

VILLAGE OF WESLEY CHAPEL  
PLANNING BOARD MEETING MINUTES  
December 28 2009, 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, with Chairman Chuck Adams presiding.

**Present:** Chairman Chuck Adams, Vice Chairman Sandi Bush; Members- Ray Davis, Stephen Keeney and Alternate Bill Fairman (seated as regular member);

**Absent:** John Grexa, Alternate Shirley Wilson

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

**Citizens:** Carol Mullis

The meeting was called to order at 7:00 pm; a quorum was present.

1. Pledge and Invocation

Chairman Adams led the pledge; Keeney gave the invocation.

2. Additions, Deletions and Approval of Agenda

It was noted that the agenda had been received seven days before the meeting, which is late according to the Rules of Procedure. Langen reported there was a legal investigation going on because an applicant wanted to use the old Allen Tate space at the shopping center, and they were checking to see if a veterinary clinic was acceptable. It was resolved last week, and determined that a CUP was not necessary. Mayor Horvath said they determined the original CUP covered this use even though there have been ordinance changes to square footage and uses since the 2003 CUP was issued. He explained they won't have overnight boarding, but may have occasional overnight patients from surgery. Langen said they have an agreement to walk the dogs on the grass behind the shopping center. Langen also noted the Ordinance Review Committee met December 15 which also delayed the agenda. They will now start meeting the first week of the month to reduce timing conflicts. Chairman Adams noted his concern was that we have talked about timing of the agenda and backup a number of times and he did not receive his until December 22; with Christmas he didn't have enough time to do it justice. Langen said he will try to get it out on time in the future. Agenda items were briefly discussed; Fairman said he brought up the item of Village liens on un-maintained properties, and was wondering if the village could get a top priority lien for work done on such properties. Due to the delay of the agenda, Fairman made a motion to table items 5, 6 and 7 to next month. Keeney seconded the motion.

The motion passed unanimously.

3. Approval of Minutes

Bush made a motion to approve the November 23, 2009 minutes, Davis seconded the motion.

The motion passed unanimously.

4. Essential Services – Screening and Landscaping

Langen reported he received a letter from David Grant, the urban forester, with a species list and recommended plant spacing and buffer width. For diversity he recommends three or more species. Langen noted in this case we are buffering the essential service itself; the recommendation is two rows of trees, and twelve-sixteen feet between trees. Mr. Grant looked at our existing appendix with the list of species, and recommended removal of six types of trees, because they are invasive, exotic, and/or replace native species. We could keep our appendix 1, strike the six species, and add appendix 2 for essential services only. Langen added that we might want to add any trees on appendix 2 to our list in appendix 1. Langen noted his new draft of Section 4.2(4) (f) references the new appendix; and language at 4.2.10 requires a minimum buffer width of thirty feet, with seven medium maturing trees per hundred feet, and seven small maturing trees or shrubs per hundred feet for Essential Services.

Bush made a motion to approve the changes to Section 4.2, incorporated herein, with adding two rows of trees and add “or comparable plan subject to the Zoning Administrator’s approval”, and add the recommended changes to the lists of plants in the appendix. Davis seconded the motion.

The motion passed unanimously.

**Section 4.2 Screening and Landscaping**

4. Required trees and shrubs within the buffer shall meet the following standards:

- (a) Forty percent (40%) of the required trees within the buffer shall be large ~~mature~~ maturing trees.
- (b) All trees shall have a minimum caliper of two and one-half (2 1/2) inches, measured six (6) inches above ground and the minimum height of all trees shall be eight (8) feet at the time of planting;
- (c) Shrubs shall be evergreen and at least three (3) feet tall when planted with the average height of six (6) feet in three (3) to four (4) years. However, twenty-five percent (25%) of the shrubs may vary from the above standard. The allowed variations are as follows:
  - (i) Shrubs may be deciduous; or
  - (ii) Shrubs may be two (2) feet tall when planted, provided an average height of three (3) to four (4) feet is expected as normal growth within four (4) years.

Shrubs planted on a berm may be of lesser height, provided the combined

height of the berm and plantings is at least eight (8) feet after four (4) years.

- (d) Shrubs and trees shall be on the approved plant list in Appendix 1; (See Article 17)
  - (e) All specifications for the measurement, quality, and installation of trees and shrubs shall be in accordance with the “American Standards for Nursery Stock: published by the American Association of Nurserymen, and free of disease; and
  - (f) Twenty-five percent (25%) of all trees shall be evergreen, except when screening Essential Services. Essential Services are to be screened by one-hundred percent (100%) evergreen trees, from Appendix 2: List of Acceptable Screening Plant Species for Essential Services and shall consist of at least three (3) difference species.
5. Landscaping buffers will have an arrangement of trees and shrubs in the buffer area, which shall be done in a manner that provides a visual separation between abutting land uses. Shrubs shall be massed in rows or groups to achieve the maximum screening effect, except when screening Essential Services. Essential Services are to be screened in a uniform manner to provide consistent screening from all adjacent properties-, as determined by the Zoning Administrator.

