

Mount Pleasant

North Carolina

Founded in 1848

Planning & Zoning Board Meeting

Town Hall - 8590 Park Drive Mount Pleasant, NC

Monday, July 23, 2018

6:00 PM

1. Call to Order
2. Recognition of Quorum
3. Approval of Agenda
4. Approval of Minutes of Previous Meetings (June 25, 2018)
5. Public Comment Period
6. Planning and Zoning Board Cases

REZ 2018-03, SUB 2018-02 South Skyland Drive Residential Infill

Applicant requests annexation, rezoning, and major subdivision preliminary plat approval for 16 single-family residential lots on 4.33 acres

Location: Between South Skyland Drive and unbuilt portion of Abbott Street right-of-way

Cabarrus County Parcel Number: 5660-95-4083

Current Zoning: RL Residential Low Density (outside of current town limits) and RH Residential High Density (in current town limits)

Proposed Zoning: RH CZ Residential High Density Conditional Zoning

TA 2018-02 Crematories as an Accessory Use to Funeral Homes

Applicant requests text amendment for clarification on crematories as an accessory use to funeral homes and change the 100-foot required setback from the property line to any residential structure.

Affected Sections of the UDO: Table 4.6-1, Section 5.9, Appendix A

7. Board of Adjustment Cases
None
8. Other
9. Reports
 - Planning Report for July 2018
10. Planning and Zoning Board Comment Period
11. Adjourn

8590 Park Drive : P.O. Box 787 : Mount Pleasant, North Carolina 28124 : tel. 704.436.9803 : fax 704.436.2921

Mount Pleasant

North Carolina

Founded in 1848

TOWN OF MOUNT PLEASANT, NORTH CAROLINA
Planning and Zoning Board Meeting
July 23, 2018

Members Present: John Murdock, Chair; Whit Moose, Vice Chairman; Mike Steiner, Shirley Freeman, Jeff Helmintoller, Rick Burleyson; Alternate

Members Absent: None

Staff Present: Erin Burris, Town Planner; Jennifer Blake, Clerk to Planning Board; John Scarbrough, Town Attorney.

Call to Order: Chairman Murdock called the Town of Mount Pleasant Planning and Zoning Board meeting to order at 6:00 pm.

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

Approval of Minutes: Chairman Murdock entertained a motion to approve the June 25, 2018 minutes with changes that Mike Steiner was absent and John Murdock "called a motion" instead of made a motion for the Conditional Use Permit. A motion was made subject to changes by Jeff Helmintoller with a second by Mike Steiner. All were in favor (4-0).

Approval of Agenda: Chairman Murdock entertained a motion to approve the Agenda. Motion was made by Whit Moose and second was made by Jeff Helmintoller. All members (4-0) were in favor.

Public Comment: No public comment.

Planning and Zoning Board Cases:

REZ 2018-03, SUB 2018-02 South Skyland Drive Residential Infill

Applicant requests annexation, rezoning, and major subdivision preliminary plat approval for 16 single-family residential lots on 4.33 acres

Location: Between South Skyland Drive and unbuilt portion of Abbott Street right-of-way Cabarrus County Parcel Number: 5660-95-4083

Current Zoning: RL Residential Low Density (outside of current town limits) and RH Residential

High Density (in current town limits)

Proposed Zoning: RH CZ Residential High Density Conditional Zoning

Town Attorney, John Scarbrough stated that part of the case was Quasi-judicial therefore; Erin Burris and the applicant, Todd Key was sworn in by the Town Clerk to request for exceptions to Subdivision Standards.

Erin Burris began by reviewing the Background and Zoning Criteria. Mrs. Burris added to the Road Capacity section about DOT and the Developer working through how the lots will be taking access on South Skyland Drive. This may be where lots have shared

driveway access for every two lots, have shared driveway access amongst all fronts at one point, developer could lose one or two lots and have alley access behind the lots, or the owner could work something out with an adjacent property. DOT has to be satisfied and that may cause a few changes to the current site plan. Therefore, there needs to be flexibility with the access being satisfied. If there are significant changes to the access, the developer will have to come back with a new revised preliminary plat.

