

**TOWN OF WEDDINGTON
TOWN COUNCIL SPECIAL MEETING
MONDAY, MAY 9, 2022 0 4:00 P.M.
WEDDINGTON HIGH SCHOOL AUDITORIUM
4901 WEDDINGTON ROAD, WEDDINGTON, NC 28014
AGENDA**

1. Open the Meeting
2. Determination of Quorum
3. Additions, Deletions and/or Adoption of the Agenda
4. Discussion of Conditional Rezoning Application for Mixed-use Development Weddington Green
5. Adjournment

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MINUTES
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1. Open the Meeting

Mayor Horn called the meeting to order at 4:03 p.m.

2. Determination of Quorum

Quorum was determined with all Councilmembers present: Mayor Craig Horn, Mayor Pro Tem Janice Propst, Councilmembers Anne Pruitt, Jeff Perryman, and Brannon Howie

Staff present: Town Administrator/Clerk Karen Dewey, Interim Planner Leamon Brice, Planner Robert Tefft, Finance Officer Leslie Gaylord, Town Attorney Karen Wolter, Admin assistant/Deputy Clerk Debbie Coram

3. Additions, Deletions and/or Adoption of the Agenda

Motion: Councilmember Perryman made a motion to adopt the agenda as presented.
Vote: The motion passed with a unanimous vote.

4. Discussion of Conditional Rezoning Application for Mixed-use Development Weddington Green

Mr. Brice presented background on the application: Provident Development submitted a Conditional Zoning application for a mixed-use pedestrian friendly main street type development. This includes a two-sided main street surrounded by single family homes on varying lot sizes and open space. Currently, the property is zoned R40 and RCD Conservation Subdivision. If approved the property will then be a conditional zoning district and the change will only apply to this parcel. Development on the parcel must follow the plan and the development standards in the plan and these standards only apply to this parcel and project. Conditional Zoning allows the Town to ask for additional improvements and the developer to request deviations to current regulations. Both parties must agree for a condition to be a part of the plan.

The applicant held a community meeting on January 27, 2022

The application was presented to Planning Board on February 28, 2022.

The Planning Board recommended approval of the plan with 11 recommendations and questions to the Town Council. Town Council held a public hearing on March 14, 2022 at All Saints Anglican Church and continued at Weddington High School on April 11, 2022.

Provident has provided an amended plan and development standards with positive response to the Planning Board questions and recommendations that can be legally met.

While Town Council has been reviewing the plans and plan amendments, tonight is the first opportunity for them to discuss the plan as a group. The Council course of action can be to 1) Deny, 2) Approve, 3) Approve with additional conditions or 4) Recommend further review by the Planning Board.

If the Council elects to approve the plan, the Council must adopt a Land Use Plan consistency statement. An inconsistent statement from the Planning Board or the Council does not prevent approval of the application.

The LUP was amended and adopted in 2019 and the Unified Development Ordinance was adopted in 2021. The Land Use Plan is not an ordinance. It is a guide for future planning and development. The Weddington Green Conditional Zoning Application is consistent with the Land Use Plan as follows:

It meets neighborhood business description, conserves open space at 38.5 acres or 48%, limits development in environmentally sensitive areas, minimizes visual effects on surrounding properties with a 70 foot buffer on Providence Road, 50 foot buffer on Weddington Road, and 20 foot buffer to abutting properties, maintains single family character and provides broader housing options, commercial is small scaled to serve Weddington residents and is designed to be pedestrian friendly, provides a park for community gathering space and limited recreation for Weddington residents, architecture standards meet the Land Use Plan design goal to enhance aesthetic quality. The Land Use Plan also states, "The town should explore zoning alternatives that allow for better integration of the town center and residential development within and adjacent to the center." Weddington Green is a good example of denser residential development feathering out to one acre lots away from the town center.

Mayor Pro Tem Propst asked Mr. Brice if there has been any discussion of a phase 2 of this project. Mr. Brice answered that if there was going to be a phase 2, it would have to go through the same conditional zoning process as this application.

