

Minutes 2007.01.04

Approved 02.26.07

VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING

Thursday, Jan. 4, 2007

7:00 PM

MINUTES

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 John Troxell presiding.

Present: Chairman John Troxell; Members: Chuck Adams, Ray Davis, John Grexa, Bill Gwinn Alternate: Shirley Wilson (arrived 7:05pm)

Absent: Bill Fairman

Others Present: Cheryl Bennett, Clerk/Tax Collector; Justin Krieg, Planning/Zoning Administrator, Mayor Tracey Clinton (left early).

Visitors: Earl McCoy, Derek Smith, Gayla Adams

Item #1

Welcome

At 7:00 P.M., Chairman Troxell called the meeting to order. A quorum was present.

Item # 2

Pledge and Invocation

Troxell led the pledge and Adams gave the invocation.

Item #3

Approval of Minutes

Gwinn made a motion to approve the minutes of the November 27, 2006 meeting. Adams seconded the motion.

The motion was approved unanimously.

Item #4

Discuss – Language for “menu boards”

Adams reported he had measured many signs in Indian Trail and on Independence Blvd. He felt the most appealing was the Chick Fil-A signs, they had two signs, internally illuminated, not real high – the height from the ground was 56 inches to the top of the sign. The first sign was about 33 x 48; the second bigger sign was 76-78 inches wide, making the square footage on the first sign about 11, and on the second about 26, for a total of 37 square feet. The issue of temporary promotional signs being added to the top of the signs was also discussed. Grexa inquired why have two signs. Adams said the smaller board is to get traffic through quicker. Grexa suggested the sign materials match the main building such as brick, to make it blend in better. Troxell asked is there going to be one menu board per property such as JDH, or one per restaurant? It is per restaurant. Gwinn noted the colors are generally per the business motif, such as gold for McDonalds, and suggested we be consistent with the existing shopping center. Adams noted menu signs might not just be for fast food, could a drugstore put them up? Krieg noted we can put in language to restrict them to fast food. Adams noted that since we didn't have language for menu boards for the Village Commons, would this apply there too? Troxell answered yes it would. After some discussion, it was agreed the signs would be encased on three sides in materials similar to the building. After much discussion, a motion was made.

Adams made a motion to have the definition and ordinance language be as follows:

Definition: Menu board for drive-through restaurant – a sign associated with drive-through windows which must be internally illuminated, oriented toward drive-through traffic and indicates information that is essential for the efficient intake of orders from customers.

Ordinance language:

Menu board for drive-through restaurant sign –

1. The exterior maximum height is 60 inches, (curb side height) and a maximum of 80 inches in width; the maximum height is 72 inches from the drive surface; the internal portion for the menu is a maximum of 48 inches high by 72 inches wide, and can only be used for the sign panel

2. The maximum number of signs is two.
3. If a second sign is utilized, the exterior maximum height is 60 inches high (curb side height), and a maximum width of 40 inches in width; the maximum height is 72 inches from the drive surface; the internal portion of the menu is a maximum of 48 inches high by 32 inches wide, and can only be used for the sign panel.
4. All menu board signs shall be located at the side or rear of the principal building.
5. If two signs are erected, they must be at least 12 feet apart.
6. No additional signage may be placed on the menu board for drive –through restaurant sign.
7. Any sign must be located at least 15 feet from any property line.
8. The predominant color and material of the exterior of such signs should be the predominant color and material of the principal building.
9. If a speaker post is used, it must be of same material used for the exterior of the sign.

Grexa seconded the motion.

The motion was passed unanimously.

Item #5

Discuss – Text changes to Ordinances for ETJ

Gwinn made a motion to table discussion of the text changes to the ordinances for ETJ until a definitive answer on the legality or validity of Wesley Chapel's ETJ comes from the County Commissioners or the courts. Krieg noted we have a strict timeline to follow to implement ETJ, and we need to proceed on this. Adams noted we are in a gray area, since the county approved it and then rescinded it. He noted the Council believes we have gotten two year written notice from when we received their letter, but the County thinks they can reverse their decision since we haven't finished implementing ETJ. Krieg noted we have an option to still change the boundary. Adams said in 23 months, ETJ won't exist; we will do all this work and in 24 months it won't exist and we would have to start over. Davis seconded the motion.

Krieg noted there are 60 days from when the County Commissioners gave us approval to establish a boundary ordinance; we need to vote and approve the

text changes to the ordinance tonight to stay in the timeline. Troxell inquired if the Planning Board doesn't do this tonight, can the Council still approve the text changes? Wilson said do we remember why we incorporated, we did not want Indian Trail to have control, but we are doing more than Indian Trail did. Grexa expressed thanks to those who created a great town, and noted we are just trying to preserve it.

Krieg noted there are three options when the text amendments go to the Planning Board: a) they may adopt them, or b) adopt and revise them, or c) reject them. Then council can call for the text amendment and Public Hearing, if you don't adopt it, the Council can still move forward. Troxell noted this is a sensitive subject, but we don't want to put the town in more jeopardy by not doing this tonight. Earl McCoy said the Council already has a Public Hearing scheduled, whether you make a decision or not, the Council is going forward.

Adams, Davis and Gwinn voted to approve the motion.

Grexia voted against the motion.

The motion was passed, 3-1.

Item #6

Distribute and Discuss - Tree Ordinance Survey

Krieg distributed the tree ordinance survey which David Grant provided to determine our focus for a Tree Ordinance. This should be distributed to anyone you feel might be interested in providing some input in the way of Tree Ordinances and Wesley Chapel. Krieg asked that members fill it out and bring it to the next meeting, and Krieg will give it to Council will distribute surveys to the Village Council members. David will assemble and analyze our results.

Item #7

Discuss – Non-residential uses allowed in residential zoning districts

Krieg reported on the research he did; regarding cemetery and family plots, he contacted the health department, and it just can not be in a drainage field; regarding the minimum acres for a day care center, per our Ordinance it is 3 acres; a modular home is considered to be stick built and is permitted in Wesley Chapel; double-wides are allowed only in RA 40; single-wides are not permitted.

On the Table of Uses we will take out automobile/race track.

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There are three categories of day care – small group is by right; a day care center is per a CUP, and a center associated with a church or school is a CUP. Gwinn made a motion to approve the Table of Uses as written. Adams seconded the motion.

Grexa abstained since he has not attended the meeting where they were discussed.

Adams, Gwinn and Davis voted yes.

The motion was approved.

Item #8

Other business

No other business was discussed.

Item #8

Adjournment

Motion to adjourn by Gwinn and seconded by Davis. Motion passed unanimously.

Meeting adjourned at 9:10 PM.

Respectfully submitted

Cheryl Bennett
Village Clerk

John Troxell, Chairman