



**CITY COUNCIL
ACTION AGENDA
BUSINESS MEETING
REVISED AGENDA
KANNAPOLIS CITY HALL
401 LAUREATE WAY, KANNAPOLIS, NC
MAY 20, 2024
6:00 PM**

Please Turn off Cell Phones or Place on Silent Mode.

CALL TO ORDER AND WELCOME

MOMENT OF SILENT PRAYER AND PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA - Motion to Adopt Agenda or make revisions

PROCLAMATIONS

- A. Professional Municipal Clerk Week (Darrell Hinnant, Mayor)
- B. National Public Works Week (Darrell Hinnant, Mayor)
- C. Mental Health Awareness Month (Darrell Hinnant, Mayor)
- D. MS Awareness Week (Darrell Hinnant, Mayor)

CONSENT AGENDA - Motion to Adopt Consent Agenda or make revisions

- A. **BUDGET AMENDMENT #24-42** - For reimbursable repair work at Fire Stations #2 and #3 (Kristin Jones, Assistant to the City Manager, APPROVED)
- B. **MINUTES** - City Council Work Session Minutes from April 08, 2024 (Bridgette Bell, City Clerk, APPROVED)
- C. **RESOLUTION** - Intent to consider withdrawal from dedication a portion of ROW known as Chestnut Avenue from the intersections of Laureate Way to Wellness Way. (Richard Smith, Planning Director, Walter Safrit, City Attorney, APPROVED)

BUSINESS AGENDA

- A. **PUBLIC HEARING** - Conditional Zoning Map Amendment - CZ-2024-01 - 9700 Davidson Hwy (Richard Smith, Planning Director, Elizabeth McCarty, Assistant Planning Director, APPROVED)
- B. **PUBLIC HEARING** - Opal Street Special Assessment and Acceptance to the Powell Bill Street Maintenance Schedule (Michael Rattler, Director of Transportation & Environmental Services, DEFERRED TO JUNE 24)

- C. **BUDGET AMENDMENT #24-41** - Appropriating Cash Reserves for Watermain Replacement Associated With Opal Street Acceptance (Alex Anderson, Director of Water Resources, Kristin Jones, Assistant to the City Manager, DEFERRED TO JUNE 24)
- D. **MOTION** - Award the 2024 City of Kannapolis Resurfacing Project Contract (Wilmer Melton, Assistant City Manager, APPROVED)
- E. **PRESENTATION** - Recommended Budget for FY 2024-2025 (Mike Legg, City Manager, Kristin Jones, Assistant to the City Manager, PUBLIC HEARING JUNE 24)
- F. **RESOLUTION** - Directing the filing with the City Clerk of the recommended budget for FY 2024-2025. (Mike Legg, City Manager, APPROVED)
- G. **APPOINTMENT** - WSACC Board of Directors (Mike Legg, City Manager, APPOINTED MIKE LEGG)

CITY MANAGER REPORT

CITY COUNCIL COMMENTS

SPEAKERS FROM THE FLOOR

MOTION TO ADJOURN

ADA Notice and Hearing Impaired Provisions

In accordance with requirements of Title II of the Americans w/ Disabilities Act of 1990 ("ADA"),if you require auxiliary aid/service for communication,or a modification of policies/procedures to participate in a program, service/activity of the City, contact Heather James Human Resource Director at 704-920-4233 or email hjames@kannapolisnc.gov as soon as possible,but no later than 48 hours before.



Office of the Mayor
KANNAPOLIS, NORTH CAROLINA
P R O C L A M A T I O N
Professional Municipal Clerks Week May 5-11, 2024

WHEREAS, The Office of the Professional Municipal Clerk, a time honored and vital part of local Government exists throughout the world, and

WHEREAS, the Office of the Municipal Clerk is the hub of government, maintaining the official Council Minutes, Ordinance Books, records, and documents, processes contracts and agreements and acts as a key liaison between local government and its citizens, and

WHEREAS, Municipal Clerks are tasked with functions that are clerical in nature, but a strong positive professional relationship between the Clerk, Mayor, City Council, City Manager, City Attorney, and all Administrative Departments; without exception, is important for effective service delivery to residents. All of them call upon the Office of the Clerk almost daily, for some service or information. The work is not spectacular, but it demands versatility, alertness, accuracy, and no end of patience, and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

NOW THEREFORE, BE IT RESOLVED that the Kannapolis City Council and by virtue of the authority vested in me as Mayor recognize the week of May 5-11, 2024, as Municipal Clerks Week and further extend appreciation to our Master Municipal Clerk, Bridgette Bell for her 37 years of service as Municipal Clerk and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the community they represent.



IN WITNESS WHEREOF I have set my hand and caused the Great Seal of the City of Kannapolis to be affixed this 20th day of May 2024.

Milton D. Hinnant



Office of the Mayor
KANNAPOLIS, NORTH CAROLINA
P R O C L A M A T I O N
National Public Works Week May 19-25, 2024

WHEREAS, Public Works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being to the people of the City of Kannapolis and,

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water supply, water treatment, sewers, streets, recycling, and solid waste collection; and

WHEREAS, the health, safety, and comfort of citizens of Kannapolis greatly depends on the efficiency of the qualified and dedicated personnel who staff the public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

WHEREAS, this year 2024 marks the 64th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association.

NOW, THEREFORE, BE IT RESOLVED, that we, the City of Kannapolis, also proclaim that May 19-25, 2024 as National Public Works Week in the City of Kannapolis, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works employees make every day to our health, safety, comfort, and quality of life.



IN WITNESS WHEREOF I have set my hand
and caused the Great Seal of the City of Kannapolis
to be affixed this 20th day of May 2024.

Milton D. Hinnant



Office of the Mayor
KANNAPOLIS, NORTH CAROLINA
PROCLAMATION
Mental Health Awareness Month – May 2024

WHEREAS, May has been observed as Mental Health Awareness Month in the United States since 1949. It has never been more important than now, to recognize that mental health is an essential component to one's overall health and well-being and that mental illnesses are common and treatable; and

WHEREAS, According the National Institute of Mental Health, mental illnesses are commonplace, with nearly one of five adults and one of six youths in America that live with a mental illness each year. It is estimated 17.3 million adults in the United States experience at least one major depressive episode and 31.1% of adults will experience an anxiety disorder at some point in their lives; and

WHEREAS, the COVID-19 pandemic has been a reminder of the importance of integrating mental health into preparedness and response plans for public health emergencies; and

WHEREAS, younger adults, racial/ethnic minorities, essential workers, and adult caregivers reported having unduly worse mental health outcomes, increased substance use, and elevated suicide ideation associated with COVID-19; and

WHEREAS, mental health recovery not only benefit individuals with mental health disorders by focusing on their abilities to live, work, learn and fully participate and contribute to our society, but also enriches the culture of our community life; and

NOW, THEREFORE, I MILTON D. HINNANT, Mayor of the City of Kannapolis, North Carolina, by the virtue of the authority vested in me as Mayor, hereby recognizes May 2024, as Mental Health Awareness Month. Furthermore, calls upon our citizens, government agencies, public and private institutions, businesses, and schools to recommit our state to increasing awareness and understanding of mental illness, and the need for appropriate and accessible services for all people with mental illness to promote recovery.



IN WITNESS WHEREOF I have set my hand
and caused the Great Seal of the City of Kannapolis
to be affixed this 20th day of May 2024.

Milton D. Hinnant



Office of the Mayor
KANNAPOLIS, NORTH CAROLINA
PROCLAMATION
MS Awareness Week May 26 – 31, 2024

WHEREAS, Multiple Sclerosis (MS) is a neurological disease of the central nervous system, affecting more than 2.8 million people worldwide; and

WHEREAS, 18,000 people in the State of North Carolina are living with MS, and the cause and course of MS remain unknown, and no cure currently exists; and

WHEREAS, the National Multiple Sclerosis Society has committed 78 years of MS research, pursuing prevention, treatments, and a cure, and has invested more than \$1 billion in research; and

WHEREAS, World MS Day is officially observed on May 30 of each year and will continue to be a day of global solidarity and collective action. The theme for World MS Day in 2024-2025 is “**Diagnose**” focusing on the importance of early and accurate diagnosis and advocating for better training for healthcare professionals, new research, and clinical advancement in MS diagnosis, and

WHEREAS, the City of Kannapolis recognizes the importance of finding the cause and cure of MS and expresses its appreciation for the dedication that the National Multiple Sclerosis Society, Greater Carolinas Chapter has shown toward creating a world free of MS. Together we will find ways to enhance the quality of lives for people affected by MS and to find a cure to end MS.

NOW, THEREFORE, I MILTON D. HINNANT, Mayor of the City of Kannapolis, North Carolina, by the virtue of the authority vested in me as Mayor, along with the Kannapolis City Council hereby recognizes May 26 - May 31, 2024, as “MS Awareness Week” in the City of Kannapolis. Furthermore, calls upon our citizens to help raise awareness and building solidarity by sharing experiences of an MS diagnosis.



IN WITNESS WHEREOF I have set my hand
and caused the Great Seal of the City of Kannapolis
to be affixed this 20th day of May 2024.

Milton D. Hinnant



Kannapolis City Council

City Council Agenda Staff Report

May 20, 2024

To: Mayor and City Council

From: Kristin Jones, Assistant to the City Manager, APPROVED

Subject: **BUDGET AMENDMENT #24-42** - For reimbursable repair work at Fire Stations #2 and #3

Action Requested by City Council

Approve budget amendment #24-42 for reimbursable repair work at Fire Stations #2 and #3

Required Votes to Pass Required Action

Majority Present at Meeting

Background

This budget amendment budgets the repair work to be completed at Fire Stations #2 and #3. This includes roof repair, air sampling, spray foam and insulation and sealants, framing and sheathing, acoustic ceiling tile replacement, sprinkler, plumbing, HVAC and electrical work at both stations. These costs should be reimbursed through litigation with the initial construction company and architect. The City Attorney has been involved in and handling the litigation process between the City and the construction company/architect.

Fiscal Implications

This budget amendment budgets the repair work to be completed at both fire stations and assumes full reimbursement.

Policy Issues

None.

Legal Issues

The City Attorney has been involved in and handling the litigation process between the City and the construction company/architect.

Recommendations and Alternate Courses of Action

1. Motion to approve budget amendment #24-42 for reimbursable repair work at Fire Stations #2 and #3 **(Recommended)**.
2. Take no action.
3. Table to a future meeting.

Attachments

1. Fire Station Repairs- Reimbursements

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2023
AND ENDING JUNE 30, 2024
Amendment # 24-42**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 20th day of May 2024, that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2023, and ending June 30, 2024, is hereby adopted:

Description: This budget amendment budgets the repair work to be completed at Fire Stations #2 and #3. This includes roof repair, air sampling, spray foam and insulation and sealants, framing and sheathing, acoustic ceiling tile replacement, sprinkler, plumbing, HVAC and electrical work at both stations. These costs should be reimbursed through litigation with the initial construction company and architect. The City Attorney has been involved in and handling the litigation process between the City and the construction company/architect.

SECTION I– GENERAL FUND

Revenue:	Increase: Repair and Maintenance: Reimbursement Revenue: 10000-44450	\$ 245,000
Expenditure:	Increase: General Services: Repair and Maintenance Building and Grounds Expenditure: 11600-44300-FS 2	\$ 125,000
Expenditure:	Increase: General Services: Repair and Maintenance Building and Grounds Expenditure: 11600-44300-FS 3	\$ 120,000

This ordinance is approved and adopted on this 20th day of May 2024.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk

**CITY OF KANNAPOLIS
CITY COUNCIL MEETING
WORK SESSION MINUTES
April 08, 2024**

A regular work session meeting of the City Council of the City of Kannapolis was held on Monday, April 08, 2024, at 4:30 PM at the Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

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

Council Members Absent: None

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

Assistant to the City Manager: Kristin Jones

Assistant City Manager: Tina Cline

Assistant City Manager: Wilmer Melton

City Clerk: Bridgette Bell

City Attorney: Walter M. Safrit

Staff Present:	Irene Wong	Annette Privette Keller
	Terry Spry	Tracy Winecoff
	Michael Rattler	Greg Summitt
	Kirk Beard	Betsy Barnette
	Samanatha Keck	Gerald Faulkner
	David Jordan	Tony Eury
	Terry Spry	Jerome Blakney
	Alex Anderson	Elizabeth McCarty
	Richard Smith	

Others Present:	Kevin Garay	Scott Rodgers
	Bob Doty	Phil Goodman
	Darrell Lipe	TJ Cook
	Joe Hatley	N. Safrit
	Mark Spitzer	Greg Lambert
	Pam Lambert	Daryle Adams

1 **CALL TO ORDER AND WELCOME:**

2 Mayor Hinnant called the meeting to order and welcomed all in attendance. Mayor Hinnant led a
3 moment of silent prayer and offered the Pledge of Allegiance.
4

5 **COMMUNITY ORGANIZATION AND CITY DEPARTMENT SPOTLIGHT**

6 **Community Organization Spotlight: Kannapolis City Schools (KCS) (Kevin Garay,**
7 **Superintendent of Kannapolis City Schools) (Copy included as Exhibit A)**

8 Superintendent Garay provided a power point presentation stating the Vision and Mission
9 Statement of the KCS. Highlights of the power point included a five-year strategic plan and areas
10 of focus and goals for 2023-2024. KCS enrollment including A.L. Brown, Kannapolis Middle
11 School, the elementary schools of G.W. Carver, Fred L. Wilson, Forest Park, Shady Brook, North
12 Kannapolis, and McKnight Child Development Center is 5,588. Demographics show that 25% of
13 students reside in Rowan County, 40% Hispanic, 24% White, 27% Black and 8% multi-racial.
14 Economically disadvantaged at 70-75%, multilingual language 17% and Special Education
15 services (EC) 14%. KCS partners with school resource officers, Parks and Recreation (use of
16 gym/athletic facilities), community crises, Kannapolis Fire Department and city planning,
17 Kannapolis Education Foundation, use of city facilities and events 5ks, etc.).
18

19 Scott Rodgers, Director of Operations spoke on the expansion/renovations of the Fred L. Wilson
20 Elementary School that include an upper and lower level of at least 25,000 sq/ft addition with 15
21 classrooms, support spaces, offices and restrooms. An increase of student capacity to
22 approximately 750. A new media center/repurpose the old media center), removal of existing staff
23 parking lot and construction of a new lot (approximately 60 spaces). The expected completion date
24 of July 2025.
25

26 Daryle Adams, Community Engagement spoke on career pathways and their focus on
27 employability skills.
28

29 Following general discussion, Mayor Hinnant thanked them for their presentation.
30

31 **City Department Spotlight: Communications Department (Annette Privette Keller, Director**
32 **of Communications) (Copy included as Exhibit B)**

33 Mrs. Privette Keller provided a copy of the City of Kannapolis 2023 Annual Report. The mission
34 of the Department of Communications is to provide timely and accurate information on the
35 services and functions of the City to our residents and stakeholders and to create a strong sense of
36 community through public outreach programs, events, and partnerships. Social media continues to
37 grow with 2,213 Facebook followers, 8125 Instagram followers, 55% resident email letter with a
38 14% increase from 2022, 1,648 LinkedIn followers, a 29% increase from 2022 and 16,313 Next-
39 door Neighbors an increase of 14% from 2022. Mrs. Privette Keller spoke on the some of the 2023
40 highlight points which included the City's assuming responsibility for the Gem Theatre's Strategic

1 Marketing Plan, Park Rangers Program, launched hiring campaign in partnership with HR, and a
2 Community Bridge Outreach Project Promotional Campaign. Facebook is the City's most
3 successful engagement tool with a increase of 22% in 2023. She summarized awards and media
4 coverage, including weekly prominent coverage in the Charlotte Regional television/print market.
5

6 In 2020, City Council established a Youth Council to develop a diverse group of leaders. The core
7 values of the Youth Council are leadership, accountability, and a heart for service. This group
8 serves as an advisory group on youth affairs to the City Council. The group meets monthly and
9 attends social events and participates in numerous service City projects. Environmental Outreach
10 is another leg of the Communications Department providing education including water
11 conservation, stormwater tips and garbage/recycling information.
12

13 Following general discussion, Mayor Hinnant thanked Mrs. Privette Keller for her presentation.
14

15 **ADOPTION OF AGENDA - Motion to Adopt Agenda or make revisions**

16 Council Member Kincaid made a motion to adopt the agenda. Motion was seconded by Council
17 Member Dayvault and approved by unanimous vote.
18

19 **PROCLAMATIONS:**

20 Mayor Hinnant declared National Telecommunicators Week April 14-20, 2024, and National
21 Volunteer Week April 14-20, 2024.
22

23 **CONSENT AGENDA:**

24 Mayor Pro tem Wilson made a motion to approve the Consent Agenda. Motion was seconded by
25 Council Member Dixon and approved by unanimous vote.
26

27 **BUDGET AMENDMENT**-Appropriating insurance proceeds for vehicle maintenance (Kristin
28 Jones, Asst. to the City Manager) (Copy included as Exhibit C)
29

30 **RESOLUTION**-Approving Google Fiber Utility Encroachment Master Permit Agreement
31 (Wilmer Melton, Assistant City Manager) (Copy included as Exhibit D)
32

33 **BUSINESS AGENDA:**

34 **PUBLIC HEARING-Text Amendment TA-2024-01. Kannapolis Development Ordinance**
35 **Updates (Richard Smith, Planning Director and Elizabeth McCarty, Asst Planning Director)**
36 **(Copy included as Exhibit E)**

37 Mrs. McCarty explained that when the KDO was adopted in July of 2022. A few changes in the
38 General Statutes have been made since our ordinance was adopted. This makes it necessary for
39 us to revise those parts of the ordinance to remain consistent with statutes. Further, as it relates
40 to newer ordinances, once staff and the community have had time to work with them more

1 closely, it becomes necessary to further tailor the ordinance to the community and the common
2 issues that are encountered daily.

3
4 Mrs. McCarty explained the following text amendments were discussed with the Planning and
5 Zoning Commission at their most recent meeting:

- 6 1. Amend Section 3.8.F(3) to insert starting location of Mooresville Road segment of the
7 Throughfare Protection Overlay (TPO) District to begin from 75 feet south of the
8 centerline of Rainbow Drive. Amend Section 3.5.C to increase permitted building
9 height in Office-Institutional (O-I) District Building to 50 feet.
- 10 2. Amend Section 3.4.H to increase permitted building height in Center City (CC) District
11 Building to 120 feet.
- 12 3. Amend Section 5.7.D(1) to increase the number of dwelling units from 30 to 100
13 before a second access point for residential development is required.
- 14 4. Amend Appendix A: 6 to add a requirement to show specimen trees on landscaping plans.
- 15 5. Amend Section 6.3: 7 to add text that side lot lines should be created perpendicular to the
16 street.
- 17 6. Amend Section 4, Table 4.2.B(5), Principal Use Table to allow for 'Studio/School' in
18 the OI district, to allow 'Personal grooming or well-being service' in MU-N district and
19 to allow the use of 'residential care facility' in the OI district. See (Exhibit B for
20 changes in the Principal Use Table.
21 Amend Section 5.3.H(6) to add screening requirement for all dumpsters and
22 mechanical equipment and to add Section 5.7.H: Storage and Mechanical Equipment
23 Standards to add screening standards for mechanical equipment and solid waste storage
24 areas for all commercial development.
- 25 7. Amend Article 10, Definitions, to update the definition of 'Family care home'
26 definition to match state statutes.
- 27 8. Amend Article 10, Definitions, to add 'Apiary' definition, Section 4, Table 4.3.B(3),
28 add to all districts to align with state statutes, and add Section 4.3.D(4) to add use
29 specific standards for 'Apiaries'.
- 30 9. Amend Article 4, Table 4.2.B(5) to add Event Center as a use permissible by issuance
31 of a Special Use Permit in the MU-N, TOD, CC, PD-TND and CD Zoning Districts,
32 allow by right in MU-SC, OI, GC, LI, PD, PD-C, and C-1 districts and to add 'Event
33 Center' to Article 10, Definitions.
- 34 10. Amend Section 5.9.E(3): add requirements for Electronic changeable copy (EMC,
35 electronic message board), and add Electronic Message Board to Table 5.9.E(2).
- 36 11. Amend Section 4.2.D. to no longer allow self-service storage in GC; and to amend
37 Section 4.2.D(5)f.4(b) to limit the building height of all exterior accessed self-service
38 storage facilities to one story.

1 Mayor Pro tem Wilson asked why the need for 12 stories. Mr. Smith responded that with previous
2 discussions with other Staff, 12 stories is the maximum. Mr. Wilson asked about the landscaping
3 requirements. As a private property owner, would they need permission to remove certain species
4 of trees. Mrs. McCarty stated the amendment is to show the trees on the landscaping plan as part
5 of their existing conditions and only pertains to new development.

6 Mr. Wilson asked if more restraints are being put on beekeepers or making it better for them. Mr.
7 Smith responded that staff is matching what the state allows.

8 Council Member Dayvault stated there are a lot of self-storage units going up and asked if someone
9 wanted to build one in a general commercial district would it require Board of Adjustment
10 approval. Mr. Smith stated the KDO outlines the building height standards in the district where
11 the self-storage is located.

12 Council Member Dixon asked on #3, what is the current height allowed. Mr. Smith stated the
13 height is going from 72 to 120 feet and could be either 10 or 12 stories Mrs. Dixon asked if there
14 was a need for this height of a building. Mr. Smith stated they have had discussions with other
15 entities proposing to do more of this type and have been taller than the 72 feet.

16 Mr. Wilson asked if there are any self-storage buildings now that would not meet the requirements.
17 Mr. Smith stated any existing self-storage be a legal non-conforming use.

18 There being no further questions or comments, Mayor Hinnant opened the public hearing to those
19 in attendance for an opportunity to speak.

20 Bob Doty of 6325 Stirewalt Road asked if there had been any discussions with beekeepers. He
21 stated that certain times of the year, bee hives are larger than other times of the year.

22 There being no further speakers, Mayor Hinnant closed the public hearing.

23 Council Member Dayvault asked if the Statement of Consistency is adopted, does it prevent
24 Council from reliving a couple of the changes for future discussions. City Attorney Safrif
25 responded that the Statement of Consistency specifically spells out the provisions of the KDO
26 updates. If Council has any revisions, would have to amend the Resolution. Mr. Safrif offered one
27 other option. This is a first reading of this Ordinance and requires a super-majority or at least 5
28 votes, or Council could bring back as a second reading with changes.

29 Mr. Dayvault stated he would like to pull put #3- Amend Section 3.4.H to increase permitted
30 building height in Center City (CC) District Building to 120 feet; #10 Amend Article 10,
31 Definitions, to add 'Apiary' definition, Section 4, Table 4.3.B(3), add to all districts to align with
32 state statutes, and add Section 4.3.D(4) to add use specific standards for 'Apiaries', and #13 Amend

1 Section 4.2.D. to no longer allow self-service storage in GC; and to amend Section 4.2.D(5)f.4(b)
2 to limit the building height of all exterior accessed self-service storage facilities to one story.

3 Council Member Jackson asked if Council could meet with the P&Z Board to discuss these issues.
4 Mr. Smith stated that the Board requested a meeting with Council to further discuss the changes.
5 Mr. Jackson expressed his concerns regarding the height of self-storage buildings.

