

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, NOVEMBER 23, 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 November 23, 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, Jeff Perryman, Janice Propst and Town Planner Jordan Cook and Town Administrator/Clerk Amy McCollum

Absent: None

Visitors: Keith Merritt, Kent Hayes, Scott Huneycutt, Pete D'Adamo, L.A. Smith, Walker Davidson, Ed Goscicki

Item No. 1. Open the Meeting. Chairman Dorine Sharp called the November 23, 2009 Regular Planning Board Meeting to order at 7:02 p.m.

Item No. 2. Determination of Quorum/Additions or Deletions to the Agenda. There was a quorum. There were no additions or deletions to the agenda.

Item No. 3. Oath of Office – Janice Propst. Town Clerk Amy McCollum gave the Oath of Office to Janice Propst prior to the beginning of the meeting.

**TOWN OF WEDDINGTON, NC
PLANNING BOARD, HISTORIC PRESERVATION COMMISSION AND
BOARD OF ADJUSTMENT
Oath of Office**

I, Janice Propst, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of the State of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties as a member of the Planning Board, Historic Preservation Commission and alternate to the Board of Adjustment, so help me God.

Item No. 4. Approval of Minutes.

A. October 26, 2009 Regular Planning Board Meeting. Mr. Jack Steele noted two corrections to the minutes. Mr. Steele moved to approve the October 26, 2009 Regular Planning Board Meeting minutes with the suggested corrections. Mr. Jeff Perryman seconded the motion, with votes recorded as follows:

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

Item No. 5. New Business.

A. Review and Consideration of Conditional Use Permit for 156' Elevated Water Storage Tank. Mr. Steele advised that he was not going to participate on this matter due to a potential conflict of interest because his law firm is representing Union County on this item.

The Planning Board received the following memo from Town Planner Cook:

Union County requests a Conditional Use Permit (CUP) for a 156 foot, 1.5 million gallon elevated water storage tank. The tank will be located at 1929 Weddington Road.

Application Information

Date of Application: October 28, 2009

Applicant Name: Union County Public Works, Al Greene

Owner Name: Claire J. King

Parcel ID#: 06-150-074

Property Location: 1929 Weddington Road (Highway 84)

Existing Zoning: R-40, no zoning change required

Existing Use: Vacant

Proposed Use: Elevated Water Storage Tank, Class II Essential Service

Parcel Size: 4.87 Acres

General Information

- A Conditional Use Permit (CUP) is required for a Class II Essential Service in the R-40 zoning district. Water Storage is included as a specific Class II Essential Service in the *Town of Weddington Zoning Ordinance*.
- The applicant is proposing a 156 foot tall, 1.5 million gallon elevated water storage tank within a 300 foot by 300 foot chain link fenced in area along Weddington Road.
- The proposed water tank style will be a fluted column with a 60 foot diameter base and approximately 90 foot diameter bowl.
- The proposed facility will be accessed by a 20 foot wide gravel access road from Weddington Road. An access gate at the facility entrance will be placed approximately 240 feet from Weddington Road to reduce visibility of the facility from Weddington Road.
- In addition to the water storage tank, the site will include a tank drainage/overflow vault and an altitude value vault near the rear of the property. The tank drainage structure will be a 12 foot by 12 foot precast or cast-in-place concrete structure with a 20 foot long riprap area.

Minimum Standards for a Class II Essential Service in R-40 Zoning District:

Minimum Lot Area- 40,000 square feet—Lot is 4.87 Acres

Minimum Front Yard Setback- 75 feet—proposed setback is greater than 250 feet

Minimum Lot Width- 120 feet as measured at the front yard setback—proposed width is greater than 500 feet

Minimum Side Yard Setbacks- 15 feet—proposed setbacks are greater than 15 feet

Minimum Rear Yard Setback- 40 feet—proposed setback is greater than 40 feet

- The proposed water storage tank complies with all minimum yard regulations and front, side and rear yard setbacks for a Class II Essential Service in the R-40 zoning district as set forth in the *Town of Weddington Zoning Ordinance*.

