



Town of Mint Hill

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

Mint Hill Planning Board Agenda October 21, 2019 at 6:30 p.m.

1. Call To Order
2. Roll Call and Invocation
3. Approve Minutes of September 16, 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 Decision on S19-18 Brighton Park Subdivision revision, Filed by Mint Hill Partners, LLC, Parcel Numbers 135-271-83 and 137-275-29 to allow the addition of fourteen (14) lots.
 - B. Discussion and Recommendation on #ZC19-4 Filed by SGH Mint Hill, LLC, Parcel Number 197-012-08, Located at 7404 Matthews-Mint Hill Road, to allow a Conditional Zoning Request for a Restaurant with a Drive Through:
 - C. Discussion and Recommendation on #ZC19-5 Filed by Woodie Enterprises/Brad Woodie, Parcel Number 109-331-07, Located at 9107 Lawyers Road, to allow a Conditional Zoning Request for an Automotive Repair Shop.
 - D. Discussion and Recommendation on #ZC19-6 Filed by Albemarle Road Associates, LLC, Parcel Numbers 137-151-25, 137-151-27, 137-152-11, 137-152-54, 137-152-13, 137-152-18, 137-152-12, 137-152-01 to amend the Conditions at Clear Creek Business Park.
8. Other Business
9. Adjournment

Cassie Crutchfield
Program Support Assistant

**MINUTES OF THE MINT HILL PLANNING BOARD MEETING
SEPTEMBER 16, 2019**

The Mint Hill Planning Board met in a regular session on Monday, September 16, 2019 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

ATTENDANCE

Chairman: Tony Long

Members: Brad Simmons, Chip Todd, Roger Hendrix, and Tom Gatz

Planning Director: John Hoard

Clerk to the Board: Cassie Crutchfield

Commissioners: Carl M. Ellington

Absent: Roy Fielding and Scott Fandel

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 the August 19, 2019 Regular Meeting: Upon the motion of Mr. Simmons, seconded by Mr. Hendrix, the Board unanimously approved the minutes of the August 19, 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 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:** Town Planner Farber asked the applicant to present his case.

Michael Newman, with MDV Engineering, at 125 Johnston Street, reviewed the site plan with the Board.

Mr. Hendrix asked the height of the masonry screen wall? Mr. Newman said the four-foot-tall wall would run along the East side of the building.

Mr. Gatz asked who was responsible for maintaining the private road, Clear Creek Road? Mr. Newman said the developers building the road would be responsible for the on-going maintenance. Mr. Gatz asked if the Town was going to take over the maintenance of Clear Creek Road? Town

Planner Farber said no, it was a private road. Mr. Gatz asked if there was a light on Albemarle Road? Mr. Newman said there was an existing light on Albemarle Road.

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 #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.

Other Business: None.

Adjournment: Upon the motion of Mr. Simmons, seconded by Mr. Todd and unanimously agreed upon, Chairman Long adjourned the meeting at 6:36 p.m.

Cassie Crutchfield, Clerk to the Board



STAFF REPORT

CASE:	S19-18
EXISTING ZONING	R DO-A
PROPERTY OWNER:	MINT HILL PARTNERS, LLC
APPLICANT:	MINT HILL PARTNERS, LLC
LOCATION:	PHYLISS LANE AND SOARING EAGLE LANE
TAX PARCEL NUMBER:	135-271-83 & 135-275-29
REQUEST:	MAJOR SUBDIVISION 14 LOTS

APPLICATION SUMMARY:

Major Subdivision request to add fourteen (14) lots to Brighton Park. No new public roads proposed.

STAFF ANALYSIS:

The lots are considered Type B (Alley Lots). The alley lot is a lot with an average width not exceeding fifty (50) feet. Primary vehicular access is provided using a rear lane or alley only. No curb cuts or driveways are permitted along the frontage.

Alleys are reviewed by Town Staff, Mecklenburg County Land Development and the County Fire Marshall.

Lot Requirements:

Front Building-To Line: Ten (10) to twenty-five (25) feet.

Side: Six (6) feet each side, however the total of both side yards may be allocated to one side in new development

Rear: Fifteen (15) feet from centerline of alley

Minimum Lot Width: Twenty-four (24) feet.

Approved Building Materials for Brighton Park:

Brick, stone, wood clapboard, wood shingle, wood drop siding, primed board, wood board and batten, cementitious fiber board.

RECOMMENDATION:

Favorable Recommendation





STAFF REPORT

CASE:	ZC19-4
EXISTING ZONING	B-G DO-B
PROPOSED ZONING	B-G DO-B (CD)
PROPERTY OWNER:	SGH MINT HILL, LLC
APPLICANT	SGH MINT HILL, LLC
LOCATION	7404 MATTHEWS-MINT HILL ROAD
TAX PARCEL NUMBER	197-012-08
REQUEST	RESTAURANT, WITH DRIVE THROUGH

APPLICATION SUMMARY:

The applicant is requesting conditional zoning approval to allow a 4,857 square foot drive through restaurant. According Section 7.4, Downtown Code, *Drive Through Facilities* are subject to the issuance of a Conditional District rezoning approval.

Improvements to Matthews-Mint Hill Road will include a traffic signal with mast arms, pedestrian signal, crosswalks (with pavers), turn lanes and streetscape requirements.

*Please note the stormwater management system contains a retaining wall. Staff was instructed by the Board of Commissioners in 2015 to prohibit BMPs with retaining walls from the Downtown. If permitted, the applicant will screen the BMP with landscaping, as indicated on the Zoning Plan.

The application includes a request for Exceptions to the Code.

- 4.4 1. *No curb cuts or driveways are permitted along the frontage*
- 4.4.1. Front setback: *Zero (0) to twenty-five (25) feet* -The building placement exceeds the 25' max setback
- 2.8 (Conditional District Provisions) 4. *Circulation lanes in the front of the building, if permitted, should not exceed 10 feet in total width and should be visually differentiated using a brick or concrete paver, stamped and/or colored pavement technique, or a treatment similar in appearance.*
- Maximum parking (No more than 150% of the 38 required parking) =57 spaces. Proposed parking is 88 spaces
- 6.1C *No off-street parking area shall be located within any front yard*
- 4.4 2. A (2) *A functional doorway for public or direct access into a building shall be from the fronting street façade...Corner Lot buildings shall have either corner entrances or a separate entrance for each street front.*
- 6.1 F. *Parking lots shall not occupy more than one-third (1/3) of the frontage of the adjacent building or no more than seventy-five (75) feet, whichever is less.*

Exceptions to the provisions of this Ordinance (except for Permitted Uses and Excluded Uses) may be approved as a Conditional District rezoning approval by the Board of Commissioners upon a recommendation by the Planning Board. In granting a Conditional District rezoning approval as an exception to these provisions, the Board shall first determine that:

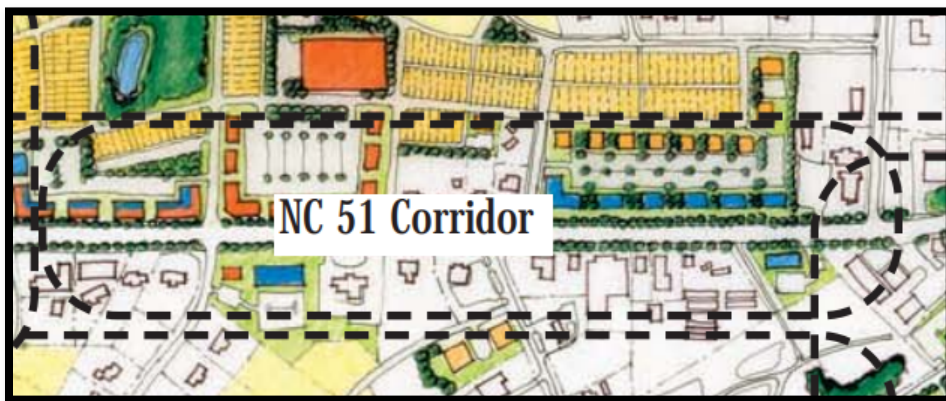
- a) No practical design alternatives exist; and
- b) The variations/exceptions requested are consistent with the purpose and intent of this District as well as Section 1.2 General Building Design Guidelines.