6 Following more comments, Council Member Kincaid made a motion to approve an Ordinance
7 removing #3, #10 and #13. Motion was seconded by Council Member Dayvault and approved by
8 unanimous vote.
9

10 **UPDATE - City Hall Renovations and Reconfiguring the Parallel Parking Spaces in Front**
11 **of City Hall (Eddie Smith, Deputy City Manager) (Copy included as Exhibit F)**

12 Mr. Smith provided a power point presentation regarding the proposed City Hall renovations and
13 parking.

14 Areas of Improvement:

15 1st Floor Shell Space Upfits:

- 16 • Parks & Recreation
- 17 • Customer Service
- 18 • Engineering (Indirect)
- 19 • Planning (Indirect)

20 2nd Floor Shell Space Upfits

- 21 • Human Resources
- 22 • Information Technology
- 23 • Finance (Indirect)

24
25 ADA Handicap Parking

26 Customer Experience & Employee Security

27
28 Timeline:

- 29 • May 2023: Need Assessment – Completed
- 30 • June 2023: Council briefed (Review 2nd Floor space needs)
- 31 • August 2023: Council briefed (Review 1st Floor space needs)
- 32 • September 2023: Creech & Associates Engaged
- 33 • December 2023: Explore Laureate Way ADA Parking Options.
- 34 • Tonight - April 8th: City Council presentation.
- 35 • April 9th: Draft construction documents and bid designs.
- 36 • April 29th: Bid project.
- 37 • May 21st: Bid Opening

- June 10th: Council Award Bid/Approve Project Budget
- July 8th: Construction begins.
- December 2024: Construction Complete.

Mr. Smith told Council currently, the first floor consists of the Customer Service Department, the second floor currently consists of the Finance, Human Resources and Administration. Once the 1st floor shell space renovations are completed, will house the Customer Service Department, Engineering, Planning and the Parks & Recreation Department. The 2nd floor shell space will house the Finance, IT and Human Resources Department.

There are presently 12 parking spaces in front of City Hall with no handicap spaces. Reconfiguration of the parallel parking spaces in front of City Hall to angle parking gained two parking spaces from 12 to 14, thus having the capability to add five ADA parking spaces.

Mr. Smith reviewed the cost of these renovations.

First Floor Renovations:	\$1,260,000
Second Floor Renovations:	\$ 600,000
FFE/AV/Contingency:	\$ 718,000
ADA Parking Reconfiguration:	\$ 187,000
Card Readers/Elevator Retrofit:	\$ 35,000
Total Budget:	\$2,800,000

There being no questions or comments, Mayor Hinnant thanked Mr. Smith for his presentation.

PRESENTATION & DISCUSSION - FY 25 Budget & Imagine Kannapolis Strategic Plan (Mike Legg, City Manager, Kristin Jones, Asst. to the City Manager) (Copy included as Exhibit G)

The FY 24-25 Budget is in the final stages of development in preparation for its presentation to City Council at the scheduled May 20th City Council meeting. There are several complex issues with this year's preparation that need City Council input prior to the final completion of the recommended budget.

The two key issues are 1) the impact of the Cabarrus County revaluation on the budget decisions, and 2) the implementation of more than 40 potential new projects and initiatives currently under consideration for the final Imagine Kannapolis Strategic Plan. No specific action is requested of City Council at this meeting. Additional input will be requested of City Council through the end of April to assist Staff in making final decisions regarding the recommended FY 25 Budget.

City Manager Legg reviewed the goals for tonight's presentation:

1. Understand the Staff recommended draft five-year Financial Plan.
2. Understand the impact of the five-year Financial Plan on the upcoming FY 25 Budget
3. Discuss at a high level the 43 projects & initiatives that are currently included in the draft Plan.
4. Discuss at a high level the 36 projects & initiatives that are currently NOT included in the draft six-year Strategic Plan.

The goal of the plan is to help the City identify major strategic priorities that guide budgeting, operations, initiatives and create a clear path to achieve those goals. The Imagine Kannapolis strategic plan is an initiative launched by the Kannapolis City Council to establish a future vision for the city. The plan aims to identify key focus areas such as public safety, transportation, and economic development, set strategic objectives for each area, and develop a financial and operational plan to achieve these objectives.

Tax Rate Scenarios:

- Current Property Tax Rate = 63.00 cents
- Revenue Neutral Rate = 46.95 cents
- Base Level Tax Rate = 49.50 cents
 - **No initiatives related to the strategic plan**
 - **No cost-of-living adjustment or merit for employees**
 - **No salary study to maintain position in the market**
 - **No new positions**
 - **No enhancements or expanded programs/service levels**

Proposed Tax Rate = 56.00 cents

- **Include employee enhancements (COLA and Merit = 2.17 cents in FY 25)**
- **Includes numerous strategic plan initiatives**

Key Financial Observations:

- Implement strategy has been utilize cash reserves/one-time revenues to fund smaller capital projects for next 1-2 years
- **Smaller capital projects: less than \$3 million**
- City Council could possibly utilize GO Bonds for bigger projects (**Parks, Transportation, Public Safety**)
- A source of new financial capacity could be to **re-evaluate** and **re-prioritize** certain existing services (examples: Jiggy, Summer Concerts, Recycling, Transit)

Mr. Legg reviewed each of the projects and Initiatives for FY 25-FY29.

Included Projects & Initiatives FY25-FY29	Cash	Cent on Tax Rate	First Budget Year Impact	City's 5-Year Cost
Cabarrus Joint Public Safety- Training Facility	\$0	1.13	FY29	\$84M
5 Year Capital Outlay- Replacement Program	\$0	2.55	FY25	\$15,000,000
Capital Reserve Fund Established	\$0	1.00	FY25	\$4,400,000
City Hall Upfits	\$2,850,000	0.03	FY25	\$2,985,000
Cultural Arts/Hist Preservation Prog.	\$435,000	0.11	FY24/25	\$925,000
Block 10 Hotel Park	\$600,000	0.03	FY26	\$700,000
Downtown Dog Park	\$400,000	0.06	FY25/26	\$500,000
Downtown Parking Lot Improve.	\$915,000	0.00	FY25	\$915,000
Downtown Parking Manage Ph. I	\$80,900	0.15	FY25	\$730,900
Eastside Park	\$0	0.98	FY25/26	\$6,300,000
Economic Development Promo	\$160,000	0.17	FY25/28	\$920,000
Employee Comp. Study Implement.	\$800,000	0.90	FY26	\$3,200,000
Environmental Stewardship Prog	\$50,000	0.02	FY25	\$150,000
Existing Park Improve. Phase II	\$0	0.38	FY28	\$2,250,000
Fire Department Logistics Bldg	\$155,000	0.00	FY28	\$155,000
Fire Department Training Tower	\$15,000,000	0.00	FY25	\$1,500,000
I-85 Monument Signage Phase I	\$600,000	0.02	FY25	\$680,000
Irish Buffalo Creek Greenway Ph II	\$0	0.25	FY26	\$2,106,000
Kann Pkwy/Hwy 3 Aesthetic Improvements Phase I	\$200,000	0.02	FY26	\$260,000
Midlake Road Sidewalk	\$0	27.00	FY26	\$2,000,000
Midway Revitalization Phase I	\$0	1.13	F28	\$10,500,000
Neighborhood Improvement Prog	\$0	0.20	FY25	\$875,000
Police Comm. Response Team- Pilot Program	\$100,000.00	0.14	FY25	\$710,000
Public Works Operations - Center Improvements Phase I	\$0.00	0.28	FY25/26	\$2,500,000
Police Reserve Officer Growth Plan	\$60,000.00	0.03	FY25/26	\$190,000

Included Projects & Initiatives FY25-FY29	Cash	Cent on Tax Rate	First Budget Year Impact	City's 5-Year Cost
School Athletic Facility- Improvements Phase I	\$1,200,000.00	0.06	FY25	\$1,350,000
Staffing Study Implementation	\$3,500,000.00	3.95	FY25	\$3,500,000
Transit System Operating Enhance	\$0.00	0.23	Fy25	\$1,076,780
Transit System Capital/One-Time- Improvements	\$1,259,870.00	0.00	FY25	\$1,250,870
Western Cab Transmission Tower	\$1,137,000.00	0.00	FY25/26	\$1,137,000
Westside Park Phase I	\$0.00	1.69	FY29	\$10,500,000

Tentative Projects & Initiatives FY25-FY29	Cash	Cent on Tax Rate	First Budget Year Impact	City's 5-Year Cost
Enhanced St. & Sidewalk Repair	\$2,500,000	0.00	FY26	\$2,500,000
Glen Ave/Property- Restoration Phase I	\$0	0.00	FY25/26	\$0
School Athletic Facility - Improvements Phase II	\$1,800,000	0.11	FY29	\$1,900,000
Second City Warehouse	\$3,000,000	0.02	FY28	\$3,040,000

The excluded projects and Initiatives for FY25-FY29 include:

Excluded Projects & Initiatives FY25-FY29	Cash	Cent on Tax Rate	First Budget Year Impact	City's 5-Year Cost
Campus Lawn Improvements. Phase I	\$1,500,000	0.23	Post FY29	\$1,750,000
Community/Rec. Center Phase 1-Core Amenities	\$0	4.45	Post FY29	\$33,200,000
Community/Rec. Center Phase II-Aquatics	\$0	2.37	Post FY29	\$18,000,000
Downtown Park. Management Program-Phase II	\$252,930	0.10	Post FY29	\$713,430
Irish Buffalo Creek Greenway Phase III	\$0	0.60	Post FY29	\$5,050,000
Kann Pkwy/Hwy 3 Aesthetic- Improvements Phase II	\$0	0.43	Post FY29	\$3,300,000

Litter Cleanup Program	\$379,333	0.36 Post FY29	\$1,982,543
Rocky River Greenway			
Phase II	\$0	0.3 Post FY29	\$2,570,000
Skatepark	\$0	0.59 Post FY29	\$4,625,000
Street Paving Enhancement	\$0	1.13 Post FY29	\$5,000,000
Vietnam Veterans Park	\$0	1.02 Post FY29	\$7,000,000
Westside Fire Station	\$0	0.65 Post FY29	\$4,275,395

Capital Reserve Programs:

PROGRAM	5-Year Cost	Cent on Tax Rate
Affordable Housing	\$4,446,780	1.00
Economic Development	\$4,446,780	1.00
Intersection Improve.	\$2,223,390	0.50
Neighborhood Improve.	\$4,446,780	1.00
Sidewalk Improvement	\$4,446,780	1.00
Stormwater Improvements	\$7,500,000	1.69

Additional Excluded Projects & Initiatives:

- I-85 Monument Signage Phase II
- Irish Creek Golf Course and Nature Park
- Midway Revitalization Phase II
- I-85 Monument Signage Phase II
- Irish Creek Golf Course and Nature Park
- Midway Revitalization Phase II
- I-85 Monument Signage Phase II
- Irish Creek Golf Course and Nature Park
- NCRC-Downtown Parking Deck
- North Bakers Branch Greenway
- North Kannapolis Revitalization
- Public Works Operations Center Improvements Phases II & III
- Support for KCS Alternative Learning Center
- Swanee Theatre Renovations Phase II
- Westside Park Phase II

1 Mr. Legg reviewed the next steps:

- 2 • April 15 - April 30. Staff facilitated, individual Councilmember input on the
- 3 • five-year Financial Plan.
- 4 • May 20. FY 25 Budget presentation.
- 5 • June 10. Budget Public Hearing.
- 6 • June 24. Budget Adoption (no later than June 30).
- 7 • November 25 (tentative). Adoption of Imagine Kannapolis Strategic Plan.

8
9 There being no questions or comments, Mr. Legg concluded his presentation.

10
11 **VOTING DELEGATE - NCLM City Summit (Mike Legg, City Manager)**

12 Council Member Kincaid made a motion to appoint Mayor Pro Tem Wilson as the City's voting
13 delegate for the upcoming NCLM City Summit business meeting. Motion was seconded by
14 Council Member Jackson and approved by unanimous vote.

15
16 There being no further business to come before Council, Mayor Pro tem Wilson made a motion to
17 adjourn. Motion was seconded by Council Member Dixon and approved by unanimous vote.

18
19 The meeting adjourned at 9:20 PM on Monday, April 8, 2024.

20
21
22
23
24
25 _____
Milton D. Hinnant, Mayor

26
27 _____
Bridgette Bell, MMC, NCCMC
28 City Clerk
29
30



Kannapolis City Council

City Council Agenda Staff Report

May 20, 2024

To: Mayor and City Council

From: Richard Smith, Planning Director, Walter Safrit, City Attorney, APPROVED

Subject: **RESOLUTION** - Intent to consider withdrawal from dedication a portion of ROW known as Chestnut Avenue from the intersections of Laureate Way to Wellness Way.

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 Chestnut Avenue from the intersections of Laureate Way to Wellness Way.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

City staff is proposing to close a portion of Chestnut Avenue from the intersections of Laureate Way to Wellness Way. This closure will allow the City to facilitate a linear park in the existing right of way area in conjunction with a proposed development adjacent to the stadium.

Fiscal Implications

None.

Policy Issues

The approval of this recommendation will allow the construction of a future linear park adjacent to the baseball stadium.

Legal Issues

None.

Recommendations and 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 Chestnut Avenue from the intersections of Laureate Way to Wellness Way and establish the Public Hearing date for June 10, 2024 (recommended).**
2. Take no action.
3. Table action to a future meeting.

Attachments

1. Chestnut Ave 2024-05-10
2. Updated Chestnut Ave Plat_2024-05-14
3. resloution of intent closing a portion of Chestnut Ave



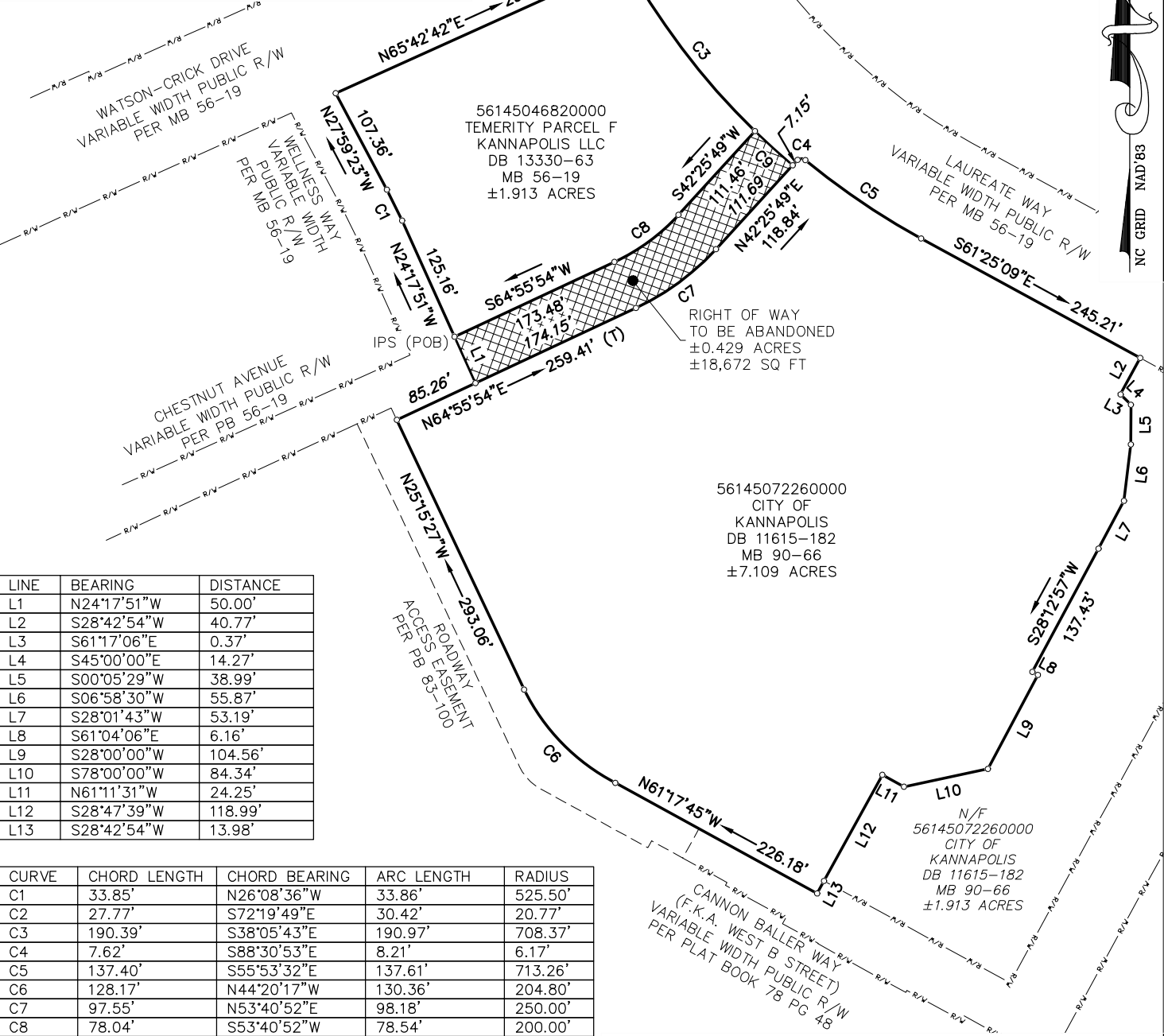
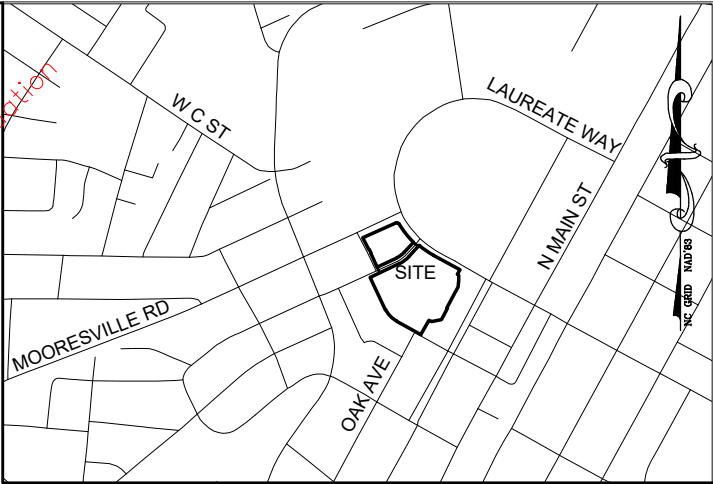
I, Jason D. Boyles, certify that this map was prepared under my supervision and that the map was prepared for the sole purpose of right-of-way abandonment only and is not intended to be a boundary survey of the property shown hereon.

This 13th day of May, 2024

NC Professional Land Surveyor L-5485

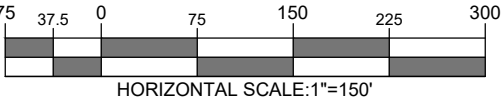
Notes:

1. Tax Parcel ID - 56145072260000 & 56145046820000
2. Bearing base is referenced to NC NAD83 (2011)
Grid derived by Real Time Kinematic GPS observations using Trimble R8 Receivers and the NC VRS Network.
3. All distances are shown horizontal.
4. This property may be subject to additional easements, right of ways, utilities, covenants and restrictions that may be of record.
5. This plat has not been reviewed by a local government agency for compliance with any applicable land development regulations.



LINE	BEARING	DISTANCE
L1	N24°17'51"W	50.00'
L2	S28°42'54"W	40.77'
L3	S61°17'06"E	0.37'
L4	S45°00'00"E	14.27'
L5	S00°05'29"W	38.99'
L6	S06°58'30"W	55.87'
L7	S28°01'43"W	53.19'
L8	S61°04'06"E	6.16'
L9	S28°00'00"W	104.56'
L10	S78°00'00"W	84.34'
L11	N61°11'31"W	24.25'
L12	S28°47'39"W	118.99'
L13	S28°42'54"W	13.98'

CURVE	CHORD LENGTH	CHORD BEARING	ARC LENGTH	RADIUS
C1	33.85'	N26°08'36"W	33.86'	525.50'
C2	27.77'	S72°19'49"E	30.42'	20.77'
C3	190.39'	S38°05'43"E	190.97'	708.37'
C4	7.62'	S88°30'53"E	8.21'	6.17'
C5	137.40'	S55°53'32"E	137.61'	713.26'
C6	128.17'	N44°20'17"W	130.36'	204.80'
C7	97.55'	N53°40'52"E	98.18'	250.00'
C8	78.04'	S53°40'52"W	78.54'	200.00'
C9	50.00'	S47°50'27"E	50.01'	708.37'



LEGEND

○

IPS - IRON PIN SET

—

EXISTING PROPERTY LINE

— R/W — R/W —

EXISTING RIGHT-OF-WAY

RIGHT-OF-WAY ABANDONMENT AREA

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

Chestnut Avenue Right of Way Abandonment Map

For: The City of Kannapolis

(City of Kannapolis, Cabarrus County, North Carolina)
Current Owner: The City of Kannapolis; Temerity Parcel F Kannapolis, LLC
Address: 375 Laureate Way & 1 Cannon Baller Way Kannapolis NC 28081
Deed Reference: DB 11615-182; DB 13330-63

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

BE IT RESOLVED by the 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 of 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 Chestnut Avenue, lying in the City of Kannapolis, County of Cabarrus, State of North Carolina, said parcels having Parcel Identification Numbers of 56145072260000 and 56145046820000 and being more particularly described as follows:

BEGINNING at a calculated point marking the southernmost corner of Temerity Parcel F Kannapolis LLC (now or formerly) as described in Deed Book 13330, Page 63 of the Cabarrus County Registry and being along the right of way Wellness Way, a variable width as shown on Map Book 56, Page 19; THENCE with the southerly line of Temerity Parcel F Kannapolis LLC the following three (3) courses and distances; 1) North 64 degrees 55 minutes 54 seconds East a distance of 173.48 feet to a calculated point; 2) THENCE along a curve to the left having an arc length of 78.54 feet, and a radius of 200.00 feet, being subtended by a chord bearing of North 53 degrees 40 minutes 52 seconds East, a distance of 78.04 feet to a calculated point; 3) THENCE North 42 degrees 25 minutes 49 seconds East a distance of 111.46 feet to a calculated point along the southerly right of way of Laureate Way, a variable width right of way as shown on Map Book 56, Page 19; THENCE with a new line along the right of way of Laureate Way; South 47 degrees 50 minutes 27 seconds East a distance of 50.00 feet to a calculated point along the northwesterly line of City of Kannapolis (now or formerly) as described in Deed Book 11615, Page 182; THENCE with the line of the City of Kannapolis the following three (3) courses and distances; 1) South 42 degrees 25 minutes 49 seconds West a distance of 111.69 feet to a calculated point; 2) THENCE along a curve to the right having an arc length of 98.18 feet, and a radius of 250.00 feet, being subtended by a chord bearing of South 53 degrees 40 minutes 52 seconds West, a distance of 97.55 feet to a calculated point; 3) THENCE South 64 degrees 55 minutes 54 seconds West a distance of 174.15 feet to a calculated point along the southerly margin of Chestnut Avenue, a variable width right of way as shown on Map Book 56, Page 19; THENCE with a new line with Chestnut Avenue, North 24 degrees 17 minutes 51 seconds West a distance of 50.00 feet to the POINT OF BEGINNING, and having an area of 0.429 acres, more or less.

