



**TOWN OF WEDDINGTON  
REGULAR PLANNING BOARD MEETING  
MONDAY, JULY 24, 2023 – 7:00 P.M.  
WEDDINGTON TOWN HALL  
1924 WEDDINGTON ROAD  
WEDDINGTON, NC 28104  
AGENDA**

1. Call to Order
2. Determination of Quorum
3. Conflict of Interest Statement: *In accordance with the state government ethics act, it is the duty of every Board member to avoid conflicts of interest. Does any Board member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.*
4. Approval of Minutes
  - A. May 22, 2023, Planning Board Regular Meeting
5. Old Business
6. New Business
  - A. Discussion and Recommendation of a Conditional Zoning Application from Liberty Classical Academy for the establishment of a Private School use, an associated Land Use Map amendment from Traditional Residential and Conservation Residential to Conservation Residential; and an associated Zoning Map amendment from R-40 Single-Family District (R-40) and Residential-Conservation District (R-CD) to Education District (ED) all of which are associated with parcels generally located at or adjacent to 145 S. Providence Road, and 154 Weddington Road.
7. Update from Town Planner and Report from the July Town Council Meeting
8. Board member Comments
9. Adjournment



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WEDDINGTON TOWN HALL  
MINUTES  
PAGE 1 OF 10**

**1. Call to Order**

Vice Chair Travis Manning called the meeting to order at 7:00 p.m.

**2. Determination of Quorum**

Quorum was determined with Vice Chair Travis Manning, Board members Chris Faulk, Manish Mittal, Gordon Howard, Amanda Jarrell all present. Chairman Ed Goscicki and Board member Jen Conway were absent. Board member Conway participated in discussion via telephone.

Staff present: Town Administrator/Clerk Karen Dewey, Admin Assistant/Deputy Clerk Debbie Coram, via phone Town Planner, Robert Tefft.

Visitors: Cathy Killough Brown, Walton Hogan, Rusty Setzer, Patricia Hines, Kim Topalian, Leon Topalian, Bill Deter, Jim Bell, Tracy Stone, Craig Horn, Sherry Garvey, Tom Smith, Don Cuthbertson, Susan Everhart, Kevin Abplanalp, Christopher Neve, Harry Chilcot, Sharon Barber, Frank Barber, Jay Beller, Liz Holtey, Brian Kay, Steve Fellmeth, Eileen Fellmeth, Kim Button, Diane Howard

**3. Conflict of Interest Statement: *In accordance with the state government ethics act, it is the duty of every Board member to avoid conflicts of interest. Does any Board member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.***

Vice Chair Manning read the Conflict of Interest Statement and polled the board members. No board members had a conflict of interest.

**4. Approval of Minutes**

**A. May 22, 2023, Planning Board Regular Meeting**

***Motion:*** Board member Howard made a motion to approve the May 22, 2023 Planning Board Regular Meeting minutes.

***Second:*** Board member Mittal

***Vote:*** The motion passed with a unanimous vote.

**5. Old Business**

## 6. New Business

- A. Discussion and Recommendation of a Conditional Zoning Application from Liberty Classical Academy for the establishment of a Private School use, an associated Land Use Map amendment from Traditional Residential and Conservation Residential to Conservation Residential; and an associated Zoning Map amendment from R-40 Single-Family District (R-40) and Residential-Conservation District (R-CD) to Education District (ED) all of which are associated with parcels generally located at or adjacent to 145 S. Providence Road, and 154 Weddington Road.**

Mr. Tefft presented the application:

On February 13, 2023, the Town Council heard a presentation from Cambridge Properties regarding their intent to develop a private school (K-12) to be known as Liberty Classical Academy on the above referenced parcels. Councilmembers had questions on where the students would be coming from, what the economic benefits would be for Weddington, if there were others looking at similar development in the area, if the applicant had built a school previously, and what the tuition would be.

