

**MINUTES OF THE MINT HILL PLANNING BOARD MEETING
APRIL 18, 2022**

The Mint Hill Planning Board met in regular session on Monday, April 18, 2022 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

ATTENDANCE

Chairman: Tom Gatz

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

Planning Director: John Hoard

Clerk to the Board: Savanna Ocasio

Commissioner: Patrick Holton

Absent: Roger Hendrix

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. Mrs. Manchester gave the invocation.

ORDER OF BUSINESS

Approval of Minutes for the March 21, 2022 Regular Meeting: Upon the motion of Mr. Fandel, seconded by Mr. Todd, the Board unanimously approved the minutes of the March 21, 2022 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 #ZC22-2, Filed by John Street, LLC, for property located at 6412 Matthews-Mint Hill Road, Tax Parcel number: 195-182-42, to request Conditional Rezoning to allow a Subdivision consisting of 83 single family lots: Planning Director Hoard submitted the following memo to the Board.

On January 24, 2002, the property located at 6412 Matthews-Mint Hill Road was rezoned from R to O-A DO-A (CUD). At the time of the initial rezoning the Town had a two-step rezoning process. A Conditional Use District established the allowable uses, and a Conditional Use Permit provided the detailed conditions and site plan approval. In 2002 the first step was achieved to establish the zoning with the conditions that only single family detached homes were allowed at no more than 4.5 units to the gross acreage of 37.91 acres. The Conditional Use Permit (the second step) was not filed. On April 14, 2011, with the adoption of the Unified Development Ordinance, Conditional Use District/Conditional Use Permit was eliminated from the ordinance. It was replaced with

Conditional Zoning, a one-step process to rezone and gain site plan approval. The UDO had to address the properties that were rezoned to Conditional Use District but did not receive a Conditional Use Permit.

UDO -3.6.2 B

*Existing CUD. Prior to the effective date of this UDO, any application, which previously may have been described variously as Conditional Use District, Parallel Conditional District and/or Parallel Conditional Use District, shall now be known as a Conditional Zoning District. For any property that had previously been zoned a Conditional Use District (CUD) at the time of adoption of this Ordinance, but for which a Conditional Use Permit (CUP) had not yet been approved or issued, **the Applicant shall apply for a Conditional Zoning District as set forth in Section 8.2.5 (instead of following the former CUP process).***

The applicant is requesting site plan approval for a residential subdivision consisting of 83 lots, a density of 2.9 units per acre. The development is subject to the Downtown Code and conditions placed on the property in 2002.

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.

Favorable Recommendation. Alton Creek is consistent with the conditions established with the original rezoning and appears to meet the Downtown Code.

Margaret Puckett, Vice President of Land Acquisition for Tri Pointe Homes, introduced herself to the Board and began her presentation. Ms. Puckett stated Tri Pointe Homes was a developer and residential for sale homebuilder. Tri Pointe Homes was in the lifechanging business; dedicated to designing homes, neighborhoods, and experiences that inspire and uplift their customers, their team members, and the communities they serve. She stated they take their mission seriously, “life that inspires homes, homes that inspire life”. She stated Tri Pointe Homes was active in several communities across the Charlotte Region, active in Charlotte for approximately three years. Due to their local design capabilities, Tri Pointe Homes considered themselves to be a different kind of home builder. Ms. Puckett presented the Board with photos of their house design capabilities across the country. She stated the photo of the home on the bottom left stood out because it was not a common home one would see in the Carolina’s. She explained the home she was referring to was built in Las Vegas where it was common for homes to be designed with a modern and clean look; very different from what they planned to build in Mint Hill. Ms. Puckett showed their flexibility and design capabilities to the Board to set themselves apart from other homebuilders they compete against in the market. At Alton Creek, Tri Pointe Homes proposed 83 homes with a density of 2.91 units per acre, which was well below the Downtown Overlay requirements. Their product would consist of homes ranging from 2,600 to 3,000 sq ft and their anticipated pricing was in the high 400’s, into the mid 500’s. Ms. Puckett provided the Board with photos of Tri Pointe Homes interior design products. She stated the home design product would fit with Mint Hill; the requirements with brick and the things that were consistent with Mint Hill were going to be found in the proposed Alton Creek subdivision. Ms. Puckett reviewed the site plan with the Board and explained Tri Pointe Home’s projected improvements;

