

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
WEDDINGTON TOWN HALL
JULY 27, 2015 – 7:00 p.m.
MINUTES**

The Planning Board of the Town of Weddington, North Carolina, met in a Regular Session in the Town Hall Council Chambers, 1924 Weddington Road, Weddington, NC 28104 on July 27, 2015, with Chairman Dorine Sharp presiding.

Present: Chairman Dorine Sharp, Vice-Chairman Rob Dow, John Giattino, and Jim Vivian, Town Planner Julian Burton and Administrative Assistant Tonya Goodson

Absent: Jennifer Romaine, Bruce Klink

Visitors: Joe Keith, Mark Kime, Keith Cooper, Mayor Bill Deter, Councilwoman Barbara Harrison

Item No. 1. Open the Meeting. Chairman Dorine Sharp opened the meeting at 7:00pm.

Item No. 2. Determination of Quorum/Additions or Deletions to the Agenda. There was a quorum.

Item No. 3. Approval of Minutes.

A. June 22, 2015 Regular Planning Board Meeting Minutes. Vice-Chairman Rob Dow moved to approve the minutes from June 22, 2015 as presented. Mr. Jim Vivian seconded the motion, with votes recorded as follows:

AYES: Vice-Chairman Dow, Giattino, and Vivian
NAYS: None

Item No. 4. New Business.

A. Review and Consideration of Conditional Zoning Application for The Falls at Weddington Amenity Center. The Planning Board received the following memo from Town Planner Julian Burton along with the Amenity Package Plans.

Falls at Weddington, LLC, submits a conditional zoning application for an Amenity Site associated with the approved major subdivision, The Falls at Weddington. Community recreational centers are permitted as conditional uses subject to the requirements listed in Section 58-271.

Application Information:

Property Location: Antioch Church Rd.

Existing Zoning: R-CD

Proposed Zoning: R-CD (Conservation Subdivision through the Conditional Zoning process)

Existing Land Use: Residential Conservation

Proposed Land Use: Residential Conservation (CZ)

Existing Use: Vacant Land

Parcel Size: 4 acres

Project Information:

The Falls at Weddington Subdivision is an approved 185 lot subdivision on 234.49 acres. The amenity center will be located on 4 acres and will include a pool and a clubhouse. The plan includes the required 26 foot landscaped buffer at the border of the site, and existing vegetation will exceed the minimum number of trees and shrubs required.

Traffic Impact Analysis:

Although the amenity center rezoning constitutes a new application and triggers the need for a revised TIA, staff confirmed with the Town's traffic engineer that the improvements already proposed for Antioch Church Road are sufficient given the size of the subdivision, and eliminate the need for further study and analysis.

Recommended Conditions of Approval:

1. Construction Documents to be approved by the Town Council.
2. Any engineering associated with Construction Documents must be reviewed and approved by the Town Engineer.

Town Planner Burton pointed out the following which was not in the above memo.

1. The applicant did include a 26' landscape buffer against the adjoining properties as required in section 58-8.
2. The plan that was given to Planning Board has 23 parking spaces. This is lower than it needs to be. We came up with the number 32 spaces required. The applicant has worked up a preliminary design with the additional spaces. It will still work with the 32 spaces.

The Planning Board discussed the lighting and signage with Joe Keith.

Vice-Chairman Dow moved to send the Amenities Center Conditional Zoning for the Falls at Weddington to Council with a favorable recommendation. Mr. Jim Vivian seconded the motion with votes recorded as follows:

AYES:	Vice-Chairman Dow, Giattino, and Vivian
NAYS:	None

B. Review and Consideration of Final Plat for the approved major subdivision, Highclere.

The Planning Board received the following memo from Town Planner Burton along with the minutes from the Preliminary Plat and Map 1.

BMCH North Carolina, LLC submits a final plat application for 22 lots of the approved 45 lot Residential Conservation Subdivision on 57 acres located on Rea Road.

Application Information:

Date of Application: June 14th, 2015

Applicant/Developer Name: BMCH North Carolina, LLC

Parcel ID#: 06-180-019

Property Location: Rea Road

Existing Zoning: R-CD

Proposed Zoning: R-CD (Conservation Subdivision through the Conditional Zoning process)

Existing Land Use: Residential Conservation
Proposed Land Use: Residential Conservation (CZ)
Existing Use: Vacant Land
Parcel Size: 56.819

Project Information:

The Highclere Subdivision is a proposed 45 lot conservation subdivision on 56.819 acres. A conservation subdivision must base the number of proposed lots on a yield plan per *Section 46-42 of the Weddington Subdivision Ordinance*. This yield plan must show the number of lots that would be allowed if the tract was developed as a conventional subdivision with 40,000 square foot lots. Conservation subdivisions shall be density neutral (same number of lots as would be permitted in a conventional subdivision). The site is 0.79 dwelling units per acre.

