

REGULAR MEETING  
TOWN OF WAYNESVILLE  
PLANNING BOARD  
FEBRUARY 18, 2008  
MONDAY - 5:30 P.M.  
TOWN HALL

The Planning Board held a regular meeting on Monday, February 18, 2008. Members present were Don Stephenson, Dan Wright, Lee Bouknight, Brooks Hale and Marty Prevost. Also present were Planning Director Paul Benson and Deputy Town Clerk Freida Rhinehart. Acting Chairman Lee Bouknight called the meeting to order at 5:30 p.m.

Approval of Minutes of January 21, 2008

Marty Prevost moved, seconded by Dan Wright, to approve the minutes of January 21, 2008 as presented. The motion carried unanimously.

Text Amendment to Land Development Standards - Removal of Animal Shelters as a Conditional Use - Hall Top Rural District - (HT-RD)

Planning Director Paul Benson presented the following Staff Report:

Background:

On August 8 of last year 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. The Planning Board voted unanimously to recommend the requested amendment to the Board of Aldermen. On October 9 the Board of Aldermen voted 4 to 1 to adopt the requested amendment.

However, on October 23 a number of residents of the district appeared at the Board of Aldermen meeting to request that this amendment be reconsidered due to the potential for adverse impact on the residential character of the district. In response, the Board of Aldermen referred this issue back to the Planning Board for further consideration. At the November 19 meeting the Planning Board recommended by a 4-3 vote that the ordinance be amended to make animal shelters a Conditional Use in the HT-RD. This recommendation was adopted by the Board of Aldermen at their January 9 meeting.

On January 10, the current amendment request was submitted to remove animal shelters as a conditional use, as was the case prior to the October 19 amendment.

Staff Recommendation:

Although the Planning staff appreciates the need for these facilities, they do not appear to fit the stated intent of the Hall Top Rural District which is for residential development. Although the district does allow some agricultural type uses including animal production and large animal veterinary services, animal shelters are not a farm or agricultural use. The staff agrees with the applicant that animal shelters, even with the conditional use requirements of a 3 acre minimum lot size, no outdoor use and buffers, may not be compatible with adjacent residences. The staff recommends that animal shelters be only permitted within mixed use districts, or in county rural settings.

David Bradley spoke on behalf of the residents of Hall Top Rural District. Many of the residents were not informed prior to the original meeting on this matter. Mr. Bradley felt the Planning Board was given inaccurate and incomplete information about the location, size and slope of the lot and proximity to other homes when the original request for permitting animal shelters in the Hall Top District was proposed. He added that even if the buildings could be made soundproof, the use would not be in harmony with the residential nature of the neighborhood. The residents are requesting that this matter be reconsidered by the Planning Board.

Mr. Benson said the request would take the text back to what it was prior to October of last year by removing animal shelters as a conditional use.

Marty Prevost asked if any districts allow animal shelters. Mr. Benson responded shelters are permitted in two mixed use districts – in the Dellwood-Junaluska Area Center and the South Main Business District where the county animal shelter is currently located.

Staff recommended that this text amendment be approved since Hall Top is a residential district. Mr. Benson feels since Waynesville is surrounded by a large mostly rural county that has no zoning, animal shelters would be more appropriate outside the Town's jurisdiction.

Brooks Hale moved, seconded by Marty Prevost, to recommend approval of the text amendment to remove animal shelters as a conditional use in the Halltop Rural District to the Board of Aldermen. The motion carried unanimously.

Text Amendment Request to Building Design Standards, Building Setbacks and Parking Requirements of the South Main Street

Paul Benson stated that the applicant is interested in property across the street from the old Dayco property and wishes to change some of the building design standards. Mr. Benson then presented the following Staff Report:

Background:

A primary focus of the Land Development Standards is to require quality building design, and streetscapes to improve the town's appearance, and to make walking more desirable. This is done by establishing certain building design requirements such as: height limitations, minimum permeability (window area), and articulation and scale for more interesting, compatible architecture.

