



Town of Mint Hill

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

Mint Hill Planning Board Agenda February 20th, 2017 at 6:30 p.m.

1. Call To Order
2. Roll Call and Invocation
3. Approve Minutes of December 19th, 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 #ZC17-1, Filed by Albemarle Road Associates, LLC for Property Located at Clear Creek Business Park, Tax Parcel Numbers: 137-152-18, 137-152-12, 137-152-19, 137-152-20, 137-152-21, 137-152-01.
8. Other Business
9. Adjournment

Candice Everhart
Program Support Assistant

MINUTES OF THE MINT HILL PLANNING BOARD MEETING
December 19th, 2016

The Mint Hill Planning Board met in regular session on Monday, December 19th, 2016 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

ATTENDANCE

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

ORDER OF BUSINESS

Approval of Minutes of November 21st, 2016 Regular Meeting: Upon the motion of Mr. Hendrix, seconded by Mr. Todd, the Board unanimously approved the minutes of the November 21st, 2016 Planning Board meeting.

Reports of Committees, Members and Staff: Mr. Hoard reported that the building in construction in front of Town Hall was going to be a Char Bar and it should be open July 1st at the latest. There was discussion of a large town center development for the Downtown area that came to the Board of Commissioners and they seemed excited about it. There are a couple of investors looking at this project and I will continue to update you if any actions are taken.

Old Business: None.

New Business:

- A. **Discussion and Decision on #S16-19, Filed by Delta Land Services for Property Located at 5701 Matthews-Mint Hill Road, Tax Parcel #135-281-07.** Mr. Hoard stated this appears to meet A-D requirements in our ordinance. This is set up for the Planning Board to approve or not.

Mr. Long asked if anyone from the Board had any questions. With no questions the Board made a motion.

Mr. Hendrix motioned a favorable decision on #S16-19, Filed by Delta Land Services for Property Located at 5701 Matthews-Mint Hill Road, Tax Parcel #135-281-07. Mr. Fielding seconded the motion and the Board unanimously agreed.

B. Discussion and Recommendation on #ZC16-11, Filed by EVCO Construction Co. for Property Located at 7200 Matthews-Mint Hill Road, Tax Parcel #197-013-17.

Mr. Hoard said, this building has been around since the early 70s. There have been multiple banks as well as the Police Department at this location. We adopted a Downtown code in 2002 where we require special approval for drive thrus. They are only asking to re-activate an existing drive thru. From my understanding there are no modifications being made to it.

Mr. Todd asked, what kind of signage is going to be put up there? Mr. Phillip Thornton said, the signage is already up and approved. We are only using one lane even though there are two lanes.

Mr. Todd asked, how many cars fit from the drive thru to the street? Mr. Thornton said, six, but I doubt it would back up that much.

Mr. Long said, I was in a pharmacy the other week and it was independently owned as well. I was amazed that there were eighteen people behind the counter so I can see potential growth for you. If that were to happen, could you open the second lane? Mr. Hoard said, yes he could. I don't believe that is something they have thought of yet, but there is no restriction on our side.

Mr. Hendrix asked, which direction is the flow of traffic? Mr. Thornton said, it will go from the street, through the drive thru and exit onto Warehouse Road.

Mr. Fielding motioned for a favorable recommendation on #ZC16-11, Filed by EVCO Construction Co. for Property Located at 7200 Matthew-Mint Hill Road, Tax Parcel #197-013-17. Mr. Hendrix seconded the motion and the Board unanimously agreed.

Other Business: None

Adjournment: Upon the motion of Mr. Fielding, seconded by Mr. Hendrix, and unanimously agreed upon, Chairman Long adjourned the meeting at 6:39 p.m.

Candice Everhart
Program Support Assistant



STAFF REPORT

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| CASE: | ZC17-1 |
| EXISTING ZONING | I-G (CD) |
| PROPOSED ZONING | R |
| PROPERTY OWNER: | ALBEMARLE ROAD ASSOCIATES, LLC |
| APPLICANT | ALBEMARLE ROAD ASSOCIATES, LLC |
| LOCATION | CLEAR CREEK BUSINESS PARK |
| TAX PARCEL NUMBER | 137-152-18, 137-152-12, 137-152-19, 137-152-20, 137-152-21, 137-152-01 |
| REQUEST: | REZONING |

BACKGROUND INFORMATION:

Conditional Use Rezoning (ZC01-3) was granted by the Board of Commissioners to rezone tax parcels 137-152-01 and 137-151-02 pt. to I-G (CUD) on May 10, 2001

Conditional Use Rezoning (ZC01-7) was granted by the Board of Commissioners to rezone tax parcel 137-311-04 pt. to I-G (CUD) on November 8, 2001