Additional Information

- Screening and landscaping will be provided using existing, mature vegetation currently on site. Some additional trees may be planted on site within the proposed 30 foot buffer area. Clearing will only occur where the access road will be installed and inside the 300 foot by 300 foot fenced area. A 200 foot natural/existing tree buffer will remain between the fenced area and Weddington Road. All proposed landscaping complies with the *Town of Weddington Zoning Ordinance*.
- Outdoor lighting will be minimal. Motion detector lighting will be installed near the entrance gate and lighting on top of the tank will comply with Federal Aviation Administration requirements.

- The water tank does not have any pumps or other moving parts, therefore noise should not be a factor.
- The applicant has provided a map and pictures of the proposed water tank from various locations surrounding the water tank.
- Jasper and Ernestine King have provided authorization to Union County to apply for the CUP.

Staff has reviewed the application and submitted documents and finds the Conditional Use Permit Application is in compliance with *Article 1-In General, Article 2- Zoning District Regulations* and *Article 3-Conditional Uses* of the *Town of Weddington Zoning Ordinance*.

The Planning Board also received the following:

- Authorization from the Kings for Union County to apply for a Conditional Use Permit to design and construct a water storage tank on Parcel 06-150-074
- Aerial Map
- Zoning Map
- Conditional Use Permit Application for an Elevated Water Storage Tank
- Cover Sheet, Sheet Index and Vicinity Map
- General Legend and Project Notes
- Standard Details
- Drainage Structure Plan and Sections
- Erosion Control Details
- Storm Water Details
- Site Plan
- Yard Piping Plan
- Erosion Control and Grading Plan
- Storm Water Plan
- Landscaping Plan
- Tank Piping Plan
- Hydropillar Elevated Storage Tank Plan and Details – Alternate 1
- Waterspheriod Elevated Storage Tank Plan – Alternate 2

Mr. Pete D'Adamo – I am with the engineering firm of HDR and we are responsible for putting the plans together that are before you. The first slide shows the approximate boundaries of Weddington and from a large scale standpoint where the tank will be. The current site that is proposed is R-40 residential. The zoning that surrounds the site varies from Residential-Conservation District to Commercial/Business. The parcel is slightly less than five acres. The disturbed area is about 1.8 acres with new impervious surface of .3 acres. The 100-year flood is 635 feet. We try to find a site that is going to give us at least 700 feet as a base elevation that keeps the tank from getting too tall and meets the pressure requirements. The maximum tank water level is 853 feet. The original height that was proposed was based on maximum water level not the very top of the tower. This slide shows the tank site property is primarily wooded. The tank is across the street from the Town Hall. Some adjacent uses are residential, church, cemetery, commercial and then primarily undeveloped areas. This slide shows parcels adjacent to the proposed site. We have submitted plans to the Town for the proposed tank. I have a few of those plans in this PowerPoint. This shows the outline of the parcel. We are proposing a 20 foot gravel access road. The goal is to try to use as much natural buffer as we could and add additional buffer as needed to shield certain areas particularly on the west side of the property.

Vice-Chairman Rob Dow – Is the curve of the driveway such that when you are driving by the entrance on Highway 84 you will not be able to see the tank?

