



**KANNAPOLIS CITY COUNCIL
MEETING AGENDA
Kannapolis City Hall
401 Laureate Way, Kannapolis NC
February 12, 2018
6:00 PM**

Please turn off cell phones or place on silent mode.

CALL TO ORDER AND WELCOME

MOMENT OF SILENT PRAYER AND PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA - Motion to Adopt Agenda or make revisions

APPROVAL/CORRECTION OF MINUTES

1. December 11, 2017 Meeting Minutes
2. January 08, 2018 Special Meeting Minutes
3. January 08, 2018 Meeting Minutes
4. Closed Session January 08, 2018 Special Meeting

CONSENT AGENDA - Motion to Adopt Consent Agenda or make revisions

1. **Budget Ordinance amending FY17-18 budget in the amount of \$14,150 for transfer of funds** (Gary Mills, Director of Parks and Recreation)
2. **Budget Ordinance amending FY17-18 budget in the amount of \$600,000 to cover separate expenses** (Eric Davis, Finance Director)
3. **Alcoholic Beverage Control (ABC) ABC Board Appointment** (Mike Legg, City Manager)

BUSINESS AGENDA

- A. **Request by M/I Homes to rezone property located at 5032 Trinity Church Road and 6045 & 6205 Stirewalt Road from AG (Agricultural) to RV-CZ (Residential Village - Conditional Zoning)** (Zachary D. Gordon, AICP Planning Director)
- B. **Presentation of final draft of *Move Kannapolis Forward 2030 Comprehensive Plan* by Clarion Associates and Motion to approve a Resolution adopting the Move Kannapolis 2030 Comprehensive Plan** (Zachary D. Gordon, AICP Planning Director)

CITY MANAGER REPORT

CITY COUNCIL COMMENTS

CLOSED SESSION

G.S.143.318.11 (a) (3) for consulting with an attorney in order to preserve the attorney-client privilege and G.S. 143.318.11 (a) (4) for discussing matters related to the location or expansion of industries or businesses in the area (Mayor Pro tem Berry)

MOTION TO ADJOURN

UPCOMING SCHEDULE

February 26, 2018

March 12, 2018

March 26, 2018

In accordance with ADA regulations, anyone in need of an accommodation to participate in the meeting should notify the ADA coordinator at tcline@kannapolisnc.gov or 704-920-4302 at least forty-eight (48) hours prior to the meeting.

**CITY OF KANNAPOLIS
COUNCIL MEETING MINUTES
DECEMBER 11, 2017**

A regular meeting of the City Council of the City of Kannapolis, North Carolina was held on Monday, December 11, 2017 at 6:00 p.m., at the Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Darrell Jackson
Doug Wilson
Dianne Berry
Ryan Dayvault
Tom Kincaid
Roger Haas

Council Members Absent: None

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

City Attorney: Walter M. Safrit, II

City Clerk: Bridgette Bell, MMC

Staff Present:	Zac Gordon	Irene Sacks
	David Hancock	David Jordan
	Tony Eury	Trent Marlow
	Terry Clanton	Wilmer Melton
	Eric Davis	Ernie Hiers
	J.W. Chavis	Melissa Loveless

Visitors:	Cecil Berry	Tim Vaughn
	Jake Helms	Alarard Leigh Hopkins
	Barbi Jones	Mason Hilton
	Eric Atkinson	Kirk Tutterow
	Robin Pope	Chris Gordon
	Gerry Depken	J.D. Allison
	Jamie Wightman	Nate Doolittle
	Richard Petersheim	

CALL TO ORDER AND WELCOME:

Mayor Hinnant called the meeting to order and welcomed those in attendance. The Pledge of Allegiance was led by Council Member Jackson.

1
2 **ADOPTION OF AGENDA:**

3 Mayor Pro tem Wilson made a motion to adopt the agenda. Motion was seconded by Council
4 Member Dayvault and approved by unanimous vote.
5
6

7 **APPROVAL OF MINUTES:**

8 Council Member Kincaid made motion to approve the November 27, 2017 meeting minutes.
9 Council Member Berry seconded the motion and it was approved by unanimous vote.
10

11 Council Member Jackson made motion to approve the Closed Session Minutes of November 27,
12 2017. Mayor Pro tem Wilson seconded the motion and it was approved by unanimous vote.
13

14 **CONSENT AGENDA:**

15 Council Member Dayvault made a motion to approve the consent agenda. Motion was seconded
16 by Council Member Kincaid and approved by unanimous vote.
17

18 Project Budget Ordinance for the Cabarrus/Iredell/Rowan HOME Consortium Grant for FY2017-
19 2018 (Sherry Gordon, Community Development Administrator) (Copy included as Exhibit A)
20

21 Project Budget Ordinance for the CDBG Entitlement Program for FY 2017-2018 (Sherry Gordon,
22 Community Development Administrator) (Copy included as Exhibit B)
23

24 Resolution approving a meeting schedule for City Council Meetings for Year 2018 (Mike Legg,
25 City Manager) (Copy included as Exhibit C)
26

27 **BUSINESS AGENDA:**

28 Presentation of Proclamation Honoring Council Member Darrell Jackson (Mayor Hinnant)
29

30 Mayor Hinnant presented Council Member Darrell Jackson with a Proclamation thanking Mr.
31 Jackson for his service to the citizens and serving on City Council. The presentation was followed
32 by several comments by Mr. Jackson and Council Members.
33

34 Organizational Meeting of City Council

35 Superior Court Judge Martin McGee administered the Oath of Office to Mayor Elect Darrell
36 Hinnant, Council Elect Dianne Berry and Council Elect Doug Wilson. Van Rowell was given the
37 Oath of Office as newly appointed Council Member.
38

39 Election of Mayor Pro tem

40 Council Member Dayvault nominated Dianne Berry as Mayor Pro tem. Mayor Pro tem Wilson
41 seconded the nomination. There being no further nominations, Mrs. Berry was declared Mayor
42 Pro tem by acclamation.
43

44 Oath of Office – Mayor Pro tem

45 Superior Court Judge Martin McGee administered the Oath of Office to Mayor Pro tem Berry.
46

1 **Public Hearing concerning the financing of several capital projects in and around the**
2 **Downtown area (Eric Davis, Finance Director) (Copy included as Exhibit D)**

3 The City previously entered into an installment financing contract in 2014 for the purpose of
4 financing the capital costs of acquiring, constructing, equipping and furnishing City Hall and the
5 Police Headquarters. City Staff has been working on numerous Capital Projects that will require
6 financing. Before issuing this amount of debt, requires a public hearing before we can receive
7 approval on an application to The State Treasurer's office (Local Government Commission).
8 Specifically, this Public Hearing will address the loan collateral provisions for the following
9 projects:

- 10
- 11 • Some of all of Greenway Improvements
- 12 • Replacement of Fire Stations #2 and replacement of Fires Station 3.
- 13 • Improvements to City property located at 489 N. Cannon Boulevard
- 14 • Downtown infrastructure improvements
- 15 • Construction of a parking facility to be used primarily for minor league baseball downtown
- 16 • Construction of a Sports and Entertainment Facility
- 17

18 There being no questions from Council, Mayor Hinnant opened the public hearing for those in
19 attendance an opportunity to speak. There being no speakers, Mayor Hinnant closed the public
20 hearing.

21
22 No action was required of City Council.

23
24 **Presentation and approval of the Second Amendment to the City's Contract with Barton**
25 **Malow Company for the Phase II Downtown Infrastructure Project and authorize the City**
26 **Manager to execute contract contingent upon LGC approval (Wilmer Melton, III, Director**
27 **of Public Works) (Copy included as Exhibit E)**

28 The City's goal of the Downtown Infrastructure Project is to promote a vibrant downtown through
29 reinvestment of public dollars that maximizes private investment. The Infrastructure Project will
30 accomplish this goal in two main ways – first the City's infrastructure requires replacement based
31 on age, capacity, and other issues to support the future development identified in the City's
32 Adopted Master Plan by DFI.

33
34 The Phase II infrastructure utility work includes replacement of existing sanitary sewer mains,
35 water mains, storm drainage systems, relocating overhead powerlines to underground duct bank,
36 replacement of telecom services. All existing and proposed buildings will have utility services
37 reconnected. It should be anticipated that all utilities, streets, and sidewalks will be removed on a
38 majority of the Project from building face to building face. There will be street improvements
39 including traffic circles, re-striping, center medians, modified traffic signals and bicycle lanes.
40 Furthermore, this blank canvas will provide opportunities for enhanced streetscapes, outdoor
41 dining, water feature, linear parks, and other public open space areas that will attract private
42 development and investment; as well as give the community a thriving and entertaining downtown
43 environment.

1 Richard Petersheim of Land Design made a brief presentation on the final design for the downtown
2 project. Nate Doolittle of Land Design was in attendance as well.

3
4 Council asked questions concerning the outdoor sound system, Wi-Fi internet, charging system
5 for cell phones, laptops and such and time frame. Mr. Petersheim and Mr. Doolittle were
6 commended for their work on the project.

7
8 Council Member Haas made a motion to approve the second amendment to the City's contract
9 with Barton Malow Company for Phase II downtown infrastructure project and authorize the City
10 Manager to execute contract contingent upon Local Government Commission approval. Council
11 Member Wilson seconded the motion and it was approved by unanimous vote.

12
13
14 **Budget Ordinance amendments and Reimbursement Resolutions related to Phase II**
15 **Downtown Infrastructure Project in the amount of \$28,863,462 (Eric Davis, Finance**
16 **Director) (Copy included as Exhibit F)**

17 Mr. Davis explained that the total project cost for engineering, owners and builders contingency,
18 wayfinding, signalization and construction is \$28,863,462. It will be necessary that Council
19 consider amending the budget and approve related reimbursement resolutions in connection with
20 the Phase II downtown infrastructure project.

21
22 There being no questions, Council Member Dayvault made a motion to approve the budget
23 ordinance amendments related to Phase II downtown infrastructure project. Motion was seconded
24 by Council Member Kincaid and approved by unanimous vote.

25
26 Council Member Kincaid made a motion to approve the reimbursement resolutions as presented.
27 Mayor Pro tem Berry seconded the motion and it was approved by unanimous vote.

28
29 **Resolutions Authorizing Contractual Amendments necessary for the issuance of Limited**
30 **Obligation Bonds and Resolution authorizing an application to the Local Government**
31 **Commission (LGC) for approval to issue Water and Sewer Revenue Bonds (Eric Davis,**
32 **Finance Director) (Copy included as Exhibit G)**

33 Mr. Davis explained that the approval of these two Resolutions will authorize staff to begin the
34 debt issuance process for a number of specific projects. First, the approval and issuance of Water
35 and Sewer Revenue Bonds (not to exceed \$20M) will be to fund the water and sewer system
36 improvements in the Downtown area. Secondly, the approval and issuance of the Limited
37 Obligation Bonds will fund the remaining infrastructure improvements downtown (storm water
38 system and streetscape improvements), as well as improvements to 489 N. Cannon Boulevard
39 (RCCC relocation site). The cost of these projects will not exceed \$15M.

40
41 The Resolution also mentions Phase 2 projects that will not exceed \$30M. These projects are the
42 Demonstration Project Parking Deck and Fire Stations #2, and #3. We will not proceed with these
43 projects without further City Council authorization. Debt service payments for these projects are
44 included in the City's financial model.

1 There being no questions, motion was made by Council Member Dayvault to approve the
2 resolution authorizing contractual amendments necessary for the issuance of limited obligation
3 bonds. Council Member Haas seconded the motion was seconded by Council Member Haas and
4 approved by unanimous vote.

5
6 Motion was made by Council Member Wilson to approve the Resolution authorizing an
7 application to the Local Government Commission for approval to issue water and sewer revenue
8 bonds. Motion was seconded by Council Member Dayvault and approved by unanimous vote.

9
10 **Appoint a representative to serve on the Concord Kannapolis Transit Commission (Mike**
11 **Legg, City Manager)**

12 The CKTC has two City Council Members that serve on the Board as the City's representatives;
13 Council Member Roger Haas and Council Member Darrell Jackson. Mr. Jackson choose not to file
14 for re-election. It is recommended that Council appoint a Council Member to replace Mr. Jackson.

15
16 Motion was made by Council Member Dayvault to appoint Mayor Pro tem Berry to serve as the
17 City's representative on the Concord Kannapolis Transit Commission. Motion was seconded by
18 Council Member Haas made a motion to appoint Council Member Kincaid.

19
20 **CITY MANAGER REPORT:** City Manager deferred to the Calendar of Events. Mr. Legg also
21 gave a brief report on the Fisher town community.

22
23 **CITY COUNCIL COMMENTS:**

24 Council Member Dayvault commended staff on the Christmas Parade. He couldn't be any more
25 pleased and that Staff did an excellent job in coordinating. He also said it was nice to see port-a-
26 johns.

27
28 **SPEAKERS FROM THE FLOOR:**

29 There were no speakers

30
31 There being no further business, Council Member Haas made a motion to adjourn. Motion was
32 seconded by Council Member Wilson and approved by unanimous vote.

