Comprehensive Plan amendment to expand the "Employment Center" for at least one larger tract of land in the area of Corl Road for a potential industry. Given this direction in amending the Comprehensive Plan and expanding the "Employment Center" designation, staff believes the revised plan as submitted, restricts future opportunities for well-connected and planned development.

#### **D. Fiscal Considerations**

None

#### **E. Policy Issues**

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

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

The size of the subject tracts are approximately 18.7 +/- 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 properties to the north are on the fringe of the "Employment Center" designation, which encompasses a larger, previously approved mixed-use project. At this time, 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. There are plans, however, to revise the Comprehensive Plan such that this particular area will transition

to more of an “Employment Center” Character Area. As a result, the goals and polices of the Plan are subject to change in the near future.

**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 of multi-family residential is presently compatible with surrounding uses. Further inclusion of adjacent parcels is warranted in order to ensure the most compatible situation.

**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. Increased acreage will assist with ensuring suitability for the subject area.

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

The proposed use is not compatible with the existing and proposed land uses in the area as it does not meet the character intent of the Land Use Plan.

**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**

Although staff finds this rezoning somewhat **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, the current, revised site plan scenario restricts compatibility with adjoining properties and uses under the current layout. The properties to the north are on the fringe of the “Employment Center” designation, which encompasses a larger, previously approved mixed-use project. Since staff has begun the process of drafting a Comprehensive Plan amendment to expand the “Employment Center” for at least one larger tract of land in the area of Corl Road for a potential industry, staff believes the revised plan restricts future opportunities for well-connected and planned development.

**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.

**Although the request is consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends denial for Zoning Map Amendment Case #CZ-2021-23** as staff has begun the process of drafting a Comprehensive Plan amendment to expand the “Employment Center” for at least one larger tract of land in the area of Corl Road for a potential industry. Given this direction in amending the Comprehensive Plan and expanding the “Employment Center” designation, staff believes the revised plan restricts future opportunities for well-connected and planned development.

**Alternative Courses of Action**

**Motion to Deny**

- 1. Should the Commission choose to deny 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:** *Although 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, the current site plan scenario restricts compatibility with adjoining properties and uses under the current layout.*

*The properties to the north are on the fringe of the “Employment Center” designation, which encompasses a larger, previously approved mixed-use project. Since staff has begun the process of drafting a Comprehensive Plan amendment to expand the “Employment Center” for at least one larger tract of land in the area of Corl Road for a potential industry, staff believes a recommendation of denial is justified since the current site plan restricts future opportunities for well-connected and planned development.*

**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. The properties to the north are on the fringe of the “Employment Center” designation, 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, the request for rezoning is 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 with the following conditions:**

1. The permitted uses allowed by this rezoning shall only include 277 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.

#### **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. Executive Summary
8. Neighborhood Meeting Information
9. Notice of Public Hearing
10. List of Notified Properties
11. Letter to Adjacent Property Owners
12. Posted Public Notice Sign
13. Resolution to Adopt a Statement of Consistency
14. 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: \_\_\_\_\_

277 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 [Buyer] [X] Seller [Other] Date: 11/9/2021

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

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

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

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

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

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

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

Entity Party Name (print): [Blank]

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

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





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

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

277 ) 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: DocuSigned by:  
*Mike Wallace*  
ED35CDDF585942F... Date: 11/12/2021



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

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

277 multifamily apartment homes and associated private/public infrastructure

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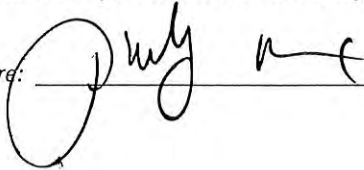
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Applicant's Signature: 

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 [ ]

REALTOR® This form jointly approved by: North Carolina Bar Association North Carolina Association of REALTORS®, Inc.



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

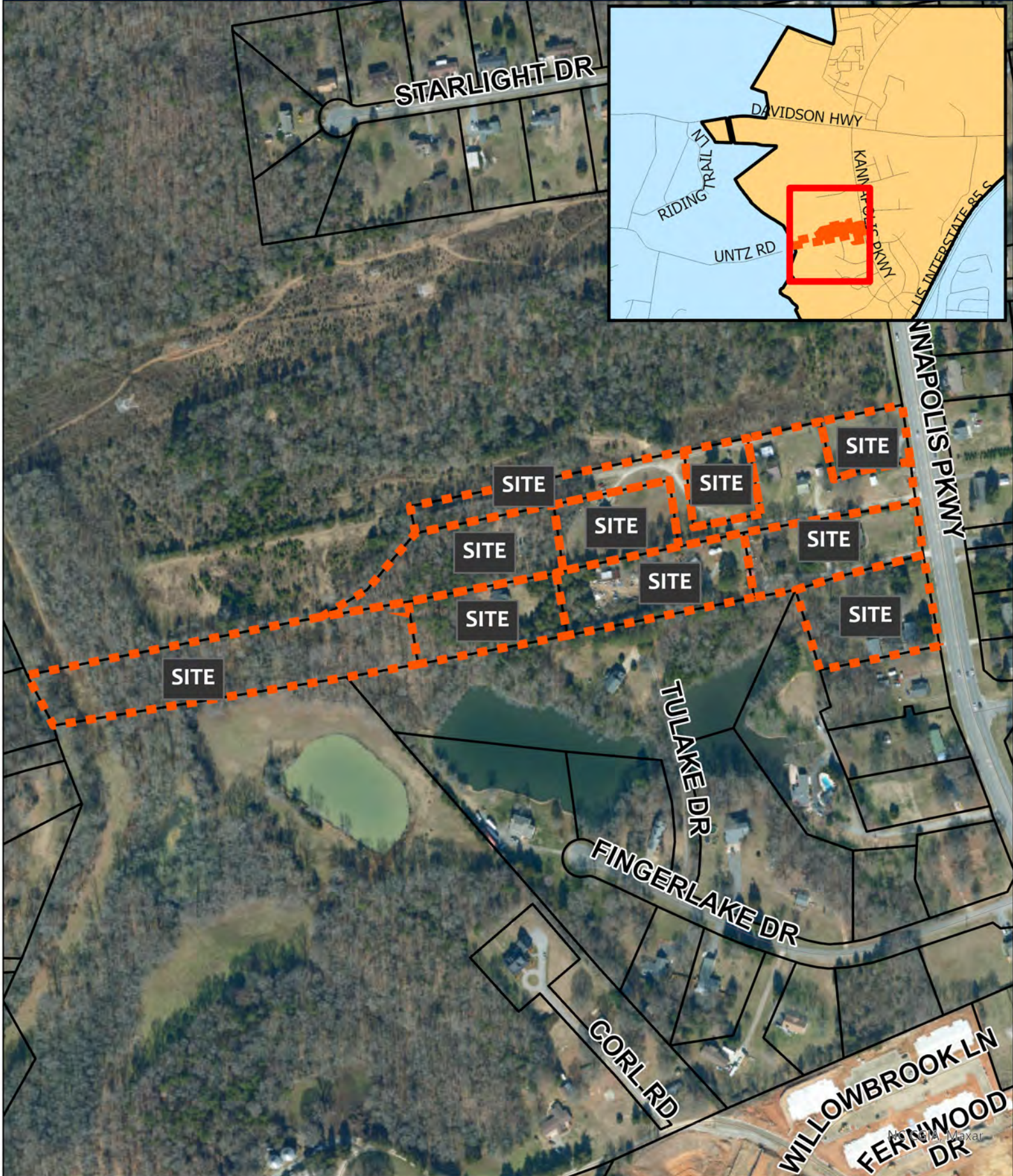


# Vicinity Map

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.



