

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

The Mint Hill Planning Board met in a regular session on Monday, July 16, 2018 at 6:29 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

**ATTENDANCE**

Chairman: Tony Long

Members: Scott Fandel, Tom Gatz, Brad Simmons, and Chip Todd

Planning Director: John Hoard

Clerk to the Board: Cassie Crutchfield

Commissioners: Mike Cochrane and Dale Dalton

Absent: Roger Hendrix and Roy Fielding

**CALL TO ORDER AND INVOCATION**

Chairman Long called the meeting to order at 6:29 p.m., declared a quorum present and the meeting duly constituted to carry on business. Mr. Todd gave the invocation.

**ORDER OF BUSINESS**

**Approval of Minutes of May 21, 2018 Regular Meeting:** Upon the motion of Mr. Gatz, seconded by Mr. Simmons, the Board unanimously approved the minutes of the May 21, 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 Decision on S18-8, Filed by Delta Land Services for Minor Subdivision Approval for two lots without public road frontage, resulting in three lots, located at 5701 Matthews-Mint Hill Road, Parcel Numbers 135-281-73 and 135-281-07:** Planning Director Hoard provided the following memo to the Board.

The applicant, James Scott, was requesting minor subdivision approval for two (2) lots without public road frontage (easement lots), resulting in 3 lots.

Proposed lots for use by one family detached dwellings and which do not have frontage on a public street may be approved by the Planning Board after making the following findings:

A. Such lot was a minimum of two acres in size; and

B. Such lot was provided with access to a public street by means of an easement of at least fifteen feet in width for the exclusive use of the dwelling to be established on such lot and such easement

was a visibly identifiable access driveway which was maintained in a condition passable for service and emergency vehicles; however, in no event shall lots be created that result in more than a maximum of three (3) access easements to lots without road frontage; and

C. Creation of such lot was made necessary by virtue of the fact that development of said property by conventional means (i.e. extension of public street) was impractical due to disproportionate costs of required improvements as compared to relative value of lots created; and

D. Creation of such lots does not unduly restrict or impair future development or extension of an adequate system of public streets within the immediate area.

Mr. Gatz asked did the first lot supplied water and sewer? Planning Director Hoard said the lot size did not affect the utilities. Mr. Gatz asked if the applicant made the lot size smaller, would the lot meet the Town's requirements for water and sewer? Director Hoard said yes, the size of the lot had a 30,000 sq. ft. minimum.

**Upon the motion of Mr. Gatz, seconded by Mr. Simmons, the Board unanimously approved on S18-8, Filed by Delta Land Services for Minor Subdivision Approval for two lots without public road frontage, resulting in three lots, located at 5701 Matthews-Mint Hill Road, Parcel Numbers 135-281-73 and 135-281-07.**

**B. Discussion and Decision on S18-10 Cadence Preliminary Subdivision, Filed by Mattamy Homes (Bob Wiggins), Parcel Numbers 139-361-99, 139-061-01, 139-014-02 and portion of 139-014-01:** Planning Director Hoard provided the following memo to the Board.

The applicant, Bob Wiggins with Mattamy Homes, was requesting preliminary subdivision approval. Cadence was conditionally zoned on March 8, 2018. The site consists of 125.46 acres. According to the approved Zoning Plan the subdivision was permitted up to 247 lots. 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.

The approved Zoning Plan allows lot sizes of 6,600 sq. ft. Setbacks are 20' front, minimum 5' (13' aggregate) side setback and rear setback was 20'.

The preliminary plan appears to meet the requirements specified in the approved Zoning Plan.

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

Mr. Gatz asked had anything changed after being seen by the Board of Commissioners? Planning Director Hoard said there was no significant changes relevant to zoning.

Mr. Todd asked was there any changes due to traffic by NCDOT? Planning Director Hoard said the state did approve a traffic light, and the traffic light would be provided by the applicant.

**Upon the motion of Mr. Gatz, seconded by Mr. Fandel, the Board unanimously approved on S18-10, Cadence Preliminary Subdivision, Filed by Mattamy Homes (Bob Wiggins), Parcel Numbers 139-361-99, 139-061-01, 139-014-02 and portion of 139-014-01.**

**C. Discussion and Decision on S18-11 Riley Meadows Preliminary Subdivision, Filed by American Homes 4 Rent, located at 13427 Idlewild Road, Parcel Numbers 195-013-75 and 195-013-77:** Planning Director Hoard provided the following memo to the Board.

