



**CITY COUNCIL
ACTION AGENDA
KANNAPOLIS CITY HALL
401 LAUREATE WAY, KANNAPOLIS, NC
FEBRUARY 24, 2025
6:00 PM**

Please Turn off Cell Phones or Place on Silent Mode.

APPROVED MINUTES - February 25, 2025

- A. APPROVED MINUTES - February 25, 2025 ()

CALL TO ORDER AND WELCOME

MOMENT OF SILENT PRAYER AND PLEDGE OF ALLEGIANCE

PROCLAMATIONS AND RECOGNITIONS

- A. **ADMINISTRATION** - Oath of Office for City Attorney (Pam Scaggs, City Clerk)
B. **RECOGNITION** - Bridgette Bell (Darrell Hinnant, Mayor)
C. **PROCLAMATION** - Government Communicators Day February 21, 2025 (Darrell Hinnant, Mayor)

ADOPTION OF AGENDA - Motion to Adopt Agenda or make revisions

CONSENT AGENDA - Motion to Adopt Consent Agenda or make revisions

- A. **GRANT APPROVAL** - Motion for approval to apply for NC Accessible Parks Grant for Bakers Creek Park Restroom Building **APPROVED UNANIMOUS** (Gary Mills, Parks & Recreation Director)
B. **RESOLUTION** - Motion to approve Resolution amending Section 9-42. Private Use Zone Maps of the Kannapolis Code of Ordinances for Downtown Private Use Zones **APPROVED UNANIMOUS** (Richard Smith, Planning Director)
C. **RESOLUTION** - Motion to approve a Resolution of Intent to consider withdrawal from dedication a portion of right-of-way known as Cannon Baller Way from the parking area east of West Avenue to the intersection with South Main Street. **APPROVED UNANIMOUS** (Richard Smith, Planning Director)
D. **BUDGET ORDINANCE AMENDMENT #25-29** - Motion to approve Budget Amendment #25-29 appropriating funds for ALERTUS system **APPROVED UNANIMOUS** (Kristin Jones, Budget and Strategy Director)
E. **APPOINTMENT** - Motion to approve the appointment of Danny Scott as Trustee for the North Carolina State Firefighters Association Relief Fund **APPROVED UNANIMOUS** (Kirk Beard, Deputy Fire Chief)

- F. **MINUTES** - February 10, 2025 Work Session **APPROVED UNANIMOUS** (Pam Scaggs, City Clerk)

BUSINESS AGENDA

- A. **PUBLIC HEARING** - Voluntary Annexation (A-2025-01) of approximately 50.569 +/- acre portion of an existing 53.181 acre tract of contiguous property located at 3397 Camp Julia Road (Cabarrus County Parcel Identification Number 56334589390000) and consider a motion to extend the Corporate Limits of the City of Kannapolis **APPROVED UNANIMOUS** (Richard Smith, Planning Director)
- B. **PUBLIC HEARING** - Voluntary Annexation (A-2025-02) of approximately 0.38 +/- acres of noncontinuous property located at 9172 Davidson Highway (Cabarrus County Parcel Identification Number 46823091760000) and consider a motion to extend the Corporate Limits of the City of Kannapolis **APPROVED UNANIMOUS** (Richard Smith, Planning Director)
- C. **PUBLIC HEARING and ORDER** - Request to consider withdrawal from dedication a portion of right-of-way known as Central Avenue in the area located from the edge of the intersection with West D Street to the edge of the intersection with Dale Earnhardt Boulevard, and consideration to approve an Order to close said portion of Central Avenue **APPROVED 4-3** (Richard Smith, Planning Director)

CITY MANAGER REPORT

CITY COUNCIL COMMENTS

SPEAKERS FROM THE FLOOR

CLOSED SESSION - Motion to enter closed session pursuant to NCGS 143.318.11 (a) (5) for discussing the negotiating position regarding the acquisition of real property; and NCGS 143.318.11 (a) (4) for discussing matters relating to the location or expansion of industries or businesses in the area (Mayor Pro tem Berry)

MOTION TO ADJOURN

ADA Notice

In accordance with Title II of the Americans with Disabilities Act (ADA), any person requiring an accommodation to participate in a function or program of the City of Kannapolis should contact Daniel Jenkins, Assistant Human Resources Director & ADA Coordinator by phone at 704-920-4312, email adacoordinator@kannapolisnc.gov, or in person at Kannapolis City Hall as soon as possible, but not later than forty-eight (48) hours prior.

**CITY OF KANNAPOLIS
CITY COUNCIL
WORK SESSION MEETING MINUTES
February 24, 2025**

A regular meeting of City Council of the City of Kannapolis, North Carolina was held on Monday, February 24, 2025, at 6:00 P.M., at Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Ryan Dayvault
Doug Wilson
Jeanne Dixon
Dianne Berry
Darrell Jackson
Tom Kincaid
Doug Wilson

Council Members Absent: None

City Manager: Mike Legg

Assistant City Manager: Tina Cline

Assistant City Manager: Wilmer Melton

City Attorney: Andrew Kelly

City Clerk: Pam Scaggs

Information Technology: Tony Eury
David Jordon

Staff Present:	Richard Smith	Alex Anderson
	Annette Privette-Keller	Terry Spry
	Gerald Faulkner	Gary Mills
	Michael Rattler	Betsy Barnette
	Samantha Keck	Kirk Beard
	Kristin Jones	Irene Wong

Visitors Present:	Joe Hatley	Travis Roseboro
	Mark Comer	Sophia Wilkerson
	Pam Smith	Zach Erwin
	Joshua Teague	Claudia Teague
	Dana Coulter	Tony Peek
	Judy Hammett	Mark Spitzer

Moira Hunter	Bridgette Bell
Larry Bell	Naomi Hatchell
Babila Fometeh	April Funderburke
Nanette Peek	Hanna Chase
Antoine Peek Jr.	

CALL TO ORDER AND WELCOME

Mayor Hinnant called the meeting to order and welcomed all in attendance. He led a moment of silent prayer, followed by the Pledge of Allegiance.

OATH OF OFFICE

Mayor Hinnant provided a brief background on the new City Attorney, Andrew Kelly, and explained that the previous City Attorney, Wally Safrit, will continue to serve as City Attorney Emeritus. City Clerk Pam Scaggs administered the Oath of Office to Mr. Kelly.

RECOGNITION

Mayor Hinnant provided a brief background on the previous City Clerk, Bridgette Bell and presented her with the Order of the Long Leaf Pine, stating that it is one of the highest awards granted by the Governor of North Carolina and recognizes individuals who have made extraordinary contributions to the state through exemplary service or significant achievements.

PROCLAMATION

Mayor Hinnant read a Proclamation recognizing February 21, 2025, as Government Communicators Day. He presented the Proclamation to City of Kannapolis Communication Director, Annette Privette-Keller as well as to Community Engagement Specialists, Betsy Barnett and Samantha Keck.

ADOPTION OF AGENDA

Mayor Hinnant asked for a motion regarding the Agenda. Councilmember Wilson made the motion to approve, second by Councilmember Dixon and the motion was unanimously approved.

CONSENT AGENDA

Mayor Hinnant asked for a motion regarding the Consent Agenda. Councilmember Jackson made the motion to approve, second by Mayor Pro tem Berry and the motion was unanimously approved.

Approval to apply for NC Accessible Parks Grant for Bakers Creek Park Restroom Building (Gary Mills, Parks & Recreation Director) (Copy included as Exhibit A)

Resolution amending Section 9.42 Private Use Zone Maps of the Kannapolis Code of Ordinances for Downtown Private Use Zones. (Richard Smith, Planning Director) (Copy included as Exhibit B)

Resolution of Intent to consider withdrawal from dedication a portion of right-of-way known as Cannon Baller Way from the parking area east of West Avenue to the intersection with South Main Street. (Richard Smith, Planning Director) (Copy included as Exhibit C)

Ordinance for Budget Amendment #25-29, appropriating funds for ALERTUS system. (Kristin Jones, Budget and Strategy Director) (Copy included as Exhibit D)

1 Appointment of Danny Scott as Trustee for the North Carolina State Firefighters Association Relief
2 Fund. (Kirk Beard, Deputy Fire Chief) (Copy included as Exhibit E)

3
4 Work Session Meeting Minutes – February 10, 2025 (Pam Scaggs, City Clerk)

5
6 **BUSINESS AGENDA**

7 **Public Hearing – Voluntary Annexation (A-2025-01) of approximately 50.569 +/- acre portion**
8 **of an existing 53.181-acre tract of contiguous property located at 3397 Camp Julia Road**
9 **(Cabarrus County Parcel Identification Number 56334589390000) and consider a motion to**
10 **extend the Corporate Limits of the City of Kannapolis. (Richard Smith, Planning Director)**
11 **(Copy included as Exhibit F)**

12 Planning Director, Richard Smith, stated that that applicant, QTR Development Partners, LLC, has
13 requested annexation of a 50.569-acre portion of an existing 53.181-acre tract located on Camp Julia
14 Road. He noted that part of the property is already located within the City of Kannapolis, and that the
15 request aims to annex the remaining portion. Mr. Smith referred Council to several maps to provide
16 a clearer understanding of the property's location and to highlight the proximity of existing City
17 utilities. He concluded by offering to answer any questions.

18
19 Councilmember Dayvault asked for clarification that the parcel located at 3397 Camp Julia Road is
20 the sole property proposed for annexation and that no other properties would be impacted. Mr. Smith
21 confirmed this to be correct.

22
23 There being no additional questions or comments for staff, Mayor Hinnant opened the Public Hearing
24 which was then closed with no public comment made.

25
26 Councilmember Jackson made the motion to adopt an Ordinance extending the corporate limits of the
27 City, second by Councilmember Kincaid, and the motion was unanimously approved.

28
29 **Public Hearing – Voluntary Annexation (A-2025-02) of approximately 0.38 +/- acres of**
30 **noncontiguous property located at 9172 Davidson Highway. (Cabarrus County Parcel**
31 **Identification Number 46823091760000) and consider a motion to extend the Corporate Limits**
32 **of the City of Kannapolis (Richard Smith, Planning Director) (Copy included as Exhibit G)**

33 Mr. Smith identified the property for annexation as being located at 9172 Davidson Highway and the
34 applicant as Sustar/Little, LLC. He noted that the applicant is requesting to annex a 0.38 +/- acre
35 portion of an existing 4.11 +/- acre parcel and utilized several maps to further illustrate the property
36 location. He concluded and offered to answer any questions.

37
38 There being no additional questions or comments for staff, Mayor Hinnant opened the Public Hearing
39 which was then closed with no public comment made.

40
41 Councilmember Dayvault made the motion to adopt an Ordinance extending the corporate limits of
42 the City, second by Councilmember Dixon, and the motion was unanimously approved.

43
44 **Public Hearing & Order – Request to consider withdrawal from dedication a portion of right-**
45 **of-way known as Central Avenue in the area located from the edge of the intersection with West**
46 **D Street to the edge of the intersection with Dale Earnhardt Boulevard, and consideration to**

approve an Order to close said portion of Central Avenue. (Richard Smith, Planning Director)
(Copy included as Exhibit H)

Mr. Smith stated that the applicant, Kannapolis Land Partners, LLC., has submitted a request to close a portion of Central Avenue. He used several maps to illustrate the exact location of the street segment proposed for closure.

Councilmember Dixon asked about the number of properties located along the street segment proposed for closure, and Mr. Smith estimated approximately a dozen homes, all owned by the same property owner. He confirmed for Councilmember Wilson that the homes are rental but is unsure how long residents would be given to move. Mr. Smith responded to Councilmember Kincaid that the homes are currently occupied.

Mayor Pro tem Berry raised concerns about demolishing existing homes for townhomes, but Mr. Smith explained that the future developer is offering to relocate the homes. He clarified for Councilmember Dixon that the future developer, not the property owner, was offering to relocate the homes, though a relocation site has not been identified. Councilmember Jackson asked about lease renewals, but Mr. Smith did not have information on that.

Councilmember Dayvault confirmed with Mr. Smith that the development will be located between Chestnut Avenue and Vance Street. Mr. Smith also confirmed to Councilmember Jackson that renovated homes located on Vance Street would be impacted.

There being no additional questions or comments for staff, Mayor Hinnant opened the Public Hearing.

Travis Roseboro, 325 Central Avenue, expressed his desire to understand the reasons behind the proposed road closure. Mayor Hinnant explained that Council would first listen to residents' concerns during the Public Hearing, after which Mr. Smith would address any questions raised. Mr. Roseboro also voiced concerns about losing direct access to amenities, the impact of development, and the potential drawbacks of blocking Central Avenue, emphasizing that access was a key factor in his decision to purchase his home.

Dana Coulter, 328 Chestnut Avenue, expressed surprise at the proposed closure, noting that the GIS development map shows no indication of the development and lack of transparency about the proposed development. She highlighted the unique horseshoe-shaped layout of the area, where Chestnut Avenue connects to Vance Street, emphasizing concerns about traffic impacts and limited ingress and egress. She also raised questions about how the development would affect property values and taxes, pointed out that 58 homes in the surrounding neighborhood lie outside the development area. Ms. Coulter urged Council to preserve and protect these properties from further tax increases.

Mr. Smith explained that the property does not have to be rezoned because townhomes are permitted by right in the Center City (CC) zoning district and that the property is already zoned CC. He added that the street closure was requested to allow flexibility in creating a more urban product, featuring rear garage entries accessed via alleys. Mr. Smith added that the proposed development is not included on the Development Map because Council will have to consider a Development Agreement (DA) first and if approved, then the development will be added.

Councilmember Dayvault asked whether the proposed townhomes would be rental or owner-occupied and was informed that they are expected to be owner-occupied.

1 Mayor Pro tem Berry asked about timing of the DA, to which Mr. Smith responded that it would
2 likely be presented to Council at their April meeting. He also confirmed that he had been notified that
3 their leases will not be renewed and that the closing with the developer is to occur in the next few
4 months, speculating that the timing of the lease expiration coincides with the developer closing.
5 Mayor Hinnant asked for confirmation that the street would need to be removed to allow the property
6 to be cleared and the site redesigned, with the townhome project returning to the Council for further
7 consideration. Mr. Smith clarified that only the DA would need to come back to Council, as the
8 townhomes are allowed by right in the zoning district. He added that the street closure decision would
9 allow for a closer review of the townhome design.

10
11 Councilmember Jackson asked for confirmation that the DA cannot be activated until the street is
12 closed. Mr. Smith confirmed that this aligns with the developer's preferences, noting that the
13 development layout is included in the DA. He emphasized that the level of detail required for the DA
14 could only be achieved after the street closure.

15
16 There being no further questions or comments from staff or the public, Mayor Hinnant closed the
17 Public Hearing and called for a motion on the proposed street closure. Councilmember Dayvault
18 expressed concern regarding the demolition of homes, stating his opposition to the townhome project
19 and his disapproval of closing Central Avenue. Councilmember Dixon made the motion to approve
20 the Order to Close the said portion of Central Avenue, second by Councilmember Jackson. The
21 motion was approved with a 4 to 3 vote, with Councilmember Dayvault, Councilmember Wilson, and
22 Mayor Pro tem Berry opposing.

23 24 **CITY MANAGER REPORT**

25 City Manager, Mike Legg, reported that staff recently met with about six residents of the Fishertown
26 community to discuss the requested annexation. Mr. Legg indicated that the neighborhood
27 understands the challenges and length of time it will take to pursue the annexation. He added that the
28 neighborhood leadership will have their own public meeting to discuss residents' feelings and to share
29 the information staff provided before deciding next steps. Mr. Legg noted that the current consensus
30 is to proceed, and progress is expected to take about two to three years.

31 32 **CITY COUNCIL COMMENTS**

33 Councilmember Wilson mentioned that citizens have expressed interest in the possibility of televising
34 or broadcasting meetings. City Attorney Andrew Kelly advised that a formal agenda item wasn't
35 necessary; instead, a consensus among council members would suffice for the City Manager to
36 proceed with exploring costs and options. Mayor Hinnant polled each member, and the unanimous
37 consensus was to move forward. Staff will provide options and costs at a future meeting.

38 39 **SPEAKERS FROM THE FLOOR**

40 Sophia Wilkerson, 314 Ester Circle, expressed her support for televising Council meetings. Ms.
41 Wilkerson suggested that they could be made available via social media platforms like YouTube or
42 Facebook. She highlighted the benefits seen in neighboring areas and emphasized how this would
43 help those who are interested in the City's business but cannot attend meetings in person due to
44 physical or medical conditions. Ms. Wilkerson hope for positive feedback from council soon.

45
46 Zach Erwin, 903 Applewood Avenue, a civics and AP government teacher at A.L. Brown High
47 School, addressed the Kannapolis City Council regarding the Kannapolis Youth Council. Mr. Erwin

1 praised the Youth Council's potential but emphasized the need for more opportunities for students to
2 interact with City Council members. He suggested providing direct feedback, representation, and
3 involvement with different city departments, possibly through a model similar to Kannapolis 101.
4 Mr. Irwin highlighted the importance of involving community members and raising awareness of the
5 Youth Council's activities to ensure the youth have a voice in city matters.
6

7 Mark Comer, 1012 Fairway Drive, gave a presentation regarding "urban camping" and provided
8 pictures of Kannapolis resident, Tom Franklin's property located behind Culver's [Dale Earnhardt
9 Boulevard]. Mr. Comer emphasized issues regarding illegal encampments such as drug use,
10 shootings, and the significant associated cleanup costs. The presentation also showed homeless
11 individuals trespassing and leaving trash in various locations, including downtown Kannapolis and
12 near the train station. He urged the City of Kannapolis to enact or strengthen panhandling ordinances
13 and aggressively enforce them. Mr. Comer highlighted the negative impact of illegal encampments
14 on public health, safety, and property values and referenced a recent Supreme Court ruling that gives
15 cities more legal enforcement capabilities to combat illegal encampments and called for urgent action
16 to address the issue.
17

18 Jamie Logan, 1105 Township Pkwy, Belmont, NC, representing Cabarrus County as Miss Cabarrus
19 County 2025, shared her enthusiasm for promoting involvement in sports through her community
20 service initiative. Ms. Logan stated that she has partnered with Special Olympics and Girls on the
21 Run and looks forward to collaborating with the Cannon Ballers. She aims to make 100 appearances
22 in 150 days before competing for Miss North Carolina in June and is excited to serve the community.
23

24 Tony Peek, 94 Cresswell Drive, Concord, NC, founder and president of Peak Next Gen, presented
25 their educational and enrichment program that provides tutoring and mentorship for Title 1 students
26 in Kannapolis, focusing on STEM subjects and social-emotional learning. Mr. Peek indicated that
27 they are seeking community partnerships, volunteers, and grant funding. He noted that they had
28 requested a piece of land for an educational vegetable garden and highlighted their collaboration with
29 Kannapolis City Schools. Mr. Peek stated that they plan to start operations on March 4th with around
30 25 students from the Concord Lake STEM Academy and seek City Council support for their efforts.
31

32 There was discussion among Council regarding an unusual situation where someone requested to
33 speak a second time, which is not typically allowed per policy. The speaker requested to address the
34 decision to close Central Avenue. After discussion and with no objections, it was decided to allow
35 Dana Coulter to speak again.
36

37 Dana Coulter, 322 Chestnut Avenue, expressed gratitude to those who asked questions about the
38 closing of Central Avenue but voiced disappointment that the decision was made without a traffic
39 plan. Ms. Coulter emphasized the importance of due diligence, especially for a road closure leading
40 to Dale Earnhardt Boulevard and stated that as a taxpayer and neighborhood resident, she expected
41 thorough consideration before making such decisions. Ms. Coulter wanted to go on record stating her
42 disappointment with the process and thanked Council for listening.
43

44 Councilmembers Dayvault and Wilson discussed the need for an urban encampment ordinance
45 following Mr. Comer's presentation. Mr. Legg noted that staff have been working on a presentation
46 for about two months and plans to discuss it at the March 10th Council meeting. They continued to

1 share their concerns about the growing issue of tents and sleeping bags around the city, mentioning
2 specific locations like the Martin Luther King Bridge. They emphasized the need to address this
3 problem urgently, noting that it appears to be escalating. Overall, Council agreed that more
4 information and a detailed discussion on the urban encampment ordinance are necessary to find a
5 solution.

