



**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, DECEMBER 18, 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. November 27, 2023, Planning Board Regular Meeting
5. Old 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.
 - B. Discussion and Recommendation of Adoption of Comprehensive Land Use Plan and Town Center Plan
6. New Business
 - A. Approval of 2024 Regular Meeting Schedule
7. Update from Town Planner and Report from the December Town Council Meeting
8. Board member Comments
9. Adjournment



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REGULAR PLANNING BOARD MEETING
MONDAY, NOVEMBER 27, 2023 – 7:00 P.M.
WEDDINGTON TOWN HALL
MINUTES
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1. Call to Order

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

2. Determination of Quorum

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

Staff present: Karen Dewey, Town Administrator/Clerk; Debbie Coram, Deputy Clerk/Admin Assistant; Robert Tefft, Town Planner (via telephone)

Visitors: Gayle Butler, Andrew Martinson, Tom Smith, Bill Deter, Harry Chilcot, Jim Bell, Joyce Plyler, Tracy Stone

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.*

Chairman Goscicki read the Conflict of Interest Statement. No board members had a conflict of interest.

4. Approval of Minutes

A. October 23, 2023, Planning Board Regular Meeting

Motion: Board member Manning made a motion to approve the October 23, 2023 Regular Planning Board Meeting Minutes
Second: Board member Mittal
Vote: The motion passed with a unanimous vote.

5. Old Business

No old business to discuss.

6. New Business

A. Discussion and Possible Recommendation of Adoption of Comprehensive Land Use Plan and Town Center Plan

Mr. Tefft gave the staff report.

On September 12, 2022, the Town Council authorized staff to issue a Request for Proposals (RFP) to engage the services of a consultant for the preparation of a new Comprehensive Plan/ Town Center Plan for the Town. The RFP was issued on September 19, 2022, and following an internal review of the proposals, the respondents were interviewed over November 9 and 16, 2022. On December 12, 2022, Town Council awarded the contract for the Comprehensive Plan/ Town Center Plan to Inspire Placemaking Collective (Inspire) (FKA S&ME, Inc.). Following the awarding of the contract, Inspire facilitated multiple public engagement opportunities including a project website with survey and interactive map, a public workshop on March 20, 2023, and public open house on April 21, 2023. Additionally, the Town's Steering Committee met and discussed the process, as well as the draft Comprehensive Land Use and Town Center Plans on both March 6 and October 4, 2023.

Staff recommends forwarding the plan to the Town Council with a recommendation for adoption.

Ms. Sinatra gave a presentation and reviewed the changes to the current Land Use Plan

- The new goals and policies integrate guiding principles, a timeline, and matrix for easy navigation and clarity.
- A Future Land Use category of Agricultural was added. Public feels agricultural community isn't being preserved
- Goal 3: to retain the existing Downtown Overlay District as the primary commercial center in town. The businesses in the center will maintain the small-town scale needed to serve residents, the design of the center should become more pedestrian-oriented.
- Goal 5: Support implementation of the Town Center Plan

Ms. Sinatra reviewed the feedback from the public engagement sessions. Character preservation is the common theme. She reviewed the three phases of the Town Center Master Plan.

Board members discussed the presented plan. Items discussed were:

- Square footage of shopping center and proposed retail in town center plan and management of it
- Availability of parking in current shopping center
- Issues with infrastructure and schools

- The agricultural future land use category. Concerns were raised about property rights, pesticides, and suburban sprawl (due to size of developed lots in that category). Ms. Sinatra raised the point that it allows for preservation and reduction in density and the importance of balancing that with property rights.
- A pedestrian town center and the lack of a fit to this property.

The board members asked for a summary of the changes, including a red-line version of the changes.

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

- **Liberty Classical Academy**
 - CZ for Private School
 - Planning Board: 7/24 (Tabled)
 - Traffic PIM: 8/22
- **Deal Lake**
 - 189-acre conservation subdivision
 - 06129109, 06126001, 06126017, 06126017B, 06126017C
 - Site Walk: 11/28, 10am-12pm (on-site)
 - Charette: 11/28, 1pm-3pm (Town Hall)
- **Eagles Landing**
 - 25-acre conservation subdivision
 - Site Walk/Charette: 12/14
- **Rea/Providence**
 - Conventional subdivision, 56 lots
 - Sketch Plan submitted
- **Comprehensive Land Use Plan and Town Center Plan**
 - Planning Board 11/27/23
 - Town Council: 1/8/24
- **Luna Subdivision**
 - Conventional 18-lot subdivision
 - Planning Board 9/25; 10/23
 - Town Council tabled 11/13
- **Beckingham Subdivision**
 - Planning Board 10/23
 - Town Council approved 11/13

8. Board member Comments

Board member Faulk: There was some good stuff in here. This was a good discussion. I will have better bullet points next time. This raised some questions on our situation. This was a great presentation. Sarah did a great job of putting a lot in that small area of town center.

Board member Howard: What we need to remember is this is still wet cement the plan presented today. There are good concepts and ideas. Looking through comments in the appendix there is a desire to have a central location for events. That's what I think the firm was trying to accomplish, not understanding the dynamics of the property. Everybody had their own prejudices and when this concept came to be. Certainly, some folks on the steering committee had their own agenda and that's ok. This is what we ended up with and it's not necessarily terrible. I moved here for the school, but the school isn't the same as it was when I moved here. That happens. In long term, the town needs to think about that. What make those other places more desirable-Waxhaw and Marvin-those schools

are performing exceptionally well, and they have the same student/teacher ratio. Ed commented on the agricultural property-it doesn't matter what happens with that property-suburban sprawl is already here.

Board member Conway: Just piggybacking on Gordon and Chris. Sarah did a great job listening to residents. The percentage of residents that gave opinions is quite low, based on how many we have. I've always said growth is inevitable it's how that happens that should be the focus-smart growth. I'm not sure Agricultural needs to be in land use plan. Unless someone will buy and make it a forever farm, it's going to be sold. That's how it is. I think we have a good starting point.

Board member Mittal: Sarah did a good job collecting the feedback and putting the presentation. I want to see changes in this compared to what we have now.

Chairman Goscicki: Sarah and the firm did a very admirable job given constraints she was put under in terms of how the project developed. To me it's important to look at Land Use Plan and look beyond rhetoric and look at it in terms of what this town will look like. I think too much focus was on keeping small and no commercial development. That's fine, meanwhile community is still saying want to keep rural lifestyle and the rural look to the community, but putting agricultural land use in the land use plan doesn't accomplish that.

Board members discussed tax implications with agricultural land use.

9. Adjournment

Motion: Vice Chair Manning made a motion to adjourn the November 27, 2023 Regular Planning Board Meeting at 8:32 p.m.

Second: Board member Conway

Vote: The motion passed with a unanimous vote.



TO: Planning Board

FROM: Robert G. Tefft, CNU-A, Town Planner

DATE: October 23, 2023

SUBJECT: Application by Liberty Classical Academy, Inc., requesting Conditional Zoning approval 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.

APPLICATION INFORMATION:

SUBMITTAL DATE: June 2, 2023

APPLICANT: Liberty Classical Academy, Inc.

PROPERTY LOCATION: 145 S. Providence Road, and 154 Weddington Road

PARCEL ID#: 06150076, 06150076A, 06150076B, and 06150081

ACREAGE: +/- 60.77 acres (0.4 acres within R-O-W)

EXISTING LAND USE: Traditional Residential and Conservation Residential

PROPOSED LAND USE: Conservation Residential

EXISTING ZONING: R-40 and R-CD

PROPOSED ZONING: ED (CZ)

BACKGROUND:

On February 13, 2023, the Town Council heard a presentation from Liberty Classical Academy regarding their intent to develop a private school (K-12) 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.

On July 24, 2023, the Planning Board heard a presentation from the applicant concerning this project and voted 6-0 (Conway absent) to continue the proposal until such time as the applicant was able to address the concerns discussed in the staff report and hold a public information meeting specific to traffic concerns. The applicant has responded to the concerns outlined by staff and held a public information meeting on August 22, 2023 with another meeting scheduled to take place October 25, 2023.

PROPOSAL:

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.

The development proposal includes Development Standards that form a part of the Conditional Zoning Plan (Plan). The development shall be governed by this Plan and all applicable Unified Development Ordinance (UDO) requirements unless specifically identified in the Plan.

Modifications:

While each use and structure shall be required to obtain a Zoning Permit so that staff can ensure the placement is consistent with this Plan, as well as all other applicable requirements of the UDO, the applicant proposes the following regarding minor modifications:

The depiction of uses, sidewalks, driveways, parking areas, internal drives, building envelopes, athletic fields and site elements (the “campus plan”) set forth on the sketch plan

should be reviewed in conjunction with the provisions of these development standards. The proposed improvements shown on the sketch plan are schematic in nature and exact locations of buildings, architectural design, building size (including parking and access) and their corresponding uses may be modified during the design, engineering and construction phases of the campus plan provided:

- 1. The modifications are materially consistent with the sketch plan,*
- 2. The minimum ordinance standards are met and,*
- 3. Unless otherwise shown on the sketch plan, such modifications do not exceed the maximum standards in accordance with the ordinance, subject to General Statutes 160D and Town of Weddington ordinance.*

Since petitioner has not proceeded with the full civil and architectural design phases, it is intended that this sketch plan provide for flexibility in allowing some alterations or modifications from the representations of the development/site elements. Therefore, there may be instances where modifications will be allowed without requiring the administrative amendment process per Article 6 of the ordinance. These instances would include:

- 1. Minor modifications that are deemed not to materially change the overall design intent depicted on the sketch plan. The Town Planner will determine if such minor modifications are consistent with the intent depicted on the sketch plan. If it is determined that the modification is not consistent with the intent of the sketch plan, petitioner shall then follow the administrative amendment process pursuant to Article 6 of the ordinance in each instance, however, subject to petitioner's appeal rights set forth in the ordinance.*

The language proposed by the applicant would cover any minor adjustments to the plan, allowing them to be dealt with administratively, but would require any change deemed as not minor by the Town Planner to be brought back through the Conditional Zoning process with Town Council to have the final determination on the allowability of that change.

Vested Rights:

Pursuant to the Development Standards proposed by the applicant, there is a request for five (5) years of vested rights, which is the maximum allowable under GS 160D. There was a prior concern regarding the number of years proposed by the applicant; however, this has been satisfactorily addressed by the applicant.

Permissible Uses:

Pursuant to the Development Standards proposed by the applicant, the permissible uses for the development proposal would be as follows:

- Education Buildings (Classroom and Administration)
- Education Support Buildings
- Outdoor Athletic Resources

These uses are more specifically described in the bullet point list provided on the previous page, and Town staff have no objections or concerns with the permissible uses.

Subdivision:

Pursuant to the Development Standards proposed by the applicant, the four parcels comprising the site will be recombined into one parcel. There were previous concerns regarding the subdivision language originally proposed; however, this has been satisfactorily addressed by the applicant.

RELATION TO THE UNIFIED DEVELOPMENT ORDINANCE:

UDO Section D-607(C), Conditional Rezoning.

As required by UDO Section D-607(C)(5), the applicant held their required Community Meeting at Weddington Town Hall on Wednesday, May 3, 2023, at 6:30 pm. A subsequent Community Meeting specific to traffic concerns brought up at the original meeting was held on August 22, 2023, at 4:00 pm. The minutes of both meetings, as well as attendance logs are available on the town website.

The Town Council is tentatively scheduled to hold a public hearing regarding this application on Monday, October 9, 2023, at 7:00 pm. The Conditional Zoning process allows the developer and the town to ask for conditions which could include special exceptions to rules or additional improvements. The town and the developer must agree on a condition for it to become a part of an approval.

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

Pursuant to Table 1, Permitted Uses, as contained within UDO Section D-703(D), the Public or Private School use is permissible within the R-60, R-40, and ED Districts; however, only by a Conditional Zoning approval. The subject development proposal includes a request to rezone all four of the parcels involved to ED, which would allow for the proposed use.