Conditional Use Rezoning (ZC01-8) was granted by the Board of Commissioners to rezone tax parcels 137-152-01 and 137-151-02 pt. to I-G (CUD) on November 8, 2001

Conditional Use Rezoning (ZC01-10) was granted by the Board of Commissioners to rezone tax parcel 137-311-02 pt. to I-G (CUD) on January 24, 2002

Conditional Use Rezoning (ZC01-11) was granted by the Board of Commissioners to rezone tax parcel 137-311-03 to I-G (CUD) on January 24, 2002

Conditional Use Rezoning (ZC02-1) was granted by the Board of Commissioners to rezone tax parcel 137-152-04 pt. to I-G (CUD) on September 12, 2002

Preliminary Subdivision (S05-6) approval was granted by the Planning Board on March 21, 2005

Change of Conditions (ZC05-18) was granted by the Board of Commissioners on September 8, 2005. The following conditions were deleted:

- No portion of the Clear Creek Business Park can be developed or subdivided until water and sewer is available.
- Deletion of condition which prohibits commercial access to the Clear Creek Business Park from Truelight Church Road.
- Revision to note that prohibits bus stations, power generating or transmission facilities, radio, telephone, masts, towers, blacksmiths, armories, bulk storage of flammable liquids and gases, and truck terminals to be allowed only as accessory to medical uses.

Rezoning (ZC07-6) was granted by the Board of Commissioners to rezone tax parcels 137-152-01pt 137-311-02 pt, 137-311-10 pt, 137-311-55 pt, 137-311-55 pt. 137-141-14 pt, 137-141-11 pt. to Institutional (I) on July 19, 2007

Special Use Permit (S07-3) was granted by the Board of Commissioners to allow construction of Rocky River High School on September 13, 2007

Conditional Use Permit (CUP09-1) granted to allow Britthaven assisted living facility 137-152-39
Conditional Use Permit (CUP11-1) granted to relocate the Britthaven site to 137-152-12 pt.

ZC12-10 Clear Creek Business Park Revision was granted by the Board of Commissioners on May 9, 2013, resulting in specific conditions, development standards, approval procedures and allowable uses for the approximately 65 acre portion of Clear Creek Business Park adjacent to the railroad

APPLICATION SUMMARY:

The applicant is requesting approval to rezone 50.19 acres, as delineated on the attached map, from I-G (CD) to R.

PLAN CONSISTENCY

The properties in question are projected to remain General Industrial

Pg 89 Land Use Plan

Generally, the type of development envisioned is a quality light industrial/business park in a campus-like setting, much like the Huntersville Business Park, located in Huntersville. Wide, tree-lined boulevards along major routes would be constructed, with walking trails, pedestrian amenities, street lighting and architecturally interesting buildings, primarily of brick. Landscaping and entrance signage would complete the unified development concept. No flat roof, metal frame construction, big-box type structures are envisioned in this area, nor any mini-warehouses, or storage facilities. Industrial uses would be light industrial uses or research and design oriented...

The rail corridor parcels located between I-485 and Blair Road are particularly suited for the industrial development of rail-specific uses. Land uses that may locate along a rail corridor include railroad switching and terminal services, manufacturing, transportation, warehousing and wholesale trade. In order to insure compatibility with adjacent business park users to the south and commercial uses to the north, rail uses in this corridor should not be offensive and should not present risk of environmental danger to adjacent properties or the community. The use of heavily planted buffers, screening and berms should be a basic component of any development along the rail corridor.

RECOMMENDATION:

THE PROPOSED REZONING IS INCONSISTENT WITH THE LAND USE PLAN.

