



1. CALL TO ORDER
2. ROLL CALL AND INVOCATION
3. APPROVE MINUTES OF NOVEMBER 16, 2020 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 [#ZC20-10](#), FILED BY NVR, INC. TO ALLOW A CONDITIONAL DISTRICT REZONING FROM R TO R DO-A (CD) TO ALLOW A RESIDENTIAL DEVELOPMENT LOCATED AT PARCEL NUMBER(S) 135-381-67 (10524 LAWYERS ROAD), 135-381-66 (10600 LAWYERS ROAD), 135-381-64 (10616 LAWYERS ROAD) AND 135-381-65 (10608 LAWYERS ROAD)
  - B. DISCUSSION AND DECISION ON [#S21-02](#), MEADOW VISTA SUBDIVISION, FILED BY LAND INVESTMENT RESOURCES, LLC. FOR PRELIMINARY SUBDIVISION APPROVAL, PROPERTY LOCATED AT PARCEL NUMBER(S) 137-061-13 (7330 HAPPY HOLLOW DRIVE), 137-281-54 (7510 HAPPY HOLLOW DRIVE), 137-281-59 (4851 WILGROVE-MINT HILL ROAD), 137-281-56, AND 137-281-57.
8. OTHER BUSINESS
9. ADJOURNMENT



<p style="text-align: center;"><b>VIEWING A PUBLIC MEETING ONLINE</b></p> <p>The Town of Mint Hill live-streams the regularly scheduled meetings of the Board of Commissioners, Planning Board and Board of Adjustment. Anyone can view the live meetings or watch at a later time on the Town's YouTube Channel. To watch a meeting, hover a smartphone camera app over the QR Code to the right or navigate any web browser to <a href="https://bit.ly/2YBIORz">https://bit.ly/2YBIORz</a>.</p>	 <p style="text-align: center;"><b>LIVE STREAM</b></p>
<p style="text-align: center;"><b>AGENDAS &amp; MINUTES</b></p> <p>Current and past Agendas and Minutes for the Board of Commissioners, Planning Board and Board of Adjustment can be found at <a href="https://bit.ly/3gulVL4">https://bit.ly/3gulVL4</a> or hover a smartphone camera app over the QR Code to the right.</p>	 <p style="text-align: center;"><b>AGENDA &amp; MINUTES</b></p>



**MINUTES OF THE MINT HILL PLANNING BOARD MEETING  
NOVEMBER 16, 2020**

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

**ATTENDANCE**

Chairman: Tom Gatz

Members: Roger Hendrix, Jennifer Manchester, Chip Todd and Eric Tyson

Planning Director: John Hoard

Town Clerk: Michelle Wells

Commissioner: Dale Dalton

Absent Members: Kenny Draffen and Scott Fandel

**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. Todd gave the invocation.

**ORDER OF BUSINESS**

**Approval of Minutes for the September 21, 2020 Regular Meeting:** Upon the motion of Mr. Hendrix, seconded by Ms. Manchester, the Board unanimously approved the minutes of the September 21, 2020 Planning Board meeting.

**Additions or Deletions of Agenda Items:** Chairman Gatz added Item C; Discussion and Recommendation on language and/or modifications around Brewery/Tap Room in the UDO.

**Reports of Committees, Members and Staff:** None.

**Old Business:** None.

**New Business:**

**A. Discussion and Recommendation on #ZC20-8, Filed by Charlotte Mecklenburg Board of Education, to request a rezoning to allow an elementary school on property located at 11501 and 11615 Idlewild Road, Parcel Number 135-321-07:** Planning Director Hoard submitted the following memo to the Board.

The applicant is requesting Conditional District Rezoning to permit construction of a new elementary school. The total property area is 62.65 acres, including the existing middle school.

Calculating parking for institutional/civic uses is a collaborative process that will depend on factors specific to the individual development proposal.



Minimum setbacks are 50' Front, 50' Rear and 50' Side. Maximum building height is 35' and no more than 2 stories.

#### ***7.2.20 Supplementary Use Regulations for Institutional District Uses.***

*Institutional District Uses.* Institutional District uses established in the (I) Zoning District are typically located on large tracts of land and can have significant adverse impact on the surrounding areas. Therefore, these uses shall be subject to the requirements contained in this and other sections of this Ordinance and any particular requirements or limitations approved and made part of a Conditional District by the Board of Commissioners. These requirements are intended to encourage respect and compatibility with existing development, especially when occurring adjacent to residential neighborhoods. Development of these uses will be in such a manner as to stabilize or improve property values and to reduce conflict between the proposed and existing land use.

*Location.* The location of the institutional use shall have frontage on a public major or minor thoroughfare or a collector street. Road improvements may be required for each of these streets.

*Site Plan Review.* The Board of Commissioners shall evaluate the design and layout of structures and improvements for proposed institutional use in terms of the degree in which they meet the intent of this part to protect property values and reduce conflict between the proposed and existing development. All proposed construction shall require Site Plan approval by the Board of Commissioners.

Development proposals and Site Plans shall be evaluated with respect to the existing features of the site such as large trees and other significant vegetation, the existing topography, architectural appropriateness and proposed access drives, traffic flows and parking.

New construction and improvements shall be compatible with surrounding existing development in terms of scale, orientation and mass.

The Board of Commissioners may deny the Site Plan if the Board finds the plan does not contain adequate measures to protect the surrounding area from possible adverse effects expected from the proposed institutional development and is not compatible with the goals of the Land Use Plan.

The Zoning Plan indicates the elementary school would utilize the two existing curb cuts on Idlewild Road.

Conditional District decisions shall be made in consideration of identified relevant adopted land use plan. Conditional District rezoning is a legislative procedure under which the Board of Commissioners has the authority to increase, tighten, add, vary, modify, or waive specific conditions or standards. In approving a petition for the rezoning of the Board of Commissioners may request reasonable and appropriate conditions.



#ZC20-8 is consistent with the Land Use Plan. The Future Land Use Map identifies the property as Institutional.

#### Favorable Recommendation

Dennis LaCaria, Charlotte Mecklenburg Schools, reviewed the projected site plans from FWA Group, in conjunction with Metcon. Mr. LaCaria gave a brief overview of the proposed 45 classroom elementary school to be located adjacent to the Mint Hill Middle School. The elementary school was approved in the 2017 Bond Referendum and would offer relief for Bain, Lebanon Road and Piney Grove elementary schools. He reviewed the site plan and noted the shared bus lot and staggered school start/completion times. The building elevations were shown to the Board along with the floor plans for the first and second floor; the areas included were administration, building support, cafeteria, circulation, classrooms, elective classrooms, media, physical education and support spaces. The Design and Permitting Phase was occurring, and the start of construction was tentatively scheduled for April/May of 2021. Occupancy of the school was slated for June of 2022; the school would open in August of 2022. Mr. LaCaria stated the entire construction site would be fenced, construction traffic would access the site from the bus access road and no construction traffic would be permitted during drop off and pick up hours at Mint Hill Middle.

