City of Kannapolis
Planning and Zoning Commission Meeting

March 19, 2024 at 6:00 pm

Agenda

1. **Call to Order**

2. **Roll Call and Recognition of Quorum**

3. **Approval of Agenda**

4. **Approval of Minutes:** February 20, 2024

5. **Public Hearing**

   a) **Zoning Map Amendment – Z-2024-01 – W C St.**
   Public Hearing to consider rezoning multiple properties located along West C Street, on or near Pump Station Road to Winona Avenue, from City of Kannapolis General Commercial (GC) and Office-Institutional (O-I) to City of Kannapolis Mixed Use-Neighborhood (MU-N) zoning district. The subject properties are approximately 55.3 +/- combined acres.

   b) **Conditional Zoning Map Amendment – CZ-2024-02 – Irish Glen Dr. & Glenn Ave.**
   Public Hearing continued from February 20, 2024 and is to consider a request to rezone properties located at 304, 308, 312, 316 and 320 Irish Glen Drive, as well as three (3) unaddressed parcels on W C Street and one unaddressed parcel on Glenn Avenue from City of Kannapolis Office Institutional (OI) zoning district to City of Kannapolis Residential 8 – Conditional Zoning (R8-CZ) zoning district to allow for a 233-unit townhome development. The subject properties are approximately 47.96 +/- combined acres and further identified as Rowan County Parcel Identification Numbers 142 174, 142 175, 142 176, 142 177, 142 178, 142 180, 142 179, 142 173, and 142 186, respectively.

   c) **Conditional Zoning Map Amendment – CZ-2024-03 – Dale Earnhardt Blvd. and Laundry St.**
   Public Hearing continued from February 20, 2024. The applicant has requested to postpone to the April 16, 2024 meeting. This request is to consider a request to rezone properties located at 1411, 1431 and 1375 Dale Earnhardt Blvd., as well as 601 Laundry Street from City of Kannapolis Office Institutional (OI) zoning district to City of Kannapolis General Commercial – Conditional Zoning (GC-CZ) zoning district to allow for utilization of the existing building to be used for general wholesale, accessory office uses or other uses allowed by right in the GC zoning district. The subject properties are approximately 3.3 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56138549450000, 56138548910000, 56138630070000, and 56138559600000, respectively.

6. **Recommendation to City Council**

   a. **Text Amendment – TA-2024-01 – KDO Updates**
   Consider a recommendation to City Council regarding multiple amendments to the Kannapolis Development Ordinance.

7. **Planning Director Update**

8. **Other Business**

9. **Adjourn**

Planning and Zoning Commission
March 19, 2024, Meeting

Staff Report

TO: Planning and Zoning Commission

FROM: Richard Smith, Planning Director

SUBJECT: Case #Z-2024-01: Multiple properties on West C Street
Applicant: City of Kannapolis

Staff is requesting to rezone multiple properties located on West C Street from General Commercial (GC) and Office-Institutional (OI) to Mixed-Use Neighborhood (MU-N) zoning district.

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

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

C. Background & Project Overview

Staff is requesting to rezone multiple properties located along West C Street, from near the intersection with Pump Station Road to the intersection with Winona Avenue, from City of Kannapolis General Commercial (GC) and Office-Institutional (OI) to City of Kannapolis Mixed-Use Neighborhood (MU-N) zoning district. The properties are approximately 55.3 +/- combined acres of property, are further identified as Rowan County Parcel Identification Numbers 249C023, 249C027, 249C077, 249C081, 249C128, 249C135, 249C1520001, 249D019, 249D02001, 249D021, 249D040, 249D056, 249D066, 249E001, 249E004, 249E005, 249E009, 249E010, 249E072, 249E143, 249C002, 249C003, 249C019, 249C028, 249C046, 249C155, 249D025, 249E006, 249E013, 249E024, 249E025, 249E081, 249E084, 249E146, 249E174, 249E177, 249C006, 249C024, 249C025, 249C026, 249C050, 249C080, 249C095, 249C118, 249C127, 249C138, 249C140, 249D011, 249D020, 249E003, 249E011,

249E078, 249E079, 249E132, 249E169, 249E171, 249C004, 249C005, 249C073, 249C074, 249C075, 249C09501, 249C096, 249C125, 249C126, 249C133, 249D010, 249D018, 249D022, 249D023, 249D061, 249E015, 249E080, 249E082, and 249E147; and are located within the Extra Territorial Jurisdiction (ETJ) of the City.

When the KDO was adopted in July of 2022, the Planning and Zoning Commission and staff discussed a few pockets of the city that would warrant rezoning so that the area's zoning lined up more with current economic factors as well as with the KDO. This area is one of those pocket areas. While the existing GC and OI zoning designations promote nonresidential growth, that growth is limited due to the lack of City utilities. Further, these zoning designations do not permit residential growth in the form of single-family dwellings. The corridor area presently consists primarily of residential uses.

More recently, staff received inquiries from property owners regarding developing their properties for single-family residential uses. Some were surprised to discover that new single-family dwellings were not permitted under the current zoning designations. Additionally, the Board of Adjustment (BOA) heard a request for a Special Use Permit (SUP) for a self-service storage facility and determined that the area was too residential to accommodate such an impactful non-residential use. As a result, the SUP was denied, and the BOA requested that staff and the Planning and Zoning Commission review the area for a more appropriate zoning designation.

Staff held a neighborhood meeting on January 16, 2024, to present the matter to the community and to hear their concerns about the potential rezoning. There were at least 21 residents and/or property owners in attendance at the neighborhood meeting. The primary concern of the attendees was whether or not the zoning change would impact their property values. Staff explained that since the proposed rezoning is from non-residential districts to more of a mixed-use zoning district, there was no anticipated decrease in property values. Further, the mixed-use zoning proposed would permit residential uses, while also still allowing some lower impact non-residential uses. There were some areas discussed with property owners that were determined to be more feasible to remain under the GC zoning designation. Those properties are not part of this rezoning request.

Staff has discussed this potential rezoning with the Planning and Zoning Commission on previous occasions prior to bringing it forward for formal consideration.

D. Fiscal Considerations

None

E. Policy Issues

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

1. **Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?**
   Yes. This area of the City's future growth area is identified as "Complete Neighborhood 1" Character Area. This Character Area identifies single family detached and attached residential as primary uses. Lower impact non-residential uses are also encouraged in this designation area. This rezoning request brings the area more in line with the comprehensive plan.

2. **Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?**
   No, the MU-N zoning designation is most appropriate for this area because it permits a wide range of residential uses as well as various commercial uses.

3. **Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?**
   No, however, the current zoning districts of GC and O-I are not in line with the majority of the uses in existence in this corridor area. Further, the infrastructure is not in place in order to accommodate the uses that are typically associated with these two non-residential zoning designations. This rezoning request brings the area more in line with the comprehensive plan and future land use map.

4. **Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?**
   Yes, the existing use of the properties is primarily residential and is also adjacent to other residential land uses. The existing non-residential uses would either be allowed in the proposed new district or would be considered existing non-conforming uses and could continue to operate.

5. **Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?**
   Yes, this proposed rezoning would better ensure efficient development in the City's ETJ area. There is public water available to this area, but public sewer is not available nor is it anticipated to be available any time in the near future. The lower impact zoning proposed would ensure less likelihood of haphazard zoning occurring along this corridor.

6. **Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?**
   Yes, the requested zoning allows uses compatible with existing adjacent residential uses, more so than the existing zoning districts.

7. **Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water**

management, wildlife, vegetation, wetlands, and the natural functioning of the environment?
No, there are no anticipated significant environmental impacts from rezoning these properties. Further, this proposed lighter impact zoning would lessen the probability of uses with potential adverse impacts occurring.

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 ("2030 Plan")*, adopted by City Council, which designates the subject property as located within the "*Complete Neighborhood 1*" Character Area of the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and are not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

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

Based on the request being consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval for Zoning Map Amendment Case #Z-2024-01

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-2024-01, a motion should be made to adopt the following Statement of Consistency:**

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

2. **Should the Commission choose to approve Case #Z-2024-01, 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-2024-01, 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-2024-01 to be* ***inconsistent*** *with the goals and policies of the* ***Move Kannapolis Forward 2030 Comprehensive Plan****, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #Z-2024-01, 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. Neighborhood Meeting Information
6. Notice of Public Hearing
7. List of Notified Properties
8. Letter to Adjacent Property Owners
9. Posted Public Notice Sign
10. Resolution to Adopt a Statement of Consistency
11. Resolution to Zone

J. Issue Reviewed By:

- Planning Director
- City Manager
- Assistant City Manager
- City Attorney

Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

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. Please either bring this application to the address above or email to bbarcroft@kannapolisnc.gov. The fees may also be paid online with a link provided by staff.

REZONING REQUEST

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

Requested Rezoning Property Address: Properties located along W C Street (Pump Station Rd to Winona Ave)

Applicant: City of Kannapolis

Proposed development: N/A

N/A

SUBMITTAL CHECKLIST

- [N/A] **Pre-Application Meeting**
- [✓] **Zoning Map Amendment Checklist and Application – Complete with all required signatures**
- [N/A] **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 2.4.F of the KDO).

Review Process: All applications will be reviewed for compliance and then forwarded to the Planning and Zoning Commission for consideration at a public hearing which is held monthly on the third Tuesday at 6:00pm in City Hall Laureate Center. **The pre-application meeting, submittal of application, and payment of fees, must be completed prior to scheduling the public hearing. Please review Section 2.4.D. of the KDO.**

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:* 2/5/2024

Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information

Name: Richard Smith/Planning Director

Address: 401 Laureate Way
Kannapolis, NC 28081

Phone: 704-920-4325

Email: Rsmith@kannapolisnc.gov

Property Owner Contact Information ☐ same as applicant

Name: Several Property Owners - See Attached

Address:

Phone:

Email:

Project Information

Project Address: Multiple properties located along W C Street (Pump Station to Winona Ave.)

Parcel: See attached list # of parcels: 75 Approx. size of parcels: 55.3
(attach separate list if necessary)

Current Zoning Designation: GC Requested Zoning Designation: MU-N

Reason for map amendment: Align zoning to be consistent with existing uses but to also allow for appropriate growth.

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.

Applicant Signature Date 2/5/2024

Property Owner Signature Date

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

WEST C STREET REZONING
LIST OF PROPOSED PROPERTIES TO REZONE

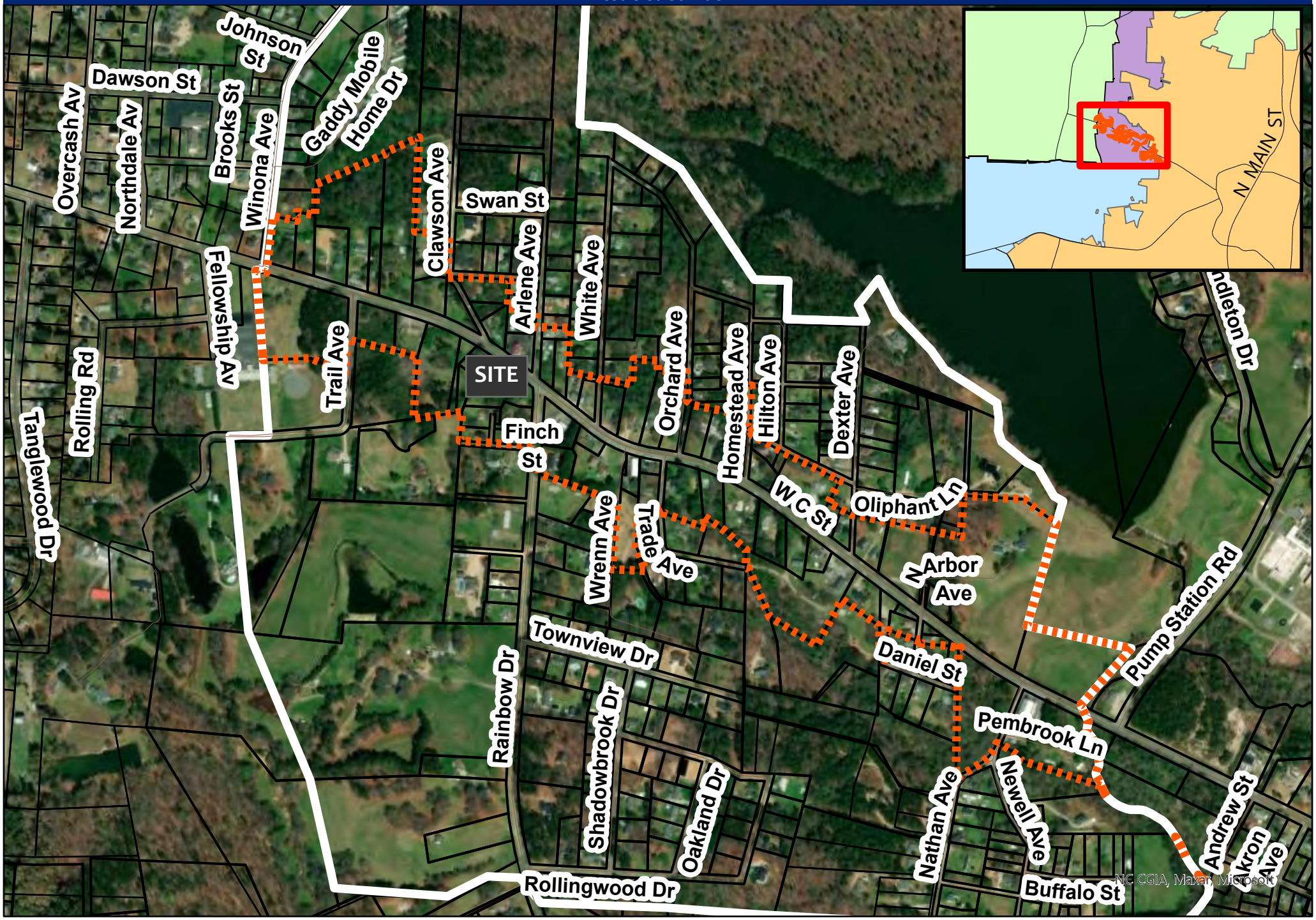
PARCEL_ID	OWNNAME
249C023	BETTIE HARPER
249C027	ROBERT & TRACY STARNES
249C077	TRISTAN BROADWELL
249C081	ESTATE OF GARY L HAMBLIN
249C128	BILLY & SYLVIA COWARD
249C135	SCOTTIE WHITE
249C1520001	BRANDON HARRIS
249D019	PAMELA B STAMEY
249D02001	PAMELA B STAMEY
249D021	PAMELA B STAMEY
249D040	WILLIAM & LAURA GREGORY
249D056	PAMELA B STAMEY
249D066	PAMELA B STAMEY
249E001	SAMPSON-BLADEN OIL COMPANY INC
249E004	BILLY T COWARD SR
249E005	BILLY E MCLAIN JR
249E009	DORIS DIXON MELLONS HEIRS
249E010	LEAON PARHAM HEIRS
249E072	FLOYD III & SHEILA GOODNIGHT
249E143	ELECTRIC CONNECTION INC
249C002	NIKOLOAS V & MARGARET GEORGIOU ETAL
249C003	BRIAN & KIMBERLI ROE
249C019	MARYA RODRIGUEZ
249C028	KENDALL J & BRITTNEY WINGLER
249C046	JESSE F JR & ALMA FRYE
249C155	BARRY & TERESA BENFIELD
249D025	MCCORKLE MELONEY LEIGH
249E006	MARTIN JOHN ALEXANDER JR
249E013	ELECTRIC CONNECTION INC
249E024	AGNES E WHITE
	LINDA WIDENHOUSE FINK ETAL
249E025	C/O SHERRY HENLEY
249E081	ANTHONY BROADWAY
249E084	STEVEN C SMITH
249E146	PAUL & PATRICIA BROADWAY
249E174	JHP HOLDINGS LLC
249E177	SHELDON PARK N STORE LLC
249C006	RONALD & LORIE SETTERBERG
249C024	LIVING WORD FULL GOSPEL CHURCH
249C025	MAYRA RODRIGUEZ
249C026	BRANDON HARRIS
249C050	SCOTTIE W WHITE
249C080	JOHN & JUANITA CAMPBELL
249C095	SHARON S GADDY
249C118	LEE & EDITH HARRELL
249C127	JESSE F JR & ALMA FRYE
249C138	RANDALL & LORI BEAVER
249C140	LEE & EDITH HARRELL
249D011	MARY WATSON
249D020	PAMELA B STAMEY
249E003	MICHAEL T BIDDY
249E011	THOMAS E LINEBARRIER & HEIRS
	TAYLOR KNOWLES &
249E078	MICHAEL SKOK
249E079	KENDALL L SELLERS
249E132	RAM ENTERPRISES LLC
249E169	MARIA CORTES
249E171	MICHAEL T BIDDY
249C004	NIKOLOAS V & MARGARET GEORGIOU ETAL
249C005	PHILLIP L GADDY III ETAL
249C073	LIGHTHOUSE PENTECOSTAL CHURCH
249C074	LIGHTHOUSE PENTECOSTAL CHURCH
249C075	WILLIAM & PATRICIA SORRELL
249C09501	PHILLIP L GADDY III ETAL
249C096	TENC INVESTMENTS LLC
249C125	RICKY & LISA EFIRD
249C126	BILLY T COWARD SR
249C133	SCOTTIE & CHRISTINE WHITE
249D010	ANDREW C FORBES
249D018	BETHPAGE UNITED METHO TRUSTEES
249D022	RICKY D KEZIAH
249D023	WILLIAM & SARA GRISDALE
249D061	PAMELA B STAMEY
249E015	TODD & ELIZABETH MAITLAND
249E080	PAUL & PATRICIA BROADWAY
249E082	FLOYD D III & SHEILA GOODNIGHT
249E147	ALBERT & JANICE LONG

