



Town of Mint Hill

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

Mint Hill Planning Board Agenda September 16, 2019 at 6:30 p.m.

1. Call To Order
2. Roll Call and Invocation
3. Approve Minutes of August 19, 2019 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 #ZC19-3, Filed by Caliber Partners, Parcel Number 137-152-02, Located at 12936 Albemarle Road, a conditional zoning request to allow a restaurant with a drive through
8. Other Business
9. Adjournment

Cassie Crutchfield
Program Support Assistant

**MINUTES OF THE MINT HILL PLANNING BOARD MEETING
AUGUST 19, 2019**

The Mint Hill Planning Board met in a regular session on Monday, August 19, 2019 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, Chip Todd, Roy Fielding, Roger Hendrix, and Tom Gatz
Planning Director: John Hoard

Clerk to the Board: Cassie Crutchfield

Commissioners: Carl M. Ellington

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 the July 15, 2019 Regular Meeting: Upon the motion of Mr. Simmons, seconded by Mr. Todd, the Board unanimously approved the minutes of the July 15, 2019 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 Nelson Park Townhomes Preliminary Plat, Filed by SJ Providence; requesting preliminary subdivision approval, located at 7424 Nelson Road, Tax Parcel #137-065-24:** Planning Director Hoard provided the following memo to the Board.

The applicant, Shia Zhu with SJ Providence, was requesting preliminary subdivision approval. The site plan indicated 29 lots designed for townhome units.

The property was in the Downtown. The total acreage was 5.18 acres. The density allowance was six units per acre.

Architectural elevations were subject to Section 4.3 of the Downtown Code.

Mecklenburg County Land Use Environmental Service Agency will 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 if the applicant had any architectural drawings of the townhomes? Ms. Shia Zhu, applicant with SJ Providence, LLC, said they were building townhomes from 1,800 to 2,000 sq. ft. Some of the homes would have a master bedroom downstairs and would be two-story. Mr. Gatz asked the price of the townhomes? Ms. Zhu said \$280,000 to \$300,000. Mr. Gatz asked if they had to follow the architectural requirements downtown? Planning Director Hoard said yes, the townhomes would need to be a certain percent brick and have certain features on the homes. Mr. Gatz asked about the 20' access verses the 10' access on the site plan and why were some highlighted and not highlighted? Ms. Cindy Flehan, P.E., provided an explanation on the easement to the detention and water quality pond. Mr. Gatz asked if they had an access off the alley? Engineer Flehan said yes. Mr. Gatz asked what grasscrete was exactly? Engineer Flehan said concrete that had grass growing through it. Mr. Gatz asked if grasscrete had holes in it? Engineer Flehan said yes.

Mr. Hendrix asked if the 20' alley aligned with fire and emergency access requirements? Planning Director Hoard said yes, they expanded it for fire access. Mr. Hendrix asked about the exterior of the townhomes. Planning Director Hoard showed the Board the Ordinance regulations. He noted, 65 percent of the material on the townhome would need to be brick. Mr. Hendrix asked what type of parking would be at the site? Ms. Zhu said there would be a two-car garage, and another two spaces on the driveway. A total of four vehicles would be accommodated for off the road.

Mr. Simmons asked if they were required to maintain the alleys? Planning Director Hoard said yes, this would be considered a private alley. Mr. Simmons asked if they were going to have similar issues like Brighton Park townhomes? Planning Director Hoard said although the Town was not taking over the alleys for long term maintenance, they still inspected the alleys initially to make sure they complied with the plans. The construction plans showed the standards and showed how they were to build the alley. The Town's initial review would confirm that they met all of those requirements.

Mr. Fielding asked if a fire truck was to come on Lucky Bamboo Street, which was the only entrance off Nelson Road, could they turn around anywhere? It appeared as though, the only place to turn around was much farther down; was there a place to turn around? Engineer Flehan said the other alleys were not over 150' wide. The truck would back 150'? The turnaround was added because the alley to the right side was longer than 150'. Planning Director Hoard said after a certain length of street, the fire department would look for those turn arounds, but if it was less than that amount, then having a turnaround was not a requirement. Mr. Fielding asked if the dog park was going to be a part of this project? Ms. Zhu said he was correct. Mr. Fielding asked the sun dial was going to be a part of this project? Ms. Zhu said yes. Mr. Fielding asked would there be one blue spruce tree? Ms. Zhu said yes, a big spruce tree. It would be a community gathering place. Mr. Fielding asked if there were any landscaping requirements that needed to be done facing Nelson Road? Planning Director Hoard said the buffer, between the street and the townhomes, would be considered an open space. The requirement was all buildings would have to face the public street. The one exception, the Town offers they could face common open space. That would be the design of this plan; the units were facing open space. In the case of Nelson Road, the land in between the

road would be their common open space. Engineer Flehan said there were street trees being added along Nelson Road.

