



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 (Chairman)

Planning Board Members

Marty Prevost

Robert Herrmann

Jason Rogers

H.P. Dykes, Jr.

Don McGowan

Ginger Hain

Susan Teas Smith

Robert M Blackburn

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

Regular Meeting

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

June 15, 2020

Development Services

Director

Elizabeth Teague

The Waynesville Planning Board held a regular held meeting on June 15, 2020, at 5:30 pm in the board room of the Town Hall, 9 South Main Street, Waynesville, NC.

The following members were present:

Patrick McDowell (Chairman)

Marty Prevost

Robert Herrmann

Ginger Hain

Susan Teas Smith

H.P. Dykes, Jr.

Don McGowan

Robert M Blackburn

The following members were absent:

Jason Rogers

The following staff members were present:

Bryon Hickox, Land Use Administrator

Jesse Fowler, Planner

Esther Coulter, Administrative Assistant

Representatives for the application:

Preston Kendall, Ingles Markets

Patrick Rivers, PE

Martha Bradley, Attorney

Chairman Patrick McDowell called the meeting to order, welcomed everyone, thanked them for coming and asked Land Use Administrator Mr. Byron Hickox of Development Services if there were any calendar adjustment or announcements. Mr. Byron Hickox reminded the board of the special called meeting on June 29, 2020, to hear the Special Use Permit application for Shining Rock Classical Academy.

A motion was made by board member Don McGowan, seconded by board Member H.P. Dykes, Jr, to approve the minutes of the February 10, 2020 board meeting. The motion passed unanimously (8-0).

Public hearing to consider a Conditional District map amendment at 856 Russ Avenue

(PINs 8616-22-9503 and 8616-33-7082), 135 Barber Boulevard (PIN 8616-32-2336), 259 Barber Boulevard (PIN 8616-32-8401) and outparcels (PINs 8616-32-4011 and 8616-21-8928), and 75 Barber Boulevard (PIN 8616-22-6393) to expand and amend the Russ Avenue Regional Center Conditional District (RARC-CD).

The Chair opened the public hearing and asked staff to come to the podium.

Byron Hickox introduced himself and provided his staff report.

Mr. Hickox explained that this project will expand the Ingles Shopping Center within the existing footprint of their conditional district designation and increase it by adding the former Barber residence and orchard property. This request also includes a pylon sign within an easement on the property currently holding Chick-Fil-A and owned by Swannanoa Valley LLC. If approved, the Ingles Russ Avenue Regional Center Conditional District (RC-CD) would be expanded and amended specifically to the proposed Master Plan.

According to the Town of Waynesville's Land Development Standards, Section 15.15: "Conditional Districts (Section 2.6) are districts with conditions voluntarily added by the applicant and approved in a legislative procedure by the Board of Aldermen in accordance with G.S. 160A-382. Conditional Districts provide for orderly and flexible development under the general policies of this Ordinance without the constraints of some of the prescribed standards guiding by-right development." Mr. Hickox explained that Conditional Districts are handled in the same way as a text and map amendments. The Planning Board makes a recommendation to the Board of Aldermen, who then hold a second public hearing, have to adopt a statement of consistency, and then approve, deny, or approve with conditions the application. The Planning Board's recommendation should consider:

- If the proposed use is compatible with surrounding properties,
- Area impacts and adequate facilities, infrastructure, etc.
- Building and site design, and Compatibility to the immediate context.

If approved, the site plan and CD designation replaces any conflicting regulations which would otherwise apply. The board may therefore recommend "reasonable and appropriate conditions including, but not limited to the location, nature, hours of operation and extent of the proposed use." Such conditions or additional standards of the board "shall be limited to improving conformance with the existing ordinance and/or addressing expected impacts generated by the development and use of the site," The applicant will have a reasonable opportunity to consider and respond prior to final action by the board.

Plan was reviewed by the Technical Review committee on January 29, 2019 and revised plans and complete application were submitted February 26, 2020. Notification of this hearing was scheduled for advertisement in the Mountaineer on March 4 and March 11, 2020 letters were sent to property owners within 500 feet of the project site on March 5-6, 2020, and the property was posted March 5, 2020.