Councilmember Perryman stated his thanks and respect for the town staff and the Council. He wanted to clarify some of the arguments being shared on social media. First, that Weddington only allows 1 house on 1 acre. He explained that Residential Conservation Subdivisions could have a minimum of 12,000 sq. ft. lots. That density could be 3.3 houses per acre. Councilmember Perryman addressed the Town of Weddington 2021 Resolutions against high density. Two of the resolutions were opposing high density multifamily homes surrounded by single family zoning and the third was for a large apartment complex. Councilmember Perryman reviewed the Executive Summary of the Land Use Plan stating that it is not an ordinance, but to serve as a guide for future development. In response to comments that conditional zoning will destroy the town, he listed current conditional zonings within town limits: Polivka in 2012, Weddington Fitness Center in 2018, the Water Tower in 2013. Councilmember Perryman stated that the reason this application is being considered is from the 2018 Town Survey results.

Councilmember Perryman acknowledged the reduction in single family housing density within the project. He asked why there hasn't been any renderings of the park or developments. Mr. Waters responded that this project has evolved and has been halved in size and the types of homes have changed but he understands the need to see exact representation of what residences and commercial buildings will look like. He tried to give feel with uses of architectural elements. Mr. Waters stated that he is working with builders and will not be moving forward without them. He stated that he would like to see residents and town representatives on architectural review committees and in the development standards, they tried to put specific restrictions so nothing would be objectionable.

Councilmember Perryman asked if they would consider changing the location of the park. Mr. Waters responded that the current placement of the park is on perfect topography. There is a linear park leading to the central park. Mr. Jenest stated that for the park to be successful, it has to have good edges, and this would be at the heart of the community. Providence Road is a hostile environment and he would like to see this done right.

Councilmember Pruitt asked to clarify architectural standards for the buildings in the development standards to match the plan that only shows 2 stories. She asked if the Weddington Green Homeowners Associations

would be responsible for all BMT, even in park land. Mr. Waters responded that they would and for the roads around the park with on street parking. Councilmember Pruitt asked for clarification on the brewery. Mr. Waters responded that this is not a distribution site, any product produced on site would be consumed on site. Councilmember Pruitt asked how the proposed pump station differs from current pump stations in Weddington. Mr. Waters responded that criteria for pump stations is overseen by the state. This would follow all the regulations and be more modern and efficient because it is a new system.

Councilmember Howie acknowledged that the town homes have been changed to single family homes. She asked what the used of the carriage home is. Mr. Waters responded that these are essentially living spaces above the garage to be used as an in-law suite, hobby area, home office, or for an adult child. She asked where the public restrooms would be located. Mr. Waters responded that would be decided by what he was hoping would be a committee of residents and town leaders to select the best location and that would be noted in the development standards. Councilmember Howie asked what the projected price point would be. Mr. Waters responded that it would be hard to project for 2 years from now, but it will be around \$680,000-\$700,000 to just over \$1 million. Councilmember Howie asked why the brew pub layout was changed. Mr. Waters responded that the survey revealed larger trees to save and it was decided to have the green space on the street rather than behind the building.

Mayor Pro Tem Propst asked how many parking spaces are around the park and overall parking associated with the retail space. Mr. Jenest responded that there is parking on both sides of the street all the way around the park and parking behind retail buildings and 3 additional parking lots to total 4 ¼ spaces to 1,000 square feet of retail space.

Mayor Pro Tem Propst asked for details on the greenway and who would maintain it. Mr. Jenest reviewed the location of the greenway loop and the maintenance would be the responsibility of the homeowner's association.

Mayor Pro Tem asked about the process with the US Army Corps of Engineers (USACE) for the wetlands. Mr. Waters responded that a consultant walked the 81 acres to identify the wetland issues. USACE verifies wetlands. This site doesn't have much wetland other than the buffer on the creek. She asked about the ponds and the spray feature. Mr. Waters confirmed that it would be a wet pond.

Mayor Pro Tem Propst asked for clarification on the maintenance of the main street. Mr. Waters responded that it will not be maintained by NCDOT because of specific features. The road will be 800 ft from Providence Road to the park perimeter road with planted medians and brick crosswalks. NCDOT doesn't allow those on their maintained roads. The plan will enhance the main street with parking on both sides cared for by the retail partner or the HOA, not the town.

Mayor Pro Tem Propst asked about TIA and process.

