

TOWN OF WAYNESVILLE

Zoning Board of Adjustment

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

George Escaravage (Chairman)
Henry Kidder (Vice-Chair)
Edward Moore
Joshua Morgan
Robert Hermann
John Baus (alternate)
Judi Donovan (alternate)

Development Services
Director
Elizabeth Teague

TOWN OF WAYNESVILLE

ZONING BOARD OF ADJUSTMENT

REGULAR MEETING

Town Hall – 9 South Main Street, Waynesville, NC 28786
Tuesday, March 7, 2023, 5:30 PM

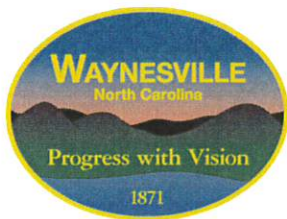
A. CALL TO ORDER:

1. Welcome/Announcements/Introductions
2. Adoption of Minutes (as presented or amended) from February 7, 2023

B. BUSINESS ITEMS:

1. Public Hearing for an appeal of an administrative decision related to the interpretation of the property use as “government services,” as defined in the Land Development Standards, Section 17.3. The subject property is at 1620 Brown Avenue, Waynesville, NC 28786 (PIN 8605-70-8724).

C. ADJOURN



TOWN OF WAYNESVILLE Zoning Board of Adjustment

9 South Main Street
Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

www.waynesvillenc.gov

George Escaravage, Chairman
Henry Kidder, Vice-Chairman
Robert Herrmann
Joshua Morgan
Edward Moore
John Baus (Alternate)
Judi Donovan (Alternate)

Development Services
Director
Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE ZONING BOARD OF ADJUSTMENT

Regular Meeting

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

February 7th, 2023

THE WAYNESVILLE ZONING BOARD OF ADJUSTMENTS held a Regular Meeting February 7th, 2023, at 5:30 p.m. in the Boardroom of Town Hall, 9 South Main Street, Waynesville, NC. 28786.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

The following members were present:

George Escaravage, Chairman
Henry Kidder, Vice Chairman
Robert Herrmann
John Baus (Alternate)
Judi Donovan (Alternate)

The following Board members were absent:

Joshua Morgan
Edward Moore

The following staff members were present:

Elizabeth Teague, Development Service Director
Esther Coulter, Administrative Assistant

The following media were present:

No media were present

Chairman George Escaravage welcomed everyone and called the meeting to order at 5:30 p.m.

Chairman George Escaravage asked Development Service Director Elizabeth Teague if there were any announcements. Ms. Teague said an application had been received for an appeal of an administrative decision so, they will be having a meeting on March 7th, 2023,

Zoning Board of Adjustment Minutes
Regular Meeting
February 7, 2023

Vice Chairman Henry Kidder stated he would be out of town on March 7th, 2023. Ms. Teague stated they would need an alternate to attend the meeting.

1. Adoption of Minutes (as presented or amended) from September 6, 2022.

Chairman Escaravage asked if everyone had reviewed the minutes and if there were any changes.

A motion was made by Vice-Chairman Henry Kidder, seconded by Board member Bob Herrmann to approve the September 6, 2022, meeting as presented. The motion carried unanimously. (5-0)

B. ADJOURN

A motion was made by Board Member Robert Herrmann, seconded by Board member Vice Chairman Henry Kidder to adjourn the meeting at 5:37pm. The motion carried unanimously.

George Escaravage, Chairman

Esther Coulter, Administrative Assistant

Zoning Board of Adjustment Staff Report

Subject: Appeal of an Administrative Zoning Decision
Applicant: Peggy Hannah
Meeting Date: March 7, 2023

Summary Information:

Date of Appeal: February 3, 2023
Location: Posted Notice at 1620 Brown Avenue, PIN 8605-70-8724
Property Owner: Haywood County
Haywood County Courthouse, 215 N Main Street, Waynesville, NC 28786
Acreage of Site: 11.4 Acres
Zoning District: Hyatt Creek Regional Center Commercial (HC-RC)
Existing Development: Multiple Uses: Haywood County Magistrate, Sheriff's Office, Detention Center, 911 Center, Maintenance Garage, Maintenance Facility, Impound Lot, Transfer Facility/Convenience Center.

Background:

This is an appeal of an administrative decision by an administrative officer charged with enforcing the provisions of the Town of Waynesville ordinances. Appeals of Administrative Decisions, must follow the procedures provided in the Town of Waynesville Land Development Standards (LDS) Section 15.12.

The property at 1620 Brown Avenue is an 11.4 acre tract owned and operated by the Haywood County Government. In August of 2023, Haywood County staff submitted preliminary plans to demolish a portion of the County's existing detention center and a multi-use building, to replace them with an expanded detention facility that is attached by secure corridor to the County's Sheriff's Department, Magistrate Office, and E911 Center building. The plan also includes demolition of portions of existing asphalt and fence, and improvements to parking lots that serve the Sheriff's Department, and the redesign of the stormwater detention area for the site. Pursuant to LDS Section 15.8.2: Site-Plan Major/Design Review, the proposed plans needed to be reviewed and approved by the Town Planning Board because they are a "non-residential development or expansion 10,000 square feet or greater in gross floor area."

On January 6, 2023, staff posted a zoning determination of Development Services Director Elizabeth Teague on roadway frontage of 1620 Brown Avenue and the bulletin Board for public notices in Town Hall at 9 S. Main Street, Waynesville, NC. The notice indicated that the property "meets the use definition of "government services," under the Town of Waynesville Land Development Standards Section 17.3.

On January 20, 2023, Haywood County made a complete application to the Waynesville Development Services Office and a hearing was scheduled for the February Planning Board Meeting.

On February 3, 2023, Peggy Hannah appealed the decision by letter with attachments, 28 days after the posting.

On February 20, 2023, the Planning Board held a public hearing to consider the County's site plan at their regularly scheduled meeting. The Planning Board approved the County site plan, contingent upon the status of the appeal.

Surrounding Land Use/Zoning Determination:

The subject property is located within the corporate limits of Waynesville and the Hyatt Creek Regional Center (HC-RC) Zoning District. It is adjacent to the railroad to the west, the Ingles Shopping Center to the south, Brown Avenue and Hemlock Street to the east, and Vigaro Lane to the north. Once part of the Town of Hazelwood, this property had contained a jail prior to the merger with the Town of Waynesville. In 2005, the County built the current Sherriff's Department building with a detention facility included, and in 2015, this building was expanded to house the County 911 Center and communications tower.

Prior to applications, staff determines if uses are allowed within the District in which the use is proposed, by referencing the Permitted Uses Table and Zoning Definitions, LDS Section 2.53 and 17.3 respectively. Two potential use definitions were considered:

- **Correctional Institution.** Government establishments generally designed for the confinement, correction and rehabilitation of offenders sentenced by the court.
- **Government Services.** Includes federal, state, and local government agencies that administer, oversee, and manage public programs and have executive, legislative, and judicial authority.

In the HC-RC District, correctional institutions are not permitted, but Government Services are. If a Correctional Facility designation was uniquely applied to the property, the County application would be treated as a pre-existing non-conformity, which would not be allowed to expand without a variance to LDS Section 13.5 Nonconforming Uses and Structures. If however a Government Services designation were applied, the project would be treated as a use permitted by right within the HC-RC District, and as part of the larger, government usage of the entire property.

The Development Director, as the administrator of the ordinance, concluded the following:

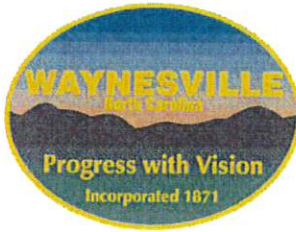
- The existing detention facility is not solely for the "confinement, correction and rehabilitation of offenders sentenced by the court," nor would the proposed expanded facility be. The county detention facility – both existing and proposed - would hold those who had just been arrested by local law enforcement, were awaiting trial, awaiting a meeting with the magistrate, awaiting bail, awaiting disposition into the State prison system, or serving a short-term sentence.
- The Haywood County detention facility does not provide correction or rehabilitative services to detainees.
- The detention facility is not the only function of the property. In fact, the property holds multiple functions of the Haywood County government, including the County 911 Center, communications tower, offices, storage, garage and maintenance facilities, impound lot, and a recycling and solid waste transfer center for public use. The detention facility operates as one part of a multi-part campus that is owned and operated by Haywood County Government for various government services.
- The appropriate zoning designation for the property at 1620 Brown Avenue is Government Services, including all aspects of the government services and uses within it.

Public Notice of the Appeal Hearing:

A public notification sign of the hearing was posted on the subject property on February 15, 2023. Notice of this Public Hearing was published in the Mountaineer on February 15 and February 22 editions, and mailed to adjacent property owners on February 15, 2023.

Items Entered as Evidence:

1. Staff Report
2. Zoning Decision
3. Photographs of posted Zoning Decision
4. Notice of Appeal with attachments A, B, C, and D
5. Planning Board Agenda Packet with exhibits
6. Notification Materials of Appeal Hearing
7. Town of Waynesville Land Development Standards (LDS) by Reference



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

NOTICE OF ZONING DECISION

The Development Services Director of the Town of Waynesville makes the following administrative zoning decision for the current use of the property identified as (PIN) 8605-70-8724, by Haywood County Land Records. That portion of this property addressed as 1620 Brown Avenue, and known as the Haywood County Sheriff's Office, is a multi-purpose campus that meets the use definition of "Government Services" under the Town of Waynesville Development Standards, Section 17.3:

Government Services. Include federal, state, and local government agencies that administer, oversee, and manage public programs and have executive, legislative, and judicial authority.

This includes the property uses of the county 911 center, communications tower, the Sheriff's Department offices and detention facilities, Magistrate, a solid waste and recycling transfer station, storage facilities, county garage and maintenance, an impound lot, and personnel and public parking.

An appeal of this administrative decision may be filed with the Town Clerk of Waynesville, 16 S. Main Street, Waynesville, NC 28786, cpoolton@waynesvillenc.gov, within 30 days of this notice. Questions should be directed to the Development Services Office, (828) 456-8647.

Elizabeth Teague, Waynesville Development Services Director

January 6, 2023
Date

Cc: Kris Boyd, Assistant County Manager
Olga Grooman, Planner
Byron Hickox, Land Development Administrator
Candace Poolton, Waynesville Town Clerk

POSTED 1/6/23

Report For

HAYWOOD COUNTY
HAYWOOD COUNTY COURTHOUSE
215 N MAIN ST
WAYNESVILLE, NC 28786

Account Information

PIN: 8605-70-8724

Legal Ref: 842/1201

579/2174

Add Ref: 961/1718

958/1675

Site Information

GARAGE SERVICE, OFFICE MEDICAL, OFFI
Commercial Use, Commercial Use, Commercial
1620 BROWN AVE

Heated Area: 5940

Year Built: 1950

Total Acreage: 11.4

Township: Town of Waynesville

Site Value Information

Land Value: \$2,409,300

Building Value: \$12,396,000

Market Value: \$14,805,300

Deferred Value: \$0

Assessed Value: \$14,805,300

Sale Price: \$0

Sale Date: 3/11/2013

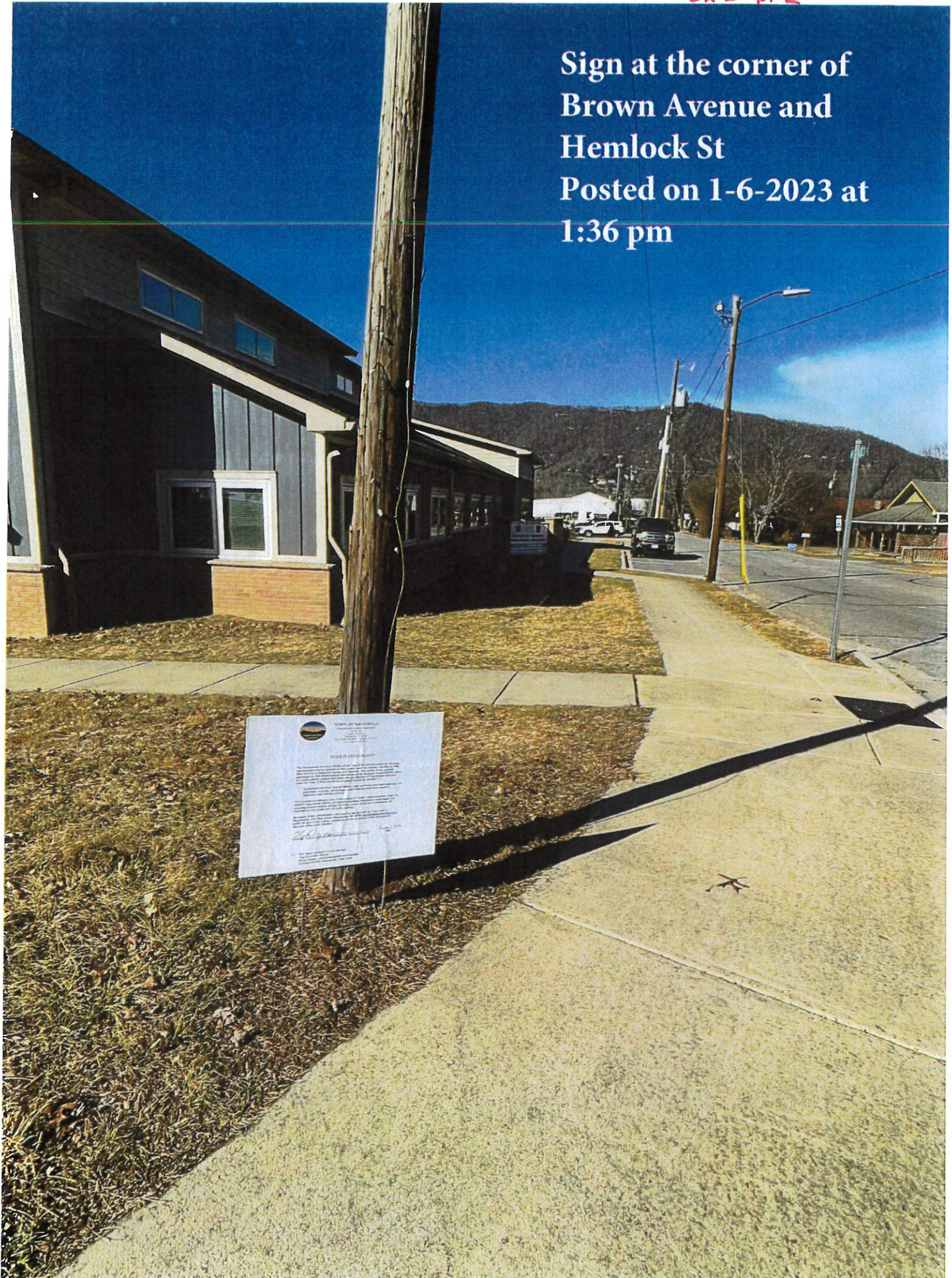


1 inch = 200 feet

January 6, 2023

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.

Sign at the corner of
Brown Avenue and
Hemlock St
Posted on 1-6-2023 at
1:36 pm





Sign off Hemlock St
Posted on 1-6-2023 at
1:39 pm







Today
12:43 PM

Edit

EXHIBIT 3 p. 6

- Rob Hites, Town Manager
- Motion: Accept Mr. Amsler's bid and instruct the Clerk to advertise the bids for "upset bid".
- G. COMMUNICATION FROM STAFF
- 7. Manager's Report
 - Town Manager, Rob Hites
- 8. Town Attorney Report
 - Town Attorney, Martha Bradley
- H. COMMUNICATIONS FROM THE MAYOR AND BOARD
- I. CLOSED SESSION
- 9. Enter into closed session for the purpose of discussion of Personnel-Manager-under North Carolina General Statute §143.318.11(a)(6)
- J. ADJOURN



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

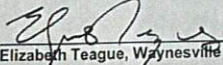
NOTICE OF ZONING DECISION

The Development Services Director of the Town of Waynesville makes the following administrative zoning decision for the current use of the property identified as (PIN) 8605-70-8724, by Haywood County Land Records. That portion of this property addressed as 1620 Brown Avenue, and known as the Haywood County Sheriff's Office, is a multi-purpose campus that meets the use definition of "Government Services" under the Town of Waynesville Development Standards, Section 17.3:

Government Services. Include federal, state, and local government agencies that administer, oversee, and manage public programs and have executive, legislative, and judicial authority.

This includes the property uses of the county 911 center, communications tower, the Sheriff's Department offices and detention facilities, Magistrate, a solid waste and recycling transfer station, storage facilities, county garage and maintenance, an impound lot, and personnel and public parking.

An appeal of this administrative decision may be filed with the Town Clerk of Waynesville, 16 S. Main Street, Waynesville, NC 28786, cpoolton@waynesvillenc.gov, within 30 days of this notice. Questions should be directed to the Development Services Office, (828) 456-8647.


