

Town of Weaverville
Planning and Zoning Board
Minutes – Thursday, March 5, 2020

The Planning and Zoning Board of the Town of Weaverville met for a regularly scheduled monthly meeting at 6:00pm on Thursday, March 5, 2020 within the Council Chambers at Town Hall.

Present: Chairman Gary Burge, Vice Chairman Catherine Cordell, Board Members John Chase, Peter Stanz and Steve Warren, Alternate Members Tom Balestrieri and Rachael Bronson, Town Manager Selena Coffey and Planning Director James Eller.

1. Call to Order.

Chairman Gary Burge called the meeting to order at 6:00 pm.

2. Approval of the Agenda.

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

3. Approval of the Minutes from the February 4, 2020 Meeting of the Board.

Mr. Stanz motioned to approve the minutes from the February 4, 2020 meeting of the Board. Mr. Chase seconded and all voted unanimously.

4. Discussion Related to a Proposed Major Subdivision Commonly Known as Greenwood Park.

Mr. Eller provided the Board with an introduction to the property in question and a description of the proposed major subdivision which proposed the creation of 73 lots from the underlying 46 acres. A staff report with further description of the application and plans was also presented and discussed.

A report from the Technical Review Committee (TRC), dated January 21, 2020, was presented to the Board showing the evolution of the application and plans based upon the findings of the committee and recommendations to the developer and engineers representing the proposed development. A second report from the TRC, dated February 21, 2020, was presented and discussed showing that 11 of the 12 recommendations from the previous TRC report had been satisfied. One recommendation from the TRC, being the relocation of one fire hydrant to observe special requirements found within the Fire Code, would ultimately be incorporated into the Board's recommendation to Town Council.

Amit Dorf, representing the owner of the property, and Daniel Hyatt, an engineer for the project, spoke to the Board regarding the proposed subdivision.

Mr. Warren questioned the accessibility of some lots shown on the proposed preliminary plan. Mr. Eller responded that variables related to the suitability of land found within Section 25-107 of the Subdivision Ordinance had been discussed with engineers representing the property in a meeting with the TRC. The engineers acknowledged topographical concerns on the properties in question and confirmed that access could be achieved effectively with certain floor plans and footprints for the homes to be constructed.

Mr. Eller noted that a previous preliminary plat approval had been achieved for the subject property in August, 2015. Said preliminary plat approval had subsequently been voluntarily vacated by the property owner via written correspondence to staff.

5. Consideration of a Motion Establishing a Recommendation to Town Council on the Aforementioned Major Subdivision.

Mr. Stanz motioned to offer a positive recommendation to Town Council on the proposed major subdivision with one condition based upon a recommendation offered by the Technical Review Committee. Said condition was the relocation of one fire hydrant due to special requirements found within the Fire Code. Mr. Warren seconded and all voted unanimously.

6. Discussion Related to a Proposed Conditional Zoning District Commonly Known as Garrison Reserve.

Mr. Eller presented the Board with the application and plans related to a proposed conditional zoning district for a multi-tenant development of 25,000 square feet or more within the underlying C-2 zoning district. Commonly known as Garrison Reserve, the project proposes to house approximately 70,000 square feet of office, retail and storage uses within three buildings on the properties at 10 and 30 Garrison Branch Road.

Tim Brigman and Warren Sugg spoke to the Board regarding the particulars of the application and project including identifying a need for storage facilities in the area due to active and under construction apartment complexes in the immediate facility. Mr. Eller confirmed that 634 dwelling units in a multi-family configuration had been constructed, or are in active construction, across four projects in the immediate vicinity.

Mr. Sugg confirmed that the use of storage would be limited to one building, being building C, on the plans presented. Mr. Sugg also described an elevation rendering of all three structures making note that the three-story building, building C, would appear no taller than the other two two-story buildings, buildings A & B, due to a fall in topography across the site. Mr. Eller noted that all three structures were well below the height limitation of 75 feet within the underlying zoning district.

