

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, SEPTEMBER 23, 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 September 23, 2013, with Chairman Dorine Sharp presiding.

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

Absent: None

Visitors: Scott Robinson, Bill Deter, Mark Kime, Keith Cooper, Todd Alexander and Jessica Alexander

Item No. 1. Open the Meeting. Chairman Dorine Sharp opened the September 23, 2013 Regular Planning Board Meeting at 7:09 p.m. Chairman Sharp asked for a brief recess to allow the Board to take a small break since the Board of Adjustment Training had just concluded.

The recess ended at 7:17 p.m.

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

Chairman Sharp asked that the following items be added to the agenda:

- Consideration of Approval of the July 22, 2013 Regular Planning Board Meeting Minutes
- Review and Consideration of the Amended Yield Plan and Sketch Plan for the Highclere Subdivision

Mr. John Giattino moved to approve the amendments to the agenda. Mr. Jeff Perryman seconded the motion, with votes recorded as follows:

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

Item No. 3. Approval of Minutes.

A. Consideration of Approval of the July 22, 2013 Regular Planning Board Meeting Minutes.

Vice-Chairman Rob Dow moved to approve the July 22, 2013 Regular Planning Board Meeting minutes. Mr. Perryman seconded the motion, with votes recorded as follows:

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

Item No. 4. Old Business. There was no Old Business.

Item No. 5. New Business.

A. Review and Consideration – 7112 New Town Road Wedding/Banquet Facility.

Chairman Sharp – There was a question about the Conditional Zoning Application last month where it states that the Planning Board is supposed to get copies of the documents 15 days prior to their meeting. This is applicable to Conditional Use Permits and not Conditional Zoning. When Conditional Zoning replaced Conditional Use Permits they just took the Conditional Use Permit Application and changed the title to Conditional Zoning Applications. The requirement of 15 days in advance does not apply to Conditional Zoning. It is currently not in the ordinance. If we want that in the ordinance we would want to add it and make a text amendment.

Town Planner Cook – This was just a copy and passed from the CUP application. I will just remove it from the application and update it to reflect what it should be.

Town Planner Jordan Cook provided the following memo to the Planning Board:

Todd and Jessica Alexander request a Conditional Zoning Permit for a Wedding, Banquet and Reception Facility located at 7112 New Town Road, Weddington, NC.

Application Information

Date of Application: August 23, 2013

Applicant Name: Todd and Jessica Alexander

Owner Name: Rick and Doris Alexander

Parcel ID#: 06-129-045

Property Location: 7112 New Town Road (corner of New Town Road and Twelve Mile Creek Road)

Existing Land Use: Residential Conservation

Existing Zoning: RCD

Proposed Zoning: RCD (CZ)

Existing Use: Single Family Home and Accessory Uses

Proposed Use: Wedding/Banquet/Reception Center

Parcel Size: 7.70 Acres

General Information

- The applicant proposes a Wedding/Banquet/Reception Center in accordance with *Section 58-58 (2) of the Weddington Zoning Ordinance*. All proposed uses will be housed in existing buildings currently on the property.
- The required Public Involvement Meetings for this project were held on September 17th and September 19th, 2013. The meeting on September 17th was held on-site at 7112 New Town Road from 10:00am-12:00pm where there were seven attendees. The meeting on September 19th was held at Weddington Town Hall from 4:00-6:00pm where there were two attendees. There was no opposition to the project at either meeting. We have forwarded emails and letters to the Planning Board that did contain opposition to the request.

Proposed Uses (Buildings) on Site Plan:

- A. *Building A-4,800 square foot Two Story Frame House with Tin Roof*
 - Will continue to be used residence of property owners.
 - Will contain main office and bridal dressing room.
- B. *Building B-1,154 square foot Wood Frame Arbor*
 - Will contain smaller ceremonies and cocktail hour.
- C. *Building C-800 square foot Garage*

- Will contain storage.
- D. *Building D-1, 235 square foot Frame Building by Main Parking Lot*
- Will contain storage.
- E. *Building E-6, 024 square foot Two Story Log Cabin Barn*
- Will be the main function building on the property.
 - Will have seating for 180 people.
 - Will contain receptions, parties, corporate functions and retreats.

Access and Parking:

- The site will be accessed by an existing fourteen foot driveway from New Town Road. NCDOT has also requested a 30 foot wide ingress/egress from New Town Road. This new driveway is shown on the site plan.
- The applicant is required 1 space per employee during the shift with greatest employment plus 1 space for every 2 guests based on the maximum number of guests the facility can accommodate. The applicant has provided 94 parking spaces, therefore complying with *Section 58-175* of the *Weddington Zoning Ordinance*.
- There will be two parking areas. The main parking area will contain 59 gravel spaces and the secondary parking area will contain 35 gravel spaces. Of those 35 spaces, six will be handicap parking spaces and four will be vendor parking spaces.
- Parking spaces meet the minimum size standards set in *Section 58-175* and *58-176* of the *Weddington Zoning Ordinance*.

Elevations:

- All buildings are existing. Materials on all buildings are wood siding, stone, brick, metal tin roofing, etc.
- The applicant has provided photographs of all buildings.

