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

**Minutes of Meeting
August 16, 2022**

10 The Kannapolis Planning and Zoning Commission met on Tuesday August 16, 2022, at 6:00 PM.
11 This meeting was held in accordance with 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
Scott Trott
Shelly Stein
Travis Gingras
Robert Severt, ETJ Representative

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Commission Members Absent: None

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Visitors: Alan Overcash
Joe Hatley
Lin Leslie

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Staff Present: Richard Smith, Planning Director
Boyd Stanley, Assistant Planning Director
Ben Barcroft, Senior Planner
Rayvon Walker, Planner
Alana Sweatt, GIS Specialist
Kathryn Stapleton, Planning Technician
Barry Hower, Code Enforcement Officer
Josh Campbell, Code Enforcement Officer
Pam Scaggs, Recording Secretary
Eddie Smith, Deputy City Manager
Kristin Jones, Assistant to the City Manager
Wilmer Melton, Assistant City Manager

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CALL TO ORDER

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

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OATH OF OFFICE

Reappointed Commission Member, Daniel O'Kelly was administered the Oath of Office by
Recording Secretary, Pam Scaggs.

1 **ROLL CALL AND RECOGNITION OF QUORUM**

2 Ms. Scaggs called the roll, and the presence of a quorum was recognized.

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4 **APPROVAL OF AGENDA**

5 Chair Puckett asked for approval of the Agenda which was unanimously approved.

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7 **APPROVAL OF MINUTES**

8 Chair Puckett asked for approval of the June 21, 2022 minutes which were unanimously approved.

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10 Planning Director, Richard Smith stated that the Planning Department is fully staffed with ten (10)
11 staff members and will be adding one (1) additional GIS position. He introduced Planning staff, each
12 of whom gave a brief background as well as their current job responsibilities. Present for introduction
13 were Kathryn Stapleton, Planning Technician; Josh Campbell, Code Enforcement Officer; Boyd
14 Stanley, Assistant Planning Director; Ben Barcroft, Senior Planner; Barry Hower, Code
15 Enforcement Officer; Alana Sweatt, GIS Specialist; Rayvon Walker, Planner; and Pam Scaggs,
16 Administrative Assistant. Mr. Smith added that Senior Code Enforcement Officer, Tony Cline is out
17 of town attending a conference.

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19 **WATERSHED REVIEW BOARD (Planning and Zoning Commission Serving as the**
20 **Watershed Review Board)**

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22 **SIA-2022-01 – Special Intensity Allocation Permit.**

23 Assistant Planning Director, Boyd Stanley gave a PowerPoint presentation regarding a Special
24 Intensity Allocation (SIA) for Case No. SIA-2022-01, attached to and made part of these minutes
25 as Exhibit 1. Mr. Stanley stated that the applicant received a Special Use Permit (SUP) from the
26 Board of Adjustment [BOA-2022-09] to construct a Mini Warehousing/Self-Storage Leasing
27 facility, but that because the property is located in a watershed, will also require a SIA. He provided
28 the case details and stated that the Lake Concord WS-IV Watershed Protected Area is impacting
29 the built upon area of the property. Mr. Stanley stated that there are four watershed area's that
30 affect the built upon area within the City of Kannapolis and identified them as Lake Fisher, Lake
31 Concord, Coddle Creek and Kannapolis Lake. He added that the maximum built upon area for
32 Lake Concord is 24% new impervious area.

33
34 Mr. Stanley directed the Commission's attention to the Vicinity, Zoning, Future Land Use maps,
35 and the proposed site plan. He provided the details of the approved SUP (attached as Appendix A)
36 and talked about the conditions of that approval. Mr. Stanley stated that the applicant could request
37 the maximum impervious area of 70% but is requesting 60% impervious area. He reviewed and
38 discussed the six (6) criteria used to evaluate the merits of an SIA request, communicating the
39 points that staff has allocated to the request. He reminded the Commission that they may allocate
40 points to Community Value and that the applicant will require 200 points for a SIA approval.

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42 Mr. Stanley reminded the Commission of the actions requested and made himself available for
43 questions.

