



## **Town of Mint Hill**

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

### **Mint Hill Planning Board Agenda** March 20<sup>th</sup>, 2017 at 6:30 p.m.

1. Call To Order
2. Roll Call and Invocation
3. Approve Minutes of February 20<sup>th</sup>, 2017 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 Decision on #SC17-1, Filed by Timothy Beldner for Property Located at 9604 Surface Hill Road, Parcel Number 137-123-08 for Minor Subdivision Approval.
8. Other Business
9. Adjournment

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Candice Everhart  
Program Support Assistant

**MINUTES OF THE MINT HILL PLANNING BOARD MEETING  
FEBRUARY 20<sup>TH</sup>, 2017**

The Mint Hill Planning Board met in regular session on Monday, February 20<sup>th</sup>, 2017 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

**ATTENDANCE**

Chairman: Tony Long

Members: Scott Fandel, Brad Simmons, Roy Fielding and Chip Todd

ETJ Member: Roger Hendrix and Tom Gatz

Staff: John Hoard

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 December 19<sup>th</sup>, 2016 Regular Meeting:** Upon the motion of Mr. Hendrix, seconded by Mr. Simmons, the Board unanimously approved the minutes of the December 19<sup>th</sup>, 2016 Planning Board meeting.

**Reports of Committees, Members and Staff:** Mr. Hoard stated, the Board of Commissioners approved the drive thru for Mint Hill Pharmacy.

**Old Business:** None.

**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.** Mr. Hoard stated this is a byright rezoning so this will be a yes or no with no conditions set, such as, price range, appearance and so on. Mr. Hoard asked the applicant to stand and present their case.

Mrs. Brown said, we've had the property for about twenty years now and we've gone through trials and tribulations with what to do with it since Addison passed in April two years ago. We have lowered the price to \$55,000/acre. The school and an Assisted Living facility took chunks of the property. We've checked with assisted living facilities and builders to see if they were wanting to purchase more to expand, but we haven't had anyone purchase the land. We started to look at an age targeted community with the hospital coming close by. We wanted to hit a price point of \$275,000-\$350,000 for homes in this community. We think this would be good for people around my age. When we mentioned this to the school, they thought it was better than having light industrial

there. We love Mint Hill and we don't want to take away from anything Mint Hill has to offer. We feel like we are ahead of the game because we already have roads and water and we are looking at 90-100 houses.

*Mr. Todd asked, are you going to sell to a developer or develop yourself?* Mrs. Brown said, we're talking to developers, but we want to keep our hand in it as well. I want it to be a place I would want to live.

*Mr. Fielding asked, does the handout show 100 houses?* Mrs. Brown said, yes but it was a rough sketch of two houses per acre.

*Mr. Simmons asked, we can't hold them to the \$275,000 price range correct?* Mr. Hoard said, correct. We can't hold them to that.

Mrs. Brown said, we really can't go below that amount because it needs to be around five times the price of the land.

*Mr. Hendrix asked, what are the properties around the roundabout?* Mr. Hoard said, north of that is the railway. By the Aberdeen is Mint Hill industrial which I forwarded the letter from them to you in opposition of this. Other than that, I haven't heard from anyone else.

*Mr. Hendrix said, it's not a bad concept, I'm just not sure about it in the middle of an industrial park. Industrial is a small area of what we have in Mint Hill and that is my concern about that location.*

Mrs. Brown said, it does help to have the Assisted Living there that kind of goes hand in hand with that. As somebody who is of age, they can make a decision of whether that works for them or not.

*Mr. Gatz asked, is the two per acre okay as for regulation with water and sewer?* Mr. Hoard said yes, we say minimum lot size of 20,000 square foot lots with water and sewer.

*Mr. Gatz asked, is it legal for you to have an age restriction?* Mrs. Brown said, we are going to offer the concept by not having kiddie pools or playgrounds. It is going to be more of a meeting facility to have potlucks and it's called lifestyle living.

