

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, SEPTEMBER 28, 2009 - 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 28, 2009 at 7:00 p.m., with Chairman Dorine Sharp presiding.

Present: Chairman Dorine Sharp, Vice-Chairman Rob Dow, Jack Steele, Scott Buzzard, Beth Masurat, Janice Propst and Town Planner Jordan Cook and Town Administrator/Clerk Amy McCollum.

Absent: Jeff Perryman

Visitors: Daniel Barry, Kelly Keiter, Gregg Wyant and Werner Thomisser.

Item No. 1. Open the Meeting. Chairman Dorine Sharp called the September 28, 2009 Regular Planning Board Meeting to order at 7:01 p.m.

Item No. 2. Determination of Quorum/Additions or Deletions to the Agenda. There was a quorum. There were no additions or deletions to the agenda.

Item No. 3. Approval of Minutes.

A. August 24, 2009 Regular Planning Board Meeting Minutes. Mr. Jack Steele moved to approve the August 24, 2009 Regular Planning Board Meeting minutes. Ms. Beth Masurat seconded the motion, with votes recorded as follows:

AYES: Steele, Buzzard, Masurat, Propst, and Vice-Chairman Dow
NAYS: None

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

Item No. 5. New Business.

A. Public Hearing - Temporary Use Permit for AdamFest Family Fun Day. The Planning Board received the following memo from Town Planner Jordan Cook:

Ms. Kelly Keiter submits an application for a Temporary Use Permit on behalf of The Adam Faulk Tanksley Foundation and Adam's Warriors. The Adam Faulk Tanksley Foundation is proposing a one time benefit event to raise funds for a 5 year old cancer survivor. The event is proposed at the Hunter Farm located at 13616 Providence Rd. on Saturday, October 3, 2009 from 12:00 noon - 5:00pm.

Application Information

Date of Application: August 13, 2009

Applicant's Name: Kelly Keiter (The Adam Faulk Tanksley Foundation)

Property Owner's Name: Nancy Anderson

Parcel ID#: 06150044

Property Location: 13616 Providence Road, Weddington (Hunter Farms)

Existing Zoning: R-CD

Existing Use: Agricultural

Proposed Temporary Use: Concert/Social Fundraising Event

Property Size: 47.6580 Acres

Event hours: Saturday, October 3, 2009 from 12 noon - 5pm (Rain date Sunday October 4, 2009)

Required Information:

- Projected attendance is approximately 500 adults and 300 children.
- A copy of the Certificate of Liability Insurance is on file with the Town of Weddington. Application has been submitted to Union County Sheriff's office for review of traffic and crowd control.
- A Temporary Food Establishment Application from Union County Environmental Health has been approved. Planning Staff has copies on file.
- A Union County Mass Gathering Permit is not required per Christy Ford of Union County Environmental Health. This event does not last more than six (6) hours, therefore it does not require a Mass Gathering Permit.
- The Department of Revenue has issued Temporary Sales and Use ID # of 600739566.

Additional Information:

- Property owner Nancy Anderson has signed the Temporary Use Application.
- Advance ticket sales are being conducted for AdamFest.
- Security and crowd control will be provided by off duty police officers from Hometown Heroes. Union County Sheriffs will also control traffic along Providence Road.
- Portable bathroom facilities with hand wash stations will be used.
- Existing electrical service at property is sufficient for the event.
- Parking already exists on site for approximately 400 vehicles on four (4) acres.
- The organizers have stated that all sound from the event will abide by all *Town of Weddington Code of Ordinances*. Sound from music/band will not exceed 70 decibels.
- No additional lighting is required for the day time event.
- Trash receptacles will be placed throughout the grounds.
- The location for all proposed uses can be found on the Site Plan provided in your packet.
- The organizers will install one (1) temporary banner on site for the event consistent with the *Town of Weddington Temporary Sign Ordinance*. The organizer will also be permitted no more than two (2) temporary off-premises special event directional signs consistent with *Sec. 58-151* of the *Town of Weddington Temporary Sign Ordinances*.
- The applicant has not applied for a TUP within the last year.

In accordance with the provisions of *Article I, Section 58-13* of the *Weddington Zoning Ordinance*, the property owners and the owners of the parcels of land abutting the property involved in the Temporary Use Application have been sent notification of this evening's public hearing. The property involved in the hearing was posted on September 17, 2009. Additionally, notification of said hearing was advertised in *The Enquirer Journal* on September 17th and 24th, 2009.

Staff has reviewed the application and submitted documents and finds the Temporary Use Permit Application to be in compliance with Weddington's Zoning Ordinance with the following exceptions:

- Proof of Certificate of Liability Insurance
- Certification of Review from Union County Sheriff's Department regarding traffic and crowd control

Planning staff recommends approval of the TUP with completion of Certificate of Liability Insurance and Certification of Review from Union County Sheriff's Department regarding traffic and crowd control.