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 Future Land Use Plan Map indicates the property's current zoning, Downtown Overlay Town-Center (DO-B). The Downtown Master Plan and Downtown Code are the primary documents to guide development and rezoning decisions for the Downtown.

The Downtown Master Plan is broken into seven sub-areas. The property in question is in the *NC 51 Corridor* sub-area. According to the Master Plan map (see below), retail and office is suggested for the property, preferably built as detached structures and parking placed to the rear. Preserving the existing canopy trees larger than 24 inches in caliper is recommended for *NC 51 Corridor* sub-area.



The permitted uses in the DO-B district include retail, restaurants, entertainment uses and day care centers. Convenience stores, gas stations, drive through facilities and car washes (**subject to the issuance of a Conditional District rezoning approval**).

The Downtown Master Plan does not directly address drive through facilities.

RECOMMENDATION:

Unfavorable recommendation

SITE DATA

LOCATION / LOT INFORMATION

SITE ADDRESS: 7400 MATTHEWS-MINT HILL ROAD
MINT HILL, NC

PARCEL ID NUMBERS: 197-012-08; 197-012-09; 197-012-26.

PARCEL SIZE: ±2.45 ACRES

EXISTING BUILT UPON AREA: 0.31 AC (ON SITE IMPERVIOUS &
GRAVEL AREA)

PROPOSED BUILT UPON AREA: 1.52 AC (ON SITE IMPERVIOUS AREA)

WATERSHED DISTRICT: MCALPINE & GOOSE WATERSHEDS

POST CONSTRUCTION DISTRICT: CATAWBA & GOOSE CREEK DISTRICTS

PROPOSED SITE USE AND ZONING CLASS

USE: RESTAURANT

OCCUPANCY: COMMERCIAL

ZONING CLASS: B-G DO-B (GENERAL BUSINESS DOWNTOWN
OVERLAY DISTRICT)*CONDITIONAL REZONING REQUIRED - DO-B (CD).

NEIGHBORING ZONING CLASS: B-G DO-B & R DO-A

BUILDING SETBACKS:

SHOPFRONT (BUILDINGS LESS THAN 20,000 SF):

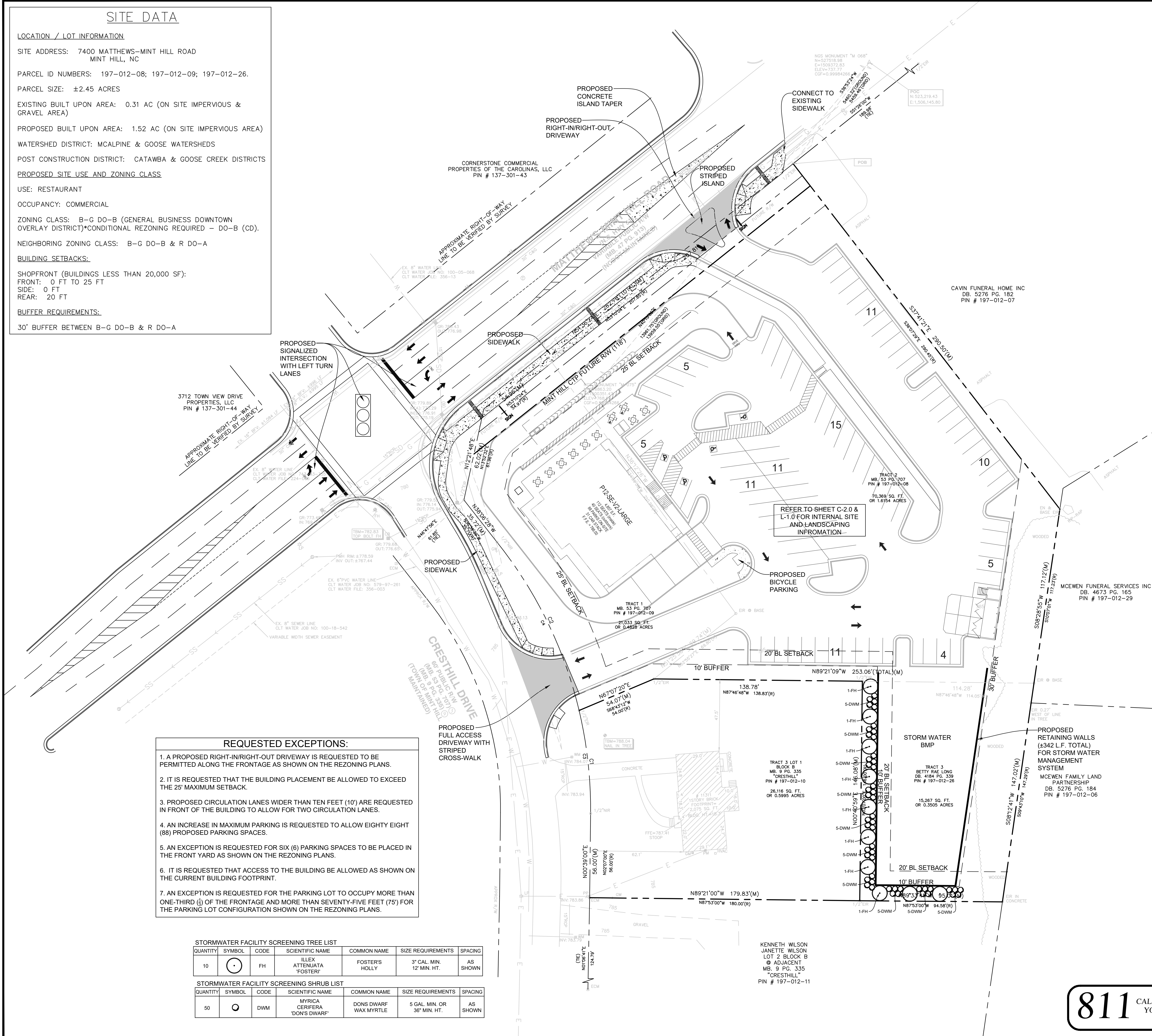
FRONT: 0 FT TO 25 FT

SIDE: 0 FT

REAR: 20 FT

BUFFER REQUIREMENTS:

30' BUFFER BETWEEN B-G DO-B & R DO-A



REQUESTED EXCEPTIONS:

