



Town of Mint Hill

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

Mint Hill Planning Board Agenda March 16, 2020 at 6:30 p.m.

1. Call To Order
2. Roll Call and Invocation
3. Approve Minutes of November 18, 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 #ZC20-1, Filed by Dennis Terry, Bloc Design, for Mecklenburg County, to rezone property located at 8320 Mayerling Drive for a park, Tax Parcel #135-131-01
 - B. Discussion and Recommendation on #ZC20-2, Filed by Jonathan Reed, Paragon Landscape Management, to rezone property located at 13216 Albemarle Road from B-G to B-G (CD), Tax Parcel #137-153-07 and 137-153-21
8. Other Business
9. Adjournment

Cassie Crutchfield
Program Support Assistant

**MINUTES OF THE MINT HILL PLANNING BOARD MEETING
NOVEMBER 18, 2019**

The Mint Hill Planning Board met in a regular session on Monday, November 19, 2019 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

ATTENDANCE

Chairman: Tony Long

Members: Brad Simmons, Roger Hendrix, Scott Fandel and Tom Gatz

Planning Director: John Hoard

Clerk to the Board: Cassie Crutchfield

Commissioner: Carl M. Ellington

Absent: Chip Todd and Roy Fielding

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 October 21, 2019 Regular Meeting: Upon the motion of Mr. Hendrix, seconded by Mr. Gatz, the Board unanimously approved the minutes of the October 21, 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 ZC19-7, Text Amendment to Section 6.1 Building Lot Standards and Dimensional Requirements: Planning Director Hoard submitted the following memo to the Board.

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

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.

Mr. Hendrix asked if Mint Hill had private community wells? Planning Director Hoard said yes. This (the text amendment) was in response to some of the issues the residents and communities had with the use of community wells. Mr. Hendrix asked, if there was a community with a private well system, would the lot size need to be 40,000 sq. ft? Planning Director Hoard said nothing would change with existing communities. If the amendment passed, going forward when a developer submitted a subdivision plan, their options for a lot with a septic tank and a community well would require a 40,000 sq. ft. lot. The developer would no longer have the option of a 30,000 sq. ft lot.; the developers could see the advantage of paying more to receive public water so they could reduce their lot size to a 30,000 sq. ft. Mr. Hendrix asked if Town Staff knew how many communities had private well systems with open lots? Planning Director Hoard said there were still private well systems in the Town. Mr. Hendrix asked, if a subdivision had been already been approved, would it be grandfathered in? Planning Director Hoard said yes, this would deal with raw undeveloped land.

Mr. Hendrix asked how should they address in the future to drive public systems if they wanted smaller lot sizes? Planning Director Hoard said they were moving towards all public water and sewer. That was their goal.

Mr. Simmons asked, if there were lots left in a subdivision, would they be grandfathered in? Planning Director Hoard said yes, they would be tied in the current water system. If there was an old subdivision with a 30,000 sq. ft. lot size and a community well and the developer wanted to expand it, they would need to use a 40,000 sq. ft. lot size in order to expand. Mr. Simmons asked if an individual septic tank was still an option? Planning Director Hoard said yes, individual septic or community well, or individual septic and individual well. There was pros and cons to both options such as the cost associated with digging individual wells. Sometimes this was an advantage of using community wells from the developer's point of view. The residents had issues with community wells such as the color of the water from the tap. Also, residents learned what other people were paying for their water bill; they saw they were paying double or triple the amount. The residents put a lot of pressure on the Town to do something about it.

Mr. Fandel asked if there was an option for city water and individual septic systems? Planning Director Hoard said currently the majority of Mint Hill was zoned R (Residential) District. Within

R District, lot sizes were based on access to public utilities. If a community had access to public water and sewer offered by Charlotte Water, then the community could have the 20,000 sq. ft. lot size option. If the community had public water but individual septic, then they could use a 30,000 sq. ft. lot size option. If they had public sewer but must use a well, then it would be a 30,000 sq. ft. lot size option. The developer would need to have at least one public utility to allow for 30,000 sq. ft. lots.

Mr. Gatz made a favorable recommendation on ZC19-7, Text Amendment to Section 6.1 Building Lot Standards and Dimensional Requirements. Mr. Simmons seconded the motion, the Board unanimously agreed.

