

**TOWN OF WEDDINGTON  
REGULAR PLANNING BOARD MEETING  
WEDDINGTON TOWN HALL**

**APRIL 23, 2018 – 7:00 P.M.**

**Minutes**

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**1. OPEN THE MEETING**

Chairman Dow opened the meeting at 7:00 p.m.

**2. DETERMINATION OF QUORUM/ADDITIONS OR DELETIONS TO THE AGENDA**

Quorum was determined with Chairman Rob Dow, Board members Walt Hogan, Brad Prillaman, Barbara Harrison, Steve Godfrey, and Gerry Hartman in attendance.

Board member Jim Vivian was absent.

Staff Present: Town Administrator/Planner Lisa Thompson, Town Clerk Karen Dewey

Visitors: Steve McClendon, Bill Deter, Paul Bielicki

Staff requested item D under New Business be removed. The Board agreed.

**3. APPROVAL OF MINUTES**

A. March 26, 2017 Regular Planning Board Meeting Minutes

<i><b>Motion:</b></i>	Board member Hartman made a motion to approve the March 26, 2018 Regular Planning Board Meeting Minutes as presented.
<i><b>Second:</b></i>	Board member Hogan
<i><b>Vote:</b></i>	The motion passed with a unanimous vote

**4. OLD BUSINESS**

**5. NEW BUSINESS**

**A. Review and Consideration of Conditional Rezoning from R-40 to R-CD for a portion of parcel number 06177015 for Wesley Chapel Volunteer Fire Department to construct a single story fire department**

Ms. Thompson presented the staff report: The Wesley Chapel Volunteer Fire Department requests a conditional rezoning to construct a single-story fire department at the northeast corner of Rea and Reid Dairy Roads. The parcel is 1.718 acres and is currently zoned R40. The site plan shows a single access point that needs to be approved by NCDOT. The drive aisle has been changed to one way with 18 ft. wide drive aisle. There are 8 parking stalls required, the site plan has 11. The Town Traffic Engineer has determined that a TIA not required. The applicant will have to put in an 18 foot landscape buffer. They will supplement existing tree line in the rear. . Detailed landscape plans with specs and materials will be done

during construction plan approval. Elevations show brick and fiber cement siding, which is consistent with architectural standards. Two Public Involvement Meetings were held on March 5. Staff has listed conditions:

- One way traffic shall be noted on site plan
- Site plan approval is conditional on approval of the right of way abandonment.
- County septic and water plans to be approved by Union County Public Works
- All signage must comply with Chapter 58, Article 5 of the Weddington Code of Ordinances, which includes Planning Board review and approval
- Any future proposed Lighting Plan must be approved by the Town Council and shall comply with the Town Lighting Ordinance
- Prior to commencement of construction, Construction Documents shall be approved by the Weddington Town Council in accordance with Section 58-271 of the Weddington Code of Ordinances. Any significant changes to the site plan shall cause the applicant to resubmit through the conditional rezoning process.
- Prior to commencement of construction, the applicant must obtain approved driveway permits from NCDOT
- Applicant must align the landscape buffer requirements with the proposed stormwater management design at construction document submittal to ensure that grading within the buffers does not infringe on the buffer requirements.

Board member Harrison asked if abandonment of the right of way would give NCDOT enough room to widen Rea Road again.

Ms. Thompson stated that she wasn't sure. Chairman Dow stated that he believes that would have been considered.

Ms. Thompson stated that one of concerns mentioned at the public involvement meeting was school congestion causing a problem for the fire department responding. She stated that she took video at the school dismissal time and there was about 50 seconds of traffic backed up at the light.

Board member Hogan asked if there was a way to control the stop light at that intersection. Chief McClendon responded that there are devices that can be installed on the signal, however WCVFD doesn't use any of those devices and there are not any in operation in Union County.

Board member Hartman asked if the Planning Board needs to state anything about the rezoning needing to be consistent with Land Use Plan. Ms. Thompson stated that she drafted a statement to review before making the motion..

**Motion:** Board member Hartman made a motion to forward the conditional rezoning from R-40 to R-CD for a portion of parcel 06177015 for Wesley Chapel Volunteer Fire Department to construct a single story fire department to Town Council with a favorable recommendation with the conditions listed by staff, and the Land Use Plan Consistency Statement as follows:  
Rezoning the portion of property to R40 - conditional for a fire department use, meets the goals of the land use plan in that it

maintains the residential character using high quality materials consistent with the surrounding area; and the scale and design is in keeping with the unique small-town character. It is reasonable as the zoning allows for public and emergency facilities that are necessary to serve the growing area.

**Second:**

Board member Prillaman

**Vote:**

The motion passed with a unanimous vote

#### **B. Review and Consideration of a Text Amendment to Section 46-76 (c) Marginal Access Street and 46-9 Definitions**

Chairman Dow stated that he believes there are big inconsistencies in the ordinance language that requires the planner to make decisions she shouldn't have to make.. Chairman Dow stated that changes now will have no impact on Reece Gibson property but will help in the future. He expressed the need to make language consistent and easier to understand.