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

Pursuant to Table 2, Lot and Building Standards, as contained within UDO Section D-703(E), all development within the ED is required to meet certain standards. The following table identifies those standards, as well as how the subject development proposal complies:

Lot and Building Standards		Standard	Proposed
Minimum Lot Size		N/A	2,645,398.8 SF
Minimum Lot Width		N/A	1,340' (Providence Rd) 504' (Weddington Rd)
Minimum Setbacks	Front	25'	73' (Providence Rd) 50' (Weddington Rd)
	Side	25'	29' (north) 49' (south)
	Rear	25'	275' (east)
Maximum Height		40'	33' (top of flat roof) 45' (top of mansard roof)
Maximum Floor Area Ratio		0.2	0.09

To be clear, the development proposal meets or exceeds all the established standards except for maximum height. The proposed buildings would either need to be modified to comply with this standard, or the approval would need to specifically authorize this additional height.

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

1. *Landscaping, Screening, and Buffers. Landscaping, screening, and buffers shall meet or exceed the minimum standards as provided per D-918(I). A buffer shall be built and maintained the entire width of the property fronting major or minor thoroughfares and major or minor roads. The buffers shall be built the width of the setback. All such buffers and/or screens shall be built in such a manner as to effectively screen the development from any major or minor thoroughfare and major or minor road, and/or residential or commercial property existing at the time the CZ zoning is approved. All such landscaping, screening and buffers shall include, protect, and maintain existing and planted trees.*

While a preliminary landscape plan has been provided, it does not provide sufficient detail to fully determine compliance with all minimum standards set forth in UDO Section D-918(I). However, given the nature of this application and process, the plans provided are sufficient and a finding can be made that the development proposal should be able to achieve compliance with the minimum standards set forth in UDO Section D-918(I). Should the application be approved, final compliance will be determined upon the submittal of plans for Zoning Permit.

2. *Parking Decks. If one or more parking decks are to be built in accordance with the guidelines herein and contain 33 percent or greater of the required off-street parking for the development, the maximum allowable floor area ratio may be increased by the Town Council up to a ratio of 0.25. Parking decks not to exceed three above grade levels of parking may be allowed provided they do not exceed the maximum height provided in subsection 3, below. To the maximum extent possible, such decks shall be built of materials and designed in a manner to blend in with the associated development. Cars on all levels of a structural parking facility must be screened from view from outside the structure. Retail or office uses may be allowed on the periphery of all levels of the parking deck.*

No parking decks are proposed. As such, this requirement is not applicable.

3. *Building Height. The majority of buildings in the development shall be two stories high. However, one-story and/or three-story buildings will also be used to provide a varied skyline for the development. A majority of the gross floor area within the development shall be contained in buildings that are two stories or shorter. All buildings or structures within 50 feet of residentially zoned property shall be limited to two stories and shall have a maximum building height of 35 feet, as measured from ground level to the peak of the roof.*

While the plans provided do not include specific height information for all buildings within the proposed development, it is known that the middle and high school buildings at the front of the development are proposed at 45 feet to the highest point of their mansard roof. While only proposed to be two-story buildings for the purpose of the number of floors therein, the actual height is more consistent with a three or four-story building. All other buildings proposed within the development are anticipated to not exceed two-stories or a height of 40 feet. It is also noted that no building within the development is within 50 feet of any adjacent property.

4. *Gross Floor Area. No individual use within a non-residential development shall have a gross floor area greater than 8,000 square feet, except for supermarkets, libraries, and town and government facilities, which may be as large as 25,000 square feet. Furthermore, individual retail uses having a gross floor area of greater than 20,000 square feet shall not comprise greater than 25 percent of the total gross floor area in the development devoted to retail use.*

The development proposal consists of multiple buildings comprising a singular use having a total of 167,000 square feet of gross floor area. This proposal far exceeds the 8,000 square feet maximum, and the proposed use does not qualify for the established exception which would allow for 25,000 square

feet, and even so would still far exceed that maximum as well. Accordingly, this provision is not being met. Nonetheless, the Town Council may allow for the proposed gross floor area for this development as a part of a specific conditional zoning approval.

5. *Design Requirements. The first floors of all nonresidential buildings must be designed to encourage pedestrian activity and use by arranging windows and doors so that individual uses within a building are visible and accessible from the street on at least 50 percent of the length of the first-floor frontage that faces roads, sidewalks, or other areas of significant pedestrian activity. Where the first floor of a nonresidential building has expanses of blank wall, each such expanse of blank wall may not exceed 20 feet in length. The term "blank wall", for the purposes of this section, means a wall that does not contain transparent windows or doors or significant ornamentation, decoration, or articulation.*

As has been noted previously with other submittals, this provision is intended more for the engagement of pedestrians with retail storefronts rather than school buildings, which are not typically associated with these types of design requirements. Accordingly, it would not seem to be appropriate to require compliance with this provision given the nature of the use. Nonetheless, the development proposal includes the following statement:

"Building side and rear elevations shall not have expanses of blank walls greater than 50 feet and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls."

Should the application be approved, final compliance will be determined upon the submittal of plans for Zoning Permit.

6. *Pedestrian Friendly. Nonresidential portions of a development (including, but not limited to, the landscaping, parking, and lighting of those portions) shall be designed so that they encourage and facilitate pedestrian use of those portions. In addition to other design elements that encourage and facilitate pedestrian use, in nonresidential portions of a development, sidewalks shall be placed in front of all principal buildings, and small pocket parks shall be created whenever feasible.*

As with the above provision, this provision is intended more for the engagement of pedestrians with retail storefronts rather than school buildings, which are not typically associated with these types of design requirements. Accordingly, it would not seem to be appropriate to require compliance with this provision given the nature of the use.

7. *Off-Street Parking Areas. Large expansive off-street parking lots are not allowed. Accordingly, each off-street parking area shall contain no more than 150 off-street parking spaces and shall meet or exceed the standards in section.*

The majority of the 412 total parking spaces provided (265) are proposed within what is essentially a single parking lot. However, due to the nature of the use and the inherent need for drop-off and pick-up areas for students, as well as vehicle stacking, the forced design tends to result in larger fields of off-street parking.

It should be noted that the subject provision is incomplete as it does not specify any section of the UDO in its final sentence. Based upon how a similar provision was constructed in the Town's Code of Ordinances prior to the adoption of the UDO, this should be referring to Section D-918(L), Off-Street Parking and Loading, in the current UDO.

The sketch plan provided does not provide sufficient detail to fully determine compliance with all standards set forth in UDO Section D-918(L). However, given the nature of this application and

process, the plans provided are sufficient and a finding can be made that the development proposal should be able to achieve compliance with the minimum standards set forth in UDO Section D-918(L).

Should the application be approved, final compliance will be determined upon the submittal of plans for Zoning Permit.

8. *Internal Streets; Private Ownership; Parking. Streets within the development may be privately owned and maintained. On-street parking is allowed and may be counted towards meeting the off-street parking requirements. For both on-street and off-street parking, a parking space shall be not less than nine feet in width or less than 20 feet in length, and all parking spaces shall be clearly marked and maintained so that the boundaries of each space may be easily seen. In off-street parking lots with more than 20 standard spaces, one compact parking space may be permitted for every five standard spaces. Each compact space shall be at least seven feet wide and at least 17 feet long, and shall be clearly marked, "compact cars only".*

The development proposal includes the provision of one internal private street connecting Providence Road to Weddington Road. The road includes no on-street parking; however, it does provide for two bus drop-off lanes within the first 870 feet from Providence Road.

9. *No Outdoor Storage. Any outdoor storage of retail goods is prohibited. Notwithstanding this provision, garden materials such as flowers, plants, shrubs, fertilizer, and pine needles, etc., may be stored outdoors, but only if appropriately located, screened, and secured. Such outside storage shall be allowed only at the sole discretion of the Town Council and shall be included in calculating the floor area ratio for the site.*

No outdoor storage is proposed. As such, this requirement is not applicable.

10. *Open Space. At a minimum, ten percent of the gross acreage of the project (minus any required setbacks and buffers, utility easements, stormwater detention areas, and marginal lands including, but not limited to, wetlands, floodplains, steep slopes, and bodies of water) shall consist of prominently located and pedestrian-accessible village green open spaces so as to encourage walking and pedestrian activity within the development. No development may occur within any such open space except for the creation of sidewalks, other walking paths, and any type of development commonly found in small public parks, such as statues or other art.*

As discussed previously with regard to other provisions contained herein, this provision is intended more for the engagement of pedestrians with retail storefronts rather than school buildings, which are not typically associated with these types of design requirements. Accordingly, it would not seem to be appropriate to require compliance with this provision given the nature of the use.

11. *Stormwater Management. The post development rate of stormwater runoff from any lot shall not exceed the predevelopment rate of runoff for a 10-year storm. The applicant shall provide, at a minimum, the following information to the Administrator as part of his application to obtain a zoning permit:*

- a. *An engineering report made and certified as true and correct by a registered engineer licensed to do business in the state. Such report shall include the following:*
- 1. The routing of stormwater for the predevelopment and post-development conditions of the proposed building lot.*
 - 2. Calculations showing the peak estimated rates of runoff using a ten-year return period for predevelopment and post-development conditions for the lot, including each stream leaving the proposed building lot.*

3. *Calculations, plans, and specifications for stormwater retention/detention facilities or other means to effect peak rate attenuation.*
4. *A statement indicating the rate of post-development stormwater runoff for the proposed building lot will not be greater than the predevelopment rate for a 10-year storm.*
- b. *A statement from the owner acknowledging responsibility for the operation and maintenance of required retention/detention facilities, and to disclose such obligation to future owners.*

The preliminary stormwater plans included as part of the development proposal were reviewed by the Town's engineers, LaBella Associates (LaBella). Multiple comments were generated with this review; however, the applicant has revised their plans to address those comments. Compliance with applicable Town Ordinances, shall be determined upon the submittal of plans for Zoning Permit should the application be approved.

UDO Section D-917D, Supplemental Requirements for Certain Uses.

