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

**Minutes of Meeting  
February 21, 2023**

The Kannapolis Planning and Zoning Commission met on Tuesday February 21, 2023, at 6:00 PM. 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:** Chris Puckett, Chair  
Daniel O'Kelly  
James Litaker  
Larry Ensley  
Scott Trott  
Shelly Stein  
Travis Gingras  
Robert Severt, ETJ Representative

**Commission Members Absent:** Jeff Parker, Vice Chair

**Visitors:**

Ricky Stamey	Way Beaver
Betty Beaver	David Miller
Joe Hatley	Irene Moose
Angela Purvis	Paul Campbell
Verna Witherspoon	Wade Franklin
Dave Miller	John Sanders
Lisa Hedrick	Jan Hedrick

**Staff Present:** Richard Smith, Planning Director  
Boyd Stanley, Assistant Planning Director  
Kathryn Stapleton, Planning Technician  
Wilmer Melton, Assistant City Manager  
Pam Scaggs, Recording Secretary

**CALL TO ORDER**

Chair Puckett called the meeting to order at 6:00 P.M.

**ROLL CALL AND RECOGNITION OF QUORUM**

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

**APPROVAL OF AGENDA**

Chair Puckett asked if the rezoning cases that were recently annexed into the City could be handled at the same time. Planning Director, Richard Smith, responded that each case would need to be handled separately.

Chair Puckett asked for any changes to the agenda and hearing none, approved the agenda.

**APPROVAL OF MINUTES**

Chair Puckett asked for a motion regarding the January 17, 2023 minutes. Mr. Ensley made the motion to approve, second by Mr. Trott and the motion was unanimously approved.

1 **PUBLIC HEARING**

2 **Z-2023-01 – Rezoning for properties located at 2850 S. Ridge Ave. and two (2) unaddressed parcels on**  
3 **S. Ridge Ave. from Office-Institutional (O-I) to Residential 18 (R18) zoning district.**

4 Assistant Planning Director, Boyd Stanley, gave a PowerPoint presentation regarding case Z-2023-01,  
5 attached to and made part of these minutes as Exhibit 1. Mr. Stanley noted the applicant, address, the size,  
6 and stated that the parcel has been subdivided into three (3) separate lots. He stated that the applicant is  
7 requesting to rezone from Office-Institutional (O-I), to Residential 18 (R18).  
8

9 Mr. Stanley directed the Commission’s attention to Vicinity, Zoning, and Future Land Use Plan maps and  
10 provided the surrounding zoning districts and their current uses as well as future land uses. He reviewed the  
11 Policy Issues stating that staff found the request to be consistent with the Move Kannapolis Forward 2030  
12 Comprehensive Plan and is recommending approval of the rezoning request, concluded his presentation and  
13 made himself available for questions.  
14

15 Chair Puckett noted that he was the listing agent for the property when the applicant purchased the property  
16 and wanted to disclose that information.  
17

18 There was discussion regarding the requested rezoning to a R18 zoning district when the applicant could  
19 rezone to a lower density zoning district and avoid having to obtain a Special Use Permit (SUP) in addition  
20 to the rezoning approval. The applicant, David Miller, agreed to obtaining a lower density zoning district but  
21 Mr. Smith explained that staff recommended the R18 zoning district because nearby properties were also  
22 zoned R18 and cautioned that approving a different zoning district could be considered “spot zoning”. There  
23 was additional discussion regarding the subject properties being located within the railroad right-of-way  
24 (ROW) which further restricts size and location of the homes.  
25

26 There being no additional questions or comments, Chair Puckett opened the Public Hearing which was then  
27 closed with no public comment being made.  
28

29 Chair Puckett asked for a motion regarding the Statement of Consistency. Mr. Gingras made the motion to  
30 approve, second by Dr. Litaker and unanimously approved.  
31

32 Chair Puckett asked for a motion regarding the Resolution to Zone. Mr. Gingras made the motion to approve,  
33 second by Ms. Stein and unanimously approved.  
34

35 **Z-2023-02 – Rezoning for properties located at 200 Martin Luther King Jr. Ave. from Office-**  
36 **Institutional (O-I) to Residential 8 (R8) zoning district.**

37 Mr. Stanley, gave a PowerPoint presentation regarding case Z-2023-02, attached to and made part of these  
38 minutes as Exhibit 2. Mr. Stanley noted the applicant, address, size and current zoning. He directed the  
39 Commission’s attention to Vicinity, Zoning, and Future Land Use Plan- maps and provided the surrounding  
40 zoning districts and their current uses as well as future land uses. Mr. Stanley stated that the requested  
41 rezoning is for tax purposes.  
42

43 Mr. Stanley stated that the request is consistent with the 2030 Plan and is recommending approval of the  
44 rezoning request, concluded his presentation and made himself available for questions.  
45

46 Mr. Gingras asked if the current use is as a single-family home and Mr. Stanley confirmed. Mr. Gingras asked  
47 if there would be issues for the applicant to sell or add to their home if the rezoning was not approved. Mr.  
48 Stanley responded that without the rezoning, the existing residential use is considered legally nonconforming,  
49 so they could not add to their home without going to the Board of Adjustment for a SUP and added that if the  
50 residential use was vacated for at least six (6) months, the residential use would no longer be valid.

1 There being no additional questions or comments, Chair Puckett opened the Public Hearing which was then  
2 closed with no public comment being made.

3  
4 Mr. Trott noted surrounding properties that are also zoned O-I and asked if they too should be rezoned. Mr.  
5 Stanley responded that rezoning is at the property owner's discretion.

6  
7 Chair Puckett asked for a motion regarding the Statement of Consistency. Mr. Trott made the motion to  
8 approve, second by Dr. Litaker and unanimously approved.

9  
10 Chair Puckett asked for a motion regarding the Resolution to Zone. Mr. Ensley made the motion to approve,  
11 second by Mr. Gingras and unanimously approved.

