

**TOWN OF WEDDINGTON
SPECIAL TOWN COUNCIL WORK SESSION
WEDNESDAY, FEBRUARY 13, 2013 – 4:00 P.M.
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Special Work Session at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104 on February 13, 2013, with Mayor Walker F. Davidson presiding.

Present: Mayor Walker F. Davidson, Mayor Pro Tem Daniel Barry (Left at 5:45 p.m.), Councilmembers Werner Thomisser, Pamela Hadley and Barbara Harrison, Town Planner Jordan Cook and Town Administrator Amy S. McCollum

Absent: None

Visitors: Bill Price, Craig Hazeltine, J. David Sloop, Jim Vivian, Bob Lockerman, Janice Propst, Bill Deter and Nancy Anderson

Item No. 1. Open the Meeting. Mayor Walker F. Davidson called the February 13, 2013 Special Town Council Work Session to order at 4:03 p.m. There was a quorum.

Mayor Pro Tem Daniel Barry moved to allow him to leave the meeting at 5:45 p.m. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Thomisser and Mayor Pro Tem Barry
NAYS: None

Item No. 2. Public Comment Period. Mr. Craig Hazeltine – I am a 20-year resident of Weddington and I live in Providence Woods South. I keep track of Weddington politics from a distance meaning I rely on my neighbors to tell me what is going on. The last information that I got was that the last board that was voted in was pro current residential zoning and against commercial development. I was quite happy with that. When the building across the street from here came up for consideration it was voted down. I was sitting in my living room in ignorant bliss. My wife was in the grocery store Monday night and had a conversation with a neighbor and was informed that now the building across the street has been approved and that the Land Use Plan could radically change the feel and character of the Town that I have lived in for 20 years. That concerns me. While I have been sitting on the sidelines, I am not any more. I am here and am involved. We are starting a grassroots effort. We already have eight neighborhoods involved. Our agenda is very simple - to keep the Land Use Plan as it is. We have a website coming online and we will be doing flyers and will have neighborhood captains in every neighborhood. I do not think the information has been disseminated to the public well at all. No one knows what is going on. There is no information on the website. There is no information being mailed out as to what you are considering. I have no idea. All I hear is what my neighbors are telling me which is there is going to be a commercial zone at the Rea Road Extension, possible commercial at Antioch Church Road and on Highway 84 across from the High School. That is a radical departure from what we have had in the past. The reason this Town is the way it is, is because for the last 25 years it has been one house per acre with no commercial development. The survey that you sent out was biased and flawed. One of the comments that someone wrote in was that it looked like the survey was done by a contractor. I would have to agree with that. The results of the survey over the years come to the same conclusion that people want limited commercial development or no commercial development and they want one house per acre. We continue to do these surveys. I can only assume that we continue to do these surveys so that if we have enough people from the

outside moving in that they will influence the survey to a certain way. I do not know what the agenda is. I do not know understand why we want commercial development within the Town of Weddington.

Ms. Janice Propst – I am on the Planning Board. I want to assure you that your neighborhoods have apparently gotten some erroneous information. We should have a Land Use Plan updated at least every five years and the current Land Use Plan has not been updated since 2002. All we are really doing as a Town is looking at the Land Use Plan from 2002 and evaluating if there is anything that really needs to be updated or changed. My family has lived here for five generations and we have preserved a farm for five generations. I believe that there are a lot of changes that have gone on in this community. One is our taxes are outrageous in Union County and unless you have your property in a forestry or farming program you can't pay taxes forever on 30, 50 or 100 acres at a \$100,000 value per acre. It is great that everybody wants it to stay rural in character but we have to be realistic. We are only about five minutes from Charlotte. We do need to look at what our downtown looks like but as far as this board I know that there is not anyone on this Town Council or Planning Board that wants to see a major metropolis or commercial everywhere. There is going to be a center town. There is not going to be a major change to the way Weddington looks. It is a residential area which was preserved to protect itself from Charlotte and that is the way it is going to stay. Obviously there is going to be a building across the street but when you see it I believe it will be an asset to the community.

