

01.28.08 Planning Board Minutes

Approved 02.25.08

VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES

January 28, 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, Ray Davis, Stephen Keeney, Shirley Wilson sitting as regular member; Alternate - Bill Fairman arrived late during item 4.

Others Present: Cheryl Bennett, Clerk; Justin Krieg, Planning/Zoning Administrator, Citizens Carol Mullis, Marshall & Jason Surface, Bill Twele, Jeff Mallette, Eddie Moore, Chip Lemer, Dean Harrell, Wil Garner, Darren Sutton, Marc Ehrlich, 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 Adams gave the invocation. Bradford left the room.

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

No changes were made to the agenda.

3. Approval of Minutes

Adams made a motion to approve the minutes from November 26, 2007; Davis seconded the motion.

The motion was approved unanimously.

4. Discuss – Sewer Availability Language (Section 405.12, Subdivision Ord.)

Krieg reported the wording in section 405.12 of the Subdivision Ordinance requires developers to connect to the public water/sewer system if their subdivision consists of 10 or more lots. With the current scenario where the lines are in place, but connections are not allowed, we need to consider how this is interpreted and enforced. Grexa asked about the pros and cons. Krieg said there could be health and safety items with wells and septic, is an acre large enough depends on the soil. Dean Harrell said now water is in worse shape than sewer in Union County. In their Phase 2 of Quintessa, they have 10 taps; they need 3 for the amenity center, that leaves 7 for homes. They can do a community well which is inspected by the State, and the County does the approvals on septic tanks. They spent hundreds of thousands running pipes they can't use. They make you have a backup well, each is ten inch, and one kicks in if one goes out. Harrell said in a couple of years we will get water from Anson County, and then they could switch over to metered water. Switching from septic to sewer would be at the option of the homeowner. There is one tap fee for water (about \$700-850) and one for sewer (\$3150 for water and sewer). There will be a thousand gallon storage tank of water. Harrell said the community well water will be metered. Adams said we should allow septic if the property perks and the health department approves. Grexa said he would like to look at

this further, since it would apply to all subdivisions. Davis agreed with Adams. Adams inquired regarding the timeline. Krieg said it would be like a text amendment, no final decision would be made tonight. Next month he will bring alternate language to the board. It was suggested to get some Public Works employees to come to a Planning Board meeting. Bill Twele suggested we might look at this on a case by case basis. We could have the wording, get it to the Planning Board 15 days ahead of the meeting, have experts at the meeting, adjust the language as necessary, and then make a text amendment recommendation. The reason this item was on the agenda is Krieg has received several calls from developers of various size developments.

5. Discuss/Vote – Quintessa Phase II – Preliminary Plat

Krieg confirmed that ten taps are available, they need 3 or 4 for amenities center, so 6-7 are available for houses; he recommends approval of the preliminary plat. The map shows a road from Phase I to the clubhouse to Potter Road. It takes 6 taps for the clubhouse. The portion of land in the middle already perks. Adams said the pros of allowing water/ septic is it increases property values, keeps the neighborhood from being stagnant. Peter (no last name given) from Quintessa said what if the County says you don't have any permits – we should settle it now. Krieg explained this is an advisory body; procedurally they can't solve it tonight. The County said they sent out a letter today for ten taps.

Adams recommended conditional approval of the preliminary plat plan; Keeney seconded the motion.

The motion was approved unanimously.

Krieg sent out a detailed timeline; the final plat approval and CUP can be done at the same time to get the amenities center done timely. Mark Ehrlich asked if the change in language for the community well and septic affect the timeline; Krieg said no.

6. Discuss/Vote – Additional Liquor by the Drink Text Amendments

Bradford returned to the room. Bradford said she would like to add the percentage of alcohol sales to the lounge definition, and add reference to state law 18B-1000. The references added to Bar and Nightclub to see “Lounge” is because “Lounge” is not commonly used. A private club has no minimum percentage of gross revenues from food. Bradford explained some clubs are family friendly, some aren't. Her proposal allows private clubs and lounges only in L-1. Krieg noted ABC doesn't make a big distinction between these uses, so we then restrict them to a small number of places. The only L-1 is at Will Plyler and Waxhaw/Indian Trail, and the only B1 is next to the Sunset and one in the shopping center near Wachovia. Any use of over 2000 square feet in B1, B2 and O/I must go through a CUP. Adams asked what this would do to restaurants. Bradford said she recommends they only be in B-2. She noted Encore Bistro has only about 32% of sales from alcohol. Bradford expressed concern about cinderblock type properties and if parcels are re-zoned in the future. It still allows fast food in B1. Target has a restriction in their shopping center of 40% of sales being from food. Fairman said then a Moose Lodge couldn't be in the shopping center, that was correct. Adams said he thinks it is too broad to eliminate private clubs from B1, he feels it is overreacting. Grexa said he sees Bradford's concerns, but he tended to agree with Adams. Keeney said we

can be proactive without the restriction B1 is primarily to conveniently serve the citizens of the Village. He feels it is overly reactive when we just overwhelmingly approved liquor by the drink; land values alone will prevent cinderblock types; we can restrict them by parking, and other items. Davis said he thinks cinderblock establishments are a thing of the past. Bradford said at the Advance, residents wanted restaurants with bars, not stand alone bars, thus she is addressing that. She said we expect a good draw from other towns, and may have people interested in bar types. Krieg said the Table of Uses shows under Lounge, in B1, B2, and B3 any size has to go through the CUP process. Adams suggested Planning Board members research this and revisit it next month. Keeney noted we have very limited B1 and B2, we shouldn't take restaurants out of B1 and force them into B2. The example of Davison, where they have strict architectural requirements was brought up, and Krieg said this is form based codes, where you look at what it will look like first. Davidson gets away from a prototype such as a Walgreen's, it would take a fairly major revamping of the ordinances. Adams questioned if you would want a bar that is really good looking. Bradford said she preferred bars be grouped in B2 because that has more control of class factor in it. She said the Hickory Tavern is a place you can take the family in, but another bar might look great outside, but not be nice inside. Fairman asked if this will discriminate against really nice small places. Grexa said lets look at it next month. Adams made a motion to table this item to next month, and do some research; Davis seconded the motion.

The motion was approved unanimously.

The board requested Krieg do some research on other towns.

7. Topics to Discuss at Next Meeting

Topics are liquor by the drink and retirement homes. Adams asked if we can do anything as a village to request intersection improvements, such as at Potter and Hwy. 84, where you can't turn right on to 84 in the mornings. Krieg said we've done letters in the past to DOT and they do studies to look at intersections, but DOT tends to be reactive, and won't do anything ahead of time. Adams said maybe we can start to put pressure on DOT. Krieg suggested we identify problem areas and request Council send Resolutions to DOT; Adams asked member to bring suggestions next month.

8. Other Business

Grexia said a letter regarding absences was sent to Jackie Morgan, he distributed her resignation letter to the members, and the board accepted it. That leaves one regular and one alternate position open.

9. Adjournment

Davis made a motion to adjourn; Wilson seconded the motion.

The motion was approved unanimously.

The meeting adjourned at 8:45 pm.

Respectfully submitted

Cheryl Bennett, Village Clerk

Chairman John Grexa