

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, DECEMBER 21, 2020 – 7:00 P.M.
WEDDINGTON TOWN HALL
MINUTES
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1. Open the Meeting

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

2. Determination of Quorum

Quorum was determined with Chairman Brad Prillaman, Vice Chairman Walt Hogan, Board members Jim Vivian, Ed Goscicki, and Jen Conway present. Board member Steve Godfrey was absent.

Staff present: Town Planner/Administrator Lisa Thompson, Town Clerk Karen Dewey, Town Attorney Kevin Bringewatt via Zoom

Visitors present: Nancy Anderson, Bill Deter, Smokey Bissell, Randy Peterson, Collin Brown
Visitors on Zoom: Jeff Floyd, Eddie Moore, Skeet Harris, Sarah Beason, Nick Lowe, Kevin Davidson, Todd Harrell, Terry Knotts, Mike Athaenas, Angela Daley

Staff requested to add item 3. *Approve Regular Meeting Schedule for 2021* to the agenda. The Board agreed.

3. Approve Regular Meeting Schedule for 2021

The only regular meeting in conflict with a holiday is the December meeting. It will be held a week prior.

Motion: Vice Chairman Hogan made a motion to approve the Regular Meeting Schedule for 2021.
Second: Board member Conway
Vote: The motion passed with a unanimous vote.

4. Approval of Minutes

A. November 23, 2020 Regular Planning Board Meeting Minutes

Motion: Board member Goscicki made a motion to approve the November 23, 2020 Regular Planning Board Meeting Minutes.
Second: Vice Chairman Hogan
Vote: The motion passed with a unanimous vote.

B. November 24, 2020 Special Planning Board Meeting Minutes

Motion: Board member Goscicki made a motion to approve the November 24, 2020 Special Planning Board Meeting Minutes
Second: Vice Chairman Hogan
Vote: The motion passed with a unanimous vote.

5. Old Business

6. New Business

- A. Discussion and Recommendation of text amendment to Section 58-4 definitions, 58-58 R-CD residential conservation district and Section 58-88 Conditional Uses – Additional Review Criteria within the Town Code of Ordinances**
- B. Discussion and Recommendation of rezoning request from RCD to Conditional District-Roots Farm, LLC**

Mr. Collin Brown, representing the applicant, made a presentation for the text amendment application and the rezoning request. (Agenda Items 6.A. and 6.B.) He gave examples from the Weddington Land Use Plan Goals and Policies to show support for the Roots Farm applications: Goal 1: To ensure that all new development takes place in a manner that conserves open space and scenic views.

Goal 4: To maintain the town's strong single-family residential character

Goal 5: To retain a mix of land uses that reinforces the Weddington unique small-town character

Goal 7: Through the conditional zoning process, provide varying lot sizes to accommodate a variety of age and income groups, and broader residential options, so that the community's population diversity may be enhanced.

Policy 1: Preserve open space and scenic views through appropriate zoning regulations. Require open space preservation in both conventional and conservation subdivision and commercial developments.

Policy 2: Preserve the Town's natural resources Depending upon the fragility of the resource, restrictions should limit or prohibit construction, grading, and even vegetative clearing.

Policy 6: Retain the character of the community by ensuring that new residential development consists of single-family homes.

Policy 13: Allow alternative smaller lots to retain open space while maintaining a density of 1 dwelling unit per 40,000 square feet.

Mr. Brown explained that the number of single-family homes proposed is based on the total acreage of the parcel divided by 40,000, based on the Land Use Plan policy. The resultant number is 233 units. Mr. Brown acknowledged that there could never be 233 homes on 40,000 square foot lots on that parcel, but their goal is to provide innovation.

