

# COMMENTS ON WESLEY CHAPEL LAND USE PLAN

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## TABLE OF CONTENTS

<b>INTRODUCTION.....</b>	<b>2</b>
<b>REVISION OF PROPOSED LAND-USE MAP.....</b>	<b>3</b>
RETAIL DEVELOPMENT - NEGATIVE REVENUE FOR OUR VILLAGE.....	3
CRIME IMPACT OF RETAIL DEVELOPMENT .....	4
TRAFFIC CONCERNS .....	5
SECURITY CONCERNS – ELEMENTARY SCHOOL.....	5
THERE IS NO MARKET DEMAND FOR FURTHER RETAIL / OFFICE USE.....	5
OUTSTANDING ISSUES FOR WESLEY CHAPEL.....	7
CURRENT LANDOWNERS SHOULD ONLY EXPECT R-40 DESIGNATION OF THEIR LAND.....	8
<b>WHAT ARE SOME ALTERNATIVES? .....</b>	<b>9</b>
<b>DO WE HAVE EVERYTHING WE NEED IN OUR LAND USE PLAN? .....</b>	<b>10</b>
SCHOOL OVERCROWDING.....	10
WHAT ELSE IS MISSING? .....	10
<b>REFERENCE .....</b>	<b>12</b>

## **INTRODUCTION**

The following document in conjunction with the document titled “*Land Use Plan Draft for 12[1].04.03 Clinton Rev*” represents a summary of the comments I have made during the public meetings on the Land Use Plan. I have also continued to do research to find data supporting the comments I have made. You will find a lot of information, examples, and statistics in this document that come from towns like ours that are struggling with growth. I hope you will read this and the proposed changes to the Land Use Plan wording prior to tomorrow’s Planning Board meeting and use some of this information as points of discussion in making our Land Use Plan something that will reflect the needs and wants of our village and continues to make our village “A Great Place to Live and Raise a Family”.

I will be at the meeting tomorrow evening if you have any questions. If you decide to leave the Map as it currently is drawn (with further commercial and office/institutional areas), I am expecting to hear each of your reasons as to why you feel that is in the best interest of our village. With the research I have completed, I am more convinced than ever, that we need to remove these areas from our Land Use Map.

## **REVISION OF PROPOSED LAND-USE MAP**

Why Should we Remove the Commercial Designation (“RED”) on the NW corner of Rt. 84 & Waxhaw-Indian Trail Rd and Remove the Office / Institutional Designation (“BLUE”) on the corners surrounding Wesley Chapel Elementary School?

You will find many reasons listed below. They can be summarized in the following categories:

- Retail Development creates negative revenue
- Crime Impact associated with Retail Development
- Traffic Impact associated with Commercial Development
- Security Issues associated with Commercial Development near our Elementary School
- No Market Demand in Next 10 years for more Retail and Office Development
- Too many other outstanding issues to decide prior to considering more commercial development.
- Reasons why current Land-owners should not expect anything other than R-40 designation of their land.

### **RETAIL DEVELOPMENT - NEGATIVE REVENUE FOR OUR VILLAGE**

The following information is from the Institute for Local Self-Reliance (ILSR). ILSR is a nonprofit organization providing research, analysis, and innovative policy solutions for building healthy communities and strong local economies.

*Big box retail, shopping centers, and fast-food restaurants cost taxpayers more than they produce in revenue, according to a fiscal impact analysis in Barnstable, Massachusetts. The study, conducted by Tischler & Associates, compares the tax revenue generated by different kinds of residential and commercial development with the actual cost of providing public services for each land use. Barnstable is a community of 48,000 people on Cape Cod.*

***The study found that big box retail generates a net annual deficit of \$468 per 1,000 square feet. Shopping centers likewise produce an annual drain of \$314 per 1,000 square feet. By far the most costly type of development, according to the study, are fast-food restaurants, which have a net annual cost of \$5,168 per 1,000 square feet.***

