



Planning Board Minutes February 11, 2010

Members Present:

David Nail, Chairman

John Robertson, Vice Chair

Allen Brawley

Danny Martin

Steve McGlothlin

William Ogburn

David Steen

Joe Thompson

Also Present:

Maureen Gable, Planner

Mandy Edwards, Zoning Administrator

Jeff Brotherton, IT Director

Alan Bradford, IT Specialist

Gary Styers, Fire Marshall

Chris Carney, Commissioner

Rhett Dusenbury, Commissioner at Large

Angela Thompson, Administrative Specialist

Mr. Nail opened the meeting with prayer at 6:23 p.m.

1. The minutes of the January 14, 2010 Planning Board meeting were reviewed.

ACTION: Mr. Steen made a motion to approve the minutes as submitted. Mr. Brawley seconded the motion. The motion passed unanimously.

2. Consideration of an Amendment to the February 11, 2010 Agenda as submitted.

Mrs. Edwards indicated to the Board members that Item #2 was a Text Amendment to the Town of Mooresville Minimum Housing Code, which would require only the consideration of the Board of Commissioners. She also stated that Item #4, a Presentation for the Historic Preservation Committee, was also not to be presented to the Planning Board.

ACTION: Mr. Ogburn made a motion to delete Item # 2 and Item #4 from the February 11, 2010 Agenda. Mr. McGlothlin seconded the motion. The motion passed unanimously.

3. Consideration of a **TEXT AMENDMENT** request from the Town of Mooresville to amend **Section 3.2.2 (9) Town Center, Section 5.1.4, Table of Allowed Uses and Section 5.3.3 (8) Type II Retail Uses** of the Town of Mooresville Zoning Ordinance.

Mrs. Gable began the presentation stating that the Text Amendment was to allow the option for a Conditional Use Permit request in the Town Center Zoning District for a developer or owner to ask for the Conditional Use Permit for a Type II Retail Use at sixty thousand one (60,001) square feet of gross floor area or greater. She said that it would allow applicants the option to ask if the use would be permitted. She explained that the Conditional Use Permit request would be presented to the Planning Board for a review. The request would also be presented to the Town Board of Commissioners for review. She stated that the Town Board would be afforded the opportunity to add conditions and approve or deny the request. She indicated that when changes were made to the Town of Mooresville



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Zoning Ordinance, all of the areas within it that were cited also had to have changes made to avoid conflicting information within the Zoning Ordinance.

Indicating the Section 5.1.4, Table of Allowed Uses, Ms. Gable explained that under the column for Town Center, the area highlighted in yellow contained a “C” and that the Buildings Forms were listed in the adjacent column. She said that this was the base Text Amendment and the other changes were subsequent to avoid conflicts. She said that the “C” indicated that the option was available to request a Conditional Use Permit. The change also required that Section 3.2.2 (9) Town Center, added a Conditional Use Permit option for Retail II at sixty thousand and one (60,001) square feet of gross floor area and above to the description of Town Center Zoning District. She stated that there were a number of other details in the description. She indicated that the very detailed information was removed from the section, because the information was listed elsewhere in the Zoning Ordinance. She reiterated that this would eliminate the possibility of conflict. She explained that there had also been a discrepancy in the description, though it was not related to the current Text Amendment. She further stated that the description in Section 3.2.2 (9) would provide very general information.

She stated that additional requirements were being added to Section 5.3.3 (8), Use Standards. She read the text saying; “Type II Retail Uses in the Town Center District shall have the primary exterior treatment of walls to be brick, cast concrete, stone, marble, or other materials comparable in appearance and durability and shall be carried to the sides and rear of the building if visible from a street. Regular or decorative concrete block, float finish stucco, EIFS-type stucco cementitious fiber board, or wood clapboard may be used as a secondary treatment or trim but shall not be the primary treatment. She said that the additional text was important to have in place to keep the Town Center District looking similar to the downtown area”.

Mr. Brawley asked if there had been any thought to adding a maximum percentage of wall area concerning the secondary treatment. Mrs. Gable said that Staff considered the visual aspects when reviewing site plans for new construction.

Mr. Steen asked if there was anything in particular that caused the Staff to request the Text Amendment. Mrs. Gable affirmed that there was. She stated that there would be a Conditional Use Permit request in the near future by the individuals who purchased the old Mooresville Mill site. The Text Amendment would lay the ground work for the forthcoming request. She said that Staff was excited that the site had been purchased and that the building would be occupied. She also stated that the purchasers of the site were excited to be locating in Mooresville.

She indicated that the Staff had reviewed the Text Amendment even if the Mooresville Mill site had not been sold. She said it would allow the large building to not remain vacant in close proximity to the downtown area.



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She stressed that the owners of the site would have to make an application for the Conditional Use Permit, which would be reviewed by the Planning and Town Boards.

Mr. Robertson, indicating the 2030 Comprehensive Land Use Map from the prior Variance request, said that the Town Center Zoning District ended at McLelland Avenue on the south end of downtown and ended on the north end of downtown near Statesville Avenue. He asked if the old Burlington Industries building was also in Town Center. Mrs. Gable stated that this was her understanding. She indicated that there might be a mistake on the map he was referencing. He asked if the Board needed to know the answer before making a recommendation. Mrs. Gable said that the site was in the Town Center Zoning District. [The mill site is outside of the Downtown Town Center Comprehensive Land Use Plan designation] She stated that Zoning District map and Comprehensive Land Use map were different in nature, acknowledging that it could be confusing.

ACTION: Mr. Robertson made a motion to adopt the Statement of Reasonableness and Compliance and to approve the request. Mr. McGlothlin seconded the motion. The motion was unanimously approved.

4. Consideration of other business the Board may consider.

There was no other business.

ACTION: Mr. Steen made a motion to adjourn the meeting. Mr. Thompson seconded the motion. The motion was unanimously approved. Mr. Nail adjourned the meeting at 6:32 p.m.