

**VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
May 19, 2014, 7:00 PM**

MINUTES

The Planning Board of the Village of Wesley Chapel, North Carolina, met at Town Hall, 6490 Weddington Road, Wesley Chapel, NC 28104.

Present: Chairman Stephen Keeney, Vice Chairman Chuck Adams, Members Jeff Davis, John Grexa; Alternate Sandy Ells; John Bowen (sitting as regular member)

Absent: Alternate David Boyce

Village Staff present: Cheryl Bennett, Village Clerk; Bill Duston, Planning/Zoning Administrator

Others Present: Mayor Brad Horvath, Butch Plyler; Doug, Jon & Julie Horne; Carol Mullis, Keith Cooper, Mel Graham

1. Pledge and Invocation

The meeting was called to order; a quorum was present. Stephen Keeney led the pledge of allegiance and Chuck Adams gave the invocation.

2. Public Comment

Carol Mullis asked everyone to use the microphones, she had asked the Mayor to have a deputy at the meeting; and wanted to know if the Chairman had been asked; and said the agenda had not been posted on the website earlier in the day. Vice Chair Chuck Adams noted this is a time for public comments, not questions.

3. Additions, Deletions and Approval of Agenda

The Arborbrook Christian Academy CUP item was postponed; it was the attorney's opinion that it needed to be re-notified. An item was added to re-evaluate the Rules of Procedure. Chuck Adams motioned to approve the amended agenda. Jeff Davis seconded the motion.

The motion passed unanimously.

4. Approval of Minutes

David Boyce had emailed two changes to item 7 from April 28, 2014: "regular members may historically have more experience, and thus more knowledge to particular cases"; and that the motion was that the "Chair or Acting Chair" have the ultimate call on when the alternate steps down and the regular member be seated. Chuck Adams changed the last sentence of item 2 to Mr. Bennett said he "will" resign. Chuck Adams motioned to approve the amended April 28, 2014 minutes. Jeff Davis seconded the motion.

The motion passed unanimously.

5. Brookmeade Subdivision Preliminary Plat, Modification Request

This had been submitted before Planning and Zoning Administrator Duston was here, and the modifications went directly to Council. Toward the end of preliminary plat approval, we had received the DOT letter that they would not take over subdivision roads and the developer had made the roads publicly dedicated with private maintenance. The roads met our code except for the modification for the cul-de-sac width. Then DOT changed their position and said they would take over the roads if they met DOT standards. The plat has twenty foot roads, and no curb and gutter (since that was an approved subdivision modification by Council). Mr. Duston provided Planning Board with John Underwood's email and excerpts from the DOT manual. Per John Underwood the twenty foot roads exceed DOT standards, but DOT will take them over. Mr. Duston spoke with our engineer and asked them to resubmit for stormwater due to the changes. The modification is to reduce street width from twenty-six feet to twenty feet, and reduce cul-de-sac diameter from one-hundred feet to seventy feet. DOT will not accept subdivision roads for maintenance with a width over twenty feet. Vice Chair Chuck Adams questioned why Council would approve no curb and gutter. Keith Cooper, project manager, said the subdivision is sixty-five lots on eighty-two acres and a low impact factor is no curb and gutter; with no piping and 24% or less impervious surface they meet the low impact criteria. Anything impervious adds up. There is an open swale or "disconnected" system, instead of detention ponds which have on-going expense. Sandy Ells asked if rolling curb has less impact; Keith replied no, it would still be a problem. Mel Graham added "no curbs" was already approved and submitted to the builder; the state gave them no choice, and wanted eighteen feet roads, but he pushed them to twenty feet. There were questions on the difference in road standards on page 26 and 27 of the NC DOT manual.

Keith Cooper said when they first met with DOT they said the streets were too wide; the main roads are twenty feet and the cul-de-sacs eighteen feet. Since there are only two 600 foot cul-de-sacs, DOT approved the twenty feet. They are leaving the right of way the same, just having less pavement. Chuck Adams asked what the roads would look like; Mr. Cooper described them. The water sheets off the grade, across the sidewalk, and into the ditch. The sidewalk is on one side of the road only. Mr. Adams noted except at the driveway, you have to jump over the ditch to get to the road.

John Grexa motioned that because Council made the original modifications, to send this to them with no recommendation and let them make the decision. Jeff Davis seconded the motion. Chuck Adams said he didn't like the plan, there should be curb and gutter, and he did not like the ditch on the roadside. Chairman Keeney asked about the impact on the homeowners to maintain the roads. Mel Graham said there would be more HOA dues including amortized capital improvements; it would bring down the price of the house because to qualify you have to include higher HOA dues. Keith Graham said if there are private streets, one day residents will be here asking you to take them over; driving on the pavement is good for the road; compared to being left standing idle. It would be 10-12 years before the first major renovations would be needed, he thought.

The motion passed 4-1 with John Bowen voting nay.

6. Re-evaluate Rules of Procedure

Bill Duston summarized that at the last meeting Planning Board voted that if a member is late and an alternate is seated, that the Chair will decide if the regular member is seated or

the alternate remains. This was only a concept, not formal text and he wanted it to be clear to all. John Grexa had a concern that the Chair has the ultimate call on seating a member, notifying Mr. Keeney is a credible person, but you could have a person who knows what the member's opinion is and that could sway their decision on who to seat. Bill Duston said the rationale is the member who heard everything should stay seated. Chuck Adams thought it should be defined; should a member who does not pre-notify that they will be late, be seated at all. John Grexa noted it could be an unexpected circumstance. Chairman Keeney agreed it could be a conflict of interest to allow the Chair to decide. John Bowen asked what the problem is with letting the alternate sit for the whole meeting; is it okay for alternates to give input from the floor. Chair Keeney said you are a citizen as well and welcome to participate. Mayor Horvath noted it has always been the practice to have alternates participate; alternates typically are newer and have less knowledge. Planning Board consensus was the alternate and regular member will change seats after the item is completed; Bill Duston will draft finite text and it will be up for approval at the next meeting. Sandra Ells left at this point.

