

## TOWN OF WAYNESVILLE

## Planning Board

9 South Main Street Waynesville, NC 28786 Phone (828) 456-8647 • Fax (828) 452-1492 www.waynesvillenc.gov Development Services
Director
Elizabeth Teague

Chairman
Patrick McDowell
Planning Board Members
Anthony Sutton (Vice Chair)
Marty Prevost
Robert Herrmann
H.P. Dykes, Jr.
Pratik Shah
Ginger Hain
Jason Rogers
Susan Teas Smith

Regular Meeting Town Hall, 9 South Main Street, Waynesville, NC 28786 Monday, October 15, 2018, 5:30 PM

## A. CALL TO ORDER

- 1. Welcome/Calendar/Announcements
  - Next Planning Board Meeting will be November 5<sup>th</sup> at 5:30pm in the Town Hall and will be a Special Called Meeting because of the Thanksgiving Holiday.
- 2. Adoption of Minutes
  - *Motion:* To approve the minutes of September 17, 2018 as presented (or as corrected)
  - Motion: To approve or table the minutes of the July 30, 2018 as presented (or as corrected). This item was continued because of length in the documents and noted errors in the court reporting.

## **B. BUSINESS**

- 1. Comprehensive Plan Update.
- 2. Public hearing and consideration of a text amendment to add multi-family to the LDS Section 2.5.3 Table of Permitted Uses within the Plott Creek Neighborhood Residential District (PC-NR). (Legislative Proceeding)

## C. PUBLIC COMMENT/CALL ON THE AUDIENCE

## D. ADJOURN



## TOWN OF WAYNESVILLE Planning Board

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## MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

Regular Meeting Town Hall – 9 S Main St., Waynesville, NC 28786 September 17, 2018

THE WAYNESVILLE PLANNING BOARD held its regular meeting on September 17, 2018 at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC.

## A. CALL TO ORDER

Chairman Patrick McDowell called the meeting to order at 5:30 p.m.

The following members were present:

Patrick McDowell (Chairman)
Anthony Sutton
Marty Prevost
Robert Herrmann
Jason Rogers
H. P. Dykes, Jr.
Pratik Shah
Ginger Hain
Susan Teas Smith

The following members were absent:

None

The following staff members were present:

Elizabeth Teague, Development Services Director Byron Hickox, Land Use Administrator Chelle Baker, Administrative Assistant Attorney Ron Sneed

Planning Board Minutes September 17, 2018 Chairman Patrick McDowell welcomed everyone and called the meeting to order at 5:30 p.m.

## 1. Adoption of Minutes

Ms. Elizabeth Teague, Director of Development Services, explained identified updates made to the August 20, 2018 draft minutes that were included in the Agenda Packet: page 2, how the nomination for vice-chair was done and the addition of whom voted for whom in the election count.

A motion was made by Board Member Anthony Sutton, seconded by Board Member Jason Rogers, to approve the updated minutes of the August 20, 2018 board meeting with the following corrections: Board Member Jason Roger's name being added on page two, eighth paragraph, sentence three should read "(Shah, Smith, Sutton, McDowell, Rogers)"; and page two, sixth paragraph, sentence two should read with corrected spelling "and Pratik Shah)." The motion passed unanimously.

Ms. Teague informed the Board that there were some issues brought to staff's attention with the transcription record that is attached as the minutes for July 30, 2018. Board member Anthony Sutton stated that there he saw inconsistencies between the transcript and what he remembers from the meeting. Ron Sneed, Planning Board Attorney, recommend that due to the sizeable document, it is reasonable to give the Board more time to review it and if there are any notable errors, it can go back to the court reporter for corrections beings this is a matter of record.

Chairman McDowell tabled the adoption of the July 30, 2018 minutes until the next regularly scheduled meeting.

## Calendar/Announcements

Ms. Teague advised the next Comprehensive Plan Steering Committee Meeting will be October 3<sup>rd</sup> at 8 a.m. in the conference room at the Municipal Building and all are invited to attend, but please let her know so that there is not inadvertently a quorum of the Planning Board.

## B. BUSINESS

1. Review of NCGS 160A-383, Statements of Consistency, and the schedule for addressing past text amendments.

Ms. Teague reviewed the October 2017 state legislature NCGS 160A-383 with the board and a new formatted statement of consistency/inconsistency worksheet. Attorney Ron Sneed reviewed with the board guidance regarding abstaining and recusing from legislative and quasi-judicial hearings and how votes are counted for these actions. There was discussion with the board regarding the schedule for addressing the past text amendments with the planning board meetings for October and November. The following time table was decided for the upcoming meetings:

- October 15, 2018- Regular Scheduled Planning Board Meeting, Public Hearing for Plott Creek
- November 5, 2018- Special Called Meeting, Public Hearing for the remaining past text amendments
- November 19, 2018- Cancel regular schedule meeting for Thanksgiving
- Public hearing and consideration of a map amendment to establish a Mixed-Use Overlay
   District along Broadview and to amend the text of LDS Section 2.5.3, the Permitted Uses
   Table to include identified uses within the overlay.

Chairman McDowell asked Mr. Byron Hickox, Land Use Administrator, to present the board with the staff report. Mr. Hickox gave background information regarding the proposal to apply a mixed used overlay on several lots along Broadview in the East Waynesville Urban Residential District. He also reminded Board of two new uses, "neighborhood restaurant" and "neighborhood commercial" added to the Table of Permitted Uses as uses within existing overlay districts. He reviewed the LDS Mixed –Use Overlay District 2.6.2 and UR Purpose and Intent 2.3.4. statements. He advised that staff feels this proposal is consistent with the 2020 plan and read Land Use Goals and objectives from the Land Development Plan in his staff report.

He continued that Waynesville's jurisdiction currently contains nine mixed-use overlay districts:

- Dellwood Residential Medium Density MXO
- Francis Cove Residential Low Density MXO
- Hazelwood Urban Residential MXO
- Love Lane Neighborhood Residential MXO
- Main Street Neighborhood Residential MXO
- Ninevah Neighborhood Residential MXO
- Raccoon Creek Neighborhood Residential MXO
- South Waynesville Residential Medium Density MXO
- Walnut Street Neighborhood Residential MXO

The proposed district would be called the East Waynesville Neighborhood Residential MXO, and described as follows: "a corridor consisting of properties along the south side of Broadview Road from Overbrook Drive to Summit Street." It would permit the following, indicated by a PL on the Table of Permitted Uses, in the EW-UR District column: Business Support Services, Live-Work Units, Neighborhood Commercial, Neighborhood Restaurant, Personal Services, Professional Services, and Studios (art, dance, martial arts, music). The zoning map amendment initiated would apply a mixed-use overly zoning designation to PINs 8615-79-2068, 8615-79-1121, 8615-79-0231, 8615-69-9255, 8615-69-8390, 8615-69-8314, 8615-69-7326, 8615-69-6435, 8615-69-4554, and 8615-69-2680, located on the south side of Broadview Road to EW-NR MXO. Chairman McDowell asked if the tenth property on the map was the triangle parcel. Mr. Hickox answered yes and advised it was the only property out of all of them that had a Summit Street address.

A motion was made by Board Member Jason Rogers, seconded by Board Member Anthony Sutton, to open the Public Hearing at 6:38 p.m. The motion passed unanimously.

