

VILLAGE OF WESLEY CHAPEL
MAYORAL TOWN HALL MEETING MINUTES
DE-ANNEXATION UPDATE
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
April 11, 2015 – 1:00 P. M.

1. INTRODUCTIONS

Mayor Horvath began the Mayoral Town Hall Meeting at 1:00 p.m. by welcoming all those in attendance and recognized the attendance of Senator Tucker and Representative Horn in the audience along with Council Member Rosoff. The intent of the meeting was not to have any discussions or decisions put forth only to update citizens on the de-annexation issue followed by a question and answer period similar to the meeting held on March 30th, 2015.

2. PURPOSE OF THE MEETING:

- De-Annexation process
- What it means to the Village of Wesley Chapel and its residents

Mayor Horvath explained the definition of annexation and de-annexation to those present. Reference was made to a map of the Village of Wesley Chapel representing the different zoning districts within the Village limits. The map also showed surrounding municipalities including incorporated and unincorporated Union County parcels. Mayor Horvath confirmed to the audience due to past voluntary annexations the population of the Village of Wesley Chapel has now grown to over 8000 citizens.

Mayor Horvath explained that the original group of petitioners wishing to be de-annexed filed a petition back in May 2014 directly with Senator Tommy Tucker. The Village of Wesley Chapel was unaware of the petition until Senator Tucker made a courtesy phone call to Mayor Horvath confirming he had received the petition and no action was needed by the Village at that point. Mayor Horvath received an additional call in July 2014 from Senator Tucker asking Mayor Horvath if the Village of Wesley Chapel was looking at options for those who had petitioned the Village. Mayor Horvath stated he was unaware any action was needed and was again not given any specific action to follow.

Mayor Horvath informed those present there were approximately 12 property owners, with an approximate combined acreage of 70 acres on the original petition requesting de-annexation from the Village with whom meet with Senator Tucker and Representative Horn, and then with the Village Council to discuss grievances with the Village. At that point the petitioners made it clear to the Village that they were moving forward with their de-annexation request. By February 2014 the original number of petitioners grew to over 70 parcels of land representing 978 acres being 15-16% of the Village population.

February 20th a meeting was held with the Village Council, Senator Tucker and Representative Horn to which Senator Tucker told the Village Council it needed to provide more options to

citizens. The Council responded with mention of the proposed senior housing community with Senator Tucker stating he would remain open to hearing from his constituents and their requests.

Mayor Horvath then confirmed Senator Tucker moved forward filing Senate Bill 214 in early March listing the 70 parcel numbers as well as acreage number.

At this point Mayor Horvath explained the process of involuntary de-annexation to the audience. As no property owners are being denied Village services, Mayor Horvath stated this does not apply to this situation.

Mayor Horvath then explained to the audience the different types of revenue aside from property taxes that the Village would no longer be benefiting from if the de-annexation was approved.

Mayor Horvath reassured the audience the Village has been compliant with all ordinances, is at no fault and would like to see the Village continue to follow the Land Use Plan as its standard. Mayor Horvath explained the process and status of a proposed senior housing community within the Village of Wesley Chapel and the benefits that may have to some of the parcels petitioning for de-annexation. Mayor Horvath made it clear apart from a few petitioners wanting senior housing approved, no other petitioners have made their wants and/or needs known to the Village. He added the Planning Board is now looking at the option of conservation subdivisions also.

Mayor Horvath stated if residents have projects they would like to see developed or completed they have the right to be heard but kept the audience mindful of rules within ordinances and the need for rules to be followed.

The topic of density within Union County and the recent school redistricting was briefly touched on by Mayor Horvath. Issues such as traffic, water and sewer capacity, and general infrastructure were highlighted by the Mayor.

Mayor Horvath stated that both Senator Tucker and Representative Horn had indicated to him they would consider holding the Bill up if the Village considered other options for the petitioners. Mayor Horvath feels that is being done, highlighting the potential senior housing and conservation subdivision projects. Currently the Bill is awaiting hearing at a committee level and has to be acted upon by the end of the current session which will be either June or July.

Mayor Horvath reminded the audience the 2015-16 fiscal year budget needing to be approved and adopted by June 30th, 2015 and the complexity of planning a budget not knowing how much revenue would be collected by the Village.

Mayor Horvath then referenced a map highlighting the parcels of property included in Bill 214 stating no applications had ever been submitted to the Village Planner on behalf of the included parcels. The recent school re-districting was discussed briefly. The audience was reminded of the purpose of this meeting and appropriate points of contact regarding issues with the school redistricting.

At this point of the meeting Mayor Horvath invited questions from the audience.

