

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, AUGUST 24, 2009 - 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 August 24, 2009 at 7:00 p.m., with Chairman Dorine Sharp presiding.

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

Absent: None

Visitors: Walker Davidson, Katherine Armstrong and Dr. George Pinsak.

Item No. 1. Open the Meeting. Chairman Dorine Sharp called the August 24, 2009 Regular Planning Board Meeting to order at 7:01 p.m.

Item No. 2. Determination of Quorum/Additions or Deletions to the Agenda. There was a quorum. By consensus, the Planning Board removed Consideration of the Final Plat for Crown Estates at Lochaven from the agenda at the request of the applicant.

Item No. 3. Approval of Minutes.

A. June 22, 2009 Regular Planning Board Meeting Minutes. Mr. Scott Buzzard moved to approve the June 22, 2009 Regular Planning Board Meeting minutes. Mr. Jeff Perryman seconded the motion, with votes recorded as follows:

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

B. July 27, 2009 Regular Planning Board Meeting Minutes. Ms. Beth Masurat moved to approve the July 27, 2009 Regular Planning Board Meeting minutes. Mr. Perryman seconded the motion, with votes recorded as follows:

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

Item No. 4. Old Business. There was no Old Business.

Item No. 5. New Business.

A. Consideration of the Final Plat for Crown Estates at Lochaven. This item was removed from the agenda.

B. Discussion of Local Area Regional Transportation Plan (LARTP). Town Planner Jordan Cook stated, "Martin/Alexiou/Bryson held a Joint Meeting on July 13th with the Planning Board and Town Council to present the final draft of the LARTP. At the request of the Town Council, the Town held a Public Involvement Meeting on Thursday, July 30th from 6:00-8:00pm. There were about 18-22 residents in attendance at the PIM. Overall feedback and comments were positive. Many residents were excited

about the new plan and happy that the Town has taken a pro-active approach to transportation planning. Consideration for the LARTP will be on the September 14, 2009 Town Council agenda.”

Town Planner Cook reviewed the LARTP map with the Planning Board.

C. Discussion of Session Law 2009-406 - Senate Bill 831 – An Act to Extend Certain Government Approvals Affecting the Development of Real Property. The Planning Board received the following information regarding Session Law 2009-406:

As the recession continues, developers and contractors increasingly find themselves dealing with delays and having to reapply for development permits and approvals in order to finish projects. As a result, a new law has been enacted to address the challenge of expiring development and construction permits and to reduce the risk of eroding collateral for lending institutions. On August 5, 2009, Governor Perdue signed into law the "Permit Extension of 2009" Act. This Act effectively extends the life of certain construction and development approvals until December 31, 2010.

The construction and development approvals to which the Act applies are:

- Any sketch plan, preliminary plat, subdivision plat, site plan or building permit issued by a county.
- Any sketch plan, preliminary plat, subdivision plat, site plan, development agreement, building permit or certificate of appropriateness issued by a local municipality.
- Certain environmental permits and approvals, including:
 - findings of no significant impact;
 - erosion and sedimentation control plans;
 - Coastal Area Management Act (CAMA) development permits (issued in coastal counties);
 - any water or wastewater permit;
 - any stream origination or water quality certification; and
 - any air quality permit.
- Any building permit issued under the State Building Code.

If a developer or contractor is in possession of one of these approvals, and that approval is valid at any point between January 1, 2008 and December 31, 2010, this Act delays the expiration of that approval until no earlier than December 31, 2010. In effect, this Act revives construction permits and development approvals that on their face may have already expired and ensures that if a developer or contractor obtains a development approval either this year or next, that that approval will be effective until at least the end of 2010. This automatic extension has a foreseeable benefit for the construction and environmental industries, local governments, State agencies, and lending institutions. Nothing in the Act is intended to supersede federal approvals or requirements, and nothing affects the ability of the State or local governments to revoke or modify a permit or approval.