There was no public comment.

A motion was made by Board Member Anthony Sutton, seconded by Board Member Jason Rogers, to close the Public Hearing at 6:38 p.m. The motion passed unanimously.

A motion was made by Board Member Anthony Sutton, seconded by Robert Herrmann, to find the creation of EW-UR MXO consistent with the Waynesville 2020 Land Development Plan. It is reasonable and in the public interest because it promotes the orderly growth development and enhances the land value in the Town of Waynesville. The motion passed unanimously.

There was discussion among the board and staff regarding the new statement of consistency/inconsistency verbiage. The board requested that staff include the Land Use Plan connections they found for their recommended acceptance or rejection on the statement of consistency/inconsistency worksheet.

A motion was made by Board Member Jason Rogers, seconded by Board Member Anthony Sutton, that this is reasonable based on the historic use of the area and the topography behind these properties to include it in a commercial mixed overlay to not allow full blown of the zoning district across from it but to allow more reasonable uses along Broadview. The motion passed unanimously.

A motion was made by Board Member Anthony Sutton, seconded by Board Member Robert Herrmann, to create the EW-UR MXO, described as the 10 properties located along the south side of Broadview Road from Overbrook Drive to Summit Street (PINs 8615-79-2068, 8615-79-1121, 8615-79-0231, 8615-69-9255, 8615-69-8390, 8615-69-8314, 8615-69-7326, 8615-69-6435, 8615-69-4554, and 8615-69-2680), as shown on the attached map of the proposed Mixed-Use Overlay District, and to amend LDS Section 2.5.3 to allow Business Support Services, Live-Work Units, Neighborhood Commercial, Neighborhood Restaurant, Personal Services, Professional Services, and Studios (Art, Dance, Martial Arts, Music), within the EW-UR Mixed-Use Overlay District.. The motion passed unanimously.

3. Public Hearing and consideration of a map amendment to rezone 140 and 120 Broadview and adjacent undeveloped property, PINs 8615-69-9255 and 8615-69-8390 from North Main Street Neighborhood Center to East Waynesville Urban Residential within the proposed Overlay.

Ms. Teague presented the staff report and background information regarding the rezoning of 140 and 120 Broadview Road and the adjacent undeveloped property. She stated that at the August meeting, the Planning Board directed staff to bring back map and text amendments to establish an overlay district which is what the board just did in. She continued that on August 21, the Board of Alderman determined to re-hear all zoning changes, including this one related to Broadview. The Alderman motion stated:

"To waive the 12 month waiting period for application for the text amendment to the Town of Waynesville of Waynesville Land Development Standards to rezone the 120 and 140 Broadview, PINs 8615-69-9255 and 8615-69-8390 from East Waynesville Urban Residential to North Main Street Neighborhood Center as there has been a substantial change in circumstances related to the

request due to the omission of an express reference to the Board's reasons that the Board discussed in the motion to find that the amendment was consistent with the Land Use Plan, as well as the original applicant has sold the property and there has been substantial financial investment by the party who purchased these properties for their business."

Ms. Teague advised that reconsideration of this rezoning action in favor of inclusion within an Overlay District, would still meet the initial request of the property owners to allow a personal service use on this property, but would be more restrictive than a change in zoning type to NM-NC. In doing so, the Town can also address and ensure technical correctness with 160A-383, related to Statements of Consistency.

Ms. Teague reviewed the UR purpose and intent 2.3.4 (A) EW-UR, NC purpose and intent 2.3.5 (A) NM-NC, and Mixed-Use Overlay District (A)Purpose (B) Applicability.

In the <u>Waynesville</u>: Our Heritage, Our Future, 2020 Land Development Plan, the stated Land Use Goal is:

"Promote the orderly growth, development, and enhanced land values of the Town of Waynesville by preserving and improving Waynesville's existing neighborhoods, creating more attractive commercial centers, maintaining a strong downtown area, taking steps to reduce urban sprawl and protecting the natural beauty of the community." (2020 LDP, p.4-2)

Objectives under this goal include:

- "Designate appropriate amounts of land to reflect desired development patterns and to accommodate the projected residential, commercial, industrial, institutional and recreational needs of the Town of Waynesville over the next twenty years." (Page4-2)
- "Promote infill development in the Town of Waynesville as an alternative to continued outward expansion." (Page 4-4)
- "Work to preserve the important character and scale of each unique area within the larger Waynesville community by building on those elements identified as important to defining each area." (Page4-5)

A motion was made by Board Member Anthony Sutton, seconded by Board Member Susan Smith, to open the Public Hearing at 6:54 p.m. The motion passed unanimously.

There was no public comment.

A motion was made by Board Member Anthony Sutton, seconded by Board Member Robert Herrmann, to close the Public Hearing at 6:54 p.m. The motion passed unanimously.

A motion was made by Board Member Anthony Sutton, seconded by Board Member Robert Herrmann, to find that this is consistent with the Town's Comprehensive Land Use Development Plan because it promotes the orderly growth, development, and enhanced land values of the Town of Waynesville by preserving and improving Waynesville's existing neighborhoods. The motion passed unanimously.

Board Member Jason Rogers asked staff if this had been advertised and Ms. Teague confirmed yes.

A motion was made by Board Member Jason Rogers, seconded by Board Member Anthony Sutton, that this is reasonable to change these properties into this mixed overlay to stay consistent with the neighborhood and to help limit the uses on that side of Broadview road for consistency on both sides. The motion passed unanimously.

A motion was made by Board Member Anthony Sutton, seconded by Board Member Robert Herrmann, to rezone 140 and 122 Broadview, PINs 8615-69-9255 and 8615-69-8390, to EW-UR MXO. The motion passed unanimously.

## C. PUBLIC COMMENT / CALL ON THE AUDIENCE

Chairman McDowell called on the audience for public comment and no one spoke.

## D. ADJOURN

With no further business, a motion was made by Anthony Sutton, seconded by Robert Herrmann, to adjourn the meeting at 6:57 p.m. The motion passed unanimously.

Chelle Baker, Administra	ntive Assistant	Patrick McDowell, Chairman	

## **Planning Board Staff Report**

Subject: Text Amendment request to the Land Development Standards (LDS) to

add "Dwelling-Multi-Family" as a Permitted Use (P) within PC-NR District.

Ordinance Section: Table of Permitted Uses, Section 2.5.3 of the Land Development Standards

Applicant: Planning Department on behalf of the Board of Aldermen

Meeting Date: October 15, 2018

## **Background:**

In April, 2018, the development firm Triangle Real Estate of Gastonia / Southwood Realty applied for a text amendment to include multi-family within the PC-NR District in order to build an apartment complex on a 41 acre tract, PIN 8605-42-0093. The Planning Board and Board of Aldermen held hearings in May of 2018, after which the Aldermen took action to amend the Land Development Standards text to include multi-family within the Plott Creek Neighborhood Residential (PC-NR) District. On July 30, 2018, the Planning Board considered the major site plan proposed, and on July 31, adjacent property owners to the tract in question filed a "Complaint for Declaratory Relief" purporting "procedural defects," that the action was "arbitrary, capricious and unreasonable," and that the action was an "illegal contract zoning."

