

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, August 19, 2019, 5:30 PM

A. CALL TO ORDER

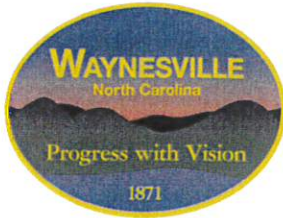
1. Welcome/Calendar/Announcements
 - Request for Special Called Meeting to consider a Special Use Request
 - August 25, Art Commission Dog Show, 5-7 pm at Shelton House Campus
2. Adoption of Minutes
 - *Motion:* To approve minutes of July 15, 2019 as presented (or as corrected)

B. BUSINESS

1. Map Amendment Request to change zoning at 504 Church Street, PIN 8615-17-6586, from Main Street Residential to Main Street Central Business District (*Legislative Proceeding*)
2. Planning Board review of Draft Comprehensive Plan, Chapters 1-3.

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

D. ADJOURN



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Development Services

Director

Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

Regular Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786

July 15, 2019

THE WAYNESVILLE PLANNING BOARD held its regular meeting on July 15th, 2019 at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

Chairman Patrick McDowell called the meeting to order at 5:33 p.m. and welcomed everyone.

The following members were present:

Patrick McDowell (Chairman)

Anthony Sutton (Vice Chairman)

Jason Rogers

Ginger Hain

Don McGowan

Robert Herrmann

Marty Prevost

The following Board members were absent:

Bucky Dykes

Susan Smith

The following staff members were present:

Elizabeth Teague, Development Services Director

Amie Owens, Assistant Town Manager

Eddie Ward, Town Clerk

Jesse Fowler, Planner

Planning Board Minutes

July 15, 2019

Ms. Elizabeth Teague, Development Services Director, thanked everyone who attended the Comprehensive Plan workshop. The Board was provided the latest draft, and she encouraged Board Members to read and take time to give written comments. She said there would be a notice in the newspaper, and the public could go to the website and review the draft.

Ms. Teague recognized new Board Member Don McGowan and asked him to introduce himself to the Board. Each Board Member welcomed him to the Planning Board.

Ms. Teague stated that each year the Board elected a Chairman and Vice Chairman. Chairman Patrick McDowell asked for nominations from the Board for Chairman. Ms. Ginger Hain nominated Mr. Patrick McDowell and was seconded by Mr. Robert Herrmann. Mr. Anthony Sutton nominated himself, and there was no second to the nomination. The Board voted unanimously to appoint Mr. Patrick McDowell as Chairman.

Chairman McDowell asked for nominations for Vice Chairman. Mr. Anthony Sutton was nominated by Ms. Hain and seconded by Chairman McDowell. The Board voted unanimously to appoint Mr. Anthony Sutton as Vice Chairman.

Ms. Teague told the Board that the Public Art Commission would be holding a dog show on Sunday August 25, 2019 from 5:00 – 7:00pm at the HART Theater on Pigeon Street. This event will raise money for the Plott Hound Sculpture in Hazelwood, as well as future public art pieces.

2. Adoption of Minutes

A motion was made by Board Member Robert Herrmann, seconded by Board Member Don McGowan, to approve the minutes of the May 20th, 2019 board meeting as presented. The motion passed unanimously.

3. Approval of Order Approving Major Subdivision, May 20, 2019

Ms. Teague explained to the Board that in the past, Attorney Ron Sneed had drafted the orders from quasi-judicial proceedings for approval of major subdivisions and the Board approved them in the minutes. She said that about 2 years ago the Board changed the procedure, and now the Order is adopted in a separate action. This Order documents the Board's decision and findings concerning the hearing that was held at the May 20, 2019 meeting.

A motion was made by Vice Chairman Anthony Sutton, seconded by Board Member Robert Herrmann to approve the Order for a major subdivision to be developed on property adjoining Buchanan Drive. The motion carried unanimously.

B. BUSINESS

1. Public Hearing to consider zoning 187 Secret Hollow Lane (PIN 8616-09-5980), to Dellwood Medium Density
 - Planner Jesse Fowler

Mr. Jesse Fowler, Development Services Planner, stated that the Board of Aldermen approved the annexation of 187 Secret Hollow Lane, an un-zoned property, on November 27, 2018. The current use of the property is as a single-family dwelling. The applicant has requested that the property be zoned as Dellwood Residential Medium Density District. The Dellwood Residential Medium Density District is located approximately 800 feet to the East of 187 Secret Hollow Lane, and this district is the closest residential district to the property.

The purpose and intent of the Dellwood Residential Medium Density District per the and Development Standards §2.3.2. B states:

The Dellwood Residential Medium Density District (D-RM) shall develop as a low to medium density residential district separating the Russ Avenue and Dellwood/Junaluska Town Center. Promoting a mixture of residential densities, this district shall be developed with such enhancements to residential living as pedestrian access and the provision of open space. Higher density development and limited business and professional services shall be promoted along Russ Avenue with larger lots and cluster development promoted throughout the district. Nonresidential uses typically found in residential areas are permitted, however, development in this district shall be designed to clearly define the residential appearance and scale of the area and to define the differences between this area and the Russ Avenue Town Center and Dellwood/Junaluska Area Center.

Staff Comment:

Planner Fowler said the property, 187 Secret Hollow Lane, already receives water from the Town, and is located near a cluster of other noncontiguous annexations along the Dellwood I U.S. 19 corridor. These annexations are zoned either Dellwood Residential Medium Density or Dellwood Junaluska Regional Center. Due to the nature of this property's use as a single-family dwelling and its proximity to other similar zoning districts, Town staff would recommend that the Planning Board zone 187 Secret Hollow Lane as Dellwood Residential Medium Density.

Consistency Statement Information

Mr. Fowler said that in accordance with the 2017 revisions to NCGS 160A-383, staff recommends that the Board could find that this text amendment is consistent with the Town of Waynesville's Comprehensive Plan, Waynesville: Our Heritage, Our Future, 2020 Land Development Plan, adopted in 2002, and that this map amendment is reasonable and in the public interest with the following considerations:

- A. The Dellwood Residential Medium Density District is designated as a low to medium density residential district. The current property is used as a single-family dwelling on 4 acres of land. This use and density are consistent with the use and density of the Dellwood Residential Medium Density District. (LDS §2.3.2. B)
- B. The zoning of this property as Dellwood Residential Medium Density District is consistent with the following Land Use Plan definition of "Residential Low/Medium Density":
 - Low/medium density residential development is located on lands where utility services are typically provided but roads are such that accommodation for higher density development is not recommended. Lands with constraints unsuitable for higher density development (i.e. topography) are also typically included in this category. (LDP 5-11)

Chairman McDowell opened the Public Hearing at 5:49 pm. and asked if anyone wished to speak.

There was no one from the public at the meeting.

Chairman McDowell closed the Public Hearing at 5:50 pm.

A motion to find the request to zone 187 Secret Hollow Lane as Dellwood Residential Medium Density consistent with the 2020 Land Development Plan was made by Vice Chairman Anthony Sutton, seconded by Board Member Marty Prevost. The motion carried unanimously.

A motion to find the map amendment request as reasonable and in the public interest was made by Vice Chairman Anthony Sutton, seconded by Board Member Marty Prevost. The motion carried unanimously.

A motion to recommend approval by the Board of Aldermen for the application of Dellwood Residential Medium Density District zoning to 187 Secret Hollow Lane was made by Vice Chairman Anthony Sutton, seconded by Board Member Marty Prevost. The motion carried unanimously.

C. Comprehensive Plan Update

- Development Services Director Elizabeth Teague

Ms. Teague asked the Planning Board Members what their preference was related to a projected timeline for review and subsequent public hearing and recommendations to the Board of Aldermen related to the Comprehensive Plan. Chairman Patrick McDowell expressed that it was important to take the time to review the document, discuss the various information and consider that the decisions made would impact the future of Waynesville. The term "thoughtful growth" was the preferred nomenclature in looking at future development.

