



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

July 19, 2022 at 6:00 pm

Agenda

- 1. Call to Order**
- 2. Roll Call and Recognition of Quorum**
- 3. Approval of Agenda**
- 4. Continued from June 21, 2022**
 - a. CZ-2022-03 – Conditional Zoning Map Amendment – 6441 Davidson Highway**

Continued from June 21, 2022, consider a request to rezone property located at 6441 Davidson Highway from Planned Unit Development-Conditional Zoning (PUD-CZ) zoning district to Light Industrial-Conditional Zoning (I-1-CZ); General Commercial-Conditional Zoning (GC-CZ); Campus Development-Conditional Zoning (CD-CZ) and Residential Compact-Conditional Zoning (R-C-CZ) zoning districts to allow retail, light industrial and multi-family uses. The subject property is approximately 229.44 +/- acres and further identified as Cabarrus County Parcel Identification Number 46917672990000.
- 5. Public Hearing**
 - a. CZ-2022-04 – Conditional Zoning Map Amendment – 6253 Mooresville Rd.**

Public Hearing to consider a request to rezone property located at 6253 Mooresville Road from Cabarrus County Agricultural Open (AO) zoning district to City of Kannapolis General Commercial-Conditional Zoning (GC-CZ) zoning district to allow a contractor’s office/shop. The subject property is approximately 1.98 +/- acres and further identified as Cabarrus County Parcel Identification Number 46938699660000.
- 7. Planning Director Update**
- 8. Other Business**
- 9. Adjourn**



**Planning and Zoning Commission
July 19, 2022 Meeting (Continued from the June 21, 2022 Meeting)**

Staff Report

TO: Planning and Zoning Commission
FROM: Boyd Stanley, AICP, Assistant Planning Director
SUBJECT: Case #CZ-2022-03
Conditional Zoning Map Amendment
Applicant: Trinity Capital Advisors

Continued request to conditionally rezone property located at 6441 Davidson Highway to allow retail, light industrial and multi-family uses.

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

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

C. Background & Project Overview

As initially presented at the June 21, 2022, meeting, the applicant, Trinity Capital Advisors, is proposing to rezone properties located at 6441 Davidson HWY from City of Kannapolis Planned Unit Development-Conditional Zoning (PUD-CZ) zoning district to Light Industrial-Conditional Zoning (I-1-CZ); General Commercial-Conditional Zoning (C-2-CZ); Campus Development-Conditional Zoning (C-D-CZ) and Residential Compact-Conditional Zoning (R-C-CZ). The property is approximately 229.44 +/- acres and further identified as Cabarrus County Parcel Identification Number 46917672990000.

A rezoning for this site was approved in 2021 under Case No. CZ-2021-05, which approved a development consisting of a mix of residential, commercial and office uses.

Planning and Zoning Commission continued this case from the June 21, 2022 meeting and requested two items for the continued meeting. First, the Commission directed the applicant to provide additional building elevations for the proposed project. Second, the Commission directed staff to research and provide data related to existing and proposed industrial-type projects within the City and the County. This information will be made available at the continued meeting.

As shown on the provided site plan exhibits, the current rezoning amendment proposes four development areas as outlined below:

1. **Development Area A-** +/-10.14 acres located on the north side of the property along Davidson Highway which proposes a convenience store with gas sales. The proposed zoning for Area A is C-2-CZ.
2. **Development Area B-** +/- 18.74 acres located on the north side of the property at the corner of Davidson Highway which proposes a 357,000 square foot light industrial flex-office building. Elevations have been provided in this exhibit showing a variety of building materials and examples. All loading/unloading areas are provided at the rear of the building along with increased landscaping/berm provided at this highly visible intersection. In addition, a future roadway is shown behind this area which connects Davidson Highway and Kannapolis Parkway in conjunction with NCDOT improvement plans. The proposed zoning for Area B is CD-CZ
3. **Development Area C-** +/- 135.26 acres is the largest development area which proposes 2 light industrial/warehouse buildings with a maximum built-upon area of 2,500,000 square feet. Elevations have been provided in this exhibit showing a variety of building materials and building layout examples. The proposed zoning for Area C is I-1-CZ.
4. **Development Area D-** +/- 65.33 acres located on the south side of the property with frontage on Kannapolis Parkway which proposes a 300-unit multi-family apartment development consisting of 7 residential buildings along with a clubhouse building and pool. Elevations have been provided in this exhibit showing a variety of building materials and examples. The proposed zoning for Area D is RC-CZ.

D. Fiscal Considerations

None

E. Policy Issues

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

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

The size of the subject tract is approximately 229.444 +/- acres.

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

This property is in the “Suburban Activity 2”, “Employment Center” and “Complete Neighborhood 2” Character Areas as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. These Character Areas include multi-family, light industrial and commercial development as primary or secondary uses in harmony with the proposed development areas. The proposed uses are therefore in conformance with the goals and policies of the 2030 Plan.

This property is also within the Coddle Creek Thoroughfare Protection Overlay District (CCTP) which was established to enhance the economic and aesthetic appeal along the City’s major transportation corridors. All uses, site and building design shall meet the requirements of the CCTP.

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

The area is undergoing a transition from agriculture and low-density residential uses to mixed commercial, light industrial and residential uses. The requested rezoning proposes an update to the previously approved planned development of a scale that is appropriate for the area.

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

A Traffic Impact Analysis is required for this rezoning. The recommended improvements, which have been reviewed and preliminarily accepted by NCDOT and the City, can be found in the TIA scoping document.

5. Will there be parking problems?

A full site plan shall be submitted to comply with all parking requirements in the UDO.

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

There are no negative environmental impacts, and the development will be required to conform to all applicable local, state, and federal environmental regulations.

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

The character of the area has changed the past several years, with the growth of a mixture of commercial and residential development.

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

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

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

Properties to the north are zoned Campus Development (CD) and Campus Development Residential (CD-R). Properties to the south and east are zoned Residential Estate (RE), Campus Development (CD) and Residential Compact (RC). Properties to the west are Agricultural (AG) and Residential Estate (RE). The proposed mixed-use project integrates well with the surrounding area.

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

The proposed rezoning is intended to update the originally approved PUD under case CZ-2021-05. See plans attached for changes.

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

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

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

N/A

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

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

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

No.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates this property as being located in the “Suburban Activity 2”, “Employment Center” and “Complete Neighborhood 2” Character Areas as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. These Character Areas include multi-family, light industrial and commercial development as primary or secondary uses in harmony with the proposed development areas. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Finally, there is adequate access or ability to extend to public facilities.

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

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

Based on the request being consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval with the following conditions for Zoning Map Amendment Case #CZ-2022-03:

1. The permitted uses allowed by this rezoning shall include the uses, densities and intensities as shown on the master plan approved with this rezone.
2. A Final Site Plan, in compliance with all applicable City UDO standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance Permit.
3. Comply with current Land Development Standards Manual.
4. All road intersections on where development has access and/or street frontage shall be approved by the City.
5. The Developer will construct curb and gutter and sidewalk along the entire road frontage where development has access and/or street frontage. The improvements will be constructed to NCDOT and City standards. Internal streets shall meet current City standards and a dedicated public right-of-way per the City's Typical Section Local Residential Street, LDSM Detail 101.
6. The lane widths, sidewalks, pavement structure, road alignment, and road grades shall be constructed to current City standards.
7. Roads and parking lots shall comply with all Fire Codes and Autoturn templates for SU-30 and Bus-45 (mimics ladder truck) shall be used.
8. Streams and wetlands shall be identified by a qualified person and all buffers shown in accordance with Article 4 of the Kannapolis UDO. Construction of buildings, roads, and other structures must comply with AE Zone & RSOD Buffer requirements or be relocated.
9. A Stormwater Management Permit will be required for this Development in accordance with Article 9 of the Kannapolis UDO. Easements, maintenance agreements and viable access shall be provided for all stormwater structures and SCM's. Stormwater SCM's cannot be constructed in the undisturbed buffer.
10. Water and sewer main extensions will be required for this project. The Developer shall be responsible for designing, permitting and constructing water and sewer mains in accordance with City and WSACC standards.
11. All water and sewer mains shall be publicly maintained and located within a public right-of-way or utility easement. The water and sewer mains shall be located in the roadway under the pavement per the City's Typical Section Utility Layout, LDSM Detail 301.
12. Easements for Sanitary Sewer lines, Water lines and Storm Sewer pipes need to be a minimum of 20-feet wide. Additional width may be required depending on the depth of the line. Sanitary sewer lines and storm sewer lines shall be located within Common Open Space (easements centered on property lines shall not be permitted). Viable access shall be provided along all easements with a grade no greater than 15% for maintenance vehicles and cross slopes shall not exceed 5%.

13. The Fire Department shall approve locations of all hydrants.
14. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.
15. All development shall adhere to site design and architectural standards as provided in the Site Plan and Rezoning exhibits.
16. All requirements as outlined in Article 15.1 *Coddle Creek Thoroughfare Protection Overlay District* of the Unified Development Ordinance shall be met along the Davidson Highway and Kannapolis Parkway Road frontages.

Alternative Courses of Action

Motion to Approve (2 votes)

1. **Should the Commission choose to approve the request for rezoning as presented in Case #CZ-2022-03, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being located in the “Suburban Activity 2”, “Employment Center” and “Complete Neighborhood 2” Character Areas as designated in the Move Kannapolis Forward 2030 Comprehensive Plan. These Character Areas include multi-family, light industrial and commercial development as primary or secondary uses in harmony with the proposed development areas. Furthermore, the Commission finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Finally, there is adequate access or ability to extend to public facilities.*

2. **Should the Commission choose to approve Case #CZ-2022-03, 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-2022-03, 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-2022-03 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-2022-03, 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. Originally Approved Site Plan CZ-2021-05
6. Updated Site Plan & 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:

- Assistant City Manager
- City Attorney
- Planning Director



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: 6441 Davidson Highway Concord, NC 28027

Applicant: Trinity Capital Advisors

Proposed development: Development of the Site with a mix of uses, including convenience store, warehouse distribution, light industrial and multi-family.

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 (Section 3.1.5.1 of the UDO).

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

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

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

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

Applicant's Signature: 

Date: 5/13/22



CONDITIONAL ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information

Name: Mr. Ken Jonmaire
Address: 440 S. Church St. St. 800
Charlotte, NC 28202
Phone: 240-444-3635
Email: kjonmaire@trinitycapitaladvisors.com

Property Owner Contact Information same as applicant

Name: Highway 73 Parkway LLC c/o MPV
Address: 2400 South Blvd. #300
Charlotte, NC 28203
Phone: 704-248-2100
Email: bpatrick@mpvre.com

Project Information

Project Address: 6441 Davidson Highway Concord, NC 28027
Parcel: 46917672990000 # of parcels: 1 Approx. size of parcels: ±229.44 acres
(attach separate list if necessary)

Current Zoning Designation: PUD - Planned Unit Develop Requested Zoning Designation: I-1-CZ - Light Industrial Condition

Reason for map amendment: *Add'l Requ. Designations: CD (CZ) - Campus Development, C-2 (CZ)-General Commercial, and RC (CZ)-Residential Compact

Reason for map amendment: to allow a mix of uses, including convenience store,
light industrial, and multi-family

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

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.

Applicant Signature

5/13/22
Date

Property Owner Signature

Date

For Staff Use Only:

Filing Fee: _____

Receipt #: _____

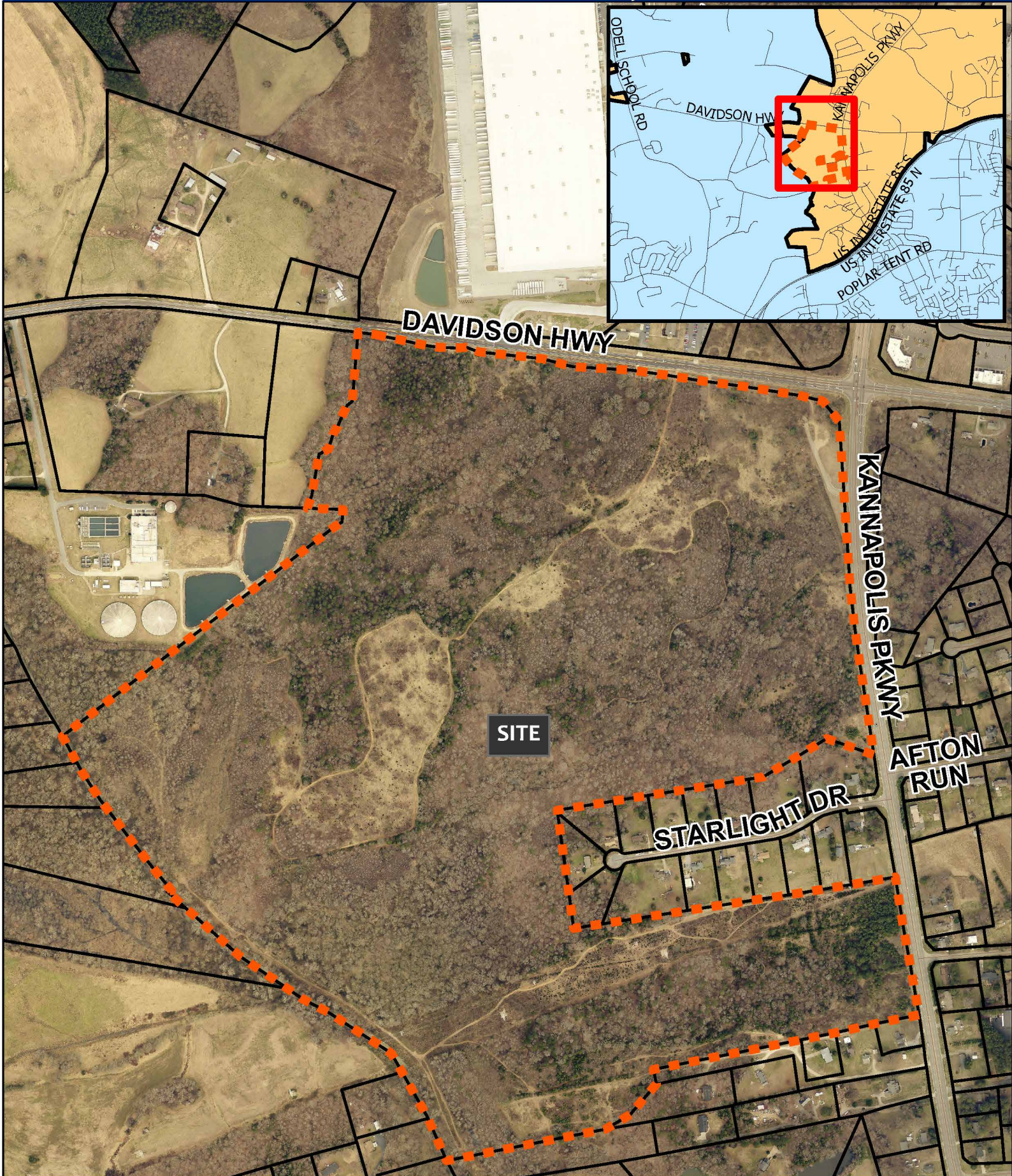
Case #: _____

Date Received: _____



Vicinity Map

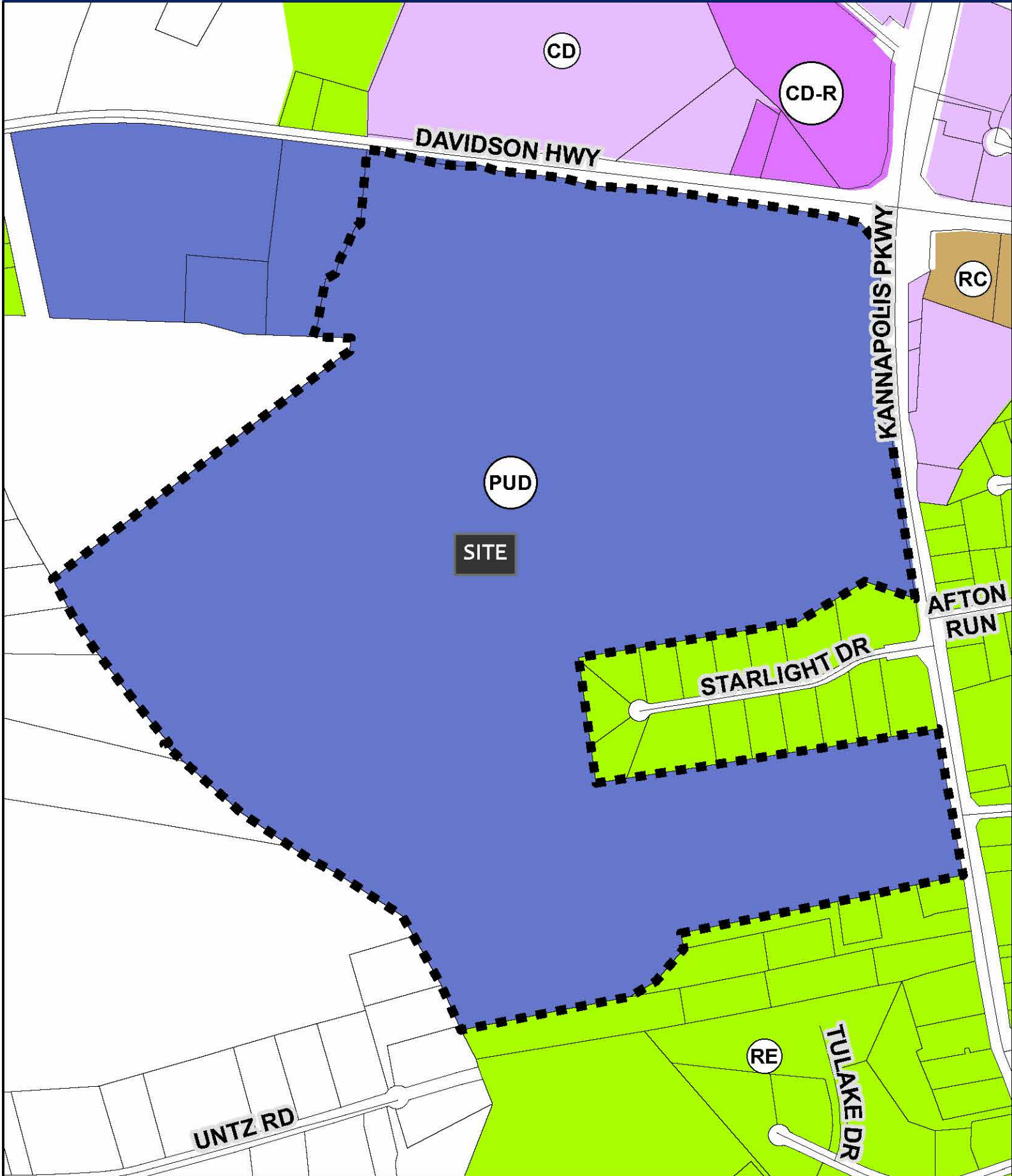
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Applicant: Highway 73 Parkway LLC
6441 Davidson Hwy





