

Planning Commission

7:00 pm Monday, February 24, 2014

Meeting Minutes

Mr. Bridgman called the meeting to order at 7:05pm

Roll Call: Members Present: Mr. Bridgman, Mr. Elliott, Mr. Hatfield, Mr. Watson and Mr. Finchum

Members Absent: Mr. Fields

Staff Present: Patricia M. Higgins, Village Manager

Minutes:

Mr. Bridgman asked the Commission members if they have reviewed the minutes and if there were any changes. No comments were received. Mr. Hatfield made a motion to approve the minutes and Mr. Watson seconded the motion. The minutes were approved.

Regional Planning Commission Reports

Mrs. Higgins indicated she did not have a report but there was going to be a meeting next Thursday and she would report at the next meeting.

Old Business

Public Hearing – Continued

Mr. Bridgman stated that at the last Planning Commission meeting, the Public Meeting was opened to hear comments regarding a proposed Bed and Breakfast Inn at 161 Edwards. Mr. Bridgman asked Mrs. Higgins if there was any updates that she would want to brief the Planning Commission on.

Mrs. Higgins started the presentation by noting that the Public Hearing was not closed at the last meeting and Mrs. Higgins stated that she would briefly review her report©.

Mrs. Higgins reviewed the application by indicating that the application is the owner/operator of the property at 161 Edwards Street. The home is a two story single family structure consisting of 3 bedrooms and 3 bathrooms. Two of the three bedrooms will be used for visitors and each of the bedrooms now has their own bathroom. No more than four visitors will be permitted at any one time.

The exterior of the home has a deck and a hot tub.

A paying customer would stay no more than seven consecutive nights at any single visit and no more than a total of 28 nights in any calendar year. The owner/operator will reside on the property and use an office as her bedroom. Questions came up at the last meeting regarding if a bedroom could be a bedroom without a closet. Mrs. Higgins indicated that she spoke to the Warren County Building Department plans Examiner and he indicated a bedroom did not have to have a closet.

Residents' concerns were reviewed:

1. Hot tub – concerns were voiced regarding the hours of use and if it would take away from the quietness of the area.
2. Breakfast – what would be the hours of operation for the breakfast and if the food would be cooked outside?
3. Recreational vehicles- would recreational vehicles were allowed to run all night causing additional noise.
4. The number of people permitted on the site at any one time was a concern and the increased amount of traffic that this business would generate.
5. Visitors would they stay at the site all day or what would they be doing all day?
6. Screening of the visitors was a concern that was mentioned and how would they be screened and what would happen if there was an unruly visitor
7. The final concern was would the additional trash result in the need for a dumpster?

Planning Commission concerns were about the owner/operator's sleeping arrangements and did the bedroom need a closet to meet the building code requirements. Mrs. Higgins indicated that she spoke to the Plan Examiner of Warren County and he indicated it was not a requirement to have a closet. Additional concerns voiced were about the recreational vehicles and where cars would be parked. Mrs. Higgins indicated the Zoning Code has specific rules regarding the parking of the cars on the site.

At this time, Mrs. Worley was asked if she would want to come up and provide additional information.

Ms. Worley reported that he bedroom was now completed in the one bathroom. Additionally, a sliding door was added in the other bedroom so that no one would have to go out in the hall to go to a bathroom.

Ms. Worley also reported that the building inspector and the fire chief were still working on completing their reports.

Mr. Watson asked if this was her first effort as a Bed and Breakfast Operator. Ms. Worley indicated that she has years of experience in hospitality. Now she was at a point, where she could develop a bed and breakfast.

Mr. Bridgman asked if the map needed to be updated to reflect where the owner/operator would sleep. Mrs. Higgins indicated the map could be updated and included in the file.

Mr. Bridgman asked how guests would be screened as this was a concern at the last meeting. Ms. Worley indicated that she has contracted with a service to register visitors. The website is set up to take reservations and credit cards. The service tries to get the most information they can for each visitor but a background check is not performed. Mr. Bridgman asked what would be the age of the guests. She indicated she would like guests to be at least 12 years of age.

Mr. Bridgman also asked about the different certificates from the building department and fire chief. Ms. Worley indicated that all the certifications are in the works and she is waiting for the final paperwork.

