

# Mount Pleasant

North Carolina

*Founded in 1848*

**TOWN OF MOUNT PLEASANT, NORTH CAROLINA**  
**Planning and Zoning Board Meeting Minutes**  
**January 25, 2021**

**Members Present:**

Chairman - Whit Moose  
Vice-Chairman - Mike Steiner  
Member - Bridget Fowler  
Member - Shirley Freeman  
Member - Rick Burleyson  
Alternate – Warren Love  
P&Z Clerk to the Board - Jennifer Blake  
Planning & Economic Development Director - Erin Burris

**Also Attending:** Town Attorney John Scarbrough, Developers Clinton and Emmitt Black, Builder William Niblock, Ken Foster, and Mitch Latham.

**Call to Order:** Chairman Whit Moose called the Town of Mount Pleasant Planning and Zoning Board meeting to order at 6:02 pm.

**Recognition of Quorum:** Chairman Whit Moose stated a quorum was present.

**Swearing in of Reappointed Members:** Clerk to the Board, Jennifer Blake administered the Oath of Office to reappointed members, Mike Steiner, and Shirley Freeman. The Board members repeated the Oath of Office. The term for both Board members is from July 1, 2020 until June 30, 2023.

**Conflict of Interest:**

The Chairman and Board Members are asked at this time to reveal if they have a Conflict of Interest with any item on the Agenda in order to be excused for that item. (No member shall be excused from voting except upon matters involving the consideration of the member's own financial interest or official conduct or on matters on which the member is prohibited from voting under G.S. 14-234, 160A-381(d), or 160A-388(e)(2). NC State Statute 160A-75).

Town Attorney, John Scarbrough disclosed that he has previously represented Niblock Homes in other matters, but not for this matter.

**Approval of Agenda:** Chairman Whit Moose made a motion to approve the agenda. Mike Steiner made a motion to approve the agenda with a second by Bridget Fowler. All were in favor. (5-0)

**Approval of Minutes of Previous Meeting:** Chairman Whit Moose entertained a motion to approve the minutes for December 7, 2020. A motion to approve the previous minutes was made by Rick Burleyson with a second by Mike Steiner. All members were in favor (5-0).

**Public Comment:** None

## **Planning and Zoning Board Cases:**

### **SUB 2020-03 Brighton Park**

The applicant requests approval of a Major Subdivision Preliminary Plat that includes 179 single-family residential lots as well as a recreational amenity center with a pool and clubhouse.

Location: Southwest corner of NC Highway 73 and NC Highway 49 including 7000, 7110, 7130, 7150 NC Highway 73 E. Cabarrus County Parcel Numbers 5560-56-4096, 6785, 8647, 9681.

Current Zoning: RM. Area: 86.77 acres.

Erin Burris reviewed the background, public facility capacity, zoning and subdivision criteria, and procedures and actions.

Mrs. Burris provided the Board with an updated Future Land Use Map showing the Brighton Park property as medium intensity.

*A copy of the packet is in the minute book*

### **Questions opened for Erin Burris to answer.**

Erin Burris answered Whit Moose's question about sidewalks on Highway 73 and Highway 49. Mrs. Burris stated that the proposed interior street cross section meets the ordinance. They have a 50-foot right of way, 5-foot sidewalks on both sides with a buffer strip from the back of the curb to the sidewalk, a requested 5-foot utility easement behind the sidewalks. She also mentioned Condition #2 for requirement of Adopted Cabarrus-Rowan Metropolitan Planning Organization (MPO) Comprehensive Transportation Plan (CTP) shows 4E cross section with multi-use path along Highway 73.

Mrs. Burris answered Mike Steiner's question about not having an entrance on Highway 49. The property owners did get permission from NCDOT back around 2009 to have a right-in and a right-out access point, but the developer chose not to utilize that option.

Also, Mrs. Burris answered Warren Love's question about having changes to have an entrance on Highway 49 later. Mrs. Burris shared that once you approve a preliminary plat, the developer cannot add lots or significantly change the layout once it has been approved.

Mrs. Burris answered Rick Burleyson's question regarding the sewer for the development being with the new Empire Drive pump station. Mrs. Burris said there is going to be a gravity sewer line that bores under Highway 49 and connects to the new Empire Drive pump station. This is going to retire the Food Lion pump station and Meadowbrook pump station, as well as relieve pressure from the Summer Street pump station. The Town currently has the sewer easement, a driveway access from Empire Drive, and pump station site secured. The pump station is currently being engineered for installation after USDA financing is approved.

