



TOWN OF WAYNESVILLE Planning Board

9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Chairman

Patrick McDowell

Planning Board Members

Danny Wingate (Vice)

Anthony Sutton

Marty Prevost

Robert Herrmann

Phillip Gibbs

H.P. Dykes, Jr

P Shah

Ginger Hain

Development Services

Director

Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

Regular Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786

November 21, 2016

THE WAYNESVILLE PLANNING BOARD held a regular meeting on November 21, 2016 at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

Chairman Patrick McDowell welcomed everyone and called the meeting to order at 5:30 p.m.

The following members were present:

Danny Wingate

Bucky Dykes

Anthony Sutton

Robert Herrmann

Patrick McDowell

Ginger Hain

Pratik Shah

Absent:

Phillip Gibbs

Marty Prevost

The following staff members were present:

Elizabeth Teague, Development Services Director

Eddie Ward, Deputy Clerk

Planning Board Minutes

November 21, 2016

2. Adoption of Minutes

A motion was made by Board Member Anthony Sutton, seconded by Board Member Bucky Dykes, to approve the minutes of the October 17, 2016 regular meeting as presented. The motion passed unanimously.

B. NEW BUSINESS

1. Public Hearing to consider a request a Special Use Permit for 33 Bennett Street, (PIN 8605-83-6614)

Background:

Chairman McDowell opened the Public Hearing at 5:35 p.m., and asked anyone who wished to speak during the hearing to come forward and be sworn in. After swearing in witnesses, and presenting the protocols of the hearing, Chairman McDowell asked Development Services Director, Elizabeth Teague, to present background information on this Special Use request.

Ms. Teague explained that this property has served as a storage and warehouse facility since 1990. The property has been owned by Kincove LLC – Mr. Mike Miller, since 1994. In 2014 the property was rezoned from Hazelwood Business District, to Commercial-Industrial in anticipation of adding new storage buildings to the site. Ms. Teague explained that the Commercial Industrial District is designed to accommodate research and development, industrial and manufacturing uses, administrative facilities, and limited other uses supporting commercial services. The property at 33 Bennett Street backs up to the railroad, and was once part of the Hazelwood Industrial District. It is also surrounded by property that is zoned Hazelwood Business District.

Mini-Warehouses are allowed in the Commercial Industrial District, but require a Special Use Permit. The Planning Board must find the following criteria related to the proposed Special Use Permit:

1. *Conforms to the character of the neighborhoods, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site.*
2. *Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards, and to minimize traffic congestion on the public roads.*
3. *Adequate utilities (water, sewer, drainage, electric, etc.) are available for the proposed site.*
4. *Shall not be noxious or offensive by reason of vibration, noise, odor, dust smoke or gas.*
5. *Shall not impede the orderly development and improvement of surrounding property for permitted uses within the land development district.*
6. *The establishment, maintenance or operation of the use shall not be detrimental to or endanger the public health, safety, or general welfare.*

Ms. Teague said the project must comply with minimum standards for the Commercial Industrial District, and must comply with the Supplemental Use Standards for mini-warehouses in districts other than Business Districts which include:

3.8.2 Mini-Warehouses – Other Districts

- A. Lighting: Lighting must be deflected, shaded and focused away from any adjoining residentially zoned property. Ms. Teague noted that there is no residentially zoned property adjoining this property.
- B. Uses Permitted
 - 1. Sales cannot be conducted on the site.
 - 2. Cannot be used on a temporary or permanent basis as a dwelling.
 - 3. Repair of stored items is not permitted.
- C. Outside Storage: No outside storage permitted except the storage of recreational vehicles.

Ms. Teague stated that because of the pre existing condition of the site, and because the area is outside the floodplain, new storage buildings will have minimal environmental impact. This property is adjacent to a Business District; therefore, no buffering will be required in accordance with Section 8.4.1 of the Land Development Standards. Mr. Miller is proposing an opaque wooden fence where the property fronts Carolina Avenue. Mr. Miller will use the existing fence where it fronts along the tracks. This is in the railroad right-of-way, and he has communicated with the railroad regarding his plans. If Mr. Miller is granted the Special Use Permit, he would have to confirm his agreement to the Town with the railroad. Also, as the Staff Administrator Ms. Teague asked to be able to work with Mr. Miller on alternative buffer on the project.

The site plan indicates a 20 foot driveway surrounding and in between buildings, and this complies with the 15 foot and 10 foot setbacks required in the Commercial Industrial District.

The Public Hearing has been duly notified.

Consistency with 2020 Land Development Plan

Staff finds that this application is consistent with Waynesville Our Heritage, Our Future, 2020 Land Development Plan by improving and existing site and expanding storage capacity to Waynesville consumers.

Surrounding Land Use/Zoning Patterns

Hazelwood Business District, which surrounds the property, is historically industrial in nature. It abuts another storage facility and two single family residences to the East, The Pioneer Supply Company to the north, railroad tracks to the west, and Carolina Avenue to the south.

