



Town of Mint Hill

John M. McEwen Assembly Room
4430 Mint Hill Village Lane
Mint Hill, North Carolina 28227

Mint Hill Planning Board Agenda

August 24th, 2015 at 6:30 p.m.

1. Call To Order and Invocation
2. Roll Call and Declaration of Quorum
3. Approve Minutes of May 18th, 2015 Regular Meeting
4. Additions or Deletions to Agenda Items
5. Reports of Committees, Members, and Staff
6. Old Business - None
7. New Business
 - A. Discussion and Recommendation on Conditional Zoning Application #ZC15-3 Filed by New Beginnings Community Church, Property Located at 5232 Margaret Wallace Road, Parcel #13520109 and 13520110.
8. Other Business
9. Adjournment

MINUTES OF THE MINT HILL PLANNING BOARD MEETING
May 18th, 2015

The Mint Hill Planning Board met in regular session on Monday, May 18th, 2015 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

ATTENDANCE

Chairman: Tony Long
Members: Roy Fielding and Brad Simmons
ETJ Members: Roger Hendrix
Absent: Tom Gatz and Mary McMahan
Planning Director: John Hoard
Commissioners: Mickey Ellington
Clerk to the Board: Candice Everhart

CALL TO ORDER AND INVOCATION

Chairman Long called the meeting to order at 6:30 p.m., declared a quorum present and the meeting duly constituted to carry on business. Mr. Simmons gave the invocation.

ORDER OF BUSINESS

Approval of Minutes of April 20th, 2015 Regular Meeting: Upon the motion of Mr. Fielding, seconded by Mr. Hendrix, the Board unanimously approved the minutes of the April 20th, 2015 Planning Board.

Additions or Deletions to Agenda Items: Mr. Long stated that Mr. Hoard had requested to have item number seven, New Business, on the Agenda switched with item number six, Old Business, in order to not hold anyone up.

Mr. Fielding made a motion to move switch the Agenda items and Mr. Simmons seconded. The Board unanimously agreed and the motion carried.

Reports of Committees, Members and Staff: None.

New Business:

- A. **Discussion and Decision on #S15-5 Truelight Church Road Preliminary Plan, filed by LiveWell Homes, 7 Lots, Located on Surface Hill Road and Truelight Church Road; Tax parcel #137-121-10.** Mr. Hoard presented to the Board that LiveWell Homes has asked to divide this plan into seven lots. This will be with public water and sewer so our ordinance allows a 20,000 square foot lot. The setbacks are in the memo and the plans appear to meet our Ordinance. We are recommending approval with the following conditions and corrections:
1. Retain as many existing trees as possible.

2. Mint Hill's approval is contingent upon approval from Mecklenburg County Land Use and Environmental Services Agency.
3. Mint Hill's approval is contingent on utilization of public water and public sewer.
4. The plans shall indicate the Undisturbed Open Space area in accordance with section 6.4.1 of the Mint Hill UDO.

Mr. Simmons asked, how do we decide what is retaining as many trees as possible? Mr. Hoard stated, we don't have a definitive number. It is a statement that has been in our memos for years, but there is no particular number. It is just to retain as many as possible.

Mr. Simmons asked, have we ever had someone not live up to this statement? I think this worked. There may be times that we disagree on what was necessary and what was not, but overall I do believe that many trees have been preserved due to this statement, answered Mr. Hoard.

Mr. Fielding asked, who is responsible for determining in that statement the term 'possible'? Mr. Hoard said it is a collaborative effort between the Town and the Applicant. After we see the plans and everything we can make adjustments from there if we see a need for it.

What area on the plan is supposed to be the undisturbed open space, asked Mr. Fielding. Mr. Hoard answered, I'm not sure where they are going to designate this area as of now because it is in preliminary plans. This is something the applicant will have to delineate on future plans and the plat.

This is just subdividing into lots right now, but it doesn't designate an undisturbed area correct, asked Mr. Fielding. Correct, stated Mr. Hoard.

Is there a percentage that has to be left undisturbed, asked Mr. Fielding. Yes, it is listed as 15% in our post-construction ordinance, stated Mr. Hoard.

Mr. Simmons said, just for clarification, the undisturbed open space area helps to establish a number for retaining as many trees as possible. Mr. Hoard stated, in a way it does.

Mr. Fielding asked, what would be the next steps after this preliminary plan? Mr. Hoard answered, they applicant would finalize their construction drawings with Mecklenburg County which I also have to sign off on. I would ensure they meet the conditions you all have set and that they have identified the undisturbed open space on their plans. Once it's approved they can go out and begin grading and after that they would plat it.

Mr. Hendrix made a motion to pass a favorable recommendation on S15-5 with Staff recommendations incorporated. Mr. Simmons seconded the motion and the Board unanimously agreed.