1. A PROPOSED RIGHT-IN/RIGHT-OUT DRIVEWAY IS REQUESTED TO BE PERMITTED ALONG THE FRONTAGE AS SHOWN ON THE REZONING PLANS.
2. IT IS REQUESTED THAT THE BUILDING PLACEMENT BE ALLOWED TO EXCEED THE 25' MAXIMUM SETBACK.
3. PROPOSED CIRCULATION LANES WIDER THAN TEN FEET (10') ARE REQUESTED IN FRONT OF THE BUILDING TO ALLOW FOR TWO CIRCULATION LANES.
4. AN INCREASE IN MAXIMUM PARKING IS REQUESTED TO ALLOW EIGHTY EIGHT (88) PROPOSED PARKING SPACES.
5. AN EXCEPTION IS REQUESTED FOR SIX (6) PARKING SPACES TO BE PLACED IN THE FRONT YARD AS SHOWN ON THE REZONING PLANS.
6. IT IS REQUESTED THAT ACCESS TO THE BUILDING BE ALLOWED AS SHOWN ON THE CURRENT BUILDING FOOTPRINT.
7. AN EXCEPTION IS REQUESTED FOR THE PARKING LOT TO OCCUPY MORE THAN ONE-THIRD (1/3) OF THE FRONTAGE AND MORE THAN SEVENTY-FIVE FEET (75') FOR THE PARKING LOT CONFIGURATION SHOWN ON THE REZONING PLANS.

STORMWATER FACILITY SCREENING TREE LIST

QUANTITY	SYMBOL	CODE	SCIENTIFIC NAME	COMMON NAME	SIZE REQUIREMENTS	SPACING
10		FH	ILEX ATTENUATA 'FOSTERI'	FOSTER'S HOLLY	3" CAL. MIN. 12' MIN. HT.	AS SHOWN

STORMWATER FACILITY SCREENING SHRUB LIST

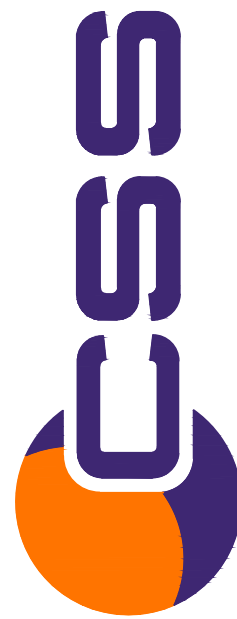
QUANTITY	SYMBOL	CODE	SCIENTIFIC NAME	COMMON NAME	SIZE REQUIREMENTS	SPACING
50		DWM	MYRTICA CERIFERA 'DONS DWARF'	DONS DWARF WAX MYRTLE	5 GAL. MIN. OR 36" MIN. HT.	AS SHOWN

REVISIONS

ISSUED	COMMENT



NC COA C-3123



REZONING PLAN COMMERCIAL DEVELOPMENT

7404 MATTHEWS-MINT HILL ROAD
MINT HILL, NC 28227

Date: 9-10-19

Drawn: RSM

Checked: ---

C-1.0

CONDITIONAL NOTES AND STANDARDS

GENERAL PROVISIONS:

1. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE INFORMATION SUBMITTED WITH THE REZONING APPLICATION, DEVELOPMENT STANDARDS, THE APPLICABLE PROVISIONS OF THE TOWN OF MINT HILL UNIFIED DEVELOPMENT ORDINANCE (UDO) AND APPROVED EXCEPTIONS.
2. THE SCHEMATIC DEPICTIONS OF THE USE, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, AND OTHER SITE ELEMENTS PROPOSED SET FORTH ON THE PLANS SUBMITTED WITH THE REZONING APPLICATION AND MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE TOWN OF MINT HILL AMENDMENT PROCEDURES FOR APPROVED CONDITIONAL DISTRICTS.

ACCESS AND ROAD IMPROVEMENT NOTES:

1. SITE ACCESS WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN.
2. IMPROVEMENTS TO MATTHEWS-MINT HILL ROAD WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN AND AS NECESSARY TO SECURE CONSTRUCTION PLAN AND NCDOT APPROVAL.
3. IMPROVEMENTS TO MATTHEWS MINT HILL ROAD WILL INCLUDE A TRAFFIC SIGNAL WITH MAST ARMS, PEDESTRIAN SIGNAL CROSSWALKS (WITH PAVERS), TURN LANES, STREETSCAPE WITH PEDESTRIAN LIGHTS (WITH OUTLETS), STREET TREES AND PAVEMENTS.
4. THE PLACEMENT AND CONFIGURATIONS OF VEHICULAR ACCESS POINTS AND IMPROVEMENTS IN THE RIGHT-OF-WAY ARE SUBJECT TO MINOR MODIFICATIONS TO RECEIVE APPROVAL FROM NCDOT AND AS REQUIRED TO ACCOMMODATE FINAL SITE PLAN DEVELOPMENT AND CONSTRUCTION PLAN APPROVAL.
5. IMPROVEMENTS TO CRESTHILL DRIVE WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN AND AS NECESSARY TO SECURE NCDOT APPROVAL AND AS REQUIRED TO ACCOMMODATE FINAL SITE PLAN DEVELOPMENT AND CONSTRUCTION PLAN APPROVAL.
6. IMPROVEMENTS TO CRESTHILL DRIVE WILL INCLUDE STREETSCAPE WITH PEDESTRIAN LIGHTS (WITH OUTLETS) AND STREET TREES OR AS REQUIRED BY THE TOWN OF MINT HILL.
7. ALL ROAD IMPROVEMENTS WILL BE THE RESPONSIBILITY OF THE DEVELOPER.

LANDSCAPE AREAS, TREES AND SCREENING:

1. SCREENING AND LANDSCAPED AREAS OF THIS SITE SHALL EXCEED THE STANDARDS AND SPECIFICATIONS SET FORTH IN THE TOWN OF MINT HILL'S UNIFIED DEVELOPMENT ORDINANCE.
2. SOLID WASTE WILL BE HANDLED THROUGH ONSITE DUMPSTER, DUMPSTER AND SERVICE AREA WILL BE SCREENED AS SHOWN ON THE LANDSCAPE PLAN.
3. ALL LANDSCAPING, INCLUDING STREET TREES WITHIN THE PROPERTY BOUNDARIES, SHALL BE MAINTAINED BY THE PROPERTY OWNER OR TENANT.
4. PROPOSED LANDSCAPING WILL BE IRRIGATED AND MAINTAINED BY THE PROPERTY OWNER OR TENANT.

SETBACKS, YARDS, AND BUFFERS:

1. THE BUILDING SHALL BE LOCATED AS GENERALLY DEPICTED ON THE SITE PLAN WITH EXCEPTION REQUEST NOTED ON THE REZONING AND SITE PLANS.
2. PARKING SPACES AND STORMWATER MANAGEMENT FACILITIES MAY NOT BE INSTALLED IN PROPOSED BUFFERS.

ARCHITECTURAL STANDARDS:

1. THE ARCHITECTURAL ELEMENTS OF THE BUILDING WILL BE AS GENERALLY DEPICTED ON THE ELEVATIONS SUBMITTED WITH THE REZONING APPLICATION.
2. THE ARCHITECTURAL ELEVATIONS ARE SUBJECT TO MINOR MODIFICATIONS TO RECEIVE APPROVAL FROM THE TOWN OF MINT HILL AND MECKLENBURG COUNTY.

PARKING:

1. THE OFF-STREET PARKING CONFIGURATION WILL BE AS SHOWN ON THE SITE PLAN SUBMITTED WITH THE REZONING APPLICATION.
2. NO PARKING MAY BE CONSTRUCTED WITHIN PROPOSED BUFFER AREAS.
3. ALL NEW PARKING AREAS WILL BE SCREENED AS SHOWN ON THE LANDSCAPE PLAN SUBMITTED WITH THE REZONING APPLICATION.

