

VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
October 28, 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 and David Boyce

Planning Board Members Absent: Alternates Vince Gahren, Deb Bledsoe and Tracey Clinton

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 the invocation was given. A quorum was present.

2. Public Comments - none

3. Additions, Deletions and Approval of Agenda

David Boyce motioned to adopt the agenda, and Sandra Ells seconded the motion.

The motion passed unanimously.

4. Approval of Minutes from the September 23rd, 2019 regular meeting

David Boyce motioned to approve the September 23, 2019 minutes. Sandra Ells seconded the motion.

The motion passed unanimously.

5. Council Member in

Mayor Horvath gave an update on the Fall Bash event at the park as well as the event scheduled for November 2, 2019 which will include music and the Rotary Club running beer sales for the first time. David Boyce asked about Aston Properties and the Highway 84 widening project. Originally a traffic light was planned at the Lindenwood intersection, but now a roundabout is planned and will encroach on two Aston outparcels. Chair Souza noted our schools are full and infrastructure is maxed out, but Aston says there are not enough rooftops to get businesses. Prospects for their junior anchor buildings feel it would cannibalize business from their Monroe and/or Blakeney stores.

6. Old Business

a. Conditional Zoning 19-01

Planner Byers reported on CZ 19-01, a request to re-zone 2.631 acres on Waxhaw-Indian Trail Road, north of the Shoppes at Wesley Chapel from R-40 to CU B-1. The proposed use is for an expansion of Carolina Pets and potential indoor recreation. Community meetings were in June and July, major concerns were over traffic potentially cutting through Lindenwood. The applicant has been working with NC DOT and the adjacent property owner on traffic circulation and approvals. The parcel abuts another R-40 parcel to the north, and to the south abuts a CU B-2 district. The future land use plan has this property designated as Office-Institutional. The Planner feels allowing this conditional zone is reasonable, and in line with the Future Land Use Plan. The applicant is working with the Village Engineer and State to receive stormwater /erosion control plan acceptance. NC DOT has approved full movement access for this site. Union County Public Works will not fully approve plans that are conceptual in nature, but we have received a conditional sketch plan review letter for this project. The Village engineer has reviewed the notes and overall site plan, and deemed it meets our requirements for Conditional Zoning review. The Planner suggested permitted uses be reduced from those allowed by right in B-1, and in the provided Development Standards attachment, the Permitted Uses section lists out those uses that shall not be allowed on the site. The applicant is working through issues associated with buying the property from the Village, such as deed restrictions, so staff suggests the Planning Board recommend approval of this conditional rezoning to Village Council contingent upon the closing of the sale and update the future land use map accordingly. A developer is interested in a parcel at Antioch Church Road and Highway 84, which could potentially connect to this parcel.

Michael Kenary suggested asking DOT for a sign asking that motorists not block the intersection with Linden Glen Drive to respond to Lindenwood concerns. The applicants engineer noted DOT is allowing a left turn in, so they will re-stripe and have a thru lane and a left turn lane.

The conditional zoning request is for both phases of the project. Since we don't have illustrations for the building in the back, Chair Souza suggested requiring an architectural review of the second building before it is built. Applicant Kurt Meyers was amenable to requiring consistent architecture or bringing the second building back to Planning Board.

At the community meetings water issues were mentioned, but upon follow up with Public Works they only had a record of one problem between a house and the road, and no other complaints on water, sewer, or wastewater.

Stormwater will be channeled towards the ditch. The Shoppes at Wesley Chapel has a pond nearby also. Lighting has not yet been proposed or reviewed.

Chair Souza noted on the plans one side of the site triangle at the entrance is blocked off by the neighboring parcel. The planner said this is not uncommon.

David Boyce motioned to recommend approval conditional on the Planning Board doing an architectural review of the second building, and conditional on the sale of the land, with the Statement of Reasonableness that this rezoning request is reasonable in that it would move an existing use in the Village from one location, where the business cannot grow, to another location on an opposite corner within the Village's commercial hub, and the Statement of

Consistency that this rezoning request is consistent with the Village of Wesley Chapel's Future Land Use Plan 2015 in that it locates an existing business in a non-residential development location, Goal 2 of the Plan. While this specific property has an Office-Institution use on the future land use plan map, it is north adjacent to the commercial hub location and would not add new non-residential development outside of the overall strategic location for commercial. Sandra Ells seconded the motion.

