



TOWN OF CORNELIUS

Cornelius Town Hall

BOARD OF COMMISSIONERS

July 17, 2017

Agenda

PRE-MEETING - 5:45 PM

- Closed Session - Consult with Town Attorney
- Closed Session - Real Estate Acquisition

TOWN BOARD - 7:00 PM

1. CALL TO ORDER
2. DETERMINATION OF QUORUM
3. APPROVAL OF AGENDA
4. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE
5. MAYORAL PROCLAMATIONS
 - A. Union Bethel AME Zion Church Anniversary
 - B. Big Day at the Lake
6. PRESENTATIONS
 - A. Recognition of Outgoing Planning Board Chair - Cheryl Crawford
 - B. CACC Executive Director - Justin Dionne
7. MAYOR/COMMISSIONERS/MANAGER REPORTS
8. CITIZEN CONCERNS/COMMENTS
9. PUBLIC HEARING AND CONSIDERATION OF APPROVAL
 - A. Olde Mecklenburg Brewery, Inc. (WMHY, LLC) Economic Development Grant
 - B. REZ 01-17: Mama's Pizza
10. CONSIDERATION OF APPROVAL
 - A. Planning Board Appointments
 - B. Land Development Code Advisory Board Appointment
 - C. Cornelius Library Endowment Committee Appointment
 - D. Code of Ordinances - Title 7, Chapter 71, Section 71.08
 - E. Code of Ordinances - Title 11, Chapter 110 - Brunch Ordinance
 - F. FY 2018 Operating Budget Ordinance Amendment
 - G. Resolution to Change Road Name
 - H. Resolution to Amend the Personnel Policy
11. CONSENT AGENDA

A. Approve Minutes - Regular Meeting

B. Approve Minutes - Closed Session

12. COMMISSIONER CONCERNS

13. ADJOURNMENT

Please note that to speak during **CITIZENS CONCERNS/COMMENTS** or **PUBLIC COMMENT**, please use the signup sheet provided before the Board meeting and list your name, address and topic. Each speaker will be allowed 3 minutes to speak. A "hard stop" will occur after 3 minutes for each speaker. Any information displayed must be submitted to the Town Clerk within 48 hours prior meeting.

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Andrew Grant, Asst. Town Manager

Action Requested:

Closed Session to discuss potential legal issues under attorney-client privilege.

Manager's Recommendation:

Hold a Closed Session

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Andrew Grant, Asst. Town Manager

Action Requested:

Discuss a potential real estate acquisition with the town attorney.

Manager's Recommendation:

Hold a Closed Session.

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Anthony Roberts, Town Manager


Action Requested:

Union Bethel AME Zion Church will celebrate its 100th anniversary on July 23rd.

Manager's Recommendation:

Execute a Proclamation recognizing July 23rd as Union Bethel AME Zion Church Day.

ATTACHMENTS:

Name:	Description:	Type:
 Union_Bethel_AME_Anniversary.doc	Mayoral Proclamation	Backup Material



***UNION BETHEL AME ZION CHURCH
CENTENNIAL ANNIVERSARY
MAYORAL PROCLAMATION***

WHEREAS, the planning of Union Bethel AME Zion Church began in July 1917, to serve as a place of worship for the African-American families in the Smithville community; and

WHEREAS, in 1922, the church building was complete and the Rev. William M. Stinson was chosen as its first pastor; and

WHEREAS, the Union Bethel AME Zion Church members can be traced back six generations and are celebrating the Church's 100th anniversary this month; and

WHEREAS, the church continues to play a significant role in the spiritual leadership within the community.

NOW THEREFORE, I, Charles L. Travis, III, Mayor of the Town of Cornelius, do hereby proclaim that Sunday July 23, 2017 be

Union Bethel AME Zion Centennial Day

to honor its long and positive impact on the Town's citizens and the religious strength it has provided for the community as a whole.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Town seal of Cornelius this 17th day of July, 2017.

Charles L. Travis, III, Mayor

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Anthony Roberts, Town Manager


Action Requested:

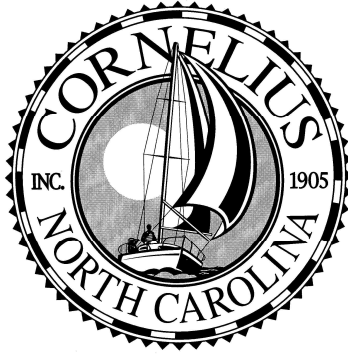
Big Day at the Lake will be held on July 22nd.

Manager's Recommendation:

Execute a Proclamation proclaiming July 22nd as Big Day at the Lake.

ATTACHMENTS:

Name:	Description:	Type:
 Big_Day_on_the_Lake-2017.doc	Mayoral Proclamation	Backup Material



PROCLAMATION IN SUPPORT OF BIG DAY AT THE LAKE

WHEREAS, Big Day at the Lake has provided a day of fun for at-risk youngsters in Big Brothers and Big Sisters of Greater Charlotte; and

WHEREAS, this year's Big Day at the Lake will be held on July 22, 2017; and

WHEREAS, Cornelius citizens and businesses participating in Big Day at the Lake this year will celebrate 13 years of service; and

WHEREAS, Big Brothers Big Sisters serves children in the North Mecklenburg area by providing them with thoroughly vetted and supported mentors.

NOW THEREFORE, I, Charles L. Travis, III, Mayor of the Town of Cornelius, do hereby proclaim July 22, 2017 as

Big Day at the Lake

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Town seal of Cornelius this 17th day of July, 2017.

Charles L. Travis, III, Mayor

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Wayne Herron, AICP

Director of Planning

Action Requested:

Cheryl Crawford has served on the Planning Board since 2010 and is rotating off after having served two full terms.

Cheryl began, as most all members do, as an alternate in 2010. Cheryl was promoted to a full regular position in 2011. In 2016, Cheryl was elected as the Chair of the Planning Board.

Manager's Recommendation:

Mayor Travis present plaque to Cheryl Crawford in appreciation of her seven years of service.

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Anthony Roberts, Town Manager

Action Requested:

Justin Dionne will introduce himself and give an update on the Cornelius Art Center project and the upcoming Culture Feast to be held in town on Sept. 8th.

Manager's Recommendation:

Hear update.

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Wayne Herron, AICP

Director of Planning

Action Requested:

The purpose of the public hearing is to receive public comments on proposed economic development incentives to Olde Mecklenburg Brewery, Inc. (WMHY, LLC), relating to their establishment of a new manufacturing facility in Cornelius. The project will consist of a capital investment of approximately \$10 million. The Business Investment Program grant will be for an agreed upon time frame and will be equal to 90 percent of new ad valorem tax revenue created by the development.

At this time, an agreement has not been finalized. Attorneys for the Town and the applicant continue to work through issues related to construction schedule and agreement terms with regard to the schedule for the final agreement for Town Board for consideration. Staff is recommending the public hearing be continued until October 2nd to provide adequate time for everyone to finalize a draft for Board consideration.

If a final agreement cannot be achieved by October 2nd, Staff will recommend closure of the hearing and re-advertising at such time a final agreement is achieved.

Manager's Recommendation:

Continue Public Hearing until October 2nd.

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

REQUEST FOR BOARD ACTION

 **Print**

Date of Meeting: July 17, 2017

To: Mayor Travis and Town Board of Commissioners

From: Wayne Herron, AICP - Planning Director

Action Requested:

A request from Mama's Pizza to construct a new building, which will eventually replace their current restaurant located at 19741 S. Main Street. The new building will be approximately 5,250 square feet, and will include 3,250 square feet for the new Mama's Pizza Restaurant, and 2,000 square feet of additional commercial space to be leased to another tenant. The new building is proposed to be setback from Main Street, with parking in the front, which is a deviation from the current Code and policy requirements. The building is designed to have a street front appearance on both Hickory and Tryon.





Planning Board has unanimously recommended approval.

Manager's Recommendation:

Approval an Ordinance to amend the Land Development Zoning Map and a Resolution declaring the rezoning to be consistent with the Land Use Plan and reasonable in the public's interest.

ATTACHMENTS:

Name:	Description:	Type:
 Land_Development_Application_Zoning_Signed.pdf	Application	Backup Material
 2017-01-12_Rezoning_Letter.pdf	Rezoning Description Letter	Backup Material
 PDRC_Jan_2017_Minutes.docx	PDRC Minutes	Backup Material
 REZ_01-17_CM_Attendance.pdf	Community Meeting Attendance	Backup Material
 Community_Meeting_Notes_MP.pdf	Community Meeting Notes	Backup Material
 ARB_Minutes_04-28-2017-Draft.docx	ARB Minutes - April 2017	Backup Material
 ARB_Minutes_05-26-2017-Draft.docx	ARB Minutes - May 2017	Backup Material
 Minutes_06-2017_Draft.docx	Planning Board Draft Minutes	Backup Material
 MAMA_S_Zoning.jpg	Zoning Map	Backup Material
 MAMA_S_LU.jpg	Land Use Map	Backup Material
 MAMA_S_Vicinity.jpg	Vicinity Map	Backup Material
 MAMA_S_Property.jpg	Property Map	Backup Material
 IMG_9706.JPG	Photo1: Tryon-Hickory	Backup Material
 IMG_9708.JPG	Photo 2: Tryon	Backup Material
 IMG_9709.JPG	Photo 3: Hickory	Backup Material
 IMG_9710.JPG	Photo 4: South Main Front	Backup Material
 Mama_s_Pizza_Rezoning.pdf	Site (Civil) Plan	Backup Material
 2017-06-01_Mama_s_Pizza_Rendering.pdf	Illustrative Site Plan	Backup Material
 mama_s_pizza_aerial_combined.pdf	Main Street Perspective	Backup Material
 mama_s_pizza_view_from_Hickory.pdf	Hickory Perspective	Backup Material
 mama_s_pizza_view_from_Tryon.pdf	Tryon Perspective	Backup Material
 mama_s_pizza_view_from_fire_station.pdf	Fire Station Perspective	Backup Material

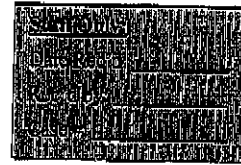
 Elevations_and_Floor_Plans.pdf	Elevations and Floor Plans	Backup Material
 REZ_01-17_(TB)_Mamas_Pizza_Staff_Report.v2.docx	Staff Report	Backup Material
 Ordinance_on_Rezoning_Property_REZ_01-17_(Mama_s).docx	ORD 01-17	Backup Material
 RESOLUTION_OF_THE_TOWN_OF_CORNELIUS_BOARD_REZ_01-17_(Mamas)_Consistency_Statement.docx	Consistency Resolution	Backup Material



TOWN OF CORNELIUS

Planning Department

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



LAND DEVELOPMENT APPLICATION FORM

1. Application Type	✓	Fee	✓	Fee
• Sketch Plan/Plot (Major Sub):	<input type="checkbox"/>	_____	• Conditional Zoning (CZ)	<input checked="" 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: 12-8-2016 Name of Project: Mama's Pizza

Location: 19741 S. Main Street Cornelius Property Size (acres): .88 # of Units/Lots: 1

Current Zoning: NMX Proposed Zoning: _____

Current Land Use: _____ Proposed Land Use: _____

Tax Parcel Number(s): 00515122

3. Contact Information	
<u>Fore Realty Incorporated</u>	<u>HensonFoley Jay Henson</u>
Owner, Applicant, or Developer	Agent(s) (Engineer, Architect, Etc.)
<u>18817 Coveside Lane</u>	<u>8712 Lindholm Dr. Suite 202A</u>
Address	Address
<u>Cornelius, NC 28031</u>	<u>Huntersville, NC 28078</u>
City, State Zip	City, State Zip
<u>561-212-3063</u>	<u>704-875-1615 704-875-0959</u>
Telephone	Telephone Fax
<u>[Signature]</u> <u>12/17</u>	<u>Jay Henson</u> <u>12-8-16</u>
Signature Print Name Date	Signature Print Name Date
Email - <u>framan5@aol.com</u>	Email - <u>jay@hensonfoley.com</u>

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

<input checked="" type="checkbox"/> Signed "Original" application	<input checked="" type="checkbox"/> Illustrative (color) site/sketch plan for presentation purposes with same layers as described above
<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/> Digital Files of all items listed above
<input checked="" 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	



Written Summary,
January 01, 2017

This project proposes a 3,250 sf multi-use building for Mama's pizza with an outdoor dining space and an additional 2,000 sf commercial building space with sidewalks to access the building off of Tryon Street and Hickory Street. Site plan proposes new parking area with multiple access points from existing sidewalks onto the new site and required landscaping.

Sincerely,

Jay Henson, ASLA
HensonFoley



Written Summary,
January 01, 2017

This project proposes a 3,250 sf multi-use building for Mama's pizza with an outdoor dining space and an additional 2,000 sf commercial building space with sidewalks to access the building off of Tryon Street and Hickory Street. Site plan proposes new parking area with multiple access points from existing sidewalks onto the new site and required landscaping.

Sincerely,

Jay Henson, ASLA
HensonFoley

**Minutes
TOWN OF CORNELIUS
PRE-DEVELOPMENT REVIEW COMMITTEE**

January 10, 2017

12:00 pm

Members Present

Cheryl Crawford
Anthony Roberts
Woody Washam
Scott Higgins
Ivy Stroud

Staff Present

Wayne Herron, Director of Planning
Summer Smigelski, Administrative
Assistant
Jason Pauling, Senior Planner

VISITORS

Ralph Getting's
Frank Manis
Jay Hensen
Laura Duty

DETERMINATION OF QUORUM

The meeting of the Pre-Development Review Committee began at 12:09 PM.

Mama's Pizza

Mr. Herron provided an overview of the Mama's Pizza, which is located at the corner of Hickory and South Main St. The site is zoned neighborhood mixed use (NMX), this can be a mix of commercial and residential. The land use plan calls for town center. The applicants would like to stay open while the new building is under construction; the only way to do that is to put the new building in the rear. The building will be approximately 5,250 square feet. The applicant is looking to get direction from the Pre-Development Review Committee on how this lot should develop and does the town deviate from the adopted plan to allow this or provide them the direction of the adopted plan?

Ms. Crawford: "Frank, are you looking to have commercial space attached to your restaurant?"

Mr. Manis: "Yes, there will be another two thousand square feet for someone to rent."

Mr. Washam: "Is there something in the code that prevents Tryon St from being the official front?"

Mr. Herron: "Highway 115 is what we adopted in the policy to be the main front, but through conditional zoning and input like today we can identify whatever we choose. If we think this is a good concept we can certainly encourage him to move forward through conditional zoning.

Mr. Higgins: "Does the code have restrictions about what can go next door? I am concerned about what will go next door. I'm hoping it will be something that you choose that will be complementary."

Mr. Manis: "My daughter has just gone to beauty school and she is starting her own business so it could be a beauty salon or a bakery, just something that would not take up a lot of space."

Mr. Washam: "Great project, thank you for your investment in our town."

Mr. Herron said that based on the positive comments staff will continue to work with the applicants to move forward.

ADJOURNMENT

The meeting adjourned at 12:47 PM.

DRAFT



Sign-In Sheet

NAME	ADDRESS	PHONE	E-MAIL
Charlene Minor	19516 Tryon	704-765-5109	charleneclay@gmail.com
Mama's Pizzeria Frank Mapis	19741 S Main St	704-892-3305	FRANKMANST@aol.com
Wendy Roberts	Townwood	704 892 9391	
Suzie & Lenny Inman	Townwood	704-807-4388	xs.inman@aatt.net
Lee Sassamon	Oak St	704-756-6231	YL Sassamon@gmail.com
JAY HENSON	HENSON FOLEY		Jay@hensonfoley.com

From: Jay Henson
To: [Jason Pauling](#)
Cc: FraMan5@aol.com
Subject: Community Meeting Notes
Date: Tuesday, June 27, 2017 2:21:39 PM

Jason

The community meeting was held and the following items discussed:

1. Frank provided an overview of the building based upon the items on the rezoning plan.
2. Questions about on street parking were asked-Frank deferred them to the Town since it was beyond his control.
3. Elevations along Hickory/Tryon Street were discussed to make sure the building was attractive on those two sides.
4. A question was asked about the lease space. Frank indicated it would be somewhat related to the pizza restaurant (although not guaranteed) but would encourage. No message/tattoo parlor.

Those are the primary issues discussed. Please let me know if you all have any additional input.

Jay Henson-HensonFoley
Frank Manis-Mamas Pizza
Laura-Mamas Pizza
Jason Pauling-Town of Cornelius

Jay Henson, ASLA



Birkdale Village

8712 Lindholm Dr.
Suite 202A
Huntersville, NC 28078
o: 704.875.1615
d: 704.464.4462
c: 704.577.4561
f: 704.875.0959

www.hensonfoley.com

**Minutes
TOWN OF CORNELIUS
ARCHITECTURAL REVIEW BOARD MEETING**

April 28, 2017
12:00 pm

Members Present

Joe Harris, Vice Chair
Rick Kamakaris
David Eve, Chairman
Recah Harward

Members Absent

Teresa Hawkins

Staff Present

Jason Pauling, Senior Planner
Summer Smigelski, Planning Admin.

VISITORS

See Sign-In Sheet

DETERMINATION OF QUORUM

Chairman Eve called the meeting to order. The meeting of the Architectural Review Board began at 12:06 p.m. He stated that a quorum was present for all items.

APPROVAL OF MINUTES

Mr. Kamakaris made a motion to approve the minutes from February 24, 2017 with edits. Ms. Harward second. All in favor and motion approved.

In Favor: Mr. Eve, Mr. Kamakaris
Ms. Harward, Mr. Harris

Opposed: None

REVIEW & RECOMMENDATION ON AGENDA ITEMS

REZ 01-17: Mama's Pizza

Mr. Pauling presented REZ 01-17 Mama's Pizza. The property is zoned NMX (Neighborhood Mixed Use) and is within the transitional residential overlay. The Land Use Plan has the property as Town Center. The town has been considering some of the area for The Art District Overlay. The property fronts on three streets which is part of the reason for the conditional zoning. The old downtown block plan had layouts of this site with the building being pulled up. The applicants provided a revised plan based on the comments that the board made. The overall concept is the building is in the back fronting on Tryon and Hickory with an outdoor dining area. The dumpster will need to be at that ten foot line. The project proposes 3,250 square feet of restaurant area and 2,000 square feet for commercial space next door. The applicant may use the commercial space for a little café area.

The applicant would like to keep the original building up and running while the new building is under construction.