6
7 **CLOSED SESSION**

8 Mayor Pro tem Berry made the motion to go into closed session pursuant to NCGS 143.318.11 (a)
9 (5) for discussing the negotiating position regarding the acquisition of real property; and NCGS
10 143.318.11 (a) (4) for discussing matters relating to the location or expansion of industries or
11 businesses in the area. The motion was seconded by Councilmember Wilson.

12
13 Councilmember Dayvault suggested revisiting successful practices from the early days of the Youth
14 Council, established by Mayor Moss in 2002 or 2003, to enhance its current operations. He
15 highlighted his positive experiences and the impact on his long-term involvement with the city. Mr.
16 Legg added that staff recently engaged with all departments and stated that while the current Youth
17 Council is fairly new, it is maturing and moving in the right direction. Mayor Hinnant emphasized
18 the importance of helping youth understand local government and develop leadership skills.
19 Councilmember Dayvault suggested having Youth Council members attend council meetings and sit
20 at the media table to share their observations and insights.

21
22 Mayor Hinnant reminded Council that there was a motion and a second on the floor regarding the
23 closed session and polled Council, who unanimously approved to go into Closed Session.

24
25 Council went into closed session at 7:18 PM.

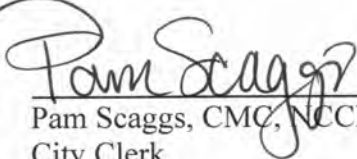
26
27 Councilmember Wilson made a motion to come out of closed session, second by Councilmember
28 Dayvault, and the motion was unanimously approved.

29
30 Council resumed regular session at 9:04 PM.

31
32 There being no further business, Councilmember Dixon made motion to adjourn, second by Mayor
33 Pro tem Berry, and the motion was unanimously approved.

34
35 The meeting adjourned at 9:04 PM on Monday, February 24, 2025.

36
37
38 
39 Milton D. Hinnant, Mayor

40
41 
42 Pam Scaggs, CMC, NCCMC
43 City Clerk



Office of the Mayor

**KANNAPOLIS, NORTH CAROLINA
P R O C L A M A T I O N
“GOVERNMENT COMMUNICATORS DAY”**

WHEREAS, government communicators play a vital role in ensuring the flow of accurate, timely, and essential information between government entities and the public; and

WHEREAS, government communicators enhance transparency, foster public trust, and contribute to informed citizenry through their diligent work and dedication; and

WHEREAS, government communicators continually adapt to evolving communication technologies and strategies to effectively serve their communities; and

WHEREAS, it is essential to have strong communications in government because it is a foundational element of living in a democracy where citizens have the freedom to make their voice heard; and

WHEREAS, the City of Kannapolis is proud and has deep gratitude and recognition for the government communicators’ professionalism, dedication, hard work, commitment, enthusiasm and sacrifice.

NOW, THEREFORE, I, MILTON DARRELL HINNANT, Mayor of the City of Kannapolis, North Carolina by virtue of the authority vested in me as Mayor together with the Kannapolis City Council, do recognize and hereby proclaim **February 21, 2025**, as **Government Communicators Day**. We honor and celebrate the invaluable contributions of government communicators and express our gratitude for their unwavering commitment to serving the public.



IN WITNESS WHEREOF I have set my hand and caused the Great Seal of the City of Kannapolis to be affixed this 24th day of February 2025.

Milton D. Hinnant



Kannapolis City Council

City Council Agenda Staff Report
February 24, 2025

To: Mayor and City Council
From: Gary Mills, Parks & Recreation Director
Subject: **GRANT APPROVAL** - Motion for approval to apply for NC Accessible Parks Grant for Bakers Creek Park Restroom Building **APPROVED UNANIMOUS**

Recommended Action Requested by City Council

Motion to approve applying for the NC Accessible Parks Grant

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The current office/restroom/concession building at Bakers Creek Park was built around 1982. This was prior to the ADA guidelines for accessibility. Many features of the building are not accessible, though we have made some changes where we could over the years. However, the building is almost 43 years old and is showing its age. With the additional influx of use through the new pickleball courts and the use of the field for youth athletics, the building is getting a lot more use. The building has been slated for replacement in capital improvement discussions since 2006.

By applying for the NC Accessible Parks Grant, the City may be able to receive up to \$500,000 in assistance to help offset the cost of constructing a new accessible restroom/concession facility to meet the needs of the park. The current estimated cost of the building and site work is approximately \$1.2 million. The grant allows for three years for completion of the project. The grant deadline is March 3rd, and we would likely know the outcome of the grant by the end of summer. A public presentation of the facility was conducted on February 17th, and it was welcomed by those in attendance as a necessary improvement. Attached are images of the preliminary building design and site plan.

Fiscal Implications

The grant request is in the amount of \$500,000 to help with the construction of the new accessible restroom/concessions building at Bakers Creek Park. The current estimated cost for construction is approximately \$1.2 million. This would leave approximately \$700,000 in City responsibility which would need to be appropriated within three years of the grant award.

Alternate Courses of Action

1. **Motion to approve applying for the NC Accessible Parks Grant (recommended)**
2. Not apply for the accessibility grant.

Attachments

1. Certification Approval By Local Governing Board - ADA grant
2. BCP-New building design - exterior
3. BCP-New building design-concession side
4. BCP-New building design-night view

5. BCP-New building design - floorplan
6. BCP-New building design - site plan



KANNAPOLIS

*Parks &
Recreation*



Certification & Approval by Local Governing Board

I hereby certify the information contained in the attached application is true and correct and the required one dollar of matching funds for five dollars of grant funds will be available within three years of submitting the application.

This application has been approved by the local governing board.

Mayor Darrell Hinnant

(Print or Type Name and Title)

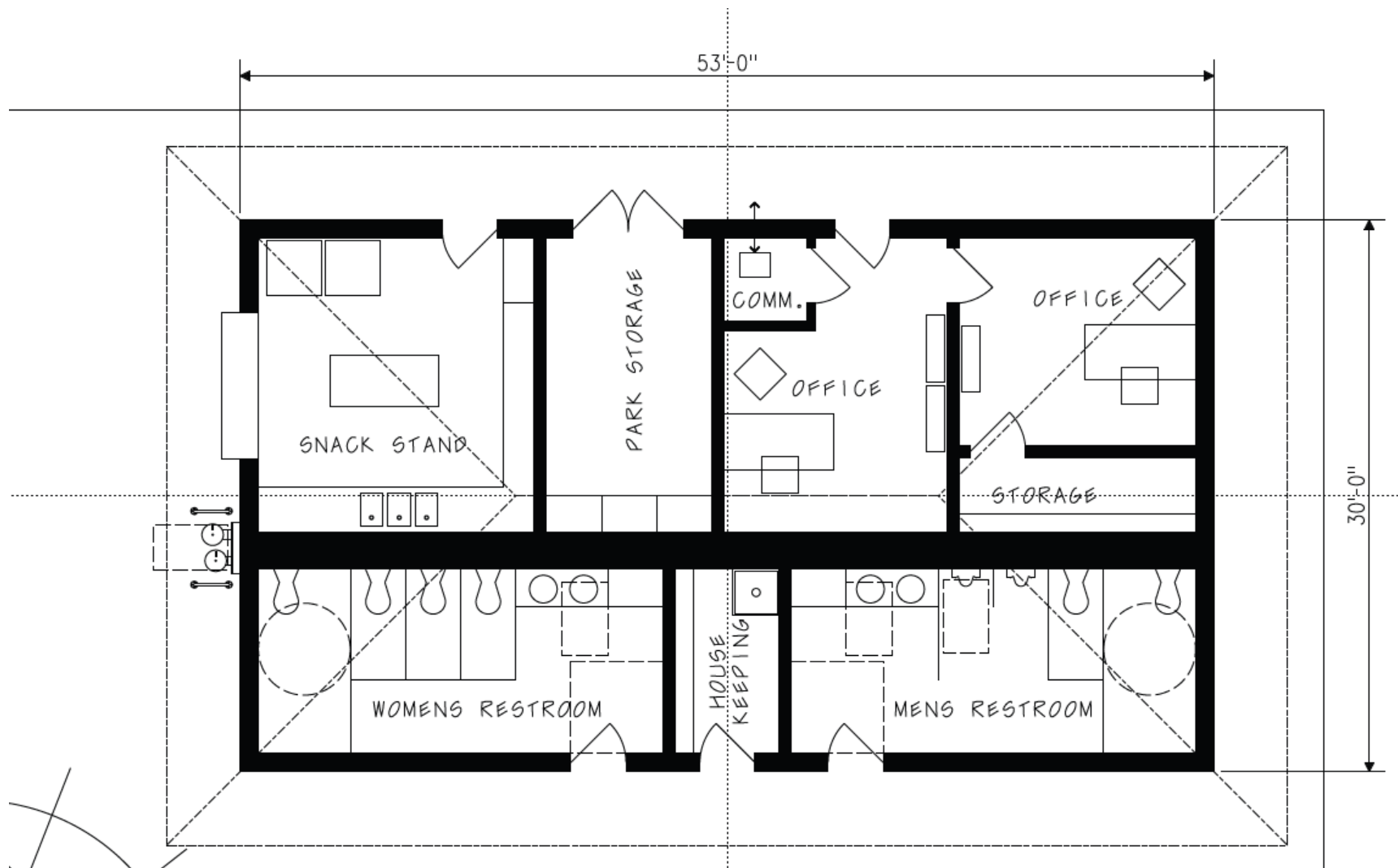
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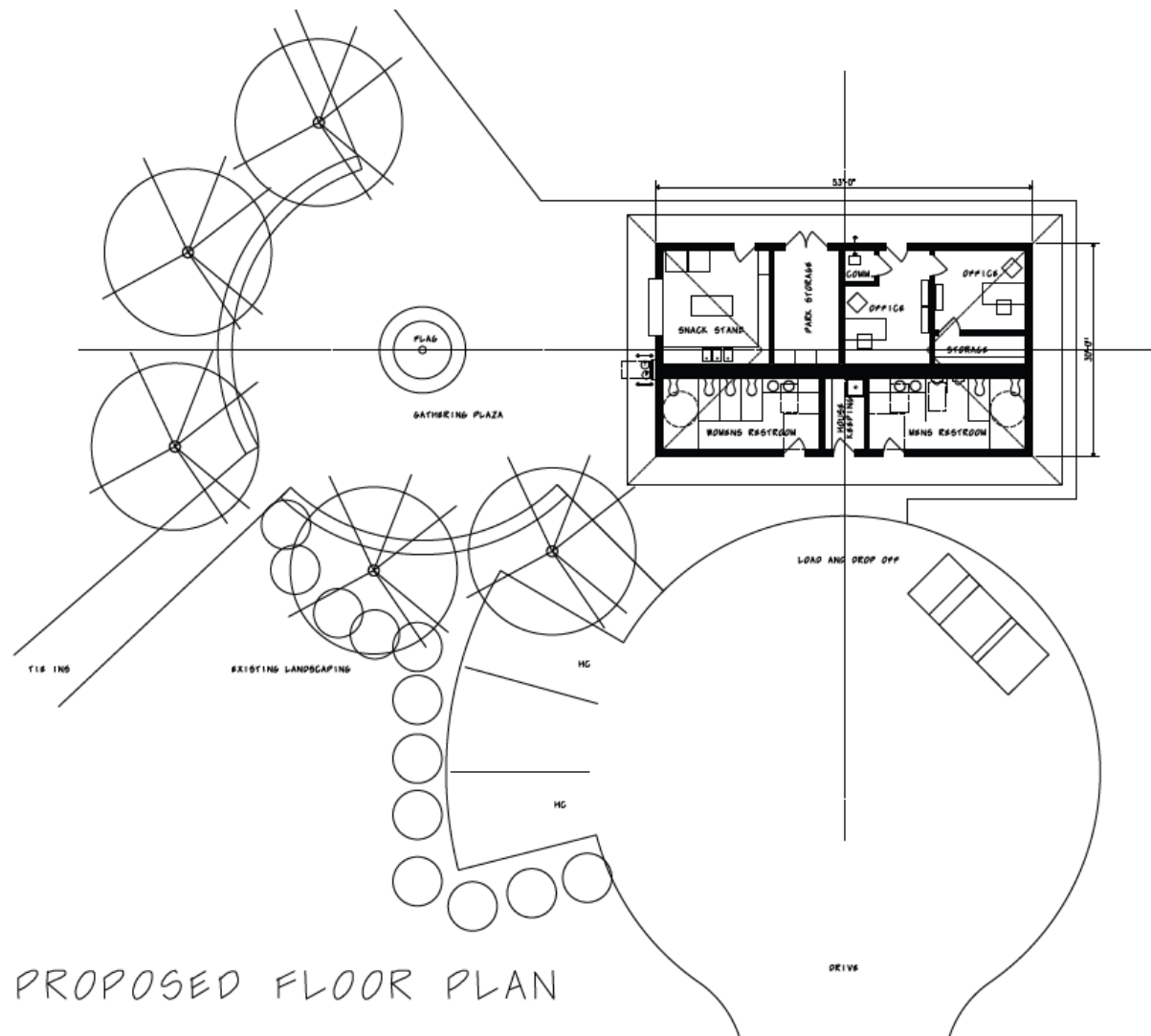
If two local governments are applying together, this form must be completed and signed by each local government. One applicant must be identified by adding primary sponsor in the Local Government Name section.













Kannapolis City Council

City Council Agenda Staff Report
February 24, 2025

To: Mayor and City Council
From: Richard Smith, Planning Director
Subject: **RESOLUTION** - Motion to approve Resolution amending Section 9-42. Private Use Zone Maps of the Kannapolis Code of Ordinances for Downtown Private Use Zones
APPROVED UNANIMOUS

Recommended Action Requested by City Council

Motion to approve a Resolution amending *Section 9-42. Private Use Zone Maps* of the Kannapolis Code of Ordinances for Downtown Private Use Zones to add two additional locations: 3L and 3M on West Avenue; and to amend the Private Use Zone Fee Schedule accordingly.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

On July 26, 2021, City Council approved a Resolution adopting an Ordinance to amend the Kannapolis Code of Ordinances to establish Downtown Private Use Zones. Establishing these zones has proven beneficial to the overall management of the use of public areas as well as balancing the harmony of conducting and enjoying our downtown area.

Staff received a request from the owners of West Loop Local to use some of the areas immediately outside of their business for outdoor dining purposes. After further review, it was determined that the area they were considering was not presently included in our previously adopted Private Use Zone provisions.

The purpose of this amendment is to include the areas requested by this use and to revise the Private Use Zone fee schedule to incorporate these two additional areas. A copy of the revised map and the amended fee schedule are attached to this staff report.

These locations include part of the sidewalk closest to the Vida building as well as several parking spaces similar to the area on the opposite side of the water fountains currently occupied by Old Armor Beer Company.

Fiscal Implications

Amendments to the City's Fee Schedule are necessary to accompany the ordinance amendment.

Alternate Courses of Action

1. **Motion to approve a Resolution amending *Section 9-42. Private Use Zone Maps* of the Kannapolis Code of Ordinances for Downtown Private Use Zones to add two additional locations on West Avenue; and to amend the Private Use Zone Fee Schedule accordingly (Recommended).**
2. Table the matter to a future meeting.

3. Take no action.

Attachments

1. Private Use Zone Fees Amended 20250214
2. Private Use Zones 2025-02-14 UPDATED
3. 2025-14 Resolution approving amendment to Private Use Zones Map

EXHIBIT A

Private Use Zone Fees							
Private Use Zone ID	Measure Adjacent to Building Face		Sq. Ft.	Hourly Rate	After Hours Hourly Rate	Max. Annual License Fee	Location
	Parallel	Perpendicular					
1A	19	38	722	\$10.00	\$15.00	\$181	West Ave
1B	44	7	308	\$5.00	\$10.00	\$77	West Ave
1C	54	14	756	\$10.00	\$15.00	\$189	West Ave
1D	44	7	308	\$5.00	\$10.00	\$77	West Ave
1E	28	30	840	\$10.00	\$15.00	\$210	West Ave
1F	18	7	126	\$5.00	\$10.00	\$32	West Ave
1G	308	4	1232	\$10.00	\$15.00	\$308	A Street
2A	33	8	264	\$5.00	\$10.00	\$66	West Ave
2B	37	7	259	\$5.00	\$10.00	\$65	West Ave
2C	9	38	342	\$5.00	\$10.00	\$86	West Ave
2D	12	8	96	\$5.00	\$10.00	\$24	Cannon Baller Way
2E	68	12	816	\$10.00	\$15.00	\$204	Cannon Baller Way
3A	16	3	48	\$5.00	\$10.00	\$12	West Ave
3B	6	16	96	\$5.00	\$10.00	\$24	West Ave
3C	28	9	252	\$5.00	\$10.00	\$63	West Ave
3D	28	20	560	\$10.00	\$15.00	\$140	West Ave (Parking Spaces for non parking uses)
3E	27	10	270	\$5.00	\$10.00	\$68	West Ave
3F	35	10	350	\$5.00	\$10.00	\$88	West Ave
3G	35	20	700	\$10.00	\$15.00	\$175	West Ave (Parking Spaces for non parking uses)
3H	26	9	234	\$5.00	\$10.00	\$59	West Ave
3I	28	9	252	\$5.00	\$10.00	\$63	West Ave
3J	28	9	252	\$5.00	\$10.00	\$63	West Ave
3K	44	9	396	\$5.00	\$10.00	\$99	West Ave
3L	35	20	700	\$10.00	\$15.00	\$175	West Ave (Parking Spaces for non parking uses)
3M	28	20	560	\$10.00	\$15.00	\$140	West Ave
5A	84	106	8904	\$10.00	\$15.00	\$2,226	West Ave
5B	76	40	3040	\$10.00	\$15.00	\$760	Cannon Baller Way
5C	66	36	2376	\$5.00	\$10.00	\$594	Cannon Baller Way
5A	60	23	1380	\$10.00	\$15.00	\$345	West Ave
6B	30	4	120	\$5.00	\$10.00	\$30	Cannon Baller Way
6C	50	7	350	\$5.00	\$10.00	\$88	Oak Ave
7A	170	10	1700	\$20.00	\$25.00	\$425	Oak Ave
7B	35	7	245	\$5.00	\$10.00	\$61	Oak Ave
7C	6	7	42	\$5.00	\$10.00	\$11	Oak Ave
7D	150	7	1050	\$10.00	\$15.00	\$263	Oak Ave
7E	50	7	350	\$5.00	\$10.00	\$88	Oak Ave
8A	225	18	4050	NA	NA	\$1,013	Main Street (Parking Lot for non parking uses)
Reserved Parking Space (1)	9	18	162	\$5.00	NA	\$162	All Public Parking Spaces (for vehicular parking)
Reading Room	62	34	2108	\$20.00	\$25.00	NA	West side of West Avenue, south of Cannon Baller Way
Event Lawn	70	23	1610	\$25.00	\$30.00	NA	West side of West Avenue, south of Cannon Baller Way
Platform 1	30	26	780	\$25.00	\$30.00	NA	Adjacent to the Event Lawn
Platform 2	60	20	1200	\$30.00	\$35.00	NA	East side of West Avenue, north of Cannon Baller Way
Pergola	28	26	728	\$20.00	\$25.00	NA	East side of West Avenue, north of West A Street
Pump House Patio	28	30	840	\$25.00	\$30.00	NA	West side of West Avenue, south of Cannon Baller Way
Reading Room Terrace	82	32	2706	\$20.00	\$25.00	NA	West side of West Avenue, south of Cannon Baller Way
Putting Green	55	27	1485	\$20.00	\$25.00	NA	West side of West Avenue, adjacent to Vance Avenue
Outdoor Table and Two Chairs	NA	NA	NA	NA	NA	\$600	Within a Private Use Zone with a valid annual license
Outdoor Table and Two Chairs	NA	NA	NA	NA	NA	\$300	Within a Private Use Zone with a valid annual license

NOTES:

1. Annual License Fees (except reserved parking) are based on \$0.25 per square foot of space. The actual square footage calculation will be included as part of the license issuance.
2. All hourly rentals require a 50% reservation deposit and refundable security deposit of \$100.
3. Hourly Rates are Monday Through Friday 7:00 AM to 6:00 PM. All other times will be subject to the After Hours Rate.

