

REGULAR MEETING
TOWN OF WAYNESVILLE
PLANNING BOARD
NOVEMBER 19, 2007
MONDAY - 5:30 P.M.
TOWN HALL

The Planning Board held a regular meeting on Monday, November 19, 2007. Members present were Lee Bouknight, Dan Wright, Marty Prevost, Rex Feichter, Patrick McDowell, Gary Sorrells and Brooks Hale. Other present were Planning Officer Paul Benson and Town Clerk Phyllis McClure. Chairman Rex Feichter called the meeting to order at 7:00 p.m.

Approval of Minutes of September 17, 2007

Brooks Hale moved, seconded by Lee Bouknight, to approve the minutes of the September 17, 2007 meeting as presented. The motion carried unanimously.

Town Board of Aldermen Initiated Text Amendment to Reconsider Animal Shelters as a Permitted Use with Special Requirements in the Hall Top Rural District

On August 9, 2007, Charles and Jody Messer applied for an amendment to the Land Development Standards to add Animal Shelters as a permitted use with special requirements to the Hall Top Rural District. Planning staff recommended against the request in the staff report presented at the September 17 meeting of the Planning Board. However, the Planning Board voted unanimously to recommend the requested amendment to the Board of Aldermen. At their October 9 meeting the Board of Aldermen voted 4 to 1 to adopt the requested amendment.

On October 23, a number of residents of the Hall Top district appeared at the Board of Aldermen meeting to request that this amendment be reconsidered in view of the fact that most residents of the area were not aware of the public hearing held on October 9, and they did not have an opportunity to voice opposition to the request. In response, the Board of Aldermen referred the issue back to the Planning Board for further consideration.

Paul Benson said initially the petitioners wanted to rezone this property but, this would have been a spot zoning. They were advised to pursue as a text amendment. Legal notices appeared in the newspaper and the Town complied with State law regarding notification requirements. However, property owners were not notified. In the future, the Town will try to be more cognizant in these situations, and maybe if the press is notified an article can appear to help notify residents. Patrick McDowell pointed out that it would very expensive and time consuming to notify all property owners within a zoning district. Rex Feichter said with computerized mailing addresses the process should be simplified somewhat. Paul Benson said the Town can go above and beyond what is required by State Law and said the Planning Board could make a recommendation to the Board of Aldermen for any changes they felt were needed. Mr. Benson added that you have to be very careful about how this is done, especially if you make a requirement that all property owners be notified.

He asked the Planning Board to think about this issue. Rex Feichter said he felt that the process should be refined somehow.

Lee Bouknight suggested that the Board consider attaching a requirement for a conditional use permit.

Ernest Myers, a property owner on Bradley Street, said this area is a core of residential neighborhood families that have lived and owned their homes for a long time. He asked that approval for animal shelters in this area be rescinded.

Lee Bouknight moved, seconded by Gary Sorrells, to return to the Board of Aldermen with the recommendation that animal shelters be allowed in the Hall Top Rural District as a conditional use permit. The motion carried with four (4) ayes (Feichter, Bouknight, Sorrells and Hale) and three (3) nays (McDowell, Prevost and Wright).

Paul Benson pointed out that this recommendation does introduce some discretion in the decision, and other factors can be brought in. Notification requirements are different and letters are mailed to the property owners before the public hearing is held before the Board of Adjustment.

Vantage Pointe Residential Cluster Development Conditional Use Permit Review

Ron Wilkinson, President of Vantage Pointe Homes, said when this issue came up before there were issues that delayed the project and they did not close on the property at that time. A HUD representative who decided that there was a wetlands issue which created a situation where they had to stop and go to the Corps of Engineers. There is less than one-half acre that is adjacent to Autumn Care. Water under the Bypass created the wetland area where people drive their ATV's. There were several changes that needed to be made and the list of items recommended by Paul Benson and Fred Baker have been accommodated.