Ms. Nancy Anderson – Thank you for your comments and I would like to get involved with your group. Janice said that there is not going to be a major change with the way that the Town looks but that is a subjective point of view because there could be a big change because we are in our 10-year review. I know that she seems to think that we are required to do it every five years but we are told not to do it sooner than five years that it should be in place for at least five years and at the 10-year point you should be looking at it again. I appreciate that you surveyed folks and I hope you will take the time to listen carefully to what they have to say. It is true that we are five minutes from Charlotte which is exactly why it is okay for us to stay our little oasis. Weddington is a respite from the commotion and chaos. People do not want all of the noise and commercialism that goes with Charlotte. That is why people came out here. It is true that you can get anything you want five minutes down the road in any direction but as I said at the last meeting I really hope that you will revisit the project on the Robicsek property that is on the outskirts of Town. You have an opportunity to provide all the things that some of the people of Weddington want with a library site, YMCA and the coveted open space that everyone wants but no one is willing to buy. I would strongly urge you to reconsider that. You have the opportunity to make a lot of people happy. Thank you for your service and for having these meetings.

Mr. Rob Dow – I am on the Planning Board as well. I applaud the Council for listening to the citizens. Hopefully a lot of this will clear up misunderstandings between what is rural and what is commercial. I hope the Council can agree to a clear vision for what the future of Weddington will look like based on the input from citizens and then design a Land Use Plan with goals that clearly state policies directing the future decisions. Lastly, ordinances will need to be adjusted giving the Town and the Council the authority to enact those goals. I know a lot of towns find out if a business is something that the Town really needs. Do we need more office space or do we have 5,000 to 10,000 square feet open and vacant? Have them show financial need and the benefits to the citizens and the Town. This gives landowners, citizens, developers, land speculators a clear understanding of where Weddington is going so everybody is not in here to make a mad dash every time there is a new Council. To do this the Council needs to understand what they can control. I have heard a lot of discussion of wouldn't it be nice to have this or this. We don't control that. We have a list of possible businesses. We do not control who goes in them or who leases them. That is controlled by the market place and the financial viability of the business. What we do control is supply. If we overgrow we are going to have a big supply and we are going to find property values down. This country overgrew and in 2008 everybody realized it and all the values went down.

Item No. 3. Review of Factual Information for Chapters I through V – Weddington Land Use Plan.

Town Planner Jordan Cook reviewed with the Town Council his review of the factual information for Chapters 4 and 5. Councilwoman Barbara Harrison discussed with the Council changes that she felt needed to be made with regards to factual information. Town Planner Cook took down her comments. The Town Council discussed the Planning Board reviewing the Land Use Plan annually in June and the Town Council to update the plan every five years. It was discussed that language may need to be added to the Planning Board’s Rules of Procedures to include this process. Councilmember Thomisser asked that Town Planner Cook get the population projections for other towns in Union County.

Councilwoman Harrison asked that Mayor Davidson discuss with the audience the process of updating the Land Use Plan.

Mayor Davidson - We are reviewing the Land Use Plan and we created survey questions and sent out a survey to the public. We got the survey back and hopefully can use the survey results and input of what we got back. There have been some comments that only 600 people filled out the survey. There has got to be other means of getting data from the people. This is the third opportunity to allow people to come forward and tell us what they think. We have an Open House scheduled for February 23. We have five chapters of the Land Use Plan to go through and three members of the Planning Board are going to go through the policies with us. It is important for the people to continue to give us feedback. One of the issues that we have gotten with early feedback is that we have not given them anything to look at. That was the intent of the vision map by Town Council that if we had done five maps and gotten a map that three have agreed on for a vision the public may have had something to comment on now. We don’t have anything for people to comment on at this time. I think the map would have helped with the conversation. We have gone through a factual update of just statistics that have changed in the last 10 years. On the 22nd at our retreat, we are going to go through the policy language. At that time you will start to see what this Town Council thinks are the policies, goals and wishes of the people.