Vicinity Map

Case Number: Z-2024-01

Applicant: City of Kannapolis

West C St Corridor

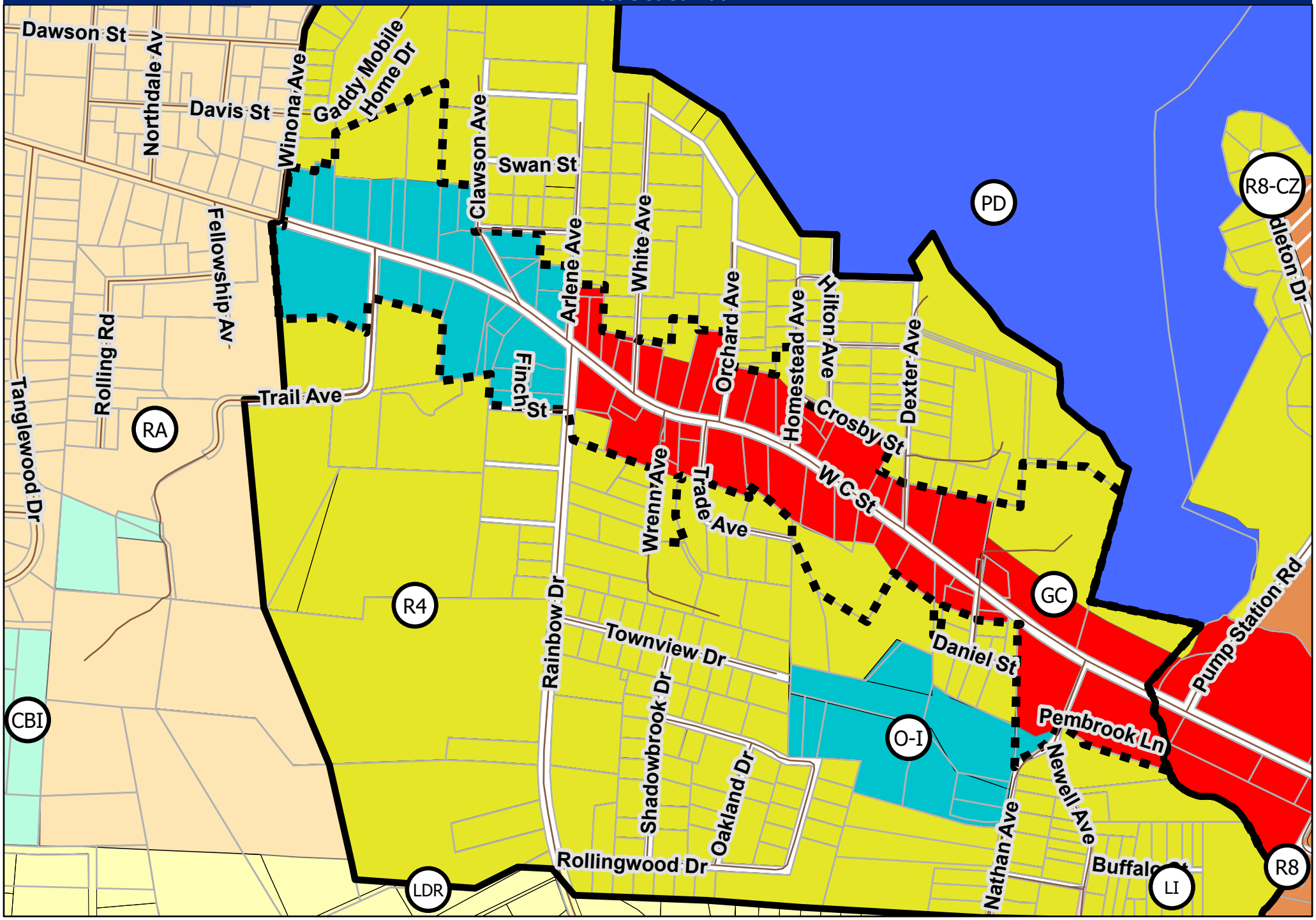


Kannapolis Current Zoning

Case Number: Z-2024-01

Applicant: City of Kannapolis

West C St Corridor

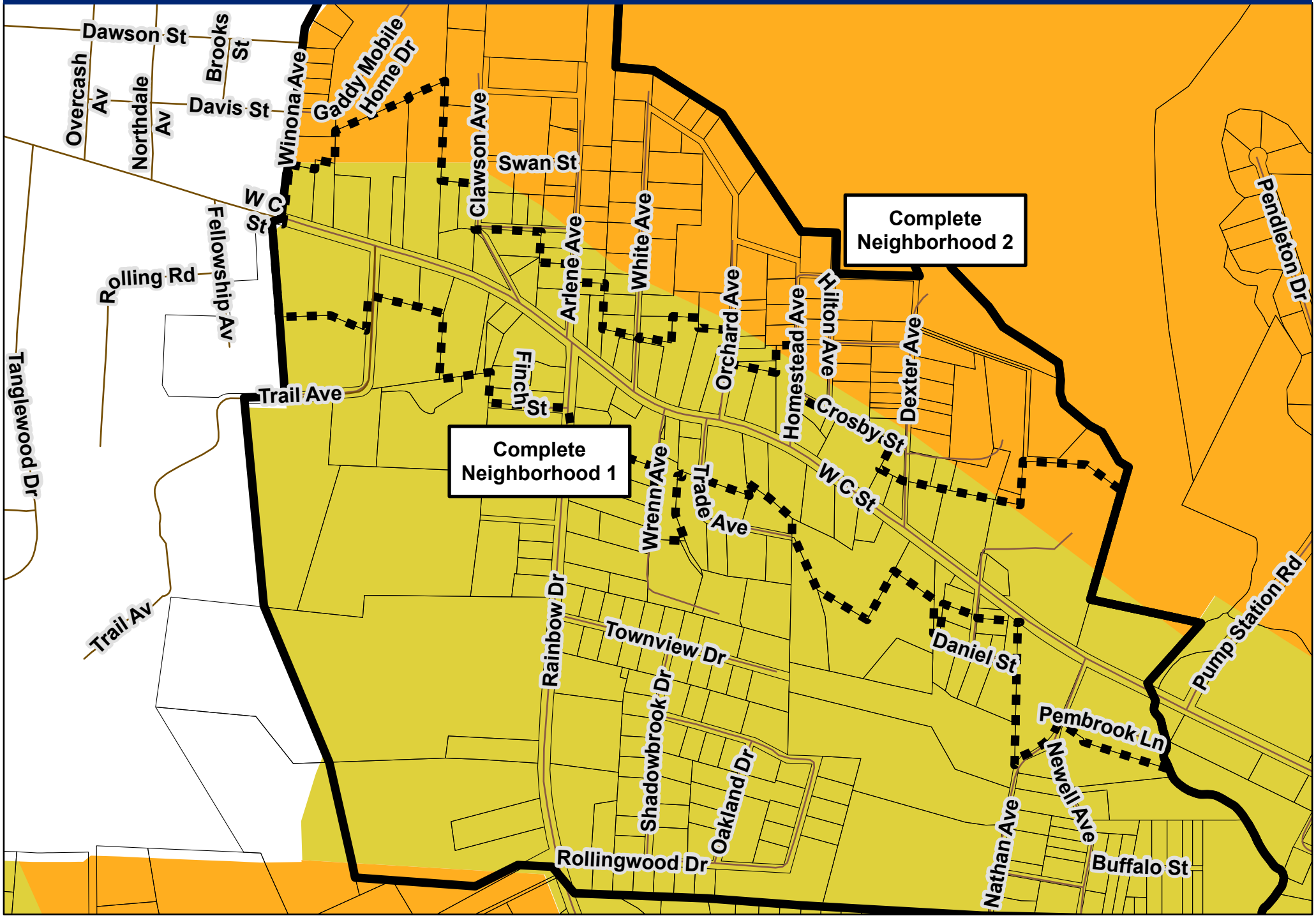


Kannapolis 2030 Future Land Use Map

Case Number: Z-2024-01

Applicant: City of Kannapolis

West C St Corridor



West C Street Corridor
Neighborhood Meeting
January 16, 2024

On Tuesday, January 16, 2024, Planning Department staff conducted a Neighborhood Meeting for the consideration of rezoning properties located along West C Street at City Hall in Laureate II.

Staff attending the meeting included: Planning Director, Richard Smith; Assistant Planning Director, Elizabeth McCarty; Planner, Rayvon Walker; Planner, Kathryn Stapleton; and Administrative Assistant, Pam Scaggs.

Citizen's attending the meeting included: Lorrie Setterberg, Ron Setterberg, Cathy Ballard, Sharon Gaddy, Greg Tucker, Jim Atkinson, David Holt, Susan Ward, Melissa Hilton, Lee Harrell, Phyllis Stroud, Gene Long, Janice Long, Billy McLain, Melanie Keziah, Rick Keziah, John Martin, Zach Freeland, Scott White, Christine White, and Billy Coward.

Planning Director, Richard Smith, welcomed everyone to the meeting, introduced staff that were in attendance, and stated that the purpose of the meeting is to gain insight from property owners regarding the potential rezoning of the identified corridor of W C Street. Mr. Smith added that the City is not forcing a rezoning on the properties, nor will any properties be annexed into the City, and asked for feedback following his presentation. He identified properties of the proposed rezoning that are located within city limits as well as those located in the Extra Territorial Jurisdiction (ETJ) and talked about those differences. Mr. Smith stated that the current zoning promotes growth but is limited due to the lack of water and sewer utilities in the area. He stated that a recent Special Use Permit (SUP) to allow a self-service storage use application prompted a few residents to request a rezoning from commercial to residential zoning. He noted that the SUP request was denied because in addition to the lack of water and sewer utilities, the Board did not feel that the use fit with the existing residential uses and asked staff to review the possibility of rezoning the corridor. Mr. Smith utilized several maps to illustrate the current zoning districts and existing uses and stated that residential uses are not permitted in commercial zoning and talked about those impacts if property owners wanted to improve, sell, or refinance their property.

Mr. Smith explained the differences between the existing General Commercial (GS) and Office-Institutional (OI) zoning districts, the proposed Mixed-Use Neighborhood (MU-N) zoning district and legal nonconformities. He utilized maps to illustrate the current Future Land Use Plan and Character Areas of the Comprehensive Plan and how those play a role in determining land uses.

Mr. Smith concluded the presentation stating that staff will conduct analysis based on the feedback from the neighborhood meeting, and if favorable, will present a rezoning case to the Planning & Zoning Commission and then apply the new zoning. He explained that the Commission has final

decision-making authority, but that there are times when a rezoning could go to City Council for final decisions. Mr. Smith made himself available for questions.

Mr. Smith responded to several questions regarding the lack sewer allocation, details about the referenced BOA case and whether the City would consider rezoning only those properties that requested, future land development, impacts of changing existing legal nonconformities, creating nonconformities, and uses allowed within the proposed MU-N zoning district. Most citizens in attendance expressed concern regarding impacts to property value and taxes, and that they did not want their zoning district to change.

Mr. Smith concluded the meeting but stated that staff would be available to answer any additional questions. He stated he would advise the Commission of the meeting and may possibly send a survey to each individual property owner regarding the proposed rezoning.

The meeting concluded and the building was vacated at 7:05 P.M.

KANNAPOLIS

PLEASE PRINT OR WRITE LEGIBLE

Attendance Sheet for the W C Street Neighborhood Meeting

January 16, 2024

SIGN OR PRINT NAME LEGIBLE	PLEASE PRINT ADDRESS/ORGANIZATION
LORIE SETTERBERG	108 Clawson Ave Kannapolis
Ron Setterberg	108 Clawson Kannapolis
Cathy Ballard	109 Arlene Avenue, Kannapolis, NC
Sharon Gadsby	2120 West C St. Kannapolis NC
Greg Tucker	6860 Wrenn Ave. Kan.
JIM ATKINSON	144 DEXTER AVE
David Holt + Susan Ward	1606 Daniel Street
Melissa Hilton	1814 W.C St.
Lee Harrell	
[illegible]	Townsend Dr
Gene + Janice Long	106 Trade Ave.
Billy McAvoy	102 Trade Ave.
Melanie and Rick Keziah	412 Idlewood Dr.

KANNAPOLIS

PLEASE PRINT OR WRITE LEGIBLE

Attendance Sheet for the W C Street Neighborhood Meeting

January 16, 2024

SIGN OR PRINT NAME LEGIBLE	PLEASE PRINT ADDRESS/ORGANIZATION
JOHN MARTIN	1907 W C ST
Zach Freeland	6840 Wrenn Ave.
Scott + Christine White	2000 W C St.
Billy Coward	1910 W C St.

KANNAPOLIS Planning

WELCOME

KANNAPOLIS Planning

POTENTIAL WEST C STREET REZONING

NEIGHBORHOOD MEETING

kannapolisnc.gov

Why Are We Here?

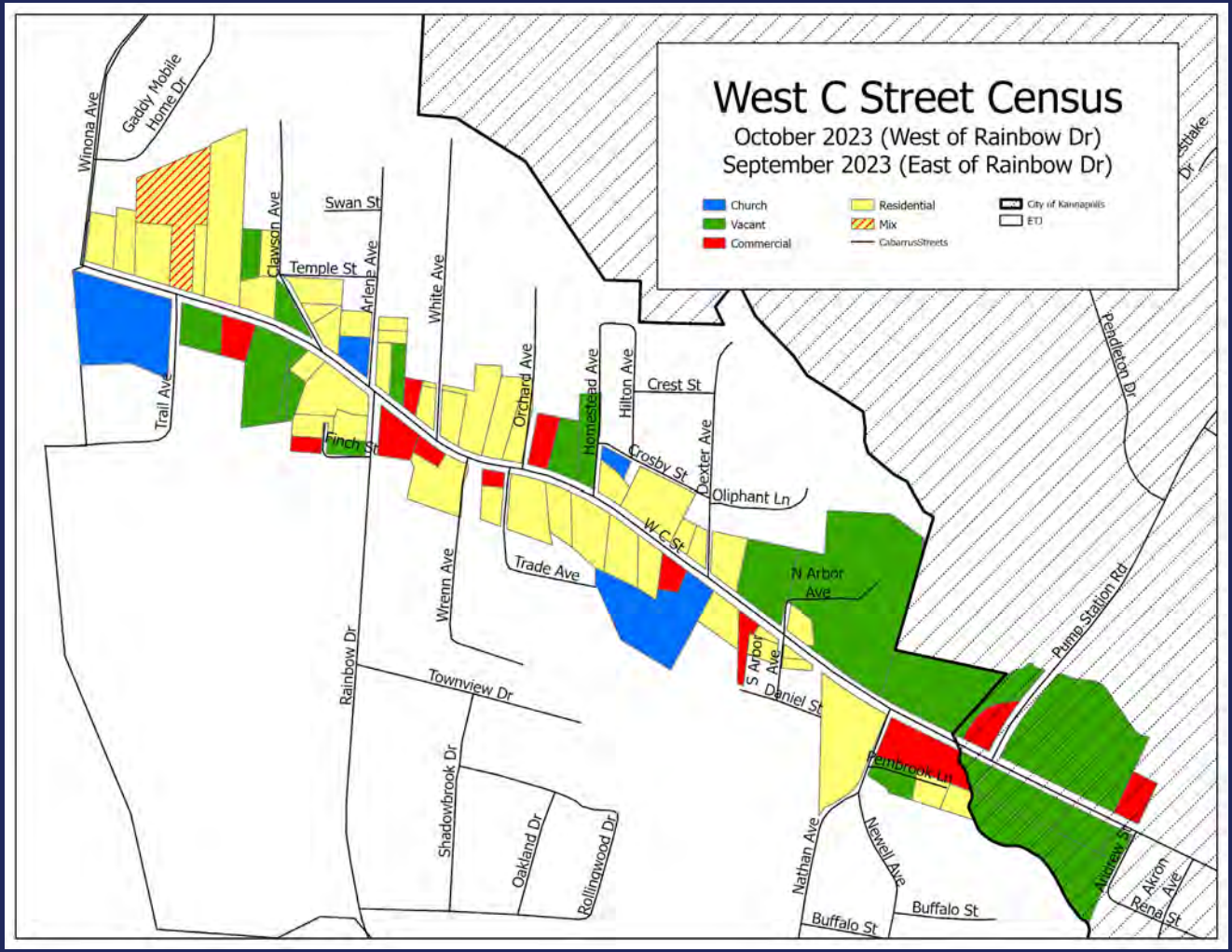
- Existing property owners desire to rezone
- Recent Board of Adjustment case
- Inventory of existing uses
- Comprehensive plan & future land use plan
- Planning and Zoning Commission discussion
- Staff analysis

Vicinity Map

Case Number: Z-2024-01

Applicant: City of Kannapolis

West C St Corridor


West C Street Census
October 2023 (West of Rainbow Dr)
September 2023 (East of Rainbow Dr)
Church
Vacant
Commercial
Residential
Mix
CabarrusStreets
City of Kannapolis
ETJ
Winona Ave
Gaddy Mobile Home Dr
Swan St
Clawson Ave
Temple St
Arlene Ave
White Ave
Orchard Ave
Homestead Ave
Hilton Ave
Crest St
Dexter Ave
Crosby St
Oliphant Ln
W C St
Trade Ave
N Arbor Ave
S Arbor Ave
Daniel St
Pembrook Ln
Trail Ave
Finch St
Wrenn Ave
Rainbow Dr
Townview Dr
Shadowbrook Dr
Oakland Dr
Rollingwood Dr
Nathan Ave
Newell Ave
Buffalo St
Pendleton Dr
Pump Station Rd
Akron Ave
Renal St

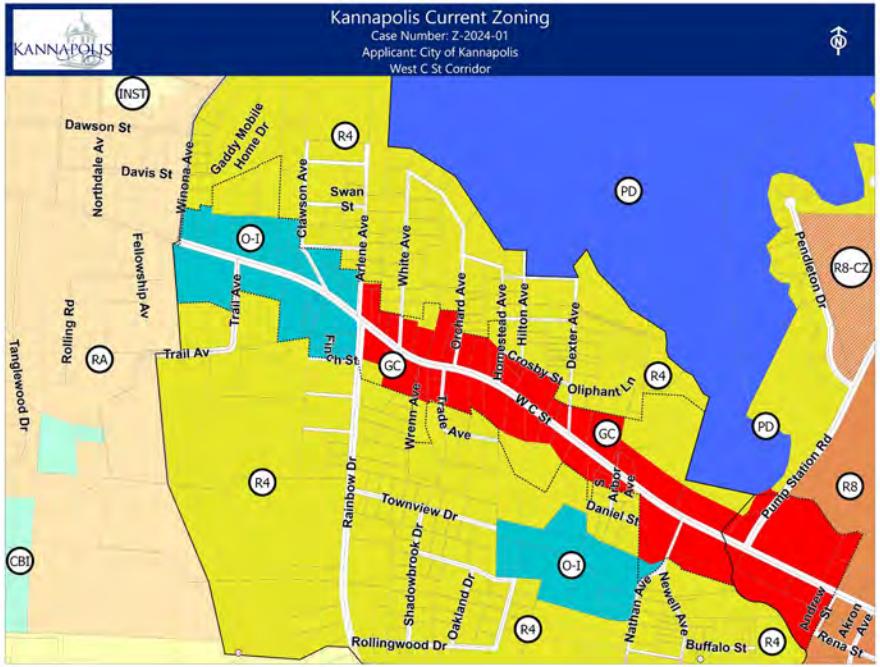
Current Zoning
General Commercial (GC)

Land Uses Permitted

- Various commercial uses such as restaurants, car washes, business offices, grocery stores, shopping centers, gas stations, farmers' market and vehicle services

Land Uses Prohibited

- Various residential uses such as single family detached/attached dwellings, duplexes, triplexes, and townhouses



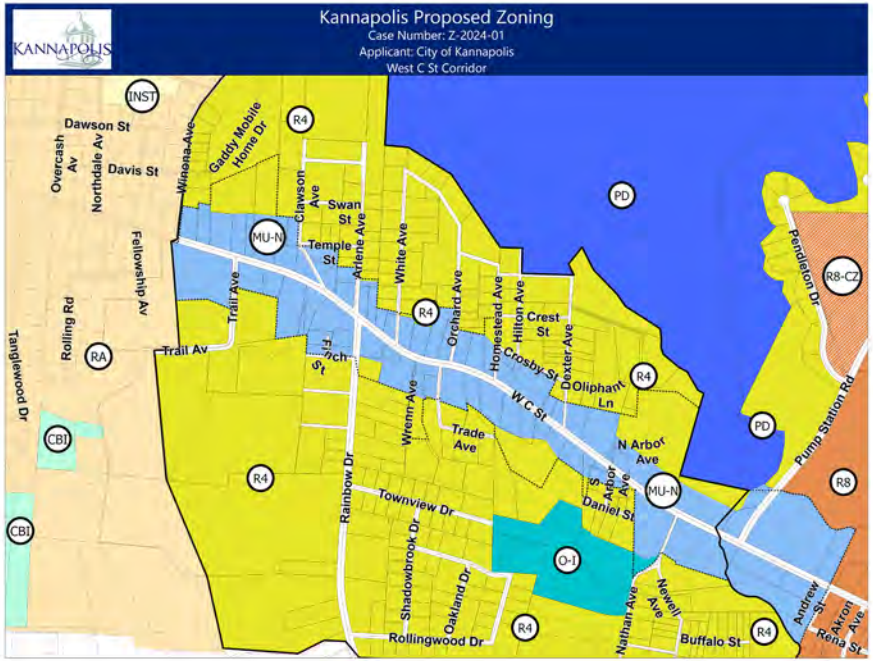
Proposed New Zoning
Mixed Use-Neighborhood (MU-N)

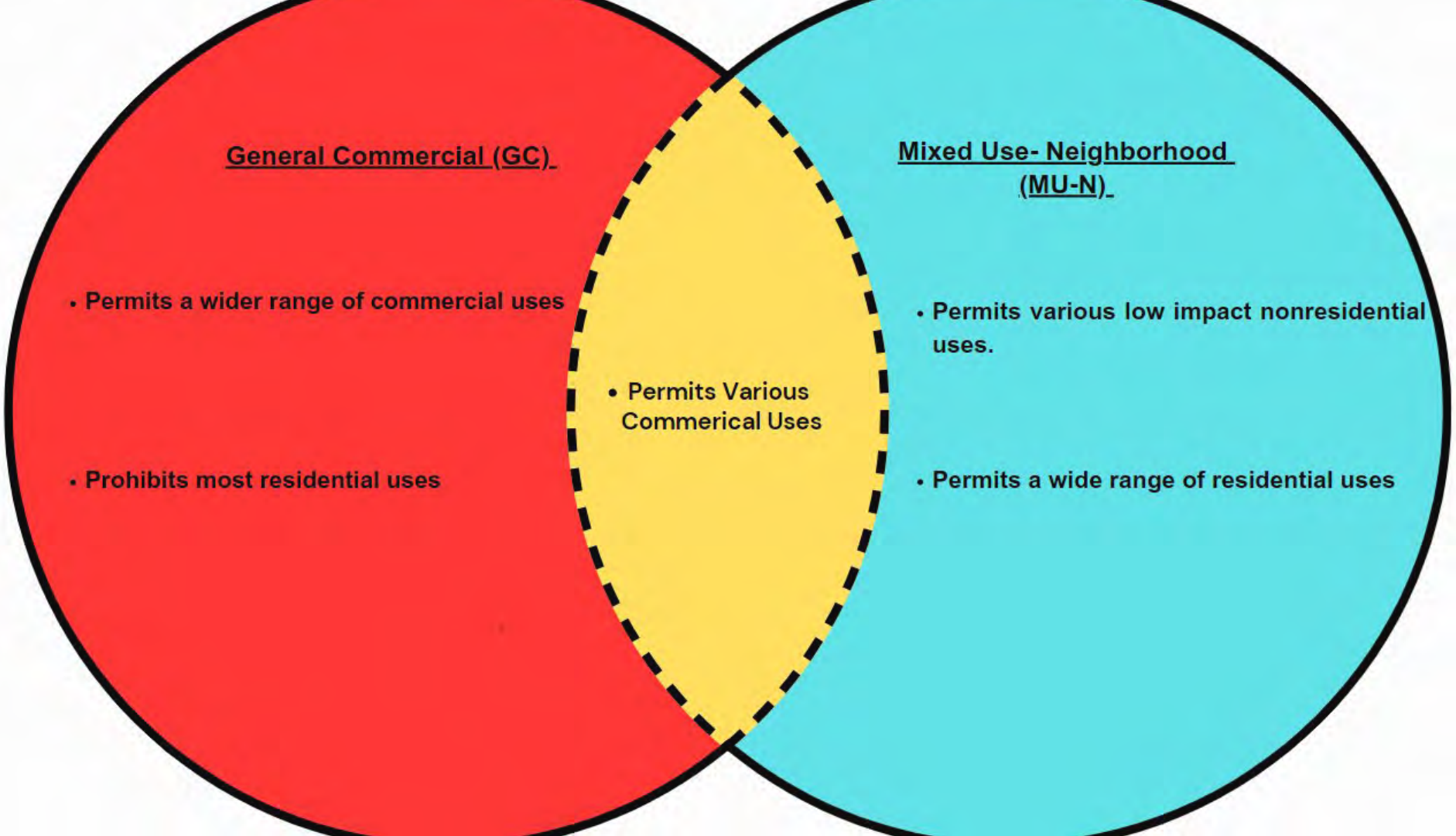
Land Uses Permitted

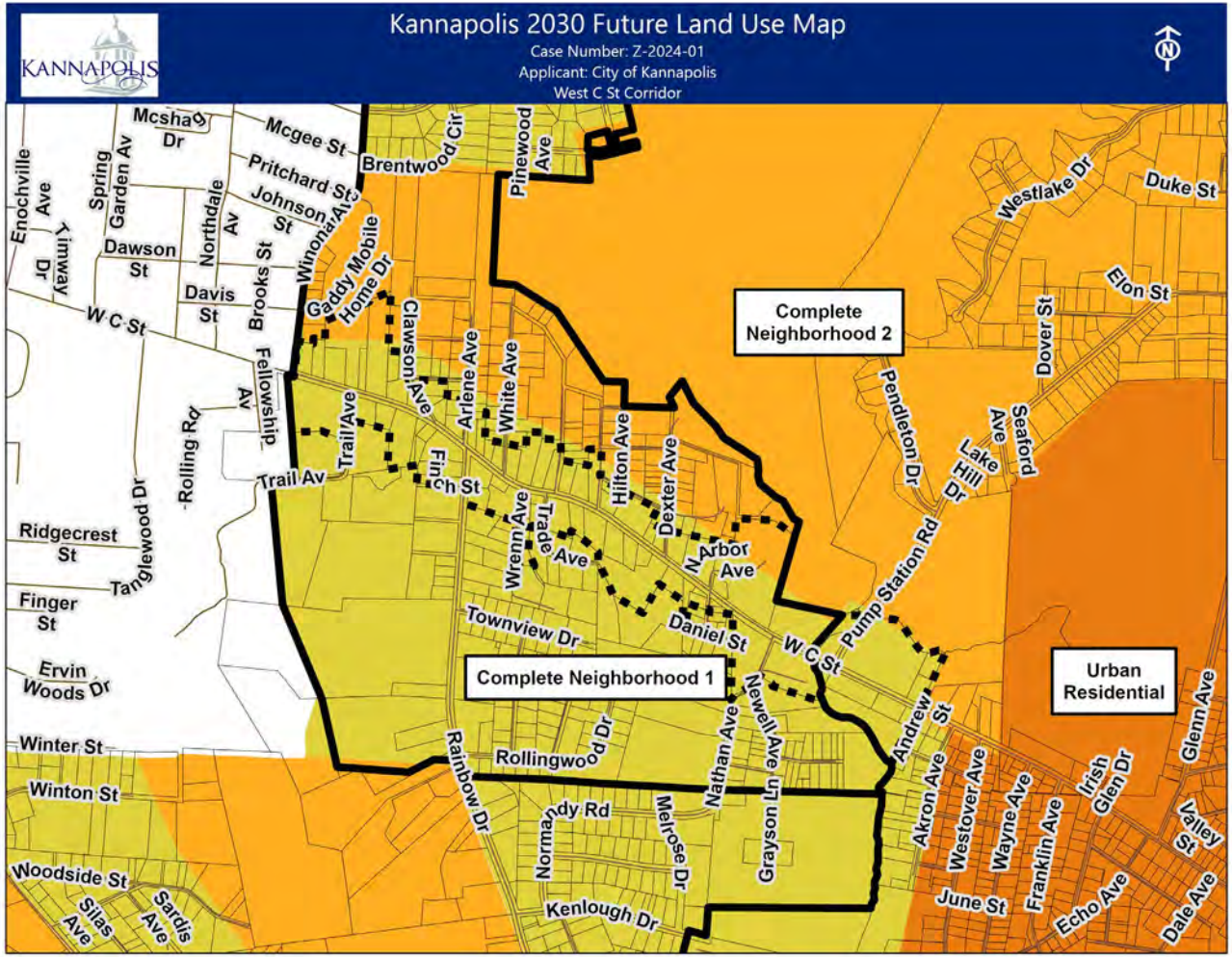
- Various residential uses such as single family detached dwellings, duplexes, triplexes, and townhouses.
- Various commercial uses such as business offices, restaurants, farmers' markets, gas stations, and grocery stores

