

VILLAGE OF WESLEY CHAPEL
SPECIAL COUNCIL MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
June 16, 2016 – 7:00 PM

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

Council Present: Council Members Como, Kaperonis and Rodriguez

Absent: Mayor Kapfhammer, Mayor Pro Tem Kenary

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

Clerk Bennett opened the meeting noting the Mayor and Mayor Pro Tem were both absent, and asking for a motion to appoint a council member to run the meeting. Council Member Como motioned for Bill Rodriguez to run the meeting; Council Member Kaperonis seconded the motion.

The motion passed unanimously.

1. Pledge of Allegiance and Invocation *Time Stamp 0:00*

The Pledge of Allegiance was said, and invocation given.

2. Public Hearing on CZ15-02 to rezone lots for courtyards at Wesley Chapel *Time Stamp:0:18*
Council Member Rodriguez opened the public hearing.

Planner Bill Duston explained that Council can ask for fair and reasonable conditions on a conditional rezoning. Planning Board unanimously voted against CZ15-02 because it did not meet the tree mitigation requirements. Since then, two fewer lots were proposed, and more trees, so it does now meet the tree mitigation standards. Traffic also came up as an issue, and neighbors from Lawson complained they had heard the trees behind them would not come down.

Phil Finkhauser, principal at EPCON, EPCON's V.P. of Operations Rich Heareth, Wes Smith their civil engineer and Gary Finkhauser landscape architect were all present. Phil Finkhauser noted EPCON has specialized in housing for seniors with innovative courtyard homes for thirty years. Public meetings were held in January and February; they heard requests to preserve the existing fence, so they will. They heard storm water concerns, and their plan exceeds the standards. Housing will be age restricted to age 55+; 136 detached homes on 50 acres yields a density of 2.7 per acre. He stated compared to regular housing they have half the number of people per home, half the number of cars, and trips per day. Public streets will be built to NC DOT standards, and homes will have 2 car garages. Homes will be 1,500 to 4,000 square feet, with 9 foot ceilings, granite countertops, and a variety of exteriors. The side courtyards provide private outdoor enclosed areas. Rear yards are left as passive green space, HOA maintained; residents may not put a grill, etc. in the back yards. All property is maintained by the HOA including house exteriors, so it will be uniformly kept to high standards. Neighbors are protected by buffer areas. Prices are expected to be \$300,000 to \$500,000. Total value will be more than

2016.06.16 minutes

\$50 million with few school age children. There will be a clubhouse, fitness center, library, game room, kitchen, community gardens and trails. A challenge was meeting the tree code, the updated plan incorporates 1,000 new trees, and meets and exceeds the code. The mission is to provide much needed housing, provide a maintenance free lifestyle and allow people to stay in their home longer.

Public comments were heard.

Dennis Lynch spoke that he lives in South Charlotte and was familiar with Epcon, and having a son nearby he spoke in favor of the project.

Cathi Higgins spoke that she served on the Indian Trail Planning Board six years, she had concerns that it was not a true senior project, it doesn't restrict children from living there. In her research she found only Del Webb restricts persons under the age of 19. She spoke to Union County Schools, and the towns now give them the numbers of senior homes; she asked Council consider restricting children in senior housing. She added in Florida senior communities couldn't sell when the market fell, and thought developers were hedging their bets.

Becky Plyler spoke that Indian Trail citizens should tend to their own town, and not try to destroy something here. Ms. Plyler said she worked on senior housing for four years here, had toured Epcon's communities and know their quality, and added we need seniors here.

Sherri Loughlin said she lives at the Courtyards in Marvin, and works part time as a sales assistant there for Epcon, she moved there because she wanted to stay in Union County and spoke in favor.

Linda Klatt, a realtor in Ballantyne spoke that she is asked about over 55 options, Epcon is high quality, and she wanted to live in this community. She has an 8 year old grandson and she is glad to hear there are no rules against children because she would take care of him if something happened to his parents.

Leslie Filson spoke that she lives in Brookhaven, and looked at these homes in three states, and these are the best built communities. The number of cars are what he said, traffic is low, and there is not a lot of noise.

Hack Tyson who lives on Southern Trace Drive spoke of a concern on buffers and trees. Wes Smith explained there is a thirty foot required buffer, and along the line near his home it goes to 40-50 feet and up to 60-70 feet in the corner. They are saving existing trees and adding more. There is an additional ten feet to the back of the home. The buffer requires six trees and twenty shrubs per hundred feet, and they increased that. The backs of homes are passive areas, single story, and no windows, just HVAC units. There is a six foot fence between backs of homes. Bill Duston added that with a conventional subdivision there would be no buffer, and a fifteen foot setback for accessory structures, and a forty foot setback for the principal structure. Wes Smith stated they tried to focus the density inward, there is a stream down the middle. Wesley Chapel's tree requirements are stringent, and require 12.2 acres of trees preserved, roughly 25% of the acreage. Trees will be taken down where there are homes, 44 of the 72 heritage trees

(over 20" diameter) that will be taken down. They tried to save trees in groups. Bill Duston noted we the tree survey is shown on the site plan for public inspection. Wes Smith stated out of 2,000 trees there are only 72 over 20 inches.

