
Mount Pleasant

North Carolina

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Planning Board and Zoning Board of Adjustment Meeting

Town Hall - 8590 Park Drive Mount Pleasant, NC

Monday May 13th, 2013

7:00 PM

1. **Call to Order**
2. **Recognition of Quorum**
3. **Approval of Minutes of Previous Meetings**
 - ✦ April 8th, 2013
4. **Approval of Agenda**
5. **Public Comment Period**
6. **Planning Board Cases**
 - ✦ 2013-REZ-01
Flint McDonald of McDonald Homes has submitted a request to have 1.89 acres located along the 8600 block of Lee Street rezoned from *RM-1* to *RV-CD* to allow the construction of five (5) single family residences.
 - ✦ 2013-REZ-02
Premier Builders & Development Company Inc. have submitted a request to have 1.52 acres located at 7590 & 7630 NC HWY 73 E rezoned from *RL* to *C-2*.
7. **Board of Adjustment Cases**
 - ✦ None
8. **New Business**
 - ✦ None
9. **Reports**
 - ✦ Planning Report for April 2013
10. **Planning Board Comment Period**
11. **Adjourn**

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**Town of Mount Pleasant
Planning and Zoning Meeting
May 13, 2013
7:00 PM**

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

Staff Present: Andy Goodall of Benchmark, Joy Eudy Clerk to Board.

Visitors Present: Robin Lepak, Joe Strickland with Premier Builders, Andrew Smith with Premier Builders, Flint McDonald with McDonald Homes, Beverly Deal, Kim Anderson.

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 the minutes of the April 8, 2013 meeting. Board Member Steve Ashby made a motion to approve the minutes as presented. Board Member Shirley Freeman seconded the motion with all members in favor. (5-0)

Approval of Agenda: Chairman Murdock entertained a motion to approve the agenda. Board Member Michael Steiner made a motion to approve the agenda as presented. Alternate Board Member Margaret Strickland seconded the motion with all members in favor. (5-0)

Public Comment Period:

Chairman Murdock stated we had moved the agenda around a little and this gives us the opportunity to give anyone a chance to speak on any subject you want to. Chairman Murdock asked that no one speak on the Planning Board Cases until later.

No one spoke during this comment period.

Planning Board Cases:
Public Hearing 2013-REZ-01

Chairman Murdock stated we have before us 2013-REZ-01. Flint McDonald is asking that this property located on the 8600 block of Lee Street be rezoned from (RM-1 to RV-CD)

RM-1 is (Residential Medium Density), and RV-CD is (Residential Village Conditional District). Mr. McDonald is requesting a Proposed Use (Conditional) that would allow him to build 5 single family dwellings on the property. The RV-CD would allow Mr. McDonald to build 7 dwellings on the property but with the Conditional Use he is requesting he can only build 5 single family dwellings.

Chairman Murdock stated the Public Hearing was now open.

Andy Goodall of Benchmark stated Mr. McDonald owns 1.89 acres of land on Lee Street where the sub-station is located. The property is zoned RM-1 which allows 4 houses to be build on the property. Mr. McDonald is requesting the property be zoned RV-CD and this will allow him to build 5 houses on the property.

Andy Goodall stated the land has access to both public water and sewer. Andy Goodall stated the request is consistent with the Town Residential land use classification and it primary goal is to enhance existing residential neighborhoods and facilitate compatible infill development on undeveloped properties at similar densities and intensities as surrounding development.

Andy Goodall stated the request is also consistent with surrounding zoning districts, as it would adjoin an existing RV zoning district to the north. This request would limit the development type to single-family dwellings (same as existing neighborhood) at a density that is similar to what is allowed under the current zoning (five lots as compared to four).

Staff recommends approval of the request with the following conditions:

The subject parcels be subdivided into no more that 5 total parcels.

Development type limited to single-family dwellings only.

Andy Goodall stated that Notices of the Public Hearing had been mailed to the Independent Tribune to be published on Friday May 3rd and Friday May 10th 2013. Andy Goodall also mailed notices to property owners and adjoining owners on Friday May 3rd and posted signs on properties on Friday May 3rd.

Chairman Murdock asked if anyone would like to speak for this Zoning Request. No one spoke for the request. Chairman Murdock asked if anyone would like to speak against this request.

Kim Anderson stated that she opposes this request. Kim stated she owns the adjacent lot next to the property that is to be developed and has lived there for over

twenty five years. She stated she choose that lot because she never thought anyone would build in front of a power sub-station. She stated she moved to Mt. Pleasant because it was a small and quiet town. She stated building 5 houses right behind her and the traffic congestion would affect her quality of life. Kim Anderson stated she did not begrudge Mr. McDonald for wanting to make a return on his investment, but stated that the property was 2 lots and she felt 2 houses would be appropriate. Kim Anderson stated the lot size that Andy Goodall from Benchmark stated earlier was not totally correct.

