

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
WEDDINGTON TOWN HALL
1924 Weddington Road
Weddington, NC 28104
August 27, 2018 – 7:00 p.m.
AGENDA**

1. OPEN THE MEETING
2. DETERMINATION OF QUORUM/APPROVAL OF AGENDA
3. APPROVAL OF MINUTES
 - A. July 23, 2018 Regular Planning Board Meeting Minutes
4. OLD BUSINESS
 - A. Update on the Erosion Control Ordinance
 - B. Discussion of Land Use Plan Timeline and Special Meeting Recap regarding Land Use Survey
5. NEW BUSINESS
 - A. Review and Consideration of Conditional Zoning for 5207 Weddington Road Weddington, for the Purpose of Establishing a Community Recreational Center.
 - B. Review and Consideration of Conditional Zoning for 315 Reid Dairy Road, Weddington, for the Purpose of establishing a Church Use and Any Accessory Uses Related Therewith
 - C. Review and Consideration of Final Plat for Weddington Acres (formerly Graham Allen)
6. UPDATE FROM TOWN PLANNER AND REPORT FROM AUGUST TOWN COUNCIL MEETING
7. ADJOURNMENT

**TOWN OF WEDDINGTON
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WEDDINGTON TOWN HALL
JULY 23, 2018
Minutes
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1. OPEN THE MEETING

Chairman Dow called meeting to order at 7:00 p.m.

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

Quorum was determined with Chairman Dow, Board members Walt Hogan, Barbara Harrison, Jim Vivian, Steve Godfrey, and Gerry Hartman present. Board member Brad Prillaman was absent.

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

Visitors: Bill Deter, Wayne Archie

3. APPROVAL OF MINUTES

A. June 25, 2018 Regular Planning Board Meeting Minutes

Board member Harrison deleted an extra word on page 2.

Board member Hogan added his clarification to his question of the applicant on page two: He asked if cost was the reason the applicant wanted to go back to the original plan. The Applicant responded yes.

Chairman Dow commented that on page 5, Ms. Thompson's response to Board member Hartman's question about the subdivision checklist should include the addition of septic approval.

<i>Motion:</i>	Board member Hartman made a motion to approve the June 25, 2018 Regular Planning Board Meeting Minutes as amended.
<i>Second:</i>	Board member Hogan
<i>Vote:</i>	The motion passed with a unanimous vote.

4. PUBLIC HEARING

A. Review and Consideration of Temporary Use Permit Application for Mud Maze Event to be held at Hunter Farm on August 25, 2018 from 8:00 am to 3:00 pm

Ms. Thompson presented the staff report: Mr. James Sweitzer submitted an application for a Temporary Use Permit for a Mud Maze event to raise money for Project Alive. The proposed event will be at the Hunter Farm located at 13616 Providence Rd. on Saturday, August 25, 2018, from 8:00 am – 3:00 pm.

Additional Information:

- Projected attendance is projected at 700 persons
- A copy of the Certificate of Liability Insurance is on file with the Town of Weddington
- Food vendors have approval from Union County Environmental Health
- A Union County Mass Gathering Permit has been applied for with Union County Environmental Health.
- Portable bathroom facilities will be used.
- The location for all proposed uses can be found on the Site Plan provided.
- The applicant has applied for two TUPs within the last 12 months.

Chairman Dow opened the public hearing. No public signed up to speak.

Board member Harrison asked the applicant if there were any port a johns to accommodate disabled persons. He responded that there will be.

Board member Hartman asked if the Union County Sheriffs would be??

Chairman Dow stated that the responses to the first to findings on the application should be changed to “yes” as the question is a double negative.

Chairman Dow asked what a mud maze is. Mr. Sweitzer responded that it is a mud run with obstacles in a maze setting.

Chairman Dow asked how big it will be. Mr. Sweitzer responded that it would be about 2 acres.

Chairman Dow asked if any ground would be disturbed. Mr. Sweitzer responded that ground being disturbed for the mud maze is already disturbed.

Chairman Dow asked if the use is for something other than farming, does the Town have to worry about erosion control. He stated that he wants to be sure it won't be a problem. Mr. Sweitzer stated that they would put up a silt fence if necessary. The Planning Board agreed that there would be a condition of the applicant meeting the requirements of the state erosion control permit, if it is required.

Findings of Fact:

1. *The proposed temporary use will not materially endanger the public health, welfare and safety:* The Planning Board unanimously agrees that the proposed temporary use will not materially endanger the public health, welfare, and safety as the applicant has environmental use permit, sheriff's office review, a certificate of liability insurance, and adequate parking on site.
2. *That the proposed temporary use will not have substantial negative effect on the adjoining properties:* The Planning Board unanimously agrees that the proposed temporary use will not have a substantial negative effect on the adjoining properties as the event is being held on a Saturday morning, it is being held at a significant distance from neighbors, and all adjacent property owners have been notified of the event. The Planning Board agrees that the applicant will meet the requirements of the state erosion control.

3. *The proposed temporary use is in harmony with the general purpose and intent of this chapter and preserves its spirit:* The Planning Board unanimously agrees **the** proposed temporary use is in harmony with the general purpose and intent of this chapter and preserves its spirit **as the event** promotes community and family and complies with the ordinances.
4. *The proposed temporary use is held no more than 4 times per year at any particular location:* The Planning Board unanimously agrees that the proposed temporary use has not been held more than 4 times per year at any particular location as the applicant has applied for only two temporary use permits in past 12 months.

Motion: Board member Hartman made a motion to approve the application for a Temporary Use Permit for a mud maze event at Hunter Farm on August 25, 2018 as it is in keeping with the Findings of Fact.

Second: Board member Harrison

Vote: The motion passed with a unanimous vote.

Chairman Dow closed the public hearing.

5. NEW BUSINESS

A. Land Use Plan Annual Review

Ms. Thompson stated: This serves to assess the decisions and actions the Planning Board has completed over the past year to ensure they are meeting the goals and objectives of the Land Use Plan. Staff reviewed the agendas over the last year and has listed the projects and issues that were reviewed. Recommendations are in italics. Some recommendations are more ordinance related. This review will go to the Town Council for review next month.

- Preliminary Plats/Construction plans: Canisteo Subdivision, Weddington Glen, Woodford Chase

Through this process natural resources are preserved and adjacent properties are protected. Restrictions were placed for grading and clearing, protecting floodplain and waterways, and erosion control. Drainage areas, soils and impervious surfaces were all factored in as part of the stormwater calculations to protect downstream properties from off-site run-off. The plan review considered the Town's roadway standards and included appropriate turn lane improvements and site distance regulations to help with congestion management. For Woodford Chase, the Town requested additional front setbacks and a tree save area for lots fronting Hwy 84.

Recommendations: design around useable open space, consider a mass grading ordinance, consider erosion control issues, analyze private access/easements (under review) and evaluate yield plans

- Final plats: Harlow's Crossing-Phase 1 Map 2, Atherton Subdivision-Phase 2 Map 4, Weddington Acres Subdivision

- Rezoning/CUP amendments: WCVFD – R60-R40, WCVFD – Conditional , Weddington United Methodist Church – Columbarium, All Saints – Amendment, Weddington Glen R40-RCD, Weddington Swim and Racquet Club Amendment

Visual effect from surrounding properties and roadways were protected with adding and maintaining buffers and site specific conditions were taken into account through the conditional zoning processes. The reviews ensured the plans were consistent with the Town's quality and aesthetic values.

- Entry monuments: Harlows Crossing

The Board took into consideration the electrical lines to plant the right trees in the right location and also examined the site triangles.

Recommendations: The board discussed needing to see the landscape plans for all thoroughfare buffers.

- Text amendments:

The Board only adopted two text amendments with regards to landscaping near the power lines and to clear up the process for modifications.

- Other

Town Survey – The town survey needs to be analyzed for future changes to the land use plan.

Recommendations: (besides the needed changes to RCD) – Adopt a Park and Greenway Master Plan for greenway development.

Visit with Randall Arendt – Several suggestions to process, buffers, site design, implementation, site walks was suggested by Mr. Arendt.

Recommendation: The Planning Board and Council shall use his report to make changes to the subdivision ordinance

Erosion Control Issues

Recommendation: Town erosion control ordinance

Planning Board training – great review of process, policy and duties

Recommendation: Annual training

The Town has a representative on the Charlotte Regional Transportation Planning Organization to stay informed and have input on road and thoroughfare plans.

Recommendation: List intersection and road improvement needed. Possibly consider having the Town traffic engineer to provide basic information to submit projects for funding.

The Town continues to maintain the medians on Providence Road to enhance rural look.

The Town currently contracts with an outside agency for a part-time code enforcement officer to investigate complaints about violations of the Town's ordinance.

Recommendation: Town to consider junk vehicle, abandoned vehicle and nuisance ordinance

The Town continues to work with engineering consultants to ensure that all storm water detention ponds meet the Town's requirements and are inspected annually.

Recommendation: Continue the construction inspector and consider town erosion control ordinance.

The Town utilizes the Traffic Impact Analysis Ordinance to minimize the impact of new construction on Town roads and infrastructure.

The Planning Board Discussed the Land Use Plan Annual Review:

Chairman Dow stated that the Planning Board has only looked at 3 preliminary plats over the last year. Ms. Thompson stated that her question of the board is if "consider" should be struck and replaced with "implement". She asked if there should be an overall Land Use policy.

Chairman Dow asked about the decision last November to hire an erosion control specialist. Ms. Thompson clarified that the Town has a construction inspector, not an erosion control specialist. Chairman Dow asked what the outcome of the discussions was. Ms. Thompson responded that the inspector works about 4 hours per week to inspect developments. She stated that most of what he is doing is erosion control.

Board member Hogan asked if the inspector should be a full time position. If the Town needs to take control of erosion issues, it should be formally mentioned in the annual review.

Board member Harrison asked if Ms. Thompson gets reports for the inspector. Ms. Thompson stated that she gets reports and pictures every week. If there are issues, she then emails the site manager. At the start of implementing use of the inspector, the site managers responded quickly; it has become more difficult to get responses. When reports are sent to DENR, they don't always respond with citations for the violations.

Chairman Dow asked how this is presented in the annual review report. Ms. Thompson responded that she can do a write up to formally initiate a pilot program to have the construction inspector review the success of the erosion control plan of the subdivisions and document any failures. After that, she will contact the builder/developer.

Board member Hartman stated that his recommendation would be to implement stricter erosion control measures with penalties based on the pilot policy initiated in early 2018.

Chairman Dow stated that he has a concern with the recommendation under the Town Survey section for a park and greenway master plan. He stated that the Planning Board has not formally reviewed the survey and made conclusions. He feels that the fact the survey was done should be a big bullet point in this report. The survey was initiated and completed with excellent return and the results need to be considered. His recommendation is to review the Land Use survey.

Board member Vivian stated that the results are because the response rate was so high. The methodology is superior to what has been done in the past. He feels the report should stress the return rate.

Board member Hartman made the recommendation to ensure the findings from the Land Use Plan survey are turned into action.

Board member Hartman stated that ensuring follow through on developer landscape plans should be highlighted. The requirement that detailed landscape plans have been added to construction plans.

Board member Harrison stated that the Land Use Plan does describe where the fire stations are located. She stated that the Town has approved one on Rea Road and that should be added to this review.

Chairman Dow stated that the new fire station should be added to the Land Use Plan, as the application from WCVFD came through in May.

Motion: Board member Harrison made a motion to send revised Land Use Plan annual review to Town Council.

Second: Board member Hogan

Vote: The motion passed with a unanimous vote

B. Discussion of Land Use Plan Timeline for Revisions

Ms. Thompson asked the Board to please make revisions to the first two chapters of the Land Use Plan and send them to her by the end of this week. She stated that the Planning Board will review the Land Use Goals and Policies next month. The schedule is to call for a public hearing in November to be held at the December meeting to adopt the new plan then. If the revisions are moving too slowly, the Town will re-adopt the current plan and amend it later. The schedule has not been reviewed with the Town Council. Chairman Dow believes the Board can meet the schedule.

Chairman Dow asked if the schedule includes any workshops with the Council or residents. Ms. Thompson responded that if there are major changes, a workshop can be added.

Board member Harrison stated that she would like to have a joint meeting with the Council and Planning Board to discuss changes.