LIGHTING:

1. A SITE LIGHTING PLAN WILL BE INCLUDED IN THE CONSTRUCTION DRAWINGS AND WILL MEET THE TOWN OF MINT HILL OUTDOOR LIGHTING STANDARDS.

STORMWATER MANAGEMENT:

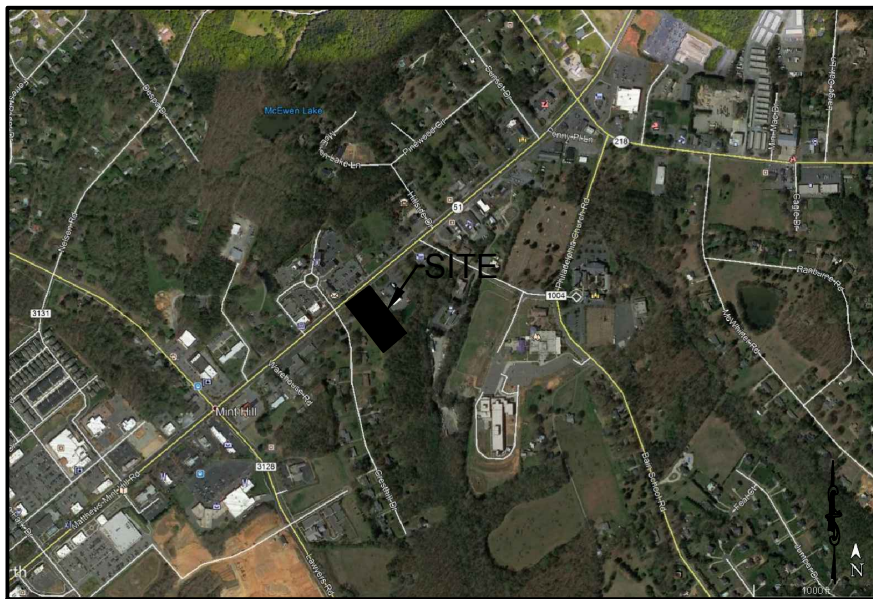
1. THE STORMWATER MANAGEMENT FACILITY WILL BE DESIGNED TO TREAT RUNOFF FROM THE PROPOSED DEVELOPMENT IN ACCORDANCE WITH THE POST-CONSTRUCTION REQUIREMENTS OF THE TOWN OF MINT HILL AND MECKLENBURG COUNTY.
2. THE STORMWATER MANAGEMENT FACILITY IS SUBJECT TO REVIEW AND APPROVAL BY THE MECKLENBURG COUNTY LAND USE & ENVIRONMENTAL SERVICES AGENCY.
3. THE STORMWATER FACILITY WILL NOT BE LOCATED WITHIN PROPOSED BUFFER AREAS.
4. THE USE OF RETAINING WALLS FOR THE STORMWATER MANAGEMENT FACILITY IS REQUESTED TO PROVIDE THE NECESSARY TREATMENT VOLUME WHILE MAINTAINING THE PROPOSED BUFFERS.
5. THE EXTERIOR OF THE PROPOSED RETAINING WALLS WILL BE SCREENED WITH LANDSCAPING LOCATED IN THE PROPOSED BUFFER AREA AS SHOWN ON THE REZONING PLAN.

SIGNAGE:

1. SIGNAGE WILL MEET THE TOWN OF MINT HILL UNIFIED DEVELOPMENT ORDINANCE.

UNDISTURBED AREA:

1. 10% OF THE SITE AREA WILL REMAIN UNDISTURBED DURING CONSTRUCTION BUT WILL BE PLANTED WITH VEGETATION IF NONE EXISTS. UNDISTURBED AREA WILL BE MITIGATED AS NECESSARY THROUGH MECKLENBURG COUNTY IF CONSTRUCTION DRAWINGS REDUCE AVAILABLE OPEN SPACE



SCALE: N.T.S.
LOCATION MAP

- PLANTING NOTES:**
- The contractor shall locate and verify all existing and new utility line locations prior to planting, and shall report any conflicts to the landscape architect. The contractor will be responsible for the protection of all underground utilities during the life of the project.
 - The contractor is responsible for repair of any damage incurred during the execution of his work.
 - The contractor shall stake all tree locations in the field and the staked locations shall be reviewed and approved by Carter Engineering. Carter Engineering may make minor adjustments to the layout without incurring additional costs to the project.
 - Mulch all plant areas for trees and shrubs with 3" layer of double ground shredded hardwood mulch.
 - Any proposed substitutions of plant species will be with plants with equivalent overall form, height, branching habit, flower color, leaf color, fruit color, and time of bloom, as approved by Carter Engineering.
 - Substitutions shall not be made unless drawings and/or written requests are submitted to Carter Engineering for approval. Carter Engineering shall determine equality based upon complete information submitted by the contractor.
 - Trees: provide specimen balled and burlapped, or as specified, trees of height, size, caliper, genus, species, cultivar and branching configuration indicated. The root system of each shall be well provided with fibrous roots. All parts of plant shall be moist and show active green cambium when cut. They shall be free of disease, insect pests, eggs or larvae. All plants to be moved balled and burlapped, must be moved with the root systems as solid units with bolls of earth firmly wrapped with untreated burlap, firmly held in place by a solid cord or wire, drum laced, boxed, or in containers.
 - Pruning and shaping: prune, thin out, and shape plants in compliance with American Hort's American Standard for Nursery Stock to preserve the natural character and only as approved by Carter Engineering design team. Retain required height and spread. Do not alter shape and do not cut leaders. Remove all dead wood, suckers, broken or bruised branches, and crossing branches.
 - Stakes and Guys: to be round cedar posts.
 - The Carter Engineering representative reserves the right to reject plant material at the nursery or at the site.
 - The trunk flare (at the base of the tree) shall be properly exposed for all plantings.
 - Keep root balls intact prior to and during planting operations. Plants with broken or damaged root balls shall be rejected and immediately removed from the site. Keep root balls damp and protected from damage due to sun and wind. Do not shave root balls.
 - Plant soil mixture will be used to backfill the planting area. Install plants simultaneously with installation of planting soil mixes.
 - Tree planting: see tree planting detail and specification notes herein for additional information related to planting of dimensions, planting operations, backfilling, and staking of trees.
 - Container stock planting: plant container grown stock the same as specified for balled and burlapped stock, but remove containers completely.
 - Soil shall be free of all debris, construction material, and slurry. Landscape areas shall be backfilled with planting soil mixture per details and specifications.
 - Obstructions: if obstructions or other conditions detrimental to healthy plant growth are encountered, notify Carter Engineering immediately and request additional instructions.
 - Watering and drainage: fill excavations with water and allow water to percolate out before planting. If planting pits do not percolate or drain properly, notify the Carter Engineering and request additional instructions prior to planting. Do not plant into poorly draining planting pits; poorly drained planting pits may hold water and drown plants.
 - Flood all plants with water twice within the first 24 hours after planting.
 - All plant material shall be mulched after planting. Backfill to allow room for mulch after settling, and place mulch in dish after first watering and within one week of planting. See planting details for mulch thickness.
 - All plants shall be staked vertically after setting or as directed by Carter Engineering.
 - Planting restrictions: plant during one of the following periods:
 - Spring planting (shrubs, groundcover, perennials) - March through May
 - Fall planting (shrubs, groundcover, perennials) - Sept. through November
 - Tree planting - September through April
 - Installer agrees to repair or replace plantings and accessories that fail in materials, workmanship or growth within 18-months of substantial completion. Failures include, but are not limited to:
 - Death and unsatisfactory growth, except for defects resulting from the lack of adequate maintenance by owner.
 - Structural failures including plantings falling or blowing over.
 - The contractor shall verify the quantities listed in the plant legend. Contractor is responsible for installing all plants shown on planting plans. In case of discrepancies Carter Engineering should be contacted.
 - All groundcover quantities shall be determined using the information provided in the groundcover quantity and spacing chart within the Landscape Drawing Set.

