

## Planning & Zoning Board Meeting

Town Hall - 8590 Park Drive Mount Pleasant, NC

Monday, March 28, 2022

6:00 PM

1. **Call to Order** - Chair Whit Moose

2. **Recognition of Quorum**

3. **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 recused 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 NCGS 160A-175, NCGS 14-234, and NCGS 160D-109)*

4. **Approval of Agenda**

5. **Approval of Minutes of Previous Meetings** (January 24, 2022)

6. **Public Comment Period**

7. **Planning Board Cases**

### **TA 2021-03 Infrastructure Amendments**

Continue discussing amendments to infrastructure standards. Amendments regarding street frontage, adequate public facilities, plan submittal requirements, and standards & specifications. Affected Sections of the MPDO: Article 3, Table 4.6-2, Article 10, Article 14, Appendix B, Appendix C, Appendix D.

8. **Board of Adjustment Cases**

9. **Reports**

Planning Report and Zoning Permits for March

10. **Planning & Zoning Board Comment Period**

11. **Adjourn**

**TOWN OF MOUNT PLEASANT, NORTH CAROLINA**  
**Planning and Zoning Board Meeting Minutes**  
**February 28, 2022**

**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:** Rodney Harris (Cabarrus County), Susie Morris (Cabarrus County), Kyle Bilafer (Cabarrus County), Wanda and Homer Clay (Pentecostal Holiness Church)

**1. Call to Order:**

Chairman Whit Moose called the Town of Mount Pleasant Planning and Zoning Board meeting to order at 6:00 p.m.

**2. Recognition of Quorum:**

Chairman Whit Moose stated a quorum was present.

**3. 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 recused 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)

No one had a conflict.

**4. Approval of Agenda:**

The Chairman asked for a motion to approve the agenda. Mike Steiner made a motion to approve the agenda with a second by Rick Burleyson. All members were in favor. (5-0)

**5. Approval of Minutes of Previous Meeting:**

Chairman Whit Moose entertained a motion to approve the previous minutes for January 25, 2021. A motion to approve the previous minutes was made by Bridget Fowler with a second made by Rick Burleyson. All members were in favor. (5-0)

**6. Public Comment:**

None

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

### **REZ 2022-01 Cabarrus County Library/Senior Center/Park Tract**

**Description:** Standard rezoning request to facilitate the construction of a government building/park

**Location:** 1100 Block of N. Washington Street

**Area:** 29.11 acres (28.189 acres outside of right-of-way)

**Cabarrus County Parcel Number:** 5670-44-0187

**Current Zoning:** RM Residential Medium Density & small corner of RL Residential Low Density

**Proposed Zoning:** OI Office & Institutional

Erin Burris reviewed the background and answered questions about traffic, changing Walnut Street to a One-Way Street, and Washington Street improvements.

### **Susie Morris of Cabarrus County Zoning Enforcement Officer**

**65 Church Street, Concord, NC 28025**

Susie Morris shared that the zoning request for O-I was consistent for the property, it supports zoning for O-I. She also, said that they were in the very early stages of planning for the property and wanted to make sure it could be rezoned before moving forward. Mrs. Morris also, mentioned potential construction would not be completed until 2024 or when sewer capacity is available.

Chairman Whit Moose asked if they were able to tackle the 250 feet section of sewer line on C Street required for the sewer.

Ms. Morris's response was that they are not at that point yet, but they would work that out with the adjacent property owner when the time comes.

Board Member Mr. Burleyson asked about the need for it being changed to O-I.

Erin Burris stated that the main reason for the change was to prevent them from having to come back to the Board for a Special Use Permit every time they have any changes.

Board Member Warren Love expressed concern of having the Town take over the ballfields.

This would be planned over time, and it would not happen right away. Also, the Youth baseball teams can help maintain the fields as a trade so they can use the fields.

Mr. Love also said the Town needs to have a plan of how to pay for this before it happens.

