

REGULAR MEETING
TOWN OF WAYNESVILLE PLANNING BOARD
SEPTEMBER 19, 2005
MONDAY - 5:30 P.M.
TOWN HALL

The Planning Board held a regular meeting on Monday, September 19, 2005. Members present were Don Stephenson, Dan Wright, Rex Feichter, Gary Sorrells, Patrick Bradshaw, Marty Prevost and Brooks Hale. Also present were Planning Director Paul Benson, Land Development Administrator Byron Hickox and Deputy Town Clerk Freida Rhinehart. Chairman Rex Feichter called the meeting to order at 5:30 p.m.

Approval of Minutes of August 15, 2005 and August 29, 2005

Brooks Hale pointed out that the meeting of August 29 was a special meeting rather than a regular meeting as noted in the minutes. Gary Sorrells moved, seconded by Patrick Bradshaw to approve the minutes of August 15, 2005 as presented and the minutes of August 29, 2005 as revised. The motion carried unanimously.

LDS Text Amendment to Section 154.303(C) to delete the requirement for Town Purchase of Street Trees for Private Development

Paul Benson stated that when private development is done, the developer is required to plant street trees 40 ft. on center. In all cases except where a street wall is required, the developer is responsible for the cost of the trees. Section 154.303(C) (third bullet) on page 436 states:

"Where both street trees and a street wall is required along a public street, the Town of Waynesville will be responsible for the purchasing of street trees."

When a parking lot is abutting a public right of way, the developer is required to provide a buffer of parking areas from public streets. This requirement may be met with plantings or architectural features. Combinations of features are permitted but trees are required in addition to all features with the trees required to be planted at least every 30 ft. The developer is required to bear this expense.

When the new HVO development took place, there was a requirement of both a buffer of the parking area and the planting of street trees. The developer agreed to pay for a portion of the street trees but asked that the Town pay for the trees in front of the street wall. The cost of the Town's portion of the trees was \$4200. Public Works Director Fred Baker pointed out that the Public Works budget is not sufficient to cover these costs for private development since these funds should be used for public improvements.

Rex Feichter stated that when the Land Development Standards were being developed, he remembers the requirement for trees within a parking lot but not the requirement for the Town to bear the cost of street trees where a street wall is required.

Patrick Bradshaw felt that if we are requiring the developer to provide a street wall, space might be left for the Town to provide for street trees at a later time.

Dan Wright was of the opinion that if a street wall as a buffer for a parking lot is required, it might not be necessary to have street trees in addition to the street wall.

Patrick Bradshaw stated that the developer should not be required to bear the expense of both the street wall as a buffer and street trees as well. It is already in the Land Development Standards that the Town should pay for street trees and the Town should hold up their end of the bargain.

Mr. Wright indicated that the Land Development Standards document should be revisited since the taxpayers should not bear this expense. The developer is the one who makes a profit regardless.

Mr. Bradshaw pointed out that HVO is the only development so far which has requested that the Town pay for street trees.

Paul Benson said that similar situation was encountered at CVS. CVS planted crepe myrtle as a parking lot buffer since there were actually space limitations which would not allow for large maturing trees. However, CVS also planted street trees.

Don Stephenson asked about the original intent of the ordinance. Was it to share the cost with the developer?

Patrick Bradshaw replied that Andrew Powell envisioned having street trees on each of the more traveled streets in town.

It was suggested that possibly a street wall in combination with street trees not be required. Perhaps smaller shrubs could be used as a street wall and then the developer could be responsible for the cost of the street trees.

Patrick Bradshaw pointed out that trees would still be required within the parking areas.

It was the consensus of the Board to table the matter until the next meeting in order to have Public Works Director Fred Baker present for more discussion before a decision can be reached.

New Business

Bruce McGovern, a local real estate broker, stated that he is interested in obtaining a zoning change for a particular piece of property on the Old Asheville Road. The property is located at 1715 Old Asheville Road and is 3 or 4 houses past the roundabout. The potential owner, Ms. Melody Francis, wishes to be allowed to operate a beauty shop at this location. The properties going out of town toward the roundabout include a mix of business and residential uses. Further down Asheville Road toward Lake Junaluska, between Sims Circle and Monte Vista, commercial uses are allowed along the road frontage. Mr. McGovern further stated that this

rezoning would allow creation of jobs for some younger people in our area. He also pointed out that the traffic count on Asheville Road is approximately 10,000 vehicles per day.

Rex Feichter responded that the Planning Board would be willing to consider the request and make a recommendation to the Board of Aldermen. He stated that between Sims Circle and Monte Vista Drive, some business uses are allowed. In other areas of the Racoon Creek Neighborhood District,

only residential type businesses are allowed. Other businesses that already existed in this district were "grandfathered", thus they were allowed to continue to operate. He asked if Ms. Francis might be able to operate her beauty shop as a home business.

Ms. Francis replied that for home occupations, only 25% of the home can be dedicated to the business. Since she has other employees, she would need to use all of the lower level of the house for her business.

Mr. Feichter pointed out that the property owners along Asheville Road were compensated by the state when the road was widened. They are not victims. The issue will be discussed at the next meeting.

Paul Benson will provide recommendations for the next meeting. The matter could not be considered at this meeting due to the fact that submissions for consideration must be made 14 days prior to the meeting.

Adjournment

With no further business Don Stephenson moved, seconded by Gary Sorrells to adjourn at 6:18 p.m. The motion carried unanimously.

Rex Feichter, Chairman
Freida F. Rhinehart, Secretary