Mr. Waters responded that the TIA is under NCDOT review and a professional company does current and future traffic counts and as a result, will provide improvements road to mitigate any traffic issues. The improvements include: at Lenny Stadler a full turning lane improvement; at the roundabout, there will be an additional right turn lane and improvements will be made to provide a second entrance to the project and a pedestrian crossing will be added; at Wheatberry, full turn movements will be added so through traffic will not be impacted by left turns into Weddington Green; and a 425 ft left turn lane on east bound Rea Road on to Providence. All road improvements are planned to be a part of the initial development.

Mayor Pro Tem Propst asked how the housing is age targeted. Mr. Waters responded that those home designs include a master bedroom downstairs with the living areas to be easily accessible. The upstairs is for hobby rooms or guest rooms. All living is on one floor and a small lot for easier maintenance with a smaller footprint.

Mayor Pro Tem Propst asked about the parking for the homes. Mr. Waters responded that the majority of homes' garages will be accessed by back alleys to avoid front loading garages. Front loading garages will be set back from the front of the house 20 feet off street.

Mayor Horn asked if all houses will have garages. He expressed concern about the space between the houses. Mr. Jenest clarified that all homes will have garages and the front-loading garages will be on the larger, 60-foot lots.

Mayor Horn asked for difference between age targeted and age restricted. Mr. Jenest responded that they geared toward same type of housing, but age restricted has specific rules. They're both geared toward empty nesters. Age targeted gives more flexibility.

Mayor Horn expressed concern that the Development Guidelines and Standards used the word "may" where the word "must" should be used. He would like to see that solidified. Specifically, permits for the stream restoration should be a must. Mr. Jenest agreed that it can be changed to "must" and he commented that this stream restoration is not requirement of development.

Mayor Horn asked about the reduction of the buffer on Providence Road to provide visibility of tenants of commercial bldgs. Mr. Jenest responded that there is a 70ft buffer with part of an easement and they intend to plant throughout, but they want the two corner buildings to be visible from Providence. There is no buffer in front of corner buildings and they plan a masonry wall in front of the parking are with additional buffer for the residential lots. There is only no buffer in front of corner buildings for visibility. There is still a 70 ft. setback, and there will be 2 to 3 rows of specific trees to feel more natural.

Councilmember Perryman asked who will develop the commercial area. Mr. Waters responded that they will retain an interest in the commercial development and bring partners in. conditions will be defined specifically in the standards.

Councilmember Perryman asked if the 14 homes on the south side of the church and the parking lot could be eliminated to bring the park to Weddington Road. It would leave nothing adjacent to the church and provide more open green space and would reduce density to 1.7 homes/acre and number of homes to 144.

Mayor Pro Tem Propst asked why the sidewalks along the park are wider. Mr. Waters responded that with perimeter parking and an 8 ft. sidewalk to make it comfortable to walk around park and it will connect to pedestrian bridges and walking trail. He stated that he would like to include stakeholders from the Town for park planning.

Mayor Pro Tem asked the size of the linear park. Mr. Waters responded that at the roundabout it is about 90 feet wide and tapers to 50 feet. There will be a sign for the Town park at the entrance to Weddington Green.

Mayor Horn stated that he counted 7 ponds on the plans. Mr. Jenest responded that only 2 will have a water feature, the others are for storm water and won't have water all the time.

Councilmember Pruitt asked if there was a chance to reclaim water for irrigation or any other sustainable or green features to be incorporated into the plan. Mr. Jenest agreed to look into it.

Ms. Wolter discussed options for the Council.

Council had no further questions.

Councilmember Perryman stated that if the applicant can take what has been discussed and consider those suggestions, the Council will be in a better position to make a decision.

Mayor Pro Tem Propst asked that the Applicant be allowed to present changes at regular meeting to allow the public to see changes.

Council discussed the Applicant reviewing changes at the beginning of the regular meeting. Councilmember Howie stated that the plans are available to the public on the website.

Mr. Jenest asked for confirmation on the requested changes. Mr. Brice responded the requests were to remove the 14 lots to bring the park land up to the road and to change the development standards to read that commercial will not exceed two stories.

5. Adjournment

Motion: Councilmember Pruitt made a motion to adjourn the May 9, 2022 Special Meeting at 5:48 p.m.

Vote: The motion passed with a unanimous vote.

Approved: June 13, 2022

Karen Dewey

Karen Dewey, Town Administrator/Clerk

Craig Horn
Craig Horn, Mayor

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