After some general discussion about the complexity and importance of the document, Ms. Teague added it was a fluid document that could see future changes as a plan, rather than a policy, but that the foundation for future growth and development was this plan. The Planning Board decided by consensus that they would begin the review of the document at each meeting with a specific section of the document to be discussed. Chairman Patrick McDowell suggested that at the next meeting, the Board members consider chapters 1 through 4 (pages 1 – 75) that deal with existing conditions and be prepared to discuss and make any proposed revisions.

Chairman Patrick McDowell thanked the members for taking this project seriously and for their continued commitment to Waynesville's future.

D. Public Comment/Call on the Audience

No one spoke.

E. ADJOURN

With no further business to discuss, a motion was made by Vice Chairman Anthony Sutton, seconded by Board Member Jason Rogers, to adjourn the meeting at 6:27 pm. The motion carried unanimously.

ATTEST:

Patrick McDowell, Chairman

Eddie Ward, Town Clerk

Planning Board Staff Report:

Subject: Map Amendment (Rezoning) Request for 504 Church Street from Main Street Residential to Central Business District
 PIN: 8615-17-6586
 Ordinance Section: 2.1
 Applicant: Ronald Muse
 Meeting Date: August 19, 2010

Summary Information:

Application Date: July 30, 2019
 Proposed Location: Richland and Church Street at 504 Church Street; PIN: 8615-17-6586
 Property Owner: Ronald Muse
 Acreage of site: 1.5 acres
 Zoning District: Main Street Neighborhood Residential District
 Other: This lot contains a blue line stream and is within the floodplain.
 A similar re-zoning request was made in 2016 and not adopted.

Background:

This is the second application to request rezoning of this property in the last several years. In February 2016, Mr. Muse made application along with other property owners along Richland Avenue to rezone their property from Main Street Residential to Central Business District zoning that was more conducive to redevelopment and consistent with existing land uses. The Planning Board determined that while lots along Richland Creek and the railroad were appropriate as part of the Central Business District, Mr. Muse's lot and that of the Lorna Barker Trust property were adjacent to residences and were more appropriately part of a mixed-use overlay. The Board of Aldermen agreed in part, designating the overlay on the Barker Trust property at the corner of Goodyear Street, but deciding not to change the zoning of the Muse property.

The current zoning of the lot in question is Main Street Neighborhood Residential (MSNR). The purpose of this District as specified in the Land Development Standards is:

"As a walkable, in-town neighborhood separating two business districts — the Central Business District and the South Main Street Business District. In addition to the convenient location, the public library, Central Elementary School and many larger, older homes are among the amenities that make this area attractive for residential living. Future development should work to maintain this attractive area, continuing a scale and design that will attract ongoing residential use of this district. The dense tree canopy currently found in the area will be maintained and sensitivity to this canopy and the improvement of pedestrian facilities will be important with any new development." (Town Code of Ordinances Section 2.3.3.)

The requested zoning is Central Business District (CBD) which would tie this lot into the CBD zoning to Frog Level. The purpose statement of the CBD reads (LDS Section 2.3.6):

As the civic and cultural center for the town, the **Central Business District (CBD)** is designed to preserve Downtown Waynesville as the primary civic, retail, office, institutional, cultural and entertainment center of the community. Expansion of what has been known as the Central Business District area into Frog Level will secure the relationship of the two areas and encourage the further redevelopment of Frog Level, including the development of a “town square” in the area. Building design, parking and transportation improvements in the Central Business District should focus on the comfort and enjoyment of the pedestrian while promoting the development of a well-balanced transportation system, including the reinstitution of the old train depot in Frog Level. Residential development in the form of multi-family development and dwelling units in the second floor of buildings is strongly encouraged. Infill opportunities and high density development, respecting the historic fabric of the area are envisioned. Public parking areas are recommended as opposed to the generation of private parking facilities.

In 2016, the Planning Board recommended that instead of changing the zoning designation to CBD, that the Mixed-Use overlay District option be applied. The overlay is described as described as:

A.Purpose: The Mixed-Use Overlay District (MX-O) is a zoning overlay district established to permit certain limited mixed-uses within residential neighborhoods.

B. Applicability: The frontage of locations or blocks shall be identified on the Land Development Map to permit certain non-residential uses as permitted in the Use Table in Section 2.5.3. Such locations are noted as either PC (permitted on any Corner Lot located at the intersection of two publicly-maintained streets) or PL (Permitted in Designated Locations on the Land Development Map).

The Planning Board recommended this approach because a mixed -use overlay would allow a shortened list of commercial uses from what is allowed in the Central Business District and would mimic a mixed use overlay of other Neighborhood Residential Districts, creating a transitional buffer along Richland Street. However, the Board of Aldermen determined to not take action to amend the zoning on this property based on concerns from adjacent neighbors (Board Minutes attached).

Since that time, the Land Use Plan Steering Committee recommended that an overlay be considered for the railroad corridor to allow for some flexibility where property is impacted by the railroad track as part of Land Use Plan update discussions.

Surrounding Land Use/Zoning Pattern:

Surrounding land use is primarily residential to the north, east and south, and commercial to the northwest and across Richland Street. Immediately across the street is the Town railroad corridor and an empty lot that is currently owned by Giles Chemical.

Consistency with the 2020 Land Development Plan

In the Waynesville: Our Heritage, Our Future, 2020 Land Development Plan, the Future Land Use Map (Map 12) indicates the area of the subject property and other properties along Richland Avenue by the

Railroad track to be designated for "Residential of Medium to High Density" concentration. However, this area has historically been commercial in nature, and the implementation of residential zoning designation in 2003, did not result in changes of use of these lots (or other lots along this stretch of Richland Street to Smathers) from commercial.

In the text of the 2020 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)

The action items are to "...revise the zoning map to reflect the Land Use Map..." and to "encourage mixed use development on adjacent properties in designated mixed-use areas." The text of the plan would seem to encourage mixed-use or infill commercial development in an area such as this, but also to protect the existing neighborhood that abuts this lot. In the adopted Future Land Use Map, the lot is designated within the Low to medium residential district.

Discussion on updates to the plan have indicated support for encouraging re-use and re-development of properties adjacent to the railroad corridor with the goal of designing to the context of surrounding areas. The draft plan is still under review however, and no changes to the Town policies, visions or goals have been adopted since the last application.

Staff Recommendation:

Staff believes that allowing for increased options for use of this property would be in the public interest by introducing limited commercial uses that might promote redevelopment. However, staff submits that designation to the Central Business District category would be too much in that such a change in zoning could negatively impact the adjacent residences and church because of the number and type of uses allowed within the CBD. While the Land Use Plan recommends mixed use and low to medium residential development in this area, it does not promote commercial development of the intensity allowed in the Central Business District.

Staff recommends that this zoning request is not consistent with the current Land Use Plan. However, the Planning Board's initial recommendation for this lot in 2016 as a mixed-use overlay is still noteworthy and offers an alternate approach. This approach would better meet the goals and be consistent with the current land use plan. Should the applicant agree to amend his request, this would require new notice and a new hearing.

The Planning Board should use the attached work sheet to determine findings on "reasonableness" and the public interest, and on consistency with the current land use plan.

Requested Action:

1. Motion to find/not find the request reasonable and in the public interest.

2. Motion to find the request consistent with the 2020 Land Development Plan.
3. Motion to recommend to the Board of Aldermen approval/or denial of the requested rezoning of the property from the Main Street Neighborhood Residential District to a Main Street Neighborhood Residential District Mixed-Use Overlay.



