

NOTICE OF CALLED MEETING

The Planning Board of the Town of Mint Hill will hold a called meeting on Monday, February 26, 2018 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall. The purpose of this meeting is to hold the February Planning Board meeting.

Mint Hill Planning Board Agenda

February 26, 2018 at 6:30 p.m.

- 1. Call To Order
- 2. Roll Call and Invocation
- 3. Approve Minutes of December 18, 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 Recommendation on Conditional Rezoning Application #ZC18-1, Filed by Starr and Brian Haigler, Property Located at 9518 Brief Road, Tax Parcel # 197-191-12, 197-191-13, 197-131-15, 197-131-13 & 197-191-11
 - B. Discussion and Recommendation on Conditional Rezoning Application #ZC18-2, Filed by Rev. Shibu Cherian, Property Located at 12601 Idlewild Road, Tax Parcel # 135-331-02
- 8. Other Business
- 9. Adjournment

| Cassie Crutchfield |
|---------------------------|
| Program Support Assistant |

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. <u>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:</u>

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. <u>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:</u>

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.

<u>Adjournment:</u> 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



STAFF REPORT

| 61.232 | |
|-------------------|---|
| CASE: | ZC18-1 |
| EXISTING ZONING | R |
| PROPOSED ZONING | R (CD) |
| PROPERTY OWNER: | RONALD L CLOUSE AND EDNA G CLOUSE |
| APPLICANT | STARR AND BRIAN HAIGLER |
| LOCATION | 9430, 9500, 9508, 9514, 9518, 9536 Brief Road |
| TAX PARCEL NUMBER | 197-191-12, 197-191-13, 197-131-15, 197-131-13, 197-131-19 & 197-191-11 |
| REQUEST: | RETREAT CENTER -OLD HAIGLER INN |

APPLICATION SUMMARY:

The applicant is requesting Conditional Zoning approval to develop a retreat center, which includes a small venue, gift shop, small café, cottages, chapel, spa and fitness center and the owner's residence. The Zoning Plan indicates a 50' buffer surrounding the property.

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:

Favorable recommendation

Planning Staff 704-545-9726

CONTENTS:

COVER SHEET EXISTING CONDITIONS

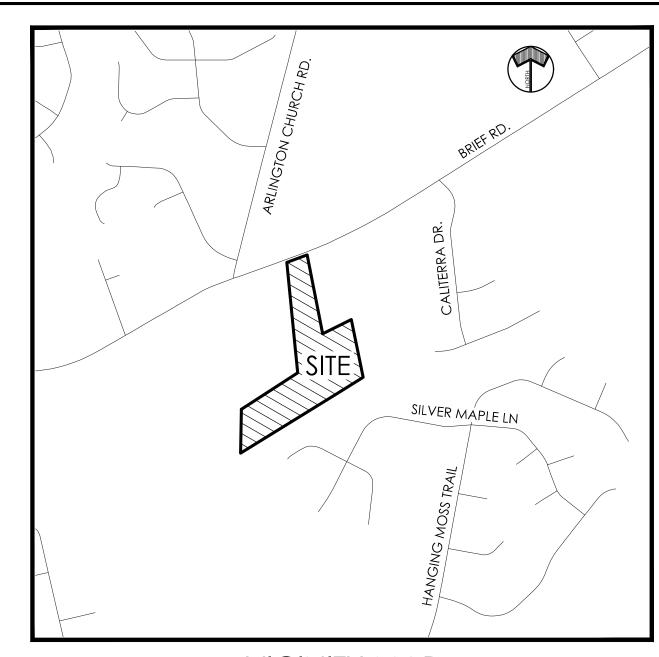
PRELIMINARY SITE PLAN CONCEPTUAL STORMWATER

> CIVIL SITE PLAN REZONING PACKAGE PROPOSED

OLD HAIGLER INN CHARLOTTE, MECKLENBURG COUNTY, NC

OWNER:

BRIAN AND STARR HAIGLER 4704 KIDDLE LANE, MONROE, NC 28110 PH: (704)684-1011



VICINITY MAP SCALE: 1" = 1000'



| revisions: |
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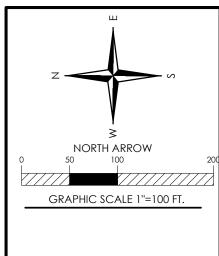
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| | 2. | CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADE |
| VY | | FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE |
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AVOID UTILITY DAMAGE

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING
- APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE
- CAROLINA DEPARTMENT OF TRANSPORTATION. SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMMENDED.