Background Information:

- A site walk occurred on-site May 1, 2013.
- Public Involvement Meetings were held on-site on Tuesday, June 11, 2013 and at Town Hall on Wednesday, June 12, 2013.

Preliminary Plat Information:

- The minimum lot size is 12,000 square feet. The smallest lot is lot 22 at 16,434 square feet.
- The applicant is required 50% or 28.31 acres of conservation lands. The applicant has provided 50.27% or 28.47 acres of conservations lands.
- The applicant is dedicating 0.195 acres to NCDOT along Rea Road.
- A pump station will be located between lots 13 and 14.
- Wetlands run along much of the perimeter of the property and through the middle of the site. There is also an existing pond at the northern portion of the site.
- The applicant is proposing a 100 foot landscaped thoroughfare buffer along Rea Road. There will also be supplemental planting around the perimeter of the pump station.

Additional Information:

- Highclere is to be served by Union County Public Water and Sewer.
- The applicant will use an existing curb cut off of Rea Road for primary ingress/egress.
- The applicant will install a right turn lane on Rea Road.

Planned Residential Development:

The Highclere subdivision will be a Planned Residential Development (PRD), which allows for an entrance gate and private roads. Planned Residential Developments (PRDs) are allowed as conditional zoning districts, and are subject to conditional zoning approval in accordance with Section 58-271. Highclere was approved as a conservation subdivision, which is also subject to conditional zoning approval, and the preliminary plat and meeting minutes show the development to be gated. Therefore, the initial public hearing held on November 12th, 2013 (minutes included) met the requirements for approval of both the conservation subdivision, and the PRD. The final plat also includes the gated entrance on Rea Road, and any construction documents associated with the entrance shall be approved by the Town Council.

Recommended Conditions of Approval:

1. Performance and Maintenance Bonds to be approved by the Town Council.

2. Approval of CCR's by Town Attorney.
3. Each remaining lot to be recorded in the Highclere subdivision shall include on its Deed a statement that all roads are private and not the responsibility of the Town of Weddington and shall be maintained by the Highclere Homeowners' Association or its Developer.
4. Vehicle control signs including but not limited to stop signs and speed limit signs shall be installed by the Developer and maintained by the Homeowners' Association on any roads not accepted by NCDOT. All speed limits within the subdivision shall be no greater than 25 mph.
5. Coordinate with USPS ~~and DOT~~ to provide cluster mailboxes within subdivisions
6. The maintenance and upkeep of any guardhouses or entry structures, as well as the maintenance and upkeep of any private streets in the PRD, shall be the sole responsibility of the developer, and/or any duly incorporated and active homeowners' association
7. Construction documents for the gatehouses, subdivision walls, or entry structures must be approved by the Town Council.
8. Individual house addresses must be clearly visible from the roadway.

The Planning Board suggested removing DOT from Condition #5 and adding Condition #8 as shown above.

Town Planner Burton said there was a roundabout that was taken out near the entrance because they needed more room for the gate.

Vice-Chairman Dow moved to send the Highclere Final Plat to Town Council with a favorable recommendation to include the 8 Conditions as listed.. Mr. John Giattino seconded the motion, with votes recorded as follows:

AYES:	Vice-Chairman Dow, Giattino, and Vivian
NAYS:	None

C. Public Hearings - Review and Consideration of Temporary Use Permit Application for the Weddington Country Festival. Chairman Sharp opened the public Hearing. Mayor Bill Deter swore in Councilwoman Barbara Harrison and Town Planner Julian Burton. The Planning Board received the following memo from Town Planner Burton.

Councilwoman Barbara Harrison submits an application for a Temporary Use Permit for the Weddington Country Festival on behalf of the Town of Weddington. The event is to be held at Weddington Town Hall and Dr. George Pinsak's property located at 1924 Weddington Road and 13653 Providence Road respectively.