The motion passed unanimously.

b. Table of Uses Updates

Standards for "Venue" are not yet ready. David Boyce motioned to approve the proposed changes to the Table of Uses with the Statement of Reasonableness that it is reasonable since it removes inconsistencies in the current Village code while supporting and maintaining strong non-residential districts, and the Statement of Consistency that it is consistent with the Village's Land Use Plan as it further differentiates between non-residential uses and non-residential use districts; this supports the goal of limiting new non-residential development to designated strategic locations within the Village, goal two of the Village's Land Use plan. Sandra Ells seconded the motion.

The motion passed unanimously.

NOW, THEREFORE, BE IT RESOLVED THAT THE VILLAGE OF WESLEY CHAPEL ZONING ORDINANCE IS HEREBY AMENDED AS FOLLOWS (proposed changes with all new proposed text shown in **bold, underlined, and italicized** type, and text to be deleted being ~~struck out~~):

ZONING CODE

§ 156.005 DEFINITIONS.

(C) Definitions of specific terms and words.

MICROBREWERY. *A facility for the production and packaging of malt beverages of alcoholic content for wholesale distribution and including a bar/tasting room and/or restaurant for consumption and tasting on-premises. It may also include retail to purchase beverages manufactured on-site and related items. A tasting room is an area within the premises of the brewery's production facilities where guests may sample the brewery's products. A microbrewery may also offer sales of other alcoholic beverages for consumption off the premises. When the production facilities exceed 10,000 square feet, the facility is not considered a microbrewery any longer, but rather an industrial use.*

§ 156.060 TABLE OF USES.

<i>Use</i>	<i>Supplemental Regulation Section Number</i>	<i>R-80</i>	<i>R-60</i>	<i>RA-40</i>	<i>R-40</i>	<i>RA-20</i>	<i>R-20</i>	<i>B-1</i>	<i>B-2</i>	<i>L-1</i>	<i>O-1</i>
Advertising agency								X	X	X	X
Agricultural use	§§ 156.005, 156.133	Xs	Xs	Xs	Xs	Xs	Xs				
Architect service (see “Engineering, architect or survey services”)								⊗	⊗		
Auditorium, stadiums, assembly halls, coliseums (under 1,000 seats) and the like, excluding amphitheatres								€	C		
Automobile/motorcycle race track										C	
Banks, savings and loan, credit unions, bank teller machines								X	X	⊗	
Barns	§ 156.089	P Xs	P Xs	P Xs	P Xs	P Xs	P Xs				
Beauty shop								X	X	⊗	
Beauty supply store/cosmetics store								X	X	⊗	
Bed and breakfast inn		C	C	C	C	C	C				
Beer and wine store								X	X	X	
Bookstore								X	X	⊗	
Carpet store (see “Floor covering store”)								⊗	⊗	⊗	
Catalogue sales store								X	X	⊗	

<i>Use</i>	<i>Supplemental Regulation Section Number</i>	<i>R-80</i>	<i>R-60</i>	<i>RA-40</i>	<i>R-40</i>	<i>RA-20</i>	<i>R-20</i>	<i>B-1</i>	<i>B-2</i>	<i>L-1</i>	<i>O-I</i>
CD, tape, record store								X	X	✗	
China and tableware shop								X	X	✗	
Clothing, Shoes, and Related Accessory Store								X	X	✗	
Coin and stamp shop								X	X	✗	
<i>Coffee Shop</i>								X	X		
Community centers		C	C	C	C	C	C	X	X	✗	✗
Continuing care facilities								€	€		✗
Contractors offices with outside storage yard										X	
Contractors offices with no outside storage										✗	
Day care center	§ 156.089	€s	€s	€s	€s	€s	€s	Cs	Cs		✗ Cs
Delicatessen								X	X	✗	
Electric, heating, air conditioning, ventilating, plumbing supplies and equipment sales (no outside storage)										X	
Electric, heating, air conditioning, ventilating, plumbing supplies and equipment sales (with outside storage)										✗	

<i>Use</i>	<i>Supplemental Regulation Section Number</i>	<i>R-80</i>	<i>R-60</i>	<i>RA-40</i>	<i>R-40</i>	<i>RA-20</i>	<i>R-20</i>	<i>B-1</i>	<i>B-2</i>	<i>L-1</i>	<i>O-1</i>
Engineering, architect or surveying service (principal use)								X	✕	X	€ X
Essential services, Class IV		C	C	C	C	C	C	✕C	C	X	✕ C
Exterminators office								C	C	C	
Furniture repair shop (no outside stripping)								X	X	X	
Furniture repair shop (with outside stripping)										X	
Greenhouse, nursery, commercial		X	X					X	X	X	
Greenhouse, nursery, commercial (sales of products grown on premises)		€	€							✕	
Ice and cold storage plants and freezer lockers (no outside storage)										X	
Ice and cold storage plants and freezer lockers (with outside storage)										✕	
Jewelry and jewelry repair store								X	X	✕	
Junk yard and/or automobile salvage yard										C	

