

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
WEDDINGTON TOWN HALL
MARCH 28, 2016 – 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 March 28, 2016, with Chairman Dorine Sharp presiding.

Present: Chairman Dorine Sharp, Vice-Chairman Rob Dow, Bruce Klink, Barbara Harrison, Jim Vivian, Town Planner Julian Burton and Administrative Assistant Tonya Goodson

Absent: Gerry Hartman, Brad Prillaman

Visitors: William Fetter, Jonathan Pray, Hy Nguyen, Joe Youannas, Frank Pray

Item No. 1. Open the Meeting. Chairman Dorine Sharp opened the meeting at 7:00 pm.

Item No. 2. Determination of Quorum/Additions or Deletions to the Agenda. There was a quorum. Town Planner Julian Burton proposed to move New Business before Old Business. All agreed.

Item No. 3. Approval of Minutes.

A. February 22, 2016 Regular Planning Board Meeting Minutes. Vice-Chairman Rob Dow moved to approve the minutes from February 22, 2016 as presented. Mr. Jim Vivian seconded the motion, with votes recorded as follows:

AYES:	Vice-Chairman Dow, Klink, Harrison, Vivian
NAYS:	None

Item No. 4. New Business.

A. Review and Consideration of a minor subdivision for Pamela Fetter. The Planning Board received the following memo from Town Planner Burton along with the Final Plat.

The Fetter plat is a minor subdivision as defined in the *Weddington Subdivision Ordinance Article II Section 46-40*. Two lots are being created from an existing 13.87 acre parcel owned by Pamela Fetter, located on Huntington Road.

Application Information

Date of Application: February 5th, 2016
Applicant/Owner Name: Pamela Fetter
Parcel ID#: 06096011A
Existing Zoning: R-CD
Existing Use: Single family house on Lot 1
Proposed Use: Single family Residential

General Information:

Minimum lot size - 40,000 sq. ft.
Front yard setback – 50 feet
Rear yard setback – 40 feet
Side yard setbacks – 15 feet

Minimum lot width at building line – 120 feet, measured at the front yard setback

Lot 1 already is already served by well and septic systems. Note 9 addresses well location and approval for any additional wells, and septic approval shall be provided to staff prior to recordation of the final plat.

Recommended Condition of Approval

1. Provide proof of septic approval from Union County Environmental Health
2. ~~Any new driveways must receive a residential driveway permit from NCDOT~~

Planning Board Action:

Approve/Approve with Conditions/Deny

Chairman Sharp suggested Condition of Approval #2 be removed because the Planning Board will not make the owner show the driveway permit prior to signing the mylars.

Vice Chairman Dow moved to approve the final plat for the Pamela Fetter Subdivision with the proof of septic approval from Union County. Dr. Bruce Klink seconded the motion with votes recorded as follows:

AYES: Vice-Chairman Dow, Klink, Harrison, Vivian

NAYS: None

B. Review and Consideration of the Cardinal Crest Entry Monument application. The Planning Board received the following memo from Town Planner Burton along with the Monument Site Plan.

Please find the entry monument site plan and architectural plans for the approved major subdivision, Cardinal Crest. The plans show entryway monuments for the only entrance to the subdivision, located off Hemby Road.

- All monument structures are outside the right-of-way and sight triangles.
- Applicant has stated that the only plants within the sight triangle are seasonal flowers, no more than 18" tall.
- Monuments are located on both sides of the entrance, but the sign is located on only one side. The sign is under the required maximum area of 20 square feet per sign, and the top of the sign is less than 7 feet tall.

Recommended Condition of Approval:

- Any lighting shall meet the requirements of the Town of Weddington Lighting Ordinance.
- No landscaping within the site triangle may exceed 2 feet in height and a note to this effect shall be added to the Entry Monument Site Plan.

Planning Board Action:

Approve/Approve with Conditions/Deny

Chairman Sharp asked that a second Condition of Approval be added. See above the underlined addition.

Vice Chairman Dow moved to approve the Cardinal Crest Entry Monument Site Plan with the two above conditions. Ms. Barbara Harrison seconded the motion with votes recorded as follows:

AYES: Vice-Chairman Dow, Klink, Harrison, Vivian

NAYS: None

C. Review and Consideration of Final Plat Map 1 for the Falls at Weddington. The Planning Board received the following memo from Town Planner Burton along with a letter from Bonnie Fisher and a copy of the Final Plat and Conservation Easement.