Kannapolis Current Zoning

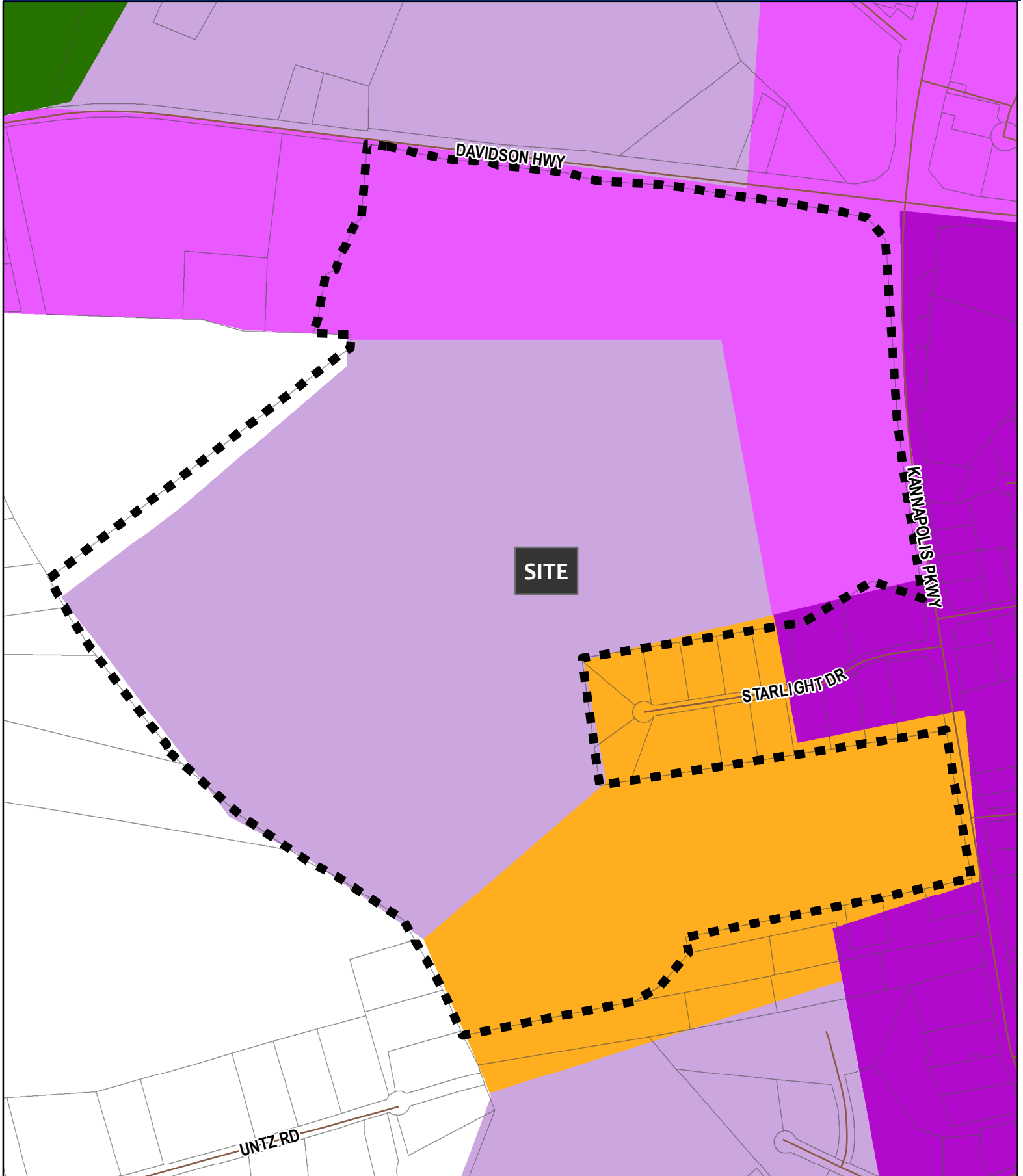
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Applicant: Highway 73 Parkway LLC
6441 Davidson Hwy

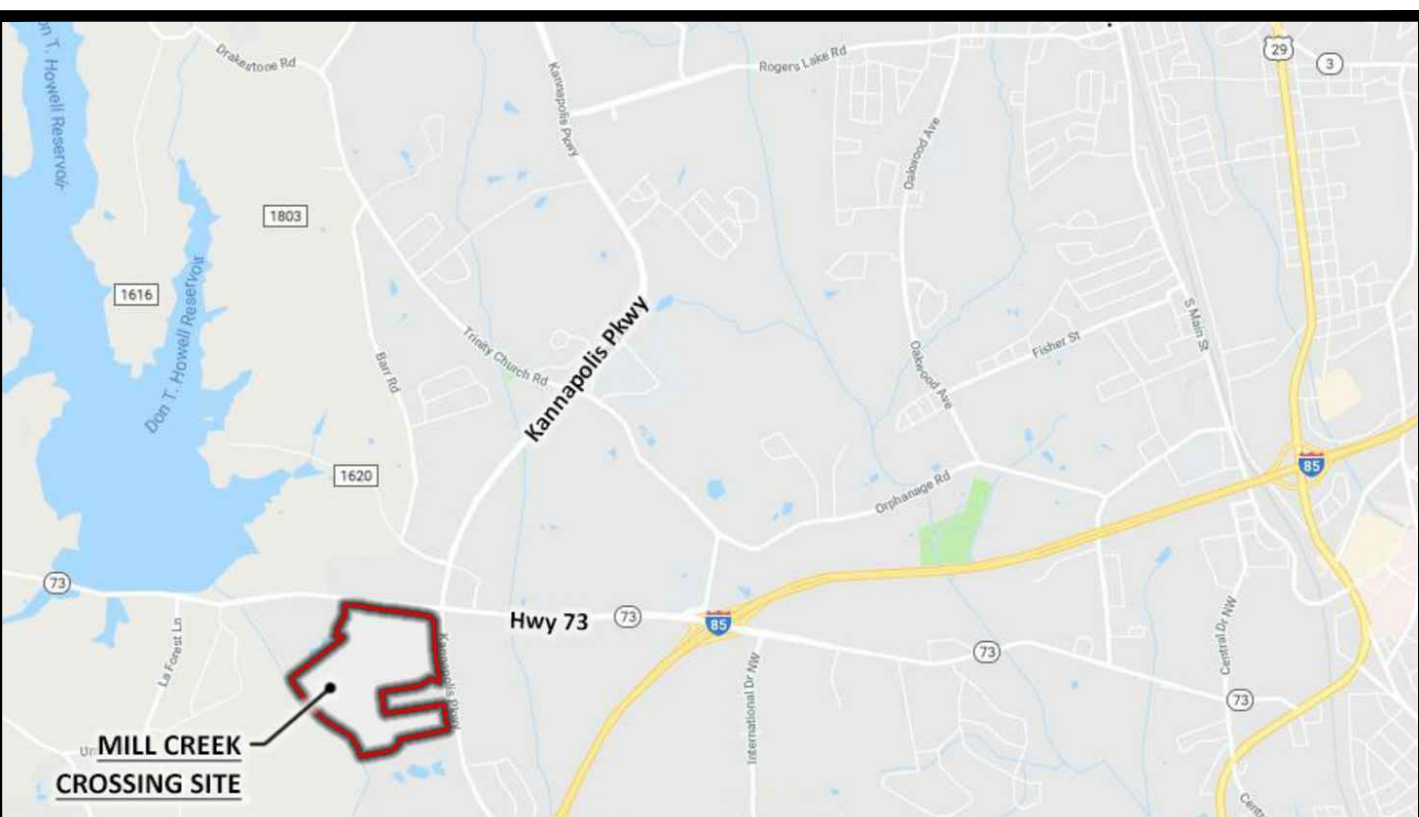




Current Kannapolis 2030 Future Land Use Map

Case Number: CZ-2022-03
Applicant: Trinity Capital Advisors
Address: 6441 Davidson Highway





Vicinity Map
Not to Scale

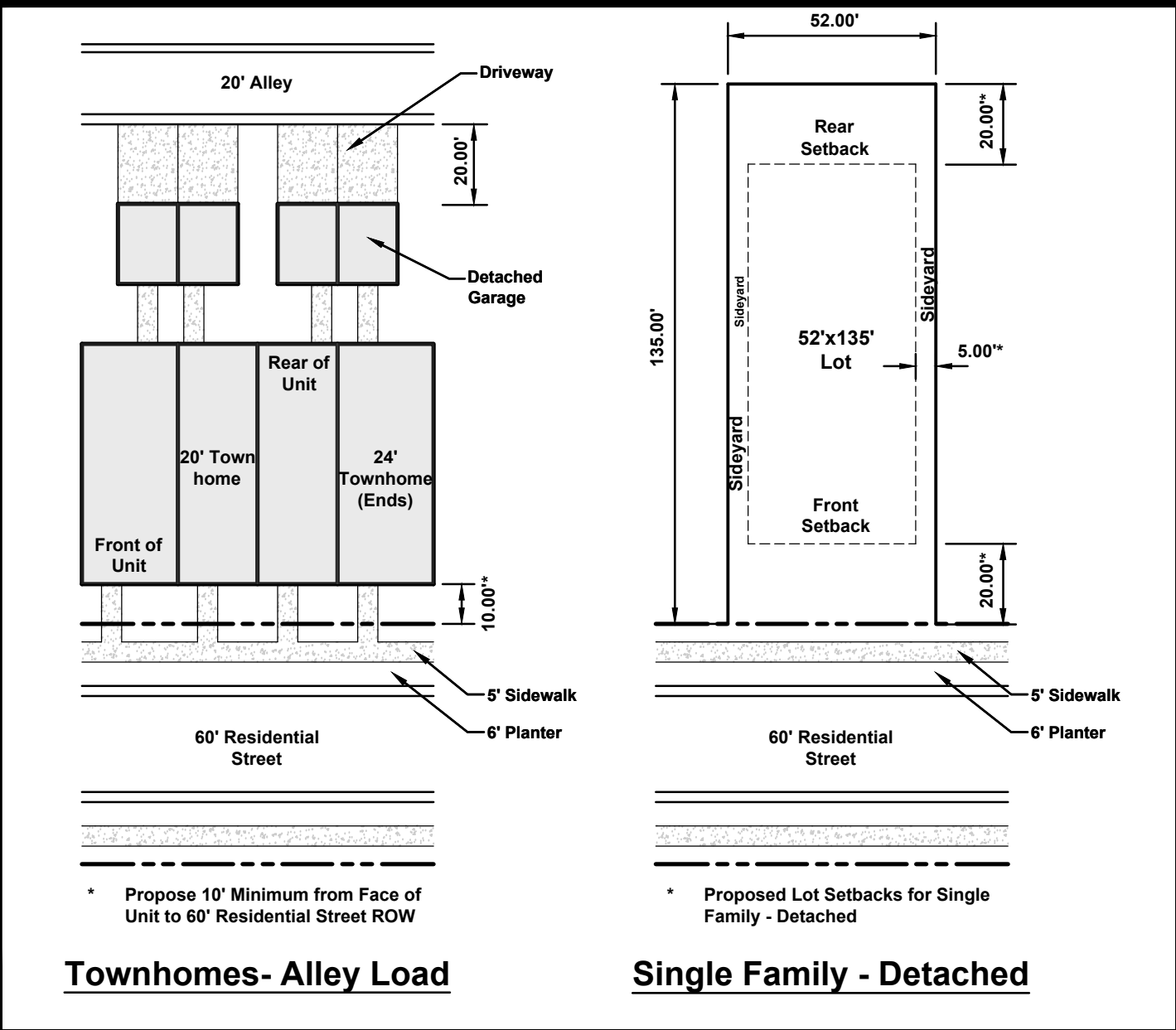
Site Data

Tax Parcels:	4691767299000
Total Acreage:	+/- 229.4 (Per GIS)
Location:	Kannapolis, NC
Existing Zoning:	PUD (Conditional Zoning)
Proposed Zoning:	PD (Conditional Zoning)
Existing Use:	Vacant
Proposed Use:	<ul style="list-style-type: none"> Village A - Single Family Residential: Up to 283 Units Village B - Apartments: Up to 300 Units Village C - Commercial / Retail: Up to 77,000 SF (Including 2 Outparcels) Village D - Senior Living: Up to 150 Units
Off-Street Parking:	Shall Satisfy or Exceed PD Minimum Requirements
Open Space:	+/- 105.83 Acres
Tree Preservation:	Shall Satisfy or Exceed PD Minimum Requirements

General Notes

- Base information obtained from Cabarrus County GIS.
- Stream / Wetland Information is based on "Mill Creek Crossing, Preliminary Boundary Map - Lennar, Waters of the United States, dated 11/29/17 & NC-73 Kannapolis Parkway Mixed Use Development, Preliminary Boundary Map - MPV, Waters of the United States, dated 12/04/17" wetlands report provided by Wetlands and Environmental Planning Group.

Typical Single Family Details
Not to Scale



PROJECT INFORMATION

PROJECT MANAGER:	PT
DESIGNED BY:	LH
DRAWN BY:	LH
PROJECT NUMBER:	FX33.101
ORIGINAL DATE:	02/16/2021
SHEET:	4 of 6

GRAPHIC SCALE
(IN FEET)
1 INCH = 200 FT.

NORTH

ESP Associates, P.A.
P.O. Box 7030
Charlotte, NC 28241
3475 Lakemont Blvd.
Fort Mill, SC 29708
704-583-8440 (NC)
803-802-2440 (SC)
www.espassociates.com

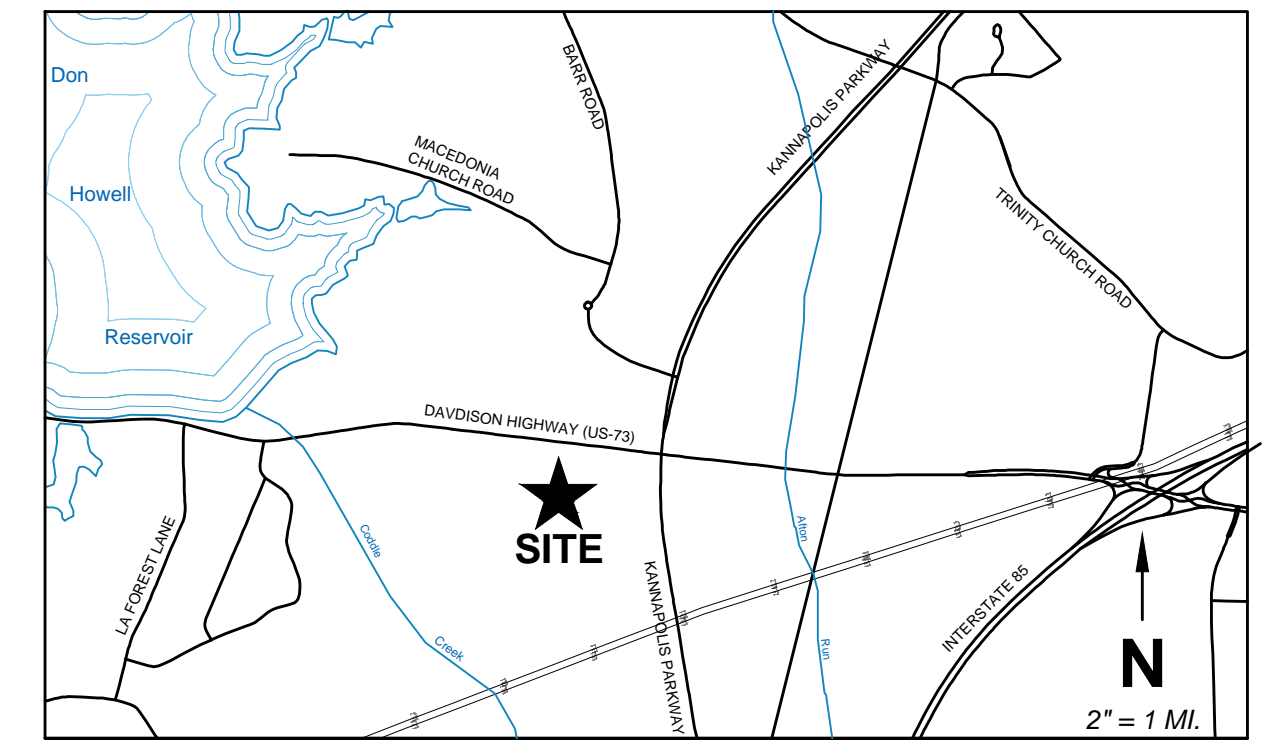
ESP

PD CONDITIONAL ZONING - PD (CZ)
MASTER PLAN - MAJOR SITE PLAN

MILL CREEK CROSSING
City of Kannapolis
Highway 73 Parkway, LLC

NO.	DATE	REVISION

VICINITY MAP



SITE DATA

EXISTING TRACT: 229.44 ACRES
 TAX PARCEL: 4691767299
 DEED BK/PG: 10302 / 165
 CURRENT ZONING: PUD
 EXISTING USES: VACANT / RESIDENTIAL

