

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
WEDDINGTON TOWN HALL
APRIL 25, 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 April 25, 2016 with Chairman Dorine Sharp presiding.

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

Absent: None

Visitors: Brandon Cleary, Wayne Griffin, Jonathan Keith, Chuck Sadler, William T Walker, Toni Olin

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. Letter H (New Business) should be 46-79 and he also wanted to review 46-46. 5 A and B have been pulled from the agenda.

Vice-Chairman Rob Dow moved to modify the agenda. Dr. Bruce Klink seconded the motion, with votes recorded as follows:

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

Item No. 3. Approval of Minutes.

A. March 28, 2016 Regular Planning Board Meeting Minutes. The Planning Board decided to change Item 5 (Old Business) paragraph 6 to read “encourage less visual density”.

Vice-Chairman Dow moved to approve the minutes from March 28, 2016 with the change above presented. Mr. Gerry Hartman seconded the motion, with votes recorded as follows:

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

Item No. 4. New Business.

A. Review and Consideration of the Atherton Estates Amenity Center Conditional Zoning Application. – Pulled from the agenda.

B. Review and Consideration of the Atherton Estates Amenity Center Construction Documents. – Pulled from the agenda.

C. Review and Consideration of the Atherton Estates Entry Monument Application. The Planning Board received the following memo from Town Planner Burton along with the Phase III Entryway Design.

Please find the entry monument site plan and architectural plans for the approved major subdivision, Atherton Estates. The plans show entryway monuments for the entrance off Weddington-Matthews Road.

- All monument structures are outside the right-of-way and sight triangles.
- Sign is located on both sides of the entrance. 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.
- Lighting meets lighting ordinance requirements.

Planning Board Action:

Approve/Approve with Conditions/Deny

Chairman Sharp requested 2 additional conditions

1. All roads on all plans need to be labeled.
2. All lighting must meet the lighting ordinance.

Mr. Hartman moved to approve the Atherton Estates Entry Monument Application with the addition of the two mentioned conditions. Vice-Chairman Dow seconded the motion with votes recorded as follows:

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

D. Review and Consideration of the Tuscan Ridge Entry Monument Application. The Planning Board received the following memo from Town Planner Burton.

Please find the entry monument site plan and architectural plans for the approved major subdivision, Tuscan Ridge. The subdivision, Tuscan Ridge, is located further down the existing subdivision road, Shagbark Lane. However, the applicant has obtained a permanent easement (pages 4-6 in application packet) along Hemby road and proposes to place the entry monument within the easement.

- All monument structures are outside the right-of-way and sight triangles.
- Sign is located on only one side of the entrance. The sign is under the required maximum area of 20 square feet, and the top of the sign is less than 7 feet tall.

Recommended Conditions of Approval:

1. Amendment to CCRs to establish maintenance responsibility to developer/HOA for the entry monument.
2. Review of easement by Town Attorney, Anthony Fox.

Planning Board Action:

Approve/Approve with Conditions/Deny

Mr. Chuck Sadler (Shagbark Lane) asked why the monument is not going at the entrance of the neighborhood. The current proposed entrance monument is at the beginning of a road that has 6 houses that will not be part of that community.

Mr. Bill Walker (Shagbark Lane) said his white antebellum home has been there for 25 years. He said the two pillars were originally installed by the people who built his house. He expressed that he could not think of another place in this area that has a sign for a development that is 1/10 of a mile down the road.

Mr. Griffin purchased the property from Shagbark LLC. He already has the easement for it to go where it is proposed. He said it was recorded at the courthouse.

Chairman Sharp remembers this happening one other time at Providence Forest. However that was still on the Subdivision property.

Mr. Brad Prillaman asked why they needed a sign there.

Mr. Griffin – For exposure. I feel it will make a difference in the sale of a property.

There is no homeowners association associated with the front lots.

Vice-Chairman Dow is concerned that people will think they are in Tuscan Ridge when they aren't.

Mr. Griffin added that natural gas and water will be available to the current residents on Shagbark.