12  
13 **Z-2023-03 – Rezoning for properties located at 1445 China Grove Road from Rowan County Rural**  
14 **Agricultural (RA) to City of Kannapolis Agricultural (AG) zoning district.**

15 Mr. Smith, gave a PowerPoint presentation regarding case Z-2023-03, attached to and made part of these  
16 minutes as Exhibit 3, and explained that the property was recently annexed into the City and requires  
17 assignment of City zoning. He directed the Commission's attention to Vicinity, Zoning, and Future Land Use  
18 Plan maps and stated that while the property is adjacent to the Kannapolis Crossing development project,  
19 there are no development plans at this time for the property. Mr. Smith noted that the AG zoning district is  
20 being applied as a holding zone until development plans are submitted.

21  
22 Mr. Smith reviewed Policy Issues (see Exhibit 1) and stated that staff is recommending approval of the  
23 rezoning request. He concluded his presentation and made himself available for questions.

24  
25 Chair Puckett asked for confirmation that there are no development plans for the property and Mr. Smith  
26 confirmed. Mr. Gingras expressed confusion regarding the requested AG zoning district. Mr. Smith explained  
27 that AG is typically used as a holding zone with the anticipation that a higher density zoning district will be  
28 requested at a later time. There was discussion regarding surrounding zoning districts.

29  
30 Resident Wade Franklin asked why this property was annexed. Mr. Smith responded that after the new  
31 interchange at Interstate 85 and Old Beatty Ford Road was created, the property owner for the subject  
32 properties requested water and sewer services from the Town of Landis, China Grove and the City of  
33 Kannaolis. Neither Landis nor China Grove could provide these services, so the City agreed to provide them  
34 but could only do so if the properties were annexed into the City, which was legislatively completed in 2019.  
35 He added that the subject properties for Case Z-2023-03 were recently annexed based on a request by the  
36 property owner and by statute, now requires assignment of City zoning.

37  
38 There being no additional questions or comments, Chair Puckett closed the Public Hearing.

39  
40 Chair Puckett asked for a motion regarding the Statement of Consistency. Mr. Gingras made the motion to  
41 approve, second by Mr. Trott and unanimously approved.

42  
43 Chair Puckett asked for a motion regarding the Resolution to Zone. Mr. Gingras made the motion to approve,  
44 second by Mr. Ensley and unanimously approved.

45  
46 **Z-2023-04 – Rezoning for properties located in the Western Growth Area (unaddressed parcels on**  
47 **Davidson Highway (NC73) from Cabarrus County Low Density Residential (LDR) to City of**  
48 **Kannapolis Agricultural (AG) zoning district.**

49 Mr. Stanley, gave a PowerPoint presentation regarding case Z-2023-04, attached to and made part of these  
50 minutes as Exhibit 4. Mr. Stanley noted the location and size, stating that the subject properties consist of  
51 three (3) unaddressed parcels. He added that the parcels were also recently annexed and that the City is

1 requesting the AG zoning district for these properties as well. Mr. Stanley directed the Commission's attention  
2 to Vicinity, Zoning, and Future Land Use Plan maps and provided the surrounding zoning districts and their  
3 current uses as well as future land uses. He stated that the City owns the properties and intends to develop the  
4 property as a park.

5  
6 Mr. Stanley reviewed Policy Issues (see Exhibit 4) and stated that staff found consistency with the 2030 Plan  
7 and is recommending approval of the rezoning request, concluded his presentation and made himself available  
8 for questions.

9  
10 Mr. Gingras asked why the City is applying the AG zoning district to this property if the intention is to develop  
11 a park. Mr. Smith responded that the AG zoning district allows for parks and will not require a future rezoning.  
12 He added that the property was previously designated as part of a future greenway for the Carolina Thread  
13 Trail. Mr. Trott stated that he recalls property owners at Pelham Pointe dedicating property for development  
14 of the trail.

15  
16 Chair Puckett asked why the parcel fronting Davidson Hwy (NC73) was not included in the rezoning request.  
17 Mr. Smith responded that it was already within the City of Kannapolis zoning jurisdiction and currently has  
18 City zoning.

19  
20 There being no additional questions or comments, Chair Puckett opened the Public Hearing which was then  
21 closed with no public comment being made.

22  
23 Chair Puckett asked for a motion regarding the Statement of Consistency. Mr. Ensley made the motion to  
24 approve, second by Mr. Trott and unanimously approved.

25  
26 Chair Puckett asked for a motion regarding the Resolution to Zone. Dr. Litaker made the motion to approve  
27 with conditions as proposed by staff, second by Mr. Gingras and unanimously approved.

28  
29 **Z-2023-05 – Rezoning for Stadium Dr. from Cabarrus County Low Density Residential (LDR) to City**  
30 **of Kannapolis Agricultural (AG) zoning district.**

31 Mr. Smith stated that annexation and subsequent rezoning of the property for Case Z-2023-05 is necessary to  
32 obtain ROW access into the development occurring at the old baseball stadium, current Lakeshore  
33 Development site as well as to allow the City to maintain the street. He added that the City of Concord owns  
34 the property and approved the annexation and that the City of Kannapolis is applying AG zoning because it  
35 permits the street, but also limits other uses not consistent with the planned use.

36  
37 Mr. Stanley, gave a PowerPoint presentation regarding case Z-2023-05, attached to and made part of these  
38 minutes as Exhibit 5 and stated that the City is basically annexing a road (Stadium Dr.) and applying City  
39 zoning. He reiterated that the property was recently annexed and requires assignment of zoning. Mr. Stanley  
40 directed the Commission's attention to Vicinity, Zoning, and Future Land Use Plan maps and provided the  
41 surrounding zoning districts and their current uses as well as future land uses.

42  
43 Mr. Stanley stated that the request is consistent with the 2030 Plan and that staff is recommending approval  
44 of the rezoning request, concluded his presentation and made himself available for questions. Mr. Smith  
45 clarified that the right-of-way has to be located within the City of Kannapolis' jurisdiction so that the City  
46 can maintain the street.

