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

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**Minutes of Meeting
June 21, 2022**

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The Kannapolis Planning and Zoning Commission met on Tuesday June 21, 2022, at 6:00 PM. This meeting was held in accordance with the attached notice (Appendix A), as well as notice published on the City's website.

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Commission Members Present: Chris Puckett, Chair
Jeff Parker, Vice-Chair
Daniel O'Kelly
James Litaker
Larry Ensley
Shelly Stein
Travis Gingras

Commission Members Absent: Scott Trott
Robert Severt, ETJ Representative

Visitors:

Jordan Quick	Canton Burton
Bridget Grant	Ken Jonmaire
Randy Goddard	John Floyd
Jewel Alexander	Mike Wallace
David Lomos	Christine Lomos
Brian Dlugorz	Joe Hatley
Nick Burns	Terrence Luellen
Bailey Patrick	Steve Schmidt

Staff Present: Richard Smith, Planning Director
Boyd Stanley, Assistant Planning Director
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

Dr. Litaker made the motion to approve the agenda, second by Vice-Chair Parker and the motion was unanimously approved.

APPROVAL OF MINUTES

Chair Puckett asked for a motion to approve the April 19 & May 17, 2022 Meeting minutes. Mr. Ensley made the motion to approve, second by Dr. Litaker and the motion was unanimously approved.

CZ-2022-03 – Conditional Rezoning for property located at 6441 Davidson Highway.

1 Assistant Planning Director, Boyd Stanley gave a PowerPoint presentation regarding case CZ-2022-
2 03, attached to and made part of these minutes as Exhibit 1. Mr. Stanley noted that the property
3 previously received an approval to rezone to Planned Unit Development-Conditional Zoning (PUD-
4 CZ) district in 2021 under Case No. CZ-2021-05 to allow for a mixed-use development. He provided
5 the application details stating the location, size, and the current zoning. Mr. Stanley stated that the
6 applicant is requesting four different zoning districts: Light Industrial-Conditional Zoning (I1-CZ),
7 General Commercial-Conditional Zoning (C-2-CZ), Campus Development-Conditional Zoning
8 (CD-CZ) and Residential Compact-Conditional Zoning (RC-CZ).

9
10 Mr. Stanley directed the Commission's attention to Vicinity, Zoning, and Future Land Use Plan
11 maps and provided the surrounding zoning districts and their current uses as well as future land uses.
12 He stated that a recent Comprehensive Plan amendment was approved by the Commission to revise
13 the recommended future land uses (CPA-2022-01). Mr. Stanley further directed the Commission's
14 attention to an aerial view; site photos; and the proposed site plan. He reiterated that the applicant is
15 proposing four development areas and utilized the preliminary site plan and elevation renderings to
16 provide additional detail on each of those areas:

- 17
18 1. Development A consists of 10.14 +/- acres with a requested C-2-CZ zoning district with a
19 proposed development of a convenience store with gas sales.

20
21 Mr. Stanley stated staff has determined that the building must be repositioned so that the gas pumps
22 will sit behind the building and not be as visible from Kannapolis Parkway or the surrounding area.
23 He stated that the subject property lies within the Coddle Creek Thoroughfare Protection (CCTP)
24 overlay and provided the requirements of that overlay.

- 25
26 2. Development Area B consists of 18.74 +/- acres with a requested CD-CZ zoning district
27 with a proposed development of a 250,000 square foot light industrial flex-office building.

28
29 Mr. Stanley stated that the staff report referenced a 356,000 square foot building but was an error.
30 He added that truck bays will be located on the backside of the building and referenced a "loop"
31 road that will be reserved for a future NCDOT project.

- 32
33 3. Development Area C consists of 135.26 +/- acres with a requested I-1-CZ zoning district
34 with a proposed development of two light industrial/warehouse buildings.

35
36 Mr. Stanley indicated an additional error in the staff report was a reference to a 2.5 million square
37 foot building, but that the applicant is actually proposing a 1.5 million square foot building or the
38 option of building up to eight individual buildings within the same zoning district.

- 39
40 4. Development Area D consists of 65.33 acres with a requested RC-CZ zoning district with
41 a proposed 300-unit multi-family apartment development consisting of seven residential
42 buildings with a clubhouse and a pool.

43
44 Mr. Stanley directed the Commission's attention to an overview of a Traffic Impact Analysis (TIA)
45 scoping study stating that it has been submitted to NCDOT but that comments have not been received
46 back from them. He stated that because of the TIA, the proposed improvements include a right-

1 in/right-out egress/ingress at convenience store as well as a full-movement ingress/egress along
2 Davidson Highway; a right-in/right-out access at Development C and three other full-movement
3 access points along the remainder of the proposed project and Kannapolis Parkway.
4

5 Mr. Stanley stated that staff made changes to the Conditions of Approval after the staff reports were
6 sent to the Commission and reviewed those changes:
7

8 Mr. Stanley directed the Commission to page 5 of their staff report and referenced Condition No. 5
9 which requires curb, gutter, sidewalk along Kannapolis Parkway and Davidson Hwy. He stated that
10 the applicant has requested the option to pay a fee in lieu of completing that work due to future
11 NCDOT road improvements. He added that Condition No. 16 references the requirements of the
12 CCTP Overlay and that the applicant will need to revise their site plan to allow for those
13 requirements.
14

15 Mr. Stanley stated that staff is recommending approval of the rezoning request with amended
16 conditions and made himself available for questions.
17