Councilwoman Harrison advised that she is getting calls almost on a daily basis and it is erroneous information.

Mayor Pro Tem Barry moved to allot the balance of the time left in the meeting to give the public more time to speak with the Council. All were in favor, with votes recorded as follows:

AYES: Councilmembers Harrison, Hadley, Thomisser and Mayor Pro Tem Barry
NAYS: None

Item No. 4. Public Comment Period.

Mr. Bob Lockerman – I have lived in Weddington nine years. I hate to hear stuff regarding rumors. I think we should all work together. You all serve this Town and I feel that you do because you like the Town. I took off time from work because I like the Town too. I do not want to make this an “us” versus “them”. This is us together and it is our Town. I moved here nine years ago. I lived in South Charlotte and my wife and I decided that it was nicer to raise our kids in Weddington. We got the one acre and we liked that. We built a bigger house and our neighbors built bigger houses and over the last nine years people have built bigger houses than us which we kind of liked which has really helped out our property values. In that time there has been a lot of change. When we moved here Weddington was the outpost like the Town of Waxhaw. Waxhaw is not a cute little town anymore. It looks ridiculous down Highway 16. There was no village of Wesley Chapel. But now at 5:00 p.m. when I drive down there it is a traffic jam. Indian Trail became the largest town in Union County and I believe that Stallings is trying to catch it and even approves things like a storage unit right next to one of its nicer neighborhoods called Brookhaven. Weddington is the only constant. This place has been fantastic and I have got to believe that

it is because of our Land Use Plan. The developers can't develop here or they would. They are not going to skip past us and go to Waxhaw if they did not have to. I hope that we continue with the Land Use Plan and if anything strengthen it. I am afraid if we tweak it a little bit that we will create loopholes. I do not think that any one of you has a bad heart or malice. We want to work together as a team not as adversaries. We want to work together to make sure that the Land Use Plan cannot be trampled over. Thank you to Wesley Chapel for building out all of that stuff there. I am four miles from that and it is easy to get to. Most of us can get to shopping in 5 to 10 minutes. Ten to 15 years from now if that continues to happen Weddington is going to be a bigger jewel because we are the only place along with Marvin that has this beautiful country atmosphere and we can drive to what we need. Things do change. We have had growth but we have had smart growth. Thank you for the time you devote to the Town. We have a great thing and the Town needs you and let's work together to keep this Town as wonderful as we have now.

Councilwoman Hadley asked him what he sees for a downtown.

Mr. Lockerman – If it was all down here in this area with small scale one to two story buildings.

Councilwoman Hadley - I have a vision of taking the road at the activity center and taking it and coming out on Weddington-Matthews Road and making that the border and then coming down into this area and having whatever people want. How do you feel about that road?

Mr. Lockerman – I think that is fine. I grew up in New England and we had town centers. I am not going to say that I do not want anything coming to Weddington. I don't want it to look like Highway 16 and Waxhaw - that is awful.

Councilwoman Hadley – How do you feel about a buffer for that with age-restricted housing?

Mr. Lockerman - I am 51 years old and I am not sure if I will be retiring in Weddington because on an acre lot that is a lot of land. But if I did have to move because there was not age restricted housing I feel okay with it because my kids love Weddington so much I think they would intend to move here. I am not against it but what I worry about is if that would open a door for something that we could not stop. That is my biggest fear. I think the developers want to come here. I think we have good intentions but somebody with their big lawyers can say this is what we have to take. There has to be a compromise. I would not be opposed as long as you could guarantee me that somebody else could not say you allowed it here and now we can put one here and here. I would pay a little more taxes to keep what we have. This is a bargain. It would be nice to have an option to retire in Weddington. There are some smaller homes in Weddington that we could go down to. I do not think it is on you to find me a place to retire. That is on me.

Ms. Propst – I am with you, I do not want urban sprawl.