47  
48 Mr. Trott asked if the road will be widened or upgraded. Assistant City Manager, Wilmer Melton responded  
49 that there are plans to upgrade the road to handle the anticipated truck traffic as the site develops. He noted  
50 that annexing the road will also allow it to be added to the City's Powell Bill so that the City can receive state

1 funds for maintenance. He noted that the street will be upgraded as part of the development project that is  
2 underway.

3  
4 There being no additional questions or comments, Chair Puckett opened the Public Hearing which was then  
5 closed with no public comment being made.

6  
7 Chair Puckett asked for a motion regarding the Statement of Consistency. Dr. Litaker made the motion to  
8 approve, second by Ms. Stein and unanimously approved.

9  
10 Chair Puckett asked for a motion regarding the Resolution to Zone. Dr. Litaker made the motion to approve  
11 with conditions as proposed by staff, second by Mr. Ensley and unanimously approved.

12  
13 **Z-2023-06 – Rezoning for 101 Rice St. from General Commercial (GC) to Residential 8 (R8) zoning**  
14 **district.**

15 Mr. Stanley, gave a PowerPoint presentation regarding case Z-2023-06, attached to and made part of these  
16 minutes as Exhibit 6. Mr. Stanley noted the applicant, address, and size, stating that the request is to rezone  
17 from GC to R8. He directed the Commission’s attention to Vicinity, Zoning, and Future Land Use Plan maps  
18 and provided the surrounding zoning districts and their current uses as well as future land uses. Mr. Stanley  
19 stated that while the 2030 Move Kannapolis Forward Land Use Plan (2030 Plan) calls for a mix of both  
20 residential and commercial uses, the trend is indicating mostly single-family residential uses with some  
21 duplexes in this area.

22  
23 Mr. Stanley utilized the Vicinity Map to illustrate location of an existing vacant home on the parcel in front  
24 of 101 Rice Street and noted that the City is working with the property owner to possibly demolish the home.  
25 He noted that if the rezoning is not approved, it could not be developed for commercial use due to the size of  
26 the parcel. Mr. Stanley stated that staff found the request consistent with the 2030 Plan and is recommending  
27 approval of the rezoning request, concluded his presentation and made himself available for questions.

28  
29 Mr. Trott asked if water and sewer was available to the property. Mr. Stanley confirmed that utilities are  
30 available.

31  
32 There being no additional questions or comments for staff, Chair Puckett opened the Public Hearing.

33  
34 Resident, Wade Franklin, expressed concern regarding the size of the parcel and asked how the property could  
35 be developed within the required setbacks for the R8 zoning district and questioned if the lot met the minimum  
36 lot size requirements. Mr. Stanley responded that it is an existing lot of record and can be developed as long  
37 as the minimum setback requirements are adhered. Mr. Smith clarified that the R8 zoning district does not  
38 have minimum lot size requirements and will only need to meet the minimum setback requirements.

39  
40 There being no additional questions or comments, Chair Puckett closed the Public Hearing.

41  
42 Chair Puckett asked for a motion regarding the Statement of Consistency. Dr. Litaker made the motion to  
43 approve, second by Mr. O’Kelly and unanimously approved.

44  
45 Chair Puckett asked for a motion regarding the Resolution to Zone. Dr. Litaker made the motion to approve,  
46 second by Mr. Ensley and unanimously approved.

47  
48 **CZ-2023-01 – Conditional rezoning for unaddressed parcels located off Old Beatty Ford Road near the**  
49 **intersection of Lentz Road from Rowan County Rural Agricultural (RA) to City of Kannapolis Planned**  
50 **Unit Development-Conditional Zoning (PUD-CZ) zoning district.**

1 Ms. Stein stated that she is the listing agent for property located at 1580 Lentz Road and wondered if she  
2 should be recused from the case. Mr. Smith asked if she will benefit financially if the rezoning is approved  
3 and Ms. Stein responded that she would not. Mr. Smith thanked Ms. Stein for the disclosure and stated that  
4 if the Commission agrees, did not think that she would need to be recused. The Commission unanimously  
5 agreed that Ms. Stein did not need to recuse herself from the case.  
6

7 Mr. Smith, gave a PowerPoint presentation regarding case CZ-2023-01, attached to and made part of these  
8 minutes as Exhibit 7. Mr. Smith noted the applicant, address, and size of the subject properties noting that the  
9 properties consist of four (4) unaddressed properties located off Old Beatty Ford Road at the intersection of  
10 Lentz Road. He directed the Commission's attention to Vicinity, Zoning, and Future Land Use Plan maps  
11 and utilized them to further illustrate location of the properties. Mr. Smith stated that the two (2) properties  
12 to the north were previously annexed into the City and assigned an AG zoning district and that the two (2)  
13 southern properties were recently annexed and require assignment of City zoning. He added that the request  
14 is to rezone all four (4) properties to Planned Unit Development-Conditional Zoning (PUD-CZ) to be  
15 combined with a previously approved mixed-use project [Kannapolis Crossing] in May of 2021.  
16

17 Mr. Smith directed the Commission's attention to the submitted conceptual site plan and talked about the  
18 overall proposed development which will include retail space as well as both single-family attached and  
19 detached residential uses to be located on the properties that were recently annexed. He further directed their  
20 attention to the overall conceptual site plan that was approved in May of 2021, stating that the entire  
21 development will be located on the east side of Interstate 85, and that the residential portion of the plan  
22 consists of 360 single-family detached (SFR) and 300 multi-family (MFR) residential units. Mr. Smith stated  
23 that the current rezoning request will not increase the density of the previously approved plan but does add  
24 more property into the overall site plan.  
25