Mr. D'Adamo – We have a couple of photos at the end of the presentation that will show that. You will see it but it will be fairly obscure from that view. This is the Yard Piping Plan and the primary entrance here. The other critical thing that we looked at other than the elevation of the ground is proximity to a major transmission main. The goal of this tank is to store water and then release water into the distribution system to provide adequate pressure and fire flow. The County maintains a 24-inch line along 84. We have one line coming in to the tank and one line coming out and tying back into the 24-inch line then that will feed the system. That design also promotes turnover in the tank. One of the big issues now is water quality and if water sits in a tank too long there are concerns about water quality so we try to create a design that will increase turnover. The other structures that are shown here is an overflow drain that goes to a level spreader. The primary purpose of this is if the County needs to inspect the tank, which is every five to ten years, they would normally drain as much water as they can through the system to the residents. There may be some residual water that they would have to drain out and that is what this structure is as well as it provides for an emergency overflow. In terms of the piping components, these are the two main items - the 24 inch line and this overflow. This is the Erosion Control Plan which is set up to minimize run off during construction including the use of a stormwater pond for sediment as well as the silt fence and construction entrance to prevent debris from getting on the roadway. This is the overall Stormwater Plan which is in accordance with Union County requirements in terms of dealing with the additional impervious area that is being created by this which is primarily the tank, which we are required to put in a stormwater pond and this has an overflow or release at this location. This is a wide fanned drainage way that eventually works its way to a stream offsite. We put together a Landscaping Plan. This site is primarily wooded and our goal is to minimize clearing other than what is needed to erect the tower and then to maintain the tower. We will maintain a natural buffer as much as possible but along the western side we will also plant trees as additional screening as well as maintain whatever mature trees that are there. Our initial goal will be to identify what mature trees are there and then to supplement that for providing a good screening to the property to the west and to the north. There are two tank styles that were included in the package. They are different. There are four to five different styles that you may see if you ride around. This is called a fluted column which is a steel tank and has a large base and the water is stored at the top. This is called a spheroid tank and it also has a widened out base but certainly less wide than the fluted column. It has more of a bulb shaped top. You will see multi-columned tanks that are less expensive and less aesthetically pleasing than what is being proposed here. We took the spheroid tank and developed computer generated renderings so we could place it on the site and give you an idea of what people would see when they are driving around. This is the proposed site. I have several photographs and renderings to show. They were taken from different directions.

Mr. D'Adamo - This is a public necessity. Why this tank is needed? It has been in the County's Master Water Plan since 2005. There is not a lot of storage in this area. The way the system works is the tank would be primarily supplied by the Waxhaw – Marvin Pump Station because that has the highest head or pressure. One of the things that the County wants to do is dedicate a pump station to each tank which is going to provide more reliable service to its customers. The goal of this is to provide storage in this area which is needed as well as to help maintain adequate pressures for domestic demand as well as pressure for fire flow and maintaining adequate fire flow to protect property and human life. HDR has a water model for the County and their entire distribution system. One of the things that we looked at is the minimum state requirement for static pressure and distribution system is 30 PSI. That is needed to operate plumbing fixtures when you start looking at second floors and being able to flush a toilet. When we get to a max day demand condition in the western distribution system, which has happened already without the tank, we have an area of pressure that is less than 30 PSI and this actually extends outside the Weddington district as well. The County has had to deal with customer complaints just this past year in trying to address low pressures. Why do we care about low pressures? Number 1 is that it does not meet requirements and number 2 that low static pressure could actually yield even lower pressures as transients occur in the distribution system. You could get into a condition where you have very low pressure. You always want a water line under pressure so nothing gets into it. You have sewer lines that leak. What

protects us is the water line is under pressure and that keeps things from getting in. If water pressure drops to 0 or negative then that is a public health concern. The other concern is if you do not have adequate pressure then you are not going to meet your fire flow requirements which the County shoots for 1000 gallons per minute and 20 PSI residual at a fire hydrant. When you get into these situations and you have low pressures then you are going to have low fire flow which is going to make it harder to combat a fire and put customers at a higher risk of losing property or worse. This is the analysis of a max day demand at 25 mgd which eventually will happen when we recover from this economy and the County gets back into a growth mode. This could be five to ten years down the road. You can see that without this tank a huge area is going to have pressure less than 30 PSI and that situation is even worse when you look at fire flow. There is a real public necessity for a storage tank to serve this area and that is why it has been on the Master Plan since 2005 and that is why we are here today.