Old Business:

- A. **Discussion and Decision on Text Amendment, ZC14-14, Family Care Home, to amend the Unified Development Ordinance to establish a minimum distance separation for family care homes and add family care home subdivision option.** At the last meeting we spoke about this Text Amendment that was drafted by staff at the direction of the BOC. They have seen this language as well as our attorney and would recommend that we move forward. I have invited Mr. James Scruggs from Unlimited Possibilities to answer some of the questions you all had from the last meeting about Family Care Homes, stated Mr. Hoard.

We are a licensed family care home. On Thompson road we have four homes on the one piece of property. We are licensed by the Department of Health and Human Services. We have a medical director, full-time nurse, full time activity director and full time assistant activity director. We take care of our residents from bathing, dressing, grooming, medication administration, three home cooked meals, three snacks, daily activities, and monthly outings. We have a partnership with Hospice if anything ever came down to that. I've been doing this for five years and we opened up the Villages of Mint Hill in November and have already filled up to capacity.

Mr. Fielding asked are there coordinators in the homes themselves? Yes, we have CNA Med-techs around the clock 24/7.

In those four homes, which are filled right now, you have how many residents, asked Mr. Simmons. There are 6 residents in each home.

Mr. Simmons asked, there are a total of twenty four residents, and you have four CNA's on staff? Correct, as well as two floater CNA's, a medical director, a full-time nurse, a full-time activity director and assistant activity director.

Is the ratio you have of residents to staff what is required by the State, asked Mr. Simmons. That is my standard. I am only required to have a 1:6 ratio, but I chose to have a 1:4, answered Mr. Scruggs.

Once this is established, what is the State or Federal criteria to meet the subdivision if anyone else wants to build, asked Mr. Hendrix. It would have to meet the Family Care Home definition. We know it has to be a mental or physical impairment. It cannot be used as a drug rehabilitation center, maternity ward, or a halfway house. These are things that have been clarified by a representative at the State, answered Mr. Hoard.

Do you feel confident the State upholds its standards, asked Mr. Hendrix. Yes. The State comes out once a year to do an annual survey unannounced. The Department of Social Services comes into each one of my homes unannounced every other month to inspect as well, stated Mr. Scruggs.

Mr. Fielding asked, is there any way we can put a cap on the four or more wording? Mr. Hoard said, staff is not recommending a cap. The preference would be to allow the BOC to make that determination as an application came in. I think that's the best way to set it up. Keep in mind that up until this point there has been no rules limiting anything.

Would any new subdivision have to come to the Board, asked Mr. Fielding. There will be a two-step process. It would have to go through the Planning Board as well as Board of Commissioners for the re-zoning process. Then if there are public streets, it would have to come to the Planning Board for the subdivision component, answered Mr. Hoard.

Mr. Scruggs stated, this process is making it harder because if I wanted to have twenty I could've had twenty without going through a re-zoning process. Therefore, I think this is a good way for Mint Hill to hold its standards for a Family Care Subdivision. As far as caps go, they concern me because I see the amount of people who need a Family Care Home facility. I wouldn't go out and build twenty at a time, but I would like that if the need is there then we have the possibility of growing.

Mr. Simmons made a motion to send a favorable recommendation on Text Amendment ZC14-14, Family Care Home, to amend the Unified Development Ordinance to establish a minimum distance separation for Family Care Homes and add Family Care Home Subdivision option. Mr. Fielding seconded the motion and the Board unanimously agreed.

Other Business: None

Adjournment: Upon the motion of Mr. Fielding, seconded by Mr. Simmons, and unanimously agreed upon, Chairman Long adjourned the meeting at 6:57 p.m.

Candice Everhart
Program Support Assistant



STAFF REPORT

CASE:	ZC15-3
EXISTING ZONING	R & R (CD)
PROPOSED ZONING	R (CD)
APPLICANT/PROPERTY OWNER:	NEW BEGINNINGS COMMUNITY CHURCH
LOCATION	5232 MARGARET WALLACE ROAD
TAX PARCEL NUMBER	135-201-09 & 135-201-10
REQUEST:	COMMUNITY/COUNSELING CENTER (PHASE 1) & ADDITIONAL PARKING AND A DRIVEWAY CONNECTION TO MARGARET WALLACE ROAD (PHASE 2)

APPLICATION SUMMARY:

The applicant is requesting rezoning from Residential and Residential (Conditional District) to Residential (Conditional District). The Zoning Plan indicates Phase 1 will consist of a new community/counseling center as part of New Beginnings Community Church. Phase 2 will be additional parking and construction of a new driveway onto Margaret Wallace Road.

