



Town of Mint Hill

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

Mint Hill Planning Board Agenda November 18, 2019 at 6:30 p.m.

1. Call To Order
2. Roll Call and Invocation
3. Approve Minutes of October 21, 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 ZC19-7, Text Amendment to Section 6.1 Building Lot Standards and Dimensional Requirements.
8. Other Business
9. Adjournment

Cassie Crutchfield
Program Support Assistant

**MINUTES OF THE MINT HILL PLANNING BOARD MEETING
OCTOBER 21, 2019**

The Mint Hill Planning Board met in a regular session on Monday, October 21, 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, Roy Fielding, Scott Fandel and Tom Gatz

Planning Director: John Hoard

Clerk to the Board: Cassie Crutchfield

Commissioner: Dale Dalton

Absent: 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 September 16, 2019 Regular Meeting: Upon the motion of Mr. Gatz, seconded by Mr. Simmons, the Board unanimously approved the minutes of the September 16, 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 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.: Planning Director Hoard submitted the following memo to the Board.

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.

Mr. Simmons stated he did not agree with the idea of leaving the repair and replacement of the alleyways to the Homeowners Association.

Mr. Hendrix asked if the roads in place were adequate? Planning Director Hoard said yes. Mr. Hendrix stated he was not a fan of alleyways either.

Mr. Gatz asked if Phyliss Lane was staying a rock road? Planning Director Hoard said yes, the applicant was not changing it. Mr. Gatz asked what about the frontage on lots 12, 13, and 14? Planning Director Hoard said the ordinance required lots from the public street, but it gave the option that they could have front public open space. This was the option they chose. The area would have trees, benches, and walkways. They were calling this area public open space to meet the requirement. Mr. Gatz asked if it met the Town's code. Planning Director Hoard said yes.

Upon the motion of Mr. Gatz, seconded by Mr. Hendrix, the Board unanimously agreed to approve 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: Planning Director Hoard submitted the following memo to the Board.

The applicant is requesting conditional zoning approval to allow a 4,857 square foot drive through restaurant. According to 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.

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.

Mr. Steve Harris, Harris Consulting Group, introduced his team: Nate Thompson of Chick-fil-A, Rogan Martin, Civil Engineer with CSS and Jeff Moore, PE and traffic consultant with Mattern & Craig. He said they were requesting a conditional zoning to allow a drive through for Chick-fil-A. The site was 2.5 acres and would be double the capacity with the orientation to the far side. He said the stacking of the drive through was implementing a new prototype; the drive through would wrap around the far side. The bypass lane would keep traffic moving. The drive through would allow food to be delivered downstream, if needed. Roadwork improvements would include a streetlight at Cresthill Drive and Highway 51 with pedestrian walkways. A concrete island would create a right-in right-out traffic pattern; both directions would have a left turn lane. Streetscaping, sidewalks and pavers would be implemented. Nate Thompson said there would be two entrances

to keep cars off the surrounding roads. The drive through window was located on the opposite side of Matthews-Mint Hill Road. It maximized the drive through, and the customers did not have to walk through the drive through to get into the building. The brand-new building was made for more volume of people compared to their other stores. The site had 30 cars fully within the drive through stack. Once people hit the parking lot, they would go up to 60 cars before they hit a surrounding road. The site had around 80 parking spaces. Rogan Martin said he was responsible for infrastructure of this project. The infrastructure was 3-fold: the road improvement, utilities, and stormwater control. They had discussions with the Town and NCDOT to come up with a plan for the left turn lanes. It would include a signalize intersection with pedestrian signals. There would be crosswalks with pavers, street scaping with street trees, pedestrian sidewalk, and lighting with outlets in streetlights. All utilities were available from Matthews-Mint Hill Road. They would have to do a main sewer extension from the Mint Hill Village across from Cresthill Drive. They met with Mecklenburg County to discuss stormwater and making a design to meet the requirements. Jeff Moore said in order to provide the traffic study, he studied four intersections along Highway 51: Lawyers Road, Cresthill Drive, Bain School Road, and Wilgrove Mint Hill Road. They did a peak hour count and 13-hour signal warrant analysis. They proposed the traffic signals be optimized and coordinated so that they would work together. They would have pedestrian signal heads for the pedestrians to cross the road.

