

Town of Weaverville
Planning and Zoning Board
Minutes – Tuesday, April 2, 2019

The Planning and Zoning Board of the Town of Weaverville met for a regularly scheduled monthly meeting at 6:00pm on Tuesday, April 2, 2019 within the Council Chambers at Town Hall.

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

1. Call to Order.

Chairman Doug Theroux called the meeting to order at 6:00 pm.

2. Approval of the Agenda.

Mr. Balestrieri motioned to approve the agenda as presented. Mr. Chase seconded and all voted unanimously.

3. Approval of the Minutes from the February 12 and March 5, 2019 Meetings of the Board.

Mr. Balestrieri motioned to approve the February 12 minutes as presented and the March 5 minutes as amended. Such amendments include the correction of a grammatical error on page 1 of 3 and the correction showing Mr. John Bowen speaking in favor of the proposed conditional zoning district at 37 Brown Street. Mr. Warren seconded and all voted unanimously.

4. Discussion Related to an Application for a Conditional Zoning District on the Property Commonly Known as 37 Brown Street.

Mr. Eller reviewed the application and proposal from discussions held the previous month and noted the parking configuration amendment to the site plan and presented the Board with an executed water allocation for the project which had been finalized in the preceding days.

Ms. Jackson presented the Board with a proposed statement of reasonableness and recommendation for consideration. 15 conditions were proposed for the property in conjunction with a proposed approval by Town Council and are as follows. Said statement was discussed by the Board.

A copy of the executed statement of reasonableness and recommendation is attached hereto.

5. Consideration of a Motion Establishing a Recommendation to Town Council Related to the Aforementioned Conditional Zoning District.

Chairman Theroux motioned to adopt the statement of reasonableness and recommendation to Town Council and finding the project consistent with the Town's Comprehensive Land Use Plan with the conditions applied. Mr. Balestrieri seconded and all voted unanimously.

6. Discussion Related to an Initial Zoning Request of R-12 for the Property Commonly Known as 135 Monticello Road.

Mr. Eller presented the Board with the particulars of the application including a staff report establishing the acreage present for the parcel at +/- 19.5 acres with a buildout capacity of approximately 234 units given the desired R-12 zoning at 12 units per acre. Said report also included a statement suggesting the desired zoning of R-12 would comply with the Town's comprehensive land use plan.

7. Consideration of a Motion Establishing a Recommendation to Town Council Related on the Aforementioned Proposed Zoning map Amendment.

Mr. Warren motioned to send a favorable recommendation to Town Council on the proposed zoning of R-12 for the property commonly known as 135 Monticello Road finding the initial zoning compliant with the Town's comprehensive land use plan. Mr. Chase seconded and all voted unanimously.

8. Any Other Business to Come Before the Board.

Mr. Eller noted that as per municipal ordinance the public information session for the proposed 37 Brown Street conditional zoning district would be scheduled for May 7, 2019 from 4-6pm in advance of the next regularly scheduled meeting of the Planning and Zoning Board.

Ms. Jackson noted that code book updates had been received from Municode.

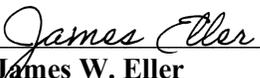
9. Adjournment.

Mr. Chase motioned to adjourn. Mr. Warren seconded and all voted unanimously.



Doug Theroux, Chairman
Planning and Zoning Board

ATTEST:



James W. Eller
Planning Director / Deputy Town Clerk

The Town of Weaverville

NORTH CAROLINA

April 3, 2019

Mayor Al Root and
Weaverville Town Council

Re: *Margaret S. Ottofey (through agent Thomas Wolfe of Saba Holding Group, LLC)*
Conditional Zoning District Application for 37 Brown Street
Old Boy's Dormitory – Weaver College
Statement of Reasonableness and Recommendation

Dear Mayor and Council –

On 5 March 2019 and 2 April 2019, pursuant to Section 36-84 of the Town's Code of Ordinances, the Planning and Zoning Board reviewed the application for a Conditional Zoning District that was submitted by Thomas Wolfe of Saba Holding Group, LLC, authorized agent for property owner Margaret S. Ottofey, on January 31, 2019.

