

Agenda
Wesley Chapel Planning Board Meeting
Monday, October 24, 2016 – 7 pm

1. Pledge and Invocation
2. Public Comment
3. Additions, Deletions and Approval of Agenda
4. Approval of Minutes
5. Review Proposed Changes to the Village’s Stormwater Text.

Bonnie Fisher met with two Planning Board members (Vince Gahren and Amanda Fuller) in August 2016 to discuss possible changes to the Village’s stormwater regulations. Accordingly, text was written by Ms. Fisher and reviewed by the Village’s legal staff. Ms. Fisher will be in attendance at the Planning Board meeting to discuss these changes. The following items are attached:

- A letter from Ms. Fisher dated June 2, 2016 that was discussed Mr. Gahren and Ms. Fuller in August;
- Proposed text changes; and,
- Proposed changes to the stormwater maintenance covenant agreement (**NOTE:** The covenant is not part of the Village’s stormwater regulations but rather is an agreement that is executed between the Village and the developer).

6. Possible Zoning Ordinance Text Changes for the Planning Board to Consider:

A. **Square Footage Threshold for a Conditional Use Permit for Uses in the B-1, B-2 and O-1 Zoning Districts.**

The Zoning Ordinance has two standards: (1) In Section 3.1.2, the text states that “Individual [permitted] uses exceeding a gross floor area of 2,000 square feet will be permitted on a conditional use basis only”. The preamble to the Table of Uses states “Any permitted individual use having a gross floor area in excess of 10,000 square feet shall require a conditional use permit in the B-1, B-2 and O-1 districts”.

I have only once had to apply this rule and have used the 2,000 sf threshold. But the Ordinance should be consistent. Only one standard should apply.

B. **Definition of “Restaurant”**

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Section 2.2 of the Zoning Ordinance defines “Restaurant” as follows:

“As outlined in NCGS 18B-1000, an establishment substantially engaged in the business of preparing and serving meals. To qualify as a restaurant, an establishment’s gross receipts from food and nonalcoholic beverages shall be not less than thirty percent (30%) of the total gross receipts from food, nonalcoholic beverages, and alcoholic beverages. A restaurant shall also have a kitchen and an inside dining area with seating for at least 36 people”.

The Zoning Ordinance has two other definitions for restaurants, “Fast-food restaurant” and “Drive-in/ Drive through Restaurant”. What happens if a “mom and pop” restaurant that otherwise meets the definition of “restaurant”, does not serve liquor, and wants to have a seating capacity of less than 36 seats, and this use wants to locate in Wesley Chapel”? According to our Zoning Ordinance, this sort of use would not be allowed. Perhaps a slight adjustment to our definition of “restaurant” is in order. I have looked at the definition of “restaurant” from a few other communities (i.e., Matthews, Indian Trail and Stallings) and none of these communities have definitions of “restaurant” that address seating capacity.

C. Construction Announcement Signs

There is inconsistency in the Zoning Ordinance regarding how subdivision announcement signs are regulated. **Section 2.2 of the Zoning Ordinance defines “construction announcement signs” as follows:**

“A sign placed at a construction site identifying or announcing the project or the name of the architect, engineer, contractor, financier, or others involved in the development of the project”.

Section 8.5 (C) regulates “[Temporary] Construction Announcement Signs as follows:

*“Announcement signs are signs that indicate the name, address, etc. of firms making improvements on property. One sign per project shall be permitted and shall require a Sign Permit, good for one (1) year and renewable, one time, for one (1) additional year and shall be single faced of a maximum area of twenty (20) square feet. **Announcement signs shall not be used to advertise real estate or subdivisions.** No illumination of announcement signs shall be permitted.*

While Section 2.2 allows such signs to identify the name of the project (i.e., a subdivision), Section 8.5 (C) suggests otherwise. Subdivision announcement signs are common in new developments and there should be a way for the Village to allow them.

7. Other Business

8. Adjourn

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