

VILLAGE OF WESLEY CHAPEL  
PLANNING BOARD MEETING MINUTES  
WESLEY CHAPEL TOWN HALL  
6490 Weddington Road, Wesley Chapel, NC 28104  
September 25, 2017 – 7:00 PM

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

**Planning Board Members Present:** Chair John Souza, Chuck Adams, David Boyce, Sandra Ells, Michael Kenary, and Alternates Deb Bledsoe and Vincent Gahren

**Others Present:** Clerk/Finance Officer Cheryl Bennett; Planning/Zoning Administrator Tim Gauss

1. Pledge and Invocation

Chair John Souza led the Pledge of Allegiance and Chuck Adams gave the invocation.

2. Public Comment

Cathi Higgins served on the Indian Trail Planning Board six years, and said the applications for the Future Land Use Plan map and text amendments were not complete and not submitted timely; and the request is not consistent with the Land Use Plan. You are only two years into your adopted plan that shows the location as low density residential. She provided a map showing an additional 55 acres on the other corners of the intersection owned by Dean Harrell and real estate investment companies. The applicant wants to build 500 apartments in Indian Trail. Approving this could set a precedent for high density residential development at that intersection. Ms. Higgins looked at infrastructure and found the Wesley Chapel Road study ends at the Goldmine Road intersection and the Weddington Road four lane project ends right around here, so you will only have two lane roads leading to the intersection. Commercial development brings crime and you only have one deputy. With a projected 14,000 trips per day will the applicant pay to widen those roads or will Wesley Chapel have to pay. She urged denial of the application. She added she is outraged that Amanda Fuller was removed from your Planning Board and considered it the epitome of government censorship and urged the board to challenge their council on this because you too should be allowed to share opinions, information, praise and concerns without fear of retribution.

Jan Smith who lives on Wesley Chapel Road said she is against the change with concerns about school safety as a retired educator. They say we judge a society by how they treat their children. The proposed development is a school safety hazard. This is a challenging intersection, twice daily there are traffic jams with children in buses and cars who must travel here. Why allow 34 acres of commercial development across the street from the school, the only reason is for the developer to make a profit. There are three reasons for a lockdown, this would attract people from the outside and if a deputy felt there was a danger the school would be put into a lockdown until the officials felt the danger was past. All instruction stops, door and windows are locked,

and all children sit in confinement in the safest area of the classroom. They must sit absolutely still and be absolutely quiet. It may go on for an hour, two hours, or however long is needed. No one can enter or exit the campus until it is all clear. She questioned why the adults would increase the necessity for lockdowns.

Bob Smith from Wesley Chapel Road noted the Moser Group gave a presentation on the opportunity to live, work, eat and play, but we already have those opportunities. He moved here for the rural quiet inviting community and don't want more commercial and traffic than we have. The change in the land use will cause more changes, look at Sun Valley, Monroe Road, and Wesley Chapel Stouts Road; there are signs where people are losing their homes and the same thing could happen here.

Dr. Sandra Burke from Voltaire Drive, was the director of research for a pharmaceutical company and sat in on marketing presentations. There were slick and professional slide shows. Those she sat in on always showed benefits and drawbacks (side effects). Here they did not show the drawbacks but there are indeed drawbacks; there is little to no consideration to the residents who travel these roadways and no consideration for the safety of the children who attend Wesley Chapel Elementary School. She asked Planning Board and Council the next time you hear a commercial mention side effects, that you think of the major side effects of this project.

Sherry Killion from Heather Glen spoke and noted studies show retail growth actually costs towns money due to the need for roads and safety services. The current retail only generates \$18,000 in taxes and doesn't cover the cost of the deputy who spends most of his time at Target with shoplifters. Effects on property values nearby would also be negative. What effect would this have on our existing retail center; it is not yet built out and occupied. This puts us at risk for unfilled vacancies. All the land between town hall and PetSmart is already zoned for commercial, let's build that out first. She supported denying the request.

Elliott Smith from Price Mill urged denial and said the intersection is already partially designated for other uses such as office institutional for the school. It is not in harmony with the existing community and would promote unhealthy activities. Leaving the land use as is will promote better balance with the existing approved retail. What would other property owners expect if you approve this? We need to stay true to the five year process of the land use plan which the majority of the citizens want. The existing shopping center is still not built and should be the priority.

Janette Mateoskey from Heather Glen lives next to where the retail would be, and said change is not always positive; traffic, safety, and property values can be affected. Also there is floodplain behind her house. When you pave parking lots, it will create a problem and impact her and her neighbors and you must consult FEMA as well as engineers.

### 3. Additions, Deletions and Approval of Agenda

David Boyce motioned to adopt the agenda. Chuck Adams seconded the motion.

The motion passed unanimously.

#### 4. Approval of Minutes

There was a question about who would maintain the park if donated. David Boyce motioned to approve the August 28, 2017 minutes. Michael Kenary seconded the motion.

