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**CITY OF KANNPOLIS, NC
PLANNING AND ZONING COMMISSION**

**Minutes of Meeting
February 20, 2024**

The Kannapolis Planning and Zoning Commission met on Tuesday February 20, 2024, at 6:00 PM in the Laureate Center of City Hall. This meeting was held in accordance with notice published in the Independent Tribune (Appendix A), as well as on the City's website.

Commission Members Present: Daisy Malit
James Litaker
Jeff Parker, Vice-Chair
Larry Ensley
Scott Trott
Shelly Stein
Robert Severt, ETJ Representative

Commission Members Absent: Chris Puckett, Chair
Jamie Richardson

Visitors:

Rob Harkey	Emily Jones
Garland Jones	Vicki Harkey
Lee Harrell	Karthikeyan Reddi
Joe Hatley	Ramakrishna Mokkarala
Scott Boggs	Sreedhar Somishetty
Murugan Nateson	Sandra Craft
Riley Burgess	Davan Kollosi
Narendar Suram	Seshu Ganta
Rahul Chenni	Sandeep Kolikapudi
Megan Hollaway	Mallikarjuna Kaliutsetty
Jeremy Hollaway	Suresh Nallamilli
Marilyn Stark	Sarin Ratheeshkumar
Talmadge Brown	Tonya Rivens-Rasheed
Dorylyn Rahul	Mary Beth Burgess
Yolanda Mitchell	Chris Mitchell
Linda Moore	Derek Moore
Ron Flanders	Salhi Myers
Edgar Acheron	Srikaraunvandham Nan
German Ronquillo	Sandip Kanani
Srikarunvardhan Manam	

Staff Present: Richard Smith, Planning Director
Elizabeth McCarty, Assistant Planning Director
Kathryn Stapleton, Planner
Wilmer Melton, Assistant City Manager
Pam Scaggs, Recording Secretary

1 **CALL TO ORDER**

2 Vice-Chair Parker called the meeting to order at 6:00 P.M.

3
4 **ROLL CALL AND RECOGNITION OF QUORUM**

5 Recording Secretary Pam Scaggs called the roll. The presence of a quorum was recognized.

6
7 **APPROVAL OF AGENDA**

8 Planning Director, Richard Smith, advised that the applicants for cases #CZ-2024-02 (Attached as
9 Exhibit 3) and #CZ-2024-03 (Attached as Exhibit 4) have requested to be continued to the next scheduled
10 meeting [March 19, 2024]. Chair Parker noted the change and asked for a motion to approve the amended
11 Agenda which was made by Dr. Litaker, second by Mr. Trott, and the motion was unanimously approved.
12

13 Mr. Smith recognized that Commission Member, Daisy Malit, arrived [6:02 PM] and should be shown
14 as present for the meeting.
15

16 **APPROVAL OF MINUTES**

17 Vice-Chair Parker asked for a motion to approve the November 14 and December 12, 2023, meeting
18 minutes, which was made by Dr. Litaker, second by Mr. Ensley, and the motion was unanimously
19 approved.
20

21 **PUBLIC HEARING**

22 **Z-2024-02 – Zoning map request submitted by Marilyn Stark for property located at 3060 Placid**
23 **Road from Cabarrus County Countryside Residential (CR) to City of Kannapolis Residential 4**
24 **(R4) zoning district.**

25 Planner, Kathryn Stapleton, provided details for case #Z-2024-02, attached to and made part of these
26 minutes as Exhibit 1; and identified the applicant, address, and size of the property. Ms. Stapleton stated
27 that the request is to rezone the property from Cabarrus County Countryside Residential (CR) zoning
28 district to City of Kannapolis Residential 4 (R4) zoning district and that the property was voluntarily
29 annexed due to a failing septic system. She reminded the Commission that the request is a “by right”
30 straight rezoning request and that there could be no conditions placed upon the approval of the request.
31

32 Ms. Stapleton directed the Commission’s attention to case maps, further illustrating the location, current
33 and surrounding zoning districts, as well as existing property uses, and Character Area as determined by
34 the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”). She further directed the
35 Commission’s attention to site photos, stating that staff found consistency with the *2030 Plan* and is
36 recommending approval of the rezoning request. She reminded the Commission of the actions requested,
37 concluded her presentation, and made herself available for questions.
38

39 Mr. Ensley asked if sewer is available to the subject property. Ms. Stapleton responded that sewer is
40 available through an open space easement on the adjacent Waterford on the Rocky River residential
41 development.
42

43 There being no additional questions or comments for staff, Vice-Chair Parker opened the Public Hearing.
44

45 Two (2) citizens, Mr. Talmage Brown and Ms. Tonya Rivens-Rasheed, spoke in favor of approving the
46 requested rezoning.
47

48 There being no additional questions or comments, Vice-Chair Parker closed the Public Hearing.

1 Vice-Chair Parker asked for a motion regarding the Statement of Consistency. Mr. Trott made the motion
2 to approve, second by Ms. Malit, and the motion was unanimously approved.

3 Vice-Chair Parker asked for a motion regarding the Resolution to Zone. Ms. Malit made the motion to
4 approve, second by Dr. Litaker, and the motion was unanimously approved.
5

6 **CZ-2024-01 – Amendment to Conditions of Approval submitted by German Ronquillo for**
7 **property located at 9700 Davidson Highway.**

8 Assistant Planning Director, Elizabeth McCarty, provided details regarding case # CZ-2024-01, attached
9 to and made part of these minutes as Exhibit 2. Ms. McCarty identified the applicant, property owner,
10 address, and size of the property. She stated that the subject property was previously conditionally
11 rezoned under case #Z-12-02, known as “Pappy’s Place”, and that it included office/retail;
12 office/distribution; and mini-warehouse/self-storage leasing uses. Ms. McCarty continued that the
13 applicant is requesting to amend the conditions under case #Z-12-02 to allow a contractor’s yard and
14 read the definition of a contractor’s yard as defined in the Kannapolis Development Ordinance (KDO):
15

16 “A use involving the outdoor storage of materials, supplies, and equipment by building,
17 heating/air conditioning, plumbing, electrical or other development contractors as the principal
18 use on a lot. Accessory uses may include office uses.”
19

20 Ms. McCarty directed the Commission’s attention to the case maps and identified the current zoning of
21 the subject and surrounding properties, their uses, and the recommended uses of the Character area in
22 which the property is located per the *2030 Plan*. She directed the Commission’s attention to site photos,
23 illustrating location of the existing driveway and an existing median located on Davidson Highway, as
24 well as an existing manufactured home located on the site which is subject of one of the recommended
25 conditions. Ms. McCarty further directed the Commission’s attention to the submitted site plan and
26 discussed a conservation easement, held by the Davidson Lands Conservancy (“Conservancy”), who is
27 responsible for monitoring compliance with easement restrictions. She added that one of the
28 requirements is to limit development to a two-acre (2) portion as delineated on the site plan. Ms. McCarty
29 stated that the applicant also submitted a landscaping plan which will supplement the existing
30 landscaping and that a fence is proposed along a portion of the property line to act as a screen for the
31 adjacent residential uses. She noted that the request is consistent with the *2030 Plan*, and that because
32 the request is adjacent to residential uses, the KDO requires buffering and screening to provide a buffer
33 between the commercial and residential uses. She added that staff recommends several conditions if
34 approved and read those conditions into the record:
35

- 36 1. The conditions and conceptual site plan applicable to the previous conditional rezoning approval,
37 Case #Z-12-02, are removed and replaced with conditions 2-10, below.
38
- 39 2. The intent of this amendment submittal is to allow for a Contractor’s Yard. Prior to the
40 development of the property over and beyond its use as a Contractor’s Yard, a conditional
41 rezoning application shall be made for the City of Kannapolis to further review and reconsider
42 the conditions imposed by approval of this amendment.
43
- 44 3. The site is subject to and will in the future be developed in accordance with the development
45 restrictions set forth in the Assignment of Deed of Conservation Easement which among other
46 restrictions, limits the developable area of the site within a defined two (2) acre envelope
47 generally located in the center of the site.
48

1 4. The site will be developed in accordance with the Coddle Creek Subdistrict Thoroughfare
2 Protection Overlay District of the KDO.

3
4 5. The development shall be limited to one (1) vehicular access point on Davidson Highway and
5 shall be subject to NCDOT approval. A driveway permit is required.

6
7 Ms. McCarty noted that NCDOT does not have a permit on file for the existing driveway.

8
9 6. The site will be developed consistent with the buffer and landscaping requirements of the KDO
10 for a Type D, Opaque Buffer.

11
12 7. No site lighting will be directed toward adjacent properties assuring no glare of lighting on
13 adjacent residential lots.

14
15 8. Development of the site will adhere to all applicable NCDEQ soil and erosion control
16 requirements.

17
18 9. Certain improvements to the site shall be completed no later than six (6) months from the date
19 of the Resolution to Zone, to include removing the existing single-wide manufactured home from
20 the site; acquiring a NCDOT driveway permit; paving the driveway entrance and parking area;
21 installing required landscaping and fencing; and installing the gravel parking area.

22
23 10. The exact location of the proposed building and parking spaces will be determined during the
24 site plan review process by the City of Kannapolis.

25
26 Ms. McCarty stated that the applicant is proposing to construct a new building (approximately 1,512 sf)
27 which will require additional site plan approval. She concluded her presentation, reminded the
28 Commission of the actions requested and made herself available for questions.

29
30 Mr. Trott asked if access to the subject property will be restricted to right turns only. Ms. McCarty
31 responded that as the applicant progresses through the driveway permit process with NCDOT, they may
32 be required to extend the existing median to prevent left turns from Davidson Highway, which would
33 restrict access to right turns only.

34
35 Mr. Ensley expressed concern that staff is requiring improvements within six (6) months and questioned
36 whether the applicant would be required to replace newly planted landscaping if it does not survive
37 through the summer. Mr. Smith responded that the Ordinance [KDO] does require that landscaping be
38 replaced if it does not survive but noted that the applicant is requesting more time due to the timing of
39 the planting season and construction of the new building. Mr. Ensley asked the amount of time the
40 applicant is requesting. Mr. Smith responded that he thought they would like a year. Vice-Chair Parker
41 asked if a year would be sufficient time. Mr. Smith responded that the length of time is at the
42 Commission's discretion, but that staff suggested six (6) months due to existing code issues on the
43 property.

44
45 Dr. Litaker asked if there have been issues with burning or reports of environmental impacts. Mr. Smith
46 responded that he is not aware of any of those types of issues.

47
48 There being no additional questions or comments for staff or the applicant, Vice-Chair Parker opened
49 the Public Hearing.

1 Representative for the applicant, Riley Burgess, PE with Woodbine Design, stated that he became
2 involved with subject property approximately two (2) years ago when they were hired to develop site
3 plans. Mr. Burgess indicated that the previous rezoning [Z-12-02] was discovered when reviewing site
4 plans and that while a lot of uses were excluded in the previous approval, a contractor's yard was not.
5 He added that due to language in the previous approval, as well as the conservation easement, it was
6 determined that applying for the amendment would be better to "clean-up" the request. Mr. Burgess
7 referred to the current recommended conditions and indicated that he thought a contractor's yard was
8 approved under the previous rezoning approval.
9

10 Mr. Burgess referred to Condition #2 suggesting that a contractor's yard was approved under the previous
11 approval [Z-12-02] since it was not excluded and inferred that it should not be a condition of approval.
12 He agreed that construction of the new building or any other site improvements will require additional
13 site plan approval and reminded the Commission that the site is also further restricted by the conservation
14 easement, which does allow impervious surfaces. Mr. Burgess explained the reason for not having a
15 driveway permit is because it was previously a residential driveway and inferred that NCDOT does not
16 require permits for residential driveways but that it is understood that a permit is required and that it will
17 be limited to right-in/right-out. He stated that the six (6) month window to make improvements is
18 unrealistic because the window to obtain a driveway permit is estimated to be between one (1) and four
19 (4) months and indicated that before formal application can be made, approval for the rezoning must be
20 obtained first. Mr. Burgess cited another project happening in the general vicinity and inferred that
21 obtaining the driveway permit may take as long as six (6) to eight (8) months. He reiterated that they
22 would need to obtain site plan approval before making the requested improvements; asked that the
23 Commission remove the condition regarding the contractor's yard; and to allow more time to make the
24 required improvements. Mr. Burgess stated that the Conservancy performs routine inspections; that he
25 routinely performs water quality testing; and indicated that they [the Conservancy] are happy with the
26 development of the property.
27

28 Rob Harkey, stated that he lives across Davidson Highway from the subject property and provided site
29 pictures (Appendix B) regarding changes to the property since it was purchased by the current property
30 owner and inferred that development on the property consumes more than the two (2) acres. Mr. Harkey
31 expressed concern for several issues and asserted that: (1) the property owner has to be present for the
32 Conservancy to perform their inspections; (2) the property owner has received citations from the Fire
33 Marshal for illegal burning; (3) he has reported the shooting of guns on the property to the police; (4) he
34 has sustained adverse environmental impacts to his pond; (5) several trees have already been removed
35 from the site; (6) future widening of Davidson Highway will further restrict development of the property;
36 and (7) that a contractor's yard will be visible from the street due to the widening and addition of
37 sidewalks. Mr. Harkey talked about the adjacent residential neighborhoods as well as their home values
38 and indicated that no one wants to live next to a contractor's yard.
39

40 Mr. Ensley questioned why the Conservancy sold the property, but Mr. Harkey did not know the answer.
41 Dr. Litaker inferred that the property owner made changes to the property prior to obtaining the necessary
42 permits and suggested that environmental impacts should be addressed first. Mr. Harkey responded that
43 some of the issues have been rectified but alleged that stormwater runoff from their mulch is causing
44 damage to his pond. Dr. Litaker asked if he had attempted to work with the property owner to address
45 the issue with his pond and Mr. Harkey responded that he did try but that Mr. Ronquillo [property owner]
46 suggested that he should speak with the Conservancy. Mr. Harkey reiterated that burning of wire,
47 mattresses and plastic had occurred and that they had been cited by the City of Kannapolis Fire Marshal.
48 He concluded saying that there is a lot of issues happening on the property.
49

1 Karthikeyan Reddi, stated that he lives adjacent to the subject property across Davidson Highway and
2 agrees with all statements made by Mr. Harkey. Mr. Reddi expressed concern regarding safety for school
3 pick-up, environmental impacts regarding debris stored on the property and non-compliance with
4 burning standards.
5

6 Emily Jones, stated that she also lives adjacent to the subject property, and expressed concern regarding
7 the noise from large trucks as well as smoke from burning trash. Ms. Jones stated that previous
8 conversations with the Conservancy and City staff, made her think that a park would be developed on
9 the property. She expressed additional concern regarding property value and implied that the property
10 owners do not abide by the rules.
11

12 Suresh Nallamilli, stated that he lives in the adjacent residential community and that he is opposed to the
13 proposed project due to the proximity of residential uses. Mr. Nallamilli pointed to members of the
14 audience and stated that everyone in attendance is opposed to the development. He echoed previous
15 complaints about burning of debris on the property and voiced concern regarding the environmental
16 impacts as a result of the burning.
17

18 The property owner, German Ronquillo, admitted that the Fire Marshal has visited the site, but that it was
19 determined that as long as the fire is contained and that water is readily available, that they can continue
20 to burn wood. Mr. Ronquillo stated that they do not burn trash as was previously alleged. He stated that
21 all of the complaints that have been made are from property owners across Davidson Highway and that
22 there is a residential development located directly behind the subject property and that they have not
23 made any complaints. Mr. Ronquillo also stated that they have never fired guns on their property and
24 that police have never visited the site due to any firing of guns. He asked the Commission for approval.
25

26 There being no further public comment, Vice-Chair Parker closed the Public Hearing.
27

28 Mr. Severt asked if water samples are being taken quarterly and if there have been issues with any of the
29 samples. Mr. Burgess responded that samples are taken regularly and that there have not been any issues
30 outside of the normal parameters.
31

32 Dr. Litaker reiterated his previous concern regarding changes to the property prior to obtaining permits;
33 expressed concern regarding setting precedence; and asked if changes were in fact made before obtaining
34 necessary permits. Mr. Smith responded that since the subject property was rezoned in 2012, that
35 included several types of uses, there was confusion on what uses were permitted, that would explain the
36 changes. He added that Senior Code Enforcement Office, Tony Cline, is available to discuss any code
37 violations that have occurred on the site and that he is not aware of any illegal burning violations. Mr.
38 Smith reiterated that since the previous rezoning occurred under the old ordinance [Unified Development
39 Ordinance], and that the requested amendments have to be reviewed under the current ordinance [KDO],
40 that the property owner may not have been aware that they were in violation.
41

42 Mr. Ensley suggested that it may be better to start over from scratch instead of amending the existing
43 conditions.
44

45 Vice-Chair Parker referred to the complaints made about the burning and asked how those issues are
46 typically handled. Mr. Smith reiterated that he was never informed as to any burn violations and indicated
47 that the Commission does have the option to table the matter and direct staff to inquire about those
48 allegations. Vice-Chair Parker expressed concern about the environmental impacts expressed by the
49 neighbors.