To: Town of Waynesville Planning Board
 From: Elizabeth Teague, Planning Director
 Date: August 19, 2019
 Subject: Map Amendment Statement of Consistency
 Description: Rezoning request/Map Amendment
 Address: 504 Church Street; PIN: 8615-17-6586

The Planning Board hereby adopts and recommends to the Governing Board the following statement(s):

☐

The zoning amendment is **approved and is consistent with the Town's comprehensive land use plan** because: _____

The zoning amendment and is **reasonable and in the public interest** because:

☐

The zoning amendment is **rejected because it is inconsistent with the Town's comprehensive land plan and is not reasonable and in the public interest** because _____

☐

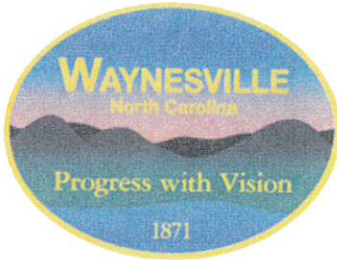
In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town's comprehensive land use plan**. The change in conditions taken into account in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: _____

Planning Board Member _____, made a motion, seconded by _____

The motion passed _____. (*unanimously or vote results here*)

 Patrick McDowell, Planning Board Chair, Date

 Eddie Ward, Clerk, Date



TOWN OF WAYNESVILLE
 Development Services Department
 PO Box 100
 9 South Main Street
 Waynesville, NC 28786
 Phone (828) 456-8647 • Fax (828) 452-1492
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*1 fee paid
8/2/19
\$500.00*

Application for Land Development Standards Map Amendment

Application is hereby made on July 30, 20 19 to the Town of Waynesville for the following map amendment:

Property owner of record: Ronald C Muse (Muse Bros.)

Address/location 504 Church St. of Waynesville, NC property:

Parcel identification number(s): 8615-17-168

Deed/Plat Book/Page, (attach legal description): _____

The property contains 1.5 acres.

Current district: Main St. Residential

Requested district: ~~Highwood~~ Central Business District

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

storage such as warehouse, boat or RV storage,
auto impoundment, ~~mini storage~~ general commercial

Applicant Contact Information

Applicant Name (Printed): Ronald C. Muse

Mailing Address: 730 Woodfield Dr., Waynesville

Phone(s): 828 400 9709

Email: volronm@hol.com

Signature of Property Owner(s) of Record Authorizing Application:

Ronald C. Muse

Note: Map Amendment Requests require a fee based on the size and number of lots being requested. 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.

This institution is an equal opportunity provider

Report For

MUSE, RONALD C
MUSE, MARIE
730 WOODFIELD DR
WAYNESVILLE, NC 28786

Account Information

PIN: 8615-17-6586

Legal Ref: 406/168

Add Ref:

Site Information

504 CHURCH ST

Heated Area:

Year Built:

Total Acreage: 1.5

Township: Town of Waynesville

Site Value Information

Land Value: \$22,300

Building Value: \$0

Market Value: \$22,300

Deferred Value: \$0

Assessed Value: \$22,300

Sale Price: \$13,000

Sale Date: 2/13/1990

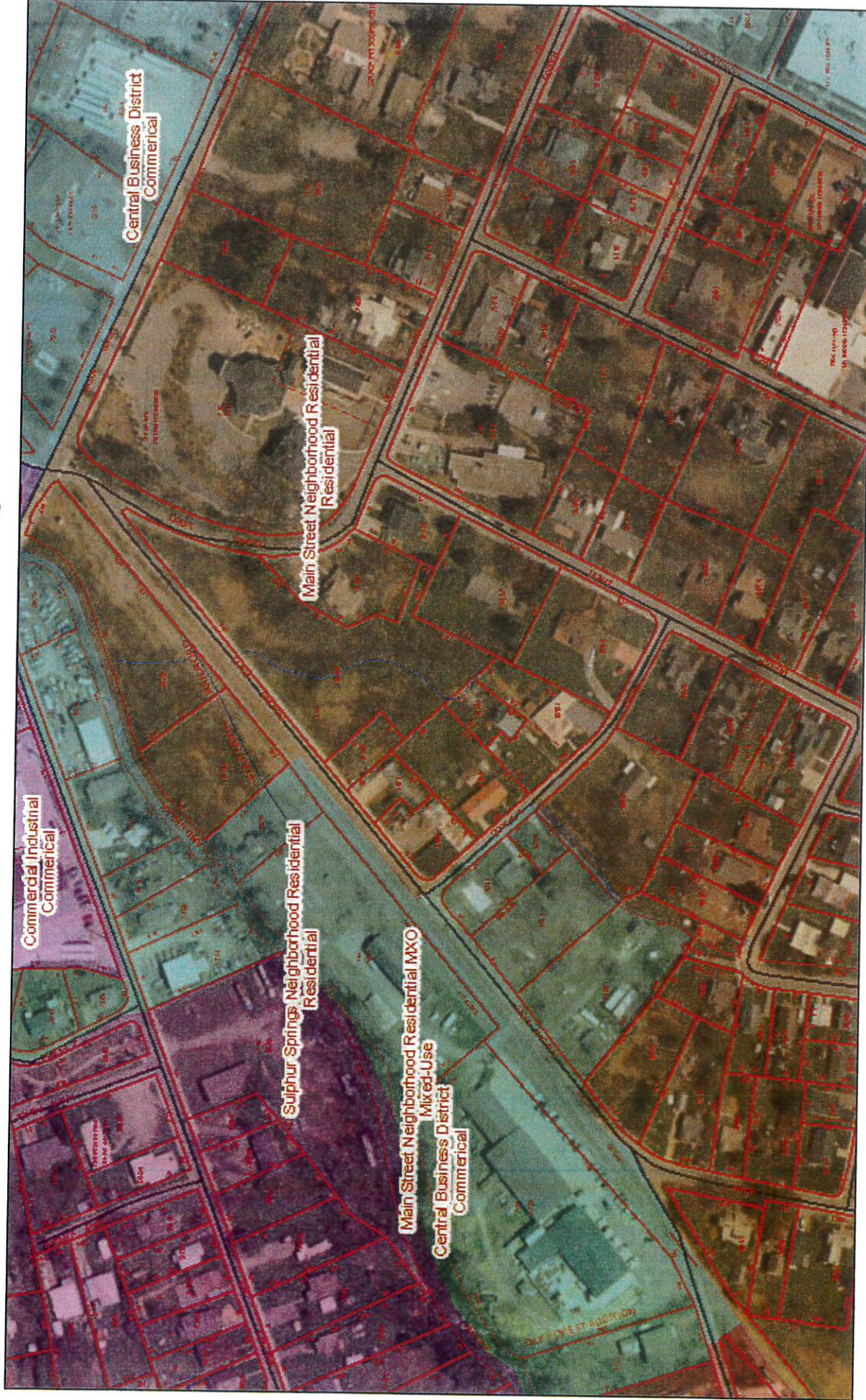


1 inch = 200 feet

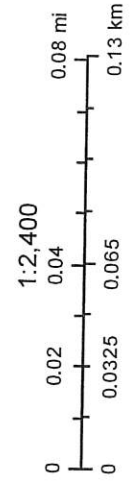
August 13, 2019

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.

504 Church Street zoning



August 12, 2019





TOWN OF WAYNESVILLE Planning Board

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Robert Herrmann

Phillip Gibbs

H.P. Dykes, Jr.

Shell Isenberg

L. Brooks Hale

Development Services

Director

Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

SPECIAL MEETING

Town Hall – 9 South Main St., Waynesville, NC 28786

January 28, 2016

THE WAYNESVILLE PLANNING BOARD held a regular meeting on January 28, 2016 at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

Vice Chairman Danny Wingate welcomed everyone and called the meeting to order at 5:30 p.m.

The following members were present:

Danny Wingate
Bucky Dykes
Brooks Hale
Anthony Sutton
Phillip Gibbs
Marty Prevost
Shell Isenberg
Robert Herrmann

Absent:

Patrick McDowell

The following staff members were present:

Elizabeth Teague, Development Services Director
 Eddie Ward, Deputy Town Clerk
 Byron Hickox, Land Use Administrator

2. Adoption of Minutes

Board Member Bucky Dykes made a motion, seconded by Board Member Anthony Sutton to approve the minutes of the December 21, 2015 board meeting as presented. The motion passed unanimously.

B. NEW BUSINESS

1. Public Hearing and Consideration of a zoning map amendment from Dellwood Medium Density Residential District to Dellwood Junaluska Regional Center District at 30 Mauney Cove Road, PIN 8616-39-4152 (Haywood County Convenience Center)

Vice Chairman Danny Wingate opened the Public Hearing.