Chairman Murdock stated he thought there was a misunderstanding and he would like to try to explain it to Kim. Chairman Murdock stated that Andy Goodall was referring to existing lots with homes on them to the north and they were the ones with .2 of an acre to .75 acre lots. The lots south, east and west of the property consist of single-family dwellings on .5 acre to 1 acre lots.

Kim Anderson stated that was not entirely true either, because her neighbor's lot was bigger than her and he has almost 2 acres of land.

Chairman Murdock asked if anyone else would like to speak against this request. No one else spoke and Chairman Murdock turned the meeting back to Andy Goodall of Benchmark.

Andy Goodall of Benchmark stated he was referring to tracts of land that is zoned RV. He stated by looking at the map you can see that they are considerably smaller than the tracts that are zoned RM-1.

Flint McDonald came and spoke. Mr. McDonald stated he was not a tract builder but a small home builder. He stated he had a layout of the homes on Lee Street, Barringer Street and Washington Street and had done a study of these homes.

Some were made of brick, some of siding and some of wood, some with outbuildings and others had carports or garages. Prices of these home today would be somewhere around one hundred six thousand dollars. Mr. McDonald stated the homes he would build would be between 120,000.00 to 140,000.00 dollars and at these prices it will not bring down the value of the surrounding homes.

With no one else speaking, Chairman Murdock stated to the Board in order to approve the request the Board needed to develop and adopt a Statement of Consistency, and develop and adopt a Statement of Reasonableness.

Chairman Murdock entertained a motion to adopt the Zoning Request along with a Statement of Consistency.

Board Member Michael Steiner made a motion to adopt the rezoning request, along with a Statement of Consistency. He stated the rezoning request is consistent with the Town Residential Land Use Classifications and its goal to enhance existing residential neighborhood and facilitate infield development within the Town Limits. 2. the rezoning request is consistent with surrounding zoning districts, RV zoning to the north and RM-1 to the east, west and south.

3. The rezoning request is consistent with the existing neighborhood which has single family dwellings and the conditional use restricts proposed development to single family dwellings.

Board Member Shirley Freeman seconded the motion with all members in favor. (5-0)

Chairman Murdock entertained a motion to adopt a Statement of Reasonableness. Board Member Steve Ashby made a motion to adopt a Statement of Reasonableness. He stated the rezoning request is reasonable because the surrounding neighborhood is single family dwellings and the conditional rezoning would limit any development to single family dwellings.

2. The rezoning request is reasonable because it is consistent with the Town Residential Land Use Classifications and its goal to enhance existing residential neighborhood and facilitate infield development within the Town Limits.

3. The approximate proposed lot widths, 70 to 77 feet will exceed the minimum lots widths required by the RV zoning and approaching the widths required by the RM-1 zoning.

Board Member Margaret Strickland seconded the motion with all members in favor. (5-0)

Chairman Murdock made a motion to approve the Rezoning Request with Conditions as stated. Board Member Steve Ashby seconded the motion with all members in favor. (5-0)

Public Hearing 2013 – REZ-02 (RL to C-2)

Chairman Murdock stated Premier Builders & Development Company has submitted a request to have 1.52 acres located at 7590 and 7630 NC HWY 73 E rezoned from RL to C-2.

Chairman Murdock opened the Public Hearing and asked if anyone had anything they would like to say.

Andy Goodall of Benchmark came and stated there are 2 maps in your packets and the first map is the only map with water and sewer lines on it. The second map is a little different.

Both of these parcels of land are within the Commercial classification area on the Land Use Map. The purpose of this land use classification is to facilitate the development and redevelopment of community-oriented retail and service uses in these areas, with a focus on more intensive auto-oriented, transient commercial uses focused around the N. Main Street / NC 49 intersection and NC 49 / 73 interchange and less intensive uses along the Franklin Street corridor commercial areas.

The areas to the north, south and east of the parcels are primarily zoned RL and consist of single-family dwellings on lots that range from one-half acre to five acres in size. To the west of the property are several properties that are zoned RL and the Food Lion Shopping Center, which is zoned C-2.

The subject parcels were annexed into the town limits in 2012 and currently have access to public water. There is a forced sewer line that runs along this length of NC 73, but due to the technical complexity of the connection and the perpetual maintenance to ensure proper function, the option of connecting to this line has been ruled out by the Town.

The closest gravity sewer line connection is located at the Food Lion Shopping Center and would require over 800 feet of new line to be installed to connect to. Currently there is a septic system on the property that could be used for the proposed commercial establishment, but would severely limit the developer's ability to construct a second commercial establishment at this location.