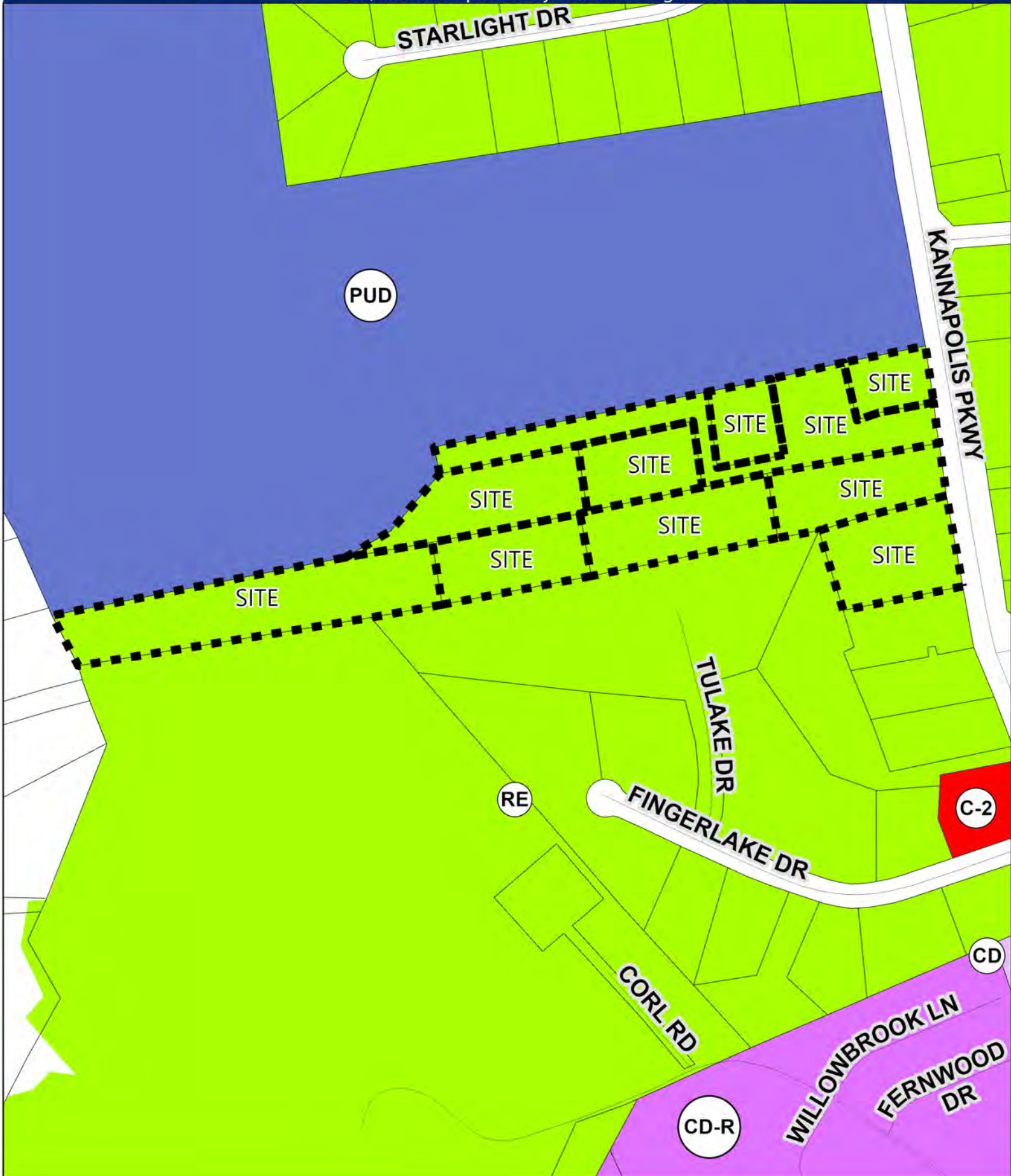


# Kannapolis Zoning

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.



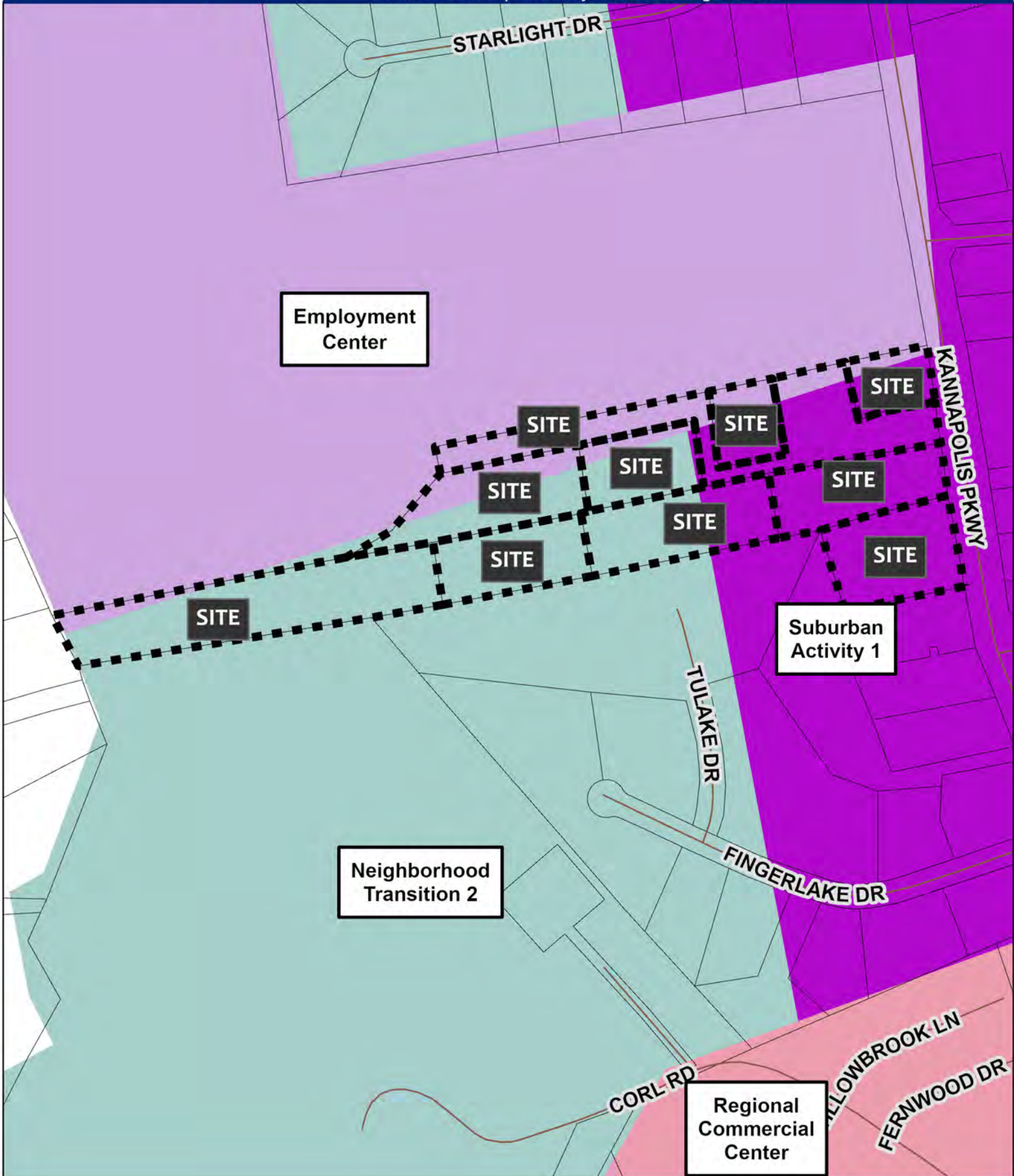


# Kannapolis 2030 Future Land Use Map

CZ-2021-23

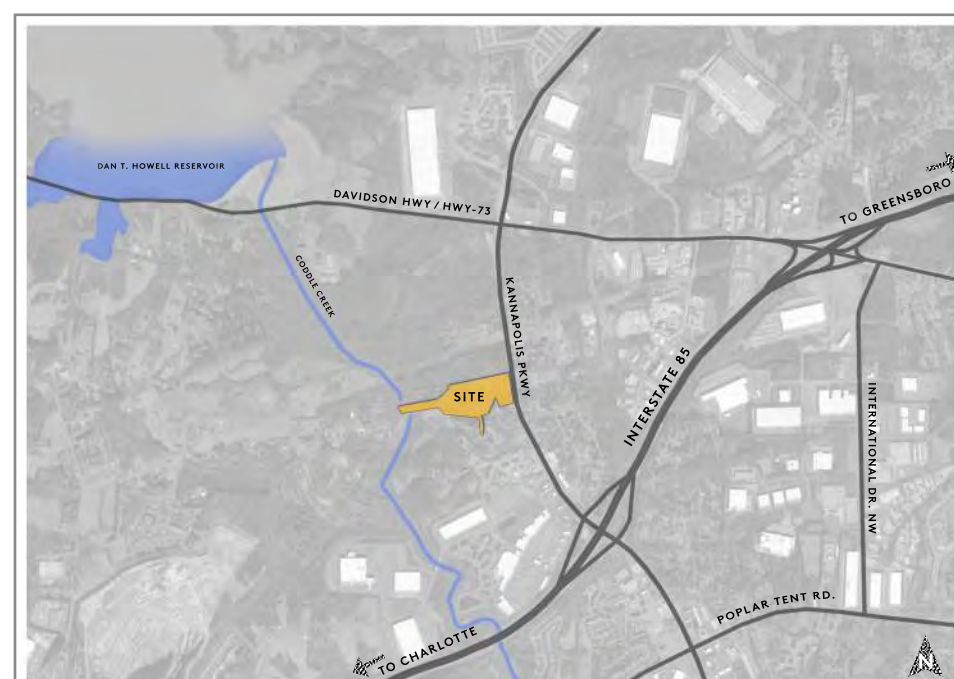
Applicant: HHH Land, LLC / HHHunt

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





VICINITY MAP



LEGEND:

