



**Town of Cornelius
Planning Board/Board of Adjustment**

**Agenda
February 13, 2017
6:30 PM**

CANCELLED - to be rescheduled later this month

Pre-Meeting

A. 5:30pm Room 204 Dinner and Code Update Review - Chapter 6

1. Call To Order

2. Determination of Quorum

3. Approval of Minutes

A. November 14, 2016 and December 12, 2016

B. Approval of Joint Meeting Minutes

4. Public Hearing and Consideration of Approval

A. VAR 07-16: Wendy's

5. Consideration of Approval

A. REZ 10-16: DB Holdings (Auto Sales Dealership)

6. Old Business

A. Arts District Follow Up Discussion

7. New Business

8. Next Meeting

9. Adjournment

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: February 13, 2017

To: Planning Board Members
From: Wayne Herron, Planning Director

Action Requested:

Continue review of Code update items recommended by the Land Development Code Advisory Board. The Planning Board completed reviews of Chapters 1 through 5 previously. Staff will begin with Chapter 6 at this upcoming session.

Manager's Recommendation:

Review and provide feedback.

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: February 13, 2017

To: Planning Board Members
From: Summer Smigelski, Planning Admin.



Action Requested:

Approval of Minutes

Manager's Recommendation:

Approval

ATTACHMENTS:

Name:	Description:	Type:
 Minutes_11-14-2016_Draft.docx	November 14, 2016 Minutes	Backup Material
 Minutes_12-2016_Draft.docx	December 12, 2016 Minutes	Backup Material

Minutes

TOWN OF CORNELIUS PLANNING BOARD

Assembly Room
November 14, 2016
6:30 p.m.

Members Present

Joseph Dean, Alternate
Hardy McConnell, Vice Chair
Susan Johnson, Alternate
Lee Peterson
Cheryl Crawford, Chair
Michael Osborne, Alternate
Betty Trautwein

Members Absent

Keith Pickett
Keith Eicher

Staff Present

Wayne Herron, Planning Director
Summer Smigelski, Admin. Assistant
Jason Pauling, Senior Planner

VISITORS

See Sign-In Sheet

DETERMINATION OF QUORUM

Chair Crawford called the meeting to order at 6:31 pm and noted there was a quorum present.

REVIEW OF AGENDA ITEMS

VAR 03-16 19808 Washam St. & 19817

Chair Crawford asked for a motion to suspend the meeting of the Planning Board and open as the Board of Adjustment. Mr. McConnell made the motion. Ms. Trautwein seconded. All in favor, motion approved

In Favor: Ms. Crawford, Ms. Trautwein, Mr. Dean,
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Mr. Peterson

Opposed: None

Chair Crawford: "As Wayne has already said the Board of Adjustment, we are going to hear them in a Qasi-Judicial format. It is a court like process that we will go through. Evidence is being submitted by each party. We will take the evidence and findings to render a decision. At this time we will call staff to the front. We have to make a motion. I will ask for a motion for us to go to public hearing.

Mr. McConnell made a motion to open the Variance hearing. Mr. Peterson seconded. All in favor, motion approved.

In Favor: Ms. Crawford, Ms. Trautwein, Mr. Dean,
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Mr. Peterson

Opposed: None

Chair Crawford called forward anyone wishing to testify to be sworn in by the Board Secretary. The applicant and Town staff was sworn in by Ms. Smigelski.

Chair Crawford then called staff forward to testify.

Mr. Fournier: "Madam Chair, members of the Board, Good evening. My name is Gary Fournier for those of you who do not know. I am a staff member of the Cornelius Planning Department. I will be presenting the variance, VAR 03-16. The applicant is David M. Sorenson of P.O. Box 4269 Davidson, NC 28036. The tax parcel id of the subject lots are 00317414 and 00317405. The physical addresses are 19808 Washam St. and 19817 Church St. Both properties are currently zoned Neighborhood Residential (NR for short). The applicant currently owns two conforming lots on Church St. and Washam St. that are abutting. The minimum lot size and the NR zoning district is .33 acres (14,520sf). There is not adequate land to subdivide the property into three lots that will conform to the minimum lot size as required by the Town Land Development Code. The applicant is seeking a variance to have three lots, with two conforming lots and one non-conforming lot that would not meet the minimum lot size requirement with .205 acres (8,940sf). Staff will present testimony at the hearing that covers the following basic facts and will introduce the Town exhibits into evidence. The subject property is within the Town of Cornelius Zoning jurisdiction and is zoned Neighborhood Residential (NR). The property is shown on the Zoning Map as Exhibit A, Aerial Vicinity Map as Exhibit B, and Aerial Property Map as Exhibit C.

Exhibit A

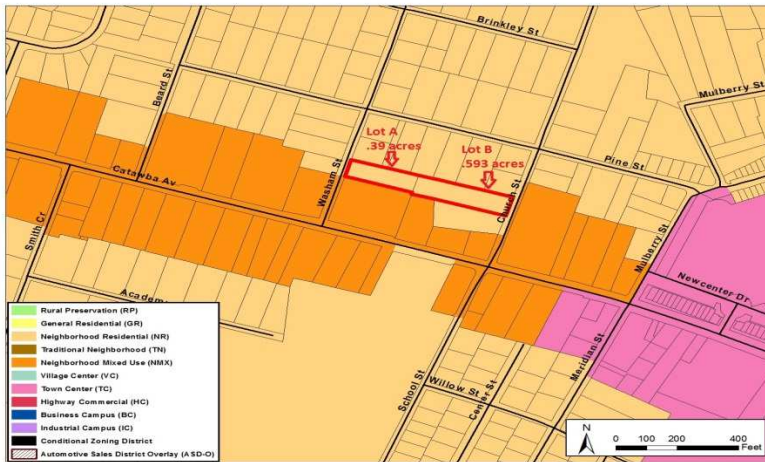


Exhibit B



Exhibit C



The subject properties are currently identified as follows: Lot A is 003-174-14, 19808 Washam Street at .39 acres (16,989sf). Lot B is 003-174-05, 19817 Church Street at .593 acres (25,832sf). The total of the two current lots is .983 ACRES (42,821SF). Staff's numbers are approximate based on Mecklenburg County GIS Program POLARIS. The tax id numbers shown on the application, which the applicant submitted, are not valid. In the Land Development Code, Section 5.5.5, Table of Dimensional Requirements, the Neighborhood Residential (NR) district requires a minimum lot size of .33 acres and 14,520sf. Section 5.5.5 is shown as Exhibit D. I have highlighted the NR zoning district and the lot sizes.

Exhibit D

5.5.5: TABLE OF DIMENSIONAL REQUIREMENTS

		ZONING DISTRICTS										
Measure	Unit	BP	GR	NR	NRM	WMR	TC	VC	HC	BC ¹	CO ²	IC ²
DENSITY/LOT SIZE												
Max. Density	DU/A	0.33	2	3	-	-	12	-	-	-	-	-
Lot Size Min	Acres	3 ¹	0.5	0.33	-	-	-	-	-	-	-	1
Lot Size Min	Sq. Ft.	130680	21780	14520	-	-	-	-	-	-	-	43560
LOT WIDTH												
Min. Frontage at ROW	Feet	35 ¹	35	16	16	16	-	-	-	-	-	-
Frontage Build-Out	%	-	-	-	50	50	75	50	-	-	-	-
Min. Lot Width @ bldg line	Feet	60	60	50	16	16	16	16	50	-	-	-
HEIGHT												
Height - Max (Principal)	Feet	35	-	26	26	-	-	-	-	36	36	36
Height - Min (Principal)	Feet	-	-	-	-	-	26	26	-	-	-	-
Height - Max (Accessory)	Feet	26 ¹	26	26	26	-	-	-	-	-	-	-
Height - Stories Max.	#	2	-	2	2	6 ¹	4 ¹	3 ¹	3 ¹	3 ¹	3 ¹	3 ¹
SETBACKS												
Setback - Front Min	Feet	50 ¹	25 ¹	10 ¹	-	10	-	-	25	-	-	70 ¹
Setback - Front Max	Feet	N/A ¹	N/A	20	15	25	10	-	-	-	-	-
Setback - State Roads	Feet	N/A	25	25	25	25	-	25	25	25	25	25
Setback - Westmoreland Rd. (West of 77)	Feet			170	170							
2nd & 3rd Story ROW Encroachment	Feet	-	-	-	-	5	5	5	-	-	-	-
Setback - Sides	Feet	15 ¹	10 ¹	10 ¹	-	-	-	-	-	-	-	-
Setback - Rear	Feet	50	25	25	25	-	-	25	30	-	-	-
Setback - Rear Alley	Feet	-	-	0 ¹	0 ¹	0 ¹	0 ¹	0 ¹	-	-	-	-
Parking Setback	Feet	-	-	-	-	-	-	-	-	-	-	30 ¹
Lake Norman - From 760' contour (all structures)	Feet	50	50	50	50	50	50	50	50	50	50	50
Setback - Side and Rear	Feet	10	10	10	10	-	-	10	10	-	-	-

		ZONING DISTRICTS											
Measure	Unit	BP	GR	NR	NRM	WMR	IC	VC	HC	BC ¹	CO ²	IC ²	
Accessory (less than 600 sq. ft.)													
Setback – Side and Rear													
Accessory (600+ sq. ft.)	Feet	15	15	15	15	-	-	15	15	-	-	-	
Min. District Size	Acres	-	-	-	-	-	-	-	-	10	5	10	
District Buffer	Feet	-	-	-	-	-	-	-	-	50	50	80	
Residential Buffer	Feet	-	-	-	-	-	-	-	30	100	75	100	
Interstate Buffer	Feet	50	50	50	50	50	50	50	50	50	50	50	

- ¹ Lots platted prior to October 7, 1995 shall be a minimum of 10,000 sf.
- ² Internal Setbacks Not Applicable in BC, CO & IC as long as district buffer is met.
- ³ Encroachment - Family & Single-Family Cluster Subdivisions
- ⁴ Encroachment - Farm Subdivisions
- ⁵ Max. E stories allowed with CZ request only.
- ⁶ See section 5.3.4, 140' Setbacks
- ⁷ Setbacks on slopes shall be setback 100' from edge of pavement.
- ⁸ Bailey Road Industrial Corridor: front setback is 10' ft, parking setback is 30' ft.

Staff advised applicant that in order to create a third lot; the total acreage would need to be a minimum of .99 acres and 43,560sf. The total of the two current properties, at .983 totals, fell below this minimum. Staff advised that a plat with a non-conforming third lot could not be signed by staff. The Applicant has submitted a Town of Cornelius Variance Application and a property drawing. The Variance Application is shown as Exhibit E and the property drawing is shown as Exhibit F.

Exhibit E by 12.03.2016

**TOWN OF CORNELIUS
VARIANCE APPLICATION**

Date Filed: 12/14/2016	Case #: VAR-03-110
Fee Paid: \$ 250.00	Public Hearing: 11/14/2016
Applicant: David M. Severson	Tax Parcel: 0801427601 and 0801427659
Location of Variance: 19817 Church St	Zoning: NR

I, David M. Severson, hereby petition the Board of Adjustment for a VARIANCE from the rules and provisions of the Town of Cornelius Land Development Code because, under the interpretation given to me by the Zoning Administrator, I am prohibited from using the parcel of land described above in a manner shown by the Plat Plan attached to this form. I request a variance from the following provisions of the Zoning Ordinance (cite section and number):

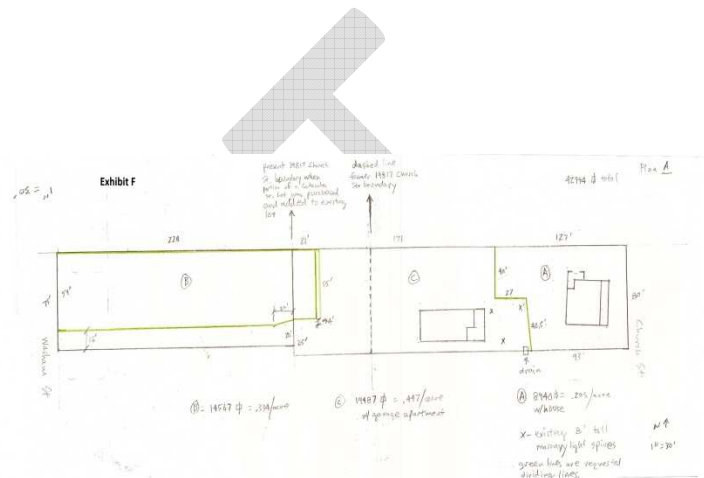
Section 5.5.5 table

Describe the variance being requested on the above referenced property: affected

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE:

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act (G.S. 160A-283), the Board is required to reach the following conclusions as a prerequisite to the issuance of a variance:

- Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.



The applicant proposes to create two conforming lots and a third, non-conforming lot. The three lots would be as follows, according to Exhibit F: Lot A would be .205 acres (8,940sf), Lot B would be .334 acres (14,567sf) and Lot C would be .447 acres (19,487sf); for a total of .986 ACRES (42,994sf). A survey was not provided, so lot sizes cannot be verified. I visited the property and took four pictures which are shown as Exhibits G, H, I and J. That concludes my presentation.



Chair Crawford: "Does anyone have questions for staff at this point? Do we need to go back and look? I would like to go back and look at exhibit F; if you do not mind. If you could, I just want to make sure what we are doing here and then I will open up for questions. It looks like when we do lot C it is going to be according to what we have with the flag, entrance way coming in crossing over B, that little flag corner. I guess here?"

Mr. Fournier: "That is correct."

Chair Crawford: "That would be the lot lines that are drawn for lot C?"

Mr. Fournier: "That's correct."

Chair Crawford: "B will be just a smaller portion there. That will allow for road frontage just for lot C. Maybe that will help you guys, if you have questions to ask about the lots. Does anyone have questions for staff? No Questions? Okay, with that we will move on and let the applicant come forward. Please state your name and address."

David Sorenson: "I am David Sorenson, I live in (Inaudible), my address is PO Box 4269 Davidson, NC. Couple things I wanted to clear up are the stuff that I wrote to you, the description of the hardships and stuff. C and B are written in reverse."

Chair Crawford: "Can you pull that back up please."

David Sorenson: "What has happened here is. I bought this property in sections. This is the original....

(Technical issues with the computers)

David Sorenson: "Let's look at the dash line there, right in the middle. That dash line to the right is was the initial boundary of both properties in 1992. All that was on it was the house that is very close to Church St. which is to the far right. The portion between the dash line and the next arrow that points up that says the present 19817 Church St. boundary, which increase the size of that lot and then I brought lot B so it initially wasn't the size that it is now. It is of course Neighborhood Residential. I'm going to give to you a package that I gave to my neighbors because my neighbors were curious. They were wondering what I was doing so I wrote them a letter and I edited the letter that you all received as well."

Chair Crawford: "Staff do you have a copy?"

Mr. Herron: "Give one to the clerk as well."

David Sorenson: "The 2016 is just and edit of the one I gave you because it cleared up some language that was unclear. The Hey neighbor letter is what I want to do with it. I'm short 560sf approximately. I do have the survey, I didn't know I was supposed to provide them but that's how I arrived at the 42,990sf. So this is what I gave to my neighbors, if they were against it they would be here. One of them is here that's in favor of it. Now as far as neighborhood residential zoning is concerned is even the way it's written in chapter 5, if you look at the initial 5.1.3. It really speaks to new development. If you look at the lot size on a zoning map; 5.5.5 is the Land Development Code section, I will address that but it's also addressed within your code book 5.1.3, which is the overview of what Neighborhood Residential is. I would like a zoning map because it ties to this. It's Use for Medium Density; it's generally between two and four units per acre (Inaudible). Talking about similar frontages (Inaudible) and tells you how you should orientate your houses.

We are talking about the part of town that was built out long before this zoning came along and they attached this building because they didn't have anything else close to it. Can you expand it out some?"

Mr. Herron: "Zoom into your neighborhood?"

Mr. Sorensen: "Yes, the neighborhood. It is north of the animal shelter, east of 77. I didn't count every lot in this area but I would say well over 50 percent are less than one third of an acre. Even on that small subject map that I gave you, the ratio is 37 to 31 with 37 not conforming; they are under one third of an acre. Only 31 is over a third of an acre. This zoning was attached to an area where it didn't really apply. If you move the microscope out you can look at, starting at Hill St., Ferry St. and Burton St. all the way over to highway 115, both north and south of Catawba most of those, the joy of those properties are under one third of an acre. In addition to that most of the houses in Victoria Bay are under a third of an acre and of course Antiquity. I am just asking to go with something that is complementary. I gone out of my way to make these two lots a third of an acre but now make one two tens of an acre, it fits with much of the housing around there. If you look at that small map I gave you the ratio is like 37 to 31. Can we go to that smaller zoning map? This is two pages here; the first one shows which corner right here. If you look at this corner Pine and Mulberry on there go north east corner of my Church St. property. Everyone find Pine and Mulberry, ok. This shows how those two corners were approved back within the last twelve years. The density is between, the approved density was between 7.91 dwelling acres, dwelling units per acre and 15.22 dwelling acres this is a block to a block and a half from where I am and it was approved. So, I just think that sets precedent for what I want to do. In addition to that what I'm asking if you look at the neighborhood map, the developments that are done, there are some that the density is greater. The ones in the neighborhood are often, almost all exceeded the ratio. What I'm suggesting complies. Its uniform with the size of the lots because if you consume that and they can see. The summary table single family residential is like 3.27 units per acre. What I'm suggesting are 3.04 dwelling units per acre. If you go to the summary of all residential development its 3.04 is what it is to your left. The hardship is all these things combined, having to jump through these hoops just to do something where it was obviously intended in this neighborhood and claimed all along that they were allowing smaller lots is just a zoning classification. It appears as if they couldn't do anything else in there. Looking at your maps that I gave you with the Hey neighbor hand out, the neighbors got that letter and that map just to show them what I'm proposing isn't contrary to what is in the neighborhood. The size is commentary to the existing lots. If you look section 5.1.3 which is the overview of the neighborhood residential, I am certainly complying with the spirit of the law, maybe not the letter. It says units per acre between 2 and 4 well my plan will allow 3. That pretty much covers it. You know the other side of this is I would have drawn equally size lots; I could get an additional 566 square feet and I would all sorts of convoluted lines and end up with little sections of land attached to lots. The land is not really useable. What I have proposed here are three lots that are certainly usable by each of the parties that wanted to reside. That's it.

Chair Crawford: "Thank you, Mr. Sorensen if you don't mind if you will stick around let's see if there's any questions from the board."

Mr. Peterson: "(Inaudible) Do you know what type of home you will be putting on the property?"

Mr. Sorensen: "No. You can see what that existing house looks like that's on Church St. That house is 95 years old. I would imagine anyone that would build on Church St. or Washam St. lot would build, like I said in my letter the neighbor there wants to buy that lot and he has plans for a house. I have not seen them but I'm sure he is going to build something that fits with the neighborhood.



There is the existing house. I did a lot of work to that since I bought it in 92 to make sure that the structure stays strong. I straighten up the brick and put in new footings all sorts of stuff."

Mr. Peterson: "The homes on Pine St., I drove by those today, are they less than a half of an acre?"

Mr. Sorensen: "The only ones that I checked are on your map and I believe there is a green and blue slash. Green is none conforming and the blue is conforming. I know the corner of Pine and Church is not conformed and I know the corner of Pine and Washam is not conformed. I was very diligent about checking the size on the Polaris site so the map you have is accurate and easily verifiable as far as which of those are conforming and not."

Mr. McConnell: "I have a question if you don't mind. So I'm going back on this I guess the plat that you drew up showing B, C and A. Again you didn't seek out a surveyor to help you, is that correct?"

Mr. Sorensen: "No."

Mr. McConnell: "So we are just going on the hope that the overlay of what the county is saying is correct on this? You chose not to seek out a surveyor?"

Mr. Sorensen: "A surveyor would have to be hired in order to do this, in order do a plat."

Mr. McConnell: "I guess what I'm asking is, How I know the numbers are right if we are not working off a surveyor?"

Mr. Sorensen: "Well the numbers would have to be right. I have the surveys and where I got the 42,994, I can show you the three surveys."

Mr. McConnell: "I was just asking where you got them."

Mr. Sorensen: "I understand, I'm not being defensive I'm just telling you that I do have that with me if you want to see it."

Mr. McConnell: "Where did you gather the information from?"

Mr. Sorensen: "They were surveys done by registered land surveyors."

Mr. McConnell: "When?"

Mr. Sorensen: "92, I forget I bought that piece in the middle, and the one on Washam probably ten years ago. I couldn't submit anything other than what is drawn here. Does that make sense?"

