



Town of Mint Hill

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

Mint Hill Planning Board Agenda April 18th, 2016 at 6:30 p.m.

1. Call To Order
2. Roll Call and Invocation
3. Approve Minutes of March 21st, 2016 Regular Meeting
4. Additions or Deletions of Agenda Items
5. Reports of Committees, Members, and Staff
6. Old Business
7. New Business
 - A. Discussion and Recommendation on #ZC16-4, Filed by Ryan and Rachel Elliotte, Requesting a Conditional Zoning approval to allow a Family Care Home Subdivision, Located at 10131, 10201 and 10215 Connell Road, Tax Parcel Numbers 139-081-06, 19 and 15.
8. Other Business
9. Adjournment

Candice Everhart
Program Support Assistant

MINUTES OF THE MINT HILL PLANNING BOARD MEETING
March 21st, 2016

The Mint Hill Planning Board met in regular session on Monday, March 21st, 2016 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

ATTENDANCE

Chairman: Tony Long
Vice Chairman: Tom Gatz
Members: Roy Fielding, Scott Fandel
ETJ Members: Roger Hendrix
Absent: Brad Simmons and Chip Todd
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. Gatz gave the invocation.

ORDER OF BUSINESS

Approval of Minutes of February 25th, 2016 Regular Meeting: Upon the motion of Mr. Fielding, seconded by Mr. Hendrix, the Board unanimously approved the minutes of the January 25th, 2016 Planning Board.

Reports of Committees, Members and Staff: None.

Old Business: None.

New Business:

- A. **Discussion and Recommendation on #ZC16-2, Filed by Meeting Street Companies LLC, Requesting an Exception to the Downtown Code for Property Located at Brighton Park, Tax Parcel Numbers 13538524 - 13538555, 13538401 - 13538423.** Mr. Hoard stated that there was a Public Hearing on March 10th and there were about five people who showed up from the Brighton Park community in regards to this application and they were all in favor of this project. Mr. Hoard asked the applicant to give his presentation to the Board.
- Mr. Abe Lehman introduced himself to the Board. He said Sonny Crater and Joe Roy couldn't be here unfortunately, but he would do his best to answer all of their questions. We are currently building homes in Mooresville, Cornelius and Concord. We are a small builder and like to pay attention to detail. Joe looked at Brighton Park in 2006 and it didn't make sense for us to get involved then, but it does now. There are two areas we are

looking at. We weren't aware that you have a requirement of 65% brick in your Downtown area and our homes will range from 1950-2100 square foot with two-car garages. We build these in Myers Park and they are a phenomenal seller and we think they will fit perfectly with the look of Brighton Park. Pricing will start in the low \$200s. The houses on Evans Road have siding on them and a vast majority of the houses on Hove Road are siding as well. We think our product will fit perfectly on 56 lots to 44 lots to give us more room in the houses. We think the demographic fits well. There will be no vinyl siding. We use all hardi-plank material and the houses would be two story with 8 foot deep front porches for functionality. We will be hitting the requirements of 18 inches above the curb. We take pride in our landscaping and use all mulch, no pine needles. All of the shutters on our homes are fully operable so that you can open and close them. We also have recessed front doors and we try not to repeat elevations side by side. We will do color mixture with Brighton Park creams, tans, blues and yellows. Some houses will have planter boxes on the second floor to add detail and charm. There is dental molding on the eaves. This product will compliment what exists in Brighton Park. For the back of the house we will have 4 foot cedar fencing and change the picket types with white. There will be a courtyard with a two car attached garage. This works best in four unit buildings with eighteen feet in between the garages. The interior units have six foot privacy fencing. We also plant the back of the house. We would be purchasing the lots in May.

Mr. Gatz asked, didn't we start out this way but there was an issue with the brick? Mr. Hoard said, it started as a list of materials that were approved, but it didn't specify certain percentages. Later in 2005, the Board amended the code to have 65% brick.

Mr. Gatz asked, is this going backwards? Mr. Hoard said, he is asking for a specific exception for this product only. This is a different situation because this neighborhood started under one code and most houses are hardi-plank in Brighton Park.