1 Dr. Litaker asked if it would be appropriate for the Commission to table the matter until issues can be
2 resolved. Mr. Smith affirmed that the Commission could table the case and advised that the applicant
3 also has the option to appeal the matter to City Council.
4

5 Vice-Chair Parker asked for a motion regarding the Statement of Consistency. Mr. Ensley made the
6 motion to deny the Statement of Consistency citing that the amendment request is inconsistent with the
7 *2030 Plan*, second by Dr. Litaker. Mr. Smith advised that the Commission would need to explain why
8 they find the Statement inconsistent. Vice-Chair Parker stated that it is inconsistent due to the
9 environmental impacts; lack of appropriate buffer area due to the future widening of Davidson Highway;
10 and lack of buildable space due to the conservation easement. The motion to deny was unanimously
11 approved.
12

13 Mr. Smith stated that since the Commission unanimously denied the request, the applicant has 15 days
14 to appeal their decision to City Council.
15

16 **CANNON BOULEVARD SURVEY DISCUSSION**

17 Ms. McCarty thanked the City Code Enforcement officers for collecting updated information and
18 pictures along Cannon Boulevard and reviewed the Cannon Boulevard Corridor Survey, stating that staff
19 will be requesting the Commission’s recommended changes based on their responses to the survey. She
20 reminded the Commission that the improvements were categorized into the following sections:
21 Multimodal Transportation; Corridor Revitalization; Placemaking and Streetscape Elements; and Access
22 and Parking Improvements. Ms. McCarty explained that staff determined the most effective way to
23 capture the recommended improvements was to identify the purpose, opportunity, action, timeframe,
24 mechanism and then metric for determining the improvement. She reviewed each opportunity in detail
25 and then introduced Ms. Stapleton to talk about sign amortization.
26

27 Ms. Stapleton provided several examples of existing signage along Cannon Boulevard and talked about
28 the opportunities to implement an amortization schedule to bring that signage into current compliance
29 with the KDO.
30

31 Ms. McCarty concluded the presentation stating that staff will finalize the recommended changes with a
32 draft Corridor Implementation Strategy and will be looking to the Commission to recommend approval
33 to City Council.
34

35 **PLANNING DIRECTOR UPDATE**

36 Mr. Smith stated that staff will be initiating a rezoning for properties located along W C Street and
37 conducted a neighborhood meeting in January. He added that most of the existing uses are residential
38 but that the zoning is either General Commercial (GC) or Office-Institutional (OI) which has resulted
39 in non-conformities for the residential uses. Mr. Smith noted that the Board of Adjustment recently
40 denied a request to allow for a self-service storage facility because they did not feel that the commercial
41 use was in harmony with the existing residential uses. He stated that staff will be requesting the Mixed-
42 Use Neighborhood (MU-N) zoning district because it will allow for both residential and commercial
43 uses, and that the Commission should expect to hear the matter of the requested rezoning at their March
44 meeting.
45

46 Mr. Smith provided an update on the fourth quarter permit report for the 2023 calendar year.
47

48 **OTHER BUSINESS**

49 Mr. Smith responded to Commission questions regarding infill development on South Ridge Avenue;
50 completion of Highway 3; sewer allocation; and development on Cannon Farm Road.

1 Assistant City Manager, Wilmer Melton, responded to Commission questions regarding painting the
2 water tank on Old Beatty Ford Road at the Interstate 85 interchange; paving streets during cold weather;
3 and indicated that he would address a complaint made regarding paint striping on Kannapolis Parkway.
4

5 **ADJOURN**

6 There being no further business, questions, or comments, Mr. Ensley made the motion to adjourn, second
7 by Dr. Litaker and the meeting was unanimously adjourned at 7:43 PM on Tuesday, February 20, 2024
8

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Pam Scaggs, Recording Secretary

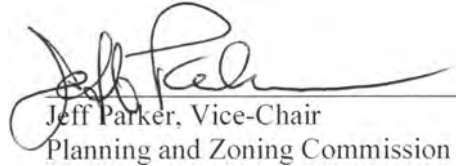

Jeff Parker, Vice-Chair
Planning and Zoning Commission

EXHIBIT 1



Planning and Zoning Commission February 20, 2024, Meeting

Staff Report

TO: Planning and Zoning Commission

FROM: Kathryn Stapleton, Planner

SUBJECT: Case #Z-2024-02: 3060 Placid Road
Applicant: Marilyn P. Stark

Applicant is requesting to apply City of Kannapolis zoning to a recently annexed property located at 3060 Placid Road from Cabarrus County Countryside Residential (CR) to City of Kannapolis Residential 4 (R4) zoning district.

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

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

C. Background & Project Overview

The applicant and property owner, Marilyn P. Stark, is requesting to apply City of Kannapolis Residential 4 (R4) zoning district to approximately 1.06 +/- acres of property located at 3060 Placid Road, further identified as Cabarrus County Parcel Identification Number 46727521520000, which is currently zoned Cabarrus County Countryside Residential (CR). This property was voluntarily annexed on November 27, 2023.

Per the North Carolina General Statutes, an initial City of Kannapolis zoning designation must be applied to the property following annexation.

D. Fiscal Considerations

None

E. Policy Issues

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

- 1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?**
Yes. This area of the City’s future growth area is identified as “Complete Neighborhood 2” Character Area. This Character Area identifies single family detached residential and single family attached as primary uses.
- 2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?**
No, the R4 zoning designation is appropriate for this area. There is existing R4 zoning on nearby properties.
- 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. The proximity to other R4 zoning and the Comprehensive Plan Character Area makes the requested R4 zoning district an appropriate change.
- 4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?**
Yes, the existing use of the property is residential and is also adjacent to residential land uses.
- 5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?**
Yes, this property is located adjacent to roads with adequate capacity and safety, and is a suitable use allowed under the requested zoning. Both water and sewer connections are available through the adjacent Waterford at Rocky River Homeowners Association open space easement.

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

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

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

No, there are no anticipated significant environmental impacts from rezoning this property. Further, this property was voluntarily annexed into the City as a result of a septic tank failure.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject property as located within the “*Complete Neighborhood 2*” Character Area of the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and are not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

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

Based on the request being consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval for Zoning Map Amendment Case #Z-2024-02

Alternative Courses of Action

Motion to Approve (2 votes)

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

Statement of Consistency: Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject property as located within the “Complete Neighborhood 2” Character Area in the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and are not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

2. **Should the Commission choose to approve Case #Z-2024-02, a motion should be made to adopt the Resolution to Zone.**

Motion to Deny (2 votes)

1. **Should the Commission choose to recommend denial of Case #Z-2024-02, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #Z-2024-02 to be **inconsistent** with the goals and policies of the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #Z-2024-02, a motion should be made to deny the Resolution to Zone.**

I. Attachments

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

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager
- City Attorney



Zoning Map Amendment Checklist

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. Please either bring this application to the address above or email to bbarcroft@kannapolisnc.gov. The fees may also be paid online with a link provided by staff.

REZONING REQUEST

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

Requested Rezoning Property Address: 3060 Placid Rd., Davidson NC 28036

Applicant: Marilyn P. Stark

Proposed development: _____

SUBMITTAL CHECKLIST

- Pre-Application Meeting
- Zoning Map Amendment Checklist and Application – Complete with all required signatures
- Fee: \$825.00 (\$500 Application Fee, \$300 Legal Notices and notification fee, # of property owners notified [see Fee Schedule])

PROCESS INFORMATION

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

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

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

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

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

Applicant's Signature: Marilyn P. Stark

Date: 1-16-2024



ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information

Name: Marilyn P. Stark
Address: 3060 Placid Rd.
Davidson NC 28036
Phone: 704-305-0400
Email: mapstark@gmail.com

Property Owner Contact Information same as applicant

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

Project Information

Project Address: 3060 Placid Rd., Davidson NC 28036

Parcel: _____ # of parcels: 1 Approx. size of parcels: 1.06
(attach separate list if necessary)