33
34 The meeting adjourned at 6:55 PM on Monday, December 11, 2017.

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40 _____
41 Milton D. Hinnant
42 Mayor

43 _____
44 Bridgette Bell, MMC, NCCMC
City Clerk

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**CITY OF KANNAPOLIS
COUNCIL MEETING MINUTES
January 08, 2018**

A special meeting of the City Council of the City of Kannapolis, North Carolina was held on Monday, January 08, 2018, 4:00 PM, at the Kannapolis City Hall Executive Conference Room, 2nd Floor, 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Ryan Dayvault
Van Rowell
Tom Kincaid
Doug Wilson
Dianne Berry
Roger Haas

Council Members Absent: None

City Manager: Mike Legg

City Attorney: Walter M. Safrit, II

Staff Present: Zac Gordon Irene Sacks
Eric Davis Annette Privette Keller

Visitors: Andrew Trump Robert A. Simon
Brian Wolfe Becky Carpenter
James Holloway

CALL TO ORDER AND WELCOME:

Mayor Hinnant called the special meeting to order and introduced representatives from Corporate Realty from Birmingham, Alabama

ADOPTION OF AGENDA:

Council Member Kincaid made a motion to approve the agenda. Motion was seconded by Council Member Wilson and approved by unanimous vote.

CLOSED SESSION:

Council Member Wilson made a motion to go into closed session pursuant to GS. 143-318.11 (a) (3) to consult with an attorney in order to preserve the attorney client privilege and G.S. 143.318.11 (a) (4) for discussing matters relating to the location or expansion of industries or businesses in the area. Motion was seconded by Council Member Dayvault and approved by unanimous vote.

City Council went into closed session at 4:01 PM

1 Council Member Kincaid made a motion to come out of closed session. Motion was seconded by
2 Council Member Dayvault and approved by unanimous vote.

3
4 Council resumed regular session at 5:49 PM

5
6 There being no further business, Council Member Kincaid made a motion to adjourn. Motion was
7 seconded by Council Member Wilson and approved by unanimous vote.

8
9 The meeting adjourned at 5:50 PM on Monday, January 08, 2018.

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15 _____
Milton D. Hinnant, Mayor

16 _____
17 Bridgette Bell, MMC, NCCMC
18 City Clerk

**CITY OF KANNAPOLIS
COUNCIL MEETING MINUTES
January 08, 2018**

A regular meeting of the City Council of the City of Kannapolis, North Carolina was held on Monday, January 08, 2018 at 6:00 p.m., at the Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT

Mayor: Milton D. Hinnant

Council Members: Ryan Dayvault
Roger Haas
Van Rowell
Diane Berry
Doug Wilson
Tom Kincaid

Council Members Absent: None

City Manager: Mike Legg

Recording Secretary: Pam Scaggs

Staff Present:	Terry Spry	David Hancock
	Tony Eury	Wilmer Melton
	Ernie Hiers	Trent Marlow
	Irene Sacks	Eric Davis
	Zac Gordon	Annette Privette Keller
	Will Deaton	David Jordan

Visitors Present:	Marie Ramseur	Dr. Carol Spalding
	Lynn Mueller	Sue Morris
	Sam Moore	Linda Moore

CALL TO ORDER AND WELCOME:

Mayor Hinnant called the meeting to order and welcomed those in attendance. A moment of silent prayer and the Pledge of Allegiance was led by Council Member Dayvault.

ADOPTION OF AGENDA:

Mayor Hinnant stated there was a closed session on the agenda; however will not be necessary. Council Member Wilson made a motion to approve the revised agenda. Motion was seconded by Mayor Pro tem Berry and approved by unanimous vote.

PROCLAMATIONS:

Mayor Hinnant proclaimed January 15th as Dr. Martin Luther King Day.

CONSENT AGENDA:

Council Member Haas made a motion to approve the Consent Agenda. Motion was seconded by Council Member Kincaid and approved by unanimous vote.

1 Resolution approving an amendment to the Installment Financing Contract with the Kannapolis
2 Capital Corporation and Related Matters (Eric Davis, Finance Director) (Copy included as Exhibit
3 A)

4
5 Approve a Bond Order authorizing the Issuance of Water and Sewer Revenue Bonds (Eric Davis,
6 Finance Director) (Copy included as Exhibit B)

7
8 Correction to Annexation Ordinances (Walter M. Safrit, II, City Attorney) (Copy included as
9 Exhibit C)

10
11 Mayor Hinnant explained that Speakers from the Floor are generally held on the fourth meeting;
12 however will make an exception and allow Dr. Carol Spalding to address Council. There was no
13 objection.

14
15 **BUSINESS AGENDA:**

16 **Renovation of 489 N. Cannon Blvd for Rowan-Cabarrus Community College (Irene Sacks,**
17 **Director of Economic and Community Development) (Copy included as Exhibit D)**

18 Mrs. Sacks reminded Council that the City purchased the shopping center located at 489 N. Cannon
19 Boulevard with the intention of renovating the existing building for Rowan-Cabarrus Community
20 College which will house their Cosmetology, Emergency Medical Training, and Certified Nursing
21 Aid schools. Mrs. Sacks stated that the college has signed a twenty (20) year lease and expects
22 renovation to be completed by July 2018 in order for classes to begin in August 2018. She
23 provided an overview of the proposed improvements to the building as well as the parking lot, but
24 stated that only a portion of the parking lot was included in the requested bid packages.

25
26 Mrs. Sacks reviewed responses to the City's requests for competitive bids stating that five (5) bids
27 had been received. She provided an overview of what the bid requests entailed and stated that the
28 City is recommending the lowest bidder, C4 Buildings, for approval. Mrs. Sacks indicated that in
29 addition to the Council selecting a company to complete the renovations, Staff would also like
30 Council to approve "College Station" as the name of the center. The City contracted with Bogle
31 Firm Architectural to develop the renovation plans. The key features of the scope of work for the
32 42,331 square foot anchor building built in 1974.

- 33
34 • Upfit 33,142 square feet for College cosmetology and other program uses, similar
35 existing facility.
36 • Remaining space will be left as shell space for potential future warehouse use by the
37 College.
38 • New roof, cut in new windows and doors, new plumbing and mechanical systems.
39 • New electrical, data, and alarm systems
40 • Site work includes stained concrete plaza at main entrance, landscaping at the building,
41 rebuilding parking lot adjacent to the building, and site lighting adjacent to the building.

42
43 The bid package include two add alternates which staff does not recommend accepting. Alternate
44 #M1 was to add a second boiler into the HVAC system. This was determined to be non-essential.
45 Alternate #1 was to re-pave the main parking area, add parking islands with landscaping and
46 lighting, and replace the landscaping in the existing beds along the retail strip. The City plans to

1 bid this portion of the project out in conjunction another future paving project. The remaining retail
2 strip has three occupied spaces and six vacant spaces. Once construction for the anchor building
3 is approved and underway, the City will engage a broker to lease out the remaining commercial
4 spaces.

5
6 The Community College would like to begin marketing and communicating the location by a
7 specific name. The City would like to begin doing the same for marketing purposes. The name of
8 "College Station" for the entire development has been suggested. Should City Council have other
9 ideas those can certainly be entertained.

10
11 The City receive five bids with C4 Buildings being the lowest bidder at \$5,150,000 for the base
12 bid. City Council approved a Capital Project Ordinance and Reimbursement Resolution on
13 September 25 for this project. The City is seeking approval from the Local Government
14 Commission for debt issuance. The City will receive lease payments of \$217,280 annually from
15 The date for moving the RCCC is set for August.

16
17 Dr. Spalding said "I'd say a year ago when we were talking about moving the college, that was a
18 tough call because it was 300 students. One of the reasons they moved to downtown Kannapolis
19 is to try and liven up the City. It has served its purpose and feel that by getting out of harm's way
20 and moving to some place that is nicely constructed and one floor gives opportunity to expand. I
21 will say when we had a chance to how it would be renovated in a way similar to what they have
22 now, it was a win-win really. We are excited and thrilled about all of the concern that has been
23 shared by all of Council".

24
25 Following general discussion, Council Member Haas made a motion to award the renovation of
26 489 N. Cannon Blvd to the lowest responsible bidder, C4 Builders in the amount of \$5,150,000
27 and authorize the City Manager to execute the contract. Motion was seconded by Council Member
28 Wilson and approved by unanimous vote.

29
30 Council Member Haas made a motion to approve the naming of the N. Cannon Blvd shopping
31 center to "College Station". Motion was seconded by Council Member Dayvault and approved by
32 unanimous vote.

33
34 **Acquisition of Leasehold Interest for 103 West "B" Street and 205 West Avenue (Piedmont**
35 **Dance) (Irene Sacks, Director of Economic and Community Development) (Copy included**
36 **as Exhibit E)**

37 When the City of Kannapolis purchased the downtown property in 2015, it inherited the leases of
38 several downtown tenants. One of those tenants, Piedmont School of Music & Dance, is located
39 in the building to be purchased and redeveloped by Lansing-Melbourne Group (LMG) as part of
40 the Demonstration Project.

41
42 Called Vida, the Demonstration Project is the first development that is part of the downtown
43 revitalization efforts and will include \$60 million of private investment. Part of the development
44 plan includes preserving the Cabarrus Bank building block. The development agreement with
45 LMG requires that the buildings be vacant prior to closing on the property purchase. In order to
46 meet the terms of the development agreement, the City will terminate the lease with Piedmont

1 School of Music & Dance and acquire the leasehold interest for 103 West B, Street and 205 West
2 Avenue. Piedmont Dance occupies approximately 7,000 square feet and has a lease in place
3 through August 31, 2029.

4
5 The City negotiated a buyout of the lease for \$400,000 and an additional \$100,000 payable in
6 annual installments of \$10,000 for ten years. The buyout is calculated based upon the fair rental
7 value of the leasehold interest for the full term of the lease.

8
9 The negotiated acquisition cost for the leasehold interest is \$500,000 a portion of which will be
10 paid in installments. Acquisition of the leasehold property interest is consistent with and important
11 to completion of the Downtown Redevelopment Plan. The lease termination would eliminate the
12 existing leasehold interests resulting in unencumbered fee simple interest for property owned by
13 the City.

14
15 City Attorney Safrit noted that the property was purchased in 2014 as fee simple owner and is free
16 and clear of all other interest. It is necessary to buy out the interest of Piedmont Dance by way of
17 termination of their long-term lease agreement. The fair rental value of \$500,000 would continue
18 for a ten-year period. Piedmont Dance is purchasing another property off site, therefore would
19 have to vacate the premises thirty (30) business days after the date that the Tenant closes on the
20 purchase of property at 1605 Dale Earnhardt Blvd, or no later than April 9, 2018. Mr. Safrit noted
21 there may be a need to modify the agreement. Upon termination of the lease, the City will pay the
22 purchase price of the lease, the termination fee, \$40,000 at the closing and an additional \$100,000
23 payable over a ten-year period. It was noted that City Council will need to approve the agreement
24 subject to modifications as deemed necessary as negotiations continue.

25
26 Mr. Legg noted that funds will come from the sale of the property \$1.6 million with \$1.3 million
27 at closing.

28
29 Council Member Kincaid made a motion to authorize execution of the termination agreement
30 subject to modifications as deemed necessary. Motion was seconded by Council Member
31 Berry.

32
33 Council Member Wilson asked about the proceeds from the sale of property and when would the
34 sale take place. Mr. Legg responded within the next three months. The motion was approved by
35 unanimous vote.

36
37 **Appoint a representative to serve on the Concord Kannapolis Transit Commission (TAC)**
38 **(Mike Legg, City Manager)**

39 The CKTC has two City Council Members that serve on the Board as the City's representatives,
40 Roger Haas and Dianne Berry. At the regular meeting held on December 11, 2017 City Council
41 appointed Dianne Berry to fill the expired term of Darrell Jackson, but failed to re-appoint Roger
42 Haas. It is recommended that Council re-appoint Mr. Haas or appoint a Council Member of their
43 choice. Terms are for three years.

1 Motion was made by Council Member Kincaid to re-appoint Council Member Roger Haas to serve
2 as the City's representative on the Concord Kannapolis Transit Commission. Motion was seconded
3 by Mayor Pro tem Berry and approved by unanimous vote.
4

5 **CITY MANAGER REPORT:** None
6

7 **CITY COUNCIL COMMENTS:** None
8

9 **CLOSED SESSION:** Canceled
10

11 There being no further business, Council Member Wilson made a motion to adjourn. Motion was
12 seconded by Council Member Dayvault and approved by unanimous vote.
13

14 The meeting adjourned at 6:35 PM on Monday, January 8, 2018.
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18

19 _____
Milton D. Hinnant, Mayor
20
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22 _____
23 Bridgette Bell, MMC, NCCMC
24 City Clerk



**City of Kannapolis
City Council Meeting
February 12, 2018
Staff Report**

TO: Mayor and City Council
FROM: Gary Mills, Director of Parks and Recreation
TITLE: Budget Ordinance amendment to transfer funds

A. Action Requested by City Council

Motion to approve an Ordinance amending the budget for FY17-18 in the amount of \$14,150.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

The REACH grant from the Cabarrus Health Alliance is geared towards providing programs for under-served populations and also developing programs and services that are available in Spanish. The grant is for \$14,150. We need a budget amendment to move the grant money into the programming line 15060.46630. The initial payment of \$7,075 was paid in November and the remaining will be paid in March.

