

**Village of Misenheimer
Planning Board Meeting Minutes
January 4, 2024**

Board Members Present: Jeff Watson, Chairman
Jon Byers
Jamie Hammill
Lane Peeler, Vice-Chairman
Emily Carella – 1st Alternate
Seth Cain – 2nd Alternate

Staff: Anita Blair, Administrator

Stanly County Zoning Officials: Bob Remsburg,

Visitors: No visitors were present

Board Members Absent: Ahren Burrage

1. Call to Order: Jeff Watson called the meeting to order at 6:00 pm.

2. Introduction of Visitors: Chairman Watson welcomed all persons in attendance.

3. Oaths of Office: Anita Blair administered the Oaths of Office to Jeff Watson, Seth Cain, and Jamie Hammill.

4. Elect Chair & Vice Chair – effective through 6/30/25: Chairman Watson opened the floor for Chairman nominations. Hearing none, Chairman Watson nominated himself. Jamie Hammill moved to elect Jeff Watson as Chairman. Emily Carella seconded the motion and the motion was approved 5/0.

Jamie Hammill nominated Lane Peeler for Vice Chairman. Emily Carella moved to elect Lane Peeler as Vice Chairman. Jamie Hammill seconded the motion and it was approved 5/0.

5. Approval of 01/04/2024 Planning Board Agenda: Jamie Hammill moved to accept the meeting agenda as presented. Emily Carella seconded the motion and it was approved by a 5/0 vote.

Seth Cain arrived at this time

6. Conflict of Interest Statement: Chairman Watson asked if there were any conflicts of interest due to family or financial relationship which may require recusal from any item on the agenda. None were reported.

7. Approval of 01/05/23 Minutes: Jamie Hammill moved to accept the Planning Board minutes from the 01/05/23 Planning Board meeting as presented. Emily Carella seconded the motion and it was approved by a vote of 5/0.

8. Public Comment Period: No public comments were offered.

9. Approval of 2024 Planning Board Meeting Schedule: Anita Blair noted the change in the July, 2024 meeting due to the July 4th holiday falling on the 1st Thursday of July. The July meeting is scheduled for Thursday, July 25, 2024. Jon Byers moved to accept the Planning Board Meeting Schedule as presented. Jamie Hamill seconded the motion and it was approved 5/0.

10. Consideration of Zoning Classification for the “Village Square” property located at the southwest corner of Wesley Chapel Road and US 52 Hwy North, Tax Record 4283:

Bob Remsburg, Zoning Director, reviewed the first item of consideration. The request from the Village of Misenheimer was to rezone an 18,624 square foot parcel located on the southwest corner of US 52 North and Wesley Chapel Road from RA-Residential Agricultural to CB-Central Business. The parcel is owned by the Village and the plan for this property is to develop a small park.

Jon Byers moved to recommend approval of the CB zoning request of an 18,634 square foot parcel (tax record #4283) located on the southwest corner of US 52 North and Wesley Chapel Road because it is located along a major highway and will serve as a focal point for the Village in compliance with the Village's Land-Use Plan. Emily Carella seconded the motion and it was approved 5/0.

11. Consideration of Text Amendments

a. Section 3.5 Table of Permitted Uses

- i. **Allow Park and Open Spaces in CB-Central Business** – Mr. Remsburg reviewed Section 3.5 of the Village Zoning Ordinance explaining that “Park and Open Space areas including athletic fields” are not a permitted use in a CB district. This change is needed to allow a park on the above-mentioned parcel.

Jamie Hammill moved to recommend approval of the text amendment to allow Park and Open Space areas as a permitted use in the CB zoning district. This allows for recreational and public use property to be in the village center creating a community gathering space. Jon Byers seconded the motion and it was approved 5/0.

- ii. **Add and Allow Mobile Food Units with additional conditions in CB-Central Business, GB-General Business, HB-Highway Business, RR-Rural Recreation, and IU-Institutional Use** – Mr. Remsburg suggested to think forward and allow mobile food units with additional conditions in additional areas that make sense in addition to CB.

Anita Blair reported that the Village attorney's opinion was that we should not allow mobile food units in districts that we do not currently have. He suggested testing the waters first in the districts that we currently have. Mr. Remsburg stated that it makes a lot of sense to include RR.

Jamie Hammill moved to approve the text amendment to add “Mobile Food Units” to the table in Section 3.5 as a permitted use with additional conditions in the CB, RR, and IU zoning districts. This will add this economic benefit to our community. Emily Carella seconded the motion and it was approved 5/0.

- b. **Section 13.3 Definitions: Add Mobile Food Units, Food Trucks & Pushcarts:** Mr. Remsburg reviewed the definition of Mobile Food Units, Food Trucks & Pushcarts as any mobile vehicle, trailer, food truck or pushcart used as a temporary location for food sales or distribution and typically containing cooking facilities where the food is prepared.

Emily Carella moved to recommend approval of the text amendment to add the definition of Mobile Food Units and Pushcarts to Section 13.3. Jamie Hamill seconded the motion and it was approved 5/0.

- c. **Add Section 5.40 to state conditions related to Mobile Food Units:** The following conditions were suggested to recommend to the Village Council:

(A) Shall meet and follow all Stanly County Health Department requirements for Mobile Food Units.

(B) Shall dispose of all waste and remove all trash daily.

(C) Location shall be left litter free after close of business each day.

(D) Signage shall not block sight triangle for vehicles entering or exiting the location.

(E) No signage shall be left on site except one sign up to 6 square feet announcing the next time the mobile food unit will be at that location. Signage shall meet requirements of Article 6 Sign Regulations in the Village Zoning Ordinance.

(F) Vendors serving more than 3 days in a calendar year, shall acquire an annual permit from the Village for a fee established by the Village Council.

(G) Hours of operation (6:00 am to 9:00 pm March through October and 6:00 am to 7:30 pm November through February) unless a permit is obtained from Village Council for special event extended hours.

(H) No music played or loudspeakers allowed.

(I) Seventy-six decibels of generator noise shall not be exceeded at property line.

Emily Carella moved to recommend the above drafted conditions to Council. Jamie Hammill seconded the motion and it was approved 5/0.

12. Other Business: No other business was heard.

13. Adjournment: The Planning Board meeting was adjourned at 7:10 pm.

Chairman or Vice Chairman

Date

Anita E. Blair, Administrator/Clerk

Date