



TOWN OF WAYNESVILLE Planning Board

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Susan Teas Smith (**Chairman**)
Ginger Hain (**Vice**)
Gregory Wheeler
Stuart Bass
Michael Blackburn
Don McGowan
Marty Prevost
Tommy Thomas
Barbara Christian Thomas

Development Services
Director
Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD **Regular Called Meeting** **Town Hall – 9 South Main St., Waynesville, NC 28786** **November 15, 2021**

THE WAYNESVILLE PLANNING BOARD held a Regular Called Meeting November 15, 2021, 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:

Ginger Hain (Vice Chairman)
Gregory Wheeler
Stuart Bass
Don McGowan
Michael Blackburn
Barbara Christian Thomas

The following Board members were absent:

Marty Prevost
Tommy Thomas
Susan Teas Smith (Chairman)

The following staff members were present:

Elizabeth Teague, Development Services Director
Byron Hickox, Land Use Administrator
Olga Grooman, Planner
Esther Coulter, Administrative Assistant
Kathy Johnson, Deputy Clerk
Ron Sneed, Attorney

The following media were present:

Becky Johnson, The Mountaineer

The following applicant representatives were present:

Daniel Hyatt, P.E. Wade Trim Engineers
Ron Ashmore. Ashmore Architects, LLC
William Ratchford, Southwood Realty Company
Thomas Jones, P.E., WGLA Engineering

Members of the public including:

Dick young
Allen Shelton

Vice Chairman Ginger Hain called the meeting to order at 5:32 pm and welcomed everyone. She asked Development Services Director Elizabeth Teague to go over the calendar.

Ms. Teague asked the board to consider rescheduling or canceling the next regularly scheduled Planning Board meeting for December 20th because of Christmas. Consensus of the board was to cancel the meeting unless an application comes in that requires action by the board. Ms. Teague asked the board to consider rescheduling the January 17th meeting which falls on Martin Luther King Day. The Board agreed to tentatively reschedule the meeting to January 12, 2022, depending on schedules.

2. Adoption of Minutes

Vice Chairman Hain asked the Board to review the October 18th and October 26th meeting minutes.

A Motion was made by Board Member Don McGowan and seconded by Board Member Michael Blackburn to approve the minutes of the October 18th Planning Board meeting as presented (or amended). The motion carried unanimously.

A motion was made by Board Member Gregory Wheeler and seconded by Board Member Barbara Thomas to approve the minutes of the October 26th Planning Board meeting as presented (or amended). The motion carried unanimously.

B. BUSINESS

Ms. Hain said there were three items in tonight's meeting and asked that the "discussion on procedure to revise LDS regulations relevant to major subdivision" scheduled as the last item be moved to the first item. Members of the board agreed.

1. Discussion on procedure to revise LDS regulations relevant to major subdivisions.

The Planning Board voted in the last meeting to form a committee to start working on improving the Towns ordinances for major subdivisions. Board members Michael Blackburn, Susan Teas Smith, Don McGowan, and Ginger Hain have volunteered to be on the committee with Barbara Thomas as an alternate member. Attorney Ron Sneed suggested that this would be an appropriate time to discuss the size and the makeup as well as the scope of the committee. Board members stated that the scope of the committee would be limited to regulations and procedures related to major subdivisions. The makeup of the committee would start with Planning Board members and the committee will then decide how to proceed.

Board members discussed times and dates for the first committee meeting and decided on December 7th at 10:00am in the conference room at Town Hall with a projected time being 60 to 90 minutes.

2. Public hearing on a major site plan review for a 14-unit townhome development at Richland and Church Street, PIN 8615-17-6586.

Vice Chairman Hain read the protocols for the Administrative proceedings and explained that public comment sheets were to be filled out by anyone that wishes to speak. She opened the public hearing at 5:44pm and invited Town Planner Olga Grooman to begin her presentation.

Ms. Grooman read the staff report and explained this is the first major site plan review since the adoption of text amendments in the Land Development Standards related to 160D. This project is a major site plan of a multi-family development with more than 8 units and a public hearing is required.

This project proposes 14 town homes at the intersection of Richland Street and Church Street. There will be a total of two buildings. One building with 6 units and one building with 8 units. Each unit will have 3 bedrooms, 2.5 baths, and a two-car garage. Total site is 1.5 acres, with the built-on area of .43 acres, or just under one third of the site. An authorization form is provided for Wade Trim to represent the property owners before the Planning Board and the applicant has provided environmental information, including information from the U.S. Army Corps of Engineers and NCDEQ, civil site design, architectural designs and building elevations.

Applicants met with Technical Review Committee staff on April 21, 2021, an initial application documents were submitted September 28, 2021, and reviewed by the Town's Technical Review Committee again on October 7, 2021. Two public hearing notices were published in the November 3rd and November 10th editions of the Mountaineer newspaper. Property was posted on site, and the letters to adjacent property owners were sent on October 22, 2021.

Ms. Grooman explained that in the 2035 Land Use Plan, this property is designated as Mixed-Use Community in the Neighborhood Residential zoning district and is suitable for medium density residential development and remains consistent with the purpose and intent of the Main Street Neighborhood Residential (MS-NR) zoning district. Townhomes are permitted in the district at a density of ten units per acre. This project proposes fourteen units per 1.5 acres, compliant with density and Townhome definitions and guidelines with each unit separated by one or more vertical common fire-resistant fire walls, and the land underneath each unit titled to the unit.