~~4.2.10 Essential Services, Classes I, II, III, IV shall be naturally screened on all sides in compliance with the Screening and Landscaping provisions of Section 4.2 above. In addition, best efforts will be made by the developer to select plants native to the region for purposes of hardiness, drought tolerance, and cohesion with surrounding landscape.~~

Essential Services (excluding transmission lines), Classes II and III shall be naturally screened on all sides in compliance with the following requirements;

- a. Class I and Class IV – None
- b. Class II and Class III: Minimum Buffer Width thirty (30) feet, seven (7) medium maturing-trees per 100 feet, seven (7) small maturing trees or shrubs per 100 feet, in two rows, as measured from Essential Service Facilities and associated parking, or an acceptable landscaping plan as part of the conditional use process.

Screening shall also comply with additional requirements in Section 4.2.

**Article 17-A**

**APPENDIX 1: LIST OF ACCEPTABLE PLANT SPECIES**

**Large Maturing Trees**

<u>Botanical Name</u>	<u>Common Name</u>
Abies firma	Japanese fir
Acer platanoides	Norway Maple
Acer rubrum	Red Maple
Acer saccharinum	Silver Maple
Saccharum	Sugar Maple
Alnus incana	Sugar Hackberry
Amelanchier Canadensis	Serviceberry
Betula nigra	River Birch
Carya illinoensis	Pecan
Carya glabra	Shagbark hickory
Carya cordiformis	Pignut hickory
Cedrus deodara	Deodar cedar
Celtis occidentalis	Hackberry
Cryptomeria japonica	Japanese cryptomeria
Cupressocyparis leylandii	Leyland cypress
Diospyros virginiana	Persimmon
Fagus grandiflora	American beech
Fraxinus americana	White ash
Fraxinus pennsylvanica	Green ash
Ginkgo biloba	Ginkgo
Gleditsia triacanthos inermis	Thornless honeylocust
Gymnocladus dioica	Kentucky coffee tree
Juniperus virginiana	Eastern red cedar
Liquidambar styraciflua	Sweetgum
Liriodendron tulipifera	Tulip poplar
Magnolia acuminata	Cucumber tree
Magnolia grandiflora	Southern Magnolia
Nyssa sylvatica	Black gum
Picea abies	Norway spruce
Picea orientalis	Oriental spruce
Picea pungens	Colorado spruce
Pinus bungeana	Lacebark pine
Pinus echinata	Short leaf pine
Pinus nigra	Austrian pine

(Large Maturing Trees Continued)

<i>Pinus sylvestris</i>	Scotch pine
<i>Pinus thunbergi</i>	Japanese black pine
<i>Pinus taeda</i>	Loblolly pine
<i>Pinus virginiana</i>	Virginia pine
<i>Platanus acerifolia</i>	London planetree
<i>Platanus occidentalis</i>	Sycamore
<i>Pseudotsuga menziesii</i>	Douglas Fir
<i>Quercus acutissima</i>	Sawtooth oak
<i>Quercus alba</i>	White oak
<i>Quercus bicolor</i>	Swamp white oak
<i>Quercus borealis</i>	Northern red oak
<i>Quercus coccinea</i>	Scarlet oak
<i>Quercus falcata</i>	Southern red oak
<i>Quercus laurifolia</i>	Laurel oak
<i>Quercus macrocarpa</i>	Bur oak
<i>Quercus nigra</i>	Water oak
<i>Quercus phellos</i>	Willow oak
<i>Quercus rubra maxima</i>	Eastern red oak
<i>Quercus shumardi</i>	Shumard oak
<i>Quercus velutina</i>	Black oak
<i>Quercus virginiana</i>	Live oak
<i>Salix babylonica</i>	Weeping willow
<i>Sophora japonica regent</i>	Japanese pagoda tree
<i>Taxodium distichum</i>	Bald cypress
<i>Tilia cordata</i>	Littleleaf linden
<i>Tsuga caroliniana</i>	Carolina hemlock
<i>Tsuga canadensis</i>	Eastern hemlock
<i>Ulmus alata</i>	Winged elm
<i>Ulmus americana</i>	American elm
<i>Ulmus parvifolia</i>	Lacebark elm
<i>Zelkova serrata</i>	Japanese zelkova