Mr. Hickox explained that the project will cover 35.44 acres, of which 23.89 is already part Of the Conditional District Master Plan, expanding the shopping center toward the Garrett-Hillcrest cemetery.

The applicant has provided an environmental survey, a master plan and elevations in accordance with the major site plan application requirements, a map amendment application, proof of unified control over the property, a project narrative and a completed Statement of Consistency Worksheet indicating belief in the project's reasonableness and consistency with the Land Use Plan. The application and plan cover the extent of the conditions and requests being submitted as part of the design and the text amendments as would apply to the area of the Master Plan, including:

1. Section 5.10.3.C.2 — Applicant requests building glazing spacing of more than 20' for the structure labeled as Retail #3 and #4 on the site plan submittal.
2. Section 8.6.2.B — Applicant requests alternative compliance to allow interior parking lot plantings greater than 40' of each parking space to allow for underground retention. Applicant has agreed to supplement additional plantings in existing landscaped islands and along the boundary with the cemetery.
3. Section 9.3 — regulates the Permitted Parking Locations on new development or redevelopment, and the applicant is using the Conditional District Rezoning request instead of applying for a Special Use Permit in order to allow parking to be located in the front of the buildings to be consistent with what has already been permitted.
4. Section 11.6,1 and 11.7.I.E — Applicant requests allowance for an additional Regional Center Ground Sign exceeding 48 s.f. in area, 8' in height, and the limit of one sign per street frontage.

Mr. Hickox explained that the subject property lies within the Russ Avenue Regional Center District (RA-RC), and read the purpose and intent statement for RA-RC. (LDS 23.7 C.) The Regional Center District has no maximum density, building footprint, or lot standards. Plan exceeds the minimum set back requirements (10' side setbacks, 6' rear, and 6' between buildings). Closest buildings to a property line are Retail which is 80' from boundary with the cemetery, and the existing gas express which is approximately 55' from the existing Home Trust Bank. Building height is limited to 4-5 stories. Project proposes single-story, commercial uses only. (LDS 2.4.1)

Project proposes general commercial uses, specifically retail, personal services, and a car wash which are all permitted in the RA-RC District. The car wash meets the supplemental standard that it be greater than 75' from boundary lines of any adjoining residential property. The development will require a Transportation Impact Analysis (TIA) and developer submitted a letter from a qualified traffic engineering firm and committed to implementing the requirements of those results. (LDS Sections 2.53 and Supplemental Standards 3.5.6 and 3.5.9, 6.10)

Mr. Hickox continued by referencing the site plan and explained that the buildings address an internal roadway system of Barber Boulevard, Frazier Street interior drives and parking lots. Interior driveway widths range from 20' to 25' and provide access to parking areas and to accommodate emergency vehicles. Proposed buildings will be served by expansions of existing parking lot and two newly created parking lots coming off Frazier Street. (LDS 4.3.1) Sidewalk is provided along the frontages of proposed new buildings with connecting sidewalk running between the driveways at Barber Boulevard and Frazier Street. Additional connecting sidewalk segments should be supplemented to connect RETAIL #3 and #4, to Frazier Street. (LDS 6.8 and 9.4.4) A transit stop is already provided, and Haywood Transit stops at the Ingles store on daily routes. The development team has agreed to locate a second transit stop to serve the RETAIL #3, #4, #15, and #16 in coordination with Haywood County Transit. (LDS 6.4.3)

Mr. Hickox added that as part of the NCDOT Russ Avenue improvement project, existing sidewalk along Russ Avenue will be replaced and the width of Frazier Street will be widened to include an additional turn lane. The proposal uses the existing three access points to Russ Avenue (Frazier Street, the access Road between the bank and Chick-Fil-A, and Barber Boulevard) and the existing Barber Boulevard access at Howell Mill Road. Since Russ Avenue and Howell Mill are state rights-of-way, the developer must submit a Traffic Impact Analysis to NCDOT to evaluate if any additional traffic control requirements are needed for these access points to accommodate the expanded use of the site. The Russ Avenue project will also take a portion of the out-parcel now holding the Ingles current monument sign. Ingles' team has met with NCDOT to address changes to the Russ Avenue right-of-way and their proposal reflects the NCDOT project changes along the right-of-way. The Russ Avenue improvement project is currently scheduled to let in May of 2021.