- 1. 4 Story Residential w/ partial 5th Story
- 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: 01.25.2022



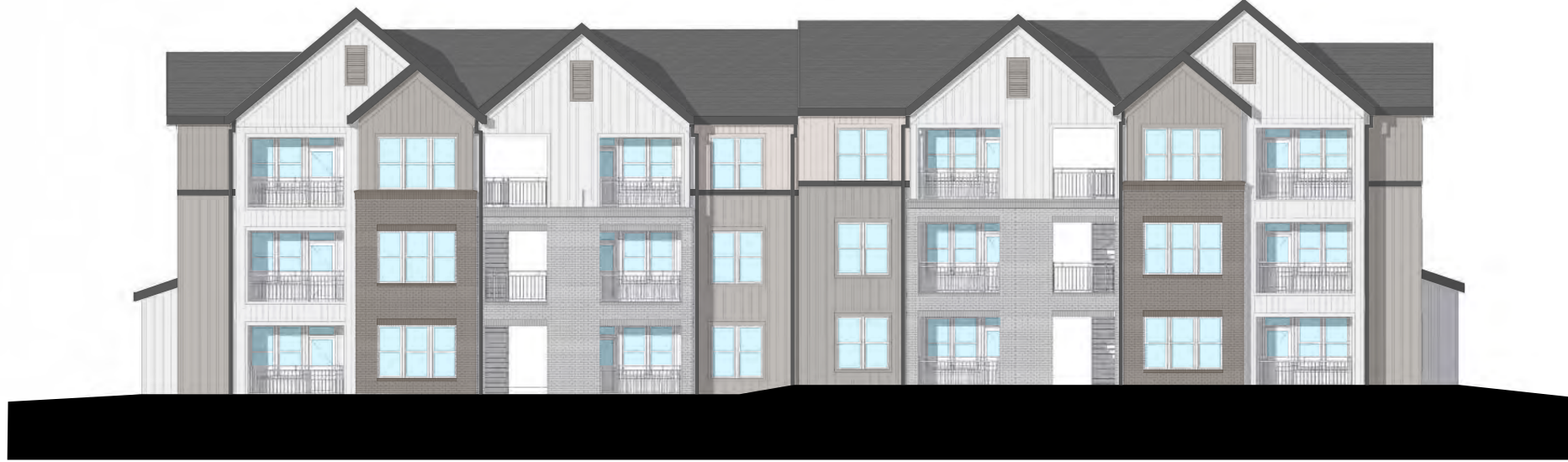
# ABBERLY LIBERTY CROSSING AMENITIES AREA - CURRENTLY UNDER CONSTRUCTION



ABBERLY LIBERTY CROSSING  
CLUB AND LEASING - CURRENTLY UNDER CONSTRUCTION



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





**Abberly Edge**  
**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 a new single-family home in one of our planned communities or a new home in one of our Apartment Living or Senior Living communities. 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 on Kannapolis Parkway (SR-1430) north of Fingerlake Drive. After the 12/14/21 Planning Commission hearing, we met with residents of Fingerlake subdivision on January 11, 2022, to discuss the project and any concerns they had towards the proposed development.

The revised plan we are submitting represents the scaling back of the total units and removing the southern parcel initially shown, referred to as the Ensley property, from this case.



The revised plan for the development has reduced the total dwelling unit count to 277 units total, complying with the existing Dwelling Unit per Acre calculation within our proposed zoning. This is a reduction from the plan submitted previously at 396 units. The reduction is due to removal of the Ensley acreage from this phase of the project and zoning request. The overall site plan considers connectivity to the south and northern properties. Final design considerations will be subject to the future of the adjacent properties.

These units will be provided through a combination of 4-story elevator served buildings and 3-story breezeway style buildings. A free-standing amenity clubhouse and leasing center anchors the frontage of the development, to provide streetside activation for the community. Within the community, the buildings have been arranged to provide large corridors of greenspace, pedestrian connectivity between amenities and residences, as well as pool and recreation spaces. Garages have been located along the outer edges of the parking areas to help break down height massing and provide additional screening from adjacent properties. The Development will involve construction of 5 apartment buildings on nearly 18.66 acres. Construction will take 18- 24 months, built at once but likely leased in 2 separate phases. First move-in would be 18 months from start of construction.

The development proposes two (2) access points; both on Kannapolis Parkway. The locations of these access points are in compliance with the separation requirements provided within the building code and fire code for multifamily projects. A third access may be viable to the north, but is subject to the design and construction of that project and its internal road network.

We anticipate that this 277-unit development will see exceptional lease-up and tenant demand due the project's proximity to expanding employment centers including the Kroger distribution center and numerous other economic development wins in the last few years, amenities and commercial areas like Afton Ridge Shopping Center and Mill Creek.



**Parcel Numbers** 10 Parcels – 3 Families

4691946385, 4691840255, 4691846356, 4691941405, 4691945555, 4691942771, 4691942649, 4691940611, 4691846584, 4691946861

**Zoning and Comprehensive Plan**

Site is currently zoned Rural Estate (RE) and we are asking to be rezoned to Residential Compact (RC) for density of 15 DUA. We feel this rezoning is appropriate in this area due to an increased 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.

The Charlotte region is now expected to need at least 72,000 more apartments by 2030, according to a study by the National Multifamily Housing Council and the National Apartment Association. The study indicates several major factors for the historic growth, including an increased population of renters, an increased population of homeowners, and an increase in the rate of rentership; “We’re experiencing fundamental shifts in our housing dynamics, as more people are moving away from buying houses and choosing apartments instead. More than 75 million people between 18 and 34 years old are entering the housing market, primarily as renters,” said Dr. Norm Miller, Principle at Hoyt Advisory Services and Professor of Real Estate at the University of San Diego. “But renting is not just for the younger generations anymore. Increasingly, Baby Boomers and other empty nesters are trading single-family houses for the convenience of rental apartments. In fact, more than half of the net increase in renter households over the past decade came from the 45-plus demographic.”

Schools:



School	Type	2020 Enrollment	Student/Teacher Ratio	Capacity	% Full
Charles E Boger Elementary	Elementary	656	14.7	860	76%
Northwest Cabarrus Middle	Middle	942	18	900	105%
Northwest Cabarrus HS	High	1375	17.1	1850	74%



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



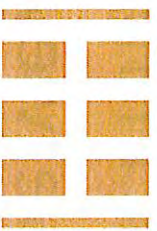
Name	Address	Phone	Email	Contact with Details? Yes/No
Danesse M. 1 <sup>st</sup>			Vanesse - m.1's @allestate.com	
Martha Enslay			enslay@tct.net	yes
Jenise & Tracy Coleman			jenise.dj@ata.net	yes
M. Willey			m.willey@mindspring.com	
Tom Best			tombest1@aol.com	yes
Tim Coleman	881 WANNAPOLIS PKWY			
NANDIA 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