Mr. Gatz asked, how do I get around A that states no practical design alternate exists? Mr. Hoard said, that is direction for the Board of Commissioners to put together.

Mr. Gatz asked the applicant, do you build brick houses? Mr. said, yes we do.

Mr. Gatz asked, do you have an application that looks like this? Mr. Lehman said, if we do brick, we would not be doing the details that we have presented. With the brick product we would be hitting the ordinance. I have photos that I can show you of the product that hits the 65% brick, but it doesn't do what the true purpose of the ordinance wants.

Mr. Gatz asked, would this be cost prohibited to the market? Mr. Lehman said yes also though, architecturally it looks better to have siding verse brick because the brick would stand out in this neighborhood. If we would've come in and all of the homes were brick, that's what we would've done.

Mr. Gatz asked, could we see the photos of the brick? Of course, said Mr. Lehman. You can see the returns between the buildings are siding. That shouldn't be siding it should be

brick, but for the cost that's the difference. Their product just isn't as architecturally accurate.

Mr. Gatz asked, could you sell brick here? Mr. Lehman said, the comps are higher per square foot for us. We believe there is an advantage in new and also in townhomes for some. There is great walk ability which helps, but we would be pushing it and possibly pricing ourselves out by doing the brick.

Mr. Hendrix asked, what is the commitment level here on buying the lots? Mr. Lehman said our first set would be bought in May. In six months following that we would buy the second set and then six more months after that we would buy the third. It will probably be a two to two and a half year project for us to get the forty-four homes done. As soon as we buy the first set we have to buy the others or else we wouldn't get our deposit back.

Mr. Hendrix asked, you said your starting price would be around the \$220 mark, how does that compare to current developments? Mr. Lehman said, it depends. In Concord, near Christenbury, those start right around the same price and then the momentum allows the last ones to sell for \$240s. In Antiquity which is in Downtown Cornelius, we started there in \$240s and were able to push into the low \$300s. We feel that the market for Cornelius and Mint Hill are similar. We need to know some type of pace when we start building these.

Mr. Fielding asked, what were the positive comments the people gave that showed up to the Public Hearing? Mr. Hoard said, overall they think it fits in well. They like this builder as well. Also some mentioned that they are ready to see this community built out.

Mr. Fielding asked, what is the most desirable unit location? Mr. Lehman said, it depends on someone's financial situation. The end units are a little more expensive.

Mr. Fielding said, in this scenario how many end units are we looking at? Mr. Lehman said, there are three buildings in each run so there are six end units.

Mr. Fielding asked, is there an archway going through the garage to the house? Mr. Lehman said, no it is connected to the house.

Mr. Fielding asked, would it make architectural sense to make the end units facing Evans Road brick and then make the ones on the interior with the siding? Mr. Lehman said, that would then lead to higher costs. All of our homes would be facing siding so it makes sense to do siding.

Mr. Fandel asked, if you are required to build in brick, does that make this project go away? Mr. Lehman said, unfortunately yes. The nice thing about this too, Hove Road has lots that fall from the alley to the street. That allows us to expose more of the foundation from the front with brick steps as well.

Mr. Long said, although this doesn't follow the ordinance, I'm fascinated because this reminds me of Fredericksburg, Virginia when I go there to visit. Mr. Lehman said, it's interesting you say that. The owner has gone to Boston, D.C., various places in Virginia because they wanted a Colonial style, very classic architectural design.

Mr. Gatz said, I understand the project I just have a hard time with the rules. I like the look of it. We are supposed to follow the ordinance.

Mr. Fielding said, I know we are supposed to stick to the code. I think the people that live there would like to see this done though and this product is not very different from what is there now.

Mr. Gatz said, I agree. What we have to be aware of is that we've had developers come in and tell us what they were going to do then those things change and we are stuck with that product they give us. That's why we have the ordinance we do so we aren't in that position. What is our legal standpoint on if they go bankrupt? Mr. Hoard said, the new developer would be tied to their plans and that's what we would have our attorney look over. The Commissioners may have them list out exact features.