All major development must place utilities underground and meet Duke Energy's standards. Site is served by Town water and sewer. There are 4 existing hydrants on site (3 that are within the current Ingles Shopping Center plan and 1 that is inactive on the Barber property and which the Town is re-activating) and the developer has agreed to add more in the area of RETAIL #3 and #4. Additional hydrants may be required by the Fire Chief as part of building permits. (LDS 6.11.1-5)

Development will require a State Land Disturbance Permit and Will have to comply with the Town's Stormwater Ordinance. Stormwater will be managed by existing management measures already in place within the Shopping Center, which include two retention pond facilities, and are planned within new proposed parking lots. The stormwater management plan and facilities shall be submitted to the Town Engineer for review and approval. (LDS 6.11.6, 12.4 and 12.5)

Mr. Hickox stated that the project is laid out to expand usage of the existing parking areas and site lay out originally permitted as part of the Conditional District Plan approved in 2011 and then revised in 2017. Elevations reflect a continuation of the same architecture style of the existing shopping center. The commercial building type provides convenient automobile access from the fronting thoroughfare, while minimizing impacts of parking lots on an active pedestrian realm. The uses permitted within the building are determined by the District in which it is located. The Commercial Building typically has four yards (front yard; two side yards; and rear yard) and can accommodate a limited amount of parking in the front yard with the remainder to the side and rear of the building.

Mr. Hickox then discussed design guidelines, stating that the proposed buildings appear to meet the Commercial Building Design Guidelines. Materials are primarily standard brick, stacked stone, and cementitious fiber board. Concrete masonry units (CMU) and exterior insulation finishing systems (EIFS) are used as secondary building materials. The heavier materials are placed below the lighter materials as required. (LDS 5.10) The buildings seem to meet and exceed the transparency zone standard, which requires that at least 50% of the length of the building's street side be designed with glazing. But the LDS prohibits blank walls or windowless spaces facing streets or public. Civic spaces such as parking lots in expanses greater than 20 feet in length. Buildings 1, 2, 3, and 4 appear to have sections of windowless walls greater than 20 feet. However, these particular building facades will be facing interior parking areas and are portions of building facades that appear to exceed the overall 50% requirement for transparent glazing. Additionally, on the side Barber Boulevard side of Buildings #3 and #4, the site plan indicates a row of shops breaking up the frontage of the 'old Belk building' to create multiple store fronts that

eliminate current nonconformity of the existing building. Additionally, the development is introducing a secondary frontage to that building where now there are now openings. (LDS 5.10.3)

Mr. Hickox then discussed the proposed landscaping. In compliance with the LDS, the developer is proposing a landscaped parking lot screen along the northern boundary of the development. This screen consists of a dense evergreen hedge and canopy trees planted with a maximum spacing of 30' on center. This landscaping is intended to screen adjacent properties from car lights and glare. Interior parking lot planting standards require that no parking space be located more than 40 feet from a shade tree. There are 308 proposed spaces in the new parking areas. Of these 308 spaces, 70 spaces are further than 40 feet from a shade tree. However, in some areas of the parking lots, this is because of underground retention areas that capture stormwater and existing utilities. The applicant is seeking alternative compliance to the landscaping ordinance in order to have flexibility in the location of shade trees relative to parking spaces. Staff has asked that in lieu of meeting the performance standard of all parking spaces being within 40' of a parking spaces, the developer should provide additional plantings in other locations such as along entryways and on other landscaped islands where feasible. Applicant is preserving some of the existing tree line between the development and the abutting cemetery and additional trees are desirable within this area as well. All landscaped islands within the parking areas are curbed. (LDS 8.2.4 and 8.6)

Mr. Hickox continued by discussing the required parking standards which require one space for every 600 square feet of general commercial space. The site plan proposes a total of 798 spaces of which 603 are already existing. This comes to a parking ratio of 1 space for every 325 square feet, exceeding the requirement. (LDS 9.2) Parking is located at the interior of the project and over 200' from the right-of-way of Russ Avenue and is arranged to provide 6 distinct parking lot areas connected by internal drive aisles and driveways that provide circulation connecting to Frazier Street and Barber Boulevard. Parking spaces and layout meets the requirements for layout and circulation. (LDS 9.4.2) Parking areas include sidewalks and crosswalks that generally meet Town requirements for internal pedestrian circulation and staff has asked for additional internal crosswalks and connections to ADA parking spaces. (LDS 9.4.4) Additionally, one bicycle parking space is required per 20 auto spaces. With 308 new auto spaces proposed, 14 bicycle spaces are required. These bicycle spaces are not shown on the current plan but should be added when best rack locations are determined. (LDS 9.5)

