

MEETING MINUTES



Board Members Present

Member Jeff Angel
Member Kimberly Hunter

Member Dylan Dechant (via Zoom)
Member Glenda Overbeck

Board Members Absent

Chairperson Jay Grimmett

Town Staff Present

Adrienne Isenhower, Planning Director
Penny Sams, Zoning Administrator
Luke Williams, Project & Facilities Manager

Sheri Powers, Interim Town Administrator
Ryan Vinson, Town Clerk / HR Analyst

SIMULTANEOUS COMMUNICATION IN PERSON AT TOWN HALL AND STREAMED VIA ZOOM

Planning Director Isenhower called the meeting to order at 6:31 p.m.

A. Approval of the Agenda

Member Angel made a motion to approve the agenda. Member Overbeck seconded the motion, which passed unanimously, 4-0.

B. Approval of the Minutes from January 13, 2022

Member Overbeck made a motion to approve the agenda. Member Angel seconded the motion, which passed unanimously, 4-0.

C. Public Comment

Everyone wishing to address the Board must sign up with the Town Clerk 15 minutes prior to the meeting. Each speaker will be recognized by the Chair when it is their time to be heard. Comments are limited to three minutes per speaker and the time allotted to public comment will be at the discretion of the Chair.

D. Old Business

E. New Business

1. Item 1: Swearing in of new Board Members

Town Clerk Vinson swore in Member Dechant and Member Hunter

2. Item 2: Selection of a Vice Chairperson

Member Overbeck made a motion to appoint Member Hunter as Vice Chair for the Town of Woodfin Planning Board. Member Dechant seconded the motion, which passed unanimously, 3-0. Member Hunter accepted the nomination to be Vice Chair.

3. **Item 3: Review and Approval of Planning Board Bylaws**

Member Overbeck made a motion to approve the Planning Board Bylaws. Member Angel seconded the motion, which passed unanimously, 4-0.

4. **Item 4: Steep Slope Ordinance Review**

Planning Director Isenhower: At the request of the community, staff has developed a draft steep slope ordinance for development in the corporate limits. The draft is a product of coordination among Town departments, review of existing steep slope/hillside ordinances throughout the region, and analysis of elevation and slope data for the Town of Woodfin. The proposed ordinance includes provisions regarding density requirements, disturbed area and impervious surface restrictions, screening requirements, plan submittal and review regulations, and penalty information.

We hope to submit your comments along with a final draft to the commissioners for the February meeting. You all received the draft at the previous meeting, and I hope you have had some time to review and are ready with comments.

Staff has provided a written statement regarding consistency of the ordinance amendment with the comprehensive plan. This document is required to be sent to the commissioners prior to their decision. You are welcome to amend the language of the statement as you see fit.

Please note there have been some minor changes made from the initial draft. A new draft is included with your packet showing those amendments.

Vice Chair Hunter: The ordinance is very well written and the purpose at the beginning provides a great overview of what is to come in the plan.

Planning Director Isenhower presented a PowerPoint presentation with the highlights of the draft ordinance which has been included with the minutes.

Steep Slope Ordinance trigger would be at a natural elevation of 2,200 feet and a 30% slope across the property.

Member Overbeck: Why is the City of Asheville's slope at 15%?

Planning Director Isenhower: I am not sure. To me, 15% is not considered a steep slope. For Woodfin, that would trigger all development as steep slope.

Project Manager Williams: We tried to find the balance between setting the slope percentage too high and not triggering anything, or setting it too low and triggering everything. We ran through scenarios in various neighborhoods in town to see how it would have affected development.

Interim Administrator Powers: The ordinance is not only tied to slope, but lot size and elevation as well.

Vice Chair Hunter: The purpose says for preservation for certain lots and size and elevations, etc.

Vice Chair Hunter: I like visuals within the plan, helps me to understand better and see what are considered best practices.

Vice Chair Hunter: Two dwelling units, does that include accessory dwelling units?

Planning Director Isenhower: Accessory dwelling units are not currently addressed in our ordinance, but we will be discussing that later.

Vice Chair Hunter: Do you know what percentage of slopes are 40% or greater in town?