Development Services Director, Ms. Elizabeth Teague, asked Mr. Byron Hickox, Land Use Administrator, to present the first item on the agenda. Mr. Hickox stated that the property located at 30 Mauney Cove Road consists of 1.29 acres, and is a partially developed lot containing a waste collection station, also known as the Convenience Center, operated by Haywood County. This Convenience Center has been in operation at this location for over 20 years, and is the busiest center in the county with 225,000 visitors annually. When Haywood County approached staff about reconfiguring the overall site to alleviate traffic problems, staff realized the current use is defined as a Recycling Collection Station, and is not a permitted use in this district and could not be expanded. Mr. Hickox said the adjacent district is Dellwood/Junaluska Regional Center and this district permits the operation of Recycling Collection Stations.

Staff Recommendation:

The rezoning of this property would allow the Convenience Center to be improved and expanded, and is critical to allow for more traffic lanes and safer entrances and exits on Mauney Cove Road. Mr. Hickox stated the Convenience Center would be consistent with this zoning and would enhance a necessary community service to the visitors and residents of the Lake Junaluska District. The Town of Waynesville Development Services Staff recommends approval of the request for rezoning.

Mr. Hickox explained to the Board there would be two requested actions.

1. Motion to find/not find the request consistent with the 2020 Land Development Plan by meeting the needs of the residential, commercial, and institutional needs of the community and promoting infill and improving an existing neighborhood area.

2. Motion to recommend approval of Haywood County's request for rezoning the property at 30 Mauney Cove Road from Dellwood Medium Density Residential to Dellwood/Junaluska Regional Center.

Kris Boyd
Haywood County Planning Director

Mr. Boyd stated that Haywood County was obligated to provide solid waste disposal to the residents of Haywood County. There are three ways to fulfill this obligation. First, the County has a Landfill, a Materials Recycling Facility, and Convenience Centers. Several of the Centers have become over burdened by use, and the County is taking the initiative to upgrade these facilities. A Center in Hazelwood has recently been upgraded, and now the Center at Mauney Cove needs to be improved. Mr. Boyd explained that there are traffic safety hazards because of the heavy volume of traffic at the Center. He said this site is open five days a week, and an average of 865 vehicles and deposit 17,000 pounds of solid waste in this facility on a busy day. Mr. Boyd stated that it is a necessity to upgrade the Convenience located on Mauney Cove Road not only for the volume, but for the traffic and safety needs.

Ira Dove
Haywood County Manager

Mr. Dove stated that the homeowner of the residence to the north of the Center was the person who leased, and then sold the property to the County. There are currently ten facilities operating in Haywood County, and this is the busiest one. He said the County was asking for the entire parcel to be rezoned Commercial which would allow more turning radius into and out of the Center. Preliminary designs for the upgrade show expansion width and lengthwise on the property and the addition of one more lane. Mr. Dove said that hopefully this will alleviate traffic being backed into Mauney Cove Road.

Ms. Teague explained to the Board that when plans are submitted for the project, they will have to meet the Land Development Standards, including buffering, where as of now because of the current zoning, they do not.

The Board had several questions for Mr. Boyd concerning traffic flow, and making sure that the North Carolina Department of Transportation is onboard with the design.

Ms. Teague reminded the Board that the design of the Center was not being approved in this meeting, but the rezoning to allow the expansion was what was being considered. She said that Staff felt this was a very important rezoning to allow the County to be able to move forward with the project for the Center.

Vice Chairman Danny Wingate closed the Public Hearing.

A motion was made by Board Member Anthony Sutton, seconded by Board Member Robert Herrmann to find the request consistent with the 2020 Land Development Plan by meeting the needs of the residential, commercial and institutional needs of the community and promoting infill and improving an existing neighborhood area. The motion passed unanimously.

A motion was made by Board Member Brooks Hale, seconded by Board Member Phillip Gibbs, to recommend approval of Haywood County's request for rezoning the property at 30 Mauney Cove Road from Dellwood Medium Density Residential to Dellwood/Junaluska Regional Center. The motion passed unanimously.

2. Public Hearing and Consideration of a zoning map amendment from Main Street Neighborhood Residential to Central Business District at Richland Street (referred to as second Forga lot), PIN 8615-17-5626

Vice Chairman Danny Wingate opened the Public Hearing.

Ms. Teague stated this request is for the .27 acre tract that holds a small warehouse and outdoor storage. It is adjacent to the Forga property approved for rezoning at the Planning Board meeting held on December 21, 2015. If it is approved, it will go forward to the Board of Aldermen with other recommended rezonings along Richland Street. The properties are adjacent to the railroad, and are mostly in the flood plain because of the creek, and have been used commercially for many years.

Staff Recommendation

Because of this location abutting the railroad corridor, and being located in the flood plain, residential use is unlikely. Staff recommends approval of the request for rezoning from Main Street Neighborhood Residential to Central Business District thus enabling more opportunities and improvement for the existing structure.

Ms. Teague indicated to the Board that there would be two requested actions.

1. Motion to find/not find the request consistent with the 2020 Land Development Plan by promoting the development and redevelopment of a historically mixed-use area.
2. Motion to recommend to the Board of Aldermen approval/approval with conditions/or denial of the requested rezoning of the property from the Hazelwood Urban Residential District to the Central Business District.

The Board had several questions concerning the possible rezoning of surrounding properties. Ms. Teague said notifications of the rezoning for these properties had been sent out, and only Giles Chemical had expressed interest in an adjoining property.

Vice Chairman Danny Wingate closed the Public Hearing.

Board Member Anthony Sutton made a motion, seconded by Board Member Marty Prevost, to find the request consistent with the 2020 Land Development Plan by promoting the development and redevelopment of a historically mixed-use area. The motion passed unanimously.

A motion was made by Board Member Robert Herrmann, seconded by Board member Anthony Sutton, to recommend to the Board of Aldermen approval of the requested rezoning of the property from the Hazelwood Urban Residential District to the Central Business District. The motion passed unanimously.

3. Continued discussion (tabled from December) and consideration of a zoning map amendment at 504 Church Street, PIN 8615-17-6586 and at 191 Richland Street, PIN 8615-17-2186 and 24 Goodyear Street, PIN 8615-17-4206.

Ms. Elizabeth Teague explained that two separate rezoning requests were tabled by the Board at the Planning Board Meeting on December 21, 2016. Since that meeting Ms. Teague has met with property owners Ms. Betty Henderson and Mr. Ron Muse, to discuss their vision for these properties, and a possible mixed-use overlay option that would allow some commercial uses in these properties that are adjacent Main Street Neighborhood. Ms. Teague discussed zoning categories listed in the 2020 Land Development Standards. She said some uses were permitted in a limited fashion, and this is to give some flexibility, and to decide where mixed-uses are appropriate. She said the purpose of the Mixed-Use Overlay District (MX-O) is a zoning district established to permit certain limited mixed-uses within residential neighborhoods. The applicability is for frontage of locations or blocks shall be identified on the Land Development Map to permit certain non-residential uses a permitted in the Use Table in Section 2.5.3. Such locations are noted as either PC (Permitted on any Corner Lot located at the intersection of two publicly-maintained streets) or PL (Permitted in Designated Locations on the Land Development Map).

Ms. Teague stated that both property owners agreed that a mixed –use overlay option would be acceptable. Some of the uses that are allowed in addition to what is already allowed:

- | | |
|--|---|
| 1. Live Work Units | 6. Government Services |
| 2. ATM | 7. Personal Services |
| 3. Banks, Credit Unions, Financial Serv. | 8. Professional Services |
| 4. Business Support Services | 9. General Commercial (less than 100,000 sq. ft.) |
| 5. Dry Cleaning and Laundry Serv. | 10. Restaurants |

Staff Recommendation

Ms. Teague said staff believes that a mixed-use overlay is a reasonable compromise to the North Main Street Neighborhood as a way to improve the development of these under utilized lots, and staff recommends rezoning this property to a Mixed-Use overlay to allow for a limited number of new allowable uses. She reminded the Board that there are two requested actions:

1. Motion to find/not find the request consistent with the 2020 Land Development Plan by promoting the development and redevelopment of a historically commercial area.

