

**MINUTES OF THE MINT HILL PLANNING BOARD MEETING  
MARCH 15, 2021**

The Mint Hill Planning Board met in regular session on Monday, March 15, 2021 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

**ATTENDANCE**

Vice Chairman: Roger Hendrix

Members: Kenny Draffen, Scott Fandel, Jennifer Manchester, Chip Todd, and Eric Tyson

Planning Director: John Hoard

Clerk to the Board: Savanna Ocasio

Commissioner: Dale Dalton

Absent: Tom Gatz

**CALL TO ORDER AND INVOCATION**

Vice Chairman Hendrix called the meeting to order at 6:30 p.m., declared a quorum present and the meeting duly constituted to carry on business. Mr. Fandel gave the invocation.

**ORDER OF BUSINESS**

**Approval of Minutes for the February 15, 2021 Regular Meeting:** Upon the motion of Mr. Fandel, seconded by Mr. Todd, the Board unanimously approved the minutes of the February 15, 2021 Planning Board meeting.

**Additions or Deletions of Agenda Items:** None.

**Reports of Committees, Members and Staff:** Planning Director Hoard informed the Board of the first public forum Land Use Plan meeting which would be held virtually on March 18, 2021.

**Old Business:** None.

**New Business:**

**A. Discussion and Recommendation on #ZC21-2, Filed By CJMJ, LLC, to allow a Conditional District Rezoning from IG (CD) to IG (CD) to allow a reduction of the 100 foot undisturbed buffer to 50 feet to allow an expansion of the existing gravel parking and storage area for property located at 13320 Jomac Drive, parcel number: 139-092-30:** Planning Director Hoard submitted the following memo to the Board.

The applicant is requesting a reduction to the undisturbed buffer from 100 feet to 50 feet, as shown on the attached Zoning Plan, and allow an expansion of the existing gravel parking/storage yard. The 100-foot undisturbed buffer was a condition placed on the property when it was rezoned on May 27, 1999. On December 13, 2007, a change of condition was approved to allow a 50% reduction to specific sections of the perimeter 100 ft buffer...modified to accommodate a reduction in the buffer width to 50 ft. on those pieces of properties that abut non-residentially zoned property, as

presented in the most recently adopted Future Land Use Map for the Town of Mint Hill (those properties adjoining the existing railroad tracks and those fronting on Hwy 51 only).

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.

### **Unfavorable Recommendation.**

The initial rezoning and Conditional Use Permit restricted outside storage to the side or rear of the building.

Recommended condition if approved:

(original condition from the 1999 rezoning) All lots having frontage on Hwy 51 (Blair Road) with outside storage shall have at least a 3' berm with shrubs between the storage area and Hwy 51.

Nick Buysse, CESI, presented the proposal to the Board. He stated the proposal was for an expansion of the existing facility which was a commercial vehicle storage facility located at 13320 Jomac Drive. The land use would stay the same, they would expand their existing operation which would include a reduction of the existing buffer from 100' to 50' undisturbed area and would expand their storage facility for the commercial vehicles towards Highway 51. Mr. Buysse reviewed the background of the company. C&M Leasing had been in business since 1982 and was incorporated in 1991; they had been in their current location since 2002. They currently provide storage for approximately 60 commercial vehicles. The proposed expansion would provide storage for an additional 40 vehicles. He showed an ariel view of the existing facility along with a proposed expansion survey to the Board. Mr. Buysse stated the existing facility was gravel which would expand toward Blair Road/Highway 51. The expansion would keep the existing vegetation in place in the undisturbed area. Mr. Buysse stated the fence line shown on the survey was the current 100' undisturbed buffer. The proposal would reduce the buffer width to 50'; the majority of the reclaimed area would be used for grading on a 3:1 slope. He stated the current zoning was I-G (CD) which would remain the same. The proposed additional storage area was 2.067 acres. Mr. Buysse stated the expansion would be operational in six to nine months.

Mr. Todd confirmed all additional parking would be alongside Highway 51. Mr. Buysse said not all of it. He stated where the grading started to slope, that all bordered a residential property so there would be parking along both of those sides; residential and Highway 51.

Mr. Fandel asked if the existing retention in front would remain. Mr. Buysse stated all storm drainage would be routed through the dry detention basin which was sized for this development when it was originally installed. By utilizing the existing dry detention basin, they would be reducing runoff. Mr. Fandel asked how far the residential property was from the site. Mr. Buysse said they were between 60' and 100' from the edge of the two existing homes property line. He said currently, there was a 100' buffer which would reduce to 50' so approximately 150' from the new buffer.

Vice Chairman Hendrix asked why the additional 50' was needed. Mr. Buysse stated the primary usage of the additional 50' was for grading purposes, to be sure the whole parking lot was drivable. Vice

Chairman Hendrix stated his main concern was the buffer on Highway 51. He stated looking at the layout, there were large vehicles backed all the way to the 100' buffer. He would like to know what the vision from Highway 51 would be. Mr. Buysse clarified there would be no reduction of the buffer at Highway 51. He stated the 100' buffer was not there; it was only up against the residential homes. They would anticipate trucks parking along the fence line, and they would provide landscape screening. Vice Chairman Hendrix confirmed the only adjustment they were looking for was changing the 100' setback a 50' setback. Mr. Buysse said correct, it would allow them to put the parking yard in that area.

Mr. Todd asked if C&M Leasing was commercial storage or individual storage and how would this proposal impact traffic. Mr. Buysse invited Mr. Jones, the owner of C&M Leasing, to answer Mr. Todd's questions.

Mr. Jones gave a brief summary of C&M Leasing's history. Mr. Jones explained the majority of the truck drivers were out driving Monday through Friday so there was very little traffic. He stated there were only about four to five guys that came and went every day. Mr. Jones gave each Board member a picture of what the parking yard looked like Monday morning to emphasize screening. From Highway 51, due to landscape screening, the tractor trailers were not seen. He stated their plans would not change the future use of the property; they were just making a gravel parking lot.

**Mr. Fandel made a favorable recommendation, seconded by Mr. Todd, and the Board unanimously agreed to send a favorable recommendation to the Board of Commissioners on #ZC21-2, Filed by CJMJ, LLC, to request a rezoning to reduce the required undisturbed 100 ft buffer to 50 ft and to allow the expansion of the existing parking and storage area.**

**Upon the motion of Vice Chairman Hendrix, seconded by Mr. Fandel, the Board unanimously voted to approve the consistency statement for #ZC21-2:**

**#ZC21-2 was found to be inconsistent with the Land Use Plan. However, the application was not in conflict with the General Industrial district Ordinance standards regarding outside storage/parking and reduction to the perimeter buffer. Therefore, #ZC21-2 was found to be reasonable and in the public interest, based on the information presented and reviewed with this petition, and because:**

- **Proposed screening between Blair Road and the storage yard was adequate.**
- **The 100 ft perimeter buffer was not an Ordinance requirement; the buffer was volunteered during the rezoning in 1999.**

**Other Business:** None.

**Adjournment:** Upon the motion of Mr. Fandel, seconded by Mr. Todd, and unanimously agreed upon, Vice Chairman Hendrix adjourned the meeting at 6:54 p.m.

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Savanna Ocasio  
Program Support Assistant