The applicant is proposing the establishment of a new private school (K-12) on the subject property. The school is proposed to be developed over two phases with Phase 1 consisting of the high school and middle school buildings with maximum capacities of 600 and 500 students, respectively, as well as the following various incidental associated buildings and structures:

- Gymnasium
- Cafeteria
- Arts/Media building
- Library
- Natatorium
- Baseball field (w/ bleachers – 50 seats)
- Soccer field (w/ bleachers – 50 seats)
- Football field (w/ bleachers – 500 seats)
- Multi-purpose fields (2)
- Tennis courts (8)
- Open spaces (+/- 13 acres)
- Private access road (including roundabout) connecting Providence Road and Weddington Road

Phase II is proposed to consist solely of the elementary school building, which would have a maximum capacity of 400 students.

### **Development Standards:**

- **Modifications**
  - Applicant proposes minor modifications to how compliance with the plan is ensured
  - Minor adjustments would be administrative
  - Adjustments not deemed to be minor would require CZ amendments
- **Vested Rights**
  - Applicant is requesting 8 years
  - Maximum per GS 160D is 5 years
- **Subdivision**
  - May be subdivided to allow separate owners or financing of individual parcels

- Introduces new property lines, new setbacks, possible shifting of buildings, requests for variances
- Possible otherwise unnecessary easements (cross access, shared parking, landscape maintenance, utility, drainage, etc.)

In relation to the Unified Development Ordinance:

**UDO Sec. D-703(D), Permitted Uses (by zoning district)**

- Public/Private Schools are permissible in the R-60, R-40, and ED Districts, subject to CZ
- Request would rezone all associated parcels to ED

**UDO Sec. D-703(E), Lot and Building Standards Table**

- Proposal meets or exceeds lot size, lot area, setbacks, FAR
- Proposal does not meet maximum height of 40'
- 33' to flat roof; 45' to mansard roof; 70' to cupola

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**UDO Sec. D-917C, Specific Requirements for Non-Residential Development**

- **Landscaping, Screening, and Buffers:**
  - Landscape plan provided; not sufficient detail to fully determine compliance
  - Should be able to achieve compliance; to be assessed with Zoning Permit
- **Parking Decks:**
  - Not applicable
- **Building Height:**
  - Specific heights not given for all buildings; most buildings noted as two-story
  - Middle and high school buildings are 45' to top of mansard; 75' to top of cupola
  - No building within 50' of adjacent properties

**UDO Sec. D-917C, Specific Requirements for Non-Residential Development**

- **Gross Floor Area:**
  - No use allowed to have Gross Floor Area greater than 8,000 sf
  - Proposal is for 167,000 sf
- **Design Requirements:**
  - Intended for the engagement of pedestrians with retail storefronts rather than school buildings
  - Proposal intends to comply with language pertaining to blank walls
- **Pedestrian Friendly:**
  - Intended for the engagement of pedestrians with retail storefronts rather than school buildings.

**UDO Sec. D-917C, Specific Requirements for Non-Residential Development**

- **Off-Street Parking Areas:**
  - Parking areas not to contain more than 150 spaces
  - Most of the 412 spaces (265) are within a single parking area; needed design forces a larger parking area
  - Insufficient detail to determine compliance with UDO Sec. D-918(L)
  - Should be able to achieve compliance; to be assessed with Zoning Permit

- **Internal Streets; Private Ownership; Parking:**
  - One internal private street proposed with no on-street parking
  - Exception is for two bus drop-off lanes

**UDO Sec. D-917C, Specific Requirements for Non-Residential Development**

- **No Outdoor Storage:**
  - No outdoor storage is proposed
- **Open Space:**
  - Intended for the engagement of pedestrians with retail storefronts rather than school buildings
- **Stormwater Management:**
  - LaBella, the Town contractual engineer, has found the preliminary plans to be sufficient
  - Will continue to be assessed with Zoning Permit

**UDO Sec. D-917D, Supplemental Requirements for Certain Uses**

- UDO Section D-917D(K), Schools, applies to all schools
- Building exteriors, illumination, parking, and landscaping requirements cannot be fully assessed as plans with sufficient detail are not required at this development stage
- Would be review for compliance with Zoning Permit
- Applicant has coordinated with NCDOT regarding stacking; appears to be sufficient
- LaBella has found the preliminary stormwater plans to be sufficient