Mr. Hendrix said they appreciated the effort of Chairman Long and Mr. Simmons for their participation on the Planning Board. The Town would not be the way it was today without them. Mr. Simmons and Chairman Long had used their time and efforts to make sure their community was better tomorrow than it was today or yesterday. Mr. Hendrix thanked them for what they taught him; he appreciated the ability to work beside them.

Other Business: None.

Adjournment: Upon the motion of Mr. Simmons, seconded by Mr. Hendrix and unanimously agreed upon, Chairman Long adjourned the meeting at 6:38 p.m.

Cassie Crutchfield, Clerk to the Board



STAFF REPORT

CASE:	ZC20-1
EXISTING ZONING	R
PROPOSED ZONING	R (CD)
PROPERTY OWNER:	MECKLENBURG COUNTY
APPLICANT	DENNIS TERRY W/ BLOC DESIGN
LOCATION	8320 MAYERLING DRIVE
TAX PARCEL NUMBER	135-131-01
REQUEST	PARK

APPLICATION SUMMARY:

The applicant is seeking approval for a park. Refer to the attached Zoning Plan to review the park design.

Park	A facility operated by an entity, other than the Town of Mint Hill, that may or may not be open to the general public for outdoor active recreational uses, including, but not limited to: ball fields, swimming facilities, camping facilities, and which contains improvements designed specifically for such active recreational uses. Such facilities may also contain improvements designed for passive recreational uses. (See Section 7.2.15, Nonresidential Use in the Residential Zoning District.)