Elizabeth Teague, Waynesville Development Services Director

January 6, 2023
Date

Cc: Kris Boyd, Assistant County Manager
Olga Grooman, Planner
Byron Hickox, Land Development Administrator
Candace Poolton, Waynesville Town Clerk

POSTED 1/6/23

1:23



Today
12:43 PM

Edit

EXHIBIT 3 p.7

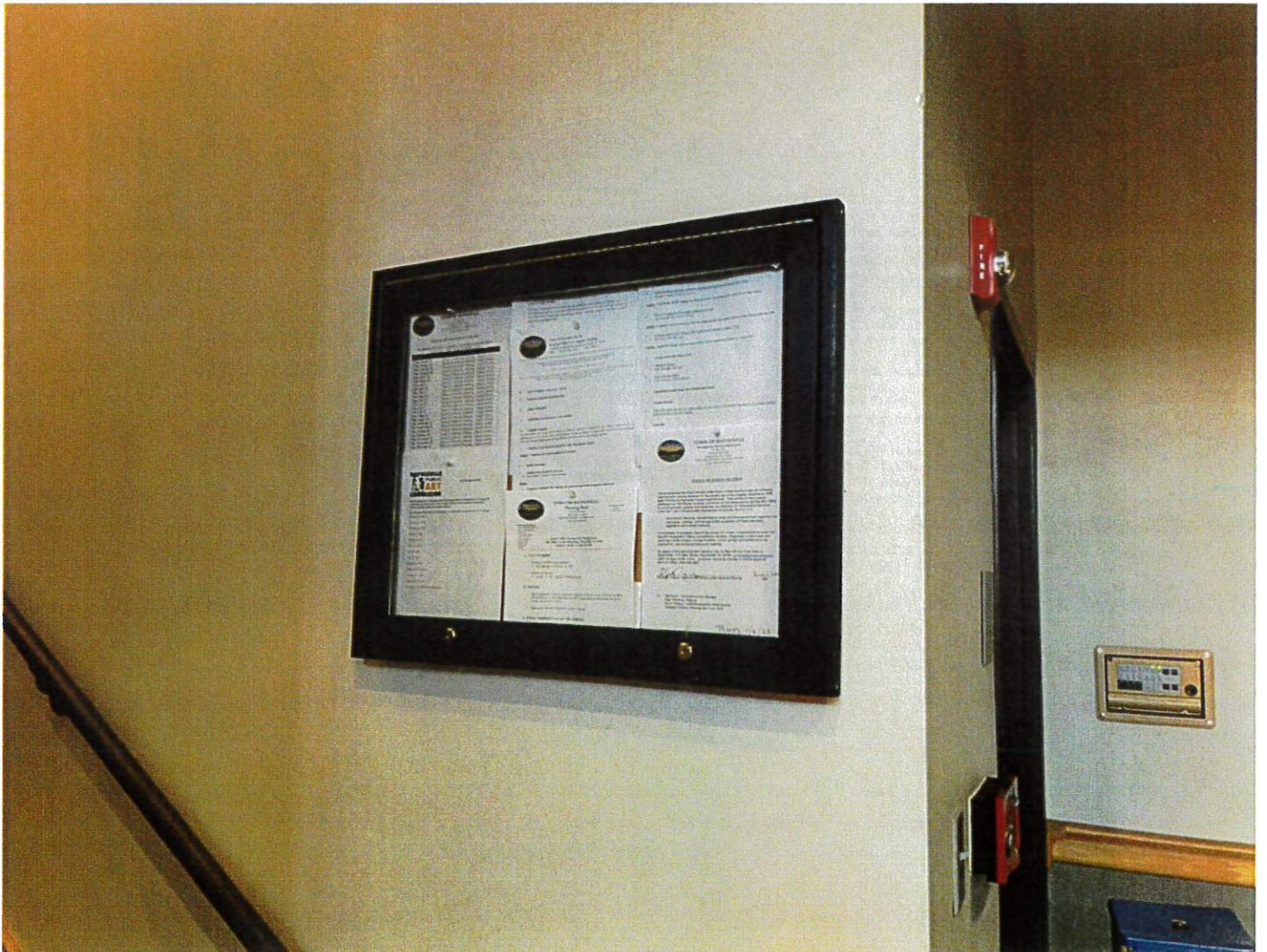


EXHIBIT 4
P. 1

REC & 2/3/23
3:35 PM

Appeal of Administrative Decision

I, Peggy Hannah, filed this appeal on behalf of myself and my neighborhood.

1. About a month ago, a notice of zoning decision was posted in my neighborhood. I live at "268 Hemlock Street" signed by Waynesville Development Director Elizabeth Teague.
2. It states that she makes the following "Administrative Zoning decision for the current use of the property" This property is the large piece of land where the jail detention facilities, sheriff's office, ETC are currently located.
3. The notice or Elizabeth then states the definition of government services under Waynesville Development Standards, LDS 17.3, which is totally nonspecific.
4. Elizabeth Teague then simply concludes that government services "includes the property uses of the county 911 center, communication tower, sheriff department office, and detention center, magistrate, solid waste, recycling transfer station, county garage and maintenance and impound lot and personnel and public parking and storage facilities."
5. Those may be the current uses and those might government activities, but the notice does not say anything about the proper zoning of those uses as you might expect in a "zoning decision".
6. Elizabeth Teague and Bryon Hickox told me that the decision related to the jail or detention facility expansion, which I already knew, and I also knew it involved changing the location of some things such as the waste station.
7. A basic rule of the LDS and of the Town Planning Borad, of which I am a member, is that whenever anything is built, or changed, it has to follow all the regulations for the zoning district, LDS 1.6.1.
8. Bryon also gave me printouts of the proposed detention expansion, which are attached as part of this appeal. The printout shows that the district involved is the Hyatt Creek Regional Center, or HCRC, plans marked A and B.
9. Other than stating Mrs. Teague's view of what the definition of government services is, the notice does not even mention zoning, and if it is supposed to be a "zoning decision" it is entirely unclear what the zoning decision is or if it makes any decision.
10. Since they told me the notice relates to the detention facility expansion it sure looks like it might be implying that the jail expansion and the change in the waste station is properly zoned for the HCRC district.
11. If that is what is intended by the "zoning decision" Elizabeth could not be more wrong.
12. If that is what was intended by this then that "zoning decision" was concealed from the neighborhood and the public.
13. It sure seems like Elizabeth forgot to look at the LDS permitted uses table under LDS 2.5.3, so I will do that for you.

14. Under LDS 2.3.7, HCRC is described as a mix use center containing retail, services, and employment, "must be developed with sensitivity to the surrounding rural setting." That sensitivity to the effects of our neighborhood is exactly what we want
15. Under the description of the categories of the permitted use table, LDS 2.5.1.C says that the office/service use is general business and the provision of services, excluding retail and manufacturing.
16. LDS 2.5.1F says that Civic/Institution use includes SOME government uses. A government institution such as a correctional institution would fall under this category and correctional institution means the same thing as a detention center. Google it!! I did and it is attached as part of this appeal marked C
17. Now let's look at the permitted use table, LDS 2.5.3. It is true that some government uses are permitted in the HCRC. But that is only under the office use of the table. Attachment D.
18. Getting to the more specific parts of the table, remember that the "Institutional" use section is defined as including government uses. Under the "Civic, Instrumental" category, one of the specific items "correctional institution. Remember that a detention facility is the same as correctional institution and in the table that is NOT PERMITTED IN HCRC.
19. Maybe the jail is grandfathered in, but building a new detention facility is building and alternating the existing jail and would have to follow the regulations and would not be permitted.
20. It's the same for the waste station under the list of narrow uses, called the "Use Types" category, materials recovery and waste facility is listed as NOT PERMITTED in HCRC.
21. From my understanding the statements that Elizabeth Teague has made in the notice concerning the detention center and waste facility are completely false and is in no way permitted through the zoning of the property in the HCRC.
22. I also want to say that the waste station ^{up & inside} was put there by the county around 2015?. I wonder if that was a "zoning decision" that the public missed because it was not clear, or if it was done without zoning approval. Either way, there is an argument that it has to be removed.
23. Also, there are other rules in the LDS that were not followed regarding that you have to follow to provide that "sensitivity" to the neighborhood that is required that I said before.
24. Regarding correctional institutional there has to be required buffering from adjoining residential property. LDS 3.7.2.
25. Regarding waste recovery station, all aspects of the activity shall be no closer than 50 feet to a property line and "shall be screened from the street and adjacent properties". In addition to not being permitted as it currently exists, the waste station also violates those provisions.
26. The buffering required both correctional institutional and waste facilities is under a type A buffer under LDS 8.4.2.A That requires either a 40-foot yard with required amount of

plants, or a 25-foot yard with plants, and a wall or berm, or a 10-foot yard with plants and a wall. All of those yards and walls must make the buffering "opaque" to the neighbors. That was neither done for the waste station as it currently exists, nor it is shown on the plan to be fully compliant for the new detention facility or changed waste station. Attachment A & B

27. The notice in question is meaningless if it does not actually make a "zoning decision" whether or not the detention expansion is proper. And worse if it was intended to be a "zoning decision" that the detention expansion and changed waste station were proper as permitted uses in HCRC, then it not only is not flat out wrong but the fact that it is so wrong and the intention was so unclear it makes one wonder exactly what is going on.

A

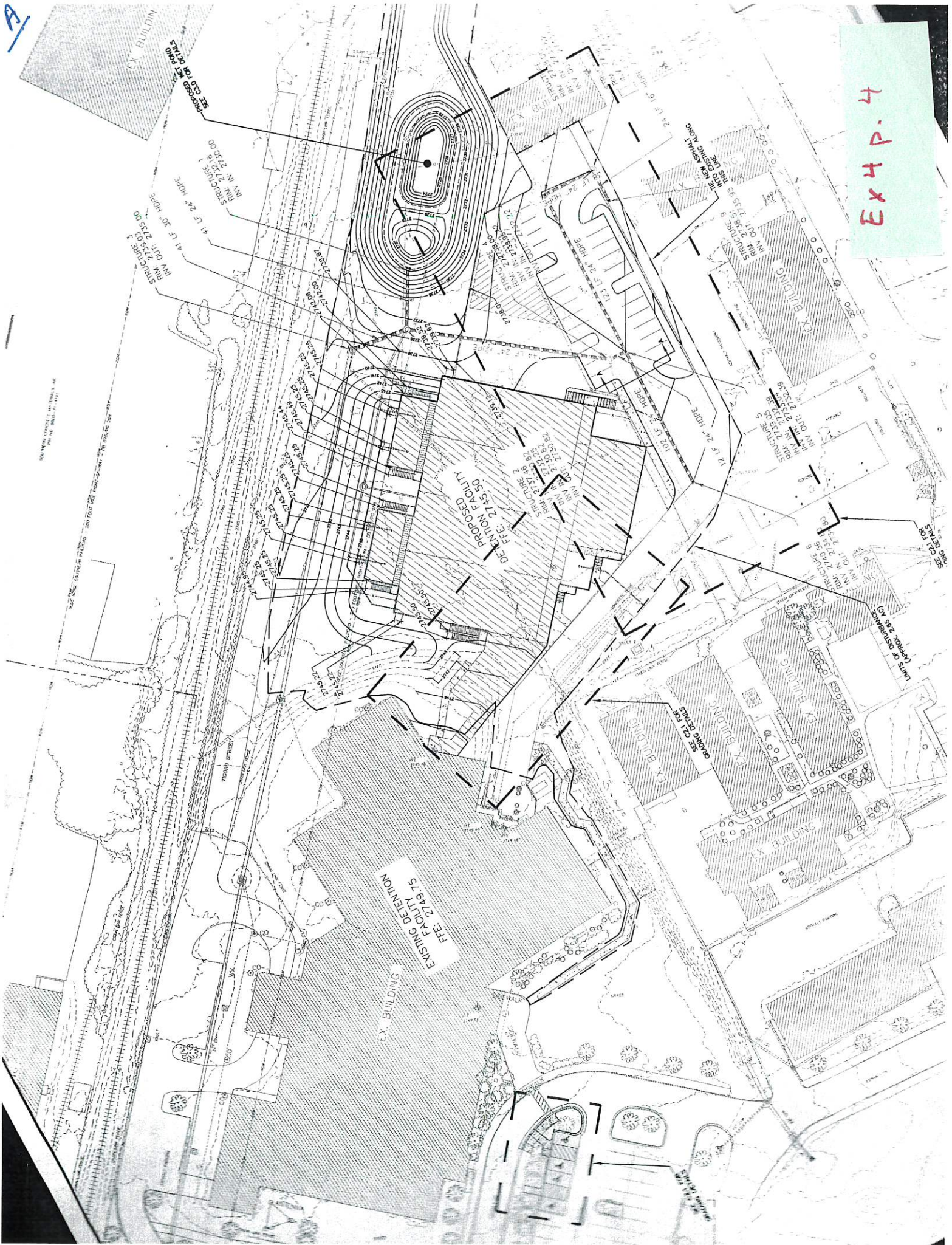


EXHIBIT 4 A 6
11x17

PLAN



EXISTING DETENTION FACILITY
FFE: 2749.75

EXISTING DETENTION FACILITY
FFE: 2749.75

PROPOSED DETENTION FACILITY
FFE: 2745.50

LIMITS OF DISTURBANCE
(APPROX. 2.65 AC)

SEE C2.1 FOR
GRADING DETAILS

STRUCTURE 5
RIM: 2739.05
INV IN: 2732.59
INV IN: 2733.14
INV OUT: 2732.39

STRUCTURE 9
RIM: 2738.51
INV OUT: 2735.95

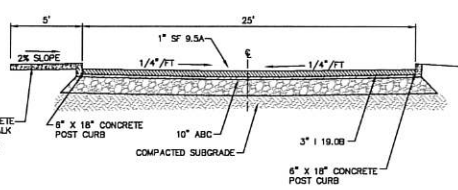
STRUCTURE 3
RIM: 2739.03
INV OUT: 2735.00

STRUCTURE 1
RIM: 2732.16
INV IN: 2730.00

PROPOSED WET POND
SEE C3.0 FOR DETAILS

STRUCTURE 7
RIM: 2738.00
INV IN: 2733.62
INV OUT: 2733.62

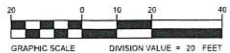
OUTLET STRUCTURE
RIM: 2734.94
INV IN: 2732.50
INV OUT: 2732.50



ST 8
A-A TYPICAL PARKING LOT
CROSS-SECTION WITH POST CURB
UPDATED DECEMBER, 2022
NOT TO SCALE



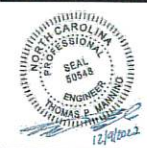
55 Broad Street
Asheville, NC 28801
828.252.0575
NC Firm License # C-0459
mcgillassociates.com



MOSELEYARCHITECTS

8210 ARDREY HILL ROAD • THE HUB AT WAYERLY, SUITE 125 • CHARLOTTE, NC 28277
PHONE (704) 540-3755 FAX (704) 540-3754
MOSELEYARCHITECTS.COM

PROGRESS
PRINT NOT FOR
CONSTRUCTION



HAYWOOD COUNTY DETENTION CENTER

621193
Haywood County, North Carolina
1620 BROWN AVE, WAYNESVILLE NC. 28786

PROJECT NO: 621193
DATE: DECEMBER 9, 2022

DATE	REVISIONS	DESCRIPTION

OVERALL
GRADING PLAN

C20



About 462,000 results

Any time

State prison

Correctional institution means a **state prison**, detention center, multijurisdictional detention center, Correctional institution. ' means any institution or facility under the supervision and control of the secretary of corrections.

Correctional institution Definition: 312 Samples | Law Insider

www.lawinsider.com/dictionary/correctional-institution

Was this helpful?

People also ask

What are the different types of correctional institutions?



What is the difference between prison and Correctional Facility?



What are the requirements to work in a correctional facility?



What does Correctional Institution mean?



Feedback

Correctional institution Definition & Meaning - Merriam ...

[https://www.merriam-webster.com/dictionary/correctional institution](https://www.merriam-webster.com/dictionary/correctional%20institution)

Web Jan 27, 2023 - **correctional institution** noun plural **correctional institutions** : a place where people are kept when they have been arrested and are being punished for a crime : a prison They live within sight of a **correctional institution**. Dictionary Entries Near **correctional** ...

EXPLORE FURTHER

- 1. **Correctional institution** legal definition of **correctional institu...** legal-dictionary.thefreed...
- 2. What Are the Different Types of Correctional Institutions? classroom.synonym.com
- 3. **Correctional institution** - definition of **correctional institution** ... thefreedictionary.com
- 4. Correctional institution - Definition, Meaning & Synonyms vocabulary.com
- 5. **Correctional Institutions** | Bureau of Justice Statistics bjs.ojp.gov

Recommended to you based on what's popular · Feedback

Correctional Facilities | National Institute of Justice

<https://nij.ojp.gov/topics/corrections/correctional-facilities>

Web Institutional corrections facilities include **prisons** and **jails**. Prisons are **state or federal** housing facilities that confine convicted felons with sentences typically longer than a ...

Correctional Institutions | Bureau of Justice Statistics

<https://bjs.ojp.gov/topics/corrections/correctional-institutions>

Web Correctional Institutions. Inmates under the care and custody of a local, state, or federal correctional authority are generally housed in one of two types of facilities -- a local jail ...

Correctional institution - definition of correctional ...

<https://www.thefreedictionary.com/correctional+institution>

Web correctional institution - a penal institution maintained by the government. detention camp, detention home, detention house, house of detention - an institution where juvenile ...

Correctional institution - Definition, Meaning & Synonyms

[https://www.vocabulary.com/dictionary/correctional institution](https://www.vocabulary.com/dictionary/correctional%20institution)

Web Definitions of **correctional institution** noun a penal institution maintained by the government see more Think you've got a good vocabulary? Take our quiz. ASSESSMENT: 100 POINTS ...

Definition: Correctional institution from 45 CFR § 164.501 ...

<https://www.law.cornell.edu/definitions/index.php?...>

Web **Correctional institution** means any penal or correctional facility: jail, reformatory, detention

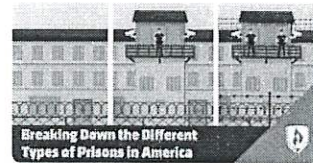
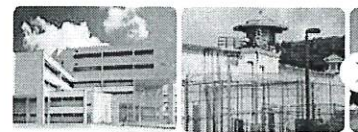
EXHIBIT 4 P. 7

Prison



W

A prison, also known as a jail, gaol, penitentiary, detention center, correction center, correctional facility, lock-up, hoosegow or remand center, is a facility in which inmates are confined against ...