TOTAL QTY	BOTANICAL NAME	COMMON NAME	CAL./GAL.	SPACING	TYPE	HT./SPR. MINIMUM	REMARKS
CANOPY TREES							
3	<i>Quercus muhlenbergii</i>	Nuttall Oak	3" Cal.	As Shown	B & B	12' / 6'	Straight Central Leader to Min. 6' Ht., Well Spaced Branches, Symmetrical Crown
14	<i>Shumard Oak</i>	Shumard Oak	3" Cal.	As Shown	B & B	12' / 6'	Straight Central Leader to Min. 6' Ht., Well Spaced Branches, Symmetrical Crown
2	<i>Azalea speciosa</i>	Shumard Oak	3" Cal.	As Shown	B & B	12' / 6'	Straight Central Leader to Min. 6' Ht., Well Spaced Branches, Symmetrical Crown
UNDERSTORY TREES							
3	<i>Lagotis indica x faueri</i>	Natchez Grape Myrtle	2" Multi	As Shown	B & B	10' / 5'	Multi-stem (Min. 3) Clear to 5' Ht., Heavy Canopy, Well Spaced Branches, Symmetrical Crown
EVERGREEN TREES							
8	<i>Ilex attenuata</i>	Foster's Holly	3" Cal. (Std)	As Shown	B & B	12' / 6'	Straight Central Leader, Clear 5' Ht., Dense Canopy, Well Spaced Branches, Symmetrical Crown
5	<i>Magnolia grandiflora</i>	Little Gem Magnolia	5 Gal.	As Shown	B & B	10' / 5'	Full to Ground, Well Spaced Branches, Dense, Symmetrical Crown
6	<i>Magnolia virginiana</i>	Green Shadow	3" Cal. (Std)	As Shown	B & B	12' / 6'	Straight Central Leader to Min. 6' Ht., Dense Canopy, Well Spaced Branches, Symmetrical Crown
EVERGREEN SHRUBS							
22	<i>Camellia japonica</i>	Kanjiro Camellia	7 Gal.	As Shown	Container	30" / 24"	Full Pot, Well Shaped
102	<i>Gardenia jasminoides</i>	Chuck Hayes' Gardenia (Cape Jasmine)	5 Gal.	As Shown	Container	24" / 24"	Full Pot, Well Shaped
9	<i>Gardenia jasminoides</i>	Creeping Gardenia	3 Gal.	As Shown	Container	12" / 18"	Full Pot, Well Shaped
9	<i>Ilex cuneata</i>	Dwarf Yaupon Holly	5 Gal.	As Shown	Container	18" / 18"	Full Pot, Well Shaped
139	<i>Ilex glabra</i>	Shumard Oak	7 Gal.	As Shown	Container	30" / 30"	Full Pot, Well Shaped
52	<i>Ilex verticillata</i>	Stoke's Dwarf	3 Gal.	As Shown	Container	18" / 18"	Full Pot, Well Shaped
46	<i>Illicium parviflorum</i>	Bananapple Anise Tree	5 Gal.	As Shown	Container	24" / 24"	Full Pot, Well Shaped
46	<i>Myrica cerifera</i>	Don's Dwarf Wax Myrtle	5 Gal.	As Shown	Container	30" / 30"	Full Pot, Well Shaped
DECIDUOUS SHRUBS							
50	<i>Rosa 'Meigii'</i>	Peach Drift Rose	3 Gal.	As Shown	Container	18" / 18"	Full Pot, Well Shaped
37	<i>Rosa 'Austrian'</i>	Double Knockout Rose	3 Gal.	As Shown	Container	18" / 18"	Full Pot, Well Shaped
10	<i>Muhlenbergia capillaris</i>	Muhly Grass	3 Gal.	As Shown	Container	18" / 18"	Full Pot, Well Shaped
GROUNDCOVERS (in square feet)							
720	<i>Desmodium illinoense</i>	Dwarf Nikko Deutzia	1 Gal.	As Shown	Container	12" / 12"	Full Pot, Well Shaped
2,160	<i>Liriodendron 'Big Blue'</i>	Big Blue Creeping Lilyturf	1 Gal.	As Shown	Container	12" / 12"	Full Pot, Well Shaped
2,160	<i>Vicia mima</i>	Bowles' Variety Periwinkle	4" Pot	As Shown	Container	6" / 6"	Full Pot, Well Shaped
330	<i>Desmodium illinoense</i>	Double Ground Mulch	---	---	---	---	---
330	<i>Desmodium illinoense</i>	Seasonal Color	---	---	---	---	---
TURF GRASS (in square feet)							
2,275	<i>Sod (as directed by owner)</i>	Sod (as directed by owner)	---	---	SOD	---	---

PLANT SPACING	PLANT SPACING MULTIPLIER (PLANTS PER SF)
12"	1.15
15"	.74
18"	.51
24"	.29

GROUNDCOVERS	TURF GRASS
BIG BLUE LILYTURF	SOD (AS DIRECTED BY OWNER)
'BOWLES' VARIETY' GERANIUM	4-MAN BOULDERS
SEASONAL COLOR	4 TOTAL GARDEN BOULDERS
MULCH	

TREE MANAGEMENT CALCULATIONS:	
GENERAL LANDSCAPE REQUIREMENTS:	
TYPE A (OPAQUE SCREEN/BUFFER)	
This type functions as an opaque screen from the ground to a height of at least eight (8) feet. This type excludes visual contact between uses and creates a strong impression of spatial separation. Composition of the Type A Landscaping may include a wall, landscaped earthen berm, planted vegetation, existing vegetation, or any appropriate combination of these elements. Intermittent plantings of deciduous and evergreen trees shall obtain a height at maturity of no less than twenty (20) feet and have no unobstructed openings wider than ten (10) feet between tree canopies upon maturity. Shrub plantings shall have a minimum height of three (3) feet at installation and have no unobstructed openings wider than four (4) feet. At least fifty (50) percent of the required trees, and at least seventy-five (75) percent of the required shrubs, shall be evergreen species locally adapted to the area.	
Proposed Shrubs:	136 Proposed Shrubs
Required Evergreen Shrubs:	75% of Proposed
Proposed Evergreen Shrubs:	123 Proposed Shrubs (90%)
Proposed Trees:	23 Proposed Trees
Required Evergreen Trees:	50% of Proposed
Proposed Evergreen Trees:	20 Proposed Trees (87%)

TYPE B (SEMI-OPAQUE SCREEN)	
This type functions as a semi-opaque screen from the ground to at least a height of four (4) feet for screening of car lights and glare. Intermittent planting of deciduous and evergreen trees shall obtain a height at maturity of no less than twenty (20) feet and have no unobstructed openings wider than twenty (20) feet between canopies upon maturity. Shrub plantings shall have no unobstructed openings wider than four (4) feet. At least seventy-five (75) percent of the required shrubs shall be evergreen species locally adapted to the area. All side yard parking areas in the DD-8 district shall be screened from the sidewalk by low walls, fences or constructed as a continuation of a building wall a minimum of three (3) feet in height.	
Proposed Shrubs:	172 Proposed Shrubs
Required Evergreen Shrubs:	75% of Proposed
Proposed Evergreen Shrubs:	130 Proposed Shrubs (80%)
TYPE C (INTERIOR PLANTINGS)	
No parking space shall be less than sixty (60) feet from the base of a canopy tree.	
ALL PARKING SPACES ARE WITHIN SIXTY (60) FEET OF A CANOPY TREE.	