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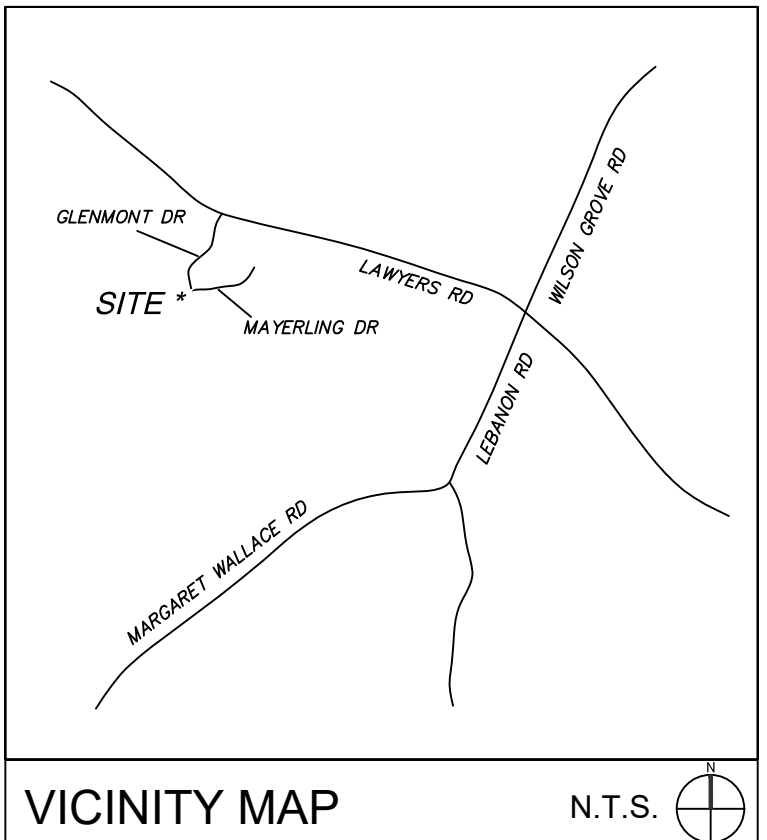
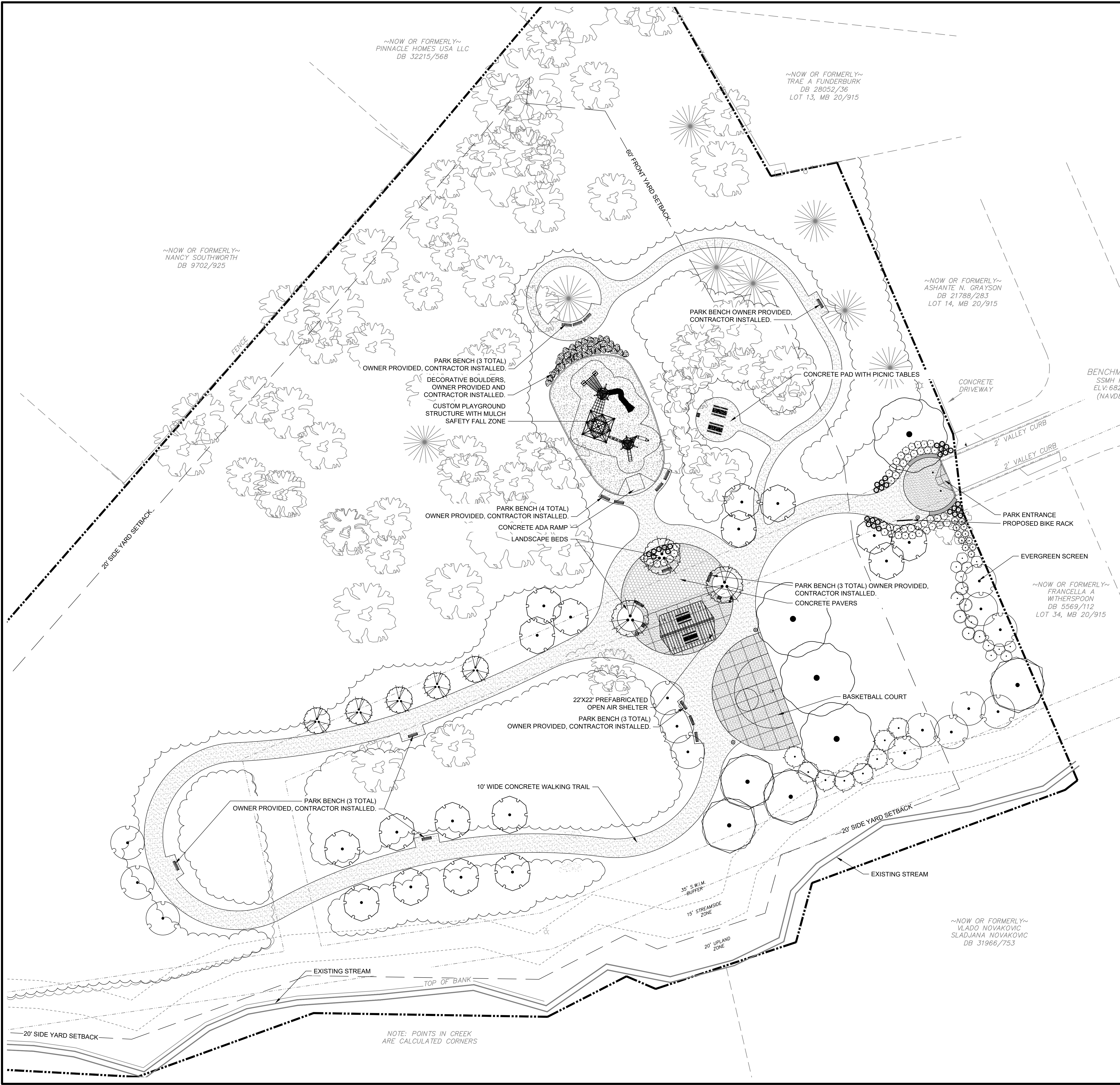
Conditional District decisions shall be made in consideration of identified relevant adopted land use plan. Conditional District rezoning is a legislative procedure under which the Board of Commissioners has the authority to increase, tighten, add, vary, modify or waive specific conditions or standards. 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 identifies the property to remain single family residential. However, future recreational sites are generally not predetermined as with commercial or industrial. Parks are considered in the R district through Conditional District rezoning.

RECOMMENDATION:

Favorable Recommendation



SURVEY DISCLAIMER
TOPOGRAPHIC SURVEY DATED MARCH 19, 2018 PROVIDED BY CAROLINA SURVEYORS, INC., PO BOX 267 PINEVILLE, NORTH CAROLINA 28134, (704) 889-7601

- LEGEND**
- | SYMBOL | DESCRIPTION |
|-----------|-------------------|
| [Pattern] | CONCRETE SIDEWALK |
| [Pattern] | ACCESSIBLE RAMP |
| [Pattern] | CONCRETE PAVEMENT |
| [Pattern] | PLAYGROUND MULCH |

