



# 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

**Regular Meeting**  
Town Hall, 9 South Main Street, Waynesville, NC 28786  
**Monday, February 15, 2016, 5:30 PM**

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### A. CALL TO ORDER

1. Welcome/Calendar/Announcements

*Public Hearings for rezoning and mixed-use overlay requests along Richland Street and at Mauney Cove set for the Board of Aldermen Meeting on February 23, 2016 at 6:30 pm.*

2. Adoption of Minutes

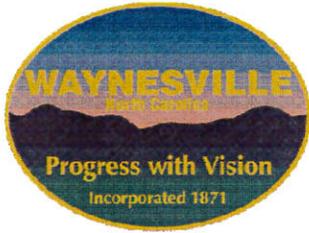
*Motion:* To approve the minutes of January 28, 2016 as presented (or as corrected)

### B. NEW BUSINESS

1. Discussion and recommendation on Town policies related to Food Trucks and food carts, and consideration and feedback on a specific request to allow a Food Cart in the Central Business District.

### C. PUBLIC COMMENT/CALL ON THE AUDIENCE

### D. ADJOURN



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### MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD SPECIAL MEETING

Town Hall – 9 South Main St., Waynesville, NC 28786  
January 28, 2016

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THE WAYNESVILLE PLANNING BOARD held a regular meeting on January 28, 2016 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

Vice Chairman Danny Wingate welcomed everyone and called the meeting to order at 5:30 p.m.

The following members were present:

Danny Wingate  
Bucky Dykes  
Brooks Hale  
Anthony Sutton  
Phillip Gibbs  
Marty Prevost  
Shell Isenberg  
Robert Herrmann

Absent:

Patrick McDowell

The following staff members were present:

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

2. Adoption of Minutes

*Board Member Bucky Dykes made a motion, seconded by Board Member Anthony Sutton to approve the minutes of the December 21, 2015 board meeting as presented. The motion passed unanimously.*

**B. NEW BUSINESS**

1. Public Hearing and Consideration of a zoning map amendment from Dellwood Medium Density Residential District to Dellwood Junaluska Regional Center District at 30 Mauney Cove Road, PIN 8616-39-4152 (Haywood County Convenience Center)

Vice Chairman Danny Wingate opened the Public Hearing.

Development Services Director, Ms. Elizabeth Teague, asked Mr. Byron Hickox, Land Use Administrator, to present the first item on the agenda. Mr. Hickox stated that the property located at 30 Mauney Cove Road consists of 1.29 acres, and is a partially developed lot containing a waste collection station, also known as the Convenience Center, operated by Haywood County. This Convenience Center has been in operation at this location for over 20 years, and is the busiest center in the county with 225,000 visitors annually. When Haywood County approached staff about reconfiguring the overall site to alleviate traffic problems, staff realized the current use is defined as a Recycling Collection Station, and is not a permitted use in this district and could not be expanded. Mr. Hickox said the adjacent district is Dellwood/Junaluska Regional Center and this district permits the operation of Recycling Collection Stations.

**Staff Recommendation:**

The rezoning of this property would allow the Convenience Center to be improved and expanded, and is critical to allow for more traffic lanes and safer entrances and exits on Mauney Cove Road. Mr. Hickox stated the Convenience Center would be consistent with this zoning and would enhance a necessary community service to the visitors and residents of the Lake Junaluska District. The Town of Waynesville Development Services Staff recommends approval of the request for rezoning.

Mr. Hickox explained to the Board there would be two requested actions.

1. Motion to find/not find the request consistent with the 2020 Land Development Plan by meeting the needs of the residential, commercial, and institutional needs of the community and promoting infill and improving an existing neighborhood area.

2. Motion to recommend approval of Haywood County's request for rezoning the property at 30 Mauney Cove Road from Dellwood Medium Density Residential to Dellwood/Junaluska Regional Center.