Chairman Dow stated his concern about the appearance that a significant number of residents would like parks and greenways - most of those residents live in conservation subdivisions. He stated that if one follows the basic results of survey, one will find that the people that voice opinions are the ones that want a change, they are motivated. If the Town doesn't hold public hearings for people to see the discussion and there would be a myriad of people with contrary opinions to the survey results. Chairman Dow strongly urged Ms. Thompson to give enough time in the schedule to hold an open hearing/workshop with any major changes to the Land Use Plan as highlighted topics.

Board member Harrison stated that the last Land Use Plan revision brought angry residents to the public meetings because they believed the town hadn't publicized it enough, among other reasons.

Chairman Dow gave caution to the Planning Board that when reading through the plan, they should not only think about what the Town goals and plans are, but how the wording can be twisted to mean something different than intended.

Ms. Thompson asked for input on any revisions to the first two chapters back to her by Friday.

Board member Hartman asked if the LUP should advocate for residents. When looking at the survey comments regarding traffic, he asked if that is the kind of feedback used for revising the LUP.

Ms. Thompson responded that she believes the LARTP would be more appropriate for advocating for residents in regards to traffic issues.

Chairman Dow stated that the purpose of the Land Use Plan is not to suggest ordinances and regulations, but to lay out the Town's vision, goals, and policies. He stated that as the Board goes through the Plan step by step; they cite supporting data from survey, find substantiation and strengthen the wording of the vision, goal and policies. Board member Hartman asked if the questions were specific enough for that. Chairman Dow responded that the basic statements are all that is needed.

Ms. Thompson stated that when writing text amendments and approving rezoning they are required to look at the Land Use Plan goals and policies.

Chairman Dow stated that when a developer comes in and doesn't want to follow policy, the Town doesn't have to state specifically what is allowed or not allowed. That can be said in a strongly worded recommendation. The Board should have a general statement to use as armor when something comes in and isn't the shape of the future the Town wants.

Board member Harrison stated her concern with the fire department and EMTs having a more difficult time getting into developments. She is concerned about the increasing response time.

Board member Vivian expressed that there are material facts that we know will impact the LUP. For example, the Rea Road extension and the I-485 exit onto Weddington Matthews Road.

Chairman Dow stated that exploring the buffer along future corridors, an overlay district, should be indicated in the LUP.

Board member Harrison reiterated her concern with safety and response time of emergency vehicles.

Chairman Dow responded with the comment that DOT has to work so far in advance; there has been a lot of discussion on the Michigan left/superstreet concept. He believes it is faster and safer.

The Planning Board agreed that public involvement meetings on the Land Use Plan changes should be held. The Board also agreed not to adopt the schedule until getting the Town Council input.

C. Discussion of Conservation Subdivision Changes

Board member Harrison stated that she liked Mr. Arendt's recommendation that if it can't be built on, it shouldn't count toward the minimum required percentage of open space. The 50% minimum open space should be unconstrained land.

Chairman Dow believes the problem with that is the unbuildable land can still be in a lot. A private lot could include a creek bed. He stated the idea is to have that in an open space to protect it.

Chairman Dow asked what the Planning Board wants for Weddington development. He stated that Mr. Arendt's main motivation is saving open space, but not necessarily using rural ideas. The berms are useful for noise, but are the synthetic polished buffers and berms what Weddington is. There can be a hybrid berm that combines the polished and more natural ideas that will take care of noise, shield the property and provide more natural canopy behind it. He gave the example of the west side of Harlow's Crossing.

Chairman Dow asked Board member Godfrey his thoughts. Board member Godfrey doesn't agree with Mr. Arendt's points. He believes the Planning Board needs to come up with what the vision for the town should be. Chairman Dow stated that some of Mr. Arendt's plans were beautiful, but he doesn't believe those plans suit Weddington.

Chairman Dow believes that one of the biggest problems to work on is what kind of buffering the Town wants. Ms. Thompson stated that the point of buffers can be to replant the forest. There is one tree every 200 sq feet to grow a forest in 10 years.

Board member Vivian stated that the town can propose landscaping plans to show the 10 year growth.

Ms. Thompson is looking for feedback from the Planning Board on what they want to take away from the meeting with Mr. Arendt and the conservation subdivision process. She stated that the biggest thing she got out of the meeting was the design process and getting more out of the developments.

Chairman Dow stated that berms were one topic. Used as an immediate sound and vision saver and coupled with longer term plantings behind or in front of them. He believes houses facing the road, especially thoroughfares, is a mistake. Subdivisions should be served by an internal road whenever possible. Having two entrances to two different streets to help spread out traffic is idea. Chairman Dow expressed that he believes the goal is to not see development. Mr. Arendt is a very utopic thinker, free with design, but his plans don't have engineer input.

Ms. Thompson stated that the idea is to review the subdivision ordinance and list the concerns.

Board member Vivian suggested contacting Union County Power arborist to discuss buffering options.

Chairman Dow stated that the concerns aren't strictly related to the R-CD subdivisions. There are bigger problems in some of the traditional subdivisions as well, like marginal access streets. Ms. Thompson stated that there are ideas from Mr. Arendt on cul de sacs that may affect the marginal access street discussion; such as the idea that it isn't necessarily the length of the cul de sac that is the issue, but the number of homes on it that should be considered.

Ms. Thompson asked the Planning Board to list their other major concerns for discussion before any changes are made to the subdivision ordinance.

D. Review and Consideration of Erosion Control Ordinance

Ms. Thompson stated: This is the follow up to the previous discussion from the November 2017 meeting. There have been many complaints and NCDENR only writes violation citations under extreme circumstances. There has only been 1 violation written in 6 months, and the violation is still there on the east side of Antioch in The Falls subdivision. Ms. Thompson stated that Weddington needs lot by lot erosion control. NCDENR is only concerned if erosion runs off site if actual sediment is on the ground.

Chairman Dow asked if there will be a legal overview and if all plans will go to DENR for approval. Ms Thompson replied that the Town will review erosion control plans. There will be no review by DENR. There will be a review portion, done by the Town engineer, and an inspection portion, done by an inspector. She stated that it can be added to the fee schedule without adding cost or staffing issues and an Interlocal agreement with Waxhaw can also be considered. Ms. Thompson plans to have a draft together next month. She is looking for agreement from the Planning Board after confirming that this is still needed.

Chairman Dow stated that there will need to be definitions written for the ordinance and it will need to be reviewed by the town attorney and the town engineer. He asked Ms. Thompson if she had any concerns. She stated that she wants to review it further, including the penalty section and make sure it's strong enough.

Chairman Dow asked how satisfied Waxhaw is with their ordinance and how often do they issue penalties. He asked if they have seen any changes because of their erosion control and if they would make any changes to it now.

Ms. Thompson stated that the Waxhaw erosion control ordinance has been in place for a little over a year. Chairman Dow asked if Ms. Thompson could speak to the inspector for Waxhaw and see how things have improved. Ms. Thompson agreed and asked Planning Board to get her any ideas they have on the erosion control ordinance.

6. UPDATE FROM TOWN PLANNER AND REPORT FROM JULY TOWN COUNCIL MEETING

Ms. Thompson stated that the Town has received an application for a Conditional Rezoning for Christ Lutheran Church on Reid Dairy Road. It will probably be ready for review at the August Planning Board meeting. A second Conditional Rezoning application was received for a fitness center in the old Southbrook Church building at the WCWAA fields. This will be a proposed community center type use.

Chairman Dow asked how the Town Council voted on the Weddington Acres proposed cul de sac extension. Ms. Thompson replied that the Council approved the modification with an additional 40 feet added by the applicant because of the elimination of a flag lot.

Chairman Dow asked if the Council went through the findings of fact and what facts they gave to change their minds. Ms. Thompson responded that she read the findings of fact into the record for the Council approval and there were no specific reasons given.

7. ADJOURNMENT

Motion: Board member Hartman made a motion to adjourn the July 23, 2018 Regular Planning Board Meeting at 8:54 p.m.
Second: Board member Harrison
Vote: The motion passed with a unanimous vote.

Adopted: _____

Robert Dow, Chairman

Karen Dewey, Town Clerk

TOWN OF WEDDINGTON

MEMORANDUM

TO: Chairman and Planning Board

FROM: Lisa Thompson, Administrator/Planner

DATE: August 27, 2018

SUBJECT: Weddington Fitness Center – R-40 Conditional Zoning



Cory Worf requests a conditional zoning to allow for a private community recreational use within an existing building located at 5207 Monroe Weddington Road.

Application Information

Date of Application: August 3, 2018
Applicant/Owner Name: Cory Worf
Parcel ID#: a portion of 06-069-021
Property Location: 5207 Monroe Weddington Road

Existing Zoning: R40
Proposed Zoning: R40 (CZ)
Existing Use: Vacant Church Building
Proposed Use(s): Recreational Use
Parcel Size: 3.12 acres

Use

The applicant proposes a community recreational center in accordance with *Section 58-54 (2)c* of the *Weddington Zoning Ordinance*. All conditional uses are required to go through the conditional rezoning process in *Section 58-271* of the *Weddington Zoning Ordinance*.

(2) *Conditional uses*. The following uses may be permitted by the town council in accordance with [section 58-271](#). The council shall address review criteria for each use which is contained in [section 58-271](#):

- a. Churches, synagogues and other places of worship.
- b. Public and private schools serving all grades, including preschool facilities.
- c. Golf courses, parks, playgrounds and community recreational centers (both public and private).
- d. Country clubs.
- e. Emergency governmental service facilities, including police, fire and rescue.
- f. Cemeteries.
- g. Essential services, classes II and III.
- h. Private airstrips, provided that:
- i. Telecommunication towers.
- j. Public libraries.
- k. Planned residential developments, subject to the requirements of [section 58-23](#).
- l. Amateur radio towers. An amateur radio tower may also be located on a lot that contains another principal use or structure. In no instance, however, shall the amateur radio tower be located in the front yard of a lot containing another principal structure.
- m. Government or town facility.
- n. Land application of biosolids.
- o. Agritourism

Development Standards for a Private Community Recreational Facility

Minimum Lot Area - 40,000 sq ft.
Front Setback-75 feet
Rear Setback-40 feet
Side Setbacks-15 feet
Maximum Building Height - 35 feet

Access and Parking:

The site plan shows a single access point off of Weddington Road. This will become a right in/right out once the Weddington Road improvements are complete. The applicant will be required to obtain driveway permits from NCDOT as a condition of a conditional rezoning approval.

A parking stall is required to be 9'x 20'. The applicant will use the existing parking lot and restripe it to meet town requirements. Community recreational centers require 1 space for the largest number of employees per shift, plus 2 spaces for each 3 memberships, plus 1 space for each vehicle used in the operation. 14 parking spaces and 1 ADA space is required. 23 spaces and 2 ADA spaces are provided.

Justin Carroll, the Town's traffic engineer is not requiring a TIA. The AM peak is 7 vehicles and the PM peak hour is 17 vehicles. Mr. Carroll's findings are included in your packet.

Screening and Landscaping:

The applicant provided a 24' foot buffer around the side and rear of the property which shall be left undisturbed per *Section 58-8 of the Weddington Zoning Ordinances*. Staff believes the uses surrounding the existing building aren't uses that need to be screened therefore staff is suggesting that they be exempt from the planting requirement of 5 trees and 20 shrubs per 100 linear feet. However, the existing parking areas shall be screened along the south side to buffer it from Weddington Road.

Elevations:

The applicant is not proposing any additions to the building at this time. They will paint the exterior of the structure and install landscaping around the foot print as needed.

Lighting

There are existing pole mounted lights in the parking lot. Any proposed lights shall meet the requirements within the lighting ordinance.

PIM

The required Public Involvement Meetings for this project were held on August 15, 2018 from 2:00-4:00 on site and 5:00-7:00 PM at Town Hall. Mailings were sent out to parcels within 1300' of the site. Approximately 11 people attended the meetings, all showing support for the proposed conditional zoning. Two concerns were raised; the use would transform into something larger or more commercial in the future, and noise.