18 Chair Puckett expressed concern regarding the proposed three full-movement access points as well
19 as the right-in/right-out access points citing safety of the traffic impacts. He asked for a definition of
20 light industrial to which Mr. Stanley responded that it would include warehousing, light assembly
21 and contractor office type uses where it would be mostly contained inside a building and provided
22 examples of other light industrial uses within the City. There was discussion regarding the
23 requirements of the CCTP overlay. Chair Puckett asked why the previously approved site plan,
24 which allowed more residential uses, is being changed. Mr. Stanley deferred to the applicant but
25 indicated that the market dictates a lot of development and that the current issue regarding the
26 availability of sewer may also be a factor. Further, staff emphasized that the developer was made
27 aware that the previous proposed project would not receive wastewater allocation in the near future
28 due to demand and overall design.
29

30 Vice-Chair Parker questioned if the applicant considered in the future NCDOT Davidson Highway
31 road improvements. Mr. Stanley responded that the project was designed around those future
32 improvements and reminded the Commission that the applicant has reserved future NCDOT right-
33 of way (ROW) for future expansions and that the applicant is willing to dedicate ROW as dictated
34 by TIA. Vice-Chair Parker echoed Chair Puckett's concerns regarding traffic impacts and asked if
35 there are plans for improvements to Kannapolis Parkway near Interstate 85. Mr. Stanley responded
36 that he is not aware of improvement plans to Kannapolis Parkway and that improvements have not
37 been warranted with the proposed developments.
38

39 Dr. Litaker agreed with traffic impact concerns and provided an example of seeing tractor trailers
40 parking in the median along Kannapolis Parkway waiting enter into the Amazon development. He
41 stated that Kannapolis Parkway is a "nightmare". Dr. Litaker indicated that Barr Road is worse.
42

43 Mr. Ensley indicated that the proposed NCDOT road improvements have been pushed to 2030 and
44 asked if the proposed project is subject to the Unified Development Ordinance (UDO) or the new
45 Kannapolis Development Ordinance (KDO). Mr. Stanley responded that the application was
46 submitted under the UDO but that they have the option to develop under either. [Inaudible discussion

1 between Mr. Ensley and Mr. Gingras regarding the traffic signal on Davidson Highway and
2 Kannapolis Parkway with regards to tractor trailers making a right-turn.]
3

4 Representative for the applicant, Bridgette Grant, introduced herself along with John Floyd, Jordan
5 Quinn, Ken Jonmaire, Randy Goddard, Terrance Luellen, Bailey Patrick, Steve Schmidt, and Carlton
6 Burton. Ms. Grant addressed Chair Puckett’s question regarding the change in zoning stating that
7 changing market conditions as well as Covid and lack of sewer availability has impacted the original
8 proposed retail and residential uses. She gave a PowerPoint presentation and provided a brief
9 background on Trinity Capital Advisors as well as an overview of the conditional zoning process.
10 Ms. Grant stated that conditional zoning provides a certainty on development, community
11 engagement, higher design standards and public benefit. She addressed Dr. Litaker’s concern
12 regarding truck stacking on Kannapolis Parkway and stated that they have identified space within
13 proposed Development C that will provide space for parking of the trucks as well as along the loop
14 road located within the development. Ms. Grant reiterated Mr. Stanley’s statement regarding
15 flexibility for Development C stating that they have explored several options and would like the
16 option to construct eight smaller building to allow for flexibility. She added that light industrial could
17 also include technology, life science and show rooms. Ms. Grant added that they are willing to add
18 a stub out for future connectivity in the area of the proposed multi-family residential portion but
19 cautioned that there are constraints regarding environmental impacts. Ms. Grant noted that along
20 with the change in zoning from the previously approved rezoning, the new development plan will
21 increase green space and save more trees as well as a decrease in traffic, school and sewer impacts.
22 She stated that the development plan is consistent with the 2030 Comprehensive Plan, there is
23 significant ROW for future NCDOT road improvements, and they have a commitment to providing
24 quality products. Ms. Grant directed the Commission’s attention to the current approved site plan
25 stating that there were an estimated 18,000 trips per day generated under that site plan, compared to
26 the proposed site plan which cuts the previous trips per day in half. She stated that development
27 goals for this site is to target high quality businesses that want a quality environment for their
28 employees while providing design flexibility to allow local, regional and national businesses to
29 expand to Kannapolis. She added that they are targeting companies that want a higher percentage of
30 office to support high quality jobs in advanced manufacturing, technology related companies, show
31 rooms, light assembly and food fulfillment. Ms. Grant noted that they recently developed a similar
32 business park east of Raleigh and after interviewing those employers, discovered that the average
33 salary was between \$59-\$75,000 which is approximately 50% higher than average warehouse wage.
34 Ms. Grant concluded her presentation and made herself available for questions.
35

36 Chair Puckett stated that he works in residential real estate and expressed concern regarding adding
37 another industrial use instead of housing and asked for an explanation as to how they concluded that
38 warehousing was a better use for this property. Representative for the applicant, Jordan Quinn
39 (Trinity Capital) stated that they are currently tracking 30–35 million square feet of tenants in the
40 market looking for industrial space. He added that the greater Charlotte market is currently a 260
41 million square foot market with approximately 8 million square feet of industrial space under
42 construction. Mr. Quinn stated that tenants range from local, regional, and national distribution
43 centers as well as both light and heavy industrial serving the local, east and south coast market and
44 that they are seeing a supply and demand issue. Chair Puckett acknowledged that the change in the
45 proposed site plan is due to Cabarrus County sewer capacity issues. He expressed concern that with
46 the “looming recession” as well as several other light industrial projects that have been approved,

1 that Kannapolis will become a “concrete, warehouse graveyard” instead of supplying the housing
2 that is needed. Ms. Grant stated that from a broad market perspective, they consistently receive
3 feedback that light industrial uses is one of the strongest markets in the country, and that there is at
4 least a 5-year pipeline as far as the demand for space. Mr. Quinn stated that the supply pipeline
5 recognizes the increase in transportation costs and that companies need to be closer due the
6 residential market and that gets hard to accomplish closer to Charlotte. He reiterated that the site
7 plan offers flexible design space to attract quality tenants and that while he cannot identify tenants
8 at this time, they are talking with several potential tenants looking for the type of product being
9 proposed. Chair Puckett asked if the market includes businesses that are already built as what has
10 been proposed. Mr. Quinn responded that it includes existing products.