Mr. Keith Merritt – Why this particular parcel? This is a parcel that we have a willing seller. It is not a parcel that has to be condemned. It meets the criteria to the 24 inch water line, the height requirements and it also has a willing seller.

Mr. D'Adamo – That is correct. We did an evaluation and ultimately looked at 11 sites. All of the sites met the criteria in terms of elevation and proximity to a large water main. Some of the sites were actually less expensive than this site in terms of elevation and proximity to a water main but this site did meet those criteria and does have a willing seller.

Chairman Sharp – Has US Infrastructure reviewed the Stormwater Management Plan?

Town Planner Cook - She has that information now and is currently reviewing it. We have not heard back from her.

Chairman Sharp - Do you have anything from NCDOT about the driveway cut?

Mr. D'Adamo – No, not yet. We have not applied for it at this time.

Chairman Sharp - As water towers age, they rust and get ugly looking, are we potentially looking at an eye sore 10 or 20 years from now? What would be done to keep something like that from happening?

Mr. D'Adamo – There is a significant investment. This tower probably costs \$3 million plus to build. It is not something that the County wants to fall apart both from an economic standpoint and public safety standpoint. Corrosion protection systems are included with water towers. Often utilities will have a diver inspect every five years and drain the tank every ten years. It will also be on a regular repainting and coating schedule.

Mr. Ed Goscicki - I would offer that as evidence of the good faith that the County has is to look at the other water tanks that we have in the community. We have water tanks that are 20 years old and older that are in the system and we work very closely with those communities not only to make sure that they are maintained but work with them on the aesthetics of those tanks.

Chairman Sharp - Do you have any data on the impact this will have on properties in the vicinity when a water tower is constructed nearby?

Mr. Merritt – Pursuant to your regulations the finding that you have to make is that the use will not substantially injure the value of adjoining or abutting piece of property or the use is a public necessity. This falls under the public necessity to maintain the water pressures and to maintain adequate flow for fire protection. It meets the criteria under that Finding of Fact.

Mr. Jeff Perryman - Do you have any type of projection on the growth that we have had in the past years and if this tower is placed here that it meets the projected needs for five to 10 years? Is there a year or number projection?

Mr. D'Adamo – There are two issues. What we have identified is that without a water storage tank in this location that you will not meet pressure and fire flow demands and that problem will be increased as growth continues because when you look at a storage tank you look at providing fire flow storage, emergency storage and addressing diurnal demands such as people showering all at the same time of the day. All of those components and as growth continues to happen without that storage that localized water will be problematic. When we modeled it previously, we did not take it beyond 2025.

Mr. Perryman - Based on what the current water demand is, how much extra pad is it going to give you before you get a system set that is going to drop you below that required 30 PSI?

Mr. D'Adamo – It will pad you to at least what we modeled at an additional max day demand of five mgd which is equivalent to an average day demand in Union County at about 10 million gallons a day. We did not model it beyond that. It does not say that it would not address those needs beyond that as well.

Ms. Janice Propst - The 11 sites that you said you looked at were those all in Weddington?

Mr. D'Adamo – Some in and some were contiguous.

Ms. Propst – In your opinion, is this the best site of the 11 sites based on where the lines are, and the other sites are they in more residential areas? Is there a reason why you chose to focus more on this site versus the other 11 sites?

Mr. D'Adamo – We focused on four more highly rated sites and they met the criteria of elevation, location, proximity to a water line and then the next criteria was cost. When we went back to all of the property owners in the highest rated sites and approached them about purchasing their property this site was not the cheapest but there was a willing seller.

Ms. Propst - Do we get to pick which type of tank we can have?

Mr. Gosicki - The standard design we have used in the last number of years is the fluted column and when we looked at it in this location we thought it had a very commercial institutional look to it so we went back and asked HDR to come up with an alternative design using the spheroid tank because we think it has a more aesthetically pleasing look. That would be our recommendation to go with the spheroid tank and it is being recommended by the County Manager. It is really up to Weddington which one you would prefer.