Mr. Brown presented the proposal for an Agrihood. The Weddington Ordinance currently defines agritourism as an agricultural, horticultural, or agribusiness operation primarily devoted to the promotion of tourism of said operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation; provided that said use produces revenues or attracts tourists. The applicant presented a proposed text amendment to 1) establish framework for an agrihood under the ordinance and to integrate single family residential, agriculture, agritourism, and agribusiness uses within the agrihood and 2) Conditional rezoning to provide flexibility to allow the land to dictate how the site is developed while being subject to established site specific standards for this parcel. The applicant is committing to a conditional zoning plan to evaluate options to protect the standards of natural areas. They are evaluating density of the residential areas. The agritourism/agribusiness portions will not exceed 79,000 square feet in area. The applicant is conducting a Traffic Impact Analysis.

Mr. Smokey Bissell spoke to the Planning Board. He stated that he is honored to be a landowner in Weddington. He spoke to the options explored to keep the farm self-sustaining. The rental homes would provide an income source for the programming and open space planned in this development.

Ms. Thompson presented the staff reports: The Applicant is requesting a conditional rezoning for an Agrihood as well as a text amendment for newly defined terms. There are no predetermined standards as these are site specific. The text amendment will allow for new ideas and the conditional zoning protects adjacent property owners. She stated that the Land Use Plan is an advisory document.

Chairman Prillaman and the Planning Board presented questions and concerns:

- What is tonight's goal? Staff responded that they'd like to get a list of questions and issues on the table and give time to respond with a recommendation at the next meeting.
- The septic-pretreated drip septic system will coexist with forest. Board member Goscicki asked how many tanks would be used. Applicant responded that it will be about 8-10 clustered together
- In text 58-4 when says "primarily devoted" how is that measured?
- Clarification between conservation land and open space is needed.
- How development of the open space be precluded at a later date?
- The renewable energy definition without any limitation is extremely broad.
- What is the actual yield plan? There would be between 130-150 homes if applicant was doing an RCD subdivision.
- Normally, a parcel is subdivided. This plan is multifamily which is not allowed in Weddington
- How do we keep land use the same if ownership changes?
- There needs to be a definition for multifamily in the ordinance.
- Development Standards VII: Amendments and Binding Effect of the Rezoning Documents—Chairman Prillaman expressed concern about the binding effect if the property is not subdivided. The wording in the standard mentions subsequent owners of portions or parcels. There cannot be different owners of portions of parcels.
- What happens if project goes belly up?
- Concern with changing 100 yr. to 10 yr. storm for detention purposes. There is already flooding in areas throughout town. Applicant response- 70% of this parcel is open or natural areas, there is no FEMA flood plain on the property. There will have a series of detention facilities. Facilities built to hold 100-year storm detention are large and would take significant infrastructure for events that will not occur in this basin. Ms. Thompson stated that she spoke with the town engineer and would like to ask for the applicant to detain to the 25-year storm for the residential cluster section. There will be more damage taking out a lot of trees to put in a 100 -year storm ponds when you already have 70% open space.
- How does the town contractually make education programs happen? How does the town get a commitment? Board member Goscicki stated this is agritourism. It is looking to bring people and money into Union County and Weddington from other areas and he has concerns telling businesses how to run their businesses and with contracts that stipulate use of property. He believes it is not local government business to tell people how to run their business. The applicant responded that NCSU is working and researching on the farm, they are landscaping with goats and are partnered with local farms. Chairman Prillaman stated that he wants commitment in writing for education programs localized at high schools. Mr. Goscicki asked for point of order stating that the chairman is using "we" in his statements but does not speak for the other planning board members.
- Page 8 of the development standards needs language clean up and clarification.
- Concern with private streets/farm roads-how is maintenance accommodated and safe and accessible for emergency vehicles. Ms. Thompson explained that there are required bonds for installation and on-going perpetual maintenance agreements. Private streets and drives aren't

Weddington's responsibility. Chairman Prillaman stated that the planning board would be doing this for any other neighborhood to make sure roads are accessible for safety vehicles.

