

Town of Waynesville, NC Board of Aldermen – Regular Meeting

Town Hall, 9 South Main Street, Waynesville, NC 28786

Date: **October 27, 2015** Time: **6:30 p.m.**

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(828) 452-2491

aowens@waynesvillenc.gov

A. CALL TO ORDER - Mayor Gavin Brown

1. Presentation to the Town from the Waynesville Public Art Commission
(Board and audience members are requested to go to Main Lobby)
2. Welcome/Calendar/Announcements
3. Adoption of Minutes

Motion: *To approve the minutes of the October 13, 2015 regular meeting, as presented [or as corrected].*

4. Proclamation – Red Ribbon Week – October 26 – October 30, 2015

B. NEW BUSINESS

5. Waynesville Public Art Commission Annual Report and Request to place public art at the Old Armory in the form of artist-commissioned benches

Motion: *To approve the placement of public art in the form of artist-commissioned benches at the Old Armory located at 44 Boundary Street, as presented.*

TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA

October 27, 2015

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6. Street Closure

Hazelwood Baptist Church Fall Festival – request closure of Virginia Avenue between Hazelwood Avenue and Kentucky Avenue on Saturday, October 31 from 5:30 p.m. until 8:00 p.m.

Motion: To approve requested street closure of Virginia Avenue between Hazelwood and Kentucky Avenues on Saturday, October 31, 2015 from 5:00 p.m. until 9:00 p.m., as requested.

C. CALL FOR PUBLIC HEARING

7. Call for Public Hearing to consider application from Carolina Furniture Concepts to rezone the property at 121 Eagles Nest Road, Tax Parcel Identification Number 8605-64-6237, from Hazelwood Business District (HBD) to Hazelwood Business District – Conditional District (HBD-CD)

Motion: To Call for a Public Hearing to be held on November 10, 2015, at 6:30 pm or as soon thereafter as possible, in the Board Room of Town Hall, 9 S. Main Street, to consider adoption of a change in land use as requested by Carolina Furniture Concepts.

D. COMMUNICATIONS FROM STAFF

8. Town Manager – Marcy Onieal
- Hazelwood Parking Area
 - Electric Power Supply Contracts

9. Town Attorney – Woody Griffin

E. COMMUNICATIONS FROM MAYOR & BOARD OF ALDERMEN

F. CALL ON THE AUDIENCE

G. ADJOURN



TOWN OF WAYNESVILLE

PO Box 100
 16 South Main Street
 Waynesville, NC 28786
 Phone (828) 452-2491 • Fax (828) 456-2000
www.waynesvillenc.gov

CALENDAR October 27, 2015

2015	
Mon, Oct 26 5:30 PM Waynesville – Wells Event Center	Haywood County Council of Governments (COG) meeting Town of Waynesville Hosting
Tues, Oct 27 6:30 PM Board Room, 9 S. Main	Board of Aldermen Meeting – Regular Session
Sat, Oct 31 1:00 PM 63 Elmwood Way, Suite A	One Stop Voting Ends – Municipal Elections, Haywood County
Sat, Oct 31 5:00 PM – 7:00 PM Main Street	Treats on the Street – Downtown Waynesville Merchants
Sat, Oct 31 8:00 PM – Midnight Folkmoot Friendship Center	Spookmoot Halloween Fling & Costume Party Fundraiser for Folkmoot (ticketed event/RSVP to Manager if you wish to go)
Sat, Oct 31 6:00 – 9:00 PM Fire Station 1	Trade for Treats – kick off for Town of Waynesville Annual Community Food Drive
Sun, Nov 1 1:00 – 4:00 PM Miller Street	Smashing Pumpkins Folkmoot Fundraiser
Tue, Nov 3 6:30 AM – 7:30 PM	Election Day – Haywood County Municipal Elections (All municipal precincts)
We-Sa, Nov 4-7	National League of Cities Annual Congress of Cities & Exposition Nashville, TN
Fri, Nov 6 8:00 AM – 6:00 PM Ingles and Wal-Mart	Fire Fighters Boot Drive and Special Collection day for Annual Community Food Drive
Fri, Nov 6 to Fri, Dec 11 Miscellaneous Locations	Town of Waynesville Annual Community Food Drive – Collection points at all Town offices and buildings
Fri, Nov 6 5:00 PM – 9:00 PM Main Street & Frog Level	Art After Dark – Waynesville Gallery Association
Tues, Nov 10 11:00 AM 63 Elmwood Way, Suite A	Canvass of Election – Haywood County Board of Elections

Tue, Nov 10 6:30 PM Board Room, 9 S. Main	Board of Aldermen Meeting – Regular Session
Wed, Nov 11	Veterans Day Holiday Town Offices Closed
Sat, Nov 14 Noon Longs Chapel UMC	THS Veterans Day Luncheon
Mon, Nov 23 6:30 PM Location TBD	Southwestern Commission Region A Regular Meeting
Tue, Nov 24 6:30 PM Board Room, 9 S. Main	Board of Aldermen Meeting – Regular Session
Thur – Fri, Nov 26-27	Thanksgiving Holiday Town Offices Closed
Th-Fr, Dec 3-11 One-Day Training Workshops Locations TBD	NCLM New Mayors' Orientation Training One Day Workshops - Various locations across the state
Fr-Mo, Dec 4-7 Downtown Waynesville	Holly Days Seasonal Events in Downtown Waynesville throughout the weekend, beginning with Art after Dark on Friday evening, culminating with the Holiday Parade on Monday evening
Fri, Dec 4 5:00 PM – 9:00 PM Main Street & Frog Level	Art After Dark – Waynesville Gallery Association
Mon, Dec 7 6:00 PM Main Street	Waynesville Christmas Parade – Downtown Waynesville Association sponsored event Street Closure – Main Street
Tues, Dec 8 6:30 PM Board Room, 9 S. Main	Board of Aldermen Meeting – ORGANIZATIONAL MEETING
Fri, Dec 11 11:30 AM Lambuth Inn, LJA	Town of Waynesville Employee Appreciation Luncheon
Sat, Dec 12 6:00 PM – 9:00 PM Main Street	A Night Before Christmas – Downtown Waynesville Association sponsored event
Su-Th, Dec 13-24	Twelve Days of Christmas – Downtown Waynesville Association Holiday Sales & Event Promotions
Tues, Dec 22 6:30 PM Board Room, 9 S. Main	Board of Aldermen Meeting – Regular Session
We – Fri, Dec 23-25	Christmas Holiday Town Offices Closed