Vice-Chairman Dow - The gate off the road is a great idea except if people are going to go in there and be parking in there and putting trash in there. Would it be a better idea to put a prettier gate up front? I understand from an aesthetics standpoint that is prettier not to have a chain link fence there. Also we have all kind of fall zones for telephone towers, does that ever come into consideration with a tank?

Mr. D'Adamo – There is no national standard and each community has their own set of standards.

Vice-Chairman Dow - We have never done a water tower before and we put standards in for other towers and now all of a sudden we are going to have all these gallons of water hanging 156 feet in the air. It looks like it could easily fall off the property.

Mr. D'Adamo – It is designed that that distance is equivalent to the tank height.

Vice-Chairman Dow - Is that something that we should consider? Do we have a distance?

Town Planner Cook - We have a setback but it is not specific to a tower.

Vice-Chairman Dow - How often do these things fall over and is there a difference between the two designs as far as safety?

Mr. D'Adamo - Both designs are equally safe and very stout as opposed to if you see a tank with six to eight columns - they are structurally sound but not as much as these. Primarily if you look at the history of water towers, if there has been an issue it is related to an event such as a tornado or hurricane. Tanks in the far northern climate, because they have a vent pipe and if that vent pipe freezes, you can pull a vacuum and the tank down upon itself. That is not the case here.

Mr. Scott Buzzard – If the Town wanted to paint something on the tower, is that something that we work with the County on?

Mr. Gosicki - We work with other communities on that, most recently Indian Trail, who paid for their own logo and name on the tank. We have no objections with working with you to do that as part of the project.

Mr. Buzzard - Outside of the initial installation when the tower goes up, I drive by three water towers back and forth to work and I do not notice them any more.

Mr. Perryman - I know you said that the property is not quite five acres and the whole site is less than two acres that you are going to use for this. Does that property then belong to the County? If someone wanted to make a walking trail or some other use out of that wooded area is that something that would be considered? Are you planning anything else for the site? Are you open to discuss other possibilities?

Mr. Merritt – The parcel would be owned by the County. I am not aware of any plans for the three acres along the front of that property that would not be used by the water tower. The best thing that we could say is that the Board of County Commissioners could be approached about other uses for that property but right now it is being used as a buffer. The current plans are to leave it in its natural state. It is zoned residential.

Vice-Chairman Dow – Are there any circumstances where this would be obsolete in the future as the Town grows out and the County grows out and this 24 inch main becomes way too small to do anything and you put in a 48 inch down the road. Is it possible that this tower would become obsolete or would you have such an investment in it that you would keep it in the overall flow plan?

Mr. D'Adamo - The County every five years updates their Master Water Plan which includes looking at new demand projections out to a planning period and updating the water model. The likely scenario is that as growth continues and wherever it is occurring you would evaluate how to support the existing infrastructure and not remove it or take it out. There may be another tower somewhere else to provide additional pressure. Most water infrastructure lasts 70 to 80 years.

Chairman Sharp asked Mr. Merritt the following Findings of Fact:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan:

Setback distances are provided per Weddington Zoning requirements in Article II. Section 58-54. R-40 Single Family District. The center of the structure is greater than 300-ft away from the front property line along NC-84 Weddington Road and approximately 150 feet away from the rear and side property lines. The tank will be located in a fenced area on the property. The access will be restricted with the swing gate and chain link fence.

The site naturally drains to the south and southwest of the property. Stormwater runoff will be collected in a sediment pond and will be released into the natural drainage way. The site provides positive drainage away from the site through a level spreader to allow drainage of the tank for maintenance purposes. The site is proposed to be developed with a natural vegetative buffer to shield the site from adjoining properties which include a residential unit, a church building and a cemetery.