26 Mr. Smith reviewed the Policy Issues (see Exhibit 7) for the rezoning request, stating that it is consistent with  
27 both the 2030 Plan as well as the previously approved site plan [May 2021]. He noted that this interchange  
28 will be 1 of 2 interchanges that the City of Kannapolis has full jurisdictional control [Exit 58 – Lane St. and  
29 Exit 63 – Old Beatty Ford Rd] and that the area was identified as future growth area for the City of Kannapolis  
30 in the annexation agreement with the Town of Landis. Mr. Smith reminded the Commission of previous  
31 presentations that were made to them regarding the need for industrial space, funds that have already been  
32 spent to provide City utilities to the area and future plans to construct an elevated water storage tank at the  
33 site. Mr. Smith reminded the Commission of the actions requested of them, stated that staff is recommending  
34 approval of the rezoning request, concluded his presentation and made himself available for questions.  
35

36 Mr. Gingras questioned how staff found consistency between the master plan and the 2030 Plan and quoted  
37 the intended uses for the character area [Primary Activity Interchange]. Mr. Smith responded that the  
38 character area designation also supports mixed use development. There was additional discussion regarding  
39 the location of the residential uses with regards to its proximity to the retail and industrial space and Mr.  
40 Gingras expressed concern regarding the transition between the uses, buffers, streetscape, road improvements  
41 and walkability. Mr. Smith advised that the applicant's engineer could further address Mr. Gingras concerns.  
42

43 Mr. Ensley asked about school impacts. Mr. Smith responded that Rowan County schools have indicated that  
44 there is capacity for student growth in this area. Mr. Ensley had questions regarding access points for the  
45 residential portion of the development project and Mr. Smith utilized the previously approved site plan to  
46 illustrate location of the access points.  
47

48 Mr. Melton utilized the site plan to talk about location of the elevated storage tank and addressed Mr. Gingras'  
49 concerns regarding road improvements stating that as the site developments, the road will be improved to  
50 handle the increased traffic as directed in the Traffic Impact Analysis (TIA).  
51

1 Chair Puckett expressed concern regarding location and access of a potential hotel. Mr. Smith utilized the site  
2 plan to show the proposed location and access to and from that site and cautioned that a hotel is not definite  
3 and that potential users is still in preliminary stages, but the current design would adequately accommodate a  
4 hotel use.

5  
6 Mr. Gingras asked if there will be walking trails. Mr. Smith confirmed and noted that trails were discussed  
7 and shown on the original site plan that was previously approved by the Commission in 2021.

8  
9 There was additional discussion regarding access of the potential hotel.

10  
11 Mr. Gingras asked for confirmation that if approved, Case CZ-2023-07 will be added to the previously  
12 approved rezoning and Mr. Smith confirmed.

13  
14 Mr. Ensley asked if road improvements will be made before or after the site is developed. Both Mr. Smith  
15 and Mr. Melton talked about road improvements occurring in conjunction with the development. Mr. Ensley  
16 asked if the City would be responsible for maintaining Old Beatty Ford Road. Mr. Melton responded that it  
17 is currently an NCDOT road and will remain an NCDOT road but that the City would maintain the roads  
18 within the development.

19  
20 Mr. Gingras asked the overall density of the project and asked if there will be any increases to the density.  
21 Mr. Smith responded that the density will not change and that adding the four new parcels to the overall plan  
22 lessens the impact of the density with the added acreage.

23  
24 Mr. Ensley asked if staff expects changes to the previously approved site plan. Mr. Smith responded that staff  
25 does not expect changes but if it were to change broadly, it would have to go back through the rezoning  
26 process.

27  
28 Representative for the applicant, Paul Campbell, introduced himself and made himself available for questions.

29  
30 Mr. Gingras expressed concern regarding pedestrian safety crossing Old Beatty Ford Road to access the retail  
31 portion of the project and asked Mr. Campbell how residents will access those portions. Mr. Campbell  
32 responded that there will be sidewalks as well as crosswalks but noted that sidewalk access into the industrial  
33 portion will most likely not be added. Mr. O’Kelly noted that the site plan shows sidewalks within and  
34 surrounding the development. Mr. Smith confirmed Mr. O’Kelly’s observation and utilized the site plan to  
35 show location of sidewalk and pedestrian crosswalks.

36  
37 There being no additional questions or comments, Chair Puckett opened the Public Hearing.

38  
39 Resident, David Miller, stated that he lives on a four (4) acre parcel of land located to the south of the  
40 development which has a small pond and expressed concerns regarding impacts to the pond. Mr. Smith  
41 responded that not only will the applicant need to meet storm drainage requirements, but the project is also  
42 located within the Lake Fisher watershed which requires additional controls, all of which are addressed  
43 through the Technical Review Committee (TRC). Mr. Miller expressed similar concern as did Mr. Gingras  
44 regarding access to the retail portion of the property for both the residential portion of the project as well as  
45 for existing property owners. Mr. Smith reiterated that there will be sidewalks and crosswalks that will allow  
46 pedestrian access and will be available for anyone to use.

47  
48 Mr. Ensley asked if there will be buffers between the new and existing residential uses. Mr. Smith responded  
49 that residential uses do not require buffer areas which are only required when adjacent to different use types,  
50 but that the topography of the property will provide natural buffers.

51

1 Mr. Gingras asked about lot dimensions and asked if there is room to add a buffer. The applicant, Mr.  
2 Campbell responded that the residential lots are approximately 50 X 150-foot lots. Mr. Miller interjected that  
3 he would like to see a better plan for how the future and existing residents can access and enjoy the proposed  
4 amenities and asked the Commission to consider his concerns. Mr. Smith stated that a neighborhood meeting  
5 was held where neighbors attended the meeting and that he believes the developer adequately addressed  
6 neighbor concerns but believes that they are open to helping the transition of the development with adjacent  
7 uses.

8  
9 There being no additional questions or comments, Chair Puckett closed the Public Hearing.

