



**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, JUNE 24, 2024 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD
WEDDINGTON, NC 28104
AGENDA **AMENDED**

1. Call to Order
2. Determination of Quorum
3. Conflict of Interest Statement: *In accordance with the state law, it is the duty of every Board member to avoid conflicts of interest. Does any Board member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.*
4. Approval of Minutes
 - A. May 28, 2024 Planning Board Regular Meeting
5. Public Comments: *Individuals are allowed 3 minutes to speak and must only comment on current agenda items.*
- ~~6. Old Business~~
 - ~~A. Continued Discussion of R-CD minimum lot size.~~
6. New Business
 - A. Discussion and Possible Recommendation of an application by Beechwood Homes requesting Conditional Zoning Approval for a 54-Lot Conventional Subdivision located on the northwest corner of the intersection of Rea Road and Providence Road.
 - B. Discussion and Possible Consideration of Text Amendment 2024-02 An Ordinance of the Town of Weddington amending the Unified Development Ordinance by amending Section D-607C; Weddington Specific Process Steps for Legislative Decisions, to require a second mandatory Community Meeting for projects considering a major change and its enforcement by the Zoning Administrator thereto; certifying consistency with the Town's Land Use Plan and proper advertisement; providing for severability and providing an effective date.
7. Old Business
 - A. Continued Discussion of R-CD minimum lot size
8. Update from Town Planner and Report from the June Town Council Meeting
9. Board member Comments
10. Adjournment



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MINUTES
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1. Call to Order

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

2. Determination of Quorum

Quorum was determined with Chairman Travis Manning, Vice Chair Amanda Jarrell, Board members Manish Mittal, Rusty Setzer, Nancy Anderson, and Chris Faulk. Board member Bill Deter was absent.

Staff present: Town Planner Greg Gordos, Town Administrator/Clerk Karen Dewey, Admin Asst/Deputy Clerk Debbie Coram

Visitors: Gayle Butler, Walt Hogan, Jane Duckwall, Harry Chilcot, Cathy Williams, Chad Emerine, Melissa Emerine, Tracy Stone, Christopher Neve, Bob Kardos, Mike Emmanuel

3. Conflict of Interest Statement: *In accordance with state law, 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 Manning read the Conflict of Interest Statement. No Board members had a conflict of interest.

4. Approval of Minutes

A. May 28, 2024 Planning Board Regular Meeting

Motion: Board member Faulk made a motion to approve the May 28, 2024 Planning Board Regular Meeting Minutes
Second: Board member Setzer
Vote: The motion passed with a unanimous vote.

5. Public Comments: *Individuals are allowed 3 minutes to speak and must only comment on current agenda items.*

Walt Hogan – Mr. Hogan expressed support for public comment on the planning board agenda.

Gayle Butler – Ms. Butler expressed support for public comment on the planning board agenda and stated her support for increasing the minimum lot size in RCD subdivisions.

Chad Emerine – Mr. Emerine commented on the Rea and Providence subdivision. He asked for a 100-foot buffer as condition of approval and asked the developer to offer crawl space foundations rather than slab.

Melissa Emerine – Ms. Emerine commented on the text amendment in item 7B. She expressed support for requiring a second community meeting for developers for major changes and requiring additional community meetings for unprepared applicants.

Chairman Manning asked the Board to consider amending the agenda to move Old Business to after New Business.

Motion: Board member Anderson made a motion to amend the agenda to move Old Business to after New Business.

Second: Board member Faulk

Vote: The motion passed with a unanimous vote.

6. New Business

A. Discussion and Possible Recommendation of an application by Beechwood Homes requesting Conditional Zoning Approval for a 54-Lot Conventional Subdivision located on the northwest corner of the intersection of Rea Road and Providence Road.

Mr. Gordos presented the report: The applicant is proposing the development of a 54-lot conventional development subdivision tentatively known as Rea Road Subdivision. The subdivision contains two ingress-egress points along Providence Road and Rea Road respectively with a 50' buffer (per UDO) along each. Intermittent streams are found to the north of the site. One street connection is proposed to adjacent property, where a sewer easement is being coordinated with an adjacent property owner but is not finalized. Sewer would be provided by Union County to the 40,000 square foot lots as submitted but are large enough to also accommodate septic. It is the recommendation of staff that the request for Conditional Zoning to allow for the development of a 54-lot major subdivision generally located at Providence Road and Rea Road, be recommended for approval with conditions.

