

**Town of Maggie Valley
Planning Board
Maggie Valley Town Board Room
Wednesday, August 8, 2007
3:30 p.m.**

Minutes

Members Present: Chairman Billy Brede, Bill Chamberlin, June Johnson, Scott Pauley, and John Schreiber
Staff Present: Manager Tim Barth, Planning Director Nathan Clark, and Town Clerk Vickie Best
Others Present: Six people were in attendance

Chairman Brede called the meeting to order at 3:40 pm in the Town Hall Boardroom.

1. Approval of the Minutes: June 6, 2007 & July 11, 2007

**MS. JOHNSON MADE A MOTION TO APPROVE THE MINUTES OF JUNE 6 AND JULY 11 AS PRESENTED.
CHAIRMAN BREDE SECONDED THE MOTION.
MOTION CARRIED UNANIMOUSLY.**

2. Final Platt Amendment: Katua Falls

At the July meeting Katua Falls' final plat approval was given for 27 lots. The approved plat has not been recorded. Lot number 28 has now been measured at .33 acres. The water flow coming off the parcel are not classified waters of the State. Jerry Moody owns the springhead and pipes water under US-19 to wash cars at his car dealership. Due to common areas not being a requirement, as of yet, the Director recommended approval.

The members discussed the drainage onto the lot and the steepness. The proposed lot is not as steep as some of the other lots within Katua Falls. The amount of green space remaining in the development will be 2.1 acres. The proposed lot is not at the lowest point on the site.

Mr. Pauley questioned why the plan was coming before the Planning Board after final approval was provided.

Many times after roads are installed, creation of lots become clearer. Ms. Bennett, one of the developers, stated that the lot was hidden with overgrowth.

If the required amounts of green space were already enacted, 3.4 acres would be required.

There are no requirements for a setback from the Moodys' water source.

**MR. CHAMBERLIN MADE A MOTION TO APPROVE THE ADDITION OF
LOT 28 AS SHOWN ON THE FINAL PLAT FOR KATUA FALLS.
MR. SCHREIBER SECONDED THE MOTION.**

Town of Maggie Valley
 Regularly scheduled Planning Board Meeting
 August 8, 2007
 MINUTES

MOTION CARRIED UNANIMOUSLY.

3. Final Plat Amendment: Smoky Mountain Creekside Condominium

The final plat was approved in June 2007. Mr. Pinter, the owner and developer, would like to replace 47 surface parking spaces with 39 parking garage spaces. After the conversion there would be 90 parking spaces; 18 more spaces than what is required. The parking spaces will be assigned to the property owners therefore; the remaining spaces will be for guest parking.

The members reviewed the plat finding that two of the sides do not meet the 10-foot setback.

**CHAIRMAN BREDE MADE A MOTION TO ACCEPT THE FINAL PLAT
 WITH THE AMENDED PROPERTY LINE SURROUNDING THE TWO
 GARAGE BUILDINGS TO ALLOW FOR THE REQUIRED 10-FOOT SETBACK
 AND ALSO TO NOTE ON THE PLAT THAT THIS IS THE FINAL PLAT.
 MR. PAULEY SECONDED THE MOTION.
 MOTION CARRIED UNANIMOUSLY.**

4. Rezoning Request: 38 Sanctuary Road, Rush Fork Properties

Currently there is one duplex located on the parcel. The property owners would like to build a second duplex. Residential 1 zoning does not allow multi-family housing. Melody Lane serves as the boundary for the zoning to date. The property is located on the corner with road frontage on Melody Lane. Sanctuary Road cannot support Residential 2 zoning. The Dahlhofers have canvassed the neighborhood and found that their only concern was that they did not want to be annexed.

The Dahlhofers plan to petition for annexation in order to request sewer. The parcel appears to have been designed for condominiums. The property is 92 feet from an R2 district.

After further discussion it was determined a survey of the property would be beneficial. The issue was tabled until a map and more information could be reviewed.

5: Preliminary Plat Approval: Brookside Village Condominiums

Brookside Condominium Village is located at 835 Moody Farm Road. Currently there are 42 dwelling units proposed. The entire parcel lies within the 100-year floodplain. The plat shows all of the required flood elevation lines. There will be 94 parking spaces. All water, sewer, and erosion control permits have been issued.

Director Clark requested the buildings to be marked with more details provided on how many units and floors are in each building. A better illustration on where the guest parking will be located was provided. It was noted on the plat that a majority of the parking would be underneath the structures.

Town of Maggie Valley
 Regularly scheduled Planning Board Meeting
 August 8, 2007
 MINUTES

**MS. JOHNSON MADE A MOTION TO ACCEPT THE PLAT DATED JULY 30,
 2007 AS PRESENTED.
 CHAIRMAN BREDE SECONDED THE MOTION.
 MOTION CARRIED UNANIMOUSLY.**

6: Preliminary Plat Approval: Jim Newland

The proposed 36-unit condominium complex is located at 3946 Soco Road. The Zoning Board of Adjustment granted the parcel a special exception for multi-family units. The parking will be shared with the Maggie Valley Pizzeria. The 25-foot buffer will be maintained along Jonathan Creek. The floodplain area lies within the 25-foot buffer. The water, sewer, and erosion control permits have been issued.