In August of 2018, the Town Board of Aldermen determined to address the complaint with two actions:

- 1. To waive the 12 month waiting period for application for the text amendment to the Town of Waynesville Land Development Standards Sections 2.5.3 as there has been a substantial change in circumstances related to the request due to the omission of an express reference to the Board's reasons that the Board discussed in the motion to find that the amendment was consistent with the Land Use Plan.
- 2. To approve application by the Board of Aldermen and/or the Planning Department for the Town of Waynesville as the applicant for re-submission of the text amendment for Land Development Standards for Section 2.5.3 to the Planning Board.

Other historical background relevant to the proposed text amendment and this tract of land follow:

- In 1986, this tract was annexed into the Town as part of the George Plott Estate and was zoned R-2.
- In 1999, Hazelwood Elementary School built on another portion of the original George Plott Estate.
- In 2002, the "Waynesville our Heritage our Future 2020 Land Use Plan" ("Comprehensive Plan") was adopted. The Plott Creek area is identified as "medium to high density residential" on the Future Land Use Map adopted as part of the plan.
- In 2003, the Land Development Standards ("LDS") were adopted pursuant to the Comprehensive Plan. The "Plott Creek-Neighborhood District" (PC-ND) is established and multi-family is permitted with "Special Requirements." (Ordinance No. 13-03 to add Plott Creek Neighborhood District).

- In 2004, Waynesville completed a study and survey to extend Extra Territorial Jurisdiction (ETJ)
  further west along Plott Creek in accordance with the adopted future land use map and apply a
  "Plott Creek Rural District" beyond Town limits. Town determines not to extend ETJ.
- In 2006, NCDOT considered a road widening project as part of NC Moving Ahead Project that was not implemented, but NCDOT did extend the school parking lot.
- In 2010, the Town adopted the Comprehensive Pedestrian Plan which identified a sidewalk between Hazelwood Elementary and downtown Hazelwood, and construction funding was allocated in 2017.
- In 2011, the LDS were revised and a "P" is not included in in Permitted Uses Table column under multi-family within PC-NR, but Townhomes are. Minutes from the 2011 LDS revision do not reflect discussion related to the removal of multi-family from the PC-NR district. Section 5.3 "Permitted Building Types and Frontages," states that Townhouse and Apartment Buildings are allowed in all of the Town's Neighborhood Residential Districts, including PC-NR, showing a conflict in the ordinance.

The purpose and intent statement of the PC-NR District also *did not* change between the 2003 and 2011 versions of the LDS and still reads (Section 2.3.3 (F)):

While it is semi-rural currently, as the Plott Creek Neighborhood District (PC-NR) develops it should do so in a manner which complements its location near the Hazelwood Town Center, and the Hazelwood Elementary School which is within its boundaries. Infrastructure should be well connected and networked (including sidewalks, streets, water/sewer, etc.) and other infrastructure needs should be addressed (such as recreational opportunities) as the area develops. Special care should be taken to enhance the natural features of the area, such as the mountain slopes and the creek, so that they become an integral part of the community. Connections (roads, trails, etc.) to other districts, such as Hyatt Creek area and to the large mountain tracts at the end of Plott Creek, are also important and must be considered as the area develops.

The Land Development Standards (LDS) definitions (Section 17.1), distinguish residential uses:

**Dwelling-Single Family** A free standing building designed for and/or occupied by one household. These residences may be individually owned as residences or residences owned by rental or management companies. Also includes factory-built, modular housing units that comply with NC State Building Code. (LBCS F1100 and S1100).

**Dwelling-Two Family** A two-unit building that is divided horizontally or vertically, and each unit has a separate entrance from the outside or through a common vestibule. (LBCS F 1100 and S1121)

**Dwelling-Townhome:** Three or more attached dwelling units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one (1) or more vertical common fire-resistant fire walls, and the land underneath each unit is titled to the unit.

**Dwelling-Multifamily:** A building or portion thereof containing three or more dwelling units on a single lot where each unit has a separate entrance from the outside or through a common vestibule. A multifamily structure where dwelling units are available for lease or rent for less than one month shall be considered lodging.

These definitions refer to building style and how property is subdivided to accommodate dwelling units, and not by whether the unit itself is owned or leased. Therefore, someone can rent a townhome, a unit within a multi-family structure, a duplex or a single family dwelling. Condominiums can be within a townhome, multi-family or duplex style structures. The LDS does not distinguish rental property from non-rental property, nor does the Town so discriminate among its residents. Parking for multi-family is treated the same as Townhomes in LDS Chapter 9, while single family and duplex dwellings require one space per unit. Multi-family development must comply with other LDS standards for design, landscaping, driveways, lighting, signage, floodplain, stormwater and slopes just as development.

What makes multi-family distinctive from other types of development, is that one unit can be located above another unit, sharing a footprint, and that parking areas are shared by the units. Depending on design, this can mean higher density within a smaller area. For example, in the Master Plan proposed in this case presented, the developer compressed density for the site, minimizing impact to the flood plain and preserving the natural slopes of the property. On a tract that is 40.96 acres, 200 units were proposed within an area of 20 acres, leaving half of the tract undeveloped. By contrast, a single-family subdivision meeting the PC-NR requirements, would be much more spread out, using at least 32 acres (200 units with a minimum lot size of 1/6 of an acre), not including roads. Each unit would also have an individual driveway and parking area within its lot.

## **Consistency Statement Information**

In accordance with the 2017 revisions to NCGS 160A-383, staff recommends that the Planning Board could find that this text amendment is <u>consistent</u> with the Town of Waynesville Comprehensive Plan, Waynesville: Our Heritage, Our Future, 2020 Land Development Plan, adopted in 2002, and that this text amendment is <u>reasonable</u> and <u>in the public interest</u> because of the following:

- Waynesville has the authority, pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety and welfare. This revision would add back in to the PC-NR district multi-family housing that is allowed in the majority of other NR Districts and for which there was not a documented reason for removal.
- 2. This revision is consistent with the following adopted Land Use Plan goals and actions:
  - A. "Provide an attractive range of housing opportunities and neighborhoods for all residents of Waynesville," with actions to:
    - "Work with the development community to explore ways to make affordable housing construction more attractive to developers (cost lowering mechanisms, incentives, etc.)
    - Use creative zoning to allow accessory dwellings, duplexes and other affordable housing alternatives." (LDP, p. 4-6)
  - B. "Rezone areas as indicated on the Land Use Map which allow for higher density residential development." (LDP, p. 4-7)

