



**Town of Weaverville
Planning and Zoning Board
Town Hall Council Chambers
Tuesday, March 5, 2019, 6:00pm**

Agenda

1. Call to Order – Chairman Doug Theroux.
 - Recognition of Acting Chair
2. Approval of the Agenda.
3. Approval of the Minutes from the January 3, 2019 Meeting of the Board.
4. Discussion Related to a Proposed Zoning Map Amendment for Five Parcels of Land Located Adjacent to Red Cole Drive.
5. Consideration of a Motion Establishing a Recommendation to Town Council Related to the Aforementioned Proposed Zoning Map Amendment.
6. Discussion Related to an Application for a Conditional Zoning District on the Property Commonly Known as 37 Brown Street
7. Consideration of a Motion Establishing a Recommendation to Town Council on the Aforementioned Initial Zoning Request.
8. Update on the Comprehensive Land Use Plan.
9. Any Other Business to Come Before the Board.
 - 135 Monticello Road Briefing
10. Adjournment.



**Agenda Item 3
Minutes**

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.

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.

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

ATTEST:

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



Agenda Items 4&5
Proposed Red Cole Drive Rezoning

**TOWN OF WEAVERVILLE APPLICATION FOR
A ZONING MAP OR TEXT AMENDMENT**

Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7002— fax (828) 645-4776 — jeller@weavervillenc.org

OWNER/APPLICANT NAME: LAMAR COLE APPLICATION DATE: JANUARY 25, 2019

PHONE NUMBER: 828-713-6381 MAILING ADDRESS: 21 RED COLE DRIVE, WEAVERVILLE,
28787

Application is made to the Town Council of Weaverville to amend:

The Zoning Map

The text of the Zoning Ordinance (Ch 36 of Code of Ordinances)

APPLICATION TO AMEND ZONING MAP

PROPERTY ADDRESS: 21, 30 RED COLE DRIVE, WEAVERVILLE, NC 28787

PIN: 9743336380, 9743338364, 9743430246, 9743430162, 9743339113

LOT AREA (acres): 4.27 ACRES

CURRENT ZONING DISTRICT: COMERCIAL PROPOSED ZONING DISTRICT: RESIDENTIAL

C-2 → R-3 K

APPLICATION IS NOT COMPLETE WITHOUT A BOUNDARY SURVEY DEPICITING:

- Total acreage
- Current owner(s) and date of survey
- Property location relative to streets
- North arrow
- Existing easements, rights of way, or other restrictions on the property
- Areas located within the floodplain
- Adjoining property owners, addresses, and Buncombe County PINs

APPLICATION TO AMEND TEXT

SECTION(S) OF CHAPTER 36 TO AMEND:

PROPOSED CHANGE TO TEXT (attach additional documentation if necessary):

JUSTIFICATION OF PROPOSED AMENDMENT(S):

**TOWN OF WEAVERVILLE APPLICATION FOR
A ZONING MAP OR TEXT AMENDMENT**

Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7002— fax (828) 645-4776 --- jeller@weavervillenc.org

I certify that the above information is accurate and true and that I am the owner or a duly appointed agent of the owner.

Doug H. Luther, Cole J. ...

 SIGNATURE OF APPLICANT DATE

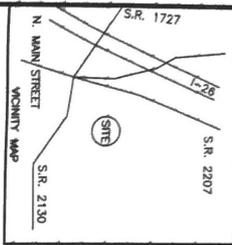
It is the applicant's responsibility to obtain a copy of the Town of Weaverville Zoning Ordinance and to be fully aware of the regulations detailed therein.

REZONING FEE SCHEDULE:

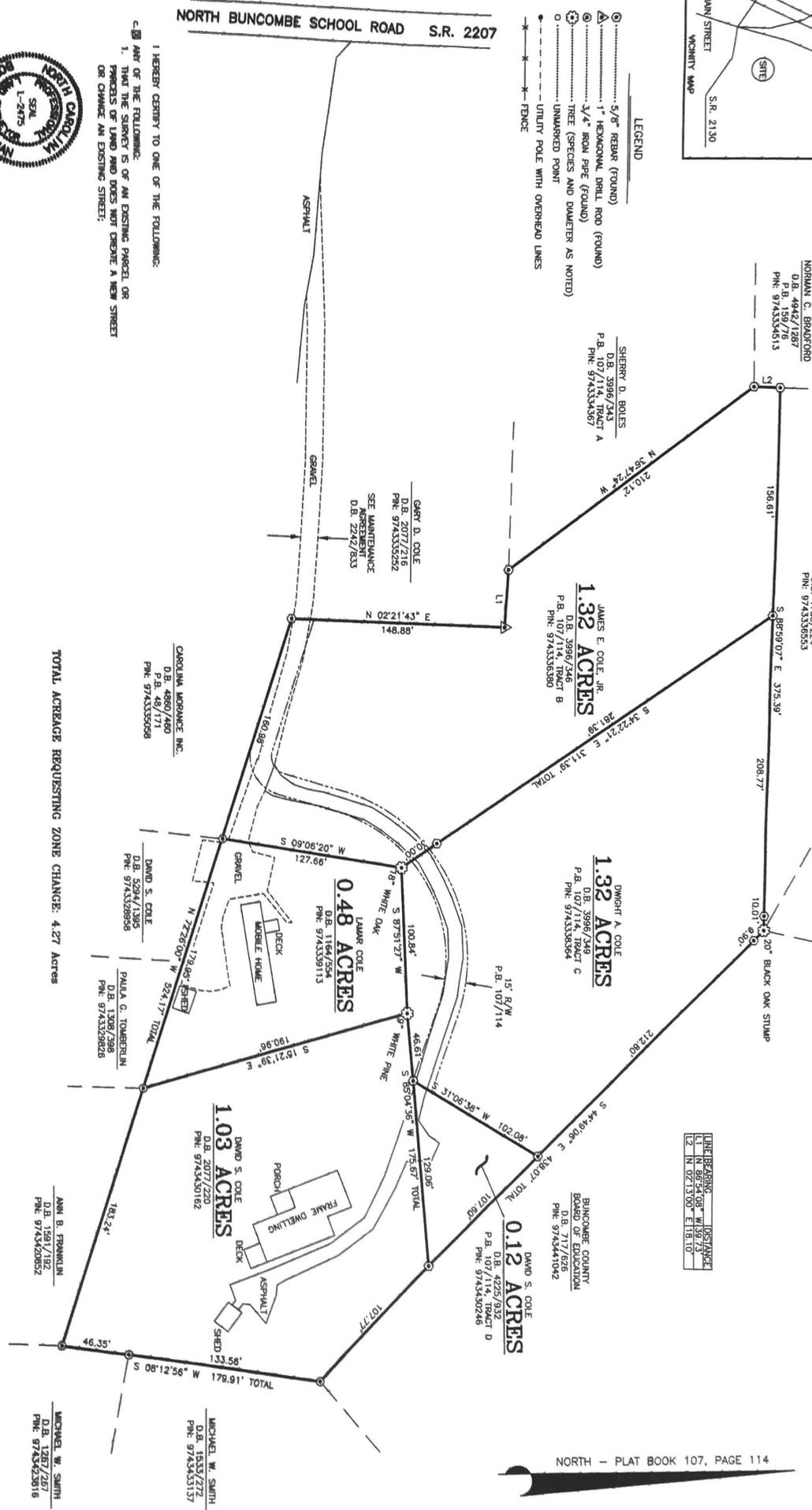
1 Lot < 1 acre	\$350.00
2-4 Lots or 1-3 acres	\$450.00
4-9 acres	\$550.00
10-25 acres	\$750.00
25+ acres	\$900.00

OFFICE USE ONLY

FEE: \$ 550	DATE PAID: 2.12.19	<input type="checkbox"/> CHECK	<input checked="" type="checkbox"/> CASH
DATE OF INTIAL COUNCIL MEETING: N/A	ACTION TAKEN: N/A		
DATE OF PLANNING BOARD MEETING: 3.5.19	ACTION TAKEN:		
DATE OF PUBLIC HEARING & COUNCIL DECISION: 3.18.19	FINAL ACTION:		



- LEGEND**
- 2/8" REBAR (FOUND)
 - ⊙ 1" HEXAGONAL DRILL ROD (FOUND)
 - ⊙ 3/4" IRON PIPE (FOUND)
 - FREE (SPECIES AND DIAMETER AS NOTED)
 - UNMARKED POINT
 - UTILITY POLE WITH OVERHEAD LINES
 - FENCE



I HEREBY CERTIFY TO ONE OF THE FOLLOWING:
1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PORTIONS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;

ROBERT C. McMAHAN SURVEYOR THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DEED DESCRIPTION RECORDED IN DEED BOOK, SEE PAGE 114, PLAT BOOK, 197, PAGE 114, THAT THE HAND OF PRECISION AS CALCULATED IS 1:10,000, THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 17-28 AS AMENDED, WITNESSED MY ORIGINAL SIGNATURE, RECORDED IN DEED BOOK THIS 21ST DAY OF JANUARY, A.D. 2019.

ROBERT C. McMAHAN
SURVEYOR
REGISTRATION NUMBER: 7415

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS EXEMPT FROM THE SUBVISION REGULATIONS OF THE TOWN OF WEAVERVILLE, NORTH CAROLINA AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS OF BUNCOMBE COUNTY.

