



# Town of Waynesville

AGENDA  
REGULAR MEETING  
BOARD OF ALDERMEN  
TOWN OF WAYNESVILLE  
TOWN HALL - 9 SOUTH MAIN STREET  
SEPTEMBER 14, 2010  
TUESDAY - 7:00 P.M.

## Call to Order

1. Approval of Minutes of August 24, 2010
2. Public Hearing - Amendment to Section 154.129(C)(9)  
Permit Microbreweries in the North Main Street Boulevard District
3. Recommendations for Forestry Management  
Peter Bates and Rob Lamb of Forest Stewards, Inc.
4. Signs in South Main Street Business District  
Jody Bender and Lynn Hughes
5. Hyatt Street and Tarheel Drive  
Consideration to Prohibit Truck Traffic
6. Appointments/Reappointments Parks and Recreation Advisory Commission
7. Waynesville Housing Authority Reappointment
8. Adjournment

Additional information regarding this agenda is available at [www.townofwaynesville.org](http://www.townofwaynesville.org)

ITEM 2. PUBLIC HEARING  
AMENDMENT TO SECTION 154.129(C)(9)  
PERMIT MICROBREWERIES IN THE  
NORTH MAIN STREET BOULEVARD DISTRICT

The Town has received an application for an amendment to the Land Development Standards which would allow the production of micro-brew beer. There is an interest in opening two microbrewery establishments in the downtown area of Waynesville and one of these businesses wishes to develop a location for the manufacturing of the micro-brew beer in a building which is in the North Main Street Boulevard District.

At the present time, the Town does not define or specifically permit microbreweries in any district; however, the category of Manufacturing, Mining and Industrial Uses does specify the use of Beverage and Tobacco in various districts, and the Town Staff would interpret that to allow microbreweries. Those districts include Central Business, Dellwood-Junaluska Area Center, Hazelwood Town Center, High Tech District, Hyatt Creek Area and Russ Avenue Town Center; however, the North Main Street Boulevard District is excluded. This amendment would change that and allow Beverage and Tobacco in the Main Street District.

I would refer you to the minutes of the meeting of the Planning Board on August 16, so that you may see some of the discussion which took place when that group considered this matter. You will see that the Planning Board voted unanimously to recommend the text amendment to the Town Board.

## Planning Board Staff Report

**Subject:** Text amendment request to permit microbreweries in the North Main Street Boulevard District  
**Section:** 154.121 (C) 9  
**Applicant:** Jon D. Bowman  
**Date:** August 8, 2010

### Background:

The applicant requests that microbreweries be added as a permitted use in the North Main Street Boulevard District.

The Town of Waynesville does not define or specifically permit microbreweries in any district. The category of Manufacturing, Mining and Industrial Uses does currently specify the use of "Beverage and Tobacco" which is permitted in the Central Business District, Dellwood-Junaluska Area Center, Hazelwood Town Center, High Tech District, Hyatt Creek Area Center and Russ Avenue Town Center. The staff would interpret this use as permitting microbreweries.

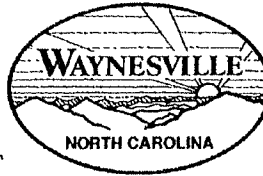
With the rise of interest in craft beers, the number of micro-breweries, which are defined by the industry as breweries that produce less than 15,000 barrels of beer per year, has greatly increased in Western North Carolina. This request is indicative of this trend.

The current vision/goal statement for the North Main Street Boulevard District calls for a mixed use district that serves not only the surrounding neighborhoods, but all of the Waynesville community and permits uses that are varied in nature. The proposed use seems to fit this vision, as would most uses not detrimental to residential use.

Under the proposed revision of the Land Development Standards, now in draft form, the regulation of manufacturing uses is simplified into fewer categories including light, neighborhood, and heavy industrial. The North Main Boulevard District is currently indicated to permit all three categories. This draft may change somewhat before adoption, but is likely to retain the simplified scheme for regulating industrial uses, and to permit at least light manufacturing in the North Main Street Neighborhood District.

### Staff Recommendation:

The staff recommends that the existing use of "Beverage and Tobacco" manufacturing be added to the North Main Boulevard District, rather than to create a new use classification for "Microbreweries". Using an existing category, rather than creating new categories fits with the approach of the draft revision to the Land Developments Standards, as does permitting manufacturing use in the North Main Street Boulevard District. The use itself should fit well with the varied commercial nature of the district and represents one of the few manufacturing uses that seems to be expanding rather than moving offshore.