**A motion was made to approve the proposed O-I Zoning District and is consistent with the "Medium Intensity" land use designation on the "Future Land Use Map" in the Town of Mount Pleasant Comprehensive Plan by Mike Steiner with a second made by Bridget Fowler.**

**All were in favor (5-0).**

### **REZ 2022-02 Mount Pleasant Pentecostal Holiness Church**

**Description:** Standard rezoning request to reflect current and historic use of the property as a church and its associated uses

**Location:** 2660 Mount Pleasant Road South

**Area:** 2.98 acres

**Cabarrus County Parcel Number:** 5569-97-2290

**Current Zoning:** RL Residential Low Density

**Proposed Zoning:** OI Office & Institutional

Ms. Burris presented the report stating that the subject property is in the Town of Mount Pleasant extraterritorial jurisdiction (ETJ). The property has consistently been used as a religious institution and associated uses, including a parsonage and cemetery, since the 1950s. The OI district is requested to reflect the historic and future use of the property as a religious institution and to facilitate updates to parking and signage consistent with other churches within Mount Pleasant's jurisdiction.

**A motion was made to approve the proposed O-I zoning district and found that it is not consistent with the Town of Mount Pleasant Comprehensive Plan as adopted but finds the proposed amendment to be reasonable and in the public interest due to the historic use of the property as a religious institution. Furthermore, the Planning and Zoning Board determines that it is not necessary to amend the Future Land Use Map as the proposed rezoning is intended to bring a nonconforming use into conformity with an appropriate zoning district to accommodate the property's historic use. Motion was made by Rick Burleyson and a second was made by Mike Steiner.**

**All were in favor. (5-0)**

#### **TA 2022-01 Nonconforming and Temporary Signs**

Proposed text amendments to allow the manual changeable copy portion of a nonconforming ground sign to be changed to electronic changeable copy and to allow Type 1 Temporary Signs for all use groups in all zoning districts to promote economic development. Affected Section of the MPDO: Article 12.

##### Article 12.4.3.2 (D)

D. Electronic changeable copy area may be included on any conforming freestanding sign in the O-I, C-1, C-2, I-1, and I-2 districts. The area devoted to electronic changeable copy shall be limited to 75% of the total area of the sign face. All signs that include an electronic changeable copy feature shall meet the minimum North Carolina Department of Transportation requirements for lighting and message duration contained in NC Administrative Code 2E.0203(3a-c & 4a (i-iii)).

After Board discussion about other electronic signs, like a gas station sign, it was decided to remove the part about the limited number of hours of 11p.m. to 6 a.m. from the proposed amendment. Erin Burris stated that she needed make sure with the current church signs that they are following the allowed brightness and the amount of flashing required.

One (1) more part of text amendment to permit Type 1 Temporary Signs for any zoning district.

**A motion to recommend approval with revisions (removed limited number of hours) that the proposed amendments are consistent with the Economic Development Goal of the Comprehensive Plan was made by Chairman Whit Moose and a second was made by Rick Burleyson. All were in favor. (5-0)**

#### **TA 2022-02 Flag Lots**

**Proposed text amendment to restrict flag lots on state-maintained roads. Affected Section of MPDO: 6.6.6**

The proposed amendments would restrict flag lots from taking access on major thoroughfares and increase the minimum street frontage to 22 feet for residential lots and 44 feet for non-residential lots to match the driveway standards of Appendix D.

The proposed changes do not affect any existing flag lots but would be for any future flag lots.

**A motion was made to recommend the proposed amendment and is consistent with strategy IS7 of the Town's Comprehensive Plan by Rick Burleyson with a second made by Mike Steiner. All were in favor. (5-0)**

#### **TA 2021-03 Infrastructure Amendments**

Continue discussing amendments to infrastructure standards. Amendments regarding street frontage, adequate public facilities, plan submittal requirements, and standards & specifications. Affected Sections of the MPDO: Article 3, Table 4.6-2, Article 10, Article 14, Appendix B, Appendix C, Appendix D.

Erin Burriss said they would discuss infrastructure standards next month if the agenda was light.

**Whit Moose made a motion to continue infrastructure standards until next month. All were in favor. (5-0)**

#### **8. Board of Adjustment Cases**

##### **Report on status of Case SUP 2022-01 Threadgill Carp Pond**

Erin Burriss updated the Board on the progress of the Carp Pond. Mr. Threadgill is working with Concord Engineering and Surveying to get the property surveyed and to get a site plan. It is going to take longer than expected with NCDEQ on the dam safety situation, but they are making progress. Also, Mrs. Burriss noticed that they have put up the buffer fence that was required. Mr. Threadgill's engineer will report back about how long the Dam Safety Assessment will take and if we need to adjust the timeline, we can bring it back to the Board. But so far, things are moving along.

#### **9. Reports**

##### **Planning Report and Zoning Permits for January and February (to date)**

Erin Burriss read the Reports and Zoning Permits to the Board.