Mr. Todd asked upon completion of the project, who would maintain the common areas? Would it be the HOA? Ms. Zhu said yes. Mr. Todd asked if they would maintain the HOA or would they have someone on the board until the project was completed? Ms. Zhu said yes, they would make sure it was maintained before they transfer the responsibility to the HOA.

Mr. Gatz asked where people could park if they had a party? Planning Director Hoard said people could park on the street. All public streets were allowed to having parking. The only time it was not allowed would be if the Board passed an ordinance to say no on street parking.

Mr. Hendrix discussed his concerns about the emergency vehicles not being able to go down the street with cars along the side of it. Planning Director Hoard said it being a private alley, there was nothing the Town could do to enforce the HOA rules. Even if the HOA said they could not park on the side of the street, the Town could not help them.

Mr. Simmons asked if SJ Providence had conversations with the neighbors? Ms. Zhu said on the right side of the property was where they were developing the townhomes. There was a house on the left side of the property, and they did not have a conversation with them. They would make an effort to do so.

Mr. Hendrix asked the timeframe for the development? Ms. Zhu said they would like to start as soon as the funding and project was approved.

Upon the motion of Mr. Gatz, seconded by Mr. Hendrix, the Board unanimously agreed to send a favorable decision on Nelson Park Townhomes Preliminary Plat, Filed by SJ Providence; requesting preliminary subdivision approval, Located at 7424 Nelson Road, Tax Parcel #137-065-24.

Other Business: Mr. Fielding asked Planning Director Hoard about the issues of having a drive thru in Mint Hill. Planning Director Hoard said it was a case by case basis. The code does not allow it, nor does it prohibit it. It would be conditional zoning.

Adjournment: Upon the motion of Mr. Hendrix, seconded by Mr. Gatz and unanimously agreed upon, Chairman Long adjourned the meeting at 6:52 p.m.

Cassie Crutchfield, Clerk to the Board



STAFF REPORT

CASE:	ZC19-3
EXISTING ZONING	B-G
PROPOSED ZONING	B-G (CD)
PROPERTY OWNER:	ALBEMARLE ROAD ASSOCIATES, LLC
APPLICANT	CALIBER PARTNERS -WILLIAM MITHENER
LOCATION	12936 ALBEMARLE ROAD
TAX PARCEL NUMBER	137-152-02
REQUEST	RESTAURANT, WITH DRIVE THROUGH
RECOMMENDATION	FAVORABLE

APPLICATION SUMMARY:

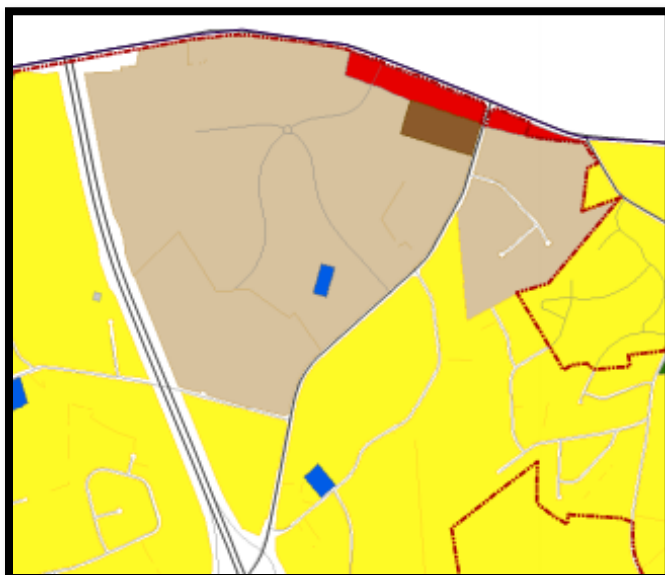
The applicant is requesting conditional zoning approval to allow a 2,300 square foot drive through restaurant. According to Section 5.2, *Restaurants, with Drive Through* are subject to conditional rezoning. Access will be Clear Creek Road.