2016

Fri, Jan 1	New Years Day Holiday Town Offices Closed
Fr-Sa, Jan 8-9 2 full days Hickory, NC	Essentials of Municipal Government, sponsored jointly by the NC League of Municipalities & UNC School of Government Training for Newly Elected Officials – various locations
Sat, Jan 16 11:00 AM Main Street and Pigeon Street	Martin Luther King Jr Annual Prayer Walk Rolling Street Closure Main Street and Pigeon Streets
Mon, Jan 18	Martin Luther King Jr Holiday Town Offices Closed
We-Th, Jan 20-21 2 full days Chapel Hill, NC	Essentials of Municipal Government, sponsored jointly by the NC League of Municipalities & UNC School of Government Training for Newly Elected Officials – various locations
Mon, Jan 25 6:30 PM Location TBD	Southwestern Commission Board Meeting
Fr-Sa, Jan 29-30 (tent) All Day Location TBD	Board of Alderman Orientation & Planning Retreat – Tentative
Tu-We, Feb 9-10 2 full days Sunset Beach, NC	Essentials of Municipal Government, sponsored jointly by the NC League of Municipalities & UNC School of Government Training for Newly Elected Officials – various locations
We-Th, Feb 17-18 2 full days Asheville, NC	Essentials of Municipal Government, sponsored jointly by the NC League of Municipalities & UNC School of Government Training for Newly Elected Officials – various locations
Mon, Feb 22 5:30 PM Location TBD	Haywood COG – Canton Hosting
Fr-Sa, Mar 4-5 2 full days New Bern, NC	Essentials of Municipal Government, sponsored jointly by the NC League of Municipalities & UNC School of Government Training for Newly Elected Officials – various locations
We-Fr, Mar 16-18	NC Main Street Conference Goldsboro, NC
Fri, Mar 25	Good Friday Holiday Town Offices Closed
Mon, Mar 28 6:30 PM Location TBD	Southwestern Commission Board Meeting
Mon, Apr 25 5:30 PM Location TBD	Haywood COG – Clyde Hosting
Wed, May 18 10:00 AM to Noon Webinar	Ethics for Local Elected Officials – required for all newly elected and re-elected officials

Mon, May 23 6:30 PM Location TBD	Southwestern Commission Board Meeting
Mon, May 30	Memorial Day Holiday Town Offices Closed
Mon, Jun 27 5:30 PM Location TBD	Haywood COG – Haywood County Hosting
Mon, Jul 4	Independence Day Holiday Town Offices Closed
Fri, Jul 29 6:30 PM Location TBD	Southwestern Commission Annual Dinner
Mon, Aug 22 5:30 PM Location TBD	Haywood COG – Maggie Valley Hosting
Mon, Sep 5	Labor Day Holiday Town Offices Closed
Mon, Sep 26 6:30 PM Location TBD	Southwestern Commission Board Meeting
Mon, Oct 24 5:30 PM Location TBD	Haywood COG – Waynesville Hosting
Fri, Nov 11	Veterans' Day Holiday Town Offices Closed
Th-Fr, Nov 24-25	Thanksgiving Holiday Town Offices Closed
Mon, Nov 28 6:30 PM Location TBD	Southwestern Commission Board Meeting
Fr-Tu, Dec 23, 26-27	Christmas Holiday Town Offices Closed

Board and Commission Meetings – November 2015

ABC Board	ABC Office – 52 Dayco Drive	November 16 3 rd Tuesdays 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	November 3 1 st Tuesdays 5:30 PM
Community Action Forum	Police Department Training Room – 9 S. Main Street	Meets as needed; <i>No meeting currently scheduled</i>
Downtown Waynesville Association	UCB Board Room – 165 North Main	November 26 4 th Thursdays 12 Noon
Firefighter’s Relief Fund Board	Fire Station 1 – 1022 N. Main Street	Meets as needed; <i>No meeting currently scheduled</i>
Historic Preservation Commission	Town Hall – 9 S. Main Street	November 4 1 st Wednesdays 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	November 15 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	November 12 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	November 16 3 rd Tuesdays 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	November 4 1 st Wednesdays 5:30 PM

BOARD/STAFF SCHEDULE

Mon, Jan 4	Town Manager	Vacation
Sa – Sa, Jan 16-23	Town Clerk	Vacation
We-Fr, Feb 3-5, 2016	Town Manager	NCCMA Manager’s Continuing Ed - Winter Seminar
Th-Sa, Jun 23-25, 2016	Town Manager	NCCMA Manager’s Continuing Ed - Summer Seminar

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
October 13, 2015

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, October 13, 2015 at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

Mayor Brown called the meeting to order at 6:30 p.m. with the following members present:

Mayor Gavin Brown
Alderman Gary Caldwell
Alderman Julia Freeman
Alderman J. Wells Greeley
Alderman LeRoy Roberson

The following staff members were present:

Marcy Onieal, Town Manager
Woodrow Griffin, Town Attorney
Amie Owens, Town Clerk
David Foster, Public Services Director
Daryl Hannah, Streets and Sanitation Supervisor
Julie Grasty, Asset Services Manager
Lisa Burnett, Purchasing Supervisor
Tim Plowman, Fitness Supervisor

The following media representatives were present:

Mary Ann Enloe, The Mountaineer

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting.

Mayor Brown asked Manager Onieal to update regarding calendar events. Manager Onieal called attention to several upcoming events including:

- October 14 - Open House at REACH
- October 16 - Greenhill Cemetery Tour at 4 p.m. The Mayor and Board of Aldermen will be in costume and providing information about some of the famous individuals buried at Greenhill.
- October 17 - Apple Festival – Downtown from 10:00 a.m. to 5:00 p.m.
- October 23 - Arc-tober Fest to benefit the ARC of Haywood County 6:00 p.m. at Wells Event Center - a table has been reserved, please let Manager Onieal know if planning on attending.

- October 26 – Haywood County Council of Governments meeting at Wells Event Center – 6:00 p.m.

Manager Onieal noted that the Southwestern Commission and the Haywood County Council of Governments meetings had been added to the calendar for 2016. She reminded members that she would be on vacation October 17 through October 24.

2. Adoption of Minutes

Alderman Caldwell made a motion, seconded by Alderman Greeley, to approve the minutes of the September 22, 2015 regular meeting, and September 22, 2015 closed session, as presented. The motion carried unanimously.

B. PRESENTATION

3. Pavement Condition Survey for the Town of Waynesville

Manager Onieal introduced John Fersner with US Infrastructure and explained that a pavement condition survey is done approximately every three to five years. Manager Onieal noted that the town has not always had a report regarding this survey, but asked Mr. Fersner to provide the report to the board to ensure that citizens were aware of how we condition our streets, different types of pavement used and how we maintain our streets.

Mr. Fersner thanked the Mayor, Manager Onieal and the Board members for allowing him to complete this survey and added his appreciation to Daryl Hannah, Streets and Sanitation Supervisor, David Foster, Public Services Director, Preston Gregg, Town Engineer and Marvin Crawford, Streets and Sanitation Crew Leader for their assistance during the survey.

Mr. Fersner began his presentation by explaining that Waynesville maintains 86 miles of paved roads; this is asphalt streets – no concrete or dirt roads were assessed. The survey was done in August 2015 and required evaluation of each street. Mr. Fersner noted that there were 8 common stresses observed which indicated pavement distress.

Mr. Fersner stressed that the roadway value could be assessed at \$31.00 per square yard reflecting an asset of \$32 million for the Town of Waynesville. As these streets are one of, if not the largest asset, it is imperative that they are treated and maintained well. Pavement conditions are rated on a scale of 0 to 100 based on observations of what is needed to get the streets up to ideal conditions.

Mr. Fersner provided examples of the various pavement distresses including descriptions of how each could be remedied indicating that crack sealing is very effective in maintaining street integrity at a low cost. Mr. Fersner reported that the overall rating for Waynesville's roads was 84.3 which is above the state average of 80. The survey showed that 43.6% of Waynesville's streets need some type of maintenance. This is below the state average of 47%. Mr. Fersner added that in comparing the current survey and the survey that was completed in 2011, the streets quality index improved from 82.5 to the

current 84.3. Mr. Fersner explained that these numbers are due to a good streets maintenance program and he applauded Mr. Hannah and his staff for their work.

Mr. Fersner noted that pavement is in a constant state of deterioration because it is always in use. The goal is to identify roads requiring repairs before they reach a rating of 60. He added that Mr. Hannah is faced with a balancing act of rebuilding bad streets and still continuing to maintain the streets considered good.