10  
11 Mr. Ensley asked if the applicant would be willing to add a buffer area along the southern border of the  
12 residential portion of the project. Mr. Campbell stated that he spoke with several residents at the  
13 Neighborhood Meeting, including Mr. Miller, and that they will already be adding a buffer area but agreed to  
14 adding an additional 10-foot buffer. There was question as to who would maintain the buffer area. Mr.  
15 Campbell responded that it becomes part of the common open space.

16  
17 Chair Puckett asked for a motion regarding the Statement of Consistency. Mr. Ensley made the motion to  
18 approve, second by Mr. Trott and unanimously approved.

19  
20 Chair Puckett asked for a motion regarding the Resolution to Zone. Mr. Ensley made the motion to approve  
21 with the added condition that a 10-foot buffer be added along southern border of the Conceptual site plan,  
22 second by Dr. Litaker and approved 7-1 with Mr. Gingras casting the dissenting vote.

23  
24 **PLANNING DIRECTOR UPDATE**

25 Mr. Smith conducted a training session for the Commission utilizing the School of Government's Introduction  
26 to Land Use Decisions.


27  
28 **OTHER BUSINESS**

29 None

30  
31 **ADJOURN**

32 There being no further business, questions or comments, Chair Puckett made the motion to adjourn which  
33 was unanimously approved. The meeting adjourned at 7:50 PM on Tuesday, February 21, 2023.

34  
35  
36  
37  
38  
39  
40  
41   
Pam Scaggs, Recording Secretary

  
Chris Puckett, Chair  
Planning and Zoning Commission





PO Box 27283  
Richmond, VA 23261-7283

# Order Confirmation

Order# 0000823901

# 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**      **Accnt Rep**      **Ordered By**  
aboan              aboan              Pam

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

**Total Amount**                      \$1,235.50  
**Payment Amount**                  \$1,235.50

**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**  
0000823901-01                      CLS Liner                      2 X 99 li                      \$0.00

**Production Method**  
AdBooker (liner)

**Production Notes**

**Product and Zone**                      **Placement**                      **Position**                      **# Inserts**  
CON Independent Trib                      C-Announcements                      General-Spec Notice                      2

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

**Run Dates**                      2/10/2023, 2/17/2023

**TagLine:** NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONMEETINGTUESDAYFEBRUARY172023  
PMCONDITIONALZONINGMAPAMENDMENTCZ202201KANNAPOLIS



**KANNAPOLIS**  
Planning and Zoning Commission Meeting

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

**Tuesday, February 21 at 6:00 pm**

**Conditional Zoning Map Amendment - CZ-2022-01 - Kannapolis Crossings:** Public Hearing to consider a request to rezone unaddressed properties located on Old Beatty Ford Road from a City of Kannapolis Agricultural (AG) zoning district and a Rowan County Rural Agricultural (RA) zoning district to City of Kannapolis Planned Unit Development-Conditional Zoning (PUD-CZ) zoning district to be combined with the existing PUD Kannapolis Crossing mixed-use development. The subject properties are approximately 24.33 +/- combined acres and further identified as Rowan County Parcel Identification Numbers 135 091, 135 090, 135 04702 and 135 080.

**Zoning Map Amendment - Z-2022-01 - 2850 S Ridge Ave and unaddressed parcels on S Ridge Ave:** Public Hearing to consider a request to rezone properties located at 2850 S. Ridge Avenue and two unaddressed parcels located on S Ridge Ave. from an Office-Institutional (O-I) zoning district to a Residential 18 (R18) zoning district. The subject properties are approximately 2.5 +/- combined acres and further identified as Cabarrus County Parcel Identification Number 56128297890000, 56128390350000 and 56128391220000.

**Zoning Map Amendment - Z-2022-02 - 200 Martin Luther King Jr. Ave:** Public Hearing to consider a request to rezone property located at 200 Martin Luther King Jr. Avenue from an Office-Institutional (O-I) zoning district to a Residential 8 (R8) zoning district. The subject property is approximately 0.20 +/- acres and further identified as Cabarrus County Parcel Identification Number 56137908810000.

**Zoning Map Amendment - Z-2022-03 - 1445 China Grove Rd:** Public Hearing to consider a request to rezone property located at 1445 Old Beatty Ford Road from a Rowan County Rural Agricultural (RA) zoning district to a City of Kannapolis Agricultural (AG) zoning district. The subject property was recently annexed into the City of Kannapolis and must be assigned City Zoning. The property is approximately 5.8 +/- acres and further identified as Rowan County Parcel Identification Number 147 015.

**Zoning Map Amendment - Z-2022-04 - Western Growth Area:** Public Hearing to consider a staff-initiated request to rezone properties located at 10444 & 10450 Davidson Highway and an unaddressed parcel on Davidson Highway from unincorporated Cabarrus County Countryside Residential (CR) zoning district to a City of Kannapolis Agricultural (AG) zoning district. The subject properties were recently annexed into the City of Kannapolis and must be assigned City zoning. The properties are approximately 38.256 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46727233480000, 46727152030000, and 46727202450000.

**Zoning Map Amendment - Z-2022-05 - Stadium Dr:** Public Hearing to consider a staff-initiated request to rezone unaddressed properties located on Stadium Drive from a Cabarrus County Limited Commercial (LC) zoning district to a City of Kannapolis Agricultural (AG) zoning district. The subject properties were recently annexed into the City of Kannapolis and must be assigned City zoning. The properties are approximately 3.91 +/- combined acres and further identified as Cabarrus County Parcel Identification Number 56331866540000 and a portion of Rowan County Parcel Identification Number 145 005.

**Zoning Map Amendment - Z-2022-06 - 101 Rice St:** Public Hearing to consider a request to rezone property located at 101 Rice Street from a General Commercial (GC) zoning district to a Residential 8 (R8) zoning district. The subject property is approximately 0.11 +/- acres and further identified as Rowan County Parcel Identification Number 156 131A.