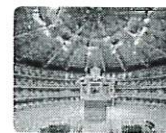
From the birth of modern civilization in **3rd millennia BC**, almost every major ancient civilization used concept of prisons as a mean to detain and remove personal freedoms of incarcerated people.

Early American prisons systems like Massachusetts' Castle Island

Penitentiary, built in 1780, essentially imitated the model of the 1500s English workhouse.

High-security

prisons are also called United States Penitentiaries (USPs). As you might imagine, they provide the highest level of security, where inmates are closely monitored by guards and cameras.



How many days do you recommend fully exploring Prison?

- A 1
- B 2~3
- C 4~7

D

EXHIBIT 4 p. 8

2.5.3 Table of Permitted Uses (rev. 2012, 2016,2017, 2018, 2020, 2022):

	Residential-Low Density Districts (RL)				Residential-Medium Density Districts (RM)				Neighborhood Residential (NR)								Urban Residential (UR)			Neighborhood Center (NC)			Business District (BD)			Regional Center (RC)			Commercial Industrial (CI)	
USE TYPES	CC-RL	EN-RL	FC-RL	HT-RL	CP-RM	D-RM	HM-RM	SW-RM	AC-NR	LL-NR	MS-NR	N-NR	PS-NR	PC-NR	RC-NR	SS-NR	WS-NR	EW-UR	H-UR	HM-UR	NM-NC	PS-NC	RC-NC	CBD	H-BD	SM-BD	DJ-RC	HC-RC	RA-RC	CI
RESIDENTIAL																														
Dwelling-Single Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
Dwelling-Two Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
Dwelling-Townhome	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
Dwelling – Cottage	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
Dwelling-Multifamily	-	-	-	-	P	P	-	P	P	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	P	P	P	P	P	-
Dwelling-Accessory	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	P	P	P	P	P	P	P	P	P	-
Family Care Home (6 or fewer residents)	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	-
Halfway Houses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS	-
Home Occupation	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	P	P	P	P	P	P	P	P	P	-
Live-Work Units	PL/PS	-	-	-	-	PL/PS	-	PL/PS	-	PL/PS	-	PL/PS	-	-	PL/PS	-	PL/PS	CL/PS/PL	PL/PS	CL/PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	-
Manufactured Home Parks	-	-	-	-	-	-	-	-	SUP	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Manufactured Housing	-	-	PS	PS	PS	PL/PS	-	PS	PS	-	-	PS	-	-	PS	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Residential Care Facilities (More than 6 residents)	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P	P	P	P	P	P	P	P	P	-
LODGING																														
Bed and Breakfast Homes (Up to 4 Rooms)	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	P	P	P	P	P	P	P	P	P	-
Boarding House	-	-	PS	-	PS	-	-	PS	PS	PS	PS	-	-	-	-	-	PS	-	-	-	P	P	P	P	P	P	P	P	P	-
Inn (Up to 20/30 Rooms)	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P	P	P	P	P	P	P	P	P	-
Hotel/Motels (More than 30 Rooms)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-
OFFICE/SERVICE																														
Animal Services	PL	-	PL	-	-	PL	-	-	-	-	-	-	-	-	-	-	-	PL	-	-	-	P	P	P	P	P	P	P	P	P
ATM	PL	-	-	-	-	PL	-	PL	-	PL	-	PL	-	-	PL	-	PL	-	-	-	P	P	P	P	P	P	P	P	P	-
Banks, Credit Unions, Financial Services	PL	-	-	-	-	PL	-	PL	-	PL	-	PL	-	-	PL	-	PL	-	-	-	P	P	P	P	P	P	P	P	P	-
Business Support Services	PL	-	-	-	-	PL	-	PL	-	PL	-	-	-	-	PL	-	PL	PC/PL	-	PC	P	P	P	P	P	P	P	P	P	P
Child/Adult Day Care Home (8 or less persons)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
Child/Adult Day Care Center (More than 8 persons)	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	P	P	P	P	P	P	P	P	P	-
Civic/Social/Fraternal Organization	-	-	-	-	-	-	PS	-	PS	PS	PS	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P
Construction & Maintenance Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P
Drive Thru Service	PL/PS	-	-	-	-	PL/PS	-	-	-	PL/PS	-	-	-	-	-	-	PL/PS	-	-	-	PS	PS	PS	SUP	SUP	SUP	PS	PS	PS	P
Dry Cleaning & Laundry Services	-	-	-	-	-	-	-	-	-	PL	-	PL	-	-	PL	-	PL	-	-	-	P	P	P	P	P	P	P	P	P	P
Funeral Homes	PL	-	-	-	-	PL	-	PL	-	PL	-	-	-	-	PL	-	PL	-	-	-	P	P	P	P	P	P	P	P	P	P
Government Services	-	-	P	-	-	PL	PC	PL	-	PL	-	PL	-	-	PL	-	PL	-	PL	PL	P	P	P	P	P	P	P	P	P	P
Kennels	-	PS	-	-	-	-	PS	-	PS	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Medical Outpatient Care Center																					P	P	P	P	P	P	P	P	P	-
Personal Services	PL	-	PL	-	-	PL	-	PL	PC	PL	-	PL	-	-	PL	-	PL	PL	PL	PL	P	P	P	P	P	P	P	P	P	-
Post Office	-	-	-	-	-	-	PC	PL	-	PL	-	PL	-	-	-	-	PL	-	-	-	P	P	P	P	P	P	P	P	P	-
Professional Services	PL	-	PL	-	-	PL	-	PL	PC	PL	PC	PL	-	-	PL	-	PL	PC/PL	PL	P	P	P	P	P	P	P	P	P	P	-
Studio – Art, dance, martial arts, music	P	P	P	P	-	P	P	PL	P	PL	P	PL	-	-	P	-	PL	P	PL	P	P	P	P	P	P	P	P	P	P	-
COMMERCIAL																														
Adult Establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS
Alcoholic Beverage Sales Store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-
Auto Parts Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	P	P	P	P
Bar/Tavern/Night Club	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS	-
Drive-Thru Commercial	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	P	P	P	-
Gas/Fueling Station	-	-	-	-	-	-	-	-	PC/PS	-	-	-	-	-	-	PL/PS	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS

P Permitted

PC Permitted on corner lots only

PL Permitted in Designated Locations

PS Permitted subject to Additional Standards in Ch 3

SUP Special Use Permit Required (See Ch 3 and Ch 15)

CD Conditional

P Permitted

PC Permitted on corner lots only

PL Permitted in Designated Locations

PS Permitted subject to Additional Standards in Ch 3

SUP Special Use Permit Required (See Ch 3 and Ch 15)

CD Conditional

[illegible]

Not Permitted

	Residential-Low Density Districts (RL)				Residential-Medium Density Districts (RM)				Neighborhood Residential (NR)								Urban Residential (UR)			Neighborhood Center (NC)			Business District (BD)			Regional Center (RC)			Commercial Industrial (CI)	
USE TYPES	CC-RL	EN-RL	FC-RL	HT-RL	CP-RM	D-RM	HM-RM	SW-RM	AC-NR	LL-NR	MS-NR	N-NR	PS-NR	PC-NR	RC-NR	SS-NR	WS-NR	EW-UR	H-UR	HM-UR	NM-NC	PS-NC	RC-NC	CBD	H-BD	SM-BD	DJ-RC	HC-RC	RA-RC	CI
Storage - Outdoor Storage Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS
Storage - Warehouse, Indoor Storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P
Wholesaling and Distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P

Not Permitted

AGRICULTURAL																														
Animal Production	PS	-	PS	PS	-	PS	PS	PS	PS	-	-	PS	PS	PS	PS	-	-	-	-	-	-	-	-	-	-	-	-	PS	-	-
Animal Production Support Services	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	P	-	-
Crop Production & Nurseries	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Crop Production Support Services	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	P	-	-
Feed Lots	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fish Hatcheries	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
Forestry & Logging	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Forestry Support Services	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P
Produce Stands in Conjunction with Crop Production	-	P	P	P	-	P	-	P	P	-	-	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
Swine Farms	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

INFRASTRUCTURE																														
Wireless Communications Facility, Micro	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Wireless Communications Facility, Mini	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	-	PS	PS	PS	PS	PS	PS
Wireless Communications Facility, Macro	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	-	PS	PS	PS	PS	PS	PS
Monopole Wireless Communications Tower	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	-	SUP	SUP	SUP	SUP	SUP	SUP
Parking Lot/Structure – Principal use	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-
Public Transportation Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P
Radio and Television Broadcasting Facilities (Except Towers)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P
Utilities – Class 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities – Class 2	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities – Class 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SUP	SUP	SUP	P

- P** Permitted
- PC** Permitted on corner lots only
- PL** Permitted in Designated Locations
- PS** Permitted subject to Additional Standards in Ch 3
- SUP** Special Use Permit Required (See Ch 3 and Ch 15)
- CD** Conditional

EXHIBIT 4 p. 810

TOWN OF WAYNESVILLE
280 GEORGIA AVENUE
WAYNESVILLE NC 28786

MISC RECEIPT 2881911
REFERENCE Appeal
DATE/TIME 02/27/23 10:25
CLERK 2044ecou
CUSTOMER Peggy Hannah
EFF. DATE 02/27/2023
DEPT

01

TOTAL: 250.00
250.00

PMT TYPE	QTY	REF
CHECK	1	10265

AMOUNT
250.00

EXHIBIT 4 p. 11



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

Planning Board Members

Susan Teas Smith (Chairman)
Ginger Hain (Vice Chair)
Stuart Bass
R. Michael Blackburn
Tommy Thomas
Barbara Thomas
Peggy Hannah
Jan Grossman
John Baus

Special Called Meeting of the Planning Board Town Hall, 9 South Main Street, Waynesville, NC 28786 Monday, February 20, 2023, 6:00 PM

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

- Railroad Corridor Committee will meet March 16, 2023. Information on the Committee's work and minutes is available on the Town website at:
<https://www.waynesvillenc.gov/departments/development-services/rail-corridor-study>

2. Approval of Minutes as presented (or amended):

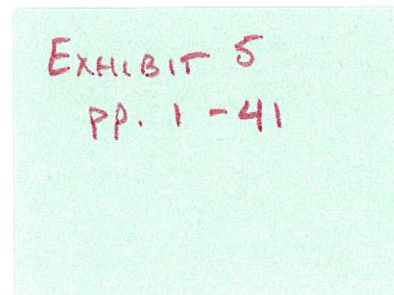
- January 9, 2023 Special Called Meeting
- January 30, 2023 Special Called Meeting

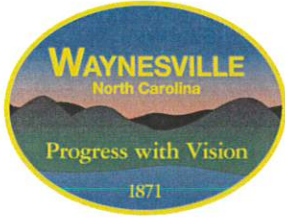
B. BUSINESS

1. Public Hearing on to consider a major site plan review for the expansion of the Haywood County Multi-Use Facility and Detention Center at 1620 Brown Avenue, Waynesville, NC 28786 (PIN 8605-70-8724).

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

D. ADJOURN





TOWN OF WAYNESVILLE Planning Board

9 South Main Street Suite 110
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492

Susan Teas Smith (Chairman)
Ginger Hain (Vice)
Stuart Bass
John Baus
Michael Blackburn
Jan Grossman
Peggy Hannah
Tommy Thomas
Barbara Thomas

Development Services
Director
Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

Special Called Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786
Monday January 9th, 2023

THE WAYNESVILLE PLANNING BOARD held a Special Called Meeting January 9th, 2023, at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC. 28786.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

The following members were present:

Susan Teas Smith (Chairman)
Ginger Hain (Vice Chairman)
John Baus
Stuart Bass
Michael Blackburn
Peggy Hannah
Jan Grossman
Barbara Thomas
Tommy Thomas

The following staff members were present:

Elizabeth Teague, Development Services Director
Byron Hickox, Land Use Administrator
Esther Coulter, Administrative Assistant

Chairman Susan Smith called the meeting to order at 5:33pm and welcomed everyone and asked Development Services Director Elizabeth Teague if there were any announcements. Ms. Teague stated the next meeting is February 20th, 2023. She indicated that an applicant has asked if the Board would consider holding a special called meeting for a text amendment so that they would not have to wait until February 20. Mr. Au is in the audience and has asked to speak at public comment. The Board agreed to allow Mr. Au to speak.

Greg Au
Maggie Valley. NC

Mr. Au stated he would like to open a tattoo business and is licensed by the Health Department. He and his family have been in Waynesville for four years and want to open a personal studio which would operate by appointment only. He is making an application to allow tattoo art as part of the definition for personal services.

One of the board members asked to define permanent make-up. Mr. Au stated eyebrows like microblade, cosmetic lips, men with hair loss get follicle treatment. Chairman Susan Smith thanked Mr. Au.

A motion was made by Chairman Suzan Smith, seconded by Board Member Tommy Thomas to Call for a special called meeting on January 30, 2023, to be held at 6:00pm. The motion passes unanimously.

The Chair then asked the Board to consider the minutes from October.

A motion was made by Board Member Jan Grossman, seconded by Board Member Ginger Hain to approve the October 17th, 2022, minutes as presented or amended. The motion passes unanimously.

B. BUSINESS

1. Map Amendment (rezoning) request for property at 465 Boyd Avenue (PIN 8605-96-8882) from Hazelwood Urban Residential (H-UR) to Hazelwood Urban Residential Mixed-Use Overlay (H-UR-MX) District.

Chairman Susan Smith read through the legislative procedures then asked Mr. Byron Hickox, Land Use Administrator to give his presentation and recommendation according to the 2035 Comprehensive Plan. Mr. Hickox explained that the property has been a residential care facility since 1973 and is zoned Hazelwood Urban Residential, in which residential care facilities would only be allowed with a special use permit. It would be allowed to continue as a legal non-conforming use. Mr. Crawford has been approached by potential buyers interested in re-using the building. He is requesting an overlay for the 1.1-acre property to allow re-use of the existing building. Mr. Hickox read the purpose and intent statement for the district which states that "limited, non-residential uses supporting the community are permitted if contributing in scale, design and use to the area."

There was discussion related to the property location within the railroad corridor being studies for a mixed-use district pursuant to the Comprehensive Plan. Board discussed that the property is on a corner lot and adjacent to Richland Creek, and Boyd Avenue which is a cut-through to Sulphur Springs Road. The board members asked questions about the allowed uses at the present time.

The applicant's Attorney, Frank Queen gave a little history of the facility. His father built the facility in 1973 and his grandmother operated the home care center for about 25 years. Mr. Queen stated the potential buyers are KARE, INC a kids advocacy resource effort. The intent of the building is to move their offices from North Main to Boyd Ave.

Executive Director of Kare, Savannah Anders explained that they are Haywood Counties Children's Advocacy Center. They work with 200 to 300 children and families dealing with child abuse or neglect allegations. They provide forensic interviews and child medical evaluations. They hope to provide more counseling services on-site within the new building.

Attorney Anna Stearns advised the Board about being cognizant to some of the limitations on applying zoning regulation to a specific parcel that either restrict the use of that parcel in a way that is completely different from the parcels around it or relieve that parcel of some of the restrictions that everyone around it has. Examples were given.

Property owner, Arron Crawford, expressed that he did not believe that the building would be able to stay a residential facility, but that the property would work for Kare's offices and counseling services without many changes to the building. He noted that it has its own off-street parking lot and the edge of the parking lot to the creek could not be built on for it's in the flood plan.

Evan Boyer
Waynesville, NC

He is concerned that if it's zoned for personal services, it could be medical offices and down the line it could become a Methadone Clinic.

Chairman Susan Smith Closed the hearing at 6:34.

Board discussed uses that are currently allowed within existing overlay areas of the Hazelwood Urban Residential District. John Baus stated that he had concerns about allowing all of the allowable uses in the overlay at that location but would support re-use of this building for counseling services. Staff and Board discussed varying the overlay districts allowable uses at this location in consideration of the adjacent residential properties. Mr. Baus indicated he thought applying a more narrow list of permitted uses within the overlay was appropriate at this location to allow an important community service to re-use an existing building. Also, the proposed use would be similar in impact to what is there now. There was general discussion by the Board.

A motion was made by Board Member John Baus, seconded by Board Member Peggy Hannah to create an overlay district number three limited to professional services as defined in the code is consistent with the Land Use Development. Chairman Susan Smith amended the motion to add that exclusion of restaurants is consistent with the nature of the neighborhood and the comprehensive plan. The motion passes unanimously.

A motion was made by Board Member John Baus, seconded by Chairman Susan Smith to recommend the approval of the map amendment to the Board of Alderman as overlay district number three, limited to professional service. The motion passes unanimously.

2. Update on Railroad Corridor Committee

Elizabeth Teague reported for Olga Grooman that the Railroad Corridor Study Committee are Susan Smith, Michael Blackburn, Stuart Bass, Travis Crisp, Danny Wingate, and Staff members. The Committee will hold a meeting Monday January 23, at 10:30am. The Committee will be considering positive or negative opportunities for land use along the railroad track corridor.

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

Chairman Susan Smith open the public Comment at 6:47.

Frank Queen
Waynesville, NC

Mr. Queen stated he has been a real estate lawyer for 42 years and talked about History of the Railway. He stated that he is glad that the town Planning Board is looking at this area. The Railroad right-of-way was created by an act of the legislator in the 1800's from Salisbury to Asheville. The right-of-way consist of 100 feet on either side from the center of the tracks. He stated that the property is owned by the individual property owners and the Railroad only owns the right-of-way.

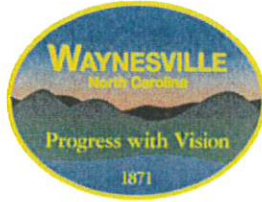
Chairman Susan Smith closed the public comment at 6:58.