**Kris Boyd**  
**Haywood County Planning Director**

Mr. Boyd stated that Haywood County was obligated to provide solid waste disposal to the residents of Haywood County. There are three ways to fulfill this obligation. First, the County has a Landfill, a Materials Recycling Facility, and Convenience Centers. Several of the Centers have become over burdened by use, and the County is taking the initiative to upgrade these facilities. A Center in Hazelwood has recently been upgraded, and now the Center at Mauney Cove needs to be improved. Mr. Boyd explained that there are traffic safety hazards because of the heavy volume of traffic at the Center. He said this site is open five days a week, and an average of 865 vehicles and deposit 17,000 pounds of solid waste in this facility on a busy day. Mr. Boyd stated that it is a necessity to upgrade the Convenience located on Mauney Cove Road not only for the volume, but for the traffic and safety needs.

**Ira Dove**  
**Haywood County Manager**

Mr. Dove stated that the homeowner of the residence to the north of the Center was the person who leased, and then sold the property to the County. There are currently ten facilities operating in Haywood County, and this is the busiest one. He said the County was asking for the entire parcel to be rezoned Commercial which would allow more turning radius into and out of the Center. Preliminary designs for the upgrade show expansion width and lengthwise on the property and the addition of one more lane. Mr. Dove said that hopefully this will alleviate traffic being backed into Mauney Cove Road.

Ms. Teague explained to the Board that when plans are submitted for the project, they will have to meet the Land Development Standards, including buffering, where as of now because of the current zoning, they do not.

The Board had several questions for Mr. Boyd concerning traffic flow, and making sure that the North Carolina Department of Transportation is onboard with the design.

Ms. Teague reminded the Board that the design of the Center was not being approved in this meeting, but the rezoning to allow the expansion was what was being considered. She said that Staff felt this was a very important rezoning to allow the County to be able to move forward with the project for the Center.

Vice Chairman Danny Wingate closed the Public Hearing.

*A motion was made by Board Member Anthony Sutton, seconded by Board Member Robert Herrmann to find the request consistent with the 2020 Land Development Plan by meeting the needs of the residential, commercial and institutional needs of the community and promoting infill and improving an existing neighborhood area. The motion passed unanimously.*

*A motion was made by Board Member Brooks Hale, seconded by Board Member Phillip Gibbs, to recommend approval of Haywood County's request for rezoning the property at 30 Mauney Cove Road from Dellwood Medium Density Residential to Dellwood/Junaluska Regional Center. The motion passed unanimously.*

2. Public Hearing and Consideration of a zoning map amendment from Main Street Neighborhood Residential to Central Business District at Richland Street (referred to as second Forga lot), PIN 8615-17-5626

Vice Chairman Danny Wingate opened the Public Hearing.

Ms. Teague stated this request is for the .27 acre tract that holds a small warehouse and outdoor storage. It is adjacent to the Forga property approved for rezoning at the Planning Board meeting held on December 21, 2015. If it is approved, it will go forward to the Board of Aldermen with other recommended rezonings along Richland Street. The properties are adjacent to the railroad, and are mostly in the flood plain because of the creek, and have been used commercially for many years.

**Staff Recommendation**

Because of this location abutting the railroad corridor, and being located in the flood plain, residential use is unlikely. Staff recommends approval of the request for rezoning from Main Street Neighborhood Residential to Central Business District thus enabling more opportunities and improvement for the existing structure.

Ms. Teague indicated to the Board that there would be two requested actions.

1. Motion to find/not find the request consistent with the 2020 Land Development Plan by promoting the development and redevelopment of a historically mixed-use area.
2. Motion to recommend to the Board of Aldermen approval/approval with conditions/or denial of the requested rezoning of the property from the Hazelwood Urban Residential District to the Central Business District.

The Board had several questions concerning the possible rezoning of surrounding properties. Ms. Teague said notifications of the rezoning for these properties had been sent out, and only Giles Chemical had expressed interest in an adjoining property.

Vice Chairman Danny Wingate closed the Public Hearing.