LAMAR COLE
REEM'S CREEK TOWNSHIP
BUNCOMBE COUNTY
NORTH CAROLINA

REZONING SURVEY FOR

SCALE: 1" = 50'

DATE: JANUARY 24, 2019
REVISED:

McMAHAN & BROCK, P.A. (C-319)
P.O. BOX 1296
WEAVERVILLE, N.C. 28787
828-645-5654

FILED FOR REGISTRATION ON THE _____ DAY OF _____, 20____
AT _____, N.C. AND RECORDED IN _____
REGISTER OF DEEDS, BUNCOMBE COUNTY

BY _____ DEPUTY

TOWN MANAGER
WEAVERVILLE, N.C.

DATE _____

Town of Weaverville, North Carolina

Staff Report: Proposed Rezoning of Parcels Located on Red Cole Drive

Prepared February 2019

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan

Zoning Analysis

Currently two of the parcels subjects to the proposed rezoning are being used for residential purposes within the C-2 zoning district. This creates a scenario where the current homes on site are being inhabited by a nonconforming use. As such, these uses experience some difficulties related to nonconformities and new residential uses on the parcels which are currently uninhabited are expressly prohibited.

The family has expressed a desire to continue the residential use of the inhabited parcels and experience a set of circumstances where the uninhabited parcels may be used for residential purposes. In order for this to occur, the proposed rezoning is necessary.

Staff believes that the identified parcels at the end of Red Cole Drive may be ripe for a rezoning due to the following variables: accessed by a private dead end street; the condition of Red Cole Drive is not conducive to commercial traffic; the location of the intersection of Red Cole Drive and North Buncombe School Road is likely to not be eligible for signalization due to its proximity to the “five points” intersection; the nonconforming nature of the underlying residential uses significantly limit the replacement of the present use.

Comprehensive Land Use Plan Compliance

When considering compliance with the Town’s Comprehensive Land Use Plan (CLUP), often the analysis begins with a consultation of the future land use map (Figure 3-6 on page 3-5). Here it is found that this property exists in a gap between the defined areas shown for the future uses of Commercial and Rural. These gaps are intentional and are addressed within the CLUP on page 3-2 as follows:

“When reviewing the map, you will see that there are gaps between defined areas, and that the defined areas do not necessarily follow property boundaries. This is purposeful given the uncertainties that exist on the ground that cannot be accounted for, and in recognition of the need for flexibility. And so, the boundaries and gaps should be viewed as flexible rather than lines in the sand, and the final decisions on transitional land use types in these areas should be left to the good judgement of the appointed and elected officials that are charged with establishing development policy and regulations in the Town.”

Given the aforementioned statement, it is the opinion of staff that the proposed rezoning would not conflict with the Town’s CLUP.



Agenda Items 6&7
37 Brown CZD (Old College Dormitory)

* Photographs of surrounding properties as called for by the CZD application will be made available at the meeting should the Board wish to review.

CONDITIONAL ZONING DISTRICT APPLICATION

Planning and Zoning Department
30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7002--- fax (828) 645-4776 --- jeller@weavervillenc.org
Application Fee Based Upon Size of Property



Conditional Zoning Districts address situations in which a particular use, properly planned, may be appropriate for a specific site but, the existing zoning district of the site has insufficient standards to mitigate the site-specific impact on the surrounding area. Uses which may be considered for a Conditional Zoning District shall be established on a case-by-case basis at the request of the property owner. Conditional Zoning Districts are not intended for securing early or speculative reclassification of a property.

At the discretion of the Town Council, it may be required of the property owner to guarantee performance or completion of conditions included in the Conditional Zoning Plan. Such guarantee may take the form of: (1) a surety performance bond made by a company licensed and authorized in North Carolina, (2) a bond of a developer with an assignment to the Town of a certificate of deposit, (3) a bond of developer secured by an official bank check drawn in favor of the Town and deposited with the Town Clerk, (4) cash or an irrevocable letter of credit, (5) a bank escrow account whereby the developer deposits cash, a note, or a bond with a federally insured financial institution into an account payable to the Town. The amount of the guarantee shall be determined by Town Council.

OWNER/APPLICANT NAME:

SABA HOLDING GROUP LLC

APPLICATION DATE:

1-31-19

BRIEFLY DESCRIBE THE PROJECT:

SINGLE FAMILY CONVERSION TO 16 UNITS

PHONE NUMBER:

828-712-6062

PROPERTY ADDRESS:

37 BROWN ST. WVL

PIN:

9742.16.7113

DEED BOOK/PAGE:

124-711

LOT AREA (acres):

1.918

ZONING DISTRICT:

R-2

SIGNATURE OF APPLICANT

[Handwritten Signature] MM

DATE

1-31-19

CONDITIONAL ZONING DISTRICT APPLICATION

Planning and Zoning Department
 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
 (828) 484-7002--- fax (828) 645-4776 --- jeller@weaverville.org
 Application Fee Based Upon Size of Property



A petition for a Conditional Zoning District must include a site plan and supporting information that specifies the intended uses for property. A complete site plan will include the following:

<input checked="" type="checkbox"/>	Title block containing:
	Name of owner & applicant
	Property address
	Buncombe County PIN
	Date or dates survey was conducted or plan prepared
	Scale of the drawing in feet per inch
	Deed book and page reference of the deed
	Zoning designation of property
<input checked="" type="checkbox"/>	Sketch vicinity map depicting the relationship between the proposed subdivision and the surrounding area
<input checked="" type="checkbox"/>	North Arrow and orientation
<input checked="" type="checkbox"/>	Lot area in acres and square feet
<input checked="" type="checkbox"/>	Existing topography of the site and within 300 feet of the site boundary in five (5) foot contours
<input checked="" type="checkbox"/>	Delineation of areas within the floodplain.
<input checked="" type="checkbox"/>	Names of owners of adjoining properties, Buncombe County PIN, and zoning designation
<input checked="" type="checkbox"/>	Minimum building setback lines applicable to the lot, including drainage or utility easements
<input checked="" type="checkbox"/>	Proposed number and location of signs
<input checked="" type="checkbox"/>	Exact dimensions, location, height, and exterior features of proposed buildings and structures
<input checked="" type="checkbox"/>	Photographs of buildings on properties within 200 ft. of subject property
<input checked="" type="checkbox"/>	Utility easements
<input checked="" type="checkbox"/>	Existing and proposed sanitary sewer system layout and a letter of commitment
<input checked="" type="checkbox"/>	Existing and proposed water distribution system layout and a letter of commitment
<input checked="" type="checkbox"/>	Plans for individual water supply and sewerage/septic disposal system, if any
<input checked="" type="checkbox"/>	A statement as to whether or not natural gas, telephone, electric, and cable lines are to be installed, and whether they will be above or below ground
<input checked="" type="checkbox"/>	Exact dimension and location of all traffic, parking, and circulation plans showing the proposed location and arrangement of parking spaces.
<input checked="" type="checkbox"/>	Existing and proposed roads, driveways, ingress/egress, easements, and rights-of-way both private and public.
<input checked="" type="checkbox"/>	Existing and proposed encroachments into setbacks, rights-of-way, and/or easements, if any
<input checked="" type="checkbox"/>	Proposed phasing, if any, and expected completion date of the project.

EXISTING

Upon reviewing the application, site plan, and supporting documents, the Planning and Zoning Board will issue statement of reasonableness of the proposed Conditional Zoning District.

Before a public hearing may be held by the Town Council, the petitioner must file in the Office of the Town Clerk, a written report of at least one community meeting held by the petitioner. The report shall include a list of those persons and organization notified of the meeting detailing the method and date of contact' the date, time, and location of the meeting; a roster of persons in attendance, a summary of issues discussed, and a description of any changes to the petition as a result of the meeting. In the event the petitioner has not held at least one meeting, the petitioner shall file a report documenting efforts that were made and the reasons such a meeting was not held.





Metropolitan Sewerage District

of Buncombe County, North Carolina

Allocation Approval

**This approval is not to be used to obtain a building permit
and is for gravity sewer extension only.**

Applicant:	Thomas Wolfe	Date: 1/2/2019
Company:		
Mailing Address:	5 Ravenscroft Dr #103, Asheville, NC 28801	
Phone:	8287126062 (Home)	
Project #:	2018273	
Project Name:	WEAVER COLLEGE BOYS DORM	
Project Location:	BROWN STREET (37)	
PIN:	9742-16-7113-09742167113	

MSD of Buncombe County has approved your request for 2,000 GPD

The connection point (manhole #) will be Existing service

The project will consist of (16) Multi family residential

Your final approval is contingent upon compliance of the items below:

- Utilizing existing sewer connection. Sewer service application required.

Comments:

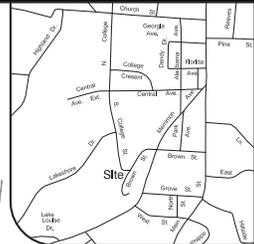
The North Carolina Department of Environmental Quality (NCDEQ) requires MSD to issue this approval based on line condition/capacity of the receiving sewer and remaining plant capacity.

This allocation approval will expire on 01/02/2020 if no construction has started.

If you have any questions, please contact MSD.



