

## **TOWN OF UNIONVILLE MINUTES OF PLANNING BOARD**

The April 6, 2009 regular Planning Board meeting was held at 7:30 p.m. in Town Hall, 1102 Unionville Church Road, Monroe, NC. Chairman Gene Price and Board members Andy Fowler, Phillip Hinson, Jerry Hinson, Jaren Simpson and Ken Trull were present. Alternate Andrew Benton sat in for absent Board member Jim Walker. Alternate Larry Helms was also present.

Everyone stood and recited the Pledge of Allegiance to the American flag, after which Board member Ken Trull led the prayer of invocation.

Chairman Price called the meeting to order.

Upon motion duly made by Ken Trull, seconded by Jerry Hinson, the Board unanimously approved minutes of the February 2, 2009 meeting.

Land Use Administrator Jana Finn reviewed Text Amendment ZC-09-01. This has been requested by John Tarleton, representing Unionville Development Company, LLC for age-restricted developments within RA-40 zoning districts by a special use permit. The Planning Board discussed this in February. Mr. Tarleton is petitioning for this specifically for his Duncan Road site, although the amendment would apply to the entire RA-40 zoning in the Town. A special use permit would be reviewed by the Town Council, although the Planning Board could require supplemental restrictions prior to submittal to the Town. Board member Ken Trull made inquiry as to the Town's Land Use Plan adopted March 2006 limiting density to one dwelling unit per acre, but the application calls for 1.5 units. Mr. Tarleton stated that he is comfortable with one dwelling unit per acre.

Mr. Tarleton addressed the Board, and stated that all of the Unionville Development Company is present, except Dan Ellis and Darrell Baucom, who are also Unionville residents. His motivation for requesting the text amendment is two-fold: 1) Porter Ridge is maxed out on the number of students it can accept, and 2) This is the only part of real estate that is currently selling well. Mr. Tarlton distributed a picture of a similar quadplex unit. He intends to build something nice with granite countertops, custom cabinets, using well water and septic systems. Board Chairman Price asked if each unit would have its own well. Mr. Tarlton stated that each quadplex would have a well. They would only have four units on one well although five are allowed in the rules and regulations. Mr. Price also voiced concern regarding the ability to resell these homes. Mr. Tarlton said he didn't think the limitations would affect the resell value. Currently, they have a 72-lot subdivision approved, which would add several kids to Unionville Elementary, Piedmont Middle and Piedmont Schools. Streets would be paved in accordance to NCDOT standards, but maintained by the Homeowner's Association. They would not be adding anything to the Town's infrastructure, and it would not be a retirement home.

Mr. Joey Gamble of Unionville Development Company stated that homes in Camelot in Monroe go like that (snap) because people in that age group are looking for less outside maintenance and more time to spend with children and grandchildren. He said lots of grandparents are moving into Union County, and there is not currently an age-restricted unit here. Although Camelot is not an age-restricted community, it simply evolved into one due to preference. This would be a great opportunity for a solid tax base in Unionville, and it wouldn't be vinyl houses with people who will move out due to monetary issues.

Mr. Tarlton stated that making the minimum size requirement of 100 acres would restrict numerous developments in Unionville. They don't plan to go over one unit per acre.

Mr. Craig Rushing of Unionville Development Company stated that the past growth has put stress on the school system, and this would allow a tax base without putting stress on the schools.

Board Chairman Price made inquiry as to how they would handle a situation where a son or daughter needed to move in with their parents. Mr. Tarlton said he would check with the attorney about that situation. It might fall back on the Homeowner's Association for approval.

Land Use Administrator Jana Finn reviewed the proposal. If approved, this would be allowed with a special use permit, for any property in the RA-40 zoning area, which is most of Town of Unionville. As long as it meets requirements, the Board of Adjustment must approve it in a quasi-judicial ruling. With a rezoning, there is more flexibility than there is with a special use permit, unless it's put in the supplemental regulations. The minimum 100 acres would assure that few properties could apply. Elevations are not specifically addressed in this, and this could be dealt with in special use zoning. The Town Council set a public hearing for April 20, 2009 at 7:00 pm, contingent on Planning Board's ruling. Another consideration is the fact that this is a multi-family project, and the Land Use Plan calls for single-family development and one dwelling unit per acre. Upon motion duly made by Ken Trull, seconded by Phillip Hinson, the Board voted by a vote of 4-3 to approve this text amendment with the change of density to one dwelling unit per acre, based on the fact that it is consistent with the Town's Land Use Plan adopted March 20, 2006 and Land Use Ordinance adopted October 1, 2003.

Mrs. Finn also reviewed Text Amendment ZC-09-02. This proposal addresses two issues: 1) it changes Section 15 definition of minor subdivision and 2) it adds Sections 84 and 85. In February, she discussed with Planning Board that the language in the Land Use Ordinance is confusing and conflicting. This amendment would modify the definition of a minor subdivision, add language regarding timeframe for final plat submittal after approval of major development plan, and take out "private streets", since private streets are no longer allowed in the Land Use Ordinance. A copy of this amendment is appended to these minutes. Upon motion duly made by Ken Trull, seconded by Andy Fowler, Planning Board unanimously approved recommending this amendment to Council, as it is reasonable and consistent with the Town's Land Use Plan adopted March 20, 2006 and Land Use Ordinance effective October 1, 2003.

In other business, the Board considered recommendations for Andrew Benton's vacated alternate position, as he was recommended for Planning Board member to fill Phillip Hinson's expiring term. Upon motion duly made by Jaren Simpson, seconded by Andrew Benton; and upon motion by Phillip Hinson, seconded by Jaren Simpson that nominations be closed, the Board unanimously recommended Todd Loving as alternate.

In other business, Mrs. Finn gave an update on the parking issues at Chapman Holdings, LLC, at the southeast corner of Highway 601 and Unionville-Indian Trail Road. She observed 8 to 9 parked cars, and has sent a violation letter and asked that employees park in the approved parking spaces. Mr. Chapman is in the process of acquiring bids to expand his parking area, and will come before Planning Board soon for approval.

There being no other business, Chairman Price declared the meeting adjourned.

Respectfully submitted,

Sonya W. Gaddy  
Clerk