11
12 Mr. Ensley asked staff the number of square feet of proposed industrial projects. Planning Director
13 Richard Smith stated that he does not immediately know the number of square feet but added that
14 even with the approved projects, the demand for space has not been met. With regards to Chair
15 Puckett’s sewer capacity concern, Mr. Smith reminded the Commission that City Council approved
16 sewer allocation for sixteen residential projects and that just one of those projects included 1,000
17 lots. He added that City Council also identified strategic reserve of sewer allocation for other
18 residential projects which includes the subject property. Additionally, Mr. Smith reminded the
19 Commission that they recommended City Council approval of a Comprehensive Plan Amendment
20 allowing for employment center and multi-family uses that affects not only the subject property but
21 also a recently approved residential project closer to Afton Village.

22
23 Chair Puckett referenced the TIA and asked if tractor trailers were included in the daily trip count
24 number (9,961). Representative for the applicant, Randy Goddard (Design Resource Group)
25 responded that trip generation counts does include trucks but the counts are conducted during daily
26 peak hours which typically include more employee travel than truck deliveries which are spread
27 throughout the day. Mr. Goddard added that they estimate that approximately 20% of the peak
28 number trips (463 AM peak count/452 PM peak count) are tractor trailers with the remainder being
29 the employee. Chair Puckett asked for confirmation that the 20% represented tractor trailer traffic
30 during the weekday daily count (9,961). Mr. Goddard responded that the 20% represents the peak
31 hour counts which is significantly decreased from previously approved plan trip count (1,096 AM
32 peak count/1,126 PM peak count) versus current plan trip count (463 AM peak count/452 PM peak
33 count) with the convenience store generating the highest number of trips.

34
35 Vice-Chair Parker directed attention to the proposed site plan and expressed concern that the
36 proposed entrance located on Davidson Highway will be utilized as a cut-through to Kannapolis
37 Parkway. Mr. Goddard responded that there was no opportunity for a cut-through since the loop road
38 is reserved for NCDOT and will not be connected. Mr. Ensley asked if Development Area B would
39 not be developed until NCDOT makes their road improvements. Mr. Goddard responded that it will
40 be developed but that they are proposing a right-in/right/out with a signaled left-turn only. He added
41 that the NCDOT road improvements may not occur until 2035 or 2040 and that they are trying to
42 get away from full-movement signaled intersections and provided an example from the interchange
43 of Davidson Highway and Interstate 85. Mr. Goddard stated that they are proposing to share a full-
44 movement signal with Amazon across Davidson Highway.

1 Chair Puckett asked for confirmation that Development Area C will have access from a signal on
2 Davidson Highway. Mr. Goddard responded that the signal has been proposed but not approved.

3
4 Vice-Chair Parker asked if the TIA considers future growth. Mr. Goddard responded that the TIA
5 utilizes current counts (2022) and completes a future growth analysis by “dropping in” the trip counts
6 for the proposed project and increasing those counts by a yearly growth percentage.

7
8 Mr. Gingras expressed concern regarding the current traffic impacts on Kannapolis Parkway and
9 asked if the queuing times have been reviewed for the proposed signals. Mr. Goddard responded that
10 they are still waiting for comments from NCDOT and they are not that far enough along in the TIA
11 to address queuing times. Mr. Gingras asked if tractor trailer traffic will be routed to Davidson
12 Highway 73. Mr. Goddard responded that they are proposing to utilize the full movement signal
13 opposite Amazon and that tractor trailers will be able to utilize both Davidson Highway as well as
14 Kannapolis Parkway to help disperse traffic.

15
16 Chair Puckett asked about the access to the residential portion of the proposed project. Mr. Goddard
17 responded that they are proposing two full movement access points, but that NCDOT may deny that
18 request. Both Chair Puckett and Vice-Chair Parker expressed concern with how residents are to
19 make left turns onto Kannapolis Parkway. Vice-Chair Parker expressed additional concerns
20 regarding school bus impacts. He and Mr. Ensley talked about current bus routes. Mr. Ensley asked
21 if a roundabout is a feasible option to access Kannapolis Parkway.

22
23 Mr. Gingras asked the number of jobs that could be created because of their proposed project. Mr.
24 Jordan responded that they have projected 185 white collar executive office type jobs with 40-50
25 manufacturing jobs. He admitted that it was a hard question to answer but guessed that there would
26 be approximately 300 jobs. Mr. Gingras asked the approximate salary range. Ms. Grant reiterated
27 that according to interviews with employers from their most recent development in Raleigh, the
28 average salary was between \$59-75,000. Mr. Gingras asked if there are committed tenants. Ms.
29 Grant responded that there is interest but no commitments. Mr. Gingras stated that there has been a
30 lot of work to improve building aesthetics, and since Kannapolis Parkway is one of the major
31 gateways into the City and suggested that the applicant improve their building aesthetics.

