



**Town of Weaverville
Planning and Zoning Board
Council Chambers
Tuesday, July 6, 2017, 5:45pm**

Agenda

1. Call to Order – Chairman Doug Theroux.
2. Approval of the Minutes from the July 6, 2017 meeting of the Board.
3. Discussion Related to All Amendments to the Zoning Code Related to the Proposed Table of Uses, Statutory Compliance, Inter Code Reference Consistency and Typographical Errors.
4. Consideration of a Motion Establishing a Recommendation to Town Council on the Aforementioned Revisions of the Zoning Ordinance.
5. Any Other Business to Come Before the Board.
6. Adjournment.

**TOWN OF WEAVERVILLE
PROPOSED CHANGES TO LAND USE REGULATION**

The Weaverville Town Council is in the process of considering certain amendments to the Weaverville Town Code which will incorporate a table of uses into its zoning ordinance. This project has been summarized in the Table of Uses Concept Documents which are available for public review and comment.

The attached 145-page document contains the proposed amendments to the Weaverville Town Code that are necessary to incorporate the Concept Documents into the Town Code. These amendments do the following:

1. Add a comprehensive table of uses within the zoning ordinance so that all uses, the districts in which the uses are allowed, and the regulation and review process required, are found on a table and not scattered throughout the zoning ordinance;
2. Expand the table of dimensional requirements to include building height and buffering so that all dimensional requirements are found on the table and not scattered throughout the zoning ordinance;
3. Update and add definitions that are necessary for use of the table of uses;
4. Add to and update the arrangement of the standards for the uses that are permitted with standards;
5. Amend Chapter 4 concerning animals to make consistent with the standards proposed in the zoning ordinance for livestock and fowl;
6. Eliminate new special use permitting in favor of conditional zoning districts so that anyone can provide input and the projects can be decided by Town Council which will allow for more accountability to the public;
7. Update the zoning ordinance to comply with recent legislative changes;
8. Fix typographical errors that have been identified.

The public is encouraged to attend the public meetings that have been scheduled on these amendments. The following public meetings will be held in Council Chambers of Town Hall, 30 South Main Street, Weaverville, NC:

August 1, 2017 at 5:45pm	Planning & Zoning Board Meeting
August 8, 2017 at 6pm	Community Info Meeting/Town Council Workshop
August 15, 2017 at 6pm	Joint Meeting of Town Council and Planning & Zoning Board
August 21, 2017 at 6pm	Public Hearing held by Town Council

For additional information please contact James Eller, Weaverville Planning Director, at 828-484-7002 or jeller@weavervillenc.org.

Town of Weaverville
Planning and Zoning Board
Minutes – Thursday, July 6, 2017

The Planning and Zoning Board of the Town of Weaverville met for its regularly scheduled monthly meeting at 5:45pm on Thursday, July 6, 2017 within Council Chambers at Town Hall.

Present: Chairman Doug Theroux, Vice-Chairman Burge, Board Members Catherine Cordell, Leslie Osborne Peter Stanz, Town Attorney Jennifer Jackson and Town Planner James Eller. Absent: Alternate Members John Chase and Terry Dawson.

1. Call to Order.

Chairman Doug Theroux called the meeting to order at 5:45 pm.

Chairman Theroux also requested that a member of the Board entertain a motion to pull agenda items three and four to allow staff additional time for consideration and Mr. Stanz made such motion. Ms. Cordell seconded and all voted unanimously.

2. Approval of the Minutes from the June 6, 2017 meeting of the Board.

Ms. Osborne motioned to approve the minutes from the June 6, 2017 meeting of the Board as presented. Mr. Stanz seconded and all voted unanimously.

3. Discussion Related to an Application for a Zoning Map Amendment for Initial Zoning of an Unaddressed Parcel on Reems Creek Road.

Mr. Eller described that the unaddressed parcel on Reems Creek Road was the subject of a voluntary annexation in conjunction with a water allocation. The application calls for an initial zoning of R-2.

4. Consideration of a Motion Establishing a Recommendation to the Town Council on the Aforementioned Initial Zoning.

Mr. Burge made a motion to forward to Town Council a recommendation that the initial zoning of the property be R-2. Ms. Cordell seconded.

