



**MINUTES OF THE
TOWN COUNCIL WORK SESSION OF
MONDAY, FEBRUARY 26, 2018**

The Town Council of the Town of Pineville met in a Work Session on Monday, February 26, 2018 at 6:00 p.m. at the Pineville Communications Bldg. at 118 College St. in Pineville.

ATTENDANCE

Mayor: Jack Edwards
Mayor Pro-Tem: David Phillips
Council Members: Debbie Fowler, Melissa Davis and Joe Maxim
Town Manager: Ryan Spitzer
Planning Director: Travis Morgan
Town Clerk: Barbara Monticello

CALL TO ORDER

The meeting was called to order by Mayor Edwards at 6:07 p.m.

DISCUSSION ITEMS:

- A. Traffic Impact Study for New Industrial Subdivision** – Travis Morgan, Planning & Zoning Director, started the conversation noting that the applicant for a proposed warehouse and cul-de-sac on Industrial Drive, was in attendance to help clarify some of the issues brought up in a public hearing held at the last Town Council Meeting on February 13, 2018. Several business owners from the industrial park attended the hearing and voiced their concerns with the proposed plan. The public hearing was continued to the March Council Meeting until some of the issues brought up at the hearing could be discussed in depth. Those issues included: on-street parking by trucks from other companies in the park, fencing on the proposed warehouse site, noise and the traffic study.

Council Member, Joe Maxim, added that one of the property owners was also concerned about encroachment onto his property. Mr. Morgan stated that all the turning radiuses were fine and that there was no encroachment onto anyone's property. Council Member Maxim was also concerned whether Industrial Drive could handle additional traffic from this new warehouse facility. Mr. Morgan responded that, according to the traffic study, overall there were no big areas of concern other than the traffic congestion at the intersection of Polk St. and Industrial Dr. Mr. Maxim wanted to know if there were any long-range plans to re-do the roads in that area. Mr. Morgan replied that the Public Works Department usually ranks the streets with the worst at the top of the list to be addressed first. Mayor Pro Tem David Phillips commented that the industrial area was always more expensive to maintain because of all the truck traffic through there. He also reiterated that this area was zoned for this type of business and that we had to allow this company to come in and build their warehouse. It's the other vacant parcels that they needed to be concerned with. He was also worried that if a residential development abutted this property, the residents would cut through the industrial park causing more traffic congestion.

Mr. Morgan assured Council that if they were OK with the uses that were permitted "by right" then there shouldn't be a problem with whatever other businesses come into the vacant parcels. If a larger, manufacturer decided to come into one of those parcels, they would be required to go before Council anyway.

The applicant, Bailey Patrick, took the floor and explained that he was in commercial real estate and that he was a partner in this project as well. He stated that this project was for a distribution warehouse for the storage of food.

Doors would not be left open and the highest number of trucks through the area according to their client, Lance-Snyder, would be 7 in one hour's time. Their drivers are a mix of independent and fleet drivers. Since the independent drivers did not like being in the thick of rush-hour traffic, they would be traveling mostly between the hours of 10:00 a.m. and 3:00 p.m. but there were some drivers that would be running 24/7.

Council Member, Melissa Davis, stated that she was more concerned with the vacant parcels and what might decide to go into them. Council Member, Joe Maxim, asked if it could be stated in the applicant's lease agreement that no manufacturing is allowed. Mr. Bailey responded that the town's ordinance already stated that they couldn't go in that location. Mayor Pro Tem Phillips asked if the cul-de-sac would require a curb and gutter to which Mr. Morgan replied that it would. He also asked about a company sign to which the applicant replied that they would follow whatever was required by the town's sign ordinance. Additionally, on their site plan, they added a fence on the property and a comment that there would be no on-street parking.

The floor was then turned over to a representative with Timmons Traffic Monitoring, who had done the traffic study. He stated that in order to determine if a truck could make a turn within a specified area, a special software program was used. They ran the program using the dimensions for the largest truck possible and the specifications on the plan fully met the requirements. They then used federal guidelines that the NCDOT adopted to determine a daily count for the a.m. and the p.m. at the peak travel times. The count revealed: 153 in and out movements in the a.m.; 163 in the p.m.; 3 trucks per hour from 7:00 a.m. to 9:00 a.m.; and 7 trucks per hours between 4:00 p.m. to 6:00 p.m.

The company has three shifts: 6:15 a.m. to 2:15 p.m. is the first shift with 30 employees; second shift is from 2:15 p.m. to 10:15 p.m.; and the third shift is from 10:15 p.m. until 6:15 a.m. With this schedule, all the vehicles coming and going would be at off-peak times. The applicant was also able to negotiate \$50,000 for traffic improvements. In addition, the traffic study already took into account the residential portion into its calculations and the road still had a lot of capacity.