one of them being road improvements. There was a dip in the road located at Matthews-Mint Hill Road and Phyliss Lane that Tri Pointe planned on repairing and building to NCDOT's standards in order for the Town to approve their plans. She stated the significant dip had been there for a long time, it had taken Tri Pointe to come to the table to fix this problem. She stated they anticipated this improvement to cost approximately \$700,000; they were committed to doing so to be able to proceed with their project. Ms. Puckett showed the Board what the road profile looked like at Phyliss Lane and explained this was a big deal, Tri Pointe Homes were excited to be a part of the improvement as it will hopefully assist traffic flow in and out of the school as parents' pickup and drop off their children. Ms. Puckett stated she had been in personal communication with Harry Hood, a member of the Philadelphia Presbyterian Church, who was involved with their historical preservation committee. There was a historical cemetery very close to their proposed project and Queens Grant. The cemetery had been there since approximately the 1800's. There were stone columns, about a foot ½ tall. Queens Grant installed an aluminum fence on one side, but Tri Pointe Homes had been asked to complete the aluminum fencing around the cemetery so children from Alton Creek were not running through there. She stated she planned to go to lunch with Mr. Hood to discuss what they would like to see there. Lastly, Tri Pointe Homes had numerous conversations with homeowners on Hoodridge Lane and Hollow Oak Drive. She stated while they recognized and understood that many of those homeowners had enjoyed trees behind their homes for decades, it was now potentially going to be redeveloped and change was difficult. Tri Pointe Homes was committed to working with those homeowners on solutions from additional landscape buffers, removal of hazardous trees, and any other possible site restrictions they could do within their current proposal. Ms. Puckett referred to the connectivity to Queens Grant. She stated the Queens Grant Community School reached out to Tri Pointe Homes directly in support of their project, which was not common. Queens Grant had suggested and asked if Tri Pointe Homes could provide connectivity at the end of their cul-de-sac to their school. If there were Queens Grant students residing in Alton Creek, they could walk or ride their bikes through the connectivity. Ms. Puckett thanked the Board for their time and was open to answering questions.

Mr. Todd stated he understood the Phyliss Lane dip was going to be repaired for an entrance, he asked if there was another entrance further down Roe Creek Drive? Ms. Puckett stated Alton Creek would have two entrances, one on Phyliss Lane and one on Roe Creek Drive. The frontage on their property they were purchasing from Lat Purser & Associates, they were retaining that front portion for a future commercial use, at this time she did not know what that commercial use would be. Mr. Todd stated he was concerned about the traffic issue in the afternoon from Queens Grant, with an additional exit to the neighborhood, it looked like that would add to the traffic flow, had there been any studies done on that? Ms. Puckett stated they had not done a traffic study as they had not been required to do so. She stated as part of the infrastructure improvements on Phyliss Lane, Tri Pointe Homes was going to add 350 feet of widening on Matthews-Mint Hill Road to help alleviate traffic buildup. She stated they were hopeful this improvement would help with consistent traffic flow as parents drop off and pickup their children. They did not want to market their proposed trail access to everyone but if there were to be trail access to the neighborhood, she imagined parents would figure that out which also might help alleviate traffic congestion.

Mr. Draffen asked how they were going to access sewer. Ms. Puckett stated the sewer connectivity would come through the backside of the community, where Cheval and Farmwood East met.

Mr. Tyson asked if Ms. Puckett could review the geography behind lots 64-67 as he noticed there was a retaining wall on the site plan. Matt Reiking, ESP Associates, introduced himself to the Board. Mr.