811 Know what's below
Call before you dig
dial 811

20' 10' 0 20' 40' 60'

GRAPHIC SCALE
SCALE 1" = 20'

5200 Buffington Rd.
Atlanta Georgia,
30349-2998

NO.	DATE	INITIAL REVIEW	ADDRESS COMMENTS	PCB REVIEW	ADDRESS COMMENTS
A.	07/09/19				
B.	07/24/19				
C.	07/31/19				
D.	08/15/19				

PRELIMINARY
NOT FOR CONSTRUCTION

CARTER ENGINEERING CONSULTANTS

Carter Engineering Consultants, Inc.
3651 Mars Hill Road, Suite 2000
Walkersville, GA 30677
P: 770.725.1200
F: 770.725.1204
www.carterengineering.net

STORE # 4436

LOT 2

SHEET TITLE
LANDSCAPE PLAN

REVISION 3-2019

Job No. :18005CFA
Store :4436
Date :08/15/19

Sheet

L-1.0

DESIGN INTENT PACKAGE

MINT HILL

MATTHEW -MINT HILL RD & CRESTHILL DRIVE , MINT HILL , NC 28227

STORE NUMBER

04436



PERSPECTIVE VIEW - ENTRY

PROTOTYPE	P12_SE LRG
VERSION	-
TIER	TIER 1
BUILDING AREA	4863 SF
SEAT COUNT - INTERIOR	104
SEAT COUNT - EXTERIOR	28
SEATING TYPE	STANDARD
REGISTERS	4
DRIVE-THRU	YES
LEED	NOT CERTIFIED
LANDSCAPING	STANDARD
OPTIONS:	
RESTROOM	THREE FIXTURE
WATER FILTRATION	TYPE 1
PLAYGROUND	STANDARD
KITCHEN LAYOUT	CENTERLINE

DESIGN SIGN-OFF

DESIGN LEADER

DATE

DIP COVER SHEET

04436, MINT HILL, MATTHEW -MINT HILL RD & CRESTHILL DRIVE, MINT HILL, NC 28227

THE CHICK-FIL-A DESIGN INTENT PACKAGE REPRESENTS A BRAND COMPLIANT DESIGN SOLUTION. SITE ADAPT PROFESSIONALS ARE RESPONSIBLE FOR APPLICATION OF DESIGN AND COMPLIANCE OF WITH ORDINANCES AND CODES.

08/02/2019





PERSPECTIVE VIEW - REAR LEFT



PERSPECTIVE VIEW - FRONT RIGHT



PERSPECTIVE VIEW - REAR RIGHT

PERSPECTIVE VIEWS

04436, MINT HILL, MATTHEW -MINT HILL RD & CRESTHILL DRIVE, MINT HILL, NC 28227

08/02/2019

THE CHICK-FIL-A DESIGN INTENT PACKAGE REPRESENTS A BRAND COMPLIANT DESIGN SOLUTION. SITE ADAPT PROFESSIONALS ARE RESPONSIBLE FOR APPLICATION OF DESIGN AND COMPLIANCE OF WITH ORDINANCES AND CODES.





EXTERIOR ELEVATIONS

04436, MINT HILL, MATTHEW -MINT HILL RD & CRESTHILL DRIVE, MINT HILL, NC 28227

08/02/2019

THE CHICK-FIL-A DESIGN INTENT PACKAGE REPRESENTS A BRAND COMPLIANT DESIGN SOLUTION. SITE ADAPT PROFESSIONALS ARE RESPONSIBLE FOR APPLICATION OF DESIGN AND COMPLIANCE OF WITH ORDINANCES AND CODES.





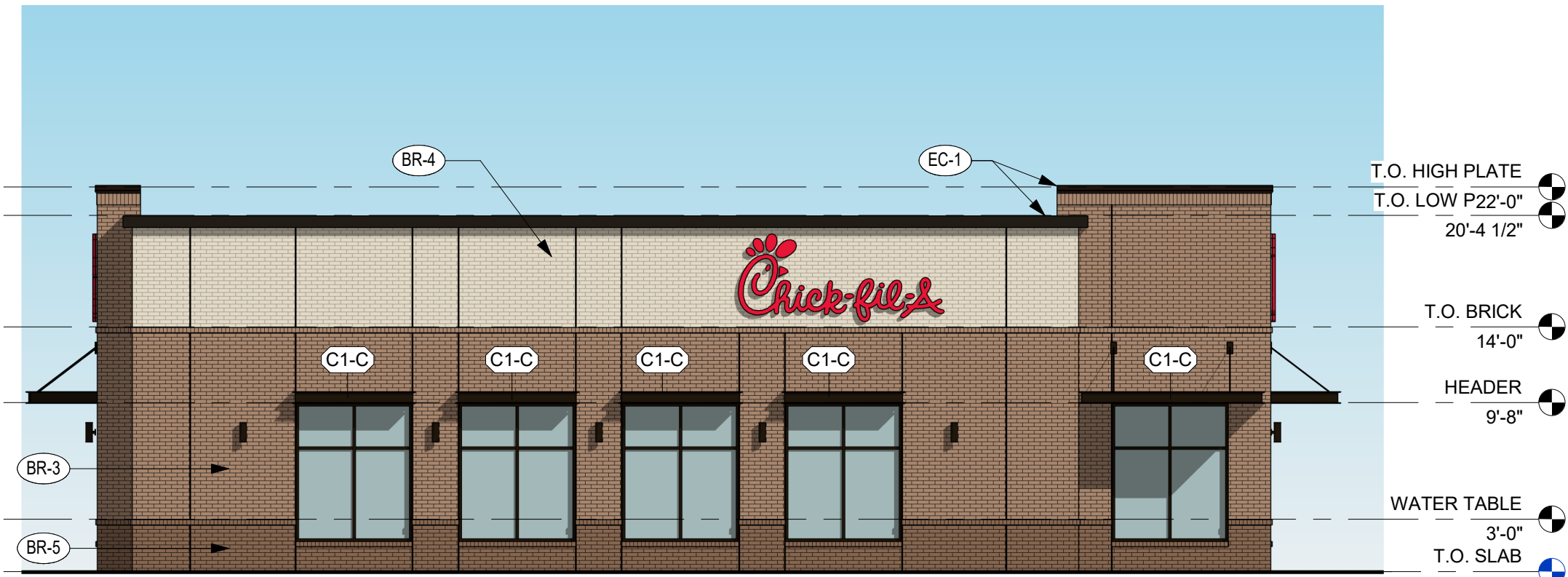
EXTERIOR ELEVATION
1/8" = 1'-0"