Mary LaBar who lives on Waynewood asked if the buffer is raised and maintained. Wes Smith said it is not raised because they want to keep the trees, it will be maintained. Phil Finkhauser said the timeline is three equal phases, with a total of 36-42 months. Heavy earthwork will be first, then they will work from the front, to the middle, and last the rear. Streets will be phased.

Phil Finkhauser said this is not age targeted, it is age restricted; 80% of homes must have one resident age 55 plus. They do allow grandchildren to visit or live there, historically typically they have 2-3 school age children per 100 homes. Age restricting is permanent, enforceable by the feds, Wesley Chapel, and the HOA. A professional property manager will maintain a property census and initially verify age by driver's license. When homes sell they determine whether it must be 55 plus or an exclusion can be granted. They have rules like no swing sets, no basketball hoops, and no unattended kids at the pool, no soccer in the cul-de-sac. Phil Finkhauser added the mean age is 66, the turnover is 5% per year, homes can be rented, but it is rare because they are expensive. It is easier to deal with a renter misbehaving he said, because you can evict.

A question was asked, if it goes below 80% age 55, don't they just lose HUD certification. Bill Duston added in Wesley Chapel the only way to get this density is senior housing, if less than 80% they will be in violation of the code and he will not issue any zoning permits in the neighborhood. With conditional zoning, any significant changes will go to Planning Board and Council, staff cannot change what is approved.

Wes Smith commented storm water includes two wet ponds, and two small sand filters, the existing pond will stay. The roof drains go to an underground system to the front of the home and storm sewer to storm water features and outlet to existing streams. They cannot release at a rate greater than the current rate.

Council Member Kaperonis expressed a concern on the incremental impact of kids on the schools.

Council Member Como expressed a concern that mitigation trees will cause overcrowding at maturity. Landscape architect Gary Fankhauser said they are adding 1,100 trees, trees take 400-500 square feet, so 1,000 will take 400,000 square feet or about 10 acres. They had to figure where to put trees, the red dots show where they can fit trees, but he had concerns regarding spacing. Some varieties of trees are more upright than others. Council Member Como said he was not sure we should apply the same tree ordinance to subdivisions with higher density. Bill Duston noted we have one set of tree standards. This is mature forest, with senior housing there is less opportunity to put trees. When you cut down the 20 inch trees, you must replace with three times the aggregate caliper with four inch trees. Gary Fankhauser said they usually use smaller trees. Bill Duston noted Council must approve a modification to take down any 20 inch trees. Gary Fankhauser said there are ornamental trees in the front yards, some houses have a street tree, and every lot has at least one large tree on the lot.

Council Member Kaperonis asked about the home sizes; Phil Fankhauser said there is an optional bonus suite upstairs, but it will still look like a one story home.

Council Member Rodriguez asked about turn lanes. Wes Smith said there was a request for a right turn lane in; the Traffic Impact Analysis reviewed by the town and NC DOT determines the requirements. Senior housing has 48% less traffic than single family housing. Cuthbertson is a three lane road, DOT requires a dedicated left turn lane in, but did not require a right turn in lane because it is not close to the traffic count required. They proposed to add a median and DOT agreed, to deter people cutting around others. The entrance to the school is 600 feet away, nothing is immediately across from the entrance. It meets all sight distance requirements. Phil Fankhauser said the renderings show two optional exterior offerings, there will be a wider variety with stone and wood accents. Two additional elevations were added tonight, they added a front porch. Bill Duston noted the officially submitted package plus the two added tonight are the official renderings. If they want to add more, they would have to present them. Mr. Phil Fankhauser said there are three floor plans and three to four elevations for each. Bill Duston reminded that what you see is what you get. Phil Fankhauser said he wanted to add the new elevations that came out since they started 21 months ago.

Mary Lynn Knowles spoke, she works for Epcon, and said she had close to 100 people asking about this, who want to stay in the area.

Phil Fankhauser said exteriors will not be hardie plank, it will be LP plank siding, which comes with pressure applied primer, there will not be vinyl siding.

Bill Duston reported this will go back to Planning Board for review June 27th, the new renderings, the additional concrete in the street, and the emails with DOT were not given to Planning Board. Planning Board has up to 62 days to review.

Council Member Como motioned to continue the Public Hearing to July 11, 2016 at 7 pm at town hall, 6490 Weddington Road, Wesley Chapel, NC. Council Member Kaperonis seconded the motion.

The motion passed unanimously.

3. Adjournment *Time Stamp 1:44:22*

Council Member Como motioned to adjourn; Council Member Kaperonis seconded the motion. The motion passed unanimously.

The meeting ended at approximately 8:48 p.m.

Respectfully submitted,

Cheryl Bennett, Clerk

Mayor Dr. David Kapfhammer