32
33 Dr. Litaker referred to the proposed fly-over bridge and asked if it had been considered with the
34 proposed project. Mr. Goddard responded that they have taken the fly-over into consideration but
35 do not know if that project is moving forward.

36
37 Vice-Chair Parker asked if a study has been conducted regarding existing inventory compared to the
38 proposed development. Mr. Jordan confirmed that studies are completed, and that Cabarrus and
39 Rowan County are tracking projects with approximately 30 million combined square feet of existing
40 space (includes new industrial developments within the last seven years) with an additional proposed
41 10-20 million square feet. Vice-Chair Parker asked if the proposed project will be phased. Mr.
42 Jordan responded that phasing depends on the number of buildings that will be built and referred to
43 their request for the option of providing flexibility.

44
45 Mr. Gingras asked about the projected timeline. Mr. Jordan responded that they hope to break ground
46 early next year for the industrial portion of the project.

1
2 There being no additional questions or comments for staff or the applicant, Chair Puckett opened
3 the Public Hearing.
4

5 Christine Lomas stated that she is a resident of the adjoining residential development and has
6 witnessed several development plans for this property. Ms. Lomas expressed concern regarding
7 increased traffic impacts on Kannapolis Parkway and questioned the validity of the TIA. Chair
8 Puckett explained how the applicant arrived at their TIA numbers. Ms. Lomas expressed concern
9 regarding decreased tax value of surrounding properties and stated that she liked the previously
10 approved plan better and asked the Commission to decline the request. Mr. Ensley noted that he also
11 lives in the area and understands the traffic concerns but admitted that there would be less impacts
12 under current plan versus the previously approved plan. There was discussion regarding the proposed
13 NCDOT flyover.
14

15 Mike Wallace stated that he owns property along Kannapolis Parkway and is not opposed to
16 development but expressed concern regarding traffic impacts and stated that there is too much
17 development occurring between Interstate 85 and Davidson Highway. Mr. Wallace indicated that
18 Kannapolis Parkway requires road improvements and traffic calming controls as well as streetlights.
19 He asked that the Commission consider existing residents of Kannapolis Parkway. Chair Puckett
20 stated that the City of Kannapolis does not make improvements to Kannapolis Parkway and that
21 NCDOT has jurisdiction.
22

23 There being no additional questions or comments, Chair Puckett closed the Public Hearing.
24

25 Mr. Ensley suggested that Mr. Wallace contact NCDOT directly or the state legislature to voice his
26 concerns.
27

28 The Commission discussed their concerns regarding traffic impacts and access to Kannapolis
29 Parkway.
30

31 Dr. Litaker made a motion to table the rezoning request to a future meeting in order to obtain current
32 information from NCDOT, updated elevation renderings, and an inventory of existing and proposed
33 similar uses. The motion received a second from Mr. Ensley and approved by unanimous vote.
34

35 Mr. Smith confirmed that Case No. CZ-2022-03 will be continued to the July 19, 2022, meeting.
36

37 **RECOMMENDATION TO CITY COUNCIL**

38

39 **CPA-2022-02 – Comprehensive Plan Amendment .**

40 Mr. Smith gave a PowerPoint presentation regarding case CPA-2022-02, attached to and made part
41 of these minutes as Exhibit 2. He reminded the Commission that they previously recommended
42 approval for an amendment to the area near the eastern terminus of Lane Street, south on Irish Potato
43 Road to just south of Barrier Road, running back west to the Centergrove Road area to be changed
44 from Future Planning Area to “Complete Neighborhood 2” designation (CPA-2022-01). Mr. Smith
45 added that after further review, staff determined that the area around Lane Street and the intersections
46 at Old Salisbury-Concord Road and Turkey Road (which includes the Metro 63 site) are better suited

1 for an “Employment Center” designation and that the areas south on Irish Potato Road to just south
2 of Barrier Road, running back west to Centergrove Road area remain suited to be changed from
3 Future Planning Area to “Complete Neighborhood 2” as previously discussed in CPA-2022-01. He
4 noted that the residual area closest to China Grove Road and outside the Primary Activity
5 Interchange and Employment Center of the old stadium area will also be designated "Complete
6 Neighborhood 2". He concluded his presentation and asked that the Commission consider and make
7 recommendation.

8
9 Vice Chair Parker asked if the City of Kannapolis has jurisdiction to Irish Potato Rd. Mr. Smith
10 responded that this area has been designated as a *Future Growth Area* that is agreed upon by both
11 the City of Kannapolis and the City of Concord. Vice-Chair Parker asked if the city plans to expand
12 between this area and Old Beatty Ford Road. Mr. Smith responded that may be a possibility but that
13 those discussions are not taking place at this time.

14
15 Mr. Ensley asked if the recommended changes are being requested due to developer interest. Mr.
16 Smith responded that there is no immediate interest in the Complete Neighborhood 2 area but there
17 is interest in the Employment Center designation area and referenced this being a result of the Metro
18 63 development as well as re-development of the old baseball stadium site. He added that with
19 proximity to Interstate 85 as well as parking of tractor trailers in the area, Employment Center is a
20 better fit.

21
22 Chair Puckett asked for a motion regarding CPA-2022-02. Mr. Gingras made the motion to
23 recommend approval to City Council, second by Vice-Chair Parker and the motion was unanimously
24 approved.

