



Town of Mint Hill

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

Mint Hill Planning Board Agenda December 17, 2018 at 6:30 p.m.

1. Call To Order
2. Roll Call and Invocation
3. Approve Minutes of September 17, 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 ZC18-12 Filed by Bailey W. Patrick, requesting a Text Amendment to Section 5.2 (**Table 5.2-1 Principal Permitted Uses**) to allow *Health Club, Spa, Gymnasium* by-right in the I-G district.
8. Other Business
9. Adjournment

Cassie Crutchfield
Program Support Assistant

MINUTES OF THE MINT HILL PLANNING BOARD MEETING
September 17, 2018

The Mint Hill Planning Board met in a regular session on Monday, September 17, 2018 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

ATTENDANCE

Chairman: Tony Long

Members: Scott Fandel, Brad Simmons, Roy Fielding, Roger Hendrix, Tom Gatz and Chip Todd

Planning Director: John Hoard

Town Clerk: Michelle Wells

Planning Intern: Wes Benfer

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 July 16, 2018 Regular Meeting: Upon the motion of Mr. Simmons, seconded by Mr. Fielding, the Board unanimously approved the minutes of the August 20, 2018 Planning Board meeting.

Additions or Deletions of Agenda Items: None.

Reports of Committees, Members and Staff: Planning Director Hoard said the two Text Amendments from last month's meeting were approved by the Board of Commissioners.

Old Business: None.

New Business:

A. Discussion and Recommendation on ZC18-9, Filed by Meritage Homes, Approval for 81 single family lot subdivision, located at West of Walter Nelson, West of Twilight Drive and South of Birchhill Road, Parcel Numbers 135-312-02 pt: Planning Director Hoard asked the applicant, Mr. Peter Tatge to present his case.

Mr. Peter Tatge stated he was with ESP Associates and was hired by Meritage Homes to entitle the property and civil design. Mr. Tatge said he was with the following members Christian Jones, Vice President of Meritage Homes, Dan Muers, staff engineer, and Alex Bohan, landscape architect. Mr. Tatge thanked Planner Director Hoard for providing guidance through this process. He said when they first started the process, they had a few community meetings. There were not many people that knew about Meritage Homes. Mr. Tatge said it had been a year before they went under contract in February/March of 2018. The site had 81 lots with plenty of open space and was the perfect site for this section of the Town's Ordinance. They had started with a sketch plan and

had questions from the Town Staff and the community if they were putting storm ponds in the correct places and protecting resources. They sent out notices to 200 homeowners to explain what was planned for the property. They had average 65 to 75 people show up to the community meetings. They received feedback and revised the plan. They had another community meeting at Morning Star Church on August 7, 2018 before the public hearing. The meeting helped people from the community to understand the meaning of a Meritage developer, builder and end user. Mr. Tatge said four people spoke at the Board of Commissioners meeting in August. One of the topics that was discussed was how they could not fix all the improvements along Walter Nelson Road and how they would be required by NCDOT to put in turn lanes off Lebanon Road. Mr. Jones said Meritage Homes was a national homebuilder that was based out of Arizona and had a corporate office in Charlotte, North Carolina. They had 20 active communities and received many rewards for building energy sufficient homes. Mr. Tatge went over the PowerPoint and discussed the site plan and how it was designated for Residential Development in the Town of Mint Hill's Future Use Land Plan. The existing water & sewer infrastructure were adjacent to the property. The site included environmentally sensitive areas to protect existing streams and contained existing trees to be preserved under proposed conservation R(CD) zoning. The site would maintain over 32% Common Open Space (COS). The site had three existing public street connections to the site such as Birchhill Road, Twilight Drive, and Walter Nelson Road that were required to connect by the Town of Mint Hill Subdivision Ordinance. The homes would have four sides with all Masonry Architecture, single story floor plans, and HOA maintenance was included. They would provide natural preservation areas and a 25' perimeter buffer. They proposed pocket parks for residents and walking paths and trails. The key interior site features passive amenities and a monument entry sign. The age targeted homeowners typically had less impact on utilities and little impact on schools. Also, there would be less impact on traffic and low maintenance living. The materials of these homes would consist of brick, stone, and hardie board. The size of these homes would range between 2,000 sq. ft. to 3,000 sq. ft. They thanked the Board for their time and asked if anyone had questions.

