

VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
Monday November 26, 2007, 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, Ray Davis, Stephen Keeney, Shirley Wilson (as regular member in Jackie Morgan's place), Alternate, Sondra Bradford
Absent: Jackie Morgan, Alternate - Bill Fairman

Council: Rick Croffut, Brad Horvath, Jim Mullis, Sonya Pierce (Council members left after item 4)

Others Present: Cheryl Bennett, Clerk; Justin Krieg, Planning/Zoning Administrator; Citizens Elisa Gregorich, Carol Mullis, Sondra Bradford

1. Pledge and Invocation

At 7:00 P.M., Grexa called the meeting to order. A quorum was present. Grexa led the pledge and Sondra Bradford gave the invocation.

2. Additions, Deletions, Corrections and/or Adoption of Agenda

No changes were made to the agenda.

3. Approval of Minutes

The minutes of October 26, 2007 were corrected to show Sondra Bradford as being absent; Adams made a motion to approve the minutes with this correction. Davis seconded the motion.

The motion was approved unanimously.

4. **Discuss** - Union County Public Schools – Development Regulations for School Construction (Village Council to discuss as well)

The Final Draft of the Joint Proposal from Union County Public Schools, Union County and the municipalities was discussed. On item 4.3 Sidewalks, Adams felt it would make sense to have sidewalks; Council and Krieg concurred. He recommended four foot wide sidewalks and an appropriate buffer. Grexa said he didn't necessarily think sidewalks were needed. Horvath noted the subdivision ordinance says sidewalks are required, and we require them of developers. Keeney inquired as to the cost of sidewalks. Adams made a motion to require the school system to install sidewalks at the time of construction on the road perimeter, four feet wide. Wilson seconded the motion. The

motion was amended by Adams to take out 4.3.1 and require sidewalks per our subdivision ordinance.

The motion was approved unanimously.

Adams made a motion to strike sections 4.3.3 and 4.3.4; Davis seconded the motion.

The motion was approved unanimously.

Mullis discussed road right of ways for future road widening. Pierce brought up screening of athletic fields, it was noted that approval of a new school can be bumped up to a CUP if there are fields and concerns. Bradford questioned regarding Item 4, where a CUP could be used for public health and safety reasons, whether this included traffic. She also wondered if a school on the borders of the village should be reviewed. Grexa asked if we are being too hard on UCPS. Adams said he had a concern with traffic flow on adjacent property owners. Adams said we need turn lanes right and left in front of schools, maybe for 400 feet; maybe we should require only right turns leaving schools, whatever makes sense for moving traffic. Krieg noted traffic studies are done for new schools and DOT makes recommendations. If there are more than 4,000 daily trips they make improvements. We can write in a 400 foot turn lane, but it is harder to say intersections further away need improvements. Pierce noted she had sent an e-mail to Krieg regarding UCPS and DOT developing standards to use safety funds to improve intersections up to two miles from the schools. Krieg noted even if we adopt this document we can make changes in the future. This document will go into the appendix of our ordinance.

Item 4.8.4, storm detention basins was discussed. Standing water should be fenced, but basins that are dry most of the time and only wet when it rains may be screened with shrubs. Bradford noted she would like to see this spelled out in the document. Consensus was to do this, and Krieg will do the language. Krieg noted the trees and screening requirements are equal to or better than our current requirements.

Items 4.8.10 and 4.8.11 – Krieg will take out “endeavor” on both of these.

On Exterior Illumination, Krieg noted 4.4.1 agrees with our ordinance, and in 4.4.2 we don't allow wall pack fixtures, we will eliminate that, and put reserved for future use so we don't have to re-number. Item 4.4.3 – Wesley Chapel has no lighting over thirty feet high right now.

On Signs – 4.5.2 Wesley Chapel currently allows 32 square feet, they have forty square feet. Regarding Parking they are requiring equal to or better than we require. Their compact spaces are 7.5 x 15 feet, and Wesley Chapel has 7.5 x 17 feet. They must be marked as compact spaces.

Student Drop Off Stacking – item 4.7.1 is currently being used. Landscaping and Screening/buffering items 4.8.1, 4.8.2, and 4.8.3 are better than our current ordinance.