2. Motion to recommend to the Board of Aldermen approval/approval with conditions/ or denial of the requested rezoning of the property for the Main Street Neighborhood Residential District to a Main Street Neighborhood Residential District Mixed-Use Overlay.

There was much discussion among the Board about the different types of uses that could be allowed in this District. It was the consensus of the Board that any type of business would be an improvement to the area.

A motion was made by Board Member Anthony Sutton, seconded by Board Member Bucky Dykes, to find the request consistent with the 2020 Land Development Plan by promoting the development and redevelopment of a historically commercial area. The motion passed unanimously.

A motion was made by Board Member Brooks Hale, seconded by Board Member Bucky Dykes to recommend to the Board of Aldermen approval of the requested rezoning of the property from the Main Street Neighborhood Residential District to Main Street Neighborhood Residential District Mixed –Use Overlay. The motion passed unanimously.

4. Presentation by staff on Land Use Impacts of Howell Mill Road Improvements.

Ms. Teague introduced Mr. Tim Shook who owns property on Howell Mill Road.

**Tim Shook
Howell Mill Road**

Mr. Shook stated that he had approached the Board eight years ago to rezone, because his property is adjacent to Ingles on one side, Sonoco Plastics plant in front, and behind the property is the Town of Waynesville electric sub station. Now that there is a three lane road with sidewalks, Mr. Shook would like to be rezoned commercial so he can explore possibilities of development with his property.

Ms. Teague gave some background of the project:

- Runs from Russ Avenue at Rite Aid to Asheville Highway
- \$11.6 million road improvement by NCDOT
- Installation of wider lane, shoulders, roadway straightening, sidewalks, and roundabout
- New bridge which eliminates at grade railroad crossing
- Expected completion 60 days
- Access for Evergreen Packaging, Sonoco Plastics, Schulhofer's, and Waynesville Rec Center
- Access to 30 plus acres of Town property
- Access for residential lots along Howell Mill, Happy Hill, Calhoun Road, and Radio Tower Road
- Adjacent to several large tracts of land.

Ms. Teague stated that in September – October 2008, the Town received a request from Mr.

Tim Shook to rezone 7 acres at 333 Howell Mill Road from Howell Mill Neighborhood District to Russ Avenue Town Center. The rezoning request failed three to four at the Planning Board level. The request was appealed to the Board of Aldermen and they tabled it to allow time for additional study, based on several concerns:

1. When Associated Packaging moved in, the Board committed to trying to keep area residential.
2. Interest in seeing higher density residential.
3. Reluctance to change map during evaluation of Town's Land Development Standards.
4. Interest in seeing impacts of NCDOT Howell Mill Road Improvement Project.

Ms. Teague said some of the physical impacts of the project were improvements to grading, drainage, culverts, and structures and alignment. There is improved traffic, truck, and pedestrian safety overall. Other improvements include aesthetics of bridge and roadway, intersection and signal improvements at Russ Avenue and Asheville Highway.

With this project, there is increased visibility of roadway at both ends, linking two Commercial/Industrial areas with direct route that is wider, straighter, and faster. There is also improved access to Town Park facilities, and increase thru-traffic and truck traffic. Ms. Teague stated these improvements means the area will become a desirable place for new development. The current zoning for this area west to east is Russ Avenue Regional Center Commercial, Howell Mill Medium Density Residential, and Commercial Industrial Commercial.

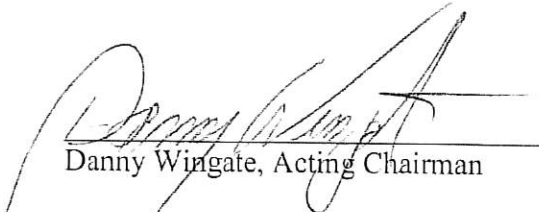
Ms. Teague stated there are a lot of parcels along that corridor that will be impacted by this project. She encouraged the Board to involve the community to see what type of development is desired in this location, and what is not desired. She asked the Board for their ideas in how to engage property owners in discussion of what they want to see. Some recommendations are to reach out to property owners through surveys and the Planning Board possibly hosting a community meeting. Ms. Teague said she would consult with Mr. Mike Morgan, Interim Manager, and the Board could discuss options at the next meeting.

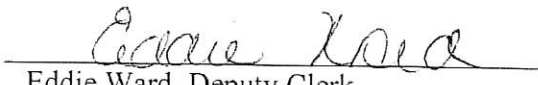
C. PUBLIC COMMENT/CALL ON THE AUDIENCE

No Comments.

D. ADJOURN

With no further business, a motion was made by Board Member Robert Herrmann, seconded by Board Member Bucky Dykes, to adjourn the meeting at 6:55 pm. The motion passed unanimously.


Danny Wingate, Acting Chairman


Eddie Ward, Deputy Clerk

EXCERPT

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
February 23, 2016

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, February 23, 2016 at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

Mayor Brown called the meeting to order at 6:30 p.m. with the following members present:

Mayor Gavin Brown
 Alderman Gary Caldwell
 Alderman Jon Feichter
 Alderman Julia Freeman
 Alderman LeRoy Roberson

The following staff members were present:

Mike Morgan, Interim Town Manager
 Woodrow Griffin, Town Attorney
 Amie Owens, Town Clerk

The following media representatives were present:

Mary Ann Enloe, the Mountaineer
 Becky Johnson, Smoky Mountain News

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting and apologized to the Board for not being present at the Haywood County Council of Governments meeting the previous evening due to attendance at another meeting.

Mayor Brown called attention to several upcoming events including:

- March 3 – One Stop Early Voting Begins
- March 19 – Bowl for Kids Sake to support Big Brothers/Big Sisters – Sky Lanes, Asheville from 2:00 to 4:00 p.m. and 4:00 to 6:00 p.m.

2. Adoption of Minutes

Alderman Caldwell made a motion, seconded by Alderman Roberson, to approve the minutes of the February 9, 2016 regular meeting, as presented. The motion carried unanimously.

Mayor Brown thanked Ms. Schwab for the information and for the engagement with the community.

4. Historic Preservation Commission – Annual Update and Invitation

Historic Preservation Commission (HPC) Chairperson, Sandra Owen, presented their annual report for the HPC and reminded members of the upcoming Haywood Ramblings events. She thanked the board for the opportunity to report and to be able to promote public understanding and appreciation of historic resources of Waynesville. While Waynesville and the HPC lost a tremendous resource in Henry Foy, the HPC is working to preserve his legacy. Just prior to his death, he and Ann Melton were working on a book about boarding houses and hotels; luckily this book has been completed.

Ms. Owen explained that the HPC had applied for a grant to hire a consultant to develop a national register nomination but did not receive it; however, the Board allowed a budget amendment and provided funds necessary for a consultant to complete the application. The consultant is Dan Pezzoni with Landmark Associates. He has much experience in funerary art sculpture and has completed the nomination information for other cemeteries in North Carolina and Virginia. He will be bringing information back to this board during the summer with the goal of getting a properly formatted and documented National Register Nomination to the State Historic Office Nomination Committee in October. Ms. Owen thanked the board members for their participation in the cemetery tour in October 2015 and encouraged them to participate again this October.

Ms. Owen noted that the HPC is sponsoring the Haywood Ramblings speaker series alluded to by Ms. Schwab. The first session, a look at Waynesville during the 1960's by Vicki Hyatt, was well received. The next session is "If Rails Could Talk: Logging in Western North Carolina by Ron Sullivan on March 3; followed by Mary Ann Enloe's presentation on Hazelwood on April 7, and Ann Melton's discussion of historic boarding houses and inns of Waynesville on May 5. Ms. Owen added that the HPC is excited about these events and thanked Elizabeth Teague, Development Services Director; Eddie Ward, Deputy Clerk and Byron Hickox, Land Use Administrator for their assistance with this series and for their support of the HPC.