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

**Publish:** February 10, February 17, 2023.

# EXHIBIT 1



## Planning and Zoning Commission February 21, 2023 Meeting

### Staff Report

**TO:** Planning and Zoning Commission  
**FROM:** Boyd Stanley, Assistant Planning Director  
**SUBJECT:** Case #Z-2023-01: 2850 S. Ridge Ave  
Applicant: David Miller

Applicant is requesting to rezone property located at 2850 S. Ridge Avenue from Office-Institutional (O-I) to Residential 18 (R18) 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, David Miller Realty & Investment Inc. is proposing to rezone approximately 2.5 +/- combined acres of property located at 2850 S. Ridge Avenue and two unaddressed parcels located on S Ridge Ave., further identified as Cabarrus County Parcel Identification Numbers 56128297890000, 56128390350000 and 56128391220000, from an Office-Institutional (O-I) zoning district to a Residential 18 (R18) zoning district. The applicant intends to subdivide the property for residential usage. As a result of the adoption of the KDO, residential uses are no longer permitted in the O-I zoning district.

The area mainly consists of residential and vacant properties along the North Carolina Railroad right-of-way. As shown on the proposed subdivision plat, all the future houses will be required to be located outside of the existing 200-foot railroad right-of-way.

**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, residential uses are appropriate as secondary uses in the Suburban Activity 1 Character Area.
- 2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?**  
No. Single-family residential development is being proposed.
- 3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?**  
Yes, residential zoning is consistent with area development trends.
- 4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?**  
Yes, all surrounding properties are occupied by single-family homes or are vacant.
- 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.
- 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. There is an adequate supply of parcels in the subject area to accommodate a wide variety of development types.
- 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.

## **F. Legal Issues**

None

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

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates the subject property as located within the “Suburban Activity 1” Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character Area designation allows for residential uses consistent with the intended use of the property. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.

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

### **Staff Recommendation**

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

**Based on the request being consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval for Zoning Map Amendment Case #Z-2023-01**

### **Alternative Courses of Action**

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

- 1. Should the Commission choose to approve the request for rezoning as presented in Case #Z-2023-01, a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates the subject property as located within the “Suburban Activity 1” Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character Area designation allows for residential uses consistent with the intended use of the property. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.*

2. **Should the Commission choose to approve Case #Z-2023-01, a motion should be made to adopt the Resolution to Zone.**

**Motion to Deny (2 votes)**

1. **Should the Commission choose to recommend denial of Case #Z-2023-01, a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #Z-2023-01 to be **inconsistent** with the goals and policies of the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #Z-2023-01, 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. 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

# EXHIBIT 2



## Planning and Zoning Commission February 21, 2023 Meeting

### Staff Report

**TO:** Planning and Zoning Commission  
**FROM:** Boyd Stanley, Assistant Planning Director  
**SUBJECT:** Case #Z-2023-02: 200 Martin Luther King Jr. Ave.  
Applicant: Lisa Hedrick

Applicant is requesting to rezone property located at 200 Martin Luther King Jr. Avenue from Office-Institutional (O-I) to Residential 8 (R8) 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, Lisa Hedrick is proposing to rezone approximately 0.20 +/- acres of property located at 200 Martin Luther King Jr. Ave., further identified as Cabarrus County Parcel Identification Number 56137908810000, from an Office-Institutional (O-I) zoning district to a Residential 8 (R8) zoning district. The property is currently occupied by a single-family residence and the applicant is requesting the rezoning in order to be in compliance with the KDO since the O-I district does not permit single-family residential.

#### 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, the property is designated as Urban Residential with single-family detached residences being a desired primary use.
- 2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?**  
No. The property is occupied by a single-family home.
- 3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?**  
Yes, the O-I zoning district no longer permits single-family homes.
- 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?**  
N/A
- 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?**  
N/A
- 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?**  
N/A
- 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?**  
N/A

**F. Legal Issues**

None

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

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

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

### **Staff Recommendation**

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

**Based on the request being consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval for Zoning Map Amendment Case #Z-2023-02**

### **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-2023-02, a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** The Planning and Zoning Commission finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates the subject property as located within the “Urban Residential” Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character Area designation allows for single-family detached residential uses consistent with the existing use of the property. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

- 2. Should the Commission choose to approve Case #Z-2023-02, 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-2023-02, 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-2023-02 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-2023-02, 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

# EXHIBIT 3



## Planning and Zoning Commission February 21, 2023 Meeting

### Staff Report

**TO:** Planning and Zoning Commission  
**FROM:** Richard Smith, Planning Director  
**SUBJECT:** Case #Z-2023-03: 1445 China Grove Road  
Applicant: City of Kannapolis

Staff request to apply the City of Kannapolis Agricultural (AG) zoning designation to recently annexed property located at 1445 China Grove Road.

#### 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

On January 23, 2023, the City of Kannapolis annexed approximately 5.8 +/- acres of property located at 1445 China Grove Road, further identified as Rowan County Parcel Identification Number 147 015.

Per the North Carolina General Statutes, an initial City of Kannapolis zoning designation must be applied to the property by the Planning and Zoning Commission within 60 days of the effective date of the annexation. At this time, the AG zoning designation will serve as a place holder until development plans are submitted for this site. It is anticipated that an application will be made for a conditional zoning and site plans to incorporate this and other adjacent properties into the Kannapolis Crossing Planned Unit Development at a future date.

**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 requested rezoning is a “holding” zoning district until development plans are submitted. This area of the City’s future growth area is identified as “Primary Activity Interchange”.

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

No. The requested AG zoning district is equivalent to the previous RA zoning district in Rowan County.