Mr. McConnell: "I'm fine, I was just making sure that where these numbers came from. I noticed that in that one said that there was not survey, a survey was not provided so lot size cannot be verified. I'm trying to work off a number that I don't really know and make a guess on what your shooting for."

Mr. Sorensen: "Now see the number you all have and the number I have are close. It's within hundreds of a percent."

Mr. McConnell: "On lot B that's your projected building lot, are you personally going to build?"

Mr. Sorensen: "No."

Mr. McConnell: "So you are going to sell it?"

Mr. Sorensen: "Right. Potentially my neighbor, he has taken to it and referring to it as his lot."

Ms. Johnson: "You have said that you purchased lot A first correct?"

Mr. Sorensen: "Lot A used to go back, Lot A now goes back to that solid line. Initially it went to the dotted line. Then purchased that little chunk in the middle that is like .18."

Ms. Johnson: "So is that a separate parcel?"

Mr. Sorensen: "It was part of a house that fronts on Catawba Ave. where the chiropractor is now. Go to the right of the Library it was part of that lot."

Ms. Johnson: "So it went all the way back. So when you purchased that piece of it did they separately parcel it out or did they just attach it to one of the two lots? I'm just trying to figure out did they, was it originally three separate lots? At what point in time did you attach that middle piece to lot A or lot B?"

Mr. Sorensen: "I attached it to lot A which is the Church St. property."

Board Members: "You mean lot B."

Mr. Sorensen: "I attached it to lot B that's on the map."

Ms. Johnson: "I guess I'm just curious as to why you attached it and now you are wanting to split it into three parcels again?"

Mr. Sorensen: "Life changes."

Chair Crawford: "As we are just taking a minute board just keep in mind we have to stay with what we are looking at our minimum lot size is 43,560 even if it's one lot, two lots, or three lots. When it's broken up then we have stay with the code. The map you had up before Wayne, which was dated, it said these lots were established prior to May of 2015. Can you pull that back up? It was the area map that you pulled up, it wasn't one of the exhibits its one you pulled up separate. This map was created using data collected before May 2015. That is why there is a Variation on the size of lots. Code has changed and that's what we are here to enforce. We need to make sure we understand that 5.5.5 is what we are looking at. Everything prior to was established previously, so we need to make sure we were staying with facts."

Mr. Sorensen: "So since then if you look at what was done after that 5.5.5 is the corner of Mulberry and Pine. I gave you maps about that as well where the density is 15 dwelling units per acre and approximately six dwelling units per acre. As well as Victoria Bay, nine percent is under a third of an acre. If you go down Meridian St. and go to the Mil Village where they call Cornelius Cotton Mills, that exceeds and that was done since this zoning was in place. I'm just asking the same."

Chair Crawford: "Does anyone have more questions?"

Mr. Osborne: "Mr. Sorensen I have a question about the application you provided. Who specifically is going to experience hardship as a result of the variance if it were to be denied? I saw a couple of comments in here, hardship to those seeking affordable housing, hardship to the town. Is there particular person that you can point to that should be experiencing hardship?"

Mr. Sorensen: "Yea, me. In addition to all those people, it's an opportunity for many and many will not have an opportunity if this is followed to the literal rather than the spirit of the law. As for me my hardship has to comply with something that hasn't been complied with and a zoning classification that was attached to it that clearly doesn't fit."

Ms. Trautwein: "If I could address a question to Wayne. I realize we're not really supposed to be looking at other precedents and I except that but just to clarify the ones that he has talked about I would assume were compliant with the zoning for those areas."

Mr. Herron: "Yes, as far as staff can testify to, we have found no other variances that were granted for any reduction lot size. A couple things about the history, sometime before 96 I speculated that there was a different zoning code prior to 96 that allowed smaller lots because there are a lot of older historical lots in that neighborhood that are smaller. The law today is one third minimum lot size. When you look at Mulberry and some of those newer ones like behind Food lion and Victoria Bay, those were applied for with conditional district zoning and through the special legislative zoning practices. There are different options in the code that we go through today; Baileys Glen is an example or any other subdivision that comes to conditional process they may choose to get greater density through legislative process. The Town Board has every right to a legislative process to change lot sizes through some mechanism that is set up in the code. That's how some of those lots in Mulberry, that's a little town home development that was done through a separate process legislatively."

Ms. Trautwein: "Size is notwithstanding, it appears to me that all these other lots have street frontage where as the one in middle does not."

Mr. Herron: "Clarification on that is that the code requires 16 feet minimum on road frontages. What he is proposing it is showing 16 feet on Washam."

Ms. Trautwein: "So does our code allow having that driveway that goes to the interior lot as well as a driveway going to what exhibit F shows as lot B?"

Mr. Herron: "Yes, and let me clarify again we do not look at the driveway we just look at the lot and where it touches. Lot B touches on Washam St. by 59 feet; lot C touches Washam St. by 16 feet. Lot C is what in the industry we call a flag lot. Some communities do not allow flag lots. Our ordinance does not speak to that so it's perfectly legal. Now as far as where the driveways are located we leave that between private property owners. There could be one driveway for all three of these, we do not care but a lot has to touch by 16 feet so if neighbors for any reason don't get

along he has 16 feet that he can put his driveway and lot B has 59 feet. That's the way we look at that."

Mr. Dean: "I guess I have a question, I'm reading at the end of our agenda package where it says, "the planning board in considering an application for a variance shall give due considerations of the following." The first bullet point states the siding of other none conforming or conforming uses land or structures in the same or other district, shall not be considered grounds for granting of a variance. That's what we are looking at correct?"

Chair Crawford: "That's true, that's what we are looking at. Once we get into our fact finding we are going to be discussing this."

Mr. Sorensen: "Doesn't that also mean that it could be used?"

Chair Cheryl: "According to what we are looking at now we have to answer and address from the stand point that it is. Does anyone have any more questions directly to the applicant?"

Mr. Peterson: "This is one of the items that came up in one of our past meetings in regard to the waterfront. It was a 50 foot setback was set up. Did Cornelius change that to those that were purchased prior to that?"

Mr. Herron: "Not so much that we changed it we just chose to interpret it differently that the setback for lots today will match what was in place when the lot was recorded. If the lot was recorded during the time when the 35 setback was in place that lot is grandfathered at 35. If the lot was recorded during the time when it was 40, we grandfather at 40. What changes that is if someone rerecords the lot. If they rerecord the lot they have to meet today standards based on when the lot was recorded. If you have an older lot that was recorded during the 35 setback period and you rerecord today you're at 50."

Chair Crawford: "Any other questions for Wayne? We will keep you from bouncing back and forth."

Mr. Sorensen: "An answer to a flag lot question, one was recently done within last year or so down at the bottom of Church St. If you look at your handout that I gave you and it's with the red that would be the south west corner of Mulberry and Pine, that lot was changed in 2004, five or six. They never had any variance that I could find or any rezoning. It took a half an acre and it into four lots. One of those lots was recombined so that it's a half an acre and I'm doubling basically I'm using twice the size and asking for the same number of lots."

Chair Crawford: "Ok, any other questions? No more questions for Mr. Sorensen? Mr. Sorensen, anything else from you?"

Mr. Sorensen: "No, I think that's it. Thank you!"

Chair Crawford: "Ok, thank you! At this time I believe we have one person from the audience who like to come in and speak to us and I believe Ms. Paterson you have already been sworn in. If you will state your name and address please."

Ms. Paterson: "Christy Paterson, I live at 19807 Washam St. which puts me directly across the street from the empty lot that I believe you are referring to as lot A. Can you bring up exhibit A? Interesting enough, the little tiny lots on Pine St. and Mulberry. When I first moved to Cornelius that's where I moved. Not the town homes but one of the houses. I loved it so much I wanted to

buy a house to renovate in Cornelius. As I walked around with my dog day in and day out finally decided on the lot for the house that was (Inaudible) on Washam St. Bought it then doing renovation work (Inaudible). I really feel like that Dave can do what he wants to do here. Then there will probably be a really good chance that there will be a nice little house across the street from me instead of an empty lot. I would love that. I am obviously on smaller lot then even what he's proposing; it's a perfect size lot, not everyone wants a huge lot. No one wants one as tiny as the one up on Pine and Mulberry. It's a great size lot and I would love to have a house across the street from me and I think if he was able to do this than there is a good chance that would happen."

Chair Crawford: "Anyone have any questions for Mr. Paterson? Being that there is no more testimony I don't believe at this time so what we would like to do at this time is we are going to close the public hearing. Do I have a Motion to close the public hearing?"

Mr. McConnell made a motion to close the Public hearing. Ms. Trautwein seconded. All in favor, motion approved.

In Favor: Ms. Crawford, Ms. Trautwein, Mr. Dean,
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Mr. Peterson

Opposed: None

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act (G.S. 160A-388), the Board is required to reach the following conclusions as a prerequisite to the issuance of a variance.

Findings of Fact:

- Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

"Mr. Osborne: "Based on what we have heard I understand why they want the lot and I understand and why they would want it. I am having a little bit of a challenge to finding where the hardship has occurred. This would allow me to justify the variance."

Mr. McConnell made a motion for VAR 03-16 19808 Washam St. & 19817 Finding of Fact #1 that there is not an unnecessary hardship. Ms. Johnson seconded. All in favor, motion approved.

In Favor: Ms. Crawford, Ms. Trautwein, Mr. Dean,
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Mr. Peterson

Opposed: None

- The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

"Mr. Dean: "I do not see any hardships that are peculiar to that property that are not in evidence to all properties. The fact everyone experiences like work, expense and maintaining property. I don't think that there is anything peculiar to that property that could cause us to find in favor."

Mr. McConnell made a motion for VAR 03-16 19808 Washam St. & 19817 Church St. Finding of Fact #2 that there is not an unnecessary hardship. Mr. Dean seconded. All in favor, motion approved.

In Favor: Ms. Crawford, Ms. Trautwein, Mr. Dean,
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Mr. Peterson

Opposed: None

- The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

“Ms. Johnson: “It goes back to what I said before, you purchased all three of those parcels and there is not really any justification that can be made for allowing the variance as it stands currently. I really do not think that this justification as well.”

Mr. McConnell made a motion for VAR 03-16 19808 Washam St. & 19817 Church St. Finding of Fact #3 that there is not an unnecessary hardship. Ms. Johnson seconded. All in favor, motion approved.

In Favor: Ms. Crawford, Ms. Trautwein, Mr. Dean,
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Mr. Peterson

Opposed: None

- The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

“Ms. Trautwein: “The requested variance is not consistent with the spirit, purpose, and intent of the ordinance since section 5.5.5 actually is in conflict with what is being requested.”

Ms. Trautwein made a motion for VAR 03-16 19808 Washam St. & 19817 Church St. Finding of Fact #4 is not consistent with the spirit, purpose, and intent. Mr. McConnell seconded. All in favor, motion approved.

In Favor: Ms. Crawford, Ms. Trautwein, Mr. Dean,
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Mr. Peterson

Opposed: None

Mr. McConnell made a motion to deny VAR 03-16 19808 Washam St. & 19817 Church St. Mr. Dean seconded. All in favor, motion approved.

In Favor: Ms. Crawford, Ms. Trautwein, Mr. Dean,
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Mr. Peterson

Opposed: None

Ms. Trautwein made a motion to close the Board of Adjustment and re-open as the Planning Board. Ms. Johnson seconded. All in favor, motion approved.

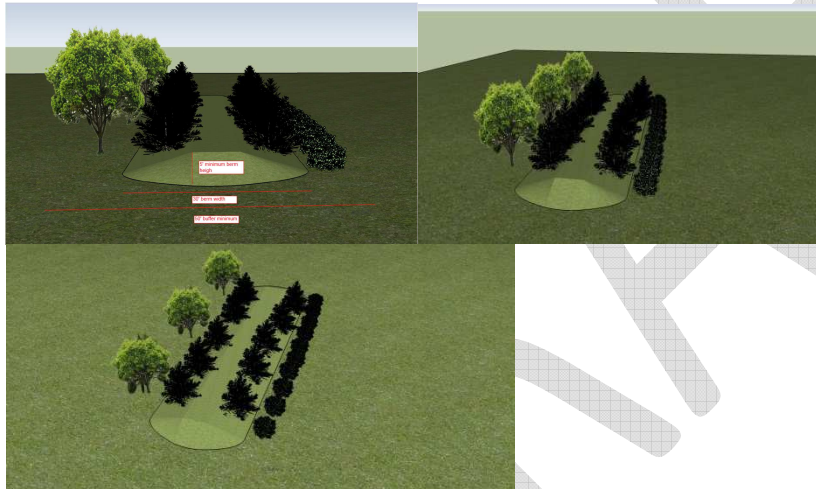
In Favor: Ms. Crawford, Ms. Trautwein, Mr. Dean,
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Mr. Peterson

Opposed: None

TA 05-16: Buffers, Landscaping & Open Space

Mr. Herron Presented TA 05-16. **The overview changes** that were done was Modifying Type A (Opaque Screen/Buffer) and Type B (Semi-Opaque Screen) buffer requirements in Chapter 9. Removing district buffer requirements from BC and IC (Ch. 5). Simplifying open space calculations in Chapter 8. **Existing:** Rear and/or side transition yard between HC and IC lots and non-HC and IC lots (Minimum width: 30 ft.) and the transition yard between NMX, VC, TC non-residential and mixed residential uses and adjacent attached and detached residential uses with a (Minimum width 10 ft. to 30 ft.) **Proposed Opaque Buffer Standards:** TYPE A (Opaque Screen/Buffer) Location & Required Usage: Rear and/or side transition yard between existing residential zoning/uses and all proposed uses and developments. Edge of all yards abutting right-of-way for Interstate 77 (Minimum width: 50'). Deciduous Trees must be a minimum of 2.5 inches caliper at planting. Evergreen Trees must be a minimum of 8' height at planting. Shrubbery must be minimum 36 inches height at planting. Existing vegetation may be considered. In joint consultation with the applicant and the adjoining property owner, the Planning Director may approve and/or recommend an alternative buffer that includes the existing vegetation.

Type A-1: Minimum width: 50', Berm with minimum height of 5' & maximum slope of 3:1, Deciduous trees at 2.5/100 linear feet, Evergreen trees at 5/100 linear feet (Must be on the berm), Shrubbery at 20/100 linear feet



Type A-2: Minimum width: 30, Masonry wall of brick and/or stone with minimum height of 6', Masonry wall shall be a minimum of 20' off of any property line, Deciduous trees at 2.5/100 linear feet, Evergreen trees at 5/100 linear feet, Shrubbery at 20/100 linear feet.



Type A-3: Minimum width: 10', To be negotiated with the adjoining property owner and may contain any combination of plant material or fence options that are mutually agreed upon by the applicant and the adjoining property owner. Any agreement must be in writing with the adjoining property owner's signature.

Ms. Johnson made a motion to approve Type a (Opaque Screen/Buffer) once A-3 is amended. Mr. Peterson seconded. All in favor, motion approved.

In Favor: Ms. Crawford, Ms. Trautwein, Mr. Dean,
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Mr. Peterson

Opposed: None

TYPE B (Semi-Opaque Screen): Location & Required Usage: Perimeter Yard of all parking areas in NR, NM, VC, TC, HC, IC Intermittent planting of deciduous & evergreen trees shall obtain a minimum height of 20' at maturity & have no unobstructed openings wider than 20' between canopies upon maturity. Shrub plantings shall have no unobstructed openings wider than 4'. At least 75% of the required shrubs shall be evergreen species locally adapted to the area.

Type B-1: Minimum 20 feet in width, No clustering of plant material, 1.675 deciduous trees/100 linear feet, 3.35 evergreen trees/100 linear feet, 13.4 shrubs/100 linear feet.

Type B-2: Minimum 10 feet in width, Must provide a continuous masonry (brick/stone) wall, four (4) feet minimum height., May have gaps for pedestrian connections., Must provide shrubbery at a rate of 20/100 linear feet.

Mr. Osborne made a motion to approve the parking screen buffers. Ms. Trautwein seconded. All in favor, motion approved.

In Favor: Ms. Crawford, Ms. Trautwein, Mr. Dean,
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Mr. Peterson

Opposed: None

Open Space: Current: Calculated based on the number of bedrooms and the distance from public parks.

OPEN SPACE DEDICATION MATRIX ACREAGE CALCULATION					
Estimated Number of Bedrooms X	Gross Dwelling Units per Acre				Proximity to Parks
	0-2	2-6	6-10	+10	Base
	500	520	550	580	w/in ½ mile
	375	390	413	435	Adjacent
	250	260	275	290	
All figures are in square feet					

How to use this matrix:

1. Determine average density for proposed development (Gross Dwelling Units per Acre).
2. Determine average number of bedrooms per dwelling unit (good faith estimate).
3. Multiply number of bedrooms by the number of units to get to the estimated number of bedrooms.
4. Multiply the estimated number of bedrooms by figures shown in the matrix which relate to the density of the site and its proximity to existing open space.

Proposed: All developments provide open space, regardless of distance from public parks, as well as a standard percentage for each district rather than a bedroom count.

Developments > 4 Residential Units: Open Space Required (Exception: Farmhouse Clusters):

- RP District Conservation Subdivision Rural 60%
- RP District Conservation Subdivision Low 50%
- RP District Conservation Subdivision Medium 40%
- RP District All Other Subdivisions 30%
- GR District 25%
- NR District 20%
- NMX District 20%
- Village Center District 20%
- Town Center District 15%

In mixed use developments, the open space requirement only applies to the area designated for residential development.

Improved Open Space: A percentage of the total open space required must be improved in either a passive or active manner. Areas labeled undisturbed may still include improved passive types of open space such as trails, open meadows, etc. as long as they are accessible. The following percentages of improved open space are to be provided:

- RP District Conservation Subdivision Rural = 15% of the total required open space
- RP District Conservation Subdivision Low = 20% of the total required open space
- RP District Conservation Subdivision Medium = 25% of the total required open space
- RP District All Other Subdivisions = 15% of the total required open space
- GR District = 20% of the total required open space
- NR District = 25% of the total required open space
- NMX District = 25% of the total required open space
- Village Center District = 50% of the total required open space
- Town Center District = 50% of the total required open space

Mr. McConnell made a motion to approve the open space. Ms. Johnson seconded. All in favor, motion approved.

In Favor: Ms. Crawford, Ms. Trautwein, Mr. Dean,
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Mr. Peterson

Opposed: None

OLD BUSINESS

None

NEW BUSINESS

Two new cases in December

NEXT MEETING

Monday December 12, 2016

ADJOURNMENT

Ms. Trautwein made a motion to adjourn the meeting at 8:40 p.m. Mr. McConnell seconds the motion. All in favor and motion approved.

In Favor: Ms. Crawford, Ms. Trautwein, Mr. Dean,
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Mr. Peterson

Opposed: None

Respectfully Submitted:

Cheryl Crawford
Chair

Date

Summer Smigelski
Secretary

Date

DRAFT

Minutes

TOWN OF CORNELIUS PLANNING BOARD

Assembly Room
December 12, 2016
6:30 p.m.

Members Present

Joseph Dean, Alternate
Hardy McConnell, Vice Chair
Susan Johnson, Alternate
Ivy Stroud, Alternate
Michael Osborne, Alternate
Keith Pickett
Keith Eicher

Members Absent

Lee Peterson
Cheryl Crawford, Chair
Betty Trautwein

Staff Present

Wayne Herron, Planning Director
Summer Smigelski, Admin. Assistant
Jason Pauling, Senior Planner

VISITORS

See Sign-In Sheet

DETERMINATION OF QUORUM

Vice-Chair McConnell called the meeting to order at 6:30 pm and noted there was a quorum present.

Approval of Minutes

Mr. Pickett made a motion of approval for the October 12, 2016 minutes. Mr. Eicher seconded. All in favor, motion approved.

In Favor: Mr. Dean, Mr. Pickett, Mr. Eicher
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Ms. Stroud

Opposed: None

REVIEW OF AGENDA ITEMS

Mr. Eicher made a motion to open up the public hearing. Mr. Pickett seconded. All in favor, motion approved.

In Favor: Mr. Dean, Mr. Pickett, Mr. Eicher
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Ms. Stroud

Opposed: None

Mr. Herron called forward anyone wishing to testify to be sworn in by the Board Secretary. The applicant and Town staff were sworn in by Ms. Smigelski.