Mr. Gatz asked Mr. Moore the distance from Wilgrove Mint Hill Road to Lawyers Road? Mr. Moore said he didn't know but would look into it. Mr. Gatz stated there was heavy traffic that backs up from Lawyers Road and he was worried about how they would coordinate the cars and traffic lights. Mr. Moore said they ran a couple of programs that showed them a simulation of what was happening. Also, they looked at the traffic counts from a snapshot. They did their study in January when school was in session from two peak hour periods 7 a.m. – 9 a.m. and 4 p.m.- 6 p.m. Mr. Gatz asked Mr. Thompson if they looked at other designs that met the Town's code. Mr. Thompson said yes, the reason they were asking for these exceptions was because they believe the drive through would prevent cars from stacking out onto the surrounding roads. Their top priority was to make sure Matthews-Mint Hill Road was continuously running to maximize the drive through and to have the building on the corner. He said some of the Town Commssioners recommended for them to put a patio on the North-West side facing Matthews-Mint Hill Road. Mr. Gatz recommend Mr. Thompson to go through the request for exceptions so the Planning Board could approve or disapprove.

*4.4 1. No curb cuts or driveways are permitted along the frontage- Mr. Thompson answered even with the traffic study they could not get this to work without having the right-in-right-out along Matthews-Mint Hill Road. It would be important to have two access points. They could not make this work without having the light there either.

*Front setback: Zero (0) to twenty-five (25) feet -The building placement exceeds the 25' max setback- Mr. Thompson answered they had the front setback beyond the minimum 25 ft. Because they could not have a patio, drive through, the grades on the site and sidewalk, and widening the road without the exception with everything they had between the building and the road, they could not make it work because the drive through needed to be between the building and the road to

allow for the long drive through. Also, they could not have the big patio suggested to have the downtown presence.

*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. Mr. Thompson answered they had done 10 ft width drive throughs and they were a disaster. People did not know the width of their car and it causes backups. They would have team members outside directing traffic. They would like to maximize the width of the drive-through. Mr. Gatz asked the width of the drive-through? Mr. Thompson answered 12 feet for each lane.

*Maximum parking (No more than 150% of the 38 required parking) =57 spaces. Proposed parking is 88 spaces. Mr. Thompson answered they typically had around 50 parking spaces, but this site they would like to maximize it. They would much rather have 88 parking spaces than 57 spaces; they did not want wasted space. There would be a lot of customers; they did not want them to find somewhere to park and have to walk across the street. The funeral home next door had been great to them and they did not want their customers to park at the funeral home.

*No off-street parking area shall be located within any front yard. Mr. Thompson answered they would have only six parking spaces within the front yard. They could get rid of the parking spaces but were asked to keep them for more customer parking options.

*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. Mr. Thompson answered there was a doorway on the northwest corner. It did not face Matthews-Mint Hill Road. Mr. Gatz asked what direction the customers would use to get into the building if they were coming up from the sidewalk? Mr. Thompson said coming up from the sidewalk, the customer would walk across the striped lines. Mr. Gatz asked if they could implement steps going to the building? Mr. Thompson said they would be happy to look into it. They tried to limit customers walking through the drive through. Mr. Gatz asked if it was an issue to move the door to the front? Mr. Thompson said it was not an issue. Mr. Gatz said they could do stairs to the front door. Mr. Thompson said they could do it.

*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. Mr. Thompson said the way they had oriented the building, they were trying to maximize parking and drive through. If they switched the orientation, they would have much less. It would cut at least 12 cars from the drive through stack which would cause issues. The best elevation was the one they had facing Matthews-Mint Hill Road. Also, it was the best place for the patio. Mr. Gatz asked if they could have stairs at each door? Mr. Thompson said they could use stairs at the northwest corner. They could not have stairs on the backside corner of the building because it was not the main entrance. They could have stairs on either the northeast or the northwest. The northwest would be the shortest route and would be a good change.

