



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 19, 2018 at 6:30 p.m.

1. Call To Order
2. Roll Call and Invocation
3. Approve Minutes of February 26, 2018 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 District Rezoning Application #ZC18-3, Filed by Samuel Tyler Kirk, requesting Conditional District Rezoning to permit office use for Property Located at 4419 Wilgrove-Mint Hill Road, Tax Parcel Number 137-062-17
 - 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
8. Other Business
9. Adjournment

Cassie Crutchfield
Program Support Assistant

MINUTES OF THE MINT HILL PLANNING BOARD MEETING

February 26, 2018

The Mint Hill Planning Board met in regular session on Monday, February 26, 2018 at 6:28 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

ATTENDANCE

Chairman: Tony Long

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

Absent Members: Tom Gatz, Roger Hendrix

Planning Director: John Hoard

Clerk to the Board: Cassie Crutchfield

CALL TO ORDER AND INVOCATION

Chairman Long called the meeting to order at 6:28 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 18, 2017 Called Meeting: Upon the motion of Mr. Fielding, seconded by Mr. Simmons, the Board unanimously approved the minutes of the December 18, 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 #ZC18-1, Filed by Starr and Brian Haigler, Property Located at 9430, 9500, 9508, 9514, 9518, 9536 Brief Road, Tax Parcel Numbers 197-191-12, 197-191-13, 197-131-15, 197-131-13, 197-131-19 & 197-191-11:** Planning Director Hoard asked the applicants, Starr and Brian Haigler, to present their presentation to the Board. Planning Director Hoard said they had presented a similar presentation to the Board of Commissioners in October. The applicants were requesting Conditional Zoning approval to add property to their plan.

Starr and Brain Haigler introduced themselves to the Board. Mrs. Haigler said from the last presentation in October, they decided to add two additional acres to the 22.47 acres. Mrs. Haigler showed the overview of the property on Brief Road. Mrs. Haigler said the ballfields for the Mint Hill Athletic Association bordered the back of the property as well as the homes of the existent residence. Mrs. Haigler's said their family would reside on the property as soon as they closed. There were three houses

next to the ballfield; the house with the two additional acres was the one under contract. Mrs. Haigler said the property total was approximately 25 acres. Mrs. Haigler said they're from Union County and had been looking for property for over two years. Mrs. Haigler was a pastor's daughter and had walked through difficult times through years of ministry. Mrs. and Mr. Haigler had a desire to create a ministry retreat center that would focus on bringing in pastor's families and people for full-time ministry. Mrs. Haigler said the reason why they wanted this property was because there weren't many places that cater to people in ministry. Mrs. Haigler said they would have a business that was an event center as well as cottages that people could rent. They would have a nonprofit and a business that ministers to people in ministry. Mrs. Haigler said they wanted the property to be ministry focused and have a community covenant for people who rent the event center and cottages. The parking areas would be composed of natural white pebble stone instead of paved parking lots. Mrs. Haigler said they would have three approved DJ vendors and all outside music selections would have to be approved by them. They would keep as many existing trees and vegetation as much as possible. For the site plan, they had broken it down into phases of development. Mrs. Haigler said Phase One was adding an addition to the home of the existent residents. The first building they would complete was an event center called The House Barn. The House Barn would have three suites for people to rent. The House Barn would be useful for small family gatherings or a retreat. Beside The House Barn would be a walkway to the Annex. The Annex would have a catering kitchen, restrooms, a gift shop, and an outdoor gathering area. Mrs. Haigler said Phase Two was the seven-acre wooded portion that would be for the five cottages. There were supposed to be seven cottages, but they had water issues running down Brief Road. There would be a fitness center and a spa in Phase Two. Mrs. Haigler said Phase Three was to build a chapel in front of the property. The chapel was not to house a church, but to have on the property for prayer. Mrs. Haigler's said the chapel would have simple church pews. The chapel wouldn't have running water, lighting, or sound effects. For future expansion, they would like to look for land in the nearby facility to build a larger scale event center.

Mr. Todd asked, what experience the Haigler's had in running a facility? Mrs. Haigler said, She and Brian were realtors and they flipped houses. We had experience through managing our own business and through our real estate team.

Mr. Todd asked, what was the total capacity of rooms in all the cottages? Mrs. Haigler said, there would be five cottages with four rooms per cottage. Along with three rooms in The House Barn and the house where their family would live had four bedrooms. There would be a total of 27 rooms in our development.

Mr. Todd asked, could it be used for men and women retreats? Mrs. Haigler said, yes. Mr. Haigler said it would give families a place to stay locally when there were tournaments at the ballpark.

Mr. Todd asked, would the cafe be a full run restaurant? Mrs. Haigler said, no it would be a small-scale restaurant with a side grill and a seasonal menu. They didn't want to be caterers. They would love to partner with full-scale catering companies for bigger events because they had no intention of doing full-scale catering.

