



**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, SEPTEMBER 25, 2023 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD
WEDDINGTON, NC 28104
AGENDA**

1. Call to Order
2. Determination of Quorum
3. Conflict of Interest Statement: *In accordance with the state government ethics act, it is the duty of every Board member to avoid conflicts of interest. Does any Board member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.*
4. Approval of Minutes
 - A. July 24, 2023, Planning Board Regular Meeting
5. Old Business
6. New Business
 - A. Discussion and recommendation of an application by Toll Brothers, Inc. requesting Conditional Zoning approval for the development of an 18-lot conventional subdivision generally located at 5932 Weddington–Matthews Road.
 - B. Discussion and Recommendation of an application by Richard Daryl Matthews, requesting Conditional Zoning approval for the establishment of a Bed and Breakfast, and Event Venue use to be associated with the parcel located at 201 S. Providence Road.
7. Update from Town Planner and Report from the September Town Council Meeting
8. Board member Comments
9. Adjournment



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MINUTES
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1. Call to Order

Chairman Ed Goscicki called the meeting to order at 7:00 p.m.

2. Determination of Quorum

Quorum was determined with Chairman Ed Goscicki, Vice Chair Travis Manning, Board members Gordon Howard, Amanda Jarrell, Jen Conway, Manish Mittal all present. Board member Chris Faulk was absent.

Staff: Town Planner Robert Tefft (via telephone), Town Administrator/Clerk Karen Dewey, Deputy Clerk/Admin Assistant, Debbie Coram

Visitors: Christopher Neve, Tracy Stone, Bill Deter, John Allen, Sheila Allen, Daryl Matthews, Robert Price, Ryan Switzer, Max Bank George Walsh, Brian Kay, John Drahzal, Bridget Obrien, Danny Ellis, Anne Ellis, Beth Bailey Johnson, Patricia Hines, Rusty Setzer, Kim Topalian, Hannah Topalian, Montana Hodgens, Debra O'Hara, Wanda Shaver

3. Conflict of Interest Statement: *In accordance with the state government ethics act, it is the duty of every Board member to avoid conflicts of interest. Does any Board member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.*

Chairman Goscicki read the Conflict of Interest Statement. No Board Members had a conflict of interest.

4. Approval of Minutes

A. July 24, 2023, Planning Board Regular Meeting

Motion: Board member Howard made a motion to approve the July 24, 2023 Planning Board Regular Meeting minutes.

Second: Board member Mittal

Vote: The motion passed with a unanimous vote.

5. Old Business

No old business to discuss

6. New Business

A. Discussion and recommendation of an application by Toll Brothers, Inc. requesting Conditional Zoning approval for the development of an 18-lot conventional subdivision generally located at 5932 Weddington–Matthews Road.

Mr. Tefft presented the staff report: The applicant is proposing the development of an 18-lot conventional development subdivision to be known as Luna. The subdivision will extend the existing Delaney Road right-of-way from the Bromley neighborhood, as well as tie-in at the intersection of Weddington-Matthews and Cox Road. The development proposal does not include any changes to the Development Standards already set forth in the Unified Development Ordinance (UDO). The development shall be governed by this Plan and all applicable requirements of the UDO.

Board member Howard asked if there were any NCDOT improvements planned on Cox or Weddington-Matthews Road. Mr. Tefft responded that this plan doesn't trigger any NCDOT improvement requirements. Board member Howard asked if there would be a connection to the Delaney Drive stubbed road. Mr. Tefft responded there is a sewer and a road connection there and the UDO requires they connect. Mr. Howard asked if these would be septic lots. Mr. Tefft responded that there is a sewer stub and it is the intent of the applicant to connect there.

Vice Chair Manning asked where the BMP filter discharges to. The applicant responded if capacity allows it will connect and end in the lake at Bromley. That will all be a part of the storm study to ensure there is capacity. Vice Chair Manning asked where the sewer will tie in. The applicant responded at the end of Delaney Drive where the sewer line is stubbed. Vice Chair Manning asked if there was enough fall to make the sewer line gravity fed. The applicant responded that it is looking like there is enough fall to make it gravity fed. The county is reviewing the plan.

Board member Conway asked if the storm drainage system would connect at Bromley. The applicant responded that the small pond will drain to the lake and all water will move downstream but will be held and released at a rate not higher than what currently exists. Board member Conway asked if there are any remedies in place to rectify potential damage from too much water moving through the creeks. The applicant responded that would be discussed once the stormwater study is complete and they know the capacity.

Board member Mittal asked if the lots were 1 acre. The applicant responded the lots are approximately 40,000 square feet and were designed based on existing zoning and the criteria meets the requirements. Board member Mittal asked if there is any green space or open space. The applicant responded that there is 2.9 acres required and 5.3 acres proposed. Board member Mittal asked if there would be a left turn lane on Weddington Matthews Road. The applicant responded that there isn't one planned as there is no NCDOT requirement.

