

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, MARCH 25, 2013 - 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 March 25, 2013, with Chairman Dorine Sharp presiding.

Present: Chairman Dorine Sharp, Vice-Chairman Rob Dow, John Giattino, Jennifer Romaine, Janice Propst and Jim Vivian and Town Planner Jordan Cook and Town Administrator Amy McCollum

Absent: Jeff Perryman

Visitors: Stephen T. Motley, Eric Smith, Mark K., Danis Simmons, Robert S., Rob Kreisher and Peter Tatge

Item No. 1. Open the Meeting. Chairman Dorine Sharp called the March 25, 2013 Regular Planning Board Meeting to order at 7:04 p.m.

Item No. 2. Determination of Quorum/Additions or Deletions to the Agenda. There was a quorum. Chairman Sharp requested that New Business be moved in front of Old Business.

Item No. 3. Approval of Minutes.

A. February 25, 2013 Special Town Council and Planning Board Work Session Minutes. Vice-Chairman Rob Dow moved to approve the February 25, 2013 Special Town Council and Planning Board Work Session minutes. Ms. Janice Propst seconded the motion, with votes recorded as follows:

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

B. February 25, 2013 Regular Planning Board Meeting Minutes. Ms. Propst moved to approve the February 25, 2013 Regular Planning Board Meeting minutes. Mr. John Giattino seconded the motion, with votes recorded as follows:

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

Item No. 4. New Business.

A. Review and Consideration of the Preliminary Plat for Vintage Creek. The Planning Board received a copy of the following memo from Town Planner Jordan Cook:

Stillwell NC, LLC submits a subdivision preliminary plat application for a 90 lot Residential Conservation Subdivision on 116.52 acres located on Weddington-Matthews Road.

Application Information:

Subdivision Name: Vintage Creek

Date of Application: January 18, 2013

Applicant/Developer Name: Stillwell NC, LLC

Owner Name: Stillwell NC LLC and Dorothy Morris Killough (Parcel 060-93-011 01)

Parcel ID#: 060-90-004 (74 acres), 060-93-011 01 (13.45 acres) and 060-93-007A (28 acres)
Property Location: Weddington-Matthews Road
Existing Zoning: RCD
Proposed Zoning: RCD (Conservation Subdivision through the Conditional Zoning process)
Existing Land Use: Residential Conservation
Proposed Land Use: Residential Conservation
Existing Use: Vacant Land
Proposed Use: Single Family Residential Subdivision
Parcel Size: 116.52 acres

Project Information:

The Vintage Creek Subdivision is a proposed 90 lot subdivision on 116.52 acres comprised of three parcels. The subdivision is located on and accessed by Weddington-Matthews Road and is being developed by Stillwell NC, LLC as an RCD conservation subdivision.

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. The Vintage Creek yield plan yielded 90 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 0.77 dwelling units per acre.

Background Information:

- A pre-sketch conference was held on December 14, 2011 and June 18, 2012.
- A site walk occurred on-site May 3, 2012.
- Public Involvement Meetings were held on Monday, July 9th on-site from 2:00-4:00pm and Wednesday, July 11th at Town Hall from 6:00-8:00pm.
- The Planning Board approved the Sketch Plan on July 23, 2012.

Preliminary Plat Information:

- The entire site is 116.52 acres and is depicted as Phase I and Phase II on the Preliminary Plat.
- The minimum lot size is 12,000 square feet. The smallest lot proposed is 13,500 square feet and the average lot size is 15,627 square feet.
- The applicant is required 50% or 58.23 acres of conservation lands. The applicant has provided 51.6% or 60.11 acres of conservations lands.
- The applicant has also provided 11.07 acres of common open space. These areas are not included in the conservation lands calculations.
- The cul-de-sac on Vintage Creek Drive is 804 feet in length. The Town does allow cul-de-sacs in conservation subdivisions to exceed 600 feet in length. This is to prevent degradation and development in primary and secondary conservation lands.
- The applicant has provided a four foot sidewalk along all roads within the subdivision.
- Amanda Drive Extension is an approved thoroughfare improvement on the adopted Local Area Regional Transportation Plan (LARTP) which will soon be added to NCDOT's Comprehensive Transportation Plan (CTP). The applicant has shown this road improvement on the plan.
- A pump station will be located behind lots 63 and 64.
- A Duke Power easement runs along the eastern perimeter of the property. Wetlands also run along the eastern edge of the property and through the middle of the site.
- A copy of the approved Sketch Plan has been included in the packet.

