

VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
July 22, 2019 – 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, Sandra Ells, Michael Kenary, David Boyce, and Alternates Deb Bledsoe, Vince Gahren and Tracey Clinton (David Boyce left after item 8b., and Vince Gahren was then seated as a regular member for the rest of the meeting.)

Others Present: Clerk Cheryl Bennett; Planning/Zoning Administrator Robyn Byers, Ph.D.

1. Pledge, Invocation, and Determination of Quorum

Chair Souza led the Pledge of Allegiance, and David Boyce gave the invocation. A quorum was present.

2. Public Comments

Lori Bailey commented it was nice to see applicants work cooperatively with the Village, and appreciated the good work the Planning Board is doing.

3. Additions, Deletions and Approval of Agenda

Chuck Adams motioned to adopt the agenda, and David Boyce seconded the motion.
The motion passed unanimously.

4. Approval of Minutes from the June 24th, 2019 regular meeting

Sandy Ells motioned to approve the June 24th, 2019 minutes, Michael Kenary seconded the motion.

The motion passed unanimously.

5. Council Member in

Mayor Horvath reported the Village sent a letter and Resolution to the Board of County Commissioners regarding the density changes around our borders, such as going from R-40 to R-4, and asking them to be mindful of the impacts. He attended a community meeting regarding a proposed 600+ home subdivision on south Potter Road on 291 acres, one third of which is not developable due to flood land. Thanks were given to Deb Bledsoe for the new photos on the wall which everyone admired. The Mayor noted four candidates signed up for the election for two

council seats, and two are running for the Mayor position. On July 27th there is an event at the park with music and a car show.

6. Oath of Office for re-elected members

Clerk Bennett administered the oath of office to Chuck Adams, III and to John Souza, Sr. Both were appointed by Council to new three year terms on the Planning Board.

7. Election of Vice Chair (& Oath)

Chuck Adams motioned to appoint Sandy Ells as the Vice Chair, and David Boyce seconded the motion.

The motion passed unanimously.

Clerk Bennett administered the oath of office to Sandy Ells as Planning Board Vice Chair.

8. New Business – (Mayor Horvath and Council Member Como left the room.)

a. CUP 19-01 – Piedmont Natural Gas

CUP 19-01 is to put a retrofit receiver site on a 2.7 acre parcel zoned R-40 at 799 Waxhaw-Indian Trail Road, east of its intersection with Will Plyler Road. An administrative subdivision was recorded in March to create the 2.7 acre parcel; the land is owned by Jerry G. and Shirley Jean Davis and sale of it is conditional on approval of the site. Zoning is R-40 which allows Essential Services II, Natural Gas Substations under a conditional use permit; future land use designation is low density residential. Setbacks are front 75 feet, rear fifteen feet, and sides fifteen feet. A thirty foot natural buffer is required. The site would allow for a pigging operation and maintenance of the existing natural gas line 118, and ample room for additional lines to be added to the site in the future. It is the end of one line and the start of a new line, so the location is very important. The site is surrounded by forested or farmed land, with the exception of the Light Industrial site across from it on Will Plyler Road. The natural buffer that surrounds the site will be kept, and they will clear in the middle of the site. Access is being granted by NCDOT and they will require some trees to be removed on the curve to improve visibility. There will be only one or two truck visits per month. Less than half the site will be used for structures and facilities. The highest noise level anticipated is 56.3 dB, which will be when the system's heaters are utilized, which would occur only during the winter. Plans have been reviewed by the state for Erosion and Sediment, UNION 2019-70, and stormwater permit SW 319054. Council will have to go through Findings of Fact. The Planner recommended approval of the CUP. Any expansion for the use would need an amendment to the approved CUP documents in the future. Questions were discussed. Anything on the plans that say future are included in this CUP. Luke Dickey from Stimmel Engineers addressed the board. This site will be the receiver for line 118 and the future junction with line 223, so there will be a launcher for line 223. This site is just for regulating pressure, there is no treatment of gas here or flaring. Dan Jester from Stimmel Engineers noted line 223 goes down Will Plyler Road; the launcher will go in next year. This is the best location for the site. An example of a regulator site is the one across from Wesley