Screening and Landscaping:

- Screening and landscaping will be provided by using existing trees and shrubs. The applicant is required a 42 foot buffer around the perimeter of the property per *Section 58-8* of the *Weddington Zoning Ordinance*. The applicant has provided a 42 foot buffer around the perimeter of the property. The applicant has also provided internal landscaping within parking areas and islands. Holly trees and magnolia trees line New Town Road and provide sufficient screening from the road.
- The proposed landscaping plan does comply with *Section 58-8* of the *Weddington Zoning Ordinance*. All proposed plants are permitted in *Section 58-384* of the *Weddington Zoning Ordinance*.

Additional Information:

- Adjacent Property Uses are as follows:
 - North: Single family houses (Aero Plantation)
 - South: Single family houses in Unincorporated Union County
 - East: Single family houses
 - West: Single family houses
- No new lighting is proposed on-site as part of this plan.
- Freestanding Ground sign will be located left of the driveway and will comply with all Signage Ordinances.

- Water is currently provided by Union County Public Works and septic is provided by a septic tank.
- All buildings meet the required setback requirements.
- Planning staff has received a signed and notarized affidavit from the property owners allowing the applicant to apply for the CZ Rezoning.

Conditions of Approval:

1. All signage must comply with *Chapter 58, Article 5 of the Weddington Code of Ordinances*;
2. Any future revisions to the approved site plan and other approved documents must comply with *Section 58-271 (i) of the Weddington Zoning Ordinance*.

Staff has reviewed the application and submitted documents and finds that the CZ Rezoning Application is in compliance with the *Town of Weddington Zoning Ordinance* aforementioned Conditions of Approval.

The Planning Board also received the following:

- Conditional Zoning Application dated August 23, 2013
- Notarized permission from the owners of the property for Todd Alexander to apply to the Town to rezone the property
- Brief property history and overview of The Wellhouse of Weddington
- FAQ's that directly apply to the rezoning application
- FAQ's that do not directly apply to the rezoning application
- Photographs
- Aerial Image
- Summary of the Trip Generation Calculation
- Site Plan for 7112 New Town Road – 7.65 Acres

Chairman Sharp asked Town Planner Cook to read the definition for wedding, banquet and reception centers.

Town Planner Cook - Uses and structures that are designed for groups of people to gather for social functions or events including but not limited to weddings and wedding receptions and other gatherings. This definition does not apply to churches. If you remember we took conference centers out and have a new definition for that.

Vice-Chairman Dow – Is there an acreage minimum in the definitions?

Town Planner Cook – That is not in the definition. It is in another section. These are the conditional uses under each of our residential zoning districts. It reads: Wedding, Banquet and Reception Centers provided that the lot is at least five acres; however, nothing shall prohibit one or more of these uses from being combined on a single five acre lot. These uses shall not produce levels of noise or electronically amplified sound that is audible at levels of greater than 60 decibels beyond the boundary of the property in which the facility is located. Further no electronically amplified sound shall be audible beyond the property boundary between the hours of 10 p.m. and 9 a.m. The first text talked about no noise. We took that part out. We said that was physically not possible - a car door shutting is noise.

Vice-Chairman Dow – You could have a drummer there though.

Town Planner Cook – But 60 decibels would apply.

Ms. Jennifer Romaine – Do the Sheriff's carry a noise meter?

Town Planner Cook – I do not know but I doubt it.

Chairman Sharp – How is 60 decibels enforced?

Ms. Romaine – How is that measured? It was not measured very well at the Drumstrong Festival.

Town Planner Cook – The deputies are going to have to be the ones that are going to have to enforce it. I do not know how they enforce it. We always encourage people to call.

Ms. Propst – That goes for any events that are outside in the Town. There are WCWAA ballgames late at night. Do we have anything enforcing those people?

Vice-Chairman Dow – We have not used a decibel limit ever before.

Town Planner Cook – Chapter 22 entitled Environment in our Zoning Ordinance states that it is unlawful for any person to make, continue or cause to be made any unreasonable and excessive noise which injures, endangers, or disturbs the comfort, repose, health, peace and safety of others while in the Town limits. That is the only noise ordinance that we have.

Ms. Propst – From my house there are facilities in Town that you can hear loud noises at night – football games, etc.

Mr. Todd Alexander – My wife Jessica and I are pursuing this conditional zoning for the fulfillment of a life long dream. The property at 7112 New Town Road has been a part of this community for over 130 years. It was built in 1883 by Dr. Redwine who at the time was the County's only doctor. The property still contains the oldest working well in Union County at a depth of only 30 feet with beautifully hand laid rock on the walls. Our family purchased it in 1976. The original section of the house has been restored to its original grandeur with as few modifications as possible. In 1986 my father added an addition to the east side of the home while maintaining its period correct construction of post and beam. This addition is now the permanent home of the historic well. Over the next 18 years they did many modifications to the grounds by the way of landscaping, rock walls and smaller structures to create their private dream retreat. The largest addition to the property came in 2003 by the way of the log cabin barn continuing with the post and beam hand peg construction. This 6,000 SF tin roofed all wood building with a wrap around mezzanine is the true gem of the property. With the historic home, beautiful gardens and the unique log cabin we feel this needs to be shared with the community and surrounding areas. Jessica and I have been in the wedding and event industry for over 25 years. Our company Spintastic Sounds Incorporated is one of the industry leaders in the greater Charlotte area. This property has been visited by several of our friends in the industry ranging from photographers to caterers and every one of them has told my father it may not have been designed for events but that is what it needs to be used for. Their comments and input combined with our experience and desire to take this property to the next level is why we are asking the Town of Weddington for this R-CD conditional zoning.