D. ADJOURN

A motion was made by Board Member Jan Grossman, seconded by Board Member Barbra Thomas to adjourn the meeting at 7:04pm. The motion carried unanimously.

Susan Smith, Chairman

Esther Coulter, Administrative Assistant



To: Town of Waynesville Board of Aldermen
From: Byron Hickox, Land Use Administrator
Date: February 14, 2023
Subject: Planning Board Report and Statement of Consistency
Description: Zoning Map Amendment to 456 Boyd Avenue (PIN 8605-96-8882)
Applicant: Earl Holding Company, LLC; Aaron Crawford

At its January 9, 2023 meeting, the Planning Board conducted a public hearing to consider a proposed zoning map amendment to apply a mixed-use overlay to 456 Boyd Avenue within the Hazelwood Urban Residential District (H-UR). The Planning Board supports this request, but with limitation on the allowable uses in the overlay to professional services.

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

The Land Development Standards text amendment **is approved and is consistent with the Town's comprehensive land use plan and is reasonable and in the public interest** because:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use, and context-sensitive development

Goal 5: Create opportunities for a sustainable economy.

- Encourage creatively designed, mixed-use, walkable centers and commercial districts that appeal to residents and visitors.

Planning Board Member John Baus made the motion, seconded by Member Stuart Bass. The motion passed unanimously.

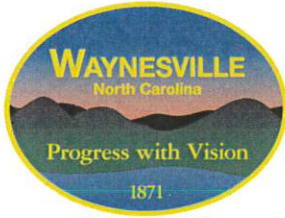
2. The Planning Board hereby recommends to the Governing Board the adoption of the zoning map amendment as presented. Planning Board Member Barbara Thomas made the motion, seconded by Member Jan Grossman. The motion passed unanimously.



Susan Smith, Planning Board Chair Date

 2-7-23

Esther Coulter, Administrative Assistant Date



TOWN OF WAYNESVILLE Planning Board

9 South Main Street Suite 110
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492

Susan Teas Smith (Chairman)
Ginger Hain (Vice)
Stuart Bass
John Baus
Michael Blackburn
Jan Grossman
Peggy Hannah
Tommy Thomas
Barbara Thomas

Development Services
Director
Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

Special Called Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786
Monday January 30th, 2023

THE WAYNESVILLE PLANNING BOARD held a Special Called Meeting January 30th, 2023, at 6:00 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC. 28786.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

The following members were present:

Susan Teas Smith (Chairman)
Ginger Hain (Vice Chairman)
John Baus
Stuart Bass
Jan Grossman
Barbara Thomas
Tommy Thomas

The following staff members were absent:

Michael Blackburn
Peggy Hannah

The following staff members were present:

Elizabeth Teague, Development Services Director
Byron Hickox, Land Use Administrator
Esther Coulter, Administrative Assistant

Planning Board Attorney, Ron Sneed was present

Chairman Susan Smith called the meeting to order at 5:59pm and welcomed everyone and asked Development Services Director Elizabeth Teague if there were any announcements. Ms. Teague stated the next regular scheduled meeting is February 20th, 2023. She indicated that staff is working on a major site plan and there might be visitors from the Waynesville Middle School AIG program.

Special Called Planning Board Minutes
January 30th, 2023

Chairman Susan Smith read through the Legislative Procedures for a Text Amendment to the Land Development Standards (LDS). Mrs. Smith open the hearing at 6:02pm.

B. BUSINESS

Land Use Administrator, Byron Hickox gave his presentation regarding a text amendment by an applicant who wants to open a tattoo studio in the Central Business District. The current LDS section 17.3 definition for personal services, expressly excludes, "tattoo parlors," and does not include a definition of a tattoo parlor or place it within the Table of Permitted Uses. The applicant has proposed a change to the text amendment that would remove word (excluding) from the definition.

Chairman, Susan Smith asked Mr. Hickox if the proposed definition will include permanent makeup? Mr. Hickox said the applicate might have insight on the permitting and the regulating of permanent facilities.

Board Member John Baus stated his concerns of Tattoo Parlors allowed in all the districts as proposed. Mr. Baus stated they should not be allowed in the neighborhood's districts. Mr. Baus asked if staff considered hours of operation or if alcohol is served at the establishment. Mr. Baus stated with these possibilities they should not be allowed in neighborhood district.

Greg Au
Maggie Valley. NC

Mr. Au stated there is only one tattoo establishment in Waynesville that stays open late. He stated that in the shop he currently works in, if they are there until 8:00pm that is late to them. His establishment will be by appointment only. Mr. Au will also be traveling with different companies to different states.

Board member Ginger Hain stated if it were a tanning business and was open late, we couldn't assume people were having a party. And asked Mr. Hickox if there were not other code enforcement mechanisms when a business gets out of control. Mr. Hickox stated that if it's not stipulated in the LDS then that would be a police matter.

Mr. Baus asked the applicant if there were tattoo parlors that are open until 2:00am. Mr. Au stated yes. Mr. Baus asked if some will have alcohol beverages and get wild and loud. Mr. Au stated yes, he has been at establishment in Asheville that has stayed open late and gets a little wild. Mr. Baus stated that Tattoo Studios should be restricted to Business Districts only.

There was more discussion among the Board, Staff and Applicant about tattooing and permanent make-up.

Chairman, Susan Smith asked if there were additional questions and closed the public hearing at 6:30pm.

Chairman Susan Smith asked to do an informal poll of Board members to start the discussion. The planning board poll was 6 to 1 in support of the applicant. Ms. Smith said she personally liked removal of the exclusion in the definition of personal services to add tattoo studio as a use by right within the personal services definition. There was additional Board discussion in that some supported the application but had concerns about allowing tattoo studios in all the same locations as other allowable personal services. Stuart Bass indicated that he would support a new definition and locating tattoo businesses within the Table of Permitted Uses in commercial districts. John Baus clarified that he did not think they should be in residential areas, but not that he was against them altogether.

Board member Jan Grossman stated the biggest issue is litigation and he has not heard a good reason to separate tattoo parlors out of personal services definition. Mr. Grossman stated it falls directly under personal services and the board needs a good reason to separate it out.

Board member Ginger Hain agreed with Mr. Grossman to not sperate out tattoo parlor out of personal services. She also suggested that she hears people refer to these as studios and not tattoo parlors.

Mr. Baus asked Attorney Ron Sneed if there has been any litigation regarding unconstitutionality of separate regulation of tattoo parlor. Attorney Ron Sneed stated he didn't think the Board would find any problem with separating tattoo parlor out of personal services, cosmetic tattooing, and classic tattooing since the State is already regulating them.

Board Member Barbara Thomas stated she did not like leaving it in the Mixed-Use overlays. Mrs. Thomas states it is a business, and putting it in business areas does not bother her.

Chairman Susan Smith recapped pros and cons and stated that tattoo parlors have a stigma if you been around more than 20 years. Board member Ginger Hain stated that she thought that concerns about negative impacts is conjecture and is outdated.

Board member John Baus stated that it's not conjecture and that the applicate testified that some establishments do stay open late and do get a little rowdy and that is what the decision needs to be based on. Mr. Baus indicated that it should be limited to the business districts and regional center districts. He felt that even the three neighborhood center districts were too residential in nature. Stuart Bass agreed. Board member Ginger Hain said she wants to see facts hours, police visits. Mrs. Hain said that remembering back in the 30's 40's and the stereotypes associated is not happening today.

Board member Jan Grossman said he went online to find articles on crimes, violence Police visits with tattoo parlors and he stated he could not find anything. It doesn't exist.

A motion was made by Board member Jan Grossman, seconded by Vice Chairman Ginger Hain to except the motion as proposed by staff to add tattoo studio to personal service and take out the word excluding. Mr. Grossman said it is supported by goals 1,5 of the comprehensive plans. The motion passes 5 agree and 2 dissented.

A motion was made by Board Member Barbara Thomas, seconded by Board member Jan Grossman to recommend the approved text amendment to the Board of Alderman. The motion passes unanimously.

The board had continued discussion regarding the vote. Mr. Baus said he was confused with the vote and the initial poll. Barbara Thomas clarified that she agreed that this use should not be included everywhere personal services were allowed within residential districts. There was discussion about mis-hearing Ms. Thomas' vote. After discussion the Board determined by consensus that the vote was actually 4 in favor and 3 against on the text amendment as presented.

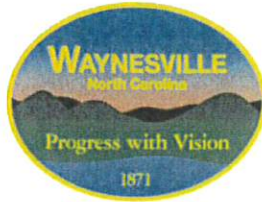
There was further discussion about presenting a recommendation to the Board of Aldermen. Elizabeth Teague stated that staff prepares a summary report of the Planning Board to the Board of Aldermen to document the vote and recommendation. She stated that when there is much discussion and a split vote, it is often helpful to the Aldermen for the dissenting opinion to be reflected in the Planning Board report. This provides the Aldermen with the alternative opinions expressed. Tommy Thomas stated that the Planning Board should get copies of reports of their decisions that are forwarded on to the Board. Ms. Teague agreed. She indicated that generally the reports are developed after the minutes are written.

C. ADJOURN

A motion was made by Board Member Barbra Thomas, seconded by Board Member Jan Grossman to adjourn the meeting at 6:53pm. The motion carried unanimously.

Susan Smith, Chairman

Esther Coulter Administrative Assistant



To: Town of Waynesville Board of Aldermen
From: Byron Hickox, Land Use Administrator
Date: February 14, 2023
Subject: Planning Board Report and Statement of Consistency
Description: Text Amendment to LDS Section 17.3 – Use Type Definitions
Applicant: Greg Au, 59 Tabby Lane, Maggie Valley, NC

At its January 30, 2023 meeting, the Planning Board conducted a public hearing to consider a proposed text amendment to remove the exclusion of tattoo parlors from the definition of personal services. Much of the Planning Board's discussion centered on whether tattoo parlors are an appropriate use within residential districts where personal services are allowed as part of overlay districts. Some members felt strongly that tattoo businesses are appropriately considered a personal service, while others felt they should be distinct from other uses included within the Personal Services definition. A minority of Planning Board members supported an alternative ordinance which would strike the reference to "tattoo parlors" from the Personal Services definition altogether, and create a stand-alone definition for tattoo businesses and allow them only within Business Districts and Regional Center Districts.

The majority of members felt that businesses providing tattoo services are no more impactful or disruptive to surrounding properties than any other uses within the Personal Services definition, particularly since they are highly regulated by the State. These members contended that tattoo parlors should therefore be permitted wherever Personal Services are currently permitted, and supported the application as proposed.

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

The Land Development Standards text amendment **is approved and is consistent with the Town's comprehensive land use plan and is reasonable and in the public interest** because:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use, and context-sensitive development

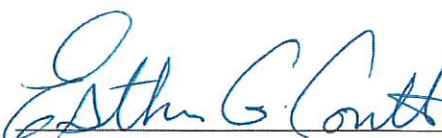
Goal 5: Create opportunities for a sustainable economy.

- Promote the growth of existing local businesses and Waynesville's "maker economy."

Planning Board Member Jan Grossman made the motion, seconded by Member Ginger Hain. The motion passed with a vote of 5 to 2.

2. The Planning Board hereby recommends to the Governing Board the adoption of the text amendment as presented. Planning Board Member Barbara Thomas made the motion, seconded by Member Jan Grossman. The motion passed 5 to 2, but after further discussion, the vote was corrected to 4 to 3.


Susan Smith, Planning Board Chair Date

 2-7-23
(Esther Coulter, Administrative Assistant Date

Planning Board Staff Report
Major Site Plan Review of the Haywood County Government Facilities Expansion
Administrative Site Plan Review

Meeting Date: February 20, 2023
Project: Haywood County Multi-Use Government Complex: Renovations and Expansion of the Detention Center and Parking Lot
Location: 1620 Brown Avenue, Waynesville, NC 28786 (PIN 8605-70-8724)
Zoning District: Hyatt Creek Regional Center (HC-RC)
Applicant: Haywood County, NC
Staff Presenter: Olga Grooman, Development Services Land Use Administrator

Background:

This application is for renovations and expansion of the Haywood County Sheriff's Department building, detention facility and associated parking lots within the County's government services complex at 1620 Brown Avenue. The existing detention center building (in the center of the plan) will be demolished and replaced with a larger building and connected to the existing building. A 25-car parking lot will be added at its southeastern corner (*See Exhibits 1-3*), and ADA parking and sidewalks will be added to improve accessibility at the front of the main building which contains the sheriff's office, magistrate, 911 call center, and other detention facilities. The plan includes additional parking lot landscaping and improvements and installation of a stormwater management area. The County needs to make these improvements in response to State requirements for detention facilities, and to increase the Sheriff's capacity to carry out judicial functions at their current facility.

In its current use now, the property includes: the magistrate, 911 call center, sheriff's office, detention facility, solid waste and recycling convenience center, county maintenance facilities, storage, impound lot, garages, EMS facility, administrative offices, and personnel and public parking. This multi-use complex meets the use definition of "Government Services" under the Town of Waynesville Land Development Standards:

"Government Services. Includes federal, state, and local government agencies that administer, oversee, and manage public programs and have executive, legislative, and judicial authority."

Because this project proposes a new 32,500-square foot facility which increases the total impervious surface of the site by 13,559 square feet, this is a Major Site Plan review as defined in the Land Development Standards (LDS) 15.8.2.A:

"All Districts except BD: Non-residential development or expansion 10,000 square feet or greater in gross floor area."

Per LDS 15.8.2, Site Plan/Design Review (Major) is an administrative procedure since the adoption of 160D-related text amendments. The Planning Board serves as the administrator, and a public hearing is required. **The Planning Board must find that each of the following facts are true in order to approve, deny, or approve with conditions a Major Site Plan:**

1. The plan is consistent with the adopted plans and policies of the Town;
2. The plan complies with all applicable requirements of the ordinance; and
3. The plan has infrastructure as required by the ordinance to support the plan as proposed.

The applicant has provided the Environmental Survey with Natural Resources Inventory (*Exhibit 4*), Existing Conditions, Demolition Plan, Site Development Plan, Utility Plan, Stormwater, Landscaping, and Building Elevations which staff submits are adequate for consideration for the land development (planning and zoning) permitting. Generally, full construction drawings are completed once a developer has zoning approval, and they will be reviewed for compliance as a part of the building permit application, per LDS section 15.8.2.D.

The applicant met with Town staff and submitted preliminary plans for review at the Technical Review Committee meeting on September 7, 2022. The plan was reviewed by the Public Safety, Building Inspections, Zoning, and Public Services staff. The applicant submitted an updated set of plans on January 20, 2023. Public notices of zoning decision interpreting the property use as “government services” was posted along the street frontages of the site and on the Town Hall’s bulletin board on January 6, 2023. Notices of public hearing were provided with the site postings (01/30/23), the Mountaineer (01/29/23 and 02/05/23), and letters to adjacent property owners via first class mail (01/30/23). *See Exhibit 5.*

Staff Review Comments:

Due to financing requirements, the applicant will subdivide the property as indicated on the *Exhibit 3*, upon approval of the site plan. This site plan review therefore is based on the proposed subdivision line which is drawn to meet Town setback requirements. Should the Board decide to review this project based on the existing property line, additional standards (landscape buffering and sidewalks) will become applicable, and they are specified in the staff review below. The County is not proposing changes to other parts of the site at this time and is asking for plan approval only for the area that will be encompassed in the newly created lot. The Board has treated other projects similarly where underlying property may be subdivided or recombined to accommodate development. Usually, zoning approval is the first (and cheapest) step of the process for applicants, and only after the approval is granted, they finalize lot layout for the project.

The project area and proposed property boundary is adjacent to the railroad track along its western boundary, adjacent to Ingles Markets to the south, faces the rear of other buildings within the County property to the east, and is adjacent to Vigoro Lane, to the north. At the front of the entire County property to the east along Hemlock Street, are residential lots that are part of the Hazelwood Urban Residential District.

Neighbors within the H- UR District have expressed concern about criminal activity and security around the area of the County’s property. The County Manager and Assistant Manager met with neighborhood representative Peggy Hannah on January 17, 2023, to ascertain any opportunities to improve the plan for the sensitivity to the neighborhood.

The County has owned and used this property for government services, including a jail, going back to when this area was part of the Town of Hazelwood. In 2015, the Town approved a Special Use Permit for the County to install a cell tower as part of a new E-911 Center that is part of the main building that also houses the Sheriff’s Office, Magistrate, and detention area. Updates to the detention portion of the facility are necessary to meet the requirements of the State and to allow the County to efficiently continue to use this property to carry out its law enforcement and judicial functions for the benefit of all the citizens of Haywood County.

Consistency with Adopted Plans and Policies of the Town (LDS Chapter 1). Comprehensive Plan:

The project lies within an area designated for “community facilities” and “mixed use-community” within the Comprehensive Plan’s Future Land Use Map (*Exhibit 6*). In the current Waynesville Official Land Development Map (the regulatory zoning map), the property is located in Hyatt Creek Regional Center District (HC-RC). “Government services” is permitted outright in this district (LDS 2.5.3). Staff finds the proposed use consistent with the Future Land Use Map and the Town’s current zoning.

The project is also consistent with the 2035 Comprehensive Plan Goal # 1: to “continue to promote smart growth principles in land use planning and zoning” and “encourage infill, mixed-use and context-sensitive development.” Surrounded by commercial, industrial, and residential uses, this project represents a mixed-use and infill development by re-using an existing site through renovations and improvements.

Zoning District (LDS Chapter 2):

This property is within the Hyatt Creek Regional Center District.

