

Town of Weaverville  
Planning and Zoning Board  
Minutes – Thursday, January 3, 2019

The Planning and Zoning Board of the Town of Weaverville met for a regularly scheduled monthly meeting at 6:00pm on Thursday, January 3, 2019 within the Council Chambers at Town Hall.

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

**1. Call to Order.**

Chairman Doug Theroux called the meeting to order at 6:00 pm. Upon calling the meeting to order, Chairman Theroux recognized Vice-Chairman Burge who would be serving as the acting chair for the meeting.

Town Attorney Jennifer Jackson administered the Oath of Office to Tom Balestrieri who had recently been appointed to an alternate position on the Board by Town Council.

**2. Approval of the Agenda.**

Mr. Stanz motioned to approve the agenda as presented. Mr. Warren seconded and all voted unanimously.

**3. Approval of the Minutes from the December 6, 2018 Meeting of the Board.**

Mr. Theroux motioned to approve the minutes as amended. Said amendments were related to typographical errors found on page 3 of the aforementioned minutes. Mr. Warren seconded and all voted unanimously.

**4. Discussion Related to a Proposed Text Amendment Regarding the Method Via Which Multifamily Residential Uses are Permitted and Additional Standards Crafted at the Direction of the Board.**

Mr. Eller recapped the conversation which occurred during the last meeting including the consensus which was gained to transition the use of multifamily residential to be permitted with standards within the R-3 and R-12 Zoning Districts.

Mr. Theroux noted that the same revision is to be made for multifamily residential use of more than four units within the R-3 zoning district. Mr. Eller felt that the same standards would apply to the R-3 zoning district as well which permits multifamily residential uses at a lower density. No objection to this occurrence was noted.

Mr. Eller reviewed the standards which had been crafted which included language related to sidewalk requirements, traffic impact analysis, street lighting, off street parking, noise, containment devices for garbage and the bulk of structures.

Ms. Jackson noted that many of these variables were covered in other areas of ordinance and suggested an inclusionary statement applicable to all additional standards would be a more efficient way to note these circumstances.

Mr. Eller sought guidance from the Board on two standards related to outdoor lighting and bulk of structures where said standards had been framed but not finalized. Consensus was gained to set a height limitation of 16 feet on freestanding outdoor lighting. Consensus was gained to set a limitation of no more than 24 units per structure.

**5. Consideration of a Motion Establishing a Recommendation to Town Council Related to the Aforementioned Text Amendment.**

Mr. Warren motioned to recommend to Town Council the text amendments related to the permitting of multifamily residential uses within the R-3 and R-12 Zoning Districts and the additional standards applied thereto finding said amendments do not conflict with the Town's comprehensive land use plan and the proposed approval by Town Council reasonable and in the public interest that such amendments provide stated standards for such development and a more efficient review process. Ms. Cordell seconded and all voted unanimously.

**6. Discussion Related to the Initial Zoning Request of R-2 by Cane Creek Vistas, LLC for a Project on Wheeler Road Submitted to the Town in Conjunction with a Voluntary Annexation Petition Made Requisite by a Water Allocation.**

A lengthy conversation occurred related to the history and evolution of the project on Wheeler Road which achieved project approval within Buncombe County jurisdiction with a water allocation from the Town conditioned upon the project being voluntarily annexed into municipal borders.

Mr. Eller and Ms. Jackson informed the Board that the task at hand was related to the initial zoning of the property and that matters related to the proposed annexation would be heard exclusively by Town Council.

Concerns from individual Board members were heard related to nonconformities created by the application of any municipal zoning to the property, annexation, water allocations, vested rights and the size of the lots and proposed structures.

**7. Consideration of a Motion Establishing a Recommendation to Town Council Related to the Aforementioned Initial Zoning Request.**

Mr. Warren motioned that if Town Council must annex the property then the P&Z recommends R-2 as the initial zoning for the property based upon staff recommendation and the contents therein as R-2 is more appropriate than any other zoning district. Mr. Burge seconded and the motion failed with a vote of two in favor and three against.

Mr. Stanz motioned to table the matter. Motioned failed from lack of a second.

Mr. Warren motioned that should Town Council annex the property the P&Z sends a favorable recommendation for R-2 Zoning on the property as it is consistent with the comprehensive land use plan and strategic plan and R-2 is the most appropriate zoning district for an unimproved property at this location. Ms. Cordell seconded. This motion carried by a 3 to 2 vote with Mr. Warren, Ms. Cordell and Mr. Burge voting in favor of the motion. Mr. Theroux and Mr. Stanz cast the dissenting votes.

#### **8. Any Other Business to Come Before the Board.**

Mr. Eller provided the Board with an updated roster reflective of Mr. Balestrieri's appointment.

Mr. Eller provided the Board with the approved 2019 schedule of meetings.

Ms. Jackson noted that a joint meeting of Town Council and the Planning and Zoning Board will be held on Tuesday, February 12, 2019 at 6pm for the purpose of discussing the update of the comprehensive land use plan and the role of the Planning and Zoning Board. Said meeting will also serve as the regularly scheduled monthly meeting of the Board.

Mr. Eller noted that staff had participated in a meeting with NCDOT in which it was revealed that plans previously distributed to the Board related to the New Stock interchange had been withdrawn in favor of being included in the I-26 widening project.

#### **9. Adjournment.**

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

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

**ATTEST:**

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