

REGULAR MEETING
TOWN OF WAYNESVILLE
PLANNING BOARD
MAY 19, 2008
MONDAY - 5:30 P.M.
TOWN HALL

The Planning Board held a regular meeting on Monday, May 19, 2008. Members present were Don Stephenson, Dan Wright, Rex Feichter, Lee Bouknight, Gary Sorrells, Patrick McDowell and Marty Prevost. Also present were Land Development Administrator Byron Hickox and Deputy Town Clerk Freida Rhinehart. Chairman Rex Feichter called the meeting to order at 5:30 p.m.

Approval of Minutes of April 21, 2008

Dan Wright moved, seconded by Patrick McDowell, to approve the minutes of April 21, 2008 as presented. The motion carried unanimously.

Zoning Map Amendment Request - Teresa F. Slye - 66 Bradley Street - from Dellwood Neighborhood District (D-ND) to Russ Avenue Town Center (RA-TC)

Staff Report:

Requested amendment: From Dellwood Neighborhood District (D-ND) to Russ Avenue Town Center (RA-TC)

2020 Land Development Plan: The 2020 Land Development Plan indicates that the land use along Russ Avenue on either side of Bradley Street to be "Mixed Use, Low to Medium". Further back from Russ Avenue the indicated land use is "Residential, Medium to Low." The existing zoning meets this objective as it allows small scale office, institutional and commercial development in addition to residential development at densities of up to six units per acre. The requested zoning district would permit higher residential densities and larger scale commercial development.

Utility service: A full range of public utilities is accessible to this property. The subject property is located within the Waynesville corporate limits.

Accessibility: The lot fronts on Bradley, a 2-lane Town-maintained paved street, which provides direct access to Russ Avenue, (US276), a 5-lane major thoroughfare approximately 200' from the closest point of this property.

Zoning Pattern: This property is within the Dellwood Neighborhood District, which borders the property to the north, east and west. The Russ Avenue Town Center district is diagonally across Bradley Street from this property to the south, and adjacent on the southern corner of the property across the right-of-way, (see map). The requested rezoning would create an inconsistent zone boundary since it creates 1 lot of commercial zoning on the north side of Bradley which is not adjacent to Russ Avenue.

Surrounding Development: This property is currently occupied by a single family dwelling. It is bordered on the north by a single family residence, on the southeast by the Barberville Baptist Church, on the southwest by a car wash and oil change business and on the west by a single family dwelling with a large commercial type machine shop to the rear.

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Recommendation:

The staff recommends that the zoning of this property remain Dellwood Neighborhood District to maintain the existing zone boundary and to not permit more intensive commercial zoning along Bradley Street, which is primarily a low to medium density single family neighborhood.

Byron Hickox stated that staff's recommendation not to approve the rezoning was based the fact that the Dellwood Neighborhood District only allows office based, low impact commercial uses. The proposed office would be considered more of a "construction, special trades" use which is allowed in the Russ Avenue Town Center. Mr. Hickox pointed out there are one of two ways a business could be permitted that according to current standards is not allowed. The business can either request to be added to the permitted use list for the current district or if the business is adjacent to a district which allows the use, request a zoning map amendment.

In addition, staff feels that rezoning of this particular property might be inconsistent with the zoning of other properties in the Dellwood Neighborhood District, especially those properties fronting on Russ Avenue. To consider this spot zoning might be a little extreme, but it would be inconsistent.

Patrick McDowell questioned whether allowing the use in the Dellwood Neighborhood District might be a problem because of warehousing or some other concern. He considered it a professional trade similar to some others that are permitted in that district. Mr. Hickox explained that construction, special trades use might require special trucks and equipment that need to be stored on site and hours of operation might be different.

Dan Wright asked how the machine shop on Bradley Street is allowed to operate. Mr. Hickox explained that it is grandfathered as a legal non-conforming use.

Gary Sorrells asked if metal buildings are allowed in the Dellwood Neighborhood District. Mr. Hickox responded that metal and vinyl buildings are allowed but discouraged in this district.

Gary Hughes stated he is the owner of Hughes Electric and is interested in moving his business to this location. He plans to rehab the house located on the property for office space and erect a metal building for storage of pipe and supplies. Pictures of the property and adjacent properties were presented. Mr. Hughes has proposed his plan to neighbors and Pastor Holland at Barberville Baptist Church. All of the neighbors are happy about his decision to locate his business on the site. He then presented a drawing showing what he hopes to accomplish and assured the Planning Board this property would be well maintained.

Mr. Hughes added that the hours of operation will be 7:30-4:00 p.m. They have 6 service trucks which are standard vans and pickups. There are no large vehicles. This should not result in any type of traffic congestion. A shop manager will be present on the property and take care of any property maintenance.

Rex Feichter pointed out the topography will not allow a great deal of expansion. There is a tall bank at the rear of the property. Mr. Hughes said he plans to build a retaining wall to stabilize the bank.

Dan Wright asked what is planned for the exterior of the house. Mr. Hughes said the plan is to paint the house and replace the current roof with a metal roof to match the storage building. Landscaping will be added as well.

Rex Feichter stated that the Land Development Standards are to be reviewed soon. This particular area along Russ Avenue will most likely be addressed at that time.

Patrick McDowell, Marty Prevost and Dan Wright expressed support for allowing Mr. Hughes to place his office at this location. Mr. McDowell said that he would even prefer to expand the permitted uses table to allow this use in the Dellwood Neighborhood District rather than recommending a map amendment.

Mr. Hickox pointed out that the Dellwood Neighborhood District vision and goals call for some smaller non-residential uses which “shall be designed to clearly define the residential appearance and scale of the area and to define the differences between this area and the Russ Avenue Town Center and Dellwood/Junaluska Area Center.” Mr. Hickox stated that the real issue here is to determine if this property borders Russ Avenue enough to be enveloped by the Russ Avenue Town Center or should it remain in the Dellwood Neighborhood District.

Gary Sorrells asked if the Planning Board could recommend a language change to add a use to Dellwood Neighborhood District along the 500' corridor along Russ Avenue. Mr. Hickox did not recommend adding the contractor specialty to the permitted use table but felt it would be more appropriate to handle this situation as a rezoning to Russ Avenue Town Center.

Patrick McDowell moved, seconded by Dan Wright, to recommend to the Board of Aldermen that the permitted uses in the Dellwood Neighborhood District be expanded to include construction, special trades within the 500' corridor along Russ Avenue. The motion carried unanimously.

Mr. Hughes said he is willing to withdraw the original map amendment request and substitute the text amendment request.

Marty Prevost expressed concerns about appearance of buildings in that area. She felt that Community Appearance Commission should have some enforcement powers. Mr. Hickox explained that Town Staff enforces design standards. He pointed out that Community Appearance Commission in many cases has had a definite impact on what was presented initially by some builders and the final product.

Adjournment

With no further business, Patrick McDowell moved, seconded by Gary Sorrells, that the meeting be adjourned at 6:25 p.m. The motion carried unanimously.

Rex Feichter
Chairperson

Freida F. Rhinehart
Secretary