- DEVELOPMENT STANDARDS**
- THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING APPLICATION FOR THE MECKLENBURG COUNTY ASSET FACILITIES MANAGEMENT FOR AN APPROXIMATELY 5.46 ACRE SITE LOCATED AT 8320 MAYERLING DR, MINT HILL, NC. TAX PARCEL ID #1515101.
 - THE DEVELOPMENT AND USE OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE TOWN OF MINT HILLS UNIFIED DEVELOPMENT ORDINANCE. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE REZONING DISTRICT SHALL GOVERN THE USE AND DEVELOPMENT OF THE SITE.
 - THE PARK SHALL BE DESIGNATED AS A NEIGHBORHOOD PARK. THIS CLASSIFICATION OF PARKS IS DEFINED BY THE MECKLENBURG COUNTY COMPREHENSIVE MASTER PLAN AS A PARK WHICH IS A MINIMUM OF 2 TO 20 ACRES IN SIZE AND SHALL SERVE THE IMMEDIATELY ADJACENT LOCAL NEIGHBORHOOD. EACH CITIZEN LIVING WITHIN THIS AREA SHALL HAVE ACCESS TO A NEIGHBORHOOD PARK BY WALKING NO MORE THAN A STANDARD CITY BLOCK DISTANCE OF SIX BLOCKS. NEIGHBORHOOD PARKS SHALL SERVE A POPULATION STANDARD OF ONE AND A HALF (1.5) ACRES/1,000 PERSONS. THERE WILL BE NO PARKING LOTS OR RESTROOM FACILITIES PROVIDED AT NEIGHBORHOOD PARKS. AMENITIES WILL BE INFORMAL IN NATURE AND MAY INCLUDE PICNIC SHELTERS, BENCHES, MULTIPURPOSE FIELDS, 1/2 BASKETBALL AND VOLLEYBALL COURTS, AND WALKING TRAILS AMONG OTHER AMENITIES. THE 100-FOOT PERIMETER BUFFER REQUIREMENT OF REGIONAL AND DISTRICT PARKS IS DESIRED BUT NOT MANDATED.
 - FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE. MINOR ALTERATIONS OR CHANGES TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS ARE SUBJECT TO PROVISIONS WITHIN THE ORDINANCE.
 - SCREENING, LANDSCAPING AND BUFFERS: SCREENING AND LANDSCAPING SHALL CONFORM TO THE STANDARDS OF THE ORDINANCE.
 - TRANSPORTATION AND PARKING: NO ON-SITE VEHICULAR ACCESS OR PARKING IS AVAILABLE WITHIN THE SITE, WITH EXCEPTION OF VEHICULAR ACCESS BY OFFICIAL COUNTY PURPOSES SUCH AS MAINTENANCE OR REPAIRS.
 - PLAYGROUND EQUIPMENT AND PICNIC SHELTER INSTALLED ON THE SITE SHALL MEET THE REQUIREMENTS OF ALL STATE, COUNTY, AND LOCAL ORDINANCES AND BUILDING CODES.
 - STORM WATER: THE SITE PLAN SHALL BE EXEMPT FROM POST CONSTRUCTION CONTROLS SUCH AS WATER QUALITY AND DETENTION, AS IT DOES NOT INCLUDE GREATER THAN 20,000 SF OF IMPERVIOUS AREA, DISTURB GREATER THAN ONE ACRE, NOR PROVIDE A BUILT-UPON AREA GREATER THAN 25% OF THE ENTIRE SITE.
 - PEDESTRIAN ACCESS WILL BE PROVIDED BY ACCESSING THE SITE VIA MAYERLING DRIVE WITH A DESIGNATED ENTRANCE INTO THE PARK. THE PARK IS OPEN TO THE PUBLIC WITH DAYTIME ONLY (DAYLIGHT TO DUSK) OPERATIONS. INTERIOR LIGHTING WILL NOT BE PROVIDED WITHIN THE PARK AREA.
 - THE PROPOSED SHELTER IS UTILIZED ON A FIRST-COME-FIRST-SERVE BASIS, WITH NO INTENTIONS OF ALLOWING RESERVED TIMES AND PROGRAMMING FACILITATED BY MECKLENBURG COUNTY PARK AND RECREATION.
 - THE PARK SHALL BE MAINTAINED BY MECKLENBURG COUNTY FOR GENERAL MAINTENANCE OF THE PARK WHICH INCLUDES ROUTINE MAINTENANCE AND REPAIRS.
 - IF APPROVED, ALLOW FOR THE CONDITIONAL RESTRICTIONS GRANTED BY THIS PETITION TO REMAIN IN EFFECT SO LONG AS THE PROPERTY IS OWNED BY A PUBLIC ENTITY FOR THE FUTURE OPERATION OF A PARK THAT IS CONSISTENT WITH THE MECKLENBURG COUNTY PARK AND RECREATION MASTER PLAN (2015) OR ANY OTHER MASTER PLANS ADOPTED BY MECKLENBURG COUNTY OR THE TOWN OF MINT HILL.
 - BINDING EFFECT OF THE REZONING APPLICATION: IF THIS REZONING APPLICATION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT AND/OR USE OF THE SITE IMPOSED UNDER THIS REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND ENDURE TO THE BENEFIT OF APPLICANT AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS "APPLICANT" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF APPLICANT OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.