Mr. Fielding said, we could recommend that.

Mr. Lehman said, we control our exterior units and elevations and don't take customer input. The interiors may change if someone came in and bought us out, but the exterior doesn't change.

Mr. Gatz asked, how would you make sure you are held to this standard? Mr. Lehman said, we can give you a list of elevations and the only thing that would change possibly would be the front porch.

Mr. Hendrix asked, are you committing to the exteriors? Mr. Lehman said, yes there will be the two story porches, all hardi-plank, the soffits, etc.

Mr. Hendrix said, I think you have a very attractive product. Personally I would like it more in brick. I think the lots would sell.

Mr. Gatz said, I agree. I think it would look good in brick and I think you would all do a great job in brick. The product you have though blends well with what is in there now.

Tom Gatz made a favorable recommendation on #ZC16-2, Filed by Meeting Street Companies LLC, requesting an exception to the Downtown Code for property located at Brighton Park, Tax Parcel Numbers 13538524-13538555, 13538401-13538423 with the requirement that they bring elevations and details to the Board of Commissioners meeting so they know exactly the product they will be receiving. Mr. Hendrix seconded the motion and the Board unanimously agreed.

Mr. Long asked, how does this impact the completion of the streets? Mr. Hoard said, this is something we are working with the developer with. Recently they have had a contractor go out there and finish the roads. We had someone from the Town to go out there to the meeting. We would prefer them to go ahead and finish the roads so we could take over them, but I think they would prefer to wait until after everything is built out to finish the roads. This is going to be a two year or so project though so it is something we will have to discuss further.

Mr. Lehman said, our contract does state that the developer is responsible to fix the roads. Whether that is before or after we build, we don't have a preference.

Other Business: None

Adjournment: Upon the motion of Mr. Hendrix, seconded by Mr. Fielding, and unanimously agreed upon, Chairman Long adjourned the meeting at 7:30 p.m.

Candice Everhart
Program Support Assistant



STAFF REPORT

CASE:	ZC16-4
EXISTING ZONING	R
PROPOSED ZONING	R (CD)
PROPERTY OWNER:	JOHN AND CHARLOTTE ELLIOTTE
APPLICANT	RYAN AND RACHEL ELLIOTTE
LOCATION	10131, 10201 AND 10215 CONNELL ROAD
TAX PARCEL NUMBER	139-081-06, 19 AND 15
REQUEST:	FAMILY CARE HOME SUBDIVISION
RECOMMENDATION	FAVORABLE

APPLICATION SUMMARY:

The applicants are requesting conditional zoning approval to allow a Family Care Home Subdivision. A Family Care Home Subdivision is a subdivision development consisting of four or more residential lots, created for the purpose of permitting family care homes in close proximity with one another.

The property owners currently own two existing facilities (at 10215 and 10201 Connell Road) and are requesting to build a third unit on 10131 Connell Road using the Family Care Home Subdivision provision, otherwise the additional family care home would not meet the minimum 2,640 foot separation requirement now required by Mint Hill.

The Board of Commissioners adopted a text amendment June 11, 2015 (ZC14-14) to create a minimum distance between Family Care Homes. The text amendment included an option for a Family Care Home Subdivision by way of conditional zoning.

7.1.13 Special Requirements for Family Care Homes.

A. All Family Care Homes must comply with all applicable Federal, State, local licensing requirements and health regulations.

B. New Family Care Homes (also referred to as Group Homes) shall be separated from existing Family Care Homes in single-family residential district by a distance of two thousand six hundred forty (2,640) feet measured from the closest point of each lot property line in a straight line.

7.2.32 Supplementary Use Regulations for Family Care Home Subdivision.

A. Family Care Home Subdivision is a subdivision development consisting of four (4) or more residential lots, subdivided in accordance with the Mint Hill Subdivision regulations, created for the purpose of permitting Family Care Homes in close proximity with one another. The development shall be owned and operated by a single entity.

