

**MINUTES OF THE MINT HILL PLANNING BOARD MEETING**  
**January 20, 2015**

The Mint Hill Planning Board met in regular session on Tuesday, January 20, 2015 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

**ATTENDANCE**

Chairman: Tony Long  
Members: Scott Fandel, Roy Fielding, and Brad Simmons  
ETJ Members: Roger Hendrix and Tom Gatz  
Planning Director: John Hoard  
Commissioners: Mickey Ellington  
Clerk to the Board: Michelle Wells Farrar  
Absent: Mary McMahon

**CALL TO ORDER AND INVOCATION**

Chairman Long called the meeting to order at 6:30 p.m., declared a quorum present and the meeting duly constituted to carry on business. Mr. Simmons offered the invocation.

**ORDER OF BUSINESS**

**Communications:** Mr. Hoard indicated #ZC14-12 had been approved at the January 8, 2015 Board of Commissioners meeting. At the same meeting, two proposed developments came before the Board. The first was an assisted living community in Downtown which would require a text amendment. The second was for an adult community on Lebanon Road similar to the Polo Club and/or Bella Sera. The Board was favorable to some of the ideas presented and would most likely discuss them at the March Board of Commissioner retreat.

**Approval of Minutes of December 15, 2014 Regular Meeting:** Upon the motion of Mr. Gatz, seconded by Mr. Fandel, the Board unanimously approved the minutes of December 15, 2014.

**Reports of Committees, Members and Staff:** Mr. Fielding said Ms. McMahon sent a message to apologize for not being present at the meeting.

**Old Business:** None.

**New Business:**

**A. Decision and Recommendation on Text Amendment #ZC14-13, Filed By Town of Mint Hill, to Amend the Unified Development Ordinance (UDO), Section 2.4, Terms Defined in this Ordinance and Section 5.2, Table of Principle Permitted Uses:** Mr. Hoard explained that allowing modification of the Unified Development Ordinance (UDO) would allow parks by-right for properties owned by the Town of Mint Hill.

*Section 2.4 Terms Defined in This Ordinance*

*Delete “park” definitions and replace with the following:*

*Town Park- A facility operated by the Town of Mint Hill that is open to the public for outdoor active recreational uses, including but not limited to: ball fields, swimming facilities, and which contains improvements designed specifically for such active recreational uses. Such facilities may also contain improvements designed for passive recreational uses.*

*Park- A facility operated by an entity, other than the Town of Mint Hill, that may or may not be open to the general public for outdoor active recreational uses, including but not limited to: ball fields, swimming facilities, and which contains improvements designed specifically for such active recreational uses. Such facilities may also contain improvements designed for passive recreational uses.*

*\*For Town Parks, add to Section 5.2, Table of Principal Permitted Uses, and list BR (By-Right) under the R, O-A, I and DO-A & B districts.*

*\*For Parks, cross reference existing 7.2.15 Nonresidential Use in the Residential Zoning District*

Further information gained regarding the request for Text Amendment was obtained through *opinions/comments/questions (in Italics) from the Board* to Mr. Hoard as follows:

*The Board asked, what prompted the discussion for this text amendment?* Mr. Hoard said, Staff felt it would be redundant to go through the rezoning process for a Town park.

*Would the County still have to participate in the rezoning process for a County park?* Yes.

*How would property owners and residents be involved?* Mr. Hoard said, it would be a coordinated community wide effort.

*Would neighbors receive direct notification?* Mr. Hoard said he didn't know the specific notification process.

Without formal notice the public may not know what was about to transpire and that concerned the Board. “Reinventing the Wheel” was discussed in regard to the notification procedure mandated for a rezoning; even if it was redundant. The Board was concerned that the property owners may not be aware of the changes and without direct notification they may not be involved as proven by the Ezell Farms park model owned by the County.

Mr. Hoard stated every property owned in Town was notified of the Small Area Plan workshop even though the Town was not required to ask for their input.

*The Board stated they weren't concerned with the current elected officials or Staff, but instead concerned about a future group of individuals who may not take the effort to inform the public. Mr. Fielding suggested removing the word “outdoor” from both definitions as an indoor swimming pool or other facility could be built on the property.*

**Upon the motion of Mr. Gatz, seconded by Mr. Simmons, the Board unanimously agreed to table #ZC14-13, Town Parks Text Amendment, until Staff could gather further information.**

Upon further discussion, the Board asked Mr. Hoard if specific requirements could be attached if the Town park was by-right. The collective sentiment of the Board was to have community involvement in the process.

**Other Business:** None

**Adjournment:** Upon the motion of Mr. Hendrix, seconded by Mr. Simmons, and unanimously agreed upon, Chairman Long adjourned the meeting at 6:53 p.m.

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Michelle Wells Farrar, Board Clerk