Mr. Todd asked how long until HOA would be turned over to the community? Mr. Brett Manery, Vice President of Meritage Homeowners Association said until the last closing and then it would be transitioned over. Mr. Todd asked were the walking trails and decorative lighting maintained by the HOA? Mr. Manery said yes, the lighting would be leased through a power supply company contracted directly by the HOA. The walking trails also would be maintained by the HOA.

Mr. Fandel asked how many trips per day did they plan for Walter Nelson Road? Mr. Manery said they were not sure and did not have a traffic study. NCDOT had caused them to scope and tabulate it under normal conditions. They would not generate as much traffic with an age targeted community.

Mr. Fielding asked what they were the top ten of? Mr. Manery said Meritage Homes was in the top ten in national volume builder. A couple of years ago they were ranked number two as a most trusted builder. It depends on which study they were looking at. Mr. Fielding asked were the tree canopies used for the natural preserve areas? Mr. Manery said yes. Mr. Fielding asked were the amenities the gazebos, trails, benches, and the entry sign? Mr. Manery said yes, there would be many pocket parks and trails. Mr. Fielding asked what age group were they targeting? Mr. Manery said there were three things they targeted. They targeted the product they offered such as all ranch

style homes that has a master bedroom and bathroom on the first floor. It catered to an older demographic lifestyle. The entire community was HOA maintained which markets directly toward the older demographic.

Mr. Simmons asked was there no ownership in the HOA until the end of build out? Mr. Manery said typically not until the end. Meritage Homes would maintain control as long as they were subsidizing the association. Mr. Simmons asked would the Town be responsible for maintaining the decorative lighting? Planner Director Hoard said the Town would only maintain it if they pay the upfront for the decorative upcharge of the light. They leased the lights, so the Town would not have to take over the lease. The Town only took care of the lights at certain places such as dead-end streets or dangerous curves.

Mr. Hendrix asked them to explain the ideas on Walter Nelson Road. Mr. Dan Brewer, ESP Associates said they had looked at three sections on Walter Nelson Road. There were some sections that had been approved by the central subdivision. Some of the streets were not as wide as Town's standards streets and there were sections of sidewalk gaps. They were working with the Town Engineer on those three sections and how they could work together to get some of these improvements done.

Mr. Gatz asked was it going to model what's already there as for the ones that had the sidewalk in those areas? Mr. Brewer said one of the options was to look similar to the improvements that were done by that subdivision. They were looking at putting in sidewalks on both sides. The Town was looking into other options.

Mr. Hendrix asked would the narrow roads not have sidewalks on both sides? Mr. Brewer said there was currently not enough right-a-way width to have sidewalks on both sides. They are not proposing and had not discuss it with the Town Manager or the Town Engineer to put sidewalks on the road all the way out. They would have sidewalks in the development because it was part of the street standard. Mr. Hendrix asked in the next few weeks, would they have an agreement with the Board of Commissioners? Mr. Manery said yes, before the next Board of Commissioners meeting, they would have more answers.

Mr. Gatz asked were they going to be planting around the houses and who was responsible for the upkeep of those plants? Mr. Manery said the HOA would maintain the landscaping. The HOA would require the homeowner to maintain the plantings. If there was overgrown evergreen, the HOA would take care of it. Mr. Gatz said his brother lives in Noblesville and his neighborhood had the similar houses. It was a nice concept. Walter Nelson Road issue was his only concern.

Chairman Long said Mr. Tague when we spoke before you had mentioned a dollar amount for improvements to the Walter Nelson corridor. Mr. Tague said the estimate was 180K. There was no way that Meritage could come to the table with half. It's a public private partnership and turn lanes on Lebanon Road. There were certain things that were not financially feasible. They were thinking more like 50K.

