



Town of Waynesville

TOWN OF WAYNESVILLE
Planning Board – Regular Meeting
Town Hall, 9 South Main St, Waynesville, NC 28786
July 21, 2014
Monday – 5:30 PM

A. CALL TO ORDER

1. Welcome/Calendar/Announcements
2. Adoption of Minutes

***Motion:** To approve the minutes of April 21, 2014 as presented (or as corrected)*

B. NEW BUSINESS

3. **Request for Public Hearing:** Rezoning Request – Rezoning property located At 668 and 746 North Main Street – PIN 8615-59-3075 & 8615-59-6206 from Walnut Street Neighborhood Residential Mixed-Use Overlay to North Main Street Neighborhood Center - Call for Public Hearing to be held on **August 18, 2014**

C. ADJOURN

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD
REGULAR MEETING
Town Hall – 9 South Main St., Waynesville, NC 28786
April 21, 2014

THE WAYNESVILLE PLANNING BOARD held a regular meeting on Monday April 21, 2014 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. with the following members present:

Marty Prevost
Jon Feichter
Brooks Hale
Patrick McDowell
Shell Isenberg
Don Stephenson
Danny Wingate

The following staff members were present:

Paul Benson, Planning Director
Eddie Ward, Deputy Town Clerk
Jason Rogers, Codes Administrator

2. Minutes of March 17, 2014

Board Member Marty Prevost made a motion, seconded by Board Member Brooks Hale, to approve the minutes of March 17, 2014 as presented. The motion passed unanimously.

B. NEW BUSINESS

3. Public Hearing: Consideration of text amendment to Section 14.5.2A, Historic Preservation Commission Membership and Quorum, of the Town of Waynesville Land Development Standards

Chairman Patrick McDowell asked Planning Director Paul Benson to explain the Land Development Standards text amendments. Mr. Benson said the Historic Preservation Commission had recently voted to recommend the membership of the Commission be increased by two members for a total of nine members. Commission members believe this change will bring more vitality to the Commission.

Mr. Benson stated that in 2011 the membership of the Commission was reduced from nine members to seven members because of difficulty filling all positions with interested persons. Since that time the Commission has become more stable and the current members would like to increase the membership to nine persons again. There has been some interest in the positions from people in the community, so the Commission feels it would not be a problem to fill two more positions.

Requirements for membership on the Historic Preservation Commission include residing within the corporate limits and extra-territorial jurisdiction of the Town of Waynesville, and demonstrating special interest, experience, or education in history, architecture, archaeology, or related field.

Recommendation of the staff is that the requested amendment be approved.

A motion was made by Board Member Jon Feichter, seconded by Board Member Don Stephenson, to approve the text amendment to Section 14.5.2A, Historic Preservation Commission Membership and Quorum, of the Town of Waynesville Land Development Standards. The motion passed unanimously.

4. Public Hearing: Consideration of a text amendment to Chapter 15, Administration of the Town of Waynesville Land Development Standards

Mr. Benson stated that in the 2013 session the North Carolina General Assembly adopted Session Law 2013-126 modifying the NC General Statutes regarding quasi-judicial proceeding handled by local governments. These changes were adopted in response to a request by the NC Bar Association and are regarded by planning law experts with the NC School of Government to be an improvement over the former statutes.

The changes apply primarily to Appeals of Administrative Decisions and Variance Requests handled by the Zoning Board of Adjustment. All are made to keep Town Code in compliance with state enabling legislation. They include:

- Changes in public notice of Variance and Appeal requests to remove published notice and add mailed notice to affected and adjacent property owners.
- Enables the Clerk to the Board as well as the Chair to swear in witnesses.
- Clarifies the requirements for written notice of decision and the delivery of that notice.
- Adds provisions for an expedited hearing process in cases where enforcement actions are not stayed until the hearing is held.
- Eliminates the super-majority (4/5th) vote required to uphold an appeal of an administrative decision.
- Requires that the Administrator appear as a witness in cases of appeal of an administrative decision.
- Eliminates the "practical difficulties" language from considering the granting of a variance
- Eliminates the test that a variance may not be properly granted if the applicant can make reasonable use of the property without the variance.

Recommendation of the staff is that the requested amendment be approved.

A motion was made by Board Member Marty Prevost, seconded by Board Member Brooks Hale, to approve the text amendment to Chapter 15 Administration of the Town of Waynesville Land Development Standards. The motion passed unanimously.

Town Manager Marcy Onieal came into the meeting at 5:45 p.m. Manager Onieal asked the Board for discussion and their thoughts of the direction of the Planning Board and the process of hiring a replacement for Planning Director Paul Benson upon his retirement in May. There were no comments from the Board.

Chairman McDowell thanked Mr. Benson for all his work, and stated that he had been a great asset to the Town of Waynesville during his years as Planning Director.

C. ADJOURN

With no further business, it was the consensus of the Board to adjourn the meeting at 5:53 p.m. All were in favor.

