

**VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
April 25, 2011, 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 Chuck Adams presiding.

Present: Chairman Chuck Adams, Vice Chairman Sandi Bush, Members Ray Davis, Stephen Keeney; Alternates Jeff Davis (sitting as regular member) and Shirley Wilson
Absent: John Grexa, Alternate Bill Fairman

Others Present: Cheryl Bennett, Clerk; Joshua Langen, Planning/Zoning Administrator; Mayor Brad Horvath

Citizens: Carol Mullis

The meeting was called to order at 7:00 pm; a quorum was present.

1. Pledge and Invocation

Chairman Adams led the pledge; Keeney gave the invocation.

2. Public Comments – none

3. Additions, Deletions and Approval of Agenda

Sandi Bush made a motion to approve the agenda; Jeff Davis seconded the motion.
The motion passed unanimously.

4. Approval of Minutes

Sandi Bush made a motion to approve the minutes from March 28, 2011; Jeff Davis seconded the motion.
The motion passed unanimously.

5. Signs

Joshua Langen noted we are looking for consistency between Article 2 and 8 and he reviewed the definition for “Sign, Internal”; Chick-fil-A required this since they are an out parcel and the signs would not be seen from the road. A question was raised on “Sign, Neon” as to whether the spelling should be “phosphors” or “phosphorous”. A typographical error was corrected in “BB) Sign, Official Government, Emergency and Safety”. A definition had been added for “HH) Sign, Projecting”. Sandi Bush asked about the Future Land Use Plan; Joshua Langen replied it is an adopted document and on our website. Sandi Bush noted that Section 8.3 A. had sentence fragments; so that was corrected. Section 8.3 D. referred to Section 8.5; that was corrected to Section 8.4. A change was made to Section 8.3 E to delete “shall be permitted without a permit” and the strikethrough words after it. Section 8.3 K was discussed; banner signs have to be more than four square feet to be readable, and they have to be temporary. It was discussed whether there should be a limit on the number of signs, and it was decided not to limit the

number. The banner signs will have to be applied for. Handwritten signs were discussed; other businesses express concerns about them, while others feel they contribute to the rural feel. It was decided that the following signs can be handwritten: Section 8.3 D. real estate sign, Section 8.3 E sign advertising the sale of produce, Section 8.3 F sign advertising yard sale, personal vehicles for sale and recovery of lost pets, or the like, and Section 8.3 G on-premises incidental signs. A definition for “handwritten sign” will be added and Section 8.4 L. will be re-worded. Section 8.7 A. 1. c. which is free-standing sandwich board signs, will be moved to Section 8.3 L. to allow them without a permit and allow them to be handwritten. A definition will be added for “in-line tenant spaces” which is mentioned in Article 8.5 A. A discussion was held on whether we want four temporary sign permits to be consecutive, and it was decided it was okay. It is based on a tenant, so if one goes out of business, the new tenant can have four signs. The reason for Section 8.5 D. “Off-premise Directional Signs” was discussed; the Board was not sure why it was added in 2003. Off-Premise Direction signs in Section 8.5 was reviewed, all wording after the first sentence was deleted; the permit will be for renewal every six months. Section 8.7 A 1. g was added for projecting signs; Joshua explained that a tenant wanted a projecting sign, and due to safety concerns he made a ten foot ground clearance. Joshua Langen will e-mail the changes made tonight to the Planning Board members in a couple of days. Sandi Bush made a motion to approve the text with the changes made tonight, and members should look at the draft and communicate any problems to Joshua. Jeff Davis seconded the motion.

The motion passed unanimously.

6. Parking

Joshua Langen noted he had added Section 9.1.4 c. for “Remote Parking”. Remote parking can be utilized for permanent uses provided the property is owned by the same owner of the property hosting the principal use or is under long term lease or allowed by a recorded access easement. It can be used for temporary uses if written permission of the remote parking property owner is provided. The requirement that it be within four hundred feet was discussed, Langen noted an alternative is a quarter mile, and Council Member Hess suggested 1,000 feet. For temporary uses it shall be connected by adequate pedestrian facilities or by managed pedestrian assistance provisions. Joshua Langen noted that Section 4.7.3 of the Ordinance defining temporary uses needs to be changed to allow a town festival to fit in and make sure the definition is included. Langen reported he had a meeting with Council Member Bradford and the park consultant, and they said the parking requirements wouldn’t work, so he added a paragraph at 9.1.9 to have an alternative of one space for every 10,000 square feet of gross area. This would result in 50 parking spaces for Dogwood Park and any time the amphitheater is used there would be a temporary use permit. Sandi Bush said she was not in favor of this paragraph, the alternative to submit a parking study as part of a CUP already exists. Chuck Adams said we don’t have room at this park for the required parking spaces due to the topography at Dogwood Park, but that is not a reason to change the ordinance. Sandi Bush made a motion to approve the parking text amendment, but take out the paragraph about the 10,000 square feet. Stephen Keeney seconded the motion.

