



Town of Mint Hill

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

Mint Hill Planning Board Agenda May 21, 2018 at 6:30 p.m.

1. Call To Order
2. Roll Call and Invocation
3. Approve Minutes of April 16, 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 Rezoning Application #ZC18-6, Filed by Albemarle Road Associates, LLC, Located at Allen Station Drive and Blair Road, Tax Parcel Numbers 137-151-25, 137-151-27, 137-152-12, 137-152-18, 137-152-19, 137-152-20, 137-152-21, 137-152-01, 137-152-11, 137-152-53, 137-152-54
 - B. Discussion and Recommendation on Text Amendment #ZC18-7, Filed by Par 5 Development Group, LLC, requesting a Text Amendment to Section 5.2 – Table 5.2-1 Principal Permitted Uses
8. Other Business
9. Adjournment

**MINUTES OF THE MINT HILL PLANNING BOARD MEETING
APRIL 16, 2018**

The Mint Hill Planning Board met in a called meeting on Monday, April 16, 2018 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

ATTENDANCE

Chairman: Tony Long
Members: Scott Fandel, Tom Gatz, Roger Hendrix and Roy Fielding
Planning Director: John Hoard
Clerk to the Board: Cassie Crutchfield
Commissioner: Dale Dalton
Absent: Brad Simmons 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 March 19, 2018 Regular Meeting: Upon the motion of Mr. Fielding, seconded by Mr. Gatz, the Board unanimously approved the minutes of the March 19, 2018 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 ZC18-5, Filed by Griffin-Goforth Properties, LLC, Requesting Condition Zoning to allow an automotive maintenance facility, Located at 11140 Business Ln, Tax Parcel Number 139-092-23: Planning Director Hoard provided the following memo to the Board.

The applicant, Bobby Reynolds, is requesting conditional zoning approval to allow an automotive maintenance facility. The Mint Hill Business Park was originally approved May 17, 1999. The proposal includes a 3,960 sq. ft. building and a gravel parking area. A 5' sidewalk is required along the property frontage of both Business Lane and Jomac Drive.

The property owner agrees to provide a 5' sidewalk in front of Griffin Tile & Marble.

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.

Mr. Gatz asked if it was required for the lots in Mint Hill to have a Conditional District? Planning Director Hoard said yes, from the retreat the Board of Commissioners was looking into eliminating that requirement. Mr. Gatz asked was there any special requirements for the runoff water? Planning Director Hoard said no. Mr. Reynolds said the facility would be used more for maintenance than it would be for a washdown. Mr. Gatz asked what kind of maintenance? Mr. Reynolds said it would be used for vehicles such as tune ups. They were already located at Griffin Tile & Marble. They were building a separate building because they have outgrown where they were located now.

Mr. Hendrix asked if all requirements were met? Planning Director Hoard said yes.

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 ZC18-5, Filed by Griffin-Goforth Properties, LLC, Requesting Condition Zoning to allow an automotive maintenance facility, Located at 11140 Business Ln, Tax Parcel Number 139-092-23. ZC18-5 is consistent with the Land Use Plan and the Conditional District established in 1999. Therefore, ZC18-5 is found to be reasonable and in the public interest, based on the information presented and reviewed with this petition.

B. Discussion and Decision on S18-3, Filed by Gary Parks, requesting Preliminary Subdivision approval for 20 lots, Located at 5611 Kool Springs Drive, Tax Parcel Numbers 137-032-15, 137-032-14, 137-032-13pt & 137-032-46: Planning Director Hoard provided the following memo to the Board.

The applicant, Gary Parks, is requesting preliminary subdivision approval for property located at 5611 Kool Springs Drive. The site consists of 13.97 acres. The site plan indicates 20 lots.

Lots are to be served with public water and public sewer. The Mint Hill Unified Development Ordinance requires a minimum 20,000 square foot lot. The minimum setbacks are 50 ft front, 25 ft side street (corner lots), 15 ft side yard, and a 40 ft rear yard. Each lot shall have at least 60 ft of road frontage and a minimum lot width of 125 ft at the minimum front setback line.

The preliminary plan appears to meet the above requirements.

Mecklenburg County Land Use and Environmental Services Agency will review the construction plans for sedimentation and erosion control, storm water, flood, and road profiles. The applicant is responsible for submitting these plans to Mecklenburg County. Mint Hill staff will review the construction plans to assure compliance before grading begins.

Mr. Hendrix asked if all requirements were met? Planning Director Hoard said yes.