Mr. Bailey Patrick said, this is more age targeted. Most older people don't want a large yard and prefer maintenance free living. This would be geared toward the empty nesters and such. We would want to include a nice buffer along between the industrial area and these homes to help with that transition.

*Mr. Gatz asked, what is the square footage you are aiming at for the houses?* Mrs. Brown said, 1,700 to 2,000 square foot.

*Mr. Gatz asked, will you be allowing renters?* Mrs. Brown said, we aren't looking for these to be rentals. We want to sell them.

*Mr. Gatz asked, what are the reasons given by the railroad that they oppose?* Mr. Hoard

said, it simply says they oppose.

*Mr. Gatz said, I would just feel more comfortable if there was more residential area.*

Mrs. Brown said, we tried to do it all residential but couldn't.

Mr. Deryl Bell said, we would prefer to have it all residential, but the feedback we were getting was that that was too much too soon. To do half now and have it all come together so we could do the other half later would be great.

*Mr. Gatz asked, what do you see changing that's going to allow you to develop the light industrial once you put this in?* Mr. Patrick said, right now we are under pressure from a loan to BB&T and a sale would free that pressure up. I think if we get this approved and could drive this environment and hopefully it would drive the business going up across the street.

*Mr. Gatz asked, wasn't there a concept for warehouses?* Mr. Patrick said, there was a concept for 12,000 square foot warehouses towards Highway 51. I think buffers could be nicely done to make it transition from warehouses to residential.

*Mr. Hendrix asked, is the red line between the two properties and is that second piece light industrial?* Mr. Patrick said, on the left of Allen Station Road is the proposed land for rezoning. It borders the nursing home and high school.

*Mr. Hendrix asked, do you have builders interested?* Mrs. Brown said, yes.

*Mr. Hendrix asked, do you have any of them committed?* Mrs. Brown said, we had, but they wanted us to go through the rezoning first.

*Mr. Hendrix said, this is right in the middle of the industrial park which is my concern.*

*Mr. Fielding asked, can they do more than two lots per acre?* Mr. Hoard said, there is a conservation option but that would have to come back through conditional zoning.

*Mr. Fandel asked, with the hospital going up have you reached out to doctors to see if it is viable for anyone to want to set up their offices there?* Mr. Patrick said, we've tried. We sold some to Carolina Healthcare, but it's a challenge.

*Mr. Long asked, on the staff recommendation it says all permissible uses in the R district must be considered in the decision, what do you mean by that?* Mr. Hoard said, back to what I mentioned in the beginning, they are rezoning to a district so anything they that could fall within that district they would be capable of putting in.

*Mr. Long said, Mr. Patrick I hear you saying buffers but I don't see any renderings or layouts of where they would be or what. Could you elaborate on what kind of buffers you're referring to?* Mr. Patrick said, well this is not a full site plan. I can't make a commitment to that until we have a builder. What I imagine is having brick walls, landscaping and berms to try and buffer between those two.

**Mr. Gatz motioned an unfavorable recommendation on #ZC17-1, Filed by Albemarle Road Associates, LLC for property located at Clear Creek Business Park, Tax Parcel: 137-152-18, 137-152-12, 137-152-19, 137-152-20, 137-152-21, 137-152-01. Mr. Simmons seconded the motion and Mr. Long asked for any discussion. Mr. Hendrix said, to the family and everyone involved I understand the situation you're dealing with. I just wish there was an example of this before so we were not being led into the dark. The Board unanimously agreed with the motion.**

Mr. Patrick asked, are there minutes to reflect in the future, in case this doesn't go through with the Board, the conversation we've had tonight? Mr. Hoard said, yes.

**Other Business:** None

**Adjournment:** Upon the motion of Mr. Fielding, seconded by Mr. Todd, and unanimously agreed upon, Chairman Long adjourned the meeting at 7:05 p.m.