Mr. Fandel asked, were you setting this up as a nonprofit ministry retreat? Mrs. Haigler said, they were setting this up as a business with a nonprofit on the side. It wasn't going to be a nonprofit completely.

Mr. Fandel asked, who were you marketing primarily? Mrs. Haigler said, they were marketing primarily church groups as well as upscale groups. Local couples who were looking for a couple nights away instead of traveling long distances for a vacation.

Mr. Fielding asked, do you know the timeframe of when it would be built? Mrs. Haigler said, yes, we have a public hearing in March. We had everything lined up to close, but we received a notice from the Mecklenburg Fire Marshal. The Fire Marshal wanted us to have a fire hydrant at the road. To run water was going to be expensive so it wasn't an option for us. Our engineer had been working with people at Mecklenburg County for other options. Another option was to have a private water system. We would need to re-evaluate our timelines. It may take us longer to get started on our initial construction, but we would be looking at other options.

Mr. Simmons asked, was it possible to get water from Ashe Plantation neighborhood? Mr. Haigler said, they had been in contact with Charlotte Water and were declined because they were not landlocked. They would have to get water from Brief Road because we have frontage on Brief Road.

Mr. Simmons asked, have you been in contact with Mint Hill Athletic Association and does it appear that they were going to be a good neighbor? Mrs. Haigler said, they had sent letters of the rezoning process to the neighbors and had a community meeting. We have not heard back from the Mint Hill Athletic Association. The primary concern was the noise. There was one neighbor that lived at the very back of Ashe Plantation that was upset with the plans. We informed him that he was in the quietest part of the property and that we were not setting this up as a wedding venue.

Chairman Long asked, what were the plans with parking for the development? Mrs. Haigler said, our engineer had put in the required number parking spaces for people we had in our plans. We would have the additional two acres from the house that would expand parking if needed.

Mr. Fielding made a motion for a favorable recommendation on #ZC18-1, Filed by Starr and Brian Haigler. Mr. Simmons seconded the motion and the Board unanimously agreed.

- B. Discussion and Recommendation on Conditional Rezoning Application #ZC18-2, Filed by Rev. Shibu Cherian, Property Located at 12601 Idlewild Road, Tax Parcel Number 135-331-02:** Planning Director Hoard stated the applicants were requesting approval to allow church service in the house. There were no proposed improvements such as paved parking or additions to the house. The applicant was, however, addressing the concerns of the neighbors by providing a perimeter fence and requiring their church members to park on the lawn behind the house. Planning

Director Hoard explained, in this situation, it required the approval of Conditional Zoning to allow church service in the house.

Mr. Simmons asked, how many parking spaces did they have and how many people were attending church? Planning Director Hoard said, the applicant was not interested in having paved parking as an alternative they have been parking on the lawn. Matt Jones, a Civil Engineer came up to the platform. Mr. Jones said they had 20 families gathering at the house. There was an issue with a neighbor about the maintenance of a fence and the property. There was not a problem with neither the parking, the number of cars, the crowd or the noise. We have cleaned up the land and plan on replacing the fence. They hoped to outgrow the site and find another affordable location. For that reason, they do not intend to put in a parking lot.

Planning Director Hoard showed the Board members what was shown at the public hearing and the neighbors' concerns about the idea of a parking lot.

Mr. Simmons asked, could they put in a parking lot if this was approved? Planning Director Hoard said no, the Conditional Zoning would apply specifically to this use. If they decided to expand the house, they would have to come back for approval.

Mr. Fielding asked, when would the fence be fixed? Mr. Jones said, the fence was located on both properties. It was a mixture of wire and wood. The neighbor agreed to have them put in a wooden fence on the property.

Mr. Fielding asked, was the fence around the entire perimeter? Mr. Jones said, it would go around the three sides and the front of the house.

Mr. Todd asked, was this house occupied during the week or was it only being used as a house church on Sundays? Mr. Jones said, the house had been occupied during the week by a church member and church services on Sundays.

Mr. Simmons made a motion for a favorable recommendation on #ZC18-2, Filed by Rev. Shibu Cherian. Mr. Fandel seconded the motion and the Board unanimously agreed.

Other Business: Mr. Fielding said he received the application to reapply for another term. He believed in term limits and did not intend to reapply for next year.

Adjournment: Upon the motion of Mr. Simmons, seconded by Mr. Fandel and unanimously agreed upon, Chairman Long adjourned the meeting at 7:07 p.m.

Cassie Crutchfield, Clerk to the Board



STAFF REPORT

CASE:	ZC18-3
EXISTING ZONING	R DO-A
PROPOSED ZONING	R DO-A (CD)
PROPERTY OWNER:	JOHN LOVE
APPLICANT	SAMUEL TYLER KIRK
LOCATION	4419 WILGROVE-MINT HILL ROAD
TAX PARCEL NUMBER	137-062-17
REQUEST:	OFFICE USE

APPLICATION SUMMARY:

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 19-space parking lot and a fence for screening.

