

VILLAGE OF WESLEY CHAPEL
COUNCIL MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
May 13, 2015 – 9:30 A. M.

The Village Council of Wesley Chapel, North Carolina, met in the Town Hall at 6490 Weddington Road, Wesley Chapel, North Carolina.

Present: Mayor Horvath, Mayor Pro Tem Como, Council Members Kenary, Plyler, and Rosoff.

Others Present:

Clerk/Finance Officer Cheryl Bennett; Planning/Zoning Administrator Bill Duston

Citizens Present: Rebecca McManus, Jim Rodgerson

Meeting was called to order at 9:30 AM and a quorum was present.

1A. PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Horvath led the Pledge of Allegiance and gave the invocation.

1.B. ADDITIONS, DELETIONS AND ADOPTION OF AGENDA

The following items were added to the agenda;

2.B. - Discussion and possible vote on Senior Housing

2.C. - Safety Committee update

Council Member Rosoff motioned to approve the amended agenda; Mayor Pro Tem Como seconded the motion.

The motion passed unanimously.

2.A. PENDING ISSUES RELATING TO PARK UPGRADES

Mayor Pro Tem Como informed the Council the Village Attorney had a few minor contract changes on the already approved bids for the water and electrical updates at Dogwood Park.

Council Member Rosoff asked the Council to consider making a Parks and Recreation department to facilitate budgeting needs and efficiency in the future. Council Member Rosoff reminded the Council the proposed Parks and Recreation 2015/16 budget was not solely for Dogwood Park but other Village owned property. The need for a professional with Parks and Recreation knowledge was voiced by Council Member Rosoff with Mayor Pro Tem Como asking this be placed on a Village Council meeting agenda as an item for discussion in the future. Council Member Rosoff offered to investigate the details on developing a Parks and Recreation Department.

2.B. DISCUSSION AND POSSIBLE VOTE ON SENIOR HOUSING

Mayor Horvath stated that at the previous Council meeting the Village Planner had brought up an issue regarding density relating to Senior Housing. Village Planner Duston referred to the

Subdivision Ordinance Section 402.5 which reads as follows; “Minimum lot sizes, as prescribed by the Zoning Ordinance, shall be exclusive of any required buffer, open and/or common areas, floodplains or floodways, lakes/ponds, and wetlands. Individual lot sizes on proposed subdivision plats shall not be calculated by averaging or through the application of similar mathematical techniques in order to satisfy this Ordinance’s requirements”.

Mr. Duston stated the focus for senior housing has been on density not on minimum lot size and will be done under the Zoning Ordinance, and offered a variety of options to Council for consideration. Mayor Pro Tem Como verified the options were to include or exclude flood land or send this item back to the Planning Board which in turn allows them to make a recommendation to the Council. To remain consistent with other subdivisions within the Village, Mayor Pro Tem Como stated he felt inclined to exclude flood plains from the density with no need to send it back to the Planning Board. Council Member Kenary voiced her concern of not including Planning Board and their past objections when Council has taken on items themselves, not seeking the Planning Board’s review and recommendation. Council Member Plyler agreed with Mayor Pro Tem Como. Mayor Horvath added the item was not to approve a subdivision but was to approve an ordinance. Mr. Duston pointed out any senior housing development would be by conditional zoning or a conditional use permit, not by right, and any conditions have to be above and beyond the code, not go below. Mayor Horvath noted this also allows us to address where the senior housing should be.

Mayor Pro Tem Como made a motion not to send this item to Planning Board for review and that the Council vote on this item at today’s meeting; Council Member Plyler seconded the motion. Council Member Kenary stated the advantage of including the Planning Board in the process and the possible action of the Planning Board kicking back items to the Council in the future. Village Planner Duston read aloud section 402.5 to the Council. If you include all of 402.5 it includes all the common open space and in theory all of the senior housing development can be common open space if there is no or very little fee simple area. Council Member Rosoff stated her initial thought was we do not allow buildings on wet lands and flood plains. Bill Duston stated roads are not now included in the minimum lot size, so if we use density, it will be inclusive of roads.

The motion passed 3-1 with Kenary voting nay.

Mayor Pro Tem Como motioned to adopt the senior housing text with the change Council Member Plyler suggested making the garage size two (2) car minimum instead of two and a half car; and to add text described by the Village Planner in 6.10.11.G – “maximum density shall be determined based on exclusions of floodplains or flood ways, lakes/ponds, and wet lands” as indicated in Section 402.5 of the Wesley Chapel Subdivision ordinance with the statements of reasonableness and consistency as prepared by staff. Council Member Plyler seconded the motion. Council Member Plyler stated duplexes should go back to Planning Board and can be added later; she had talked to another banker. Rich Heareth from Epcon Properties asked if there is any flexibility in setbacks and densities, and stated with detached units they would not get to the three unit per acre density, they would be at two units per acre. Mr. Duston clarified the maximum density is three or four units per acre, you can go below that number. Mayor Pro Tem Como stated they worked at length in coming up with setbacks and went on field trips to view senior housing. Mayor Horvath noted there can be future amendments. Mr. Heareth stated with most municipalities they work under conditional zoning and start with a blank piece of paper. Council Member Kenary noted she had brought up zoning districts; Mayor Horvath noted that

may not mean different conditions. Mr. Duston noted in Marvin they do start with a blank piece of paper, which is really individual zoning districts just for that project, but this is not what we adopted for conditional zoning. Weddington has conditional zoning like ours. Mineral Springs is a hybrid of Marvin and us, they allow a 10% deviation on signs for example. Council Member Plyler said we need to revisit conditional zoning, it is too strict.

