

**VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
May 21, 2012, 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.

Present: Chair Sandi Bush, Vice Chair Stephen Keeney, Chuck Adams (arrived late), Ray Davis, and John Grexa; Alternates Jeff Davis and Ashleigh Mock

Absent: Alternate Dan DeMattos

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

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

1. Pledge and Invocation

Chair Bush led the pledge; Vice-Chair Keeney gave the invocation.

2. Public Comments - none

3. Additions, Deletions and Approval of Agenda

Stephen Keeney made a motion to adopt the agenda, Ray Davis seconded the motion.

The motion passed unanimously.

4. Approval of Minutes

Ray Davis made a motion to approve the minutes from April 23, 2012; Stephen Keeney seconded the motion.

The motion passed unanimously.

5. Section 5 Table of Uses and Article 5 Zoning District Regulations

Langen noted an item on the ordinance priority list is setbacks. In B-2 zoning they occasionally have uses more than 2,000 square feet at the shopping center, so he did not require a CUP within a CUP such as for PetSmart. Always requiring a CUP seemed too restrictive for uses of 2,000 square feet or more, so he changed it to 10,000 square feet in the proposed amendment. Sandi Bush asked why it was reduced from 3,000 to 2,000 square feet back on January 12, 2004. Langen said uses are pretty well covered in the Table of Uses, so size is important for this. He noted the CUP follows the land in case of change of owner. (Chuck Adams arrived at this time). In the proposed text amendment the size was changed from 2,000 to 10,000 square feet at Section 5.5.3(b), 5.6.3(b), and 5.8.3(b). Langen changed the B-1, B-2 and O-I front yard setback from 80 to 65 feet; he based it on needing twenty feet for parking, and twenty feet for a driveway plus a twenty-five foot setback; also trying to ensure some green space and roads may be widened in the future. If parking is in the side or rear, the setback would be twenty-five feet.

Section 5.5.3(e)(2) was changed to keep a twenty foot side yard setback for all other uses, thinking commercial should not be right on the lot line. Chuck Adams said if two businesses abut you would need forty feet between them, why? Langen said it provides room for owners to do maintenance on their building and also some green space. Stephen Keeney asked if this is starting from the right-of-way? Langen said most right-of-way is ditch to ditch, i.e. maintenance right-of-way. At Section 5.5.3(f) (2), and Section 5.6.3(f) (2) the twenty foot rear yard setback was expanded to all uses. Langen changed the B-2 minimum side yard setback from forty feet to twenty feet and eliminated the exceptions; he thought forty feet was too much. John Grexa said he thought forty feet when adjacent to residential was better; he noted you can start higher and the applicant can request less. The role of a variance was discussed, a variance should be hard to get and only when you can make no use of the property otherwise.

Ray Davis said the two acres we are getting from JDH appear to be zoned commercial; Langen said they were not part of the CUP. Adams asked what it was zoned. Langen said it was a hybrid parallel rezoning and CUP; he was told you shouldn't do that. Adams asked if a business comes next to a residential property, do you have to do screening; you do. Ashley Mock said you should require more space (thirty feet) when next to residential, like the subdivision near Kensington. Jeff Davis agreed. Ray Davis agreed thirty feet next to residential is good; as did Adams. Keeney agreed with the concept. Grexa agreed thirty feet on any side that abuts residential is good. This will also apply to B-1.

For Light-Industrial, Langen expanded the minimum side and rear yard setback to forty feet for all uses, noting light industrial may be manufacturing and a little more obnoxious. For Office-Institutional Districts side and rear yard setbacks, Langen changed the "none" to "twenty feet"; Adams commented we should change the requirement when the rear yard abuts any residential district from forty feet to thirty feet as in B-1 and B-2. Grexa agreed on keeping it consistent and Keeney noted with a CUP you can make it larger. The maximum square footage for requiring a CUP was discussed. Langen's reasoning was most noxious uses are covered by a CUP. He thought Walgreens is about 12,000 square feet.

Adams requested that this text amendment be brought back in final form next month; Keeney and Mock agreed.