1. A landscape plan shall be provided by the applicant and prepared by a licensed landscape architect or arborist for the proposed 50' buffer along Providence Road and Rea Road in accordance with Section D-901.O. of the Unified Development Ordinance.
2. A copy of the sewer easement agreement confirming provision of Union County sewer service be provided as an addendum to the conditional zoning application prior to Town Council consideration.
3. As required by D917J.1. on a local dead-end street of a specific length is to be designed as a close. NCDOT may or may not allow a close, however for strict adherence to the UDO, a close should be required.

Mr. Gordos reviewed the Land Use Plan goals and policies.

Land Use Plan consistency statement:

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, while there may also be Goals and Policies for which there may be reason for concern, positive findings can nonetheless be made in support of this development proposal.

The Applicants, Bob Kardos and Mike Emmanuel, stated their intent for a low-density subdivision with maintaining 40,000 square foot lots, maintaining large buffers, and not clear cut the property. The roads will be public and meet NCDOT and town standards and the project will be served by public water and sewer. With the higher visibility of this corner, developer wants to maintain buffers

and the privacy of the community. The homes will be on crawl foundations. Homes will have architectural features and high-quality materials.

Board member Setzer asked about the grading plan presented in packet.

Applicant responded: Existing contours are shown. Engineer will have to profile the sewer route. Roads and right of ways can be adapted to meet the grades of the roads to minimize grading and clearing.

Board member Setzer asked about the TIA numbers. With 54 homes each with 3-5 garages how does it meet the peak hour numbers.

Applicant responded: The traffic engineer based the numbers on the house count and made recommendations for the additional lanes. These are large houses with multiple garages, but typically most of these are with 4 or fewer occupants. The traffic engineer calculated the numbers, and that is addressed in the comments of the report.

Board member Setzer asked about the recommendation for deceleration and acceleration lanes. Mr. Gordos responded that in the TIA, no mitigation is required as it doesn't generate a certain threshold and other mitigation in the form of existing addition lanes is already present.

Board member Setzer asked if the TIA engineer will provide the crash statistics.

Board member Anderson commented on the accessibility to the eastbound side of Rea Road as the u-turn is in front of another subdivision.

Board member Mittal asked what options are available if the sewer easement isn't approved.

Mr. Gordos stated that if the plan changes, it will come back through the CZ process.

The Applicant responded that they would not want to get approval without the sewer easement.

Board member Mittal asked about the stream buffers and the encroachment of the perimeter buffer on the lots. The applicant stated that the buffers cannot be built on and can be deed restricted.

Board member Faulk stated if the builder is willing to deed restrict for the thoroughfare buffer, he thinks that would work as long as it gives 100 feet. The grading on specific lots to keep the property heavily wooded is a good plan. He commended the applicant on a good development.

Board member Anderson asked if the developer considered an RCD development. The Applicant responded that with the size of the homes, front loaded garages would be required as the lots would be too narrow.

Chairman Manning asked Mr. Gordos if a landscape plan would still be required with a deed restriction for the buffer. Mr. Gordos responded that it could be if the developer agrees to it.

Chairman Manning asked if the buffer landscape could be cleaned up a bit. Mr. Gordos responded that his recommendation comes from driving both Rea and Providence Roads on the perimeter of the development. The goal is to not see the homes.

Chairman Manning asked if any of the proposed sewer easements will require a pump station. The Applicant responded that one could potentially require a lift station.

Chairman Manning asked about the cu-de-sac requirements and if the fire marshal will allow for a close on such a short cul-de-sac. Mr. Gordos responded that the close is in the UDO, the burden will fall on the applicant and NCDOT to show why that requirement cannot be met.

Chairman Manning commended the applicant on their project. It reflects what Weddington wants.

- Motion:** Board member Setzer made a motion to defer recommendation of an application by Beechwood Homes requesting Conditional Zoning Approval for a 54-Lot Conventional Subdivision located on the northwest corner of the intersection of Rea Road and Providence Road until get they can provide the sewer access easement and crash statistics and growth numbers for the TIA.
- Second:** Board member Mittal
- Vote:** The motion passed with a unanimous vote.

B. Discussion and Possible Consideration of Text Amendment 2024-03 An Ordinance of the Town of Weddington amending the Unified Development Ordinance by amending Section D-607C; Weddington Specific Process Steps for Legislative Decisions, to require a second mandatory Community Meeting for projects considering a major change and its enforcement by the Zoning Administrator thereto; certifying consistency with the Town's Land Use Plan and proper advertisement; providing for severability and providing an effective date.