UDO Section D-917D(K), Schools, applies to all schools, whether they be public or private, elementary, middle, or high schools despite the various provisions having been written in such a manner that they would sometimes seem to apply only to those schools within the Union County Public Schools system. Those provisions deemed applicable to this development proposal, and how said proposal may or may not comply, are as follows:

4. *Supplemental standards shall include:*
 - a. *Exterior of buildings:*
 1. *Exterior building materials shall be limited to masonry brick (brick or prefinished block), natural or synthetic stucco, prefinished insulated or non-insulated metal panel system, prefinished metal fascia and wall coping, standing seam metal roof (for sloped roof only), painted hollow metal and/or prefinished aluminum door and window frames, glass, painted or prefinished steel.*
 3. *Exterior of buildings will be articulated to enhance the area of the site.*
 - d. *Exterior illumination:*
 1. *Driveway and parking area lighting shall be no more than ten foot-candles. Spill over to adjacent properties shall not exceed one foot-candle for nonresidential use and/or zoning and 0.50 foot candle for residential use and/or zoning. Lighting fixtures shall be shielding type.*
 2. *Lighting fixtures located on the building exterior shall not emit more than five foot-candles and shall be shielding type.*
 3. *Lighting for athletic fields shall follow the current standards as set forth by the North Carolina High School Athletic Association Lighting Standard. A lighting control package shall be included, and lights shall be shut off no later than one hour after the end of the event.*
 - f. *Parking:*
 1. *At elementary and middle schools provide one space per staff member plus 1.6 spaces per classroom or one space for each three seats used for assembly purposes whichever is greater.*
 2. *At high schools provide five spaces per instructional classroom or one space for each three seats used for assembly purposes whichever is greater.*
 3. *No more than 20 percent of the required spaces can be compact spaces.*
 4. *Minimum size of spaces shall be nine feet wide by 19 feet long for regular, 7½ feet wide by 15 feet long for compact, and accessible spaces shall meet current accessibility codes.*
 - g. *Student drop-off stacking: On-site vehicle stacking for student drop-off shall be based on NCDOT requirements using the NCDOT required calculator.*
 - h. *Landscaping and screening/buffering:*

1. *Trees and shrubs shall be as indicated within the municipality species list.*
 2. *Parking area: One large or two small trees shall be provided for each 12 parking spaces. Each parking space shall be located within 65 feet of a tree. Rows of parking spaces shall be terminated with a landscaped island and shall be the same size as a parking space.*
 3. *Parking areas shall be screened from adjacent public roads with shrubs based on the municipality's species list.*
 4. *Storm detention basins shall be screened with fencing and/or shrubs as determined by the administrator and shall be dependent upon the size, location, and use of the basin.*
 5. *Land berms will not be permitted between school facilities and roads.*
 6. *Land berms can be used in conjunction with required screening/buffering to adjacent uses as determined by the local regulations.*
 7. *Screening/buffering from adjacent uses will be opaque and shall consist of:*
 - i. *Small trees planted at a rate of three per 100 feet and six feet high evergreen shrubs planted at a rate of 25 per 100 feet; or*
 - ii. *Large trees planted at a rate of 2.5 per 100 feet and a six-foot high solid wood fence; or*
 - iii. *Tall evergreen trees with branches touching the ground planted in a stagger.*
 8. *If the adjoining property is of similar or compatible use the administrator may reduce or eliminate the screening/buffer.*
 9. *Screening/buffering requirements may be waived when screening/buffering is already provided. There may be cases where the unusual topography or elevation of a site, or the size of the parcel involved, or the presence of screening on adjacent property would make the strict adherence to the regulation serve no useful purpose. In those cases, the administrator is empowered to waive the requirements for screening so long as the spirit and intent of this section and the general provisions of this section pertaining to screening are adhered to. This section does not negate the necessity for establishing screening for uses adjacent to vacant property.*
5. *Stormwater Management. The post development rate of stormwater runoff from any lot shall not exceed the predevelopment rate of runoff for a 10-year storm. The applicant shall provide, at a minimum, the following information to the Administrator as part of the application to obtain a zoning permit:*
- a. *An engineering report made and certified as true and correct by a registered engineer licensed to do business in the state. Such report shall include the following:*
 1. *The routing of stormwater for the predevelopment and post-development conditions of the proposed building lot.*
 2. *Calculations showing the peak estimated rates of runoff using a ten-year return period for predevelopment and post development conditions, for the lot, including each stream leaving the proposed building lot.*
 3. *Calculations, plans, and specifications for stormwater retention/detention facilities or other means to effect peak rate attenuation.*
 4. *A statement indicating the rate of post-development stormwater runoff for the proposed building lot will not be greater than the predevelopment rate for a 10-year storm.*
 5. *A statement from the owner acknowledging responsibility for the operation and maintenance of required retention/detention facilities, and to disclose such obligation to future owners.*

Regarding building exteriors, illumination, parking, and landscaping, plans depicting this level of detail are not required at this stage of the development process; however, should this application be approved, these standards shall be reviewed for compliance upon the submittal of a Zoning Permit.

The applicant has been working with NCDOT to address stacking requirements and, at this time, it appears that sufficient stacking has been accommodated within the development proposal.

Regarding Stormwater, please see the discussion under UDO Section D-917C.

UDO Section D-918, General Requirements.

The various provisions set forth in UDO Section D-918, including, but not limited to visibility at intersections, lighting, screening, and landscaping, fences and walls, signs, and off-street parking and loading, as applicable, shall be reviewed for compliance with the submittal of plans for a Zoning Permit. It is noted, however, that there do not appear to be any immediate concerns regarding compliance with these provisions.

UDO Appendix 5, Architectural Standards.

It is noted that many of the basic building design standards established in Appendix 5 are intended more for the engagement of pedestrians with retail storefronts rather than school buildings, which are not typically associated with these types of design requirements. Nonetheless, should this application be approved, these standards shall be reviewed for compliance at time of submittal for a Zoning Permit.

RELATION TO THE CODE OF ORDINANCES:

Appendix C, Traffic Impact Analysis.

Pursuant to Sec. II (A) (1), a Traffic Impact Analysis (TIA) is required for any CZ which is expected to create 50 or more peak hour vehicle trips or 500 or more daily vehicle trips. The development proposal was determined to exceed this threshold, and as such, the applicant hired Timmons Group to develop a TIA for this project. As of August 30, 2023, the TIA has been accepted and approved by NCDOT with the following improvements to be completed in conjunction with the construction of the development:

Providence Road S / Lenny Stadler Way / Site Access 1

- Dual egress lanes (shared through / left-turn lane and an exclusive right-turn lane)
- 100-foot southbound left-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)

The TIA establishes that a total of 3,315 Average Daily Trips (ADT) will occur on the surrounding roadway network because of the proposed development. These trips will have a significant impact upon the roadway network and, even with the construction of the aforementioned improvements, will result in a degradation of the Level of Service (LOS) to surrounding intersections.

ANTICIPATED TRIP GENERATION								
Type	Variable	ADT	AM Peak Hour			School PM Peak Hour		
			In	Out	Total	In	Out	Total
Elementary School	400 Students	874	280	224	504	157	213	370
Middle School	500 Students	1089	349	280	629	196	265	461
High School	600 Students	1352	467	247	714	192	446	638

LEVEL OF SERVICE (LOS)			
Intersection	Existing	Anticipated (2031) w/ Improvements	2040 Horizon
Providence / Weddington	C	E (AM) / C (PM) ¹	F
Providence / Lenny Stadler	A	A	N/A ³
Providence / Rea	C	D (AM) / E (PM) ²	
Weddington / Wheatberry Hill	C	C (AM) / B (PM)	

¹ No improvements recommended, as improvements would have a significant impact upon existing area development due to proximity of existing developments to the roadway.

² No improvements recommended as available turn-lanes are adequate and two STIP projects (U-5769B and U-3467) are already planned which will add capacity.

³ Not included in TIA.

LAND USE PLAN CONSISTENCY:

Land Use Goals:

Goal 1: *To ensure that all new development takes place in a manner that conserves open space and scenic views.*

A minimum of 10% of the 60.77-acre site is required to be set aside as open space. The development proposal, however, would set aside approximately 18.3 acres or 30% of the total land area as open space. While it is unclear as to what scenic view may or may not exist on the parcel, the development proposal appears to be meeting the above Goal.

Goal 2: *To limit development activities on environmentally sensitive lands.*

The development proposal does not include any activities within a designated flood zone and will maintain at least a 100-foot buffer from all environmentally sensitive lands on the parcel. As such, the development proposal appears to be meeting the above Goal.

Goal 3: *Minimize the visual effect of development from surrounding properties and roadways.*

The development proposal will consist of a perimeter landscape buffer that will, at minimum, meet the standards established within the UDO. As such, the development proposal appears to be meeting the above Goal.

Goal 4: *To maintain the Town's strong single-family residential character.*

It is unclear if the development proposal is meeting the above Goal or not. On the one hand, the proposal does not include the introduction of any differing type of residential use (e.g. apartments, townhomes, multifamily, etc.), but on the other hand, the development proposal is not a single-family residential development and therefore does not necessarily maintain the established strong character as the surrounding area becomes more non-residential in character with this project should it be approved.

Land Use Policies:

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.

Based upon the information provided with the development proposal as reviewed by the Town's engineers, the development proposal will comply with the adopted regulations protecting our natural resources.

Policy 5: Ensure that development is consistent with the Town's quality and aesthetic values, thereby protecting property values.

Based upon the level of plans required to be submitted at this phase of the development approval process, the development proposal would comply with this Policy. Should the project be approved, further review shall be conducted upon submittal for a Zoning Permit.

Policy 8: Prohibit medium and high-density residential development and large-scale commercial development that could create potential traffic and safety problems for the Town.

The subject development proposal does not consist of any medium- or high-density residential development, nor does it consist of large-scale commercial development. As such, the development proposal meets the above Policy.

Policy 11: Ensure that land uses abutting residential development are compatible with the scale, intensity, and overall character of existing and planned neighborhoods.

The land uses abutting the subject property are as follows:

North	Place of Worship; Vacant
South	Single-Family Home (Historic)
East	Vacant
West	Single-Family Dwelling; Place of Worship

The development proposal will be compatible with the scale, intensity, and overall character of the surrounding places of worship; however, there are concerns regarding the compatibility of the proposed use with the adjacent single-family homes to the south and, more specifically, the residence at 201 S. Providence Road which is one of the few historic properties in the Town. How will the development proposal impact the continuing preservation of this historic structure? What impact will the associated football stadium have on the use of this and other surrounding parcels?

Policy 12: Consider land use descriptions shown in Exhibit 1 and the Future Land Use Map shown in Exhibit 2 in making zoning and development decisions.

<i>Land Use</i>	<i>Description</i>
<i>Traditional Residential</i>	<i>This category applies to areas where most of the lots and parcels are less than six acres in area. Most of this area is platted and is, or will be, zoned for 40,000 square foot lots at a density of approximately one dwelling unit per acre, in accordance with the Town's current Residential (R-40, R-40D, R-60, R-80, RE and RCD conventional) zoning districts.</i>

<i>Conservation Residential</i>	<i>This category applies to the areas within the Town that are currently zoned RCD or are six acres or greater in area. Some of this area has not been developed while some of the area is currently a conventional or conservation subdivision. Conventional subdivisions shall have minimum lot sizes of 40,000 square feet, plus be subject to a 10% open space requirement. Conservation subdivisions shall be subject to a conditional zoning permit and allow for smaller lot sizes yet retain a density of approximately one dwelling unit per 40,000 square feet.</i>
<i>Neighborhood Business</i>	<i>Existing commercially zoned (MX, B-1(CD) or B-2(CD)) parcels that lie in the vicinity of the “Town Center” or near the intersection of New Town Road and NC 16. This area is intended for neighborhood scale businesses that serve the needs of Weddington residents. All new commercial development will be in the Town Center and is subject to additional requirements found in the Downtown Overlay District.</i>

The four parcels associated with the development proposal are designated as either a Traditional Residential or a Conservation Residential Land Use. Given that the parcels will function as a single parcel under the current proposal (future subdivision notwithstanding), it is appropriate and necessary that there be a single Land Use as well. Based upon the above definitions, neither Traditional Residential nor Neighborhood Business would be appropriate for the prospective use. Therefore, if the development proposal is approved, the Land Use for all four parcels should be amended to Conservation Residential.

Public Facilities and Services Goals:

Goal 2: To ensure that all existing and future developments in Weddington are served by adequate water and sewage disposal facilities.

It is expected that the proposed development would receive adequate water service without any anticipated issues. However, the subject parcel does not have immediate access to sewer and is proposing to install a lift station at the southeast corner of their property and connect that station to the existing Union County Six-Mile Creek Basin gravity flow line located adjacent to Rea View Elementary School via a Union County public gravity flow extension and a private force main. As present, it is unclear as to whether Union County is willing to approve of such a configuration and, if not, how sewer would then be accommodated for the development.

Goal 4: To provide safe and convenient mobility for Weddington residents of all ages.

While the development proposal includes the construction of a new private road and roundabout connecting the intersections of Providence Road and Lenny Stadler Way to Weddington Road and Wheatberry Hill Drive, it is unclear at present, given the amount of new traffic expected to be generated by the development, that the project would result in safer or more convenient mobility for residents, or if the additional traffic generated by the project would result in negative impacts to safety and mobility.

Public Facilities and Services Policies:

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.