PROPOSED DEVELOPMENT AREA A
 AREA: 10.14 ACRES
 ZONING: C-2 (CZ)
 USES: CONVENIENCE STORE

PROPOSED DEVELOPMENT AREA B
 AREA: 18.74 ACRES
 ZONING: CD (CZ)
 USES: LIGHT INDUSTRIAL

PROPOSED DEVELOPMENT AREA C:
 AREA: 135.26 ACRES
 ZONING: I-1 (CZ)
 USES: WAREHOUSE

PROPOSED DEVELOPMENT AREA D:
 AREA: 65.33 ACRES
 ZONING: RC (CZ)
 USES: MULTIFAMILY

DEVELOPMENT AREA A
 - 10.14 ACRES
 - PROPOSED C-2 (CZ) ZONING

DEVELOPMENT AREA B
 - 18.74 ACRES
 - PROPOSED CD (CZ) ZONING

DEVELOPMENT AREA C
 - 135.26 ACRES
 - PROPOSED I-1 (CZ) ZONING

DEVELOPMENT AREA D
 - 65.33 ACRES
 - PROPOSED RC (CZ) ZONING

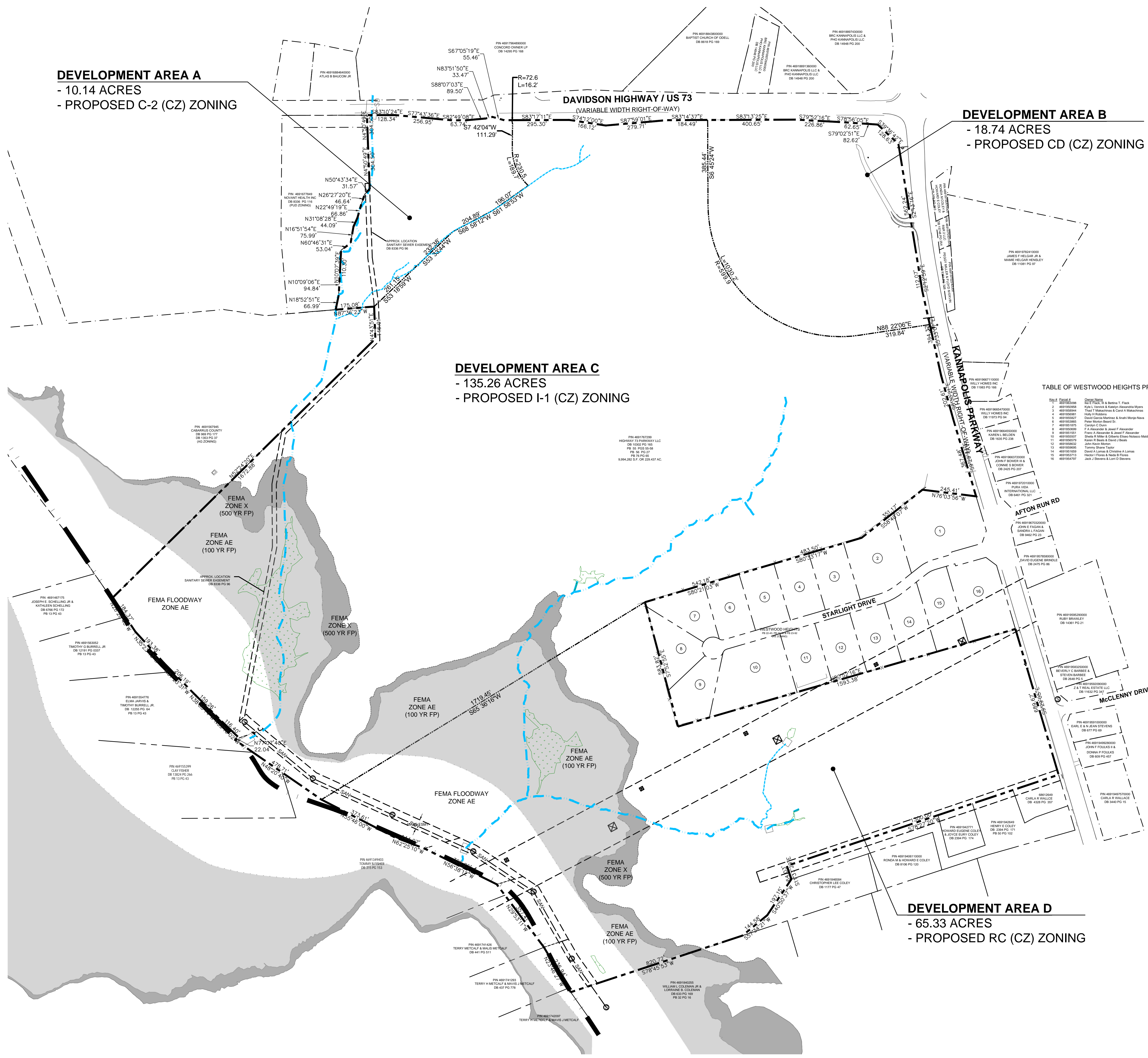
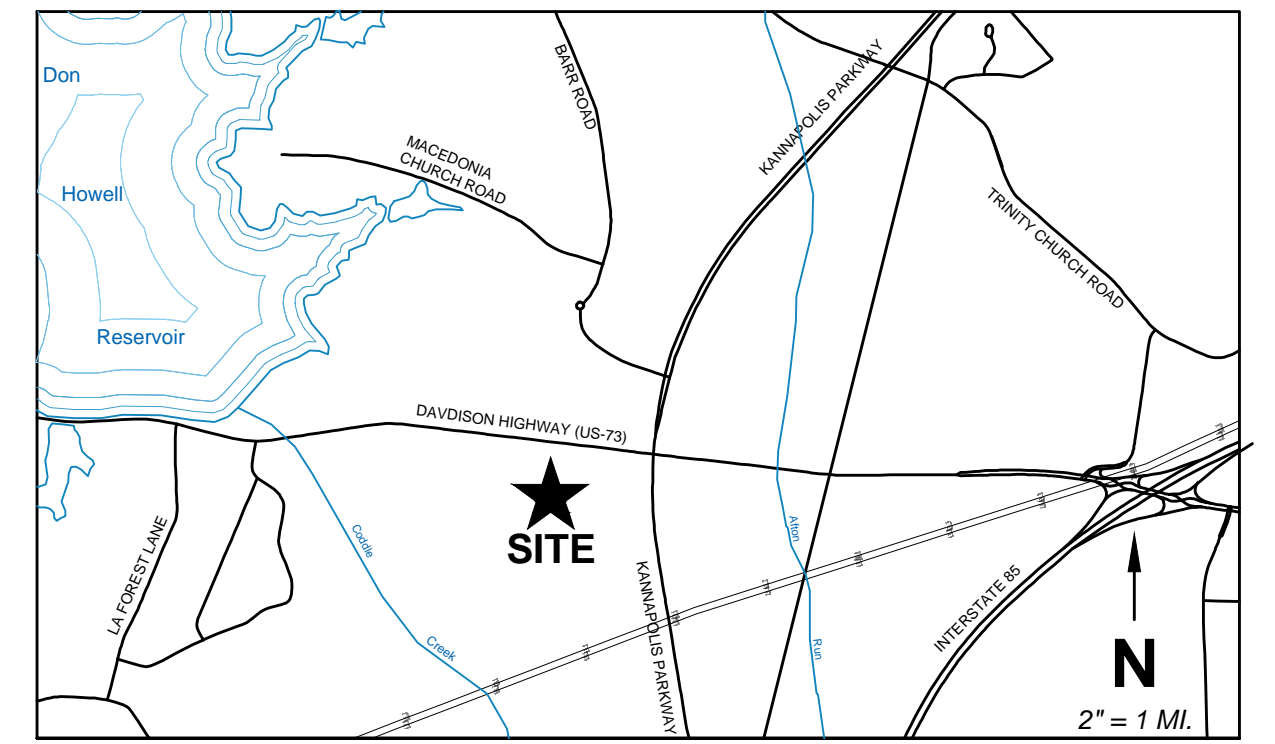


TABLE OF WESTWOOD HEIGHTS PROPERTY OWNERS

Parcel #	Owner Name	Area (Acres)
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

VICINITY MAP



SITE DATA

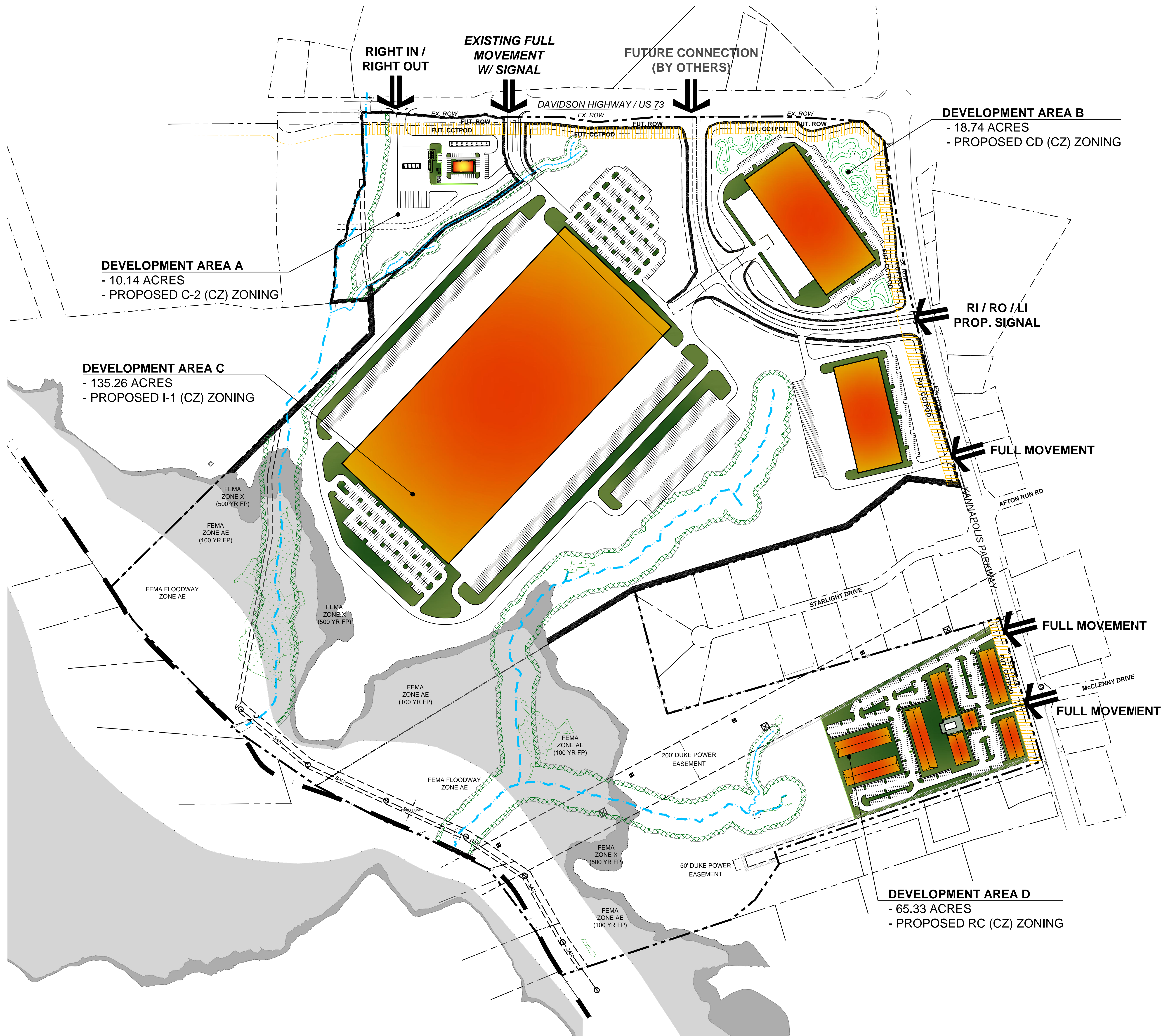
EXISTING TRACT: 229.44 ACRES
 TAX PARCEL: 4691767299
 DEED BK/PG: 10302 / 165
 CURRENT ZONING: PUD
 EXISTING USES: VACANT / RESIDENTIAL

PROPOSED DEVELOPMENT AREA A
 AREA: 10.14 ACRES
 ZONING: C-2 (CZ)
 USES: CONVENIENCE

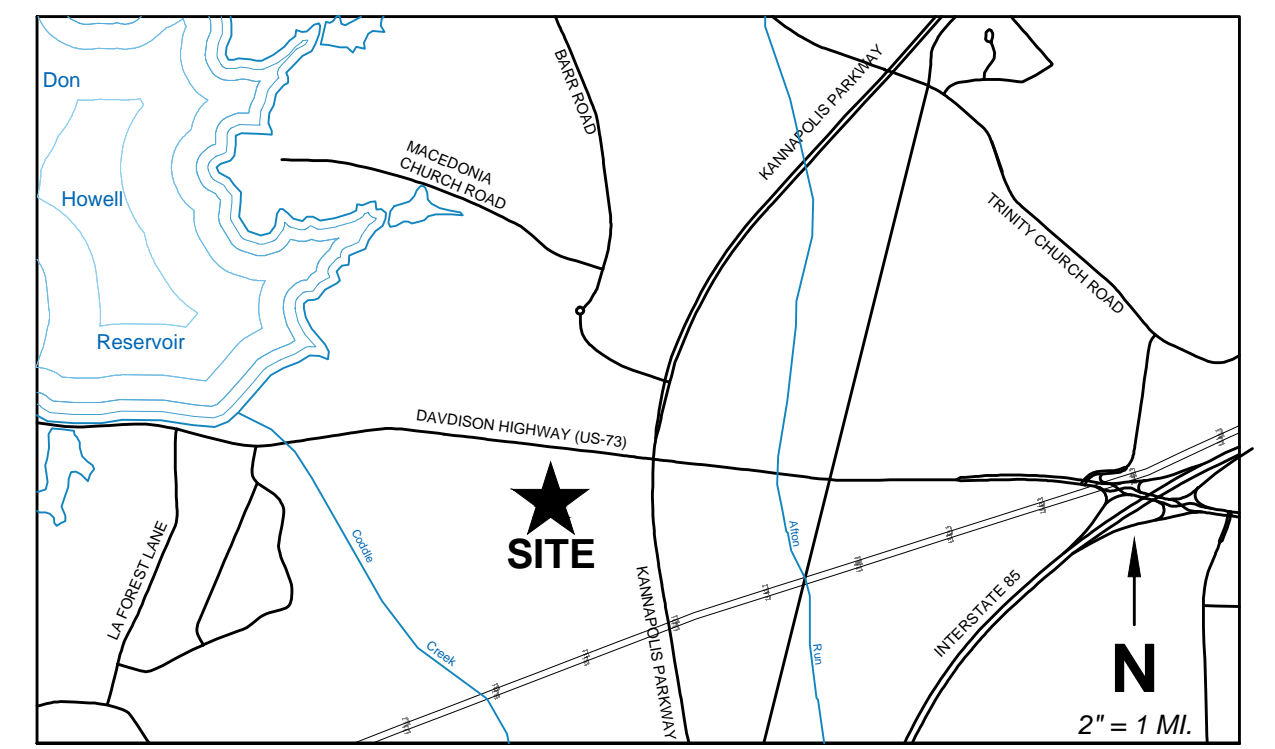
PROPOSED DEVELOPMENT AREA B
 AREA: 18.74 ACRES
 ZONING: CD (CZ)
 USES: LIGHT INDUSTRIAL

PROPOSED DEVELOPMENT AREA C:
 AREA: 135.26 ACRES
 ZONING: I-1 (CZ)
 USES: WAREHOUSE

PROPOSED DEVELOPMENT AREA D:
 AREA: 65.33 ACRES
 ZONING: RC (CZ)
 USES: MULTIFAMILY



VICINITY MAP



SITE DATA

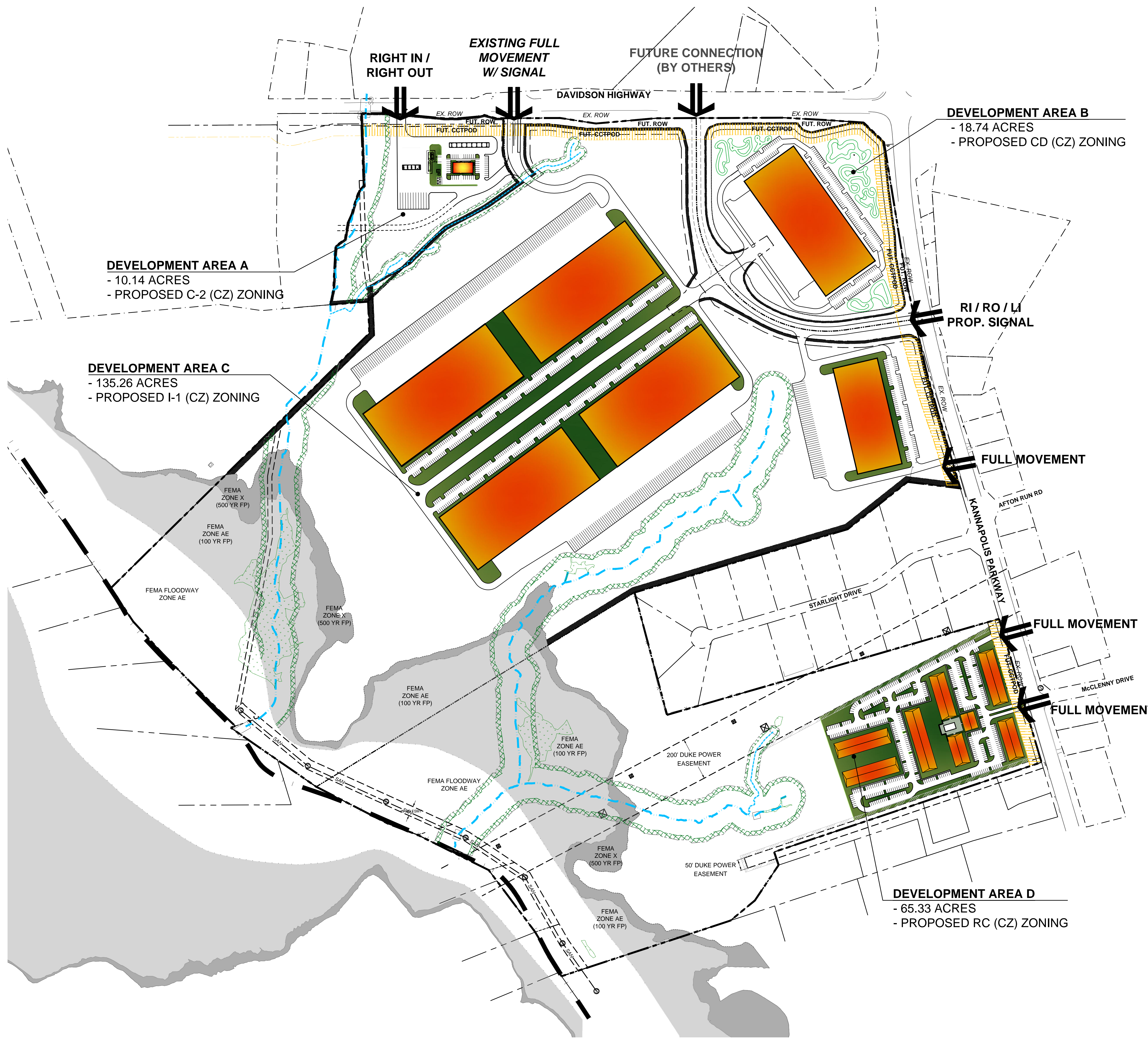
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 TAX PARCEL: 4691767299
 DEED BK/PG: 10302 / 165
 CURRENT ZONING: PUD
 EXISTING USES: VACANT / RESIDENTIAL

PROPOSED DEVELOPMENT AREA A
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 USES: WAREHOUSE

PROPOSED DEVELOPMENT AREA D:
 AREA: 65.33 ACRES
 ZONING: RC (CZ)
 USES: MULTIFAMILY



SITE DATA

PARCEL IDS:	46917672990000
AREA:	10.14 AC
EXISTING ZONING:	PUD
WATERSHED:	N/A
PROPOSED ZONING:	C-2 (CZ)
PROPOSED USE:	CONVENIENCE STORE
PROPOSED BUA:	125,500 SF (2.88 AC)
IMPERVIOUS SURFACE RATIO:	0.28 (0.8 ALLOWED)