7. Review of Planning Action Item List from 2014 Advance
 Bill Duston reported on the list, incorporated herein.

<p>PLANNING ACTION ITEMS 2014 VILLAGE ADVANCE</p>
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ITEM #	ACTION	STATUS	
1	Send Planning Board and Village Council a copy of the NC DOT Subdivision Manual	Completed	Emailed to PB and VC members on April 25
2	Email NCDOT to get their OK for Subdivision Ordinance text to be modified to say that subdivisions either meet NCDOT minimum standards or that streets will be built to Wesley Chapel standards and be privately maintained	Pending	To be completed in early May
3	Research public claim to private roads	Completed	Emailed Village Attorney who stated that he did not think that that was allowable
4	Research incentives for private roads	Pending	Staff will do Planners Listserv and School of Government query in early May and will report findings back to Village Council and Planning Board

5	Amend Subdivision Ordinance to reference NCDOT minimum standards	Pending	Will incorporate findings from Item 2; proposed text should be ready for Planning Board NLT June 2014 meeting (Not enough time to complete this for the May PB meeting since the meeting is being held earlier than normal due to the Memorial Day holiday).
6	Place Conditional Zoning text in Zoning Ordinance; amend existing parallel conditional use zoning text to state that full engineering plans do not need to be submitted until after rezoning and CUP are approved	Pending	Draft text should be completed for June or July 2014 Planning Board meeting
7	Research the status of surety bonds that the Village holds when the subdivider goes bankrupt	Pending	Will Planners Listserv query and will contact School of Government and Village Attorney for input on the matter; should have research completed by mid-May
8	Share with Village Council a summary of the updated Land Use Plan that the Planning Board has recommended for approval	Pending	Can be shared with Village Council in June or July 2014
9	Share with Village Council the results of the senior housing questionnaire; get direction from Village Council on how to proceed further	Pending	Will be shared with Village Council at the May 2014 meeting

Item 5 – he met with John Underwood at NC DOT today on proposed text – if the roads are not DOT maintained then we will use our standards. John Underwood encourages a stronger subcourse and that we put that in the ordinance. Proposed changes were sent to our engineer and John Underwood this afternoon. Another lift or layer will be required to be put on when 80% of the houses are built, and it will also improve aesthetics. Also no modifications on road standards will be allowed.

Chair Keeney asked if DOT has any say on private roads; Mr. Duston said only when the road intersects a DOT road, then you get a certification from DOT.

Vice Chair Adams suggested a field trip for measuring roads, and determining what turning radius is required for school buses, fire trucks, etc. to determine standards for street and cul-de-sac widths. Also there is the variable when cars are parked. Mayor Horvath noted on pages 26 and 27 of the DOT manual it defines what roads the standards apply to.

Bill Duston will contact the Board of Education, solid waste, and fire department to find out turning radiuses. John Grexa will check at the schools. Steve McLendon is the fire chief. We can call the manufacturer of the largest fire truck.

Mayor Horvath said DOT has more than one standard; there is a curb standard and one

for no curbs. One of our main problems is flooding and DOT will not upsize culverts. Our engineer takes into account building upstream, but releasing water when concentrated is a problem.

Bill Duston said the engineer had some significant issues on the five lot Wesley Manor subdivision so Council continued it to an upcoming meeting. Historically the approval letters come in before the plat is signed off, but the code says the engineer's comments need to be addressed before the plat comes to Planning Board. Vice Chair Adams agreed. Bill Duston said when a Traffic Impact Analysis (TIA) is required, he realized an independent engineer needs to review it and also DOT. He will send DOT and the consulting engineer the TIA comments.

The goal for conditional zoning draft text is June or July.

The major Land Use Plan changes will be sent to Council.

Senior housing will be reviewed with Council tomorrow; he does not have a mandate to write text yet.

The tree ordinance was on the ordinance prioritization list; he spoke to the urban forester William Smith and has a meeting with him next Thursday.

Vice Chair Adams asked for the link to the NCDOT manual; and requested a hard copy.

8. Other Business

Bill Duston handed out feedback forms from the facilitators at the Advance.

John Grexa asked about the parcel re-zoned to B-2; Bill Duston said Francisco Espinosa owns the parcel and it was re-zoned by Council in January. Mayor Horvath noted it was commercial for many years. Bill Duston said all zoning change requests must go to Planning Board, but Council does not have to abide by Planning Board's recommendations.

John Bowen asked what to do with site plans when we finish reviewing them; Bill Duston replied leave them here and we can re-cycle them. Tonight we did not get the entire set of plans, only the pertinent sheets. This is all public information.

Vice Chair Chuck Adams said he listened to the tape of the last Planning Board meeting and called Bill Bennett and the air was cleared.

9. Adjournment

Chuck Adams made a motion to adjourn; John Bowen seconded the motion.

The motion passed unanimously.

The meeting adjourned at approximately 8:50 pm.

Respectfully submitted,

Cheryl Bennett, Village Clerk

Stephen Keeney, Chairman