*Board Member Anthony Sutton made a motion, seconded by Board Member Marty Prevost, to find the request consistent with the 2020 Land Development Plan by promoting the development and redevelopment of a historically mixed-use area. The motion passed unanimously.*

*A motion was made by Board Member Robert Herrmann, seconded by Board member Anthony Sutton, to recommend to the Board of Aldermen approval of the requested rezoning of the property from the Hazelwood Urban Residential District to the Central Business District. The motion passed unanimously.*

3. Continued discussion (tabled from December) and consideration of a zoning map amendment at 504 Church Street, PIN 8615-17-6586 and at 191 Richland Street, PIN 8615-17-2186 and 24 Goodyear Street, PIN 8615-17-4206.

Ms. Elizabeth Teague explained that two separate rezoning requests were tabled by the Board at the Planning Board Meeting on December 21, 2016. Since that meeting Ms. Teague has met with property owners Ms. Betty Henderson and Mr. Ron Muse, to discuss their vision for these properties, and a possible mixed-use overlay option that would allow some commercial uses in these properties that are adjacent Main Street Neighborhood. Ms. Teague discussed zoning categories listed in the 2020 Land Development Standards. She said some uses were permitted in a limited fashion, and this is to give some flexibility, and to decide where mixed-uses are appropriate. She said the purpose of the Mixed-Use Overlay District (MX-O) is a zoning district established to permit certain limited mixed-uses within residential neighborhoods. The applicability is for frontage of locations or blocks shall be identified on the Land Development Map to permit certain non-residential uses a permitted in the Use Table in Section 2.5.3. Such locations are noted as either PC (Permitted on any Corner Lot located at the intersection of two publicly-maintained streets) or PL (Permitted in Designated Locations on the Land Development Map).

Ms. Teague stated that both property owners agreed that a mixed –use overlay option would be acceptable. Some of the uses that are allowed in addition to what is already allowed:

- |  |   |
|--|---|
| 1. Live Work Units                       | 6. Government Services                            |
| 2. ATM                                   | 7. Personal Services                              |
| 3. Banks, Credit Unions, Financial Serv. | 8. Professional Services                          |
| 4. Business Support Services             | 9. General Commercial (less than 100,000 sq. ft.) |
| 5. Dry Cleaning and Laundry Serv.        | 10. Restaurants                                   |

**Staff Recommendation**

Ms. Teague said staff believes that a mixed-use overlay is a reasonable compromise to the North Main Street Neighborhood as a way to improve the development of these under utilized lots, and staff recommends rezoning this property to a Mixed-Use overlay to allow for a limited number of new allowable uses. She reminded the Board that there are two requested actions:

1. Motion to find/not find the request consistent with the 2020 Land Development Plan by promoting the development and redevelopment of a historically commercial area.

2. Motion to recommend to the Board of Aldermen approval/approval with conditions/ or denial of the requested rezoning of the property for the Main Street Neighborhood Residential District to a Main Street Neighborhood Residential District Mixed-Use Overlay.

There was much discussion among the Board about the different types of uses that could be allowed in this District. It was the consensus of the Board that any type of business would be an improvement to the area.

*A motion was made by Board Member Anthony Sutton, seconded by Board Member Bucky Dykes, to find the request consistent with the 2020 Land Development Plan by promoting the development and redevelopment of a historically commercial area. The motion passed unanimously.*

*A motion was made by Board Member Brooks Hale, seconded by Board Member Bucky Dykes to recommend to the Board of Aldermen approval of the requested rezoning of the property from the Main Street Neighborhood Residential District to Main Street Neighborhood Residential District Mixed –Use Overlay. The motion passed unanimously.*

4. Presentation by staff on Land Use Impacts of Howell Mill Road Improvements.

Ms. Teague introduced Mr. Tim Shook who owns property on Howell Mill Road.

**Tim Shook  
Howell Mill Road**

Mr. Shook stated that he had approached the Board eight years ago to rezone, because his property is adjacent to Ingles on one side, Sonoco Plastics plant in front, and behind the property is the Town of Waynesville electric sub station. Now that there is a three lane road with sidewalks, Mr. Shook would like to be rezoned commercial so he can explore possibilities of development with his property.