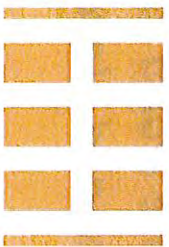


**HHUNT**

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

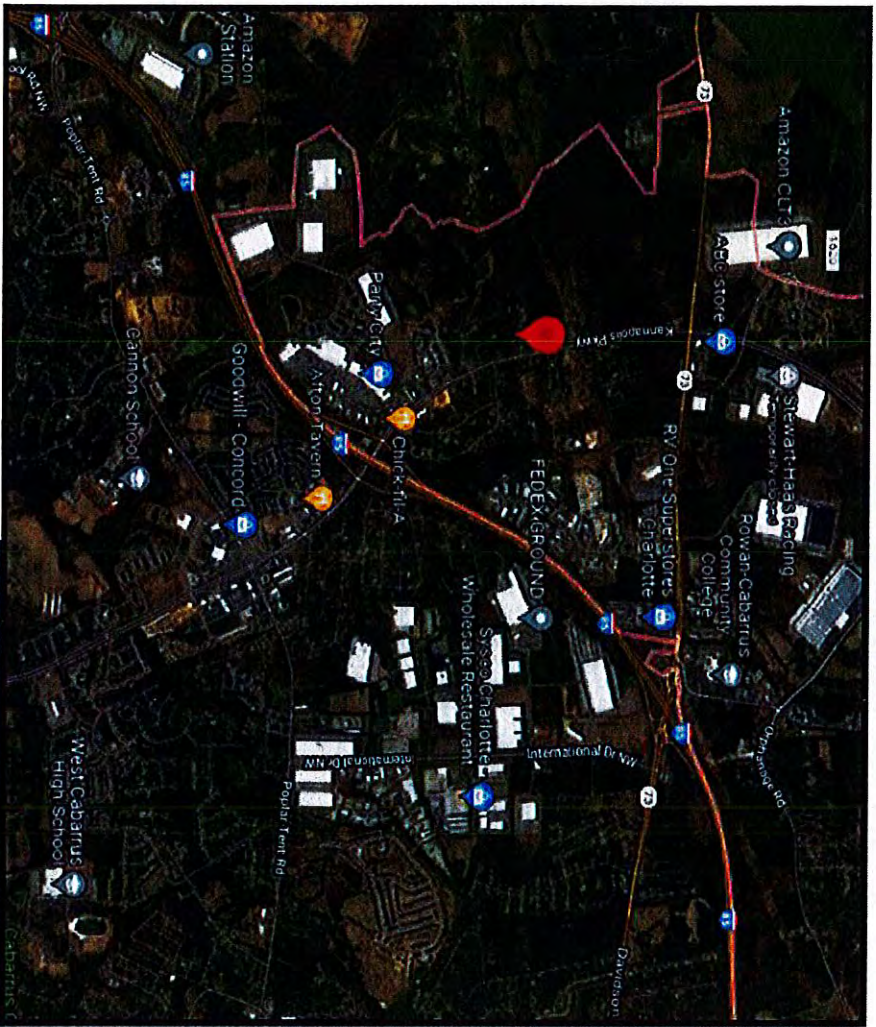
Passion

Forward Thinking

Collaboration



# Location

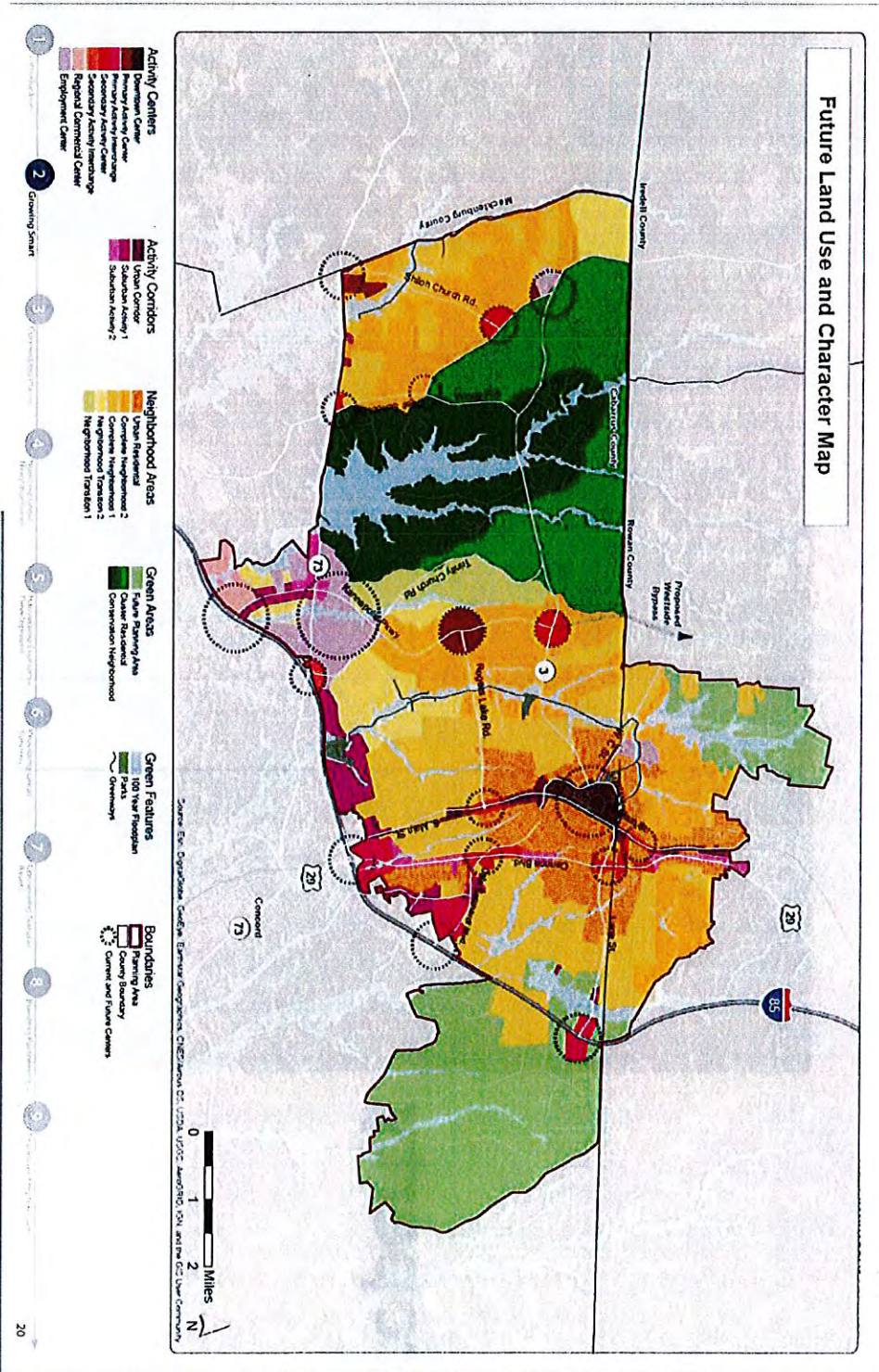


Information estimated and current as of November 2, 2021 & subject to change.



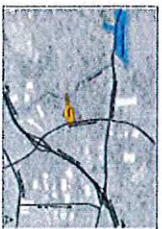


# Future Land Use



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

# Overall Plan



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

Plan is preliminary and shown for informational purposes only, subject to change during formal site plan review.

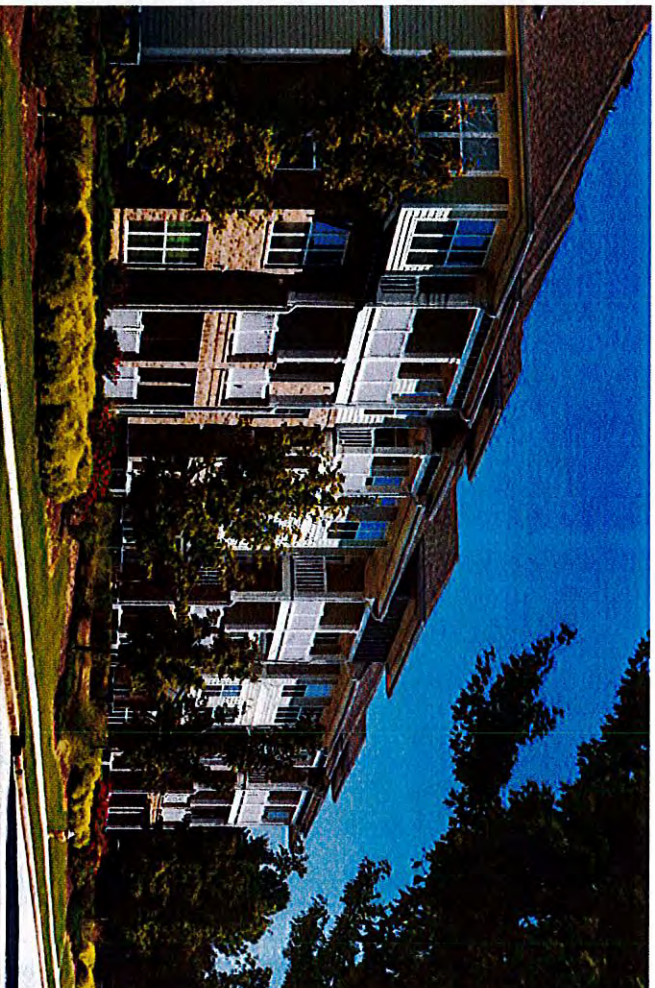
ABBERLY KANNAPOLIS SITE  
DATE: 11.01.2021



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.



