



Cabarrus County Government – Planning and Development  
Planning and Zoning Commission Minutes  
April 9th, 2024

Ms. Holly Edwards, Chair, called the meeting to order at 6:30 p.m. Members present, in addition to the Chair, were Mr. Charles Paxton, Mr. Brent Rockett, Mr. Stephen Wise, Mr. David Hudspeth, Ms. Ingrid Nurse, Mr. Adam Dagenhart, Mr. Andrew Nance, Mr. Mohammed Idlibi and Mr. Chris Pinto. Attending from the Planning Department were, Mr. Phil Collins, Senior Planner, Ms. Susie Morris, Planning Director, Ms. Kendall Bolton, Clerk to the Commission, Mr. Evan Lee, General Counsel, and Mr. Richard Koch, County Attorney. Mr. Jeff Corley and Mr. Michael Bywaletz were absent from the meeting.

**Roll Call**

Ms. Kendall Bolton, Clerk to the Commission, called the roll.

**Approval of Minutes**

The Chair asked if there were any corrections or additions to the minutes for the March 12th, 2024, Planning and Zoning Commission Meeting.

There being no corrections or additions to the minutes, Ms. Ingrid Nurse **MOTIONED, SECOND** by Mr. Stephen Wise to **APPROVE** the March 12th, 2023, meeting minutes. The vote was unanimous.

**Approval of the Granting Order with Finding of Facts for SUSE2024-00009** - Special Use Permit request for Public Service Facility (Water Treatment). Applicant is KCI Associates of North Carolina, P.A. Owner is Aqua North Carolina, Inc. Address is 5301 Sapp Road (PIN 5643-46-3633).

There being no corrections or additions to the Granting Order, Mr. Brent Rockett **MOTIONED, SECOND** by Mr. Andrew Nance to **APPROVE** the March 12<sup>th</sup>, 2024, Granting Order. The vote was unanimous.

**Approval of the Granting Order with Finding of Facts for VARN2024-00002** – Request for variances from Section 5-5. B –impervious area maximums, Section 10-5.2 –parking requirement, Section 7-3.43. B – 100’ setback for Automobile Repair in AO, Chapter 9, required perimeter buffer (encroachment), and Appendix A, Pavement Schedule.

There being no corrections or additions to the Granting Order, Mr. Charles Paxton **MOTIONED, SECOND** by David Hudspeth to **APPROVE** the March 12<sup>th</sup>, 2024, Granting Order. The vote was unanimous.

### **Old Business Planning Board Function:**

**RZON2023-00005** – Rezoning from Office Institutional to General Industrial. 9-acre property. Owner is Clara M Wheeler. Applicant/agent is Boyd Stanley. Address is 4788 NC Highway 49 N (PIN: 5559-39-9086). Request to Withdraw Application

The Chair asked if anyone had any type of conflict or information that needs to be shared related to this case.

Mr. Pinto said, I have a conflict. This has already been addressed when the case was here in February.

The Chair called on Staff to speak.

Mr. Collins said, so I spoke with the applicant, and they just didn't decide to want to move forward with a conditional district. They just decided to withdraw this application.

Mr. Brent Rockett **MOTIONED, SECOND** by Mr. Stephen Wise to **APPROVE** the Withdrawal request of RZON2023-00005. Vote was unanimous.

### **Old Business Board of Adjustment:**

**VARN2024-00001** –Variance request for thoroughfare buffer requirements in Chapter 4 and perimeter buffer in Chapter 9. PRESPRO, LLC is the applicant. Journey Investment Group, LLC is the owner. Address is 2339 Odell School Road (PIN 4682-41-7025). Request to Table

The Chair asked if anyone had any type of conflict or information that needs to be shared related to this case. There being none, the Chair called upon Staff to speak.

Ms. Morris said, so for clarification, in your original packet, the request was to table indefinitely from Staff. Since that time, they've come back and now their request is to table for 30 days to the May meeting. Just so you're aware that there was that change in case you looked at that earlier packet and didn't look at the new one. The request would be to table to the May meeting. That would be the same for both of these items.

Mr. Charles Paxton **MOTIONED, SECOND** by Ms. Ingrid Nurse to **TABLE** VARN2024-00001 to the May meeting. Vote was unanimous.

### **Old Business Planning and Zoning Commission Acting as Design Review Committee**

**ARCH2024-00001** – Architectural Design Review for address 2339 Odell School Road. Applicant/ Agent is John Lambert. Purpose is to convert the existing structure into office use. (PIN 4682-41-7025). Request to Table.

The Chair asked if anyone had any type of conflict or information that needs to be shared related to this case. There being none.

Mr. Brent Rocket **MOTIONED, SECOND** by Mr. Stephen Wise to **TABLE** ARCH2024-00001 to the May meeting. Vote was unanimous.

Mr. Koch said, because of the time limits, it will probably come up in May, but it won't be ready then. I think that is why there was a request to table this indefinitely. That is not what the Applicant wants, so that is the reason for the change. If you recall, last month that was all explained to them. It seemed like they didn't want to accept it. The window for them to resubmit a new site plan was going to be pretty small. They didn't even make that for this month. It will probably happen again, that is what Susie was trying to get to. But again, that is what they wanted.

**Legal update**

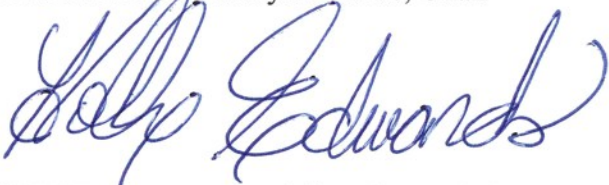
Mr. Koch said, there is no immediate business to address. Mr. Lee said, I also have no immediate business to discuss.

**Directors Report**

Ms. Morris said, a reminder that those trainings are coming up. We sent out the email. If anybody wants to attend those trainings, you will need to let me, and Kendall know what email you want to use to be registered. You will get an invoice, and then you'll have to get that to us so that we can pay it. So I'll send that back out about when the one in Charlotte is going to be. One is at the CCOG office and then the other one would be a virtual training. They are, April, May, I think.

There being no further discussion, Mr. Brent Rockett **MOTIONED, SECONDED** by Mr. Stephen Wise, to adjourn the meeting at 6:38 p.m. The vote was unanimous.

APPROVED BY: Holly Edwards, Chair



SUBMITTED BY: Kendall Bolton, Clerk



ATTEST BY: Susie Morris, Planning Director