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# Mount Pleasant

North Carolina

*Founded in 1848*

## **Planning Board and Zoning Board of Adjustment Meeting**

Town Hall - 8590 Park Drive Mount Pleasant, NC

Monday June 10<sup>th</sup>, 2013

7:00 PM

- 1. Call to Order**
- 2. Recognition of Quorum**
- 3. Approval of Minutes of Previous Meetings**
  - ✦ May 13<sup>th</sup>, 2013
- 4. Approval of Agenda**
- 5. Public Comment Period**
- 6. Planning Board Cases**
  - ✦ None
- 7. Board of Adjustment Cases**
  - ✦ None
- 8. New Business**
  - ✦ Board of Adjustment hearings and recommended changes to the Rules of Procedure – Andy Goodall Jr., CZO
  - ✦ Design review and recommendations for new Family Dollar store at 7590 NC HWY 73 E (Tentative) – Andy Goodall Jr., CZO
- 9. Reports**
  - ✦ Planning Report for May 2013
- 10. Planning Board Comment Period**
- 11. Adjourn**

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Town of Mount Pleasant  
Planning and Zoning Meeting  
June 10, 2013  
7:00PM

**Members Present:** John Murdock, Michael Steiner, Margaret Strickland,  
Shirley Freeman, Whit Moose Jr.  
**Absent:** Steve Ashby

**Staff Present:** Andy Goodall of Benchmark, Vagn Hansen of Benchmark,  
Joy Eudy, Clerk to Board, Christy Wilhelm Town Attorney.

**Call to Order:** Chairman Murdock called the meeting to order.

**Recognition of Quorum:** Chairman Murdock stated a Quorum was present.

**Approval of Minutes:** Chairman Murdock entertained a motion to approve or  
make corrections to the minutes.

One correction was made on page 7, paragraph 2 of the minutes. Vote should have  
been 4-0 instead of 5-0.

Board member Michael Steiner made a motion to approve the minutes with change  
on page 7, paragraph 2. Board member Margaret Strickland seconded the motion  
with all members in favor. (5-0)

**Approval of Agenda:** Chairman Murdock added under New Business a time  
change of meetings. Chairman Murdock entertained a motion to approve the  
agenda with the modification. Board member Whit Moose Jr. made a motion to  
approve the agenda with the modification. Board member Shirley Freeman  
seconded the motion with all members in favor. (5-0)

**Public Comment:**

None

**New Business:**

1. Board of Adjustment hearings and recommended changes to the Rules of  
Procedure

Andy Goodall, Planner with Benchmark stated our meeting in July would be with the Board of Adjustments.

Andy Goodall stated that in February, Staff had given the Planning Board copies of Rules of Procedure for the Planning Board and the Board of Adjustments. He stated at the April 2013 meeting, the Board voted unanimously to approve updating these rules. Staff has since amended the Board of Adjustment Rules of Procedure to mirror those changes and to provide step-by-step outline of procedures for the Board of Adjustment hearings.

Andy Goodall of Benchmark stated these rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than four members of the Board, provided that such amendment be presented in writing at a regular or special meeting preceding the meeting at which the vote is to be taken.

Andy Goodall of Benchmark asked the Town Attorney Christy Wilhelm if there was anything there that should be changed in the Rules of Procedures of the Board of Adjustments. Christy Wilhelm stated she thought it looked pretty straight forward and she thought it was a good idea to have it laid out that way, step by step. When that room is full of people you have something to fall back on.

Chairman Murdock entertained a motion of approval for the Rules of Procedure for the Board of Adjustments. Board members Whit Moose Jr. made a motion to approve the Rules of Procedure. Board member Michael Steiner seconded the motion with all members in favor. (5-0)

## 2. Design review and recommendations for new Family Dollar store

Andy Goodall stated he needed to get comments from the Board, so he can get those comments back to the developer so the developer can start working and finalizing the plans.

Chairman Murdock wanted to know if Andy Goodall could give the Board a small description of the plans. Andy Goodall stated he could give some general specs. about the building. He stated the height of the building is 18 ft. 8 inches tall, the length of the building is 104 ft. and the width of the building is 80 ft. deep.

Andy Goodall stated the ordinance states that 50% of the front has to be glass. Vagn Hansen stated that 25% of the service area which is linear feet has to be glass, so there are two different standards. The entire building will be brick. The building will sit on the lot sideways with parking on the side and in the rear of the building. There will be a 20 foot buffer around the building.