Additional Development Standards

Provisions were added to the plan explaining the use, which allows for a recreational building for educational and recreational classes and activities for the people in the community i.e. a yoga studio, fitness classes, agility training, martial arts studio, etc. All classes shall be group run versus any open type of gym/fitness center. It does not allow a fitness center/club use over 5,000 sq ft., which the average business/retail type of fitness centers are 40,000 sq ft, and it specifically excludes non-traditional recreational tenants such as trampoline parks, rock climbing gyms, and gaming centers. It also excludes any retail components you see in larger fitness centers, like juice bars and cafes, and it shall not have any retail sales like gym equipment, yoga mats, etc.

The applicant also included his hours of operation that shall be incorporated as a condition in this rezoning. His normal hours are Monday –Friday 5:30 am-12pm and 3:30 pm- 7:30 pm, Saturday 8am-12 pm and Sunday 2pm- 5 pm. The condition will allow for a little more flexibility for other classes and shall be M-F 5:30 AM – 8 PM and weekends 8am-5pm.

The noise ordinance will regulate any unreasonably loud noise.

Recommendation

The conditional zoning district process allows for the establishment of certain uses that, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole. In order to accommodate these uses, specific development standards for these uses that allows for flexibility in development while protecting existing nearby areas can be established.

Given the recreational use is surrounded by 50 acres of ball fields the use within the existing structure with a 5,000 sq ft maximum could be considered to fit the area. However, parameters need to be considered by Planning Board and Town Council to determine if it's a good fit (i.e. size of building, hours, etc). In addition, Planning Board and Town Council need to consider whether this proposal fits a community recreational center use category.

State Statute requires that all zoning regulations shall be made in accordance with a comprehensive plan. When adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan or any other officially adopted plan that is applicable, and briefly explaining why the board considers the action taken to be reasonable and in the public interest.

Proposed Land Use Consistency Statement

The subject parcel is designated for Traditional Residential on the Weddington Land Use Plan.

Consistent: The conditional zoning meets the goals of the land use plan in that the use retains a mix of land uses that reinforce a unique small town character. The design is consistent with the unique small-town character of Weddington and is limited in size to retain the small-scale service to the community. The use is compatible with the area and encourages recreation needs of the community. It is reasonable given the use and character of the area and the use is surrounded by 50 acres of ball-fields.

Inconsistent: The use does not meet the goals of the land use plan in that it is commercial in nature where the land use plan only allows neighborhood businesses to lie within the Town Center. It is unreasonable in that community recreational centers are typically considered for planned neighborhoods and the recreational facility may not serve the needs of all residents and be accessible to all citizens.

Attachments:

Narrative from Applicant
Site / Rezoning Plan
TIA review letter from Justin Carroll

WEDDINGTON

FITNESS CENTER

Presentation of Planned Use at
5207 Weddington Road

Presented by
Weddington Fitness Center

I. Meeting Goal

Weddington Fitness Center intends to purchase the subject parcel for the purpose of establishing a family oriented health and fitness center for the surrounding community members.

II. Parcel Information

Applicant/Purchaser Name: Cory Worf / Weddington Fitness Center

Seller Name: Crossroads Church c/o Mark Appleyard

Parcel ID#: 06069021

Acreage: 3.12

Property Location: 5207 Weddington Rd. Wesley Chapel, NC

III. Weddington Fitness Center Overview

Cory Worf has been training members of the greater Weddington community since 2011. He brings an expertise in functional fitness and body mechanics that allows him to help a broad spectrum of individuals to reach their health and fitness goals. Whether an older adult hoping to be able to more easily get up from a chair, or aspiring school age athletes Cory and his team develops targeted programming to meet the varying needs. Weddington Fitness Center strives to become a place where families and community members can gather together and work towards our overall goal to live well and be fit. Cory has 24 years of coaching armature and professional athletes, in Pro Cycling, Pro Motocross, as well as football, soccer, baseball, track and swimming.

IV. Project Overview

Weddington Fitness Center seeks to purchase the Crossroads Church property and transform the existing structure into a fitness center. This center will offer classes to members throughout the day. Our classes will range from 10 to 20 members per hour long class. Members will range in age from 11 through older adults.

V. Options for Use

Weddington Fitness Center would utilize the existing structure located on the property.

Operations Plan

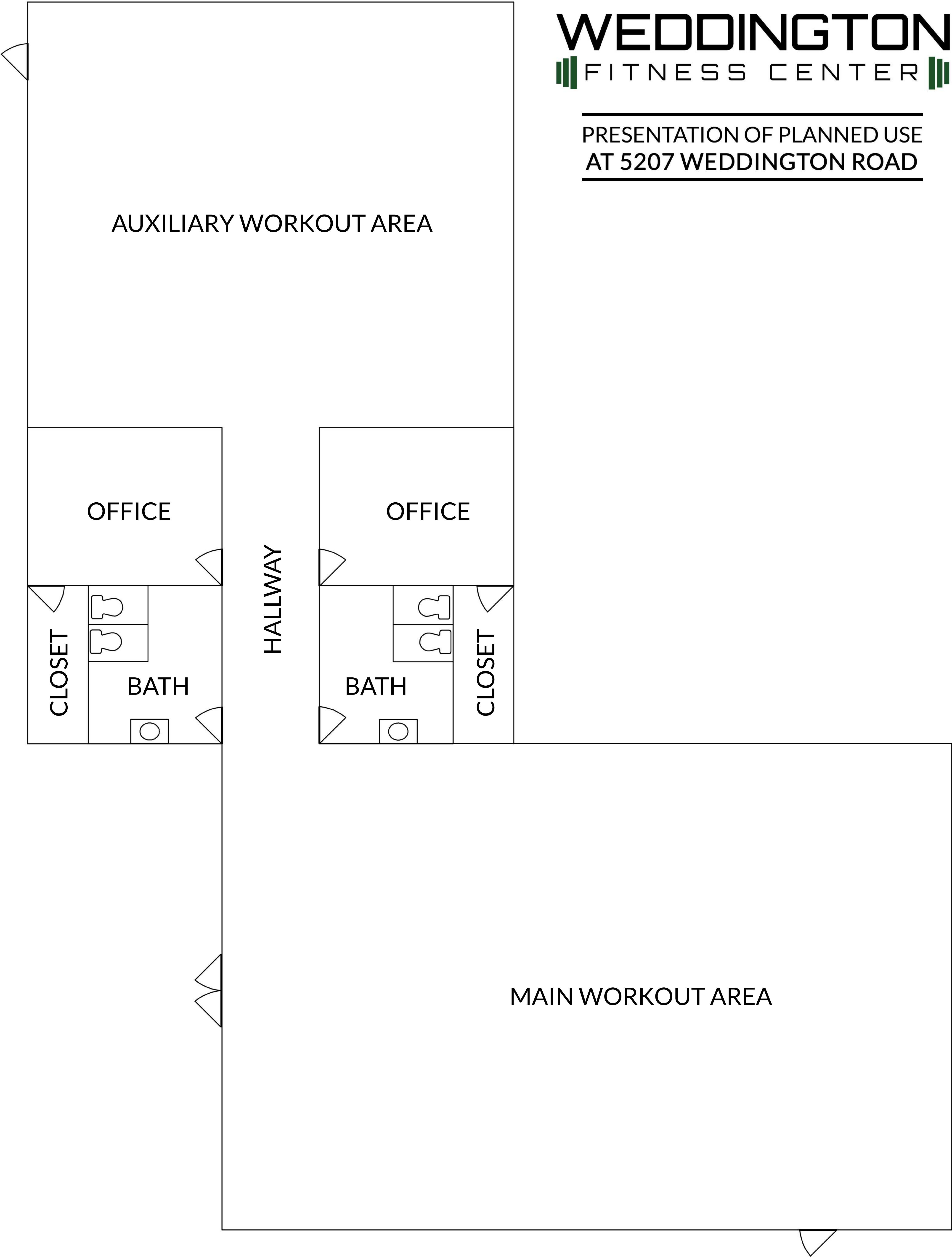
- Hours of Operation:
 - Monday - Friday 5:30am – 12pm / 3:30pm - 7:30pm
 - Saturday: 8am – 12pm
 - Sunday: 2pm – 5pm
- No. of proposed members – 15-20
- No. of proposed cars – 15-20
- Nighttime Operations – Classes end by 7:30pm on Weekdays
- Weekend Operations – Saturday morning group classes and Sunday afternoon group classes, other activities will be seldom
- Consideration of Neighbors – Weddington Fitness Center would not impede on the operations and traffic flow for the Optimist Park or Southbrook Church due to our hours of operations and flow of attendees in and out of the center. Because of the nature of the fitness center and individuals not arriving and departing at the same time there would be no need for a Police or Traffic Officer to be in place. Weddington Fitness Center would look to partner with Southbrook Church and Optimist Park to leverage the space for community events if the need shall arise.

VI. Project Plan

Weddington Fitness Center has already obtained a building inspection, survey, and engineering assessment for the site. Weddington Fitness Center will work towards improvements to the exterior of the site following the sale of the property. At a minimum, Weddington Fitness Center will do the following improvements to the site.

- Paint Exterior of Structure
- Restripe parking to include up to code ADA compliant parking spaces and railings for the stairway
- Install landscaping and gardening as needed
- Other improvements as needed

Exhibit A: Site Plan Package - Existing conditions survey and preliminary site plan.



PRESENTATION OF PLANNED USE AT 5207 WEDDINGTON ROAD





WEDDINGTON

|| FITNESS CENTER ||

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PRESENTATION OF PLANNED USE
AT 5207 WEDDINGTON ROAD

TO: Lisa Thompson, Town of Weddington Administrator/Planner

FROM: Justin Carroll, PE, STV Engineers, Inc.

DATE: August 23, 2018

SUBJECT: Determination of Traffic Impact Analysis: Weddington Fitness Center, Town of Weddington, Union County, NC

Introduction

STV Engineers, Inc. has prepared this response to the request of a traffic impact analysis (TIA) for the proposed Weddington Fitness Center, located on the northern side of Highway 84 (Weddington Road) between the entrances to Weddington Optimist Park (Westfork Run). The parcel was previously occupied by Crossroads Church. The proposed development includes the existing building which will be used for group-led educational and recreational classes and activities. The building encompasses an area of approximately 4,750 square feet. Currently, Highway 84 is a two-lane undivided roadway and has a two-way left turn lane along the parcel frontage. Due to the NCDOT State Transportation Improvement Program's Project U-3467 (Rea Road Extension), Highway 84 is being upgraded to a four-lane divided facility so the Fitness Center driveway will be right-in/right-out.

Refer to Figure 1 for a map of the study location.

Figure 1: Study Location



Data

According to the NCDOT Congestion Management's "Rate vs Equation" spreadsheet (effective July 1, 2018), the suggested method for site trip calculations for land use code (LUC) 492 (Health/Fitness Club) per the ITE Trip Generation Manual 10th edition is as follows:

				SUGGESTED METHOD		
LUC	DESCRIPTION	INDEPENDENT VARIABLE	PEAK HOUR TYPE	RATE	EQUATION	LOCAL DATA
492	Health/Fitness Club	1,000 GFA	Adjacent	-	-	X

Source: NCDOT Congestion Management's "Rate vs Equation" spreadsheet

With no local data to consider, the average rate calculation method was used. Due to the limited number of studies, LUC 492 (Health/Fitness Club) does not possess an equation. The average weekday AM peak hour rate is reported as 1.31 vehicles per 1,000 sq. ft. GFA (gross floor area) and the average weekday PM peak hour rate is reported as 3.45 vehicles per 1,000 sq. ft. GFA.

Trip Generation Data Statistics

LUC	DESCRIPTION	INDEPENDENT VARIABLE	TIME PERIOD	AVERAGE RATE
492	Health/Fitness Club	1,000 sq. ft. GFA	Weekday, AM Peak Hour Between 7 and 9 a.m.	1.31
492	Health/Fitness Club	1,000 sq. ft. GFA	Weekday, PM Peak Hour Between 4 and 6 p.m.	3.45

Source: ITE Trip Generation Manual 10th Edition (<https://itetripngen.org>)

Trip Generation Calculations

LAND USE	INTENSITY		TIME PERIOD	TOTAL	IN	OUT
Health/Fitness Club	4.75	1,000 sq. ft. GFA	Weekday, AM Peak Hour Between 7 and 9 a.m.	6.2	3.2	3
TOTAL TRIP GENERATION				7	4	3
Health/Fitness Club	4.75	1,000 sq. ft. GFA	Weekday, PM Peak Hour Between 4 and 6 p.m.	16.4	9.3	7.1
TOTAL TRIP GENERATION				17	10	7

As shown in the above calculations, the value for the weekday AM peak hour (one hour between 7-9 a.m.) is 7 vehicles for 4,750 sq. ft. The value for the weekday PM peak hour (one hour between 4-6 p.m.) is 17 vehicles for 4,750 sq. ft. Both values are below the required trips to require a traffic impact analysis.

