

Town of Weaverville
Planning and Zoning Board
Minutes – Tuesday, May 22, 2018

The Planning and Zoning Board of the Town of Weaverville met for a special called meeting at 6:00pm on Tuesday, May 1, 2018 within Council Chambers at Town Hall.

Present: Vice-Chairman Gary Burge, Board Members Catherine Cordell, Leslie Osborne, Alternate Board Members John Chase and Steve Warren, Town Attorney Jennifer Jackson and Planning Director James Eller.
Absent: Chairman Theroux and Board Member Peter Stanz.

1. Call to Order.

Vice - Chairman Gary Burge called the meeting to order at 6:00 pm. Vice-Chairman Burge noted that he would be chairing the meeting in the absence of Chairman Theroux and that Alternate Board Members Chase and Warren would be serving as acting Members of the Board.

2. Discussion Related to a Proposed Conditional Zoning District Application for the Project Commonly Known as Northridge Commons Townhouses (Formally Weaverville Townhomes).

Mr. Eller noted that he would step through the changes to the plans which were made as a result from the previous meetings conversations.

Application, Plans and Supporting Documents:

During its review of the application, plans and supporting documents staff has found some corrective items related to same and are listed as follows. It is the opinion of staff that despite the referenced proposed revisions, the information before you for your consideration made requisite by municipal ordinance constitutes a complete and actionable application.

- Staff is proposing an update to the survey page to properly reflect the underlying zoning district in which the parcels are found as R-12. As the Board is aware, the parcels were formally zoned I-1, C-2 and R-3 and a rezoning was achieved in January to consolidate the parcels into the R-12 Zoning District, explaining why the survey as presented was showing the previous zoning districts.

May 1, 2018: Mr. Sugg noted that the proposed revision could be made related to the zoning of the parcels and suggested that said revisions would be made by the surveyor at such time as they could reach the matter.

May 22, 2018: Mr. Eller confirmed that the proposed revision to the survey had been made to reflect the zoning of all three parcels as R-12.

- Staff is proposing a revision to the Site Plan shown on sheet 201 related to the building data shown under development data. Said revision should better couple the building types listed under development data and building types shown on the plan.

May 1, 2018: Mr. Sugg noted the proposed revision would be made to properly label the building types shown on sheet 201.

May 22, 2018: Mr. Eller confirmed that the proposed revision had been made to better reflect the building types listed.

- Staff is proposing a revision to the Site Plan shown on sheet 201 adding the zoning of surrounding properties under Buncombe County jurisdiction. Zoning of parcels within the Town of Weaverville immediately to the east is shown.

May 1, 2018: Mr. Sugg noted the proposed revision would be made to show the zoning of all surrounding properties.

May 22, 2018: Mr. Eller confirmed that the proposed revision had been made to reflect the zoning of neighboring parcels within Buncombe County's jurisdiction.

- Staff is proposing a revision to the Site Plan shown on sheet 201 related to the five overflow parking places found on the south of the property. Said revision calls for showing an area in the parking lot as no parking for emergency vehicle access.

May 1, 2018: Mr. Sugg noted that the proposed revision would be made to show a specific area as striped for no parking to ensure adequate emergency vehicle access and turnaround. Mr. Eller noted that he would facilitate a conversation with Mr. Sugg and Fire Marshal Davis to ensure that the area noted will qualify as an approved fire apparatus turnaround.

May 22, 2018: Mr. Eller confirmed that a specific area had been striped for no parking to ensure adequate emergency vehicle access and turnaround.

- Staff may be proposing a revision to the Water Plan shown on sheet 601 related to the creation of a looped water system for the project. It is my understanding that the applicant has been in contact with our Public Works Director related to this revision of the system shown and more content related to this conversation may be found in an additional staff report provided by the Public Works Department.

May 1, 2018: Mr. Sugg noted that he had spoken to Public Works Director Pennell regarding the proposed revision to the water plan to create a looped system for the project and that such conversations would continue to ensure that the water service provided to the properties would meet the qualifications of the Water Policy of the Town.

May 22, 2018: Mr. Eller confirmed that a revision had been made to the water plan on sheet 601 to create a looped water system to ensure adequate water service for the project at the direction of the Public Works Director.

Proposed Items for the Board's Consideration Related to the Creation of a Conditional Zoning District for the Weaverville Townhomes Project:

Site Visit:

Should the Board deem it useful, staff is willing to organize and advertise a special called meeting for the purpose of a site visit to the subject properties.

May 1, 2018: Staff proposed a special called meeting of the Board for the purpose of conducting a site visit to the subject property. Consensus was gained that should members of the Board wish to visit the property they would do so individually or in pairs and that no special called meeting of the Board for this purpose is necessary. Consensus was also gained that the applicant would stake certain features on the property accommodate the review of the Board.

May 22, 2018: Mr. Jackson confirmed that certain features had been staked by the surveyor on the property at the request of the Board for their proposed site visit.

Sidewalks:

As previously mentioned, sidewalks are traditionally required for all new multifamily residential development. In this particular instance there exists no connectivity to the proposed project and neighboring commercial development. Could the applicant in conjunction with Walmart create such a connection along Northcrest Road? Could pedestrian access be achieved by exiting overflow parking areas bordering Walmart and navigating the slope down to the side parking lots present for existing commercial development? A councilman did note during the aforementioned initial review that there will be pedestrian traffic to existing commercial development whether sidewalks are present or not. Internal sidewalks are shown on the site plan.

