



# Town of Mint Hill Planning Staff Report

<b>Case: CD12-1</b>	
Existing Zoning	O-A DO-B (CD)
Existing Use	Parking and Stormwater facility
Applicant	Sullivan & Roupas, LLC
Engineer/Architect	John Chudoba
Submittal Date	January 19, 2012
Location	Phyliss Lane
Tax Map Number	195-182-46 pt
Recommendations & Comments	See Staff Comments

## EXECUTIVE SUMMARY:

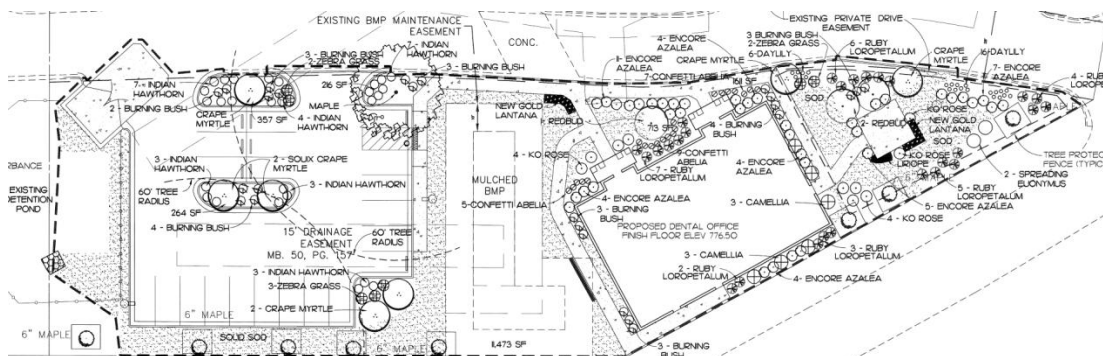
The applicant is requesting an exception to Section 1.2 B. of the Downtown Code. Exceptions to the provisions of the Downtown Code may be approved as a Conditional District by the Board of Commissioners upon a recommendation by the Planning Board. The Code further states, in order to approve an exception, the Board shall first determine that: a). No practical design alternatives exist and b). The variations/exceptions requested are consistent with the purpose and intent of this District as well as Section 1.2. General Building Design Guidelines.

*1.2.B. All buildings, except accessory structures, shall have an entrance opening onto a **street** or public open space*

*(Section 2.4 Definitions) Street- A public right-of-way set aside for public travel*

### BACKGROUND

A Concept Plan was approved by Mecklenburg County in December. The Concept proposal had the building fronting public open space—the permissible alternative to fronting a street.

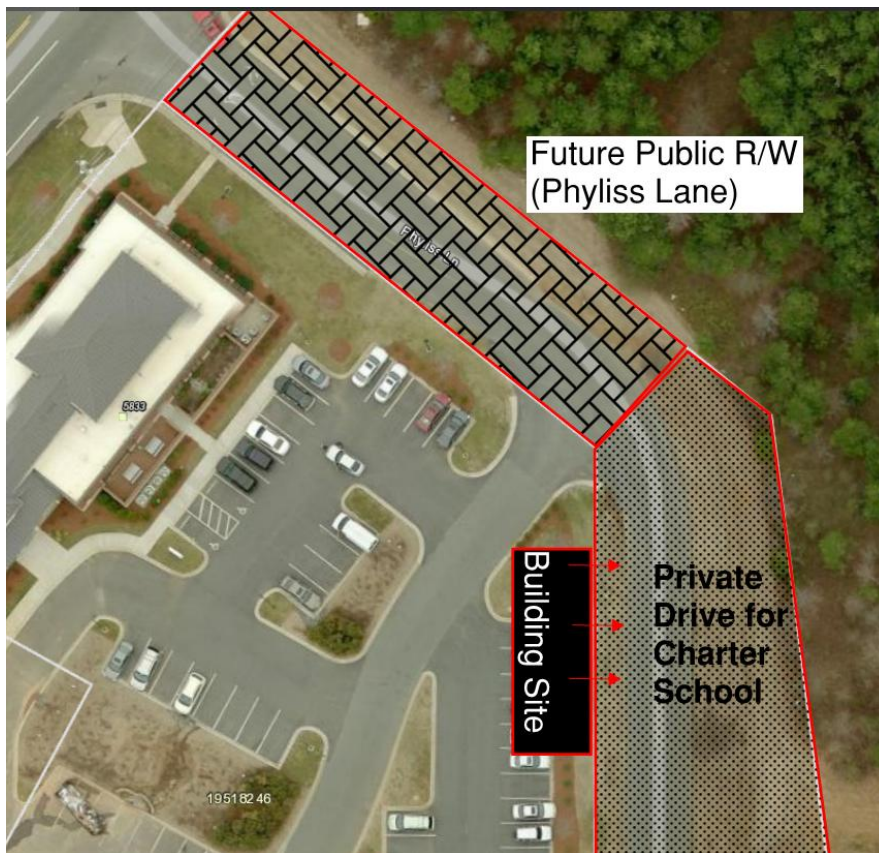


The applicant decided to discard the approved concept plan due to the cost estimates associated with impacting the existing stormwater structure.

The current site plan—which is dependent on the requested exception—attempts to minimize the impact to the stormwater structure by transferring a portion of the parking to the area considered public open space in the approved Concept/Sketch Plan.

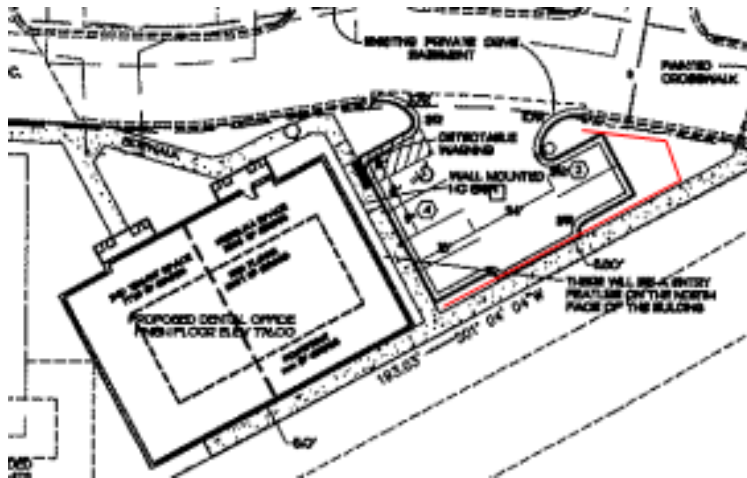
## MAPS

The following maps and photographs show the existing development patterns around the project site.



## STAFF COMMENTS

If the Board grants the exception, staff recommends conditioning the approval on compliance with 8.1 B. of the Downtown Code. The requirement's purpose is to screen side parking areas from the sidewalk with a combination of vegetation and/or 3 foot wall.



*\*\*This application is specific to the exception request. A comprehensive Site Plan and Elevation review and approval through the Conditional Zoning process is required before the applicant receives Mint Hill approval to build.*

**Staff Contact**  
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