Mr. Gatz asked if the subdivision needed to be protected with fences because there was a runoff water near the area? Planning Director Hoard said no.

Upon the motion of Mr. Gatz, seconded by Mr. Fielding, the Board unanimously approved on S18-3, Filed by Gary Parks, requesting Preliminary Subdivision approval for 20 lots, Located at 5611 Kool Springs Drive, Tax Parcel Numbers 137-032-15, 137-032-14, 137-032-13pt & 137-032-46

Other Business: None.

Adjournment: Upon the motion of Mr. Gatz, seconded by Mr. Hendrix and unanimously agreed upon, Chairman Long adjourned the meeting at 6:40 p.m.

Cassie Crutchfield, Clerk to the Board



STAFF REPORT

CASE:	ZC18-6
EXISTING ZONING	I-G (CD)
PROPOSED ZONING	I-G (CD)
PROPERTY OWNER:	ALBEMARLE ROAD ASSOCIATES, LLC
APPLICANT	ALBEMARLE ROAD ASSOCIATES, LLC
LOCATION	CLEAR CREEK BUSINESS PARK
TAX PARCEL NUMBERS	137-151-25, 137-151-27, 137-152-12, 137-152-18, 137-152-19, 137-152-20, 137-152-21, 137-152-01, 137-152-11, 137-152-53, 137-152-54
REQUEST:	AMEND CONDITIONS

BACKGROUND:

In 2012 Clear Creek Business Park was divided into Part A and Part B (see attached map). Part A retained the original conditions established for Clear Creek plus a requirement for Conditional Zoning to apply to the remaining parcels within Part A. Part B was approved with a list of general standards and allowable uses, all of which would be administratively reviewed and approved.

Part A Conditions: 1. CD required for the remaining undeveloped Part A parcels. 2. All outdoor storage will be limited to the side or rear of the building and will be screened with a vegetative buffer, masonry walls or solid fences or chain linked fences (if chain link fences are installed, vegetation must be provided, and the fence shall be dark color to blend with the landscaping) 3. Street trees along Albemarle Road and Blair Road should be minimum of 4" caliper and 20-25 feet in height at time of planting. 4. The front facades shall be constructed of masonry or brick material. In addition, all buildings visible from the street shall be masonry or brick on side and rear 5. Access to all lots shall be from interior streets only 6. Eating establishment, retail sales and services should be limited to accessory uses to the principle structure and not be primary uses in the park 7. Bus stations, power generating or transmission facilities, radio, telephone masts, towers or similar structures, telephone repeater stations, blacksmiths, armories, bulk storage of flammable liquids and gases, and truck terminals shall be prohibited uses 8. Street shall be 80% occupied before the final inch of asphalt is applied and before the town will accept streets for maintenance 9. Installation of sidewalks within development shall be bonded to insure installation upon development/construction of site.

APPLICATION SUMMARY:

The primary objective of the rezoning petition is to establish by-right uses for Clear Creek. The intent is to allow Section 5.2 of the UDO to control the by-right uses and indicate those which are subject to conditional zoning. The applicant is, however, requesting a slight variation to Section 5.2 by including the following uses as by-right. Without specific authorization from the Board of Commissioners these uses would be subject to conditional zoning.

1. Mini-warehouse
2. Moving and Storage Facilities
3. Health Centers
4. Personal Health Clinic

Mini-Warehouse	A structure containing separate storage spaces of varying sizes leased or rented on an individual basis. No outdoor storage shall be allowed in conjunction with the facility with the following exceptions: boats, cars; motorcycles; trailers; motor homes, pickup trucks and similar-type and size vehicles. All such areas devoted for outdoor storage shall be in areas so designated for such storage. Use of the leased storage spaces shall be for storage purposes only.
Moving and Storage Facilities	A facility that provides pickup and hauling of items and temporary on-site storage sometimes referred to as "ministorage". Moving vehicles for rent or hire and associated supplies may be purchased or rented.
Health Center	A center, providing outpatient and short-term hospital facilities for medical and mental health patients, as well as dental and social services.
Personal Health Clinic	A medical or health clinic which routinely provides for the care and treatment of and testing for physical emotional or mental injury, illness or disability and which may include overnight patient care.

The applicant also requests the deletion of condition #6, a condition that prohibits restaurants, retail sales and services from Clear Creek. By removing condition #6, restaurants, retail sales and services will be an option subject to conditional zoning.