*In contrast, specialty retail, a category that includes small-scale Main Street businesses, has a positive impact on public revenue (i.e., it generates more tax revenue than it costs to service). Specialty retail produces a net annual return of \$326 per 1,000 square feet. Other commercial land uses that are revenue winners include business parks, offices, and hotels.*

*“This study shatters the common misperception that any sort of growth creates revenue,” says Christopher Cullinan of Tischler & Associates, a fiscal, economic, and planning consulting firm. “Communities often talk about development in terms of the new revenue it will bring, but they rarely give serious considerations to the on-going costs of servicing that development.”*

*The two main factors behind the higher costs for big box stores, shopping centers, and fast-food outlets, compared to specialty retail shops, are higher road maintenance costs (due to a much greater number of car trips per 1,000 square feet) and greater demand for public safety services.*

### **CRIME IMPACT OF RETAIL DEVELOPMENT**

The following information is also from the Institute for Local Self-Reliance (ILSR). Summarized, it says that police costs associated with the opening of big box stores eat up any revenue that the retail development brings to the community. The following real life examples offer proof.

*Many city officials welcome large chain retailers for the tax revenue that create. Rarely do they consider the other side of the balance sheet: the tax losses that occur when chains displace local stores and the added costs of providing roads, sewers, police, fire, and other public services to the sprawling new development.*

*Added police costs are proving especially difficult for many communities that once welcomed big box stores. Take Port Richey, Florida, for example. This small town of about 14,000 people on the state's western coast was thrilled to attract a Wal-Mart supercenter last year. The store generates about \$75,000 annually in tax revenue. But be careful what you wish for. The town now says that new police costs associated with the store far exceed the new revenue. According to a report in the St. Petersburg Times, the supercenter generates a large number of police calls and accounts for one in four arrests. Many of these calls are for suspected shoplifting, which requires several hours of police time, during which there are no patrols of the streets. Non-emergency response times have risen dramatically. The number of traffic citations issued has been cut in half. Overtime hours have mushroomed. The department started the year with an overtime budget of \$22,000, but has already spent \$70,000.*

*Port Richey is not alone. In North Versailles, Pennsylvania, big box development caused the police force to grow from 10 to 26 officers over the past four years. In Tappahannock, Virginia, Police Chief James Barrett described a new Wal-Mart as "a strain on services."*

*Over the last decade, Pineville NC has attracted six million square feet of new retail, including a major shopping mall, big box stores, chain restaurants, and gas stations. Many communities aspire to have such a large commercial tax base in order to keep residential tax rates low.*

*But Pineville, home to 3,400 people, is struggling financially. The town takes in \$2.3 million in property taxes, but spends almost all of it---\$2.2 million---on its police force. The police spend most of their time dealing with crimes like shoplifting, bad checks, and credit card fraud originating at the shopping centers. Commercial property accounts for 96 percent of all police calls.*

*Pineville hopes to attract more residential growth, but the traffic congestion and retail sprawl have made the town less attractive to families. Last year Pineville raised its residential tax rates.*

### **TRAFFIC CONCERNS**

In one of the Planning Board Public Input meetings, I heard that comment that office / institutional use would be less of a traffic impact than developing the land as residential. Please read the example in this section that refutes that statement.

- ❑ More traffic results in more accidents
- ❑ The widening of Hwy 84 is not on the NCDOT schedule through the year 2010, which means this area will continue to be congested.
- ❑ Adding increased traffic to this area will cause greater noise and air pollution.
- ❑ Example: The land available for office/institutional development around the school is roughly 20 acres. This equates to the size of the Arboretum Professional Park (22,000 Sq. Ft. of Office Space). Assuming a use mixture of medical/dental (36 daily trips per 1,000 sq. ft), normal office use (4 daily trips per 1,000 sq. ft), and a bank (750 daily trips per 2,800 sq ft), the number of daily car trips generated by this complex would average over 1,100. In contrast, if this land is developed as residential - it would allow 20 homes for an average of 200 trips / day.