The grant is paying for Zumba staff, soccer instructional program, back to school event, and Christmas flyer advertising. Additional programming is also being planned. The amount of \$14,150 needs to be allocated to the programming line item.

The P&R Department purchased weather insurance for the Diamond Rio concert in August last year as a precaution in the event of rain that would effect attendance. Fortunately and unfortunately the purchase paid off to due to the amount of rain that evening and we were paid \$30,000 on the policy. We are requesting the \$30,000 be added into the summer event series line item to cover associated expenses with the summer event series this year.

D. Fiscal Considerations

Approving the included Budget Amendment will receive and authorize expenditures in the amount of \$14,150 for the specified programs. The \$30,000 insurance check will go into miscellaneous revenues and therefore does not require a budget amendment. The Parks & Recreation department could possibly access these funds if there is a need later in the fiscal year.

E. Policy Issues

None

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation
--

- 1. Approve transfer of grant money to cover expenses associated with REACH grant and transfer of funds from collected weather insurance for summer event series. (Recommended)**
2. Take no action
3. Defer action to another meeting

ATTACHMENTS:

File Name

📎 Budget_Ordinance_#18-12_\$14_150_P_R.pdf

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2017
AND ENDING JUNE 30, 2018
Amendment # 18-12**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 12th day of February 2018, that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018 is hereby adopted:

SECTION I - WATER & SEWER FUND

Expenditures:

Increase Program Supplies	
Expenditure: 15060-46630	\$14,150

Revenues:

Increase Donations	
Revenue: 15010-37100	\$14,150

This Ordinance is approved and adopted this 12th day of February 2018.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



**City of Kannapolis
City Council Meeting
February 12, 2018
Staff Report**

TO: Mayor and City Council
FROM: Eric Davis, Finance Director
TITLE: Budget Ordinance amendment to cover certain expenses

A. Action Requested by City Council

Motion to approve an Ordinance amending the budget for FY17-18 in the amount of \$600,000.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

Budget Amendment #18-11 allocates \$600,000 from the City's Fund Balance to cover to separate expenditures. The first expenditure is \$400,000 that the City Council recently authorized for the relocation of the Dance Studio currently located in the Downtown area.

The second expenditure of \$200,000 will cover road resurfacing and other improvements in the Waterford subdivision. These funds will allow the City's originally budgeted amount of \$600,000 for road resurfacing to remain intact for other priorities throughout the City.

D. Fiscal Considerations

This budget amendment ensures appropriate funds are allocated to cover the expenses.

E. Policy Issues

City Council has previously discussed both of these two items, and approved these activities. This budget amendment ensures appropriate funds are allocated to cover the expenses.

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation
--

- 1. Motion to approve budget ordinance #18-11 (various items) (Recommended)**
2. Take no action
3. Defer to another meeting

ATTACHMENTS:

File Name

 Budget_Ordinance_#18-11_ED-Street_Maint.pdf

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2017
AND ENDING JUNE 30, 2018
Amendment # 18-11**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 12th day of February 2018, that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018 is hereby adopted:

SECTION I - General Fund

Expenditures:

Increase Economic Development - Initiatives	
Expenditure: 11115-43415	\$400,000

Increase Street Maintenance – Contract Resurfacing	
Expenditure: 13400-48850	\$200,000

Revenues:

Increase Appropriated Fund Balance	
Revenue: 19900-39900	\$600,000

This Ordinance is approved and adopted this 12th day of February, 2018.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



**City of Kannapolis
City Council Meeting
February 12, 2018
Staff Report**

TO: Mayor and City Council
FROM: Mike Legg, City Manager
TITLE: ABC Board Appointment

A. Action Requested by City Council

Motion to extend the term of Ken Argo's appointment of Ken Argo to the Rowan-Kannapolis ABC Board to June 30, 2018.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

Ken Argo's Kannapolis seat on the Kannapolis-Rowan ABC Board expired last year. The Board staff has requested the Kannapolis reappoint Mr. Argo to serve out the remainder of this year. This is simply a formality. Mr. Argo has agreed to serve until then (but no later). The City will need to appoint a replacement for this seat prior to the end of June.

D. Fiscal Considerations

None.

E. Policy Issues

None.

F. Legal Issues

None.

G. Alternative Courses of Action and Recommendation

- 1. Motion to extend the term of Ken Argo's appointment of Ken Argo to the Rowan-Kannapolis ABC Board to June 30, 2018 (Recommended).**
2. Take no action.
3. Appoint another person.

ATTACHMENTS:

File Name

No Attachments Available



**City of Kannapolis
City Council Meeting
February 12, 2018
Staff Report**

TO: Mayor and City Council
FROM: Zachary D. Gordon, AICP, Planning Director
TITLE: Zoning Map Amendment - Case #Z 2017-05 (M/I Homes)

A. Action Requested by City Council

Consider request by applicant to withdraw request for rezoning

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

At its January 22, 2018 meeting, a public hearing was held by City Council to consider this rezoning request. City Council opened the public hearing, heard speakers from the floor and closed the public hearing. City Council voted to continue the matter until February 12, 2018 to consider action.

Outlined below is the initial background information provided to City Council at the January 22, 2018 meeting.

Summary

The applicant, M/I Homes, is requesting a rezoning from AG (Agricultural District) to RV-CZ (Residential Village - Conditional Zoning) in order to construct a 121 unit (+/- 10%) single-family detached subdivision on parcels located at 5032 Trinity Church Road and 6045 & 6205 Stirewalt Road, further identified as Parcel Numbers 4693-96-6383, 5603-06-2704, and 4693-96-1596. The proposed development has primary access from Stirewalt Road with secondary access from Trinity Church Road.

Background

The parcels proposed for development were annexed by the City in 1999 as part of the Coddle Creek Annexation and zoned AG, to serve as a holding zone to provide for protection and open space preservation from development prior to the installation of municipal utilities. Water lines were installed in the area in 2003 and 2004 with sewer being installed between 2005 and 2008.

Proposed Site Plan

The proposed site plan would be primarily accessed off of Stirewalt Road with secondary access from Trinity Church Road. The 121 homes would be located on a mix of 60, 65, and 75-foot wide lots, ranging in area from 7,500 square feet to approximately 9,375 square feet. M/I Homes has agreed to architectural standards for the homes including a prohibition on vinyl siding. A 0.93 acre neighborhood park is proposed. Open space will be required to conform to Section 6.5 of the UDO.

The Planning and Zoning Commission denied a request for 130 homes by a 6-1 vote at their December 6, 2017 meeting. Since then a number of adjustments have been made to the proposed rezoning including a reduction in the number of lots, the addition of a central park and additional buffers and screening devices.

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 50.6 +/- 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 located in the "Coddle Creek Area" of the *City of Kannapolis 2015 Land Use Plan*, which recommends a future land use designation of "Single-Family Residential (3 units/acre)" for this location. The density for the proposed development is 2.39 units/acre (121 units/ 50.6 acres), which conforms to the 2015 Land Use Plan.
3. **Is the proposed rezoning compatible with the surrounding area?** The subject property is located ½ mile west of the intersection of Mooresville Road (NC 3) and Kannapolis Parkway which is anticipated to see more development once the NC 3 widening occurs. The proposed site plan includes vegetative buffers around the perimeter of the site. Larger 75-foot wide lots and a 20 foot vegetative buffer with 6-foot tall opaque wooden fence are located adjacent to the existing large-lot single family residential properties to the south of the site in the Trinity Woods subdivision.
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 (TIA) has been prepared to address the traffic impact of the proposed use. Two entrances are proposed for the site, with the main entrance on Stirewalt Road, and a secondary entrance on Trinity Church Road. The TIA has been reviewed by The City of Kannapolis and NCDOT, and includes no recommended improvements on Stirewalt Road or Trinity Church Road. NCDOT will review the location of the entrances as well as the need for any improvements, such as turn lanes, during Final Site Plan review.
5. **Will there be parking problems?** The typical lot detail shown on the plan shows a minimum of a 20 foot long driveway from the front of the home to the street. In order to meet the required two parking spaces (garage spaces not counted towards required spaces) for a single-family detached residence, the driveway will need to be a minimum of 18 feet wide.
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 anticipated environmental impacts such as water, air, or noise pollution, or excessive lighting issues associated with the rezoning request. The project will be required to comply with all UDO regulations, including protection any wetlands or potential streams on the site including the applicable River Stream Overlay District (RSOD) standards, as necessary. Site configuration and preliminary plans show storm-water runoff can be adequately managed, with full review of storm-water management to be conducted during final site plan review.

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? This area of the City is expected to see growth and development with the completion of improvements to NC 3 as well as the property's proximity to Kannapolis Parkway, a high growth corridor.

8 . Is there compliance with the adequate public facilities criteria? Water and Sewer were installed in the area by the City between 2003 and 2008. There are adequate public facilities available to the property, including water, sewer, and road access via Stirewalt Road and Trinity Church Road. The project will require the extension of public water and sewer lines to serve the development.

9 . What are the zoning districts and existing land uses of the surrounding properties? Property to the north and south is zoned AG (Agricultural) and includes a mixture of undeveloped woodland and large lot single family detached homes. The property to the east is zoned a mixture of AG and C-1 (Light Commercial) and includes residential uses and a hospice facility. Property to the west and southwest (across Stirewalt Road and Trinity Church Road), is zoned Cabarrus County AO (Agriculture/Open Space), and includes a mixture of residential uses and undeveloped woodland.

10. Is the subject property suitable for the uses to which it has been restricted under the existing zoning classification? The subject property is currently zoned AG. The original zoning designation of this area stated that the AG zone was intended to be a "holding zone", for short term protection and preservation of land from premature development until municipal utilities were installed. The current AG zoning district would not permit the densities proposed by the plan.

11. Is the zoning compatible with the adjacent neighborhood, especially residential neighborhood stability and character? The proposed development will bring new residential development to the area that will be compatible with existing single-family residential development adjacent to the site. The development includes design standards requiring higher quality materials with a prohibition of vinyl siding, which is of similar materials as other homes in the area. A vegetated buffer is proposed around the entire perimeter of the site which will provide separation and a visual screen from the subdivision. A Type 4 buffer yard, ranging from 25 to 75 feet in width will be placed along Stirewalt and Trinity Church Road. M/I is proposing a minimum 20 foot wide buffer with a 6 foot tall opaque wooden fence along the southern property line adjacent to the Trinity Woods subdivision. The 20 foot wide buffer exceeds the requirements of the UDO which require an 8 to 12 foot wide buffer for RV zoned property adjacent to AG zoned property.

12. What length of time has the subject property remained vacant as zoned? The subject property has been vacant for an undetermined amount of time.

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 is a large supply of land available in the area. The land availability is adequate to accommodate a wide variety of future zoning and community needs. This rezoning will provide additional housing options for the community.

14. Was the existing zoning in error at the time of adoption? No. The AG zoning was placed on the property after annexation in 1999 to preserve the land from development prior to the installation of municipal utilities.

F. Legal Issues

None.

G. Alternative Courses of Action and Recommendation

STAFF RECOMMENDATION:

The applicant has advised the City that it is withdrawing its application for rezoning (see attached E-Mail)

The City Council may choose to approve or deny the applicant's request to withdraw their application for rezoning.

Based upon this request, Planning Staff is recommending that City Council approve the request by M/I Homes to withdraw their application to rezone property locate at 5032 Trinity Church Road and 6045 & 6205 Stirewalt Road from AG (Agricultural) to RV-CZ (Residential Village-Conditional Zoning)

ACTION REQUIRED TO ALLOW WITHDRAWAL OF APPLICATION FOR REZONING CASE #2017-05

Motion to accept the request by applicant (M/I Homes) to withdraw their application to rezone property locate at 5-32 Trinity Church Road and 6045 & 6205 Stirewalt Road from AG (Agricultural) to RV-CZ (Residential Village-Conditional Zoning)

THE FOLLOWING ARE ALTERNATE ACTIONS FOR APPROVAL OF THE REQUEST BY APPLICANT TO WITHDRAW APPLICATION TO REZONE:

1. Motion to deny request to withdraw and either approve or deny rezoning.
2. If request to withdraw is not granted and Council wants to approve rezoning, adopt a Statement of Consistency and Resolution to Rezone.
3. If request to withdraw is not granted and Council wants to deny rezoning, adopt a motion to deny rezoning and a Statement of Consistency.
4. Motion to defer back to the Planning and Zoning Commission with recommendations.
5. Motion to table to a future meeting

ATTACHMENTS:

File Name

- ☐ Request_to_Withdraw_Application_for_Z-2017-05.pdf
- ☐ (1)_Rezoning_Application.pdf
- ☐ (2)_Vicinity_Z201705.pdf
- ☐ (3)_Zoning_Z201705.pdf
- ☐ (4)_FLU_Z201705.pdf

- ▢ Trinity_Church_Site_Plan.pdf
- ▢ (7)_Neighborhood_Meeting_Report.pdf
- ▢ January_22_CC_Public_Notice_Ad.pdf
- ▢ Z-2017-05_CC_Abutting_Ltr_Notification.pdf
- ▢ (9)_NotifiedParcels.pdf
- ▢ (11)_Zoning_Sign_Posted.pdf
- ▢ (11a)_Zoning_Sign_Posted_2.pdf
- ▢ Z-2017-05_Statement_of_Consistency_-_City_Council.pdf
- ▢ Z-2017-05_Resolution_to_Zone_-_City_Council.pdf

Zac Gordon

Subject: FW: Trinity Church Rd Properties - Rezoning Withdrawal

From: Chad Lloyd [<mailto:clloyd@MIHOMES.com>]
Sent: Monday, January 29, 2018 1:13 PM
To: Ryan Granata <rgranata@kannapolisnc.gov>
Cc: Scott Herr <SHerr@MIHOMES.com>
Subject: Trinity Church Rd Properties - Rezoning Withdrawal

Ryan,
Per our discussion earlier, M/I Homes is formally withdrawing as an applicant for the rezoning of the following property:

- Property located at 5032 Trinity Church Road and 6045 & 6205 Stirewalt Road from AG (Agricultural) to RV-CZ (Residential Village – Conditional Zoning)

I request acknowledgement of your receipt and acceptance of our withdrawal. I have recommended to the property owners that they contact your office to discuss their options.

