



Town of Waynesville

AGENDA
REGULAR MEETING
PLANNING BOARD
TOWN OF WAYNESVILLE
TOWN HALL – 9 SOUTH MAIN STREET
MAY 21, 2012
MONDAY – 5:30 PM

1. Call to order
2. Approval of Minutes of February 20, 2012
3. Public Hearing: Consider request from Wanda S. Brooks for amendment to the Town of Waynesville Zoning Map – PIN 8605 80 2744 located at 154 Hemlock Street (0.3 acre) – from Hazelwood Urban Residential (H-UR) to South Main Street Business District (SM-BD)
4. Reorganization of Planning Board members to comply with Land Development Standards
5. Adjournment

REGULAR MEETING
TOWN OF WAYNESVILLE
PLANNING BOARD
TOWN HALL - 9 SOUTH MAIN STREET
FEBRUARY 20, 2012
MONDAY - 5:30 PM

The Planning Board held a regular meeting on Monday, February 20, 2012. Members present were Lee Bouknight, Ron Reid, Marty Prevost, Don Stephenson, Gary Sorrells, Brooks Hale and Chairman Patrick McDowell. Also present were Planning Director Paul Benson, Land Use Administrator Byron Hickox, and Administrative Assistant Eddie Ward. Chairman McDowell called the meeting to order at 5:30 pm.

Approval of Minutes of January 17, 2012

Gary Sorrells moved, seconded by Brooks Hale to approve the minutes of January 17, 2012 as presented. The motion passed unanimously.

Public Hearing: Consider Amendment to the Land Development Standards, Chapter 12, Section 12.3 Flood Damage Prevention Ordinance to enact changes as required by the Federal Emergency Management Agency

Chairman McDowell asked Paul Benson to introduce Byron Hickox, Flood Plain Administrator for the Town of Waynesville, to present the Flood Damage Prevention Ordinance. Mr. Hickox stated the process for flood mapping in the State of North Carolina has been ongoing for many years. Now, after many years of appeals and changes by the State, the maps are official. All local governments that participate in the National Flood Insurance Program (NFIP) are required to adopt a new Flood Damage Prevention Ordinance (FDPO) in order to continue participation in the NFIP.

Mr. Hickox explained to the Board the FDPO could be described as an expansion of the current flood ordinance. Much of the expansion is the result of many of the explanations being lengthy and detailed versus being brief and concise. There were three major additions contained in the proposed FPPO:

1. A definition section has been added. This clarifies much of the technical terminology.
2. A detailed section regarding variance procedures has been added.
3. A section explaining the process for corrective procedures has been added.

Mr. Hickox feels the more lengthy ordinance is an advantage because it clears up some of the vagueness in the previous ordinance.

Some of the changes in the flood maps include widening along the one hundred year floodplain along Richland Creek, Old Balsam Road, South Main Street and Browning Branch Road. New floodplain areas have been mapped showing base flood information for Hyatt Creek Road and Plott Creek Road. Mr. Hickox said the flood maps could be viewed or downloaded at ncfloodmaps.com

Chairman McDowell opened the Public Hearing, and asked if anyone would like to speak. With no public comments, a motion was made by Gary Sorrells to amend the Land Development Standards, Chapter 12,

Section 12.3 Flood Damage Prevention Ordinance to enact changes as required by the Federal Emergency Management Agency. The motion was seconded by Lee Bouknight and carried unanimously.

Amendment to the Land Development Standards, Chapter 2, Section 2.5.3 Table of Permitted Uses to add Government Services as a Permitted Use Within the Dellwood Residential Medium Density Mixed Use Overlay (property within 500 feet of Russ Avenue)

Mr. Benson explained that Haywood County owns a building located at 81 Elmwood Way, formerly known as Bargains, and they wish to renovate for office use. However, the property is zoned Dellwood Residential Medium Density (D -RM), with a Mixed-Use Overlay (MXO). He stated that prior to the 2010 revisions, government offices would have been permitted in the general category of "Office Administrative and Support Services not otherwise listed." After the 2010 revision, the category was eliminated, and most of these uses would now fall under more specific headings such as "Personal Services," "Professional Services," and "Government Services." As a result, the County has applied for a text amendment to permit Government Services in D - RM, MXO.