MAV 02-16 Dynamic Ballroom

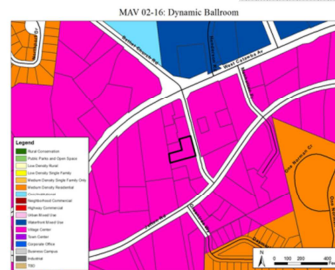
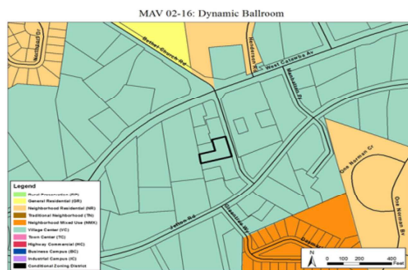
Mr. Pauling presented MAV 02-16 Dynamic Ballroom: Thank you, good evening everyone. Case MAV 02-16 Dynamic Ballroom is located at 19625 Bethel Church Road. Again this is quasi-

judicial as the chairman said, case will require simple majority and there are no findings of fact. It's a little different from a traditional variance. This property is about a half-acre. It's zoned Village Center. The applicants are proposing to do a dance studio. The height of the building is 26 feet, it is a one story building they are proposing. What you see before you here are two variation requests.

Proposed Variations:

Section 4.6.3(B) (3): Variation from 70% requirements for window and door coverage. Front façade has **29%** glass & storefront, 20.8% cornices, 12% pilasters, 4.8% awnings, and the remainder stucco finish

Section 4.6.3(B) (7): Variation from requiring interruption within 30 feet of either side of the building due to the fact that this will be a single tenant building. Here is a picture of the property this area on Bethel Church is the original part of the subdivision from 1999. Property is zoned Village Center. The Property Land Use Plan is also village center.



Here you will see an aerial; you can see the existing parking on the site. This is adjacent to the building that is currently three stories and contains the UPS store. Just at the corner of that building contains offices.



Here is more of a close up of the site also across Bethel Church is the Lake Town Tavern building.



Here are some photos of this building just to give you an architectural flavor for what's out there. The one on the bottom right, that's a picture of the actual site in question. It does have existing parking, infrastructure and sidewalk today.

Copy of the site plan, I will point out that they are not using the entire site there will be some room to the south here to add on in the future. The building will be located really close to the UPS store. The proposal is screen the HVAC and other units on that side to the north that you see. Pretty much fit within that building that's there. Here is the front elevation again these windows is a little misleading. That is 29 percent and then they have the columns, sides and the tops. This is 26 foot tall building, single tenant and single story.



Here are some more details on these elevations; you can see the top is the street facing elevation. The bottom is the south facing elevation that you will technically see from Jetton Rd. extension. Then you have the back elevation which is the parking lot which faces west then the side that faces the UPS store. This is again just some photos given by the applicants to give you an idea of what type of materials and what type of color their trying to use. That concludes staff presentation; I do want to point back to those variations again. If anyone has any questions I would be happy to answer.

Mr. Eicher: "You do not happen to have a schematic of what the 70 percent would look like so we have some way to compare it?"

Mr. Pauling: "Closest thing that I can think is Aquesta but we do not have a specific one to show."

Mr. Eicher: "It is possible because sometimes it nice to see what's required and what they propose to change so that we have a sense of what that looks like. That looks like that's plenty of windows."

Mr. Herron: "We do not normally ask the applicant. I might let Ivy talk about that. It's difficult to ask applicants to try and revise them and it's not in the realm of what they want to do because it might not fit how the building is designed inside or what the layout is. So we do not ask them to provide the 70 percent, usually they just tell us why they need the modification and why their doing the design their doing."

Ms. Stroud: "They started off with about 24 percent of coverage on there and the street elevation was the one that we had the most issue with on the Architectural Review Board because the proportion of windows to the rest of the facade was a little off. So they stretched the windows up towards the top of the building and we felt that the proportions were acceptable even though they were not covering 70 percent of the façade."

Ms. Johnson: "So it's pretty much straight-flat front and back?"

Ms. Stroud: "Pretty much, I know that the, I cannot remember how much the offsets of the vertical pilasters on the exterior were but we felt that because of variation of color and there offsets were fine."

Ms. Johnson: "Can we see the side and back? How much space did you say was going in between the UPS building and the side?"

Applicant: "We were looking I believe around (Inaudible)"

Ms. Johnson: "I know there is that big box that's to the right of the UPS store; it's like an electrical box, something like that."

Applicant: "There is a transformer but I don't remember exactly, it's on the backside."

Vice-Chair McConnell: "Any other questions for Jason? I see none, can we hear from the applicant."

Applicant: "Hi, my name is John Robert Hipskie I am the owner of Dynamic Ballroom. My wife and I have been in this business for about two and a half years now. We are doing well and we have outgrown our facility. Obviously budget comes into play with everything we have done here with this. Honestly looking at that picture I feel like tons of windows in the front but I don't know how that stuff works. We want it to look as nice as possible we just need larger and that is basically it. That location is perfect for it. I will answer any questions you have."

Mr. Pickett: "How many parking spots will you have JR?"

Applicant: "I haven't counted it out, it's a V shape. There's a few on front street there and several along the side. I would say at least thirty or forty. Also the lot is very big and most of the businesses in the area are during the day and most of my business is later in the evening. Again that's one of the only ways we can afford this property because the parking lot was already there."

Mr. Herron: "One thing to add Mr. Pickett is all the lots in the subdivision have cross parking as well. So they are all allowed to share parking. Really they have access to parking on both sides of the street and the lot."

Mr. Pickett: "Thank you Mr. Herron, Thank you JR."

Ms. Johnson: "The UPS store they tried to have designated parking, they put the signs up in front of some of the parking spaces as well. Do you plan to do that as well?"

Applicant: "I was not planning on designating any parking; again I didn't feel like I would have an issue. During the day I teach some private lessons and there may be a handful of people in the studio. Then group classes in the evening and it will get a little more popular and social on the weekends. Until 6pm, very limited in how much parking will be taken that I haven't even considered it yet because I didn't think it would be an issue."

Mr. Eicher: "Just to clarify you are not actually adding anymore parking, is that correct?"

Applicant: "Correct."

Vice-Chair McConnell: "Are there any more questions from the board for the applicant or for staff? Seeing none, well because this is a quasi-judicial, is there anyone else that would like to say something about this before we go over the variations?"

Ms. Johnson: "I don't know if this is the appropriate time or when we actually go through the specific variation but as far as the front elevation and it being flat, my only concern is that those buildings that are currently there they do have some areas where it's recessed and to keep with the look and feel of that, that's my only concern about that building not having as much variation."

Ms. Stroud: "So in the plan your wondering exactly how much those pilasters project from the façade of the building."

Ms. Johnson: "In these pictures you definitely have some recessed areas so maybe even if the front was pulled out then more than the rest of the building a little more. I don't know if that would work with the site plan but just keeping some similarity to those buildings, just some food for thought."

Vice-Chair McConnell: "For clarification for this quasi-judicial, a vote is basically on the approval. My I have a motion to close the public hearing."

Mr. Dean made a motion to close the public hearing. Mr. Pickett seconded. All in favor, motion approved.

In Favor: Mr. Dean, Mr. Pickett, Mr. Eicher
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Ms. Stroud

Opposed: None

Vice-Chair McConnell: "Now this opens it up to some discussion. There is a request for a little more detail. What are your thoughts or any concerns?"

Ms. Stroud: "I do not have any problems with it related to the code."

Mr. Pickett made a motion to approve the variation requests 4.6.3(B) (3) and 4.6.3(B) (7) as submitted in our packet. Ms. Johnson seconded. All in favor, motion approved.

In Favor: Mr. Dean, Mr. Pickett, Mr. Eicher
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Ms. Stroud

Opposed: None

OLD BUSINESS

Wayne gave an update on the Land Use Plan and meeting with Charlotte Water

NEW BUSINESS

Three items for January meeting

NEXT MEETING

Monday January 9, 2016

ADJOURNMENT

Mr. Pickett made a motion to adjourn the meeting at 7:02 p.m. Mr. Eicher seconds the motion. All in favor and motion approved.

In Favor: Mr. Dean, Mr. Pickett, Mr. Eicher
Mr. McConnell, Ms. Johnson, Mr. Osborne,
Ms. Stroud

Opposed: None

Respectfully Submitted:

Hardy McConnell
Vice-Chair

Date

Summer Smigelski
Secretary

Date

DRAFT

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: February 13, 2017


To: Planning Board Members
From: Summer Smigelski, Planning Admin.

Action Requested:

Approval of Minutes

Manager's Recommendation:

ATTACHMENTS:

Name:	Description:	Type:
 Joint_Meeting_Jan._30th_Will_edits_2.doc	January 30, 2017 Joint Meeting Minutes	Cover Memo



**ARTS CENTER/ARTS DISTRICT
JOINT WORK SESSION
ARCHITECTURAL REVIEW, HISTORIC PRESERVATION
LAND DEVELOPMENT CODE ADVISORY
PARKS, ARTS, RECREATION AND CULTURE
PLANNING
MONDAY, JANUARY 30, 2017
6:30PM**

- **Dinner served at 6:30pm**
- **Mayor Pro-Tem, Woody Washam welcomed everyone at 6:48pm**

Call to Order

The Chairman from each advisory board introduced their members and called their board to order.

- Joe Harris, ARB Vice Chair
- Julie Miller, HPC Chair
- Cheryl Crawford, LDCAB and Planning Chair
- Dr. Scott Higgins, PARC Chair

Arts Center

PARC Director, Troy Fitzsimmons gave a presentation on the Arts Center. See Presentation <http://cornelius.org/DocumentCenter/View/3754>

Arts District

Planning Director, Wayne Herron gave a presentation on the Arts District. See Presentation <http://cornelius.org/DocumentCenter/View/3753>

Discussion

Each table discussed in groups some ideas for the planning and development of Cornelius' Art District Overlay. The ideas that were discussed are based on the overlay extents, uses and zoning regulations, built environment, structures, architecture and the public art in the district.

After the discussion one person from each table shared some ideas.

Will Washam: "Starting with the geographic extents, we identified some control points that are currently existing; on Catawba we have the library, on North Main we have the Veterans Monument, potentially looking further north to see if there is something that makes sense, on South Main we have the firestation with the 9-11 monument. We don't have enough commercial space in downtown right now, but we also have some vacant land, so we're going to have some new development. We want high-quality new development that makes the most of our land with multi-story buildings."



**ARTS CENTER/ARTS DISTRICT
JOINT WORK SESSION
ARCHITECTURAL REVIEW, HISTORIC PRESERVATION
LAND DEVELOPMENT CODE ADVISORY
PARKS, ARTS, RECREATION AND CULTURE
PLANNING
MONDAY, JANUARY 30, 2017
6:30PM**

Commissioner Dave Gilroy: "One big strategic opportunity here; long term, is the redevelopment of Food Lion Shopping Center."

Susan Johnson: "To establish a sense of place; to create an advisory board separate from the 501(c)(3) that will really encompass the entire arts district; and for Artists to come together to decide direction."

Scott Higgins: "Access is very important; second point is telling the story of Cornelius; last is branding."

Joe Purdy: "To incorporate the scales from the Cotton Gin into the Arts Center; work with the existing businesses to get them on board to create a plan."

Julie Miller: "To reduce car traffic with bike lanes and shuttles; we need more variety of businesses in downtown."

Norris Woody: "We first need to get the overlay district right with friendly walkable space."

Adjournment

Meeting adjourned at 8:16 p.m.

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: February 13, 2017

To: Planning Board Members
From: Jason T. Pauling, AICP - Senior Planner

Action Requested:

A variance request by Carolina Restaurant Group, LLC from various chapters of the Land Development Code relating to allowing parking in the front yard in front of the principal building. The applicants are seeking a variance from all of the following sections that relate to this one issue of allowing parking in the front yard area: Chapter 6, Section 6.2.16(C), and Chapter 7, Sections 7.4(A), 7.4(C), 7.4(E), and 7.4(F).

Manager's Recommendation:

Hear evidence presented and render a decision.

ATTACHMENTS:

Name:	Description:	Type:
VAR_07-16_Staff_Report.docx	Staff Report	Backup Material
VAR_07-16_FoF.docx	Findings of Fact	Backup Material
EXHIBIT A-Wendy_s_Zoning.jpg	Exhibit A - Zoning Map	Backup Material
EXHIBIT B-Wendy_s_LU.jpg	Exhibit B - Land Use Map	Backup Material
EXHIBIT C-Wendy_s_Aerial.jpg	Exhibit C - Aerial Vicinity Map	Backup Material
EXHIBIT D-Wendy_s_Property.jpg	Exhibit D - Aerial Property Map	Backup Material
EXHIBIT E-CH_06_Sec_6.2.16.pdf	Exhibit E - LDC Chapter 6, Sec 6.2.16	Backup Material
EXHIBIT F-CH_07_Sec_7.4.pdf	Exhibit F - Chapter 7, Sec 7.4	Backup Material
EXHIBIT G-Application.pdf	Exhibit G - Variance Application	Backup Material
EXHIBIT H-Wendy_s_Site_Plan_(revised).pdf	Exhibit H - Site Plan	Backup Material
EXHIBIT I_Photo_1.JPG	Exhibit I - Photo 1	Backup Material
EXHIBIT J-Photo_2.JPG	Exhibit J - Photo 2	Backup Material
EXHIBIT K-Photo_3.JPG	Exhibit K - Photo 3	Backup Material



**VAR 07-16
WENDY'S**

**Staff Analysis
February 13, 2017**

Applicant: Carolina Restaurant Group, Inc.
8040 Arrowridge Blvd.
Charlotte, NC 28273

The Isaacs Group
8720 Red Oak Blvd. Suite 420
Charlotte, NC 28217

Tax Parcel Reference: 005-272-02

Location: 20410 West Catawba Avenue

Variance Request: The applicants are asking for a variance from Chapter 6: Section 6.2.16(C), and Chapter 7: Sections 7.4(A), 7.4(C), 7.4(E), and 7.4(F) relating to building placement in the front yard.

Zoning: Highway Commercial (HC)

Hearing Date: February 13, 2017

STAFF COMMENTARY:

The applicants are asking for a variance from sections in Chapter 6 and Chapter 7 of the Land Development Code relating to building placement in the front yard in order to meet new drive-through regulations to the greatest extent practical. These ordinances are in conflict with each other in this scenario based on the size, shape, and location of the lot.

Staff will present testimony at the hearing that covers the following basic facts and will introduce the Town exhibits into evidence:

1. The subject property is within the Town of Cornelius Zoning jurisdiction and is zoned Highway Commercial (HC). The property is shown on the Zoning Map as Exhibit A, on a Land Use Map as Exhibit B, on an Aerial Vicinity Map as Exhibit C, and on an Aerial Property Map as Exhibit D.
2. The existing building is non-conforming and does not meet any of the drive-through regulations outlined in Chapter 6, Section 6.2.16, nor does it meet ordinance requirements in Chapter 7. The Town Board adopted new drive-through regulations on November 17, 2014, to eliminate the Conditional Use Permit requirement, and to establish where it is appropriate to allow drive-through facilities by right, based on appropriate location, traffic circulation, and design standards. As part of Chapter 6, section 6.2.16, the Board established 17 new conditions on drive-through regulations that would have to be met in order to approve them by right. A copy of Chapter 6, section 6.2.16 is included as Exhibit E.
3. Chapter 7 of the Land Development Code includes requirements for parking lots to be located either behind or beside the principal structure, and setback from the building. A copy of chapter 7, section 7.4 with highlighted sections is included as exhibit F.

4. The Applicants have submitted a Town of Cornelius Variance Application, and a site plan of the proposed new building. The Variance Application is shown as Exhibit G, whereas the applicants are requesting a variance from sections 6.2.16(C), 7.4(A), 7.4(C), 7.4(E), and 7.4(F) of the Land Development Code in order to allow parking in the front yard, and to configure the building to hide the drive-through from view. The site plan is shown as Exhibit H.
5. Three pictures of the property at different perspectives are shown as Exhibits I, J and K.
6. It is staff's opinion that based on the pie shape of the lot in question, as well as the fact the lot sits well below the elevation of West Catawba Avenue and the south bound entrance ramp to I-77, there is no possibility for the development to meet the standards of both building and parking placement as well as drive-through standards, as applied together, they present a conflict.
7. The staff did offer advice to the applicant as to which standard carried the most weight or which may be considered more important to the Town. The Town did advise that screening the drive-through and placing it at the rear of the property was deemed more important/critical than having parking in the front yard area. This advice is why the applicant is focusing their variance requests on building and parking placement regulations.

The Board of Adjustment shall receive and consider all relevant evidence in the hearing and make its decision based on the competent, material and substantial evidence.

EXHIBITS:

<i>Exhibit A:</i>	Zoning Map
<i>Exhibit B:</i>	Land Use Map
<i>Exhibit C:</i>	Aerial Vicinity Map
<i>Exhibit D:</i>	Aerial Property Map
<i>Exhibit E:</i>	Land Development Code, section 6.2.16
<i>Exhibit F:</i>	Land Development Code, section 7.4
<i>Exhibit G:</i>	Variance Application
<i>Exhibit H:</i>	Site Plan
<i>Exhibit I:</i>	Property Photo – Catawba East
<i>Exhibit J:</i>	Property Photo – Catawba
<i>Exhibit K:</i>	Property Photo – SB 77 Ramp



TOWN OF CORNELIUS

VARIANCE

FINDINGS OF FACT

Owner/Project: Wendy's Restaurant	Case #: VAR 07-16
Acreage: 6.087 Acres	Tax Parcel(s): 005-272-02

The Planning Board, in considering an application for a variance, shall give due consideration to the following:

- The citing of other nonconforming or conforming uses of land or structures in the same or other districts, shall not be considered grounds for the granting of a variance.
- The request for a variance for a particular use expressly, or by inference, prohibited in the district involved, shall not be granted.

The Planning Board may only grant a variance, having first held a public hearing on the matter and having made the following determinations:

- A. There are unnecessary hardships resulting from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