Mr. Fersner provided financial information regarding routine maintenance versus resurfacing. If all of the streets were repaired per recommendations, the total cost would be approximately \$1.3 million with the lion's share approximately \$900,000 dedicated to routine maintenance and the remainder being resurfacing costs. Mr. Fersner noted that the majority of Waynesville's streets, 56.4%, do not require any improvements.

Mr. Fersner concluded his presentation with the recommendation that Waynesville should continue to dedicate its maintenance funding towards preventative maintenance practices and structural repair and develop a 15 year paving cycle paving 5.7 miles per year at a current price of \$811,583. Mr. Fersner again complimented the town and the streets staff for a job well done in the maintenance of the roads.

Mayor Brown asked if there was a listing of all of the streets and recommendations for resurfacing based on this study. Mr. Foster answered that there is a report indicating the condition of all of the streets and this is where the prioritization of street work will be established. He added that the Streets division has restructured to allow for most of the full depth patching to be completed with an internal crew and they will systematically make repairs. Mr. Foster commented that by having this report, the priority streets are easily identifiable and makes collaboration regarding projects with water, sewer and streets possible to minimize the number of times a street should require repair.

Mayor Brown commented that most of the streets are older in town and inquired as to how it was determined if streets need to be added for maintenance. Mr. Foster answered that the town does not build any roads and Manager Onieal added that Development Services staff review any new roads to ensure that streets are built to code and correctly.

Alderman Roberson asked if crack sealing was the best thing for the streets. Mr. Fersner answered that the more crack sealing that can be done the better; it is the most economical way to make repairs and was effective in minimizing water damage. Alderman Roberson asked Mr. Hannah at what point do you seal or repatch. Mr. Hannah explained that all streets with alligating of pavement have to have full depth repairs completed, the other streets will be looked at and repair plans developed.

Alderman Greeley added that comments that he hears pertains to the aesthetics of the streets and that crack sealing is ugly. Staff agreed, but Mr. Fersner again noted that crack sealing is the most effective repair option.

Mayor Brown thanked Mr. Fersner for his report and for coming to the meeting.

Manager Onieal added that Powell Bill funds are used for these repairs and thanked the staff for using them in the most creative way. As the state is looking closely at Powell Bill Funding, there may

come a point where funds may not be available and the town will be forced to look at other options. Mayor Brown clarified that this study does not include state maintained roads. Mr. Fersner confirmed.

Alderman Roberson asked if the resurfacing costs in the report included engineering fees. Mr. Fersner noted that the cost did not include engineering for resurfacing, but that there should not be a need for engineering services unless the street was structurally unsound. This would be considered more of a maintenance activity.

C. NEW BUSINESS

4. Award of Bid for Fitness Equipment for Recreation Center

Lisa Burnett, Purchasing Supervisor explained that the formal bid process for fitness equipment for the Recreation Center was opened on August 25 utilizing specifications provided by Tim Plowman, Fitness Supervisor, including equipment brands. The bid was sent to four bidders and bids were opened on September 22 with two bids received. The two respondents were Comfit in Addison, Texas and Wellness Solutions in Gastonia, NC. Mr. Plowman indicated that the town has worked with Wellness Solutions in the past.

Mayor Brown asked if there was any market for the used equipment that the new equipment would replace. Julie Grasty, Asset Services Manager answered that the town can try to sell the equipment via Gov Deals and would sell piece by piece. Manager Onieal added that the police department will look at equipment to see if they could utilize any of it prior to placement on Gov Deals. Mayor Brown inquired if the bids received were within budget. Ms. Burnett confirmed that the bid from Wellness Solutions was under the approved allocation in the budget.

Mr. Plowman explained that the bid was for 28 pieces of equipment - 12 pieces upstairs and 16 downstairs - with the oldest being 28 years old. The average life expectancy for this equipment is 10 years with the majority of the existing equipment lasting 15 years. Mr. Plowman noted that maintenance and upkeep has been done to ensure the longest life possible for the equipment. He explained that there was a need to have a specialist come and provide training on the kinesis equipment and its maintenance. The projected cost for this is \$600.00.

Mr. Plowman commented that the new flexibility equipment is ADA compliant and is the same equipment used for Olympic training. Manager Onieal added that Mr. Plowman has been certified in the maintenance of equipment and will be training with the specialist to ensure that he can perform most of the maintenance onsite allowing for repairs in a timely and cost effective manner.

Alderman Roberson asked about computerized components and those repairs. Mr. Plowman explained that electronic screens were not chosen as an option for the equipment as it would have increased the cost of the equipment. Manager Onieal noted that the bid from Wellness Solutions was within budget and they were the lowest, responsive, responsible bidder. Mr. Plowman indicated that once the order is placed, it will take 8 to 12 weeks for delivery.

Alderman Greeley made a motion, seconded by Alderman Roberson to award the bid for the purchase of Recreation Equipment in the amount of \$134,638.27 to the lowest, responsible, responsive bidder, Wellness Solutions of Gastonia, NC, as presented. The motion carried unanimously.

5. Street and Sidewalk Closures

a. 2016 Annual Martin Luther King, Jr. Prayer Walk – Saturday, January 16, 2016 – requesting a rolling closure of Main Street and Pigeon Streets (and cross street traffic) beginning at 11:00 a.m. for the Prayer Walk.

b. Thriller Dance – a request was received from Jill Provence to perform a dance at the sidewalk intersection on October 31, 2015 during of Treats on the Streets. Buffy Phillips, Director of Downtown Waynesville Association noted that this event was being moved to the United Community Bank Parking lot as it was perceived that there would be a large group participating. Manager Onieal explained that as this has been moved to a private lot, there is no action required by the board.

c. Folkmoot Fundraiser - Spookmoot – weekend of Halloween – Angie Schwab, Executive Director of Folkmoot requested to close off the Miller Street Parking Area on November 1 from 11:00 a.m. until 5:00 p.m. for a Pumpkin Smashing. This event is being presented in collaboration with DWA. Students from Western Carolina University have put together catapults to launch pumpkins at a bullseye. Ms. Schwab noted that the catapults will be tested prior to their use to ensure that the pumpkins stay within the 230 feet limit of the closure. Ms. Schwab has discussed the insurance concerns with her insurance agent related to public safety. Smoky Mountain Subs is aware of the event and has provided free hot dogs and drinks to those who hit the bullseye

Ms. Schwab noted that there will be other events planned at the Folkmoot Center during the weekend including October 30 – Kids Carnival with games, old movies, popcorn, hot dogs, and a costume contest. On October 31, an adult party will be held in the gymnasium.

Ms. Schwab added that clean up after the pumpkin smashing event would be handled by volunteers and that there would be a trash truck at the end of the Miller Street parking area with the fire department hosing off the street after the event. The maintenance cost is nominal.

Ms. Phillips explained that she would communicate with the local merchants and churches regarding the closing of the parking area for this event.

Alderman Caldwell made a motion, seconded by Alderman Freeman to approve the request for the rolling closure on January 16, 2016 for the Martin Luther King, Jr. Prayer Walk and the Miller Street Parking area on November 1, 2015 for the pumpkin smashing event as part of the Spookmoot festivities. The motion carried unanimously.

Ms. Phillips asked if she could address two additional issues while she was in front of the board. The first issue had to do with political signs in the bump outs and existing flower boxes. Ms. Phillips was informed that Manager Onieal could handle any concerns about political signage.