As noted previously, it is expected that the proposed development would receive adequate water service without any anticipated issues. However, the subject parcel does not have immediate access to sewer and is proposing to install a lift station at the southeast corner of their property and connect that station to the existing Union County Six-Mile Creek Basin gravity flow line located adjacent to Rea View Elementary School via a Union County public gravity flow extension and a private force main. As present, it is unclear as to whether Union County is willing to approve of such a configuration and, if not, how sewer would then be accommodated for the development.

Policy 9: While most new roads in Weddington in the past have been publicly owned and maintained, the Town continues to allow for privately maintained transportation infrastructure, provided they are built and maintained to meet all applicable NCDOT standards.

The proposed road and roundabout connecting the intersections of Providence Road and Lenny Stadler Way to Weddington Road and Wheatberry Hill Drive, will be privately built and maintained in accordance with NCDOT standards.

Community Design and Image Goals:

Goal 1: To maintain and enhance the Town's aesthetic qualities and physical character.

Based upon the level of plans required to be submitted at this phase of the development approval process, the development proposal would comply with this Goal. Should the project be approved, further review shall be conducted upon submittal for a Zoning Permit.

Community Design and Image Policies:

Policy 1: Continue to encourage the preservation of older homes and structures in the community to preserve a sense of history.

The development proposal includes two parcels which contain single-family homes; however, there is no indication that either of these homes or any structures on the various parcels are contributing historical value to the Town. That being said, and as was previously discussed with regards to Land Use Policy 11, there are concerns as to how the development proposal will impact the continued preservation of the historic home at 201 S. Providence Road.

Policy 4: Maintain design standards for future non-residential developments.

Based upon the level of plans required to be submitted at this phase of the development approval process, the development proposal would comply with this Policy. Should the project be approved, further review shall be conducted upon submittal for a Zoning Permit.

Based upon the above, staff provides the following Land Use Plan Consistency Statement for consideration:

While the development proposal can be found to be generally consistent with the adopted Land Use Plan, there are 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 **approval**.

ATTACHMENTS:

Application
Sketch Plan
Development Standards
Zoning Map
Community Meeting Attendance Log
Community Meeting Minutes

TOWN OF WEDDINGTON

Conditional Zoning Application

This application is required for all conditional zoning applications. Completed applications along with all associated submittal requirements, must be submitted via the Town's Self-Service Permitting Portal.

No application shall be considered complete unless accompanied by the application fee in the amount of \$1,650.00.

It is the responsibility of the applicant to submit complete and correct information. Incomplete or incorrect information may invalidate your application. The applicant, by filing this application, agrees to comply with all applicable requirements of the Unified Development Ordinance.

APPLICANT INFORMATION

Name: Liberty Classical Academy, Inc.
Mailing Address: 2520 Whitehall Park Drive, Suite 100, Charlotte, NC 28273
Phone Number: 704-333-2393 Email: glm@cambridgeprop.com

PROPERTY OWNER INFORMATION (if different from applicant)

Name: SHORT HOLDINGS, LLC; MEGAN M. SHORT; and the BETTY SHORT TRUST, THOMAS F. SHORT, TRUSTEE
Mailing Address: 2255 Acadia Falls Lane, Lancaster, NC 29720
Phone Number: 704-564-5829 Email: tom@gracelifeinternational.com
TOM SHORT

SUBJECT PROPERTY INFORMATION

Location: S Providence Road and Weddington Road (SE quadrant)
Parcel Number: 06150076B, 06150076A, 06150081, 06150076
Existing Zoning: R-40 and R-CD
Use of Property: Master planned private school campus for K-12 classes including supporting uses, athletic facilities, and fields

APPLICATION SUBMITTAL INFORMATION

All applications must include a site plan, drawn to scale, and supporting text that, as approved, will become a part of the Ordinance amendment. The site plan, drawn by an architect, landscape architect, or engineer licensed to practice in North Carolina, shall include any supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions in addition to all predetermined Ordinance requirements, will govern the development and use of the property. The applicant acknowledges that they will review the conditional zoning request prior to any zoning permits being issued by the Town for such project. The applicant shall, at a minimum, include as part of the application, each of the items listed below (including all submittal requirements listed in Appendix 2 of the UDO):

- A boundary survey showing the total acreage, present zoning classifications, date, and north arrow.
- The owner's names, addresses and the tax parcel numbers of all adjoining properties.
- All existing easements, reservations, and right-of-way on the property or properties in question.
- Proposed principal uses: a general summary of the uses that will take place, with reference made to the list of uses found in Section D-703 of the Unified Development Ordinance.
- Traffic impact analysis/study for the proposed service area, as determined by the Town Engineer, shall be required. In addition, traffic, parking and circulation plans, showing the proposed locations and arrangement of parking spaces and access points to adjacent streets including typical parking space dimensions and locations (for all shared parking facilities) along with typical street cross-sections.
- General information on the number, height, size, and location of structures.
- All proposed setbacks, buffers, screening, and landscaping required by these regulations or otherwise proposed by the petitioner.
- All existing and proposed points of access to public streets.
- Proposed phasing of the project.
- Proposed number, location, type, and size of all commercial signs.
- Exterior treatment of all principal structures.
- Delineation of all marginal lands, including areas within the regulatory floodplain, as shown on official Flood Hazard Boundary Maps for Union County.
- Existing and proposed topography at five-foot contour intervals or less.
- Scale and physical relationship of buildings relative to abutting properties.
- Public Involvement Meeting Labels.

Planning Board Review

Before the Planning Board review, the applicant must provide a written report of at least one community meeting held by the applicant. Reasonable notice of the required community meeting shall be provided as stated in Section D-607.C.5 of the Unified Development Ordinance. The Zoning Administrator shall present any properly completed application to the Planning Board at its next regularly scheduled meeting occurring at least 15 days after the

application has been deemed complete and ready for submission to the Planning Board. The Planning Board, by majority vote, may shorten or waive the time provided for receipt for a completed application. The Planning Board shall have 30 days from the date that the application is presented to it to review the application and to act. If such period expires without action taken by the Planning Board, the application shall then be transferred to the Town Council without a Planning Board recommendation.

Public Hearing Required

Prior to deciding on rezoning a piece of property to a Conditional Zoning District, the Town Council shall have held a public hearing. Notice of such public hearing shall have been given as prescribed in Section D-602 of the Unified Development Ordinance.

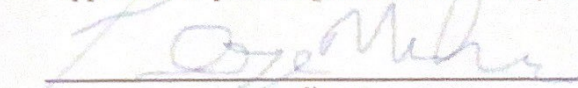
Action by Town Council


Conditional Zoning District decisions are a legislative process and shall consider applicable adopted land use plans for the area and other adopted land use policy documents and/or ordinances. A statement analyzing the reasonableness of the proposed rezoning shall be prepared for each application and evaluated by the Town Council. Once the public hearing has been held, the Town Council shall act on the petition. The Town Council shall have the authority to:

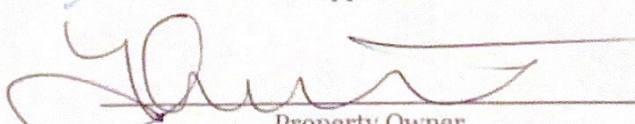
- a. Approve the application as submitted.
- b. Deny approval of the application.
- c. Approve application with modifications that are agreed to by the applicant.
- d. Submit the application to the Planning Board for further study. The Planning Board shall have up to 31 days from the date of such submission to make a report to the Town Council. If no report is issued, the Town Council can take final action on the petition. The Town Council reserves the right to schedule and advertise a new public hearing based on the Planning Board's report.

CERTIFICATION

I HEREBY CERTIFY that all the information provided for this application and all attachments is true and correct to the best of my knowledge. I further certify that I am familiar with all applicable requirements of the Weddington Unified Development Ordinance concerning this proposal, and I acknowledge that any violation of such will be grounds for revoking any approvals or permits granted or issued by the Town of Weddington.


Applicant

 4/5/23
Date


Property Owner

4-5-2023
Date

LIBERTY CLASSICAL ACADEMY | DEVELOPMENT GUIDELINES AND STANDARDS

JUNE 2, 2023 (PETITION DATE); Updated August 4, 2023

I. GENERAL PROVISIONS.

- A. SITE.** THESE DEVELOPMENT STANDARDS FORM A PART OF THE SKETCH PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY LIBERTY CLASSICAL ACADEMY, INC. (THE "PETITIONER") TO ACCOMMODATE THE PROPOSED DEVELOPMENT OF AN APPROXIMATELY 60.77-ACRE SITE, LESS 0.40 ACRES IN EXISTING NCDOT ROW OR 60.37-ACRE PROPERTY (THE "SITE"), LOCATED ON THE EAST SIDE OF PROVIDENCE ROAD AND THE SOUTH SIDE OF WEDDINGTON ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE "SKETCH PLAN". THE SITE IS COMPRISED OF TAX PARCELS: 06150076, 06150076A, 06150076B, AND 06150081. PETITIONER IS A CONTRACT VENDEE FOR THESE PARCELS.
- B. ZONING DISTRICT/ORDINANCE.** THE DEVELOPMENT AND USE OF THE SITE WILL BE GOVERNED BY THE SKETCH PLAN, THESE DEVELOPMENT GUIDELINES AND STANDARDS AND THE APPLICABLE PROVISIONS OF THE TOWN OF WEDDINGTON UNIFIED DEVELOPMENT ORDINANCE IN EFFECT AS OF THE PETITION DATE (THE "ORDINANCE"). THE PURPOSE OF THE REZONING PETITION IS TO CONVERT THE EXISTING ZONING CLASSIFICATIONS OF THE SITE FROM R-40 SINGLE FAMILY DISTRICT AND RESIDENTIAL CONSERVATION DISTRICT (R-CD) TO EDUCATION DISTRICT (ED) PURSUANT TO THE PROVISIONS OF THE ORDINANCE.
- C. SCHEMATIC NATURE OF SKETCH PLAN.** THE DEPICTION OF USES, SIDEWALKS, DRIVEWAYS, PARKING AREAS, INTERNAL DRIVES, BUILDING ENVELOPES, ATHLETIC FIELDS, AND SITE ELEMENTS (THE "CAMPUS PLAN") SET FORTH ON THE SKETCH PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE PROPOSED IMPROVEMENTS SHOWN ON THE SKETCH PLAN ARE SCHEMATIC IN NATURE AND EXACT LOCATIONS OF BUILDINGS, ARCHITECTURAL DESIGN, BUILDING SIZE (INCLUDING PARKING AND ACCESS) AND THEIR CORRESPONDING USES MAY BE MODIFIED DURING THE DESIGN, ENGINEERING AND CONSTRUCTION PHASES OF THE CAMPUS PLAN PROVIDED: 1. THE MODIFICATIONS ARE MATERIALLY CONSISTENT WITH THE SKETCH PLAN, 2. THE MINIMUM ORDINANCE STANDARDS ARE MET AND, 3. UNLESS OTHERWISE SHOWN ON THE SKETCH PLAN, SUCH MODIFICATIONS DO NOT EXCEED THE MAXIMUM STANDARDS IN ACCORDANCE WITH THE ORDINANCE, SUBJECT TO GENERAL STATUTES 160D AND TOWN OF WEDDINGTON ORDINANCE. SINCE PETITIONER HAS NOT PROCEEDED WITH THE FULL CIVIL AND ARCHITECTURAL DESIGN PHASES, IT IS INTENDED THAT THIS SKETCH PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER ARTICLE 6 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE:
1. MINOR MODIFICATIONS THAT ARE DEEMED NOT TO MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE SKETCH PLAN. THE TOWN PLANNER WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE CONSISTENT WITH THE INTENT DEPICTED ON THE SKETCH PLAN. IF IT IS DETERMINED THAT THE MODIFICATION IS NOT CONSISTENT WITH THE INTENT OF THE SKETCH PLAN, PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PURSUANT TO ARTICLE 6 OF THE ORDINANCE

IN EACH INSTANCE, HOWEVER, SUBJECT TO PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

- D. VESTED RIGHTS.** PURSUANT TO SECTION D-108 OF THE ORDINANCE AND SECTION 160D-108.1 OF THE NORTH CAROLINA GENERAL STATUTES, THE SKETCH PLAN, IF APPROVED, SHALL BE VESTED FOR A PERIOD OF FIVE (5) YEARS DUE TO THE SIZE AND PHASING OF THE SCHOOL CAMPUS BUILD OUT AND THE LEVEL OF INVESTMENT. IF, AT SOME POINT, MODIFICATIONS ARE MADE TO THE ORDINANCE BY THE TOWN COUNCIL OR ANY TEXT AMENDMENT IS REQUESTED BY PETITIONER AND ADOPTED BY THE TOWN COUNCIL, THE PETITIONER MAY AGREE TO APPLY SUCH MODIFICATIONS TO THE SKETCH PLAN IN A MANNER CONSISTENT WITH THE ORDINANCE AS IT CHANGES FROM TIME TO TIME, AND WITHOUT PURSUING A REZONING. SUCH MODIFICATIONS TO THE ORDINANCE SHALL IN NO WAY IMPAIR THE PETITIONER'S VESTED RIGHTS. IF CONSTRUCTION COMMENCES WITHIN THE EIGHT-YEAR VESTING PERIOD, VESTING SHALL CONTINUE IN ACCORDANCE WITH THE COMMON LAW.

IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE SKETCH PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.

- E. AMENDMENTS.** FUTURE AMENDMENTS TO THE SKETCH PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE.
- F. CONSTRUCTION PHASING.** THE FULL DEVELOPMENT OF THE CAMPUS (HS, MS AND ES) AS GENERALLY DESCRIBED ON THE SKETCH PLAN MAY BE CONSTRUCTED IN PHASES, AS DETERMINED BY THE PETITIONER. ANY PROPOSED PHASING, MUST ALIGN WITH REQUIRED TRANSPORTATION IMPACT ANALYSIS (TIA) IMPROVEMENTS AND IMPROVEMENTS REQUIRED BY THE TOWN OF WEDDINGTON AS PROVIDED IN THESE DEVELOPMENT STANDARDS; PROVIDED, HOWEVER, A) SEQUENCING OF CONSTRUCTION TO MINIMIZE DISRUPTION OF OPERATIONS IS PERMITTED; AND B) SO LONG AS CONSTRUCTION OF THE CAMPUS COMPLIES WITH THE REQUIREMENTS OF THE ORDINANCE, EACH PHASE OR SEQUENCE OF IMPROVEMENTS WITHIN THE CAMPUS IS NOT REQUIRED TO MEET ALL ORDINANCE REQUIREMENTS. UTILITIES AND INFRASTRUCTURE MAY BE DELIVERED TO EACH PHASE AS DEVELOPED.
1. PHASE 1 OF THE CAMPUS PLAN IS PLANNED TO INCLUDE INITIAL DEVELOPMENT OF THE MIDDLE SCHOOL (MS) BUILDING AND THE HIGH SCHOOL (HS) BUILDING FOLLOWED BY SUPPORT BUILDINGS INCLUDING: MULTI-PURPOSE GYMNASIUM, SPORTS TRAINING FACILITY, CAFETERIA AND ARTS CENTER, AS WELL AS MULTI-USE OUTDOOR ATHLETIC FIELDS FOR SOCCER, FIELD HOCKEY, LACROSSE, ETC. BASEBALL FIELD, TENNIS COURTS AND FOOTBALL FIELD WITH BLEACHERS WILL BE CONSTRUCTED IN PHASES WITH THE MS AND HS.
 2. PHASE 2 WOULD INCLUDE THE FUTURE ELEMENTARY SCHOOL (ES) BUILDING.
 3. THE PRIVATE ACCESS ROAD CONNECTING FROM PROVIDENCE ROAD TO WEDDINGTON ROAD, INCLUDING THE ON-SITE TRAFFIC CIRCLE, WILL BE CONSTRUCTED PRIOR TO THE OPENING OF ANY SCHOOL FUNCTIONS.

G. SUBDIVISION. THE SITE IS PLANNED AS A COMPREHENSIVE SCHOOL CAMPUS PLAN AND THE FOUR (4) PARCELS COMPRISING THE SITE WILL BE RECOMBINED INTO ONE (1) PARCEL.

II. PERMITTED USES.

A. USES. THE ED PETITION REQUEST FOR THE SITE SHALL PERMIT THE DEVELOPMENT OF USES, INCLUDING ACCESSORY USES, AS SHOWN ON THE SKETCH PLAN AND SPECIFICALLY LISTED BELOW, SUBJECT TO THE DEVELOPMENT STANDARDS ASSOCIATED WITH SUCH USES. THE SQUARE FOOTAGES OF BUILDINGS MAY EXCEED THE GROSS FLOOR AREA RESTRICTIONS OF SECTION D-917C 4. AS NOTED ON THE SKETCH PLAN. ANY LABELING ON THE SKETCH PLAN MAY BE AN INDICATION OF THE CURRENT INTENTION ON THE PART OF PETITIONER BUT SHALL NOT RESTRICT THE SITE IN A MANNER THAT CONFLICTS WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. USES ALLOWED BY THE ED ZONING AND AS SHOWN ON THE SKETCH PLAN:

- 1. EDUCATION BUILDINGS (CLASSROOMS AND ADMINISTRATION)**
 - a. HIGH SCHOOL (HS) BUILDING (+/- 600 STUDENTS)
 - b. MIDDLE SCHOOL (MS) BUILDING (+/- 500 STUDENTS)
 - c. ELEMENTARY SCHOOL (ES) BUILDING (+/- 400 STUDENTS)
- 2. EDUCATION SUPPORT BUILDINGS**
 - a. GYMNASIUM/TRAINING – MULTI-PURPOSE INCLUDING BASKETBALL, VOLLEYBALL, WRESTLING AND GENERAL PHYSICAL CONDITIONING
 - b. CAFETERIA – STUDENT AND STAFF DINING INCLUDING KITCHEN
 - c. ARTS – GENERAL ART CLASSES, TEACHING AND DISPLAY
 - d. LIBRARY – PHYSICAL/ELECTRONIC INFORMATION/TEXT RESOURCE CENTER
 - e. NATATORIUM - ENCLOSED SWIMMING FACILITY
- 3. OUTDOOR ATHLETIC RESOURCES**
 - a. BASEBALL FIELD/BLEACHERS WITH 50 SEATS
 - b. SOCCER FIELD/BLEACHERS WITH 50 SEATS
 - c. FOOTBALL FIELD/BLEACHERS WITH 500 SEATS
 - d. MULTI-PURPOSE FIELD
 - e. TENNIS COURTS
- 4. OPEN SPACE (+/- 13 ACRES)**

III. TRANSPORTATION.

A. ACCESS. VEHICULAR ACCESS, WHILE SCHEMATIC IN NATURE, SHALL BE AS GENERALLY DEPICTED ON THE SKETCH PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT TO PROVIDENCE ROAD AT THE EXISTING SIGNAL FOR LENNY STADLER WAY AND TO WEDDINGTON ROAD (NC 84) OPPOSING WHEATBERRY HILL DRIVE ARE SUBJECT TO ANY MODIFICATIONS REQUIRED BY THE TOWN OF WEDDINGTON AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT"). TO THE EXTENT PERMITTED BY

APPLICABLE DRIVEWAY PERMIT REQUIREMENTS, THE PRIVATE ACCESS ROAD AND CONNECTIONS MAY CROSS SETBACKS AND BUFFERS AND SHALL OTHERWISE COMPLY WITH APPLICABLE DRIVEWAY PERMIT REQUIREMENTS.

- B. PRIVATE ACCESS ROAD.** THE ALIGNMENT OF THE PRIVATE ACCESS ROAD AND PRIVATE DRIVE CONNECTIONS TO THE PRIVATE ACCESS ROAD MAY BE MODIFIED BY PETITIONER DURING THE CIVIL DESIGN AND PERMITTING PROCESS TO ACCOMMODATE CHANGES IN BUILDING AND PARKING LAYOUTS, AND TO ACCOMMODATE ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY TOWN OF WEDDINGTON AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS. ANY MODIFICATION TO THE PRIVATE ACCESS ROAD SHALL NOT CHANGE THE PUBLIC STREET CONNECTION POINTS, GENERAL LOCATION AND COMPLETION REQUIREMENTS AS STATED HEREIN.
- C. MAINTENANCE AND PARKING.** THE PRIVATE ACCESS ROAD WITHIN THE SITE WILL BE PRIVATELY MAINTAINED, HOWEVER OPEN TO THE PUBLIC. MAINTENANCE OF THE ON-STREET SCHOOL BUS DROP OFF AND PARKING DEPICTED ON THE SKETCH PLAN WILL BE THE RESPONSIBILITY OF PETITIONER.
1. ALL PRIVATE STREETS MAY INCLUDE ON-STREET PARKING ON ONE OR BOTH SIDES OF THE STREET.
 2. STUDENT AND EMPLOYEE PARKING SHALL MEET THE GREATER REQUIREMENTS OF MSTa AND SECTION D-917D (K)(4) AND D-918L (10).
- D. TRANSPORTATION IMPACT ANALYSIS IMPROVEMENTS ("TIA").** PETITIONER HAS COMPLETED A TIA AS DIRECTED AND SCOPED BY NCDOT INCLUDING MSTa COMPLIANCE WITH SCHOOL CALCULATOR STACKING. THE ROADWAY IMPROVEMENTS REQUIRED IN THE APPROVED TIA ARE HEREBY INCORPORATED AS PART OF THESE DEVELOPMENT STANDARDS AS OFF-SITE IMPROVEMENT CONDITIONS. PETITIONER SHALL NOT BE REQUIRED TO INSTALL SIDEWALKS, STREET TREES, PLANTING STRIPS, BICYCLE LANES OR OTHER STREET IMPROVEMENTS AS A CONDITION OF THE APPROVAL OF THIS SKETCH PLAN EXCEPT AS SPECIFICALLY SHOWN ON THE SKETCH PLAN OR AS REQUIRED BY THE ED ORDINANCE OR APPLICABLE TIA REQUIREMENTS OR DRIVEWAY PERMIT REQUIREMENTS. THE CONSTRUCTION OF SUCH STREET IMPROVEMENTS SHALL ALSO BE SUBJECT TO SECTION I. GENERAL PROVISIONS, PARAGRAPH F ABOVE.

THE TRANSPORTATION AND PEDESTRIAN IMPROVEMENTS SET OUT BELOW SHALL BE SUBSTANTIALLY COMPLETE PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCIES OF THE HS OR MS BUILDING. TIA IMPROVEMENT REQUIREMENTS WILL BE CONSIDERED FINAL UPON APPROVAL BY NCDOT.

1. PROVIDENCE ROAD AND LENNY STADLER WAY / SIGNALIZED SITE ACCESS 1: CONSTRUCT SITE ACCESS 1 WITH ONE (1) INTERNAL INGRESS LANE AND TWO (2) INTERNAL EGRESS LANES (1 LEFT-THROUGH AND 1 RIGHT TURN LANE). CONSTRUCT A SOUTHBOUND PROVIDENCE ROAD LEFT TURN LANE WITH 100 FEET OF STORAGE AND APPROPRIATE TAPER LENGTH. PROVIDE AT LEAST 100 FEET OF IPS. IT SHOULD BE NOTED THAT NO ON-STREET PARKING IS RECOMMENDED WITHIN THE IPS. MODIFY THE EXISTING THREE-WAY TRAFFIC SIGNAL TO ACCOMMODATE THE FOURTH INTERSECTION LEG (ACCESS 1).
2. WEDDINGTON ROAD (NC 84) / WHEATBERRY HILL DRIVE – FULL SITE ACCESS 2: CONSTRUCT SITE ACCESS 2 WITH ONE (1) INTERNAL INGRESS LANE AND TWO (2) INTERNAL EGRESS LANES (1 LEFT-THROUGH AND 1 RIGHT TURN LANE). PROVIDE AT LEAST

100 FEET OF IPS. CONSTRUCT A WEST BOUND LEFT TURN LANE INTO THE SITE WITH 100 FEET OF STORAGE AND APPROPRIATE TAPER LENGTH. CONSTRUCT AN EAST BOUND CHANNELIZED RIGHT TURN LANE INTO THE SITE WITH 150 FEET OF STORAGE AND APPROPRIATE TAPER LENGTH. IT SHOULD BE NOTED THAT NO ON-STREET PARKING IS RECOMMENDED WITHIN THE IPS. SIGNALIZE THE INTERSECTION.