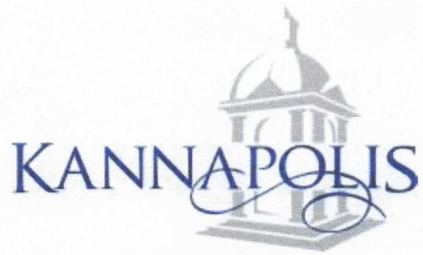
Kannapolis Private Use Zones

February 2025

-  Private
-  West Ave
-  Other
-  Temporary

0 50 100 200 Feet





RESOLUTION

**APPROVING AN AMENDMENT TO THE
KANNAPOLIS CITY CODE OF ORDINANCES
PRIVATE USE ZONES MAP**

WHEREAS, North Carolina General Statutes Chapter 160A authorizes municipalities to exercise regulatory authority over the public property and activities taking place thereon; and

WHEREAS, the City of Kannapolis recognizes the need to update the Private Use Zone Map to better serve the community; and

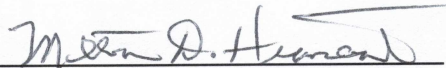
WHEREAS, the addition of new private use zones will provide more opportunities for development and enhance the economic growth of the downtown area and

WHEREAS, City Council has reviewed the proposed amendments and determined that they are in the best interest of the public.

NOW, THEREFORE BE IT RESOLVED that:

1. Section 9-42 of the Kannapolis Code of Ordinances is hereby amended to include two additional Private Use Zones hereinafter referred to as Zone 3L and Zone 3M as shown on the attached Private Use Zone Map (Exhibit A). .
2. The Ordinance shall take effect from and after adoption of this Resolution.
3. Further, the Private Use Zone section of the Adopted Fiscal Year 2025 Fee Schedule (adopted June 28, 2021 and revised July 24, 2023) is replaced in its entirety with the section attached hereto and incorporated herein (Exhibit B).

Adopted this the 24th day of February 2025:


Milton D. Hinnant
Mayor

Attest:

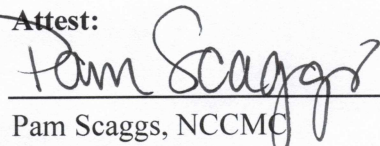

Pam Scaggs, NCCMO
City Clerk

EXHIBIT A

Private Use Zone Fees							
Private Use Zone ID	Measure Adjacent to Building Face		Sq. Ft.	Hourly Rate	After Hours Hourly Rate	Max. Annual License Fee	Location
	Parallel	Perpendicular					
1A	19	38	722	\$10.00	\$15.00	\$181	West Ave
1B	44	7	308	\$5.00	\$10.00	\$77	West Ave
1C	54	14	756	\$10.00	\$15.00	\$189	West Ave
1D	44	7	308	\$5.00	\$10.00	\$77	West Ave
1E	28	30	840	\$10.00	\$15.00	\$210	West Ave
1F	18	7	126	\$5.00	\$10.00	\$32	West Ave
1G	308	4	1232	\$10.00	\$15.00	\$308	A Street
2A	33	8	264	\$5.00	\$10.00	\$66	West Ave
2B	37	7	259	\$5.00	\$10.00	\$65	West Ave
2C	9	38	342	\$5.00	\$10.00	\$86	West Ave
2D	12	8	96	\$5.00	\$10.00	\$24	Cannon Baller Way
2E	68	12	816	\$10.00	\$15.00	\$204	Cannon Baller Way
3A	16	3	48	\$5.00	\$10.00	\$12	West Ave
3B	6	16	96	\$5.00	\$10.00	\$24	West Ave
3C	28	9	252	\$5.00	\$10.00	\$63	West Ave
3D	28	20	560	\$10.00	\$15.00	\$140	West Ave (Parking Spaces for non parking uses)
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6C	50	7	350	\$5.00	\$10.00	\$88	Oak Ave
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Outdoor Table and Two Chairs	NA	NA	NA	NA	NA	\$600	Within a Private Use Zone with a valid annual license
Outdoor Table and Two Chairs	NA	NA	NA	NA	NA	\$300	Within a Private Use Zone with a valid annual license

NOTES:

1. Annual License Fees (except reserved parking) are based on \$0.25 per square foot of space. The actual square footage calculation will be included as part of the license issuance.
2. All hourly rentals require a 50% reservation deposit and refundable security deposit of \$100.
3. Hourly Rates are Monday Through Friday 7:00 AM to 6:00 PM. All other times will be subject to the After Hours Rate.





Kannapolis City Council

City Council Agenda Staff Report
February 24, 2025

To: Mayor and City Council

From: Richard Smith, Planning Director

Subject: **RESOLUTION** - Motion to approve a Resolution of Intent to consider withdrawal from dedication a portion of right-of-way known as Cannon Baller Way from the parking area east of West Avenue to the intersection with South Main Street. **APPROVED UNANIMOUS**

Recommended Action Requested by City Council

Motion to approve the Resolution stating the intent of the City to consider withdrawal from dedication a portion of Right-of-Way (ROW) known as Cannon Baller Way from the parking area east of West Avenue to the intersection with South Main Street.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The City has received a request to close a portion of Cannon Baller Way from the parking area east of West Avenue to the intersection with South Main Street (see map included with this report). As Vida 2 (200 Main) moves toward construction completion, it was discovered that some of the newly constructed building and retaining walls encroached into the City's right-of-way area that also includes Cannon Baller Way. The encroachment area as depicted on the aforementioned map is less than six feet into the public right-of-way and is just over 142 feet long. The request for the closure of this small strip of right-of-way is necessary in order to mitigate the private structure's location and to ensure that it is ultimately located on private property rather than within the public right-of-way.

Fiscal Implications

None

Alternate Courses of Action

1. **Approve the Resolution stating the intent of the City to consider withdrawal from dedication a portion of ROW known as Cannon Baller Way from the parking area east of West Avenue to the intersection with South Main Street and to establish the Public Hearing date for March 24, 2025 (Recommended).**
2. Take no action.
3. Table action to a future meeting.

Attachments

1. Street Closing Cannon Baller Signs
2. Street Closing Cannon Baller Overview
3. 2025-15 Resolution Stating Intent to Consider closing portion of Cannon Baller Way

Partial ROW Closure

 Affected ROW

0 25 50 100 Feet



Sign

Cannon Baller Way

Sign

S Main St

Kannapolis Veterans Way

Partial ROW Closure

 Affected ROW

0 75 150 300 Feet



**A RESOLUTION STATING THE INTENT OF THE
CITY OF KANNAPOLIS TO CONSIDER CLOSING
A PORTION OF CANNON BALLER WAY AS DESCRIBED HEREIN
AND FIXING THE DATE OF PUBLIC HEARING ON THE
QUESTION OF SUCH CLOSING**

BE IT RESOLVED by City Council of the City of Kannapolis:

Section 1. That it is the intent of City Council of the City of Kannapolis to consider closing a portion of the following described Public Street or alley pursuant to Section 160A-299 of the General Statutes of North Carolina.

Being a portion of Cannon Baller Way, lying in the City of Kannapolis, County of Cabarrus, State of North Carolina, said parcels having Parcel Identification Number of 56136924190000 and being more particularly described as follows:

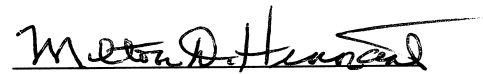
BEGINNING at a new #5 rebar marking the northernmost corner of Vida 2 LLC (now or formerly) as described in deed book 16479, page 26 of the Cabarrus County Registry and being a point along the southerly margin of Cannon Baller Way a variable width right of as shown on plat book 89, page 83; THENCE with a new line within the right of way of Cannon Baller Way the following four (4) courses and distances; 1) North 28 degrees 52 minutes 47 seconds East a distance of 5.81 feet to a calculated point; 2) THENCE South 61 degrees 23 minutes 42 seconds East a distance of 142.16 feet to a calculated point; 3) THENCE along a curve to the right having an arc length of 12.99 feet, and a radius of 7.84 feet, being subtended by a chord bearing of South 13 degrees 44 minutes 06 seconds East, a distance of 11.56 feet to a calculated point; 4) THENCE South 28 degrees 48 minutes 05 seconds West a distance of 12.17 feet to a new #5 rebar on the easterly corner of the aforementioned Vida 2 LLC; THENCE with the line of Vida 2 LLC the following three (3) courses and distances; 1) along a curve to the left having an arc length of 21.53 feet, and a radius of 14.70 feet, being subtended by a chord bearing of North 15 degrees 41 minutes 03 seconds West, a distance of 19.66 feet to a calculated point; 2) THENCE North 57 degrees 37 minutes 42 seconds West a distance of 12.61 feet to a calculated point; 3) THENCE North 61 degrees 23 minutes 42 seconds West a distance of 123.62 feet to the POINT OF BEGINNING and having an area of 0.021 acres (921 sq ft), more or less.

Section 2. That a public hearing on the question of such closing the above-described right-of-way will be held at 401 Laureate Way, Kannapolis, North Carolina, at 6:00 P.M. on the 24th day of March 2025, at which time plans for such closing will be explained and all persons will be given an opportunity to be heard.

Section 3. That notice of said closing and public hearing shall be given by publication, mailing and posting as required by law.

Adopted this 24th day of February 2025


Pam Scaggs, NCCMO
City Clerk


Milton D. Hinnant, Mayor
City of Kannapolis

- Point Legend:
- Monumentation—
 - EIP Existing Iron Pin
 - IPS Iron Pin Set (#5 Rebar)
 - PT Calculated Point
- Miscellaneous—
- N/F Now or Formerly
 - CGF Combined Grid Factor
- Line Legend:
- Right-of-Way
 - Property Line
 - Wall
 - Adjoiner Property Line
 - Back of Curb (BOC)
 - Planters
 - Conveyance Area
 - Building
 - Wall Area



Vicinity Map - Not to Scale

- General Notes:
- Deed Reference(s) — Dead Book 16479, Page 26
 - Tax Parcel ID — 56136924190000
 - Current Owner — Vida 2 LLC
 - All bearings are NC Grid bearings.
 - All distances are shown horizontal.
 - Grid distance = Horizontal distance x Combined Grid Factor (0.999848017)
 - Area — Total: ±0.556 acres
 - Conveyance Area: ±0.021 acres
 - Areas have been determined by coordinate computation.
 - Iron pins (#5 Rebar) or other monumentation (as shown) found or set at all property corners.
 - Zoning — CC
 - Building Setback: None/Contiguous with property line
 - This property is not located in a special Flood Hazard Area as determined by FEMA and the State of North Carolina.
 - Reference Elevation: 3710561400K
 - Recorded: 11/16/2018 lie in a Water Supply Watershed area.
 - This survey was performed without benefit of a title commitment.
 - Commitment Report: GPI Geospatial, Inc. does not claim that all matters of record which may affect the subject property are shown hereon.
 - The North Carolina Grid Coordinates shown on this map were derived by real-time kinematic GPS observations using Trimble R8 Receivers and processed using North Carolina Geodetic Survey Virtual Reference System.
 - Exterior building footprint has been field located to the outermost limit (Depiction does not include any pocket walls, cornices, buttresses, or pilasters).
 - Curb, gutter, edge of pavement, planters and sidewalk shown per plan, not field located.

Recombination Plat of Vida 2

Project: 200 S Main St
Kannapolis
Cabarrus County
North Carolina

prepared for:
Vida 2 LLC

1		####
2		
3		
4		
No.	Revision	By Date

GPI
GPI GEOSPATIAL, INC.

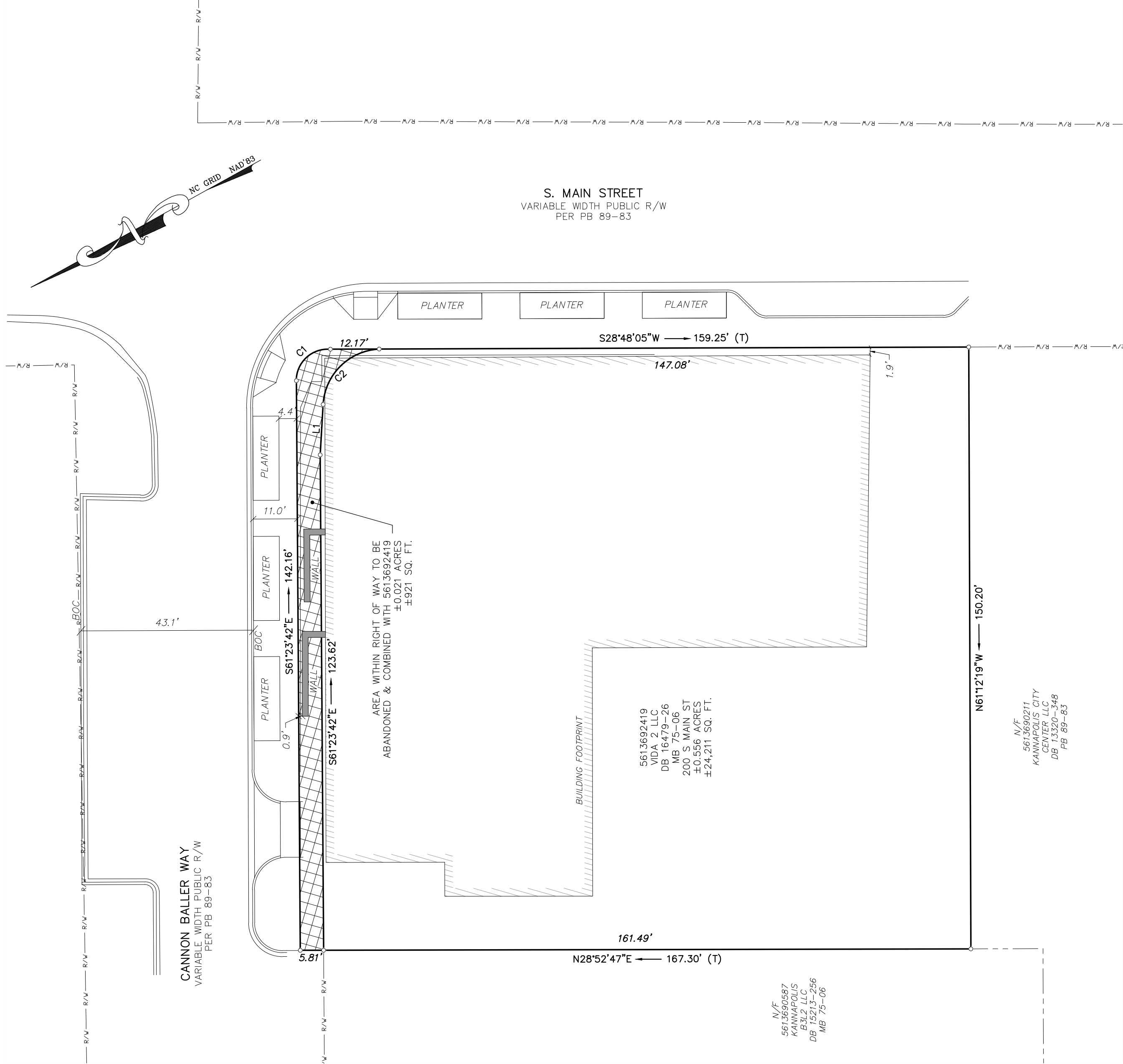
201 West 29th Street
Charlotte, NC 28206
Phone: (704) 337-8329
Fax: (704) 308-3153
License No.: F-1388
www.gpinet.com

GEOMATICS | LiDAR | PHOTOGRAMMETRY



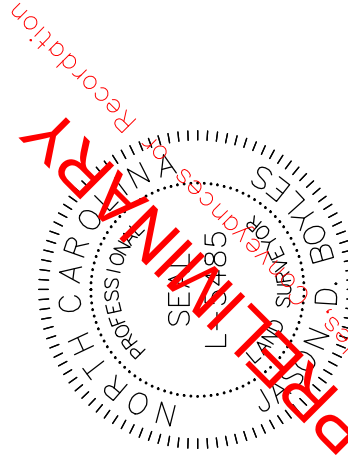
Text Scale: 1"=20'

Date: 02/10/2025	Plot Date: 02/10/2025
Project Number: 2400430	
Drawn By: MDM	
Reviewed By: JDB	
Sealed By: JDB	Sheet 1 of 1



LINE	BEARING	DISTANCE
1	N57°37'42"W	12.61'

CURVE	CHORD LENGTH	CHORD BEARING	ARC LENGTH	RADIUS
C1	11.56'	N13°44'06"W	12.99'	7.84'
C2	19.66'	N15°41'03"W	21.53'	14.70'



I, Jason D. Boyles, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book _____, Page see map); that the boundaries not surveyed are clearly indicated as drawn from information found in Book _____, Page see map; that the ratio of precision as calculated is 1: 10,000+; that this plat was prepared in accordance with G.S. 47-30 as amended; that this plat creates a subdivision of land within a county or municipality that has an ordinance that regulates parcels of land.

Witness my original signature, registration number and seal this
10th day of February, 2025.

Registration No.: L-5485 N.C.

State of North Carolina
County of Cabarrus

I, _____
Review Officer of Cabarrus County, certify that the
map or plat to which this certification is affixed
meets all statutory requirements for recording.

Review Officer _____
Date _____

Certificate of Final Plat Approval

I hereby certify that this plat is exempt from the subdivision
regulations of the City of Kannapolis due to its exclusion from
the definition of a subdivision as established by NCGS
160d-802(a).

Planning Director _____
Date _____

Certificate of Ownership and Dedication

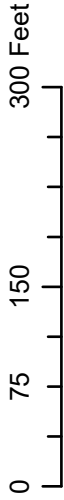
I hereby certify that I am the owner of the property
shown and described hereon, which is located in the
subdivision jurisdiction of the City of Kannapolis, and that
I hereby submit this plan of subdivision with my free
consent, establish minimum building setback lines, and
dedicate to public use all areas shown on this plat as
streets, walks, parks, open space, and easements, except
those specifically indicated as private, and that I will
maintain all such areas until accepted by the City of
Kannapolis, and further that I hereby guarantee that I will
correct defects or failure of improvements in such areas
for a period of one year commencing after a certificate
of approval has been executed by the city, or after final
acceptance of required improvements, whichever occurs
later.

