

Town of Weaverville
Planning and Zoning Board
Minutes – Thursday, December 6, 2018

The Planning and Zoning Board of the Town of Weaverville met for a regularly scheduled monthly meeting at 6:00pm on Thursday, December 6, 2018 within the Fire Department Training Room.

Present: Chairman Doug Theroux, Vice-Chairman Gary Burge, Board Members Catherine Cordell, Peter Stanz and Steve Warren, Alternate Board Member John Chase, 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.

2. Approval of the Agenda.

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

3. Approval of the Minutes from the November 8, 2018 Meeting of the Board.

Ms. Cordell motioned to approve the minutes as presented. Mr. Warren seconded and all voted unanimously.

4. Discussion Related to a Minor Subdivision Application and Preliminary Plat for the Property Commonly Known as 8 Hickory Lane.

Mr. Eller presented the Board with an application for a minor subdivision and a plat reflective of the creation of two parcels of land from one existing. Said application and plat called for the creation of one 4.8 acre tract which will house the current dwelling unit at 8 Hickory Lane and leave the remaining 33.75 unimproved acres to be sold.

Mr. Theroux noted that the question before the Board was whether the lots created met the dimensional requirements established by the R-3 zoning district and not the future use of the property. Ms. Jackson confirmed that this was an administrative action before the Board who will make a recommendation to the Planning Director.

Mr. Warren noted that the application showed the subdivision type as both industrial and residential. Mr. Eller confirmed that the property was zoned commonly as residential as R-3.

5. Consideration of a Motion Establishing a Recommendation to the Planning Director Related to the Aforementioned Minor Subdivision Application and Preliminary Plat.

Mr. Warren motioned to make a favorable recommendation to the Planning Director related to the minor subdivision application and plat with a correction on the application reflecting the zoning as entirely residential in nature. Mr. Burge seconded and all voted unanimously.

6. Discussion Related to a Proposed Text Amendment Regarding the Method Via Which Multifamily Residential Uses are Permitted within the R-12 Zoning District.

Mr. Eller briefed the Board on the creation and implementation of the R-12 Zoning District in 2016 and the transition of the permitting method of multifamily developments within same to conditional zoning districts with the implementation of the Table of Uses in 2017. Mr. Eller further described that this transition to conditional zoning effectively voided the previously established zoning district.

Mr. Eller expressed a concern over the Town using water allocations to influence development review procedures. It was further noted that transitioning multifamily development back to permitted or permitted with standards within R-12 would provide developers and property owners some certainty toward what they would be able to build should the development proceed which is not presented through conditional zoning. Town Council's reservation toward a rapid spread of multifamily housing was also discussed. Ms. Jackson noted that Town Council still could deny the initial zoning or rezoning to R-12 and negate the ability to build at such a density rather than legislating through water allocations.

Chairman Theroux noted his belief and understanding that permitting with standards would be the more acceptable path of permitting for both the Board and Town Council to allow for additional legislative oversight.

Mr. Warren noted that in creating additional standards for multifamily housing, the first variable that should be considered is the impact on surrounding properties and influence on existing infrastructure.

Mr. Eller also presented the argument that very little was accomplished, outside of determining appearance standards of the structures, by the conditional zoning district for Northridge Commons Townhouses (NCT). Given that every other variable, such as parking, lighting, sidewalks, height and density was imported from the general language of the zoning ordinance, Mr. Eller suggested that if ran through the prism of the R-12 zoning district the product would have been substantially similar.

Mr. Burge and Ms. Cordell disagreed with the position noted.

Ms. Jackson expressed an appreciation for the time and effort the Board exerted toward the approval process and noted that a vast majority of the language included in the NCT CZD were general standards imported from the Zoning Ordinance.

Chairman Theroux, Mr. Stanz and Ms. Jackson suggested that with additional standards the review process could be much more efficient.

Mr. Eller and Ms. Jackson described the complexities presented to developers when Town Council requires annexation in conjunction with a water allocation where the desired use of land is approved by a CZD.

Mr. Eller described a risk on the Town's side where an undesirable property is annexed in conjunction with a water allocation, the proposed development disintegrates on the private side and the Town is left with a property which may not generate enough revenue to support the municipal services provided.

Following extensive conversation additional standards related to sidewalks, parking, noise, vegetative buffering, street lighting, traffic impact analysis requirement, dumpster pad location and a limitation on bulk of structures were settled upon. Staff was instructed to craft language reflective of these proposed standards for the Board's consideration.

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

Chairman Theroux noted that no such motion would be made as staff will present additional language for the Board's consideration at their next meeting.

8. Discussion Related to the Proposed Future Land Use Map Which has been Crafted for Inclusion in the Update of the Town's Comprehensive Land Use Plan.

Mr. Eller presented the Board with the aforementioned future land use map. Chairman Theroux noted a desire to have the municipal limits shown on same.

9. Consideration of a Motion Adopting the Board's Schedule of Meetings for the 2019 Calendar Year.

Mr. Burge motioned to adopt the schedule as presented with a change in time from 6pm to 7pm in order to achieve commonality with the meeting times of Town Council and the Zoning Board of Adjustment. Mr. Warren seconded but no vote was held in support of the motion.

Following additional conversation, Mr. Burge motioned to retract his previous motion and to adopt the schedule of meeting as presented with said meetings beginning at 6pm. Ms. Cordell seconded and all voted unanimously.

Chairman Theroux motioned to further adopt the schedule of meeting reflective of a suggested Chair of Mr. Burge in January, Mr. Chase in March, Ms. Cordell in May and Mr. Warren in July due to the expiration of Chairman Theroux's term in September of 2019. Mr. Stanz seconded and all voted unanimously.

10. Any Other Business to Come Before the Board.

Ms. Jackson noted that a proposed ordinance amendment would be before Town Council at their December meeting which would transition members to three year terms and add an additional alternate member.

Ms. Cordell noted a desire for the Board to reclaim some of its diversity from previous iterations.

Mr. Warren requested that additional information be presented to the Board related to the proposed improvements by NCDOT to the Newstock intersection.

11. Adjournment.

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

Doug Theroux

Doug Theroux, Chairman
Planning and Zoning Board

ATTEST:

James Eller

James W. Eller
Planning Director / Deputy Town Clerk