

REGULAR MEETING
TOWN OF WAYNESVILLE PLANNING BOARD
FEBRUARY 21, 2005
MONDAY - 5:30 P.M.
TOWN HALL

The Planning Board held a regular meeting on Monday, February 21, 2005. Members present were Patrick McDowell, Don Stephenson, Rex Feichter, Lee Bouknight, Gary Sorrells, Patrick Bradshaw, Marty Prevost, and Brooks Hale. Also present were Planning Director Paul Benson and Deputy Town Clerk Freida Rhinehart. Chairman Rex Feichter called the meeting to order at 5:30 p.m.

Approval of Minutes of January 24, 2005

Don Stephenson moved, seconded by Gary Sorrells to approve the minutes of January 24, 2005 as presented. The motion carried unanimously.

LDS Amendment - Section 154.108(B)(9)(b) - Increase the size of signs in the Dellwood Neighborhood District along Russ Avenue from 16 square feet to 32 square feet

Paul Benson stated that Dr. Brian Birthright had requested that the size of signs be increased fronting Dellwood Road from just past K-Mart to the traffic light at the intersection of Highway 19. This would mean that a 32 square foot sign would be allowed for each business location.

Attorney Burt Smith and Kate Birthright spoke in favor of increasing the sign size in this district. Mr. Smith indicated that since the speed limit in this district is 50 miles per hour, the visibility and legibility of a 16 square foot sign would not be feasible. They are requesting that only the signs that front on the five-lane be increased in size.

Mr. Benson made a slide presentation of the signs in place now in this district. He stated that every sign in this district already exceeds 16 square feet. Town Staff recommends the adoption of this amendment due to the higher speed limit in the district and the fact that this is not a pedestrian environment.

Mr. Smith further stated that they are requesting that the sign be internally illuminated. He said that only the letters would show at night and that this sign would actually put out less light than the Maple Grove sign.

Patrick Bradshaw asked if this would be necessary since their business would be primarily a daytime use. Mrs. Birthright said that they do plan to be open during some evening hours.

Rex Feichter pointed out that there is actually less stray light that spills over from internally illuminated signs.

Mr. Benson stated that the five requirements of Section 154.308(B)(2) Bullet 7 limit the amount of light that an internally illuminated sign can project.

Patrick McDowell moved, seconded by Gary Sorrells, to recommend to the Board of Aldermen that Section 154.108(B)(9)(b) Dellwood Neighborhood District, Sign Standards, Other Uses be amended to read as follows:

Add the following text to bullet number three: “except for properties fronting on Russ Avenue (US276) where permitted signs shall be a maximum of thirty-two (32) square feet per face, two (2) faces per sign.”

Add the following text to bullet number five: “except for properties fronting on Russ Avenue (US276) where the maximum height for signs is 6 feet.”

Add the following text to bullet number six: “except for properties fronting on Russ Avenue (US276).”

The motion carried unanimously.

Rezoning Request - 0.4 acres located at 1404 Brown Avenue (PIN: 8605-81-6407 and 8605-81-6534) from Hazelwood Neighborhood District to Hazelwood Town Center

Norene Lankford represented Mr. and Mrs. Barron B. Clark. She stated that the Clarks improved this particular corner in 1979. Ms. Lankford also pointed out that this corridor may become another business area of the Town. The Clarks are planning to retire and would like to sell this property. The property is grandfathered as a business and for a potential buyer to do more with the property, it would have to be rezoned.

Mr. Benson indicated that this property is on the edge of a medium to high density residential area, with industrial and low to medium density mixed use nearby. There is a 6" water line and 6" sewer line to the property. It is accessible by both Brown Avenue and Riverbend Street. This property is surrounded by the Hazelwood Neighborhood District, except to the northwest where it is diagonally opposite the Hazelwood Town Center District. The surrounding development is mixed commercial and single family residential with industrial use to the northwest (Haywood Vocational Opportunities).