LDS 2.3.7. B. Regional Center (RC) Districts Purpose and Intent

The Hyatt Creek Regional Center District (HC-RC) will develop as a mixed use center containing retail, service and employment uses to serve Waynesville and the region. Although conveniently located off a major highway exit, development in this district, while accommodating uses to serve those in a wide area, must be developed with sensitivity to the surrounding rural setting. Standards for development include a dense tree canopy requirement, a high impervious surface ratio, and measures to protect creeks and drainage areas. Road improvements should be limited to projects that improve the road network and provide traffic calming measures while not destroying the narrow, rural nature of the road system. Large-scale development can be accommodated here with such development encouraged to contain a mix of uses. Housing mixed in with other uses is strongly encouraged (*Exhibit 7*).

Staff submits that the proposed expansion and improvement of the County facilities are consistent with the historic use of the property and the overall purpose of this district as a regional center. Proposed site improvements will improve the property’s stormwater management, increase the tree canopy, increase accessibility and parking areas, and replace an older structure with a newer one, improving the site’s security and look.

Dimensional Requirements (LDS Chapters 2-4):

LDS 2.4.1 Dimensional Standards for RC :

- The project will demolish the building- annex (6,600 sf) and replace it with a larger building (32,500 sf), as shown in the center of the plan. A new enclosed and secure hallway will connect the existing multi-use building and the new detention center.
- The additional parking lot to the south-east of the new building will create 25 parking spaces, and improvements to the existing parking lot will install handicapped parking.

- A new stormwater control feature (wet pond) will be installed at the northeastern part of the property, replacing an existing area of standing water.
- The setbacks for HC-RC are 0 ft from the front (10 ft if fronting a thoroughfare), 10 ft from the side, 6 ft from the rear property line, and 6 ft between the structures on site. The plan indicates the **setbacks from the proposed property lines are as follows:** front- 52 ft, side lot- 42 ft, between buildings- 52 ft, and rear- 100 ft, which are compliant. When the property is subdivided, the Development Services will verify all the setbacks once again before approving the plat.

LDS 3 Supplemental Standards: There are no supplemental standards for “Government Services.”

LDS 4 General Provisions for All Districts:

- The maximum building height allowed in HC-RC is 4-5 stories. The proposed building is below this threshold: it is one-story, and the second “tier” of the facility is not a complete story but a mezzanine. The highest point is 27’-3.75’’, as indicated on the site plan and elevations (*Exhibit 8*).
- Per LDS 4.3.1, all lots shall front a public street or a driveway. The lot currently fronts Hemlock Street and Brown Avenue, with the new building located in the back of the property, closer to Vigoro Lane. After the subdivision, Vigoro Lane will be the only public street abutting the new lot along a small portion of the rear of the property near the rail road track.
- The primary access to the new facility will remain from Brown Avenue. This will continue to be the main public entrance where people are processed at the existing facility and moved to the new one. This access is in compliance with building/fire codes.

Building Design Guidelines (LDS Chapter 5.8):

The proposed detention facility does not clearly fall under any of the building types as they are defined in LDS 5.5.- Building Types. It is neither civic/monument (public gathering place or landmark), house, townhouse, apartment, shopfront/mixed-use, commercial, or industrial building. The design of the building is based on the regulations of Department of Health and Human Services (DHSR) Jail Regulation Division. The referenced regulation would supersede the local design criteria as they are stricter due to public safety and supervision requirements by the State. Per LDS 1.8.A- Conflict with Other Laws:

“A. This ordinance is not intended to abrogate any other law, ordinance or regulation. However, whenever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive or that imposing the higher standards shall govern.”

Some of the state regulations for exterior design of jails and detention centers include but are not limited to exterior building materials, windows and glazing standards, doors and locks, gates, security windows, and door standards (*See Exhibit 9*).

However, the project complies with some design guidelines specified in our ordinance because it does not create any additional structures/frontage along a residential street that would create interruptions (LDS 5.6.1), and it is compliant with the height requirements, as specified earlier.

Infrastructure (LDS Chapter 6):

- The project does not create any new roads. Internal connectivity between the new building and other structures and parking lots will be achieved via new concrete sidewalks/pads inside the perimeter, as specified on the plan.
- There is no sidewalk requirement because the proposed subdivided portion of the site does not have a street frontage. However, if the Board chooses to review the site plan based on the existing property line, the project would require a 5-foot sidewalk along Hemlock Street frontage per LDS 6.6.2.D- Residential Street.
- Per LDS 6.11.3 and 6.11.4, “all development applications must be accompanied by satisfactory evidence as to the proposed method and system of sanitary sewer and water supply.” The *Exhibit 10* in your packet includes a letter by McGill engineer who evaluated the sewer capacity on site upon the Town’s request. The letter states that “the estimated flow amount of 14,490 gpd generated by the project replaces existing flow and will not require a sewer extension permit. It therefore does not fall under the “New Flow” restrictions...” Additionally, the Public Services Director issued a letter confirming adequate water and electricity supply for the project.
- The Fire Prevention and Access Plan has been approved by the Town’s Chief Building Inspector and Fire Marshall with one additional comment that could be addressed later at the time of the building permit (*Exhibit 10*).

Civic Space (LDS Chapter 7): Not applicable. Applies to residential units only in HC-RC (LDS 2.4.2).

Landscape (LDS Chapter 8):

The applicant submitted a landscape plan that staff finds in compliance with the ordinance (*Exhibit 11*):

- Because the subdivided part of the property will be adjacent only to Commercial Industrial and Regional Center Districts, no buffer is required (LDS 8.4). However, if the Board chooses to review the site plan based on the existing property line, Type A Buffer (very dense, all season sight barrier) will be required along Hemlock Street frontage because the existing property in Hyatt Creek Regional Center District abuts Hazelwood Urban Residential District (LDS 8.4).
- There are no new parking lots proposed along the streets or adjacent properties. Therefore, there is no screening needed as the new lot will be in the middle of the site to the southeast off the new building (LDS 8.6.1).
- However, the interior parking lot plantings are required with no parking space being more than 40 ft away from the base of a canopy tree and with one canopy tree required per 12 parking spaces. The applicant proposes 6 canopy trees for 25 parking spaces, none of which are further than 40 ft from any parking space, which is compliant.

Parking and Driveways (LDS Chapter 9):

- “Government services” fall under the office/service use category (LDS 2.5.3). One parking space is required per 600 square feet. The new building of 32,500 square feet requires 54 parking spaces. The project proposes 25 additional parking spots. However, the property also utilizes shared parking that consists of garages and unmarked parking areas for all county facilities, as indicated on the site plan (*Exhibit 3*). The total number of parking spaces, including all existing and proposed spots, will be 178. The staff finds this number sufficient due to the nature of the use of the new building.
- There will be 4 new ADA spaces added to the existing parking lot in the southwestern part of the site. The 2018 NC Building Code only requires 4 ADA spaces for this project.
- There are no ADA spaces created in the new parking lot. This is because it is not for the public and the most direct and shortest way to the facility will still be through the main entrance of the existing multi-use facility with security. This is in compliance with the 2018 NC Building Code and has been verified by our Chief Building Inspector David Kelley.
- One bike space is required per 20 auto spaces (LDS 9.2). The applicant proposes 2 bike racks with 4 bicycle spaces by the existing parking lot in the southwestern corner of the site. This exceeds the requirement and is in compliance.
- Interior pedestrian connectivity is provided with pathways serving each building inside the perimeter which also connect pedestrian facilities across parking areas.
- There are no new driveways proposed on the plan.

Other. Lighting (LDS Chapter 10) and Signs (LDS Chapter 11):

No new lighting or signage is proposed on the site plan. Any future lighting or signage will have to comply with the Town’s standards.

Environmental (LDS Chapter 12) (*Exhibit 4*):

- **Floodplain:** The western part of the property is in the 100-year regulatory floodplain with Richland Creek flowing to the west and Browning Branch to the east of the site. The scope of the project is outside of the floodplain area (*Exhibit 12*).
- **Hillside Protection:** The project does not fall within steep slope and hillside regulations. The site ranges between 2,752 and 2,736 feet in elevation, which is below the regulatory 2,900 feet.
- **Stormwater:** The project falls under the Town’s Stormwater Ordinance (over 1 acre). The applicant proposes a wet pond in the northeastern part of the site and has submitted a Stormwater Plan. At this time, only a general plan is needed. The detailed stormwater calculations and management plan will be required for a stormwater permit before any building permit is issued. They will be reviewed by the Town-contracted engineer for compliance.

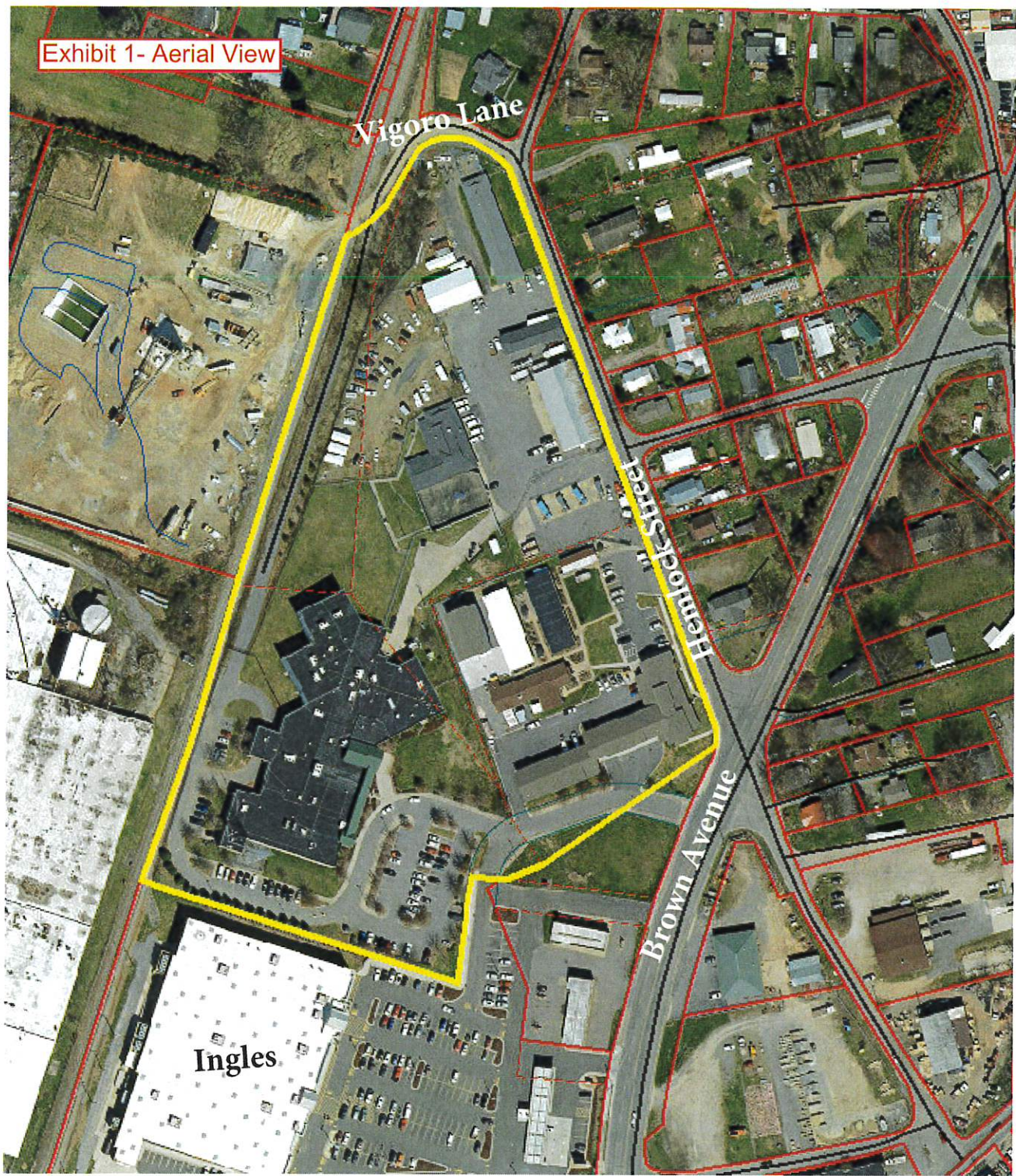
- **Environmental Survey:** The applicant submitted an Environmental Survey (*abstract is in Exhibit 4*). It included the required **Natural Resources Inventory** of soils, nearby streams (none on site), jurisdictional wetlands (none on site), and the identification of federally threatened and endangered animal and plant species that can be potentially present on site (LDS 15.4.1).
- **Recommendations / Findings:**
 - The Environmental Survey was based on the information from the US Fish and Wildlife Service.
 - The recommendation from the Survey is to avoid the removal of trees greater than 3” in diameter to avoid impacts to potential bat habitats. The project will require the removal of some trees in the northeastern corner of the property to create a stormwater control measure- wet pond, which will mitigate stormwater runoff. Most of the property, including the trees on the western side of the site, will not be disturbed.
 - The site was not determined to be a permanent or suitable habitat for any endangered or threatened species described in the Survey.
 - The presence of migratory birds is possible on site from time to time.

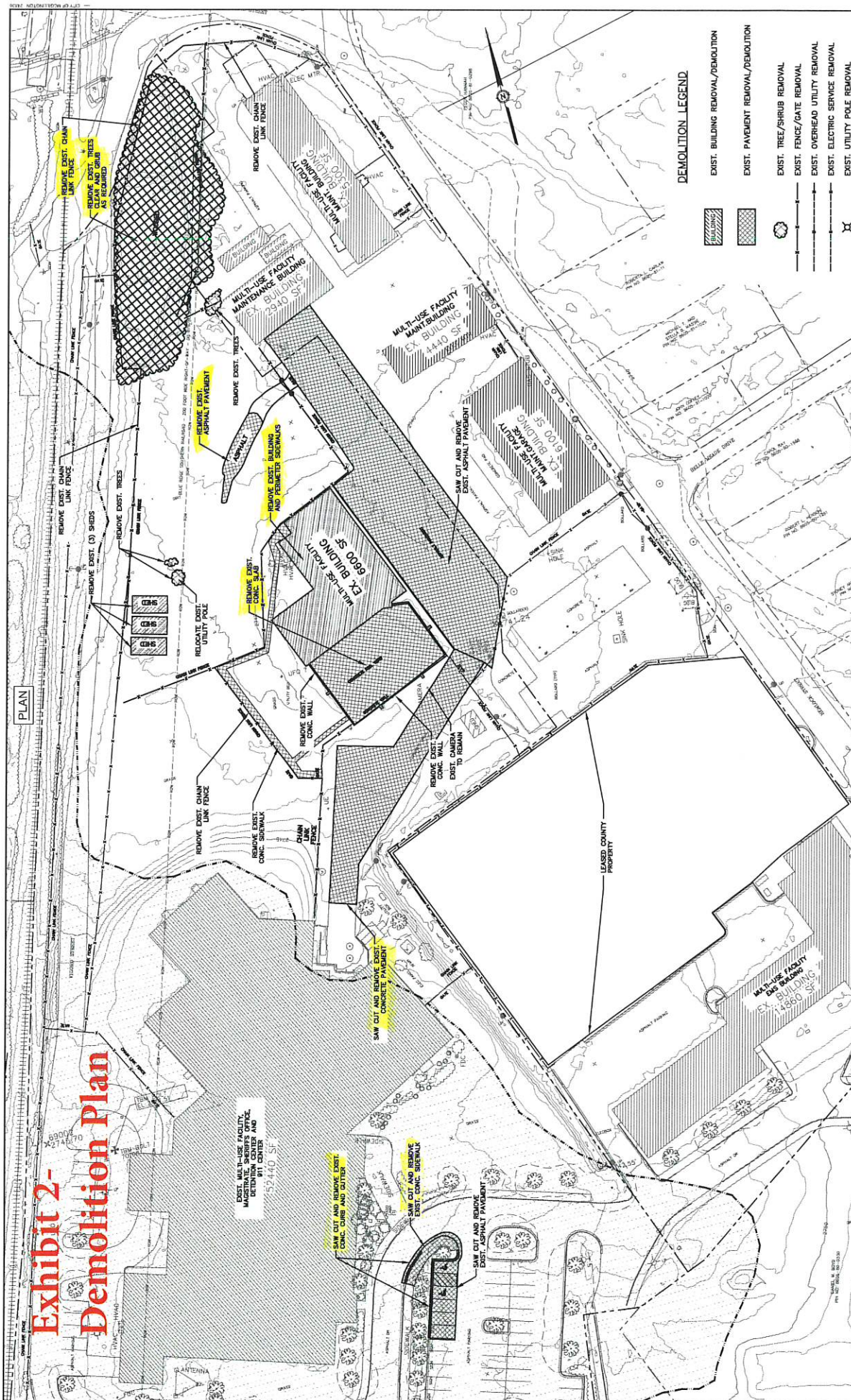
Staff Recommendation:

Staff recommends the approval of the application with the following findings of fact:

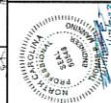
1. The proposed Major Site Plan is consistent with the 2035 Comprehensive Land Use Plan, Goal 1 to “promote smart use principles in land use planning and zoning.”
2. The plan complies with all applicable requirements of the ordinance, as specified above.
3. The plan has infrastructure as required by the ordinance to support the plan as proposed.
4. Staff recommends that the Board approves this application for the Major Site Plan as presented with the following contingency:
 - Peggy Hannah filed an appeal of the administrative zoning decision related to the property use as “government services.” The Zoning Board of Adjustment will hear the matter on March 7, 2023. The approval of this major site plan shall be contingent upon the outcome of the appeal.

