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**PLANNING DEPARTMENT**  
**BOARD MINUTES (VOTE)**  
**February 18, 2021**  
**6:00 P.M.**

### **DETERMINATION OF QUORUM**

A quorum was present. Meeting was called to order by Chairperson Fielding.

### **CALL TO ORDER**

The following members of the governing body were present:

Board Members:	Chairperson Meg Fielding, Cheryl Mimy, Mischelle Reece, Chris McGuire, Sidney Sandy & Larry Dukes
Applicants:	Darren Sutton, Garmon Road Ventures, LLC
Staff Members:	Brandi Deese - Planning Director, Matt Ward – Senior Planner, and Laurie Gable, Board Secretary
Absent:	Joseph Lytch

**Chairperson Fielding** opened the meeting at 6:06pm.

*Staff determined Quorum was present via roll call.*

*Staff acknowledged that they had received additional comments.*

**Chairman Fielding** asked if there will be a gate.

*Mr. Kime confirmed no gate will be installed.*

**Board member Mimy** asked if there is a way the parking lot for the front can be adjusted so it is not in view of the existing homes.

*Mr. Greeson stated in the Community meeting this was discussed, additional landscaping and a berm are not being added.*

**Board member Mimy** would like to know if the landscaping will be aesthetically pleasing.

*Mr. Greeson reiterated a berm and additional screening beyond what is required to look at.*

*Mr. Kime stated it is not pressed up against the road.*

*Mr. Greeson informed us that the parking lot is being relocated as per the requests from the Community meeting.*

**Board member Sandy** asked if this is a 3-story building?

*Mark Kime responded yes.*

**Board member Sandy** wants to know if the screening will be tall enough.

*Mark Kime stated the building is set back 50 feet off road, there is a 100 foot right of way. There is an adequate level of layering.*

**Board member Sandy** has concerns over the traffic.

*Ms. Deese stated NCDOT determines the road necessities.*

*Mr. Kime noted that it is a dead-end street that doesn't have traffic coming from all sides.*

**Board member McGuire** suggested that 3 years ago the temporary traffic light was very helpful, he asked who would make the decision to flip the bill on that.

*Mason Greeson responded that he is unsure why the signal went away. He stated that they do not make the decisions, NCDOT does. When the analysis was run, it was not warranted.*

*Ms. Deese stated possibly the fire department may have been one of the reasons, she will follow up with them.*

**Board member Mimy** asked when roads are widened, where do they take it from?

*Mason Greeson stated it is the front center line of roadway, we dedicate 50 feet.*

*Mark Kime informed that all setbacks are based on future right of way.*

**Board member Sandy** asked will they put a roundabout up at the other end of South End Road and Indian Trail Road? Can we get a light in there on a temporary basis?

*Ms. Deese stated there is a roundabout planned there. That might be a good talking point with NCDOT.*

**Chairperson Fielding** asked if it is safe to assume the project we are voting on would include the fence?

*Ms. Deese agreed we should add it to be part of the motion.*

*Matt Ward, Senior Planner read aloud additional public comments.*

*Mason Greeson addressed that the retention pond is required to retain any new impervious that is proposed on any new development since 2007 this ordinance has been adopted.*

*Mark Kime responded to the comments about the build condition that precedes the super street, yes this would still be a full movement intersection without signalization if the buildings are constructed prior to the super street. Regarding fencing, we have discussed this already. As far as the concerns, in speaking with our client currently they do not feel that the gating is necessary. I feel as though the owner has the right to buffer the land but did not quite follow that comment.*

*Ms. Deese explained that the town does hold a conditional bond in place if for some reason it was not designed properly.*

*Mason Greeson also reiterated they also have state and local regulations to follow. Inspections take place or they face hefty fines.*

**Board member Dukes** asked what is the elevation of the storage facility that is facing Old Charlotte Highway from the first floor to the roof.

*Mason Greeson noted that the total height is 35-40 feet. Other 2 buildings are single story.*

**Board member Dukes** asked what is the date from the NCDOT in regards to when the super street will be connected?

*Mason Greeson does not have a date, he suggested Todd Huntsinger would have more information.*

*Ms. Deese stated there is not an actual date from NCDOT. They are anticipating 18-24 months; they first need to connect with 100+ residents.*

**Board member Dukes** asked if this an approved project.

*Ms. Deese stated yes.*

**Chairperson Fielding** entertained a motion to vote.

Board member Reece added a motion to approve the fence. Chris McGuire-yes, Mischelle Reece-yes, Larry Dukes-no, Sidney Sandy-yes, Meg Fielding-yes, Cheryl Mimy-no.

