

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, NOVEMBER 22, 2010 - 7:00 P.M.
MINUTES**

The Planning Board of the Town of Weddington, North Carolina, met in a Regular Session in the Town Hall Council Chambers, 1924 Weddington Road, Weddington, NC 28104 on November 22, 2010 at 7:00 p.m., with Chairman Dorine Sharp presiding.

Present: Chairman Dorine Sharp, Vice-Chairman Rob Dow, Scott Buzzard, Beth Masurat, Jeff Perryman and Janice Propst and Town Planner Jordan Cook and Town Administrator/Clerk Amy McCollum

Absent: Jack Steele

Visitors: Gaston Larranaga and Virginia Franco

Item No. 1. Open the Meeting. Chairman Dorine Sharp called the November 22, 2010 Regular Planning Board Meeting to order at 7:05 p.m.

Item No. 2. Determination of Quorum/Additions or Deletions to the Agenda. There was a quorum.

Town Planner Jordan Cook asked that Item 5B be removed from the agenda and advised that this item may be on the Town Council's agenda in December for further direction and guidance.

By consensus, the Planning Board approved the amended agenda.

Item No. 3. Approval of Minutes.

A. September 27, 2010 Regular Planning Board Meeting Minutes. Town Administrator/Clerk Amy McCollum reviewed several changes with the Planning Board. Vice-Chairman Rob Dow moved to approve the September 27, 2010 Regular Planning Board Meeting minutes with the changes discussed. Mr. Jeff Perryman seconded the motion, with votes recorded as follows:

AYES: Propst, Perryman, Masurat, Buzzard and Vice-Chairman Dow
NAYS: None

B. October 25, 2010 Regular Planning Board Meeting Minutes. Town Administrator/Clerk McCollum reviewed several changes with the Planning Board. Vice-Chairman Dow moved to approve the October 25, 2010 Regular Planning Board Meeting minutes with the changes discussed. Mr. Perryman seconded the motion, with votes recorded as follows:

AYES: Propst, Perryman, Masurat, Buzzard and Vice-Chairman Dow
NAYS: None

Item No. 4. Old Business.

A. Review and Consideration of Proposed Text Amendment to Add "Private Banquet, Reception and Conference Center" Uses as a Permitted Use in the MX Zoning District. The Planning Board received a copy of the following memo and the citizen proposed text amendment from Town Planner Jordan Cook:

- A citizen proposed text amendment was reviewed and discussed at the October 25th Planning Board meeting.
- The Planning Board gave the text amendment an unfavorable recommendation as proposed because they didn't feel that the use should be allowed in all residential zoning districts.

However, the Planning Board did agree with the concept and the use as a whole. The Planning Board recommended that the use ("Private Banquet, Reception and Conference Center") be added as a permitted use in the MX (Mixed Use) zoning district. Therefore any applicant requesting that use would be required to go through the Conditional Zoning process.

- At the November 8th Town Council meeting the Town Council agreed with the Planning Board's recommendation and asked that the proposed uses be placed in the MX zoning district.
- The following text (attached) is the citizen proposed text. New text that complies with the Town's Zoning Ordinance will be presented at Monday's meeting.

Private Banquet, Reception & Conference Center

"Banquet & Reception; Buildings owned and operated by an individual for social or recreational events such as weddings, receptions, banquets or social events, and where the owner and/or operator also maintains an on site residence.

"Conference Center; Facilities for corporate meetings, training, retreats, exhibition space & other meetings."

Private Banquet, Reception & Conference Centers shall comply with the following:

- (a) The facility shall comprise at least six thousand (6,000) square feet of heated and cooled habitable space devoted to public or common use for assembly rooms, gathering rooms, meeting rooms, and hallways connecting such rooms. The area of hallways connecting only rooms that are not ordinarily open to any member of the public attending an event shall not be included in fulfillment of this requirement.
- (b) Applicant shall submit a management plan that specifies the hours of operation, types of events to be held, and maximum number of guests to be accommodated at any event.
- (c) Applicant shall provide evidence that the proposed use will not result in any on-street parking demand and that arrangements have been made to furnish parking for the number of vehicles equal to at least one-third (1/3) the maximum number of guests ever to be accommodated by the facility & shall be provided within five hundred (500) feet of the facility. In the event overflow parking is required, the overflow parking will be provided within 2 miles of the facility & guests will be shuttled in by a professional shuttle and/or limo service.
- (d) No electronically amplified sound generated in conjunction with any event shall be audible beyond 60 (DB) at any time beyond the boundary of the property on which the facility is located between the hours of 9 a.m. & 11 p.m.
- (e) No electronically amplified sound generated in conjunction with any event shall be audible at any time beyond the boundary of the property on which the facility is located between the hours of 11 p.m. & 9 a.m.