Ms. Phillips explained that gold and black flags were ready and would be placed on Main Street in advance of the annual Tuscola-Pisgah football game. She asked if there was any way that Tuscola High School could use washable spray paint and put large T's on Brown or Boyd Avenue leading to the stadium. Mr. Foster responded that these stencils could not be used near any crosswalks, arrows or other traffic indicators but he would be happy to work with THS to determine where they could paint them.

6. Resolution Honoring Maggie Valley Mayor Ron DeSimone

Mayor Brown explained that members had signed a Resolution Honoring Maggie Valley Mayor Ron DeSimone and that it will be presented to Mrs. DeSimone at the upcoming Haywood County Council of Governments meeting. All of the other municipalities and the County have executed similar resolutions.

The Resolution Honoring Maggie Valley Mayor Ron DeSimone was executed and approved by unanimous consensus.

D. COMMUNICATIONS FROM STAFF

7. Town Manager – Marcy Onieal

10 Calvary Street

Manager Onieal reported that this property was brought to her attention by the police department. The neighborhood would like to seek donation of property from the County to the Town as a park. Manager Onieal wanted the board to be aware that this conversation is taking place with the County and provided a memo from Police Chief Hollingsed to members. She requested that if anyone had any thoughts on this issue to let her know.

Chestnut Park

Manager Onieal explained that the town is moving forward with the survey of Chestnut Park and is planning a neighborhood meeting at the end of October to ascertain what neighborhood would like to see the park look like in the future.

Junaluska Annexation Memorandum Update

Manager Onieal provided members with a copy of the updated Waynesville/Lake Junaluska Annexation Memorandum. She wanted to give the Board an update and bring some closure to the bill. Manager Onieal explained that the referendum had been attached to a HB that had been passed in house and came back to senate. The measure was one vote of confirmation away and was calendared, but was then was referred to the Rules Committee once again. Manager Onieal noted that it was her understanding is that there was a conversation on the floor that the bill did not need to be voted upon and was returned to committee.

In order for the deannexation bill that the Waynesville/Lake Junaluska Referendum was attached to to go forward, Senator Davis agreed to let our local bill be stripped and move that bill forward. She indicated that S141 is still sitting in House Rules and will be live in the short session. Manager Onieal shared that this Board and Lake Junaluska have a decision to make as to whether they wish to pursue this bill next year or not.

Manager Onieal explained that the updated annexation report had been held in order to have the most current information at the point where bill came out of the General Assembly. As there has been a public information request for this report – all of the report has been updated – and accurate as of August 2015. Manager Onieal added that the Lake’s needs have not changed. She clarified that she was not asking the Board to make any decision tonight, but that the Board needs to determine whether or not to continue pursuit of annexation. Mayor Brown noted that this decision may be better reached after the election so the new board will have to decide what to do.

Manager Onieal reminded the Board that the town had been providing emergency assistance related to sanitation to Lake Junaluska due to some staffing issues. The town saw this as an opportunity to learn the routes and look at service provision should the referendum had gone through. With the bill dead, the Town is no longer in a position to assist them. Manager Onieal explained that the Town has given Lake Junaluska written notice that as of December 1, 2015, Waynesville will no longer be assisting them with backup; they will have to make other arrangements.

Electric Contracts

Manager Onieal noted that the team is making great progress in getting the Electric Contracts finalized. The Santee Cooper contract has been sent back for final review and attorneys are working on the one year contract extension with Duke Energy. It is hoped that these contracts will be brought to the board when they are finalized.

November/December Meetings

Manager Onieal explained that even though the election will occur on November 3, the new board members will not be sworn in until the December 8 meeting. This leaves only the November 10 and December 8 meetings to finalize all old business and receive the annual audit presentation. At the December 8 meeting, once the old business agenda items are completed, the installation of members will occur. She noted that there are several business items that need to be completed between now and the end of November. Manager Onieal provided notice to members that there may need to be a special meeting to conclude business.

8. Town Attorney – Woody Griffin

Attorney Griffin had no business to discuss.

E. COMMUNICATIONS FROM MAYOR & BOARD OF ALDERMEN

The Board members had no other business to discuss.

F. CALL ON THE AUDIENCE

No one addressed the board.

G. ADJOURN

There being no further business to discuss, Alderman Freeman made a motion, seconded by Alderman Caldwell, to adjourn the meeting at 7:49 p.m. The motion carried unanimously.

ATTEST

Gavin A. Brown, Mayor

Marcia D. Onieal, Town Manager

Amanda W. Owens, Town Clerk

TOWN OF WAYNESVILLE
PROCLAMATION OBSERVING
RED RIBBON WEEK
OCTOBER 23 THROUGH OCTOBER 31, 2015

WHEREAS, communities across America have been plagued by the numerous problems associated with illicit drug use and those that traffic in them; and

WHEREAS, there is hope in winning the war on drugs, and that hope lies in education and drug demand reduction, coupled with the hard work and determination of organizations such as the **General Nathaniel Greene Young Marines** of the Marine Corps League to foster a healthy, drug-free lifestyle; and

WHEREAS, governments and community leaders know that citizen support is one of the most effective tools in the effort to reduce the use of illicit drugs in our communities; and

WHEREAS, the red ribbon has been chosen as a symbol commemorating the work of Enrique "Kiki" Camarena, a Drug Enforcement Administration Special Agent who was murdered in the line of duty, and represents the belief that one person can make a difference; and

WHEREAS, the Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts; and

WHEREAS, October 23 through 31, 2015 has been designated National Red Ribbon Week, which encourages Americans to wear a red ribbon to show their support for a drug-free environment;

NOW, THEREFORE, BE IT RESOLVED, that I, Gavin A. Brown, by virtue of the authority vested in me as Mayor of the Town of Waynesville, do hereby proclaim October 23 through October 31, 2015, as

RED RIBBON WEEK

in the Town of Waynesville and urge our citizens to join me in this special observance.

This the 27th day of October, 2015.

Gavin A. Brown, Mayor

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: October 27, 2015

SUBJECT: Waynesville Public Art Commission Annual Report and Request

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 5-B
Department: Administrative Services
Contact: Amie Owens, Town Clerk
Presenter: Marcy Onieal, Town Manager

BRIEF SUMMARY: The Waynesville Public Art Commission has a goal of providing one new piece of public art to the town each year. The WPAC had originally hoped to place an art piece in Hazelwood in honor of the Plott Hound; however, with limited public space available, continued negotiations have delayed this proposed piece until 2017.

Another option has been discussed which would allow for placement of art at the Old Armory during 2016 and keep the WPAC on schedule for its annual submission. The Town of Waynesville will be placing three benches at the Old Armory on Boundary Street. The WPAC is proposing having three artists to decorate the benches so that they are eye catching but remain functional. The goal is to have three distinct benches highlighting the themes of: historic Frog Level, Veterans and whimsical frogs to match Frog Gig Plaza.

The WPAC would pay the artists \$1,500 each for their designs with final placement proposed for early spring 2016 in coordination with Waynesville Public Services.

MOTION FOR CONSIDERATION: *To approve the placement of public art in the form of artist-commissioned benches at the Old Armory located at 44 Boundary Street, as presented.*

ATTACHMENTS:

MANAGER'S COMMENTS AND RECOMMENDATIONS: Manager recommends approval of the request as presented.