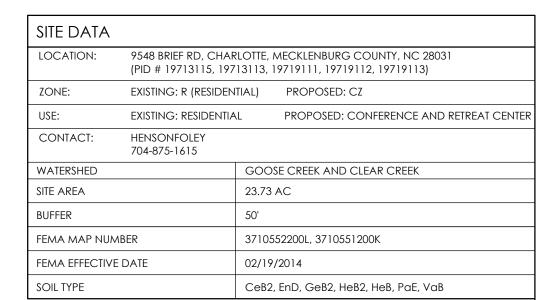




REVISIONS: 1 - 01/23/2018 - PER COUNTY REVIEW

Z02 - SURVEY.DWG DATE: 02/12/2018 DRAWN BY: JA

Z02 - SURVEY.DWG - PLOT: TeAnna - MON. 2-12-2018 4:35 PM



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| IMPERVIOUS SUMMARY - TOTAL TRACT | | | | |
| ITEM | | SQ FT | ACRES | % OF TOTAL SITE AREA |
| TOTAL SITE AREA | | 1,033,678 SF | 23.73 AC | 100.00 % |
| EXISTING IMPERVIOUS AREA | | 5,000 SF | 0.11 AC | 0.48 % |
| PROPOSED IMPERVIOUS AREA (APPRO | OX.) | 309,000 SF | 7.09 AC | 29.89 % |
| TOTAL IMPERVIOUS AREA (APPROX.) | · | 314,000 SF | 7.21 AC | 30.38 % |

| ITEM# | ITEM | PROVIDED |
|-------|--------------------------|--|
| 1 | BUILDING SIZE | EXISTING BUILDING - 5,000 SF CHAPEL - 5,000 SF ANNEX BUILDING - 2,500 SF BARN/HOUSE - 3,800 SF RESIDENCE EXTENSION - 2,500 SF FITNESS CENER - 3,000 SF SPA - 3,000 SF CABINS - 5 @ 2,500 SF EACH |
| 2 | PARKING SPACES REQUIRED | 175 SPACES TOTAL CHAPEL 1 SPACE PER 4 SEATS @ 200 SEATS = 50 SPACES ANNEX BUILDING (2,500 SF) 1 SPACE PER 75 SF = 34 SPACES BARN/HOUSE (3,800 SF) 1 SPACE PER 75 SF = 51 SPACES RESIDENCE EXTENSION 2 SPACES FITNESS CENER (3,000 SF) 1 SPACE PER 200 SF = 15 SPACES SPA (3,000 SF) 1 SPACE PER 200 SF = 15 SPACES CABINS 2 SPACES PER CABIN = 10 SPACES |
| 3 | PARKING SPACES PROVIDED | 203 SPACES |
| 4 | MIN. DRIVE AISLE WIDTH | AS NOTED |
| 5 | MIN. DRIVEWAY RADIUS | AS NOTED |
| 6 | HANDICAP SPACES REQUIRED | 11 SPACES (4 VAN) |
| 7 | HANDICAP SPACES PROVIDED | 11 SPACES (7 VAN) |
| 8 | BUILDING HEIGHTS | MAX 2 STORIES |
| 9 | OPEN SPACE REQUIRED | 15% (23.73 ACRES X 15% = 3.55 ACRES) |
| 10 | OPEN SPACE PROVIDED | 3.55 ACRES MINIMUM |

GENERAL NOTES

BUILDINGS

1. BUILDINGS WILL BE LOCATED WHERE GENERALLY DEPICTED ON THE SPECIAL USE PLAN. 2. THE EXISTING RESIDENCE WILL REMAIN.

1. PARKING WILL BE LOCATED AS GENERALLY DEPICTED ON THE REZONING PLAN. PARKING WILL BE SCREENED FROM PUBLIC VIEW & ADJACENT LAND OWNERS.

