

**VILLAGE OF WESLEY CHAPEL  
PLANNING BOARD MEETING MINUTES  
February 27, 2012, 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.

**Present:** Chair Sandi Bush, Vice Chair Stephen Keeney, Chuck Adams, Ray Davis; John Grexa; Alternates Jeff Davis, Dan DeMattos, and Ashleigh Mock

**Others Present:** Mayor Brad Horvath; Cheryl Bennett, Clerk; Joshua Langen, Planning/Zoning Administrator; Council Member Becky Plyler, E. Carr Mumford – from Wirth & Associates, John Lepke – Parks & Rec. Committee Chair and members Marnie Holland and Julie Brown

**Citizens who signed in:** Carol Mullis, Peggy Perry, Denise & Kirk Dresden, Sharon Duchany, Kim Bayha, Peggy Jennings, Katya & Jim Decker

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

1. Pledge and Invocation

Chair Bush led the pledge; Vice-Chair Keeney gave the invocation.

2. Public Comments - none

3. Additions, Deletions and Approval of Agenda

Chuck Adams made a motion to adopt the agenda; Ray Davis seconded the motion.  
The motion passed unanimously.

4. Approval of Minutes

Ray Davis made a motion to approve the minutes from January 23, 2012; Chuck Adams seconded the motion.

The motion passed unanimously.

5. Public Information Session Dogwood Acres CUP

Joshua Langen introduced the CUP which is for a new village park; he clarified that this is Planning Board's only review since the CUP goes to the Board of Adjustment for approval. John Grexa asked about getting the last minute copies of the plans and asked what had changed from the previous set. Langen said "proposed" was eliminated and minor changes were made to the trail width and lights. Carr Mumford went over the park plans. The existing drive will be widened to twenty-two feet; the park is not using the house. There is a new parking lot of forty-eight spaces; the existing turnaround will be used for drop-offs. Not everything on the plans will be built in the first phase. The playground is in a later phase, they are working on the numbers for the restroom building, so it may not be in phase one. The amphitheater has a platform/stage area and roof, with

lower fixed seating and upper paved and seat area, between the two will be a grassy sloped seating area. There is an eight foot wide trail looped around the lake, a boardwalk at the east end, a fishing pier, and in the future: picnic shelters, mountain bike trail and dog park and connection to Lester Davis Road / Highway 84 for parking. There is a large open field to be used as an open play area or overflow parking. Mr. Carr reviewed the infrastructure – water, sewer, lighting of walkways, amphitheater and parking. No fences are proposed. There is a fence at the sewer easement. A citizen commented that teens on ATV's go through the sewer easement and ride to Lester Davis Road. Mr. Carr said monitoring may decrease that; to fence the entire park is not financially feasible.

Grexa asked about the number of seats in the amphitheater; Carr said the lower area has 25 to 30 seats, 75 to 80 seats in the top and all together about 200 including the grassy areas. Keeney asked how many lawn chairs would fit on the hard area; Carr said at least twenty on the bottom area. It is not designed to fit non-fixed chairs except for wheelchairs. There is a pretty good slope there to work with. Dan DeMattos asked what the filter is for Phase One: Lepke said they were guided by the citizen survey of wanted amenities. Carr noted Phase One is guided by the PARTF grant funding. Chuck Adams asked about the access to overflow parking; Carr said it will have to be staged with cones. Adams asked if they are removing the existing driveway; Carr said yes, they would remove the asphalt and evaluate the base and sub-base. Adams asked if any thought was given to having right and left turn lanes for exiting the park. Lepke said he contacted DOT and this site didn't require turn lanes. Adams clarified that this is our driveway, and two lanes would enable cars to turn right without having to wait on those turning left. Marnie Holland noted we will have people guiding traffic at any events. Grexa inquired as to the plans for parking. Lepke said Southbrook Church will let us use their parking when they aren't having events; there will be a sidewalk down the road to Harris Teeter, and we could have a shuttle bus. A citizen commented you cannot make a left turn out of Lester Davis Road onto Highway 84 right now on Saturdays. Julie Brown commented that the schools are also open to partnerships. Chuck Adams requested they keep in mind a right turn lane.

Chuck Adams asked where the water from the detention pond will go. Carr said it will channel below the dam and go toward Lester Davis Road. Adams asked about the impact of the storm water. Grexa noted the extra impervious area will add overflow. Carr said there are two release points, the basins won't release any more than is now draining off. Langen said the storm water engineer is 99% done with the preliminary plan review; that must be done before it goes to Board of Adjustment. Adams noted we have had problems in the past with storm water.

A citizen asked if there is a time frame for Phase One. Lepke said the aim is a ribbon cutting this fall. The Board of Adjustment reviews the plans March 19, 2012. Carr said once we get the CUP approved, it will take two to three weeks to complete construction documents, then permitting to various entities, and a month for bidding before construction.