Current Zoning Designation: R4 Requested Zoning Designation: R4

Reason for map amendment: Request of rc ty sewe

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

Marilyn P. Stark
Applicant Signature

1-16-2024
Date

Marilyn P. Stark
Property Owner Signature

1-16-2024
Date

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

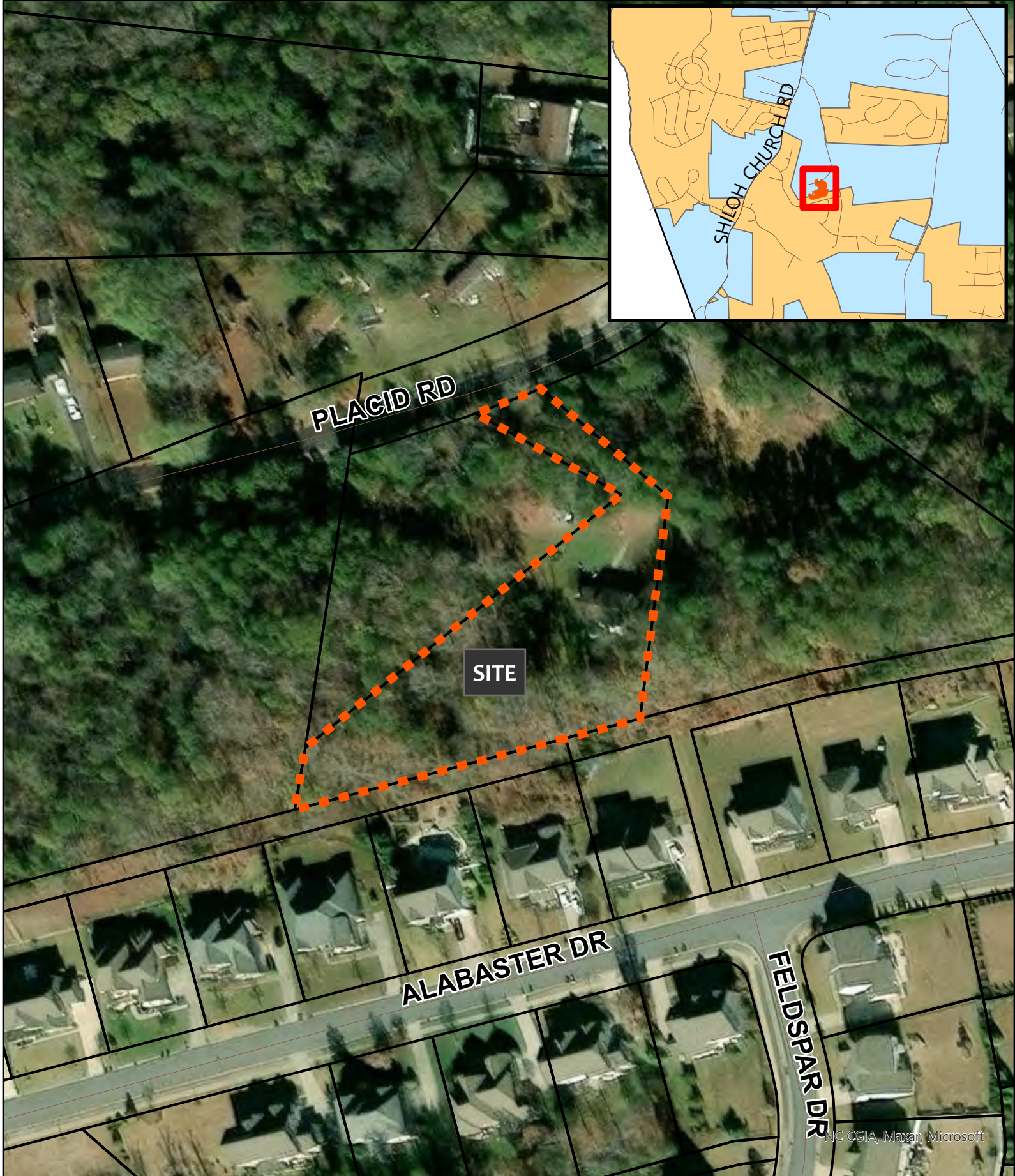


Vicinity Map

Case Number: Z-2024-02

Applicant: Marilyn Stark

3060 Placid Rd



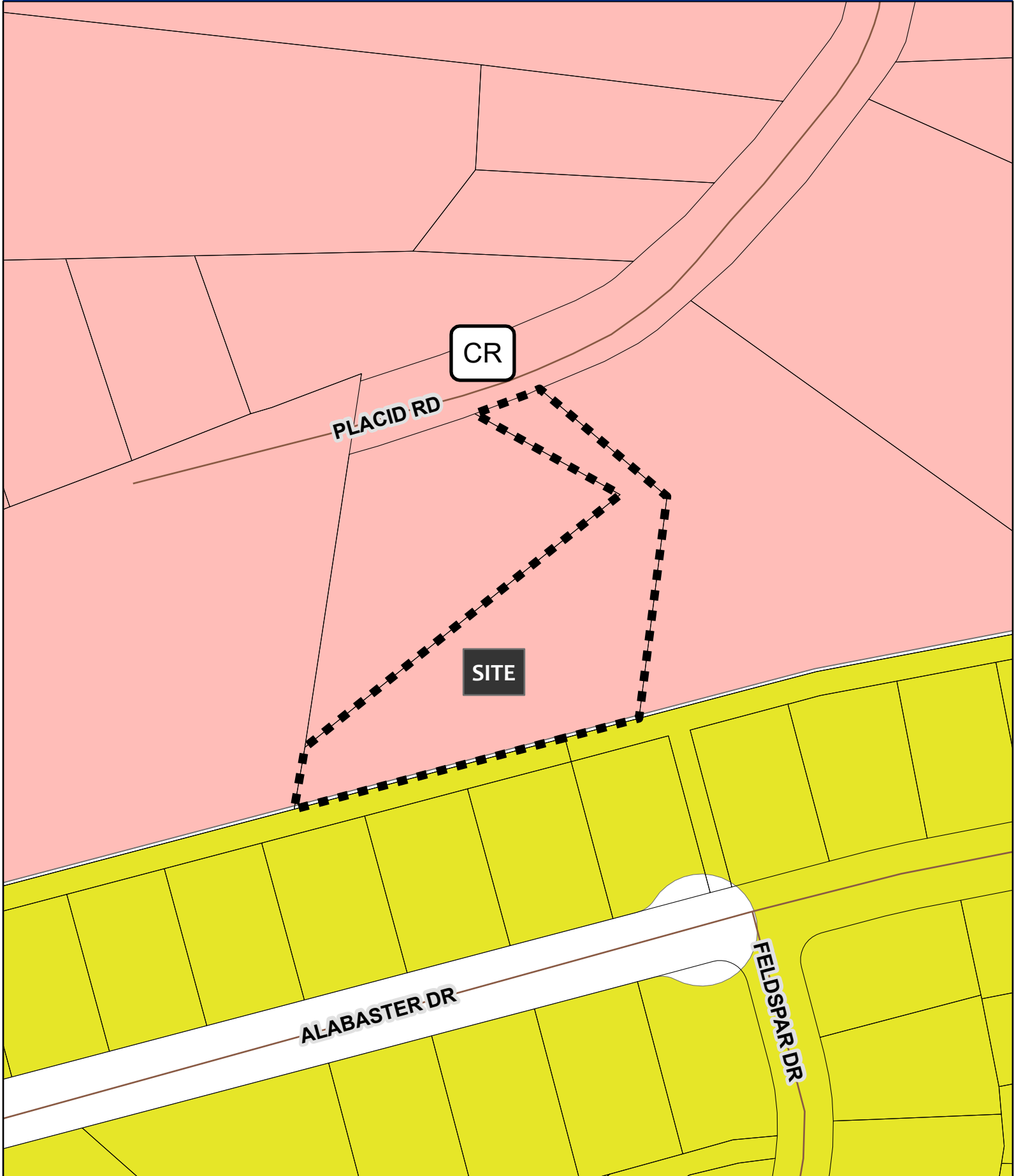


Kannapolis Current Zoning

Case Number: Z-2024-02

Applicant: Marilyn Stark

3060 Placid Rd



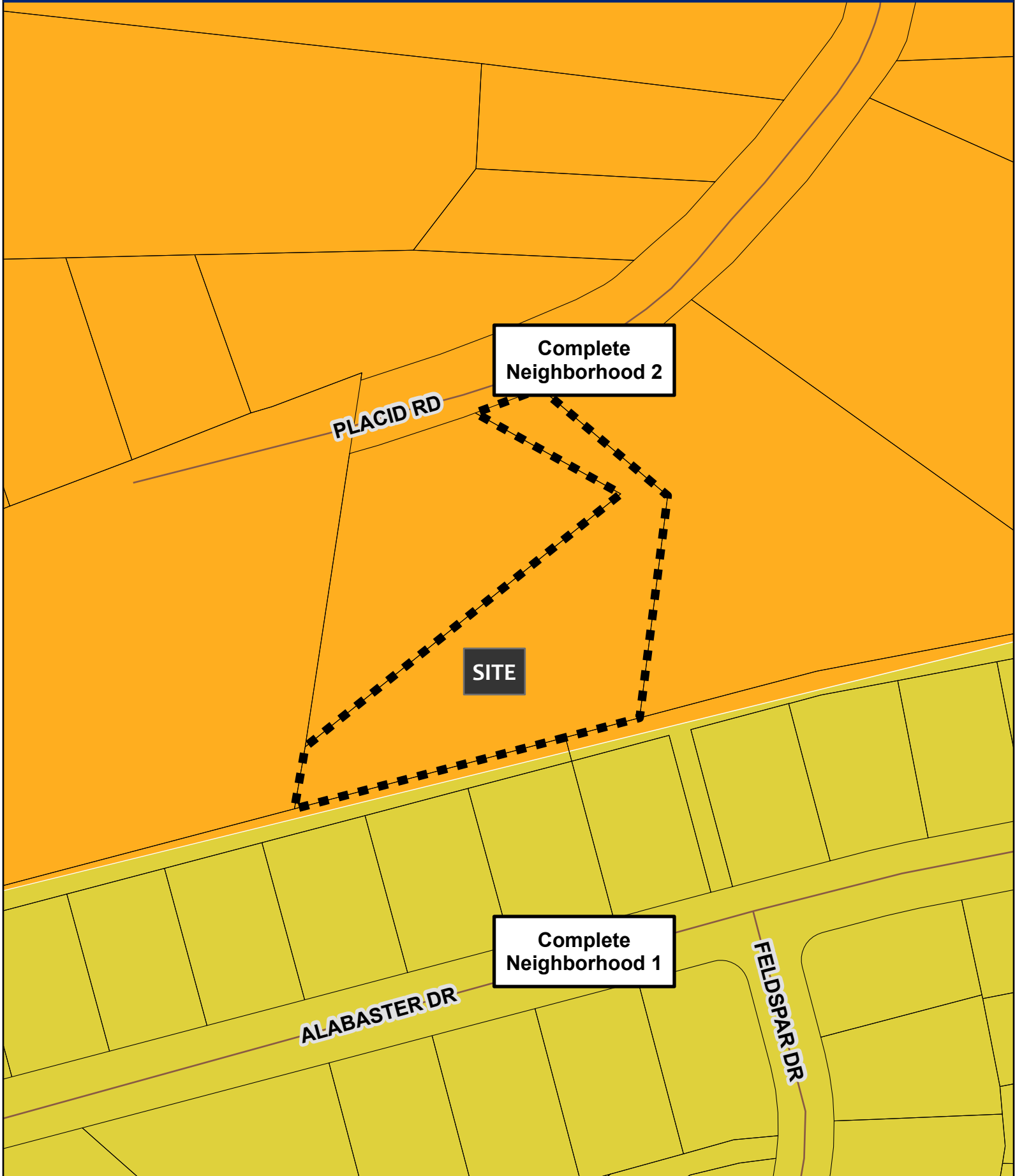


Kannapolis 2030 Future Land Use Map

Case Number: Z-2024-02

Applicant: Marilyn Stark

3060 Placid Rd





PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000861192

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Pavor : CITY OF KANNAPOLIS
Phone: 7049204300

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Sales Rep Acct Rep Ordered By
aboan aboan Pam

Fax: 7049337463
EMail: ap@kannapolisnc.gov

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

Tear Sheets 0 Proofs 0 Affidavits 1 PO Number:

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


Production Method
Creative (In-House)

Production Notes

Product and Zone Placement
CON Independent Trib C-Legal Ads
Run Dates 2/ 9/2024, 2/16/2024

Position # Inserts
Legal Display Ads 2

TagLine: NOTICE OF PUBLIC HEARING



KANNAPOLIS

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

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

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

Conditional Zoning Map Amendment – CZ-2024-03 – Dale Earnhardt Blvd. & Laundry St. – Public Hearing to consider a request to rezone properties located at 1411, 1431 and 1375 Dale Earnhardt Blvd., as well as 801 Laundry Street from City of Kannapolis Office Institutional (OI) zoning district to City of Kannapolis General Commercial – Conditional Zoning (GC-CZ) zoning district to allow for utilization of the existing building for general wholesale, accessory office uses or other uses allowed by right in the GC zoning district. The subject properties are approximately 3.3 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56138549450000, 56138548910000, 56138630070000, and 56138559600000, respectively.

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

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

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
AKEEBA RIVENS	1112 TANGLE RIDGE DR SE	CONCORD	NC	28025
ALAN & MARLENA TRAVERS	10101 ALABASTER DR	DAVIDSON	NC	28036
ANIBAL MONTALVO				
TIFFANY MONTALVO	160 ASHLYN RIDGE DR	GARNER	NC	27529
ANITA GAYLE RIVENS				
DORIS RIVENS	3100 PLACID RD	DAVIDSON	NC	28036
ANTHONY & PAULA LAUHER	10275 ALABASTER DR	DAVIDSON	NC	28036
ANTONIO & ILEANA GONZALEZ	10100 ALABASTER DR	DAVIDSON	NC	28036
CHRISTOPHER & WHITNEY WOOD	10151 ALABASTER DR	DAVIDSON	NC	28036
CRAIG & KRISTY SHAFER	10913 ANGLER CT	DAVIDSON	NC	28036
HELEN RICCIARDI	10300 ALABASTER DR	DAVIDSON	NC	28036
IVOR J SIMPSON TR	10022 ALABASTER DR	DAVIDSON	NC	28036
JONATHAN RIVENS				
MARTIN RIVENS	16016 BUSHNELL CT	HUNTERSVILLE	NC	28078
JOSEPH & LIESL CHIARA	10044 ALABASTER DR	DAVIDSON	NC	28036
KIRK ROWAN				
RENEE BOTTONE	10150 ALABASTER DR	DAVIDSON	NC	28036
MARCUS M RIVENS	4947 HAMILTON CIR	CHARLOTTE	NC	28216
MARILYN P STARK	3060 PLACID DR	DAVIDSON	NC	28036
MARK & MOLLY LENHART	10250 ALABASTER DR	DAVIDSON	NC	28036
MATTIE EAVES	3075 PLACID DR	DAVIDSON	NC	28036
OYAFUNSE O RIVENS	3123 PLACID DR	DAVIDSON	NC	28036
PHILIP & MELISSA BARRY	2094 FELDSPAR DR	DAVIDSON	NC	28036
ROBERT & JULIANA ANGIE	10004 ALABASTER DR	DAVIDSON	NC	28036
ROLAND LAU &				
HIU-TAN WONG	10035 ALABASTER DR	DAVIDSON	NC	28036
RUSH & LINDA RIVENS	3051 PLACID DR	DAVIDSON	NC	28036
SCHMIDT LIVING TRUST				
DATED OCTOBER 11 2018	10200 ALABASTER DR	DAVIDSON	NC	28036
TIMOTHY & DEBORAH O'BRYANT	10350 ALABASTER DR	DAVIDSON	NC	28036
VICTOR & KATHERINE CLARK	10201 ALABASTER DRIVE	DAVIDSON	NC	28036
WATERFORD ON THE ROCKY RIVER HOMEOWNERS ASSN INC.				
C/O KUESTER MANAGEMENT GROUP	PO BOX 3340	FORT MILL	SC	29716
WILLIAM & KILEY DONNELL	9990 ALABASTER DR	DAVIDSON	NC	28036



February 8, 2024

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, February 20, 2024 at 6:00 PM, for the following case:

Z-2024-02 – Zoning Map Amendment – 3060 Placid Road

The purpose of this Public Hearing is to consider a request to assign City of Kannapolis zoning to recently annexed property located at 3060 Placid Road. The subject property is currently zoned Cabarrus County Countryside Residential (CR), and the request is to assign City of Kannapolis Residential 4 (R4) zoning district. The subject property is approximately 1.06 +/- acres and further identified as Cabarrus County Parcel Identification Number 46727521520000 (see reverse side of this letter for a map showing the location of this property).

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

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

Sincerely,

Kathryn Stapleton
Planner

Enclosure

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

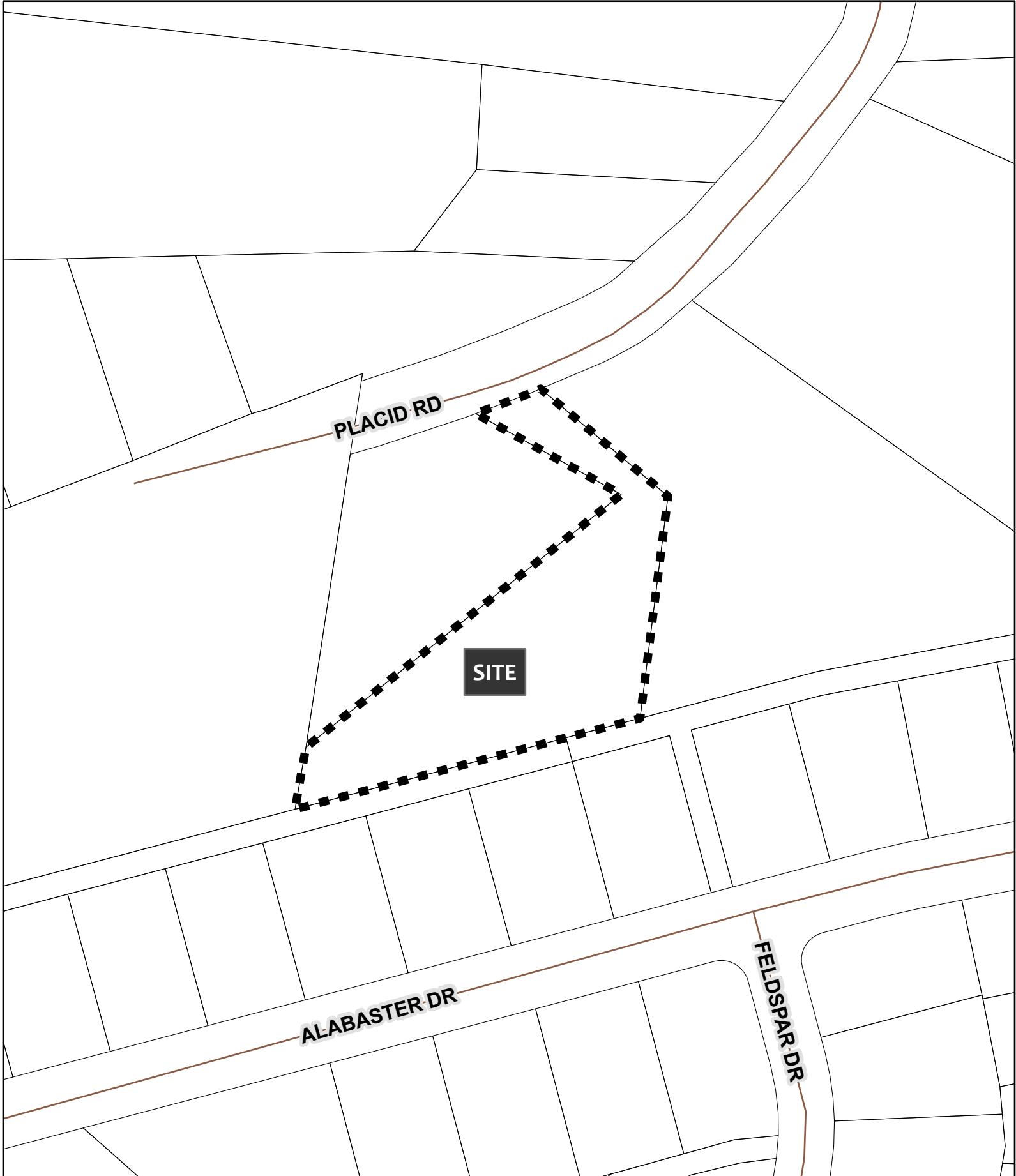


Rezoning

Case Number: Z-2024-02

Applicant: Marilyn Stark

3060 Placid Rd





PLANNING

ZONING

COMMISSION

PUBLIC HEARING INFORMATION
CALL 704-920-4350 CASE # Z-2024-02



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

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

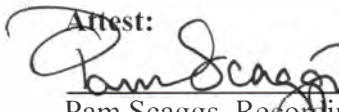
WHEREAS, Section 2.3.B(1).a. of the Kannapolis Development Ordinance delegates final authority to the Planning and Zoning Commission on zoning map amendments subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the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

WHEREAS, on February 20, 2024, the Planning and Zoning Commission conducted a public hearing to consider a request to rezone approximately 1.06 +/- acres of property located at 3060 Placid Road, (Cabarrus County Parcel Identification Number 46727521520000) owned by Marily P. Stark, from Cabarrus County Countryside Residential (CR) to City of Kannapolis Residential 4 (R4) Zoning Designation.

NOW, THEREFORE BE IT RESOLVED *The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan (“2030 Plan”), adopted by City Council, which designates the subject property as located within the “Complete Neighborhood 2” Character Area in the 2030 Plan. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.*

Adopted this the 20th day of February 2024:


~~Chris Puckett, Chairman~~ *Jeff Parker, Via-Chair per*
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE

**Case #Z-2024-02
(3060 Placid Road)**

From Cabarrus County Countryside Residential (CR) to City of Kannapolis Residential 4 (R4) 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 February 20, 2024 for consideration of rezoning petition Case #Z-2024-02 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to apply City of Kannapolis zoning to approximately 1.06 +/- acres of property located at 3060 Placid Road, (Cabarrus County Parcel Identification Number 46727521520000) owned by Marily P. Stark, from Cabarrus County Countryside Residential (CR) to City of Kannapolis Residential 4 (R4) Zoning Designation; and

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

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

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

Yes. This area of the City's future growth area is identified as "Complete Neighborhood 2" Character Area. This Character Area identifies single family detached residential and single family attached as primary uses.

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

No, the R4 zoning designation is appropriate for this area. There is existing R4 zoning on nearby properties.

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. The proximity to other R4 zoning and the Comprehensive Plan Character Area makes the requested R4 zoning district an appropriate change.

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

Yes, the existing use of the property is residential and is also adjacent to residential land uses.

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

Yes, this property is located adjacent to roads with adequate capacity and safety, and is a suitable use allowed under the requested zoning. Both water and sewer are available through the adjacent Waterford at Rocky River Homeowners Association open space easement.

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

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

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

No, there are no anticipated significant environmental impacts from rezoning this property. Further, this property was voluntarily annexed into the City as a result of a septic tank failure.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the above referenced property be assigned the City of Kannapolis Residential 4 (R4) Zoning Designation.