Chairman Sharp – You mentioned in your statements that if there is an event where you are serving alcohol and there are 40+ people that you would have an off-duty officer onsite. Is it a problem if we make that a condition of approval? We will make that Condition #3 – if the event is serving alcohol for 40+ people from 6 to 10 then the off-duty officer would stay the whole time.

Mr. Alexander – That is fine. We feel that is not only related to the alcohol but the ease of getting people in and out should we need them for traffic. Most of our events you are not going to have an onslaught of

people coming in or out at one time. With events like this you have a progression in two hours before and they steadily start leaving. You never have a complete flow.

Mr. Perryman – Jordan mentioned there is a new traffic entrance. Could you go into why that was put there and you said that NCDOT was helping with that?

Mr. Alexander – NCDOT has been petitioned for this entrance. If you are facing the property from New Town Road and the current entrance it will be to the right which is now a clearing. This is in NCDOT's hand and we expect an answer this week or next.

Chairman Sharp – What if they say “no” then what happens?

Mr. Alexander – We will go with Plan B. Plan B is further down on the property and come in the back side or petition Mr. Bolick next door to come off of Twelve Mile Creek Road.

Chairman Sharp – What concerned me was if you do not get this 30 foot drive I am concerned about the width of that actual gravel drive if somebody is trying to come out while someone is trying to come in.

Mr. Alexander – It is not possible. I want a dual entrance – an in and an out. We need that for larger vehicles and for fire if needed. Worst case scenario is I will take the rock wall with the gate down on the right side as you come in and widen the existing drive. I do not want to do that.

Chairman Sharp – I think Condition #4 would be a dual entrance driveway.

Ms. Romaine – Can you say dual entrance if NCDOT is not going to approve it?

Town Planner Cook – They may approve in some location. I think you can say two-way entrance - ingress and egress.

Ms. Romaine – Is it possible to widen that single entrance if you do not get approval from NCDOT for a dual entrance?

Mr. Alexander – It is but not ideal. It would be taking down that beautiful brick wall and gate.

Chairman Sharp – I would like to make it a condition that you must have a two-way entrance so a car coming in and going out can pass each other.

Mr. Alexander – We are okay with that.

Vice-Chairman Dow – It has to be an NCDOT approved two-way entrance.

Chairman Sharp – Was there a traffic study done?

Mr. Alexander – It was recommended that we have that entrance. This was in response to that study no turning lanes or lights were required.

Town Planner Cook – Those traffic counts are in your packet. That was NCDOT's only recommendation.

Chairman Sharp – This did not make any sense to me as applying to this. They said it was for an office building.

Town Planner Cook – The standard manual does not have a use that fits wedding, banquet and reception. They had to pull the most similar thing they could find.

Chairman Sharp – You have something from NCDOT that this was their recommendation.

Town Planner Cook – Yes, I do.

Chairman Sharp – Do you have sanitary facilities? You said that you have six toilets.

Mr. Alexander – Union County Code requires one male/female toilet for 100 people. There are two toilets in the barn which would cover 180 people. There is one toilet in the garage and three in the house. We have six toilets. They are on three separate septic tanks of 1,000 gallons and they are all three functional.

Chairman Sharp – Do you anticipate having port-a-johns brought in?

Mr. Alexander – No.

Ms. Romaine – I thought the last time you came in you were having Royal Flush come in.

Mr. Alexander – That was before I was aware of the Union County Code. I spoke out of turn.

Chairman Sharp – I assume you have met with the Fire Marshal and you know all the fire code regulations.

Mr. Alexander – Correct - the barn will be sprinkled because Union County requires anything that is above 100 people, with alcohol and loud noise to be sprinkled. The house will not be allowed anything over 99 people.

Mr. Giattino – Do you have any plans to change the ownership to a limited liability or anything like that?

Mr. Alexander – No we do not. It will remain in the family and my company will lease it. My family currently owns it. The company owns a ton of liability insurance and it will be covered under the lease. We will be buying the property from my parents over the next few years.

Mr. Vivian – Three restrooms are in the house and one female and male restroom in the barn.

Mr. Alexander – They can be dual. They are set up for either way.

Mr. Vivian – You are counting for capacity sake the restrooms in the house but the weddings will be in the barn.

Mr. Alexander – It is one restroom for 100 people. There are two restrooms in the barn in full working order and that covers up to 200 people and we have the capacity at 180.