SETBACKS AND BUFFERS

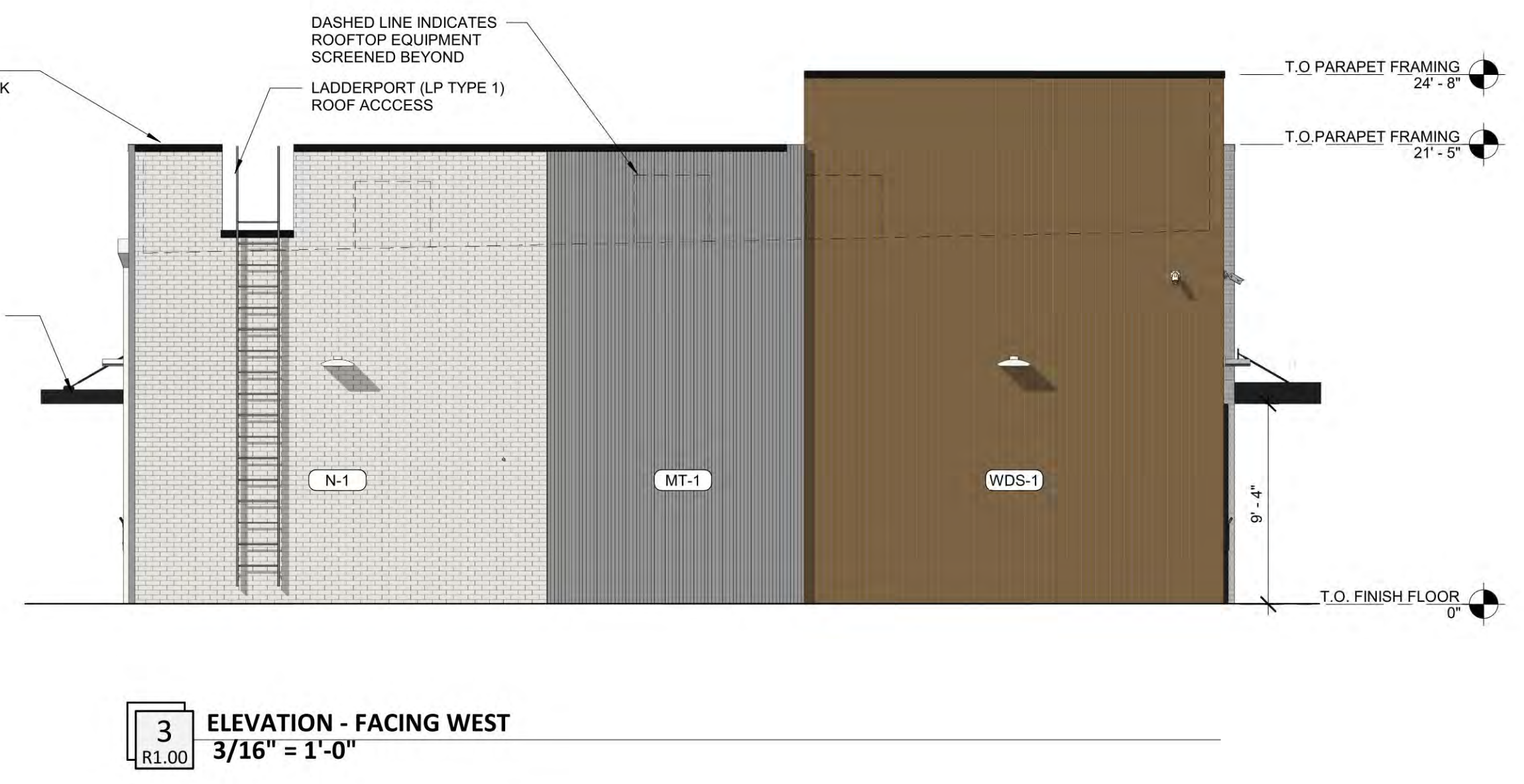
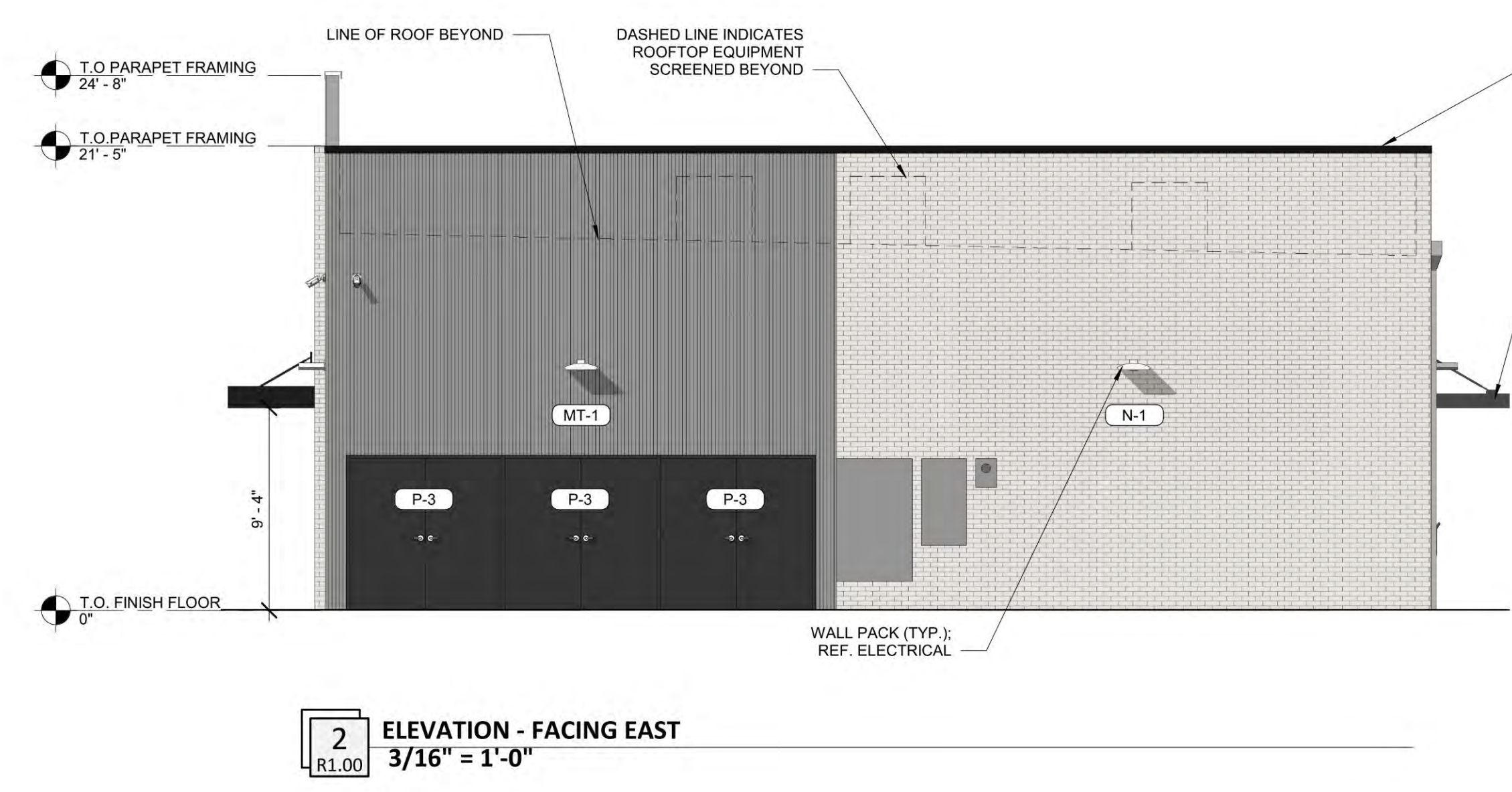
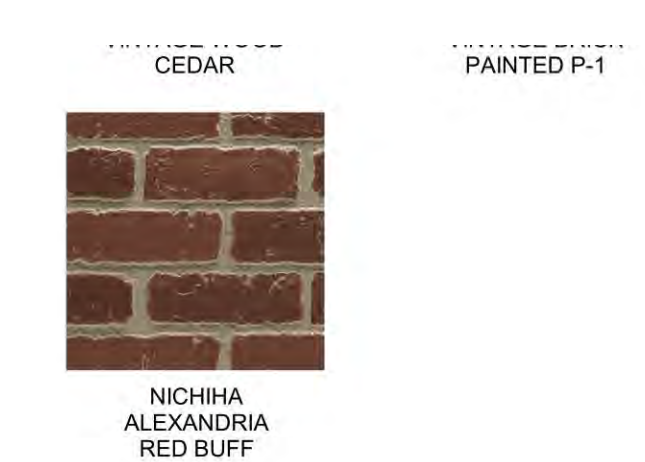
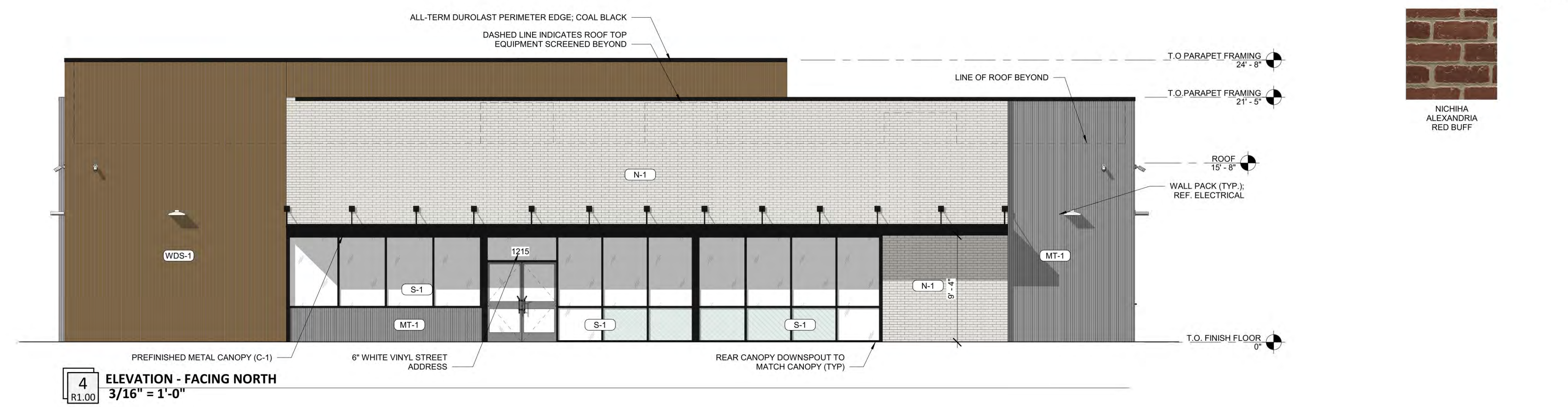
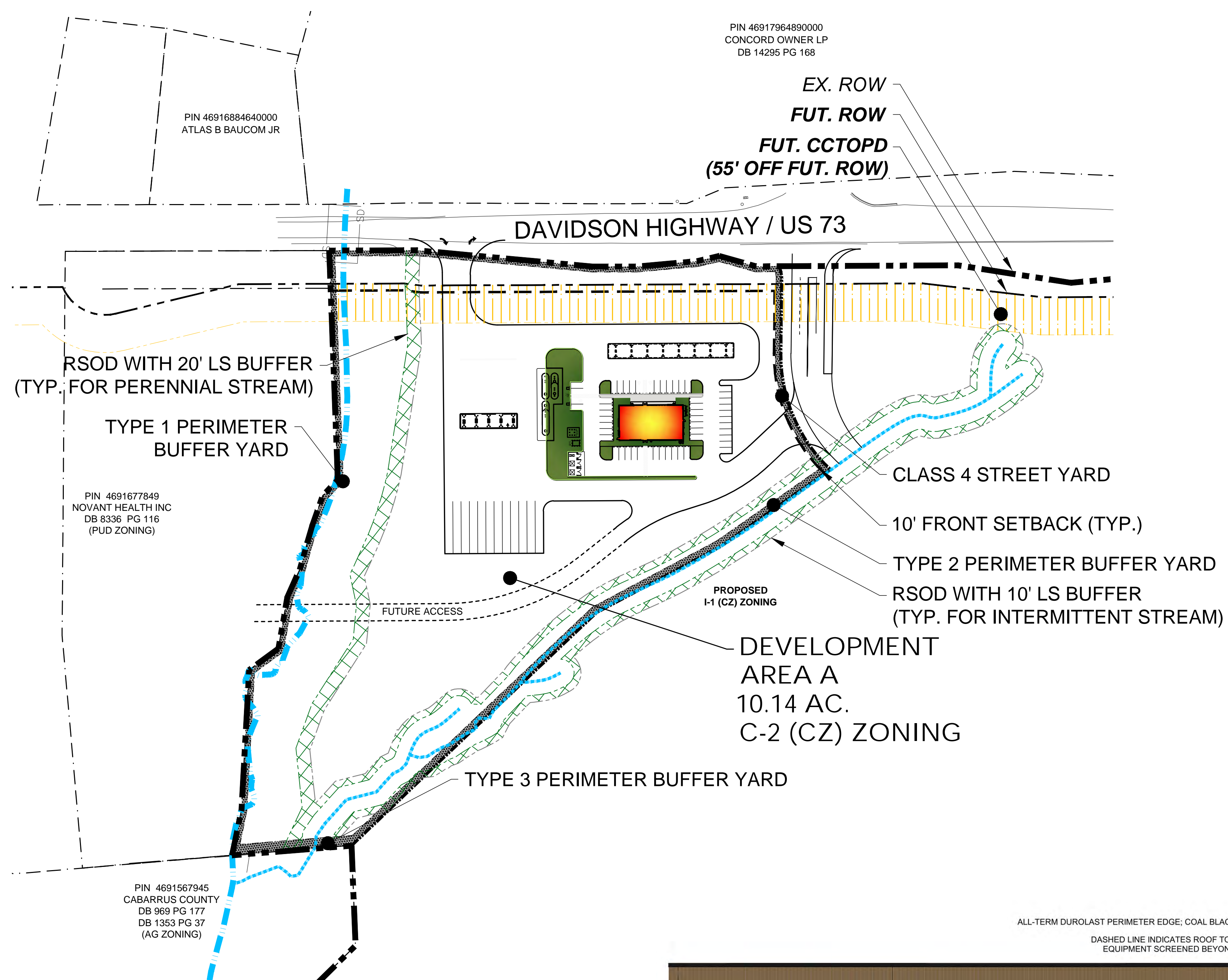
FRONT SETBACK:	10 FT. MIN.
SIDE SETBACK:	N/A
REAR SETBACK:	N/A
PERIMETER BUFFER YARD:	PER ORDINANCE
PARKING LOT YARD:	PER ORDINANCE
BUILDING YARD:	PER ORDINANCE
STREET YARD:	CLASS 4 (MIN. 8')
MAX. BUILDING HEIGHT:	48 FT.

PARKING

WILL EXCEED MINIMUM AND NOT EXCEED MAXIMUM REQUIREMENTS PER ORDINANCE

OVERLAYS

CODDLE CREEK THOROUGHFARE PROTECTION OVERLAY DISTRICT (CCTPOD)
RIVER/STREAM OVERLAY DISTRICT (RSOD)



SITE DATA

PARCEL IDS:	46917672990000
AREA:	19.81 AC
EXISTING ZONING:	PUD
WATERSHED:	N/A
PROPOSED ZONING:	CD (CZ)
PROPOSED USE:	LIGHT INDUSTRIAL
PROPOSED BUA:	367,500 SF (8.44 AC)
IMPERVIOUS SURFACE RATIO:	0.43 (0.8 ALLOWED)

SETBACKS AND BUFFERS

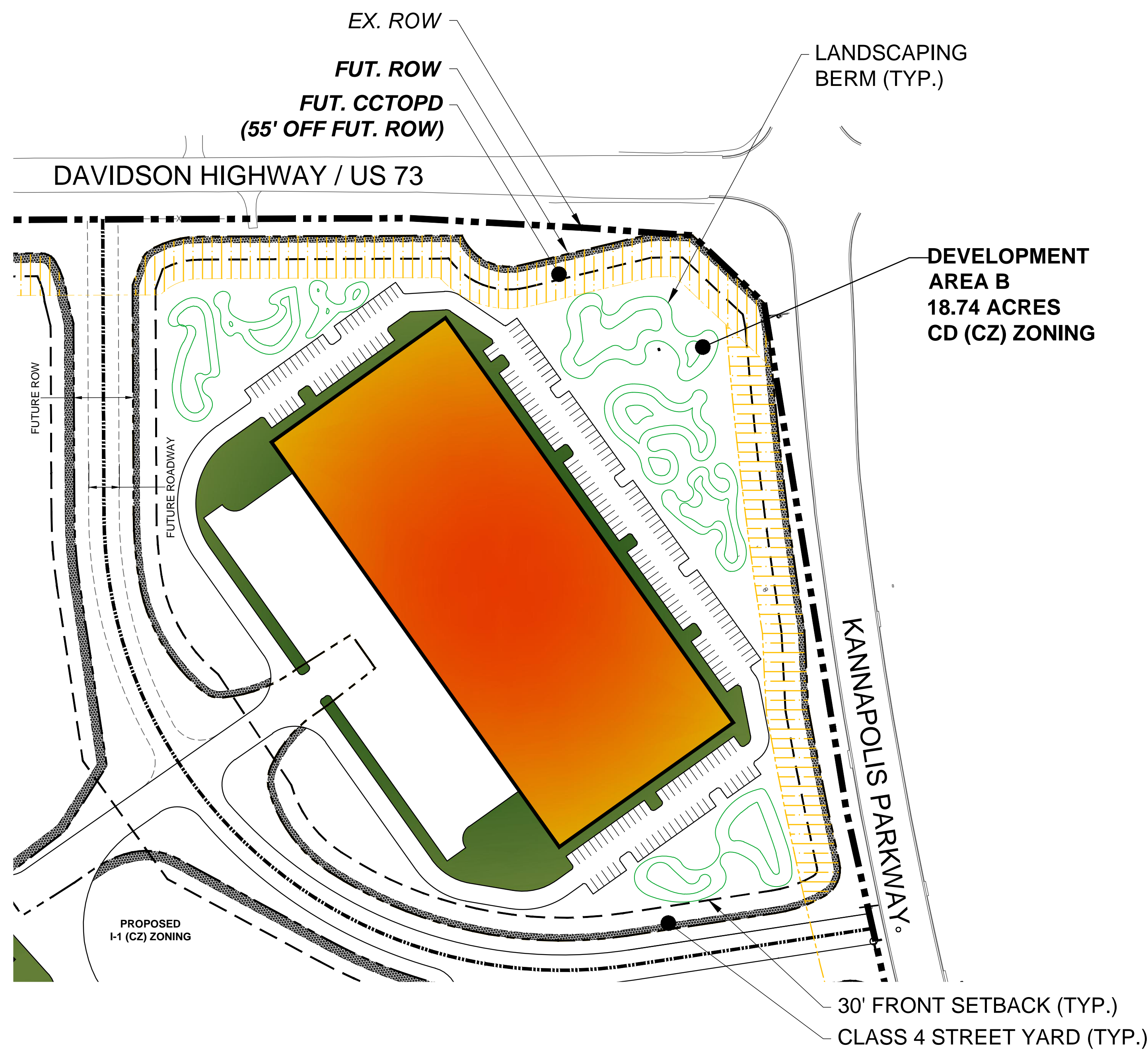
FRONT SETBACK:	30 FT. MIN.
SIDE SETBACK:	N/A
REAR SETBACK:	N/A
PERIMETER BUFFER YARD:	PER ORDINANCE
PARKING LOT YARD:	PER ORDINANCE
BUILDING YARD:	PER ORDINANCE
STREET YARD BUFFER:	CLASS 4 (MIN. 8')
MAX. BUILDING HEIGHT:	72 FT.

PARKING

WILL EXCEED MINIMUM AND NOT EXCEED MAXIMUM REQUIREMENTS PER ORDINANCE

OVERLAYS

CODDLE CREEK THOROUGHFARE PROTECTION OVERLAY DISTRICT (CCTPOD)





•Clear entry points will be highlighted through the use of offsets, canopies, overhangs, illumination and prominent detailing. Articulation using varying opening sizes, materials, patterns, recesses and projections



•Features use of offsets, canopies, overhangs, illumination and prominent detailing, recesses.

INDUSTRIAL / COMMERCIAL / FLEX BUILDING PRECEDENT IMAGES



•Articulation using varying opening sizes, patterns, recesses and projections



•Creation of visual layers with exposed steel, perforated metal or mesh screening / shading devices.



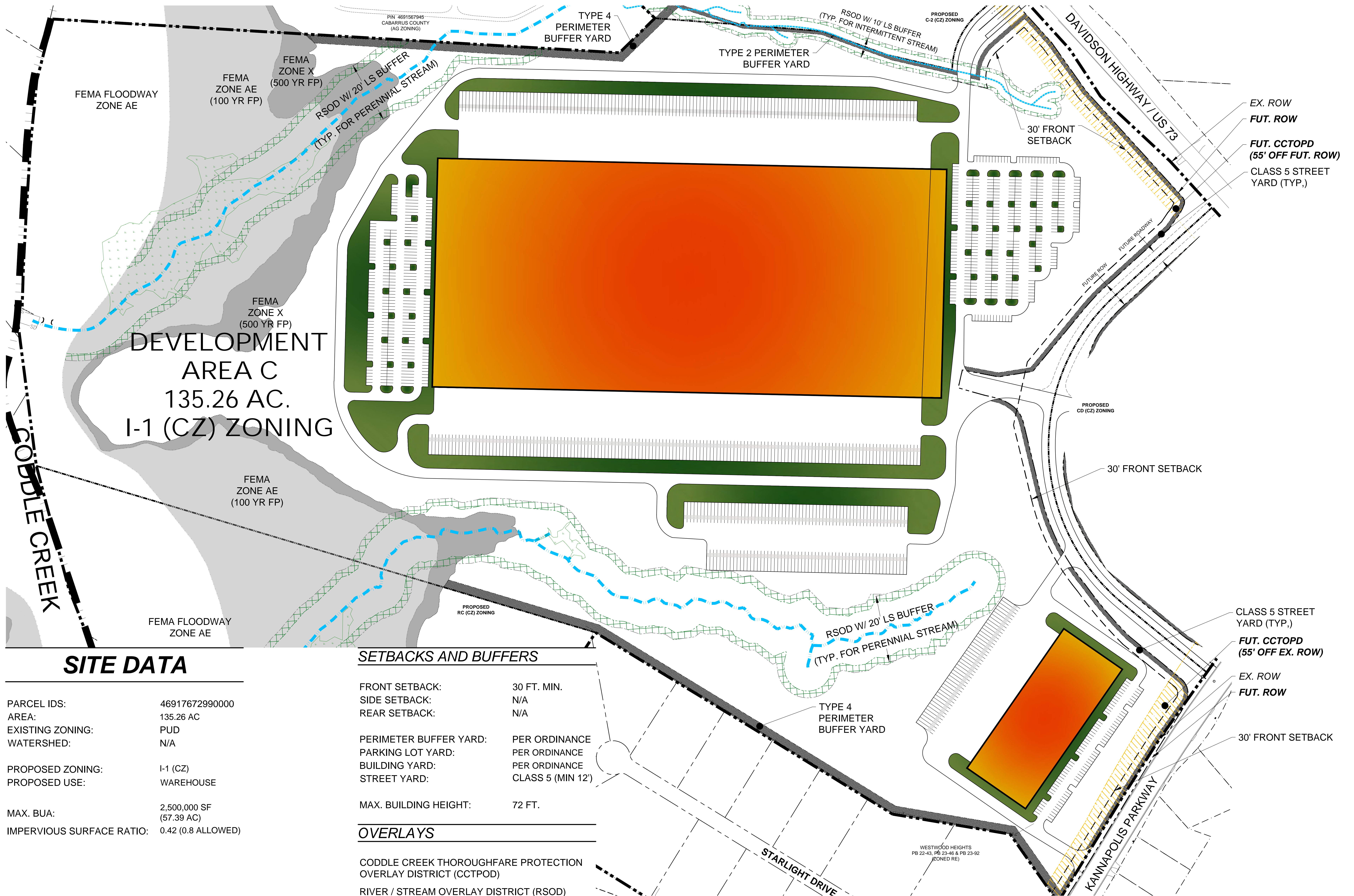
•Building frontage along public streets and open space will be pedestrian oriented on the first floor.