Adopted this the 20th day of February 2024:


Chris Packett, Chairman
Jeff Parker, Vice-Chair
Planning and Zoning Commission


Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission

EXHIBIT 2



Planning and Zoning Commission February 20, 2024, Meeting

Staff Report

TO: Planning and Zoning Commission

FROM: Elizabeth McCarty, Assistant Planning Director

SUBJECT: Case #CZ-2024-01: Amendment to Conditions of Rezoning Approval
Applicant: German Ronquillo

Request to amend conditions of approval for property located at 9700 Davidson Highway to allow for a Contractor's Yard.

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 and property owner, German Ronquillo, is proposing an amendment to conditions previously approved under Case #Z-12-02 on approximately 10.22 +/- acres of property located at 9700 Davidson Highway. The property is further identified as Cabarrus County Parcel Identification Number 46821065980000.

The property currently has approval for a commercial project with an associated site plan and specific conditions under Case #Z-12-02. This previous rezoning was administered under the Unified Development Ordinance (UDO). The current request to rezone or amend is being reviewed under the KDO. This amendment request is to modify the Conditions of approval to allow for a Contractor's Yard. The applicant intends to construct a 1,512 square foot building on the site. Four (4) existing storage trailers are proposed to remain. Five (5) parking spaces are provided including one (1) handicapped space.

The subject property has been rezoned previously, most recently in 2012 when it was rezoned from General Commercial-Conditional Zoning (C-2-CZ) for a multi-family and retail/office project

identified as “Old Towne Shoppes and Amphitheater” to General Commercial-Conditional Zoning (C-2-CZ) to allow for a project identified as “Pappy’s Place” which consisted of approximately 28,000 sq. ft. of office/retail, 8,000 sq. ft. of office/distribution, and 56,000 sq. ft. of mini-warehouse/self-storage leasing units.

In December 2013, the subject property was donated to the Davidson Lands Conservancy (DLC). DLC holds a conservation easement on the property which allows for commercial use and development within a 2-acre envelope. The Contractor’s Yard use would be located within this envelope.

The applicant conducted the required neighborhood meeting for a conditional rezoning on February 5, 2024. The meeting was held outside at the subject property.

Note: A Contractor’s yard is defined by the KDO as “A use involving the outdoor storage of materials, supplies, and equipment by building, heating/air conditioning, plumbing, electrical or other development contractors as the principal use on a lot. Accessory uses may include offices.”

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 “Suburban Activity 1” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Suburban Activity 1 Character Area lists retail and office as primary uses. Light manufacturing is a secondary use along with multifamily and single family attached residential. Therefore, the proposed commercial use is generally consistent with the goals and objectives of the Plan.

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

No, the proposed amendment is not in conflict with any ordinances. A Contractor’s Yard is a permitted use in the GC General Commercial District. The commercial zoning designation existed on this property under the UDO and prior to the adoption of the current comprehensive plan.

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

This proposed amendment intends to modify the conditions of approval associated with the 2012 rezoning. Presently, the use of the property as a Contractor’s Yard does not meet the conditions of the 2012 rezoning approval. This amendment, if approved, would allow the property to be used as a Contractor’s Yard.

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?

Surrounding zoning districts are residential. City of Kannapolis Residential 8 (R8) is to the north and east. The zoning to the west is Cabarrus County Countryside Residential (CR). The zoning to the south is City of Concord RC-CD Residential Compact-Conditional District (RC-CD) and Cabarrus County Low Density Residential (LDR).

An opaque landscaping buffer is shown on the site plan to provide a separation with neighboring residential properties. A fence is proposed along a portion of the eastern lot line. Further, there is existing vegetation and landscaping on the property that can be enhanced in order to achieve the necessary buffering along the perimeter of the property.

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

Yes, the proposed amendment provides for efficient development. The applicant will be required to comply with the City's and NCDOT's regulations for driveways. NCDOT currently does not have a permit on record for the existing driveway.

The subject property is within the Coddle Creek Subdistrict of the Thoroughfare Protection Overlay District and will need to meet the requirements for properties along Davidson Highway. Currently, there is no public sewer or water service to the site. The development is proposed to be served by on-site septic.

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

Yes, the property is within a future growth area for the City of Kannapolis. The use is setback from Davidson Highway and a landscaped opaque buffer is proposed along the site's perimeter to screen it from surrounding residential uses.

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

No significant negative environmental impacts are anticipated. There is an unnamed tributary in the northeast corner of the property. Measured from the top of the streambank, a thirty foot (30') undisturbed buffer and a ten foot (10') vegetated setback is shown on the site plan. The proposed use will be required to conform to all applicable local, state, and federal environmental regulations.

The Davidson Lands Conservancy holds the conservation easement on the property and is responsible for monitoring compliance with the requirements of the Deed of Conservation Easement.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

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

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

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

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

1. The conditions and conceptual site plan applicable to the previous conditional rezoning approval, Case #Z-12-02, are removed and replaced with conditions 2-10, below.
2. The intent of this amendment submittal is to allow for a Contractor’s Yard. Prior to the development of the property over and beyond its use as a Contractor’s Yard, a conditional rezoning application shall be made for the City of Kannapolis to further review and reconsider the conditions imposed by approval of this amendment.
3. The site is subject to and will in the future be developed in accordance with the development restrictions set forth in the Assignment of Deed of Conservation Easement which among other restrictions limits the developable area of the site within a defined two (2) acre envelope generally located in the center of the site.
4. The site will be developed in accordance with the Coddle Creek Subdistrict Thoroughfare Protection Overlay District of the KDO.
5. The development shall be limited to one (1) vehicular access point on Davidson Highway and shall be subject to NCDOT approval. A driveway permit is required.
6. The site will be developed consistent with the buffer and landscaping requirements of the KDO for a Type D, Opaque Buffer.
7. No site lighting will be directed toward adjacent properties assuring no glare of lighting on adjacent residential lots.
8. Development of the site will adhere to all applicable NCDEQ soil and erosion control requirements.
9. Certain improvements to the site shall be completed no later than six (6) months from the date of the Resolution to Zone, to include removing the existing single-wide manufactured home from the site; acquiring a NCDOT driveway permit; paving the driveway entrance and parking area; installing required landscaping and fencing; and, installing the gravel parking area.
10. The exact location of the proposed building and parking spaces will be determined during the site plan review process by the City of Kannapolis.

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

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

2. **Should the Commission choose to approve Case #CZ-2024-01, a motion should be made to adopt the Resolution to Zone.**

Motion to Deny (2 votes)

1. **Should the Commission choose to recommend denial of Case #CZ-2024-01, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #CZ-2024-01 to be **inconsistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #CZ-2024-01, a motion should be made to deny the Resolution to Zone.**

I. Attachments

1. Rezoning Application
2. Vicinity Map
3. Zoning Map
4. 2030 Future Land Use and Character Map
5. Site Plan
6. Z-12-02 Approved Conditions
7. Neighborhood Meeting Details
8. Notice of Public Hearing
9. List of Notified Properties
10. Letter to Adjacent Property Owners
11. Posted Public Notice Sign
12. Resolution to Adopt a Statement of Consistency
13. Resolution to Zone

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager
- City Attorney



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: 9700 Davidson Highway

Applicant: Big Green Tree Lawn Care Service, Inc

Proposed development: Contractor Lot

SUBMITTAL CHECKLIST

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

PROCESS INFORMATION

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

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

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

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

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

Applicant's Signature: _____

German Cerón R.

Date: _____

11-17-23



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: German Ronquillo
Address: 19205 Carter Circle
Cornelius, NC 28031
Phone: 704-210-2774
Email: big.greentree@yahoo.com

Property Owner Contact Information same as applicant

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

Project Information

Project Address: 9700 Davidson Highway
Parcel: 46821065980000 # of parcels: 1 Approx. size of parcels: 10.22 acres
(attach separate list if necessary)

Current Zoning Designation: GC Requested Zoning Designation: GCCZ

Reason for map amendment: To eliminate any potential conflict with the illustrative site plan and the conservation easement compliant site plan conditions.

Condition(s) proposed by the applicant (attach separate sheet if necessary): All development must be in with the existing permanent Conservation Easement, and as described on the attached list of conditions

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.

German Cerón R.
Applicant Signature

11-17-23
Date

German Cerón R.
Property Owner Signature

11-17-23
Date

REVISED CONDITIONS
Parcel Identification No. 4682-10-6598

Current zoning is GC-CZ (General Commercial – Conditional Zoning); zoning conditions are revised as follows:

1. The current use as a Contractor's Yard is a permitted use.
2. Any conditions previously listed in the conditions applicable to the site in the prior conditional rezoning but not appearing in this list are deleted and removed.
3. The Conceptual Site Plan which was attached to the prior zoning conditions is hereby removed and shall no longer be applicable to the site.
4. The site is subject to and will in the future be developed in accordance with the strict development restrictions set forth in that Deed of Conservation Easement recorded at Deed Book 11103, Page 274, Cabarrus County Registry, which among other restrictions limits the developable area of the site to a maximum of 2 acres located in the center of the site.
5. Development of the site as a whole in the future over and above the current use as a Contractor's Yard will adhere to the principles of any existing small area plan adopted by the City applicable to the area in which the site is located.
6. Development of the site as a whole in the future over and above the current use as a Contractor's Yard will adhere to the principals of any overlay district applicable to the area in which the site is located.
7. The site will be developed consistent with applicable buffer requirements.
8. No site lighting will be directed toward adjacent properties assuring no glare of lighting on the adjacent platted residential lots.
9. Development of the site will adhere to all applicable NCDEQ soil and erosion control requirements.
10. The development shall be limited to one (1) vehicular access point on NC Hwy 73, which shall be subject to NC DOT approval. No additional access points to NC Hwy 73 will be provided for out parcels.
11. To the extent that the site as a whole is developed in the future for larger-scale commercial or residential development over and above the current use as a Contractor's Yard and the small office/shop building currently planned to be constructed in connection with that use, any such future commercial or residential development shall provide vehicular and pedestrian connectivity to the adjacent parcels along NC Hwy 73.



Vicinity Map

Case Number: CZ-2024-01

Applicant: Big Green Tree Lawn Care Service, INC
9700 Davidson Hwy

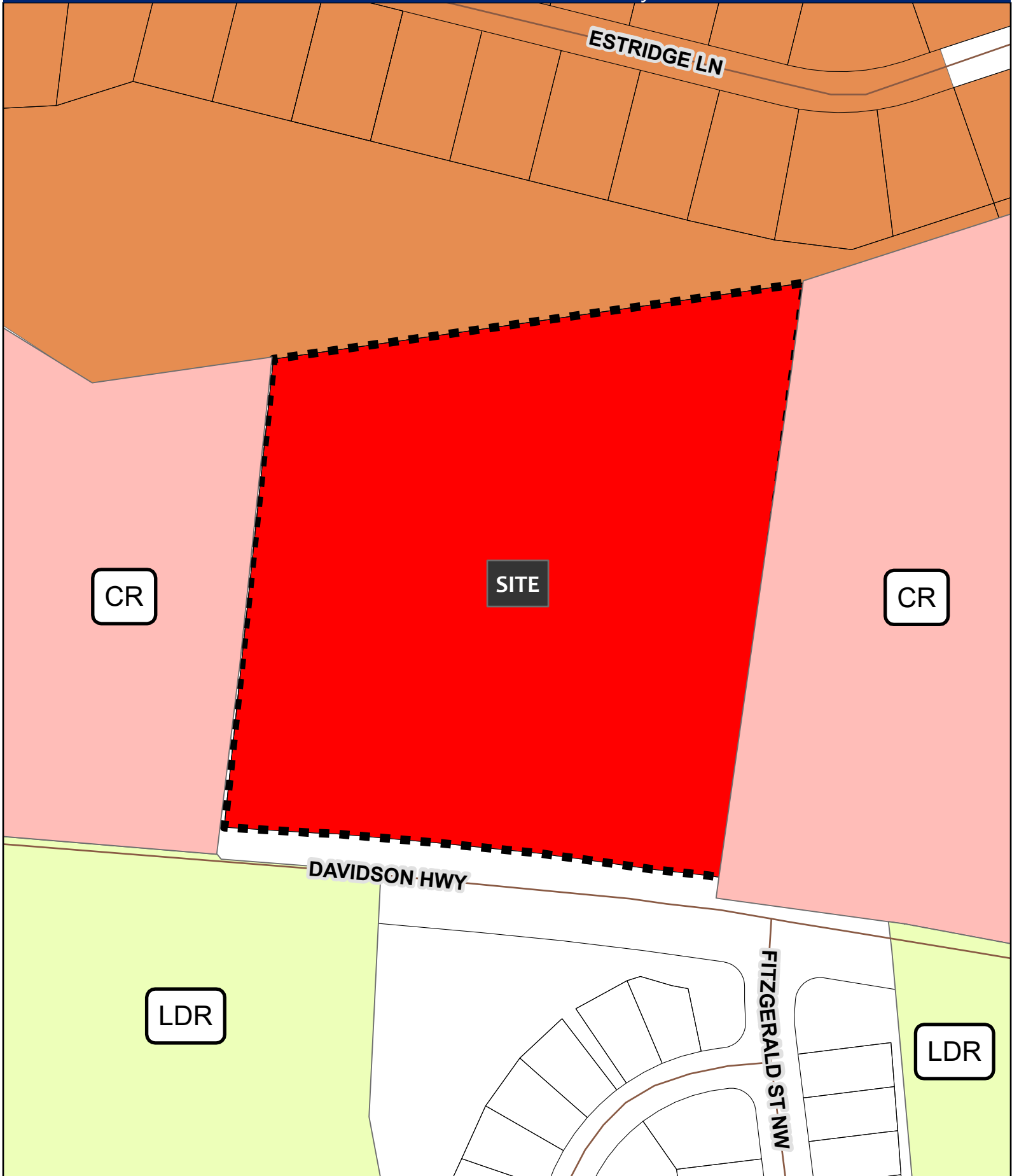




Kannapolis Current Zoning

Case Number: CZ-2024-01

Applicant: Big Green Tree Lawn Care Service, INC
9700 Davidson Hwy



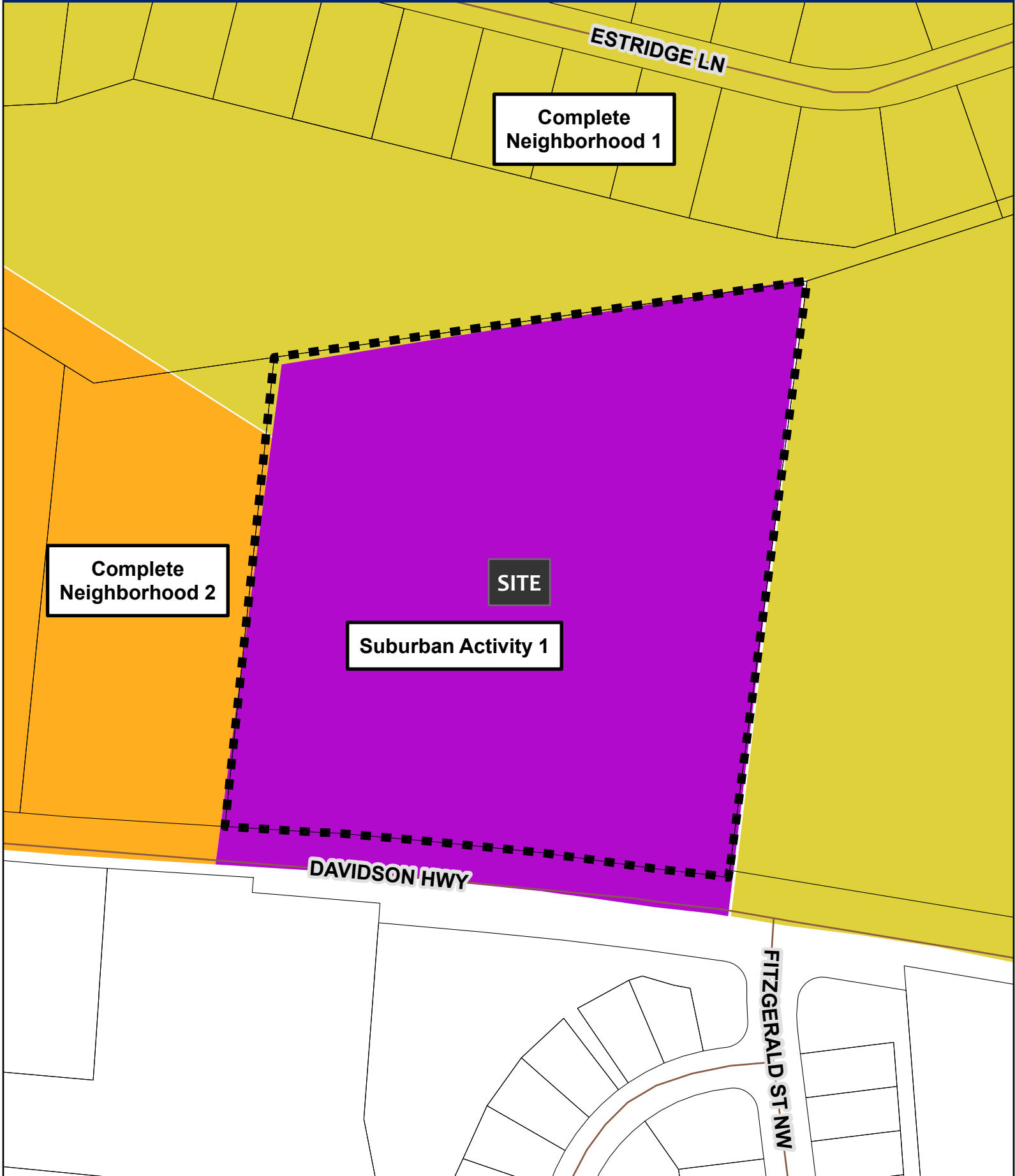


Kannapolis 2030 Future Land Use Map

Case Number: CZ-2024-01

Applicant: Big Green Tree Lawn Care Service, INC

9700 Davidson Hwy



SITE LEGEND

- PROPOSED CURB & GUTTER
- REVERSED PITCH CURB & GUTTER
- PROPERTY LINE
- LOT LINES
- DECORATIVE FENCING
- PAVEMENT STRIPING
- PAVEMENT
- CONCRETE
- TRAFFIC FLOW
- PARKING BAY COUNT
- SPOT ELEVATION
- HANDICAP RAMP