Vice-Chairman Dow – When you first came in under the M-X rezoning you were in the early stages of talking with the County about what you needed to do. The County is not requiring any lighting in the parking area?

Mr. Alexander – No sir. It is not a commercial entity. There is a lot of existing lighting on the property already.

Ms. Alexander – But we have sufficient lighting.

Vice-Chairman Dow – With this change of use do they come out and expect the buildings or do they pretty much go through a use change?

Mr. Alexander – They will have to give us a certificate of occupancy and make sure we have the toilets and sprinklers.

Vice-Chairman Dow – When the buildings on the property were constructed were they built under permit? I know that the original house was not obviously.

Mr. Alexander – To my knowledge - yes.

Vice-Chairman Dow – Was the barn built under a permit?

Mr. Alexander – Absolutely.

Ms. Propst – The barn was built in 2003. Didn't he have to get a permit?

Vice-Chairman Dow – Should have but people build barns all the time. Will the County inspectors come out and inspect the buildings?

Mr. Alexander – I am not sure if they are actually going to step foot on the property. We have a handicap ramp and other things we are dealing with but I cannot honestly tell you whether or not they will step out on the property.

Vice-Chairman Dow – What are the closest houses to you?

Mr. Alexander – There are three in the northeast corner – two are the Bolicks and a person in Aero Plantation.

Vice-Chairman Dow – How far are those houses?

Town Planner Cook – It is about 380 feet.

Chairman Sharp – The neighbors to the right sent an email that they were in favor of this change. The neighbor to the north has written a letter against the change.

Vice-Chairman Dow – I did remember that she expressed some concern in the original attempt but she did not come to this one.

Town Planner Cook – I talked to her maybe a month or so ago when the advertisement of the new Public Involvement Meetings came out and she asked if these were going to be the same things as the first one. She said that she wanted to talk directly with the Town Council. She knew about it and drafted that letter and is going to come to the public hearing instead of the public involvement meeting.

Vice-Chairman Dow – Have we received any other pros or cons from adjoining property owners?

Town Planner Cook – There was one sent today.

Ms. Romaine – I don't think she was adjoining. She lives in Aero Plantation.

Mr. Perryman – How many neighbors do you have adjoining your property?

Mr. Alexander – We have four directly and four across the street. One of those houses has been foreclosed on.

Mr. Perryman – Of all the ones that you have directly adjoining the property you have one letter that does not want and one that they are okay with it.

Town Planner Cook – There was a letter sent this afternoon from Elaine and Clyde Bolick in support. There was one from a lady in Aero Plantation and I do not think they are adjoining.

Ms. Romaine – I talked with her today.

Town Planner Cook – They are not in support.

Mr. Giattino – The letter said that they felt that having a commercial like facility would lower their property values and quality of life.

Town Planner Cook – Traffic was a concern of hers, as well as the restroom situation and septic capacity. She is a realtor and felt that having a commercial event that adjoins Aero Plantation will have a negative impact on property values. Those were her three main points.

Vice-Chairman Dow – NCDOT has seen the new two-lane driveway coming in?

Mr. Alexander – Yes they have.

Vice-Chairman Dow – One of the original concerns was that curve on New Town Road and with the corner right there and now this new one is even closer to that corner and the peak of the curve.

Ms. Romaine – If you are coming off of Twelve Mile taking a right you are almost blind to cars coming on the curve.

Mr. Alexander – The proposed new entrance actually has a better view of the left curve than my existing drive. NCDOT told us that they preferred 500 feet of sight lines left and right. To the right we have more than 500 feet and to the left we have 350+.

Town Planner Cook – There was another email that was sent out to you not from an adjoining property owner that I forwarded on the 19th of September. That one was against as well.

Chairman Sharp – I think the biggest issue is the noise.

Ms. Propst – I did go to one of the PIMs and the facility that the main events will be in is a barn and the walls are how many inches thick?

Mr. Alexander – They are 12 inches thick. I can give you the decibel readings. We already did the test at the property line. Inside the barn we cranked up the system to as loud as I could possibly stand it which would be louder than we would have at an event. It was 106 decibels and that is considered deafening. It was not audible from the property line. We used a professional decibel meter which I will have at all

events. It is a very expensive item. I am going to walk around at all events. I or Jessica will be at all events and we will make sure that everything is kept in check.

Ms. Propst – When you go in that barn and see the depth of the walls you realize there is no way that someone that far away is going to hear what is going on inside of that barn. I felt very assured that there is not going to be any noise that I don't already hear at my house.

Mr. Alexander – Even 20 feet away from the barn it was only 74 decibels outside the barn.

Ms. Romaine – I do believe that you are going to control the noise levels as far as music and as far as that. It is not just that. It is the door slamming at the end of the night when people are leaving. We have all been to weddings and seeing the bride and groom sent off and all the celebratory send off that happens. You can't necessarily squash that because that is part of the big day.

Mr. Alexander – You can have it inside.