•Buildings shall have articulations in the overall massing that shall break down the building scale through use of offsets, recesses and varying materials

ARCHITECTURAL GUIDELINES-INDUSTRIAL / FLEX / COMMERCIAL

- Buildings shall be appropriate in scale/massing to the proposed use and will express a modern, contemporary vernacular utilizing exterior skin materials and textures including but not limited to: Concrete tilt-up walls with textured paint coatings, aluminum storefront glazing, aluminum composite material (ACM), ceramic tile accents, perforated metal screen accents, wood or composite wood soffits, canopies, overhangs and cantilevered elements, shading and trellis elements, linear LED accent fixtures, outdoor patio spaces,
- Building frontage along public streets and open space will be pedestrian oriented on the first floor.
- Building forms, textures and detailing shall speak to the pedestrian experience expressed in classic modern architectural form language.
- Buildings shall have articulations in the overall massing that shall break down the building scale through use of offsets and varying materials as listed above.
- Building entry points will be highlighted through the use of offsets, canopies, overhangs, illumination and prominent detailing.
- Roofing will be primarily low slope membrane roofing with sufficient parapet heights to fully conceal rooftop mechanical equipment.
- Final building architectural elevations to be submitted during the building permitting process to the City of Kannapolis for review and approval.



**DEVELOPMENT
AREA C**
135.26 AC.
I-1 (CZ) ZONING

SITE DATA

PARCEL IDS:	46917672990000
AREA:	135.26 AC
EXISTING ZONING:	PUD
WATERSHED:	N/A
PROPOSED ZONING:	I-1 (CZ)
PROPOSED USE:	WAREHOUSE
MAX. BUA:	2,500,000 SF (57.39 AC)
IMPERVIOUS SURFACE RATIO:	0.42 (0.8 ALLOWED)

SETBACKS AND BUFFERS

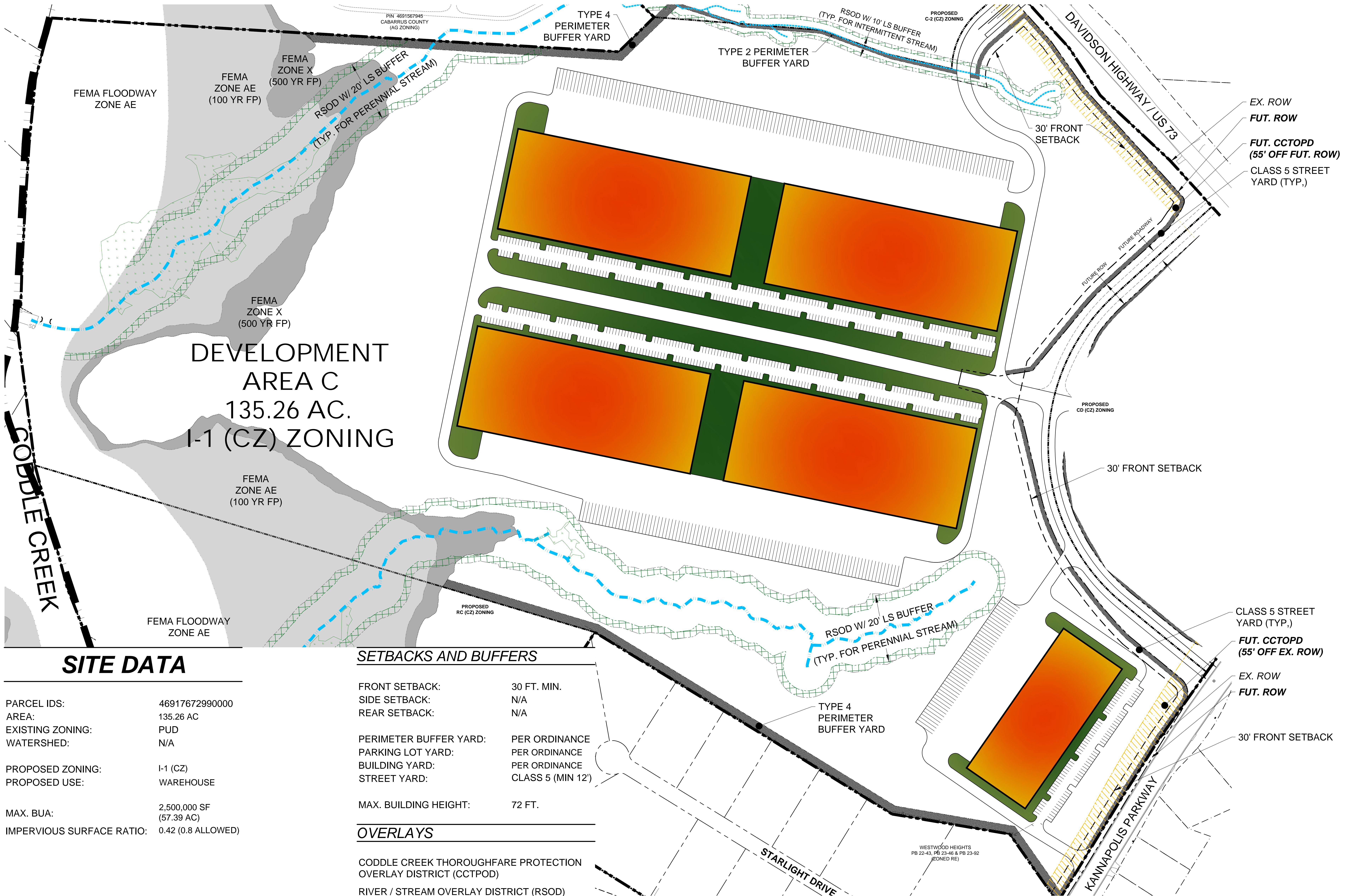
FRONT SETBACK:	30 FT. MIN.
SIDE SETBACK:	N/A
REAR SETBACK:	N/A
PERIMETER BUFFER YARD:	PER ORDINANCE
PARKING LOT YARD:	PER ORDINANCE
BUILDING YARD:	PER ORDINANCE
STREET YARD:	CLASS 5 (MIN 12')
MAX. BUILDING HEIGHT:	72 FT.

OVERLAYS

- CODDLE CREEK THOROUGHFARE PROTECTION OVERLAY DISTRICT (CCTPOD)
- RIVER / STREAM OVERLAY DISTRICT (RSOD)

EX. ROW
FUT. ROW
FUT. CCTOPD
(55' OFF FUT. ROW)
CLASS 5 STREET
YARD (TYP.)

CLASS 5 STREET
YARD (TYP.)
FUT. CCTOPD
(55' OFF EX. ROW)
EX. ROW
FUT. ROW
30' FRONT SETBACK



**DEVELOPMENT
AREA C
135.26 AC.
I-1 (CZ) ZONING**

SITE DATA

PARCEL IDS:	46917672990000
AREA:	135.26 AC
EXISTING ZONING:	PUD
WATERSHED:	N/A
PROPOSED ZONING:	I-1 (CZ)
PROPOSED USE:	WAREHOUSE
MAX. BUA:	2,500,000 SF (57.39 AC)
IMPERVIOUS SURFACE RATIO:	0.42 (0.8 ALLOWED)

SETBACKS AND BUFFERS

FRONT SETBACK:	30 FT. MIN.
SIDE SETBACK:	N/A
REAR SETBACK:	N/A
PERIMETER BUFFER YARD:	PER ORDINANCE
PARKING LOT YARD:	PER ORDINANCE
BUILDING YARD:	PER ORDINANCE
STREET YARD:	CLASS 5 (MIN 12')
MAX. BUILDING HEIGHT:	72 FT.

OVERLAYS

- CODDLE CREEK THOROUGHFARE PROTECTION OVERLAY DISTRICT (CCTPOD)
- RIVER / STREAM OVERLAY DISTRICT (RSOD)

INDUSTRIAL / COMMERCIAL / DISTRIBUTION BUILDING PRECEDENT IMAGES



•Buildings shall have articulations in the overall massing that shall break down the building scale through use of offsets, recesses and varying materials



•Building frontage along public streets and open space will be pedestrian oriented on the first floor.
•Creation of visual layers with building offsets, varying parapet heights, screening / shading devices.



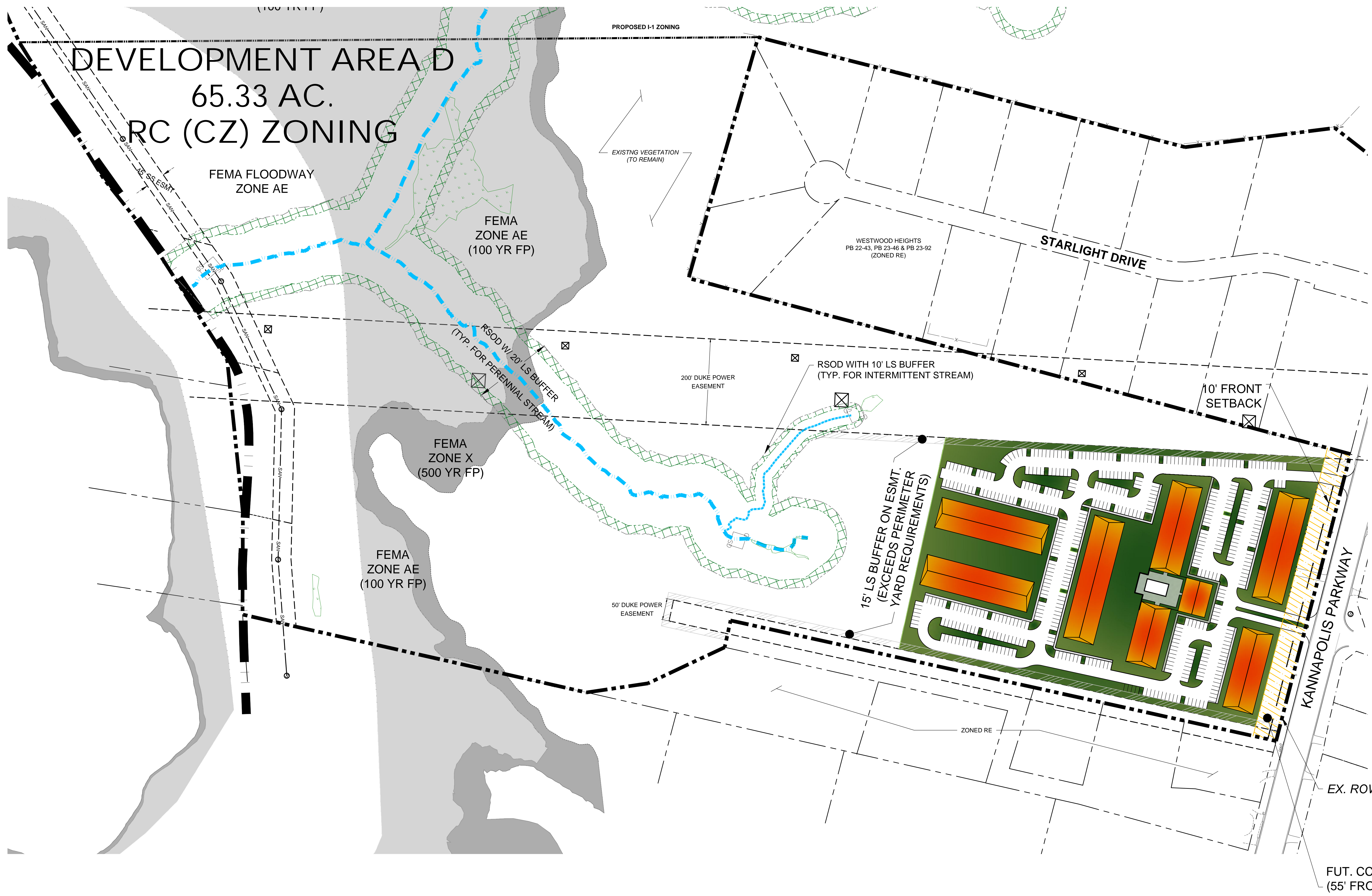
•Features use of offsets, canopies, overhangs, illumination and prominent detailing, recesses.



•Clear entry points will be highlighted through the use of offsets, canopies, overhangs, illumination and prominent detailing. Articulation using varying opening sizes, materials, patterns, recesses and projections

ARCHITECTURAL GUIDELINES-INDUSTRIAL / FLEX / DISTRIBUTION

- Buildings shall be appropriate in scale/massing to the proposed use and will express a modern, contemporary vernacular utilizing exterior skin materials and textures including but not limited to:
Concrete tilt-up walls with textured paint coatings, aluminum storefront glazing, aluminum composite material (ACM), ceramic tile accents, perforated metal screen accents, wood or composite wood soffits, canopies, overhangs and cantilevered elements, shading and trellis elements, linear LED accent fixtures, outdoor patio spaces,
- Building frontage along public streets and open space will be pedestrian oriented on the first floor.
- Building forms, textures and detailing shall speak to the pedestrian experience expressed in classic modern architectural form language.
- Buildings shall have articulations in the overall massing that shall break down the building scale through use of offsets and varying materials as listed above.
- Building entry points will be highlighted through the use of offsets, canopies, overhangs, illumination and prominent detailing.
- Roofing will be primarily low slope membrane roofing with sufficient parapet heights to fully conceal rooftop mechanical equipment.
- Final building architectural elevations to be submitted during the building permitting process to the City of Kannapolis for review and approval.



SITE DATA

PARCEL IDS:	46917672990000
AREA:	65.33 AC
EXISTING ZONING:	PUD
WATERSHED:	N/A
PROPOSED ZONING:	RC (CZ)
PROPOSED USE:	MULTIFAMILY
PROPOSED YIELD:	300 UNITS
PROPOSED DENSITY:	
MAX. DENSITY PER ZONING:	15 / ACRE
PROPOSED BUA:	368,000 SF (8.44 AC)
IMPERVIOUS SURFACE RATIO:	0.13 (0.5 ALLOWED)

SETBACKS AND BUFFERS

FRONT SETBACK:	20 FT. MIN.
SIDE SETBACK:	7 FT. MIN. (PRIN.) 5 FT. MIN. (ACC.)
REAR SETBACK:	5 FT. MIN.
PERIMETER BUFFER YARD:	PER ORDINANCE
PARKING LOT YARD:	PER ORDINANCE
BUILDING YARD:	PER ORDINANCE
STREET YARD:	CLASS 4 (MIN. 8')
MAX. BUILDING HEIGHT:	48 FT.

PARKING

WILL EXCEED MINIMUM AND NOT EXCEED MAXIMUM REQUIREMENTS PER ORDINANCE

OVERLAYS

CODDLE CREEK THOROUGHFARE PROTECTION OVERLAY DISTRICT (CCTPOD)
RIVER/STREAM OVERLAY DISTRICT (RSOD)

REPRESENTATIVE ARCHITECTURAL CHARACTER



KANNAPOLIS PARKWAY
KANNAPOLIS, NC
MAY 9, 2022

LLEWELLYN
DEVELOPMENT

NEIGHBORHOOD MEETING REPORT
FOR
REZONING PETITION

Petitioner: Trinity Capital Partners
Property: ±229.44 acres located at 6441 Davidson Highway, Concord, NC, 28027
(Kannapolis Parkway and Davidson Highway)

I. PERSONS AND ORGANIZATIONS CONTACTED WITH DATES AND EXPLANATIONS OF HOW CONTACTED:

A representative of the Petitioner mailed a written notice of the date, time and details of the Neighborhood Meeting to the individuals and organizations set out on **Exhibit A** by depositing the Neighborhood Meeting Notice in the U.S. mail on April 28, 2022. A copy of the written notice is attached as **Exhibit B**.

II. TIME AND DATE OF MEETING:

The Neighborhood Meeting required by the Ordinance was held on Tuesday, May 10, 2022, at 6:00 PM. The meeting was held at Concord Fire Station #9, 1020 Ivey Cline Road, Concord, NC, 28027.

III. PERSONS IN ATTENDANCE AT MEETING:

The list of attendees from the required Neighborhood Meeting is attached as **Exhibit C**. The Petitioner's representatives at the required Community Meeting were Massie Flippin and Ken Jonmaire with Trinity Capital Partners. Also present were Terrence Llewellyn of Llewellyn Development (multi-family developer); Carlton Burton of Burton Engineering (civil engineer); Randy Goddard of Design Research Group (transportation engineer); Steve Schmitt of Merriman Schmitt (architect); and Bridget Grant (land use) and John Floyd (legal) of Moore & Van Allen.

IV. SUMMARY OF ISSUES DISCUSSED AT MEETING:

A. Overview of Petitioner's Presentation.

Ms. Grant with Moore & Van Allen started the meeting by welcoming the neighborhood attendees to the meeting and thanking them for attending the neighborhood meeting. She then introduced the Petitioners representatives, the other project stakeholders, and consultants who were present. Ms. Grant explained to the attendees the purpose of the meeting and the benefits of the conditional zoning process.

Ms. Grant then identified the site that is subject to the rezoning request and explained that the Petitioner was seeking to rezone the Site from PUD CU to four separate zoning districts—C-2, CD, I-1, and RC—divided into four development areas. Ms. Grant noted the differences between the plan approved in connection with the current zoning and the proposed rezoning plan and explained the intended uses for each of the four development areas under the Petition. Ms. Grant discussed some of the benefits of the proposed plan, including the significant reduction in traffic impact and showed conceptual renderings for the type of construction that was anticipated in the development areas. Throughout the presentation, the attendees asked questions of Ms. Grant as

they were encouraged to do, and at the end of the presentation, Ms. Grant opened the meeting for any additional questions. A copy of the slide deck presented by Ms. Grant is attached as **Exhibit D**.

B. Summary of Questions/Comments and Responses:

Attendees initially expressed concern about changes to the character of the area that has resulted from continuing development and a purported lack of long-term planning. There was a significant discussion by the attendees regarding the need for the development to include overnight tractor-trailer parking, and the development team explained that the proposed site plan included significant areas for such parking. The attendees expressed approval that the retail component of the prior plan will be eliminated under the proposed plan and appreciation for the reduction in traffic resulting from the proposed plan. Attendees and the development team also discussed the location of a proposed convenience store, the possible timing for development to commence, where proposed access points for the development would be located, what buffers and setbacks would be in place in the area surrounding Starlight Drive, and how water and sewer would be provided for the site. There being no further questions, the meeting was concluded, and participants were thanked for their time and interest in the development.