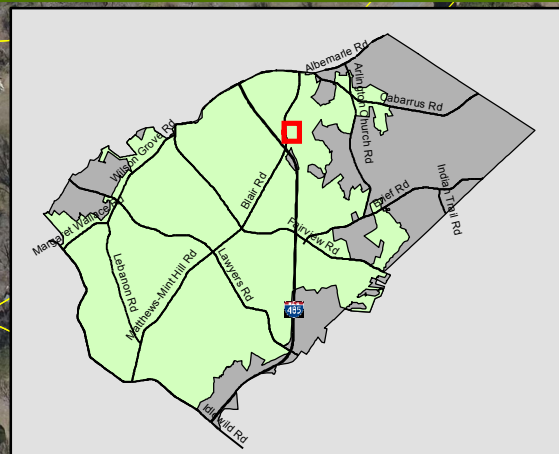
Conditional District decisions shall be made in consideration of identified relevant adopted land use plan. Conditional District rezoning is a legislative procedure under which the Board of Commissioners has the authority to increase, tighten, add, vary, modify or waive specific conditions or standards.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

STAFF RECOMMENDATION:

Staff recommends approval

ZC16-4

Existing zoning: R
Proposed zoning: R (CD)
Site acreage: 4.25 acres



10215

10201

10131

Connell Rd



NC OneMap, NC Center for Geographic Information and Analysis, NC 911 Board



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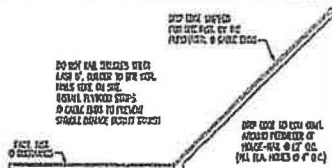
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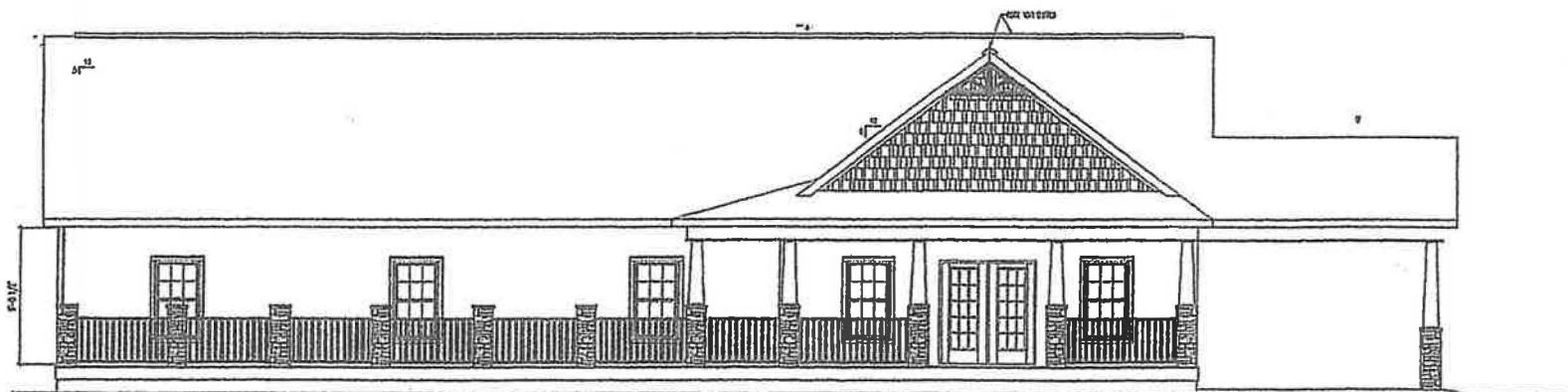
Produced by the Mint Hill Planning Department
3/11/2016

TOWN OF
MINT HILL

VENTILATION CALCULATIONS
 AREA: 1000 SQ. FT. (10' x 100')
 1000 SQ. FT. x 1.0 = 1000 SQ. FT.
 1000 SQ. FT. x 1.0 = 1000 SQ. FT.
 1000 SQ. FT. x 1.0 = 1000 SQ. FT.



DRIP EDGE DETAIL



FRONT ELEVATION
 100' x 100' = 10,000 SQ. FT.

Polaris 3G Map – Mecklenburg County, North Carolina

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SIGNED

REGISTERED SURVEYOR