Ms. Romaine – You can but the reality is it is probably going to spill out over into the yard and the parking lot. I do think that you are going to control to the best of your ability. There are going to be things you are not going to be able to control because you are going to have 100+ people running around and celebrating the bride and groom's big day. Those are the things that I am concerned about with the neighbors and the peace and quiet that everyone should be able to enjoy in their own home. It is not your abilities or your music level or any of that that has me concerned. It is the outside things that you cannot necessarily turn down with a button or a switch.

Chairman Sharp – Upon making a recommendation the Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and with any other officially adopted plan that is applicable. This is a CZ rezoning so any motion that is made you need to support that motion with consistency with the ordinances and with the Land Use Plan.

Vice-Chairman Dow – Since Council has changed wedding and banquet from MX to a conditional use in residential our reasons for or against should not incorporate whether we think commercial should be allowed in R-CD. Our decision should simply be based on is this use appropriate for that piece of property and the surrounding area. All the arguments we had before were basically on something different than what we are looking at now. Now I think we need to consider just this use on this piece of property and if it is in line with our Land Use Plan and the surrounding areas.

Mr. Perryman – I am glad Rob said that about taking a look at this as applied to the new text that we have to look at. I did some more reading in the Land Use Plan and on Page 7 it talks about effective plan implementation measures can curb the trend towards sprawl development while accommodating appropriate new development. I had an opportunity to go out on the property and look around and based on that I think that is applicable. On Page 15, Policy 9 when it talks about Land Use Policies it says – Ensure that the scale and design of commercial development is consistent with the unique small-town character of Weddington. Limit such development to small-scale retail and service businesses, serving Town residents and surrounding communities, particularly specialty shops and restaurants and prohibit regional scale retail and service commercial establishments.

Chairman Sharp - Isn't that under commercial?

Vice-Chairman Dow – This is really not commercial.

Mr. Perryman – Well I guess what I was saying is it is a specialty type thing. It is not a franchise type business. On Page 16 - Ensure that land uses abutting residential development are compatible with the scale, intensity and overall character of existing and planned neighborhoods. There is a lady that has a concern that she wants to speak to Council on. It is my understanding that the concern about a pond located on the property has been addressed and the Alexander's have indicated in their materials that they would put up a 6 foot fence.

Mr. Alexander – We are going to reestablish the fence that has fallen down.

Mr. Perryman – It sounds like the Alexander's have been doing their very best to alleviate those concerns. They have done a sound testing on the noise, putting the fence back up and they have been working with NCDOT on the entrance. They are going to have an off-duty officer there when there are 40+ people and alcohol and also to help people getting in and out of the property.

Chairman Sharp – You brought up the fence – should we make that a condition?

Mr. Perryman – Yes.

Chairman Sharp – Condition #5 - Reestablish and maintain the 6 foot fence at the rear of the property.

Mr. Perryman – On Page 20, Policy #1 where it talks about Community Design and Image Policies – Continue to encourage the preservation of older homes and structures in the community to preserve a sense of history. Policy 2 - Continue to support the adaptive reuse of historic structures in the community. I think that meets the definition. Policy 3 - Continue to support the Weddington Historic Preservation Commission's efforts to preserve historically significant structures and sites.

Vice-Chairman Dow – The first time when you were going through M-X you had said that in your attempts to sell the house that it was dated to the point that it was almost not sellable. I think your words were uninhabitable because of the wiring, plumbing and bathrooms.

Ms. Alexander – No – I made the comment that it was not conducive to modern day living and the reason that I said that was it does not have any restrooms attached to a bedroom and the kitchen is not conducive to modern day living. It is not what people nowadays are looking for.

Vice-Chairman Dow – Are you planning on in any way redoing the house or are you just going to use it for the business as the banquet center? I know that your mom and dad are going to slowly move out but at that point will it strictly become that you will do what you need to from the business standpoint?

Mr. Alexander – It is not our intent at this time to alter the house in any way or move in. When this goes through we are coming to Weddington because I am currently in Mint Hill and I would like to be within five minutes.

Vice-Chairman Dow – My point is that we really are not restoring a historical residence. We are finding a use for it.

Ms. Propst – It is in its original condition. The kitchen and bathrooms are pretty antiquated. It is a beautiful quaint 1883 home and it truly looks like an 1883 home inside.

Mr. Alexander – That is the nostalgia that we are selling. I do not want to mess with it.

Ms. Propst – There was a person at the Public Involvement Meeting that when they saw the house up for sale they actually went to the house and they said they came looking if it could possibly be used as a bed and breakfast. She said it would be impossible to be used as a bed and breakfast without gutting a beautiful structure. She saw the only use for this property is to keep it in its current historic state. There are no adjoining bathrooms to a bedroom and the rooms are small.

Ms. Alexander – We are not planning on restoring it but preserving it.

Ms. Propst – It has been well loved. If you have not seen it everybody on this board should go see it. It is awesome and a beautiful facility.

Mr. Vivian – If we have one police officer on site for these events are they going to be back at the parking lot? I do not get the logistics of it with the traffic flow out onto Twelve Mile Creek and New Town Road and the turning site lines. I do agree that people do leave randomly at a wedding but I would also agree that they typically usher people outside whenever the party is over and I can't get past that for safety and noise reasons. I don't see it.