Mr. Hickox explained that lighting for the parking lots, buildings, and driveway entrances shall be submitted to Town staff for approval and must comply with the Town's Land Development Standards (LDS 10).

Mr. Hickox explained that because of the size, scale, and number of new businesses proposed within this new development, the applicant is proposing a large monument sign 194.2 square feet in area and 22 feet 11 inches tall to be located at the intersection of Russ Avenue and Frazier Street. The proposed sign does not meet the location or size standards for the following reasons: (1) Off-premise signs are prohibited. This sign would be located on the existing Chick-Fil-A property and would contain signage for several business located on separate parcels. (2) The maximum size for a master development sign for developments 5 acres or greater is 160 square feet and 25 feet tall. As previously noted, at 194.2 square feet, the proposed sign exceeds this maximum area by 34.2 square feet. Additionally, only one master development sign is permitted per street frontage. Therefore, even if the Chick-Fil-A parcel was combined with the others to create one large lot, this proposed sign would be the second master development sign located along the Russ Avenue frontage. The developer's proposal contends that:

- This particular sign design will provide wayfinding information to potential customers and is needed because of the increase in the number of businesses within the expanded development.
- Many of the new buildings will be obscured by the existing bank, Chick-fil-a and Ingles Gas/mini Mart. their buildings and will not be visible from Russ Avenue.
- This sign will serve the businesses associated with the Frazier Street entrance and on the expanded Conditional District area which is on a separate lot.
- The proposed sign at Frazier Street would be approximately 500 linear feet from the current sign location at the other entrance at Barber Boulevard.
- This signage request is a unique allowance as part of the Conditional District Ordinance in order to accommodate the scale of the overall development and the number of businesses it will hold.

Mr. Hickox addressed environmental issues on the site. He stated that the proposed development is not located within a flood hazard area. (LDS 12.3) There are two known streams on the development site. One is spring-fed and runs along the eastern property line. The second flows through a 72" underground concrete pipe connected to the Russ Avenue stormwater system. There are no known streams that flow through the area of proposed construction. The site has no known endangered species. The site has no known wetlands. The total proposed impervious area is 21.83 acres or 61.4% of the total site, of which 18.86 acres is already built upon. 13.71 acres or 38% of the site at build out will remain pervious. To compensate for this substantial change, stormwater retention is required. Stormwater systems must be designed to meet the standards of the North Carolina Department of Environmental Quality and the Town of Waynesville, (LDS 12.5)

Mr. Hickox recommended that this Conditional District request could be considered as consistent with the Town of Waynesville's 2020 Land Development Plan in that it:

- Re-uses and improves an existing commercial site promoting the "orderly growth, development and enhanced land values of the Town" (4-2 Land Use).
- Is considered "infill development in the Town of Waynesville as an alternative to continued outward expansion." (4-4)
- "Concentrates commercial development with residential development along transportation corridors..." (4-3 Land Use)
- "Develops alternative transportation opportunities" (4-9 Transportation)
- "Promotes the reuse of vacant or under-utilized industrial and commercial sites through the use of incentives . . ." (4-19 Economic Vitality).

He added that staff recommends that this project is reasonable and in the public interest in that it:

- Builds out an existing shopping center
- Re-uses the Barber residence and orchard site, cleaning out an area that is currently blighted and a source of policing concerns
- Creates new economic opportunities that will create jobs and additional tax revenue for the Town
- Focuses high intensity development near access to the Expressway and on a major transportation corridor.

Mr. Hickox asked that the Planning Board make their own determination of findings using the work sheet attached.