The site is located off the Old Balsam Road, adjacent to the Autumn Care nursing home property and contains 12.95 acres. Changes have been made in the density of the project. Green space has been calculated in order to comply with the 30% requirement. There is the same number of units, the buildings have just been moved around to accommodate the wetlands.

Town Staff Review Comments Include:

Architecture

1. None of the three building types appears to meet the requirement for the principal entryway to be elevated 18" above the entry sidewalk. (This requirement is intended to provide more privacy to first floor units.)
2. All other aspects of building design are in compliance.

Site Plan

1. Setbacks. The 30' setback line along property line fronting the bypass is incorrect - this setback is measured from the edge of pavement-not the property line. (This change would be in the project's favor).
2. **Density.** The proposed 160 units on this 12.9 acre site exceed the maximum density

of 12 units per acre. To obtain a cluster density bonus the applicant needs to submit the amount of dedicated open space in acres and as a percentage of the total site area. At least 50% of this open space must be contiguous. (See Section 154.219.)

3. **Street system.** Garage buildings 4, 5 and 6 create a situation where vehicles have to back directly into the travel lane with no sight lines of oncoming traffic. These garages need to be eliminated or relocated.
4. **Landscaping.**
 - a. Sheets L100 and L200 are outdated and need to be revised to reflect current plan.
 - b. The street tree planting strip between Old Balsam Road and the sidewalk needs to be 8' wide, not 6' as shown.
 - c. The landscape plan detail sheets L101-105 were not included in the submittal and 3 sets are required prior to final approval of the landscape plan.
 - d. The maximum spacing on street trees is 40' on center, not 45' as shown.
5. **Buffers.**
 - a. The stormwater buffer needs to be shown 30' from the edge of stream.
 - b. The trout buffer needs to be shown 25' from top of bank.
6. **Sidewalks.**
 - a. A sidewalk connection is needed between Buildings C and F.
 - b. The trail along Richland Creek needs to be connected to the sidewalks at Buildings D, E, G and H.
 - c. A greenway trail connection is recommended along Richland Creek to the Autumn Care nursing home property.
7. **Utilities.**
 - a. Domestic water lines to split from fire lines on the exterior of buildings.
 - b. All stormwater outlet control structures to have steps of maintenance access.
 - c. Each building to be on a separate sewer tap. Buildings D and E may not share a service line.
 - d. A 20' utility easement is required from manhole F to the western property line for future sewer line extension.
8. **Grading/erosion control.**
 - a. Sediment traps must be located outside of designated wetlands areas.
 - b. A State erosion and sedimentation control permit based on the current grading plan is required prior to obtaining a Land Development Permit.
 - c. Any retaining wall over 5' in height needs to be certified as stable by a Professional Engineer.
9. **Floodplain.**
 - a. Elevation certificates for buildings H., G and E must be supplied in order to get a Floodplain Development Permit prior to obtaining a Land Development Permit.
 - b. A No-Rise Certification is required for any structures to be constructed within the floodway of Richland Creek including bridge abutments.
10. **Lighting.**
 - a. Sheet E-01 is outdated and needs to be revised.
 - b. A point-by-point footcandle array is needed for site lighting.
 - c. Light fixture information is needed to determine compliance with lighting

standards.

11. **Miscellaneous.**

- a. Sheet AS1 does not reflect the current site plan and must be revised.
- b. Sheet C 4.00 needs to have contact information updated.

Paul Benson said town staff recommends approval of a conditional use permit for the proposed development on condition that the above issues are resolved by the applicant prior to the Board of Adjustment consideration.

Mr. Wilkinson said the building has to be ADA compliant and there may need to be an amendment regarding the architectural requirements. He added that under #3, Street system two of the three garages that were problematic have been moved completely. Under #6c, Sidewalks the greenway trail cannot be accommodated because of insurance purposes. Autumn Care would not sell the rights to use the bridge so another bridge will need to be constructed.

Brooks Hale expressed some concern about the floodplain since Richland Creek was relocated. Mr. Wilkinson said he already has the permit and all elevations for the project have been located. Paul Benson said he has floodplain maps showing the location of the floodplain. Mr. Wilkinson added that when the development is complete, the wetland property will be eliminated.