Kevin Johnson
MSD Planning and Development

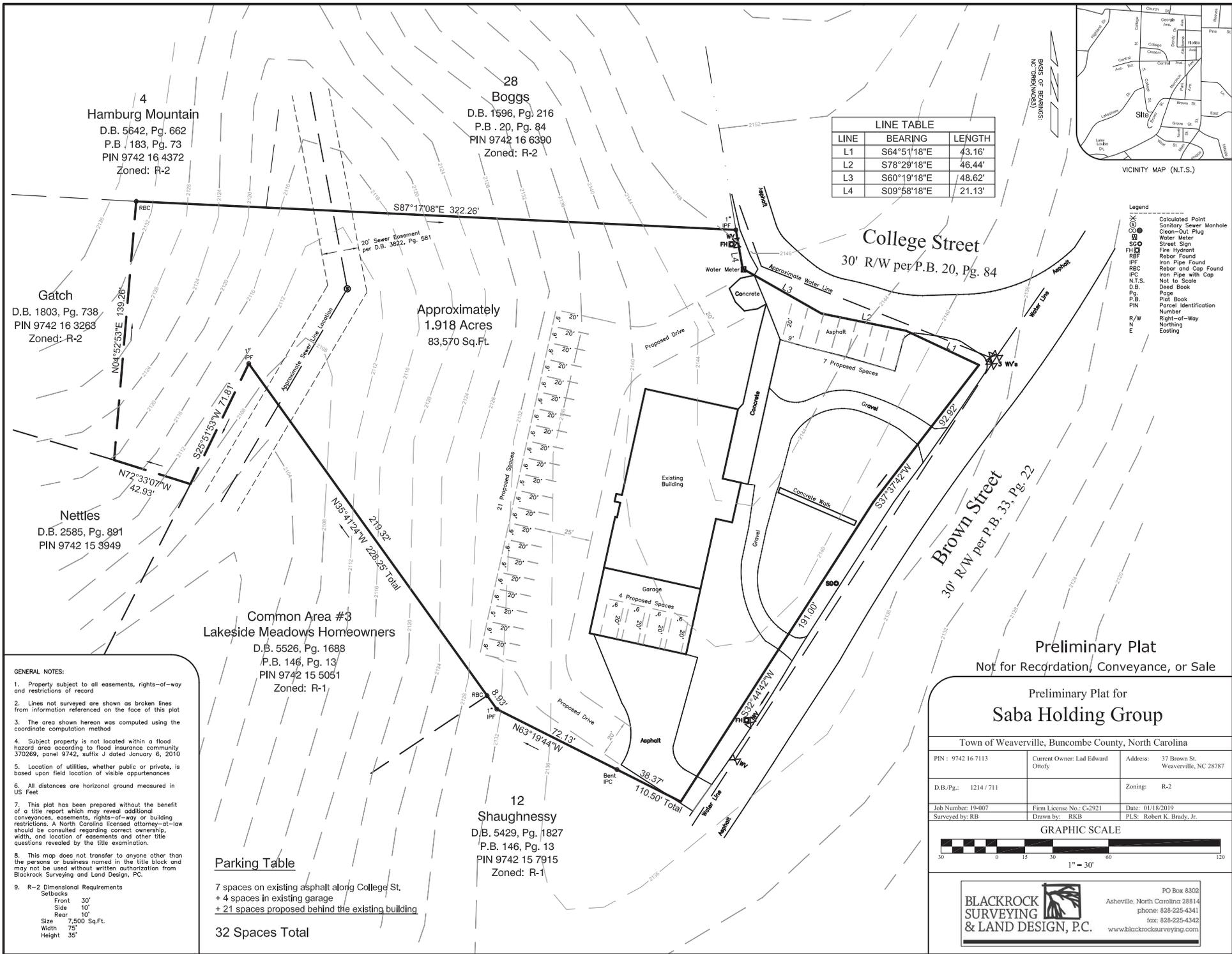


VICINITY MAP (N.T.S.)

LINE TABLE		
LINE	BEARING	LENGTH
L1	S64°51'18"E	43.16'
L2	S78°29'18"E	46.44'
L3	S60°19'18"E	48.62'
L4	S09°58'18"E	21.13'

Legend

	Calculated Point
	Sanitary Sewer Manhole
	Clean-Out Plug
	Water Meter
	Street Sign
	Fire Hydrant
	Rebar Found
	Iron Pipe Found
	Rebar and Cap Found
	Iron Pipe with Cap
	Not to Scale
	Deed Book
	Page
	Plot Book
	Parcel Identification Number
	Right-of-Way
	Northing
	Easting



4
Hamburg Mountain
 D.B. 5642, Pg. 662
 P.B. / 183, Pg. 73
 PIN 9742 16 4372
 Zoned: R-2

28
Boggs
 D.B. 1596, Pg. 216
 P.B. / 20, Pg. 84
 PIN 9742 16 6390
 Zoned: R-2

Gatch
 D.B. 1803, Pg. 738
 PIN 9742 16 3263
 Zoned: R-2

Nettles
 D.B. 2585, Pg. 891
 PIN 9742 15 3949

Common Area #3
Lakeside Meadows Homeowners
 D.B. 5526, Pg. 1688
 P.B. 146, Pg. 13
 PIN 9742 15 5051
 Zoned: R-1

12
Shaughnessy
 D.B. 5429, Pg. 1827
 P.B. 146, Pg. 13
 PIN 9742 15 7915
 Zoned: R-1

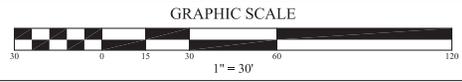
College Street
 30' R/W per P.B. 20, Pg. 84

Brown Street
 30' R/W per P.B. 33, Pg. 22

Preliminary Plat
 Not for Recordation, Conveyance, or Sale

Preliminary Plat for
Saba Holding Group

Town of Weaverville, Buncombe County, North Carolina		
PIN: 9742 16 7113	Current Owner: Lad Edward Otofay	Address: 37 Brown St. Weaverville, NC 28787
D.B./Pg.: 1214 / 711		Zoning: R-2
Job Number: 19-007	Firm License No.: C-2921	Date: 01/18/2019
Surveyed by: RB	Drawn by: RKB	P.L.S.: Robert K. Brady, Jr.



