



TOWN OF WAYNESVILLE Planning Board

9 South Main Street Suite 110
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492

Susan Teas Smith (**Chairman**)
Ginger Hain (**Vice**)
Stuart Bass
John Baus
Michael Blackburn
Jan Grossman
Peggy Hannah
Tommy Thomas
Barbara Thomas

Development Services
Director
Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

Special Called Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786
Monday January 9th, 2023

THE WAYNESVILLE PLANNING BOARD held a Special Called Meeting January 9th, 2023, at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC. 28786.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

The following members were present:

Susan Teas Smith (Chairman)
Ginger Hain (Vice Chairman)
John Baus
Stuart Bass
Peggy Hannah
Jan Grossman
Barbara Thomas
Tommy Thomas

The following members were absent:

Michael Blackburn

The following staff members were present:

Elizabeth Teague, Development Services Director
Byron Hickox, Land Use Administrator
Esther Coulter, Administrative Assistant

Chairman Susan Smith called the meeting to order at 5:33pm and welcomed everyone and asked Development Services Director Elizabeth Teague if there were any announcements. Ms. Teague stated the next meeting is February 20th, 2023. She indicated that an applicant has asked if the Board would consider holding a special called meeting for a text amendment so that they would

not have to wait until February 20. Mr. Au is in the audience and has asked to speak at public comment. The Board agreed to allow Mr. Au to speak.

Greg Au
Maggie Valley, NC

Mr. Au stated he would like to open a tattoo business and is licensed by the Health Department. He and his family have been in Waynesville for four years and want to open a personal studio which would operate by appointment only. He is making an application to allow tattoo art as part of the definition for personal services.

One of the board members asked to define permanent make-up. Mr. Au stated eyebrows like microblade, cosmetic lips, men with hair loss get follicle treatment. Chairman Susan Smith thanked Mr. Au.

A motion was made by Chairman Suzan Smith, seconded by Board Member Tommy Thomas to Call for a special called meeting on January 30, 2023, to be held at 6:00pm. The motion passes unanimously.

The Chair then asked the Board to consider the minutes from October.

A motion was made by Board Member Jan Grossman, seconded by Board Member Ginger Hain to approve the October 17th, 2022, minutes as presented or amended. The motion passes unanimously.

B. BUSINESS

1. Map Amendment (rezoning) request for property at 465 Boyd Avenue (PIN 8605-96-8882) from Hazelwood Urban Residential (H-UR) to Hazelwood Urban Residential Mixed-Use Overlay (H-UR-MX) District.

Chairman Susan Smith read through the legislative procedures then asked Mr. Byron Hickox, Land Use Administrator to give his presentation and recommendation according to the 2035 Comprehensive Plan. Mr. Hickox explained that the property has been a residential care facility since 1973 and is zoned Hazelwood Urban Residential, in which residential care facilities would only be allowed with a special use permit. It would be allowed to continue as a legal non-conforming use. Mr. Crawford has been approached by potential buyers interested in re-using the building. He is requesting an overlay for the 1.1-acre property to allow re-use of the existing building. Mr. Hickox read the purpose and intent statement for the district which states that “limited, non-residential uses supporting the community are permitted if contributing in scale, design and use to the area.”

There was discussion related to the property location within the railroad corridor being studies for a mixed-use district pursuant to the Comprehensive Plan. Board discussed that the property is on

a corner lot and adjacent to Richland Creek, and Boyd Avenue which is a cut-through to Sulphur Springs Road. The board members asked questions about the allowed uses at the present time.

The applicant's Attorney, Frank Queen gave a little history of the facility. His father built the facility in 1973 and his grandmother operated the home care center for about 25 years. Mr. Queen stated the potential buyers are KARE, INC a kids advocacy resource effort. The intent of the building is to move their offices from North Main to Boyd Ave.

Executive Director of Kare, Savannah Anders explained that they are Haywood Counties Children's Advocacy Center. They work with 200 to 300 children and families dealing with child abuse or neglect allegations. They provide forensic interviews and child medical evaluations. They hope to provide more counseling services on-site within the new building.

Attorney Anna Stearns advised the Board about being cognizant to some of the limitations on applying zoning regulation to a specific parcel that either restrict the use of that parcel in a way that is completely different from the parcels around it or relieve that parcel of some of the restrictions that everyone around it has. Examples were given.

Property owner, Arron Crawford, expressed that he did not believe that the building would be able to stay a residential facility, but that the property would work for Kare's offices and counseling services without many changes to the building. He noted that it has its own off-street parking lot and the edge of the parking lot to the creek could not be built on for it's in the flood plan.

**Evan Boyer
Waynesville, NC**

He is concerned that if it's zoned for personal services, it could be medical offices and down the line it could become a Methadone Clinic.

Chairman Susan Smith Closed the hearing at 6:34.

Board discussed uses that are currently allowed within existing overlay areas of the Hazelwood Urban Residential District. John Baus stated that he had concerns about allowing all of the allowable uses in the overlay at that location but would support re-use of this building for counseling services. Staff and Board discussed varying the overlay districts allowable uses at this location in consideration of the adjacent residential properties. Mr. Baus indicated he thought applying a more narrow list of permitted uses within the overlay was appropriate at this location to allow an important community service to re-use an existing building. Also, the proposed use would be similar in impact to what is there now. There was general discussion by the Board.

A motion was made by Board Member John Baus, seconded by Board Member Peggy Hannah to create an overlay district number three limited to professional services as defined in the code is consistent with the Land Use Development. Chairman Susan Smith amended the motion to add that exclusion of restaurants is consistent with the nature of the neighborhood and the comprehensive plan. The motion passes unanimously.

A motion was made by Board Member John Baus, seconded by Chairman Susan Smith to recommend the approval of the map amendment to the Board of Alderman as overlay district number three, limited to professional service. The motion passes unanimously.

2. Update on Railroad Corridor Committee

Elizabeth Teague reported for Olga Grooman that the Railroad Corridor Study Committee are Susan Smith, Michael Blackburn, Stuart Bass, Travis Crisp, Danny Wingate, and Staff members. The Committee will hold a meeting Monday January 23, at 10:30am. The Committee will be considering positive or negative opportunities for land use along the railroad track corridor.

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

Chairman Susan Smith opened the public Comment at 6:47.

**Frank Queen
Waynesville, NC**

Mr. Queen stated he has been a real estate lawyer for 42 years and talked about History of the Railway. He stated that he is glad that the town Planning Board is looking at this area. The Railroad right-of-way was created by an act of the legislator in the 1800's from Salisbury to Asheville. The right-of-way consist of 100 feet on either side from the center of the tracks. He stated that the property is owned by the individual property owners and the Railroad only owns the right-of-way.

Chairman Susan Smith closed the public comment at 6:58.

D. ADJOURN

A motion was made by Board Member Jan Grossman, seconded by Board Member Barbra Thomas to adjourn the meeting at 7:04pm. The motion carried unanimously.

Susan Smith, Chairman

Esther Coulter, Administrative Assistant