5. Discussion Related to an Application for a Conditional Zoning District for the Project Commonly Known as Monticello Commons.

Mr. Eller describer to the Board to contents of the application for a Conditional Zoning District for a 264 unit apartment complex. Important variables noted were a proposed density of 15.3 units per acre, height of 3 of the 9 buildings are four stories and 49 feet tall, three point of ingress and egress, a traffic impact analysis showing no proposed signalization of any of the point of ingress and egress, the zoning of the property being C-2 and an inconsistency of the proposal with the Comprehensive Land Use Plan (CLUP) which calls for a commercial use on the properties identified.

As the Board is statutorily obligated to pass along to Town Council a statement including plan consistency, or lack thereof, Mr. Eller read into the record language establishing the highest and best use of the property as determined by the CLUP.

Warren Sugg of Civil Design Concepts spoke to the Board as a representative of the applicant and further described the content of the application confirming the aforementioned variables noted by Mr. Eller. Mr. Sugg requested a clarification on which uses could be permitted within the C-2 Zoning District and Mr. Eller read into the record those uses allowable by right within same. Mr. Sugg suggested that no use described had approached his client for a proposed development of the property.

Ms. Osborne noted that there had been commercial interest in the property with Biltmore purchasing one of the parcels prior to the developer purchasing the property back from same.

Chairman Theroux noted that during Council's initial consideration of the proposed zoning map amendments in February, Council shared concerns related to density, height, traffic and loss of commercially zoned property for a residential use and that no changes have been made to the application or plans as a result of the information gained.

Chairman Theroux noted that individuals in attendance would be given a chance to address the Board. Individuals would be given three minutes to speak or may, in increments of three, yield their time to an individual who may be given ten minutes to speak.

Jerry Cody of 28 Wildwood Avenue, spoke to the board on behalf of himself and three additional individuals in attendance. Concerns noted were traffic generated, stormwater and the capacity of present water and sewer lines.

Craig Van Dussen of 7 Wildwood Lane, spoke to the board on behalf of himself and three additional individuals in attendance. Concerns noted were the character of the area, the density proposed and present transportation infrastructure.

Lisa Wilcox of 33 Wildwood Avenue spoke to the Board. Concerns noted were stormwater and the location of retention ponds shown.

James Aldridge of 7 Wildwood Avenue spoke to the Board. The concern noted was traffic on North Main Street.

Linda Tull of 35 Wildwood Avenue spoke to the board on behalf of herself and three additional individuals in attendance. Concerns noted were height, density, traffic and stormwater.

Wyatt Stephens spoke to the Board as the attorney for the developer. Mr. Stephens noted to the Board that the question before the Board was that whether the proposal was reasonable given that each of the aforementioned concerns would be the same if the property was developed commercially.

Ms. Osborne noted that the comparison made between the proposal and a similar development of Larchmont was not valid due to existing transportation infrastructure.

Each member of the noted that the project did seem to be reasonable based upon factors such as density, traffic, height and loss of commercially zoned property and referenced the inconsistency with the proposed project and the Comprehensive Land Use Plan.

6. Consideration of a Motion Establishing a Recommendation to Town Council on the Aforementioned Application for a Conditional Zoning District.

Chairman Theroux asked that the Board entertain a motion of recommendation to Town Council on the application for a conditional zoning district and for Ms. Jackson to formulate such a motion.

Ms. Jackson stated that based upon comments heard from the Board and appropriate recommendation would be encompass a statement which found that the project as presented is not reasonable or in the public interest, a statement regarding the inconsistency with the proposal and the comprehensive land use plan and a recommendation that the project be denied by Town Council. Ms. Cordell made such motion. Ms. Osborne seconded and all voted unanimously.

7. Any Other Business to Come Before the Board.

No further business to come before the Board.

8. Adjournment.

Mr. Stanz motioned to adjourn. Mr. Burge seconded and all voted unanimously.

**Doug Theroux, Chairman
Planning and Zoning Board**

ATTEST:

**James W. Eller
Town Planner / Deputy Town Clerk**