May 1, 2018: Consensus was gained that a revision would be made to the sidewalk configuration shown inclusive of features which could ease connectivity with future development in the area. Said revision will be shown on subsequent versions of the plan.

May 22, 2018: Mr. Eller confirmed that the sidewalk configuration had been changed at the request of the Board to provide access to neighboring and future development. Additionally, the Board made a request that two more crosswalks be added to the plan in the vicinity of the intersections road A and road B; and road B and Gill Branch Road.

Fencing:

Language specific to the conditional zoning district which created Weaver Village prohibited bare metal fencing and required a fence, four feet in height to be installed along the top of a retaining wall shown on the plans. Areas which may benefit from fencing can be considered.

May 1, 2018: Consensus was gained that fencing would be installed at the top of retaining walls shown to ensure the safety of the eventual inhabitants of the project.

May 22, 2018: Mr. Eller proposed the following language to be included in the CZD ordinance related to fencing along retaining walls and consensus was gained for same.

Safety barrier required: The installation of fencing shall be required at the top level of a retaining wall or retaining wall system in order to deter unsafe activities near the edge of the wall. Fencing at a minimum shall be four feet tall, and shall consist of a chain-link or a solid visual barrier fence. Installation of a guardrail shall also be required where vehicular traffic will be within ten feet of the edge of the top level of the retaining wall.

Construction and Finishing Materials:

Language specific to the conditional zoning district which created Weaver Village establishes specific construction finishing materials to be used in order to achieve a certain look and style. Said materials include stone, wood timbers, brick, stucco, cement siding and cedar shake shingles. It should be noted that these very same materials were the subject of an appeal of an administrative decision before the Zoning Board of Adjustment. It should also be noted, especially in quick succession from the conversation related to accessory structures, that State statute will not allow a jurisdiction to legislate the appearance of residential structures in most instances. Conditional zoning districts are one of the occasions where it is permissible to legislate design standards.

May 1, 2018: Topic to be considered at the May 22 special called meeting of the Board.

May 22, 2018: Mr. Jackson gave a presentation on the construction and finishing materials complete with samples of same including the following: 30 year architectural style roof shingles; rock on the two columns for each unit projecting approximately half the length of the column; alternating colors to prevent complete conformity with each unit; hardy plank and pressed paper dipped in cement to be used as siding; shutters to be used on windows; and dog eared shadow box fencing which may be used to convert common area behind each unit to convert common area into private area under private maintenance.

Mr. Eller noted to Mr. Sugg that notes on the architectural renderings and elevations should be revised to reflect the aforementioned presentation. Mr. Jackson noted that said plans would also be revised to reflect the change in name from Baldwin Commons, a sister project elsewhere in Buncombe County, to Northridge Commons.

Mr. Jackson noted that he would also be updating the covenants, conditions and restrictions from Baldwin Commons to reflect Northridge Commons for the Board's review. Ms. Jackson noted that the CCR's would need to be submitted to staff by May 29 for inclusion in the next packet of information distributed to the Board.

Procedures for Plat Approval and Recordation:

May 1, 2018: Topic to be considered at the May 22 special called meeting of the Board.

May 22, 2018: Mr. Eller and Ms. Jackson noted to the Board that Mr. Jackson has proposed single phase completion of infrastructure and therefore the procedure for plat approval and recordation would be simplified. Ms. Jackson proposed a note to be transcribed to the CZD ordinance which would treat the plans recommended by the Board to Council as preliminary and that once the infrastructure was completed the final plat would be submitted to staff for review, the Board for review and recommendation and to Council for approval.

Completion of Construction:

Ordinance calls for the completion of construction within 730 days upon obtainment of the necessary permits based upon the size of the project and the ability for Town Council to grant an additional 180 days for good cause shown. Given that the project is shown as single phase construction with an anticipated completion in 24 months, does there need to be some additional time built in?

May 1, 2018: Consensus was gained that ordinance calls for the completion of construction within two years and that due to the size of the project, this timeframe may not be reasonable.

May 22, 2018: Mr. Jackson explained to the Board his experience with sister projects as it relates to the timing and completion of construction. Of note was a proposed six month process for site preparation and infrastructure completion; lack of quality subcontractors due to the volume of construction in the area; and phased financing which only permitted three building under simultaneous construction and the beginning of additional building once fifty percent of preceding units were under contract.

Mr. Warren motioned to include language related to a 42 month time frame for completion of construction with a six month extension which may be granted by Town Council. Mr. Chase seconded and all voted unanimously.

3. Direction to Staff and the Applicant Related to the Advancement of the Review Process for the Aforementioned Conditional Zoning District Application.

The Board instructed the applicant to make the changes necessary to reflect material covered in the meeting and converse with staff related to same.

Ms. Jackson noted that staff has sufficient information to craft a statement of reasonable ness and recommendation to be furnished to Town Council for the Board's review at their next regularly scheduled meeting.

4. Adjournment.

Ms.Cordell motioned to adjourn. Mr. Burge seconded and all voted unanimously.

Gary Burge

**Gary Burge, Vice-Chairman
Planning and Zoning Board**

ATTEST:

James Eller

**James W. Eller
Planning Director / Deputy Town Clerk**