☐ YES

☐ NO

The decision to make this finding is based on the following facts: _____

- B. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

☐ YES

☐ NO

The decision to make this finding is based on the following facts: _____

- C. The hardship does not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

☐ YES

☐ NO

The decision to make this finding is based on the following facts: _____

- D. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

☐ YES

☐ NO

The decision to make this finding is based on the following facts: _____

EXHIBIT A: VAR 07-16 Wendy's Zoning Map

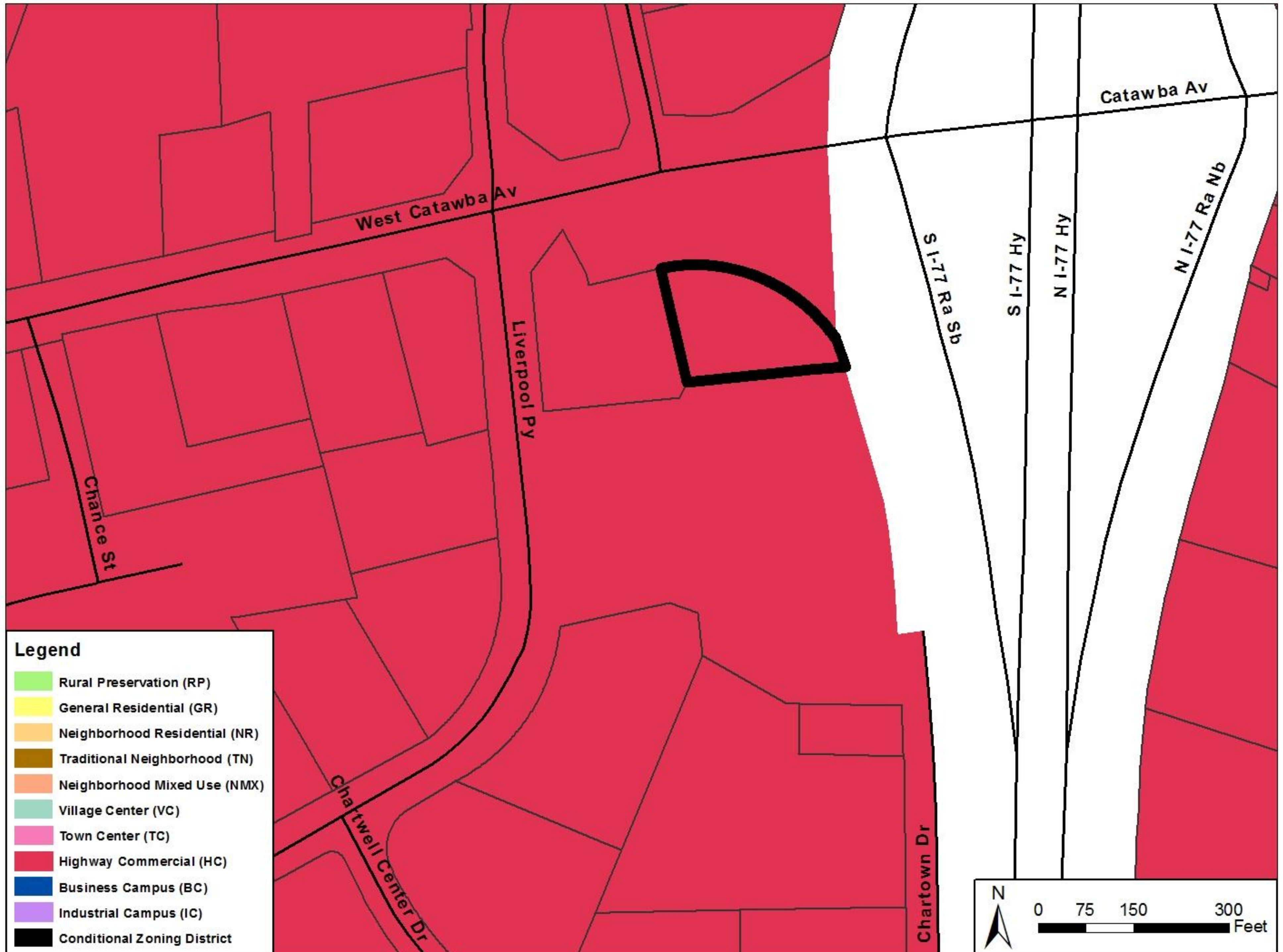


EXHIBIT B: VAR 07-16 Wendy's Land Use Map

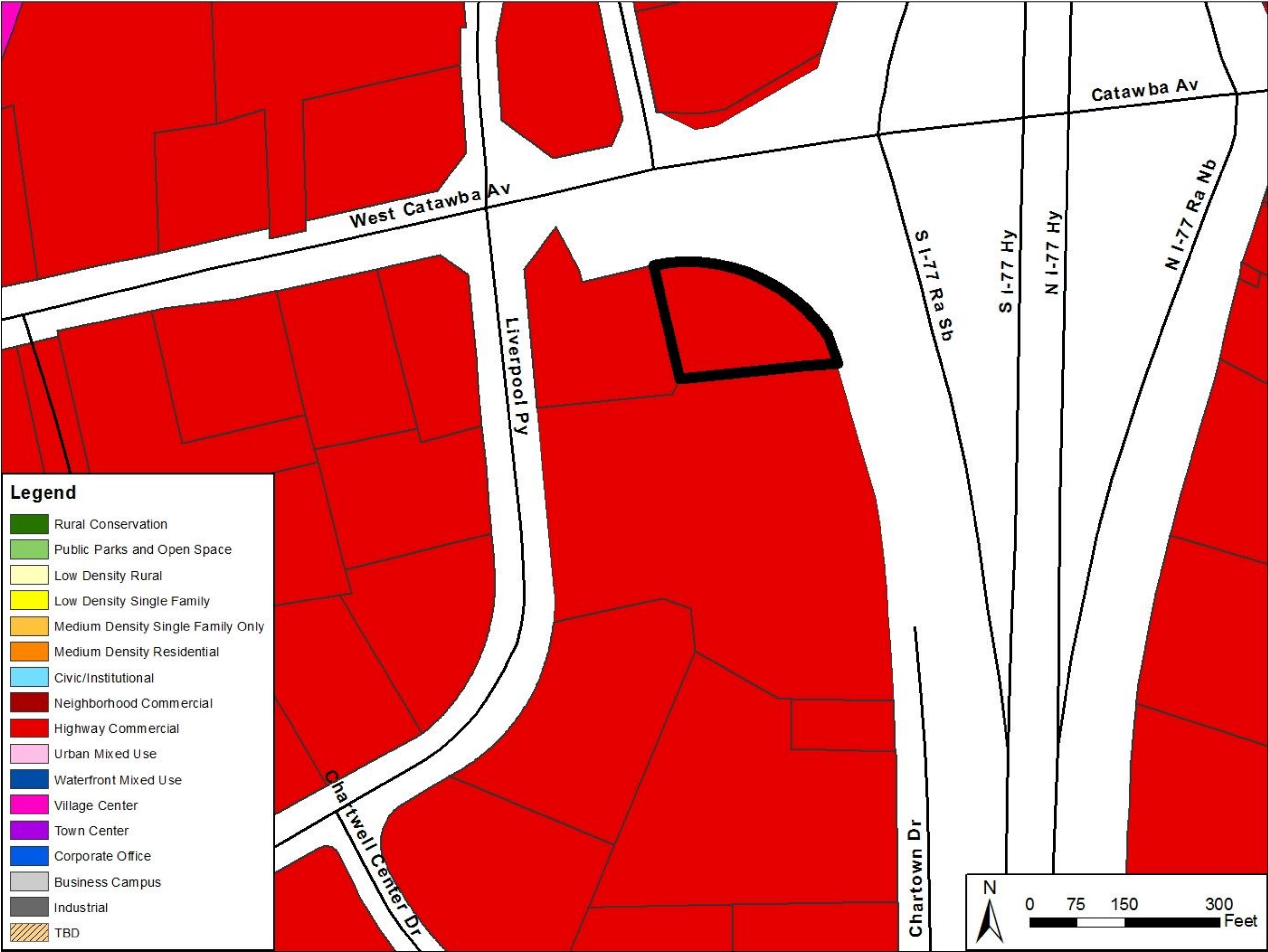


EXHIBIT C: VAR 07-16 Wendy's Aerial Map

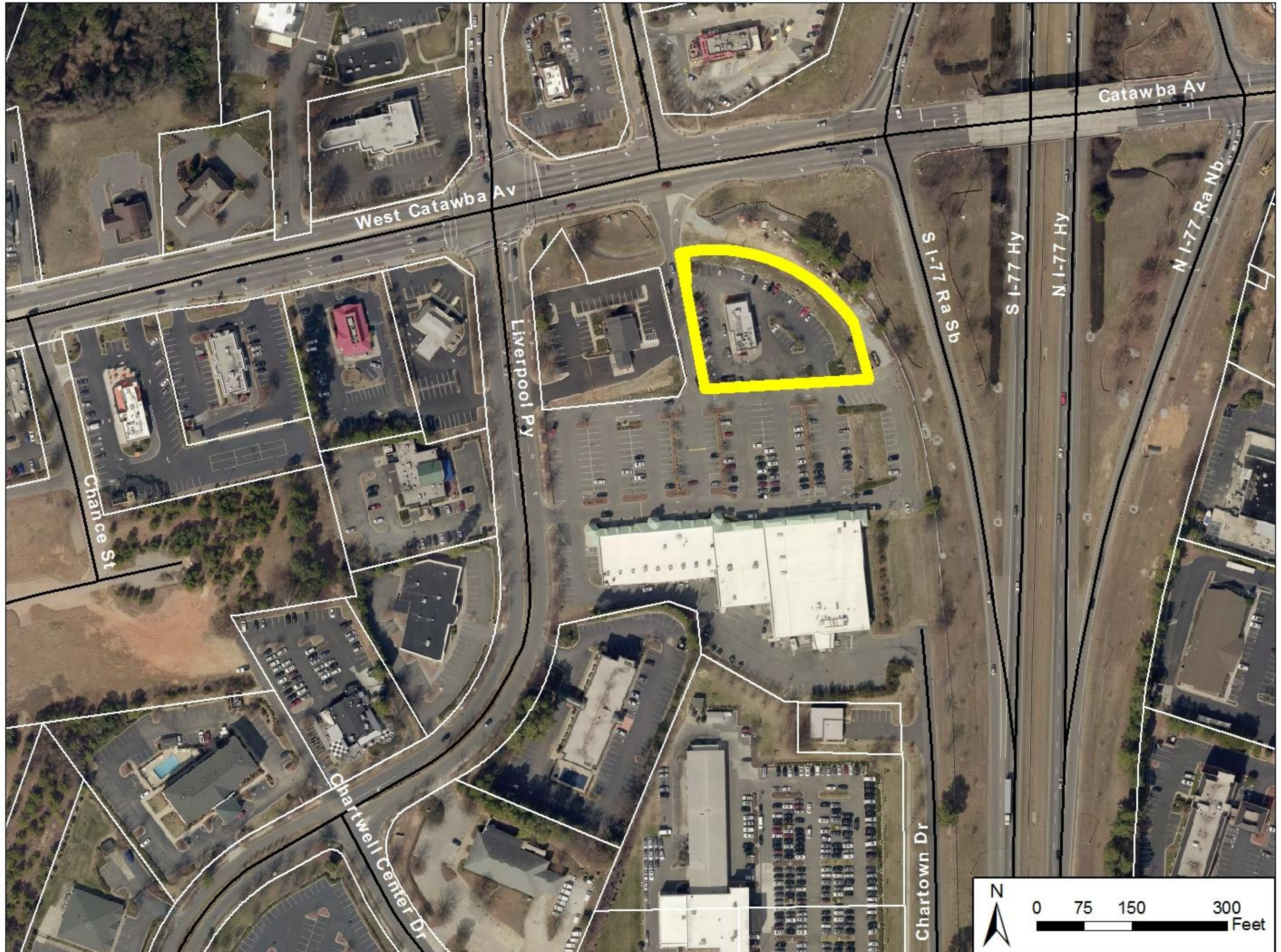


EXHIBIT D: VAR 07-16 Wendy's Property Map



CHAPTER 6: USES PERMITTED WITH CONDITIONS

hazardous conditions associated the use, operation, and physical configuration of the commercial/non-residential marina.

- C. The required operation plan should include proposed hours of operation; a plan or plans to scale of the marina and any other proposed ports of call denoting on-site commercial facilities to service the boat, location of proposed berth area, ingress and egress route from the berth within the marina to the main channel; and the minimum dimensions between commercial slips through which the boat will pass. The plan shall denote the location(s) or area within the commercial marina dedicated as berthing areas for non-power watercraft, and personal recreational watercraft. The plan shall also include the dimensions and seating capacity of the boat.
- D. The boat must be equipped with radar, meet all Coast Guard requirements for the class, must not exceed 80 feet in length; hull design for minimal wake.
- E. The boat is excluded from operation in any marina or cove less than fifty feet in length or waters less than ten feet in depth.
- F. Dockage should permit a minimum operating and turning radius of 2-1/2 times the lengths of the boat.
- G. Pier mooring shall meet all applicable commercial code requirements. Flotation shall be a minimum of 40 lbs. per sq. ft. of live load.
- H. The mooring area and pier should directly access the boat. Common use of pier area serving existing residential or recreational craft or interference with private boat pier users in the marina or private pier area is not permitted.
- I. Public restroom facilities and an adequate effluent pump-out station are required at the marina.
- J. Adequate on-site parking at the marina facility must be provided to specifically service this use.
- K. Hours of operation are between 9:00 a.m. and 11:00 p.m.
- L. Any amplified sound for recreational, or entertainment is permitted only during the prescribed hours of operation. Any amplification of sound is to be directed to within the boat.
- M. Operation outside of the marina is restricted to greater than 200 ft. from shore.

6.2.15. DAYCARE/PRESCHOOLS (NMX, VC, TC)

- A. Daycares and preschools shall be located on lots which provide ample outdoor play area. A fenced area in the rear yard or side yard a minimum of 2,500 square feet shall be provided. Fences shall be a minimum of 6 feet in height. Daycares and preschools located adjacent to parks are exempt from this provision.
- B. On-street parking may be used to fulfill parking requirements.
- C. All play equipment shall be located in the fenced area. Front yards shall not be used as playground areas.
- D. Decorative fencing or a vinyl coated chain link fence screened with landscaping shall be provided when the fence is visible from the street.

6.2.16. DRIVE-THROUGH WINDOW FACILITIES (VC, HC, NMX, BC)* Conditional Use

- A. Drive-through facilities located on the side of a building, with the exception of banks, shall be limited to one-lane only, and shall be screened from off-site view with a type 'A' landscaped buffer per Chapter 9. Multiple order/service lanes are only allowed in the rear



CHAPTER 6: USES PERMITTED WITH CONDITIONS

- yard, and limited to a maximum of two (2) for all drive through facilities, with the exception of banks. Banks may have a maximum of two lanes, whether the drive through facility is located in the side or the rear.
- B. All menu boards, drive through service windows, or other drive-through structures must be located on the rear or side of the principal structure, shall not conflict with the primary public entrance, and must be screened from off-site view with a type 'A' landscaped buffer per Chapter 9.
 - C. Buildings that include drive through facilities shall still conform to frontage build out requirements. However, the building may be setback in order to allow one drive-through exit lane in front of the principal building in order for the drive through facility to be physically separated from other vehicular traffic and pedestrians. Drive-through exit lanes may be within the front yard area but cannot be within the street right-of-way, and must be screened from the right-of-way by a wall a minimum of 3-feet in height. A hedgerow shall be provided between the right-of-way and the wall. The wall must contain materials that match the principal building.
 - D. Buildings that contain a drive-through facility must have one primary, designated public entrance that does not conflict with the drive-through circulation. The public entrance shall be located in the front from the public sidewalk or adjacent to the public parking area.
 - E. Adequate vehicle stacking for drive-through facilities shall be located outside of and physically separated from the right-of-way of any street and onsite parking, and shall not interfere with the efficient internal circulation of traffic on the site, adjacent property, or adjacent street right-of-way. Adequate vehicle stacking for drive-through facilities shall not be located in any front yard area.
 - F. Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall conform to the lighting standards set forth in Chapter 7.
 - G. Adequate vehicle stacking shall be determined by industry standard and shall be verified by the Town of Cornelius.
 - H. The drive-through facility shall not have a separate ingress/egress from the main thoroughfare. If the property is on a corner lot and/or backs up to a minor street or thoroughfare, drive through ingress shall be provided from the minor street or thoroughfare.
 - I. The drive-through lane(s) must be distinctly marked by special striping, pavement markings, or traffic islands and physically separated from onsite parking areas.
 - J. Drive-through lanes shall be designed and placed away from pedestrian crosswalks. The site shall provide and clearly demarcate separate, safe pedestrian circulation routes.
 - K. All signage for the drive-through facility including menu boards and directional signs shall be in accordance with Chapter 10 of this Code.
 - L. Weather protection devices; such as canopies; shall be provided at the drive through window and at the menu boards. These canopies shall be incorporated into the building expression, and the massing and scale should be appropriate and appear as an extension of the structure.
 - M. Drive through walls shall be brick, cast concrete, stucco, stone, marble, or other materials similar in appearance and durability. Regular or decorative concrete block may be used on building walls not visible from a public street or as an accent material only.



CHAPTER 6: USES PERMITTED WITH CONDITIONS

- N. Any detached drive through facility shall be clad in materials similar in appearance to the principal structure.
- O. Pitched roofs shall be clad in wood shingles, standing seam metal, corrugated metal, slate, diamond tab asphalt shingles or similar material.
- P. Flat roofs shall incorporate parapet walls to conceal the flat portions of the roof that are visible on the front and side elevations from any public street. When used on the side elevation, parapets shall be terraced.
- Q. Materials associated with the drive through facility should be consistent with the building façade and should be an extension of the building.
- R. Any developer of a proposed drive through facility that can establish quantitatively drive through traffic levels that require significant vehicle stacking and can demonstrate based on site characteristics that the only travel route for the additional traffic stacking is for it to wrap around the proposed structure and can provide aesthetically adequate and appropriate buffer and screening for such wrap around traffic stacking while assuring pedestrian safety, may apply for a conditional zoning review and request conditional zoning consideration for such wrap around traffic drive through facility.

6.2.17. DUPLEXES (TWO-FAMILY HOMES) (NR, NMX)

- A. Developments consisting only of duplexes are not permitted on lots greater than three (3) acres.
- B. Duplex developments must be visually compatible with the surrounding neighborhood.
- C. Duplexes on corner lots shall be designed in a way that each unit fronts on a different street.
- D. Parking for at least one unit of a duplex shall be located in the rear yard.
- E. No more than one duplex on a lot or within the same development shall be permitted without a Conditional Use Permit. Lots of record cannot be subdivided for single duplexes to circumvent this requirement.

6.2.18. ESSENTIAL SERVICES, CLASS 1 & 2 (All Districts)

(Free-Standing Wireless Communications Towers exceeding 35 ft in Height, and Electric Substations Require Conditional Use Permit)*

- A. Wireless communications towers in all districts (except HC and Industrial Campus districts) may not exceed the maximum permitted height for a given district except as a component of an existing or proposed structure not intended for human occupancy (i.e. Church bell towers and steeples) or attached to existing or proposed public infrastructure such as street lights, water towers and electrical transmission towers. All such towers shall be designed using stealth design elements. Wireless communications facilities attached to existing or proposed structures such as water towers, transmission towers, church steeples, streetlights, bell towers, or similar structures do not require a Conditional Use permit.
- B. The maximum height of all wireless communications towers in the HC district and any Industrial Campus District shall be 180 feet; provided, however, that the maximum height of a tower may be greater than 180 feet, but less than 200 feet when such tower is designed and constructed to accommodate the present or potential co-location of an additional wireless communications service provider or public safety communication use.
- C. Free standing wireless communications towers in HC and Industrial Campus districts shall be setback a distance equal to the total height measured from grade elevation from all adjoining properties of differing designation.



SECTION 7.4 OFF STREET PARKING AREA DESIGN SPECIFICATIONS

- A. Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding neighborhoods. Lots should be located behind buildings or in the interior of a block whenever possible.
- B. Parking areas shall not abut pedestrian-oriented street intersections or civic buildings, be adjacent to squares or parks, or occupy lots which terminate a vista.
- C. No off-street parking area shall be located within any front yard except for single-family residential uses. All off-street parking spaces for multi-family buildings shall be in the rear yard only.
- D. Driveways to parking areas shall not exceed 24 feet in width (2 lanes) or 12 feet in width (1 lane) except those with turn lanes required by the Town of Cornelius or NC DOT.
- E. Parking lots shall not occupy more than 1/3 of the frontage of the adjacent building or no more than 75 feet, whichever is less. This standard may be varied by the Board of Commissioners to allow for unique alternative parking designs.
- F. No parking lot shall be closer than ten (10) feet behind the frontage line of an adjacent building.
- G. All parking areas shall be screened from view in accordance with *Section 9.4.2(B) Type B - Semi Opaque Screen*.
- H. Off-street parking areas shall be designed to facilitate adequate movement and access by sanitation, emergency, and other public service vehicles without posing a danger to pedestrians or impeding the function of the parking area.
- I. Off-street parking areas for new commercial, industrial, or multi-family residential developments shall be designed to accommodate containment facilities for both garbage and recycling containers.
- J. Off-street parking areas shall be designed so that parked vehicles do not encroach upon or extend onto public rights-of-way, sidewalks or strike against or damage any wall, vegetation, utility, or other structure.
- K. Large surface parking lots should be visually and functionally segmented into several smaller lots. Alternative parking area designs shall create separate and distinct outdoor rooms for no more than 36 cars per room. The size of any single surface parking lot shall be limited to three acres, unless divided by a street or building.
- L. Designated parking areas and driveways for all uses (except single- and two-family dwellings) shall meet the following requirements:
 - 1. Standard curbing, with a minimum width of 1'6", shall be provided along the periphery of all driveways and designated parking areas. This requirement may be waived in a Watershed Protection Overlay District to permit sheet flow drainage into pervious areas.
 - 2. The following shall be paved or contain a similar type material approved by the Planning Director. Gravel and other stabilization material without a permanent wearing surface is not permitted:
 - Front yard parking areas.
 - Side yard parking areas with 12 or more parking spaces.
 - All off-street parking areas with 12 or more parking spaces
 Driveways (50 feet or more from the street to the internal parking. This distance may be reduced with Zoning Administrator or designee discretion for some circumstances where the distance to the internal parking can be less)
 - 3. Off-street parking areas for lots 11 or less parking spaces may use pea gravel or some other approved ground stabilization material in lieu of a paving material provided that handicap parking meets ADA standards and pea gravel is contained to the parking area using landscaping timbers or other containment device. All driveways are required to be paved it 50 feet or more from street to internal parking.
- M. Bicycle parking is encouraged for uses within the VC, TC, and NM districts and all civic uses. Bicycle racks shall be located on the side or rear yards provided they do not block pedestrian access.