Ms. Owen provided members with a copy of a chapter from a book written in 1892 entitled Health Resorts of the South. This publication was discovered by Alex McKay, the newest member of the HPC, on the Internet. She noted that this helps to reiterate the history and importance of Waynesville during this time.

Mayor Brown thanked Ms. Owen for her presentation and the HPC for their dedication to preserving Waynesville's history.

C. PUBLIC HEARINGS

Development Services Director Elizabeth Teague explained that this is the first of three public hearings at the meeting. All deal with re-zoning of properties to allow for more appropriate land use. All of the requests for re-zoning have been taken through the Planning Board for review.

5. Public Hearing to consider several rezoning requests along the northwest side of Richland Street

Ms. Teague provided graphics highlighting the properties where rezoning was sought on both sides of Richland Street, as well as the flood plain map for the area. She noted that the request includes four (4) lots that are developed commercially and located between the railroad tracks and the Richland Creek, but which are currently zoned residential. The first two are in the Main Street Neighborhood District, belong to members of the Forga family and hold warehouse buildings. The other two are in the Hazelwood Urban Residential District, with the largest belonging to the Jorstad's and holding a multi-unit commercial building, and the other belonging to the Milner's and holding a commercial building (formally the Terminix building). The owners of the properties and dates of petition are:

William Scott Forga December 14, 2015;
Christine and Viola Forga, December 4, 2015;
Joshua and Melissa Milner, October 22, 2015;
Jon and Leah Jorstad, December 2, 2015

Ms. Teague explained that by changing the zoning, there would be more allowable uses for these properties. The newly allowable uses would include Office and Service Uses, Commercial studios, and a variety of commercial and light industrial uses, similar to uses allowed in Frog Level and Downtown. However, Adult Establishments, Heavy Vehicle Sales or Industrial Uses and Major repair services would not be allowed. She noted that the Planning Board heard these requests at their December and January meetings and voted to recommend these zoning map amendments.

Ms. Teague added that the subject properties had been designated for "Residential of Medium to High Density" concentration. However, this area has historically been commercial in nature, and the implementation of residential zoning designation in 2003, has not resulted in changes of use of these lots (or other lots along this stretch of Richland Street to Smathers) from commercial. The lots are located within the 100 year floodplain between Richland Creek and the railroad tracks and would therefore be challenging to convert to marketable residential uses. This area is also proximate to the Commercial-Industrial zone encompassing the Giles Chemical Plant and to the Central Business District of Frog Level.

One important consideration related to the proposed re-zoning is whether or not such a change would be consistent with the 2020 Land Development Plan. Ms. Teague indicated that the standard in the 2020 Plan was to, *"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).

The staff recommends changing the zoning of this property to Central Business District to enable more improvement and economic opportunities for use of those structures which currently exist. Because of the location of these sites abutting the railway corridor and within the floodplain, conversion to residential use is highly unlikely. The text of the 2020 Land Development Plan would seem to encourage mixed-use or infill commercial development in an area such as this where there is a well established commercial history. From an economic development standpoint, rezoning of these properties create potential for growth of the Frog Level business area.

Ms. Teague added that there are two actions requested for each of the hearings, the first is to determine consistency with the 2020 Land use plan with the other to approve or deny the requested amendments.

Town Attorney Woody Griffin opened the public hearing at 6:36 p.m. and explained that those who wish to speak about this subject raise their hand and be recognized. Speakers may then approach the podium for comment. Speakers are asked to keep comments to three minutes or less.

Attorney Jack Kersten, representing Mr. And Mrs. Jorstad, explained that the buildings currently on the property were built about 40 years ago and have always been used for commercial purposes. He provided some examples of what the area could be used for including artist workshops, galleries and retail spaces and an enclosed cat motel. Mr. Kersten commented that such a change in zoning would be good for small businesses in town and due to its proximity to Frog Level and Main Street, encourage visitation. He thanked Ms. Teague for her assistance with the process.

Dick Young, 191 Meadow Street, Waynesville voiced no objection for the Jorstad and other properties associated with this public hearing being changed.

Attorney Griffin closed the public hearing at 7:01 p.m.

Mayor Brown interjected that he and Alderman Freeman had conferred with Town Attorney Griffin and that there was no conflict of interest for this items even though she owned property in the area. Mayor Brown noted that it appeared that there are several areas that had been zoned incorrectly and were oversights during the redrawing of the maps.

Alderman Roberson asked if the last property that abuts the residential area was required to provide a buffer. Ms. Teague answered that if the re-zoning was approved, a buffer would be required.

Alderman Caldwell made a motion, seconded by Alderman Roberson to find the request as presented consistent with the 2020 Land Development Plan. The motion carried unanimously.

Alderman Roberson made a motion, seconded by Alderman Caldwell to approve the requested zoning map amendments from Hazelwood Urban Residential and Main Street Neighborhood Districts to the Central Business District. The motion carried unanimously.

6. Public Hearing to consider applying a Mixed Use Overlay District on to properties along the southeast side of Richland Street

Ms. Teague explained that two separate rezoning requests initially came to the Planning Board at their December Meeting for reclassification from Main Street Residential District to Central Business District, similar to other rezoning request along that stretch of Richland Street. However, because of concerns expressed by neighbors at the hearing, the Planning Board asked both applicants if they would be willing to work with staff to amend their application to consider a less intensive commercial zoning option. Each applicant agreed at the meeting and the Planning Board tabled their discussion.

Ms. Teague continued by noting, at the direction of the Planning Board, she met with both Betty Henderson and Ron Muse to consider a compromise option that might be less objectionable to the

adjacent Main Street Neighborhood (MSNR). The option of a Mixed Use Overlay was determined to be the most sensitive to the neighborhood while still allowing some commercial uses and agreed upon by both applicants as an acceptable compromise. At their January 28, 2016 meeting, the Planning Board revisited these requests and voted to approve the mixed-use overlay on these lots.

Ms. Teague further explained that the Mixed Use Overlay is an existing zoning category within the Town's Land Development Standards that is being applied in the Love Lane, Nineveh, Raccoon Creek and Walnut Street Neighborhoods which are also in the "Neighborhood Residential" (NR) category similar to the MSNR district. She added that the goal of a mixed use overlay would be to allow limited commercial uses that would be acceptable to the neighborhood, while still increasing options to improve, redevelop or market these properties. Some of the uses include: live-work units, ATM, banks, credit unions, financial services, business support services, dry cleaning and laundry services, government services, personal services (salons, clothing alterations), professional services, general commercial less than 100,000 sq ft and restaurants. This is a significantly shortened list of uses from what is allowed in the Central Business District as was originally requested. This list also mimics allowable uses currently permitted in the Mixed Use Overlays of other Neighborhood Residential Districts.

Again, Ms. Teague noted that satisfying the 2020 Land Development Plan is a consideration for board members. This area has historically been commercial in nature, and the implementation of residential zoning designation in 2003, has not resulted in changes of use of these lots (or other lots along this stretch of Richland Street to Smathers) from commercial. Ms. Teague noted that the action items are to "...revise the zoning map to reflect the Land Use Map..." and to "encourage mixed use development on adjacent properties in designated mixed-use areas."

The staff recommendation is the change in zoning of the properties to a Mixed Use Overlay to allow for the limited number of requested uses and to allow for additional marketability and flexibility in the development standard allowing better use of the lot.

Mayor Brown asked Ms. Teague to go over the listing of permitted uses again. After doing so, Alderman Roberson clarified that the uses did not include small engine repair or automobile repair. Ms. Teague confirmed that a home occupation such as lawn mower repair with limited noise may be allowed. Again, the buffering requirements would apply in the Mixed Use Overlay.

Alderman Feichter commented that he noticed that there are quite a few comments in the planning board report concerned about property on either side of a residential area and wondered aloud how the residents felt about this proposal. Ms. Teague explained that there are only three lots between the properties in question and that the property owners were sent letters according to statute so that there could be engagement related to the re-zoning process. No responses to the letters were received.