Land Uses Prohibited

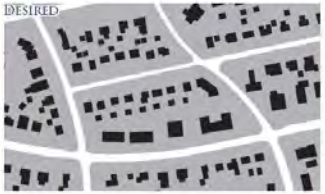
- More intensive commercial uses such as car washes, vehicle services and sales, shopping centers, and self-service storage




General Commercial (GC)
• Permits a wider range of commercial uses
• Prohibits most residential uses
• Permits Various Commerical Uses
Mixed Use- Neighborhood (MU-N)
• Permits various low impact nonresidential uses.
• Permits a wide range of residential uses


Kannapolis 2030 Future Land Use Map
Case Number: Z-2024-01
Applicant: City of Kannapolis
West C St Corridor
KANNAPOLIS
N
Complete Neighborhood 2
Complete Neighborhood 1
Urban Residential
Mcshag Dr
Mcgee St
Pritchard St
Johnson St
Winona Ave
Brentwood Cir
Pinewood Ave
Enochville Ave
Spring Garden Av
Northdale Av
Dawson St
Davis St
Brooks St
Timway Dr
W C St
Gaddy Mobile Home Dr
Clawson Ave
Arlene Ave
White Ave
Fellowship Av
Rolling Rd
Trail Ave
Trail Av
Finch St
Hilton Ave
Dexter Ave
Wrenn Ave
Trade Ave
N Arbor Ave
Ridgecrest St
Tanglewood Dr
Finger St
Ervin Woods Dr
Townview Dr
Daniel St
W C St
Pump Station Rd
Westlake Dr
Duke St
Elon St
Dover St
Pendleton Dr
Seaford Ave
Lake Hill Dr
Andrew St
Winter St
Winton St
Rainbow Dr
Rollingwood Dr
Normandy Rd
Melrose Dr
Nathan Ave
Newell Ave
Grayson Ln
Akron Ave
Westover Ave
Wayne Ave
Franklin Ave
Irish Glen Dr
Glenn Ave
Valley St
Woodside St
Silas Ave
Sardis Ave
Kenlough Dr
June St
Echo Ave
Dale Ave

Complete Neighborhood 1



Character Intent

The Complete Neighborhood 1 Character Area includes primarily existing single-family neighborhoods. These neighborhoods are generally stable and the character should be maintained. There are opportunities to improve and enhance these places over time through retrofits, where supported by the local residents. For example, additional connections may be created with pedestrian easements, dedication, or acquisition. Pocket parks can enhance access to green space, and sidewalks and street trees can improve the streetscape. In some areas, a corner lot may provide an opportunity for small-format retail, like a cafe, shop, or other business that generates limited traffic and can serve the neighborhood.

Opportunities

- Sidewalks and greenways
- Neighborhood-serving walkable commercial and civic uses
- Pocket parks
- Use natural features for stormwater management
- Missing middle housing
- Connectivity enhancements to reduce block sizes
- Front porches

Primary Uses

- Single family detached residential
- Single family attached residential
- Civic

Secondary Uses

- Multifamily residential
- Neighborhood-serving retail
- Small format office
- Live-work

Characteristics of Urban Form

	Existing	Desired
Building Heights	1 - 3 Stories	1 - 3 Stories
Setbacks	20 - 40 ft.	10 - 25 ft.
Block Length	300 - 2400 ft.	300 - 800 ft.
Street Character	Hierarchical, Curvilinear	Enhanced network
Parking	Driveways, Garages, On-street	Driveways, Garages
Protected Open Space	n/a	25 percent
Residential Density	2 - 6 units/acre	2 - 8 units/acre

What's Next?

- Neighborhood Meeting
- Future analysis based on feedback
- Planning and Zoning Commission consideration (City Council)
- New zoning applied

KANNAPOLIS Planning

Questions?

KANNAPOLIS
Planning

January 5, 2024

Dear Property Owner:

The City of Kannapolis is considering rezoning properties located along West C Street and would like to invite you to a Neighborhood Meeting so that we may provide information and answer your questions regarding this proposed rezoning:

Meeting Date: January 16, 2024
Meeting Time: 6:00 PM
Meeting Location: City Hall, 401 Laureate Way, Kannapolis
Laureate II

Subject Properties: Properties located along West C Street, on or near Andrew Street to Winona Avenue and further identified as Rowan County Tax Parcels: 249E080, 249C127, 249E003, 249E169, 249C074, 249E078, 249D018, 249D011, 249E171, 249D010, 249C024, 249C006, 249C005, 249D022, 249C050, 249C081, 249C118, 249D023, 249C080, 249E082, 249C125, 249E079, 249D020, 249C126, 249C140, 249C138, 249C09501, 249E143, 249D019, 249D021, 249C003, 249C073, 249E024, 249D040, 249E174, 249E015, 249C004, 249C025, 249E147, 249C095, 249C096, 249C133, 249C075, 249E006, 249D02001, 249C028, 249C002, 249E072, 249E084, 249E177, 249C077, 249E005, 249E010, 249C128, 249C027, 249E025, 249D066, 249E011, 249D061, 249C026, 249E081, 249C046, 249E146, 249C155, 249C019, 249E013, 249C135, 249C023, 249E004, 249E001, 249E009, 249D025, 249D056, 142 087, 142 156, 142A047, 142 04801, 142 163, 142 081, 142 135, 142 04701 and 142 046

Description: Proposed rezoning from General Commercial (GC) and Office-Institutional (O-I) to Mixed Use-Neighborhood (MU-N) zoning district (see reverse side for a map showing the subject properties).

If you have any questions prior to or after this meeting, please do not hesitate to call the Planning Department at 704.920.4350 or rsmith@kannapolisnc.gov.

Sincerely,

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

Order Confirmation

Order# 0000863329

PO Box 27283
Richmond, VA 23261-7283

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Pavor : CITY OF KANNAPOLIS
Phone: 7049204300

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Sales Rep	Accnt Rep	Ordered By
aboan	aboan	Pam

Fax: 7049337463
EMail: ap@kannapolisnc.gov

Total Amount	**$5,093.55**
Payment Amount	**$5,093.55**
Amount Due	**$0.00**
Tax Amount:	0.00
Payment Meth:	Credit - Debit Card

Tear Sheets	Proofs	Affidavits	PO Number:
0	0	1	

Ad Number	Ad Type	Ad Size	Color	Production Color
0000863329-01	CLS Display	6 X 10.00"	$0.00	PROCESS

Production Method
Creative (In-House)

Production Notes

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

Run Dates 3/ 8/2024, 3/15/2024

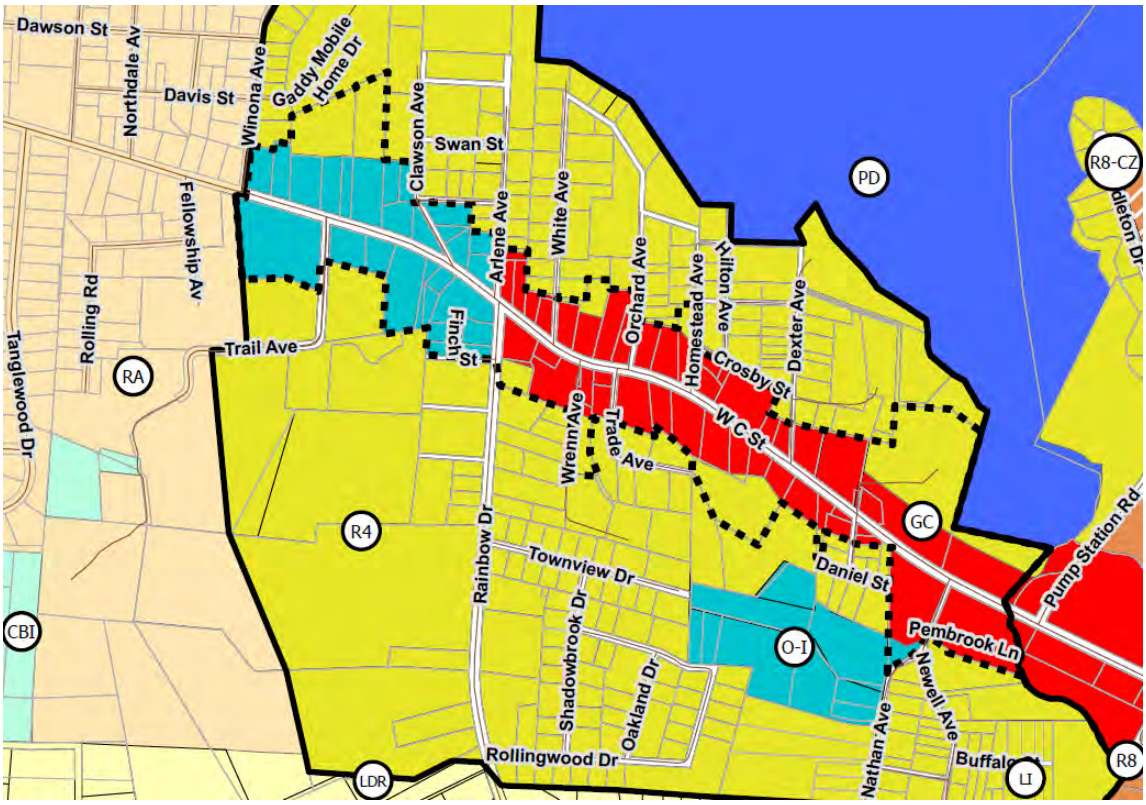
TagLine: NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING
Planning & Zoning Commission
401 Laureate Way, Kannapolis, NC

Tuesday, March 19, 2024 at 6:00 pm

Zoning Map Amendment – Z-2024-01 – The Planning and Zoning Commission will hold a Public Hearing to consider a request to rezone properties located along West C Street, on or near Pump Station Road to Winona Avenue, from City of Kannapolis General Commercial (GC) and Office-Institutional (O-I) zoning districts to City of Kannapolis Mixed Use-Neighborhood (MU-N) zoning district. This proposed rezoning would transition this corridor to lower impact type uses if approved. The subject properties are approximately 55.3 +/- acres and further identified as Rowan County Parcel Identification Numbers: 249C023, 249C027, 249C077, 249C081, 249C128, 249C135, 249C1520001, 249D019, 249D02001, 249D021, 249D040, 249D056, 249D066, 249E001, 249E004, 249E005, 249E009, 249E010, 249E072, 249E143, 249C002, 249C003, 249C019, 249C028, 249C046, 249C155, 249D025, 249E006, 249E013, 249E024, 249E025, 249E081, 249E084, 249E146, 249E174, 249E177, 249C006, 249C024, 249C025, 249C026, 249C050, 249C080, 249C095, 249C118, 249C127, 249C138, 249C140, 249D011, 249D020, 249E003, 249E011, 249E078, 249E079, 249E132, 249E169, 249E171, 249C004, 249C005, 249C073, 249C074, 249C075, 249C09501, 249C096, 249C125, 249C126, 249C133, 249D010, 249D018, 249D022, 249D023, 249D061, 249E015, 249E080, 249E082, and 249E147.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Heather James, Human Resource Director, by phone at 704-920-4322 or by email at hjames@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.



March 7, 2024

Dear Property Owner:

<u>Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, March 19, 2024 at 6:00 PM, for the following case:</u>

Z-2024-01 – Zoning Map Amendment – West C Street

The purpose of this Public Hearing is to consider rezoning multiple properties located along West C Street, on or near Pump Station Road to Winona Avenue, from City of Kannapolis General Commercial (GC) and Office-Institutional (O-I) to City of Kannapolis Mixed Use-Neighborhood (MU-N) zoning district. The subject properties are approximately 55.3 +/- combined acres and further identified as Rowan County Parcel Identification Numbers 249C023, 249C027, 249C077, 249C081, 249C128, 249C135, 249C1520001, 249D019, 249D02001, 249D021, 249D040, 249D056, 249D066, 249E001, 249E004, 249E005, 249E009, 249E010, 249E072, 249E143, 249C002, 249C003, 249C019, 249C028, 249C046, 249C155, 249D025, 249E006, 249E013, 249E024, 249E025, 249E081, 249E084, 249E146, 249E174, 249E177, 249C006, 249C024, 249C025, 249C026, 249C050, 249C080, 249C095, 249C118, 249C127, 249C138, 249C140, 249D011, 249D020, 249E003, 249E011, 249E078, 249E079, 249E132, 249E169, 249E171, 249C004, 249C005, 249C073, 249C074, 249C075, 249C09501, 249C096, 249C125, 249C126, 249C133, 249D010, 249D018, 249D022, 249D023, 249D061, 249E015, 249E080, 249E082, and 249E147. (see reverse side of this letter for a map showing the location of this property).

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

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

Sincerely,

Richard Smith
Planning Director

Enclosure

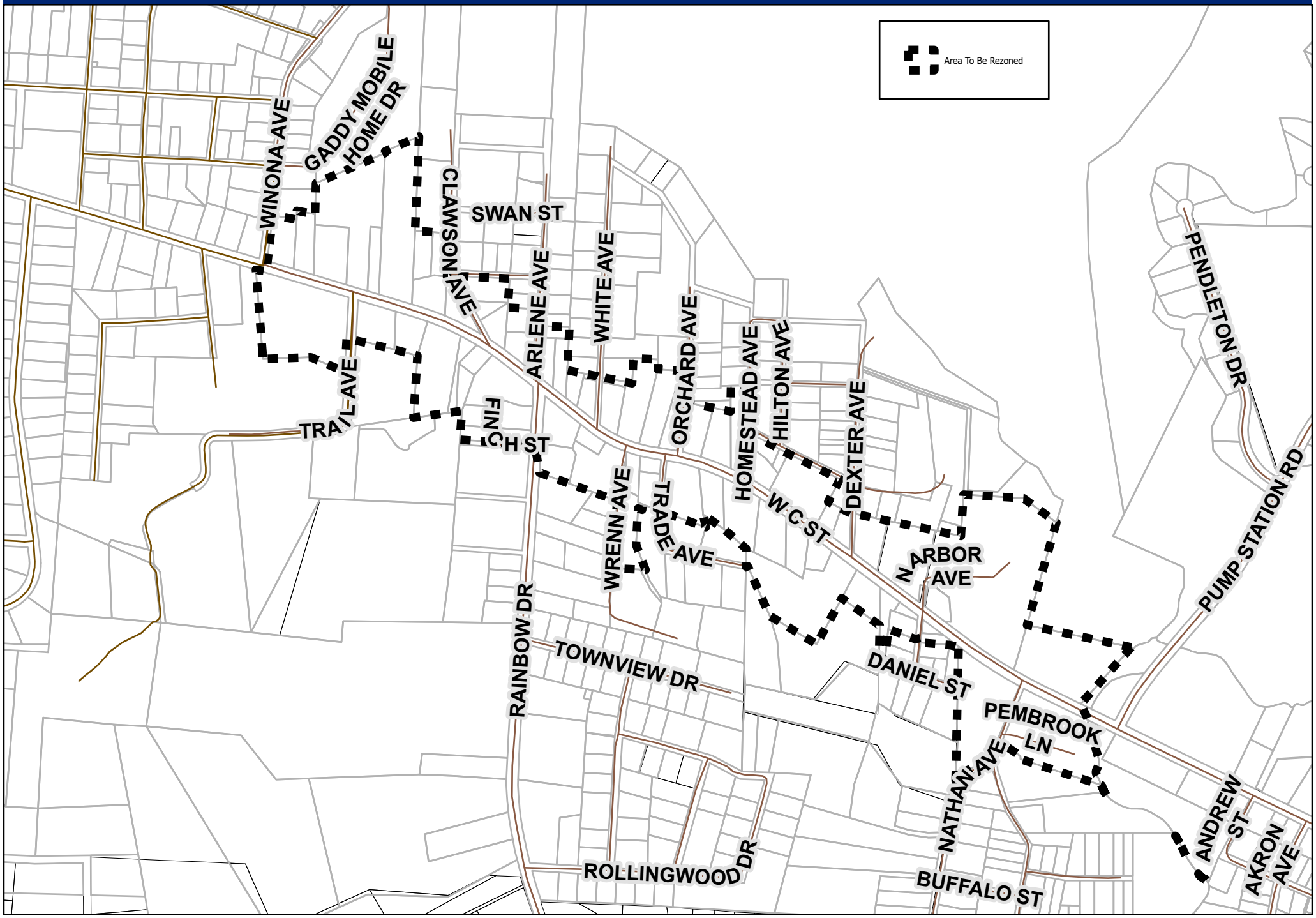
Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Heather James, Human Resource Director, by phone at 704-920-4322 or by email at hjames@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Rezoning

Case Number: Z-2024-01

Applicant: City of Kannapolis

West C St Corridor



KANNAPOLIS
PLANNING
ZONING
COMMISSION
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE # Z-2024-01

KANNAPOLIS
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ZONING
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CASE Z-2024-01

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PLANNING
ZONING
COMMISSION
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE
Z-2024-01

RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO CASE #Z-2024-01

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

WHEREAS, on March 19, 2024, the Planning and Zoning Commission conducted a public hearing to consider a request to rezone approximately 55.3 +/- combined acres of multiple properties located along West C Street, from near the intersection of Pump Station Road to the intersection with Winona Avenue (Please see attached list of proposed properties and property owners), from City of Kannapolis General Commercial (GC) and Office-Institutional (O-I) to City of Kannapolis Mixed-Use Neighborhood (MU-N) Zoning Designation.

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

Adopted this the 20th day of February 2024:

_____
Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

_____
Pam Scaggs, Recording Secretary
Planning and Zoning Commission

WEST C STREET REZONING
LIST OF PROPOSED PROPERTIES TO REZONE

PARCEL ID	OWNER NAME
249C023	BETTIE HARPER
249C027	ROBERT & TRACY STARNES
249C077	TRISTAN BROADWELL
249C081	ESTATE OF GARY L HAMBLIN
249C128	BILLY & SYLVIA COWARD
249C135	SCOTTIE WHITE
249C1520001	BRANDON HARRIS
249D019	PAMELA B STAMEY
249D02001	PAMELA B STAMEY
249D021	PAMELA B STAMEY
249D040	WILLIAM & LAURA GREGORY
249D056	PAMELA B STAMEY
249D066	PAMELA B STAMEY
249E001	SAMPSON-BLADEN OIL COMPANY INC
249E004	BILLY T COWARD SR
249E005	BILLY E MCLAIN JR
249E009	DORIS DIXON MELLONS HEIRS
249E010	LEAON PARHAM HEIRS
249E072	FLOYD III & SHEILA GOODNIGHT
249E143	ELECTRIC CONNECTION INC
249C002	NIKOLOAS V & MARGARET GEORGIOU ETAL
249C003	BRIAN & KIMBERLI ROE
249C019	MARYA RODRIGUEZ
249C028	KENDALL J & BRITTNEY WINGLER
249C046	JESSE F JR & ALMA FRYE
249C155	BARRY & TERESA BENFIELD
249D025	MCCORKLE MELONEY LEIGH
249E006	MARTIN JOHN ALEXANDER JR
249E013	ELECTRIC CONNECTION INC
249E024	AGNES E WHITE
249E025	LINDA WIDENHOUSE FINK ETAL C/O SHERRY HENLEY
249E081	ANTHONY BROADWAY
249E084	STEVEN C SMITH
249E146	PAUL & PATRICIA BROADWAY
249E174	JHP HOLDINGS LLC
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249C006	RONALD & LORIE SETTERBERG
249C024	LIVING WORD FULL GOSPEL CHURCH
249C025	MAYRA RODRIGUEZ

PARCEL ID	OWNER NAME
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249C050	SCOTTIE W WHITE
249C080	JOHN & JUANITA CAMPBELL
249C095	SHARON S GADDY
249C118	LEE & EDITH HARRELL
249C127	JESSE F JR & ALMA FRYE
249C138	RANDALL & LORI BEAVER
249C140	LEE & EDITH HARRELL
249D011	MARY WATSON
249D020	PAMELA B STAMEY
249E003	MICHAEL T BIDDY
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249E078	TAYLOR KNOWLES & MICHAEL SKOK
249E079	KENDALL L SELLERS
249E132	RAM ENTERPRISES LLC
249E169	MARIA CORTES
249E171	MICHAEL T BIDDY
249C004	NIKOLOAS V & MARGARET GEORGIOU ETAL
249C005	PHILLIP L GADDY III ETAL
249C073	LIGHTHOUSE PENTECOSTAL CHURCH
249C074	LIGHTHOUSE PENTECOSTAL CHURCH
249C075	WILLIAM & PATRICIA SORRELL
249C09501	PHILLIP L GADDY III ETAL
249C096	TENC INVESTMENTS LLC
249C125	RICKY & LISA EFIRD
249C126	BILLY T COWARD SR
249C133	SCOTTIE & CHRISTINE WHITE
249D010	ANDREW C FORBES
249D018	BETHPAGE UNITED METHO TRUSTEES
249D022	RICKY D KEZIAH
249D023	WILLIAM & SARA GRISDALE
249D061	PAMELA B STAMEY
249E015	TODD & ELIZABETH MAITLAND
249E080	PAUL & PATRICIA BROADWAY
249E082	FLOYD D III & SHEILA GOODNIGHT
249E147	ALBERT & JANICE LONG

RESOLUTION TO ZONE

Case #Z-2024-01
(Multiple Properties Located Along West C Street)

From City of Kannapolis General Commercial (GC) and Office-Institutional (O-I) to City of Kannapolis Mixed-Use Neighborhood (MU-N) Zoning Designation

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

WHEREAS, the Commission conducted a public hearing on March 19, 2024, for consideration of rezoning petition Case #Z-2024-01 as submitted by the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone approximately 55.3 +/- combined acres of multiple properties located along West C Street, from near the intersection of Pump Station Road to the intersection with Winona Avenue (Please see attached list of proposed properties and property owners), from City of Kannapolis General Commercial (GC) and Office-Institutional (O-I) to City of Kannapolis Mixed-Use Neighborhood (MU-N) Zoning Designation; and

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

WHEREAS, per Section 2.5.A.(2).c of the Kannapolis Development Ordinance, the Planning and Zoning Commission makes the following findings in support of and in analysis of the rezoning:

1. **Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?**
   Yes. This area of the City's future growth area is identified as "Complete Neighborhood 1" Character Area. This Character Area identifies single family detached and attached residential as primary uses. Lower impact non-residential uses are also encouraged in this designation area. This rezoning request brings the area more in line with the comprehensive plan.