A citizen asked when they could meet to see the buffer for those who live right behind the park. Langen said the ordinance does require a buffer, he may deem the existing vegetation sufficient. There are places where plantings will be made. Carr said typically the planting is done at the end of the project, because it gets damaged during

construction. The citizen said they and some neighbors are close to the parking lot and will want to know what it looks like. Carr showed the cross sections to them. Adams asked about the park lighting. Carr said they are working with Duke Energy; one type will be a cutoff fixture, where light only comes out from the bottom of the fixture. The twenty-five foot poles show no light emitted at the property line. Near the walkways will be cut-off lights, a little more esthetically pleasing on fifteen-foot poles. Lepke said they plan the park to be used dawn to dusk, except for special events. Carr said typically the lights are on photocells dusk to dawn, we could also use a timer. He noted typically Duke charges a flat rate regardless of the hours the lights are on. Julie Brown said the timing is probably better to put the plants in in the fall, not during the summer heat. A five minute break was held.

#### 6. Residential Parking

Langen reported that he changed the definition of agricultural equipment; he will also have to use common sense in the field. Also the “whereas” section at the top of the page was changed to reference the land use plan. Section 9.1.4 (e) and (f) parking of operable vehicles in residential areas is not regulated by the ordinance; for platted subdivisions which include platted streets, inoperable vehicles, boats, etc. may be stored and must be screened. In section (h) he defines junk; you can’t have more than six hundred square feet of junk.

Dan DeMattos asked about Section 9.1.4 (e) and property hauling trailers which led to a discussion and the need for a definition of property hauling trailers. Langen will create a definition and distinguish between items in (e) and (f). Keeney noted DOT distinguishes between commercial and non-commercial trailers based on the number of axles and weight.

Adams asked why we distinguish between side and rear setbacks for parking; this will be put on the agenda for a future meeting.

Langen asked how we differentiate between different types of trailers; Keeney said HOA’s do it already. Langen asked if we want to regulate it in platted non-HOA subdivisions. Adams asked for an example. DeMattos said whether it exists or not, we want to make ordinances to improve the town. Bush asked the Mayor for input; he said we need a definition, he liked Keeney’s idea of the DOT definitions, we have not had an issue but there are plenty of things in the ordinance for future issues. He also said that he is hearing more that HOA’s are having problems enforcing rules.

Carol Mullis asked about trailers, operable vs. inoperable; Langen said even if not hooked up to a vehicle they can still be inoperable. If missing a wheel, it is inoperable. If missing both wheels and rusted, it may become junk. Grexa asked if we need to add a definition of operable. Chairman Bush took a consensus on whether we want to regulate this in platted subdivisions; Keeney, Ray Davis and Adams said no, Grexa thought we needed something. Langen will come back with a definition of operable; and polled the alternates. Jeff Davis said he lived next door to a semi and couldn’t do anything about it; Mock and he thought there should be something regarding it. Keeney reminded we need to not be oppressive, he preferred to encourage. Langen said we are not outlawing it, just asking them to screen it.

Langen brought up parking in the rear yard setback; Keeney agreed only if it is screened; Ray Davis said if you screen so much you won’t be able to see your neighbor’s house.

Langen said you can usually just do a split rail fence and a couple of cypresses. Adams agreed with screening as did Grexa, Jeff Davis, DeMattos and Mock.

#### 7. Accessory Building Permitting

Langen added to the definition of "Accessory Use or Structure". You can have two out of three (heated space, kitchen and/or bathroom facilities" before it becomes a home. Payments were discussed; we haven't had any bad checks for permits since Langen has been here. Langen revised Section 10.4.1; it requires a survey for a detached garage, in-ground pool or pool house. Grexa brought up the issue of a drop in the ground pool. Langen called other planners regarding a boundary survey; they said you need a whole survey. All poured pools get a certified foundation survey done. Differentiation is between those easy to move and those not. Langen added if you want to be within five feet of the setback line, you would need a certified survey for a detached garage, in-ground pool or pool house. He removed the requirement for a certificate of compliance if you already got a foundation permit and survey. At Section 10.5 Langen will change it to read like Section 10.3.1(d) and reference the most recently approved fee schedule. "Certified check" will be removed. Each structure will be permitted separately. Keeney requested that paragraph 10.89.9 be stricken as it first duplicates the intent of and second overrides the last paragraph of 10.89.6. Langen said you can't apply for vested rights for a use unless it is under a CUP. He agreed to check with the attorney on it's validity.

This section will come back next month.

#### 8. Other Business

Mayor Horvath said we are in basic agreement with Aston and moving along on the driveway for the town hall; we will pay 32.3% of the cost up to \$100,000. The road is holding up the engineer on the road tie in and the CUP.

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

Topics are the same as this month plus setbacks were added to the ordinance priority list; she will get the top items to review from Council. The Advance is a week from Friday at SPCC; we will acknowledge committee work, review 2011 goals, and work on town identity.

#### 10. Adjournment

Adams made a motion to adjourn the meeting; Grexa seconded the motion.

The motion was approved unanimously.

The meeting adjourned.

Respectfully submitted

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Cheryl Bennett, Village Clerk

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Chairman Sandi Bush