The LDS also is designed to promote walkability by restricting parking to the side or rear of buildings, so that pedestrians do not have to traverse large parking areas to enter buildings from the street, and the streetscape is not dominated by parked cars. Likewise, many districts have maximum front setbacks so that buildings are not located too far away from the road for the comfort and convenience of pedestrians.

Requested Amendments:

Basically the applicant is requesting less permeability, less variation in the building design and greater front and side setbacks with some parking and a vehicular travel lane to be permitted in front of the buildings.

Staff Recommendation:

Point by point in reference to the requested amendments:

1. Articulation change from pedestrian to automobile: The staff concurs with the applicant that the pedestrian scale articulation requirement is unreasonable. Even in central business locations this standard is not met by many high-quality historic buildings. The fact has been recognized by the Community Appearance Commission in their request for the staff review this standard.
2. Increase minimum setbacks on front and street sides from 20' to 35' and the maximums from 30' to 75': the staff concurs that the minimum front setbacks need to be increased due to the proposed widening of South Main Street. Staff recommends that the minimum street side setback remain at 20' and that no maximum setbacks be established.
3. Change the parking standard to permit one row of parking and a driveway between the building and the street for internal circulation: the staff agrees that a single row of parking and a vehicular access lane should be permitted in front of buildings in the SM-BD to facilitate internal circulation; however to insure pedestrian access, staff recommends that where parking or vehicular access lanes separate a sidewalk along the street from the front entryway a pedestrian sidewalk raised a minimum of 6" above the vehicular use areas, with a minimum width of 6' shall be provided from the sidewalk to the building entryway. This sidewalk must be protected with curb and gutter in parking areas and be concrete or have textured pavers where it crosses travel lanes to promote visibility.
4. Exempt banks and pharmacies from permeability standards along public street faces: the staff does not recommend a change to the current standard of 50% permeability along building sides facing public streets. The applicant has not demonstrated that increasing the amount of permeability increases vulnerability to break-ins. Glass windows may consist of glass blocks or of collections of panes too small to permit human entry.
5. Create a new "South Main scale" with a requirement that building sides facing streets have a change in color, material or texture every 50' instead of the current Neighborhood Center standard that calls for major changes in increments no longer than the building is tall with the changes being distinctly different styles of architecture or materials; also that a new standard be added requiring height changes every 50 linear feet of at least 2': staff recommends against developing a new scale standard for just the SM-BD. Instead, staff recommends that the existing Neighborhood Center scale standard be made more logical by permitting the buildings to have significant changes in increments equal to twice the height of the building. Most commercial architecture is characterized by buildings that relatively low, so the current standard may require significant changes in intervals as small as 15'. Finally, the staff concurs with the idea of a standard adding a requirement for a change in height at certain intervals, but recommends that this issue be studied in more depth prior to adopting any changes.

Ed Shipe as a representative of Walgreen Pharmacy said they intend to build a store across the street from the new Waynesville Commons development. He said the proposed building is not a broad change from Waynesville's Land Development Standards. This is a nice looking building that already meets many of the requirements. Due to some of the things that are happening in the South Main Street area, if the standards could be changed slightly to allow construction of this store, the character of the Town could be maintained. Mr. Shipe then asked Mr. Benson to address each issue individually.

Paul Benson said that articulation is the manner in which a building or structure treats its surface dimensionally or components. The articulation of a building is the distance between changes in its facade. The present standard (pedestrian scale) requires a 2" depth change for every 4 ft. along the side of the building facing the street. Mr. Benson feels automobile articulation is appropriate for the South Main Street Business District rather than pedestrian articulation. With automobile articulation, the change occurs every 20 ft. The change can be material or architectural feature which must extend the majority of the height of the building. Mr. Shipe pointed out from their prototype that columns and awnings should fulfill the requirements if changed to automobile articulation.

