

VILLAGE OF WESLEY CHAPEL
SPECIAL COUNCIL MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
May 12, 2016 – 6:00 PM

The Village Council of Wesley Chapel, North Carolina met in the Town Hall at 6490 Weddington Road, Wesley Chapel, North Carolina.

Council Present: Mayor Kapfhammer, Mayor Pro Tem Kenary, Council Members Como, Kaperonis and Rodriguez

Others Present:

Clerk/Finance Officer Cheryl Bennett; Planning/Zoning Administrator Bill Duston

1. PLEDGE OF ALLEGIANCE AND INVOCATION *Time Stamp 0:00*

A quorum was present. Mayor Kapfhammer led the pledge of allegiance and Council Member Rodriguez gave an invocation.

2. PUBLIC HEARING TO ELIMINATE REFERENCES TO “SENIOR HOUSING DEVELOPMENTS” IN THE TEXT OF THE WESLEY CHAPEL LAND USE PLAN *Time Stamp 0:38 (Recorder malfunctioned and recording ended at 3:53).*

The public hearing was opened.

Planning and Zoning Administrator Bill Duston noted the Land Use Plan (LUP) goal 1, policy 1 states one house per acre except for senior housing, which is thus sanctioned in the LUP.

Becky Plyler spoke against eliminating the references to senior housing in the LUP.

The public hearing was closed.

3. PUBLIC HEARING TO AMEND THE ZONING ORDINANCE TO:

- a. ELIMINATE THE DEFINITIONS OF “PINWHEEL HOME”, “TWO-FAMILY DWELLING (DUPLEX)”, AND “SENIOR HOUSING DEVELOPMENT” FROM ARTICLE 2
- b. ELIMINATE SECTION 6.10.11 “SENIOR HOUSING DEVELOPMENT”
- c. ELIMINATE “SENIOR HOUSING DEVELOPMENT” FROM THE TABLE OF USES
- d. DELETE ALL REFERENCES TO “SENIOR HOUSING DEVELOPMENT” IN ARTICLE 5

The public hearing was opened.

Bill Duston reported the text in the zoning ordinance that allows senior housing is in definitions, Sec. 6.10.11, Table of Uses, and setbacks in Article 5.

Steve Keeney, former member and chair of Planning Board, spoke that Planning Board had done good work on the senior housing ordinance and it was not rushed through; this segment of the

population is growing, he said it doesn't burden the infrastructure and he did not want to lose the good work that was done.

John Lepke spoke that he was not opposed to senior housing; there was a lot of special meetings which implies a rush in contrast to the survey. He asked if any member of council has a commitment to Senator Tucker or a developer contrary to citizen wishes; and felt it prudent to delay any decisions before tabulating the citizen survey results.

Becky Plyler stated she was at the Planning Board meeting where it was said in 2015 the State passed a law forbidding moratoriums on senior housing, she felt it went to Council in a rush, and it doesn't make sense to do this.

The public hearing was closed.

4. DECISION TO AMEND THE LAND USE PLAN

Council Member Rodriguez motioned to eliminate references to senior housing in the LUP, (Ordinance 2016-06) with the statement of reasonableness that the change is reasonable as it supports the Village's goal of maintaining its low-density atmosphere. Mayor Pro Tem Kenary seconded the motion.

Council Member Como felt this was rushing this through and it did not reflect what the citizens' want, so he abstained from voting.

Mayor Kapfhammer noted in the Council meeting we encouraged Planning board to create a sub-committee to re-evaluate the ordinance, but the more we wait it contributes to confusion.

Council Member Kaperonis noted this is not a permanent measure, we are just trying to fine tune this. He was all for senior housing done the right way. Adding one is approved and two in the pipeline.

Council Member Rodriguez agreed adding we are trying to not be overwhelmed with applications, we will see what we need and go forward.

Mayor Pro Tem Kenary noted we are being pro-active and want to make the ordinance what Wesley Chapel wants, and Planning Board is putting together a sub-committee.

The motion passed unanimously (3 yeas and Como abstained which becomes a yea).

The approved Ordinance is as follows:

VILLAGE OF WESLEY CHAPEL ORDINANCE 2016-06 TO AMEND THE WESLEY CHAPEL LAND USE PLAN

THAT WHEREAS, the Village of Wesley Chapel has considered amending the Village's Land Use Plan text to delete all references to senior housing;

WHEREAS, after having held a public hearing on the matter on May 12, 2016; and

WHEREAS the following amendments are to be made to the Village's Land Use Plan text:

1. Delete all references to "Senior Housing Developments".

NOW, THEREFORE, BE IT RESOLVED that the Village of Wesley Chapel Council hereby adopts the above Land Use Plan text amendments.

Adopted this 12th day of May 2016.

Attest:

Cheryl Bennett, Clerk

Mayor David Kapfhammer

5. DECISION TO AMEND THE ZONING ORDINANCE

Mayor Pro Tem Kenary motioned to amend the Zoning Ordinance to delete the definitions of “pinwheel home”, “two-family dwelling (duplex); and “senior housing development” from Article 2, delete Section 6.10.11 “Senior Housing Development”, delete all references to “Senior Housing Development” in Article 5; and delete “Senior Housing Development” from the Table of Uses (Ord. 2016-07), with the statement of consistency that the proposed changes are deemed to be consistent with the Village’s Land Use Plan as there are no provisions for senior housing in the Land Use Plan, and the statement of reasonableness that the changes are reasonable as they support the Village’s goal of maintaining its low-density atmosphere. Council Member Rodriguez seconded the motion.

The motion passed unanimously (3 yeas and Como abstained which becomes a yea).

The approved Ordinance is as follows:

**VILLAGE OF WESLEY CHAPEL ORDINANCE 2016-07
TO AMEND THE WESLEY CHAPEL ZONING ORDINANCE**

THAT WHEREAS, the Village of Wesley Chapel has considered amending the Village’s Zoning Ordinance text to delete all references to senior housing;

WHEREAS, after having held a public hearing on the matter on May 12, 2016; and

WHEREAS the following amendments are to be made to the Village’s Zoning Ordinance text:

1. Delete the definitions of “pinwheel home”, “two-family dwelling (duplex); and “senior housing development” from Article 2;
2. Delete Section 6.10.11 “Senior Housing Development”;
3. Delete all references to “Senior Housing Development” in Article 5; and,

2016.05.12 minutes

4. Delete "Senior Housing Development" from the Table of Uses.

NOW, THEREFORE, BE IT RESOLVED that the Village of Wesley Chapel Council hereby adopts the above Zoning Ordinance text amendments.

Adopted this 12th day of May 2016.

Attest:

Cheryl Bennett, Clerk

Mayor David Kapfhammer

6. ADJOURNMENT

Council Member Rodriguez motioned to adjourn. Council Member Kaperonis seconded the motion.

The motion passed 3-1.

The meeting ended at approximately 6:25 p.m.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Dr. David Kapfhammer