Andy Goodall stated the request is consistent with the Commercial land use classification and its primary goal to facilitate the development and redevelopment of community-oriented retail and service uses, with a focus on more intensive auto-oriented, transient commercial uses focused around the NC 49 / 73 interchange. Andy Goodall stated the request is reasonable, in the fact that it is compatible with the adopted land use map and classifications and that screening and buffering requirements should negate any negative impact new commercial development would have on adjacent residential properties.

This request is not a conditional rezoning, therefore all allowable uses in the C-2 district should be evaluated when making a decision.

Chairman Murdock made a motion for Board Member Margaret Strickland to recuse herself from the Board, due to an interest of conflict. Board member Steve Ashby seconded the motion with all members in favor. 4-0)

Chairman Murdock asked if anyone would like to speak for the rezoning request. Joe Strickland of Premier Builders came forth and stated his name and what company he worked with and stated they would be relocating the Family Dollar Store to this location.

Chairman Murdock asked Joe Strickland if he thought there would be enough room for parking. Mr. Strickland said yes, they normally buy less land than this amount to relocate a store.

Lori Love came and spoke and said she works for RE-Max and she is the listing agent on the property and she is at the meeting on behalf of the Deal Family (Mike and Roger) sellers of the property. This property was annexed in the Town a couple of years ago and we feel it will be a good investment for a commercial business.

Chairman Murdock asked if anyone would like to speak in opposition of the rezoning.

Robin Lepak came forward and stated her name and address. She said she was not completely against the rezoning. Robin Lepak stated she has 2 teenage daughters and she would like to have some privacy for herself and her daughters. She asked if they might be able to put up a privacy fence.

Chairman Murdock stated that something might be worked out with the Builders of the new store.

With no one else to speak Chairman Murdock closed the Public Hearing. Chairman Murdock entertained a motion to adopt a statement of consistency.

Board Member Steve Ashby stated he feels the rezoning request is consistent with the Commercial Land Use Classifications and its primary goal to facilitate the development and redevelopment of community-oriented retail and service uses, with a focus on more intense auto-oriented, transient commercial uses focus all around the NC49 / 73 interchange. The rezoning is consistent with an area of significant size zoned C-2, Food Lion Grocery Store.

Board Member Steve Ashby made a motion to adopt the Statement of Consistency. Board Member Shirley Freeman seconded the motion with all members in favor. (4-0)

Chairman Murdock entertained a motion to adopt a Statement of Reasonableness. Board Member Michael Steiner stated the rezoning request is reasonable because the proposed rezoning is compatible with the adopted Land Use Map and Classifications which designate commercial areas along W. Franklin Street. The intent of the Land Use Map and Classifications is to facilitate the development and redevelopment of community-oriented, transient commercial uses.

2 The rezoning request is reasonable because screening and buffering requirements should negate any negative impact new retail development may have on the adjacent residential properties. Board Member Shirley Freeman seconded the motion with all members in favor. (4-0)

Chairman Murdock entertained a motion and made a motion to approve the rezoning request as stated. Board Member Steve Ashby seconded the motion with all members in favor. (4-0)

Staff Report:

Andy Goodall of Benchmark gave the staff report. Andy Goodall gave an updated on the logging business being operated from a residentially zoned lot on Mount Pleasant Road North. After sending out a Final Notice of Violation and speaking with the owner of the operation, the violation was resolved and the agreed upon portion of the parking area was returned to grass and trees. The case was officially closed 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 (5-0) to recommend approval of the staff recommended text amendments.

2013-REZ-01

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

2013-REZ-02

Premier Builders and Development Company LLC requested to have 2 parcels of land on Highway 73 East rezoned from RL to C-2 to construct a Family Dollar store. The rezoning was approved with a unanimous vote. (4-0)

2013-SP-01

Premier Builders and Development Company LLC submitted the Site Plan and Building Elevation for the proposed Family Dollar store on NC 73 E. Staff anticipates presenting the plans to the Planning Board at their June meeting.

NC 49 Project

In May the NCDOT Construction Progress report indicated that the NC 49 project was nearly 67% complete. The project remains on schedule for completion in June of 2014.

Buffalo Creek Preserve Greenway Trail

The official public opening of the first segment of the Carolina Thread Trail at Buffalo Creek Preserve was on Saturday June 1st. The trail and parking area, which was partially funded by the Town is now ready for use.

Farmers Market

The farmers market now has 12 vendors signed up. Several vendors attend on a regular base. 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. The CAV went very smoothly, 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

Staff held a conference call with representatives of the Tough Mudder event that will be held in Mount Pleasant in early November. A site visit is anticipated by their representatives later in the summer. More details will be provided at the Board meeting.

Adjournment:

**With nothing else to come before the Board, Chairman Murdock entertained a motion to adjourn. Board Member Michael Steiner made a motion to adjourn. Board Member Shirley Freeman seconded the motion with all members in favor.
(5-0)**


Chairman John Murdock III


Clerk to Board Joy Eudy

SEAL