

TOWN OF WAYNESVILLE
COUNTY OF HAYWOOD

BEFORE THE WAYNESVILLE
PLANNING BOARD

In the Matter of the Application of)
MOUNTAIN HOUSING OPPORTUNITIES, INC.)
for a Major Site Plan Approval)
)
)
_____)

ORDER APPROVING MAJOR
SITE PLAN

THIS CAUSE, coming on to be heard before the Planning Board for the Town of Waynesville in the Town Hall Board Room at 9 South Main Street in Waynesville, North Carolina, on March 15, 2021, on the Application of Mountain Housing Opportunities, Inc., for approval of a major site plan for the development of 7 properties at the intersection of Howell Mill Road and Calhoun Drive, Waynesville, North Carolina.

Seven members of the Planning Board attended in person and one attended remotely via Zoom. Elizabeth Teague, Planning Director, appeared for town staff, Wyatt Stevens attended as attorney for the applicant and Warren Sugg, engineer, led the presentation for the applicant. Elizabeth Teague presented the application as it was submitted and testified as to the matters in the application, noting which requirements for major site plan applications were contained in the application packet, and Warren Sugg made the initial presentation for the applicant. Adeline Wolfe of Mountain Housing Opportunities, Inc., appeared and testified, as well as Chad Askew, Housing Studio architect. No member of the public in attendance in person or remotely asserted that they had standing such that they might participate as parties.

The Planning Board of the Town of Waynesville, having heard the testimony and having reviewed the evidence, makes the following

FINDINGS OF FACT

1. The Planning Board has jurisdiction to hear this application for major site plan approval pursuant to Section 14.3.1.E.1 of the Land Development Standards of the Code of Ordinances for the Town of Waynesville (hereafter called the Land Development Standards or LDS.)
2. Proper notice of the hearing was posted, published and mailed as required by the North Carolina General Statutes and by the ordinances of the Town of Waynesville.
3. The Applicant has an option to purchase that real property located at the intersection

of Howell Mill Road and Calhoun Drive in Waynesville, North Carolina, consisting of seven parcels being identified on the Haywood County tax maps as PIN numbers 8616-42-3466, 8616-42-6671, 8616-42-6329, 8616-42-5167, 8616-42-4173, 8616-42-5404 and 8616-42-3089, together comprising an area of 5.29 acres. This property is in the Town's Extraterritorial Jurisdiction and urban services boundary.

4. Applicant proposes to construct three multi-family buildings, a clubhouse, playground and open spaces for passive recreation, providing 84 living units in the three multi-family buildings.

5. The property is in the Howell Mill Urban Residential zoning district, and multi-family developments are allowed as a matter of right in that district, subject to approval of the major site plan by the Planning Board, as required by Section 15.8.2 of the Land Design Standards ("LDS").

6. The applicant as part of its application did provide an environmental survey in compliance with Section 15.4.1 of the LDS, a master plan in compliance with Section 15.4.3 of the LDS and building plans for design review, all as required by Section 15.8.2.D of the LDS.

7. The environmental survey did show that there were no stream buffers, wetland or other environmentally sensitive areas on the property.

8. To obtain approval of this major site plan the Applicant was required by Section 15.8.2. to prove:

- A. The plan is consistent with the adopted plans and policies of the Town; and
- B. The plan complies with all applicable requirements of the LDS; and
- C. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; and
- D. The proposed plan conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site; and
- E. The application will not substantially injure the value of adjoining or abutting property; and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

9. The plan is consistent with the adopted plans and policies of the Town, as the purpose and intent statement for the Howell Mill Urban Residential District does state that "The Howell Mill Road Urban Residential District (HM-UR) is a transitional neighborhood that buffers rural and medium density residential areas from the intense commercial uses found within the Russ Avenue Regional Center District. It is convenient to town and the Recreation Center and served by the multi-modal Howell Mill Road, yet valued for its green spaces, vistas and peaceful character. Future development should build on, and connect to, this transportation infrastructure

and accommodate vehicles, pedestrians and cyclists and be of a residential scale and design. (LDS 2.3.4 C.) Further, The property in the 2035 Land Use Plan is designated for Medium to High Density Residential. Affordable housing development at this location is compatible with the Land Use Plan Goal # 2 of "creating a range of housing opportunities and choices" by encouraging new housing within Waynesville's extraterritorial jurisdiction and promoting a diverse housing stock that includes workforce housing and affordable options that appeal to a variety of households.