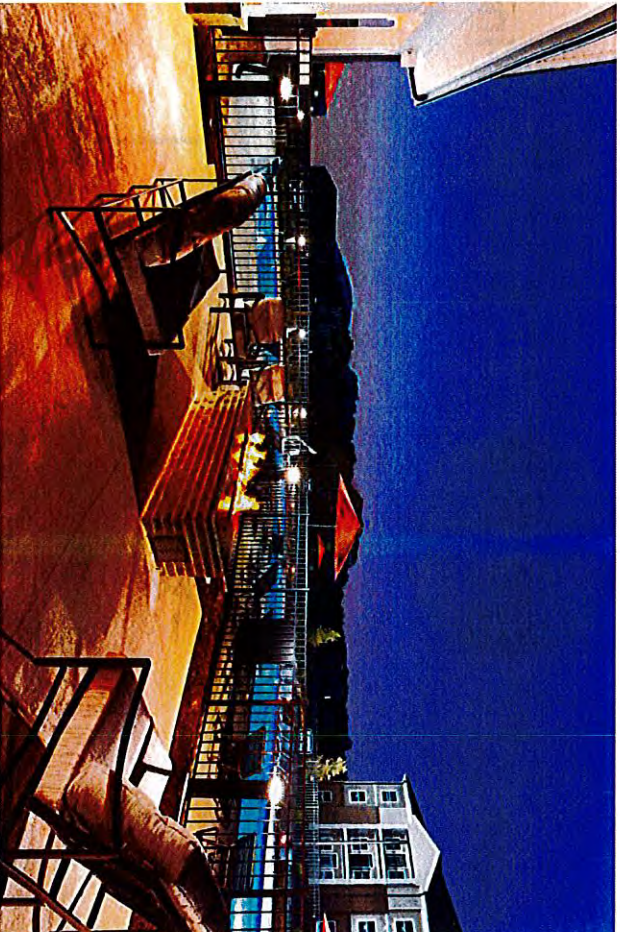
# Community Features



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

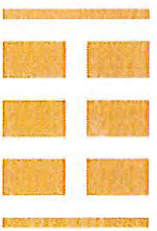


# Community Features



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





**HHUNT**

Because it's how you live that matters

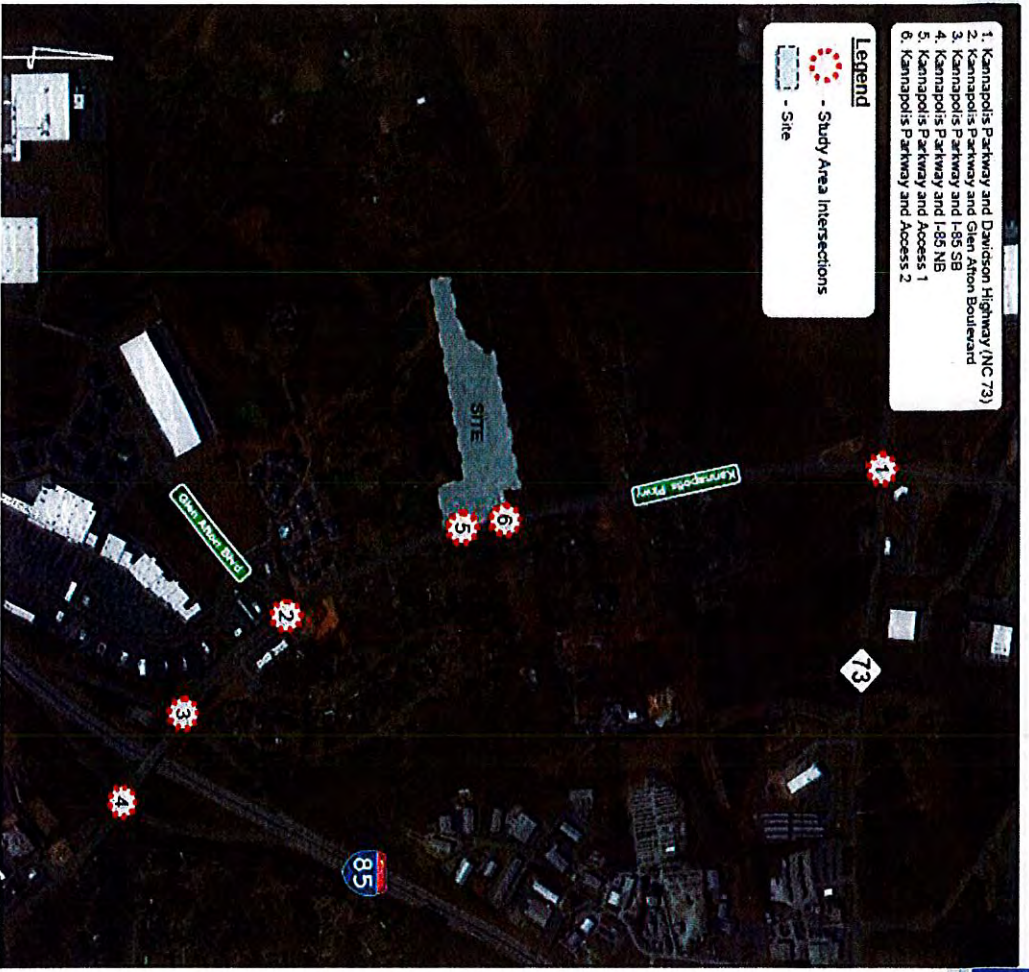
Information estimated and current as of November 2, 2021 & subject to change.



1. Kannapolis Parkway and Davidson Highway (NC 73)
2. Kannapolis Parkway and Glen Arden 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# 0000767144

**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/TEARSHEETS  
KANNAPOLIS NC 28081

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

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

**Total Amount**                      \$583.28

**Payment Amount**                      \$0.00

**Amount Due**                      \$583.28

**Tax Amount:**                      0.00

**Payment Meth:**      Credit - Debit Card

**Tear Sheets**                      **Proofs**                      **Affidavits**                      **PO Number:**  
0                                      0                                      2

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Color</u>
0000767144-01	CLS Liner	2 X 46 li	\$0.00

**Production Method**  
AdBooker (liner)


**Production Notes**

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
CON Independent Trib	C-Announcements	General-Spec Notice	2

**Run Schedule Invoice Text:**      NOTICE OF VIRTUAL PUBLIC HEARING Planning and

**Run Dates**                      2/ 4/2022, 2/11/2022

**TagLine:** NOTICEOFVIRTUALPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONMEETINGVIRTUALTUESDAYFE  
BRUARY152022AT600PMCONDITIONALZONINGMAPAMENDMENTCZ



**KANNAPOLIS**

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

**Tuesday February 15, 2022 at 6:00 pm**

**Conditional Zoning Map Amendment - CZ-2021-23** - Continued from January 18, 2022, Public Hearing to consider an amended request to rezone ten (10) properties located at 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 277-unit multi-family apartment development. The subject properties are approximately 26.52 +/- combined acres and further identified as Cabarus County Parcel Identification Numbers 46919463850000, 46918402550000, 46918463560000, 46919414050000, 46919455550000, 46919406110000, 46918465840000, 4691946861000, 46919426490000, and 4691942771.

**Zoning Map Amendment - Z-2022-01** - Public Hearing to consider a request to rezone property located at 125 Lowrance Avenue from General Commercial (C-2) to Residential Medium Density (RM-2). The subject property is approximately .404 +/- acres and further identified as Cabarus County Parcel Identification Number 56135294710000.

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: February 4, February 11, 2022.**

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 JACOBE	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



February 3, 2022

Dear Property Owner:

**Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a virtual Hearing on Tuesday, February 15, 2022 at 6:00 PM for the following case:**

**CZ-2021-23 – Conditional Zoning Map Amendment – Multiple parcels located on Kannapolis Parkway**

Continued from the January 18, 2022 Planning and Zoning Commission Meeting, the purpose of the Public Hearing is to consider an amended request to rezone ten (10) properties located at 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 277-unit multi-family apartment development. The subject properties are approximately 26.52 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 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).

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

**NOTE: THIS MEETING IS BEING HELD VIRTUALLY. PLEASE VISIT THE CITY OF KANNAPOLIS WEBSITE AT [WWW.KANNAPOLISNC.GOV](http://WWW.KANNAPOLISNC.GOV) FOR MORE INFORMATION ON HOW TO PARTICIPATE OR CALL THE NUMBER LISTED BELOW.**

