

REGULAR MEETING
TOWN OF WAYNESVILLE PLANNING BOARD
JANUARY 16, 2006
MONDAY - 5:30 P.M.
TOWN HALL

The Planning Board held a regular meeting on Monday, January 16, 2006. 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 Bryon Hickox and Deputy Town Clerk Freida Rhinehart. Chairman Rex Feichter called the meeting to order at 5:30 p.m.

Approval of Minutes of November 17, 2005

Gary Sorrells moved, seconded by Don Stephenson, to approve the minutes of November 17, 2005 as presented. The motion carried unanimously.

Mountain Song Subdivision - Pigeon Street - Conditional Use Permit

Land Development Administrator Byron Hickox submitted the following Staff Report:

Site Plan:

The proposed slope cut and the 20' retaining wall south of unit 7 will require an engineer's certification as it exceeds the 1:1.75 maximum permissible slope cut.

Storm water calculations, including pre- and post-development information, have not been submitted.

No site lighting plan has been submitted.

Driveways:

Driveways must have a minimum separation of 25'. The driveways for Units 5 and 6 do not meet this minimum separation requirement.

Access to the single family lots is not shown.

Driveway approaches must consist of a concrete apron (ramp) section and must cross the sidewalk area at the sidewalk grade established by the Public Works Director. Concrete aprons must be installed to the right of way line or at least 10 feet from the edge of the traveled way. The proposed driveways do not meet these specifications.

Only one driveway per building will be allowed according to the Public Works Director. Units 5, 6, 8, 10, 11 and 12 have two driveways each.

Driveway information for Units 14, 15, 16 and 17 is insufficient.

Landscaping:

To count as a street tree, a tree must be planted at most 8 feet from the edge of the traveled way or be located between the sidewalk and the street.

Street trees are required to be planted in planter strips at least 5 feet in width. Planter strips are absent from this site plan.

The proposed decorative light fixtures comply with the light design requirements; however, no light intensity specifications have been provided. A maximum intensity of 2000 lumens would be allowed for the proposed light fixtures.

Density/Open Space:

The total acreage of common open space has not been provided. The site plan indicated that the average slope of 42.6% would require a minimum lot size of 4.2 acres. This slope would actually require over 5 acres in a conventional development, but as little as 2.5 acres for a cluster development with at least 50% open space.

The walking trail should not connect to the street in the two locations below (west of) the retaining wall. The portions of the trail closest to these street connections are so steep as to be nearly unusable. The trails should continue above (east of) the retaining wall. The trail north of Unit 1 is also extremely steep and should be reconfigured to follow the topographic contours more closely.

Building Design:

Building design information has not been submitted for the triplex units.

Garages must be recessed beyond the facade of the building along the street frontage. The proposed garages actually project beyond the front facade.

Articulation of the facades of buildings facing public streets in this district must be built at the scale of the pedestrian. This requires a change of at least 2 inches in depth every 4 linear feet, with the said change occurring along the majority of the height of the first floor. It is not clear from the submitted building plans whether this articulation requirement will be met by the proposed buildings.

Staff Recommendation:

The overall concern of the Planning Staff is that this proposed project attempts to force too much development into too little space. The severity of the slope cuts and the lack of proper landscaping are two significant concerns. The articulation of the buildings apparently does not meet the requirements of the Land Development Standards.

The application also needs to submit additional information indicated above to be lacking.

Rhonda Honeycutt of McGill Associates presented a revised drawing addressing some of the concerns presented in the Staff Report.

Site Plan:

The 20' retaining wall has been eliminated.

Stormwater calculations will have to be reviewed by the Public Works Director. The total built upon area is less than 24%. It is 20.5%.

Driveways:

1. Driveways do have a 25' separation.

Access to single family homes is shown on the revised plan.

Concrete aprons have been added.

Two driveways are necessary for access to the triplex units due to the fact that they cannot be set back further on the lots due to topography. Mr. Benson pointed out that the final authority on this item will be determined by the decision of the Board of Adjustment.

The revised drawing shows information for Units 14, 15, 16, and 17.

Landscaping:

The current drawing now shows a 5' planter strip between the 5' sidewalk and the traveled way.

Mulch will be used in the planter strip.

Density/Open Space:

There is 25.9% open space.

The walking trail will be accessed by steps on the north end and will follow along the top of the graded area.

Building Design:

The exterior building materials will be stone, wood and Hardi-plank. The units will be approximately 2000 sq. ft. townhouses and will be sold individually.

The garages will be recessed.

The change in building materials will satisfy the criteria for articulation to the pedestrian scale.

Mr. Hickox stated that he still has concerns regarding the amount of development for a small space. There will be 40 units shown on 15 acres with two estate lots above 2900 ft. There are a total of 17 buildings. He also pointed out that stormwater issues will have to be worked out.