Mr. Benson then addressed permeability which is the ability of the building to relate and interconnect its interior with the public realm. The current standards require 50% permeability and the applicant is requesting 0 % permeability. The windows can be fairly narrow and still meet requirements. Mr. Shipe explained from the prototype the an important architectural consideration for Walgreen is brand recognition. Along with that an important design feature for Walgreen is that the windows are above the level of people's heads. This is for security purposes for both pharmacies and banks. One of their biggest problems today is people breaking into pharmacies to get drugs. Mr. Shipe feels that the higher windows on the building do meet permeability standards.

Dan Wright said he feels the prototype photo may actually exceed Town standards and permeability might not be an issue. Materials like glass block could add to security.

Mr. Bouknight asked about Item # 5 - Scale. Mr. Benson said the scale of the building is a function of the size of the individual pieces of a building and their relationship to each other. He continued that scale is actually the massing of the building, where the additions are, how big they are, how high the building is, and the basic shape and size. The ordinance requires a break in size so there is not a huge bland building. In this district, Neighborhood Center scale is required which calls for changes in increments no longer than the building is tall. Changes can be accomplished by changes in materials or relief of the facade of at least 2 ft. Since most commercial buildings are only one story, Mr. Benson recommended that Neighborhood Center scale definition be amended to reduce the interval for scale changes to twice the height of the building. This represents a compromise between the requested scale and the current requirements.

Mr. Shipe feels the prototype meets the requirements. Mr. Benson explained that the goal of the ordinance is to get one building to appear as more than one storefront by using different materials. He continued that the current plan has sufficient articulation but does not meet scale requirements. This might be done by making a change in height. Mr. Benson feels this is a good building and agreed that the scale requirement needs to be softened.

Dan Wright said he feels when Mr. Benson can see the construction documents and detailed drawings and elevations, he will be able to determine how close Walgreen can come to his recommendations. Mr. Benson reminded to Board that these recommended changes will not only apply to this building but to the entire district.

Mr. Shipe pointed out that his purpose is to bring the preliminary plan before the Planning Board and Board of Aldermen to determine if they can meet Town standards before making the larger investment in producing detailed drawings and plans. He feels Walgreen is very close to meeting our standards because this a nice looking building.

Dan Wright said he thought Walgreen could make some minor changes with very little design cost to bring the building into compliance. He encouraged Mr. Shipe to work with Town Staff to work out what needs to be done to reach an agreement. The Land Development Standards took years to develop and should definitely be considered as a guideline for construction standards. Mr. Shipe consented to that.

On the parking and setback issues, Mr. Wright said would like to hear arguments on that. He agrees there should be no maximum setback requirement.

Mr. Benson stated that the South Main Business District functions more as a highway business district rather than a central business district. Walgreen had requested a tier of parking and traffic lane in front of the building. Mr. Benson previously recommended to the Board of Aldermen that the parking standards be kept in some districts and eliminated in others. His recommendation for this district is that there be no parking requirement. The idea is to have pedestrian connectivity to the buildings so he is recommending that there be a protected pathway to the building entry from the sidewalk on the public street in front of the building.

Mr. Shipe pointed out that the main reason they requested the one row of parking in front and the traffic lane is for circulation of the building, especially for unloading of merchandise from trucks. There will also be parking on both sides.

Mr. Benson then addressed setbacks. The DOT plans to widen South Main Street so the setback for this building needs to be greater than the LDS requirements to allow for the proposed widening. Mr. Shipe indicated that Walgreen has planned for these future changes and there will most likely be a deceleration lane in front of the store.

Mr. Shipe said Walgreen is willing to accept Town Staff recommendations. The new ADA requirements are very strict about easy access to buildings for handicapped persons. This will encourage the allowance for parking on the front.

Joe Taylor said that traffic will increase dramatically on South Main Street. It will be very important for the Town to allow parking in front of the building.

Don Stephenson moved, seconded by Brooks Hale, to recommend to the Board of Aldermen that the Land Development Standards contained in Section 154.128(A) Vision/Goals and (B) Development Standards be amended per Town Staff Recommendations. The motion carried unanimously.

### Adjournment

With no further business, the meeting adjourned at 6:42 p.m.

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Lee Bouknight  
Acting Chairperson

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Freida F. Rhinehart  
Secretary