25 26 **TRANSPORTATION PLANNING OVERVIEW**

27 Mr. Smith introduced transportation planner, Nick Barnes with Impact Designs who provided a brief
28 background on his qualifications and utilized Case No. CZ-2022-03 to talk about conditions that warrant
29 installation of a signal. Mr. Barnes stated that there are nine criteria that may warrant installation of a traffic
30 signal but typically NCDOT will only allow a signal based on the “8-hour warrant”. He stated that the typical
31 person sees traffic three hours a day (morning, lunch, evening) and that roads are designed for these peak
32 hours. Mr. Barnes continued that NCDOT will warrant a traffic signal if there is consistent traffic eight hours
33 versus the peak hours. He recognized that installation of a signal may make sense but that signalized
34 intersections slow traffic up to seven seconds per car and that with the current push to go “green” and prevent
35 additional emissions, NCDOT rarely approves installation of a signal.

36
37 Dr. Litaker asked if NCDOT does not considers safety a concern. Mr. Barnes responded that their solution is
38 to not allow left turns and prefer to cancel a movement as opposed to adding a signal. Chair Puckett asked if
39 a signal can be programmed to blink during certain times of the day. Mr. Barnes responded that NCDOT used
40 to use blinking lights between peak hours but due to an increase of accidents, this method was discontinued.
41 Chair Puckett asked if allowing left turns doesn’t also open NCDOT up to litigation. Mr. Barnes conceded
42 that he’s not a lawyer so does not fully understand but thinks that allowing a left turn without a signal is
43 considered “active mitigation”. There was discussion regarding the proposed access points on Case No. CZ-
44 2022-03. Mr. Barnes offered that there must be a certain distance between access points.

45
46 There was discussion regarding timing of the signals and roundabouts. Mr. Barnes responded that the signals
47 are probably timed but the amount of traffic and speed impacts that timing. He added that there is an
48 application for roundabouts but suggested that they should be used on corridors with slower speeds.

1 Chair Puckett referenced Case No. CZ-2022-03 and asked when they should decide that there are too many
2 access points. Mr. Barnes responded that less is obviously better depending on the flow of traffic, but that
3 land value should also be considered because if a property owner is not allowed access, it will impact the
4 value of that property. Chair Puckett asked if there is anything that the Commission, or the public, can do to
5 ensure that NCDOT is actively responding to traffic concerns. Mr. Barnes responded that the developer is
6 tasked with mitigating impacts to existing roadways not to fix the current infrastructure. He added that
7 developers go through a rigorous development process and that the City has a lowered trips per day threshold
8 than NCDOT which means that under NCDOT standards, developers wouldn't even be required to complete
9 a TIA. Mr. Barnes stated that mitigating impacts are completed through the TIA in coordination with NCDOT.
10 He agrees with Mr. Ensley that state legislators should be contacted to help mitigate existing traffic impacts.

11
12 Mr. Barnes responded to questions and comments from both the Commission and Mr. Wallace regarding
13 flyovers, handling pedestrian volume, diverging diamonds, and additional conversation on ways to implement
14 changes to existing traffic impacts. The Commission thanked Mr. Barnes for the information and his time.

15
16 **PLANNING DIRECTOR UPDATE**

17 Mr. Smith stated that City Council approved the Kannapolis Development Ordinance and Zoning Map with
18 an effective date of July 1, 2022. He added that City Council also approved two of the three recommended
19 Comprehensive Plan Amendments. Mr. Smith stated that NCDOT will be completing road improvements to
20 Lane Street beginning July with an expected completion date in August. He indicated that City Council has
21 charged Planning the Commission to review and make recommendations to City Council regarding the
22 Cannon Boulevard Corridor Plan with action in either August or September. The charge is to improve
23 walkability, curb appeal and attract new businesses as well as to review the types of business appropriate for
24 the area and signage. Mr. Smith stated that City Council anticipates a five (5) year implementation plan and
25 that the City's portion of Cannon Boulevard is approximately six miles. He directed the Commission's
26 attention to an aerial view of the boulevard and stated that project implementations should occur in quarter
27 mile increments and noted that three intersections should be an area of influence: the intersection of Lane
28 Street, a new bridge at Martin Luther King Avenue and Dale Earnhardt Boulevard. Mr. Smith stated that staff
29 will provide further information at the August Commission meeting.

30
31 **OTHER BUSINESS**

32 Mr. Smith responded to questions from the Commission regarding walkability, the development proposed for
33 Old Earnhardt Road, Strategic Plan focus and affordable housing.

34 **ADJOURN**

35 There being no further business, questions or comments, Chair Puckett adjourned the meeting at 8:35 PM on
36 Tuesday June 21, 2022.

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Chris Puckett, Chair
Planning and Zoning Commission


Pam Scaggs, Recording Secretary



PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000787840

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Pavor : CITY OF KANNAPOLIS
Phone: 7049204300

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

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

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

Fax: 7049337463
EMail: bbell@kannapolisnc.gov

Total Amount \$471.62

Payment Amount \$471.62

Amount Due \$0.00

Tax Amount: 0.00

Payment Meth: Credit - Debit Card

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

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Color</u>
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Production Method
AdBooker (liner)

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


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

Run Dates 6/10/2022, 6/17/2022

TagLine: NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONMEETINGTUESDAYJUNE212022AT600P
MCONDITIONALZONINGMAPAMENDMENTCZ202203PUBLICHEA

Ad Content Proof

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KANNAPOLIS

NOTICE OF PUBLIC HEARING
Planning and Zoning Commission Meeting

Tuesday June 21, 2022 at 6:00 pm

Conditional Zoning Map Amendment - CZ-2022-03 -Public Hearing to consider a request to rezone property located at 6441 Davidson Highway from Planned Unit Development-Conditional Zoning (PUD-CZ) zoning district to Light Industrial-Conditional Zoning (I-1-CZ); General Commercial-Conditional Zoning (C-2-CZ); Campus Development-Conditional Zoning (C-D-CZ) and Residential Compact-Conditional Zoning (R-C-CZ) zoning districts to allow retail, light industrial and multi-family uses. The subject property is approximately 229.44 +/- acres and further identified as Cabarrus County Parcel Identification Number 46917672990000.