2. **Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?**
   No, the MU-N zoning designation is most appropriate for this area because it permits a wide range of residential uses as well as various commercial uses.

3. **Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?**
   No, however, the current zoning districts of GC and O-I are not in line with the majority of the uses in existence in this corridor area. Further, the infrastructure is not in place in order to accommodate

the uses that are typically associated with these two non-residential zoning designations. This rezoning request brings the area more in line with the comprehensive plan and future land use map.

4. **Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?**
   Yes, the existing use of the properties is primarily residential and is also adjacent to other residential land uses. The existing non-residential uses would either be allowed in the proposed new district or would be considered existing non-conforming uses and could continue to operate.

5. **Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?**
   Yes, this proposed rezoning would better ensure efficient development in the City's ETJ area. There is public water available to this area, but public sewer is not available nor is it anticipated to be available any time in the near future. The lower impact zoning proposed would ensure less likelihood of haphazard zoning occurring along this corridor.

6. **Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?**
   Yes, the requested zoning allows uses compatible with existing adjacent residential uses, more so than the existing zoning districts.

7. **Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?**
   No, there are no anticipated significant environmental impacts from rezoning these properties. Further, this proposed lighter impact zoning would lessen the probability of uses with potential adverse impacts occurring.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the above referenced property be rezoned from City of Kannapolis General Commercial (GC) and Office-Institutional (O-I) Zoning Designation to City of Kannapolis Mixed-Use Neighborhood (MU-N) Zoning Designation.

Adopted this the 19th day of March 2024:

_____
Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

_____
Pam Scaggs, Recording Secretary
Planning and Zoning Commission

WEST C STREET REZONING
LIST OF PROPOSED PROPERTIES TO REZONE

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249C075	WILLIAM & PATRICIA SORRELL
249C09501	PHILLIP L GADDY III ETAL
249C096	TENC INVESTMENTS LLC
249C125	RICKY & LISA EFIRD
249C126	BILLY T COWARD SR
249C133	SCOTTIE & CHRISTINE WHITE
249D010	ANDREW C FORBES
249D018	BETHPAGE UNITED METHO TRUSTEES
249D022	RICKY D KEZIAH
249D023	WILLIAM & SARA GRISDALE
249D061	PAMELA B STAMEY
249E015	TODD & ELIZABETH MAITLAND
249E080	PAUL & PATRICIA BROADWAY
249E082	FLOYD D III & SHEILA GOODNIGHT
249E147	ALBERT & JANICE LONG

Planning and Zoning Commission
March 19, 2024, Meeting

Staff Report

TO: Planning and Zoning Commission

FROM: Elizabeth McCarty, Assistant Planning Director

SUBJECT: **Case #CZ-2024-02: Conditional Zoning Map Amendment**
Applicant: M/I Homes of Charlotte, LLC

Request to conditionally rezone several properties located along W C Street, Glenn Avenue, and Irish Glen Drive to allow for a townhome development.

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

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

C. Background & Project Overview

This case was continued from the February 20, 2024, meeting. The applicant, M/I Homes of Charlotte, LLC, is proposing to rezone approximately 47.96 +/- combined acres of property from City of Kannapolis Office-Institutional (O-I) zoning district to City of Kannapolis Residential 8 – Conditional Zoning (R8-CZ) zoning district. The subject properties are located at 304, 308, 312, 316, and 320 Irish Glen Drive, as well as three unaddressed parcels on W C Street and one unaddressed parcel on Glenn Avenue. The properties are further identified as Rowan County Parcel Identification Numbers (PIN) 142 174, 142 175, 142 176, 142 177, 142 178, 142 180, 142 179, 142 173, and 142 186, respectively.

The applicant is proposing to construct a 233-unit townhome development. The existing greenhouses along Glenn Avenue, a portion of PIN 142 186, are proposed to be subdivided and retained by the existing property owner. The zoning on the greenhouse parcel is proposed to remain Office-Institutional (O-I). It is not included in this conditional rezoning request.

The required neighborhood meeting for a conditional rezoning application was held on January 4, 2024, at 6 p.m. at Memorial United Methodist Church.

D. Fiscal Considerations

None

E. Policy Issues

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

1. **Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?**
   The subject properties are in the "Urban Residential" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Single family detached and single family attached residential are listed as primary uses. Therefore, the proposed use is consistent with the goals and objectives of the Plan.

2. **Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?**
   No, the proposed rezoning is not in conflict with any ordinances.

3. **Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?**
   Generally, no. The primary intent of the rezoning is not to correct an error in the existing zoning. Nevertheless, the five existing townhomes fronting Irish Glen Drive would become conforming uses with approval of this conditional rezoning request. Under the KDO, townhomes are not permitted in the O-I District. Townhomes, however, were permitted under the UDO.

4. **Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?**
   Yes, the proposed rezoning and use of the property for a townhome development is consistent with existing surrounding land uses. The subject property abuts Residential 8 (R8) properties on the south and west. The adjoining properties along the entirety of the eastern property line are zoned R8. The adjacent church property, located at the intersection of W C Street and Glenn Avenue, is zoned Mixed Use Neighborhood (MU-N). The property to the north is zoned Office Institutional (O-I).

5. **Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of**

public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?
Yes, this property is a suitable use allowed under the requested zoning. The applicant conducted a Traffic Impact Assessment (TIA) for the proposed townhome development. The study analyzed four intersections: (1) W C Street and Glenn Avenue, (2) W C Street and the proposed access point for the development, (3) Glenn Avenue and the proposed access point for the development, and (4) Loop Road N./Dale Earnhardt Boulevard and W C Street/S. Walnut Street. The applicant's TIA indicated that no mitigation was needed, and no improvements were recommended. City Staff, however, support a deceleration lane from westbound W C Street into the proposed development as a condition of approval. Public water is available to the site and the project has received wastewater allocation.

6. **Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?**
   Yes, the property is within the growth area for the City of Kannapolis, and the proposed development of townhomes is consistent with surrounding zoning and existing uses.

7. **Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?**
   No, there are no anticipated significant environmental impacts from rezoning this property. A perennial stream, Baker Branch, and associated flood zone are located along the northern property line. The development will be required to conform to all applicable local, state, and federal environmental regulations.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

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

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 *2030 Plan*, <u>staff recommends approval for Zoning Map Amendment Case #CZ-2024-02 with the following conditions:</u>

1. The permitted uses allowed by this rezoning shall be limited to those uses and accessory uses allowed by-right in the Residential 8 (R8) District. The intent of this rezoning submittal is to provide for a residential community.
2. The number of single-family detached units shall not exceed 233.
3. The six-foot (6') Type B landscape buffer shall extend along the entire length of the eastern perimeter property line from the most southern point to the proposed internal access street.
4. A pedestrian connection from the proposed townhome development to the greenway shall be incorporated into the development's design and shown at time of site plan submittal.
5. The development depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations, and they may be altered or modified in accordance with the City of Kannapolis Development Ordinance.
6. NCDOT driveway permit shall be obtained for site access points. Access points shall be located as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required to accommodate final site and construction plans and designs and any adjustments required for approval by the City of Kannapolis and/or the North Carolina Department of Transportation (NCDOT).
7. A westbound deceleration lane for the access point on W C Street shall be determined and designed in coordination with City Staff at time of site plan submittal.
8. The alignments of the internal streets, driveways, and vehicular circulation areas may be modified by the applicant to accommodate changes in traffic patterns, parking layouts, and any adjustments required for approval by the City of Kannapolis and/or NCDOT.
9. A final site plan, in compliance with the applicable Kannapolis Development Ordinance standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance permit.
10. The final site plan shall comply with the current Kannapolis Land Development Standards Manual.

Alternative Courses of Action

<u>Motion to Approve (2 votes)</u>

1. **Should the Commission choose to approve the request for rezoning as presented in Case #CZ-2024-02, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency*:* Staff finds this rezoning **<u>consistent</u>** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan ("2030 Plan")*, adopted by City Council, which designates the subject properties as located within the "Urban Residential" Character Area in the *2030 Plan*. Staff finds the request for rezoning compatible with the

surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

2. **Should the Commission choose to approve Case #CZ-2024-02, 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-2024-02, 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-2024-02 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-2024-02, 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 Renderings
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

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: 0 W C ST, 0 Glenn Ave, 304-320 Irish Glen Drive

Applicant: M/I Homes of Charlotte, LLC

Proposed development: 233 lot single family attached (town-home) subdivision

SUBMITTAL CHECKLIST

- ✓ **Pre-Application Meeting – send an email to planreviewappointment@kannapolisnc.gov**
- ✓ **Neighborhood Meeting (if required)**
- ✓ **Zoning Map Amendment Checklist and Application – Complete with all required signatures**
- ✓ **Preliminary Major Site Plan**
- ✓ **PDF format on disc containing all documents rotated and formatted in sequential order based upon cover page**
- ✓ **Fee: $925.00 ($600 Application Fee, $300 Legal Notices and notification fee, # of property owners notified [see Fee Schedule])**

PROCESS INFORMATION

Public Notification: This is a legislative process that requires a public hearing and public notification including newspaper notice, first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Table 2.4.F(2) of the Kannapolis Development Ordinance [KDO]).

Review Process: All applications will be reviewed for compliance and then forwarded to the Planning and Zoning Commission for consideration at a public hearing which is held monthly on the 3rd Tuesday at 6:00pm in City Hall Laureate Center. The application and all fees must be paid prior to scheduling the public hearing.

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

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

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

Applicant's Signature: Jeremy Hooton *Date:* 1/4/24

Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

CONDITIONAL ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information

Name: M/I Homes of Charlotte, LLC

Address: 5350 77 Center Drive
Charlotte, NC 28217

Phone: (704)597-4535

Email: jhorton@mihomes.com

Property Owner Contact Information ☐ same as applicant

Name: See attachment

Address:

Phone:

Email:

Project Information

Project Address: See attachment

Parcel: See Attachment # of parcels: 9 Approx. size of parcels: 47.96 AC.
(attach separate list if necessary)

Current Zoning Designation: OI Requested Zoning Designation: R8 (Conditional)

Reason for map amendment: To accommodate development of town-home subdivision

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

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.

Jeremy Horton — 1/4/24
Applicant Signature — Date

See Attachment A — December 18, 2023
Property Owner Signature — Date

Parcel Number: 142-186

Parcel Address: 0 Glenn Ave

Property Owner:

Name: **Irish Glen North Owner LLC**

Mailing Address: 1213 W Morehead Street Suite 150

Charlotte, NC 28208-5579

Phone: 704-906-0143

Email: BLANTON@INSITEPROPS.COM

Signature: _____

Parcel Number: 142-173

Parcel Address: 0 W C Street

Property Owner:

Name: **Irish Glen West Owner LLC**

Mailing Address: 1213 W Morehead Street Suite 150

Charlotte, NC 28208-5579

Phone: 704-906-0143

Email: BLANTON@INSITEPROPS.COM

Signature: _____

Parcel Number: 142-179

Parcel Address: 0 W C Street

Property Owner:

Name: **Kannapolis Land Partners LLC**

Mailing Address: 1213 W Morehead Street Suite 150

Charlotte, NC 28208-5579

Phone: 704-906-0143

Email: BLANTON@INSITEPROPS.COM

Signature: _____

Parcel Number: 142-178

Parcel Address: 320 Irish Glen Drive

Property Owner

Name: **Irish Glen West Owner LLC**

Mailing Address: 1213 W Morehead Street Suite 150

Charlotte, NC 28208-5579

Phone: 704-906-0143

Email: BLANTON@INSITEPROPS.COM

Signature: _____

Parcel Number: 142-177

Parcel Address: 316 Irish Glen Drive

Property Owner:

Name: **Irish Glen West Owner LLC**

Mailing Address: 1213 W Morehead Street Suite 150

Charlotte, NC 28208-5579

Phone: 704-906-0143

Email: BLANTON@INSITEPROPS.COM

Signature: _____

Parcel Number: 142-176

Parcel Address: 312 Irish Glen Drive

Property Owner:

Name: **Irish Glen West Owner LLC**

Mailing Address: 1213 W Morehead Street Suite 150

Charlotte, NC 28208-5579

Phone: 704-906-0143

Email: BLANTON@INSITEPROPS.COM

Signature: _____

Parcel Number: 142-175

Parcel Address: 308 Irish Glen Drive

Property Owner:

Name: **Irish Glen West Owner LLC**

Mailing Address: 1213 W Morehead Street Suite 150

Charlotte, NC 28208-5579

Phone: 704-906-0143

Email: BLANTON@INSITEPROPS.COM

Signature: _____

Parcel Number: 142-174

Parcel Address: 304 Irish Glen Drive

Property Owner:

Name: **Irish Glen West Owner LLC**

Mailing Address: 1213 W Morehead Street Suite 150

Charlotte, NC 28208-5579

Phone: 704-906-0143

Email: BLANTON@INSITEPROPS.COM

Signature: _____

Parcel Number: 142-180

Parcel Address: 0 W C Street

Property Owner:

Name: **Irish Glen West Owner LLC**

Mailing Address: 1213 W Morehead Street Suite 150

Charlotte, NC 28208-5579

Phone: 704-906-0143

Email: BLANTON@INSITEPROPS.COM

Signature: _____

Vicinity Map

Case Number: CZ-2024-02

Applicant: MI Homes of Charlotte LLC

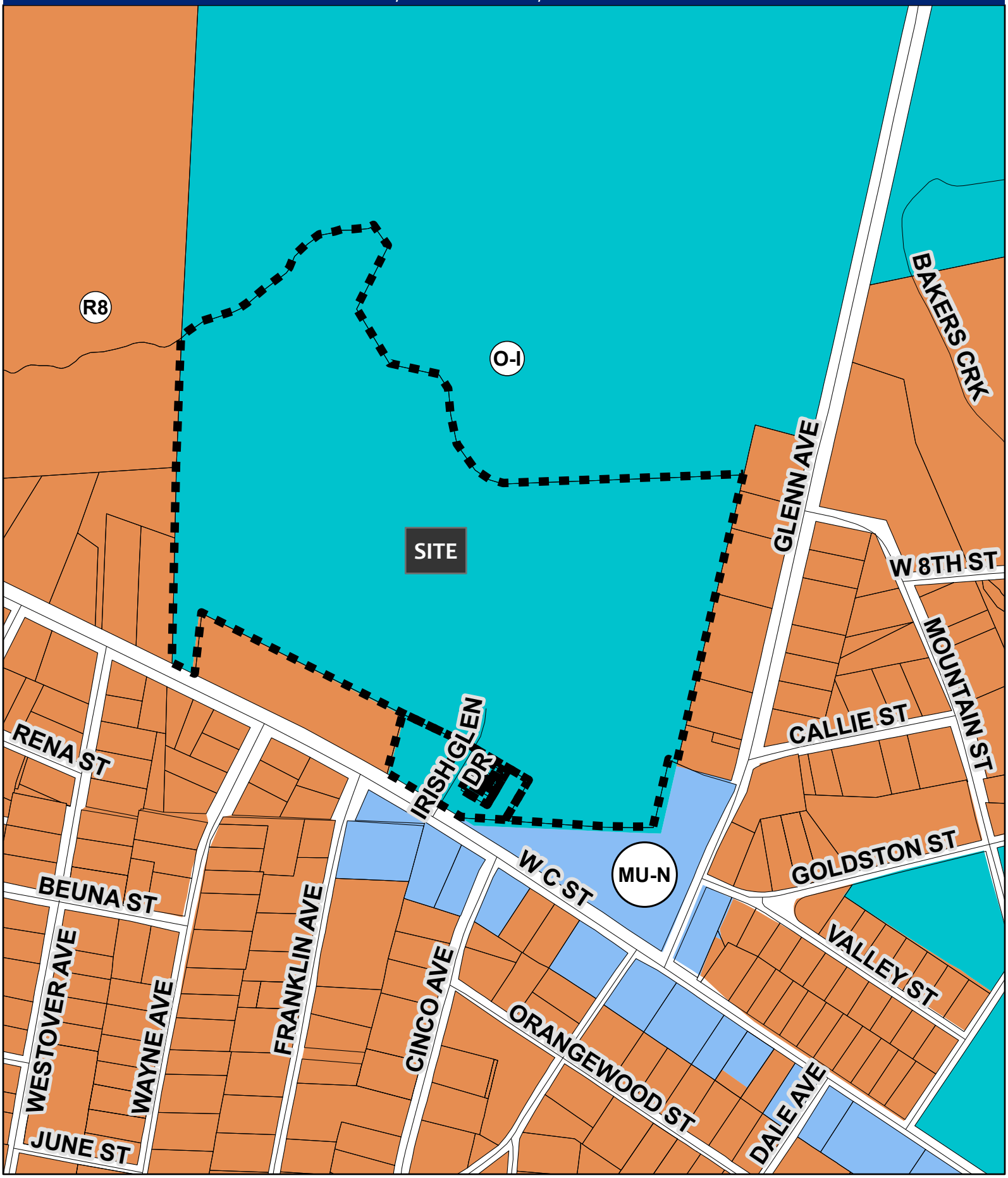
0 W C St, 0 Glenn Ave, 304-320 Irish Glen Dr

Kannapolis Current Zoning

Case Number: CZ-2024-02

Applicant: MI Homes of Charlotte LLC

0 W C St, 0 Glenn Ave, 304-320 Irish Glen Dr

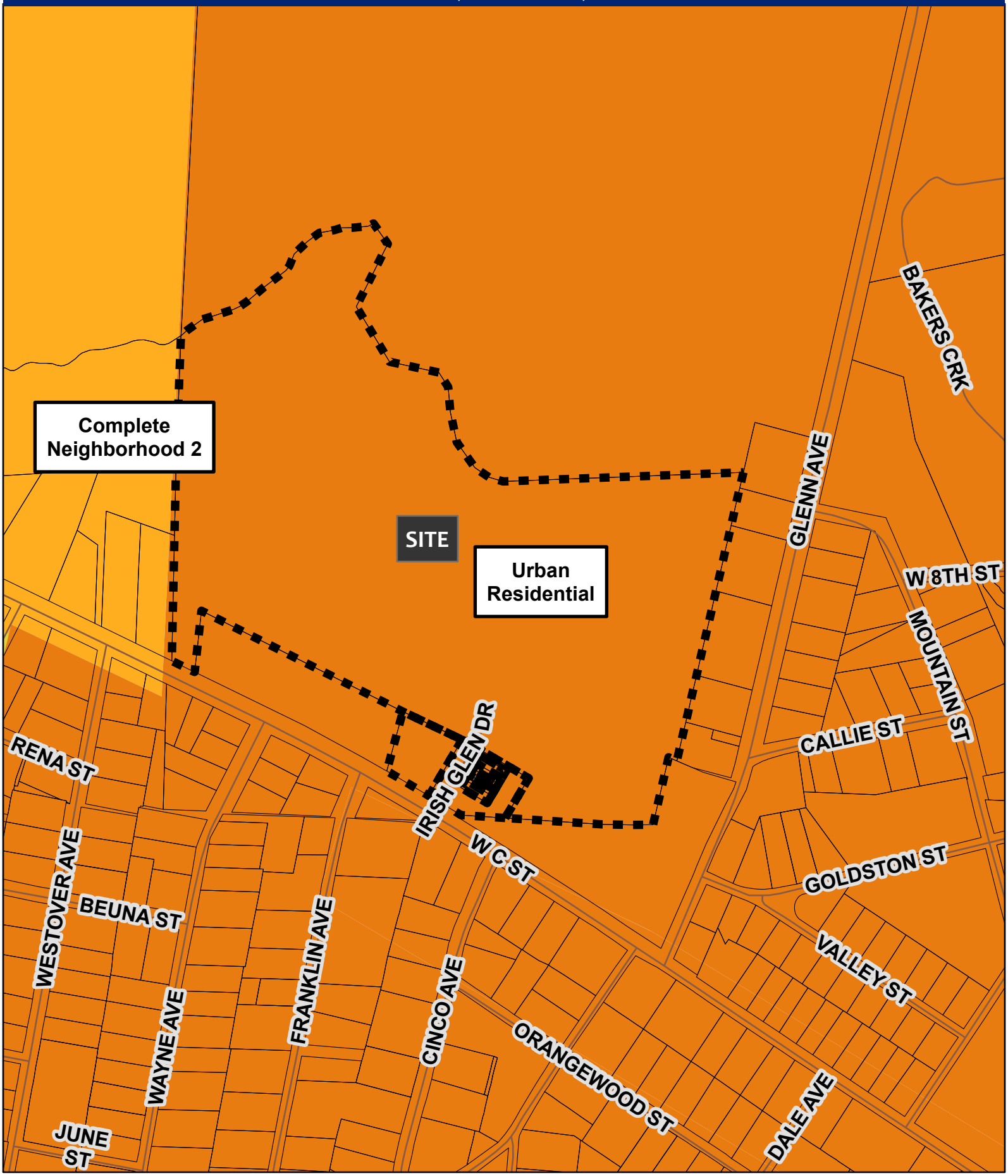


Kannapolis 2030 Future Land Use Map

Case Number: CZ-2024-02

Applicant: MI Homes of Charlotte LLC

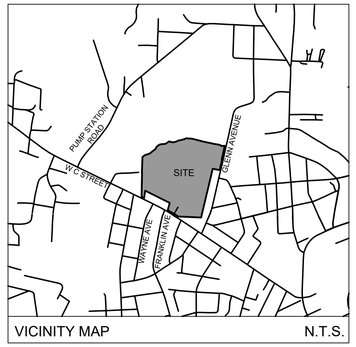
0 W C St, 0 Glenn Ave, 304-320 Irish Glen Dr



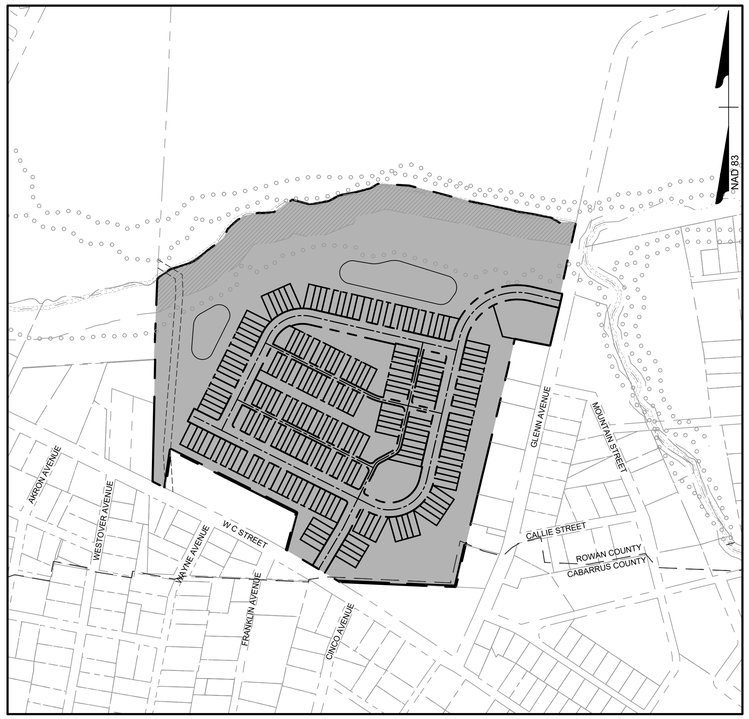
COLEMAN MILLS

REZONING PLAN

CITY OF KANNAPOLIS, NORTH CAROLINA



VICINITY MAP N.T.S.



