VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

PLANNING BOARD SPECIAL CALLED MEETING AGENDA

November 4, 2019 – 6:30 p.m. – Village Hall

AGENDA ITEM

1. Call to Order
Chairman Jones called the meeting to order at 6:30 pm.

2. Determine Quorum
Chairman Jones verified a quorum was present.

Board Members Present: John Jones, Mark Petersen, Michael Lavelle, Kelly Cates, Tom Traub and Paul Cappiello

Chris smith arrived at 7:20 pm.

Board Members Absent: There were no members absent.

3. Adoption of the Agenda

MOTION: Chairman Jones made a motion to adopt the agenda as presented.
VOTE: The motion passed with a unanimous vote.

4. Adoption of the Meeting Minutes for: 7/16/19; 8/21/19 and 9/17/19

MOTION: Mr. Petersen made a motion to adopt the agenda as presented.
VOTE: The motion passed with a unanimous vote.

5. Public Comment Period
No one signed up to speak.

NEW BUSINESS ITEMS

1. Discussion and Consideration of CUP #18-12146 Marvin Creek Tennis Court Lighting
Mr. Rohit Ammanamanchi, Senior Planner/Zoning Administrator, presented his staff report. *(See attached staff report is hereby incorporated as reference into these minutes.)*

The Planning Board reviewed the application.

MOTION: Mr. Petersen made a motion to consider CUP#12146 Marvin Creek Tennis Court Lighting and forward to Village Council with the following conditions:

1. Verify there is a glare packet for the lights.
2. Lights off at 10 pm.
3. Verify lot lines on the photo matrix.

VOTE: The motion passed with a unanimous vote.

2. Discussion and Consideration of Marvin Gardens I-CD Residential Subdivision Preliminary Construction Plat
Mr. Ammanamanchi presented his staff report. *(See attached staff report is hereby incorporated as reference into these minutes.)*

The Planning Board discussed this item in depth.

MOTION: Chairman Jones made a motion to approve the Marvin Gardens I-CD Residential Subdivision Preliminary Construction Plan as submitted.
VOTE: The motion passed with a unanimous vote.

3. **Discussion of Joint Council and Planning Board Meeting on 10/14/2019**
The Planning Board discussed the joint meeting with Council regarding the rezoning application in depth.

No action was taken

4. **Discussion of "No New Utility Connections" Rule and possible Text Amendments**
The Planning Board discussed the rules that Marvin does not allow new utility connection with existing structures for residential property. They also discussed possible text amendments for Code Ordinance §151.049 and §151.052.

The Planning Board directed Mr. Ammanamanchi to provide more information at the next meeting regarding definitions for single family dwellings and kitchens.

5. **Distribution and Discussion of Survey Results**
Mr. Ammanamanchi presented the survey results to the Planning Board for review.

UNFINISHED BUSINESS ITEMS

1. **Discussion and Consideration of Chapter 5 of the Land Use Plan**

MOTION: Chairman Jones made a motion to Table Chapter 5 of the Land Uses Plan until next meeting.
VOTE: The motion passed with a unanimous vote.

AGENDA ITEMS

1. **Review of Action Items**
   - Planning Board directed Mr. Ammanamanchi to provide more information on definitions at the next meeting for single family dwellings and kitchens.
   - Staff will provide the latest copy of the Land Use Plan to Planning Board Members.
   - Staff will add CUP#18-12146 Marvin Creek Tennis Court Lighting to Council's November 12th agenda for approval.
2. **Board Member Comments**
Michael Lavelle – He recognized Mr. Jamie Lein, Mr. Bob Marcolese and Mayor Joe Pollino in the audience and thanked them for attending the Planning Board Meeting. He wished all the candidate's luck at the election polls tomorrow (November 5).
Mark Petersen – He thanked them for their service.
John Jones – He said tomorrow is an important day and hoped that everyone goes out to vote.
Tom Traub – No comment
Kelly Cates – No comment
Chris Smith – No comment
Paul Cappiello – No comment

ADJOURNMENT

MOTION: Chairman Jones made a motion to adjourn the Planning Board meeting at 8:40 pm.
VOTE: The motion passed with a unanimous vote.

Adopted: 12/17/2019

John Jones, Chairman

Barbara R. Blackwell, NCCMC
Clerk, Village of Marvin

VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

TO: Planning Board

FROM: Rohit Ammanamanchi, Senior Planner/Zoning Administrator

SUBJECT: Discussion and Consideration of CUP #18-12146 Marvin Creek Tennis Court Lighting

DATE: October 8, 2019

Background

The Marvin Creek Subdivision HOA would like to install lighting for the Tennis Courts in their Amenity Center. This requires a Conditional Use Permit as per 151.080(C)(7).

Current

Staff analysis found the lighting plan (lamp model and photometric plan) to meet regulations in our Lighting Ordinance, Section 152. Specifically, the following criteria are met:

- (A) The light fixture must be shielded at the top to prevent horizontal light flooding; this is shown by the model picture and by the photometric plan which illustrates that the light intensity drops off immediately outside the tennis court.
- (B) A maximum of 0.4 foot-candles at the property line; the photometric plan shows 0.2-0.3 fc on the side adjacent to a house. The long edges of the photometric plan showing 0.9 and 1.2 fc are not the edge of the property. With a street on one side and the interior of the amenity center on the other, these metrics will be acceptable. However, the Planning Board may discuss requiring reducing the intensity of the lamps.
- (C-E do not apply)
- (F.1) Fixtures do not exceed 80 feet; The height is 20 feet
- (F.2) Fixtures must be fitted with the manufacturer's glare control package; this is not clear, but also, glare is not well defined in our ordinance.
- (F.3) Fixtures must be designed with a sharp cutoff and aimed within the primary playing area; this is met, see (A) above.
- (F.4) Lighting shall be extinguished no later then one hour after the event ends; This is not exactly relevant to this application, but Planning Board may want to include a condition to the CUP that the lights be turned off before a certain time every day.

Therefore, Staff Analysis finds the findings of fact to be true and recommends approval after discussion of additional conditions:

(1) The use will not materially endanger the public health or safety if located where proposed and developed according to plan;

VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

(2) The use meets all required conditions and specifications;

(3) The use will not substantially injure the value of adjoining or abutting property or the use is a public necessity;

(4) The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with this chapter and the Village Land Use Plan; and

(5) Additional review criteria, as stated in this chapter, shall also be considered and addressed where required.

Staff would like Planning Board to review the CUP application, and provide revisions and provide final recommendation to Village Council.

VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

TO: Planning Board

FROM: Rohit Ammanamanchi, Senior Planner/Zoning Administrator

SUBJECT: Discussion and Consideration of Marvin Gardens Residential Preliminary Construction Plat

DATE: October 9, 2019

Background

The residential portion of Marvin Gardens Individual-Conditional District (I-CD) is being developed by Saussy Burbank, who has submitted the Preliminary Construction plat for approval. The plan upon which the rezoning was approved contains a general site plan of the development, as is standard for a Conditional District. The preliminary construction plan presented is largely similar, having only a few very minor changes.

Current

The minor changes that I have been able to find are as follows:

- Lots 22 and 23 are turned sideways from their original orientation. This also increases the amount of common space in the middle part
- Lots 11 – 21 have been made slightly wider, which slightly decreased the common space in the north part
- The stream has been identified in the eastern most part of the conservation area, and the shape of the retention pond has been revised to reflect this

All the above changes are minor and are either net neutral or improved from the original plan, in Staff assessment.

Staff would like Planning Board to review the Preliminary Construction Plat, and provide revisions or provide final recommendation to Village Council.