Exhibit 1- Aerial View





mcgill
55 Broad Street
Aurora, NC 28801
628.252.0475
NE Firm Licensing # C-0459
www.mcgill.com



--	--	--	--	--	--	--

HAYWOOD COUNTY MULTI-USE FACILITY
SITE PLAN

HAYWOOD COUNTY

WAYNESVILLE, NORTH CAROLINA

30	15	0	15	30	45
GRAPHIC SCALE					
DIVISION VALUE = 30 FEET					
OFFICE MANAGER			ON-SITE MANAGER		
M. CATHEY			B. HILLENBRAND		
PROJECT MANAGER			REDESIGNER		

PROJECT #	FUNCTION #
-----------	------------

**ABOVE GROUND SITE
DEMOLITION PLAN**

D-101
SHEET

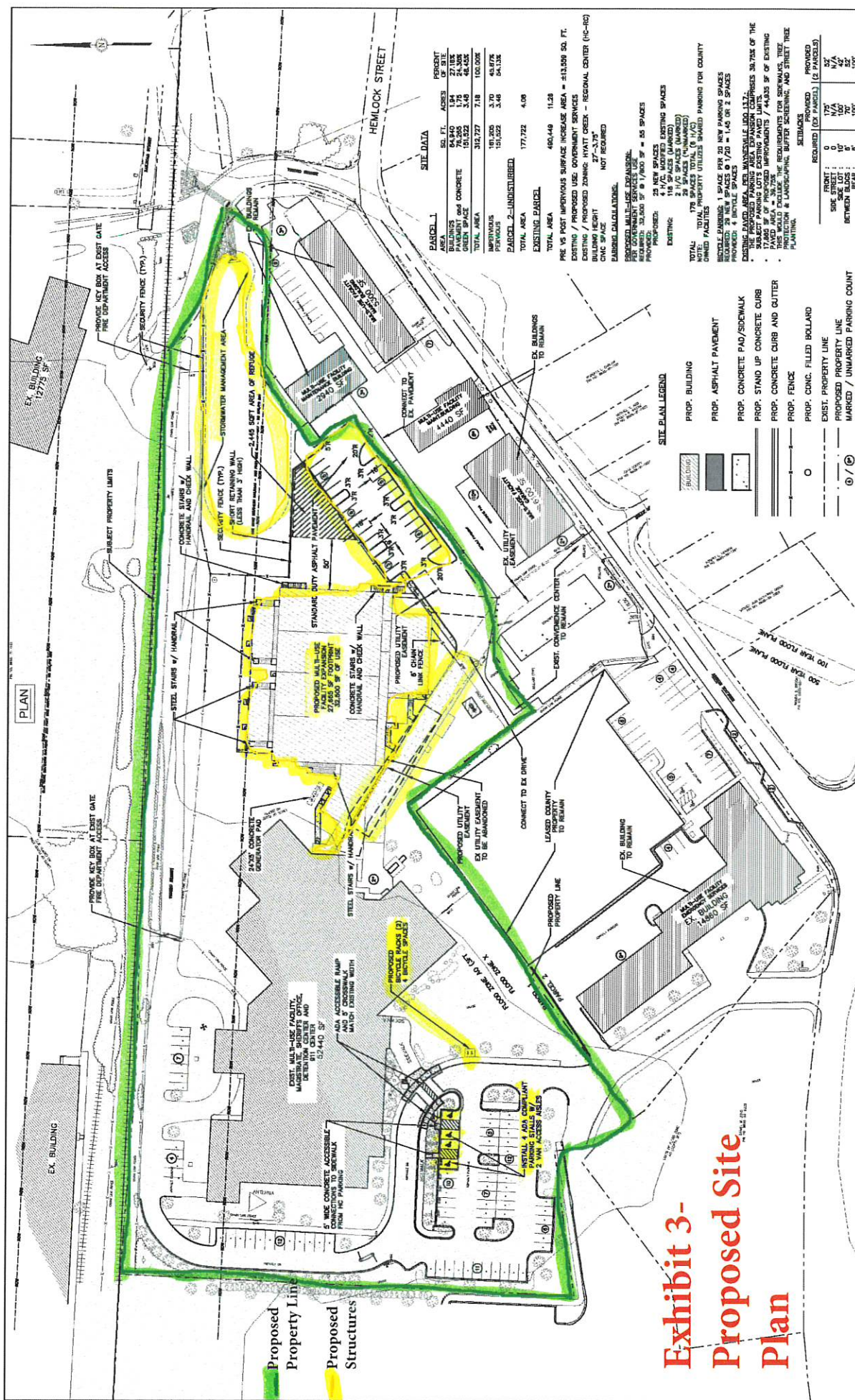




Exhibit 4: Environmental Summary

Shaping Communities Together

MEMORANDUM

DATE January 9, 2023
FROM Jonathan Herman, Environmental Planner- McGill Associates, P.A.
TO Thomas Mannino, PE, Project Manager – McGill Associates, P.A.
SUBJECT Environmental Survey
 Haywood County Detention Center

INTRODUCTION

McGill Associates, P.A. (McGill) has been retained by Moseley Architects to provide professional engineering services to assist with the proposed Haywood County Detention Center Expansion project. The engineering services include an environmental review of the site for the purpose of determining any permitting that may be necessary for the proposed project activities. The following memo provides information and analysis of natural resources at the project site including a desktop review of online resources as well as a site visit on August 18, 2022, to assess onsite conditions.

SOIL CONDITIONS AND SOIL TYPES

NRCS Web Soil Survey

Based on the Web Soil Survey report there is one soil unit on the project site: Statler loam (SuA), 0 to 3 percent slopes, rarely flooded. No hydric soils are identified within the project area. Hydric soils are one of three criteria that indicate the presence of wetlands and are used for jurisdictional wetland determinations.

EXISTING VEGETATIVE AREAS AND FOREST COVER

Approximately 0.28 acres of forest cover was identified within an existing stormwater basin in the northwestern portion of the project site. The stormwater basin contains a mix of trees, saplings, and vines of both native and exotic species. The remainder of the site consists of turf grass, maintained landscape beds, and previously developed (i.e. paved parking areas, buildings, and other structures) areas.

GEOLOGIC FEATURES

The Soil Survey report indicates the site is a stream terrace on floodplains. In general, the site and surrounding areas are flat and dissected by tributaries to Richland Creek located offsite.

TOPOGRAPHY

According to a topographic survey of the site, elevations range between approximately 2752' MSL along the southern boundary of the site to approximately 2736' MSL along the northern property boundary. It is assumed much of the topography has been altered with previous development at the site.

JURISDICTIONAL WETLANDS

Various desktop resources including the National Wetland Inventory, USGS Topographic Maps, and the Soil Survey Report were reviewed for indications of wetlands at the site. Additionally, a site visit was conducted to identify any wetland field indicators. No jurisdictional wetlands were identified on the project site. A stormwater basin located near the northern property boundary appeared to have some indicators of a wetland, however the basin hydrology appeared to be isolated and has no significant connection with offsite jurisdictional tributaries. As such, it is assumed the presence of any wetlands within the basin would not require 404 and 401 permitting through the US Army Corps of Engineers or the North Carolina Department of Water Resources.

PERENNIAL AND INTERMITTENT STREAMS

Various desktop resources were reviewed including the National Wetland Inventory, USGS Topographic Maps, and North Carolina Surface Water Classification Mapping, and a site visit was conducted, to identify any jurisdictional waters at the site. No perennial or intermittent streams were identified on the project site.

FLOODPLAINS

The FEMA FIRM map indicates Zone AO (Depth 3 ft) is within the southwestern portion of the project site. According the NC Flood Risk Information System: "AO Zones are areas of sheet-flow shallow flooding where the potential runup is less than 3.0 feet above an overtopped barrier crest. The sheet flow in these areas will either flow into another flooding source (AE zone), result in ponding (AH zone), or deteriorate because of ground friction and energy losses and merge into the X Zone."

CONSERVATION AREAS

Haywood County GIS mapping data was reviewed for areas identified as Farmland Preservation, Conservation Easements, Federal Lands, and Parks and Recreation. No areas with these designations were identified within the project site.

BUFFERS AND SETBACKS

There is public water and sewer provided by the Town of Waynesville in the project area so it is assumed there are no wells or septic systems in the vicinity of the project area which would require setbacks. There are tributaries in the project vicinity with the Trout Waters ('Tr') designation which require 25-foot buffers. It does not appear any buffers extend into the project site.

FEDERALLY THREATENED AND ENDANGERED SPECIES

The USFWS iPac Report identifies 6 federally listed threatened and endangered species detailed below. No critical habitat was identified within the project site.

1. Gray Bat (*Myotis grisescens*) – Endangered

Habitat: Gray bats occupy caves or cave-like structures year-round. While gray bats prefer caves, summer colonies have been documented using dams, mines, quarries, concrete box culverts and the undersides of bridges. Males and females typically hibernate together, however because of the limited number of suitable caves, gray bats may migrate as much as 500 miles between summer and winter caves. However, based on band recovery data and the distribution of hibernacula and summer colonies across the range, most gray bats are considered regional migrants with migrations shorter than 200 miles. No surveys have been conducted for Gray Bats or their habitat at the project site. Based on a cursory review no suitable habitat was identified.

2. Indiana Bat (*Myotis sodalis*) – Endangered

Habitat: During winter, Indiana bats are restricted to suitable underground hibernacula. Most of these sites are caves located in karst areas of the east-central United States; however, Indiana bats also hibernate in other cave-like locations, especially abandoned mines. In summer, most reproductive females occupy roost sites in forested areas under the exfoliating bark of dead or dying trees that retain large, thick slabs of peeling bark. Primary roosts usually receive direct sunlight for more than half the day. Roost trees are often within canopy gaps in a forest, in a fenceline, or along a wooded edge. Habitats in which maternity roosts occur include riparian zones, bottomland and floodplain habitats, wooded wetlands and upland communities. Indiana bats typically forage in semi-open to closed forested habitats with open understory, forest edges, and riparian areas. Adult males occupy similar habitats but can use a wider range of roosts compared to females. No surveys have been conducted for Indiana Bats or their habitat at the project site. The portion of forested area at the site could potentially serve as summer roosting and/or foraging habitat. As such, it is recommended that proposed project activities avoid removal of any trees larger than 3" diameter at breast height (DBH) to avoid impacts to potential bat habitat. If tree removal is unavoidable, then further coordination with the USFWS and additional studies may be required.

3. Tricolored Bat (*Perimyotis subflavus*) – Proposed Endangered

Habitat: During the spring, summer and fall tricolored bats primarily roost among live and dead leaf clusters of live or recently dead deciduous hardwood trees. In the southern and northern portions of the range, tricolored bats will also roost in Spanish moss (*Tillandsia usneoides*) and *Usnea trichodea* lichen, respectively. In addition, tricolored bats have been observed roosting during summer among pine needles, eastern red cedar (*Juniperus virginiana*), within artificial roosts like barns, beneath porch roofs, bridges, concrete bunkers, and rarely within caves. Female tricolored bats exhibit high site fidelity, returning year after year to the same summer roosting locations. Female tricolored bats form maternity colonies and switch roost trees regularly. Males roost singly. During the winter, tricolored bats hibernate in caves and mines, road-associated culverts, tree cavities, and abandoned water wells. Tricolored bats exhibit high site fidelity with many individuals returning year after year to the same hibernaculum. No surveys have been conducted for Tricolored Bats or their habitat at the project site. The portion of forested area at the site could potentially serve as habitat. As such, it is recommended that proposed project activities avoid removal of any trees larger than 3" diameter at breast height (DBH) to avoid impacts to potential bat habitat. If tree removal is unavoidable, then further coordination with the USFWS and additional studies may be required.

4. Northern Long-eared Bat (*Myotis septentrionalis*; NLEB) – Threatened

Habitat: During the summer months (approximately April-August), NLEBs use forested/wooded habitat where the bats roost, forage, and travel. Summer NLEB habitat may also include adjacent or interspersed non-forested habitats such as emergent wetlands and edges of agricultural land, old fields, or pastures. Potential NLEB summer roosting habitat includes live or dead trees that are generally ≥ 3 inches diameter at breast height (DBH) with cracked or exfoliating bark, broken limbs, cavities, or crevices. Individual trees may be considered suitable habitat when they exhibit any of the aforementioned characteristics and are located within approximately 1,000 feet of other forested habitat. NLEBs travel and forage along linear features such as riparian corridors, paths, forest edge, and fence rows, as well as forage along streams, wetlands, and ponds. Potential summer roosting habitat for NLEBs also includes human-made structures, such as buildings, barns, bat houses, and bridges. During the fall months (approximately August-September) prior to hibernation, NLEBs swarm in wooded areas around their hibernacula. In the winter (approximately October-March), NLEBs hibernate in caves and abandoned mines. No surveys have been conducted for Northern Long-eared Bat or their habitat at the project site. The NLEB designation changed from Threatened to Endangered in November 2022. This has resulted in new consultation requirements with USFWS and firmer restrictions on tree clearing during the NLEB roosting season (April 1 to October 31). As such, it is recommended that proposed project activities avoid removal of any trees larger than 3" diameter at breast height (DBH) to avoid impacts to potential bat habitat. If tree removal is unavoidable, then further coordination with the USFWS and additional studies may be required.

5. Small Whorled Pogonia (*Isotria medeoloides*) – Threatened

Habitat: The small whorled pogonia grows in a variety of upland, mid-successional, wooded habitats, usually older hardwood and mixed wood stands of beech, birch, maple, oak, and white pine. This orchid is almost always found in proximity to features that create long-persisting breaks in the forest canopy; the tree canopy is relatively open. It prefers acidic soils with a thick layer of dead leaves and sparse to moderate ground cover. It often occurs on slopes near small streams. No surveys have been conducted for Small Whorled Pogonia or their habitat at the project site. The forest canopy at the site appeared to be dense and unlikely to be suitable habitat for Small Whorled Pogonia.

6. Rock Gnome Lichen (*Gymnoderma lineare*) – Endangered

Habitat: The rare lichen grows only in areas of high humidity, such as high-elevation vertical rock faces that are frequently bathed in fog or in deep gorges at lower elevations. During the site visit no suitable habitat for this species was identified within the project area.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

The following key findings and recommendations related to environmental permitting are provided based on analysis of the collected information:

1. The FEMA FIRM map indicates Zone AO (Depth 3 ft) is within the southwestern portion of the project site. It is recommended that any applicable laws or regulations related to floodplains should be followed in this area.
2. Project activities should avoid removal of trees greater than 3" DBH to the greatest extent practicable to avoid impacts to potential bat habitat. Where tree removal is unavoidable, further coordination with the USFWS and additional studies would likely be required.

LIST OF ATTACHMENTS

1. NRCS Web Soil Survey Report
2. National Wetland Inventory Map
3. NC Surface Water Classification Map
4. USGS Topographic Map
5. USFWS IPac Consultation Report
6. FEMA Flood Insurance Rate Map (Panel 8605)
7. Haywood County Conservation Areas



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

Exhibit 5

Notices of Zoning Decision posted on site (4) and Town Hall's bulletin board (1) on January 6, 2023

NOTICE OF ZONING DECISION

The Development Services Director of the Town of Waynesville makes the following administrative zoning decision for the current use of the property identified as (PIN) 8605-70-8724, by Haywood County Land Records. That portion of this property addressed as 1620 Brown Avenue, and known as the Haywood County Sheriff's Office, is a multi-purpose campus that meets the use definition of "Government Services" under the Town of Waynesville Development Standards, Section 17.3:

Government Services. Include federal, state, and local government agencies that administer, oversee, and manage public programs and have executive, legislative, and judicial authority.

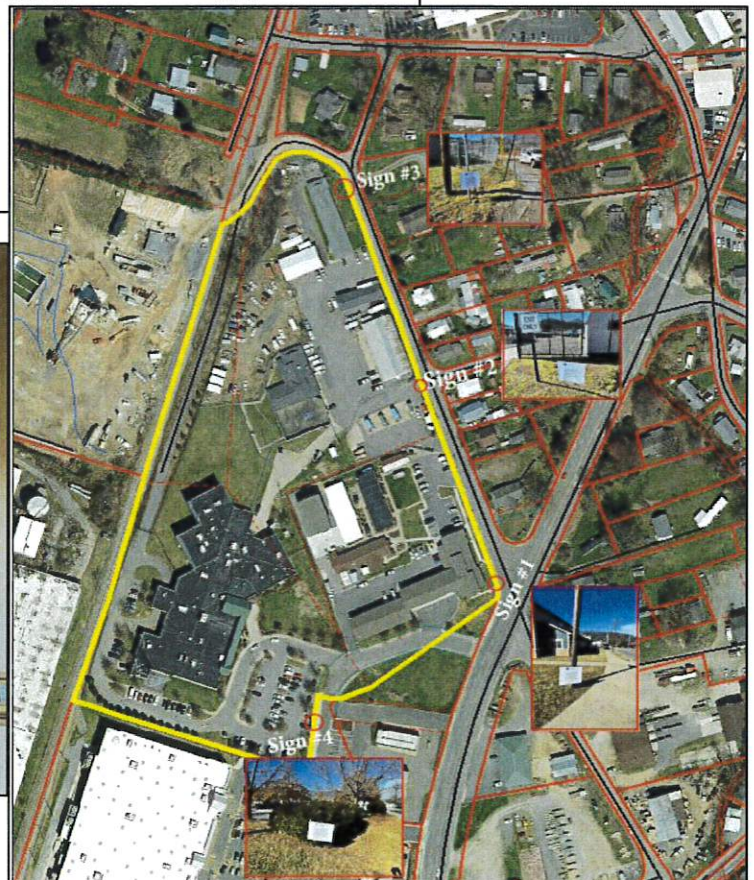
This includes the property uses of the county 911 center, communications tower, the Sheriff's Department offices and detention facilities, Magistrate, a solid waste and recycling transfer station, storage facilities, county garage and maintenance, an impound lot, and personnel and public parking.