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Candice Everhart  
Program Support Assistant



# STAFF REPORT

<b>CASE:</b>	<b>S17-1</b>
<b>REQUEST:</b>	<b>4 LOTS, 3 WITHOUT PUBLIC ROAD FRONTAGE</b>
<b>APPLICANT:</b>	<b>TIMOTHY BELDNER</b>
<b>PARCEL #:</b>	<b>137-123-08</b>
<b>ADDRESS</b>	<b>9604 SURFACE HILL RD</b>

## **EXECUTIVE SUMMARY:**

The applicant is requesting minor subdivision approval for four (4) lots, one (1) lot with public road frontage and three (3) lots without public road frontage. The lots will be served with public water and septic systems and will be subject to the 30,000 SF lot standards from Table 2 of Section 6.1 of the UDO, including 60' front, 20' side, and 40' rear setbacks.

### **6.1.2 Lot Design Standards**

Proposed lots for use by one family detached dwellings and which do not have frontage on a public street may be approved by the Planning Board after making the following findings:

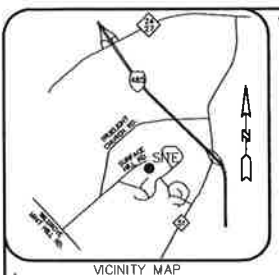
- A. Such lot is a minimum of two acres in size; and
- B. Such lot is provided with access to a public street by means of an easement of at least fifteen feet in width for the exclusive use of the dwelling to be established on such lot and such easement is a visibly identifiable access driveway which is maintained in a condition passable for service and emergency vehicles; however, in no event shall lots be created that result in more than a maximum of three (3) access easements to lots without road frontage; and
- C. Creation of such lot is made necessary by virtue of the fact that development of said property by conventional means (i.e. extension of public street) is impractical due to disproportionate costs of required improvements as compared to relative value of lots created; and
- D. Creation of such lots does not unduly restrict or impair future development or extension of an adequate system of public streets within the immediate area.

## **STAFF RECOMMENDATION:**

Staff recommends approval.

## **STAFF CONTACT:**

Planning Staff  
704-545-9726



LARRY W. MORTON and wife,  
DEBORAH J. MORTON  
DB, 26213 PG. 298  
137-122-08

TBM  
RR SPIKE IN PAVEMENT  
NAVD 88 ELEV. = 742.07'

MARY ELLA DAUGHERTY and  
MARTHA MAE STARNES  
DB, 5153 PG. 334  
137-121-15

VICINITY MAP  
NOT TO SCALE

- NOTES:
1. TRAVERSE ADJUSTED BY THE LEAST SQUARES ADJUSTMENT METHOD.
  2. AREAS DETERMINED BY COORDINATE COMPUTATIONS.
  3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
  4. NC GRID NAD 83 (2011) EPOCH 2010.00 BASIS OF BEARING AND NAVD88 ELEVATIONS DERIVED FROM NCOS NETWORK RTK BETWEEN 09-23-2016 AND 09-26-2016 (HORIZONTAL POSITIONAL ACCURACY = 0.10', PROJECT LOCALIZED HOLDING CONTROL PT. #452 (N=532,330.29', E=1,508,086.42'), AND A COMBINED GRID FACTOR OF 0.99984266. UNITS ARE US SURVEY FEET.
  5. NO UNDERGROUND UTILITIES WERE LOCATED WITH THIS SURVEY. BEFORE DOING ANY DIGGING, CALL NC ONE-CALL (1-800-632-4349).
  6. SUBJECT PROPERTY IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN; AREAS OUTSIDE FUTURE CONDITIONS 1% ANNUAL CHANCE FLOODPLAIN) AS SCALED FROM F.I.R.M. MAP NUMBER 3710550300K; MAP REVISED FEBRUARY 19, 2014.