Motion approved, carries 4:2.

**GLENHURST SUBDIVISION CZ 2020-0110:**

**APPLICANT: Robert Bennett, Stanley Martin Homes**

**Chairperson Fielding** asked if there are any questions from our 2/16/21 meeting.

**Board member Mimy** asked what the price range for the homes?

*Bob Bennett informed her they are in the low \$500K-\$750K depends on the square footage.*

**Board member Mimy** asked if this price point fits within the area it is being built in?

*Matt Ward, Senior Planner replied yes.*

*Matt Ward read several pages of additional public comments.*

**Board member Sandy asked about the 2<sup>nd</sup> entrance concerning Potter Cove Lane.**

*Ms. Deese agreed, before the CO is issues, the 2<sup>nd</sup> entrance must be in place.*

*Matt Ward, Senior Planner read public comments received aloud.*

**Board member Mimy** noted for the record that we do our due diligence, we take every comment seriously decisions are made based on what we feel is best overall for our residents and businesses in Indian Trail.

**Board member Dukes** asked on the second entrance that is coming in on the concept plan. When you enter, is there a stop sign, what does the developer have to do?

*Mason Greeson stated for the internals, it will be a 4 way stop and a 3 way stop into the new neighborhood.*

*Matt Ward stated there is a stop sign at Gene Place Court.*

**Chairperson Fielding** asked to clarify Lisa Cowan's question.

*Ms. Deese stated avoiding potential land use conflict, commercial business in the backyard of residences.*

**Board Member Mimy** stated for the record, she understands schools will be impacted heavily but if the Town of Indian Trail does not approve it Union county will build it and eventually get the project annexed into Indian Trail or Weddington either way. We can just really hope that the Board of Ed will get it together and figure out how to restructure the schools to make it less impactful for the parents, students, and staff.

**Board Member Reece** asked if this project is not recommended by the Planning Board, will it still go before council?

*Ms. Deese stated, yes, the Planning Board is a recommending body, it does not officially deny obviously a developer does not want us to show up to Town Council with a denial in hand from Planning Board, but they certainly have the option to continue forward or withdraw.*

**Board Member Reece** stated we do care very much to what our fellow residents have to say. We appreciate the time they take putting together emails, it is not just about the tax base. It is about what is doing right for Indian Trail. We are also a part of Union County; we are just one layer of the onion.

**Board Member Mimy** if this project does not get approved by the Town Council, will Union County just take over and just build something on that property?

*Ms. Deese stated we discussed this at the 2/16/21 meeting. Prior to the donuthole conversation, we saw projects being approved that the town staff has rejected due to density. We have not tested this theory, she feels as things have changed a little bit. The developer certainly can present this plan to the county and seek approval. They also have the right to avoid all these expenses as plans and develop by right as an R-40. They do have the right to go back to the county and seek approval.*

**Chairperson Fielding** inquired if there is a homeowner's association planned.

*Bob Bennett said yes, there will be an HOA for sure.*

**Chairperson Fielding** entertained a motion to vote.

Chairperson Sandy made a motion to approve CZ 2020-0110 Glenhurst Subdivision be approved.

Ms. Deese did the role call. Cheryl Mimy-yes, Mischelle Reece-no, Chris McGuire-no, Sidney Sandy-yes, Larry Dukes-no, Meg Fielding-yes.

This project will move forward with a tie vote at the recommendation to Planning Board.

## **UNFINISHED BUSINESS – FINAL RECOMMENDATION**

### **a. CZ 2020-0124 Garmon Road**

Chairperson Fielding stated the board would entertain a motion including the vote on the fence. Board member Reece made a motion to approve CZ 2020-0124 Garmon Road. Motion approved by members Mischelle Reece, Chris McGuire, Sydney Sandy & Chairperson Meg Fielding. Motion denied by members Cheryl Mimy and Larry Dukes. Motion carried 4:2. Joseph Lytch was absent for the vote.

### **b. CZ 2020-0100 Glenhurst Subdivision**

Chairperson Fielding entertained a motion to vote. Chairperson Sandy made a motion to approve CZ 2020-0110 Glenhurst Subdivision be approved.

Ms. Deese did the role call. Cheryl Mimy-yes, Mischelle Reece-no, Chris McGuire-no, Sidney Sandy-yes, Larry Dukes-no, Meg Fielding-yes.

This project will move forward with a tie vote at the recommendation to Planning Board.

## **ADJOURNMENT**

*Motion to adjourn* was made by Member Sandy, the motion passed unanimously.

Chairperson:

Meg Fielding

Date: 2/18/21

Secretary:

Laurie Gable