3. QUESTIONS AND ANSWER

Q: How does the land within Wesley Chapel compare to surrounding municipalities regarding land to home ratios?

A: Weddington and Marvin is the same and both have conservation subdivisions.

Q: Are any of those municipalities having problems with developers wanting to develop in their area?

A: They have the same restrictions with the biggest difference being the school zoning district.

A home builder came forth and told the Mayor and the audience he could not afford to build within Wesley Chapel due to the ordinances currently in place. He felt the ordinances were written when the economy was much stronger and needs to be reviewed to allow an easier process for future development with the Village. The mayor responded that the residents do not want denser developments located within Wesley Chapel.

Q: If the de-annexation is approved will property taxes be raised for those that remain with the Village?

A: That is unknown at this point in time. Potential projects would certainly be pushed back.

Q: Who represents the parcel owners within the Village not petitioning to be de-annexed?

A: Senator Tucker has received over 1000 emails of residents voicing their opinions.

At this point of the meeting Senator Tucker introduced himself to the audience and gave a brief history regarding the incorporation of Wesley Chapel. He then stated he received the initial petition and confirmed there was no communication between the petitioners and the council. He told Mayor Horvath that he was not going to act on the annexation and that no action was required from the Village. Senator Tucker assumed the council knew what was going on with the petition especially considering a sitting council member is included in the petition. Senator Tucker stated the petitioners felt intimidated by the structure and did not want to make any mad so filed their petition directly with him at the state level. In turn, Senator Tucker immediately contact mayor Horvath and told him what he thought the petitioners wanted, which was senior living. It was stated one petitioner had a potential contract for senior living but the Village has no ordinance pertaining to senior living. Senator Tucker stated he would file the petition in order to get the council moving on the issue. It was confirmed as the Bill is over no additional people can be added to it at this point of the discussion. It is currently in the Rules Committee and has not moved from there. Senator Tucker stated he has been in contact with Mayor Horvath on the status of adopting a senior living ordinance which is close to being done although it has been looked at for the past three years. Senator Tucker stated the petitioners feel as though the council is not willing to work with them. Additionally, Senator Tucker suggested to the council as a show in good faith to work on R40 clustering to help assist the parcel owners in the selling of their property. It was stated some of the petitioners are requesting to be rezoned commercial.

Council Member Rosoff wanted it to be known she had not heard of the de-annexation until it was brought to their attention in January as previously stated. She stated Council Member Plyler told her something was coming but would not tell her exactly what it was. She questioned why Senator Tucker did not ask Mayor Horvath to act upon this issue when it was first brought to his attention.

She stated the council are working on the two topics he suggested and questioned why the state is still moving forward with the de-annexation. Council Member Rosoff explained she has been trying to communicate with the petitioners since January, and is having no luck with any petitioners responding to her requests. She stated the podium is open to the public during public comments at council meetings if they would like to voice their concerns and asked why no one is willing to talk with her and the council. Senator Tucker stated if the R40 cluster was passed before the end of session and work on the senior housing, it might show a different outcome.

Senator Tucker informed the audience that he will be moving the Bill from the Senate Rules Committee into the Local Government Committee by April 29th. If it is passed at this level it will move to the Senate floor and be voted on. It will then be sent over to the House where Representative Horn will receive it and refer it to the House Committee on Rules Committee. The Bill will sit with no action be taken at this point allowing the opportunity for conversation and action between the Village and petitioners.

At this point of the meeting Senator Tucker responded to questions from the audience.

Q: What is the incentive to plan together and have this solved?

A: The incentive is the Bill will be moved and become law if the council does not choose to work with the petitioners and do R40 clustering and senior housing. If the council does what it is supposed to the Bill will be probably die in the House.

Q: You mentioned in your history recap there are 50 people looking for de-annexation and you have received 1000 emails. You also stated that prior to annexation parcels were R40 and remained R40 when annexed into Wesley Chapel. Who is hearing from the 7950 residents of Wesley Chapel?

A: The council, and they are aware the majority of residents do not want the de-annexation to be approved. They have been asked to do something in rezoning in a short amount of time which they don't want to do. It pushes them from where they have been working from work and if they work on that part of then there may be a reasonable outcome that the de-annexation does not take place. If they do not then Senator Tucker stated he will push forward to have it done. It was stressed that Senator Tucker had expressed to all parties involved including the press he felt it could be worked on at a local level.

Q: You have mentioned senior housing and conservation subdivisions in your comments, but what happens if 7950 people want zoning to remain as it is? How do their voices get heard?

A: Speak to your council. If there is no additional zoning ask them to adopt conservation zoning. They have a choice to do that or not. We are still talking about the same amount of houses on the same amount of acres just put together on the same plot of land.

