

VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
Monday September 24, 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 Vice Chairman Chuck Adams presiding.

Present: Members- Chuck Adams, Ray Davis, Stephen Keeney; Alternates - Bill Fairman, Sondra Bradford, Shirley Wilson (Fairman and Bradford participated as voting members)

Absent: Chairman John Grexa; Member Jackie Morgan

Others Present: Cheryl Bennett, Clerk; Justin Krieg, Planning/Zoning Administrator, Citizen Mark DiBiasio

Item # 1

Pledge and Invocation

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

Item #2

Additions, Deletions, and/or adoption of Agenda

“Item 7A – Ways to Move Forward on Advance Priorities” was added to the Agenda.

Item #3

Approval of minutes

Davis made a motion to approve the August 27, 2007 minutes. Fairman seconded the motion.

The motion was approved unanimously.

Item #4

Discuss - Gas Substation Regulations

Krieg reported that Piedmont Gas has not ruled out a future site at New Town Road, but has removed their piping structures. Krieg presented regulations to remove gas substations from the essential services class 2 section. The Table of Uses would be changed to include a use of “natural gas substations” and require a Conditional Use Permit for every zoning

district. Use will also indicate supplemental regulations apply (Section 6.10.6). Krieg proposed setbacks in every zoning district of: Front – 75 feet from edge of pavement, Minimum lot width – None, Side yard setback – 15 feet and 75 feet on street side of corner lots, Rear yard setback – 15 feet, Minimum lot size – None. Krieg also proposed: Screening and lighting shall be provided in accordance with Section 4.2; and Revise Section 6.10.6 Additional Review Criteria to include the following: (b) All outside storage areas are fenced and screened using black vinyl chain link fencing with diagonal slats. (d) Noise levels, as measured at the property boundary, are compatible with the existing area noise background levels, and the latest silencing technology will be utilized. (h) Parts located above the fence line will be “rust” colored and maintained adequately to sustain color. (i) A vehicle barrier will be required along 100% of the fence line facing the road and a minimum of 25% along the sides of the facility.

Discussion on these requirements ensued. It was noted that the setback of 15 feet on the sides would make it hard to meet the screening requirements. The slope on berms is 4 to 1. The minimum width of landscaping is ten feet. It was suggested that the vehicle barrier be linked to the traffic and road conditions.

After much discussion, the consensus was to have the following conditions:
Require standard setbacks in every zoning district:

Front – 75 feet from edge of existing pavement, as measured to the fence of the facility

Minimum lot width – None

Side yard setback – 15 feet, 75 feet on street side of corner lots

Rear yard setback – 15 feet

Minimum lot size – None

Screening and lighting shall be provided in accordance with Section 4.2

Revise Section 6.10.6 Additional Review Criteria to include the following:

(b) All outside storage areas are fenced and screened using black vinyl chain link fencing with diagonal slats that completely fill the void.

(d) Noise levels, as measured at the property boundary, are compatible with the existing area noise background levels, and the latest silencing technology will be utilized as needed.

(h) Parts located above the fence line will be painted with heat resistant “rust” colored paint and maintained adequately to sustain color.

(i) A vehicle barrier will be required along 100% of the fence line facing the road and a minimum of 25% along the sides of the facility unless the site warrants a reduction of those requirements as decided by Council.

Bradford made a motion to recommend the above language to Council.

Davis seconded the motion.

The motion was approved unanimously.

Item #5

Discuss - Liquor By the Drink

Krieg reported on his research, and found from David Owens book Statutory Limitations on zoning Discretion, “The state ABC Commission may consider local ordinances, but is not bound by them. Once a merchant has secured a permit, he or she is for the most part exempt from zoning restrictions, such as local restrictions on the location of the facility, limits on hours of operation, entertainment within the facility, and even signs advertising alcohol products.” Krieg hasn’t found any other towns writing in restrictions regarding alcohol sales. Bradford said she talked to the ABC Commission, and they said we have to use their definitions, so we should look at our definition of a lounge. Krieg will check with our attorney to see if we can strike lounges from our uses, and check with the state for the wording of the definitions. It will be brought to the joint Council/Planning Board session in October.

Item #6

Discuss – Rules of Procedure

Krieg proposed changing the Rules of Procedure to add Section 3-4, “The terms of office of the members of the Planning board shall be for overlapping terms of three (3) years. Initial appointment of the members shall follow that of the Board of Adjustment as described in Section 11.1.2 of the Wesley Chapel Zoning Ordinance.” Davis made a motion to approve this change. Keeney seconded the motion.

The motion was approved unanimously.

The Clerk noted that amendments to the Rules of Procedure have to be presented in writing at a meeting preceding the meeting at which the vote is taken. Davis made a motion to reconsider the motion to the next meeting. Bradford seconded the motion.

The motion was approved unanimously.

Item #7

Discuss – Electrical Substations

Bradford suggested we change the Table of Uses to require a conditional use in every zoning district. This will be on the agenda next month, so we can do several changes at one time.

Berms were discussed. It was suggested that Krieg come up with language recommending berms with screening for electric substations with wording so that Council has leeway if the site is already screened. Krieg confirmed that the Planning Board has the right to make specific recommendations to Council beyond the ordinance requirements. Krieg will also contact Tom Slusher and Dwight Hollifield (the landscaping firm that Union Power has used).

Item #7A

Ways to Move Forward on Advance Priorities

Krieg reported that Mayor Clinton had suggested an individual from the Planning Board work with an individual from the Council to research topics from the Advance. Planning Board members will look at the list of topics and pick an area to proceed. Krieg asked that members let him know if there is anything he can research to help them.

Item #8

Topics to Discuss at Next Meeting

At the next Council Work Session liquor by the drink will be discussed. At the next Planning Board meeting we will finish electrical substations, and the Table of Use changes.

Item #9

Other Business

Planning Board Training 101 will be held Wednesday at 7 pm at the Museum of the Waxhaws; the second session will be October 4. Bradford, Fairman and Keeney said they could attend.

Item # 10

Adjournment

Davis made a motion to adjourn the meeting; Bradford seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 9:30 pm.

PB minutes approved 10.22.07

Respectfully submitted

Cheryl Bennett, Village Clerk

Chairman John Grexa