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.

PLAN CONSISTENCY:

The rezoning request is consistent with the Land Use Plan.

Adopted Land Use Plan: *the area immediately along Albemarle Road at the intersection of Blair Road is proposed for continued commercial use.*



FUTURE LAND USE	
	Alternative Residential (Up to 8 D.U./Acre)
	Alternative Residential/Office/Commercial
	Commercial
	Industrial
	Institutional
	Institutional/Recreational
	Light Industrial/Business Park
	Office
	Office Park
	Recreational
	Single Family/Alternative Residential
	Single-Family (20,000-40,000 SQ FT Lots)
	Utilities

REZONING APPLICATION

TOWN OF MINT HILL

Complete All Fields

Office Use Only

Petition #: ZC19-3
Date Filed: 8/7/2019
Received By: JH

OWNERSHIP INFORMATION:

Property Owner: ALBEMARLE ROAD ASSOCIATES, LLC Date Property Acquired: _____

Owner's Address: 2400 SOUTH BLVD., SUITE 300, C/O MPV PROPERTIES, CHARLOTTE, NC 28203

Utilities Provided: ☐ Individual Well or ☒ CMUD Water or ☐ Community Well -AND- ☒ CMUD Sewer or ☐ Community Sewer or ☐ Septic

LOCATION OF PROPERTY (Address or Description): 12936 ALBEMARLE ROAD - SOUTHEAST QUADRANT OF THE SIGNALIZED INTERSECTION OF ALBEMARLE ROAD AND PROPOSED PRIVATE CLEAR ROAD

Tax Parcel Number(s): 13715202

Current Land Use: VACANT UNDEVELOPED LAND

Size (Sq.Ft. or Acres): 1.26 ACRES

ZONING REQUEST: Existing Zoning: B-G Proposed Zoning: B-G(CD) Conditional Use District

Purpose of Zoning Change: USES CATERGORY: RETAIL SALES AND SERVICE.
PERMITTED USE: RESTAURANT WITH DRIVE THROUGH

(Complete if Applicant is other than Property Owner)

ALBEMARLE ROAD ASSOCIATES, LLC
Name of Property Owner

2400 SOUTH BLVD., SUITE 300,
C/O MPV PROPERTIES, CHARLOTTE, NC 28203
Address of Owner

CHARLOTTE, NC 28203
City, State, Zip

704.248-2102
Telephone Number

BPATRICK@MPVRE.COM
E-Mail Address


Signature of Property Owner

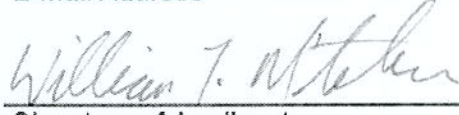
CALIBER PARTNERS - WILLIAM T. MITCHENER
Name of Applicant