(f) If any adjoining property is used for residential purposes, no event shall be conducted outdoors on the grounds of the facility property before 6 a.m. or after 11:00 p.m. Any events beginning before 6 a.m. or finishing after 11 p.m. must be contained in one of the property's interior structures, meeting rooms or banquet halls.

The Planning Board received a copy of the proposed text change drafted by Chairman Sharp:

Sec. 58-4. Definitions.

Banquet and Reception Centers are privately owned and operated structures designed for groups of people to gather for private social functions or events, including, but not limited to weddings and wedding receptions and banquets. This definition does not apply to church assembly halls.

Conference Centers are facilities designed to accommodate corporate meetings, training, retreats, exhibition space, and other uses of a similar nature.

Sec. 58-60. MX mixed-use conditional district.

(1) *Permitted uses.*

- o. Banquet and Reception Centers, and Conference Centers provided the lot is at least 5 acres. These uses may be combined on one 5 acre minimum lot. These uses are permissible only if they will not produce levels of noise, traffic, pedestrian activity or disturbances that exceed the levels of noise, traffic, pedestrian activity or disturbances commonly associated with these types of activities. For these uses that are located in a residential area: At no time will electronically amplified sound generated in conjunction with any event be audible beyond 60 DB beyond the boundary of the property on which the facility is located and no electronically amplified sound shall be audible beyond the property boundary between the hours of 10 p.m. and 9 a.m.

Sec. 58-152. Signs permitted in all R residential districts.

- (d) Signs on-premises of banquet, reception, and conference centers are regulated as follows:

| | | |
|-----|----------------------------|--------------------------|
| (1) | Types of signs permitted: | Identification. |
| (2) | Permitted number of signs: | One per street front. |
| (3) | Maximum area of signs: | 20 square feet. |
| (4) | Permitted location: | Behind required setback. |

Items (d) and (e) become (e) and (f).

Sec. 58-175. Off-street parking.

| | |
|---|--|
| Places of public assembly, including private clubs and lodges, auditoriums, stadiums, gymnasiums, community centers, public parks and recreational facilities and all similar places of public assembly | 1 space for each 4 seats provided for patron use, plus 1 space for each 100 square feet of floor or ground area used for amusement or assembly but not containing fixed seats. |
|---|--|

The above is current language.

We can add Banquet, Reception, and Conference Centers to this list, or create a new section stating: 1 space per employee during the shift of greatest employment plus 1 space for every 2 guests based on the maximum number of guests the facility can accommodate.

After discussion by the Board, the Planning Board asked that the following text be sent to the Town Attorney for review and be placed on the agenda for the December 20, 2010 meeting for consideration and recommendation to the Town Council.

Sec. 58-4. Definitions.

Banquet and Reception Centers are structures that are designed for groups of people to gather for private social functions or events, including, but not limited to weddings and wedding receptions and banquets. This definition does not apply to church assembly halls.

Conference Centers are facilities designed to accommodate corporate meetings, training, retreats, exhibition space, and other uses of a similar nature.

Sec. 58-60. MX mixed-use conditional district.

(2) *Permitted uses.*

- p. Banquet and Reception Centers, and Conference Centers provided the lot is at least 5 acres. These uses may be combined on one 5 acre minimum lot. These uses are permissible only if they will not produce levels of noise, traffic, pedestrian activity or disturbances that exceed the levels of noise, traffic, pedestrian activity or disturbances commonly associated with these types of activities. At no time will electronically amplified sound generated in conjunction with any event be audible beyond 60 DB beyond the boundary of the property on which the facility is located and no electronically amplified sound shall be audible beyond the property boundary between the hours of 10 p.m. and 9 a.m.

Sec. 58-152. Signs permitted in all R residential districts.

- (d) Signs on-premises of banquet, reception, and conference centers are regulated as follows:

| | | |
|-----|----------------------------|--------------------------|
| (1) | Types of signs permitted: | Identification. |
| (2) | Permitted number of signs: | One per street front. |
| (3) | Maximum area of signs: | 20 square feet. |
| (4) | Permitted location: | Behind required setback. |

Items (d) and (e) become (e) and (f).

Sec. 58-175. Off-street parking.

| | |
|---|--|
| Banquet, Reception, and Conference Center | 1 per employee during the shift of greatest employment plus 1 space for every 2 guests based on the maximum number of guests the facility can accommodate. |
|---|--|

Item No. 5. New Business.

A. Review and Consideration of Proposed Text Amendment to Minor Subdivisions Definitions. The Planning Board received a copy of the following proposed text amendment:

Sec. 46-9. Definitions.