Board member Whit Moose Jr. wanted to know if he was leaving town would he be able to see the loading dock. Andy Goodall of Benchmark stated no, probably all you would see is trees.

After a few more questions and answers, Chairman Murdock wanted to know if there were any questions for Christy Wilhelm, Town Attorney.

Chairman Murdock asked if it was permissible to have a conversation with members of a case outside of the meeting. Christy Wilhelm stated it is frowned upon. Don't seek it out. If they seek you out it does not disqualify you from voting. Chairman Murdock wanted to know why you should not have a conversation with them. Christy Wilhelm stated you must separate yourself from the outside and you need to be free from any outside corruption when you come into the meeting. Do not seek out any information, it will come to you any way because your phone number is in the book and your email is on the website so you are going to hear it.

Chairman Murdock asked about the Board of Adjustment. Christy Wilhelm stated the Board of Adjustments was stricter, because you are going to be acting as a judge. On the Board of Adjustments do not seek out any information. That is grounds for disqualifications.

#### Staff Report:

Andy Goodall of Benchmark stated he would like to say thanks to Vagn Hansen also of Benchmark for presenting the Text Amendments to the Town Board of Commissioners. Andy Goodall stated that all of the Text Amendments have been approved by the council.

#### Zoning Permit:

Andy Goodall stated there was one Zoning Permit number 2013-06, accessory structure at 8650 North Drive in the month of May 2013.

#### Mount Pleasant Road North Code Enforcement Update

Staff received a complaint in February about the operation of a commercial logging business being operated from a residentially zoned lot on Mount Pleasant Road North. The use is not allowed in the zoning district where the property is located. Staff noticed that approximately 50% of the lot had been graveled for parking heavy equipment. Staff was made aware in late April that the owner of the operation was again using the site for commercial purposes. After sending out a Final Notice of Violation and speaking with the owner of the operation, the violation was resolved and the parking lot was returned to grass and trees. The case was officially closed on May 14, 2013.

#### 2013-ZTA-01

A courtesy hearing was held at the April Planning Board meeting to address the absence of side-street setbacks in the UDO. The Planning Board voted unanimously to recommend approval of the staff recommended text amendments.

#### **2013-REZ-01**

**Mr. Flint McDonald requested to have 2 parcels on Lee Street rezoned from RM-1 to RV-CD to allow the construction of 5 single-family dwellings. The rezoning was approved with a vote of 5-0.**

#### **2013-REZ-02**

**Premier Builders and Development Company LLC requested to have 2 parcels on Highway NC 73 East rezoned from RL to C-2 to construct a Family Dollar store. The rezoning was approved with a vote of 5-0.**

#### **2013-SP-01**

**Premier Builders and Development Company LLC submitted the Site Plan and Building Elevations for the proposed Family Dollar store for review.**

#### **NC 49 Project**

**In May, the NCDOT Construction Progress report indicated the NC 49 project was nearly 67% complete.**

#### **Buffalo Creek Preserve Greenway Trail**

**The official public opening of the first segment of the Carolina Thread Trail was Saturday June 1<sup>st</sup>.**

#### **Farmers Market**

**The farmers market now has 12 vendors signed up. The Town has been actively working with vendors to publicize their attendance at the market through the Town's Facebook page and we have seen good results with that.**

#### **Floodplain Community Assistance Visit**

**Staff met with a representative of the NC Department of Crime Control and Public Safety's Floodplain Management Program for a scheduled Community Assistance Visit. It went very smooth and the initial findings from the State were that the Town was in full compliance with all State and Fema requirements to maintain participation in the National Flood Insurance Program.**

#### **Tough Mudder Event Coordination**

**Vagn Hansen of Benchmark reported on the Tough Mudder Event coming to Mt. Pleasant in early November. He stated the event would be held on the Foil Property**


in the area behind Town Hall. A site visit is anticipated by their representatives later in the summer. More details will be available later on.


**Agenda Change:**

Chairman Murdock stated the mayor had talked to him about changing the time of the Planning and Zoning meeting from 7:00 PM to 5:00 PM. Chairman Murdock asked the Board to think about this until the next meeting, because Steve Ashby was not at this meeting, and he would like to know everyone's feelings on this matter.

**Adjournment:**

With nothing else to come before the Planning Board, Chairman Murdock entertained a motion to adjourn. Board member Michael Steiner made a motion to adjourn. Board member Whit Moose Jr. seconded the motion with all members in favor. (5-0)

  
Chairman John Murdock III

  
Joy Eudy Clerk to Board

SEAL