Mr. Gatz asked what was the start date? Mr. Tague said the timeframe would be year of 2020. Mr. Gatz asked which road were they going to use for construction? Mr. Tague said the plan was to

use Walter Nelson Road for all construction traffic. The start of horizontal construction would be a year out. They would need to go through the construction documental approval and permitting process.

Mr. Hendrix asked what the build out times were for 81 lots? Mr. Tague said two-three a month in sales in the year of 2020. Mr. Hendrix asked did Meritage Homes also build in Summerwood neighborhood? Mr. Tague said yes, they did build some homes in Summerwood neighborhood.

Mr. Simmons asked since the Board could not look at this last month because of the Walter Nelson Road, why were there still with so many unknowns? Planning Director said they did meet with the Town Manager and Town Engineer. It would be push out at least a week.

Mr. Gatz made a favorable recommendation on ZC18-9, Filed by Meritage Homes, Approval for 81 single family lot subdivision, located at West of Walter Nelson, West of Twilight Drive and South of Birchhill Road, Parcel Numbers 135-312-02 pt. Knowing that this was consistent with the Land Use Plan. Although the Land Use Plan primarily emphasizes single family large (20,000 sq. ft.) lots, the Plan includes guidance pertaining to cluster regulations. The cluster regulations described in the Land Use Plan closely resembles the development pattern presented with this petition, specifically the “density neutral” component. Because of the density neutral component, no more than two units per acre, the preservation of open space, and the perimeter buffers. This recommendation is also to be consistent with the improvement of Walter Nelson Road as agreed to between the Town and Meritage Homes.

Upon the motion of Mr. Gatz, seconded by Mr. Hendrix, the Planning Board unanimously made a favorable recommendation on ZC18-9, filed by Meritage Homes, conditioned on the improvement of Walter Nelson Road as agreed to between the Town and Meritage Homes, for 81 single family lot subdivision, located west of Walter Nelson, west of Twilight Drive and south of Birchhill Road, Parcel Number 135-312-02 pt.

Recommended Consistency Statement

ZC18-9 is consistent with the Land Use Plan. Although the Land Use Plan primarily emphasizes single family large (20,000 sq. ft.) lots, the Plan includes guidance pertaining to cluster regulations. The cluster regulations described in the Land Use Plan closely resembles the development pattern presented with this petition, specifically the “density neutral” component.

Therefore, ZC18-9 is found to be reasonable and in the public interest, based on the information presented and reviewed with this petition, and because:

- **Density neutral component (no more than 2 units per acre)**
- **The preservation of open space**
- **The perimeter buffers**

Other Business: None.

Adjournment: Upon the motion of Mr. Simmons, seconded by Mr. Fielding and unanimously agreed upon, Chairman Long adjourned the meeting at 7:11 p.m.

Cassie Crutchfield, Clerk to the Board



STAFF REPORT

CASE:	ZC18-12
APPLICANT	BAILEY W. PATRICK
REQUEST:	AMEND SECTION 5.2 TO ALLOW <i>HEALTH CLUB, SPA AND GYMNASIUM</i> BY RIGHT IN THE I-G DISTRICT

APPLICATION SUMMARY:

The applicant, Bailey W. Patrick, is requesting a text amendment to Section 5.2 (**Table 5.2-1 Principal Permitted Uses**) to permit *Health Club, Spa, Gymnasium* in the I-G district.

Table 5.2-1 Principal Permitted Uses in All Districts

Ordinance Subsection Number	USE CATEGORY	Principal Permitted Uses (see Article 2 for Definitions)	R Residential District	O-A Office and Apartment	B-D Distributive Business	B-G General Business	B-P Planned Business	I-G General Industrial	I Institutional	DO-A Downtown Neighborhood	DO-B Downtown Town Center
	RECREATIONAL	Firing Range						CD			
	RECREATIONAL	Golf. Course	CD								
	RECREATIONAL	Health Club, Spa, Gymnasium (principal use)			CD	BR	BR				SR