Containing 0.43 Acres as shown on a map prepared by GPI Geospatial, Inc. and designated as Project #2200401.

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 10th day of June, 2024 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 20th day of May 2024

Milton D. Hinnant, Mayor
City of Kannapolis

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis City Council

City Council Agenda Staff Report

May 20, 2024

To: Mayor and City Council

From: Richard Smith, Planning Director, Elizabeth McCarty, Assistant Planning Director,
APPROVED

Subject: **PUBLIC HEARING** - Conditional Zoning Map Amendment - CZ-2024-01 - 9700
Davidson Hwy

Action Requested by City Council

1. Hold a Public Hearing on request for conditional rezoning for CZ-2024-01
2. Adopt a Statement of Consistency for CZ-2024-01
3. Adopt a Resolution to Zone for CZ-2024-01

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The applicant and property owner, German Ronquillo, is proposing an amendment to the conditions and conceptual plan previously approved under Case #Z-12-02 on approximately 10.22 +/- acres of property located at 9700 Davidson Highway. The property is further identified as Cabarrus County Parcel Identification Number 46821065980000.

The property currently has approval for a mixed-use, nonresidential project with an associated site plan and specific conditions under Case #Z-12-02. This previous rezoning was administered under the Unified Development Ordinance (UDO). The current request to rezone or amend is being reviewed under the Kannapolis Development Ordinance (KDO). This amendment request is to modify the Conditions of approval and conceptual plan to allow for a Contractor's Yard. The applicant intends to construct a 1,512 square foot building on the site. Four (4) existing storage trailers are proposed to remain. Five (5) parking spaces are provided including one (1) handicapped space.

The subject property was voluntarily annexed into the City of Kannapolis in January 2008. Following, the property was zoned from Cabarrus County CR Countryside Residential to City of Kannapolis C-2-CZ General Commercial-Conditional Zoning (Case #Z-08-03) to allow for mixed use project. This mixed use project included a multi-family and retail/office project identified as "Old Towne Shoppes and Amphitheater." The subject property was later rezoned under Case #Z-12-02 from General Commercial-Conditional Zoning (C-2-CZ) to General Commercial-Conditional Zoning (C-2-CZ) to allow for a project identified as "Pappy's Place" which consisted of approximately 28,000 sq. ft. of office/retail, 8,000 sq. ft. of office/distribution, and 56,000 sq. ft. of mini-warehouse/self-storage leasing units.

The rezoning request for "Pappy's Place" was approved with several conditions and an associated conceptual site plan. As stated in the Conditions of Approval, the exact location of buildings, parking, uses, and detention areas would be determined during the site plan review process by the City of

Kannapolis. Furthermore, as part of the site plan review process, the developer was required, per the Conditions of Approval, to submit architectural renderings for the development to the Planning Department to review and approve or deny. The Conditions of Approval required design standards for buildings to incorporate wall projections and architectural features, roof line variations, and high quality materials.

In December 2013, the subject property was donated to the Davidson Lands Conservancy (DLC). DLC holds a conservation easement on the property which allows for commercial use and development within a 2-acre envelope. The Contractor's Yard use would be located within this envelope.

Under the previous rezoning, Contractors Office/Shop (with outdoor storage), which is the equivalent of a Contractor's Yard, was not an excluded use. As mentioned above, however, the conceptual site plan was included as part of the approved rezoning. The plan did not include this specific use. Further, under the UDO, supplemental regulations apply to this specific use.

Operation of a contractor's yard at this location had begun more recently, well after the previous rezoning amendment. Staff was made aware of this operation as a result of complaints made regarding the use. Staff met with the applicant/owner and determined that a map amendment was necessary in order to proceed with this particular use.

The applicant conducted the required neighborhood meeting for a conditional rezoning on February 5, 2024. The meeting was held outside, at the subject property.

Note: A Contractor's yard is defined by the KDO as "A use involving the outdoor storage of materials, supplies, and equipment by building, heating/air conditioning, plumbing, electrical or other development contractors as the principal use on a lot. Accessory uses may include offices."

At their February 20, 2024 meeting, the Planning and Zoning Commission denied the rezoning request citing that the proposed use is inconsistent with the Comprehensive Plan due to environmental impacts; lack of appropriate buffer area due to the future widening of Davidson Highway; and lack of buildable space due to the conservation easement.

Fiscal Implications

None

Policy Issues

Section 2.5.A.(2).c of the KDO states that Amending the Zoning Map is a matter committed to the legislative discretion of the Planning and Zoning Commission or of the City Council, as authorized by this section. In determining whether to adopt or deny the proposed amendment, the Planning and Zoning Commission or the City Council, as applicable, may consider, and weigh the relevance of, whether and to what extent the proposed Zoning Map amendment:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

Yes, the property is in the "Suburban Activity 1" Character Area as designated in the Move Kannapolis Forward 2030 Comprehensive Plan. The Suburban Activity 1 Character Area lists retail and office as primary uses. Light manufacturing is a secondary use along with multifamily and single family attached residential. Therefore, the proposed non-residential use is generally consistent with the goals and objectives of the Plan.

2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?

No, the proposed amendment is not in conflict with any ordinances. A Contractor's Yard is a permitted use in the GC General Commercial District. The commercial zoning designation existed on this property under the UDO and prior to the adoption of the current comprehensive plan.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

No, this proposed amendment intends to modify the conditions of approval and plan associated with the 2012 rezoning. Presently, the use of the property as a Contractor's Yard does not meet the conditions of the 2012 rezoning approval. This amendment, if approved, would allow the property to be used as a Contractor's Yard.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Yes, surrounding zoning districts are residential. City of Kannapolis Residential 8 (R8) is to the north and east. The zoning to the west is Cabarrus County Countryside Residential (CR). The zoning to the south is City of Concord RC-CD Residential Compact-Conditional District (RC-CD) and Cabarrus County Low Density Residential (LDR).

An opaque landscaping buffer is shown on the site plan to provide a separation with neighboring residential properties. A fence is proposed along a portion of the eastern lot line. Further, there is existing vegetation and landscaping on the property that can be enhanced in order to achieve the necessary buffering along the perimeter of the property. This property has been zoned and identified for non-residential use by the City since 2008.

5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?

Yes, the proposed amendment provides for efficient development. The applicant will be required to comply with the City's and NCDOT's regulations for driveways. NCDOT currently does not have a permit on record for the existing driveway.

The subject property is within the Coddle Creek Subdistrict of the Thoroughfare Protection Overlay District and will need to meet the requirements for properties along Davidson Highway. Currently, there is no public sewer or water service to the site. The development is proposed to be served by on-site septic.

6. Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?

Yes, the property is within a future growth area for the City of Kannapolis. The use is setback from Davidson Highway and a landscaped opaque buffer is proposed along the site's perimeter to screen it from surrounding residential uses.

7. Does the proposed rezoning result in significant adverse impacts on the natural

environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

No significant negative environmental impacts are anticipated. There is an unnamed tributary in the northeast corner of the property. Measured from the top of the streambank, a thirty foot (30') undisturbed buffer and a ten foot (10') vegetated setback is shown on the site plan. The proposed use will be required to conform to all applicable local, state, and federal environmental regulations.

The Davidson Lands Conservancy holds the conservation easement on the property and is responsible for monitoring compliance with the requirements of the Deed of Conservation Easement.

Legal Issues

City Council is required to adopt a "Statement of Consistency", addressing whether the proposed rezoning is consistent with the "Future Land Use and Character Map" of the 2030 Comprehensive Plan.

Statement of Consistency: *Kannapolis City Council finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan ("2030 Plan"), adopted by City Council, which designates the subject property as located within the "Suburban Activity 1" Character Area in the 2030 Plan. City Council finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.*

Recommendations and Alternate Courses of Action

APPROVAL (Recommended)

Approve with conditions and consistency: City Council finds that the proposed rezoning is consistent with the "Suburban Activity 1" Character Area as designated in the Move Kannapolis Forward 2030 Comprehensive Plan. (A separate Statement of Consistency is provided as an attachment.)

Motion 1 - Move to adopt the Statement of Consistency

Motion 2 - Move to adopt a Resolution to Zone for Case #CZ-2024-01 with the following conditions:

1. The conditions and conceptual site plan applicable to the previous conditional rezoning approval, Case #Z-12-02, are removed and replaced with conditions 2-10, below.
2. The intent of this amendment submittal is to allow for a Contractor's Yard. Prior to the development of the property over and beyond its use as a Contractor's Yard, a conditional rezoning application shall be made for the City of Kannapolis to further review and reconsider the conditions imposed by approval of this amendment.
3. The site is subject to and will in the future be developed in accordance with the development restrictions set forth in the Assignment of Deed of Conservation Easement which among other restrictions limits the developable area of the site within a defined two (2) acre envelope generally located in the center of the site.
4. The site will be developed in accordance with the Coddle Creek Subdistrict Thoroughfare Protection Overlay District of the KDO.
5. The development shall be limited to one (1) vehicular access point on Davidson Highway and shall be subject to NCDOT approval. A driveway permit is required.
6. The site will be developed consistent with the buffer and landscaping requirements of the KDO for a Type D, Opaque Buffer.
7. No site lighting will be directed toward adjacent properties assuring no glare of lighting on

- adjacent residential lots.
8. Development of the site will adhere to all applicable NCDEQ soil and erosion control requirements.
 9. Certain improvements to the site shall be completed no later than six (6) months from the date of the Resolution to Zone, to include removing the existing single-wide manufactured home from the site; acquiring a NCDOT driveway permit; paving the driveway entrance and parking area; installing required landscaping and fencing; and, installing the gravel parking area.
 10. The exact location of the proposed building and parking spaces will be determined during the site plan review process by the City of Kannapolis.

DENIAL

Deny and not consistent: City Council finds that the proposed rezoning is not consistent with the Comprehensive Plan and does not consider the action to be reasonable and in the public interest.

- Motion 1 - Move to adopt a Statement of Inconsistency
Motion 2 - Move to Deny rezoning Case #CZ-2024-01

Attachments

1. 1. COA App
2. 2-4. Maps
3. 5. Site Plan
4. 6. Z-12-02 Approved Conditions
5. 7. Neighborhood Meeting Info
6. 8. Public Notice Ad
7. 9. List of Notified Properties
8. 10. Letter to Adjacent Properties
9. 11. Posted Sign Notice
10. CZ-2024-01 Statement of Consistency
11. CZ-2024-01 Resolution to Zone
12. Pappys Place Approved Conceptual Site Plan



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

Conditional Zoning Map Amendment Checklist

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the size of the parcel, the proposed use or the adequacy of existing infrastructure servicing the location. Submit digitals and 1 hard copy of applications and accompanying documents to the Planning Department at the address above.

CONDITIONAL REZONING REQUEST

Conditional Rezoning – Request for an amendment to the Kannapolis Zoning Map.

Approval authority – Planning and Zoning Commission.

Requested Rezoning Property Address: 9700 Davidson Highway

Applicant: Big Green Tree Lawn Care Service, Inc

Proposed development: Contractor Lot

SUBMITTAL CHECKLIST

- ☐ Pre-Application Meeting – send an email to planreviewappointment@kannapolisnc.gov
- ☐ Neighborhood Meeting (if required)
- ☒ Zoning Map Amendment Checklist and Application – Complete with all required signatures
- ☒ Preliminary Major Site Plan
- ☒ PDF format on disc containing all documents rotated and formatted in sequential order based upon cover page
- ☒ Fee: \$925.00 (\$600 Application Fee, \$300 Legal Notices and notification fee, # of property owners notified [see Fee Schedule])

PROCESS INFORMATION

Public Notification: This is a legislative process that requires a public hearing and public notification including newspaper notice, first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Table 2.4.F(2) of the Kannapolis Development Ordinance [KDO]).

Review Process: All applications will be reviewed for compliance and then forwarded to the Planning and Zoning Commission for consideration at a public hearing which is held monthly on the 3rd Tuesday at 6:00pm in City Hall Laureate Center. The application and all fees must be paid prior to scheduling the public hearing.

Action by Planning and Zoning Commission: After conducting a public hearing, the Commission may: deny the application; conduct an additional public hearing on the application; or approve the application with conditions.

Scope of Approval: An affirmative vote of three-fourths of the members present and not excused from voting, shall be necessary to approve a conditional rezoning request. The approval of a rezoning does not authorize development activity, but does authorize the application to apply for a final major site plan. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

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: _____

German Cerón R.

Date: _____

11-17-23



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

CONDITIONAL ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information

Name: German Ronquillo
Address: 19205 Carter Circle
Cornelius, NC 28031
Phone: 704-210-2774
Email: big.greentree@yahoo.com

Property Owner Contact Information ☒ same as applicant

Name: _____
Address: _____
Phone: _____
Email: _____

Project Information

Project Address: 9700 Davidson Highway
Parcel: 46821065980000 # of parcels: 1 Approx. size of parcels: 10.22 acres
(attach separate list if necessary)

Current Zoning Designation: GC Requested Zoning Designation: GC-CZ

Reason for map amendment: To eliminate any potential conflict with the illustrative site plan and the conservation easement compliant site plan conditions.

Condition(s) proposed by the applicant (attach separate sheet if necessary): All development must be in
with the existing permanent Conservation Easement, and as described on the attached
list of conditions

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

German Cerón R.
Applicant Signature

11-17-23
Date

German Cerón R.
Property Owner Signature

11-17-23
Date

REVISED CONDITIONS
Parcel Identification No. 4682-10-6598

Current zoning is GC-CZ (General Commercial – Conditional Zoning); zoning conditions are revised as follows:

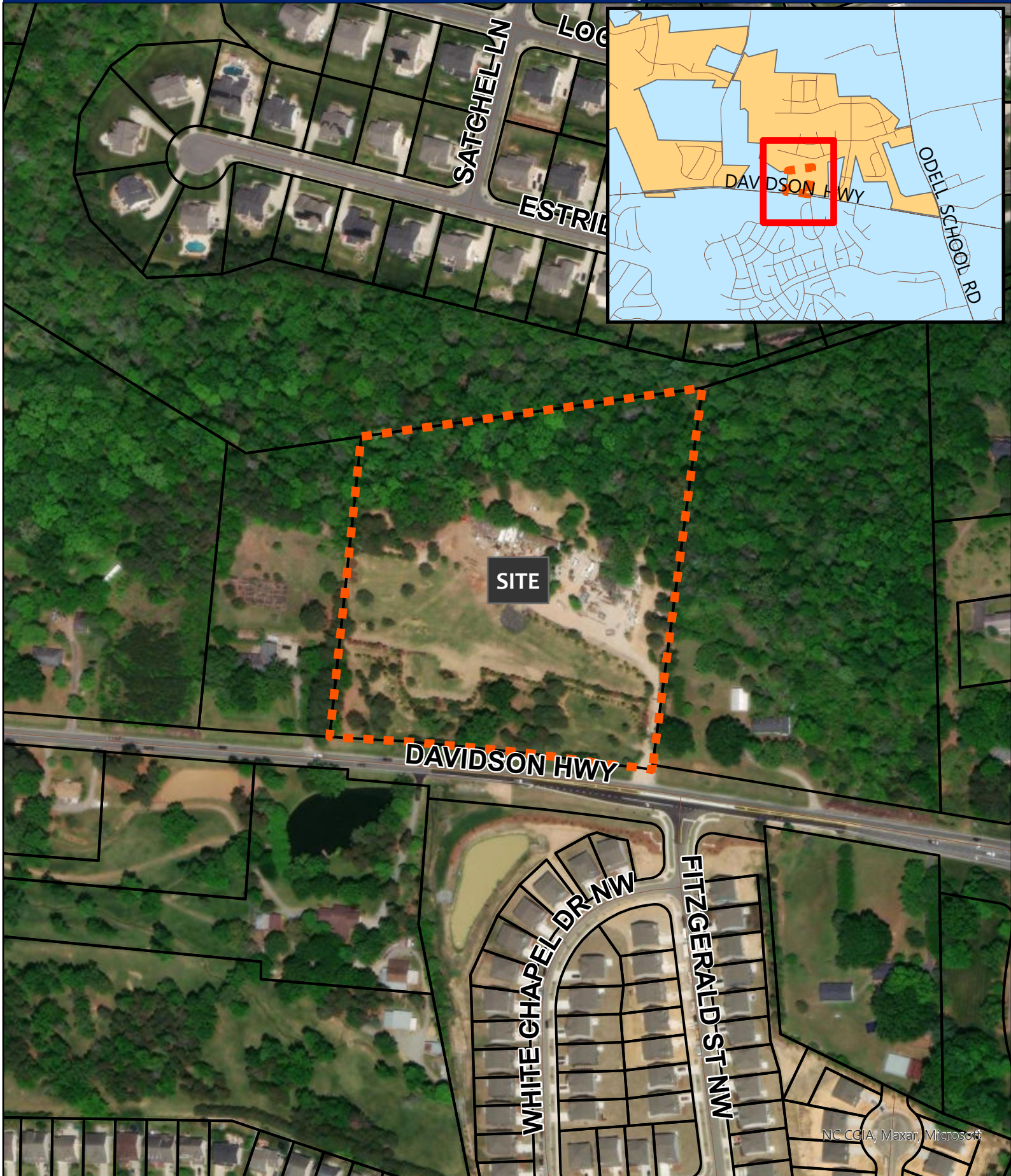
1. The current use as a Contractor's Yard is a permitted use.
2. Any conditions previously listed in the conditions applicable to the site in the prior conditional rezoning but not appearing in this list are deleted and removed.
3. The Conceptual Site Plan which was attached to the prior zoning conditions is hereby removed and shall no longer be applicable to the site.
4. The site is subject to and will in the future be developed in accordance with the strict development restrictions set forth in that Deed of Conservation Easement recorded at Deed Book 11103, Page 274, Cabarrus County Registry, which among other restrictions limits the developable area of the site to a maximum of 2 acres located in the center of the site.
5. Development of the site as a whole in the future over and above the current use as a Contractor's Yard will adhere to the principles of any existing small area plan adopted by the City applicable to the area in which the site is located.
6. Development of the site as a whole in the future over and above the current use as a Contractor's Yard will adhere to the principals of any overlay district applicable to the area in which the site is located.
7. The site will be developed consistent with applicable buffer requirements.
8. No site lighting will be directed toward adjacent properties assuring no glare of lighting on the adjacent platted residential lots.
9. Development of the site will adhere to all applicable NCDEQ soil and erosion control requirements.
10. The development shall be limited to one (1) vehicular access point on NC Hwy 73, which shall be subject to NC DOT approval. No additional access points to NC Hwy 73 will be provided for out parcels.
11. To the extent that the site as a whole is developed in the future for larger-scale commercial or residential development over and above the current use as a Contractor's Yard and the small office/shop building currently planned to be constructed in connection with that use, any such future commercial or residential development shall provide vehicular and pedestrian connectivity to the adjacent parcels along NC Hwy 73.