Many thanks for your assistance through the process. We hope to return to Kannapolis with future projects.

Very respectfully,

Chad A. Lloyd
Land Acquisition Manager

M/I Homes of Charlotte, LLC
5350 77 Center Drive | 100 | Charlotte, NC | 28217
www.mihomes.com/Charlotte

Phone: (704) 597-4581
Mobile: (828) 450-5049
Fax: (704) 376-0023
clloyd@mihomes.com

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APPLICATION FOR AMENDMENT TO THE KANNAPOLIS ZONING MAP

Property Identification Number(s): 46939663830000, 56030627040000, 46939615960000
(attach separate list if necessary)

Present zoning classification: Agricultural District (AG)

Requested zoning classification: Residential Village (RV) Conditional

Number of parcels: 3 Approximate size of area: 50.6 Acres (per Cabarrus County GIS)

Physical location of area: Trinity Church Road and Stirewalt Road, City of Kannapolis, NC

Are public utilities available? Yes

Reason for map amendment Proposed Residential Development Including +/-130 Single Family Residential Homes

The above information is true and accurate to the best of my knowledge. Signature of Applicant(s):

Jeremia S. Mayhew

(attach separate sheet if necessary)

Fee: Please refer to fee schedule to determine applicable fees. All fees are nonrefundable and help to cover administrative and notification costs.

STAFF USE ONLY

Neighborhood Meeting Date: _____

Planning Commission Meeting Date: _____

Dates advertised in newspaper: _____ and _____

Date written notices mailed: _____

Date rezoning sign requested: _____

Planning Commission Decision: _____

Added Conditions: _____

Appeal? _____

City Council Meeting Date: _____

Dates advertised in newspaper: _____ and _____

Date written notices mailed: _____

City Council Decision: _____

Added Conditions: _____

Date applicant notified of final decision: _____

CITY OF KANNAPOLIS
APPLICATION FOR A CONDITIONAL ZONING DISTRICT
(to be attached to the Rezoning Application)

I, MI Homes, hereby petition for a Conditional Zoning District for the following exact land use(s), subject to the following condition(s):

The following use(s) is/are permitted by right or conditional in the general zoning district upon which the "CZ" district is based:

Single Family Residential

Condition(s) proposed by the applicant (attach separate sheet if necessary):

- All front elevations shall be constructed of one or a combination of the following materials: fiber cement board, stucco, brick, stone, glass, wood, or faced concrete block. Artificial materials which closely resemble these materials shall also be allowed. Vinyl may only be utilized for soffits, trim and window treatments;
- All other sides of the homes will be constructed of fiber cement board at a minimum, and may be brick or stone;
- Multiple colors of fiber cement board, stone and brick are encouraged between units to ensure variety.
- Garage doors will have carriage hardware and windows.
- Builder will adhere to an anti-monotony policy: The same home, elevation and color scheme may not be built side-by-side or across the street.

It is understood and acknowledged that if the property is conditionally rezoned as requested, the property involved in this request will be perpetually bound to the use(s) authorized and subject to such condition(s) as imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

John F. McKinley
Signature of Property Owner

Signature of Property Owner

John F. McKinley
702 Possum Trot Rd
Blacksburg, SC 29702
Address

Address

980-622-5560
Telephone #

Telephone #

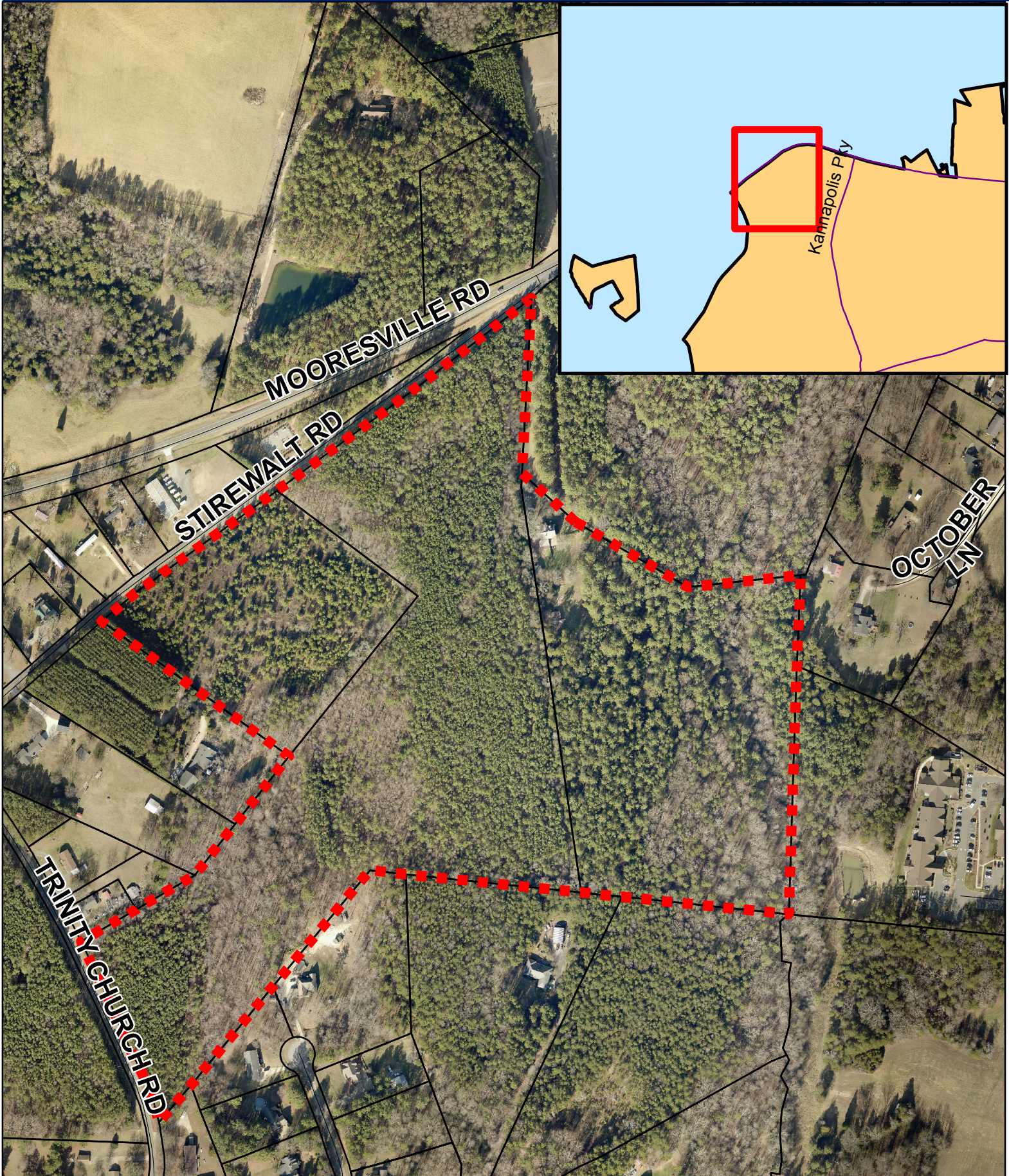
Please refer to fee schedule to determine applicable fees.
Fees are nonrefundable and help to cover administrative and notification costs.