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: October 27, 2015

SUBJECT: Special Event Request – Permission to Close a Portion of Virginia Avenue on October 31, 2015 (*request of Jeremy Schley, Student Minister, Hazelwood Baptist Church*)

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 6-B
Department: Administrative Services
Contact: Amie Owens, Town Clerk
Presenter: Marcy Onieal, Town Manager

BRIEF SUMMARY: The Hazelwood Baptist Church has hosted a Fall Festival for several years and would like to do so again on Saturday, October 31, 2015. In order to provide safety for those attending the festival, the Church has typically asked that the portion of Virginia Avenue (between Hazelwood Avenue and Kentucky Avenue) be closed between the hours of 5:00 p.m. and 9:00 p.m. to allow for set-up and clean-up of the festivities. The Town has previously delivered barricades to the two closure points, and members of the Church set the barricades in place so that no overtime is required by town personnel. Town personnel will return to the site and collect the barricades on Monday and return them to the Public Services facility.

Date of Event: Saturday, October 31, 2015
Time of Event: 5 PM – 9 PM
Location: Virginia Avenue (between intersection of Hazelwood Avenue and Kentucky Avenue)

MOTION FOR CONSIDERATION: *To approve requested street closure of Virginia Avenue between Hazelwood and Kentucky Avenues on Saturday, October 31, 2015 from 5:00 p.m. until 9:00 p.m., as requested.*

ATTACHMENTS:

- Email from Hazelwood Baptist Church dated October 14, 2015

MANAGER'S COMMENTS AND RECOMMENDATIONS: Manager recommends approval of the request as presented.

Amie Owens

From: Jeremy Schley <jeremyschley18@gmail.com>
Sent: Wednesday, October 14, 2015 11:10 AM
To: Amie Owens
Subject: Re: Contact Us: Road Closure and Music Permission

Follow Up Flag: Follow up
Flag Status: Flagged

Yes that would be perfect. And it doesn't have to be all of Virginia just the part in between Hazelwood and Kentucky. Thank you!

On Wed, Oct 14, 2015 at 11:03 AM, Amie Owens <aowens@waynesvillenc.gov> wrote:

Jeremy:

Thank you for the information. To clarify, we would need to close the street down prior to the event – would 5:30 p.m. be acceptable? I will add this to the board agenda.

Have a great day!

Amie Owens

Town Clerk/Project Specialist

aowens@waynesvillenc.gov

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) sent in response to it, may be considered public record and as such are subject to request and review by anyone at any time.

From: Jeremy Schley [mailto:jeremyschley18@gmail.com]
Sent: Wednesday, October 14, 2015 10:56 AM
To: Amie Owens
Subject: RE: Contact Us: Road Closure and Music Permission

The event is from 6:00 pm to 8:00 pm. We were just going to play background music during the event while the kids and families walked around to each activity. It wouldn't be very loud. Not loud like a concert but the houses closest to the church might be able to hear it.

On Oct 14, 2015 10:05 AM, "Amie Owens" <aowens@waynesvillenc.gov> wrote:

Jeremy:

I will add this to the agenda for the upcoming board meeting on October 27. I have a few questions – what are the hours of the event? How long will the music be playing? How loudly will the music be playing?

Thank you for your time and attention. Have a good day!

Amie Owens

Town Clerk/Project Specialist

aowens@waynesvillenc.gov

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) sent in response to it, may be considered public record and as such are subject to request and review by anyone at any time.

From: jeremyschley18@gmail.com [mailto:jeremyschley18@gmail.com]

Sent: Monday, October 12, 2015 1:35 PM

To: Amie Owens

Subject: Contact Us: Road Closure and Music Permission

Jeremy Schley

jeremyschley18@gmail.com

Hello,

My name is Jeremy Schley and i'm the student minister at Hazelwood Baptist Church. We hold a fall festival every year on Halloween and I was told to ask for Road Closure on Virginia street so that we could have activities for the children in the roadway. We would also like to be allowed to play music for the festivities. If there is anything else I need to do please feel free to call me @ [8436961205](tel:8436961205).

Thank You

HTTP_USER_AGENT: Mozilla/5.0 (Windows NT 10.0; WOW64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/45.0.2454.101 Safari/537.36

REMOTE_HOST: 108.77.252.45

REMOTE_ADDR: 108.77.252.45

LOCAL_ADDR: 174.36.228.60

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: October 27, 2015

SUBJECT: Call for a Public Hearing to consider an application to rezone the property at 121 Eagles Nest Road, AKA Carolina Furniture Concepts, (PIN# 8605-64-6237), from Hazelwood Business District (HBD), to Hazelwood Business District Conditional District (HBD-CD) (*Request of Store Manager Brenda Reese, on behalf of property owner Sandeep Gupta*)

AGENDA INFORMATION:

Agenda Location: Public Hearings
Item Number: C-7
Department: Development Services
Contact: Elizabeth Teague, Development Services Director
Presenter: Marcy Onieal, Town Manager

BRIEF SUMMARY:

Carolina Furniture Concepts would like to replace their existing internally lit sign with a manually changed reader board, to an electronic changeable face sign with a digital reader board within the existing sign cabinet. This type of sign is only permitted in Regional Center Districts and the property in question is currently located in Hazelwood Business District. Additionally, the existing sign is nonconforming with the Town's dimensional sign standards in terms of height and size for either the Hazelwood Business District or the Regional Center District. At their September 21, 2015 Meeting, the Planning Board voted 7-1 to deny the request because of concern that it was inconsistent with the Town's Land Use Plan and because of the precedent this decision could set. The applicant however has requested that a hearing be held by the Board of Aldermen on the matter pursuant to Section 15.14.2 of the Town Code of Ordinances.

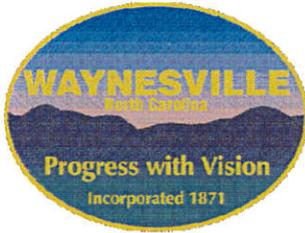
MOTION FOR CONSIDERATION: *To schedule a public hearing for 6:30 pm, or as soon thereafter as possible, on November 10, 2015, in the Board Room of Town Hall, 9 South Main Street, to consider the petition to rezone property at 121 Eagles Nest Road (PIN# 8605-64-6237) from Hazelwood Business District (HBD) to Hazelwood Business District - Conditional District (HBD-CD).*

FUNDING SOURCE/IMPACT: N/A

ATTACHMENTS:

1. Planning Board Minutes and Staff Report
2. Application
3. Zoning Location Map

MANAGER'S COMMENTS AND RECOMMENDATIONS: Motion is for purposes of scheduling a public hearing only; no additional action is required at this time. Approve as presented.



TOWN OF WAYNESVILLE

Planning Board

9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Chairman

Patrick McDowell

Planning Board Members

Danny Wingate (Vice)

John Feichter

Marty Prevost

Robert Herrmann

Phillip Gibbs

H.P. Dykes, Jr.

Shell Isenberg

L. Brooks Hale

Development Services

Director

Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD REGULAR MEETING

Town Hall – 9 South Main St., Waynesville, NC 28786
September 21, 2015

THE WAYNESVILLE PLANNING BOARD held a regular meeting on September 21, 2015 at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

Chairman Patrick McDowell welcomed everyone and called the meeting to order at 5:30 p.m.

The following members were present:

Patrick McDowell
Danny Wingate
Shell Isenberg
Robert Herrmann
Jon Feichter
Phillip Gibbs
Marty Prevost
Brooks Hale

Absent:

Bucky Dykes

The following staff members were present:

Elizabeth Teague, Development Services Director
Byron Hickox, Land Use Administrator
Eddie Ward, Deputy Town Clerk

Also present was Ron Sneed, Attorney to the Planning Board, and Brenda Reese, CFO Carolina Furniture Concepts.

2. Adoption of Minutes

Board Member Danny Wingate made a motion, seconded by Board Member Brooks Hale, to approve the minutes of August 17, 2015 as presented. The motion passed unanimously.