VICINITY MAP

SCALE: 1" = 300'

SHEET LIST TABLE

Sheet Number	Sheet Title
RZ-000	COVER
RZ-001	EXISTING CONDITIONS
RZ-002	REZONING SITE PLAN
RZ-003	SITE NOTES

FOR REZONING ONLY

THIS DRAWING PREPARED AT THE
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610 E. Morehead Street, Suite 250 | Charlotte, NC 28202
TEL 704.602.8600 FAX 704.376.1076 www.timmons.com
North Carolina License No. C-1652

REVISION DESCRIPTION

DATE

M I HOMES
Welcome to better

M/I HOMES OF CHARLOTTE, LLC
5350 77 CENTER DRIVE, SUITE 100
CHARLOTTE, NC 28217

DATE 01/12/2024

DRAWN BY N. SPINOLA

DESIGNED BY C. KENNEDY

CHECKED BY K. BRADLEY

SCALE AS SHOWN

TIMMONS GROUP

COLEMAN MILLS

CITY OF KANNAPOLIS - ROWAN COUNTY - NORTH CAROLINA

COVER

JOB NO. 61956

SHEET NO. RZ-000

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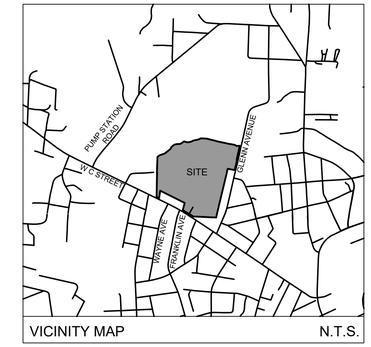
S:\104\61956-Irish Glen (MIH)\DWG\Sheet\Rezoning\Irish Glen Rezoning - Cover.dwg | Plotted on 1/12/2024 9:46 AM | by Katie Bradley



VICINITY MAP N.T.S.

SEE SHEET RZ-003 FOR ADJACENT PROPERTY OWNER INFORMATION TABLE.

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TIMMONS GROUP

DATE	01/12/2024
DRAWN BY	N. SPINOLA
DESIGNED BY	C. KENNEDY
CHECKED BY	K. BRADLEY
SCALE	AS SHOWN

COLEMAN MILLS

CITY OF KANNAPOLIS - ROWAN COUNTY - NORTH CAROLINA

EXISTING CONDITIONS

JOB NO.	61956
SHEET NO.	RZ-001

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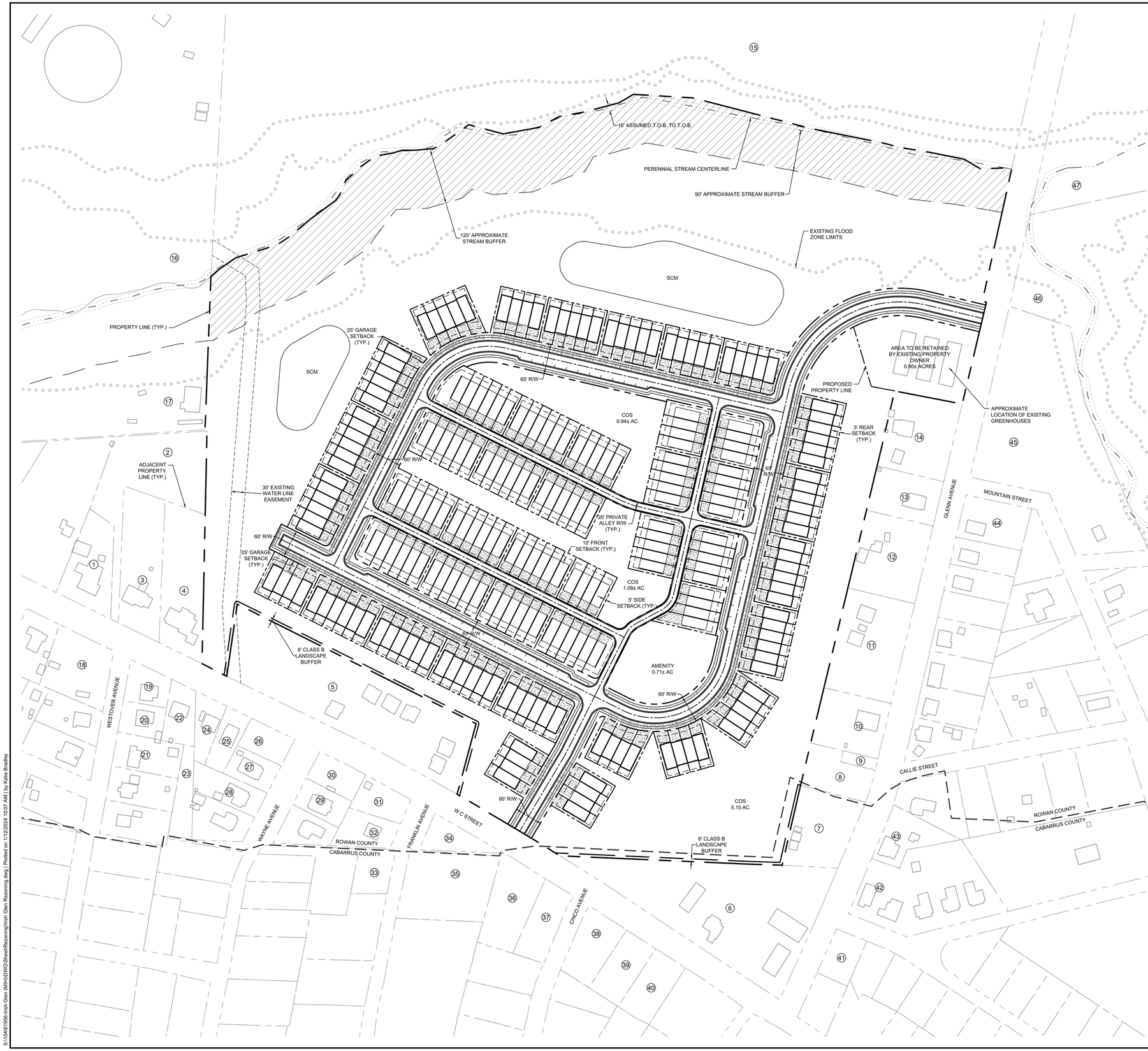
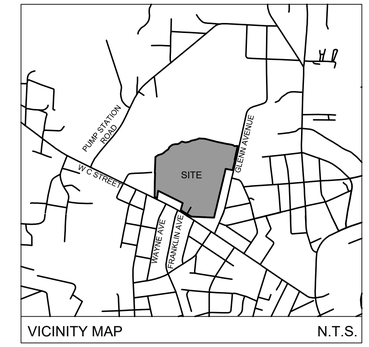
S:\110461956-Irish Glen (MIH)\DWG\Sheet\Rezoning\Irish Glen Rezoning - Existing Conditions.dwg | Plotted on 1/12/2024 9:46 AM | by Katie Bradley





VICINITY MAP N.T.S.

SEE SHEET RZ-003 FOR REZONING NOTES AND ADJACENT PROPERTY OWNER INFORMATION TABLE.

ZONING CODE SUMMARY:

PARCEL NUMBERS:	142-186; 142-173; 142-179; 142-178; 142-177; 142-176; 142-175; 142-174; 142-180
EXISTING ZONING:	O-I
PROPOSED ZONING:	R8 (CONDITIONAL)
PROPOSED USE:	SINGLE FAMILY ATTACHED
TOTAL SITE AREA:	47.66± AC
PROJECT AREA TO BE REZONED:	46.77± AC
AREA TO BE RETAINED (NOT REZONED):	0.90± AC
TOTAL PROPOSED UNITS:	233
MAX. DENSITY ALLOWED:	8 DU/AC
DENSITY PROVIDED:	233/46.77 = 4.98 DU/AC
MAX. BUILDING HEIGHT:	35'
MAX. BUILDING LENGTH:	150'
MIN. LOT WIDTH ALLOWED:	18'
TYPICAL LOT SIZE PROVIDED:	
FRONT LOAD:	24' X 100'
REAR LOAD:	22' X 100'
REQUIRED SETBACKS	
FRONT SETBACK:	10'
FRONT GARAGE SETBACK:	25'
SIDE SETBACK:	5'
REAR SETBACK:	5'
MAX. BLOCK LENGTH ALLOWED:	650'
MAX. BLOCK LENGTH PROVIDED:	780'
MAX. AVERAGE BLOCK LENGTH ALLOWED:	550'
AVERAGE BLOCK LENGTH PROVIDED:	380' (550' MAX.)
MAX. BLOCK PERIMETER ALLOWED:	2,200'
MAX. BLOCK PERIMETER PROVIDED:	1,340' (2,200 MAX.)
MIN. OPEN SPACE REQUIRED:	0.20*46.77 AC. = 9.35 AC.
OPEN SPACE PROVIDED:	9.35 AC (MIN.)
MIN. REQUIRED CONNECTIVITY RATIO:	1.6
CONNECTIVITY RATIO PROVIDED:	1.6 (16 LINKS/10 NODES)
MIN. REQUIRED OFF-STREET PARKING:	466 (2 SPACES PER UNIT)
OFF-STREET PARKING PROVIDED:	932 (2 DRIVEWAY & 2 GARAGE SPOTS PER LOT)
ON-STREET PARKING PROVIDED:	40 SPACES (MIN)

FOR REZONING ONLY

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TEL 704.602.8600 FAX 704.376.1076 www.timmons.com
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DATE

M I HOMES
Welcome to Stellar
M/I HOMES OF CHARLOTTE, LLC
5350 77 CENTER DRIVE, SUITE 100
CHARLOTTE, NC 28217

TIMMONS GROUP

DATE	01/12/2024
DRAWN BY	N. SPINOLA
DESIGNED BY	C. KENNEDY
CHECKED BY	K. BRADLEY
SCALE	AS SHOWN

COLEMAN MILLS
CITY OF KANNAPOLIS - ROWAN COUNTY - NORTH CAROLINA
REZONING SITE PLAN

JOB NO.	61956
SHEET NO.	RZ-002

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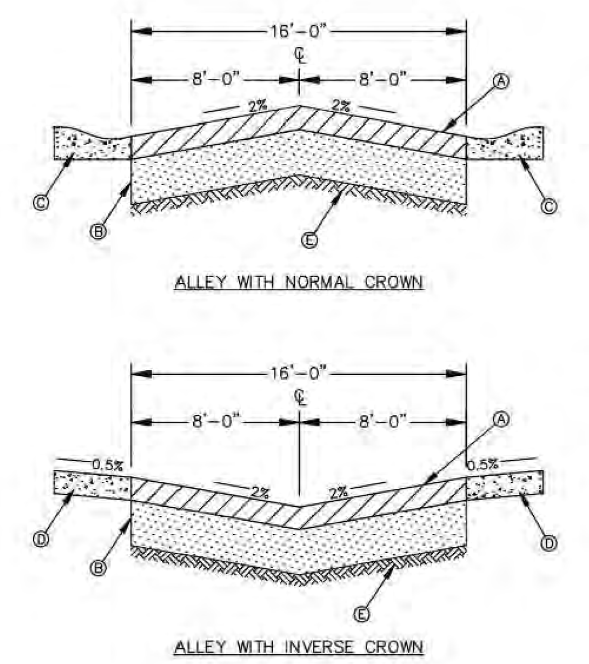
S:\110461956-Irish Glen (MIH)\DWG\Sheet\Rezoning\Irish Glen Rezoning.dwg | Plotted on 1/12/2024 10:07 AM | by Katie Bradley

ID	Parcel(s)	Current Owners	Address	DB & PG	Zoning	Property Use
0	142 173	WEST IRISH GLEN OWNER LLC	1213 W MOREHEAD ST STE 150, CHARLOTTE, NC 28208	1411 / 135	O-I	Commercial
0	142 186	NORTH IRISH GLEN OWNER LLC	1213 W MOREHEAD ST STE 150, CHARLOTTE, NC 28208	1411 / 134	O-I	Commercial
0	142 180	WEST IRISH GLEN OWNER LLC	1213 W MOREHEAD ST STE 150, CHARLOTTE, NC 28208	1411 / 135	O-I	Commercial
0	142 179	WEST IRISH GLEN OWNER LLC	1213 W MOREHEAD ST STE 150, CHARLOTTE, NC 28208	1434 / 462	O-I	Commercial
1	142 164	RALPH GUY HENDREN	885 BARNHARDT RD, CHINA GROVE, NC 28023	833 / 915	R8	RESIDENTIAL
2	142 053	RALPH GUY HENDREN	885 BARNHARDT RD, CHINA GROVE, NC 28023	833 / 916	R8	RESIDENTIAL
3	142 05201	WILLIAM L ELLIS	1302 WEST C ST, KANNAPOLIS, NC 28081	1246 / 862	R8	RESIDENTIAL
4	142 052	SCOTTY & JANET BOGGS	1300 W C ST, KANNAPOLIS, NC 28081	1399 / 686	R8	RESIDENTIAL
5	142 121	S & K WOODLAND LLC	3945 BUENA VISTA DR, PASO ROBLES, CA 93446	1207 / 534	R8	RESIDENTIAL
6	04-017 -0013.00	MEMORIAL UNITED METHODIST	1100 WEST C STREET KANNAPOLIS, NC 28081	4676 / 0053	MU-N	COMMERCIAL EXEMPT
7	1481139	MEMORIAL UNITED METHODIST	1100 WEST C STREET KANNAPOLIS, NC 28081	970 / 262	R8	COMMERCIAL EXEMPT
8	1481006	EUGENE KINARD	3501 WINSLOW DR, CHARLOTTE, NC 28269	1114 / 51	R8	RESIDENTIAL
9	148100501	EUGENE KINARD	3501 WINSLOW DR, CHARLOTTE, NC 28269	1115 / 277	R8	RESIDENTIAL
10	148100502	DAVID HERRERA	301 GLENN AVE, KANNAPOLIS, NC 28081	1101 / 218	R8	RESIDENTIAL
11	1481004	MICHAEL & SHARON NOBLITT	305 GLENN AVE, KANNAPOLIS, NC 28081	1254 / 592	R8	RESIDENTIAL
12	1481003	CHRISTOPHER & YOLANDA MITCHELL	313 GLENN AVE, KANNAPOLIS, NC 28081	1308 / 248	R8	RESIDENTIAL
13	1481002	JEREMY & MEGAN HOLLAWAY	315 GLENN AVE, KANNAPOLIS, NC 28081	1375 / 493	R8	RESIDENTIAL
14	1481001	BRANDON KERLEY	401 GLENN AVE, KANNAPOLIS, NC 28081	1371 / 33	R8	RESIDENTIAL
15	142 016	NORTH IRISH GLEN OWNER LLC	1213 W MOREHEAD ST STE 150, CHARLOTTE, NC 28208	1411 / 134	O-I	COMMERCIAL
16	142 109	CITY OF KANNAPOLIS	401 LAUREATE WAY, KANNAPOLIS, NC 28081	1022 / 574	R8	COMMERCIAL EXEMPT
17	142 048	SUNNY GLEN	111 HURST FARM RD, SHELBY, NC 28152-0792	1304 / 71	R8	RESIDENTIAL
18	142A030	JAMES & JOANNE MCLAMB	102 WESTOVER AVE, KANNAPOLIS, NC 28081	1121 / 510	R8	RESIDENTIAL
19	142A141	BRITTANY MILLER	99 WESTOVER AVE, KANNAPOLIS, NC 28081	1376 / 466	R8	RESIDENTIAL
20	142A024	JASON ROVEGNO & MICHELE GARBINE	101 WESTOVER AVE, KANNAPOLIS, NC 28081	1266 / 434	R8	RESIDENTIAL
21	142A023	ILSE KOSTAS	103 WESTOVER AVE, KANNAPOLIS, NC 28081	1095 / 186	R8	RESIDENTIAL
22	142A142	JDL HOMES INC	281 BAR LINK RD, MOUNT PLEASANT, NC 28124	1154 / 196	R8	RESIDENTIAL
23	142A114	JASON STEGALL	106 WAYNE AVE, KANNAPOLIS, NC 28081	1426 / 483	R8	RESIDENTIAL
24	142A110	EQUITY TRUST COMPANY & FBO DEAN ADOCOCK	1005 VALLEY ST, KANNAPOLIS, NC 28081	1174 / 568	R8	RESIDENTIAL
25	142A111	OPIE CAMPBELL	1225 W C ST, KANNAPOLIS, NC 28081	1325 / 167	R8	RESIDENTIAL
26	142A020	AMBER WAKEFIELD	4743 RAINBOW DR, KANNAPOLIS, NC 28081	993 / 52	R8	RESIDENTIAL
27	142A112	HARLEY TRITT	18425 STATESVILLE RD, CORNELIOUS, NC 28031	1042 / 89	R8	RESIDENTIAL
28	142A113	PAUL ROWE	104 WAYNE AVE, KANNAPOLIS, NC 28081	773 / 901	R8	RESIDENTIAL
29	142A117	RICHARD MCGUIRE PROPERTIES LLC	8845 WRIGHT RD, KANNAPOLIS, NC 28081-8997	1297 / 842	R8	RESIDENTIAL
30	142A019	MY NEST PROPERTIES LLC	9942 CALDWELL DEPOT RD, CORNELIUS, NC 28031	1396 / 52	R8	RESIDENTIAL
31	142A018	DARYL & KATHY ALBRIGHT	711 N ENOCHVILLE AVE, KANNAPOLIS, NC 28081	1195 / 18	R8	RESIDENTIAL
32	142A118	ANJALI WILSON	108 FRANKLIN AVE, KANNAPOLIS, NC 28081	1304 / 663	R8	RESIDENTIAL
33	04-011 -0081.10	KENNETH SOKOLOWSKI	110 FRANKLIN AVE, KANNAPOLIS, NC 28081	3680 / 0085	R8	RESIDENTIAL
34	142 017	LINDA MOORE	6121 CHISHOLM TR, KANNAPOLIS, NC 28081	1242 / 233	R8	RESIDENTIAL
35	04-012 -0001.00	LINDA MOORE	6121 CHISHOLM TR, KANNAPOLIS, NC 28081	11143 / 0054	MU-N	COMMERCIAL
36	04-012 -0002.00	LINDA MOORE	6121 CHISHOLM TR, KANNAPOLIS, NC 28081	11143 / 0054	MU-N	COMMERCIAL
37	04-012 -0003.00	LINDA MOORE	6121 CHISHOLM TR, KANNAPOLIS, NC 28081	11143 / 0054	MU-N	COMMERCIAL
38	04-012 -0004.00	EDWARD SELLERS	2505 CHINA GROVE RD CHINA GROVE, NC 28023	6372 / 0021	MU-N	COMMERCIAL
39	04-012 -0006.00	EDWARD & LEE ANN SELLERS	2505 CHINA GROVE RD CHINA GROVE, NC 28023	16211 / 0073	R8	RESIDENTIAL
40	04-012 -0008.00	JEREMY BLACKWELDER	1463 BANKS RD FORT MILL, SC 29715	4089 / 0226	R8	RESIDENTIAL
41	04-017 -0012.10	NC RESTORATION LLC	16400 SUTTERS RUN LN HUNTERSVILLE, NC 28078	16594 / 0153	MU-N	-
42	04-017 -0002.50	MATTHEW SELMER	3801 ISENHOUR RD KANNAPOLIS, NC 28081	11065 / 0053	R8	RESIDENTIAL
43	1481140	ADAN & TRACY CASKEY	202 GLENN AVE, KANNAPOLIS NC 28081	1089 / 105	R8	RESIDENTIAL
44	1481008	ALEXANDER MOOSE JR & REGINA FRENCH	340 GLENN AVE, KANNAPOLIS, NC 28081	1386 / 738	R8	RESIDENTIAL
45	1481009	CITY OF KANNAPOLIS	401 LAUREATE WAY, KANNAPOLIS, NC 28081	837 / 571	R8	COMMERCIAL GOVT
46	148 109	CITY OF KANNAPOLIS	401 LAUREATE WAY, KANNAPOLIS, NC 28081	837 / 571	R8	RESIDENTIAL
47	142 106	CITY OF KANNAPOLIS	401 LAUREATE WAY, KANNAPOLIS, NC 28081	837 / 571	O-I	COMMERCIAL EXEMPT