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

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

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

N/A

**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?**

N/A

**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?**

N/A

**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?**

N/A

## **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 adjoining properties within the “Primary Activity Interchange” Character Area in the 2030 Plan. Currently, this property is not assigned an “official” designation in the Comprehensive Plan, but an amendment to adopt this property into the plan under the Primary Activity Interchange designation is underway. This Character Area designation allows for light-industrial and non-residential uses consistent with the intended use of the property. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.*

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

### **Staff Recommendation**

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

**Based on the request being consistent with the Move Kannapolis Forward 2030 Comprehensive Plan, staff recommends approval for Zoning Map Amendment Case #Z-2023-03**

### **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-2023-03, a motion should be made to adopt the following Statement of Consistency:**

***Statement of Consistency:** The Planning and Zoning Commission finds this rezoning **consistent** with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates adjoining properties within the “Primary Activity Interchange” Character Area in the Move Kannapolis Forward 2030 Comprehensive Plan. Currently, this property is not assigned an “official” designation in the Comprehensive Plan, but an amendment to adopt this property into the plan under the Primary Activity Interchange designation is underway. These areas This Character Area designation allows for light-industrial and non-residential uses consistent with the intended use of the property. Furthermore, staff finds the request for rezoning reasonable and in the public interest because*

*it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.*

- 2. Should the Commission choose to approve Case #Z-2023-03, 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 #Z-2023-03, 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 #Z-2023-03 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 #Z-2023-03, 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. 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

# EXHIBIT 4



## Planning and Zoning Commission February 21, 2023 Meeting

### Staff Report

**TO:** Planning and Zoning Commission

**FROM:** Boyd Stanley, Assistant Planning Director

**SUBJECT:** Case #Z-2023-04: 10444 & 10450 Davidson Highway and an unaddressed parcel on Davidson Highway  
Applicant: City of Kannapolis

Staff request to apply the City of Kannapolis Agricultural (AG) zoning designation to recently annexed property located at 10444 & 10450 Davidson Highway and an unaddressed parcel on Davidson Highway.

#### 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

On January 23, 2023, the City of Kannapolis annexed approximately 38.256 +/- combined acres of City owned property located at 10444 & 10450 Davidson Highway and an unaddressed parcel on Davidson Highway, further identified as Cabarrus County Parcel Identification Numbers 46727233480000, 46727152030000, and 46727202450000.

Per the North Carolina General Statutes, a City of Kannapolis zoning designation must be applied to the property by the Planning and Zoning Commission within 60 days of the effective date of the annexation. Parks are a permitted use in the AG zoning district under the KDO. Previously, the properties were zoned CR (Countryside Residential) in Cabarrus County.

**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 requested rezoning is consistent with the Comprehensive Plan and the intent of the Complete Neighborhood 2 designation in that it preserves an environmentally sensitive area mostly located within a regulated floodplain for a future City Park.

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

No. The requested AG zoning district is equivalent to the previous CR (Countryside Residential) zoning district in Cabarrus County.

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

No, the subject properties were recently annexed into the City of Kannapolis.

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

Yes. The properties are currently open space.

**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?**

N/A

**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 properties are currently open space.

**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?**

Yes. The properties will be preserved as open-active park space.

## **F. Legal Issues**

None

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

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates the subject property as located within the “Complete Neighborhood 2” Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character Area designation allows for preservation of open space for parks and environmentally sensitive areas which is consistent with the intended use of the property. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

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

### **Staff Recommendation**

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

**Based on the request being consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval for Zoning Map Amendment Case #Z-2023-04**

### **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-2023-04, a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject property as located within the “Complete Neighborhood 2” Character Area in the 2030 Plan. This Character Area designation allows for preservation of open space for parks and environmentally sensitive areas which is consistent with the intended use of the property. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.*

- 2. Should the Commission choose to approve Case #Z-2023-04, a motion should be made to adopt the Resolution to Zone.**



**Motion to Deny (2 votes)**

1. **Should the Commission choose to recommend denial of Case #Z-2023-04, a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #Z-2023-04 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-2023-04, a motion should be made to deny the Resolution to Zone.**

**I. Attachments**

1. Rezoning Application
2. Vicinity Map
3. Zoning Map
4. 2030 Future Land Use and Character Map
5. 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

# EXHIBIT 5



## Planning and Zoning Commission February 21, 2023 Meeting

### Staff Report

**TO:** Planning and Zoning Commission  
**FROM:** Boyd Stanley, Assistant Planning Director  
**SUBJECT:** Case #Z-2023-05: Unaddressed parcels on Stadium Drive  
Applicant: City of Kannapolis

Staff request to apply the City of Kannapolis Agricultural (AG) zoning designation to recently annexed unaddressed property located on Stadium Drive.

#### 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

On January 23, 2023, the City of Kannapolis annexed approximately 3.91 +/- combined acres of unaddressed property located on Stadium Drive, further identified as Cabarrus County Parcel Identification Number 56331866540000 and a portion of Rowan County Parcel Identification Number 145 005.

Per the North Carolina General Statutes, an initial City of Kannapolis zoning designation must be applied to the property by the Planning and Zoning Commission within 60 days of the effective date of the annexation. Since this is simply a roadway area, the AG (Agricultural) zoning designation is an appropriate designation. The city will be maintaining Stadium Drive.

#### 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. The requested rezoning is simply applying City zoning to the recently annexed right-of-way for Stadium Drive which will only be developed as a city street.
- 2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?**  
No. The requested AG zoning district is an appropriate zoning designation for the street right-of-way.
- 3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?**  
No, the subject property was recently annexed into the City of Kannapolis.
- 4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?**  
N/A
- 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?**  
N/A
- 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?**  
N/A
- 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?**  
N/A

**F. Legal Issues**

None

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

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates the subject property as located within the “Primary Activity Interchange” and the “Future Planning” Character Areas in the *Move Kannapolis Forward 2030 Comprehensive Plan*. These Character Area designations are consistent with the intended use of the property. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

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

#### **Staff Recommendation**

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

**Based on the request being consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval for Zoning Map Amendment Case #Z-2023-05**

#### **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-2023-05, a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject property as located within the “Primary Activity Interchange” and the “Future Planning” Character Areas in the 2030 Plan. These Character Area designations are consistent with the intended use of the property. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.*