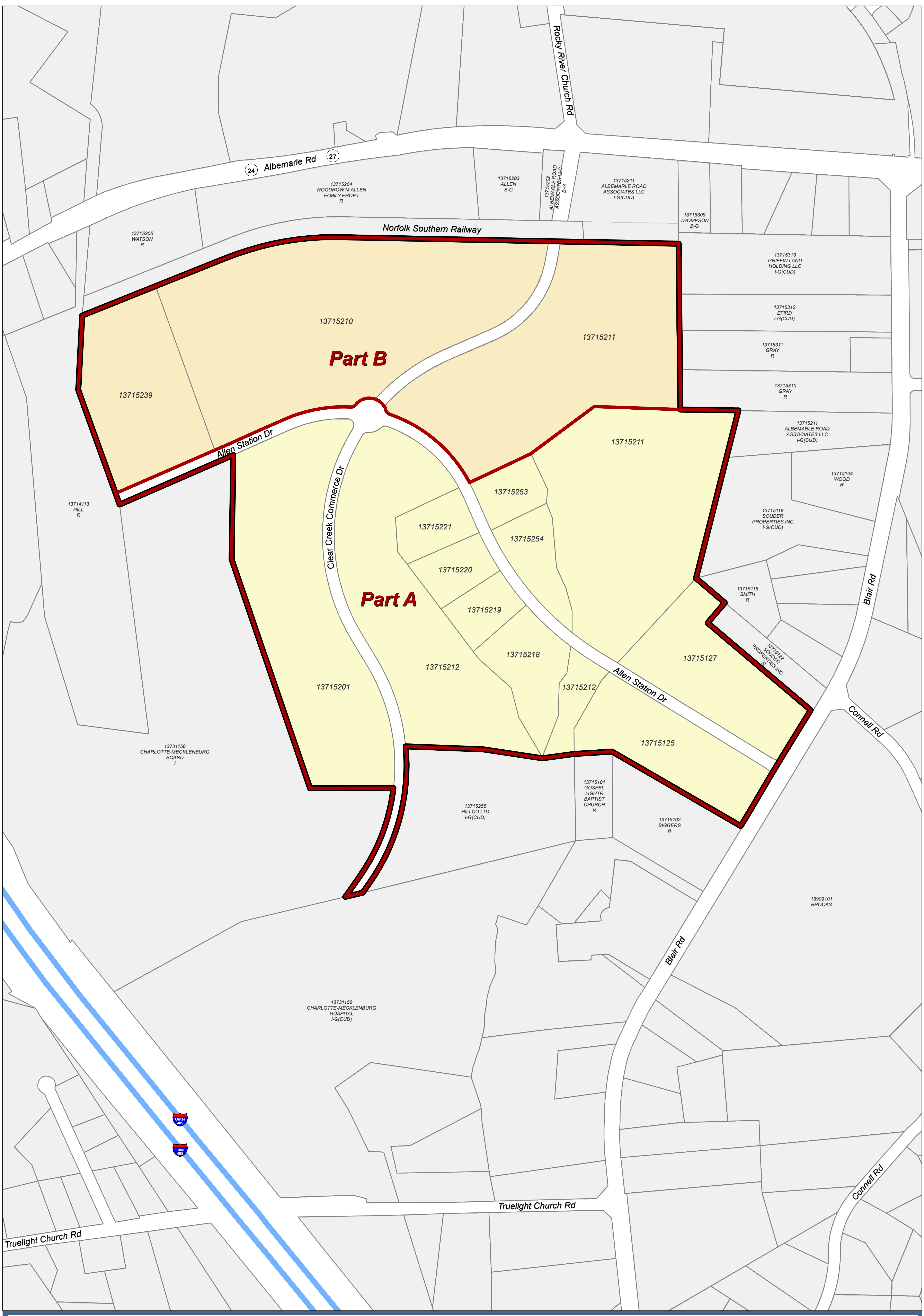
*Staff recommends the removal of condition #8 pertaining to the requirement for 80% occupancy before the final inch of asphalt is applied. The development, assuming the condition is removed, would follow the existing protocols for street acceptance.

The uses permitted for the I-G district are attached for your review. The yellow highlight indicates the use is subject to conditional zoning. Please note four of the yellow highlighted uses are underlined. These are the uses the applicant is requesting to add to the by-right category. The red highlight indicates the use was specifically prohibited from Clear Creek. All other uses are considered by-right.

