

Agenda
Wesley Chapel Planning Board, Special Meeting
Monday, February 22, 2016

- 1. Pledge and Invocation**
- 2. Public Comment**
- 3. Additions, Deletions and Approval of Agenda**
- 4. Approval of Minutes**
- 5. Adopt 2016 Planning Board Meeting Schedule**
- 6. Amending the Future Land Use Plan Map**

Based on a request by the affected property owner, Mr. Eddie Horne, the Village Council has asked the Planning Board to consider placing a commercial land use designation on the Future Land Use Map for Lot 06075008D, a 2.12 acre lot located at the northwest corner of Waxhaw-Indian Trail Road and New Town Road. The property has a “low-density” residential classification on the Future Land Use Map and is zoned R-40. (**NOTE:** The property diagonally across New Town Road from this property is zoned B-2.) A copy of the Future Land Use Map that the Village Council used for their discussions at their November 2015 meeting is enclosed.

7. Amending the Future Land Use Plan Text

Conditional zoning applications have been filed for two senior housing developments, one that contains 72 units along NC 84 and one that contains 136 units off of Cuthbertson Road. The Planning Board Chairman has asked that the Planning Board have a discussion on potentially placing a cap on the number of senior housing units and senior subdivisions allowed in the Village. Staff felt that such language would be most appropriate in the Village’s Future Land Use Plan text. A copy of the Future Land Use Plan text is attached.

8. Conditional Zoning Request CZ15-01

Liquid Management (a.k.a. Dennis Moser) is requesting conditional rezoning approval on Lot 06024013B, a 24-acre tract of land on NC 84, for a 72-lot senior

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housing development. Two community input meetings were held on this proposal on January 5 and 19, 2016. Attached in your packets are the following items:

1. Rezoning Application;
2. Staff Report;
3. Site Plan;
4. Written Comments Received at the Community Meetings;
5. Minutes of the Community Meetings;
6. Letters of approval from various review agencies; and,
7. Emails received by staff from the general public pertaining to the rezoning

9. Final Plat Approval, Trinity Acres Subdivision

Mr. Joe Poats is requesting final plat approval to split one lot into two lots for Lot 06102004B located at the corner of Lester Davis and New Town Roads. Normally, this would have been an administrative subdivision which staff could approve. Since there was a subdivision of land within the past three years of property adjacent to this tract in question, this subdivision is classified as a “minor subdivision”. Staff has given preliminary plat approval to the subdivision.

10. Proposed Text Change- Temporary Family Health Care Structures (Continued from the October 2015 Planning Board Meeting)

A staff report and proposed text are attached regarding adding “Temporary Family Health Care Structures” in Wesley Chapel in response to legislation adopted by the North Carolina General Assembly earlier this year. Also attached is a copy of the legislation enacted into law.

11. Proposed Text Change- Protest Petitions

A staff report and proposed text are attached regarding removing the ability of property owners to file a “protest petition” with respect to a proposed change to the Zoning Ordinance map. This is in response to legislation adopted by the North Carolina General Assembly earlier this year. Also attached is a copy of the legislation enacted into law.

12. Proposed Text Change- Subdivision Bonds

A staff report and proposed text are attached regarding adding changes to the Village’s Subdivision Ordinance regarding subdivision performance and maintenance bonds. These changes are in response to legislation adopted by the North Carolina

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13. Proposed Text Change- Conservation Zoning (Continued from the October 2015 Planning Board Meeting)

The Village Council has asked the Planning Board to take another look at the conservation zoning text that had previously been recommended for approval. Specifically, the Council would like to get the Planning Board's opinion on deleting the requirement that any conservation subdivision contain a minimum of fifteen (15) acres, as shown in the definition of "conservation subdivision". A copy of the proposed conservation zoning text language is included in your handout.

The Village Council, at their November 9, 2015 meeting, also requested the Planning Board look at three additional items relating to conservation zoning:

1. Allowing minimum lot sizes to be reduced to a figure between 20,000 and 25,000 square feet. The text that the Planning Board recommended was to allow lots to be as low as 30,000 square feet. This is referenced as Section 6.10.12(F)(1) in the proposed conservation zoning text.

2. To allow floodplains, lakes, ponds and wetlands to count towards minimum lot sizes in conservation subdivisions. The Village's current subdivision ordinance text, Section 402.5 (shown below), excludes floodplains and floodways, lakes, ponds, and wetlands from counting towards minimum lot sizes.

402.5 Minimum lot sizes, as prescribed by the Zoning Ordinance, shall be exclusive of any required buffer, open and/or common areas, floodplains and floodways, lakes/ponds and wetlands...

3. Reducing the minimum width of lots in a conservation subdivision to 100 feet. The text that the Planning Board had recommended was 120 feet as shown in proposed conservation zoning text as Section 6.10.12(F)(5).

14. Discussion on changing Planning Board meeting day and time.

15. Other Business

16. Adjourn

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