

**VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
July 23, 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, Jeff Davis, and John Grexa; Alternates Dan DeMattos, Tonya VanWynsberg, and Ashleigh Mock (sitting as regular member)

Absent: Member Chuck Adams

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

Citizens: Rita and Sue Gutierrez, Carol Mullis, Bill Lee, Jeannine Kenary

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

Jeff Davis made a motion to adopt the agenda; Ashleigh Mock seconded the motion.
The motion passed unanimously.

4. Approval of Minutes

Jeff Davis made a motion to approve the minutes from June 25, 2012; Ashleigh Mock seconded the motion.
The motion passed unanimously.

5. Announcement of Chairperson – Sandi Bush

Mayor Horvath announced that Sandi Bush had agreed to be Chairman of Planning Board for another term and had been unanimously appointed by Council.

6. Oath of Office

Bennett swore in Sandi Bush and Jeff Davis for their new terms as regular members, and Tonya VanWynsberg for her term as an alternate member.

7. Selection of Vice Chairperson

Ashleigh Mock nominated Stephen Keeney to be Vice Chair. Jeff Davis seconded the motion.

The motion passed unanimously.

8. Town Hall CUP

Joshua Langen reported the Village had submitted a CUP application for building a town hall between Blackstone and the Village Commons shopping center. He reviewed the site plan. John Grexa asked about a second story; Jeannine Kenary from the Town Hall Building Committee reported it had been considered, but was too costly. Langen said he didn't have complete signage, landscape, lighting, or preliminary storm water plans. Grexa inquired why the documents were incomplete. Langen said three poles on the lighting plan are not at the correct height; the lighting plan was proposed by Duke Power and needs to be modified to meet our ordinance.

Langen noted all CUP's require buffers, this plan has a required 34.5 foot buffer; however the Zoning Administrator can waive it. He felt existing trees are sufficient, and we have to run a sewer line just beyond the buffer. Jeannine Kenary said there was discussion of possibly moving the sewer line just outside the tree line, it could eliminate some manholes and avoid taking down some trees. Langen said Council Member Brotton would address that with Council tomorrow.

Dan DeMattos asked who would control the corner at the new driveway and Highway 84, and what business would be located there. Aston controls that. Mayor Horvath noted there are some limitations to the categories of types of businesses. Jeannine Kenary noted in their vision plan they show two story buildings there. She also said that due to the right in, right out access there may be some DOT limitations. Dan DeMattos asked about interior traffic flow; currently the easiest way to go left is to go through Lindenwood. Jeannine Kenary noted you can't make a left turn in or out at the Town Hall; those traveling west will have to go past the town hall and turn left, and then go back to the town hall. Eventually there will be a traffic light at Lindenwood.

Langen said he asked for shrubs around the parking lot and they are working on the landscape plan.

Dan DeMattos remarked that as a citizen, the shopping center is nice and upscale, but there is a lack of trees and it could be improved.

Bill Lee asked about the sequence of approvals; Mayor Horvath said tomorrow night Council could approve the CUP, and then it would go to Board of Adjustment on August 6. The architect is reviewing several pre-bid qualifications forms from interested contractors.

Jeannine Kenary said you wouldn't want to landscape the back part of the parcel, because there is significant grading that will have to be done before using the property.

Langen reviewed the floor plan and noted there are two entrances, one for business and one for public meetings. Mayor Horvath noted the building will include a meeting room with 80 seats and a podium, ADA accessible restrooms, offices, workroom, storage, conference room, and a kitchen. Bill Lee asked about security in the building. The parking was reviewed

9. Wesley Chapel Land Use Plan

Langen said changes are shown in red. John Grexa suggested adding "voluntary" in front of annexations on page 1. Dan DeMattos noted almost all development in Wesley Chapel occurred under the auspices of Union County and that is a significant fact.

Langen will add this to the “Background” section. Those developments don’t necessarily meet our lot size requirements.

