

TOWN OF WAYNESVILLE Planning Board

9 South Main Street Waynesville, NC 28786 Phone (828) 456-8647 • Fax (828) 452-1492 www.waynesvillenc.gov Development Services
Director
Elizabeth Teague

Planning Board Members
Susan Teas Smith (Chairman)
Ginger Hain (Vice Chair)
Stuart Bass
John Baus
R. Michael Blackburn
Jan Grossman
Peggy Hannah

Tommy Thomas

Regular Meeting of the Planning Board Town Hall, 9 South Main Street, Waynesville, NC 28786 Monday, December 18, 2023, 5:30 PM

A. CALL TO ORDER

- 1. Welcome/Calendar/Announcements
 - Rescheduling January Meeting for Martin Luther King Day (recommended for January 22, 2024)
 - Railroad Corridor Public Workshop
 - Joint Council-Planning Board Workgroup
 - Historic Preservation Commission Updates
 - Development Services Staff Changes
- 2. Approval of Minutes as presented (or amended):
 - November 20, 2023, Regular Meeting

B. BUSINESS

- 1. Continuation of a Public Hearing to consider a major site plan application for construction of townhomes on 1.56 acres of an unaddressed parcel off of Dellwood City Road in Waynesville, PIN 8615-29-7544.
- C. PUBLIC COMMENT/CALL ON THE AUDIENCE
- D. ADJOURN

Waynesville Town Council Votes on the Planning Board Items 2022-2023

March 22, 2022

- Stormwater Ordinance text amendment, Section 12.5 of the LDS to align the Town's local ordinance with the Phase II NCDEQ Stormwater Model Ordinance for North Carolina.
- LDS text amendments regarding 160D clarifications and definitions, and other minor amendments.
 Ordinance cleanup.

The text amendments passed unanimously.

May 10, 2022

- Public Hearing to consider text amendments on revisions to LDS Section 6.10: Transportation Impact Analysis (TIA): lower the TIA threshold to 500 trips per day to require a study. This would generally apply to any new residential development as follows:
 - o 50 single-family homes
 - 70 apartments / townhomes
 - o 100 room hotels
 - o 30,000 square foot office building
 - o 20,000 square foot shopping center
- Text amendment to Chapter 7 of the LDS, Civic Space: increase the % required based on the size of the project, provide additional options, such as preserve, dog park, and indoor community facility.

The text amendments passed unanimously.

June 28, 2022

 Text amendment request initiated by the Planning Board to implement buffer requirements and quasijudicial review procedures on major subdivisions which create 31 or more lots.

The Council tabled the text amendment and did not express interest in going back to quasi-judicial procedures which can be legally controversial.

July 26, 2022

• Zoning map amendment request to change zoning of 134 Belle Meade Drive, PIN 8605-81-6159, from Hazelwood Urban Residential (H-UR) to Hazelwood Business District (H-BD).

The text amendments passed unanimously.

August 9, 2022

• Text amendment to Section 9.8 of the LDS, Driveway Standards: width and length requirements based on the number of units, fire access safety, definition of joint and shared driveways, apron specs, materials.

The text amendments passed unanimously.

November 8, 2022

- Text amendment on cottages and conservation subdivision designs Sections 2.5.3, 15.9, 17.3-4 of the LDS.
- Text amendments to LDS Chapter 6 pertaining to Roadway Infrastructure: road classifications, design, pedestrian facilities, sidewalks, parking spaces on the streets, etc.

The text amendments passed unanimously.

December 13, 2022

- Text amendment related to Section 8.4 Buffer Yards of the LDS to require a Type B Buffer for large developments >30 units.
- Map Amendment (Rezoning) Request from Hazelwood Urban Residential (H-UR) to Hazelwood Urban Residential Mixed-Use Overlay-2 (H-UR-MX-O-2) District for Five (5) Properties off South Main Street:
 - 1) .38-acre property at 1434 S. Main St. (PIN 8605-91-5018),
 - 2) .28-acre property at 1458 S. Main St. (PIN 8605-90-3984),
 - 3) .23-acre property at 1484 S. Main St. (PIN 8605-90-3920),
 - 4) .14-acre unaddressed property off S. Main St. (PIN 8605-90-2966),
 - 5) .24-acre property at 24 Belle Meade Dr. (PIN 8605-90-2836).
- Text amendment to LDS Section 12.3, the Flood Damage Prevention Ordinance, to align the LDS with the State model ordinance.
- Text amendments related to Chapter 160D general additions and revisions to multiple sections of the LDS: substantial modifications of site plans, exemptions to driveway standards when connecting to private roads, hydroplaning protections in the stormwater ordinance.

The text amendments passed unanimously.

February 14, 2023

- Map Amendment for the property located at 465 Boyd Avenue (PIN 8605-96-8882) to create a Hazelwood Urban Residential MXO-3 District.
- Text Amendment to the LDS Section 17.3, Use Type Definitions, Personal Services to include tattoo parlors.

The text amendments passed unanimously.

May 23, 2023

 Stormwater Ordinance text amendment, Section 12.5 of the LDS: design standards and safety measures for stormwater control measures with steep slopes and tall banks (such as ponds).

Motion of Consistency with the 2035 Plan and Motion to adopt the text amendment passed unanimously.

Map Amendment for the property located at 237 Ratcliff Cove Road (PIN 8626-00-9246).

The Council voted to rezone the property described as 237 Ratcliff Cove Road (PIN 8626-00-9246) from the Raccoon Creek Neighborhood Residential District to the Raccoon Creek Neighborhood Residential District Mixed-Use Overlay-2, to be enacted 10 days after the Haywood County School Board achieves ownership of the property, and to limit the additional uses extended by the overlay to Government Services, and in so doing amending the Comprehensive Plan, Future Land Use Map to re-designate this property as "Community Facilities" in its land use typology.

June 27, 2023

 Text amendment to the LDS Section 5.10.2, Mixed-Use/Commercial Building Design Guidelines, Façade Materials.

The original text amendment was simply to add "metal panels and siding" to the list of permitted materials. The Town Council modified it by adding the following provisions:

Metal panels and siding may be used as a facade material on commercial buildings with the following restrictions:

- 1. Metal panels and siding may be used as a facade material only on commercial buildings located within Neighborhood Center, Business, and Regional Center Districts.
- 2. Such metal panels and siding must consist of architectural-grade metal without a high-gloss finish. Standing seam metal panels may not be used as a façade material.
- 3. The use of metal panels and siding as a façade material within a National Register Historic District or Local Historic District must be approved by the Historic Preservation Commission with the issuance of a Certificate of Appropriateness.