Attorney Martha Bradley introduced herself, Preston Kendall of Ingles Markets, and Patrick Rivers, engineer. Ms. Bradley stated that if there were any questions on traffic that they will try to answer but must rely on NCDOT. She started with an overview of the redevelopment of Ingles project that will result in 100,000 square feet of new commercial space. They want to build two additional buildings right beside the current Ingles, for retail stores. Then adjacent to the current Ingles they want two additional buildings that will also be retail stores. There will be a car wash adjacent from the gas station. They want two additional retail buildings with the entrance off Frasier Street. She then moved to the old Belk building she explained they were going to build onto the front of the building for additional retail shops and the back of the building will be two retail stores with entering from Frasier Street to the front of that building. The team answered various questions from board members including verification of crosswalk and transit stop locations.

Mr. Kendall mentioned that Ingles is proposing more sidewalks throughout the complex than the Town requested. They are not sure of how much of Russ Avenue the NCDOT is going to take with the improvement project along Russ Avenue and so are asking for a variance with the landscaping. Ingles is proposing roads and parking lots throughout the complex along with extra speed bumps to slow traffic down. Walls are being added behind the gas station and on both sides of Frasier Street. Mr. Kendall continued to say that they propose to move the current bus stop and add another stop on the other side of property. Mr. Kendall brought up more details about the new sign and how it will have all the business names including Chick-Fil-A. The existing Chick-Fil-A sign will be taken out by the NCDOT project.

Several board members expressed concern with the sign being too large. There was discussion with Mr. Kendall addressing the issues with them. There was additional discussion regarding traffic flow along Frazier Street because of traffic associated with Chick-Fil-A. Chairman Patrick McDowell stated that the latest version of the Russ Avenue plan that he saw from NCDOT shows one left turn off Russ Avenue into Ingles, so that the traffic coming out will turn right, straight, or left turn. There was continued discussion about how Frazier Street would be redesigned by NCDOT as part of the Russ Avenue project.

Mr. McDowell asked if there were any other questions for the applicants. There being none, Mr. McDowell asked if there was any public comments. No one offered comments.

Chairman Patrick McDowell asked if the board had comments concerning the four variances requested by Ingles. Related to design, the board determined that buildings 1 and 2 were the tenants asking for specific requests. Buildings 3 and 4 variance requests are due to reusing the original structure. Attorney Ron Sneed advised the board on structuring the motions.

Mr. McDowell asked the board if the proposed project is consistent with the Comprehensive Plan. There was some board discussion and agreement with staff recommendations.

A motion was made by Board Member Robert Blackburn that it's consistent with using the staff's recommendation for the Town's comprehensive land use plan. Second by Board Member Robert Herrmann. The motion passed (7-1).

A motion was made by Board Member Susan Teas Smith that it's reasonable and in the public interest using the staff's recommendation. Second by Board Member H.P. Dykes, Jr. The motion passed (7-1).

Mr. McDowell asked the board if they felt the plan should be approved as presented.

A motion was made by Board Member Marty Prevost to move forward as presented. Second by Board Member Susan Teas Smith. The motion passed (6-2)

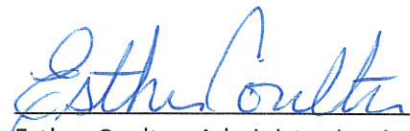
Chairman Patrick McDowell said thank you to the Ingle's team for their presentation. The Ingles team also thanked the board for letting them to present. Chairman Patrick McDowell closed the public hearing.

Chairman McDowell then asked Planner, Jesse Fowler to address the board regarding the Comprehensive Plan. Mr. Fowler summarized all the changes to the plan draft based on recommendations from the board. Mr. Fowler provided a handout that listed the various changes and went through them. The board decided to postpone discussion and possible recommendation of the Comprehensive Plan to the Board of Aldermen until their next meeting. Mr. Fowler advised the board that the Comprehensive Plan will be used in the future to guide updates to the Land Development Standards. Mr. Fowler added that the state legislature has updated the North Carolina General Statutes regarding local zoning authority with the passing of 160D and there will be updates to the LDS as a result. Attorney Ron Sneed explained that these changes to ordinance will be due July of 2021.

With no further business, a motion was made by Board Member Marty Prevost, seconded by Board Member Robert Blackburn to adjourn the meeting at 7:44 p.m. The motion passed (8-0)



Vice, Chairman



Esther Coulter, Administrative Assistant