

**Planning Board Minutes
Regular Monthly Meeting
Maggie Valley Town Hall Boardroom
Thursday, September 9th, 2021
5:30pm**

Planning Board Members Present: Connie Dennis, Jared Lee, Chairman Jeff Lee and Jim Heffron

Staff Present: Kaitland Finkle, Town Planner and Shelly Coker, Executive Assistant

Others Present: Fourteen others

1. Call to Order

The call to order was made by Chairman Lee at 5:32pm. The Pledge of Allegiance was said by all.

2. Introduction of Kaitland Finkle, Town Planner

The introduction of Kaitland Finkle was made by Chairman Lee. He then asked Planner Finkle to speak. She introduced herself to the Planning Board members and the community members present. She told them she is excited to be here.

Planner Finkle then spoke of the ten-acre development project off Campbell Creek Road, on Panoramic Loop but that is not on the agenda. Some people are here for that project. The Board will not be discussing that project this evening. The developers came in a week ago with a sketch plan. The property was annexed in 2011 and the initial zoning was R2 - the zoning that stands today. The developer will develop within that and 'by right'. He will follow the ordinance and will be allowed to have 39 lots, but the sketch plan has shown 30 lots. The Planning Board will be approving the Subdivision within the Ordinance. Planner Finkle invited the persons that came to speak about this ten-acre parcel to meet with her by appointment to look at the sketch plan or leave their contact information.

3. Approval of Minutes: July 15th, 2021 meeting

Chairman Lee asked members to review the minutes from the July 15th meeting. Jared had a question about the Class A motor homes, which has changed. Chairman Lee spoke of the changes made before the adoption of the Text Amendment. Planner Finkle mentioned the 180 days regulation that was removed in the changes. **Chairman Lee asked for a motion to approve the minutes as presented. Mr. Jared Lee made the motion to approve the minutes as presented. Ms. Dennis seconded. The motion passed with all in favor.**

4. Public Comment: There was no Public Comment.

5. Recommendation on Ghost Town in the Sky (Upper Portion of Parking Lot) Initial Zoning and Map Amendment, Fie Top Road (7677-70-9297) Annexation July 13, 2021

Chairman Lee asked Planner Finkle for an introduction for this agenda item. She spoke of the background of this parcel. The property is zoned on two sides by C1. The Future Land Use Map shows this as Mixed Use Attraction; this code doesn't exist at this time. The Public Hearing for this parcel's zoning will be held on October 12 at 6:30pm. The suggested Staff recommendation is to set the initial zoning to C-1, General Business. The Planning Board Recommendation and Consistency Statement for Ghost Town in the Sky Parking Lot Initial Zoning - Plan Consistency

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Statement was discussed. **Chairman Lee asked for a motion to make a recommendation to the Board of Aldermen to zone this property C-1, General Business and to adopt the presented Plan Consistency Statement. The Motion was made by Mr. Heffron and seconded by Mr. Jared Lee. The motion passed with all in favor and the Plan Consistency Statement was adopted.**

6. Recommendation on Jerry Michael and Sandra Lee Day Initial Zoning and Map Amendment, 217 Campbell Creek Rd (7686-17-4633) Annexation August 17, 2021

Planner Finkle gave the background on this agenda item. The current structure is single family home which sits on Campbell Creek. It is bordered on two side by parcels zoned R-1 and on one side by C-1. The Future land use map calls for high density residential which is similar to R-3. Planner Finkle pulled up the zoning map for all to see. The access is by Campbell Creek Road, also Rocky Top Road and another possible access through an additional lot. RV PUDs are only allowed in the C-1 and C-2 districts. A request has been made for an RV PUD here, but this will not be considered today. Chairman Lee asked about Kamp-n-Kountry. Planner Finkle stated that the Kamp-n-Kountry is non-conforming. This property owner has asked for C-1 zoning.

Ms. Dennis spoke of the residential nature of the Campbell Creek area and the nature of the two-lane road with no sidewalks, and people walking in the road. Mr. Heffron spoke of the surrounding properties; some to the north are commercial, the others are residential. Ms. Dennis spoke of the traffic and lack of lighting. Chairman Lee spoke of the other commercial businesses within the R-1 Zoning district, that are grandfathered in. Mr. Heffron spoke of the density. Ms. Dennis asked about the Pioneer Village cabin property. Planner Finkle said that property will be looked at in the next Agenda item. The Future Land Use Map suggests the R-3 zoning for this parcel. R-3 density provisions apply to C-1 and C-2. The allowed uses are different. Mr. Jared Lee spoke of the possible additional traffic. Planner Finkle mentioned the October 12th meeting when all adjoining properties will be notified and invited to come for the Public Hearing. Chairman Lee asked if the property owner had requested C-1. Planner Finkle said yes. Ms. Dennis asked how many units might be put there. Planner Finkle said the proposal shows 50. The RV PUD will be strictly looked at by the Zoning Board of Adjustment. It will be a Special Exception that must meet strict standards. For the rezoning, all C-1 uses are being considered. Planner Finkle showed the uses that are allowed in C-1. Mr. Heffron mentioned the C-2 district.