- 2. Should the Commission choose to approve Case #Z-2023-05, 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-2023-05, 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-2023-05 to be inconsistent with the goals and policies of the **Move Knapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #Z-2023-05, 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

# EXHIBIT 6



## Planning and Zoning Commission February 21, 2023 Meeting

### Staff Report

**TO:** Planning and Zoning Commission

**FROM:** Boyd Stanley, Assistant Planning Director

**SUBJECT:** Case #Z-2023-06: 101 Rice Street  
Applicant: John Sanders-Homes 2 Cash Now, LLC

Applicant is requesting to rezone property located at 101 Rice Street from General Commercial (GC) to Residential 8 (R8) 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, John Sanders is proposing to rezone approximately 0.10 +/- acres of property located on Rice Street., near the intersection with N Main Street, further identified as Rowan County Parcel Identification Number 156 131A, from General Commercial (GC) zoning district to a Residential 8 (R8) zoning district. The property is currently vacant and the applicant intends to construct 1 single-family home on the property if rezoned.

#### 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, the property is on the fringes of the Urban Corridor and adjacent to the Urban Residential Corridor, which designates residential as an appropriate use.
- 2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?**  
No. The property will be occupied by a single-family home.
- 3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?**  
No, but due to its size and location on Rice Street off of N. Main, it does not lend itself to commercial development.
- 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 property is surrounded by single-family residential 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?**  
N/A
- 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.
- 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.

**F. Legal Issues**

None

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

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates the subject property as located within the “Urban Corridor” Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character Area designation encourages multi-family and single-family attached residential uses but given the single-family character of the existing neighborhood and the property’s adjacency to the Urban Residential Character Area, single-family detached residential uses would be appropriate for this parcel. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

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

#### **Staff Recommendation**

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

**Based on the request being consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval for Zoning Map Amendment Case #Z-2023-06**

#### **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-2023-06, a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan* (“2030 Plan”), adopted by City Council, which designates the subject property as located within the “Urban Corridor” Character Area in the 2030 Plan. This Character Area designation encourages multi-family and single-family attached residential uses but given the single-family character of the existing neighborhood and the property’s adjacency to the Urban Residential Character Area, single-family detached residential uses would be appropriate for this parcel. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.*



2. **Should the Commission choose to approve Case #Z-2023-06, 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-2023-06, 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-2023-06 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-2023-06, 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

# EXHIBIT 7



## Planning and Zoning Commission February 21, 2023 Meeting

### Staff Report

**TO:** Planning and Zoning Commission  
**FROM:** Richard Smith, Planning Director  
**SUBJECT:** Case #CZ-2023-01: Old Beatty Ford Road-Lentz Road Area  
Applicant: Kannapolis Crossing Development, LLC

Request to conditionally rezone properties located off Old Beatty Ford Road near the intersection of Lentz Road. Rowan County PIN #'s 135 091, 135 090, 135 04702 and 135 080.

#### 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

On May 18, 2021, The Planning and Zoning Commission approved the rezoning for the Kannapolis Crossing Master Plan (CZ-2021-08) after the property was legislatively annexed into the City of Kannapolis. At that time, there were 2 properties on the eastern edge of the project (PIN # 135 091 and 135 090), which totaled +/- 11.7 acres that were not included in the overall PUD (Planned Unit Development) rezoning request and assigned an AG (Agricultural) zoning designation until two additional properties to the south were acquired and annexed into the City.

On January 23, 2023, the two additional properties, (PIN # 135 04702 and 135 080), which total +/- 14.68 acres, were annexed into the City. Therefore, all 4 properties, which total +/- 26.4 acres are the subject of this rezoning request to be incorporated into the PUD and overall master plan for the Kannapolis Crossing Development.

As shown on the preliminary site plan, this additional area will be designated as part of the single-family residential portion of the development, which will not exceed the previously approved residential density for the entire project of 300 single family attached and detached units.

#### **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, the properties will be included into the master plan for the previously approved development. This area of the City's future growth area is identified as "Primary Activity Interchange".
- 2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?**  
No. The requested PUD zoning designation is consistent with surrounding properties.
- 3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?**  
No, the subject properties were recently annexed into the City of Kannapolis.
- 4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?**  
Yes, the area is zoned for a mix of 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.
- 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 area is designated as a Primary Activity Interchange.

**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. All environmentally sensitive areas will be protected and stormwater will be detained and treated onsite. The proposed project lies within the Lake Fisher Watershed Critical Area. The maximum impervious for the critical area shall not exceed 50%. 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 adjoining properties within the “Primary Activity Interchange” Character Area in the 2030 Plan. Currently, the recently annexed properties are not assigned an “official” designation in the Comprehensive Plan, but an amendment to adopt these properties into the plan under the Primary Activity Interchange designation is underway. This Character Area designation allows for light-industrial and non-residential uses consistent with the intended use of the property. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. *Sanitary sewer service is subject to allocation based upon sewer treatment capacity.*

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

**Staff Recommendation**

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

**Based on the request being consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval for Zoning Map Amendment Case #CZ-2023-01**

**Alternative Courses of Action**

**Motion to Approve (2 votes)**

- 1. Should the Commission choose to approve the request for rezoning as presented in Case #CZ-2023-01, a motion should be made to adopt the following Statement of Consistency:**

**Statement of Consistency:** *The Planning and Zoning Commission finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan (“2030 Plan”), adopted by City Council, which designates adjoining properties within the “Primary Activity Interchange” Character Area in the 2030 Plan. Currently, the recently annexed properties are not assigned an “official” designation in the Comprehensive Plan, but an amendment to adopt these properties into the plan under the Primary Activity Interchange designation is underway. This Character Area designation allows for light-industrial and non-residential uses consistent with the intended use of the property. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.*

- 2. Should the Commission choose to approve Case #CZ-2023-01, 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-2023-01, 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-2023-01 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-2023-01, 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. Conceptual Site Plan
6. Informal Meeting Summary
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