Mr. Hendrix asked Mr. LaCaria to tell him how it had worked for Charlotte Mecklenburg Schools to have the middle school and the elementary school in such close proximity. Did the close proximity work well with the car stacking? Mr. LaCaria stated yes, it absolutely did work well for a lot of reasons. Most parents of the kindergarteners liked to take their kids to school. But, generally speaking, by the time the child was a sixth grader the parents were more than happy to put them on a bus. The ability to flex those lots and have cars be able to make use of both lots to address the stacking was a benefit. It helped CMS a great deal, relative to shared bus lots and other features; CMS was constructing less impervious surface and consequently were having less of an impact on the environment. So, logistically, and from a responsibility standpoint, those sorts of shared amenities and being able to master plan a campus had been very advantageous to CMS. Mr. Hendrix noticed that everything on the plan was existing, he asked if CMS believed there was going to be any need for any additional road enhancements. Mr. LaCaria stated CMS was not certain; CMS was doing a traffic impact analysis. Right now, CMS was working with the NCDOT and the town on all of those things. Mr. LaCaria was not sure if road improvements were 100% resolved. He believed with the additional elementary parking lot; CMS was going to greatly improve the stacking situation at Mint Hill Middle School by being able to get the cars off of Idlewild Road. He stated bringing them through a lot, that did not exist today, as they circulated to drop off those middle schoolers it would definitely be an improved condition. Overall, CMS would comply to make sure it was in the best interest of the project.

**Mr. Hendrix made a favorable recommendation, seconded by Mr. Todd, and the Board unanimously agreed to send a favorable recommendation to the Board of Commissioners on #ZC20-8, Filed by Charlotte Mecklenburg Board of Education, to request a rezoning to allow an elementary school on property located at 11501 and 11651 Idlewild Road, Parcel Number 135-321-07; #ZC20-8 was consistent with the Land Use Plan. The Future Land Use Map identifies the property as Institutional.**



**B. Decision on #S20-21, Nelson Road Subdivision Preliminary Plat, Filed by Century Communities for a total of 147 lots; 69 single-family detached and 78 single-family attached (townhome) lots; located at 7802, 7708, 7900 Nelson Road; a portion of 7701 Nelson Road and 4507 Sunset Drive: Tax Parcel Numbers 137-065-17, 137-065-20, 137-065-02, 137-065-23 and a portion of 137-061-08:** Planning Director Hoard submitted the following memo to the Board.

Preliminary Plan Request

The applicant, Century Communities, is requesting preliminary subdivision approval for property located off Nelson Road and Sunset Drive. The site consists of 31.147 acres. The site plan indicates 69 detached single-family lots and 78 townhome lots for a total of 147 lots.

Staff Analysis

The property is in the Downtown. The development is subject to the Downtown Code. The density allowance is six units per acre. The total acreage is approximately 31.147 acres. The proposed density is approximately 4.7 units per acre.

DETACHED HOUSE - TYPE A (STREET LOT)

Setbacks: Front yard and side yard setbacks for structures on infill lots shall generally be equal to the average setbacks for all principal structures within three hundred (300) feet or one block length (whichever is greater). Where no frontage condition currently exists, the build-to line and/or setbacks shall be as follows:

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

Sides: The total of both side setbacks shall equal twenty (20) percent of the lot width at the frontage line, but shall not be less than 6 feet, except in new developments, where the entire setback may be allocated to one side).

Rear: Fifteen (15) feet.

Minimum Lot Width: Fifty (50) feet.

Driveway: The minimum length of any driveway shall be twenty-four (24) feet such that the surface area for outdoor parking of vehicles either in front of a closed residential garage or next to a residential structure on a parking pad shall eliminate situations where vehicles park on, over or across sidewalks.

DETACHED HOUSE - TYPE B (ALLEY LOT):

Setbacks: Front yard and side yard setbacks for structures on infill lots shall generally be equal to the average setbacks for all principal structures within three hundred (300) feet or



one block length (whichever is greater). Where no frontage condition currently exists, the build-to line and/or setbacks shall be as follows:

Front Build-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.

Maximum Height: Two and one-half (2½) stories (as measured from the fronting street).

Encroachments: Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback a maximum of twelve (12) feet.

Building Lot Coverage (Maximum): Fifty (50) percent.

#### TOWNHOUSE:

Setbacks: Front (Maximum): Zero (0) to fifteen (15) feet.

Sides: Zero (0) feet (corner—six (6) feet).

Rear: Fifteen (15) feet from centerline of alley.

Parking and Vehicular Access: Primary vehicular access is provided using a rear lane or alley only. Off-street parking shall be located in the rear yard only. No curb cuts or driveways are permitted along the frontage.

Minimum Unit Width: Eighteen (18) feet (with a minimum average of twenty (20) feet per building block).

Mecklenburg County Land Use and Environmental Services Agency will review the construction plans for sedimentation and erosion control, storm water, flood, and road profiles. The applicant is responsible for submitting these plans to Mecklenburg County. Mint Hill staff will review the construction plans to assure compliance before grading begins.

#### Staff Recommendation

The Site Plan appears to meet the requirements of the Downtown Code. Staff recommends approval.



Gordon Johnston, land acquisition manager for Century Communities, thanked the Planning Board and thanked Planning Director Hoard and his staff for their time, consideration, and guidance throughout the process. He stated as a brief introduction, for the members not familiar with Century Communities, they were a national home builder; currently, the ninth largest home builder in the country, with offices across 17 states, including the division office, right here in Charlotte. Century Communities were currently developing and building homes in about 14 communities across the region and certainly looking forward to adding this project to that list. He gave a brief history on the project, the community was one they had been working on for about 18 months now; and again, they were certainly excited to do business in Mint Hill. This would be Century Communities first community within Mint Hill and the project comprised 31 acres located just a few hundred yards from the Mint Hill Town Hall, just north with primary frontage on Nelson Road and one additional connection to Sunset Drive; it was situated along the northern and eastern edges of McEwen Lake Lane. Mr. Gordon stated the plan, as was mentioned was 147 total residential lots and what they had worked to accomplish with this plan was really a neighborhood that first and foremost captured, and really magnified, some of the best attributes of the location as it existed today. In addition to the proximity to the downtown area with the walkability to everything downtown, as well as the natural beauty of the site as it sat today with the most prominent feature was obviously the lake in the foreground. He stated the immediate surroundings provided for a network of trails throughout the community, which were designed to provide access for not only the residents of the community, but also the public at large. It was designed to be enjoyed, the lake and the natural space around it, promoting connectivity within the community into the neighboring areas. The combination of active parks and natural open spaces designed for several different home types. The attached townhomes would be located on the two strips of land that were fronting Nelson Road. As you looked toward the south and southeast, across the site plan, a lower intensity building plan comprised that area. These homes had some alley loaded detached lots, as well as some larger, more traditional front loaded detached single-family homes and the goal was really to provide a variety of home styles for different buyer preferences and lifestyles. Mr. Gordon indicated the overview was very quick and high level; he introduced Brent Cowan with Isaac Group who had engineered the project and said they would be happy to take any kind of questions the Planning Board might have.

Mr. Todd asked if the walking trail connected to McEwen Lake Lane; he was just trying to look at the map orientation and it looked like the walking trails around the common areas, connected to the other side of the lake. Mr. Gordon stated the pinkish reddish-brown walking trail did kind of loop around and connect back to the end of McEwen Lake Lane. Mr. Todd asked if the common area itself was an open area or was there anything going to be in there. He asked would there be any park benches or trees; what did they anticipate that area to look like? Mr. Johnston stated the intent was to meet the Town Ordinance regarding what was active open space and then also undisturbed open space. In the central part of the site plan, a meandering sidewalk, some trees and a playground area were planned. Mr. Gordon noted central areas around the walking trails; there was the intention to add some sitting areas, open air structures, and to have some congregating spots.

Ms. Manchester asked about the price points for the homes. Mr. Johnston stated the project was in a place where they still had a fair amount of engineering and planning to go before, they were to the point of pricing homes. Honestly, he stated, a thorough analysis would be conducted, and



the homes would be priced to the market. Mr. Johnston stated his best guess for townhome prices would start in the upper 200,000's and go up from there.