### **SECURITY CONCERNS – ELEMENTARY SCHOOL**

- ❑ Office / Institutional use will increase potential for strangers to be near the school.
- ❑ School resources will need to focus attention on safety and security instead of concentrating on educating our children.

### **THERE IS NO MARKET DEMAND FOR FURTHER RETAIL / OFFICE USE**

Our land Use Plan specifically states that the plan is to guide us through the next 10 years. (through 2013). Keep this in mind when reviewing the retail / office needs listed below.

This chart is from the Karnes report estimating Retail space needs through 2010.

Estimated Retail Demand in Square Feet By Retail Category in 2010 By Trade Area For Site			
	Primary	Secondary	Total
Furniture Stores	6,987	17,014	24,001
Home Furnishings	3,762	9,162	12,924
Appliance, TV & Electronics	3,476	8,465	11,941
Home Centers/Hardware	9,268	22,569	31,837
Grocery Stores	21,748	52,959	74,707
Pharmacies and Drug Stores	6,141	14,953	21,094
Cosmetics	406	989	1,395
Optical Goods	401	978	1,379
Health & Personal Care	388	946	1,334
Men's Clothing	819	1,995	2,814
Women's Clothing	2,896	7,052	9,948
Family Clothing	4,577	11,146	15,724
Shoe Stores	2,343	5,705	8,047
Jewelry	1,143	2,783	3,925
Sporting Goods	3,612	8,795	12,406
Hobby, Toy and Game	1,292	3,147	4,439
Book Stores and Newsdealers	1,013	2,467	3,480
Tape, CD and Records	912	2,220	3,132
Department Stores	10,507	25,584	36,091
Discount/Mass Merchandise	12,429	30,265	42,693
Office Supplies	1,714	4,174	5,888
Gift, Novelty, Souvenir	2,147	5,229	7,377
Pet and Pet Supplies	726	1,768	2,494
Florists	743	1,808	2,551
Restaurants	22,649	55,152	77,801
<b>Total</b>	<b>136,156</b>	<b>331,552</b>	<b>467,708</b>

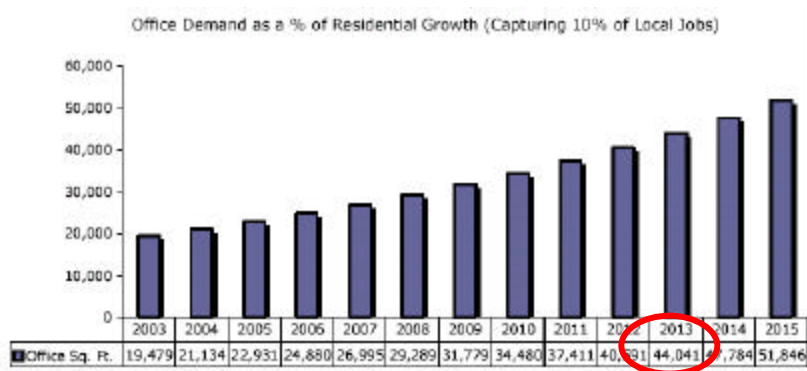
You can see by Retail Square Footage estimated above in the Karnes report, that for the period of time covered by our Land Use Plan (10 years) – no more additional retail space is needed in our village. Remember that this estimate does not contain data regarding the biggest competitor to Village Commons – the Cureton Shopping Center in Waxhaw. If this proposed shopping center was taken into account, the numbers in the chart above would decrease dramatically.

The total retail space already approved equals 408,238 sq ft. This includes:

- Village Commons Phase I – IV
- 11,000 Sq Ft expansion space for HT

We have additional space for Commercial development **already** zoned commercial that would bring us up to the total in the chart. Additional areas include:

- 1.5 acre out-parcel @ 84/Waxhaw-Indian Trail Road
- Corner of Waxhaw-Indian Trail Road & Newtown Road



As you can see by 2013, there will only be a need for 44,000 Sq Ft. of Office Space in our area. Village Commons

Village Commons Phase II – IV will bring 40,000 sq. ft. of office space to our village. We don't need anymore in the next 10 years!