Conclusion

As Appendix C of the Traffic Impact Analysis Ordinance from Weddington, NC Code of Ordinances states, a TIA is required for any major subdivision, or conditional rezoning, or portion thereof, which is expected to create fifty (50) or more peak hour vehicle trips or 500 or more daily vehicle trips. Also, for redevelopment projects, including changes of use, trip generation thresholds shall be defined as the number of net new trips anticipated to be generated by the proposed



development over and above the number of trips generated by the current use of the site. Based on the information contained herein, the calculations above, and engineering judgement, the proposed fitness center **does not** meet or exceed the threshold to require a traffic impact analysis.

Attachment:

Town of Weddington Code of Ordinances: Appendix C - Traffic Impact Analysis Ordinance

APPENDIX C - TRAFFIC IMPACT ANALYSIS ORDINANCE

Sec. I. - Overview.

The adequacy of service levels for local, private, and state road intersections that serve or are affected by a proposed project shall be determined in accordance with the provisions of this Appendix. A Traffic Impact Analysis (TIA) required by this Appendix will be prepared by a qualified traffic engineering consultant retained by the Applicant and reviewed and approved by the Town of Weddington. All requirements and recommendations resulting from the TIA must be coordinated with and approved by NCDOT.

(Ord. No. O-2015-05, 5-11-2015)

Sec. II. - Applicability.

A. *Generally.*

- 1) Except as provided in subsections 3) through 7) below, a TIA is required for any major subdivision, or conditional rezoning, or portion thereof, which is expected to create fifty (50) or more peak hour vehicle trips or 500 or more daily vehicle trips. Peak hour and daily vehicle trips are those occurring on peak days on the roadway adjacent to the proposed development, based on the current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, with the exception of public and private schools which will be based on the NCDOT's most current Municipal School Transportation Assistance (MSTA) School Traffic Calculator. For the purposes of determining the requirement to submit a TIA, no adjustments such as modal split, pass-by trips, and/or internal capture rates will be allowed to the site traffic calculation.

NCDOT Congestion Management's "Rate versus Equation" spreadsheet shall be used to guide site trip calculations and determine allowable pass-by percentages. Alternative trip generation rates/equations for non-standard uses may be utilized subject to Town approval. A "Determination of Need" for a TIA shall be made by the Town in accordance with the trip generation standards set forth in subsection II.A.1). (See the Town of Weddington TIA Process and Procedures Manual for additional information.)

- 2) The determination of the number of trips generated also shall take into account pass-by trips, internal trip capture for MX projects (e.g., roadway and/or pedestrian connectivity) and any proposed transportation demand management system where adequate guarantees are provided by the applicant to the Town, which ensure the proposed demand management system will function as proposed for the life of the project.
- 3) For redevelopment projects, including changes of use, trip generation thresholds shall be defined as the number of net new trips anticipated to be generated by the proposed development over and above the number of trips generated by the current use of the site.
- 4) No TIA shall be required for special events, which either are temporary in nature, consistent with the Town Zoning Ordinance, or which generate trips that meet or exceed the thresholds set forth in subsection 1), but which do not occur during the peak hours of the roadways adjacent to the proposed development.
- 5) Nothing herein shall prohibit the Town from requiring on-site or off-site improvements necessary to address traffic safety concerns created by a proposed development, regardless of whether the thresholds set forth above have been met.
- 6) This Appendix shall not apply to any rights that have vested prior to the effective date of this Appendix, nor shall this Appendix be applied in a manner that would result in a taking of property.

- 7) This Appendix shall not apply to any development proposal that is part of a conditional zoning plan or subdivision plan submitted prior to the effective date of this Appendix.

B. *Consecutive or Sequential Applications.*

Proposed developments may not be phased or subdivided in piecemeal fashion to avoid application of this Appendix. Two or more developments represented as separate developments shall be aggregated and treated as a single development where the Administrator determines the developments to be part of a unified plan of development and physically proximate to one another, based on the following factors:

- 1) There is common ownership, indicated by the fact that:
 - a) The same person, company, partnership or legal entity controls the developments;
 - b) The same person, company, partnership or legal entity has ownership or a significant legal or equitable interest in the developments;
 - c) There is common management of the developments which controls the form of physical development or disposition of parcels of the development;
 - d) There is proximity in time between the completion of 80 percent or less of one development and the submission of a development proposal for a subsequent development indicating a common development effort;
 - e) The sharing of infrastructure or improvements between multiple developments;
 - f) There is a common advertising scheme or promotional effort or plan for the developments;
or
 - g) Any other credible information gained by the Town suggesting that the project is being phased or subdivided to avoid the requirements of this Appendix.

C. *TIA Submission and Completion Requirement.*

Once the Town has made a Determination of Need for a TIA, the applicant may proceed with the TIA study, in accordance with the terms of the most recent version of the Town of Weddington TIA Process and Procedures Manual, as approved by Zoning Administrator and all applicable Zoning Ordinance and Subdivision Ordinance requirements.

(Ord. No. O-2015-05, 5-11-2015)

Sec. III. - Level of Service Standards; Compliance; Mitigation; Excess Capacity.

A. *Level of Service Standards and Compliance.*

1. The applicant must determine the existing (base) Level of Service (LOS) for all intersections within the Impact Area, as described in Section IV. The applicant shall be required to identify mitigation improvements to the roadway network if at least one of the following conditions exists when comparing base Level of Services to project conditions: (1) the total average delay at an intersection or individual approach delay increases by 25% or greater, while maintaining the same LOS; (2) the LOS degrades by at least one level; (3) or LOS is an "F". This determination shall be based on the most currently accepted Highway Capacity Manual (HCM) methodology. For turning lanes, mitigation improvements shall be identified when the SimTraffic analysis indicates that the Max Queue exceeds the storage capacity of the existing lane.

The proposed mitigation measures required to meet the LOS standards may be modified, subject to final approval of the Town Council to substantially achieve the standards, purpose and intent of this ordinance. The determination of "substantial achievement" based upon an expert opinion provided by the Town's Designated Transportation Engineer.

2. As an alternative to mitigation, the developer may elect to phase the project, reduce its intensity, or delay the project until the LOS standards have been met as a result of a transportation improvement planned by the Town, the North Carolina Department of Transportation (NCDOT) or another party.

B. *Mitigation.*

Mitigation measures shall be consistent with the Design Standards found within the Town of Weddington Roadway Standards.

Mitigation may include participation by the Town or other governmental agencies or private parties, and also may include the funding of road improvements planned by other governmental agencies. Such improvements can be advanced to mitigate the impacts of the proposed development. The nature and type of mitigation should reflect the timing and the availability of necessary right-of-way or other improvements, the existence and timing of other developments within the area, and the particular characteristics of the particular site and the needed transportation improvements. Monetary mitigation, if proposed by the applicant, may be accepted by the Town Council provided it is shown that such mitigation is a reasonable substitute for actual construction, based on the LOS standards and construction time frames set forth herein.

Proposed mitigation shall be included as a condition of approval or a binding agreement between the applicant and the Town, with the consent, as appropriate, of the NCDOT or other governmental regulatory agencies with jurisdiction.

C. *Transportation improvements.*

Transportation improvements provided through mitigation, pursuant to this Appendix, shall be completed and available within three (3) years of the Town Council's final approval of the development proposal, unless expressly provided otherwise by the Town Council. Any improvements not completed prior to the issuance of a Certificate of Occupancy, shall be bonded at 115% of the cost of the remaining required improvement(s), as reviewed and approved by the Zoning Administrator following review by the Town Designated Transportation Engineer. All necessary right-of-way for identified transportation improvements shall be acquired prior to the issuance of a Certificate of Occupancy.

D. *Excess Capacity.*

If a private party or developer chooses to build a transportation facility that provides capacity in excess of that needed to serve the proposed development, the Town and other responsible parties may enter into an agreement to facilitate the participation of subsequent developers, the Town, NCDOT, or other parties in the provision or funding of the transportation improvement.

(Ord. No. O-2015-05, 5-11-2015)

Sec. IV. - Impact Area.

The impact area designates the distance from a proposed development within which the TIA is conducted to determine compliance with the LOS standards set forth above. The following impact areas apply to any development subject to this Appendix:

- 1) Public street intersections within a half-mile radius from the proposed development property line.
- 2) Intersections where proposed development contributes seven (7) percent or more of the traffic on any intersection approach during any peak hour.

(Ord. No. O-2015-05, 5-11-2015)

Sec. V. - Contents of TIA.

A. *Generally.*

The TIA shall generally follow the guidelines set forth by the ITE Transportation Impact Analysis for Site Development consistent with the Town of Weddington Roadway Standards, or as required by the Zoning Administrator, and may include, but is not limited to, the following:

- 1) Traffic analysis information related to trip generation, peak hour impacts, and other factors evaluated to determine compliance with applicable LOS standards for intersections within the impact area;
- 2) Site location map and site layout;
- 3) Existing and proposed land uses;
- 4) Timing and phasing of the proposed development, by month and year;
- 5) A narrative describing the project, including any special transportation related impacts or considerations; and
- 6) Other information determined by the Town Designated Transportation Engineer to be necessary in order to determine whether the proposed project complies with the requirements of this Appendix and the requirements of the ITE guidelines for the preparation of TIAs for site development.

B. *Demand Measures.*

TIAs shall take into account the following demand factors:

- 1) Existing traffic volumes;
- 2) Background traffic, including historical growth traffic and projected trips associated with approved, but un-built development(s); and
- 3) The trips to be generated by the proposed development.

C. *Capacity Measures.*

TIAs shall take into account the following existing or anticipated capacity measures:

- 1) Existing road segments, intersections, and proposed development access points;
- 2) Roadway and intersection improvements planned by the Town, NCDOT, or other party, scheduled to be completed and available within three (3) years of the approval of the development proposal and which either have or are reasonably certain to have all necessary governmental approvals.

D. *Mitigation Measures Needed.*

The TIA shall describe what, if any, transportation facility improvements within the impact area are needed for the proposed development to comply with the intersection level of service standards set forth in section III of this Appendix.

(Ord. No. O-2015-05, 5-11-2015)

Sec. VI. - Intergovernmental Coordination.

While the Town coordinates with NCDOT and other appropriate governmental agencies on development proposals, it shall remain the responsibility of the Applicant to contact NCDOT to discuss access and traffic impact issues on state roads.

