

# Town of Waynesville

AGENDA  
REGULAR MEETING  
PLANNING BOARD  
TOWN OF WAYNESVILLE  
TOWN HALL – 9 SOUTH MAIN STREET  
NOVEMBER 19, 2012  
MONDAY – 5:30 PM

1. Call to order
2. Introduction and welcome to new Planning Board Members H.P. Dykes, Jr., Shell Isenberg, and Danny Wingate
3. Approval of Minutes of August 20, 2012
4. Consideration of amendment to text of the Land Development Standards Section 6.4.3 Public Transit Connections (referred by Town of Waynesville Board of Aldermen)
5. Adjournment

REGULAR MEETING  
TOWN OF WAYNESVILLE  
PLANNING BOARD  
TOWN HALL - 9 SOUTH MAIN STREET  
AUGUST 20, 2012  
MONDAY - 5:30 P.M.

The Planning Board held a regular meeting on Monday, August 20, 2012. Members present were Lee Bouknight, Brooks Hale, Marty Prevost, Don Stephenson, Jon Feichter, and Chairman Patrick McDowell. Also present were Planning Director Paul Benson, and Administrative Assistant Eddie Ward. The meeting was called to order at 5:30 P.M. by Chairman McDowell.

Approval of Minutes of May 21, 2012

Lee Bouknight moved, seconded by Don Stephenson to approve the minutes of May 21, 2012 as presented. The motion passed unanimously.

Consideration of amendment to text of the Land Development Standards Section 11.5.12 - Political Signs

Paul Benson explained that the N.C. General Assembly amended State law to exempt political signs along state highways from local government control. In being consistent with state law, this amendment adds to the Land Development Standards 11.5.12 - Political Signs sub paragraph "F" stating that political signs located along state highways are exempt from the section and are regulated by North Carolina G. S. 136.32. The Town's sign ordinance will still be in full force for Town maintained roads. Time periods for this law call for the political signs to be displayed during a period beginning thirty days prior to the beginning of "one stop" early voting and conclude ten days after the election.

A motion was made by Marty Prevost, and seconded by Brooks Hale to approve the amendment to the Land Development Standards Section 11.5.12 - Political Signs. The motion passed unanimously.

Public Hearing: Ingles Conditional District Master Plan Change Request at 201 Barber Boulevard - Russ Avenue Regional Center - Conditional District

Chairman McDowell asked Mr. Benson to give a background report concerning an amendment to the Ingles Conditional District Master Plan that had been approved last year. Mr. Benson stated that during the review process, the Town requested, and Ingles agreed, to dedicate a right of way for a new street to the north side, and to locate a public transit shelter on the site. Ingles is now proposing a slight reduction in the grocery store, the garden center, and also relocating the convenience store gas station from the site between Belk and the rear of the Hometrust Bank, to the site north of the bank, facing Russ Avenue. Building design, parking, and landscaping for the main parking lot and grocery store remain unchanged. Ingles is requesting an alternative compliance for landscaping around the convenience store. Town regulations require a row of canopy trees between the sidewalk and the street. A parking lot buffer is also required between the front of the parking lot and the sidewalk. This must be seven feet wide and contain canopy trees every thirty feet as well as a continuous row of shrubs. This constitutes two rows of trees fairly close together. Ingles is asking to move the trees around to the side or rear because of visibility concerns at the convenience store.

Mr. Benson stated the language for alternative compliance allows vegetation to be shifted around to the sides.

Board Member Marty Prevost had questions about the entrance to the convenience store. Mr. Benson said there would be no change to the existing roads. Access to the convenience store would be one of two ways, the road behind HomeTrust Bank, or the unnamed road off Russ Avenue, between the convenience store and the bank. The entrance from Russ Avenue would be right in, right out only. Traffic traveling south on Russ Avenue would have to enter through the main entrance.

There was discussion about the entrances to the grocery store and convenience store.

