

**MINUTES
King Planning Board
Regular Session
February 24, 2025**

The King Planning Board held a regular session at King City Hall on Monday, February 24, 2025, at 6:00 p.m. Chairman Jeff Walker, Vice Chairman David Hudson, Joe Ramsey, Jerry Messick, Marsha Poston, Kim Saucier, Von Robertson, City Planner Jon Grace, City Clerk Nicole Branshaw, Assistant Fire Chief Josh Francis, and Chaplain Scott Vernon were present at the meeting. Absent from the meeting were Alternates Kyle Hall and Darrin Koone.

Vice Chairman Jeff Walker called the meeting to order.

Chaplain Scott Vernon offered the invocation.

Chairman Jeff Walker noted the announcements on the agenda, and no one signed up to speak for public comment. Chairman Jeff Walker opened and closed the public comment at 6:02 pm. ****SEE DOCUMENT #1****

ADJUSTMENTS TO AGENDA

No adjustments were made to the agenda.

APPROVAL OF MINUTES

Vice Chairman David Hudson moved to approve the minutes of January 27, 2025, as presented. Marsha Poston seconded the motion, which passed unanimously with a vote of 5-0.

REZONING REQUEST R-186 BY MJ SILMSER

MJ Silsmer Corporation is making this request to rezone two parcels containing approximately 44.77 acres from LI (Light Industrial) to R-15 (Residential medium density) for the purpose of residential growth. The tract is labeled as G-2 (Controlled Growth) and G-3 (Mixed Use) areas in our comprehensive plan. G-2 allows single-family, multi-family, and mixed-use. G-3 allows neighborhoods and mixed-use.

This is a general rezoning request to accommodate future residential growth. The tract is labeled as G-2 (Controlled Growth) and G-3 (Mixed Use) areas in our comprehensive plan. G-2 allows single-family, multi-family, and mixed-use. G-3 allows neighborhood and mixed use. This rezoning would encompass two adjoining parcels with approx. 44.77 acres. This rezoning would be consistent with the City of King's 2035 Comprehensive Land Use Plan.

If developed for residential use in the future, the budgetary impact would be additional tap fees, inspection fees, tax base, and city/county services.

Chairman Walker opened the public hearing at 6:03 pm.

1. Jayne Bennett, 109 Cambridge Ct, King, addressed the Planning Board, asking them to consider a real stop light and not just a four-way stop sign.
2. Charles Anderson, 881 E. King St., King, addressed the Planning Board, stating that he lives outside the city limits but has concerns about the development of King and its impact on natural resources. Stating King is a prime location for super development. He said if you look at projections for North Carolina, the state is projected to have 20 million residents by 2050. Mr. Anderson stated that he is not against growth but against the R15. Where would you put the sewer? It would put more traffic on

our roads than we are prepared for. He pleaded for the city to consider the density, unless it has at least half an acre to put a house on, and to think about the net impact over the next 5-10 years.

3. Dean Craver, 421 Hill St, King, addressed the Planning Board, stating he feels this is not the right time for this construction. There is a lot of incomplete areas right now.
4. Berry Overby, 103 Berry Rd, King, addressed the Planning Board, stating the city needed to fix the roads.

