



Planning & Zoning Board Meeting
Town Hall - 8590 Park Drive Mount Pleasant, NC
Monday, April 22, 2024
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 25, 2024)
6. **Public Comment Period**
7. **Planning Board Cases**
None
8. **Board of Adjustment Cases**
None
9. **Comprehensive Plan Update**
Informal discussion about background information presented at March meeting and upcoming public input process.
10. **Reports**
Planning Report and Zoning Permits for March & April (to date)
11. **Planning & Zoning Board Comment Period**
12. **Adjourn**



Planning and Zoning Board Meeting Minutes Monday, March 25, 2024

Members Present: Chairman - Whit Moose
Member – Rick Burleyson
Member - Bridget Fowler
Member – Liz Poole
Member – Jonathan Helms
Alternate – Kiesha Garrido
P&Z Clerk to the Board – Jennifer Blake
Planning & Economic Development Director - Erin Burris

Also Present: Tim Seagraves, Melissa Seagraves, Attorney Al Benshoff, Terrie Reece, Brian Seagraves, Ricky Scott, Town Board Member Justin Simpson, Brad Cress, and Town Manager Randy Holloway

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 with Kiesha Garrido as the Alternate.

Chairman Whit Moose had a moment of silence to remember a great member of the Mount Pleasant community and a member of this Board for many years, John Murdock III who gave many years of dedicated service to the community.

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:

A motion to approve the agenda was made by Liz Poole with a second by Bridget Fowler. All members were in favor. (5-0)

5. Approval of Minutes of Previous Meeting:

A motion to approve the previous minutes for February 26, 2024, was made by Jonathan Helms with a second made by Liz Poole. All members were in favor. (5-0)

8590 Park Drive ♦ PO Box 787 ♦ Mount Pleasant, North Carolina 28124 ♦ 704-436-9800

mtpleasantnc.org ♦ townhall@mtpleasantnc.us

6. Public Comment:

None

7. Planning Board Cases

REZ 2024-01 and SUB 2024-01 Adams Creek Subdivision

Applicant requests rezoning subject property to Conditional Zoning Residential Medium Density for 60-lot single-family residential subdivision (includes Major Subdivision Preliminary Plat). Location: 929 Walker Road; Cabarrus County Parcel Numbers: 5650-95-6345, 5660-05-0225, 5650-95-8958. Site Area: 30 acres. Current Zoning: RL Residential Low Density. Proposed Zoning: CZ RM Conditional Zoning Residential Medium Density.

Chairman Whit Moose asked for a motion for the Board to reopen the Planning Case from last month, which was tabled. A **motion** was made by Jonathan Helms with a second by Bridget Fowler. All were in favor. (5-0)

Erin Burris shared the requested information on the roads and the schools:

1. Jason Falkner, Assistant District Engineer, that reviews new access points on State maintained roads shared:
 - NCOT does not have a traffic count for Walker Road, as it is considered a low volume road.
 - Based on the number of lots proposed, it is not a requirement to have a turn lane but recommended the northern access into the subdivision have a left turn lane with a minimum 100 feet of storage constructed. This is due to the proximity of the high school and the increase in traffic from the subdivision.
2. Frances Layne, Demographic Specialist for Cabarrus County Schools stated in an email:

“Smart, phased development helps schools to sustain enrollments (ie not good for schools if they are declining enrollments and therefore, losing resources) but also not good for schools if they are growing too rapidly where physical space becomes unavailable. Right now, Mt Pleasant is sustaining, flat from an enrollment standpoint and I foresee, given an aging population, that development could actually sustain enrollment. Our high growth areas in the County show 10-15% growth in student population year over year for 5+ years where cities are adding 1,000's of housing units at one time. That is mostly at the elementary level. Mount Pleasant does not have that problem with student growth and has done well to sustain a manageable population in schools. I do not see that an impact to schools would be a valid reason for a decline in approval, although other infrastructure needs could be.”

- Projected school utilization for 2024-25 school year for WM Irvin ES 95%, Mt. Pleasant MS 76%, and Mt. Pleasant HS 83%.
- Provided Current School Servicing Development Chart that had notes to consider:
 1. Planned and phased development can sustain development, especially in areas that have aging populations.
 2. Error to add estimated yields from all development on top of existing enrollment, especially for single-family development, as it occurs over a few years.
 3. Current students are moving through and exiting schools, replacing students coming from new housing or housing that may be in a turnover status.
 4. To sustain current utilization and to have growth, the same number of students entering a school must replace those who are exiting a school.