Vicinity Map

Case Number: CZ-2024-01

Applicant: Big Green Tree Lawn Care Service, INC
9700 Davidson Hwy

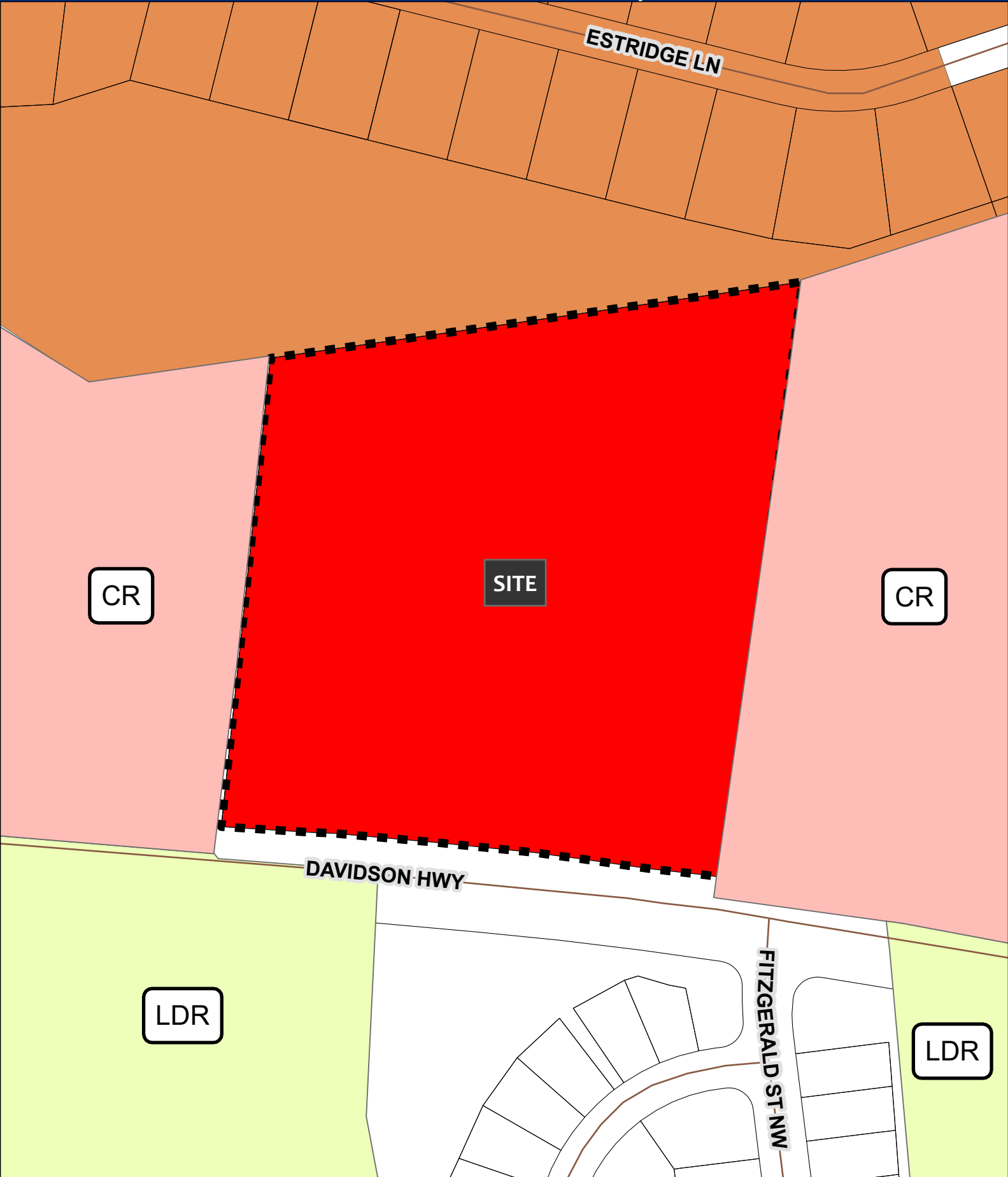




Kannapolis Current Zoning

Case Number: CZ-2024-01

Applicant: Big Green Tree Lawn Care Service, INC
9700 Davidson Hwy

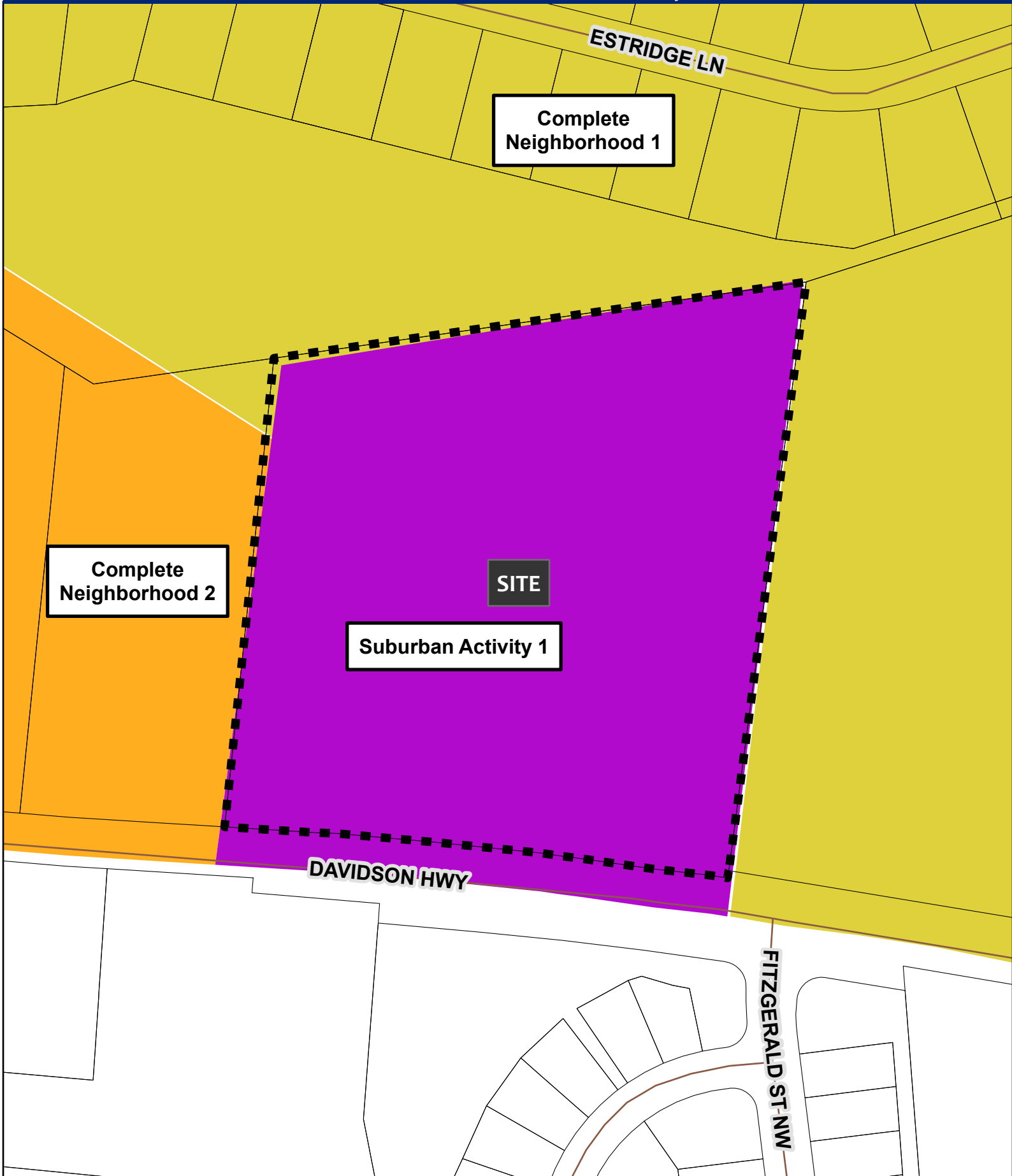


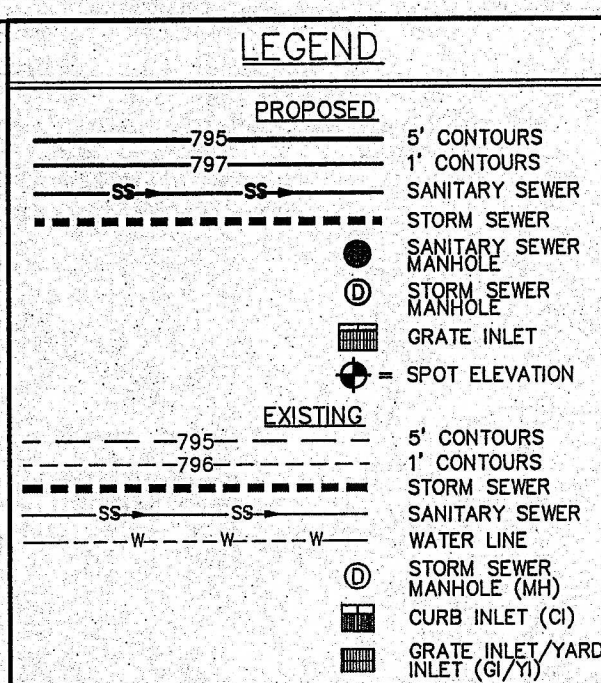


Kannapolis 2030 Future Land Use Map

Case Number: CZ-2024-01

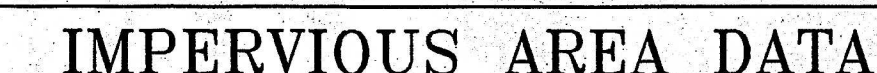
Applicant: Big Green Tree Lawn Care Service, INC
9700 Davidson Hwy



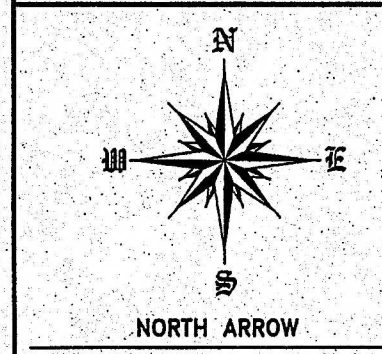
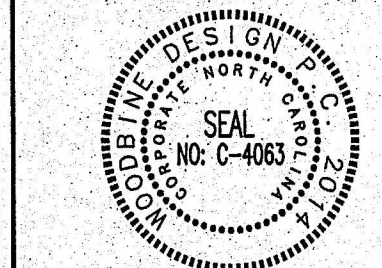
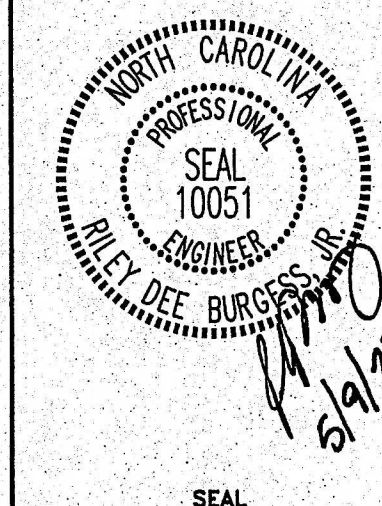


WELLINGTON CHASE
HOMEOWN ASSOC.
NOW OR FORMERLY
DB 8512 PG 00054
PARCEL ID
#4682-02-9012
ZONED: R8
USE: SF RESIDENTIAL

LINE TABLE			
L1	S59° 14'	48.38"W	37.996'
L2	S12° 04'	39.00"W	86.364'
L3	N77° 55'	21.00"W	100.000'
L4	N12° 04'	39.00"E	100.000'
L5	S77° 55'	21.00"E	100.000'
L6	N59° 14'	48.38"E	37.996'



MAX. ALLOWABLE IMPERVIOUS:	<u>52,252=sf/1.199-ac</u>	SQ. FT./ACRES
PROPOSED BUILDING:	<u>1,512=sf/0.305-ac</u>	SQ. FT./ACRES
PROPOSED GRAVEL:	<u>45,195=sf/1.037-ac</u>	SQ. FT./ACRES
PROPOSED PAVEMENT:	<u>2,000=sf/0.046-ac</u>	SQ. FT./ACRES
TOTAL IMPERVIOUS:	<u>48,807=sf/1.115-ac</u>	SQ. FT./ACRES



Graphic Scale 1" = 40'

LANDSCAPE NOTES

1. ALL BUFFER AND SCREENING LANDSCAPING SHALL ADHERE TO SECTION 5.3 OF KANNAPOLIS DEVELOPMENT ORDINANCE. STABILIZATION AND OTHER PLANTINGS SHALL BE IN ACCORDANCE WITH THE CONSERVATION EASEMENT REQUIREMENTS.
 2. NO PLANTINGS SHALL BE PERMITTED WITH SIGHT TRIANGLES OR UTILITY EASEMENTS.
- SEE LANDSCAPE PLAN SHEET C7 FOR REQUIRED PLANTINGS.

SEE LANDSCAPE PLAN SHEET C7 FOR REQUIRED PLANTINGS

GREEN TREE & LAWN CARE
SERVICES, INC.
9700 DAVIDSON HWY.
KANNAPOLIS, CABARRUS CO, NC

CONSERVATION SITE PLAN

DEVELOPER/OWNER

**BIG GREEN TREE LAW
CARE SERVICE, INC.**
9700 DAVIDSON HWY,
KANNAPOLIS, NC

Designed By _____

Drawn By

Date: _____

5/8/2

5/9/23-1st EDITION

Sheet CA-1 of 9

Project Number: 22

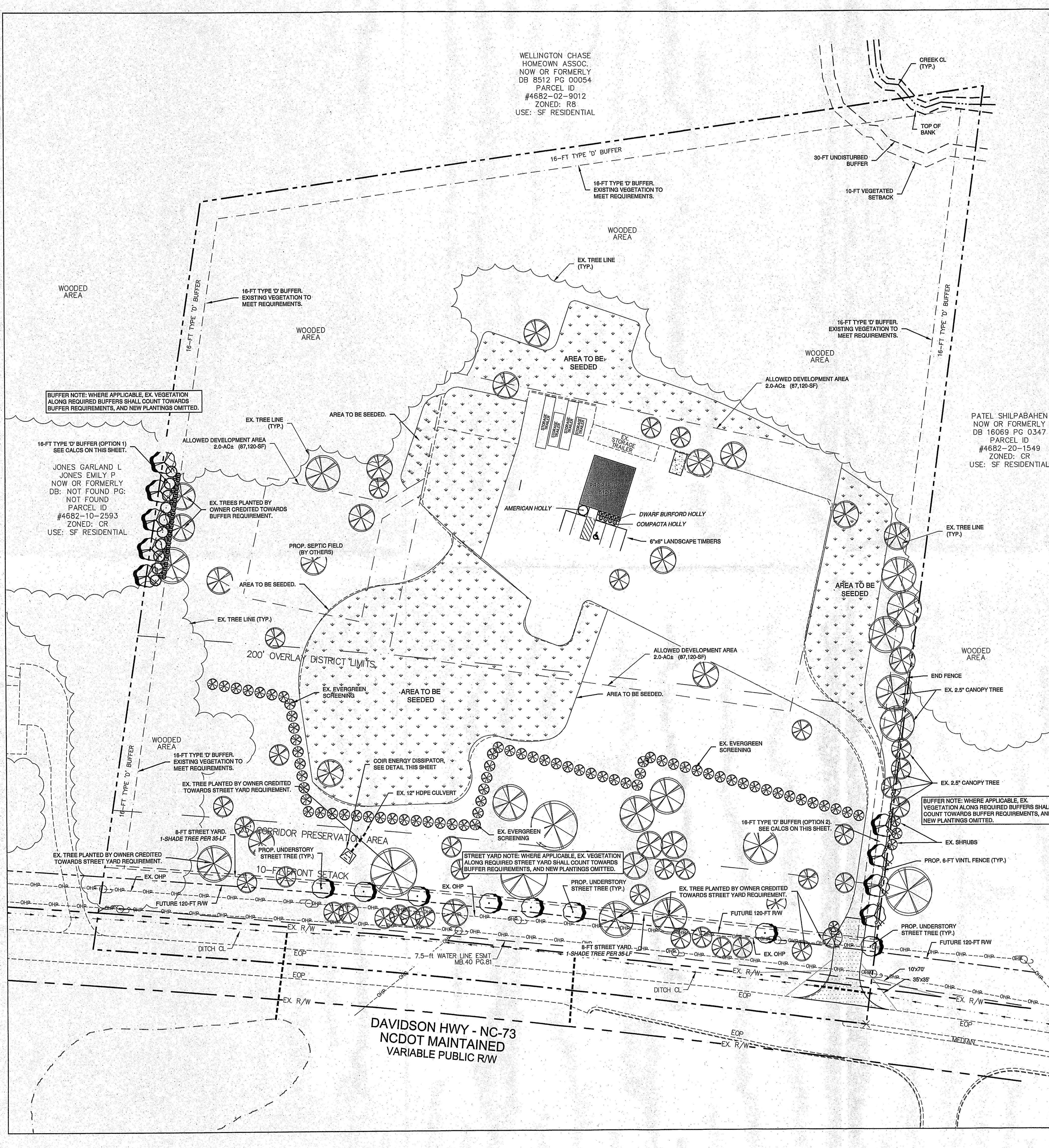


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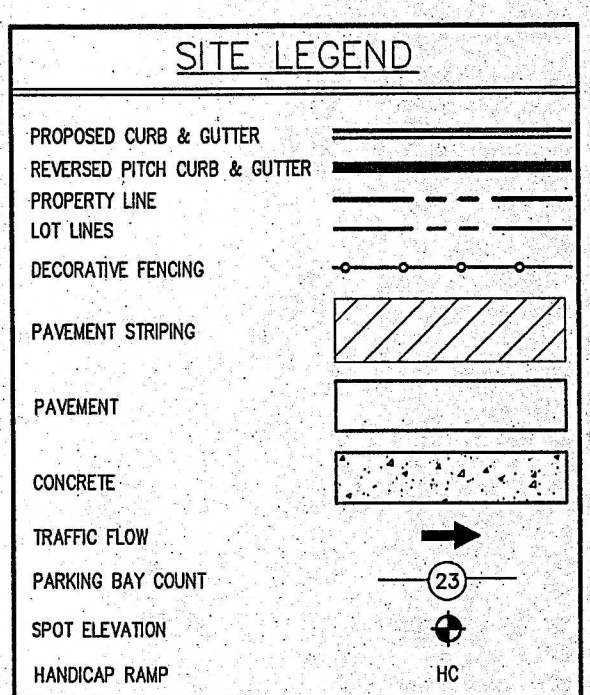
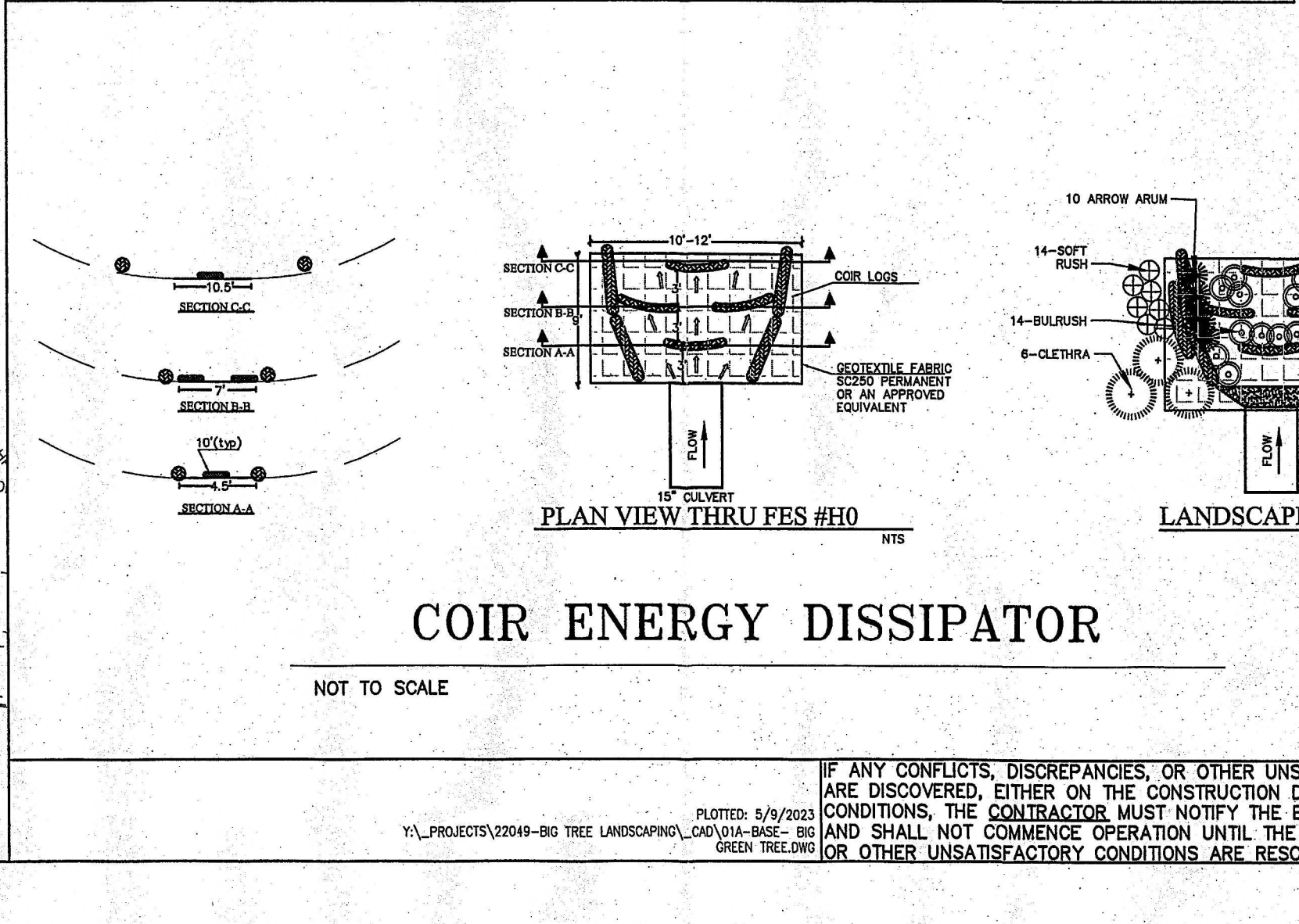
IF ANY CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR THE FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY, AND SHALL NOT COMMENCE OPERATION UNTIL THE CONFLICTS, DISCREPANCIES OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.



ZONING LANDSCAPE NOTES			
YARD REQUIREMENTS:			
SETBACK (FRONT):	10 FT.	SIDE YARD (L):	0 FT.
CORNER YARD:	N/A FT.	SIDE YARD (R):	0 FT.
REAR YARD:	0 FT.	GARAGE SETBACK:	N/A FT. (FROM BACK OF CURB/SIDEWALK)
BUFFER YARD REQUIREMENTS:			
FRONT:	NO / YES	REAR:	NO / YES 16' TYPE D
SIDE (EAST):	NO / YES 16' TYPE D	SIDE (WEST):	NO / YES 16' TYPE D
SIDE (EAST) BUFFER = 218-FT (MEASURED FROM STREET YARD TO EX. TREE LINE) BUFFER YARD REQUIRED: 16' TYPE D (OPTION 2) REQUIREMENTS : 8-FT FENCE & 12 ACI OF CANOPY TREE PER 100-LF			
CANOPY REQUIRED:	28 ACI	CANOPY PROPOSED:	27.5 ACI (15 EXISTING)
UNDERSTORY REQ'D:	NOT REQUIRED	UNDERSTORY PROP:	NOT REQUIRED
SHRUBS REQUIRED:	NOT REQUIRED	SHRUBS PROPOSED:	NOT REQUIRED
SIDE (WEST) BUFFER = 100-FT (MEASURED FROM EX. TREE LINE TO EX. TREE LINE) BUFFER YARD REQUIRED: 16' TYPE D (OPTION 1) REQUIREMENTS : 18 ACI CANOPY TREE, 20 ACI UNDERSTORY TREE & (35) SHRUBS/100-LF			
CANOPY REQUIRED:	18 ACI	CANOPY PROPOSED:	12.5 ACI (7.5 EXISTING)
UNDERSTORY REQ'D:	20 ACI	UNDERSTORY PROP:	20 ACI
SHRUBS REQUIRED:	35	SHRUBS PROPOSED:	35
BUILDING YARD REQUIREMENTS:			
FRONT:	5' TYPE 1	SIDE (L):	NOT REQUIRED
REAR:	NOT REQUIRED	SIDE (R):	NOT REQUIRED
TYPE 1 = (1) ORNAMENTAL TREE /30-LF & (1) SHRUBS/3-LF			
FRONT = 28-LF (EXCLUDES ENTRYWAY)		PROVIDED:	N/A
SHADE TREES REQUIRED:	N/A	PROVIDED:	1
ORNAMENTAL TREES REQ'D:	28/30 = 1	PROVIDED:	1
SHRUBS REQUIRED:	(28/3) = 9	PROVIDED:	9
PARKING LOT YARD REQUIREMENTS:			
MIN. CRITERIA: LESS THAN 5-SPACES PROPOSED. EXEMPT PER KDO SECTION 5.3.H(2)b			
STREET YARD REQUIREMENTS:			
DAVIDSON HWY = 550-FT (EXCLUDES DRIVEWAY & WOODED AREA)			
STREET YARD REQUIRED:	8-FT		
PLANTINGS REQUIRED:	(1) SHADE OR ORNAMENTAL TREE PER 35-LF		
TREES REQUIRED:	16		
TREES PROPOSED:	16		

- ### CONSERVATION EASEMENT LANDSCAPE NOTES
- FOR AREAS SHOWN AS "AREA TO BE SEED" WHICH RECEIVED PROPER TREATMENT PRIOR TO THIS PLAN, AND WHICH ALREADY HAVE SOME TURF ESTABLISHED, DO NOT DISTURB THOSE AREAS UNTIL THE AUTUMN SEASON. FOR THOSE AREAS, TREAT THEM WITH THE USUAL AUTUMN AERATION, STARTER FERTILIZER AND SEEDING APPLICATIONS.
 - FOR THE AREAS LOCATED ON THE SOUTH SLOPE FROM THE GRAVEL DRIVE AND PARKING AREAS, WHICH HAVE LITTLE TO NO ESTABLISHED TURF, THOSE AREAS SHALL BE SCARIFIED, WITH RECOMMENDED APPLICATIONS OF STARTER FERTILIZER SUCH AS LESCO 18-24-12 STARTER, AND SEEDED WITH LESCO ALL PRO TRANSITION TALL FESCUE SEED BLEND, OR APPROVED EQUAL, AT STARTER RATES. ALL OF THESE AREAS ARE TO BE PROPERLY AND UNIFORMLY MULCHED WITH BLOWN WHEAT STRAW, AND MOVABLE IRRIGATION SET UP TO KEEP ALL AREAS WETTED SUFFICIENTLY FOR GERMINATION AND GROWTH SUPPORT THROUGH THE SUMMER MONTHS.
 - THE EXISTING SMALL WET POND AT THE LOWER END OF THE SEED AREA IS TO REMAIN AND CARE TAKEN TO PREVENT THAT AREA FROM BEING SITED IN DURING THE SCARIFICATION AND SEEDING PROCESS OF THE LAND ABOVE. THIS PROTECTION CAN BE VIA SILT FENCE OR COIR LOGS PLACED OUTBOARD OF THE UPPER REACHES OF THE POND.
 - THE EXISTING SMALL CULVERT BELOW THE WET POND IS TO REMAIN. THE DOWNSTREAM END OF THAT CULVERT APPEARS STABLE, BUT TO ENHANCE THE CAPABILITIES, A COIR FABRIC MAT WITH COIR LOGS IS TO BE PLACED PER THE DETAIL ON THIS SHEET.
 - THERE IS NO EVIDENCE OF SEDIMENTATION IN THE GRASSY VEGETATION BELOW THE CULVERT OR AT THE INLET TO THE CROSS-ROAD CULVERT AT THE PUBLIC ROAD. THIS AREA IS TO BE INSPECTED ON A ROUTINE BASIS EVERY WEEK DURING IRRIGATION PERIODS, AND AFTER EVERY RAINFALL EVENT OF 0.25 INCHES OR MORE. IF EVIDENCE OF SEDIMENTATION IS FOUND IT IS TO BE NOTED IN A LOG BOOK AND THE ENGINEER IS TO BE NOTIFIED.
 - SEEDING IN THIS PERIOD OF THE YEAR IS NOT NORMALLY ADVISED, AND EXTRA CARE IS TO BE MAINTAINED IN ORDER TO NOT EXPEL SIGNIFICANT QUANTITIES OF SEDIMENT DURING THIS PERIOD.