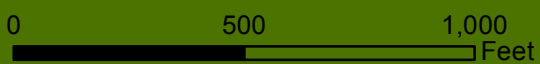
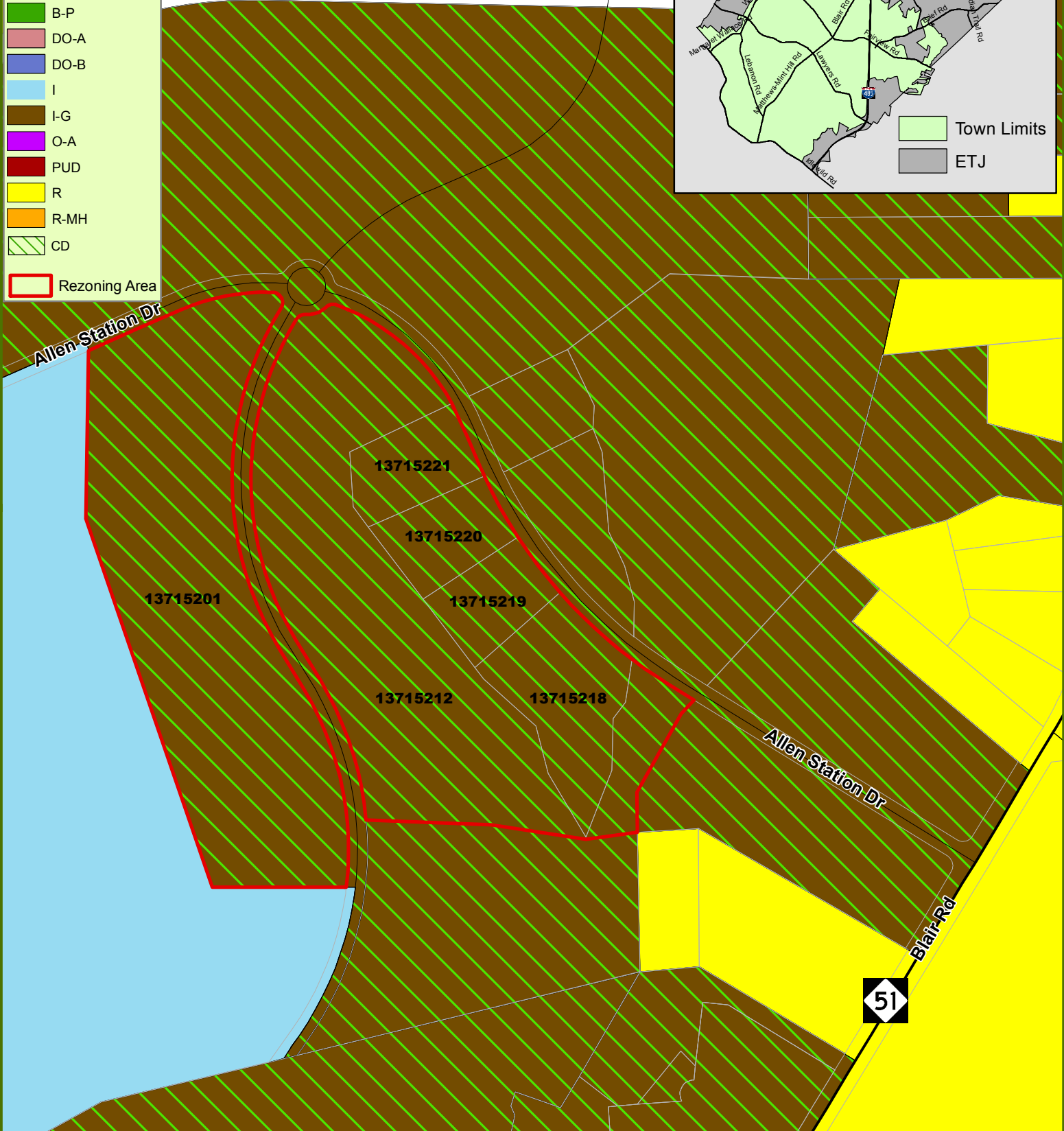
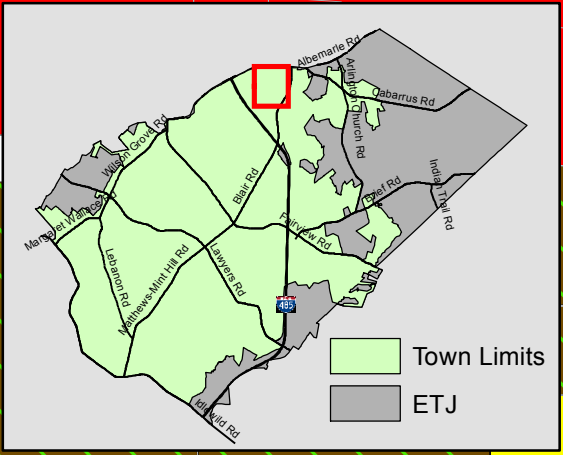
STAFF OFFERS AN UNFAVORABLE RECOMMENDATION

*Individual, particularized conditions on rezonings to a general use district are unenforceable in North Carolina. G.S. 160A-382. All permissible uses in the R district should be considered in the decision to rezone

ZC17-1

Existing zoning: I-G (CD)
Proposed zoning: R
Site area: 50.19 acres

- B-D
- B-G
- B-P
- DO-A
- DO-B
- I
- I-G
- O-A
- PUD
- R
- R-MH
- CD
- Rezoning Area



Produced by the Mint Hill Planning Department
1/9/2017