The text amendments passed unanimously.

September 12, 2023

- Addition of an "Event Space" as a stand-alone use to the Land Development Standards (LDS): definition and supplemental standards.
- Creation of a Railroad Overlay District: purpose, standards, uses.
- Definition of "Freight Hauling/Truck Terminals."

The text amendments passed unanimously.

January 9, 2024

• The Council will hold a public hearing to consider a rezoning request for the property at 1460 Russ Ave.

You can access previous minutes and agendas by visiting the following site: http://www.egovlink.com/waynesville/.



TOWN OF WAYNESVILLE Planning Board

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Susan Teas Smith (Chairman) Ginger Hain (Vice) Stuart Bass John Baus Development Services
Director
Elizabeth Teague

Michael Blackburn MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

Jan Grossman Peggy Hannah Tommy Thomas

Regular Scheduled Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786--Monday November 20th, 2023, 5:30pm

THE WAYNESVILLE PLANNING BOARD held a Regularly Scheduled Meeting November 20th, 2023, at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC. 28786.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

The following members were present.

Susan Teas Smith (Chairman) Ginger Hain (Vice Chairman)

Stuart Bass

John Baus

Michael Blackburn

Jan Grossman

Tommy Thomas

The following board member were absent:

Peggy Hannah

The following staff members were present:

Elizabeth Teague, Development Services Director

Byron Hickox, Land Use Administrator

Olga Grooman, Land Use Administrator

The following representative for owner applicant were present:

Brian Noland-Realtor-Beverly-Hanks & Associates

The following Attorney was present:

Ron Sneed, Town Attorney

Planning Board Minutes November 20th, 2023 Chairman Susan Teas Smith called the meeting to order at 5:29pm. Mrs. Smith welcomed everyone and asked Development Service Director Elizabeth Teague to read Town Council summery action report. Ms. Teaque said page two shows the recent Cryptocurrency and Data Mining actions of the Council. She explained that there is now a separate definition for each.

Chairman Susan Teas Smith read into the record:

"I want to take a few moments to recognize the service of Barbara Thomas to the Town of Waynesville and memorialize her service in our Planning Board Minutes.

Barbara was a very valuable member of this Board for over two years but also other important Town Committees-public and private.

Volunteering is not for the faint hearted. Something Barbara knew well and took the challenge on without complaint.

She was always prepared, cared deeply about being fully informed and did not hesitate to ask questions. She was a good friend to many on this Board. We miss her and will miss her input to our deliberations."

Chair Smith then asked the Board to consider the minutes of the September Meeting.

A motion was made by Board Member Jan Grossman, seconded by Vice Chair Ginger Hain, to approve the minutes for the September 18th, 2023, meeting as presented or amended. The motion passed Unanimously.

B. BUSINESS

Chair Susan Teas Smith read through the procedures for the public hearings.

1. Public Hearing on to consider a major site plan application for the construction of 10 townhomes on the 1.56-acre unaddressed parcel off Dellwood City Road in Waynesville, PIN 8615-29-7544 (LDS 15.8.2).

Chair Smith opened the public hearing at 5:35pm.

Land Use Administrator Olga Grooman asked the Board to continue the public hearing. After meeting the TRC and again with the applicant, the determination was made that they were not ready to present. They will be revising their plan and can be at the December 18th, 2023, meeting.

A motion was made by Chair Susan Teas Smith, seconded by Board Member Jan Grossman to continue the public hearing until December 18th, 2023. The motion passed unanimously.

2. Public hearing on an application for a Map Amendment (Rezoning) for the property at 1460 Russ Avenue (PIN 8616-24-8812) from the Dellwood Residential Medium Density District Mixed-Use Overlay (D RM MXO) to the Russ Avenue Regional Center District (RA-RC) (LDS Section 15.14)

Chair Smith opened the public hearing at 5:46pm.

Land Use Administrator, Byron Hickox read through the description of the property and noted that it is in two zoning districts. Dellwood Residential-Medium Density District (D-RM) and Russ Avenue Regional Center District (RA-RC). Mr. Hickox stated that the request is to rezone 1.943 acres of frontage of the property along Russ Avenue from D-RM to RA-RC. This is the flat area of the property adjacent to the roadway and is contiguous with the RA-RC zoning. The owner, Kyle Edwards, is being represented by real estate agent Brian Noland at the meeting.

Mr. Hickox read through the purpose and intent statements for the Dellwood Residential—Medium Density District (D-RM) and the Russ Avenue Regional Center District (RA-RC) from the Land Development Standards.

Board member John Baus asked to have the zoning area clarified and asked what the added permitted uses were. Development Service Director Elizabeth Teague directed the board to the Land Development Standards Table of Permitted Uses. Board member Jan Grossman read through the permitted uses.

Mr. Hickox continued with the description of the surrounding land uses and zoning patterns. Mr. Hickox suggested that the Planning Board consider if rezoning is appropriate and in the public interest to expand the regional center district along the Russ Avenue corridor. He pointed out the redevelopment of K-mart plaza, including Harbor Freight and an improved Advance Auto across the street, and the property's proximity to the interchange. Mr. Hickox stated that re-designating this portion of the property would be consistent with the 2035 Comprehensive Plan and Goal 1 to promote smart growth principles, and Goal 5 to create opportunities for a sustainable economy.

Board member Michael Blackburn asked if the property directly behind the property in question was going to be developed and if so, what right of way do they have to make that happen. Ms. Teague directed the board to page 25 of the agenda packet. The owner has been working with NCDOT on a driveway for that property with an access right-of-way. The area of the property behind the area designated in the rezoning request is very steep terrain and limited on what could be put there.

Brian Noland-Realtor-Beverly-Hanks & Associates of Waynesville introduced himself. Chair Smith asked him what the intended uses of the property would be. Mr. Noland stated that there was nothing yet, but that the property is up for sale and has gotten the interest of businesses that are only allowed in the Regional Center District.

Board member Tommy Thomas asked if the property was land locked as of now. Mr. Noland stated that DOT has granted access to a driveway for that part of the property.

Mr. Noland told the board that it is extremely difficult to find commercial property along the Russ Avenue corridor. He stated property along South Main is very expensive right now. He continued by saying that prospective businesses would be interested in the property if the regional center district were extended.