- REFERENCES:
1. ALL DEEDS AND MAPS SHOWN HEREON.
  2. MAP TITLED "BAINBRIDGE II PHASE 1, MAP 1" BY JACK R. CHRISTIAN & ASSOCIATES, DATED SEPTEMBER 21, 1990; MB. 24 PG. 11.
  3. MAP TITLED "BAINBRIDGE II PHASE 1, MAP 3" BY JACK R. CHRISTIAN & ASSOCIATES, DATED SEPTEMBER 21, 1990; MB. 24 PG. 13.
  4. MAP TITLED "BAINBRIDGE III" BY ALLIANCE ENGINEERING & SURVEYING, P.A.; DATED 12-11-1991; MB. 24 PG. 721.
  5. MAP TITLED "WOODS AT BAINBRIDGE, PHASE 1, MAP 1" BY FRONTIER LAND SURVEYING; LAST REVISED 10-25-2014; MB. 57 PG. 171.

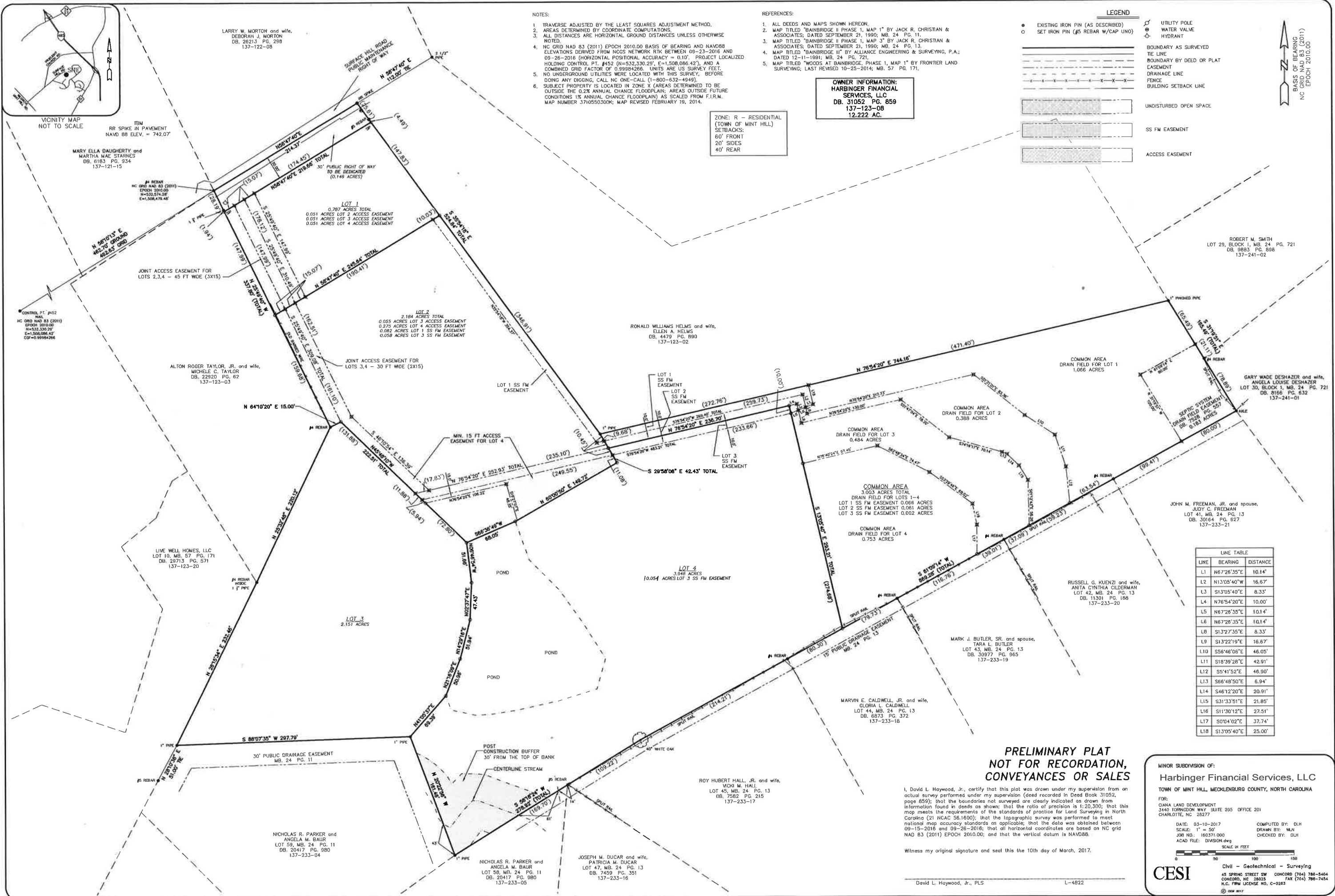
**OWNER INFORMATION:**  
**HARBINGER FINANCIAL SERVICES, LLC**  
DB, 31052 PG. 659  
137-123-08  
12.222 AC.