LEGEND

PROPOSED

- 5' CONTOURS
- 1' CONTOURS
- SANITARY SEWER
- STORM SEWER
- SANITARY SEWER MANHOLE
- STORM SEWER MANHOLE
- GRATE INLET
- SPOT ELEVATION

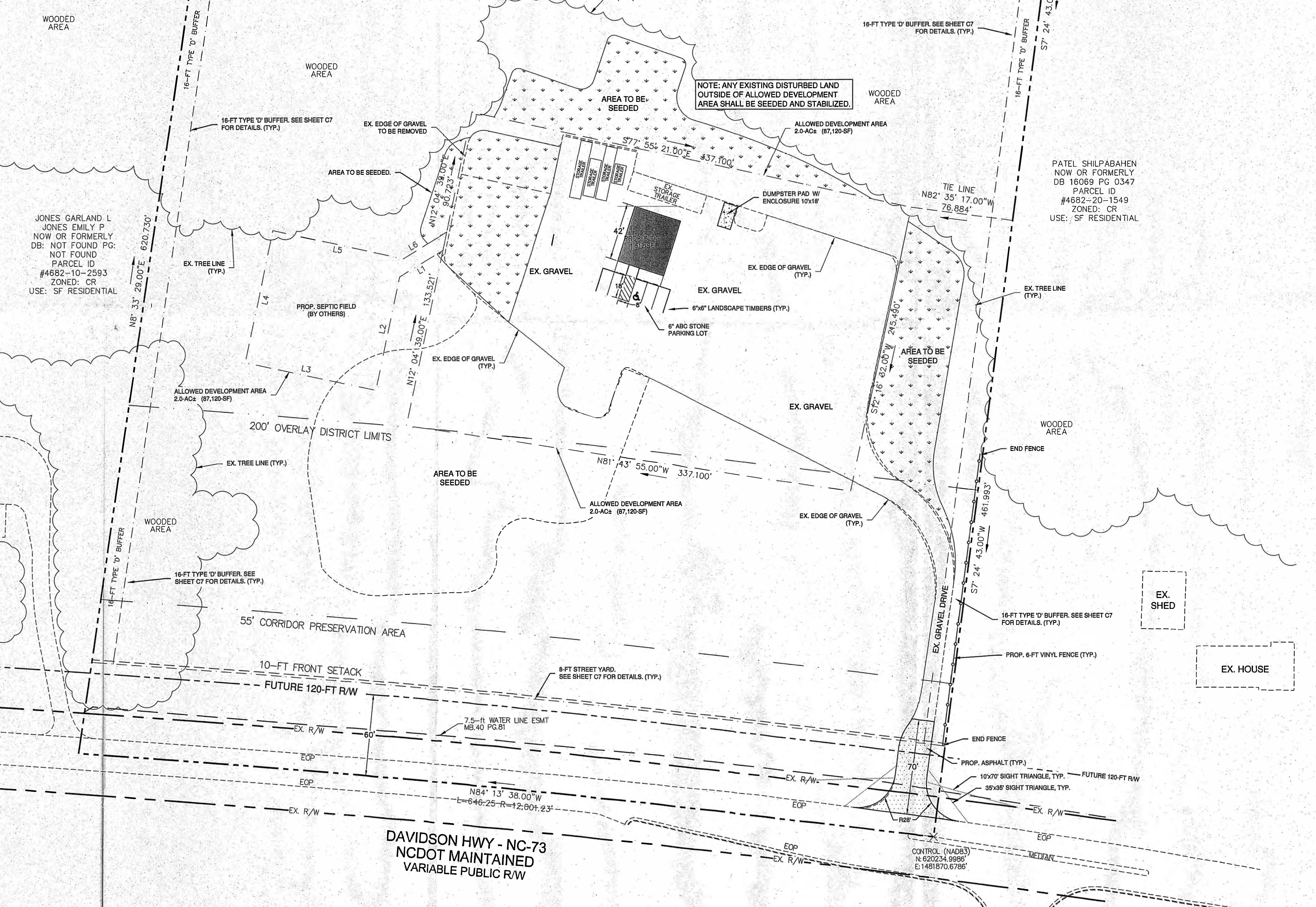
EXISTING

- 5' CONTOURS
- 1' CONTOURS
- SANITARY SEWER
- STORM SEWER
- SANITARY SEWER WATER LINE
- STORM SEWER MANHOLE (M)
- CURB INLET (C)
- GRATE INLET/YARD INLET (G/Y)

SEE SHEET CA7 FOR LANDSCAPE PLAN.

LINE TABLE

L1	S59° 14' 48.38"W	37.996'
L2	S12° 04' 39.00"W	86.364'
L3	N77° 55' 21.00"W	100.000'
L4	N12° 04' 39.00"E	100.000'
L5	S77° 55' 21.00"E	100.000'
L6	N59° 14' 48.38"E	37.996'



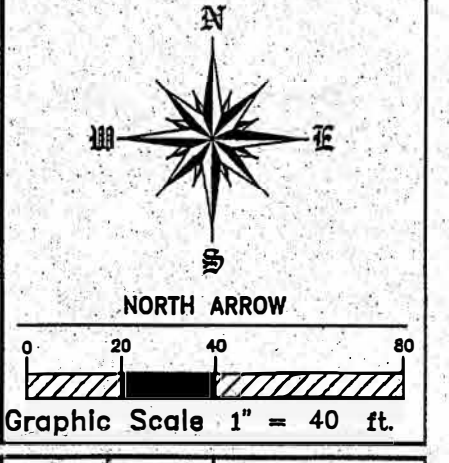
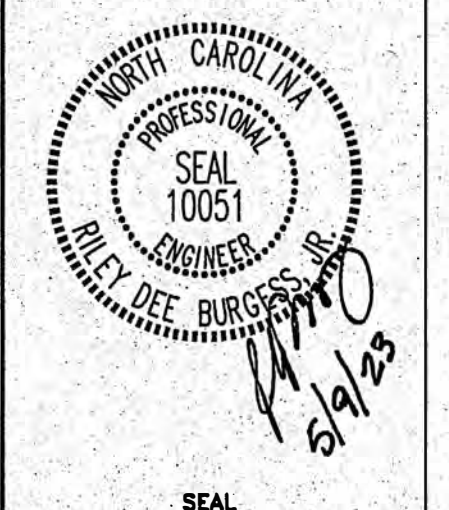
IMPERVIOUS AREA DATA

MAX. ALLOWABLE IMPERVIOUS:	52,252-sf/1.199-ac	SQ. FT./ACRES
PROPOSED BUILDING:	1,512-sf/0.305-ac	SQ. FT./ACRES
PROPOSED GRAVEL:	45,195-sf/1.037-ac	SQ. FT./ACRES
PROPOSED PAVEMENT:	2,000-sf/0.046-ac	SQ. FT./ACRES
TOTAL IMPERVIOUS:	48,807-sf/1.115-ac	SQ. FT./ACRES

LANDSCAPE NOTES

- ALL BUFFER AND SCREENING LANDSCAPING SHALL ADHERE TO SECTION 5.3 OF KANNAPOLIS DEVELOPMENT ORDINANCE. STABILIZATION AND OTHER PLANTINGS SHALL BE IN ACCORDANCE WITH THE CONSERVATION EASEMENT REQUIREMENTS.
 - NO PLANTINGS SHALL BE PERMITTED WITH SIGHT TRIANGLES OR UTILITY EASEMENTS.
- [SEE LANDSCAPE PLAN SHEET C7 FOR REQUIRED PLANTINGS.]

Woodbine Design, P.C.
Land planning & civil engineering
www.woodbinedesign.com
980.722.2609
20816 N. Main Street, Suite 204
Cornelius, NC 28031



Project: BIG GREEN TREE & LAWN CARE SERVICES, INC
Location: 9700 DAVIDSON HWY, KANNAPOLIS, CARARRUS CO, NC
Sheet Title: CONSERVATION SITE PLAN

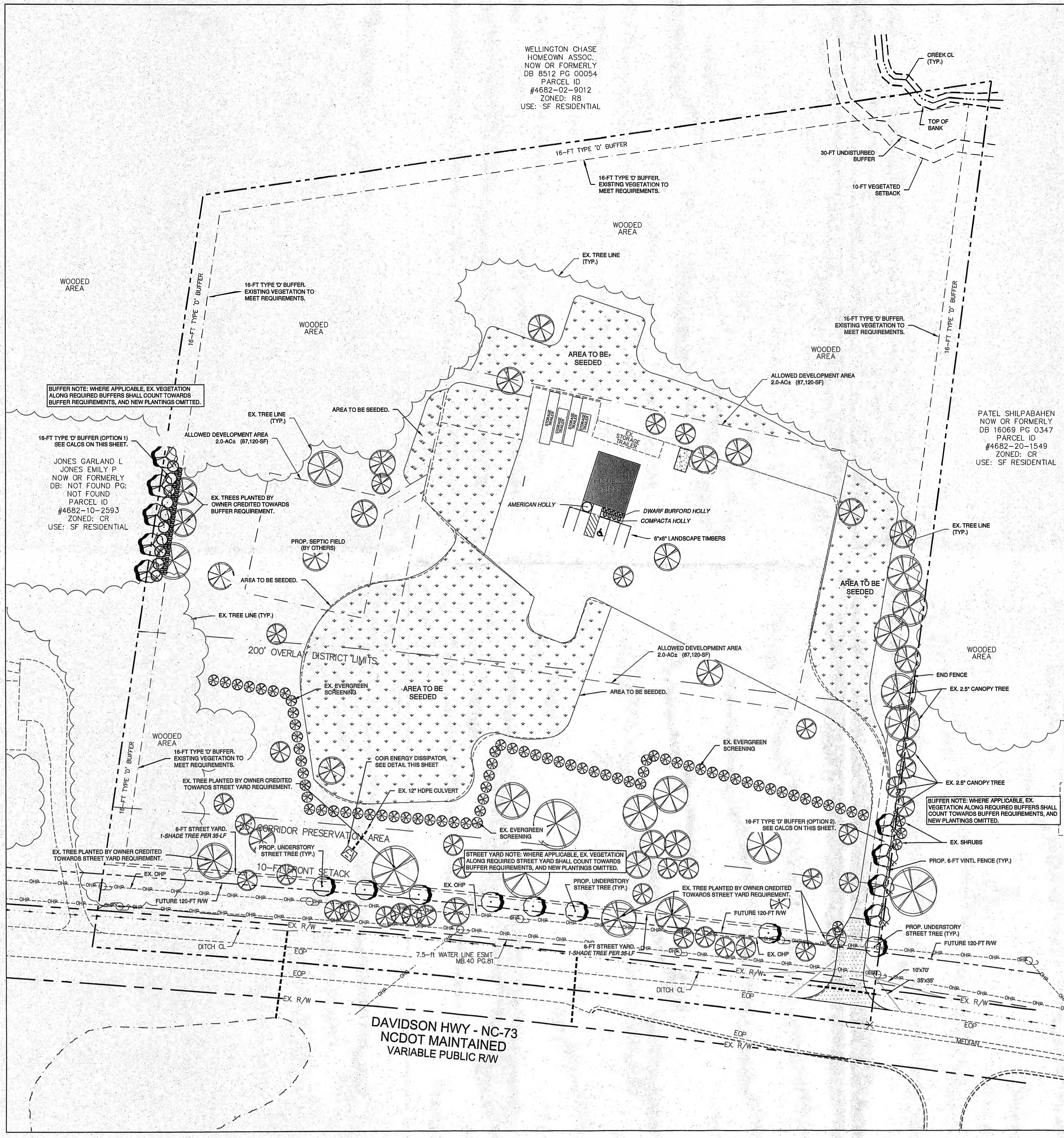
DEVELOPER/OWNER
BIG GREEN TREE LAWN CARE SERVICE, INC.
9700 DAVIDSON HWY, KANNAPOLIS, NC

Designed By: WOODBINE DESIGN
Drawn By: NA
Date: 5/8/23
Revisions: 5/9/23-1st EDITION



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IF ANY CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR THE FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY, AND SHALL NOT COMMENCE OPERATION UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.



WELLINGTON CHASE
 HOMEOWN ASSOC.
 NOW OR FORMERLY
 DB 8512 PG 00054
 PARCEL ID
 #4682-02-9012
 ZONED: R8
 USE: SF RESIDENTIAL

PATEL SHILPABAHEN
 NOW OR FORMERLY
 DB 16069 PG 0347
 PARCEL ID
 #4682-20-1549
 ZONED: CR
 USE: SF RESIDENTIAL

BUFFER NOTE: WHERE APPLICABLE, EX. VEGETATION
 ALONG REQUIRED BUFFERS SHALL COUNT TOWARDS
 BUFFER REQUIREMENTS, AND NEW PLANTINGS OMITTED.

