

VILLAGE OF WESLEY CHAPEL  
PLANNING BOARD MEETING MINUTES  
September 22, 2008, 7:00 PM

The Planning Board of the Village of Wesley Chapel, North Carolina, met in the Fellowship Hall of the Wesley Chapel United Methodist Church at 120 Potter Road South, Wesley Chapel, North Carolina, with Chairman John Grexa presiding.

**Present:** Chairman John Grexa; Members- Chuck Adams, Jimmy Allison, Ray Davis, Stephen Keeney, Alternates - Bill Fairman, Shirley Wilson, Sandi Bush

**Others Present:** Cheryl Bennett, Clerk; Joshua Langen, Planning/Zoning Administrator

**Citizens:** Carol Mullis, Marc Ehrlich, Chip Leiner, Tom Reitz, Eddie Moore, Kim Twele, Andrea Harrison, Bill Zemak, Gloria Fridrich, Peter Fridrich, Mike Laurenti

1. Pledge and Invocation

Grex a led the pledge and Adams did the invocation.

2. Additions, Deletions and Approval of Agenda

Adams made a motion to approve the agenda; Davis seconded the motion. The motion passed unanimously.

3. Approval of Minutes

Davis made a motion to approve the minutes of the August 25, 2008 meeting. Allison seconded the motion. The motion passed unanimously.

4. Review of RZ-08-01 and CUP 08-01 Quintessa Community Center

Grex a asked why it was a request to be rezoned from R-40 to R-80. Langen said to have an indoor recreation facility, the property needed to be zoned R-80. Langen suggested a condition be included that it should be successfully legally subdivided from the overall property. Wil Garner said this is 3.5 acres out of the 147 acre parcel zoned R-40 (parcel 06-042-012). Langen read his staff report; Quintessa is requesting re-zoning and a CUP to allow the 3.5 acre property to be used as a private recreation center. The proposed clubhouse would be a private indoor facility with a swimming pool and

other recreational accessory uses. Langen found that the rezoning and CUP met the findings of fact in the ordinance. He recommended approval of both. Davis made a motion to approve the rezoning of RZ-08-01. Adams seconded the motion.

The motion passed unanimously.

Allison made a motion to approve CUP 08-01, contingent on successful legal subdivision of the property. Keeney seconded the motion.

The motion passed unanimously.

Discussion ensued on the preliminary plat that had been previously approved around last January/February, and that the developer is now turning lots 24, 25 and 26 into the clubhouse/pool. Langen will make sure they withdraw the old preliminary plat. Grexa requested the minutes reflect that after the applicants left, that the Board looked at the preliminary plat they provided us in January/February, and at that time the pool was between lots 15, 14 and 77 and it is now moved to lots 26, 25 and 24.

##### 5. Review of Flood Damage Prevention, Drainage, Stormwater Management, and Wetland Protection Ordinance and associated Flood Hazard Areas

Keeney noted this seems to be a FEMA oriented plan, it will have a lot of directives for the watershed area including structures including farm buildings and asked who would enforce it, since it has far reaching consequences. Langen said yes, it was written because insurance companies complained because people were building in the floodplain. Keeney gave an example of a property on New Village Road near the Twelve Mile Creek Bridge that is in the hundred year floodplain, and when it did flood it would be covered completely, and the road was impassable. A good deal of money was spent to raise the property, and it doesn't flood any longer, however the water coursing is different now, and it impacts downstream. Would this be permissible under the new standards? It appears that you would have to approach FEMA with a water redirect plan and get approval from the NC Div. of Emergency Management, and go to much more expense.

Langen noted if we do not approve this model ordinance, no one in Wesley Chapel can get national flood insurance. Our old Article 14 had significant overlap, so our engineer USTI went through the model ordinance and incorporated items from Article 14. Our engineer will review new development for compliance with the ordinance. Langen said he can check on the computer maps to see if a newly developed property is in the

floodplain pretty easily. It was noted the rules and compliance are being dictated to us. It was asked how many houses in Wesley Chapel would be affected, Langen said he could not yet determine that, but we did not think it was more than about 20. If we don't approve the ordinance, current flood insurance policyholders will not be able to renew their insurance, nor would anyone in Wesley Chapel be able to obtain flood insurance.

We added from Article 14 to the model ordinance to add "Stormwater Management and Wetland Protection and Associated Flood Hazard Areas" to the Ordinance. The State will review our Ordinance. The Floodplain Administrator is Joshua Langen. There was further discussion on the impacts of the ordinance.

Allison made a motion to recommend Council approve the Flood Damage Prevention, Drainage, Stormwater Management, and Wetland Protection Ordinance and associated Flood Hazard Areas. Adams seconded the motion.

The motion passed 5-0, with Keeney abstaining. The Board felt pressured into approving it, but felt it necessary to protect the citizen's insurance; they also felt it may increase costs.

#### 6. Amendment of Article 14 of the Wesley Chapel Zoning Ordinance

Since other parts of the Ordinance refer to Article 14, it will remain the text replaced in its entirety with the following:

"This article has been replaced by the Flood Damage Prevention, Drainage, Stormwater Management, and Wetland Protection Ordinance and associated Flood Hazard Areas, as delineated on the Flood Insurance Rate Insurance maps, dated October 16, 2008. Any references to this Article or other applicable matters are to reference the Flood Damage Prevention, Drainage, Stormwater Management, and Wetland Protection Ordinance and must comply with all stated regulations within the Ordinance."

Adams made a motion to recommend approval of the above amendment to Article 14. Allison seconded the motion.

The motion passed unanimously.

#### 7. Topics to Discuss at Next Meeting

Fairman suggested we look at a change to allow clubhouses in all R districts without re-zoning and look at the setbacks. Adams asked when a subdivision is required to have a Homeowners Association; he referred to an instance of a HOA selling a house for a lien; he thinks we shouldn't allow HOAs to do this, yet we require major subdivisions to have an HOA. Concern was expressed for the flooding on the property on Underwood Road. The channelized water goes through the homeowner's property and backs up because the culvert is not large enough. Discussion of the aspects of the situation was held. Langen will send a letter to DOT tomorrow. The Board asked Langen to come up with ordinance language that would prevent future lots from being developed if flooding was already occurring.

8. Other Business - none

9. Adjournment

Adams made a motion to adjourn the meeting; Keeney seconded the motion. The motion was approved unanimously.

The meeting was adjourned at 9:00 pm.  
Respectfully submitted

---

Cheryl Bennett, Village Clerk

---

Chairman John Grexa