2. The use meets all required conditions and specifications:

The area is zoned as Residential district (R-40). Weddington Zoning Regulations allow zoning in R40 areas under conditional uses. One of the classifications for the conditional uses is Essential Services which includes:

“publicly or privately owned facilities or systems for the distribution of gas, electricity, steam, or water, the collection and disposal of sewage or refuse, the transmission of communications or similar functions necessary for the provision of public services.”

The essential services are categorized under different classes and Class II includes *“booster stations, pumping stations, switching facilities, substations, lift stations or other similarly required facilities in connection with telephone, nonwire communications, electricity, steam, water, water storage, sewer or other similar utilities.”*

A 1.5 MG elevated water storage tank will be constructed on the property. It will be operated and maintained by Union County to improve the water service for the Town of Weddington. The use of the tank meets the description of Essential Services Class II conditional use application.

Landscaping and setbacks show the plans comply with the Town of Weddington’s Zoning Regulations.

3. The use will not substantially injure the value of an adjoining or abutting piece of property, or the use is a public necessity:

The use is a public necessity. In addition, siting a tank at the proposed project site provides numerous benefits to the Town of Weddington and surrounding community including:

- Provides a more reliable water supply by coupling the operation of the existing Waxhaw-Marvin Pumping Station solely to the proposed Weddington Tank.
- Improved capability to meet existing and future domestic water demands in the Marvin-Weddington area.
- Increased static and dynamic water pressures in the Marvin-Weddington area and in particular for those areas situated at higher elevations where current water pressures are sometime marginal and will become unacceptable when peak day water demands in the Western Distribution System reach 20 million gallons per day (MGD).
- The proposed tank will provide increased fire flow capability which is critical to protecting property and life in the area influenced by the proposed tank.

The proposed project site facilitates these benefits for several reasons. The site allows for the construction of a tank high enough to meet the County's hydraulic grade requirements to provide improved fire flow and pressure, is adequately screened from the surrounding community, has sufficient size to allow construction of the tank while providing additional buffer area and is adjacent to the County's 24-inch transmission main which facilitates distribution of the finished water to the service area.

4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with this Ordinance and the Weddington Land Development Plan:

The area is zoned as Residential district (R-40). Due to the benefits and the need for the public use described in Item 3 above, the proposed tank zoning would fall under "Essential Services Class II" conditional use zoning.

The site is located near a commercial district at the south of the intersection of Weddington Road (NC 84) and Weddington-Matthews Road. The proposed water storage tank will be strategically located on the southwest corner of the property in order to decrease the visibility of the tank from the surrounding roads and adjacent properties. The tank center will be approximately 320 feet from Weddington Road at its closest point. The distance from the southeast corner of the fenced tank site to the closest single family residential unit on the adjoining property on the south side will be approximately 500 feet. Currently, the site is predominately wooded. With the exception of the access road entrance on Weddington Road and the area needed to facilitate erection of the tank, the proposed project will be constructed with minimal clearing to maintain a natural tree buffer around the tank perimeter. Natural buffers will be supplemented with planted tree buffers along the western and southern property lines to shield the development from the adjacent church and cemetery. The area around the tank center will be fenced with an access gate to provide site security. Outside of the fenced area, an approximate 200 foot natural tree buffer/screening will separate the tank site and Weddington Road.

Mr. Buzzard – What was the height of the cell tower that was just approved?

It was answered that it was approximately 160 feet.

Mr. Buzzard - Will there ever be the case where there will be a dual use for this tower?

Mr. Goscicki – That is a practice that has been used in some utilities and it is a matter if it is the right location for the communication tower and aesthetically what is it going to do to the look of the tower itself so it becomes another issue. It has been done and typically they hang off the bottom of that bulb. You do have a fall zone requirement that you would have to look at.

Vice-Chairman Dow - Is that a problem in our zoning not to have a fall zone for a water tower?

Chairman Sharp – We can put it on our list to look at in the future. Do you want to recommend that the gate location be changed? How can we keep people from using it as a dump site?