PLANT SCHEDULE							
SYMBOL	COMMON NAME	#	BOTANICAL NAME	SIZE	ROOT	SPAC'G	NOTES
	SHUMARD OAK	10	Quercus shumardii	2.5" x 10'-12" TALL	B&B	AS SHOWN	EVERGREEN SHADE
	CAROLINA CHERRY LAUREL	14	Prunus caroliniana	2" x 6'-8" TALL	B&B	AS SHOWN	EVERGREEN UNDERSTORY
	AMERICAN HOLLY	11	Ilex opaca	2" x 6'-8" TALL	B&B	AS SHOWN	EVERGREEN UNDERSTORY
	DWARF BURFORD HOLLY	40	Ilex cornuta 'dwarf Burford'	3 GAL 18" TALL	B&B	AS SHOWN	EVERGREEN SHRUB
	'COMPACTA' COMPACT HOLLY	4	Ilex crenata	3 GAL 18" TALL	B&B	AS SHOWN	EVERGREEN SHRUB



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Landscape planning & civil engineering
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Carrboro, NC 28581
www.woodbinedesign.com
info@woodbinedesign.com

Project: BIG GREEN TREE & LAWN CARE SERVICES, INC.
Location: 9700 DAVIDSON HWY, KANNAPOLIS, NC
Sheet Title: CONSERVATION LANDSCAPE PLAN

Developer/Owner:
BIG GREEN TREE LAWN CARE SERVICE, INC.
9700 DAVIDSON HWY, KANNAPOLIS, NC

Designed By: WOODBINE DESIGN
Drawn By: NA
Date: 5/8/23
Revisions: 5/9/23-1st EDITION

Sheet: CA7 of 9
Project Number: 22049

Pappy's Place Conditions – Case# R-12-02
Approved on 8/1/2012 by the City of Kannapolis Planning and Zoning Board
Rezoning of 10.22 acres C-2-CZ (General Commercial – Conditional Zoning) with
associated site plan and conditions listed below

1. The site will be developed to adhere to the principals of the ***“NC 73 Small Area Land Use & Economic Development Plan”***.
2. The site will be developed in accordance with the Coddle Creek Thoroughfare Protection Overlay District as described in Article 15.1 of the City of Kannapolis UDO.
3. The Conceptual Site Plan is for illustrative purposes only. The exact location of buildings, parking, uses, and detention areas will be determined during the site plan review process by the City of Kannapolis. In no event shall the total square footage exceed the total proposed square footage on each parcel unless specifically approved by the City of Kannapolis Planning Department.
4. The property lines adjacent to platted lots in existing single-family residential developments shall be buffered and screened with a berm and/or fence or landscaping that is solid and is 6 foot minimum in height. Screening shall provide 100% visual screening for adjacent residential properties of surface parking to a minimum height of 6 vertical feet.
5. No site lighting will be directed toward adjacent properties assuring no glare of lighting on the adjacent platted residential lots.
6. The developer will make every effort to save all trees outside of grading limits and will institute tree protection measures. Specifically across the front of the property adjacent to NC Hwy 73.
7. During construction periods of dry weather, the developer will wet down the site to control dust during construction.
8. The developer will adhere to all NCDENR soil and erosion control requirements.
9. In order to provide interesting and aesthetically attractive retail developments and to avoid monotony in design, the following standards shall apply:
 - Facades greater than 150 feet in length, measured horizontally, shall incorporate wall plane projections or recesses to create an interesting and attractive architectural design which is comprised of more than flat walls with minimal features.
 - Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length.
10. The following standards are intended to foster variations in roof lines to soften and reduce the massive scale of large buildings. Roofs shall have the following features:

- Parapets concealing flat roofs and rooftop equipment, such as HVAC units from public view. The height of such parapets shall not exceed one-third of the height of the supporting wall. Such parapets shall feature three dimensional cornice treatments and shall not be of a constant height for a distance of greater than 150 feet.
 - Three or more roof slope planes.
11. Predominant exterior buildings materials shall be high quality materials, including but not limited to brick, wood, stucco, sandstone, other native stone, or tinted, textured, or concrete masonry units.
 12. Facade colors shall be low reflectance, subtle, neutral or Earth Tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.
 13. Building trim and accent areas may feature brighter colors, including primary colors.
 14. No more than 50% of exterior building materials facing public streets shall include smooth-faced concrete block, smooth-faced tilt-up concrete panels or pre-fabricated steel panels.
 15. Distinctive architectural features such as parapet walls, covered entries, door and window details, etc. will be provided on each principle structure.
 16. The developer will submit architectural renderings for the development to the Planning Department as part of the site plan review process. The plans will illustrate the building massing, materials, height and other design features. The Planning Department shall approve or deny site plans based on acceptance of architectural designs.
 17. The development shall be limited to one (1) vehicular access point on NC Hwy 73, which shall be subject to NCDOT approval. No additional access points to NC Hwy 73 will be provided for out parcels.
 18. The site shall be designed to connect to adjacent parcels parallel to NC Hwy 73. The grade of the road being shown at the stub locations will need to be mutually agreed upon at the time of site design and review.

January 29, 2024

Subject: Conditional Rezoning for 9700 Davidson Highway

Neighbor,

You may have received an earlier invitation for a neighbor meeting, and this invitation is for another such meeting at a time and date that is perhaps more amenable for everyone.

The property at 9700 Davidson Highway has petitioned for a Conditional Rezoning with the City of Kannapolis. This action is not to introduce any new or otherwise disallowed use, but to simply clean up some language from the previous Conditional Rezoning that happened many years ago. Of particular change is that the property now has a rather limiting Conservation Easement in place which restricts the scope of use and limits the areas which can be developed.

The current use is and will continue to be allowed and compatible with the zoning.

We invite you to an informal Neighborhood Meeting to be held on Monday, February 5th, on the site, from 6 PM until around 8:00 pm. This will happen rain or shine, and will be up at the main parking area. If you cannot attend this meeting and have questions, please do not hesitate to contact me via email at: rburgess@woodbinedesign.com

The actual hearing before the Kannapolis Planning and Zoning Board will take place at 6pm on Tuesday, February 20, 2024.

We look forward to meeting you at this neighborhood meeting, and answering any questions you may have.

February 6, 2024

Neighborhood Meeting Summary

February 5, 2024

The roster of attendees, on the property owner/applicant behalf were:

German Ronquillo and Edgar Ronquillo, owners of Big Green Tree and Lawn Service.
Riley Burgess, PE, Woodbine Design, P.C., consultant to Big Green Tree.

The roster of neighbor attendees:

Mr. Rob Harkey of 9745 Davidson Highway, Concord, NC

The Neighborhood Meeting was held on the site, in a parking area central to the Big Green Tree designated use area. The property is subject to a conservation easement via the Davidson Land Conservancy, with a designated zone in the central portion of the site being the only portion of the land for which any development and business activity may occur. The meeting was held from 6 PM until 8 PM per the letter of invitation and City of Kannapolis guidelines and requirements. It should be noted that a prior neighborhood meeting was held on Friday, January 5th from noon until 2 PM, but that meeting date and time of day did not fully comply with City requirements. At that meeting one neighbor from the subdivision north of the site came by, but he was confused and thought this site was the site of the proposed multi-family project that is actually on the adjacent property to the east. When he found out otherwise, he left with no questions.

A few minutes past 6 PM Mr. Harkey arrived with two questions. His first question was, “Why have this so late in the day?” Mr. Burgess responded that the time of day was a City requirement so as to afford working people an opportunity to attend. Mr. Harkey then asked, “Why are you asking for a rezoning?” The invitation letter had stated the purpose, and the desire to update the previous rezoning conditions to include the conservation easement restrictions, but Mr. Harkey then questioned the real cause as being some other issue. No one on the Big Green Tree side was

aware of the issue that Mr. Harkey suggested, and the conversation moved on to other none zoning related topics such as the availability of gravity sewer, the adjacent multi-family project, etc. Mr. Harkey seemed confrontational and agitated, and attempts to steer the conversation to the topic of the rezoning application, and the plan, were unsuccessful. He made a point to compare the runoff from the properties that were essentially undeveloped against the property to the east of his property, a large single family home project, and he never seemed to grasp the concept of the SCM devices required of such new development. After some discussion on those issues, Mr. Harkey left shortly after 6:30 pm.

There were no other neighbors in attendance, and a few minutes before 8 pm the meeting was adjourned and the property vacated. In the invitation letter there was an invitation for anyone that could not make the meeting, or had other questions, they were welcome to contact Mr. Burgess directly, with his contact information included in that letter. As of this writing there have been no other inquires.

L. Burgess
2/6/24



Order Confirmation

Order# 0000868593

PO Box 27283
Richmond, VA 23261-7283

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Pavor : CITY OF KANNAPOLIS
Phone: 7049204300

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

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

Fax: 7049337463
Email: ap@kannapolisnc.gov

Total Amount \$357.04

Payment Amount \$357.04

Amount Due \$0.00

Tax Amount: 0.00

Payment Meth: Credit - Debit Card

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

0 0 1

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AdBooker (liner)

Production Notes

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
CON Independent Trib	C-Legal Ads	Legal Notices	2

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING 401 Laureate Way,

Run Dates 5/10/2024, 5/17/2024

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
NCC Online	C-Legal Ads	Legal Notices	7

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING 401 Laureate Way,

Run Dates 5/10/2024, 5/11/2024, 5/12/2024, 5/13/2024, 5/14/2024, 5/15/2024, 5/16/2024

TagLine: NOTICEOFPUBLICHEARING401LAUREATEWAYKANNAPOLISNCCITYCOUNCILMEETINGMONDAYMAY20
2024AT600PMCONDITIONALZONINGMAPAMENDMENTCZ20240



NOTICE OF PUBLIC HEARING
401 Laureate Way, Kannapolis, NC

City Council Meeting
Monday, May 20, 2024, at 6:00 pm

Conditional Zoning Map Amendment - CZ-2024-01 - 9700 Davidson Hwy -
Public Hearing to consider an amendment to the previously approved rezoning conditions for property located at 9700 Davidson Hwy., zoned GC-CZ (General Commercial-Conditional Zoning) and further identified as Cabarrus County Parcel Identification Number 46821065980000. The requested change is to allow for a Contractor's Yard.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Heather James, Human Resource Director, by phone at 704-920-4322 or by email at h.james@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Publish: May 10, 17, 2024.

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
SHIRISH BAIRISHETTY				
BINDU PRIYA GOPISHETTY RAM	9619 ESTRIDGE LN	CONCORD	NC	28027
BIG GREEN TREE LAWN CARE SERVICE INC				
C/O GERMAN RONQUILLO	19205 CARTER CIR	CORNELIUS	NC	28031
WALTER FITZPATRICK	9521 DAVIDSON HWY	CONCORD	NC	28027
FORESTAR (USA) REAL ESTATE GROUP INC.				
C/O DANIELLE HAYDEN	14120 BALLANTYNE CORPORATE PLACE, STE 225	CHARLOTTE	NC	28277
SUMANA GADDE				
SATISH KOLLIPARA	9611 ESTRIDGE LN	CONCORD	NC	28027
ANJU HARIHARAN				
SARIN RATHEESH KUMAR	1670 FITZGERALD ST NW	CONCORD	NC	28027
HARKEY FARM LLC	9745 DAVIDSON HWY	CONCORD	NC	28027
HERITAGE RIDGE COMMUNITY ASSOC INC.	2221 E LAMAR BLVD STE 790	ARLINGTON	TX	76006
GARLAND & EMILY JONES	9730 DAVIDSON HWY	CONCORD	NC	28027
VENKATA & SRILAKSHMI KALLURI	9631 ESTRIDGE LN	CONCORD	NC	28027
SANDEEP KOLIKAPUDI				
STREISAND MUNGALCHETTY	1665 FITZGERALD ST NW	CONCORD	NC	28027
SATISH KRISHNAN				
MEGHA MURALEEDHARAN	9642 WHITE CHAPEL DR NW	CONCORD	NC	28027
JASON & ASHLEY LIST	9639 ESTRIDGE LN	CONCORD	NC	28027
CHRISTOPHER & ARLENE MOORE	9635 ESTRIDGE LN	CONCORD	NC	28027
SURESH NALLAMILLI	9650 WHITE CHAPEL DR NW	CONCORD	NC	28027
PATRICK & BROOKE NELSON	9623 ESTRIDGE LN	CONCORD	NC	28027
DANIEL & PETRA O'SULLIVAN	592 W WALKER WOODS LN	CLAYTON	NC	27527
VENKATA & NARMADA PALADUGU	9627 ESTRIDGE LN	CONCORD	NC	28027
SHILPABAHEN PATEL	1483 COFFEETREE DR NW	CONCORD	NC	28027
STEVEN PRICE	151 SCALYBARK TRL	CONCORD	NC	28027
KARTHIKEYAN REDDI	9638 WHITE CHAPEL DR NW	CONCORD	NC	28027
NARENDAR SURAM	9646 WHITE CHAPEL DR NW	CONCORD	NC	28027
WELLINGTON CHASE HOMEOWN ASSOC				
C/O CUSICK COMMUNITY MGMT	8008 CORPORATE CENTER DR STE 100	CHARLOTTE	NC	28226
JASON & JESSICA WORKMAN	9643 ESTRIDGE LN	CONCORD	NC	28027
SUSANNE R TODD	1065 E MOREHEAD ST	CHARLOTTE	NC	28204



KANNAPOLIS

Planning

May 8, 2024

Dear Property Owner:

Please be advised that the City of Kannapolis City Council will conduct a Public Hearing on Monday, May 20, 2024, at 6:00 PM, at City Hall, located at 401 Laureate Way, for the following case:

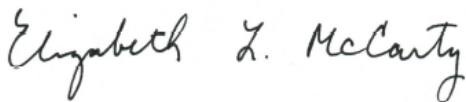
CZ-2024-01 – Conditional Zoning Map Amendment – 9700 Davidson Highway

The purpose of the Public Hearing is to consider an amendment to the previously approved rezoning conditions for property located at 9700 Davidson Hwy., zoned GC-CZ (General Commercial-Conditional Zoning) and further identified as Cabarrus County Parcel Identification Number 46821065980000. The requested change is to allow for a Contractor's Yard. (see reverse side of this letter for a map showing the location of this property).

As an abutting property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Development Ordinance. You are invited to attend the public hearing and will be provided an opportunity to speak to City Council, if you believe it to be necessary for their decision making on this matter.

Should you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4362 or emccarty@kannapolisnc.gov.

Sincerely,



Elizabeth L. McCarty, AICP
Assistant Planning Director

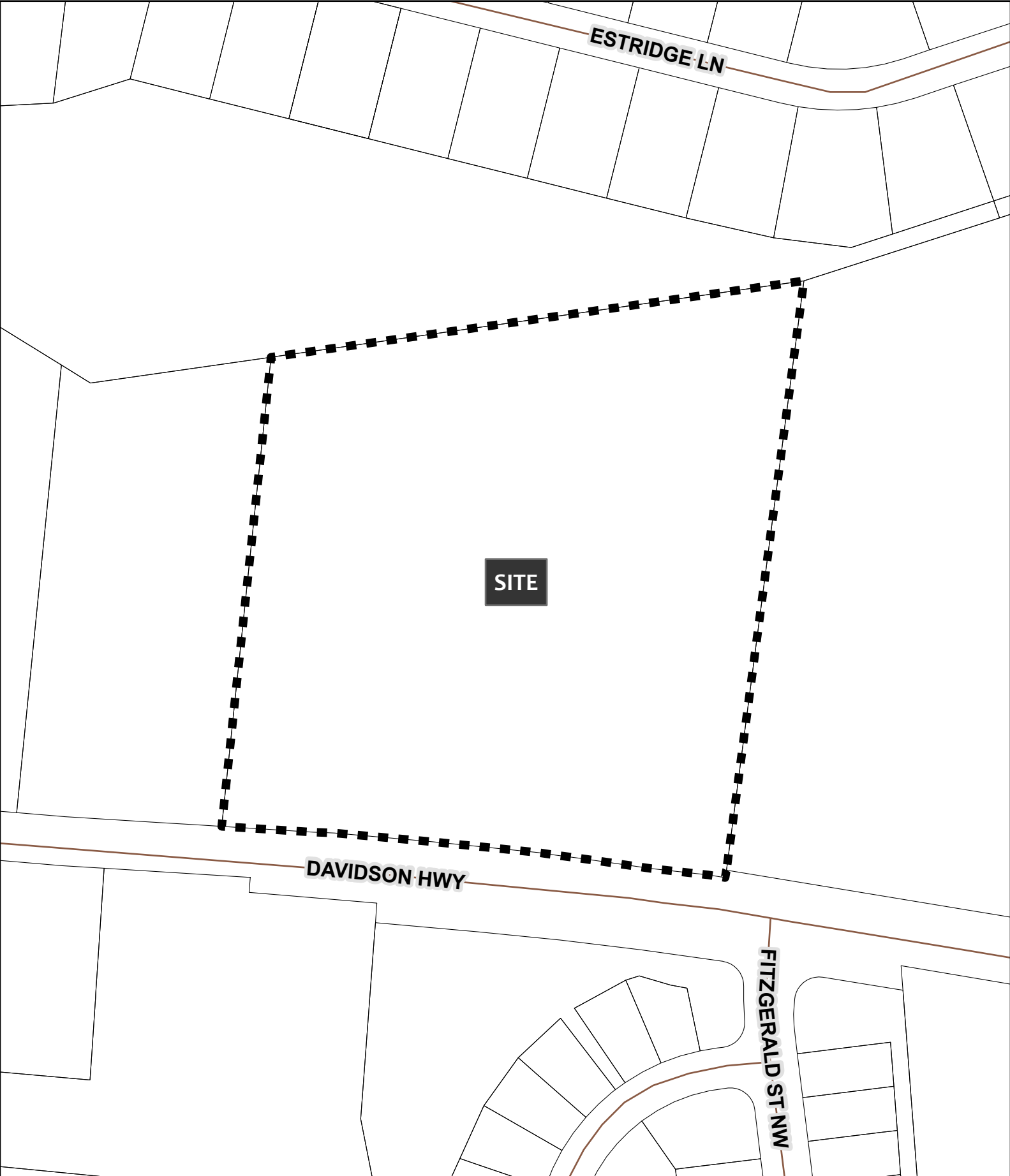
Enclosure

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Heather James, Human Resource Director, by phone at 704-920-4322 or by email at hjames@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.



Conditional Rezoning

Case Number: CZ-2024-01
Applicant: Big Green Tree Lawn Care Service, INC
9700 Davidson Hwy



KANNAPOLIS
CITY COUNCIL

MEETING
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE # CZ-2024-01



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE #CZ-2024-01**

WHEREAS, Sections 160D-604 and 160D-605 of the North Carolina General Statutes specify that when adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable and explain why the action taken is reasonable and in the public interest; and

WHEREAS, Section 2.3.B(1).a. of the Kannapolis Development Ordinance delegates final authority to the Planning and Zoning Commission on zoning map amendments subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision; and

WHEREAS, the Planning and Zoning Commission conducted a Public Hearing on February 20, 2024 and denied the request to rezone; and

WHEREAS, since the request was denied, City Council shall have the authority to make a final decision on the requested rezoning; and

WHEREAS, on May 20, 2024 City Council conducted a public hearing to consider a request to rezone approximately 10.22 +/- acres of property located at 9700 Davidson Highway, (Cabarrus County Parcel Identification Number 46821065980000) owned by Big Green Tree Lawn Care Service, Inc., from City of Kannapolis General Commercial – Conditional Zoning (GC-CZ) to City of Kannapolis General Commercial – Conditional Zoning (GC-CZ) Zoning Designation.

NOW, THEREFORE BE IT RESOLVED that City Council finds this rezoning **consistent** with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan (“2030 Plan”), adopted by City Council, which designates the subject property as located within the “Suburban Activity 1” Character Area in the 2030 Plan. City Council finds the request for rezoning compatible with the surrounding zoning and it is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment.

Adopted this the 20th day of May 2024:

Milton D. Hinnant, Mayor
City of Kannapolis

Attest:

Bridgette Bell, MMC, NCCMC
City Clerk



RESOLUTION TO ZONE

**Case #CZ-2024-01
(9700 Davidson Highway)**

Amendment to previously approved conditions under Case No. Z-12-02

WHEREAS, Section 2.3.B.(1).a of the Kannapolis Development Ordinance delegates final authority to the Planning and Zoning Commission on zoning map amendments subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision; and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on February 20, 2024 for consideration of a rezoning petition Case #CZ-2024-01 as submitted to the City of Kannapolis Planning Department; and

WHEREAS, the Planning and Zoning Commission denied the requested rezoning; and

WHEREAS, on May 20, 2024 City Council held a public hearing to consider the request to amend conditions of approval previously approved under Case No. Z-12-02 on property located at 9700 Davidson Highway, (Cabarrus County Parcel Identification Number 46821065980000) owned by Big Green Tree Lawn Care Service, Inc., from City of Kannapolis Agricultural (AG) to City of Kannapolis Light Industrial-Conditional Zoning (LI-CZ) Zoning Designation; and

WHEREAS, City Council has approved the request for rezoning and found it to be consistent with the City of Kannapolis *Move Kannapolis Forward, 2030 Comprehensive Plan*, reasonable and in the public interest; and

WHEREAS, per Section 2.5.A.(2).c of the Kannapolis Development Ordinance, the Planning and Zoning Commission makes the following findings in support of and in analysis of the rezoning:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

The property is in the “Suburban Activity 1” Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Suburban Activity 1 Character Area lists retail and office as primary uses. Light manufacturing is a secondary use along with multifamily and single family attached residential. Therefore, the proposed commercial use is generally consistent with the goals and objectives of the Plan..

2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?

No, the proposed amendment is not in conflict with any ordinances. A Contractor’s Yard is a permitted use in the GC General Commercial District. The commercial zoning

designation existed on this property under the UDO and prior to the adoption of the current comprehensive plan.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

This proposed amendment intends to modify the conditions of approval associated with the 2012 rezoning. Presently, the use of the property as a Contractor's Yard does not meet the conditions of the 2012 rezoning approval. This amendment, if approved, would allow the property to be used as a Contractor's Yard.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Surrounding zoning districts are residential. City of Kannapolis Residential 8 (R8) is to the north and east. The zoning to the west is Cabarrus County Countryside Residential (CR). The zoning to the south is City of Concord RC-CD Residential Compact-Conditional District (RC-CD) and Cabarrus County Low Density Residential (LDR).