- C. "Encourage a variety of housing types for various income, age and ethnic groups throughout the planning area promoting housing alternatives in addition to the traditional single- and multifamily dwelling options." (LDP, p. 4-7)
- 3. This revision is consistent with the Comprehensive Plan's Future Land Use Map which identified the Plott Creek NR District within the "medium to high density" area for future growth. The current LDS zoning category of Neighborhood Residential ("NR"), along with Urban Residential and Neighborhood Center Districts, represent the medium to high density areas identified in the 2002 future land use map. All NR districts, including PC-NR have the same dimensional standards (Section 2.4.1) and density of 10 units/acre, or 16 units/acre with a Special Use Permit. This text amendment does not change the density, regulations or residential focus as identified in the Land Use Plan, nor does it treat the district differently than other similarly zoned areas.
- 4. This PC-NR district is within the urban services boundary, in keeping with the objective to "limit "urban sprawl" through the establishment of a planned growth area for the Town of Waynesville." (2020 LDP, p 4-3). The PC-NR District is also within a mile's range of the Hazelwood Central Business District and less than .5 of a mile to the 23/74 Expressway.
- 5. Western North Carolina and the Town of Waynesville is experiencing growth that has resulted in a shortage of available rental housing. According to the 2017 Haywood County Housing Strategy, "There are few long term rentals available in the county; rental rates are typically above HUD Fair Market Rent level . . . Only 7.4% of the units in the county are multi-family units." (p. 5). The Strategy explains that available land that is relatively flat and that can be served with infrastructure is rare and that rental should be considered a priority. Online searches during the week of October 1-5, show limited options currently available within Waynesville:

Apartments.com	1	3 br house	\$950/month
Zillow.com	10	2 mobile homes	\$950/month
		5 houses	\$925-\$1995/month
		3 apt/condos	\$470-\$1600/month

The only large scale apartment complex within Waynesville is Vantage Pointe on 17 Wilkinson Pass Lane, (www.balsammountainapartments.com/), which offers 1-3 bedrooms from \$850/month to \$1175/month and maintains a waiting list. This text amendment would expand housing opportunities that meet an identified community need on a large undeveloped tract of land that can hold a large scale project.

This text amendment would place a "P" within the Table of Permitted Uses in the PC-NR Column at the "multi-family" row, without changing any other requirements or density of the district. This would reinstate multi-family within a district that is identified for growth and medium to high density development. It would allow structures that could accommodate apartments or condominiums for new rental or ownership housing, which the Town of Waynesville needs.

## Addressing Specifics of the Filed the Complaint

1. The applicant, Triangle Real Estate of Gastonia Inc. which had a contract to purchase at their time of application for the original text amendment request, is now the owner of record. Section 15.14 Map and Text Amendments states that, "the Board of Aldermen may from time to time amend any part

- of the text of this ordinance or amend the Land Development Map of the town." Further, the Town or the Planning Department may be an applicant.
- 2. Concerns regarding compliance with 16-A-383 and specific phrasing related to statements of "consistency," "reasonableness", and "in the public interest" can be addressed using the attached work sheet in order to frame your review and findings.
- 3. For zoning text or map amendments, the Town Planning Board and Board of Aldermen must use the Town's Comprehensive Plan as the source for "determining and guiding principles."
- 4. Impacts of adding multi-family to the PC-NR list of permitted uses creates an opportunity for growth in an area that has available land within the Town boundary. It could also impact traffic and aesthetics of what is there now. However, traffic and aesthetic impacts would also be associated for a townhome development or major subdivision of single-family homes which could be permitted now. This text amendment does not change or minimize development requirements already in force within the District, the Town or the State. In regards to the original application and the proposed development, the Board should consider the information and materials previously presented:
  - A traffic impact analysis conducted by JM Teague Engineering for the specific project of 200
    units indicates that Plott Creek Road could accept the additional projected traffic and more.
  - New multi-family development must meet the Town's design guidelines in Section 5.8 and height requirements (3 stories above of the highest adjacent grade).
  - "Multi-Family Development with 8 or more units," are considered for their specific impacts subject to the requirements of "Site Plan/Design Review (Major), according to Section 15.8.2.:
    - D. "Required Application Information: Environmental Survey (15.4.1), Master Plan (15.4.3) and Building Elevations for Design Review (15.4.7) (may be waived by Administrator as appropriate) Construction Documents (15.4.4) shall be submitted after Planning Board approval.
    - E. **Determination of Completeness:** The Administrator shall review the application to ensure that it is complete, prepare a report and recommendation on the application, and schedule the matter for a public hearing before the Planning Board.
    - F. Public Notification: Level 1, 2 and 4.
    - G. Neighborhood Meeting (15.3.7): Optional.
    - H. Public Hearing: The Planning Board shall hold a hearing on the proposal. The applicant and other property owners likely to be materially affected by the application shall be given an opportunity to be heard.
    - I. **Decisions/Findings of Fact:** Following the public hearing the commission may approve, deny or approve with conditions the application for a Major Site Plan. No Major Site Plan shall be granted unless it complies with the following findings of fact:
      - a. The plan is consistent with the adopted plans and policies of the Town;
      - b. The plan complies with all applicable requirements of this ordinance;
      - There exists adequate infrastructure (transportation and utilities) to support the plan as proposed;

- 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. "
- To achieve a building permit, any development has to comply with all applicable State and local standards including, land disturbance, floodplain, stormwater requirements, and steep slope protections. Plott Creek is a designated Trout water of the state from its headwaters to Richland Creek requiring compliance with the Trout Stream buffer rules of the State, and a 25' buffer. Any development within the floodplain will have to comply with all State and local floodplain requirements. There is no FIRM designated floodway or non-encroachment area within the PC-NR District. Compliant development should not negatively impact the water quality of Plott Creek interfere or interfere with adjacent property uses.
- Multi-family residential should not generate any more noise than the existing Hazelwood Elementary school, nor has multi-family development in other areas created objectionable noise complaints for the Town.

## Recommendation from staff:

- 1. The Board should utilize the Statement of Consistency Work sheet to develop findings which demonstrate your review of, and consideration for consistency with the Land Use Plan, reasonableness, and the public good.
- 2. The Board should recommend (or not) the text amendment for approval by the Board of Aldermen.

## **Attachments:**

- 1. Application
- 2. Notice, Information and Maps related to the request
- 3. The Table of Permitted Uses



## TOWN OF WAYNESVILLE

Development Services Department
PO Box 100
9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

September 27, 2018

Notice of Public Hearing for a text amendment to the Land Development Standards of the Town of Waynesville

The Town of Waynesville **Planning Board will hold a hearing** on a text amendment to the Town's Land Development Standards on **October 15, 2018 at 5:30 pm**, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC. The proposed amendment adds "Dwelling-Multi-Family" as a Permitted Use (P) within the Table of Permitted Uses, Section 2.5.3 of the Land Development Standards within the Plott Creek-Neighborhood Residential (PC-NR) District.

For more information please contact the Development Services Department, phone: (828) 456-8647, email: <a href="mailto:eteague@waynesvillenc.gov">eteague@waynesvillenc.gov</a>, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786

Elizabeth Teague, AICP, CTP Development Services Director

Cc: Eddie Ward, Town Clerk

Posting of Notice, October 1, 2018





----Original Message-----From: Byron Hickox

Sent: Monday, October 01, 2018 11:16 AM

To: Elizabeth Teague Cc: Byron Hickox

Subject: Plot Creek Posting



## TOWN OF WAYNESVILLE Development Services Department PO Box 100 9 South Main Street Waynesville, NC 28786 one (828) 456-8647 • Fax (828) 452-1492 www.waynesvillenc.gov

## **Application for Land Development Standards Text Amendment**

Application is hereby made on August 21, 2018 to the Town of Waynesvil	le for the
following amendment:	
Designate the specific section(s) of the Land Development Standards being requested for Section 2.5.3 Table of Permittel Uses"	change:
Description of the requested amendment, (attach additional sheets if necessary):  Add "multi-family" to PC. NR District	
The reasons for the requested amendments, (attach additional sheets if necessary):  Bowl & Alderna As-bai	- - -
Applicant Contact Information  Name (Printed): E112AR FTU TRACKE Printed Print	No. 12. 12454F
Name (Printed): <u>FLIZARETH TEAGNE</u> PLANNING DIRECTOR WAYNESVILLE Mailing Address: 9 S. MAIN ST., WAYNESUILLE, NC 28786	SERVICES
Phone(s): (828) 2 454 - 2004	("PLANNING")
Email: <u>eteaque @ waynesvillenc.</u> gw	

Note: Text Amendment Requests require a fee of \$500.00. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Development Services Department, 9 South Main Street, Waynesville, NC 28786.