Falls at Weddington, LLC, submits a subdivision final plat application for 48 lots of the approved Residential Conservation Subdivision, The Falls at Weddington, located off Antioch Church Rd. The subdivision is located on both sides of Antioch Church Road and Final plat Phase II Map 1 includes all of the lots located on the east side of Antioch Church Road.

Application Information:

Date of Application: January 28th, 2016

Applicant/Developer Name: The Falls at Weddington, LLC

Parcel ID#: 06093007

Property Location: Antioch Church Rd.

Project Information:

The Falls at Weddington Subdivision preliminary plat consists of 185 lots and was approved on December 8th, 2014. The subdivision is located on both sides of Antioch Church Rd and is being developed by Falls at Weddington, LLC, as an RCD conservation subdivision.

Conservation Easement:

Section 58-58 (4) of the Weddington Zoning Ordinance stipulates that a minimum of 50% of the gross acreage must be retained as conservation land. Conservation lands must remain conservation lands in perpetuity. This is often done by requiring conservation easements and/or review and approval of neighborhood CCR's. The applicant has provided a separate conservation easement plat to be recorded alongside the final plat and it is included in your packet.

Construction Documents

US Infrastructure has partially approved the construction documents associated with the Falls at Weddington Preliminary Plat. The Town is awaiting the finalization of the floodplain development permit for the west side of the development. However, Construction Documents for the plat under review, Phase 2 Map 1, have been approved and the approval letter from USI is included in the packet.

Recommended Conditions of Approval:

1. Bond estimates to be approved by the Town's engineering consultant
2. Bond instruments to be reviewed and approved by the Town Attorney and the final bond instruments must be submitted to the Town prior to recording of the final plat.
3. Declaration of Conservation Easement and Restrictions shall be reviewed (by Town Attorney) and executed prior to recording of the final plat
4. Maintenance Plan and Maintenance Agreement shall be reviewed (by Town Attorney) and executed prior to recording of the final plat
5. Covenants, Conditions and Restrictions (CCRs) shall be reviewed (by Town Attorney) and executed prior to recording of the final plat
6. Each remaining lot to be recorded in the Falls at Weddington subdivision shall include on its Deed a statement that any roads in the subdivision that are not accepted by NCDOT are private and not the responsibility of the Town of Weddington and shall be maintained by the Falls at Weddington Homeowners Association or its Developer.

7. Vehicle control signs including but not limited to stop signs and speed limit signs shall be installed by the Developer and maintained by the Homeowners Association on any roads not accepted by NCDOT. All speed limits within the subdivision shall be no greater than 25 mph.
8. Coordinate with USPS and DOT to provide cluster mailboxes within subdivision.

Planning Board Action:

Recommend Approval/Recommend Approval with Conditions/Recommend Denial

Vice Chairman Dow expressed concern that the Conservation Easement is not shown on the recorded final plat. Town Planner Burton said the fact that it says Conservation Lands on the final plat will be sufficient.

The Planning Board reviewed the conservation lands map for the entire subdivision but declined to consider that portion not included in Plat Map 1.

Dr. Klink moved to send Final Plat Map 1 for the Falls at Weddington with a favorable recommendation to Council. Ms. Harrison seconded the motion with votes recorded as follows:

AYES:	Vice-Chairman Dow, Klink, Harrison, Vivian
NAYS:	None

D. Review and Consideration of Text Amendment to Section 58-4 to define foundation survey. The Planning Board received a copy of the Text Amendment.

Town Planner Burton reviewed the reference to foundation survey with respect to the Board of Adjustment.

The Planning Board decided to defer this item until the April Planning Board Meeting so both sections can be tied together. It will be considered Old Business on the April agenda.

E. Review and Consideration of Text Amendment to Section 58-3 to define reoccurring violations to the zoning ordinance. The Planning Board received a copy of the Text Amendment.

Town Planner Burton explained the reason for this new Text Amendment. This would allow us to enforce penalties on a reoccurring violation even if there was a gap of a few months between complaints.

Chairman Sharp expressed concern about Case Resolution and wondered what it means.

Town Planner Burton said it meant that the Code Enforcement Officer will say this case is closed. The violation has been corrected.

Town Planner Burton – If we have given them notice of violation saying that we are about to start citing then they clean it up but two weeks later they put it back. We could then cite them from the original date.

Vice Chairman Dow moved to send the Text Amendment to Section 58-3 to Council with a favorable recommendation. Mr. Vivian seconded the motion with votes recorded as follows:

AYES:	Vice-Chairman Dow, Klink, Harrison, Vivian
NAYS:	None

Item No. 5. Old Business.