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.

Publish: June 10, 2022.



**Planning and Zoning Commission
June 21, 2022 Meeting**

Staff Report

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

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

A. Actions Requested by Planning & Zoning Commission

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

B. Decision and Required Votes to Pass Requested Actions

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

C. Background & Project Overview

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

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

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

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

D. Fiscal Considerations

None

E. Policy Issues

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

1. **The size of the tract in question.**
The size of the subject tract is approximately 229.444 +/- acres.
2. **Does the proposal conform with and further the goals and policies of the Land Use Plan, other adopted plans, and the goals, objectives, and policies of this Ordinance?**
This property is in the “Suburban Activity 2”, “Employment Center” and “Complete Neighborhood 2” Character Areas as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. These Character Areas include multi-family, light industrial and commercial development as primary or secondary uses in harmony with the proposed

development areas. The proposed uses are therefore in conformance with the goals and policies of the 2030 Plan.

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

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

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

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

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

5. Will there be parking problems?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

N/A

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

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

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

No.

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

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

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

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

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

1. The permitted uses allowed by this rezoning shall include the uses, densities and intensities as shown on the master plan approved with this rezone.
2. A Final Site Plan, in compliance with all applicable City UDO standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance Permit.
3. Comply with current Land Development Standards Manual.
4. All road intersections on where development has access and/or street frontage shall be approved by the City.
5. The Developer will construct curb and gutter and sidewalk along the entire road frontage where development has access and/or street frontage. The improvements will be constructed to NCDOT and City standards. Internal streets shall meet current City standards and a dedicated public right-of-way per the City's Typical Section Local Residential Street, LDSM Detail 101.
6. The lane widths, sidewalks, pavement structure, road alignment, and road grades shall be constructed to current City standards.
7. Roads and parking lots shall comply with all Fire Codes and Autoturn templates for SU-30 and Bus-45 (mimics ladder truck) shall be used.
8. Streams and wetlands shall be identified by a qualified person and all buffers shown in accordance with Article 4 of the Kannapolis UDO. Construction of buildings, roads, and other structures must comply with AE Zone & RSOD Buffer requirements or be relocated.
9. A Stormwater Management Permit will be required for this Development in accordance with Article 9 of the Kannapolis UDO. Easements, maintenance agreements and viable access shall be provided for all stormwater structures and SCM's. Stormwater SCM's cannot be constructed in the undisturbed buffer.
10. Water and sewer main extensions will be required for this project. The Developer shall be responsible for designing, permitting and constructing water and sewer mains in accordance with City and WSACC standards.
11. All water and sewer mains shall be publicly maintained and located within a public right-of-way or utility easement. The water and sewer mains shall be located in the roadway under the pavement per the City's Typical Section Utility Layout, LDSM Detail 301.
12. Easements for Sanitary Sewer lines, Water lines and Storm Sewer pipes need to be a minimum of 20-foot wide. Additional width may be required depending on the depth of the line. Sanitary sewer lines and storm sewer lines shall be located within Common Open Space (easements centered on property lines shall not be permitted). Viable access shall be provided along all easements with a grade no greater than 15% for maintenance vehicles and cross slopes shall not exceed 5%.
13. The Fire Department shall approve locations of all hydrants.
14. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.
15. All development shall adhere to site design and architectural standards as provided in the Site Plan and Rezoning exhibits.
16. All requirements as outlined in Article 15.1 *Coddle Creek Thoroughfare Protection Overlay District* of the Unified Development Ordinance shall be met along the Davidson Highway and Kannapolis Parkway Road frontages.

Alternative Courses of Action

Motion to Approve (2 votes)

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

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

2. **Should the Commission choose to approve Case #CZ-2022-03, a motion should be made to adopt the Resolution to Zone.**

Motion to Deny (2 votes)

1. **Should the Commission choose to recommend denial of Case #CZ-2022-03, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #CZ-2022-03 to be **inconsistent** with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #CZ-2022-03, a motion should be made to deny the Resolution to Zone.**

I. Attachments

1. Rezoning Application
2. Vicinity Map
3. Zoning Map
4. 2030 Future Land Use and Character Map
5. Originally Approved Site Plan CZ-2021-05

6. Updated Site Plan & Elevation Renderings
7. Neighborhood Meeting Information
8. Notice of Public Hearing
9. List of Notified Properties
10. Letter to Adjacent Property Owners
11. Posted Public Notice Sign
12. Resolution to Adopt a Statement of Consistency
13. Resolution to Zone

J. Issue Reviewed By:

- Assistant City Manager
- City Attorney
- Planning Director



**Planning and Zoning Commission
June 21, 2022**

Staff Report

TO: Planning and Zoning Commission
FROM: Richard Smith, Planning Director
SUBJECT: *CPA-2022-02 – Move Kannapolis Forward 2030 Comprehensive Plan* Amendments

Amend *Move Kannapolis Forward 2030 Comprehensive Plan* “Future Land Use and Character Map” designation of the area east of the Interstate 85 and Lane Street interchange area from “Future Planning Area” to “Employment Center” and “Complete Neighborhood 2”.

A. Actions Requested by Planning & Zoning Commission

Motion to recommend to City Council approval of the proposed amendments to the *Move Kannapolis Forward 2030 Comprehensive Plan* Future Land Use and Character Map.