Excerpts from the Town of Waynesville Land Development Standards: https://library.municode.com/nc/waynesville/codes/code of ordinances

## 2.3.3 Neighborhood Residential Districts (NR) Purpose and Intent

(F) While it is semi-rural currently, as the Plott Creek Neighborhood District (PC-NR) develops it should do so in a manner which complements its location near the Hazelwood Town Center, and the Hazelwood Elementary School which is within its boundaries. Infrastructure should be well connected and networked (including sidewalks, streets, water/sewer, etc.) and other infrastructure needs should be addressed (such as recreational opportunities) as the area develops. Special care should be taken to enhance the natural features of the area, such as the mountain slopes and the creek, so that they become an integral part of the community. Connections (roads, trails, etc.) to other districts, such as Hyatt Creek area and to the large mountain tracts at the end of Plott Creek, are also important and must be considered as the area develops.

## 2.4.1 Table of Dimensional Standards by Residential District

Standard	Residential – Low Density (RL)	Residential – Med Density (RM)	Neighborhood Residential (NR)	Urban Residential (UR)
1. Applicable Districts	CC-RL, EN-RL, FC-RL, HT-RL	CP-RM, D-RM, HM- RM, SW-RM	AC-NR, LL-NR, MS- NR, N-NR, PS-NR, PC-NR, RC-NR, SS- NR, WS-NR	EW-UR, H-UR
2. Development Standards			<b>またいを書かり返り</b>	
a. Density (max base)	6 units/acre	8 units/acre	10 units/acre	16 units/acre
<ul><li>b. Density (max with SUP)</li></ul>	12 units/acre	12 units/acre	16 units/acre	24 units/acre
c. Civic Space (min) per CH 7	10% - Open Space Only	10%	5%	5%
3. Lot Standards			HOUT ELEMENTS TO	
a. Lot Area –House	½ acre	¼ acre	1/6 acre	<sup>1</sup> / <sub>6</sub> acre
<ul> <li>b. Lot Area – All bldg types with rear vehicular access</li> </ul>	Subject to density	Subject to density	Subject to density	Subject to density
c. Lot Width (min)	60 ft	50 ft	50 ft	50 ft
- With rear vehicular access	n/a	16 ft	16 ft	16 ft
d. Frontage at Front Setback	n/a	n/a	n/a	n/a
e. Pervious Surface (min)	20%	20%	10%	10%
4. Building Setback (min)			on Aleksia vesti	
a. Principal Front <sup>1</sup>	20 ft	10 ft	10 ft	10 ft
b. Street Side/Secondary Front <sup>1</sup>	20 ft	5 ft	5 ft	5 ft
c. Side (from adjacent lot)	10 ft	10 ft	10 ft	10 ft
d. Setback Between Bldgs	15 ft (10 ft)	6 ft	6 ft	6 ft
e. Rear	20 ft	6 ft	6 ft	6 ft
5. Accessory Structure Setback				
a. Side	5 ft	5 ft	5 ft	5 ft
b. Rear	5 ft	5 ft	5 ft	5 ft
c. Other Standards	See Section 4.6.3	See Section 4.6.3	See Section 4.6.3	See Section 4.6.3

Where no right-of-way exists or if the right-of-way is only inclusive of the street pavement add 10 ft. See also 4.3.1.A.3.

<sup>&</sup>lt;sup>2</sup>Customary storage as an accessory to residential use of the property

Text Amendm
Table of Perm
willti-family

2.5.3 Table of Permitted Uses (rev. 2012, 2016,2017):

	Resident	al-Low D	Residential-Low Density Districts	rices	Residen	itial-Medii	Residential-Medium Density				Neighbo	rhood Res	Neishborhood Residential (NR)	) "			Urban Res	Urban Residential (UR)	12011	Neighborhood Center (NC)	Contar (NC		Business District (BD)	(80)	Banion	(a) manual Constant (BC)		Commercial	ā
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USE TYPES	CC-RL	EN-RL	FC-RL F	HT-RL C	CP-RM D	D-RM HM-RM	M-RM SW	SW-RM AC	AC-NR LL-NR	NR MS-NR	N N N	r PS-NR	PC-NR	RCAN	SS-NR V	WS-NR E	EW-UR H	H-UR HM	HM-UR NM-	NM-NC PS-NC	C RC-NC	CBD	H-8D	SM-BD	DJ-RC	HC-RC F	RA-RC	ō	
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Dwelling-Townhome	a.	<b>a</b>	a.	a.	a.	-	-	-	+	+	a.	۵.	d	۵.	<b>a.</b>	<u>a</u>	۵.	a.	a a	а. С	۵.	۵.	۵.	۵.	<b>a</b>	۵.	۵.		
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## Waynesville, NC

525 North Main Street Waynesville, NC 28786 (P) 828.456.8383 (F) 828.456.8797

## Knoxville, TN

234 Morrell Road Box 322 Knoxville, TN 37919 (P) 865.661.2810

## **Traffic Impact Analysis**

For

The Plott Creek Apartments

Located in Waynesville, North Carolina

Prepared For: William Ratchford Southwood Realty 165 South York Street PO Box 4158 Gastonia, NC 28054

Prepared By:
J.M. Teague Engineering & Planning
525 North Main Street

Waynesville, North Carolina 28786



February 2018

JMTE WAYN 0823

## 20

## **Introduction and Background**

This report summarizes the findings of the Traffic Impact Analysis (TIA) that was performed for a 200-unit multi-family apartment development proposed in Waynesville. (Figures 1 & 2) The purpose of this study is to determine the impact of the anticipated traffic associated with this development including trip generation, trip distribution, intersection delay, vehicle queue, and intersection capacity. Each of these aspects will be analyzed to determine any potential adverse traffic impacts on the adjacent roadway network from the proposed development.