Mayor Horvath added to the conversation stating a public hearing will be done in advance of each issue going before council for possible adoption. Holding a special meeting is also an option available to hear from the residents.

Mayor Horvath responded to the question;

Q: Is the senior housing that is being considered still zoned one (1) house per one (1) acre?

A: No, I believe the option is either free standing homes is three (3) per acre or the pinwheel options allows four (4) homes per acre.

Discussion took place regarding the fact that some petitioners wanted to move forward with the de-annexation regardless of the proposed two rezoning outcomes. The meeting asking for Council Member Plyer's resignation was referred to by Mayor Horvath. Senator Tucker added that the Bill does have all parties and residents talking about the topic at hand and was the motivation behind his decision to move forward with Bill 214.

A statement was made by an audience member that since both Mayor Horvath and Senator Tucker made mention of Becky as a petitioner and was not present at the meeting, she would like to try and relate to the reason why she and her family joined the petition. Becky's house is next door to McDonalds and Antioch Rd and there had been a major discussion with the Planning Board and some council members that there would be no more commercial, it would be R40. No rezoning, no exceptions. If they should decide to sell that house, to them and years ago when the town was incorporated it was a commercial area. How would you put houses on one acre on their property? It should be and had always been planned for commercial. It had been stated by Planning Board that there would be no more commercial was repeated again by the audience member.

Mayor Horvath responded that some Planning Board members made such statements but as a complete board that was not correct. It was voted on as part of the proposed Land Use Plan. The audience member stated that the Land use Plan was the first thing that the Town Planner looks at when approached. She added that the Plyler family were told they would not be allowed to sell their property as commercial.

Mayor Horvath explained that the property is zoned R40 and stated when only one piece of a conversation is known those hearing it do not get the full picture. He said the full picture is that the family owns part of the land next to their home which is zoned commercial and that is the reason the complex is there due to the commercial zoning. That was one of the reason they were living next to commercial zoning. Secondly, years ago there was a significant push to move the commercial center of Wesley Chapel.

The audience member stated prior to being voluntarily annexed into Wesley Chapel the property was zoned commercial with the County. The town adopted what the county had already had it zoned which was commercial. Mayor Horvath explained the difference between zoning and the Land Use Plan. He stated the county had that property listed as commercial in its Land Use Plan but was zoned as R40 which is where the confusion lies. What a property is zoned and what it is listed as in the Land Use Plan are not the same. The audience member responded that the Plyler family had every right to sell their commercial property which they did, but questioned what that had to do with the remainder of their property and what they could do with it in the future.

Mayor Horvath responded a joining properties to commercial do not automatically deem them as commercial also.

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Senator Tucker then reminded the audience of where the Bill is now, what can be done by the Village and what the process will be moving forward as previously discussed earlier at the meeting.

Council Member Rosoff questioned the Senator on the possibility and procedure involved of the State dissolving the Village of Wesley Chapel.

An audience member wanted to make the point that the property value within Wesley Chapel was hard to meet for a young family and that she did not want to box property owners in from selling their properties.

Discussion on future growth, commercial and residential ratios with the Village took place. Mayor Horvath highlighted the Village of Wesley Chapel kept all zoning the same as it was with the county, no parcels were changed. A couple of properties have been rezoned thereafter at the request of the property owner, not the Village.

Q: The question was raised upon the percentage of feedback that had been received from residents based upon the two de-annexation meetings and the 1000 emails Senator Tucker had received. Would a resident survey be conducted to receive a better representations from citizens?

A: Mayor Horvath stated a resident survey was put on hold to work on this matter but did not address the de-annexation topic. An outside entity would be needed to perform such as survey to assist with the phrasing of questions for clear clarity. Mayor Horvath stated there was not enough time to have this completed before the end of session when a decision will or will not be made on Bill 214.

Q: In regards to conservation subdivisions is the land area protected forever or can it be built on at a later date?

A: Typically an ordinance is written in a way to prevent building on the designated land area within a conservation subdivision.

An audience member questioned if I have 50 acres what do you say I need to do with that 50 acres? One house per acre, R40? I work for the school system and I don't want to build anything that will impact the schools right now which is why I would like to do senior housing. It has taken three (3) years and someone else to get the ball rolling for me.

Mayor Horvath explained he feels that the two options the Village has been asked to work on is reasonable he expressed his concern being the time frame given. He also discussed conditional zoning as an option in the future.

4. ADJOURNMENT

The meeting ended at approximately 3:08 p.m.

Respectfully submitted,

2015.04.11 minutes

Cheryl Bennett, Town Clerk

Mayor Brad Horvath