Mr. Tyson asked if the applicant was aware of the 18" raised front elevation required in the UDO. Would the applicant be able to achieve and meet the code, without a variance, with the topography of the land? Mr. Johnston stated yes, they had that conversation with Planning Director Hoard, and they were aware of that raised front elevation. Planning Director Hoard had even reiterated the raised front elevation, the last time they spoke on the phone.

Mr. Gatz asked if there had been any traffic impacts studies or analysis. The existing roads were not the greatest roads he had seen around town. He asked if the applicant was concerned about the amount of traffic they were planning to put on the existing roads. Mr. Johnston stated he was not concerned given the access points; there were multiple options, traffic could use either Sunset Drive or Nelson Road. This project was not, nor the adjacent parcel, part of the project, but it was one that had been already approved by the Town. Because of the previously approved plans, once they were built, would provide yet another point of access for residents. He stated this project did not trigger a traffic study.

Mr. Hendrix asked if this meant these roads met the Town standard for the Downtown Overlay. Mr. Cowan stated widening would be completed at Nelson Road and Sunset Drive; the cross section was required by the Town Ordinance and they would be adding some pavement. He stated they were adding curbing gutter, storm drainage and sidewalk.

Chairman Gatz stated he was worried about the amount of traffic for those old, country roads. He asked who maintained the roads. Planning Director Hoard assured the Planning Board that the Public Works Director and the County had reviewed the plans. Nelson Road and Sunset Drive were maintained by the Town.

Mr. Hendrix asked about the access inside the property; his big concern was access for emergency vehicles: fire trucks, ambulances, and police but especially the fire trucks. Mr. Hendrix stated the Town had some previous issues with the access streets in between the town homes and other places; paths could get so narrow that it was hard to maneuver large equipment. He stated he was just curious what the road length and width were on the private streets. Mr. Brent Cowan, the Isaacs Group, said they had done the site planning and the engineering for this project. Mr. Cowan stated to answer the question, that specific concern was discussed and deliberated on during the sketch plan process and they had several conversations with Town Engineer Frey. The final determination was implementing the cross section; it was to be a 16 foot of pavement with two-foot ribbon/valley curb. He stated they had a couple of different varying cross sections, depending on how they were going to manage drainage. He stated the total would be 20 feet back from the curb to meet the requirement with the fire department; they needed 20 feet free and clear. Mr. Hendrix asked if that was 20 feet without parking. Mr. Cowan stated yes, the road would be 20 feet without parking. Mr. Cowan stated the way they were managing parking was to have a lot of on street parking on the public roads, in the alleyways, and the attached multifamily areas. He stated the multifamily, the attached buildings, had a 20-foot-deep driveway pad before the building and there was room for a car in the garage. There was room for cars in the driveway so theoretically, you could park four cars: two cars in the driveway and two cars on the parking pad.



The single-family homes were front loaded with the same garage space and at least 20 feet minimum from the back of the sidewalk to the front of the garage. The single-family homes would be detached that have a rear loaded garage; they would be following the Town standard in the Downtown Overlay that showed a shorter parking pad. The idea was to get people into the garage, so they did not have that 20-foot parking availability. Mr. Hendrix asked if they would have a 20-foot street though for emergency access. Mr. Cowan stated yes, that was correct. Mr. Hendrix shared Chairman Gatz's concern about the amount of traffic on the road, but it looked like a well-planned and a very usable site. Mr. Hendrix stated that he trusted the applicant would do things necessary to make sure the accesses were adequate. Mr. Hendrix asked Planning Director Hoard if what the Planning Board was reviewing had met all the Town requirements. Planning Director Hoard yes it met the requirements.

**Mr. Todd made a favorable recommendation, seconded by Mr. Hendrix, and the Board unanimously approved #S20-21, Nelson Road Subdivision Preliminary Plat, Filed by Century Communities for a total of 147 lots; 69 single-family detached and 78 single-family attached (townhome) lots; located at 7802, 7708, 7900 Nelson Road; a portion of 7701 Nelson Road and 4507 Sunset Drive: Tax Parcel Numbers 137-065-17, 137-065-20, 137-065-02, 137-065-23 and a portion of 137-061-08.**

**C. Discussion and Recommendation on language and/or modifications around Brewery/Tap Room in the UDO:** Chairman Gatz stated at the September 21, 2020 Planning Board meeting, they had discussed if the Board should come up with an ordinance for Brewery/Tap Rooms. The discussion centered on either limiting the size or limiting the number of venues. After watching the October Board of Commissioners meeting, he did not see a lot of concern from the Board in regard to having too many Brewery/Tap Rooms. Chairman Gatz asked Commissioner Dalton if there was an issue with the Board of Commissioners. Commissioner Dalton stated the Board had discussed it informally and preferred the Planning Board take the lead in making any recommendations. Chairman Gatz asked if that was something the Planning Board would like to make a recommendation on; what do we, as the Planning Board, want to do now? Do we want to wait and see if it was going to become an issue and address the issue as it came up or did, we want address it before it became a possible issue?

Mr. Hendrix asked Planning Director Hoard what type of authority the Planning Board would have at a later date. What would happen if they chose to address it, later, because a problem developed, and suddenly the Town had an influx of similar venues. He asked if they should be reactive versus being proactive. Mr. Hendrix stated he had a couple of concerns/issues when it was originally brought up: the amount of similar venues in a small area, and the byproducts like waste. He continued, with that said, the Town had the opportunity to address this at a later time, if it became an issue. Planning Director Hoard said it depended on what the issue really was; was it the number of units or the capacity/size of similar venues? Planning Director Hoard stated if the Planning Board was ok with two then maybe the Planning Board needed to evaluate and make a recommendation on this possible change in the Ordinance. If the Planning Board was saying no to more than three, then perhaps the Planning Board should wait and have this conversation at such time. Now, if one was enough, then the Planning Board probably wanted to require a Conditional Zoning. Mr. Hendrix asked Planning Director Hoard if he had any concerns about size or any concerns about the number of venues. Planning Director Hoard said the way he would look at it,



especially in the downtown, was that it seemed like a use that the Town would absolutely want. He would be really cautious about regulations that may possibly deter this type of use. On the other hand, he understood people may have issues with it; and that was what would cause the Town to create an ordinance. Mr. Hendrix stated he personally landed on the conditional zoning option versus setting a set number.

Chairman Gatz stated supply and demand would dictate the number of venues. He stated maybe the Planning Board did not need to make changes but instead should wait and if concerns arose then take action.

Mr. Todd asked if Lawyers Road down to Highway 218 was the corridor being discussed for the Downtown Overlay B (DOB). Planning Director Hoard stated basically the DOB ran from Queens Grant Community School down to the Food Lion on Blair Road, from State Employees Credit Union down to Nelson Road. Mr. Todd thought they should address the issue if it came up.

Mr. Tyson stated he had no issue with the number of facilities like these. Should the Town have a cap on production or manufacturing? Planning Director Hoard stated the Planning Board had the ability to look at adding the CD zoning, it would be very similar to the conditions for a drive through in the downtown. Planning Director Hoard stated another option would be to use the Town of Matthews as a guide, they had a more robust set of definitions. Matthews really broke it down into specific definitions and the expectations of size where they were allowed different types of processes. Planning Director Hoard offered to bring those definitions back to the Planning Board.

Ms. Manchester stated it may make sense for the Town to choose the CD zoning; then they could come with new rules as the applications were submitted.