Conservation Land Summary:

Section 58-58 (4) of the Weddington Zoning Ordinance stipulates that a minimum of 50% of the gross acreage must be retained as conservation land. Conservation lands must remain conservation lands in perpetuity. Conservation lands are broken down into three tiers and given different priorities. Vintage Creek has provided the following conservation lands:

- Forest Lands (Tier A)-38.56 acres
- Ponds (Tier A)-0.78 acres
- Wetlands-6.43 acres
- Duke Power Easement-5.58 acres
- Meadow/Open Fields/Farmland (Tier B)-8.76 acres
- A total of 60.11 acres of the 116.52 acres or 51.6% of the site will remain conservation lands.

Additional Information:

- The Sketch Plan has been approved by the Planning Board. The Preliminary Plat will now be reviewed by both the Planning Board and Town Council. Following approval of the Preliminary Plat, the applicant will have two years to apply for the Final Plat. The Final Plat can be submitted in multiple phases.
- Vintage Creek is to be served by Union County Public Water and Sewer. Union County Public Works has provided approval letters for the water and sewer plans.
- The North Carolina Department of Environmental and Natural Resources (NCDENR) have approved the erosion and sedimentation control plans.
- The North Carolina Army Corps of Engineers have approved the wetlands permit.
- Vintage Creek is comprised of three parcels. The Town has received signed and notarized letters from all property owners allowing Stillwell NC, LLC to represent them in the Sketch Plan and Preliminary Plat process.
- The Town Engineer, US Infrastructure is currently reviewing the plans.
- Road names have been approved by Union County E911.

The Vintage Creek RCD Subdivision Preliminary Plat has been found to be in general compliance with the Town of Weddington Zoning and Subdivision Ordinances with the following conditions:

1. Development subject to review and approval/permitting of construction documents, driveways permit(s), etc. by NCDOT;
2. Development subject to review and approval of construction documents by Town's Engineering Consultant, US Infrastructure;
3. Development subject to review and approval/permitting of construction documents by Union County Public Works;
4. Declaration of Conservation Easement and Restrictions shall be reviewed (by Town Attorney) and executed prior to Preliminary Plat approval by Weddington Town Council;
5. Maintenance Plan and Maintenance Agreement shall be reviewed (by Town Attorney) and executed prior to Preliminary Plat approval by Weddington Town Council;
6. Covenants, Conditions and Restrictions (CCRs) shall be reviewed (by Town Attorney) and executed prior to Preliminary Plat approval by Weddington Town Council;
7. Timing for construction of the extension of Amanda Drive, east of the roundabout proposed within Phase II, shall be initiated by the Town of Weddington when development occurs on the adjacent property (Parcel Tax ID# 06093007-Deed Book 3741 Page 317). Applicant agrees to a payment in lieu of through the establishment of an escrow account for said construction commensurate with the filing of the first Plat within Phase II. Escrow account funding amount shall be based on engineers estimate cost to construct for this portion of Amanda Drive to be approved by the Weddington Town Council.

The Planning Board also received a copy of the following:

- Application for Submittal of Subdivision Preliminary Plat
- Preliminary Cluster Sketch Plan
- Vintage Creek Preliminary Aerial Overlay
- Overall Preliminary Plat

Town Planner Cook advised that US Infrastructure has provided their comments on the plat and he will send the Covenants, Conditions and Restrictions to the Town Attorney for his review.

Mr. Danis Simmons and Mr. Peter Tatge gave a brief presentation to the Planning Board and reviewed what had changed from the sketch plan to the preliminary plat. Mr. Simmons advised that they will develop the property on a lot-by-lot basis and will try to retain as much of the tree canopy as possible. They advised that NCDOT has instructed them that Amanda Drive Extension would be accepted for maintenance.