JONES GARLAND L
 JONES EMILY P
 NOW OR FORMERLY
 DB: NOT FOUND PG:
 NOT FOUND
 PARCEL ID
 #4682-10-2593
 ZONED: CR
 USE: SF RESIDENTIAL

ZONING LANDSCAPE NOTES

YARD REQUIREMENTS:
 SETBACK (FRONT): 10 FT. SIDE YARD (L): 0 FT.
 CORNER YARD: N/A FT. SIDE YARD (R): 0 FT.
 REAR YARD: 0 FT. GARAGE SETBACK: N/A FT.
 (FROM BACK OF CURB/SIDEWALK)

BUFFER YARD REQUIREMENTS:
 FRONT: (NO) / YES _____ REAR: NO / YES 16' TYPE D _____
 SIDE (EAST): NO / YES 16' TYPE D _____ SIDE (WEST): NO / YES 16' TYPE D _____

REAR BUFFER = EXISTING WOODED AREA TO MEET BUFFER REQUIREMENTS
 BUFFER YARD REQUIRED: 16' TYPE D _____

SIDE (EAST) BUFFER = 218-FT (MEASURED FROM STREET YARD TO EX. TREE LINE)
 BUFFER YARD REQUIRED: 18' TYPE D (OPTION 2)
 REQUIREMENTS : 8-FT FENCE & 12 ACI OF CANOPY TREE PER 100-LF

CANOPY REQUIRED: 28 ACI CANOPY PROPOSED: 27.5 ACI (15 EXISTING)
 UNDERSTORY REQ'D: NOT REQUIRED UNDERSTORY PROP: NOT REQUIRED
 SHRUBS REQUIRED: NOT REQUIRED SHRUBS PROPOSED: NOT REQUIRED

SIDE (WEST) BUFFER = 100-FT (MEASURED FROM EX. TREE LINE TO EX. TREE LINE)
 BUFFER YARD REQUIRED: 18' TYPE D (OPTION 1)
 REQUIREMENTS : 18 ACI CANOPY TREE, 20 ACI UNDERSTORY TREE & (35) SHRUBS/100-LF

CANOPY REQUIRED: 18 ACI CANOPY PROPOSED: 12.5 ACI (7.5 EXISTING)
 UNDERSTORY REQ'D: 20 ACI UNDERSTORY PROP: 20 ACI
 SHRUBS REQUIRED: 35 SHRUBS PROPOSED: 35

BUILDING YARD REQUIREMENTS:
 FRONT: 5' TYPE 1 SIDE (L): NOT REQUIRED
 REAR: NOT REQUIRED SIDE (R): NOT REQUIRED

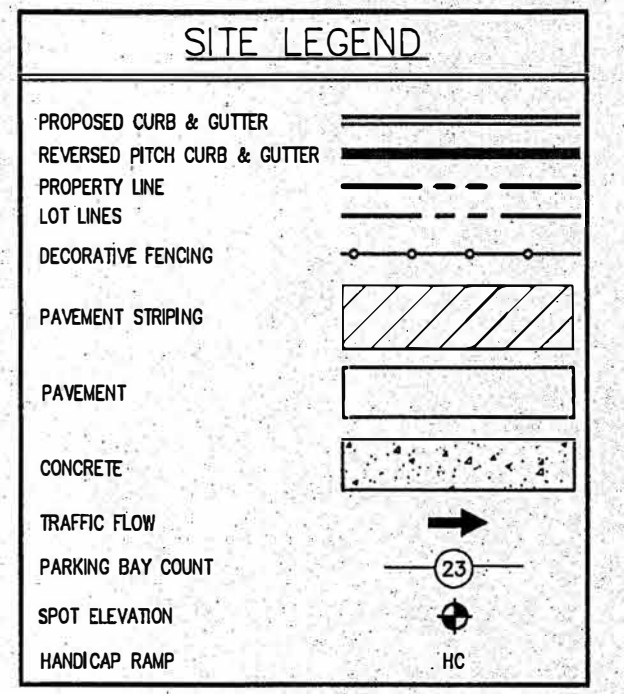
TYPE 1 = (1) ORNAMENTAL TREE /30-LF & (1) SHRUBS/3-LF

FRONT = 28-LF (EXCLUDES ENTRYWAY) PROVIDED: N/A
 SHADE TREES REQUIRED: N/A PROVIDED: 1
 ORNAMENTAL TREES REQ'D: 28/30 = 1 PROVIDED: 1
 SHRUBS REQUIRED: (28/3) = 9 PROVIDED: 9

PARKING LOT YARD REQUIREMENTS:
 MIN. CRITERIA: LESS THAN 5-SPACES PROPOSED. EXEMPT PER KDO SECTION 5.3.H(2)b

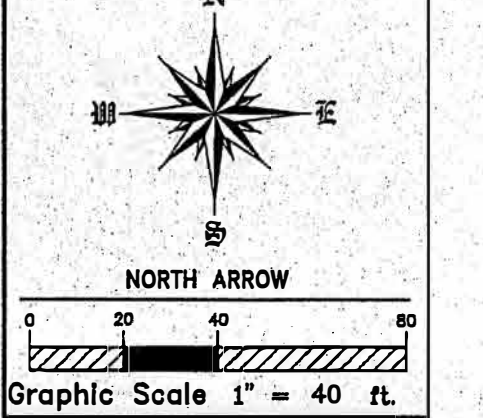
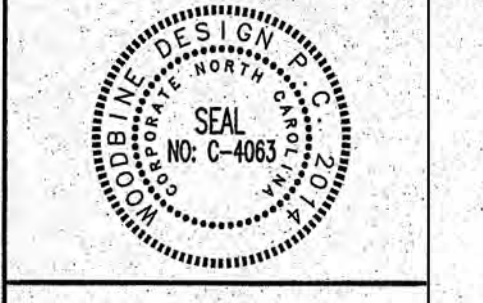
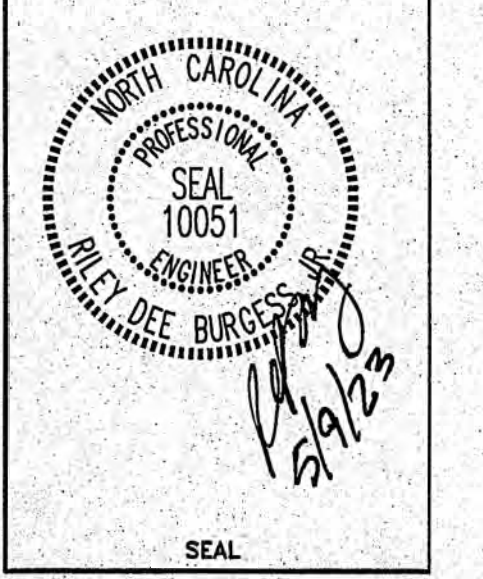
STREET YARD REQUIREMENTS:
 DAVIDSON HWY = 550-FT (EXCLUDES DRIVEWAY & WOODED AREA)
 STREET YARD REQUIRED: 8-FT
 PLANTINGS REQUIRED: (1) SHADE OR ORNAMENTAL TREE PER 35-LF

TREES REQUIRED: 16
 TREES PROPOSED: 16



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 Land planning & civil engineer
 1800 772 2669 20816 N. High Street, Suite 204
 Charlotte, NC 28203
 www.woodbinedesign.com
 info@woodbinedesign.com
 704.315.8367

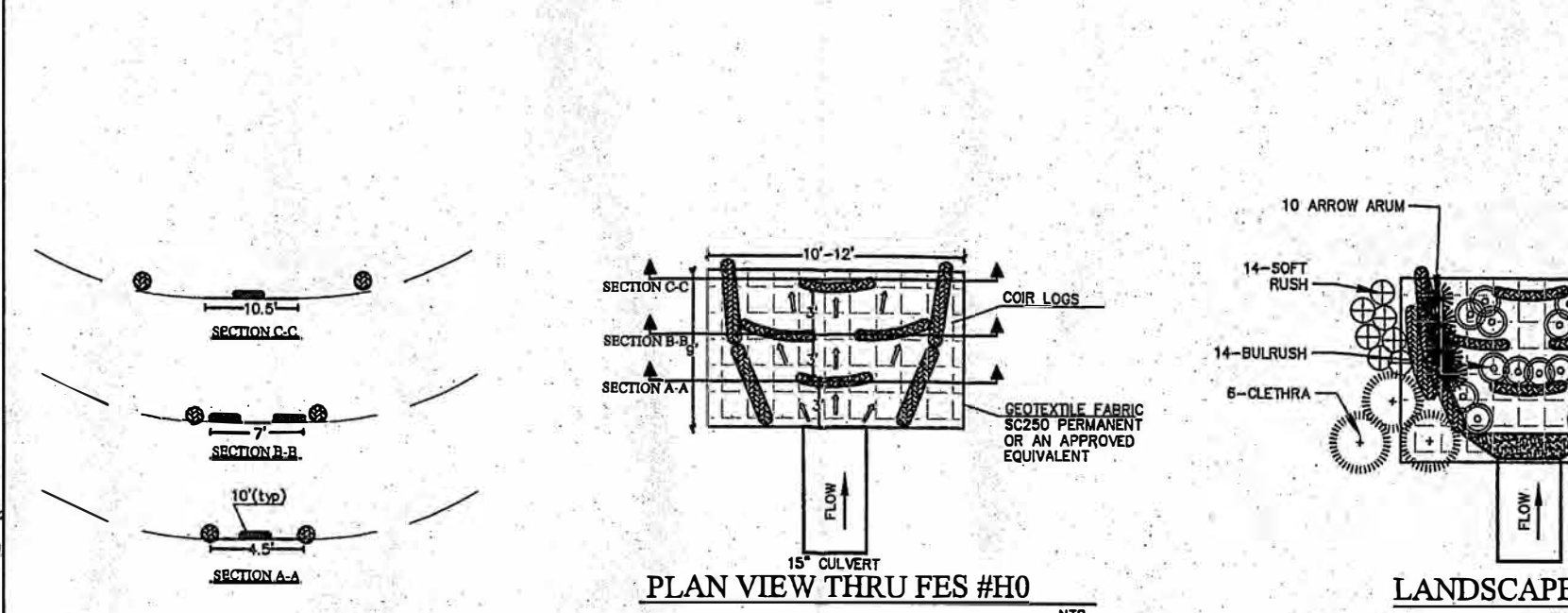


CONSERVATION EASEMENT LANDSCAPE NOTES

- FOR AREAS SHOWN AS "AREA TO BE SEEDED" WHICH RECEIVED PROPER TREATMENT PRIOR TO THIS PLAN, AND WHICH ALREADY HAVE SOME TURF ESTABLISHED, DO NOT DISTURB THOSE AREAS UNTIL THE AUTUMN SEASON. FOR THOSE AREAS, TREAT THEM WITH THE USUAL AUTUMN AERATION, STARTER FERTILIZER AND SEEDING APPLICATIONS.
- FOR THE AREAS LOCATED ON THE SOUTH SLOPE FROM THE GRAVEL DRIVE AND PARKING AREAS, WHICH HAVE LITTLE TO NO ESTABLISHED TURF, THOSE AREAS SHALL BE SCARIFIED, WITH RECOMMENDED APPLICATIONS OF STARTER FERTILIZER SUCH AS LESCO 18-24-12 STARTER, AND SEEDED WITH LESCO ALL PRO TRANSITION TALL RESCUE SEED BLEND, OR APPROVED EQUAL, AT STARTER RATES. ALL OF THESE AREAS ARE TO BE PROPERLY AND UNIFORMLY MULCHED WITH BLOWN WHEAT STRAW, AND IRRIGATION SET UP TO KEEP ALL AREAS WETTED SUFFICIENTLY FOR GERMINATION AND GROWTH SUPPORT THROUGH THE SUMMER MONTHS.
- THE EXISTING SMALL WET POND AT THE LOWER END OF THE SEEDED AREA IS TO REMAIN AND CARE TAKEN TO PREVENT THAT AREA FROM BEING SILED IN DURING THE SCARIFICATION AND SEEDING PROCESS OF THE LAND ABOVE. THIS PROTECTION CAN BE VIA SILT FENCE OR COIR LOGS PLACED OUTBOARD OF THE UPPER REACHES OF THE POND.
- THE EXISTING SMALL CULVERT BELOW THE WET POND IS TO REMAIN. THE DOWNSTREAM END OF THAT CULVERT APPEARS STABLE, BUT TO ENHANCE THE CAPABILITIES, A COIR FABRIC MAT WITH COIR LOGS IS TO BE PLACED PER THE DETAIL ON THIS SHEET.
- THERE IS NO EVIDENCE OF SEDIMENTATION IN THE GRASSY VEGETATION BELOW THE CULVERT OR AT THE INLET TO THE CROSS-ROAD CULVERT AT THE PUBLIC ROAD. THIS AREA IS TO BE INSPECTED ON A ROUTINE BASIS EVERY WEEK DURING IRRIGATION PERIODS, AND AFTER EVERY RAINFALL EVENT OF 0.25 INCHES OR MORE. IF EVIDENCE OF SEDIMENTATION IS FOUND IT IS TO BE NOTED IN A LOG BOOK AND THE ENGINEER IS TO BE NOTIFIED.
- SEEDING IN THIS PERIOD OF THE YEAR IS NOT NORMALLY ADVISED, AND EXTRA CARE IS TO BE MAINTAINED IN ORDER TO NOT EXPEL SIGNIFICANT QUANTITIES OF SEDIMENT DURING THIS PERIOD.

PLANT SCHEDULE

SYMBOL	COMMON NAME	#	BOTANICAL NAME	SIZE	ROOT	SPAC'G	NOTES
	SHUMARD OAK	10	Quercus shumardii	2.5", 10'-12" TALL	B&B	AS SHOWN	EVERGREEN SHADE
	CAROLINA CHERRY LAUREL	14	Prunus caroliniana	2", 6'-8" TALL	B&B	AS SHOWN	EVERGREEN UNDERSTORY
	AMERICAN HOLLY	11	Ilex opaca	2", 6'-8" TALL	B&B	AS SHOWN	EVERGREEN UNDERSTORY
	DWARF BURFORD HOLLY	40	Ilex cornuta 'Dwarf Burford'	3 GAL, 18" TALL	B&B	AS SHOWN	EVERGREEN SHRUB
	'COMPACT' COMPACT HOLLY	4	Ilex cranata	3 GAL, 18" TALL	B&B	AS SHOWN	EVERGREEN SHRUB



COIR ENERGY DISSIPATOR

NOT TO SCALE

IF ANY CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR THE FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY, AND SHALL NOT COMMENCE OPERATION UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.

PLOTTED: 5/8/2023
 Y:\PROJECTS\22049-BG TREE LANDSCAPE\2023\01-01-23- BG - BG TREE LANDSCAPE.dwg
 GREEN TREE.DWG

Project: BIG GREEN TREE & LAWN CARE SERVICES, INC.
 Location: 9700 DAVIDSON HWY, KANNAPOLIS, CABARRUS CO, NC
 Sheet Title: CONSERVATION LANDSCAPE PLAN

DEVELOPER/OWNER
 BIG GREEN TREE LAWN CARE SERVICES, INC.
 9700 DAVIDSON HWY, KANNAPOLIS, NC

Designed By: WOODBINE DESIGN
 Drawn By: NA
 Date: 5/8/23
 Revisions: 5/9/23-1st EDITION

Sheet: CA7 of 9
 Project Number: 22049

Pappy's Place Conditions – Case# R-12-02
Approved on 8/1/2012 by the City of Kannapolis Planning and Zoning Board
Rezoning of 10.22 acres C-2-CZ (General Commercial – Conditional Zoning) with
associated site plan and conditions listed below

1. The site will be developed to adhere to the principals of the ***“NC 73 Small Area Land Use & Economic Development Plan”***.
2. The site will be developed in accordance with the Coddle Creek Thoroughfare Protection Overlay District as described in Article 15.1 of the City of Kannapolis UDO.
3. The Conceptual Site Plan is for illustrative purposes only. The exact location of buildings, parking, uses, and detention areas will be determined during the site plan review process by the City of Kannapolis. In no event shall the total square footage exceed the total proposed square footage on each parcel unless specifically approved by the City of Kannapolis Planning Department.
4. The property lines adjacent to platted lots in existing single-family residential developments shall be buffered and screened with a berm and/or fence or landscaping that is solid and is 6 foot minimum in height. Screening shall provide 100% visual screening for adjacent residential properties of surface parking to a minimum height of 6 vertical feet.
5. No site lighting will be directed toward adjacent properties assuring no glare of lighting on the adjacent platted residential lots.
6. The developer will make every effort to save all trees outside of grading limits and will institute tree protection measures. Specifically across the front of the property adjacent to NC Hwy 73.
7. During construction periods of dry weather, the developer will wet down the site to control dust during construction.
8. The developer will adhere to all NCDENR soil and erosion control requirements.
9. In order to provide interesting and aesthetically attractive retail developments and to avoid monotony in design, the following standards shall apply:
 - Facades greater than 150 feet in length, measured horizontally, shall incorporate wall plane projections or recesses to create an interesting and attractive architectural design which is comprised of more than flat walls with minimal features.
 - Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length.
10. The following standards are intended to foster variations in roof lines to soften and reduce the massive scale of large buildings. Roofs shall have the following features:

- Parapets concealing flat roofs and rooftop equipment, such as HVAC units from public view. The height of such parapets shall not exceed one-third of the height of the supporting wall. Such parapets shall feature three dimensional cornice treatments and shall not be of a constant height for a distance of greater than 150 feet.
 - Three or more roof slope planes.
11. Predominant exterior buildings materials shall be high quality materials, including but not limited to brick, wood, stucco, sandstone, other native stone, or tinted, textured, or concrete masonry units.
 12. Facade colors shall be low reflectance, subtle, neutral or Earth Tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.
 13. Building trim and accent areas may feature brighter colors, including primary colors.
 14. No more than 50% of exterior building materials facing public streets shall include smooth-faced concrete block, smooth-faced tilt-up concrete panels or pre-fabricated steel panels.
 15. Distinctive architectural features such as parapet walls, covered entries, door and window details, etc. will be provided on each principle structure.
 16. The developer will submit architectural renderings for the development to the Planning Department as part of the site plan review process. The plans will illustrate the building massing, materials, height and other design features. The Planning Department shall approve or deny site plans based on acceptance of architectural designs.
 17. The development shall be limited to one (1) vehicular access point on NC Hwy 73, which shall be subject to NCDOT approval. No additional access points to NC Hwy 73 will be provided for out parcels.
 18. The site shall be designed to connect to adjacent parcels parallel to NC Hwy 73. The grade of the road being shown at the stub locations will need to be mutually agreed upon at the time of site design and review.

