



Planning Board Minutes

June 12, 2023

In Attendance: Chair Susan Drake, Vice Chair Rusty Johnson; Board Members Nancie Mandeville, Tracy Stancill, Tom Appenzeller

Staff Attendance: Planning and Zoning Administrator Jonathan Wells and Town Clerk Ashlie Vincent

Call to Order: Chair Susan Drake called the meeting to order at 7:02 pm.

Invocation: Vice Chair Rusty Johnson gave the invocation.

Pledge of Allegiance: All shared the Pledge of Allegiance.

Consent Agenda: The motion to adopt the consent agenda was made by Vice Chair Johnson and seconded by Member Stancill—all ayes.

Rezoning 23-01 QuikTrip:

Mr. Wells gave a summary of the rezoning application. The five parcels are to be rezoned to C74 conditional. Member Appenzeller asked why the parcels needed to be conditional. Member Mandeville asked what the conditions were. Mr. Wells explained that the conditions are in the specific development plan that QuikTrip has submitted. Chair Drake asked if the conditions would remain if QuikTrip didn't use the land. Mr. Wells said yes until the condition was removed or changed. Mr. Dudley interjected that the conditions help makes the site suitable for the town.

Mr. Dudley shared a PowerPoint Presentation with the board. Chair Drake asked if there would be a security presence in stores. Mr. Dudley said they have a new department to help with high-risk areas. Chair Drake mentioned the concern of fights in parking lots, panhandlers, and possibly drug dealing in the future. She wanted to know if QuikTrip would adjust security accordingly. Mr. Dudley said they would adjust when needed.

Member Appenzeller asked if there would be charging stations available. Mr. Dudley said that none were currently available. Chair Drake asked if tractor-trailers could turn and if making the

fence eight feet instead of six feet was possible. Mr. Dudley said they tested for tractor-trailers and confirmed they could turn. He also said they would be fine with adding two feet to the fencing.

Chair Drake asked about the retention pond. Mr. Dudley said it's not a true retention pond. A third party would handle any problems that may occur. Mr. Wells mentioned they would be required to follow the town's ordinance. Chair Drake asked if QuikTrip would have health department grading. Mr. Dudley said yes, as well as self-policing with secret shoppers. Chair Drake wondered if there would be truck parking available. Mr. Dudley said explicitly that there would be no long-term truck parking but short-term parking.

Chair Drake commented that the board must consider the Future Use Plan and map during the decision—the concern of setting a precedent for future rezoning. Vice Chair Johnson mentioned that during the making of the 2035 plan, they had yet to learn what it would be like once the bypass was completed. The map is flexible for that purpose. Mr. Wells commented that the consistency statements could express better. Mr. Dudley said the building will begin as soon as permits are available. Chair Drake asked how soon it would be completed. Mr. Dudley replied that it could be open in a year, depending on permits and bids.

The motion to recommend the approval of RZA 23-01 QuikTrip rezoning was made by Vice Chair Johnson and seconded by Member Appenzeller—Votes 3 to 2. Motion carries.

“The proposed Map Amendment is considered inconsistent with the Marshville Town Plan 2035 in that the proposed amendment is not supportive of one or more of the Objectives and Goals contained within the Plan and/or the proposed Map Amendment is considered to be inconsistent with the Future Land Use Map contained in the Marshville Town Plan 2035. However, the proposed change is still considered to be reasonable and in the public interest.”

The motion to recommend consistency statement B was made by Vice Chair Johnson and seconded by Member Mandeville—all ayes.

Rezoning 23-02 Forest Drive:

Member Mandeville recused per § 160D-109. (f): Conflicts of interest – Familial

Relationship. She remained present at the meeting.

Mr. Wells explained to the board that the applicant requested rezoning six lots on Forest Drive. The petitioner will also include an annexation petition to accompany their rezoning petition. The current zoning of the parcels is AGI. The request is to change the zoning to SFR-2 to allow for six single-family lots. The 2035 plan suggests medium density, consistent with the surrounding zoning.

Originally the Whisper Pines Division was somehow rezoned to AGI; not sure why. The annexation will allow for collecting taxes and proper zoning to build homes. Victory Farms is the developer. The lots are laid out correctly. Member Appenzeller asked if the remaining homes were within the town limits. Mr. Whitley said yes. The price for the homes would be about \$450,000. Chair Drake asked about some of the concerns from the community meeting. Mr. Whitley said some of the surrounding homes owners didn't want to be annexed to pay for sewer

or pay taxes. Member Appenzeller asked about the process of annexation. Mr. Wells said it's a fairly straightforward process. He is hoping to get it to the council as soon as possible to make the decision.

The motion to recommend the approval for RZA 23-02 Forest Drive rezoning was made by Vice Chair Johnson and seconded by Member Stancill—all ayes.

“The proposed Map Amendment is considered consistent with the Marshville Town Plan 2035 by continuing to meet the Objective of the Plan ‘To improve the quality of life of the citizens of Marshville by encouraging responsible growth management decisions, protecting the small Town character, developing an attractive community, preserving natural areas and historical assets, and ensuring a healthy local economy’, and to align with the adopted Goals of Sec. 6 (General Development Strategies) to ‘Ensure that Marshville’s development policies are conducive to the long-term vision for the future and adequately control the location and appearance of future development.’. The proposed Map Amendment is also considered consistent with the Future Land Use Map contained in the Marshville Town Plan 2035 and the proposed change is considered to be reasonable and in the public interest.”

The motion to recommend consistency statement A was made by Vice Chair Johnson and seconded by Member Appenzeller—all ayes.

Other Business: Vice Chair Johnson asked if there was any progress on the Mural Ordinance. Mr. Wells replied that the town council would reopen the public hearing for input and discussion in the upcoming meeting. Vice Chair Johnson was reappointed by the town council for a three-term year. With the budget approved, Mr. Wells will have more hours to be able to work starting July 1st.

Vice Chair Johnson asked where Redfern Place was on the projected calendar timeline the board was handed. Mr. Wells said nothing is in the timeline until the application is submitted. There is more information needed and thing to be worked out. Member Appenzeller suggested a bigger meeting venue to allow more public to voice their concerns.

Mr. Wells mentioned that there is a vacant lot by the apartments by the school that is currently under contract. A possible development going into that space would be another service station. Chair Drake mentioned that word of the QuikTrip possibly being finalized might stop this development.

Public Comments:

Marlene Griffin – 317 N. Elm Street:

Ms. Griffin said she feels the QuikTrip will benefit the town. She missed the meeting where Redfern Place presented its project. She expressed that it was repulsive to have that high density and doesn't mix with the neighborhood. She questioned if the condos/apartments would be owned or rented. She is concerned that it may be subsidized housing. She wondered if it would

be a bad environment with higher crime rates requiring more police officers. Traffic on North Elm Street is bad enough; could we handle that? The importance of working on the sewer and water issue; how will they provide those to the development? She asked if the aquatic center would be tax funded by the citizens. Will it be free to the public? There is concern about the possible tax rate increase next year.

Adjournment: The motion to adjourn the meeting was made by Vice Chair Johnson and seconded by Member Mandeville—all ayes.