Chairman Sharp questioned whether NCDOT would take over the roads with three lots because she understood that NCDOT would not take over a road unless there were four driveway cuts. Mr. Simmons advised that they had heard from NCDOT and had tweaked the plat from what was shown in their packet. Chairman Sharp expressed concern that the Town Planner has not reviewed the revised plan.

They reviewed with Town Planner Cook the changes made to the plan. Mr. Cook advised that the changes seemed to be acceptable. Mr. Simmons informed the Board that with the changes the common open space increased; less asphalt and storm drainage, same number of lots and some of the lot sizes increased.

Vice-Chairman Dow noted that all of the lots were now in the back of the property as opposed to the model home being in the front as shown on the sketch plan.

Chairman Sharp asked that a condition be added that the entrance monument will need to be approved by the Planning Board. She also asked that another condition be included to allow Town Planner Cook one week to review the plat before sending to the Town Council to review further the changes that were made to the plat.

Vice-Chairman Dow moved to send a favorable recommendation to the Town Council for the Preliminary Plat for Vintage Creek with the conditions noted by Town Planner Cook and Chairman Sharp. Mr. Jim Vivian seconded the motion, with votes recorded as follows:

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

Item No. 5. Old Business.

A. Land Use Plan Update. Mr. Vivian expressed concern with areas in the Town that were grandfathered in with smaller lot sizes and referenced an area at the intersection of Weddington-Matthews Road and Hemby Road. He felt that the Town should be aware of these areas. Town Planner Cook discussed possibly small area plans for certain intersections.

Chairman Sharp advised that the proposed Land Use Plan will be available on Wednesday. She also mentioned that the Town Council would like the Planning Board to review the list of permitted uses in residential zoning and felt that the issue Mr. Vivian discussed should be added to a list of items to be reviewed by the Board.

Item No. 6. Update from Town Planner. The Planning Board also received the following update memo from Town Planner Cook:

- The Land Use Plan Survey was closed on Monday, November 19th. Survey results can be found at www.townofweddington.com. The Town is currently holding meetings to discuss the Land Use Plan. The Council will meet on Thursday, April 4th from 5-7pm and at 6:00pm on Monday, April 8th to review the Land Use Plan and take public comment. The new Land Use Plan will be completed by April 8, 2013.
- Polivka International has submitted a portion of their construction documents. The Planning Board will act as the Design Review Board for the elevations and construction document review. These plans should be on the May 27th Planning Board agenda.
- I have received an MX Rezoning Application for a Wedding/Banquet/Reception facility located at 7112 New Town Road. The Town is currently working with the applicant to schedule Public Involvement Meetings. This proposed plan should be on the April 22nd Planning Board agenda.
- I have received the application for the DrumSTRONG Temporary Use Permit. The event will take place from May 17-19. This will be on the April 22nd Planning Board agenda.
- The Town Council approved the following text amendment at their March 11th meeting: M-X Review Process
- The Town Council voted to have Town Attorney Anthony Fox revise some conditions of approval on the Bromley Map 6 Final Plat. This final plat will be on the April 8th Town Council agenda under Old Business.
- The following items may be on the April 22nd Planning Board agenda for discussion:
 - Beulah Church Road Major Subdivision
 - 7112 New Town Road MX Rezoning Application
 - Temporary Use Permit Text Amendment

Town Planner Cook advised that the right-of-way agreements for the roundabout have been signed.

Vice-Chairman Dow mentioned that during the March Town Council Meeting the Council was informed that the Bromley recommendation from the Planning Board was unanimous. Mr. Dow asked that Town Planner Cook inform the Council that he did not vote since he recused himself from the discussion. Town Planner Cook advised that he will let the Council know during their April meeting.

Item No. 7. Other Business.

A. Report from the March Town Council Meetings. The Planning Board received a copy of the agendas from the March Town Council Meetings as information.

Item No. 8. Adjournment. Vice-Chairman Dow moved to adjourn the March 25, 2013 Regular Planning Board Meeting. Mr. Vivian seconded the motion, with votes recorded as follows:

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

The meeting adjourned at 7:50 p.m.

Chairman Dorine Sharp

Attest:

Amy S. McCollum, Town Clerk