The applicant, Hamilton Stolpen, was requesting preliminary subdivision approval for property located at 13427 Idlewild Road. The site consists of 15.26 acres. The site plan indicates 12 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 would review the construction plans for sedimentation and erosion control, storm water, flood, and road profiles. The applicant was responsible for submitting these plans to Mecklenburg County. Mint Hill staff would review the construction plans to assure compliance before grading begins.

Mr. Gatz asked about the grading plan. Planning Director Hoard said they were grading the whole site minus the area of woods and the cemetery located behind the site. Mr. Gatz asked what was the price range of the rental property? Planning Director Hoard said he did not know.

Mr. Todd asked how were these homes constructed? Planning Director Hoard said he did not know what they were going to do. The applicant had a variety of custom made homes.

Mr. Fandel asked were they selling the homes or renting them? Planning Director Hoard said they were only renting them.

Planning Director Hoard said this was a rental unit and the renter would pay a fee for property home and lawn maintenance.

Mr. Gatz said his fear was that a rental property would be degraded. Planning Director Hoard said if a neighbor called complaining about their neighbor's yard, the Code Enforcement Officer would not have to contact the tenant. The Code Enforcement Officer would contact the company and have them take care of it. It would make things easier and expedite the process than having to contact the tenant.

**Upon the motion of Mr. Gatz, seconded by Mr. Todd, the Board unanimously approved on S18-11 Riley Meadows Preliminary Subdivision, Filed by American Homes 4 Rent, located at 13427 Idlewild Road, Parcel Numbers 195-013-75 and 195-013-77.**

**D. Discussion and Decision on S18-12, Filed by Bill and Debra Moody for Minor Subdivision Approval for two lots without public road frontage, resulting in three lots, located at 8925 Brief Road, Parcel Number 139-041-09:** Planning Director Hoard provided the following memo to the Board.

The applicant, Bill Moody, was requesting minor subdivision approval for two (2) lots without public road frontage (easement lots), resulting in 3 new lots.

Proposed lots for use by one family detached dwellings and which do not have frontage on a public street may be approved by the Planning Board after making the following findings:

- A. Such lot was a minimum of two acres in size; and
- B. Such lot was provided with access to a public street by means of an easement of at least fifteen feet in width for the exclusive use of the dwelling to be established on such lot and such easement was a visibly identifiable access driveway which was maintained in a condition passable for service and emergency vehicles; however, in no event shall lots be created that result in more than a maximum of three (3) access easements to lots without road frontage; and
- C. Creation of such lot was made necessary by virtue of the fact that development of said property by conventional means (i.e. extension of public street) was impractical due to disproportionate costs of required improvements as compared to relative value of lots created; and
- D. Creation of such lots does not unduly restrict or impair future development or extension of an adequate system of public streets within the immediate area.

Mr. Gatz asked was there an ordinance for putting a gate at that location? Planning Director Hoard said no.

**Upon the motion of Mr. Gatz, seconded by Mr. Simmons, the Board unanimously approved on S18-12, Filed by Bill and Debra Moody for Minor Subdivision Approval for two lots without public road frontage, resulting in three lots, located at 8925 Brief Road, Parcel Number 139-041-09.**

**E. Discussion and Recommendation on ZC18-8 Text Amendment (Secs 5.2 and 7.4) Adding Automotive Retail Parts, Filed by Town of Mint Hill:** Planning Director Hoard provided the following memo to the Board.

The purpose of the text amendment was to add Auto Parts Retail to the UDO. Retail was permitted by-right in the DO-B district. Currently an auto parts retailer would fall under the broad retail designation. With the approval of the text amendment an Auto Parts Retail store proposal would be subject to conditional district approval.

Mr. Simmons asked if this was the same list they had looked at as the dog kennel case? Planning Director Hoard said yes, they would look at this like a retail store. They would match it up to whatever retail store was allowed in each district. Currently retail was a by-right downtown.

**Upon the motion of Mr. Gatz, seconded by Mr. Fandel, the Board unanimously approved on ZC18-8 Text Amendment (Secs 5.2 and 7.4) Adding Automotive Retail Parts, Filed by Town of Mint Hill.**

**Other Business:** Staff asked the Planning Board if they would be interested in a text amendment that allowed lots without road frontage to be approved administratively. The Planning Board agreed.

**Adjournment:** Upon the motion of Mr. Simmons, seconded by Mr. Fandel and unanimously agreed upon, Chairman Long adjourned the meeting at 6:51 p.m.

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Cassie Crutchfield, Clerk to the Board