PAVEMENT SCHEDULE

A. 2" S9.5C SURFACE COURSE
B. 8" AGGREGATE BASE COURSE OR 4" B25.0C BASE COURSE
C. 2'-0" VALLEY GUTTER
D. 1'-0" CONCRETE STRIP
E. SUBGRADE COMPACTED TO PUBLIC STREET STANDARDS

NOTES:

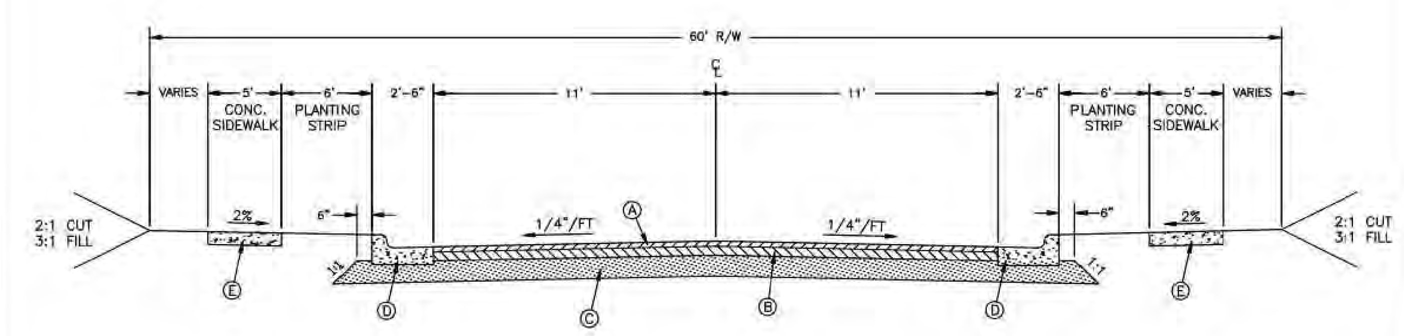
1. ALLEYS SHALL BE CONSIDERED PRIVATE EASEMENTS AND WILL NOT BE ACCEPTED FOR MAINTENANCE BY THE CITY OF KANNAPOLIS.
2. TYPICAL SECTION APPLIES TO SINGLE- OR DOUBLE-LOADED ALLEYS. FOR SINGLE-LOADED ALLEYS, THERE SHALL BE A 20-FOOT CLEAR ZONE FREE OF CUT SLOPES, OBSTRUCTIONS, HEDGES, ETC. FROM THE LOADED SIDE EDGE OF PAVEMENT.

NOT TO SCALE

KANNAPOLIS Public Works

TYPICAL SECTION
RESIDENTIAL ALLEY

DECEMBER 2019
107



PAVEMENT SCHEDULE

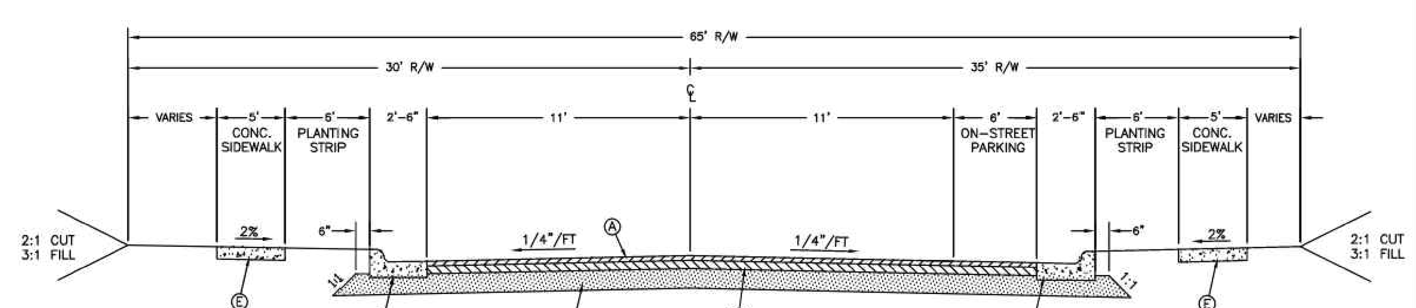
A. 2" S9.5B SURFACE COURSE (PLACED IN 2 – 1" LIFTS)
B. 2.5" I19.0C INTERMEDIATE COURSE
C. 8" AGGREGATE BASE COURSE (w/5.5" UNDER CURB) OR 4" B25.0C BASE COURSE (w/4" UNDER CURB)
D. 2'-6" CURB & GUTTER (2'-0" VALLEY GUTTER MAY BE USED WITH PRIOR APPROVAL)
E. 4" CONCRETE SIDEWALK

NOT TO SCALE

KANNAPOLIS Public Works

TYPICAL SECTION
LOCAL RESIDENTIAL STREET

DECEMBER 2019
101



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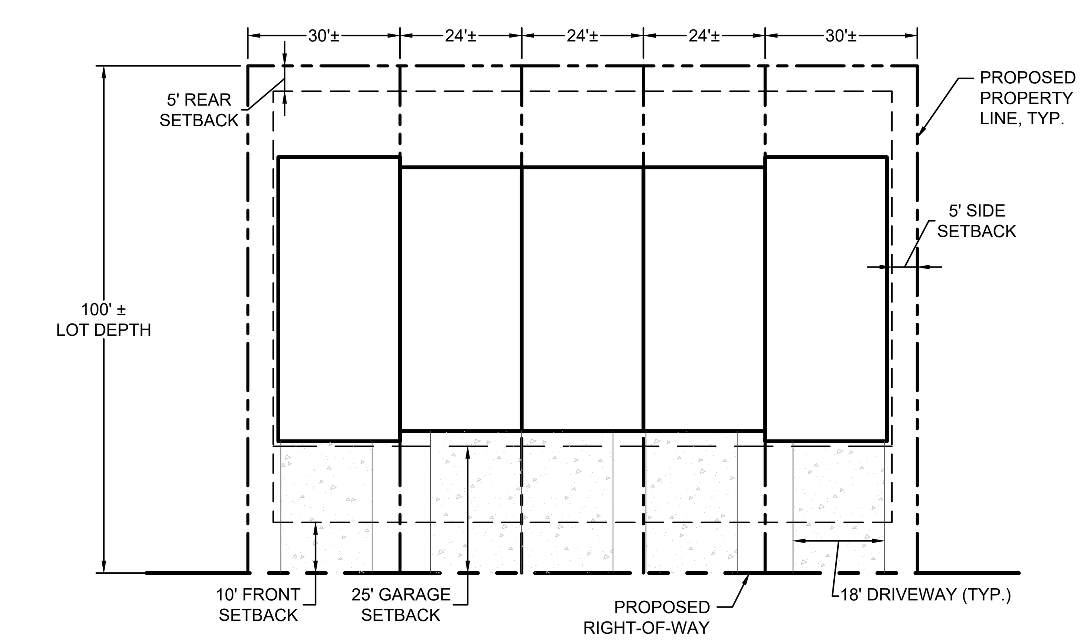
D. 2'-6" CURB & GUTTER (2'-0" VALLEY GUTTER MAY BE USED WITH PRIOR APPROVAL)
E. 4" CONCRETE SIDEWALK

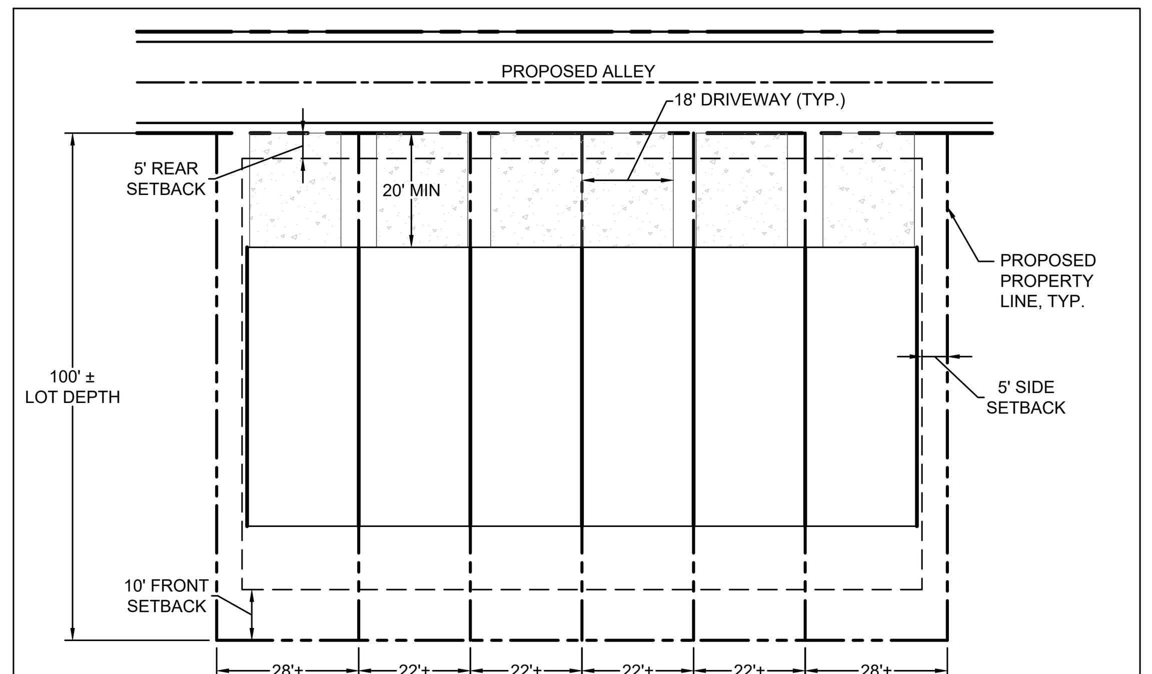
NOT TO SCALE

MODIFIED SECTION
LOCAL RESIDENTIAL STREET
WITH ON-STREET PARKING ON ONE SIDE



TYPICAL LOT DIAGRAM
FRONT LOAD

SCALE: 1" =30'



TYPICAL LOT DIAGRAM
REAR LOAD

SCALE: 1" =30'

1. GENERAL PROVISIONS:

a. **SITE LOCATION.** THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY MI HOMES OF CHARLOTTE, LLC ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF AN ATTACHED SINGLE FAMILY HOME COMMUNITY ON APPROXIMATELY 46.77± ACRE SITE LOCATED ALONG GLENN AVENUE AND W C STREET (THE "SITE") IN THE CITY OF KANNAPOLIS, IN ROWAN COUNTY, NC.

b. **ZONING DISTRICTS/ORDINANCE**. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF KANNAPOLIS DEVELOPMENT ORDINANCE (THE "ORDINANCE"), UNLESS THE REZONING PLAN ESTABLISHES LESS STRINGENT STANDARDS THEN THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE (R8) RESIDENTIAL ZONING CLASSIFICATION.

c. **GRAPHICS AND ALTERATIONS.** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED BY THE CITY OF KANNAPOLIS AS ALLOWED BY THE ORDINANCE. SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING ADMINISTRATIVE AMENDMENT PROCESS OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

d. **NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY**. THE TOTAL NUMBER OF PRINCIPAL STRUCTURES TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED TWO HUNDRED THIRTY-THREE (233) UNITS. ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING LOCATED ON THE SITE. ACCESSORY STRUCTURES AND BUILDINGS INCLUDE STRUCTURES AND BUILDINGS SUCH AS BUT NOT LIMITED TO; A CLUBHOUSE, CABANA, MAIL KIOSK, DUMPSTER ENCLOSURES, GAZEBOS, TRELLISES, STORAGE BUILDINGS, AND OTHER STRUCTURES ASSOCIATED WITH THE ON-SITE OPEN SPACE.

2. PERMITTED USES & DEVELOPMENT AREA LIMITATION:

a. THE SITE MAY BE DEVELOPED WITH UP TO TWO HUNDRED THIRTY-THREE (233) SINGLE-FAMILY ATTACHED DWELLING UNITS, AS ALLOWED IN THE (R8) RESIDENTIAL DEVELOPMENT DISTRICT CLASSIFICATION.

3. ACCESS AND TRANSPORTATION:

a. ACCESS TO THE SITE WILL BE FROM W C STREET AND GLENN AVENUE IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN.

b. THE APPLICANT WILL CONSTRUCT ROAD IMPROVEMENTS AS DESCRIBED IN THE TRAFFIC IMPACT ANALYSIS IF SUFFICIENT EXISTING OFFSITE PUBLIC RIGHT-OF-WAY IS AVAILABLE. NOTHING HEREIN SHALL REQUIRE THE PROPERTY OWNER TO OBTAIN ADDITIONAL OFF-SITE RIGHT-OF-WAY ALONG W C STREET AND GLENN AVENUE. IF SUFFICIENT EXISTING OFFSITE PUBLIC RIGHT-OF-WAY IS NOT AVAILABLE, THE APPLICANT MAY PROVIDE A PAYMENT IN LIEU OF CONSTRUCTING ROAD IMPROVEMENTS AS DESCRIBED IN THE TRAFFIC IMPACT ANALYSIS .

c. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) AND THE CITY OF KANNAPOLIS IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

d. THE NEW INTERNAL ROADS WILL BE PUBLIC STREETS DESIGNED AND BUILT TO THE CITY OF KANNAPOLIS RESIDENTIAL STREET STANDARDS AS DEPICTED ON THIS REZONING PLAN.

e. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN LOT LAYOUTS, UTILITY EASEMENTS, AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY NCDOT AND THE CITY OF KANNAPOLIS IN ACCORDANCE WITH PUBLISHED STANDARDS.

4. ARCHITECTURAL STANDARDS:

a. ARCHITECTURAL STANDARDS INCLUDED ON THIS REZONING PLAN SHALL SUPERSEDE ANY ARCHITECTURAL STANDARDS LISTED IN THE CITY OF KANNAPOLIS UNIFIED DEVELOPMENT ORDINANCE.

b. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL CONSIST OF ONE OR MORE OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS FIBER BOARD, STUCCO, EIFS, DECORATIVE BLOCK, VINYL AND WOOD.

c. THIS PLAN TO BE IN ACCORDANCE WITH ALL ARCHITECTURAL REQUIREMENTS FOUND IN THE KANNAPOLIS DEVELOPMENT ORDINANCE.

5. STREETSCAPE, BUFFERS, LANDSCAPING, TREE SAVE AND AMENITY AREA:

a. STREET TREES WILL BE INSTALLED ALONG THE NEW INTERIOR PUBLIC STREETS WITHIN THE PLANTING STRIP WITHIN THE STREET R/W.

b. FINAL OPEN SPACE AND TREE PRESERVATION AREAS, PERCENTAGE, TYPE, AND LOCATION SHALL BE DETERMINED DURING CONSTRUCTION DOCUMENT PHASE.

c. AMENITY AREA MAY INCLUDE POOL, CABANA, AND OTHER AMENITIZED FEATURES. THE SPECIFIC FEATURES AND LAYOUT SHALL BE DETERMINED DURING THE CONSTRUCTION DOCUMENT/PERMITTING PHASE.

d. ENTRANCE MONUMENTATION MAY BE PLACED WITHIN THE SETBACK BUT NOT THE RIGHT-OF-WAY.

6. ENVIROMENTAL FEATURES

a. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS TO THE LOCATION, SIZE AND TYPE OF STORMWATER MANAGEMENT SYSTEMS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

b. STREAM AND WETLANDS SHOWN ON THIS PLAN HAVE BEEN TAKEN FROM REPORT TITLED "DETAILED DELINEATION OF WETLANDS AND WATER OF THE US, IRISH GLENN" BY WETLAND & WATERS, INC. DATED 12/08/2023

c. STREAM AND WETLAND BUFFER SIZE AND WIDTHS SHOWN BASED ON CITY OF KANNAPOLIS DEVELOPMENT ORDINANCE.

7. UTILITIES

a. ALL UTILITIES WITHIN THE SITE WILL BE PLACED UNDERGROUND.

b. ALL EXISTING STRUCTURES, SEPTIC SYSTEMS AND/OR WELLS SHALL BE FIELD LOCATED PRIOR TO DESIGN. ANY WELLS AND/OR SEPTIC SYSTEMS DISCOVERED DURING THE SITE DEVELOPMENT PROCESS SHALL BE ABANDONED IN ACCORDANCE WITH APPLICABLE NORTH CAROLINA LAWS AND RULES.

c. WATER DISTRIBUTION SYSTEM AND SANITARY SEWER SYSTEM TO BE DESIGNED AND BUILT PER THE CITY OF KANNAPOLIS REQUIREMENTS AND MINIMUM CONSTRUCTION STANDARDS. SYSTEMS TO BE OWNED AND OPERATED BY CITY OF KANNAPOLIS.

d. WATER AND SEWER SYSTEM DEVELOPMENT FEES WILL APPLY.

8. AMENDMENTS TO THE REZONING PLAN:

a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE.

9. BINDING EFFECT OF THE REZONING APPLICATION:

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

FOR REZONING ONLY

THIS DRAWING PREPARED AT THE CHARLOTTE OFFICE
610 E. Morehead Street, Suite 250 | Charlotte, NC 28202
TEL 704.602.8600 FAX 704.376.1076 www.timmons.com
North Carolina License No. C-1652

REVISION DESCRIPTION | DATE

M/I HOMES Welcome to Better

M/I HOMES OF CHARLOTTE, LLC
5350 77 CENTER DRIVE, SUITE 100
CHARLOTTE, NC 28217

DATE: 01/12/2024
DRAWN BY: N. SPINOLA
DESIGNED BY: C. KENNEDY
CHECKED BY: K. BRADLEY
SCALE: AS SHOWN

TIMMONS GROUP

COLEMAN MILLS
CITY OF KANNAPOLIS - ROWAN COUNTY - NORTH CAROLINA
SITE NOTES

JOB NO. 61956
SHEET NO. RZ-003

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S:\104\61956-Irish Glen (M/I)\DWG\Sheet\Rezoning\Irish Glen Rezoning.dwg | Plotted on 1/12/2024 9:46 AM | by Katie Bradley

CESO

CESO

Coleman Mills Subdivision – Community Meeting Summary

The neighborhood meeting for the Coleman Mills Subdivision project was held at the Memorial United Methodist Church on January 4th, 2024, at 6:00 p.m. Jeremy Horton and Jeremy Smith were in attendance representing M/I Homes. Katie Bradley, Christian Kennedy, and Natalie Spinola with Timmons Group were also in attendance.

Katie Bradley opened the meeting by greeting the attendees and discussed the format of the presentation and question/answer session. Katie then turned the meeting over to Jeremy Smith with M/I Homes to review who M/I homes is, their development region, and proposed product. Katie presented the conditional rezoning process, project location, City of Kannapolis future land use map, and proposed site plan.

Katie then closed the meeting and opened the question/answer session. Jeremy Smith and Jeremy Horton joined Katie in answering questions.

Questions/Responses

Q: Residents asked what the width of the landscape buffers ("tree line") will be?

R: Timmons stated that adjacent to residential there is no buffer requirement, and we are showing a 6' landscape buffer along certain properties, as required. Timmons stated that we intend to save trees where we can and final locations of existing trees to be saved will be determined during full design of the site.

Q: Residents asked about the height of the townhomes backing Glen Avenue?

R: M/I Homes said that the product design is still being finalized. They said it is not common to have 3 story front load townhomes, however, it is still to be determined.

Q: Residents inquired about price range or townhomes.

R: M/I stated they expect the homes to be sold in the 400K range and it is subject to change based on current market rates at time of sale.

Q: Residents stated they are mostly Glenn Ave residents. Residents are concerned about the traffic on Glen Ave and W C Street. How necessary is the Glenn Ave entrance and what triggers the number of entrances into the development?

R: Timmons stated the access is necessary for state law requirements for emergency access. Katie stated that M/I Homes is working with traffic specialist to determine road improvement recommendations. The recommendation improvements will be provided during full design.

Q: Residents asked if this will be phased?

R: M/I stated that is unknown at the moment.

Q: Residents are concerned with 'blasting' because of rock subsurface and anticipated construction disturbance? They asked what proactive actions will be taken to avoid damage on existing properties.

R: M/I Homes stated that contractors are required to notify adjacent property owners prior to blasting. The contractor will be responsible for repairing any damage to adjacent properties caused by construction. M/I Homes stated that they cannot speak to the exact means and methods of the construction process that but can follow up with additional information to residents as it becomes available.

Q: Residents inquired about environmental studies conducted because of the nature of the previous use of the site?

R: M/I Homes stated they have completed the phase 1 environmental study and phase 2 is in progress.

Q: Residents were concerned about privacy. Residents asked how many and which trees will stay?

R: M/I Homes and Timmons indicated that the rendering is conceptual. The intent is to save trees where possible and the extent of trees to remain will be better determined during full design.

Q: Residents asked about if the existing greenhouses will be removed?

R: M/I Homes and Timmons stated that the area with the existing greenhouses will be retained by the current property owner. They could not speak to any future plans for this area.

Q: Will there be an HOA?

R: M/I stated there will be an HOA

Q: Residents inquired about the storm ponds?

R: Timmons explained that the purpose of the storm ponds is to collect stormwater runoff from the site and release is slowly over time.

Q: Residents asked what has been presented to the City and were they accepting of it?

R: Timmons mentioned that we've had conversations with the City Staff. They have seen this high level plan and are accepting of what was shown thus far.

Q: Residents asked if the property will be rental units?