A. Review of dimensional standards for conservation subdivisions (Section 58-58). The Planning Board received a copy of 58-58.

Vice Chairman Dow explained that at the last Planning Board meeting there was a great deal of conversation about how to adjust the ordinance so that it would promote conservation subdivisions. He spoke with a Land Designer. He thinks conservation subdivisions are a great idea but the biggest problem from a design and development standpoint is the expense and time of doing them.

Mr. Vivian said that a benefit of a conservation subdivision is that it enhances the viewshed. He thinks it becomes more critical at intersections where you might have 18 acres. Mr. Vivian would be okay to go down to 10,000 square feet. This allows more chance for innovation.

Vice Chairman Dow is concerned about making it so restrictive that developers don't want to use it.

Chairman Sharp suggested to wait and see what kind of development the Town gets with this change for viewshed being tier A and see if that fixes the problem.

Vice Chairman Dow suggested that the Planning Board put some of these numbers on plats and let the design computer program see what is spit out.

Town Planner Burton suggested looking at the language about conservation subdivisions and see if the Town can encourage less visual density.

Ms. Harrison has a concern with 10,000 square feet because Weddington is at the cusp with Rea Road. Some unusual things may come up. She doesn't want Rea Road to look like Providence Road down by Ardrey Kell.

The Planning Board will see what comes in next for conservation subdivisions.

Chairman Sharp would like to see the developers be able to use their talents to design something rather than be dictated about how they have to do it.

The Planning Board asked Town Planner Burton to emphasize in the Land Use Plan the look and feel that the Planning Board and Town wants from conservation subdivisions. Then they will see what effect they get from viewshed and buffering requirements that are currently in place.

B. Review and Consideration of Revised Meeting Calendar.

DATE	TIME	LOCATION
January 25, 2016	7:00 p.m.	Town Hall Council Chambers
February 22, 2016	7:00 p.m.	Town Hall Council Chambers
March 28, 2016	7:00 p.m.	Town Hall Council Chambers
April 25, 2016	7:00 p.m.	Town Hall Council Chambers
May 31, 2016 <u>(moved back one week)</u>	7:00 p.m.	Town Hall Council Chambers
June 27, 2016	7:00 p.m.	Town Hall Council Chambers
July 25, 2016	7:00 p.m.	Town Hall Council Chambers
August 22, 2016	7:00 p.m.	Town Hall Council Chambers
September 26, 2016	7:00 p.m.	Town Hall Council Chambers
October 24, 2016	7:00 p.m.	Town Hall Council Chambers

November 28, 2016	7:00 p.m.	Town Hall Council Chambers
December 19, 2016 (Moved up one week – Christmas)	7:00 p.m.	Town Hall Council Chambers

Ms. Harrison moved to approve the revised calendar. Dr. Klink seconded the motion with votes recorded as follows:

AYES: Vice-Chairman Dow, Klink, Harrison, Vivian
NAYS: None

Item No. 6. Update from Town Planner. The Planning Board received the following memo from Town Planner Burton.

SUBDIVISIONS

- The Falls at Weddington Amenity Center Construction Documents
 - Rezoning approved at the November 14th, 2015 Town Council meeting.
 - CDs submitted have undergone preliminary review, and staff is waiting for the resubmittal package.
- Graham Allen –
 - Submitted construction documents and the preliminary plat application
 - Should be on the April Planning Board agenda.
- Sugar Magnolia
 - Submitted their stormwater concept plan and will likely submit the preliminary plat and construction documents within a month.

Conditional Rezoning

- Threshold Church has submitted a conditional rezoning application for Phase II of the church's development plan. They are working through the initial stages of the TIA process and the application could be on the April Planning Board agenda.

Text Amendments

- Staff is in the process of drafting amendments to the Land Use Plan to incorporate the future Rea Road extension.
- Staff is drafting an amendment to the zoning ordinance to require notifications to the Town regarding any planned blasting during the construction of new subdivisions. The amendment will likely tie the new requirement to preliminary plat approval.

Item No. 7. Other Business.

A. Report from the March Town Council Meeting. The Planning Board received a copy of the agenda from the March 14, 2016 regular Town Council Meeting.

Item No. 9. Adjournment. Vice Chairman Dow moved to adjourn the March 28, 2016 Regular Planning Board Meeting. Mr. Vivian seconded the motion with votes recorded as follows:

AYES: Vice-Chairman Dow, Klink, Harrison, Vivian
NAYS: None

The meeting adjourned at 8:30 p.m.

Dorine Sharp, Chairman

Attest:

Tonya M. Goodson