The board made some comments about the dumpster location and requested a different location.

Chairman Eve: “The building is a very nice building and then you are going to stick that right in front of it.”

The applicants are working on finding a better location on the property for the dumpster.

One citizen spoke up with some concerns with the oak tree that is located on the property. Ms. Halliday is worried that the oak tree will be removed and the proper tree will not be planted in its place.

Jason Pauling informed Ms. Halliday of the Land Scape Ordinance and that it recommends the types of trees that can be planted. The trees that are intended to be planted will shade the property and of course there will be a four foot wall that will have some landscaping in the front.

The board asked about the parapet height and if the air handling units were screened. The parapet is screening the front and the sides of the building; the back facing Tryon St. does not have screening.

Mr. Harris and Chairman Eve informed the applicants, if there is any mechanical equipment on the roof that they would need roof access and their access would possibly need to be internal.

The board feels this is a great improvement but agreed that the details on the site plan needs to match the floor plan and the elevations. They would like to see the applicants back in May with changes made to the site plan.

Villages at Oakhurst II – Cowboy Restaurant

Mr. Pauling presented the second revised plan for Cowboy’s Restaurant. The concept here is about 33 thousand square feet of commercial property with three buildings that was approved. The green boxes on the property cannot be screened and the Oakhurst clock tower will be relocated. The applicants plan to leave footprints for future development.



01 Concept Rendering - Cowboy Along Bailey Road



04 Concept Rendering - Cowboy Restaurant Patio



The board has some concerns with the equipment on the top that needs to have screening. The site plan does not show parapet height. There also aren't enough details for the clock tower.

Mr. Pauling will get the details for screening and the clock tower to provide to the board.

ADJOURNMENT

The meeting ended at 12:58 p.m.

DRAFT

Minutes
TOWN OF CORNELIUS
ARCHITECTURAL REVIEW BOARD MEETING

May 26, 2017
12:00 pm

Members Present

Joe Harris, Vice Chair
Rick Kamakaris
Recah Harward

Members Absent

Teresa Hawkins
David Eve, Chairman

Staff Present

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

VISITORS

See Sign-In Sheet

DETERMINATION OF QUORUM

Vice Chairman Harris called the meeting to order. The meeting of the Architectural Review Board began at 12:03 p.m. He stated that a quorum was present for all items.

APPROVAL OF MINUTES

Ms. Harward made a motion to approve the minutes from April 28, 2017. Ms. Harward second. All in favor and motion approved.

In Favor: Mr. Kamakaris
Ms. Harward, Mr. Harris

Opposed: None

REVIEW & RECOMMENDATION ON AGENDA ITEMS

MAV 02-17 Quantum Technology Group

Mr. Pauling presented MAV 02-17. This is at 19725 Jetton Rd., on the corner of Jetton and Bethel Church. The property is zoned village center; this is a part of a subdivision approved in 1999. Land Use Plan also designates as village center. Parking does exist but they will need to do some improvements to that, the property does slope down towards Jetton. The applicants are requesting the following architectural variations from Chapter 4 of the Land Development Code: The standard Section 4.6.3(B)(3): A variation from the 70% window and door coverage requirement to allow for 49.8% and that is on the Jetton elevations. Section 4.6.3(B)(4): A variation from the requirement requiring penetrations no greater than sixteen (16) feet on the street façade.



I'm told this is a little outdated already. Generally speaking, you have stone with spandrel glass accents. Three story, 10,300 square feet, office space. The building height is about forty feet total from Jetton. There will be one to two HVAC systems on the roof; the bottom two floors will have a split system with condensers on the left side.

Mr. Harris: "What is the material at the spandrel there?"

Mr. Wilbur: "We do not know yet, we have debated that. We discussed doing an opaque glass or spandrel panel. Does the board have a preference?"

Mr. Harris: "How are you going to get the curve?"

Mr. Wilbur: "Right now it looks like it's going to be segmented instead of a true curve."

Mr. Harris: "If that spandrel is segmented it will have a different look than what you have there."

Mr. Wilbur: "The problem with having curve glass is the cost."

Mr. Harris: "Can the glass on the Bethel road side be like the front. Is there a reason that glass cannot go across? Can we not take it from column to column, Just to give it that fronts elevation look rather than the side?"

Mr. Wilbur: "We can."

Ms. Harward: "I think side to side will look better."

The board feels the applicant for MAV 02-17 Quantum Technology Group is moving in the right direction but needs to address the corner.

Hirschfeld Marketing Solutions

This is in the Industrial Campus zoning district. The Land use plan also so Industrial Campus. You have two setbacks on an industrial campus, you have a 70 foot building setback and a 30 foot parking setback with a berm and screening in the front of the parking. This is a two story office building with 12,000 square feet, then a 12,000 square foot warehouse in the back. The original submittal had a 40 foot roof line. The max height in industrial campus is 36, so they have adjusted this to bring it down to 36.





Mr. Kamakaris: "I think it looks good, I do not have a problem with it at all."

Mr. Harris: "I think it's terrific, very well done. Is all of this going to be done at one time?"

Applicant: "That's the intention."

Ms. Harward made a motion to approve the direction. Mr. Kamakaris second. All in favor and motion approved.

In Favor: Mr. Kamakaris
Ms. Harward, Mr. Harris

Opposed: None

REZ 01-17 Mama's Pizza

Mr. Pauling presented the revised plan for Mama's Pizza. The goal is to keep the original building open while the new building is under construction. There were comments about the dumpster location, the screen wall and the need to better address Hickory St. The updated plan pushes the building up towards Hickory more and moves the dumpster to the back. The public art concept was discussed; in some of the elevations they are leaving space for potential public art. There are details in the windows and they have addressed the stone base.

Ms. Harward: "I really like it; I think they have improved a lot since last time."

Mr. Herron: "The only thing I would add is, on the Tryon St. side there may not be an opportunity for real windows but is there something else that can be done?"

Mr. Harris: "That was going to be my comment. This really shouldn't face the residential neighborhood. A couple things that you might do is extent that element across the top and maybe the windows can be façade windows that are not glass, just something to articulate that façade so that it doesn't look like a rear. We would not give it a recommendation with the rear facing a neighborhood looking like that. I think it addressed the comments and looks good but

there are some details to work out. I assume we agreed we wouldn't put equipment on that low roof there, which will be back behind the parapet?"

Applicant: "Yes!"

Ms. Harward made a motion to approve the direction. Mr. Kamakaris second. All in favor and motion approved.

In Favor: Mr. Kamakaris
Ms. Harward, Mr. Harris

Opposed: None

Industrial Design Standards

Mr. Herron presented the Industrial Design Standards to the board and asked them what their input is. The existing standards are:

- 4.5 Elements of Architectural Compatibility
 - Setback from property line
 - Proportion: Size of facades similar in area and height to width ratios
 - Exterior materials: similar materials and treatment to add detail and monumentality of a building
 - Building scale: similar architectural styles to create building harmony
- 4.6 Architectural Standards
 - Adjacent buildings shall be architecturally compatible through similar silhouettes, spacing between facades, setbacks, proportions, treatments, exterior materials, scale, massing and/or architectural style
 - New construction shall conform in street orientation, massing, lot width and setbacks to adjacent existing and proposed structures
 - Roof mounted mechanical equipment shall be screened from off-site view by a parapet wall
 - Loading and service delivery areas shall be located to the rear or side yard away from the primary street frontage
- 4.6.4 Light and Heavy Industrial Buildings
 - A. Materials:
 1. All building walls visible from a public street shall be brick, cast concrete, stucco, stone, marble, decorative concrete masonry unit or other materials similar in appearance and durability. All accessory buildings shall be clad in materials similar in appearance to the principal structure.
 2. Pitched roofs shall be clad in wood shingles, standing seam metal, corrugated metal, slate, diamond tab asphalt shingles or similar material.
 3. Flat roofs shall incorporate parapet walls to conceal the flat portions of the roof on the front and side elevations that are visible from any public street. When used on the side elevation, parapets shall be terraced.
 - B. Configurations:

1. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
2. Skylights shall be flat (non-bubble).

C. Techniques

1. Stucco shall be float finish.
2. Windows shall be set to the inside of the building face wall.

- 5.5.5 Table of Dimensional Requirements for IC

- A. Lot size Minimum: 1 acre
- B. Height minimum: No minimum
- C. Height maximum: 36-feet (3 stories) – can go higher, up to 6 with CZ request
- D. Front building setback: 70-feet
- E. Front parking setback: 30-feet
- F. Minimum district size: 10 acres
- G. District buffer: 80-feet
- H. Residential buffer: 100-feet

Mr. Herron: “Some of the concerns are if we need a minimum building height and what else can be done to retain value.”

Mr. Kamakaris: “My concern would be if we were to set a minimum height and someone wants to build a one story, they will build a one story what they will do is put a façade on it and a parapet that takes it up to 26 feet. They are not going to put a second story on it.”

After discussion the board agreed the lot size would have more of an effect than a minimum height.

ADJOURNMENT

The meeting ended at 12:50 p.m.

Minutes

TOWN OF CORNELIUS PLANNING BOARD

Assembly Room

June 12, 2017

6:30 p.m.

Members Present

Hardy McConnell, Vice Chair
Keith Eicher
Cheryl Crawford, Chair
Lee Peterson
Michael Osborne, Alternate
Joseph Dean, Alternate
Bill Ingram, Alternate

Members Absent

Susan Johnson
Keith Pickett
Betty Trautwein

Staff Present

Wayne Herron, Planning Director
Jason Pauling, Senior Planner
Summer Smigelski, Admin. Assistant
Becky Partin, Communication Specialist
Will Washam, Senior Planner

VISITORS

See Sign-In Sheet

Pre-Meeting- 5:30pm

Approval of Minutes

Mr. Eicher made a motion of approval for the April 24, 2017 and the May 8, 2017 minutes. Mr. Ingram seconded. All in favor, motion approved.

In Favor: Mr. Eicher, Ms. Crawford, Mr. Osborne,
Mr. Dean, Mr. Peterson, Mr. McConnell,
Mr. Ingram

Opposed: None

Mr. Washam presented bicycle parking to the board.

The current code does not require bicycle parking for new development but with the Cornelius Bicycle Master Plan adopted in January 2017 we did have a recommendation to revisit. We've been fortunate to work with developers to get bike parking installed with recent development projects such as Catawba Retail, Antiquity commercial, etc. As Cornelius' greenway and bikeway network develops, more destinations in Town will be easily accessible by bike. None residential would be required to provide bicycle parking. After discussion Mr. Washam informed the board that staff will continue to develop bicycle parking.

Mr. Herron continued the code review recommended by the Land Development Code Advisory Board. The Planning Board discussed Chapter 9 Environmental Protection. At 6:20pm the Chair called for a break and asked for everyone to meet in the Assembly Room for the regular Planning Board meeting downstairs.

DETERMINATION OF QUORUM

Chair Crawford re-convened the Planning Board meeting at 6:31 pm and noted there was a quorum present.

REZ 01-17: Mama's Pizza

Mr. Pauling presented REZ 01-17 Mama's Pizza to the board. The property is currently located at 19741 South Main St. Owners of the property are Frank and Lynn Manis. This is a conditional zoning request. The property is just under an acre and currently contains a commercial restaurant at 1,652 square feet. This property has been used as other restaurants in the past. This proposal is for a new building at 5,250 Square feet, mama's pizza will use 3,250 square feet. It is in the NMX district currently and Transitional Residential Overlay. The Land Use Plan designates it as a continuation of Town Center. Just to the south of this property is the Cornelius Lemley Fire station, which was built in 2007. The property is surrounded by residential development and commercial.

STAFF RECOMMENDATIONS:

Staff is recommending approval of this project 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 other information related to this case or improvements recommended by the Town and/or other agencies.
4. The applicant(s) shall dedicate the necessary right-of-way for the Hickory Street Intersection improvements by plat prior to construction document approval. All work within the right-of-way, including driveway closures, curb and gutter, sidewalk and landscaping shall be coordinated with the Town and with NCDOT, and the applicant(s) shall obtain the appropriate encroachment agreements as part of the construction document review for the demolition and grading of the existing building and front parking area.
5. The applicant(s) is providing designated areas for art as part of the proposed Art's District. All proposed art shall be reviewed and approved by PARC Board prior to installation.
6. Approval of the requested conditional zoning district, includes approval of the following architectural variations:
 - a. Section 4.6.1(D): Allow the primary façade of the building to face the secondary streets (Hickory Street and Tryon Street)
 - b. Section 4.6.3(B) (3): Allow a reduction in the window and door coverage requirement below 70%. Approximately 35% window and door coverage is currently shown on the front façade.

All other requirements of Chapter 4 shall be met.

Mr. Herron: "What staff would like to emphasize is that part of the reason for this request is to see if the building can sit forward or sit in the back of the lot. That has been the biggest debate as to what staff would recommend and what would be presented for your consideration. Staff is recommending the building be setback for your consideration to make a recommendation to town board because of three reasons; one is the opportunity to improve this lot and get this type

of development, anytime we look at that we have to evaluate what the opportunities are; second this is a transition area. If you look at how the fire department is set back, I know that was a remodel but in a way it set the tone; third is for the project that we are looking at to widen Main St., we cannot widen to the railroad so we will have to come west so, I would rather the building be back and give us an opportunity to get what we need in the front, if we have to do something additional in the future. That is why staff is recommending this transitional request to push this building back.

Applicant: Hi! My name is Frank Manis, the owner of Mama's Pizza. Are there any questions that you would like to ask?"

Mr. McConnell: "What do you expect the time between when you start building and when you take down the old location?"

Mr. Manis: "What I'm thinking is going to happen is that the building will be completed and I can start putting my upfit in, at that point we will close. I would like to be closed for six to eight weeks to do the front but if its twelve weeks that's fine. I do have a time period where I have to be open and I'm hoping only twelve weeks but I would like for it to be a little less."

The board discussed different options for the windows on the backside such as spandrel glass.

Mr. McConnell: "If there is an expansion and with the railroad tracks there, there would be nowhere to go other than up to the door of Mama's. Moving the building back is a great way to get around that."

Mr. Peterson: "I think moving the building back is a perfect fit for that lot."

Mr. Osborne: "Is the standard buffer going to be efficient or should we have something on South Main St.? Did you have any other ideas for the buffer in the front?"

Mr. Herron: "In chapter 9 there are two options for a buffer; one with the wall and one with no wall but have planting. We give the applicants options to choose one of those two."

Mr. Eicher made a motion to REZ 01-17 Mama's Pizza. Mr. McConnell seconded. All in favor, motion approved.

In Favor: Mr. Eicher, Ms. Crawford, Mr. Osborne,
Mr. Dean, Mr. Peterson, Mr. McConnell,
Mr. Ingram

Opposed: None

OLD BUSINESS

None

NEW BUSINESS

Hodge Heating and Air will be on next meeting agenda.

NEXT MEETING

July 10, 2017 Ms. Crawford will be completing her term.

ADJOURNMENT

Mr. McConnell made a motion to adjourn the meeting at 7:06 p.m. Mr. Ingram seconds the motion. All in favor and motion approved.

In Favor: Mr. Eicher, Ms. Crawford, Mr. Osborne,
Mr. Dean, Mr. Peterson, Mr. McConnell,
Mr. Ingram

Opposed: None

Respectfully Submitted:

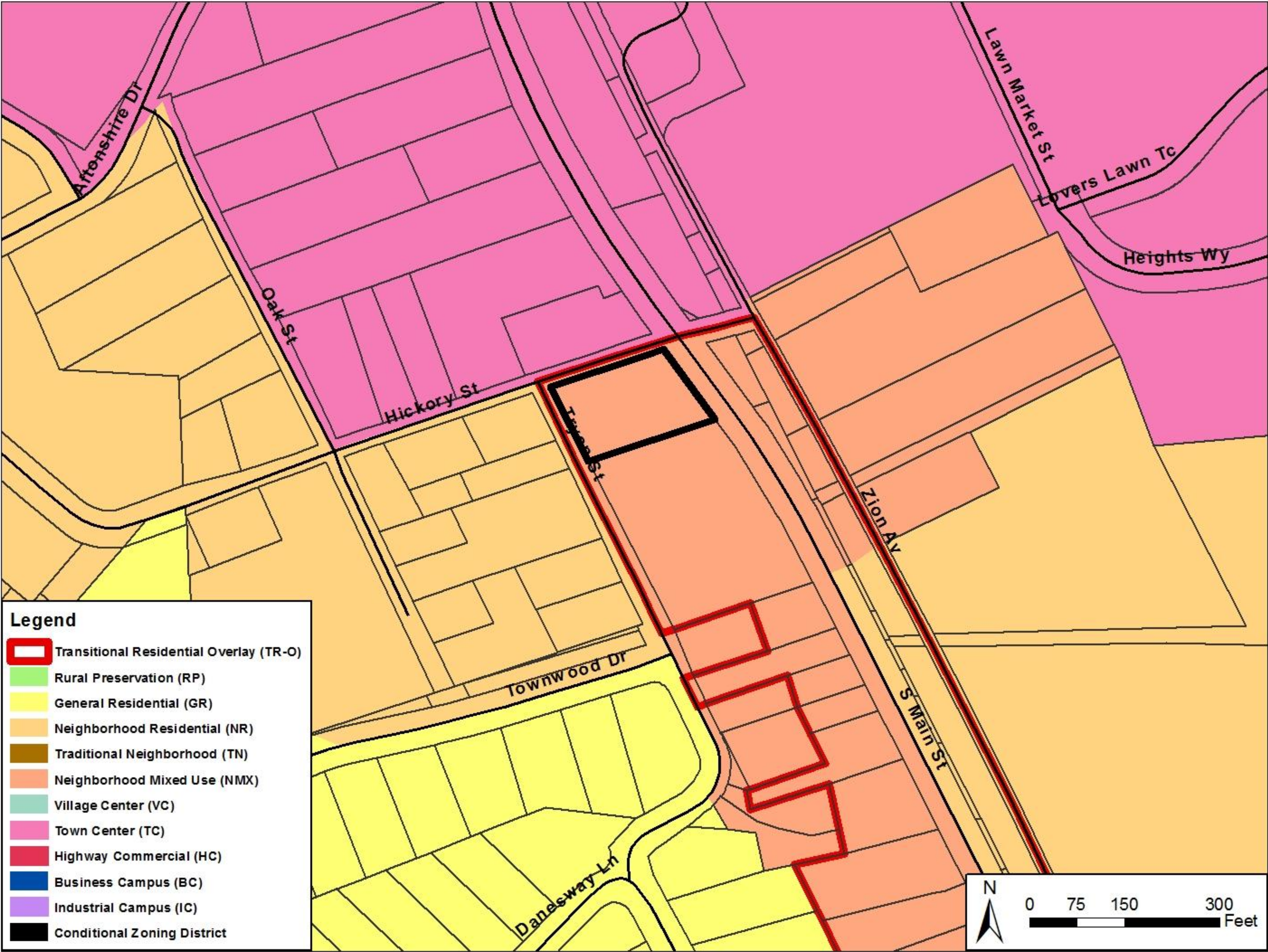
Cheryl Crawford
Chair

Date

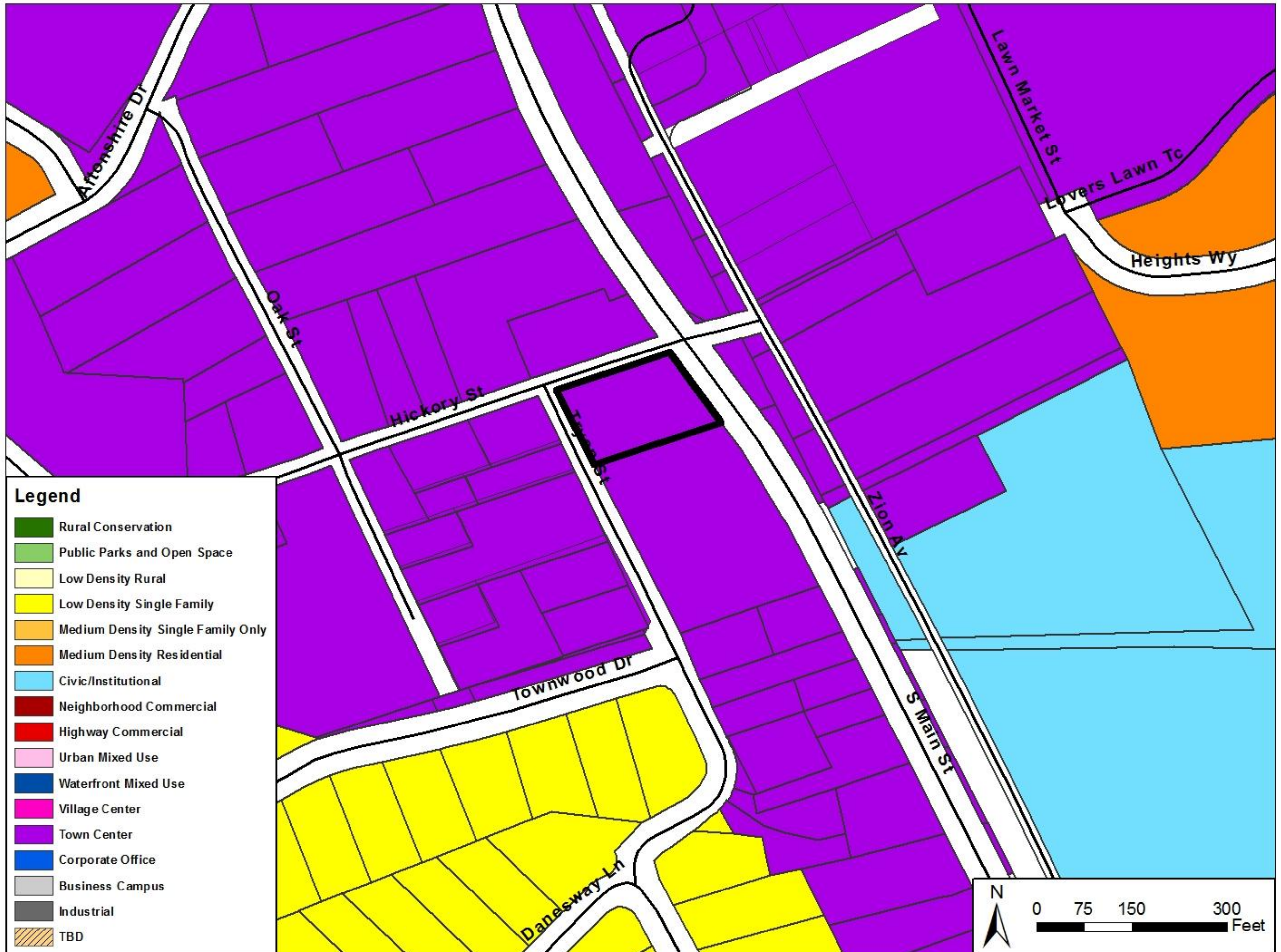
Summer Smigelski
Secretary

Date

MAMA'S PIZZA



MAMA'S PIZZA



MAMA'S PIZZA



MAMA'S PIZZA











Since 1974
N. Main St.
Manna's
Pizza Express
Dine In or Delivery
(704) 892-3305

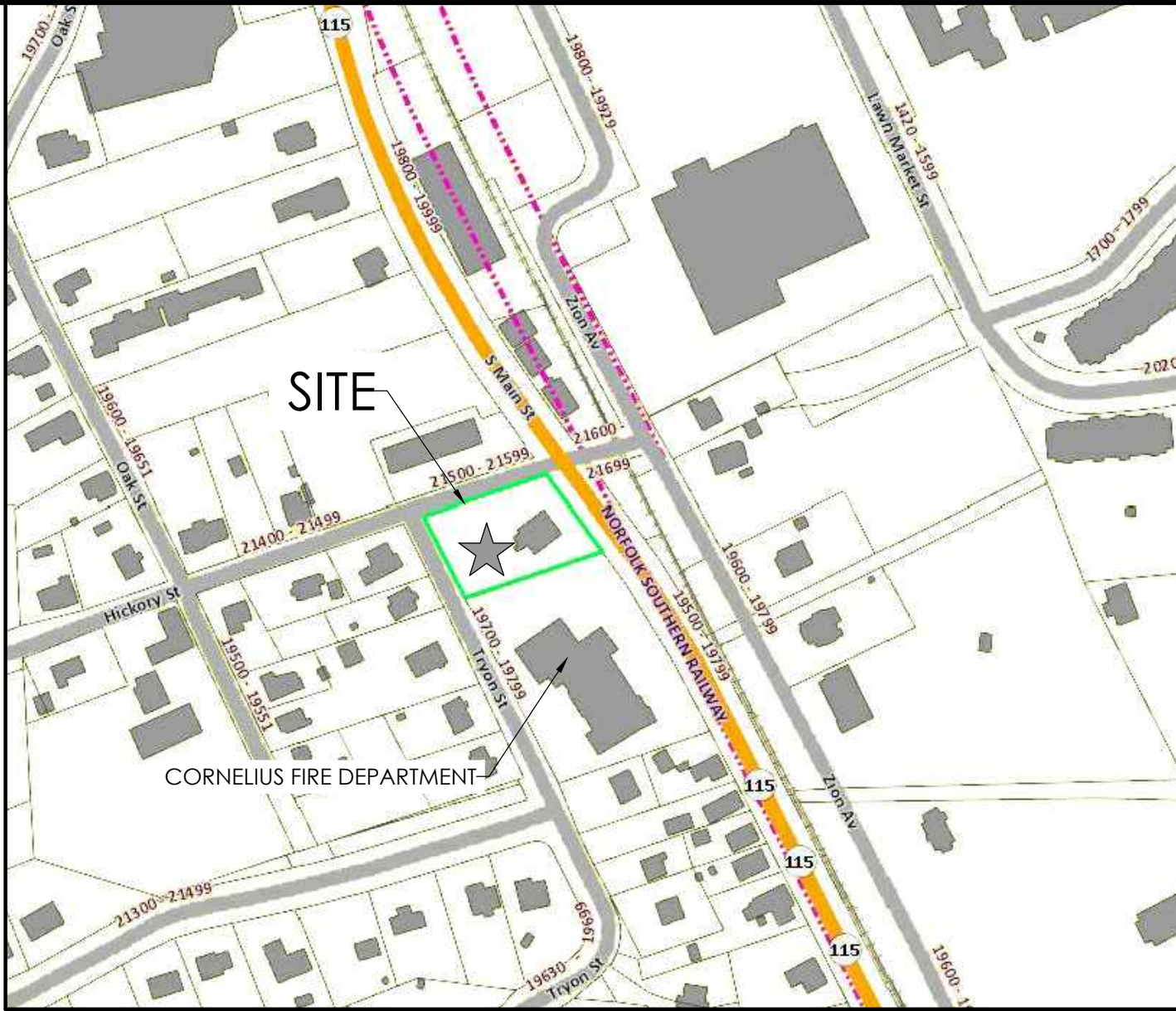
CONTENTS:	
C1	COVER SHEET
C2	SURVEY & EX CONDITIONS
C3	SITE PLAN

CIVIL SITE PLAN PACKAGE
PROPOSED

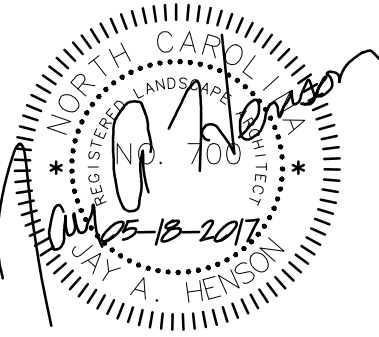
MAMA'S PIZZA
CORNELIUS, NC

OWNER:

FORE REALTY INCORPORATED
18817 COVESIDE LANE
CORNELIUS, NC 28031
PH: (561) 212-3063



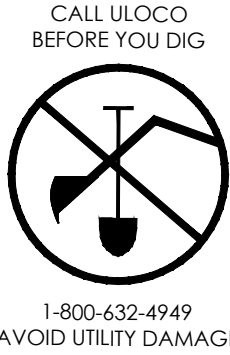
VICINITY MAP
SCALE: N.T.S.



MAMA'S PIZZA
PID: 00515122
19741 S MAIN STREET, CORNELIUS, NC 28031

COVER SHEET

REVISIONS:	



- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMMENDED.

201 - COVER.DWG	
PROJECT NUMBER:	216082
DATE: 01/13/2017	DRAWN BY: JAH
SHEET	C201 OF 03

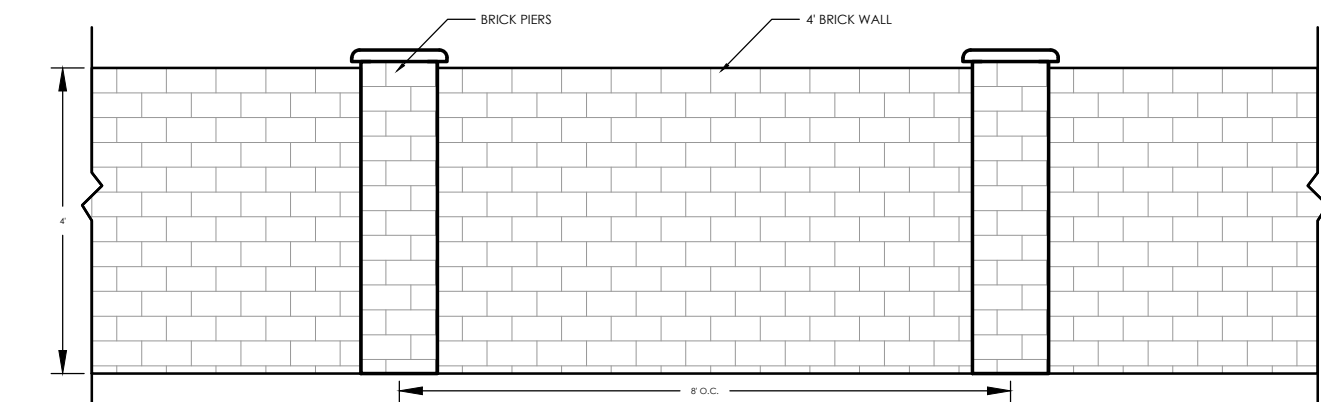
WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____

PROFESSIONAL LAND SURVEYOR

TED R. HARVIEL
DB 2906-220
PIN 007-512-28

60

1. THIS PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD ZONE.
2. AREA DETERMINED BY COORDINATE COMPUTATION.
3. OP DENOTES UNCOMPLETED PROJECT MONUMENT FOUND OR SET.
4. UNDERGROUND UTILITIES LOCATED PER NC 811 TICKET NUMBER A1309208
5. THIS PROPERTY IS SUBJECT TO ALL APPLICABLE EASEMENTS AND/OR RIGHTS-OF-WAY OF RECORD.
6. SOUTH MAIN EASEMENT (HWY.11) RIGHT-OF-WAY VARIES TO THE EXTENTS OF STATE MAINTENANCE ON SUBJECT PROPERTY.
7. PROPERTY IS ZONED NMX.



1 BRICK SCREEN WALL AT ROAD
C03 NTS

SITE PLAN NOTES

- THE INTENT OF THIS PROJECT IS TO CONSTRUCT THE NEW BUILDING WHILE EXISTING BUILDING AND BUSINESS REMAIN INTACT. UPON COMPLETION OF BUILDING THE EXISTING BUILDING AND PARKING WILL BE DEMOLISHED AND CONSTRUCTED PER PLAN. THE BUSINESS WILL NOT OPEN UNTIL ALL C.O.'S ARE ISSUED AND ALL WORK IS COMPLETE.
- NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL THE PROPOSED DEVELOPMENT IS IN COMPLIANCE WITH THE APPROVED PLAN IN ACCORDANCE WITH SECTION 9.9.3 OF THE TOWN OF CORNELIUS.
- SITE LIGHTING WILL BE SUBMITTED AND APPROVED AT TIME OF SITE PLAN REVIEW.
- SIGN PERMITS WILL BE PER SEPARATE SUBMITTAL.
- ARCHITECTURAL FOOTPRINT IS FOR INFORMATIONAL PURPOSES ONLY. REFER TO ARCHITECTS PLANS FOR FINAL LAYOUT AND DIMENSIONS.
- THE PRIMARY USE FOR THE SITE IS A RESTAURANT, THE 2000 SF OF ADDITIONAL SPACE MAY BE USED AS A BANQUET FACILITY, COMPLIMENTARY USE, OR OTHER BUSINESS USE APPROPRIATE FOR THE LOCATION. EXCLUDED USES ARE MASSAGE/TATTOO FACILITIES.

POST CONSTRUCTION/DETENTION

- THIS PROJECT IS LESS THAN 1 ACRE (DISTURBED AND PARCEL SIZE) AND IS EXEMPT FROM POST CONSTRUCTION/ WATER QUALITY.
- STORMWATER DETENTION IS NOT REQUIRED SINCE THE BUA INCREASE IS LESS THAN 20,000 SF FROM EFFECTIVE DATE.

ZONING CODE SUMMARY

ITEM#	ITEM	PROVIDED
1	BUILDING SIZE	BUILDING TOTAL = 5,250 SF RESTAURANT = 3,250 SF COMMERCIAL = 2,000 SF
2	PARKING SPACES REQUIRED	RESTAURANT @ 1 PER 3 SEATS = 24 SPACES COMMERCIAL @ 1 PER 300 SF = 7 SPACES TOTAL = 31 SPACES
3	PARKING SPACES PROVIDED	32 SPACES
5	MIN. DRIVE AISLE WIDTH	AS NOTED
6	MIN. DRIVEWAY RADIUS	AS NOTED
7	HANDICAP SPACES	2 SPACES (1 VAN)
8	BUILDING HEIGHTS	1 STORY (26 FT MAX.)

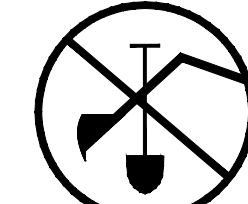
IMPERVIOUS SUMMARY

ITEM	SQUARE FOOT	ACRES	PERCENTAGE OF TOTAL SITE AREA
TOTAL SITE AREA	38,332.80 SF	0.88 AC	N/A
EXISTING IMPERVIOUS AREA	14,722 SF	0.33 AC	37.50 %
PROPOSED IMPERVIOUS AREA (on/off site)	21,309 SF	0.49 AC	55.58 %
TOTAL IMPERVIOUS AREA	21,309 SF	0.49 AC	55.58 %
TOTAL DISTURBED AREA	27,608 SF	0.633 AC	72 %