Davis made a motion to approve this document, incorporated herein, with the changes made. Adams seconded the motion.

The motion was approved unanimously.

**FINAL DRAFT
8 November 2007**

Joint Proposal from Staffs of Union County Public Schools, Union County and all Union County Municipalities Regarding Standardized Zoning Regulations

Union County Public Schools (UCPS) is currently subject to 13 different sets of local land use regulations (12 different municipalities and Union County). Regulations vary from jurisdiction to jurisdiction, making it difficult to build new schools, renovate existing schools or locate mobile units in a consistent, timely and cost effective manner.

As a part of the Union County Board of Education's adopted "Building Program Cost Saving Principles", UCPS is endeavoring to establish a standard zoning classification and standardized requirements for school construction regardless of the schools locale in Union County. Such standardization will result in (i) equitable school facilities throughout the county; (ii) more efficient permitting of school facilities and (iii) cost savings for the benefit of the taxpayers of Union County.

Staffs from UCPS, Union County and local municipalities have met and have agreed to make recommendations to their elected boards as follows:

1. UCPS staff will involve local municipal staff early in the site selection process. The local municipal staff will make recommendations regarding target sites or areas within their respective jurisdictions that are suitable for school uses. Pursuant to state statute, final decisions regarding the selection of school sites are made by the Union County Board of Education.
2. Allow all new schools, additions, or renovation uses by right with supplemental standards. This will eliminate the costly and time-consuming discretionary (CUP/SUP) zoning process and site-by-site negotiations. All local government entities benefit by having expectations regarding school design and construction identified in advance.
3. Jurisdictions may consider an optional CUP/SUP review process if unique conditions exist as determined by the zoning/planning administrator. The administrator shall consider if the proposed project poses a negative impact on the public health and safety.
4. Supplemental standards shall include:
 - 4.1. Exterior of buildings.

- 4.1.1. Exterior building materials shall be limited to masonry brick (brick or pre-finished block), natural or synthetic stucco, pre-finished insulated or non-insulated metal panel system, pre-finished metal fascia and wall coping, standing seam metal roof (for sloped roof only), painted hollow metal and/or pre-finished aluminum door and window frames, glass, painted or pre-finished steel.
- 4.1.2. UCPS staff will work with municipality staff to follow any requirements of municipality "special overlay districts" as it relates to the exterior design of the facility.
- 4.1.3. Exterior of buildings will be articulated to enhance the area of the site.
- 4.2. Mobile classrooms (MCR):
 - 4.2.1. MCR's shall be located in rear yard if possible. If rear yard cannot accommodate the MCR's then they can be placed in the side yard. MCR's can be placed in the front yard only if the MCR's cannot be accommodated in the rear or side yards.
 - 4.2.2. MCR underpinning and crawl spaces shall be screened.
 - 4.2.3. Landscaping/planting shall be provided between the MCR and any adjacent roads from which the MCR's are visible.
- 4.3. Sidewalks:
 - 4.3.1. Sidewalks will not be required if they present a public health and safety hazard; sidewalks on the school property that connect to an existing sidewalk infrastructure will be provide by UCPS. Except as provided above, the municipalities shall be responsible paying for and constructing sidewalks.
 - 4.3.2. UCPS will dedicate appropriate easement or road right of way needed for sidewalks if requested by municipality.
 - 4.3.3. UCPS will grade areas for sidewalks if requested by municipality.
 - 4.3.4. UCPS will cooperate with municipality to apply for grants for sidewalks.
- 4.4. Exterior Illumination:
 - 4.4.1. Driveway and parking area lighting shall be no more than 10 foot candles. Spill over to adjacent properties shall not exceed 1 foot candle. Lighting fixtures shall be shielding type.
 - 4.4.2. Lighting fixtures located on the building exterior shall not emit more than 5 foot candles and shall be shielding type.
 - 4.4.3. Lighting for athletic fields shall follow the current standards as set forth by the North Carolina High School Athletic Association Lighting Standard. A lighting control package shall be included and lights shall be shut-off no later than one hour after the end of the event.
- 4.5. Signs:

- 4.5.1. Materials for sign base and structure shall match the primary building materials.
- 4.5.2. Sign face shall not exceed 40 square feet and does not include the sign support structure. The bottom of the sign face shall be no less than 24" above nor more than 72" above the ground surface. The sign support structure can include columns and walls on either side of and below the sign face and shall not be more than 16" taller than the sign face.
- 4.5.3. One sign shall be permitted per school. Alternatively, if multiple schools use the same driveway access, then the allowable square footage may be increased by 10 square feet for each additional school.
- 4.5.4. One wall sign per school shall be permitted and only for the name of the school and shall be reviewed by the administrator.
- 4.5.5. External illumination is allowed.
- 4.6. Parking:
 - 4.6.1. At elementary and middle schools provide 1 space per staff member plus 1.6 spaces per classroom or 1 space for each 3 seats used for assembly purposes whichever is greater.
 - 4.6.2. At high schools provide 5 spaces per instructional classroom or 1 space for each 3 seats used for assembly purposes whichever is greater.
 - 4.6.3. No more than 20% of the required spaces can be compact spaces.
 - 4.6.4. Minimum size of spaces shall be 9' wide by 19' long for regular, 7.5' wide by 15' long for compact, and accessible spaces shall meet current accessibility codes.
- 4.7. Student Drop Off Stacking:
 - 4.7.1. On-site vehicle stacking for student drop-off shall be based on NCDOT requirements using the NCDOT required calculator.
- 4.8. Landscaping and Screening/buffering:
 - 4.8.1. Trees and shrubs shall be as indicated within the municipality species list.
 - 4.8.2. Parking Area: 1 large or 2 small trees shall be provided for each 12 parking spaces. Each parking space shall be located within 65' of a tree. Rows of parking spaces shall be terminated with a landscaped island and shall be the same size as a parking space.
 - 4.8.3. Parking areas shall be screened from adjacent public roads with shrubs based on the municipality's species list.
 - 4.8.4. Storm Detention Basins shall be screened with fencing and/or shrubs as determined by the administrator and shall be dependant upon the size, location, and use of the basin.

- 4.8.5. Land berms will not be permitted between school facilities and roads.
- 4.8.6. Land berms can be used in conjunction with required screening/buffering to adjacent uses as determined by the local regulations.
- 4.8.7. Screening/buffering from adjacent uses will be opaque and shall consist of:
 - 4.8.7.1. Small trees planted at a rate of 3 per 100' and 6' high evergreen shrubs planted at a rate of 25 per 100', or
 - 4.8.7.2. Large trees planted at a rate of 2.5 per 100' and a 6' high solid wood fence, or
 - 4.8.7.3. Tall evergreen trees with branches touching the ground planted in a stagger.
- 4.8.8. If the adjoining property is of similar or compatible use the Administrator may reduce or eliminate the screening/buffer.
- 4.8.9. Screening/buffering requirements may be waived when screening/buffering is already provided. There may be cases where the unusual topography or elevation of a site, or the size of the parcel involved, or the presence of screening on adjacent property would make the strict adherence to the regulation serve no useful purpose. In those cases, the Administrator is empowered to waive the requirements for screening so long as the spirit and intent of this section and the general provisions of this section pertaining to screening are adhered to. This section does not negate the necessity for establishing screening for uses adjacent to vacant property.
- 4.8.10. UCPS will endeavor to adhere to all Tree Preservation ordinances of the municipalities and shall preserve natural buffers between the school facility and adjacent properties as much as practical.
- 4.8.11. UCPS will endeavor to retain as much existing trees and vegetation on school sites as practical and will re-introduce common local species into the project as possible.
- 4.9. In the event any provisions of the supplemental regulations conflict with any other provisions of this ordinance, then the provisions of these supplemental regulations shall control. Other ordinance provisions not in conflict with these supplemental regulations remain in effect.

5. **Discuss/Vote** - Union County Public Schools – New Town Road Elementary Trailer CUP

Krieg reviewed the plans for the request for six trailers to be placed in the back of New Town Elementary, and found their request to be in compliance. He recommended the Planning Board send a positive recommendation to the Council. There will be

underpinning and the crawl space will be screened. They won't be visible from the road so they don't need landscaping, and they won't be hooked to water or sewer.

Davis made a motion to recommend approval of the CUP; Keeney seconded the motion.

The motion was approved unanimously.