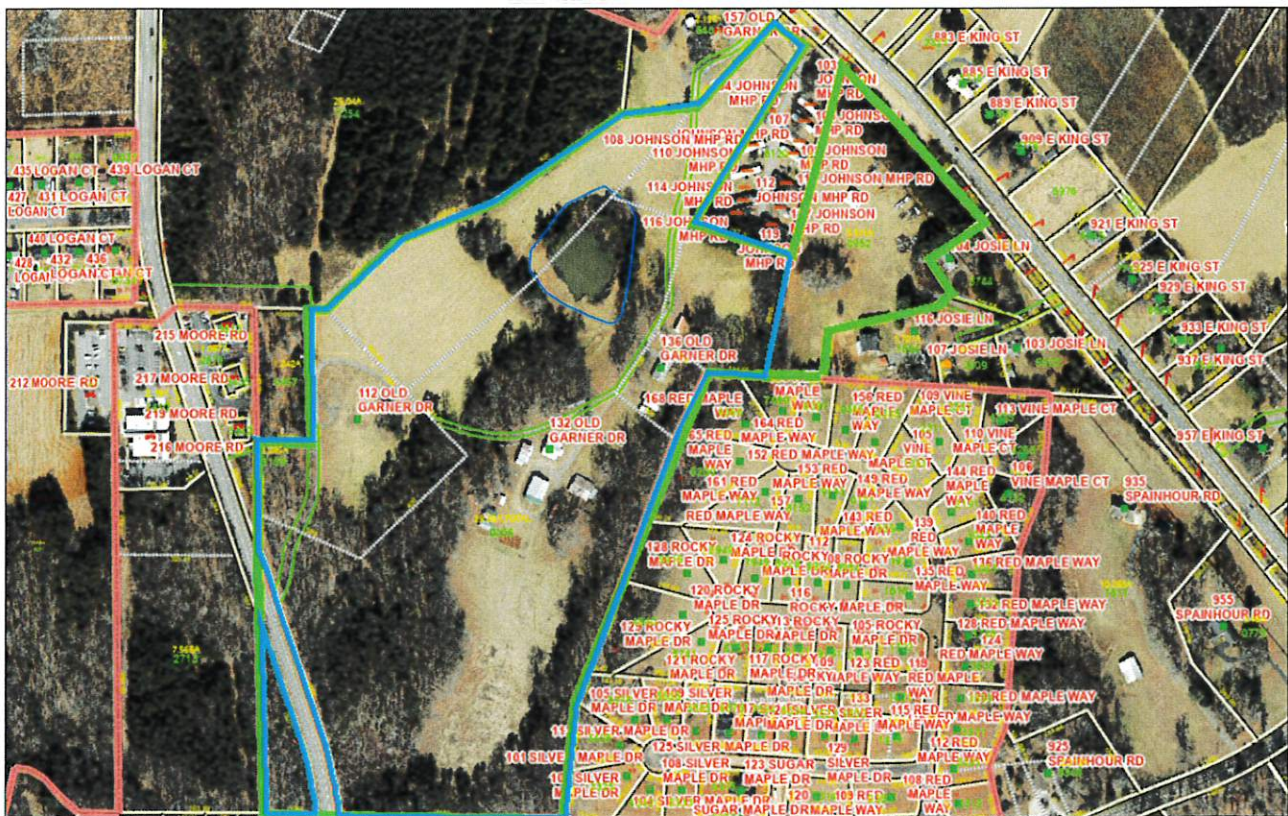
City Planner Jon Grace stated that he received one email public comment on February 18, 2025, from Sam Hooker. Mr. Grace read this email. This will be attached to the minutes with attachment #2.

There being no one else to give written or verbal requests wishing to speak. Chairman Walker closed the public hearing at 6:14 pm.

A discussion was held concerning the rezoning. Things that were mentioned during the discussion were:

- Not in favor of changing the zoning.
- You don't know what 2050 will bring and need to focus on a long-term plan. Need to manage our resources better.
- Does not feel we are there economically yet to change the zoning and continue to build houses.