Chapel Elementary School. In winter the pressure is increased, and in summer it is cut back. A photo of a regulator station (with a stack) was shown, and of a launcher site. The launcher is only used once every seven years. A thirty foot buffer is included all around the site, except for the trees NCDOT is removing. The fence is placed close to the tree line. Concerns about the blind curve were discussed, since there is 70 feet to the fence, and another 35 feet to the pipes, bollards did not seem to make sense; to put in a berm would require removing the trees. The driveway cannot be moved due to the 16 inch water main. Since the chain link fence will be behind the vegetation, they felt it less visible without slats. There is an automatic pressure relief valve if hit by a vehicle. There are no restrictions of what could be built around it. Planner Byers noted PNG does have criteria for high consequence areas, like open areas for children or elderly outside for a certain period of time within 1,000 feet, but the zoning around here would not allow those types of uses unless they went through a different process so it would be flagged at that point. A question was asked on how the 56 dB was measured; it has not been measured, but Planner Byers said we have a decibel meter, and if she had a complaint she could go out and measure it. The engineer explained the heater is what makes the sound, and it kicks on at freezing, so it on only during the winter. Sound level is 70dB at one meter away, and at the property line calculates to 56 dB. A normal pick-up truck is 70 dB, and an air conditioning unit is about 60 dB. The pipe is metal gray in color. The applicant was asked if there was room on the inside of the existing tree line (the crescent area) to add evergreens. Regarding stormwater, they are putting down pervious stone and it is below the street level, if it floods it would drain to the field on someone else's property. Planner Byers noted because the impervious area is so small, it doesn't trigger our stormwater requirements. There should be no odors except when the pigging is done every seven years that lasts just one day, and they will put out notice of when that occurs. It was noted about 70 trees are coming down in the center; they will haul them offsite and it is up to the contractor as to what to do with them. The attorney for the landowners spoke, and said the owners felt this wooded land was a better site than their more open land, and felt the vegetation buffer was important for safety and visibility of the pipes and they would leave it up to the town for what additional buffering would be required. Planner Byers stated she was not aware of any future plans to widen Waxhaw-Indian Trail Road. Chair Souza noted it was reasonable that across the street is a Light Industrial zoned property. Adding evergreens all around the property without removing existing trees was again suggested. The adjacent property owner to the north said it was okay to add trees on his property to screen the use, if there was not room on the 2.7 acre parcel.

David Boyce motioned to recommend approval of CUP 19-01 with the stipulation that the applicant work in evergreens to provide additional cover where they can, without cutting down existing trees. Sandy Ells seconded the motion.

The motion passed unanimously.

b. CUP 19-02 – Deer Creek Farms

Planner Byers noted Deer Creek Farm CUP 19-02 is titled as a horse-riding academy, but it will not be open to the public, it was just the best use in our Table of Uses. It is located at 5428 New Town Road on 25.98 acres. The applicant pro-actively had a community meeting. The proposed barn has 24 stalls, for 20 horses, and 4 stalls for cleaning. There will be a small residential piece attached to the barn for the person who is on-site with the horses at all times. The primary use is

the barn, and the accessory uses are the paddock and riding arena. The barn and parking are one-hundred fifty feet back, and the paddock and riding area is no closer than 60 feet back. The parcel is currently served by well and septic, and the final report will come from Union County before it is time to construct. The closest subdivision is Silver Creek, and other surrounding uses are rural residential or agricultural, and is slated to be so on our Future Land Use Plan. There is a natural buffer to the north, east and west (a small area on the west may need additional screening), and to the street. There will be stormwater detention on site, details of that will be prepared and approved by the Village Engineer prior to zoning permit approval and the area is indicated on the plans. The site is under review with NC DEQ for erosion and sediment control. There is a parking pad that meets our requirements as far as number of spaces, and an approved gravel driveway. They do not anticipate high traffic, as it is not a public use. About half the horses are the property owner's horses. Planner Byers presented the findings of fact and her responses, and she recommends approval since it fits the rural vision of the Village. Chair Souza stated this is awesome, and a great land use for Wesley Chapel.

Questions were asked. The owner stated horses will not be rented, only four to five of her close friends can board their horses there. There will be less than five cars per day, and mostly in the middle of the day. Michael Kenary asked about the driveway; the owner's attorney Collin Brown noted the driveway is shown as fifteen feet, but they would want it larger for turning trucks and horse trailers and their safety. The planner noted we have no approval authority, they will have to go to NCDOT and ask if they will allow that. There will be some signage, but it is not submitted yet. David Boyce asked about feedback from the community meeting; there was a good turnout, most people were pleased.