215 QUEENS RD, SUITE 200
Address of Applicant

CHARLOTTE, NC 28204
City, State, Zip

704.413.0688
Telephone Number

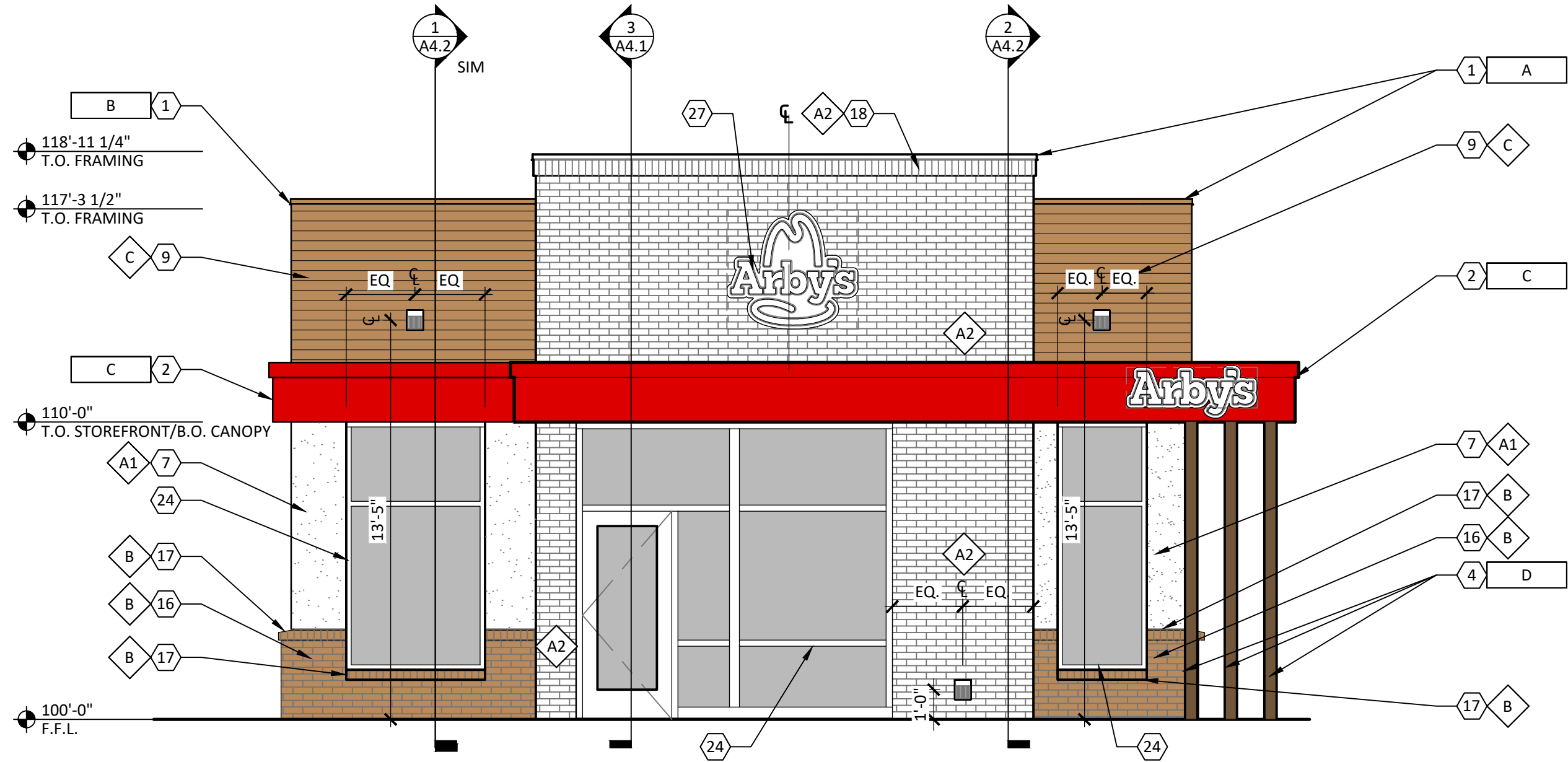
BMITCHENER@CALIBER-PARTNERS.COM
E-Mail Address


Signature of Applicant

1
A2.1

FRONT ELEVATION

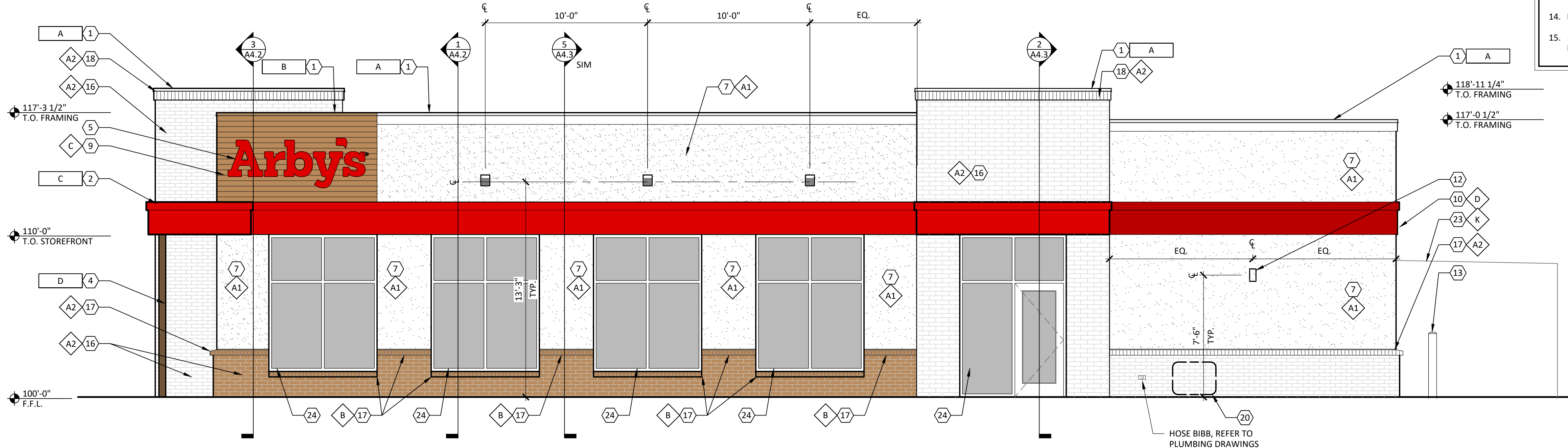
1/4" = 1'-0"