B. Decision and Required Votes to Pass Requested Actions

A simple majority vote of the Planning & Zoning Commission will be required to recommend approval/denial. City Council has final decision-making authority to approve or deny the amendments.

C. Background

In March 2018, the City Council adopted the *Move Kannapolis Forward 2030 Comprehensive Plan*. This plan includes a “Future Land Use and Character Map”, which provides guidance for future land development in the City of Kannapolis.

At a March 29, 2022, Special Meeting of the Planning and Zoning Commission, the Commission recommended to City Council, among other amendments, to amend the Comprehensive Plan Future Land Use Map so that the area near the eastern terminus of Lane Street, south on Irish Potato Road to just south of Barrier Road, running back west to

Centergrove Road area would be changed from Future Planning Area to “Complete Neighborhood 2” designation. City Council recently adopted the other amendments as recommended. After further research and review, however, staff found that the area closest to Lane Street and the intersection with Old Salisbury-Concord Road was perhaps more suited for a more non-residential type designation than the previously recommended designation of Complete Neighborhood 2.

After further review, staff has determined that the area around Lane Street and the intersections with Old Salisbury-Concord Road and Turkey Road is better suited for an “Employment Center” designation on the Future Land Use Map. The areas south on Irish Potato Road to just south of Barrier Road, running back west to Centergrove Road area remain suited to be changed from Future Planning Area to “Complete Neighborhood 2” designation, as previously discussed.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.3.2.1 of the UDO states that “*The Commission shall provide an advisory function to assist in making decisions pertaining to amendments to the Comprehensive Plan*”, and further “*To prepare amendments to the plan and its elements and to submit the amendments to the City Council*”. In accordance with Section 2.4.1 of the UDO, the City Council has final authority to amend the 2030 Plan.

F. Legal Issues

None

G. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

Staff is proposing that the Future Land Use and Character Map of the Move Kannapolis Forward 2030 Comprehensive Plan be amended to change the current designation for the above referenced areas from “Future Planning Area” to “Employment Center” and from “Future Planning Area” to “Complete Neighborhood 2”. (See attached map)

Courses of Action

Based on the foregoing analysis, staff recommends **approval** of the proposed Land Use Plan amendment, as presented.

APPROVAL

The following action is required for the Planning and Zoning Commission to recommend **approval** of the proposed amendment to the 2030 Plan “Future Land Use and Character Map”:

1. Consider motion to recommend approval of proposed Move Kannapolis Forward 2030 Comprehensive Plan Future Land Use and Character Map amendment by City Council.

DENIAL

The following actions are required to recommend **denial** of the proposed amendment to the 2030 Plan “Future Land Use and Character Map”:

1. Consider motion to recommend denial of proposed Move Kannapolis Forward 2030 Comprehensive Plan Future Land Use and Character Map amendment by City Council.

H. Attachments

1. Move Kannapolis Forward 2030 Comprehensive Plan Future Land Use and Character Map (Current)
2. Move Kannapolis Forward 2030 Comprehensive Plan Future Land Use and Character Map (Proposed)

I. Issue Reviewed By:

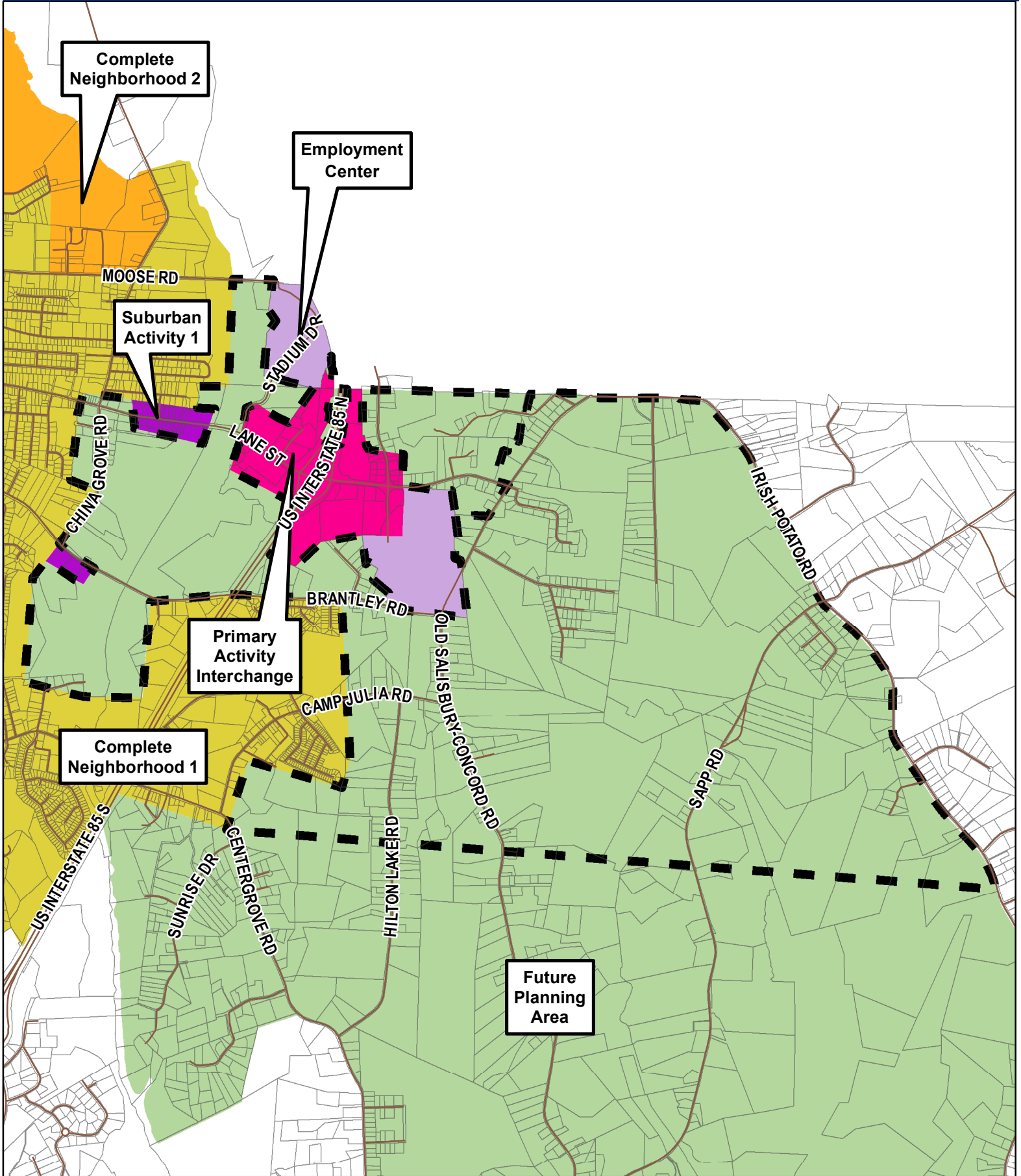
- City Manager
- Assistant City Manager
- Economic & Community Development Director