TOWN OF CORNELIUS

Planning Department

PO Box 399 | Cornelius, NC 28031 | Phone: 704-896-2461 | Fax: 704-896-2462

Staff Only:	
Date Rec'd:	12/29/16
Rec'd by:	JP
Case #:	VAR 07-16

LAND DEVELOPMENT APPLICATION FORM

1. Application Type	✓	Fee		✓	Fee
• Sketch Plan/Plat (Major Sub):	<input type="checkbox"/>	_____	• Conditional Zoning (CZ)	<input type="checkbox"/>	_____
• Preliminary Plat (Major Sub):	<input type="checkbox"/>	_____	• Special Use Permit (SUP)	<input type="checkbox"/>	_____
• Final Plat (Major Sub):	<input type="checkbox"/>	_____	• Major Architectural Variation	<input type="checkbox"/>	_____
• Construction Documents:	<input checked="" type="checkbox"/>	\$250	• Minor Architectural Variation	<input type="checkbox"/>	_____
• General Rezoning	<input type="checkbox"/>	_____	• Other: _____	<input type="checkbox"/>	_____
Fee Total: _____					

2. Project Information	
Date of Application: 10/14/16	Name of Project: WENDY'S
Location: 20410 W. CATAWBA AVE	Property Size (acres): 6.087 # of Units/Lots: 1
Current Zoning: HC	Proposed Zoning: HC
Current Land Use: RESTAURANT W/DRIVE THRU	Proposed Land Use: RESTAURANT W/DRIVE THRU
Tax Parcel Number(s): 00527202	

3. Contact Information	
CAROLINA RESTAURANT GROUP, INC.	
Owner, Applicant, or Developer	
8040 ARROWRIDGE BLVD.	
Address	
CHARLOTTE, NC 28273	
City, State Zip	
(704) 525-3434	(704) 525-6639
Telephone	Fax
<i>May Miller</i>	Gary Miller 12-21-16
Signature	Print Name Date
Email - gmillere@classicburgers.com	
THE ISAACS GROUP, P.C.	
Agent(s) (Engineer, Architect, Etc.)	
8720 RED OAK BLVD. SUITE 420	
Address	
CHARLOTTE, NC 28217	
City, State Zip	
(704) 227-9408	(704) 527-8335
Telephone	Fax
	WILLIAM PUGH 12/21/16
Signature	Print Name Date
Email - wpugh@isaacsgroup.com	

4. The following items shall be considered as part of a complete application, please check this list to ensure all items are included:	
<input type="checkbox"/> Signed "Original" application	<input type="checkbox"/> Illustrative (color) site/sketch plan for presentation purposes with same layers as described above
<input type="checkbox"/> Project Fee(s) – See Fee Schedule	<input type="checkbox"/> Official hard copy of architectural elevations (at least one copy), which may include multiple pages. Must be drawn to scale by a registered architect, and include all primary and accessory buildings (including all building sides), and any other architectural elements/features of the site such as gazebos, trellis's, garden walls, retaining walls, or other items over 4-feet in height (NOT APPLICABLE FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENTS).
<input type="checkbox"/> Written Summary/Description of Request can be on company letterhead. Shall include requested use or uses, sq. feet of non-residential space, or density and number of units/lots for residential, or any other applicable information. For CZ's, must also describe any variations proposed from the Land Development Code	<input type="checkbox"/> Illustrative (color) elevations for presentation purposes for all items described above, as well as perspective (3D) renderings and photograph examples
<input type="checkbox"/> Property Survey (at least one copy), including existing buildings, topography, wetlands, streams, vegetation (trees over 18" in diameter), and other natural features.	<input type="checkbox"/> Digital Files of all items listed above
<input type="checkbox"/> Site/sketch plan (at least one copy), may contain multiple pages and must be drawn to scale by an engineer or landscape architect. Shall include locations of buildings and/or lots, streets, parking, proposed grading, landscaping/screening, open space, watershed/storm water information, associated storm water measures, and proposed utilities and lighting. Shall also include general information from adjoining lots	



TOWN OF CORNELIUS VARIANCE APPLICATION

Date Filed: 12/29/16	Case #: VAR 07-16 /JP
Fee Paid: \$ 250.00	Public Hearing: / /
Applicant: CAROLINA RESTAURANT GROUP, INC.	Tax Parcel: 00527202
Location of Variance: 20410 W. CATAWBA AVE.	Zoning: HC

I, _____, hereby petition the Board of Adjustment for a **VARIANCE** from the literal provisions of the Town of Cornelius Land Development Code because, under the interpretation given to me by the Zoning Administrator, I am prohibited from using the parcel of land described above in a manner shown by the Plot Plan attached to this form. I request a variance from the following provisions of the Zoning Ordinance (cite Section and numbers) CHAPTER 6: SECTION 6.2.16(C), CHAPTER 7: SECTIONS 7.4(A), 7.4(C), 7.4(E), AND 7.4(F).

Describe the variance being requested on the above referenced property: WE REQUEST A VARIANCE TO ALLOW PARKING IN THE FRONT YARD AND TO CHANGE THE CONFIGURATION OF THE BUILDING TO BE IN THE REAR OF THE PROPERTY VERSUS THE FRONT BASED ON CHALLENGES WITH THE SHAPE OF THE LOT, AND IN ORDER TO MEET SUPPLEMENTAL DRIVE-THRU REGULATIONS IN ACCORDANCE WITH CHAPTER 6.

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE:

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act (G.S. 160A-388), the Board is required to reach the following conclusions as a prerequisite to the issuance of a variance:

- A. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- B. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

- C. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
- D. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

Please State Facts & Arguments in Support of EACH of the Following Statements:

- A. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property

DUE TO THE UNIQUE CONFIGURATION OF THE PROPERTY CHAPTER 6, SECTION
6.2.16 AND CHAPTER 7, SECTION 7.4 ARE IN CONFLICT WITH EACH OTHER,
AND THE DRIVE-THRU CANNOT BE DESIGNED TO BE HIDDEN FROM VIEW, AND
ALSO BE IN THE FRONT YARD WITH PARKING IN THE REAR.

- B. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

THE RESTAURANT IS HAVING TO MEET THE REQUIREMENTS OF CONFLICTING
ORDINANCES. HIDING THE DRIVE-THRU IS MET BUT MEETING THE REQUIREMENTS
OF 7.49C) WHICH DOES NOT ALLOW PARKING TO BE WITHIN THE FRONT YARD,
CANNOT BE BE MET DUE TO THE PARCEL'S UNIQUE SHAPE. THIS ALSO LEAVES
THE DEVELOPMENT UNABLE TO MEET THE REQUIRED PARKING COUNT.

- C. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

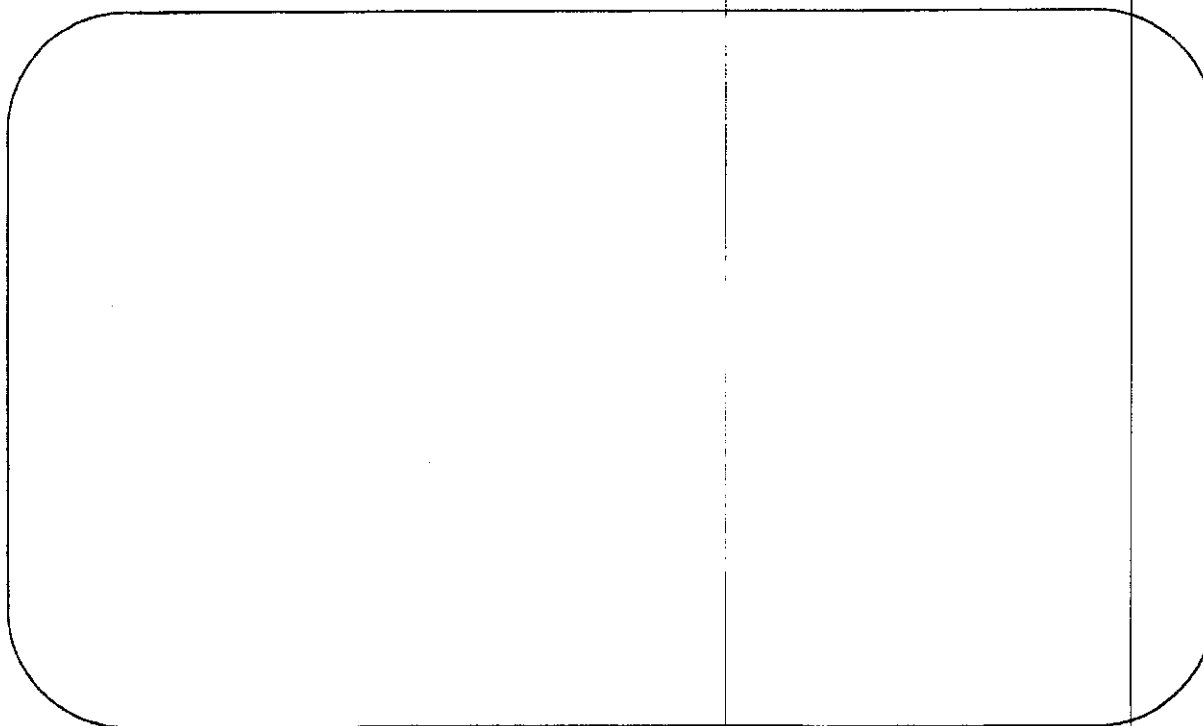
THE HARDSHIP IS A RESULT OF THE EXISTING PROPERTY CONFIGURATION.
REDEVELOPING UNDER THE CURRENT ZONING ORDINANCE WILL SIGNIFICANTLY
REDUCE THE NUMBER OF PARKING SPACES FOR THE RESTAURANT AND LEAVE
UNABLE TO MEET THE PARKING CODE REQUIREMENTS.

NAMES AND ADDRESSES OF ALL ABUTTING PROPERTY OWNERS

The following are individuals, firms, or corporations owning property adjoining (including those properties across the street) the property described in this application. Type or print the complete names and addresses including zip code and tax parcel number. These persons will be notified in writing of the time and place of the hearing.


	Name	Address/City/State/Zip	Tax Parcel Number

Submit or draw a Site Plan below describing property and variance request. Give all appropriate dimensions, buildings/structures and their distance to property lines, right-of-ways, etc.



PROJECT MAINT
CONTRACT/AGENCY CAROLINA RESTAURANT SUPPLY
ADDRESS 2010 W. CANTERBURY AVE
PLANS PREPARED BY THE JAMES GROUP, PC
DRAWING NO. 20012720
DESIGNED BY JAMES GROUP, PC
PROJECT NO. 20012720
PROJECT NAME CAROLINA RESTAURANT SUPPLY
JANUSZKOWSKI, TOWN OF CANTERBURY
PHONE # 704-597-3440

Wendy's®
OLD FASHIONED
HAMBURGERS

	WENDY'S 70 COLUMBIA AVE. AND 37 CROSS LANE, NORTH CAROLINA		SITE PLAN		8720 BOLD SAM CRAWFORD BLVD. SUITE 430 CHARLOTTE, N.C. 28217
	1/4" = 1'-0"	1/4" = 1'-0"	1/4" = 1'-0"	1/4" = 1'-0"	
ISAACS 2141 W. 10TH AVE. THE TRANSFORMATION STORE AND MATERIALS		1/4" = 1'-0"		1/4" = 1'-0"	1/4" = 1'-0"

**PRELIMINARY
USE FOR CONSTRUCTION**

PRELIMINARY
DO NOT USE FOR CONSTRUCTION

BY	DATE	ROOM
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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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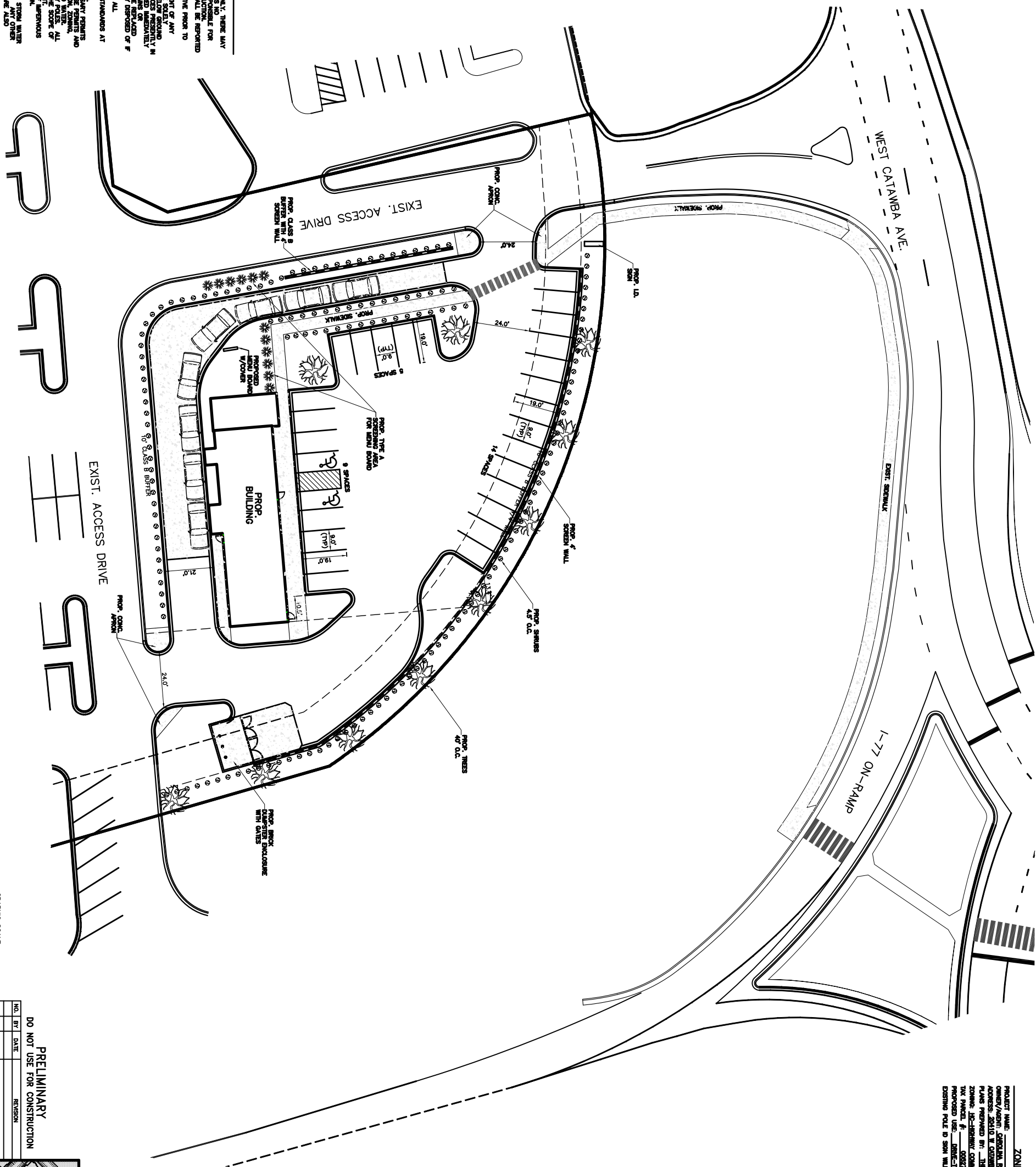
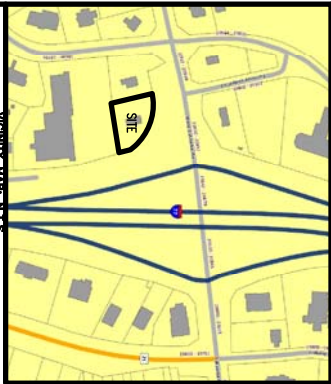
[illegible]

A horizontal graphic scale bar with a black and white checkered pattern. It is marked with the numbers 0, 10, 20, and 40, indicating units of measurement.

1004 - 20 FILE

[illegible]


EXHIBIT H



ZONING CODE SUMMARY	
PRODUCT NAME:	WEDD'S
OWNER/AGENT:	CAROLINA RESTAURANT GROUP
ADDRESS:	2010 W. CORNELIA AVE.
PLAN PREPARED BY:	THE SHAYS GROUP, PC
OWNER:	ICE-MONTANA COMMERCIAL
TAX PARCEL:	03527292
PROPOSED USE:	DRY-CLEAN RESTAURANT
ASSOCIATION:	TOWN OF CORNELIA

Wendy's

OLD FASHIONED
HAMBURGERS

WENDY'S 1000 W. GARDEN ROAD COLUMBUS, NORTH CAROLINA		Project: 8720 RED OAK BOULEVARD, SUITE 420 PHONE (704) 527-4440 FAX (704) 527-8335	
PRELIMINARY DO NOT USE FOR CONSTRUCTION		Title: SITE PLAN	
Project Egr: BLU Drawing By: BLU Drawn By: WGP Scale: 1"=100'	Plan #: 1814-S20MG Date: 12/23/96 ISAACS 500 DATE CONSTRUCTION DESIGN WAS SUBMITTED		







REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: February 13, 2017

To: Planning Board Members
From: Jason T. Pauling, AICP - Senior Planner

Action Requested:

A request from DB Automotive Real Estate Holdings, LLC to develop an automotive sales, service and storage use at 18837 Statesville Road. The proposed project consists of removing two existing buildings and constructing a new 22,850 square foot building to initially, which will then eventually be expanded to 26,800 square feet and include a larger auto sales showroom. The existing site is approximately 5.6 acres, and is zoned Highway Commercial (HC), and is also within the Automobile Sales Overlay District (AS-O).

Manager's Recommendation:

Approval with conditions.

ATTACHMENTS:

Name:	Description:	Type:
 DB Holdings_CZ_application.pdf	Application	Backup Material
 DB Holdings_project_description_letter.pdf	Project Description	Backup Material
 DB Holdings_ZONING.jpg	Zoning Map	Backup Material
 DB Holdings_LU.jpg	Land Use Map	Backup Material
 DB Holdings_VICINITY.jpg	Vicinity Map	Backup Material
 DB Holdings_PROPERTY.jpg	Property Map	Backup Material
 POLARIS_IMAGE.pdf	Polaris Aerial Photo	Backup Material
 Street_View.JPG	Street View 1	Backup Material
 Street_View_2.JPG	Street View 2	Backup Material
 REZ_10-16_DB_Holdings_2.13.17_(PB).docx	Staff Report	Backup Material
 Revised_Site_Plan.pdf	Revised Site Plan	Backup Material
 1-12-2017_REVIEW_BOARD_PRES.pdf	Revised Illustrative Site Plan & Elevations	Backup Material
 Illustrative_Site_plan.pdf	Detailed Illustrative Site Plan	Backup Material
 Phase_I_First_Floor_Plan.pdf	Phase 1 - First Floor Plan	Backup Material
 Phase_I_Mezzanine_Floor_Plan.pdf	Phase 1 - Mezzanine Plan	Backup Material
 Phase_II_First_Floor_Plan.pdf	Phase 2 - First Floor Plan	Backup Material
 Phase_II_Mezzanine_Floor_Plan.pdf	Phase 2 - Mezzanine Plan	Backup Material



TOWN OF CORNELIUS

Planning Department

PO Box 399 | Cornelius, NC 28031 | Phone: 704-896-2461 | Fax: 704-896-2462

Staff Only:

Date Rec'd: 10/28

Rec'd by: JP

Case #: REZ 10-16

LAND DEVELOPMENT APPLICATION FORM

1. Application Type

- | | ✓ | Fee | | ✓ | Fee |
|---------------------------------|--------------------------|-------|---------------------------------|--------------------------|-------|
| • Sketch Plan/Plat (Major Sub): | <input type="checkbox"/> | _____ | • Conditional Zoning (CZ) | <input type="checkbox"/> | _____ |
| • Preliminary Plat (Major Sub): | <input type="checkbox"/> | _____ | • Special Use Permit (SUP) | <input type="checkbox"/> | _____ |
| • Final Plat (Major Sub): | <input type="checkbox"/> | _____ | • Major Architectural Variation | <input type="checkbox"/> | _____ |
| • Construction Documents: | <input type="checkbox"/> | _____ | • Minor Architectural Variation | <input type="checkbox"/> | _____ |
| • General Rezoning | <input type="checkbox"/> | _____ | • Other: | <input type="checkbox"/> | _____ |

Fee Total: _____

2. Project Information

Date of Application: 11-4-2016 Name of Project: DB HOLDINGS
 Location: 1837 STATEVILLE RD. Property Size (acres): 5.62 # of Units/Lots: _____
 Current Zoning: AG-0 Proposed Zoning: CZ (AG-0)
 Current Land Use: AUTOMOTIVE SERVICE, STORAGE, COMMERCIAL Proposed Land Use: AUTO. SALES, SERVICE, STORAGE
 Tax Parcel Number(s): 00541209

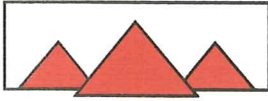
3. Contact Information

DB AUTOMOTIVE REAL ESTATE HOLDINGS LLC
 Owner, Applicant, or Developer
20700 TORRENCE CHAPEL RD
 Address
CORNELIUS, NC 28031
 City, State Zip
704-896-3800
 Telephone
JACK SALZMAN
 Signature Print Name Date
 Email: J.SALZMAN@CLAKENORMANCHRYSLER.COM

ADAM STACE ASSOCIATES ARCHITECTURE
 Agent(s) (Engineer, Architect, Etc.)
126 N. MAIN ST
 Address
MOORESVILLE, NC 28115
 City, State Zip
704-664-1311
 Telephone
LARRY SCHAEFFER 11-4-2016
 Signature Print Name Date
 Email: LARRYSC@ADAMSTACEARCH.COM