2. PARKING AND DRIVE AISLES WILL BE ASPHALT OR CONCRETE AS DECIDED BY OWNER. 3. PARKING SPACES WILL BE SCREENED AND LANDSCAPED AS REQUIRED IN THE ORDINANCE. 4. ACCESSIBLE PARKING SPACES WILL BE PROVIDED AS REQUIRED AT THE FACILITIES. 5. NO PARKING ON BREIF ROAD

BUFFERS AND SETBACKS

1. A 50' PARKING BUFFER WILL BE PROVIDED AROUND THE PERIMETER OF THE SITE. 2. FINAL PLANTING PLAN WILL BE SUBMITTED TO MEET THE INTENT OF ORDINANCE DURING SITE

DRIVEWAY AND ROADWAY IMPROVEMENTS

1. A 26' DRIVEWAY IS PROPOSED ONTO BREIF ROAD. 2. ANY ROADWAY IMPROVEMENTS WILL BE PROVIDED AS REQUIRED BY NCDOT.

3. ALL FIRE ACCESS DRIVE AISLES SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS OF 80,000 POUNDS.

1. LIGHTING WILL BE AS ALLOWED WITHIN THE ORDINANCE AND APPROVED DURING THE SITE PLAN PHASE.

WATER/SEWER

1. SEWER WILL BE PROVIDED THROUGH AN ON-SITE SEPTIC SYSTEM WHILE WATER WILL BE PROVIDED VIA WELL. OWNER RESERVES THE RIGHT TO UTILIZE PUBLIC WATER/SEWER IF AN APPROVED OPTION IS FEASIBLE.

ENVIRONMENTAL

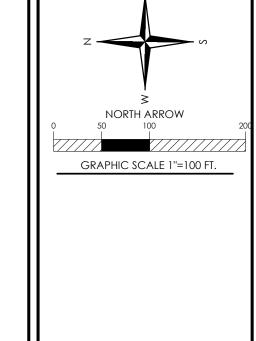
1. EROSION CONTROL PLANS WILL COMPLY WITH CURRENT ORDINANCES AND BE APPLIED FOR DURING THE SITE PLAN PROCESS.

2. WATER QUALITY, POST CONSTRUCTION, AND STORM WATER MANAGEMENT WILL COMPLY WITH THE CURRENT ORDINANCES AND WILL BE APPLIED FOR DURING THE SITE PLAN PROCESS.

1. THE EVENTS SHALL COMPLY WITH THE NOISE RESTRICTIONS IDENTIFIED IN THE TOWN OF MINT HILL

1. TREE PROTECTION/TREE SAVE AREAS WILL BE PROVIDED AS GENERALLY SHOWN ON THE SPECIAL USE PLAN. MODIFICATIONS MAY BE NECESSARY FOR DRIVEWAY SIGHT DISTANCES, EROSION CONTROL MEASURES, STORM WATER MANAGEMENT, AND ACCESSIBLE SLOPES.

1. WATER QUALITY/POST CONSTRUCTION MEASURES WILL BE PROVIDED THROUGHOUT THE SITE GENERALLY AS SHOWN ON CONCEPTUAL STORMWATER PLAN. A LARGER WET POND MAY BE PROVIDED IN LIEU OF SMALLER BMPS IF DETERMINED TO BE FEASIBLE DURING THE CONSTRUCTION DOCUMENT PHASE. THESE MEASURES WILL BE DESIGNED DURING SITE