BLACKROCK SURVEYING & LAND DESIGN, P.C.

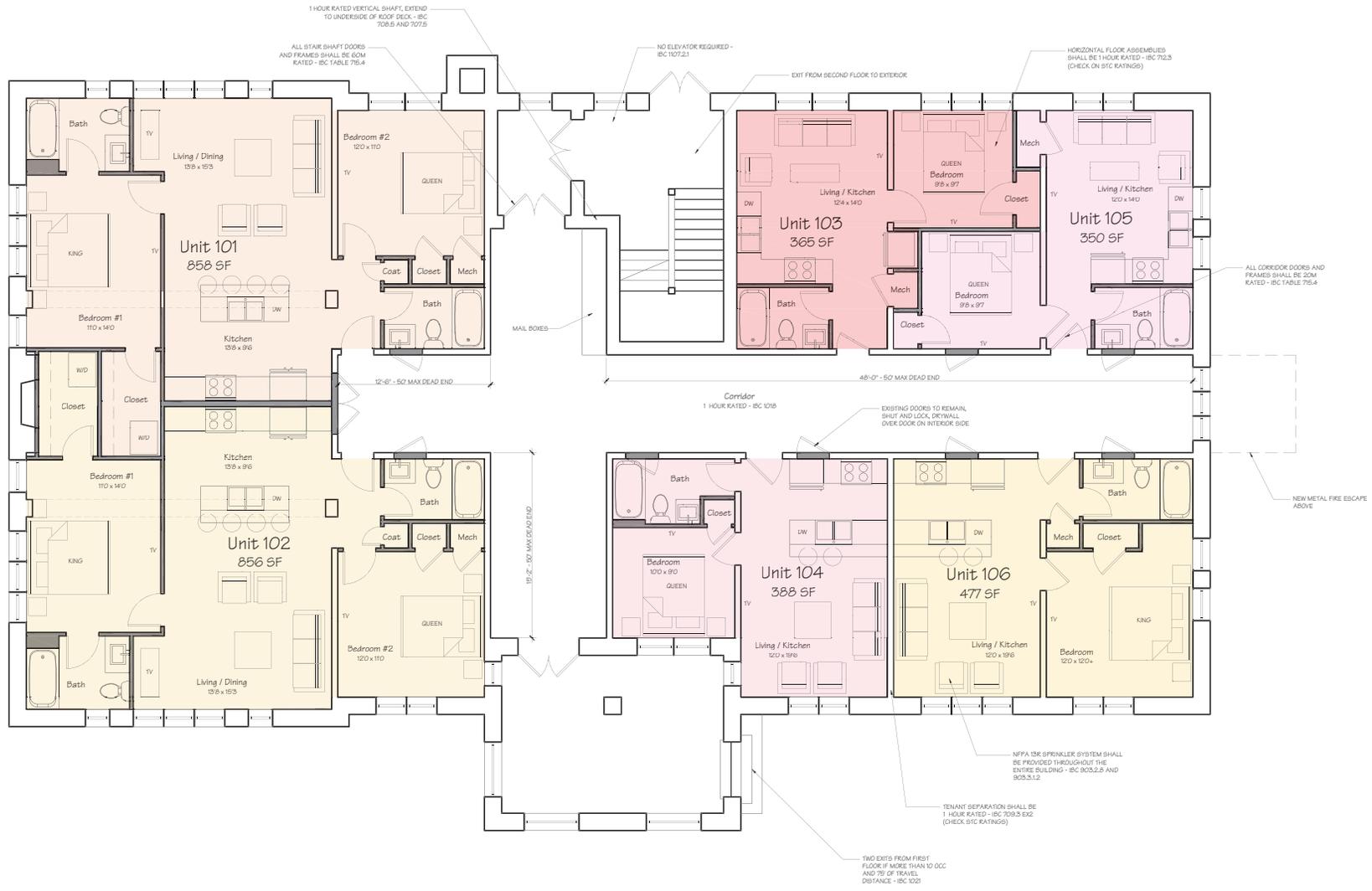
PO Box 8302
 Asheville, North Carolina 28814
 phone: 828-225-4341
 fax: 828-225-4342
 www.blackrocksurveying.com

