

June 3, 2008

The Union County Planning Board met in regular session on Tuesday, June 3, 2008, at 7:00 p.m. in the Union County Board of Commissioner's Board Room, located on the First Floor of the Union County Government Center, 500 North Main Street, Monroe, NC, 28112, with Vice Chairman Everette Medlin presiding.

PRESENT: Russell Cox, Everette Medlin, Don Kerr, Charles Greene, William McGuirt, James Howie, Dan Wooten

ABSENT: Richard Simpson, Robert Allen, Christa Boggs, Andy Williams

ALSO PRESENT: Richard Black, Roger Horton, and Pam Rivers

ITEM NUMBER ONE

Call to Order

Vice Chairman Everette Medlin called the meeting to order at 7:00 p.m. Charles Greene and William McGuirt were made voting members. Also Mr. James Howie new Planning Board member was welcomed to the board and will be sworn in at our next scheduled meeting.

ITEM NUMBER TWO

Additions and/or Deletions to the Agenda

There were no additions or deletions to this agenda.

ITEM NUMBER THREE AND FOUR

Approval of the Agenda

Approval of the May 6 2008 minutes

Motion was made by William McGuirt and seconded by Don Kerr to approve the agenda and the approval of the May 6, 2008 minutes.

ITEM NUMBER FIVE

Preliminary Plat Review of PARK GROVE MEADOWS, for Mr. Cody Helms, containing 25.17 acres with 11 lots, located off Corinth Church Road (S.R. # 1158) being within Monroe Township.

STAFF RECOMMENDATIONS:

FAVORABLE, WITH COMMENTS

The following comments have been received from various review agencies:

Union County Stormwater – No 100-year flood prone area.

Department of Transportation – No comment has been received.

County Schools – This development will be in the current Walter Bickett Elementary, Monroe Middle, and Monroe High School districts. Walter Bickett Elementary is over capacity; however Monroe Middle and Monroe High are under capacity. The proposed development, even when fully built out, would not bring Monroe Middle or Monroe High up to its rated capacity. At Walter

Bickett however, the development would add to current over-capacity problems, such as mobile classrooms, inadequate capacity for food service and restroom facilities, rationing of access to the library, insufficient parking and queuing space for parents to safely deliver or pick up their children, and inadequate planning/meeting space for additional staff.

Public Works Department – Union County water is available, however sewer is not available.

Health Department – Will Closely monitor this development relative to on-site wastewater disposal.

Planning Department – The plat should be approved with the following comments being met when filing for final plat approval:

1. Developer shall be responsible for receiving written approval from the NC Department of Environment and Natural Resources on the sedimentation/erosion control plans, and the NC Division of Water Quality on storm water, and Union County Public Works Dept. on water plans, and the North Carolina Dept. of Transportation on the road profiles.
2. Developer shall post a 15% road maintenance security in accordance with Section 83(b), as well as a construction guarantee equaling 125%, if necessary, when submitting the final plat.
3. Any on-site disposal shall be delineated according to Section 180 of the Union County Land Use Ordinance.
4. The final plat shall be submitted in digital format.

Adequate Public Facilities Staff Review

As described on the Major Development Permit Application this review is for a development identified as Park Grove Meadows. This development is located on tax parcels 09-327-019A placing it in the attendance areas of Walter Bickett Elementary, Monroe Middle, and Monroe High. As submitted, this development will create 11 new single-family residences, which will impact the schools as follows: Walter Bickett Elementary – 6 students, Monroe Middle – 2 students, Monroe High – 2 students. The current capacity of the existing schools is as follows: Walter Bickett Elementary – 450 students, Monroe Middle – 1000 students, Monroe High – 840 students. The total existing and permitted demand on these schools is as follows: Walter Bickett Elementary – 743 students, Monroe Middle – 796 students, Monroe High – 853 students. When planned capacity from the first 2 years of the CIP is added to Walter Bickett Elementary the elementary level becomes compliant. When years 3-5 of the CIP are added to Monroe High School it has some capacity. Based on the above information this development is compliant with school capacity for the elementary and middle school levels only. The applicant has agreed, in order to become compliant with the APF section, to provide mitigation in the form of the developments pro rata share of facility capacity costs necessary to accommodate the demand it generates for 2 of the 11 lots. The applicant has agreed to delay final plats until August 2010, when, according to the CIP capacity will become available at the high school level, for the remaining 9 lots.

