

REGULAR MEETING
TOWN OF WAYNESVILLE
PLANNING BOARD
APRIL 16, 2007
MONDAY - 7:00 P.M.
TOWN HALL

The Planning Board held a regular meeting on Monday, April 16, 2007. Members present were Don Stephenson, Dan Wright, Rex Feichter, Lee Bouknight, Gary Sorrells, Patrick McDowell, 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 March 19, 2007

Dan Wright moved, seconded by Marty Prevost to approve the minutes of the March 19, 2007 meeting as presented. The motion carried unanimously.

Old Business - Hillside Ordinance Amendment

Paul Benson distributed the following revised staff report.

Intent: the intent of this amendment to permit an exception to the hillside protection standards of Section 154.403 provided that certain conditions are met in order to uphold the purpose and objectives of the Hillside Protection section as listed in Section 154.403(A)(1).

Proposed amendment: add a bullet at the end of Section 154.403(A)(2) with the following text:

- Exemption of single-family dwellings on existing lots of record (or consider permitting the subdivision of existing lots):
The density and grading limitations of the density and grading charts do not apply provided:
 1. No new road construction or off-site driveway construction is required for access to the property. (Consider adding driveway grade limitation and turn-around on site requirement.)
 2. Water, sewer and electric utilities with capacity to serve the development are already in place to the property and do not require off-site extensions (Consider permit well and septic tank construction on site and ignore electrical extensions.)
 3. Accessory structures shall not be permitted. (To minimize disturbed area.)
 4. Disturbed area shall be minimum necessary to accommodate the principal structure and driveway. (May not level entire site.)
 5. The property must meet the minimum dimensional requirements for the district in which it is located. (Or establish a larger minimum lot size of 1-2 acres for example.)

6. A detailed site plan showing all proposed improvements and a detailed grading plan showing all disturbed area with pre- and post-grading contours with lines at 5' minimum intervals are required. (To insure that these standards are met and to enable #7 following.)
7. A geotechnical engineer, structural engineer, geologist, or other qualified professional must certify that the grading plan and proposed improvements are suitable for the site, and will not constitute a hazard to the property owner or adjacent properties.

Mr. Benson pointed out that this will not be a town staff recommendation but a Planning Board amendment. He has offered some alternatives to consider that could be proposed to the Board of Aldermen such as subdivision of existing lots, allowing on site septic and wells, or driveways. Lots of record can be established fairly easily with some research.

Dan Wright indicated that he would like for people to have a “safety net” in certain situations.

Jack Kersten stated that he would like to see the word “existing” eliminated from Item 1 of Mr. Benson’s staff report. This does not allow for subdivision of lots to create a new lot. There was a recent ordinance amendment that allows larger parcels a higher density for cluster development, but this option is not available to individual lot owners.

Patrick McDowell responded that by eliminating the word “existing”, the door would remain open for the lot to be subdivided again and again.

Brooks Hale asked about the difference in elevation between where the house is located and the portion Mr. McClure wishes to subdivide. Rex Feichter stated the portion of the lot Mr. McClure wishes to keep for further development is about 50'-100' higher than the house.

Mr. Kersten argued that the proposed 3 acre lot is on approximately the same topo line as the house and since no roads, utilities or accessory structures would be required, Mr. McClure should be allowed to subdivide the property.

Rex Feichter asked about eliminating the term “existing”. Paul Benson replied this would apply to many other properties.

Patrick McDowell said that we know what the current owner wishes to do but the question is what will happen next. He is concerned that the lot size will become smaller and smaller until all lots in the district are only .5 acre even above 2900' on steep grades.

Paul suggested that we might apply the new hillside protection rules for larger developments by granting a 50% density bonus if conservation steps are followed. This would tie development to the same graph used for lower impact development.

Mr. Kersten indicated that he would like the limitations to include roads, utilities, and engineering reports.

Dan Wright would like to see that we have the density fall in line with the chart. Patrick McDowell agreed.