4. The following items shall be considered as part of a complete application, please check this list to ensure all items are included:

- | | |
|---|--|
| <input type="checkbox"/> Signed "Original" application | <input type="checkbox"/> Illustrative (color) site/sketch plan for presentation purposes with same layers as described above |
| <input type="checkbox"/> Project Fee(s) – See Fee Schedule | <input type="checkbox"/> Official hard copy of architectural elevations (at least one copy), which may include multiple pages. Must be drawn to scale by a registered architect, and include all primary and accessory buildings (including all building sides), and any other architectural elements/features of the site such as gazebos, trellis's, garden walls, retaining walls, or other items over 4-feet in height (NOT APPLICABLE FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENTS). |
| <input type="checkbox"/> Written Summary/Description of Request can be on company letterhead. Shall include requested use or uses, sq. feet of non-residential space, or density and number of units/lots for residential, or any other applicable information. For CZ's, must also describe any variations proposed from the Land Development Code | <input type="checkbox"/> Illustrative (color) elevations for presentation purposes for all items described above, as well as perspective (3D) renderings and photograph examples |
| <input type="checkbox"/> Property Survey (at least one copy), including existing buildings, topography, wetlands, streams, vegetation (trees over 18" in diameter), and other natural features. | <input type="checkbox"/> Digital Files of all items listed above |
| <input type="checkbox"/> Site/sketch plan (at least one copy), may contain multiple pages and must be drawn to scale by an engineer or landscape architect. Shall include locations of buildings and/or lots, streets, parking, proposed grading, landscaping/screening, open space, watershed/storm water information, associated storm water measures, and proposed utilities and lighting. Shall also include general information from adjoining lots | |

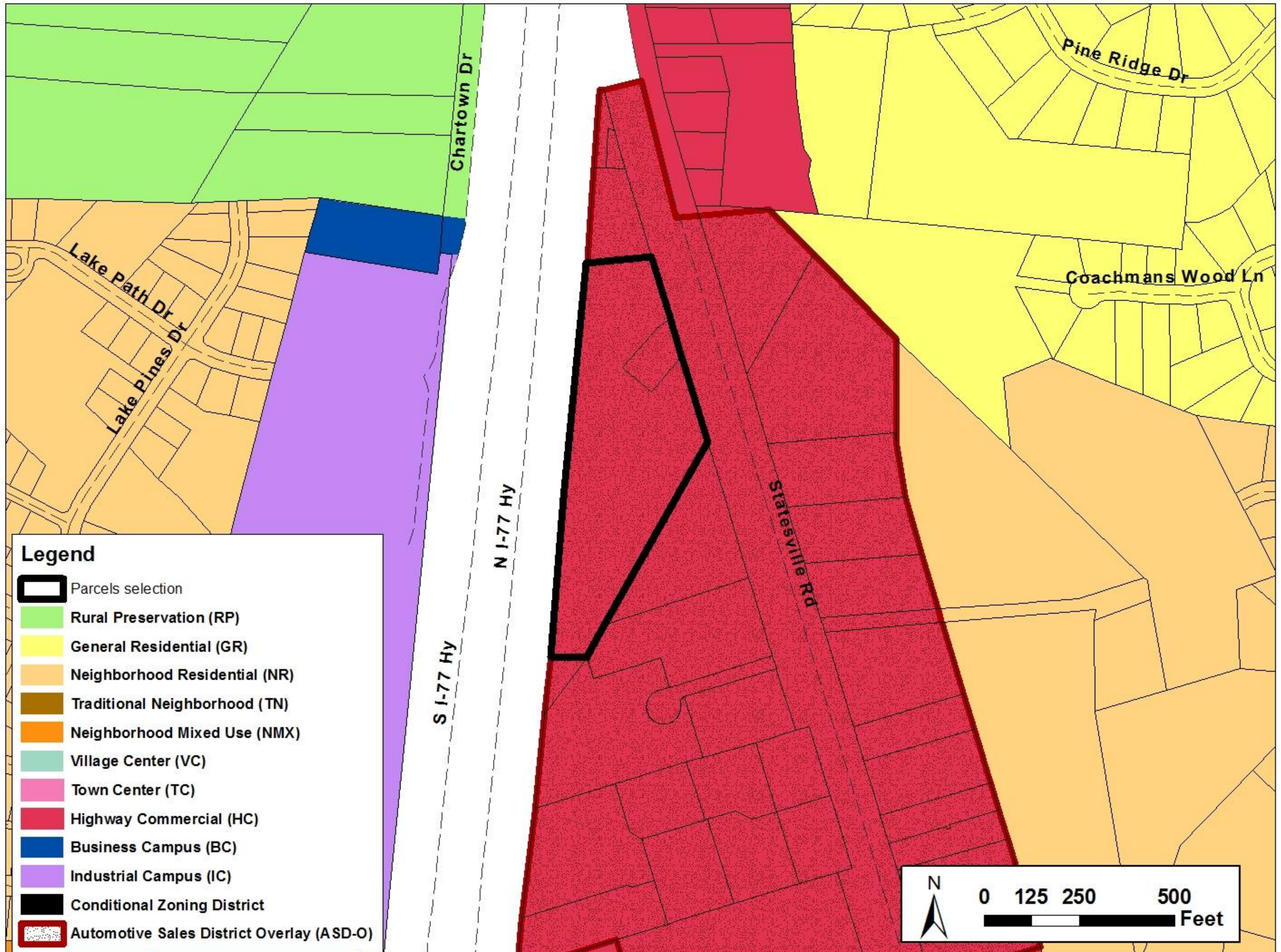


October 25, 2016

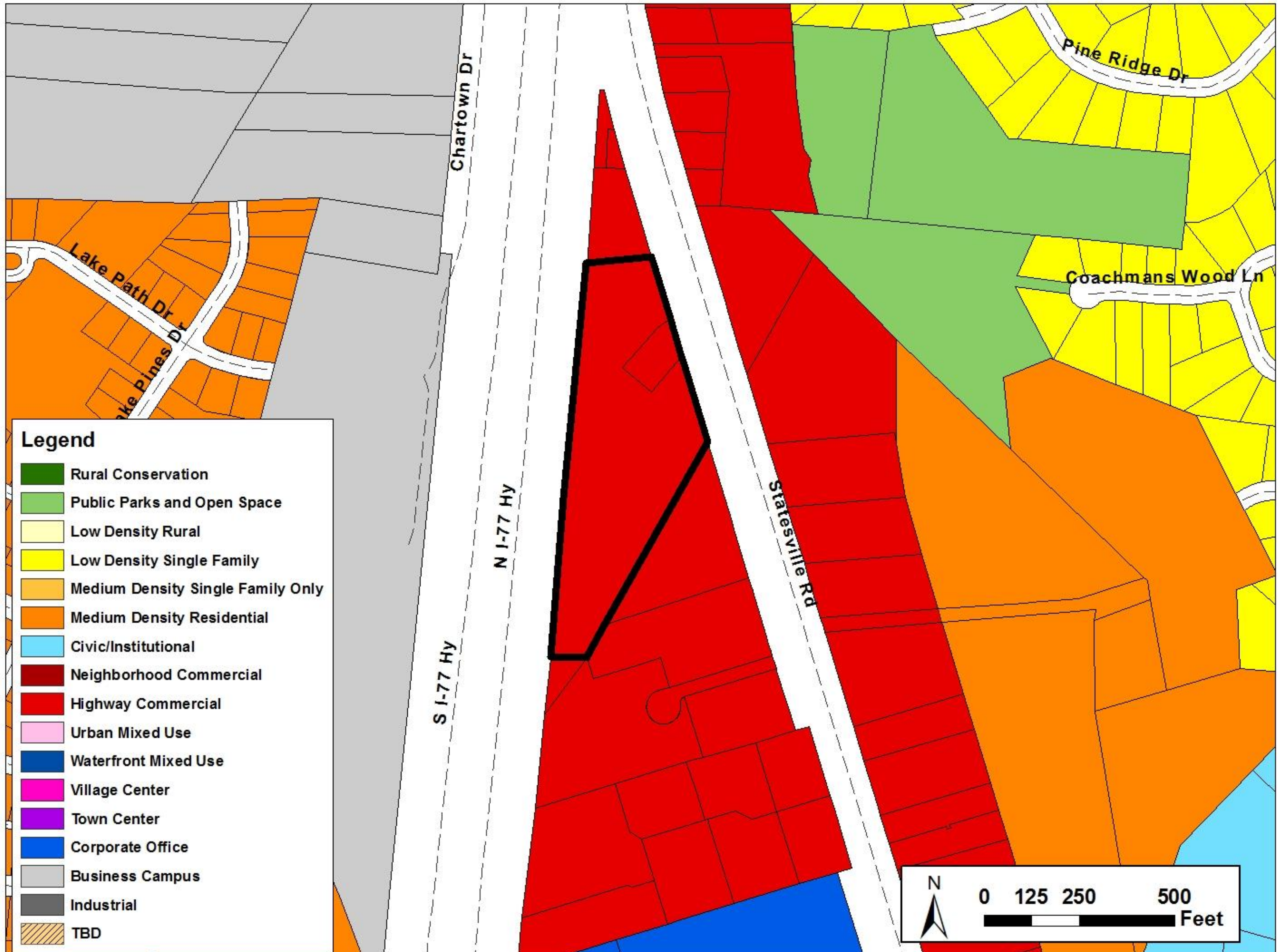
RE: DB Holdings
18837 Statesville Road
Cornelius, NC

This proposed project consists of the removal of two buildings, with an approximate square footage of 9,075. Phase I will consist of the construction of a new 22,850 square foot commercial building. Phase II will increase the building to 26,800 square feet by adding a new sales floor area to the front of the building and a drive thru wash bay. This single story building with a mezzanine, will serve as an automotive service center with automotive sales. The project includes site improvements which includes; grading, parking lots, service drives, site lighting and landscaping. The site is 5.6 acres and is zoned as HC (Highway Commercial) and will remain as Highway Commercial. There are no variations proposed from the Land Development Code.

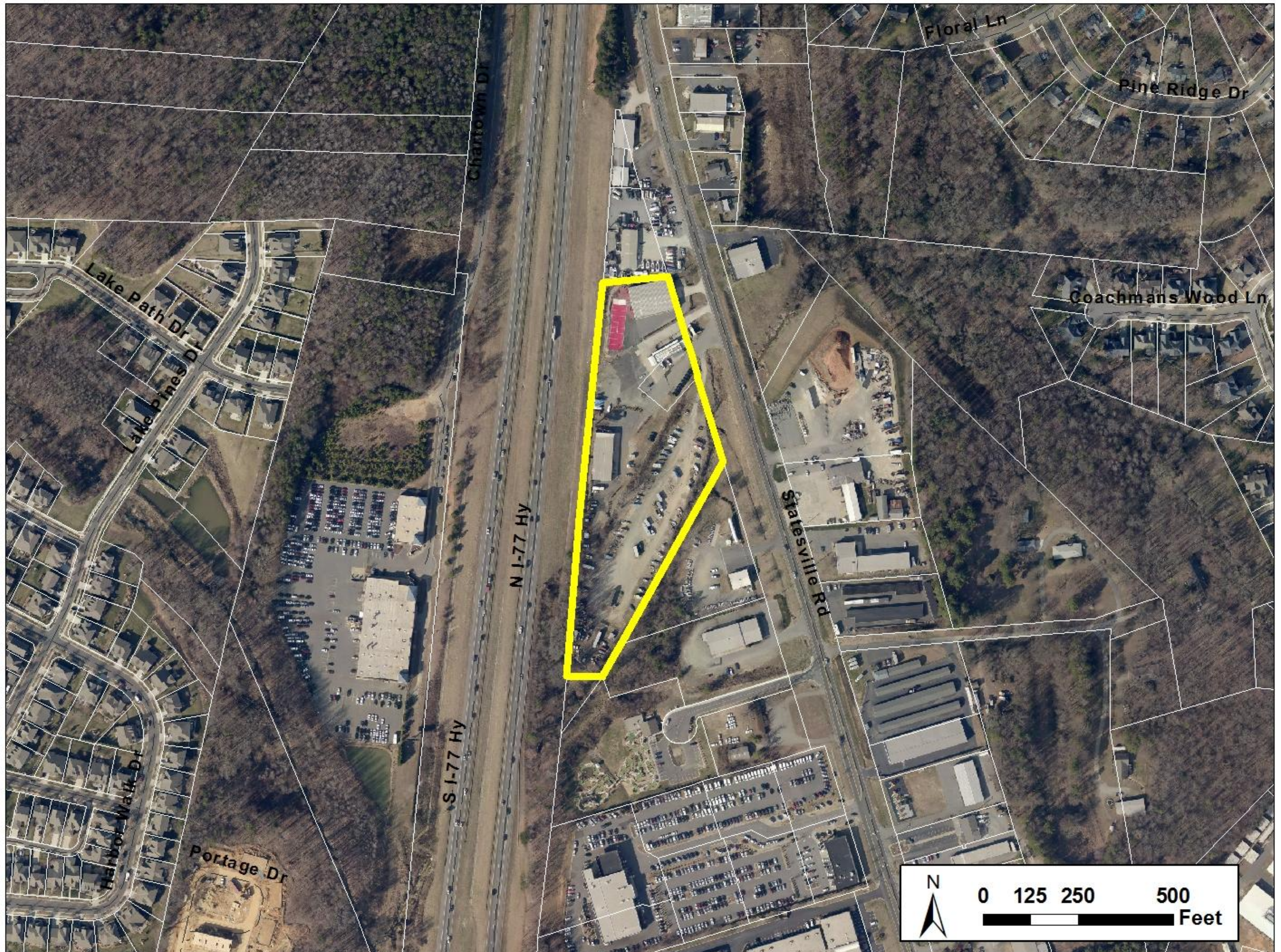
REZ 10-16: DB HOLDINGS



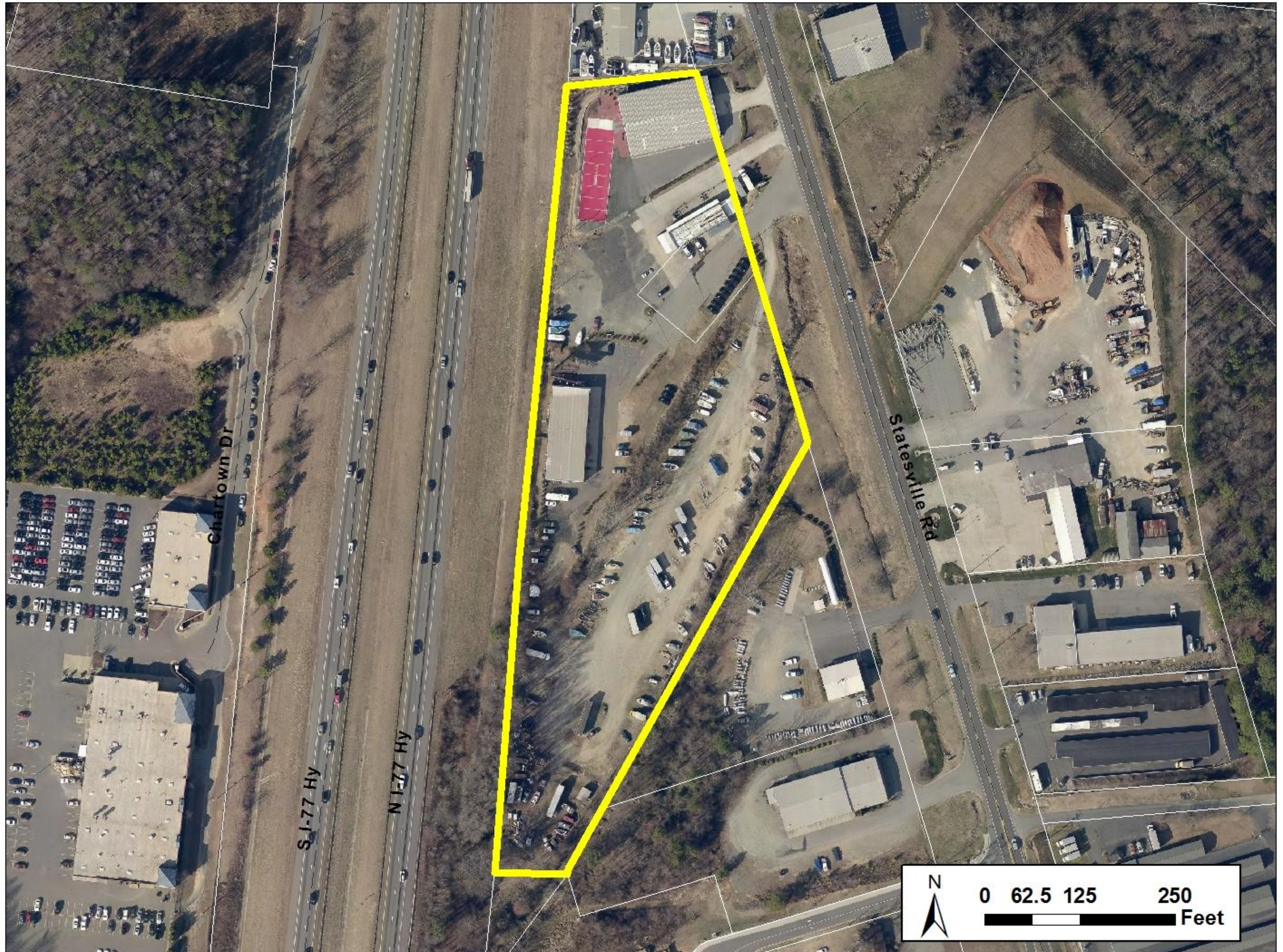
REZ 10-16: DB HOLDINGS

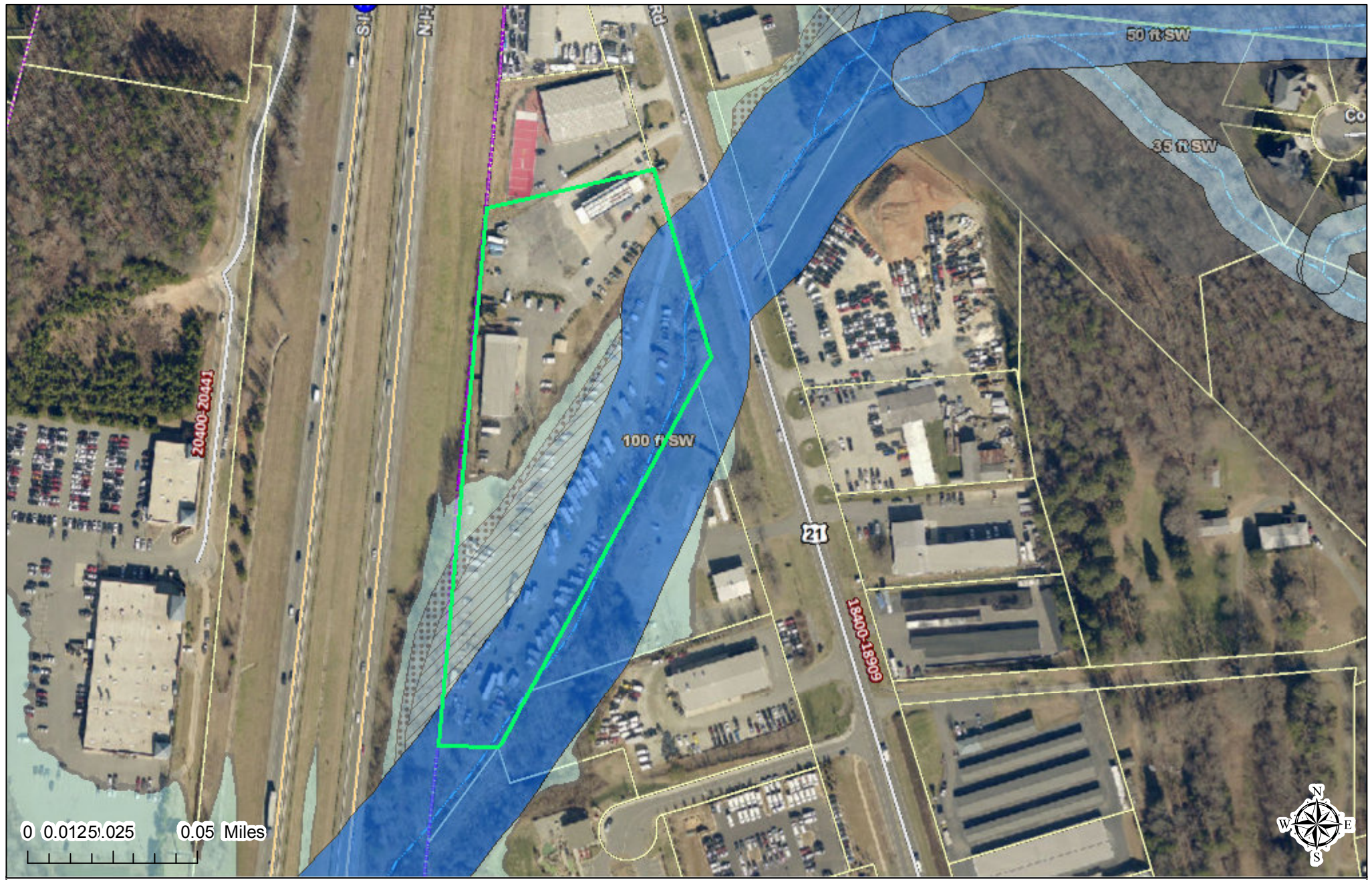


REZ 10-16: DB HOLDINGS



REZ 10-16: DB HOLDINGS











**REZ 10-16
DB Holdings**

Conditional Zoning Request

**Planning Board Meeting
February 13, 2017**

OWNER: Jack Salzman
DB Automotive Holdings LLC
20700 Torrence Chapel Road
Cornelius, NC 28031

APPLICANT: Larry Schaeffer
Adams & Associates Architects
126 N. Main Street
Mooresville, NC 28115

PROPERTY LOCATION: 18837 Statesville Road

TAX PARCEL ID(S): 00541209

PROPERTY SIZE: 5.62 acres

CURRENT LAND USE: Auto/Boat Service, Storage and Wash

PROPOSED LAND USE: Automobile Sales, Service and Storage, 22,850 sq. foot building, with phase 2 expansion to 26,800 sq. feet

EXISTING ZONING: Highway Commercial (HC), Automobile Sales Overlay (AS-O)

PROPOSED ZONING: Conditional Zoning (CZ)

EXISTING CONDITIONS:

1. *Existing Site Conditions* – Although the site is roughly 5.62 acres, it is divided topographically by a large floodplain, which is where the storage lot is located. The applicants have recently received approval to resurface and improve the existing storage lot. Approximately 3.13 acres of the property lies within the floodplain, which limits the buildable portion of the site to 2.49 acres. The site currently contains 2 buildings, one in the back near the interstate which has been used for auto and boat service, and one toward the front which is currently used as service and a car wash. The site is also predominately paved or gravel in between the two buildings. The site directly north has been subdivided, but is also under the same ownership. It contains Champions Sports Performance Center, which includes a large metal building in the front, and an outdoor rec/training area in the back. Between these two properties, there are currently three separate driveways off of Statesville Road.