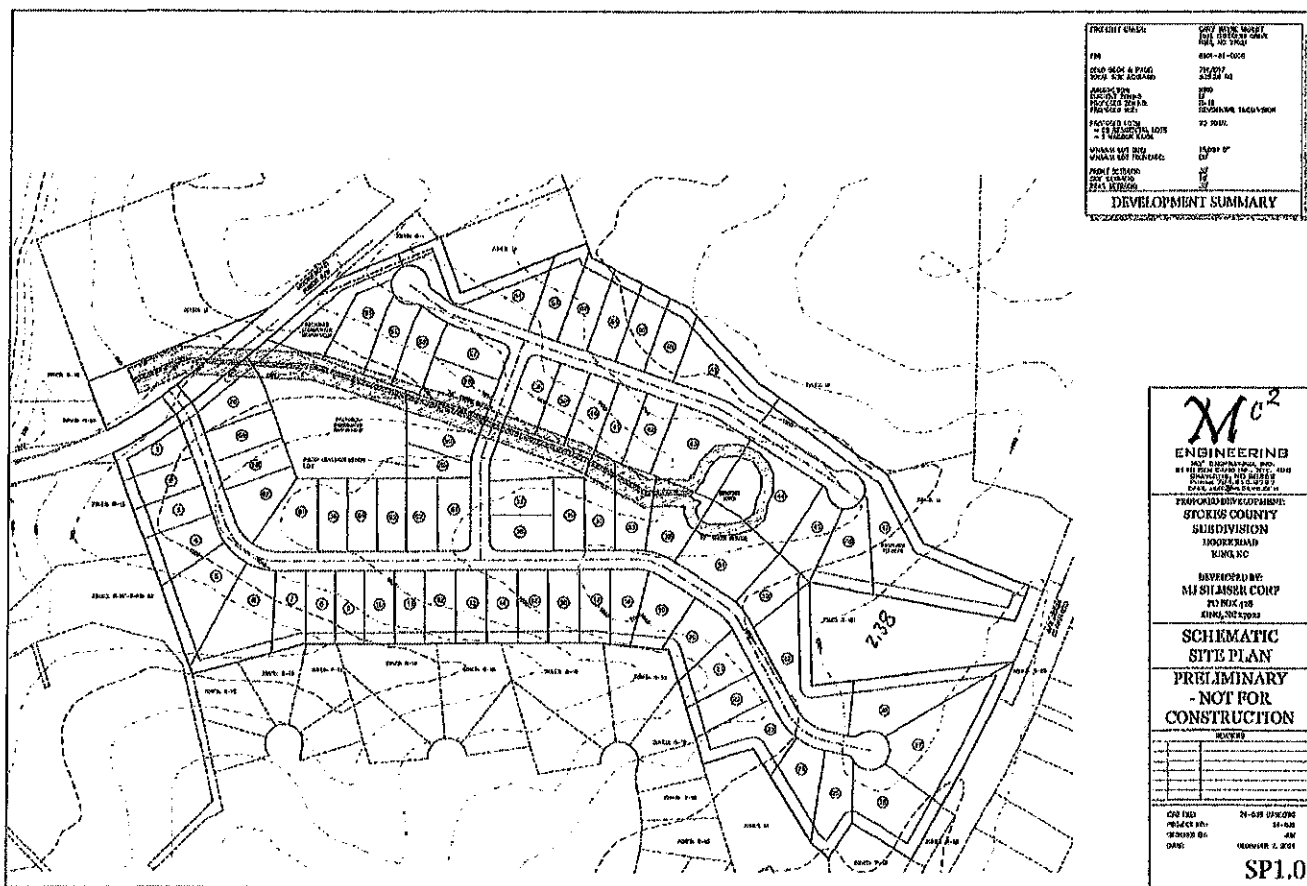
Staff recommend that the Planning Board review the rezoning request R-186 and prepare it for the public hearing at the City Council Meeting on March 3, 2025.



Parcel_PK: PARCEL_PK
Parcel Number: 19178
PIN: 6901690056
Market Area: 9927

Physical Address: 132 OLD GARNER RD
Situs City: King
Planning Juris.: KING
Zoning: ZONING

1:4,164
0 0.035 0.07 0.14 mi
0 0.05 0.1 0.2 km
January 14, 2025



MOTION

Vice Chairman David Hudson made a motion not to recommend that the City Council approve REZONING REQUEST R-186 by MJ Silmsen. Jerry Messick seconded the motion. The motion was carried unanimously with a vote of 5-0. ****SEE DOCUMENT #2****

TEXT AMENDMENT CHANGE: Chapter 23 - SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE II. - OBSTRUCTION OF SIDEWALKS, Sec. 23-6. - Obstruction of streets, sidewalks by persons prohibited—General.