January 29, 2024

Subject: Conditional Rezoning for 9700 Davidson Highway

Neighbor,

You may have received an earlier invitation for a neighbor meeting, and this invitation is for another such meeting at a time and date that is perhaps more amenable for everyone.

The property at 9700 Davidson Highway has petitioned for a Conditional Rezoning with the City of Kannapolis. This action is not to introduce any new or otherwise disallowed use, but to simply clean up some language from the previous Conditional Rezoning that happened many years ago. Of particular change is that the property now has a rather limiting Conservation Easement in place which restricts the scope of use and limits the areas which can be developed.

The current use is and will continue to be allowed and compatible with the zoning.

We invite you to an informal Neighborhood Meeting to be held on Monday, February 5th, on the site, from 6 PM until around 8:00 pm. This will happen rain or shine, and will be up at the main parking area. If you cannot attend this meeting and have questions, please do not hesitate to contact me via email at: rburgess@woodbinedesign.com

The actual hearing before the Kannapolis Planning and Zoning Board will take place at 6pm on Tuesday, February 20, 2024.

We look forward to meeting you at this neighborhood meeting, and answering any questions you may have.

February 6, 2024

Neighborhood Meeting Summary

February 5, 2024

The roster of attendees, on the property owner/applicant behalf were:

German Ronquillo and Edgar Ronquillo, owners of Big Green Tree and Lawn Service.
Riley Burgess, PE, Woodbine Design, P.C., consultant to Big Green Tree.

The roster of neighbor attendees:

Mr. Rob Harkey of 9745 Davidson Highway, Concord, NC

The Neighborhood Meeting was held on the site, in a parking area central to the Big Green Tree designated use area. The property is subject to a conservation easement via the Davidson Land Conservancy, with a designated zone in the central portion of the site being the only portion of the land for which any development and business activity may occur. The meeting was held from 6 PM until 8 PM per the letter of invitation and City of Kannapolis guidelines and requirements. It should be noted that a prior neighborhood meeting was held on Friday, January 5th from noon until 2 PM, but that meeting date and time of day did not fully comply with City requirements. At that meeting one neighbor from the subdivision north of the site came by, but he was confused and thought this site was the site of the proposed multi-family project that is actually on the adjacent property to the east. When he found out otherwise, he left with no questions.

A few minutes past 6 PM Mr. Harkey arrived with two questions. His first question was, “Why have this so late in the day?” Mr. Burgess responded that the time of day was a City requirement so as to afford working people an opportunity to attend. Mr. Harkey then asked, “Why are you asking for a rezoning?” The invitation letter had stated the purpose, and the desire to update the previous rezoning conditions to include the conservation easement restrictions, but Mr. Harkey then questioned the real cause as being some other issue. No one on the Big Green Tree side was

aware of the issue that Mr. Harkey suggested, and the conversation moved on to other none zoning related topics such as the availability of gravity sewer, the adjacent multi-family project, etc. Mr, Harkey seemed confrontational and agitated, and attempts to steer the conversation to the topic of the rezoning application, and the plan, were unsuccessful. He made a point to compare the runoff from the properties that were essentially undeveloped against the property to the east of his property, a large single family home project, and he never seemed to grasp the concept of the SCM devices required of such new development. After some discussion on those issues, Mr. Harkey left shortly after 6:30 pm.

There were no other neighbors in attendance, and a few minutes before 8 pm the meeting was adjourned and the property vacated. In the invitation letter there was an invitation for anyone that could not make the meeting, or had other questions, they were welcome to contact Mr. Burgess directly, with his contact information included in that letter. As of this writing there have been no other inquires.

L. Burgess
2/6/24



PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000861192

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Pavor : CITY OF KANNAPOLIS
Phone: 7049204300

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Sales Rep: aboan
Acct Rep: aboan
Ordered By: Pam

Fax: 7049337463
EMAIL: ap@kannapolisnc.gov

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

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


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

Production Method: Creative (In-House)

Production Notes

Product and Zone: CON-independent Trip
Placement: C-Legal Ads
Run Dates: 2/ 9/2024, 2/16/2024
TagLine: NOTICE OF PUBLIC HEARING

Position: Legal Display Ads
Inserts: 2



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

Conditional Zoning Map Amendment – CZ-2024-01 – 9700 Davidson Hwy – Public Hearing to consider an amendment to the previously approved rezoning conditions for property located at 9700 Davidson Hwy, zoned GC-CZ (General Commercial-Conditional Zoning) and further identified as Cabarrus County Parcel Identification Number 46821056960000. The requested change is to allow for a Contractor's Yard.

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

Conditional Zoning Map Amendment – CZ-2024-03 – Dale Earnhardt Blvd. & Laundry St. – Public Hearing to consider a request to rezone properties located at 1411, 1431 and 1375 Dale Earnhardt Blvd., as well as 601 Laundry Street from City of Kannapolis Office Institutional (OI) zoning district to City of Kannapolis General Commercial – Conditional Zoning (GC-CZ) zoning district to allow for utilization of the existing building for general wholesale, accessory office uses or other uses allowed by right in the GC zoning district. The subject properties are approximately 3.3 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56138549450000, 56138548910000, 56138600070000, and 56138559800000, respectively.

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

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

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
SHIRISH BAIRISHETTY				
BINDU PRIYA GOPISHETTY RAM	9619 ESTRIDGE LN	CONCORD	NC	28027
BIG GREEN TREE LAWN CARE SERVICE INC				
C/O GERMAN RONQUILLO	19205 CARTER CIR	CORNELIUS	NC	28031
WALTER FITZPATRICK	9521 DAVIDSON HWY	CONCORD	NC	28027
FORESTAR (USA) REAL ESTATE GROUP INC.				
C/O REAL ESTATE TAX DEPT	2221 E LAMAR BLVD	ARLINGTON	TX	76006
SUMANA GADDE				
SATISH KOLLIPARA	9611 ESTRIDGE LN	CONCORD	NC	28027
ANJU HARIHARAN				
SARIN RATHEESH KUMAR	1670 FITZGERALD ST NW	CONCORD	NC	28027
HARKEY FARM LLC	9745 DAVIDSON HWY	CONCORD	NC	28027
HERITAGE RIDGE COMMUNITY ASSOC INC.	2221 E LAMAR BLVD STE 790	ARLINGTON	TX	76006
GARLAND & EMILY JONES	9730 DAVIDSON HWY	CONCORD	NC	28027
VENKATA & SRILAKSHMI KALLURI	9631 ESTRIDGE LN	CONCORD	NC	28027
SANDEEP KOLIKAPUDI				
STREISAND MUNGALCHETTY	1665 FITZGERALD ST NW	CONCORD	NC	28027
SATISH KRISHNAN				
MEGHA MURALEEDHARAN	9642 WHITE CHAPEL DR NW	CONCORD	NC	28027
JASON & ASHLEY LIST	9639 ESTRIDGE LN	CONCORD	NC	28027
CHRISTOPHER & ARLENE MOORE	9635 ESTRIDGE LN	CONCORD	NC	28027
SURESH NALLAMILI	9650 WHITE CHAPEL DR NW	CONCORD	NC	28027
PATRICK & BROOKE NELSON	9623 ESTRIDGE LN	CONCORD	NC	28027
DANIEL & PETRA O'SULLIVAN	592 W WALKER WOODS LN	CLAYTON	NC	27527
VENKATA & NARMADA PALADUGU	9627 ESTRIDGE LN	CONCORD	NC	28027
SHILPABAHEN PATEL	1483 COFFEETREE DR NW	CONCORD	NC	28027
STEVEN PRICE	151 SCALYBARK TRL	CONCORD	NC	28027
KARTHIKEYAN REDDI	9638 WHITE CHAPEL DR NW	CONCORD	NC	28027
NARENDAR SURAM	9646 WHITE CHAPEL DR NW	CONCORD	NC	28027
WELLINGTON CHASE HOMEOWN ASSOC				
C/O CUSICK COMMUNITY MGMT	8008 CORPORATE CENTER DR STE 10	CHARLOTTE	NC	28226
JASON & JESSICA WORKMAN	9643 ESTRIDGE LN	CONCORD	NC	28027



February 8, 2024

Dear Property Owner:

Please be advised that the City of Kannapolis Planning & Zoning Commission will conduct a Public Hearing on Tuesday, February 20, 2024, at 6:00 PM, at City Hall, located at 401 Laureate Way, for the following case:

CZ-2024-01 – Conditional Zoning Map Amendment – 9700 Davidson Highway

The purpose of the Public Hearing is to consider an amendment to the previously approved rezoning conditions for property located at 9700 Davidson Hwy., zoned GC-CZ (General Commercial-Conditional Zoning) and further identified as Cabarrus County Parcel Identification Number 46821056980000. The requested change is to allow for a Contractor's Yard. (see reverse side of this letter for a map showing the location of this property).

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

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

Sincerely,

Elizabeth L. McCarty, AICP
Assistant Planning Director

Enclosure

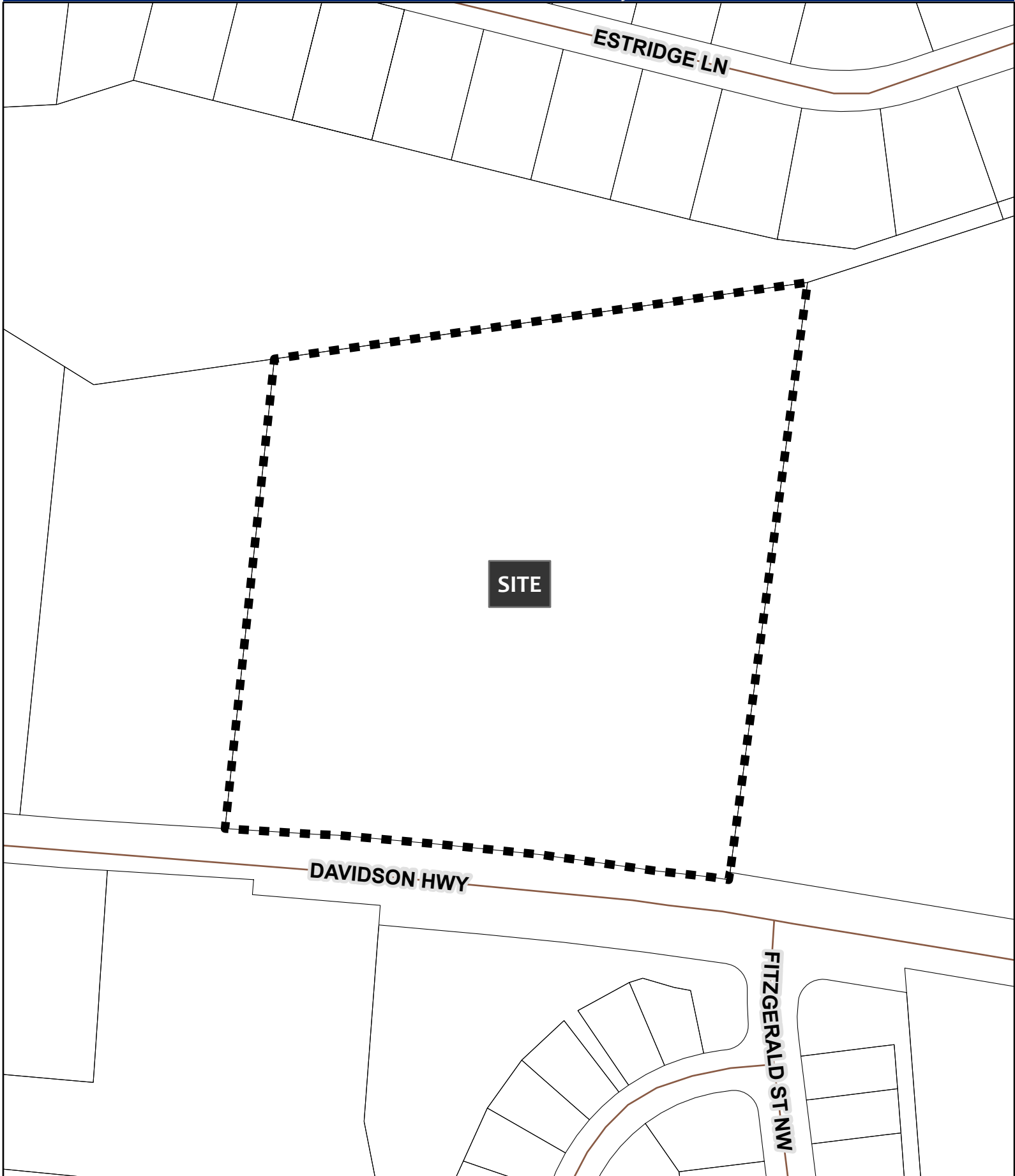
Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email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



Conditional Rezoning

Case Number: CZ-2024-01

Applicant: Big Green Tree Lawn Care Service, INC
9700 Davidson Hwy





PLANNING

ZONING

COMMISSION

**PUBLIC HEARING
INFORMATION**

CALL 704-920-4350

CASE # CZ-2024-01



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

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

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

WHEREAS, on February 20, 2024 the Planning and Zoning Commission conducted a public hearing to consider a request to rezone approximately 10.22 +/- acres of property located at 9700 Davidson Highway, (Cabarrus County Parcel Identification Number 46821065980000) owned by Big Green Tree Lawn Care Service, Inc., from City of Kannapolis General Commercial – Conditional Zoning (GC-CZ) to 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 the subject property as located within the “Complete Neighborhood 1” Character Area in the 2030 Plan. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.*

Adopted this the 20th day of February 2024:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission



RESOLUTION TO ZONE

**Case #CZ-2024-01
(9700 Davidson Highway)**

Amendment to previously approved conditions under Case No. Z-12-02

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 February 20, 2024 for consideration of rezoning petition Case #CZ-2023-07 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to amend conditions of approval previously approved under Case No. Z-12-02 on property located at 9700 Davidson Highway, (Cabarrus County Parcel Identification Number 46821065980000) owned by Big Green Tree Lawn Care Service, Inc., from City of Kannapolis Agricultural (AG) to City of Kannapolis Light Industrial-Conditional Zoning (LI-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 "Suburban Activity 1" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Suburban Activity 1 Character Area lists retail and office as primary uses. Light manufacturing is a secondary use along with multifamily and single family attached residential. Therefore, the proposed commercial use is generally consistent with the goals and objectives of the Plan..

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

No, the proposed amendment is not in conflict with any ordinances. A Contractor's Yard is a permitted use in the GC General Commercial District. The commercial zoning designation existed on this property under the UDO and prior to the adoption of the current comprehensive plan.

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

This proposed amendment intends to modify the conditions of approval associated with the 2012 rezoning. Presently, the use of the property as a Contractor's Yard does not meet the conditions of

the 2012 rezoning approval. This amendment, if approved, would allow the property to be used as a Contractor's Yard.

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?