Planning Director Isenhower: I do not have that information, but I can get it to you. It is shown on the map in slide 2 on the presentation, but I do not have the exact breakdown with me.

Vice Chair Hunter: Where I am from, we had steep slopes in a beach town, because of mudslides, and we noticed that about 40% of homeowners that were below the property in question would potentially be negatively impacted. Are there a set of best practice that we can use to consider when evaluating future projects to consider how it relates to what is below it?

Project Manager Williams: Engineers will determine if the soil and ground are stable enough to build on and/or determine best location to build on lot.

Vice Chair Hunter: Single cell native trees were spoken about landscape architects with downtown Asheville commission as being very beneficial.

Member Dechant: In looking at the river, is any of the nearby properties under and steep slope triggers? Any concern with the river corridor and it being steep and feeding into river?

Planning Director Isenhower: Are you suggesting that maybe we lower the trigger for percent slope?

Member Dechant: Maybe a buffer zone around the river?

Member Overbeck: Maybe lower slope to 25%?

Planning Director Isenhower: Stormwater regulations would assist in taking care of some of those concerns with development along and near the river.

Vice Chair Hunter: Can we create a new river corridor?

Planning Director Isenhower: I agree that protecting the river is a concern, but I do not think a steep slope will not help address those concerns at this time.

Member Dechant: There are two triggers, height, and percentage. Why does elevation matter?

Planning Director Isenhower: I was mirroring off Buncombe County and City of Asheville.

Planning Director Isenhower: Are you suggesting removing slope and keep percentage?

Project Manager Williams: If elevation was not there, and you would be saying everything that triggers by slope, it does help focus on the steep slope with the ridgetops. But what about steep slope by river? Stormwater protection that will capture that.

Member Angel made the following motion:

Having reviewed the **Text Amendments** of the Town of Woodfin Code of Ordinances for addition of a Steep Slope Ordinance and having considered information from the planning staff of the Town of Woodfin and comments from other persons, pursuant to 160D-604(d), the Town

of Woodfin Planning Board hereby adopts on of the following motions, effective February 1, 2022:

Motion to adopt the following resolution: RESOLVED, that the Town of Woodfin Planning Board finds the proposed text amendment is consistent with the Town of Woodfin comprehensive plan. The following reasons and other matters were considered in the deliberations of the Town of Woodfin Planning Board with respect to this motion:

1. The proposed text amendment is reasonable considering the potential benefits to development of the Town of Woodfin and surrounding community; and
2. The proposed text amendment advances the public health, safety, and welfare of the Town of Woodfin, and;
3. The proposed text amendment is consistent with Section F. Environmental Resource, Strategy 2: Develop a new Steep Slope Ordinance or adopt/adapt the Steep Slope Ordinance of Buncombe County that would regulate development and building on steep slopes and ridgetops by March 1, 2022.

Member Overbeck seconded the motion, which passed 3-1. Member Dechant voted against the motion.

5. Item 5: Zoning Ordinance Text Amendment: Conditional Districts

Planning Director Isenhower: The zoning ordinance was amended in December in response to requirements from new land use legislation, referred to as 160D. Those amendments included the introduction of conditional districts for certain developments. For clarification, the UNC School of Government offered several guidance documents regarding the 160D legislation, including one on conditional zoning, which provides the following summary on conditional districts.

The conditional zoning process also requires a detailed site plan, a community meeting, additional studies, and meetings with staff prior to submittal to the planning board and board of commissioners for review and approval.

The initial amendments included a requirement for Mountain Village district developments to use the conditional district process for approval. In discussions with the public and the commissioners, it has been suggested that an additional trigger be added to the conditional district process for large developments. The attached document provides a suggested amendment to require residential developments with 20 or more dwelling units and commercial/industrial developments containing more than 30,000 square feet to utilize the conditional district process for review and approval.

Member Overbeck: Did you do and drawing from neighbors for conditional districts?

Planning Director Isenhower: Not particularly, I started this back during the 160D changes, so it is based on UNC-School of Government and other jurisdictions in the state, not necessarily neighbors.

Member Overbeck: Traffic is a big part of this.