The city intends to investigate a potential amendment to our city ordinance, specifically Chapter 23, Section 6.

Due to the current growth being experienced in our downtown business district, the city may need to modify its ordinance to allow for more use, including the use of tables and chairs on the sidewalks. The discussion must include maintaining ADA rights-of-way, traffic considerations, and accessibility.

Sec. 23-6. Obstruction of streets, sidewalks by persons prohibited—General.

- (a) The streets, parking areas, and sidewalks of the city shall be kept free of all obstructions and open to public traffic at all times, and it shall be unlawful for any person to deposit any article or do any act which obstructs such streets, parking areas and sidewalks.
- (b) It shall be unlawful for any person, individually or in a group, to:
 - (1) Obstruct or cause to be obstructed vehicular or pedestrian traffic on the streets or sidewalks or in parks or other public areas within the corporate limits of the city; or

- (2) Obstruct or cause to be obstructed stairways or doorways to prevent or hamper free access by members of the public to private buildings fronting streets, sidewalks, parks or other public areas or to public buildings within such corporate limits.

(Ord. of 11-3-03(1))

Chairman Walker opened the public hearing at 6:34 pm.

1. Dean Craver, 421 Hill St, King, addressed the Planning Board, stating his concerns.

There being no one else to give written or verbal requests wishing to speak. Chairman Walker closed the public hearing at 6:35 pm.

A discussion was held concerning the text amendment. Things that were mentioned during the discussion were:

From the Planning Board

- G.S. 136-27.4(a)(1) furnishings must be a minimum of 6ft from any travel lane on a NCDOT street or highway. (S Main St only)
- Local governments need to enter into an encroachment agreement with NCDOT before adopting a local ordinance allowing sidewalk dining. (S Main St only)
- Are the tables and chairs for sidewalk dining or restaurant use?
- Would this need to be permitted through inspections or the City Clerk?
- Would the city/business owners need additional insurance for claims to property and bodily injury?
- Must these be associated with an operating establishment?
- What limits would need to be imposed on capacity?
- Is there room for ADA and emergency services access?
- Would alcoholic drinks be allowed? This would make the situation more dangerous
- Would we then allow mobile food carts?
- Who would be responsible for the cost of additional trash bins, and who is responsible for emptying them or associated costs?
- Would smoking be allowed?
- Would these tables and chairs be permanent or brought somewhere each night?

From King FD

- Fire Code 1028.5 states a public way must have a 10' wide and 10' high clear path
 - Definition:
Public Way - A Street, alley, or other parcel of land open to the outside air leading to a street that has been deeded, dedicated, or otherwise permanently appropriated to the public for public use, and which has a clear width and height of not less than 10 ft

Staff recommend that the Planning Board review the text amendment changes for Chapter 23, Section 6, and prepare it for the public hearing at the City Council Meeting on March 3, 2025.

No motion made by the Planning Board. Only recommended suggestions for the council to consider, which the City Planner Jon Grace will present to the City Council at the March 3, 2025, meeting.

ITEMS OF GENERAL CONCERN

None

ADJOURNMENT

Jerry Messick moved to adjourn the meeting. Vice Chairman David Hudson seconded the motion. The motion was carried unanimously with a vote of 5-0.

***** Clerk's Note: See documents 1-3 for supporting documents. *****

{SEAL}

Approved by:

Jeff Walker, Chairman

Attest:

Nicole Branshaw, City Clerk



Date: February 24, 2025

PLANNING
BOARD

open/close
6:02

PUBLIC COMMENT SIGN-UP SHEET

All persons who wish to speak MUST sign up for the Public Comment period unless you wish to speak during a public hearing, in which case you must sign up for the Public Hearing. ALL SPEAKERS ARE LIMITED TO 3 MINUTES.