Mrs. Burriss did want to add Green Acres back on the list since we are working on a development agreement and installation of utilities.

#### **10. Planning & Zoning Board Comment Period:**

- Chairman, Whit Moose asked about the bike rack. The Public Works are currently working on getting that done and are waiting on the concrete pad to install the bike rack (holds 7 bikes) near the Lentz Building.
- Rick Burleyson made a comment about the Mt. Pleasant Food Mart having signs in the median making it hard to see to get out.
- Mike Steiner made comment about the roof on the old Main Street Store looking like it could fall anytime. Mrs. Burriss shared that is why the Town put up the "sidewalk closed" signs and the property is under contract and will hopefully close soon. The roof/awning would be the first thing to be removed.
- Bridget Fowler asked about the Esthetician Office. It is currently open, and they had to get in earlier than planned because their lease was up on their other building. They have gotten most of the inside complete and have started fixing up the outside.

**11. Adjournment:**

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

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**Chairman, Whit Moose**

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**Clerk to Board Jennifer Blake**

## Planning and Economic Development March 28, 2022

### Planning & Zoning Cases

#### **TA 2022-02 Flag Lots**

**Description:** The proposed amendments would restrict flag lots from taking access on major thoroughfares and increase the minimum street frontage to 22 feet for residential lots and 44 feet for non-residential lots to match the driveway standards of Appendix D.

**Current Status:** Planning & Zoning Board voted to recommend approval at February 28 meeting. Town Board public hearing was March 14. The Town Board approved the amendment.

#### **TA 2022-01 Nonconforming and Temporary Signs**

**Description:** In order to accommodate the exchange of manual changeable copy on nonconforming signs with electronic changeable copy, amendments are proposed to Sections 12.1.12 and 12.4.3.2 (D). In order to permit each property in Mount Pleasant to display one small temporary sign as a means of promoting economic development, an amendment is proposed to Section 12.3.3 (Table 12.3-1) to permit Type 1 Temporary Signs for all use groups in any zoning district.

**Current Status:** Planning & Zoning Board voted to recommend approval at February 28 meeting. Town Board public hearing was March 14. The Town Board approved the amendment.

#### **TA 2021-04 Home Occupation Text Amendments**

**Description:** In August, staff brought to the attention of the Planning & Zoning Board discrepancies regarding artists and craftsmen and lessons as home occupations based on questions asked by the potential buyer of a home within the town. The Planning & Zoning Board directed staff to research the home occupation ordinances of other jurisdictions. At the September meeting, staff presented draft amendments to the board for discussion. Another citizen attended the meeting expressing his desire to run a grading business from his home in Oldenburg, which currently has an open zoning enforcement case. The Planning & Zoning Board directed staff to prepare draft text amendments to address the gentlemen's request while safeguarding adjacent properties. Staff noted to the Board that text amendments are not property specific, but apply to all properties within the jurisdiction. At its October meeting, the Planning & Zoning Board requested staff provide information about weight limits on local roads and the impact of heavy equipment. The item was tabled at the November meeting due to a long agenda.

**Current Status:** The Planning Board recommended approval at its January meeting. Town Board opened and continued public hearing at February 14 meeting. The hearing was continued at March 14 meeting. The Town Board voted to approve the amendment with the revision to the minimum lot size for heavy equipment to be 2 acres instead of only 1 acre.

#### **TA 2021-03 Infrastructure Text Amendments**

**Description:** Update infrastructure standards in the Development Ordinance to incorporate best practices and move specifications and details into a separate Standards and Specifications Manual.

**Current Status:** Planning Director and Town Engineer are currently working on draft amendments and are bringing those amendments to the Planning & Zoning Board as they are completed. Planning & Zoning Board will resume discussion at the March 28 meeting.

### **Development Agreement for SUB 2017-01 Green Acres**

**Description:** Subject to NCGS Chapter 160D, Article 10, the Town opened a public hearing to enter into a revised development agreement with the property owner and developer for the approximately 14.88-acre property, which was approved for 37 single-family residential lots in 2017. The proposed agreement sets forth responsibilities for the installation of utilities to the site and a development schedule. Location: NC Highway 73 E at Green Acres Circle. Cabarrus County Parcel Number: 5651-70-6355. Zoning: CZ RM Conditional Zoning Residential Medium Density. This request does not change the approved zoning, subdivision preliminary plat, or number of dwelling units. The proposed agreement sets forth responsibilities and expectations for the installation of utilities, provision of utilities, and development schedule. The original development agreement was approved in 2009. This revision reflects the 2017 approved plan and current standards for infrastructure installation.

