

**VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
October 26, 2015, 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: Chair John Grexa, Members Chuck Adams, David Boyce, and John Souza

Absent: Sandra Ells

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

Others Present: Carol Mullis, Gayla Adams, Mike Giaimo, Mayor Horvath

1. Pledge and Invocation

The pledge of allegiance and invocation were said.

2. Public Comments – none

3. Additions, Deletions and Approval of Agenda

David Boyce motioned to approve the agenda; Chuck Adams seconded the motion.

The motion passed unanimously.

4. Approval of Minutes

John Souza motioned to approve the minutes of September 28, 2015. David Boyce seconded the motion.

5. Village Survey

Mike Giaimo of Leverage Resources, LLC stated his role is to maximize participation of respondents and all committees contributing to the survey. He built a survey he felt most inviting, it includes on-line and mobile devices and is also available in print. He has controls by unique ID to verify residents only take one survey. He did not want too many repetitive questions, and felt too many questions overwhelms participants. He is just making recommendations. Each committee was asked to submit ten questions, then he determines which are repetitive or biased.

Chuck Adams inquired who will receive the survey; Mayor Horvath said council was leaning toward a physical survey and allowing two responses per household.

Chair Grexa noted he asked for the survey back when senior housing was proposed, but the question on it was deleted. Mr. Giaimo said he suggested deleting the question on senior housing because the decision had been made. Chair Grexa stated he called for a survey way before senior housing.

Chuck Adams stated we created questions in April and now its October; he had spoken with all the Council and Mayor candidates, who indicated they would like to postpone the

survey until the new council takes office. Mr. Adams motioned that we make a formal recommendation to Council to postpone the survey until after the new elected officials take office in January. At such time they can decide how they would like to continue. John Souza seconded the motion.

The motion passed unanimously.

Chuck Adams noted he did not know Mr. Giaimo, and this was nothing personal. Mr. Giaimo said he did other surveys, his typical client is corporate; he wanted to leave the new leadership with what the public wants for the future. Chuck Adams noted we don't do a survey often, and it is in the best interest of citizens to do this in January. He questioned why the simple question on taxes was changed by Mr. Giaimo to include dollar amounts. Mr. Giaimo said he was just making recommendations.

Chair Grexa said we have been R-40 for a long time, then someone wanted to sell their land and make more money. We had a re-zoning request and citizens did not want the re-zoning. People did not have a say in senior housing; the decision was just a small group who decided that. That was why Planning Board wanted to hear from the citizens. Mr. Giaimo said after the dialog today, he saw the value in the question on senior housing.

John Souza noted Planning Board was directed by council what to look at and where to go. New members of council may want us to research different things. He asked about the survey timeline. Mike Giaimo stated it depends on the timeline for both organizations, also whether it is a paper or electronic survey will affect tabulation time (between three days and a week).

Mayor Horvath stated the intent was to have committees directly submit questions, and they agreed a third party should make the questions unbiased. Planning Board was asked to tabulate the questions and they held it up a couple of months. Council and Planning Board will have many decisions to make so questions on senior housing and conservation zoning are valid. He did not have a particular problem with the motion. Mike Giaimo stated his scope of work was \$10,000, and he heard you can do a survey cheaper, but felt those surveys would produce predictable results, and said they should look at his scope of work.

John Souza asked about the tax question, and said isn't tax based on value? Mike Giaimo said he recommended specific dollar amounts so the question would not be open ended which is difficult to answer. Chuck Adams stated a better question is to ask if you want a tax increase at all. Mr. Giaimo said as a taxpayer if you say the tax is for sidewalks he would say yes to a tax increase, and felt it depends what you spend the taxes on.

Chuck Adams noted in question two, you don't state current zoning is R-40; people don't know, and the survey is also a way to be informative. Mr. Giaimo said the information at the top is great as long as it is not leading; he can add another bullet.

Mr. Giaimo was thanked for attending.