Reiking stated the lots Mr. Tyson referred to was the narrowest section of the development. He stated some of the house sizes were restricted to get them to fit within the available space. There was some topography flow from Queens Grant down toward the lots on Hollow Oak, so it was kind of in the middle. There was some cut on the school side and fill on the Hollow Oak side

Chairman Gatz asked how they were going about the tree issue. Ms. Puckett said they recognized the issue and they were trying to come up with an approach that benefited both Tri Pointe and the homeowners whether that be saving trees or removing them. She stated financially, Tri Pointe did not want to lose lots, so several options were being discussed with a mutual ground arborist. Chairman Gatz asked what road improvements were being done, if any, at the second entrance on Roe Creek Drive. Ms. Puckett stated as far as she understood, Roe Creek Drive would have right in and right-out only access. Chairman Gatz asked for the retaining wall measurements. Ms. Puckett said she would circle back and provide the Board with those measurements at a later date.

Mr. Tyson asked had there been any consideration as far as traffic flow during Queens Grant school hours down Hill Creek Drive to keep parents from circumventing the officer directing traffic in front of Phyliss Lane. Ms. Puckett stated they would have to wait and see; Tri Pointe Homes would work with the Town of Mint Hill to figure out what that would look like.

Mr. Todd asked Planning Director Hoard if an officer would be needed at Roe Creek Drive during school hours due to the traffic. Planning Director Hoard stated no. He believed solely Phyliss would be continued as the main entrance and exit during school hours. An officer would be on duty in the same position they were in now. He stated this topic had been discussed as to whether parents would park and have their children walk from Alton Creek to Queens Grant since this was something that currently occurred at Publix and nearby shopping centers, so they were going to wait and see what the outcome was and go from there. Mr. Todd asked what the timeline for the project was. Ms. Puckett stated upon approval; they were close to having a full set of CD's and was waiting for a few NCDOT approvals but ideally, sometime this summer.

Chairman Gatz asked what the price point of the homes were going to be. Ms. Puckett stated their anticipated pricing at the moment was in the high 400's, into the mid 500's. As they watched the market, there was a chance that price could increase. Chairman Gatz asked what type of homes they were proposing. Ms. Puckett stated they were targeting family buyers, so the bedroom count was 3-5.

Mr. Todd made a favorable recommendation, seconded by Mr. Fandel, and the Board unanimously agreed to send a favorable recommendation to the Board of Commissioners on #ZC22-2, Filed by John Street, LLC, to request Conditional Rezoning to allow a Subdivision consisting of 83 single family lots. The recommended consistency statement was as follows:

#ZC22-2 appeared to be consistent with the general intent of the Downtown Master Plan and the conditions placed on the property when it was rezoned on January 24, 2002. #ZC22-2 was found to be reasonable and in the public interest, based on the information presented and reviewed with this petition.

B. Discussion and Decision on #S21-26, Alton Creek Subdivision, Filed by Tri Pointe Homes, for Preliminary Subdivision approval, property located at 6412 Matthews-Mint Hill Road, Tax Parcel number: 195-182-42: Planning Director Hoard submitted the following memo to the Board.

Planning Board Review and Decision (Mandatory). 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 Article 7, 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. 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). 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.

Staff recommends approval contingent on

- Rezoning Approval
- NCDOT approval for improvements on Matthews-Mint Hill Road/Phyliss Lane—"dip".

Planning Director Hoard said this was the second step for subdivision approval. Typically, the Board did not see this until months after the rezoning gets approved, but Tri Pointe was much further along in this process than what they were used to seeing. Staff recommended approval contingent on the rezoning approval and NCDOT's approval for improvements on Matthews-Mint Hill Road and Phyliss Lane.

Upon the motion of Mr. Todd, seconded by Mr. Draffen, the Board unanimously approved #S21-26, Filed by Tri Pointe Homes, for Preliminary Subdivision approval, property located at 6412 Matthews-Mint Hill Road, Tax Parcel number: 195-182-42, contingent upon the rezoning approval and NCDOT's approval for improvements on Matthews-Mint Hill Road and Phyliss Lane.

Other Business: None.

Adjournment: Upon the motion of Mr. Fandel, seconded by Mr. Tyson, and unanimously agreed upon, Chairman Gatz adjourned the meeting at 7:00 p.m.

Savanna Ocasio
Program Support Assistant