Vicinity Map

Case Number: Z-2017-05

Applicant: MI Homes

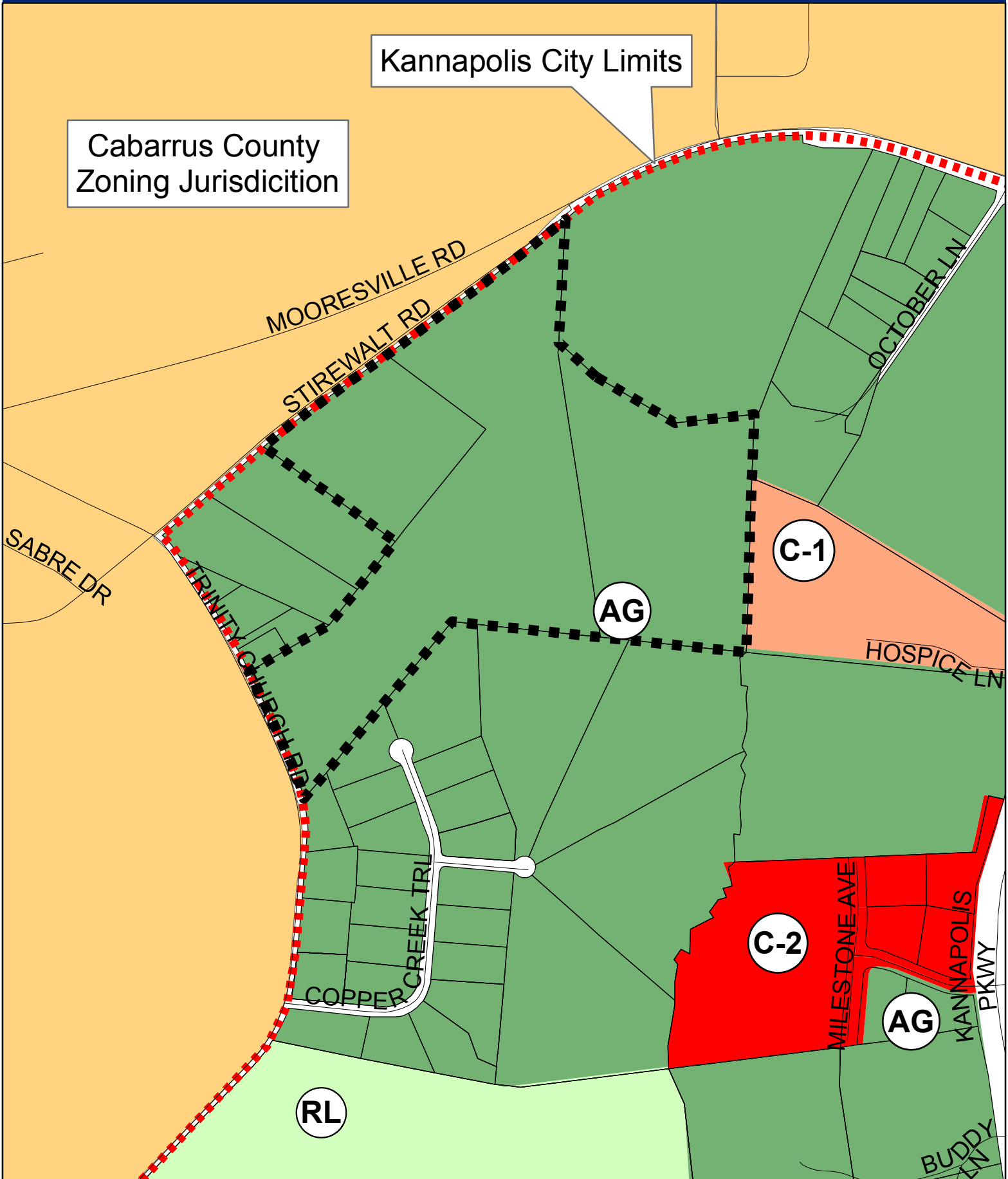




Kannapolis Current Zoning

Case Number: Z-2017-05

Applicant: MI Homes

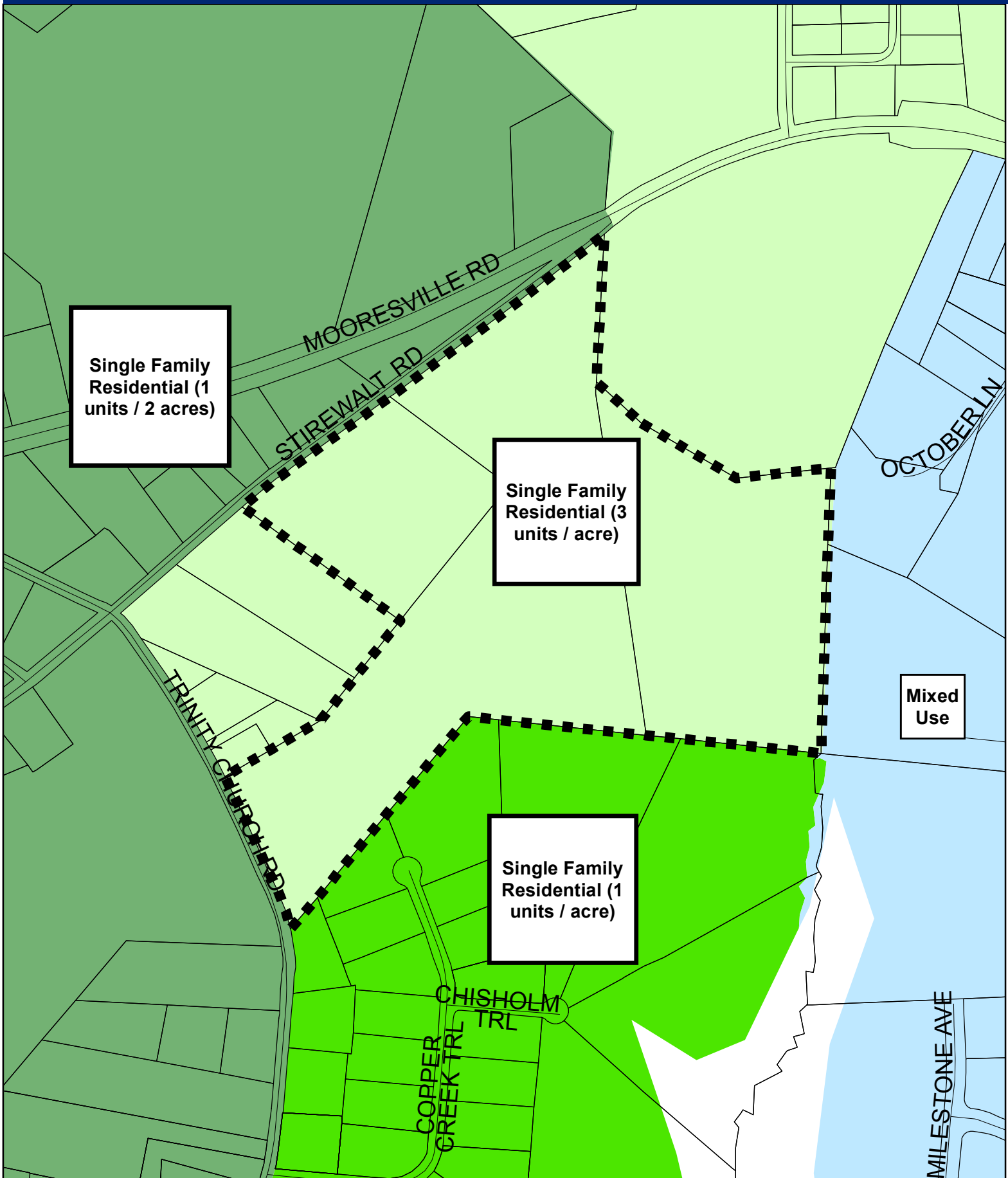




Kannapolis 2015 Future Land Use Plan

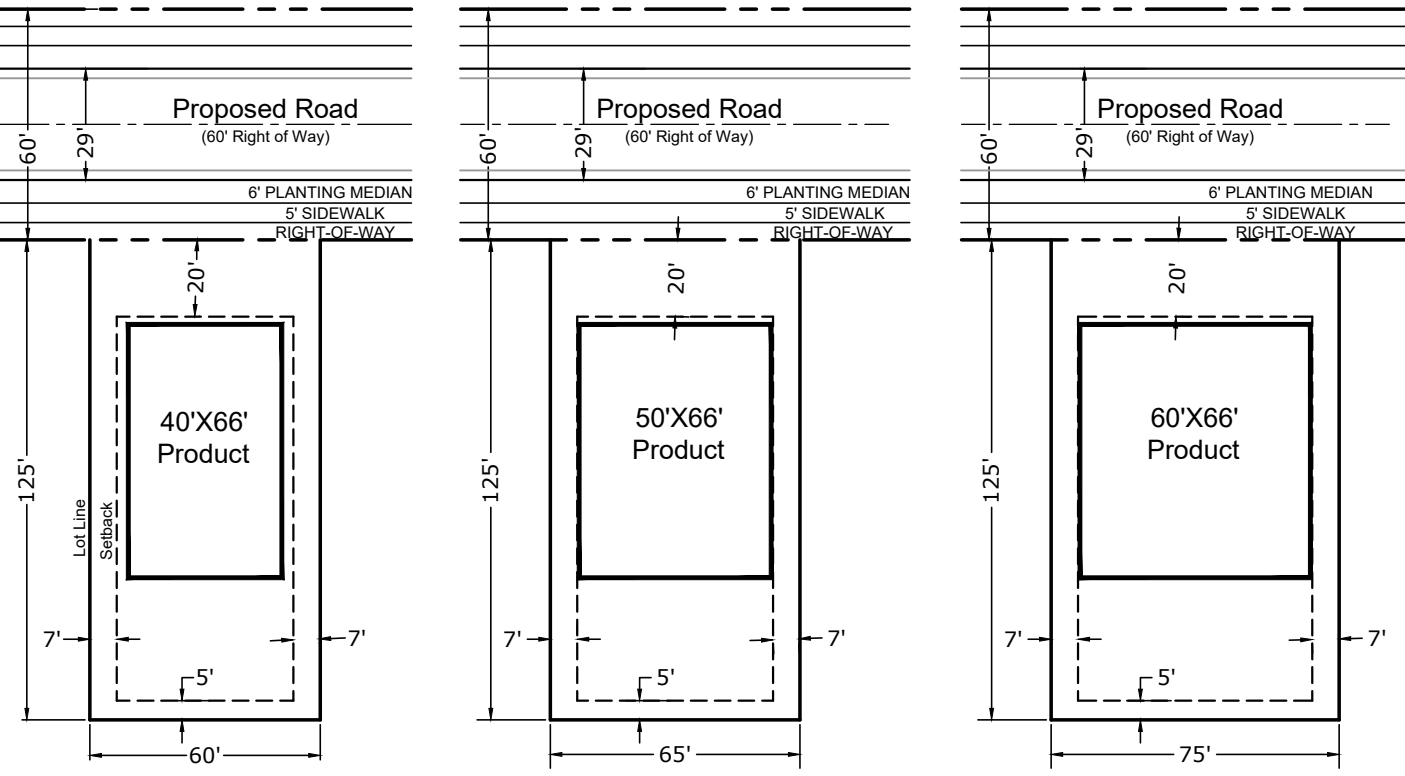
Case Number: Z-2017-05

Applicant: MI Homes





TYPICAL LOT DETAIL



PROJECT DEVELOPMENT DATA:

PARCELS:	4693963830000, 56030627040000, 46939615960000
JURISDICTION:	City of Kannapolis, NC
ACREAGE:	50.6 (Per Cabarrus County GIS)
EXISTING ZONING:	AG (Agricultural District)
PROPOSED ZONING:	RV-CZ (Residential Village Conditional)
EXISTING USE:	Vacant
PROPOSED USE:	Single Family Residential
TOTAL PROPOSED UNITS:	+/- 121 Units
60' X 125':	+/- 44 Units(36%)
65' X 125':	+/- 63 Units(52%)
75' X 125':	+/- 14 Units(12%)
Phase I:	+/- 44 Units
Phase II:	+/- 41 Units
Phase III:	+/- 36 Units
MAXIMUM DENSITY:	8 Units/Acre
PROPOSED DENSITY:	+/- 2.39 Units/Acre
LOT DEVELOPMENT DATA:	
FRONT SETBACK:	20'
SIDE SETBACK (INTERIOR):	7'
SIDE SETBACK (SIDE LOT)	20'
REAR SETBACK:	5'
MINIMUM LOT WIDTH:	60'
MINIMUM LOT DEPTH:	100'
MINIMUM LOT SF:	7,500 SF
MINIMUM CONNECTIVITY RATIO:	1.4
PROPOSED CONNECTIVITY RATIO:	1.55 (14 Links/ 9 Nodes)
REQUIRED OPEN SPACE:	5 Acres (10% of total acreage)
PROPOSED OPEN SPACE:	6.3 Acres (12% of 50.6)
NOTE:	No more than 25% of the total open space will be inaccessible.
REQUIRED TREE SAVE:	12" Cal. Trees or Greater Located within passive recreation areas.
REQUIRED LANDSCAPING	
TYPE 1 PERIMETER LANDSCAPE BUFFER:	12' Width 1 Shade Tree/ 100 LF 1 Ornamental Tree/ 100 LF 3 Shrubs/ 100 LF
TYPE 2 PERIMETER LANDSCAPE BUFFER:	20' Width Requirements to be met through existing vegetation.
STREET YARD LANDSCAPING:	6' Width 1 Shade Tree/ 100 LF Or 2 Ornamental Trees/ 100 LF

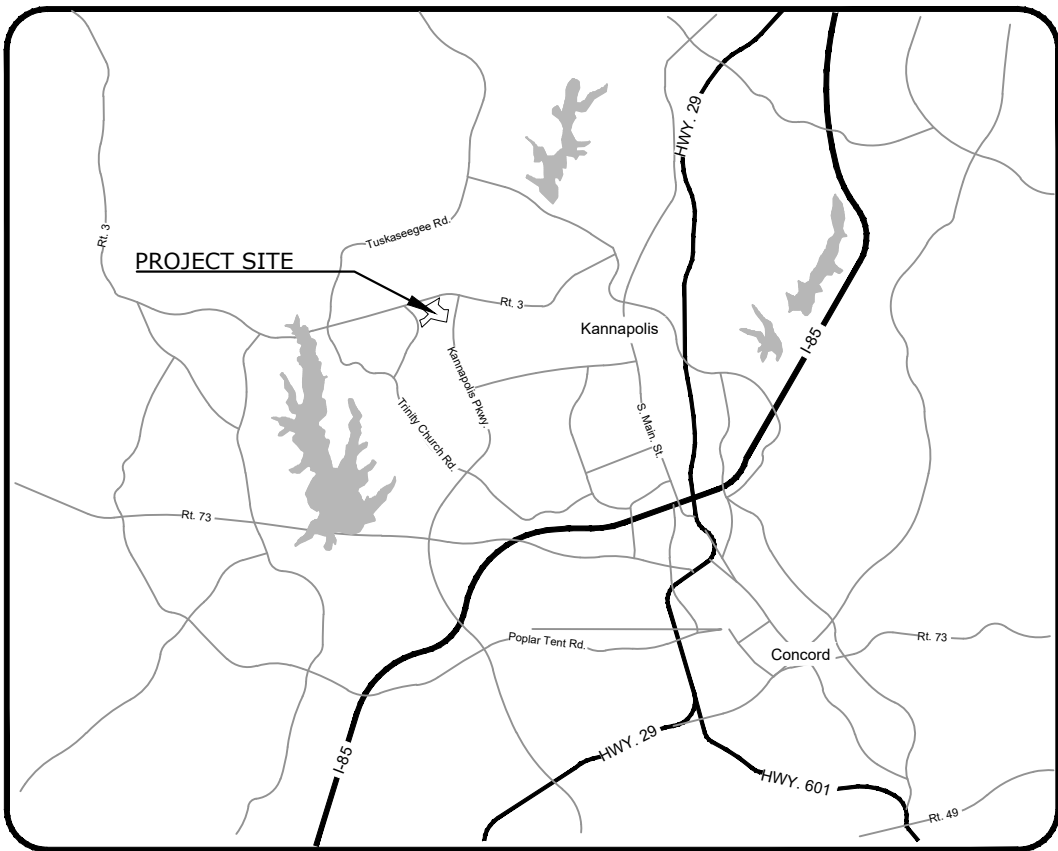
GENERAL PROVISIONS

- The development depicted on the Site Plan is intended to reflect the arrangement of proposed uses on the Site, but the final configuration, placement and size of individual Site elements may be altered or modified within the limits prescribed by the Ordinance and the standards established by the Site Plan and these Development Standards during design development and construction phases. Street layouts may be modified to accommodate final building and lot locations.
- Unless more stringent standards are established by the Site Plan or these Development Standards, development of the Site shall comply with the requirements and standards for the RV zoning district set forth in the City of Kannapolis Unified Development Ordinance (the "Ordinance") and on this Site Plan.
- The proposed use for the site is single family residential. The Site may be devoted to a maximum of 130 for sale single family detached dwelling units (+/- 10%) and to any incidental or accessory use in connection therewith which is permitted in the RV zoning district under the Ordinance.
- All front elevations shall be constructed of one or a combination of the following materials: fiber cement board, stucco, brick, stone, glass, wood, or faced concrete block. Artificial materials which closely resemble these materials shall also be allowed. Vinyl may only be utilized for soffits, trim and window treatments;
- All other sides of the homes will be constructed of fiber cement board at a minimum, and may be brick or stone.
- Multiple colors of fiber cement board, stone and brick are encouraged between units to ensure variety.
- Garage doors will have carriage hardware and windows.
- Builder will adhere to an anti-monotony policy: The same home, elevation and color scheme may not be built side-by-side or across the street.
- Proposed project site entrance locations are considered preliminary in nature.
- Street connections are conceptual and may be subject to change based on agency input and review.
- Common Open Space areas are conceptual and preliminary. The exact location of these areas may change as the client finalizes decisions regarding storm water, utility features, and grading.
- Lighting will be provided for the site in accordance with the City of Kannapolis Unified Development Ordinance.
- Signage will be provided for the project in accordance with Article 12 of the City of Kannapolis Unified Development Ordinance.