Mr. Hazeltine – My main frustration is that the people I have talked to have absolutely no idea what is going on. As a community we are not disseminating information out to the residents. It is very easily done through mass mailings. I do understand that there is a large portion of the population that is apathetic. If you are sending out the information and they are apathetic then it is their fault. I had no idea that this was going on. I assumed because of the information that I was getting that the Land Use Plan would basically be what it was and keep moving on with the great community that we have. When is the actual Land Use Plan coming out so that we can look at it and make decisions on what you are considering? My frustration is that in 60 days you will be making a decision and I have nothing to look at. I don't have anything to go on.

Mayor Davidson - April 8 is when we are planning to have a public hearing on the Land Use Plan.

Mayor Pro Tem Barry - There is consensus that there is no desire or appetite for big box retailers in Weddington. There were two directions that you could do to approach this. One was to do the map first and then write the plan to match the map and the other was to take a strategic look and let's make sure that we write the plan to accomplish what our objectives are and then apply that to the map. The choice that this Council made was to go with the second route. During the process so far, we have determined the actual uses not just the residential but the conditional uses under residential so that we can look and see what was really going on and back into that.

Councilwoman Harrison – We look at each application and we can reject any development that comes in. Last year, I met with someone that was really upset at me when I said, “While I am on Council that will not happen.” They basically indicated that they would wait for another Council.

Mayor Davidson – Does the Council have the right to tell people what they can or cannot do with their property?

Councilmember Thomisser – It depends on what they want to do with their property.

Councilwoman Harrison – The Town Council does not say anything. Our Land Use Plan and our Land Use Map dictates what we do or not do.

Mayor Pro Tem Barry - But it serves as a guide.

Mayor Davidson – I asked Nadine Bennett with COG if the Town Council has the right to tell people what they can or cannot do with their property. That is what planning is all about. When you say we are not going to do a Home Depot I don't think anybody wants a Home Depot but you are telling people what they can or cannot do with their property. That is fine and that is what the people want. They want a plan.

Councilwoman Harrison - Based on how we have it we could turn around in our Land Use Plan and open up to big boxes. I disagree with that. We are coming up with a plan and that is what we want to do. I have a hard time throwing a map up there and having someone say to me go in and color where you want to have stuff. I will not do that because I do not know what our goals and policies are and until we have a definite of what we are going to do or not going to do I am not going to color that in. What I am hearing from this gentleman is that someone is saying that on every corner in Weddington we are planning something and I would love to know where that came from.

Mayor Davidson - When the Town Council gets their verbiage written and a map produced how long do you think it is fair for the public to evaluate it?

Mr. Hazeltine – My personal opinion is 30 days. When we get that information we are going to be meeting and disseminating that information and trying to get organized.

Mayor Pro Tem Barry advised him that he would like to be invited to their meetings and would love to participate and listen.

Councilwoman Harrison informed him that we have an email list that people sign up to receive updates on meetings and agendas and that there were 400 to 500 people on that list already.

Mr. Hazeltine – The plan that you are about to go through is impacting the community that I live in for the next 10 years. Once you do it there is no going back.

Councilwoman Harrison - That is not true because we said that we are going to review on a yearly basis.

Mr. Hazeltine – I find it fascinating reading the end of the survey where people wrote comments down. People mentioned grocery stores. You can throw a rock and hit five Harris Teeters from here. One of the other real drivers of the survey seems to be a sit down restaurant. Everyone’s opinion of a sit down restaurant is different. If you go through the questions that people had and how they answered them they seemed to want something high end and independently owned and not franchised. Applebee’s is a sit down restaurant and I am afraid that is what you are going to get. You are not going to get a locally owned restaurant. If my choice is having Applebee’s or driving a mile – I will drive a mile. We also hit on taxes – I agree with Bob completely that I would prefer to pay higher taxes and have less commercial development. It is that important to me. I would pay substantially higher taxes. This community does not have that much to do. We do not have water, sewer, trash collection and you should not have that much to spend money on. I think commercial development will drive the tax base up and not down. I think it will put a strain on the infrastructure here and it is going to bring in crime. The requirements for police officers are going to increase and it is going to cost money. I would argue that increase in commercial development would raise taxes not lower taxes. Based on the survey there does seem to be interest in assisted living. I am sure that everyone is aware that we have assisted living going in on Providence Road.