Member Overbeck: If someone was to come forward with a plan and were told that it would be a conditional district – would they then have to do these things before it came before us tonight is this amendment?

Planning Director Isenhower: That is correct.

Member Overbeck made the following motion:

Having reviewed the **Text Amendments** of the Town of Woodfin Zoning Ordinance for amendments to Section 54-156: Conditional Districts and having considered information from the planning staff of the Town of Woodfin and comments from other persons, pursuant to 160D-604(d), the Town of Woodfin Planning Board hereby adopts on of the following motions, effective February 1, 2022:

Motion to adopt the following resolution: RESOLVED, that the Town of Woodfin Planning Board finds the proposed text amendment is consistent with the Town of Woodfin comprehensive plan. The following reasons and other matters were considered in the deliberations of the Town of Woodfin Planning Board with respect to this motion:

4. The proposed text amendment is reasonable considering the potential benefits to development of the Town of Woodfin and surrounding community; and
5. The proposed text amendment advances the public health, safety, and welfare of the Town of Woodfin, and;
6. The proposed text amendment is consistent with the following section(s) of the comprehensive plan:
 - a. Section A. Land Use, Goal 2, Improve overall quality of both existing and new development with an emphasis on infrastructure reality and future needs.
 - b. Section A. Land Use, Objective 4: Promote environmentally responsible and sustainable development.

Member Angel seconded the motion, which passed unanimously, 4-0.

6. **Item 6: Major Subdivision Preliminary Plat:** The property is located at 99999 Goodman Road, further identified by Buncombe County Parcel Identification Number 9731-12-9772. The request is for Phase I of the subdivision to include 37 lots.

Planning Director Isenhower: A preliminary plat has been submitted for 99999 Goodman Road, located at the corner of Goodman Road and Riverside Drive and adjacent to the Altura subdivision. A master plan is submitted with the request depicting a subdivision of 176 total lots on a 90-acre tract. The preliminary plat submitted is for Phase I of the development, to include 37 lots on 6.37 acres. The property is zoned Mountain Village allowing for the proposed density for Phase I of 2.64 units per acre. The development includes three types of lots: estate lot (100' width), standard lot (80' width) and cottage lot (50' width).

The applicant has submitted a site plan with existing and proposed conditions of the site, a grading plan, and a water and sewer plan. The proposed use is allowed in the Mountain Village zoning district with submittal of the plans listed above. The Planning Board will review the proposal and make a recommendation to the Board of Commissioners, who will hear the matter at their next meeting on February 15.

Jason Gillian: We have not yet submitted our water/sewer applications. Wetland stream delineation, there are no affects to water or wetlands. NCDOT approved traffic study for 318 units. It

was issued in November 2019 and was good for 12 months, and we can get an updated letter since we have reduced number of units.

Vice Chair Hunter opened the Public Hearing at 7:14 pm.

Sue Levine (13 Goodman Road): I am a resident of Goodman Road, and I am concerned about how the property development will impact our wildlife, environment, safety, quality of water; school systems and our overall Eco system. She had a list of several questions she wanted the applicant to answer, which are included in the minutes.

Michelle Crider (5 Goodman Road): We share numerous concerns with our Goodman Road neighbors over the proposed subdivision, including an increase in traffic to Riverside Drive, safety to Woodfin citizens, land erosion, and disruption of the current ecosystem. I believe each of these are concerns and interests of the Town, as they are included in the Town development survey that we completed last month. We expect this subdivision developer and the Town have in place a plan to keep all of the creatures of the land, sky, and river safe and undisturbed, and we would like to know the details of this plan.

John Averette (11 Goodman Road): I live on Goodman Road, and I am going to play the NIMBY [Not In My Back Yard] card. I understand that it is unrealistic to think the land will not be developed. I do not feel development along the river is appropriate for Mountain Village, even though it [development] is needed. Sewage containment system on riverside drive is also a concern.

Jim Debaridi (47 Goodman Road): I want to hear more about project, and I assume Goodman Road will not be connected via another road.

Teresa Carroll (developer): This project is low density, only 2 units per acre.

