

Planning & Zoning Board Meeting

Town Hall - 8590 Park Drive Mount Pleasant, NC

Monday, April 25, 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** (March 28, 2022)

6. **Public Comment Period**

7. **Planning Board Cases**

TA 2022-04 Mini-Warehouse/Self-Storage Requirements

Applicant requests text amendment to increase maximum size of mini-warehouse/self-storage site from current maximum of three (3) acres. Applicant also requests removal of the requirement for an on-site manager. Additional clarification amendments proposed by staff. Affected Sections of the MPDO: Section 5.9.3.

TA 2022-03 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. (Draft amendments to be provided at meeting)

8. **Board of Adjustment Cases**

9. **Reports**

Planning Report and Zoning Permits for March and April (to date)

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

11. **Adjourn**

8590 Park Drive : PO Box 787 : Mount Pleasant, North Carolina 28124 : 704-436-9803

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

Members Present:

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

Also Attending: None

1. Call to Order:

Chairman Whit Moose called the Town of Mount Pleasant Planning and Zoning Board meeting to order at 6:05 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 amended agenda on #5 to be changed to February 28, 2022, for previous minutes. Bridget Fowler made a motion to approve the agenda with a second by Rick Burleyson. All members were in favor. (4-0)

5. Approval of Minutes of Previous Meeting:

Chairman Whit Moose entertained a motion to approve the previous minutes for February 28, 2022. A motion to approve the previous minutes was made by Rick Burleyson with a second made by Chairman Whit Moose. All members were in favor. (4-0)

6. Public Comment:

None

7. Planning and Zoning 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.

Erin Burris discussed proposed changes to Infrastructure in Article 14; Adequate Public Facilities (APF) Standards. She referenced **Table 4.3-1** for an explanation of higher intensity zoning.

She explained that NCDOT's threshold for a Traffic Impact Analysis is 3,000 or more trips per day and the Town's is lower at 2,000 trips. The Town would trigger a traffic impact analysis before NCDOT would so the Town is more stringent on traffic than NCDOT. Minor subdivisions are not applicable to this Article.

She explained that with a standard rezoning, we do some level of adequate public facilities review but it is based on the most intense possible use and run that by the Technical Review Committee in a more general way since we do not know how many dwelling units. You don't have a site plan, but you calculate the maximum yield and provided that information to the Technical Review Committee to see if our facilities can accommodate the development.

Rick Burleyson had question if a developer is able to get all of this estimated water and sewer usage. Ms. Burris stated that yes, there are calculations for all of that. For instance, NCDEQ just lowered the gallons per day per bedroom to 80 gallons per day of sewer which is an estimate. A 3-bedroom house is estimated to produce 240 gallons per day of sewer. They are standard numbers, but they provide that to help decide if the development can be done.

We are using Article 14 as a tool to help determine when development should be approved following procedures in Article 3. The way it had been treated in the Ordinance is that this was as a separate approval process, when in reality it is incorporated into the overall development approval process.

Ms. Burris stated that school capacity cannot be the only consideration to turn down a development if other facilities have capacity for the development.

Capacity does not guarantee access to the utilities. If the developer is going to install a section to hook to the water line that is up to them. They must install all the utility lines within their development. There is an entire section of code of ordinances that tells developers what they are responsible for with system extensions.

The ITE Trip Manual says that one (1) house generates 10 trips per day. That is an average number of trips. The different triggers for traffic analysis have been consolidated into one for simplicity. A Traffic Impact Analysis will be required for trips that generates more than 2,000 trips per day. The Old Middle School was one of the developments that triggered a Traffic Impact Analysis. The new Brighton Park development would not generate a Traffic Impact Analysis since it is currently at 178 lots and is under the 2,000 trips per day. It would be an average 1,780 trips per day (using average household trips as 10 per day).

Availability and adequacy of Public Facilities shall be determined only with respect to Public Facilities located within Cabarrus County, including any unincorporated areas of the County.

We do have unincorporated areas in our jurisdiction in the ETJ. The Town has several of these situations. If there is a subdivision that straddles the ETJ line and the County jurisdiction, then they both must sign the subdivision plat.