SITE DATA

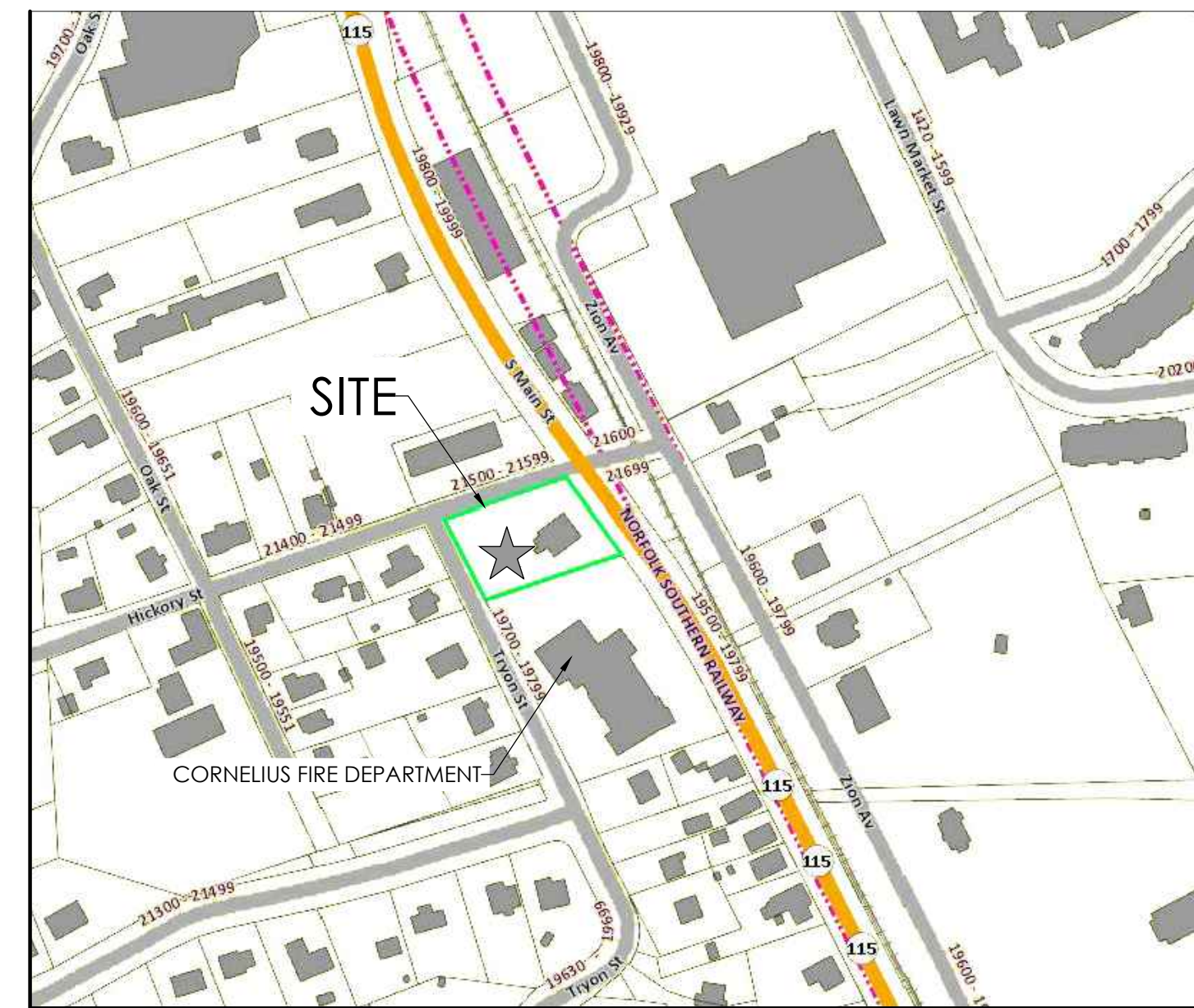
LOCATION:	19741 S. MAIN STREET (PID # 00515122) CORNELIUS, MECKLENBURG COUNTY, NC 28031
ZONE:	EXISTING: NMX PROPOSED: CZ
USE:	62% RESTAURANT, 38% COMMERCIAL
CONTACT:	HENSONFOLEY 704-875-1615
WATERSHED:	ROCKY RIVER
LOT AREA:	0.88 AC
MIN. FRONT BUILD TO LINE:	0
MIN. SIDE SETBACK:	10'
MIN. REAR SETBACK:	25'
MAX. BUILDING HEIGHT:	26'
FEMA MAP NUMBER:	3710464300K
FEMA EFFECTIVE DATE:	09/02/2015
SOIL TYPE:	CuB

CALL ULOCO
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1-800-632-4949
AVOID UTILITY DAMAGE

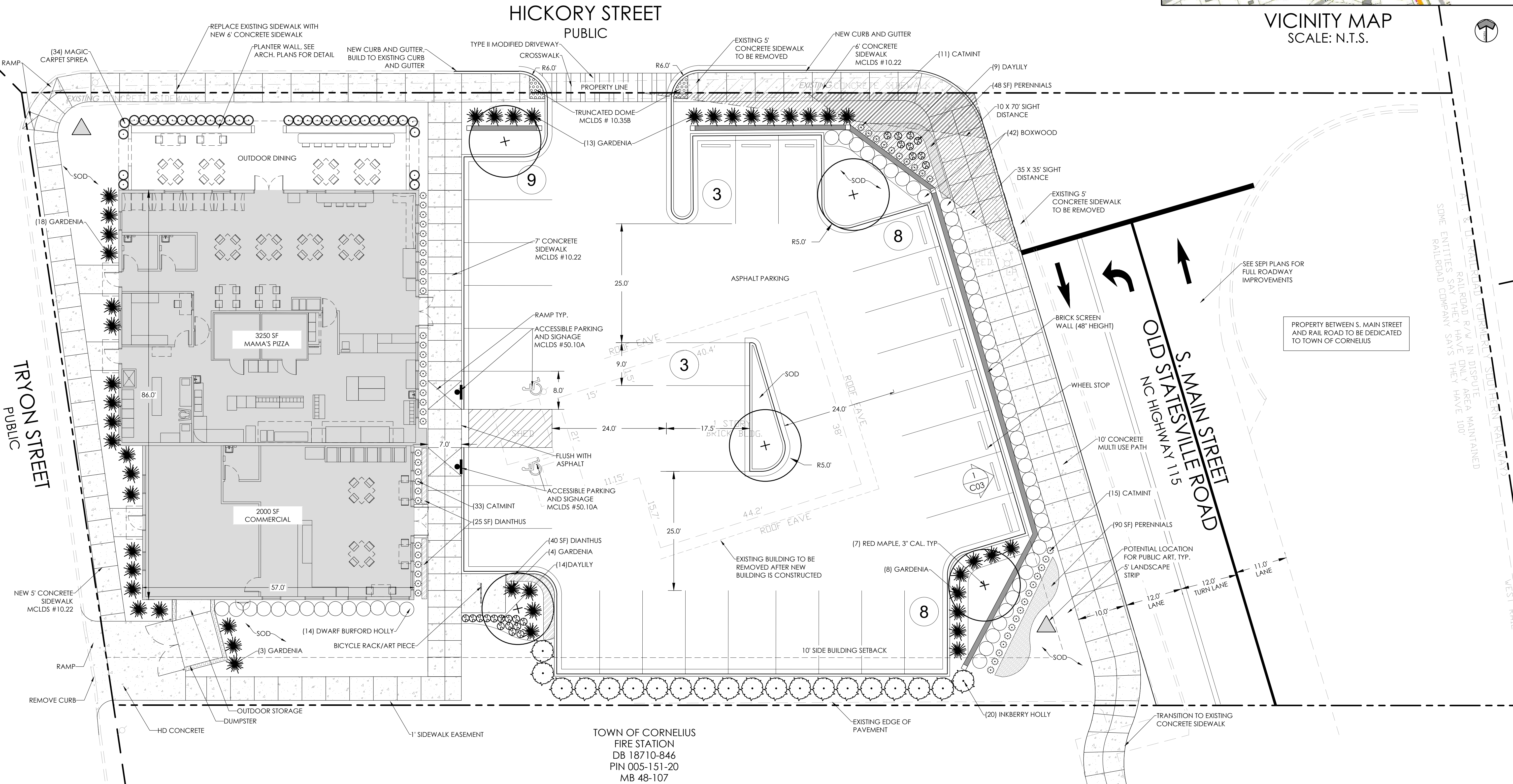
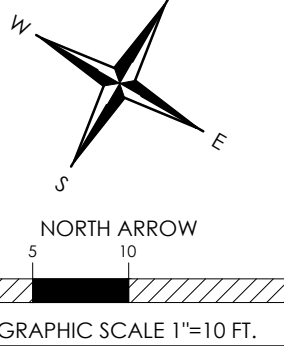
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VICINITY MAP
SCALE: N.T.S.



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p: 704.875.1615 | www.hensonfoley.com
NC LANDSCAPE ARCHITECTURE BOARD LICENSE # C-3781
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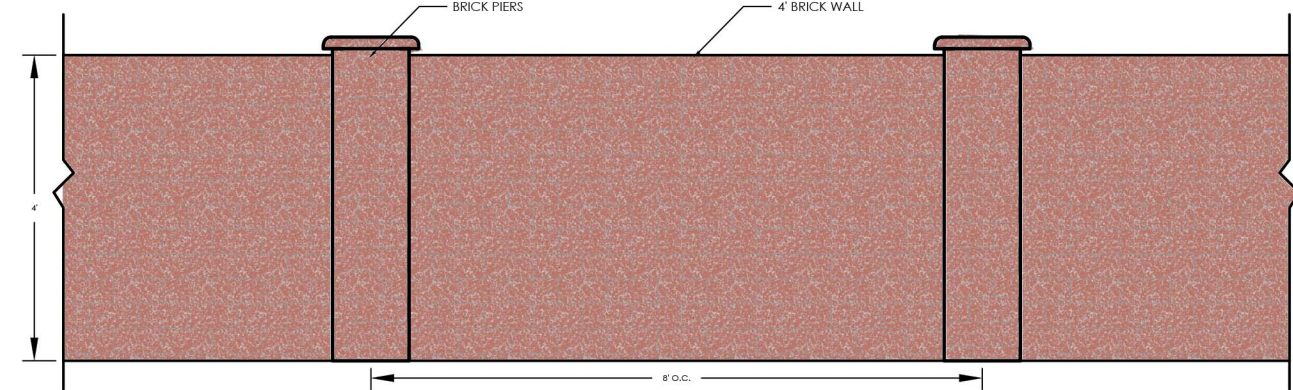
MAMA'S PIZZA

PID: 00515122
19741 S MAIN STREET, CORNELIUS, NC 28031

SITE PLAN

REVISIONS:

203 - SITE PLAN.DWG	
PROJECT NUMBER:	216082
DATE: 01/13/2017	DRAWN BY: JAH
SHEET	C03 OF 03



1 BRICK SCREEN WALL AT ROAD
C03 NTS

SITE PLAN NOTES

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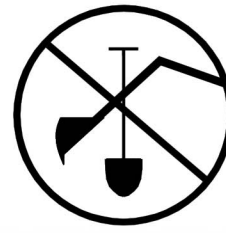
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2. STORMWATER DETENTION IS NOT REQUIRED SINCE THE BUA INCREASE IS LESS THAN 20,000 SF FROM EFFECTIVE DATE

SITE DATA

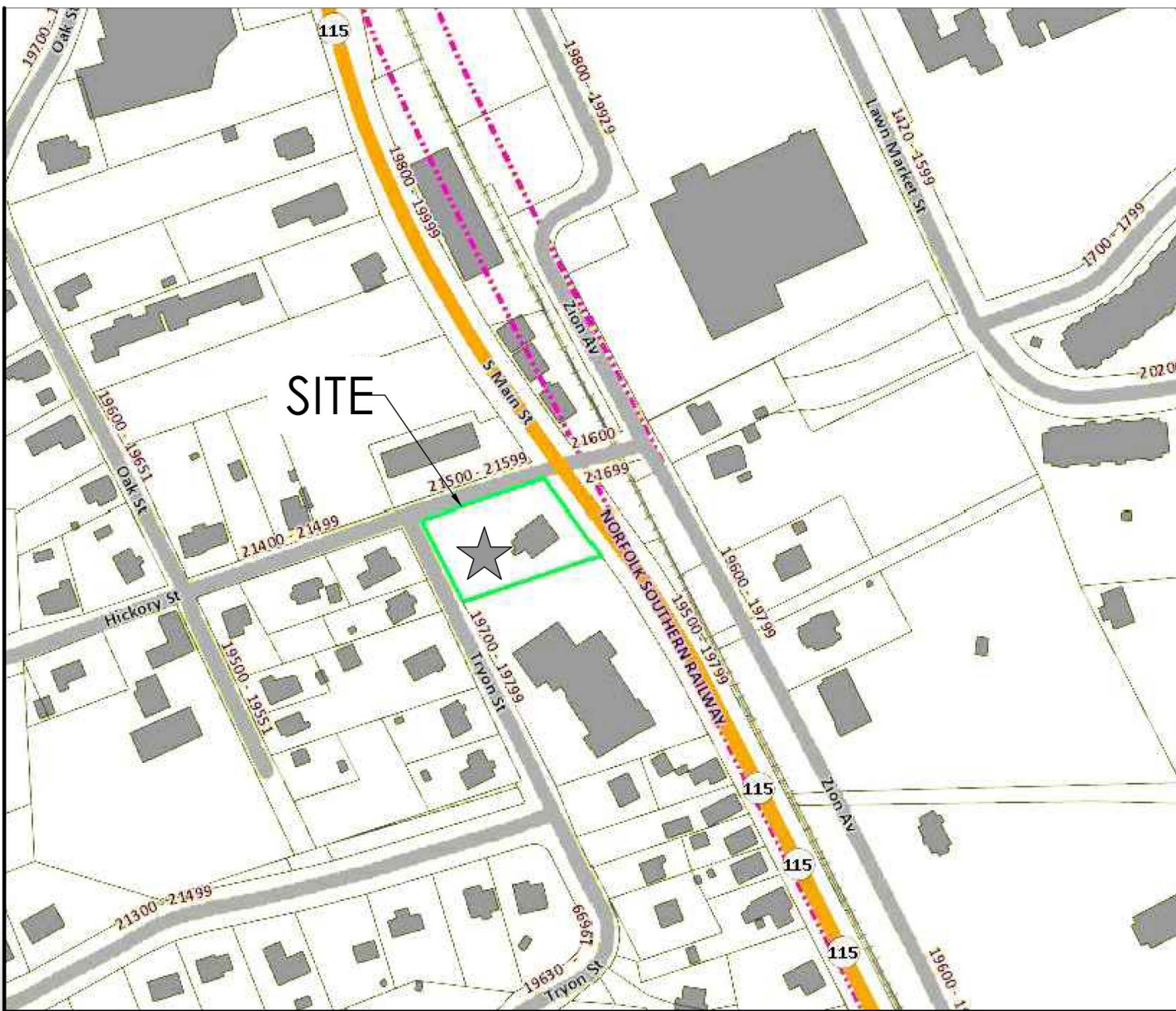
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WATERSHED	ROCKY RIVER
LOT AREA	0.88 AC
MIN. FRONT BUILD TO LINE	0
MIN. SIDE SETBACK	10'
MIN. REAR SETBACK	25'
MAX. BUILDING HEIGHT	26'
FEMA MAP NUMBER	3710444300K
FEMA EFFECTIVE DATE	09/02/2015
SOIL TYPE	Cu8

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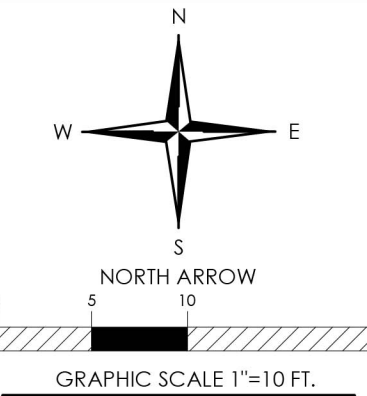
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VICINITY MAP
SCALE: N.T.S.



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NC LAND SURVEYING BOARD LICENSE # P-1580



MAMA'S PIZZA

PID: 00515122
19741 S MAIN STREET, CORNELIUS, NC 28031

SITE PLAN

REVISIONS:

03 - SITE PLAN.DWG	
PROJECT NUMBER:	216082
DATE: 01/13/2017	DRAWN BY: JAH
SHEET	C 3 OF 03

HICKORY STREET
PUBLIC

TRYON STREET
PUBLIC



TOWN OF CORNELIUS
FIRE STATION
DB 18710-846
PIN 005-151-20
MB 48-107









D

C

B

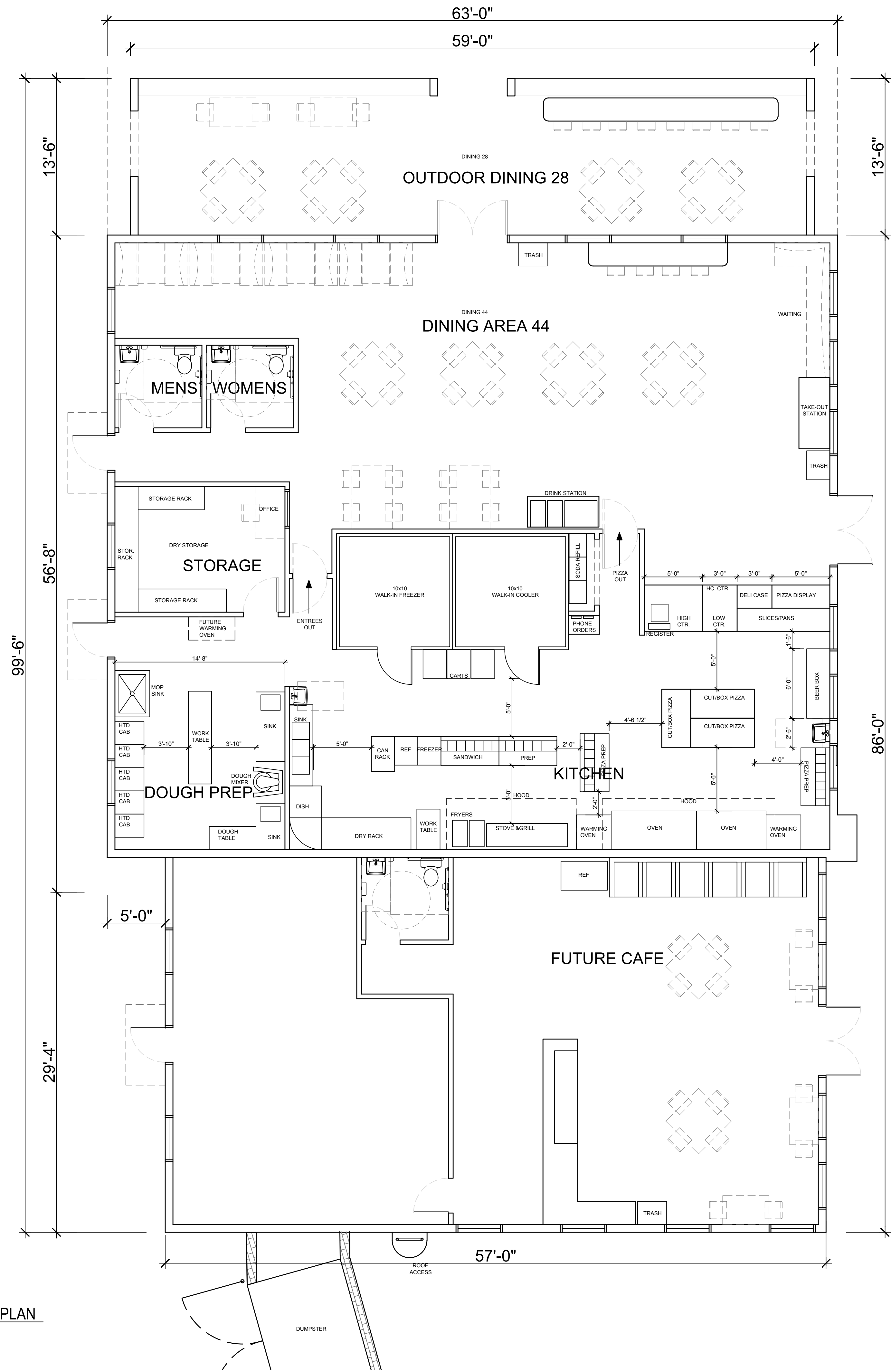
A

4

3

2

1



1 FLOOR PLAN
A-101 / 3/16" = 1'-0"

D

C

B

A

PERSPECTIVES

MAMA'S PIZZA

Frank and Lynn Manis
19741 S Main St
Cornelius, NC

PROJECT NO.: P170582

1	DATE	DESCRIPTION
---	------	-------------

REVISIONS:

DRAWN BY:

APPROVED BY:

ISSUED FOR: DESIGN REVIEW

DATE: 05.12.17

DRAWING NAME:

FLOOR PLAN

DRAWING NO.:

A-101

PERSPECTIVES

MAMA'S PIZZA

Frank and Lynn Manis
19741 S Main St
Cornelius, NC

PROJECT NO.: P170582

1	DATE	DESCRIPTION
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REVISIONS:

DRAWN BY:

APPROVED BY:

QUEST FOR

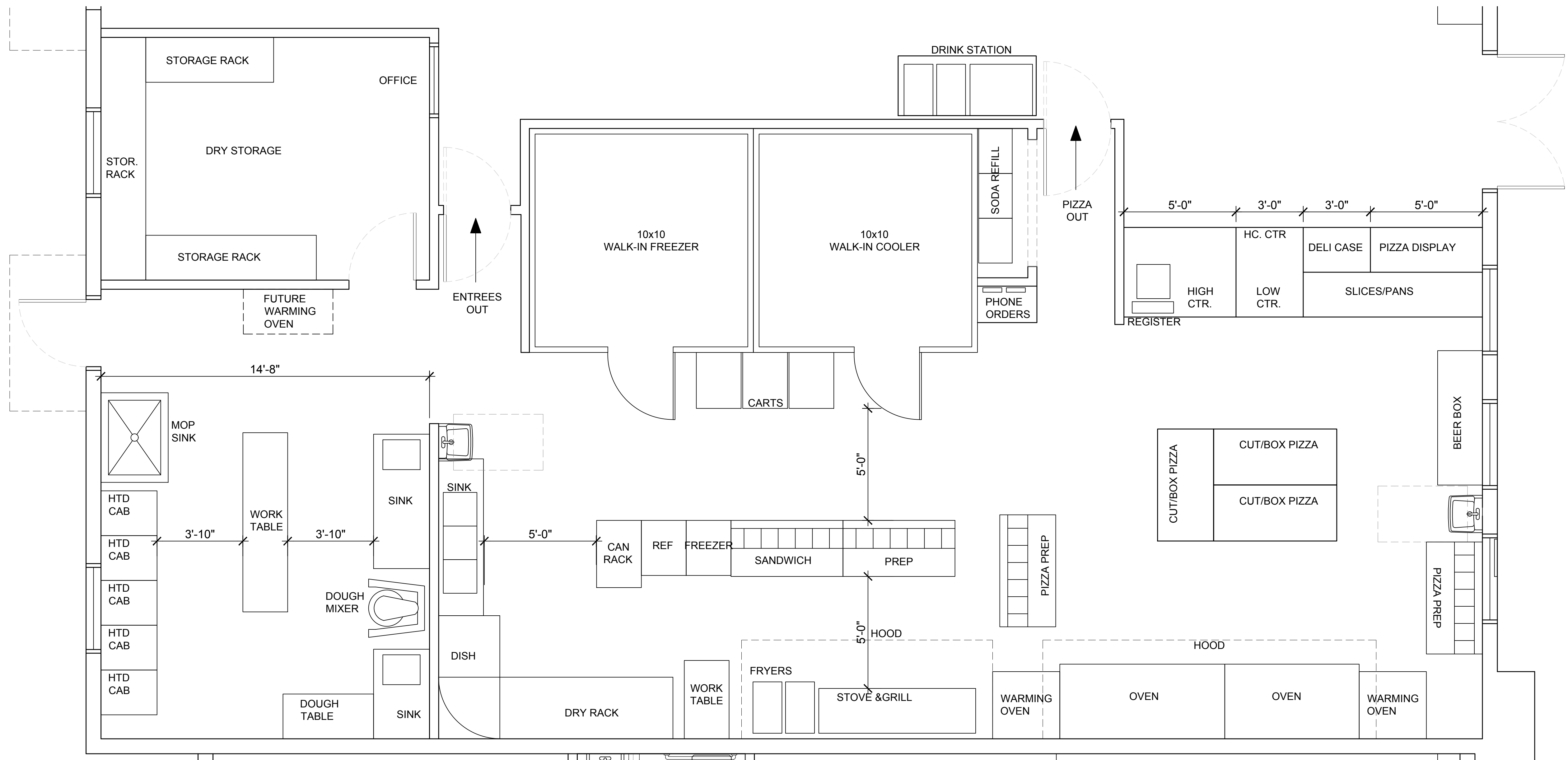
DATE:

DRAWING NAME:

ENLARGED KITCHEN PLAN

DRAWING NO.:

A-102



1 ENLARGED KITCHEN FLOOR PLAN
A-102 $\frac{3}{8}" = 1'-0"$

36"x24" PLOT SHEET

D

C

B

A

4

3

2

1



FRONT ELEVATION - TOWARD SOUTH MAIN STREET

1/4" = 1/-0"



SIDE ELEVATION - HICKORY STREET

1/4" = 1/-0"

PERSPECTIVES

**MAMA'S
PIZZA**

Frank and Lynn Manis
19741 S Main St
Cornelius, NC

PROJECT NO.: P170582

1	DATE	DESCRIPTION
---	------	-------------

REVISIONS:

DRAWN BY:

APPROVED BY:

ISSUED FOR: DESIGN REVIEW

DATE: 05.12.17

DRAWING NAME:

EXTERIOR ELEVATIONS

DRAWING NO.:

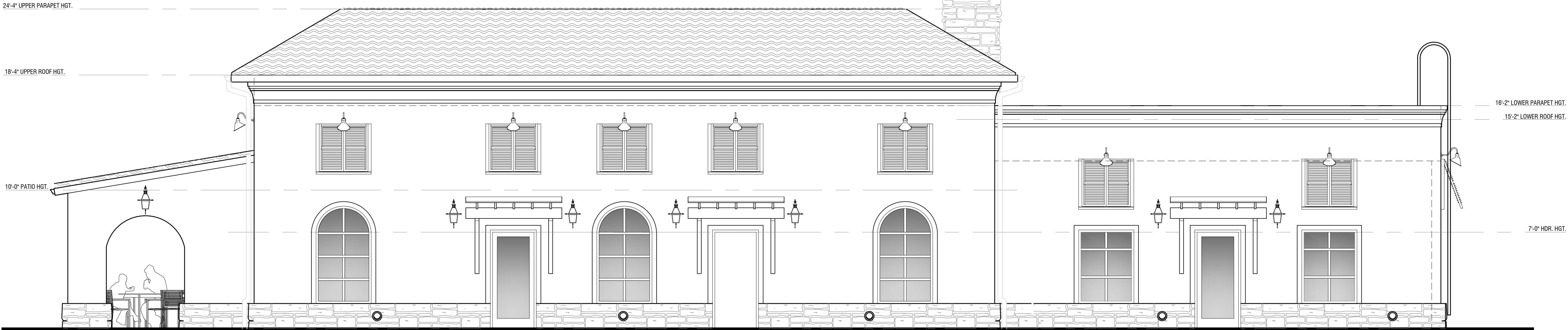
A-201

D

C

B

A



2 REAR ELEVATION - TRYON STREET
1/4"=1'-0"



2 SIDE ELEVATION - TOWARD FIRE DEPARTMENT
1/4"=1'-0"

D

C

B

A

PERSPECTIVES

**MAMA'S
PIZZA**

Frank and Lynn Manis
19741 S Main St
Cornelius, NC

PROJECT NO.: P170582

1	DATE	DESCRIPTION
---	------	-------------

REVISIONS:

DRAWN BY:

APPROVED BY:

ISSUED FOR: DESIGN REVIEW

DATE: 05.12.17

DRAWING NAME:

EXTERIOR ELEVATIONS

DRAWING NO.:

A-202

D

C

B

A



D

C

B

A

PERSPECTIVES

**MAMA'S
PIZZA**
**

Frank and Lynn Manis
19741 S Main St
Cornelius, NC

PROJECT NO.: P170582

1	DATE	DESCRIPTION
REVISIONS:		
DRAWN BY:		
APPROVED BY:		
ISSUED FOR: DESIGN REVIEW		
DATE: 05.12.17		
DRAWING NAME:		

PERSPECTIVES

DRAWING NO.:

A-203

D

C

B

A



D

C

B

A

PERSPECTIVES

**MAMA'S
PIZZA**
**

Frank and Lynn Manis
19741 S Main St
Cornelius, NC

PROJECT NO.: P170582

1	DATE	DESCRIPTION
---	------	-------------

REVISIONS:

DRAWN BY:

APPROVED BY:

ISSUED FOR: DESIGN REVIEW

DATE: 05.12.17

DRAWING NAME:

FRONT PERSPECTIVE

DRAWING NO.:

A-204



REZ 01-17
Mama's Pizza

Conditional Zoning Request

Town Board Meeting
July 17, 2017

OWNER(S): Frank and Lynn Manis
Fore Realty Incorporated
18817 Covese Lane
Cornelius, NC 28031

APPLICANT: Jay Henson, ASLA
HensonFoley
8712 Lindholm Drive, Suite 202A
Huntersville, NC 28078

PROPERTY LOCATION: 19741 South Main Street (Southwest corner of Main Street (NC Hwy 115) and Hickory Street (PID: 00515122))

PROPERTY SIZE: 0.88 acres

CURRENT LAND USE: Commercial - Restaurant

PROPOSED LAND USE: Commercial – Restaurant (Multi-tenant)

EXISTING ZONING: NMX (Neighborhood Mixed Use), and TR-O (Transitional Residential Overlay)

PROPOSED ZONING: CZ (Conditional Zoning)

EXISTING CONDITIONS:

1. Description of Adjoining Zoning and Land Uses – This property is bordered to the north by property zoned TC (Town Center), and currently operated as a commercial strip center. Directly to the South lies the Cornelius-Lemley Fire Station, which is zoned NMX. Immediately west across Tryon Street, properties are zoned NR Neighborhood Residential, and contain existing single-family residences. Across Main Street and the Norfolk Southern rail line are properties zoned NMX and used as either single family residences or offices.
2. Topography – The topography is generally flat with a slight grade change from east to west.
3. Vegetation – The front two-thirds of the site is mostly covered with development and impervious area and there is very little vegetation that exists, with the exception of one large tree near the fire departments property in the rear of the site.
4. Infrastructure – All utilities exist on the site. The site is currently accessed by one long driveway on Hickory Street on the north side, and one long driveway on South Main Street.

The Hickory Street/South Main Street Intersection is currently unsignalized, however the Town has plans to develop intersection improvements, and also provide a traffic signal at this location in the future. Staff is working with the applicant to accommodate the necessary land needed for this project. A narrow sidewalk exists on both Hickory Street and South Main Street, but does not exist on Tryon Street. The existing driveways on both Hickory and Main Streets create a safety challenge for vehicles and pedestrians.

STAFF COMMENTS:

1. *Project Overview* – The existing building on site is about 1652 square feet heated, and 2,291 square feet total. It has been a number of different restaurant uses through the years, but the building has remained since 1960 with very little changes. The applicant(s) are planning a new building with a new restaurant. The new multi-tenant building will total 5,250 square feet, whereas 3,250 will be exclusively for Mama's Pizza. The new building will be constructed behind the existing building, which will remain open during construction of the new building, and then will be closed and demolished in order to build the front parking area once the new building is completed. There will be one new driveway access off of Hickory Street, and no driveway access from South Main Street. The additional 2,000 square foot unit may be a restaurant or general commercial/retail/office. There are a total of 32 parking spaces provided, which meets the Land Development Code. The site is exempt from storm water/water quality requirements because it is less than an acre. The applicant(s) are also providing a new 10-foot multi-use sidewalk along South Main Street, as well as a new 5-foot sidewalk along both Hickory and Tryon Street. A large outdoor dining area is planned along Hickory Street. The proposed dumpster has been moved to the back of the site at the southwest corner off of Tryon Street, and will not be visible from the front.
2. *District Consistency* – Restaurants and commercial are permitted uses with conditions in the Neighborhood Mixed Use district. However, because the building is being proposed to be set back, it is best the project be reviewed through conditional zoning. Particularly those sections of the code relating to building frontage requirements and the Downtown Block Plan requiring building frontage on Main Street.
3. *Land Use Plan Consistency* – The Land Use Plan adopted by the Town Board on January 6th, 2014 designates this property as Town Center. Restaurants are one of the primary land uses found in this land use designation.
4. *Pre-Development Review Committee* – An initial concept plan was presented to the PDRC in February 2017. Staff received comments that were positive. However, following the committee meeting, staff received additional comment that were split on whether or not to allow the building to be pushed back, and not front on Main Street. The majority of the comments were that the property on the south side of Hickory Street was more of a transition area and setting the building back from Main Street would not take away from the Town Center plans. Staff concurs and believes the new proposed building will be an asset to the planned Arts District as well.
5. *Community Meeting* – The applicant held the required community meeting on Wednesday, April 19, 2017. Residents were supportive of the concept. The few concerns noted included parking along Tryon Street and the appearance of the Tryon Street elevation, which would be the back of the building.

6. Architectural Review – The proposed new building will be a total of one-story, but Mama's will be 26-feet in height to have the appearance of a two-story building, and is designed with a traditional Italian façade with a pitch-roof with ceramic tiles. The addition will be slightly offset and shorter with a flat roof. All HVAC and equipment will be on the roof and screened from view. The base of the building will contain stone, and the primary exterior material proposed is stucco. A variation is proposed to allow 35% window and door coverage on the front elevation, although the front elevation also contains accents and good articulation. The Hickory Street Elevation will be designed to look like a primary front, which will include a large porch for the outdoor dining area. The rear elevation does contain entrances to both units and a few accents, but does not contain many windows. The elevations have been presented to the Architectural Review Board on April 28th and May 26th for conceptual approval. Comments made at the April meeting were addressed, and the Board gave conceptual approval at the May meeting with minor comments to address when the building permits are filed.
7. Planning Board – The Planning Board reviewed the proposed conditional zoning request on June 12, 2017. Planning Board recommended approval of the request with staff's recommendations.

STAFF RECOMMENDATIONS:

Staff is recommending approval of this project 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 other information related to this case or improvements recommended by the Town and/or other agencies.
4. The applicant(s) shall dedicate the necessary right-of-way for the Hickory Street Intersection improvements by plat prior to construction document approval. All work within the right-of-way, including driveway closures, curb and gutter, sidewalk and landscaping shall be coordinated with the Town and with NCDOT, and the applicant(s) shall obtain the appropriate encroachment agreements as part of the construction document review for the demolition and grading of the existing building and front parking area.
5. The applicant(s) is providing designated areas for art as part of the proposed Art's District. All proposed art shall be reviewed and approved by PARC Board prior to installation.
6. Approval of the requested conditional zoning district, includes approval of the following architectural variations:
 - a. Section 4.6.1(D): Allow the primary façade of the building to face the secondary streets (Hickory Street and Tryon Street)

- b. Section 4.6.3(B)(3): Allow a reduction in the window and door coverage requirement below 70%. Approximately 35% window and door coverage is currently shown on the front façade.

All other requirements of Chapter 4 shall be met.

AN ORDINANCE TO AMEND THE TOWN OF CORNELIUS ZONING MAP

REZ 01-17 Mama's Pizza

WHEREAS, the Town of Cornelius has received an application requesting that the zoning classification of parcels of land subject to the zoning regulations of the Town be reclassified; and

WHEREAS, notice of public hearing on the question of the reclassification of the subject parcels has been provided through posting of the property; and

WHEREAS, notice of public hearing on the question of the reclassification of the subject parcels has been provided through advertisement in a newspaper of general circulation in the Town; and

WHEREAS, property owners contiguous to the subject parcels have been notified by first class mail of the public hearing on the question of the reclassification; and

WHEREAS, a public hearing on the question of the reclassification of the subject parcel has been held by the Board of Commissioners of the Town of Cornelius; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF CORNELIUS THAT:

Tax Parcel Number 00515122 consisting of approximately 0.88 acres located at the southwest intersection of Hickory Street and South Main Street (19741 South Main Street), be reclassified as *Conditional Zoning (CZ) District* as shown on *Exhibit A* and as further subject to the conditions shown on *Exhibit B* attached hereto and incorporated herein by reference.

Adopted this the 17th day of July, 2017.

Charles L. Travis, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Lori A. Harrell, Town Clerk

Karen Wolter, Town Attorney

EXHIBIT A



Conditions of REZ 01-17 – Mama's Pizza

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 other information related to this case or improvements recommended by the Town and/or other agencies.
4. The applicant(s) shall dedicate the necessary right-of-way for the Hickory Street Intersection improvements by plat prior to construction document approval. All work within the right-of-way, including driveway closures, curb and gutter, sidewalk and landscaping shall be coordinated with the Town and with NCDOT, and the applicant(s) shall obtain the appropriate encroachment agreements as part of the construction document review for the demolition and grading of the existing building and front parking area.
5. The applicant(s) is providing designated areas for art as part of the proposed Art's District. All proposed art shall be reviewed and approved by PARC Board prior to installation.
6. Approval of the requested conditional zoning district, includes approval of the following architectural variations:
 - a. Section 4.6.1(D): Allow the primary façade of the building to face the secondary streets (Hickory Street and Tryon Street)
 - b. Section 4.6.3(B)(3): Allow a reduction in the window and door coverage requirement below 70%. Approximately 35% window and door coverage is currently shown on the front façade.

All other requirements of Chapter 4 shall be met.

**RESOLUTION OF THE TOWN OF CORNELIUS BOARD OF
COMMISSIONERS PERTAINING TO THE REASONABLENESS AND
CONSISTENCY OF PROPOSED ZONING MAP AMENDMENTS**

REZ 01-17 MAMA'S PIZZA

WHEREAS, Frank and Lynn Manis, property owners initiated the process to zone parcels of land to *Conditional Zoning District* as shown in *Exhibit A* to develop said land with a new 5,250 square foot multi-tenant restaurant/commercial building w/ approximately 32 parking spaces located on the southwest intersection of Hickory Street and South Main Street (19741 South Main Street), (Parcel ID# 00515122); and

WHEREAS, in accordance with the provisions of North Carolina General Statutes 160A-382 and 383, the Town Board has considered the reasonableness and consistency of rezoning the above described property and adopts the following statement.