Patrick Bradshaw agreed that stormwater issues will be a challenge but are not impossible. Staff recommendations will be made to the Board of Adjustment before final issuance of the conditional use permit. Mr. Bradshaw further stated that the road profile will support capability of sewer flow.

Marty Prevost asked about the width of the street. Ms. Honeycutt responded that the street will be 22 ft. wide.

Gary Sorrells questioned whether the buildings would be 18 inches above sidewalk grade as required for multi-family units. Ms. Honeycutt answered that they would be.

Mr. Bradshaw stated that he had no problem with two driveways for the three-unit buildings since the street is only one way in and one way out. He did inquire about connectivity to adjoining properties and if there will be a designated right of way for other development in the future.

Mr. Benson said The Land Development Standards state that "Wherever feasible, the Public Works Director shall require the establishment of a joint use driveway service to two (2) abutting properties". Town Staff is also willing to look at revisions to other items such as spacing between the sidewalk and the front of the units. Mr. Benson also is very concerned about stormwater.

Patrick Bradshaw moved, seconded by Dan Wright, to recommend that the Board of Adjustment give favorable approval to granting the conditional use permit subject to Town Staff approval of:

Allowing 2 driveways for triplexes

Revisions of spacing between sidewalks and fronts of units

Compliance with stormwater requirements

The motion carried unanimously.

McDonald's - Russ Avenue - Text Amendment to Section 154.302(C)(3) Driveway Access

Paul Benson, Planning Director, presented the following staff report:

Background:

Within the Russ Avenue Town Center District, driveways connecting to Russ Avenue are required to be separated by a minimum of 150 feet. In addition, driveways must be separated

from intersecting streets by a minimum of 250 feet. The intent of these separation requirements is to minimize the impairment of traffic flow on Russ Avenue due to turning vehicles, to improve traffic movement at street intersections and to provide a safer pedestrian environment by reducing vehicle movements crossing sidewalks.

The applicant has requested that these separation requirements be reduced in order to permit redevelopment of the McDonald's site at 825 Russ Avenue. Currently, Russ Avenue provides the only access to this property and the entire frontage of the property is within 250 feet of the intersection of Frazier Street and within 150 feet of driveways to businesses on either side of this property. An existing driveway on the CVS site adjacent to this property could be used to access this property, and would be the only access available to the site if redeveloped under the current ordinance.

This request arises because Russ Avenue has a relatively wide driveway spacing requirement, the subject lot has a relatively small amount of frontage (158'), and because the drive-in service works better with 2 access points on either side of the property.

Staff recommendation:

The staff recommends a more comprehensive solution to this situation than the requested amendment. In all districts where driveway and intersection spacing requirements prevent any direct access to a property from an adjacent street, and where existing shared driveways do not provide adequate access, the staff recommends that a driveway access be permitted. The staff therefore recommends the following amendment to Section 154.302(C)(3) Driveway Design:

After the last bullet add: "In situations where the driveway separation requirements prevent

any direct access from a property and at least one adjacent street, and where existing shared

driveways do not provide adequate access for the development of that property, as determined by the Director of Public Works, a single driveway connection is permitted, subject to all other applicable design standards, in a location approved by the Director of Public Works."

Craig Justice, representing McDonald's, stated that he felt the request to allow the driveway connecting to Russ Avenue is a reasonable one since it is right in, right out only.

Mr. Benson recommends adopting a more general amendment to cover all districts where such restrictions might not provide adequate access to businesses. Mr. Benson added that a grant through the Metropolitan Planning Organization has been approved to develop a plan to improve landscaping and traffic patterns on Russ Avenue.

Patrick Bradshaw said that McDonald's has indicated they are willing to help improve the traffic situation on Russ Avenue by agreeing to eliminate one of their existing entrances.

Dan Wright moved, seconded by Gary Sorrells, to recommend to the Board of Aldermen approval of the amendment to Section 154.302(C)(3) Driveway Design as stated in the Staff Recommendation. The motion carried unanimously.

Town Staff - Hyatt Creek Area Center - Text Amendment Section 154.117(B)(7)
Recreation/Open Space/Impervious Surface Standards

Paul Benson submitted the following staff report:

Background:

Impervious surface standards generally follow a pattern in relationship to the type of zoning district. The 29 zoning districts may be grouped into 3 basic types: 1) mixed use, 2) neighborhood and 3) rural.

There are 10 mixed use districts; of these only 2 have requirements for minimum amounts of pervious surface: the High Tech District requires 20% and the Hyatt Creek Area Center 40%.

Pervious surfaces are desirable in that they allow infiltration of stormwater into the ground where pollutants can be filtered out before the water reaches creeks. Pervious surfaces may also provide a landscaped or natural open space amenity.

