



Founded in 1848

Troy W. Barnhardt  
Mayor

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**Town of Mt. Pleasant  
Planning & Zoning Meeting  
December 14, 2009  
7:00 P.M.**

**Members Present:** James Senecal, Whit Moose, Jr., Penny Suggs.  
Shirley Freeman, Alternate Margaret Strickland.

**Staff Present:** Town Administrator Adrian Cox, Benchmark Planner  
Vagn Hansen, Chairman John Murdock, Clerk to  
Board Joy Eudy

**Call to Order:**

Chairman Murdock called the meeting to order.

**Quorum:**

Chairman Murdock stated a full quorum was present.

**Approval of Agenda:**

Chairman Murdock asked if there were any changes to be made to the agenda. With no changes to make Chairman Murdock entertained a motion to accept the agenda as presented. Board member Penny Suggs made a motion to accept the agenda as presented. Board member Whit Moose, Jr. seconded the motion with all members in favor 5-0.

**Approval of Minutes:**

Chairman Murdock asked if any changes needed to be made to the minutes of the November 9, 2009 meeting. With no changes made, Chairman Murdock entertained a motion to accept the minutes as presented. Board member Penny Suggs made a motion to accept the minutes as presented. Board member James Senecal seconded the motion with all members in favor 5-0.

There were no cases to come before the Board of Adjustments or the Planning & Zoning Board. At this time Chairman Murdock turn the meeting over to Vagn Hansen of Benchmark to give his report. Vagn Hansen stated he had sent a letter of map revision to FEMA to alter the 100 year floodplain at 2835 Alish Trail in the Oldenburg neighborhood along Dutch Buffalo Creek to allow for the future

construction of an accessory dwelling unit on the property. Vagn Hansen of Benchmark also stated the Planning Board unanimously recommended the approval of a Text Amendment to Article 6 of the UDO to limit the number of lots that are allowed to be approved administratively through the minor subdivision process to 5 lots. He stated there was 1 Code Violation at 8145 W Franklin Street.

#### **Thoroughfare Overlay District Discussion:**

**This item was up for discussion only and no action needed to be taken.**

**The Planning Staff has been examining the provisions and application of the Thoroughfare Overlay District (TOD) in light of some concerns about inconsistencies, or unneeded duplication, in the UDO and concern about whether or not the TOD was properly established.**

- 1. The first item of concern is the location of the Thoroughfare Overlay District as a standalone Article in the UDO despite the fact that the remainder of the overlay districts in the UDO are located in Article 4, where there are established. It is recommended that all zoning districts be located in one Article of the UDO.**
- 2. The landscaping standards in Section 15.1.6 are somewhat ambiguous, while these standards do call for a larger number of trees than the Street Yard standards in Section 7.7. they seem to allow trees that are under the minimum size limit at the time of planting. Additionally, the requirement for the installation of "low level shrubs, decorative trees, etc..." is not easily enforceable in its current form since it does not establish any firm requirements, in term of the number of those additional plantings that are required and this could cause confusion in the application of these requirements given that one is more strict in one manner and the other is more strict in another. It is recommended that at a minimum a firm set of standards be established.**
- 3. The minimum separation standards in Section 15.1.8 for driveways located near intersections with thoroughfares conflict with the standards in Table 10.1-2. The standards in Table 10.-2 are twice as stringent as the requirements in Section 15.1.8. If presented with an application that showed a 125 foot separation where there is an adequate amount of frontage to accommodate the 250 distance, the application would have to be denied, despite the standards of the overlay district that purport to allow the smaller separation. It is recommended that at a minimum the TOD driveway separation standards be rectified with the street improvement standards in Article10**
- 4. The TOD has not been established on the Town's zoning map, which is a requirement for each zoning district in use in a jurisdiction. Attempting to impose the standards of the TOD without it being shown on the map would likely present significant problems if it was challenged. To amend the zoning map to establish the district would not be difficult, but would require some**

choices to be made on the geographic extent of the district. This would eliminate the need to go through the time, expense and, potential difficulty of a zoning map amendment hearing process.

5. In general, the standards of the TOD are not necessarily in character with the full length of the thoroughfare corridors in Mt. Pleasant. These standards are appropriate for some areas and not others. The Town would not necessarily be the most appropriate place to require a business to install suburban type landscaping or comply with other standards meant for highways.
6. It appears that the primary purpose of the Thoroughfare Overlay District was to ensure the preservation of right-of-way, the management of access, and the enhancement of the appearance of the Town's primary roadways. Given the concerns that exist with the original establishment of the TOD in the Town's system of zoning districts, it may be more prudent to attempt to see whether it would be possible to address these issues.

Vagn Hansen of Benchmark stated that if directed by the board, staff can prepare potential amendments to deal with these issues for discussion at the following Planning Board meeting.

After some discussion, it was the consensus of the board to let Vagn Hansen of Benchmark incorporate the Thoroughfare Overlay District and bring back to the board for discussion.

#### **NC 73 Resurfacing Update and Downtown Parking Discussion:**

**This item is for discussion only. No action is required.**

Town Administrator Adrian Cox gave each Board member a paper with questions and answers that may help to understand about the project to repair Franklin Street and sidewalks that will be replaced.

There was a memo from the NCDOT discussing the process that will be used and the timeframe while NC 73 will be under various levels of construction during the spring of 2010. The greatest impact during construction will be the closure of E. Franklin Street from Main Street to Fifth-Third Bank. The sidewalks along Franklin Street will be replaced, and the contractor will be required to replace those within 5 days of beginning their removal. There will be pedestrian access provided by the contractor, either by the sidewalk or some other means.

Another major concern is the issue that a detour from NC 49 to Main Street to Franklin Street and vice-versa, brings with regards to light timing at the intersection of Franklin and Main. NCDOT decided that big trucks would be routed from NC 73 to US 52 instead of having them come through the light.

**STAFF REPORT:**

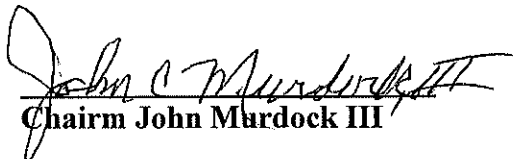
Vagn Hansen of Benchmark stated that the Town Board unanimously approved Text Amendment TA 2009-07 which established a maximum number of lots that will be allowed to be approved through the minor subdivision process. The approved amendment also limited the number of lots that could be divided from a parent parcel within a five year period using the minor subdivision process.


**CODE ENFORCEMENT REPORT:**

Vagn Hansen stated there was only 1 code violation and that was a violation at 8145 West Franklin Street.

**ADJOURNMENT:**

With no other business to come before the Planning Board Chairman Murdock entertained a motion to adjourn. Board member Penny Suggs made a motion to adjourn. Board member James Senecal seconded the motion with all board members in favor 5-0.

  
Chairman John Murdock III

  
Clerk to Board Joy Eudy