Chairman McDowell then asked if anyone had any comments. The first person to speak was Mike Egan, 318 North Witted St, Hendersonville, NC, representing Ingles Markets, Inc. Mr. Egan gave a brief history of the project. He stressed the benefits of the expansion of Ingles for the Town of Waynesville, including redesign of the existing parking area, adding trees and landscaping, and new sidewalks. In addition, approximately 50 new jobs will be created, along with increased sales tax revenues.

Mr. Egan stated that in re-evaluating the most efficient use of the land, Ingles decided to redesign the store by reducing the square footage by fourteen thousand square feet, eliminating the garden center, and relocating the convenience store.

Marty Prevost had a question concerning the Belk building. Mr. Egan said the building was owned by Ingles and would be integrated into the project with sidewalks connecting the entire site. Ms. Prevost also asked if plans had changed for the transit stop. Mr. Egan said no.

Don Stephenson asked if the reason for moving the trees was visibility. Mr. Egan said the original plan included sixteen trees and they felt that would be very dense. Rather than ask to completely eliminate the trees, Ingles would like to move the trees to the side or rear.

The Board had questions concerning the locations of the gas pumps on the project site, and whether a sufficient amount of area had been allowed for a gas tanker to access the convenience store pumps in the new location. Mr. Egan assured the Board allowance had been made for large trucks.

Chairman McDowell opened the Public Hearing for comments.

The first person to speak was John Burgin, 275 Wildcat Rd., Waynesville, NC. Mr. Burgin stated he managed, for his family trust, the property on which the existing Arby's restaurant is located. Mr. Burgin had addressed the Planning Board and Ingles at an earlier meeting about a connecting road between his property and Ingles access road. At that time, he said the Planning Board had recommended the request to the Town Board of Aldermen.

Mr. Benson stated the Board of Aldermen did not include this requirement in the approval of the Ingles plan. Mr. Egan stated that Ingles was willing to discuss the road issue with Mr. Burgin, but did not feel it is proper

for the Town to make this a condition for the project.

Tim Shook, Calhoun Road, Waynesville, NC, asked a question about an access point located on Calhoun Road. Mr. Cox stated that no access point was proposed there due to topography.

There was much discussion among the Board members about the access road, the Russ Avenue Corridor, and future plans.

Chairman McDowell closed the Public Hearing.

A motion was made by Brooks Hale and seconded by Lee Bouknight to grant Ingles the approval of the revised Master Plan, specifically Sheets C-107 Master Plan North, C-108 Master Plan South and Sheets L-1 Landscape Plan North and L-2 Landscape Plan South. The motion passed unanimously.

Public Hearing: Consider request from Rick Wrenn of Richland Creek LLC for amendment to Town of Waynesville Land Development (Zoning) Map - PIN 8605 72 8509 located at 75 Giles Place (8 acres) - from Hazelwood Business District (H - BD) to Commercial Industrial (CI)

Chairman McDowell asked Mr. Benson to present background information for the request by Rick Wrenn of Richland Creek LLC for rezoning.

Mr. Benson explained that Giles Chemical uses an existing warehouse and is renovating an office building located at 75 Giles place. This property consists of approximately eight acres and is the site of the "Old Tannery." The property is currently zoned Hazelwood Business District (HAD). Hazelwood Business District is a Central Business District, with primarily retail and service uses. In the 2020 Land Development Plan, this area west of Browning Branch Road is shown to be Industrial and to the east of Browning Branch Road along Hazelwood is shown to be Mixed Use Commercial. The property is bordered by the Norfolk Southern Railroad.

Mr. Benson stated that in the State of North Carolina, zoning is required to follow a comprehensive Land Use Plan. The Town of Waynesville's 2020 Land Development Plan is showing Industrial Use in this case, which is fitting with the requested zoning.

Chairman McDowell then asked if anyone from Giles Chemical would like to speak. Matt Haynes spoke on behalf of Rick Wrenn of Richland Creek LLC. Mr. Haynes stated that the intention of Giles Chemical was to zone this property for the best use, with a long range term in mind. Giles has no projects in mind as of now for the property, and currently the property is being cleaned and some remodeling of the office is taking place. A railroad spur is located on the property and Mr. Haynes feels Industrial Use is the best zoning for the property.