Mr. Hendrix said he agreed with Mr. Gatz on the access of the northwest corner because it tied to the downtown. He said the site needed better access and the door should be rotated around so it did not have to be an exception. He said he was concerned about the parking spaces in front of the building. He asked if they could have a screen wall to hide the parking spaces from publics' view? Mr. Thompson said the parking spaces were screened by bushes all the way to the building along with a couple of trees. The landscape would help shield the parking spaces. Mr. Hendrix said an attractive addition would be a partial wall that matched the building around those parking spaces.

Mr. Thompson said if they were on Matthews-Mint Hill Road while looking south, they would see a short wall first and then the drive through. The short wall would be around 3 ft in height that would shield the drive through. Mr. Hendrix asked if the parking spaces were above the drive through. Mr. Thompson said barely, they would look into adding a partial wall. Mr. Hendrix said not having the extra parking spaces in the front of the building would be more esthetically pleasing and closer to protecting the downtown overlay as far as appearance. He was in favor for wider lanes.

Mr. Simmons asked how they planned on screening the current property owners, located behind the building, from the view of the building? Mr. Thompson said their plan was to have landscape screening with the Holly Bush Evergreen and Wax Myrtle bushes which were smaller and thick bushes. Mr. Simmons asked if the area was going to be level with the current lot? Mr. Thompson said it sloped down toward the pond and there was a short retaining wall. Along the western side, the wall was between 1-3 ft. It gets longer and taller on the south side. Water from those properties were sloped around the wall and into the wooded area behind. The planting was in front of the wall and fence. Mr. Simmons commended them for all of the work they had done on the traffic study. He asked what they were going to do if his mother-in-law went to the restaurant and turned left on Cresthill Drive like she had always done? Mr. Thompson said they have a no-turn-left sign at the corner of Cresthill Drive. Mr. Simmons asked Planning Director Hoard when the traffic light going in and when they would get the occupancy certificate on the building if approved? Director Hoard said if the traffic signal got approved then it became a part of the zoning approval. There would be a hold on the property and the CO until everything was satisfied.

Mr. Fielding asked since there would be a lot of cars in the drive through, were there any air quality issues impacted by the drive through? Mr. Moore said it was not something they normally look at with a traffic study. However, with newer vehicles like his own car, his vehicle shuts off when he stops; not every car was like his car. One of the ways to help with this issue would be to increase the speed of people getting through the drive through. Mr. Fielding said one of his concerns was the patio located next to the ones backing up in the drive through. Mr. Moore said they lived next door to a Chick-fil-a and they liked to sit outside and watch the cars go by while they ate. Mr. Thompson said they were sensitive to this issue as well. Their biggest concern was safety. They had a robust railing, at the site, to make sure no kids were darting across the drive through. The tables were as close to the building as they could be. There was a buffer in between the cars and the seats on the patio. Mr. Fielding asked if the frontage had 5 parking spaces? Mr. Thompson said there were 6 parking spaces. Mr. Fielding asked if they could do a patio area away from the drive through? Mr. Thompson said the biggest issue was when the customers were carrying their food, they could go out the door and to a table without having a long walk. Also, this helped the employees to keep an eye on their customers. If the 5 parking spaces were eliminated, they could replace it with a larger patio. It would be a good use of space.

Mr. Fandel asked what percentage was drive through business versus carryout? Mr. Thompson said typically around 55 percent was drive through and 45 percent was carryout. Mr. Fandel asked if the parking spaces could be reduced or could they do underground retention rather than having stormwater BMP and use that area for parking? Mr. Thompson said the stormwater area was in the best spot; if they put parking spaces in there, it would be dead-in parking. Mr. Fandel asked if they looked into doing underground retention? Mr. Martin said as far as underground retention

went, they would have limited depth. To go underground they would not have an outlet from that point.