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45 Mr. Gingras expressed concern that a sidewalk is only proposed along Cannon Boulevard and not
46 along East 13th Street. Mr. Stanley responded that there is not an existing sidewalk along East 13th

1 Street and that staff did not feel that a sidewalk would be added anytime in the future. Mr. Smith
2 added that City Council will also be making recommendation regarding the Cannon Boulevard
3 Corridor Update and that sidewalks along Cannon Boulevard will be required.
4

5 Mr. Ensley asked if the applicant will be able to develop the site without SIA approval. Mr. Stanley
6 responded that without the SIA, the applicant would have to significantly reduce the size of the
7 facility and assumed that it would not be developed.
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9 Chair Puckett asked if there is a “bank” of SIA points. Mr. Stanley talked about the “bank” stating
10 that there is an existing balance of 184 acres in the Lake Concord watershed.
11

12 Mr. Stanley provided additional detail regarding the City properties that are impacted by the Lake
13 Concord watershed.
14

15 The applicant, Alan Overcash, stated that he owns three other mini warehousing/self-storage
16 leasing facilities in Kannapolis and sees the need for additional facilities. Mr. Overcash stated that
17 he is asking for the additional points to allow development of the proposed use. He added that six
18 (6) parking spaces are required per City standards, but that the proposed use does not typically
19 generate a lot of traffic. Mr. Overcash talked about the topography challenges of the site, the
20 proposed storm water retention area, the proposed exterior elevation and stated that the office will
21 front Cannon Boulevard.
22

23 Ms. Stein noted that the storage facility located on Dale Earnhardt Boulevard (DEB) utilizes solar
24 panels and asked if Mr. Overcash proposes to utilize solar panels on the subject facility. Mr.
25 Overcash responded that he probably will not and indicated that the DEB facility generates more
26 power than he can use.
27

28 Mr. Gingras expressed concern regarding stormwater retention. Mr. Overcash stated that the
29 required departments have reviewed and approved the retention plan.
30

31 Chair Puckett suggested that the Commission should approve the requested points and talked about
32 revitalization of the site. Mr. Trott made the motion to award, second by Dr. Litaker and the motion
33 was unanimously approved.
34

35 Chairman Puckett asked for a motion to approve the SIA permit which was made by Mr. Litaker,
36 second by Mr. Ensley and the motion was unanimously approved.
37

38 **CANNON BOULEVARD CORRIDOR PLAN DISCUSSION**

39 Mr. Smith provided an update regarding the Cannon Boulevard Corridor Update and asked the
40 Commission to drive Cannon Boulevard from the Cloverleaf shopping center near Interstate 85 to
41 the Landis town limits and make note of changes the Commission would like implemented. He
42 introduced Senior Planner, Ben Barcroft, who provided a PowerPoint presentation regarding the
43 inventory of existing businesses, key intersections, signage, bike lanes, sidewalks and future road
44 improvements.
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1 Mr. Smith and Mr. Barcroft responded to questions from the Commission regarding lighting,
2 electronic gaming establishments, streetscape, parking of tractor trailers, and pedestrian
3 connectivity.

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5 **PLANNING DIRECTOR UPDATE**

6 None

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8 **OTHER BUSINESS**

9 Mr. Smith noted that with the new fiscal year, the Commission should elect Chair and Vice-Chair.
10 Mr. Gingras made the motion to appoint Mr. Puckett as Chairman, second by Mr. Trott and the
11 motion was unanimously approved.

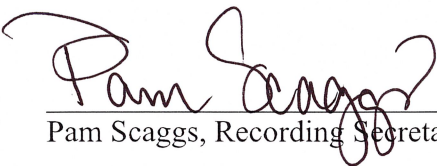
12
13 Mr. Gingras made the motion to appoint Mr. Parker as Vice-Chair, second by Mr. Trott and the
14 motion was unanimously approved.

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16 **ADJOURN**

17 There being no further business, questions or comments, Chair Puckett asked for a motion to adjourn
18 which was made by Mr. Ensley, second by Mr. Gingras and the motion was unanimously approved.
19 The meeting adjourned at 7:19 PM on Tuesday August 16, 2022.

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Chris Puckett, Chair
Planning and Zoning Commission



Pam Scaggs, Recording Secretary



Watershed Review Board August 16, 2022, Meeting

Staff Report

TO: Planning & Zoning Commission (**Watershed Review Board**)

FROM: Boyd Stanley, Assistant Planning Director

SUBJECT: **Case #SIA-2022-01, Special Intensity Allocation**
Applicant: Alan Overcash – Overcash Real Estate

Consider a request for a Special Intensity Allocation (SIA) for the properties located at 607 E 13th St., 653 E 14th St., and a portion of 650 E 14th St. The properties are further identified as Rowan County Parcel Identification Numbers 159 367, 159 284 and 159 366 and is approximately 1.27 +/- combined acres. **This request does not require a public hearing.** As referenced in Section 3.8 of the Kannapolis Development Ordinance, the Planning and Zoning Commission shall serve as the Watershed Review Board.

A. Actions Requested by Planning & Zoning Commission

Consistent with Section 3.8.I.10. of the Kannapolis Development Ordinance (KDO) the Planning and Zoning Commission is appointed to serve as the Watershed Review Board.