Chairman Whit Moose asked the Board if they had any questions.

Bridget Fowler asked if it was true that we use water from Concord during school because there is not enough water allocated for the number of flushes.

Randy Holloway, Town Manager shared we have a connection with Concord on Highway 73 and Cold Springs Road and sometimes during the peak hours with the schools at lunch the valve opens a little bit, and we may buy \$400 worth of water from Concord. That is getting ready to be remedied once the infrastructure improvements happen the Town's 8-inch line will be replaced with a 12-inch line. That issue will go away in the next twelve months.

Chairman Whit Moose opened the floor for the continued public hearing.

Tim Seagraves
Lower Stone Church Road

Mr. Seagraves shared a couple things he missed the last time.

- Came to the same board in 2019 with a previous subdivision with the 74 lots with eight (8) additional acres along with a Fire station, the same density and it was approved. Even though that did not work out, that subdivision was approved with the same board as what we are asking for today.
- Two houses per acres is low density and does not affect the school traffic if they are turning away from the school to Highway 49 to go to work. If you have grown there is not a better location to get to a 4-lane Highway and another stop light at the other end for Highway 73. The residents may work in Concord or Charlotte, but they will come to Mount Pleasant to shop, buy groceries, eat at the restaurants, and pay taxes. That will be great for the Town and Communities.
- There will be a Fire Station and other Emergency Services coming to eight (8) acres next to the subdivision to help the community.

- You have utilities. That is not rural Mount Pleasant; that is where growth is going to spur and that is going to happen. Rural Mount Pleasant is down east Highway 73 where there are not any utilities and still farmland. On Walker Road is where there is growth, but at least the traffic is not coming through center city.

Chairman Whit Moose stated that the turn lane may be required.

Mr. Seagraves shared that he would be willing to do what the Town or the State required.

Erin Burriss shared that DOT would make the final decision if a turn lane would be required and could not tell until after they see the Construction Drawings but either way it is the developer's responsibility.

Brian Seagraves
4640 Lower Stone Church Rd.

- Came on his brother's behalf
- Investor here in the Town and have tried to bring in other small businesses into Town over a few years and have been told there are not enough rooftops.
- We do other buildings here in Town and when we start new projects, we are told they have water issues and when they try to fix the water issues, we do not have enough tax basin and not enough revenue.
- To get enough revenue from the tax basin to help your infrastructure you need more rooftops.
- He is not asking for many more houses, but it would help with the tax basin down here. Also, he is not asking for any tax breaks with the water and sewer like other developers and he is willing to put in a turn lane if it is required.
- When you build a development like that you have to look at your input cost. If you have less lots, your input cost is more. The more your input cost is per lot the less money you can put into the construction side of the home. If you want to have less lots you will have cheaper built homes, or you can have more lots with better built homes.
- I hope you approve it, and I am here for him.

Chairman Whit Moose ask for those that want to speak in Opposition.

Brad Cress
Walker Road

Mr. Cress shared that the last time he was here he was in defense for his dad, and he lost him a week and a half ago. Now the property is in his name and has the same views.

I grew up there and it is my home, and the traffic is already bad as it is. I am still doing it for my dad. We don't want all those houses out there and want to keep it as rural as possible.

Terrie Reece
6309 Cress Road

Mrs. Reece shared the following:

- The last time she spoke she brought up the kid's safety and that is still a concern.
- Her sister works at Irvin Elementary School and talked about the school being overpopulated and that they will have to bring in trailers for the kids. She had a class in a trailer at school and she said she always felt disconnected from the rest of the school. She hopes that does not happen here in Mount Pleasant.
- Mrs. Reece asked if there was a possibility of needing a right turn lane.

Erin Burris shared that DOT did not indicate that there would be a need for a right turn lane.

Mrs. Reece shared she knows how these kids drive past her house and you do not dare try to make a left hand turn in front of these kids in the morning.

- She asked if the developer was putting in a reservoir to catch all the water. Mrs. Burris said that stormwater detention is required by the NC Department of Environmental Quality (NCDEQ) and will be engineered in the drawings.
- Shared concerns with the water issues

Attorney Al Benshoff
221 Bay Circle Street, Concord, NC 28025

Mr. Benshoff represents Tim Seagraves and 30 other government clients. He understands how hard it is to make these decisions because no matter what you do it is your neighbor or friends.