Mrs. Burris said that the timing will have to work out properly and the Town will work closely with the developer. The Town Attorney can work on developing an agreement about the line size and timing to make sure the Town and developer are aware of the expectations on that.

Mrs. Burris answered Whit Moose about the 3 lots to the East on Highway 73 just over the bridge. The 3 lots are in the high intensity designation and are owned by the same person. There is one house on the property to the left (closest to development) and the other 2 spaces are vacant. The property owner is aware of the development and is still occupying the home.

Mrs. Burris let the developers answer Rick Burleyson's question about how the phases will be built - front to back or back to front. One of the developers with Niblock answered it would be built front to back starting at Highway 73 and both entrances would be built in the first phase.

Mrs. Burris answered Warren Love about having data for how it effects the Fire Department and EMT. She provides plans to the Fire Chief, Fire Marshall, and Emergency Management about the development. Mrs. Burris said she received an e-mail back with no comment on impact and they had no issues.

Mrs. Burris did not include the Sheriff's department in the letter because they are not listed as part of the Technical Review Committee in the ordinance, but she include the Sheriff's department to be added as part of the Technical Review Committee in the future. She can also show the plans to the Sheriff's department before the Construction Drawings are completed.

Mrs. Burris answered Warren Love about the school capacity accounting for planned development in their numbers. The schools are keeping track of students by receiving preliminary plats that tell them how many units they are dealing with.

**Whit Moose opened the discussion from the Developers**

William Niblock of Niblock Homes  
Poplar Tent Road  
Concord, NC 28027

He has been building homes and developing property for over 40 years. He has built around 2,500 to 3,000 in Cabarrus County. He has known the Black brothers for many years and thought this would be a wonderful partnership to build nice homes in Mount Pleasant. The property has great topography and good road access. Mr. Niblock said he would be timing their efforts based on the completion of the sewer pump station. This project would be like the size and scope to a neighborhood down the road at Bedford Farms on Heglar Road below the Buffalo Farm property.

The phases will be determined by the sewer work and where the entrances go. If a developer puts in more than 30 lots, two access points are required for fire protection. The first phase may take longer because of all the upfront costs with sewer lines and putting in both entrances. The next phases may depend on what is logical with the road layout and how the sewer line serves the individual area. He wants to build something that he and the Town would be proud of and is happy to be a part of this process.

Mr. Niblock answered the following questions from Board members:

Mr. Niblock confirmed that they did not want an entrance at Highway 49 and that the two (2) entrances on Highway 73 would be sufficient with all the road improvements.

Mr. Niblock did say there would be a HOA to maintain the entrance ways, open space, and the pool. He guessed the HOA's would run about \$650 per year. The builder would hand off the HOA to be handled by an attorney to come up with rules and fees.

Mr. Niblock said the name for the development, Brighton Park was picked by his marketing team to make sure the name is not like surrounding areas and they liked the name. The street names had to be picked with several options for approval by Cabarrus County E-911 addressing.

Mr. Niblock stated that he could have up to 8 to 12 floor plans. He tries to allow for customized plans as much as possible but may start with around 8 pre-priced plans and add the customized as they are needed.

Mr. Niblock addressed concerns about cars parking on the sidewalks and on the street. They can put HOA covenants in place and there are certain things they can do control and some things they cannot control. If a car is in the Town's right-of-way someone could call the Sheriff, but he would try to add to the parking and to restrict as much of that as they are allowed.

Also, Mr. Niblock said that he planned on completing all phases of the neighborhood. He will have conditions that are guidelines that go with the land and you cannot change those. The infrastructure alone will be around \$50 – \$60,000 a lot and the houses would need to be a higher price point to justify this expense. He has been doing this for 40 years and it is his intent to try to build all the phases.