A copy of the following items is attached to the minutes as Exhibits:

- Temporary Use Permit Application
- Temporary Use Permit Narrative
- GIS Map of the Area
- Map Showing Where Activities will be held on The Hunter Farm Property

Chairman Dorine Sharp asked Ms. Keiter the following Findings of Fact:

The proposed temporary use will not materially endanger the public, health, welfare and safety; and

Ms. Keiter - It will not. It is a family-fun, non-alcoholic event. It has child-friendly games and a bounce house. There will be off-duty Hometown Hero police officers guiding traffic through the event. Providence VFD is going to be on hand for fire truck tours. There will be doctors and nurses on site as part of the event. The Carolinas Healthcare Foundation will have a presence there as well. The plan in place for safety and security is the same as the Strawberry Festival. There are three port-a-johns and washing stations and trash receptacles are located throughout the event.

The proposed temporary use will not have a substantial negative effect on adjoining properties; and

Ms. Keiter - It will not. The main area of the event will be closer to Providence Road. The only other event that is going on is the petting farm, which is a regular procedure for the farm. There will be some music and entertainment that is right next to where the guests eat. It will be quiet enough so the guests can enjoy their food.

The proposed temporary use is in harmony with the general purpose and intent of the ordinance and preserves its spirit; and

Ms. Keiter - Yes. It follows the guidelines that Nancy Anderson has in place for her school farm educational tours.

The proposed temporary use is held no more than three times (3) per year at any particular location.

Ms. Keiter - This is a one-time event.

With there being no further comments or questions, Chairman Sharp closed the public hearing.

B. Consideration of Temporary Use Permit for AdamFest Family Fun Day. Vice-Chairman Dow moved to grant the Temporary Use Permit for the AdamFest Family Fun Day. Ms. Masurat seconded the motion, with votes recorded as follows:

AYES: Steele, Buzzard, Masurat, Propst, and Vice-Chairman Dow
NAYS: None

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

- The Town Council approved the LARTP at their September 14th meeting. Town Staff will now begin to review the recommended text amendments to insert into the Code of Ordinances. Next, the four towns (Marvin, Waxhaw, Weddington and Wesley Chapel) will take the adopted LARTP to MUMPO for adoption into the LRTP.

- The Weddington Town Core Plan Kick-Off meeting was held on September 2nd. The next meeting will be the Public Kick-Off on Tuesday, September 29th. At this meeting the public will give a list of “want” and “don’t want” to use as a foundation for the project goals and objectives. A day long charrette will be on Thursday, October 22nd followed by the Charrette Presentation on Tuesday, November 17th.
- The Helms Property Conditional Zoning/Rezoning proposal is currently proceeding with their CZ Rezoning to an MX district. The Town of Weddington Code of Ordinances only allows a rezoning to MX if the Land Use Plan is designated for future retail/office development. The current Land Use Plan designates this property as Traditional Residential. Therefore, a Land Use Plan change would have to take place after this project is approved. This Land Use Plan change would be a condition of approval on the CZ Rezoning. The applicant is currently scheduling their Public Involvement Meetings. This project was submitted prior to the adoption of the moratorium and is exempt from its provisions.
- Staff has received a Conditional Use Permit Application from Weddington Corners Shopping Center for a temporary access road/driveway across Town owned property to provide access to Weddington-Matthews Road and to construct a new permanent sign along Providence Road (NC 16). Town Staff, NCDOT and Weddington Corners business owners met on Thursday, August 20 to discuss possible ideas and solutions to improve access into and out of Weddington Corners Shopping Center after NC 16 and NC 84 construction is complete. Barry Moose with NCDOT is currently evaluating the feasibility of this access road/driveway. This CUP is currently scheduled to be on the Planning Board agenda on October 26, 2009.
- The Town of Weddington and USI have approved the Ashrafi Floodplain Development Permit.
- The Town of Weddington and USI have approved the Weddington Elementary School Floodplain Development Permit.
- Senate Bill 831 was signed into law on August 5, 2009. This Bill allows any sketch plan, preliminary plat, subdivision plat, site plan, development agreement, building permit or certificate of appropriateness issued by a local municipality to extend its expiration date until December 31, 2010. On August 28, 2009 an amendment to this Bill was passed to also include Conditional Use and Special Use Permits.

Item No. 7. Other Business.

A. Report from the September 14, 2009 Regular Town Council Meeting. The Planning Board received a copy of the agenda from the September 14, 2009 Regular Town Council Meeting.

Item No. 8. Adjournment. Vice-Chairman Dow moved to adjourn the September 28, 2009 Regular Planning Board Meeting. Mr. Scott Buzzard seconded the motion, with votes recorded as follows:

AYES: Steele, Buzzard, Masurat, Propst, and Vice-Chairman Dow
 NAYS: None

The meeting adjourned at 7:23 p.m.

Dorine Sharp, Chairman

Attest:

Amy S. McCollum, Town Clerk