Mr. Benshoff had a few remarks and/or remarks to make as follows:

- Property is for 60 lots; 2 dwellings units is as low as you can get in the RM District. This would be RL but for the fact that they have smaller lots and smaller width, 60 lots work for the acreage.
- Tim testified that the 2 schools and future Fire Station on Walker Road are in transition with the construction of the water and sewer line that will feed the schools and the Town's future Fire Station.
- In my 40 years of doing development work, I can tell you that development follows utilities primarily sewer. There will be a lot of interest in using the sewer on Walker Road or wherever it is in Mount Pleasant.
- For more dense development this is the least dense development the Town can get in that area. It also makes a good transition between Walker Road and the County CR Zoning farther East.
- Read the Minutes from the February Meeting and read about the traffic mentioned several times. The schools are there. It is a reality. According to the February Staff Report and information you received today, the Mount Pleasant Middle and High School are not quite at full capacity. If the area grows, no matter what happens the school population will grow and might increase the traffic, but the traffic has nothing to do with Mr. Seagraves. At least in this case, in theory if it is safe enough some students could walk to school.

- Mr. Seagraves is not responsible for the bad driving of youthful drivers on Walker Road and should not be punished for that.
- There is no traffic impact analysis required at present, there is no expert testimony we have heard about traffic impact, it is all anecdotal.
- Mr. Seagraves heard the Town. The 2019 development was approved by the Planning and Zoning Board for 74 lots and rejected by the Town Board Commissioners. They said there are too many lots, and he has cut 14 lots. Since then, he has considered sidewalks on a State Road, he has agreed to put in a left turn lane, tries to work with the Town, and wants to be a good and responsible developer.
- Finally, this is a Conditional Zoning process that offers things that cannot be required by the General Statutes. He is offering many building enhancements, façade siding materials, architectural elements, garage location, and matching access buildings. Also, Mr. Seagraves offered more open space than was required.

Chairman Whit Moose closed the Public Hearing.

Erin Burris shared that she did add to the options of actions on the staff report a motion “to deny and is consistent and not reasonable” as requested by the board at the last meeting.

Liz Poole made a motion to deny and not consistent and not reasonable and a second was made by Bridget Fowler.

John Scarbrough stated that discussion and reasoning needed to be provided on why it is not consistent with the Comprehensive Plan.

Liz Poole shared to be consistent with the plan, it would be the zoning that is already there, and 47 homes is the number of lots that should be there.

There was a lot of conversation about 2 lots per acre and looking at the map these are quarter acre lots after you deduct the amount of property use for the roads, detention pond, berm, and the greenway.

I would disagree that a \$450 to \$500,000 home will be cheaply built whether it is on a half-acre or quarter acre lot.

Mrs. Poole also said that one of the comments made is the rezoning allows 2 to 4 homes per acre.

Whit Moose asked if Mrs. Poole was taking the entire side of what the developer is doing.

Liz Poole commented that the developer is not going to build cheap homes there and there is still a recouping of cost for them to build there. She thinks there is too many lots on this little piece of property and its quarter acre lots being built there.

Bridget Fowler read the summary of the land and use from the Comprehensive Plan as follows: the citizens of Mount Pleasant desire small scale-controlled growth by ensuring the preservation of the surrounding and agriculture lands.

Bridget Fowler shared if you pull up Cabarrus County GIS and look at Walker Road all the land surrounding the schools has acreage. All the houses are on an acre or more and you compare that to homes being built on quarter acre lots. That does not make sense to me and as far as the Comprehensive Plan goes it needs to stay agricultural the way it is. It makes sense to have growth off a main highway but not on a side road or connector road.

If you look at the map, the only thing zoned correctly is the schools and the future property of the Fire Station. I do not think making it a higher density conforms to what the goal was in our Comprehensive Plan.

Whit Moose asked if we are ever going to have a development that has two (2) homes per acre that truly have two (2) homes per acre and is a development because there will always be the space we have to allow for.

Erin Burris shared the definition of density and net density. Density is the total number of dwelling units per acre for the development area. Net density is the number of dwelling units divided by the net acreage remaining after subtracting out all the critical areas of the streams. Density (not net density) is what is referred to in Comprehensive Plan and referenced in Table 4.6-1 of the Development Ordinance.

What it says is if someone comes in with a Conditional Zoning RM District like this one, they can do that in the low intensity designation as long as the density is held to no more than 2 dwelling units per acre. That is up to you to determine if consistent.

Rick Burleyson asked if looking at that in a low-density area of the conditional zoned RM district, the overall would be 2 dwelling units per acre.

Erin Burris shared yes, if someone brings in a development proposal in a conditional zoning RM district, it is consistent between the Development Ordinance and the Comprehensive Plan.