The motion passed unanimously.

#### 5. Moser Property/Downtown Wesley Chapel, LLC

Tim Gauss reported this was continued from last month, there was a change in the process whereby it will not come back to you, and second there was a public input meeting at the Sept. 11<sup>th</sup> council meeting. This is a Land Use Plan map and text change application, no specific uses or layout has been submitted for consideration. The map change is from a small area of Office-Institutional and the rest is from low density residential to high intensity commercial. The text amendment is to change goal 2 policy to add another commercial node to the one already identified. The site is 32 acres. The staff recommendation is to deny the proposed Land Use Plan map and text amendments; reasons include inconsistency, timing and saturation of existing commercial area. Mr. Gauss noted comments on September 11<sup>th</sup> referenced other developments by the applicant that were different from that portrayed, our downtown being elsewhere, preference for a more rural area, concerns on runoff, costs for sheriff/law enforcement, timing of road improvements to Highway 84, the dam being high risk and in need of repair. Comments from Council included liking the concept and being a destination for family activities, concerns that details would be translated into the actual development, concerns that no non-residential development occurred in six years, and vehicles by which high quality high standard development might occur.

Chair John Souza asked about why we look at the land use plan every five years. Tim Gauss said there is text within it that requires a review every five years; it's a trigger for the community to determine if the plan still represents the desires of the community. Anyone has the right to submit a request for consideration. The key is if there were substantial changes in the physical community, or the desires of the citizens and leadership. The plan will be formally looked at in 2020.

John Ross, the applicant's engineer, said they are seeking the framework for a future conditional district re-zoning and would address concerns then.

David Boyce noted this was delayed from the August meeting to seek input, and based on the overwhelming turnout both at the September 11<sup>th</sup> input meeting and tonight, and the citizens' support for the current Land Use Plan, he motioned to recommend denying the requests from the developer to change the Land Use Plan map and text. Michael Kenary seconded the motion.

The motion passed unanimously.

Chair John Souza suggested citizens provide input on what they would like at the location, they can send letters or speak at any meeting. Currently about one acre of the property is on the

Future Land Use Plan as office-institutional, and the rest is shown as low density residential; all the land is currently zoned R-40.

Tim Gauss said the recommendation will go to Council's November meeting, Planning Board makes a recommendation, and Council will make the final decision. The process includes holding a community meeting, then going to Council for a public hearing. A citizen asked for a location and time convenient for working moms and noted it is difficult to come to all these meetings.

Chair Souza asked if we can invite Aston to come to a Planning Board meeting for an update and how can we help. Tim Gauss will contact them. Chuck Adams explained the six acres where town hall is located was donated by a family for our town hall separate from Aston's land. A citizen asked how we can get stores located here; Chair Souza suggested telling Amanda Fuller. Mr. Gauss noted that after Aston has invested in the land, there is no sunset on their development.

#### 6. Other Business – Upcoming items (Addington Subdivision) and Other Staff Items

Tim Gauss did not have time to check with neighboring jurisdictions on approved but unbuilt development, but in our town there are 91 lots (later corrected to 54) yet to be built out plus the senior developments. At the Council meeting John Souza was re-appointed Chairman of Planning Board. Council approved the invasive species and barn text amendments (included R-20 and RA-20, and changed the lot size from five to three acres). They did not take action on the wall text amendments. Council Member Kenary asked Planning Board to look at RUC districts and the consistency of their application. We have a new code enforcement officer through N-Focus, Bill Bailey. Last month there was a question regarding a pool house with a kitchen and bath, it begs of whether it is a second home on a single family site. Union County says a separate entry, bath and kitchen would be the defining traits. It was not a full-fledged kitchen, the intent was not to be a separate dwelling, and it was typical of a pool house, so it was Okayed. Another issue came up with a shared driveway in Quintessa, no provisions in the ordinance prohibit it, and it is not likely to happen again. Adequate cross easement access will be ensured. Chuck Adams stated at the last council meeting Council Member Rodriguez misquoted him, what Mr. Adams had said was that 8 surveys and public hearings have showed the citizens overwhelming preference for R-40. Mr. Adams said he was outraged Council fired Amanda Fuller, she did nothing wrong, the information was public information dated in July from Moser, and it did show fast food, gas station and convenience stores and 128,000 square feet of commercial. Moser's attorney sent a letter asking that Amanda not vote, and Council Members Rodriguez, Kenary and the Mayor voted to fire her. She did not have a hearing. He suggested citizens write and call Council. Council Member Como said Ms. Fuller doesn't want to be put back on Planning Board. Terms used at the Council meeting included "fear mongering" and "unethical". After some discussion the Board asked Sandy Ells to put together some statement for Council.

#### 7. Adjournment

2017.09.25 PB meeting minutes

Chuck Adams motioned to adjourn, David Boyce seconded the motion.  
The motion passed unanimously.

The meeting ended at approximately 8:20 pm.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Chairman John Souza