Chairman Goscicki stated that the road improvements are a DOT issue and because of the low number of trips, a required improvement isn't triggered in this situation. He asked if the applicant has considered what kind of improvements might be warranted. The applicant responded that is a part of the civil design phase and will include site distances for the intersection and turn radii as required by the Town and NCDOT. Chairman Goscicki asked about the reduction of the buffer from 100 feet to 50 feet. The UDO requires additional landscaping for a reduction in buffer. The applicant responded that this would be a fully screened buffer.

The Board continued discussion around the line of sight and possible road improvements.

The applicant stated that they developed Bromley and the Enclave at Baxley. The greenscape and monumentation will be similar to those and the price point will be consistent.

- Motion:** Chairman Goscicki made a motion to table the recommendation of the Luna Subdivision until the applicant can provide more information on downstream drainage and the buffer landscaping.
- Amended:** to add: when applicant returns to Planning Board, show some mitigation for the concerns discussed about the intersection and lines of sight like signage and simple improvements.
- Second:** Board member Howard
- Vote:** The motion passed with a unanimous vote.

B. Discussion and Recommendation of an application by Richard Daryl Matthews, requesting Conditional Zoning approval for the establishment of a Bed and Breakfast, and Event Venue use to be associated with the parcel located at 201 S. Providence Road.

Mr. Tefft presented the staff report:

The existing single-family home located at 201 S. Providence Road was constructed circa 1883 as the residence of John Walker Matthews, and as the center of the Matthews family farming operations. The home has remained in the Matthews family since its construction and has recently been renovated with appropriate care given to maintain the architectural appearance of the original home.

The applicant is proposing the adaptive reuse of the historic single-family home as a bed and breakfast and event venue for weddings, banquets, retreats, birthday parties, and corporate events. In addition, while the property would continue to be used for the temporary sale of pumpkins and Christmas trees in the autumn and winter months, a farmers' market would be added to operate during the summer months.

As a part of the event venue development, the applicant envisions the conversion of an existing 586 square foot garage into a dressing room; the construction of an approximately 4,000 square foot event barn to include a catering kitchen; and the provision of exterior event seating areas and parking. The applicant proposes that the venue would operate Monday – Thursday: 8:00 am to 9:00 pm, and Friday – Sunday: 7:00 am to 10:00 pm.

Development Standards.

The development proposal includes Development Standards that form a part of the Conditional Zoning Plan (Plan). The development shall be governed by this Plan and all applicable Unified Development Ordinance (UDO) requirements unless specifically identified in the Plan.

Permissible Uses:

Pursuant to the Development Standards proposed by the applicant, the permissible uses for the development proposal would be as follows:

- Bed and Breakfast (historic home only)
- Event Venue
- Seasonal Farmers' Market, Pumpkin Patch, and Christmas Tree Lot

Town staff have no objections or concerns with the permissible uses.

RELATION TO THE UNIFIED DEVELOPMENT ORDINANCE:

UDO Section D-607(C), Conditional Rezoning.

As required by UDO Section D-607(C)(5), the applicant held their required Community Meeting on-site on Monday, September 11, 2023, at 4:00 pm. While the Town has not yet received an attendance log or minutes of this meeting from the applicant, once received these will be provided and posted on the Town's website.

The Town Council is tentatively scheduled to hold a public hearing regarding this application on Monday, October 9, 2023, at 7:00 pm. The Conditional Zoning process allows the developer and the town to ask for conditions which could include special exceptions to rules or additional improvements. The town and the developer must agree on a condition for it to become a part of an approval.

UDO Section D-703(D), Permitted Uses (by zoning district).

Pursuant to Table 1, Permitted Uses, as contained within UDO Section D-703(D), neither of the Bed and Breakfast nor Event Venue uses are specifically listed as permissible uses within the R-CD or any other zoning district. There are, however, several listed uses that include the same potential functionality as an event venue that are permissible in the R-CD (i.e., County Clubs, Places of Worship, and Community Recreation Centers).

Farmers' markets, as well as seasonal pumpkin and Christmas tree sales are typically allowed in any zoning district as a temporary use provided certain standards are met and that a temporary use permit is obtained for each event. The applicant is asking that these three otherwise temporary uses be established as a permitted "permanent" use on the property whereby they would no longer need obtain a temporary use permit for every event. The events would still be seasonal in nature. It is the recommendation of staff that the request for Conditional Zoning to allow for the establishment of a Bed and Breakfast, and Event Venue use to be associated with the parcel located at 201 S.

Providence Road, be recommended for **approval**, subject to the following conditions:

1. That all proposed buildings comply with the setback requirements for the R-CD.
2. That revisions are incorporated into the development proposal to address the comments provided by LaBella Associates.
3. That access to the 66-space parking lot be from a driveway connecting to the existing curb cut within the Providence Road right-of-way, and not from a new curb cut.

Board member Howard asked if there was discussion around pervious vs. impervious surface for the parking lot. Mr. Tefft responded that it was his understanding that it is a paved parking lot.

