

# Mount Pleasant

North Carolina

*Founded in 1848*

## Planning Board and Zoning Board Meeting

Town Hall - 8590 Park Drive Mount Pleasant, NC

Monday, September 25, 2017

6:00 PM

1. **Call to Order**
2. **Recognition of Quorum**
3. **Approval of Minutes of Previous Meetings**
  - August 28, 2017
4. **Approval of Agenda**
5. **Public Comment Period**
6. **Planning and Zoning Board Cases**
  - **REZ 2017-01 Green Acres**  
Applicant, Green Acres Realty LLC, requests rezoning existing 14.88 acre manufactured home park to redevelop for 37 single-family residential homes. Location: NC Highway 73 at Sloop Arthur Drive and Green Acres Circle. Cabarrus County Parcel Number: 5651-70-6355. Current Zoning: RL Residential Low Density. Proposed Zoning: RM CZ Residential Medium Density Conditional Zoning
7. **Other**
8. **Reports**
  - Planning Report for August 2017
9. **Planning and Zoning Board Comment Period**
10. **Adjourn**

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## TOWN OF MOUNT PLEASANT, NORTH CAROLINA

### Planning and Zoning Board Meeting

September 25, 2017

**Members Present:** John Murdock, Chair; Whit Moose, Shirley Freeman, Mike Steiner, Rick Burleyson, Alternate

**Members Absent:** Jeff Helmtoller

**Members Late:** Whit Moose (due to work conflict)

**Staff Present:** Erin Burris, Town Planner; Crystal Smith, Jennifer Blake

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

**Recognition of Alternate as Voting Member:** Chairman Murdock recognized Rick Burleyson as full voting member due to Jeff Helmtoller's absence.

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

**Approval of Minutes:** Chairman Murdock entertained a motion to approve the August 28, 2017 minutes. Motion was made by Rick Burleyson to approve the minutes with second by Shirley Freeman. All members were in favor (4-0).

**Approval of Agenda:** Chairman Murdock entertained a motion to approve the Agenda. Motion was made by Mike Steiner and second was made by Rick Burleyson. All members (4-0) were in favor.

**Public Comment:** No public comment

### Planning and Zoning Board Cases:

#### ***REZ 2017-01 and SUB 2017-01 Green Acres***

*Applicant, Green Acres Realty LLC, requests rezoning existing 14.8 acre manufactured home park to redevelop for 37 single-family residential homes. Location: NC Highway 73 at Sloop Arthur Drive and Green Acres Circle. Cabarrus County Parcel Number: 56561-70-6355. Current Zoning: RL Residential Low Density. Proposed Zoning: RM CZ Residential Medium Density Conditional Zoning.*

Chairman Murdock opened the Public Hearing.

Erin Burris read the staff report regarding the proposed rezoning and major subdivision preliminary plat.

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

Applicant, Dan D'Errico, New Haven, CT. Mr. D'Errico stated he purchased the property 10 years ago. Currently the manufactured homes are on septic systems that are having multiple problems. Mr. D'Errico also stated he would need to install 6000 ft sewer lines. In order to recoup costs associated with installation of new line, he would need increase the number of homes from 29 to 37. Mr. D'Errico stated the smallest lot would be 1/4 acre, and the largest lot would be 1/2 acre with a minimum lot width of 75 feet. Homes being built are in line with similar homes within a 3 sq mile radius. The target price point would be approximately \$229,000 for 1,700 sq ft home. Mr. D'Errico also stated there would be open space in the development, and a Home Owner's Association would be required to maintain this area. He also said they will be using local businesses for construction.

Erin Burris commented this development is in the Town's limits, so they will receive water and sewer, garbage, recycle and bulk waste pick up, police and Town maintenance of the streets (Powell Bill.)

Whit Moose asked Mr. D'Errico and Erin Burris about the stream that runs on the property. It should not hinder construction any lots but the survey will give a true indication of location and required buffer width.

Chairman Murdock opened the floor for Public Comment:

**Daniel Lyon 5500 Hwy 73, Concord, NC, 28025** - Mr. Lyon asked about the sewer line. Erin Burris responded the sewer line already runs along side of the stream.