Planner Finkle suggested that the property might be split zoned. The sketch of the RV layout and the cul-de-sac was examined. Chairman Lee mentioned making the zoning consistent with the lots across the street. The depth of the lots across the road was determined. Mr. Heffron mentioned he would like to recommend R-3 and C-2. Planner Finkle showed the Spot Zoning requirements of GS 160D-605(b). Chairman Lee mentioned that this would be his recommendation. Mr. Jared Lee spoke of the properties that border Campbell Creek and the consistency of zoning. He mentioned Rocky Top Road and what a small road that is. Mr. Jared Lee asked if Frankie Wood was doing this project. Planner Finkle said that the recent annexation

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requires the property to be zoned but Mr. Wood was requesting C-1 on this parcel and the next item on the agenda.

Chairman Lee asked if there was a motion that we recommend this with R-3 to the tree line buffer with the rest of the property to be zoned C-2. The Motion was made by Mr. Heffron. Mr. Jared Lee spoke of the Future Land Use Map and past discussions of how many RV parks does Maggie Valley need. **The Motion failed for lack of a second.**

In more discussion, Planner Finkle stated that an RV PUD allows spaces to be sold. A requirement of the RV PUD is that there be a Homeowners Association. The Future Land Use Map shows this parcel as R-3. **A Motion to table this until the next scheduled meeting was made by Mr. Jared Lee, seconded by Ms. Dennis.** The motion passed with all in favor.

7. Recommendation on Jerry Michael and Sandra Lee Day (Pioneer Village) Rezoning Request: R-1 Low Density Residential to C-1 General Business for 219 Campbell Creek Rd (7686-07-7289)

Planner Finkle gave background information for this item. This property is already located inside the Municipal Boundary. Mr. Frankie Wood has submitted this request for the owners. The property is bordered by R-1 on two sides and by property not zoned. There are 12 cabins. The R-1 density only supports eight. The use and density is non-conforming. The Future Land Use Map calls for this property to be R-1. The applicant has requested C-1.

There is no adjoining C-1 property. If the property is rezoned C-1 it would bring the use and density of the property into conformity. Mr. Wood wants to put in more cabins. Additional cabins have been requested; two or three in the center circle. There are two Consistency Statements provided - one in support and one not. Mr. Jared Lee stated that more is not always better. He stated that logically Mr. Wood's projects have not come to fruition. He would like to see one thing finished. There are a lot of things that have been proposed.

Chairman Lee asked how many cabins would be allowed in R-1. Planner Finkle stated that R-1 only allows eight dwelling units, R-2 will allow 37 dwelling units, R-3 will allow 38 dwelling units. And for lots; R-1 will allow eight, R-2 will allow ten and R-3 will allow 17. Mr. Heffron said he thinks it is not a good idea to go to C-1. Ms. Dennis does not agree either. There was discussion. **Ms. Dennis made the motion that the property remain zoned R-1. Mr. Jared Lee seconded. The motion carried with Mr. Heffron, Ms. Dennis and Mr. Jared Lee voting to affirm. Chairman Lee voted against. He stated that this limited the developer. The Motion passed three to one.**

8. Update on Appointment of Terms

Current members terms have expired in August. Reappointments will be set next Tuesday at the Board of Aldermen meeting. Also new applicants will be interviewed on that day.

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9. UDO

A copy of the draft Unified Development Ordinance will be provided on October 1st. Planner Finkle will be making sure that the Ordinance will be in compliance with 160D. The Planning Board will also review and make recommendations. Planner Finkle will provide an update. This is an extremely important document. There will probably have to be some changes. The Sign section will be checked. Any final tweaks will be able to be made.


10. Other business

An Extra Territorial Jurisdiction member is needed. Town of Maggie Valley Zoning does affect properties in the ETJ. The Extra Territorial Jurisdiction is an area mostly surrounding the Dellwood area of the town. Board members looked at the area of the ETJ. Vicki Hyatt, from The Mountaineer, stated that she would help with the search for an ETJ member.

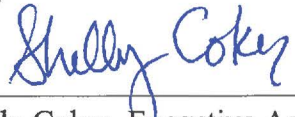
11. Adjourn

Chairman Lee asked for a motion to adjourn. A motion was made by Mr. Heffron and seconded by Mr. Jared Lee. The meeting was adjourned at 7:15pm with all in favor.

The next meeting of the Planning Board is scheduled for Thursday, October 14th at 5:30pm in the Town Hall Boardroom.



Jeff Lee, Chairman



Shelly Coker, Executive Assistant