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 with the suggested removal of condition #8, regarding street acceptance



24 Albemarle Rd 27

Rocky River Church Rd

Norfolk Southern Railway

13715204 WOODROW M ALLEN FAMILY PROP 1 R

13715203 ALLEN B-G

13715211 ALBEMARLE ROAD ASSOCIATES LLC I-G(CUD)

13715309 THOMPSON B-G

13715205 WATSON R

13715313 GRIFFIN LAND HOLDING LLC I-G(CUD)

13715312 EFIRD I-G(CUD)

13715311 GRAY R

13715310 GRAY R

13715211 ALBEMARLE ROAD ASSOCIATES LLC I-G(CUD)

13715104 WOOD R

13715118 SOUDER PROPERTIES INC I-G(CUD)

13715115 SMITH R

13715122 PROPERTIES INC I-G(CUD)

Cornell Rd

Blair Rd

13715210

13715211

Part B

13715239

Allen Station Dr

13715211

Clear Creek Commerce Dr

13715253

13715221

13715254

13715220

Part A

13715219

13715218

13715212

13715212

13715127

13715201

13715125

13731158 CHARLOTTE-MECKLENBURG BOARD I

13715255 HILLCO LTD I-G(CUD)

13715101 GOSPEL LIGHT BAPTIST CHURCH R

13715102 BIGGERS R

13909101 BROOKS

13731156 CHARLOTTE-MECKLENBURG HOSPITAL I-G(CUD)

Blair Rd



Truelight Church Rd

Truelight Church Rd

Cornell Rd

Automobile Body Shop

Automobile Repair Shop

Automobile Service Station

Automobile Towing and Wrecker Service

Automobile, Truck, Boat, Motorcycle, Manufactured Home and Recreational Vehicle Sales and Rental

Car Wash,

Automatic

Car Wash,

Self Service

Parking Areas,

Commercial

Parking Garages

Truck Washing

Facility

Bus or Train

Terminal,

Passenger

Bus Stations

Heliport/Helistop

Radio and Television Stations

Radio, Telephone and Television Broadcast Tower and/or Station (other than telecommunications towers)

Railroad Terminal and Yard

Telecommunication Towers

Transit Station

Truck Stop

Truck Terminals

Medical Education Center

Post Offices

Public Garages,

Service Buildings

and Yards

Flammable Liquids and Gases, Bulk Storage

Heavy, Industrial, Farm Equipment Sales and Service

Industrial Heavy Equipment Bulk Storage Yard

Junkyard and

Salvage Yard

Laboratories, Analytical, Experimental and Testing

Laboratories

Medical and

Dental

Lumber or Building Material Yards

Machine, Metal and Woodworking Shop

Manufacturing,

Processing or

Fabrication

Mining

Mini-Warehouse

Moving and Storage Facilities

Printing Plants,

Including

Blueprinting and

Photo Processing

Shops for Building Trades

Sign Painting

Storage Warehouse and Yards

Wholesaling With Outside or Inside Storage

Crematorium

Health Centers

Hospitals

Orphanages

Physical Rehabilitation Hospitals

University/Teaching Hospitals

Contractor Offices without accessory storage

Financial Institution

Office,

Medical Services

Offices, Professional and Business

Outpatient Wellness Center

Personal Health Clinic

Firing Range

Nursing Homes and Rest Homes

Assisted Living

Animal Hospital

(indoor kennel)

Brewery Tap Room

Convenience Store

Dry Cleaning/

Laundry Plant

Dry Cleaning/Laundry Service Outlet

Nurseries, Retail

Restaurant with

In-Car Dining

Restaurant

Restaurant, with Drive Through

Retail Sales (Less than 10,000 Square Feet Gross Floor Area and not otherwise defined/listed)

Retail Services (Less than 10,000 Square Feet Gross Floor Area and not otherwise defined/listed)



STAFF REPORT

CASE:	ZC18-7
APPLICANT	PAR 5 DEVELOPMENT GROUP, LLC
REQUEST:	AMEND SECTION 5.2 TO ALLOW <i>ANIMAL KENNEL</i> IN THE DO-B DISTRICT SUBJECT CONDITIONAL ZONING

APPLICATION SUMMARY:

The applicant, Par 5 Development Group, LLC, is requesting a text amendment to Section 5.2 (**Table 5.2-1 Principal Permitted Uses**) to allow consideration through conditional rezoning for *Animal Kennel* in the DO-B district.

Par 5 Development Group, LLC presented the concept of developing a Pet Suites facility in the Downtown at the April Developer Workshop. Currently the Ordinance does not allow Animal Kennels in the Downtown. With the approval of the text amendment, the applicant plans to move forward with the rezoning process.