Mr. Benson introduced Dale Burris, Facilities Maintenance Director for Haywood County, 215 North Main Street, Waynesville. Mr. Burris stated the Haywood County Commissioners intended to relocate the Haywood County Wellness Clinic, Elections, and the Maple Leaf Program to this building. The new name for the building will be Haywood County Auxiliary Services Building.

The Wellness Clinic is for Haywood County employees and the Maple Leaf Program is for senior citizens. A maintenance area will be included in the back of the building. The Haywood County Auxiliary Services Building will look like the MARC Building already located on the property.

A motion was made by Don Stephenson and seconded by Gary Sorrells to amend the Land Development Standards, Chapter 2, Section 2.5.3 Table of Permitted Uses to add Government Services as a permitted use within the Dellwood Residential Medium Density Mixed Use Overlay (property within 500 feet of Russ Avenue). The motion carried unanimously.

Staff Report on Russ Avenue Corridor Land Use Zoning

Mr. Benson explained that as a result of the rezoning request the Planning Board recently considered for the Barberville Baptist Church, he had been doing some research on the Russ Avenue corridor. He gave a brief report on his findings. The length of the corridor is about 1.28 miles and includes 155 acres. The zoning is Regional Center Commercial on the north and south ends with the center area being Residential Medium. Extending five hundred feet from the edge of the road on both sides is Mixed Use Overlay. The 2020 Land Development Plan, adopted in 2002, did not call for the entire corridor to become commercial. North Carolina law requires zoning to follow an adopted Land Development Plan.

Mr. Benson recommended the Planning Board consider a Russ Avenue Neighborhood Center District. This district would serve as a lower intensity commercial district, and have advantages of including more land uses, leading to more economic opportunity, and increased tax base. Mr. Benson displayed several maps of the Russ Avenue Corridor showing the corporate limits, existing land use, and the Dellwood Residential Medium

Mixed Use Overlay District.

Several of the Board members had questions concerning the process of making a recommendation to the Board of Aldermen about pursuing a change to the 2020 Land Development Plan and forming a Russ Avenue Neighborhood Center.

Chairman McDowell asked if anyone had any comments. Mr. Jack Kersten, Attorney representing Barberville Baptist Church, then spoke. He gave background information concerning past requests he had been involved in for rezoning along this corridor. He stated the Russ Avenue Corridor is a very important corridor to Waynesville, and in thirteen years nothing has changed pertaining to development in that area. Mr. Kersten feels there has been a loss of economic opportunities and Town growth from the restrictive zoning. He agrees there are certain activities that should not be allowed, but he and his client would like to see nice restaurants, motels, and retail stores allowed to open along the center section of the Russ Avenue Corridor. Mr. Kersten said the appearance of the area never changes and is a very important corridor into the Town of Waynesville.

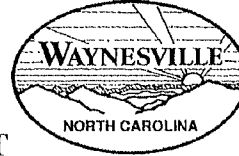
A motion was made by Gary Sorrells for the Planning Board to ask the Board of Aldermen to amend the 2020 Land Development Standards and form a Russ Avenue Neighborhood Center District. The motion was seconded by Lee Bouknight and carried unanimously.

Adjournment

With no further business, a motion was made to adjourn by Brooks Hale and seconded by Gary Sorrells. The motion carried unanimously and the meeting was adjourned at 6:20 pm.

Patrick McDowell
Chairman

Eddie Ward
Administrative Assistant



TOWN OF WAYNESVILLE PLANNING DEPARTMENT

Application for Land Development Standards Map Amendment

Application is hereby made on 4/19, 2012 to the Town of Waynesville for the following map amendment:

Property owner of record: Wanda S. Brooks
Address/location of property: 154 Hemlock Street, Waynesville N
Parcel identification number(s): 8605-80-2850 2744
Deed/Plat Book/Page, (attach legal description): Book 718 Page 2201
The property contains 0.3 acres.
Current district: Hazelwood Urban Residential
Requested district: South Main St. Business District

The property is best suited for the requested change for the following reason(s), (attach additional sheets if necessary):

To open more options for the building - Has been vacant for approx 1 1/2 years.