Owner _____
Date _____



Partial ROW Closure

Affected ROW



BEGINNING at a new #5 rebar marking the northernmost corner of Vida 2 LLC (now or formerly) as described in deed book 16479, page 26 of the Cabarrus County Registry and being a point along the southerly margin of Cannon Baller Way a variable width right of as shown on plat book 89, page 83; THENCE with a new line within the right of way of Cannon Baller Way the following four (4) courses and distances; 1) North 28 degrees 52 minutes 47 seconds East a distance of 5.81 feet to a calculated point; 2) THENCE South 61 degrees 23 minutes 42 seconds East a distance of 142.16 feet to a calculated point; 3) THENCE along a curve to the right having an arc length of 12.99 feet, and a radius of 7.84 feet, being subtended by a chord bearing of South 13 degrees 44 minutes 06 seconds East, a distance of 11.56 feet to a calculated point; 4) THENCE South 28 degrees 48 minutes 05 seconds West a distance of 12.17 feet to a new #5 rebar on the easterly corner of the aforementioned Vida 2 LLC; THENCE with the line of Vida 2 LLC the following three (3) courses and distances; 1) along a curve to the left having an arc length of 21.53 feet, and a radius of 14.70 feet, being subtended by a chord bearing of North 15 degrees 41 minutes 03 seconds West, a distance of 19.66 feet to a calculated point; 2) THENCE North 57 degrees 37 minutes 42 seconds West a distance of 12.61 feet to a calculated point; 3) THENCE North 61 degrees 23 minutes 42 seconds West a distance of 123.62 feet to the POINT OF BEGINNING and having an area of 0.021 acres (921 sq ft), more or less.



Kannapolis City Council

City Council Agenda Staff Report
February 24, 2025

To: Mayor and City Council
From: Kristin Jones, Budget and Strategy Director
Subject: **BUDGET ORDINANCE AMENDMENT #25-29** - Motion to approve Budget Amendment #25-29 appropriating funds for ALERTUS system **APPROVED UNANIMOUS**

Recommended Action Requested by City Council

Approve budget amendment #25-29 appropriating funds for ALERTUS system.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The Alertus system is a mass notification system that helps organizations communicate with people during emergencies and other events. It includes software, hardware, and apps that can be customized to fit our organization's needs. This rollout includes a complete overhaul of all current panic buttons. This also includes adding public access buttons in key areas along with alert beacons. The addition of emergency activation buttons to all conference rooms is included. The overall goal of this system is safety of our employees and citizens.

Fiscal Implications

It is recommended that this be funded from Council contingency.

Alternate Courses of Action

1. Motion to approve budget amendment #25-29 appropriating funds for ALERTUS system **(Recommended)**.
2. Do not approve the budget amendment.
3. Table to a future meeting.

Attachments

1. 2025-11 Ordinance Amending Budget #25-29 for Alertus System

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025
Amendment # 25-29**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 24th day of February 2025, that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025, is hereby adopted:

Description: The Alertus system is a mass notification system that helps organizations communicate with people during emergencies and other events. It includes software, hardware, and apps that can be customized to fit an organization's needs.

SECTION I – GENERAL FUND

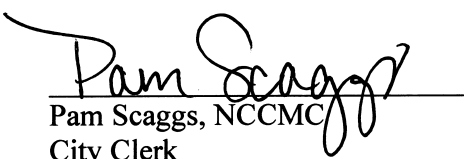
Expenditure:	Decrease: Council Contingency	\$64,316
	Expenditure: 10000-51320	

Expenditure:	Increase: IT: Contracted Services	\$64,316
	Expenditure: 11500-48000	

This ordinance is approved and adopted on this 24th day of February 2025.


Milton D. Hinnant, Mayor

ATTEST:


Pam Scaggs, NCCMC
City Clerk



Kannapolis City Council

City Council Agenda Staff Report
February 24, 2025

To: Mayor and City Council
From: Kirk Beard, Deputy Fire Chief
Subject: **APPOINTMENT** - Motion to approve the appointment of Danny Scott as Trustee for the North Carolina State Firefighters Association Relief Fund **APPROVED UNANIMOUS**

Recommended Action Requested by City Council

Approve the appointment of Danny Scott as Trustee for the North Carolina State Firefighters Association Relief Fund

Required Votes to Pass Required Action

Majority Present at Meeting

Background

One member shall be appointed by Council for a two-year term. If approved, this term would end in 2027.

Fiscal Implications

None.

Alternate Courses of Action

1. **Motion to approve the appointment of Danny Scott as Trustee for the North Carolina State Firefighters Association Relief Fund (Recommended).**
2. Do not approve the appointment.
3. Table to a future meeting.

Attachments

None



Kannapolis City Council

City Council Agenda Staff Report
February 24, 2025

To: Mayor and City Council
From: Pam Scaggs, City Clerk
Subject: **MINUTES** - February 10, 2025 Work Session **APPROVED UNANIMOUS**

Recommended Action Requested by City Council

Motion to approve February 10, 2025 Work Session Meeting Minutes

Required Votes to Pass Required Action

Majority Present at Meeting

Background

Fiscal Implications

Alternate Courses of Action

Attachments

1. 2025-02-10 Work Session Minutes

**CITY OF KANNAPOLIS
CITY COUNCIL
WORK SESSION MEETING MINUTES
February 10, 2025**

A work session meeting of City Council of the City of Kannapolis, North Carolina was held on Monday, February 10, 2025, at 4:30 P.M., at Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Ryan Dayvault
Doug Wilson
Jeanne Dixon
Dianne Berry
Darrell Jackson
Tom Kincaid
Doug Wilson

Council Members Absent: None

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

Assistant City Manager: Tina Cline

Assistant City Manager: Wilmer Melton

City Clerk: Pam Scaggs

Staff Present:	Kirk Beard	TJ Cook
	Gerald Faulkner	Irene Wong
	Michael Rattler	Annette Privette-Keller
	Sherry Gordon	Richard Smith
	Kristin Jones	Brian Roberts
	Tracy Winecoff	Elizabeth McCarty
	Terry Spry	

Visitors Present: L.J. Weslowski
Sophia Wilkerson
Mark Spitzer
Ron Flanders
Joe Hatley
Corinne Boyd
Alicia Detson

1 **CALL TO ORDER AND WELCOME**

2 Mayor Hinnant called the meeting to order and welcomed all in attendance. He led a moment of silent
3 prayer, followed by Councilmember Kincaid offering the Pledge of Allegiance.

4
5 **ADOPTION OF AGENDA**

6 Mayor Hinnant asked for a motion regarding the Agenda. Councilmember Jackson made the motion
7 to approve, second by Councilmember Dixon and the motion was unanimously approved.

8
9 **PROCLAMATION**

10 Mayor Hinnant read a Proclamation recognizing February as Black History month and presented the
11 Proclamation to Kannapolis resident Sophia Wilkerson.

12
13 **CONSENT AGENDA**

14 Mayor Hinnant asked for a motion regarding the Consent Agenda. Councilmember Dixon made the
15 motion to approve, second by Mayor Pro tem Berry and the motion was unanimously approved.

16
17 Resolution Directing the Clerk to Investigate and Certify the Petition; adopt a Resolution of Intent to
18 Annex; and Fix the Date of Public Hearing for February 24, 2025, on approximately 50.569 +/- acres
19 of property located at 3397 Camp Julia Road and further identified as Cabarrus County Parcel
20 Identification Number 56334589390000. (Richard Smith, Planning Direct) (Copy included as Exhibit
21 A)

22
23 Resolution Directing the Clerk to Investigate and Certify the Petition; adopt a Resolution of Intent to
24 Annex; and Fix the Date of Public Hearing for February 24, 2025, on approximately 0.38 +/- acres of
25 property located at 9172 Davidson Highway and further identified as Cabarrus County Parcel
26 Identification Number 46823091760000. (Richard Smith, Planning Direct) (Copy included as Exhibit
27 B)

28
29 Nondiscrimination Policy – American Rescue Plan Act / Coronavirus Local Fiscal Recovery Fund
30 (ARP/CSLFRF). (Brian Roberts, Director of Finance) (Copy included as Exhibit C)

31
32 Conflict of Interest Policy – ARP/CSLFRF (Brian Roberts, Director of Finance) (Copy included as
33 Exhibit D)

34
35 Business Meeting Minutes – January 27, 2025 (Pam Scaggs, City Clerk)

36
37 **BUSINESS AGENDA**

38 **Presentation – Micro-transit Discussion: What is It, What it Isn't, and a Look at Potential**
39 **Micro-transit Service Models. (Wilmer Melton, Assistant City Manager) (Copy included as**
40 **Exhibit E)**

41 Assistant City Manager Wilmer Melton introduced Transit Director LJ Weslowski, who explained
42 the evolution of micro-transit to address the "first mile, last mile" problem, adding that traditional
43 transit routes have endpoints, but passengers may need to travel further. Mr. Weslowski added that
44 micro-transit was inspired by ride-sharing services like Uber and Lyft and that while it is attractive to
45 users due to it being more of a direct trip than traditional transit, it is not economically feasible or

1 sustainable. He cautioned that while micro-transit has been successful and ridership has increased, it
2 also requires significant investment in operating costs.

3
4 Mr. Weslowski stated that Rider Transit and Cabarrus County Transportation currently offer on-
5 demand micro-transit services, but passengers need to schedule rides a day in advance to ensure
6 resources are available. He noted that Rider Transit has been exploring micro-transit since late 2019,
7 and despite rider enthusiasm and increased usage, micro-transit can't economically carry more people
8 for less money compared to mass transit, and balancing efficiency and cost-effectiveness remains
9 challenging. Mr. Weslowski added that discussions with various companies for a micro-transit pilot
10 estimated a \$50,000 cost per vehicle, leading them to hold off until the Lincoln Street Bridge closure
11 in Concord left a zone without transit service. This situation was used to establish a micro-transit
12 zone, initially served with phone calls, and later fully implementing a micro-transit app and service
13 which ran for about three years until the bridge reopened last week.

14
15 Mr. Weslowski provided data from different models regarding transitioning to micro-transit. A full
16 transition from buses to micro-transit would require 100% local funding and result in a \$5.4 million
17 dollar increase for Kannapolis. Transitioning to a hybrid bus/micro-transit model would result in a
18 \$1.7 million dollar increase in local expenses. Mr. Weslowski stated that both models assume a 40/60
19 split between Kannapolis and Concord and that the estimated increases are baseline, with a likely
20 additional 25% increase if demand is met. He stated that increasing any of the three aspects of micro-
21 transit: coverage, convenience, and cost, will impact the others and provided an example stating that
22 buses average 10.7 passengers per hour, while micro-transit averages 2.6, necessitating more vehicles.

23
24 Mr. Weslowski and Council members discussed in detail the challenges of adding late-night routes,
25 implementation of micro-transit in other municipalities (Gastonia and Wilson), accessibility
26 challenges for residents without smartphones or computers, and funding. It was concluded that there
27 is no cost-effective way to provide better and more frequent service.

28
29 **Presentation – College Station Real Estate. (Irene Wong, Director of Economic & Community**
30 **Development) (Copy included as Exhibit F)**

31 Director of Economic & Community Development, Irene Wong, provided a presentation regarding a
32 City-owned shopping center located on Cannon Boulevard and known as College Station. Ms. Wong
33 reminded Council that the City bought the shopping center in 2018 to relocate the Rowan County
34 Community College (RCCC) cosmetology program. She added that there are nine commercial spaces,
35 with six vacant, two on month-to-month leases, and Dollar General with one year left on their lease.
36 Ms. Wong noted that challenges of the property include a dated appearance, limited visibility, and
37 below-market rents.

38
39 Ms. Wong suggested options for the property which included:

- 40
41 1. Sell the Property: Estimated sales price between \$4.3 and \$4.8 million. Leasing all spaces at
42 market rate could increase value by \$1.5 million.
43
44 2. Keep the Property:
45 a. Invest in updates to attract better tenants and higher rents.
46 b. Convert for community services like a food pantry or health clinic.
47 c. Utilize as a business Incubation center.

1 d. Allocate for city departments or partner organizations.

2
3 Ms. Wong cautioned Council that keeping the property and continuing to operate as is will most likely
4 maintain the status quo with below-market rents and high-risk tenants.

5 Council discussed the property's potential uses and the pros and cons of keeping versus selling it. It
6 was determined that the City should first contact RCCC to see if they wanted to purchase the property.

7 Ms. Wong agreed to contact the RCCC representative and to provide an update at a future meeting.
8

9 **CLOSED SESSION**

10 **NCGS 143.318.11 (a) (3) to consult with an Attorney in order to preserve the Attorney client**
11 **privilege and NCGS 143.318.11 (a) (4) for discussing matters relating to the location or**
12 **expansion of industries or businesses in the area, and NCGS 143.318.11 (a) (5) for discussing**
13 **the negotiating position regarding the acquisition of real property**

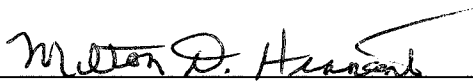
14 Mayor Pro tem Berry made the motion to go into closed session pursuant to NCGS 143.318.11 (a)
15 (3) to consult with an Attorney in order to preserve the Attorney client privilege and NCGS
16 143.318.11 (a) (4) for discussing matters relating to the location or expansion of industries or
17 businesses in the area, and NCGS 143.318.11 (a) (5) for discussing the negotiating position regarding
18 the acquisition of real property. Motion was seconded by Councilmember Wilson and unanimously
19 approved.
20

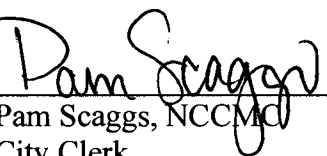
21 Council went into closed session at 5:54 PM.

22
23 There being no further business, Councilmember Wilson made a motion to come out of closed
24 session, second by Councilmember Dayvault, and the motion was unanimously approved.
25

26 There being no further business, Councilmember Dixon made motion to adjourn, second by Mayor
27 Pro tem Berry, and the motion was unanimously approved.
28

29 The meeting adjourned at 6:17 PM on Monday, February 10, 2025.
30
31
32

33 
34 Milton D. Hinnant, Mayor

35 
36 Pam Scaggs, NCCMC
37 City Clerk
38



Kannapolis City Council

City Council Agenda Staff Report
February 24, 2025

To: Mayor and City Council

From: Richard Smith, Planning Director

Subject: **PUBLIC HEARING** - Voluntary Annexation (A-2025-01) of approximately 50.569 +/- acre portion of an existing 53.181 acre tract of contiguous property located at 3397 Camp Julia Road (Cabarrus County Parcel Identification Number 56334589390000) and consider a motion to extend the Corporate Limits of the City of Kannapolis
APPROVED UNANIMOUS

Recommended Action Requested by City Council

1. Hold a Public Hearing for Case A-2025-01 to consider the voluntary annexation of approximately 50.569 +/- acre portion of an existing 53.181 acre tract of contiguous property located at 3397 Camp Julia Road and further identified as Cabarrus County Parcel Identification Number 56334589390000; and
2. Consider adopting the Annexation Ordinance.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The applicant, QTR Development Partners, LLC., submitted an application for voluntary annexation an approximately 50.569 +/- acre portion of an existing 53.181 acre tract of contiguous property located at 3397 Camp Julia Road. A portion of the property is presently located within the city's corporate limits.

On February 10, 2025, City Council adopted a Resolution of Intent to Annex the subject property; authorized the Clerk to Investigate the Intent to Annex; Certify the Sufficiency of the Petition; and established a public hearing date of February 24, 2025.

The property is further identified as Cabarrus County Parcel Identification Number 56334589390000. A portion of the existing parcel is presently located in the City of Kannapolis, but the majority of the property is located in an unincorporated area of Cabarrus County. This area is designated as a future growth area for the City of Kannapolis. Further, the applicant has made this request for voluntary annexation to facilitate future development of a single-family attached residential community and to receive City utility services.

Fiscal Implications

None

Alternate Courses of Action

1. Motion to adopt an Ordinance extending the Corporate Limits of the City of Kannapolis

(Recommended).

2. Take no action.
3. Table action to a future meeting.

Attachments

1. Annexation Petition
2. Vicinity Color A-2025-01 Updated
3. Black and White A-2025-01 Updated
4. Public Notice Ad CC Feb 24 2025
5. Vicinity A-2025-01 Updated
6. 2025-12 Ordinance to Extend Corporate Limits for Annexation 2025-01 3397 Camp Julia Rd

Petition for Contiguous Annexation

So that we may efficiently review your request in a timely manner, it is important that all required documents are submitted with your application. Submit digitals and 1 hard copy of applications and accompanying documents to the Planning Department at the address above.

ANNEXATION REQUEST

Approval authority – City Council.

Property Address: 3397 Camp Julia Road, Kannapolis, NC 28083

Applicant: QTR Development Partners LLC

Address: 120 Village Road City: Green Village State: NJ Zip: 07935

Contact number: 973-634-1214 Email: dan.lacz@qtrdevelopment.com

SUBMITTAL CHECKLIST

- ☒ Pre-Application Meeting – send an email to planreviewappointment@kannapolisnc.gov
- ☒ Annexation Checklist and Application – Complete with all required property owner signatures
- ☒ Stamped, signed black and white 18 x 24" survey of subject property prepared by a registered engineer or surveyor (not preliminary)
- ☒ Metes and Bounds description of subject property

PROCESS INFORMATION

Annexation involves two (2) separate City Council meetings:

First meeting: The City Clerk will certify the sufficiency of the annexation and City Council will set a date for the public meeting.

Second meeting: City Council will review the petition and either approve or decline the annexation request;

1. Newspaper notification at least ten (10) days prior to the second Council meeting
2. Notification to the County or municipality from which the subject property is being annexed
3. Public Hearing
4. State recordation of the Resolution to Extend the Corporate City Limits, the signed/stamped 18X24" survey (can not be stamped as preliminary) and the Metes and Bounds Description.

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if incomplete.

Applicant's Signature:

Date:

10/28/24

*Dan Lacz, Managing Member
QTR Development Partners LLC*



PETITION REQUESTING A CONTIGUOUS ANNEXATION
Approval authority – City of Kannapolis City Council

DATE: 10/25/2024

To the City Council of the City of Kannapolis, North Carolina:

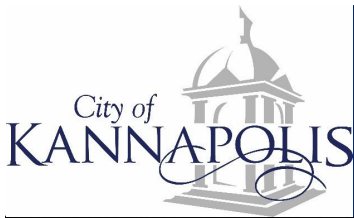
1. We, the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the City of Kannapolis.
2. The area to be annexed, located at 3397 Camp Julia Road, Kannapol, further identified as Cabarrus County Parcel Identification Number 56334589390000, is contiguous to the primary limits of the City of Kannapolis, is approximately 50.569 acres, and the boundaries of such territory are as follows:

See Attached Signed, Stamped Survey Map and Metes and Bounds Description

3. This petition is signed by all property owners of the area to be annexed.
4. ☒ The undersigned owners acknowledge that the following City service(s) is (are) not presently available for immediate taps upon annexation: water ☒ sewer ☒; and, subsequently agree that the City shall not provide water and sewer service to the area to be annexed except in accordance with the City’s standard water and sewer policy.
5. Please check ONE box below:
- ☐ The undersigned owners declare that zoning vested rights have been established on the area to be annexed under G.S. 160D-108 or G.S. 160D-108.1 and provide proof of such rights by attachment hereto.
- ☒ The undersigned owners hereby declare that no such vested rights have been established and that any vested rights previously acquired are hereby terminated.