B. NEW BUSINESS

3. Public Hearing for Conditional District Land Use Request for Carolina Furniture Concepts at 121 Eagles Nest Road, PIN 8605-64-6237

Chairman Patrick McDowell opened the Public Hearing and asked Byron Hickox, Land Use Administrator, to present the staff report for Carolina Furniture Concepts. Mr. Hickox gave the following presentation:

Planning Board Staff Report

Mr. Hickox explained that the subject property consists of 3.78 acres adjacent to 19/23 with a 39,000 square foot retail building that is currently occupied by Carolina Furniture Concepts. Carolina Furniture Concepts would like to replace their existing internally lit sign with a manually changed reader board, to an electronic changeable face sign with a digital reader board within the existing sign cabinet. This type of sign is only permitted in Regional Center Districts, and this property is currently located in Hazelwood Business District.

Hazelwood Business District is a small scale center for business, retail, and institutional activity. This district serves the residents of Hazelwood, Plott Creek, Eagles Nest and other surrounding neighborhoods, with a broad mixture of uses permitted. Development in the future must be sensitive in design and provide for a high level of pedestrian safety, and comfort.

Mr. Hickox stated that within the Town Code of Ordinances, internal signage is allowed in both the Business Districts and Regional Center District, but “electronic changeable face signs,” or digital reader boards, are only allowed in Regional Center Districts. The existing sign for Carolina Furniture Concepts is nonconforming for both the Regional Center District in which lighted signs are allowed, and the Hazelwood Business District in which it is located, because the sign cabinet is 80 square feet and over 8 feet tall. Excerpts from Ordinance:

11.4 Permitted Signage by District

Business District (BD) **24 sq. ft.—6 ft. tall**

- ***Exceptions: Ground signs are not permitted on Main Street from Church Street to Russ Avenue;***

Ground signs shall be limited to 16 ft.—4 ft. tall along Wall Street from East Street to Howell Street 1 sq. ft. for each 1 linear ft. of wall frontage - maximum of 100 sq. ft.

Internal illumination permitted except within a National Register Historic District

Pedestrian Sign - 1 per business

Marquee Sign - 11.7.6

Regional Center (RC) *48 sq. ft.—8 ft. tall*

15% of wall

Internal illumination permitted

Pedestrian Sign - 1 per business

11.7.4 Electronic Changeable Face Signs (Permitted in RC Only).

Electronic changeable face signs are permitted as a component of otherwise permitted signage subject to the following standards.

A. No electronic changeable face sign may change its message or copy, or any pictures or images that are part of the message, more frequently than once every minute.

B. When the message of an electronic changeable face sign is changed mechanically, it shall be accomplished in three (3) seconds or less. When the message of an electronic changeable face sign is changed in an electronic manner, through the use of light emitting diodes, back lighting or other light source, the transition shall occur within two (2) seconds.

C. The portion of the sign face of an electronic changeable face sign which accommodates multiple messages shall not exceed 50 percent (50%) of the total sign face area and may not change its message or copy, or any pictures or images that are part of the message, more frequently than once every minute; the remaining portion shall be static.

D. Electronic changeable face signs which are illuminated or which use electronic lighting to display message shall be subject to the restrictions and limitation applicable to illumination in this ordinance.

E. There shall be located no more than one electronic changeable face sign per lot, and such sign shall be permitted only on a ground sign and not on any attached sign or window sign.

Mr. Hickox stated that the first Land Use Goal in Waynesville Our Heritage, Our Future, 2020 Land Development Plan is to:

“Promote orderly growth, development and enhanced land values of the Town of Waynesville by preserving and improving Waynesville’s existing neighborhoods, creating more attractive commercial centers, maintaining a strong downtown area, taking steps to reduce urban sprawl and protecting the natural beauty of the community.”

Under this goal, actions include:

“Develop the community core of Hazelwood into a small urban center through the use of the principles of the Main Street Program led by community infrastructure elements (curb and gutter sidewalks, streetscape elements, etc.)..

“Evaluate and implement methods for reducing ‘light pollution’ to minimize the impact of artificial lighting without sacrificing safety.”

Staff Recommendation

Mr. Hickox explained that staff feels the requested rezoning would allow for signage normally associated with more urbanized development areas. One of the objectives of the Town is to reduce light pollution. Considering the nonconformity of height and size of the sign itself, the light and visual impacts would go beyond the property boundary. Staff is concerned that such an action would set a precedent for others who may want to transition to digital signage in other areas of the Town.

Staff recommends denial of this request as proposed. The purpose of this request for rezoning is to allow the installation of a type of sign that is not permitted in the current zoning district. Mr. Hickox stated that there will be ramifications in the future by accommodating signage that is not allowed anywhere else in Town. The applicant has mentioned the proximity to the highway as a reason for placing an electronic changeable face sign on this property. While the Town of Waynesville desires to support the local business community, and it is understandable that Carolina Furniture Concepts wants every signage advantage available to identity itself to passing traffic, this particular situation would outweigh the goals of the overall community.

Mr. Hickox that the possible motions for this request are:

1. Motion to recommend approval/denial of the request for rezoning from Hazelwood Business District to Hazelwood Business District Conditional District to the Town of Waynesville Board of Aldermen.
2. Motion to recommend modification of the application to create Conditional District standards that would allow electronic changeable face signs, but require the applicant to reduce the size of their sign to meet current maximum area and height standards for the Hazelwood (or Regional Center) District.

The Board had questions for Mr. Hickox concerning the speed of the message on an electronic changeable face versus the speed of the message when changed through the use of light emitting diodes. Mr. Hickox referred the Board to Section 11.7.4 of the Lighting Ordinance referring to Electronic Changeable Face Signs (Permitted in RC Only) which says the electronic changeable face is accomplished in three seconds, and the light emitting diodes is accomplished in two seconds.

Chairman McDowell asked if anyone would like to speak.

Brenda Reese
Chief Finance Officer
Carolina Furniture Concepts

Ms. Brenda Reese stated that Carolina Furniture Concepts is a locally owned and operated in Waynesville. She said the reason for the rezoning request is to allow the business to change its existing sign to an electronic changeable face sign. Carolina Furniture Concepts' owners feel that with a lighted electronic sign, the business will be more visible from Highway 19/23. The sign that is currently in place, even though lighted, is not visible from the highway because of trees. Ms. Reese said several nationwide revenue studies have been done, and with visible signage the revenue of the businesses have increased 20 – 30%. That increase of 20 – 30% means an increase in taxes for Haywood County and the Town of Waynesville. Ms. Reese stated that the Carolina Furniture Concepts store in Fletcher has an electronic sign, and that store does about 2/3 more business than the store in Waynesville does.

Carolina Furniture Concepts opened in Waynesville in 2007, and started with two employees. Now there are nine employees, and more people could be employed with revenue brought in from a more visible sign. Ms. Reese said Carolina Furniture Concepts is growing, and wants Waynesville to benefit from that growth.

Ms. Reese said Carolina Furniture Concepts is well aware of light pollution, and they have talked with Duke Energy concerning the amount of light that will be generated from the sign if allowed. She also stressed to the Board that this light would not be glaring, and would not in any way affect the safety of people driving in the area.

Chairman McDowell closed the Public Hearing.

The Board had several questions concerning the size of the sign compared to other businesses in the area. Mr. Hickox explained that the sign was the same one that had been in place for a Food Lion Store in previous years. It was erected before any sign standards for the Town were in place.