They provided an exhibit showing the distance between the applicant's new road and the business next door. The exhibit clearly showed that there was plenty of distance between the two. The town requested a copy of the exhibit as it would be good to present at the next Council Meeting so everyone could get a better idea of the distance between the two. The applicant planned to dedicate the street back to the town; it would not be a private street. Council Member Maxim also requested a copy of another exhibit showing the dense, natural, vegetative buffer that exists on the property.

Mr. Morgan stated he would add more details to his staff report for the next meeting with this additional information that was presented. He will be certain that Chip Hill, Public Works Director, checks to be sure all town specs are adhered to with the construction and paving of the road. Hearing no further questions or comments, the discussion on the proposed warehouse concluded at 7:04 p.m.

- B. Town Ordinances** – Planning and Zoning Director, Travis Morgan, stated that he had been working on changes to sections of the parking ordinance but the handout that he distributed was still a “work in progress”. He highlighted some of the changes he made including changing the maximum number of vehicles and equipment that can be parked in the *front* and *side* yards of a dwelling to 1.5 per bedroom on dwellings with more than two bedrooms. He also extended the percentage of the maximum allowable expansion on a paved asphalt or concrete single, contiguous, driveway to 35%, encouraging driveways to be wide enough to fit two parked cars.

The minimum number of parking spaces on residentially used or zoned property is three. Parking of recreational vehicles, golf carts, landscape/lawn equipment, boats or boxed trucks of 20 feet or less is allowed on improved surfaces in the front yard provided that they are less than three axles. Parking in the rear yard will be permitted as long as it is screened with evergreen landscaping or at least a six-foot high wood, vinyl or masonry fence. Screening is not required for working, tagged, antique vehicles in the back yard on an improved, paved surface. This answered the question from Council Member Melissa Davis who asked how those that have collected antique

vehicles for years would be addressed. She was also concerned that cars were being parked horizontally instead of vertically. Manager Spitzer stated that the town could not dictate which way that cars parked as long as they fit in their driveways.

Mayor Pro Tem David Phillips asked about the tractor trailers to which Mr. Morgan responded that he hadn't come up with a remedy for that as yet. Mayor Edwards suggested that if Council Members still had concerns or suggestions, to get up with Mr. Morgan one-on-one to discuss it.

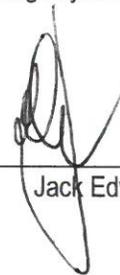
- C. **Staff Update:** Manager Spitzer reported that a Purchase Agreement was received from York Development with sidewalk, turning lane and parking issues being addressed. Chadwick Park expects the paving to be complete by March 1st. Sidewalks will be 5 ft. wide. Mecklenburg County will be taking the PCAA request to their board meeting on March 20th. PCAA was able to secure a loan for the entire amount of the cost to install the field lighting which the school gave them permission to put on the property. Council Member Joe Maxim would like to see something in writing from CMS in case they needed the space to expand. Mr. Spitzer replied that they had done away with one field so there is room to construct 8 more classrooms if need be.

Manager Spitzer continued, stating that he was still in talks with the county regarding policing of the ETJ. He sent a proposal to them but the City of Charlotte has to put the annexation agreement on their agenda first before anything else can move forward. We will need two additional dispatchers whether we take over the policing of the area or not. The county is not willing to pay for any capital improvements with regards to fire protection. If the town were to take over fire service to that area, Carolina Fire can still operate for one more year and the payment for this service is \$375,000 per year no matter what happens. The county does not want to deal with volunteer fire departments anymore. With regards to providing police services, the amount we would get would be the base starting amount but if tax values rise, our payment for services would also go up. Mayor Pro Tem Phillips stated that he didn't want to pour a whole lot of effort into this if Council was not for it. He still has concerns about it, especially since some of the firemen and police officers think it's a bad idea.

Staff would be starting budget discussions with the various departments on March 5th. He would like to have three workshops within the first couple of weeks of April if schedules allow. Work on the Johnston Road realignment is progressing. We are responsible for giving OoWee BBQ restaurant 90 days' notice to vacate the premises. Council questioned why the lights on the Goode building were not on like the rest of the lights along the perimeter of the downtown buildings were. Mr. Spitzer stated he would work with Mr. Goode to get them back on.

ADJOURNMENT

At 8:24 p.m. a motion was made by Council Member Melissa Davis to adjourn the meeting with Council Member Joe Maxim seconding the motion. There were ayes by all and the meeting adjourned at 8:24 p.m.



Jack Edwards, Mayor

ATTEST:


Barbara Monticello, Town Clerk