Mr. Alexander – You mentioned several things in there. The police officer will be floating. I do not see him stationed at one area. Are you familiar with VanLandingham which is in a highly residential area? They do all of their send offs inside. They do not do sparkler send offs outside because you are required to be done by 11:00 p.m.

Mr. Vivian – What is the capacity of VanLandingham?

Mr. Alexander – Roughly the same as we have. They are a very historic home. You are broken up into several different rooms. It would be like taking the 1883 house and having the event in there.

Mr. Vivian – I am familiar with the Dairy Barn.

Mr. Alexander – We have a facility to hold what they cannot – the banquet hall and barn. It is open enough and very comparable to that. We have air conditioning - they don't.

Mr. Vivian – They do but it is like \$500 an hour.

Vice-Chairman Dow – What are the operating hours going to be?

Mr. Alexander – Probably from 12 to 12. You will have to be done by 11:00 and from 11:00 to 12:00 is clean up for the caterer, etc. The current package that we are discussing is that you can come onto the property from 12 to 12. Your average wedding is only five hours – one hour of ceremony and four hours of reception but you have set up, florist, pictures.

Chairman Sharp – If you had some other event like a high school reunion or a corporate function would they still be restricted to the 12 to 12?

Mr. Alexander – Yes – there is going to be an occasional request for a mid-day wedding or something of that nature. The majority of the things we see happening are from 12 to 12. We need that morning to flip it from the night before if we have back to back events.

Mr. Giattino – What I am worried about is events bleeding into 1 or 2 in the morning.

Mr. Alexander – Not possible.

Vice-Chairman Dow – If it is not possible then it should be a condition.

Mr. Alexander – 11:00 is it. I have four kids. I have to go to bed.

Mr. Giattino – I am sure that it is your intent but if a Christmas party comes from a big corporation and they say they want the party to end at 1 in the morning the almighty dollar speaks.

Vice-Chairman Dow – The problem is that they do not say that ahead of time. It is at 10:30 the party is going strong and you can't get rid of them.

Chairman Sharp – What if we state that a condition is that events must end prior to midnight?

Mr. Alexander – I am fine with that.

Ms. Alexander – What about New Year's Eve? We are going to have people that want to be there on New Year's Eve.

Ms. Propst – Could there be a condition that one night a year on New Year's Eve that they could have some grace?

Town Planner Cook – That is a reasonable condition if the applicant agrees then you can do it. That is allowed by our code.

Mr. Perryman – So the only night they would be allowed past midnight and go to 1:00 is New Year's Eve?

Ms. Alexander – That is good.

Chairman Sharp – Events other than December 31 must end prior to midnight.

Mr. Giattino – Everything starts out with good intentions.

Chairman Sharp – That is why we can set conditions.

Ms. Alexander – He has been in the wedding business for 25 years, I have been with him 13. We have been to every venue within 50 miles of Charlotte and it can be done. The limit on the time absolutely can be done. People rent your facility because of the look they are looking for and if you say they have to be out of there by 11:30 – they adhere to it.

Mr. Alexander – It is done all the time.

Ms. Propst – You talked at the Public Involvement Meeting that the price point should limit the type of events.

Ms. Alexander – We plan to have upscale weddings and events. We do not plan to have frat parties, etc. We do plan on holding upscale events.

Mr. Perryman – These folks and that property have roots in this community. These folks plan to be here for a long time. If there is anything that our Land Use Plan or we as a community should want to do is to encourage people that have roots here to want to stay here and to bring things here that are unique and are going to add value to our community and will be a benefit in the long run. I am not going to sit here and cannot guarantee that no one is going to be out there slamming the door and somebody is going to be complaining about it or somebody is going to want to stay an hour longer than what the contract says. None of us can say that but certainly I think the Alexander's have gone to great lengths to address every single issue that has been brought before this Board or Jordan. I think it is a worthwhile and worthy project for this Town.

Mr. Giattino – While I am not overly thrilled about having a business run not in a commercial space the alternative is probably seven homes.

Ms. Propst – Whatever you vote tonight is how you vote but I still would love you to see it.

Mr. Perryman moved to send a favorable recommendation to the Town Council for the Wedding and Banquet Facility located at 7112 New Town Road based on the Land Use Plan and the Community Design and Image Policies #1, 2 and 3.

Ms. Propst - And pages 52 through 54 regarding historic preservation.

Ms. Romaine – It is not a historical property.

Chairman Sharp – It is not designated historic.

Ms. Propst – But it is a 130 year old home.

Mr. Perryman – I would recommend a favorable recommendation with the following conditions:

- All signage must comply with *Chapter 58, Article 5 of the Weddington Code of Ordinances*;
- Any future revisions to the approved site plan and other approved documents must comply with *Section 58-271 (i) of the Weddington Zoning Ordinance*.
- If the event is serving alcohol for 40+ people from 6 to 10 then an off-duty officer would be on site and would stay the entire time.
- NCDOT approved two-way entrance.
- Reestablish and maintain the 6 foot fence at the rear of the property.
- Events other than December 31 must end prior to midnight.

