

**VILLAGE OF WESLEY CHAPEL  
PLANNING BOARD MEETING MINUTES  
October 22, 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, Jeff Davis, John Grexa

**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.

Chair Bush reported that alternate Ashleigh Mock submitted her resignation from Planning Board.

2. Public Comments – none

3. Additions, Deletions and Approval of Agenda

Chuck Adams made a motion to adopt the agenda; Jeff Davis seconded the motion.

The motion passed unanimously.

4. Approval of Minutes

Stephen Keeney made a motion to approve the minutes from September 24, 2012 with the correction that Ashleigh Mock was not present; John Grexa seconded the motion.

The motion passed unanimously.

5. Article 2 & Article 4 – Yard Definitions & Garage Setbacks

The definition of “Corner Lot” was discussed; Langen had added “platted” to this definition. John Grexa asked (regarding the “Yard, Front.” definition) if we record it when the Zoning Administrator designates which yard is the front yard; Joshua Langen said we do keep a record of it. Diagrams were added to the Side Yard definition; the Board liked them. Chuck Adams made a motion to accept the Article 2 definitions of corner lot, front yard, rear yard and side yard. Stephen Keeney seconded the motion.

The motion passed unanimously.

Article 4 was reviewed next. After some discussion, “Garages” was added to section 4.9.1. This section calls for a setback of fifteen feet from the side or rear lot line. Zoning Administrator Langen said the setback would be 15 feet or the distance as shown on the recorded plat, whichever is less. John Grexa said if you are the neighbor, you might want the longer setback used. Langen said if the side setback is ten feet, should we also use that for the rear setback. Clerk Bennett asked if we should ask the attorney if we can

change the setback on existing lots with recorded setbacks. Langen will see if we addressed the existing plat setbacks on lots developed under the County but zoned R-40. A sentence will be added to this, saying front and side setbacks for accessory buildings shall comply with setbacks for principal buildings.

In Sections 5.1.3, 5.2.3, 5.3 and 5.4 Langen struck the sentences saying if a buffer is provided the setback shall be measured from the edge of the buffer area; the Board concurred. If the buffer was on the property, this would allow an owner to build up to the property line. The minimum rear yard setback for R-20 was reduced by Planning Board to 30 feet from 40 feet for single family dwellings and modular homes.

#### 6. Wesley Chapel Land Use Plan

Discussion focused on Goals and Policies. John Grexa said he didn't like incentivizing anything such as in policy four, and felt it creates a slippery slope. Stephen Keeney said he likes the concept of incentivizing; it gives the ability to give and take, and noted these are goals and policies. He said he preferred this over legislating against. Jeff Davis and Chuck Adams agreed with Keeney.

Policy 2 under Goal 2 (prevent strip development from occurring anywhere in Wesley Chapel by limiting new non-residential development to designated strategic locations) was discussed. John Grexa said Policies 2 and 3 should be struck since we have commercial areas that haven't even been completed. He suggested we should wait five years and then review this. "Small-scale" recreational opportunities will have to be defined. John Grexa said Highway 84 is not going to be a quaint village center; it will be more like Highway 74. Jeff Davis said these are just concepts. Chuck Adams said he didn't think we should totally eliminate other commercial opportunities. "Medical office developments shall be limited to no more than 2 acres in size at each of the three undeveloped corners" was deleted; Clerk Bennett asked as a citizen if this opens the three corners to twenty acres of assisted living and medical facilities. Langen said we can designate areas on the map where owners could ask for re-zoning.

Planning Board agreed with deleting Policies 4 (limited commercial development at New Town Road and Waxhaw Indian Trail Road on 1.45 acres) and 5 (no big box stores of 60,000 square feet or more). In old Policy 6 (new Policy 4), it was suggested to change "suburban" to "rural".

Zoning Administrator Langen asked if there was anything else that should be included; what if a large tract wanted to bring in a lot of jobs. Chuck Adams said we would not be interested in a factory due to the traffic it would bring.

Langen will bring a clean copy of this next month, and we will move into Goal 3.

#### 7. Article 4 – Subdivision – Section 408 Fees-in-Lieu

Langen presented revised text for section 405.4 first and the question came up on what is "dedicated" land; Sec. 408.4 says the Village may sell the land. We need a definition of "dedicated". Langen's changes to this section includes reference to an adopted Transportation Plan and platted thoroughfare road right-of-way, and platting the buffer. He deleted the last sentence which said any constructed devices allowed within the buffer area shall be approved by the Zoning Administrator. In subsection 17 he changed the text so the buffer shall count towards open space dedication, but not be substituted for by fees in lieu, and deleted the reference that it be in addition to lot area and setback shall be

measured from the nearest edge of the buffer; as well as deleting the text which said the buffer shall become part of the lot on which it is located, or deeded to the HOA. In Section 408.1(a), Langen limited dedication of land to major subdivisions and deleted the word “public” in front of park. The provision that the minimum amount of land to be dedicated for a public park or recreation be at least two acres, was deleted, as was the provision that when an area to be provided is less than 2 acres, the subdivider be required to make payment in lieu of the land. In subsection (c), (in reference to dedication of land), he changed Village Council to Planning Board at time of preliminary plat approval, and added “approved or required by Village Council at the time of final plat approval”. In the same subsection under “Unity”, he changed approval power from Council to Planning Board.

Section 408.2 – Langen changed the text to say, the decision to require the land or payment of a fee in lieu shall be made by Village Council after “having received a recommendation from the Planning Board.

#### 8. Other Business

Mayor Horvath reported the town hall groundbreaking was Saturday at 2 pm. We worked with the lowest bidder Morlando Construction, and the architect, and came in with some cost savings, but were still \$155,000 short, so Council allocated additional funds to the project. The road access estimates came in \$14,000 higher than budget, our share is 32.3%; and we don’t have an option B, so Council agreed to additional funds there also. Mayor Horvath spoke to Aston today, Morlando was the second lowest bidder on the roadway, and Aston is going with the low bidder J.B. Presslar.

#### 9. Topics to Discuss at Next Meeting

Topics include the Land Use Plan, yard definitions and garage setbacks, and the fee-in-lieu of land on subdivisions.

#### 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