Ms. Cordell questioned those representing the property as to which construction materials would be used on the exterior of the building to achieve the look and style presented in the plans. Mr. Brigman suggested that specific building materials had not yet been contemplated but did offer assurance that the building would appear as presented on the plans once constructed. Ms. Cordell requested that specific language related to the construction materials to be used, including metal panels and fiber cement siding, to achieve the presented appearance be incorporated into the recommendation of the Board. Consensus was also achieved that similar building materials should be used on all three buildings to achieve a similar appearance.

Mr. Eller noted that the proposed parking spaces to be provided on the plans were below that which would normally be required. Mr. Sugg spoke to this specifically, referencing building C which is proposed for storage, and his findings with similar uses and projects that not nearly as much parking is usable by these facilities. Consensus was achieved that the number of parking spaces shown on the plans would be appropriate for the project.

Mr. Warren questioned Mr. Eller as to whether the Town could effectively enforce the square footage for each particular use (office, retail and storage) once the project was constructed. Mr. Eller noted that within multi-tenant developments and other existing buildings, a tenant is often occupying the premises prior to the town having knowledge due to the loss of privilege licenses in 2014. Consensus was gained that square footage

restrictions on office and retail uses should be removed but that the use of storage should be completely limited to building C as shown on the plans.

Consensus was achieved that the signage and lighting for the property shall be compliant with generally applicable sections of ordinance.

7. Consideration of a Motion Establishing a Recommendation to Town Council on the Aforementioned Conditional Zoning District.

Ms. Cordell motioned to offer a positive recommendation to Town Council on the proposed conditional zoning district provided that metal panels and fiber cement siding be used to achieve the appearance shown on the plans; parking be provided as shown on the plans; signage and lighting installed as required by generally applicable sections of ordinance; and that the use of storage be limited to building C as shown on the plans. Ms. Cordell's motion was made with a finding that the proposed project and uses contained therein, are compliant with the Town Comprehensive Land Use Plan in that the project is in an area shown for mixed use on the Future Land Use Map and in the best interest of the public in that mixed use is also called for within the Town's Strategic Plan. Mr. Warren seconded and all voted unanimously.

8. Discussion Related to Certain Sections of Ordinance Related to Streets, Parking and Mandated Notices for Quasi-Judicial Hearings.

Mr. Eller noted that in anticipation of Town Council making substantial changes to Chapters 24: Streets and Sidewalks and 28: Traffic, the Planning and Zoning Board is being asked to examine text amendments to certain sections of ordinance within Chapters 25: Subdivisions and 36: Zoning which may be affected. The proposed changes are largely to maintain consistency throughout the code of ordinances and to incorporate provisions that are better suited within land use regulations.

Ms. Coffey provided the Board with an overview of Town Council's work within the aforementioned Chapters 24 and 28. Ms. Cordell noted some concerns over the Town possibly taking over additional roads under private ownership including the ability to properly maintain roads currently under municipal control.

Mr. Eller noted that the proposed text amendments for mandated notices for quasi-judicial matters to be determined before the Town's Zoning Board of Adjustment (ZBA) relate to provisions that the ZBA, University of North Carolina School of Government (SOG), and staff recommend deleting so as to perfectly align with notice requirements found within state statute. The SOG cautions that the wider a notice bubble provided in ordinance rather the statute on quasi-judicial hearings, the more susceptible a jurisdiction is to a judicial challenge on the issue of standing.

Chairman Burge noted a conversation with fellow Chairman Lewis of the ZBA and confirmed the ZBA's desire to align the Town's noticing requirements for quasi-judicial matters with that of state statute.

9. Consideration of a Motion Establishing a Recommendation to Town Council on the Aforementioned Text Amendments.

Mr. Warren motioned to offer a positive recommendation to Town Council on the aforementioned proposed text amendments related to streets, parking and mandated notices for quasi-judicial hearings.

10. Any Other Business to Come Before the Board.

Mr. Eller noted that a joint meeting with Town Council and the Planning and Zoning Board had been scheduled for the following Tuesday, March 10 within Council Chambers at Town Hall.

Ms. Coffey provided the Board with a brief description of intergovernmental considerations related to the emerging COVID-19 pandemic.

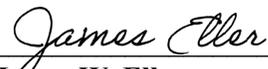
11. Adjournment.

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



Gary Burge, Chairman
Planning and Zoning Board

ATTEST:



James W. Eller
Planning Director / Deputy Town Clerk