R: M/I stated they are not a rental builder.

Q: Residents asked when development will begin?

R: M/I Homes stated construction is planned to begin in 2025 and building construction is planned to begin in 2026.

Q: Residents asked about sidewalk improvements?

R: Timmons stated that there will be internal sidewalks. Offsite sidewalk connections are not proposed at this time.

Q: Residents asked where additional parking will be located on site?

R: Timmons stated it will be parallel parking along the proposed interior roads.

Q: Residents asked if signage or notification will be provided for the Public Hearing?

R: Timmons stated it will be a requirement to have posted signage at least 10 days before the public hearing. The City will also send out mailed notifications prior to the Public Hearing.

Coleman Mills (formerly Irish Glen)
Neighborhood Meeting Sign In Sheet

Name	Address	Phone	Email
Scott Boggs	1300 W C St	980-521-1738	janetboggs1@aol.com
Janet Boggs	1300 W C St	704-224-8450	janetboggs1@aol.com
Tina Thompson	804 Burrage Rd NE Concord	704-785-6037	racjon2000@yahoo.com
Derek Moore	1205 W C St	919-360-5406	dhmoore44@protonmail.com
Linda Moore	1205 W C St	980-521-0353	Lhmoore73@gmail.com
Brandon Kerley	401 Glenn Ave.	704-701-2662	Kerleypaypal@yahoo.com
* Courtney Kerley	401 Glenn ave.	704-224-0618	Sierrakerley17@gmail.com
* Jeremy Holloway	315 Glenn Ave	704-605-4944	hollaway83@gmail.com
* Megan Holloway	315 Glenn Ave	704-890-6749	meganhollaway02@gmail.com
Jason Stegan	106 Wayne AVE	704-699-5252	Zakkman88@yahoo.com
Mike Karen Noblitt	305 Glenn Ave	704-794 8251	noblitt7@Carolina.RR.com
* Chris + Yolanda Mitchell	313 Glenn Ave	951-850-7323	Yomitch79@gmail.com

*REQUESTED PRESENTATION TO BE EMAILED

Order Confirmation

Order# 0000861192

PO Box 27283
Richmond, VA 23261-7283

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Payor : CITY OF KANNAPOLIS
Phone: 7049204300

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Sales Rep	Accnt Rep	Ordered By	Fax:	7049337463
aboan	aboan	Pam	EMail:	ap@kannapolisnc.gov

Total Amount	**$865.55**
Payment Amount	**$865.55**
Amount Due	**$0.00**
Tax Amount:	0.00
Payment Meth:	Credit - Debit Card

Tear Sheets	Proofs	Affidavits	PO Number:
0	0	1	

Ad Number	Ad Type	Ad Size	Color
0000861192-01	CLS Display	2 X 5.00"	$0.00

Production Method
Creative (In-House)

Production Notes

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

Run Dates 2/ 9/2024, 2/16/2024

TagLine: NOTICE OF PUBLIC HEARING

KANNAPOLIS

NOTICE OF PUBLIC HEARING
Planning and Zoning Commission Meeting
Tuesday, February 20, 2024, at 6:00 pm

Conditional Zoning Map Amendment – CZ-2024-01 – 9700 Davidson Hwy – Public Hearing to consider an amendment to the previously approved rezoning conditions for property located at 9700 Davidson Hwy., zoned GC-CZ (General Commercial-Conditional Zoning) and further identified as Cabarrus County Parcel Identification Number 46821056980000. The requested change is to allow for a Contractor's Yard.

Conditional Zoning Map Amendment – CZ-2024-02 – 304-320 Irish Glen Dr., three (3) unaddressed parcels on W C St., and one unaddressed parcel on Glenn Ave. – Public Hearing to consider a request to rezone properties located at 304, 308, 312, 316 and 320 Irish Glen Drive, as well as three (3) unaddressed parcels on W C Street and one unaddressed parcel on Glenn Avenue from City of Kannapolis Office Institutional (OI) zoning district to City of Kannapolis Residential 8 – Conditional Zoning (R8-CZ) zoning district to allow for a 233-unit townhome development. The subject properties are approximately 47.96 +/- combined acres and further identified as Rowan County Parcel Identification Numbers 142 174, 142 175, 142 176, 142 177, 142 178, 142 180, 142 179, 142 173, and 142 186, respectively.

Conditional Zoning Map Amendment – CZ-2024-03 – Dale Earnhardt Blvd. & Laundry St. – Public Hearing to consider a request to rezone properties located at 1411, 1431 and 1375 Dale Earnhardt Blvd., as well as 601 Laundry Street from City of Kannapolis Office Institutional (OI) zoning district to City of Kannapolis General Commercial – Conditional Zoning (GC-CZ) zoning district to allow for utilization of the existing building for general wholesale, accessory office uses or other uses allowed by right in the GC zoning district. The subject properties are approximately 3.3 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56138549450000, 56138548910000, 56138630070000, and 56138559600000, respectively.

Zoning Map Amendment – Z-2024-02 – 3060 Placid Rd. – Public Hearing to consider a request to assign City of Kannapolis zoning to recently annexed property located at 3060 Placid Road. The subject property is currently zoned Cabarrus County Countryside Residential (CR), and the request is to assign City of Kannapolis Residential 4 (R4) zoning district. The subject property is approximately 1.06 +/- acres and further identified as Cabarrus County Parcel Identification Number 46727521520000.

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

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
ADAN & TRACY CASKEY	202 GLENN AVE	KANNAPOLIS	NC	28081
ALLEN & CATHY SILVESTRI	320 GLENN AVE	KANNAPOLIS	NC	28081-2031
AMBER WAKEFIELD	4743 RAINBOW DR	KANNAPOLIS	NC	28081
ANJALI WILSON	108 FRANKLIN AV	KANNAPOLIS	NC	28081-0000
ARIELLE K HABET	206 GLENN AV	KANNAPOLIS	NC	28081-2029
BA CAPITAL INVESTMENTS LLC	1743 WAYLAND CIR NEW	ATLANTA	GA	30319-3611
BEAVER LP	6311 WRIGHT ROAD	KANNAPOLIS	NC	28081
BRANDON KERLEY	401 GLENN AV	KANNAPOLIS	NC	28081-2032
BRITTANY MILLER	99 WESTOVER AV	KANNAPOLIS	NC	28081-2003
CHRISTOPHER & YOLANDA MITCHELL	313 GLENN AV	KANNAPOLIS	NC	28081-0000
DARYL & KATHY ALBRIGHT	711 N ENOCHVILLE AVE	KANNAPOLIS	NC	28081-9141
DAVID HERRERA	301 GLENN AVE	KANNAPOLIS	NC	28081
EDWARD JR & LEE ANN SELLERS	2505 CHINA GROVE RD	CHINA GROVE	NC	28023
EQUITY TRUST COMPANY CUSTODIAN				
DEAN A ADCOCK IRA FBO	1005 VALLEY ST	KANNAPOLIS	NC	28081-3310
HARLEY D TRITT	18425 STATESVILLE RD	CORNELIOUS	NC	28031-0000
HUGH MOOSE JR &				
REGINA FRENCH	340 GLENN AVE	KANNAPOLIS	NC	28081-2031
HUMBERTO & JANET GARCIA GALVEZ	107 WAYNE AVE	KANNAPOLIS	NC	28081
ILSE KOSTAS	103 WESTOVER AVE	KANNAPOLIS	NC	28081
IRISH GLEN NORTH OWNER LLC	1213 W MOREHEAD ST STE 150	CHARLOTTE	NC	28208-5579
JAMES & JOANNE MCLAMB	102 WESTOVER AVE	KANNAPOLIS	NC	28081-2062
JASON E ROVEGNO &				
MICHELE GARBINE TRUSTEES	101 WESTOVER AV LOT#2	KANNAPOLIS	NC	28081
JASON STEGALL	106 WAYNE AVE	KANNAPOLIS	NC	28081
JDL HOMES INC	281 BAR LINK RD	MOUNT PLEASAN	NC	28124
JEFFREY & JODI BOSTWICK	17323 SUMMERS WALK BLVD	DAVIDSON	NC	28036-8943
JEREMY & MEGAN HOLLAWAY	315 GLENN AVE	KANNAPOLIS	NC	28081-0000
JEREMY BLACKWELDER	1463 BANKS RD	FORT MILL	SC	29715
JOSEPH DAVIS	306 GLENN AVE	KANNAPOLIS	NC	28081-2031
KANNAPOLIS LAND PARTNERS LLC	1213 W MOREHEAD ST STE 150	CHARLOTTE	NC	28208-5579
KENNETH SOKOLOWSKI	110 FRANKLIN AVENUE	KANNAPOLIS	NC	28081
KIM ALLMAN	105 GOLDSTON ST	KANNAPOLIS	NC	28081
LINDA H MOORE	6121 CHISHOLM TRL	KANNAPOLIS	NC	28081
MATTHEW J SELMER	3801 ISENHOUR RD	KANNAPOLIS	NC	28081
MAURICIO R AMAT	15820 CENTENNIAL FOREST DR	HUNTERSVILLE	NC	28078-4671
MEMORIAL UNITED METHODIST CH	1100 W C ST	KANNAPOLIS	NC	28081
MICHAEL & SHARON NOBLITT	305 GLENN AVE	KANNAPOLIS	NC	28081
MY NEST PROPERTIES LLC	9942 CALDWELL DEPOT RD	CORNELIUS	NC	28031-8133
NEWTON PROPERTIES & INVESTMENTS LLC	210 OAK AVE	KANNAPOLIS	NC	28081-4329
OPIE CAMPBELL	1225 W C ST	KANNAPOLIS	NC	28081
PANCHI APARICIO &				
BRENDA MURILLO GARCIA	105 WESTOVER AV	KANNAPOLIS	NC	28081
PAUL ROWE	104 WAYNE AVE	KANNAPOLIS	NC	28081
RALPH HENDREN	885 BARNHARDT RD	CHINA GROVE	NC	28023-8704
REID E MULLIS	1803 AZALEA AVE	KANNAPOLIS	NC	28081
RICHARD MCGUIRE PROPERTIES LLC	8845 WRIGHT RD	KANNAPOLIS	NC	28081-8997
RONALD KINARD	3501 WINSLOW DR	CHARLOTTE	NC	28269
SANDRA CRAFT &				
COLLEEN COOKE	1306 W C ST	KANNAPOLIS	NC	28081-0000
SCOTTY & JANET BOGGS	1300 W C ST	KANNAPOLIS	NC	28081-4183
SUNNY GLENN	111 HURST FARM RD	SHELBY	NC	28152-0792
SUTHERLAND'S RENTALS 115 SHAMROCK LLC	7320 SWANSEA LN	CORNELIUS	NC	28031
TIMOTHY & AIDA PAYNE	1402 GLENN AVE	KANNAPOLIS	NC	28081
WILLIAM L ELLIS	1302 WEST C ST	KANNAPOLIS	NC	28081
WOODLAND S & K LLC	3945 BUENA VISTA DR	PASO ROBLES	CA	93446-9532
M/I HOMES OF CHARLOTTE, LLC				
ATTN: J HORTON	5350 77 CENTER DR	CHARLOTTE	NC	28217

March 7, 2024

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, March 19, 2024, at 6:00 PM, at 401 Laureate Way, Kannapolis, NC for the following case:

CZ-2024-02 – Conditional Zoning Map Amendment – 304-320 Irish Glen Drive, three (3) unaddressed parcels on W C Street and one unaddressed parcel on Glenn Avenue

This Public Hearing was continued from the February 20, 2024 meeting and is to consider a request to rezone properties located at 304, 308, 312, 316 and 320 Irish Glen Drive, as well as three (3) unaddressed parcels on W C Street and one unaddressed parcel on Glenn Avenue from City of Kannapolis Office Institutional (OI) zoning district to City of Kannapolis Residential 8 – Conditional Zoning (R8-CZ) zoning district to allow for a 233-unit townhome development. The subject properties are approximately 47.96 +/- combined acres and further identified as Rowan County Parcel Identification Numbers 142 174, 142 175, 142 176, 142 177, 142 178, 142 180, 142 179, 142 173, and 142 186, respectively (see reverse side of this letter for a map showing the location of this property).

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

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

Sincerely,

Elizabeth L. McCarty

Elizabeth L. McCarty, AICP
Assistant Planning Director

Enclosure

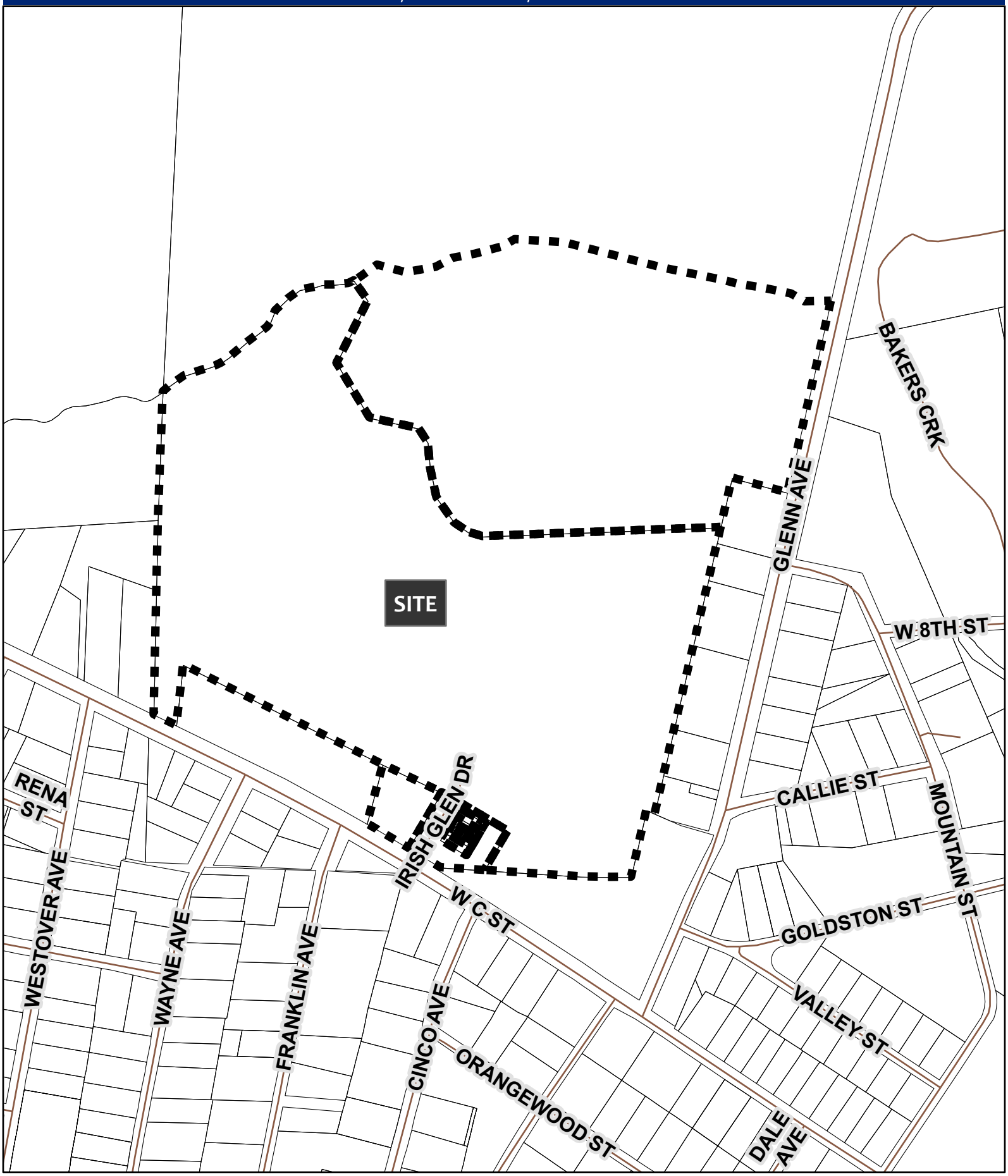
Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email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

Conditional Rezoning

Case Number: CZ-2024-02

Applicant: MI Homes of Charlotte LLC

0 W C St, 0 Glenn Ave, 304-320 Irish Glen Dr



KANNAPOLIS
PLANNING
ZONING
COMMISSION
PUBLIC HEARING INFORMATION
CALL 704-920-4350 CASE #CZ-2024-02

KANNAPOLIS
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ZONING
COMMISSION
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE # CZ-2024-02
Rowan Co

KANNAPOLIS
PLANNING
ZONING
COMMISSION
PUBLIC HEARING INFORMATION
CALL 704-920-4350 CASE # CZ-2024-02
45

RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO CASE #CZ-2024-02

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

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

WHEREAS, on March 19, 2024, the Planning and Zoning Commission conducted a public hearing to consider a request to rezone approximately 47.96 +/- combined acres of property located at 304, 308, 312, 316, and 320 Irish Glen Drive; three (3) unaddressed parcels located on W C Street; and one (1) unaddressed parcel on Glenn Avenue, (Rowan County Parcel Identification Numbers 142 174, 142 175, 142 176, 142 177, 142 178, 142 180, 142 179, 142 173, and 142 186, respectively) owned by Irish Glen West Owner LLC; and Kannapolis Land Partners LLC, from City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 8 – Conditional Zoning (R8-CZ) Zoning Designation.

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

Adopted this the 19th day of March 2024:

_____
Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

_____
Pam Scaggs, Recording Secretary
Planning and Zoning Commission

RESOLUTION TO ZONE

Case #CZ-2024-02
(304 – 320 Irish Glen Avenue, Three Unaddressed Parcels on W C Street and an Unaddressed Parcel on Glenn Avenue)

From City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 8-Conditional Zoning (R8-CZ) Zoning Designation

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

WHEREAS, the Commission conducted a public hearing on March 19, 2024 for consideration of rezoning petition Case #CZ-2024-02 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone 47.96 +/- combined acres of property located at 304, 308, 312, 316, and 320 Irish Glen Drive; three (3) unaddressed parcels located on W C Street; and one (1) unaddressed parcel on Glenn Avenue, (Rowan County Parcel Identification Numbers 142 174, 142 175, 142 176, 142 177, 142 178, 142 180, 142 179, 142 173, and 142 186, respectively) owned by Irish Glen West Owner LLC; and Kannapolis Land Partners LLC, from City of Kannapolis Office-Institutional (O-I) to City of Kannapolis Residential 8 – Conditional Zoning (R8-CZ) Zoning Designation; and

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

WHEREAS, per Section 2.5.A.(2).c. of the Kannapolis Development Ordinance, the Planning and Zoning Commission makes the following findings in support of and in analysis of the rezoning:

1. **Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?**
   The subject properties are in the "Urban Residential" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Single family detached and single family attached residential are listed as primary uses. Therefore, the proposed use is consistent with the goals and objectives of the Plan.

2. **Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?**
   No, the proposed rezoning is not in conflict with any ordinances.

3. **Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?**
   Generally, no. The primary intent of the rezoning is not to correct an error in the existing zoning. Nevertheless, the five existing townhomes fronting Irish Glen Drive would become conforming

uses with approval of this conditional rezoning request. Under the KDO, townhomes are not permitted in the O-I District. Townhomes, however, were permitted under the UDO.

4. **Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?**
   Yes, the proposed rezoning and use of the property for a townhome development is consistent with existing surrounding land uses. The subject property abuts Residential 8 (R8) properties on the south and west. The adjoining properties along the entirety of the eastern property line are zoned R8. The adjacent church property, located at the intersection of W C Street and Glenn Avenue, is zoned Mixed Use Neighborhood (MU-N). The property to the north is zoned Office Institutional (O-I).

5. **Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?**
   Yes, this property is a suitable use allowed under the requested zoning. The applicant conducted a Traffic Impact Assessment (TIA) for the proposed townhome development. The study analyzed four intersections: (1) W C Street and Glenn Avenue, (2) W C Street and the proposed access point for the development, (3) Glenn Avenue and the proposed access point for the development, and (4) Loop Road N./Dale Earnhardt Boulevard and W C Street/S. Walnut Street. The applicant's TIA indicated that no mitigation was needed, and no improvements were recommended. City Staff, however, support a deceleration lane from westbound W C Street into the proposed development as a condition of approval. Public water is available to the site and the project has received wastewater allocation.

6. **Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?**
   Yes, the property is within the growth area for the City of Kannapolis, and the proposed development of townhomes is consistent with surrounding zoning and existing uses.

7. **Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?**
   No, there are no anticipated significant environmental impacts from rezoning this property. A perennial stream, Baker Branch, and associated flood zone are located along the northern property line. The development will be required to conform to all applicable local, state, and federal environmental regulations.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the above referenced property, as shown on the site plan submitted to the City, be rezoned from City of Kannapolis Office-Institutional (O-I) Zoning Designation to City of Kannapolis Residential 8 – Conditional Zoning (R8-CZ) Zoning Designation, subject to the following conditions:

1. The permitted uses allowed by this rezoning shall be limited to those uses and accessory uses allowed by-right in the Residential 8 (R8) District. The intent of this rezoning submittal is to provide for a residential community.
2. The number of single-family detached units shall not exceed 233.
3. The six-foot (6') Type B landscape buffer shall extend along the entire length of the eastern

perimeter property line from the most southern point to the proposed internal access street.

4. A pedestrian connection from the proposed townhome development to the greenway shall be incorporated into the development's design and shown at time of site plan submittal.
5. The development depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations, and they may be altered or modified in accordance with the City of Kannapolis Development Ordinance.
6. NCDOT driveway permit shall be obtained for site access points. Access points shall be located as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required to accommodate final site and construction plans and designs and any adjustments required for approval by the City of Kannapolis and/or the North Carolina Department of Transportation (NCDOT).
7. A westbound deceleration lane for the access point on W C Street shall be determined and designed in coordination with City Staff at time of site plan submittal.
8. The alignments of the internal streets, driveways, and vehicular circulation areas may be modified by the applicant to accommodate changes in traffic patterns, parking layouts, and any adjustments required for approval by the City of Kannapolis and/or NCDOT.
9. A final site plan, in compliance with the applicable Kannapolis Development Ordinance standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance permit.
10. The final site plan shall comply with the current Kannapolis Land Development Standards Manual.