1. Motion to approve (deny) Special Intensity Allocation Request.
2. Motion to approve (deny) the Special Intensity Allocation Permit.

B. Required Votes to Pass Requested Actions

Majority present at meeting.

C. Background

Alan Overcash is requesting a Special Intensity Allocation (SIA) to develop property located along N. Cannon Blvd. and E 13th Street as approved in case BOA-2022-09 for a mini warehousing/self-storage leasing facility. The property is also located in the Lake Concord WS-IV Protected Area Watershed and currently zoned GC (General Commercial). There are no proposed changes to the zoning.

The applicant is requesting a SIA to exceed the 24% maximum new impervious (built upon) area permitted in the Lake Concord WS-IV Watershed up to 60%. The maximum permitted is 70% with an SIA. The requested impervious area for this development is 0.76 acres.

Stormwater control is required for all SIA requests in accordance with Section 3.8 of the KDO which states: *“Projects must be presented in the form of a SIA site plan, prepared by a professional engineer, and must minimize built-upon surface area, direct stormwater away from surface waters and incorporate BMPs to minimize water quality impacts.”* Any BMPs proposed will need to be approved by the City Engineer during full site plan review.

With approval of a SIA, the applicant may develop a property with more than 24% impervious surface area, up to a maximum 60% impervious surface area, provided proper stormwater control measures are implemented. The KDO employs a point system, outlining six (6) criteria that are used to evaluate the merits of each SIA request. The potential increase in allowable impervious area is based upon the point ratings for each of these criteria.

The applicant is requesting an increase of 0.76 acres of impervious area, for a total of 33,106 square feet of new impervious.

Prior to development of the property, the project will be required to obtain final site plan approval.

D. Fiscal Considerations

None

E. Policy Issues

Per Section 3.8.I.9 of the KDO, the percentage of built upon area for a SIA shall be determined by the Special Intensity Allocation Point System (Table 3.8.I (9) b.2(d)). The accumulation of points is based on six categories. **Based on staff’s analysis of the request, the following points are recommended for the proposed project:**

- Tax Base Increase of \$1,000,000 to \$1,999,999: **50 points**
- 1 full-time job created: **15 points**
- Community Value: To be determined by Watershed Review Board-**Applicant is requesting 75 points**
- Retail Trade Type of Industry: **10 points**
- Revitalization of Existing Development: **50 points**
- Energy Reduction/Conservation Measures: **0 points**

Total Points Recommended by Staff: 125

Total Additional Points requested by Applicant: 75

Scoring between 200-249 Special Intensity Allocation points allows for the potential impervious (built upon) area to be increased from 24% to up to 60% of the undeveloped pervious surface area within the property. As proposed, the applicant is requesting approval to develop a total of 60% of the undeveloped pervious area, which is equal to 0.76 acres. Based on the staff recommended allocation of points and assuming the 75 additional Community Value points are granted, the applicant would be able to increase the allowed impervious coverage for this site from 24% up to the requested total of 60% as requested.

If the SIA is approved, the developer will be allowed an increase of 0.76 acres of impervious area. The balance that can be allocated by SIA in the Lake Concord WS-IV Protected Area Watershed is currently 184.37 acres Should this SIA be approved, the additional 0.76 acres of impervious area would be

allocated from the allowed acreage to be developed in the Lake Concord WS-IV Protected Area Watershed leaving a balance of 183.61 acres.

F. Legal Issues

None

G. Staff Recommendation and Alternative Courses of Action

The Planning and Zoning Commission may choose to approve or deny the Special Intensity Allocation as presented.

The request and attached site plan meet the criteria of approval for a Special Intensity Allocation. The grading of the site and the installation of an approved filter system will treat stormwater before it is discharged from the site.

Staff recommends approval of a Special Intensity Allocation of 0.76 acres in the Lake Concord WS-IV Protected Area Watershed for the property located at 607 E 13th St., 653 E 14th St., and a portion of 650 E 14th St.

The following actions are required to approve the requested SIA for Case # SIA 2022-01:

1. Per Table (Table 3.8.I (9) b.2(d)), assign sufficient points to allow for the requested increase in impervious coverage from 24% to 60%.
2. Motion to approve Special Intensity Allocation request
3. Motion to approve the Special Intensity Allocation Permit

Should the Commission not assign sufficient points to allow for the requested increase in impervious coverage from 24% to 60%, motions to deny the SIA request and permit should be adopted.

I. Attachments

1. SIA Application
2. Vicinity Map
3. Zoning Map
4. Future Land Use Map
5. Preliminary Site Plan
6. SIA Permit (If approved)

J. Issue Reviewed By:

- Assistant City Manager
- City Attorney
- Planning Director