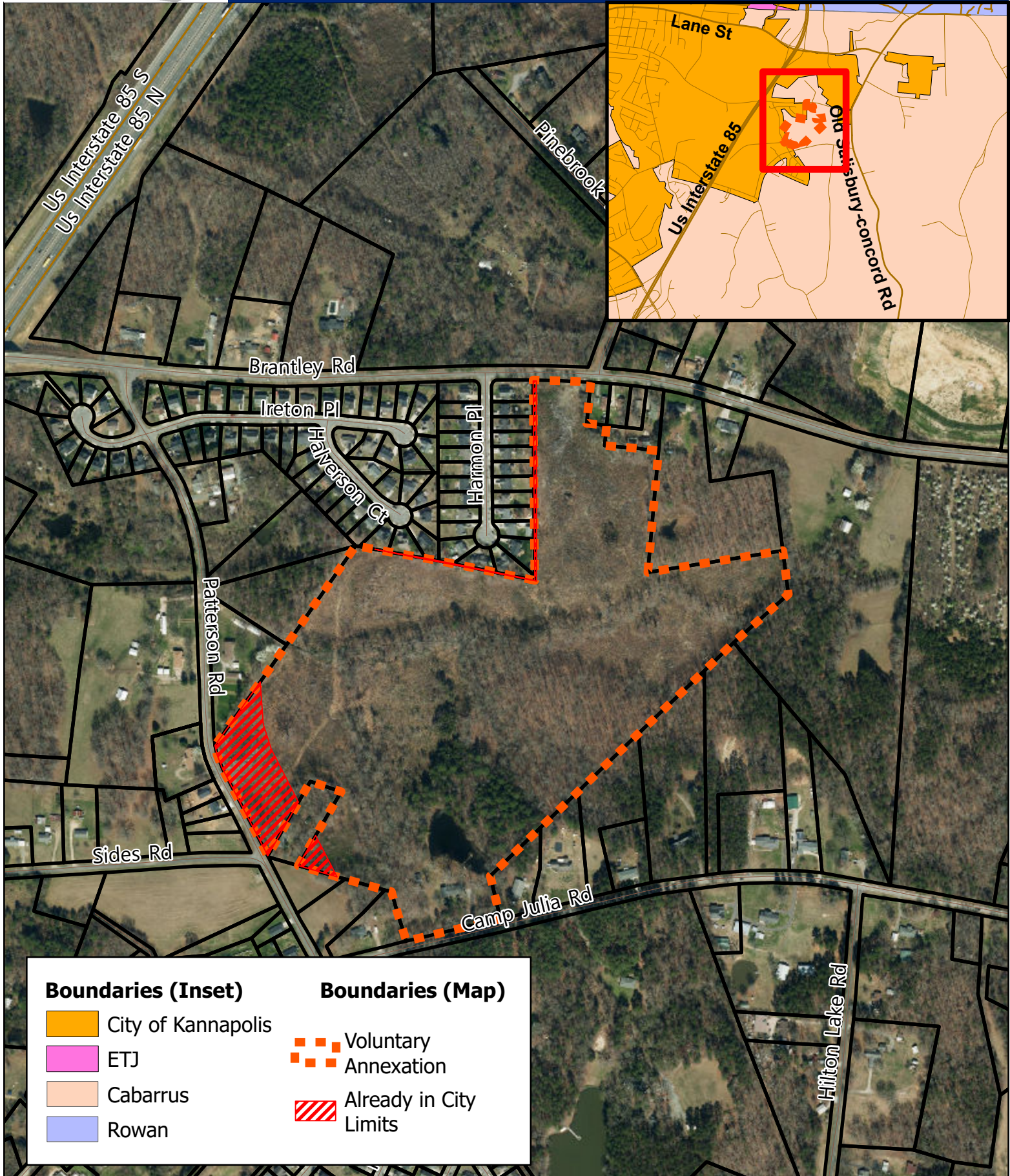
Name (print or type)	Address	Signature*
1. C.W. McHargue	3397 Camp Julia Road, Kannapolis, NC 28083	
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

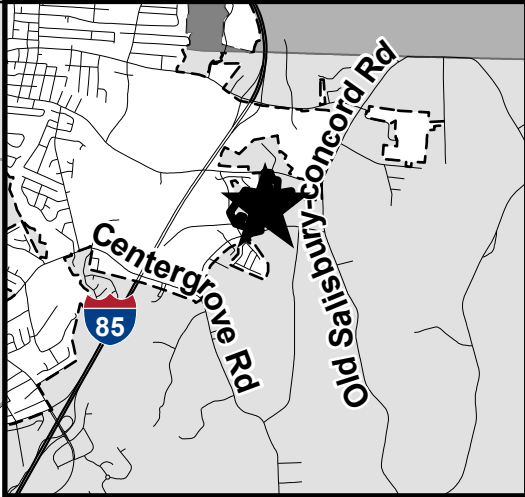
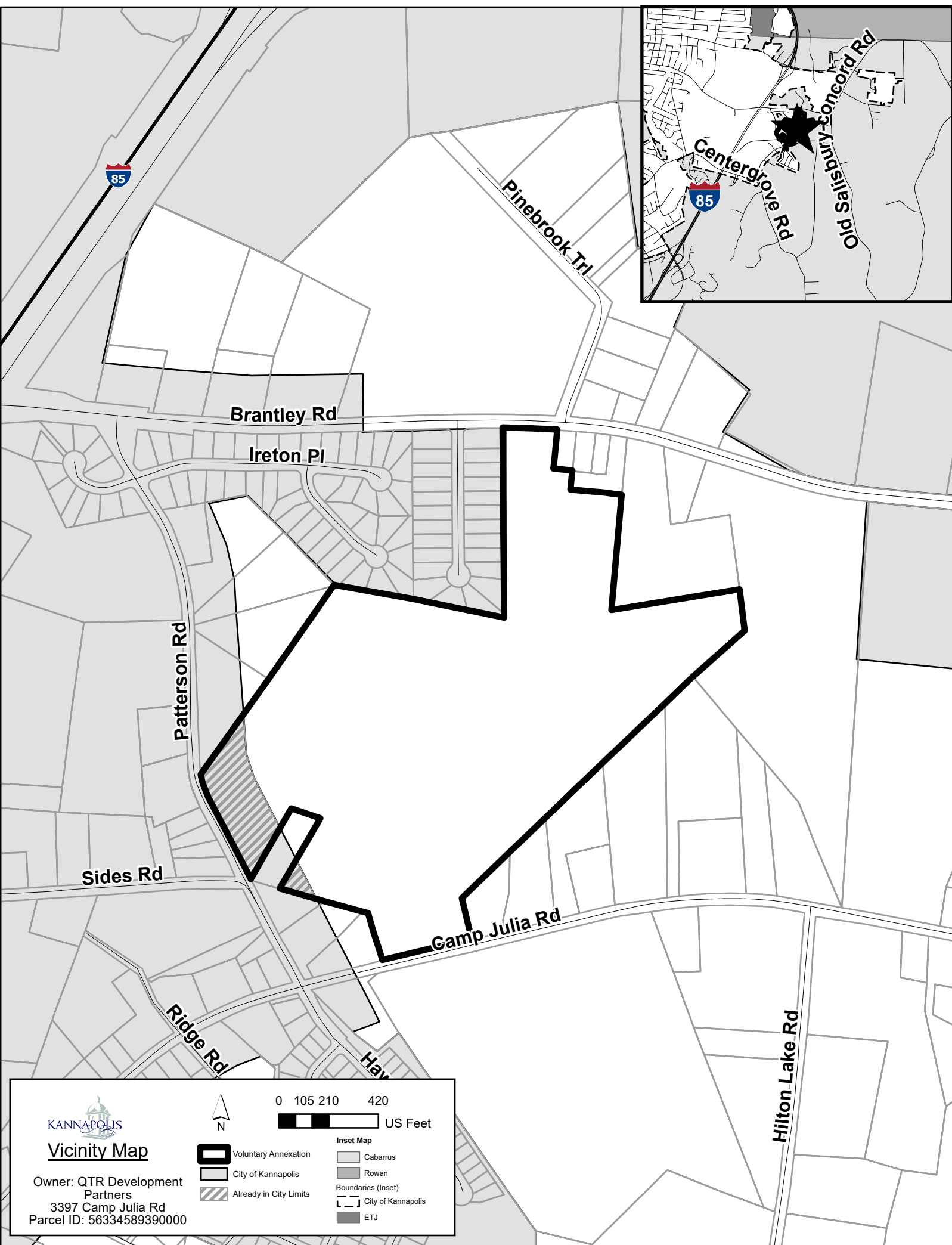
*Family members (e.g., husbands and wives) need to sign separately. Signatures for corporations, institutions, etc., are by those with the authority to sign legal documents.



Vicinity Map

Owner: QTR Development Partners
3397 Camp Julia Rd
Parcel ID: 56334589390000





Vicinity Map

Owner: QTR Development
Partners
3397 Camp Julia Rd
Parcel ID: 56334589390000



0 105 210 420
US Feet

- Voluntary Annexation
- City of Kannapolis
- Already in City Limits

- Inset Map
- Cabarrus
 - Rowan
 - Boundaries (Inset)
 - City of Kannapolis
 - ETJ



INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Concord Independent Tribune** on the dates indicated below. If changes are needed, please contact us prior to deadline at help@column.us

Notice ID: IBkylIM23hQ1x9LCLniG | **Proof Updated: Feb. 10, 2025 at 02:06pm EST**
Notice Name: City Council February 24, 2025

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Pam Scaggs
pscaggs@kannapolisnc.gov
(704) 920-4303

FILING FOR

Concord Independent Tribune

Columns Wide: 2

Ad Class: Legals

02/13/2025: General Legal	182.62
02/20/2025: General Legal	182.61
Affidavit Fee	20.00

Total	\$385.23
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See Proof on Next Page

Notice of Public Hearing



NOTICE OF PUBLIC HEARING
401 Laureate Way, Kannapolis, NC

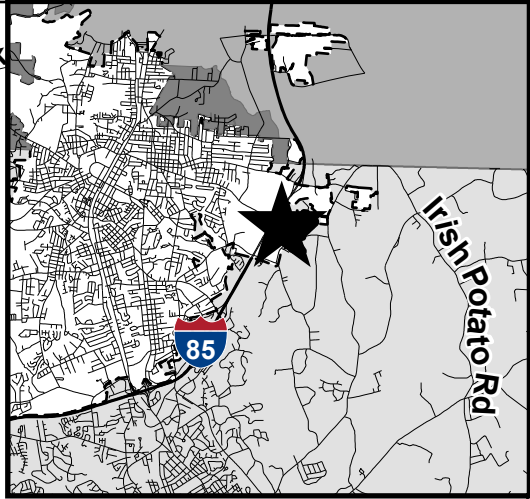
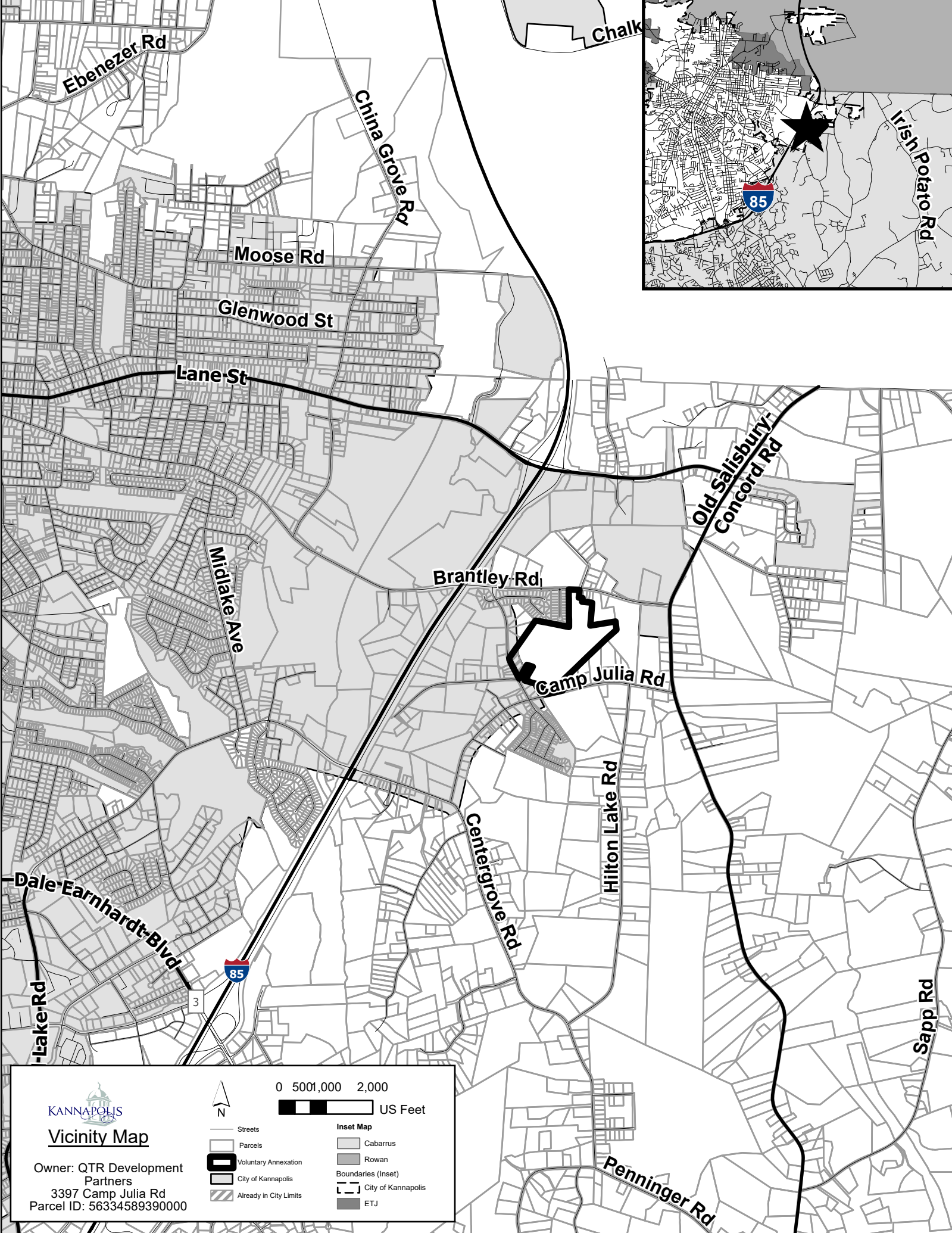
City Council Meeting
Monday February 24, 2025 at 6:00 pm

Voluntary Annexation A-2025-01 - Public Hearing to consider the voluntary contiguous annexation of approximately 50.569 +/- acres of property located at 3397 Camp Julia Road and further identified as Cabarrus County Parcel Identification Number 56334589390000.

Voluntary Annexation A-2025-02 - Public Hearing to consider the voluntary non-contiguous annexation of approximately 0.38 +/- acres of property located at 9172 Davidson Highway and further identified as Cabarrus County Parcel Identification Number 46823091760000.

In accordance with Title II of the Americans with Disabilities Act (AD), any person requiring an accommodation to participate in a function or program of the City of Kannapolis, should contact Daniel Jenkins, Assistant Human Resource Director & ADA Coordinator, by phone at 704-920-4312, email adacoordinator@kannapolisnc.gov, or in person at Kannapolis City Hall as soon as possible but not later than 48 hours before the scheduled event.

Publication Dates: February 13, 20, 2025. #####





Vicinity Map

Owner: QTR Development Partners
3397 Camp Julia Rd
Parcel ID: 56334589390000



0 5001,000 2,000
US Feet

Legend

Streets	Cabarrus
Parcels	Rowan
Voluntary Annexation	Boundaries (Inset)
City of Kannapolis	City of Kannapolis
Already in City Limits	ETJ

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE CITY OF KANNAPOLIS, NORTH CAROLINA**

Annexation 2025-01 – 3397 Camp Julia Road

WHEREAS, pursuant to Chapter 160A-31 *et seq*, City Council has stated its intent to annex property as described below; and

WHEREAS, City Council has by resolution set and held a public hearing on the question of this annexation at Kannapolis City Hall, located at 401 Laureate Way at 6:00 PM on the 24th day of February 2025, after due notice by the Independent Tribune newspaper on the 13th and 20th days of February 2025; and

WHEREAS, the City Council finds that the public health, safety and welfare of the City of Kannapolis, North Carolina and of the area proposed for annexation will be best served by annexing the area described.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina that:

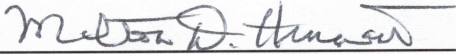
Section 1. By virtue of the authority granted pursuant to N.C.G.S. Chapter 160A-31 *et seq*, the following described territory is hereby annexed and made part of the City of Kannapolis, North Carolina as of the 24th day of February 2025, and being more particularly described as approximately 50.569 +/- acre portion of an existing 53.181 acre tract of contiguous property located at 3397 Camp Julie Road Cabarrus County Parcel Identification Number 56334589390000.

SEE EXHIBIT A – METES AND BOUNDS DESCRIPTION

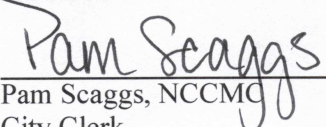
Section 2. Upon and after the 24th day of February 2025, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Kannapolis, North Carolina and shall be entitled to the same privileges and benefits as other parts of the City of Kannapolis, North Carolina. Said territory shall be subject to municipal taxes according to G.S. 160A-58.3.

Section 3. The Mayor of the City of Kannapolis, North Carolina shall cause to be recorded in the office of the Register of Deeds of Cabarrus County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Board of Elections, as required by G.S. 163-288.1.