There was much discussion among the Board on how much better the sign could be seen from Highway 19-23 if the sign was changed to an electronic changeable face sign within the existing cabinet. Ms. Reese stated they wanted to have the sign more legible to draw attention. When asked about the nonconformity of the sign now, Ms. Elizabeth Teague, Director of Development Services, stated that this request would create a unique sign that is not allowed anywhere else in Town.

Board Member Jon Feichter stated that as a small business owner himself, he understood fully the desire of Carolina Furniture Concepts to have an electronic lighted sign, and it is a difficult issue to face. He said surrounding property owners in the area need to be taken into consideration also. He stated that he recalled the amount of work and effort that went in to developing the sign ordinance and the discussion regarding electronic signs when the ordinance was being developed. He felt that it would open a "Pandora's" box if Carolina Furniture Concepts is allowed the requested sign. He made the point that a line has to be drawn somewhere, and recommended a "no" vote for the request.

Board Member Phillip Gibbs stated he felt that at some point in time, some changes needed to be made. He feels there are more "pros" than "cons" in this issue as far as revenue and employment.

A motion was made by Board Member Jon Feichter to deny the request for a Conditional Land Use Request for Carolina Furniture Concepts at 121 Eagles Nest Road, PIN 8605-64-6237. The motion passed with seven ayes (Patrick McDowell,

Danny Wingate, Shell Isenberg, Robert Herrmann, Jon Feichter, Marty Prevost, and Brooks Hale) and one nay (Phillip Gibbs).

Chairman McDowell advised Ms. Reese that the Planning Board's decision could be appealed to the Town Board of Aldermen. If she wished to do so, the Staff would be glad to help her with the process.

Board Member Brooks Hale brought to the Staff's attention a concern about trucks being parked in front of an old convenience store across from Junaluska School. Ms. Teague stated staff would go look at the area.

C. ADJOURN

With no further business, a motion was made by Board Member Marty Prevost, seconded by Board Member Robert Herrmann, to adjourn at 6:20 pm. The motion passed unanimously.

Patrick McDowell, Chairman

Eddie Ward, Deputy Clerk

Planning Board Staff Report

Subject: Rezoning of Carolina Furniture Concepts Property from Hazelwood Business District (HBD) to Hazelwood Business Conditional District (HBD-CD)
Ordinance Section: 11.7.4 and 2.1
Applicant: Sandeep Gupta
Meeting Date: September 21, 2015

Summary Information:

Application Date: August 10, 2015
Proposed Location: 121 Eagles Nest Road – PIN 8605-64-6237
Property Owner: SMS Enterprise LLC
Acreage of site: 3.78 acres
Zoning District: Hazelwood Business District
Existing Development: Developed lot with large retail building (approximately 39,000 square feet) and paved parking area

Background:

The subject property consists of 3.78 acres adjacent to 19/23 with a 39,000 square foot retail building that is currently occupied by Carolina Furniture Concepts. Carolina Furniture Concepts would like to replace their existing internally lit sign with a manually changed reader board, to an electronic changeable face sign with a digital reader board within the existing sign cabinet. This type of sign is only permitted in Regional Center Districts. The property in question is currently located in Hazelwood Business District.

Originally, Carolina Furniture Concepts discussed with staff the possibility of a text amendment, but then applied to have their property at 121 Eagles Nest Road rezoned into a Regional Center District. When staff brought up concerns about spot zoning, they amended their request to a conditional district.

Current zoning is Hazelwood Business District (H-BD). The purpose and intent of this district as established by the Land Development Standards, Section 2.3.6(B) states:

The **Hazelwood Business District (H-BD)** is a small scale center for business, retail and institutional activity serving the residents of Hazelwood, Plott Creek, Eagles Nest and other surrounding neighborhoods. A broad mixture of uses is permitted; however, development in the future must be sensitive in design and provide for a high level of pedestrian safety and comfort. The large undeveloped tracts of land in this district must be well connected both to the neighborhood and the center as they develop. On-street parking is permitted and encouraged on many streets. Articulation in this area should occur at the scale of the pedestrian with buildings built at the scale of a neighborhood center. Connections among properties within this district and to surrounding districts are very important.

Within the Town Code of Ordinances, Chapter 11.6 and 11.7.4 Permitted Signage by District, internal signage is allowed in both the Business Districts and Regional Center Districts, but “electronic changeable face signs,” or digital reader boards, are only allowed in Regional Center Districts. The existing sign cabinet is 80 square feet and over 8 feet tall, making it nonconforming for both the RC District in which lighted signs are allowed, and the Hazelwood BD District in which it is located. Excerpts from Ordinance are provided below:

11.4 Permitted Signage by District

<i>Business District (BD)</i>	<i>24 sq. ft.—6 ft. tall Exceptions: Ground signs are not permitted on Main Street from Church Street to Russ Avenue; Ground signs shall be limited to 16 ft.—4 ft. tall along Wall Street from East Street to Howell Street</i>	<i>1 sq. ft. for each 1 linear ft. of wall frontage - maximum of 100 sq. ft.</i>	<i>Internal illumination permitted except within a National Register Historic District</i>	<i>Pedestrian Sign - 1 per business Marquee Sign - 11.7.6</i>
<i>Regional Center (RC)</i>	<i>48 sq. ft.—8 ft. tall</i>	<i>15% of wall</i>	<i>Internal illumination permitted</i>	<i>Pedestrian Sign - 1 per business</i>

11.7.4 Electronic Changeable Face Signs (Permitted in RC Only).

Electronic changeable face signs are permitted as a component of otherwise permitted signage subject to the following standards.

- A. No electronic changeable face sign may change its message or copy, or any pictures or images that are part of the message, more frequently than once every minute.*
- B. When the message of an electronic changeable face sign is changed mechanically, it shall be accomplished in three (3) seconds or less. When the message of an electronic changeable face sign is changed in an electronic manner, through the use of light emitting diodes, back lighting or other light source, the transition shall occur within two (2) seconds.*
- C. The portion of the sign face of an electronic changeable face sign which accommodates multiple messages shall not exceed 50 percent (50%) of the total sign face area and may not change its message or copy, or any pictures or images that are part of the message, more frequently than once every minute; the remaining portion shall be static.*
- D. Electronic changeable face signs which are illuminated or which use electronic lighting to display message shall be subject to the restrictions and limitation applicable to illumination in this ordinance.*
- E. There shall be located no more than one electronic changeable face sign per lot, and such sign shall be permitted only on a ground sign and not on any attached sign or window sign.*

This rezoning request would make this sign conforming on this parcel. However, being mounted on a pole, and of this height, size and lighting, it would be unique as permitted within Town zoning.

The site was posted beginning on September 8, 2015. Notice of the Public Hearing was mailed to owners of property within 100 feet of the property in question on September 8, 2015 and mailed again with a correction on September 11, 2015. Notice was submitted to local media on September 8, 2015.

Consistency with 2020 Land Development Plan:

Under North Carolina law local municipal zoning is required to be based on an adopted comprehensive land development plan. In Waynesville Our Heritage, Our Future, 2020 Land Development Plan, the first Land Use Goal is to:

“Promote orderly growth, development and enhanced land values of the Town of Waynesville by preserving and improving Waynesville’s existing neighborhoods, creating more attractive commercial centers, maintaining a strong downtown area, taking steps to reduce urban sprawl and protecting the natural beauty of the community.” (p. 4-2)

Under this goal, actions include:

“Develop the commercial core of Hazelwood into a small urban center through the use of the principles of the Main Street Program led by community infrastructure elements (curb and gutter, sidewalks, streetscape elements, etc.).” (p. 4-5)

“Evaluate and implement methods for reducing “light pollution” to minimize the impact of artificial lighting without sacrificing safety.” (p. 4-6)

The requested rezoning would not change the uses of the area but would allow for signage normally associated with more urbanized development areas.