**TOWN OF WAYNESVILLE PLANNING DEPARTMENT**

**Application for Land Development Standards Text Amendment**

Application is hereby made on July 15, 2010 to the Town of Waynesville for the following amendment:

Designate the specific section(s) of the Land Development Standards being requested for change:  
North Main Street Boulevard District

Description of the requested amendment, (attach additional sheets if necessary):

Changing Amendment # 154.121 Section C9, Manufacturing, mining, and industrial uses to include microbrewery.

The reasons for the requested amendments, (attach additional sheets if necessary):

Please see attached.

**Applicant Contact Information**

Name (Printed): JON D. Bowman

Mailing Address: \_\_\_\_\_

Phone(s): \_\_\_\_\_

Email: \_\_\_\_\_

**Note: Text Amendment Requests require a fee of \$250.00. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Planning Department, 9 South Main Street, Waynesville, NC 28786.**

To: Town Of Waynesville Planning Department

Reasons for the requested text amendment:

1. We are currently in negotiation to purchase a building in the North Main Street Boulevard District. The building would house a microbrewery producing approximately 2000 barrels of beer per year. The building is desirable for many reasons. The most important is the option to purchase the property versus leasing the property. Other reasons are ample room for expansion, updated infrastructure, and proximity to downtown.
2. The North Main Street Boulevard District is the only district of its kind in the Waynesville area that does not allow production of beer.
3. The North Main Street Boulevard District is home to many commercial businesses including gas stations, convenience stores, a bar, offices, retail shops, restaurants, manufacturing, etc.
4. The microbrewery would be an asset to the community and create jobs.
5. The owners of the microbrewery will be opening a restaurant in downtown Waynesville which will be an outlet for the brewery's products, as well as create additional jobs.

Jon D. Bowman

REGULAR MEETING  
TOWN OF WAYNESVILLE  
PLANNING BOARD  
AUGUST 16, 2010  
MONDAY - 5:30 P.M.  
TOWN HALL

The Planning Board held a regular meeting on Monday, August 16, 2010. Members present were Brooks Hale, Don Stephenson, Patrick McDowell, Gary Sorrells, Marty Prevost, Lee Bouknight, and Jon Feichter. Also present were Planning Director Paul Benson, and Administrative Assistant Eddie Ward. Chairman Patrick McDowell called the meeting to order at 5:30 p.m.

Approval of Minutes of July 19, 2010

Gary Sorrells moved, seconded by Lee Bouknight to approve the minutes of July 19, 2010 as presented. The motion carried unanimously.

Text Amendment - Section 154.121 (C) 9 - To permit microbreweries in the North Main Street Boulevard District

Chairman McDowell asked Paul Benson, Planning Director, to present the staff report. Mr. Benson presented the following staff report and recommendation.

Background:

The applicant, Jon Bowman, requests that micro-breweries be added as a permitted use in the North Main Street Boulevard District.

The Town of Waynesville does not define or specifically permit microbreweries in any district. The category of Manufacturing, Mining and Industrial Uses does currently specify the use of "Beverage and Tobacco" which is permitted in the Central Business District, Dellwood-Junaluska Area Center, Hazelwood Town Center, High Tech District, Hyatt Creek Area Center and Russ Avenue Town Center. The staff would interpret this use as permitting microbreweries.

With the rise in interest in craft beers, the number of microbreweries, which are defined by the industry as breweries that produce less than 15,000 barrels of beer per year, has greatly increased in Western North Carolina. This request is indicative of this trend.

The current vision/goal statement for the North Main Street Boulevard District calls for a mixed use district that serves not only the surrounding neighborhoods, but all of the Waynesville community and permits uses that are varied in nature. The proposed use seems to fit this vision, as would most uses not detrimental to residential use.

Under the proposed revision of the Land Development Standards, now in draft form, the regulation of manufacturing uses is simplified into fewer categories including light, neighborhood, and heavy industrial. The North Main Boulevard District is currently indicated to permit all three categories. This draft may change somewhat before adoption, but is likely to retain the simplified scheme for regulating industrial uses, and to permit at least light manufacturing in the North Main Street Neighborhood District.

Staff Recommendation:

The staff recommends that the existing use of light “Beverage and Tobacco” manufacturing be added to the North Main Boulevard District, rather than to create a new use classification for “Microbreweries”. Using an existing category, rather than creating new categories, fits with the approach of the draft revision to the Land Development Standards, as does permitting manufacturing use in the North Main Street Boulevard District. The use itself should fit well with the varied commercial nature of the district and represents one of the few manufacturing uses that seems to be expanding rather than moving offshore.

Members of the Planning Board had some questions for Mr. Bowman about the location of the building he would like to use as the microbrewery. Mr. Bowman stated he is working at the Sweet Onion Restaurant and he and the owners intend to open a restaurant where Headlights is located now. He said they are looking at a warehouse type building near the Cabin Company to use as the microbrewery.