3. INSTALL A FOUR (4) WAY MAST-ARM TRAFFIC SIGNAL AT SITE ACCESS 2 AND WHEATBERRY HILL DRIVE WHEN FHWA WARRENTS ARE MET AND AS APPROVED BY NCDOT AND THE TOWN. PRIOR TO INSTALLING A TRAFFIC SIGNAL, PETITIONER SHALL HIRE A PATROL OFFICER TO DIRECT TRAFFIC DURING PEAK SCHOOL TRAFFIC FLOWS.
4. CONSTRUCT THE INTERNAL PRIVATE ACCESS ROAD BETWEEN SITE ACCESS 1 AND SITE ACCESS 2 INCLUDING THE PROPOSED TRAFFIC CIRCLE SHOWN ON THE SKETCH PLAN.

IV. ARCHITECTURAL STANDARDS.

- A. ALL ARCHITECTURAL ELEVATIONS MUST BE REVIEWED AND APPROVED BY THE LIBERTY CLASSICAL ACADEMY DESIGN REVIEW COMMITTEE (DRC). DRC TO BE COMPRISED OF UP TO THREE BOARD MEMBERS, HEAD OF SCHOOL, ONE DESIGN CONSULTANT, AND A TOWN OF WEDDINGTON STAFF OR BOARD MEMBER REPRESENTATIVE. BUILDING ELEVATION DESIGN SHALL COMPLY WITH SECTION D-917 C(A)(4) AND APPENDIX 5, AS APPLICABLE, EXCEPT FOR THE GROSS FLOOR AREA LIMITATIONS FOR THE SCHOOL BUILDINGS AND ANCILLARY SUPPORT BUILDINGS PROVIDED, HOWEVER, NO FIRST FLOOR AREA SHALL EXCEED 22,000 SF.
- B. THE TOTAL SF OF ALL ENCLOSED BUILDING AREAS SHALL NOT EXCEED THE FAR LIMIT OF 0.20.
- C. BUILDING SIDE AND REAR ELEVATIONS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 50 FEET AND ARCHITECTURAL FEATURES SUCH AS BUT NOT LIMITED TO BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.
 1. MECHANICAL EQUIPMENT SHALL BE PLACED ON ROOF TOPS. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW ALONG ALL ADJACENT STREETS. UTILITY SERVICE METERS/PANELS LOCATED ON EXTERIOR WALLS SHALL BE SCREENED FROM PUBLIC VIEW USING SCREEN WALLS/FENCING OR OPAQUE LANDSCAPE HEDGE.
 2. SERVICE SCREENING AREA – SERVICE AREAS SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED FROM VIEW USING MASONRY ENCLOSURES FINISHED WITH BUILDING MATERIALS COMPATIBLE WITH THE PRINCIPAL STRUCTURE.
 3. SCHOOL BUILDINGS AND ACCESSORY BUILDINGS ARE ALL LOCATED MORE THAN 50 FEET FROM ADJOINING RESIDENTIALLY ZONED PROPERTY AND SHALL NOT EXCEED TWO (2) STORIES AND 45 FT IN HEIGHT AS MEASURED FROM THE MEAN ELEVATION OF THE FINISHED GRADE ALONG THE FRONT OF THE BUILDING TO THE HIGHEST POINT OF A FLAT ROOF OR TO THE EAVES AS DEFINED IN THE ORDINANCE. PARAPIT AND SCREENING WALL EXTENSIONS ABOVE THE FLAT ROOF SHALL NOT COUNT TOWARDS THE MAXIMUM HEIGHT.
 4. BUILDING AND SITE DESIGN SHALL, WHERE APPLICABLE, GENERALLY CONFORM WITH UDO D-706 K. SCHOOLS.

5. SCHOOL CAMPUS BUILDING ARCHITECTURAL DESIGNS AND SITE DESIGNS SHALL COMPLY WITH THE FOLLOWING PARTS OF THE UDO: SECTION D-917(A)(5), SECTION 917D(K)(4)(a)(1) AND (3), SECTION 917-D(K)(4)(d)(1), (2) AND (3).
6. THE CONCEPTUAL FRONT AND REAR BUILDING ELEVATIONS (THE "ELEVATIONS") OF THE PROPOSED HIGH SCHOOL, MIDDLE SCHOOL AND ADMINISTRATIVE OFFICE BUILDINGS ARE INCLUDED AS PART OF THIS PETITION TO GENERALLY EXPRESS THE PLANNED ARCHITECTURAL DESIGN AND APPEARANCE OF THE BUILDINGS THAT COMPRISE THE CAMPUS.
7. THE ELEMENTARY SCHOOL, LIBRARY, CAFETERIA, ARTS/MEDIA, NATATORIUM AND GYMNASIUM BUILDINGS WILL HAVE ARCHITECTURAL DESIGN SIMILAR AND CONSISTENT WITH THE ELEVATIONS SUBMITTED AND REFERENCED ABOVE.

V. STREETScape/LANDSCAPE.

- A. FRONTAGE BUFFER. THE SETBACK AND BUFFER ALONG THE SITE'S FRONTAGE ON PUBLIC STREETS WILL BE FIFTY (50) FEET ALONG PROVIDENCE ROAD AND FIFTY (50) FEET ALONG WEDDINGTON ROAD.
- B. PLANTING STRIP AND SIDEWALKS. A MINIMUM 6' PLANTING STRIP AND 5' SIDEWALK SHALL BE PROVIDED ON BOTH SIDES OF ALL PROPOSED PRIVATE STREETS, UNLESS OTHERWISE NOTED IN THE REZONING SITE PLAN OR STREET SECTIONS.
- C. THE PRELIMINARY LANDSCAPE PLAN (SHEET 7) SHALL MEET THE REQUIREMENTS OF SECTIONS: D-917C (A) (1)-NON-RESIDENTIAL LANDSCAPING, SCREENING AND BUFFERS, D-917 (D)(K)(4)(h)-LANDSCAPING AND SCREENING/BUFFERING AND D-918 (I)-SCREENING AND LANDSCAPING.
- D. ADDITIONAL UPPER STORY AND LOWER STORY LANDSCAPING WILL BE INSTALLED WITHIN THE BUFFER BETWEEN THE PROPOSED HIGH SCHOOL BUILDING AND THE HISTORIC HOUSE (201 S. PROVIDENCE ROAD) TO FURTHER REDUCE VISUAL IMPACT.

VI. ENVIRONMENTAL FEATURES/ UTILITY SERVICES.

- A. STORMWATER. PETITIONER SHALL COMPLY WITH THE TOWN OF WEDDINGTON AND UNION COUNTY APPROVED AND ADOPTED STORMWATER ORDINANCE.
- B. EXISTING VEGETATION. THE SKETCH PLAN IDENTIFIES SPECIFIC TREES TO BE MAINTAINED THROUGHOUT THE PROJECT BUILD OUT. VEGETATED AREAS WITHIN UNDISTURBED STREAM AND WETLANDS BUFFERS (OPEN SPACE) SHALL REMAIN. HOWEVER, GENERAL MAINTENANCE TO REMOVE DISEASED, DECEASED, OR INVASIVE SPECIES WILL BE PERMITTED TO PROMOTE A HEALTHY AND SUSTAINABLE NATURAL AREA.
- C. FRONTAGE AND PERMANENT BUFFERS. ALONG PERIMETER AND FRONTAGE BUFFERS, IF EXISTING VEGETATION IS NOT SUFFICIENT FOR SCREENING, EVERGREEN SHRUBS WITH A MINIMUM HEIGHT OF 6' AT INSTALLATION SHALL BE PLANTED TO BOLSTER BUFFERS AND BUFFER VISIBILITY OF BUILDINGS FROM EXISTING PUBLIC STREETS AND ADJACENT PROPERTIES.
 1. THE FRONTAGE BUFFER (50 FT) ALONG PROVIDENCE ROAD WILL BE COORDINATED WITH UNION COUNTY COOPERATIVE POWER TO ENSURE COMPLIANCE WITH THE PLANTING GUIDELINES WITHIN AN EXISTING POWER-EASEMENT.

- D. JURISDICTIONAL WATERS.** THE PETITIONER RESERVES THE RIGHT TO APPLY TO THE UNITED STATES ARMY CORP OF ENGINEERS (USACE) FOR PERMITTING IMPACTS TO ANY IDENTIFIED JURISDICTIONAL STREAMS AND WETLANDS AS DELINEATED BY THE PROJECT ENVIRONMENTAL CONSULTANT. STREAM BUFFERS SHALL BE ILLUSTRATED, CONFIRMED AND NOTED ON LAND DEVELOPMENT PLANS SUBMITTED FOR PERMITTING.
1. ALL CROSSINGS OF JURIDICIONAL WATERS SHOWN ON THE SKETCH PLAN ARE CONCEPTUAL IN NATURE AND MUST BE APPROVED BY USACE PRIOR TO LAND DEVELOPMENT PERMITTING APPROVAL.
 2. THE PETITIONER MAY ALSO APPLY FOR STREAM RESTORATION PERMITS TO MITIGATE PROPOSED STREAM AND WETLANDS IMPACTS. STREAM RESTORATION AND MITIGATION MUST BE APPROVED BY USACE, UNION COUNTY AND THE TOWN OF WEDDINGTON.
- E. WATER.** PETITIONER SHALL REQUEST AND OBTAIN SERVICE CONNECTION TO THE EXISTING UNION COUNTY PUBLIC WORKS WATER LINES IN THE ADJACENT PUBLIC STREETS.
- F. SANITARY SEWER.** THE SITE DRAINS TOWARDS THE UNION COUNTY TWELVE MILE CREEK DRAINAGE BASIN. AT THE TIME OF THIS PETITION TWELVE MILE CREEK DOES NOT HAVE THE CAPACITY AVAILABLE TO SUPPORT THE SCHOOL CAMPUS. CHARLOTTE WATER AND UNION COUNTY PUBLIC WORKS HAVE AN EXISTING INTER-AGENCY AGREEMENT WHICH ALLOWS UNION COUNTY SEWER TO BE SENT TO THE CHARLOTTE WATER SIX MILE CREEK BASIN VIA AN EXISTING GRAVITY LINE CONNECTION OFF REA ROAD. SUBJECT TO UNION COUNTY PUBLIC WORKS AND UNION COUNTY BOCC APPROVAL, PETITIONER WILL INSTALL A GRAVITY SEWER LINE EXTENSION FROM THAT EXISTING MANHOLE ACROSS PROVIDENCE ROAD TO THE SITE. A PRIVATE SEWER PUMP STATION AND FORCEMAIN WILL BE INSTALLED ON THE SITE TAKING LIBERTY CLASSICAL ACADEMY SEWER TO THE GRAVITY SEWER EXTENSION TO THE SITE.

