



Minutes of the Regular Meeting of the
Zoning and Planning Board

Tuesday, March 18, 2014

Lake Lure Municipal Center

ROLL CALL

Present: Thomas M McKay, Chair
Ric Thurlby
Bruce Barrett
Charlie Ellis
John Moore, Town Council Liaison

Absent: David Goins

Also Present: Shannon Baldwin, Community Development Director
Suzy Smoyer, Planner & Subdivision Administrator
Sheila Spicer, Zoning Administrator
Michelle Jolley, Recording Clerk

Chairman McKay called the meeting to order at 9:35 a.m. and Commissioner Moore gave the invocation.

APPROVAL OF THE AGENDA

Mr. Barrett made a motion to approve the agenda as presented. Mr. Thurlby seconded and all were in favor.

APPROVAL OF THE MINUTES

The minutes of the February 18, 2014 regular meeting were unanimously approved as presented upon a motion made by Mr. Ellis and seconded by Mr. Thurlby. All voted in favor.

OLD BUSINESS

(A) Review Status of Major Subdivisions

Ms. Smoyer pointed out a Permanent Extension Act was passed by the state legislature in 2006, which stated that any subdivisions approved from January 1, 2008 to December 30, 2011 would remain active until January 1, 2011. She presented the following updates to the Board:

- Lake Lure Professional Park – The plan as outlined in the expired preliminary plat for the Lake Lure Professional Park has been abandoned. The developer moved forward with an alternative plan that did not require approval of a major subdivision. Ms. Spicer pointed out they were approved for a minor subdivision plat and stated building permits have been issued, site improvements have been completed, and construction is about to begin on the Mountain Area Health Education Center (MAHEC) building. Mr. Baldwin pointed out the engineering work done on the entrance would integrate in with the larger parcel, owned by Dr. Adams.
- Lure Ridge – The final plat for the Lure Ridge Subdivision was recently approved and the developers can begin selling lots.
- Lago Vista – A final plat for Lago Vista was approved in 2013. A bank currently owns the property, and is seeking a buyer for the entire property. Town staff met with a potential buyer to discuss other development options for the property. Chairman McKay pointed out the property was recently purchased under two new owners.
- Highlands at Lake Lure, Phase 4 – There have been no changes to this subdivision. She stated the infrastructure was never completed.
- Laurel Mountain Estates – This subdivision is in the final phase and the infrastructure is complete and has been approved.
- Overlook – The second extension was approved for this project. The plat has expired and there are no known plans for this project.
- Ridge at Firefly Cove – The preliminary plats for Phases 1B and 2 have expired. There has not been any expressed interest in additional subdivision applications for Phase 1B or Phase 2. Ms. Spicer reported there is a house being constructed, owned by Thomas Maddox.
- LureWoods – The plat has expired and there are no known plans for this property.
- LureRidge – Both phases have been completed.
- Blue Heron Point – The final plat was recorded in 2007. There were some issues in the beginning but now it is all together and an HOA was created. Ms. Spicer mentioned two new homes are underway in this subdivision.

Ms. Smoyer pointed out, other than Lago Vista, there are no other major subdivisions going up.

Commissioner Moore suggested the Board discuss agenda item (c) Review Staff Report Regarding Chimney Rock Ridge Amendment ahead of agenda item (b) Review RFP for Town Center Small Area Plan, since a few of the Chimney Rock Ridge property owners were present. The Board agreed.

(C) Review Staff Report Regarding Chimney Rock Ridge Amendment

Mr. Baldwin briefed the Board on the Chimney Rock Ridge Amendment. He pointed out a few of the Chimney Rock Ridge (CRR) subdivision members are present.

Gary Brandenburg, a member of the CRR Homeowner Association, addressed the Board stating he owns a home on Proctor Road. He explained that John Proctor started this subdivision in 1988 and developed a set of restrictive covenants that bind the property and are presently still in place. He stated these covenants allow two principle residences to be constructed on each lot. He mentioned the amendments proposed by CRR would not allow a use that isn't already allowed in the R-1B zoning district or the majority of the other R-1 districts, but would allow more than one principal residential building as a permitted use. He also mentioned the proposed amendment would require a Unity of Title when a property owner applies for a second home on a single tract containing 10 acres or more, which would prohibit by deed restriction any future subdivision of the parcel. He pointed out that the Unity of Title would run in favor of the Town.