Mr. Hendrix said he was pro-business. He asked Planning Director Hoard if having the CD designation on the use would prohibit people from seeking it? Yes, it may deter applicants and they may take their businesses elsewhere.

Chairman Gatz said his gut feeling was that it was not an issue right now and until it became an issue to wait and see what happens; he suggested they wait and table it.

**Mr. Hendrix made a motion, seconded by Ms. Manchester, to table the discussion on any type of limitation on Brewery/Tap Rooms until the Town saw what the future held. The motion was unanimously agreed upon by the Board.**

**Other Business:** None.

**Adjournment:** Upon the motion of Mr. Hendrix, seconded by Ms. Manchester, and unanimously agreed upon, Chairman Gatz adjourned the meeting at 7:17 p.m.

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Michelle Wells, Town Clerk





ZC20-10

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# APPLICATION

<b>CASE:</b>	<b>ZC20-10</b>
<b>EXISTING ZONING:</b>	<b>R</b>
<b>PROPOSED ZONING:</b>	<b>R DO-A (CD)</b>
<b>PROPERTY OWNER:</b>	<b>JS Helms Family Properties, LLC</b>
<b>APPLICANT:</b>	<b>NVR, Inc.</b>
<b>LOCATION:</b>	<b>South Side Lawyers Road, West of Truelight Church Road</b>
<b>TAX PARCEL NUMBER(S):</b>	<b>135-381-67, 66, 64, &amp; 65</b>
<b>REQUEST:</b>	<b>Rezone property to Downtown to allow Townhome development</b>

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# STAFF REPORT

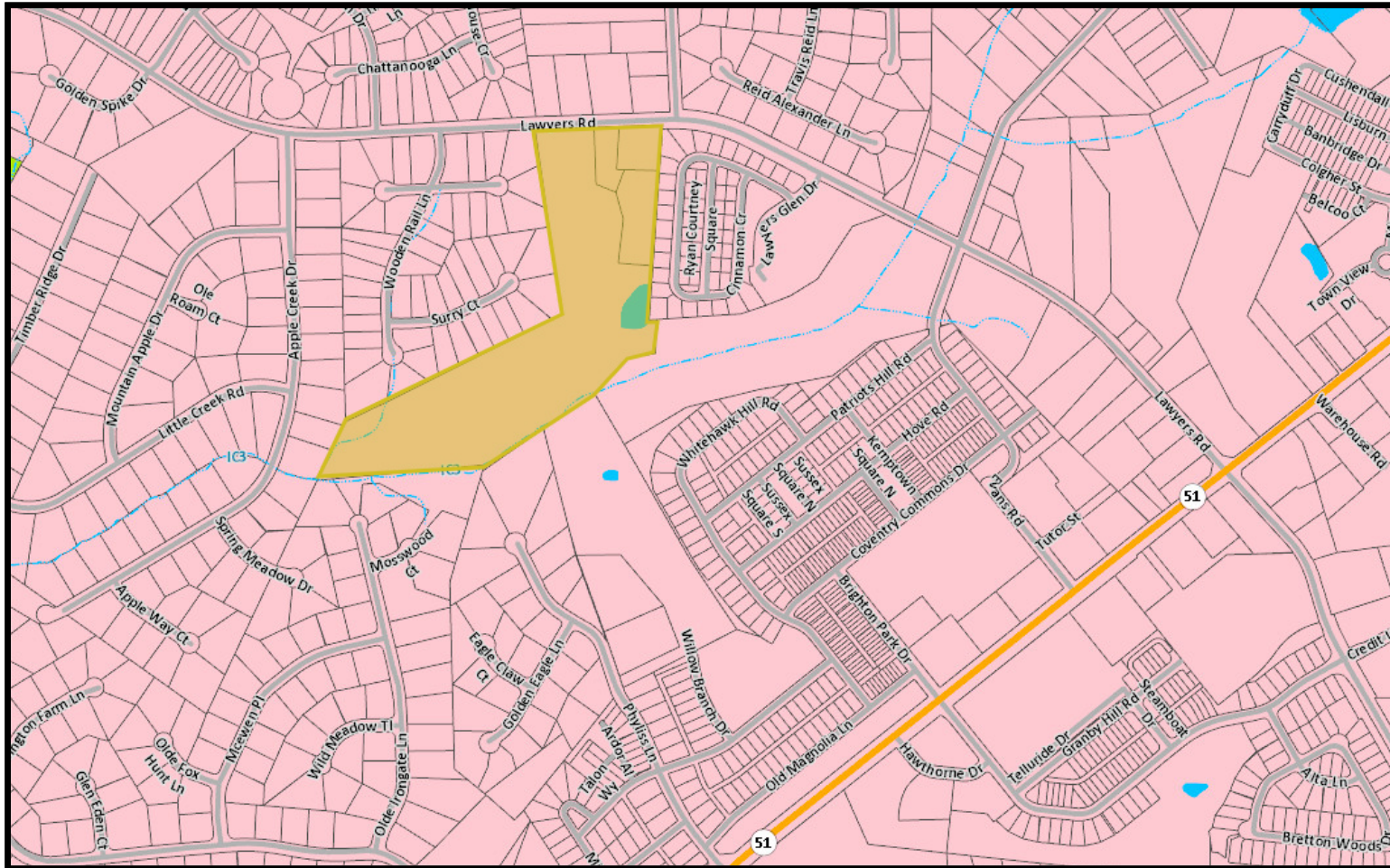
<b>APPLICATION SUMMARY</b>	<p>25.19 acres. 130 Townhome units -114 lots detached garages; 16 lots attached garages. 5.16 dwelling units per acre (up to 6 units per acre is allowed in the Downtown). The Zoning plan indicates 11.92 acres (47%) total open space- 4.97 acres of Common Open Space per Downtown Code and 6.95 acres of undisturbed open space per the Post Construction Ordinance.</p> <p>The applicant, NVR, Inc., is requesting rezoning to the Downtown Conditional Zoning district. The Zoning Plan is attached. The proposal includes a traffic signal on Lawyers Road at the Truelight Church Road intersection. The Zoning Plan also indicates a pedestrian network that includes interconnecting the neighborhoods Ellington Farms, Apple Creek and Brighton Park.</p>	
<b>PLAN CONSISTENCY</b>	MINT HILL LAND USE PLAN	<b>No</b>
	DOWNTOWN MASTER PLAN	<b>N/A</b>
	MINT HILL COMPREHENSIVE TRANSPORTATION PLAN	<b>Yes</b>
	PEDESTRIAN PLAN	<b>Yes</b>
<b>STAFF RECOMMENDATION</b>	<p><b>Unfavorable Recommendation</b></p> <p>The Land Use Plan designates the site for low density, single family development at one to two dwelling units per acre, depending on the availability of public water and sewer.</p>	

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# LOCATION MAP







S21-02

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# APPLICATION

<b>CASE:</b>	<b>S21-02</b>
<b>EXISTING ZONING:</b>	<b>R (CD)</b>
<b>PROPERTY OWNER:</b>	<b>Mullis Family Properties, LLC</b>
<b>APPLICANT:</b>	<b>Land Investment Resources, LLC</b>
<b>LOCATION:</b>	<b>4851 Wilgrove-Mint Hill</b>
<b>TAX PARCEL NUMBER(S):</b>	<b>137-061-13, 137-281-54, 59, 56 and 57</b>
<b>REQUEST:</b>	<b>Major Subdivision Approval (58 residential Lots)</b>