6. Proposed Text change – Learning Centers

Bill Duston noted we have one learning center and a query for another, but it is not in our Table of Uses. He proposed a definition, to add it as a use by right in B-1, B-2 and O-I districts, and add parking requirements.

Chuck Adams motioned to recommend accepting the changes incorporated herein, with the statement of consistency that the proposed text changes are neither consistent nor

inconsistent with the Future Land Use Plan (FLUP). The FLUP is largely silent on the types of non-residential uses which are preferred in the Village.

1. Add the following definition to Section 2.2, "Definitions":
Learning Center: A private entity that provides general education tutoring and college-preparatory assistance to attendees.
2. Amend Section 5, Table of Uses, to add "learning center" as a use by right in the B-1, B-2 and O-1 districts.
3. Add the following to Section 9.1.9, "Minimum Off-street Parking Requirements":

Use Classification
Learning Centers

Parking Space Requirement
One (1) space per employee during the shift with greatest employment plus one (1) space for each three-hundred square feet of gross floor area.

7. Proposed Text Change – Temporary Family Health Care Structures
Bill Duston reported this is a mandate from the state with specific rules. HOA regs can trump this. A transportable, temporary structure not greater than three hundred square feet can be placed on a piece of property so long as that person's caregiver, which must be a first or second degree relative) lives in the principal structure on the lot. Only one unit is allowed per property, and the structure must be removed within sixty days after on site care-giving ceases. If the structure were not removed it would become a code enforcement issue. It can only go in the side or rear yards (not the front yard). It would require an accessory structure permit. Chuck Adams requested to see the state statute that requires this. Mr. Duston will also send the School of Government blog post on it. Because there are several small changes coming from Planning Board, there is an agenda item for council to group items instead of having monthly public hearings, ads, and printing the changes.
Chuck Adams motioned to wait on this change to the next meeting. John Souza seconded the motion.

The motion passed unanimously.

8. Proposed Text Changes – Residential Design Standards
Bill Duston reported our senior living standards are the only place we prescribe design standards. They can stay in place for pinwheels because they are multi-family. He proposed deleting design standards for single and two family homes; since senior living is subject to a CUP or Conditional Zoning, it can be suggested, and be a fair and reasonable condition if mutually agreed.

David Boyce motioned to recommend accepting the proposed changes, incorporated herein, and the statement of consistency that the proposed text changes are neither consistent nor inconsistent with the Future Land Use Plan (FLUP). The FLUP does not address exterior building materials of residential dwellings. John Souza seconded the motion.

The motion passed unanimously.

1. Amend Section 6.10.11(K), “[Exterior Building Materials]] Senior Housing Developments” as follows:

NOTE: Proposed new text is in *bold and italicized* font.

6.10.11 Senior Housing Developments

K. Exterior Building Materials

All *pinwheel* dwelling units within a senior housing development shall have exterior materials made out of brick, stone, stucco, fiber cement siding or similar material. Vinyl siding shall not be allowed *as an exterior building material for pinwheel units within a senior housing development.*

9. Other Business

Mayor Horvath reported that before Council reviews conservation subdivisions, they questioned the minimum tract size of fifteen acres, due to a comment at the meeting. Council thought since it is conserving land, it is good at any size. He wanted to see if Planning Board agreed. Chuck Adams said he would like to discuss it and put it on the next month agenda with backup. Mayor Horvath said conservation zoning was a request from the State Senator Tucker. Chair Grexa said he never supported conservation zoning; lots will get smaller. Chuck Adams motioned to discuss it and put it on the next month agenda with backup; David Boyce seconded the motion.

The motion passed 3-1, with Grexa voting nay.

Bill Duston reported maps from NC DOT are available for review of the Rea Road Extension and Highway 84 widening.

10. Adjourn

John Souza motioned to adjourn, David Boyce seconded the motion. The motion passed unanimously.

The meeting adjourned at 8:26 pm.

Respectfully submitted,

Cheryl Bennett, Village Clerk

Chairman John Grexa