GENERAL SITE NOTES

- Base information provided by Cabarrus County GIS and the City of Kannapolis. All base information utilized in the preparation of this rezoning plan is considered to be preliminary in nature and subject to change with the completion of the boundary survey.
- Stream and Wetlands - Perennial stream and wetland information provided by Carolina Wetland Services Inc. report titled "Jurisdictional Delineation Report, Trinity Church Road Site", conducted on September 14, 2017.
- Floodplain - Information obtained from Cabarrus County GIS and FEMA FIRM Panels 3710469300J and 3710560300J, effective November 5, 2008. No floodplain is present within the limits of the project boundary.
- Overlay Districts - Project site falls under the Coddle Creek Thoroughfare Protection Overlay District (CCTP). A 40' Corridor Preservation Area will be provided along the entire length of the Trinity Church Road frontage per the requirements of this district.
- Rezoning plan completed using public GIS and zoning sources. Cardno is not responsible for errors in the site plan due incorrect, incomplete, missing or outdated public information.

PROJECT VICINITY MAP





UTILITY NOTES

ALL UTILITY INFORMATION SHOWN ON SKETCH PLAN WAS OBTAINED FROM CABARRUS COUNTY GIS AND AS-BUILT PLANS FROM CITY OF KANNAPOLIS.

NO EASEMENTS, RIGHTS-OF-WAY, FLOODPLAIN AREAS, POWER LINES, RAILROADS, CULVERTS, DRAIN PIPES, DRAINAGE CHANNELS, FLOOD CHANNELS, SWAMPS, PARKS, CEMETERIES, BRIDGES, IRRIGATION DITCHES, OR NATURAL GAS LINES WERE FOUND ON SITE, PER COUNTY GIS. ALL INFORMATION WILL BE VERIFIED AND UPDATED UPON COMPLETION AND RECEIPT OF SURVEY.

OFFSITE SANITARY EASEMENT WILL NEED TO BE OBTAINED FROM ADJACENT PROPERTY OWNER.

ARCHITECTURAL RENDERINGS

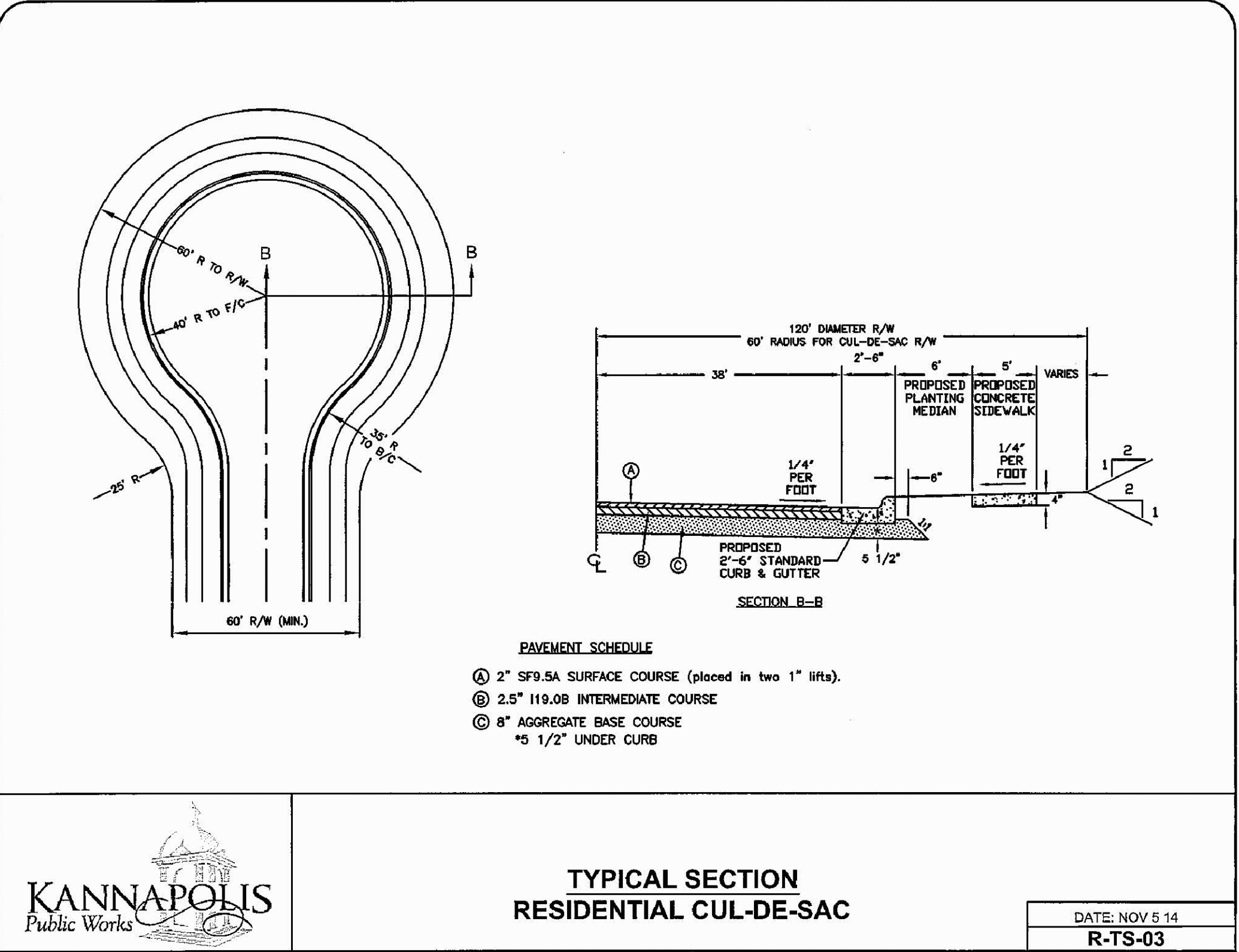
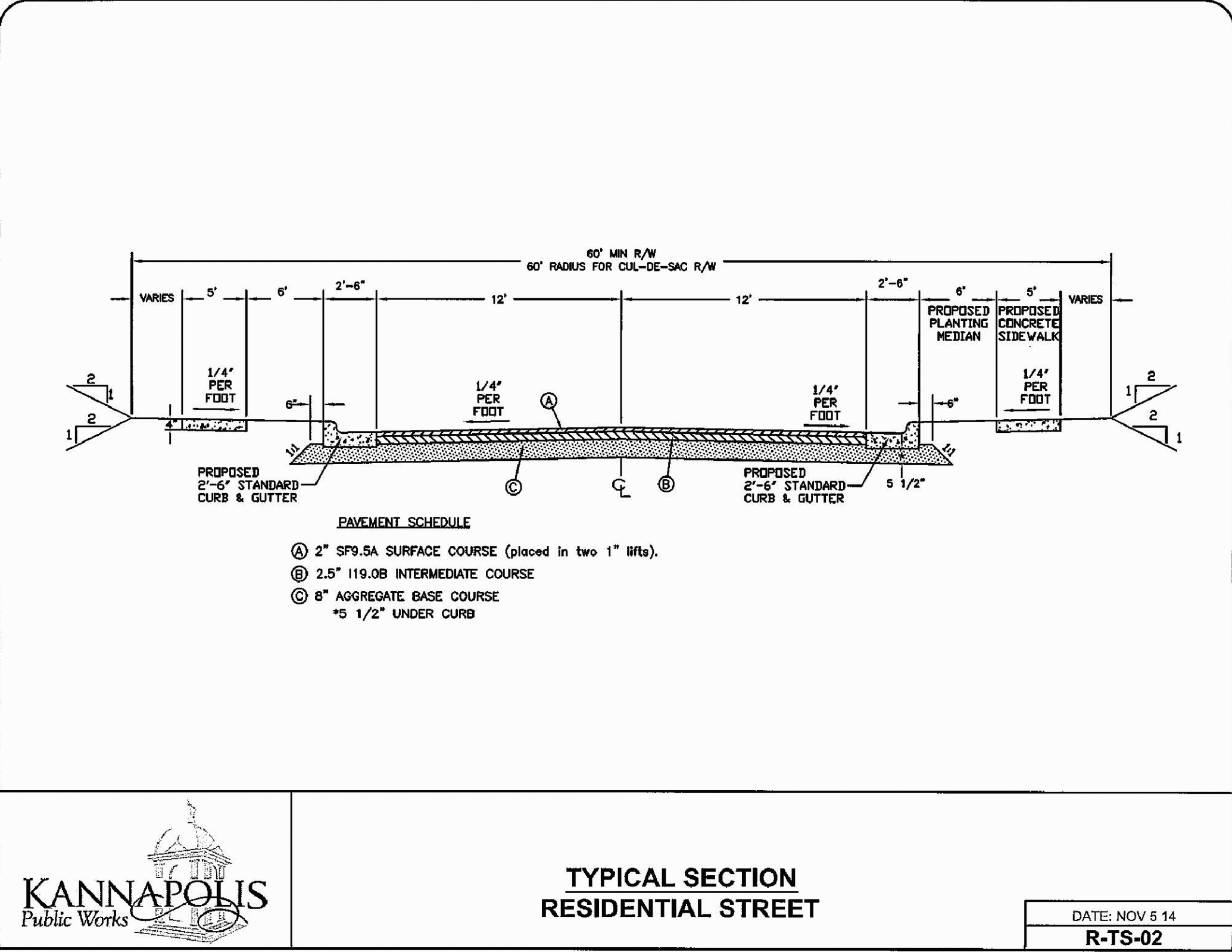


TYPICAL ENTRY, BERM, AND LANDSCAPING DESIGN



NOTE: LANDSCAPE, BERMING, AND SIGNAGE DEPICTED IN THE ABOVE IMAGES IS TYPICAL FOR M/I HOMES DEVELOPMENT AND FOR REFERENCE ONLY. ACTUAL LANDSCAPE, BERMING, AND SIGNAGE FOR THIS PROJECT WILL BE DESIGNED PER THE CITY OF KANNAPOLIS UNIFIED DEVELOPMENT ORDINANCE.

STANDARD DETAILS - CITY OF KANNAPOLIS



MEMORANDUM



To: Ryan Granata, Senior Planner
City of Kannapolis

From: Cardno

Date: November 6, 2017

Project: **Trinity Church Road Development**
Re: **Neighborhood Meeting Summary**

Cardno
9800 Southern Pine Blvd.
Suite I
Charlotte, North Carolina 28273
USA

Phone (704) 927-9700
Fax (980) 422-0938

www.cardno.com

On Wednesday, November 1st, 2017, a neighborhood meeting took place at the Kannapolis YMCA from 6:30pm to 7:30pm to present the proposed single family development on Trinity Church Road and Stirewalt Road. Per the requirements of the Unified Development Ordinance, all adjacent property owners were notified of this meeting seven (7) days prior to the event date.

Present at the meeting were Scott Herr (M/I Homes), Jeremia Murphy (M/I Homes), Chad Lloyd (M/I Homes), Eric Lalone (Cardno), and Kaitlyn Woolard (Cardno). Twenty three (23) community members attended the meeting. This included adjacent property owners as well as community members not directly adjacent to the property that were notified of the meeting via word of mouth.

M/I Homes gave a short presentation to begin the meeting. Their presentation included a brief history of the company, the company's presence in the surrounding markets, and a project summary. The project summary provided details of the proposed development and how the proposed use and density fit within the Unified Development Ordinance as well as the City of Kannapolis Coddle Creek Area Recommended Land Use Plan. A full size illustrative site plan rendering (see attached) was provided for the presentation, as well as supporting images of the proposed home elevations and typical landscape.

The community members asked questions and gave feedback on the proposed development. The following items were most commonly discussed at the neighborhood meeting:

- Increased traffic volume for the proposed development.
- Increased density from 1 unit/ acre to 2.56 units/acre.
- Types of buffers to be provided adjacent to single family residential homes.
- Impact to the school system.

After the presentation, M/I Homes and Cardno broke off into smaller groups to take individual questions from community members. Several community members inquired about next steps in the rezoning process. Community members were told that the project would be submitted to the City and will likely be on the December agenda for the Planning Commission meeting. The neighborhood meeting concluded at 7:30pm.