The motion passed 3-1, with Kenary voting nay.

The approved text is hereby incorporated by reference and made a part of these minutes, and attached at the end of the minutes.

2.C. SAFETY COMMITTEE UPDATE

Council Member Plyler announced Jim Dale was elected Chairperson for the Safety Committee. Both Jim Dale and Marty Kohlmeier who are currently serving as alternates need to be appointed to full members which then results in both alternate positions being vacant.

The committee would like feedback from Council regarding goals they have for the committee moving forward. Council Member Plyler relayed Captain Luke's statement that Wesley Chapel was a safe place and that the committee is currently working on the National Night Out annual event. A brief discussion took place between Council Members Kenary and Plyer regarding past direction on setting goals and objectives to a committee as well as committee minutes.

Mayor Horvath appointed Elwood "Jim" Dale and Carl "Marty" Kohlmeier from alternate positions to full members and removed Hank Pressley from the Safety Committee.

The Safety Committee also requested the Administrative Assistant attend their meetings to do their minutes.

3. REVIEW OF PROPOSED 2015/16 BUDGET

Revenue Discussion

Mayor Horvath pointed out to the Council the revenue neutral tax rate of \$0.0177/\$100 valuation which is an increase of \$0.0012 due to recent property re-valuations from the county.

If no increase was made it would lower the revenue figure by approximately \$8,650.

As no decision has been made regarding the de-annexation requests and the fact the budget needs to be approved by June 30th, 2015 it was stated the figures being reviewed included all petitioners as Wesley Chapel residents and changes will need to be made if Bill 214 is approved.

Mayor Horvath continued reviewing the General Fund items with the Council and noted the loss of privilege license revenue and increase in vehicle registration. Finance Officer Bennett explained to Council what she takes into consideration as a basis for estimating revenues.

Expenditure Discussion

Mayor Pro Tem Como suggested the addition of filing cabinets for elected officials and wall décor for the Town Hall building. An amount of \$1,000 was agreed upon and added to the Office Equipment line item for the purchase of filing cabinets for Council to use at the Town Hall.

Council Member Kenary suggested an increase in the Town Hall Utilities line item of \$1,000 due to the irrigation system being implemented.

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Council agreed to add \$1,000 to Town Office- Maintenance Services to allow an annual window cleaning and a periodic deep cleaning to be performed.

Finance Officer Bennett explained the purpose and official usage of the Contingency line item to Council.

Discussion took place regarding a Village newsletter and resident survey. Costs involved, distribution periods, and responsibility of items were all mentioned. Council agreed to budget \$5,000 to conduct an impartial and accurate resident survey.

Finance Officer Bennett explained the increase in Travel & Entertainment was due to the fact there could potentially be three newly elected officials appointed in December and the costs involved for classes/courses they are required to attend.

The opportunity of seeking sponsorship for the Youth Council Committee 5K race was posed to assist in offsetting the cost of the event to the Village. Council Member Kenary will be supplying Council with a more detailed breakdown of expenditure requested by the Youth Council Committee at the next budget meeting.

Mayor Horvath noted the next budget meeting was to be held on May 20th, 2015 at 9:30 a.m. and discussion would strictly pertain to 2105/16 budget only.

4. ADJOURNMENT

Mayor Pro Tem Como motioned to adjourn; Council Member Rosoff seconded the motion.

The motion passed unanimously.

The meeting ended at approximately 11:28 a.m.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Brad Horvath

**TEXT CHANGES
SENIOR HOUSING DEVELOPMENT STANDARDS
ADOPTED BY THE WESLEY CHAPEL VILLAGE COUNCIL
MAY 13, 2015**

1. Add the following definitions to Section 2.2, “Definitions”:

Pinwheel Home.

A building containing four (4) individual dwelling units which share one (1) sidewall and one rear wall with another unit in that building.

Senior Housing Development.

A planned development of three (3) or more dwelling units that:

1. Are occupied by elderly persons under a Federal, State or local governmental program;
2. Are occupied solely by persons who are 62 years or older; or,
3. Are occupied with at least one person in each dwelling unit who is 55 or older in at least eighty (80) percent of the occupied units, and the development adheres to a policy that demonstrates an intent to house persons who are 55 or older.