### **OUTSTANDING ISSUES FOR WESLEY CHAPEL**

These issues need to be worked on prior to considering any other commercial development in our village.

- Liquor by the Drink
- Conditional Use Districts approval
- Text change for General Department Store
- Potential changes to our village based on impact of ALREADY APPROVED retail development
- Revenue impact of Retail Development
- Crime impact of Retail Development
- Traffic impact of Retail Development
- Completion of another Resident Survey (proposed by T. Bennington @ Nov Mtg) to determine the needs and wants of the residents of our village – factor the results into changes to the Land Use Plan.
- Make Changes to ordinances to support items in our Land-Use Plan. These items are all marked in the Plan as needing a text change to the ordinances.
- Path-forward on Town-hall land - what are we going to put there, how will it be paid for, how much are we going to spend to build our town hall?
- Library - are we going to donate land for a library? Is Wesley Chapel going to fund any of its construction? What kind of timeframe are we facing?
- Annexation – Are we going to annex in neighborhoods that are completely surrounded by Wesley Chapel? Yes/No? In what timeframe, etc...
- Addressing growth on a regional basis including Adequate Facilities Ordinances or Impact Fees (This item was listed as a campaign issue for Mayor Black)
- Zoning by the county near our borders (This item was listed as a campaign issue by Mike Hafey and Jim Mullis)

**CURRENT LANDOWNERS SHOULD ONLY EXPECT R-40 DESIGNATION OF THEIR LAND**

The only argument I've heard from the planning board as to why we need to have additional Red & Blue areas on our Land Use Map, is that they need to be fair to the land-owners of that property. I would like to refute that argument with these facts:

- ❑ Village Council voted 3-1 on the Aston Properties CUP that adjoining and abutting property would not be negatively impacted by nearby commercial / retail development. Based on this decision, there should be no negative impact on the value of their land as it is currently zoned (R-40).
- ❑ None of the owners of the land marked in Red on NW corner spoke during CUP Public Hearing to state that their land-values would be negatively impacted by the approved commercial development. In fact, they spoke on the "For" side for this CUP.
- ❑ The land identified in "blue" around the school and the "Red" on the NW corner of Waxhaw-Indian Trail & Hwy 84 were initially incorporated into Wesley Chapel or voluntarily annexed into Wesley Chapel as R-40. None of the residents of Wesley Chapel should expect that this land would be made commercial in the future to result in increase in land value.

## **WHAT ARE SOME ALTERNATIVES?**

This land is currently zoned residential. There are many nearby examples of where residential developments are built next to our schools & retail centers. Other possible uses that would protect the safety and security of our children around the school might be a retirement community or a village park, which would have an added benefit because it will not increase our demand on schools.

In the future, we might investigate the use of the NW corner of 84 & Waxhaw-Indian Trail Road (or another location in our village) for uses such as a business headquarters or Light Industrial. These types of uses have a positive revenue impact on the community and do not have a negative impact on traffic and crime.

# **DO WE HAVE EVERYTHING WE NEED IN OUR LAND USE PLAN?**

## **SCHOOL OVERCROWDING**

Our schools are already overcrowded. Next year after the new elementary school opens, Wesley Chapel will be at 120% of capacity. This will only continue to grow with the development of approved subdivisions (Newtown Village, Quintessa, Centex neighborhood behind Village Commons). Wesley Chapel should do its part to consider school overcrowding before approving new residential developments. Do we need stronger words about future approval of residential developments in our LUP based on inadequacy of services?