Adopted this the 19th day of March 2024:

_____
Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

_____
Pam Scaggs, Recording Secretary
Planning and Zoning Commission

Planning and Zoning Commission
March 19, 2024 Meeting

Staff Report

DATE: March 14, 2024

TO: Planning and Zoning Commission Members

FROM: Ben Barcroft, Senior Planner
Elizabeth McCarty, Assistant Planning Director

SUBJECT: **Text Amendments** – Public Hearing to consider text amendments to:

1. Section 3.8.F(3): Insert starting location for the Mooresville Road segment of the Thoroughfare Protection Overlay (TPO) District in the Coddle Creek Subdistrict.
2. Section 3.8.F(4)(a): Allow for vehicle uses at the I-85 and Davidson Highway interchange within 300 feet of the intersection of Davidson Highway and Trinity Church Road.
3. Section 3.5.C: Increase permitted building height in Office-Institutional (O-I) District Building to 50 feet.
4. Section 3.4.H: Increase permitted building height in Center City (CC) District Building to 120 feet.
5. Section 5.7.D(1): Increase the number of dwelling units from 30 to 100 before a second access point for residential development is required. This will match state requirements.
6. Appendix A: 6: Add a requirement to show specimen trees on landscaping plans.
7. Section 6.3: 7: Add text that side lot lines should be created perpendicular to the street.
8. Section 4, Table 4.2.B(5), Principal Use Table: change 'Studio/School' to "P" in OI district to allow use, change 'Personal grooming or well-being service' in MU-N district to "P" to allow use, change 'residential care facility' to "P" in OI district to allow use.
9. Section 5.3.H(6): Add screening requirement for all dumpsters and mechanical equipment, New Section 5.7.H: Storage and Mechanical Equipment Standards to add screening standards for mechanical equipment and solid waste storage areas for all commercial development.
10. Article 10, Definitions: update 'Family care home' definition to match state statutes.
11. Article 10, Definitions: add 'Apiary' definition, Section 4, Table 4.3.B(3) add to all districts to align with state statutes, Section 4.3.D(4) add use specific standards for 'Apiaries'.
12. Article 4, Table 4.2.B(5): Add 'Event Center' as a use permissible by issuance of a Special Use Permit in the MU-N, TOD, CC, PD-TND and CD Zoning Districts, allow by right in MU-SC, OI, GC, LI, PD, and PD-C districts. Add Event Center to Article 10, Definitions.
13. Section 5.9.E(3): Add requirements for electronic changeable copy (EMC, electronic message board), Table 5.9.E(2): add Electronic Message Board.

14. Section 4.2.D: Amend to disallow self-service storage in GC or to require a minimum separation distance from other facilities.

A. Actions Requested by Planning and Zoning Commission Members

1. Consider Resolution to Adopt a Statement of Consistency for TA-2024-01
2. Consider motion to recommend approval of proposed text amendments by City Council

B. Decision and Required Votes to Pass Requested Action

Article 2, Section 2.5.A of the KDO addresses the procedures for processing amendments to the text of the ordinance. These proposed text amendments were initiated primarily by staff.

C. Background

The Planning Department is proposing several text amendments to the Kannapolis Development Ordinance:

1. Amend Section 3.8.F(3) to insert starting location of Mooresville Road segment of the Throughfare Protection Overlay (TPO) District.
2. Amend Section 3.8.F(4)(a) to allow for vehicle uses at the I-85 and Davidson Highway interchange within 300 feet of the intersection of Davidson Highway and Trinity Church Road.
3. Amend Section 3.5.C to increase permitted building height in Office-Institutional (O-I) District Building to 50 feet.
4. Amend Section 3.4.H to increase permitted building height in Center City (CC) District Building to 120 feet.
5. Amend Section 5.7.D(1) to increase the number of dwelling units from 30 to 100 before a second access point for residential development is required.
6. Amend Appendix A: 6 to add a requirement to show specimen trees on landscaping plans.
7. Amend Section 6.3: 7 to add text that side lot lines should be created perpendicular to the street.
8. Amend Section 4, Table 4.2.B(5), Principal Use Table to allow for 'Studio/School' in the OI district, to allow 'Personal grooming or well-being service' in MU-N district and to allow the use of 'residential care facility' in the OI district. See (Exhibit B for changes in the Principal Use Table.
9. Amend Section 5.3.H(6) to add screening requirement for all dumpsters and mechanical equipment and to add Section 5.7.H: Storage and Mechanical Equipment Standards to add screening standards for mechanical equipment and solid waste storage areas for all commercial development.
10. Amend Article 10, Definitions, to update the definition of 'Family care home' definition to match state statutes.
11. Amend Article 10, Definitions, to add 'Apiary' definition, Section 4, Table 4.3.B(3), add to all districts to align with state statutes, and add Section 4.3.D(4) to add use specific standards for 'Apiaries'.
12. Amend Article 4, Table 4.2.B(5) to add Event Center as a use permissible by issuance of a Special Use Permit in the MU-N, TOD, CC, PD-TND and CD Zoning Districts, allow by right in MU-SC, OI, GC, LI, PD, PD-C, and C-1 districts and to add 'Event Center' to Article 10, Definitions.
13. Amend Section 5.9.E(3): add requirements for Electronic changeable copy (EMC, electronic message board), and add Electronic Message Board to Table 5.9.E(2).

14. Amend Section 4.2.D. to disallow self-service storage in GC or to require a minimum separation distance from other facilities.

The proposed text amendments to the KDO are attached as Exhibit A & B and shown in **bold, red text**.

D. Fiscal Considerations

None

E. Policy Issues

The proposed text amendments to the KDO are **attached**.

F. Legal Issues

None

G. Alternative Courses of Action and Staff Recommendation

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

Based on the foregoing analysis, staff recommends **approval** of the proposed text amendment to of the Kannapolis Development Ordinance, as shown per staff edits to Appendix A & B.

The following actions are required to recommend approval of TA-2024-01:

1. Consider Resolution to Adopt a Statement of Consistency for TA 2024-01
2. Consider motion to recommend approval of proposed text amendments by City Council.

The following actions are required to recommend denial of TA-2024-01

1. Consider Resolution to not Adopt a Statement of Consistency for TA 2024-01
2. Consider motion to recommend denial of proposed text amendments by City Council.

H. Attachments

1. Proposed KDO changes: Exhibit A
2. Table of principal Uses, Table 4.2.B(5): Exhibit B
3. Resolution to Adopt a Statement of Consistency

I. Issue Reviewed By:

- Planning Director
- City Manager
- Assistant City Manager
- City Attorney

PROPOSED TEXT AMENDMENTS
March 13, 2024

1. Thoroughfare Protection Overlay (TPO) District – Insert start of segment for Mooresville Road.

Section 3.8.F(3)

a. CODDLE CREEK SUBDISTRICT

The Coddle Creek Subdistrict consists of multiple segments identified in Table ~~3.6.G(3)a~~ 3.8.F(3)a: Coddle Creek Subdistrict Segments. The subdistrict boundaries extend 200 feet from one or both sides of the identified segment of road or highway, as specified in Table ~~3.6.G(3)a~~ 3.8.F(3)a, measured from and perpendicular to the road right-of-way. Each segment shall include a "Corridor Preservation Area" extending the width specified in ~~3.6.G(3)a~~ 3.8.F(3)a from both sides of the identified segment of road or highway, or from one side of the segment if the subdistrict boundaries only exist on one side, measured perpendicular to the road right-of-way. Building and parking areas are prohibited within the Corridor Preservation Area. The Coddle Creek Subdistrict is identified on the Zoning Map.

Table ~~3.6.G(3)a~~ 3.8.F(3)a: Coddle Creek Subdistrict Segments

Road or Highway Segment and Side of Segment	Corridor Preservation Area Width
North side of Davidson Highway (NC 73) from Coddle Creek to the Mecklenburg County line (within Kannapolis city limits)	35 feet
Both sides of Trinity Church Road from Orphanage Road to Barr Road and the east side of Trinity Church Road from Barr Road to Stirewalt Road	55 feet from Orphanage Road to the Westside Bypass (existing Boy Scout Camp Road); 40 feet from Westside Bypass to Stirewalt Road
Both sides of the Kannapolis Parkway (Westside Bypass, including the existing Crisco Road and the existing Boy Scout Camp Road) from Interstate 85 to Mooresville Road (NC 3)	0 feet (No Corridor Preservation Area)
Both sides of Davidson Highway (NC 73) from Interstate 85 to the westernmost boundary of the City's limits	35 feet
Both sides of Mooresville Road (NC 3) from seventy-five feet (75') south of the centerline of Rainbow Drive to the westernmost boundary of the City's limits	40 feet

2. Allow for vehicle sales at the I-85 and Davidson Highway interchange.

Section 3.8.F(4)(a)

3. Uses in the Vehicle Sales and Services category;

(a) Sites that have frontage on an arterial highway and within 500 feet of an intersection of two or more major arterial highways shall be permitted if no vehicles are stored on site.

(b) Vehicle Sales and Service uses shall be permitted on sites that have frontage on Davidson Highway (NC 73) and are within three hundred (300) feet of the intersection of Davidson Highway and Trinity Church Road.

3. Office-Institutional (O-I) District Building Height – Increase permitted building height to 50 feet.

(1) DIMENSIONAL AND INTENSITY STANDARDS [1]

	Lot and Intensity Standards	
	Lot area (min)	None
	Lot width (min)	60 ft
	Impervious surface ratio (max)	0.8
	Setback and Height Standards	
A	Front setback (min)	10 ft
B	Side setback (min) [2]	None
C	Rear setback (min)	None
D	Building height (max)	~~35~~ 50 ft

(2) OTHER STANDARDS

Other Standards	Location in KDO
Error! Reference source not found.	**Error! Reference source not found.**
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NOTES:

[1] May be superseded by other standards in this Ordinance (see **Error! Reference source not found.**, **Error! Reference source not found.**).

[2] The side setback for the street-facing yard of a corner lot shall equal 75 percent of the required front yard setback.

4. CC Building Height – Increase permitted building height to 120 feet.

(1) DIMENSIONAL AND INTENSITY STANDARDS [1]

	Lot and Density/Intensity Standards	
	Lot area (min)	None
	Lot width (min)	20 ft
	Density (max)	None
	Impervious surface ratio (max)	0.95
	Setback and Height Standards	
A	Front build-to zone (min | max) [2]	0 | 15 ft
	Percentage of build-to zone width occupied by building (min) [3]	75%
B	Side setback (min)	None
C	Rear setback (min) [4]	None | 10 ft
D	Building height (max)	~~72~~ 120 ft

(2) OTHER STANDARDS

Other Standards	Location in KDO
Error! Reference source not found.	**Error! Reference source not found.**
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NOTES:

[1] May be superseded by other standards in this Ordinance (see **Error! Reference source not found.**, **Error! Reference source not found.**).

[2] The area between the minimum and maximum build-to zone boundaries that extends the width of the lot constitutes the build-to zone. The maximum build-to zone boundary may be increased by 15 feet along 25 percent of the lot width for a civic space or outdoor dining area.

[3] Buildings shall be located so that they occupy the minimum percentage of the linear width of the lot's build-to zone (see **Error! Reference source not found.**).

[4] The minimum rear setback is 10 feet, except there is no minimum rear setback where the rear lot line abuts an alley.

5. Second access point for residential developments – Increase from 30 to 100 dwelling units to match State requirement.
   SECTION 5.7.D(1)
   D. MULTIFAMILY DESIGN STANDARDS
   Development subject to this section shall comply with the following standards.

   (1) SITE ACCESS
   New multifamily, townhouse, or three-family development with ~~30~~ 100 or more dwelling units shall have at least one secondary point of vehicular access to or from the site to ensure emergency vehicle access.

6. Add a requirement to show specimen trees on landscaping plans.

Appendix A: Supplemental Landscaping Requirements

Section 1: Landscaping Plan Requirements

Landscaping plans required in accordance with Section 5.3.D, Landscaping Plan, shall include the following minimum information, together with any additional information the Planning Director may require in order to determine compliance with the standards in Section 5.3, Landscaping and Buffer Standards:

- Show all buildings, walkways, vehicular use areas, utility areas, stormwater retention/detention areas, sight triangles, and miscellaneous site structures (Minimum scale of 1" = 40').
- Show current zoning and land use of all adjacent property.
- Show location, name, and size of all existing Specimen Trees, as defined in Section 5.3.J(3).
- Planting areas drawn to scale with a list of the botanical and common names, and size of all plants designated for each area.
- Location, name, and size of all existing trees, shrubs, groundcover, and other plant materials that are to be incorporated as a part of the landscape plan.
- Location and width of landscaped buffer strips, including height of berms.
- All landscape plans shall include a summary tabulation of all landscape requirements.
- Show all existing and proposed paved surfaces, curbs, steps, and grade changes.
- Location and sizes of any irrigation facilities used to maintain planting areas.
- Location of any overhead powerlines or easements on the property.

7. Add text that side lot lines should be created perpendicular to the street.
   SECTION 6.3. LOT AND BLOCK DESIGN STANDARDS
   C. LOT STANDARDS
   (1) GENERAL

a. Lots shall meet zoning district standards and shall be designed for their potential uses.
b. Side lot lines abutting a public or private right-of-way shall, to the extent practicable, run at right angles to the right-of-way line.

8. Principal Use Table
   See Exhibit B

9. Structures and Mechanical Equipment screening

Section 5.3 Landscaping and Buffer Standards

5.3.H.(6) Structures and Mechanical Equipment

Dumpsters shall be set on a concrete pad and shall be screened with an opaque fence or wall of sufficient height, as required in Section 5.7.H, to screen the container and any appurtenances. Trash containers shall not be located abutting residential property. All mechanical equipment shall be screened from view with an opaque screen.

Section 5.7 Form and Design Standards

5.7.H. Storage and Mechanical Equipment Standards

(1) Mechanical Equipment

All mechanical equipment shall be screened from view with an opaque screen.

(2) Solid Waste Storage Areas

a. Solid waste dumpsters or other large containers for solid waste storage shall be confined in an enclosed area that is screened on all sides. A solid waste enclosure, large enough to confine solid waste items and dumpster(s), should be of solid opaque construction, six-foot high with latching gates providing access. The applicant shall indicate on the site plan the choice of materials and color so that the Administrator can determine that they are consistent and compatible with those of the principal building(s) on the site.

b. Enclosures shall be constructed of durable, weather-proof, permanent materials such as concrete or stone block, metal, vinyl, wood, or similar material. The applicant shall ensure that the choice of materials and color are consistent and compatible with those of the principal building(s) on the site.

c. Fences of chain link, sheet metal and barbed and razor wire, with or without slats of wood or metal inserted, shall not be considered as sufficient materials to screen outdoor storage areas or operations.

d. Solid waste dumpsters or other large containers for solid waste storage shall have a lid to minimize the potential contamination of stormwater runoff.

10. Family care home definition

Family care home:

A~~n adult~~ care home with support and supervisory personnel that provides room and board, personal care, and habilitation services in a family environment for not more than six (6) ~~residents who are~~ disabled ~~handicapped~~ persons. Family care homes are subject to licensure by the North Carolina Department of Health and Human Services, Division of Health Service Regulation.

11. Beehives

Add – Apiary definition

- APIARY - Bees, comb, hives, appliances, or colonies, wherever they are kept, located, or found. (Source: NCGS § 106-635)

Add Apiary to all districts (Table 4.3.B(3): Accessory Use/Structure Table) with link to use-specific standards. 4.3.D(4)

Apiaries – Five (5) or fewer hives shall be allowed in any zoning district. The hives shall be placed at ground level or securely attached to an anchor or stand. The hive may also be permanently attached to a roof surface if secured to an anchor or stand. The hive shall be removed if the owner no longer maintains the hive or if necessary to protect the health, safety, and welfare of the public. (Source NCGS § 106-645). More than five (5) hives shall be considered agriculture for the purpose of this ordinance.

12. Event Center

Add Event Center to Principal Use Table (See Exhibit B) and add definition.

- Premises which are frequently rented out for public or private activities that are not repeated on a weekly basis, and which are not open to the public on a daily basis at times other than when an event is scheduled.

13. Electronic changeable copy (EMC, electronic message board)

Sign, changeable copy – change definition to include electronic message board

Add Electronic Message Board to Table 5.9.E(2)

Edit Section 5.9.E(3) for Ground signs, wall signs

- Increase the area devoted to electronic changeable copy shall be limited to seventy (70%) percent of the total area of the sign face (currently 50%)
- Electronic changeable copy displays shall not exceed five-thousand (5,000) NITs during daylight hours and five-hundred (500) NITs after dusk.
- The transition time between changes in the sign face or message shall be less than one second
- The sign shall not display any message that moves, appears to move, scrolls, or changes in intensity during the fixed display period

14. Self-service storage

Self-service storage option 1

To remove self-service storage as allowed in GC

Article 4, Table 4.2.B(5), Article 10, and Article 4 Table 4.3.B(3)

Table Error! Reference source not found.**: Principal Use Table**

P = Permitted by right, or, in planned development district, if specified in PD Plan; **S** = Special use; **–** = Prohibited

Principal Use Category or Type	AG	Residential							Mixed-Use						Non-residential				PD			Legacy			Use-Specific Standards
	AG	R1	R2	R4	R6	R7	R8	R18	MU-N	MU-SC	MU-UC	MU-AC	TOD	CC	OI	GC	LI	HI	PD	PD-	PD-C	CD	CD-R	C-1	
Commercial Uses																									
Retail Sales and Services																									
Self-service storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	~~S~~	S	P	-	-	P	-	-	-	4.2.D(5)f.4

Section 4.2.D. Standards Specific To Principal Uses

4. Self-Service Storage

~~(b) Notwithstanding the building height standards in the district where the self-service storage is located, except in the GC District, buildings where storage units are accessed directly from the building's exterior shall have a maximum height of one story. For purposes of this section, one story shall mean and refer to a maximum interior ceiling height of ten feet, which may include a maximum of eight feet with an additional two feet to accommodate a garage-type sliding or roll up door.~~

Self-service storage option 2

Leave them as allowed in GC with special use permit

Section 4.2.D. Standards Specific To Principal Uses

4. Self-Service Storage

~~(b) Notwithstanding the building height standards in the district where the self-service storage is located, except in the GC District, buildings where storage units are accessed directly from the building's exterior shall have a maximum height of one story. For purposes of this section, one story shall mean and refer to a maximum interior ceiling height of ten feet, which may include a maximum of eight feet with an additional two feet to accommodate a garage-type sliding or roll up door.~~

(b) Any new self-service storage facility shall be a minimum distance of two (2) miles from an existing self-storage service facility.

Table 4.2.B(5): Principal Use Table

P = Permitted by right, or, in planned development district, if specified in PD Plan; **S** = Special use; **–** = Prohibited

Principal Use Category or Type	AG	Residential							Mixed-Use						Non-Residential				PD			Legacy			Use-Specific Standards
	AG	R1	R2	R4	R6	R7	R8	R18	MU-N	MU-SC	MU-UC	MU-AC	TOD	CC	OI	GC	LI	HI	PD	PD-TND	PD-C	CD	CD-R	C-1	
Commercial Uses																									
Personal Services																									
Studio/School	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	P	P	P	P	-	P	4.2.D(5)f.4
Personal grooming or well-being service	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	P	-	-	P	P	P	P	-	P	
Recreation/Entertainment																									
Event Center	-	-	-	-	-	-	-	-	S	P	-	-	S	S	P	P	P	-	P	S	P	S	-	P	
Residential Uses																									
Household Living																									
Residential care facility	-	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	

RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO TEXT AMENDMENT TA-2024-01

WHEREAS, Section 160A-383 (2013), of the North Carolina General Statutes, modified in Section 160D-605, specifies that the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive and any other officially adopted plan that is applicable; and

WHEREAS, the text amendments to the below sections of the Kannapolis Development Ordinance (KDO) are consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan:*

1. Amend Section 3.8.F(3) to insert starting location of Mooresville Road segment of the Throughfare Protection Overlay (TPO) District.
2. Amend Section 3.8.F(4)(a) to allow for vehicle uses at the I-85 and Davidson Highway interchange within 300 feet of the intersection of Davidson Highway and Trinity Church Road.
3. Amend Section 3.5.C to increase permitted building height in Office-Institutional (O-I) District Building to 50 feet.
4. Amend Section 3.4.H to increase permitted building height in Center City (CC) District Building to 120 feet.
5. Amend Section 5.7.D(1) to increase the number of dwelling units from 30 to 100 before a second access point for residential development is required.
6. Amend Appendix A: 6 to add a requirement to show specimen trees on landscaping plans.
7. Amend Section 6.3: 7 to add text that side lot lines should be created perpendicular to the street.
8. Amend Section 4, Table 4.2.B(5), Principal Use Table to allow for 'Studio/School' in the OI district, to allow 'Personal grooming or well-being service' in MU-N district and to allow the use of 'residential care facility' in the OI district. See (Exhibit B for changes in the Principal Use Table.
9. Amend Section 5.3.H(6) to add screening requirement for all dumpsters and mechanical equipment and to add Section 5.7.H: Storage and Mechanical Equipment Standards to add screening standards for mechanical equipment and solid waste storage areas for all commercial development.
10. Amend Article 10, Definitions, to update the definition of 'Family care home' definition to match state statutes.
11. Amend Article 10, Definitions, to add 'Apiary' definition, Section 4, Table 4.3.B(3), add to all districts to align with state statutes, and add Section 4.3.D(4) to add use specific standards for 'Apiaries'.
12. Amend Article 4, Table 4.2.B(5) to add Event Center as a use permissible by issuance of a Special Use Permit in the MU-N, TOD, CC, PD-TND and CD Zoning Districts, allow by right in MU-SC, OI, GC, LI, PD, PD-C, and C-1 districts and to add 'Event Center' to Article 10, Definitions.
13. Amend Section 5.9.E(3): add requirements for Electronic changeable copy (EMC, electronic message board), and add Electronic Message Board to Table 5.9.E(2).
14. Amend Section 4.2.D. to disallow self-service storage in GC or to require a minimum separation distance from other facilities.

and;

WHEREAS, the Planning and Zoning Commission conducted a Public Hearing on March 19, 2024, for consideration of text amendment Case# TA-2024-01 as submitted by the Planning Department staff;

NOW, THEREFORE BE IT RESOLVED that the Planning and Zoning Commission finds the text amendment as represented in Case TA-2024-01 is consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, as well as state statutes, reasonable, and in the public interest, and is recommended for approval by the City Council based on consideration of the application materials, information presented at the Public Hearing, and the recommendation provided by Staff.

Adopted this the 19th Day of March 2024:

_____
Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

_____
Pam Scaggs, Recording Secretary
Planning and Zoning Commission