



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO
REZONING CASE # Z-2015-05**

WHEREAS, Section 160A-383 (2013) of the North Carolina General Statutes specifies that the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive and any other officially adopted plan that is applicable; and

WHEREAS, the Planning and Zoning Commission conducted a Public Hearing on November 4, 2015 for consideration of a rezoning petition (Case Z-2015-05) as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the request was to rezone approximately 4.09 acres from C-2-CZ (Originally called “CU- C2” Conditional Use – General Commercial) to City of Kannapolis C-2-CZ (Amended) General Commercial - Conditional Zoning District. The property is described as Cabarrus County #5622-69-3764; and

WHEREAS, the Planning and Zoning Commission approved the request to rezone by a vote of 4-2, representing less than the required three-fourths vote; and

WHEREAS, Section 3.3.4.2.2 of the Unified Development Ordinance delegates final authority to the Kannapolis City Council on zoning map and conditional use zoning amendments if approval has been granted by the Planning and Zoning Commission by less than a three-fourths vote; and

WHEREAS, the Kannapolis City Council conducted a Public Hearing on January 25, 2016, for consideration of rezoning petition Z-2015-05 as submitted by Charles S. Smith and Bohler Engineering and identified as Cabarrus County Parcel Identification #5622-69-3764, located at 901 Brentwood Ct.

WHEREAS, the Kannapolis City Council considers the rezoning to be reasonable and in the public interest; and

NOW, THEREFORE BE IT RESOLVED that the Kannapolis City Council finds this zoning map and conditional use zoning amendment as represented in Case Z-2015-05 is consistent with the recommendations of the 2015 City of Kannapolis Land Use Plan which called for rezoning this property from Office Institutional (O-I) to Light Commercial (C-1) where a grocery store is a permitted use and is therefore approved based on consideration of the application materials, information presented at the Public Hearing, and recommendations provided by Staff.

Adopted this the 25th day of January 25, 2016;

Milton D. Hinnant, Mayor

Attest:

Bridgette Bell, MMC, NCCMC
City Clerk