An opaque landscaping buffer is shown on the site plan to provide a separation with neighboring residential properties. A fence is proposed along a portion of the eastern lot line. Further, there is existing vegetation and landscaping on the property that can be enhanced in order to achieve the necessary buffering along the perimeter of the property.

5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?

Yes, the proposed amendment provides for efficient development. The applicant will be required to comply with the City's and NCDOT's regulations for driveways. NCDOT currently does not have a permit on record for the existing driveway.

The subject property is within the Coddle Creek Subdistrict of the Thoroughfare Protection Overlay District and will need to meet the requirements for properties along Davidson Highway. Currently, there is no public sewer or water service to the site. The development is proposed to be served by on-site septic.

6. Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?

Yes, the property is within a future growth area for the City of Kannapolis. The use is setback from Davidson Highway and a landscaped opaque buffer is proposed along the site's perimeter to screen it from surrounding residential uses.

7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?

No significant negative environmental impacts are anticipated. There is an unnamed tributary in the northeast corner of the property. Measured from the top of the streambank, a thirty foot (30') undisturbed buffer and a ten foot (10') vegetated setback is shown on the site plan. The proposed use will be required to conform to all applicable local, state, and federal environmental regulations.

The Davidson Lands Conservancy holds the conservation easement on the property and is responsible for monitoring compliance with the requirements of the Deed of Conservation Easement

NOW, THEREFORE BE IT RESOLVED by the City of Kannapolis Planning and Zoning Commission that the conditions for the above referenced property be amended, subject to the following conditions:

1. The conditions and conceptual site plan applicable to the previous conditional rezoning approval, Case #Z-12-02, are removed and replaced with conditions 2-10, below.
2. The intent of this amendment submittal is to allow for a Contractor's Yard. Prior to the development of the property over and beyond its use as a Contractor's Yard, a conditional rezoning application shall be made for the City of Kannapolis to further review and reconsider the conditions imposed by approval of this amendment.
3. The site is subject to and will in the future be developed in accordance with the development restrictions set forth in the Assignment of Deed of Conservation Easement which among other restrictions limits the developable area of the site within a defined two (2) acre envelope generally located in the center of the site.
4. The site will be developed in accordance with the Coddle Creek Subdistrict Thoroughfare Protection Overlay District of the KDO.
5. The development shall be limited to one (1) vehicular access point on Davidson Highway and shall be subject to NCDOT approval. A driveway permit is required.
6. The site will be developed consistent with the buffer and landscaping requirements of the KDO for a Type D, Opaque Buffer.
7. No site lighting will be directed toward adjacent properties assuring no glare of lighting on adjacent residential lots.
8. Development of the site will adhere to all applicable NCDEQ soil and erosion control requirements.
9. Certain improvements to the site shall be completed no later than six (6) months from the date of the Resolution to Zone, to include removing the existing single-wide manufactured home from the site; acquiring a NCDOT driveway permit; paving the driveway entrance and parking area; installing required landscaping and fencing; and, installing the gravel parking area.
10. The exact location of the proposed building and parking spaces will be determined during the site plan review process by the City of Kannapolis.

Adopted this the 20th day of May 2024:

Milton D. Hinnant, Mayor
City of Kannapolis

Attest:

Bridgette Bell, MMC, NCCMC
City Clerk



A circular professional engineer seal for the State of North Carolina. The outer ring contains the text "NORTH CAROLINA" at the top and "DAVID M. MORTON" at the bottom. Inside this ring, the word "PROFESSIONAL" is at the top and "ENGINEER" is at the bottom. The center of the seal features the word "SEAL" above the license number "28352".

PAPPY'S PLACE

PRELIMINARY SITE PLAN

[illegible]

2011=100

Sheet 1 of 2

C-1



Kannapolis City Council

City Council Agenda Staff Report

May 20, 2024

To: Mayor and City Council

From: Michael Rattler, Director of Transportation & Environmental Services, DEFERRED TO JUNE 24

Subject: **PUBLIC HEARING** - Opal Street Special Assessment and Acceptance to the Powell Bill Street Maintenance Schedule

Action Requested by City Council

1. Hold a Public Hearing on Opal Street Special Assessment and Acceptance to the Powell Bill Street Maintenance Schedule
2. Motion to approve resolution accepting the privately maintained portion of Opal Street as a publically maintained street and add it to the Powell Bill maintenance schedule in accordance with our street acceptance policy
3. Motion to approve a Resolution directing that the Opal Street road improvement project be undertaken.
4. Motion to approve budget ordinance for Opal Street paving in the amount of \$180,000

Required Votes to Pass Required Action

Majority Present at Meeting

Background

In accordance with the City's Street Acceptance policy, a petition has been received requesting that the City accept the privately maintained portion of Opal Street into the Powell Bill Maintenance schedule. Opal Street between Bernard and Garnett is currently a privately maintained right-of-way (see attached map).

There are 6 property owners that are affected by the petitioned portion of the street. The required percentage (51%) of property owners and property linear footage petitioners has been met in the petition. The policy calls for a special assessment of all the property owners who own property with road frontage of the requested street. Also included with this agenda item is the certificate from the City Clerk certifying that all property owners were provided copies of the Preliminary Assessment Resolution via first class mail on April 24, 2024.

The project includes ribbon pavement installation with a combination of full depth reclamation and resurfacing. The existing manholes and meter and valve boxes will be reset to the new elevation. Width of asphalt will be 18 ft. (2 lanes). Approximately 900 feet in length. The estimated cost of upgrades to the street is \$180,000.00. Project estimates are included with this agenda item.

Fiscal Implications

The fiscal considerations for this item are the costs of upgrades to the street upon acceptance to the Powell Bill Maintenance schedule. The estimated cost is \$180,000.00. The City of Kannapolis Street Acceptance Policy requires a Special Assessment of each property owner.

Property owners will be assessed twenty-five percent (25%) of the estimated total cost divided by the linear foot of adjacent road frontage per the deed of each property owner. (See Attached Chart "Opal Street Petition and Assessment Amounts Summary Signed and not Signed May 2024")

Secondly, the estimated cost of upgrades to Opal Street is \$180,000.00, which will require separate action by City Council to approve a budget amendment.

Policy Issues

City Council approval is required to levy special assessments on property owners and the acceptance of streets to be added to the Powell Bill maintenance schedule.

Legal Issues

None.

Recommendations and Alternate Courses of Action

- 1. Approve Resolution accepting Opal Street as publically maintained street and add it to the Powell Bill maintenance schedule provided there is no reason presented to deny the request (Recommended)**
- 2. Approve Resolution directing that the Opal Street road improvement project be undertaken. (Recommended)**
- 3. Approve Budget Ordinance in the amount of \$180,000 for repairs and paving of Opal Street. (Recommended)**
4. Approve resolution accepting Opal Street and City funds improvements without special assessment to property owners.
5. Take no action.
6. Table to a future meeting.

Attachments

1. Opal Street Petition and Assessment Amounts Summary Signed and not Signed May 2024
2. Opal PVA Powell Bill Map
3. Certification of mailed notice
4. Opal St Acceptance Petition for Opal Street - BBCM Board of Directors
5. Opal second part of signed Street Acceptance petition (2)
6. Bethel Baptist Board of Directors 6-16-2022
7. Opal Street Kannapolis Aug 23 Estimate
8. 2024 05-20 Powell Bill Resolution Accepting Opal Street to City Powell Bill and Maintenance Street System
9. RESOLUTION DIRECTING THAT THE OPAL STREET ROAD IMPROVEMENT PROJECT BE UNDERTAKEN
10. Opal Street-Streets

Opal Street Acceptance

25%

Engineered Cost estimate to install Asphalt Street: \$ 180,000.00

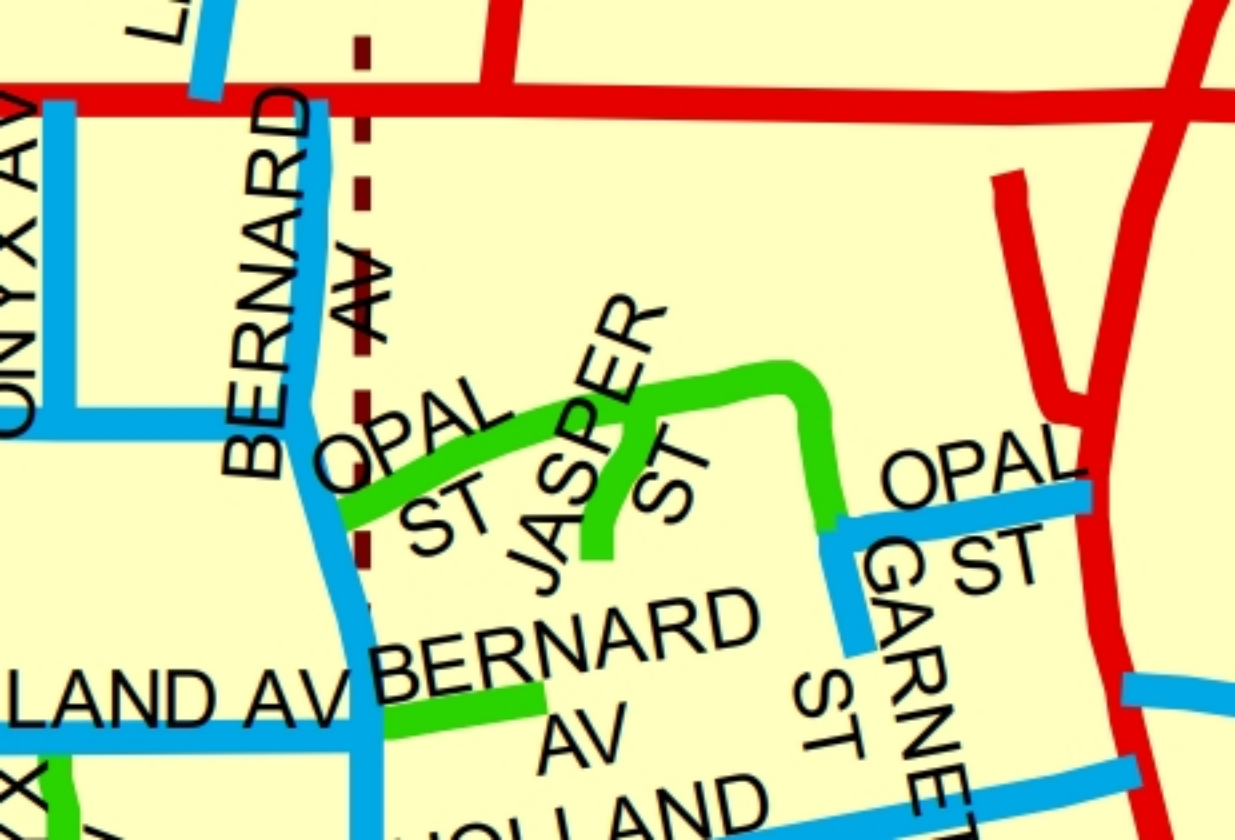
Total Cost: \$ 45,000.00
Cost per LF: \$ 33.42

Lot #	Pin #	Physical Address	Owner	Owner Address	Road footage	Percentage	Assessed Amount	Signed
1	56232068900000	2540 Dale Earnhardt Blvd Kannapolis 28083	Bethel Baptist Church	Ministries A NC Corporation Kannapolis NC 28023	509.37	37.83%	\$ 17,022.88	First petition
2	562320746900000	1206 Opal St Kannapolis NC 28083	Bethel Baptist Church	Ministries A NC Corporation Kannapolis NC 28023	504.65	37.48%	\$ 16,865.14	First petition
3	562320977500000	1217 Opal St Kannapolis NC 28083	Nesbit Hazel Lene McCree	1217 Opal St Kannapolis NC 28083	60	4.46%	\$ 2,005.17	Second Petition
4	562330072800000	1219 Opal St Kannapolis NC 28083	Robinson Luther L	1219 Opal St Kannapolis NC 28083	60	4.46%	\$ 2,005.17	Second Petition
5	562330067500000	1221 Opal St Kannapolis NC 28083	Shivers Larry D	C/O Albertelli Law Partners Charlotte NC 28217	62.5	4.64%	\$ 2,088.72	Second Petition
6	562330058900000	1223 Opal St Kannapolis NC 28083	Shivers Larry D	C/O Albertelli Law Partners Charlotte NC 28217	60	4.46%	\$ 2,005.17	Second Petition
7	562330059300000	1225 Opal St Kannapolis NC 28083	Stofford Joel	913 Brighton Dr Kannapolis NC 28081	60	4.46%	\$ 2,005.17	Did Not Sign
8	56233017550000	1606 Concord Lake Rd Kannapolis NC 28023	Turner Jodi D	11001 Tavernay Parkway Charlotte, NC 28262	30	2.23%	\$ 1,002.58	Did Not Sign

Total: 1346.52 100.00% \$ 45,000.00

Total Signed Footage: 1256.52 93%

Total Signed Owners: 6 75%



BERNARD

OPAL ST

JASPER ST

OPAL ST

GARNETT ST

LAND AV

BERNARD AV

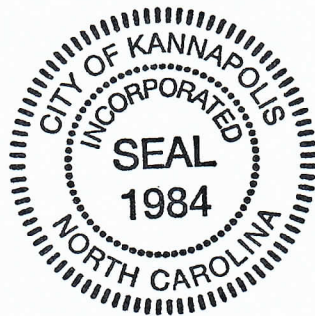
LAND

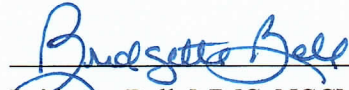
CERTIFICATE SHOWNG THAT PRELIMINARY RESOLUTIONS WERE MAILED TO
OWNERS OF ALL PROPERTY SUBJECT TO ASSESSMENT

TO THE MAYOR AND CITY COUNCIL:

I do hereby certify that copies of the Preliminary Assessment Resolution adopted on the 22nd day of April 2024, pertaining to the proposed street improvement project on Opal Street between Bernard Avenue and Garnett Street, were mailed by first class mail on the 24th day of April 2024, to the owners of all property subject to assessment should the project be undertaken.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Kannapolis, this 13th day of May, 2024.




Bridgette Bell, MMC, NCCMC
City Clerk



Petition For Street Improvements

We the undersigned, being the property owner have in interest in the streets described below and as shown on a plat recorded in the office to Register of Deeds of Cabarrus County in Map Book 58, Page 40, do hereby request that the City Of Kannapolis accept said street(s) for public maintenance. We hereby agree to dedicate to the City of Kannapolis a permanent rights-of-way as standards require for installation and maintenance of streets and other public utilities. Further we agree with the special assessment for cost sharing amounts for the acceptance and upgrades to minimum street standards are part of this process. The assessment amount for each owner will be assigned as percentages of the total cost in relation to the owner's linear foot adjacent to the rights-of-way of each parcel.

Street Description:

Opal Street between Garnet St and Bernard Ave

Petitioners:

Name	Address	Signature	Date
Antonio D. Johnson	2474 Dale E. Johnson Blvd		3-3-2023
Simon B. Rose	201 Park St China Grove, NC		3-4-2023
BERNARD M. RANDOLPH JR	"		3-15-23
C. Donnell Dixon	170 Austin Blum		3-16-23
Alicia J. Broadway	5029 S. Little Texas Rd, Kannapolis, NC		3-22-23
EDISON MCCREA	5700 MONTICELLO DR CONCORD NC		3/22/23

City of Kannapolis

401 Laureate Way, Kannapolis NC 28081



Petition For Street Improvements

We the undersigned, being the property owner have in interest in the streets described below and as shown on a plat recorded in the office to Register of Deeds of Cabarrus County in Map Book 58, Page 40, do hereby request that the City Of Kannapolis accept said street(s) for public maintenance. We hereby agree to dedicate to the City of Kannapolis a permanent rights-of-way as standards require for installation and maintenance of streets and other public utilities. Further we agree with the special assessment for cost sharing amounts for the acceptance and upgrades to minimum street standards are part of this process. The assessment amount for each owner will be assigned as percentages of the total cost in relation to the owner's linear foot adjacent to the rights-of-way of each parcel.

Street Description:

Opal Street between Garnet St and Bernard Ave

Petitioners:

Name	Address	Signature	Date
<i>Loretta</i> Luther Robinson Sr.	1219 Opal St.	<i>Luther Robinson</i>	02/04/24
<i>Christopher</i> Christopher Webster	1217 Opal St.	<i>Christopher Webster</i>	2/4/24
<i>Angie</i> Angie Shivers	2-5-24		

City of Kannapolis

401 Laureate Way, Kannapolis NC 28081

Page ___ of ___

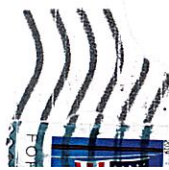


Jinny L. Robinson
1219 opal st
Kannapolis, NC 28083



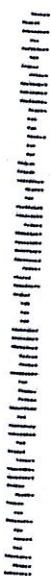
CHARLOTTE NC 280

7 FEB 2024 PM 2 L



City of Kannapolis
Public Works
401 Granite Way
Kannapolis, N.C. 28081

28081-000501





**Bethel Baptist Church Ministries
Board of Directors
Minutes from meeting on June 16, 2022 (via Zoom)**

Meeting was opened at 6:35pm with prayer by Pastor Johnson.

Minutes from the last meeting February 12, 2022 were read, received and adopted.

Old Business

- Pastor opened up the old business speaking on the Educational Building funding. We have not had the opportunity to meet with Danny Wilson again to solidify the plan. We want to make sure that the monies are put into an irrevocable trust that cannot be changed if something would happen to him. Our attorney, Rod Allison, would communicate with his attorney to work out the legal details of the trust once we meet with him to assure his intentions for it.
- We moved on to the Grant Funded projects that were begun from the grants given to the Bethel Enrichment Center from Cabarrus County and the State of North Carolina. We have encountered some issues with the grants beginning with the fact that the grant monies are reimbursed after the projects are completed with proof of completion. Another element of receiving funds was that anything over \$25,000 was to have at least three proposals for them. This has caused an issue since the first project was over that limit and therefore they will not be reimbursed to the BEC for the monies spent. We are near the end of the second project which the BEC owes \$57,830 to The Graham Group. The BEC does not have the funds to pay that amount. Much discussion around the payment which would have to be in the form of a loan to the BEC from the church. Gerald and the county manager have formulated a plan to recover the funds for the projects through the same grant process but utilizing other forms of reimbursement for salaries for After School and Summer Camp. It was decided to cut a check to the BEC to allow them to complete the project for the Food & Clothing Pantry. We don't know the timeframe for the reimbursements but the funds will be paid back to the church before another project is begun.
- Director Gidney expressed the concern that we lack the control we need over spending and that needs to be addressed in the future. Pastor Johnson reiterated a statement from Director Gidney from earlier in the meeting that we need to be committed to having a meeting each month to stay on top of issues. If we need to change the day or the times let's do that. We also began to talk about the importance of having a solid Board of Directors for the BEC. There was discussion around the BEC and their importance in the community and to the church. Many grants that are available for the BEC are not available for the church so they are an important component of the ministry. We just need to monitor the activities more from a board perspective and have more input to what they are doing.



- Discussion began on how to recruit members for the Board of Directors for the BEC. Suggestion to announce that we are looking for board members and to interview prospective members for those positions was made by Director Gidney and Pastor agreed with that process of recruitment.

New Business

Staffing Additions 2022

- Roderick Mathis and Melvin Robinson have been added to the staff. We are paying both of them the amount we were paying Lance to perform the extra duties he was doing in the Media, \$350 a week, \$175 each. With the amount of work they are doing and the time they spend here we will have to look at what we are paying them in the near future. Pastor and Director Rose complimented them on the quality and dedication to the work they were performing.
- Pastor also stated that we still are in dire need of a Youth Pastor. We had very little involvement for the youth during the pandemic and we need that component to come back for the ministry as soon as we can. He said the salaries of a Youth Pastor may range from \$26,000 to \$60,000. It depends on what we want and what we will require from them. Pastor stated that the position will need to learn other responsibilities to be a full time staff member.
- Director Gidney also brought up a Bookkeeper as a needed position. Discussion was begun as to whether we need a bookkeeper or an accountant. She also asked if there were other positions that we need to identify. If so, we need to assess what we need and we can allow for those positions in the budget. Pastor also mentioned that Ashley has taken on a lot of extra responsibilities since Lance left and asked if we need to re-assess her job description. It was also mentioned that Kenya Borders is doing a lot of the financial responsibilities for the BEC and we need to check with him to see if he would be willing to take on the same type of responsibility for the church. Director Gidney will have that discussion with him as soon as possible.
- Pastor also mentioned the issue within the music ministry. We have no keyboard player, drummer or organist at this time and are hiring someone week to week to rehearse and play with the Praise Team. He is actively involved in recruiting a Minister of Music and a drummer for permanent positions. He had to go over budget to secure someone each week but will come back to the board before hiring someone permanently if we have to pay them more than we were paying. Our drummer, Audi Jones, was let go for a multitude of issues but Pastor is letting the board know that it was not just one thing that prompted the decision.
- Pastor also brought up an increase for Ashley. Director Rose echoed the sentiment for Ashley to receive a raise. Director McCrea mentioned that during the pandemic the office staff kept everything going and if we can afford it that a raise be given. Director Gidney did not have an issue with giving the staff a raise but she wanted to make sure we get the budget solidified for this year first. She also mentioned



again that our roles and responsibilities as board members be defined and that we commit to those roles and to meeting regularly.

- Pastor also mentioned some of the get togethers we did during the month of May that allowed us to meet and fellowship with members. The purpose of it was to see who is still with us and to acclimate new members with existing members.
- Director Rose brought another project to be considered. We had integrated the baptism service into our service during the baptism service in May. The feed was a temporary feed that we have a proposal to make the connection a permanent one that would allow us to feed to and from the BEC depending on the needs of the service that is occurring. The cost of doing this project is around \$4,000. Our next Baptism service is the 5th Sunday in July and the Sound Boards for the sanctuary and the livestream will be arriving in July as well. This would be the opportune time to get all of this done while we have Impact on campus. Hopefully, we will meet in July in time for a decision on this additional project.
- Director Rose brought up that he had been contacted by the city of Kannapolis about a petition to pave Opal Street. We would have to agree to turn it over to the city and in return they would pave and maintain the street. We are the primary landowners for the private portion of the street and we would have to pay 25% of the cost to pave it. All of the landowners would have to pay the 25%. The paving of our portion will cost around \$100,000, so our portion would be around \$25,000. He felt this was in line with estimates he had received for the street when we were receiving them for the additional parking we were considering before the pandemic. The motion was made by him, seconded, and carried that we proceed with the process with the city.

Financial Report

- Director Gidney had some financial reporting prepared but did not have power at her house and could not get to it on her PC.

Assignments

- Pastor will continue to seek a Minister of Music and Drummer for a permanent position.
- Director Gidney will be talking to Kenya Borders about taking on additional accounting responsibilities for the church and begin working on 2022 budget.
- Director Randolph will be getting the final amount of monies needed by the BEC to complete the Pantry Project and communicate with Pastor, Director Gidney and Director Rose that amount.
- Director Rose will follow up with the city manager on next steps on the paving of Opal Street.