Ms. Propst seconded the motion.

Vice-Chairman Dow – I would love to see them be able to do this but I do not feel it is compatible with the area and I think that is the number one item in the Land Use Plan – compatibility with the surrounding areas.

Ms. Romaine – Is the off-duty officer uniformed or not?

Chairman Sharp – I would assume they would have to contract with the Union County Sheriff's Office?

Mr. Alexander – From what I understand it is our choice.

Ms. Romaine – Can we make that a condition?

Chairman Sharp – I would leave that up to the Sheriff.

Mr. Alexander – I would appreciate you not making that a condition. There are some events that I would not want a uniformed officer there.

Chairman Sharp – I think it is up to the Sheriff. I do not think it is up to us to look at an event and determine. The Sheriff assigns officers for special duty events.

The vote on the motion is as follows:

AYES: Perryman, Propst, and Giattino

NAYS: Vivian, Romaine and Vice-Chairman Dow

Chairman Sharp – I have been laboring back and forth on this. I am very concerned about the safety issues on New Town Road. I like the facility itself but I do not like where it is located and that is my biggest concern. I love the project and if the project were somewhere else I would be all in favor of it.

Chairman Sharp voted against the motion; therefore, the motion failed.

B. Review and Consideration of the Amended Yield Plan and Sketch Plan for the Highclere Conservation Subdivision. Chairman Sharp – Originally they had proposed 42 lots on the yield plan that we approved.

Town Planner Cook – They came back to me and talked with me about a new plan and advised that they got three more lots out of it. I reviewed the new yield plan with the 45 lots and it does comply with our ordinance and I believe all 45 lots are buildable.

Chairman Sharp - There is no room to put a guard house or a gate or entrance monuments on this plat because it cannot be done on conservation land.

There was discussion by the Planning Board of the location of the conservation land and common open space and that the applicant could shift some of the common open space beside Lot 1 up to the road and have room for the monument.

Vice-Chairman Dow moved to approve the modified sketch plan based on the new yield plan. Mr. Perryman seconded the motion, with votes recorded as follows:

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

C. Review and Consideration – Highclere Conservation Subdivision Preliminary Plat. Town Planner Cook provided the following memo to the Planning Board:

Standard Pacific Homes submits a subdivision sketch plan application for a 45-lot Residential Conservation Subdivision on 56.819 acres located on Rea Road.

Application Information:

Date of Application: August 22, 2013
Applicant/Developer Name: Standard Pacific Homes (Bob Bennett)
Owner Name: MFG Enterprises, Inc.
Parcel ID#: 06-180-019
Property Location: Rea Road
Existing Zoning: RCD
Proposed Zoning: RCD (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 subdivision on 56.819 acres. The subdivision is located on Rea Road and is being developed by Standard Pacific Homes 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. 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.
- The Planning Board approved the Sketch Plan on June 24, 2013. The Planning Board approved the Sketch Plan with 42 lots. The site has since been reconfigured and is now 45 lots. The applicant submitted the revised Yield Plan to the Town Planner prior to submitting the Preliminary Plat. The 45 lot Yield Plan did comply with the *Town of Weddington Zoning and Subdivision Ordinances*.

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.

- The cul-de-sac on Highclere Drive is 1,280 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.
- 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 plating around the perimeter of the pump station.
- A copy of the approved Sketch Plan and Yield 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. This is often done by requiring conservation easements and/or review and approval of neighborhood CCR's. Conservation lands are broken down into three tiers and given different priorities. Highclere has provided the following conservation lands:

- Primary Conservation Lands-15.759 acres of SWIM Buffers and Wetlands
- Secondary Conservation Lands-6.871 acres of Tier A Forestlands
- Other Conservation Lands-5.899 acres of Permanent Grasslands
- A total of 28.53 acres of the 56.819 acre site or 50.21% of the site will remain conservation lands.

Additional Information:

- Planning Board review of the Sketch Plan is required only on conservation subdivisions. Approval of the Sketch Plan is a precursor to the submission of a Preliminary Plat. The Preliminary Plat will be reviewed by both the Planning Board and Town Council.
- 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.
- The Highclere subdivision will be a gated community with private roads. These roads must be built to NCDOT standards and approved by NCDOT. Approval of the entrance gate will be done during the Final Plat phase.

The Highclere RCD Subdivision Sketch Plan 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. Explore additional entrance along Rea Road for emergency purposes only;
8. Explore additional landscaping along Rea Road;

9. Plans for subdivision entry monument to be approved by the Planning Board.

The Planning Board also received the following:

- Application for Submittal of the Subdivision Preliminary Plat
- Conventional Subdivision Yield Plan approved by the Planning Board on 6/24/2013
- Conservation Subdivision Sketch Plan approved by the Planning Board on 6/24/2013
- GIS Map
- Cover Sheet, Existing Conditions Plan, Tree Survey, Wetland Survey, Conventional Subdivision Yield Plan, Conservation Subdivision Plan, Environmental Plan, Viewshed Analysis, Overall Site Plan, Detailed Site Plan, Site Details, Conservation Plan, Overall Grading Plan, Planting Plan and Notes/Details

Chairman Sharp – Did you investigate having some kind of emergency entrance?