NORTH CAROLINA COMMUNITY NEWSPAPERS

Order Confirmation

Order# 0000426941

Client: KANNAPOLIS, CITY OF Payor Customer: KANNAPOLIS, CITY OF
Client Phone: 7049204300 Payor Phone: 7049204300

Account #: 3143368 Payor Account: 3143368
Address: ACTS PAYABLE/MANDA/TEARSHEET Payor Address: ACTS PAYABLE/MANDA/TEARSHI
KANNAPOLIS NC 28081 KANNAPOLIS NC 28081

Fax: 7049337463 Sales Rep: Ordered By
EMail: byow@kannapolisnc.gov aboan Pam

Total Amount \$721.92 Status Materials
Payment Amount \$721.92
Amount Due \$0.00 Tear Sheets Proofs Affidavits Blind Box
Tax Amount: 0.00 0 0 1
Payment Method: Credit - Debit Card PO Number:
Order Notes:
Invoice Text:

Ad Number	Ad Type	Ad Size	Color
0000426941-01	CLS Liner	2 X 58 ii	\$0.00
Pick Up Number			
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 Kannapolis City Hall
Run Dates: 1/12/2018, 1/19/2018

Product and Zone	Placement	Position	# Inserts
NCC Online	C-Legal Ads	Legal Notices	7

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Kannapolis City Hall

Run Dates: 1/12/2018, 1/13/2018, 1/14/2018, 1/15/2018, 1/16/2018, 1/17/2018, 1/18/2018
Tadline: NOTICE OF PUBLIC HEARING KANNAPOLIS CITY HALL LAUREATE CENTER 401
LAUREATEWAY KANNAPOLIS NC 28081 CITY COUNCIL MEETING MONDAY JAN
UARY 22 2018 AT 600P



NOTICE OF PUBLIC HEARING

Kannapolis City Hall
Laureate Center
401 Laureate Way, Kannapolis, NC 28081

City Council Meeting
Monday, January 22, 2018 at 6:00 pm

Public Hearing Notice

Public Hearing Notice - Zoning Map Amendment - Z-2017-04 - Public Hearing to consider a request to rezone property located at 2800 Trinity Church Road and an unaddressed parcel located across Stonewood View, from C-1 (Light Commercial) to RC (Residential Compact) to allow for the development of a townhome community.

Public Hearing Notice - Zoning Map Amendment - Z-2017-05 - Public Hearing to consider a request to rezone property located at 5032 Trinity Church Road and 6045 & 6205 Stirewalt Road, from AG (Agricultural) to RV-C2 (Residential Village-Conditional Zoning) to allow for the development of 130 +/- single family residential homes.

Public Hearing Notice - Zoning Text Amendment - TA-2018-01 - Public Hearing to consider text amendments to the following sections of the Unified Development Ordinance: (1) Article 3 Zoning and Permitting Procedures, Section 3.1.5 Notice Procedures; (2) Article 3 Zoning and Permitting Procedures, Section 3.1.9 Legislative and Advisory Hearings; and (3) Article 6 Subdivision Regulations, Section 6.4.4 Preliminary Plat Submission Procedures for Minor Plats, amending the public notification requirements for legislative, quasi-judicial and neighborhood meetings for Preliminary Plats.

If you have questions or concerns regarding these cases, please contact the City of Kannapolis Planning Department at 704-920-4350.

Hearing impaired persons desiring additional information or having questions regarding this subject should call the North Carolina Relay Number for the Deaf (1-800-735-8262). The meeting facility is accessible to people with disabilities. To request special accommodations in advance, contact the City's ADA Coordinator at 704-920-4302 or email tdl@kannapolisnc.gov.

Public: January 12, 19, 2018.



January 12, 2018

Dear Property Owner:

Please be advised that the City of Kannapolis City Council will conduct a Public Hearing on Monday, January 22, 2018 at 6:00 PM at City Hall, located at 401 Laureate Way, for the following case:

Z-2017-05 – Zoning Map Amendment – 5032 Trinity Church Road and 6045 & 6205 Stirewalt Road

The purpose of the Public Hearing is to consider a request by MI Homes to rezone property, owned by John McKinley, Katherine Roberts and La Rue Credle Living Trust, located at 5032 Trinity Church Road, and 6045 & 6205 Stirewalt Road, from AG (Agricultural) to RV-CZ (Residential Village – Conditional Zoning) to allow for the development of 130 +/- single-family residential homes. The properties are approximately 50.6 +/- acres in size and are further identified as Cabarrus County Parcel Identification Number(s) 4693-96-6383, 5603-06-2704, and 4693-96-1596 (see reverse side of this letter for vicinity map showing the location of this property).

As an abutting property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Unified Development Ordinance; and are invited to attend the public hearing and present testimony, should you desire, to the City Council.

Should you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4350.

Sincerely,

Ryan Hvitløk, AICP
Senior Planner

Enclosure

The meeting facility is accessible to people with disabilities. To request special accommodation in advance, contact the City's ADA Coordinator at 704-920-4302 or e-mail to tcline@kannapolisnc.gov.



Zoning Map Amendment

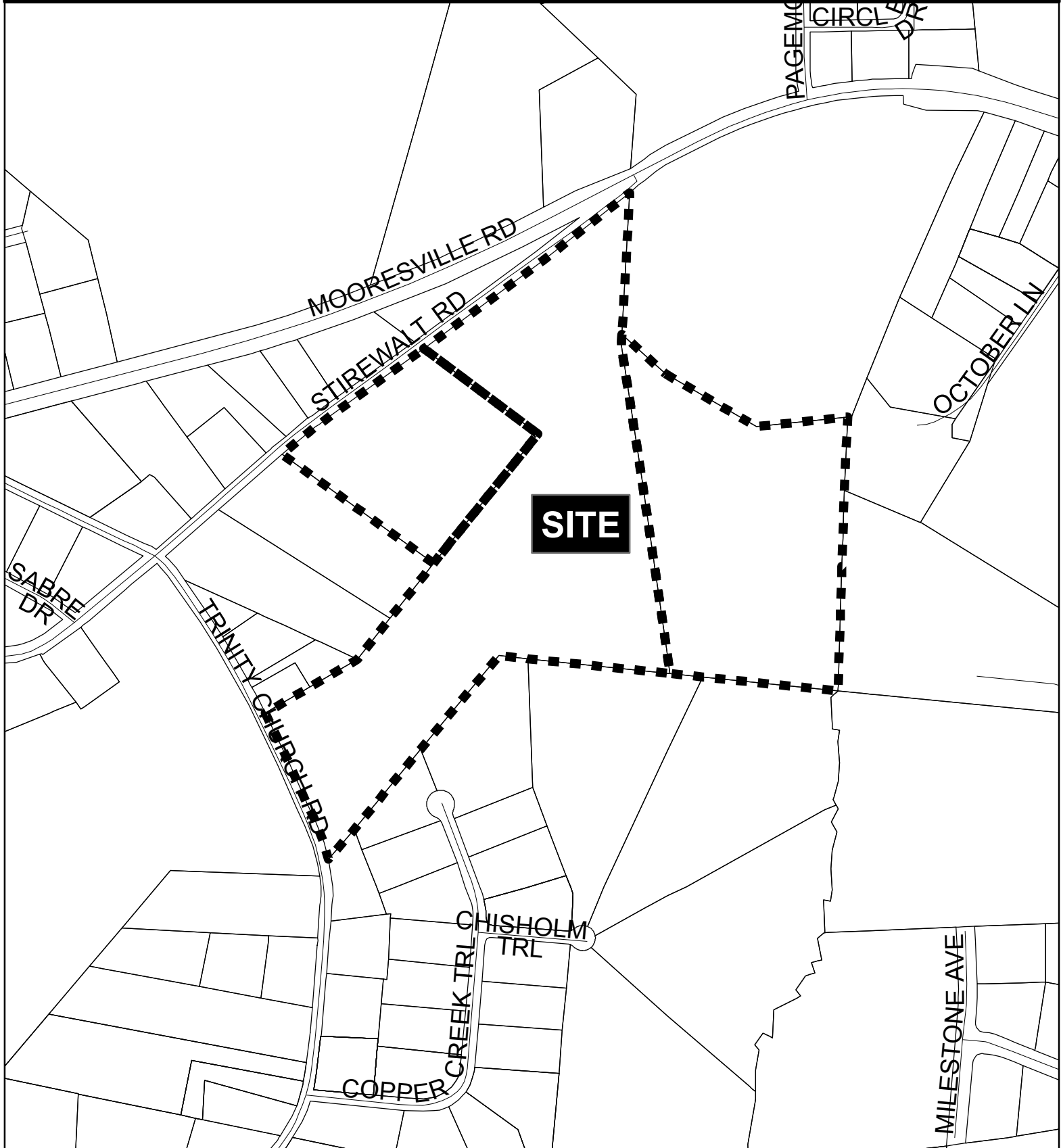
Trinity Church Rd, 6045 & 6205 Stirewalt Rd

Case Number: Z-2017-05

Applicant: MI Homes

Address: 5032 Trinity Church Rd, 6045 & 6205 Stirewalt Rd

PIN: 4693-96-6383, 5603-06-2704, & 4693-96-1596



AcctName1	MailAddr1	MailCity	MailState	MailZipCod
JOHN & TERRY GURLEY	5720 OCTOBER LANE	KANNAPOLIS	NC	28081
GARY HAMBLIN	P O BOX 308	KANNAPOLIS	NC	28082
FREDERIC & KATHERINE ROBERTS	6045 STIREWALT ROAD	KANNAPOLIS	NC	28081
GLENN & DEBRA BENFIELD	60 RUTH CIR	FUQUAY VARINA	NC	27526
VAN & CAROLYN HELMS	5225 KANNAPOLIS PKWY	KANNAPOLIS	NC	28081
RICHARD & LINA GIBSON	161 HILLCREST AVE SE	CONCORD	NC	28025
WILLIAM & CATHERINE PAGE	5028 COPPER CREEK TRL	KANNAPOLIS	NC	28081
BETHPAGE PRESBYTERIAN CHURCH	6020 MOORESVILLE ROAD	KANNAPOLIS	NC	28081
JOHN MCKINLEY	702 POSSUM TROT RD	BLACKSBURG	SC	29702
SAMUEL & LINDA MOORE	6121 CHISHOLM TRAIL	KANNAPOLIS	NC	28081
TIMOTHY ALLEN	6212 MOUNTAIN VINE AVE	KANNAPOLIS	NC	28081
JAMES & SANDRA DOTY	6325 STIREWALT ROAD	KANNAPOLIS	NC	28081
PURA VIDA INTERNATIONAL LLC	6814 HIGHGROVE PLACE	CONCORD	NC	28027
HOSPICE OF CABARRUS COUNTY INC				
A NC NON-PROFIT CORPORATION	5003 HOSPICE LANE	KANNAPOLIS	NC	28081
CLIFTON CREDLE TRUSTEE				
OF LA RUE S CREDLE LIVING TRST	304 MARK TWAIN ST	NEWPORT NEWS	VA	23606
M/I HOMES OF CHARLOTTE LLC	5350 77 CENTER DRIVE			
ATTN: JEREMIA MURPHY, PE	SUITE 100	CHARLOTTE	NC	28217



PLANNING
COMMISSION
PUBLIC HEARING
INFORMATION
CALL 704-628-4360
CASE # Z-2017-05





**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE # Z-2017-05**

WHEREAS, Section 160A-383 (2013) of the North Carolina General Statutes specifies that when adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable and explain why the action taken is reasonable and in the public interest; and

WHEREAS, Section 3.3.4.2.2 of the Unified Development Ordinance delegates final authority to the City Council on zoning map amendments in cases of a denial by Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission conducted a Public Hearing on December 6, 2017 and denied the request to rezone with a vote of 6-1; and

WHEREAS, on January 22, 2018 the City Council conducted a public hearing to consider a request to rezone property located at 5032 Trinity Church Road and 6045 & 6205 Stirewalt Road (Cabarrus County Parcel Identification Number(s) 4693-96-6383, 5603-06-2704, and 4693-96-1596) owned by John McKinley, Katherine Roberts, and La Rue Credle Living Trust, from City of Kannapolis Zoning Designation AG - Agricultural to City of Kannapolis Zoning Designation RV-CZ – Residential Village-Conditional Zoning.

NOW, THEREFORE BE IT RESOLVED *that the City Council finds this zoning map amendment as presented in Case #Z-2017-05 to be consistent with the City of Kannapolis 2015 Land Use Plan, adopted by City Council, which recommends “Single-Family Residential 3 unit/acre” for this property. This rezoning is also reasonable and in the public interest based on the availability of water and sewer service as well as its proximity to Mooresville Road and Kannapolis Parkway, both major thoroughfares.*

Adopted this the 12th day of February 2018;

Milton D. Hinnant, Mayor

Attest:

Bridgette Bell, MMC, NCCMC
City Clerk



RESOLUTION TO ZONE

Case # Z-2017-05 (5032 Trinity Church Road, 6045 & 6205 Stirewalt Road)

**City of Kannapolis Agricultural (AG) Zoning District to
City of Kannapolis Residential Village-Conditional Zoning (RV-CZ) Zoning District**

WHEREAS, Section 3.3.4.2.2 of the City of Kannapolis Unified Development Ordinance delegates final authority to the City Council on zoning map amendments in cases of a denial by the Planning and Zoning Commission; and

WHEREAS, the Commission conducted a public hearing on December 6, 2017 for consideration of rezoning petition Case #Z-2017-05 as submitted to the City of Kannapolis Planning Department and denied the request with a vote of 6-1; and

WHEREAS, on January 22, 2018 the City Council conducted a public hearing to consider a request to rezone property located at 5032 Trinity Church Road and 6045 & 6205 Stirewalt Road (Cabarrus County Parcel Identification Number(s) 4693-96-6383, 5603-06-2704, and 4693-96-1596) owned by John McKinley, Katherine Roberts, and La Rue Credle Living Trust, from City of Kannapolis Zoning Designation AG - Agricultural to City of Kannapolis Zoning Designation RV-CZ – Residential Village-Conditional Zoning.