Ms. Teague gave some background of the project:

- Runs from Russ Avenue at Rite Aid to Asheville Highway
- \$11.6 million road improvement by NCDOT
- Installation of wider lane, shoulders, roadway straightening, sidewalks, and roundabout
- New bridge which eliminates at grade railroad crossing
- Expected completion 60 days
- Access for Evergreen Packaging, Sonoco Plastics, Schulhofer's, and Waynesville Rec Center
- Access to 30 plus acres of Town property
- Access for residential lots along Howell Mill, Happy Hill, Calhoun Road, and Radio Tower Road
- Adjacent to several large tracts of land.

Ms. Teague stated that in September – October 2008, the Town received a request from Mr.

Tim Shook to rezone 7 acres at 333 Howell Mill Road from Howell Mill Neighborhood District to Russ Avenue Town Center. The rezoning request failed three to four at the Planning Board level. The request was appealed to the Board of Aldermen and they tabled it to allow time for additional study, based on several concerns:

1. When Associated Packaging moved in, the Board committed to trying to keep area residential.
2. Interest in seeing higher density residential.
3. Reluctance to change map during evaluation of Town's Land Development Standards.
4. Interest in seeing impacts of NCDOT Howell Mill Road Improvement Project.

Ms. Teague said some of the physical impacts of the project were improvements to grading, drainage, culverts, and structures and alignment. There is improved traffic, truck, and pedestrian safety overall. Other improvements include aesthetics of bridge and roadway, intersection and signal improvements at Russ Avenue and Asheville Highway.

With this project, there is increased visibility of roadway at both ends, linking two Commercial/Industrial areas with direct route that is wider, straighter, and faster. There is also improved access to Town Park facilities, and increase thru-traffic and truck traffic. Ms. Teague stated these improvements means the area will become a desirable place for new development. The current zoning for this area west to east is Russ Avenue Regional Center Commercial, Howell Mill Medium Density Residential, and Commercial Industrial Commercial.

Ms. Teague stated there are a lot of parcels along that corridor that will be impacted by this project. She encouraged the Board to involve the community to see what type of development is desired in this location, and what is not desired. She asked the Board for their ideas in how to engage property owners in discussion of what they want to see. Some recommendations are to reach out to property owners through surveys and the Planning Board possibly hosting a community meeting. Ms. Teague said she would consult with Mr. Mike Morgan, Interim Manager, and the Board could discuss options at the next meeting.

#### **C. PUBLIC COMMENT/CALL ON THE AUDIENCE**

No Comments.

#### **D. ADJOURN**

*With no further business, a motion was made by Board Member Robert Herrmann, seconded by Board Member Bucky Dykes, to adjourn the meeting at 6:55 pm. The motion passed unanimously.*

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Danny Wingate, Acting Chairman

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Eddie Ward, Deputy Clerk

## Mobile Food Vendor

### Suggested draft text amendments in *italics* for Planning Board Feedback 2/15/2016

#### 4.6 - Temporary Uses.

##### 4.6.1 General Standards/Permits Requirement.

- A. All permitted temporary uses listed in this section require a temporary use permit that shall be reviewed and issued by the Administrator.
- B. Temporary use permits shall be issued for no more than one hundred and eighty (180) days within a calendar year on any individual lot.
- C. Reserved.
- D. The property on which a temporary use is proposed must contain sufficient space to support the temporary use.
- E. No temporary use shall be located closer than two hundred (200) feet to a dwelling unit. Yard sales are excluded from this requirement.
- F. Parking must be adequate to support the proposed temporary use.
- G. Restroom facilities, if needed, must be provided.
- H. Plans for security and safety must be provided.
- I. All inspections and permits required by the building code or fire marshal must be received.

##### 4.6.2 Temporary Uses Allowed in All Districts.

- A. Permitted Temporary Uses: Civic/cultural events and yard sales are allowed in all Districts.
- B. Time Limit: Civic/cultural events - thirty (30) days; yard sales - four (4) days.

