

**MINUTES OF THE MINT HILL PLANNING BOARD MEETING
MARCH 19, 2018**

The Mint Hill Planning Board met in a called meeting on Monday, March 19, 2018 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

ATTENDANCE

Chairman: Tony Long
Members: Brad Simmons, Tom Gatz, Roger Hendrix and Roy Fielding
Planning Director: John Hoard
Town Clerk: Michelle Wells
Commissioners: Mike Cochrane and Dale Dalton
Absent: Scott Fandel and Chip Todd

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 February 26, 2018 Regular Meeting: Upon the motion of Mr. Hendrix, seconded by Mr. Simmons, the Board unanimously approved the minutes of the February 26, 2018 Planning Board meeting.

Additions or Deletions of Agenda Items: None.

Reports of Committees, Members and Staff: None.

Old Business: None.

New Business:

A. Public Hearing #ZC18-3, Filed by Samuel Tyler Kirk, Requesting Conditional District Rezoning to Permit Office Use for Property Located at 4419 Wilgrove-Mint Hill Road, Parcel Number 137-062-17: Planning Director Hoard provided the following memo to the Board.

The applicant, Samuel Tyler Kirk, is requesting conditional zoning approval to allow office use at 4419 Wilgrove-Mint Hill Road. According to the Downtown Code, *Permitted Uses: Professional Offices are permitted along Wilgrove-Mint Hill Road only with a Conditional District rezoning approval.*

The Zoning Plan indicates the addition of a 15-space parking lot and a fence for screening.

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.

Planning Director Hoard said the property located on Wilgrove-Mint Hill Road between Nelson and Blair Roads would be used as a professional office.

Mr. Fielding asked if there would be any trees removed from the property. Mr. Kirk said there would be two trees removed to allow for parking. Mr. Fielding asked what type of changes would be made to the property. Mr. Kirk said the inside would be renovated but the exterior would remain the same. Mr. Fielding asked what type of business Mr. Kirk was locating at the address. Mr. Kirk said Labor Panes was a pressure washing service.

Mr. Hendrix asked if the proposed parking was adequate. Mr. Kirk said yes; it included extra spaces to allow for growth. Mr. Kirk said a privacy fence would be installed to screen the vehicles from the public. Mr. Hendrix asked if there would be parking in the front of the building, as shown on the map. Mr. Kirk said no; the downtown code required parking in the rear yard.

Mr. Gatz asked how many homes along Wilgrove-Mint Hill Road had been approved for office use. Planning Director Hoard said currently this was the second one. Mr. Gatz asked what color the fence would be. Mr. Kirk stated it would be a white vinyl fence.

Mr. Hendrix asked the height of the rear fencing. Mr. Kirk said the fence would be 6' in height.

Mr. Fielding asked if shrubbery would be planted around the fence. Mr. Kirk said yes. Mr. Fielding asked if this would be the first business Mr. Kirk had opened in Mint Hill. Mr. Kirk said yes. Mr. Fielding welcomed him to Mint Hill.

Upon the motion of Mr. Gatz, seconded by Mr. Hendrix, the Board unanimously agreed to send a favorable recommendation to the Board of Commissioners on #ZC18-3, Filed by Samuel Tyler Kirk, Requesting Conditional District Rezoning to Permit Office Use for Property Located at 4419 Wilgrove-Mint Hill Road, Parcel Number 137-062-17. The Board added the following condition: A 6' vinyl fence with landscaping in the front was agreed to by the Board and the Applicant.

Upon the motion of Mr. Simmons, seconded by Mr. Hendrix, the Board unanimously adopted the consistency statement for #ZC18-3, as follows:

The Unified Development Ordinance provides for limited office use for properties along the Wilgrove-Mint Hill Road between Blair and Nelson Roads. The Downtown Overlay Code allows consideration for professional office through the conditional zoning process.

#ZC18-3 is found to be reasonable and in the public interest based on the information presented and received with this petition, and because:

- The commitment by the applicant to adequately screen the parking area
- The general preservation of residential character

B. Discussion and Recommendation on Text Amendment #ZC18-4, Filed by the Town of Mint Hill, requesting a Text Amendment to Section 5.2 - Table of Principal Permitted Uses: Planning Director Hoard provided the following memo to the Board.

The purpose of the application is to amend Section 5.2 - Table of Principal Permitted Uses. *Conservation Subdivisions* will be added as an allowed use under the Residential District subject to conditional zoning.

A separate, comprehensive amendment to Section 7.3.3, Conservation Subdivision Ordinance, will be ready for review later this year.

Planning Director Hoard stated the Board of Commissioners had discussed and requested changes to the Ordinance at the retreat; there would be two phases, the second phase would be a comprehensive overhaul that would happen this summer. The Text Amendment that was presented for #ZC18-4 would require Conservation Subdivisions to be subject to conditional zoning

Mr. Gatz asked if this would apply to all conservation subdivisions. Planning Director Hoard said yes.

Mr. Fielding asked for clarification as to why the Board of Commissioners wanted changes to the Conservation Subdivisions. Planning Director Hoard said the changes would protect Mint Hill while allowing builders to ask for flexibility regarding the size of lots.

Upon the motion of Mr. Gatz, seconded by Mr. Hendrix, the Board unanimously agreed to send a favorable recommendation to the Board of Commissioners on Text Amendment #ZC18-4, Filed by the Town of Mint Hill, requesting a Text Amendment to Section 5.2 - Table of Principal Permitted Uses.

Other Business: None.

Adjournment: Upon the motion of Mr. Simmons, seconded by Mr. Hendrix and unanimously agreed upon, Chairman Long adjourned the meeting at 6:50 p.m.

Michelle Wells, Town Clerk