EXHIBIT A

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
IKE K III & BETTINA FLACK	6100 STARLIGHT DRIVE	CONCORD	NC	28027
KAREN L BELDEN	64 EASTSIDE DR	BALLSTON LAKE	NY	12019
ATLAS B BAUCOM JR	6700 DAVIDSON HWY	CONCORD	NC	28027
BRETT MORGAN	6200 STARLIGHT DR	CONCORD	NC	28027
CABARRUS COUNTY	PO BOX 707	CONCORD	NC	28026
CARLA R WALLACE	3429 TRINITY CHURCH RD	CONCORD	NC	28027
CAROLYN C DUNN	6400 STARLIGHT DR	CONCORD	NC	28027
CHRISTOPHER COLEY	915 KANNAPOLIS PKWY	CONCORD	NC	28027
CLAY FISHER	7310 UNTZ RD	CONCORD	NC	28027
DAVID & CHRISTINE LOMAS	6191 STARLIGHT DRIVE	CONCORD	NC	28027
DAVID & KAREN BEALS	6311 STARLIGHT DR	CONCORD	NC	28027
DAVID BRINDLE	1000 KANNAPOLIS PKWY	CONCORD	NC	28025
DAVID GARCIA MARTINEZ & ANAHI MONJE-NAVA E&E INVESTMENT PROPERTIES LLC	6320 STARLIGHT DRIVE	CONCORD	NC	28027
ATTN: ERROLL SULT	1151 BISCAYNE DR	CONCORD	NC	28027
EARL & JEAN STEVENS	938 KANNAPOLIS PARKWAY	CONCORD	NC	28027
EARL & RUBY BARBEE	236 ARROW POINT LN	DAVIDSON	NC	28036
ELMA JARVIS & TIMOTHY BURRELL JR	1212 JARVIS CIR	CONCORD	NC	28027
FRANC & JEWEL ALEXANDER	6440 STARLIGHT DRIVE	CONCORD	NC	28027
FRED MOTLEY	6331 CORL ROAD	CONCORD	NC	28027
H E COLEY	625 ST PETERS CHURCH RD	GOLD HILL	NC	28071
HECTOR I FLORES	9904 NOTT LN	CHESTERFIELD	VA	23832
HIGHWAY 73 PARKWAY LLC C/O MPV PROPERTIES LLC	2400 SOUTH BLVD STE 300	CHARLOTTE	NC	28203
HOLLY H ROBBINS	100 UNION ST N	CONCORD	NC	28025
HOWARD & RHONDA COLEY	625 ST PETERS CHURCH RD	GOLD HILL	NC	28071
HOWARD E COLEY	625 ST PETERS CHURCH RD	GOLD HILL	NC	28071
JACK J STEVENS	6101 STARLIGHT DRIVE	CONCORD	NC	28027
JAMES F JR & MAMIE HEGLAR	36225 FINGER RD	MT PLEASANT	NC	28124
JOHN & SANDRA FAGAN	1006 KANNAPOLIS PKWY	CONCORD	NC	28027
JOHN F II & DONNA P FOULKS	930 KANNAPOLIS PARKWAY	CONCORD	NC	28027
JOHN F III & CONNIE BOWER	1018 KANNAPOLIS PKWY	CONCORD	NC	28027
JOHN MORTON	6271 STARLIGHT DRIVE	CONCORD	NC	28025
JOSEPH E JR & KATHLEEN SCHELLING	1224 RIDING TRAIL LN	CONCORD	NC	28027
LARRY & MARTHA ENSLEY	6600 FINGER LAKE DRIVE	CONCORD	NC	28027
NATHAN & DEBORAH SHERRILL	1246 RIDING TRAIL LN	CONCORD	NC	28027
NOVANT HEALTH INC C/O PROPERTY MGMT	P O BOX 33549	CHARLOTTE	NC	28233
ODELL BAPTIST CHURCH OF CONCORD NC	6320 DAVIDSON HWY	CONCORD	NC	28027
PEGGY MILLER and FLOYD ERVIN	2909 WALTER DR NW	CONCORD	NC	28027
PETER BEARD SR	6360 STARLIGHT DRIVE	CONCORD	NC	28027
PPF INDUSTRIAL 6500 DAVIDSON C/O MORGAN STANLEY RE ADVISOR	1585 BROADWAY FL 37	NEW YORK	NY	10036
PURA VIDA INTERNATIONAL LLC	6814 HIGHGROVE PL	CONCORD	NC	28027
RANDY S FISHER	7417 UNTZ RD	CONCORD	NC	28027
RHONDA & HOWARD COLEY C/O GLYNIS & CHRISTOPHER COLEY	625 ST PETERS CHURCH RD	GOLD HILL	NC	28071
SHEILA MILLER C/O GILBERTO ELISEO MALDONADO	6351 STARLIGHT DR	CONCORD	NC	28027
STEVEN & BEVERLY BARBEE	950 KANNAPOLIS PKWY	CONCORD	NC	28027
T HALL ENTERPRISES II LLC	2701 COLTSGATE RD STE 300	CHARLOTTE	NC	28211
TERRY & MAVIS METCALF	6542 UNTZ RD	CONCORD	NC	28027
THAD & CAROL MAKACHINAS	6240 STARLIGHT DRIVE	CONCORD	NC	28027
TIMOTHY G BURRELL JR	1212 JARVIS CIR	CONCORD	NC	28027
TOMMY TAYLOR	6231 STARLIGHT DR	CONCORD	NC	28025
TRACY RAY & JANICE COLEMAN	877 KANNAPOLIS PARKWAY	CONCORD	NC	28027
WALLACE CARLA R	3429 TRINITY CHURCH RD	CONCORD	NC	28027
WILLIAM L COLEMAN JR	843 KANNAPOLIS PKWY	CONCORD	NC	28027
WILLY HOMES INC	1718 CABARRUS CROSSING DR	HUNTERSVILLE	NC	28078
Z & T REAL ESTATE LLC	9122 DYLAN RIDGE CT	CONCORD	NC	28027

EXHIBIT B

COMMUNITY MEETING NOTICE TO INTERESTED PARTIES OF A REZONING PETITION

Subject: Kannapolis Highway & Davidson Highway Rezoning

Petitioner/Developer: Trinity Capital Advisors

Current Land Use: Vacant

Existing Zoning: PUD CU

Rezoning Requested: C-2-CZ, I-1-CZ, RC-CZ and CD-CZ

Date and Time of Meeting: **Tuesday, May 10, 2022, at 6:00 PM**

Location of Meeting: Concord Fire Station #9
1020 Ivey Cline Road
Concord, NC 28027

Date of Notice: 4/28/2022

We are assisting Trinity Capital Advisors (the "Petitioner") on a recently filed request to rezone an approximately ± 229.44-acre site located at 6441 Davidson Highway (the "Site"). We take this opportunity to furnish you with basic information concerning the Petition and to invite you to attend a Neighborhood Meeting to discuss it.

Background and Summary of Request:

This petition involves a request to rezone the ±229.44-acre Site located at 6441 Davidson Highway, Concord, NC, 28027, from PUD CU to C-2-CZ, I-1-CZ, RC-CZ and CD-CZ. The request is to allow the development of the Site with a mix of uses including but not limited to a convenient store, warehouse distribution, light industrial, retail, and multi-family. The proposed mix of uses is anticipated to produce less traffic than the uses currently approved for the Site. The applicants would like to share their amended plans with the community prior to commencing the rezoning process with the city.

Neighborhood Meeting Date and Location:

The City of Kannapolis Planning Commission's records indicate that you are either a representative of a registered neighborhood organization or an owner of property near the Site. **Accordingly, we are extending an invitation to attend the upcoming Neighborhood Meeting to be held on Tuesday, May 10th, 2022, at 6:00 PM at Concord Fire Station #9, 1020 Ivey Cline Road, Concord, NC, 28027.** Representatives of the Petitioner look forward to discussing this exciting rezoning proposal with you at the Neighborhood Meeting.

In the meantime, should you have any questions about this matter, you may call Bridget Grant at (704) 301-3137 or email bridgetgrant@mvalaw.com. Thank you.

cc: Boyd V. Stanley, AICP, City of Kannapolis Planning Department
Massie Flippin, Trinity Capital Advisors
Ken Jonmaire, Trinity Capital Advisors
Bridget Grant, Moore & Van Allen, PLLC
John Floyd, Moore & Van Allen, PLLC

CHAR2\2592111v2

EXHIBIT B (CONTINUED)

Site Location

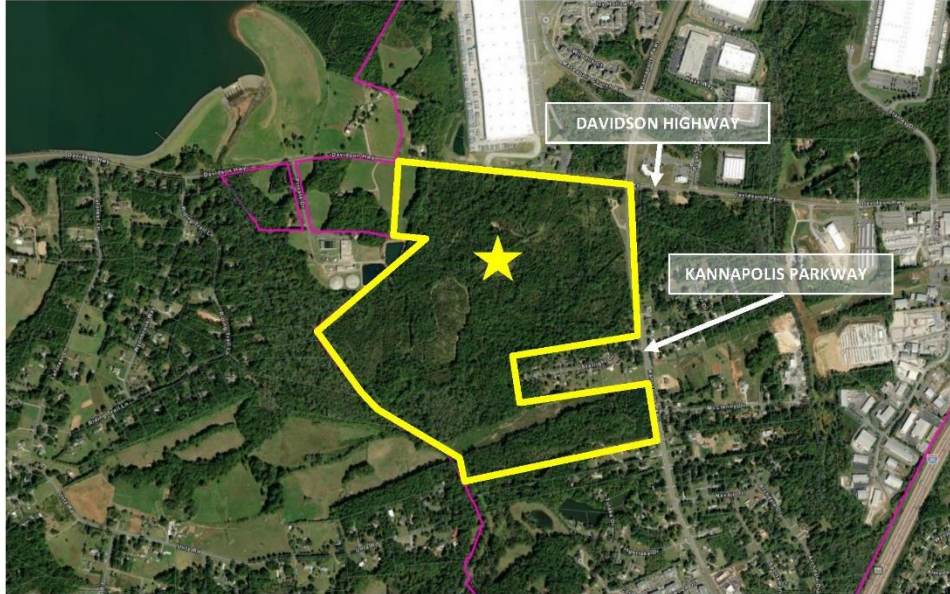


EXHIBIT C

Community Meeting Attendance Sheet

** This sign in sheet is to acknowledge your attendance at the community meeting and so that the City Council may know who attended the community meeting. Signing this attendance sheet does not indicate support or opposition to the proposed rezoning petition. **

Petitioner: Trinity Capital Advisors
Date: May 10, 2022 at 6:00 PM

Name	Address	Phone	Email
Carolyn Dunn	6410 Starlet Dr	984 781-0181	jdunn@dundy.com
MIKE WALLACE	923 KANAWADUS Pkwy	704-965-3207	mw91@aol.com

Add additional sheets as needed

EXHIBIT C (CONTINUED)

Community Meeting Attendance Sheet

** This sign in sheet is to acknowledge your attendance at the community meeting and so that the City Council may know who attended the community meeting. Signing this attendance sheet does not indicate support or opposition to the proposed rezoning petition. **

Petitioner: Trinity Capital Advisors
Date: May 10, 2022 at 6:00 PM

Name	Address	Phone	Email
Jewel F. Alexander	6440 Starlight Dr	704-784-8853	alexander_jewel@yahoo.com

Add additional sheets as needed

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
IKE K III & BETTINA FLACK	6100 STARLIGHT DRIVE	CONCORD	NC	28027
KAREN L BELDEN	64 EASTSIDE DR	BALLSTON LAKE	NY	12019
ATLAS B BAUCOM JR	6700 DAVIDSON HWY	CONCORD	NC	28027
BRC KANNAPOLIS LLC				
PHO KANNAPOLIS LLC	5826 SAMET DR STE 105	HIGH POINT	NC	27265
KYLE VENRICK & KATELY MYERS	6200 STARLIGHT DR	CONCORD	NC	28027
CABARRUS COUNTY	PO BOX 707	CONCORD	NC	28026
CARLA R WALLACE	3429 TRINITY CHURCH RD	CONCORD	NC	28027
CAROLYN C DUNN	6400 STARLIGHT DR	CONCORD	NC	28027
CHRISTOPHER COLEY	915 KANNAPOLIS PKWY	CONCORD	NC	28027
CLAY FISHER	7310 UNTZ RD	CONCORD	NC	28027
DAVID & CHRISTINE LOMAS	6191 STARLIGHT DRIVE	CONCORD	NC	28027
DAVID & KAREN BEALS	6311 STARLIGHT DR	CONCORD	NC	28027
DAVID BRINDLE	1000 KANNAPOLIS PKWY	CONCORD	NC	28025
DAVID GARCIA MARTINEZ & ANAHI MONJE-NAVA	6320 STARLIGHT DRIVE	CONCORD	NC	28027
E&E INVESTMENT PROPERTIES LLC				
ATTN: ERROLL SULT	1151 BISCAYNE DR	CONCORD	NC	28027
EARL & JEAN STEVENS	938 KANNAPOLIS PARKWAY	CONCORD	NC	28027
ELMA JARVIS & TIMOTHY BURRELL JR	1212 JARVIS CIR	CONCORD	NC	28027
FRANC & JEWEL ALEXANDER	6440 STARLIGHT DRIVE	CONCORD	NC	28027
FRED MOTLEY	6331 CORL ROAD	CONCORD	NC	28027
R&R 2 LLC	PO BOX 862	GRANITE QUARRY	NC	28072
HECTOR I FLORES	9904 NOTT LN	CHESTERFIELD	VA	23832
HIGHWAY 73 PARKWAY LLC				
C/O MPV PROPERTIES LLC	2400 SOUTH BLVD STE 300	CHARLOTTE	NC	28203
HOLLY H ROBBINS	100 UNION ST N	CONCORD	NC	28025
HOWARD & RHONDA COLEY				
CHRISTOPHER & GLYNIS COLEY	625 ST PETERS CHURCH RD	GOLD HILL	NC	28071
JACK J STEVENS	6101 STARLIGHT DRIVE	CONCORD	NC	28027
JAMES F JR & MAMIE HEGLAR	36225 FINGER RD	MT PLEASANT	NC	28124
JOHN & SANDRA FAGAN	1006 KANNAPOLIS PKWY	CONCORD	NC	28027
JOHN F III & CONNIE BOWER	1018 KANNAPOLIS PKWY	CONCORD	NC	28027
JOHN MORTON	6271 STARLIGHT DRIVE	CONCORD	NC	28025
JOSEPH E JR & KATHLEEN SCHELLING	1224 RIDING TRAIL LN	CONCORD	NC	28027
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NATHAN & DEBORAH SHERRILL	1246 RIDING TRAIL LN	CONCORD	NC	28027
NOVANT HEALTH INC				
C/O PROPERTY MGMT	P O BOX 33549	CHARLOTTE	NC	28233
ODELL BAPTIST CHURCH OF CONCORD NC	6320 DAVIDSON HWY	CONCORD	NC	28027
PEGGY MILLER and				
FLOYD ERVIN	2909 WALTER DR NW	CONCORD	NC	28027
PETER BEARD SR	6360 STARLIGHT DRIVE	CONCORD	NC	28027
PPF INDUSTRIAL 6500 DAVIDSON				
C/O MORGAN STANLEY RE ADVISOR	1585 BROADWAY FL 37	NEW YORK	NY	10036
PURA VIDA INTERNATIONAL LLC	6814 HIGHGROVE PL	CONCORD	NC	28027
RUBY BRAWLEY	956 KANNAPOLIS KWY	CONCORD	NC	28027
SHEILA MILLER				
C/O GILBERTO ELISEO MALDONADO	6351 STARLIGHT DR	CONCORD	NC	28027
STEVEN & BEVERLY BARBEE	950 KANNAPOLIS PKWY	CONCORD	NC	28027
T HALL ENTERPRISES II LLC	2701 COLTSGATE RD STE 300	CHARLOTTE	NC	28211
TERRY & MAVIS METCALF	6542 UNTZ RD	CONCORD	NC	28027
THAD & CAROL MAKACHINAS	6240 STARLIGHT DRIVE	CONCORD	NC	28027
TIMOTHY G BURRELL JR	1212 JARVIS CIR	CONCORD	NC	28027
TOMMY & GERESA FISHER	133 ODELL SCHOOL RD	CONCORD	NC	28027
TOMMY TAYLOR	6231 STARLIGHT DR	CONCORD	NC	28025
TRACY RAY & JANICE COLEMAN	877 KANNAPOLIS PARKWAY	CONCORD	NC	28027
WILLIAM L COLEMAN JR	843 KANNAPOLIS PKWY	CONCORD	NC	28027
WILLY HOMES INC	1718 CABARRUS CROSSING DR	HUNTERSVILLE	NC	28078
Z & T REAL ESTATE LLC	9122 DYLAN RIDGE CT	CONCORD	NC	28027



KANNAPOLIS
Planning

June 7, 2022

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, June 21, 2022 at 6:00 PM, for the following case:

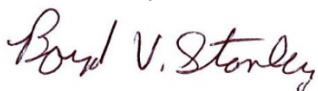
CZ-2022-03 – Conditional Zoning Map Amendment – 6441 Davidson Highway

The purpose of the Public Hearing is to consider a request to rezone property located at 6441 Davidson Highway from Planned Unit Development-Conditional Zoning (PUD-CZ) zoning district to Light Industrial-Conditional Zoning (I-1-CZ); General Commercial-Conditional Zoning (C-2-CZ); Campus Development-Conditional Zoning (C-D-CZ) and Residential Compact-Conditional Zoning (R-C-CZ) zoning districts to allow retail, light industrial and multi-family uses. The subject property is approximately 229.44 +/- acres and further identified as Cabarrus County Parcel Identification Number 46917672990000 (see reverse side of this letter for a map showing the location of this property).

As an abutting property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Unified Development Ordinance; and are invited to attend the public hearing and present testimony, should you desire, to the Planning and Zoning Commission.

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 bstanley@kannapolisnc.gov.

Sincerely,



Boyd V. Stanley, AICP
Assistant Planning Director

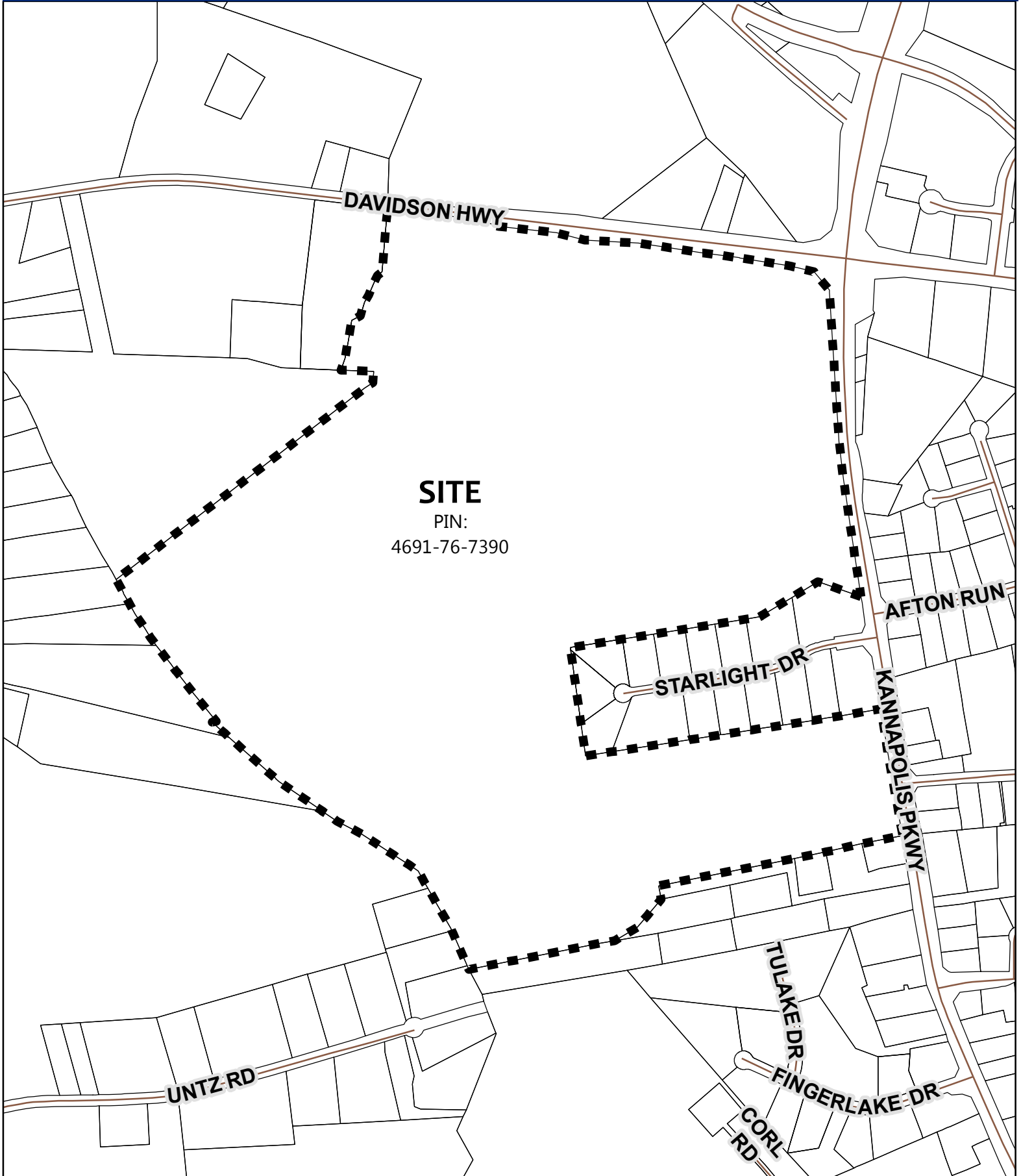
Enclosure

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



Zoning Map Amendment

Case Number: CZ-2022- 03
Applicant: Trinity Capital Advisors
6441 Davidson Hwy





PLANNING

ZONING

COMMISSION

**PUBLIC HEARING
INFORMATION**

CALL 704-920-4350

CASE # CZ - 2022 -03



PLANNING

ZONING

COMMISSION

**PUBLIC HEARING
INFORMATION**

CALL 704-920-4350

CASE #CZ - 2022 -03



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE #CZ-2022-03**

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 July 19, 2022 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone property located at 6441 Davidson Highway (Cabarrus County Parcel Identification Number 46917672990000) owned by Highway 73 Parkway, LLC., from Planned Unit Development-Conditional Zoning (PUD-CZ) to Light Industrial-Conditional Zoning (I1-CZ); General Commercial-Conditional Zoning (GC-CZ); Campus Development-Conditional Zoning (CD-CZ) and 18 Units/Acre-Conditional Zoning (R18-CZ) Zoning Designation.