Applicant Contact Information

Applicant Name (Printed): Wanda S. Brooks
Mailing Address: PO Box 306, Hazelwood, NC 28731
Phone(s): 828/226-1657
Email: brooksgetaway@yahoo.com
Signature of Property Owner(s) of Record Authorizing Application:
Wanda S Brooks

Note: Map Amendment Requests require a fee based on the size and number of lots being requested for amendment. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Planning Department, 9 South Main Street, Waynesville, NC 28786.

PLANNING BOARD STAFF REPORT

Agenda Item: Rezoning request
Location: 154 Hemlock Street
Size: 0.3 acre
PIN: 8605-80-2744
Owner: Wanda Brooks

Requested zoning change: from Hazelwood Urban Residential District, Mixed-Use Overlay (H-UR/MXO) to South Main Business District (SM-BD)

Existing Zoning: The Hazelwood Urban Residential district permits single and multi-family residential development at densities of up to 24 units per acre. In addition, the Mixed-Use Overlay adds a limited range of non-residential uses (Government Services, Personal Services, Professional Services, Studios, and General Commercial uses with less than 100,000 square feet). These non-residential uses are limited to properties at the intersection of two public streets or certain properties fronting South Main Street between Virginia Avenue and Mississippi Avenue.

Requested Zoning: The South Main Business District permits a wide range of non-residential uses including office, service, commercial, light manufacturing, wholesaling and distribution as well as single and multi-family residential with no density limitations.

2020 Land Development Plan: indicates that this property is to be developed for medium to high density residential use (Map 15). This is part of a large residential area including properties along Brown Avenue, Camelot Drive and Virginia Avenue. The existing zoning follows this plan.