Conditional District decisions shall be made in consideration of identified relevant adopted land use plan. Conditional District rezoning is a legislative procedure under which the Board of Commissioners has the authority to increase, tighten, add, vary, modify or waive specific conditions or standards. In approving a petition for the rezoning of property to a Conditional District the Board of Commissioners may request reasonable and appropriate conditions.

RECOMMENDATION:

Staff recommends approval following resolution of the following item:

The architectural rendering does not appear to meet the intent of the requirements specified in Section 7.2.15 *Supplementary Use Regulations for Nonresidential Uses in the Residential Zoning District*.

- D. New Structures.* New structures shall be similar to existing structures in terms of scale, orientation, visual impact, major divisions in the facade and the proportion and relationship of windows and doors to the total wall surface. All nonresidential structures shall meet the following standards:
1. *Building Materials.*
 - a. Exposed foundations shall be stone or brick masonry or cement parging. No unfinished concrete masonry units shall be allowed.
 - b. Walls shall be brick, stone masonry, stucco or lapped horizontal or vertical board and batten siding. No unfinished concrete masonry walls or metal siding similar in appearance to siding used in commercial or industrial applications shall be used.
 - c. Windows shall be either double-hung, casement or fixed pane. No metal frame storefront windows shall be allowed.
 - d. Roofing materials shall be shingles, standing seam metal or roofing tiles.
 2. *Building Elements.*

- a. Porches and stoops are required, with a minimum covered surface at the main entrance of twenty-four (24) square feet. Elevated porches and stoops visible from the ground require foundations or skirting to the ground.
- b. Primary roof surfaces shall not be less than 4-on-12 pitch or more than a 12-on-12 pitch. Roof profiles compatible with the surrounding area are encouraged.
- c. Mechanical equipment and service entrances located on the ground or building walls shall be completely hidden from the street. If located in the side yard, these shall be screened with evergreen shrubs or fencing.

STAFF CONTACT:

Planning Staff
704-545-9726

REZONING APPLICATION

TOWN OF MINT HILL

Complete All Fields

Office Use Only

Petition #: ZC15-3

Date Filed: 7/15/15

Received By: JH

OWNERSHIP INFORMATION:

Property Owner: New Beginnings Community Church Date Property Acquired: 11/18/2013

Owner's Address: 7027 Stillwell Road, Matthews, NC 28105

Utilities Provided: ☐ Individual Well or ☒ CMUD Water or ☐ Community Well AND ☒ CMUD Sewer or ☐ Community Sewer or ☐ Septic

LOCATION OF PROPERTY (Address or Description): 5232 Margaret Wallace Rd

Tax Parcel Number(s): 135-201-09 & 135-201-10

Current Land Use: Vacant/Parking Lot (Previously approved & Rezoned)

Size (Sq.Ft. or Acres): 210,811 sf (4.84 ac) after R/W Dedication along Margaret Wallace

ZONING REQUEST: Existing Zoning: R & R(CD) Previously Rezoned 2013 Proposed Zoning: R(CD)

Purpose of Zoning Change: The desire is to phase the proposed development to include a new Community/Counseling

Center as part of New Beginnings Church and the second phase would include additional parking and a driveway connection to Margaret Wallace Rd.

(Complete if Applicant is other than Property Owner)

New Beginnings Community Church of Charlotte Inc.