Subdivision, minor, means a subdivision where:

- (1) No public or private streets are proposed;
- (2) No rights-of-way are dedicated and no easements dedicated, except as provided in section 46-76; and
- (3) Three or fewer **parcels result after** ~~new lots are created after~~ the subdivision is completed, **including any the subdivider owns, leases, holds an option on, or holds any legal or equitable interest in which is adjacent to or located directly across the street, easement, road, or right-of-way from the property to be subdivided.**

~~However, if the subdivider owns, leases, holds an option on, or holds any legal or equitable interest in any property adjacent to or located directly across a street, easement, road, or right of way from the property to be subdivided, the subdivision shall not qualify under the abbreviated Procedure for Review of Minor Subdivisions.~~ Notwithstanding this provision, any subdivision that is classified as a conservation subdivision shall be considered a major subdivision. Additionally, the Procedure for Review of Minor Subdivisions shall not be used for a second time within three years on any property less than 1,500 feet from the original property boundaries by anyone who owned, had an option on, or any legal or beneficial interest in the original subdivision at the time the original subdivision received preliminary or final plat approval.

Town Planner Cook advised that this issue came up after the review of the minor subdivision at last month's meeting.

Vice-Chairman Dow advised that the language was forcing a recombination so they could cut out another lot and felt that it was a wasted expense. The original intent of the language was not to allow someone to subdivide their property without going through the subdivision process. The proposed text does not make it more or less strict.

The Planning Board asked that when this item is presented to the Town Council that the example from the October meeting be shown and discussed so that the Council can understand the reason for the text change.

Mr. Perryman moved to send the proposed text to the Town Council with a favorable recommendation and to the Town Attorney for review. Vice-Chairman Dow seconded the motion, with votes recorded as follows:

AYES: Propst, Perryman, Masurat, Buzzard and Vice-Chairman Dow
NAYS: None

B. Discussion of Current Firearms Ordinance and Possible Text Change. This item was removed from the agenda.

Item No. 6. Update from Town Planner. The Planning Board received a copy of the following update from Town Planner Cook:

- The Trust for Public Land has created base maps with proposed trail locations based on the feedback received at the four Listening Sessions. The Steering Committee will meet again on December 1st to discuss the base maps and schedule Open House meetings for each community. These Open House meetings will give citizens the opportunity to discuss the base maps. Please see the following website for further information: <http://www.carolinathreadtrail.org/>. Town Planner Cook advised that he has not seen the base maps and does not know if any trails for Weddington are shown on the maps.
- The B-1(CD) and B-2(CD) Rezonings will take place after I have met with all property owners involved in the rezonings. Meetings with the property owners are currently being scheduled.
- The recombination plat for Forest Lawn Cemetery that added a ten acre parcel to the existing 52 acre cemetery parcel has been approved. Per Town Council's direction this project was reviewed and approved administratively because the existing Conditional Use Permit was not materially changed.
- NCDOT has completed paving for the access road behind Town Hall. The access road will connect the back of the shopping center to Weddington-Matthews Road. NCDOT will remove all of the berm along Weddington-Matthews Road. Most of the dirt from the berm will be used to construct the actual roadway. The Planning Board discussed that a sign is proposed at this access road and felt that the approval of the sign should go through the Planning Board and Town Council. Town Planner Cook advised that the Town Council through the easement agreement requested the sign to be erected.
- NCDOT has acquired the right-of-way needed to install turn lanes and a traffic signal at the intersection of Hemby Road/Beulah Church Road and Weddington-Matthews Road. Installation of the traffic signals has begun. The turn lanes and signal should be completed by late 2010 or early 2011.
- Bob Cook with MUMPO (Mecklenburg Union Metropolitan Planning Organization) will give a "MUMPO 101" presentation at the December 13th Town Council meeting.
- The Armstrong-Legrand recombination and minor subdivision plat have been approved per the Planning Board's conditions of approval.
- The Town Council decided to continue to review the proposed Residential Open Burning text. Two Council members will review the language that was discussed by Planning Board (language drafted by Dorine), Councilman Thomisser's proposed text and State Statutes. A final decision will be made after new text is drafted implementing the three items mentioned above.
- The Town Council called for a Public Hearing on the following Text Amendment on November 8, 2010: Text Amendment regarding Miniature Horses and Yard Requirements for Miniature Horses.

Vice-Chairman Dow thanked Mr. Perryman for attending the November Town Council Meeting and reviewing the Planning Board's work and position on the Burning Ordinance. Vice-Chairman Dow felt

that the Planning Board needed to come up with points after a motion is made to send to the Town Council discussing the reasoning behind the decision and some of the background work that went into the decision.

Item No. 7. Other Business.

A. Report from the November 8, 2010 Regular Town Council Meeting. The Planning Board received a copy of the November 8, 2010 Regular Town Council Meeting agenda as information.

Item No. 8. Adjournment. Ms. Janice Propst moved to adjourn the November 22, 2010 Regular Planning Board Meeting. Mr. Perryman seconded the motion, with votes recorded as follows:

| | |
|-------|--|
| AYES: | Propst, Perryman, Masurat, Buzzard and Vice-Chairman Dow |
| NAYS: | None |

The meeting adjourned at 8:11 p.m.

Dorine Sharp, Chairman

Attest:

Amy S. McCollum, Town Clerk