2. Description of Adjoining Zoning and Land Uses – Directly north of Champions Sports Center, the site is bordered by another automotive/boat use, Pier 77 Marine. Directly across the site there exists a variety of uses, including a fabrics and furniture warehouse, Carolina Customs wheels, tires and accessories (another auto service use), and Kids Emporium. Directly to the south there is a propane sales company (Lake Norman Propane).

STAFF COMMENTS:

1. Land Development Code Consistency – In 2015, the Town Board approved a text and map amendment establishing the Automobile Sales Overlay District, whereas its intent was to establish an area on Highway 21 where automobile sales uses could be considered with conditional zoning approval. The amendment included automobile, truck, motorcycle, boat and other vehicular type sales lots along these areas between Highway 21 and the interstate intended to promote vehicular customer traffic in areas not adjoining residential neighborhoods. The Board agreed that this was the area appropriate to consider these types of uses through conditional zoning requests. Service and storage uses would only be approved as an accessory use to a designated dealership, and the minimum site area is three (3) acres. The text amendment adopted in 2015 also specified that all automobile display and storage areas must be screened from view with a type 'A' opaque buffer, which must provide a continuous, even screen and should not be clustered. Although the storage/display lot is at a much lower elevation than the road due to the floodplain, the site plan shows substantial screening to meet this requirement.
2. Land Use Plan Consistency – The Land Use Plan adopted by the Town Board on January 6, 2014 designates this property as "Highway Commercial" The goal of highway commercial uses is to encourage non-residential uses along major thoroughfares at a larger, regional scale, away from residential uses where primary access is by vehicle. The Land Use Plan also specifies that access management is a key component to highway commercial uses, and promotes that consolidation of access points is appropriate.
3. Site Plan and Building Elevations – The applicant(s) are proposing to demolish the two existing buildings on the site, which equate to about 9,075 total square feet, and to develop a new building, which will initially be 22,850 square feet, but will eventually be increased to a total of 26,800 square feet in Phase 2 to include a larger, auto showroom area. Phase 2 will also add a car wash. The building will be single story, but will include a mezzanine level for storage of parts. Although not part of the rezoning area, the applicants are also proposing to improve/replace the parking area for the fitness center, and consolidate driveways on Highway 21 from three to one. The lower, floodplain area will contain the display and auto storage area, which is already approved to have storage today. Once the project goes forward to construction documents, staff will review the lighting changes to the lower lot in detail. The existing gravel in both the lower lot and upper area will be replaced with paving, and landscaping will be added to meet code. The site plan also shows sidewalk connectivity around both phases of the building, as well as appropriate connections between the upper and lower areas of the lot. The illustrative site plan also shows proposed landscaping and buffering to meet code.

The elevations presented include mostly an EIFS façade with large glass windows, as well as glass rollup doors. The building will include on all sides a variety of accent materials, including fiber cement, polished concrete block along the foundation, and a variety of different types and colors of stucco on other parts of the building. The phase 1 front elevation consists of 54% glass and storefront, whereas the phase 2 includes 63% glass. The phase 2 (front) elevation removes the canopy, and extends the showroom forward creating additional square footage and a larger showroom. The building will also be located such that the east elevation will also be highly visible from Statesville Road. Staff and the ARB worked with the applicants to address more detail in the east elevation, including the change in the stucco color above the windows, and access to the parts department and roll up door.

The floor plan shows a smaller sales area/showroom for phase 1 (1,280 sq feet), which expands to 2,200 square feet with the phase 2 showroom. Both phase include a 1,980 square foot parts department, whereas parts delivery will be handled by forklift to the lower service roll door on the east elevation. The bulk of the building will include service bays.

4. NCDOT Review – Staff has provided the plans to NCDOT for comment, but does not have any specific recommendations from NCDOT at this time. Additional conditions may be necessary to reflect any requirements NCDOT may have related to the project.
5. Pre-Development Review Committee – This proposed development was presented to the PDRC on December 8, 2016. The site layout has not changed since that time, although there were comments made at PDRC about trying to have the building better address Statesville Road and be pulled to the front setback line. The applicants discussed difficulty with access to the service bays if the building was to be pulled up. The PDRC also asked about making sure there was adequate screening and buffering from Statesville Road for both the lower parking lot, as well as the new parking in front of the building if the building were unable to be moved. Other discussions included concerns about parapet heights from I-77, questions about the timing between phase 1 and phase 2, making sure that contours were shown on the revised plan, and making sure that amount of glazing is maximized on the front façade.
6. Architectural Review – Detailed elevations were presented to the Architectural Review Board on December 9, 2016, and again on January 27, 2017. At the December 9th meeting, the following comments were made by the board:
 - Questions about the access to the lower lot, at the time the site plan did not include the sidewalks
 - The Board asked that the front door be better addressed on phase 1, which the applicants addressed in the revisions with the covering
 - The Board asked about changing the EIFS color on the East elevation above the windows, and to continue using stucco in lieu of painted concrete block. The revised elevations show these changes
 - The Board asked to see an elevation/profile to ensure that the parapet from 77 was of adequate height to screen all mechanical equipment.

The revised elevations were presented and approved by the ARB at their January 27th meeting.

7. Community Meeting – The community meeting was held on December 7, 2016 at Town Hall in room 204 where there were about 5 people were in attendance other than staff and the applicants. Some residents had some concerns about making sure adequate screening was provided. Otherwise, there were not many concerns about the project.

STAFF RECOMMENDATIONS:

Staff recommends approval of the requested rezoning subject to the following conditions:

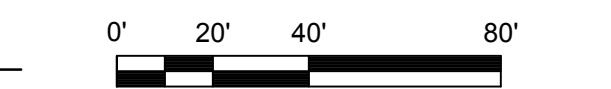
1. Town approval is contingent on review and approval by other applicable local, state and federal agencies.
2. The development shall comply with all other applicable requirements of the Town of Cornelius Land Development Code.
3. Town approval incorporates and shall comply with any and all submittals in the case file and correspondence presented to the board in support of this application, including, but not limited to the following: The site/sketch plan, architectural elevations, and any and all traffic information and recommended transportation plans or improvements recommended by the Town and/or NCDOT.
4. Approval of the requested conditional zoning district, includes approval of the following architectural variations:
 - a. Section 4.6.1(J): Allow for a variation from the requirement that the front façade of the building shall extend parallel to the frontage line of the lot. The proposal sets the building back and at an angle based on the topographic constraints of the site. All parking will be screened from view with a type 'B' buffer including a low wall and shrubs in front. The sales display and storage area (lower lot) will be screened by a type 'A' opaque buffer to the greatest extent practical.
 - b. Section 4.6.3(B)(3): Allow for a variation in the requirement to provide 70% windows and doors in the front façade. The proposal includes 54% in phase 1, and 63% in phase 2. The east elevation, visible from Statesville Road contains 20% glass coverage.
5. The short wall shown on the site plan at the front parking area shall be a minimum of four (4) feet in height as required by Section 9.4.2(B)Type B-2.
6. The applicant shall submit a lighting plan based on proposed Chapter 7 lighting standards being considered by the Town Board prior to approval of construction documents for the development.
7. The applicant must either provide a five foot sidewalk along Statesville Road, or provide payment-in-lieu of sidewalk to the Town. If payment-in-lieu is provided, an estimate must be

presented to the town prior to approval of the construction documents, and said payment must be received prior to certificate of occupancy.

PRELIMINARY
DO NOT USE FOR
CONSTRUCTION

KEY PLAN

SCALE: 1" = 40'



NO.	DATE	BY	DESCRIPTION
-----	------	----	-------------

REVISIONS

DRAWN BY MNT

APPROVED BY BJD

CHECKED BY BJD

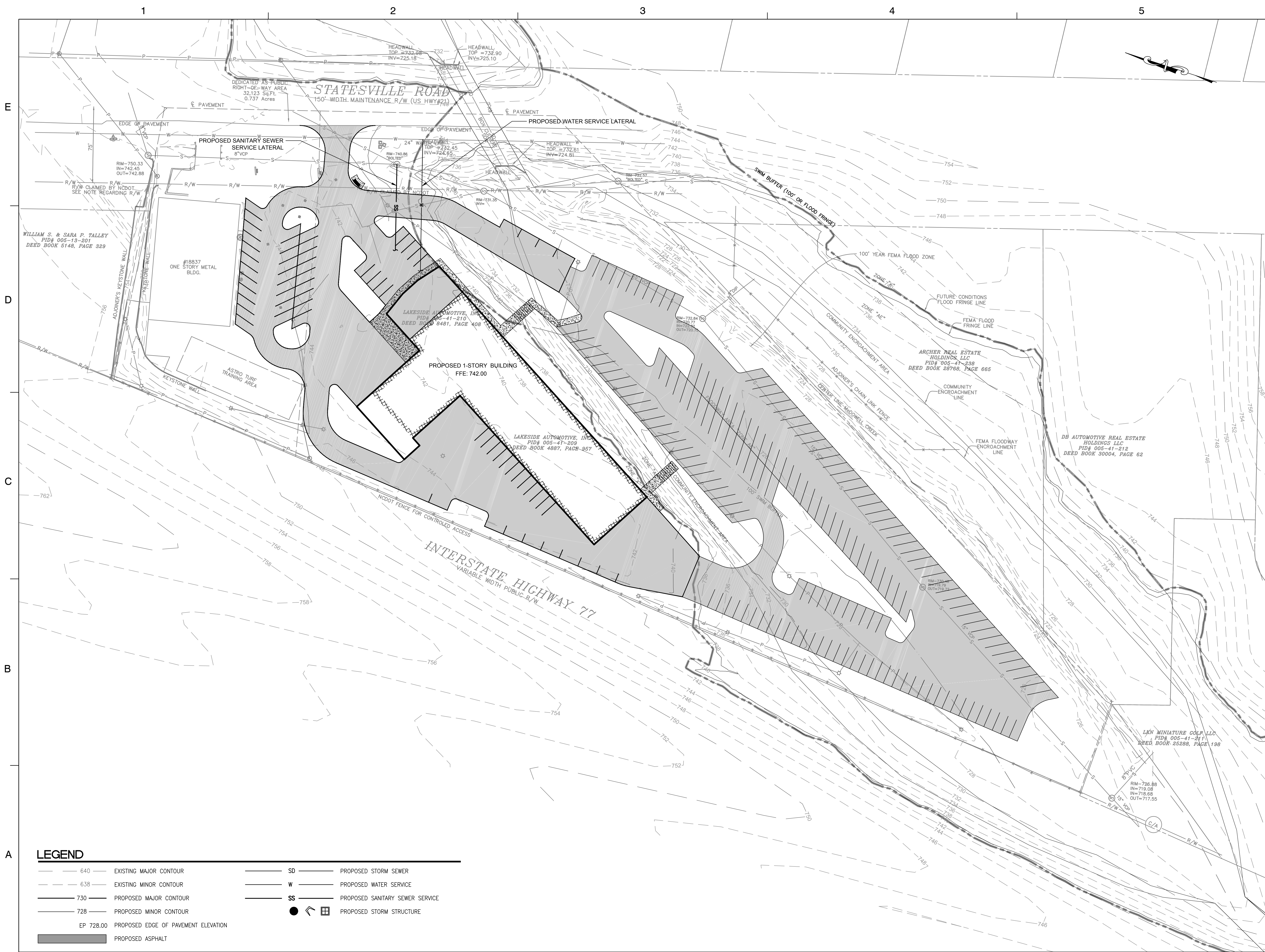
DATE 10/28/2016

TITLE

GRADING PLAN

PROJECT NO. 50083181

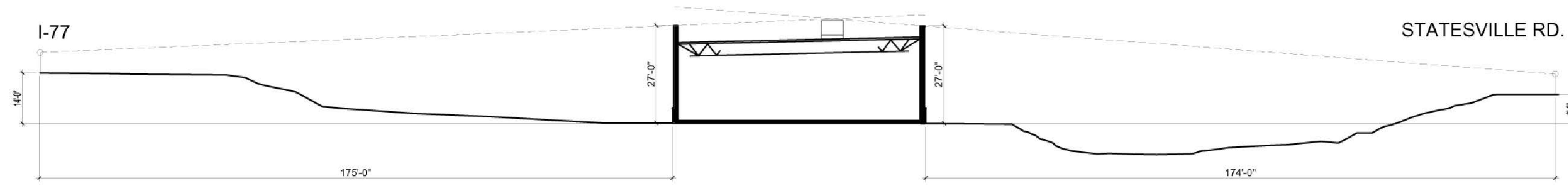
C3.02



LEGEND

- 640 EXISTING MAJOR CONTOUR
- 638 EXISTING MINOR CONTOUR
- 730 PROPOSED MAJOR CONTOUR
- 728 PROPOSED MINOR CONTOUR
- EP 728.00 PROPOSED EDGE OF PAVEMENT ELEVATION
- PROPOSED ASPHALT

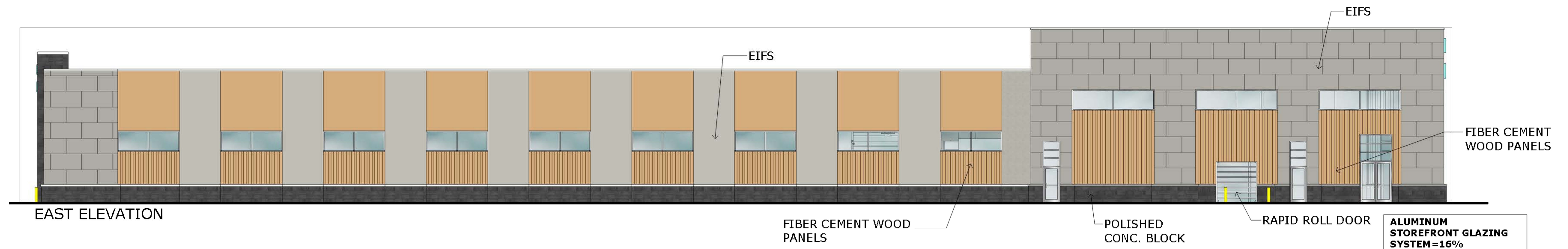
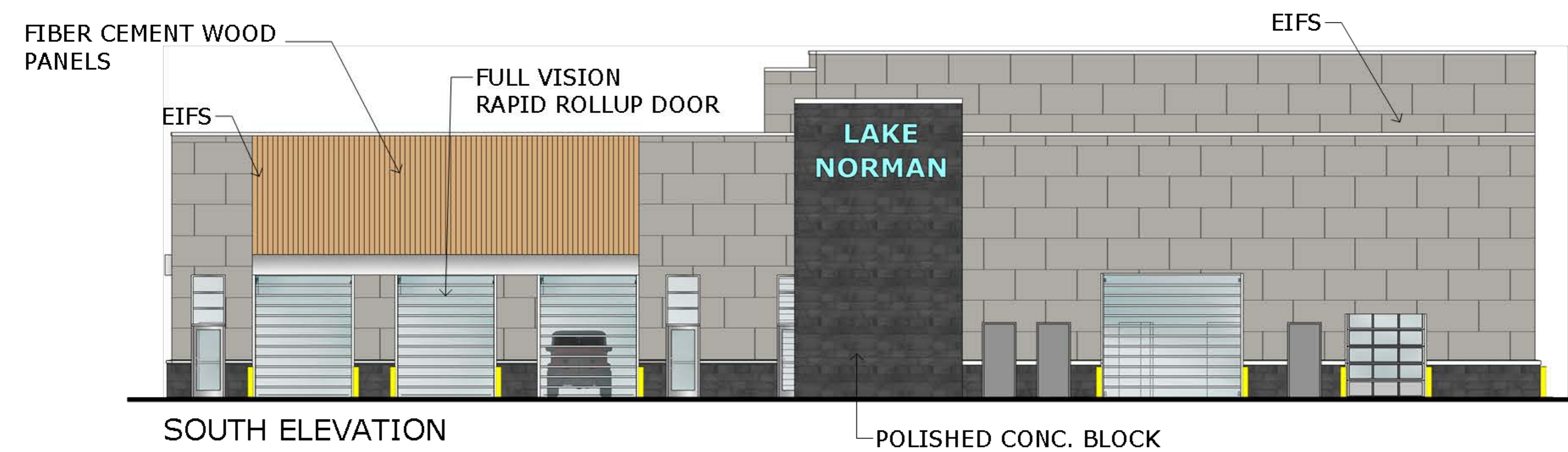
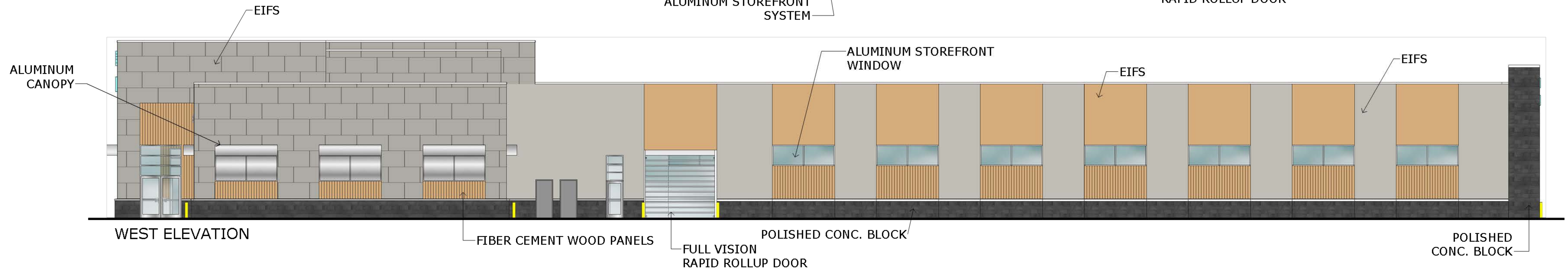
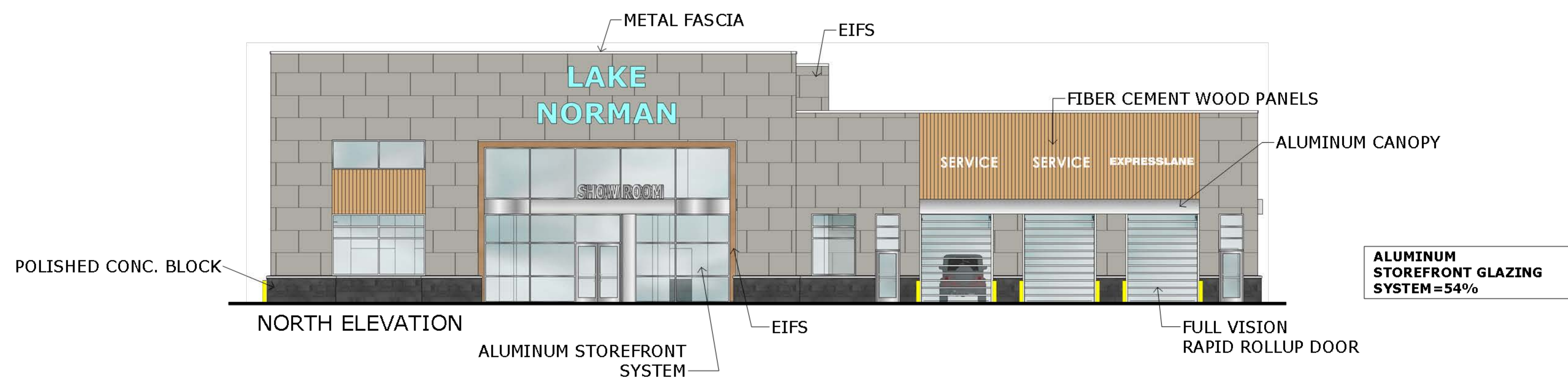
- SD PROPOSED STORM SEWER
- W PROPOSED WATER SERVICE
- SS PROPOSED SANITARY SEWER SERVICE
- PROPOSED STORM STRUCTURE