Chairman, Whit Moose asked if there is a way to expand our ETJ. Ms. Burris stated that the only way to do that is to go to the County Commissioners and ask them for permission to expand it and they have not done that in a long time. Whit Moose also asked if that situation was to come up, could the developer request annexation of both sides of the property? Yes, they can request annexation as long as it meets the standards for voluntary annexation, but it gets interesting as to whether the Town can provide utilities to it. The Annexation form has been changed to see if they expect to receive access to utilities. If the utilities are not available and they still want to annex, the Town will not pay to extend utilities to them, they would have to pay. Whit Moose continued to ask if part of the property is in the County, and if they want to be Annexed by Mt. Pleasant will the County block that? No, they cannot if it meets the statutory limits for Annexation.

9. Reports

Erin Burris read the Monthly report to the Board.

10. Planning & Zoning Board Comment Period

- Bridget Fowler brought up the question about the old Middle School site being sold. Erin Burris shared that the Town was approached by a local church who is looking at that site even though they had already started drawing up plans for the site at Walker Road. They had begun looking for other options. Town staff have met with church representatives about the site and explained what had previously been proposed for the site, what had been approved as far as the redevelopment of that site, and the financial impact it would have on the Town if it was not developed in that way and if it went back to nonprofit ownership. They are doing their due diligence for now.
- The schedule for the bridge over Dutch Buffalo was supposed to start February 1, 2022. They have started working on moving lines and the utilities so the bridge work should begin anytime soon.
- Fifth Third has closed. The Realtor has entertained offers to sale, but is not in a hurry since Fifth Third is still paying the Lease.
- Building will start at the lots on S. Skyland Drive and E. Franklin Street since they have resolved their issues with NCDEQ.
- Pinto Holdings will be dividing 3 lots off Foil Road and Highway 49 N near the water tower. The driveway access will be off Foil Road.

11. Adjournment:

With no further discussion, Chairman Whit Moose entertained a motion to adjourn. A motion was made by Rick Burleyson with a second by Bridget Fowler. All were in favor (4-0).

Chairman, Whit Moose

Clerk to Board Jennifer Blake

Planning & Zoning Board Meeting

Town Hall - 8590 Park Drive Mount Pleasant, NC

Monday, April 25, 2022

6:00 PM

To: Planning & Zoning Board

From: Erin S. Burris, AICP, Planning & Economic Development Director

Date: April 25, 2022

Subject: TA 2022-04 Mini-Warehouse/Self-Storage Requirements

A. BACKGROUND

Applicant: Sam King, Jr.
King Engineering
35 Church St. S.
Concord, NC 28025

Affected Sections of MPDO: Section 5.9.3

Applicant has requested an amendment to increase the maximum site size for mini-warehouse/self-storage sites and to remove requirement for on-site manager. Staff has prepared a draft amendment increasing the mini-warehouse/self-storage use maximum size to 10 acres. Staff also proposes removing the requirement that mini-warehouse/self-storage facilities shall be limited to one story. Many attractive climate-controlled facilities are two stories and are ideal for smaller sites. Staff has also proposed additional amendments to the section for clarification regarding the perimeter buffer yard, outdoor storage, and reference to the NC Fire Code.

B. RELATIONSHIP TO ADOPTED PLANS & POLICIES

There are no strategies in the adopted Comprehensive Plan related to this request.

C. STAFF RECOMMENDATION

Staff recommends review of the proposed amendments.

D. ACTION REQUESTED

The Planning & Zoning Board is requested to review and make a recommendation to the Town Board of Commissioners on one of the following items:

The Planning & Zoning Board is requested to review and make a recommendation to the Town Board of Commissioners on one of the following items:

- **Recommend approval and consistent:** The Planning & Zoning Board finds that proposed amendments are not addressed by the Comprehensive Plan, but are not inconsistent with it. These amendments are intended improve flexibility in the design of mini-warehouse/self-storage facilities.
- **Recommend approval and not consistent:** The Planning & Zoning Board finds that the proposed amendments are not consistent with the Comprehensive Plan as adopted, but finds the proposed amendments to be reasonable and in the public interest and amends the Comprehensive Plan with this action to establish consistency.
- **Recommend Denial and not consistent:** The Planning & Zoning Board finds that the proposed amendments are not consistent with the Comprehensive Plan and does not consider the action to reasonable and in the public interest.
- **Defer:** The amendment needs additional consideration.