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

Sincerely,

Boyd V. Stanley, AICP  
Assistant Planning Director

Enclosure

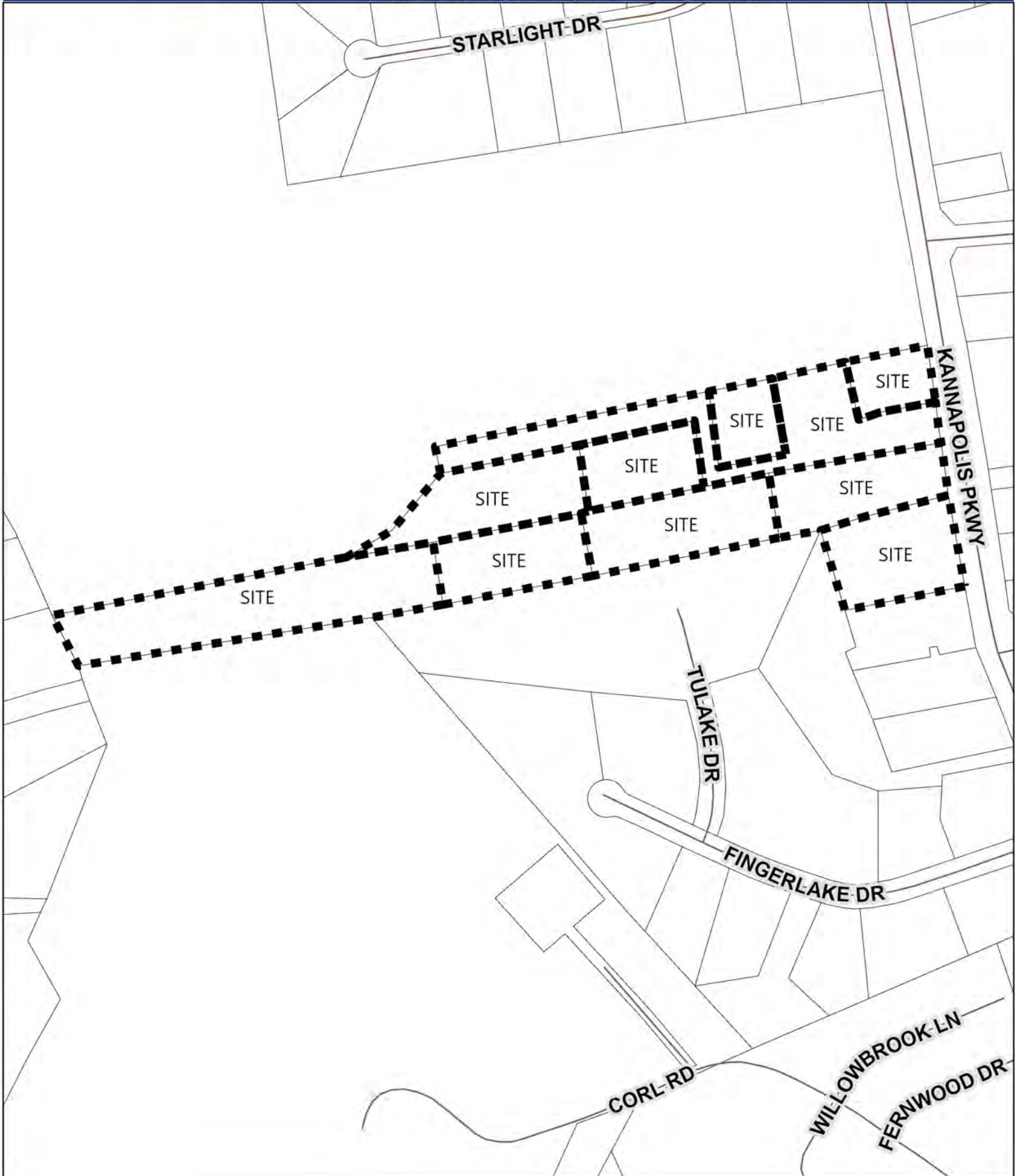
Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email 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-2021-23

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

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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 February 15, 2022 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone 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 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 although 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, the current site plan scenario restricts compatibility with adjoining properties and uses under the current layout. The properties to the north are on the fringe of the “Employment Center” designation, which encompasses a larger, previously approved mixed-use project. Since staff has begun the process of drafting a Comprehensive Plan amendment to expand the “Employment Center” for at least one larger tract of land in the area of Corl Road for a potential industry, believes a recommendation of denial is justified since the current site plan restricts future opportunities for well-connected and planned development.*

**Adopted this the 15<sup>th</sup> day of February 2022:**

---

Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

---

Pam Scaggs, Recording Secretary  
Planning and Zoning Commission





**Planning and Zoning Commission  
February 15, 2022 Meeting**

**Staff Report**

**TO:** Planning & Zoning Commission  
**FROM:** Boyd Stanley, Assistant Planning Director  
**SUBJECT:** Case #Z-2022-01: 125 Lowrance Ave.  
**Applicant:** Trip Reed

Request to rezone approximately 0.404 +/- unaddressed acres located at 125 Lowrance Ave. from General Commercial (C-2) to Residential Medium Density (RM-2) further identified as Cabarrus County Parcel Identification Number 56135294710000.

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

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

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

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

**C. Background**

The applicant, Tripp Reed, is proposing to rezone the subject property located at 125 Lowrance Ave., further identified as Cabarrus County PIN# 56135294710000, from General Commercial (C-2) to Residential Medium Density (RM-2). This is a map amendment request without any conditions as the intent is to straight rezone the property. If rezoned, any of the permitted uses in the RM-2 zoning district would be allowed on the property.

**D. Fiscal Considerations**

None

**E. Policy Issues**

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

- 1. The size of the tract in question.**  
The size of the subject area is approximately 0.404 +/- acres.
- 2. Does the proposal conform with and further the goals and policies of the Land Use Plan, other adopted plans, and the goals, objectives, and policies of this Ordinance?**  
This property is located within the “Urban Residential” and the “Secondary Activity Center” Character Areas as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. These Character Areas list residential dwellings as both primary and secondary uses. The proposed rezoning to Residential Village (RV) is consistent with this Plan.
- 3. Is the proposed rezoning compatible with the surrounding area?**  
The surrounding area consists mostly of single-family detached residences with commercial uses along South Main Street.
- 4. Will there be adverse effects on the capacity or safety of the portion of street network influenced by the rezoning?**  
There is no anticipated adverse impact on the street network as a result of this rezoning.
- 5. Will there be parking problems?**  
No parking problems are anticipated.
- 6. Will there be environmental impacts that the new use will generate, such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting, or other nuisances?**  
There are no anticipated environmental impacts such as water, air, or noise pollution, or excessive lighting issues associated with the rezoning request.
- 7. Has there been any change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, and development?**  
N/A
- 8. Is there compliance with the adequate public facilities criteria?**  
There are public facilities available to the property or within close proximity, which will be extended to serve the development. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.
- 9. What are the zoning districts and existing land uses of the surrounding properties?**  
The surrounding properties to the west are zoned Residential Medium Density (RM-2) and General Commercial (C-2) to the south, east and north.
- 10. Is the subject property suitable for the uses to which it has been restricted under the existing zoning classification?**

Yes, the subject property along with its entire frontage along Lowrance Street is suitable for the current zoning uses as well as residential uses.

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

The surrounding area consists of single-family detached residences and some commercial uses along South Main Street.

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

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

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

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

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

No

**F. Legal Issues**

None

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

Staff finds this zoning map amendment **consistent** with the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates the subject property as being located in the “Urban Residential” and the “Secondary Activity Center” Character Areas. The proposed rezoning is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity and safety of the surrounding street network. Further, the proposed rezoning is not anticipated to generate parking problems or any adverse impact on the environment. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.

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

**Staff Recommendation**

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

**Based on the request being consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval of Zoning Map Amendment Case #Z-2022-01**

**Alternative Courses of Action**

**Motion to Approve (2 votes)**

- 1. Should the Commission choose to approve the request for rezoning as presented in Case #Z-2022-01, a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this zoning map amendment consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council,*

which designates the subject property in the “Urban Residential” and “Secondary Activity Center” Character Areas. The proposed rezoning is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity and safety of the surrounding street network, nor is it anticipated to generate parking problems or any adverse impact on the environment.

2. **Should the Commission choose to approve Case #Z-2022-01, a motion should be made to adopt the Resolution to Zone.**

**Motion to Deny (2 votes)**

1. **Should the Commission choose to recommend denial of Case #Z-2022-01 a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #Z-2022-01 to be inconsistent with the goals and policies of the **Move Knapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #Z-2022-01 a motion should be made to deny the Resolution to Zone.**

**I. Attachments**

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

**J. Issue Reviewed By:**

- Planning Director
- Assistant City Manager
- City Attorney



## Zoning Map Amendment Checklist

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

### REZONING REQUEST

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

Requested Rezoning Property Address: 125 Lowrance Ave Kannapolis  
Applicant: Charles R. Reed III  
Proposed development: 1 New Construction Residential House

### SUBMITTAL CHECKLIST

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

### PROCESS INFORMATION

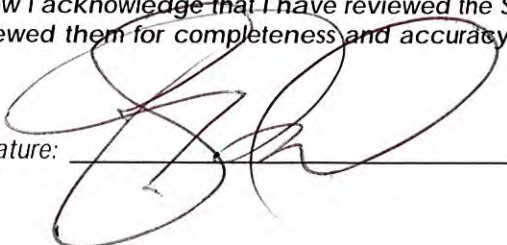
**Public Notification:** This is a legislative process that requires a public hearing and public notification including newspaper notice, first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Section 3.1.5.1 of the UDO).