10. The proposed development will in compliance with the Zoning Compliance and Dimensional Requirements (LDS Chapter 2-4), as follows:

- A. Multi-family development is permitted outright without supplemental standards in the Urban Residential Districts. (LDS 2.5.3) The HM-UR District allows for up to 16 units per acre, with a minimum setback of 10' from the front and side by adjacent lots, and 5' from the secondary road frontage and the proposed development is within the allowable setbacks. (LDS 2.4.1).
- B. The 16 units/acre density threshold for the district without requiring a special use permit application. This includes the new 84 units plus the single family house in the corner of the development which shall remain. $(85/5.29 = 16.06 \text{ units per acre with "a fraction of a dwelling unit" should be "rounded down to the nearest whole number in accordance with 4.2.1})$
- C. The three residential buildings are designed so that the primary facade of the building is three stories, with a partial understory, and is less than 60' from the peak of the roof to the highest adjacent grade per LDS 2.4.1 and 4.4.2. The Clubhouse is single story.
- D. 5% Civic space is provided in two separate areas to be programmed, plus a playground area adjacent to the clubhouse.
- E. 3.03 acres of the total site will be pervious, or 58%, exceeding the 10% minimum.
- F. The project meets the town's general standards of Chapter 4 as the lot fronts Howell Mill Road with an access road provided, and the buildings primary facades face the shared driveway and parking areas. (LDS 4.3)

11. The project meets the Building Design Guidelines of LDS Chapter 5, as the proposed project meets the following House/Townhouse/Apartment Residential Design Guidelines.

- A. Buildings have sloped roofs with eaves.
- B. Per Section 5.8.5 Facade Design, the clubhouse includes a covered porch with pillars, window trim, and a decorative pattern on the exterior finish of stone and wood, meeting the design guidelines.
- C. Each apartment building's primary elevations and rear elevations facing the public street or common parking areas have required architectural features for Apartment buildings. These include, dormers, gables, recessed entries, off-sets in building face and roof, window trim, and balconies.
- D. Per Section 5.8.6, building walls are variable materials of stone veneer, fiber cement lap siding, and cement shakes. The roof is clad in architectural shingles on a sloped roof.

12. The project as proposed will comply with the Infrastructure (LDS Chapter 6) and Environmental Standards (LDS Chapter 12).

- A. Infrastructure has been designed to meet the requirements of the Town of Waynesville Specifications Manual to connect to Town Water and Sewer. MHO has also made application to the Town for an incentive grant to assist with infrastructure construction. The Town has the capacity to serve the project with water, sewer and power. Staff has also asked for McGill and Associates to evaluate projected future sewer service demand as part of on-going improvements to the Town's sewer plant. Connection to the Town's sewer system will require an annexation request to the Town.
- B. Two fire hydrants and water and sewer lines and connections have been located with Public Works staff approval.
- C. The project will connect to Howell Mill Road with a 20' travel surface. Driveway design is subject ,41') to NCDOT driveway permit and design approval since Howell Mill Road is NCDOT maintained.
- D. Parking lot design has been adjusted to provide greater radii for access road as it enters the parking lot at the request of the fire chief. Parking lot shall be required to meet the curb, gutter, and pavement standards of the Town's Specifications Manual.
- E. Drainage is directed to storm drains which connect to open space and a stormwater control measure at the lower end of property. Development must comply with the town's Stormwater Management Regulations (LDS 12.5) and must be approved by the Town Engineer or his designee. Stream

is to remain undisturbed, meeting the stream buffer requirement and built-upon area requirement, maintaining a 30' buffer landward of the stream. An approved stormwater management plan must be submitted prior to building permit approval.

- F. The project will disturb 5 acres requiring a land disturbance permit from the North Carolina Department of Environmental Quality (NCDEQ) for soil and erosion control.
- G. Property is not subject to floodplain or steep slope regulations.
- H. Development will not generate 3,000 trips per day and so does not require a traffic impact analysis. The Institute of Traffic Engineers (ITE) Manual estimates an average 6-10 trips per day per unit in multi-family development, or 850 trips.

13. The project as proposed will comply with the Civic Space requirements of LDS Chapter 7, as Civic space is provided to "insure convenience to all residents of the development" and are "centrally and internally located so as to serve the needs of the residents of the neighborhood." (7.2.2-3). Civic space will have to meet design detail standards of 7.2.5 when constructed.

14. The project as proposed will comply with the Landscape standards of LDS Chapter 8, with the exception noted below, as the preliminary landscape plan provided provides the following information.

- A. A Type C buffer where development is proximate to existing residential structures.
- B. Street trees are provided along Howell Mill Road 1 canopy tree for every 40'.
- C. Shade trees within parking areas have been provided to comply with the 40' radius requirement of the ordinance.
- D. 12 supplemental shade trees (1 for every 12 parking spaces) are required, EXCEPT THAT it appears the development may require 2 more additional shade trees.
- E. The parking lot edge facing Howell Mill Road is 120' from the road frontage with slope and sidewalk in between and has two shade trees plus an evergreen which should provide adequate screening from the roadway.