Based on this information staff recommends that, as long as all other requirements of the Land Use Ordinance are met, the Planning Board approve this subdivision with the following conditions*:

1. This development be allowed to final plat an initial 2 lots provided the developer pay the pro rata share of facility capacity costs necessary to accommodate the demand generated by 2 of the 11 lots. At the time of evaluation this is \$3750 per lot.
2. This development be allowed to final plat the remaining 9 lots on August 1, 2010, when, according to the CIP capacity will exist at the high school level.

*If additional school capacity becomes available and the applicant requests a new evaluation by staff and the results of the evaluation are favorable to the applicant the conditions may be modified by staff without additional action required by the Planning Board.

Mr. Cody Helms developer, came up to answer questions from the Board.

Motion was made by Charles Greene and seconded by Don Kerr, for a FAVORABLE WITH COMMENTS, recommendation. The vote was 6 to 0.

ITEM NUMBER SIX

Preliminary Plat Review of RUSTIC CREEK Subdivision, for Jake Helder & Steve Sayer, containing 45.18 acres with 11 lots, located off Steele Road (S.R. #1177), being within Jackson Township.

STAFF RECOMMENDATION: FAVORABLE, WITH COMMENTS

The following comments have been received from various review agencies:

Union County Stormwater – No 100 year flood prone area.

Department of Transportation – No comment has been received.

County Schools – This development will be in the current Waxhaw Elementary, Parkwood Middle, and Parkwood High School districts. Waxhaw Elementary is presently below capacity, however both Parkwood Middle and Parkwood High Schools are above capacity. The proposed development, even when fully built out, would bring Waxhaw Elementary up to its rated capacity, assuming the currently accepted student generation rate. At Parkwood Middle and High Schools however, the development would likely bring Parkwood High just over capacity and add to current over-capacity problems at Parkwood Middle, such as mobile classrooms, inadequate capacity for food service and restroom facilities, rationing of access to the library, insufficient parking and queuing space for parents to safely deliver or pick up their children, and inadequate planning/meeting space for additional staff.

Public Works Department – Neither Union County water, nor sewer is available.

Health Department – Will closely monitor this development relative to on-site wastewater disposal, and assist with placement of private individual wells.

Planning Department – The plat should be approved with the following comments being met when filing for final plat approval:

1. Developer shall be responsible for receiving written approval from the NC Dept of Environment and Natural Resources on the sedimentation/erosion control plans, NC Division of Water Quality on storm water, and the NC Dept of Transportation on the road profiles.
2. Developer shall post a 15% road maintenance security in accordance with Section 83(b), as well as a construction guarantee equaling 125%, if necessary, when submitting the final plat.

3. Any on-site disposal shall be delineated according to Section 180 of the Land Use Ordinance.
4. The final plat shall be submitted in digital format.
5. The street sign must be paid for in the Union County Purchasing Dept. before final plat approval.