We were dismissed with prayer by Pastor Johnson at 8:10pm.

Members present: Pastor Antonio Johnson
Director Edison McCrea
Director LaShanda Gidney
Director Bernard Randolph
Director Donnell Dixon
Director Bruner Rose

Members absent: Director Alicia Broadway

OPAL STREET IMPROVEMENTS (PRIVATE SECTION FROM GARNETT STREET TO BERNARD AVE)**AUGUST 2023**

PROJECT LENGTH 790 LF
PROPOSED WIDTH 18 FT
EXISTING SURFACE MIX OF ASPHALT/GRAVEL

PROJECT SCOPE: PATCH EXISTING ROADWAY, OVERLAY WITH LEVELING COURSE AND THEN 1.5" S9.5B

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	EXTENSION
1	MOBILIZATION	1	LS	\$ 10,000.00	\$ 10,000.00
2	GRADING-MINIMAL DITCH WORK AND SHOULDERS	1	LS	\$ 25,000.00	\$ 25,000.00
3	GEOTEXTILE FOR SOIL STABILIZATION	100	SY	\$ 3.15	\$ 315.00
4	UNDERCURT EXCAVATION	100	CY	\$ 73.50	\$ 7,350.00
5	DRIVEWAY TIE-INS	1	LS	\$ 10,500.00	\$ 10,500.00
6	PAVEMENT REPAIR	100	TN	\$ 262.50	\$ 26,250.00
7	LEVELING COURSE	100	TN	\$ 157.50	\$ 15,750.00
8	1.5" S9.5B SURFACE COURSE	150	TN	\$ 157.50	\$ 23,625.00
9	ADJUST VALVE/MANHOLES	6	EA	\$ 472.50	\$ 2,835.00
10	DRAINAGE ALLOWANCE	1	LS	\$ 20,000.00	\$ 20,000.00
11	INCIDENTAL MILLING (0-1.5")	160	SY	\$ 10.50	\$ 1,680.00
SUBTOTAL					\$ 143,305.00
10% CONTINGENCY					\$ 14,330.50
TOTAL					\$ 157,635.50
CONSTRUCTION ESTIMATE					\$160,000.00
CONSTRUCTION ADMINISTRATION 10%					\$16,000.00
TOTAL PROJECT					\$176,000.00
BUDGET ESTIMATE NOT BASED ON DESIGN					ESTIMATE \$180,000.00

OPAL STREET IMPROVEMENTS (PRIVATE SECTION FROM GARNETT STREET TO BERNARD AVE)					AUGUST 2023
PROJECT LENGTH		790 LF			
PROPOSED WIDTH		18 FT			
EXISTING SURFACE		MIX OF ASPHALT/GRAVEL			
PROJECT SCOPE: PATCH EXISTING ROADWAY, OVERLAY WITH LEVELING COURSE AND THEN 1.5" S9.5B					
ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	EXTENSION
1	MOBILIZATION	1	LS	\$ 10,000.00	\$ 10,000.00
2	GRADING-MINIMAL DITCH WORK AND SHOULDERS	1	LS	\$ 25,000.00	\$ 25,000.00
3	GEOTEXTILE FOR SOIL STABILIZATION	100	SY	\$ 3.15	\$ 315.00
4	UNDERCURT EXCAVATION	100	CY	\$ 73.50	\$ 7,350.00
5	DRIVEWAY TIE-INS	1	LS	\$ 10,500.00	\$ 10,500.00
6	PAVEMENT REPAIR	100	TN	\$ 262.50	\$ 26,250.00
7	LEVELING COURSE	100	TN	\$ 157.50	\$ 15,750.00
8	1.5" S9.5B SURFACE COURSE	150	TN	\$ 157.50	\$ 23,625.00
9	ADJUST VALVE/MANHOLES	6	EA	\$ 472.50	\$ 2,835.00
10	DRAINAGE ALLOWANCE	1	LS	\$ 20,000.00	\$ 20,000.00
11	INCIDENTAL MILLING (0-1.5")	160	SY	\$ 10.50	\$ 1,680.00
				SUBTOTAL	\$ 143,305.00
				10% CONTINGENCY	\$ 14,330.50
				TOTAL	\$ 157,635.50
				CONSTRUCTION ESTIMATE	\$160,000.00
				CONSTRUCTION ADMINISTRATION 10%	\$16,000.00
				TOTAL PROJECT	\$176,000.00
BUDGET ESTIMATE NOT BASED ON DESIGN				ESTIMATE	\$180,000.00

OPAL STREET IMPROVEMENTS (PRIVATE SECTION FROM GARNETT STREET TO BERNARD AVE)					AUGUST 2023
AND PUBLIC SECTION FROM GARNETT TO CONCORD LAKE ROAD					
INCLUDES OVERLAY OF PUBLIC SECTION					
TOTAL LENGTH 1,050 LF					
WATERLINE REPLACEMENT					
ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	EXTENSION
1	6" PVC WATER MAIN	1050	LF	\$ 65.45	\$ 68,724.72
2	RECONNECT METER	8	EA	\$ 1,605.41	\$ 12,843.25
3	FIRE HYDRANT ASSMBLY	2	EA	\$ 6,721.63	\$ 13,443.27
4	6" VALVE	2	EA	\$ 2,167.71	\$ 4,335.42
5	6" TAPPING SLEEVE AND VALVE	1	EA	\$ 7,640.24	\$ 7,640.24
6	12X6 TAPPING SLEEVE AND VALVE	1	EA	\$ 9,585.02	\$ 9,585.02
7	ABANDON 2" WATERLINE (JASPER ST)	200	LF	\$ 9.59	\$ 1,917.03
8	ABANDON 6" WATERLINE(OPAL ST)	1050	LF	\$ 19.17	\$ 20,128.78
9	TIE TO EXISTING WATER	4	EA	\$ 2,500.00	\$ 10,000.00
10	ABC STONE IN TRENCH BACKFILL	160	TN	\$ 75.00	\$ 12,000.00
11	LEVELING COURSE	40	TN	\$ 157.50	\$ 6,300.00
12	1.5" S9.5B SURFACE COURSE	60	TN	\$ 157.50	\$ 9,450.00
SUBTOTAL					\$ 176,367.73
10% CONTINGENCY					\$ 17,636.77
TOTAL CONSTRUCTION					\$ 194,004.51
ENGINEERING 15%					\$ 29,100.68
TOTAL BUDGET					\$ 223,105.18
BUDGET ESTIMATE NOT BASED ON DESIGN					ESTIMATE \$ 230,000.00

Water NCDOT Bid Averages (2021)		
	Unit Cost	Unit
6" Water line	\$ 56.54	LF
Reconnect Meter	\$ 1,386.81	EA
Fire Hydrant	\$ 5,806.40	EA
6" Water Valve	\$ 1,872.55	
6" TSV	\$ 6,599.93	
6X12 TSV	\$ 8,279.90	
ABANDON 2"	\$ 8.28	

Resolution #

**RESOLUTION
CITY COUNCIL
CITY OF KANNAPOLIS**

BE IT RESOLVED, that the Public Street Schedule for the City of Kannapolis is hereby amended to add the following street to the Kannapolis Public Street System in order to make it eligibility of Powell Bill Allocations beginning for the Fiscal Year 2024-2025.

Addition of the following City Maintained Paved Streets:

Opal Street (Between Bernard Avenue and Garnett Street)

BE IT FURTHER RESOLVED, that this Resolution shall be effective from its date of adoption.

Adopted this 20th day of May 2024.

Milton D. Hinnant, Mayor

ATTEST

Bridgette Bell, MMC, NCCMC
City Clerk

**RESOLUTION DIRECTING THAT THE
OPAL STREET ROAD IMPROVEMENT PROJECT BE UNDERTAKEN**

WHEREAS, on the 20th day of May, 2024, property owners on Opal Street lying between Bernard Avenue and Garnett Street filed with the City of Kannapolis a petition for improving said street; and

WHEREAS, the City Clerk has certified to this City Council that; said petition is sufficient in all respects, the same having been duly signed by a majority in number of the owners, whose property represents a majority of all the lineal feet of frontage of the lands abutting upon the street or portion of street hereinabove described; and

WHEREAS, a Preliminary Assessment Resolution has been adopted by this City Council and a public hearing thereon duly held.

NOW, THEREFORE, BE IT RESOLVED by the Kannapolis City Council that:

1. That part of Opal Street lying between Bernard Avenue and Garnett Street be improved in the following manner:

The project includes ribbon pavement installation with a combination of full depth reclamation and resurfacing. The existing manholes and meter and valve boxes will be reset to the new elevation. Width of asphalt will be 18 ft. (2 lanes). Approximately 900 feet in length. No addition of curbing will be added. The water and sewer upgrades are not part of this assessment process.

2. Under and by virtue of Article 10 of Chapter 160A of the General Statutes of North Carolina and the procedure therein established, said project is hereby directed to be undertaken.
3. The twenty-five percent (25%) of the total cost of said improvement, exclusive of so much of the total costs as is incurred in improving the street intersections, be hereafter assessed upon the property receiving the improvements according to the assessment basis set out in the petition as approved by the City Council.
4. That the assessment herein provided for shall be payable in cash or if any property owner shall so elect, such owner shall have the option of paying the assessment in ten (10) equal annual installments, said installments to bear interest at the rate of five percent (5%) per annum.

Adopted this 20th day of May, 2024.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2023
AND ENDING JUNE 30, 2024
Amendment # 24-40**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 20th day of May 2024, that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2023, and ending June 30, 2024, is hereby adopted:

Description: This budget amendment budgets the Opal Street acceptance work for paving. Council is considering accepting the private street as a public street and the options to fund some of this work through assessments on property owners. This budget amendment assumes the full cost is paid by the City and assessments aren't issued. If assessments are issued, then the cost to the City goes down.

SECTION I– GENERAL FUND

Revenue:	Increase: Fund Balance Appropriated Revenue: 19900-39900	\$180,000
Expenditure:	Increase: Street Maintenance: Contracted Services Expenditure: 13500-48000	\$180,000

This ordinance is approved and adopted on this 20th day of May 2024.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis City Council

City Council Agenda Staff Report

May 20, 2024

To: Mayor and City Council

From: Alex Anderson, Director of Water Resources, Kristin Jones, Assistant to the City Manager, DEFERRED TO JUNE 24

Subject: **BUDGET AMENDMENT #24-41** - Appropriating Cash Reserves for Watermain Replacement Associated With Opal Street Acceptance

Action Requested by City Council

Motion to adopt budget amendment #24-41 which appropriates cash reserves to fund watermain replacement in conjunction with Opal Street pavement project.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

This project will replace the existing watermain on Opal Street from Bernard Ave to Concord Lake Road (approximately 1,050 LF) and installation of new water services along Opal Street to the existing houses. The existing watermain has had several leaks over the past few years and is in need of replacement. This replacement is recommended prior to paving. The existing Opal Street residential water service lines are subject to the new lead service line regulations, and replacement is one option to bring the City's owned portion into compliance. This watermain replacement project will also include the installation of two new fire hydrants, which will improve available fire protection for the surrounding property owners.

Staff has prepared a watermain replacement project to facilitate the upgrades to Opal Street prior to the City paving the street. This recommendation to approve the budget amendment is contingent upon the City's acceptance of Opal Street as a public city maintained street and authorization of funding necessary for improvements to the roadway pavement. Staff recommends that this item be approved only if Opal Street is accepted for City maintenance and repaving is funded.

Fiscal Implications

Appropriating Water and Sewer Fund cash reserves in the amount of \$230,000 to fund the watermain replacement in conjunction of Opal Street pavement project is required.

Policy Issues

None

Legal Issues

None

Recommendations and Alternate Courses of Action

1. **Motion to adopt budget amendment #24-41 which appropriates cash reserves to fund watermain replacement in conjunction with Opal Street pavement project.**
2. Take no action
3. Table to a future meeting.

Attachments

1. BA 24-41 Opal Street-Water

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2023
AND ENDING JUNE 30, 2024
Amendment # 24-41**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 20th day of May 2024, that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2023, and ending June 30, 2024, is hereby adopted:

Description: This budget amendment budgets the Opal Street acceptance work for watermain replacement.

SECTION I– WATER AND SEWER FUND

Revenue:	Increase: Fund Balance Appropriated Revenue: 39900-39900	\$ 230,000
Expenditure:	Increase: Distribution: Contracted Services Expenditure: 36100-48000	\$ 230,000

This ordinance is approved and adopted on this 20th day of May 2024.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis City Council

City Council Agenda Staff Report

May 20, 2024

To: Mayor and City Council
From: Wilmer Melton, Assistant City Manager, APPROVED
Subject: **MOTION** - Award the 2024 City of Kannapolis Resurfacing Project Contract

Action Requested by City Council

Motion to award the 2024 City of Kannapolis Resurfacing Project contract to the lowest responsible bidder, Ferebee Corporation, in the amount of \$2,659,230.32 and have the City Manager execute the contract.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The project consists of resurfacing of 15 named streets (or part thereof) totaling 5.24 miles of pavement. The project includes repaving N. Loop Road between N. Main Street and S. Juniper Street. The project includes the implementation of a road diet to include bike lanes on both sides of N. Loop Road between N. Main Street and S. Juniper Street. Formal Bids for the project were obtained from 6 contractors. Bids were publicly opened on May 7, 2024, at 2 PM. Bid results are as follows:

<u>Contractor</u>	<u>Bid Amount</u>
Ferebee Corporation	\$2,659,230.32
Blythe Construction	\$2,866,892.05
Blythe Brothers Asphalt	\$2,987,144.22
NJR Group	\$3,032,843.14
Red Clay Industries	\$3,709,103.20
JT Russell & Sons, Inc.	\$3,768,124.80

The Contractor is awaiting notice to proceed on the project to begin work. The contract time for completion of the work is 180 days from the notice to proceed.

Fiscal Implications

Funding for this project will be from our Powell Bill, which we currently have a reserve of \$3,145,267. This increased amount of street paving is likely to be a one-time occurrence in that it spends down an accumulated reserve balance.

Policy Issues

Council authorization is required for approval of contracts of this amount.

Legal Issues

None

Recommendations and Alternate Courses of Action

1. **Approve award of the 2024 City of Kannapolis Resurfacing Project contract to the lowest responsible bidder, Ferebee Corporation, in the amount of \$2,659,230.32 and have the City Manager execute the contract. (Recommended)**
2. Approve award of the 2024 City of Kannapolis Resurfacing project to the low bidder, Ferebee Corporation, in the amount of \$2,659,230.32 excluding the road diet modification along N. Loop Rd and have the City Manager execute the contract. This alternative will include repaving of N. Loop Road and restriping of the roadway back to existing conditions without bike lanes.
3. Take no action. This alternative will delay the award of the project and could result in higher costs.
4. Table to a future meeting.

Attachments

1. 2024 CITY OF KANNAPOLIS RESURFACING CERTIFIED BID TAB
2. 2024 City of Kannapolis Resurfacing

PROJECT: CITY OF KANNAPOLIS 2024 RESURFACING CONTRACT

OWNER: CITY OF KANNAPOLIS

BID OPENING AT AWCK OFFICES, 120 S MAIN ST KANNAPOLIS NC 28081

BID DATE: MAY 7, 2024 AT 2 PM

alley, williams, carmen, & king, inc.
CONSULTING ENGINEERS
Firm License No. 0203
120 SOUTH MAIN STREET
P.O. BOX 1248
KANNAPOLIS, NC 28082
704/938-1515

CERTIFIED BID TABULATION						ENGINEER'S ESTIMATE		FEREBEE CORPORATION 10045 METROMONT INDUSTRIAL BLVD CHARLOTTE, NC 28269		BLYTHE CONSTRUCTION PO BOX 31635 CHARLOTTE, NC 28231		BLYTHE BROTHERS ASPHALT 1415 E. WESTINGHOUSE BLVD CHARLOTTE NC 28273		NJR GROUP 1721 US HWY 52 N ALBEMARLE NC 28001		RED CLAY INDUSTRIES PO BOX 241689 CHARLOTTE, NC 28224		JT RUSSELL AND SONS PO BO X 670 ALBEMARLE, NC 28002																
BASE BID																																		
ITEM	DESC	SECT	ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION															
	1	NCDOT	800	MOBILIZATION	1	LS	LUMP SUM	\$	120,000.00	LUMP SUM	\$	105,000.00	LUMP SUM	\$	120,000.00	LUMP SUM	\$	103,000.00	LUMP SUM	\$	140,000.00	LUMP SUM	\$	153,000.00	LUMP SUM	\$	150,000.00							
	2	NCDOT	226	UNDERCUT EXCAVATION	225	CY	\$	25.00	\$	5,625.00	\$	75.00	\$	16,875.00	\$	40.00	\$	9,000.00	\$	30.00	\$	6,750.00	\$	20.00	\$	4,500.00	\$	65.00	\$	14,625.00	\$	300.00	\$	67,500.00
	3	NCDOT	270	GEOTEXTILE FOR SOIL STABILIZATION	225	SY	\$	5.00	\$	1,125.00	\$	6.00	\$	1,350.00	\$	5.50	\$	1,237.50	\$	6.00	\$	1,350.00	\$	4.00	\$	900.00	\$	26.75	\$	6,018.75	\$	5.00	\$	1,125.00
	4	NCDOT	520	AGGREGATE BASE COURSE	450	TN	\$	50.00	\$	22,500.00	\$	45.00	\$	20,250.00	\$	45.00	\$	20,250.00	\$	75.00	\$	33,750.00	\$	54.00	\$	24,300.00	\$	75.00	\$	33,750.00	\$	80.00	\$	36,000.00
	5	NCDOT	607	INCIDENTAL MILLING	970	SY	\$	40.00	\$	38,800.00	\$	20.00	\$	19,400.00	\$	22.00	\$	21,340.00	\$	20.00	\$	19,400.00	\$	30.00	\$	29,100.00	\$	12.00	\$	11,640.00	\$	15.00	\$	14,550.00
	6	NCDOT	607	MILLING EXISTING ASPHALT 2" DEPTH	40,203	SY	\$	8.00	\$	321,624.00	\$	3.50	\$	140,710.50	\$	4.25	\$	170,862.75	\$	3.80	\$	152,771.40	\$	4.45	\$	178,903.35	\$	4.50	\$	180,913.50	\$	6.00	\$	241,218.00
	7	NCDOT	607, SP-2	MILLING/REMOVAL EXISTING ASPHALT 4" DEPTH-COMPACT EXISTING BASE	5,590	SY	\$	25.00	\$	139,750.00	\$	7.25	\$	40,527.50	\$	6.20	\$	34,658.00	\$	12.00	\$	67,080.00	\$	8.88	\$	49,639.20	\$	12.00	\$	67,080.00	\$	15.00	\$	83,850.00
	8	NCDOT	610	ASPHALT CONCRETE INTERMEDIATE COURSE, I19.0C	860	TN	\$	75.00	\$	64,500.00	\$	74.00	\$	63,640.00	\$	90.00	\$	77,400.00	\$	86.00	\$	73,960.00	\$	88.00	\$	75,680.00	\$	90.00	\$	77,400.00	\$	105.00	\$	90,300.00
	9	NCDOT	610	ASPHALT CONCRETE SURFACE COURSE, S9.5C	4,960	TN	\$	75.00	\$	372,000.00	\$	74.00	\$	367,040.00	\$	88.00	\$	436,480.00	\$	75.50	\$	374,480.00	\$	65.00	\$	322,400.00	\$	100.00	\$	496,000.00	\$	105.00	\$	520,800.00
	10	NCDOT	610	ASPHALT CONCRETE SURFACE COURSE, S9.5B	3,690	TN	\$	75.00	\$	276,750.00	\$	76.00	\$	280,440.00	\$	80.00	\$	295,200.00	\$	76.00	\$	280,440.00	\$	76.50	\$	282,285.00	\$	110.00	\$	405,900.00	\$	105.00	\$	387,450.00
	11	NCDOT	620, SP-3	ASPHALT BINDER FOR PLANT MIX	749	TN	\$	600.00	\$	449,400.00	\$	600.00	\$	449,400.00	\$	630.00	\$	471,870.00	\$	610.00	\$	456,890.00	\$	750.00	\$	561,750.00	\$	677.00	\$	507,073.00	\$	700.00	\$	524,300.00
	12	NCDOT	652	PERMEABLE ASPHALT DRAINAGE COURSE, TYPE P-78M	2,113	TN	\$	80.00	\$	169,040.00	\$	78.00	\$	164,814.00	\$	95.00	\$	200,735.00	\$	95.50	\$	201,791.50	\$	92.00	\$	194,396.00	\$	225.00	\$	475,425.00	\$	110.00	\$	232,430.00
	13	NCDOT	SP-4	SHOULDER RECONSTRUCTION PER SHOULDER MILE	6.4	SHLDR MILE	\$	7,500.00	\$	48,000.00	\$	15,000.00	\$	96,000.00	\$	3,500.00	\$	22,400.00	\$	6,300.00	\$	40,320.00	\$	13,000.00	\$	83,200.00	\$	8,100.00	\$	51,840.00	\$	3,000.00	\$	19,200.00
	14	NCDOT	654, SP-5	PATCHING EXISTING PAVEMENT	893	TN	\$	220.00	\$	196,460.00	\$	89.00	\$	79,477.00	\$	165.00	\$	147,345.00	\$	182.00	\$	162,526.00	\$	125.00	\$	111,625.00	\$	135.00	\$	120,555.00	\$	200.00	\$	178,600.00
	15	NCDOT	SP-8	REMOVE CURB AND GUTTER	69	LF	\$	60.00	\$	4,140.00	\$	35.00	\$	2,415.00	\$	30.00	\$	2,070.00	\$	30.00	\$	2,070.00	\$	40.00	\$	2,760.00	\$	30.00	\$	2,070.00	\$	50.00	\$	3,450.00
	16	NCDOT	846	2'6" CURB AND GUTTER	71	LF	\$	60.00	\$	4,260.00	\$	45.00	\$	3,195.00	\$	55.00	\$	3,905.00	\$	55.00	\$	3,905.00	\$	52.00	\$	3,692.00	\$	35.00	\$	2,485.00	\$	50.00	\$	3,550.00
	17	NCDOT	848	CONCRETE CURB RAMPS	16	EA	\$	3,500.00	\$	56,000.00	\$	1,500.00	\$	24,000.00	\$	3,800.00	\$	60,800.00	\$	3,800.00	\$	60,800.00	\$	2,500.00	\$	40,000.00	\$	2,500.00	\$	40,000.00	\$	3,500.00	\$	56,000.00
	18	NCDOT	SP-8	REMOVE CURB RAMPS	11	EA	\$	2,000.00	\$	22,000.00	\$	1,300.00	\$	14,300.00	\$	1,400.00	\$	15,400.00	\$	1,400.00	\$	15,400.00	\$	1,000.00	\$	11,000.00	\$	1,200.00	\$	13,200.00	\$	3,500.00	\$	38,500.00
	19	NCDOT	848	CONCRETE SIDEWALK	30	SY	\$	50.00	\$	1,500.00	\$	110.00	\$	3,300.00	\$	45.00	\$	1,350.00	\$	45.00	\$	1,350.00	\$	120.00	\$	3,600.00	\$	60.00	\$	1,800.00	\$	80.00	\$	2,400.00
	20	NCDOT	SP-8	REMOVE SIDEWALK	30	SY	\$	50.00	\$	1,500.00	\$	120.00	\$	3,600.00	\$	40.00	\$	1,200.00	\$	40.00	\$	1,200.00	\$	75.00	\$	2,250.00	\$	30.00	\$	900.00	\$	80.00	\$	2,400.00
	21	NCDOT	852	5" MONOLITHIC CONCRETE ISLAND (KEYED IN) ON ASPHALT COCN RTE PAVEMENT	98	SY	\$	75.00	\$	7,350.00	\$	200.00	\$	19,600.00	\$	125.00	\$	12,250.00	\$	125.00	\$	12,250.00	\$	150.00	\$	14,700.00	\$	95.00	\$	9,310.00	\$	150.00	\$	14,700.00
	22	NCDOT	858	ADJUSTMENT OF MANHOLES	15	EA	\$	400.00	\$	6,000.00	\$	1,800.00	\$	27,000.00	\$	890.00	\$	13,350.00	\$	900.00	\$	13,500.00	\$	500.00	\$	7,500.00	\$	350.00	\$	5,250.00	\$	1,300.00	\$	19,500.00
	23	NCDOT	858	ADJUSTMENT OF VALVE BOXES	14	EA	\$	400.00	\$	5,600.00	\$	450.00	\$	6,300.00	\$	870.00	\$	12,180.00	\$	900.00	\$	12,600.00	\$	400.00	\$	5,600.00	\$	250.00	\$	3,500.00	\$	1,300.00	\$	18,200.00
	24	NCDOT	858	ADJUSTMENT OF DROP INLETS	2	EA	\$	750.00	\$	1,500.00	\$	1,800.00	\$	3,600.00	\$	1,250.00	\$	2,500.00	\$	1,250.00	\$	2,500.00	\$	2,000.00	\$	4,000.00	\$	2,500.00	\$	5,000.00	\$	1,500.00	\$	3,000.00
	25	NCDOT	SP-6	TRAFFIC SIGNAL INDUCTIVE LOOP REPAIR	22	EA	\$	3,500.00	\$	77,000.00	\$	3,450.00	\$	75,900.00	\$	1,400.00	\$	30,800.00	\$	4,200.00	\$	92,400.00	\$	3,500.00	\$	77,000.00	\$	6,500.00	\$	143,000.00	\$	3,000.00	\$	66,000.00
	26	NCDOT	SP-7	TEMPORARY TRAFFIC CONTROL	1	LS	LUMP SUM	\$	95,000.00	LUMP SUM	\$	103,750.00	LUMP SUM	\$	93,000.00	LUMP SUM	\$	93,000.00	LUMP SUM	\$	93,000.00	LUMP SUM	\$	180,000.00	LUMP SUM	\$	168,300.00	LUMP SUM	\$	60,000.00	LUMP SUM	\$	200,000.00	
	27	NCDOT	1205, SP-1	THERMOPLASTIC PAVEMENT MARKING LINES-4" 90 MIL	52,740	LF	\$	2.50	\$	131,850.00	\$	0.92	\$	48,520.80	\$	1.30	\$	68,562.00	\$	1.30	\$	68,562.00	\$	1.44	\$	75,945.60	\$	2.10	\$	110,754.00	\$	1.75	\$	92,295.00
	28	NCDOT	1205, SP-1	THERMOPLASTIC PAVEMENT MARKING LINES-8" 90 MIL	2,605	LF	\$	4.00	\$	10,420.00	\$	2.75	\$	7,163.75	\$	4.25	\$	11,071.25	\$	4.25	\$	11,071.25	\$	4.90	\$	12,764.50	\$	5.75	\$	14,978.75	\$	5.00	\$	13,025.00
	29	NCDOT	1205, SP-1	THERMOPLASTIC PAVEMENT MARKING LINES-24" 90 MIL	1,022	LF	\$	15.00	\$	15,330.00	\$	8.80	\$	8,993.60	\$	19.25	\$	19,673.50	\$	19.25	\$	19,673.50	\$	22.14	\$	22,627.08	\$	25.50	\$	26,061.00	\$	25.00	\$	25,550.00
	30	NCDOT	1205, SP-1	THERMOPLASTIC PAVEMENT MARKING CHARACTERS	18	EA	\$	150.00	\$	2,700.00	\$	165.00	\$	2,970.00	\$	165.00	\$	2,970.00	\$	165.00	\$	2,970.00	\$	190.00	\$	3,420.00	\$	350.00	\$	6,300.00	\$	200.00	\$	3,600.00
	31	NCDOT	1205, SP-1	THERMOPLATIC PAVMENT MARKING LINES-4" 240 MIL RUMBLE STRIP	368	LF	\$	10.00	\$	3,680.00	\$	15.40	\$	5,667.20	\$	8.50	\$	3,128.00	\$	8.50	\$	3,128.00	\$	9.80	\$	3,606.40	\$	12.00	\$	4,416.00	\$	10.00	\$	3,680.00
	32	NCDOT	1205, SP-1	THERMOPLASTIC PAVMENT MARKING SYMBOLS	99	EA	\$	150.00	\$	14,850.00	\$	176.00	\$	17,424.00	\$	130.00	\$	12,870.00	\$	130.00	\$	12,870.00	\$	150.00	\$	14,850.00	\$	185.00	\$	18,315.00	\$	160.00	\$	15,840.00
	33	NCDOT	1205, SP-1	HEAT IN PLACE THERMOPLASTIC BICYCLE SYMBOL	49	EA	\$	250.00	\$	12,250.00	\$	478.50	\$	23,446.50	\$	235.00	\$	11,515.00	\$	235.00	\$	11,515.00	\$	282.00	\$	13,818.00	\$	350.00	\$	17,150.00	\$	190.00	\$	9,310.00
	34	NCDOT	1205, SP-1	HEAT IN PLACE THERMOPLASTIC BICYCLE ARROW	49	EA	\$	250.00	\$	12,250.00	\$	137.50	\$	6,737.50	\$	140.00	\$	6,860.00	\$	140.00	\$	6,860.00	\$	165.00	\$	8,085.00	\$	195.00	\$	9,555.00	\$	170.00	\$	8,330.00
	35	NCDOT	1205, SP-1	THERMOPLASTIC PAVMENT MARKING GREEN-24" 90 MIL	210	LF	\$	25.00	\$	5,250.00	\$	38.50	\$	8,085.00	\$	27.50	\$	5,775.00	\$	27.50	\$	5,												