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Laboratories - dental, medical, optical and research								X	X	X	X
Lounge/bar (principal use)								C X	X	X	
Machine shop (in enclosed building)										X	
Machine shop (with outside storage or facilities)										X	
Manufactured goods, Class 1 (with outside storage) and the retail sales thereof (e.g. factory outlets, sales of irregular goods)	§ 156.005									Cs	
Manufactured goods, Class 1 and the retail sales thereof (e.g., factory outlets, sales of irregular goods)	§ 156.005									Cs	
Manufactured goods, Class 2 (no outside storage)	§ 156.005									C	
Manufactured goods, Class 2 (with outside storage)	§ 156.005	Not allowed in any zoning district									
Manufactured home park		Not allowed in any zoning district									
Manufactured home park		C									

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Message and errand service								X	X	X	X
Mining/Quarry Operations, dirt farming											
<i>Microbrewery</i>								X	X	X	
Mobile home (<i>see Manufactured Home</i>)		Not allowed in any zoning district									
Music store sales and service								X	X	✗	
Newsstand (principal use)								X	X	✗	
Office building(s)								X -C	X -C	X	X
Optician and optical supply store								X	X	X	X
Orphanage											
Pharmacy								X	X	✗	
Philanthropic and eleemosynary institutions								C	C	X	C
Private club								€	C	C	
Refrigerator or large appliance repair								€	C	X	
Stationery store								X	X	✗	
Stock or security brokerage firm								X	✗	✗	X
Supercenter store									C		

c. RA-40 v. R-40 discussion

The Planner reviewed setback or yard requirements, and suggested changes. Minimum lot area was discussed at length. We probably do not know what amount of land is needed for each particular use. It was noted there is a one acre farm doing agricultural uses on just one acre in R-40, it would be grandfathered in, as agricultural uses would be taken out of R-40. Then we could propose areas to be re-zoned to RA-40, and property owners could request to opt out. Chuck Adams noted Union County has been rural, and did not think we should make all these rules. Front yard setbacks were suggested to be 65 feet to keep houses back further to create a distinctive look. Minimum lot width was proposed at 150 feet, since square lots feel more rural. Side yard setbacks were proposed at 150 feet in line with barns housing livestock, and 25 feet for single-family dwellings and modular homes. These are to create a visual rural feel and look. Chair Souza noted with setbacks requiring a 300 x 300 foot lot, the minimum lot size is already about three acres. It was suggested to have two tiers, maybe two acres and five acres if livestock are included. This item will come back next month.

d. Tree Ordinance Updates

Planner Byers has not heard back from the urban forester; she will sit down with Deb Bledsoe and Sandy Ells to go over the updates. Chair Souza suggested an avenue for HOA's to come to Council and request to take trees down when needed. The focus of the new ordinance will be on percentage of tree canopy retained.

e. Land Use Planning Updates

The Planner will go to Council in November. A chapter has been added for regional planning (so we won't harm neighboring towns and to give the County a model). There will also be a map that includes areas outside our borders.

Planning Board members were asked to help with the comprehensive plan. Deb Bledsoe and Sandra Ells will help with the Environmental chapter. Parks and Rec will incorporate their Parks and Rec master plan in the Parks and Recreation chapter. Robyn Byers will work on the Introduction and Community Profile chapters. David Boyce will work on the Transportation chapter. Sandra Ells will work on the Water, Sewer and Stormwater chapter. John Souza will work on the economic development chapter.

7. New Business

Staff received a call from a developer on the property at Antioch Church Road and Hwy. 84, which might provide a connection to the Village property being sold. Another parcel in the County might have to annex in.

County planners are encouraging owners to annex in donut parcels that are totally surrounded by Wesley Chapel. A land owner on Cuthbertson Road wants to put a berm in their front yard.

There was a call on a new cell tower. There is no request for a solar farm. Tomorrow there is a pre-submittal meeting on a 66 acre conservation subdivision just north of the new proposed roundabout on Wesley Chapel Road.

8. Other Business

Chuck Adams thanked Lori Bailey, Jan Smith and Mike Como for attending this meeting. Mike Como noted we sent a resolution to the County against the 600 plus lot subdivision requested on Potter Road. Chair Souza noted with just one call per home for an ambulance per year, it will impact EMS services.

9. Adjourn

Chuck Adams motioned to adjourn, Michael Kenary seconded the motion.

The motion passed unanimously.

The meeting adjourned at approximately 8:55 pm.

Respectfully submitted,

Cheryl Bennett, Clerk

Chairman John Souza