E. ATTACHMENTS

1. Text Amendment Application
2. Section 5.9.3 showing proposed amendments



MOUNT PLEASANT

8590 Park Drive • PO Box 787 • Mount Pleasant, NC 28124 • 704-436-9803 • Fax 704-436-2921

Map & Text Amendment Application

Case #: TA2022-04

1. Application Type
 Rezoning (Map Amendment):
 Standard Rezoning Text Amendment:
 Conditional District Rezoning Date of Application March 31, 2022

2. Amendment Information
For All Rezoning
 Name of Rezoning _____
 Location _____ Property Size (acres) 11.279 Acres
 Tax Parcel Number(s) _____
 Current Zoning _____ Proposed Zoning _____ Current Land Use _____
For CD Rezoning Proposed Use(s) _____
For Text Amendments Affected Section(s) of the UDO 5.9.3

3. Contact Information
Sam King Jr
 Applicant _____
35 Church Street S Concord, North Carolina 28025
 Applicant Address City, State Zip
828-403-5586
 Telephone _____ Fax _____
Sam King Jr Sam King, Jr. 3-31-2022
 Signature Print Name Date

Agent (Engineer, Surveyor, etc. if applicable) _____	Property Owner (if applicable) _____
Address _____	Address _____
City, State Zip _____	City, State Zip _____
Telephone _____ Fax _____	Telephone _____ Fax _____
Signature _____ Date _____	Signature _____ Date _____

4. Description of Request

a. Briefly explain the nature of this request.

Text amendment to Section 5.9.3 of the Development Ordinance to allow more than 3 acres of mini storage without an on-site manager

b. For All Rezoning & Text Amendments: Provide a statement regarding the consistency of this request with Town Plans and the surrounding land uses.

The property lies within an area designated as "medium intensity" in accordance with the Mt Pleasant Adopted Comprehensive Plan amended March 23, 2020. Limiting mini storage development to a maximum of 3.0 acres has proven to be cost prohibitive for mini storage developers in Cabarrus County. Mini Storage use will help meet some of the economic goals of providing light industry.

c. For Conditional District Rezoning: Provide a statement regarding the reasonableness of the rezoning request and any proposed conditions of approval.

Staff Use Only:

Date Application Received: 3-31-2022

Received By: E&D

Fee Paid: \$ 400.00

Case #: TA 2022-04

Date Neighborhood Meeting Held (for rezonings): N/A

Notes: _____

5.9.3. MINI-WAREHOUSE/SELF STORAGE

- A. The minimum lot size for mini-warehouse/self-storage uses shall be one (1) acre. The maximum ~~lot size area for a mini-warehouse/self-storage use is three (3)-10~~ acres.

~~Except in the C-2 district, building height shall not exceed one (1) story. For purposes of this section, one story shall mean and refer to a maximum interior ceiling height of 10 feet, which may include a maximum of eight (8) feet with an additional two (2) feet to accommodate a garage type sliding or roll up door.~~