(Ord. No. O-2015-05, 5-11-2015)

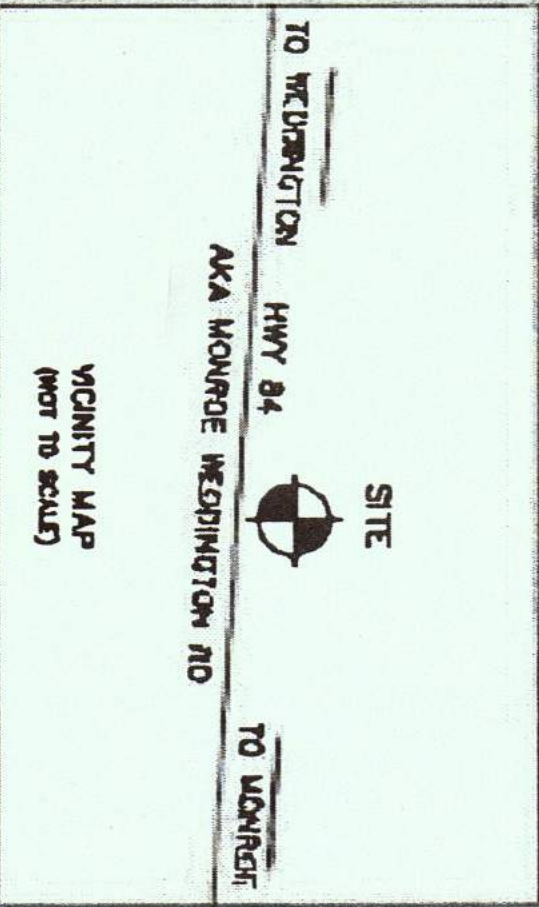
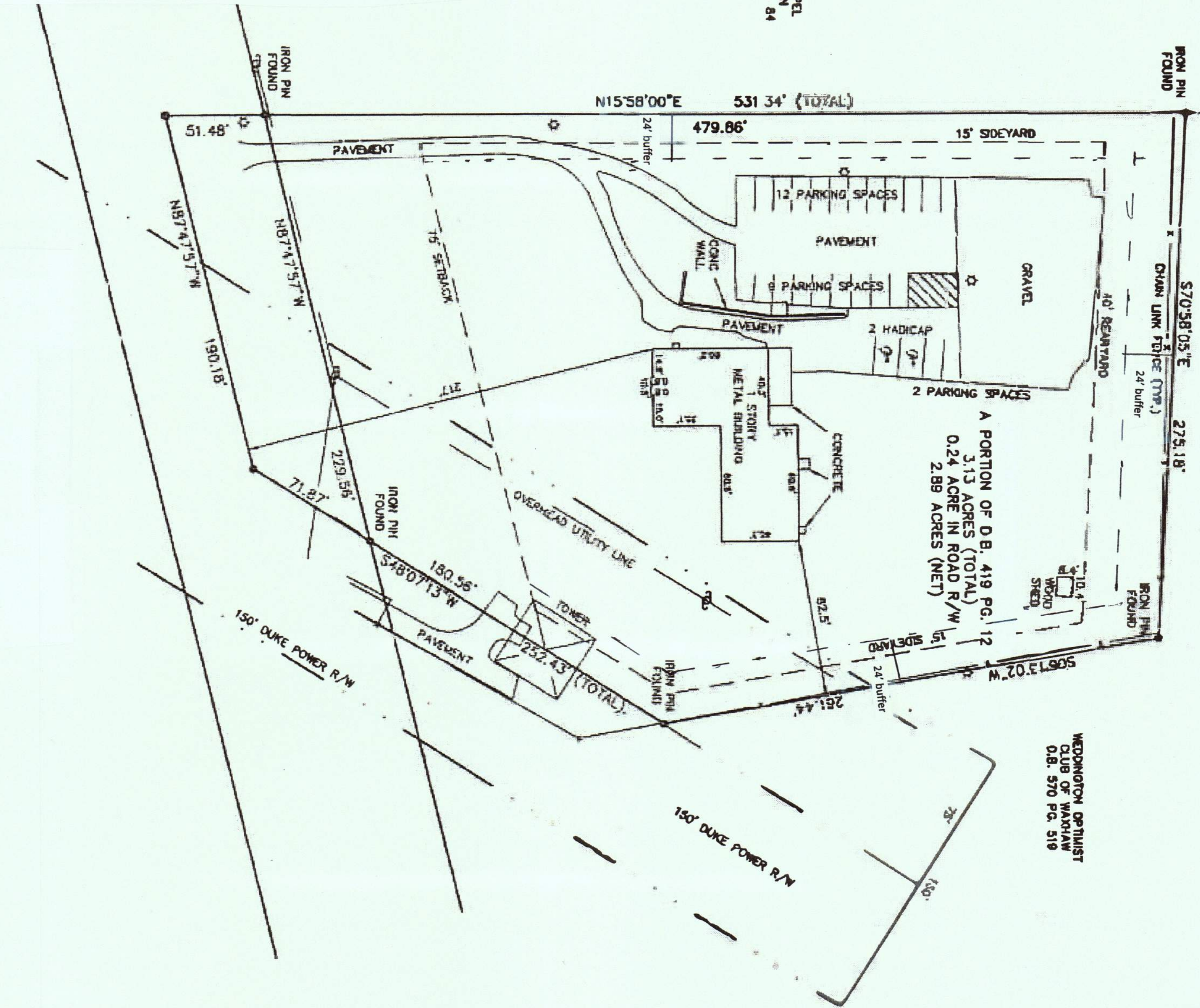
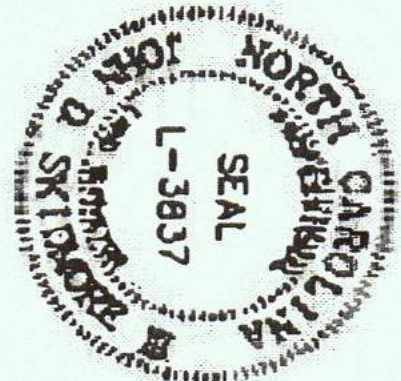
Sec. VII. - Appeals and variances.

An applicant may seek a variance from the terms of this Appendix or appeal a determination by the Zoning Administrator made pursuant to the terms of this Appendix to the Zoning Board of Adjustment, as provided in Article VIII of the Zoning Ordinance.

(Ord. No. O-2015-05, 5-11-2015)

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (NEED RECORDED IN BOOK 419, PAGE 12, THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION AS SHOWN ON PLAN); THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (31 NCAC 5B, 1900), THIS 10th DAY OF MAY, 2013.

SIGNED
JOHN D. SKIDMORE III, NCPS L-3837



- LEGEND**
- R/W - RIGHT OF WAY
 - - CORNER AS DESCRIBED
 - ☆ - LIGHT POLE
 - - COMPUTED POINT
 - - UTILITY POLE
 - - CONCRETE MONUMENT
 - ⑤ - SANITARY SEWER MANHOLE
 - - STORM DRAIN MANHOLE
 - - PROPERTY LINE
 - - ADJOINER LINE
 - - RIGHT OF WAY
 - - SEWER EASEMENT
 - - STORM DRAIN EASEMENT
 - - SETBACK LINE

WESLEY CHAPEL
WEDDINGTON
D.B. 1049 PG. 84

This site shall be governed by the zoning site plan, notes on this plan, approved conditions, and all applicable provisions within the Town of Weddington Code of Ordinances.

Existing Use: Church/Vacant

Proposed Use: Community Recreational Center

Existing Zoning: R40

Proposed Zoning: R40 Conditional

Acreage: 3.13 acres

Parcel Number: 06069021

Parking Spaces Required: 14 and 1 ADA

Parking Spaces Provided: 23 and 2 ADA

Hours of Operation: Weekdays 5:30AM - 8:00 PM
Weekends 8:00AM - 5:00 PM

This use is contained in the existing building and parking lot. Future amendments to the Plan may be applied for in accordance with the provisions of Section 56-27(f) of the Zoning Ordinance.

All lighting fixtures on site shall comply with Chapter 14, Article IV of the Weddington Code of Ordinances.

Screening and landscaping shall conform to the requirements of Section 56-8 of the Zoning Ordinance.

Signage shall comply with Article V of the Zoning Ordinance.

Landscaping, Storage and Elevations are required to be reviewed and approved by Planning Board and Town Council per Section 56-27(f)

Any additional impervious surface that exceeds the maximum threshold shall be required to install storm water management in accordance with Section 56-54.3 of the Zoning Ordinance.

The underlying zoning is R40. This conditional rezoning plan shall allow for a Recreational Building as defined herein, per this rezoning as a building where there are educational and recreational classes and activities for the people who live in a community. Classes shall be group led versus any open gym type fitness center i.e. Yoga studio, fitness classes, agility training, and martial arts studio, etc.

This zoning shall not allow any public or private fitness center/club use over 5,000 sq. ft. Or any non-traditional recreational tenants such as trampoline parks, rock climbing gym, and fun and gaming centers. It shall not allow for any accessory retail uses within, that are associated with larger fitness centers, such as cafe or juice bars and it shall not have any retail sales associated with the community recreational building.



FRONT SETBACK 75'
SIDE SETBACKS 15'
REAR YARD 40'
MIN. BUILDING HEIGHT 35'

CONDITIONAL REZONING SITE PLAN		SCALE: 1" = 30'	SHEET DATE: 5/24/13
5207 MONROE WEDDINGTON ROAD		TAX PARCEL: 06069021	DOED BOOK: 419 PAGE: 12
MATTHEWS, UNION COUNTY, NORTH CAROLINA		DRAWING: L.S.D./T.W.	
SKIDMORE SURVEYING, INC.			
5343 HIGHWAY 74 WEST			
MONROE, N.C.			
704-288-4655			

TOWN OF WEDDINGTON

MEMORANDUM

TO: Chairman and Planning Board

FROM: Lisa Thompson, Town Administrator/Planner

DATE: August 27, 2018

SUBJECT: Christ Lutheran Church Conditional Zoning Request

Christ Lutheran Church requests a conditional zoning for a church use on 11.697 acres at the northwest corner of Rea and Reid Dairy Road.

Application Information

Date of Application: July 6, 2018
Applicant/Owner Name: Christ Lutheran Church
Parcel ID#: P/o 06177015, 06177014, 06177013
Property Location: 305 Reid Dairy Road
Existing Zoning: R-60
Proposed Zoning: R-60 (CZ)
Existing Use: Two Single Family Homes
Proposed Use(s): church, synagogue, and other places of worship, along with any incidental and accessory uses associated therewith
Parcel Size: 11.697

General Information

The applicant proposes a Church in accordance with *Section 58-53 (2)a* of the *Weddington Zoning Ordinance*.

The required Public Involvement Meetings for this project were held on August 22, 2018 from 2:00-4:00 on site and 5:00-7:00 PM at Town Hall. Mailings were sent out to parcels within 1300' of the site. Two residents attended the meetings. Concerns were raised about noise (specifically if a church bell would be ringing every hour), lighting from any ball fields proposed, and traffic from a day care use that may be associated with the church.

The *Weddington Zoning Ordinance* requires that all CZ Applications go through the Construction Document process per *Section 58-271*. The applicant is aware that the Town has a Stormwater ordinance, and the construction documents will include all necessary engineering plans for

stormwater management. Any significant changes to the site plan due to the design or review of the construction documents may require the applicant to submit a revised CZ application.

Development Standards (for a Church in the R60 zoning district):

- Minimum Lot Area-3 acres
- Front Setback-75 feet
- Rear Setback-60 feet
- Side Setbacks-50 feet
- Maximum Building Height - 35 feet except as permitted in *Section 58-15*

Access and Parking:

- The site plan shows two points of access, one off of Rea Road and the second off of Reid Dairy Road. The Church has yet to obtain driveway permits for the access plan, and will be required to do so as a condition of a conditional rezoning approval.
- The applicant is not required to submit a traffic impact analysis. The AM peak hour equals 48 trips while the Sunday peak hour equals 318 trips. The traffic engineers analysis is attached.

Screening and Landscaping:

- The applicant is required to provide a 50 foot landscaped buffer around the property, as required in Section 58-8. The majority of the rear portion is wooded and shall be left undisturbed.

Recommended Conditions of Approval:

1. Any engineering must be approved by Town Engineer.
2. Water plans to be approved by Union County Public Works and Environmental Health.
3. 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*.
4. Driveway permits are required and shall be approved by NCDOT.
5. A lighting plan shall be submitted at the time of construction plan approval.
6. The applicant provided Proof of Septic approval to Town Staff. Water will be provided with final approvals from Union County.

State Statute requires that all zoning regulations shall be made in accordance with a comprehensive plan. When adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan or any other officially adopted plan that is applicable, and briefly explaining why the board considers the action taken to be reasonable and in the public interest.

Proposed Land Use Consistency Statement

The subject parcel is designated for Traditional Residential on the Weddington Land Use Plan.

The conditional zoning meets the goals of the land use plan in that the use retains a mix of land uses that reinforce a unique small town character; the design is consistent with the unique small-town character of Weddington. The existing trees and undisturbed area create a buffer between the existing residential homes. It is reasonable given the use and character of the area with the school and fire department nearby.