Patrick McDowell, Chairman

Eddie Ward, Deputy Town Clerk

TOWN OF WAYNESVILLE

Application for Amending the Waynesville Land Development Standards

Application is hereby made on June 6, 2014 to the Town of Waynesville for amending the: (X) Zoning Map () Text of the Land Development Standards

Zoning Map Amendment:

Address/location of property: 668 N Main, 730, 734, 738, 746, 758 N. Main

Parcel identification number(s) (PIN): 8615-59-3075 & 8615-59-6206

The property contains _____ acres. Attach metes and bounds description.

Current zoning: Walnut Street Neighborhood of Commercial Overlay

Requested zoning: North Main Neighborhood Center

The property is best suited for the requested change for the following reason(s), (attach additional sheets if necessary):

Property has been used for commercial uses not allowed in WS-NS for 50 years and was constructed for uses not allowed in WS-NS district

Text Amendment:

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

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

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

Dorothy M. Harrell 140 Carriage Club Dr. 434-981-1529
Applicant (print name) Address Mebane, NC 28117 Phone

Please copy any notices to Nena Harrell 1962 Woodburn Rd. Charlottesville, VA 2290

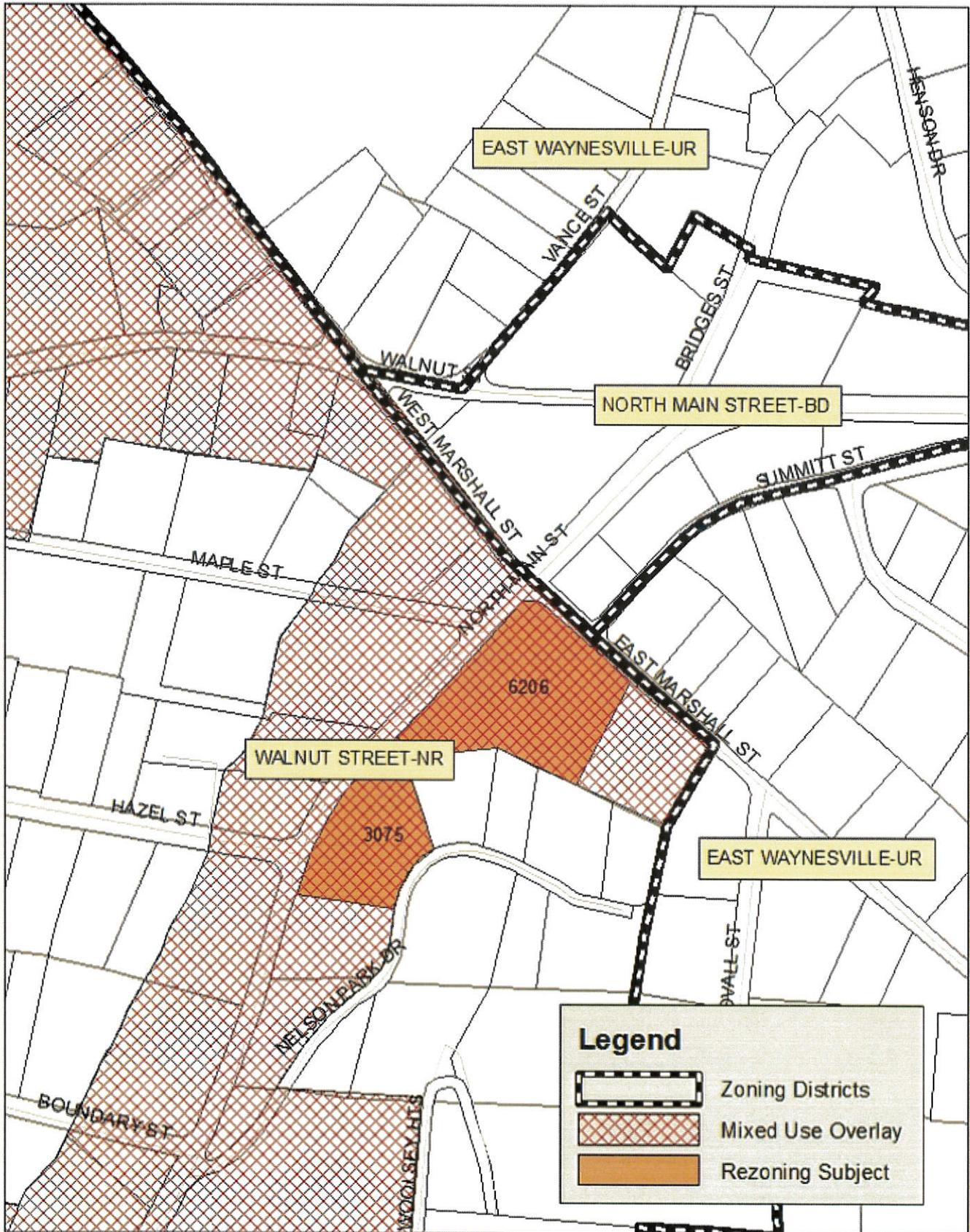
Note: for map amendment applicant must be property owner of record, or have written authorization by owner.

