

MINUTES OF THE MINT HILL PLANNING BOARD MEETING
March 16, 2020

The Mint Hill Planning Board met in a regular session on Monday, March 16, 2020 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

ATTENDANCE

Chairman: Tom Gatz

Members: Scott Fandel, Roy Fielding, Roger Hendrix, Jennifer Manchester, Chip Todd and Eric Tyson

Planning Director: John Hoard

Clerk to the Board: Cassie Crutchfield

Commissioner: Dale Dalton

CALL TO ORDER AND INVOCATION

Chairman Gatz 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 for the November 18, 2019 Regular Meeting: Upon the motion of Mr. Hendrix, seconded by Mr. Fandel, the Board unanimously approved the minutes of the November 18, 2019 Planning Board meeting.

Additions or Deletions of Agenda Items: Mr. Fielding nominated Tom Gatz for Chairman and Mr. Todd nominated Roger Hendrix for Vice Chairman. The Board unanimously agreed.

Reports of Committees, Members and Staff: Planning Director Hoard said the discussion and recommendation on #ZC19-8, filed by Christy Montgerard, for a Text Amendment to Section 5.2 to allow the following uses in the B-D: Animal Grooming Services for Household Pets, Animal Hospital (Indoor Kennel) and Animal Kennel had been scheduled for a public hearing on April 9, 2020.

Old Business: None.

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

The applicant was seeking approval for a park. Refer to the attached Zoning Plan to review the park design. A Park was defined as 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.)

Conditional District decisions shall be made in consideration of identified relevant adopted land use plan. Conditional District rezoning was 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.

The Land Use Plan identifies the property to remain single family residential. However, future recreational sites were generally not predetermined as with commercial or industrial. Parks were considered in the R district through Conditional District rezoning.

The Mayerling Neighborhood Park was outside of the town limits. Their initial plan was to build a playground, but the neighbors had asked for a basketball court and walking trails. The basketball court would be a half court instead of a full court.

Mr. Tyson asked who owned the park. Planning Director Hoard said Mecklenburg County owned the park and they would be responsible for the upkeep.

Mr. Fielding asked if there were parking spaces at the park. Planning Director Hoard said no. Mr. Fielding asked if there were lights at the park. Planning Director Hoard said he did not know. Mr. Fielding asked if this was classified as a park. Planning Director Hoard said yes, Mecklenburg County recognized it as a community park. Mr. Fielding asked if Mecklenburg County had to stick with the plan. Planning Director Hoard said yes, but there could be administrative changes such as changing the trail position or flower décor.

Mr. Todd asked if the application had to go through the Park and Recreation Committee. Planning Director Hoard said no, the application would go through the Board of Commissioners.

Mr. Hendrix made a favorable recommendation, seconded by Mr. Fielding, and the Board unanimously agreed to send a favorable recommendation to the Board of Commissioners 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: Planning Director Hoard submitted the following memo to the Board.

The applicant was 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 was B-G. The applicant's business was a landscaping company. Landscaping was 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 required 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 was a legislative procedure under which the Board of Commissioners had 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.

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

Planning Director Hoard showed a map of the existing building at 13216 Albemarle Road. He said the applicant had a landscaping business and was moving his office to the existing building.

Mr. Fandel asked if the applicant planned on using mulch. Planning Director Hoard said yes.

Chairman Gatz commented that the applicant did have old stuff at the property. Planning Director Hoard said the applicant met with his neighbors and they were on board.

Mr. Hendrix asked if the neighbors had requested the applicant to put up a fence. Planning Director Hoard said no.

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

Other Business: None.

Adjournment: Upon the motion of Mr. Fandel, seconded by Mr. Fielding and unanimously agreed upon, Chairman Gatz adjourned the meeting at 6:50 p.m.

Cassie Crutchfield, Clerk to the Board