6. Wesley Chapel Land Use Plan

Langen began the review of the Land Use Plan. He did some updating on the first page, and will delete the reference to a middle school, and keep in the office space reference. In reviewing the Land Use Planning Process, discussion went to senior living; Grexa questioned that he thought you couldn't restrict to senior living; Langen said you can restrict through traffic standards. He suggested making a column like "Residential – High Density" in the Table of Uses and put a CUP requirement. Bennett questioned the wording "continuing care residential facilities" since that is really a business as contrasted to senior living housing. Langen said you can restrict it to a percentage. Grexa said you can open doors but you may not want to. Keeney asked if a developer

could present something that might require re-zoning or a change to the zoning codes; Langen replied yes. Mayor Horvath noted cluster housing is an example we might like. Langen made a change in the review process of the Land Use Plan from annual to every five years. Land Use Plan goals and policies were reviewed. Under Goal 1, "To maintain the strong single family low-density residential character of the Village" Adams asked if we are going to re-zone, Langen said no, the Land Use Plan is just one factor. Policy 3 allows for manufactured housing in designated areas; Langen said it is allowed in RA-40, but he didn't think we had any areas zoned RA-40. In Policy 5 and 6 the reference to future amendments was deleted since the changes have been done.

Chairman Bush had sent comments on the land use plan to Langen by e-mail; they were reviewed. One was to encourage greenways and nature preserves, along with wildlife preserves; Langen said this could be added as Policy 9 if near the proposed Carolina Thread Trail. Adams said we should encourage trails in sewer easements, like near Hawfield Road. Langen noted street connectivity can be tricky because people can use it as a cut through. Adams said Holly Park, where there is a main street, but no houses back up to it, is a good example. Keeney inquired if this would exclude high end gated communities. Langen said you could build the greenway on the other side of the wall, or we could exempt gated subdivisions. Keeney noted this is why you would want to stay at a conceptual level. Langen suggested a Policy 10, "Subdivision designs which promote connectivity of streets between subdivisions is encouraged". Langen noted back in the early nineteen hundreds, there were main streets one side loaded, with a park on the other side. He was not a fan of houses backing up to a greenway; maybe we could have a percentage of the greenway along the road for better visibility and safety. Ashley Mock asked if you can prevent premature subdivisions where they clear the land and only a few homes are sold. Langen said we can encourage open space conservation subdivisions where designated. Adams asked why in conservation areas you would want to be on top of each other; Langen replied there is a middle ground with half acre or three-quarter acre lots. Langen said one acre homes are very inefficient to DOT and they will raise your gas taxes; it also is inefficient for water and gas lines; in fifty years you will have a massive problem. Adams said in his subdivision there is a mix of sizes from half acre to one acre lots. Langen said you can give some flexibility –perhaps 20% can be less than one acre; and have a mixture; quarter acre or smaller lots is what we don't want. Keeney said if you want green space, you should go to a three acre minimum. Langen said banks don't let you do a minimum size house on a three acre lot. Ashley Mock suggested adding safe and attractive development to the policies. Langen said there has been a backlash in state government on restricting home design. Chairman Bush said some older subdivisions don't have lighting for safety.

Langen asked that Planning Board members read Goal 2 and send comments to him.

7. Procedure for Violation Complaints

No backup was provided on this item. Chairman Bush asked what is currently documented. Langen referred to Section 10.6. Keeney asked all members to become familiar with Section 10.6 and next month come back with any proposed changes to it.

8. Other Business

Mayor Horvath noted two Planning board positions expire in June; Sandi Bush is re-applying, and Ray Davis is retiring. Council discussed that the longest reigning alternate member might move up. Regarding the town hall, the Mayor noted we spent months with Aston on water detention and then the access road. The six acres have a number of easements; we now have an agreement to build a road. The total driveway cost should be about \$100,000, and our share will be no more than \$35,000.

9. Topics to Discuss at Next Meeting

Topics include the Section 5 Table of Uses and Article 5 Zoning District Regulations; Land Use Plan- goal 2; procedure for violation complaints, and yard definitions.

10. Adjournment

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

The motion was approved unanimously.

The meeting adjourned.

Respectfully submitted

Cheryl Bennett, Village Clerk

Chairman Sandi Bush