After a short discussion, Ms. Spicer pointed out that the current zoning regulations do not prohibit building two single family dwellings on a lot. She stated this would be a conditional use taken to the Board of Adjustment rather than a permitted use. Mr. Brandenburg mentioned the conditional use permitting process is very laborious and asked that the Board move forward with the proposed amendment.

Stephen Milito, property owner in the CRR subdivision, addressed the Board stating he recently added a building onto his property and agreed that the process was very laborious. He stated he owns a 30 acre tract and does not feel it should be zoned in the same manner as a smaller tract of land.

Discussion held on garage apartments. Ms. Spicer pointed out that garage apartments are a conditional use in all R-1 districts, except for R-1 D and stated the Board might want to look over and discuss whether garage apartments should be a conditional use, as it currently is, or a permitted use. Mr. Ellis suggested the Board consider expanding the proposed amendment to include the R-1 A district as well as the R-1 B district. Ms. Spicer noted if any changes are made to the regulations, it would involve a complete rewrite of those sections in the regulations. Discussion held. After discussion, Mr. Ellis made the following motion:

Mr. Ellis moved the Board to send the Chimney Rock Ridge Amendment to Town Council for their approval, with a modification that the ordinance would include both R-1A and R-1B districts and to allow garage apartments as a permitted use. Mr. Barrett seconded. All voted in favor.

(B) Review RFP for Town Center Small Area Plan

Mr. Baldwin briefed the Board on the Town Center Small Area Plan. He stated the Small Area Plan can be broken down into three sections; Pedestrian Bridge and Bay Area Plan, Main Street Master Plan, and Rocky Broad Gateway Plan. He pointed out the bridge over the smallest section of the bay which connects to the east side is already underway. He presented the Town Center Master Plan for Phase 1 and DOT's plan to the Board. He suggested adding a traffic circle in the scope of work for the Rocky Broad Gateway Plan.

Mr. Baldwin reported there is about \$10,000 in the budget for the Town Center Small Area Plan. He mentioned he has spoken with Vic Knight, landscape architect with Knight Strategies, and requested an estimate for two Town Center Small Area Plan projects. He also asked the Board to consider potential development at the ABC property as part of the Main Street Master Plan, as well as repurposing the contiguous green space.

Mr. Baldwin reported that DOT is fairly close to adopting a Comprehensive Transportation Plan and stated the Town should start laying the ground work now. He stated, in his opinion, the most important aspect of the Town Center Small Area Plan is the development of the Lake Lure Parkway, the new access road between traffic circles. Discussion held. Mr. Barrett suggested asking help from the NC representatives to get DOT moving forward with the Comprehensive Transportation Plan fairly quickly.

Chairman McKay mentioned the necessity for a traffic circle at the NC 9/64-74A intersection due to safety reasons. Mr. Baldwin pointed out he will not have the funds for the NC 9 Corridor Small Area Plan in the budget until the next fiscal year, but we should solicit a proposal or two to give an idea of costs.

Mr. Baldwin stated he would bring the contracts he receives from Vic Knight, regarding two Town Center Tree Plan projects, back to the Board for review and approval.

Mr. Ellis made a motion for staff to proceed with the proposed scope of work for the Town Center Small Area Plan. Mr. Barrett seconded. All voted in favor.

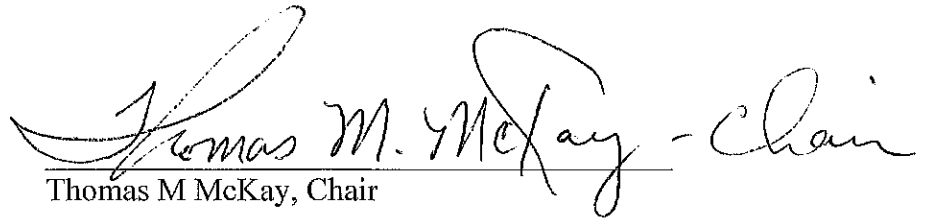
NEW BUSINESS

Chairman McKay suggested the Town look into hiring a community full-time block grant writer.

Ms. Spicer pointed out there was a change in the Lake Structure Regulations and a copy of the regulations was given to each Board member.

Upon a motion by Mr. Ellis and seconded by Mr. Barrett, the meeting was adjourned at 11:58 p.m. The next regular meeting is scheduled for Tuesday, April 15, 2014 at 9:30 a.m. at the Lake Lure Municipal Center.

ATTEST


Thomas M McKay, Chair


Michelle Jolley, Recording Clerk