David Boyce motioned to recommend approval of Deer Creek Farm CUP 19-02. Michael Kenary seconded the motion.

The motion passed unanimously.

Chair Souza motioned to excuse David Boyce at this point in the meeting. Michael Kenary seconded the motion.

The motion passed unanimously.

Mr. Boyce left the meeting. Alternate Vince Gahren was then seated as a regular member for the remainder of the meeting. Council Member Como returned to the room also.

c. CZ 19-1 – Animal Hospital

Planner Byers apologized for sending out the site plans a day or two after the packets. This is not yet ready for your recommendation, but she wanted to hear any concerns and iron them out while they are getting final items such as the letter from Public Works guaranteeing accessibility to water and sewer; they will not give out that letter until a site plan is approved. This is a conditional zoning request on Waxhaw Indian Trail Road, just north of the shopping center. The Village currently owns the 2.6 acre site, and it is under contract for sale. The use is for Carolina Pets to move and expand. The land is presently zoned R-40, and on the Future Land Use Plan as Office-Institutional. The request is for conditional zone B-1. There is no minimum lot size required. NC DOT confirmed by email today that they would want it to be right in, and right out only. Two community meetings were held, the concern was from Lindenwood residents that

people not come out and cut through Lindenwood. Another complaint was regarding water and sewer issues in Lindenwood, Planner Byers reached out to the County and Public Works said there was one water break in 2017, but nothing else. The applicant has submitted a concept plan letter about tying in to the water and sewer. The applicant was asked about tying into the parking lot at the shopping center next door, but there is a wooded area between the two areas and a substantial driveway would be required. Planner Byers asked the Board if there were any uses in B-1 that they would want to exclude on this parcel. Interest in an exercise facility for an existing Wesley Chapel business to expand has been expressed. The front building shown would be the pet hospital, and the building further back would be in phase 2. Heather Meyers, DVM explained they currently have four veterinarians, and would like to add two. Asked about any hazardous materials, she replied she has oxygen in a separate room, radiology, and a steam autoclave. There will be outdoor lighting, but not 24/7. Chair Souza recommended an automatic fire suppression system. Dr. Meyers noted they hired a specialty architect. Michael Kenary asked questions on traffic, and noted that part of the road backs up at certain times of day. Dr. Meyers noted their traffic exists in the Village and is just moving slightly over. They reached out to the shopping center about access, however there are various covenants. Planner Byers noted the projected traffic counts are too low to trigger a Traffic Impact Analysis. Other B-1 uses might generate a lot of traffic, such as a movie theater, which we might want to exclude. NCDOT wants the traffic to be right in and right out. Tracey Clinton noted if coming from the south, you would have to U-turn at the roundabout or at the next shopping location to enter. Uses in the second building and options to increase traffic flow were discussed. Chair Souza did not want these uses: lounge/bar, restaurant with drive through, nor theater. The small outdoor area shown on the site plan is for staff to eat lunch. The dogs will be walked inside.

9. Old Business

- a. Table of Uses Updates
- b. Tree Ordinance Updates
- c. Land Use Planning
- d. Establish zoning for annexed parcels

The parcels annexed as of June 30, 2019 are already built out lots in Adelaide Estates and one lot in Estates at Wesley Oaks; they are proposed for RUC which means their original setbacks are respected. They have to bring in a survey to show what their original setback lines are when applying for a zoning permit. Sandy Ells motioned to recommend RUC zoning; Chuck Adams seconded the motion. The motion was then rescinded. The motion was amended to add the statement of reasonableness that the RUC zoning district was created for this specific purpose, and is consistent with our Village Land Use Plan as it supports Goal 1, to maintain the strong single family low-density residential character of the Village.

The motion passed unanimously.

The rest of the items were tabled until next month.

10. Other Business – none

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11. Adjourn – 9:25 pm

Vince Gahren motioned to adjourn, Sandy Ells seconded the motion.
The motion passed unanimously.

Respectfully submitted,

Cheryl Bennett, Clerk

Chairman John Souza