Mr. Todd asked what the lighting looked like on the side of the parking lot closest to McEwen Funeral Home and what kind of remaining trees or buffers did they have on that side? Mr. Thompson said at the last public hearing they had, the gentleman from McEwen Funeral Home, had some concerns. So, they were trying to be good neighbors by offering to put up a fence between the two properties. They would need to talk to Planning Director Hoard about the code for having a fence. Also, they had a local operator in the store to insure sure everyone was happy. Mr. Todd said some days there would be large funerals and the traffic would not be accounted for in their study. It was one of his concerns that there would be overflowing traffic coming in and out of the McEwen Funeral Home. Mr. Moore said that was correct; from what he had seen with larger funerals, they had law enforcement that helped with the flow of traffic. They could temporarily stop the drive through traffic and help people onto Matthews-Mint Hill Road. They also made sure the island, that was going to prevent people from turning left into the secondary driveway, would allow people in and out of McEwen Funeral Home.

Mr. Hendrix asked Planning Director Hoard what he would recommend on doing with the 6 parking spaces related to a screen or patio instead of parking? Planning Director Hoard said he did not have a problem removing the parking spaces. If they could comply with code, it would be the easiest path with the least resistance. He agreed if they moved the parking spaces, they could use the space for a patio. Mr. Thompson said they could do it and they would be left with 82 parking spaces. Mr. Hendrix asked if this was a larger store than their other stores? Mr. Thompson said yes. Mr. Hendrix asked if they had current drawings of the patio and if it was comparable to patios at existing stores? Mr. Thompson said yes, the patio would be slightly bigger compared to other stores.

Mr. Fielding said one thing they had on the Downtown Master Plan was preserving existing canopy trees larger than 24'' in diameter. Was there any possibility of preserving the canopy trees? Mr. Thompson said in order to optimize the site, they could not save the trees. They would replace them with significantly more trees on the site. The diameter of the trees would grow to be bigger than the ones that were there before.

Mr. Gatz made a motion for a favorable recommendation motion on #ZC19-4 with the following caveats: stairs to be on the northwest corner from Highway 51 up to the building, they would move the northwest door to the front facing Highway 51 and remove the 6 parking spaces in front of the building to make it into a patio extension. #ZC19-4 appeared to be reasonable and in public interest based on the information presented and reviewed with this petition, and because overall compatibility with the area, inclusion of roadway improvements, such as the traffic signal, to offset the generated traffic, landscape perimeter was good, it generally matched the use and building placement recommended in the Downtown Master Plan.

Mr. Thompson said the 5 spaces would be converted into a patio extension and the one space would be eliminated. Mr. Gatz agreed.

Mr. Hendrix seconded the motion, the Board unanimously agreed.

The Downtown Master Plan and Downtown Code did not directly address drive through facilities. However, the proposed drive through restaurant was compatible with the surrounding uses and atmosphere created by Matthews-Mint Hill Road's traffic volume.

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.: Planning Director Hoard submitted the following memo to the Board.

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.

Mr. Brad Woodie, owner of Woodie's Auto Service, explained how they had to make minimum changes to the exterior of the building. They added a garage door on the Bojangles side of the building. The blue color of the building would change to hunter green.

Mr. Todd asked if everything was going to be inside such as the lifts and work? Mr. Woodie said yes. Mr. Todd asked their antifreeze and oil was stored inside or outside? Mr. Woodie said everything was stored inside except for junk tires. They used one of the bays of the dumpster facility which was screened behind the gated area, to house the tires. The dumpster was emptied weekly. Everything was inside other than the tires. Mr. Todd asked if they had a key drop off area? Mr. Woodie said they have a lighted canopy key drop off area. Mr. Todd asked was the location

of the canopy on the Wells Fargo side of the building? Mr. Woodie said yes. All the cars would be indoors even if the car was left overnight. They do not do any collision work or paint.

Mr. Hendrix asked what their long game was at this facility? Mr. Woodie said his largest facilities averaged 20-30 cars a day. They would be happy if this site had the same average. They did not have anything farther east of uptown Charlotte. Mr. Hendrix said it was unusual to have a car repair shop located close to the road. He looked at his other locations and was impressed. Mr. Woodie said the store was 12,000 sq. ft. with 16 parking spaces. They had an outside shuttle van that left 15 parking places. Mr. Hendrix asked if 98 percent of their customers were serviced the same day? Mr. Woodie said yes.