Name of Property Owner

Name of Applicant

7027 Stillwell Road

Address of Owner

Address of Applicant

Matthews, NC 28105

City, State, Zip

City, State, Zip

704.567.2900

Telephone Number

Telephone Number

jworthey@nbccministries.org

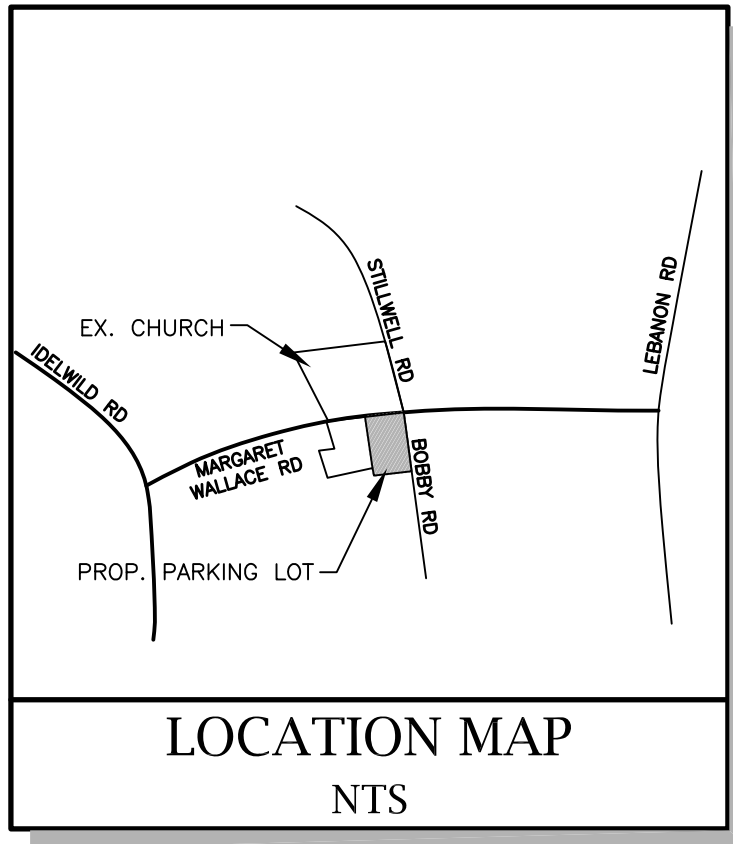
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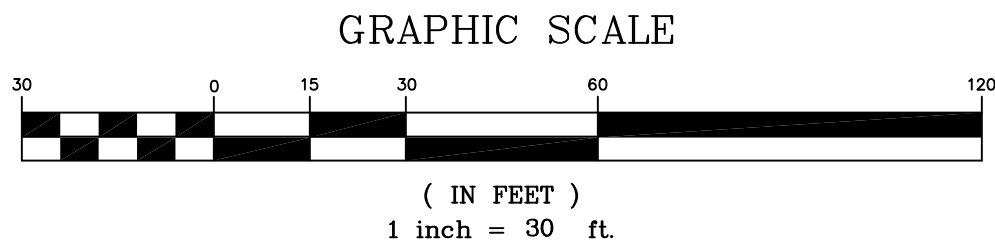
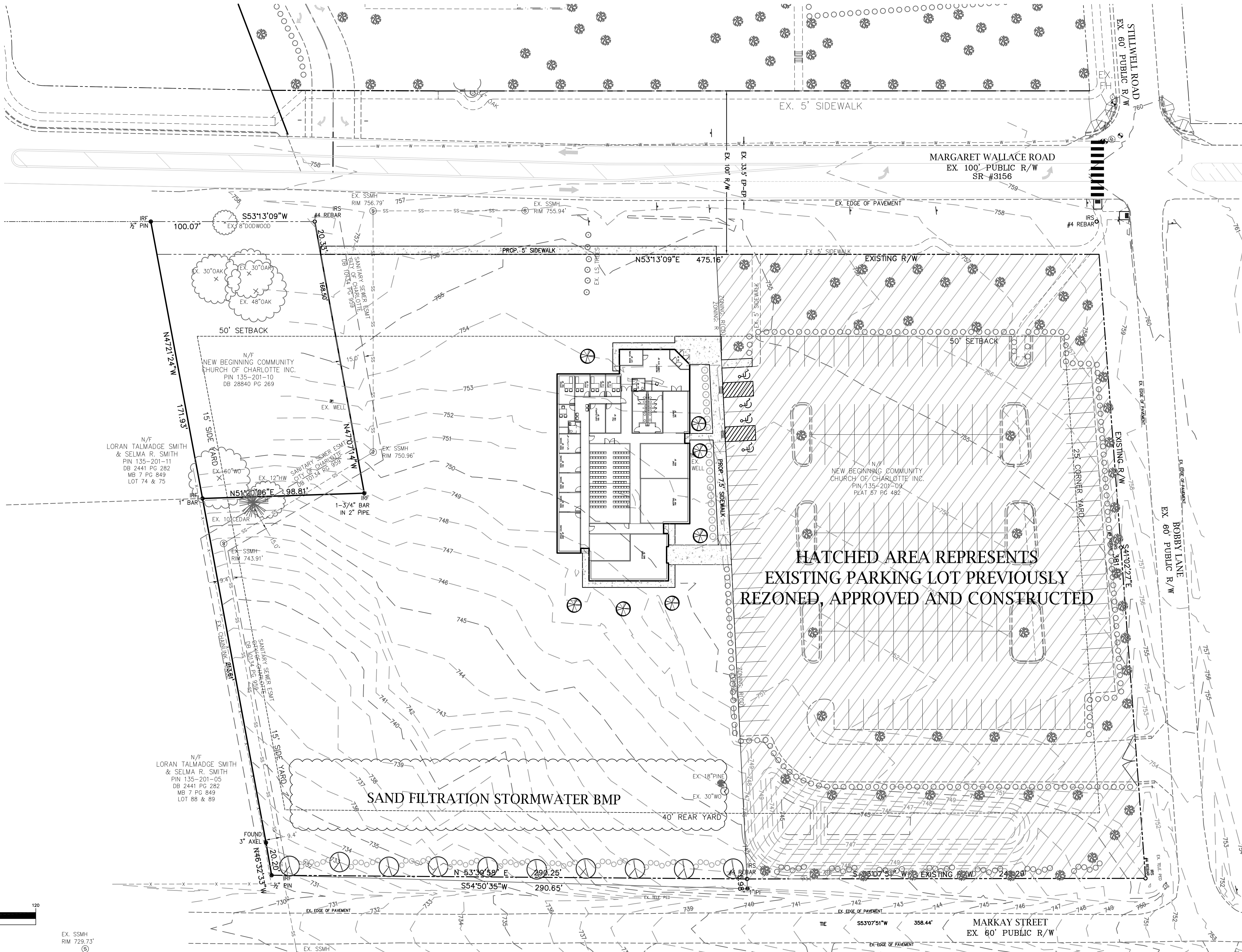
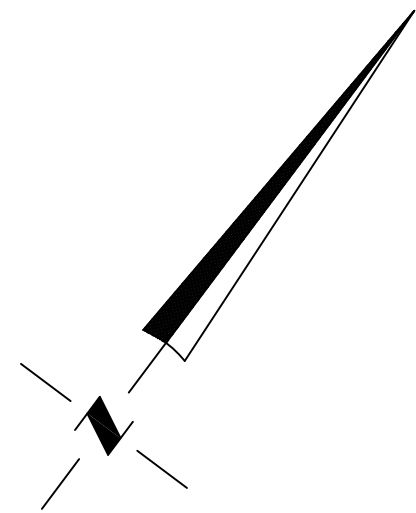