6. **Discuss/Vote** – Electrical Substations (Summary of suggested ordinances and proposed test amendments)

Krieg reported he looked at the ordinances in Greenville County, SC; Blowing Rock, NC; and Durham County, NC and found them to be close to our requirements. He talked to Hollifield, who noted Councils can put requirements on substations, and stressed the need for flexibility. Our L-1 abuts residential, so Krieg recommends we require a CUP in all districts. Krieg made the following recommendations:

1. Change Table of Uses to require CUP in all zoning districts. L-1 is currently a Use by Right.
2. **Revise Section 4.2, #7 to read:** (c) If a berm is used as a screen for an Essential Services, Class II use the backside of the berm can be up to a 2:1 slope.
3. **Revise Section 4.2, #11 to read:** All buffer screening materials shall be maintained in ~~order to fulfill the purpose(s) for which it is established~~ a horticultural manner similar to the surrounding areas, i.e. mowing, irrigation, fertilizing, mulching. The owner of the property and any tenants shall be jointly and severally responsible for maintenance of all required screening.
4. **Revise Section 4.2.10 to read:** Essential Services, Classes I, II, III, IV shall be naturally screened on all sides in compliance with the Screening and Landscaping provisions of Section 4.2 above. In addition, best efforts will be made by the developer to select plants native to the region for purposes of hardiness, drought tolerance, and cohesion with surrounding landscape.

Krieg noted they can make the berm higher if it is 2:1 on the side facing the substation. On 4.2, #11 he suggested we change it so the operator of the essential services will maintain the screening. On Section 4.2.10 he suggested we add the sentence starting with "in addition...", and he added native species.

Keeney made a motion to adopt these changes, Adams seconded the motion.

The motion was approved unanimously.

7. **Discuss/Vote** – Liquor by the Drink (Text Amendment Proposal)

Krieg recommended the following changes to the ordinance.

Wesley Chapel Zoning Ordinance – Article 2, Definitions
Restaurant

~~A commercial establishment other than a drive through or fast food restaurant where food and drink are prepared served and consumed primarily within the principal building.~~

Restaurant

An establishment substantially engaged in the business of preparing and serving meals. To qualify as a restaurant, an establishment's gross receipts from food and nonalcoholic beverages shall be not less than thirty percent (30%) of the total gross receipts from food, nonalcoholic beverages, and alcoholic beverages. A restaurant shall also have a kitchen and an inside dining area with seating for at least 36 people.

Wesley Chapel Zoning Ordinance – Article 5, Zoning District Regulations, Table of Uses

~~Lounge/Bar (Principle Use) – Conditional Use Permit is required in the B-1, B-2, L-1 zoning districts. The use is not allowed in any other zoning district.~~

Lounge/Bar (Principle Use) – Conditional Use Permit is required in the B-2 and L-1 zoning districts. The use is not allowed in any other zoning district.

Sondra Bradford suggested we add a reference to state law on the restaurant definition, add 30% non-alcoholic beverage receipts to lounge definition, add “Bar – See “Lounge”, add “Nightclub – see “lounge”, add Private Club definition, and change Club or Lodge – see “Private Club”. She suggested taking lounge and bar out of B-1, then also take restaurant out of B-1. Keeney disagreed on taking restaurants out of B-1. Adams made a motion to adopt the text amendments as proposed by Krieg; Wilson seconded the motion.

The motion was approved unanimously.

Thanks were expressed to Bradford for her research.

8. Topics to Discuss at Next Meeting

Requiring right of ways, and do we have a say over this will be discussed; also roads and traffic patterns at new schools, turn lanes and exit only right or right and left.

9. Other Business

Concern was expressed over Jackie Morgan's absences. Keeney made a motion to follow the provisions in the rules of procedures and have the Board secretary send a letter to Morgan regarding her absences. Adams seconded the motion.

The motion was approved unanimously.

PB minutes 11.26.07; approved 01.28.08

Wilson made a motion to cancel the December meeting; Davis seconded the motion.
The motion was approved unanimously.

9. Adjournment

Wilson made a motion to adjourn; Davis seconded the motion.
The motion was approved unanimously.

Respectfully submitted

Cheryl Bennett, Village Clerk

Chairman John Grexa