Ms. Thompson presented the staff report: When a subdivision abuts a major thoroughfare, a marginal access street is required, unless the Town Council finds it impractical. The Town has approved 5 other subdivisions where the marginal access has been a driveway easement located on the lot. She explained the changes suggested:

- added language to the ordinance about lots fronting a street when there is no other alternative,
- the ordinance is to read that marginal access is required. currently, it reads "required by Town Council",
- language was added that it has to be public right of way, if made a private right of way, it has to be a minimum of 25 acres and go through PRD rezoning.
- 30 feet of separation is required to buffer between the thoroughfare and access street to give a sort of viewshed buffer.
- the road be built to NCDOT standards
- removed language about Town Council finding it impractical.
- updated definitions to correct old references to CTP.

Board member Hartman asked about the reference to major subdivisions in section 46-76C, and about situations with minor subdivisions. Ms. Thompson explained that this would only be required when subdivisions have 4 lots or more. If a developer wants to build a major subdivision and wants to front lots on a major thoroughfare, a marginal access street is required.

Board member Prillaman asked about the minimum of 30 feet of buffer. He suggested making a consideration for road expansions like subdivisions affected by the Rea Road Extension.

Ms. Thompson suggested an overlay district for future expansions on certain roads.

Chairman Dow stated that ordinances have inconsistencies in the definitions between use of easement and street. The Planning Board needs to look at that and other definitions. The ordinance needs to be crystal clear whether a situation qualifies for a Marginal Access Street when forced by the unique nature of the land to be developed. He suggested that "street" be

changed to “easement” and it cannot be limited to only being allowed in a PRD. Chairman Dow stated that a Marginal Access Easement should not be a stated maintained road. The Bromley Subdivision is a good application of the marginal access street.

Board member Prillaman asked who pays to maintain the easement. Chairman Dow responded that responsibility would go to the HOA who may do a separate agreement with the houses being served by the marginal access easement.

Chairman Dow expressed that the Planning Board doesn’t want to take away property from developers. The goal is to work with them to get the best product representing the Town.

The Planning Board directed Ms. Thompson to compile the terms throughout the ordinance that are inconsistently defined. Once that list is compiled, they will determine how to revise the ordinance and if a special meeting is needed. Some of the suggested terms and definitions are:

- Street – a street should be a dedicated and accepted public right of way. The definition is too big and all encompassing, including roads, thoroughfares, and expressways.
- Abut – the use is questionable throughout the ordinances.
- Easement
- Thoroughfares

### **C. Review and Consideration of Text Amendment to Section 46-15 titled Modifications**

Ms. Thompson stated that the intent of this text amendment is if a sketch plan for conservation needs a modification, the modification petition comes to the Planning Board and Town Council before the planner can sign off on a sketch plan for a conventional subdivision or the Planning Board signs off on a sketch plan for a conservation subdivision.

Board member Prillaman asked if there is a need to have a statement that reads that the need for a modification is not a direct result of the owner’s actions. Ms Thompson stated that this is a Council/Planning Board legislative review versus a Board of Adjustment quasi judicial hearing; however that is the only difference. The subdivision ordinance goes through a modification process and the zoning ordinance goes through a variance process, but they can use the same language.

The Board agreed to add the additional language as a number 6.

- Motion:** Board member Hartman made a motion to forward Text Amendment to Section 46-15 titled Modifications to the Town Council with a favorable recommendation with the addition of number 6 in paragraph (d) Consideration by Town Council: The need for modification is not a direct result of actions taken by the applicant or property owner.
- Second:** Board member Prillaman
- Vote:** The motion passed with a unanimous vote.

**~~D. Review and Consideration of a modification of the Subdivision Ordinance Section 46-76 (g) Cul-de-sac for Woodford Chase Subdivision.~~**

**6. UPDATE FROM TOWN PLANNER**

Ms. Thompson presented an update: she stated that the survey is out and is due by the end of the week. The Town plans to extend the timeline and mail out postcards. The Town has received 450 responses. The survey was sent through a link on the website and email lists.

**7. REPORT FROM THE APRIL TOWN COUNCIL MEETING**

Ms. Thompson stated: Town Council discussed the Reese Gibson property. The consideration for the preliminary plat/construction plans was tabled until the May meeting.

Chairman Dow asked if any comments were made on the plans. Ms. Thompson stated that Council liked the changes made from the Planning Board comments. She explained that the Council thought that moving the access street to the center of the property may solve the cul de sac length issue and they are waiting a DOT decision on that option.


Chairman Dow asked if the Council was okay with a marginal access street with private driveway. Ms. Thompson confirmed that they are.

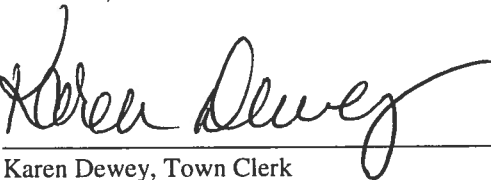
Ms. Thompson finished the report by informing the Planning Board that Karen Wolter from Bringewatt and Snover Law Firm is the new attorney for the Town of Weddington.

**8. ADJOURNMENT**

*Motion:* Board member Prillaman made a motion to adjourn the April 23, 2018 Regular Planning Board Meeting at 9:03 p.m.  
*Second:* Board member Harrison  
*Vote:* The motion passed with a unanimous vote.

Adopted: May 29, 2018

  
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Rob Dow, Chairman

  
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Karen Dewey, Town Clerk