Proposed Development

The project will place two modular buildings on the existing site. Considerations for the Special Use Permit will include:

1. Conforms to the character of the neighborhood in location, type and height of the buildings. The buildings will be similar architectural style to the adjacent storage buildings and of smaller scale to the Pioneer Supply store.
2. Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on public roads.
3. Adequate utilities. Water sewer and drainage are available on the property, and this use will not increase demand.
4. Properly managed warehouses shall not be offensive by reason of vibration, noise, odor, dust smoke or gas. The only vibration felt would be coming from the railroad.
5. The addition of additional storage units on this site will no impact the existing land use surrounding it.
6. The addition of new storage buildings will not cause any negative impacts to public health, safety or welfare.

Staff Recommendations:

Staff recommends that the Planning Board can issue the Special Use Permit to Mr. Mike Miller, doing business as Kincove, LLC with the following Findings of Fact:

1. *The Planning Board has jurisdiction to hear this application for a Special Use Permit as part of its role pursuant to Section 14.3.1.E.3 of the Land Development Standards of the Code of Ordinances for the Town of Waynesville.*
2. *The applicant desires to add storage units to a site that is already being used for storage going back to 1990. Mini-warehouse storage is allowed in the district with a Special Use Permit.*
3. *The described real property is owned by Mike Miller, doing business as Kincove LLC and Mr. Miller has standing to pursue this application. Mr. Miller has a similar operation in Clyde, NC.*
4. *Proper notice of the hearing was posted and published as required by North Carolina General Statutes and by the Town of Waynesville.*
5. *The proposed Special Use as described in the application and as shown on the conceptual site plan meets the minimum requirements of the C-I District.*

6. *The proposed Special Use Permit meets the 6 standards and requirements of a Special Use District and is not detrimental to the public health, safety, and welfare.*

Suggested Actions

1. Motion to adopt the recommended Findings of Fact provided (or as amended) in the staff's recommendation to the Board.
2. Motion to recommend approval (or approval with conditions, or denial) of the Special Use Permit.

**Mike Miller
Jones Cove Road
Clyde, NC 28721**

Mr. Miller said that he was granted a zoning variance in 2014 for this property. Due to health issues, he was delayed in proceeding with the request for the Special Use Permit for additional storage facilities. He stated a storage shed is located on the southwest corner of the property, adjacent to the railroad tracks, and this building would be demolished. On the northwest corner of the property is another 60 X 60 building that had wind damage and the metal roof had to be replaced recently. The new storage buildings will be painted to match the existing buildings. Mr. Miller estimates between 130 and 140 new buildings to be placed on the site. About 110 of the units will be without temperature controls, and the remainder will be temperature controlled, housed in the existing brick and block structure. These units will closely resemble Mr. Miller's facility in Clyde, and will be state of the art. Cameras and alarms will be installed in the units and can be monitored 24 hours a day.

Board Member Robert Herrmann had questions for Mr. Miller concerning what would be allowed to be stored in the units. Mr. Miller explained that someone would be on site at the units from 6:00 am until 9:00 pm, and after that the gates are secured so no one is allowed to enter. Mr. Miller explained to the Board that background checks are preformed on all tenants, and there are specifics in the contracts as to what can and cannot be stored in the buildings.

With no further comments, questions or rebuttals, Chairman McDowell closed the Public Hearing at 5:58 pm.

A motion was made by Board Member Anthony Sutton, seconded by Board Member Bucky Dykes, to adopt the Staff recommended Findings of Fact as presented. The motion passed unanimously.

A motion was made by Board Member Anthony Sutton, seconded by Board Member Bucky Dykes, to approve the Special Use Permit for the property located at 33 Bennett Street, PIN 8605-83-6614. The motion passed unanimously.

C. OLD BUSINESS

1. Revised Draft of Signage Ordinance for Planning Board Comment and Review

Chairman McDowell asked Ms. Teague to give background information on the proposed text amendment to the Land Development Standards regarding Political Signs. Ms. Teague stated that because of a decision issued in June of 2015 by the U. S. Supreme Court, local governments must amend any content-specific regulations within local sign ordinances.

Ms. Teague referred to the preliminary revision provided in the agenda packet. She said in this revision, the content driven requirements have been taken away from the ordinance, while still trying to stay true to the ordinance goal of trying to avoid the clutter of unnecessary signage.

The Board had questions concerning the allowance of only one sign per street frontage. The Board had lengthy discussion concerning whether the ordinance should be revised to allow more than one temporary sign, or allowing several signs which equal the 16 square feet per property. Board Member Anthony Sutton made the point that he was concerned about property owner's rights to be able to place political signs on their property.

After much discussion, it was the consensus of the Board to delay any decision at this point, and to discuss a revised draft of the Text Amendment at a Public Hearing that will be held at the next meeting in December.

D. CALL ON THE AUDIENCE

No one spoke

E. ADJOURN

With no further business, a motion was made by Board Member Robert Herrmann, seconded by Board Member Bucky Dykes, to adjourn at 6:39 pm. The motion passed unanimously.


Patrick McDowell, Chairman


Eddie Ward, Deputy Clerk