Attachments:

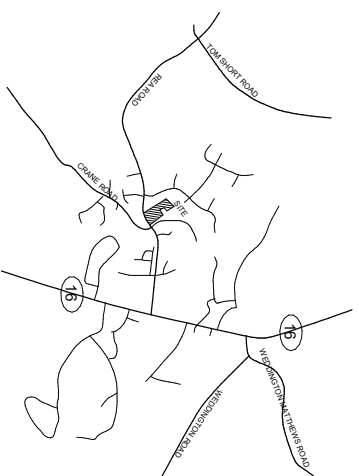
Narrative from Applicant
Site Plan/Architectural Drawings
Summary of PIM Comments
TIA review letter from Justin Carroll

CHRIST SOUTH ZONING SUBMITTAL

Narrative Description

Christ Lutheran Church has submitted a Conditional Rezoning Application seeking approval to develop its Christ South campus on the Reid Dairy Road site more particularly identified in the Application and on the accompanying Site Plan. Christ South is a campus of Christ Lutheran Church, whose main campus is located in Charlotte. The church building proposed for the Rezoning Site will accommodate 600 worshippers. In addition to worship space, the building will include offices, meeting rooms, and fellowship space. At this time, the only development planned for the Christ South campus is a single phase consisting of construction of the church building, associated parking, and access points, all as more particularly depicted on the Rezoning Plan.

Site Development Data:
Acreage: 11.697
Tax Parcels: #06177013, #06177014,
portion of #06177015
Existing Zoning: R-60
Proposed Zoning: R-60 (CZ)
Proposed Uses: Churches, Synagogues and
other places of worship, along with any incidental
and accessory uses associated therewith
Max. Height: Building - Thirty-five (35) feet;
Section 58-15 Design Features - Sixty (60) feet
Buffer: Fifty (50) feet
600 Patrons - 200 Parking Spaces



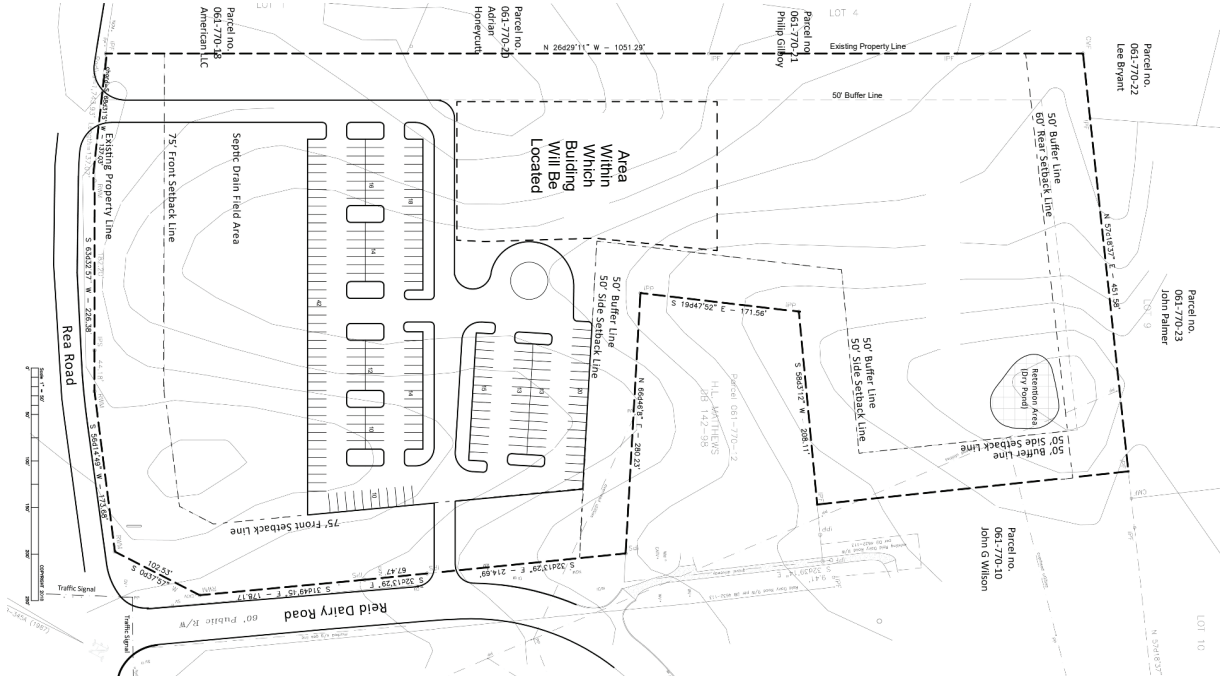
CHRIST
SOUTH

323 REID DAIRY RD.
WEDDINGTON NC
28104

CONDITIONAL REZONING
PLAN

DATE: 08-09-2018
PROJECT NO: 18039
NO. DATE DESCRIPTION

THIS PLAN AND THE ASSOCIATED SITE PLAN ARE PREPARED FOR THE CLIENT'S USE ONLY. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT IS ALSO RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE. THE CLIENT IS NOT TO BE HELD RESPONSIBLE FOR ANY DELAYS OR COSTS INCURRED BY THE CLIENT OR ANY OTHER PARTY. THE CLIENT IS NOT TO BE HELD RESPONSIBLE FOR ANY DAMAGES OR INJURIES TO ANY PERSON OR PROPERTY. THE CLIENT IS NOT TO BE HELD RESPONSIBLE FOR ANY OTHER MATTERS. THE CLIENT IS NOT TO BE HELD RESPONSIBLE FOR ANY OTHER MATTERS.



PROPOSED SITE PLAN 1" = 50'

VICINITY MAP NTS

DEVELOPMENT STANDARDS

August 9, 2018

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Application. The Rezoning Application, including the "Application" for Rezoning, shall be filed by Christ Lutheran Church, the "Applicant," for approximately 11,967 acre site located on the northwest corner of Reid Dairy Road and Rea Road, which site is more particularly depicted on the Rezoning Plan and is further identified as all of Tax Parcel No. 06177013, all of Tax Parcel No. 06177014, and a portion of Tax Parcel No. 06177015 (hereinafter referred to as the "Site").
- B. The development and use of the Site will be governed by the Rezoning Plan, these Development Standards, and the "Zoning Ordinance". The regulations established under the R-60 zoning district shall govern the use and development of the Site.
- C. The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configurations, placements and sizes of the building footprints as well as the internal circulation and other details shall be subject to the requirements of the Rezoning Plan and subject to the terms of these Development Standards and the Zoning Ordinance, may be altered or modified during design development and construction document phases.
- D. The principal building and any accessory structures developed on the Site shall be located within the building envelope depicted on the Rezoning Plan.
- E. The Site shall be considered to be a planned/unified development. Therefore, side and rear yards, buffers, building height separation requirements and other zoning standards shall not be required internally between improvements and uses on the Site. The Site shall be required to meet side and rear yard requirements and buffer requirements with respect to the exterior boundaries of the Site.
- F. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Section 58-271(j) of the Zoning Ordinance. Minor alterations or changes to the Rezoning Plan and/or these Development Standards are subject to Section 58-271(i) of the Zoning Ordinance.
2. PERMITTED USES
- A. In addition to all permitted uses within the R-60 zoning district, the Site also may be devoted to the following conditional uses that are allowed within the R-60 zoning district:
1. Churches, synagogues and other places of worship, along with any incidental and accessory uses associated therewith.

3. TRANSPORTATION

- A. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor adjustments required for approval by the Town of Weddington and/or North Carolina Department of Transportation ("NCDOT") in accordance with applicable published standards.
- B. Off-street vehicular parking shall be provided in accordance with the requirements of the Zoning Ordinance.
- C. The alignment of the internal drives and vehicular circulation areas may be modified by adjustments required for approval by Town of Weddington and/or NCDOT in accordance with applicable published standards.
4. ARCHITECTURAL STANDARDS
- A. The maximum height of the principal building to be located on the Site shall be 35 feet as measured from the ridge of the roof; provided, however, that in the event the Applicant includes on any building or structure any of the design features listed in Section 58-15 of the Zoning Ordinance, then such building or structure may exceed the maximum allowable height as more particularly provided therein, but in no event exceeding 60 feet.
- B. Attached to the Rezoning Plan are a series of conceptual architectural perspectives of the principal building to be located on the Site, which are intended to depict the general conceptual architectural style and character of the building. Accordingly, such building shall be designed and constructed so that it is substantially similar in appearance to the attached relevant conceptual, architectural perspectives with respect to architectural style, design and character. Notwithstanding the foregoing, changes and alterations to the exterior of the building that do not materially change the overall conceptual architectural style and character shall be permitted.
5. DIMENSIONAL STANDARDS
- A. Development of the Site shall comply with the yard regulations for the R-60 zoning district set out in Section 58-53(i) of the Zoning Ordinance as it exists on the date of the Rezoning Application.
6. SCREENING AND LANDSCAPING
- A. Screening and landscaping shall conform to the requirements of Section 58-8 of the Zoning Ordinance.

7. ENVIRONMENTAL FEATURES

- A. Storm water management on the Site shall comply with the requirements of Section 58-543 of the Zoning Ordinance.
8. SIGNS
- A. The Applicant may install a sign on the Site at the location more particularly identified on the Rezoning Plan, which sign shall comply with the requirements of Article V of the Zoning Ordinance.
9. LIGHTING
- A. All freestanding lighting fixtures installed on the Site shall comply with the requirements of Chapter 14, Article IV of the Town of Weddington Code of Ordinances.
10. BINDING EFFECT OF THE REZONING APPLICATION
- A. If this Rezoning Application is approved, all conditions applicable to the development and use of the Site depicted on the Rezoning Plan and these Development Standards shall be binding upon and inure to the benefit of Applicant and the current and subsequent owners of the Site and their respective successors in interest and assigns. Throughout these Development Standards, the terms, "Applicant" and "owner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Applicant or the owner or owners of the Site from time to time who may be involved in any future development thereof.
- B. Any reference to the Zoning Ordinance or the Town of Weddington Code of Ordinances herein shall be deemed to refer to the Zoning Ordinance or the Town of Weddington Code of Ordinances in effect as of the date this Rezoning Petition is approved.