NOW, THEREFORE BE IT RESOLVED *The Planning and Zoning Commission finds this rezoning **consistent** with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being located in the “Suburban Activity 2”, “Employment Center” and “Complete Neighborhood 2” Character Areas as designated in the Move Kannapolis Forward 2030 Comprehensive Plan. These Character Areas include multi-family, light industrial and commercial development as primary or secondary uses in harmony with the proposed development areas. Furthermore, the Commission finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Finally, there is adequate access or ability to extend to public facilities.*

Adopted this the 19th day of July 2022:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE

**Case #CZ-2022-03
(6441 Davidson Highway)**

From City of Kannapolis Planned Unit Development-Conditional Zoning (PUD-CZ) to Light Industrial-Conditional Zoning (I1-CZ); General Commercial-Conditional Zoning (GC-CZ); Campus Development-Conditional Zoning (CD-CZ) and 18 Units/Acre-Conditional Zoning (R18-CZ) District

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 July 19, 2022 for consideration of rezoning petition Case #CZ-2022-03 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone property located on 6441 Davidson Highway, (Cabarrus County Parcel Identification Number 46917672990000) owned by Highway 73 Parkway, LLC., from Planned Unit Development-Conditional Zoning (PUD-CZ) to Light Industrial-Conditional Zoning (I1-CZ); General Commercial-Conditional Zoning (GC-CZ); Campus Development-Conditional Zoning (CD-CZ) and 18 Units/Acre-Conditional Zoning (R18-CZ) District; 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. The size of the tract in question.

The size of the subject tract is approximately 229.444 +/- acres.

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

This property is in the "Suburban Activity 2", "Employment Center" and "Complete Neighborhood 2" Character Areas as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. These Character Areas include multi-family, light industrial and commercial development as primary or secondary uses in harmony with the proposed development areas. The proposed uses are therefore in conformance with the goals and policies of the 2030 Plan.

This property is also within the Coddle Creek Thoroughfare Protection Overlay District (CCTP) which was established to enhance the economic and aesthetic appeal along the City's major transportation corridors. All uses, site and building design shall meet the requirements of the CCTP.

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

The area is undergoing a transition from agriculture and low-density residential uses to mixed commercial, light industrial and residential uses. The requested rezoning proposes an update to the previously approved planned development of a scale that is appropriate for the area.

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

A Traffic Impact Analysis is required for this rezoning. The recommended improvements, which have been reviewed and preliminarily accepted by NCDOT and the City, can be found in the TIA scoping document.

5. Will there be parking problems?

A full site plan shall be submitted to comply with all parking requirements in the UDO.

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

There are no negative environmental impacts, and the development will be required to conform to all applicable local, state, and federal environmental regulations.

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

The character of the area has changed the past several years, with the growth of a mixture of commercial and residential development.

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

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

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

Properties to the north are zoned Campus Development (CD) and Campus Development Residential (CD-R). Properties to the south and east are zoned Rural Residential (R1), Campus Development (CD) and 18 Units/Acre (R18). Properties to the west are Agricultural (AG) and Rural Residential (R1). The proposed mixed-use project integrates well with the surrounding area

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

The proposed rezoning is intended to update the originally approved PUD under case CZ-2021-05. See plans attached for changes.

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

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

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

N/A.

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

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

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

No.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the above referenced property, as shown on the site plan submitted to the City, be rezoned from Planned Unit Development-Conditional Zoning (PUD-CZ) to Light Industrial-Conditional Zoning (I1-CZ); General Commercial-Conditional Zoning (GC-CZ); Campus Development-Conditional Zoning (CD-CZ) and 18 Units/Acre-Conditional Zoning (R18-CZ) District, subject to the following conditions:

1. The permitted uses allowed by this rezoning shall include the uses, densities and intensities as shown on the master plan approved with this rezone.
2. A Final Site Plan, in compliance with all applicable City UDO standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance Permit.
3. Comply with current Land Development Standards Manual.
4. All road intersections on where development has access and/or street frontage shall be approved by the City.
5. The Developer will construct curb and gutter and sidewalk along the entire road frontage where development has access and/or street frontage. The improvements will be constructed to NCDOT and City standards. Internal streets shall meet current City standards and a dedicated public right-of-way per the City's Typical Section Local Residential Street, LDSM Detail 101.
6. The lane widths, sidewalks, pavement structure, road alignment, and road grades shall be constructed to current City standards.
7. Roads and parking lots shall comply with all Fire Codes and Autoturn templates for SU-30 and Bus-45 (mimics ladder truck) shall be used.
8. Streams and wetlands shall be identified by a qualified person and all buffers shown in accordance with Article 4 of the Kannapolis UDO. Construction of buildings, roads, and other structures must comply with AE Zone & RSOD Buffer requirements or be relocated.
9. A Stormwater Management Permit will be required for this Development in accordance with Article 9 of the Kannapolis UDO. Easements, maintenance agreements and viable

access shall be provided for all stormwater structures and SCM's. Stormwater SCM's cannot be constructed in the undisturbed buffer.

10. Water and sewer main extensions will be required for this project. The Developer shall be responsible for designing, permitting and constructing water and sewer mains in accordance with City and WSACC standards.
11. All water and sewer mains shall be publicly maintained and located within a public right-of-way or utility easement. The water and sewer mains shall be located in the roadway under the pavement per the City's Typical Section Utility Layout, LDSM Detail 301.
12. Easements for Sanitary Sewer lines, Water lines and Storm Sewer pipes need to be a minimum of 20-feet wide. Additional width may be required depending on the depth of the line. Sanitary sewer lines and storm sewer lines shall be located within Common Open Space (easements centered on property lines shall not be permitted). Viable access shall be provided along all easements with a grade no greater than 15% for maintenance vehicles and cross slopes shall not exceed 5%.
13. The Fire Department shall approve locations of all hydrants.
14. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.
15. All development shall adhere to site design and architectural standards as provided in the Site Plan and Rezoning exhibits.
16. All requirements as outlined in Article 15.1 *Coddle Creek Thoroughfare Protection Overlay District* of the Unified Development Ordinance shall be met along the Davidson Highway and Kannapolis Parkway Road frontages

Adopted this the 19th day of July 2022:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission



**Planning and Zoning Commission
July 19, 2022 Meeting**

Staff Report

TO: Planning and Zoning Commission
FROM: Boyd Stanley, Assistant Planning Director
SUBJECT: Case #CZ-2022-04
Conditional Zoning Map Amendment
Applicant: John Smith

Request to conditionally rezone property located at 6253 Mooresville Road to allow for a contractor's office/shop and general office uses.

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

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

C. Background & Project Overview

The applicant, John Smith, is proposing to rezone approximately 1.98 +/- acres of property located at 6253 Mooresville Road, further identified as Cabarrus County Parcel Identification Number 46938699660000, from Cabarrus County Agricultural Open (AO) zoning district to City of Kannapolis General Commercial-Conditional Zoning (GC-CZ) district to allow for a contractor office/shop and general office uses.

The property was recently annexed into the City from unincorporated Cabarrus County on June 27, 2022 by City Council and must therefore be assigned a City of Kannapolis zoning designation within 60 days in accordance with state statute.

D. Fiscal Considerations

None

E. Policy Issues

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

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

The property is in the “Cluster Residential” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character area includes residential, open-space along with neighborhood-serving retail and office uses. The proposed use(s) of a contractor’s office and general office uses 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. There is an existing structure onsite that has been used for similar uses in the past under Cabarrus County zoning.

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

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

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

Yes, all adjoining properties are zoned AG (Agricultural) within the City of Kannapolis and AO (Agricultural Open Space) within Cabarrus County. The existing structure was constructed and utilized for the proposed use(s) under Cabarrus County Zoning.

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, there are no anticipated traffic concerns and there are two existing/permitted points of ingress/egress onto two NCDOT rights-of way. The applicant is not requesting additional utility services as part of this request and currently, there is no sewer service in this area. There is an existing fire hydrant adjacent to the site.

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 existing site is developed and lends itself to the existing/proposed use rather than residential or agricultural uses due to the size, shape, and location of the property.

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?

There are no negative environmental impacts, and the development will be required to conform to all applicable local, state, and federal environmental regulations.

The property is located within the Protected Watershed Area for the Coddle Creek Reservoir, which limits the maximum built-upon area to 12%. Based on the existing impervious built-upon areas, the current site could not be expanded for additional development.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates this property as being located in the “Cluster Residential” Character Area as designated in the *Move Forward 2030 Comprehensive Plan*. This Character area includes residential, open-space along with neighborhood-serving retail and office uses. The proposed use(s) of a contractor’s office/shop, and general office use is consistent with the goals and objectives of the Plan. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

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

Based on the request being consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval with the following conditions for Conditional Zoning Map Amendment Case #CZ-2022-04:

1. The permitted uses allowed by this rezoning shall only include a contractor's shop/office and general office uses.
2. Prior to the occupancy of the property, a Change of Use Permit shall be obtained from the City of Kannapolis.
3. Any proposed uses(s) shall be in compliance with existing and modified NCDOT driveway permits.
4. Additional streetscape landscape buffer plantings shall be provided along street frontages per the KDO landscaping requirements. Since there is some existing screening in place, staff will work with the applicant to develop a minor planting plan prior to occupancy.

Alternative Courses of Action

Motion to Approve (2 votes)

1. **Should the Commission choose to approve the request for rezoning as presented in Case #CZ-2022-04, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being located in the "Cluster Residential" Character Area as designated in the Move Forward 2030 Comprehensive Plan. This Character area includes residential, open-space along with neighborhood-serving retail and office uses. The proposed use(s) of a contractor's office and general office uses is consistent with the goals and objectives of the Plan. Furthermore, the Commission finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.*

2. **Should the Commission choose to approve Case #CZ-2022-04, a motion should be made to adopt the Resolution to Zone.**

Motion to Deny (2 votes)

1. **Should the Commission choose to recommend denial of Case #CZ-2022-04, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #CZ-2022-03 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-2022-04, 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. 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:

- City Attorney
- Planning Director



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: 6253 Mooresville Road, Kannapolis NC 28081

Applicant: John V. Smith

Proposed development: _____

None, existing structure and improvements on site.

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 (Section 3.1.5.1 of the UDO).

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

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

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

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

Applicant's Signature: 

Date: 06/14/2022



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: John V. Smith
Address: 6292 Chamar Circle
Kannapolis, NC 28081
Phone: 858-264-6550
Email: john@smithlane.com

Property Owner Contact Information same as applicant

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

Project Information

Project Address: 6253 Mooresville Road, Kannapolis NC 28081
Parcel: 46938699660000 # of parcels: 1 Approx. size of parcels: 2 acres
(attach separate list if necessary)
Current Zoning Designation: AG - Agricultural Requested Zoning Designation: C-2-CZ - General Commercial Cc
Reason for map amendment: Annexing property into the City of Kannapolis

Condition(s) proposed by the applicant (attach separate sheet if necessary): None

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.

John V. Smith 06/14/2022
Applicant Signature Date

John V. Smith 06/14/2022
Property Owner Signature Date

For Staff Use Only:

Filing Fee: _____ Receipt #: _____

Case #: _____ Date Received: _____

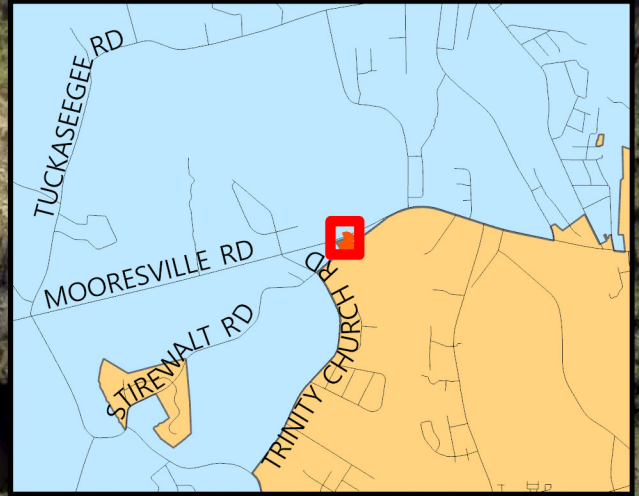


Vicinity Map

Case Number: CZ-2022-04

Applicant: John V. Smith

6253 Mooresville Rd.



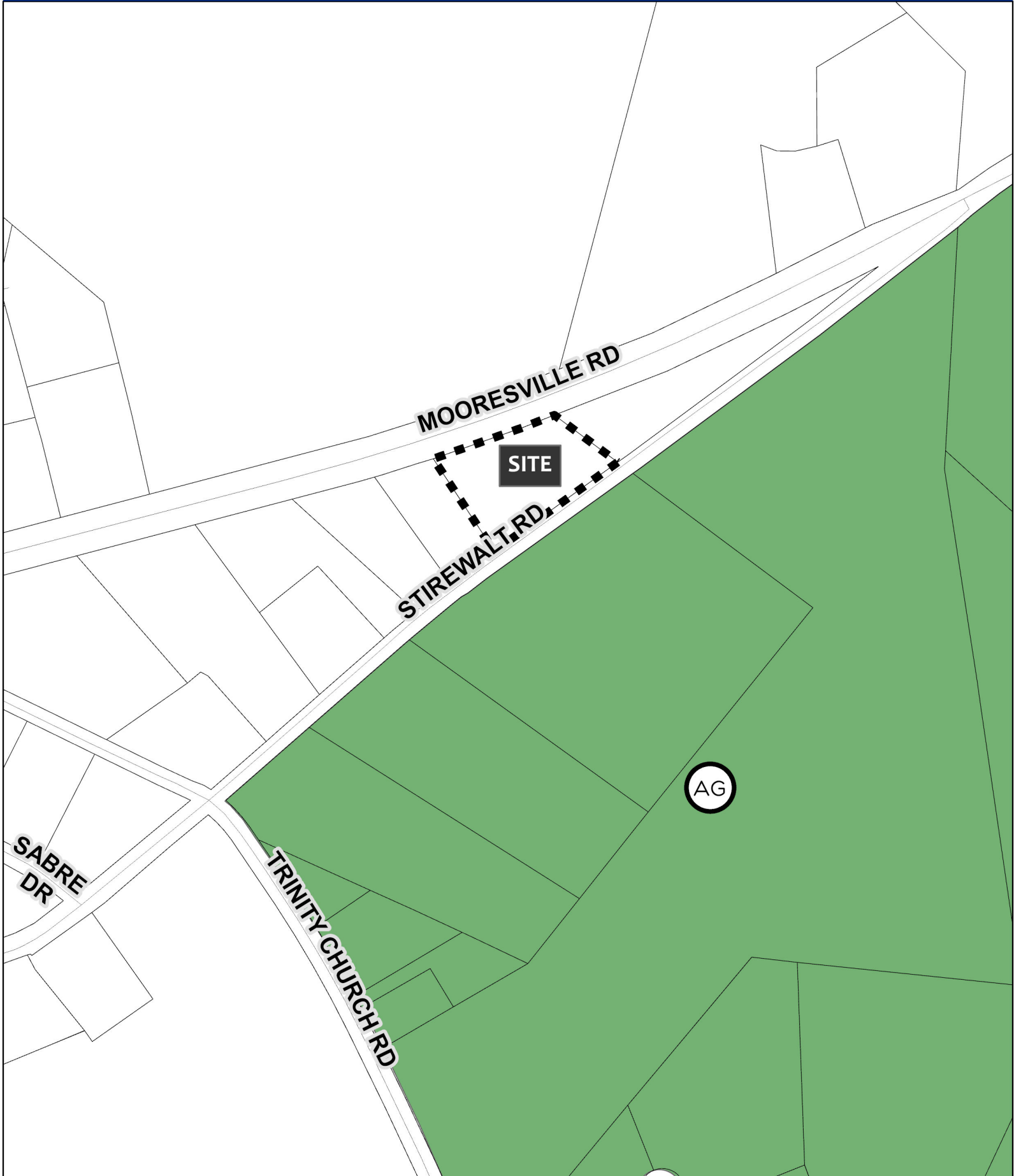


Kannapolis Current Zoning

Case Number: CZ-2022-04

Applicant: John V. Smith

6253 Mooresville Rd.





Kannapolis 2030 Future Land Use Map

Case Number: CZ-2022-04

Applicant: John V. Smith

6253 Mooresville Rd.

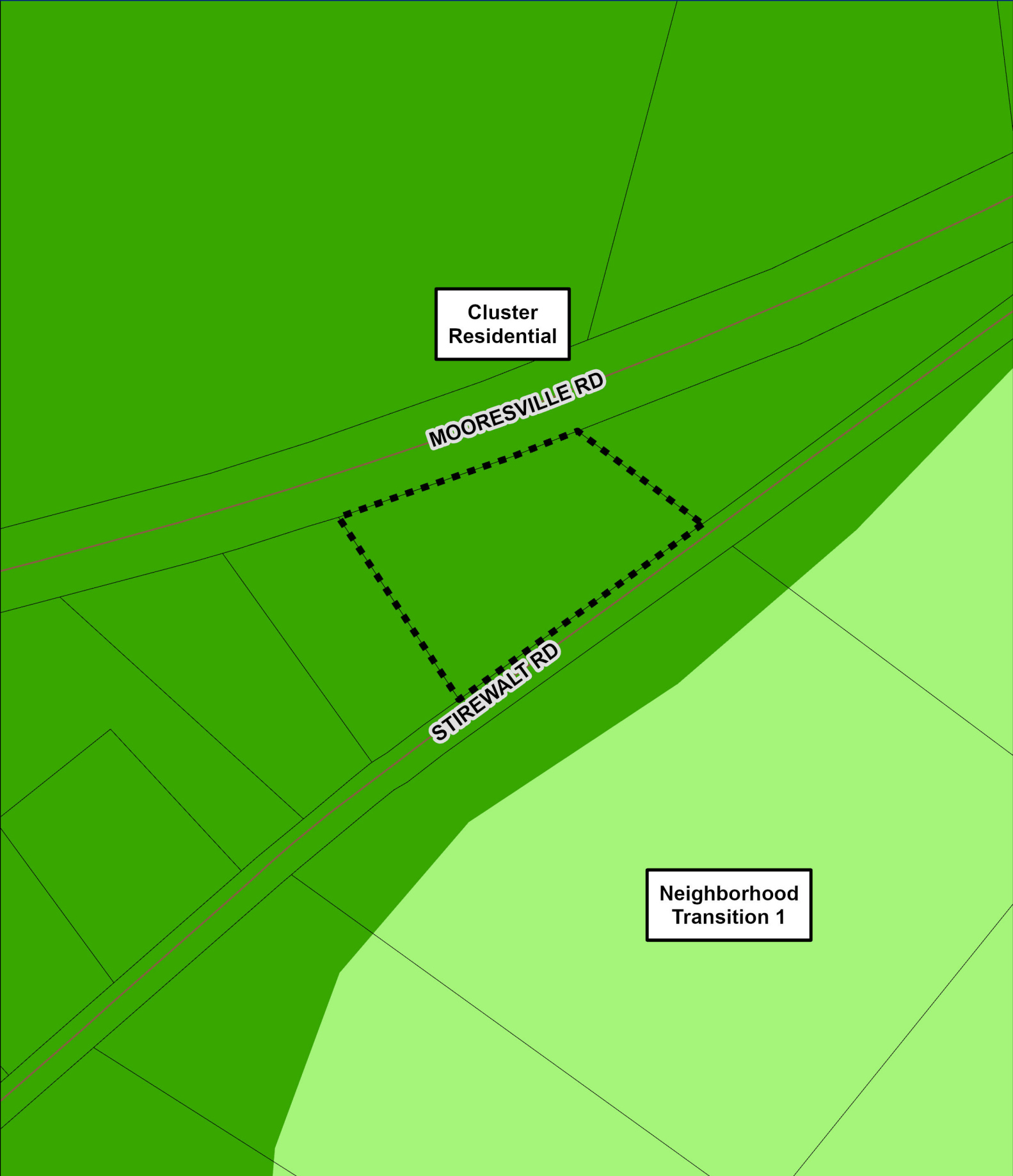


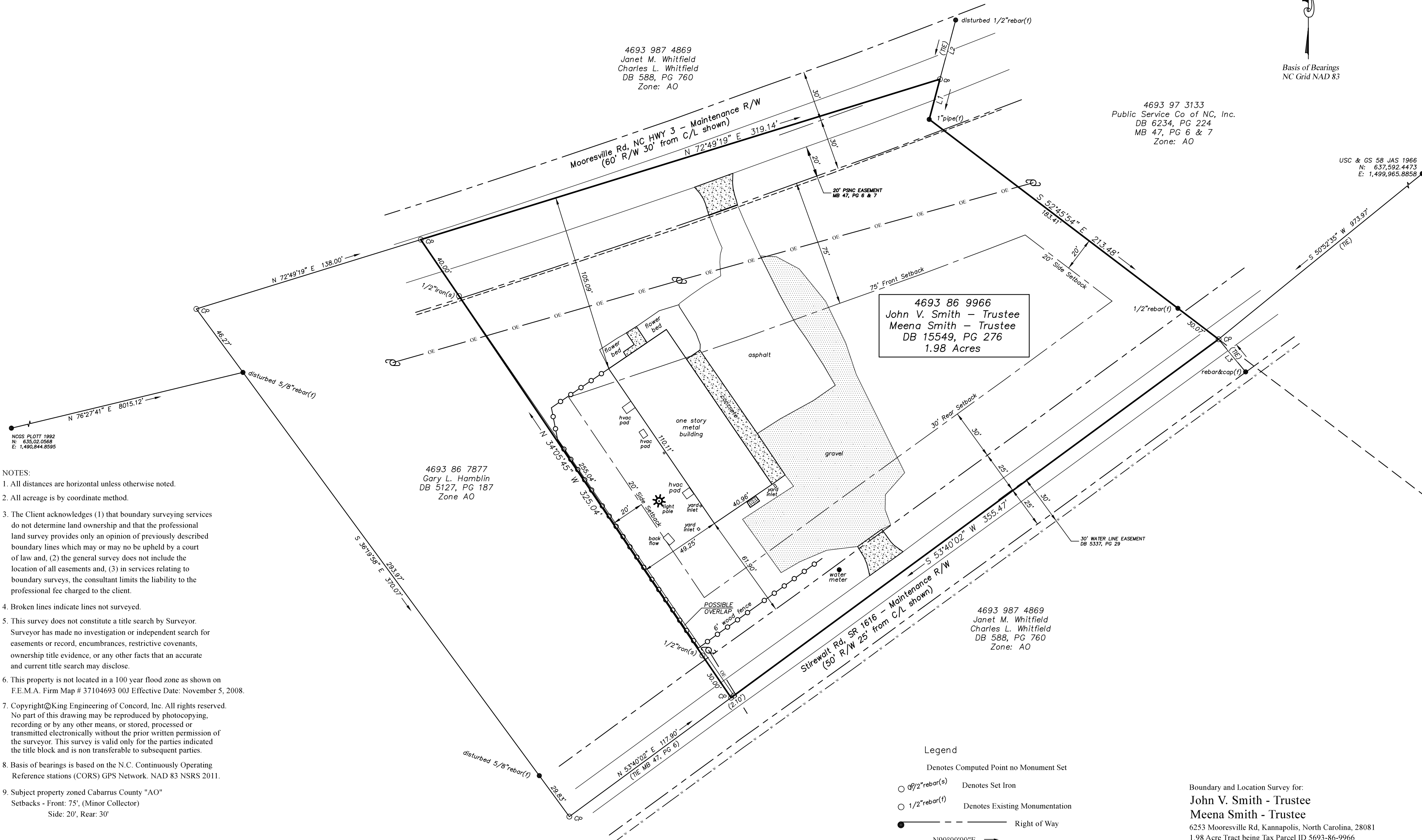
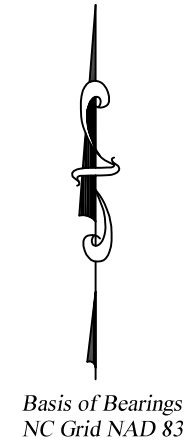
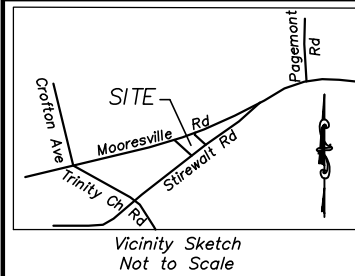
**Cluster
Residential**

MOORESVILLE RD

STIREWALT RD

**Neighborhood
Transition 1**





- NOTES:
- All distances are horizontal unless otherwise noted.
 - All acreage is by coordinate method.
 - The Client acknowledges (1) that boundary surveying services do not determine land ownership and that the professional land survey provides only an opinion of previously described boundary lines which may or may not be upheld by a court of law and, (2) the general survey does not include the location of all easements and, (3) in services relating to boundary surveys, the consultant limits the liability to the professional fee charged to the client.
 - Broken lines indicate lines not surveyed.
 - This survey does not constitute a title search by Surveyor. Surveyor has made no investigation or independent search for easements or record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
 - This property is not located in a 100 year flood zone as shown on F.E.M.A. Firm Map # 37104693 00J Effective Date: November 5, 2008.
 - Copyright © King Engineering of Concord, Inc. All rights reserved. No part of this drawing may be reproduced by photocopying, recording or by any other means, or stored, processed or transmitted electronically without the prior written permission of the surveyor. This survey is valid only for the parties indicated the title block and is non transferable to subsequent parties.
 - Basis of bearings is based on the N.C. Continuously Operating Reference stations (CORS) GPS Network. NAD 83 NSRS 2011.
 - Subject property zoned Cabarrus County "AO"
Setbacks - Front: 75', (Minor Collector)
Side: 20', Rear: 30'

I certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Deed Book 15549, Page 276); that the boundaries not surveyed are indicated as drawn from information recorded in deed references shown; that the ratio of precision or positional accuracy is 62,215; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600)

This 19th day of May, 2022.
Samuel L. King, Jr.
Professional Land Surveyor License No. L-3089



4693 987 4869
Janet M. Whitfield
Charles L. Whitfield
DB 588, PG 760
Zone: AO

4693 97 3133
Public Service Co of NC, Inc.
DB 6234, PG 224
MB 47, PG 6 & 7
Zone: AO

4693 86 9966
John V. Smith - Trustee
Meena Smith - Trustee
DB 15549, PG 276
1.98 Acres

4693 86 7877
Gary L. Hamblin
DB 5127, PG 187
Zone AO

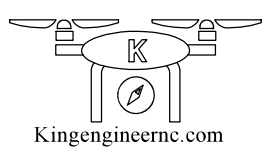
4693 987 4869
Janet M. Whitfield
Charles L. Whitfield
DB 588, PG 760
Zone: AO

- REFERENCES:
- DEED REFERENCES AS SHOWN.
 - MAP BOOK 47, PAGE 6.
 - MAP BOOK 47, PAGE 7.
 - MAP BOOK 13, PAGE 14.

LINE DATA:
L1: S 14°54'19" W, 24.46'
L2: S 14°54'19" W, 35.94'
L3: N 39°35'58" W, 24.89'

- Legend
- Denotes Computed Point no Monument Set
 - 09/2"rebar(s) Denotes Set Iron
 - 1/2"rebar(f) Denotes Existing Monumentation
 - Right of Way
 - N90°00'00"E — Property Line
 - Setback Line
 - - - - - 20' PSNC Easement
 - - - - - Adjoining Property Line
 - - - - - 30' Water Line Easement
 - OE — OE — Overhead Electric
 - ○ ○ ○ Wood Fence
 - ○ ○ ○ Utility Pole
 - ☼ Light Pole

Boundary and Location Survey for
John V. Smith - Trustee
Meena Smith - Trustee
6253 Mooresville Rd, Kannapolis, North Carolina, 28081
1.98 Acre Tract being Tax Parcel ID 5693-86-9966
Recorded in Deed Book 15549, Page 276
Number Four Township, Cabarrus County, North Carolina



Plat Prepared By:
King Engineering of Concord, Inc.
35 Church Street South Suite 107
Concord, NC 28025 C-4909
Mailing Address
401 Potat Drive
Morganton, NC 28655
Phone (828) 403 - 5586

May 19, 2022
Job Number 2022 - 058





PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000792001

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Payor : CITY OF KANNAPOLIS
Phone: 7049204300

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

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

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

Fax: 7049337463
EMail: bbell@kannapolisnc.gov

Total Amount \$434.90

Payment Amount \$434.90

Amount Due \$0.00

Tax Amount: 0.00

Payment Meth: Credit - Debit Card

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

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Color</u>
0000792001-01	CLS Liner	2 X 34 li	\$0.00

Production Method
AdBooker (liner)

Production Notes

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

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Planning and Zoning

Run Dates 7/ 8/2022, 7/15/2022

TagLine: NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONMEETINGTUESDAYJULY192022AT600P
MCONDITIONALZONINGMAPAMENDMENTCZ202204PUBLICHEAR



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

Tuesday July 19, 2022 at 6:00 pm

Conditional Zoning Map Amendment - CZ-2022-04 - Public Hearing to consider a request to rezone property located at 6253 Mooresville Road from Cabarrus County Agricultural Open (AO) zoning district to City of Kannapolis General Commercial-Conditional Zoning (GC-CZ) zoning district to allow a contractor's office/shop. The subject property is approximately 1.9± +/- acres and further identified as Cabarrus County Parcel Identification Number 46938699660000.

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 attcline@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Publish: July 8, July 15, 2022.

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
LA RUE SIMS CREDLE TRUSTEE				
CLIFTON M CREDLE JR TRUSTEE	671 LAKESIDE CIR APT 822	POMPANO BEACH	FL	33060
PUBLIC SERVICE CO OF N C INC				
ATTN: ELLEN DIGH	PO BOX 1398	GASTONIA	NC	28053
JOHN V SMITH TRUSTEE				
MEENA SMITH TRUSTEE	6292 CHAMAR CIR	KANNAPOLIS	NC	28081
GARY L HAMBLIN				
C/O GARY L HAMBLIN ESTATE	PO BOX 1262	KANNAPOLIS	NC	28082
JOHN MCKINLEY	702 POSSUM TROT RD	BLACKSBURG	SC	29702
CHARLES & JANET WHITFIELD				
C/O ELIZABETH NORTON	7607 WHISTLESTOP RD	CHARLOTTE	NC	28210
ROBERT & BRIDGET ROSSER	6100 MOORESVILLE RD	KANNAPOLIS	NC	28081



KANNAPOLIS
Planning

July 7, 2022

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, July 19, 2022 at 6:00 PM, for the following case:

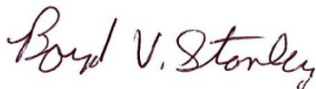
CZ-2022-04 – Conditional Zoning Map Amendment – 6253 Mooresville Road

The purpose of the Public Hearing is to consider a request to rezone property located at 6253 Mooresville Road from Cabarrus County Agricultural Open (AO) zoning district to City of Kannapolis General Commercial-Conditional Zoning (GC-CZ) to allow a contractor's office/shop . The subject property is approximately 1.98 +/- acres and further identified as Cabarrus County Parcel Identification Number 46938699660000 (see reverse side of this letter for a map showing the location of this property).

As an abutting property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Unified Development Ordinance; and are invited to attend the public hearing and present testimony, should you desire, to the Planning and Zoning Commission.

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 bstanley@kannapolisnc.gov.

Sincerely,



Boyd Stanley, AICP
Assistant Planning Director

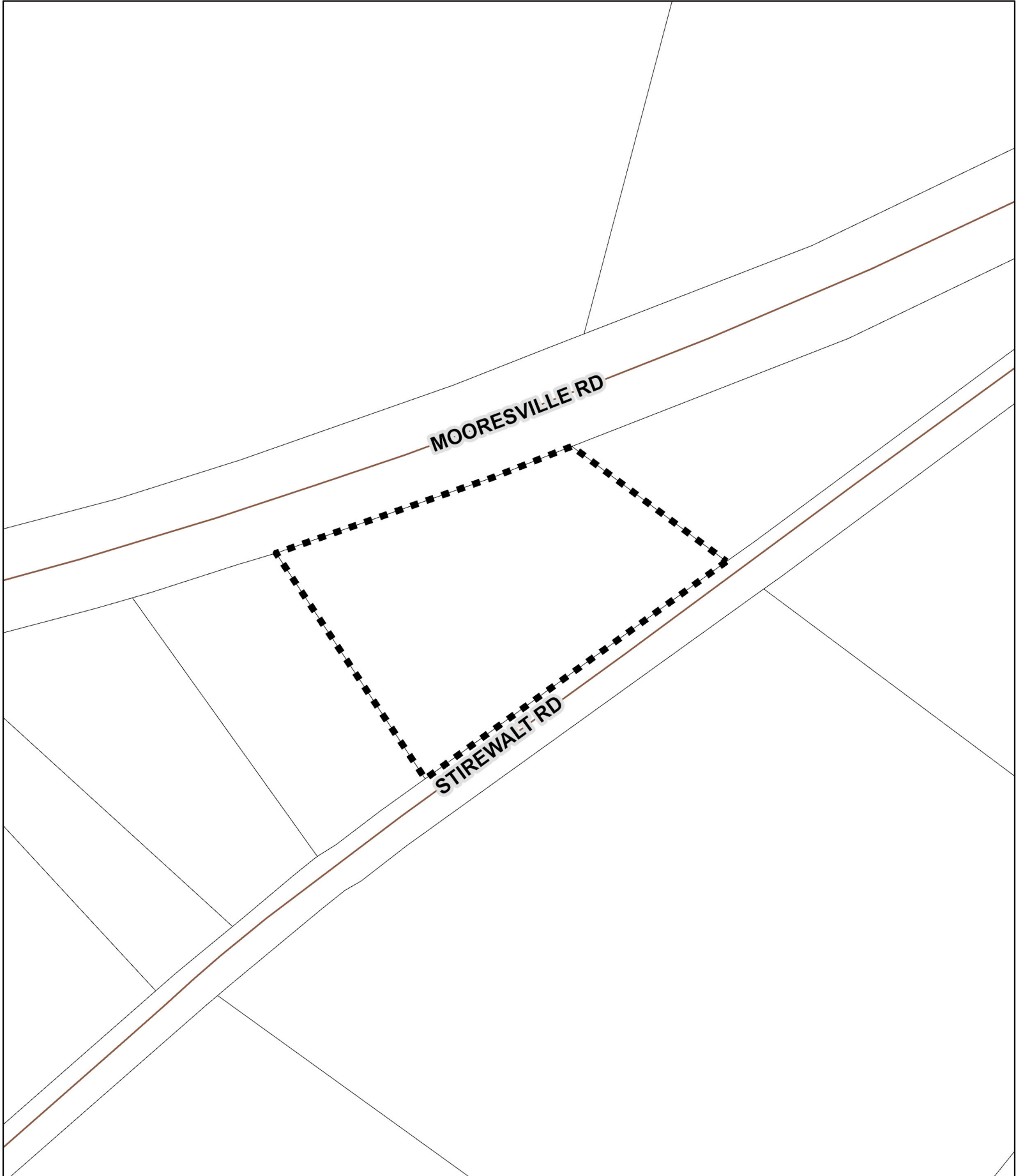
Enclosure

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



Conditional Rezoning

Case Number: CZ-2022-04
Applicant: Overcash Real Estate
607 E 13th St.





KANNAPOLIS
PLANNING
ZONING
COMMISSION
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE #CZ - 2022 - 4





**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE #CZ-2022-04**

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

WHEREAS, Section 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 July 19, 2022 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone property located at 6253 Mooresville Road (Cabarrus County Parcel Identification Number 46938699660000) owned by John V. Smith, Trustee and Meena Smith Trustee, from Cabarrus County Agricultural Open (AO) Zoning Designation to a City of Kannapolis General Commercial-Conditional Zoning (GC-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 this property as being located in the “Cluster Residential” Character Area as designated in the Move Kannapolis Forward 2030 Comprehensive Plan. This Character area includes residential, open-space along with neighborhood-serving retail and office uses. The proposed use(s) of a contractor’s office and general office use is consistent with the goals and objectives of the 2030 Plan. Furthermore, the Commission finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.*

Adopted this the 19th day of July 2022:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE

**Case #CZ-2022-04
(6253 Mooresville Road)**

From Cabarrus County Agricultural Open (AO) to City of Kannapolis General Commercial-Conditional Zoning (GC-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 July 19, 2022 for consideration of rezoning petition Case #CZ-2022-04 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone property located on 6253 Mooresville Road, (Cabarrus County Parcel Identification Number 46938699660000) owned by John V. Smith, Trustee and Meena Smith Trustee, from Cabarrus County Agricultural Open (AO) Zoning Designation to a City of Kannapolis General Commercial-Conditional Zoning (GC-CZ) Zoning Designation; and

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

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

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

The property is in the “Cluster Residential” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character area includes residential, open-space along with neighborhood-serving retail and office uses. The proposed use(s) of a contractor’s office and general office uses 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. There is an existing structure on site that has been used for similar uses in the past under Cabarrus County zoning.

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

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

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

Yes, all adjoining properties are zoned AG (Agricultural) within the City of Kannapolis and AO (Agricultural Open Space) within Cabarrus County. The existing structure was constructed and utilized for the proposed use(s) under Cabarrus County Zoning.

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, there are no anticipated traffic concerns and there are two existing/permitted points of ingress/egress onto two NCDOT rights-of way. The applicant is not requesting additional utility services as part of this request and currently, there is no sewer service in this area. There is an existing fire hydrant adjacent to the site.

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 existing site is developed and lends itself to the existing/proposed use rather than residential or agricultural uses due to the size, shape, and location of the property.

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?

There are no negative environmental impacts, and the development will be required to conform to all applicable local, state, and federal environmental regulations.

The property is located within the Protected Watershed Area for the Coddle Creek Reservoir, which limits the maximum built-upon area to 12%. Based on the existing impervious built-upon areas, the current site could not be expanded for additional development.

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 Planned Unit Development-Conditional Zoning (PUD-CZ) to Light Industrial-Conditional Zoning (I-1-CZ); General Commercial-Conditional Zoning (C-2-CZ); Campus Development-Conditional Zoning (C-D-CZ) and Residential Compact-Conditional Zoning (R-C-CZ) District, subject to the following conditions:

1. The permitted uses allowed by this rezoning shall only include a contractor's shop/office and general office uses.

2. Prior to the occupancy of the property, a Change of Use Permit shall be obtained from the City of Kannapolis.
3. Any proposed uses(s) shall be in compliance with existing and modified NCDOT driveway permits.
4. A Final Site Plan, in compliance with all applicable City KDO standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance Permit.
5. Comply with current Land Development Standards Manual.

Adopted this the 19th day of July 2022:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission