

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
Danny Wingate (Vice)
Anthony Sutton
Marty Prevost
Robert Herrmann
H.P. Dykes, Jr.
Pratik Shah
Ginger Hain
Jason Rodgers

Regular Meeting
Town Hall, 9 South Main Street, Waynesville, NC 28786
Monday, December 18, 2017, 5:30 PM

A. CALL TO ORDER

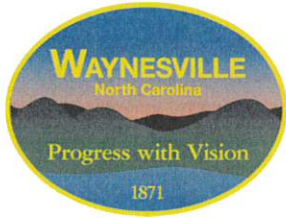
1. Welcome/Calendar/Announcements
2. Adoption of Minutes
Motion: To approve the minutes of November 6, 2017 presented (or as corrected)

B. BUSINESS

1. Public Hearing to consider a request to subdivide property known as 292 Lickstone Road, PIN 8604-82-6833 into 15 lots.

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

D. ADJOURN



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Ginger Hain

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD Special Meeting Town Hall – 9 South Main St., Waynesville, NC 28786 November 6, 2017

THE WAYNESVILLE PLANNING BOARD held its special meeting on November 6, 2017 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 5:30 p.m., and welcomed everyone.

The following members were present:

Patrick McDowell (Chairman)
Ginger Hain
Robert Herrmann
Jason Rogers
Bucky Dykes
Anthony Sutton
Marty Prevost (arrived at 5:40 pm)

The following members were absent:

Danny Wingate (Vice Chairman)
Pratik Shah

The following media representatives were present

Cory Vaillancourt, Mountaineer

The following staff members were present:

Elizabeth Teague, Development Services Director
Eddie Ward, Town Clerk
Jill Howell-Shook, Administrative Assistant
Ron Sneed, Attorney

Elizabeth Teague, Development Services Director, told the Board that this meeting would be the only one in November. The regularly scheduled November meeting would be cancelled.

2. Adoption of Minutes

A motion was made by Board Member Robert Herrmann, seconded by Board Member Anthony Sutton, to approve the minutes of the October 16, 2017 Board meeting with a correction to page 3, last paragraph should read Regional Center . The motion passed unanimously.

B. OLD BUSINESS

1. Public Hearing on a staff initiated amendment to clarify design standards for manufactured homes on individual lots and for those manufactured homes within manufactured home parks. LDS Sections 3.2.6 and 5.9

Chairman Patrick McDowell asked Ms. Teague to give a background report on the proposed text amendment for Manufactured Homes and Manufactured Home Parks.

Ms. Teague explained to the Board this is a staff initiated Text Amendment to clarify design standards for manufactured homes on individual lots and for those manufactured homes within manufactured home parks in the Land Development Standards sections 3.2.6 and 5.9. She said that at the June Planning Board Meeting, staff had brought to the Board concerns relating to manufactured homes within manufactured home parks. In August 2017 staff had brought forward a recommended text for the Board's consideration after meeting with a group of manufactured home park owners, and vendors.

The need for this text amendment came from how manufactured housing was listed in the table of permitted uses and how design standards should apply to manufactured homes in manufactured home parks versus individual lots. After researching the subject, Ms. Teague said it became apparent that some of the standards needed to be updated to changes that have taken place in the manufactured home industry as well.

In the Waynesville: 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)

One of the objectives under this goal includes:

“Address important community appearance issues in the land development regulations for Waynesville,” and specify the development of “standards for manufactured homes and manufactured home parks.”

Ms. Teague recommended text changes be submitted to the Board of Aldermen for their approval. A full record of the proposed text amendment changes (attachment 1 and 2) and discussion on Manufactured Housing Requirements as they apply to Parks (attachment 3) are incorporated in these minutes herein as an attachment.

There was much discussion concerning the setback from the traveled way within the Manufactured Home Park. Ms. Teague explained to the Board that with the ten foot setback from the traveled way, it is intended to slow traffic, and normally there are one-way drives going through the park.

Chairman McDowell opened the Public Hearing at 5:45 pm and asked if anyone wished to speak.

**David Eavenson
525 Auburn Park Drive
Waynesville, NC**

Mr. Eavenson asked if existing parks are grandfathered in. He stated he did not realize that Manufactured Home Parks could currently be established within the Town of Waynesville, and asked what districts within the Town allow Manufactured Parks to be built. Mr. Eavenson told the Board that he recommended at least a twenty foot setback from the traveled way for the parks. He said he felt that everything that has been built has been shoved up against the street, and now has to be torn down and moved back.

Ms. Teague asked Mr. Eavenson if he preferred that the internal setback of the drive be established at twenty feet, and if the setback was increased to twenty feet, would that give him flexibility to change out and upgrade units in his parks. Mr. Eavenson said his parks would not accommodate the larger homes and still meet the ten foot setbacks.

Chairman McDowell closed the Public hearing at 5:58 pm.

A motion was made by Board Member Robert Herrmann, seconded by Board Member Anthony Sutton, to find that updates to the Manufactured Home Guidelines are consistent with the Comprehensive Plan. 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 changes to the land Development Standards text as provided. The motion passed unanimously.

2. Public Hearing on a staff initiated text amendment to include a new zoning classification, supplemental standards and a definition for “nudge or skill games” of electronic or video types. LDS Sections 2.5.3, 3.5, and 17.3.

Ms. Teague explained to the Board that staff sought the Planning Board guidance regarding video gaming machines because a business with video gaming machines had opened within the Mixed-Use Overlay District of the Love Lane Residential District on Dellwood City Road. This business was described by the owner as selling gift cards, which are used to purchase online “skill” or “nudge” games, and is considered retail.

Ms. Teague told the Board that there are Articles found in Chapter 14 of our State Statutes that regulate lotteries, gaming, bingo and raffles, and Towns cannot exert authority beyond what the General Statutes allow. The proposed use must be defined and carried out narrowly and within statutory guidance. She said that if the Town was to allow legal types of video gaming businesses within the Town, they should be addressed within the Town’s Zoning Ordinance as other businesses are. Therefore, the Board should decide where this type of business should be located with consideration for surrounding land uses, and be consistent with the purpose and intent of zoning districts, and fairness to a specific business.

At the last Planning Board meeting, direction was given that this use was most appropriate in the Regional Center District where the land use intent is to accommodate general commercial uses, but not in mixed-use overlay districts such as where it is currently located. Also the Board considered supplemental standards of parking and buffer requirements between this type of use and any residential uses that were also recommended.

As a result of this meeting, staff is bringing forward a suggested text amendment to add in a zoning definition standard, and location within the Table of Permitted Uses for “skill” gaming operations of the type that located at Dellwood City Road.

A full record of the Text Amendment submitted by the staff to be recommended to the Board of Aldermen for adoption with changes to the current Land Development Standards (in red italics) are incorporated into these minutes herein as an attachment.

Chairman McDowell opened the Public Hearing at 6:12 pm, and asked if anyone wished to speak.

Adam Melrose
213 Turtle Creek Drive
Asheville, NC

Mr. Melrose stated that he represented Ms. Tammy Nicholson, who is the current tenant at 479 Dellwood Road, and has opened “Nudge City” at that location. Mr. Melrose described the business operation to the Board as buying a gift card, which is used to buy products and services, which then will allow the customer to buy the “nudge” and “skill dexterity” type games. Mr. Melrose said he felt that the current location of 479 Dellwood City Road was a good location for this establishment. The Love Lane Residential District allows personal services, professional services, and other older grandfathered businesses. He said that most people who go to these establishments stay for an extended period of time, 30 – 35 minutes, and conforms to the current nature of the neighborhood. Mr.

Melrose told the Board that Ms. Nicholson had done a great job “fixing the place up” compared to what it was before she opened her business. He added that he had not heard any major complaints about her business. He added that he felt there was sufficient buffering between the business and the residents on Love Lane. Mr. Melrose said he thought the business would generate tax dollars, and it appeared to be a law abiding business.

Board Member Anthony Sutton asked Mr. Melrose if this was considered a retail business. Mr. Melrose said that it was “in between” as a retail business.

Chairman McDowell closed the Public Hearing at 6:22 pm.

A motion was made by Board Member Anthony Sutton, seconded by Board Member Robert Herrmann, to find the Text Amendment as presented consistent with the Comprehensive Plan. The motion passed unanimously.

A motion was made by Board member Anthony Sutton, seconded by Board Member Ginger Hain, to recommend to the Board of Aldermen changes to the Land Development Standards text as presented. The motion passed unanimously.

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

There were no comments.

D. ADJOURN

With no further business, Board Member Anthony Sutton made a motion, seconded by Board Member Ginger Hain to adjourn the meeting at 6:29 pm. The motion passed unanimously.

Eddie Ward, Town Clerk

Patrick McDowell, Chairman

Planning Board Staff Report

Subject: Major Subdivision of 15 lots
(1 lot with existing structures plus 14 lots for new single family construction)
Ordinance Section: LDS Chapter 15 Administration; 15.9.2 Major Subdivisions
Applicant: Patrick Bradshaw/Civil Design Concepts, on behalf of June Lanning Ray
Meeting Date: December 18, 2017

Summary Information:

Application Date: 12/4/17
Technical Review: 11/29/17
Pre-application Meeting: 11/15/17
Project Location: 292 Lickstone Road, PIN 8604-82-6833
Property Owner: June Lanning Ray
Acreage of site: 4.08 acres
Zoning District: Allen's Creek Neighborhood Residential (10 units/acre)
Existing Development: Single Family house with accessory structure

Background:

This application is for a major subdivision which requires a quasi-judicial proceeding and compliance with Chapter 15.9 of the Town of Waynesville's Land Development Standards. The applicant met with the administrator on November 15 to review a preliminary site plan, and then met with a technical review committee representing the Town's Fire, Public Works, Planning and Building Inspections staff and Town Engineer on November 29. The applicant made several revisions in response to staff comments and submitted a final master plan with environmental information as part of a complete application for Planning Board consideration. In accordance with LDS Guidelines, Chapter 15:

- A. **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.
- B. **Decisions/Findings of Fact:** Following the public hearing the commission may approve, deny or approve with conditions the application for a Major Subdivision. No Major Subdivision shall be granted unless it complies with the following findings of fact:
 - 1. The plan is consistent with the adopted plans and policies of the Town;
 - 2. The plan complies with all applicable requirements of this ordinance;
 - 3. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; and
 - 4. 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.
- C. **Review Period by Planning Board:** The Planning Board shall take action (approve or deny approval) within thirty-two (32) days of the public hearing on the matter. Should the Planning Board fail to act on the preliminary plat within the prescribed period, the applicant may seek preliminary plat approval by the Board of Aldermen at the next regularly scheduled meeting of the aldermen.
- D. **Decisions:** If the Planning Board approves the Major Subdivision, the applicant will be directed to proceed to the preparation of a Preliminary Plat (15.4.4). If the Planning Board disapproves or approves

conditionally the plat, the reasons for such action shall be stated in writing and entered in the records of the Planning Board. The applicant may make changes and submit a revised plat which revision shall be submitted, review and acted on in accordance with the procedures set forth in this section.

- E. **Appeals:** An appeal from the decision of the Planning Board regarding a Major Subdivision request may be made by an aggrieved party and shall be made to the Superior Court of Haywood County in the nature of certiorari. Any such petition to the Superior County shall be filed with the court no later than thirty (30) days after the applicant receives the written copy of the decision of the Planning Board.
- F. **Permit Validity:** Approval of a Major Subdivision Plan shall be valid for one (1) year from the date of approval. A Preliminary Plat shall be presented for approval prior to the end of this one (1) year period.
- G. **Permit Extension:** The Administrator may grant a single extension of this time period of up to six (6) months upon submittal by the applicant of sufficient justification for the extension.

1. Consistency with 2020 Land Development Plan:

Staff submits that this plan is consistent with the adopted comprehensive land use plan for Waynesville: "Waynesville Our Heritage, Our Future, 2020 Land Development Plan." The plan identifies several goals that apply to this request.

- Goal: "Provide an attractive range of housing opportunities and neighborhoods for all residents of Waynesville." (LUP 4-6)
- Objective: "Establish appropriate locations and densities for residential development in the Waynesville community." (LUP 4-8)
- Action: "Utilize the zoning ordinance and map to promote residential development in accordance with the future land use map concentrating higher density housing where the services and land are suitable for such development and promote infill housing development. (LUP 4-8)"

The proposed project is within the Allen's Creek Neighborhood Residential (AC-NR) zoning which allows up to 10 units per acre with a minimum lot size of 1/6 acre (or 7,260 square feet).