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

- The Town Council approved the contract with HadenStanziale at their August 3rd meeting. A kick-off meeting with the Downtown Development Committee is scheduled for Wednesday, September 2nd at 6:00pm. The purpose of this kick-off meeting is to establish a schedule including the public meetings and charrette and develop the project goals and objectives. HadenStanziale has already begun reviewing Town Codes, Ordinances, Plans and mapping in anticipation of the kick-off meeting.
- The Helms Property Conditional Zoning/Rezoning proposal is currently unable to proceed with their CZ Rezoning to an MX district. The Town of Weddington Code of Ordinances only allows a rezoning to MX if the Land Use Plan is designated for future retail/office development. The current Land Use Plan designates this property as Traditional Residential. Therefore a Land Use Plan change must occur before the applicant can proceed with the MX rezoning. The applicant may also be able to pursue B-1 or B-2 zoning or a text amendment to the MX zoning district language. This project was submitted prior to the adoption of the moratorium and is exempt from its provisions. The applicant is currently weighing their options. Town Planner Cook and Chairman Sharp met with the applicants today and the applicant has decided to move forward with their Conditional Zoning Application. Town Planner Cook stated, "If their application is approved, then the Land Use Plan would need to be changed." The Planning Board discussed the Conditional Zoning Process.
- Town Staff has issued a temporary sign permit to Weddington Corners Shopping Center per the Planning Board's permission at their July 27th meeting. This sign will be located along Providence Road, no larger than 20 square feet and will display all of the tenants of the Shopping Center. The sign was issued due to the NC16 road widening project and a permanent sign will be installed at the completion of the road construction.
- Staff has received a Conditional Use Permit Application from Weddington Corners Shopping Center for a temporary access road/driveway across Town owned property to provide access to Weddington-Matthews Road and to construct a new permanent sign along Providence Road (NC 16). Town Staff, NCDOT and Weddington Corners business owners met on Thursday, August 20 to discuss possible ideas and solutions to improve access into and out of Weddington Corners Shopping Center after NC 16 and NC 84 construction is complete. Barry Moose with NCDOT is currently evaluating the feasibility of this access road/driveway. This CUP is currently scheduled to be on the Planning Board agenda on September 28, 2009. Town Planner Cook gave the following update to the Planning Board of the August 20 Meeting:
- On Thursday, August 20th Town Staff, NCDOT and the Weddington Corners Business Owners had a meeting at Town Hall to discuss the Hwy. 16 and 84 road widening projects. Barry Moose, Richard Hancock, Scott Cole, Rick Baucom and Tawana Brooks were in attendance for NCDOT while there were approximately 15-18 Weddington Corners and Weddington United Methodist Church business owners in attendance. The goal of this meeting was to get input and suggestions from the business owners impacted by the Hwy. 16 and 84 road widening projects. Business owners were able to express their concerns to Town Staff and NCDOT. Most concerns were raised over the ingress and egress of the site. Many business owners were concerned about the lack of access to Hwy. 84 going east towards Monroe. NCDOT asked that the business owners make suggestions on how to improve access onto Hwy. 84 East. The business owners suggested the following three alternatives:
 1. **A full movement intersection with a traffic light at the Mills Cleaners entrance (northern most entrance on Providence Road).** NCDOT said that they would evaluate this alternative but felt that it would create too many traffic lights within a short stretch of roadway. There

would be traffic lights along Providence Road at Hwy. 84, Hemby Road and into Weddington Corners. Scott Cole with NCDOT also stated that “a new signal at that location would make Providence Road 50% less efficient the day it opened.”

2. **Reduce the length of the median/island along Hwy. 84 to allow a left in and left out of Weddington Corners (current plans show a continuous median/island going from Providence Road to Weddington-Matthews Road).** NCDOT felt that this was an unsafe alternative and would lend itself to “Good Samaritan accidents”. These are accidents that often happen when someone is making a left (into the shopping center from Hwy. 84) and cannot see across both lanes of traffic (one lane is stopped to allow the person to make the left) due to a limited sight distance. Barry Moose with NCDOT stated that this may only work for 1-2 years. He stated that NCDOT would have to extend that median/island at a later date due to increased traffic volume. Most of the business owners tended to agree that an unsafe shopping center is even worse than a shopping center that is just difficult to get into.
3. **Install a temporary access road/driveway across Town owned property to provide access to Weddington-Matthews Road.** NCDOT stated that this is probably the best alternative and that it should be able to become part of the Hwy. 16 and 84 project. NCDOT also stated that they would be able to build it but not sure of how much they could help financially. NCDOT and Weddington Corners would need to get the permission of the Town of Weddington to construct this temporary road/driveway. Barry Moose with NCDOT stated that ideally it would be built to NCDOT standards but the actual design would come later. There was a general consensus among business owners that this is the most viable and promising option.

NCDOT Chief Operating Officer Jim Trogdon will be in Weddington on Thursday, August 27th to hear the results of the meeting between Town Staff, NCDOT and business owners. At the August 27th meeting the business owners hope to inform Jim Trogdon of their consensus alternative. If this alternative is approved, it could then become part of the Hwy. 16 and 84 road widening project.

- Staff has received a Temporary Use Permit Application for the “2nd Annual AdamFest Family Fun Day” to be held on October 3, 2009 at Hunter Farm. This TUP will be on the Planning Board agenda on September 28, 2009.

Item No. 7. Other Business.

A. Report from the August 3, 2009 Regular Town Council Meeting. The Planning Board received a copy of the August 3, 2009 Regular Town Council Meeting agenda as information.

Item No. 8. Adjournment. Mr. Jack Steele moved to adjourn the August 24, 2009 Regular Planning Board Meeting. Vice-Chairman Rob Dow seconded the motion, with votes recorded as follows:

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

The meeting adjourned at 7:47 p.m.

Dorine Sharp, Chairman

Attest:

Amy S. McCollum, Town Clerk