Patrick McDowell moved, seconded by Marty Prevost, to recommend approval of the conditional use permit for the Vantage Pointe Residential Cluster Development. The motion carried unanimously.

Waynesville Overlook Hillside Conservation and Cluster Development Conditional Use Permit Review and Consideration of Amendment of the 2020 Land Development Plan Urban Services Boundary to Include the Waynesville Overlook Project

Torchlight Properties, LLC developers Dodie Beauchamp and Ricky Beauchamp have requested a conditional use permit for a development located off Phillips Road in Waynesville. Mr. Beauchamp said he is currently in the process of applying for annexation of this property into the Town of Waynesville. Mr. Beauchamp said the property consists of 245 acres and there are two accesses from Phillips Road. 192 acres are above the 2,900 foot elevation and 53 acres are below this level. Plans are to use the existing logging roads as much as possible to avoid land disturbing. All homes will be built within building envelopes with minimal disturbance of acreage above 2,900 feet. A conditional use permit allows 15% land disturbance above 2,900 feet and they will have approximately 13.75% with 83% available common space. The project will be served by public water and sewer.

Town Staff Report includes:

Project Description: This project consists of 150 single family dwellings located on a 245 acre site accessed by Philips Road. The development is proposed to consist of 102 lots with a minimum size of 0.25 acre in two clusters below 2900' and 48 100'x100' building envelop lots on approximately 192 acres above 2900'.

The project requires two approvals that will run concurrently: a Cluster Development Conditional Use Permit approval for the 102 lots below 2900' and a Hillside Conservation Conditional Use Permit approval for the 48 building sites above 2900'.

Cluster Development CUP:

1. **Lots:** Lot arrangement and size meet requirements. The cluster phases quality for a 50% lot size reduction since the overall project includes over 50% in common open space.
2. **Landscaping:** The only requirement is for street tree planting. These need to be indicated along all streets as large maturing shade trees planted 40' on center along both sides of all roads. If existing trees are to be counted toward meeting this requirement this should be noted on the plat. Any cleared areas will need to be planted to meet this standard.
3. **Sidewalks/trails:** No trail right-of-way or construction detail are shown. Trail widths are to be 6'-14' with a suitable surface to maintain stability. The trail system does not provide adequate connectivity between the various phases of the development, nor provide the same degree of connectivity that sidewalks along the roads would provide. Sidewalk improvements are required along the Phillips Road frontage. As an alternative to developing a sidewalk system within the project the staff recommends a sidewalk extension to Russ Avenue along Phillips Drive.
4. **Streets:** preliminary street design appears to be adequate. However, the Director of Public Works will need to approve final design.
5. **Grading:** The grading plan indicates that grading for road corridors may exceed the maximum slope of 1.75:1 for cut slopes and 2:1 for fill slopes. More detailed plans are needed. Any slopes in excess of Town standards will require an engineer's certification as to stability.
6. **Buffers:** Perennial and intermittent streams as shown on the Haywood County Soil Survey must be protected with 30' stormwater buffers. These buffers need to be indicated on the plat.
7. **Utilities:** Water, sewer, electrical and stormwater utilities must meet Town of Waynesville standards as determined by the Director of Public Works.

Hillside Conservation CUP:

1. **Density:** The residential density complies with applicable standards.
2. **Streets:** The street system meets the standard for utilizing existing roads and minimizing new construction.
3. **Building design:** Conceptual drawings appear to meet the intent of the ordinance, however, draft homeowner's restrictive covenants are required to demonstrate compliance.
4. **Open space/vegetation protection:** draft homeowner's restrictive covenants are required to demonstrate compliance with ordinance objectives for preservation of native vegetation.
5. **Grading:** Grading limits are met. The grading plan indicates that grading for road corridors may exceed the maximum slope of 1.75:1 for cut slopes and 2:1 for fill slopes. More detailed plans are needed. Any slopes in excess of Town standards will require an engineer's certification as to stability.