A **motion** was made by Mike Steiner to approve the preliminary plat with conditions to meet the minimum standards of the Development Ordinance as outlined by staff including the following:

1. Coordinate infrastructure sizing, timing, and location with Town of Mount Pleasant.
2. Adopted Cabarrus-Rowan Metropolitan Planning Organization (MPO) Comprehensive Transportation Plan (CTP) shows 4E cross section with multi-use path (110'-125'). Provide minimum 10' multi-use path along NC Highway 73 frontage.
3. All open space shall be classified in accordance with Section 6.5.7.
4. Pool/Recreational Amenity Center will have to be submitted as a separate site plan.
5. Since the street right-of-way is only 50 feet wide, each lot shall have a minimum of three on-site parking spaces. Parking pads shall be a minimum of 25' feet deep and each parking space shall be a minimum of 9' x 18'.
6. Provide minimum 40' Type C Buffer along Highway 73 and 49 frontages.
7. Section 7.7 requires a minimum of one street tree per 100 feet along new streets. The Town prefers that these trees be in yards as opposed to the planting strip. Add note that a canopy tree will be planted in each front yard of each property. A planting plan can be provided with construction drawings.
8. Provide a 5' utility easement on the backside of the street right-of-way.
9. Due to size of development, traffic calming measures including three-way and four-way stops will be required within the development. Traffic calming measures can be addressed on construction drawings.
10. Fire flow tests must be performed prior to Construction Drawing approval. Fire flow is anticipated to be improved with water line improvements along Highway 49 currently under design.

11. The project will disturb more than one acre. A Phase II stormwater permit from NCDEQ will be required for the site development. The party that will maintain the stormwater structures also needs to be established (i.e. homeowners association). All local, state, or federal environmental regulations shall be followed.
12. Development shall demonstrate compliance with NC Fire Code during Construction Drawing review.
13. Meet NCDOT standards for driveway permits.

A second was made by Rick Burleyson. All were in favor (5-0)

**Board of Adjustment Cases:** None

### **Reports**

Mrs. Burris reviewed the cases and permits for January 2021.

*A copy of the reports is included in the minute book.*

Mrs. Burris reviewed the Comprehensive Plan and Transportation updates.

Rick Burleyson asked a question about the Washington Street sidewalk if the sidewalks would be on the same side or flip to the other side.

Erin Burris stated that the sidewalks would flip to the other side since the Town owns property where additional right-of-way would be needed. She stated it may not score well since it is not a major street, but it is the only sidewalk she can do that may have a chance with doing all the improvements around the Town Hall property.

Bridget Fowler asked about what happened to the Townhomes on South Skyland Drive. Erin Burris stated that she touched base with the landowner a while back. They wanted to have another site to do more Townhomes at the same time. It is hard to build 16 when they want to build at least 30 Townhomes to make it cost effective. Finding other property to develop at the same time has not happened yet. Mrs. Burris said they can build anytime because they have all their approvals but not sure when that will be.

Bridget Fowler asked about the construction of the new pump station and if it affects Skyland Drive. Erin Burris said that Skyland Drive goes to the Summer Street pump station and is at full capacity. The Town will replace the Summer Street pump station soon because every time it rains heavy, there is an issue. However, with this new Empire Drive pump station they are going to reroute the townhomes/apartments sewage to this pump station and take more pressure off Summer Street. It will open up the capacity, but it still needs to be replaced.

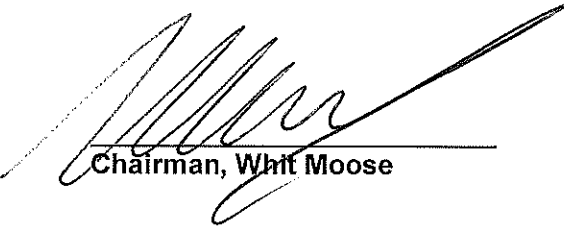
Whit Moose asked to clarify the mural ordinance. Erin Burris stated that if a building is in a National Registered District and it is a contributing structure, and the brick has not already painted, then you could not do a mural. But the Old Barringer Motors building has already been painted white, so a mural can be put on it.

Erin Burris responded to Bridget Fowler on the Town of Mount Pleasant participating in the Chamber of Commerce's effort to pass out blue lights out for police officers. Mrs. Burris said she could mention it to Town Manager to bring up to the Town Board.

*A copy of the Transportation and Comprehensive Plan Implementation is included in the Minute Book.*

**Adjournment:**

With no further discussion, Chairman Whit Moose entertained a motion to adjourn. A motion was made by Bridget Fowler with a second by Whit Moose. All members were in favor (5-0).



Chairman, Whit Moose



Clerk to Board Jennifer Blake