Don Stephenson moved, seconded by Lee Bouknight to recommend the text amendment to Section 154.121 (C) 9 to add Manufacturing, Mining, and Industrial Use to the North Main Boulevard District as recommended by Mr. Benson. The motion carried unanimously.

#### Adjournment

With no further business, the meeting was adjourned at 5:45 p.m.

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Patrick McDowell  
Chairperson

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Eddie Ward  
Administrative Assistant

ITEM 3. RECOMMENDATION FOR FORESTRY MANAGEMENT PLAN  
PETER BATES AND ROB LAMB OF FOREST STEWARDS, INC.

The Town Board adopted two Conservation Easements on the Waynesville Watershed in 2005, one on 691 acres which was a "Forever Wild" easement and the other on 7,340 acres which was a "Working Forest" easement. One of the requirements of the Working Forest Easement was that the Town would develop a Forestry Management Plan for the 7,340 acres, and that the Plan would be approved by the Town Board as well as the Conservation Trust of North Carolina and the Southern Appalachian Highlands Conservancy.

The Town contracted with Forest Stewards under the direction of Peter Bates and Rob Lamb, for the development of this Plan. The Board also appointed a Watershed Advisory Committee to work with Mr. Bates and Mr. Lamb as they developed the Plan. The Plan was developed and approved by the Town Board in 2008.

When it was presented, the Plan recommended two specific treatments in the watershed. The first action was to be on the white pine plantation which encircles that majority of the 50 acre reservoir, and the second action was a timber harvest in the Rocky Branch Drainage Basin which is not even a part of the watershed since the flow from Rocky Branch does not enter the reservoir.

In November, 2009, Mr. Bates and Mr. Lamb submitted a proposal to the Watershed Advisory Committee for addressing approximately 50 acres of the white pine plantations. In the case of 40 acres, they recommended a thinning, removing the less healthy trees so that the healthier trees might continue to grow without competition from the weaker trees. In the case of 10 acres, they found that some hardwood trees were already beginning to grow under the white pines, and to encourage the hardwoods, giving them more daylight and less competition, they recommended a heavier harvest of the white pines. Over the past several months, the Watershed Advisory Committee has continued to work with Mr. Bates and Mr. Lamb in reviewing the proposal as more work was done to study stream crossings and the protection of the water quality where streams must be crossed by trucks and equipment involved in the process.



The Watershed Advisory Committee has reviewed the proposal which has been developed by Mr. Bates and Mr. Lamb and would recommend that the Town Board proceed with the work. The Committee included the following individuals:

Bill Skelton, Haywood Extension Service  
Bill Yarborough, Soil and Water Conservation  
Dave Dudek, Retired Biology Professor  
Gordon Small, Retired Forester  
Pat Maier, retiree and interested citizen  
Karen Kaufman, businesswoman and interested citizen  
Jack Swanner, Retired Forester  
Mark Pruitt, Soil Erosion Supervisor, Haywood County

Of these members, the first six have been very active, as was Mr. Swanner before relocating to the Triangle area of North Carolina for new employment opportunities. Mr. Pruitt has not been active in the committee. Assistant Manager Alison Melnikova and I have attended each one of the meetings of this committee from the onset.

The Conservation Easement also requires that the Conservation Trust of North Carolina and the Southern Appalachian Highlands Conservancy review any proposal for activity in the watershed. Both agencies reviewed the proposal developed by Mr. Bates and Mr. Lamb and have indicated that what is being recommended is in compliance with the terms of the conservation easement.

At the meeting on Tuesday, September 14, Mr. Bates and Mr. Lamb will be on hand to make a power-point presentation on the watershed and the proposal for treatment. Members of the Watershed Advisory Committee have also been invited to attend to answer questions and make comments if they wish to do so. Mr. Bates has indicated that the proposal can be placed in a format that may be accessed by the public through the Town's web page, and the Board may wish to give the citizens that opportunity and a chance to comment to the Board before a decision on proceeding is made. Mr. Bates and Mr. Lamb have indicated that they will work with the Board in assuring a public process on the proposal.

ITEM 4. SIGNS IN SOUTH MAIN STREET BUSINESS DISTRICT  
JODY BENDER AND LYNN HUGHES

These ladies contacted Town Clerk Phyllis McClure, asking for time on the Town Board's agenda to speak about signage in the downtown area.

I am not sure of their specific reason for their visit, but I do know that Ms. Buffy Messer, Executive Director of the Downtown Waynesville Association, was able to secure grant funds to improve signage in the downtown area. She has worked up some samples of signs to be placed along Main Street to help identify various shops and restaurants located along the edges of the core downtown area. Ms. Messer met with Fred Baker this week to discuss the specific location and to identify other signs that might be removed when the new signs are erected. I know that Downtown Waynesville and the Town both want to end up with better signage for residents and businesses at the conclusion of this project, not more sign pollution.