There was no public present to speak.

Chair Smith Closed the public hearing at 6:08pm.

As the board began deliberation, Ms. Teague asked the Board to consider if the property is appropriate for a higher intensity of commercial development than what's already allowed. Ms. Teague gave examples of currently allowed uses and some uses that Mr. Noland had been asked about.

A motion was made by Board Member John Baus, seconded by Board Member Michael Blackburn, to amend the Towns Comprehensive Land Use Plan and find the requested change is consistent therewith. Motion passes 6 Approved 1 Apposed.

A motion was made by Board Member Stuart Bass, seconded by Chair Susan Smith, to recommend to Town Council to approval of requested map amendment for 1.943 acres of property described as 1460 Russ Avenue (PIN 8616-24-8812) and to add findings of proximity to the Great Smoky Mountain Expressway, the redevelopment of the Old K-Mart Plaza and the addition of Harbor Freight, and the need for additional commercial space along Russ Avenue to allow for economic development. Motion passes 6 Approved 1 Opposed.

3. Discussion on Density and Adhoc Committee from the joint meeting of the Planning Board and Town Council from April 28th, 2023.

Chair Smith asked member Jan Grossman to share concerns that he wanted to bring before the Planning Board. Mr. Grossman stated that during the election the public expressed concern about the density and building height that is allowed in the Land Use Standards. Mr. Grossman suggested putting a motion on the table to see where the board members stand in terms of those issues. He said that he had suggested it at the joint meeting, but because of legal issues or questions, the subject got pushed back. Mr. Grossman stated when he makes the motion, he wants it to be an official meeting, so it got into the minutes. So, the public could see where this board stood and if the board wanted to move it forward.

Board Member Micheal Blackburn responded that he feels that what he personally wants or doesn't want is not what he was appointed to be on the board for. He feels that he is here to evaluate what applicants wants to do with their property and make his decision accordingly.

Chair Smith added that the joint committee of Planning Board and Council representatives meeting was formed to look at this question and their work is in process. Chair Smith stated that there are property rights issues to be considered too.

Mr. Grossman expressed that one of his motions would be to not change the rights of any landowner. He wished to lower the number of the maximum density allowed and not the number allowed with a Special Use Permit in the Table of dimensional standards. Ms. Teague asked Mr. Grossman to clarify. Mr. Grossman gave examples of maximum numbers and what he would propose. Mr. Baus stated that this was an interesting approach.

Vice Chair Hain asked Attorney Sneed if this was a motion or does it just go on record. Attorney Sneed said it would be a recommendation to Council, but a better approach would be to follow the planning process. Ms. Smith suggested reading the Planning Board rules and regulations and what authority the board has when making decisions and asked Attorney Sneed for guidance. Attorney Sneed said that this motion suggests that the board assumes they know the opinion of the people and convey that to the elected officials. He added that, "part of the reason you're appointed and not elected is so you can apply the rules adopted by council fairly and evenly across the board."

Ms. Teague stated that such an action would be a text amendment. There are procedures to follow in making a legislative change to the ordinance that requires public hearings and public input. She added that a motion dies without a second. Ms. Smith asked the Board if there would be a second to the motion and there was none.

There was continued discussion about the joint committee and how it was appointed or just volunteered for. Mr. Baus said that he didn't recall anyone actually getting appointed, that people just stepped forward. Ms. Smith suggested that she would withdraw herself from the committee so that Mr. Grossman could participate. Board Member John Baus made a motion to have Mr. Grossman named to the subcommittee on density. Ms. Smith stated that she could just ask the Council to replace her. John Baus motion was withdrawn.

4. Discussion on Building Height

Mr. Grossman said that another potential motion he wanted would be to only allow two stories throughout Town and require a SUP for three stories. There was discussion among Board members regarding building height, previous planning board work on the subject, and process. Ms. Teague suggested that she and Mr. Grossman get together to look at building heights and thanked everyone for the good discussion.

A motion was made by board member Stuart Bass, seconded by Vice Chair Ginger Hain to adjourn the meeting. The motion passed unanimously. Meeting adjourns at 7:05pm.

C. ADJOURN Susan Teas Smith, Chairman Esther Coulter, Administrative Assistant Planning Board Minutes November 20th, 2023

Planning Board Staff Report Major Site Plan Review of Townhome Development on 1.6 acres Administrative Site Plan Review

Meeting Date: December 18, 2023

Subject: Public hearing for a major site plan review
Project: 11-unit Townhome Development on 1.6 acres

Location: Unaddressed parcel off Dellwood City Road, PIN 8615-29-7544

Zoning District: Love Lane Neighborhood Residential Mixed-Use Overlay (LL-NR-MXO) and

Love Lane Neighborhood Residential (LL-NR)

Applicant: Gene Sandlin and Dennis Downey on behalf of L & N Builders **Presenter:** Olga Grooman, Land Use Administrator, Development Services

Background:

Development services received an application for a 10 unit townhome development on November 6, 2023. The developer asked to present to the Planning Board on November 20, 2023 as a part of due-diligence sales agreement. The staff advertised the November hearing in the Mountaineer (11/8/23 and 11/15/23), via 1st class mailings to the property owners within 100 feet (11/6/23), and by posting the property on 11/6/23 (see attachments).

The project team met with Development Services staff prior to application and then with the Town's Technical Review Committee (TRC) consisting of zoning, public services, building inspections, and fire staff on November 13, 2023. The TRC requested the developer incorporate additional details into the site plan for compliance with Land Development Standards, building and fire codes. The development team asked for additional time to revise their application and on November 20, 2023, the Planning Board voted to continue the public hearing until December 18, 2023. Staff provided notices of the continuation of the hearing on December 18th by re-posting the property (11/21/23) and advertisement in the Mountaineer on 12/13/23 (see attachments).

Per LDS section 15.3.7, the project team held a neighborhood meeting on the project site on November 16, 2023. The applicants notified adjacent property owners of the meeting, and staff posted the property (see attachments). No community members came to the meeting.

The planning board acts as the *administrator* in accordance with LDS Section 15.8.2 Site Plan/Design Review (Major), whenever a development application is for multi-family development of 8 or more residential units. For the major site plan review, the Planning Board must hold a public hearing and find each of the following facts to be true in order to approve, or approve with conditions, a major site plan (LDS 15.8.2):

- 1. The plan is consistent with the adopted plans and policies of the Town;
- 2. The plan complies with all applicable requirements of this ordinance; and
- 3. The plan has infrastructure as required by the ordinance to support the plan as proposed

Conversely, to deny an application for a major site plan, the Planning Board must specify the deficiencies in the application, and find that the site plan does not meet the above criteria.

