



**MINUTES OF THE
PINEVILLE PLANNING BOARD
TOWN OF PINEVILLE, NORTH CAROLINA
THURSDAY, NOVEMBER 3, 2022**

The Pineville Planning Board held its regular meeting on Thursday, November 3, 2022, at the new Town Hall Council Chambers located at 505 Main Street, Pineville, NC at 5:30 pm.

ATTENDANCE

Planning Board Members: Jim Knowles, Kevin Kendrick, Randy Smith, and Eric Fransen were all in attendance.

Planning Director: Travis Morgan

Town Clerk: Lisa Snyder

Absent: Thomas White

CALL TO ORDER

Current Chair, Jim Knowles, called the meeting to order at 5:30 pm and established that a quorum had been met since four members were present and one member absent. It was noted that Thomas White asked to recuse himself due to the fact that he did the survey of this particular property and received payment for doing so.

Chairman Knowles requested a moment of silence.

ORDER OF BUSINESS

OLD BUSINESS. Approval of Minutes for the April 21, 2022, Regular Meeting – Chairman Knowles called for a motion to approve the minutes from the April 21, 2022, regular meeting. There was no discussion on the minutes. A motion was made by Eric Fransen and seconded by Kevin Kendrick to approve the minutes as presented. There were ayes by all, and the minutes were approved as presented.

NEW BUSINESS. Planning Director Travis Morgan introduced a rezoning request of 106 Franklin from R12 single-family residential, to RMX residential-mixed by the applicant, Mr. Darin Morton. A power point presentation was provided to the Board by Planning Director Morgan, highlighting the property at 106 Franklin. Mr. Morton owns the adjacent property located at 618 Main that is zoned RMX. Staff requested a survey to confirm location property lines in regard to original property line adjustment question and road right-of-way. The survey shows insufficient road right of way for both Franklin and

Main Street. With both properties zoned the same, the property owner could adjust the property lines to code as he would like, through staff, in the future. Staff can support the rezoning as consistent with the area, adopted Town plans, and his use of the existing RMX zoned 618 Main Street address, so long as some minimum road right of way is established for existing and future sidewalks. Redevelopment of the properties would require compliance with any zoning ordinance standard buffers if applicable and/or conditional site-specific plan that Town Council would review.

The existing Main Street property line goes into the vehicular lane. Mr. Morton proposes 9.6 feet dedicated Town right of way along Main from back of curb and 6 feet from back of curb along Franklin Street.

Three sides adjacent to the proposed rezoning are zoned RMX but North is part of R12 district. RMX is a more flexible "up" zoning and allows for small commercial uses like the current 618 Main property. His property line goes into part of Highway 51 and Mr. Morton would like to dedicate a right of way to the Town. Planning Director Morgan stated that we have recently completed the Comprehensive Plan and reminded the Board that it encourages walkability. He also wanted to touch on the approval or disapproval being found consistent or inconsistent with adopted plans.

Board Member Randy Smith added that the issue isn't how wide the sidewalk is but the position as it relates to the curb. He would like to see the sidewalk away from the road; the beauty strip, then the sidewalk and added that to make this a walkable Town, the Town should put some thought into the sidewalk's improvements. There really is no safe sidewalk across the bridge and it's a dangerous area. Mr. Smith further added that the Town should consider having a sign in this area that says "No Engine Brakes" as in other small towns.

Chairman Jim Knowles asked if sidewalks have to be put in right now by the applicant, if we had the property right of way widths, or would that be done if someone buys his property and want to redevelop it. Mr. Morgan replied currently there is not a trigger for applicant to install sidewalks but yes would be part of future development in a piece-meal fashion unless Town does a larger plan earlier. Mr. Smith suggested that the Town might want to, in some type of development program, put that in there that the new sidewalk philosophy is done, not necessary 100% the owner's expense, because it will be an improvement to the Town, as well.

Chairman Knowles asked about Franklin Street and any buffer strip requirements. Mr. Morgan answered that right of way proposed is the minimum (no landscape strips) staff wanted to see and maximum applicant wanted to offer. He further added that there will be a future public hearing for surrounding property owners to attend.

Mr. Darin Morton introduced himself. He has been a local State Farm agent for 29 ½ years. His whole career has been in Pineville. He has zero development plans. He originally approached Mr. Morgan because he wanted to sell the property to his daughter and have the property line straightened out between properties. This rezoning is beneficial to Pineville and beneficial to his kids. He has had to give up money to stand in front of the board. The survey was a few thousand dollars but that's not what he's talking about. It's 9 feet but it's really about 15 feet on Main Street (counting property within the paved road). It's 6 feet on Franklin, but it's really almost 9 feet. According to commercial realtors, this is a big difference in relation to square footage of property on record he's giving up.

Mr. Morgan stated that he is trying to find a plan that's mutually agreeable to everyone and that Mr. Morton isn't required to build a sidewalk at this time. He is giving up some of his right of way in exchange for the rezoning. If Mr. Morton is comfortable and feels it is fair and equitable, and the Town feels it's fair and equitable it could be a workable proposal. RMX is a higher-grade zoning district and could be used to offset any lost property for road right of way as an answer to Mr. Morton's right of way discussion.

Chairman Knowles reiterated that the sidewalks would only happen if he made changes to his properties, or he sells to someone, and they come in and redevelop it and they would be responsible for building it according to RMX requirements. We have the opportunity to gain the property that could come in later if he changes his property or someone else comes in and changes it. He would like to hear what the surrounding neighbors have to say before his recommendation.

Mr. Morgan stated that we still have to have a public hearing, and Council has to vote, as well.

A motion was made to approve the recommendation as presented by Board Member Randy Smith with a second made by Board Member Kevin Kendrick. There were three ayes (Randy Smith, Eric Fransen and Kevin Kendrick) and one no (Jim Knowles).

A motion to adjourn was made by Eric Fransen with a second made by Randy Smith. All ayes.

ADJOURNMENT was at 6:40 pm.



CHAIRMAN



DATE



TOWN CLERK