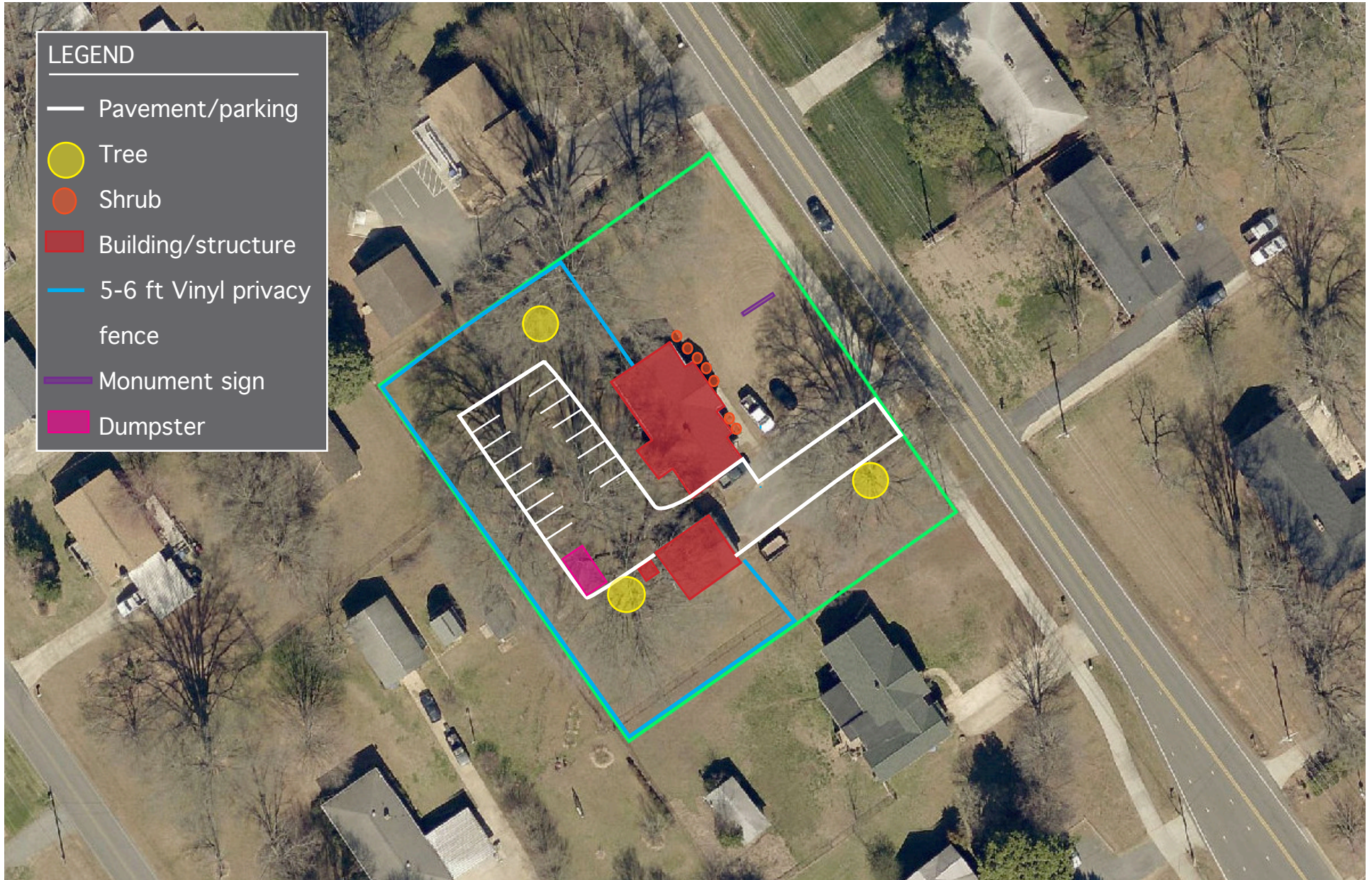
Conditional District decisions shall be made in consideration of identified relevant adopted land use plan. Conditional District rezoning is a legislative procedure under which the Board of Commissioners has the authority to increase, tighten, add, vary, modify or waive specific conditions or standards. In approving a petition for the rezoning of property to a Conditional District the Board of Commissioners may request reasonable and appropriate conditions.

RECOMMENDATION:

Favorable recommendation

4419 WILGROVE-MINT HILL RD
MINT HILL, NC 28227
PARCEL ID#: 13706217

PREPARED BY: SAMUEL TYLER KIRK
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STAFF REPORT

CASE:	ZC18-4
APPLICANT	TOWN OF MINT HILL
REQUEST:	TEXT AMENDMENT

APPLICATION SUMMARY:

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.