Langen will add an appendix to discuss the committees we have added.

Discussion was held on whether the plan should be reviewed more frequently than every five years.

“Goals and Policies” were reviewed next. Grexa asked in policy one that we scratch the wording after “density of approximately one house per acre shall be the standard”; this was unanimously agreed upon. Policy four on connectivity was discussed; and whether it referred to pedestrian or vehicular connectivity; the Board was split, but left it as written. Policy five on retaining trees refers to the new retention of existing vegetation section of the ordinance; Langen noted the regulations were written at a light level, and could be revisited in the future. Policies six and seven were approved. In Policy eight on greenway easements Langen added a buffer between lots and the trail; John Grexa suggested some stronger language. Policy nine on open space conservations subdivisions would allow for a hundred acre parcel to have one hundred half acre parcels, and leave the other fifty acres as open space. Langen noted a column could be added to the Table of Uses. Developers could apply for this zoning, and we could mark the areas in which it would be permissible on the map, and what category. Grexa and DeMattos did not support policy nine; the rest of the members were okay with it.

Discussion was held on how policy one and nine work together; Langen said the first limits the overall density, but nine allows the homes to be clustered on smaller lots. He said you could also allow it only by CUP so you can see the plans. Carol Mullis and Jeannine Kenary pointed out that citizens have requested one home per acre and no clustering. Langen said Policy ten is to encourage senior living; Grexa was opposed to this policy, and felt it would not be restricted to seniors; after polling the members this policy was deleted. Policy eleven encourages “eyes on the street”, and after discussion was deleted.

Members were encouraged to be prepared to review “Non-residential development” next month.

10. Procedure for Violation Complaints

Langen said he sent a memo regarding the ordinance violation procedure; Grexa said he found it confusing. Langen will send out his checklist. Another issue is whether to allow anonymous complaints; Langen said he spoke to the attorney and if we receive a complaint, anonymous or not, we are obligated to follow up on it. Chairman Bush asked if this was a Planning Board matter. Mayor Horvath said if a complaint is made and a rule is being broken, we do have to investigate. Keeney said we should encourage citizens to work with the offender, or fill out a written complaint. Langen said he doesn’t get that many complaints, and will not require a signature; there could be a liability to tell someone to work with their neighbor. The board was polled; Adams and Keeney would encourage neighbors to discuss the problem, and require a written complaint; Mock favored a form; Grexa noted some neighbors can’t talk and they should put their name on a complaint; DeMattos said complaints go to Langen and he determines if there is a violation; names should not be required; VanWynsberg thought we shouldn’t require a name; and Bush thought it was not our business.

11. Other Business

Langen reported that at 124 Molly Irene there is a house that had burned down and new construction began in 2006 but was never finished. Neighbors complained the family was living in a detached building without facilities. He assumed the County would deal with it, but they did not. He met with the neighbors and the County, and Langen issued a zoning violation, since there is no foundation permit for the house. The owner called and sent a permit in today; they have six months to get the foundation permit renewed or a compliance permit. They plan to put the house on the market Thursday. Administrator Bennett noted they are living in the building with children, one reportedly handicapped, and we do not know what facilities such as bathrooms and smoke detectors are present. Mayor Horvath noted Langen copied the County on the violation and he pursued it with the County Manager. Langen asked Planning Board for 90 days extension on this violation. DeMattos was against it, and said this is a disincentive to sell the property; VanWynsberg, Mock, Davis, and Grexa were in favor of the extension. Jeff Davis made a motion to approve a 90 day extension on the zoning violation; Keeney seconded the motion.

The motion passed unanimously.

11. Other Business – none

12. Topics to Discuss at Next Meeting

Topics include the Land Use Plan and yard definitions from the ordinance prioritization list.

13. Adjournment

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

The motion was approved unanimously.

The meeting adjourned.

Respectfully submitted

Cheryl Bennett, Village Clerk

Chairman Sandi Bush