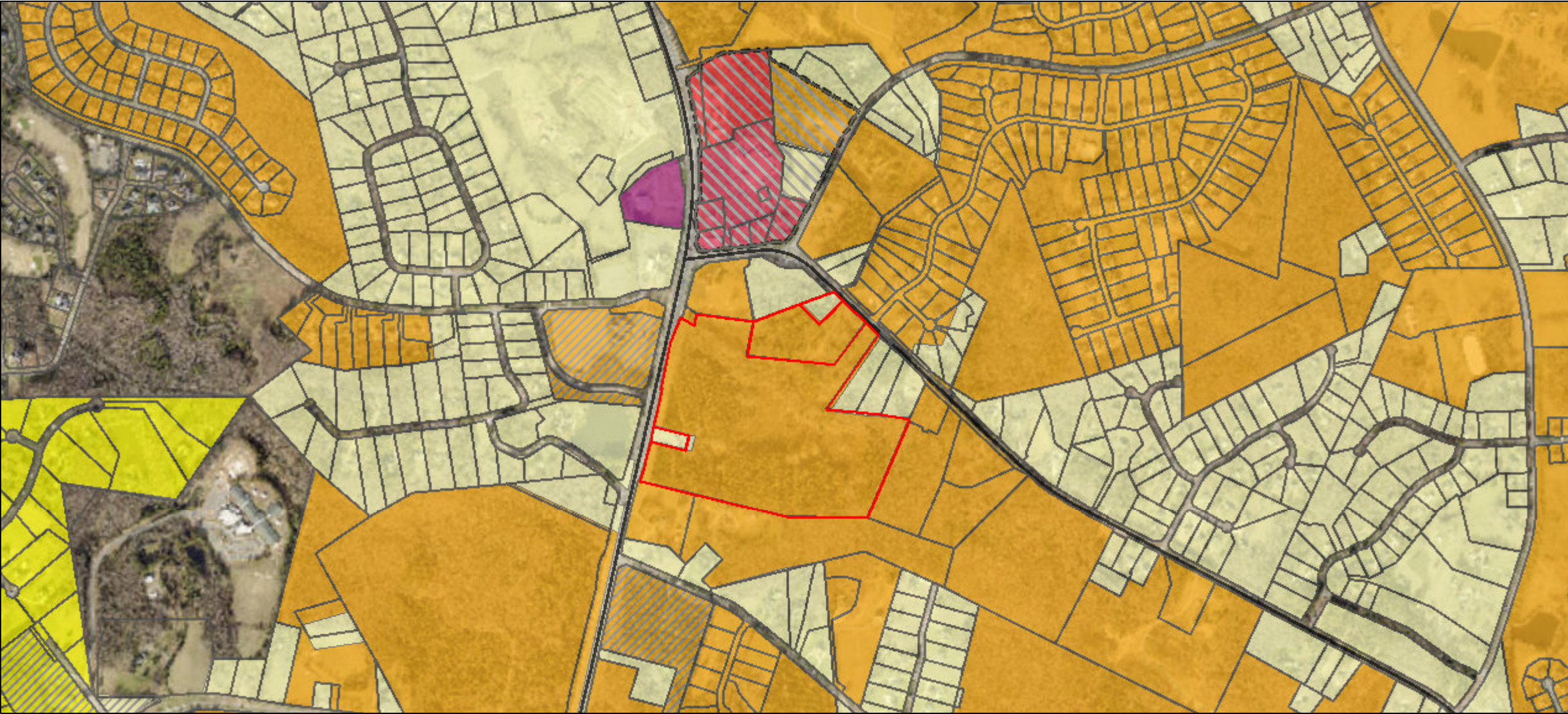
VII. OPEN SPACE.

- A.** THE PETITIONER WILL RESERVE APPROXIMATELY 13 ACRES FOR OPEN SPACE. PROGRAM ELEMENTS TO ACTIVATE AREAS MAY BE LOCATED WITHIN THE OPEN SPACE AND WILL BE DESIGNED AND COORDINATED WITH THE TOWN. THE PETITIONER WILL CONSTRUCT THE FOLLOWING ITEMS AS A PART OF THIS PETITION:
1. THE PETITIONER MAY DESIGN AND CONSTRUCT UP TO TWO STORMWATER MANAGEMENT FEATURES WITHIN THE OPEN SPACE. THESE STORMWATER FEATURES WILL BE WET PONDS. EACH STORMWATER POND WILL HAVE ENHANCED LANDSCAPING TO MAKE THE PONDS AN AMENITY. THE MAINTENANCE AND INSPECTION RESPONSIBILITY WILL BE BY PETITIONER.

VIII. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS.













- A.** THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER/APPLICANT" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER 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 ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING.

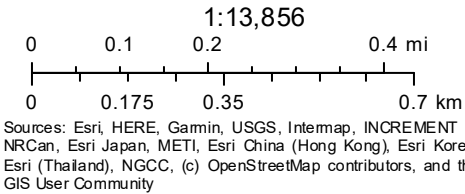
Zoning Map



July 19, 2023

Weddington Zoning

	B1 (CD)		R-40		R-CD
	B2 (CD)		R-40D		RE
	ED		R-60		Conditional Zoning
	MX		R-80		Downtown Overlay



LIBERTY CLASSICAL ACADEMY SIGN-UP

NAME	PHONE	EMAIL	HOME ADDRESS
Jim Bell	204-287-5420	JBBell@JUSP.com	1341 206438 CT.
Ivan Merritt	334-482-0466	kenyagymnast@yahoo.com	700 Lochaven Rd. Waxhaw, NC
JACK PLYLER	704-458 4062	jack.plyler@gmail.com	1015 EUTECN
Samantha Donn	704-301-4528	Samantha.jo.donn@gmail.com	3666 Bounty Ct
HARRY LOTTID	704-5751743	HARRY.T.LOTTID-JR@gmail.com	104 WEDDINGTON CT. N.C.
HARRY Chilcot	704-9757004		Box Run
Shelia Allen		smallen77@gmail.com	
Joyce Plyler	204-488-8147	joyce@charlotte.tukbc.com	1046 Bronly Dr. Weddington NC
Nancy Anderson	704-564-5897	on file	
BILL Deter	515-326-5584	deterbill@gmail.com	Waybridge
Gaule Butler	704-441-6564		Wellington Place
Christopher Neve	919-672-2539	christphorneve@gmail.com	110 Chasestone
Tracy Store	704-5773580		
BOB WETTEROFF	704-641-9310	RWETTEROFF@CAROLINA.PR.COM	1204 HADLEY PARK LANE
Steve Fullmeth	704-737-9223		
Marty Melath	704-730065	James Madison Dr. SMfullmeth@aol.com	

LIBERTY CLASSICAL ACADEMY SIGN-UP

NAME	PHONE	EMAIL	HOME ADDRESS
Jay Beller	516-378-1388	jbeller1@att.net	117 Chasestone Ct
DON CUTNBERTSON	704-516-2535	dc@CAMBRIDGE.MA	118 CHAS/ESTONIE CT.
Kevin Abplanalp	704-307-8975	Kpa831@ aol.com	11625 Elizabeth madison CT.
GEOALBAISONIK	704-564-2137	GALP@CAMBRIDGE.MA	CT, MA
Eva Bender	704-846-1032	eva.bender@weddingtonchurch.org	
Adell Keen	704-846-1039	—	

Liberty Classical Academy Rezoning Petition
Weddington Community Meeting/Rezoning Presentation
May 3, 2023
Weddington Town Hall

1. INTRO - DOUG TURPIN

- a. Doug Introduced himself and Liberty Classical Academy, Inc. (Petitioner) (LCA)
- b. This meeting is a pre-requisite step in the process of filing a rezoning petition
- c. Sign-In sheets were provided
- d. Doug Highlighted the need for feedback from neighbors

2. BACKGROUND AND DESCRIPTION OF LCA - DOUG TURPIN

- a. LCA will start with the Middle School and High School first. The K-8 will be deferred until there is significant demand created by the Middle School and High School and when such demand will not adversely impact Weddington Christian Academy. He emphasized that the decision to start 6-12 instead and delay the Elementary School was a direct result of meetings with Weddington Christian Academy and community feedback
- b. Highlighted demand for an independent school like LCA:
 - i. Area independent private schools are rejecting 6 out of 7 applicants
 - ii. Focus on Education instead of Indoctrination
 - iii. Complement existing K-8 schools that will feed into LCA (not compete)
 - iv. Elementary school will come later (depending on demand)
 - v. LCA will have Judeo-Christian values

3. PROPOSED SCHOOL LOCATION METRICS - GEORGE MALOOMIAN

- a. Land Purchase Contract with Short family under name of LCA – a 501(c)3 corporation
- b. Site is 62 acres
- c. No new independent schools in area for 50 years
- d. Expands independent education opportunities into Weddington/Union County
- e. Sufficient number of K-8 feeder schools that can matriculate students into LCA
- f. Site will have signalized access from Providence Road and Weddington Road (NC84)
- g. Location allows for access from multiple directions to Waxhaw, Marvin, Stallings, Matthews, S. Charlotte,
- h. Community demographics:
 - i. The site has excellent population, income and educational demographics that will support LCA
- j. Outlined average projected commute times and that they are against peak traffic flow direction
- k. Walked through site plan highlighting building locations, parking, features and athletic facilities

4. TRANSPORTATION STUDY - GEORGE MALOOMIAN

- a. Discussed Transportation Impact Analysis (TIA) completed by Timmons Engineering
 - i. TIA has been shared with Town and will be public
 - ii. TIA took the existing traffic circle into account
 - iii. Traffic increase per day was a concern
 - iv. NCDOT/MSTA standards are much more stringent and ensure better traffic flow than existing area schools
 - v. Traffic will be further improved by NCDOT completing Rea Road extension (2028) and completion of S. Providence Road widening to Waxhaw by 2030

5. DISCUSSION OF POTENTIAL VALUE TO COMMUNITY

- a. Road improvements
- b. Increased options for family choice in independent schools
- c. Schools raise property value
- d. Use of athletic facilities for local schools
- e. Use of school facilities for community groups and town meetings
- f. 10% Tuition Discount for Weddington students for the first 5 years
- g. Walking trails (open spaces)
- h. Farmers' market and/or Food Truck events

6. CONCERN ABOUT TAX VALUE RAISED (NO REAL REVENUE NOW SO IT WOULD NOT CHANGE MUCH)

7. CONCERN ABOUT POTENTIAL BURDEN ON POLICE/FIRE – MINIMAL

8. CONCERN ABOUT WHETHER THIS WOULD PULL TEACHERS FROM LOCAL SCHOOLS – NOT OUR INTENTION AND WILL LOOK TO FIND TEACHERS NOT FROM UNION SCHOOLS.

After many questions and concerns about traffic a follow-up meeting to focus exclusively on the traffic study was promised.

Liberty Classical Academy, Inc

George Maloomian
Doug Turpin

Intro to the categories

The public engagement process identified four areas of focus for Weddington. These focus areas are considered the guiding principles of the Comprehensive Plan. The goals and policies of the Plan have been tagged to identify which principle they address. The guiding principles and their symbols are identified below:

Rural Preservation

Policies that mitigate the impacts of development on Weddington's character.

Quality of Life

Policies that preserve the viability and beauty of Weddington's natural environment.

Environmental Stewardship

Policies that prevent undue burdens on resident's day-to-day experiences and public services.

Recreational Space

Policies that aim to create public spaces for residents to exercise, relax, and gather.

LAND USE

GOAL 1- ~~Consider land use descriptions shown in **Exhibit 1** and the Future Land Use Map shown in **Exhibit 2** in making zoning and development decisions.~~ New development and redevelopment activities shall be consistent with the Future Land Use Map and categories.