Mr. Benson answered questions from the board about the buffer required for this property.

Chairman McDowell opened the Public Hearing for comments.

Glenn Toller, 363 Brunswick Dr., Waynesville, NC, stated he owned the property adjoining Richland Creek LLC. He has been developing property in Waynesville for many years. He said he has no problem with the request for rezoning from Giles, and will support Giles in any way he can.

Chairman McDowell closed the Public Hearing.

A motion was made by Jon Feichter to amend Page 5-13 of the 2020 Land Development Plan by adding the following text as the last paragraph under the industrial section: "In addition to the industrial locations mapped on the Future Land Use Map, additional locations, particularly within the railroad corridor, may be appropriate and should be considered on a case-by-case basis provided that such locations are compatible with existing and planned infrastructure and neighboring existing and planned land use." The motion was seconded by Marty Prevost and approved unanimously.

A motion was made by Marty Prevost to recommend that the portion of PIN 8605-72-8509, located at 75 Giles Place, west of Browning Branch Road be rezoned from Hazelwood Business District (H - BD) to Commercial Industrial (CI). The motion was seconded by Don Stephenson and approved unanimously.

Other Business: Planning Board Vacancies, Future Agendas

In other business, Mr. Benson mentioned that currently there were two vacant seats on the Planning Board. Because of relocating, Board Member Ron Reid notified Mr. Benson he could only serve through October 2012, meaning there will be three open seats. Also, agenda packets were sent by e-mail for this meeting and if anyone prefers hard copies in the future, please let Mr. Benson or Eddie Ward know.

Adjournment

With no further business, a motion was made to adjourn at 6:35 P.M. by Lee Bouknight and seconded by Brooks Hale. The motion carried unanimously.

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Patrick McDowell  
Chairman

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Eddie Ward  
Administrative Assistant

## **Planning Board Staff Report**

Subject: **Consideration of amendment to text of the Land Development Standards**  
Section: **6.4.3 Public Transit Connections**  
Applicant: **referred by Waynesville Board of Aldermen**  
Date: **November 13, 2012**

### **Background:**

On September 25, 2012, at a regular meeting of the Waynesville Board of Aldermen, Philan Medford presented a request that there be shelters for transit riders at all commercial locations. The Aldermen referred this request to the Planning Board for a recommendation.

Currently, the Town of Waynesville's development regulations require that space be provided for transit shelters for larger developments that are adjacent to present or planned transit routes. This requirement will not be effective under Haywood Transit's dial-a-ride (demand response) transit service since it has no fixed routes.

### **Other cities:**

**City of Asheville**, which does have fixed route public transit, requires shelters in connection with large developments (above 100,000 square feet or 50 residential units).

**Chapel Hill**, a university town with a well developed fixed route system, typically requires a fee-in-lieu based on the improvements deemed necessary for that development. Developers also have the option of installing a public transit shelter designed to Town standards. These shelters are maintained by the town.

### **Transportation planning consultants:**

**Don Kostelec** states the he has never heard of a universal standard to require shelters for demand response transit systems. But he does know of smaller communities requiring shelters at specific facilities such as senior centers or hospitals.

**Harrison Marshal** states that he has never heard of any requirement for bus shelters on private property since shelters are normally located within the public right-of-way. Neither has he heard of a shelter requirement for demand response transit systems. He points out that admission of transit vehicles onto private property is dependent on the property owner. He cautions that some users may prefer door service to using a shelter, and, in addition, some users waiting at the door and some using an outside shelter could confuse transit operators.

### **Recommendations:**

**Susan Anderson, Transportation Director, Haywood Public Transit:** the Town should consider an ordinance regarding "safe points of connection" for pedestrians using public transportation services. This requirement should be based on the number of parking spaces rather than square footage of the building. There are matching grants available for transit shelters.

**Haywood Public Transit Advisory Committee:** shelter stops should be located at a reasonable distance from accessible business entrances, there should be shelter stops in consolidated areas, and locations should be based on the number of parking spaces and volume of traffic.

**Haywood Vocational Opportunities, Inc.:** supports a standard requiring all commercial structures to have some type of transit stop, and agrees with the standards suggested by the Haywood Public Transit Advisory Committee.