"2.3.3 Neighborhood Residential Districts (NR) Purpose and Intent

- A. The Allens Creek Neighborhood District (AC-NR) is a predominately residential neighborhood of mostly medium density development mixed with agricultural uses. Due to the linear nature of the neighborhood, Allen's Creek Road becomes the "center" of the community and as such, maintaining a "pedestrian-friendly" environment is important. As development occurs, such things as building houses closer to the street, requiring sidewalks and planter strips and allowing narrow lane widths for new streets will help to maintain the pedestrian scale in the area which has already been started. Traffic calming devices may be needed to aid with maintaining a low speed (especially with large trucks) along Allens Creek Road. Connections from within the district to the South Main Street Business District are important and should be made wherever possible. Efforts will be made to preserve existing farmland and restrict development on the steep slopes found in this district. The county soccer complex should be emphasized as a focal point of activity and community for this neighborhood. " (LDS Section 2.3.3).

This project creates 14 new single family housing lots plus the existing house and accessory structure, or 15 lots on over 4 acres (or 3.5 units per acre) of land as part of a unified neighborhood development plan. It therefore compliant with the Zoning Map and consistent with the 2020 Land Use Plan.

2. Compliance with the Land Development Standards and Town Regulations:

This project has been reviewed by Town staff from Fire, Public Works and Development Services and is compliant with Town regulations.

- The new lots all meet the minimum standard for lot size (7,260 s.f) and setbacks.
- Driveways and garages exceed the minimum standard for parking of 1 off-street parking space for each single family unit.
- The roadway is designed to Town standards (Section 6.6-2) as a "Lane," providing direct access to a limited number of single-family residences on a short street with a sidewalk along one side.
- Landscaping has been provided between the roadway and the sidewalk in accordance with Section 8.5.1.
- At the request of public safety and public works staff, the travel way of the road is wide enough to meet the specifications of a residential street in order to accommodate potential, future development connections in accordance with LDS Section 6.4 "Connectivity."
- The roadway is "stubbed out" to an adjacent property for this potential and the "stub out" of the road has been located and designed to meet the requirements for a turn-around for fire trucks and other Town vehicles. Staff will require the posting of "no parking" signs within this area to keep it free and clear for emergency purposes.
- The ITE Manual (Institute of Transportation Engineers) Manual suggests that a single family residence can produce an average of 10 trips per day. With only 15 lots, 14 of which are new, only an estimated 140-150 new trips per day would be generated by this development, well below the 3,000 trips per day that would require a Traffic Impact Analysis or "TIA."
- The site plan maintains over 70% pervious surface, exceeding the 10% requirement for the AC-NR District and provides a stormwater retention area at the property "low-spot" to capture and retain run-off from the roadways and sidewalks. The developer is counting this area as open space for "civic space," defined as "an outdoor area for public use." This dedication alone is 3.5% of the total development and falls short of the 5% of civic space required. However, the area beyond the pavement of the turn-around/potential street connection will provide an additional 3-4 % of open space for public use until such time as a roadway is possibly built.

3. Adequate Infrastructure

- Water and Sewer is available from Lickstone Road to the East and may also be accessed and extended from the west and north. Public Works has determined that there is adequate water and sewer capacity to serve the 14 new units. The Public Works Department has asked the developer to consider installing a 6" line (as opposed to a 4" line) from the west in order to improve flow and capacity for the area in consideration of future development and may pursue a cost sharing agreement with the developer.
- Lickstone Road is maintained by the NCDOT who must approve the access. The site plan has been designed to meet NCDOT standards and to maintain a minimum site distance in either direction of the new subdivision roadway.
- This area is served by Duke Power.

4. Proposed Development and value of adjoining or abutting property.

This property is not within the designated floodplain or steep slope areas and will not adversely impact adjacent properties from a floodplain management standpoint or disrupt hillsides or viewsheds of the surrounding area.

The property abuts a neighborhood to the south along Grandview Circle and will create lots similar in size and configuration. There is an open field to the north which stores several tractor trailers but which could lend itself to future residential development. To the east and west, the property is adjacent to other single family residential development. The development therefore is consistent with other types of subdivisions and uses within the zoning district. Staff believes that this major subdivision will therefore not be detrimental to the use or development of adjacent properties or other neighborhood uses, and may in fact add value to the surrounding properties with new construction and investment.