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# STAFF REPORT

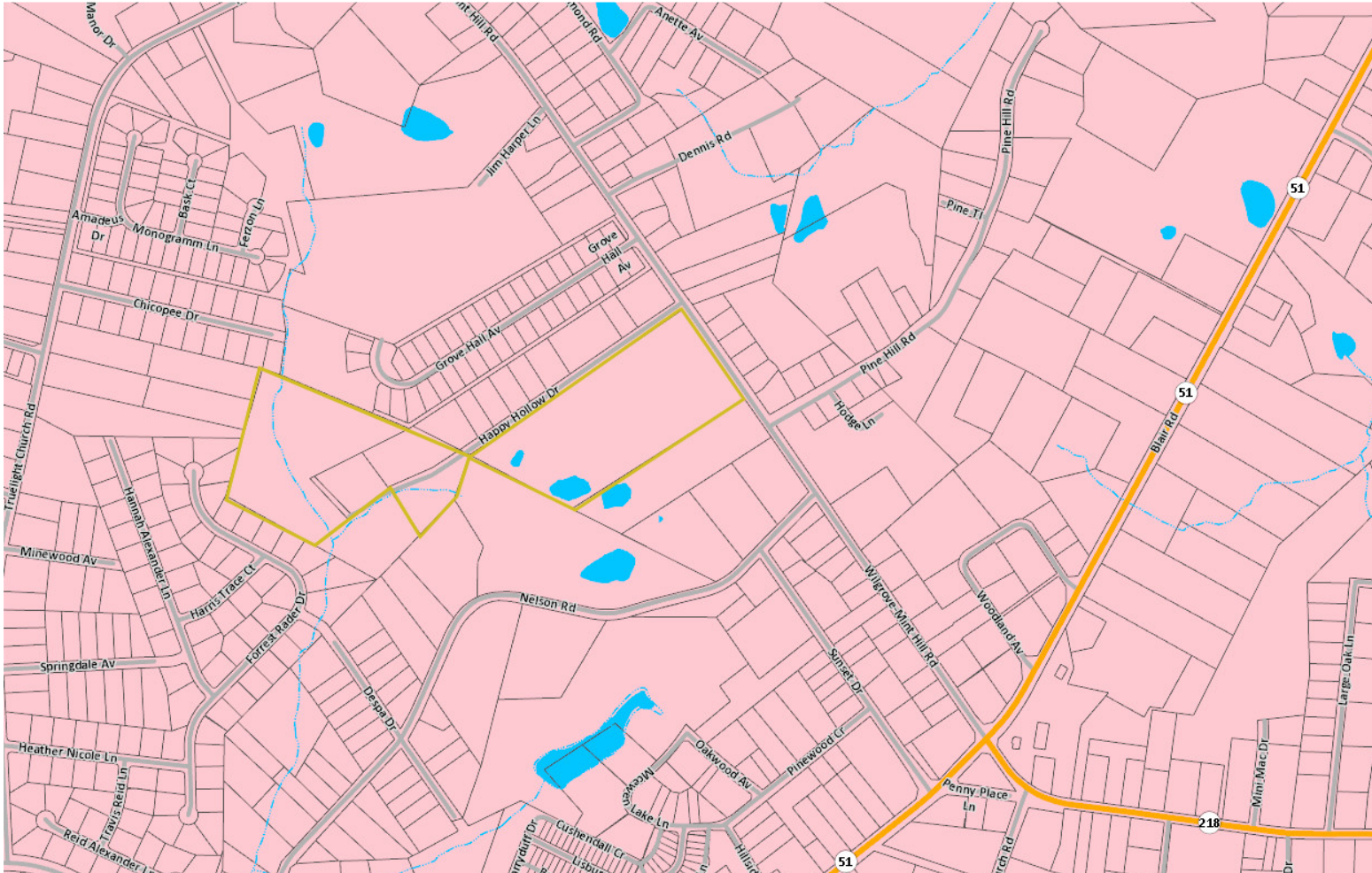
<b>Staff Analysis</b>	<p>Meadow Vista received conditional zoning approval on September 10, 2020. The approved zoning plan is attached.</p> <p><i>Planning Board Review and Decision (Mandatory).</i> The Planning Board shall hold a hearing to review the Site Plan (Preliminary Plat) and determine whether the Site Plan (Preliminary Plat) complies with the requirements of this Ordinance, specifically including without limitation all substantive requirements and conditions set forth in <a href="#">Article 7</a>, Section 7.3 (Conditions for Subdivisions). This hearing shall be held in an administrative proceeding and may be conducted in accordance with rules of procedure adopted by the Planning Board as the same may be changed from time to time.</p> <p>The Planning Board action may be approval (if the Site Plan (Preliminary Plat) complies with all Ordinance requirements), tentative approval with conditions (if the Ordinance requires such), or denial of the Site Plan (Preliminary Plat) (if the Site Plan (Preliminary Plat) does not comply with all Ordinance requirements).</p> <p>Upon approval of the Site Plan (Preliminary Plat) by the Planning Board, the Applicant may proceed to comply with the other requirements of this Ordinance and the preparation of the subdivision Final Plat for final approval by the Administrator.</p>
<b>STAFF RECOMMENDATION</b>	Staff recommends approval

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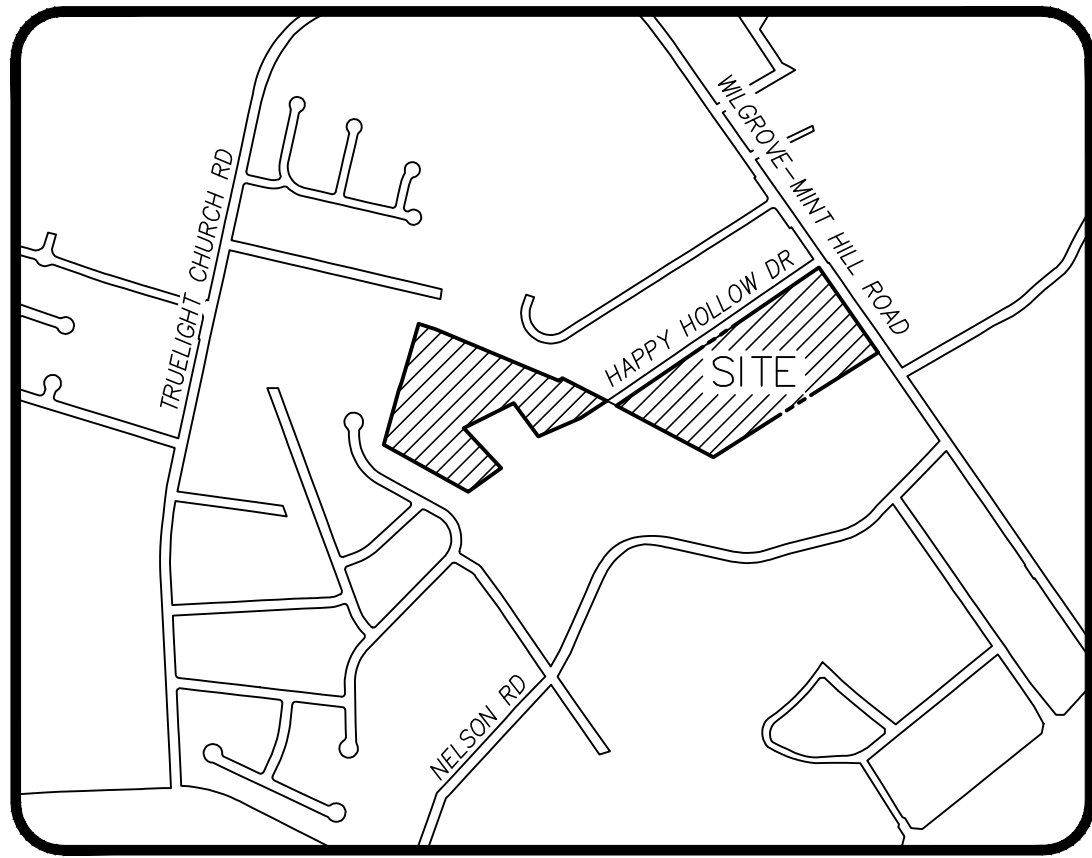




# LOCATION MAP







VICINITY MAP  
NTS

#### DEVELOPMENT NOTE REVISIONS FOR MEADOW VISTA:

The following conditions and requirements are intended for the development of the Meadow Vista project, located at 4851 Wilgrove-Mint Hill Road and other tracts as shown on the project documents.