Signature of Property Owner

Signature of Applicant



Know what's below.
Call before you dig.

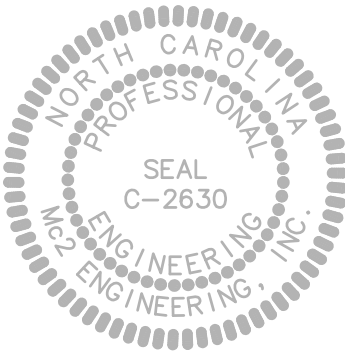


EX. SSMH
RIM 729.73'
⑤

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Drawn	
Checked	
Date	2015
Revisions	
1 Date	
2 Date	
3 Date	
4 Date	

New Beginnings Church Community and Counseling Center

5232 Margaret Wallace Road
Mint Hill, NC 28105

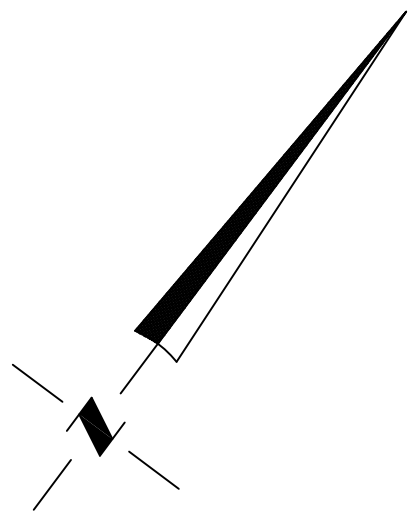
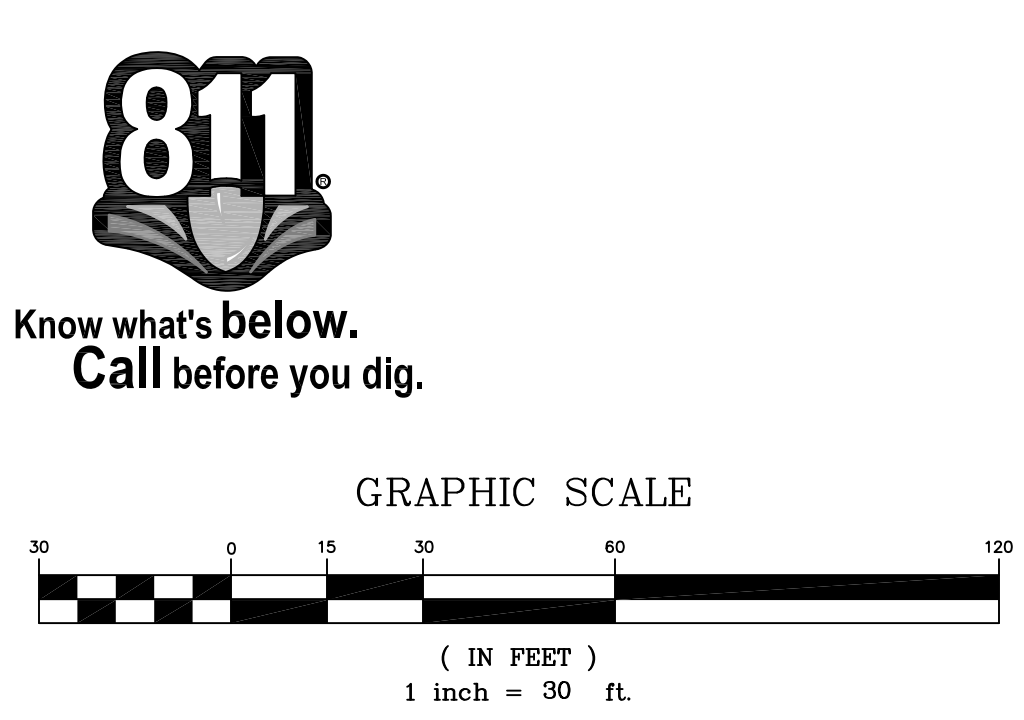
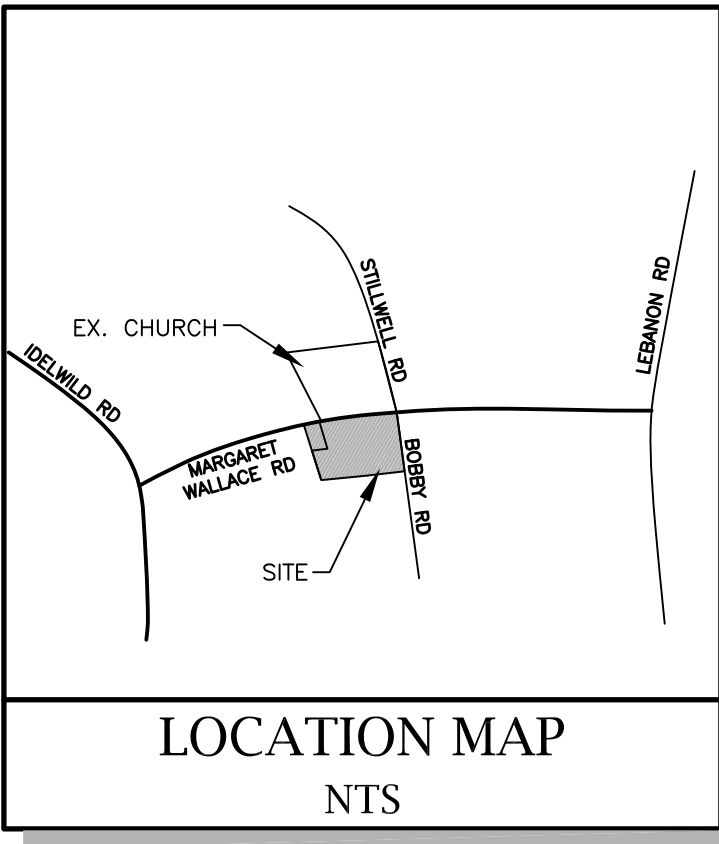
Project Number 311