An appeal of the decision of the Planning Board regarding a Major Site Plan request may be made by an aggrieved party and shall be made to Superior Court of Haywood County in the nature of certiorari, within 30 days of the applicant receiving the written decision of the Planning Board.

Project Overview:

The subject property is 1.6 acres of open land fronting on Dellwood City Road with an existing driveway. The rear of the property encompasses the streambank of Richland Creek and lies within the regulatory Special Flood Hazard Area (SFHA), that includes both floodway and floodplain.

The applicant team states that they want to create housing affordable to working families. As a townhome development, units could be rented or sold individually. The project proposes a development of 11 townhomes of two-stories: two buildings of 4 units, and 3 detached buildings, as indicated on the plan. Per LDS 17.3:

Dwelling—Townhome. Three or more attached dwelling units in which each unit has its own front and rear access to the outside, no unit is located over another unit, each unit is separated from any other unit by one (1) or more vertical common fire-resistant fire walls, and the land underneath each unit is titled to the unit.

Staff Review Comments:

Consistency with adopted plans and policies of the Town (LDS Chapter 1):

2035 Comprehensive Land Use Plan:

In the 2035 Land Use Plan, this property is designated as Mixed Use-Community on the Future Land Use Map. At 6.8 units/acre this plan is medium to high density residential development appropriate to its location on the Future Land Use Map (pp 25-26). Staff submits that this project is also consistent with the Land Use Plan Goal 2: to "create a range of housing opportunities and choices" and to "promote a diverse housing stock, including ... workforce housing and affordable options that appeal to a variety of households" (pp 19).

Purpose and Intent by Zoning District (LDS Chapter 2): LL-NR

The property is within the Love Lane Neighborhood Residential District (LL-NR) and its Mixed-Use Overlay (LL-NR-MXO) zoning district. The residential use of the property remains consistent with the district's purpose and intent (LDS 2.3.3.B):

The Love Lane Neighborhood District (LL-NR) is an older, traditional neighborhood bordered by the Russ Avenue Town Center on one side and the Central Business District on the other. One of the oldest neighborhoods in the town and one of the first to be settled, it has the advantages of having a great location, sufficient urban facilities and a mixture of housing types and styles. The area between Richland Creek and Dellwood Road has an excellent stock of smaller bungalow style homes on small lots. This is an enormous asset to the Town due to its proximity to Russ Avenue and Downtown, as it contains good, affordable housing within walking distance of many amenities. This asset will only improve as Russ Avenue develops into a more pedestrian friendly area. For this reason, this type of development should be encouraged, maintained and continued in this area. Connectivity to the ball fields, Downtown, The Richland Creek Greenway and Russ Avenue should be improved, both for vehicles and pedestrians. Sidewalks and street trees will be required throughout the district. Development along Richland Creek should be sensitive to the location. The area to the northwest of Dellwood Road enjoys some of the oldest housing stock in Waynesville. Maintaining this stock and enhancing any additional development will continue to be important. Street trees will be required throughout the district. Dellwood Road, containing a mix of office, residential and service uses, needs to maintain a pedestrian scale and any improvements should enhance the comfort level of the pedestrian. Driveways accessing Dellwood Road should be kept to a minimum for this reason. Future plans are to improve this corridor as part of a connector (including Smathers Street and Brown Avenue) to alleviate some of the traffic along Main Street. Development will, therefore, complement this road improvement in addition to being of an appropriate scale and design for close proximity with vital, urban residential areas.

Based on the district's purpose, staff submits that the proposed townhome development would be appropriate at this location. The site is located 0.3 miles from Russ Avenue and is surrounded by a variety of uses, many of which can be accessed via existing sidewalk on both sides of Dellwood City Road. The uses within a quarter-mile radius of this property include: Kim's Pharmacy, the Elks Lodge, single-family dwellings, an acupuncture/massage center, gas station, Snappy Lube oil change, professional offices, bed and breakfasts, a nail salon, and an apartment complex by Waynesville Housing Authority. Residents of this development will have numerous amenities, including commercial businesses along Russ Avenue and the Frog Level Business District, within walking distance.

Zoning Compliance and Dimensional Requirements (LDS Chapter 2-4):

LDS 2.5.3- Table of Permitted Uses: Townhomes are permitted outright in LL-NR. The project would create a total of five (5) buildings: two 4-unit buildings in the northern part of the property and three single-unit buildings in the southern part of the property. The townhomes would have shared parking areas, internal sidewalks, and common areas (community park, picnic amenities).

LDS 2.4.1 Dimensional Standards for NR:

- Density allowed in NR: 10 units/acre or up to 16 units/acre with a Special Use permit. The proposed density is 11 townhome units on 1.6-acre lot.
- The LL-NR setbacks are 10' front and side from adjacent lot, 6' rear, and 6' between the buildings. The proposed front setback is 19', side setbacks are 18' (southern property line) and 12' (northern property line), and over 100' to the rear property line. Proposed distances between structures are 10'. All setbacks are compliant with zoning and building codes.
- All residential buildings are designed so that the primary façade is two (2) stories, and the height is approximately 18'. The height allowed in NR < 60' and 3 stories max. The project complies with the maximum building height for this district (LDS 2.4.1 and 4.4.2).
- The total area of the site is 1.6 acres. The proposed impervious area is 0.4 acre (17,215 sf). Therefore, 1.2 acres, 75% of the site, will remain as pervious surface. It exceeds the 10% minimum pervious surface requirement in this district (LDS 2.4.1, 7.3).
- The minimum requirement for civic space is 5% of the total acreage. (LDS 2.4.1). The project proposes 0.78 acre (48% of the site) to remain undisturbed as a community park with trails, and additional 1,000 sf (1.25% of the site) for picnic amenities on the north and south sides of the property It exceeds the civic space requirement. Most of the civic space is within the floodway zone and will remain undisturbed.

LDS 3 Supplemental Standards: There are no supplemental standards for Townhomes.