- CONTRACTOR IS RESPONSIBLE FOR PLACEMENT OF ALL BARRICADES, SIGNAGE, FLAGGERS, SHORING, ETC., TO ENSURE THE SAFETY OF WORKERS AND THE PUBLIC.
- ALL PAVEMENT CUTS SHALL BE REPLACED ACCORDING TO NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND CHARLOTTE WATER.

bloc
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landscape architecture | planning | civil engineering

**Mecklenburg County
Park and Recreation**
5841 Brookshire Blvd.
Charlotte, NC 28216
phone: 980-314-1000

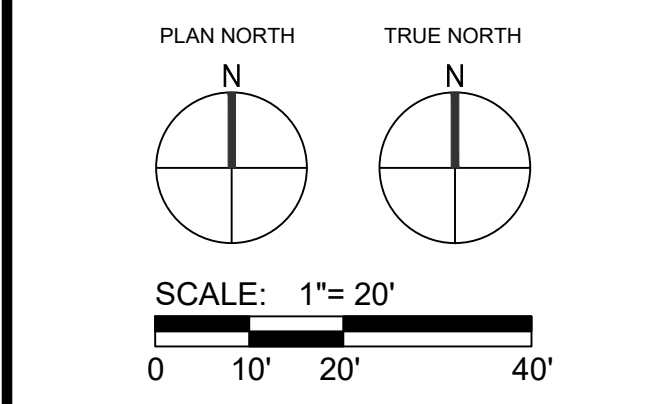
REVISIONS		
NO.	DATE	DESCRIPTION
1	02/07/20	90% CD REVIEW

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**NOT FOR
CONSTRUCTION**

**Mayerling Drive Park
Neighborhood Park**

8320 Mayerling Drive
Charlotte, NC 28227



DATE: 02/16/20	MPIC: CCB
DRAWN BY: LHH	CHECKED BY: CBB
PROJECT NUMBER: 00533.00	
SCALE: 1" = 20'	
TITLE: REZONIGN PLAN	
SHEET NO.: RZ-1	



STAFF REPORT

CASE:	ZC20-2
EXISTING ZONING	B-G
PROPOSED ZONING	B-G (CD)
PROPERTY OWNER:	CADE CAPITAL INVESTMENTS, LLC
APPLICANT	JONATHAN REED W/ PARAGON LANDSCAPE MANAGEMENT
LOCATION	13216 ALBEMARLE ROAD
TAX PARCEL NUMBER	137-153-07 & 137-153-21
REQUEST	REUSE EXISTING BUILDING FOR CONTRACTOR'S OFFICE WITH ACCESSORY STORAGE

APPLICATION SUMMARY:

The applicant is seeking approval to open a *Contractor Office with Accessory Storage* in the existing building at 13216 Albemarle Road (formally Killingsworth's location).

The current zoning is B-G. The applicant's business is a landscaping company. Landscaping is an unlisted use in the Table of Permitted Uses (Sec. 5.2). Based on conversations with the applicant, *Contractor Offices with Accessory Storage* was determined to be a compatible listed use. *Contractor Offices with Accessory Storage* requires a CD in the B-G district.

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 2010 Land Use Plan identifies the property to remain General Business (B-G). The proposed use is consistent with general business.

RECOMMENDATION:

Favorable Recommendation



Mint Hill

SORTING/ORGANICS

XXXX
XXXX
XXXX
XXXX
XXXX
XXXX
XXXX

PLANT
STAGING