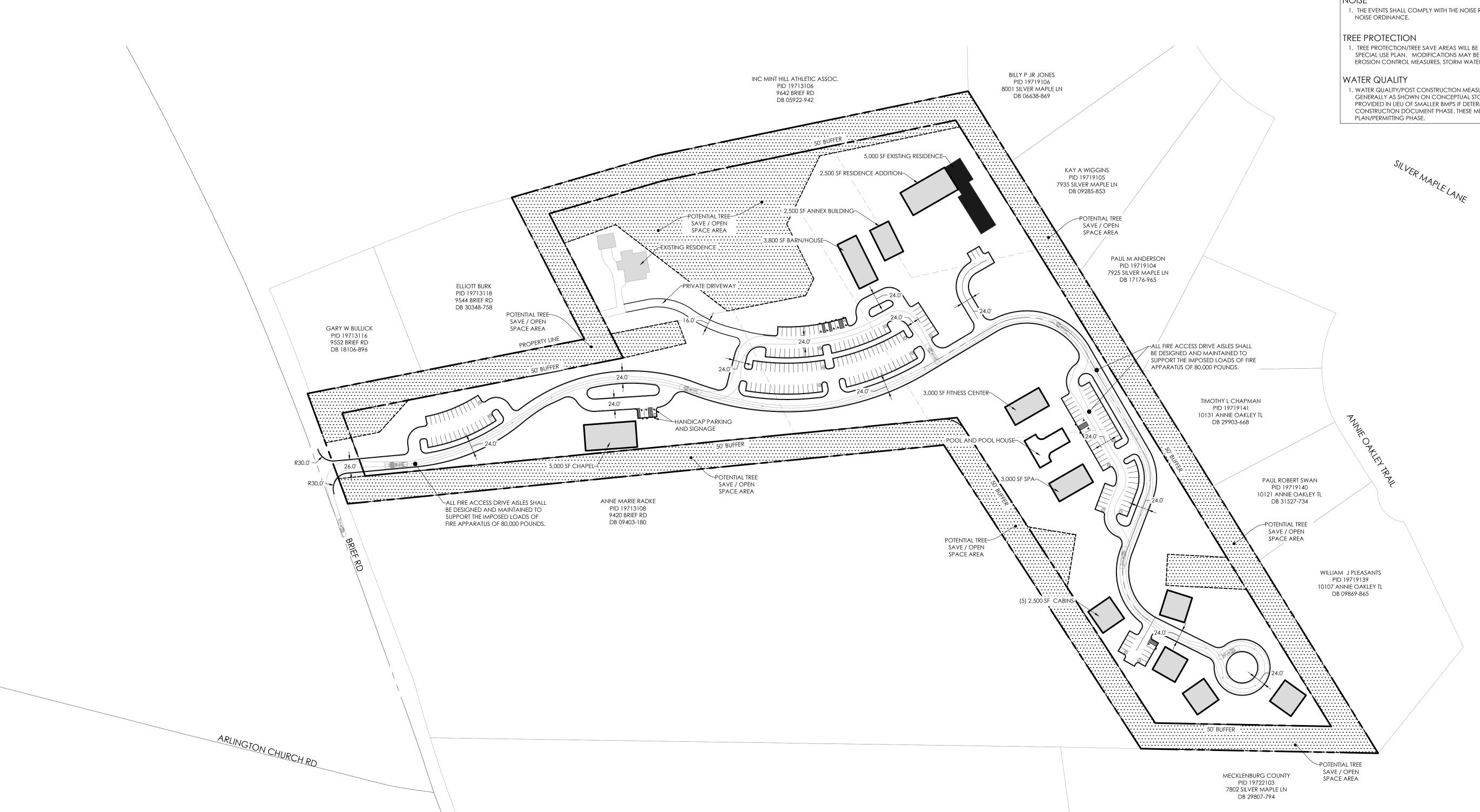


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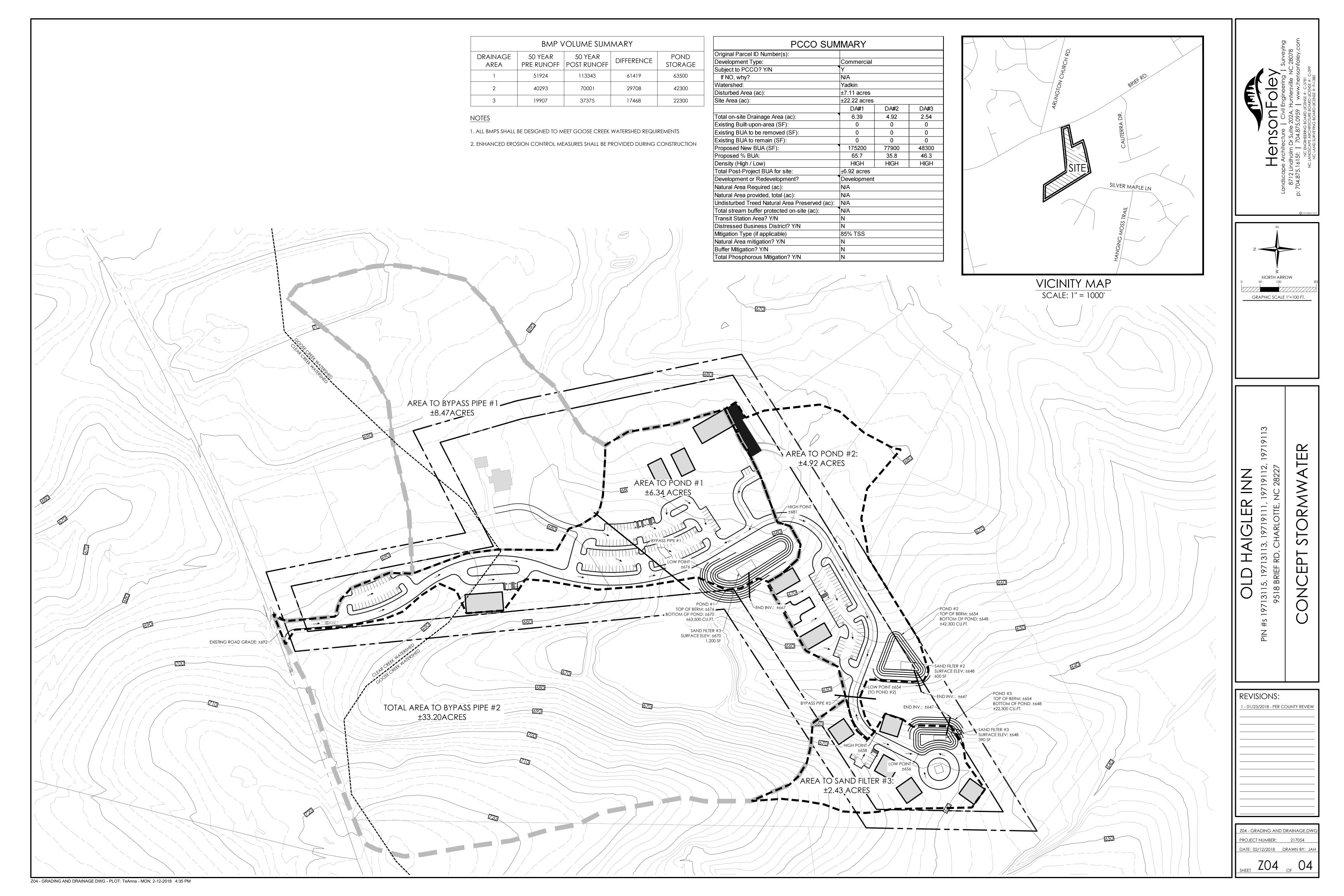
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Z03 - SITE PLAN.DWG PROJECT NUMBER: 217054 DATE: 02/12/2018 DRAWN BY: JA



Z03 - SITE PLAN.DWG - PLOT: TeAnna - MON. 2-12-2018 4:35 PM





STAFF REPORT

| 618282 | |
|-------------------|------------------------------|
| CASE: | ZC18-2 |
| EXISTING ZONING | R |
| PROPOSED ZONING | R (CD) |
| PROPERTY OWNER: | CAROLINAS CHRISTIAN ASSEMBLY |
| APPLICANT | REV. SHIBU CHERIAN |
| LOCATION | 12601 IDLEWILD ROAD |
| TAX PARCEL NUMBER | 135-331-02 |
| REQUEST: | CHURCH/PLACE OF WORSHIP |

APPLICATION SUMMARY:

The applicant, Rev. Shibu Cherian, is requesting conditional zoning approval to allow church service at the existing house located at 1261 Idlewild Road. *Church/Place of Worship* may be considered in the Residential district through the Conditional Zoning process.

There are no plans to provide site improvements such as paved parking, sidewalks, landscaping or additions to the house. The applicant is, however, addressing the concerns of the neighbors by providing a perimeter fence. The Zoning Plan also indicates parking will be restricted to the rear of the house during church gathering.

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:

Favorable recommendation.

Planning Staff 704-545-9726