Chairman Sharp is concerned that this would be confusing to anyone buying older homes on Shagbark.

Town Planner Burton looked at the final plat and the easement was not recorded. It was not part of the final plat that the Town Council approved.

Mr. Sadler hopes the best for the neighborhood. He feels the monument will not look right. He likes that he is not in a community.

Mr. Walker is on 4 acres in an antebellum home. He feels the sign is not representative of his home. Our homes are colonial and traditional, not Tuscan.

Chairman Sharp said there are currently two stone pillars. Mr. Walker owns one side and Shannon Scott owns the other side. They are not in the right of way.

Chairman Sharp would like to approve the monuments if they are placed in the common open space. The developer declined to ask to put them there, and was told he can come back with a request at a later date.

Vice-Chairman Dow moved to deny the Tuscan Ridge Entry Monument Application as submitted. Mr. Hartman seconded the motion with votes recorded as follows:

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

E. Review and Consideration of the Falls at Weddington Amenity Center Construction Documents.

The Planning Board received the following memo from Town Planner Burton along with the Amenity Package Construction Documents.

Falls at Weddington, LLC, submits the construction documents for the Amenity Site associated with the approved major subdivision, The Falls at Weddington. Community recreational centers are permitted as conditional uses subject to the requirements listed in Section 58-271. The Conditional Rezoning was approved on September 14th, 2015 by the Town Council, contingent on Construction Document approval.

Application Information:

Property Location: Antioch Church Rd.

Existing Zoning: R-CD

Proposed Zoning: R-CD (Conservation Subdivision through the Conditional Zoning process)

Existing Land Use: Residential Conservation

Proposed Land Use: Residential Conservation (CZ)

Existing Use: Vacant Land

Parcel Size: 4 acres

Project Information:

The Falls at Weddington Subdivision is an approved 185 lot subdivision on 234.49 acres. The amenity center will be located on 4 acres and will include a pool and a clubhouse. The plan includes the required 26 foot landscaped buffer at the border of the site, and existing vegetation will exceed the minimum number of trees and shrubs required.

Traffic Impact Analysis:

Although the amenity center rezoning constitutes a new application and triggers the need for a revised TIA, staff confirmed with the Town's traffic engineer that the improvements already proposed for Antioch Church Road are sufficient given the size of the subdivision, and eliminate the need for further study and analysis.

Recommended Conditions of Approval:

- ~~1. Construction Documents to be approved by the Town Council.~~
- ~~2. Final approval for all engineering associated with Construction Documents to be provided by engineering consultant, USI.~~
1. Height of all structures must be under 35 feet measured from grade to the eave.
2. Final Plat including the amenity center site and access must be recorded prior to start of construction.
3. All lighting must conform to the Town Lighting Ordinance.
4. Security access gates must be added to the construction documents prior to submittal to the Town Council.

Town Planner Burton asked that Conditions 1 and 2 be removed. New Conditions 3 & 4 will read above.

Mr. Prillaman moved to send to Council with a favorable recommendation with the 4 conditions as noted.

Ms. Barbara Harrison seconded the motion with votes recorded as follows:

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

NAYS: None

F. Review and Consideration of the Final Plat Phase I Map 1 for the Falls at Weddington. The Planning Board received the following memo from Town Planner Burton.

Falls at Weddington, LLC, submits a subdivision final plat application for 1 lot of the approved Residential Conservation Subdivision, The Falls at Weddington, located off Antioch Church Rd. The final plat includes the amenity center and access to the amenity center from Antioch Church Road. The plat itself will be provided to the Planning Board at the meeting on April 25th.

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.

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 1 Map 1, have been approved by USI.

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. 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.

Planning Board Action:

Recommend Approval/Recommend Approval with Conditions/Recommend Denial

Town Planner Burton will still need to review this more. He feels like everything is there. This is the final plat showing the amenity site and the access to it.

Mr. Hartman moved to send to Council with a favorable recommendation with the recommended conditions. Mr. Prillaman seconded the motion with votes recorded as follows:

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

G. Review and Consideration of the Conservation Easement for the Falls at Weddington. The Planning Board received the following memo from Town Planner Burton along with the plat.

