

**MINUTES OF THE MINT HILL PLANNING BOARD MEETING
JUNE 26, 2023**

The Mint Hill Planning Board met in regular session on Monday, June 26, 2023 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

ATTENDANCE

Chairman: Tom Gatz

Members: Kenny Draffen, Roger Hendrix, Jennifer Manchester, and Eric Tyson

Planning Director: John Hoard

Commissioner: Patrick Holton

Clerk to the Board: Savanna Ocasio

Absent: Scott Fandel and Chip Todd

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 May 15, 2023 Regular Meeting: Upon the motion of Mr. Hendrix, seconded by Mr. Tyson, the Board unanimously approved the minutes of the May 15, 2023 Regular 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 #ZC23-5, Filed by Griffin Land Holding, LLC, for property located at 13315 Jomac Drive, Tax Parcel number: 139-092-17, to request Site Plan approval:
Planning Director Hoard submitted the following memo to the Board.

The applicant is requesting conditional zoning approval to allow construction of a 63,000 square foot building, consisting of warehouse and office space, with outside storage.

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:

- Land Use Plan: YES
- Downtown Master Plan: N/A
- Pedestrian Plan: N/A
- Comprehensive Transportation Plan: N/A

Staff Recommendation: Favorable

Planning Director Hoard asked the applicants to begin their presentation. Greg Hartley, Acro Development Services, PLLC and Chase Walker, Vannoy & Sons Construction Company, introduced themselves to the Board. Mr. Hartley presented and discussed their site plan explaining this project was a two-story rebar manufacturing vending facility consisting of an office component in the front and a drive-through component in the back for customers to pick up and drop off material. There would be two entrances circulating the building off Jomac Drive, allowing vehicle circulation around the building; no entrances off Blair Road. Mr. Hartley stated they intended to keep the drives as far as possible from Blair Road to allow stacking and possible expansion. He added there was a lot of open space in the back to provide room for maneuvering and storage.

Chairman Gatz confirmed materials would be discussed.

Mr. Walker stated most of the building would be comprised of glass storefront, split face, masonry, and metal panels. He provided reasoning for metal panels as there were questions at the May Board of Commissioners meeting. The architectural insulated metal panel would break up the masonry and glass look on the face of the building. Mr. Walker provided proposed building elevations to the Board. The building consisted of brick with 18-foot-tall garage doors, right above the doors were insulated wall panels. The front side of the building would be a split-face masonry product with 10–12-inch architectural metal fins. Mr. Walker presented the Board with a sample of the product to better inspect. He discussed their general ideas for the building renderings provided.

Chairman Gatz asked Planning Director Hoard what the issue was with the original panel. Planning Director Hoard explained there was a comment made about materials by a Town Commissioner at the May Board of Commissioners meeting who may have been confusing this case with the Clear Creek Business Park case which did have a specific material request. Planning Director Hoard cleared the air and explained the building material requirements differences between Clear Creek and Mint Hill Business Park. He felt the spirit of material conditions had been met but the Board of Commissioners would review them before their next meeting.

Mr. Tyson asked what the use would be for the lot on the West Side, possibility of future growth or storage? Mr. Hartley said the lot was for potential future growth. Mr. Tyson asked if storage would be located directly behind their proposed facility. Mr. Hartley stated yes, with proper screening, landscaping, and/or fencing.

Mr. Draffen asked for further details of the street trees shown on the site plan as he noticed there were street trees shown on Jomac Drive and only on a portion of Blair Road. Mr. Hartley stated their intent was to landscape the entire property boundary with new and existing trees. Mr. Draffen asked about the sewer line outside the Right of Way on the property. Mr. Hartley stated their sanitary lateral came out of the front of the building and tied into that location. Mr. Draffen asked what kind of buffer would be added against Blair Road. Mr. Hartley said it depended on the screening aspects but would meet the Ordinance requirements. Mr. Draffen stated his concern was Charlotte Water would not allow trees in a sanitary series. Mr. Hartley understood and stated Charlotte Water had approved the installation of trees at the edge of the easement, away from the Right of Way. Mr. Draffen clarified the building required sprinklers. Mr. Hartley said yes.