August 24, 2010

Town Clerk  
Attention: Jenny Bower  
16 S. Main St.  
Waynesville, North Carolina 28786

Re: Alderman Meeting, September 14, 2010

Dear Ms. Bower:

Please include our names on the Alderman's agenda for September 14<sup>th</sup>. The purpose of this request is to discuss additional signage for the South Main Street business district.

If you need additional information please contact us at 452-4558.

Sincerely,

Lynn Hughes  
Jody Bender  
Owners of Women in the Moon

ITEM 5. HYATT STREET AND TARHEEL DRIVE  
CONSIDERATION TO PROHIBIT TRUCK TRAFFIC

Some residents of Hyatt Street and Tarheel Drive have approached Alderman Gary Caldwell about a number of large trucks which have ended up on their streets. The residents do not know if the trucks are attempting to reach the Waynesville Crossings Shopping Center or the former site of Lea Industries, but the large tractor trailers end up hung up on these narrow residential streets and have considerable difficulty getting out.

Alderman Caldwell, after reviewing the situation, asked if the Town might prohibit truck traffic on this street as has been done on other streets such as Boundary Street and Hendrix Street. For your information, we are including Section 54-92 of the Waynesville Town Code of Ordinances, which prohibits Commercial Motor Vehicles on certain town streets. Of course, there are some exceptions to an all-out prohibition, and these are specified in subsection (c) of that ordinance.

If the Board wishes to prohibit commercial vehicles as requested by the residents, it could do so by amending Section 54-92 by adding

- (a)(3) On Tar Heel Drive from the U. S. Route 23/74 Exit 100 Ramp to the dead end of Tar Heel Drive.
- (a)(4) On Hyatt Street from Hazelwood Avenue to Tar Heel Drive.

**Sec. 54-92. Commercial motor vehicles prohibited on certain town streets; exception.**

(a) It shall be unlawful for any person or corporation to operate or have operated a commercial motor vehicle on any of the streets in the town designated as follows. A commercial motor vehicle is defined in section 54-1.

(1) On Boundary Street between Walnut Street and Main Street.

(2) On Hendricks Street between Allens Creek Road and South Main Street.

(b) Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be punished in accordance with section 1-8.

(c) Commercial motor vehicles with legitimate business with a resident or property owner on the streets set out in subsection (a) may operate on the streets to conduct the business and are exempt from the provisions of this section.

(Ord. No. 12-94, § 71.06, 6-28-1994)

ITEM 6. APPOINTMENTS/REAPPOINTMENTS  
PARKS AND RECREATION ADVISORY COMMISSION

There are three terms on the Parks and Recreation Advisory Commission which will expire on September 30, 2010. The three individuals holding these appointments are as follows: Kenneth Mull, Scotty Schulhofer and Michelle Claytor. All three of these have been faithful in their attendance and have contributed to the meetings and activities of this Commission. All three have expressed a desire to be reappointed to the Parks and Recreation Advisory Commission and indicated they would continue to serve if the Board chose to reappoint them to this Commission.

It is recommended that Kenneth Mull, Scotty Schulhofer and Michelle Claytor be reappointed to three year terms on the Parks and Recreation Advisory Commission, said terms to expire on September 30, 2013.

Recreation Director Rhett Langston indicates that another member of the Commission is no longer attending the monthly meetings, and he would ask that Trina Sandridge be replaced. The term for Ms. Sandridge was to expire on September 30, 2011. Ms. Ginny Boyer has expressed an interest in serving on the Parks and Recreation Advisory Commission and we are attaching her application for this post. Mr. Langston would recommend that Ms. Boyer be appointed to the Commission for the balance of the term of Ms. Sandridge.

ITEM 7. WAYNESVILLE HOUSING AUTHORITY REAPPOINTMENT

The term of Mr. James R. Edwards of 73 Graham Street on the Waynesville Housing Authority will expire on September 30, 2010. Mr. Jerry Cutshaw, Executive Director of the Housing Authority, contacted Mr. Edwards, who expressed an interest and desire to be reappointed. The terms on the Housing Authority are for five years, meaning the term would extend until September 30, 2015.

Under federal regulations, appointments to the Housing Authority are the prerogative of the Mayor of the community; however, Waynesville Mayors have a tradition of asking Town Board members to endorse any appointments to the Housing Authority. Based upon that tradition, we are presenting Mr. James R. Edwards for consideration of reappointment to the Waynesville Housing Authority Commission for a five year term extending until September 30, 2015.