##### 4.6.3 Temporary Uses Allowed in All Nonresidential Districts.

- A. Permitted Temporary Uses: Temporary uses allowed in all Districts except for the residential districts include: circuses, carnivals, fairs, religious services and similar types of events; the sale of agricultural products including Christmas trees; and tent sales.
- B. Time Limit: Such events shall be allowed for no more than thirty (30) days.

##### 4.6.4 Temporary Uses with Specific Requirements.

- A. Contractor's Office and Equipment/Storage Sheds.
  - 1. Contractor's office and/or equipment/storage sheds may be placed in any District temporarily on the site of construction of a development for which a certificate of land development standards compliance has been issued.
  - 2. Time Limit: Placement of such a temporary use is limited to a period of time determined by an estimated project completion date with the option of an extension of up to one (1) year as and if approved by the Administrator. All temporary construction buildings and trailers shall be completely removed

from the site within thirty (30) days of issuance of a certificate of occupancy or completion of the project, whichever comes first.

- B. Real Estate Office in a Construction Trailer or Temporary Modular Unit.
  - 1. One (1) temporary structure, such as a construction trailer or temporary modular unit may be used as a real estate sales office in any new construction project in any District. Such a temporary structure shall be used for the sale of units within that project only.
  - 2. Time Limit: Temporary real estate offices in construction trailers or temporary modular units may remain on the site for no more than one (1) year or until one-half (½) of the units for the project are completed, whichever occurs first.
- C. Real Estate Office in a Model Home: A model dwelling may be used as a real estate sales office in a new residential development in any District. Such a model home/sales office may be used for the sale of units within that project only.
- D. *Mobile Food Vendors*
  - 1. *Mobile food vendors may be placed in any commercial district with a temporary permit on private property. A permit is only valid for one location and must include documentation of property owner permission . Vendors wanting to serve additional locations need additional permits.*
  - 2. *Mobile food vendors are not allowed in residential districts or the Main street public services district .*
  - 3. *Property owners must make their restroom facility available for mobile food vendor staff.*
  - 4. *Mobile food vendors are not allowed to operate on public property except during special events.*
  - 5. *All food service operations must obtain an approved mobile food service permit from the Haywood County Health Department. Permits must be posted on the mobile food vendor vehicle so that they are visible to the public.*
  - 6. *Mobile food vendor permits are valid for 180 days of usage. Days do not have to be contiguous. Special events do not count toward this limit.*
  - 7. *Signage must abide by the sign regulations as specified in ordinance 11.5.14(H), but mobile food vendors may not be lit or have more than one (1) sign. Vehicular signs do not count toward this limit.*

### **17.33 – Definitions, Use Type.**

***Mobile Food Vendor.*** *A mobile food vendor is a person or organization that sells food out of a portable vehicle, cart, or trailer. Examples include food trucks and food carts.*

## Business Plan for Hot Dog Cart

My name is *John Catton* and I thank you for this opportunity to present to you my "*Business Plan*"

To tell you briefly about myself:

I was a Second Class Petty Officer Boatswains Mate in the U.S. Navy, supervised a crew of about thirty men and served six years from which I received an "Honorable Discharge" I worked for companies such as Walt Disney World, Sears, JCPenney, Marriott and Hilton in the areas of supervision, sales, customer service and training.

I attained food experience and learned proper food handling and safety while working for Raxx Restaurant in Lake Buena Vista Florida, the Brown Derby and other various fast food restaurants at MGM Studios in Walt Disney World.