Member Overbeck: For the traffic study done in 2019 for 318 units. What was conclusion?

Jason Gillian: It was approved – the master plan approval in 2016-17 for development was for density in excess of what is now proposed with revised master plan.

Member Overbeck: What is the price point for the houses?

Teresa Carroll: They would range from \$350,000 to \$600,000.

There was some discussion amongst the Board members about wanting to see more information, details, and maps from the developer and the team.

Teresa Carroll: It is challenging to do a proper presentation on a Zoom call, but all of this information has been submitted.

Planning Director Isenhower: All that I have is preliminary plat and master plan.

Vice Chair Hunter: What percentage of the total acreage will be disturbed?

Member Overbeck: The map shows 37 lots and 18 acres for the current development, it would be good to know future expansion ideas or plans.

Jason Gillian: About 6.3% of acreage would be disturbed in phase 1. That percentage will decrease with each phase in the 89.7 acres due to the denseness of the area. There are 3 lot typologies, 60-ft, 80-ft, 100-ft width lots.

Vice Chair Hunter: Your stormwater plan, is it comprehensive?

Jason Gillian: Stormwater is self-contained per each phase.

Vice Chair Hunter: How far along in those plans?

Jason Gillian: There is a 16-page document that was submitted showing 176-unit master plan and phase 1 specifically, showing water/sewer and stormwater plans. The plans are about 90% developed and we will go to Buncombe County shortly after your approval for their approval.

Project Manager Williams: Would you be looking to dedicate any streets to the Town?

Jason Gillian: We have not had an internal discussion about that, but the roads are designed to town and county standards, 15% grade, 300-ft path is 18% and the max grade in future phases 17.5%.

Vice Chair Hunter: Is there going to be commercial development as well?

Teresa Carroll: No commercial development planned, and the amenities shown are those included with residential development.

Jason Gillian: The previous master plan shows 3 points of ingress, egress. We have eliminated 1, and current 2 have been redesigned per DOT.

Member Overbeck: What would be the impact on schools? Do you have a landscape plan? Has a tree study been done? What about stormwater and Hydrology?

Jason Gillian: The kids in the neighborhood would attend Woodfin schools, we are not required to have a landscape plan, a tree study has not been done, there are stormwater detention ponds with 2 underground chambers and 3 ponds, and the hydrology is part of stormwater plan.

Member Angel: Who is supplying the water?

Jason Gillian: Woodfin Water District.

Member Angel: Would the properties be sprinkled?

Jason Gillian: No

Jason Gillian: We do have the approval letters from Metropolitan Sewerage District and Woodfin Water District that will be send over.

Member Overbeck: Would there be any affordable development in future phases?

Teresa Carroll: pricing for future phases would be in line with phase 1.

Member Overbeck: Is there somewhat of a slope in the neighborhood?

Jason Gillian: The road grade is 18% max, and it is about 25-30% for phase 1

Member Dechant: Even with the traffic study that was years ago and now there is even proposed less development.

Member Dechant: Is it usual that stormwater is not approved before the plans are submitted to us?

Planning Director Isenhower: Yes, but Buncombe County will not approve without detailed plan.


Vice Chair Hunter closed the Public Hearing at 7:52 pm.

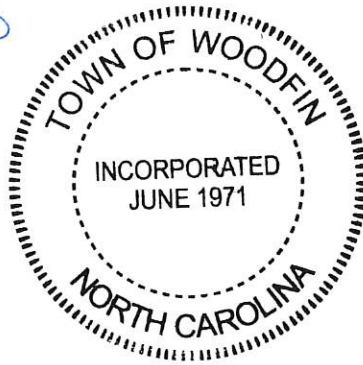
Member Angel mad a motion to recommend approval of the subdivision preliminary plat to the Board of Commissioners. Member Overbeck seconded the motion, which passed unanimously, 4-0.

F. Adjournment

Member Overbeck made a motion to adjourn the meeting. Member Angel seconded the motion, which passed unanimously, 4-0.

Vice Chair Hunter adjourned the meeting at 7:54 pm.


Jay Grimmett
Chairperson



Attest: 
Ryan Vinson
Town Clerk