Staff Recommendation:

Staff recommends that this proposed project is consistent with the Town's 2020 Plan and that the Planning Board has enough evidence to suggest findings of fact that support this subdivision application. All infrastructure and construction pursuant to the subdivision approval will have to comply with applicable local, State and Federal regulations that may apply.

Attachments:

1. Location and Zoning Maps
2. Application Materials Submitted

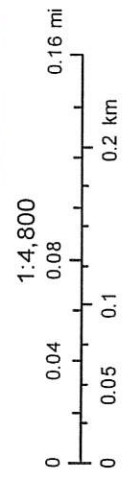
Suggested Actions:

1. Motion to adopt Findings of Fact (Items 1-4).
2. Motion to recommend approval (or approval with conditions, or denial) of the Major subdivision.

Lickstone Area Floodplain



December 12, 2017



Parcel Report For 8604-82-6833

RAY, JUNE LANNING
392 AUBURN PARK DR
WAYNESVILLE, NC 28786

Account Information

PIN: 8604-82-6833

Legal Ref: 878/715

699/2341

Add Ref: 934/979

A09/293

Site Information

R V WELCH
DWELLING, DWELLING
SINGLE FAMILY, SINGLE FAMILY
292 LICKSTONE RD

Heated Area: 1987

Year Built: 1953

Total Acreage: 4.08

Township: TOWN OF WAYNESVILLE

Site Value Information

Land Value: \$70,600

Building Value: \$123,900

Market Value: \$194,500

Deferred Value: \$0

Assessed Value: \$194,500

Sale Price: \$0

Sale Date: 12/29/2014

Tax Bill 1: \$1,582.53

Tax Bill 2: \$1,595.23



1 inch = 200 feet

December 12, 2017

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 web site provider assume no legal responsibility for the information contained on these maps.

Haywood County



December 12, 2017

Dec. 12/4/17
81



Transmittal

Date: December 4, 2017

Project Name: Grandview Subdivision

CDC Project: 21733

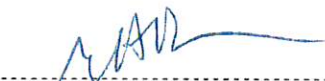
To: Town of Waynesville Development Services
Attn: Elizabeth Teague, Development Services Director
9 South Main Street
Waynesville, NC

Via: Mail Overnight Hand Delivered Pick up @ CDC Office

Copies	Date	Description
6	07/02/2017	Survey – For use as Environmental Survey
6	12/04/2017	Preliminary Site Plan

Remarks:

Elizabeth, please find attached the site plan and survey for the Grandview Subdivision for submittal to the planning board.



Greg Hoffman

Mailing Address: P.O. Box 5432, Asheville, NC 28813

168 Patton Avenue Asheville, NC 28801
Phone 828-252-5388 Fax 828-252-5365

52 Walnut Street – Suite 9, Waynesville, NC 28786
Phone: 828-452-4410 Fax: 828-456-5455

TOWN OF WAYNESVILLE
280 GEORGIA AVENUE
WAYNESVILLE NC 28786

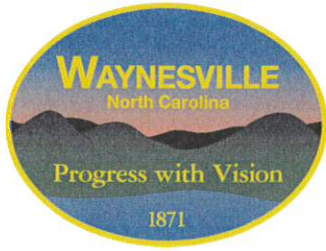
MISC RECEIPT 2193345
REFERENCE Ray's Subdiv
DATE/TIME 12/06/17 08:12
CLERK 2044jsho
CUSTOMER L. Daniel Wingate
EFF. DATE 12/06/2017
DEPT 4910

01

TOTAL: 340.00
340.00

PMT TYPE	QTY	REF	AMOUNT
CHECK	1	1969	340.00

Subdivision plat



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

December 4, 2017

Notice of Public Hearing for a Major Subdivision Application Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold a public hearing on **December 18, 2017 at 5:30 pm**, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC to consider a request to subdivide property known as 292 Lickstone Road, PIN 8604-82-6833.

For more information please contact Elizabeth Teague, phone: (828) 456-2004, email: eteague@waynesvillenc.gov , mail: 9 South Main Street, Suite 110, Waynesville, NC 28786

Elizabeth Teague, AICP, CTP
Development Services Director