**Review Process:** All applications will be reviewed for compliance and then forwarded to the Planning and Zoning Commission for consideration at a public hearing which is held monthly on the third Tuesday at 6:00pm in City Hall Laureate Center. All items listed above on the submittal checklist must be received at least one month prior to the next scheduled public hearing.

**Action by Planning and Zoning Commission:** After conducting a public hearing, the Commission may: deny the application; conduct an additional public hearing on the application; or approve the application.

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

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

Applicant's Signature: 

Date: 11/5/21



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

## ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

### Applicant Contact Information

Name: Tripp Reed  
Address: 4230 Lower Stone Church Road Ralene NC 28138  
Phone: 704-793-8346  
Email: tripp@c3builders.net

### Property Owner Contact Information same as applicant

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

### Project Information

Project Address: 125 Lawrence Ave Kannapolis  
Parcel: 56135294710000 # of parcels: 1 Approx. size of parcels: .404  
(attach separate list if necessary)

Current Zoning Designation: C-2 - General Commercial Requested Zoning Designation: RM-2 - Residential Medium Densi

Reason for map amendment: Build A House

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

[Signature]  
Applicant Signature

11/5/21  
Date

[Signature]  
Property Owner Signature

11/5/21  
Date

### For Staff Use Only:

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

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

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

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



Zoned



Zoned  
RM-2

56135283870000

Zoned C-2

56135294710000



Change to  
RM-2



# Vicinity Map

Z-2022-01

Applicant: Tripp Reed

Location: 125 Lowrance





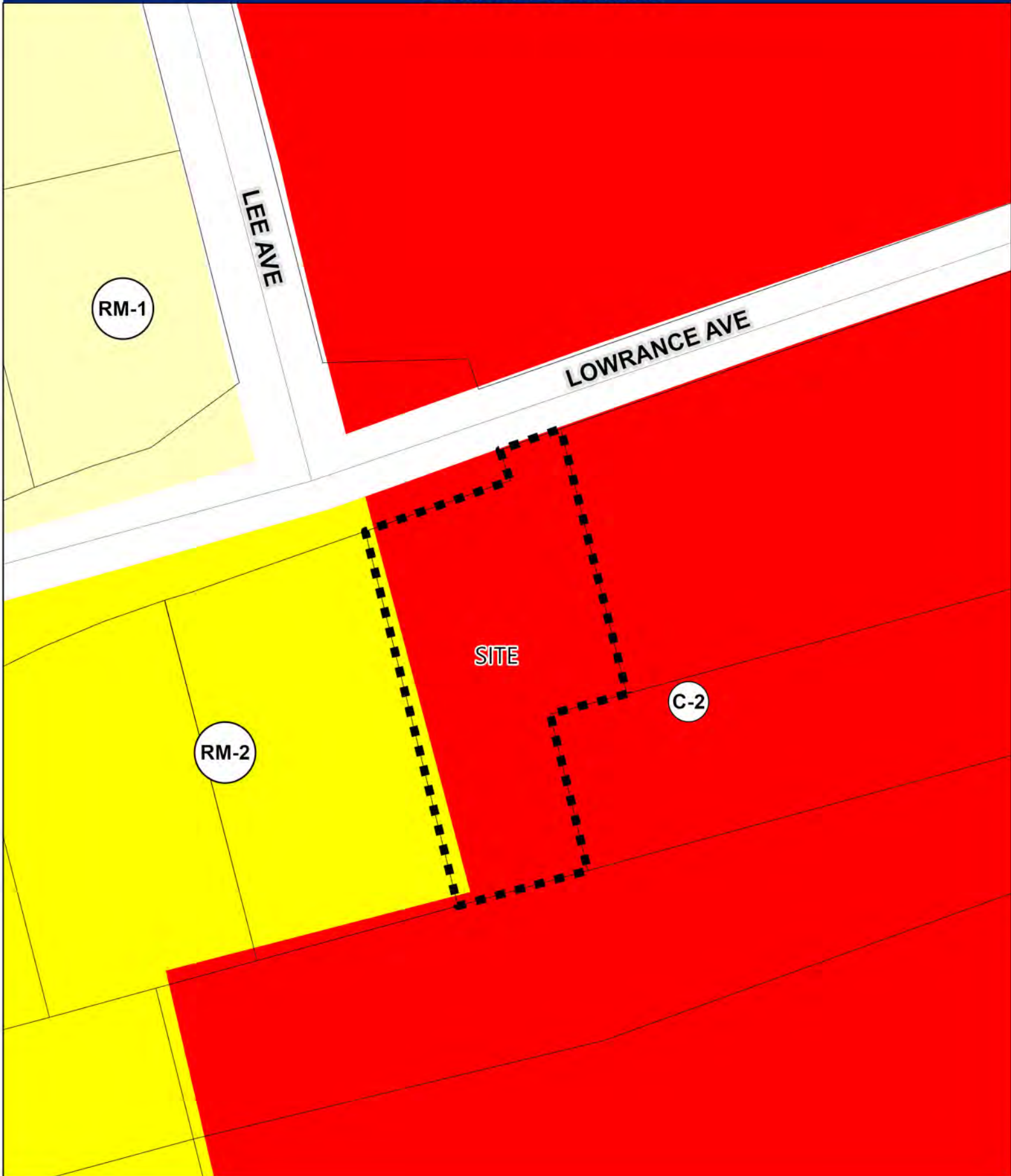


# Kannapolis Zoning

Z-2022-01

Applicant: Tripp Reed

Location: 125 Lowrance





# Kannapolis 2030 Future Land Use Map

Z-2022-01

Applicant: Tripp Reed  
Location: 125 Lowrance





PO Box 27283  
Richmond, VA 23261-7283

# Order Confirmation

Order# 0000767144

**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/TEARSHEETS  
KANNAPOLIS NC 28081

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

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

**Total Amount**                      \$583.28

**Payment Amount**                      \$0.00

**Amount Due**                      \$583.28

**Tax Amount:**                      0.00

**Payment Meth:**      Credit - Debit Card

**Tear Sheets**                      **Proofs**                      **Affidavits**                      **PO Number:**  
0                      0                      2

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Color</u>
0000767144-01	CLS Liner	2 X 46 li	\$0.00

**Production Method**  
AdBooker (liner)


**Production Notes**

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
CON Independent Trib	C-Announcements	General-Spec Notice	2

**Run Schedule Invoice Text:**      NOTICE OF VIRTUAL PUBLIC HEARING Planning and

**Run Dates**                      2/ 4/2022, 2/11/2022

**TagLine:** NOTICEOFVIRTUALPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONMEETINGVIRTUALTUESDAYFE  
BRUARY152022AT600PMCONDITIONALZONINGMAPAMENDMENTCZ



**KANNAPOLIS**

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

**Tuesday February 15, 2022 at 6:00 pm**

**Conditional Zoning Map Amendment - CZ-2021-23** - Continued from January 18, 2022, Public Hearing to consider an amended request to rezone ten (10) properties located at 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 277-unit multi-family apartment development. The subject properties are approximately 26.52 +/- combined acres and further identified as Cabarus County Parcel Identification Numbers 46919463850000, 46918402550000, 46918463560000, 46919414050000, 46919455550000, 46919406110000, 46918465840000, 4691946861000, 46919426490000, and 4691942771.

**Zoning Map Amendment - Z-2022-01** - Public Hearing to consider a request to rezone property located at 125 Lowrance Avenue from General Commercial (C-2) to Residential Medium Density (RM-2). The subject property is approximately .404 +/- acres and further identified as Cabarus County Parcel Identification Number 56135294710000.

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: February 4, February 11, 2022.**

<b>AcctName1</b>	<b>MailAddr1</b>	<b>MailCity</b>	<b>MailState</b>	<b>MailZipCod</b>
RICHARD & JANET ABSHER	1226 LEE AVE	KANNAPOLIS	NC	28081
JUAN LUIS FIERRO APAC & ELENA ROMERO	203 LOWRANCE AVE	KANNAPOLIS	NC	28081
FRANCES J NICHOLSON ESTATE C/O STEVEN & LEIGH ANN DAVIS	1302 ROGERS AVE	KANNAPOLIS	NC	28081
NC DEPT OF TRANSPORTATION DEAN & NINA GRAVES	1546 MAIL SERVICE CENTER 173 ADAMS ST	RALEIGH MILTON	NC MA	27699 02186
GFS PROPERTIES LLC C/O JAMES SLAUGHTER	P O BOX 41027	GREENSBORO	NC	27404
CHARLES RAY REED III MACY A MEJIA	4230 LOWER STONE CHURCH RD 201 LOWRANCE AVE	ROCKWELL KANNAPOLIS	NC NC	28138 28081



February 1, 2022

Dear Property Owner:

**Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a virtual Public Hearing on Tuesday, February 15, 2022 at 6:00 PM, for the following case:**

**Z-2022-01 – Zoning Map Amendment – 125 Lowrance Avenue**

The purpose of the Public Hearing is to consider a request to rezone property located at 125 Lowrance Avenue from General Commercial (C-2) to Residential Medium Density (RM-2). The subject property is approximately .404 +/- acres and further identified as Cabarrus County Parcel Identification Number 56135294710000 (see reverse side of this letter for a map showing the location of this property).