- GENERAL NOTES:**
- Property subject to all easements, rights-of-way and restrictions of record
 - Lines not surveyed are shown as broken lines from information referenced on the face of this plat
 - The area shown hereon was computed using the coordinate computation method
 - Subject property is not located within a flood hazard area according to flood insurance community 370269, panel 9742, suffix J dated January 6, 2010
 - Location of utilities, whether public or private, is based upon field location of visible appurtenances
 - All distances are horizontal ground measured in US Feet
 - This plat has been prepared without the benefit of a title report which may reveal additional conveyances, easements, rights-of-way or building restrictions. A North Carolina licensed attorney-at-law should be consulted regarding correct ownership, width, and location of easements and other title questions revealed by the title examination.
 - This map does not transfer to anyone other than the persons or business named in the title block and may not be used without written authorization from Blackrock Surveying and Land Design, P.C.
 - R-2 Dimensional Requirements
 Setbacks
 Front 30'
 Side 10'
 Rear 10'
 Size 7,500 Sq.Ft.
 Width 75'
 Height 35'

Parking Table

7 spaces on existing asphalt along College St.
 + 4 spaces in existing garage
 + 21 spaces proposed behind the existing building

32 Spaces Total



FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



1.2 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

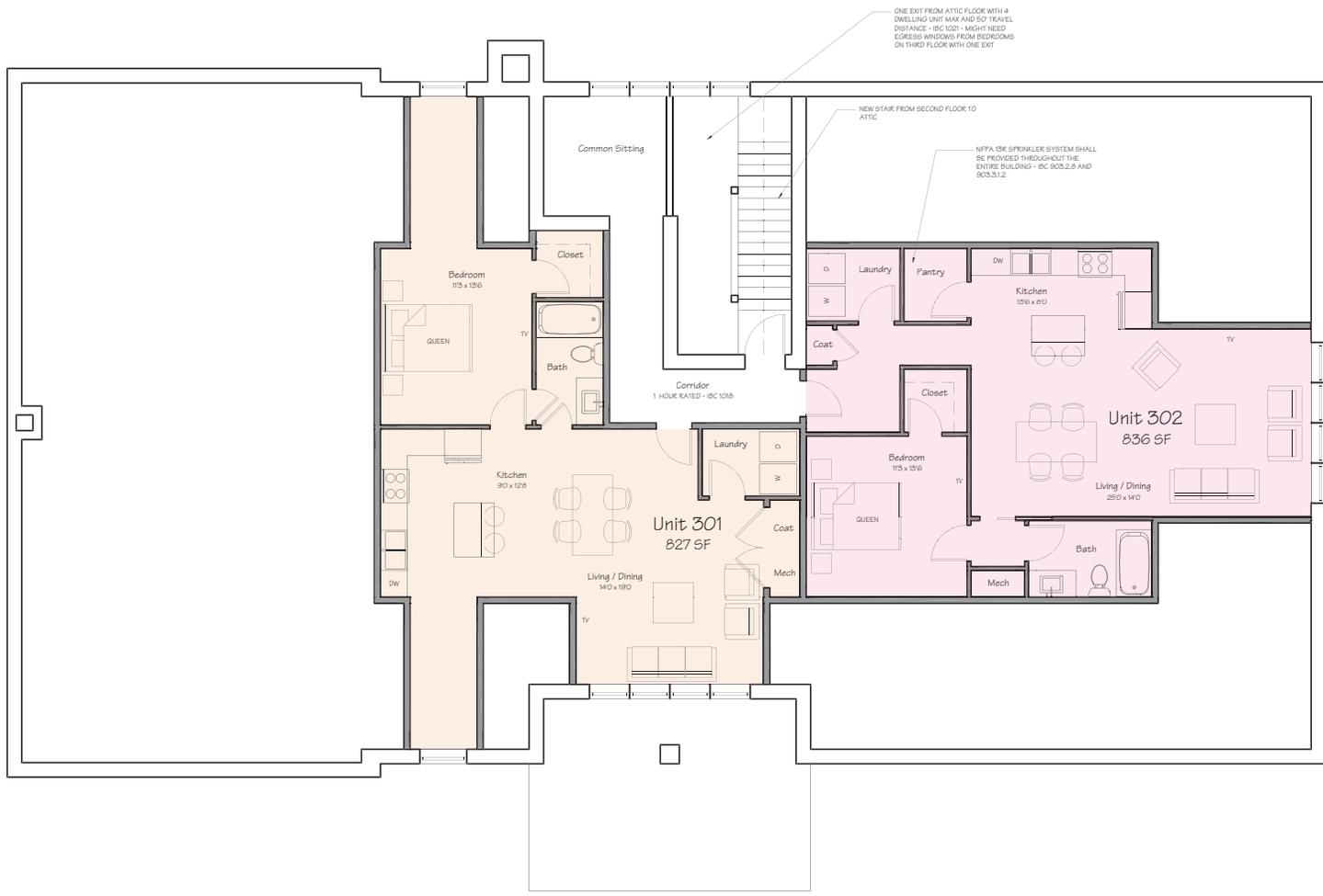
NOT FOR CONSTRUCTION

© COPYRIGHT 2018
WILSON ARCHITECTS

WEAVER BUILDING APARTMENTS

83 Evelyn Place
Asheville, North Carolina 28801

SD SET: 12.20.18



1 ATTIC FLOOR PLAN
SCALE: 1/4" = 1'-0"

SHEET TITLE:
FLOOR PLANS

PROJECT NUMBER:
18-088

SHEET NUMBER:

A3

Town of Weaverville, North Carolina

Staff Report: Proposed CZD – 37 Brown Old College Dormitory

Prepared February, 2019

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan

Zoning Analysis

Density:

Currently the parcel in question falls within the R-2 zoning district. The R-2 Zoning district does permit multifamily housing if certain variables can be found as established by the table of dimensional requirements. In short, a base land area of 7,500 square feet must be found with an additional 5,000 square feet of minimum lot area (where public water and sewer is available) for each additional dwelling unit. The preliminary plat submitted in conjunction with the conditional zoning district application reports that the property consists of 1.918 acres which translates to 83,548 square feet. The amount of land present supports 16.2 units within the table of dimensional requirements with 16 units being applied for.

However, when consulting the table of uses we find that multifamily dwellings with more than four units are not permissible within the R-2 zoning district, hence the conditional zoning district application.

* This conflict of competing regulations is not lost on staff and has long been flagged for addressing *

Comprehensive Land Use Plan Compliance

When considering compliance with the Town's Comprehensive Land Use Plan (CLUP), often the analysis begins with a consultation of the future land use map (Figure 3-6 on page 3-5). Here it is found that this property exists in a gap between the defined areas shown for the future uses of Downtown Core and Residential. These gaps are intentional and are addressed within the CLUP on page 3-2 as follows:

"When reviewing the map, you will see that there are gaps between defined areas, and that the defined areas do not necessarily follow property boundaries. This is purposeful given the uncertainties that exist on the ground that cannot be accounted for, and in recognition of the need for flexibility. And so, the boundaries and gaps should be viewed as flexible rather than lines in the sand, and the final decisions on transitional land use types in these areas should be left to the good judgement of the appointed and elected officials that are charged with establishing development policy and regulations in the Town."

Given the aforementioned statement, it is the opinion of staff that the proposed rezoning would not conflict with the Town's CLUP.

From: [Michele Wood](#)
To: [James Eller](#)
Subject: Re: Planning & Zoning Board
Date: Thursday, January 31, 2019 9:13:17 AM

James,

Thank you for forwarding my letter below to the Planning and Zoning Board:

Attn: Weaverville Planning and Zoning Board

I understand the old Weaver College boys dormitory at 37 Brown Street is being sold to a developer who plans to remodel this historic building into condos.

As a nearby homeowner who frequently drives past this property and who appreciates the heritage of this charming mountain town, I am thrilled to learn the buyer does not want to tear down the building and rebuild on the lot.

I support their plans to remodel the inside into condos while preserving the exterior of this historic building and hope the Planning and Zoning Board will approve this use of this property.

Michele Wood
50 North College Street

On Jan 30, 2019, at 11:10 AM, James Eller <jeller@weavervillenc.org> wrote:

Ms. Wood,

I would be happy to forward your correspondence to the Planning and Zoning Board. You may mail the letter to PO Box 338 or simply reply to this email and I will ensure the message reaches its destination. Please feel free to contact me if I may be of any assistance.

James W. Eller, NCAZO
Planning Director
Town of Weaverville

-----Original Message-----

From: Michele Wood [<mailto:michele.wood@gmail.com>]
Sent: Wednesday, January 30, 2019 10:59 AM
To: James Eller
Subject: Planning & Zoning Board

Good morning James,

Can you tell me how I should address a letter to the Planning & Zoning Board? If I send it to you at Town Hall, will it reach the board? Thank you.

Michele Wood

Sent from my iPad



Agenda Item 8
Update of Comprehensive Land Use Plan

INFORMATION SESSIONS AND PUBLIC INPUT ON LAND USE

residential

walkability

annexation

future development

zoning

growth

survey

sidewalks &

maps

streets

subdivisions

Weaverville, NC

demographics

industrial

local

commercial

water

regional

THURS MARCH 21 - 12 pm to 3 pm

TUES MARCH 26 - 5 pm to 8 pm

Community Room of Town Hall
30 South Main Street, Weaverville, NC

**ORGANIZED GROUPS CAN REQUEST AN
INFORMATION/INPUT SESSION FOR APRIL
AND WE WILL COME TO YOU**

Contact the Town for more information or to schedule:

TOWN OF WEAVERVILLE

Planning Department

828-484-7002