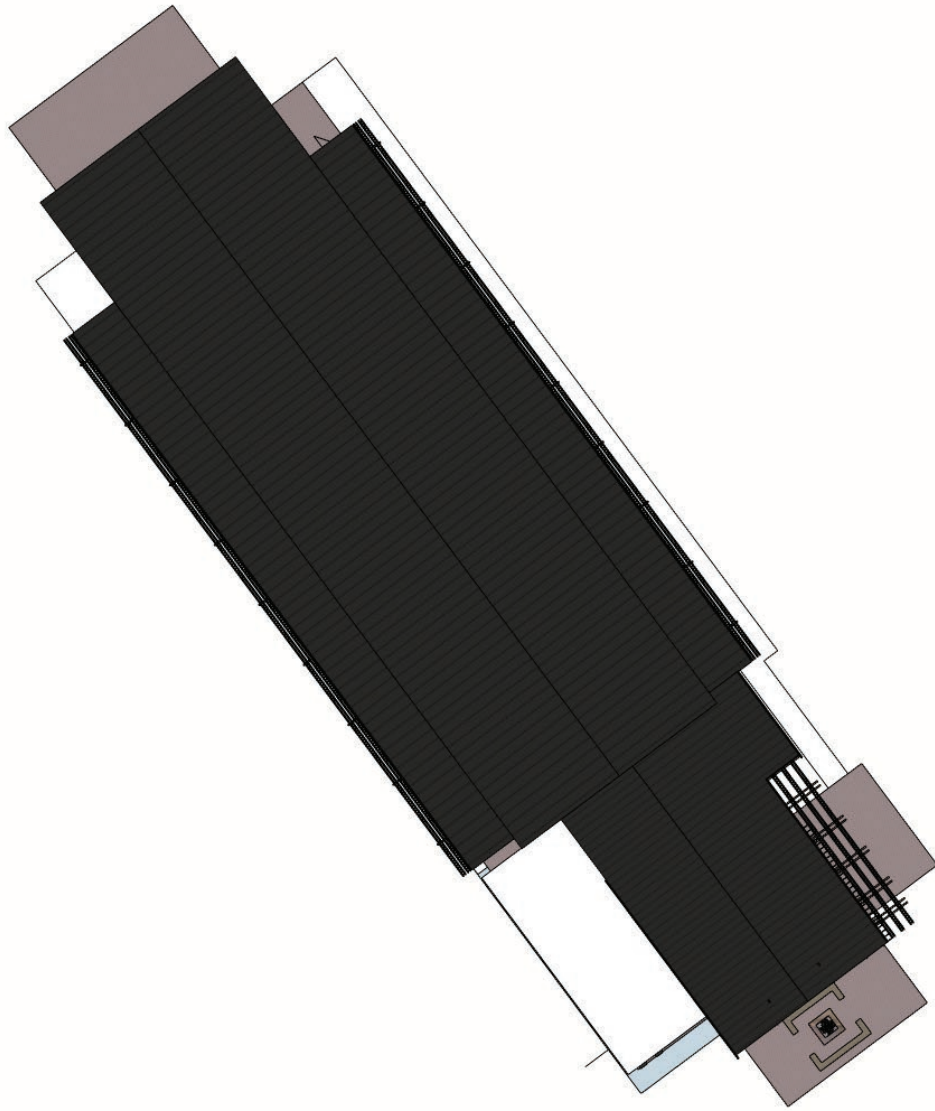
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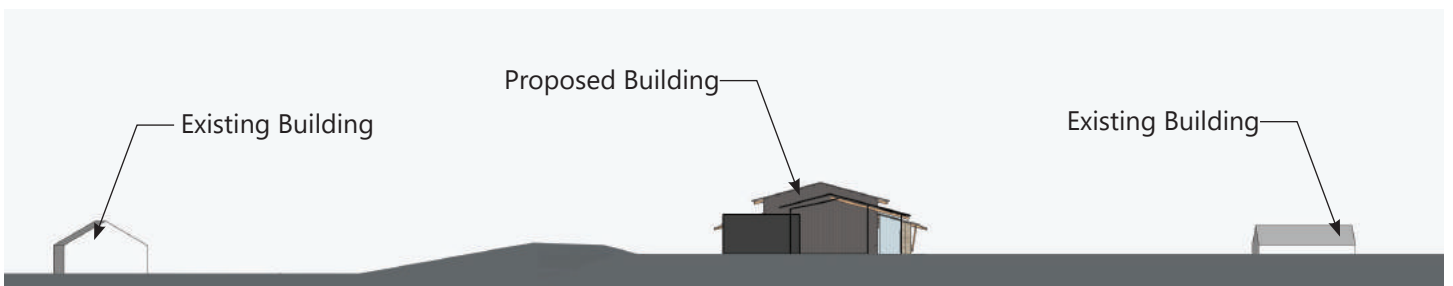
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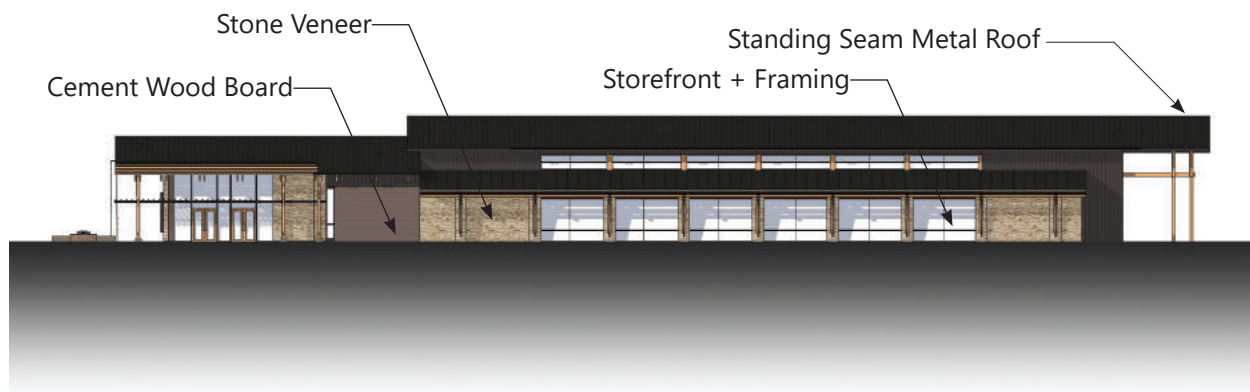
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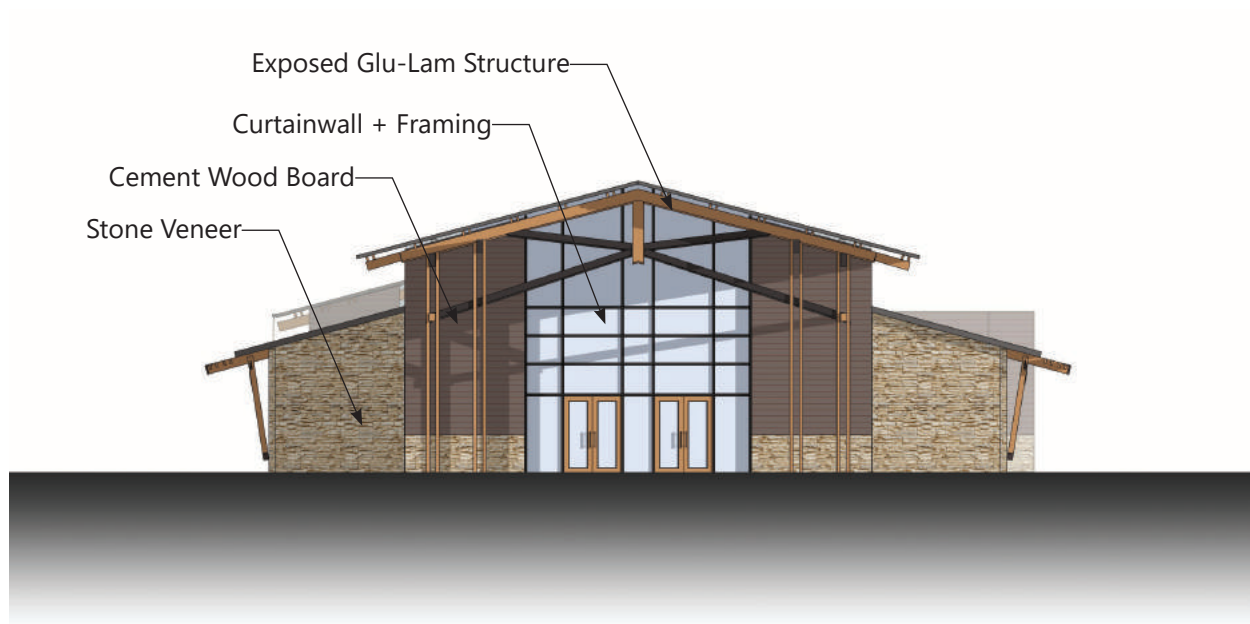
AERIAL VIEW



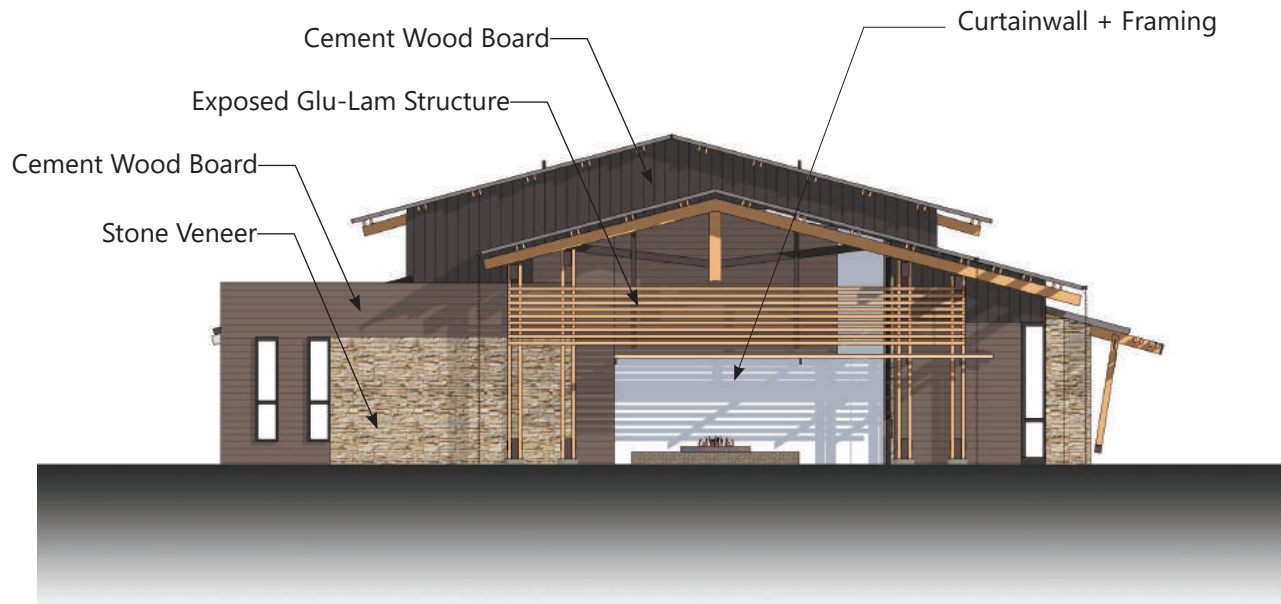
SITE SECTION



Elevation East



Elevation North



Elevation South



Perspective
Vehicular View from Circular Dropoff



Perspective
Pedestrian View from Entry Looking Down Facade



Perspective
Pedestrian View from Wedding Lawn

TO: Lisa Thompson, Town of Weddington Administrator/Planner

FROM: Justin Carroll, PE, STV Engineers, Inc.

DATE: August 23, 2018

SUBJECT: Determination of Traffic Impact Analysis: Christ South, Town of Weddington, Union County, NC

Introduction

STV Engineers, Inc. has prepared this response to the request of a traffic impact analysis (TIA) for the proposed Christ South campus, located on the western corner of NC 1316 (Rea Road) and NC 1384 (Reid Dairy Road). Christ South is a campus of Christ Lutheran Church, whose main campus is located in Charlotte. The proposed development will include offices, meeting rooms, and fellowship space accommodating 600 worshippers. Currently, Rea Road is a four-lane median-divided roadway and Reid Dairy Road is a two-lane undivided roadway, which terminates approximately a half mile to the north of Rea Road at Rea View Elementary School and continues to the south as SR 1309 (Crane Road). The two roadways intersect at a signalized intersection.

Refer to Figure 1 for a map of the study location.

Figure 1: Study Location



Data

According to the NCDOT Congestion Management's "Rate vs Equation" spreadsheet (effective July 1, 2018), the suggested method for site trip calculations for land use code (LUC) 560 (Church) per the ITE Trip Generation Manual 10th edition is as follows:

LUC	DESCRIPTION	INDEPENDENT VARIABLE	PEAK HOUR TYPE	SUGGESTED METHOD		
				RATE	EQUATION	LOCAL DATA
560	Church	1,000 GFA	Generator	-	-	X

Source: NCDOT Congestion Management's "Rate vs Equation" spreadsheet

With no local data to consider and no knowledge of the proposed building's gross floor area (GFA), the average rate calculation method was used with attendees as the independent variable. Due to the limited number of studies, LUC 560 (Church), with attendees as the independent variable, does not possess an equation. The average weekday rate is reported as 0.08 trips per attendee and the average Sunday rate is reported as 0.53 trips per attendee.

Trip Generation Data Statistics

LUC	DESCRIPTION	INDEPENDENT VARIABLE	TIME PERIOD	AVERAGE RATE
560	Church	Attendees	Weekday, AM Peak Hour of Generator	0.08
560	Church	Attendees	Sunday, Peak Hour of Generator	0.53

Source: ITE Trip Generation Manual 10th Edition (<https://itetripngen.org>)

Trip Generation Calculations

LAND USE	INTENSITY		TIME PERIOD	TOTAL	IN	OUT
Church	600	Attendees	Weekday, AM Peak Hour of Generator	48	24	24
TOTAL TRIP GENERATION				48	24	24
Church	600	Attendees	Sunday, Peak Hour of Generator	318	159	159
TOTAL TRIP GENERATION				318	159	159

As shown in the above calculations, the value for the weekday AM peak hour equals to 48 trips for 600 attendees, which is below the required trips to require a traffic impact analysis. Additional analysis shows the Sunday peak hour equals 318 trips for 600 attendees.