LU 1.1: The following Future Land Use categories, along with their intended uses, densities, and intensities, are hereby established (floor area ratio (FAR) only applies to non-residential uses):

a. Agriculture: This category is intended to accommodate very low-density residential development to retain rural character and agricultural activity. Maximum density: 1 dwelling unit per 1.5 acres.

b. Traditional Residential. ~~This category applies to areas where most of the lots and parcels are less than six acres in area.~~ is intended to accommodate primarily low-density residential development and support uses which complement residential uses, including schools and other institutional uses. Most of this area is platted and is, or will be zoned for Maximum density: 1 dwelling unit

40,000 square ~~foot feet~~lots at a density of approximately one dwelling unit per acre, in accordance with the Town's current Residential (R-40, R-40D, R-60, R-80, RE and RCD-conventional) zoning districts. Maximum FAR: 0.2

- c. **Conservation Residential.** ~~This category~~The FLU designation applies to the areas within the Town that are ~~currently zoned RCD or are~~ six acres or greater in area and provides for a proportion of open space within residential subdivisions. ~~Some of this area has not been developed while some of the area is currently a conventional or conservation subdivision. Conventional subdivisions shall have minimum lot sizes of 40,000 square feet, plus be subject to a 10% open space requirement. Conservation subdivisions shall be subject to a conditional zoning permit and allow for smaller lot sizes yet retain a density of approximately one dwelling unit per 40,000 square feet. The classification is intended to allow a total density of one dwelling unit per 40,000 sq feet, while allowing for flexibility in lot size. The reduction in lot size is intended to preserve open space within the neighborhood.~~
- d. **Business.** ~~Existing commercially zoned (MX, B-1(CD) or B-2(CD)) parcels that lie in the vicinity of the "Town Center" or near the intersection of New Town Road and NC 16. This area is intended for neighborhood scale businesses that serve the needs of Weddington's residents. All new commercial development will be in the Town Center and is subject to additional requirements found in the Downtown Overlay District. The intent of this designation is to accommodate neighborhood-serving commercial uses in the Town Center area. Maximum FAR: 0.2.~~

LU 1.2. ~~To retain a mix of land uses that reinforces Weddington's unique small-town character.~~The Town's zoning map shall be consistent with the Town's Future Land Use Map and implement and further refine the densities, intensities, and uses permitted within each property.

LU 1.3. ~~Use regulatory and non-regulatory incentives to encourage good design. Maintain development standards and regulations that provide adequate flexibility to respond to changing conditions and needs in the community.~~The Town shall assess the Unified Development Ordinance (UDO) on an ongoing basis to promote imaginative and sustainable site design.

GOAL 2- ~~To e~~nsure that the type, location, and scale of existingnew commercial and future commercial development and redevelopment are located and designed to serve in the Town Center provides goods and services ~~for~~ the residents of Weddington.

LU 2.1: ~~Prohibit medium and high-density residential~~Maintain development regulations that and prohibit large-scale commercial development that could create potential traffic and safety problems for the Town.

LU 2.2: Ensure that the scale and design of new commercial development is consistent with the Business future land use category by limiting unique small-town character of Weddington. Limit such development to small-scale retail and service businesses, that serving Town residents, particularly specialty shops and restaurants and prohibit regional scale retail and service commercial establishments. Provide for open space preservation in new and/or expanded commercial developments.

LU 2.3: ~~To maintain and enhance the Town's aesthetic qualities and physical character.~~

~~Minimize the visual effect of development from surrounding properties and roadways.~~

~~Ensure that land uses abutting residential development are compatible with the scale, intensity and overall character of existing and planned neighborhoods.~~

THESE THREE ABOVE WERE COMBINED TO CREATE THE POLICY BELOW

The Town shall require all new development and redevelopment projects to integrate harmoniously into established neighborhoods through the use of buffering, open space, landscaping, and other site design tools.

GOAL 3- ~~To retain the existing Downtown Overlay District as the primary commercial center in Town a single business center within the existing overlay district.~~ While businesses in the center will maintain the small-town scale needed to serve residents, the design of the center should become more pedestrian-oriented.

LU 3.1: Maintain design standards for future non-residential developments.

LU 3.2: Ensure that new commercial development is designed with pedestrian-oriented features that provide safe, attractive, and convenient linkages to residential neighborhoods, wherever practical.

LU 3.3: Require redevelopment and new development projects in the downtown overlay zoning district to incorporate public spaces.

GOAL 4- Consider ways to coordinate the timing, location and intensity of new development with the provision of public facilities that are adequate to serve the new development.

LU 4.1 Use voluntary annexation, where appropriate, to ensure that proposed developments in areas adjoining Weddington's Town limits are consistent with the Town's development standards.

LU 4.2: Pursue planning jurisdiction over the area surrounding Weddington's borders and negotiate an extraterritorial jurisdiction (ETJ) agreement with Union County, per NCGA ~~160D-202160A-360~~, or through local legislation, to ensure that land use, public improvements, and development are consistent with the desired character of the Town.

LU 4.3 Coordinate with the county library system to provide convenient and accessible library services.

GOAL 5- Support implementation of the Town Center Plan.

LU 5.1 Review the phasing of the Town Center Plan and prepare a timeline for implementation of phases 1 and 2, which are on Town property.

LU 5.2: Prepare an action plan for phase 3 of the plan and how this phase could be implemented along with a schedule.

LU 5.3 Analyze methods, including procurement requirements, to achieve the final product in the Town Center Plan.

TRANSPORTATION

GOAL 1- Encourage the development of well-designed streets that are safe, connected, and welcoming for all users.

T 1.1: Major thoroughfares and key entryways Give shall be given the highest priority for beautification efforts and corridor design. ~~to major thoroughfares and key entryways.~~

T 1.2: Minimize the number of street curb cuts to avoid traffic congestion and ensure public safety.

T 1.3: ~~Require that~~Encourage roads be designed and constructed to provide a high level of safety and ~~attractiveness~~comfort for all users (pedestrians, bicyclists and motorists) in a manner consistent. ~~Road design shall consider the safety of pedestrians, bicyclists and motorists, as well as~~ with the character of the neighborhood through which the road travels.

T 1.4: ~~While most new roads in Weddington in the past have been publicly owned and maintained, the Town continues to a~~Allow for privately maintained transportation infrastructure, provided they are built and maintained to meet all applicable NCDOT standards.

GOAL 2: Actively participate in coordination with county, state and regional organizations to properly plan for roadway improvements.

T 2.1: Continue to play an active role on the Charlotte Regional Transportation Planning Organization (CRTPO).

T 2.2: Ensure that all new transportation infrastructure is constructed to NCDOT standards.

T 2.3: Coordinate with state and local officials to stay informed and have input on road and thoroughfare plans that impact Town residents.

T 2.4: Continue to participate in a coordinated, regional approach to transportation planning and seek adequate funding to support all transportation needs.

HOUSING

GOAL 2- Maintain the Town's strong single-family residential character.

H 1.1: Retain the residential character of the community by ensuring that new residential development consists of single-family homes with a maximum density of one (1) dwelling unit per 40,000 sq feet.

H 1.2: Continue to allow manufactured housing in Weddington on individual lots within Residential (R) zoning districts in accordance with NCGS ~~160A-383~~ 160D-910.

H 1.3: 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.

H 1.4: Allow alternative smaller lots to retain open space while maintaining a density of 1 dwelling unit per 40,000 square feet through the Conservation Residential Development Option.

CONSERVATION

GOAL 1- Ensure that all new development takes place in a manner that conserves open space and scenic views.

C 1.1: Preserve open space and scenic views through zoning regulations that require open space preservation in both conventional and conservation subdivisions, as well as commercial developments.

C 1.2: Adopt/update development regulations to ensure new development is consistent with the Town's quality and aesthetic values, thereby protecting property values. This would apply to all new and redevelopment projects, apart from regulating aesthetics and materials for single-family homes.

GOAL 2- ~~The overriding objective of the policy guidelines set forth in this section is to protect and promote the health, safety, and welfare of the citizens, and future citizens of the Town.~~ Maintain and enhance the Town's aesthetic qualities, physical character, and historical resources.

C 2.1: Continue to encourage the preservation of older homes and structures in the community to preserve a sense of history.

C 2.2: Continue to support the adaptive reuse of historic structures in the community.

C 2.3: Continue to support the Weddington Historic Preservation Commission's efforts to preserve historically significant structures and sites.

C 2.4: Maintain public signs, Town banners, and landscaping around these signs to beautify the Town and to draw the attention of persons traveling through Weddington.

GOAL 3- Limit development activities on environmentally sensitive land.

C 3.1: Preserve the Town's natural resources— by adopting regulations that would require applicants to identify. Depending upon the fragility of the resources and depending upon the fragility of the resource, restrictions should limit or prohibit construction, grading, and even vegetative clearing.

C 3.2: Limit development to areas of the Town that have suitable soil and topographic characteristics for development.

C 3.3: Limit development in designated 100-year floodplains, wetlands and along natural waterways to reduce the risk of significant damage and injury to life and property.

C 3.4: Require coordination with local utility companies and developers when placing electric, telephone, and cable television lines underground in accordance with the Town's Subdivision Ordinance in order to minimize removal or degradation of trees during installation and maintenance of such facilities.

INFRASTRUCTURE

GOAL 1- ~~To have~~Ensure all ~~Weddington existing and future developments in Weddington are served by adequate water, wastewater, drainage and residents provided with an efficient delivery of~~ emergency services.

I 1.1: ~~To ensure that all existing and future~~Require water, wastewater, and drainage system improvements to be constructed concurrent with new developments and that they provide adequate capacity to meet demands from existing and new users. in Weddington are served by adequate water and sewage disposal facilities.

I 1.2: Monitor and have input on utility extensions by Union and Mecklenburg Counties.

I 1.3 ~~Plan for and equitably fund the~~Ensure the efficient provision of emergency services through continued partnerships with Union and Mecklenburg Counties.

GOAL 2- ~~To implement the~~Comprehensive pPlan through appropriate zoning and subdivision regulations and coordinate with Union County and other service providers.

I 2.1: Communicate on a continuing basis with officials from Mecklenburg County, Union County, and the other municipalities of western Union County to keep abreast of and have input on developments that may impact the Weddington area.

I 2.2: Work closely with officials from NCDOT and Union County to ensure that subdivision plans and development proposals do not interfere with existing roads or planning roadways designated in the Thoroughfare Plan.

I 2.3: Coordinate with other service providers on the timing and location of installation or replacement of utilities.

GOAL 3- ~~To encourage~~Ensure that ~~any future park and recreation needs of Weddington residents are met with adequate recreational facilities in the area.~~ facilities and libraries are located and designed to meet the needs of

Weddington residents.

I 3.1: Identify the future recreational needs of the Town's residents through periodic surveys and assessments, as appropriate.

I 3.2 Continue to evaluate greenways and trails and seek grant funding as appropriate.

I 3.3: ~~To provide safe and convenient mobility for Weddington residents of all ages.~~ Ensure that future public recreation facilities and programs within Weddington serve the needs of all residents and are accessible to all citizens.

I 3.4: Coordinate with the county library system to provide convenient and accessible library services.

**TOWN OF WEDDINGTON
2024 PLANNING BOARD MEETING SCHEDULE**

4TH MONDAY OF EVERY MONTH*

DATE	TIME	LOCATION
January 22, 2024	7:00 p.m.	Town Hall Council Chambers
February 26, 2024	7:00 p.m.	Town Hall Council Chambers
March 25, 2024	7:00 p.m.	Town Hall Council Chambers
April 22, 2024	7:00 p.m.	Town Hall Council Chambers
May 28, 2024* reg mtg falls on Holiday	7:00 p.m.	Town Hall Council Chambers
June 24, 2024	7:00 p.m.	Town Hall Council Chambers
July 22, 2024	7:00 p.m.	Town Hall Council Chambers
August 26, 2024	7:00 p.m.	Town Hall Council Chambers
September 23, 2024	7:00 p.m.	Town Hall Council Chambers
October 28, 2024	7:00 p.m.	Town Hall Council Chambers
November 25, 2024	7:00 p.m.	Town Hall Council Chambers
December 23, 2024	7:00 p.m.	Town Hall Council Chambers