Staff does not believe that an electronic changeable face sign is consistent with the small urban center objectives of the Hazelwood Business District or with the Town’s efforts to reduce light pollution. Light and visual impacts, especially considering the nonconformity of height and size of the sign itself, would go beyond the property boundary. While we understand the concerns for visibility of the applicant in this case, we are also concerned with the precedent such an action would set for others who may want to transition to digital signage in other areas of Town.

Surrounding Land Use/Zoning Patterns:

Surrounding land use is commercial to the north and east on the properties that front Eagles Nest Road and Sulphur Springs Road. The property is bordered along its entire western edge by U.S. Highway 23/74. Across this highway are a medical office and a neighborhood of single-family homes. The properties to the south are occupied by single-family homes. All properties that are contiguous to the property in question are also located within the Hazelwood Business District.

Proposed Map Amendment:

The requested map amendment would change the zoning from Hazelwood Business District (HBD) to Hazelwood Business District Conditional District (HBD-CD). The purpose of this request is to allow Carolina Furniture Concepts to replace the face of its existing, and nonconforming, sign with an electronic changeable face sign using the same sign structure and cabinet which are nonconforming to Town ordinances in terms of height, and dimension.

Staff Recommendations:

Staff recommends denial of this request as proposed. The expressed purpose of this request for rezoning is to allow the installation of a type of sign that is not permitted in the current zoning district, and will have ramifications into the future. Rezoning this property will accommodate signage that is not allowed anywhere else in Town. This request would allow a nonconforming sign to be brought into conformity and be enhanced through lighting in a way that would only accentuate its variance with the Town of Waynesville's regulations. It would create unique signage under the ordinance.

The fundamental question is whether or not the Planning Board membership, or the Board of Aldermen, feels that a digital reader board sign of this height and scale is appropriate at this location. While the property is currently being occupied by a fairly large retail operation, future uses of the site may change, and the rezoning would allow the signage to continue. The Town of Waynesville desires to support our local business community, and while it is understandable that Carolina Furniture Concepts would want every signage advantage it could get to identify itself to passing traffic. However, does the supposed benefit to the business in this particular situation outweigh the goals of the overall community in this case?

This digital type of reader board, of a smaller scale and height, is allowed within Regional Center Districts of high traffic. The applicant has mentioned the proximity to the highway as a reason for the desire to place an electronic changeable face sign on this property. This means that the digital sign would be designed to light up and be visible beyond the property boundaries and have light impacts on areas that are zoned Business District. It may even be visible from residential areas at higher elevations. Interestingly, the visibility of the existing sign from the roadway of 23/74 is limited now due to the trees that are located along the highway right-of-way. Therefore, even with a lighted sign, the business may not achieve its goal for reaching vehicles traveling that corridor except during the winter, but would still impact surrounding areas.

By ordinance, the Planning Board has 64 days in which to make a recommendation to the Board of Aldermen. If the Board turns it down, the applicant can still request a public hearing at the Board of Aldermen level for further consideration, and the Board of Aldermen may adopt the amendment with modifications. The Planning Board could recommend the alternative approaches of a text amendment which would allow digital signage in the HBD, or could refer the case to the Zoning Board of Adjustment for a variance based on the applicant's location and hardship.

Attachments:

1. Site Location Map
2. Application Materials Submitted

Suggested Actions:

1. Motion to recommend approval/denial of the request for rezoning from Hazelwood Business District to Hazelwood Business District Conditional District to the Waynesville Board of Alderman.
2. *Motion Option2*: Motion to recommend modification of application to create Conditional District standards that would allow electronic changeable face signs, but require the applicant to reduce the size of their sign to meet current maximum area and height standards for the Hazelwood (or Regional Center) District.



TOWN OF WAYNESVILLE PLANNING DEPARTMENT

Application for Land Development Standards Text Amendment

Application is hereby made on 8/10, 2015 to the Town of Waynesville for the following amendment:

Designate the specific section(s) of the Land Development Standards being requested for change:

121 Eagles Nest Road
Waynesville NC 28786

Description of the requested amendment, (attach additional sheets if necessary):

Change the ordinance for regional from business center
Paul Brown asked us to submit request

The reasons for the requested amendments, (attach additional sheets if necessary):

Want to install lighted or digital sign - this would give
prospective customers options to increase revenue for both
the company and county/town - having a unique sign helps
bring in more customers instead of a generic type sign that just
sits there

Applicant Contact Information

Name (Printed): Sandeep Gupta
Mailing Address: 2617 Hendersonville Road Arden NC 28704
Phone(s): 828-681-5011 or 828-582-2999
Email: sandeepgupta@bellsouth.net

Note: Text Amendment Requests require a fee of \$500.00. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Planning Department, 9 South Main Street, Waynesville, NC 28786.

SMS ENTERPRISE LLC
2617 HENDERSONVILLE ROAD STE 1
ARDEN, NC 28704

1327
66-113521

DATE August 10, 2015

PAY TO THE ORDER OF Town of Waynesville Planning Board

\$ 500⁰⁰

Five hundred and no/100

DOLLARS



CAROLINA

FURNITURE CONCEPTS

Your Leader In Savings

2617 Hendersonville Road
Arden, N. C. 28704
Phone: 828-681-5011
Fax: 828-681-5022

www.carolinafurnitureconcepts.com
FIN 46-0490457

121 Eagles Nest Road
Waynesville, N. C. 28785
Phone: 828-454-9293
Fax: 828-454-9294

August 20, 2015

Town of Waynesville

Re: Sign Request Page 2

According to market studies, business increase sales from 20% to 30% with a lighted digital sign as opposed to the generic type of sign. Having said this, this will also bring more revenue to Haywood County and the Town of Waynesville.

One exit down from us, both Best Buy and Walmart have lighted digital signage. We are on the same highway corridor and a locally owned business trying to get in the larger market aspect and according to studies this would be a major step in that direction.

Best Product, Best Price, Best Service

**CAROLINA
FURNITURE
CONCEPTS**

**YES OPEN
DETAILS INSIDE**





19mm Full Color Message Display



Written Consent. Colors shown are approximate and may not match actual colors due to the limitations of the printing process.



- ① Existing Sign Cabinet and Pipe, Repainted OS-199 Black
- ② L101 White Pan Formed Sign Faces with L-437 Unique Red, Embossed and Painted Copy
- ③ OS-199 Black Painted Divider Bar and Filler Panels
- ④ 19mm Red LED Electronic Message Display

Parcel Report For 8605-64-6237



SMS ENTERPRISE LLC
1652 OLMSTED DR
ASHEVILLE, NC 28803

Account Information

PIN: 8605-64-6237
Deed: 690/1899

Site Information

STORE, DISCOUNT
COMMERCIAL USE
121 EAGLES NEST RD

Heated Area:

Year Built:

Total Acreage: 3.78 AC

Township: TOWN OF WAYNESVILLE

Site Value Information

Land Value: \$371,200
Building Value: \$1,024,500
Market Value: \$1,395,700
Deferred Value: \$0
Assessed Value: \$1,395,700
Sale Price: \$1,475,000
Sale Date: 12/19/2006
Tax Bill 1: \$7,554.92
Tax Bill 2: \$7,554.92



1 inch = 400 feet
August 24, 2015

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.