Mr. Gatz asked if Mr. Woodie was going to use the dumpster area or build something else? Mr. Woodie said he would use it as a dumpster area. If it was not adequate there was plenty of room inside the garage. Mr. Gatz asked if there was a row of bushes between the car shop and the Wells Fargo? Mr. Woodie said yes. Mr. Gatz suggested he rethink the key drop off because it would be an easy way to hijack a car. Mr. Woodie said 99 percent of cars that come in after hours come in on wreckers because mechanical issues made them undrivable.

Chairman Long said he encouraged him to speak with his neighbors on Lebanon Road. He asked if there were any concerns from a fire safety standpoint? He liked the limited entry and exit. Mr. Woodie said they were adding an additional bay door and there were several pedestrian doors.

Mr. Hendrix asked the length of the door? Mr. Woodie said 12 ft by 12 ft.

Mr. Gatz made a favorable recommendation, seconded by Mr. Simmons, and the Board unanimously agreed to send a favorable recommendation to the Board of Commissioners 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.

The Land Use Plan recommended the continuation of commercial use for the area.

#ZC19-5 was found to be reasonable and in the public interest, based on the information presented and reviewed with this petition.

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.: Planning Director Hoard submitted the following memo to the Board.

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'.

- 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.

Mr. Bailey Patrick, developer of the Clear Creek Business Park, said he appreciated the action from the Town a year or two ago, that helped them generated activity and sell sites. The Town approved their request to streamline but there were several used that were not approved by-right and were left as conditional. They had a large user, Glen Mosack, who had 21 acres under contract within the park. Mr. Mosack would like a high-quality development. They would like to have a tilt wall concrete construction, which was consistent with the highest quality, bigger industrial buildings they were seeing in the Charlotte region. This building had glass on the front; and although initially 125,000 sq. ft. it was expandable to 220,00 sq. ft. It would bring 51 new jobs to Mint Hill initially growing to 75 jobs in the first year or two. He believed it would be great for Mint Hill and the park.

Mr. Gatz said he does not see anything unreasonable with the adjustments they were asking for. Mr. Patrick said as they drove down from Allen Station Drive, the site was located on the right, back off the road. There was no outside storage and was a very clean operation.

Mr. Hendrix asked the location of the parcel on the map? Mr. Patrick showed Mr. Hendrix, and the Board, the parcels on the map.

Mr. Simmons said he would like to commend Staff and the Board of Commissioners for figuring a way to allow this business to expand into Mint Hill.

Mr. Gatz made a favorable 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 per the application Adding 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 at Clear Creek Business Park. Mr. Simmons seconded, and the Board unanimously agreed to send a favorable recommendation to the Board of Commissioners.

Mr. Gatz asked if the brick building was on the right? Mr. Patrick said there were two buildings. The one furthest down, on the left, was the unoccupied ER Plumbing. The closest building was a speculative office warehouse, to try and generate activity, and it has three tenants. They would start another building on the graded path soon.

Other Business: None.

Adjournment: Upon the motion of Mr. Gatz, seconded by Mr. Fielding and unanimously agreed upon, Chairman Long adjourned the meeting at 7:38 p.m.

Cassie Crutchfield, Clerk to the Board



STAFF REPORT

CASE:

ZC19-7

REQUEST:

TEXT AMENDMENT (SECTION 6.1)

APPLICATION SUMMARY:

The purpose of the text amendment is to eliminate the 30,000 sq. ft. lot size option with a community well system.

2. *R (Residential) District variable minimum lot size depending upon type of water supply and wastewater disposal systems available and utilized:*
 - a. *Twenty thousand (20,000) square feet - Approved public* water supply and approved public* wastewater disposal systems; or*
 - b. *Thirty thousand (30,000) square feet - Approved public* ~~or private community**~~ water supply or individual well, approved public* ~~or private community**~~ wastewater disposal systems, including approved packaged wastewater treatments plants; or individual private septic tanks and drain fields and approved public* ~~or private community**~~ water supply; or*
 - c. *Forty thousand (40,000) square feet - Approved private well and septic tank with drain field systems on individual lot or lots ~~or private community system**~~.*

**An approved public system is a public utility such as Charlotte-Mecklenburg Utilities.*

***An approved private community system is a privately owned and operated system that provides services to the general public.*