15. The proposed project is in compliance with the parking standards and requirements of LDS Chapter 9, with the exception noted below.

- A. Parking spaces meet the town dimensional requirement of 9 x 18. ADA spaces are subject to building code.
- B. Parking lot drive aisles exceed 20' in width
- C. The proposed parking exceeds the Town standard of 1.5 spaces per unit, by providing 144 surface spaces of which 14 are ADA designated.
- D. Interior pedestrian connectivity provided along with sidewalk serving each building along the perimeter and a sidewalk connection to required sidewalk along Howell Mill Road.
- E. Line of sight and design regarding the intersection with Howell Mill Road is subject to the requirements of the NCDOT Driveway permit.
- F. HOWEVER the Master Plan must show bicycle parking accommodating at least 7 bicycles.

16. Other requirements in LDS Chapters 10 and 11 requiring future approval as building permits and other permitting proceeds, but not required for approval of the submitted Master Plan.

- A. A lighting plan will be required for approval by the Town Engineer upon approval of the Master Plan and must comply with the Town's design standards for the UR District (Chapter 10). This will require cut-off lighting that is under 25' for parking areas and directed architectural lighting for buildings and walkways.
- B. If there is to be identification signage for the development along Howell Mill Road, it shall be of a monument style and will require a sign permit from the Town.

17. There is sufficient access to water and sewer to serve the proposed development and the driveway serving the property connects to Shiloh Drive which can handle the additional traffic to be created by the project.

18. The proposed plan conforms to the character of the neighborhood as it is for the development of property for multi-family housing which is a permitted use within in the zoning district, which is located behind an elevated parcel situated so that the height of the buildings is made to look less imposing against the backdrop of the elevated property behind the

development, the orientation of the buildings to the street from which there will be a view of the buildings, and distance the buildings will set back from that street.

19. The planned development will not substantially injure the value of adjoining or abutting property; and will not be detrimental to the use or development of adjacent properties or other neighborhood uses as the use of the property for construction of a hotel is the same as the use of neighboring property and hotels are a permitted use in the zoning district. No testimony was received to indicate otherwise.

20. The plan is consistent with the adopted plans and policies of the Town because the plan is compliant with the Zoning District in which it is located, is consistent with the use and density of the 2035 plan Future Land Use Map, is within the Town's ETJ and urban services boundary, is adjacent to a State maintained thoroughfare and supplements pedestrian infrastructure and supports the 2035 plan goals of creating housing opportunities and choices

21. The plan will comply with all applicable requirements of the ordinances with the addition and/or performance of the following items:

- A. Locate bicycle parking on the master plan.
- B. Verify the number and location of additional shade trees at 12/parking space.
- C. Provide a complete engineered stormwater plan that is approved by the Town engineer or his designee.
- D. Provide completed construction documents that are approved by the Town building inspections Division.

22. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed as there is adequate infrastructure available to meet the demand of the development and the applicant has provided plans which meet the Town's specifications, PROVIDED HOWEVER, that the Applicant must apply for annexation to the Town for sewer connection.

23. The proposed plan conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site, as the development is of a residential architectural character and complies with the Town's design guidelines and zoning, the most visible portion of the lot at the corner of Howell Mill Road and Calhoun Drive shall remain un-disturbed and the existing single-family home will be preserved and a type C buffer is provided where the development is facing residential properties.

25. The application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other

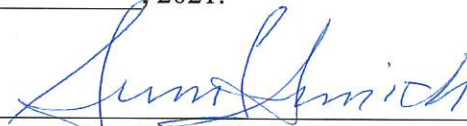
neighborhood uses, as the development will replace empty, dilapidated buildings with new development, the development will supplement sidewalk and landscaping along Howell Mill Road, the buildings as proposed will be set back away from the road to lessen the visual impact of the development and the development will not impede the use of other uses within the area.

BASED UPON THE FOREGOING FINDINGS OF FACT, by a vote of 8 to 0, this Board concludes as a matter of law that the Applicant's major site plans should be allowed, conditioned on additional buffering to be installed along the west property line.

IT IS NOW, THEREFORE, ordered that the major site plan application of Mountain Housing Opportunities, Inc., be and is hereby approved, on the condition that the plan be amended, supplemented or conformed to the ordinance requirements and contingencies as follows:

- A. Locate bicycle parking on the master plan.
- B. Verify the number and location of additional shade trees to insure the installation of the required number of trees for the proposed number of parking spaces.
- C. Provide a complete engineered stormwater plan that is approved by the Town engineer or his designee.
- D. Provide completed construction documents that are approved by the Town building inspections Division.

This the 7th day of April, 2021.



Susan Teas Smith, Chairman

If you are dissatisfied with this decision of the Board, an appeal may be taken to the Superior Court of Haywood County within 30 days after the date this order is received by you.