Falls at Weddington, LLC, submits a subdivision final plat application for 48 lots of the approved Residential Conservation Subdivision, The Falls at Weddington, located on both sides of 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 for the entire subdivision. The Planning Board approved a portion of the conservation easement at the March 28th, 2016 meeting. However, the applicant has requested that the Town approve the entire conservation

easement to protect all conservation areas while final plats are being reviewed and approved, and construction is not yet complete. The CCR's reference the conservation easement in its entirety.

Planning Board Action:

Recommend approval/Recommend approval with conditions/Recommend Denial

Vice Chairman Dow moved to send to Town Council with a favorable recommendation. Ms. Harrison seconded the motion with votes recorded as follows:

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

H. Review and Consideration of Text Amendment to Section 46-79 to require notification of blasting and approved blasting permit and review Section 46-46. The Planning Board received a copy of the Text Amendment.

Town Planner Burton explained the additional text for the new section 46-79 (A-C).

Chairman Sharp suggested the following underline change to C.

After receipt of blasting permit from the Union County Fire Marshal, the applicant shall notify the Town and all occupants and owners of residences and businesses adjoining the property where the blasting will occur at least 48 hours before the blasting project begins including the anticipated duration.

The Board discussed the possible problems with notifications prior to each blast and would like to consider time of day restrictions..

The Planning Board decided to continue this Text Amendment discussion as Old Business at the May Planning Board Meeting. The goal is to find out what the fire marshal requires. This will need to be put in the zoning ordinance also.

I. Review and Consideration of amendments to the Land Use Plan to better incorporate the Rea Road extension. The Planning Board received a copy of the Text Amendments.

Page 36 was to fix timeline.

Page 50 was a topic that was brought up at the Council retreat to further emphasize limiting commercial development even when new roads get built.

The Planning Board changed the following sentence within the Commercial Development section:

In the future in order to preserve the Town's rural character new commercial development is restricted to the Town Center.....

Vice Chairman Dow moved to send to Council with a favorable recommendation the new language for pages 36 and 50. Dr. Klink seconded the motion with votes recorded as follows:

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

Item No. 5. Old Business.

A. Review of dimensional standards for conservation subdivisions (Section 58-58) and discussion of language regarding conservation subdivisions in the Land Use Plan. The Planning Board received a copy of the dimensional standards, Section 58-58.

The Board decided that no further changes were required to this section of the ordinance. It was determined that since new language regarding viewshed from the road was recently added to the ordinance, that it would be best to see if changes are necessary in the future.

B. Review and Consideration of Text Amendment to Section 58-4 to define Foundation. The Planning Board received a copy of 58-4 and 58-208.

Mr. Hartman and Mr. Vivian agreed to work on 58-4 and 58-208 and will get back to Town Planner Burton. This will be Old Business on the May agenda.

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

SUBDIVISIONS

- Graham Allen
 - Submitted construction documents and the preliminary plat application
 - Should be on the May Planning Board agenda.
- Sugar Magnolia
 - Has submitted their preliminary plat. Will likely be on the May Planning Board agenda.

Conditional Rezoning

- Threshold Church has submitted a conditional rezoning application for Phase II of the church's development plan. They are working through the TIA process and the next step will be to review the CZ application and schedule PIMs.

Brad Prillaman left the meeting at 9:00 p.m.

Additional updates

- The May Planning Board meeting will be on Tuesday, May 31st.

Item No. 7. Other Business.

A. Report from the March Town Council Meeting. The Planning Board received a copy of the agenda from the April 11, 2016 regular Town Council Meeting.

Item No. 9. Adjournment. Ms. Harrison moved to adjourn the April 25, 2016 Regular Planning Board Meeting. Mr. Hartman seconded the motion with votes recorded as follows:

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

The meeting adjourned at 9:03 p.m.

Attest:

Dorine Sharp, Chairman

Tonya M. Goodson