LDS 4.3- Basic Lot and Use Standards: The units face the driveway that runs through the center of the property so that orientation of the units is compliant. The proposed driveway is 20' wide, which is compliant with LDS 9.8 and NC Fire Code. Because it is over 150' long (close to 200'), it must also include a fire access turnaround which is provided as a half-hammerhead turnaround on the south side of

the property. This design was reviewed and approved by the Fire Code Official with the requirement that the hammerhead must have a sign "No Parking. Fire Lane."

LDS 4.4- Measurement of the Building Height: the proposed townhomes are 2-story with the height of 18.5' measured from the highest adjacent grade to the top of the sloped roof. It is below 60' and is allowed in NR.

Building Design Guidelines (LDS Chapter 5.8 (Townhomes)):

LDS 5.8.2- Roofs and Eaves: The buildings have sloped roofs with eaves, which meet design standards.

LDS 5.8.3(A)- Building Entrances: There are no porches or stoops shown on the front or sides. However, these are "recommended." (B) Raised entries are not required as the entrances are farther than 25 feet from the sidewalk.

LDS 5.8.4-Garages: no garages are proposed, although the buildings will have crawl spaces.

LDS 5.8.5(A)- Façade Design Permeability: at least 15% of the area of each façade that faces a street lot line must be windows or main entrance doors. The Townhomes are angled to face the internal driveway that runs through the center of the property so that the façade's don't face Dellwood City Road directly, so that the 15% would not apply. However, rough calculations indicate that approximately 9% of buildings' front, 7% of the left and right elevations, and 17.6% of the rear elevations are permeable windows, so that permeability is provided on all sides of the structures.

<u>LDS 5.8.5(B)- Detailed Design for Townhome and Apartment Buildings:</u> the following five architectural features are shown on the elevation drawings meeting the minimum standard for design: gables, eaves, window trim, roof off-sets, architectural shingle on the roof, and decorative features on the front and back doors (grilles, panels, heads, frames, transoms).

LDS 5.8.6- Materials: the proposed exterior materials are vinyl with LP Trim for siding (fewer seams and impact resistant), architectural shingles for roofs, and stucco for crawl space (cement-type mixture). The design also lists energy efficient windows. The proposed materials meet the standards of the ordinance as the LDS 5.8.6(A) encourages "synthetic materials ... superior in appearance and durability. Vinyl may only be used on buildings that are no closer than 20 feet from the next closest building and that do not contain mixed occupancy or multi-family dwelling units."

Infrastructure (LDS Chapter 6):

- The project will connect to Dellwood City Road through an existing 20-foot wide driveway which
 meets the 2018 NC Fire Code requirements.
- The length of the driveway is over 150' (shown about 200') requiring a turnaround for emergency vehicles which is provided as a half hammerhead (2018 NC Fire Code 503.2.5 and LDS 9.8.3).
- The site plan needs to indicate the closest distance to a fire hydrant from each building to show that each dwelling is no further than 600' from a hydrant, per Section 507.5.1, exception 1 of the 2018 NC Fire Code. This comment needs to be addressed prior to issuance of the building permit.
- The project is designed to have 22 shared parking spaces. It will not create new streets.
- There is an existing sidewalk that runs along Dellwood City Rd.

- Internal pedestrian connectivity is achieved by a proposed compacted-surface sidewalk that connects to the existing sidewalk off Dellwood City Road and runs along the northern edge of the parking area connecting to civic spaces. The internal sidewalk will need to be ADA compliant.
- Existing utilities are shown on the plans. The Public Services confirmed via the attached letter that the Town will be able to provide water, sewer, and electric distribution to the dwellings. Adequate sanitary sewer is already available on site and can be accessed by individual connections to each unit so that the SOC allocations will not be affected.

Civic Space (LDS Chapter 7):

LDS Section 7.3 calls for the minimum dedication of 5% of the total development area as civic space. A civic space can be a park/greenway, green open space, square, playground, or community garden (LDS 7.2.1). For this project of 1.6 acres, the civic space needs to be at least 0.075 acres, or 3,267 square feet. The developer proposes a 0.78 acres (or 48% of the site) as a community park space and 1,000 sf (1.25% of the site) as picnic amenities, which satisfy this requirement.

Per LDS 7.2.1(A), Park/Greenway: A natural preserve available for unstructured recreation. Its landscape shall consist of paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be linear, following the trajectories of natural corridors as part of a greenway. The minimum size shall be .16 acre (except with Greenways where there is no minimum). The project is compliant as it proposes a winding trail in the park. The park's size is 0.78 acre.

A civic space needs to be "conveniently accessible to all residents of the development" and "centrally and internally located so as to serve the needs of the residents (LDS 7.2.2 and 7.2.3)." The plan shows the internal sidewalk connecting to Dellwood City Rd and running along the northern line of the parking area to the civic spaces, which is compliant.

LDS 7.2.4(A)- Usability: At least one-quarter (1/4) of the total land dedicated shall be located outside areas of special flood hazard, including the one hundred year floodplain. Most of the property is within a 100-year floodplain, and a considerable part of it is in the floodway. The proposed park is in the floodway. The developers propose 1,000 sf of picnic amenities outside of the floodway, which meets the intent of the ordinance.

<u>LDS 7.2.5- Minimum Amenities:</u> Civic space needs to show improvements and amenities. The project meets this requirement as it proposes 2 picnic tables and trails.

Landscape (LDS Chapter 8):

LDS 8.5- Street Tree Planting: Street trees need to be planted in the right-of-way, between a street and a sidewalk. Within Neighborhood Residential district, street trees are required at a rate of 1 canopy tree for every 40 feet of street frontage, with a maximum spacing of 50 feet on-center. These trees must be planted in a planting strip at least 5 feet in width. The project shows street trees planted every 25 and 30 feet in the green space of the Delwood Road frontage, which is compliant.

LDS 8.6.2(B,C)- Parking Lot Landscaping: No parking space shall be more than 40 feet from the base of a canopy tree. One canopy tree per 12 parking space is required. The project will have 22 parking spaces with 8 trees inside/around parking area, and all of the parking spaces are within 40 feet of these trees. Compliant.

Parking and Driveways (LDS Chapter 9):

LDS 9.2: Required Parking for townhomes is a minimum of 1.5 spaces per unit. Therefore, 17 spots are required. The project complies with this requirement by providing 22 shared parking spots. One bike rack is required per 20 auto spaces and is shown on the plan beside the northern picnic area.

LDS 9.8: The driveway is 20' wide. Compliant. The turnaround has been reviewed and approved by the Fire Marshall.