Except as otherwise provided below, the property is to be developed in accordance with, and all conditions shall remain the same as provided in Section 7.3.3 of the Mint Hill Code of Ordinances, i.e. Special Requirements for Conservation Subdivisions. In the case of each exception or modification below, the related paragraph of Section 7.3.3 is noted.

7.3.3.B.4. Due to recent trends in home feature preferences, the exterior materials of all homes shall consist, on their front elevations, some portion (a minimum of one third) of brick, stone, shingle siding, or board and batten siding; and on the sides and rear, cementitious lap siding similar to Hardie brands or similar. All siding materials not consisting of stone or brick, whether on the front or elsewhere, shall be cementitious composition.

7.3.3.B.5. No more than seventy five (75%) of the homes shall have garages located closer to the public street than the house itself.

7.3.3.B.12. & 7.3.3.C.2. A minimum twenty five (25) foot buffer shall be applied to the front and sides of parcel number 13706113, and the rear shall be bordered by open space. Buffers shall be applied as shown on the plat on parcel numbers 13728154, 56, 59 and 59, and lots in those tracts shall have the dimensions approximately as shown on the plan. Wherever buffers contain natural, undisturbed wooded areas, those shall be maintained, except where project infrastructure needs to be installed (i.e. utilities, drainage structures or roadways). Otherwise, in buffers that are not wooded, the developer may install berms not to exceed 6 feet in height, provided that the planting requirements of 7.3.3.B.12 are met.

7.3.3.C.1. The minimum dimensions for interior lots shall be sixty (60) feet width and one hundred twenty (120) foot depth. Front and rear setbacks shall be a minimum of twenty (20) feet, and sideyards will be a minimum of five (5) feet.

7.3.3.D.2. For the improvement of the existing Happy Hollow Drive adjacent to parcel number 13706113, the southern side of the road shall be improved with curb, sidewalk and storm water collection facilities. The northern side of that road shall remain unimproved.

7.3.3.F.1. Notwithstanding the requirements of this paragraph, Open Space shall be as shown on the subdivision plan, and generally consists of approximately 33% of the total site area. Per the Mecklenburg Storm Water mapping, there is no existing Floodplain on the property.

#### OTHER PROVISIONS:

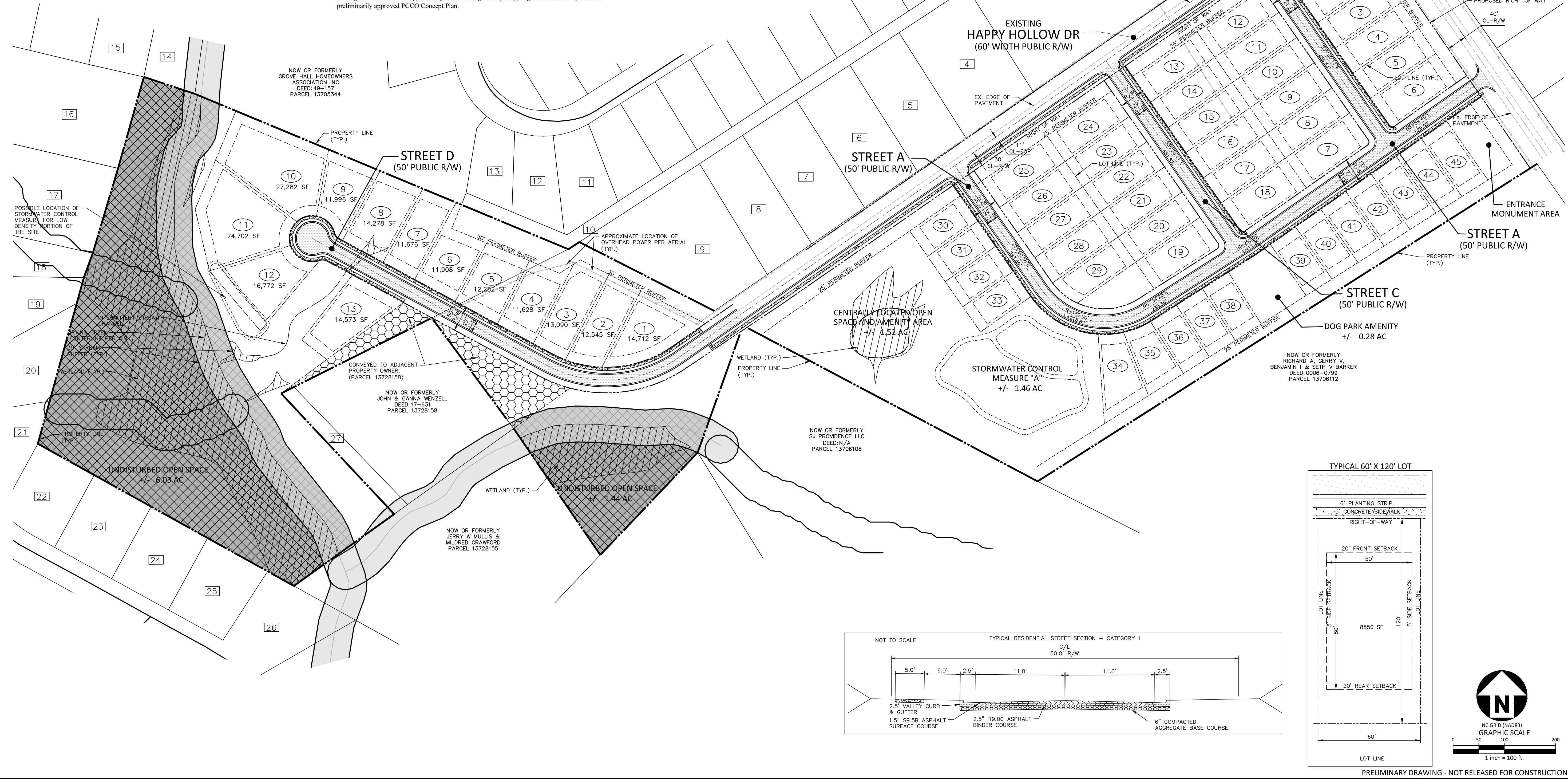
##### 7.3.5 Storm Sewage And Surface Water Drainage

Except for any such facilities located within the right of way of Wilgrove-Mint Hill Road, all storm drainage facilities shall be approved by Mecklenburg County only, in general conformity with the preliminarily approved PCCO Concept Plan.