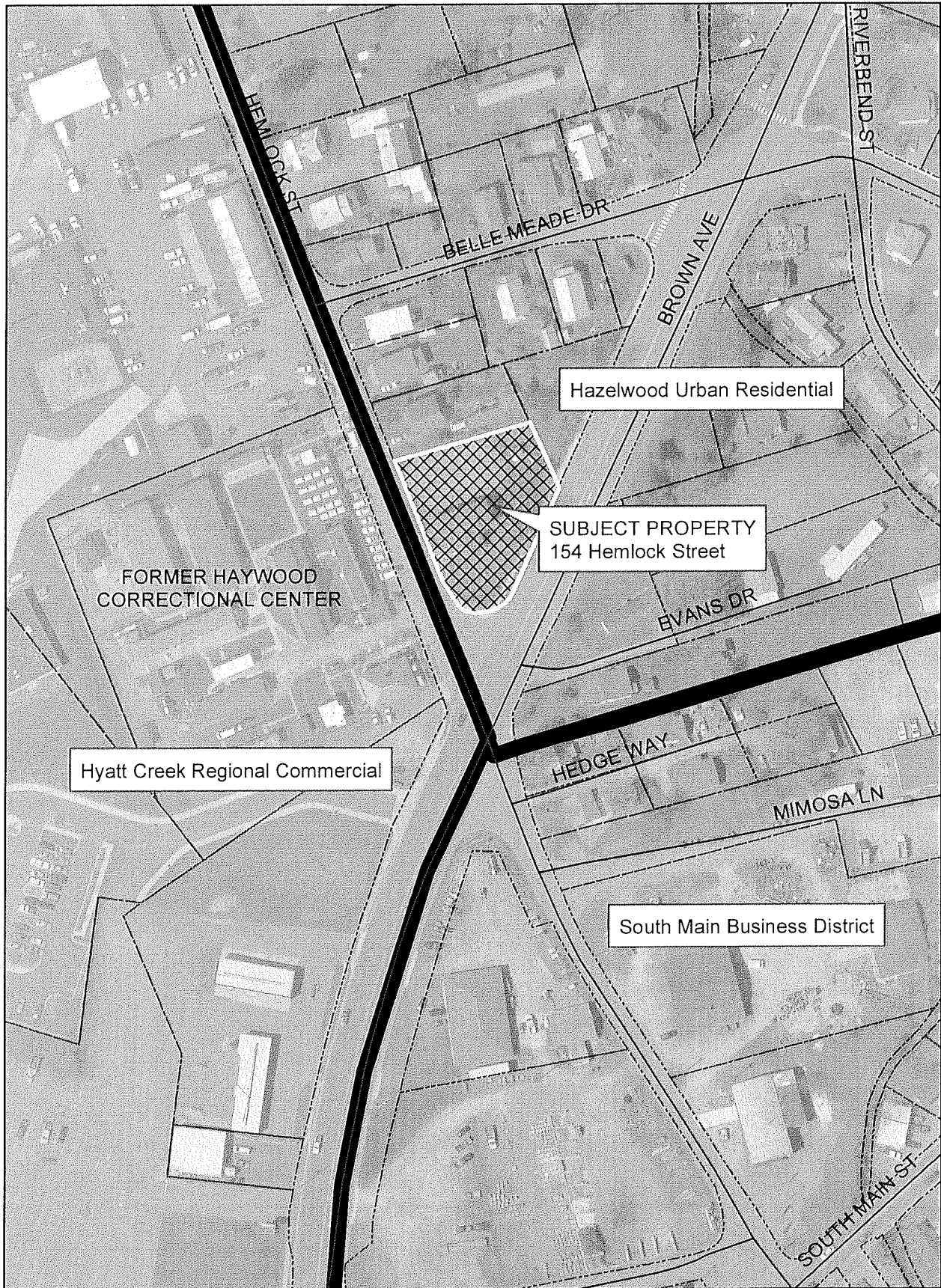
Zoning pattern: This property is bordered on three sides (north, east and south) by the H-RM district. To the west, across Hemlock Street at the site of the former Haywood Correctional Facility, the zoning is Hyatt Creek Regional Center

Surrounding development: The subject property is currently in commercial use as a location for temporary events. Property to the north is single-family residential as is the remainder of the property within the block bounded by Hemlock, Brown and Belle Meade. Property to the south across the 4-lane Brown Avenue is residential along Evans Drive, but becomes commercial from Hedge Way to South Main Street.

Recommendation: The requested zoning district does not fit the Town's adopted Land Development Plan. The property already enjoys location within the Hazelwood Urban Residential Mixed-Use Overlay district which permits General Commercial uses along with a variety of Governmental, Personal and Professional Services by virtue of its location at the intersection of two public streets. The property is adjacent to single-family residential and is located within a block of residential use. For these reasons, staff recommends that the zoning remain unchanged.



Brooks Rezoning Request 154 Hemlock Street



CURRENT PLANNING BOARD MEMBERS (05/16/12)

<u>NAME</u>	<u>TERM EXPIRES</u>
Lee Bouknight (Vice Chairman)	05-31-12
Ron Reid	05-31-12
Jon Feichter	05-31-12
Marty Prevost	05-31-13
Don Stephenson	05-31-14

COUNTY APPOINTMENTS

Jim Francis	05-31-12
Gary Sorrells	05-31-12
L. Brooks Hale	05-31-13
Patrick McDowell (Chairman)	05-31-14

3. Map Amendments/Rezoning (15.14)
4. Conditional District (15.15)
5. Vested Right (15.16)

14.3 Planning Board

14.3.1 Powers and Duties

The Town of Waynesville's Planning Board shall have the following powers and duties to be carried out in accordance with the terms of this ordinance.