**Staff Recommendation:**

The requested amendment to require transit shelters in conjunction with all commercial development for an on demand public transit service is probably unprecedented at least in NC, and probably fails the Supreme Court test of there being a "rational nexus" between the demand generated by the development and the cost of the development regulation. It also seems problematic to have consolidated shelter locations while keeping shelters locations close to individual business entrances.

However, it is clear that there is a need for such facilities, particularly at locations that generate a lot of public transit trips, and that the thresholds for the requirement are currently so high that we are unlikely to see any shelter or drop-off locations developed in Waynesville.

Staff suggests that the Planning Board consider a recommendation that the Land Development Standards, Section 6.4.3 be amended as follows:

1. **Reduce the threshold on residential units from 100 to 50, and the square footage of commercial space from 100,000 to 50,000.**
2. **Add the requirement for "institutional" uses of 50,000 square feet or greater.**
3. **Delete the clause: "are adjacent to present or planned transit routes" to accommodate the current on-demand public transit service.**

**Haywood Public Transit Advisory Committee**  
**Meeting Minutes**  
**October 16, 2012**

The Haywood Public Transit Advisory Committee met on October 16, 2012 at 2:00 p.m. at the facility of Haywood Vocational Opportunities in Waynesville, NC. The following were in attendance: Susan Anderson, George Marshall, Patsy Dowling, Linda Howell, Eddie Wells, Marci Onieal and Rebecca Stamey. Not in attendance were: Greg Shuping, Tyler Cagle, Richard Pittman, Carli Plemmons, Wanda Gibson, Erin White, Natalie Murdock and Annette Shook.

George Marshall welcomed all in attendance.

Tyler Cagle, committee member, is no longer a transit user. Mr. Marshall will work to find a replacement on the Committee.

Ms. Onieal reported on shelter stops in the town of Waynesville. At the Town of Waynesville Board of Aldermen meeting on September 25, there was a request to amend the Land Development standards to require all commercial structures to have some type of transit stop. Currently, the Town requirements for a transit stop is for business or residential units of 100,000 square feet or more which applies to two places in Waynesville. The Board of Aldermen did not take any action and the request was referred to the Planning Board. Ms. Onieal asked the Advisory committee for their feedback on the issue. The following is a list of suggestions made by the committee:

- Present the amendment as a pedestrian-friendly or elderly and disabled service.
- Shelter stops should be located at a reasonable distance from accessible business entrances due to restrictions of the elderly or disabled.
- Have shelter stops in consolidated areas.
- Consider location(s) based upon the number of potential parking spaces and volume of traffic.

Ms. Anderson stated there are state federal funds/grants that could be applied for to assist with the expense and she would be willing to look at grant opportunities. There are also multiple grants available within planning for communities that may purchase the shelters. Chairman, Mr. Marshall, will be asked to send a letter to the Planning Board stating the HPT Advisory Committee is in support of the amendment.

Ms. Anderson reported on changes in state funding. HPT received notification that the funds from the Rural Operating Assistance Program and elderly and disabled funds will be reduced. This will affect the general public population as well as those for the elderly and disabled.



Trips will be prioritized, therefore, eliminating trips to the beauty parlor, multiple grocery stores on the same week, etc. unless the passenger pays the full rate. HPT will work with the Veteran's office to get passengers to and from the VA Hospital.

HPT has coordinated transportation services with Buncombe County. HPT connects with Mountain Mobility to take passengers through Enka-Candler and connect to Asheville City Transit. HPT usually travels to Asheville once or twice a day taking passengers to medical appointments.

Ms. Anderson updated the committee on a propane fuel alternative source for HPT's fleet. Mountain Projects approved the alternative fuel proposal. The new propane tank will be delivered and setup once the new HPT facility is complete. This is a partnership with Alliance Auto Gas, a division of Blossman.

Construction photos of the new HPT facility were shown. The facility is scheduled to be completed by Christmas.