Application Information:

Date of Application: June 24th, 2015

Applicant's Name: Barbara Harrison for the Town of Weddington

Property Owner's Name: Town of Weddington and Dr. George Pinsak

Parcel ID#: 06-150-057 (Town Hall) and 06-150-053A (Dr. Pinsak's Office Building)

Property Location: Corner of Providence Road (Highway 16) and Weddington Road (Highway 84)

Existing Zoning: B-2(CD)

Existing Use: Town Hall and Medical Offices

Property Size: Town Hall- 2.136 acres, Dr. Pinsak's property- 0.674 acres—Total of 2.81 acres

Event Hours: Saturday, September 19th, 2015 from 10:00am to 4:00pm (artists allowed to begin setting up earlier)

Additional information:

- Projected attendance is 2000 adults and 500 children.
- The applicant has submitted an application to Union County for a mass gathering permit, and a certification of review.
- Staff has been provided a Certificate of Liability Insurance from the scheduled vendors.
- Security and traffic control will be provided by three additional Union County Sheriff's Deputies.
- One fire department staff will be on site, a Union County ambulance, and three additional Union County deputies.
- Ten portable bathroom facilities and two hand wash facilities will be provided on-site.
- Miracle Amusements will provide their own generators.
- Most parking will occur on the Weddington Corners Shopping Center property. Some parking will take place at Dr. Pinsak's office building. Town staff has received signatures from both property owners to allow parking and events on their properties.
- Music will be provided by a DJ and the "Hinson Girls" will perform until 2:30pm.
- There will be a BBQ lunch to all seniors free of charge.
- Providence Volunteer Fire Department will cook and serve hot dogs and hamburger platters as a fund raiser.
- All adjoining property owners and properties within 200 feet have been notified in accordance with Section 58-13 of the *Town of Weddington Zoning Ordinance*.
- Applicant will be allowed two temporary off-premise special event signs in accordance with *Section 58-151* of the *Town of Weddington Zoning Ordinance*.
- The Weddington Planning Board approved a TUP for the same event in 2013 and 2014.

The Planning Board also received the Temporary Use Permit Application and Business Plan for this item.

Councilwoman Harrison gave an overview of the event.

Chairman Sharp asked Councilwoman Harrison the following Findings of Fact:

Findings of Fact:

- a. The proposed temporary use will not materially endanger the public, health, welfare and safety. Councilwoman Harrison: Yes, there will be three off duty deputies, an ambulance with paramedics and a Fire Department here. Additionally, we will have a deputy at the access road to make sure the traffic flows.
- b. The proposed temporary use will not have a substantial negative effect on adjoining properties. Councilwoman Harrison: Yes, the Festival is from 10am-4pm. We will allow our artists to come in at 8:30am to set up. We will have deputies here for the parking. We will not use any lights.
- c. The proposed temporary use is in harmony with the general purpose and intent of the ordinance and preserves its spirit. Councilwoman Harrison: Yes, it is to create a sense of community within Weddington. This is going to be our 4th year.
- d. The proposed temporary use is held no more than four times (4) per year at any particular location. Councilwoman Harrison: Yes, we only do this once a year. The last one was July 28, 2014.

Chairman Sharp closed the public hearing.

Vice-Chairman Dow moved to approve the Temporary Use Permit Application for the Weddington Country Festival based on:

- a. the proposed temporary use will not materially endanger the public health, welfare and safety because deputies, EMT and Fire Department will be here to control health, welfare and traffic.
- b. The proposed temporary use will not have a substantial negative effect on adjoining properties with the hours being from 10am-4pm in the mainly commercial area with no lights.
- c. The proposed temporary use is in harmony with the general purpose and intent of the ordinance and preserves its spirit in that it is to create a sense of community.
- d. The proposed temporary use is held no more than four times (4) per year at any particular location. This is once per year.

Mr. Jim Vivian seconded the motion, with votes recorded as follows:

AYES:	Vice-Chairman Dow, Giattino, and Vivian
NAYS:	None

Item No. 5 Update from Town Planner. The Planning Board received the following update memo from Town Planner Burton:

- Staff has received a sketch plan application for a subdivision located at the intersection of Weddington-Matthews Road and Antioch Church Road. PIMs will likely be scheduled for mid-August.
- On July 9th, the Board of Adjustment denied a variance application to gate the approved subdivision, Cardinal Crest.
- Staff received a final plat application for Atherton Estates. This will be their 3rd.

Item No. 7. Other Business.

A. Report from the July Town Council Meeting. The Planning Board received the agenda from the July 13, 2015 Regular Town Council Meeting.

Item No. 8. Adjournment. Vice-Chairman Dow moved to adjourn the July 27, 2015 Regular Planning Board Meeting. Mr. John Giattino seconded the motion with votes recorded as follows:

AYES: Vice-Chairman Dow, Giattino, and Vivian
NAYS: None

The meeting adjourned at 7:35p.m.

Dorine Sharp, Chairman

Attest:

Tonya M. Goodson