**UDO Sec. D-918, General Requirements**

- Shall be reviewed for compliance upon submittal of plans for Zoning Permit
- Do not appear to be any immediate concerns regarding compliance

**UDO Appendix 5, Architectural Standards**

- Generally, not applicable
- Intended more for engagement of pedestrians with retail storefronts than school buildings

**Code of Ordinances, Appendix C, Traffic Impact Analysis**

- TIA required for any CZ expected to generate 50 or more peak hour trips, or 500 ADT
- Timmons Group prepared TIA for project -Under review with NCDOT for past several months; not yet approved
- TIA recommended the following improvements:
  - Site Access 1-Providence Road S/Lenny Stadler Way
    - Dual egress lanes (shared through/left-turn lane and an exclusive right-turn lane)
    - 100-foot southbound left-turn lane (with appropriate taper)
    - 100-foot northbound right-turn lane (with appropriate taper)
  - Site Access 2 – Wheatberry Hill Drive/Weddington Road
    - Intersection signalization
    - 150-foot channelized eastbound right-turn lane (with appropriate taper)
    - 100-foot westbound left-turn lane (with appropriate taper)

**Land Use Plan Consistency**

- Land Use Goal 4: *To maintain the Town's strong single-family residential character.*
  - Unclear if met.
  - Proposal does not include apartments, townhomes, multifamily
  - Proposal is not a single-family development and does not maintain the strong character as surrounding area would become more non-residential in character
- Land Use Policy 11: *Ensure that land uses abutting residential development are compatible with the scale, intensity, and overall character of existing and planned neighborhoods.*

- Compatible with surrounding places of worship
- Concerns over compatibility with 201 S. Providence Road; historic property
  - Impact on continued preservation of structure
  - Impact of stadium on use of this and other surrounding parcels

**Land Use Plan Consistency**

- Public Facilities and Services Goal 2: *To ensure that all existing and future developments in Weddington are served by adequate water and sewage disposal facilities.*
  - No anticipated issues with water service
  - No immediate access to sewer; proposes installation of lift station with connection to Union County system
  - Unclear as to Union County position on proposed improvements
- Public Facilities and Services Goal 4: *To provide safe and convenient mobility for Weddington residents of all ages.*
  - Proposal includes construction of new private road and roundabout connecting Providence/Lenny Stadler to Weddington/Wheatberry
  - Generation of additional traffic may result in detrimental impacts to mobility
- Public Facilities and Services Policy 2: *Require transportation, water, wastewater and drainage system improvements to be constructed concurrent with new development and that provide adequate capacity to meet demands from existing and new users.*
  - No anticipated issues with water service
  - No immediate access to sewer; proposes installation of lift station with connection to Union County system
  - Unclear as to Union County position on proposed improvements
- Community Design and Image Policy 1: *Continue to encourage the preservation of older homes and structures in the community to preserve a sense of history.*
  - Concerns over compatibility with 201 S. Providence Road; historic property
    - Impact on continued preservation of structure
    - Impact of stadium on use of this and other surrounding parcels

**Land Use Plan Consistency Statement:**

While the development proposal can be found to be generally consistent with the adopted Land Use Plan, there are several Goals and Policies for which compliance cannot be determined at the present time based upon the level of plans required to be submitted for this phase of development. In addition, there are other Goals and Policies for which there are reasons for concern or the possibility that the development proposal will not be consistent.

**Recommendation:**

It is the recommendation of staff that the request for Conditional Zoning to allow for the establishment of a Private School use, an associated Land Use Map amendment from Traditional Residential and Conservation Residential to Conservation Residential, and an associated Zoning Map amendment from R-40 and R-CD to ED, all of which being associated with parcels generally located at or adjacent to 145 S. Providence Road, and 154 Weddington Road, be recommended for denial, or that the matter be continued until such time that the applicant is able to address the concerns discussed in the staff report, and as may be identified by the Planning Board.