SITE DATA		ADJACENT PROPERTY OWNERS	
DEVELOPER/APPLICANT LAND INVESTMENT RESOURCES 3440 TORINGDON WAY, SUITE 205 CHARLOTTE, NORTH CAROLINA 28277		PARCEL	DEED OWNER
PID: 13706113; 13728159, 156, 154		1	13705105 0006-0799 MARGARET FAY TURNER
EXISTING ZONING: R		2	13705104 N/A WENDELL K LONG
PROPOSED ZONING: 1K		3	13705103 0006-0799 OR CHRIST SHILOH TRUE LIGHT CHURCH
POD 'A' - LOT SIZE 60'X120'		4	13705129 47-437 LUXOR SPR SPV I LLC
AREA: 7,200 SF MINIMUM		5	13705130 47-437 SHANNON MACHELLE SMITH
WIDTH: 60'		6	13705120 43-437 LISA R PLUMLEY
MINIMUM SETBACKS		7	13705109 47-437 PEDRO PEDREIRA JUNIOR
FRONT: 20'		8	13705102 0006-0799 HPA BORROWER 2017-1 LLC
SIDE: 5'		9	13705101 0006-0799 KENNETH F & HEATHER E EMMINGER
REAR: 20'		10	13705343 45-155 GROVE HALL HOMEOWNERS ASSOCIATION INC
IMPERVIOUS AREA: 234,795 SF		11	13705318 49-157 SHARI W & ANTHONY JR & JASON DEFONCE
POD 'B' (MIN 11,000 SF)		12	13705319 49-157 MANDI I & CHRISTOPHER D JORDAN
AREA: 11,620 - 27,282 SF		13	13705320 49-157 ROBERT J & ANDREA K FLEMING
WIDTH: 60'		14	13705222 0009-0249 WAYNE H & CATHY H MULLIS
MINIMUM SETBACKS		15	13705212 0009-0249 WAYNE HAMPTON MULLIS & CATHY HULL
FRONT: 20'		16	13728102 0009-0249 PEGGY H POLSON
INTERNAL SIDE: 5'		17	13728170 36-239 DONA FRAN GRIFFIN
REAR: 20'		18	13728104 N/A ROBERT NEAL LAMBERT
IMPERVIOUS AREA: 84,040 SF		19	13728517 31-789 LINDA VON HEDRICH
DEVELOPMENT AREA		20	13728518 31-789 SCOTT R & JUDY L PALMER
AREA: ±33.78 AC		21	13728519 31-789 ERNEST JR & DEBRA L LITTLE
LOT COUNT: 58		22	13728520 31-789 ROBERT L & JOANNA R KRUMBINE
LOT DENSITY: 1.71 UNITS/AC		23	13728521 31-789 CHRISTOPHER S COWICK & RINITA H MUELLER-COWICK
UNDISTURBED OPEN SPACE REQUIRED: ±5.07 AC (15% REQUIRED)		24	13728522 31-787 RUBY WORKS
UNDISTURBED OPEN SPACE PROVIDED: ±7.47 AC		25	13728523 31-787 RICHARD & KATHRYN AMES
STORMWATER DETENTION: ±1.46 AC		26	13728524 31-787 ANTHONY S & SHEILA W JONES
OPEN SPACE: ±11.26 AC		27	13728157 0017-0631 B MULLIS FAMILY PROPERTIES LLC

#### FIRE NOTES

- FIRE APPARATUS TURNING RADIUS MINIMUMS SHALL BE 30' INNER AND 42' OUTER.
- THE SCALE FOR DRAWINGS SHOW TURNING RADIUS SHALL BE NO SMALLER THAN 1"=60'.
- FIRE HYDRANTS SHALL BE PROVIDED PER CHARLOTTE WATER'S REQUIREMENTS.
- FIRE APPARATUS ACCESS ROADS SHALL BE CAPABLE OF SUPPORTING THE IMPOSED LOAD OF 80,000 POUNDS.
- CUL-DE-SAC RADIUS SHALL BE TO MINT HILL STANDARDS.



APPROVED  
BOARD OF COMMISSIONERS  
September 10, 2020

SITE LEGEND	
	POWER POLE
	PROPERTY LINE
	RIGHT-OF-WAY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE
	OVERHEAD POWER UTILITY
	ASPHALT PAVEMENT
	UNDISTURBED OPEN SPACE
	EXISTING WETLANDS

**McADAMS**  
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CLIENT  
LAND INVESTMENT RESOURCES  
3440 TORINGDON WAY, SUITE 205  
CHARLOTTE, NORTH CAROLINA 28277