A senior housing development may consist of detached single-family dwellings, and/or pinwheel homes. A senior housing development may also be referred to as “senior housing”. A senior housing development will only be approved in an allowed zoning district through the issuance of a conditional use permit (CUP) or through the rezoning of the subject property to an R-80, R-60, R-40, RA-40, R-20, RA-20, B-1, B-2, I-1 or O-I conditional zoning district.

2. Amend Section 5, “Table of Uses” as follows:

1. Add “senior housing” as a conditional use [or subject to conditional zoning approval] within the R-80, R-60, R-40, RA-40, R-20 and RA-20 districts, subject to performance criteria contained in Section 6.10.11.

3. Add the following to Section 5.1.3(a), 5.2.3(a), 5.3.3(a), 5.4.3(a), 5.5.3(a), 5.6.3(a), 5.7.3(a) and 5.8.3(a), “Minimum Lot Area (in the R-80, R-60, R-40, RA-40, R-20, RA-20, B-1, B-2, L-1 and O-I districts):

Senior Housing Development- Fifteen (15) acres

4. Add the following to Section 5.1.3(b), 5.2.3(b), 5.3.3(b), 5.4.3(b), 5.5.3(b), 5.6.3(b), 5.7.3(b) and 5.8.3(b), “Minimum Front Yard Setback (in the R-80, R-60, R-40, RA-40, R-20, RA-20, B-1, B-2, L-1 and O-I districts):

Senior Housing Development- Refer to Section 6.10.11.

5. Add the following to Section 5.1.3(d), 5.2.3(d), 5.3.3(d), 5.4.3(d), 5.5.3(d), 5.6.3(d), 5.7.3(d) and 5.8.3(d) **“Minimum Side Yard Setback (in the R-80, R-60, R-40, RA-40, R-20, RA-20, B-1, B-2, L-1 and O-I districts):**

Senior Housing Development- Refer to Section 6.10.11.

6. Add the following to Section 5.1.3(e), 5.2.3(e), 5.3.3(e), 5.4.3(e), 5.5.3(e), 5.6.3(e), 5.7.3(e) and 5.8.3(e) **“Minimum Rear Yard Setback (in the R-80, R-60, R-40, RA-40, R-20, RA-20, B-1, B-2, L-1 and O-I districts districts):**

Senior Housing Development- Refer to Section 6.10.11.

7. Add the following to Section 5.1.3(f), 5.2.3(f), 5.3.3(f), 5.4.3(f), 5.5.3(f), 5.6.3(f), 5.7.3(f) and 5.8.3(f) **““Maximum Building Height” (in the R-80, R-60, R-40, RA-40, R-20, RA-20, B-1, B-2, L-1 and O-I districts):**

Senior Housing Development- Refer to Section 6.10.11.

8. Add the following as Section 6.10.11, **“[Performance Criteria for] Senior Housing Developments”:**

6.10.11 Senior Housing Developments

A. Minimum Project Area:

Fifteen (15) acres

B. Reserved

C. Minimum Front Yard Setback:

Detached dwelling units: Thirty-five (35) feet

D. Minimum Side Yard Setback:

Detached dwelling units: Fifteen (15) feet

Pinwheel Home: None, except there shall be a minimum forty (40) foot separation between any two (2) pinwheel buildings.

E. Minimum Rear Yard:

Detached dwelling units: Forty (40) feet

Pinwheel Home: Forty (40) feet

F. Maximum Building Height:

Detached dwelling units: Thirty-five (35) feet

Pinwheel Home: Thirty-five (35) feet.

G. Maximum Density

The maximum density for a senior housing development comprised of single-family detached dwellings shall be three (3) units/acre; the maximum density for a senior housing development comprised of pinwheel homes shall be four (4) units/acre. Densities shall be determined based on the exclusion of floodplains or floodways, lakes/ponds and wetland areas as prescribed in Section 402.5 of the Wesley Chapel Subdivision Ordinance.

H. Screening

A minimum forty (40) foot screened buffer, per standards contained in Section 4.2, shall be provided along all side and rear lot lines of a senior housing development.

I. Garages

Each dwelling unit within a senior housing development shall be provided with a garage that is large enough to simultaneously accommodate 2.0 automobiles.

J. Off-street Parking

Designated visitor parking shall also be provided within the senior housing development at a rate of one (1) space per three (3) dwelling units.

K. Exterior Building Materials

All dwelling units within a senior housing development shall have exterior materials made out of brick, stone, stucco, fiber cement siding or similar material. Vinyl siding shall not be allowed.

L. Clubhouse

All senior housing developments shall be provided with a clubhouse/recreation center open to all residents of the development.

M. Streets

Streets within the senior housing development may be publicly- or privately-maintained and meet the appropriate design standards contained in Sections 405.1(a) and 405.10,

respectively, of the Wesley Chapel Subdivision Ordinance. Sidewalks shall be provided along both sides of all streets, whether public or private, within the senior housing development and along any portion of the subject property having an entrance along a major thoroughfare, minor thoroughfare or collector street as designated on the MPO's Transportation Improvement Plan (TIP). Sidewalks shall be constructed per Section 405.8(a) (3) of the Wesley Chapel Subdivision Ordinance.