A301_ATTACHED CANOPY SCHEDULE

Mark	Description	Count	Overall Width	Overall Depth	Tie Back Mounting (Offset From Top)	Integral Lighting
------	-------------	-------	---------------	---------------	-------------------------------------	-------------------

C1-C	Exterior Canopy	9	7'-1"	1'-0"	0"	No
C4-A	Exterior Canopy	1	5'-0"	4'-0"	2'-6"	Yes
C4-E	Exterior Canopy	1	7'-1"	4'-0"	2'-6"	Yes
C4-F	Exterior Canopy	4	7'-1"	4'-0"	2'-6"	No
C5-A	Exterior Canopy	1	10'-8"	5'-0"	2'-6"	Yes

Grand total		16				
-------------	--	----	--	--	--	--



EXTERIOR ELEVATION
1/8" = 1'-0"

EXTERIOR FINISHES



BR-4
BRICK VENEER
COLOR: V100 / SIZE: MODULAR
MORTAR: ARGOS SAN TAN



EC-1
PREFINISHED METAL COPING
COLOR: DARK BRONZE



BR-3
BRICK VENEER
COLOR: MORNING SMOKE (MODULAR)
MORTAR: ARGOS SAN TAN



PT-9
EXTERIOR PAINT
COLOR: DARK BRONZE
FINISH: SEMI-GLOSS



BR-5
BRICK VENEER
COLOR: CLAYTON FALLS (MODULAR)
MORTAR: ARGOS SAN TAN



ST-1
STOREFRONT
COLOR: DARK BRONZE

EXTERIOR ELEVATIONS



STAFF REPORT

CASE:	ZC19-5
EXISTING ZONING	B-P (CD)
PROPOSED ZONING	B-G (CD)
PROPERTY OWNER:	MARGATE CAPITAL HOLDINGS, LLC
APPLICANT	WOODIE ENTERPRISES/ BRAD WOODIE
LOCATION	9107 LAWYERS ROAD
TAX PARCEL NUMBER	109-331-07
REQUEST	EXISTING BUILDING -REUSE FOR AUTOMOTIVE REPAIR SHOP

APPLICATION SUMMARY:

The applicant is seeking approval to open an *automotive repair shop* in the former Rite Aid building. The current zoning, B-P (CD), does not allow the use. The applicant requests to rezone the property from B-P (CD) to B-G (CD) in order to allow the use. The apparent exterior change to the building is the addition of a garage door (see attached elevation). No other changes to the site are proposed.

Automobile Repair Shop	A commercial establishment whose primary purpose involves the maintenance and servicing of vehicles. "Auto body work" (i.e., work normally associated with an "automobile body shop,") may not be performed on premises unless the zoning district in which the use is located allows an "automobile body shop." The sale of automotive fuels and accessory automobile parts to the public may be provided on an accessory basis. Notwithstanding, an "automobile repair shop" is differentiated from an "auto parts store" in that the sale of automotive parts is not the primary service being offered.
------------------------	--

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.

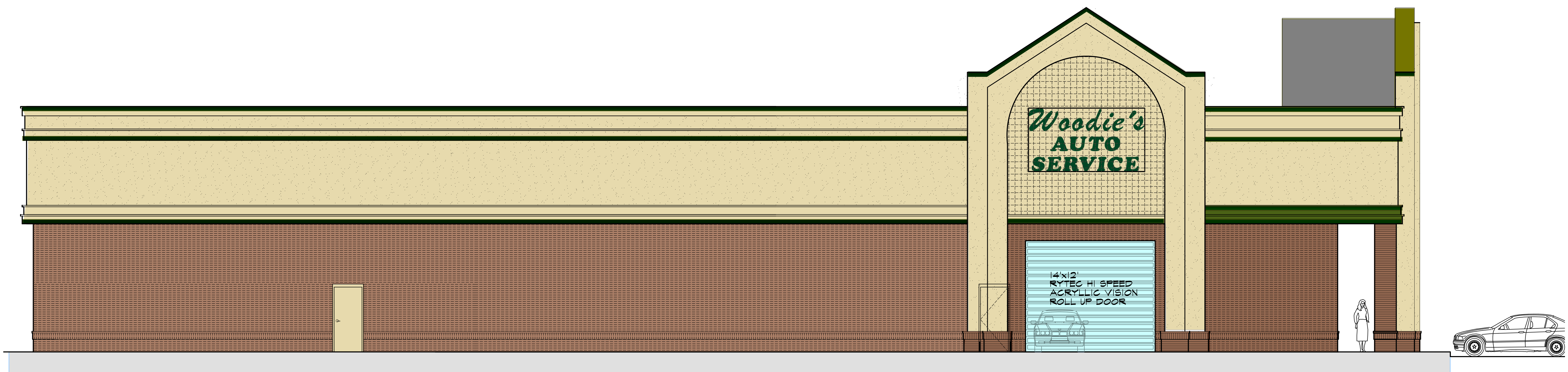
PLAN CONSISTENCY:

The Land Use Plan recommends commercial use for the property.

RECOMMENDATION:

Favorable recommendation

WOODIE'S AUTO SERVICE
MINT HILL LOCATION
9107 LAWYERS RD.
Charlotte, North Carolina 28227



WOODIE'S MINT HILL
SIDE PARKING LOT SERVICE ENTRY
CHARLOTTE NC 28227
1/8"=1'-0"



WOODIE'S MINT HILL
PROPOSED ELEVATION
9107 LAWYERS RD.
1/8"=1'-0"



STAFF REPORT

CASE:	ZC19-6
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, 137-152-11, 137-152-54, 137-152-13, 137-152-18, 137-152-12, 137-152-01
REQUEST:	AMEND CONDITIONS
RECOMMENDATION:	FAVORABLE

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.

On June 14, 2018 the Board of Commissioners approved a list of by-right uses for Clear Creek Part A. The approval included removal of a condition pertaining to the timing of the street acceptance; removal of the restriction on retail sales and services and eating establishments, and a condition was added to allow parking areas to extend into the 50' front setback up to 25'.