Applicants George Maloomian and Doug Turpin presented the plans and application.

Board member Howard stated that there are private schools in Weddington and the surrounding areas. The applicant responded that there are not private high schools with grades 9 through 12.

The applicant stated that there are plans for a partnership with the U.S. Performance Center bringing Olympic level fitness and elite level sports to the area.

The applicant stated that the staff report mentions the ownership of the parcels being different entities and there was a mention of subdividing the property. There is no intention of developing anything but a school, so that comment can be struck.

Board member Mittal asked if the school was a 501(c)(3) non-profit. The applicant responded that they are a 501(c)(3).

Board member Mittal asked if the independent private schools are rejecting 6 out of 7 of the applicants, how will the petitioner handle adding more students to allow more students to come in? The applicant responded that they would come back for a conditional amendment to add more space for more students. The number of students is in the development standards for the rezoning.

Board member Mittal asked if private schools had a requirement for middle school grades and high school grades be separate in different buildings. The applicant responded that he wasn't sure if that applies to private schools. The architects have planned to have separate buildings. There is more of a need to keep the elementary grades separate. All the buildings will have the same architecture.

Board member Mittal asked if the athletic fields will be open to the public. The applicant responded that they would not be open to the general public, but for specific community organizations and leagues, but they would have to be coordinated with the school sports schedule. It is the intent to partner with the local community and make the fields accessible.

Board member Mittal asked about the traffic plan and how will the applicant ensure that the traffic for drop off and pick up doesn't spill into the main roads. The applicant responded that there are 3 ways for students to get to school. 1. Buses will bring about ½ the students. 2. Drop offs-parent drop off queue numbers are from the NCDOT model. The numbers are plugged in and meet all the queue requirements. 3. Students driving themselves-student parking. There are staggered start times for each school building to allow for drop offs to occur about 30 minutes apart and there is a lot of land to absorb the required queue length. And there are two entrances to accommodate the cars arriving. There are newly developed requirements for the queues. Schools in the past haven't been designed to accommodate traffic.

Board member Mittal mentioned the traffic queue issues at Union Day School with about 1500 elementary students and at Socrates Academy.

Board member Howard asked Mr. Tefft where the Traffic Impact Analysis Table in the package distributed to the Board came from. Mr. Tefft responded that it was from the applicant.

Board member Howard so there is some detail, but there is not final approval.

Board member Howard commented that the applicant is showing 3300 cars a day whether coming from Weddington Road or Providence Road. The applicant responded that the buses will be split between the two entrances for drop off and pick up.

Board member Howard stated that the applicant mentioned staggered start times for the different grades, he asked how the start times matched up with the start times of Weddington High School,

Weddington Middle School and Weddington Elementary School and if the applicant had been in contact with anyone from those schools. The applicant responded that there has not been contact with those schools.

Board member Howard asked how the bussing will work. The applicant responded that the private buses will pick up at designated sites and transport students to the school.

Board member Howard asked if an indoor pool facility was part of this plan and if so, how large. The applicant responded that the natatorium will hold an Olympic size pool.

Board member Howard asked if swim meets will be held there. The applicant responded there would be swim meets held outside of school hours. Board member Howard asked if the pool would be open during odd hours for use by others. The applicant responded that all facilities will be used by outside entities.

Board member Howard asked if there was a softball field. The applicant responded that there was a baseball field. Board member Faulk commented that may be a Title IX issue.

Board member Howard asked if the applicant was planning to hold a second community meeting focusing on traffic questions. The applicant responded that they were planning on it. If NCDOT returns the Traffic Impact Analysis by the end of next week, the second community meeting will be held sometime in the next 2 to 4 weeks.

Board member Howard asked what the acceptance requirements and tuition for the school. The applicant responded this will be a classical model school and an exact financial model has not been set. It won't be too far from Charlotte Latin or Charlotte Country Day.