Mr. Merritt – The current location of the gate is where the Town requested the location of the gate to be.

Town Planner Cook - My original comment was something more aesthetically pleasing than a chain link fence and asked if they could move that back.

Chairman Sharp - Do we have a recommendation on the type of tower or should we let that be a Council decision?

Ms. Propst advised that she would like to recommend the spheroid type of tower; however, others on the Board felt that people would express their opinion at the meeting.

Vice-Chairman Dow moved to send a favorable recommendation to the Town Council for the Conditional Use Permit for a 156' Elevated Water Storage Tank contingent upon the following:

- Approval of Driveway Cut by NCDOT
- Engineer's Comments Addressed regarding the Stormwater Plan
- Recommendation that the Town Council look at the Location of the Gate

Mr. Buzzard seconded the motion, with votes recorded as follows:

AYES:	Propst, Perryman, Buzzard and Vice-Chairman Dow
NAYS:	Masurat

Item No. 6. Old Business.

A. Consideration of Local Area Regional Transportation Plan (LARTP) Text Amendments. The Planning Board received the following memo from Town Planner Jordan Cook:

- Please review the attached Text Amendments prior to the November 23rd Planning Board meeting. We will discuss these Text Amendments and pass along any comments to the Town Attorney before being considered by the Town Council.
- The Town Council approved the LARTP at the September 14th Town Council meeting. Approval of this only included the Thoroughfare/Transportation Plan and LARTP Study.
- Each municipality (Marvin, Waxhaw, Weddington and Wesley Chapel) involved in the LARTP Study received a list of ten possible Text Amendments to add to their Ordinance.
- Each municipality has been given the choice to choose which amendments suit their individual needs.
- The ten amendments provided tonight were written and recommended by the consultant (MartinAlexiouBryson) and have not been reviewed by the Town Attorney or amended to specifically tailor to the *Town of Weddington Code of Ordinances*.

The Planning Board received a copy of the Model Ordinance Language.

Town Planner Cook provided the Planning Board with a handout comparing the current language in the Code of Ordinances versus the proposed language. He stated, "The LARTP would need to be adopted into the MUMPO Thoroughfare Plan and then we could implement their ordinance revisions into our code. The definitions need to wait until MUMPO takes action. The only issue that could be dealt with now is the Traffic Impact Analysis (TIA) text. I attempted today to find examples of these types of studies. They are using 100 peak hour trips as their threshold. I do not know what a typical neighborhood or vacant land that we have that can be developed would generate. I could not get the standard – there is an actual book that everybody goes by for restaurants, single family homes, grocery stores, etc. Do we want a TIA for everything? Right now it is required for anything in an MX District."

Chairman Sharp - It is required for B-2 shopping centers also?

Vice-Chairman Dow - Do we really want that for residential subdivisions?

Chairman Sharp - Suppose that they are going to have more than the 100 trips, what are the consequences? What additional things would we require just because they have more than 50 homes?

Town Planner Cook - The traffic engineer would make recommendations. DOT's best interest may not always be the Town of Weddington's best interest.

Mr. Buzzard – If the LARTP is adopted and we have a TIA, a developer would have to consider how their subdivision affects a nearby intersection and whether or not they would have to do any upgrades.

Chairman Sharp - At what point does this get cost prohibitive for the developer?

Mr. Steele felt that proposed text changes numbers 8, 9, and 10 are not applicable.

Chairman Sharp – If MUMPO does adopt our LARTP, it will impact our Land Use Plan and that is something that will have to be reviewed along with the ordinance changes.

Town Planner Cook will research the standards for Traffic Impact Analysis studies.

Item No. 7. New Business.

