

VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
February 25, 2008, 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 John Grexa presiding.

Present: Chairman John Grexa; Members- Chuck Adams, Ray Davis, Stephen Keeney, Alternates - Bill Fairman, Shirley Wilson

Others Present: Cheryl Bennett, Clerk; Justin Krieg, Planning/Zoning Administrator; Citizen Carol Mullis; Council Member Sondra Bradford

1. Pledge and Invocation

Grexu led the pledge, and Adams led the invocation.

2. Approval of Minutes

Adams made a motion to approve the minutes of the January 28, 2008 meeting; Davis seconded the motion.

The motion was approved unanimously.

3. Liquor by the Drink – Discuss/Vote

Sondra Bradford discussed the proposed text changes. Per ABC, non-profits don't usually serve liquor, and if they do, it would be a one time use; so if we take them out, it won't hurt them. Bradford said country clubs are not considered by ABC to be private clubs, they consider them sports club, and they apply for that type license. She suggested we add a line in the Table of Uses for sports clubs, and non-profits and refer fraternal lodges to non-profits. Bradford's concern is with how the Ordinance is written, that it doesn't line up to the State categories. The state doesn't distinguish between bars and restaurants. Bradford suggested we don't allow restaurants, bars, or lounges in B1 (B1 parcels are Wachovia, the Sunset gas station, and a small parcel on Billy Howey south of New Town Rd.). This wouldn't limit carry out restaurants from B1. Bradford would like to change the restaurant definition to refer to the General Statutes, and have G.S. provisions. Krieg noted this would not allow us to accommodate a restaurant with less than 36 seats.

The question of regulating behavior came up. Adams said he doesn't object to a place like in Monroe that is primarily for drinking.

Keeney quoted from the Ordinance on the B1 zoning, that it allows for neighborhood uses for the convenience of local residents. By restricting to B2, it forces them to the shopping center. Other ways to regulate stand alone restaurants are land values, table of uses, can add CUP for restaurants, can add Xs, could adopt form based code.

Krieg said the process to become B1 would involve re-zonings, and the current council only wants commercial at the current intersection.

Adams said if someone has 4 acres, a house and room to park, are zoned R-40, and nothing is around it, their son is a chef and they want to open a restaurant, they can't do it. They would have to be rezoned and go through a CUP.

Krieg said you could make restaurants a conditional use; it would give Council opportunity to add reasonable conditions.

Adams asked if we know that all these clubs listed under non-profit are really non-profit; some operate bars like Legion and VFW.

Bradford said a private club can serve up to 100% alcohol.

Carol Mullis asked if it is a conflict of interest for Sondra Bradford as a council member to be here. Krieg said she won't profit from it, so it should be okay.

Bradford asked if the Planning Board would feel more comfortable if restaurants would be a conditional use in B1.

Krieg said we could change the X to a C for restaurants in B1; and not make restaurants a conditional use in B2.

We will change Lounge/Bar and Restaurant to a conditional use in B1, and it will still be a use by right in B2 and LI.

Consensus was to not add sports club to the definitions; and add a reference to NC GS 18B-1000 to Country Club.

Adams asked where a private city club (usually for dining for members and guests) would fit in. Krieg said it would be a restaurant.

Davis made a motion to table the other proposed changes regarding Sports Clubs, Non-Profit Clubs, Lodge, and Fraternal Lodges; Keeney seconded the motion. The motion passed unanimously.

Adams said he would like the info on proposed changes two weeks ahead of the meeting.

02.25.08 Planning Board minutes
approved 03.24.08

4. Public Water/Sewer v. Private Well/Septic – Discuss
This item was tabled to March.

5. Retirement Home District – Discuss

Davis reported some information from a large retirement community in S.C. Krieg said it is inappropriate to have a retirement district or overlay, he suggested through the zoning ordinance you allow densities and lot sizes to do this; another way is to have a PUD, Planned Unit Development, which can include retail and amenities. Davis made a motion to table this item to the March meeting; Adams seconded the motion. The motion passed unanimously.

6. APFO – Text Amendment – Discuss/Vote

The APFO was adopted by council by Resolution November 21, 2006. There is currently a lawsuit from the Home Builders Association against the County. The attorney suggested we add this language to our ordinance. Krieg recommended we waive the 15 day rule, since it was sent to Planning Board with less than 15 days to review. Davis made a motion to waive the 15 day rule; Wilson seconded the motion. The motion passed unanimously. Wilson made a motion to recommend approval of adding the APFO language as a text amendment in the form of Appendix 17-C. Adams seconded the motion. The motion passed unanimously.

Proposed Text Amendment to Incorporate Union Co. APFO into the Wesley Chapel Zoning Ordinance
Appendix 17-C
Adequate Public Facilities

Any permit which authorizes the construction of a dwelling unit shall be subject to Section 360-373 of the Union County Land Use Ordinance (Adequate Public Facilities Section.)

7. Road Intersections – Discuss
Tabled to next meeting.

8. Other Business

Davis asked that members let the Chairman know when they will not be at a meeting.

02.25.08 Planning Board minutes
approved 03.24.08

9. Topics to Discuss at Next Meeting
Public v. Private Water/Sewer, Liquor by the Drink, Retirement Homes,
Road Intersections.

10. Adjournment

Adams made a motion to adjourn the meeting; Keeney seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 9:30 pm.

Respectfully submitted

Cheryl Bennett, Village Clerk

Chairman John Grexa