Mayor Pro Tem Barry - This is active adult and is pre-assisted living.

Mr. Hazeltine – I do not know if I have an opinion on that. The problem I have is with the density on that. Providence Woods South has a ton of retirees and it would be nice that they have a place to go but again I am concerned about density. I do not plan to retire in Weddington but that is something to consider.

Councilmember Thomisser asked him to define density.

Mr. Hazeltine – The reason I moved here was one house per acre. That is the density I like. I live in a neighborhood that does not have sidewalks, curbs and no community pool and was loosely planned under loose covenants but it is fantastic to live in.

Councilmember Thomisser - Would you object to three brick patio homes on one acre? Would you consider that high density?

Mr. Hazeltine – Absolutely. If you drive through the Providence Forest Estates neighborhood it looks like a dense neighborhood. I think people’s perception is that R-CD is going to allow these great green open spaces. I do not like R-CD personally. I love one house per acre.

Councilwoman Hadley - I appreciate people getting involved but one thing I noticed is since we were elected there was a huge learning curve. I really appreciate the fact that you want to read the Land Use Plan and be familiar with it but there are consequences with knowledge. Once you understand the consequences of not having a sit down restaurant because you have to have the lunch crowd and the retail to support it then you see the sit down restaurant idea going away. I moved out here and got my one acre lot and raised my child here. There are some parcels of land that lend themselves to be R-CD because it protects the topography. I do not want to see R-CD all over Weddington but it really does protect a lot of green space. R-CD protects the wildlife as well. Since I have learned about R-CD there are times where R-CD should be applied as opposed to R-40.

Ms. Anderson – Yes, the Town has the right to tell people what to do with their property. It is called zoning. You are required by State Statute to provide zoning. No one likes to be told what to do and we all like property rights. By virtue of being a community we are required to tell people what to do with their property. I think what Rob was talking about is using an economic need analysis to determine whether something is really needed here. If you wanted to add that to your requirements that would be the way to

do it. I have lived here and I am the fourth generation. In order to have a very strong community you do need to have a past, present and a future. Fortunately we still have our past although every month we go to a funeral. Our past really never upsized and they are still in their original houses that they established here. They are okay in that. The people that came in the 70's have these 3,000 to 4,000 square foot houses on two acres and those people now have not been upstairs since their kids went to college because either they can't or don't need to. We don't want those people to move away. They are the people that built this Town. How do we keep them here and what about the density if we open the box? I think the way that you can structure is that you can say those smaller jewel boxed homes, one stories on higher density have to be able to walk to the Town Center. If you want to maintain independent living for our senior citizens and if they are within walking distance of their essential services it extends their independence by five years at least. You are talking about ¼ mile and that keeps it from being opened up in different places in the Town. There are some places that R-CD is helpful. Daniel, you said no one on this Council has any desire to have a big box store. I would totally agree with that. Please prevent a big box on our border and please reconsider the Robicsek project. You know what they tried to do on Rea Road and it took a massive lawsuit and the only reason that it did not succeed is because they did not follow procedures. Keep an open mind. Someone asked how long for us to respond to the plan. That is determined on what time of the year you put it out. If you put it out in the summer everyone has bolted and they are not here. Leave it out there for 45 days. Trying to get people engaged is difficult. I believe there is anxiety about the rumor mill and where everything is going and I think part of that anxiety is coming from people being shocked that a commercial development which deviated from the current plan was approved. Can you understand the feeling regarding that? Barbara and Janice I am surprised that you are surprised that all those rumors are out there and that there is going to be development on every corner. How much rumor did I hear from you and from your neighborhood on where the water tower was going to go? The rumors get out there and they get away from you. People are not engaged and they are listening to a few people that are saying things to you. It frightens them. Be patient with them. It is a learning process for you and for them. I hope that we are not adversaries but working together because it is our Town. You are serving on this Council because you love Weddington and so do we.