Current Kannapolis 2030 Future Land Use Map

Case Number: CPA-2022-02

Applicant: City of Kannapolis

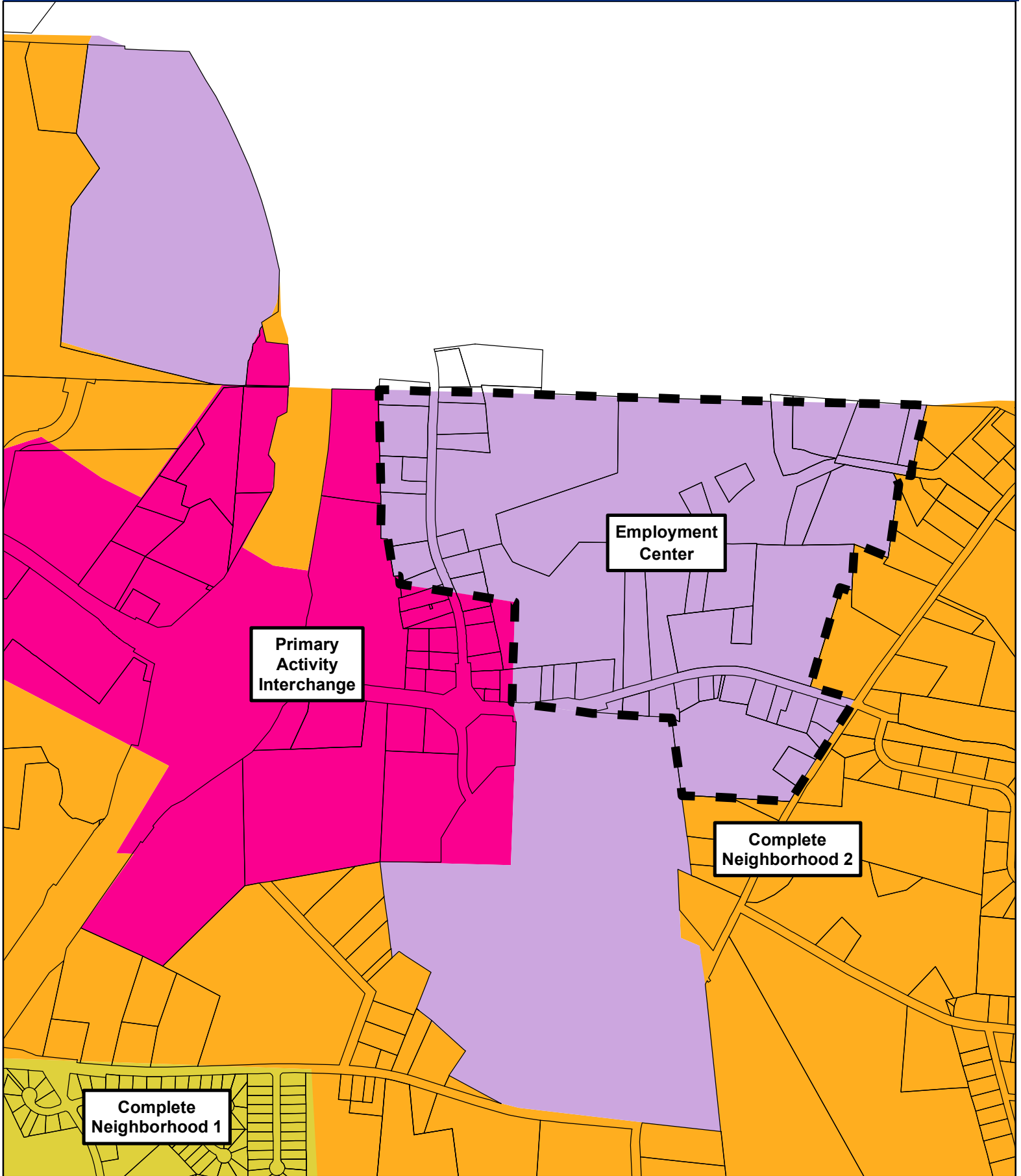




Proposed Kannapolis 2030 Future Land Use Map

Case Number: CPA-2022-02

Applicant: City of Kannapolis





Proposed Kannapolis 2030 Future Land Use Map

Case Number: CPA-2022-02

Applicant: City of Kannapolis