Mr. Benson pointed out it is not good planning to address one situation at a time. The ordinance as a whole needs to be considered. He advocated looking at a more systematic approach.

Marty Prevost moved, seconded by Brooks Hale, to table the matter to allow time to look into other mountain communities slope regulations. The motion carried with Don Stephenson abstaining. Mr. Benson will collect data to present at the next meeting.

Public Hearing - Wooded Hills Estates - Major Subdivision - Cavalier Drive

Mr. Feichter recognized Alderman Gary Caldwell who was present for the public hearing since this subdivision adjoins his property.

In the staff report Mr. Benson stated the Town of Waynesville Land Development Standards (LDS) require that preliminary plats for "Major subdivisions (subdivisions which create 6 or more lots or which involve the dedication of public streets or utilities), be reviewed and approved by the Planning Board following a public hearing.

The preliminary plat for Wooded Hills Estates subdivision proposes subdivision of a 6.4 acre property into 12 lots for single-family residential development. Lot sizes would range from 0.31 to .60 acre, with an average size of 0.41 (18,041 square feet). The property is located in the Ninevah Neighborhood district. Required minimum lot size in this district is 7,000 square feet with a minimum 50' width. The proposed lots meet and exceed these standards.

Street and sidewalk designs have been submitted and approved. Streets need to be named and designated as public or private.

Water, sewer and stormwater plans have been submitted and approved.

All electrical service must be underground. Street lighting is not shown. If it is proposed at a later date it must meet Town lighting standards. The grading plan is under review and must be approved by the Town and the State Land Quality Section.

Recommendation: The staff recommends approval of the preliminary plat for the Wooded Hills Estates subdivision with the stipulation that all issues be resolved prior to final plat approval.

Mr. Benson distributed a revised plan which addresses some of the concerns of the Public Works Director about retaining walls and the grading plan. The new streets and street trees are also shown.

Lane type streets are being built with sidewalk on one side with curb and gutter. There will be street tree strips on both sides. The development will connect both to Cavalier Drive and Stonecrest Heights.

Gary Caldwell asked how far can the houses be built off the property line and if there will be a buffer. Mr. Bradshaw explained that the street has been changed and Mr. Caldwell will only have one neighbor. Buffers are not required for residential areas. Mr. Bradshaw indicated the homes will most likely be modular.

Patrick McDowell moved, seconded by Gary Sorrells, to approve the subdivision plan as submitted. The motion carried unanimously.

Proposed Text Amendment - Permit Monument Signs for Commercial Properties - Hazelwood Neighborhood District

Staff Report:

It is requested there be an amendment to the Land Development Standards to permit 16 square foot, 4' high monument signs for permitted businesses other than home occupations within the Hazelwood Neighborhood District.

The Hazelwood Neighborhood District (H-ND), like many of the predominately residential districts, also permits some limited commercial uses in specific locations. In H-ND commercial uses are permitted on properties located at intersections of public streets and along South Main Street from Mississippi Avenue to Virginia Avenue,

Many neighborhood districts permit free standing monument signs of 16 square feet and 4 feet high for non-residential uses. The staff feels that there is no compelling reason to exclude small monument style signs for permitted non-residential uses in the Hazelwood Neighborhood District, while permitting them other neighborhood district.

Recommendation: The staff recommends approval of the requested amendment.

Upon research, Mr. Benson found that the only district that does not allow monument signs is Hazelwood Neighborhood District so he sees no reason why they should not be permitted.

Lee Bouknight moved, seconded by Dan Wright, to recommend the proposed text amendment. The motion carried unanimously.

The Planning Board will meet 30 minutes early before the next meeting to have a workshop session without public comment to decide on language for a proposal on the first agenda item. Planning Board members should be ready to give input on their ideas at that time. Mr. Benson encouraged members to call him with any questions or comments as well.

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Adjournment

With no further business, the meeting was adjourned by consensus at 6:50 p.m.

Rex Feichter
Chairman

Freida F. Rhinehart
Secretary