**April Drye, 108 Sloop Arthur Drive. Concord, NC 28025** - Ms. Drye asked the developer who would be buying her trailer and will they pay her moving costs. Question was referred, by Chairman Murdock, to the developer for their discussion after this meeting.

**Glenn Sellers, 133 Birnham Woods Drive, Concord NC 28025** - Mr. Sellers questioned the developer on the pictures of homes that were posted at the meeting. Mr. D'Errico stated he did not build the homes in the pictures, but the homes they intend to construct are comparable to homes of the same size in a 3 sq mile radius from property. Mr. Sellers did not think a home of this value and size could be built on a lot 75' wide. Mr. Sellers also questioned the homes being "single family." He expressed concerns of family living with family and hopes the standards will be kept high. Mr. D'Errico asked Mr. Sellers if he was an architect.

**Larry Miller, 5550 Hwy 73, Concord NC 28025** - Mr. Miller stated his property joined the developers property on an adjacent side. He asked for consideration to tap into the Towns sewer line. Erin Burris said the Town would look at the construction drawings and see if this is feasible. Mr. Miller would be responsible for tap fees, etc. Mr. Miller also said he could only support 29 houses on the plan and not 37. Mr. D'Errico said they needed to construct 37 homes to recoup costs from sewer line construction.

**Linda Miller, 5550 Hwy 73, Concord NC 28025** - Mrs. Miller spoke regarding to traffic concerns, road bank clean up and it currently being dangerous exiting the development. Her concern with more homes is the increase in vehicle danger. She would like to see a left turn lane coming from Concord.

**Michelle Lyon, 5500 Hwy 73, Concord NC 28025** - Mrs. Lyon expressed concerns of the number of homes, traffic, and for where those being displaced will go and the price of the homes. She isn't opposed to growth - but would like to see it in the right way.

**Tony Wiatrowski, 80 Green Acres Circle, Concord NC** - he asked where Mount Pleasant stopped and Concord started. He is new to the area and loves living in Mount Pleasant. Glad to see the area being cleaned up.

**Mike Starnes, 5601 Hwy 73, Concord NC 28025** - Mr. Starnes stated his mother lives in this area, and it is extremely dangerous. He is asking the Planning Board to consider instead of 37 homes maybe meet in the middle somewhere to help.

**Linda Miller, 5550 Hwy 73, Concord NC 28025** - Mrs. Miller spoke again about school capacity referring to an article in Sunday, September 24, 2017 Independent Tribune which stated Cabarrus County Schools were at maximum capacity. Erin Burris answered with a statement provided by Cabarrus County School that W M Irvin Elementary, Mount Pleasant Middle, and Mount Pleasant High School had room for growth as they are below 90% capacity. Mrs. Miller stated she would go back and check her source.

**Rebecca Sloop Miller, 84 Green Acres Circle, Concord NC** - Ms. Miller asked where the entrance would be since Sloop Arthur Drive is being closed. Erin Burris stated there would be two entrances to Green Acres Circle, which accesses Highway 73. She also stated that there would be a stub to the adjacent property to the west, if it was ever developed.

With no further public comment, Chairman Murdock closed the Public Hearing and referred to the Planning Board for discussion.

Whit Moose asked Mr. D'Errico how many different floor plans would be available. Mr. D'Errico stated there would be 4 plans. After discussion of number of plans and types of materials to be used, the Board stated they would like to see an "anti-monotony" condition added. It was also discussed upkeep of open space (which would be by the Homeowner's Association), if there would be playgrounds or other structures to which Mr. D'Errico stated he would prefer not to have a playground because of liability, but would prefer open space with more passive recreation. Rick Burleyson asked how many manufactured homes were still on the property. Mr. D'Errico stated that there are currently 15 manufactured homes are on the property out of 23 total spaces. Whit Moose asked on the limitations on the existing sewer system. Erin Burris stated that WSAAC provided a statement that there is capacity with an 8" line to the new Mount Pleasant Middle School and also sufficient capacity for the proposed development. Also several neighbors have stated they would like to tap on to the new sewer system if allowed.