Ms. Propst advised that she did not want the commercial that goes along with that project and she advised that she wants a center town.

Councilmember Thomisser discussed that the plan was to be done by March 31 and a public hearing is proposed for April 8 and asked if that was enough time.

Councilwoman Harrison - My issue has been since we voted in December that we would be finished by March 31.

Mayor Davidson - We have input from the citizens that they would like a 30 to 45-day window to review the recommendation by Town Council. Do you want to take that into consideration and adjust our dates?

Councilwoman Harrison - I think we have to talk about that at the retreat.

They discussed that the last day of school is in June.

Mayor Davidson - I understand the desire to get it completed but do you want to get it completed in a fashion that you responded to the citizens with a 30 to 45-day review period?

Councilwoman Harrison – Absolutely no offense to anyone but we do send out emails, notice on our website and people are apathetic. We only got 600 people to take the survey.

Mayor Davidson - But we did have someone come in and ask us for this window.

Councilwoman Harrison – Two out of 9,000 residents.

Ms. Anderson – But they are representing others.

Mayor Davidson – Do you want to entertain at our next meeting to review our schedule?

Councilwoman Harrison – I would like by the next meeting that we can give out a calendar that we can show everyone all the dates.

Mayor Pro Tem Barry left the meeting but thanked everyone for attending.

Mr. Bill Price – This Town was created in 1983 for the main purpose to prevent Charlotte from crossing county lines. The purpose of the Town at that time and the thoughts of the founding fathers was to have low taxes and one house per acre. They thought that the people in the surrounding communities should have an opportunity to become a part of the Town if they wanted to or to be a part of other communities. For my personal opinion I think Weddington has grown too large. There are areas that were never considered part of Weddington. Weddington says that we have low taxes, good schools and lots of open spaces. Everyone loves Charlotte and we want to be there and go to the night life and work there but we do not want to live in Charlotte. We have made no provision for young people to live here. As Councilwoman Harrison said the other night that someone called us an elitist Town and that is really what we are whether you want to admit it or not. We talk about empty nesters but how many of your children are coming back here building houses to live here? With the current housing situation that we have they cannot afford it. Money is not everything. We need to have something in our Land Use Plan in order for young people getting out of college or maybe just getting out of high school and starting work and having a place that they can build a house. I understand large landowners wanting to sell their property because of the taxes and it should not put a burden on them.

Mr. Bill Deter – I have lived here five years. I know what you do is extremely difficult. I live in Waybridge. I am retired and I am an empty nester. I might have misunderstood but the term elitist town is not a negative.

Councilwoman Harrison - What was said to me was we do not enable our young people, teachers, police officers to have housing in this Town because for the most part the cheapest housing here is \$500,000.

Mayor Davidson – You want more affordable housing?

Councilwoman Harrison – That is what people are saying to me. What they are saying when they come here and what they are hearing is we all want the higher end. We have legal issues that we have to worry about with that.

Mr. Deter – The first comment I get when I say I live in Weddington is “boy that is a beautiful area.” There is apathy in the community. You can put the information out there. If people do not want to get involved then do not complain with what was done afterwards. I am fortunate I am retired so I can come to the meetings. I love the rural community. Anything I want I can drive to. To me driving one to three miles is nothing. I understand as people get older they are going to want small accommodations. I would move. That is an expectation of mine. I have a one acre lot. If I get to the point I cannot cut my grass, but then I am in an elite community so I will hire someone to do it or I would anticipate moving someplace to get that denser housing to be around older people when I am 85 to 90. Everyone is opposed to apartments, condo and renters - we have been there and done that. So we don't have that in this community to me that

is part of life. You are going to go through that. I have enjoyed the participation that has been going on. People have to get educated. Let's get the big vision and strategy and then put that on a map.

Item No. 5. Adjournment. Councilwoman Harrison moved to adjourn the February 13, 2013 Special Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Thomisser, Hadley and Harrison
NAYS: None

The meeting adjourned at 6:06 p.m.

Walker F. Davidson, Mayor

Amy S. McCollum, Town Clerk