Mr. Hendrix stated he noticed on the staff report that staff is in favor of the recommendation; he confirmed with Planning Director Hoard. Planning Director Hoard added the only outstanding issue was the materials which he planned to discuss with the Town Council. Mr. Hendrix commended the project and believed it would be an added benefit to the Mint Hill community. He asked if contingency plans were on hand if the material were to become an issue once discussed by Town Council. Scott Griffin, New South Construction Supply, stepped in explaining he was confident the Board would approve the materials for their unique building but if material requirements differed, they would find a different solution. Mr. Hendrix shared he thought their project was beautiful and was in favor of it, but there was a material issue. He stated if he were to vote in favor of a favorable recommendation, there must be a contingency on the material for the front of the building. Planning Director Hoard felt they met the front façade requirement after reviewing the renderings and reading the conditions. He added the building material sample brought before the Board had been previously approved for the Clear Creek Business Park. Mr. Hendrix stated he did not want his approval to later cause problems for the Board of Commissioners. He thanked the presenters for their time.

Chairman Gatz asked Planning Director Hoard if the Town had storage restrictions referring to the proposed storage area as a similar previous case became a variance. Planning Director Hoard stated they planned to screen their storage, but with this being Conditional Zoning, the Town would step in and ask for an increase in screening, if necessary. Mr. Hartley clarified the undeveloped area on the site plan, stating their intent for the future was to add another building there with parking. He understood they would have to repeat the rezoning process if they were to expand. He stated their proposed inventory storage area was in the gravel and concrete area, near the railroad tracks. Chairman Gatz asked Mr. Hartley how firm he was on the exterior look of the building. Mr. Hartley and Mr. Walker agreed they were firm except for their material concern. Chairman Gatz explained the Planning Board preferred applicants came before them with a final design for examination before the Board made a recommendation to the Board of Commissioners. Mr. Walker stated in full transparency the only items they had considered removing/changing from the building would be the architectural fins from the face of the building. Before making their recommendation, the Board confirmed with Mr. Hartley the grass area on the site plan would not be used for storage.

Mr. Hendrix made a favorable recommendation, seconded by Mr. Draffen, and the Board unanimously agreed to send a favorable recommendation to the Board of Commissioners on #ZC23-

5, Filed by Griffin Land Holding, LLC, to request Site Plan approval. The recommended consistency statement was as follows:

#ZC23-5 was found to be consistent with the Land Use Plan. The Land Use Plan indicated Industrial-Light. Light industrial areas were intended to support a mix of innovative businesses that could benefit from the colocation of related complementary industries. The mix of uses ranges from light industrial operations and makerspaces to supporting office, retail, and service uses. Therefore, #ZC23-5 was found to be reasonable and in the public interest, based on the information presented and reviewed with this petition.

B. Discussion and Recommendation on #ZC23-7, Filed by The Town of Mint Hill, for property located at 6793 Lebanon Road, Tax Parcel number: 135-191-22, to request Site Plan approval for the Mint Hill Public Services Facility: Planning Director Hoard submitted the following memo to the Board.

The Public Services Facility proposal consists of a public works facility, fire station and fire training facility, and a police department's evidence building.

The Unified Development Ordinance identifies the use as *Essential Services Class 4. Essential Services is allowed in the Residential District with Conditional Zoning approval.*

Essential Services, Class 4 - A use or facility owned or operated by the Town or its designee, serving in one of the following capacities, including, but not limited to: an agency office, rescue services (including volunteer rescue services), emergency medical services, public safety station, fire station (including volunteer fire station), public safety services and dispatch, or personnel training and development center. A public safety station may contain living quarters for on-duty personnel. Facilities for the maintenance of equipment housed at the operation site are also permitted. The following uses and/or activities shall not be classified as a Class 4 Essential Service: vehicle storage yard; outdoor/indoor firing range; jail; prison; sanitary landfill; solid waste transfer or disposal facility; wastewater treatment facility; educational or health institution; university; group home; half-way house or housing for persons who are participating in work release programs or who have previously served and completed terms of imprisonment for violations of criminal laws.

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:

- Land Use Plan: Essential Services are not specifically planned for in the Land Use Plan
- Downtown Master Plan: N/A
- Pedestrian Plan: N/A
- Comprehensive Transportation Plan: N/A