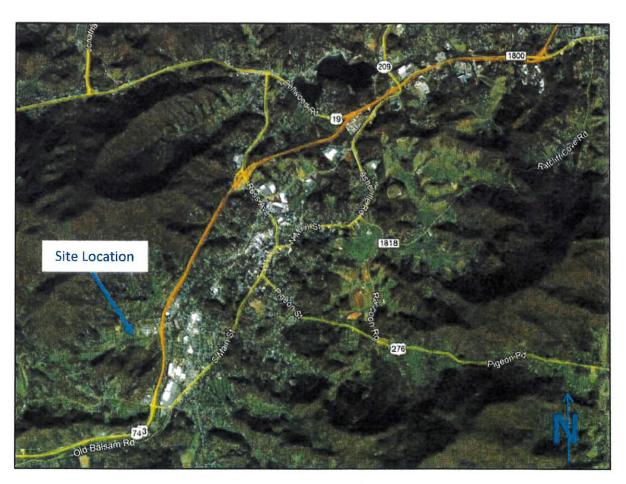


Figure 1 – Region of Proposed Site Location

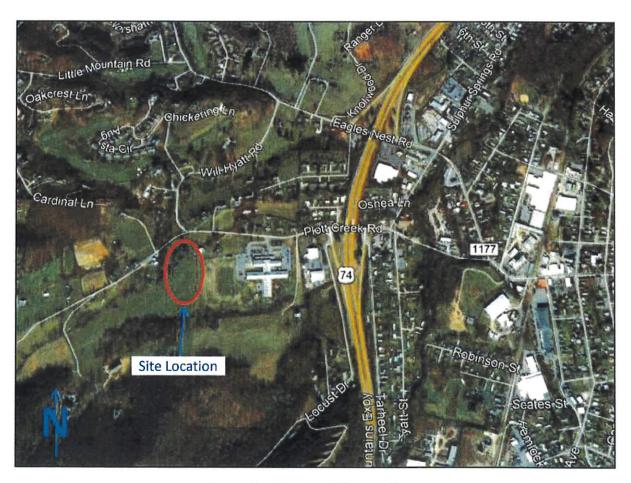


Figure 2 - Proposed Site Location

## **Proposed Site Use and Access**

The site plan consists of a 200-unit multi-family apartment development. The proposed apartment development will be a mixture of 1, 2 and 3-bedroom apartments. The proposed site access will intersect Plott Creek Rd. directly across from the intersection with Will Hyatt Rd. Figure 3 shows the proposed site layout of the development. This proposed site plan can be found in Appendix A.

## **Conclusions and Recommendations**

The mitigation recommendations at each of the studied intersections are based on NCDOT's Policy on Street and Driveway Access to North Carolina Highways (Driveway Manual) methodology, Town of Waynesville mitigation threshold requirements and engineering judgement.

## Plott Creek Road @ Will Hyatt Road / Proposed site access:

Plott Creek Road @ Will Hyatt Road/Proposed Site Access Comparison of Background vs Build-out Peak Hour Traffic Conditions

Ammunah	Peak	Back	ground		Build-	out		V/C
Approach	Hour	LOS	Delay	V/C	LOS	Delay	V/C	Increase
Eastbound	AM	Α	2.9	0.03	Α	2.9	0.03	0
(Plott Creek Rd)	PM	A	2.2	0.02	A	2.2	0.01	0
Westbound	AM	Α	0.0	0.03	Α	1.5	0.01	0
(Plott Creek Rd)	PM	Α	0.0	0.04	A	3.7	0.04	0
Southbound	AM	В	10.3	0.13	В	12.2	0.19	0.06
(Will Hyatt Rd)	PM	Α	9.1	0.07	В	10.7	0.14	0.07
Northbound	AM	-	_	_	Α	9.8	0.11	N/A
(Site Access)	PM		Comparent		A	9.3	0.06	N/A

<Table 12>

In the table above the V/C ratio increase is zero for all conditions except the comparison of the background and build-out for the southbound traffic. The V/C increase for the southbound traffic under build-out conditions remains under the Town of Waynesville thresholds for mitigation found in Chapter 6 of Appendix A – Land Development Standards of the Town's Code of Ordinances (6.10.4 – Thresholds for Mitigation). An increase of 0.06 and 0.07 for the AM & PM is seen for V/C on the southbound approach of Will Hyatt Road while the threshold for mitigation is an increase of 0.10.

As can be seen in Table 12, the LOS increases from A to B during the PM peak hour on the southbound intersection approach. This LOS change does not significantly change the intersection operation because the level of service increase was due to a very small delay increase.

The background and build-out traffic cannot be compared to the Northbound traffic out of the development because it is created under build-out conditions. However, in Table 9 where the intersection is analyzed under build-out conditions, the traffic operation appears adequate for an intersection according to thresholds specified in the Highway Capacity Manual (HCM) published by the Transportation Research Board. The addition of the site access in alignment with Will Hyatt Road and the site generated traffic is not anticipated to degrade general roadway or driver safety at this intersection if all conditions of the NCDOT driveway permit are met.

## Sight distance:

One important aspect of the NCDOT driveway permit for the new site access will be adequate sight distance along Plott Creek Road. The addition of the site access will create the need for some sight distance improvements on the southwest side of Plott Creek Road from the new access. Currently, there are pine trees and vegetative undergrowth that impede the site distance looking westward on Plott Creek Road from the proposed access. The Plott Creek Road @ Will Hyatt Road intersection is also located in a slight curve; thus, the roadway geometry also contributes to the reduction of sight distance. The site access location will require grading according to the site plan, thus sight distance improvements should be addressed during the grading phase of the project. According to the American Association of State Highway and Transportation Officials (AASHTO) in "A Policy on Geometric Design of Highways and Streets", the sight distance should be 390 feet for a road with a 35 mph speed.

## Turn Lane Analysis:

A left turn lane is not warranted for this development and associated traffic on Plott Creek Road. The Town of Waynesville mitigation thresholds is not exceeded along Plott Creek Road by the addition of the site access and the additional traffic. None of the approaches are beyond the typical thresholds for delay increase percentage or LOS degradation. Since each approach maintains excellent LOS operation for an un-signalized intersection during a peak hour, no changes are recommended at this intersection to accommodate traffic generated by the site under build-out conditions. The addition of site generated traffic is not anticipated to

degrade general roadway or driver safety at this intersection, thus a turn lane is not recommended at this intersection.

## Plott Creek Road @ Hazelwood Elementary School:

Plott Creek Road @ Hazelwood Elementary School Access
Comparison of Background vs Build-out Peak Hour Traffic Conditions

A	Peak	Backg	ground	-	Build-	out		V/C
Approach	Hour	LOS	Delay	V/C	LOS	Delay	V/C	Increase
Eastbound	AM	-	0.0	0.15	1 -	0.0	0.19	0.04
Eastbound	PM		0.0	0.05	-	0.0	0.07	0.02
Westbound thru	AM	_	0.0	0.02	_	0.0	0.02	0
westbound thru	PM	-	2.3	0.04		0.0	0.08	0.04
Westbound left	AM	Α	9.5	0.39	A	9.9	0.41	0.02
westbound left	PM	A	7.5	0.04	Α	7.5	0.04	0
Northbound left	AM	E	41.8	0.21	F	50.1	0.26	0.05
	PM	В	10.2	0.02	В	11.0	0.02	0
Northbound right	AM	С	16.2	0.65	С	19.9	0.72	0.07
	PM	Α	9.0	0.10	A	9.3	0.10	0

<Table 13>

Video of the existing traffic at the school access reveal short periods of queues developing in the left turn lane of westbound Plott Creek Road during student drop-off and pick-up periods. Vehicles passing the left turn queue were also observed traveling in the westbound through lane and turning into the school as well. These observations show that the school access and internal traffic operations of the school could be improved to better accommodate existing traffic conditions. Drop-off and pick-up periods at schools typically create challenging traffic related issues and the Plott Creek Road @ Hazelwood Elementary access is no different. It is important to understand that these issues already exist, but opportunities to improve the situation may be presented as part of the NCDOT sidewalk project that is scheduled along Plott Creek Road. Any improvements to the school would have to be incorporated into an existing design for the sidewalk improvements planned on Plott Creek Road.