RTU SCREENING PROFILE
SCALE: 1/16" = 1'-0"



CONCEPT SITE PLAN
SCALE: 1" = 30'-0"



PHASE I ELEVATIONS

SCALE: 1/8" = 1'-0"



PHASE II ELEVATIONS SCALE: 1/8" = 1'-0"



NORTH WEST VIEW-PHASE 1



NORTH EAST VIEW-PHASE 1

PHASE I RENDERINGS



NORTH EAST VIEW-PHASE 1



SOUTH EAST VIEW-PHASE 1

PHASE I RENDERINGS



NORTH WEST VIEW-PHASE 2



NORTH EAST VIEW-PHASE 2

PHASE II RENDERINGS

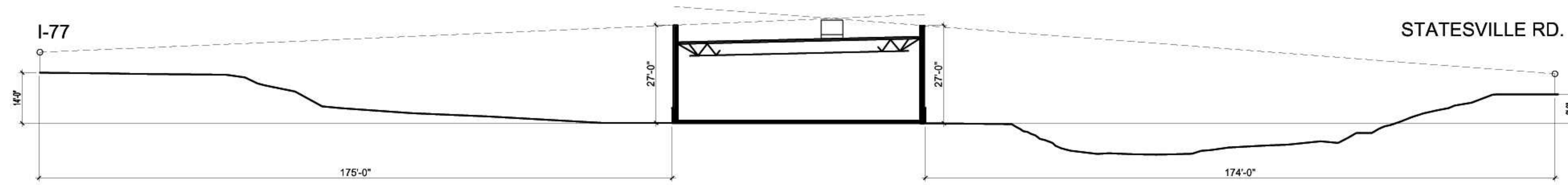


SOUTH EAST VIEW-PHASE 2



SOUTH WEST VIEW-PHASE 2

PHASE II RENDERINGS



RTU SCREENING PROFILE

SCALE: 1/16" = 1'-0"



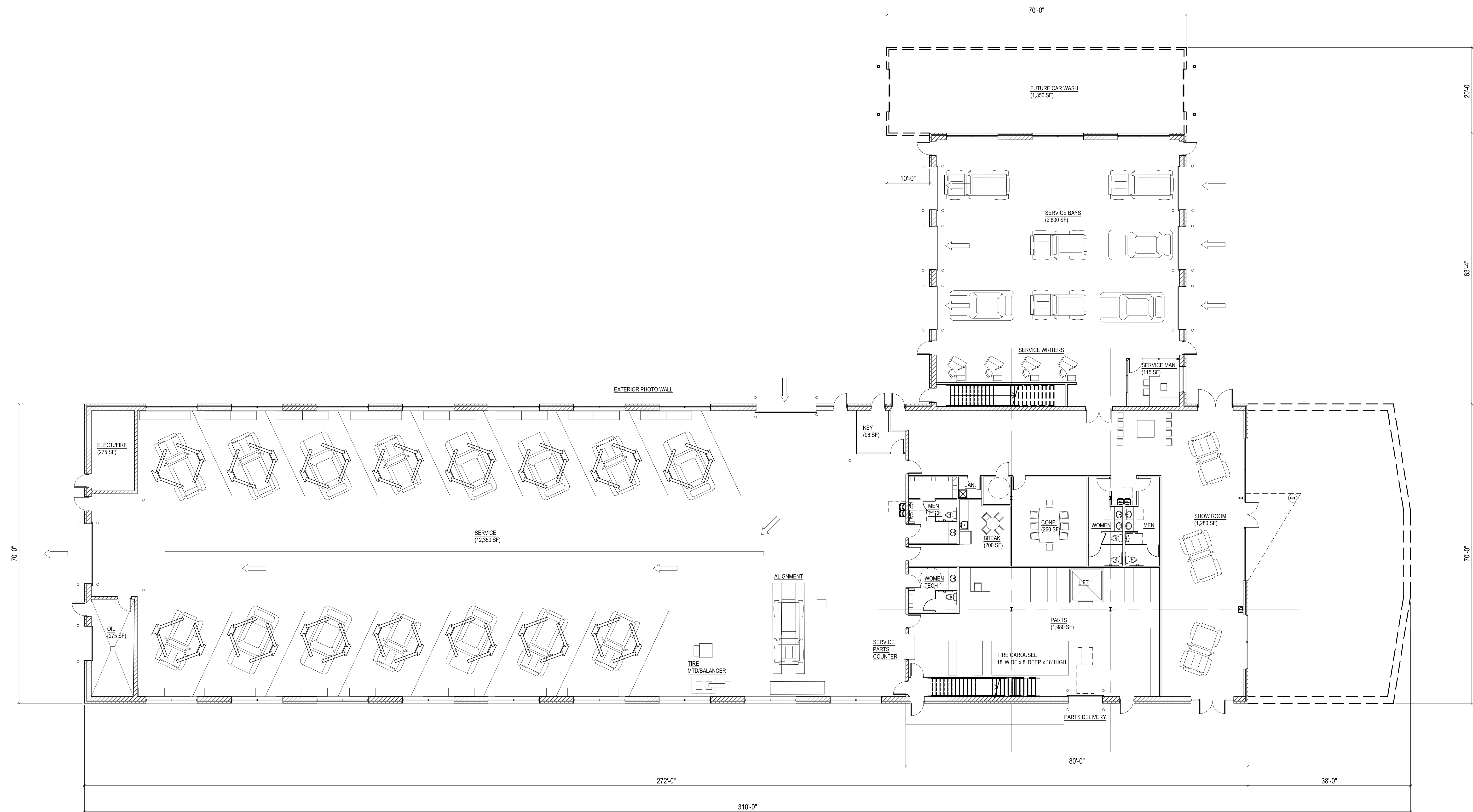
CONCEPT SITE PLAN

SCALE: 1" = 30'-0"

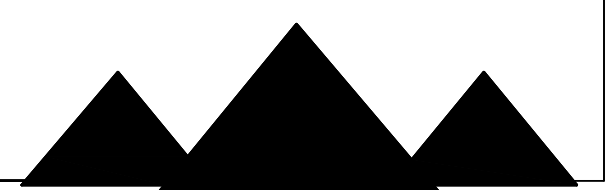
NEW AUTOMOTIVE DEALERSHIP BUILDING FOR:
DB HOLDINGS

CORNELIUS, NORTH CAROLINA

Project No. : 3222.03
Contact : D. STRONG
Drawn By: DAS
Date : 12-06-2016



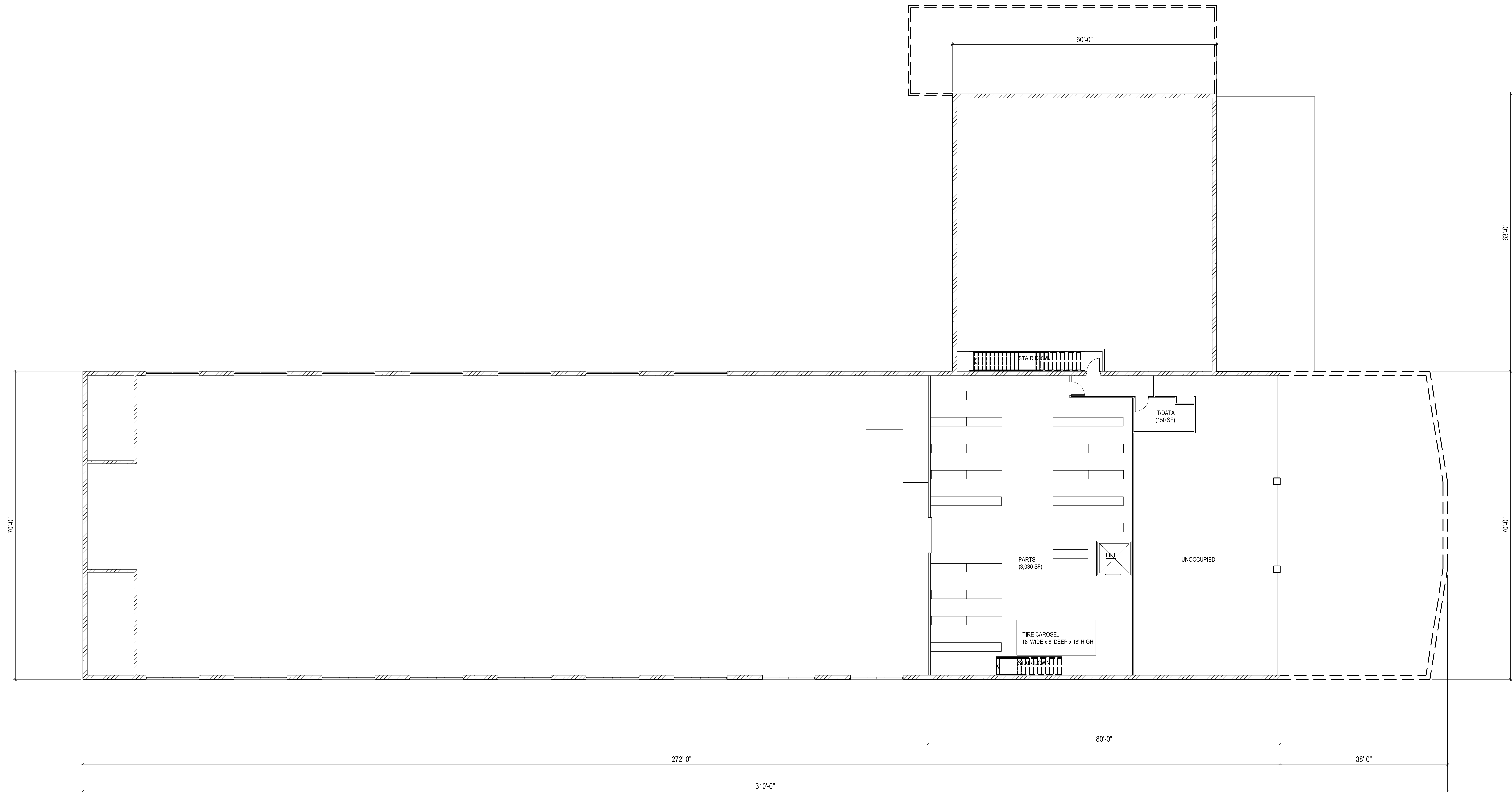
PROPOSED
FIRST
FLOOR PLAN
PHASE I



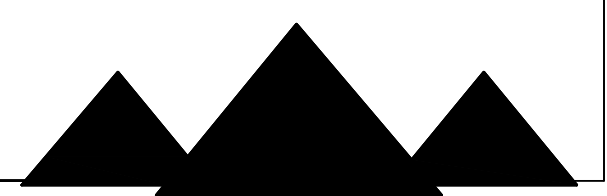
NEW AUTOMOTIVE DEALERSHIP BUILDING FOR:
DB HOLDINGS

CORNELIUS, NORTH CAROLINA

Project No. : 3222.03
Contact : D. STRONG
Drawn By: DAS
Date : 12-06-2016



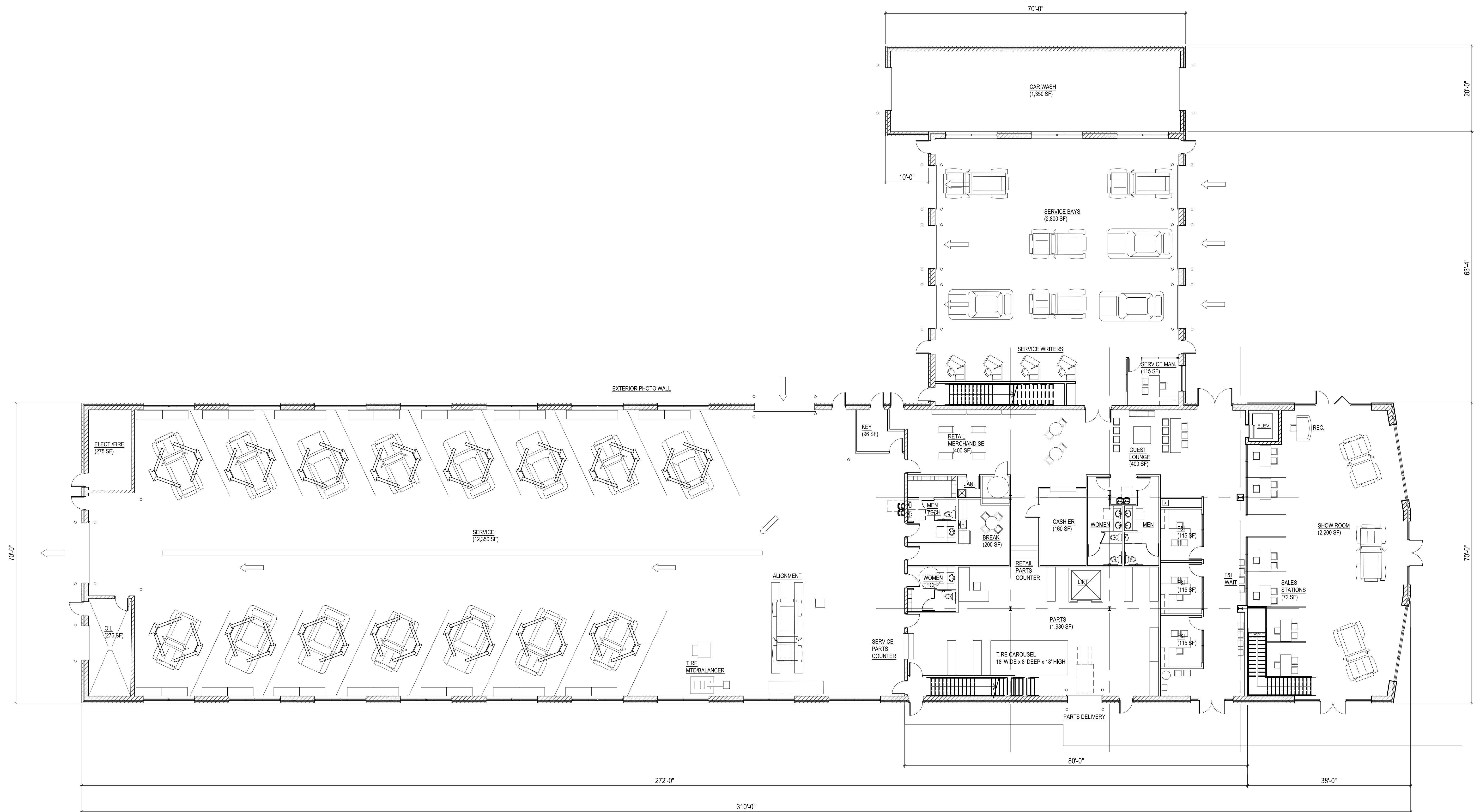
PROPOSED
MEZZANINE
LEVEL
PHASE I



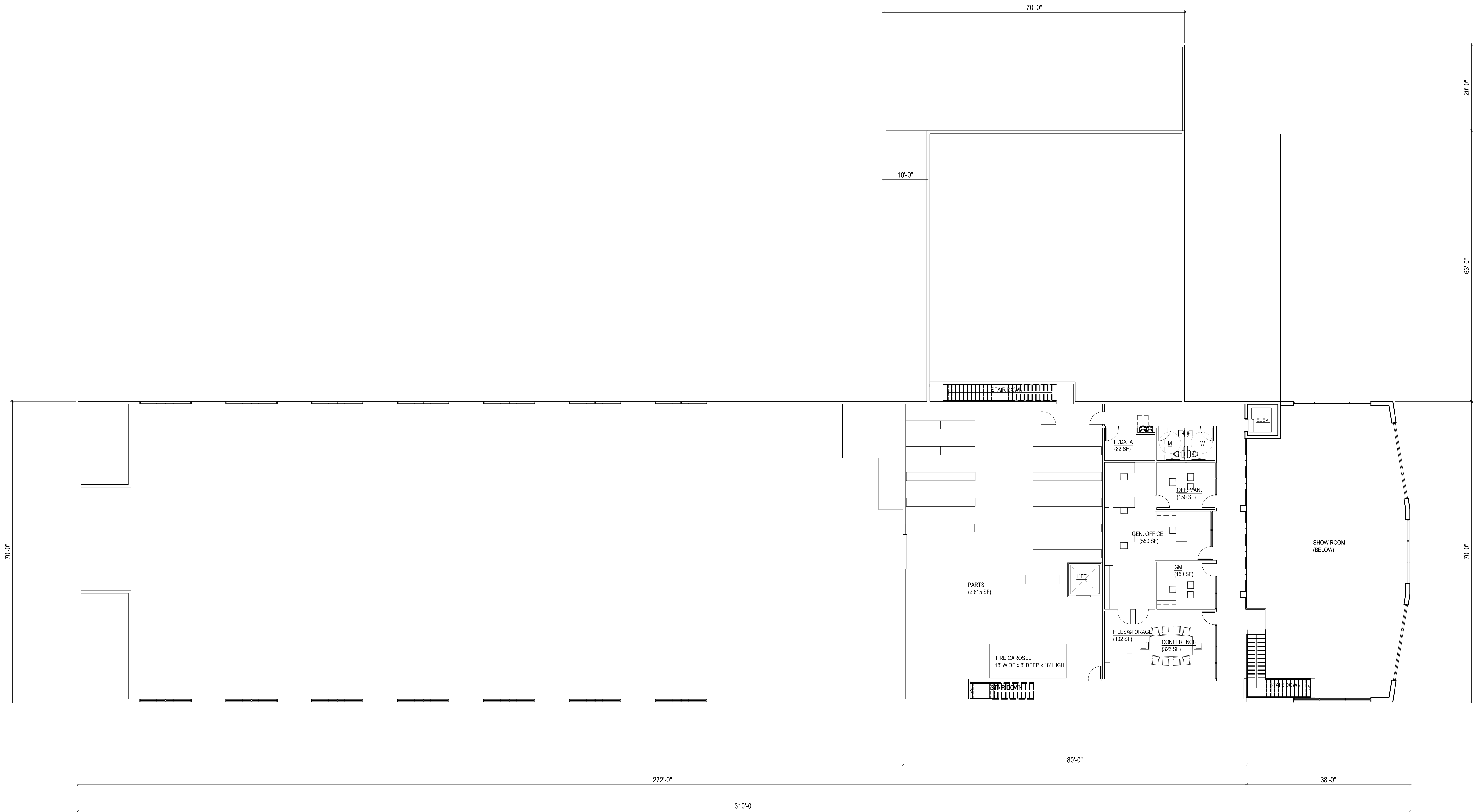
NEW AUTOMOTIVE DEALERSHIP BUILDING FOR:
DB HOLDINGS

CORNELIUS, NORTH CAROLINA

Project No. : 3222.03
Contact : D. STRONG
Drawn By: DKS
Date : 12-06-2016



PROPOSED
FIRST
FLOOR PLAN
PHASE II



REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: February 13, 2017

To: Land Development Code Advisory Board

From: Wayne Herron, Planning Director

Action Requested:

Discussion of next steps following our joint meeting regarding the Arts District.

Manager's Recommendation:

Discussion

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		