Applicant – We talked about it and looked at it. We felt like the size of the subdivision and the shape and layout of the development did not fit the category that needed a second entrance. We do not have any big trees at the entrance that would involve trees falling and blocking the entrance. The trees are back in this area that we are preserving. We have the roundabout that you are quickly directing traffic in two different directions. It was not something that we felt was necessary in this case. We did take a serious look at it.

Ms. Romaine – I have a concern that they are not doing it. There is one entrance in and out of my subdivision. We have a similar amount of lots.

Chairman Sharp – We are not talking about a second entrance. We are only talking about an emergency entrance like they have at Highgate that would have a gate. Stratford on Providence has two entrances.

Ms. Romaine – I am concerned about one entrance in and out of a neighborhood.

Chairman Sharp – Gated communities often just have one entrance.

Vice-Chairman Dow – I am not real concerned about it. With Highgate the entrance goes down all those mature trees and there are tons of houses there.

Chairman Sharp – There is nothing in our ordinance that requires us to have two entrances but we could if we thought there was a safety issue we could require and recommend to the Town Council an emergency gate like the one at Highgate.

Ms. Romaine – With the increased amount of traffic in our area having the one entrance in and out of our neighborhood with the same amount of lots has become a major issue.

Chairman Sharp – We would have to change our ordinance.

Ms. Romaine – That is a high traffic road.

Vice-Chairman Dow – I am having trouble with the conservation area versus the common open space. If I am looking at this plat how can I tell which is which?

The applicant advised that these areas were mislabeled and the only common open space is inside the roundabout. It was discussed that the applicant could trim off some of the areas from Lots 27 through 29 and rededicate as common open space in the front.

Chairman Sharp - When you come to final we need a delineation of the common open space and conservation land. The conservation land has to be 50%.

The Planning Board was in agreement to remove Condition #7 as stated in Town Planner Cook's memo but to make a new Condition #7 which states the following: Delineate and clarify conservation areas and common open space allowing for entrance monuments and gates.

Vice-Chairman Dow – The last time we reviewed this plat we discussed about how this land lays from the road.

Applicant – We looked at the buffer requirements and we enhanced that and actually doubled the shrub count.

Town Planner Cook - They have exceeded our requirements.

The Planning Board changed Condition 8 to state the following: Require additional landscaping along Rea Road as depicted on Sheet C-8.1.

Vice-Chairman Dow asked them to discuss the pump station.

Applicant – We are collecting for our subdivision and pumping back across to Rea Road. We have sewage. It will be a Union County Pump Station.

Chairman Sharp – How do you plan to handle mail delivery?

Applicant – We have not thought about that.

Chairman Sharp - I want them to start thinking about it. Jordan and I sent a letter to the Matthews Post Office. There is a new postal regulation that is requiring cluster mailboxes in new neighborhoods. The way that I read it was only for door-to-door delivery but we wrote a letter to clarify if the new regulation also applied to neighborhoods that have mailboxes on the street. We have not received a response yet.

Mr. Perryman moved to send a favorable recommendation to the Town Council for the preliminary plat for the Highclere Subdivision with the conditions as discussed. Mr. Vivian seconded the motion, with votes recorded as follows:

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

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

- At their September 9th meeting, the Town Council chose to continue the Public Hearing for the Anderson Agritourism CZ Permit. The Council continued this Public Hearing to the November 12th meeting.
- At their September 9th meeting, the Town Council called for the Public Hearing for the Union County Elevated Water Storage Tank. This Public Hearing will take place on October 14th.
- The Town Council also approved the Bromley Map 7 Final Plat and the Lake Forest Preserve Phase 3B Final Plat at the September 9th meeting.
- The following items will be on the October 14th Town Council agenda:

- Union County Elevated Water Storage Tank CZ Permit
- The following items may be on the October 28th Planning Board agenda for discussion:
 - Bard Property Preliminary Plat
 - Height Exemption Text Amendment
 - TUP Text Amendment
 - CUP Text Amendment regarding PRD's

Town Planner Cook advised that the Council did not vote favorably to proceed in developing text to make conservation subdivisions a permitted use. He stated, "They like the additional control and conditions that they can give on a conservation subdivision. They used Vintage Creek as an example. They required that the developer go back and purchase two to three acres of an adjacent property to shift that entrance for safety reasons. They said had that been a conventional subdivision by right they do not feel like they would have had that power."

Item No. 7. Other Business.

A. Report from the September Town Council Meeting. The Planning Board received a copy of the September Town Council Meeting agenda as information.

Town Administrator Amy McCollum advised the Planning Board that the Council has instructed staff to set up Town emails for the Planning Board to start using when conducting Town business.

Item No. 8. Adjournment. Ms. Propst moved to adjourn the September 23, 2013 Regular Planning Board Meeting. Mr. Perryman seconded the motion, with votes recorded as follows:

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

The meeting adjourned at 9:17 p.m.

Chairman Dorine Sharp

Attest:

Amy S. McCollum, Town Clerk