During build-out conditions the left turn of the school exit increases to an "F" from a level of service (LOS) of "E". This movement is heavily restricted, however the volume of this turn is very low and these conditions are short lived during the student drop-off period.

As can be seen in Table 13, the resulting V/C increase in the build-out traffic conditions remain below mitigation thresholds. The V/C ratio for the Hazelwood Elementary school exit during the AM peak hour increases by 0.07 during build-out conditions. This V/C increase does not warrant mitigation on behalf of the development and is below the Town of Waynesville mitigation thresholds.

The volume to capacity issues are only occurring during the AM peak hour. The student dropoff in the morning peak period coincides with expected AM development traffic. However, with
the PM peak hour traffic, the development and the school peak hour traffic travels on Plott
Creek Road at different times. During the PM peak hour, the northbound school exit does not
experience an increase in V/C when comparing background to build-out.

## Hazelwood Avenue @ Sulphur Springs Road:

Hazelwood Avenue @ Sulphur Springs Road
Comparison of Background vs Build-out Peak Hour Traffic Conditions

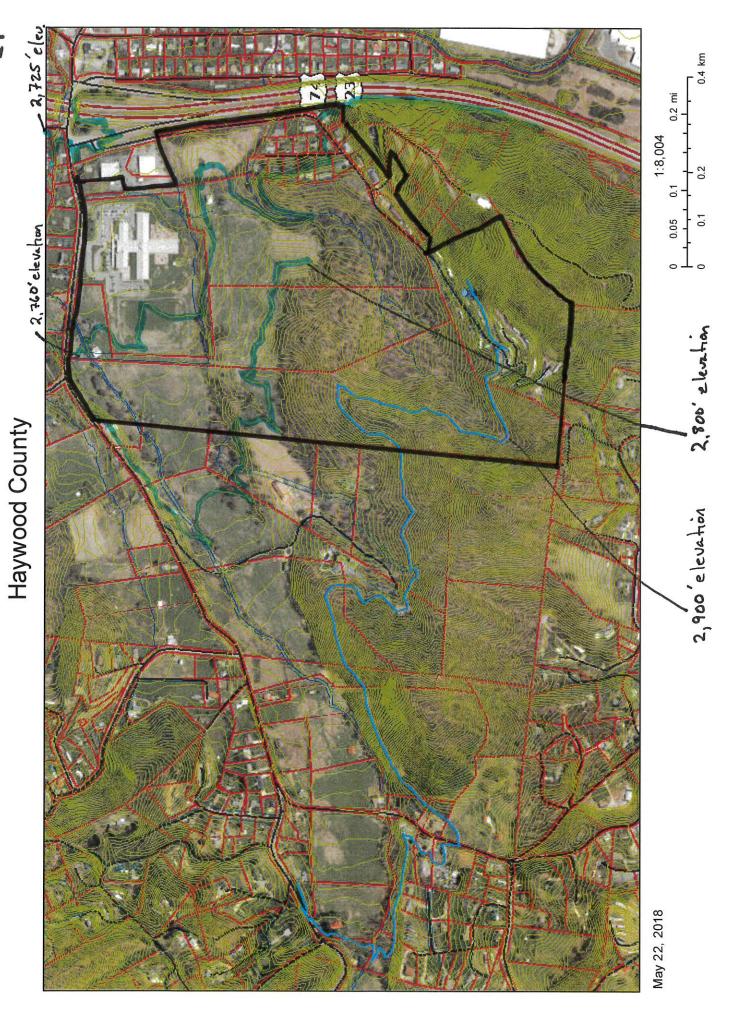
A	Peak	Backg	ground	a discolate up	Build-	out	M-100	V/C
Approach	Hour	LOS	Delay	V/C	LOS	Delay	V/C	Increase %
Eastbound	AM	Α	5.9	0.20	Α	6.1	0.22	0.02
(Hazelwood Ave)	PM	Α	4.8	0.10	A	4.9	0.12	0.02
Westbound	AM	Α	0.0	0.14	Α	0.0	0.15	0.01
(Hazelwood Ave)	PM	A	0.0	0.08	A	0.0	0.09	0.01
Southbound	AM	С	12.5	0.25	В	13.0	0.27	0.02
(Sulphur Springs)	PM	В	11.4	0.23	В	11.9	0.28	0.05

<Table 14>

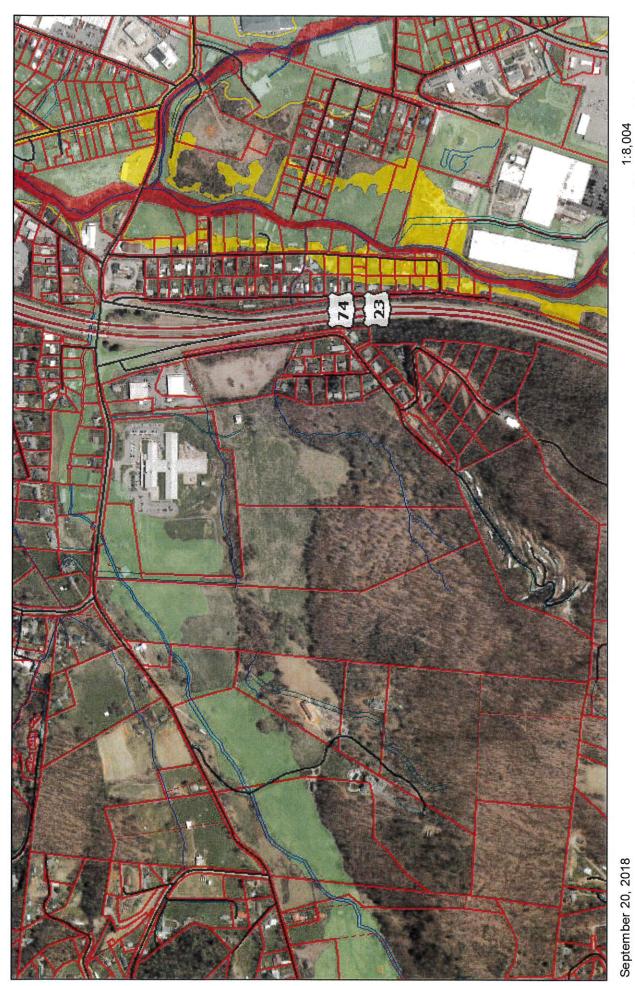
As can be seen in *Table 14*, the Hazelwood Avenue @ Sulphur Springs Road intersection is only minimally effected by the proposed development and the intersection operation remains mostly consistent through the addition of the proposed development. All V/C increases are within the Town of Waynesville mitigation thresholds. This intersection operates sufficiently under both background and build-out conditions with the existing lane configurations and

current traffic configurations.

No changes are recommended at this intersection to accommodate traffic generated by the site under build-out conditions. The addition of site generated traffic is not anticipated to degrade general roadway or driver safety at this intersection.



