



Planning Board Minutes May 12, 2011

Members Present:

David Nail, Chairman
David Steen
John Robertson, Vice Chair
Danny Martin
William Ogburn
Steve McGlothlin
Allen Brawley

Also Present:

Tim Brown, Planning Director
Tammy Heck, Zoning Administrator
Craig Culberson, Senior Planner

Absent:

Lisa Qualls

Mr. Nail opened the meeting at 6:18 p.m.

1. Approval of the minutes from the April 10, 2011 Planning Board Meeting.

ACTION: Mr. Martin made a motion to approve the minutes with corrections as noted on page 3. Mr. Brawley seconded the motion. The motion carried.

2. Consideration of a **TEXT AMENDMENT** request from the Town of Mooresville to amend the Table of Uses and amend use specific standards. The Text Amendment is to **Chapter 5.1.4, Table of Allowed Uses, Chapter 5.3, Use Specific Standards** of the Town of Mooresville Zoning Ordinance.

Mr. Brown explained that the request is to refine the amendment to the Table of Uses approved in April. The line item regarding Multi-family dwellings in HB zoning should be corrected to reflect that it is a permitted use with supplemental regulations. The supplemental regulations should be corrected to reflect that multi-family development within Highway Business zoning is **not** allowed on major and/or minor thoroughfares. All streets within the Town limits are classified in the Town of Mooresville Street Classification list. Staff recommends approval of the request.

Mr. Martin asked if the effect of this change would be to prohibit any ingress or egress on to a thoroughfare; Mr. Brown answered yes, this would not allow any frontage for multi-family development on any street classified as a thoroughfare.

ACTION: Mr. Robertson made the motion to adopt the Statement of Reasonableness and Compliance and to recommend approval of the Text Amendment request. Mr. Steen seconded the motion. The motion passed unanimously.

3. Consideration of an **AMENDMENT** to a **CONDITIONAL USE REZONING** request from Michael Ege. The property located at 283 Cayuga Drive, Building G, is further referenced as



Planning Board Minutes May 12, 2011

Iredell County Map PIN #4648-01-1408.107. The request is to **AMEND** Condition #5 for Deerfield Business Park originally approved by Iredell County.

Mr. Brown explained that the request from Michael Ege for a .43 acre parcel, zoned GI with conditions originally approved by Iredell County. The property was subsequently annexed in to the Town, zoning assigned and the conditions remained with the property. The condition the applicant is asking for an amendment to address the placement of dynamometers within the 400 foot buffer. The existing conditions states that *“Race teams would be allowed in the 400-foot buffer. However, no engine shops with dynamometers would be allowed in the 400-foot buffer. No outdoor engine testing would be allowed in the 400-foot buffer.”* These conditions were originally imposed by Iredell County on the property known as Deerfield Business Park. When the property was subsequently annexed into the Town of Mooresville, The Town Board chose to leave the county approved conditions in place. That applicant is requesting that the condition be amended to allow the use of Dynamometers that are enclosed and attenuated as to mitigate the sound to adjacent uses and properties. Staff supports the amendment based on the technology available and any dynamometers within the buffer installed using this system.

Mr. Martin asked if Mr. Brown has ever heard a motor tested with this type of installation; Mr. Brown responded that he had, but it has been a number of years ago and the noise was substantially reduced.

Michael Ege appeared before the Board. Mr. Martin reiterated his questions about this type of installation. Mr. Ege responded that he has owned dynamometers with both types of installations; in 2006 OSHA came in and tested the installation with this system and the OSHA representative could not tell the engine was running. Mr. Ege stated that this installation is essentially a giant muffler. Mr. Ogburn asked if this was inside and not outside; Mr. Ege answered that this is an inside installation. Mr. Ogburn asked what percent this installation reduces the noise level; Mr. Ege stated that without the system installed the decibel levels fall in the 125-130 range, with the system installed the decibels are under 40 and essentially, that is fan noise. Mr. Ege explained that one of the things they are proposing is that in the future, all dynamometers are installed with this system. These systems can be built to contain an entire vehicle, not just an engine. These are essentially sound proof rooms. Mr. Ege stated that it is his goal to be a good neighbor, and that within the shop itself the other technicians don't want to hear the noise. They are operating sophisticated equipment and need to be able to hear and converse with each other. Mr. Ogburn asked how long it takes to complete this type of installation; Mr. Ege stated it takes about six weeks.

Mr. Steen asked how the Planning Department would ensure that if a dynamometer was installed it is installed with this system in place; Mr. Brown answered that once a permit was applied for, an inspection would be done on site to ensure the system is installed.

ACTION: Mr. Steen made the motion to adopt the Statement of Reasonableness and Compliance and to recommend approval of the Conditional Rezoning amendment request to



Planning Board Minutes May 12, 2011

amend Condition #5 to allow the use of dynamometers that are enclosed and attenuated to mitigate sound as presented. Mr. Robertson seconded the motion. The motion passed unanimously.

4. Other business to consider

The joint board workshop will be held next Tuesday, May 31st at Town Hall from 6-8 pm.

ACTION: Mr. McGlothlin made a motion to adjourn the meeting. Mr. Martin seconded the motion. Mr. Nail adjourned the meeting at 6:45 p.m.