**Current Status:** The Town Board opened the public hearing and continued the public hearing until the developer can close on the property with property owner.

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

**Description:** 178 single family lots with community clubhouse and pool. The proposed number of lots was reduced by one lot due to constraints determined during preparation of Construction Plans.

**Area:** approx. 86.77 acres

**Proposed Density:** 2.05 dwelling units per acre

**Location:** Southwest corner of NC Highway 73 and NC Highway 49

**Cabarrus County Parcel Number:** 5660-56-4096, 6785, 8647, & 9681

**Zoning:** RM Residential Medium Density

**Current Status:** Construction Plans have been reviewed and are under revision.

### **Permits**

March report attached.

### **Code of Ordinances**

Proposed amendments will be presented as they are completed.

### **Part 5: Municipal Utilities**

Staff prepared updates Part 5 of the Code of Ordinance regarding water and sewer utilities for consistency with current practices and statutes. The Town Board approved these amendments at its March 14 meeting.

### **Part 7: Motor Vehicles & Traffic**

Staff has been researching the potential to limit on-street parking on Town streets and one-way streets due to narrow street width. Speed on town streets is also being examined. This section would also include provisions for low-speed vehicles. The Town cannot control speed limits on State-maintained streets. The Town Board gave direction these amendments at its March 14 meeting.

### **Part 8: Offenses (Nuisances)**

Staff has been researching noise ordinances in other jurisdictions. Additional updates to nuisance regulations are also being looked at.

### **Utilities**

- Town received fifth allocation amount as part of the Interlocal Agreement for Wastewater Capacity Distribution. The Town has 65,430 gpd to allocate between now and 2024 when the Phase 1 Rocky River Regional Waste Water Treatment is completed. WSACC continues to work with state representatives on capturing more capacity through flow estimate reductions.
- LKC is currently working on engineering documents for water and sewer improvements to be completed with USDA loan funds. Additional water and sewer projects have been identified that could potentially be



completed with the \$8 million state earmark. An updated Capital Improvements List will be presented to the Town Board at the March budget meeting.

### **Comprehensive Plan Implementation**

- Cabarrus County is working on plans for a new Mount Pleasant Library/Senior Center and Park. The site was rezoned in February to OI to facilitate the project. The site is currently under design with an anticipated opening in 2024. A drop-in public input session is scheduled for Monday, March 28, 4-6pm.
- McGill and Associates is working on plans for the next phase of the Municipal Complex Improvements, which focus on amenities at McAllister Field. Construction is expected to begin after July 1.
- The Town has been awarded the Carolina Thread Trail Implementation Grant for trailhead expansion at the Buffalo Creek Preserve and is waiting to see if the grant has been awarded. The contract has been signed and RFP sent out to grading contractors for the work. The picnic shelter has been ordered.
- The contract for the \$94,250 federal grant for the National Register Historic District Survey Update, Study Form Update, and Downtown Stormwater Study has been executed. An RFP for the Survey/Nomination portion of the project has been sent to consultants on the SHPO list. Staff is currently working on the RFQ for engineering services for the stormwater study portion of the project.
- Duke Energy is currently studying the potential for utility line burial/relocation in the square downtown.

### **Transportation**

- CMAQ funding for sidewalks, curb & gutter, and widening to accommodate bike sharrows on N. Washington Street has been approved. Town Staff is working with NCDOT on project schedule. Property acquisition is underway ahead of entering into the project agreement.

### March 2022 Zoning Permits (to date)

Permit #	Date	Cab. Co. #	Add. #	Street Name	Type	Permit Description	Applicant	Notes
Z-2022-07	3/1/2022	5670-38-5363	8601	Circle Dr.	New	Single-family residential home	Del Eudy	
Z-2022-08	3/11/2022	5670-47-3996	2788	Alish Tr.	Accessory	Detached Garage	John Cline Const.	
Z-2022-09	3/16/2022	5670-26-1801	682	N. Main St.	CoC/Sign	Inn at Mt. Pleasant/Reception	Virginia Weitenauer	CoC
Z-2022-10	3/18/2022	5670-03-6652	1245	Summer St.	New	Single-family residential home	Del Eudy	

4 Zoning Permits