Nena Harrell - ulcwww@embargo@mail.com





Exhibit A North Main Street Property Rezoning Map



Legend

- Zoning Districts
- Mixed Use Overlay
- Rezoning Subject



STAFF REPORT

Agenda Item: Rezoning Request
Location: 668 & 746 North Main Street,
PIN: 8615-59-3075 & 8615-59-6206
Area: 1.7 acres total
Owner: Dorothy M. Harrell
Requested Rezoning: From Walnut Street Neighborhood Residential Mixed-Use Overlay to North Main Street Neighborhood Center

Background

This rezoning request covers two commercial properties. The property located at 668 North Main (lot 3075) is currently vacant and formerly housed a record store. The property located at 746 (lot 6206) has multiple commercial tenants (barber/beauty shops) and some vacant space.

The current zoning is Walnut Street Neighborhood Residential with a Mixed-Use Overlay. The purpose of the district as specified in the Land Development Standards:

The **Walnut Street Neighborhood District (WS-NR)** is an important, older, in-town, heavily canopied neighborhood district separating three major centers: the Russ Avenue Town Center, the North Main Street Boulevard District and the Central Business District. This district will continue to develop with a strong residential core of medium-density, single family homes surrounded by appropriately designed service and business uses along Walnut and North Main Streets. Any new development in this area needs to maintain the high quality of building construction present in the district. A residential scale will be required for all new development. As the lots in this district are larger, and due to the walkable nature of the area, accessory dwellings are encouraged. Sidewalks, which are found throughout the district, will be required for any new development. The tree canopy, which defines the area, must be enhanced with future development in order to continue the differentiation between this district and the adjoining, more urban districts.

The Mixed-Use Overlay District is an overlay district established to permit certain limited mixed-uses with residential neighborhoods as specified in the Table of Permitted Uses of the Land Development Standards. The additional uses permitted by this overlay include: Live/Work Units, Animal Services, ATMs, Banks et al, Business Support Services, Day Care Homes, Drive Thru Service, Dry Cleaning/Laundry Service, Government Services, Personal Services, Post Offices, Professional Services, General Commercial less than 100,000 square feet, Outside Sales, and Restaurants.

The requested North Main Street Neighborhood Center District has the following Purpose and Intent as established by the Land Development Standards:

The **North Main Street Neighborhood Center District (NM-NC)** is a mixed use district that forms the gateway into town from the northeast. The setting of this district is important as it frames Eagles Nest Mountain at the apex of the hill on North Main and

forms a forced perspective to the "center" of the district -- the intersection of Walnut and Main Streets. As a result, maintaining inviting vistas down Main Street and creating an attractive public realm are the objective of many of the standards set forth for this district. Street walls, boulevard trees and sign control will all be important in meeting these objectives as the street is redesigned. Working to keep traffic congestion to a minimum in this area will require the use of rear access drives, side street entrances and shared driveway connections. The uses found in the North Main Street Boulevard District serve not only the surrounding neighborhoods, but all of the Waynesville community and are varied in nature.

2020 Land Development Plan

The Waynesville: Our Heritage, Our Future, 2020 Land Development Plan (Map 12) indicates the area including the subject properties to be designated for "Residential, Medium to High Density. The text of the Plan defines this category as a variety of housing types at densities of 5-12 units per acre along with schools, community facilities, places of worship, and assisted living communities. The plan also indicates preservation of older, historic neighborhood and housing for this area.

Surrounding Land Use/Zoning Pattern:

Surrounding land use is primarily strip commercial along North Main Street with a variety of office, service, and retail uses. To the rear of the commercial properties lining Main Street on both the east and west sides are medium density single family residences. The residential area to the west across Main Street from the subject properties is designated as the "Spread Out" District and is listed on the National Register of Historic Places.

Staff Recommendation:

The requested rezoning would add a significant number of permitted uses to these properties including: Auto Part Sales, Gas Stations, Vehicle and Heavy Equipment Sales and Rental, General Commercial (greater than 100,000 square feet), Recycling Collection Stations, Neighborhood Manufacturing and others that may not be in keeping with the adopted land use goals of the Town's 2020 Plan. In addition, the rezoning of these two properties would break the clear zone boundary that currently exists along East and West Marshall Streets between the Walnut Street Neighborhood District and the North Main Street Neighborhood Center District. For these reasons staff does not recommend changing the zoning of this property.

Requested Action:

Motion to call a public hearing for August 18, 2014 to consider rezoning the property located at 668 and 746 North Main Street (8615-59-3075 & 8615-59-6206) from the Walnut Street Neighborhood Residential Mixed-Use Overlay District to the North Main Street Neighborhood Center District.