

**MINUTES OF THE MINT HILL PLANNING BOARD MEETING
December 18, 2017**

The Mint Hill Planning Board met in regular session on Monday, December 18, 2017 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

ATTENDANCE

Chairman: Tony Long

Members: Scott Fandel, Chip Todd, Tom Gatz, Roger Hendrix, and Roy Fielding

Absent Members: Brad Simmons

Planning Director: John Hoard

Clerk to the Board: Cassie Crutchfield

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 December 5, 2017 Called Meeting: Upon the motion of Mr. Fielding, seconded by Mr. Hendrix, the Board unanimously approved the minutes of the December 5, 2017 Planning Board meeting.

Additions or Deletions of Agenda Items: None.

Reports of Committees, Members and Staff: None.

Old Business: None

New Business:

A. Discussion and Recommendation on Conditional Rezoning Application #ZC17-9, Filed by Hoods Crossroads Retail, LLC, Property Located at 3501 Matthews-Mint Hill Road, Tax Parcel #135-331-04:

Mr. Hoard stated they were requesting approval to add a roof to cover an existing outdoor seating area. Mr. Hoard explained the purpose for Conditional Zoning in this situation was to acknowledge the setback encroachment. Mr. Hoard said the applicant was asking for an exception to the setback.

Mr. Hendrix asked, were they only wanting to add the roofline? Mr. Hoard said, yes.

Mr. Gatz asked, the patio location doesn't encroach? Mr. Hoard said, no, it's the building that was in the setback. This building had been there for a while.

Mr. Gatz asked, what was the setback supposed to be? Mr. Hoard said, 50ft.

Mr. Gatz made a motion for a favorable recommendation on ZC17-9, Filed by Hoods Crossroads Retail, LLC, Property Located at 3501 Matthews-Mint Hill Road, Tax Parcel #135-331-04. Mr. Hendrix seconded it and the Board unanimously agreed.

B. Discussion and Recommendation on Conditional Rezoning Application #ZC17-10, Filed by SXCW Properties, LLC, Property Located at 9230 Lawyers Road, Tax Parcel #135-221-09:

Mr. Hoard stated this case was a two-part Conditional Zoning request. They were wanting to add fuel pumps at the car wash site and they were requesting to rezone the adjacent 1.77 acres from I to B-G (CD). Mr. Hoard said currently, they do not know what they want to place on the property, so they were asking to have it as a placeholder. Mr. Hoard said they agreed Lot 2 (1.77 acres) would be called Future Development. Mr. Hoard stated they understood that before developing this site, they would have to complete a separate Conditional Zoning process. Mr. Hoard said because they were requesting Lot 2, we were asking them to extend the landscape in front of the site to screen the detention area. Mr. Hoard said we were also asking them to extend the 5ft sidewalk and curb and gutter on Lawyers Road across Lot 2.

Mr. Gatz asked, what was the advantage of going from I to B-G (CD)? Why do it now verse later? Mr. Hoard said, there wasn't an advantage either way. There weren't specific entitlements on it.

Mr. Gatz asked, by adding the fuel pumps, were there any legalities that we must worry about? Mr. Hoard said, the way our ordinance was structured in the Land Use Plan, we had accepted commercial use. Gas pumps were commercial, and it seems to go along with the area.

Mr. Gatz asked, in adding the fuel pumps, did they take away any of the vacuum spots? Mr. Hoard said, on the Zoning Site Plan, it shows the vacuum canopy and gas pumps. Jeremy Roberts, the applicant from Eagle Engineering, said no, they didn't remove any fuel pumps; they shifted them to the front of the site.

Mr. Hendrix asked, tell me more information about Lot 2. Mr. Roberts said, they currently don't have use for the property yet. There's a portion of the car wash that was over the zoning line. That portion would have to be rezoned for the car wash to be built.

Mr. Hendrix asked, do they have car washes that have fuel pumps? Mr. Roberts said, yes.

Mr. Hendrix asked, would there be a store inside the car wash site? Mr. Roberts said, no there would be fuel pumps. The staff from the car wash would assist anyone that needed help.

Mr. Hendrix asked, were they going to be 24-hour fuel pumps? Mr. Roberts said, no 6 a.m. to 10 p.m.

Mr. Hendrix asked, would there be gates on the property? Darren Webb, the applicant from Sam's Xpress Car Wash came up to the platform. Mr. Webb said, there weren't any gates on the property itself. It's a self-service fuel station. You

could pay with a credit card, a cell phone, or cash. We would have an attendant that'll be inside the car wash just in case you needed change.

Mr. Hendrix asked, were they going to update the sign in front of the site? Mr. Webb said, I hope so.

Mr. Hendrix asked, as far as the layout, were they adding any features other than the car wash? Mr. Roberts said, they were adding the fuel station.

Mr. Hendrix asked, would they have to come back for Lot 2 and let us know as to what possible business would go in there? Mr. Hoard said, yes, they must go back to the Conditional Zoning process. At that time the Board would evaluate whatever use they proposed. Mr. Roberts said, one of the things we would try to do was to leave the undisturbed the open space that was going to be around the perimeter of the site.

Mr. Fielding asked, was the buffer going to be left natural? Mr. Webb said, yes.

Mr. Todd asked, were the hours for the car wash and gas station the same? Mr. Webb said, the carwash hours were shorter than the pumps. The car wash hours were 7 a.m. to 9 p.m. and the fuel pumps hours were 6 a.m. to 10 p.m.

Mr. Gatz made a motion for a favorable recommendation on ZC17-10, Filed by SXCW Properties, LLC, Property Located at 9230 Lawyers Road, Tax Parcel #135-221-09. The addition of fuel pumps and canopy at the future Sam's Xpress car wash site was consistent with the Land Use Plan. The request to rezone Lot 2 from I to B-G (CD) was inconsistent with the Land Use Plan. However, B-G (CD) was reasonable in this situation considering the connectivity with the Sam's Xpress site. Furthermore, the institutional zoning projected in the Land Use Plan likely assumed Charlotte Mecklenburg Schools continued ownership of the property. Therefore, this petition was found to be reasonable and in the public interest based on the information from the Staff Report and applicant's presentation, and because Lot 2 cannot be developed until a specific proposal was evaluated and approved by the Board of Commissioners, along with the Staff recommendations. Mr. Fielding seconded it and the Board unanimously agreed.

Other Business: None.

Adjournment: Upon the motion of Mr. Gatz, seconded by Mr. Fielding and unanimously agreed upon, Chairman Long adjourned the meeting at 6:48 p.m.

Cassie Crutchfield, Clerk to the Board