This project would refurbish and renovate the old Weaver College boy's dormitory located at 37 Brown Street into a 16-unit multi-unit residential building while maintaining the historic nature and aesthetics of the building. The property is under single ownership, is currently zoned R-2, and is bounded by Brown Street to the east/southeast, College Street to the northeast, and private properties to the north, west and southwest. A site plan is attached which contains survey data.

The maximum number of units in this project is 16, which is consistent with the number of units that the table of dimensional requirements would allowed within the R-2 zoning district. The existing historic building is compliant with the setback requirements for the R-2 zoning district and the building height is either in compliance with R-2 zoning or is allowed as an existing nonconforming structure.

At these meetings the Planning and Zoning Board reviewed the project for compliance with all of the items enumerated in Section 36-84(d). The Planning and Zoning Board also analyzed the project's reasonableness in light of the Town's comprehensive land use plan and other land use policies and found that the project is reasonable in light of the Town's land use regulations including specifically the Town's Comprehensive Land Use Plan and the stated goals and objectives in that Plan including those provisions which encourage a variety of housing opportunities, and consistency with the Town's underlying R-2 zoning district which was designed and implemented for residential use, including a mix of single family and multi-family residential options.

After careful review of this application and the materials submitted, the Planning and Zoning Board unanimously recommends the approval of the application for a Conditional Zoning District for the

project as reflected on the attached site plan, historic elevations, and conceptual floor plans, subject to the following conditions:

1. The project is to be constructed consistent with the preliminary site plan and historic elevation submitted by the applicant, copies of which are attached hereto and incorporated herein by reference. The height of the building may not exceed its current height which has been established as 40 feet at the roof ridge as measured from the front sidewalk at the front steps. It is recognized that a fire escape must be constructed exterior to the existing building. A rear entrance from the parking area must be provided with related improvements to facilitate access to the building from the parking areas located at the rear and side of the building.
2. The maximum number of units allowed is 16.
3. The floor plans that are attached hereto are conceptual in nature and are allowed to be changed as long as the number of units does not exceed 16. Sitting areas, mailrooms, laundry facilities, storage areas, and other uses which support the residential units are allowed as long as they are housed within the existing building or garage area. Commercial uses, such as restaurants and shops are not allowed on the property.
4. The exterior of the main building must be maintained in such a manner as is consistent with the historic aesthetics of the building as shown on the original elevation submitted with the application and attached hereto, including but not limited to the original façade and old brickwork. The exterior of the garage building must be repaired with a masonry stucco finish.
5. Sidewalks are not required within the project or along Brown Street or College Street.
6. All driveways/streets within the project shall be private. Said private driveways/streets shall be constructed to Weaverville's driveway/street standards, except that the historic horseshoe driveway in the front of the building off of Brown Street is not required to meet those standards. The covenants, conditions and restrictions applicable to this project, if any, must include language stating that the streets are private and part of the common area of the project, and as such will be maintained through the assessments for common expenses.
7. A minimum of 32 off-street parking spaces, with a minimum size of 9 feet by 18 feet, must be provided and must be constructed and maintained in an all-weather condition regardless of surface materials used.
8. One freestanding sign at the entrance of the project is allowed but such sign must not be larger than 50 square feet of surface area per side of the sign, for a maximum aggregate of 100 square feet of surface area, and must comply with the other standards contained in Article VIII of Chapter 36 of the Town's Code of Ordinances.
9. Any and all outdoor lighting that is to be installed must comply with Town Code Section 36-26, except as specifically provided in this paragraph. All outdoor lighting on the property shall be mounted on posts that are no more than 16 feet tall. Blocking, shielding and aiming of all outdoor lighting shall be used to minimize light trespass on to adjoining residential properties. The outdoor lighting plan must be submitted and approved in conjunction with a zoning permit application.