**Small Maturing Trees**

<u>Botanical Name</u>	<u>Common Name</u>
Acer buergeranum	Trident maple
Acer campestre	Hedge maple
Acer ginnala	Amur maple
Acer griseum	Paperbark maple
Amelanchier arborea	Service berry
Betula platyphylla japonica	Japanese white birch
Carpinus betulus	European hornbeam
Carpinus carolinana	American hornbeam
Catalpa bignonioides	Southern catalpa
Cornus florida	Flowering dogwood
Cornus Kousa	Kousa dogwood
Cornus mas	Cornelian-cherry dogwood
Cercis candensis	Eastern redbud
Crataegus phaenopyrum	Washington hawthorne
Cupressus arizonica	Arizona cypress
<del>Eleganus angustifolia</del>	<del>Russian olive</del>
Eriobotrya japonica	Loquat
Halesia carolina	Carolina silver bell
Hammamelis mollis	Chinese witch-hazel Ilex
Fagus sylvatica	European beech
Fosteri	Foster holly
Ilex opaca	American holly
Ilex opaca hume	Hume holly
Ilex x attenuata 'Fosteri'	Foster hybrid holly
Ilex x attenuata savannah	Savannah holly
Kowlrwuteria bipinnata	Chinese flame tree
Koelreutraria paniculata	Golden raintree
Lagerstroemia indica	Crape myrtle
Magnolia soulangeana	Saucer magnolia
Magnolia stellata	Star magnolia
Malus floribunda	Flowering crabapple
Malus hybrida	Flowering crab apple
<del>Morus alba</del>	<del>White mulberry</del>
Morus alba 'Pendula'	Weeping white mulberry

Small Maturing Trees (Continued)

Osmanthus americanus	Devilwood
Ostrya virginiana	Ironwood
Oxydendrum arboreum	Sourwood
<del>Paulownia tomentosa</del>	<del>Empress tree</del>
Prunus carolinana	Carolina cherry laurel
Prunus cerasifera 'Atropurpurea'	Pissard plum
Prunus cerasifera pissardii	Purpleleaf plum
Prunus cerasus	Sour cherry
Prunus serrulata kwanzan	Kwanzan cherry
Prunus subhirtella pendula	Weeping cherry
Prunus yedoensis	Yoshino cherry
Pyrus calleryana	Callery pear
Pyrus calleryana Bradfordi	Bradford pear
Pyrus calleryana 'Redspire'	Redspire pear
Pyrus calleryana 'Capital'	Capital pear
Quercus acuta	Japanese evergreen oak
Quercus glauca	Ring cupped oak
Ulmus parvifolia	Chinese elm
Viburnum rufidulum	Southern blackhaw

**Shrubs**

<u>Botanical Name</u>	<u>Common Name</u>
Abelia grandiflora	Glossy Abelia
Aucuba japonica	Japanese Aucuba
Azalea hybrida	Glendale azalea
Azalea Indica	Indian azalea
Azalea Obtusum Kaempferi	Kaempferi azalea
<del>Bambusa multiplex</del>	<del>Hedge bamboo</del>
Berberis julianae	Wintergreen barberry
Berberis thunbergii	Japanese barberry
Camellia japonica	Camellia
Camellia sasanqua	Sasanqua camellia
Chaenomeles speciosa	Flowering quince
Cleyera japonica	Cleyera
Euonymus alatus	Winged euonymus
Euonymus japonicus	Evergreen euonymus
Eleagnus pungens	Eleagnus
Forsythia intermedia	Forsythia

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Hammamelis virginiana	Witch-hazel
Hydrangea quercifolia	Oakleaf hydrangea
Ilex aquifolium	English holly
Ilex cornuta	Chinese holly
Ilex cornuta burfordi	Burford holly
Ilex cornuta burfordi nana	Dwarf burford holly
Ilex crenata 'convexa'	Convex japanese holly
Ilex crenata 'hetzi'	Hetzi japanese holly
Ilex crenata 'roundifolia'	Roundleaf japanese holly
Ilex 'Emily Brunner'	Emily brunner holly
Ilex glabra	Inkberry holly
Ilex latifolia	Lusterleaf holly
Ilex pernyi	Perny holly
Ilex vomitoria	Yaupon holly
Jumperus chinensis pfitzeriana	Pfitzer jumper
Jumperus chinensis hetzi	Hetzi jumper
Laurus nobilis	Laurel
<del>Ligustrum japonicum</del>	<del>Japanese privet</del>
Ligustrum lucidum	Glossy privet
Ligustrum vicaryi	Vicary goldern privet
Loropetalum chinense	Loropetalum

Shrubs (Continued)

