

October 2024 Board of Adjustment

Meeting minutes

The Board of Adjustment of the Town of Unionville held a meeting on Monday, October 28, 2024, at 7:00 PM at Unionville Town Hall, 1102 Unionville Church Road, Monroe, NC. Chairman Andrew Benton, Gene Price, Jaren Simpson, Jeff Broadaway, Board Attorney Ken Swain, and Alternate Jerry Adams were present. Absent were Chad Simpson, and Alternates Craig Rushing and Roddie Baucom.

Pledge of Allegiance to the United States Flag

Invocation

Chairman Andrew Benton asked everyone to stand and recite the pledge of allegiance and Gene Price said the prayer of invocation.

Welcome and Call to Order

Andrew Benton, Mayor Pro-Tem, called the Board of Adjustment meeting to order. He noted that Chad Simpson was not present and asked Jerry Adams to step up as an alternate.

Consideration of Minutes of the March 18, 2024 Regular Meeting

Andrew Benton presented the minutes of the March 18, 2024 regular meeting for consideration.

Jeff Broadaway made a motion to approve the minutes. Gene Price seconded the motion. The motion passed unanimously.

Consideration of Special Use Permit #SUP-24-01 for a Quik Trip 24-Hour Convenience Store with Retail Fuel Sales at 2830 Concord Highway, Monroe, NC

Andrew Benton introduced the special use permit application and asked if any board members had conflicts of interest to declare. Hearing none, he proceeded with swearing in those who wished to give testimony.

Thomas Donton, representing QuikTrip, provided testimony in support of the special use permit. He explained that they were seeking a new permit due to changes in the site plan since the previous approval. The main change was related to access from Highway 601, which was now controlled access, requiring a redesign of the site plan. Mr. Donton highlighted that the new plan kept the entire development within the two parcels owned by QuikTrip in Unionville, unlike a previous version that had encroached onto a parcel in Monroe. He also mentioned that the traffic impact analysis had been approved with the new site plan.

Mr. Donton addressed the ongoing issue of sanitary sewer access, stating that they were proposing a gravity sanitary sewer extension across their parcel in Monroe and neighboring parcels, with plans to eventually connect to the Kellerton Place development.

Sonya Gaddy, Town Clerk/Tax Collector/Land Use Administrator, provided an overview of the special use permit application and the conditions. She outlined the following key points:

- The project would be a 24-hour convenience store on approximately 3.12 acres.
- Adjoining properties are zoned RA40, R20, B2, and CUD for mixed-use development.
- The two parcels would be combined into one.
- Parking spaces would exceed the minimum requirement (47 proposed vs. 35 required).
- Screening requirements were detailed for different sides of the property.
- Truck pickup and delivery would be restricted to between 7 AM and 7 PM.
- Gas pumps and overhead canopies would observe at least a 20-foot setback.
- The use would not be as a truck stop.
- Setbacks for bordering RA40 lots were specified.
- Dumpsters and loading areas would be placed at the rear of the property.
- Architectural details would be incorporated to avoid blank walls.
- Two freestanding signs were proposed, one on Baucom Deese Road and one on Concord Highway, within size limits.
- The project would participate in the town's 10-70 watershed program, with 61.5% impervious surface.
- Lighting would be downward-facing and not interfere with neighboring properties.
- The project would meet all NCDOT requirements.

Ms. Gaddy recommended removing condition #16 from the previous approval, which stated there would be no changes to the permit approved on March 21, 2022, as changes had been made to the site plan.

Jeff Broadaway inquired about the timeline for the septic system and connection to Kellerton Place. Mr. Donton responded that he didn't have specific updates on the easement discussions but could follow up with that information.

Jeff Broadaway also asked Sonya Gaddy about the process for requesting services like septic from Monroe for adjoining lots. Ms. Gaddy explained that there was an interlocal agreement in place, allowing Monroe to provide services on a case-by-case basis, dependent on availability.

Jaren Simpson made a motion to accept the special use permit with the two changes mentioned by Sonya Gaddy: the deletion of point 16 and the addition of a second sign for point 12. Jeff Broadaway seconded the motion. The motion passed unanimously.

The board then proceeded to vote on the four findings of fact:

- The use will not materially endanger the public health or safety.
Andrew Benton made a motion that it will not materially endanger public health or safety. Gene Price seconded the motion. The motion passed unanimously.
- The use will not substantially injure the value of adjoining property.

Gene Price made a motion that the use will not substantially injure the value of adjoining property. Jaren Simpson seconded the motion. The motion passed unanimously.

- The use will be in harmony with the area in which it is located.

Jaren Simpson made a motion that the use will be in harmony with the area in which it is located. Andrew Benton seconded the motion. The motion passed unanimously.

- The use will be in conformity with the land use plan, thoroughfare, or other plan officially adopted by the Council.

Jaren Simpson made a motion that the use will be in conformity with the land use plan, thoroughfare, or other plan officially adopted by the Council. Jerry Adams seconded the motion. The motion passed unanimously.

Upon a motion made by Jaren Simpson, seconded by Jerry Adams, the board also passed a statement of reasonableness and consistency unanimously.

Ken Swain, the attorney, confirmed that he and Land Use Administrator Gaddy would draft the special use permit with all conditions.

Recommendation for Jerry Adams' Expiring First Alternate Term, Which Expires in December, 2024

Gene Price made a motion to nominate Jerry Adams for a second term as an alternate. Jaren Simpson seconded the motion. The motion passed unanimously.

Other Business

No other business was brought before the board.

Adjournment

Andrew Benton adjourned the meeting.

Respectfully submitted,

Melody Braswell
Deputy Clerk