Mr. Gordos reviewed the text amendment.

Board member Mittal asked what the reason for a second meeting was.

Mr. Gordos responded that it came from the Council based on feedback from the residents.

Board member Anderson expressed concern that the requirement for a second meeting may deter developers from making changes to plans. Mr. Gordos stated that this isn't to discourage that but to strike a balance.

The Board members discussed the application process, a second community meeting requirement, and adding to the application process requiring the applicant to present to the Council after their community meeting and before the Planning Board recommendation to all council to ask questions and make recommendations.

Board members considered the text amendment in sections:

- Motion:** Board member Anderson made a motion to forward to the Town Council with recommendation for approval adding the following text to Section 607C.5.a. Additional community meetings shall be required if a Major Change is made to the proposed site plan by the applicant as a result of the first community meeting. A Major Change is defined as items 10.b.ii.(1)-(6) as provided by this Section
- Second:** Board member Jarrell
- Vote:** The motion passed with a unanimous vote.
- Motion:** Board member Mittal made a motion to forward to the Town Council with recommendation for approval Section 607C.5.d. The adequacy of the report must be considered by the Planning Board but is not subject to judicial review. The Town Zoning Administrator shall have the authority to determine if a community meeting was insufficient towards meeting these requirements prior to placing the item on the Planning Board agenda for review and recommendation. If deemed insufficient, the meeting shall be required at the expense of the applicant, including notification of adjacent property owners within 1,300 linear feet and the scheduling of a new meeting date and time with adequate notice.

Second: Board member Faulk
Vote: The motion passed with a unanimous vote.

Motion: Board member Anderson made a motion to forward to the Council with a recommendation of denial Section 607C.6. Council Presentation and Public Comment. This is the second opportunity for public input and will be during a regularly scheduled Town Council meeting. Once the petitions is complete, a community meeting has been held, the CZ request has been submitted and the public has an opportunity to provide comment at a Town Council meeting and completion and approval of a Traffic Impact Analysis, the CZ application process follows the review process in Section D803(A)1(a).

Board members continued discussion of the portion of the text amendment.
Issues discussed included:

- Adding cumbersome requirement to the process
- Public can make comments at planning board, town council, and during public hearings for specific projects. Doesn't remove any opportunities.
- Redundant step in the application process.

Second: Board member Faulk
Vote: The motion passed with a unanimous vote.

7. Old Business

A. Continued Discussion of R-CD minimum lot size.

Chairman Manning reviewed the discussion from the last Planning Board meeting. Primary takeaway being having a larger minimum lot size for RCD subdivisions.

Board member agreed that minimum lot sizes should be increased but to include flexibility to make RCD development a good option for developers.

Staff will draft options of text amendments with lot size, and other variables affecting the lot size requirements like lot width requirements.

8. Update from Town Planner and Report from the June Town Council Meeting

Mr. Gordos gave the update. The storm water text amendment from the May Planning Board meeting will be before the Council at their July meeting. Empire homes is holding a community meeting for an R40 subdivision on Thursday at Weddington High School

Chairman Manning commented about the conditional zoning application for Twelve Mile Creek and New Town Road property. People were dissatisfied with the lack of detail.

9. Board member Comments

Board member Setzer: Thank you for coming out tonight. It's good to hear from the citizens of Weddington at this meeting, I hope that this will help promote transparency.

Board member Anderson: I'll echo that statement and also offer an apology for missing the meeting last month.

Board member Faulk: Kudos to Greg on a great packet. It was on point.

Board member Jarrell: An awesome packet-it was super helpful for us. The proposed development checks the boxes for Weddington. I also apologize for not being here last month.

Chairman Manning: I appreciated the packet for sure. I was excited to read it. I wanted to also give Deputy Wrenn a shout out-for the traffic work on Providence Road.

Board member Anderson added that she got feedback from Weddington Methodist Church regarding the 25 mile per hour school zone on Providence. They are busy on another project right now and focused on that.

10. Adjournment

- Motion:** Board member Mittal made a motion to adjourn the June 24, 2024 Planning Board Regular meeting at 8:40 p.m.
- Second:** Board member Setzer
- Vote:** The motion passed with a unanimous vote.

Approved: August 26, 2024