NOW, THEREFORE, BE IT RESOLVED, by the Town of Cornelius Board of Commissioners that the rezoning _____ IS _____ IS NOT consistent with the Town's adopted comprehensive land use plan as proposed and _____ IS _____ IS NOT reasonable and in the public interest.

Adopted this 17th day of July 2017.

Charles L. Travis, III, Mayor

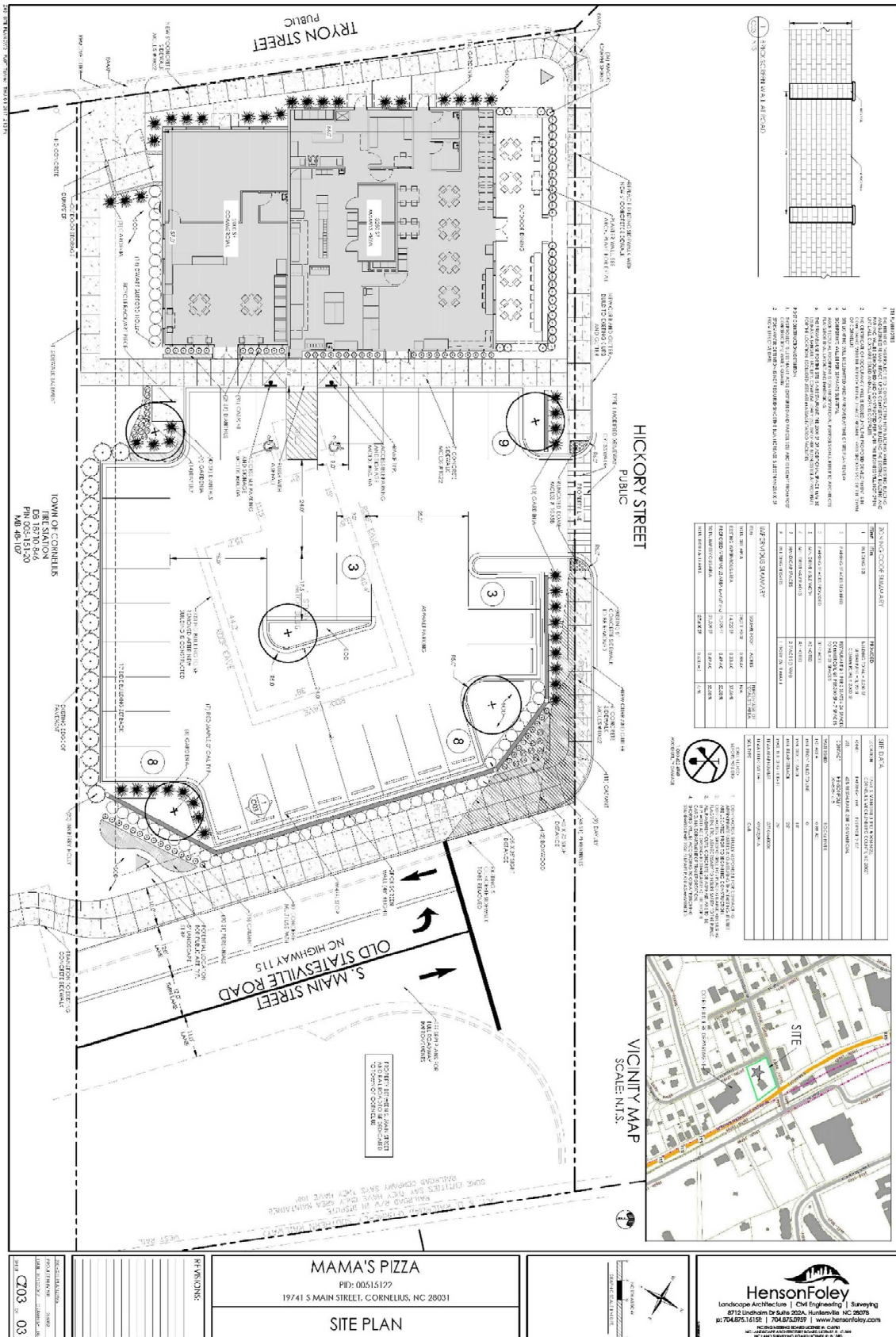
ATTEST:

Lori A. Harrell, Town Clerk

APPROVED AS TO FORM:

Karen Wolter, Town Attorney

Exhibit A



REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners
From: Wayne Herron, AICP
Director of Planning

Action Requested:

The following appointments are requested to the Planning Board:

Seat #4: Promote Joe Dean from alternate to regular member for a full three year term to expire in 2020.

Seat #5: Reappoint Susan Johnson as a regular member to a full three year term to expire in 2020.



Seat #8: Reappoint Michael Osborne as an alternate member to a full three year term to expire in 2020.

Seat #10: Appoint Danielle Miller as an alternate member to a full three year term to expire in 2020. Miss Miller lives in the Alexander Chase Subdivision and is on the HOA Board. She has been involved with the public meetings regarding Northcross Extension. As previously noted, the goal is to achieve balance and diversity with residency, gender and expertise. Miss Miller has been interviewed and fills the needed gaps in the current Planning Board membership and is excited to be a part of the planning for Cornelius' future. Miss Miller's application is attached.

Manager's Recommendation:

Approve appointments and reappointments as recommended.

ATTACHMENTS:

Name:	Description:	Type:
 Danielle_Miller_PB.pdf	Miller Application	Backup Material
 Draft_Planning_Board_Members.5.17.17.xls	Draft Planning Board Roster	Backup Material

Lori Harrell

From: noreply@civicplus.com
Sent: Tuesday, June 06, 2017 3:17 PM
To: Lori Harrell
Subject: Online Form Submittal: Committee Appointment Form

Committee Appointment Form

Contact Information

First Name	(Charlene) Danielle
Last Name	Miller
Residence Address	19515 Deer Valley Drive
Mailing Address (if different from above)	<i>Field not completed.</i>
Contact Number	7045599005
Description	Work, Cell
Email Address	miss.danielle.miller@gmail.com
I Live:	Inside the Town of Cornelius
I Am Interested In Serving On The Following Board(s)	Planning Board
Please list qualifications and/or reasons why you would like to serve.	I am interested in serving on the Town Planning Board to be a voice in my community, to stay informed on current events, and to participate in town matters. My resume is attached.
Additional Information (*optional)	<u>DanielleMiller_Marketing Professional CV.pdf</u>
Date	06/06/2017
Signature	C. Miller

Note:

You may fax this form to the Town Clerk at 704-896-2462 or mail to PO Box 399, Cornelius, NC 28031

Email not displaying correctly? [View it in your browser.](#)

CHARLENE DANIELLE MILLER

(704) 559-9005
miller_d@icloud.com

CORE COMPETENCIES

Computer: Microsoft Office Suite, QuickBooks, Method CRM, Sugar, Adobe Editor, Adobe Photoshop, Facebook, Twitter, Google +, Google Keywords and Analytics, Instagram, Pinterest, LinkedIn, Cloud Hosting and Cloud Documents, Wordpress, Shopify

Communication: persuasive, clear, effective and concise verbal and written skills. Experienced public speaker utilizing various formats including formal written and verbal presentations for individuals and groups, personally designed training material for staff including a customer service knowledge base.

PROFESSIONAL EXPERIENCE

ANSON MILLS LLC Columbia, SC

April 2013 – Current

Marketing and Business Development

- Confident, self motivator, effectively working from home, meeting deadlines
- Promoting inside sales, building team relationship and partnership with customers
- Dependably working with customers to create new sales opportunities
- Positively helping Marketing Partner to increase sales, performance, and overall efficiency
- Using Quickbooks to track weekly and quarterly sales and growth
- Providing culinary applications, cooking methods and relevant content to customers
- Improving communication with clients and increasing customer service standards
- Incorporating Cloud based documents for sharing information with the team
- Implementing CRM program that integrates with QuickBooks

CHILDRESS VINEYARDS, Lexington, NC

May 2010 – Current

Part-time outside Sales Representative and Bartender

- Conducting wine tastings
- Leading tours, explaining wine making, history and processes
- Wine Sales Leader

BETHANY MEDICAL CENTER, High Point, NC

October 2011 – April 2013

Marketing Manager

- Maintained Branding and Advertisements for 3 Locations, 10 Specialties, and 15 Physicians
- Managed social media sites, as well as Bethany Medical Website
- Created Additional Content for Website
- Started Email Marketing Campaign
- Sent Direct Mailers to Current and Potential Patients
- Administered weekly Staff Meetings, New Hire Orientation, as well as Community and Facility Tours
- Created Monthly Newsletters to community
- Implemented External Marketing to Primary Care Physicians

LEADERSHIP ACTIVITIES

ALEXANDER CHASE HOA, Cornelius, NC

January 2017 - current

Board Member at Large

- Ensuring homeowners respect the bylaws and restrictions in place and building new community relationships

DAVIE COUNTY HUMANE SOCIETY, Mocksville, NC

April 2015 – current

Board Member

- Supporting events, fundraising and volunteering my time and marketing talents.

EDUCATION

UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE, Charlotte, NC

December 2010

BABS degree Marketing | Minor in Psychology



Planning Board 2017

SEAT	NAME	ORIG APT DATE	TERM	TOWN/ ETJ	ADDRESS	BUS.NO.	HOME NO.	CELL NO.	E-MAIL
1	Keith Pickett	App 07/12 (Alt)	07/16 - 07/19(1)	Town	16501 Morecambe Drive	704-894-0455	704-894-0455	901-335-5161	keith3340@aol.com
2	Lee Peterson	App 07/13(Alt)	07/16 - 07/19(1)	Town	17605 Springwinds Drive			704-289-7726	lee52p@yahoo.com
3	Keith Eicher	App 7/14 (Alt)	07/16 - 07/19(1)	Town	18116 Coulter Parkway	704-439-3858		910-274-2203	eicherk@bellsouth.net
4	Joseph Dean	App 08/16 (Alt)	07/17 - 07/20(1)	Town	20301 Church Street		704-892-7551	704-451-2767	joeiuggler@att.net
5	Susan Johnson	App 08/16(Alt)	07/17 - 07/20(1)	Town	20306 Northport Drive	704-439-5350		704-651-9023	susan@homecarolinas.com
6	Betty Trautwein	App 03/11 (Alt)	07/15 - 07/18(2)	Town	16500 Morecambe Drive	704-892-7059	704-892-7059	704-650-8550	bbtrautwein@aol.com
7	Hardy McConnell Vice Chairman	App 07/09	07/15 - 07/18	ETJ	13108 Mayes Road		704-655-0085	704-609-9505	hmcconnell@bellsouth.net
8	Michael Osborne, Alternate	App 08/16(Alt)	07/17 - 07/20(1)	Town	19425 Mary Ardrey Circle			704-281-6884	mike@shiptransportal.com
9	Bill Ingram, Alternate	App 04/17*(Alt)	07/16 - 07/19(p)	Town	21119 Crealock Place			859-912-1486	Rookies40@yahoo.com
10	Danielle Miller, Alternate	App 7/17(Alt)	07/17-07/20(1)	Town	19515 Deer Valley Drive			704-559-9005	miss.danielle.miller@gmail.com

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Wayne Herron, AICP

Director of Planning

Action Requested:

In accordance with the bylaws of the Land Development Code Advisory Board(LDCAB), there are two Planning Board Members who serve as representatives and liaisons from the Planning Board.

Keith Eicher currently serves and the second seat is currently vacant. It is the responsibility of the current Planning Board Chair to make a recommendation regarding these LDCAB positions.


Cheryl Crawford, current Planning Board Chair, has recommended Joe Dean to fill the vacant spot on the LDCAB. Joe has agreed to accept the nomination, if the Town Board chooses to accept the recommendation.

Joe would be filling an unexpired term that would expire in February of 2018.

Manager's Recommendation:

Appoint Joe Dean as a Planning Board representative to the LDCAB.

ATTACHMENTS:

Name:	Description:	Type:
 Draft_Land_Development_Code_Advisory_Board6.27.17.xls	Draft LDCAB Roster	Backup Material



Land Development Code Advisory Board - 2017

NAME	APT YEAR	TERM	Affiliation	ADDRESS	BUS NO.	HOME NO.	CELL NO.	E-MAIL
Michael Miltich	2015	12/15 - 12/17	Commissioner	18021 Nantz Road	704-295-3660			mmiltich@cornelius.org
Dave Gilroy	2011	12/15 - 12/17	Commissioner	22836 Torrence Chapel Road	704.258.6653			dgilroy@cornelius.org
John Hettwer	2006	04/17 - 04/19	Citizen	7316 Swansea Lane	704-895-0777	704-895-4078	704-560-0106	jhettwer@payrollplusus.com
Norris Woody	2006	04/17 - 04/19	Citizen	19228 Brookgreen Grd. Pl.	704-895-7475	704-896-9663		norris.woody@axa-advisors.com
Bob Bruton	2011	02/16 - 02/18	Citizen	20235 Rainbow Circle		704-895-7165	704-807-7436	bobbruton@hotmail.com
Keith Eicher	2015	04/17 - 04/19	PB - Member	18116 Coulter Parkway	704-439-3838			eicherk@bellsouth.net
Joseph Dean	2017*	02/16 - 02/18	PB - Member	20301 Church Street		704-892-7551	704-451-2767	joejuggler@att.net
Cheryl Crawford	2010*	04/17 - 04/19	Citizen	208 Harborage Court	704-619-0636			cheryl@cccates.net
Chaz Churchwell	2016	02/16 - 02/18	Citizen	20032 Northport Drive		704.659.0956		chaz@churchwellagency.com
David Dunn	2016	04/17 - 4/19	Citizen	17109 Freshwater Lane			704.999.3591	10davidhdunn@gmail.com
vacant		2/16-2/18	Citizen					
Laura Pegram	2016	02/16 - 02/18	Citizen	18622 Bluff Point Road			704.728.5122	lpeggram@mac.com
Wayne Herron			Staff	Planning Director	704-896-2461			wherron@cornelius.org
Becky Partin			Staff	Communication Specialist	704-896-2461			bpartin@cornelius.org

* Unexpired Term

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Anthony Roberts, Town Manager


Action Requested:

The members of the Cornelius Library Endowment Committee would like to appoint Frieda Brown to fulfill the term left by Bob Carter.

Manager's Recommendation:

Approve appointment.

ATTACHMENTS:

Name:	Description:	Type:
 EndowmentCommittee16.docx	Endowment Committee Roster	Backup Material
 Bylaws.pdf	Endowment Bylaws	Backup Material

Cornelius Library Endowment Committee—July 2017

Bob Carter August 2017

Lsery1938@yahoo.com

(Living with son in FL after accident.)

Gabriella Alberdi August 2019

19511 Dufour Ct.

704-439-7992 gabriellaalberdi@gmail.com

Beth Gregory August 2017*

20128 Beard St.

704-677-2120 hatladybg@hotmail.com

Royce Kimbrough August 2019

19529 Weaver's Circle

704-892-3683 rkimbrough@mi-connection.com

Tanya Paxton August 2018

18521 Mizzenmast Ave.

Cell:704-488-4012 Home:704-997-5071 tanyat.paxton@cms.k12.nc.us

Ellen Giduz***, Branch Manager Cornelius and Davidson Branch Libraries

21105 Catawba Ave.Cornelius Library: 704-416-3800 Fax 704-416-3900

Cell:704-655-9409 Home: P.O. Box 443, Davidson, NC 28036 egiduz@cmlibrary.org

Angela Arnold***, Cornelius Manager aarnold@cmlibrary.org

*may serve a second 3-year term

completing vacated term, may be appointed for two full terms *non-voting ex officio

BYLAWS
OF
THE CORNELIUS LIBRARY ENDOWMENT COMMITTEE

ARTICLE I
Name and Location

The Cornelius Library Endowment Committee is an unincorporated association, (the "Committee"). The principal office of the Committee shall be located at such place as the Board of Directors may deem convenient.

ARTICLE II
History

In 1997 the Town of Cornelius, Mecklenburg County, and the Charlotte-Mecklenburg Public Library joined forces to begin the process of constructing a new public library building in Cornelius. One of the tasks assigned to the Town was to undertake a fund-raising effort to help pay for the books and furnishings in the new building. The funds raised by the Town exceeded the cost of books and furnishings, and the Town elected to create an endowment (the "Endowment") to provide on-going financial assistance for public library services. The Town has delegated to the Committee the responsibility and the authority to direct through the Town Manager of Cornelius the expenditure of the income and principal of the Endowment and such other powers as specified in Section 1 of Article V herein.

ARTICLE III
Purpose

The purpose of the Committee is to support public library services for the residents of the Town of Cornelius.

ARTICLE IV
Board of Directors

Section 1. The business and affairs of the Committee shall be managed by a Board of Directors (the "Board"). The Board shall consist of five (5) persons, two of whom shall be appointed by the Cornelius Library Committee, two of whom shall be appointed by the Town Board of Cornelius, and one of whom shall be appointed by the Principal of the Cornelius Elementary School. The appointments by the Cornelius Library Committee shall be for the initial Board only. Succeeding appointments to these two positions shall be assumed by the Town Board of Cornelius. All members of the Board must reside within the Town of Cornelius or its zoning jurisdiction.

Section 2. The members of the initial Board shall serve the following terms: Principal of the Cornelius Elementary School appointee: one year; Cornelius Library Committee appointees: two years as to one appointee and three years as the other appointee; Town of Cornelius appointees: two years as to one appointee and three years

as the other appointee. Thereafter, each member of the Board shall serve for a term of three years. If any member of the Board is unable or unwilling to complete his or her term, a successor shall be appointed to complete the unexpired term by the applicable person within the institution that appointed such director. No person may serve more than two consecutive 3-year terms as a director.

Section 3. The directors shall act only as a board, and the individual directors shall have no power as such. A majority of the directors in office shall constitute a quorum for the transaction of business, but a majority of those present at the time and place of any regular or special meeting, although less than a quorum, may adjourn the same from time to time without notice until a quorum be at hand. Unless a greater number is required elsewhere in these Bylaws, the act of a majority of directors present at any time at which there is a quorum shall be the act of the Board.

Section 4. The Board may create such subcommittees which it may deem necessary and advisable in the efficient operation of the Committee. Members of these subcommittees shall be appointed by the Board from persons who reside in the Town of Cornelius or its zoning jurisdiction to serve in such capacity as the directors may specify.