Title
**Sketch Plan
Phase 1**

Sheet of

SP1.0

Plate

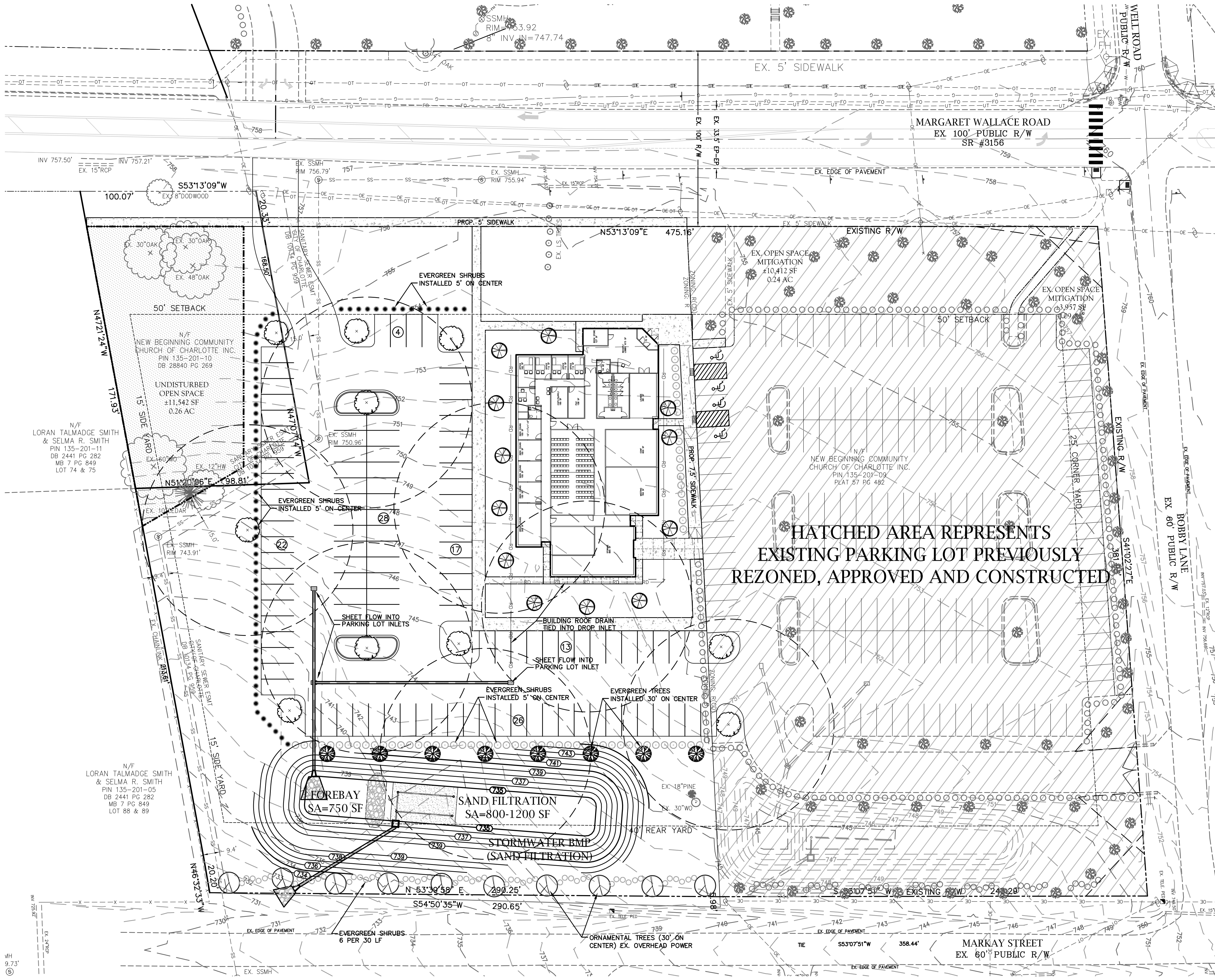


TOTAL SITE AREA:	210,811 SF (4.84 AC)
-196,120 SF / 4.50 AC (135-201-09)	
-16,691 SF / 0.38 AC (135-201-10)	
-2,000 SF / 0.05 AC	
(20' DEDICATED R/W MARGARET WALLACE RD)	
PARCEL IDS:	135-201-09 & 135-201-10
JURISDICTION:	TOWN OF MINT HILL
CURRENT ZONING:	R & R(CD)
EXISTING USE:	PARKING LOT, SINGLE FAMILY & VACANT
PROPOSED USE:	PARKING LOT AND COMMUNITY BUILDING
SIDE YARD:	15'
FRONT SETBACK:	50'
REAR YARD:	40'
CORNER SIDE YARD:	25'
TOTAL ON-SITE PARKING:	262
EX. ON-SITE PARKING:	161
REMOVED EX. ON-SITE PARKING:	9
PROP. PHASE 2 ON-SITE PARKING:	110
IMPERVIOUS CALCULATIONS	
PREVIOUSLY REMOVED BUILDINGS:	758 SF
PREVIOUSLY REMOVED CONCRETE:	190 SF
EX. SIDEWALK:	843 SF
EX. ASPHALT PARKING LOT:	55,560 SF
EX. IMPERVIOUS COVERAGE:	55,455 SF (1.27 AC)
-EX. PARKING LOT DRAINS TOWARDS EX. SAND FILTER	
PROP. BUILDING:	9,986 SF
PROP. SIDEWALK:	6,603 SF
PROP. ASPHALT PARKING LOT:	35,166 SF
PROP. IMPERVIOUS COVERAGE:	51,755 SF
-PROP. SAND FILTER FOR NEW IMPERVIOUS COVERAGE	
TOTAL PERCENT IMPERVIOUS:	50.9%
REQ. UNDISTURBED OPEN SPACE:	0.48 AC (10%)
EX. UNDISTURBED OPEN SPACE:	0.22 AC
-MET WITH MITIGATED OPEN SPACE:	0.33 AC
-PREVIOUSLY PROVIDED WITH ORIGINAL PARKING LOT	
PROP. UNDISTURBED OPEN SPACE:	0.26 AC
PROVIDED OPEN SPACE:	0.48 AC