2012 FIRM (green = "100 yr floodplain)



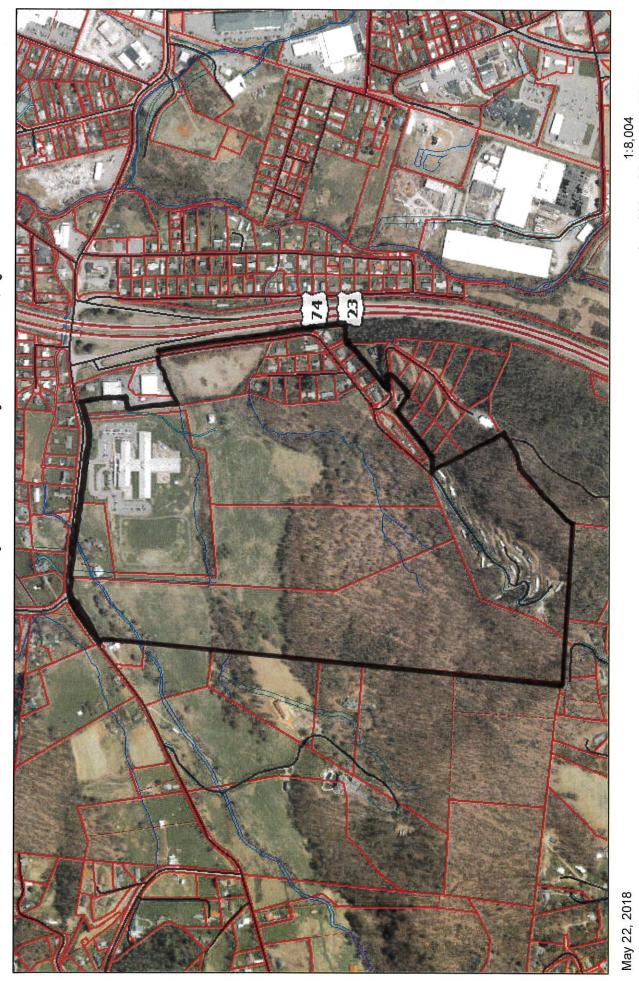
September 20, 2018

0.4 km

0.2 mi

0.05

## Haywood County - Pc NR

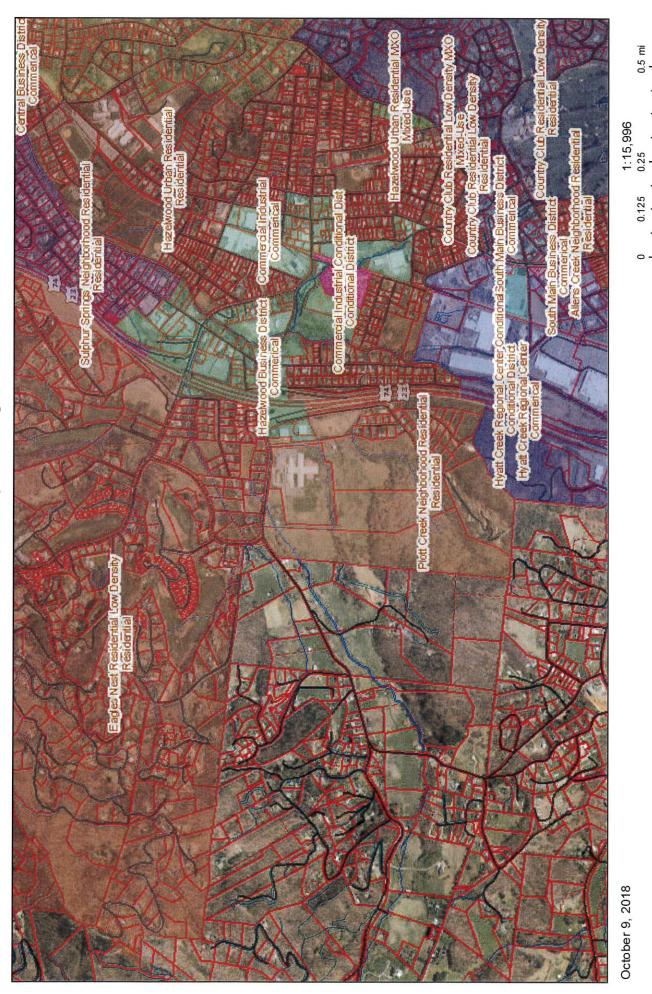


May 22, 2018

0.4 km

0.05

# PC-NR and Nearby Zoning Districts



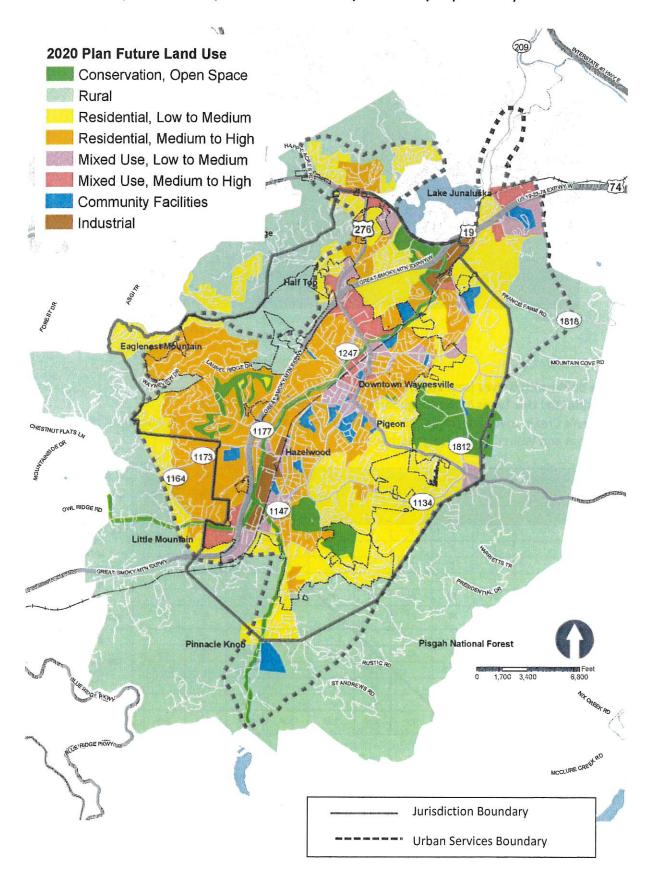
October 9, 2018

0.8 km

0.5 mi

0.125

## Future Land Use Map from the Adopted 2020 Land Development Plan (adopted 2002).





To: From: Date: Subject Descri	ption:	NR District, Land Developr Uses	Director  t of Consistency ed text amendment to add Multi-Family to the PC- ment Standards, Section 2.5.3 Table of Permitted
Addres	38:	maps with application mate	rials
The Pl	anning Board her	eby adopts and recommends t	to the Governing Board the following statement(s):
			consistent with the Town's comprehensive land
	The zoning ame	endment and is reasonable an	d in the public interest because:
			it is inconsistent with the Town's comprehensive public interest because
	the Town's commending the zero	mprehensive land use plan oning ordinance to meet the	ent, this approval is also deemed an amendment to  The change in conditions taken into account in development needs of the community and why this, are as follows:
			motion, seconded by
		(unanimousi	
Patrick	McDowell, Plan	ning Board Chair, Date	Michelle Baker, Clerk, Date