Lighting (LDS Chapter 10):

No additional lighting is proposed.

Environmental (LDS Chapter 12):

- For areas within the SFHA, or 100-year floodplain, development is required to meet floodplain elevation and construction requirements (LDS 12.3). Additionally, no construction is allowed in the rear portion of the property that is within the floodway.
- The project has a disturbed area of 0.39 acres. Since requiring a sedimentation and erosion control plan as a part of the Land Disturbing Permit prior to any site work, per LDS 12.4.
- The site does not fall within the steep slope and hillside regulations, and the entirety of the lot is under 2,900' in elevation.
- Environmental description of existing site conditions is provided and includes information about floodplain, topography, soil type, and utility locations. (see attachment).
- The developer shows stormwater drainage ditches along northern and southern property lines. The runoff will be going to the rear of the property into the undisturbed park areas. Since the net increased impervious surface is under 24,000 sf, the stormwater permit is not required.
- A 30' required buffer is located on the plan and lies within the undisturbed area.

Comment:

Staff submits that:

- 1. The proposed Major Site Plan is consistent with the 2035 Comprehensive Land Use Plan, Goal 2 to "create a range of housing opportunities and choices" and that it is consistent in use and density to the Future Land Use Map.
- 2. The plan shows general compliance with the Land Development Standards. The plan will need to comply with all Floodplain, Building Code, and Fire Code requirements prior to issuance of the building permit and the Certificate of Occupancy.
- 3. The plan has infrastructure as required by the ordinance to support the plan as proposed.

The staff recommends that the Board approves this application for the Major Site Plan as proposed.



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100 9 South Main Street Waynesville, NC 28786 Phone (828) 456-8647 • Fax (828) 452-1492 www.waynesvillenc.gov

FOR PUBLICATION IN THE MOUNTAINEER: November 8th and 15th Wednesday Editions

Date: November 6, 2023

Contact: Olga Grooman (828) 356-1172

Notice of Public Hearing Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold a public hearing on November 20, 2023 at 5:30 pm, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a major site plan application for the construction of 10 townhomes on the 1.56 acre unaddressed parcel off Dellwood City Road in Waynesville (PIN 8615-29-7544).

For more information contact the Development Services Department at: (828) 356-1172, email: ogrooman@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.



TOWN OF WAYNESVILLE

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WAYNESVILLE BPO ELKS LODGE 510 DELLWOOD RD WAYNESVILLE, NC 28786 SONORA PASS LLC 163 CLAY HOLLOW RD WAYNESVILLE, NC 28785 BURGIN, BOYD E 61 CIDER LN WAYNESVILLE, NC 28786

ENSLEY, L KEVIN ENSLEY, ALICE S PO BOX 1401 WAYNESVILLE, NC 28786 KITUWAH LLC A CHEROKEE LLC PO BOX 366 CHEROKEE, NC 28719

MUSE, BARBARA I 56 GALE WIND DR WAYNESVILLE, NC 28785 GATEWAY CHURCH A NC NONPROFIT CORP PO BOX 953 WAYNESVILLE, NC 28786





TOWN OF WAYNESVILLE

Development Services Department

PO Box 100 9 South Main Street Waynesville, NC 28786 Phone (828) 456-8647 • Fax (828) 452-1492 www.waynesvillenc.gov

FOR PUBLICATION IN THE MOUNTAINEER: December 13th Wednesday Edition

Date: December 8, 2023

Contact: Olga Grooman (828) 356-1172

Notice of Continuation of Public Hearing Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold its regular meeting on Monday, December 18th, 2023 at 5:30 pm in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC. The Planning Board will continue a public hearing to consider a major site plan application for the construction of 11 townhomes on the 1.56-acre unaddressed parcel off Dellwood City Road in Waynesville (PIN 8615-29-7544).

For more information contact the Development Services Department at: (828) 356-1172, email: ogrooman@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

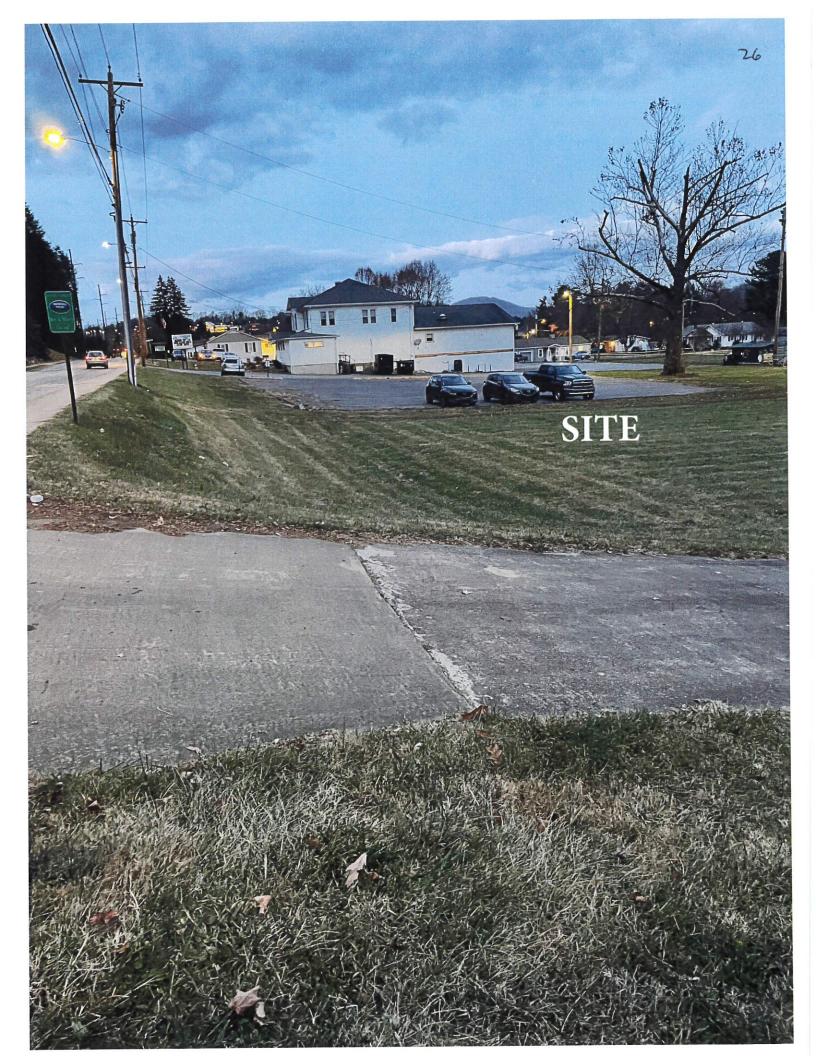












dotloop signature verification:





TOWN OF WAYNESVILLE

Development Services Department 9 South Main Street, Suite 110

Waynesville, NC 28786 Phone (828) 456-8647 • Fax (828) 452-1492 www.waynesvillenc.gov

APPLICATION FOR MAJOR SUBDIVISION OR SITE PLAN

DESCRIPTION OF PROPERTY

I o M Duildors
PROPERTY OWNER(S) OF RECORD: L&N Builders
PARENT PARCEL IDENTIFICATION NUMBER(S): 8615-29-7544
PROPERTY LOCATION: 450 Dellwood City Rd Waynesville NC 28786
ZONING: Love Lane Neighborhood Res Mixed-Use
LAND USE AT TIME OF APPLICATION: Vacant Lot
APPLICANT (IF DIFFERENT FROM OWNER): Cowan Properties LLC Note: Authorization to apply form must be submitted with the application if applicant is different from owner.
MAILING ADDRESS: PO Box 1140 Waynesville NC 28786
PHONE NUMBER: 828-450-8797 / 828-734-8349
RELATIONSHIP TO PROPERTY OWNER: Purchaser (currently under contract)
DESCRIPTION OF PROJECT
NUMBER OF ORIGINAL LOTS: 1NUMBER OF PROPOSED LOTS: N/A Major Subdivision
NUMBER OF UNITS/DENSITY: 10
REGISTERED LAND SURVEYOR/DRAWING NUMBER:TBD
APPLICATION COMPLETENESS (See LDS Section 15.9):
ENVIRONMENTAL SURVEY
MASTER PLAN OR PRELIMINARY PLAT
OTHER INFORMATION / PROJECT DESCRIPTION (attach sheets as necessary):
SIGNATURE OF APPLICANT: doctoop verified 11/16/23 10:47 AM EST 11/16-23 10:47 AM EST 11
DATE:
This institution is an equal opportunity provider
Dennis Downey dotloop verified 11/06/23 10:47 AM EST IENW-SFGM-6X2R-MCYE

AUTHORIZATION FOR AGENT TO APPEAR BEFORE WAYNESVILLE PLANNING BOARD, ZONING BOARD OF ADJUSTMENT, OR TOWN COUNCIL

To Town of Waynesville, NC, 28786,

The parcel with associated pin number 8615-29-7544 will be referred to as "Dellwood City Rd Lot" hereafter.

Dellwood City Rd Lot is 1.56 acres (according to Haywood county GIS) and is partially in the floodway as well as the 100/500 year Flood plain. Attached to this email body are attachments of such. Approximately .76 acres is located within the floodway and approximately .83 acres is located outside of the floodway. This .83 acre section located outside of the floodway is the location where all permanent structures will be constructed.

The elevation of Dellwood City Rd Lot is relatively flat with minimal topographical change. Structures to be built within the 100 Year Floodplain will be elevated to the NC Flood Elevation Requirements. This area is to be marked by a surveyor and will adhere to this height requirements.

An attachment labeled "Dellwood City Rd – Soil Map" indicates that the soil of this lot is specified "DhA", which signifies that it is a solid soil type.

Other notes: Trees are located along the bank of Richland Creek, which borders Dellwood City Rd Lot. As many trees as possibly will be kept as these trees have no interference in relevance to the location of permanent structures. Our Site Plan includes a "River Walk" which may impact some of the trees along this area if this portion of the site plan comes to fruition.

A gravity fed sewer line runs through the center of this property which is shown in the attachment labeled "Dellwood City Project Site Plan". We have designed a site plan around the sewer line due to setback requirements. We will be using this existing sewer line to our advantage as structures will be built to the immediate North and South of this line while building a road directly above it.

Thank you and we look forward to working with the Town on this project.

Cowan Properties LLC

Dennis Downey

Gene Sandlin

L & N BUILDERS

14811 KNEISEL RD

VERMILION, OH 44089-9204

Account Information PIN: 8615-29-7544

Legal Ref: 734/2059

Add Ref: PB0A/11

Site Information

DELLWOOD CITY RD

Heated Area:

Year Built:

Total Acreage:

Town of Waynesville Township:

Site Value Information

Land Value:

Building Value: Market Value:

Defered Value:

Assessed Value:

Sale Price:

4/29/2008 Sale Date:

AFRIAL



November 6, 2023 1 inch = 100 feet

Disclaimer: The maps on this site are not surveys. They are

14811 KNEISEL RD

Account Information 8615-29-7544 PIN:

Legal Ref: 734/2059

DELLWOOD GLONED

Add Ref: PB0A/11

Site Information

Town of Waynesville Fownship:

Site Value Information

\$181,700 _and Value:

\$181,700 Assessed Value:

Sale Date:



December 8, 2023 1 inch = 400 feet

public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps. Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compled from recorded deeds, plats and other

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L & N BUILDERS

VERMILION, OH 44089-9204

SOCIONALE

DELLWOOD CITY RD

TEMOVEM

SHACKFORDST

Heated Area:

Fotal Acreage: Year Built:

1.5579

Building Value:

\$181,700 Market Value:

Defered Value:

Sale Price:

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VERMILION, OH 44089-9204 14811 KNEISEL RD L & N BUILDERS

Account Information PIN: 8615-29-7544

Legal Ref: 734/2059

Add Ref: PB0A/11

Site Information

DELLWOOD CITY RD

Heated Area: Year Built:

Town of Waynesville Total Acreage: Township:

Site Value Information

Building Value: Land Value:

Defered Value:

Assessed Value: Sale Price:

4/29/2008 Sale Date:

FLOODPLAIN



December 11, 2023 1 inch = 100 feet

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VERMILION, OH 44089-9204 14811 KNEISEL RD L & N BUILDERS

Account Information PIN: 8615-29-7544

Legal Ref: 734/2059

Add Ref: PB0A/11

Site Information

DELLWOOD CITY RD

Heated Area: Year Built:

Town of Waynesville Total Acreage: Township:

Site Value Information

Land Value:

Building Value:

Market Value:

Defered Value:

Assessed Value:

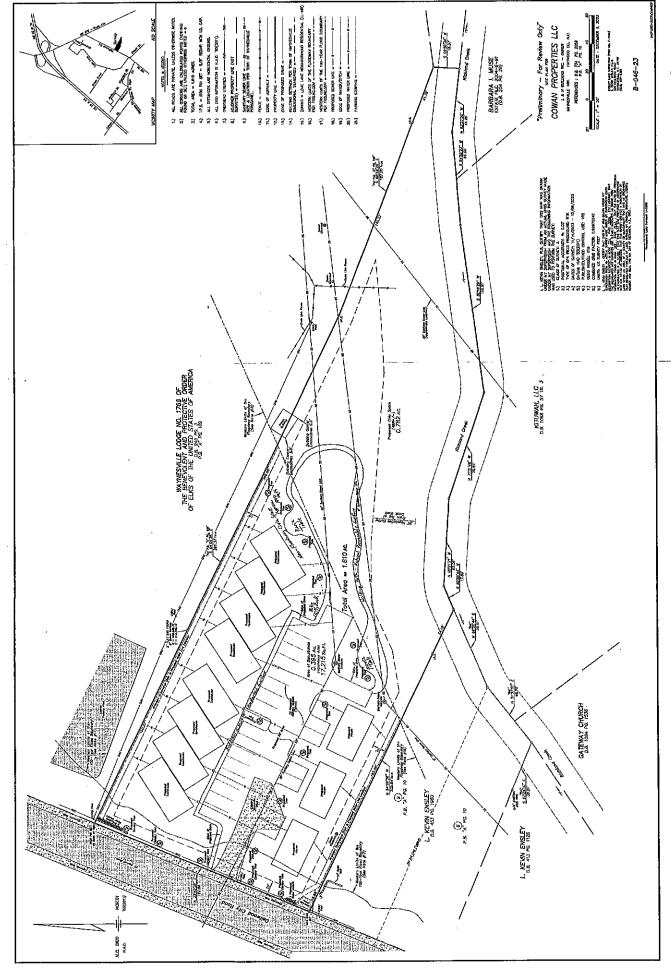
4/29/2008 Sale Price: Sale Date: 5016

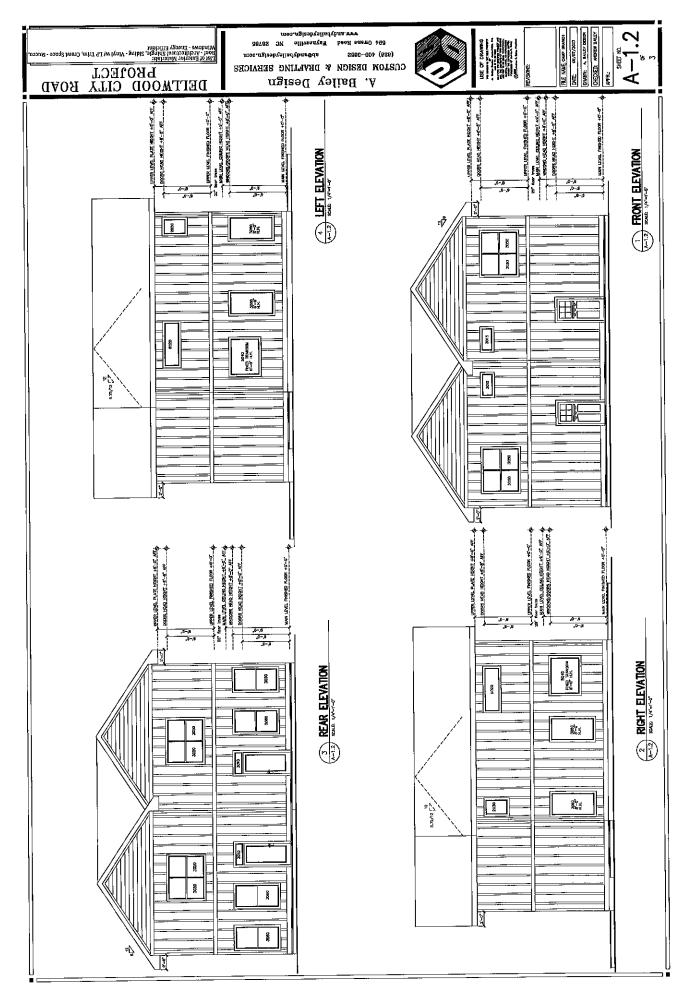


November 6, 2023 1 inch = 100 feet

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8615-39-1967 8615-39-1931 ASSENT! 8616-29-9979 861639-0175 8616-29-6593 8616-29-9658 8616-29-7544 432 8615-29-6543 8615-29-6 8616-23-6231 \$4 428 8615-29-6406 DELINO COUNTED 8615-29-6108 615-29-5172 92





PAYMENT SUMMARY RECEIPT

TOWN OF WAYNESVILLE 16 S MAIN ST

DATE: 11/06/23 CUSTOMER#: TIME: 11:52:48 CLERK: 2044ecou

RECPT#: 2974784 PREV BAL: TP/YR: P/2024 AMT PAID: BILL: 2974784 ADJSTMNT: EFF DT: 11/06/23 BAL DUE: 140.00 140.00 .00

Misc Cash Receipts

TOTALS-----

PRINCIPAL PAID: INTEREST PAID: 140.00 .00 .00 ADJUSTMENTS: .00 DISC TAKEN: 140.00

AMT TENDERED: AMT APPLIED: 140.00 .00 CHANGE:

Plato's Vision Majo

PAID BY: Plato' PAYMENT METH: CHECK PAYMENT REF: 1194

140.00 TOT PREV BAL DUE: TOT BAL DUE NOW: .00



Gary Caldwell, Mayor Julia Freeman, Mayor Pro Tem Clarence "Chuck" Dickson, Alderman Jon Feichter, Alderman Anthony Sutton, Alderman Robert W. Hites, Jr. Town Manager Martha Bradley, Town Attorney

November 16, 2023

Re: PIN 8615-29-7544

To whom it may concern,

Please accept this letter as confirmation that the Town of Waynesville can provide utility services for the referenced PIN to include water, sewer, electric distribution. By these dwellings connecting to the sanitary sewer by individual connections, the SOC allocations will not be affected. If you were to have any questions, feel free to contact me.

Town of Waynesville Director of Public Services Jeff Stines