Section 5. The Board shall meet for the transaction of business at such time and place as may be designated from time to time by resolution of the Board. Scheduled meetings of the Board may be held without notice. Special meetings of the Board may be called by any two (2) members of the Board for any time and place, provided proper notice of such meetings shall be given to each member of the Board before the time appointed for such meeting. The attendance by a director at a meeting shall constitute a waiver of notice of such meeting except where a director attends a meeting and objects to the transaction of any business because the meeting is not lawfully called or convened.

Section 6. The Board may from time to time determine the order of business at its meetings. At all meeting of the Board the Chairman chosen each year by the directors shall preside.

Section 7. At all meetings of the Board the head librarian (or other person in the top management position of the public library facilities in the Town of Cornelius) shall be invited to attend, ex officio, without vote, but may be excluded from any portion of a meeting by the unanimous consent of all directors present at the meeting.

Section 8. Subsequent to his or her appointment, any director may be removed from the Board, with or without cause, by the institution which appointed such director.

Section 9. No director shall receive compensation for any service he or she may render to the Committee; provided, however, all directors shall be reimbursed for actual expenses incurred in the performance of their duties.

Section 10. The directors shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all the

directors. Any action so approved shall have the same effect as though taken at a meeting of the directors.

Article V
Powers and Duties of the Board of Director

Section 1. It shall be the duty of the Board to:

- (a) solicit and receive gifts of cash and/or property and to add those funds to the Endowment for the purpose of promoting and improving the Cornelius Library;
- (b) become and remain informed about the quality of public library services which are being provided to the residents of the Town of Cornelius and whether or not the quality of such services can be improved; and provide such information to the Town Board and Public Library of Charlotte and Mecklenburg County as needed; and
- (c) deliver to the Town of Cornelius and the principal of the public elementary school located in the Town of Cornelius (i) copies of the minutes of all meetings of the Board and all subcommittees (ii) reports from the Endowment showing at a minimum the principal balance, income earned for the reporting period and the purposes for which funds were distributed from the Endowment.

Section 2. The Board shall have the power to:

- (a) subject to any prior agreement with a community fund or similar charitable organization which holds the Endowment, direct the expenditure of the distributions from the Endowment in such a manner as is consistent with the purpose stated in Article III;
- (b) enter into contracts and agreements and do all other things which are consistent with the purpose set out in Article III.

ARTICLE VI
Termination

The Committee shall terminate when all of the Endowment has been expended or sooner upon the consent of the Mayor of the Town of Cornelius, Town Board of Cornelius and the Principal of the Cornelius Elementary School. Upon such termination,

any remaining funds shall be donated to the Public Library of Charlotte and Mecklenburg County for the specific use of the Cornelius Public Library.

ARTICLE VII Indemnification of Directors

The Committee shall indemnify any and all persons who may serve or who have served at any time as directors of the Committee against any and all expenses, including amounts paid upon judgements, counsel fees and amounts paid in settlement (before or after suit is commenced), actually and necessarily incurred by such persons in connection with the defense or settlement of any claim, action, suit or proceeding in which they, or any of them, are made parties, or a party, which may be asserted against them or any of them, by reason of being or having been directors or a director of the Committee, except this indemnification shall not operate with respect to a director or officer or person who has been adjudged in any action, suit, or proceeding guilty of willful and intentional misconduct in the performance of his duties to the Committee.

In the event of death of a director, the provisions hereof shall extend to his or her legal heirs, representatives, successors and assigns. The foregoing rights shall be available whether or not such person or persons were in fact directors at the time of incurring or becoming subject to such expenses, and whether or not the proceeding, claim, suit or action is based on matters which antedate the adoption of this Bylaw.

The invalidity or unenforceability of any provision of these Bylaws shall not affect the validity or enforceability of any other provision hereof.

ARTICLE VIII Books and Records

The books, records and papers of the Committee shall at all times be subject to inspection by the public during reasonable business hours. The Bylaws of the Committee shall be available for inspection by the public at the principal office of the Committee.

ARTICLE IX Notice

Any notice required to be given by these Bylaws may be waived by the person entitled thereto before or after the time stated therein. Unless otherwise provided, whenever a notice shall be required by these Bylaws, such notice shall be given in writing, and addressed to the person entitled thereto at his address as the same appears on the books of the Committee, the time when such notice is mailed being deemed the time of the giving of such notice.

ARTICLE X
Amendments

These Bylaws may be amended at a regular or special meeting of the Board by a unanimous vote of all the members of the Board.

These Bylaws are adopted this 28 day of June, 1997.

Winton Peck
Mayor, Town of Cornelius

Janet Quase
Chairman, Cornelius Library Committee

Gayle C. Roberts
Principal, Cornelius Elementary School

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Kevin Black, Police Major


Action Requested:

It has become necessary to amend the definition of "Manner of Parking" in the Code of Ordinances, Title 7, Chapter 71, Section 71.08. The current Code only allows for parallel parking, therefore, the proposed amendment addresses parallel parking, angle parking and parking within marked spaces.

Manager's Recommendation:

Approve an Ordinance to amend the Code of Ordinances, Chapter 71, Section 71.08.

ATTACHMENTS:

Name:	Description:	Type:
 ORD- Code of Ordinance - Title 7 Chapter 71 Section 71.08.pdf	Title 7, Chapter 71, Section 71.08	Resolution Letter

**AN ORDINANCE TO AMEND
THE TOWN OF CORNELIUS CODE OF ORDINANCES**

WHEREAS, it has become necessary for the Town to amend Chapter 71 (in Title VII) of the Town's Code of Ordinances; and

WHEREAS, this is necessary for manner of parking enforcement.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Cornelius that the Code of Ordinances, Chapter 71 (in Title VII) is hereby amended and adopted as follows:

- Section 1. Section 71.08(A,B,C) of the Code of Ordinances attached hereto as *Attachment A*, is hereby amended as shown on *Attachment A*.
- Section 2. This Ordinance shall become effective upon adoption.
- Section 3. Nothing in the adoption of this Ordinance shall amend or revoke any other provisions of the Town's Code of Ordinances which shall remain in full force and effect.
- Section 4. Nothing in the adoption of this Ordinance shall terminate or otherwise affect any pending enforcement actions, civil penalties or fines arising from violations of the provisions of Chapter 71 (in Title VII) as they existed prior to adoption of this Ordinance, and any such actions shall survive the adoption of this Ordinance.

Adopted this 17th day of July, 2017.

SEAL

Charles L. Travis, III, Mayor

ATTESTED:

APPROVED AS TO FORM:

Lori A. Harrell, Town Clerk

Karen Wolter, Town Attorney

Current

§ 71.08 MANNER OF PARKING.

No person shall stand or park a vehicle in a roadway in any manner other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curb side wheels of the vehicle within 12 inches of the edge of the roadway, unless authorized to do otherwise by a sign posted by the town.

(Ord. passed 3-16-89; Am. Ord. 2001-00241, passed 5-21-01) [Penalty, see § 71.99](#)

Proposed

§ 71.08 MANNER OF PARKING.

(A) *Parallel parking.* Except as provided in subsection (B) of this section, no person shall stand or park a vehicle in a roadway in any manner other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curb side wheels of the vehicle within 12 inches of the edge of the roadway.

(B) *Angle parking.* On streets or parts of streets marked for angle parking, automobiles and other vehicles shall be parked at an angle to the curb as indicated by such markings and wholly within such markings.

(c) *Parking within marked spaces.* On any street which is marked off with lines indicating the parking spaces for vehicles, such vehicles shall be parked wholly between or within such lines and it shall be unlawful for any person to park outside such lines.



REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Anthony Roberts, Town Manager

Action Requested:

The new N.C. Session Law 2017-87, (a.k.a. Brunch Bill) allows for businesses that sell alcohol to be able to begin selling beer, wine, and distilled spirits beginning at 10AM on Sundays (currently they must wait until noon). ABC Stores will continue to be closed on Sundays.

For these sales to be allowed in Cornelius the Board must adopt an Ordinance amending the Code of Ordinances to allow the sale of alcoholic beverages at 10AM on Sundays.

Manager's Recommendation:

Approve an Ordinance to amend the Code of Ordinances, Title 11, Chapter 110.

ATTACHMENTS:

Name:	Description:	Type:
 ORD-Brunch_Ordinance.docx	Brunch Bill	Resolution Letter

**AN ORDINANCE ADDING A NEW SECTION TO THE CORNELIUS TOWN
CODE OF ORDINANCES TO AUTHORIZE THE SALE OF MALT BEVERAGES,
UNFORTIFIED WINE, FORTIFIED WINE, AND MIXED BEVERAGES
BEGINNING AT 10:00 A.M. ON SUNDAYS**

WHEREAS, it has become necessary for the Town to update Title 11, Chapter 110 within the Town's Code of Ordinances; and

WHEREAS, these changes are pursuant to authority granted to the Town by the N.C. General Assembly, N.C. Gen. Stat. § 160A-205.3 (Session Law 2017, Chapter 87, Senate Bill 155, Section 4).

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Cornelius that the Code of Ordinances, *Title 11, Chapter 110: Alcohol* is hereby amended and adopted as follows:

- Section 1. **Section 110.04, Wine Fortified Wine, and Mixed Beverages on Sunday Mornings** - The sale of malt beverages, unfortified wine, fortified wine and mixed beverages shall be allowed within the corporate limits of Cornelius at any premises licensed pursuant to N.C. Gen. Stat. 18B-1001 on Sundays beginning at 10:00 a.m.
- Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.
- Section 3. This ordinance shall become effective upon adoption.

SEAL

Charles L. Travis, III, Mayor

ATTESTED:

APPROVED AS TO FORM:

Lori A. Harrell, Town Clerk

Karen Wolter, Town Attorney

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Julie Niswonger, Finance Director

Action Requested:

This budget amendment includes one item that represents a project initiated but not completed in FY 2017.

The project is the replacement of the "silo" playground at Bailey Road Park.

The original intent was to provide a significant renovation to the existing "silo" playground. Unfortunately, after discussing the project with the original manufacturer for several months an agreement could not be reached. After exhausting all possible avenues, PARC issued an RFP to replace the playground.

After an extensive selection process with playground manufacturer representatives competing in a design competition to a set budget amount, Carolina Recreation and Design was awarded the contract in May. A farm themed playground complete with a main "barn" component, "silo" component, swings, other stand-alone playground amenities, picnic shelter and site furnishings is underway. The project is scheduled to be complete by September 1, 2017. I am requesting the remaining \$221,100 in FY 17 funds be amended to the FY 18 budget in order for the project to be completed.

Manager's Recommendation:

Approve budget amendment.

ATTACHMENTS:

Name:	Description:	Type:
 Amend # 1 FY 2018-1.pdf	FY 2018 Operating Budget Amedment	Cover Memo

TOWN OF CORNELIUS
AN ORDINANCE AMENDING
THE OPERATING BUDGET FOR
FISCAL YEAR 2017-2018

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF
COMMISSIONERS OF THE TOWN OF CORNELIUS:**

SECTION 1. The following amounts are hereby authorized for all appropriations, expenditures and inter-fund transfers necessary for the administration and operation of the Town of Cornelius for the fiscal year beginning July 1, 2017 and ending June 30, 2018 in accordance with the following schedule of accounts heretofore established for this Town:

SCHEDULE A: GENERAL FUND

	Original Budget	This Amendment 7/17/2017	Change
General Fund Revenues			
Ad Valorem Taxes	\$ 13,861,065	13,861,065	-
Local Option Sales Tax	3,255,013	3,255,013	-
Utility Franchise Tax	1,887,936	1,887,936	-
Powell Bill Allocation	761,210	761,210	-
Other Taxes and Licenses	582,390	582,390	-
Unrestricted Intergovernmental	1,118,506	1,118,506	-
Restricted Intergovernmental	605,500	605,500	-
Permits and Fees	733,700	733,700	-
Sales and Services	190,000	190,000	-
Investment earnings	62,162	62,162	-
Donations	20,000	20,000	-
Micellaneous	18,300	18,300	-
Debt Issued	930,000	930,000	-
Appropriated Fund Balance	(126,368)	94,732	221,100
Total General Fund Revenues	\$23,899,414	\$24,120,514	\$221,100
General Fund Expenditures			
Governing Board	\$ 77,391	77,391	-
General Government	1,502,976	1,502,976	-
General Services	373,662	373,662	-
Police	6,037,115	6,037,115	-
Communications	594,994	594,994	-
Fire Operations	2,201,639	2,201,639	-
Animal Control	177,630	177,630	-
Public Works	2,261,161	2,261,161	-
Powell Bill	519,000	519,000	-
Solid Waste/Recycling	2,011,782	2,011,782	-
Stormwater	250,000	250,000	-
Planning / Land Development	659,595	659,595	-
Tourism	481,650	481,650	-
Art Center	526,326	526,326	-
Parks, Arts, Recreation, and Culture	3,185,601	3,406,701	221,100
Transfer to Capital Project Funds/ 911 Fund	776,475	776,475	-
Debt Service	2,262,417	2,262,417	-
Total General Fund Expenditures	\$23,899,414	\$24,120,514	\$221,100

SCHEDULE B: ELECTRIC FUND

Electric Fund Revenues

	Original Budget	This Amendment 7/17/2017	Change
Sales and Services	\$ 6,627,801	6,627,801	-
Fund Balance	449,656	449,656	-
Miscellaneous	10,000	10,000	-
Total Electric Fund Revenues	\$ 7,087,457	\$ 7,087,457	\$ -

Electric Fund Expenditures

Electric Department	\$7,087,457	\$7,087,457	-
Total Electric Fund Expenditures	\$ 7,087,457	\$ 7,087,457	\$ -

SCHEDULE C: 911 FUND

911 Fund Revenues:

911 Fee Revenue	\$196,479	196,479	-
Fund Interest Earnings	\$1,579	1,579	-
911 Appropriated Fund Balance	\$0	-	-
Total 911 Fund Revenues	\$ 198,058	\$ 198,058	\$ -

911 Fund Expenditures:

911 Department	\$198,058	198,058	-
Total 911 Fund Expenditures	\$ 198,058	\$ 198,058	\$ -

SECTION 2. An ad valorem tax rate of \$.255 per \$100 of assessed valuation is hereby established as the official tax rate for the Town of Cornelius for the fiscal year 2017-18. This rate is based on an estimated valuation of \$4,996,487,708 and an estimated 98.5% percent collection rate, which is at least the collection rate expected during the 2016-17 fiscal year.

SECTION 3. In accordance with G.S. §159-9 and G.S. §159-15, the Town Manager shall serve as the budget officer and is hereby authorized to reallocate appropriations among the objects of expenditure under the following conditions:

- a. The Town Manager may transfer amounts between line-item expenditures even among departments as believed to be necessary and prudent.
- b. He may not transfer any amounts between funds, except as approved by the Board of Commissioners in the Budget Ordinance as amended.

Adopted this the 17th day of July, 2017.

Charles L. Travis III, Mayor

SEAL

ATTEST:

APPROVED AS TO FORM:

Lori A. Harrell, Town Clerk

Karen Wolter, Town Attorney

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Tyler Beardsley, Assistant to the Manager




Action Requested:

The developer of the Watermark Condominium project, that is on the current Knox Road extension has requested the Town change the road name to Watermark Drive. The section of Knox Road that would change names would be between Henderson Road and Nautique Boulevard only. The only address on this property is the Watermark Condos, so this will not effect any other existing businesses or residents. Watermark Drive is acceptable by Mecklenburg County.

Manager's Recommendation:

Approve Resolution to change the road name as presented.

ATTACHMENTS:

Name:	Description:	Type:
 Watermark_Street_request_letter.pdf	Letter of Request from Developer	Cover Memo
 RES-Street_Name_Change-Knox_Road.doc	Resolution to Change Road Name	Cover Memo
 Knox-WatermarkDr.pdf	Street Map	Backup Material



WATERMARK

LAKE NORMAN

June 14, 2017

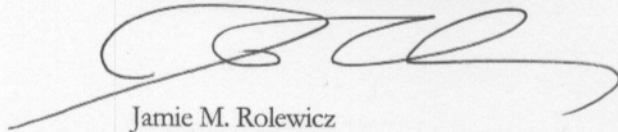
Tyler Beardsley
Assistant to the Manager
Town of Cornelius
O: 704.892.6031 ext 127
C: 704.746.4962

RE: Watermark Lake Norman

Dear Tyler:

I would like to request that the Knox Road Extension is renamed to Watermark Drive. Our Watermark Condominium project is the only property that will hold this street address and changing it will not effect any other property owners. It would also align the street name with our project name and the level of quality of our project. It is also very confusing as it is addressed as several of my customers have had trouble locating the site. Your consideration is very much appreciated.

Sincerely,
WATERMARK LAKE NORMAN



Jamie M. Rolewicz

**RESOLUTION CHANGING A PORTION OF STREET NAME
KNOX ROAD TO WATERMARK DRIVE**

WHEREAS, it is in the best interest of the Town to differentiate street names within the Town's corporate limits as well as surrounding jurisdictions; and

WHEREAS, the requested name change is on the section of Knox Road between Henderson Road and Nautique Boulevard; and

WHEREAS, the owner of the proposed new development has requested the road name change to differentiate from the main section of Knox Road; and

WHEREAS, there are no other properties currently addressed on this section of road; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Cornelius that the section of Knox Road between Henderson Road and Nautique Boulevard is renamed Watermark Drive.

Adopted this the 17th day of July 2017.

SEAL

Charles L. Travis, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Lori A. Harrell, Town Clerk

Karen Wolter, Town Attorney



REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Anthony Roberts, Town Manager


Action Requested:

Revise the Personnel Policy to shift performance evaluations to a September 1-August 31 uniform evaluation cycle. Currently we perform evaluations on an employees anniversary date of hire and we propose to move to a uniform evaluation of Sept. 1st for all employees.

Manager's Recommendation:

Approve a Resolution to amend the Personnel Policy, Article V, Conditions of Employment-Personnel Evaluations.

