

PLANNING BOARD MEETING

Town of Sylva Planning Board

October 2, 2023

The Town of Sylva Planning Board held a regular meeting on October 2, 2023, at 5:00 p.m. hosted in the Board Room of Municipal Hall, 83 Allen Street, Sylva, N.C. and streamed electronically by Zoom meeting.

PRESENT: Alison Joseph
Melissa Madrona, Chair
Larry Tyson
Kendall Waldrop
Amanda Murajda, Town Clerk
Paige Dowling, Town Manager

ABSENT: Rose Bauguess
Russ Harris
Geoffrey Hirsch

Melissa Madrona called the meeting to order at 5:00 p.m.

STAFF PRESENT: John Jeleniewski (County Planner).

VISITORS: Ina Sams

APPROVAL OF MINUTES: Kendall Waldrop made a motion to approve the August 24, 2023, minutes as amended. Alison Joseph seconded the motion, and the motion carried with a unanimous vote.

NEW BUSINESS

ZONING MAP AMENDMENT REQUEST—KINKAID PROPERTY—HWY 107: John Jeleniewski, Senior County Planner, presented the staff report as follows:

Applicant: Alvin and Virginia Trust – Property Owners

Property Location: Off East Main Street, Sylva NC 28779; PIN's 7641-65-8973, 7641-65-9819, 7641-65-9855, 7641-65-8744, 7641-65-9700 and 7641-65-9646.

Current Property Zoning: High Density Residential - HDR

Ordinance Section for which the Text Amendment is requested: Article 3 - Procedures - Section 3.9.B – Zoning and Map Amendments

Description of Request: The applicant is requesting a map amendment that would designate the subject properties as General Business (GB) District.

Background: The General Business District (GB) is the largest district within Sylva's commercially zoned jurisdiction. The GB District offers a broad range of permitted (use-by-right) and special uses (SUP) such as lodging, retail/commercial, restaurants, public/civil and recreational uses. Property improvements in this district are subject to development standards as set forth in the zoning ordinance including building setbacks, landscaping, architectural standards, sidewalk construction, parking, storm water treatment, etc. The subject properties are located on the south side of Highway 107 approximately 582 ft east of the Highway 107/Cope Creek Road intersection. These properties total 1.19 acres in land area with 9 existing residential dwellings (manufactured homes) and a vacant restaurant (former Soul Infusions Tea House). Access to these properties are from the public right-of-way of Highway 107 and a private access road known as Path Finder Lane. These properties are adjacent to properties to the east that are in the GB District and are not located within the 100-year flood plain. These properties are or can be served by Tuckaseegee Water & Sewer Authority for public utilities.

Application Response: The applicant is requesting that the existing Town of Sylva Zoning Map be amended to designate the six subject properties (1.19 acres) to the General Business District.

Staff Findings: The requested map amendment would not constitute "spot zoning" as the properties to the east are zoned GB District.

The Town's adopted Land Use Plan for 2040 establishes that these properties will be in the future *Urban Neighborhood District*. The encouraged land uses for this future district include primarily residential: small lot single family, townhome residential, two-, three- or four-family units, and multifamily; civic and educational uses that support community residents, live-work units, small scale in-home businesses and small scale public open

space (e.g. active pocket parks, passive open space, greenways). However, if the map amendment request is approved, these properties will be in the future *Community Corridors District* with encouraged land uses for this district being mixed-use buildings, institutional uses, walkable neighborhood commercial (retail, office, personal services), large scale commercial, business centers, community services and civic/educational services. In addition, this requested map amendment will create available property and opportunity in the GB District that may be needed to serve the community during/after the proposed Highway 107 improvement project.

Ina Sams, representing the applicant, addressed the board and explained that the buyer is seeking to relocate a restaurant due to the Highway 107 construction. The buyer will clean up the property.

The board discussed general business versus more high-density residential space. *Kendall Waldrop made a motion to approve the zoning request. Alison Joseph seconded the motion, and the motion carried with a 3-1 vote. Voting in the affirmative were Kendall Waldrop, Alison Joseph and Larry Tyson. Voting against the motion was Melissa Madrona.*

Madrona read the statement of consistency. *Kendall Waldrop made a motion to approve the statement of consistency. Alison Joseph seconded the motion, and the motion carried with a unanimous vote.*

ADJOURNMENT: *Kendall Waldrop made a motion to adjourn the meeting at 5:48 p.m. Alison Joseph seconded the motion, and the motion carried with a unanimous vote.*

Melissa Madrona
Chair

Amanda W. Murajda
Town Clerk