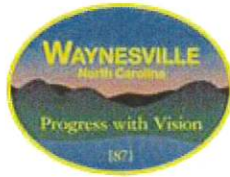
An appeal of this administrative decision may be filed with the Town Clerk of Waynesville, 16 S. Main Street, Waynesville, NC 28786, cpoolton@waynesvillenc.gov, within 30 days of this notice. Questions should be directed to the Development Services Office, (828) 456-8647.


Elizabeth Teague, Waynesville Development Services Director

January 6, 2023
Date

Cc: Kris Boyd, Assistant County Manager
Olga Grooman, Planner
Byron Hickox, Land Development Administrator
Candace Poolton, Waynesville Town Clerk





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

Exhibit 5

Public Hearing Notices to adjacent property owners (within 100 ft) and newspaper

Date: January 30, 2023

Notice of Public Hearing Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold a **public hearing on February 20, 2023 at 5:30 pm**, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a major site plan review for the expansion of the Haywood County Multi-Use Facility at 1620 Brown Avenue, Waynesville, NC 28786 (PIN 8605-70-8724):



For more information contact Olga Grooman at the Development Services Department at: (828) 356-1172, email: ogrooman@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786

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

FOR PUBLICATION IN THE MOUNTAINEER: January 29 and February 5 Editions

Date: January 23, 2023

Contact: Olga Grooman, (828) 356-1172

Notice of Public Hearing Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold a **public hearing on February 20, 2023 at 5:30 pm**, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a major site plan review for the expansion of the Haywood County Multi-Use Facility at 1620 Brown Avenue, Waynesville, NC 28786 (PIN 8605-70-8724).

For more information contact the Development Services Department at: (828) 356-1172, email: ogrooman@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.



Exhibit 5

Public Hearing Notices posted on site on January 30, 2023



THE TOWN OF WAYNESVILLE
PLANNING BOARD
 WILL HOLD A
PUBLIC HEARING ON
FEBRUARY 20, 2023 AT 5:30 PM
IN THE TOWN HALL BOARD ROOM AT
9 SOUTH MAIN ST.
TO CONSIDER A MAJOR SITE PLAN
CONTACT THE DEVELOPMENT SERVICES DEPARTMENT
828-456-8647



Exhibit 6- Land Use Map

Future Land Use Map

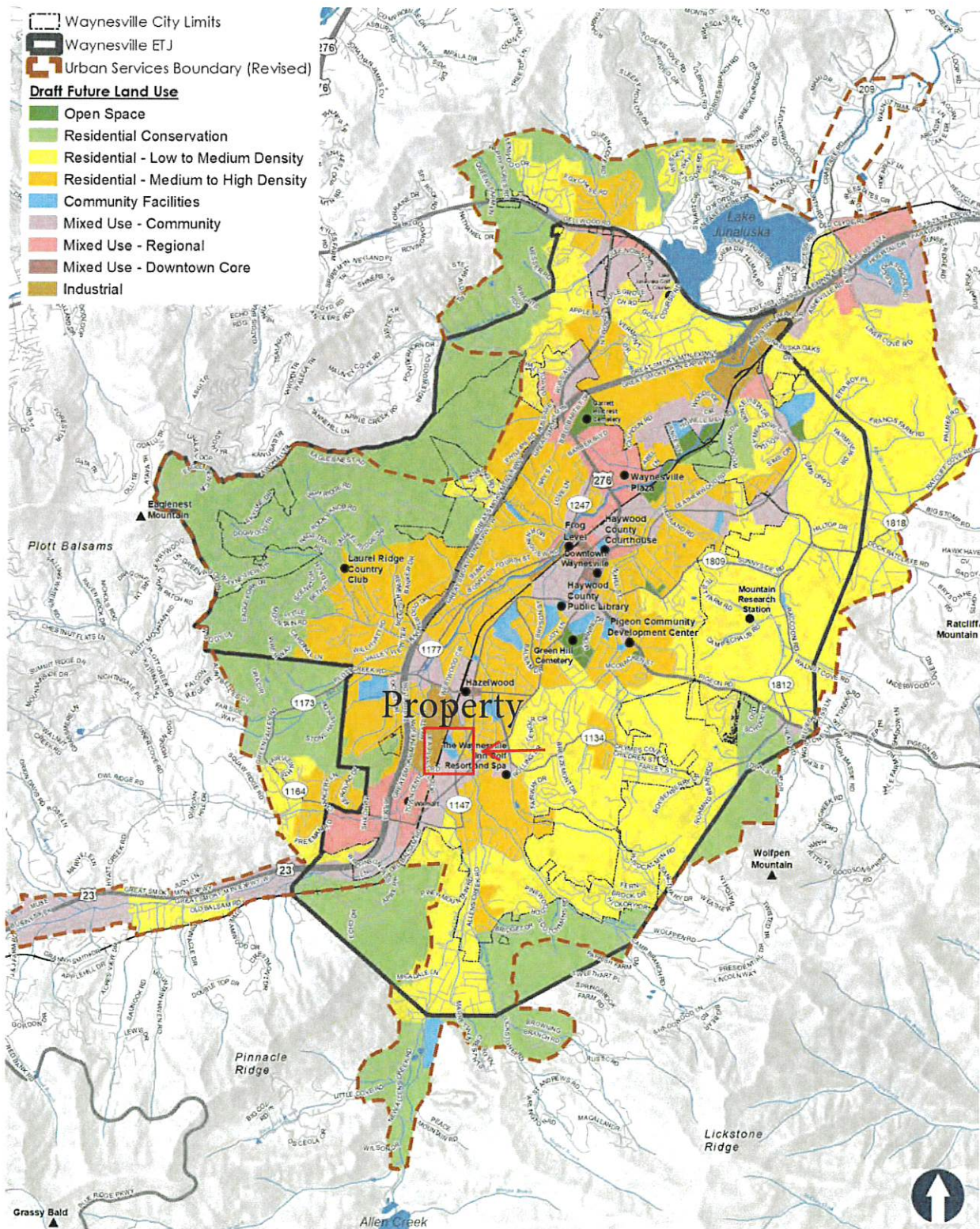
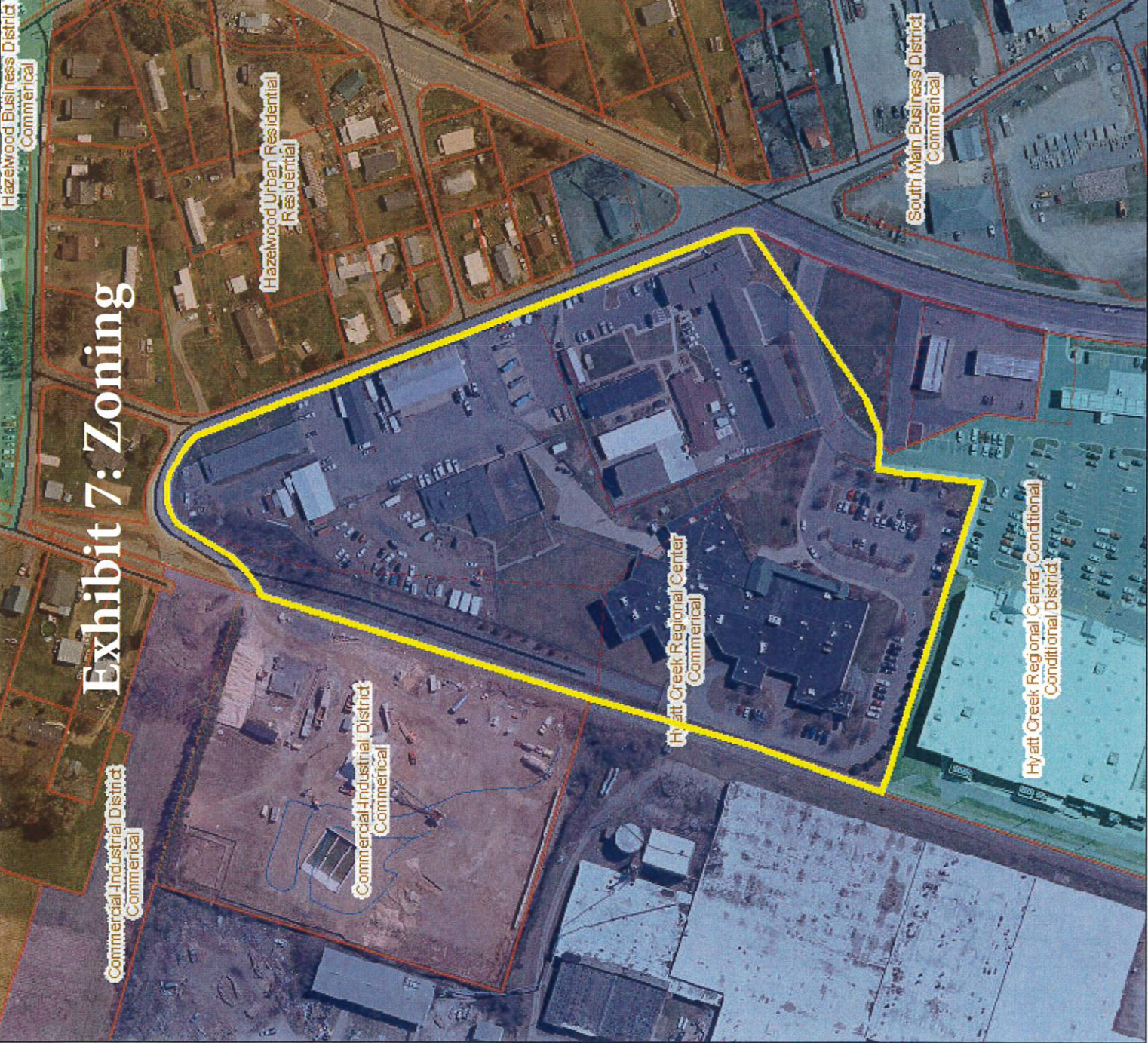


Exhibit 7: Zoning



Report For

HAYWOOD COUNTY
HAYWOOD COUNTY COURTHOUSE
215 N MAIN ST
WAYNESVILLE, NC 28786

Account Information

PIN: 8605-70-8724
Legal Ref: 842/1201
579/2174
Add Ref: 961/1718
958/1675

Site Information

GARAGE SERVICE, OFFICE MEDICAL, OFFI
Commercial Use, Commercial Use, Commercial
1620 BROWN AVE

Heated Area: 5940
Year Built: 1950
Total Acreage: 11.4
Township: Town of Waynesville

Site Value Information

Land Value: \$2,409,300
Building Value: \$12,396,000
Market Value: \$14,805,300
Deferred Value: \$0
Assessed Value: \$14,805,300
Sale Price: \$0
Sale Date: 3/11/2013



1 inch = 200 feet

December 19, 2022

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.

MOSELEY ARCHITECTS

6210 ARDREY KELL ROAD, SUITE 425 CHICAGO, IL 60627
PHONE (708) 540-2788 FAX (708) 540-2784
MOOREY ARCHITECTS . COM



HAYWOOD COUNTY DETENTION CENTER EXPANSION

HAYWOOD COUNTY, NORTH CAROLINA
1620 BROWN AVE, WAYNESVILLE NC. 28786

[illegible]BUILDING
ELEVATIONS

A4.1

32

10
9
8
7
6
5
4
3
2
1

[illegible]

Exhibit 9: Detention Units Regulation

NC Division of Health Service Regulation

Jails and Detention Unit

The state rules for jails and detention centers is 10A NCAC 14J

Regulations include:

SECTION .1200 - STANDARDS FOR NEW JAIL DESIGN AND CONSTRUCTION

10A NCAC 14J .1203 COMPLIANCE REVIEW AND APPROVAL

(a) Prior to the construction of a new jail or the construction of an addition or alteration to an existing jail I and II, the governing body shall submit the following to the Construction Section for review and approval...

10A NCAC 14J .1204 SPECIFIC CONSTRUCTION REQUIREMENTS

(a) Jails that restrain inmates under lock and key within a building shall meet the requirements of the North Carolina State Building Code for "Institutional Occupancy - Restrained" and the additional security requirements imposed by Rule .1220.

(c) The construction materials in all jails shall be sufficient to provide the degree of security required for the area in which they are used.

10A NCAC 14J .1214 WINDOWS AND GLAZING

(a) If glazing affords persons from outside of the jail a view of inmates inside the jail, the glazing shall:

- (1) admit natural light into the confinement unit or dayroom;*
- (2) be diffused or obscured to prevent persons from outside the jail from observing inmates inside the jail.*

(f) A dormitory shall have windows to the outdoors with a gross window area measuring not less than two square feet per inmate or 48 square feet, whichever is greater.

10A NCAC 14J .1215 DOORS, BUNKS, LOCKS, AND FASTENERS

(a) A jail shall provide doors, locks, and detention hardware that are rated by the manufacturer as security-type and as acceptable for use in correctional facilities.

10A NCAC 14J .1504 WINDOWS AND SECURITY SCREENING

(b) Windows shall be constructed of such material to contain persons within the enclosed area and to provide security from without.

(f) Windows shall have protective or security screening to prevent the passing of contraband except where approved exterior fencing is provided.

Full Document: <https://info.ncdhhs.gov/dhsr/jail/index.html>



Exhibit 10: Utilities

February 1, 2023

Ms. Elizabeth Teague
9 South Main Street
Waynesville, North Carolina 28786

RE: Wastewater Allocation
Haywood County Detention Facility
Waynesville, North Carolina

Dear Ms. Teague:

McGill Associates has reviewed the adequacy of the Town of Waynesville's sewer system to accept and treat wastewater flow from the Haywood County Detention Facility project located at 1620 Brown Avenue.

The project proposes to construct a new building to replace the existing detention facility which is scheduled to be demolished. The estimated flow amount of 14,490 gpd generated by the project replaces existing flow and will not require a sewer extension permit. It therefore does not fall under the "New Flow" restrictions as provided by Article 8 of the Town's Special Order by Consent with the North Carolina Environmental Management Commission dated December 31, 2020. Let me know if you have any questions.

Sincerely,

MCGILL ASSOCIATES, P.A.

A handwritten signature in blue ink, appearing to read "Joel L. Storrow".

JOEL L. STORROW, P.E.
Senior Principal

Cc: Jeff Stines



Gary Caldwell, Mayor
 Julia Freeman, Mayor Pro Tem
 Clarence "Chuck" Dickson, Alderman
 Jon Feichter, Alderman
 Anthony Sutton, Alderman

Robert W. Hites, Jr. Town Manager
 Martha Bradley, Town Attorney

Exhibit 10: Utilities

February 1, 2023

Re: Detention Center Expansion
PIN# 8605-70-8724

To whom it may concern:

For the matter of water service and connections to the Town of Waynesville distribution system. The Town of Waynesville can provide services to referenced parcel for proposed use. Electric utility services will be provided by Duke Energy. Sewer allocations and approvals for said usage are addressed in a letter from McGill and Associates (also attached). If you have any questions or concerns, feel free to contact me.

Sincerely,

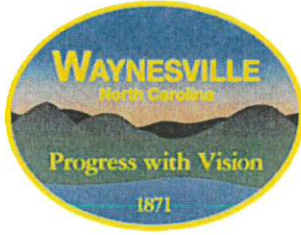
Jeff Stines
 Town of Waynesville
 Director of Public Services
 129 Legion Drive
 Waynesville, N.C. 28786

Electric, Water & Sewer Map Exhibit 10: Utilities



1/25/2023

1:3,062
0 0.02 0.04 0.06 0.08 mi
0 0.03 0.07 0.13 km
NC CGIA, Maxar, Microsoft, State of North Carolina DOT, Esri, HERE, Garmin, iPC



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

Exhibit 10: Utilities


Date: 1/24/2023

Project: Haywood County Detention Center (Fire Prevention Plan Review)

Comments:

1. Provide key box accessible to the Fire Department on the North property gate off of Vigoro Lane in accordance with Section 506 of the 2018 NC Fire Code. **Location of lock boxes is approved. We do request that these lock boxes be dual access for Police and Fire.**

Fire prevention for fire apparatus access, fire hydrant locations and fire prevention for site access are approved.

X 

David Kelley
Code Enforcement Official

PLANTING SCHEDULE					
SYM.	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	*CALIPER HEIGHT
DWARF TREE					
CU	5	<i>Lagerstroemia indica</i>	*Natchez*	848	2" MIN. 8' MIN.

* CIRCUMFERENCE AND CALIPER TO BE MEASURED 6" ABOVE GRADE.