Attorney Griffin opened the public hearing at 7:15 p.m. noting that the same rules applied for this as the other hearing.

Dick Young, 191 Meadow Street, Waynesville commented that the Muse property had been in front of the Board of Aldermen multiple times and been turned down before. He added that the Muse property is actually a wetland that has been filled in and questioned if a building could be built over a

4 creek. Mayor Brown commented that the concerns that Mr. Young was bringing up related to the creek and fill materials, is a building code issue, not a zoning issue.

William Sterrett, 247 Church Street, Waynesville commented that this is the fifth time that this has come before the board and after the Planning Board meeting, he thought that the residents would be included in the conversation about the mixed use overlay. Mr. Sterrett added that this zoning issue has come up 5 times prior and that the goal is not to deprive Mr. Muse of use of the property, but to be considerate of the dozens of other residents and their concerns about property values and what type of businesses will be there. He stated he thought the neighborhood would have more input. Mayor Brown asked Mr. Sterrett if any of these businesses acceptable or objectionable. Mr. Sterrett expressed concerns over noise and light. If changes are made, the neighbors want it to look nice and have appropriate curbing and decorations.

Ms. Teague held up a copy of the land development standards (LDS) and explained that all new development has to adhere to these standards. The Town has worked hard to make sure that these LDS reflect the standards of keeping community character and keeping walkable areas, and allowing for small businesses.

Angie Schwab, 192 Church Street, Waynesville noted that she did not know her neighbors and only got the notice this morning. She was curious as to what was at stake and did not want to stop any positive motion.

Joe Bob Rogers, Waynesville commented that he missed the notice somewhere about the hearing and re-zoning. He was okay with MD/lawyers office, but does not want metal buildings all over the street.

Hillary Green, 243 Richland Street, Waynesville commented that she was concerned about what's going to go on in the neighborhood. She is worried about what happens in the future.

Josh Parris, 206 Meadow Street, Waynesville, questioned if there was a stipulation on the type of restaurant could be in the neighborhood; he did not understand how this benefits his property. Ms. Teague noted that non-drive through restaurants would be allowed and reminded the audience that the burdens of development is increased and make it more difficult to develop the area and change to another use.

Ron Muse, 504 Church Street, Waynesville, provided pictures to the board members for review of the existing property. He bought the property 21 years ago and it has been a wino jungle; he tried cleaning it up but it was never re-zoned. Mr. Muse noted that a nice house will not be built on the property as it overlooks the railroad tracks and Giles Chemical; that is not somewhere to build a house. He feels that an overlay district is much more acceptable than commercial. Alderman Roberson inquired as to what type of business Mr. Muse would have on the property. Mr. Muse added that he was not sure, but that no loud noise or great deal of traffic would be coming in and out. He likened it to the properties on Dellwood Street. With an acre and a half, there is plenty of room for a buffer between residential and commercial.

Mr. Sterrett asked to speak again. Mayor Brown explained that this was not a debate. Mr. Sterrett asked to see the photos; the Mayor allowed review and passed the pictures to him. Attorney Griffin asked Mr. Sterrett to allow others who had not spoken to be at the podium.

Patricia Meyer, 194 Meadow Street, Waynesville agreed with Mr. Sterritt that the goal is not to prevent Mr. Muse from using his property. The flood zone is at the corner of Goodyear Street and there are spring heads that flow and basements get flooded. She noted that whatever was put on the property, there is a need to consider the water situation with development. Ms. Meyer commented that she had seen homeless people on the street and had an alarm system placed on her home and fenced in her backyard. She encouraged the board to take into consideration the water run off as well as what might go in there. Mayor Brown added that Streets and Sanitation Superintendent Daryl Hannah is aware of the water situation and that some work has been done but due to natural springs, do not know what the resolution may be.

Kathryn West, 143 Meadow Street, Waynesville explained that she walks her dogs in the neighborhood and it is ugly and tired. She was excited about what is happening when talk about revitalizing the area and wondered if it (the Muse property) had to be zoned this way at all and suggested a park or a natural habitat area. Ms. West acknowledged that these properties are so challenged and she would like to see Mr. Muse re-vamp the whole proposal.

Michael Birchfield, Goodyear Street, Waynesville noted that the end of Mr. Muse's property is a swamp; the water stands and floods. Old tires and building materials have been packed in there in the lowest lying areas. He has been told that nothing could be done to address this and does not see how packing more dirt in for development would do anything but make it worse.

There being no further comments from the audience, **Attorney Griffin closed the hearing at 7:44 p.m.**

Mayor Brown noted that he appreciated the comments being made and the actual development of the property and how it will impact the community. Ms. Teague added that all of the concerns brought forth were legitimate. In looking at the flood way and flood plain, there are concerns. There is value for this being a park. Ms. Teague added that since the town does not own the property, the option of a park is not probable. Knowing that Mr. Muse is hoping to market this property and have some flexibility is why the Mixed Use Overlay would be preferable. Ms. Teague further explained that they know that the culvert is an issue and that if the park or storm water management is a possibility, it creates an opportunity to address. Ms. Teague did not want to put Mr. Muse on the spot, but would like the opportunity to work on those issues.

Mr. Sterrett was granted permission to come back to the podium by Mayor Brown and indicated that the photographs provided by Mr. Muse were accurate. The tents are on Mr. Muse's property.

Mayor Brown noted that most of the comments had been directed towards Mr. Muse's property. Alderman Feichter commented that two questions come to mind related to the Muse property. There has been a lot of talk about the property being a wetland, is there any possibility that NC Department of Environment and Natural Resources would designate the property as a wet land? Ms. Teague answered that there is a map of designated wetlands and currently, the property is not on that map.

Alderman Feichter continued noting Mr. Sterrett mentioned that this has come before the board multiple times and inquired what were the reasons for earlier denials? Ms. Teague commented that there was no mixed overlay at the time the petition was for commercial only. She added that she was intrigued by the storm water option and that it would be over and above what we are trying to answer tonight.

Alderman Roberson reminded members that the area at the corner of Walnut and North Main had once had dilapidated apartments and now the properties have been revitalized with trees and sidewalks and it has been reclaimed for an attractive entrance to the town.

Ms. Teague added that the board has the same option to table the decision as the Planning Board had done previously.

Alderman Freeman noted from the Planning Board minutes that the motion passed unanimously by the Planning Board. Alderman Roberson expressed that he was hearing tonight that that some felt they did not get the input they desired. Ms. Teague added that all due notices were filed in accordance with NC General Statutes at both the Planning Board level and the Board of Aldermen levels.

Alderman Feichter added that he felt sure that the LDS will address some of the concerns related to curb and guttering and buffering.

Alderman Freeman made a motion, seconded by Mayor Brown to find that the subject Map Amendments are consistent with the 2020 Land Development standards.

Alderman Feichter commented that in reality, the issues brought forth under this public hearing should be separate and asked if it would be possible to separate the issues. Attorney Griffin offered no objection.

Alderman Feichter made a motion, seconded by Alderman Caldwell to amend the previous motion to allow for voting only on the Barker Property. Alderman Roberson voted affirmatively; Alderman Freeman and Mayor Brown opposed. The motion carried 3 – 2.

Alderman Caldwell made a motion, seconded by Alderman Freeman to find that the map amendment of the property owned by the Barker Trust is consistent with the 2020 Land Development Standards. The motion carried unanimously.

Alderman Caldwell made a motion, seconded by Alderman Feichter to amend the zoning map with a Mixed Use Overlay designation on the Barker Trust Property in the Main Street Neighborhood Residential District along Richland Street. The motion carried unanimously.

Mayor Brown noted that since the Muse property had been separated out, additional exploration of how to work with Mr. Muse can continue essentially tabling any action.

Alderman Feichter made a motion, seconded by Alderman Caldwell to table any action related to re-zoning of the Ron Muse property, and allow Ms. Teague the opportunity to work with Mr. Muse and the community regarding potential alternatives. The motion carried unanimously.