10. Landscaping must comply with Article VI of Chapter 36 of the Town's Code of Ordinances. A landscaping plan must be submitted and approved in conjunction with a zoning permit application.
11. Grading must comply with Article XV of Chapter 36 of the Town's Code of Ordinances. A grading plan must be submitted and approved in conjunction with a zoning permit application. Compliance with Buncombe County sedimentation and erosion control standards is also required.
12. Landscape buffers or privacy fences or walls between the property and adjoining properties are not required but are allowed.
13. Construction related vehicles must be parked on the property and not on the public streets or the shoulders of those public streets. All dirt, mud, construction materials, or other debris deposited on the public streets as a result of construction activities must be removed by the contractor or owner on a daily basis, pursuant to Code Section 22-48.
14. All construction must be completed within 24 months of the issuance of the first permit allowing work to begin on the property. Upon request of the owner/developer, Town Council may, in its sole discretion, grant such extension as Town Council deems appropriate under the circumstances.
15. Section 36-84 shall continue to govern the project including, but not limited, to those provisions regarding issuance of zoning permits, modifications, appeals, and final plat approval.

The height of the existing building had not been measured at the time that the Planning and Zoning Board took action on the recommendation. This information is to be provided by the property owner or her agent and should be included in paragraph 1 of the conditions prior to Town Council adoption.

While the unit density of the project (16 units) is consistent with the number of units allowed under the table of dimensional requirements, a concern was shared by one of the Planning and Zoning Board members related to the density that is proposed for this project.

Whether the main driveways/streets are to be constructed with pervious (gravel) or impervious (pavement) material has yet to be determined. Some members of the Planning and Zoning Board indicated a preference for an impervious or paved surface in order to reduce the possibility of erosion and washing of the driveways/streets and parking spaces and possible impact on the public streets and related safety issues. The property owner is likely to employ engineers that will provide recommendations on the surface material for the driveways/streets and a grading plan must be submitted with a zoning permit application.

To support the condition stated in paragraph 4 concerning sidewalks, it is noted that sidewalks are not required for projects that do not involve new construction. As this project is a renovation project, sidewalks would normally not be required. In addition, the existing residential neighborhood in which the project is located does not have sidewalks and sidewalks along the Brown Street and/or College Street frontage of the property would not be in character with the existing neighborhood, including the subdivision known as Lakeside Meadows which lies to the south of the property and does not have

sidewalks. The closest sidewalk to the project is located approximately 500 feet north at the intersection of College Street and Lakeshore Drive.

To support the condition stated in paragraph 11 concerning buffering and fencing, it is noted that buffers between adjoining properties is not required by any residential use within the R-1, R-2 or R-3 zoning districts.

A traffic analysis was not conducted as Town staff determined that the peak hour trips would not trigger the requirement stated in Town Code Section 36-25.

Under Town Code Section 36-84(i) Town Council has the discretion to require a performance guarantee to guarantee the completion of the conditions approved with the conditional zoning district and to determine the amount of such guarantee should Town Council wish to require one.

It is also noted that a public involvement meeting required by Sec. 36-84(e)(3) has not yet been scheduled. Town Council is reminded that it cannot hold its public hearing on the application until such public involvement meeting has been held.

While recognizing that it is outside of the scope of the Planning and Zoning Board's review of the application, a suggestion was made that any historical artifacts found within the existing building might be of interest to the Dry Ridge Museum and the agent of the owner seemed interested in donating such materials, if found, to the Dry Ridge Museum.

Please let me know if you need anything further from us on this matter.

Sincerely,

Doug Theroux

Doug Theroux

Planning and Zoning Board Chairman

cc: James Eller, Town Planner
Selena Coffey, Town Manager
Jennifer Jackson, Town Attorney
Thomas Wolfe, Saba Holding Group, LLC