ZONE: R - RESIDENTIAL  
(TOWN OF MINT HILL)  
SETBACKS:  
60' FRONT  
20' SIDES  
40' REAR

**LEGEND**

- EXISTING IRON PIN (AS DESCRIBED)
- SET IRON PIN (#5 REBAR W/CAP UNO)
- UTILITY POLE
- WATER VALVE
- HYDRANT
- BOUNDARY AS SURVEYED
- - - TIE LINE
- - - BOUNDARY BY DEED OR PLAT
- - - EASEMENT
- - - DRAINAGE LINE
- - - FENCE
- - - BUILDING SETBACK LINE
- UNDISTURBED OPEN SPACE
- SS FM EASEMENT
- ACCESS EASEMENT

BASE OF BEARING  
NC GRID NAD 83 (2011)  
NC EPOCH 2010.00



**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N67°26'35"E	10.14'
L2	N13°05'40"W	16.67'
L3	S13°05'40"E	8.33'
L4	N76°54'20"E	10.00'
L5	N67°26'35"E	10.14'
L6	N67°26'35"E	10.14'
L8	S13°27'35"E	8.33'
L9	S13°22'19"E	16.67'
L10	S56°46'06"E	46.05'
L11	S18°39'28"E	42.91'
L12	S5°41'52"E	46.90'
L13	S66°48'50"E	6.94'
L14	S46°12'20"E	20.91'
L15	S31°33'51"E	21.85'
L16	S11°30'12"E	27.51'
L17	S0°04'02"E	37.74'
L18	S13°05'40"E	25.00'

**PRELIMINARY PLAT  
NOT FOR RECORDATION,  
CONVEYANCES OR SALES**

I, David L. Haywood, Jr., certify that this plat was drawn under my supervision from an actual survey performed under my supervision (deed recorded in Deed Book 31052, page 659); that the boundaries not surveyed are clearly indicated as drawn from information found in deeds as shown; that the ratio of precision is 1:20,300; that this map meets the requirements of the standards of practice for Land Surveying in North Carolina (21 NCAC 56.1600); that the topographic survey was performed to meet national map accuracy standards as applicable; that the data was obtained between 09-15-2016 and 09-26-2016; that all horizontal coordinates are based on NC grid NAD 83 (2011) EPOCH 2010.00; and that the vertical datum is NAVD88.

Witness my original signature and seal this 10th day of March, 2017.

**MINOR SUBDIVISION OF:**  
**Harbinger Financial Services, LLC**  
TOWN OF MINT HILL, MECKLENBURG COUNTY, NORTH CAROLINA

FOR:  
CIANA LAND DEVELOPMENT  
3440 TORRINGTON WAY, SUITE 205 OFFICE 201  
CHARLOTTE, NC 28277

DATE: 03-10-2017  
SCALE: 1" = 50'  
JOB NO.: 160371.000  
ACAD FILE: DIVISION.dwg

COMPUTED BY: DLH  
DRAWN BY: WLN  
CHECKED BY: DLH

SCALE IN FEET

**CESI** Civil - Geotechnical - Surveying  
45 SPRING STREET SW CONCORD (704) 788-5464  
CONCORD, NC 28025 FAX (704) 788-7454  
N.C. P.L.M. LICENSE NO. C-0283