Surrounding zoning districts are residential. City of Kannapolis Residential 8 (R8) is to the north and east. The zoning to the west is Cabarrus County Countryside Residential (CR). The zoning to the south is City of Concord RC-CD Residential Compact-Conditional District (RC-CD) and Cabarrus County Low Density Residential (LDR).

An opaque landscaping buffer is shown on the site plan to provide a separation with neighboring residential properties. A fence is proposed along a portion of the eastern lot line. Further, there is existing vegetation and landscaping on the property that can be enhanced in order to achieve the necessary buffering along the perimeter of the property.

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

Yes, the proposed amendment provides for efficient development. The applicant will be required to comply with the City's and NCDOT's regulations for driveways. NCDOT currently does not have a permit on record for the existing driveway.

The subject property is within the Coddle Creek Subdistrict of the Thoroughfare Protection Overlay District and will need to meet the requirements for properties along Davidson Highway. Currently, there is no public sewer or water service to the site. The development is proposed to be served by on-site septic.

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

Yes, the property is within a future growth area for the City of Kannapolis. The use is setback from Davidson Highway and a landscaped opaque buffer is proposed along the site's perimeter to screen it from surrounding residential uses.

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

No significant negative environmental impacts are anticipated. There is an unnamed tributary in the northeast corner of the property. Measured from the top of the streambank, a thirty foot (30') undisturbed buffer and a ten foot (10') vegetated setback is shown on the site plan. The proposed use will be required to conform to all applicable local, state, and federal environmental regulations.

The Davidson Lands Conservancy holds the conservation easement on the property and is responsible for monitoring compliance with the requirements of the Deed of Conservation Easement

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the conditions for the above referenced property be amended, subject to the following conditions:

1. The conditions and conceptual site plan applicable to the previous conditional rezoning approval, Case #Z-12-02, are removed and replaced with conditions 2-10, below.
2. The intent of this amendment submittal is to allow for a Contractor’s Yard. Prior to the development of the property over and beyond its use as a Contractor’s Yard, a conditional rezoning application shall be made for the City of Kannapolis to further review and reconsider the conditions imposed by approval of this amendment.
3. The site is subject to and will in the future be developed in accordance with the development restrictions set forth in the Assignment of Deed of Conservation Easement which among other restrictions limits the developable area of the site within a defined two (2) acre envelope generally located in the center of the site.
4. The site will be developed in accordance with the Coddle Creek Subdistrict Thoroughfare Protection Overlay District of the KDO.
5. The development shall be limited to one (1) vehicular access point on Davidson Highway and shall be subject to NCDOT approval. A driveway permit is required.
6. The site will be developed consistent with the buffer and landscaping requirements of the KDO for a Type D, Opaque Buffer.
7. No site lighting will be directed toward adjacent properties assuring no glare of lighting on adjacent residential lots.
8. Development of the site will adhere to all applicable NCDEQ soil and erosion control requirements.
9. Certain improvements to the site shall be completed no later than six (6) months from the date of the Resolution to Zone, to include removing the existing single-wide manufactured home from the site; acquiring a NCDOT driveway permit; paving the driveway entrance and parking area; installing required landscaping and fencing; and, installing the gravel parking area.
10. The exact location of the proposed building and parking spaces will be determined during the site plan review process by the City of Kannapolis.

Adopted this the 20th day of February 2024:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission

EXHIBIT 3



Planning and Zoning Commission February 20, 2024, Meeting

Staff Report

TO: Planning and Zoning Commission

FROM: Elizabeth McCarty, Assistant Planning Director

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

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

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

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

C. Background & Project Overview

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

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

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

D. Fiscal Considerations

None

E. Policy Issues

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

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

The subject properties are in the “Urban Residential” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Single family detached and single family attached residential are listed as primary uses. Therefore, the proposed use is consistent with the goals and objectives of the Plan.

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

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

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

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

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

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

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

public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?

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

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

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

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

No, there are no anticipated significant environmental impacts from rezoning this property. A perennial stream, Baker Branch, and associated flood zone are located along the northern property line. The development will be required to conform to all applicable local, state, and federal environmental regulations.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

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

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

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

Based on the request being consistent with the 2030 Plan, staff recommends approval for Zoning Map Amendment Case #CZ-2024-02 with the following conditions:

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

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-2024-02, a motion should be made to adopt the following Statement of Consistency:**

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

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

2. **Should the Commission choose to approve Case #CZ-2024-02, a motion should be made to adopt the Resolution to Zone.**

Motion to Deny (2 votes)

1. **Should the Commission choose to recommend denial of Case #CZ-2024-02, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #CZ-2024-02 to be inconsistent with the goals and policies of the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #CZ-2024-02, a motion should be made to deny the Resolution to Zone.**

I. Attachments

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

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager
- City Attorney

EXHIBIT 4



Planning and Zoning Commission February 20, 2024, Meeting

Staff Report

TO: Planning and Zoning Commission
FROM: Elizabeth McCarty, Assistant Planning Director
SUBJECT: Case #CZ-2024-03: Conditional Zoning Map Amendment
Applicant: Eden Property Holdings, LLC

Request to conditionally rezone four properties located along Dale Earnhardt Boulevard and Laundry Street to allow for the use of an existing building for general wholesale and accessory offices.

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, Eden Property Holdings, LLC., is proposing to rezone approximately 3.3 +/- combined acres of property located at 1375, 1411, and 1431 Dale Earnhardt Boulevard and 601 Laundry Street from City of Kannapolis Office-Institutional (O-I) zoning district to City of Kannapolis General Commercial-Conditional Zoning (GC-CZ) zoning district. The properties are further identified as Cabarrus County Parcel Identification Numbers 56138630070000, 56138549450000, 56138548910000, and 56138559600000, respectively.

The applicant is proposing to use the existing building, currently vacant, for general wholesale and accessory office uses or for other uses allowed in the GC zoning district. General wholesale is not a permitted use in the O-I District, but it is within the GC District. The applicant's rezoning plan does not indicate any expansion of the existing building or parking area.

The site previously was used for automotive headlight warehousing and wholesale. The automotive business operated under a Certificate of Nonconformity Adjustment (CONA) which was granted by the Board of Adjustment in 2017 (Case #BOA-2017-03). At that time, the parking lot, sidewalk, and street trees were installed. The CONA issued in 2017 has expired. Prior to the automotive warehouse, the site was used as a furniture warehouse and was considered a legal non-conforming use.

The applicant conducted the required neighborhood meeting for conditional rezonings on January 23, 2024, at 6:30 p.m. The meeting was held at the Trinity United Methodist Church on Martin Luther King, Jr. Avenue.

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 three properties along Dale Earnhardt Boulevard are in the “Urban Corridor” Character Area. The property fronting Laundry Street is within the “Urban Residential” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. Primary uses in the “Urban Corridor” include retail, office, and multifamily residential. Secondary uses are institutional/civic, light manufacturing, and single family attached residential. The “Urban Residential” promotes primary uses of single family detached and single family attached residential as well as civic uses. Secondary uses include multifamily residential, small format retail and office, and live-work units. With most of the site within the “Urban Corridor” Character Area, the proposed reuse of the existing building for general wholesale and accessory offices is compatible with the Plan.

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

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

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

The existing building was previously used for warehousing, a use not permitted in the O-I District. The past furniture warehouse was established before the adoption of the UDO which made it a legal nonconforming use. The prior automotive warehouse was granted a Certificate of Nonconformity Adjustment, which has now expired. The

applicant intends to reuse the existing building for general wholesale and accessory offices. With the proposed rezoning, this would be a conforming use.

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

Yes, the four subject properties are surrounded by both residential and commercial uses. The applicant has indicated that the existing parking area on the site will be sufficient; no expansion is anticipated. There are trees at the rear of 1375 and 1411 Dale Earnhardt Boulevard that serve as a buffer to adjacent R8 zoned properties. Additionally, the applicant owns the parcel at 607 Laundry Street which is vacant with trees. This parcel is not part of the proposed conditional rezoning request yet provides a buffer from neighboring residential uses.

The rezoning allows for conditions to exclude uses not deemed suitable for the area. City staff recommends excluding the following uses: Vehicle sales and services uses, Eating or drinking establishments uses, Recreation/entertainment uses, Contractor's yard, Fleet terminal, Prefabricated building sales, Self-service storage, Outdoor storage, Commercial parking as a principal use, Passenger terminal, surface transportation, Recycling collection center, Crematory, Animal shelter, Kennel. The applicant concurs with this proposed condition.

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

Yes, this property is located adjacent to roads with adequate capacity and safety and is a suitable use allowed under the requested zoning. The properties have access to water and sewer service.

During the neighborhood meeting, attendees raised concerns about trucks driving onto neighboring properties and the ability of trucks to maneuver within the site's loading area. The applicant has indicated that the loading and parking areas are adequate for trucks to load and unload without driving onto adjacent properties. The applicant is expected to present this information during the public hearing.

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

Yes, the requested zoning allows for the reuse of an existing building. The development is compatible with existing adjacent uses.

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

No, there are no anticipated significant environmental impacts from rezoning this property. No new development is proposed on the Rezoning Plan.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

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

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

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

Based on the request being consistent with the 2030 Plan, staff recommends approval for Zoning Map Amendment Case #CZ-2024-03 with the following conditions:

1. The permitted uses allowed by this rezoning shall exclude the following uses: Vehicle sales and services uses, Eating or drinking establishments uses, Recreation/entertainment uses, Contractor’s yard, Fleet terminal, Prefabricated building sales, Self-service storage, Outdoor storage, Commercial parking as a principal use, Passenger terminal, surface transportation, Recycling collection center, Crematory, Animal shelter, Kennel.
2. Future development on the parcel identified as 1375 Dale Earnhardt Boulevard (PIN 56138630070000) shall relate to the principal use established in the existing building located at 1411 Dale Earnhardt Boulevard (PIN 56138549450000). If a separate and unrelated use is proposed, application shall be made for further review and reconsideration of the conditions imposed by approval of this Zoning Map Amendment.

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-2024-03, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject properties as located within the “Urban Corridor” and “Urban Residential” Character Areas in the *2030 Plan*. Staff finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on

the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

2. **Should the Commission choose to approve Case #CZ-2024-03, 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-2024-03, 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-2024-03 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-2024-03, 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. Site Plan
6. Neighborhood Meeting Information
7. Notice of Public Hearing
8. List of Notified Properties
9. Letter to Adjacent Property Owners
10. Posted Public Notice Sign
11. Resolution to Adopt a Statement of Consistency
12. Resolution to Zone

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager
- City Attorney



PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000861192

APPENDIX A

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Pavor : CITY OF KANNAPOLIS
Phone: 7049204300

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

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

Fax: 7049337463
EMAIL: ap@kannapolisnc.gov

Total Amount \$865.55
Payment Amount \$865.55

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

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


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

Production Method
Creative (In-House)

Production Notes

Product and Zone **Placement**
CON-independent Trip C-Legal Ads
Run Dates 2/ 9/2024, 2/16/2024
TagLine: NOTICE OF PUBLIC HEARING

Position **# Inserts**
Legal Display Ads 2



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

Conditional Zoning Map Amendment – CZ-2024-01 – 9700 Davidson Hwy – Public Hearing to consider an amendment to the previously approved rezoning conditions for property located at 9700 Davidson Hwy, zoned GC-CZ (General Commercial-Conditional Zoning) and further identified as Cabarrus County Parcel Identification Number 46821056960000. The requested change is to allow for a Contractor's Yard.

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

Conditional Zoning Map Amendment – CZ-2024-03 – Dale Earnhardt Blvd. & Laundry St. – Public Hearing to consider a request to rezone properties located at 1411, 1431 and 1375 Dale Earnhardt Blvd., as well as 601 Laundry Street from City of Kannapolis Office Institutional (OI) zoning district to City of Kannapolis General Commercial – Conditional Zoning (GC-CZ) zoning district to allow for utilization of the existing building for general wholesale, accessory office uses or other uses allowed by right in the GC zoning district. The subject properties are approximately 3.3 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 56138549450000, 56138548910000, 5613860070000, and 56138559800000, respectively.

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

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

APPENDIX B



①



Google

Proposed Rezoning Land

Green is Construction Right of Way

Yellow is all new T3 construction

28' Existing HWY 73

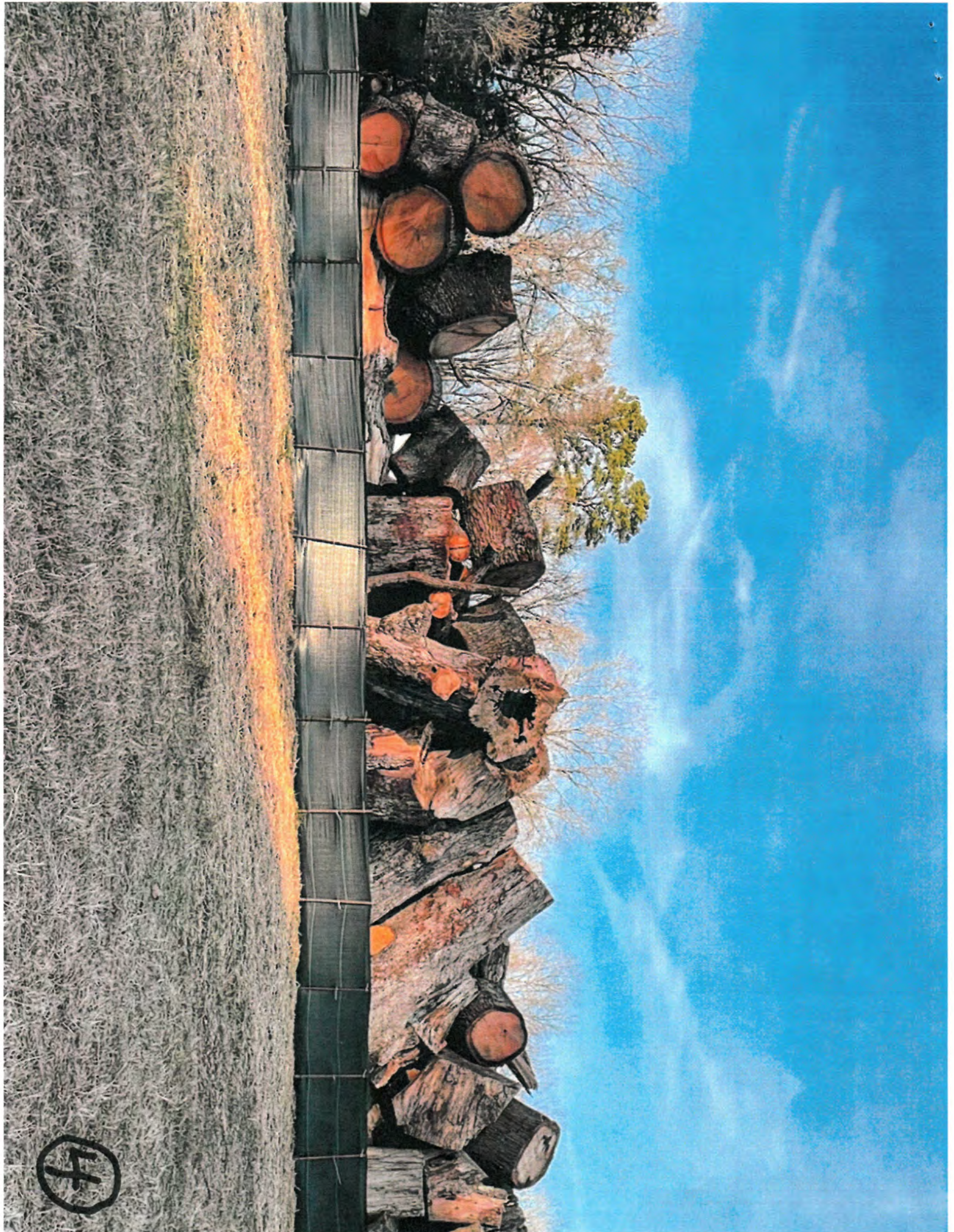
-L- PC Sta. 339+08.15

340+00

-L- PT Sta. 342+07.21

3





4

48°
35 AQI

idge Ln

\$750+ Homes

Estridge Ln

Potential for
more Townhomes

54 Townhomes
Approved
January 2024

73

\$600K+ Homes

Fitzgerald

57