PLEASE PRINT ALL INFORMATION

	NAME	ORGANIZATION (If Any)	ADDRESS	PHONE	SUBJECT	City Resident?
1.	Jayle Bennett		109 Cambridge Ct	336-529-3101	Rezoning N4110	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
2.						<input type="checkbox"/> yes <input type="checkbox"/> no
3.						<input type="checkbox"/> yes <input type="checkbox"/> no
4.						<input type="checkbox"/> yes <input type="checkbox"/> no
5.						<input type="checkbox"/> yes <input type="checkbox"/> no
6.						<input type="checkbox"/> yes <input type="checkbox"/> no
7.						<input type="checkbox"/> yes <input type="checkbox"/> no
8.						<input type="checkbox"/> yes <input type="checkbox"/> no
9.						<input type="checkbox"/> yes <input type="checkbox"/> no
10.						<input type="checkbox"/> yes <input type="checkbox"/> no
11.						<input type="checkbox"/> yes <input type="checkbox"/> no
12.						<input type="checkbox"/> yes <input type="checkbox"/> no
13.						<input type="checkbox"/> yes <input type="checkbox"/> no

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DOCUMENT #: 1 PAGES: 1

In many cases, the City Council will receive your comments but take no action at the meeting.
A staff member will contact you to follow up on your concerns.



PUBLIC HEARING

2. REZONING REQUEST R-186 BY MJ SILMSER

All persons who wish to speak MUST sign up for the Public Hearing. ALL SPEAKERS ARE LIMITED TO 3 MINUTES.

PLEASE PRINT ALL INFORMATION

[illegible]

Jon Grace

From: Sam Hooker <shooker1@gmail.com>
Sent: Tuesday, 18 February 2025 6:22 pm
To: Jon Grace
Subject: Moore Road rezoning

Jon,

I have received the public hearing notice for the land on Moore Road. As the landowner of the 24 acres to the west with road frontage on Moore Road, I am concerned that rezoning this land from L-I to Residential has the potential of suppressing the value of my adjacent land which is zoned L-I. Furthermore, It is my understanding that if the land is rezoned to Residential, I would be required to install a 20 foot buffer zone on my land once it is developed because of the different zoning classifications. Based on these two criteria, I would not be in favor of rezoning this land to Residential at this time. Additionally, I'm not sure it is in the best interest of the City as the tax base is likely to be higher in the future by keeping the zoning L-I.

However, in the essence of community and cooperation, if the city proceeds to approve the rezoning, I would like the following request to be made a condition attached to the rezoning:

* As a condition of rezoning to R-15, the landowner/developer is to be responsible for including the required 20 foot buffer zone on their 44.77 acre property. The 20 foot buffer zone shall be designed by a landscape architect with an "L" sheet attached to the site plan to assure complied intent of the buffer zone. The design shall include specific species, size and density that will grow over time to provide a solid screen between the two properties. The buffer zone is to be installed before any building permits for further development are issued by the City.

Feel free to include my comments to the Planning Board and City Council. I am happy to clarify any of my comments if needed.

Sincerely,

Sam Hooker
Kings Cross Commercial, LLC



Date: February 24, 2025

PUBLIC HEARING SIGN-UP SHEET

PUBLIC HEARING

- 3. TEXT AMENDMENT CHANGE:** Chapter 23 - SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE II. - OBSTRUCTION OF SIDEWALKS, Sec. 23-6. - Obstruction of streets, sidewalks by persons prohibited—General.

All persons who wish to speak MUST sign up for the Public Hearing. ALL SPEAKERS ARE LIMITED TO 3 MINUTES.

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[illegible]