- A. To perform studies and surveys of the present conditions and probable future development of the town and its environs, including but not limited to, studies and surveys of land uses, population, traffic, parking, expansions of extraterritorial jurisdiction, etc.
- B. To formulate and recommend to the Board of Aldermen the adoption and amendment of a Land Development Plan and other plans as necessary.
- C. To conduct annexation feasibility studies and recommend suitable areas of annexation to the Board of Aldermen.
- D. LDS Review: The Planning Board shall review and make recommendations regarding the following permits types (see also Chapter 15):
 1. Text Amendments (15.14)
 2. Map Amendments/Rezoning (15.14)
 3. Conditional District (15.15)
 4. Vested Right (15.16)
- E. LDS Decisions: The Planning shall render final decisions regarding the following permits types (see also Chapter 15):
 1. Site Plans/Design Review (Major) (15.8.2)
 2. Subdivision (Major) – Preliminary Plat (15.9.2)
 3. Special Use Permits (15.11.1)
- D. The Planning Board shall also have any additional powers and duties as may be set forth for in other laws and regulations or at the direction of the Board of Alderman.

14.3.2 Membership and Quorum

- A. The Planning Board shall consist of nine (9) members. A quorum of five (5) members shall be necessary to transact business.
- B. The Waynesville Board of Aldermen shall appoint members from within the Town limits and, if the Town is exercising Extraterritorial Jurisdiction, one (1) or more members shall be appointed by the Haywood County Commissioners as set forth in NCGS 160A-32 to provide for proportional representation of residents within the Extraterritorial Jurisdiction. As vacancies occur the Administrator shall advise the appropriate governing board to make appointments or reappointments as necessary to maintain this proportional representation based on best available estimates of current population of the Town and the Extraterritorial Jurisdiction. The representatives of the Extraterritorial Jurisdiction shall have equal rights, privileges and duties with the other members of the Planning Board.

- C. All members shall serve three (3) year terms and may succeed themselves.
- D. Officers shall be elected in accordance with the adopted rules of procedure.

14.4 Board of Adjustment

14.4.1 Powers and Duties

The Board of Adjustment of Waynesville shall have the following powers and duties to be carried out in accordance with the terms of this ordinance:

- A. To hear and decide appeals from any order, requirement, permit, decision or determination issued by an administrative officer of the town in enforcing any provision of the Town of Waynesville Minimum Housing Codes.
- B. LDS Decisions: The Board of Adjustment shall render final decisions regarding the following permits types (see also Chapter 15):
 - 1. Appeal of any Administrative decisions (15.6-7, 15.8.1, 15.9.1,3, 15.12)
 - 2. Appeals of Planning Board Decision regarding Subdivision (Major) – Preliminary Plats (15.11.1)
 - 3. Appeals of Historic Preservation Commission Decision regarding Certificate of Appropriateness (Major) (15.11.3)
 - 4. Variances (15.13)
- C. The Board of Adjustment shall also have any additional powers and duties as may be set forth for in other laws and regulations or at the direction of the Board of Alderman.

14.4.2 Membership and Quorum

- A. The Waynesville Board of Adjustment shall consist of five (5) members. A quorum of four (4) members shall be necessary to transact business.
- B. The Board shall not pass upon any question relating to an appeal from a decision, order, requirement or determination of town officials or an application for a variance or conditional use permit when there are less than four-fifths (4/5) of the board members with jurisdictional authority present.
- C. The Waynesville Board of Aldermen shall appoint members from within the Town limits and, if the Town is exercising Extraterritorial Jurisdiction, one (1) or more members shall be appointed by the Haywood County Commissioners as set forth in NCGS 160A-32 to provide for proportional representation of residents within the Extraterritorial Jurisdiction. As vacancies occur the Administrator shall advise the appropriate governing board to make appointments or reappointments as necessary to maintain this proportional representation based on best available estimates of current population of the Town and the Extraterritorial Jurisdiction. The representatives of the Extraterritorial Jurisdiction shall have equal rights, privileges and duties with the other members of the Board of Adjustment.
- D. All members shall serve three (3) year terms and may succeed themselves.
- E. Officers shall be elected in accordance with the adopted rules of procedure.

14.5 Historic Preservation Commission

14.5.1 Powers and Duties