Erin Burriss continued reviewing Staff Comments. Mrs. Burriss asked us to delete number 3 (Provide driveway cuts for properties to South Skyland Drive and Abbott Street right-of-ways) on the conditions for Conditional Zoning District approval as it does not apply to this property. Also, in the next section of conditions for major subdivision preliminary plat approval Mrs. Burriss added that the Lot 12 showing .17 acres needs to be a minimum of 7500 square feet.

Todd Key, the applicant spoke and stated that Erin Burriss did a good job clarifying all the specifics, the exceptions, and the project at hand. Mr. Key believes it is a good project, it complements the community, and it fits within the plan of development. It also offers some improvement to the Mt. Pleasant area.

Jeff Helms stated that he likes the improved infrastructure in Mt. Pleasant and the upgrade to the water pipes, but what he doesn't like is that a lot depends on DOT and that can change everything. Todd Key replied the biggest issue is if DOT allows for shared drives and if so that is a simple adjustment. However, if DOT does not allow access from South Skyland Drive it creates interior roads that are cost prohibitive and change the plans. Also, Mr. Key said that if you look both north and south for a two half mile stretch of road that all driveways access the road directly. He wants to find out more about the specific regulation that requires one access to South Skyland Drive. It doesn't make sense in context of the surrounding area. Erin Burriss pointed out to DOT that every other lot on South Skyland Drive directly accesses Skyland Drive.

The main topic of concern among several Board members was trying to get sidewalks, curb, and guttering on South Skyland Drive. Todd Key said the main reason is the consistency of traffic flow and the roads that are already there do not have curb and guttering. for exception to stay consistent with what is already there and the cost implications. It was determined it will cost add 10 to 15% to his cost.

Whit asked if DOT does not allow the shared driveway access would Todd Key be willing to lose lots. Mr. Key said yes since it doesn't change the overall plan for 13-16 single family homes. Also, after talking to the adjoining neighbor, Mr. Sullivan there may be shared access at Sullivan Hills.

Erin emphasized that if DOT does not approve the two driveway access Mr. Key would have to come back to the Planning and Zoning Board with a revised Preliminary Plat. If DOT requires Mr. Key to go with interior roads, the sidewalks would be a different situation and Mr. Key could make his argument as to why sidewalk, curb and guttering are not be needed since it would not be connecting to other curb and guttering. However, if the shared driveway is approved there is plenty of room on Skyland Drive to add the sidewalks, curb and guttering.

Erin Burriss reviewed each section of the Procedures and Actions allowing for more questions and comments to the applicant.

Todd Key continued to state the reasons for the exception of not having sidewalks, curb and guttering. After many comments from the Board it was decided to set the standard for new developers coming to Mt. Pleasant to require sidewalks, curb and guttering when necessary. Also, there is an opportunity now for this to be start with him and wanted what is best for the Town.

John Murdock called a motion to close the public hearing.

Erin Burris reviewed each of the actions to begin voting.

1. Statement(s) of Consistency

"The proposed use of the subject property is consistent with the Medium Intensity land use classification in the Town of Mount Pleasant Comprehensive Plan in that the proposed density is between four to eight dwelling units an acre at 3.70 dwelling units per acre, water and sewer utilities are proposed for the site, and open space and sidewalks are provided. With the close proximity of existing utilities, the proposed development further meets the intent of the designation. The proposed development supports Land Use Strategy #3 that encourages preservation of open space. Also, proposed voluntary design standards for the development meet the intent of Community Character Strategy #2 so that building design will enhance and be compatible with surrounding development."

Whit Moose made a motion to approve to adopt proposed Consistency statement with the mortifications we just made with a second made by Mike Steiner. All were in favor (4-0).