Conclusion

As Appendix C of the Traffic Impact Analysis Ordinance from Weddington, NC Code of Ordinances states, a TIA is required for any major subdivision, or conditional rezoning, or portion thereof, which is expected to create fifty (50) or more peak hour vehicle trips or 500 or more daily vehicle trips. Based on the information contained herein, the calculations above, and engineering judgement, the proposed church campus **does not** meet or exceed the threshold to require a traffic impact analysis.

Attachment:

Town of Weddington Code of Ordinances: Appendix C - Traffic Impact Analysis Ordinance

APPENDIX C - TRAFFIC IMPACT ANALYSIS ORDINANCE

Sec. I. - Overview.

The adequacy of service levels for local, private, and state road intersections that serve or are affected by a proposed project shall be determined in accordance with the provisions of this Appendix. A Traffic Impact Analysis (TIA) required by this Appendix will be prepared by a qualified traffic engineering consultant retained by the Applicant and reviewed and approved by the Town of Weddington. All requirements and recommendations resulting from the TIA must be coordinated with and approved by NCDOT.

(Ord. No. O-2015-05, 5-11-2015)

Sec. II. - Applicability.

A. *Generally.*

- 1) Except as provided in subsections 3) through 7) below, a TIA is required for any major subdivision, or conditional rezoning, or portion thereof, which is expected to create fifty (50) or more peak hour vehicle trips or 500 or more daily vehicle trips. Peak hour and daily vehicle trips are those occurring on peak days on the roadway adjacent to the proposed development, based on the current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, with the exception of public and private schools which will be based on the NCDOT's most current Municipal School Transportation Assistance (MSTA) School Traffic Calculator. For the purposes of determining the requirement to submit a TIA, no adjustments such as modal split, pass-by trips, and/or internal capture rates will be allowed to the site traffic calculation.

NCDOT Congestion Management's "Rate versus Equation" spreadsheet shall be used to guide site trip calculations and determine allowable pass-by percentages. Alternative trip generation rates/equations for non-standard uses may be utilized subject to Town approval. A "Determination of Need" for a TIA shall be made by the Town in accordance with the trip generation standards set forth in subsection II.A.1). (See the Town of Weddington TIA Process and Procedures Manual for additional information.)

- 2) The determination of the number of trips generated also shall take into account pass-by trips, internal trip capture for MX projects (e.g., roadway and/or pedestrian connectivity) and any proposed transportation demand management system where adequate guarantees are provided by the applicant to the Town, which ensure the proposed demand management system will function as proposed for the life of the project.
- 3) For redevelopment projects, including changes of use, trip generation thresholds shall be defined as the number of net new trips anticipated to be generated by the proposed development over and above the number of trips generated by the current use of the site.
- 4) No TIA shall be required for special events, which either are temporary in nature, consistent with the Town Zoning Ordinance, or which generate trips that meet or exceed the thresholds set forth in subsection 1), but which do not occur during the peak hours of the roadways adjacent to the proposed development.
- 5) Nothing herein shall prohibit the Town from requiring on-site or off-site improvements necessary to address traffic safety concerns created by a proposed development, regardless of whether the thresholds set forth above have been met.
- 6) This Appendix shall not apply to any rights that have vested prior to the effective date of this Appendix, nor shall this Appendix be applied in a manner that would result in a taking of property.

- 7) This Appendix shall not apply to any development proposal that is part of a conditional zoning plan or subdivision plan submitted prior to the effective date of this Appendix.

B. *Consecutive or Sequential Applications.*

Proposed developments may not be phased or subdivided in piecemeal fashion to avoid application of this Appendix. Two or more developments represented as separate developments shall be aggregated and treated as a single development where the Administrator determines the developments to be part of a unified plan of development and physically proximate to one another, based on the following factors:

- 1) There is common ownership, indicated by the fact that:
 - a) The same person, company, partnership or legal entity controls the developments;
 - b) The same person, company, partnership or legal entity has ownership or a significant legal or equitable interest in the developments;
 - c) There is common management of the developments which controls the form of physical development or disposition of parcels of the development;
 - d) There is proximity in time between the completion of 80 percent or less of one development and the submission of a development proposal for a subsequent development indicating a common development effort;
 - e) The sharing of infrastructure or improvements between multiple developments;
 - f) There is a common advertising scheme or promotional effort or plan for the developments;
or
 - g) Any other credible information gained by the Town suggesting that the project is being phased or subdivided to avoid the requirements of this Appendix.

C. *TIA Submission and Completion Requirement.*

Once the Town has made a Determination of Need for a TIA, the applicant may proceed with the TIA study, in accordance with the terms of the most recent version of the Town of Weddington TIA Process and Procedures Manual, as approved by Zoning Administrator and all applicable Zoning Ordinance and Subdivision Ordinance requirements.

(Ord. No. O-2015-05, 5-11-2015)

Sec. III. - Level of Service Standards; Compliance; Mitigation; Excess Capacity.

A. *Level of Service Standards and Compliance.*

1. The applicant must determine the existing (base) Level of Service (LOS) for all intersections within the Impact Area, as described in Section IV. The applicant shall be required to identify mitigation improvements to the roadway network if at least one of the following conditions exists when comparing base Level of Services to project conditions: (1) the total average delay at an intersection or individual approach delay increases by 25% or greater, while maintaining the same LOS; (2) the LOS degrades by at least one level; (3) or LOS is an "F". This determination shall be based on the most currently accepted Highway Capacity Manual (HCM) methodology. For turning lanes, mitigation improvements shall be identified when the SimTraffic analysis indicates that the Max Queue exceeds the storage capacity of the existing lane.

The proposed mitigation measures required to meet the LOS standards may be modified, subject to final approval of the Town Council to substantially achieve the standards, purpose and intent of this ordinance. The determination of "substantial achievement" based upon an expert opinion provided by the Town's Designated Transportation Engineer.

2. As an alternative to mitigation, the developer may elect to phase the project, reduce its intensity, or delay the project until the LOS standards have been met as a result of a transportation improvement planned by the Town, the North Carolina Department of Transportation (NCDOT) or another party.

B. *Mitigation.*

Mitigation measures shall be consistent with the Design Standards found within the Town of Weddington Roadway Standards.

Mitigation may include participation by the Town or other governmental agencies or private parties, and also may include the funding of road improvements planned by other governmental agencies. Such improvements can be advanced to mitigate the impacts of the proposed development. The nature and type of mitigation should reflect the timing and the availability of necessary right-of-way or other improvements, the existence and timing of other developments within the area, and the particular characteristics of the particular site and the needed transportation improvements. Monetary mitigation, if proposed by the applicant, may be accepted by the Town Council provided it is shown that such mitigation is a reasonable substitute for actual construction, based on the LOS standards and construction time frames set forth herein.

Proposed mitigation shall be included as a condition of approval or a binding agreement between the applicant and the Town, with the consent, as appropriate, of the NCDOT or other governmental regulatory agencies with jurisdiction.

C. *Transportation improvements.*

Transportation improvements provided through mitigation, pursuant to this Appendix, shall be completed and available within three (3) years of the Town Council's final approval of the development proposal, unless expressly provided otherwise by the Town Council. Any improvements not completed prior to the issuance of a Certificate of Occupancy, shall be bonded at 115% of the cost of the remaining required improvement(s), as reviewed and approved by the Zoning Administrator following review by the Town Designated Transportation Engineer. All necessary right-of-way for identified transportation improvements shall be acquired prior to the issuance of a Certificate of Occupancy.

D. *Excess Capacity.*

If a private party or developer chooses to build a transportation facility that provides capacity in excess of that needed to serve the proposed development, the Town and other responsible parties may enter into an agreement to facilitate the participation of subsequent developers, the Town, NCDOT, or other parties in the provision or funding of the transportation improvement.

(Ord. No. O-2015-05, 5-11-2015)

Sec. IV. - Impact Area.

The impact area designates the distance from a proposed development within which the TIA is conducted to determine compliance with the LOS standards set forth above. The following impact areas apply to any development subject to this Appendix:

- 1) Public street intersections within a half-mile radius from the proposed development property line.
- 2) Intersections where proposed development contributes seven (7) percent or more of the traffic on any intersection approach during any peak hour.

(Ord. No. O-2015-05, 5-11-2015)

Sec. V. - Contents of TIA.

A. *Generally.*

The TIA shall generally follow the guidelines set forth by the ITE Transportation Impact Analysis for Site Development consistent with the Town of Weddington Roadway Standards, or as required by the Zoning Administrator, and may include, but is not limited to, the following:

- 1) Traffic analysis information related to trip generation, peak hour impacts, and other factors evaluated to determine compliance with applicable LOS standards for intersections within the impact area;
- 2) Site location map and site layout;
- 3) Existing and proposed land uses;
- 4) Timing and phasing of the proposed development, by month and year;
- 5) A narrative describing the project, including any special transportation related impacts or considerations; and
- 6) Other information determined by the Town Designated Transportation Engineer to be necessary in order to determine whether the proposed project complies with the requirements of this Appendix and the requirements of the ITE guidelines for the preparation of TIAs for site development.

B. *Demand Measures.*

TIAs shall take into account the following demand factors:

- 1) Existing traffic volumes;
- 2) Background traffic, including historical growth traffic and projected trips associated with approved, but un-built development(s); and
- 3) The trips to be generated by the proposed development.

C. *Capacity Measures.*

TIAs shall take into account the following existing or anticipated capacity measures:

- 1) Existing road segments, intersections, and proposed development access points;
- 2) Roadway and intersection improvements planned by the Town, NCDOT, or other party, scheduled to be completed and available within three (3) years of the approval of the development proposal and which either have or are reasonably certain to have all necessary governmental approvals.

D. *Mitigation Measures Needed.*

The TIA shall describe what, if any, transportation facility improvements within the impact area are needed for the proposed development to comply with the intersection level of service standards set forth in section III of this Appendix.

(Ord. No. O-2015-05, 5-11-2015)

Sec. VI. - Intergovernmental Coordination.

While the Town coordinates with NCDOT and other appropriate governmental agencies on development proposals, it shall remain the responsibility of the Applicant to contact NCDOT to discuss access and traffic impact issues on state roads.

(Ord. No. O-2015-05, 5-11-2015)

Sec. VII. - Appeals and variances.

An applicant may seek a variance from the terms of this Appendix or appeal a determination by the Zoning Administrator made pursuant to the terms of this Appendix to the Zoning Board of Adjustment, as provided in Article VIII of the Zoning Ordinance.

(Ord. No. O-2015-05, 5-11-2015)

TOWN OF WEDDINGTON

MEMORANDUM

TO: Chairman and Planning Board

FROM: Lisa Thompson Town Administrator/Planner

DATE: August 27, 2018

SUBJECT: Weddington Acres (formerly Graham Allen) - Final Plat

Sunbelt Holdings SE, LLC is seeking re-approval of their final plat application for 25 lots on 41.527 acres located at the corner southern corner of Weddington Matthews Road and Antioch Church Road

Application Information:

Subdivision Name: Weddington Acres
Applicant/Developer Name: Sunbelt Holdings SE, LLC
Parcel: 07150009F
Zoning: PRD - conventional
Density: .60 units per acre

Background Information:

The sketch plan was approved on October 28, 2015. The Planning Board reviewed the Preliminary Plat/Construction Plans on June 26, 2017 and Town Council approved the plans on July 10, 2017. A PRD rezoning was approved for private roads and gates on January 8, 2018 and a modification to the cul-de-sac length of 1,060 linear feet was approved July 9, 2018 with the condition that the final plat be amended through the process.

Development standards are as follows:

Minimum lot size- 40,000 sq. feet
Minimum lot width- 120 feet
Minimum front yard setback- 50 feet
Minimum rear yard setback – 40 feet
Minimum side yard setback – 15 feet
Minimum corner side yard setback – 25 feet
Minimum open space – 10%

Staff Recommendation:

Staff recommends approval of the final plat for Weddington Acres Subdivision with the following conditions:

1. Bond estimates are reviewed and bonds are obtained prior to recording the plat. A bond for the PRD shall also be obtained per section 58-23.

2. Maintenance Agreement and CCR's to be approved by the Town Attorney. CCR's are required to be updated to include the private roads and access requirements, upkeep and maintenance inspections of the gate per Section 58-23.
3. CBU locations shall be approved by the USPS.
4. Any amendments to the construction plans shall be reviewed and approved by staff.
5. The final plat (once approved) shall be updated to reflect the private roads/entry.