Board member Howard asked if the applicant has worked with Union County Sheriff's Offices or any other county public safety resources. The applicant responded that there has been no engagement with public services as it isn't typical in this stage.

Board member Howard asked if the applicant has identified the heritage trees on the property. The applicant responded that most of them have been identified and can be more clearly marked.

Board member Howard asked if the stadium would hold more than the 500 seats on the plan. The applicant responded that would depend on the fire marshal and games would start later so there would be no traffic impact.

Board member Howard asked about the planned road improvements on sheet 11. The applicant stated that one of the reasons this site is so attractive is that there are a lot of ways for traffic to move in and out of the property.

Board member Howard asked if there would be a restriction that students had to stay on campus for lunch to limit the pedestrian traffic crossing 84 into Weddington Corners Shopping Center. The applicant responded that they are not intending to allow lunch students to walk to Weddington Corners for lunch.

Board member Jarrell asked if the Olympic swimming pool will be marketed as an elite athletic facility. The applicant responded that one of the board members is close to people coming to Charlotte for Olympic and elite athletic programs. One of the goals of the school is to instill athleticism with academics. Studies have shown a rise in academic outcomes with the right athletic program. Athletics will be a part of the academic fabric. The school will partner to bring in elite athletics to also raise academic outcomes.

Board member Jarrell asked if this would be marketed to athletes outside of school, not just students. The applicant responded that it is intended to be a part of the outreach to the community, to partner with athletes. The school follows the model of the ancient Greeks by training the body and athleticism with the brain.



Board member Faulk asked if the road through the campus is private and if it would be gated. He asked how they would keep it from becoming a cut through. The applicant responded that there are no plans to gate that road. The campus is in one quadrant and will allow for security there. The connectivity of the road is intended to be kept open and will be maintained privately.

Board member Faulk asked Deputy Kropp if there was any issue with a private road. Deputy Kropp responded that traffic violations would be the only real issue.

Board member Faulk asked how much in depth the applicant looked into a lift station. The applicant responded that they've looked into it extensively. Board member Faulk asked if the applicant has looked into how they smell. The applicant responded that he has done at least ½ dozen communities with lift stations in his business. He has a 1.2-million-dollar home across from a lift station in Easton Park and he invited Board member Faulk to check it out.

Board member Faulk asked how the presence of the school would affect Weddington Optimist Park, Weddington United Methodist Church School, and Weddington High School. The applicant responded that this won't typically draw people from the public-school system but will offer choices. Board member Faulk stated that with 6 out of every 7 applicants to the school getting turned away, he doesn't believe the Weddington community will get anything out of it. The applicant replied that the numbers show there is a shortage and a real problem. There's nowhere to go if a resident wants a private school beyond elementary grades.

The applicant stated that they are looking to give incentives to people in the local area to meet the demand for the local people first. Discussion continued regarding the availability and benefits to Weddington residents.

Vice Chair Manning stated that the town needs a detailed interior traffic flow of how the cars will be stacked. Developers have done more road improvements for developments with 100 to 200 single family lots than a 100-foot stacking lane on Providence Road is the bare minimum. The school at WUMC has done a great job keeping the school traffic off the road. He stated that he has concerns about the minimum traffic improvements proposed.

Vice Chair Manning stated he had an additional concern about the lift station. The applicant responded that if the station is not done right, it will smell. The applicant stated that they take this seriously and will have the right people building it.

Board member Howard expressed that the project sounds great and asked if this is the right location and does it benefit the town as much as it would benefit the applicant. He stated that he doesn't see an equal benefit relationship. The applicant responded that this is a great location because of the road network, demographics, and the location in relation to other private schools. The applicant stated that this location would be successful and there are a lot of way to make this school a part of the community. The project would bring road improvements that accommodate all the recommendations made by NCDOT.