2. Statement(s) of Reasonableness

Since a Conditional Zoning District is being requested, the Planning and Zoning Board must develop a statement of reasonableness.

"The proposed district and use are reasonable in that the 4.33 acre site will accommodate the proposed development of 16 lots, a density of 3.70 dwelling units per acre, with an average lot size of 0.20 acres. This is comparable to the zoning districts, density, and lot sizes in the vicinity of the proposed development."

A motion was made by Whit Moose to approve the Statement of Reasonableness with a second by Jeff Helmintoller. All were in favor (4-0).

3. Vote regarding proposed map amendment (rezoning):

A motion was made by Whit Moose to approve the proposed conditional map amendment with conditions and a second by Jeff Helmintoller. All were in favor (4-0).

4. Vote on the proposed exceptions for the Major Subdivision Preliminary Plat. The following shall be considered in the approval of the requested exceptions:

1. Allow completion of Abbott Street within the existing platted 40-foot right-of-way (platted in 1948). The minimum right-of-way required by the UDO is 50

feet.

A motion was made by Jeff Helmtoller to approve and a second was made by Whit Moose. All were in favor (4-0).

2. *Allow sidewalks, curb and gutter to not be built along the existing Abbott Street Right-of-way, as the right-of-way is existing and not required at the time of platting (1948). This is also consistent cross section of connecting Eagle Street.*

A motion was made by Jeff Helmtoller to approve and a second was made by Mike Steiner. All were in favor (4-0).

3. *Allow sidewalks, curb and gutter to not be built along South Skyland Drive (a state- maintained street). Sidewalk, curb and gutter were not installed along the South Skyland Drive frontage for Barringer's Trace apartments. Requiring it on this side of the road would be inconsistent.*

John Murdock called for a motion for approval but the motion died.

A motion to deny number 3 was made by Jeff Helmtoller with a second by Whit Moose. Approved (3-1).

4. *Permit two flag lots within the subdivision instead of the one permitted in Section 6.6.6. The existing pond on the property prevents full access to Lot #13, thus requiring flag access. The shape of the property necessitates flag access to Lot #1. Each flag lot accesses a different street, minimizing the effect of having two flag lots.*

A motion to approve was made by Whit Moose with a second by Jeff Helmtoller. All were in favor (4-0).

5. **Vote on one of the following actions for the proposed major subdivision preliminary plat:**

Whit Moose made a motion to approve with conditions and modified exceptions with a second by Jeff Helmtoller. All were in favor (4-0).

TA 2018-02 Crematories as an Accessory Use to Funeral Homes

Applicant requests text amendment for clarification on crematories as an accessory use to funeral homes and change the 100-foot required setback from the property line to any residential structure. **Affected Sections of the UDO:** Table 4.6-1, Section 5.9, Appendix A

Erin Burris presented the staff report. The Board proposed changing the structure setback to the minimum district setback of 15 feet and approved the changes to Appendix A.

A motion was made by Whit Moose to recommend approval with amendment changes made as discussed with a second by Jeff Helmtoller.

Monthly Permits:

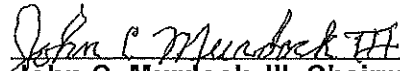
Erin Burriss reviewed the Permit Report as listed on the chart in the packet.

Board Comments:

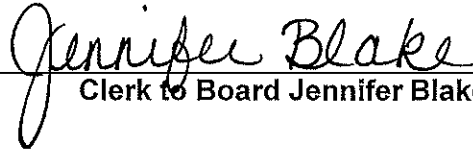
Jeff Hellmintoller asked about what the sheriff's report from the Pawn Shop recommended for the lights. Erin was not able to pull her email (storm took out internet) so she said what was reported was good and she could share more at the next meeting.

Adjournment:

With no further discussion, Chairman Murdock entertained a motion to adjourn. A motion was made by Mike Steiner with a second by Whit Moose. All members were in favor (4-0).



John C. Murdock, III, Chairman



Clerk to Board Jennifer Blake