Chairman Whit Moose stated that we have a motion to deny and not consistent or reasonable. Split vote. (In favor - Fowler and Poole; Opposed - Moose, Burleyson, and Helms)

Rick Burleyson made a **motion** we approve it with the conditions listed and is consistent and reasonable with a second by Whit Moose. Split vote. (In favor - Burleyson, Moose, and Helms; Opposed - Fowler and Poole)

Erin Burris shared that a simple majority is a recommendation to the Town Board, and it is up to them at the next meeting. It would go as a Public Hearing as well to the Town Board as a recommendation. They have an open Public Hearing and would hear from anyone. They would also have a vote at that point and if it passes by simple majority, it is approved and if it is not, it would be denied.

After discussion and a conflict with the Attorney, Al Benshoff, the hearing would be moved to the May 13, 2024, meeting with the approval of the Town Board.

8. Board of Adjustment Cases

None

9. Comprehensive Plan Update

The Planning and Zoning Board moved to the Conference Room to review the background information by Benchmark Planning.

Benchmark reviewed slides to discuss upcoming survey and public input.

Erin Burriss shared that 600 acres on Highway 73 was left out of the last Comprehensive Plan but would be added to the updated plan.

Randy Holloway pointed out how much the Town has done and lived by the Comprehensive Plan. It's a good thing and the Town has gotten a lot of the implementation done already.

Bridget Fowler exited the meeting early at 7:26 p.m. due to a work emergency.

10. Reports

Reviewed the Reports and Zoning Permits.

Erin Burriss shared that What-A-Burger got a permit for parking since the old Fifth Third area was fenced off and they could no longer utilize the parking. They fenced off the entire property to tear down the old building.

10. Planning and Zoning Board Comment Period

Rick Burleyson asked about the old Henderson-Barrier House at 1431 N. Main Street next to the Fire Department. Erin Burriss shared that Amanda and Scott Miller bought the home and are working to fix up the house and have a Conservative Agreement to keep the charm.

Randy shared the Project Budget listed on the board to update the Planning and Zoning Board of all the projects in the works and the money it takes to get the work done.

Also, Randy Holloway shared that as of April 1, 2024, Erin Burriss would be stepping into the role of Assistant Town Manager.

11. Adjournment:

With no further discussion, Chairman Whit Moose entertained a motion to adjourn. Rick Burleyson made the **motion** to adjourn and a second was made by Jonathan Helms. All were in favor. (5-0)

Chairman, Whit Moose

Clerk to the Board Jennifer Blake

March and April 2024 Zoning Permits

Permit #	Date	Cab. Co. #	Add. #	Street Name	Type	Permit Description	Applicant	Notes
Z-2024-20	3/18/2024	5670-32-6525	8750	E. Franklin St., Ste. C2-C4	CoC	Ant Sanders Creative	Ant Sanders	CoC, New
Z-2024-21	3/18/2024	5670-17-7936	8300	North Drive	Upfit	CCMP-Upfit	Malinda Baxter	CoC
Z-2024-22	3/20/2024	5670-41-7979	8930	E. Franklin St.	CoC, Sign	Office-Rizon	Christopher Barfield	CoC✓, New
Z-2023-23	3/25/2024	5670-13-8359	8330	E. Franklin St.	Parking	What-a-burger parking lot	Zeb Bost	CoC

4 Zoning Permits

Permit #	Date	Cab. Co. #	Add. #	Street Name	Type	Permit Description	Applicant	Notes
Z-2024-24	4/4/2024	5670-32-8239	1525	Pinto Place	Temp. Use	Promotional Events	Studios @ the Mill	
Z-2024-25	4/8/2024	5670-17-7936	400	N. Main St.	Sign	CCMP Ground Sign	Casco Signs	
Z-2024-26	4/10/2024	5675-15-1611	9035	J. Ruth St.	Accessory	Storage Building	Gregory Blair	
Z-2024-27	4/11/2024	5670-14-8449	1150	N. College St.	Accessory	Detached Garage	Corey St. John	
Z-2024-28	4/11/2024	5670-20-2961	1881	S. Main St.	Addition	Addition to home	Quicksilver Custom	
Z-2024-29	4/15/2024	5579-38-6337	8848	Oldenburg Dr.	Accessory	Carport	Craig Greeson	
Z-2024-30	4/12/2024	5670-38-6314	8690	Crestwood Dr.	New	Single-family home	Del Eudy	

7 Zoning Permits