7. Public Hearing to consider a rezoning request at 30 Mauney Cove Road from Dellwood/Residential Medium Density to Dellwood/Junaluska Regional Center Commercial District

Land Use Administrator Byron Hickox explained that Development Services and the Planning Board were approached by Haywood County about making improvements to the existing convenience

Waynesville Board of Alderman Minutes
Regular Meeting February 23, 2016

EXCERPT

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
March 22, 2016

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, March 22, 2016 at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

Mayor Brown called the meeting to order at 6:30 p.m. with the following members present:

Mayor Gavin Brown
Alderman Gary Caldwell
Alderman Jon Feichter
Alderman Julia Freeman
Alderman LeRoy Roberson

The following staff members were present:

Mike Morgan, Interim Town Manager
Woodrow Griffin, Town Attorney
Amie Owens, Town Clerk

The following media representatives were present:

Mary Ann Enloe, the Mountaineer

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting

Mayor Brown called attention to several upcoming events including:

- Friday – Sunday, April 22 – 24 - Smoky Mountain 9-ball Tournament to benefit the ARC of Haywood County. Alderman Caldwell commented that the event has already sold out.
- Friday, March 25 – Town offices will be closed in observance of Good Friday
- Monday, March 28 – Southwestern Commission Board Meeting. Mayor Brown noted that Ryan Sherby had resigned and a replacement could be named at this meeting.

2. Adoption of Minutes

Alderman Feichter made a motion, seconded by Alderman Caldwell, to approve the minutes of the March 8, 2016 regular meeting, as presented. The motion carried unanimously.

B. NEW BUSINESS

3. Street Closures for the Downtown Waynesville Association for 2016

Buffy Phillips, Executive Director of the Downtown Waynesville Association (DWA) presented the street closure requests for the DWA for the remainder of 2016. She noted that some of the times had changed to allow for earlier street closures but the events are the same. Ms. Phillips added that the Folkmoot Parade will be on Saturday, July 23 and International Festival Day will be on July 30.

Mayor Brown inquired about the Apple Festival. Ms. Phillips responded that the Apple Festival was sponsored by the Haywood Chamber of Commerce, not DWA, but that it would still follow the Church Street Art & Craft Show in October.

Alderman Roberson made a motion, seconded by Alderman Freeman to approve the street closures for the Downtown Waynesville Association for the remainder of 2016, as presented. The motion carried unanimously.

Ms. Phillips explained that she had attended the North Carolina Main Street Conference in Goldsboro where Police Chief Bill Hollingsed received the Main Street Champion Award. Ms. Phillips noted that there will be a press release regarding this award in the paper soon.

C. COMMUNICATIONS FROM THE MAYOR AND BOARD

4. Discussion regarding change in land use for Ronald Muse property, PIN# 8615-17-6586

Mayor Brown reminded the board and audience of the request for rezoning which was presented at the February 23 meeting. The Board took no action at that time as certain members wanted more time to study the situation. Mayor Brown thanked those in the audience who were in attendance and explained that notices had been sent to all of the neighborhood residents with surrounding properties to give everyone an opportunity to weigh in. Mayor Brown reiterated that this was not a public hearing as that had already occurred, but was provided as an opportunity for residents to speak on the issue.

Dick Young, 191 Meadow Street, Waynesville, requested that the board proceed cautiously if they purchase this property. He suggested the Army Corps of Engineers should do a study on this property to drill and assess if there are any hazards noted.

William Sterritt, 247 Church Street, Waynesville, commented that he had nothing prepared except to express his concerns related to the real value of this property. If the board is considering some sort of purchase that the tax funds be used wisely; keeping in mind the flooding issues and the concerns of the community.

Manager Mike Morgan explained that the town has ability to eliminate the creek on the property and has tried to put in the proper drainage, but without the property owner's consent, nothing could be done. He clarified that the stormwater issues could be alleviated if allowed to do so; that 95% of infrastructure is in place.

Alderman Feichter clarified that if the town re-routed the water flow on the property, the storm water problems could be greatly eliminated. Mr. Morgan confirmed.

Elizabeth Teague, Development Services Director, explained that if a zoning change were approved, this could be part of the discussion related to land use. However, there has been no discussion or quid pro quo related to approval of zoning if the town could re-route the water flow. These are separate issues. The issue before the board is whether to rezone to a Mixed Use Overlay for this property.

Mayor Brown commented that the Town of Waynesville does not buy properties to solve problems that are created by the market; this is not the town's business. He indicated he was not inclined to vote to buy this property. Alderman Roberson concurred with the Mayor regarding not purchasing the property.

Alderman Feichter noted that he had done research from the minutes related to previous times this issue had come before the board for proposed re-zoning. While there was not much in previous records to indicate why the decision was to deny the re-zoning request, there is a precedent that it has never been re-zoned. Another consideration is the significant opposition from the neighbors who are concerned about this.

Alderman Caldwell indicated that he felt the same as Alderman Feichter that it had been brought forward multiple times and denied each time and that does set a precedent.

Alderman Feichter noted that if the flooding problem could be eliminated by re-zoning he would be interested in hearing from the neighbors if this would change anything at all.

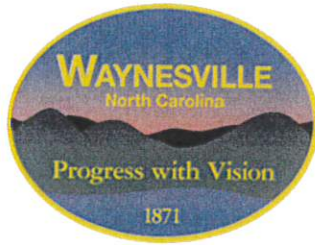
Alderman Freeman asked what the Planning Board's recommendation was related to the property. Ms. Teague explained that the initial request to re-zone to a Central Business District was not favorable; the request was amended to a Mixed Use Overlay which allows for 10 specific uses and was unanimously approved by the Planning Board.

Alderman Roberson noted that there is still a great deal of opposition and that it is in a residential neighborhood.

Alderman Feichter added that with the Mixed Use Overlay, there are limits on the possible uses for the lot, but it is consistent that the neighbors are still opposed. He commented that he believed residents should have a voice in deciding what their neighborhood is used for and barring some sort of change of heart of neighbors, he would be against the re-zoning.

Alderman Roberson added that if this property had been commercial or partially commercial at any time, he would be more inclined to approve, but it has always been residential.

Mayor Brown inquired about procedurally if no action is taken, is there a time limitation. Ms. Teague answered there was no limit for the Board of Aldermen. Mayor Brown added that if there were no time constraints, if the board revisited 6 months from now, could this still be available to pass without the Planning Board from a public involvement standpoint. He proposed asking if there were any of the 10 uses which would be objectionable to the neighbors. Mayor Brown indicated that a public meeting of the neighbors may be warranted to determine if things could ever move forward.



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Discussion of chapters 1-3 of the 2035 Comprehensive Land Use Plan

Overarching questions:

1. Does each chapter accomplish what it sets out to accomplish?
2. Does the Board have any changes or additions they would like to see?
3. Does the Board have any overall observations or comments?

INTRODUCTION

1

This chapter provides an introduction to the plan and includes a description of the plan's purpose, background information, an overview of the planning process and a summary of input.

VISION & GOALS

2

The vision statement and goals of the plan are outlined in this chapter. Under each goal are objectives that clarify the goal statements. The vision, goals and objectives helped to frame all recommendations in the plan.

COMMUNITY PROFILE

3

Demographic data is provided to detail trends in the Waynesville area. This chapter also includes a summary of strengths, weaknesses, opportunities and threats as well as an assessment of previous plans.

The first three chapters of the 2035 Comprehensive Land Use Plan are intended to set the stage, and provide background information about the document itself, the people of Waynesville, and the strengths and weaknesses of Waynesville as a whole.

1. Chapter 1: Introduction

- a. Outlines the purpose of the document.
- b. Outlines the processes used to draft the document.
- c. Highlights stakeholders and community input.

2. Chapter 2: Vision and Goals

- a. Presents the future vision of Waynesville.
- b. Presents the overarching goals of the document.
- c. Lays out the ideologies that will form the strategies we will use to achieve our goals.

3. Chapter 3: Community Profile

- a. Illustrates Waynesville's demographic information.
- b. Discusses the challenges currently facing Waynesville.
- c. Discusses Waynesville's success from 2020 Comprehensive Plan