[illegible]

Exhibit 12- Floodplain Map

HAYWOOD COUNTY
HAYWOOD COUNTY COURTHOUSE
215 N MAIN ST
WAYNESVILLE, NC 28786

Account Information

PIN: 8605-70-8724

Legal Ref: 842/1201

579/2174

Add Ref: 961/1718

958/1675

Site Information

GARAGE SERVICE, OFFICE MEDICAL, OFFI
Commercial Use,Commercial Use,Commercial
1620 BROWN AVE

Heated Area: 5940

Year Built: 1950

Total Acreage: 11.3953

Township: Town of Waynesville

Site Value Information

Land Value: \$2,409,300

Building Value: \$12,396,000

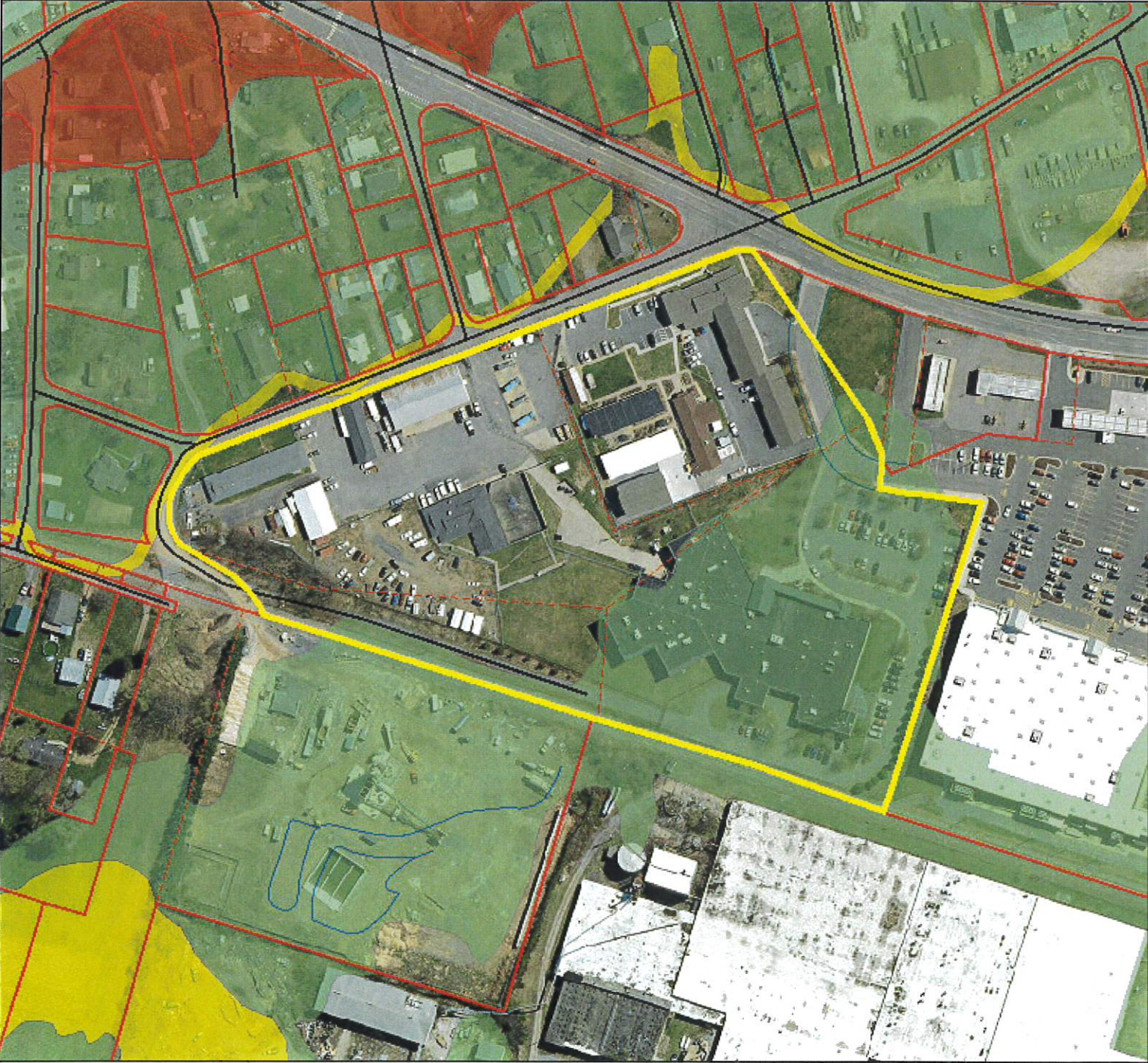
Market Value: \$14,805,300

Deferred Value: \$0

Assessed Value: \$14,805,300

Sale Price: \$0

Sale Date: 03/10/2013



1 inch = 200 feet

January 26, 2023

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.



TOWN OF WAYNESVILLE
 Development Services Department
 9 South Main Street, Suite 110
 Waynesville, NC 28786
 Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Exhibit 13- Application Forms

APPLICATION FOR MAJOR SUBDIVISION OR SITE PLAN

DESCRIPTION OF PROPERTY

PROPERTY OWNER(S) OF RECORD: Haywood County
 PARENT PARCEL IDENTIFICATION NUMBER(S): 8605-70-8724
 PROPERTY LOCATION: 1620 Brown Avenue, Waynesville, NC
 ZONING: Regional Center - Hyatt Creek
 LAND USE AT TIME OF APPLICATION: Institutional: Jail, Office, Garage, Convenience Center
 APPLICANT (IF DIFFERENT FROM OWNER): _____
Note: Authorization to apply form must be submitted with the application if applicant is different from owner.
 MAILING ADDRESS: 215 N Main Street, Waynesville, NC 28786
 PHONE NUMBER: 828.452.6625

RELATIONSHIP TO PROPERTY OWNER: _____

DESCRIPTION OF PROJECT

NUMBER OF ORIGINAL LOTS: 1 NUMBER OF PROPOSED LOTS: 1
 NUMBER OF UNITS/DENSITY: N/A; Institutional Use
 REGISTERED LAND SURVEYOR/DRAWING NUMBER: _____
 APPLICATION COMPLETENESS (See LDS Section 15.9):
☒ ENVIRONMENTAL SURVEY
☒ MASTER PLAN OR PRELIMINARY PLAT
☒ OTHER INFORMATION / PROJECT DESCRIPTION (attach sheets as necessary):

SIGNATURE OF APPLICANT:

JLR Assistant County Manager

DATE: 1/3/23

This institution is an equal opportunity provider

**AUTHORIZATION FOR AGENT TO
APPEAR BEFORE WAYNESVILLE PLANNING BOARD,
ZONING BOARD OF ADJUSTMENT, OR BOARD OF ALDERMEN**

The undersigned Owner or Party with a contract or option to purchase that real property located at 1620 Brown Avenue _____ in Waynesville or the ETJ area of Waynesville, North Carolina, has submitted an application which is to be heard in a proceeding by Board(s) of the Town of Waynesville, North Carolina. I hereby authorize the following named individual to present my application and case, as my agent at such hearings.

Name of Authorized Agent: Thomas Mannino, P.E.

Title and Company: Project Manager, McGill Associates PA

Address: 55 Broad Street, Asheville NC 28801

Phone and email: 828.252.0575 / 828.712.4089 Thomas.Mannino@McGillAssociates.com

This authorization shall be good through the completion of the project for which the zoning text or map amendment, special use permit, subdivision, variance or appeal, or other Town approval is requested, or until revoked in writing. The Town of Waynesville may rely on this authorization until it is given notice of the revocation of this authorization or of a change of property ownership takes place.

This the 3rd day of January, 2023

Owner or Party with Contractual Interest in Property:

 Assistant County Manager

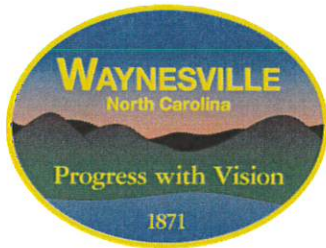
Address and phone number:

215 N. Main Street

Waynesville, NC 28786

828.452.6625

EXHIBIT 6
P 1



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

FOR PUBLICATION IN THE MOUNTAINEER: February 15 and February 22 Editions

Date: February 10, 2023

Contact: Elizabeth Teague, (828) 456-2004

Notice of Public Hearing for an Appeal of an Administrative Decision Town of Waynesville Zoning Board of Adjustment

The Town of Waynesville Zoning Board of Adjustment will hold a **public hearing on March 7, 2023 at 5:30 pm**, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider an appeal of an administrative decision related to the interpretation of the property use as "government services," as defined in the Land Development Standards, Section 17.3. The subject property is at 1620 Brown Avenue, Waynesville, NC 28786 (PIN 8605-70-8724).

For more information contact the Development Services Department at: (828) 456-2004, email: eteague@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

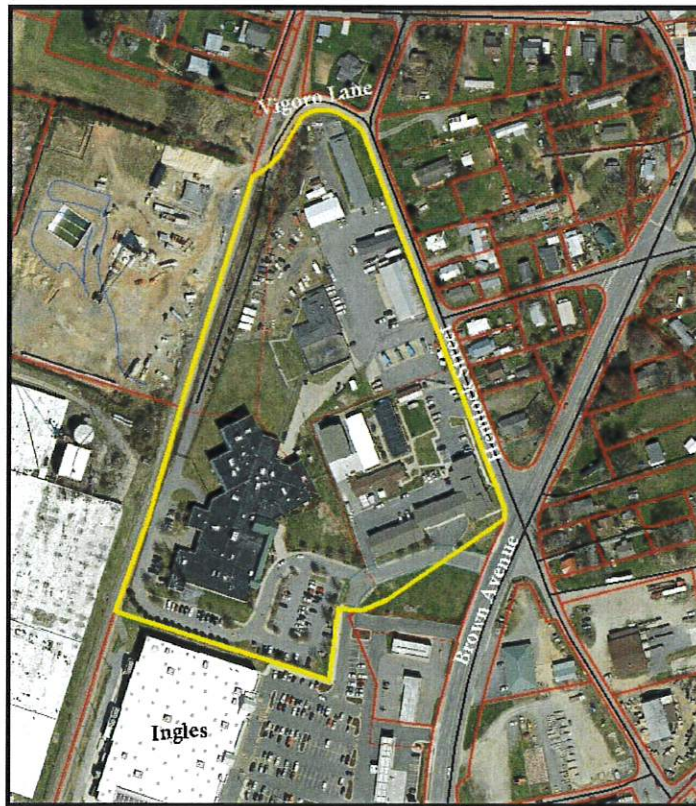
Phone (828) 456-8647 • Fax (828) 452-1492

www.waynesvillenc.gov

Date: February 15, 2023

Notice of Public Hearing: Appeal of an Administrative Decision Town of Waynesville Zoning Board of Adjustment

The Town of Waynesville Zoning Board of Adjustment will hold a public hearing on March 7, 2023 at 5:30 pm, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider an appeal of an administrative decision related to the interpretation of the property use as "government services," as defined in the Land Development Standards, Section 17.3. The subject property is at 1620 Brown Avenue, Waynesville, NC 28786 (PIN 8605-70-8724).



For more information contact the Development Services Department at: (828) 456-2004, email: eteague@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

BOYD, DANIEL M
445 BOYD FARM RD
WAYNESVILLE, NC 28785

CAYLOR, VICKIE MEHAFFEY
110 HEMLOCK ST
WAYNESVILLE, NC 28786

HAYWOOD COUNTY
HAYWOOD COUNTY COURTHOUSE
ATTN: KRIS BOYD
215 N MAIN STREET
WAYNESVILLE, NC 28786

HANNAH, PEGGY;
HANNAH, ROBERT RAY
268 HEMLOCK ST
WAYNESVILLE, NC 28786

COFFEY, JOHN L
C/O KRISTIN WEST
30 CAROLINA AVENUE
WAYNESVILLE, NC 28786

SINGLETON, TIFFANY MICHELE
65 SCATES ST
WAYNESVILLE, NC 28786-1976

INGLES MARKETS INC
2913 HWY 70 W
BLACK MOUNTAIN, NC 28711

GREEN, SYDNEY;
GREEN, KATHERINE A
174 HEMLOCK ST
WAYNESVILLE, NC 28786

MOORE, MARY ANN;
EVANS, DEBORAH Y
12561 BARNES BRIDGE RD
LAURINBURG, NC 28352-7943

WINCHESTER, TONY
120 Railroad Street
Waynesville, nc 28786

SOUTHERN CONCRETE MATERIALS INC
PO BOX 5395
ASHEVILLE, NC 28813

BROOKS, WANDA S
PO BOX 306
HAZELWOOD, NC 28738

RAY, CAROL
190 HEMLOCK STREET
WAYNESVILLE, NC 28786

SOUTHERN CONCRETE MATERIALS INC
PO BOX 5395
ASHEVILLE, NC 28813

HARRIS, BEVERLY S
287 HEMLOCK ST
WAYNESVILLE, NC 28786

HENSON, ROBERT L
186 HEMLOCK ST
WAYNESVILLE, NC 28786

MASSIE, MICHAEL THOMAS;
MASSIE, STELLA BETHLEA
388 ALLENS CREEK RD
WAYNESVILLE, NC 28786

MESSER, DAVID TERRY
PO BOX 654
WAYNESVILLE, NC 28786

KMW HOLDINGS LLC NC LTD LIABILI
202 LEA PLANT RD
WAYNESVILLE, NC 28786-4984

GREEN, WILLIAM E
108 HEMLOCK ST
WAYNESVILLE, NC 28786

CARLAW, ROBERTA LYNN
220 HAMLOCK ST
WAYNESVILLE, NC 28786

HAYWOOD COUNTY
HAYWOOD COUNTY COURTHOUSE
ATTN: BRYANT MOREHEAD, **COUNTY MANAGER**
215 N MAIN STREET
WAYNESVILLE, NC 28786

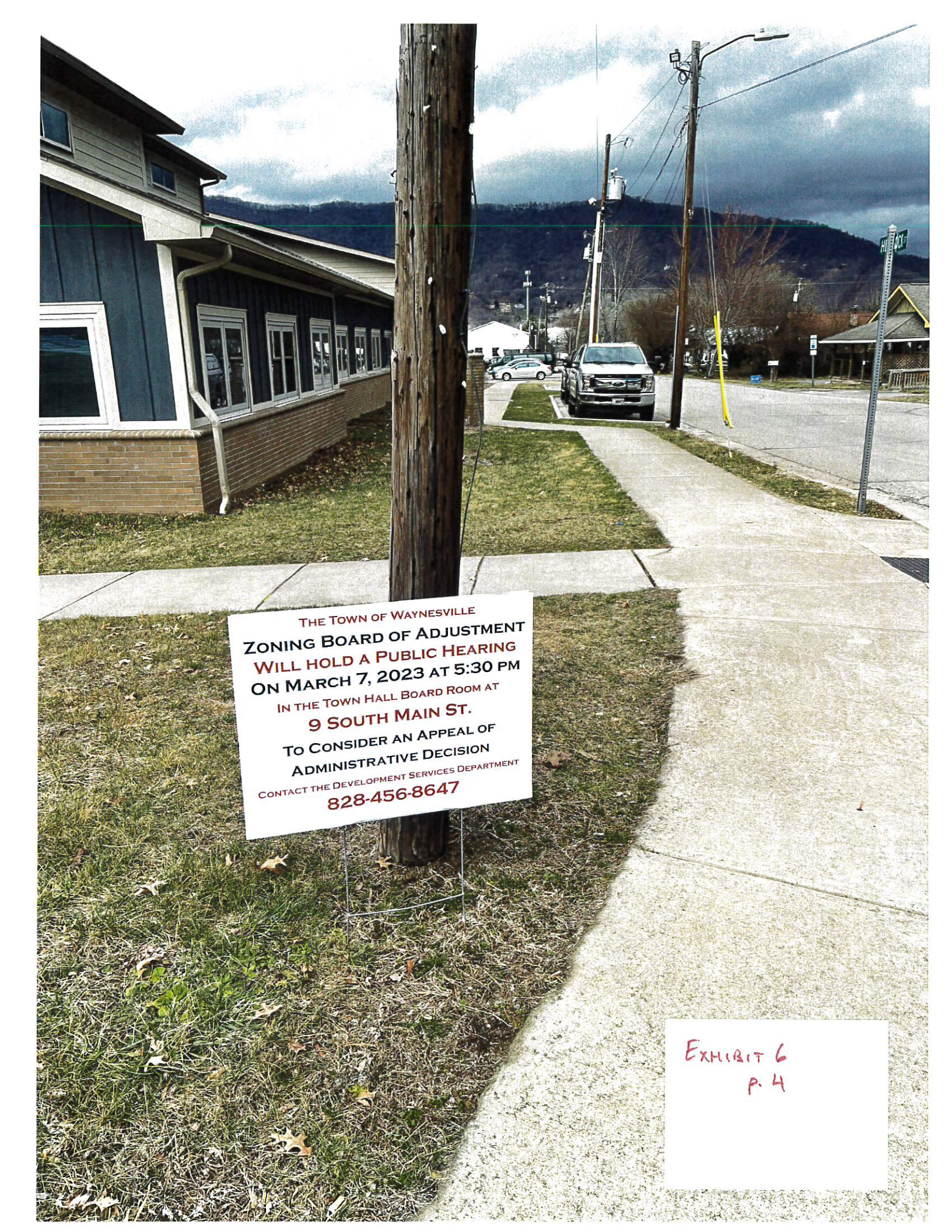
MCGILL ASSOCIATES;
ATTN: THOMAS MANNINO
55 BROAD STREET
ASHEVILLE, NC 28801

DE LA CRUZ, ANASTACIO;
DE LA CRUZ, KRISTINA S
225 RACHAEL DR
WAYNESVILLE, NC 28785

GREEN, WILLIAM E
108 HEMLOCK ST
WAYNESVILLE, NC 28786

MESSER, DAVID TERRY
94 RAILROAD ST
WAYNESVILLE, NC 28786

EXHIBIT 6
P. 3



THE TOWN OF WAYNESVILLE
ZONING BOARD OF ADJUSTMENT
WILL HOLD A PUBLIC HEARING
ON MARCH 7, 2023 AT 5:30 PM
IN THE TOWN HALL BOARD ROOM AT
9 SOUTH MAIN ST.
TO CONSIDER AN APPEAL OF
ADMINISTRATIVE DECISION
CONTACT THE DEVELOPMENT SERVICES DEPARTMENT
828-456-8647

EXHIBIT 6
P. 4



THE TOWN OF WAYNESVILLE
ZONING BOARD OF ADJUSTMENT
WILL HOLD A PUBLIC HEARING
ON MARCH 7, 2023 AT 5:30 PM
IN THE TOWN HALL BOARD ROOM AT
9 SOUTH MAIN ST.
TO CONSIDER AN APPEAL OF
ADMINISTRATIVE DECISION
CONTACT THE DEVELOPMENT SERVICES DEPARTMENT
828-456-8647

EXHIBIT 6
P. 7

EXHIBIT 6
P. 8