## **WHAT ELSE IS MISSING?**

The following excerpt is from “How to Win Land Development Issues”, written by Community & Environmental Defense Services. CEDS is a nationwide network of attorneys, environmental scientists, traffic engineers, planners, political strategists, fund-raisers and many other professionals. It is a combination of a citizen advocacy group, a law clinic and a consulting firm.

Please read it carefully and evaluate if we need to include any other subjects in our Land Use Plan...

*A variety of plans are needed to maximize the benefits of growth while keeping the negative effects at an absolute minimum. In more populated jurisdictions, there will usually be an overall plan which ties together all the elements essential to sound growth management. This document may go by names such as comprehensive plan, the master plan, the general development plan, and so forth.*

*A good overall plan should address all the following elements:*

- *Past and future trends in population, land use and public finance (tax revenue and expenditures)*
- *Transportation*
- *Schools*
- *Environment*
- *Police, fire, hospitals and other emergency services*
- *Open space*
- *Water, sewer and other infrastructure*
- *Neighborhood conservation and revitalization*
- *Disaster protection*
- *Affordable housing*
- *Economic development*
- *Any other element crucial to preserving property rights and quality of life*

*For each of the preceding elements, the plan should:*

- *clearly describe the criteria or conditions relevant to each element which must be met to preserve and enhance quality of life for existing and future residents*
- *set forth reasonable scenarios for future growth*
- *Demonstrate why the recommended scenario will result in the best quality of life for those living within the planning area.*

## REFERENCE

The following table was created by the Institute of Traffic Engineers. It is the basis I used to create the traffic example in this document.

Land Use	Base Unit	Rates		
		AM Peak	ADT	ADT Range
<b>Residential</b>				
Single Family Home	per dwelling unit	.75	9.55	4.31-21.85
Apartment Building	per dwelling unit	.41	6.63	2.00-11.81
Condo/TownHome	per dwelling unit	.44	10.71	1.83-11.79
Retirement Community	per dwelling unit	.29	5.86	
Mobile Home Park	per dwelling unit	.43	4.81	2.29-10.42
Recreational Home	per dwelling unit	.30	3.16	3.00-3.24
<b>Retail</b>				
Shopping Center	per 1,000 GLA	1.03	42.92	12.5-270.8
Discount Club	per 1,000 GFA	65	41.8	25.4-78.02
Restaurant (High-turnover)	per 1,000 GFA	9.27	130.34	73.5-246.0
Convenience Mart w/ Gas Pumps	per 1,000 GFA		845.60	578.52-1084.72
Convenience Market (24-hour)	per 1,000 GFA	65.3	737.99	330.0-1438.0
Specialty Retail	per 1,000 GFA	6.41	40.67	21.3-50.9
<b>Office</b>				
Business Park	per employee	.45	4.04	3.25-8.19
General Office Bldg	per employee	.48	3.32	1.59-7.28
R & D Center	per employee	.43	2.77	.96-10.63
Medical-Dental	per 1,000 GFA	3.6	36.13	23.16-50.51
<b>Industrial</b>				
Industrial Park	per employee	.43	3.34	1.24-8.8
Manufacturing	per employee	.39	2.10	.60-6.66
Warehousing	1,000 GFA	.55	3.89	1.47-15.71
<b>Other</b>				
Service Station	per pump	12.8	168.56	73.0-306.0
City Park	per acre	1.59	NA	NA
County Park	per acre	.52	2.28	17-53.4
State Park	per acre	.02	.61	.10-2.94
Movie Theatre w/Matinee	per movie screen Saturday	89.48 (PM Peak)	529.47	143.5-171.5
Day Care Center	per 1,000 GFA	13.5	79.26	57.17-126.07

Source: Institute of Transportation Engineers (ITE). Trip Generation.

[http://www.lic.wisc.edu/shapingdane/facilitation/all\\_resources/impacts/analysis\\_traffic.htm](http://www.lic.wisc.edu/shapingdane/facilitation/all_resources/impacts/analysis_traffic.htm)