- Referring to the proposed agribusiness text: this is a working farm, what does that have to do with the different listed uses like a clock and watch maker
- Types of Animals: Can we restrict them to farm animals commonly known to the area-no fur animals.
- Agritourism: Chairman Prillaman asked how temporary overnight accommodations and personal improvement activity as listed uses be associated with this specific project
- In the residential area there are alley loaded garages. The applicant has no intention of cars being seen in front of houses. Board member Vivian stated that there needs to be flexibility as these homes aren't cookie cutter. There could be a minimum of 10 feet between houses. Board member Gosicki stated that he encourages and applauds the project but is concerned about average distance between houses. Mr. Brown responded that they could give more detail as the location of homes is refined.
- Board member Conway asked if the applicant could envision the number of residential units being less as the process moves on. Mr. Brown responded that it is possible, but the number won't decrease dramatically.
- Any consideration of annexation of Union County property. Mr. Brown responded that Union county development is a later phase and annexation isn't off the table if this goes well
- Development standards-#4 flexibility where the fire hydrants are located. Safety issues will need to be worked out.
- How many restaurants? One in the inn and a coffee shop type of area in the market barn
- Traffic Impact Analysis. Ms. Thompson stated a draft is in the works but needs NCDOT approval. She is working with Justin Carroll looking at traffic signal warrant at Ennis with turn lanes and other turn lanes at the second access point.
- Planning Board requested a more detailed site plan.
- Define the permitted uses for the agrihood. Chairman Prillaman stated he is not comfortable with 233 homes because if RCD standards were being used, there wouldn't be that many houses.
- Clarify what is allowed by right.
- Will the homes have front load garages? If front loading, will be recessed 2ft from front façade of home.
- Agribusiness square footage with inn, market barn, and some cushion is 79,000 square feet
- Chairman Prillaman asked for clarification of what uses are allowed by right in the natural areas. There is a difference between what is allowed in conservation land and open space. Ms. Thompson responded that the by right uses are the same as the conservation subdivision ordinance.

Chairman Prillaman stated that the planning board is not ready to make a recommendation and asked for a motion to call a special meeting.

- Motion:** Vice Chairman Hogan made a motion to call for a special meeting to be held Thursday, January 14, 2020 at 6:00 p.m. at Weddington Town Hall 1924 Weddington Road
- Second:** Board member Gosicki
- Vote:** The motion passed with a unanimous vote.

Chairman Prillaman called for a recess at 9:14 p.m.

Chairman Prillaman called the meeting back to order at 9:24 p.m.

C. Discussion and Review of Unified Development Ordinance Section 9-14

Mr. Bringewatt reviewed the revision of Section 9. The main idea is to keep section 9 as residential developments and assign the related general in nature topics to the appendices.

Ms. Thompson will plug in the tree ordinance language and it will not incorporate stormwater standards as the town doesn't have enough studies done.

Part 2 of Section 9 includes Environmental regulations with Erosion and Sediment Control, Floodplain, and Stormwater being put into appendices.

Sections 10 through 14 are considered technical and can refer directly to NCGS 160D or appendices.

7. Update from Town Planner and Report from the December Town Council Meeting

8. Board member comments

Vice Chairman Hogan: I think this was time well spent. Merry Christmas everybody!

Board member Ed Goscicki: Merry Christmas, have a great holiday.

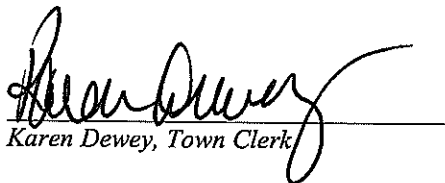
Board member Jen Conway: Merry Christmas!

Board member Jim Vivian: Merry Christmas.

9. Adjournment

Motion: Board member Conway made a motion to adjourn the December 21, 2020 Regular Planning Board meeting at 9:46 p.m.
Second: Board member Vivian
Vote: The motion passed with a unanimous vote.

Approved: 26 February, 2021


Karen Dewey, Town Clerk


Brad Prillaman, Chairman