ATTACHMENTS:

Name:	Description:	Type:
 RES- Personnel_Policy_amendment - _7.17.17.pdf	Personnel Policy Amendment	Resolution Letter

**RESOLUTION TO REVISE THE
TOWN OF CORNELIUS PERSONNEL POLICY**

WHEREAS, the Mayor and Town Board of Commissioners adopted a system of personnel administration in December, 1999 which was amended by resolution on October 2, 2000; February 21, 2005; April 5, 2010; August 16, 2010; January 22, 2013; April 18, 2016 and March 20, 2017; and

WHEREAS, the Mayor and Town Board desires to amend the Personnel Policy to shift employee performance evaluations to a uniform evaluation cycle instead of anniversary evaluations; and

WHEREAS, the new evaluation cycle will be conducted for all employees annually between September 1st and August 31st.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE BOARD OF COMMISSIONERS OF THE TOWN OF CORNELIUS that:

1. The Town of Cornelius Personnel Policy, be hereby amended as shown in the amended section attached hereto as Exhibit "A" and incorporated herein by reference comprised of:
 - **Article V – Conditions of Employment – Performance Evaluation**

BE IT HEREBY FURTHER RESOLVED that the Town Manager is hereby authorized to implement this policy revision in his authority as Town Manager consistent with the Town of Cornelius Personnel Policy.

Adopted this 17th day of July, 2017.

Charles L. Travis, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Lori A. Harrell, Town Clerk

Karen Wolter, Town Attorney

Performance Evaluation

To achieve its goals and objectives, the Town must be able to depend on satisfactory work performance from all employees. Performance evaluation is the measurement of the employee's performance of assigned duties by the immediate supervisor. The nature and quality of an employee's performance have a direct bearing on the manner in which they relate to management and to the citizens they serve and on their assignments and promotions. Therefore, it is the policy of the Town to use performance evaluations as a means to ensure the best utilization of available human resources, to ensure personnel problems can be identified and dealt with promptly and fairly, to ensure optimum job satisfaction for employees, and to ensure the highest quality of services to the citizens by Town employees. In order to align Town strategic goals and employee performance goals and to facilitate awarding merit salary increases, all employees will be evaluated on an annual performance cycle beginning September 1 – August 31 of each year. New employees may be evaluated more frequently during their first year of employment and may have a shorter or longer initial annual evaluation cycle in order to transition to the September-August annual evaluation schedule.

It is reasonable for an employee to expect to continue his or her service for as long as the employee continues to fulfill the basic performance requirements of his job. Open communications between supervisor and employee are expected to establish a clear understanding of what is expected in the job.

A formal evaluation shall be completed by the immediate supervisor for an employee upon completion of the required probationary and/or trainee periods and at least annually thereafter **according to the annual performance evaluation cycle as outlined above**. The employee's performance will be evaluated and rated on a five-level rating scale as follows:

- *Excellent* – Individual performs all tasks in an exceptional manner.
- *Good* – Individual performs many tasks well, and other tasks adequately.
- *Satisfactory* – Individual performs all tasks adequately.
- *Fair* – Individual performs most tasks satisfactory, but not all.
- *Unsatisfactory* – Individual fails to perform many tasks well.

An employee's annual performance evaluation will be completed by the immediate supervisor, reviewed and approved by the department head, and a copy will be included in the employee's personnel file. The performance ratings will be shared with the employee during the performance evaluation discussion and a corrective action plan developed along with appropriate training if the employee is rated below Satisfactory.

Employees rated Satisfactory or above may be eligible for merit salary increases if funding is available.

The Town Manager will annually report to the Town Board on the status of the performance evaluation system and request funds during the budget process to support adequate funding of pay incentives and rewards linked to performance.

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Lori Harrell, Town Clerk



Action Requested:

Approve the Regular Meeting minutes for June 5 and June 19.

Manager's Recommendation:

Approve minutes.

ATTACHMENTS:

Name:	Description:	Type:
 06-05-17_Regular_Meeting_draft.docx	6/5 Meeting Minutes	Backup Material
 06-19-17_Regular_Meeting_draft.docx	6/19 Meeting Minutes	Backup Material



BOARD OF COMMISSIONERS

June 5, 2017
MINUTES

PRE-MEETING – 5:45PM

❖ HPC Property Evaluation

Members of the Historic Preservation Committee gave a presentation (*Exhibit Book 30*) on their historic evaluation process and highlighted preservation opportunities for 50 properties.

REGULAR MEETING – 7:00PM

1. CALL TO ORDER

Mayor Travis called the meeting to order at 7:02PM.

2. DETERMINATION OF QUORUM

All commissioners were present for the meeting.

3. APPROVAL OF AGENDA

*Commissioner Washam made a motion to approve the agenda as presented.
Commissioner Ross seconded the motion and it passed unanimously, 5-0.*

4. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Mr. Carroll Gray led the pledge after a moment of silence was observed.

5. MAYORAL PROCLAMATION

A. Lula Bell Houston Day

Mayor Travis recognized life-long Cornelius citizen Lula Bell Houston's 94th birthday and executed a Proclamation honoring her birthday.

6. PRESENTATIONS

A. Bailey Middle School Odyssey of the Mind Team

Mayor Travis recognized the Odyssey team members (*Exhibit Book 30*) that competed in the world finals and allowed them the opportunity to share what Odyssey of the Mind means and how they won 1st place.

7. CITIZEN CONCERNS/COMMENTS

Michelle Ferlauto, 21005 Sterling Bay Lane – expressed her concerns with the outdoor storage ordinance language under consideration of approval. She stated that the current version will give a negative perception that the Town is trying to become a large HOA.

8. MAYOR/COMMISSIONERS/MANAGER REPORTS

Commissioner Miltich reported on the following:

- Attended the CRTPO meeting on May 17th – an update was given by NC Turnpike Authority and Mercator's review on the I-77 toll lanes; TIP draft for 2018-2027

- Attended the Jazz Fest on May 20th
- Attended the NCDOT public meeting on the Hwy. 115
- Attended the Memorial Day celebration
- The next Cornelius Conversation will be held on June 6th at Brooklyn South Pizza

Commissioner Duke reported on the following:

- VLN – NC 18th Tennis State Championship will be held June 6th & 7th
- Attended the Memorial Day celebration
- Coffee Chat new location will be at Lake Town Tavern
- PARC – Symphony in the Park will be held on June 24th at Bailey Road Park

Commissioner Washam reported on the following:

- EDC – 17 projects in Cornelius; 35 in the region
- Attended the ribbon cutting for Eleven Lake Brewery located in Hyde Park
- Coffee Chat – Rhonda Lennon reported on the CMS boundary assignment and Rep. John Bradford gave an update on the legislative items in Raleigh
- CACC – the new Executive Director has been hired and the official announcement will be forthcoming
- Attended the NCDOT public meeting on the Hwy. 115 project
- Attended the Memorial Day celebration

Commissioner Ross reported on the following:

- Chamber – the Business Expo will take place on June 7th at Davidson College

Mayor Travis reported on the following:

- Attended the Memorial Day celebration and congratulated the Legion on a fantastic program
- Encouraged the public to get involved in the Hwy. 115 study

9. PUBLIC HEARING AND CONSIDERATION OF APPROVAL

A. Olde Mecklenburg Brewery, Inc. Economic Development Grant

Commissioner Miltich made a motion to continue the public hearing until July 17th. Commissioner Duke seconded the motion and it passed unanimously, 5-0.

B. FY2018 Budget Ordinance and Tax Rate

The public hearing continued from May 15th was called to order and Manager Roberts gave an overview on the FY2018 budget with no tax rate increase. He outlined the personnel and operating expenditures, capital funded projects, and identified roadway and greenway projects within the 5 year forecast. He explained that a new bond referendum package will begin in July in order to have it placed on the November 2018 ballot.

Mayor Travis invited the public to speak and the following comments were made:

Carroll Gray, 21235 Blakely Shores Drive – stated that he supports the recommended budget and urged the Board to plan smarter on growth and invest in the quality of life for the Town.

Scott Higgins, 22354 Market Street – stated that he supports the recommended budget as well as a new bond referendum package. He asked the Board to revisit the CMP to ensure it includes affordable housing, parks, greenways and other amenities the Cornelius citizens are expecting in the next 10 years.

Steve McLeod, a Cornelius business owner since 1986 congratulated staff on presenting a strong budget and thanked the Board for doing a great job of managing expenses and keeping the tax rate affordable. He encourage the Board to be frugal but also invest in future transportation needs.

Ralph Gettings, 19925 Schooner Drive – stated that he generally supported the proposed budget but was embarrassed that the personnel merit increase was decreased.

There being no further public comments, Mayor Travis called for a motion to close the public hearing.

Commissioner Washam made a motion to close the public hearing. Commissioner Ross seconded the motion and it passed unanimously, 5-0.

Commissioner Duke stated that the budget process went well and although they didn't get all they wanted, they did get what was needed.

Commissioner Gilroy stated that he was opposed to the budget because of the continued increase in personnel and operations vs. revenue.

Commissioner Washam stated that nothing is perfect; however, it has been a thorough process.

Commissioner Ross stated that the process was good, the citizen participation was good and he supported the recommended budget.

Mayor Travis stated he believed the recommended budget is solid.

Commissioner Miltich stated that he was very comfortable with this year's proposed budget.

Commissioner Duke made a motion to approve Ordinance #2017-00655 for the FY2018 operating budget and set the tax rate at .25 ½ cent per \$100 of assessed value. Commissioner Washam seconded the motion and it passed 4-1, Commissioner Gilroy was opposed.

Ordinance #2017-00655 is hereby made part of the minutes by reference.

10. CONSIDERATION OF APPROVAL

A. Land Development Code Advisory Board Appointment

Manager Roberts explained that Cheryl Crawford will be rolling off the Planning Board but would like to remain on the Land Development Code Advisory Board as a participating citizen. Commissioner Duke suggested that committee liaison assignments be reviewed.

Commissioner Ross made a motion to appoint Cheryl Crawford to the vacant seat 9 on the LDCAB. Commissioner Washam seconded the motion and it passed unanimously, 5-0.

B. Cancel and Amend the Regular Meetings Calendar

Manager Roberts explained that there are no business items to discuss on July 3rd and recommended cancelling the 1st meeting in July.

Commissioner Ross made a motion to approve Resolution #2017-00854 cancelling the July 3rd Town Board meeting and amending the meetings calendar. Commissioner Washam seconded the motion and it passed unanimously, 5-0.

Resolution #2017-00854 is hereby made part of the minutes by reference.

C. Jetton Park Entrance Fees

Manager Roberts explained that the proposed Resolution evolved from Commissioner Gilroy's suggestion of reducing beach goers from Ramsey Creek by allowing free admission to Jetton Park. The PARC Commission unanimously supports the Board's request for Mecklenburg Board of County Commissioner to consider.

Commissioner Washam made a motion to approve Resolution #2017-00855 requesting that the Mecklenburg County Board of Commissioners consider eliminating the entry fee to Jetton Park. Commissioner Duke seconded the motion and it passed unanimously, 5-0.

Resolution #2017-00855 is hereby made part of the minutes by reference.

11. CONSENT AGENDA

A. Approve Minutes – Regular Meeting – May 15th

(Approved 5-0)

Commissioner Ross made a motion to approve the Consent Agenda as presented. Commissioner Washam seconded the motion and it passed unanimously, 5-0.

12. OLD BUSINESS

A. TA 02-17 Outdoor Storage

Town Attorney Karen Wolter explained the text changes to better clarify the intent of what the Board was approving within the text amendment.

Commissioner Miltich made a motion to approve Ordinance #2017-00652A text amendment to the Land Development Code's Chapter 2 and 6 as presented.

Ordinance #2017-00652A is hereby made part of the minutes by reference.

13. COMMISSIONER CONCERNS

A. Town Hall Maintenance

Commissioner Duke suggested that staff take a look around Town Hall and repair the things identified.

B. CATS Bus Service for Ramsey Creek Park

Commissioner Miltich stated that bus ridership seems to be minimal, therefore, he may recommend the County consider the use of CATS passenger vans vs. buses.

C. Lake Patrol Update

Major Black gave a brief update on the Memorial Day holiday lake patrol.

14. ADJOURNMENT

There being no further business to discuss, Commissioner Miltich made a motion to adjourn at 8:23PM. Commissioner Duke seconded the motion and it passed unanimously, 5-0.

Approved this 17th day of July, 2017.

ATTEST:

Charles L. Travis, III, Mayor

Lori A. Harrell, Town Clerk



BOARD OF COMMISSIONERS

**June 19, 2017
MINUTES**

PRE-MEETING – 5:45PM

❖ Closed Session

In the absence of Mayor Travis, Commissioner Ross called for a motion to go into Closed Session to discuss a potential litigation matter under attorney-client privilege.

Commissioner Duke made a motion to go into Closed Session at 5:57PM. Commissioner Miltich seconded the motion and it passed unanimously, 3-0. Mayor Travis and Commissioner Gilroy arrived at 6:03PM. Commissioner Washam was absent.

Upon return to the pre-meeting at 6:35PM, Manager Roberts gave an overview of the 7:00PM agenda items.

REGULAR MEETING – 7:00PM

1. CALL TO ORDER

Mayor Travis called the meeting to order at 7:02PM.

2. DETERMINATION OF QUORUM

All commissioners were present with the exception of Commissioner Washam who was out of town.

3. APPROVAL OF AGENDA

Commissioner Miltich made a motion to approve the agenda as presented. Commissioner Duke seconded the motion and it passed unanimously, 4-0.

4. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Chief Hoyle led the pledge after a moment of silence was observed

5. MAYORAL PROCLAMATION

A. Margaret Harmon's 100th Birthday

Mayor Travis recognized Margaret Harmon's 100th birthday on June 29th and executed a Proclamation in her honor.

6. MAYOR/COMMISSIONERS/MANAGER REPORTS

Manager Roberts reported on the following:

- ASC Cultural Feast will be held in Cornelius on Friday, Sept. 8th

Commissioner Duke reported on the following:

- Attended the CACC Advisory Committee meeting
- A meet and greet with Justin Dionne, the new Executive Director for CACC will be held on June 20th at Kadi Fit
- PARC – Symphony in the Park will be held on Saturday, June 24th with fireworks to follow

Commissioner Miltich reported on the following:

- Attended a meeting with staff to discuss a potential town ordinance on golf carts
- Cornelius Conversation with guest speaker Commissioner Gilroy was held on June 6th
- Attended the North Meck Alliance meeting on June 8th

Mayor Travis reported on the following:

- Toured Belmont to see improvements made to their downtown streetscapes with the assistance from state grants
- Delivered a Proclamation to Mama Lu recognizing her 94th birthday
- Attended the 3rd annual Red, White and Bundles Baby Shower hosted by Susan Tillis
- Participated in the Food Truck Invationals on June 17th

7. CITIZEN CONCERNS/COMMENTS

Rodney Roberts – 20706 Willow Pond, expressed his support of the Town’s grant request for the McDowell Creek/Willow Pond stream restoration project.

Moninda Eslick – 19805 Pinyon Drive, expressed her support of the Town’s grant request for the McDowell Creek/Willow Pond stream restoration project.

8. PUBLIC HEARING AND CONSIDERATION OF APPROVAL

A. Annex 01-17 Circle K

Mayor Travis called for a motion to open the public hearing on Annexation 01-17 Circle K. The public notice is attached hereto.

Commissioner Ross made a motion to open the public hearing. Commissioner Duke seconded the motion and it passed unanimously, 4-0.

Manager Roberts explained that the Circle K located at Hwy. 115 and Bailey Road has requested voluntary annexation of their entire parcel of 9.10 acres.

Mayor Travis invited the public to comment. There being no public comments, he called for a motion to close the public hearing.

Commissioner Ross made a motion to close the public hearing. Commissioner Duke seconded the motion and it passed unanimously, 4-0.

Commissioner Ross made a motion to approve Ordinance #2017-00656 annexing 9.10 acres owned by Circle K located at the corner of Hwy. 115 and Bailey Road. Commissioner Miltich seconded the motion and it passed unanimously, 4-0.

Ordinance #2017-00656 is hereby made part of the minutes by reference.

9. CONSIDERATION OF APPROVAL

A. Schedule of Fee Changes

Manager Roberts gave a brief overview of the Schedule of Fees for 2017.

Commissioner Duke made a motion to amend and approve the Schedule of Fees as presented. Commissioner Ross seconded the motion and it passed unanimously, 4-0.

B. FY17 Operating Budget Amendment

Finance Director, Julie Niswonger explained the changes of the FY17 operating budget recognizing 911 Monument donations (~\$63K), CPD insurance proceeds (~\$6k) and Electric

Fund (~\$12K), a general fund transfer to the 911 Fund (~\$6K), VFD Engine 5 repairs (~\$38K), and Electric Fund amendment related to Curtis Screw (\$450K).

Commissioner Duke made a motion to approve Ordinance #2017-00657 amending the FY17 operating budget. Commissioner Miltich seconded the motion and it passed unanimously, 4-0.

Ordinance #2017-00657 is hereby made part of the minutes by reference.

C. Resolution for Stream Restoration Grant Funding

Asst. Manager Grant gave a presentation illustrating the current state of Willow Pond and the McDowell Creek stream and the proposed changes for the stream restoration project.

Commissioner Duke made a motion to approve Resolution #2017-00856 requesting \$200,000 in grant funds from NC Dept. of Environmental Quality Division of Water Resources for the McDowell Creek Stream Restoration project. Commissioner Ross seconded the motion and it passed unanimously, 4-0.

Resolution #2017-00856 is hereby made part of the minutes by reference.

10. COMMISSIONER CONCERNS

A. Ramsey Creek Park Fees

Commissioner Miltich stated that the County is now charging an entrance fee into Ramsey Creek Park regardless if you're not using the beach or boat launch. Mayor Travis suggested a follow up be done with the County.

B. Town Hall Maintenance

Commissioner Duke reiterated his comments made on June 5th that Town Hall is in need of maintenance repairs. Manager Roberts stated that he would take care of the repairs.

C. Billboard Legislation in Raleigh

Mayor Travis informed the Board that there is a billboard bill working its way through the legislature that will negatively impact local municipalities. It allows billboard owners the right to replace any existing billboard anywhere within certain zoning districts of the municipality, if required to be removed by NCDOT for road widening. He encouraged the Commissioners to review the current bill as it's written and provide suggested revisions to Senator Tarte for the final version.

11. ADJOURNMENT

There being no further business to discuss, Commissioner Miltich made a motion to adjourn at 7:56PM. Commissioner Duke seconded the motion and it passed unanimously, 4-0.

Approved this 17th day of July, 2017.

ATTEST:

Charles L. Travis, III, Mayor

Lori A. Harrell, Town Clerk

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: July 17, 2017

To: Mayor and Board of Commissioners

From: Lori Harrell, Town Clerk


Action Requested:

Approve the Closed Session minutes for June 19.

Manager's Recommendation:

Approve minutes.

ATTACHMENTS:

Name:	Description:	Type:
 06-19-17_Closed_Session_draft.docx	Closed Session Minutes	Backup Material