The motion passed unanimously.

The recommended text is as follows:

ARTICLE 9

OFF-STREET PARKING AND LOADING

Section 9.1 Off-Street Parking

9.1.4 Off-street parking shall be located as follows:

- a. Parking as required herein shall be located on the same lot as the principal use except when specifically permitted to be located elsewhere. Driveways shall be considered as providing off-street parking spaces for all single-family dwellings.
- b. Cooperative provisions for off-street parking may be made by contract between owners of adjacent property, and any such contract shall be filed with the Zoning Administrator. The parking area provided on any one lot may be reduced to not less than one-half (1/2) the parking spaces required for the use occupying such lot. The total number of spaces provided under such a cooperative parking scheme shall not be less the total number of spaces required for each use.
- c. Remote parking may be used to meet up to fifty percent (50%) of off-street parking requirements for permanent uses, provided the property is owned by the same owner of the property hosting the principal use, is under long-term lease equal to or greater than five (5) years, or is allowed by a recorded access easement specifying the parking arrangement.

Remote parking may also be used to meet all of the off-street parking requirements for temporary uses, approved in accordance with Section 4.7 of the Village of Wesley Chapel Zoning Code, provided written permission of the remote parking property owner, if other than the temporary use applicant, is provided.

Remote parking shall be located on property within four hundred (400) feet of the property hosting permanent or temporary uses. Remote parking for permanent uses shall be connected by adequate pedestrian facilities, as determined by the Zoning Administrator. Remote parking for temporary uses shall be connected by adequate pedestrian facilities or by managed pedestrian assistance provisions, as determined by the Zoning Administrator.

Any change in legal availability of the remote parking property or facilities shall require the owner of the permanent use or applicant

for a temporary use permit to provide replacement parking through other allowable means or be considered in violation of this Section and/or Section 4.7, if applicable.

- ed. No parking area shall be located over an active septic tank field.
- de. In residential areas, the temporary parking or storage of manufactured homes shall be prohibited. Boats, motor homes and camping trailers may, however, be stored or temporarily parked in residential districts; consistent with any more restrictive subdivision covenants. No more than two (2) inoperative motor vehicles per dwelling unit may be stored outdoors, and shall be parked behind the residence, and screened from the public right-of-way and shall also satisfy any more restrictive subdivision covenants that may exist.
- ef. Parking areas shall not be extended into the required rear yard and side yard set backs.

9.1.9 The following chart indicates the minimum off-street parking requirements:

Use Classification

~~Places of Public Assembly, including Private Clubs and Lodges
Auditoriums, Stadiums, Gymnasiums,
Community Centers, Public Parks
Recreation Facilities an all similar places of public assembly.~~ Public or Private Assembly
and/or Recreation.

Parking Space Requirement

One Space (1) for each four (4) fixed/designated seats provided for patron use, including portable seats, benches and amphitheatre seating, plus one (1) space for each one hundred fifty (10050) square feet of floor or ground area used for amusement or designated for assembly but not containing fixed/designated seats, plus one (1) space for every sixty (60) linear feet of paved walking/hiking/biking trail, plus one (1) space for every seventy-five (75) linear feet of unpaved walking/hiking/biking trail, plus one (1) space for every four hundred (400) square feet designated for organized/sponsored active recreation, plus one (1) space for every six hundred (600) square feet designated for ad-hoc/un-sponsored or passive recreation. Fifty percent (50%) of parking required for passive recreation shall be allowed to be unpaved. Parking shall be provided for all areas/uses intended to be in permanent use and not required, through a Conditional Use Permit, to apply for a temporary use permit, in accordance with Section 4.7.

Parking for permanent public or private assembly and/or recreation uses may ~~submit~~ also be determined by a parking study in order to establish a different set of off-street parking and loading standards. Upon receiving a Conditional Use permit for a qualifying use, the applicant may submit a site-specific parking and loading study which shall include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE), or other acceptable estimates, as approved by the ~~Planning and Zoning~~ Administrator, and should include other reliable data collected from similar uses.

7. Traffic Management

Sandi Bush made a motion to table this to next month. Jeff Davis seconded the motion.

The motion passed unanimously.

8. Foreclosure Home Registration

Langen reported that the Village attorney said there was an issue with double standards for bank owned properties versus privately owned properties. The foreclosure laws are specific. Sandi Bush made a motion to close this issue; Jeff Davis seconded the motion.

The motion passed unanimously.

9. Other Business - none

10. Topics to Discuss at Next Meeting – no discussion.

11. Adjournment

Sandi Bush made a motion to adjourn the meeting; Jeff Davis seconded the motion.

The motion was approved unanimously.

The meeting adjourned.

Respectfully submitted

Cheryl Bennett, Village Clerk

Chairman Chuck Adams