The financial update FY12 was presented to the Advisory Committee. A copy of the financial statement was available in the meeting materials. Ms. Dowling reported Mountain Projects is having some challenges with the NCDOT paying for the new facility. NCDOT has paid two invoices out of six. The funds in reserve may have to be spent in support of the new facility.

At this time, Mr. Marshall was excused from the meeting.

The next Advisory Committee meeting is scheduled for December 18, 2012 at 2:00 pm in the HVO Meeting Room.

There being no further business, the meeting was adjourned.

Minutes Submitted By: Rebecca S. Stamey

Waynesville: 828-452-1447  
Sylva: 828-586-2345



Waynesville Facsimile: 828-452-9454  
Sylva Facsimile: 828-586-9401

October 16, 2012

Mrs. Marcy Onieal  
Town of Waynesville Manager  
16 South Main Street  
Waynesville, NC 28786

Dear Mrs. Onieal:

On behalf of Haywood Public Transit, I would like to make a recommendation to the Town of Waynesville to consider an ordinance or some type of planning which would include safe points of connection for pedestrians using public transportation services. We have many elderly and disabled residents who not only depend on our system but other public transit services for their transportation.

While many communities utilize shelters, metal benches or simply pull out points from the normal driving lane, Waynesville has not participated in offering any of these options. Keeping in mind the distance an elderly or disabled person would have to walk from some entrance of a facility to this point would be critical. Public transit understands the potential danger of interfering with fire lanes and flow of traffic.

In some areas, a designated waiting area such as a bench is positioned at a side or end entrance of a facility so it does not disrupt the flow of faster moving traffic. This seems to work well when a facility has multiple exits.

Facilities based on square footage does not always address the frequency of elderly/disabled patrons or clients. Perhaps the number of parking spaces would help determine the accessibility to a waiting area or shelter.

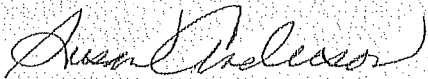
NCDOT offers grants once a year or two years for transit shelters. There are various types and sizes of materials. These grants require a local match but may work in partnership with the Town or business interested in providing such a station. Haywood Public Transit has access to these funds.

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If there are future discussions related to this subject, I would be happy to address our concerns and points of interest. I think any action to rectify the lack of safe pedestrian pick up/drop off points would be a benefit to many travelers in our community.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Anderson".

Susan Anderson

Transportation Director



Haywood Vocational Opportunities, Inc.  
P.O. Box 7  
Hazelwood, North Carolina 28738

Registered ISO-9001  
ISO-13485

November 7, 2012

Town of Waynesville Planning Board  
9 South Main St., Suite 110  
Waynesville, NC 28786

Dear Members:

On behalf of the Haywood Public Transit (HPT) Advisory Committee we wish to express our total support to amend the Land Development standards requiring all commercial structures to have some type of transit stop for Haywood citizens.

The HPT Advisory Committee lists suggestions as follows:

- The amendment would support both pedestrian-friendly and elderly and disabled service to the community
- Shelter stops should be located at a reasonable distance from accessible business entrances due to restrictions of the elderly or disabled
- Develop shelter stops in consolidated areas
- Consider shelter stop locations based upon the number of potential parking spaces and volume of traffic.

We respectfully submit our support to amend the standards relating to "shelter stops" and trust due consideration will be given to our support and suggestions.

Respectfully,

A handwritten signature in black ink, appearing to read "George M. Marshall", written over a horizontal line.

George M. Marshall  
HPT Advisory Committee Chair

Cc: HPT Committee Membership

## Paul Benson

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**Subject:** FW: [ncplan] FW: bus stop shelters  
**Attachments:** 20120412Design Standards- Transit section.pdf

**From:** Julia Fields [<mailto:JFields@ashevillenc.gov>]  
**Sent:** Wednesday, October 31, 2012 10:01 AM  
**To:** Paul Benson  
**Subject:** RE: [ncplan] FW: bus stop shelters

Paul.....You may already know this but here in Asheville we do typically require them when we have CUP or CZ reviews and we make these as a condition if on a transit route. For instance, I am working with AB Tech on a new mega building and one is being required on Victoria. MHO was required to do the bus shelter that is there at Swannanoa Cleaners. At present we only require them for larger projects but there is some discussion about putting language in the UDO to require them as needed for Level Is as well.