Ms. Worley also asked about installing a fence since one of her neighbors voiced a concern. Would the fence be permitted? Mr. Bridgman said this is a zoning requirement and would be needed any ways.

Mr. Bridgman asked if anyone else in attendance would like to make any comments. No one came forward so the Public Hearing was closed.

Ms. Worley did ask if her sign was part of this conditional use decision. Mr. Bridgman indicated the applicant would need to apply for a sign permit but would not be part of the approval this evening.

Mr. Bridgman then stated that the applicant tried to meet all the requests that they asked and she was working on the needed building certificates and fire approval. Mr. Bridgman favored the fence installation and was in agreement with the application.

Mrs. Higgins indicated that there were three options to consider regarding this application. Approve the application, approve the application with modifications or disapprove the application.

Mr. Bridgman made a motion to approve the application with the modifications regarding the fence and the fire chief. Mr. Hatfield seconded the motion and clarified that the approval would include the four modifications included in the staff report. For the record, the modifications were stated by Mrs. Higgins as followed:

1. Limit the hours in which the hot tub can be used to sun up to sun set.
2. Motor homes/recreational vehicles will not be permitted to be parked at the Bed and Breakfast.
3. Parking of guest vehicles must be located so headlights will not interfere with adjacent neighbors' enjoyment of their homes. The owner/operator must submit a drawing showing parking that would not interfere with the neighbors. If a location can not be found that would prevent headlights interfering with adjacent properties, a landscape plan showing how the neighbors would be screened would be required and must be approved by the Village Manager.
4. To shield the neighbors, the owner/operator has agreed to install a 6 foot high privacy fence.
5. A dumpster will not be permitted on the site.

Mr. Bridgman introduced the Planning Commission Case – 2014-2 and asked Mrs. Higgins to present the case.

Mrs. Higgins summarized the staff report regarding the Conditional Use Approval for a church application for the property located at 291 Church Street. The property is owned by Design Homes & Development, Inc. The existing zoning is Medium Density Residential R-4. The surrounding zoning is to the North – Multi-Family Residential AR-1, to the South – Medium Density Residential R-4, to the east – to Medium Density Residential R-4 and to the West Medium Density Residential R-4 and R-5. The requested action was to seek approval of a conditional use for a church. For years the property was

used for a church, the Village of Waynesville Government center and then a church again. For the last several years, the building was vacant. At this time, the owner would like to receive approval for a church.

Mrs. Higgins reviewed the Conditional Use Section of the Zoning Code as follows:

1. The proposed use is a conditional use of the zoning district and the applicable development standards were met.
2. The proposed use is compatible with adjacent land use, adjacent zoning and to appropriate plans for the area.
3. The proposed use will not adversely impact access, traffic flow and other public facilities and services. The church has seating for 160 people. The parking lot has 80 unmarked spaces with two driveways. The zoning code requires 1 parking space for each 4 seats, therefore the proper number of parking spaces. However, the parking lot did not provide the screen for the residential properties surrounding the church.
4. The proposed use will not result in the destruction, loss of damage of natural scenic or historic feature.
5. The drainage at the site was need as having some potential
6. The proposal use will not adversely affect the public, health, safety, convenience, comfort, prop.

Staff Recommendation

Staff stated no recommendations would be made until the public code

Mr. Bridgman opened the public hearing and asked the applicant to come forward and provide any addition comments or information.

Mr. Gary Snyder, AIA, NCARB; President of Architectural Resources Corporation was representing the applicant. Mr. Snyder addressed the parking issues and the drainage issues. He indicated that the church was fortunate to have so much parking, when he thinks of his own personal experience living across from a church. If they could remove any of the parking after further review, they would.

With regard to the drainage issues, Mr. Snyder stated that the drainage issues on the site are as a result of the site's location and a large drainage pipe on the north side of the lot. A discussion followed regarding the village's need to work on storm water issues throughout the village.

The Public Hearing was closed.

A motion was made by Mr. Elliott and seconded by Mr. Hatfield to approve the Conditional Use Application for a church at 291 Church Street with the following modification:

1. The owner of the property shall be required to inspect and clean all catch basins on their property.

With no other business, the meeting was adjourned at 8:23