Erin Burris also said we need to address in the Comprehensive Plan how land should or should not develop based on the development patterns in the Town of Mount Pleasant. We should take into consideration the available infrastructure, etc.

Erin Burris also stated under current zoning developers are required to meet the minimum standards of the UDO. Even if they were only going to put in the 29 homes that are currently allowed, the developer would still be responsible for curbs, streets and gutters, and open spaces, but the Town could not require

any building design standards due to change in North Carolina state law. The Board then discussed adding an "anti-monotony" condition to the proposed zoning stating no two floor plans on adjacent lots. The Board discussed adding a turn lane into the development. Ms. Burris stated that NCDOT gave a preliminary opinion that no turn lane was necessary for the small increase in traffic volume, but would study the sight distance upon submittal of construction drawings to see if a turn lane is necessary.

With no further discussion, Ms. Burris stated we would need 4 actions: Adopt a Statement of Consistency; Adopt a Statement of Reasonableness; Vote on one of the following actions for the rezoning (approve, approve with conditions as proposed by staff or different conditions, deny or defer); and then Vote on one of the following actions for the proposed major subdivision preliminary plat (approve, approve with conditions to meet minimum local, state and federal standards as proposed by staff or different conditions, deny, or defer).

**Chairman Murdock entertained a motion to adopt the following Statement of Consistency:**

*"The proposed use of the subject property is consistent with the Suburban Residential land use classification in the Cabarrus County Eastern Area Plan in that the proposed density is under four dwelling units an acre, water and sewer utilities are proposed for the site, and open space and sidewalks are provided. The conditions of this approval help to further the consistency with the Eastern Area Plan by requiring recessed garages and higher quality building design."*

Motion was made by Mike Steiner to accept the proposed Statement of Consistency with a second by Rick Burleyson. Vote was unanimous (5-0) by showing of right hands.

**Chairman Murdock entertained a motion to adopt the following Statement of Reasonableness:**

*"The proposed use is reasonable in that the 14.88 acre site has 23 existing dwelling unit sites, and the proposed use only has a net increase of 15 dwelling units over number of units on the site, creating minimal impact on the surrounding area. The existing manufactured home park is a nonconforming use within the RL district, while the proposed development would be conforming for the proposed RM conditional zoning district. The site is also immediately adjacent to a major thoroughfare and has nearby access to adequate water and sewer utilities. School capacity also has been verified as adequate. The proposed single-family residential development is consistent with the adopted Cabarrus County Eastern Area Land Use Plan and is surrounded by single-family residential homes."*

Motion was made by Whit Moose to accept the proposed Statement of Reasonableness with a second by Mike Steiner. Vote was unanimous (5-0) by showing of right hands.

**Chairman Murdock entertained a motion to vote on the action for the proposed map amendment (rezoning).**

Motion was made by Rick Burleyson to vote to approve with conditions as proposed by staff with the additional anti-monotony condition, in which the same floor plan and front elevation cannot be located on two adjacent lots. Whit Moose seconded the motion. Vote was unanimous (5-0) by showing of right hands.

**Chairman Murdock entertained a motion to vote on the proposed major subdivision preliminary plat.**

Motion was made by Mike Steiner to approve with conditions to meet minimum local, state and federal standards, as proposed by staff. Whit Moose seconded the motion. Vote was unanimous (5-0) by showing of right hands.

**Other:**

None

**Staff Reports:**

Mrs. Burris discussed Staff Report as presented.

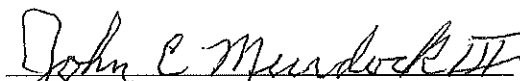
**Board Comments:**

No board comments.

**Adjournment:**

With no further discussion, Chairman Murdock moved to adjourn with a second by Mike Steiner. All members were in favor (5-0).

**The Planning and Zoning Board will meet on Monday, October 23, 2017, 6 pm at Town Hall.**

  
John C. Murdock, III, Chairman

  
Clerk to Board Crystal Smith