WHEREAS, the City Council has approved the request for rezoning and found it to be consistent with the City of Kannapolis 2015 Land Use Plan, reasonable and in the public interest; and

WHEREAS, per Section 3.3.5 of the Kannapolis UDO, the Planning and Zoning Commission makes the following findings in support of and in analysis of the rezoning:

1. The size of the tract in question.

The size of the subject tract is 50.6 +/- 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 located in the “Coddle Creek Area” of the *City of Kannapolis 2015 Land Use Plan*, which recommends a future land use designation of “Single-Family Residential (3 units/acre)” for this location. The density for the proposed development is 2.39 units/acre (121 units/ 50.6 acres), which conforms to the 2015 Land Use Plan.

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

The subject property is located ½ mile west of the intersection of Mooresville Road (NC 3) and Kannapolis Parkway which is anticipated to see more development once the NC 3 widening occurs. The proposed site plan includes vegetative buffers around the perimeter of the site. Larger 75-foot wide lots and a 20 foot vegetative buffer with 6-foot tall opaque wooden fence is located adjacent to the existing large-lot single family residential to the south of the site in the Trinity Woods subdivision.

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 (TIA) has been prepared to address the traffic impact of the proposed use. Two entrances are proposed for the site, with the main entrance on Stirewalt Road, with a secondary entrance on Trinity Church Road. The TIA has been reviewed by The City of Kannapolis and NCDOT, and recommended no additional improvements on Stirewalt Road and Trinity Church Road. NCDOT will review the location of the entrances as well as any improvements, such as turn lanes, during Final Site Plan review.

5. Will there be parking problems?

The typical lot detail shown on the plan shows a minimum of a 20 foot long driveway from the front of the home to the street. In order to meet the required two parking spaces (garage spaces not counted towards required spaces) for a single-family detached residence, the driveway will need to be a minimum of 18 feet wide.

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 anticipated environmental impacts such as water, air, or noise pollution, or excessive lighting issues associated with the rezoning request. The project will be required to comply with all UDO regulations, including protection any wetlands or potential streams on the site including the applicable River Stream Overlay District (RSOD) standards, as necessary. Site configuration and preliminary plans show storm-water runoff can be adequately managed, with full review of storm-water management to be conducted during final site plan review.

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?

This area of the City is expected to see growth and development with the completion of improvements to NC 3 as well as the property's proximity to Kannapolis Parkway, a high growth corridor.

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

Water and Sewer were installed in the area by the City between 2003 and 2008. There are adequate public facilities available to the property, including water, sewer, and road access via Stirewalt Road and Trinity Church Road. The project will require the extension of public water and sewer lines to serve the development.

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

Property to the north and south is zoned AG (Agricultural) and includes a mixture of undeveloped woodland and large lot single family detached homes. The property to the east is zoned a mixture of AG and C-1 (Light Commercial) and includes residential uses and a hospice facility. Property to the west and southwest (across Stirewalt Road and Trinity Church Road), is zoned Cabarrus County AO (Agriculture/Open Space), and includes a mixture of residential uses and undeveloped woodland.

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

The subject property is currently zoned AG. The original zoning designation of this area stated that the AG zone was intended to be a "holding zone", for short term protection and preservation of land from premature development until municipal utilities were installed. The current AG zoning district would not permit the densities proposed by the plan.

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

The proposed development will bring new residential development to the area that will be compatible with existing single-family residential development adjacent to the site. The development includes design standards requiring higher quality materials with a prohibition of vinyl siding, which is of similar materials as other homes in the area. A vegetated buffer is proposed around the entire perimeter of the site which will provide separation and a visual screen from the subdivision. A Type 4 buffer yard, ranging from 25 to 75 feet in width will be placed along Stirewalt and Trinity Church Road. M/I is proposing a minimum 20 foot wide buffer with a 6 foot tall opaque wooden fence along the southern property line adjacent to the Trinity Woods subdivision. The 20 foot wide buffer exceeds the requirements of the UDO which require an 8 to 12 foot wide buffer for RV zoned property adjacent to AG zoned property.

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

The subject property has been vacant for an undetermined amount of time.

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 is a large supply of land available in the area. The land availability is adequate to accommodate a wide variety of future zoning and community needs. This rezoning will provide additional housing options for the community.

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

No. The AG zoning was placed on the property after annexation in 1999 to preserve the land from development prior to the installation of municipal utilities.

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the above referenced property be rezoned RV-CZ – Residential Village–Conditional Zoning District subject to the following conditions:

1. The development shall comply with the General Provisions shown on Sheet 1 of the Rezoning Plan dated January 12, 2018.
2. Allowable uses shall be limited to a maximum 130 (+/- 10%) single-family detached dwellings.
3. Driveways shall be a minimum of 20 feet in length and able to park two vehicles side-by-side. The minimum length for driveways that exceed 22 feet, shall be 32 feet. Planning staff may allow a maximum of 2 foot deviation on an individual basis based on the review of the site plan zoning administrator.
4. All proposed road intersections on Trinity Church and Stirewalt Road shall be approved by NCDOT and the City.
5. The developer will construct curb and gutter and sidewalk along the road frontage of Trinity Church Road & Stirewalt Road. The improvements will be constructed to NCDOT standards.
6. The internal streets for the subdivision are to be public. The lane widths, sidewalks, pavement structure, road alignment, and road grades shall be constructed to current city standards.
7. Provide location and access of Cluster Box Units (CBUs) outside of the public right-of-way.
8. Roads shall comply with all Fire Codes and autoturn shall be run for an SU-30 (mimics garbage truck) and Bus-45 (mimics ladder truck).
9. Streams and wetlands shall be identified by a qualified professional and all buffers shown in accordance with Article 4 of the Kannapolis UDO. Construction of buildings, roads, and other structures must comply with RSOD Buffer requirements or be relocated. Sewer line extensions shall comply both City and State regulations for working in a buffer.
10. 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 BMP's. Stormwater BMP's cannot be constructed in the undisturbed buffer.

11. Ensure that Stormwater Detention structures are designed to the most recently updated NCDEQ Stormwater Design Standards.
12. 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.
13. 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 Utility Layout.
14. Easements for Sanitary Sewer lines and Storm Sewer pipes need to be a minimum of 20-feet wide. Additional width may be required depending on the depth of the line. Sanitary sewer lines and storm sewer lines shall be located in Common Open Space (easements centered on property lines shall not be permitted).
15. 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%.
16. This project is located within the Coddle Creek (WS-II BW), as well as the Coddle Creek Thoroughfare Protection (CCTP) Overlay District. Per the UDO Article 15 Section 1, a 40 ft. street buffer is required on both Trinity Church Road and Stirewalt Road.
17. Provide the information necessary to prepare a Stormwater Operation and Maintenance Agreement with submittal of the final plat: 1) General Information – owner, property identification, deed book & page number, property association declarations; 2) Exhibit A: stormwater plat showing impervious area & amount, maintenance & access easements, lots served by each BMP and applicable plat statements; 3) Exhibit B: Operation & Maintenance Plan specific to each BMP. The City must have a recorded stormwater plat to prepare the Operations & Maintenance Agreement; 4) an escrow account for maintenance and replacement. (City of Kannapolis UDO Section 9.4.2)
18. The proposed development Final Major Site Plan is subject to review and approval by City staff and compliance with all applicable sections of the Unified Development Ordinance (UDO), including the Coddle Creek Thoroughfare Protection (CCTP) Overlay District.

Adopted this the 12th day of February, 2018

Milton D. Hinnant, Mayor

Attest:

Bridgette Bell, MMC, NCCMC
City Clerk



**City of Kannapolis
City Council Meeting
February 12, 2018
Staff Report**

TO: Mayor and City Council
FROM: Zachary D. Gordon, AICP, Planning Director
TITLE: Move Kannapolis Forward 2030 Comprehensive Plan - Final Adoption

A. Action Requested by City Council

1. Hold public hearing on the *Move Kannapolis Forward 2030 Comprehensive Plan*
2. Motion to adopt a Resolution adopting the *Move Kannapolis Forward 2030 Comprehensive Plan*

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

In October 2016 the City hired Clarion Associates to prepare a Comprehensive Plan for Kannapolis, under the supervision of the Planning Department. To date, Clarion, working in close cooperation with the Planning Department, has undertaken research and analysis, along with a robust public engagement process that has culminated with a final draft of the ***Move Kannapolis Forward 2030 Comprehensive Plan***.

This final draft plan was presented to the Planning and Zoning Commission at their January 3, 2018 meeting. The Planning and Zoning Commission voted unanimously to recommend adoption of the plan by City Council.

The plan would replace the City of Kannapolis 2015 Land Use Plan, and provide long range policy guidance for land use, transportation, growth, development, capital investment and environmental protection to City Council, Planning and Zoning Commission, City Staff, property owners, developers and other interested stakeholders.

The final draft plan has been placed on the City's website for review and comment. Please refer to the following link to view the plan:

Kannapolis 2018 Move Kannapolis Forward Comprehensive Plan

D. Fiscal Considerations

None

E. Policy Issues

See final plan draft.

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation

Planning staff is recommending that City Council adopt the final draft of the ***Move Kannapolis Forward 2030 Comprehensive Plan***, dated February 2018.

Alternative courses of action include:

1. **Motion to approve a Resolution adopting the *Move Kannapolis Forward 2030 Comprehensive Plan Dated February 2017 (Recommended)***
2. Defer decision on plan until a future date
3. Refer plan back to Planning and Zoning Commission for further action
4. Take no action

ATTACHMENTS:

File Name

▢ Resolution_Adopting_Comprehensive_Land_Use_Plan.pdf

**RESOLUTION ADOPTING THE 2018 COMPREHENSIVE LAND USE PLAN
FOR THE CITY OF KANNAPOLIS, NORTH CAROLINA**

WHEREAS, Chapter 160A, Article 19, Part 3 3 of the North Carolina General Statutes require that all zoning regulations shall be made in accordance with a comprehensive land use plan; and

WHEREAS, North Carolina General Statutes 160A-383 provides that the comprehensive land use plan will be designed to promote the public, health, safety and general welfare of its citizens; and

WHEREAS to promote the public health, safety and general welfare the comprehensive plan shall seek to provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; lessen congestion in the streets; secure safety from fire, panic, and dangers; and facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and

WHEREAS, the City Council of the City of Kannapolis intends that the “comprehensive land use plan” is a statement of public policy for the physical development of the entire city’s long range planning area that may be amended as conditions and opportunities arise, and consisting of the following elements at a minimum:

- (1) Goals and objectives for the long-range development of the county or municipality;
- (2) A future land use and character plan;
- (3) A transportation element; and
- (4) A community facilities element; and

WHEREAS, the City Planning and Zoning Commission following deliberation and public hearings has recommended adoption of the proposed “Move Kannapolis Forward 2030 Comprehensive Plan”; and

WHEREAS, the City Council of the City of Kannapolis finds that adoption of the proposed “Move Kannapolis Forward 2030 Comprehensive Plan” is in the best interests of the citizens of the City; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KANNAPOLIS, NORTH CAROLINA, THAT THE “MOVE KANNAPOLIS FORWARD 2030 COMPREHENSIVE PLAN”, A COPY OF WHICH IS ATTACHED HERETO, IS HEREBY APPROVED AND ADOPTED.

RESOLVED FURTHER, THAT THE KANNAPOLIS 2015 LAND USE PLAN IS HEREBY RESCINDED AND REPEALED AND SHALL HAVE NO FURTHER EFFECT.

Adopted this 12th day of February 2018.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



**City of Kannapolis
City Council Meeting
February 12, 2018
Staff Report**

TO: Mayor and City Council
FROM: Mike Legg, City Manager
TITLE: Closed Session

A. Action Requested by City Council

Motion to go into closed session pursuant to G.S. 143.318.11 (a) (3) for consulting with an attorney in order to preserve the attorney-client privilege and G.S. 143.318.11 (a) (4) for discussing matters related to the location or expansion of industries or businesses in the area.

B. Required Votes to Pass Required Action

C. Background

D. Fiscal Considerations

E. Policy Issues

F. Legal Issues

G. Alternative Courses of Action and Recommendation

ATTACHMENTS:

File Name

No Attachments Available