- B. A minimum type “B” buffer yard as prescribed in Article 7 shall be provided around the perimeter of the mini-warehouse development, unless otherwise required between adjacent zoning districts or uses as specified in Section 7.4.
- C. All areas on the site not covered by pavement or structures shall be brought to finished grade and planted with turf or other appropriate ground cover(s) and shall conform to the standards and planting requirements of Article 7.
- D. No facility herein provided for shall be used or maintained unless ~~and until an on-site manager shall be provided for such facility, and~~ a security system has been installed.
- E. It shall be unlawful for any owner, operator or lessee of any storage warehouse or portion thereof to offer for sale, or to sell any item of personal property or to conduct any type of commercial activity of any kind whatsoever other than leasing of the storage units, or to permit same to occur upon any area designated as a storage warehouse.
- F. No portion of any mini-warehouse/self-storage use shall be used, on a temporary or permanent basis, as a dwelling or for any other purpose other than storage.
- G. Because of the danger from fire or explosion caused by the accumulation of vapors from gasoline, diesel fuel, paint, paint remover, and other flammable materials, the repair, construction, or reconstruction of any boat, engine, motor vehicle, or furniture, and the storage of any propane or gasoline engine or propane or gasoline storage tank is prohibited within any structure on a tract of land designated as a mini-warehouse. All mini-warehouse rental contracts shall include clauses prohibiting (a) the storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals, and (b) the use of the property for purposes other than dead storage.
- H. All outdoor lights must be shielded to direct light and glare only onto the lot or parcel which the mini-warehouse/self-storage use is located. Lighting and glare must be deflected, shaded and focused away from any adjoining residential property.
- I. ~~No outside storage shall be permitted except the~~ Storage of recreational vehicles and boats shall be subject to per Section 5.2.10.3. Required parking spaces shall not be rented as, or used for, vehicular storage, however, additional parking area may be provided for vehicle storage. Outdoor storage areas shall be identified on the required site plan and shall meet the standards of Section 11.7.
- J. Vehicular ingress-egress shall provide for safe access by customers and emergency vehicles. Interior travel lanes shall have a minimum width of 12 feet and shall provide a nine (9) parking lane. Lanes serving storage units on each side shall provide a nine (9) foot parking lane for each side. Lane width and building separation shall also be subject to the applicable requirements of the NC Fire Code ~~One (1) parking space is required for every 200 storage units with a minimum of two (2) spaces required. The parking spaces shall be provided adjacent to the manager’s office.~~
- K. Sales of customary equipment and supplies, such as hand trucks, tape, packaging materials, boxes, etc. are permitted through an on-site management office, if provided. ~~the main office only.~~

Planning and Economic Development April 25, 2022

Planning & Zoning Cases

TA 2022-03 Mini-Warehouse/Self Storage Supplemental Requirements

Description: The proposed amendments would permit more than three (3) acres of self-storage buildings and would permit such uses to operate without an on-site manager.

Applicant: Sam King, Jr.

Current Status: Draft text is being prepared for review by the Planning & Zoning Board at the April 25 meeting.

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 & Zoning Board will continue review of proposed amendments at the April 25 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.

Code of Ordinances

Proposed amendments will be presented as they are completed.

Part 7: Motor Vehicles & Traffic

Staff is working on draft amendments 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. Staff plans to present these amendments at the May 9 Town Board meeting.

Part 8: Offenses (Nuisances)

Staff has been researching noise ordinances in other jurisdictions. Additional updates to nuisance regulations are also being looked at. Staff hopes to present draft amendments at the June 13 Town Board meeting.

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. Once phasing for Brighton Park is determined, an allocation list will be prepared and presented to the Town Board for information.
- 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 was presented to the Town Board at the March budget meeting. The Board approved a working Capital Improvements List at the April 11 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.
- 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. The picnic shelter has been ordered. The Town Board approved the grading contract at the April 9 meeting. Work will begin in May.
- 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. HMW Preservation has been selected to complete the Survey and Nomination Form update. The RFQ for the stormwater study portion of the project will be sent out before the end of April.
- Duke Energy has prepared the study for the potential for utility line burial/relocation in the square downtown. Milton Thompson with Duke Energy has reached out to Spectrum and Windstream to coordinate. Spectrum visited the Town the last week of March to verify field conditions and will work with Duke to locate. NCDOT is also coordinating with the project and the water line project to make stormwater improvements during construction. Windstream is gathering information for their duct bank requirements.

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.

Permits

March and April (to date) report attached.

March and April 2022 (to date) Zoning Permits

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	
Z-2022-11	3/31/2022	5670-69-4832	204	Martha Ct.	New	Manuf. Home setup	Clayton Homes	

5 Zoning Permits

Permit #	Date	Cab. Co. #	Add. #	Street Name	Type	Permit Description	Applicant	Notes
Z-2022-12	4/14/2022	5670-48-2262	8889	NC Hwy. 49 N	Upfit	Roof-mounted solar panels	Power Home Solar	

1 Zoning Permits