Director Clark asked that green space be added where currently there are six parking spaces located.

Ms. Johnson was very concerned about the small amount of green space and how the Valley floor is being paved over. More green space would soften the effects of having so much concrete. "Gardens encourage people to stop and stay awhile." Mr. Newland stated that he could landscape the rear of the property. All the parking islands will be landscaped.

Mr. Chamberlin suggested providing better landscaping in front of the restaurant.

Mr. Pauley is not in favor of having condominiums along the commercial area of the town. Mr. Pauley was against the height the proposed structures will be.

**CHAIRMAN BREDE MADE A MOTION TO ACCEPT THE PLAT AS
 PRESENTED BASED ON THE CURRENT CRITERIA OF THE ORDINANCE,
 THE PLAT DATED APRIL 16, 2007 WITH THOUGHT OF PROVIDING MORE
 LANDSCAPING AS WELL AS REMOVING THE SIX PARKING SPACES TO
 THE FRONT OF THE PARCEL AND MAKING THAT AREA A LANDSCAPED
 AREA/ GREEN SPACE.**

**MR. CHAMBERLIN, MS. JOHNSON, AND MR. SCHREIBER VOTED IN
 FAVOR.**

**MR. PAULEY OPPOSED THE MOTION.
 MOTION CARRIED BY MAJORITY.**

Mr. Pauley explained that he understands that the plan for the condominiums was designed prior to the Land Use Plan being adopted and that Mr. Newland had met the requirements of the zoning ordinance but he opposes condominiums within the tourist district.

7: Preliminary Plat Approval: Maggie Valley Club

Town of Maggie Valley
 Regularly scheduled Planning Board Meeting
 August 8, 2007
 MINUTES

The plat is for phase II of Scarlett Oaks that will consist of six single-family homes. The smallest lot is 0.776 acres. The road will meet Maggie Valley Town Standards. Sewer, water, and erosion control permits have been issued.

After reviewing the plat, the following motion was made.

CHAIRMAN BREDE MADE A MOTION TO APPROVE THE PRELIMINARY PLAT WITH THE FOLLOWING CHANGES: LABEL THE GREEN SPACES AND THE AREAS FOR FUTURE DEVELOPMENT, LABEL THE COMMON AREAS. THE ROAD NAMES MUST BE SHOWN, AND THE AREAS ADJACENT SHOULD BE SHOWN SUCH AS BRIAR LANE, AND LAUREL RIDGE BEHIND c15, 16, 17, 24, AND 25 .
MR. SCHREIBER SECONDED THE MOTION.
MOTION CARRIED UNANIMOUSLY.

8: Text Amendment: Subdivision Ordinance, Open Space Requirement

The proposed green space formula works out well for developments 10-acres or more. The problem arises when the development is less than 10-acres. Director Clark suggested developments less than 10-acres be required to keep a certain percentage of the entire property in open green space.

The planning board members are very pro-landscaping and open green space.

Chairman Brede felt that a lot of the planning board's work and efforts have gone to waste due to the plan not moving along in a fast and efficient manner. All of the new projects will be grandfathered after the plan/ordinance amendment is adopted. The projects on Moody Farm Road as well as across the street from Town Hall will be permitted to move forward, so if an ordinance were in place these developments would not be happening. The Town needs more green space and less density. Chairman Brede felt that Moody Farm Road was turning into a hodgepodge, on a road that is not built for high density.

The open space requirement can go before council for adoption anytime due to it being a subdivision ordinance amendment. The land use plan must be adopted and then that would trigger the implementation of the matrix, which could take up to five-years. The planning board members are interested in implementing the landscape and architectural design requirements first.

Mr. Chamberlin stated that it is extremely important that the map be correct before getting it recorded. The map was created from the GEO blocks disc from 2002.

Chairman Brede would like to make it a requirement that within 10 days of plat approval, the plat must be recorded at the Register of Deeds.

Town of Maggie Valley
Regularly scheduled Planning Board Meeting
August 8, 2007
MINUTES

The members felt that a workshop was needed to review the formula for open space in depth. The formula should be based on density and classification.

The land use plan is a road map to move the town forward with orderly growth.

9: **Other Business**

No other business.

10: **Adjournment**

ON MOTION OF CHAIRMAN BREDE, SECONDED BY MR. PAULEY, WITH ALL IN FAVOR THE MEETING RECESSED AT 5:40 PM UNTIL AUGUST 15, 2007 AT 3:30 PM.

Chairman Billy Brede

Vickie Best, CMC, Town Clerk