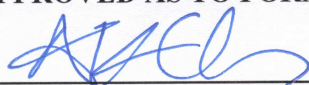
Adopted this 24th day of February 2025:


Milton D. Hinnant, Mayor
City of Kannapolis

ATTEST:


Pam Scaggs, NCCMC
City Clerk

APPROVED AS TO FORM:


W. Andrew Kelly, City Attorney

LEGAL DESCRIPTION

COMMENCING AT NCGS MONUMENT "TOWELS" HAVING NC GRID COORDINATES IN U.S. SURVEY FEET OF N:640037.24.09, E:1534758.27; THENCE WITH A BEARING OF S 05°32'25" E A HORIZONTAL GRID DISTANCE OF 2844.25 FEET TO A FOUND #5 REBAR ON THE SOUTHERLY RIGHT OF WAY OF BRANTLEY ROAD, A 60' PUBLIC RIGHT OF WAY PER MAP BOOK 37, PAGE 24 OF THE CABARRUS COUNTY PUBLIC REGISTRY, HENCE CCR, HAVING NC GRID COORDINATES IN U.S. SURVEY FEET OF N:637206.23, E:1535032.98; WHICH IS THE POINT OF BEGINNING;

THENCE WITH A BEARING OF N 00°20'40" W A DISTANCE OF 29.93 FEET TO A CALCULATED POINT IN THE CENTERLINE OF SAID BRANTLEY ROAD;

THENCE WITH THE CENTERLINE OF SAID BRANTLEY ROAD THE FOLLOWING TWO (2) COURSES:

1. S 88°52'44" E A DISTANCE OF 99.93 FEET TO A CALCULATED POINT;
2. S 87°46'15" E A DISTANCE OF 137.11 FEET TO A CALCULATED POINT

THENCE DEPARTING SAID CENTERLINE OF BRANTLEY ROAD WITH A BEARING OF S 06°54'53" W, PASSING THROUGH A SET #5 REBAR WITH PLASTIC CAP INSCRIBED "THE SURVEY COMPANY, INC" ON THE SOUTHERLY RIGHT OF WAY OF SAID BRANTLEY ROAD AT 30.10 FEET AND CONTINUING ANOTHER 169.90 FEET FOR A TOTAL DISTANCE OF 200.00 FEET TO A FOUND #4 REBAR BEING A COMMON CORNER WITH THAT JIMMY FREEMAN JR AND WIFE BRENDA FREEMAN TRACT AS DESCRIBED IN DEED BOOK 11946, PAGE 102, CCR;

THENCE WITH THE SOUTHERLY LINE OF SAID JIMMY FREEMAN JR AND WIFE BRENDA FREEMAN TRACT S 86°01'47" E A DISTANCE OF 80.11 FEET TO A FOUND #4 REBAR, BEING A COMMON CORNER WITH THAT WILLIAM JACK CLARK JR AND WIFE ANGIE RACHAEL CLARK TRACT AS DESCRIBED IN DEED BOOK 8299, PAGE 217, CCR;

THENCE WITH THE WESTERLY AND SOUTHERLY LINES OF SAID WILLIAM JACK CLARK JR AND WIFE ANGIE RACHAEL CLARK TRACT THE FOLLOWING THREE (3) COURSES:

1. S 07°00'15" W A DISTANCE OF 75.02 FEET TO FOUND #5 REBAR;
2. S 83°40'32" E A DISTANCE OF 141.46 FEET TO A SET #5 REBAR WITH PLASTIC CAP INSCRIBED "THE SURVEY COMPANY, INC";
3. S 81°28'14" E A DISTANCE OF 76.18 FEET TO A FOUND #5 REBAR ON THE WESTERLY LINE OF THAT NADYA MARIKA CHOMIAK AS DESCRIBED IN DEED BOOK 11032, PAGE 79, CCR;

THENCE WITH THE WESTERLY AND SOUTHERLY LINES OF SAID NADYA MARIKA CHOMIAK TRACT THE FOLLOWING TWO (2) COURSES:

1. S 04°17'18" W A DISTANCE OF 475.19 FEET TO A FOUND #4 REBAR;
2. N 81°33'32" E A DISTANCE OF 552.74 FEET TO A FOUND #5 REBAR ON THE WESTERLY LINE OF THAT KAY C ROSEMAN LIFE ESTATE TRACT AS DESCRIBED IN DEED BOOK 11639, PAGE 50, CCR;

THENCE WITH THE WESTERLY LINE OF SAID KAY C ROSEMAN LIFE ESTATE TRACT THE FOLLOWING TWO (2) COURSES:

1. S 07°16'46" E A DISTANCE OF 138.85 FEET TO A FOUND ½" IRON ROD;
2. S 43°27'28" W A DISTANCE OF 331.82 FEET TO A FOUND #4 REBAR ON THE NORTHERLY LINE OF THAT JOSEPH BATTINELLI AND WIFE KATE E BATTINELLI TRACT AS DESCRIBED IN DEED BOOK 15360, PAGE 123, CCR, AS BEING LOTS 1 & 2 - MAP BOOK 86, PAGE 67, CCR;

THENCE WITH A BEARING OF S 45°57'32" W A DISTANCE OF 1348.61 FEET TO A FOUND 1" PIPE, BEING THE NORTHWESTERLY MOST CORNER OF THAT VANCE ARTHUR GREENE III AND WIFE TANYA LATREECE GREENE TRACT AS DESCRIBED IN DEED BOOK 16023, PAGE 03, CCR AS BEING LOT 1 - MAP BOOK 84, PAGE 72, CCR;

THENCE WITH THE WESTERLY LINE OF SAID VANCE ARTHUR GREENE III AND WIFE TANYA LATREECE GREENE TRACT S 13°32'35" E PASSING THROUGH A SET #5 REBAR WITH PLASTIC CAP INSCRIBED "THE SURVEY COMPANY, INC" AT 172.46 FEET ON THE NORTHERLY LINE OF CAMP JULIA ROAD AT, A 60' PUBLIC RIGHT OF WAY PER MAP BOOK 84, PAGE 72, CCR, AND CONTINUING ANOTHER 30.00 FEET FOR A TOTAL DISTANCE OF 202.46 FEET TO A CALCULATED POINT IN THE CENTER OF SAID CAMP JULIA ROAD;

THENCE WITH THE CENTER OF SAID CAMP JULIA ROAD THE FOLLOWING TWO (2) COURSES:

1. S 76°47'50" W A DISTANCE OF 347.15 FEET TO A CALCULATED POINT;
2. S 76°28'41" W A DISTANCE OF 54.20 FEET TO A CALCULATED POINT;

THENCE DEPARTING SAID CENTERLINE OF SAID CAMP JULIA ROAD N 16°09'07" W, PASSING THROUGH A SET #5 REBAR WITH PLASTIC CAP INSCRIBED "THE SURVEY COMPANY, INC" AT 30.03 FEET ON THE NORTHERLY RIGHT OF WAY OF SAID CAMP JULIA ROAD AND CONTINUING ANOTHER 208.69 FEET FOR A TOTAL DISTANCE OF 238.72 FEET TO A FOUND #5 REBAR BEING A COMMON CORNER WITH THAT BETHEL PILGRIM HOLINESS CHURCH TRACT AS DESCRIBED IN DEED BOOK 284, PAGE 78, CCR;

THENCE N 73°38'33" W A DISTANCE OF 218.26 FEET TO A CALCULATED POINT AT THE INTERSECTION OF THE EXISTING CITY LIMIT LINE OF THE CITY OF KANNAPOLIS AND THE SOUTHERLY LINE OF THAT C.W. MCHARGUE TRACT AS DESCRIBED IN DEED BOOK 646, PAGE 43, CCR, AND DEED BOOK 12847, PAGE 338, CCR;

THENCE WITH THE EXISTING CITY LIMIT LINE OF THE CITY OF KANNAPOLIS THE FOLLOWING TWO (2) COURSES:

1. N 28°24'50" W A DISTANCE OF 173.50 FEET TO A CALCULATED POINT;
2. N 25°55'02" W A DISTANCE OF 16.08 FEET TO A CALCULATED POINT AT THE INTERSECTION OF THE EXISTING CITY LIMIT LINE OF THE CITY OF KANNAPOLIS AND THE EASTERLY LINE OF THAT CORA M. LAWS ESTATE TRACT AS DESCRIBED IN ESTATE FILE 89-E-151 AND DEED BOOK 733, PAGE 342, CCR;

THENCE WITH SAID CORA M. LAWS ESTATE TRACT THE FOLLOWING THREE (3) COURSES:

1. N 31°06'23" E A DISTANCE OF 205.43 FEET TO A FOUND AXLE;
2. N 71°59'17" W A DISTANCE OF 130.82 FEET TO A FOUND ½" IRON PIPE
3. S 31°00'02" W A DISTANCE OF 91.46 FEET TO A CALCULATED POINT ON THE EXISTING CITY LIMIT LINE OF THE CITY OF KANNAPOLIS

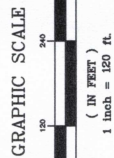
THENCE WITH THE EXISTING CITY LIMIT LINE OF THE CITY OF KANNAPOLIS THE FOLLOWING TEN (10) COURSES:

1. N 25°48'00" W A DISTANCE OF 27.44 FEET TO A CALCULATED POINT;
2. N 29°14'42" W A DISTANCE OF 122.67 FEET TO A CALCULATED POINT;
3. N 27°45'52" W A DISTANCE OF 108.18 FEET TO A CALCULATED POINT;
4. N 22°34'21" W A DISTANCE OF 4.26 FEET TO A CALCULATED POINT;
5. N 11°53'06" W A DISTANCE OF 54.42 FEET TO A CALCULATED POINT;
6. N 06°30'47" W A DISTANCE OF 19.71 FEET TO A CALCULATED POINT;
7. N 03°25'22" W A DISTANCE OF 34.87 FEET TO A CALCULATED POINT;
8. N 04°52'44" W A DISTANCE OF 33.62 FEET TO A CALCULATED POINT;
9. N 02°25'38" W A DISTANCE OF CALCULATED 65.70 FEET TO A POINT;
10. N 01°05'16" W A DISTANCE OF 30.44 FEET TO A POINT AT THE INTERSECTION OF THE EXISTING CITY LIMIT LINE OF THE CITY OF KANNAPOLIS AND THE WESTERLY LINE OF SAID C.W. MCHARGUE TRACT;

THENCE WITH THE WESTERLY LINE OF SAID C.W. MCHARGUE TRACT N 33°03'15" E A DISTANCE OF 672.40 TO A FOUND ¾" IRON PIPE;

THENCE S 78°12'41" E A DISTANCE OF 742.97 FEET TO A FOUND #5 REBAR, A COMMON CORNER WITH THAT BENJAMIN TODD GRAHAM TRACT AS DESCRIBED IN DEED BOOK 6731, PAGE 311, CCR, AS BEING LOT 68 - MAP BOOK 37, PAGE 23;

THENCE N 00°20'40" W, PASSING THROUGH A FOUND #5 REBAR AT 18.73 FEET AND CONTINUING ANOTHER 785.62 FEET FOR A TOTAL DISTANCE OF 804.27 FEET TO THE POINT OF BEGINNING.; CONTAINING 2,202,764 SQUARE FEET OR 50.569 ACRES ACCORDING TO THAT MAP TITLED "VOLUNTARY ANNEXATION MAP FOR: 3397 CAMP JULIA ROAD" PREPARED BY THE SURVEY COMPANY, INC., DATED JANUARY 02, 2025 AND SIGNED AND SEALED BY CHARLES S. LOGUE, PLS L-4212 TO WHICH REFERENCE IS HEREBY MADE.





Kannapolis City Council

City Council Agenda Staff Report
February 24, 2025

To: Mayor and City Council
From: Richard Smith, Planning Director
Subject: **PUBLIC HEARING** - Voluntary Annexation (A-2025-02) of approximately 0.38 +/- acres of noncontinuous property located at 9172 Davidson Highway (Cabarrus County Parcel Identification Number 46823091760000) and consider a motion to extend the Corporate Limits of the City of Kannapolis **APPROVED UNANIMOUS**

Recommended Action Requested by City Council

1. Hold a Public Hearing for Case A-2025-02 to consider the voluntary annexation of approximately 0.38 +/- acres of noncontiguous property located at 9172 Davidson Highway and further identified as Cabarrus County Parcel Identification Number 46823091760000; and
2. Consider adopting the Annexation Ordinance.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The applicant and property owner, Sustar/Little, LLC (Patrick Sustar), submitted an application for voluntary annexation of an approximately 0.38 +/- acre portion of an existing 4.11 +/- acre tract of property located at 9172 Davidson Highway.

On February 10, 2025, City Council adopted a Resolution of Intent to Annex the subject property; authorized the Clerk to Investigate the Intent to Annex; Certify the Sufficiency of the Petition; and established a public hearing date of February 24, 2025.

The property is further identified as Cabarrus County Parcel Identification Number 46823091760000 and is currently located in an unincorporated area of Cabarrus County. The applicant owns the adjacent properties immediately east of the subject property. The request to annex a portion of this property does not include the existing veterinarian office at this site. Further, the applicant is requesting annexation to allow development of a self-service storage facility.

Fiscal Implications

None

Alternate Courses of Action

1. **Motion to adopt an Ordinance extending the Corporate Limits of the City of Kannapolis (Recommended).**
2. Take no action.
3. Table action to a future meeting.

Attachments

1. Non-Contiguous Annexation Petition - 9172 Davidson HWY
2. Vicinity Color A-2025-02 Updated
3. Black and White A-2025-02 Updated 2
4. Public Notice Ad CC Feb 24 2025
5. Vicinity A-2025-02 Updated
6. 2025-13 Ordinance to Extend Corporate Limits A-2025-02 - 9172 Davidson Hwy



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

Petition for Non-Contiguous Annexation

So that we may efficiently review your request in a timely manner, it is important that all required documents are submitted with your application. Submit digitals and 1 hard copy of applications and accompanying documents to the Planning Department at the address above.

ANNEXATION REQUEST

Approval authority – City Council.

Property Address: 9172 Davidson Hwy. Concord, NC 28027
 Applicant: Sustar/Little LLC
 Address: PO Box 6600 City: Concord State: NC Zip: 28027
 Contact number: (980) 521-0811 Email: psustar1@outlook.com

SUBMITTAL CHECKLIST

- ☒ Pre-Application Meeting – send an email to planreviewappointment@kannapolisnc.gov
- ☒ Annexation Checklist and Application – Complete with all required property owner signatures
- ☒ Stamped, signed black and white 18 x 24" survey of subject property prepared by a registered engineer or surveyor (not preliminary)
- ☒ Metes and Bounds description of subject property

PROCESS INFORMATION

Annexation involves two (2) separate City Council meetings:

First meeting: The City Clerk will certify the sufficiency of the annexation and City Council will set a date for the public meeting.

Second meeting: City Council will review the petition and either approve or decline the annexation request:

1. Newspaper notification at least ten (10) days prior to the second Council meeting
2. Notification to the County or municipality from which the subject property is being annexed
3. Public Hearing
4. State recordation of the Resolution to Extend the Corporate City Limits, the signed/stamped 18X24" survey (can not be stamped as preliminary) and the Metes and Bounds Description.

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if incomplete.

Signed by: Patrick Sustar Date: 1/24/2025
 Applicant's Signature: 07C3D3E75F3446F...



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

PETITION REQUESTING A NON-CONTIGUOUS ANNEXATION

Approval authority – City of Kannapolis City Council

DATE: 1/24/2025

To the City Council of the City of Kannapolis, North Carolina:

1. We, the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the City of Kannapolis.
2. The area to be annexed, located at 9172 Davidson Hwy. Concord, NC, further identified as Cabarrus County Parcel Identification Number 4682-30-9176, is non-contiguous to the primary limits of the City of Kannapolis, is approximately 0.38 acres, and the boundaries of such territory are as follows:

See Attached Signed, Stamped Survey Map and Metes and Bounds Description

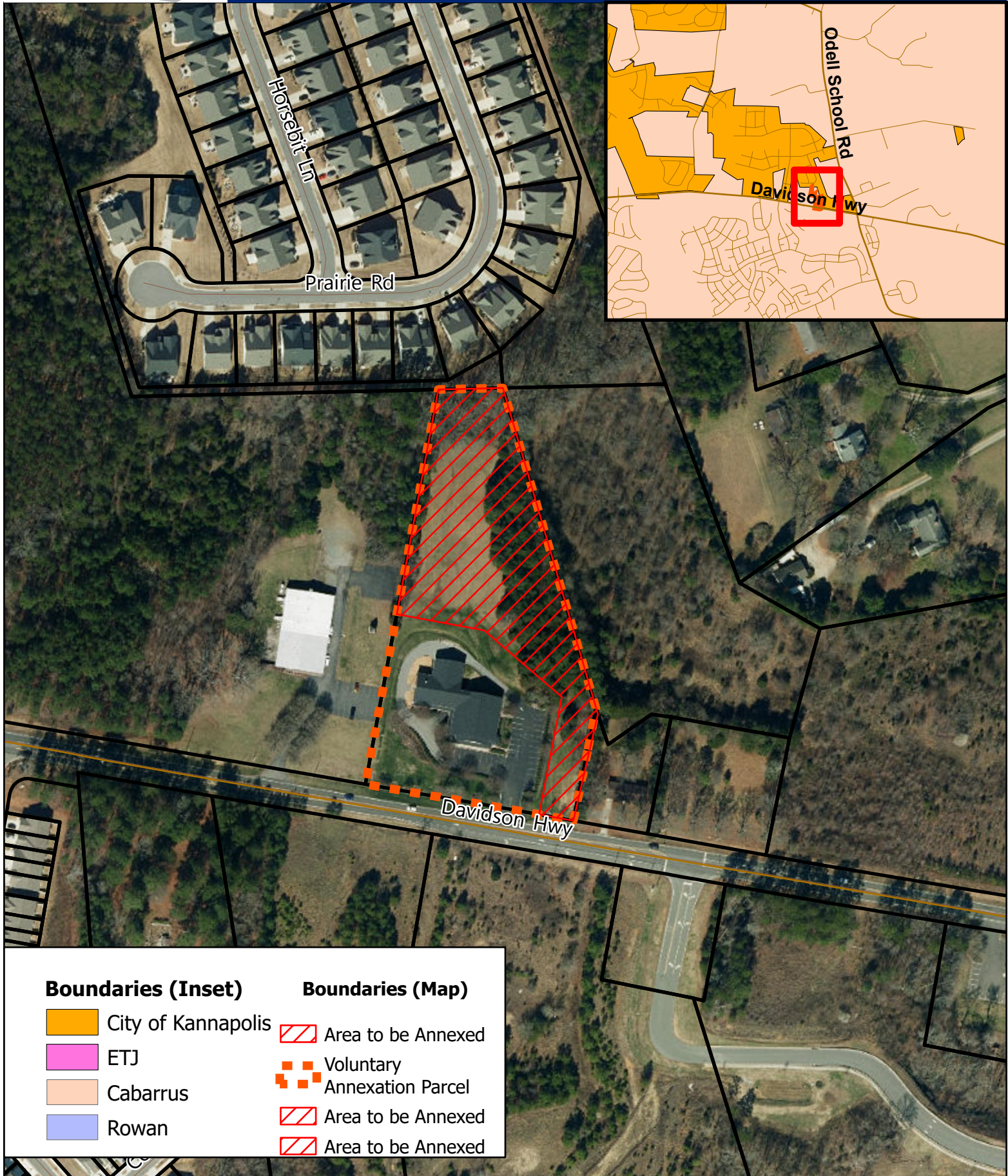
3. This petition is signed by all property owners of the area to be annexed.
4. ☒ The undersigned owners acknowledge that the following City service(s) is (are) not presently available for immediate taps upon annexation: water ☒ sewer ☒; and, subsequently agree that the City shall not provide water and sewer service to the area to be annexed except in accordance with the City's standard water and sewer policy.
5. Please check ONE box below:
☐ The undersigned owners declare that zoning vested rights have been established on the area to be annexed under G.S. 160D-108 or G.S. 160D-108.1 and provide proof of such rights by attachment hereto.
☒ The undersigned owners hereby declare that no such vested rights have been established and that any vested rights previously acquired are hereby terminated.