*My plan is to enhance business and the atmosphere of Downtown Waynesville by providing a Hot Dog Stand that would be located at the "Mini Park" across from the Waynesville Court House. This would allow pedestrians to grab a quick bite to eat and so encouraging them to stay around longer to shop as well as take the time to decide which restaurants they might like to sit down and eat at.*

*Hours of operation would be between 10am through 6pm Monday through Saturday, however there would be flexibility extended hours later on into the evening depending on pedestrian traffic and events. That would also include some adjustments during festivals and events of which I would also be participating and of course, severity of weather.*

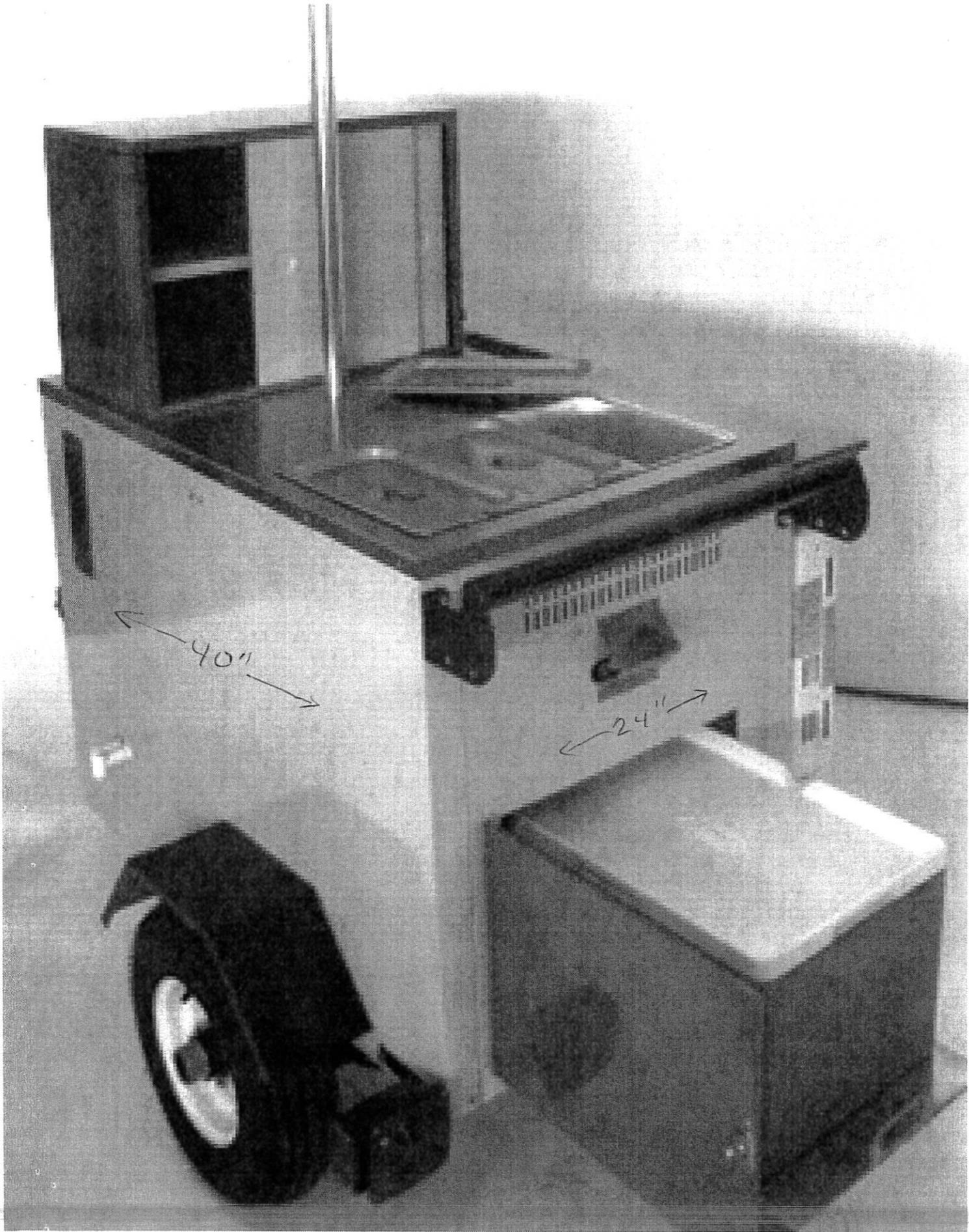
Also people like to be around where other people are and where they congregate. The "Mini Park" would be a great place for that! Imagine at night... "Lights on a hot dog cart, people sitting at the tables and on the walls of the cove area, laughing and talking, while enjoying a delicious hot dog and a drink with their friends and family!" "This will be a great focal point for visitors as they drive through town and would make them want to stop and join in!"