A. Consideration of Proposed Text Changes to Section 58-57 (B-2 Shopping Center District), Section 58-60 (MX Mixed-Use Conditional District) and Section 58-61 (E-D Educational District) of the Code of Ordinances. Chairman Sharp reviewed the proposed text changes to be added to the following sections of the Code at the request of the Town engineer:

Sec. 58-57. B-2 Shopping Center District

Sec. 58-60. MX Mixed-Use Conditional District

Sec. 58-61. E-D Educational District

Stormwater management. The post development rate of stormwater runoff from any lot shall not exceed the predevelopment rate of runoff for a ten-year storm. The applicant shall provide, at a minimum, the following information to the zoning administrator as part of his application to obtain a zoning permit:

- a. An engineering report made and certified as true and correct by a registered engineer licensed to do business in the state. Such report shall include the following:
 1. The routing of stormwater for the predevelopment and post development conditions of the proposed building lot.
 2. Calculations showing the peak estimated rates of runoff using a ten-year return period for predevelopment and post development conditions, for the lot, including each stream leaving the proposed building lot.
 3. Calculations, plans and specifications for stormwater retention/detention facilities or other means to effect peak rate attenuation.
 4. A statement indicating the rate of post development stormwater runoff for the proposed building lot will not be greater than the predevelopment rate for a ten-year storm.
- b. A statement from the owner acknowledging responsibility for the operation and maintenance of required retention/detention facilities, and to disclose such obligation to future owners.

Chairman Sharp questioned if Union County Public Schools would need to look at this language also. The Planning Board decided to allow Town Planner Cook to speak with the schools about adding this text to the E-D Educational District before proceeding.

Item No. 8. Update from Town Planner. The Planning Board received the following update from Town Planner Cook:

- On August 3rd the Town Council voted to approve the contract to hire HadenStanziale for the Weddington Town Core Plan. The Public Kick-Off Meeting was held on September 29th, the day long design Charrette was held on October 22nd and the Charrette Presentation was held on November 17th. At the Charrette Presentation the consultant presented five conceptual Town Core Plans created from the ideas and concepts generated at the Charrette. Citizens were then asked to vote for their favorite and least favorite plans. The results of these votes were then presented to the citizens in attendance and the Downtown Development Committee. The Downtown Development Committee will now meet to discuss these results and recommend a Town Core Plan. This recommendation will be based on the citizen input gathered at the previous Charrette Presentation meeting. The Town Core Plan that is recommended will then be reviewed by the Planning Board before going to the Town Council for Public Hearing and Consideration.
- The applicants (Polivka International) for the Helms Property Conditional Zoning Rezoning and Land Use Amendment have completed their Public Involvement Meetings (PIM's). The first PIM was held on Thursday, November 12th from 2:00-4:00pm on site at 13700 Providence Road. This on-site PIM was primarily intended for service providers (NCDOT, utility departments, NCDENR, etc.). The second PIM was held on Thursday, November 19th from 6:00-8:00pm at Town Hall. Approximately 7-10 citizens attended the PIM at Town Hall. Town Staff and the applicant were on hand at both meetings to answer any questions about the proposed office/retail development. The applicant is currently proposing 30,000 square feet of office and 30,000 square feet of retail. The applicant is currently working on finalizing water and sewer plans with Union County Public Works. This proposed rezoning and land use plan request will be on a Planning Board agenda when the water and sewer is finalized.
- Staff has received a Minor Subdivision Plat to create two lots from one 5.957 acre parcel located at 245 Weddington Road. Staff is currently reviewing the Preliminary Plat and the Final Plat is scheduled to be on the December 21st Planning Board agenda.

Item No. 9. Other Business.

A. Report from the November 9, 2009 Regular Town Council Meeting. The Planning Board received a copy of the November 9, 2009 Regular Town Council Meeting agenda as information.

Item No. 10. Adjournment. Vice-Chairman Dow moved to adjourn the November 23, 2009 Regular Planning Board Meeting. Mr. Perryman seconded the motion, with votes recorded as follows:

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

The meeting adjourned at 9:00 p.m.

Dorine Sharp, Chairman

Attest:

Amy S. McCollum, Town Clerk