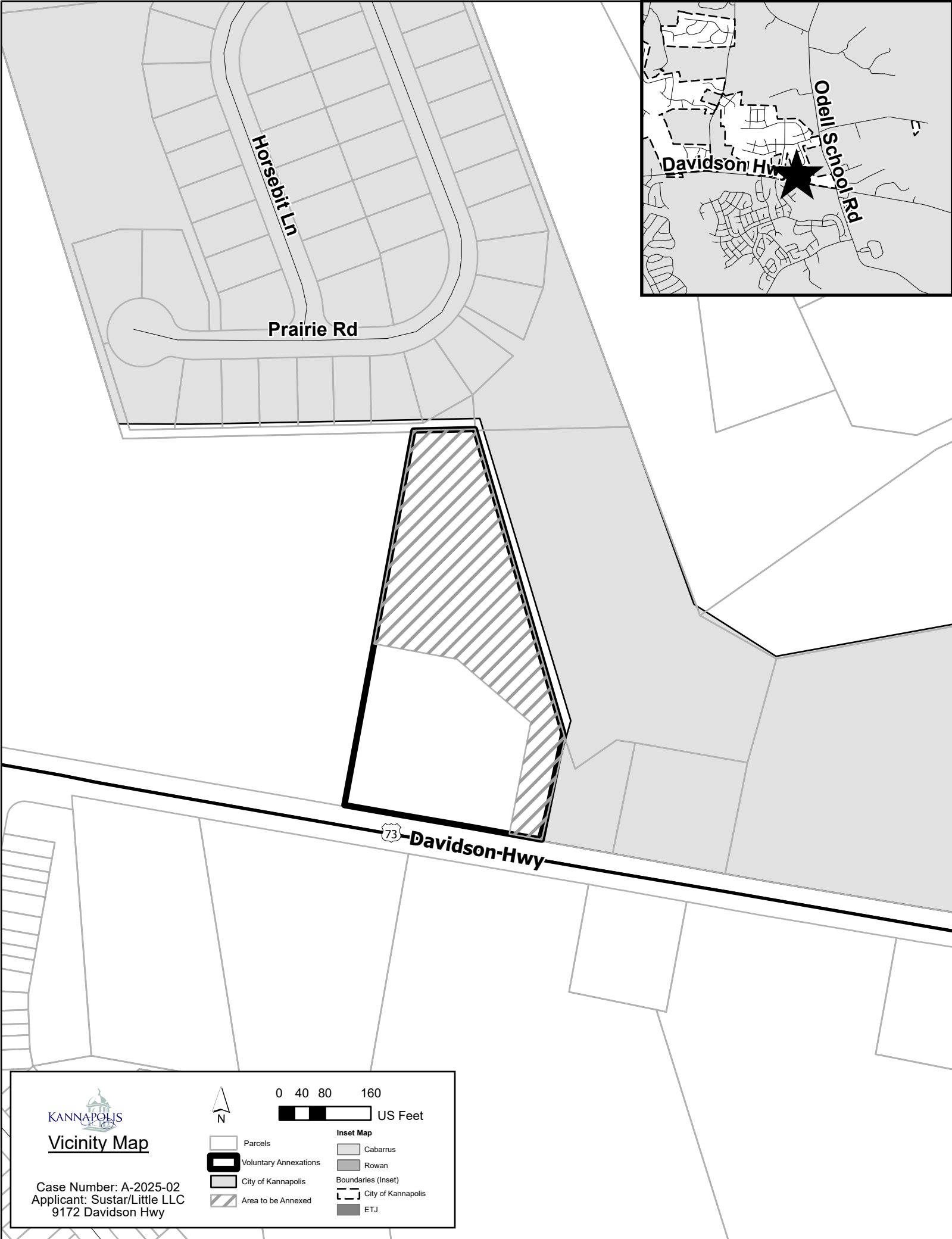
<u>Name</u> (print or type)	<u>Address</u>	<u>Signature*</u>
1. <u>Patrick Sustar</u>	<u>PO Box 6600, Concord, NC 28027</u>	Signed by: <u>Patrick Sustar</u> 07C3D3E75F3446F...
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

**Family members (e.g., husbands and wives) need to sign separately. Signatures for corporations, institutions, etc., are by those with the authority to sign legal documents.*

Vicinity Map

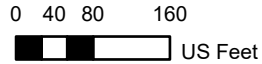
Case Number: A-2025-02
Applicant: Sustar/Little LLC
9172 Davidson Hwy





Vicinity Map

Case Number: A-2025-02
Applicant: Sustar/Little LLC
9172 Davidson Hwy



- Parcels
- Voluntary Annexations
- City of Kannapolis
- Area to be Annexed

- Inset Map**
- Cabarrus
 - Rowan
 - Boundaries (Inset)
 - City of Kannapolis
 - ETJ



INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Concord Independent Tribune** on the dates indicated below. If changes are needed, please contact us prior to deadline at help@column.us

Notice ID: IBkylIM23hQ1x9LCLniG | **Proof Updated: Feb. 10, 2025 at 02:06pm EST**
Notice Name: City Council February 24, 2025

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Pam Scaggs
pscaggs@kannapolisnc.gov
(704) 920-4303

FILING FOR

Concord Independent Tribune

Columns Wide: 2

Ad Class: Legals

02/13/2025: General Legal	182.62
02/20/2025: General Legal	182.61
Affidavit Fee	20.00

Total	\$385.23
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See Proof on Next Page

Notice of Public Hearing



NOTICE OF PUBLIC HEARING
401 Laureate Way, Kannapolis, NC

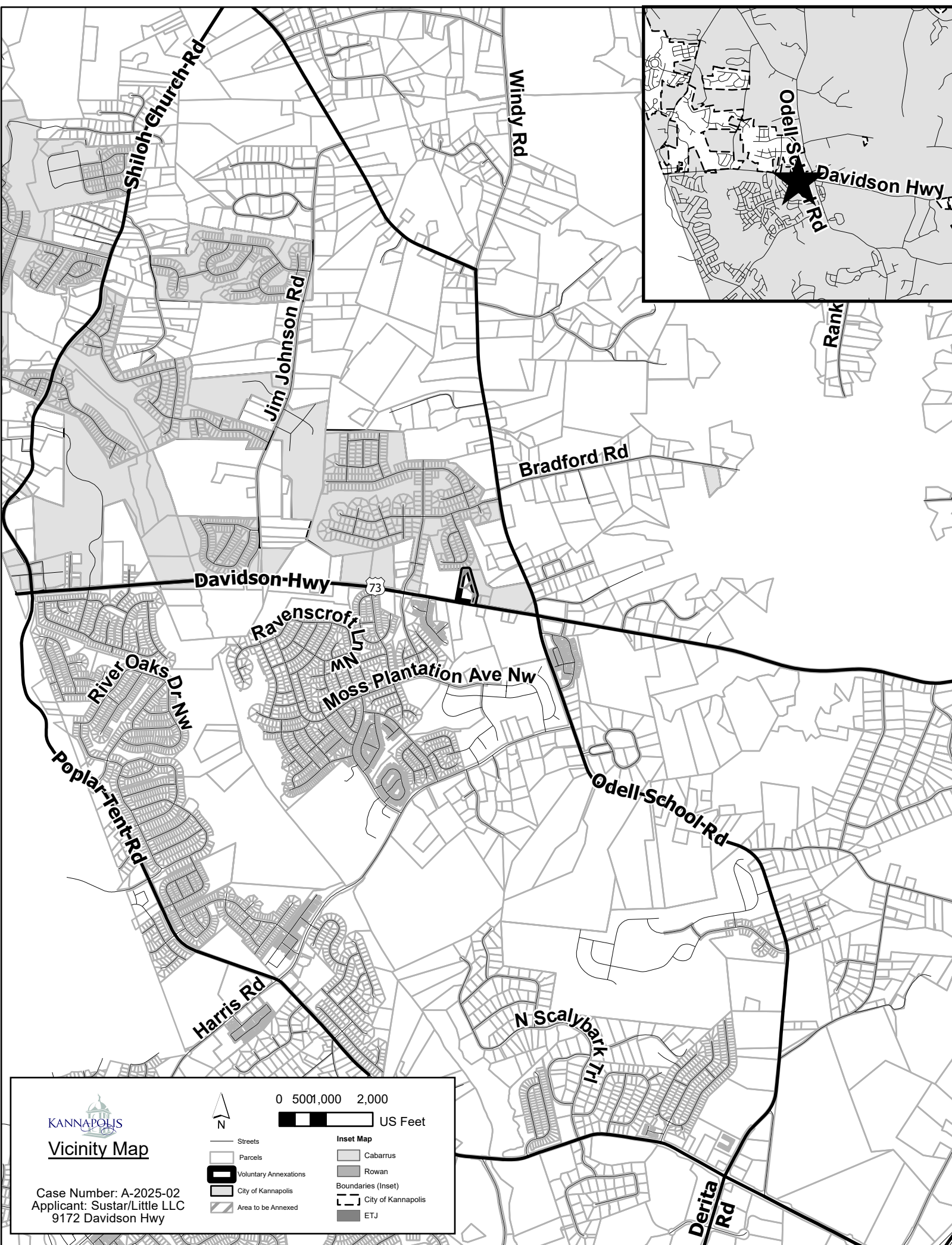
City Council Meeting
Monday February 24, 2025 at 6:00 pm

Voluntary Annexation A-2025-01 - Public Hearing to consider the voluntary contiguous annexation of approximately 50.569 +/- acres of property located at 3397 Camp Julia Road and further identified as Cabarrus County Parcel Identification Number 56334589390000.

Voluntary Annexation A-2025-02 - Public Hearing to consider the voluntary non-contiguous annexation of approximately 0.38 +/- acres of property located at 9172 Davidson Highway and further identified as Cabarrus County Parcel Identification Number 46823091760000.

In accordance with Title II of the Americans with Disabilities Act (AD), any person requiring an accommodation to participate in a function or program of the City of Kannapolis, should contact Daniel Jenkins, Assistant Human Resource Director & ADA Coordinator, by phone at 704-920-4312, email adacoordinator@kannapolisnc.gov, or in person at Kannapolis City Hall as soon as possible but not later than 48 hours before the scheduled event.

Publication Dates: February 13, 20, 2025. #####



Vicinity Map

Case Number: A-2025-02
Applicant: Sustar/Little LLC
9172 Davidson Hwy



0 500 1,000 2,000
US Feet

- Streets
- Parcels
- Voluntary Annexations
- City of Kannapolis
- Area to be Annexed

- Inset Map
- Cabarrus
 - Rowan
 - Boundaries (Inset)
 - City of Kannapolis
 - ETJ

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE CITY OF KANNAPOLIS, NORTH CAROLINA
Annexation 2025-02 – 9172 Davidson Highway

WHEREAS, pursuant to Chapter 160A-58 *et seq*, City Council has stated its intent to annex property as described below; and

WHEREAS, City Council has by resolution set and held a public hearing on the question of this annexation at Kannapolis City Hall, located at 401 Laureate Way at 6:00 PM on the 24th day of February 2025, after due notice by the Independent Tribune newspaper on the 13th and 20th days of February 2025; and

WHEREAS, the City Council finds that the public health, safety and welfare of the City of Kannapolis, North Carolina and of the area proposed for annexation will be best served by annexing the area described.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina that:

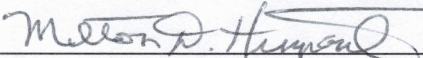
Section 1. By virtue of the authority granted pursuant to N.C.G.S. Chapter 160A-58 *et seq*, the following described territory is hereby annexed and made part of the City of Kannapolis, North Carolina as of the 24th day of February 2025, and being more particularly described as Cabarrus County Parcel Identification Number 46823091760000.

SEE EXHIBIT A – METES AND BOUNDS DESCRIPTON

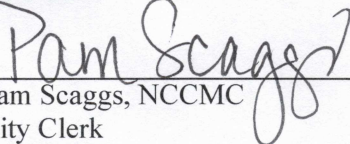
Section 2. Upon and after the 24th day of February 2025, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Kannapolis, North Carolina and shall be entitled to the same privileges and benefits as other parts of the City of Kannapolis, North Carolina. Said territory shall be subject to municipal taxes according to G.S. 160A-58.3.

Section 3. The Mayor of the City of Kannapolis, North Carolina shall cause to be recorded in the office of the Register of Deeds of Cabarrus County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Board of Elections, as required by G.S. 163-288.1.

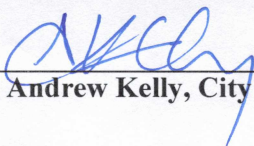
Adopted this 24th day of February 2025:


Milton D. Hinnant, Mayor
City of Kannapolis

ATTEST:


Pam Scaggs, NCCMC
City Clerk

APPROVED AS TO FORM:


W. Andrew Kelly, City Attorney

**#9172 Davidson Highway
Cabarrus County, NC**

Parcel # 4682-30-9176-0000

Area of Annexation

BEGINNING at a Rebar along the Northern Right-of-Way margin of Davidson Highway (Highway 73, Variable Width Public R/W per Plat Book 87, Page 99), being the common front property corner of Rocky River Enterprises LLC, Parcel #4682-30-6300-0000 (Deed Book 2324 Page 112), and Sustar/Little LLC, Parcel # 4682-30-9176-0000 (Deed Book 1608 Page 161) Cabarrus County Register of Deeds;

Thence, N 09°44'59" E, 668.39' to a Rebar, being a common property corner of aforesaid parcels and Common Open Space of Wellington Chase Homeowners Association, Parcel # 4682-31-3190-0000, (Plat Book 70 Page 39, Deed Book 13888 Page 287), and being a point in the Jurisdiction Line of Cabarrus County and the City of Kannapolis;

Thence N 88°46'49" E, 107.35' to a Rebar, being a common property corner of aforesaid parcels and Sustar/Little LLC, Parcel # 4682-40-2324-0000 (Deed Book 10291 Page 179), and being the **Point of BEGINNING**;

Thence the following Four (4) courses:

- 1) S 16°25'39" E, 262.60' to a Rebar;
- 2) S 88°46'25" W, 99.33' to a Rebar;
- 3) N 01°13'35" W, 253.41' to Rebar;
- 4) N 88°46'49" E, 30.47' to the **Point of BEGINNING**;

Having an area of 16,446 SF, 0.38 Acres as surveyed by Metrolina Land Surveying, LLC, dated 12/23/24.



Kannapolis City Council

City Council Agenda Staff Report
February 24, 2025

To: Mayor and City Council

From: Richard Smith, Planning Director

Subject: **PUBLIC HEARING and ORDER** - Request to consider withdrawal from dedication a portion of right-of-way known as Central Avenue in the area located from the edge of the intersection with West D Street to the edge of the intersection with Dale Earnhardt Boulevard, and consideration to approve an Order to close said portion of Central Avenue **APPROVED 4-3**

Recommended Action Requested by City Council

1. Conduct a Public Hearing to consider withdrawal from dedication a portion of Right-of-Way (ROW) known as Central Avenue from the intersection with West D Street to the intersection with Dale Earnhardt Boulevard; and
2. Motion to approve an Order to close said portion of Central Avenue.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The City has received a request to close a portion of Central Avenue. At the January 13, 2025 meeting of City Council, a Resolution of Intent was approved to withdraw from dedication a portion of Central Avenue from the intersection with West D Street to the intersection with Dale Earnhardt Boulevard. This closure will allow the future developer more flexibility in their overall design of their development project, as well as the preservation of some of the established trees in the area. This closure is not expected to have an impact on any City service or transportation facility. The proposed single-family attached residential project is anticipated to consist of less than sixty units.

Provided there is no evidence given at the Public Hearing that withdrawing from this dedication is not contrary to the public interest, it is recommended that City Council approve the Order to Close.

Fiscal Implications

None.

Alternate Courses of Action

1. Motion to approve an Order to Close thereby withdrawing from dedication a portion of ROW known as Central Avenue from the intersection with West D Street to the intersection with Dale Earnhardt Boulevard and approve an Order to close said portion of Central Avenue.
2. Table action to a future meeting.

3. Take no action.

Attachments

1. Signed Petition Letter
2. Letter to Property Owners
3. Public Notice Ad
4. Street Closing Central Ave
5. 2025-02 Resolution Stating Intent to Consider closing portion of Central Ave
6. Recorded-Order To Close portion of Central Ave

Abutting Addresses:

Physical Address: 312 CENTRAL AVE KANNAPOLIS NC 28081
PIN: 56134958820000

Physical Address: 310 CENTRAL AVE KANNAPOLIS NC 28081
PIN: 56134968440000

Physical Address: 308 CENTRAL AVE KANNAPOLIS NC 28081
PIN: 56134978070000

Physical Address: 306 CENTRAL AVE KANNAPOLIS NC 28081
PIN: 56134978590000

Physical Address: 304 CENTRAL AVE KANNAPOLIS NC 28081
PIN: 56134989120000

Physical Address: 302 CENTRAL AVE KANNAPOLIS NC 28081
PIN: 56134989750000

Physical Address:
280 DALE EARNHARDT BLVD KANNAPOLIS NC 28081
PIN: 56144090500000

Physical Address: There is no physical address associated with this property.
PIN: 56134998860000

Physical Address: 303 CENTRAL AVE KANNAPOLIS NC 28081
PIN: 56134998430000

Physical Address: 305 CENTRAL AVE KANNAPOLIS NC 28081
PIN: 56134988800000

Physical Address: 307 CENTRAL AVE KANNAPOLIS NC 28081
PIN: 56134987270000

Physical Address: 309 CENTRAL AVE KANNAPOLIS NC 28081
PIN: 56134977640000

Physical Address: 311 CENTRAL AVE KANNAPOLIS NC 28081
PIN: 56134977010000

Physical Address: 313 CENTRAL AVE KANNAPOLIS NC 28081
PIN: 56134966470000



February 7, 2025

Re: Street Closure –Portion of Central Avenue

Dear Property Owner:

In accordance with General Statute 160A-299 - *Procedure for Permanently Closing Streets and Alleys*, which states that after Council adopts a Resolution of Intent declaring its intent to close a street or alley and sets a date for a public hearing on the intent to close, a certified copy of the Resolution of Intent must be mailed to owners of property adjoining the street or alley.

The City of Kannapolis is proposing to withdraw from dedication a portion of right-of-way known as Central Avenue from the intersection with West D Street to the intersection with Dale Earnhardt Boulevard. You have been identified as a property owner holding interest in property nearby the street as described to be closed (see reverse side of this letter for a map showing the portion described).

Please find enclosed a certified copy of the Resolution stating the City's intent to consider this withdrawal. The Public Hearing has been scheduled for Monday, February 24, 2025, 401 Laureate Way, Kannapolis, NC at 6:00 PM.

If you need additional information, you may contact the Planning Department at (704) 920-4350.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Smith". The signature is fluid and cursive, with the first name "Richard" and last name "Smith" clearly distinguishable.

Richard Smith
Planning Director

Enclosure

Street to be Closed

Street To Be Closed

0 250 500 Feet



CITY OF KANNAPOLIS

MEMORANDUM

TO: Amanda Boan
The Independent Tribune
FROM: Pam Scaggs, City Clerk
DATE: January 14, 2025
SUBJECT: Display Ad

Please publish this Notice of Public Hearing as a **display ad** in the non-legal section of *The Independent Tribune*.

Publish dates: January 23rd
January 30th
February 6th
February 13th

Send invoice of publication to: jlogan@kannapolisnc.gov

Call me at 704-920-4369 if you have any questions.

Thank you.
Jenna Logan
jlogan@kannapolisnc.gov



**NOTICE OF PUBLIC HEARING
401 Laureate Way, Kannapolis, NC**

**City Council Meeting
Monday, February 24, 2025**

**A RESOLUTION STATING THE INTENT OF THE CITY OF KANNAPOLIS TO CONSIDER CLOSING A
PORTION OF CENTRAL AVENUE AS DESCRIBED HEREIN AND FIXING THE DATE OF PUBLIC HEARING ON
THE QUESTION OF SUCH CLOSING**

BE IT RESOLVED by City Council of the City of Kannapolis:

Section 1. That it is the intent of City Council of the City of Kannapolis to consider closing a portion of the following described public street or alley pursuant to Section 160A-299 of the General Statutes of North Carolina.