Vice Chair Manning stated that the WUMC is celebrating its 200-year anniversary next year and is growing the academy. He expressed that he doesn't think this site is good for this school. He believes it would be detrimental to the growth of the WUMC school. Vice Chair Manning stated that this project will serve Myers Park, Marvin, South Charlotte, and South Carolina. The applicant asked how will people coming from all over the area negatively impact WUMC or any of the schools? They are starting with the middle and high schools particularly because they don't want to pull from the other schools. They want to provide an option where there is currently no choice.

Vice Chair Manning responded that there are options for good education and next-level athletics and academics. He stated that he doesn't see this as a benefit to the residents. He stated that the school concept is amazing, just not this site.

Vice Chair Manning asked if private schools would be tax exempt. Staff confirmed Board member Howard stated that this would be a demand on the town and county resources. Board member Faulk stated that there is nothing in the Land Use Plan Goals or Policies that building a private school would meet.

The applicant responded that it is their intention of voluntarily providing the tax equivalent of 60 homes, which is the maximum allowed on that property. About \$20,000 a year to the town of Weddington.

**Motion:** Board member Howard made a motion to table the recommendation of a Conditional Zoning Application from Liberty Classical Academy for the establishment of a Private School use, an associated Land Use Map amendment from Traditional Residential and Conservation Residential to Conservation Residential; and an associated Zoning Map amendment from R-40 Single-Family District (R-40) and Residential-Conservation District (R-CD) to Education District (ED) all of which are associated with parcels generally located at or adjacent to 145 S. Providence Road, and 154 Weddington Road to the Regular Planning Board Meeting on August 28, 2023.

**Amended Motion:** Board member Mittal amended the motion to table the recommendation until the additional community meeting addressing traffic questions is held and the Traffic Impact Analysis is complete.

**Second:** Board member Faulk

**Vote:** The motion passed with a unanimous vote.

## 7. Update from Town Planner and Report from the July Town Council Meeting

**Ennis Road Subdivision**-Conventional subdivision for 12 lots. Complete application submitted.

Community meeting held next month. Tentatively scheduled for August 28<sup>th</sup> Planning Board Meeting

**John Walker Matthews Property**-Event venue. No application has been submitted.

**Luna Subdivision**-Major subdivision for 18 lots. Conventional (40,096 sf min.). No application has been submitted

**4709 Beulah Church Road**-Minor subdivision for 5 lots. Currently under review.

**Latter Day Saints Temple**-345 Providence Road. No application has been submitted.

**Hidden Estates**-3616 Beulah Church Road. Minor subdivision for 5 additional lots. Currently under review.

## 8. Board member Comments

Board member Faulk: I don't want to knock their concept, a great thing, but I felt like there was a lot of lipstick on that pig. They're selling something that doesn't have a benefit to Weddington or our kids, really 6 out of 7 that might try. I'm going to stick to my guns.

Board member Jarrell: I feel the same. They were asked several times about benefit for Weddington and no real answer.

Board member Mittal: Why are the builders and developers building here. Is it land size or I don't know?

Board member Howard: I think that Weddington is very desirable area. The average income is probably the among highest in Union County. Also, probably higher educated communities in the area. That why Weddington is desirable. The reason I wanted to make that motion the way I did is because I know they put a lot of work into this I wanted to make that motion to give them another bite of the apple. Concept seems neat. Anybody that comes before us is going to try to sell a concept. I think they have the right values. Just don't think it's the right place for this facility. Deputy Kropp thank you-best of luck to you, hopefully this is a good thing, a promotion. I appreciate all you have done for Weddington.

Vice Chair Manning: I echo everybody's comments. I don't understand that staff has recommended denial and has told applicant that Council isn't favorable to this project, the Planning Board is not favorable. And the applicant continues. It doesn't sit well with me. I am a lifetime Weddington resident and I don't see any value but more traffic. We appreciate everybody coming out tonight and showing your support to the town

## 9. Adjournment

- Motion:** Board member Mittal made a motion to adjourn the July 24, 2023 Regular Planning Board Meeting at 9:03 p.m.
- Second:** Board member Faulk
- Vote:** The motion passed with a unanimous vote.

Approved: September 25, 2023