MEADOW VISTA  
REZONING PLAN  
WILGROVE-MINT HILL ROAD  
MINT HILL, NORTH CAROLINA 28227

#### REVISIONS

#### PLAN INFORMATION

PROJECT NO. LIR-19010  
FILENAME LIR19010-S1  
CHECKED BY MRVD  
DRAWN BY SAG  
SCALE 1"=100'  
DATE 06.09.2020

#### SHEET

REZONING  
SITE PLAN

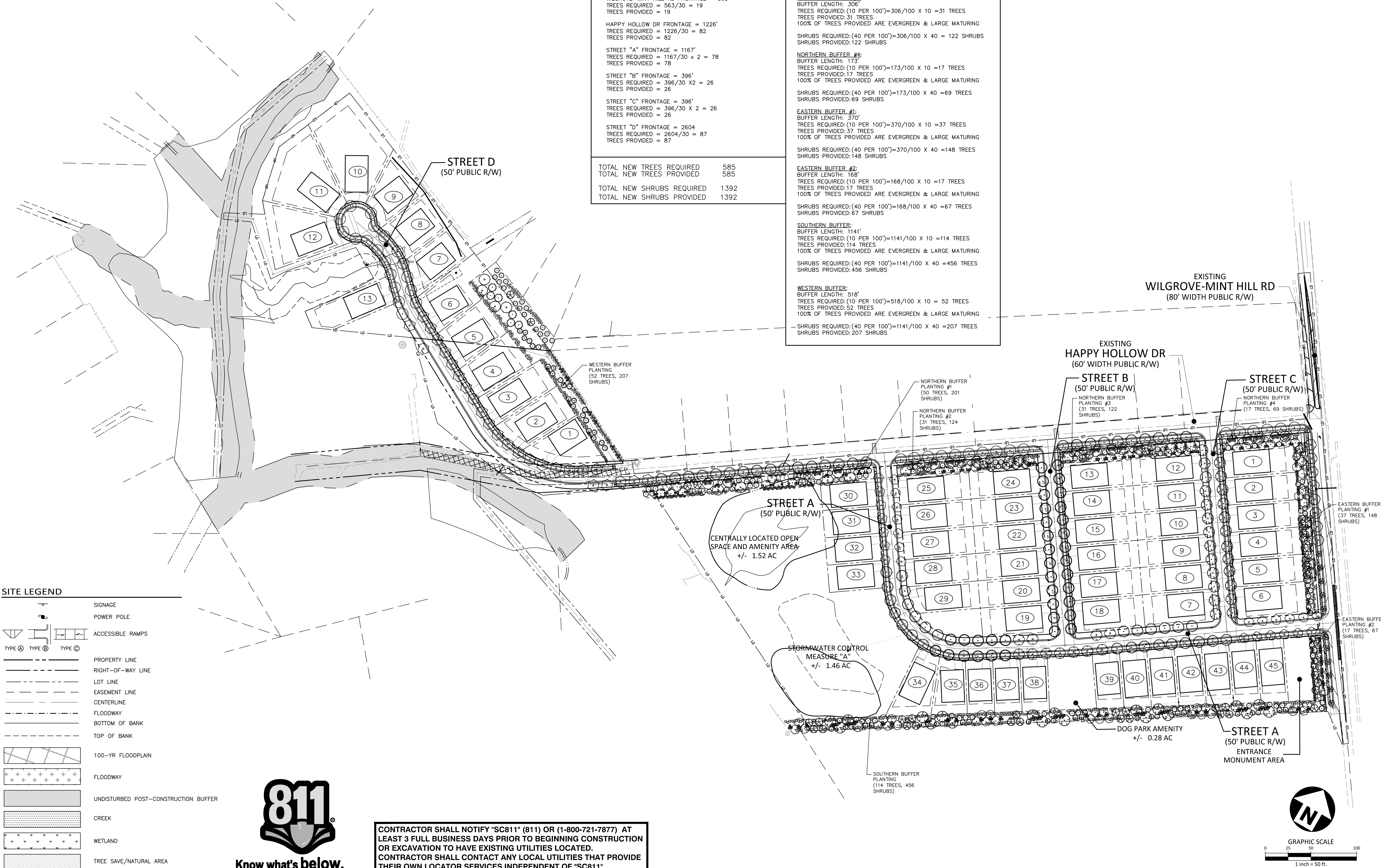
RZ-1



\\Projects\T\New\New\2020210198\04-Production\Engineering\Construction Drawings\2020210198-L51.dwg, 12/22/2020 3:56:42 PM, Bunker, Alexandria

TREE PLANTING SUMMARY

DEVELOPMENT AREA SITE AREA= +/-33.78 AC LOT DENSITY= 1.71 UNITS/AC UNDISTURBED OPEN SPACE REQUIRED= +/- 5.07 AC (15% REQUIRED) UNDISTURBED OPEN SPACE PROVIDED= +/- 7.47 AC OPEN SPACE= +/- 11.26 AC	NORTHERN BUFFER #1: BUFFER LENGTH: 503' TREES REQUIRED: (10 PER 100')=(503/100) X 10 =50 TREES TREES PROVIDED: 50 TREES 100% OF TREES PROVIDED ARE EVERGREEN & LARGE MATURING SHRUBS REQUIRED: (20 PER 100')=503/100 X 40 =201 SHRUBS PROVIDED: 201 SHRUBS NORTHERN BUFFER #2: BUFFER LENGTH: 306' TREES REQUIRED: (10 PER 100')=306/100 X 10 = 31 TREES TREES PROVIDED: 31 TREES 100% OF TREES PROVIDED ARE EVERGREEN & LARGE MATURING SHRUBS REQUIRED: (40 PER 100')=306/100 X 40 =122 SHRUBS SHRUBS PROVIDED: 122 SHRUBS NORTHERN BUFFER #3: BUFFER LENGTH: 306' TREES REQUIRED: (10 PER 100')=306/100 X 10 =31 TREES TREES PROVIDED: 31 TREES 100% OF TREES PROVIDED ARE EVERGREEN & LARGE MATURING SHRUBS REQUIRED: (40 PER 100')=306/100 X 40 = 122 SHRUBS SHRUBS PROVIDED: 122 SHRUBS NORTHERN BUFFER #4: BUFFER LENGTH: 173' TREES REQUIRED: (10 PER 100')=173/100 X 10 =17 TREES TREES PROVIDED: 17 TREES 100% OF TREES PROVIDED ARE EVERGREEN & LARGE MATURING SHRUBS REQUIRED: (40 PER 100')=173/100 X 40 =69 TREES SHRUBS PROVIDED: 69 SHRUBS EASTERN BUFFER #1: BUFFER LENGTH: 370' TREES REQUIRED: (10 PER 100')=370/100 X 10 =37 TREES TREES PROVIDED: 37 TREES 100% OF TREES PROVIDED ARE EVERGREEN & LARGE MATURING SHRUBS REQUIRED: (40 PER 100')=370/100 X 40 =148 TREES SHRUBS PROVIDED: 148 SHRUBS EASTERN BUFFER #2: BUFFER LENGTH: 168' TREES REQUIRED: (10 PER 100')=168/100 X 10 =17 TREES TREES PROVIDED: 17 TREES 100% OF TREES PROVIDED ARE EVERGREEN & LARGE MATURING SHRUBS REQUIRED: (40 PER 100')=168/100 X 40 =67 TREES SHRUBS PROVIDED: 67 SHRUBS SOUTHERN BUFFER: BUFFER LENGTH: 1141' TREES REQUIRED: (10 PER 100')=1141/100 X 10 =114 TREES TREES PROVIDED: 114 TREES 100% OF TREES PROVIDED ARE EVERGREEN & LARGE MATURING SHRUBS REQUIRED: (40 PER 100')=1141/100 X 40 =456 TREES SHRUBS PROVIDED: 456 SHRUBS WESTERN BUFFER: BUFFER LENGTH: 518' TREES REQUIRED: (10 PER 100')=518/100 X 10 = 52 TREES TREES PROVIDED: 52 TREES 100% OF TREES PROVIDED ARE EVERGREEN & LARGE MATURING SHRUBS REQUIRED: (40 PER 100')=518/100 X 40 =207 TREES SHRUBS PROVIDED: 207 SHRUBS
STREET TREE REQUIREMENTS: STREET TREES WILL BE PLANTED AS FOLLOWS: 1 SMALL MATURING TREE EVERY 30 OF ROAD FRONTAGE WILGROVE-MINT HILL RD FRONTAGE = 563' TREES REQUIRED = 563/30 = 19 TREES PROVIDED = 19 HAPPY HOLLOW DR FRONTAGE = 1226' TREES REQUIRED = 1226/30 = 82 TREES PROVIDED = 82 STREET "A" FRONTAGE = 1167' TREES REQUIRED = 1167/30 X 2 = 78 TREES PROVIDED = 78 STREET "B" FRONTAGE = 396' TREES REQUIRED = 396/30 X 2 = 26 TREES PROVIDED = 26 STREET "C" FRONTAGE = 396' TREES REQUIRED = 396/30 X 2 = 26 TREES PROVIDED = 26 STREET "D" FRONTAGE = 2604 TREES REQUIRED = 2604/30 = 87 TREES PROVIDED = 87	TOTAL NEW TREES REQUIRED 585 TOTAL NEW TREES PROVIDED 585 TOTAL NEW SHRUBS REQUIRED 1392 TOTAL NEW SHRUBS PROVIDED 1392



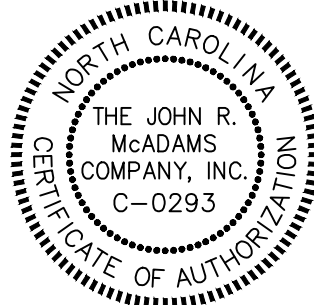
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Call before you dig.

CONTRACTOR SHALL NOTIFY "SC811" (811) OR (1-800-721-7877) AT  
LEAST 3 FULL BUSINESS DAYS PRIOR TO BEGINNING CONSTRUCTION  
OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED.  
CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE  
THEIR OWN LOCATOR SERVICES INDEPENDENT OF "SC811".  
REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.

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**MEADOW VISTA**  
CONSTRUCTION DRAWINGS  
WILGROVE-MINT HILL ROAD  
MINT HILL, NORTH CAROLINA 28227



REVISIONS	
NO.	DATE

PLAN INFORMATION	
PROJECT NO.	2020210198
FILENAME	2020210198-L51
CHECKED BY	DLL
DRAWN BY	ASB
SCALE	1"=50'
DATE	XX. XX. 2020
<b>SHEET</b>	

**OVERALL CODE**  
**PLANTING PLAN**  
**L5.00**