*CORRECTED EXTENSION LC 29

I HEREBY CERTIFY THIS BID TABULATION TO BE A TRUE
AND ACCURATE COPY OF THE BIDS RECEIVED:



PROJECT: CITY OF KANNAPOLIS 2024 RESURFACING CONTRACT

OWNER: CITY OF KANNAPOLIS

BID OPENING AT AWCK OFFICES, 120 S MAIN ST KANNAPOLIS NC 28081

BID DATE: MAY 7, 2024 AT 2 PM

alley, williams, carmen, & king, inc.
CONSULTING ENGINEERS
Firm License No. 0203
120 SOUTH MAIN STREET
P.O. BOX 1248
KANNAPOLIS, NC 28082
704/938-1515

CERTIFIED BID TABULATION						ENGINEER'S ESTIMATE		FEREBEE CORPORATION 10045 METROMONT INDUSTRIAL BLVD CHARLOTTE, NC 28269		BLYTHE CONSTRUCTION PO BOX 31635 CHARLOTTE, NC 28231		BLYTHE BROTHERS ASPHALT 1415 E. WESTINGHOUSE BLVD CHARLOTTE NC 28273		NJR GROUP 1721 US HWY 52 N ALBEMARLE NC 28001		RED CLAY INDUSTRIES PO BOX 241689 CHARLOTTE, NC 28224		JT RUSSELL AND SONS PO BO X 670 ALBEMARLE, NC 28002	
ALTERNATE BID								UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
ITEM	DESC	SECT	ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
37	NCDOT	800	MOBILIZATION	1	LS	LUMP SUM	\$ 5,000.00	LUMP SUM	\$ 8,000.00	LUMP SUM	\$ 9,000.00	LUMP SUM	\$ 17,000.00	LUMP SUM	\$ 15,000.00	LUMP SUM	\$ 25,000.00	LUMP SUM	\$ 13,000.00
38	NCDOT	226	UNDERCUT EXCAVATION	125	CY	\$ 25.00	\$ 3,125.00	\$ 75.00	\$ 9,375.00	\$ 50.00	\$ 6,250.00	\$ 30.00	\$ 3,750.00	\$ 20.00	\$ 2,500.00	\$ 75.00	\$ 9,375.00	\$ 300.00	\$ 37,500.00
39	NCDOT	270	GEOTEXTILE FOR SOIL STABILIZATION	125	SY	\$ 5.00	\$ 625.00	\$ 6.00	\$ 750.00	\$ 5.50	\$ 687.50	\$ 7.00	\$ 875.00	\$ 4.00	\$ 500.00	\$ 30.00	\$ 3,750.00	\$ 5.00	\$ 625.00
40	NCDOT	520	AGGREGATE BASE COURSE	250	TN	\$ 50.00	\$ 12,500.00	\$ 45.00	\$ 11,250.00	\$ 50.00	\$ 12,500.00	\$ 75.00	\$ 18,750.00	\$ 55.00	\$ 13,750.00	\$ 75.00	\$ 18,750.00	\$ 80.00	\$ 20,000.00
41	NCDOT	607	INCIDENTAL MILLING	90	SY	\$ 40.00	\$ 3,600.00	\$ 20.00	\$ 1,800.00	\$ 11.00	\$ 990.00	\$ 40.00	\$ 3,600.00	\$ 35.00	\$ 3,150.00	\$ 45.00	\$ 4,050.00	\$ 25.00	\$ 2,250.00
42	NCDOT	607, SP-2	MILLING/REMOVAL EXISTING ASPHALT 4" DEPTH-COMPACT EXISTING BASE	2,207	SY	\$ 25.00	\$ 55,175.00	\$ 7.25	\$ 16,000.75	\$ 10.00	\$ 22,070.00	\$ 11.00	\$ 24,277.00	\$ 9.00	\$ 19,863.00	\$ 18.00	\$ 39,726.00	\$ 20.00	\$ 44,140.00
43	NCDOT	610	ASPHALT CONCRETE INTERMEDIATE COURSE, I19.0C	350	TN	\$ 75.00	\$ 26,250.00	\$ 74.00	\$ 25,900.00	\$ 92.00	\$ 32,200.00	\$ 84.00	\$ 29,400.00	\$ 90.00	\$ 31,500.00	\$ 115.00	\$ 40,250.00	\$ 105.00	\$ 36,750.00
44	NCDOT	610	ASPHALT CONCRETE SURFACE COURSE, S9.5B	350	TN	\$ 75.00	\$ 26,250.00	\$ 76.00	\$ 26,600.00	\$ 102.00	\$ 35,700.00	\$ 82.00	\$ 28,700.00	\$ 94.00	\$ 32,900.00	\$ 125.00	\$ 43,750.00	\$ 105.00	\$ 36,750.00
45	NCDOT	620, SP-3	ASPHALT BINDER FOR PLANT MIX PERMEABLE ASPHALT DRAINAGE	48	TN	\$ 600.00	\$ 28,800.00	\$ 600.00	\$ 28,800.00	\$ 630.00	\$ 30,240.00	\$ 610.00	\$ 29,280.00	\$ 750.00	\$ 36,000.00	\$ 677.00	\$ 32,496.00	\$ 700.00	\$ 33,600.00
46	NCDOT	652	COURSE, TYPE P-78M	93	TN	\$ 80.00	\$ 7,440.00	\$ 78.00	\$ 7,254.00	\$ 150.00	\$ 13,950.00	\$ 113.00	\$ 10,509.00	\$ 100.00	\$ 9,300.00	\$ 325.00	\$ 30,225.00	\$ 150.00	\$ 13,950.00
47	NCDOT	SP-4	SHOULDER RECONSTRUCTION PER SHOULDER MILE	0.3	SHLDR MILE	\$ 7,500.00	\$ 2,250.00	\$ 15,000.00	\$ 4,500.00	\$ 7,500.00	\$ 2,250.00	\$ 15,000.00	\$ 4,500.00	\$ 13,000.00	\$ 3,900.00	\$ 12,050.00	\$ 3,615.00	\$ 3,000.00	\$ 900.00
48	NCDOT	654, SP-5	PATCHING EXISTING PAVEMENT	20	TN	\$ 220.00	\$ 4,400.00	\$ 89.00	\$ 1,780.00	\$ 250.00	\$ 5,000.00	\$ 350.00	\$ 7,000.00	\$ 125.00	\$ 2,500.00	\$ 200.00	\$ 4,000.00	\$ 300.00	\$ 6,000.00
49	NCDOT	858	ADJUSTMENT OF MANHOLES	1	EA	\$ 400.00	\$ 400.00	\$ 1,800.00	\$ 1,800.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 500.00	\$ 500.00	\$ 400.00	\$ 400.00	\$ 1,300.00	\$ 1,300.00
50	NCDOT	SP-7	TEMPORARY TRAFFIC CONTROL	1	LS	LUMP SUM	\$ 5,000.00	LUMP SUM	\$ 7,500.00	LUMP SUM	\$ 10,000.00	LUMP SUM	\$ 17,600.00	LUMP SUM	\$ 20,000.00		\$ 6,500.00	LUMP SUM	\$ 20,000.00
						SUBTOTAL	\$ 180,815.00	SUBTOTAL	\$ 151,309.75	SUBTOTAL	\$ 182,337.50	SUBTOTAL	\$ 196,741.00	SUBTOTAL	\$ 191,363.00	SUBTOTAL	\$ 261,887.00	SUBTOTAL	\$ 266,765.00
						10% CONTINGENCY	\$ 18,081.50	10% CONTINGENCY	\$ 15,130.98	10% CONTINGENCY	\$ 18,233.75	10% CONTINGENCY	\$ 19,674.10	10% CONTINGENCY	\$ 19,136.30	10% CONTINGENCY	\$ 26,188.70	10% CONTINGENCY	\$ 26,676.50
						TOTAL PROJECT BID	\$ 198,896.50	TOTAL BID	\$ 166,440.73	TOTAL BID	\$ 200,571.25	TOTAL BID	\$ 216,415.10	TOTAL BID	\$ 210,499.30	TOTAL BID	\$ 288,075.70	TOTAL BID	\$ 293,441.50
						VARIANCE FROM ENGINEER'S ESTIMATE													
								-16.32%				0.84%				5.83%		44.84%	

I HEREBY CERTIFY THIS BID TABULATION TO BE A TRUE
AND ACCURATE COPY OF THE BIDS RECEIVED:



2024 City of Kannapolis Resurfacing

Street

Oregon St
Oregon St and Maryland Avenue
Maryland Ave and Oklahoma Street
Oklahoma Street
Roxie Street

Wentworth Drive
Romsey Ct
Gilling Ct
Holland Street
Bernard Ave
Rhode Island Ave
Pennsylvania Ave
N Loop
Park St
Street

Walter St
Walter St
Summit Ave
Summit Ave
Summit Ave

Limits

US Hwy 29 to Pennsylvania Ave
Pennsylvania Ave to Mt Olivet Rd
Mt Olivet Rd to Florida Avenue
Pennsylvania Ave to US Hwy 29
From Pavement Joint near Graces Reserve
Apartments to Pavement Joint east of Doffer Ln

Klondale Ave to Gilling Ct
Cul de sac to Cul de sac
Wentworth Dr to Cul de sac
NC Hwy 3 to Bernard Ave
Holland Ave to Dale Earnhardt Blvd
Pennsylvania Ave to Bernard Ave
Dale Earnhardt Blvd to Cloverleaf Plaza
N Main/Jackson Park Rd to S Juniper

Pavement Joint Near Wood Ave to Front

Pavement Joint near Wood Ave to Center Street
Center Street to Front Street
22nd St to Westview
Westview to 150 ft from Brookside
150 ft near Brookside



Kannapolis City Council

City Council Agenda Staff Report

May 20, 2024

To: Mayor and City Council

From: Mike Legg, City Manager, Kristin Jones, Assistant to the City Manager, PUBLIC HEARING JUNE 24

Subject: **PRESENTATION** - Recommended Budget for FY 2024-2025

Action Requested by City Council

Presentation Only. No Action Required.

Required Votes to Pass Required Action

Presentation Only. No Action Required

Background

A copy of the recommended budget for the fiscal year beginning July 1, 2024 and ending June 30, 2025, will be presented to City Council at Monday night's meeting. The City Manager will lead the discussion and answer any questions. City Council may also consider setting additional budget workshop meetings at this time.

Fiscal Implications

None.

Policy Issues

None

Legal Issues

None

Recommendations and Alternate Courses of Action

Presentation Only. No Action Required.

Attachments

None



Kannapolis City Council

City Council Agenda Staff Report

May 20, 2024

To: Mayor and City Council
From: Mike Legg, City Manager, APPROVED
Subject: **RESOLUTION** - Directing the filing with the City Clerk of the recommended budget for FY 2024-2025.

Action Requested by City Council

Motion to approve a Resolution directing the filing of the recommended budget and setting a Public Hearing (Recommended)

Required Votes to Pass Required Action

Majority Present at Meeting

Background

A public hearing on the recommended budget for Fiscal Year beginning July 1, 2024 and ending June 30, 2025, has been scheduled for 6:00 PM on June 10, 2024. State law requires that ***"before adopting the Budget Ordinance, the Board shall hold a public hearing at which time any persons wishing to be heard on the budget may appear"*** (NCGS159-12) (b).

Fiscal Implications

A copy of the recommended budget was presented to City Council on May 20, 2024 and is available for public inspection at the City of Kannapolis administration offices as well as the City of Kannapolis website www.kannapolisnc.gov. Notice of the public hearing is scheduled to be published in the Independent Tribune on Sunday, May 26, 2024.

Policy Issues

None

Legal Issues

None

Recommendations and Alternate Courses of Action

1. Motion to approve a Resolution directing the filing of the recommended budget and setting a Public Hearing (Recommended)
2. Take no action.
3. Table to a future meeting

Attachments

1. Resolution_calling_for_public_hearing budget
2. Notice_PH_Budget FY24-25

**RESOLUTION DIRECTING THE FILING WITH THE CITY CLERK
OF THE BUDGET ESTIMATE FOR THE FISCAL YEAR 2024-2025
AND CALLING A PUBLIC HEARING THEREON**

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

SECTION 1. The budget estimate of the City of Kannapolis for the fiscal year beginning July 1, 2024, which on this day May 20, 2024, was submitted to the City Council, is hereby ordered filed with the City Clerk where it shall remain for public inspection for at least ten days from this date.

SECTION 2. A copy of said budget estimate shall be made available to the news media in the county.

SECTION 3. This Resolution shall be published in at least one newspaper published in the county and shall serve as notice that the budget estimate has been presented to the City Council, that a copy of same is on file for public inspection at the City Administration Offices located at 401 Laureate Way, Kannapolis, North Carolina as well as the City of Kannapolis website www.kannapolisnc.gov Notice of the time and place of the public hearing as set forth below.

SECTION 4. A public hearing shall be held by the City Council at the Kannapolis City Hall Council Chambers located at 401 Laureate Way, Kannapolis, North Carolina, on June 10, 2024 at 6:00 P.M., or as soon thereafter as the matter may be heard at which time any persons who wish to be heard on the budget may appear.

SECTION 5. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of **the City of Kannapolis**, should contact the office of *Heather James, Human Resource Director*, by phone at 704-920-4322 or by email at hjames@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Adopted this 20th day of May, 2024.

Milton D. Hinnant, Mayor

Attest:

Bridgette Bell, MMC, NCCMC
City Clerk



**CITY OF KANNAPOLIS AVAILABILITY OF
THE RECOMMENDED BUDGET FOR THE FISCAL YEAR
BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025 AND
NOTICE OF A PUBLIC HEARING THEREON**

SECTION 1. The recommended budget of the City of Kannapolis for the fiscal year beginning July 1, 2024 was this day, May 20, 2024 submitted by the City Manager to the City Council, and filed with the City Clerk where it shall remain for public inspection for at least ten days from this date.

SECTION 2. A copy of said budget shall be made available to the news media in the county.

SECTION 3. This Notice shall be published in at least one newspaper published in the county and shall serve as notice that the recommended budget has been presented to the City Council, that a copy of same is on file for public inspection at the Kannapolis City Hall Administration Offices located at 401 Laureate Way, Kannapolis, North Carolina, as well as the City of Kannapolis website www.kannapolisnc.gov. Notice of the time and place of the public hearing as set forth below.

SECTION 4. A public hearing shall be held by the City Council at the Kannapolis City Hall Council Chambers located at 401 Laureate Way, Kannapolis, North Carolina, on Monday, June 10, 2024, at 6:00 P.M., or as soon thereafter as the matter may be heard, at which time any persons who wish to be heard on the budget may appear.

SECTION 5. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Heather James, Human Resource Director, by phone at 704-920-4322 or by email at hjames@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event

Bridgette Bell, MMC, NCCMC
City Clerk

Publication Instructions:

Publish Sunday, May 26, 2024

Block Ad

Contact Bridgette Bell at 704-920-4303 or bbell@kannapolisnc.gov



Kannapolis City Council

City Council Agenda Staff Report

May 20, 2024

To: Mayor and City Council
From: Mike Legg, City Manager, APPOINTED MIKE LEGG
Subject: **APPOINTMENT** - WSACC Board of Directors

Action Requested by City Council

Motion to make re-appointment or new appointment to the WSACC Board of Directors.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The Water and Sewer Authority of Cabarrus County (WSACC) Board of Directors is made up of two (2) members from Cabarrus County, two (2) members from the City of Concord, two (2) members from the City of Kannapolis, one (1) member from the Town of Harrisburg, one (1) member from the Town of Mt. Pleasant, and one (1) member at-large seat which is appointed by Cabarrus County upon advisement from the other political jurisdictions.

Fiscal Implications

None

Policy Issues

None

Legal Issues

None

Recommendations and Alternate Courses of Action

1. Motion to re-appoint Mike Legg to the WSACC Board of Directors.
2. Motion to appoint someone else to serve on the WSACC Board of Directors.

Attachments

1. 2024-6 M. Legg Expiring Term



WATER & SEWER AUTHORITY
OF CABARRUS COUNTY

232 Davidson Hwy.
Concord, NC 28027

704.786.1783 ♦ 704.795.1564 Fax
www.wsacc.org

April 30, 2024

Mayor Darrell Hinnant
City of Kannapolis
401 Laureate Way
Kannapolis, NC 28081

Dear Mayor Hinnant:

The appointment of Mr. Mike Legg to the Board of Directors of the Water and Sewer Authority of Cabarrus County (WSACC) will expire at WSACC's Annual Meeting on June 20, 2024. The City of Kannapolis will need to make a new appointment or may re-appoint Mr. Legg to WSACC's Board of Directors. Please notify us of your appointment or re-appointment.

If you have any questions regarding this matter, please contact Michael Wilson at 704-786-1783, ext. 214.

Sincerely,

Shannon Kincaid
Secretary to the Board of Directors

cc: Mike Legg
Michael Wilson
Central Files