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

**NOTE: THIS MEETING IS BEING HELD VIRTUALLY. PLEASE VISIT THE CITY OF KANNAPOLIS WEBSITE AT [WWW.KANNAPOLISNC.GOV](http://WWW.KANNAPOLISNC.GOV) FOR MORE INFORMATION ON HOW TO PARTICIPATE OR CALL THE NUMBER LISTED BELOW.**

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

Sincerely,

Boyd 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

Z-2022-01

Applicant: Tripp Reed

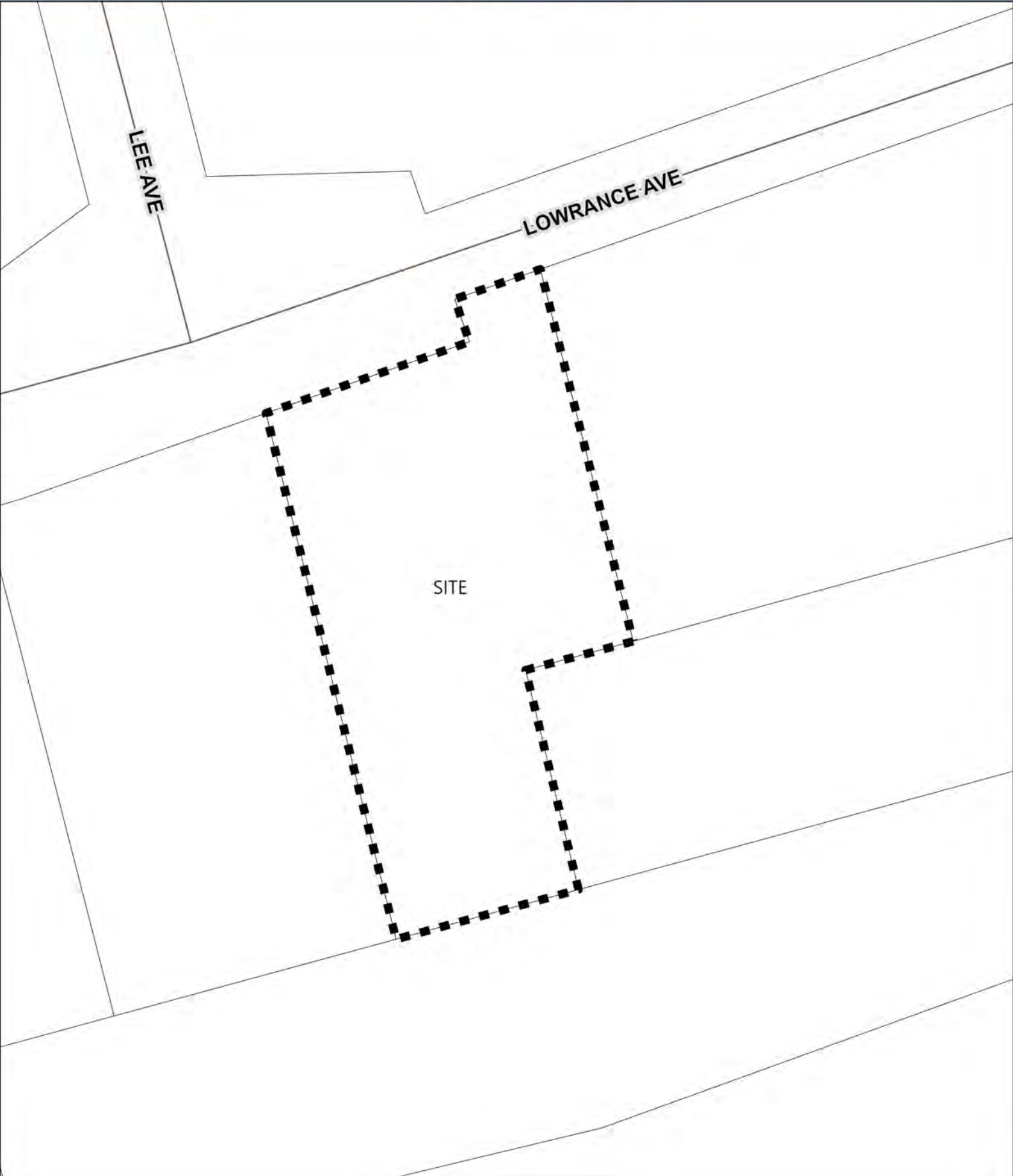
Location: 125 Lowrance



LEE AVE

LOWRANCE AVE

SITE





**PLANNING**

**ZONING**

**COMMISSION**

**PUBLIC HEARING**

**INFORMATION**

**CALL 704-920-4350**

**CASE # Z - 2022 - 01**



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY  
WITH REGARD TO CASE #Z-2021-01**

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

**WHEREAS**, Section 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 February 15, 2022 the Planning and Zoning Commission conducted a public hearing to consider a request to property located at 125 Lowrance Avenue, (Cabarrus County Parcel Identification Number 56135294710000) owned by Charles Reed III, from General Commercial (C-2) Zoning Designation to Residential Medium Density (RM-2) Zoning Designation.

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

**Adopted this the 15<sup>th</sup> day of February 2022:**

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

**Attest:**

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





## **RESOLUTION TO ZONE**

**Case #Z-2022-01  
(125 Lowrance Avenue)**

### **From General Commercial (C-2) to Residential Medium Density (RM-2) 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 February 15, 2022 for consideration of rezoning petition Case #Z-2022-01 as submitted to the City of Kannapolis Planning Department; and

**WHEREAS**, the request was to rezone property located at 125 Lowrance Avenue, (Cabarrus County Parcel Identification Number 56135294710000) owned by Charles Reed III, from General Commercial (C-2) Zoning Designation to Residential Medium Density (RM-2) Zoning Designation; and

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

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

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

The size of the subject area is approximately 0.404 +/- acres.

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

This property is located within the “Urban Residential” and the “Secondary Activity Center” Character Areas as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. These Character Areas list residential dwellings as both primary and secondary uses. The proposed rezoning to Residential Village (RV) is consistent with this Plan.

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

The surrounding area consists mostly of single-family detached residences with commercial uses along South Main Street.

- 4. Will there be adverse effects on the capacity or safety of the portion of street network influenced by the rezoning?**  
There is no anticipated adverse impact on the street network as a result of this rezoning.
- 5. Will there be parking problems?**  
No parking problems are anticipated.
- 6. Will there be environmental impacts that the new use will generate, such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting, or other nuisances?**  
There are no anticipated environmental impacts such as water, air, or noise pollution, or excessive lighting issues associated with the rezoning request.
- 7. Has there been any change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, and development?**  
N/A.
- 8. Is there compliance with the adequate public facilities criteria?**  
There are public facilities available to the property or within close proximity, which will be extended to serve the development. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.
- 9. What are the zoning districts and existing land uses of the surrounding properties?**  
The surrounding properties to the west are zoned Residential Medium Density (RM-2) and General Commercial (C-2) to the south, east and north.
- 10. Is the subject property suitable for the uses to which it has been restricted under the existing zoning classification?**  
Yes, the subject property along with its entire frontage along Lowrance Avenue is suitable for the current zoning uses as well as residential uses.
- 11. Is the zoning compatible with the adjacent neighborhood, especially residential neighborhood stability and character?**  
The surrounding area consists of single-family detached residences and some commercial uses along South Main Street.
- 12. What length of time has the subject property remained vacant as zoned?**  
The property has been vacant for an undetermined amount of time.
- 13. Is there an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs?**  
There is an adequate supply of parcels in the subject area to accommodate a wide variety of development types.
- 14. Was the existing zoning in error at the time of adoption?**  
No.

RESOLUTION TO ZONE (Case #Z-2022-01)  
General Commercial (C-2) to  
Residential Medium Density (RM-2) Zoning District

**NOW, THEREFORE BE IT RESOLVED** by the City of Kannapolis Planning and Zoning Commission that the above referenced property be rezoned from General Commercial (C-2) Zoning Designations to Residential Medium Density (RM-2) Zoning Designation.

**Adopted this the 15<sup>th</sup> day of February 2022**

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Chris Puckett, Chairman  
Planning and Zoning Commission

**Attest:**

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Pam Scaggs, Recording Secretary  
Planning and Zoning Commission