2
A2.1

SIDE ELEVATION

1/4" = 1'-0"



CODED NOTES

(ALL CODED NOTES MAY NOT BE USED)

- PRE-FINISHED METAL COPING.
- PRE-FABRICATED METAL CANOPY/ACCENT BAND.
- HORIZONTAL SIDING.
- PRE-FABRICATED METAL POST FOR CANOPY.
- ARBY'S SIGNAGE, MOUNT ON CANOPY/ACCENT BAND. REFER TO SIGNAGE VENDOR DRAWINGS.
- PAINT DOOR AND FRAME.
- EIFS WALL SYSTEM.
- EIFS CORNICE.
- EIFS WALL SYSTEM WITH 4" O.C. V-GROOVE REVEALS. REFER TO 2/A4.4.
- EIFS ACCENT BAND.
- DRIVE THRU WINDOW. PROVIDE STAINLESS STEEL SILL.
- WALL MOUNTED LIGHT FIXTURE.
- 6"CONC. FILLED STEEL PEPE BOLLARD, PAINT YELLOW.
- PAINT GUARD RAIL.
- PAINT ROOF LADDER
- BRICK VENEER, RUNNING BOND.
- BRICK ROWLOCK SILL.
- BRICK CORNICE, SOLDIER COURSE.
- ELECTRICAL EQUIPMENT.
- GAS METER. REFER TO MEP DRAWINGS FOR ECACT LOCATION. PAINT TO MATCH BRICK.
- GREASE OUTLET.
- Co2 HOOKUP.
- COOLER/FREEZER, PAINT TO MATCH EIFS.
- ALUMINUM STOREFRONT.
- PREFABRICATED SCUPPER BOX. MATH COLOR TO ADJACENT WALL COLOR. REFER TO DETAIL 6/A1.2
- CONTINUE BRICK VENEER BEHIND ELECTRIC EQUIPMENT. COORDINATE SIZE WITH ELECTRICIAN. DO NOT INSTALL ROWLOCK BEHIND ELECTRICAL EQUIPMENT.
- ARBY'S HAT SIGNAGE MOUNT ON BRICK WALL REFER TO SIGNAGE VENDORS DRAWINGS.

FINISH SCHEDULE

MARK	MANUFACTURER	DESCRIPTION	NOTES
FINISHES			
A1	DRYVIT	EIFS WALL SYSTEM	COLOR: ARBY081030 TEXTURE: STANDARD
A2	BELDEN BRICK	ALASKA WHITE	TEXTURE: VELOUR GROUT: CEMEX GRAY TYPE N 1000
B	BELDEN BRICK	8601 DARK	TEXTURE: SMOOTH GROUT: CEMEX 36-A MOCHA, TYPE N
C	DRYVIT	EIFS WALL SYSTEM WITH V-GROOVE REVEALS	COLOR: ARBY131030 TEXTURE: STANDARD
D	SHERWIN WILLIAMS	SW #6869 STOP	SATIN FINISH
E	NOT USED	---	---
F	NOT USED	---	---
G	SHERWIN WILLIAMS	SW #2808 ROOKWOOD DARK BROWN	SATIN FINISH
H	NOT USED	---	---
J	NOT USED	---	---
K	SHERWIN WILLIAMS	SW #7005 PURE WHITE	SATIN FINISH