Let me know if you have additional questions.

J

*Julia C. (Cogburn) Fields, AICP*

**Paul Benson**

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**Subject:** FW: [ncplan] FW: bus stop shelters

**From:** Don Kostelec [<mailto:don.kostelec@gmail.com>]

**Sent:** Wednesday, October 31, 2012 1:46 PM

**To:** Paul Benson

**Subject:** Re: [ncplan] FW: bus stop shelters

Paul,

I've never heard of this as a standard, universal requirement related to demand response or door-to-door services. From what I've seen, smaller communities without expansive fixed route systems do require shelters and a paved pad for common destinations for small-scale or demand response services (e.g. senior centers, hospitals, etc.), usually based on feedback from the service provider related to the number of pick-ups/drop-offs for these locations. I think it's hard to justify wholesale requirements given the lack of dedicated fixed route services in Waynesville/Haywood County.

In working with the Sylva Pedestrian Plan, Jackson Transit expressed a desire to get a shelter location in the downtown area for their once-hour loop service to have a common gathering place that riders could come to and wait.

I hope this helps,  
Don

**Paul Benson**

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**Subject:** FW: [ncplan] FW: bus stop shelters

**From:** Harrison Marshall [<mailto:harmar@mindspring.com>]

**Sent:** Wednesday, October 31, 2012 9:46 AM

**To:** Paul Benson

**Subject:** Re: [ncplan] FW: bus stop shelters

| Hi Paul,

| I've never heard of any requirement for a bus shelter on private property, since shelters normally are located within the public ROW. I've also never heard of shelters being provided for demand-responsive transit or paratransit services.

| If a development involved creating a new bus stop or extending or otherwise modifying a bus route, I can understand asking that development to pay the cost for installing a shelter at the new stop, since it's a service for them and resulting from their employee and/or customer demand. If a bus was not permitted or able to provide door service within a major destination, such as a mall, hospital or office park, I can also see the property owner being asked to provide shelters along the internal route where buses are able to pick up and drop off, while bearing in mind that allowing transit vehicles on the property is voluntary, with the alternative being regular curbside service out on the public ROW. But all of these considerations are for regular fixed route transit.

| It's already difficult enough in many systems when some disabled customers to be able to ride conventional buses to some destinations while having to take paratransit to others, without also putting in shelters that may be used by some customers while others continue to expect door service. Unless all customers in that area can be expected to use the shelter for dial-a-ride service, it doesn't appear to be a cost-effective option. Plus there is the potential for driver and dispatch confusion over whether to go to the address or the shelter. Without a better rationale of need or benefit, I'm not seeing any justification for it.

| Harrison

**Paul Benson**

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**Subject:** FW: [ncplan] FW: bus stop shelters

**From:** Mila Vega [<mailto:mvega@townofchapelhill.org>]

**Sent:** Wednesday, October 31, 2012 1:24 PM

**To:** Paul Benson

**Subject:** RE: [ncplan] FW: bus stop shelters

Hi Paul,

I work for Chapel Hill Transit and frequently we (Town of Chapel Hill) request a payment-in-lieu during the development review process. PIL amount depends on improvements deemed necessary by transit staff. It is assessed on a case-by-case basis.

Another option is for a developer to install transit facilities; such work should be coordinated with transit staff. A developer must use our shelter specs. Installing uniform facilities is important in order to achieve efficient maintenance. In other words, we don't want find ourselves ordering custom parts to repair a shelter.

Also, a point to consider, most likely it will be up to you to maintain and clean the shelters unless you can reach separate agreements with each individual site. Do you have staff and resources? Something to consider....

Mila-

**MILA VEGA**

**Transit Service Planner**

Chapel Hill Transit

6900 Millhouse Road

Chapel Hill, NC 27516-8175

(919) 969-4916 Phone

(919) 968-2840 Fax

[mvega@townofchapelhill.org](mailto:mvega@townofchapelhill.org)