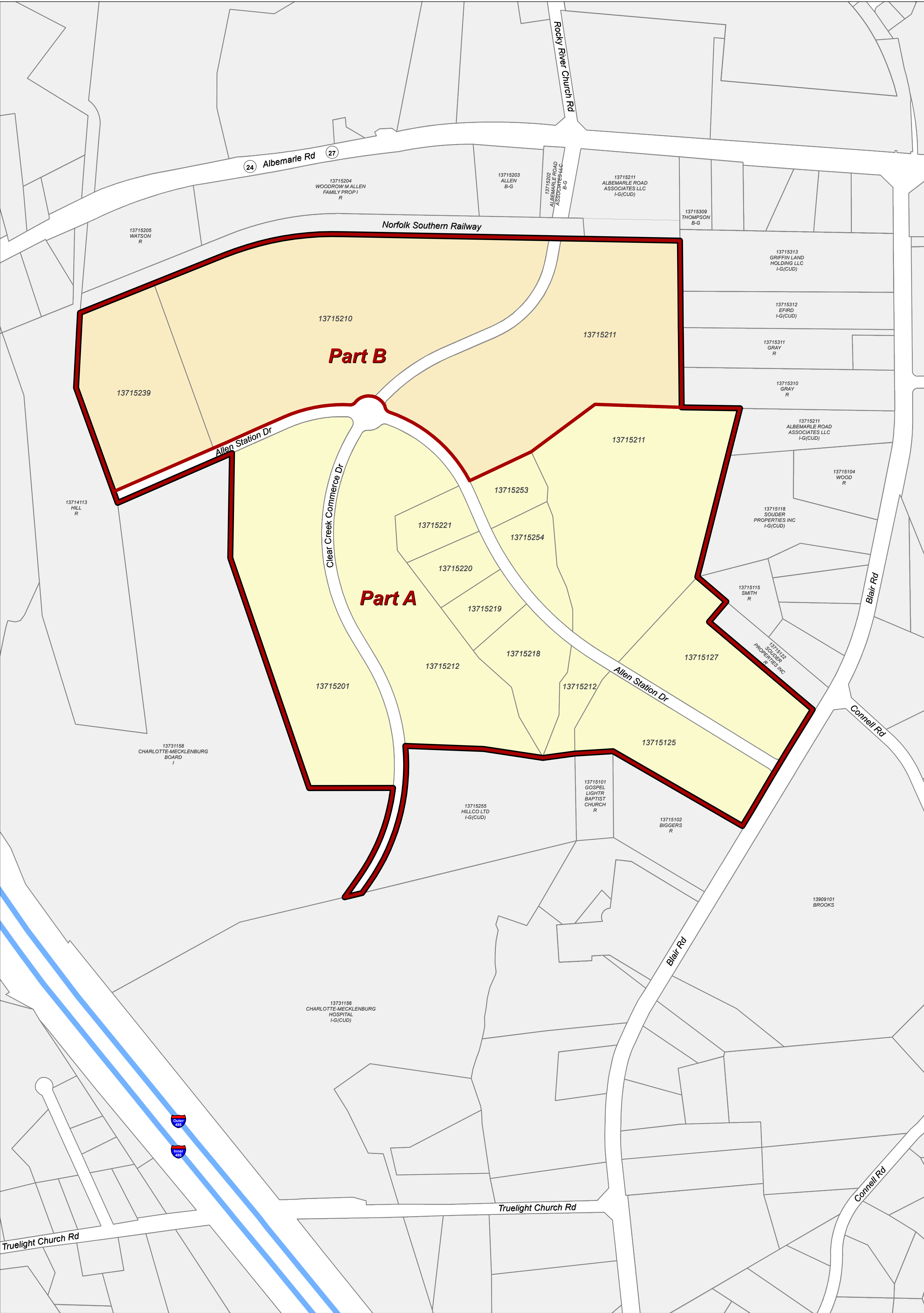
APPLICATION SUMMARY:

- Add *Machine, Metal and Woodworking Shop, Manufacturing, Processing and Fabrication* to the list of by-rights uses
- Amend condition regarding building materials to read, *"The Front façade shall be constructed of masonry, brick, stone, precast concrete panels, glass and/or tilt wall concrete panels. In addition, all buildings visible from the street shall be masonry, brick, stone, precast concrete panels, glass and/or tilt wall concrete panels."*

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.

MEETING DATES:

PLANNING BOARD	MONDAY, OCTOBER 21
PUBLIC HEARING	THURSDAY, NOVEMBER 14
BOARD OF COMMISSIONERS	THURSDAY, NOVEMBER 14



Part A Conditions:

1. 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)
2. Street trees along Albemarle Road and Blair Road should be minimum of 4" caliper and 20-25 feet in height at time of planting.
3. 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
4. Access to all lots shall be from interior streets only
5. 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
6. Installation of sidewalks within development shall be bonded to insure installation upon development/construction of site.
7. Parking is permitted to encroach up to 25' into the 50' front setback

*Last updated at the 6/14/18 Board of Commissioners meeting

REZONING APPLICATION

TOWN OF MINT HILL

Complete All Fields

Office Use Only
ZC19-6

Petition #: 10/10/19

Date Filed: JH

Received By:

OWNERSHIP INFORMATION:

Property Owner: LAKEMONT PROPERTY INVESTORS, LLC 2018
Albemarle Road Associates, LLC Date Property Acquired: 2001-02
"LAKEMONT PROPERTY INVESTORS LLC"

Owner's Address: 2400 South Boulevard, Charlotte, NC 28203 and
ALBEMARLE ROAD ASSOCIATES LLC
700 Sam Newell Road, Matthews, NC 28105

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

LOCATION OF PROPERTY (Address or Description): Allen Station Drive and Blair Road

Tax Parcel Number(s): See attached Exhibit 13715125, 13715127, 13715211, 13715254
13715213, 13715218, 13715212, 13715201

Current Land Use: I-6 (CD) General Industrial

Size (Sq.Ft. or Acres): 90+ ACRES

ZONING REQUEST: Existing Zoning: I-6 (CD) Proposed Zoning: I-6 (CD)

Purpose of Zoning Change: TO AMEND the current ZONING to expand the list of uses considered
TO AMEND the current ZONING to include "Machine, Metal and Woodworking Shop, Manufacturing
PROCESSING or FABRICATION." ALSO TO AMEND PART A CONDITIONS: Number 3 to read
"The front facades shall be constructed of masonry, brick, stone, precast concrete panels, glass and/or
tilt wall concrete panels. In addition all sides of buildings visible from the street shall be
masonry, brick, stone, precast concrete panels, glass and/or tilt wall concrete panels."

LAKEMONT PROPERTY INVESTORS LLC

(Complete if Applicant is other than Property Owner)

Albemarle Road Associates, LLC

Albemarle Road Associates, LLC

Name of Property Owner

Name of Applicant

2400 South Boulevard

700 Sam Newell Rd

Address of Owner

Address of Applicant

Charlotte N.C. 28207

Matthews, NC 28105

City, State, Zip

City, State, Zip

704 564 3198

704-661-1083

Telephone Number

Telephone Number

bpatrick@mpvre.com

deryl.bell@carotek.com

E-Mail Address

E-Mail Address

Deryl Bell

Signature of Property Owner

Deryl Bell / Betsy W. Patrick

Signature of Applicant

see
Exhibits
A and B
attached.

EXHIBIT A

*As approved by the Board of Commissioners 6/14/18 (ZC18-6)

Yellow highlight are uses subject to conditional zoning. Red highlight represents the prohibited uses. All other uses in list are considered by-right *including those proposed in blue.*

CLEAR CREEK -PART A

PERMISSIBLE USES (Master List)- supersedes Section 5.2 of the UDO

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

(BLUE) Machine, Metal and Woodworking Shop BY RIGHT

(BLUE) Manufacturing, BY RIGHT

(BLUE) Processing or BY RIGHT

(BLUE) Fabrication BY RIGHT

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)

PROPOSED MODIFICATION

Part A Conditions:

1. 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)
2. Street trees along Albemarle Road and Blair Road should be minimum of 4" caliper and 20-25 feet in height at time of planting.
3. 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
4. Access to all lots shall be from interior streets only
5. 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
6. Installation of sidewalks within development shall be bonded to insure installation upon development/construction of site.
7. Parking is permitted to encroach up to 25' into the 50' front setback

*Last updated at the 6/14/18 Board of Commissioners meeting

→ stone, precast concrete panels and/or tilt wall concrete panels.

EXHIBIT B
TILT WALL CONCRETE - MASONRY CONSTRUCTION

PLANS