METALS			
A	EXCEPTIONAL METALS/ DURO-LAST	TWO-PIECE SNAP-ON METAL COPING REGAL WHITE/ DURO-LAST #SR.70/TE.87	FOR USE WITH DURO-LAST ROOFING SYSTEM DETAIL FA3110
B	EXCEPTIONAL METALS/ DURO-LAST	TWO-PIECE SNAP-ON METAL COPING DARK BRONZE/ DURO-LAST #SR.26/TE.87	FOR USE WITH DURO-LAST ROOFING SYSTEM DETAIL FA3110
C	PRE-FABRIACTED CANOPY/BAND	PRODUCT CODE: 9940-30198R PRODUCT NAME: FC SD RAL 3000 FLAME RED	---
D	PRE-FABRICATED POST	PRODUCT CODE: 9840-80957R PRODUCT NAME: FC SD RAL 8017 CHOC. BROWN	---

- PAINT ALL EXPOSED METERS, SERVICE ENTRANCES, GAS PIPE, ROOF ACCESS LADDER, ETC. TO MATCH ADJACENT EXTERIOR WALL SURFACE.
- PROVIDE TEMPORARY MASKING OF EXPOSED STAINLESS STEEL DURING ACID WASHING OF MASONRY.
- PROVIDE SOLID MASONRY UNITS AT THE ENDS OF JAMBS , SILLS, ETC.
- TO HELP PREVENT EFFLORESCENCE ALL MASONRY UNITS ARE TO BE MANUFACTURED WITH INTEGRAL WATER REPELLANT. WATER REPELLENT ADMIXTURE IS TO BE MIXED IN AND PRE-WASHED SAND IS TO BE USED IN ALL MORTAR MIXES.
- MAKE SURE THAT WALL WEEPS AND FLASHING ARE INSTALLED CORRECTLY. DO NOT BLOCK WEEPS.
- REFER TO SHEET A8.2 FOR TEMPERED GLASS LOCATIONS.
- ALUMINUM STOREFRONT TO BE DARK BRONZE.
- ALL GLAZING TO BE 1" INSULATED GLAZING.
- BASIS OF DESIGN FOR THE EIFS WALL SYSTEM IS DRYVIT OUTSULATION PLUS MD. EIFS WALL SYSTEM IS 2" THICK UNLESS NOTED OTHERWISE. INSTALL EIFS PRODUCT IN STRICT ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND DETAILS.
- SIGNAGE IS SHOWN FOR REFERENCE ONLY. FINAL SIZE, LOCATION AND QUANTITY TO BE DETERMINED BY SIGNAGE VENDOR. SIGNAGE VENDER SHALL PERMIT ALL SIGNS UNDER SEPARATE COVER.
- REFER TO ELECTRICAL DRAWINGS FOR EXTERIOR LIGHTING SPECIFICATIONS.
- PAINT ALL EXPOSED BRICK LINTELS TO MATCH STOREFRONT.
- ALL WALL MOUTED LIGHT FIXTURES TO BE SET IN CONTINUOUS BEAD OF CAULK AND THEN SHALL BE SEALED TO WALL WITH SEPARATE BEAD OF CAULK. CAULK TO MATCH ADJACENT SURFACE.
- PAINT EIFS WALL BEHIND ACCENT BAND RED. EXPOSED EIFS EDGE BELOW ACCENT BAND TO MATCH METAL.
- ALL BRICK VENEER SHALL BE A RUNNING BOND, U.N.O. ALL BRICK SHALL BE INSTALLED FLUSH. U.N.O. (EXCEPTIONS INCLUDE: ROWLOCK SILL, SOLDIER COURSE HEADER AT DRIVE THRU WINDOW AND BRICK CORNICE)

DAVID A. EFAW
LICENSE #----- EXPIRES: ---,---

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ARBY'S RESTAURANT
INSPIRE WORKSMART 2400
12936 ALBEMARLE RD
MINT HILL, NC 28277
FOR
CALIBER INVESTMENT'S ALBEMARLE ROCKY RIVER, LLC
215 QUEENS RD, #200, CHARLOTTE, NC 28204

PROJECT NUMBER:
ARF-139

ISSUE	DATE
PRELIMINARY	MAY 15, 2019

EXTERIOR
ELEVATIONS

SHEET:

A2.1



- r e d**
architecture + planning

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[illegible]

SHEET:

A2.2