While one of the goals of the Hyatt Creek Area Center District is to preserve rural character and protect creeks and drainage areas, the staff feels that the 40% pervious surface requirement is too high and not appropriate for a mixed use district. A reduction to 20% will still provide more pervious surface than most other mixed use districts. In addition, other landscaping, storm water and flood damage prevention standards contained within the Land Development Standards will provide for significant amounts of pervious surfaces.

Staff recommendation:

Amend Section 154.117(B)(7) by changing 40% to 20%.

Mr. Benson stated that the recommendation for this amendment is due to the fact that Hyatt Creek Area Center includes the Dayco site and other high density urban development along South Main Street. The Hyatt Creek Area Center is the only area center that requires 40% impervious surface or landscaped open space. The Dayco site will be fairly urban redevelopment and most of the area is already highly developed. Town Staff feels that some pervious surface requirement is appropriate and that 20% is a good number. Stormwater retention requirements, landscaping, and requirements for open space along the floodplain will most likely result in greater than a 20% pervious surface on 34 acres of the Dayco property.

Marty Prevost moved, seconded by Gary Sorrells, to recommend to the Board of Aldermen that Section 154.117(B)(7) be amended by changing 40% to 20% pervious surface requirement. The motion carried unanimously.

Rex Feichter - Central Business District - Text Amendment to Section 154.104(B)(9) Sign Standards

Planning Director Paul Benson presented this staff report:

Background:

Within the Central Business District the internal illumination of all signs is prohibited. While not specifically stated in the ordinance, the objective of this requirement is to preserve a turn-of-the century/early 20th century historic character, and to reduce the visibility of signs to a level sufficient for pedestrian viewing.

While no reason was stated in the petition for this amendment, the obvious intent would be for greater visibility, particularly for automobiles.

Staff recommendation:

The staff supports the current standards of no internal illumination for the historic core of the Central Business District, but does recommend the proposed amendment for signage in other areas in the district. Standards for internally illuminated signs currently in the Land Development Standards, such

as a dark background (no more than 15% light transmission) over at least 60% of the sign, and a maximum of 35% light transmission for the rest of the sign, prevent overly bright signs.

Therefore staff recommends that Section 154.104(B)(9) be amended by replacing the text of the 4th bullet with the following:

"Internal illumination of signage is prohibited within the boundaries of the Main Street National Register Historic District."

Rex Feichter excused himself from the Board to make his presentation. Patrick Bradshaw, Vice Chair, presided.

Mr. Feichter expressed his feeling that the current sign ordinance for the Central Business District limits creativity and is too burdensome regarding lighting, sign size, materials and illumination. Mr. Feichter owns the building next door to Town Hall on Main Street which currently can house 12 businesses. This business is located outside the National Register Historic District. Prior to implementation of the 911 addressing system, there was one address for the entire building with suite numbers assigned to each business. Now each business must have a separate street number with the addresses of 30-60 South Main Street. Only two of the businesses face on South Main Street and the other businesses run down the side and across the back of the building. Most of the tenants are away from traffic patterns which make them difficult for people to find. Current sign regulations address only the size of the sign. State Farm Insurance signage cannot be internally illuminated. The insurance company has more than adequate signage which can be seen from Main Street. New Meridian which fronts on Main

Street has highly visible signage as well. The other businesses on the side and rear of the building are only allowed window signage which is not visible from South Main. Mr. Feichter's property covers approximately 12,000 sq. ft. and represents a considerable investment. Some of his tenants have constraints in drawing business. Mr. Feichter is requesting that he be allowed to erect an internally illuminated sign with individual blocks approximately 1 ft. high by 2 ft. wide listing each business located in the building. This would be a monument sign of no more than 24 sq. ft. Mr. Feichter stated that sign maintenance costs would be reduced by using small internally lit signs to compose the one large sign.

Mr. Feichter suggested that he might be satisfied with a five-year trial period on such a sign. Mr. Benson responded this would not be necessary and probably difficult to do legally.

Marty Prevost moved, seconded by Gary Sorrells, that Bullet # 4 of Section 154.104(B)(9) be amended to read:

"Internal illumination of signage is prohibited within the boundaries of the National Register Historic District."

The motion carried unanimously.

Other Business

Paul Benson distributed copies of Ordinance 2-06 an amendment to Chapter 154, Section 154.051(B) Waynesville Planning Board, regarding attendance requirements of board and commission members. The amendment states that "if any member misses more than three (3) consecutive meetings, or does

not attend at least 75% of the meetings in one calendar year he/she may be replaced at the discretion of the planning board."

Adjournment

With no further business the meeting was adjourned at 7:05 p.m.

Rex Feichter, Chairman
Freida F. Rhinehart, Secretary