Staff Recommendation: Favorable

Town of Mint Hill Engineer and Public Works Director, Steve Frey, came before the Board and began his proposal. Engineer Frey provided a brief overview of the project stating approximately three years ago, the Board of Commissioners authorized the Town Manager to purchase the entire site shown; two homes and an empty lot. Those lots were then subdivided, and the residential homes were sold with the understanding the Town reserved the right to develop the property. The Town's plan had been to develop the site into a Fire Station, Police Property and Evidence Building, and a Public Works Facility. He stated the site was considered an essential service in the Town's UDO which required rezoning the property from Residential District to Residential (CZD). Engineer Frey stated the Fire Station was approximately 9,600 sq ft at the front of the property; he believed their station consisted of a two-bay drive-through garage, a gated fuel depot, six rooms, plus a Captain's room. Located to the West of the Fire Station was the 6,800 sq ft low-staff Police Evidence Building which included storage space, a small garage bay, and a sally port. Located South was the 8,500 sq ft Public Works Facility featuring a three-bay garage, administrative office space, cleaning areas, tool storage, and a pole barn facility. Engineer Frey added the former Volunteer Fire Department Board was graciously donating a Fire Training Facility to the Town to be located at this property. Outside of Charlotte Fire, this would be the only Fire Training Facility in Mecklenburg County when built. He explained primary access to all mentioned facilities came from Lebanon Road near the proposed Fire Department. Staff worked with NCDOT throughout this process; they requested a left-hand turn lane into the site on Lebanon Road.

Chairman Gatz asked if an incinerator were to be located there. Engineer Frey said yes, the incinerator was efficient, natural gas powered. He added as long as the machine were to be used correctly, there should be little to no smoke in the air.

Mrs. Manchester asked where the fuel tanks were to be located. Engineer Frey stated past the parking lot behind the gate. He stated the mini fuel station had above-ground tanks, would be covered with a canopy, and screened with the required landscape.

Chairman Gatz asked for further information on the building materials. Engineer Frey presented the Board with all building elevations, proposing all brick buildings, similar to Town Hall.

Mr. Hendrix asked for the project timeline. Engineer Frey said they were currently close to completing the bid opening process. He said tentatively, construction would begin Fall of this year and be built by December 2024. Mr. Hendrix clarified this was a turnkey project. Engineer Frey confirmed stating the project was not phased, it would be built at once.

Mr. Draffen recused himself from discussion and voting as he was the Engineer of record.

Mr. Tyson asked if the perimeter of the property would be fenced. Engineer Frey said yes, they proposed a chain-link fence around the perimeter; the area on the site plan not fenced was the undisturbed woods. Mr. Tyson asked if there were future ideas for expansion in the unmarked area. Engineer Frey stated no, the open space would be utilized to dump mulch, dirt, trees to be chipped, etc. Mr. Tyson asked what type of stormwater retention ponds were proposed. Engineer Frey stated Pond 1 was intended to be wet, Pond

2 plans were still being ironed out. He explained wet or dry, the ponds would be intentionally designed to hold water correctly.

Chairman Gatz brought the easement running parallel with Lebanon Road to Engineer Frey's attention. Engineer Frey stated the easement belonged to Duke Energy for overhead transmission lines. Chairman Gatz clarified all facilities would be gated except for the Fire Department. Engineer Frey confirmed and added the Town Manager had visions of a small Fire Department-themed playground near the public side of the gate. Chairman Gatz inquired about traffic and asked Engineer Frey what was to be anticipated. Engineer Frey stated this project did not meet the threshold for a Traffic Impact Analysis (TIA). He added the turn lane was not required, Staff asked for a turn lane for their vehicles to turn safely. Public Works heaviest entry and exit hours would be first thing in the morning, lunch, and then leaving in the afternoon.

Mr. Tyson asked Planning Director Hoard if the new development near the proposed facility was still in process. Planning Director Hoard stated they had not yet broken ground; there were two properties blocking future connectivity as discussed in a previous meeting.

Mr. Tyson made a favorable recommendation, seconded by Mr. Hendrix, and the Board unanimously agreed to send a favorable recommendation to the Board of Commissioners on #ZC23-7, Filed by The Town of Mint Hill, to request Site Plan approval for the Mint Hill Public Services Facility. The recommended consistency statement was as follows:

#ZC23-7 was found to be consistent with the Land Use Plan. The Land Use Plan indicated Low Density Residential for the property. Essential Services are not specifically planned for in the Land Use Plan. However, the Unified Development Ordinance allows consideration of Essential Services in the Residential District through the Conditional Zoning process.

Therefore, #ZC23-7 was found to be reasonable and in the public interest, based on the information presented and reviewed with this petition.

Other Business: None.

Adjournment: Upon the motion of Mr. Hendrix, seconded by Mr. Tyson, and unanimously agreed upon, Chairman Gatz adjourned the meeting at 7:21 p.m.

Savanna Ocasio
Program Support Assistant