This property is situated at the intersection of Brown Avenue and Riverbend Street, and is currently occupied by a neighborhood business use, Hazelwood Grocery and Laundry. Although the property is adjacent to several residences, its prominent location in a triangle formed by Riverbend Street, an industrial access road, and Brown Avenue, a main thoroughfare linking business districts on Hazelwood Avenue and South Main Street, lends itself very well to its historical use as a neighborhood business. Therefore the staff recommends that the requested zoning change be approved, permitting the redevelopment of the site.

Patrick Bradshaw moved, seconded by Gary Sorrells, to recommend to the Board of Aldermen that the property at 1404 Brown Avenue, PIN 8605-81-6407 and 8605-81-6534 be rezoned to the Hazelwood Town Center. The motion carried unanimously.

LDS Amendment - Sections 154.031 and 154.400 - to adopt the 2005 Model Flood Damage Prevention Ordinance

Paul Benson stated that the Model Flood Damage Prevention Ordinance comes from the Federal Emergency Management Agency (FEMA). This ordinance does not change any of the actual construction requirements. It merely adds some definitions that clears up some gray areas of our current ordinance. The two basic restrictions of the existing ordinance are that it makes it very difficult to develop in the floodway and all development on the flood fringe must be elevated by one foot above the flood stage. Also, for any development to take place in the floodway, an engineer must demonstrate that it would not cause a rise in flood waters. This ordinance is really common sense protection against flooding.

A copy of these changes is attached to these minutes.

Patrick Bradshaw pointed out that these rules are already being followed by FEMA.

Marty Prevost moved, seconded by Brooks Hale, to recommend to the Board of Aldermen adoption of the 2005 Model Flood Damage Prevention Ordinance. The motion carried unanimously.

LDS Amendment - Sections 154.053 and 154.054 - to shift design review for projects involving historic buildings from Community Appearance Commission to the Historic Preservation Commission and to provide the Historic Preservation Commission with review of demolitions of historic buildings

Paul Benson stated that the Historic Preservation Commission had previously been given the review of proposed demolition of historic buildings by Ordinance 17-96. The Historic Preservation could review a requested demolition but could not actually stop it. However, this provision was not included in the Land Development Standards adopted in 2003. The primary intent of this amendment is to shift responsibility for review of alterations to older buildings from the Community Appearance Commission to the Historic Preservation Commission.

The proposed changes are as follows:

Section 154.054 Historic Preservation Commission of Waynesville.

(A) Powers and Duties.

Add the following bullet:

- **To review plans for any development activity requiring a Certificate of Land Development Standards Compliance or a demolition permit affecting a historic property within the planning jurisdiction of the Town of Waynesville. Such historic properties shall include any property listed on the National Register of Historic Places either individually or as a contributing building within a district, or any property on the North Carolina study list for listing on the National Register of Historic places, or any property included on the Town of**

Waynesville Architectural Survey as amended.

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Section 154.053 Community Appearance Commission of Waynesville.

(A) Powers and Duties.

Add the following text (in bold):

- To request from town officials any plans for proposed commercial, industrial and manufacturing development and redevelopment. Also the major subdivisions (six or more lots), clustered residential developments and multi-family developments which include six (6) or more dwellings. **However, this duty shall not include plans under the jurisdiction of the Historic Preservation Commission as established in Section 154.054(A).**

Gary Sorrells moved, seconded by Brooks Hale, to recommend approval of the amendment to the Board of Aldermen. The motion carried unanimously.

LDS Amendment - Section 154.308(D)(3) - to reduce the maximum size of real estate signs for non-residential properties

At the last meeting, there was discussion about tying the size of real estate signs to all other signs in the district.

It was requested that Mr. Benson draft an ordinance amendment. The requested amendment is as follows:

SECTION 154.308 Signs, (D) Signs Exempt from Permit Requirements (3) Real Estate Signs.

Add the following text to bullet number four:

“except that such signs may not exceed the maximum height and size for permanent signs within the district.”

Patrick Bradshaw moved, seconded by Patirck McDowell, that the above amendment be recommended to the Board of Aldermen for approval. The motion carried unanimously.

Adjournment

With no further business Lee Bouknight moved, seconded by Marty Prevost to adjourn at 6:25 p.m. The motion carried unanimously.

Rex Feichter
Chairman

Freida F. Rhinehart
Secretary