DEVELOPMENT SUMMARY

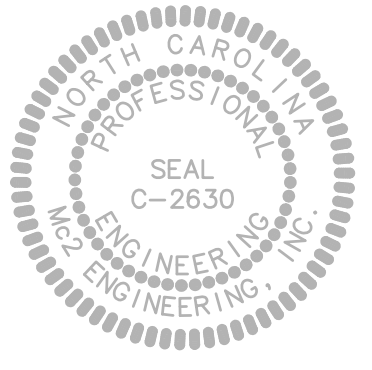
- PETITIONER WILL COORDINATE WITH NCDOT, MECKLENBURG COUNTY AND THE TOWN OF MINT HILL TO CONSTRUCT NEW ACCESS ON MARGARET WALLACE ROAD DURING PHASE 2 OF THE MASTER PLAN.
- PHASE 1 OF THE MASTER PLAN INCLUDES THE NEW COMMUNITY/COUNSELING BUILDING WITH PROPOSED PEDESTRIAN ACCESS ONLY AS SHOWN ON SHEET SP1.0. THE FIRST PHASE DOES NOT INCLUDE THE ADDITION OF A NEW DRIVEWAY, PARKING LOT OR ROADWAY IMPROVEMENTS AT THIS POINT.
- PROPOSED DEVELOPMENT WILL COMPLY WITH TOWN OF MINT HILL ZONING ORDINANCE WITH REGARDS TO SITE SIGNAGE SECTION 6.5.2 B 2 WHICH LIMITS SIGNAGE TO 6 SQUARE FEET.
- DETACHED LIGHTS TO BE A MAXIMUM OF 25 FEET TALL AND SHALL BE TURNED OFF NO LATER THAN 11:00 P.M.
- EXISTING AND PROPOSED DEVELOPMENT WILL COMPLY WITH TOWN OF MINT HILL POST CONSTRUCTION ORDINANCE WITH RESPECT TO STORM WATER MANAGEMENT.
- REQUIRED TREES FOR UNDISTURBED OPEN SPACE ON-SITE MITIGATION MUST MEET THE FOLLOWING CRITERIA:
 - MINIMUM TREE CALIPER OF 1.5 INCHES.
 - REQUIRED TREES FOR TREE SPECIES (MUST SHOW A MINIMUM OF THREE (3) DIFFERENT SPECIES IN ROUGHLY EQUAL PROPORTIONS SELECTED FROM THE LIST IN APPENDIX 6-6 (FORM #PCO14) OF THE ADMINISTRATIVE MANUAL).
 - STATEMENT AS TO THE QUALITY OF THE TREES AS SET FORTH BY THE AMERICAN STANDARD FOR NURSERY STOCK.
 - MATERIAL USED TO STABILIZE THE AREA AROUND AND BETWEEN TREES (MUST BE VEGETATIVE GROUND COVER AND MULCH).
 - CONTOURS OF FINAL GRADE AT TWO (2) FOOT INTERVALS EXTENDING 100 FEET BEYOND THE PROPERTY BOUNDARY (SLOPE OF ANY GRADED OR DISTURBED AREA FOR ON-SITE MITIGATION CAN NOT EXCEED 3 TO 1).
 - METHODS FOR THE CONTROLLING THE FLOW OF WATER ACROSS THE AREA TO PREVENT SOIL EROSION OR MULCH DISTURBANCE.
 - DEPTH OF TOP SOIL (MINIMUM OF SIX (6) INCHES).
 - PROVIDE SPECIFICATIONS FOR THE PLANTING OF TREES AND GROUNDCOVER.
 - PROVIDE WRITTEN WARRANTED STATEMENT FOR THE REPLACEMENT OF DEAD OR DISEASED TREES OVER A MINIMUM OF TWO (2) YEARS FOLLOWING PLANTING.
- PETITIONER DESIRES TO INSTALL ADDITIONAL SCREENING ALONG MARKAY STREET IN LIEU OF INSTALLING CURB/GUTTER AND SIDEWALKS SINCE THERE ARE NO EXISTING SIDEWALKS AND THE AREA IS FULLY DEVELOPED.
- INTERIOR PARKING LOT LANDSCAPING SHALL INCLUDE:
 - LARGE MATURING TREES NOT MORE THAN 60' FROM ALL PARKING SPACES
 - VARYING SPECIES
 - A MINIMUM OF 8" TALL AND 2 1/2" CALIPER AT TIME OF PLANTING.

DEVELOPMENT STANDARDS
CONDITIONAL USE PLAN



Jonathan Hutchinson
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Drawn	JDM
Checked	JDM
Date	JUNE 16, 2015
Revisions	

New Beginnings
Church
Community and
Counseling Center

5232 Margaret Wallace Road
Mint Hill, NC 28105

Project Number	311
Title	Sketch Plan Phase 2
Sheet	of
Plate	



NEW BEGINNINGS CHURCH
COMMUNITY & COUNSELING CENTER
EXTERIOR RENDERING: 7/21/15