I would look to provide a "good quality beef hot dog" that my business would be remembered by. Also the important thing is that, you don't want just "anyone" serving food downtown!" You would want someone like myself that would take care of the visitors and customers! With my customer service and hosting experience, character and personality to represent the "Town of Waynesville" we can all be more successful together!

Every business owner or employee that I have talked with feels that this would be a "great" thing to have!

*"My wife and I look forward to serving all of you!"*

John S. Catton



The **Greyhound** Hot Dog Cart is a fantastic way to begin your journey in the hot dog cart business or, if you want to add mobility to your hot dog cart fleet! At Dog House Hot Dog Carts we listened to hot dog cart purchasers input and combined this with our 10 years of experience in the vending cart business to manufacture the only vendor friendly State-of-the-Art hot dog cart available in the the market today.

Standard equipment includes: (1) full size steam table, (1) sink, 5 gal. fresh water tank, 7 gal. waste water tank, 1.5 gal. 12 volt pump, battery & charger, on demand hot water heater, 33 Qt. pull out cooler, storage cabinet on top, (1) spillage pan, 6 ft. umbrella, "high speed" tires, dolly wheel, safety chains with 1 7/8" hitch.

Call us today, **877-490-6655**, and let us tell you why our hot dog carts are the most **EFFICIENT**, durable and cost effective hot dog carts available today. Other food stand manufacturers claim their hot dog cart is the best **BUT** ask them why! Call us and we will tell you why we manufacture the premier hot dog cart currently on the food stand market!

**Stainless: \$2,995** base price, **Painted: \$3,250** base price

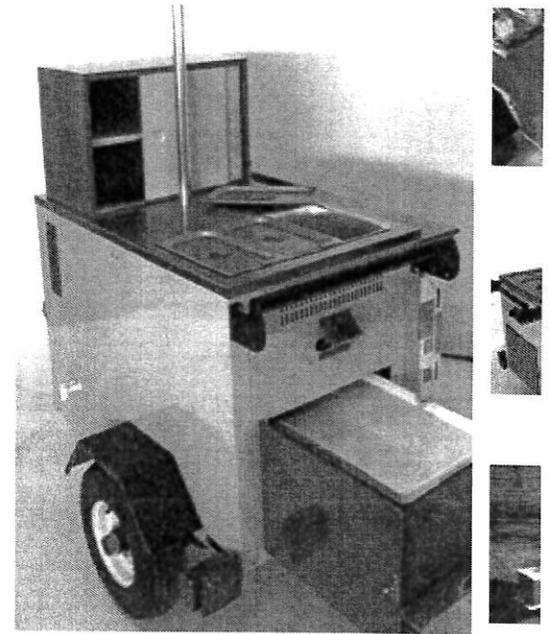
**\$82 / month**

## FEATURES OF THE GREYHOUND HOT DOG CART INCLUDE:

- Complete One Year Warranty to assure your satisfaction
- Certificate of Ownership – Necessary for registration at DMV
- "Certificate of Origin" supplied with each and every hot dog cart
- Toll-Free Customer Support

### CHASSIS AND FRAME

- 1 7/8" Secure-Lock™ industry standard tow ball
- Rust resistant protection applied to all frame components
- Cart is made of 18 Gauge, 304 Stainless Steel
- Designed for vendor friendly easy access and maneuverability
- Light weight and very easy to push
- Large service shelf
- Dual towing chains for maximum towing safety
- Suspension, hitch, lights, tires, and axles are D.O.T. Certified



### SINK AND WATER SYSTEM

T-shirt Logo