6. **Slope stability:** A geological investigation report as to suitability and stability of the site and proposed development is required.
7. **Stormwater:** A stormwater management plan and maintenance covenants are needed.
8. **Utilities:** Water, sewer, electrical and stormwater utilities must meet Town of Waynesville standards as determined by the Director of Public Works.

Other

1. A State erosion and sedimentation control permit is required.
2. An amendment to the comprehensive plan is required to permit the extension of water and sewer lines to this project and to permit annexation of this project into the Town.

Staff recommendation is for approval of the site plan submittal on both conditional use permits on condition that the above issues are resolved prior to Board of Adjustment consideration.

Mr. Beauchamp said he and his wife, Dodie are the owners of Thorchlight Properties and this development will be a marvelous project for the Town of Waynesville. Some of the reasons they chose Waynesville include shopping on Main Street, grocery stores, dining, civic and religious organizations, educational opportunities, Waynesville Recreation Center, Haywood Fitness Center, access to water, sewer and underground utilities. They have tried hard to put together a quality product and have been working with local businesses to keep spending local when possible. Their goal is to select six to nine local builders for this project. They have also met with some large local building supply companies and general contractors for grading, paving, etc.

Mr. Beauchamp said this will be a gated community. Homes are affordable with lots ranging from \$80,000 - \$130,000 and lots for estate homes ranging from \$200,000 - \$400,000. They plan to purchase the property from current owners Sammy Carver and David Stubbs. Mr. Beauchamp introduced several people involved with the project, including a representative from the Asheville Office of Land Design and the Project Marketing Director Jim Stadler. He added that Town Staff Paul Benson, Byron Hickox and Fred Baker are very knowledgeable and helpful in planning and putting this project together. The project includes trail connectors connecting Village A and B.

He said Architect Steven Fuller has been in and out of WNC more than any other architect he is aware of. Earthtone colors will be used for the houses. Key points have been underwritten in the documents to make sure that people stay with these colors and styles. The highest point of the project is at 4,000 feet and will be owned and used by all the homeowners as an observation pavilion. He is working with various organizations to preserve trees. Penalties will be written into their documents. He is working with Public Works Director Fred Baker and Planning Director Paul Benson to include natural walkways and two campsites within the project.

They want to be great stewards of stormwater management. This is an expensive process but feels that it will be highly utilized. A geotechnical report will be available in the near future.

Patrick McDowell said Mr. and Mrs. Beauchamp seem to be doing a wonderful job with this project. Patrick McDowell moved, seconded by Gary Sorrells, to recommend approval of the conditional use permits for Waynesville Overlook Hillside Conservation and Cluster Development. The motion

carried unanimously.

Consideration of Amendment of the 2020 Land Development Plan Urban Services Boundary to Include the Waynesville Overlook Project

Marty Prevost moved, seconded by Dan Wright, to recommend an amendment to the 2020 Land Development Plan Urban Services Boundary to include the Waynesville Overlook Project. The motion carried unanimously.

According to town staff it would be appropriate to extend the urban services boundary to include this project. A petition for annexation of this property has been submitted.

Three lift stations, with a 100,000 gallon water storage tank at the top of the project are planned. The proposed water system includes 35 psi at the meter and State minimum requirements at fire hydrants. There will be 6" water mains to the top of the mountain, connecting into 12" water mains at three locations. Sewer will be redesigned so that gravity sewer can serve the entire project.

Nominee to Serve on Haywood County Planning Board

Marty Prevost moved, seconded by Dan Wright, to nominate Patrick McDowell to serve as Waynesville's Planning Board Representative on the Haywood County Planning Board. Mr. McDowell agreed to serve in this capacity. The motion carried unanimously.

Adjournment

With no further business, it was the consensus of the Planning Board to adjourn the meeting at 7:26 p.m.

Phyllis R. McClure
Town Clerk

Rex Feichter
Chairman