<del>Mahonia lealei</del>	<del>Leatherleaf mahonia</del>
Myrica cerifera	Wax myrtle
Nandina domestica	Nandina
Osmanthus fortunei	Fortune tea olive
Osmanthus fragrans	Fragrant tea olive
Osmanthus heterophyllus	Holly osmanthus
Osmanthus heterophyllus roundifolius	Curly leaf tea olive
Photinia fraseri	Fraser photinia
Photinia serrulata	Chinese photinia
Pieris floribunda	Mountain andromeda
Pieris japonica	Japanese andromeda
Pittosporum tobira	Pittosporum
Prunus laurocerasus	English laurel
Prunus laurocerasus angustifolia	Narrow leaf english laurel
Podocarpus macrophyllus maki	Podocarpus
Pyracantha coccinea	Scarlet firethorn
Raphiolepis umbellata	Yeddo-hawthorn
Spirea cantoniensis	Reves spirea
Spirea thunbergi	Bridalwreath spirea

Spirea vanhouttei	Vanhoutte spirea
Taxus cuspidata	Japanese yew
Viburnum prunifolium	Blackhaw viburnum
Viburnum rhytidophyllum	Leatherleaf viburnum
Viburnum tinus	Laurestinus viburnum

**APPENDIX 2: LIST OF ACCEPTABLE SCREENING PLANT SPECIES FOR ESSENTIAL SERVICES**

**Medium Maturing Trees**

<b><u>Botanical Name</u></b>	<b><u>Common Name</u></b>
<u>Thuja occidentalis</u>	<u>Arborvitae, Eastern</u>
<u>Juniperus virginiana</u>	<u>Cedar, Easter Red</u>
<u>Cupressus arizonica</u>	<u>Cypress, Arizona</u>
<u>Cryptomeria japonica</u>	<u>Cryptomeria, Japanese</u>
<u>Magnolia grandiflora</u>	<u>Magnolia</u>
<u>Magnolia virginiana</u>	<u>Magnolia, Sweetbay</u>
<u>Chamaecyparis thyoides</u>	<u>Atlantic Whitecedar</u>
<u>Ilex spp.</u>	<u>Holly</u>
<u>Cupressocyparis leylandii</u>	<u>Leyland Cypress</u>

**Small Maturing Trees and Shrubs**

<b><u>Botanical Name</u></b>	<b><u>Common Name</u></b>
<u>Prunus caroliniana</u>	<u>Carolina Cherrylaurel</u>
<u>Juniperus chinensis x</u>	<u>Juniper, Chinese</u>
<u>Kalmia latifolia</u>	<u>Mountain Laurel</u>
<u>Magnolia spp.</u>	<u>Magnolia</u>
<u>Magnolia stellata</u>	<u>Magnolia, Star</u>
<u>Myrica cerifera</u>	<u>Waxmyrtle, Southern</u>
<u>Osmanthus spp.</u>	<u>Osamanthus</u>
<u>Juniperus chinensis</u>	<u>Chinese Juniper</u>
<u>Ilex spp.</u>	<u>Holly</u>

Items 5. “Planning Board rules of Procedure”, 6. “Discussion of Procedure for Written Recommendations to Council” and 7. “Agenda Format” were tabled to the next meeting.

8. Discussion of Village Liens on Un-maintained Properties  
Fairman noted tax liens are the in first position when a property is foreclosed; but if a house has been abandoned and the bank hasn’t foreclosed, is there some way the town can get a higher priority lien. After some discussion, Fairman was asked to look into how Charlotte’s process for fixing properties and liens works.

9. Topics to Discuss at Next Meeting

Planning Board Rules of Procedure, Discussion of Procedure for Written Recommendations to Council, Agenda Format, Village Liens on Un-maintained Properties, and the Ordinance Review Committee are topics for next month. Bush said she spoke about the roles of the Planning Board and Ordinance Review Committee (ORC) at their meeting; and it is suggested the Planning Board look at the big picture, like what is missing from the ordinance, (an example is minimum housing standards), and the ORC look at the existing ordinance. They look at other communities and come back with suggestions, the Planning Board looks at the big picture and recommends to Council areas that are missing or with a gap and Council decides what directives to give.

10. Other Business- Mayor Horvath said he respects the time and work Planning Board members put in. If the Board would like a member of Council present, they will do so. If the Board doesn't want a Council member, please let him know. He looked forward to working with the Board. He noted gaps in the ordinance appear through our growing pains, and we will address items that come up and move forward with suggestions to Council. Mayor Horvath noted communication will make it all work. Chairman Adams encouraged members to pick up the phone and call council members to keep open communication. Mayor Horvath noted Sondra Bradford is the new Mayor Pro-tem, and they will be interviewing council applicants for the open seat at the January 11, 2010 meeting.

11. Adjournment

Bush made a motion to adjourn the meeting; Fairman seconded the motion.

The motion was approved unanimously.

The meeting adjourned at approximately 8:10 pm.

Respectfully submitted

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Cheryl Bennett, Village Clerk

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Chairman Chuck Adams