Adequate Public Facilities Staff Review

As described on the Major Development Permit Application this review is for a development identified as Rustic Creek. This development is located on tax parcels 05-099-004 placing it in the attendance areas of Waxhaw Elementary, Parkwood Middle, and Parkwood High. As submitted, this development will create 11 new single-family residences, which will impact the schools as follows: Waxhaw Elementary – 6 students, Parkwood Middle – 2 students, Parkwood High – 2 students. The current capacity of the existing schools is as follows: Waxhaw Elementary – 804 students, Parkwood Middle – 1000 students, Parkwood High – 1235 students. The total existing and permitted demand on these schools is as follows: Waxhaw Elementary – 734 students, Parkwood Middle – 1090 students, Parkwood High – 1364 students. No capacity in the first 2 years or years 3-5 exists for either Parkwood Middle or High Schools. Based on the above information this development is compliant with school capacity for the elementary level only. The applicant has agreed, in order to become compliant with the APF section, to provide mitigation in the form of the developments pro rata share of facility capacity costs necessary to accommodate the demand it generates. The applicant has further agreed to phase the development such that during the first year only ten lots will be platted and during the second year the remaining 1 lot will be developed.

Based on this information staff recommends that, as long as all other requirements of the Land Use Ordinance are met, the Planning Board approve this subdivision with the following conditions*:

3. At the time of final plat approval the applicant provide the pro rata share of facility capacity costs necessary to accommodate the demand generated by the development. At the time of evaluation this is \$6981 per lot.
4. Only 10 lots will be approved for final plat approval during the first year after major development approval and the remaining 1 lot will be approved during the second year after major development approval.
5. Before final plat approval a consent agreement must be approved by the Board of County Commissioners outlining the above information.

*If additional school capacity becomes available and the applicant requests a new evaluation by staff and the results of the evaluation are favorable to the applicant the conditions may be modified by staff without additional action required by the Planning Board.

Kevin with Frontier Land Surveying came up to answer questions from the board.

Motion was made by Russell Cox and seconded by William McGuirt to approve. The vote was 6 to 0.

ITEM NUMBER SEVEN

Preliminary Plat Review of NNP-IV SECREST – PHASE 1A Subdivision, for NNP-IV SECREST, LLC, containing 96.31 acres with 81 lots, located off NC Hwy 84 being within Monroe Township.

STAFF RECOMMENDATION: FAVORABLE, WITH COMMENTS

The following comments have been received from various review agencies:

Union County Stormwater – The 100 year flood prone area appears to be correctly delineated.

Department of Transportation – No comment has been received.

County Schools – This development will be in the current Rocky River Elementary, Sun Valley Middle and Sun Valley High School districts. Rocky River Elementary is presently below capacity. Sun Valley Middle School and Sun Valley High School are currently above capacity. The proposed development when fully built out would bring Rocky River Elementary over capacity and add to current over-capacity problems at Sun Valley Middle and High, such as mobile classrooms, inadequate capacity for food service and restroom facilities, rationing of access to the library, insufficient parking and queuing space for parents to safely deliver or pick up their children, and inadequate planning/meeting space for additional staff.

Public Works Department – County water/sewer are available to service 81 lots.

Health Department – Finds the basic plans to be in good order, being based on the proposed use of a county water/sewer facilities.

Planning Department – The plat should be approved with the following comments being met when filing for final plat approval:

1. Developer shall be responsible for receiving written approval from the NC Dept of Environment and Natural Resources on the sedimentation/erosion control plans, NC Division of Water Quality on storm water and sewer system, Union County Public Works Dept. on sewer/water plans, and the NC Dept. of Transportation on the road profiles.
2. Developer shall post a 15% road maintenance security in accordance with Section 83(b), as well as a construction guarantee equaling 125%, if necessary, when submitting the final plat.
3. Any on-site disposal shall be delineated according to Section 180 of the Land Use Ordinance.
4. The final plat shall be submitted in digital format.
5. Street signs must be paid for in the Union County Purchasing Dept. before final plat approval.
6. The Union County Storm Water Dept. must approve the storm water plans.
7. The creation of a Home Owners Association to maintain all private utilities and amenities.
8. Need to change Tall Grass Street suffix (Drive, Court, Lane etc...)