LEGAL DESCRIPTION

Being a portion of Central Avenue, lying in the City of Kannapolis, County of Cabarrus, State of North Carolina, said parcels having Parcel Identification Numbers of 56134958820000, 56134968440000, 56134978070000, 56134978590000, 56134989120000, 56134989750000, 56144090500000, 56134998860000, 56134998430000, 56134988800000, 56134987270000, 56134977640000, 56134977010000, and 56134966470000 and being more particularly described as follows:

Lying and being in the City of Kannapolis, Cabarrus County, North Carolina, being the current right of way of Central Avenue (SR1710), said right of way to be abandoned being variable in width and bounded by the western right of way of Dale Earnhardt Boulevard (NC HWY #3) to the East, and the Eastern right of way of West "D" Street (SR1705) to the west, and being more particularly described to wit.

Beginning at a #4 rebar, said rebar being n 60°04'04" w, 1,468.41' from NCGS monument "NCRR CB M349 3", said monument having the following NAD 83 2011 coordinates of: N= N:639,138.12', E= 1,516,272.29', and runs thence along the southern right-of-way of Central Avenue the following four (4) calls: (1) N 61°50'06" W, a distance of 41.18' to a #4 rebar, (2) S 64°54'40" W, a distance of 70.76' to a #4 rebar, (3) N 25°05'20" W, a distance of 7.82' to a computed point, (4) S 64°55'12" W, a distance of 344.96' to a magnetic nail on the eastern right-of-way of West "D" Street, thence along the eastern right-of-way of "D" Street N 27°56'13" W, a distance of 29.71' to a magnetic nail; thence leaving West "D" Street right-of-way and continuing with the northern right-of-way Central Avenue the following four (4) calls: (1) N 64°55'14" E, a distance of 346.44' to a computed point, (2) N 25°46'14" W, a distance of 7.62' to a #4 rebar, (3) N 64°55'26" E, a distance of 88.88' to a #4 rebar, (4) N 23°37'52" E, a distance of 37.52' to a #4 rebar on the western right-of-way of Dale Earnhardt Boulevard, thence with the western right-of-way of said road and turning with a curve turning to the right with an arc length of 105.20', having a radius of 640.97', and being subtended by a chord bearing of S 13°13'57" E, with a chord length of 105.08' to the point of beginning, comprising an area of 16,043 square feet, and/or 0.368 acres more or less.

Containing 0.368 acres as shown on a map prepared by GPA Professional Land Surveyors, Inc. and designated as Job #240106.

Section 2. That a public hearing on the question of such closing the above described right-of-way will be held at 401 Laureate Way, Kannapolis, North Carolina, at 6:00 o'clock p.m., on the 27th day of January, 2025 at which time plans for such closing will be explained and all persons will be given an opportunity to be heard.

Section 3. That notice of said closing and public hearing shall be given by publication, mailing and posting as required by law.

Adopted this 13th day of January 2024

**Milton D. Hinnant
Mayor**

In accordance with Title II of the Americans with Disabilities Act (AD), any person requiring an accommodation to participate in a function or program of the City of Kannapolis, should contact Daniel Jenkins, Assistant Human Resource Director & ADA Coordinator, by phone at 704-920-4312, email adacoordinator@kannapolisnc.gov, or in person at Kannapolis City Hall as soon as possible but not later than 48 hours before the scheduled event.

Street to be Closed

Street To Be Closed

0 250 500 Feet



**A RESOLUTION STATING THE INTENT OF THE
CITY OF KANNAPOLIS TO CONSIDER CLOSING
A PORTION OF CENTRAL AVENUE AS DESCRIBED HEREIN
AND FIXING THE DATE OF PUBLIC HEARING ON THE
QUESTION OF SUCH CLOSING**

BE IT RESOLVED by City Council of the City of Kannapolis:

Section 1. That it is the intent of City Council of the City of Kannapolis to consider closing a portion of the following described Public Street or alley pursuant to Section 160A-299 of the General Statutes of North Carolina.

Being a portion of Central Avenue, lying in the City of Kannapolis, County of Cabarrus, State of North Carolina, said parcels having Parcel Identification Numbers of 56134958820000, 56134968440000, 56134978070000, 56134978590000, 56134989120000, 56134989750000, 56144090500000, 56134998860000, 56134998430000, 56134988800000, 56134987270000, 56134977640000, 56134977010000, and 56134966470000 and being more particularly described as follows:

Lying and being in the City of Kannapolis, Cabarrus County, North Carolina, being the current right of way of Central Avenue (SR1710), said right of way to be abandoned being variable in width and bounded by the western right of way of Dale Earnhardt Boulevard (NC HWY #3) to the East, and the Eastern right of way of West "D" Street (SR1705) to the west, and being more particularly described to wit.

Beginning at a #4 rebar, said rebar being N 60°04'04", W 1,468.41' from NCGS monument "NCRR CB M349 3", said monument having the following NAD 83 2011 coordinates of: N= N:639,138.12', E= 1,516,272.29', and runs thence along the southern right-of-way of Central Avenue the following four (4) calls: (1) N 61°50'06" W, a distance of 41.18' to a #4 rebar, (2) S 64°54'40" W, a distance of 70.76' to a #4 rebar, (3) N 25°05'20" W, a distance of 7.82' to a computed point, (4) S 64°55'12" W, a distance of 344.96' to a magnetic nail on the eastern right-of-way of West "D" Street, thence along the eastern right-of-way of "D" Street N 27°56'13" W, a distance of 29.71' to a magnetic nail; thence leaving West "D" Street right-of-way and continuing with the northern right-of-way Central Avenue the following four (4) calls: (1) N 64°55'14" E, a distance of 346.44' to a computed point, (2) N 25°46'14" W, a distance of 7.62' to a #4 rebar, (3) N 64°55'26" E, a distance of 88.88' to a #4 rebar, (4) N 23°37'52" E, a distance of 37.52' to a #4 rebar on the western right-of-way of Dale Earnhardt Boulevard, thence with the western right-of-way of said road and turning with a curve turning to the right with an arc length of 105.20', having a radius of 640.97', and being subtended by a chord bearing of S 13°13'57" E, with a chord length of 105.08' to the point of beginning, comprising an area of 16,043 square feet, and/or 0.368 acres more or less.

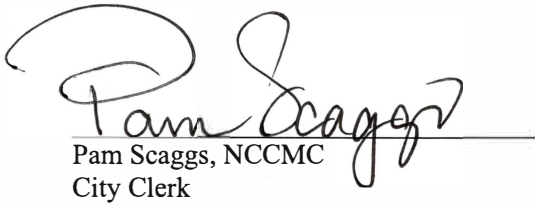
Containing 0.368 acres as shown on a map prepared by GPA Professional Land Surveyors, Inc. and designated as Job #240106.

Section 2. That a public hearing on the question of such closing the above described right-of-way will be held at 401 Laureate Way, Kannapolis, North Carolina, at 6:00 P.M. on the 24th day

of February, 2025 at which time plans for such closing will be explained and all persons will be given an opportunity to be heard.

Section 3. That notice of said closing and public hearing shall be given by publication, mailing and posting as required by law.

Adopted this 13th day of January 2025


Pam Scaggs, NCCMC
City Clerk


Milton D. Hinnant, Mayor
City of Kannapolis

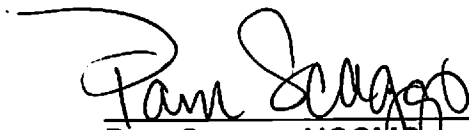
FILED	Feb 25, 2025
AT	12:25:00 PM
BOOK	17315
START PAGE	0144
END PAGE	0147
INSTRUMENT #	03732
EXCISE TAX	\$0.00



CERTIFICATE OF RECORDING OFFICER

I, Pam Scaggs, the duly appointed and acting City Clerk for the City of Kannapolis, North Carolina do hereby certify and acknowledge that the attached is a true and accurate copy of an Order to Close with regard to Central Avenue as adopted by City Council and the Mayor of said City at a regular meeting held on February 24, 2025. Said Order is on file in the office of the City Clerk.

WITNESS my hand and the official seal of said City, this 25th day of February, 2025.


Pam Scaggs, NCCMC
City Clerk
SEAL 

**CITY COUNCIL
CITY OF KANNAPOLIS
ORDER TO CLOSE**

WHEREAS, pursuant to North Carolina General Statute 160A-299, City Council of the City of Kannapolis has proposed to permanently close a portion of Central Avenue located from the intersection with West D Street to the intersection with Dale Earnhardt Boulevard described as a Public Street or alley pursuant to Section 160A-299 of the General Statutes of North Carolina which is more particularly described as:

LEGAL DESCRIPTION

Being a portion of Central Avenue, lying in the City of Kannapolis, County of Cabarrus, State of North Carolina, said parcels having Parcel Identification Numbers of 56134958820000, 56134968440000, 56134978070000, 56134978590000, 56134989120000, 56134989750000, 56144090500000, 56134998860000, 56134998430000, 56134988800000, 56134987270000, 56134977640000, 56134977010000, and 56134966470000 and being more particularly described as follows:

Lying and being in the City of Kannapolis, Cabarrus County, North Carolina, being the current right of way of Central Avenue (SR1710), said right of way to be abandoned being variable in width and bounded by the western right of way of Dale Earnhardt Boulevard (NC HWY #3) to the East, and the Eastern right of way of West "D" Street (SR1705) to the west, and being more particularly described to wit.

Beginning at a #4 rebar, said rebar being N 60°04'04", W 1,468.41' from NCGS monument "NCRR CB M349 3", said monument having the following NAD 83 2011 coordinates of: N= N:639,138.12', E= 1,516,272.29', and runs thence along the southern right-of-way of Central Avenue the following four (4) calls: (1) N 61°50'06" W, a distance of 41.18' to a #4 rebar, (2) S 64°54'40" W, a distance of 70.76' to a #4 rebar, (3) N 25°05'20" W, a distance of 7.82' to a computed point, (4) S 64°55'12" W, a distance of 344.96' to a magnetic nail on the eastern right-of-way of West "D" Street, thence along the eastern right-of-way of "D" Street N 27°56'13" W, a distance of 29.71' to a magnetic nail; thence leaving West "D" Street right-of-way and continuing with the northern right-of-way Central Avenue the following four (4) calls: (1) N 64°55'14" E, a distance of 346.44' to a computed point, (2) N 25°46'14" W, a distance of 7.62' to a #4 rebar, (3) N 64°55'26" E, a distance of 88.88' to a #4 rebar, (4) N 23°37'52" E, a distance of 37.52' to a #4 rebar on the western right-of-way of Dale Earnhardt Boulevard, thence with the western right-of-way of said road and turning with a curve turning to the right with an arc length of 105.20', having a radius of 640.97', and being subtended by a chord bearing of S 13°13'57" E, with a chord length of 105.08' to the point of beginning, comprising an area of 16,043 square feet, and/or 0.368 acres more or less.

Containing 0.368 acres as shown on a map prepared by GPA Professional Land Surveyors, Inc. and designated as Job #240106; and

WHEREAS, a Public Hearing on the question of such closing was held on February 24, 2025, at which time the plans for such closing were explained and all persons given an opportunity to be heard; and

WHEREAS, notice of said closing was given in accordance with the requirements of law; and

WHEREAS, it has been found to the satisfaction of the City Council after the Public Hearing that closing of the street or public roadway is not contrary to the public interest and that no individual owning property in the vicinity of the street or public roadway or in the subdivision in which it is located would be deprived of reasonable means of ingress or egress to their property.

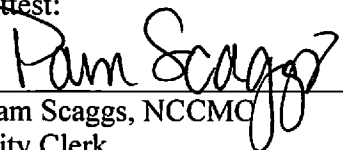
NOW, THEREFORE, IT IS HEREBY ORDERED by the City Council of the City of Kannapolis as follows:

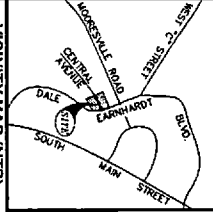
1. That the portion of Central Avenue located from the intersection with West D Street to the intersection with Dale Earnhardt Boulevard as described above, is hereby closed effective immediately.
2. That the City of Kannapolis reserves any and all rights, title and interest in and to any utility improvements or easements within any portion of the above-described street closed pursuant to this Order.
3. That a certified copy of this Order be filed in the office of the Register of Deeds for Cabarrus County, North Carolina.

Adopted this 24th day of February 2025.


Milton D. Hinnant
Mayor

Attest:


Pam Scaggs, NCCMC
City Clerk



BLIND NOTE:
THIS PROPERTY IS LOCATED IN ROAD ZONE X AS SHOWN ON THE CABARRUS COUNTY RECORDS, 370561300K, PANEL 5613, REVISION 11/16/2018 370561300K, PANEL 5614, REVISION 11/16/2018

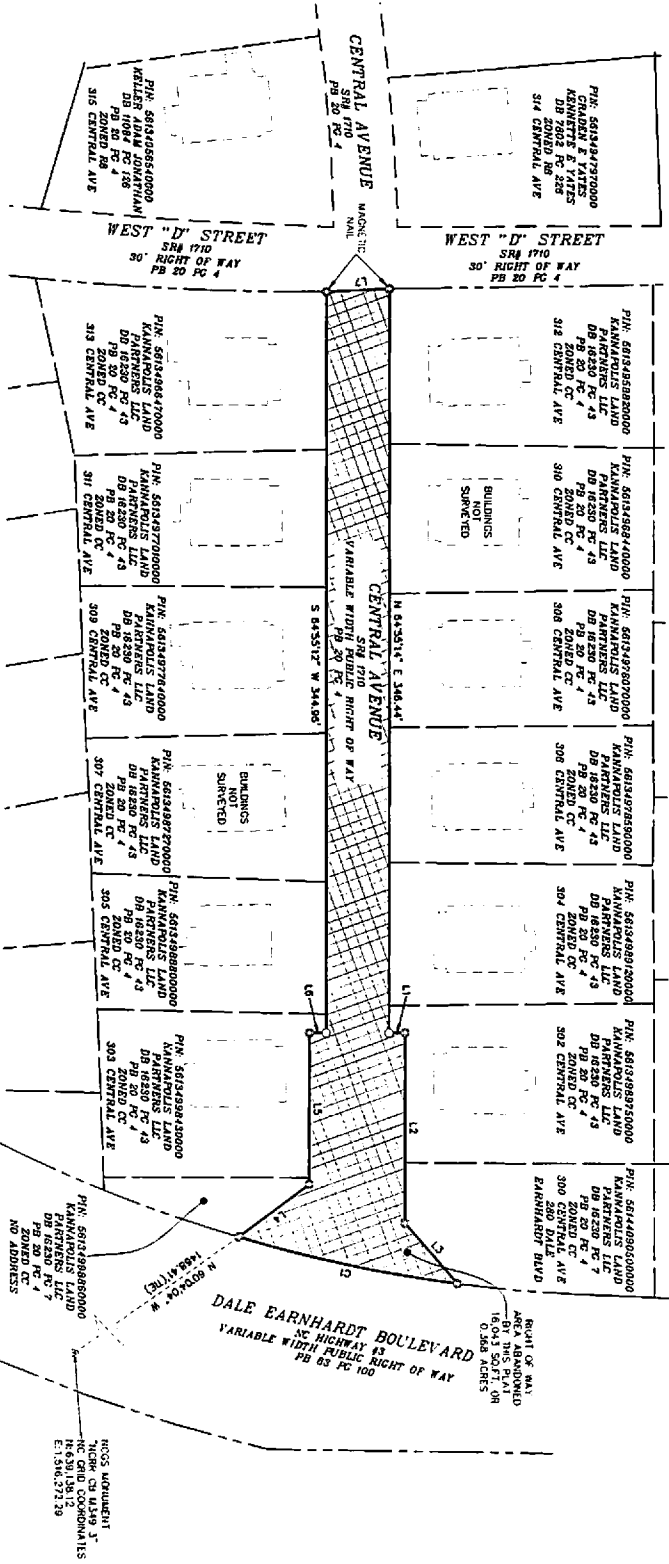
SURVEY NOTES:

1. NORTH IS REFERENCED TO MAGN. (2011) BASED ON THE CABARRUS COUNTY RECORDS, 370561300K, PANEL 5613, REVISION 11/16/2018 370561300K, PANEL 5614, REVISION 11/16/2018
2. SUBJECT PARCEL IS ZONED: CC
3. AREA WAS DETERMINED BY THE COORDINATE METHOD.
4. THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
5. ROOMS AT ALL CORNERS UNLESS SHOWN OR LABELED OTHERWISE.
6. BUILDINGS NOT SURVEYED. LOCATIONS SHOWN PER CABARRUS COUNTY GIS.
7. TOTAL PLATTED AREA: 16.043 ACRES, OR 0.368 ACRES

THE PURPOSE OF THIS PLAT IS TO ABANDON A PORTION OF CENTRAL AVENUE

LEGEND

- #4 REBAR (UNLESS OTHERWISE SPECIFIED)
- IRON SET (5/8" REBAR)
- △ CALCULATED POINT
- - - - - NOT ABANDONED
- - - - - RIGHT OF WAY ABANDONED BY THIS PLAT
- - - - - ADJOINING PROPERTY LINE
- - - - - RIGHT-OF-WAY
- - - - - ABANDONED RIGHT OF WAY



SURVEYOR CERTIFICATION:

I, CHRISTOPHER C. DELTA, A duly qualified and licensed Professional Land Surveyor, do hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed Professional Land Surveyor in the State of North Carolina. I am not aware of any fraud, error, or omission in this plat. This plat was prepared in accordance with the provisions of the North Carolina Surveying and Mapping Act of 1991, as amended, and the rules and regulations of the North Carolina Board of Surveying and Mapping. I am not aware of any fraud, error, or omission in this plat. This plat was prepared in accordance with the provisions of the North Carolina Surveying and Mapping Act of 1991, as amended, and the rules and regulations of the North Carolina Board of Surveying and Mapping.

I, CHRISTOPHER C. DELTA, A duly qualified and licensed Professional Land Surveyor, do hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed Professional Land Surveyor in the State of North Carolina. I am not aware of any fraud, error, or omission in this plat. This plat was prepared in accordance with the provisions of the North Carolina Surveying and Mapping Act of 1991, as amended, and the rules and regulations of the North Carolina Board of Surveying and Mapping. I am not aware of any fraud, error, or omission in this plat. This plat was prepared in accordance with the provisions of the North Carolina Surveying and Mapping Act of 1991, as amended, and the rules and regulations of the North Carolina Board of Surveying and Mapping.

PRELIMINARY

CHRISTOPHER C. DELTA, M.E., P.L.S. L-4157

DATE

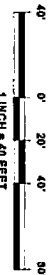


CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD	BEARING
C1	640.97'	105.20'	105.08'	S. 131.357° E.

LINE TABLE

LINE	BEARING	DISTANCE
L1	N. 64.531° E.	346.44'
L2	N. 64.531° E.	68.88'
L3	N. 237.752° E.	37.52'
L4	N. 61.507° W.	41.18'
L5	S. 64.531° W.	70.75'
L6	N. 237.752° W.	29.71'



DATE	BY
10/11	
10/11	
10/11	

PREPARED FOR:
BEAUXWRIGHT

CENTRAL AVENUE (SR#1710)
LOCATED IN THE CITY OF KANNAPOLIS
CABARRUS COUNTY, NORTH CAROLINA

ROAD ABANDONMENT PLAT

CHECKED BY
C.D.

DATE
12/11/2024

DRAWN BY
C.D.

SCALE
1" = 40'

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