Board member Mittal asked about a lot size requirement for event venues. Mr. Tefft responded that the town ordinances doesn't have anything that is use specific, but zoning districts dictate lot sizes, and this is in excess of the largest lot size in the R-80 zoning district. For all other uses of similar types, there is no direct connect to lot size per town code.

Board member Manning stated that he attended the community meeting and toured the house. He expressed that it is expensive to preserve a 140-year-old house and it would be a shame if Weddington lost another historic structure. He explained that it is his understanding that the applicant is looking for the conditional zoning before getting to deep in the weeds with the structures.

Board member Jarrell agreed that the town needs to save what they can of the history.

Board member Conway commented that this is a great idea. The town has a duty to protect the few historic properties left. She stated her concerns about the property being in compliance with the stormwater management process. She also stated her concern with an additional curb-cut on Providence Road and supports using a permeable surface for the parking lot. The applicant responded that the parking would probably not be asphalt, but pit gravel or grass with blocks underneath.

Chairman Goscicki applauded the concept and maintaining the historical structure. He expressed his concerns with the conditional zoning taking this from residential to commercial in nature. He expressed concerns with stormwater management and water and sewer needs. He also expressed concern over the architectural standards of the structures to be built. Chairman Goscicki would like more details.

The Planning Board discussed the additional curb cut onto Providence Road. The Planning Board Discussed recommendations for conditions of approval. Chairman Goscicki and Board member Mittal expressed that they would like the applicant to come back to the Planning Board for structure approvals. Board member Conway suggested making the recommendations that will accommodate the various concerns and forwarding the application to the Council.

Motion: Board member Conway made a motion to forward the application by Richard Daryl Matthews, requesting Conditional Zoning approval for the establishment of a Bed and Breakfast, and Event Venue use to be associated with the parcel located at 201 S. Providence Road to the Town Council with a recommendation for approval with the conditions as follows:

1. Applicant to return to Planning Board with architectural details on structures/out buildings to be constructed.
2. Applicant to return to Planning Board with details on proposed parking surfaces and either revisions connecting the 66-space parking lot to the existing curb cut on to Providence Road, or justification as to why this cannot occur.
3. Applicant incorporate revisions into the development proposal to address comments provided by the town engineer.

Second: Board member Howard

Vote: The motion passed with a unanimous vote.

Land Use Plan Consistency Statement

While the development proposal can be found to be generally consistent with the adopted Land Use Plan, there are Goals and Policies for which compliance cannot be determined at the present time based upon the level of plans required to be submitted for this phase of development. In addition, while there may also be Goals and Policies for which there may be reason for concern, positive findings can nonetheless be made in support of this development proposal.

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- Motion:** Vice Chair Manning made a motion to forward the Land Use Plan Consistency Statement to the Council with a recommendation for approval.
- Second:** Board member Conway
- Vote:** The motion passed with a unanimous vote.

7. Update from Town Planner and Report from the September Town Council Meeting

Mr. Tefft presented the planning update:

- **Liberty Classical Academy**
CZ for Private School
Planning Board Continued on 7/24
Traffic PIM held 8/22
Planning Board TBD
 - **Ennis Road Subdivision**
Conventional subdivision of 12 lots
Public Information Meeting 8/21
Planning Board TBD
 - **John Walker Matthews Property**
Event venue
PIM held 9/11
Planning Board 9/25
 - **LDS Temple**
345 Providence Road
No application submitted
 - **Luna Subdivision**
Conventional subdivision of 18 lots
Public Information Meeting held 8/15
Planning Board 9/25

8. Board member Comments

Board member Howard: I thought it was a productive meeting. I think the discussion around the Matthews prop was a good healthy discussion. I hope that builder understands that in all likelihood that will be a very nice sub. Hopefully they will come back with right answers and responses. I hope people don't get too angry because this is our only bite at the apple as we've discussed, and we're trying to help the town and make the decisions that will long-term that will help keep TOW the great comm that it is. Hopefully they'll come back with a smile.

Board member Conway: I hope people understand that when we ask people to come back, it's trying to make sure that every important issue is addressed. I think the Luna situation with the location of the entrance on a major thoroughfare is a concern. I appreciate the Matthews family and what they are trying to achieve. Being an historical buff myself and seeing very few homes left in our area, hopefully it will come to fruition and be a wonderful addition to our community.

Vice Chair Manning: Ditto what Jen said.

Board member Jarrell: I think it's disappointing that the bare minimum was brought forward with the subdivision. I do think the Matthews family project is an amazing thing and I look forward to hearing more about it.

Board member Mittal: I liked our discussion. There was a difference of opinion and we back came into consensus.

Chairman Goscicki: I have nothing else to add. Thank you for bringing that project forward.

9. Adjournment

Motion: Board member Conway made a motion to adjourn the September 25th, 2023
Regular Planning Board Meeting at 8:38 p.m.

Second: Board member Mittal

Vote: The motion passed with a unanimous vote.

Approved: October 23, 2023