Adequate Public Facilities Staff Review

As described on the Major Development Permit Application this review is for a development identified as NNV IV Secrest Property. This development is located on tax parcel 09-405-007D placing it in the attendance areas of Wesley Chapel Elementary, Weddington Middle, and Weddington High. As submitted, this development will create 81 new single-family residences, which will impact the schools as follows: Wesley Chapel Elementary – 43 students, Weddington Middle – 16 students, Weddington High – 18 students. The current capacity of the existing schools is as follows: Wesley Chapel Elementary – 578 students, Weddington Middle – 1000 students, Weddington High – 1400 students. The total existing and permitted demand on these schools is as follows: Wesley Chapel Elementary – 1376 students, Weddington Middle – 2242 students, Weddington High – 2444 students. Capacity exists within the first two years of the CIP for Wesley Chapel Elementary and Weddington High School. Based on the above information this development is compliant with school capacity for the elementary and high school levels. Capacity exists in years 3-5 of the CIP for Weddington Middle School, which for purposes of the APF section requires mitigation. The applicant has agreed, in order to become compliant with the APF section, to provide

mitigation in the form of delaying final plat of this development until August 2009 when, according to the CIP, capacity will become available.

Based on this information staff recommends that, as long as all other requirements of the Land Use Ordinance are met, the Planning Board approve this subdivision with the following conditions*:

6. Final platting of this development shall be delayed until August 1, 2009.

*If additional school capacity becomes available and the applicant requests a new evaluation by staff and the results of the evaluation are favorable to the applicant the conditions may be modified by staff without additional action required by the Planning Board.

Mr. Wes Hinson, attorney for NNP IV-SECRET, LLC came up to answer questions from the board and Mr. Kevin Graham developer/owner.

There was some discussion among the board on the APFO on the old attendance areas and the new attendance areas for this subdivision.

Lee Jenson zoning administrator said he was going by the information that he had in the APFO Ordinance.

Motion was made by Don Kerr and seconded by Dan Wooten, for a FAVORABLE WITH COMMENTS, recommendation. The vote was 6 to 0.

ITEM NUMBER EIGHT

Text Amendment – Incentives for Cluster Developments
(Tabled at the May 6, 2008 Planning Board Meeting)

Mr. Richard Black explained the Text Amendment – Incentives for Cluster Developments with the Board.

TEXT AMENDMENT: UNION COUNTY LAND USE ORDINANCE

PROPOSED AMENDMENT

1. **AMEND paragraph (b) of Section 187, Cluster Development, as follows:**
 - (b) The intent of this section is to authorize the developer to decrease lot sizes and leave the land “saved” by so doing as common open space, thereby lowering development costs and increasing the amenity of the project without increasing the density beyond what would be permissible if the land were subdivided into lots of the size required by Section 181. *This section is not intended, nor shall any provision herein be construed, to increase the total number of residential lots that may be developed beyond the number that would otherwise have been available without cluster development. Prior to sketch plan approval, the developer shall be required to establish, to the reasonable satisfaction of the*

planning staff, that the number of lots that would have been available without cluster development has not been exceeded.

2. This Amendment shall become effective upon adoption.

Approved following public hearing this the _____ day of _____.

Motion was made by Dan Wooten and seconded by Don Kerr to reject the amendment and leave the Cluster Developments as it is now. The vote was 3 to 3.

ITEM NUMBER NINE

Planning Staff Report (Work in Progress)

Mr. Black noted to the Planning Board that the next Steering Committee meeting would be on Tuesday, June 17, 2008 at 5:00 pm in the Personnel Training Room.

Mr. Black introduced Mr. Brad Schuler our new Planner to the board.

Mr. Black mentioned to the board that our next meeting would be July 1, 2008 and everyone agreed that would be fine.

ITEM NUMBER TEN

Brief Comments

Everette Medlin	Glad everyone worked together.
Russell Cox	No Comment
Everette Medlin	No Comment
Charles Greene	No Comment
Don Kerr	No Comment
Dan Wooten	No Comment
James Howie	No Comment

ITEM NUMBER ELEVEN

Adjournment

The meeting adjourned at 9:00 p.m.