Ms. Grooman went over the site plan and zoning with the Board, explaining that the proposed project is in compliance with zoning use, dimensional requirements, and density with 14 townhome units on 1.5-acre lot. Each building meets or exceeds required perimeter and interior setbacks, with the back corner Unit one being the closest to an adjacent property line and compliant. The two residential buildings are designed so that the primary façade of the building is three stories (garage and two living levels), and the height is less than sixty feet from the peak of the roof to the highest adjacent grade. It exceeds the ten percent minimum impervious surface requirement in this district, providing open space and leaving delineated wetlands untouched, in addition to providing required civic space designated as a playground, satisfying the five percent civic space requirement.

The project is in compliance with the Basic Lot and Use Standards (LDS 4.3). All units front the right of way public street of Richland Street with shared driveways with entryway into the units through the garage in the front and through doors in the back.

Townhome Building Design Guideline design standards are met, including sloped roofs with eaves with no porches or stoops on the front or side. Because the property is located in the MS-NR District the garages may be located on the front façade and approximately eighteen percent of the facades are permeable. The roof is standing seam metal, which also meets the Town's design standards.

The project will connect to Richland Street through 3 two-way entrances for the building with 6 units and two entrances for the building with 8 units and there will be 14 shared parking spaces. The developer will rebuild a 5-foot sidewalk along the Richland Street to connect to the existing sidewalk on Church Street. Internal sidewalks for main entrances in the back of the units and for the access to the playground will also be provided. The engineered utility plan provided by the applicant is subject to final approval by the Public Works Director including locations and specifications for fire hydrants and water and sewer lines. The project complies with the Fire Code requirement which is one hydrant within 600 feet of the structure.

For civic space the developer has proposed a 3,275 square foot playground surrounded by chain link fence with seating and 4-foot sidewalks leading to the playground from both buildings.

The landscape plan shows 12 trees along Richland Street frontage and 6 trees along the Church Street frontage therefore meeting all landscaping requirements.

The plan indicates a two-car garage with each unit and one bicycle parking space which complies with Parking and Driveway Standards.

Lighting shall be submitted to Town staff for approval.

The applicant has provided a compliant sedimentation and erosion control plan which includes silt fencing, structures, and areas to be left undisturbed. The developer provided a drainage plan showing drainage structures for controlling stormwater runoff.

Ms. Grooman concluded that the proposed Major Site Plan is consistent with the 2035 Comprehensive Land Use Plan, Goal 2 to “create a range of housing opportunities and choices.” The site plan complies with all applicable requirements of the ordinance: zoning and dimensional requirements, building design guidelines, civic space, landscaping, parking and driveways, and environmental standards. The plan has infrastructure as required by the ordinance to support the plan as proposed.

Board Member Don McGowan asked if this project was in total compliance with every ordinance in the Town. Olga said the site plan for the project is in complete compliance with the LDS. AS part of the building permit and inspections process, staff will determine bicycle and ADA parking, make certain the building is not in the flood plain and make some adjustments as necessary for compliance. There was discussion among board members and staff on the proposed project and Ms. Teague went over the zoning map and answered questions from the board.

Ron Ashmore from Ashmore Design complimented staff on a great job and explained that he represented Daniel Hyatt, and Richland Estates, LLC. He went over the layout and materials that were planned for the project and answered questions from Board members. He said the materials being used would be harmonious to the area.

Vice Chairman Hain thanked the speakers and opened the meeting to public comment.

Dick Young
191 Meadow Street
Waynesville

Mr. Young stated that he thought this property was in a wetland until Mr. Ron Muse filled it in. He stated the creek runs through it and the train goes back and forth until about ten thirty at night. He opposed the project because this is one of the most heavily traveled streets in Waynesville.

Chairman Hain asked if anyone had any questions or if there was anyone else that wished to speak. No one had questions or wished to speak. There was discussion among board members and agreement that the site plan and elevations met the requirements.

A motion was made by Board Member Don McGowan and seconded by Michael Blackburn to approve the major site plan for a 14-unit townhome development at Richland and Church Street, PIN 8615-17-6586. Amended to include bicycle parking. The motion carried unanimously. (6-0)

Ms. Hain dismissed at 6:20 pm for a break. The meeting reconvened at 6:26 pm.

3. Public hearing on a Special Use Permit Request to develop a 150-unit apartment development at 1426 Howell Mill Road, PINs 8616-94-1485 and 8616-94-1047. (Quasi-Judicial Proceeding)

Vice Chairman Hain read the protocols for the Quasi-Judicial hearing and explained the rules for this type of hearing. She asked if anyone wanted to be recognized as having standing in these proceedings.

Allan Shelton
Monte vista drive
Waynesville

Mr. Shelton said he was not aware of the situation and questioned the recent rezoning. He said the neighborhood has concerns about the number of units that are going to be on that property. He also expressed concern on the access road on Howell mill road intersection and traffic. More than anything, he asked how will the property be managed? If it is a corporate entity, he said so many of those things go south. Attorney Ron Sneed went over the rules for standing and said the presentation from the applicant may answer some of Mr. Shelton's questions. Ms. Hain explained that Mr. Shelton was now in standing and he could speak and ask questions after the presentation. Ms. Teague said that on behalf of the Town, because of the location of Mr. Shelton's property as adjacent to the applicant property, the Town accepts that Mr. Shelton has standing and welcomes his questions, cross examinations, and any additional evidence that he would like to enter into the record.

Ms. Hain opened the public hearing at 6:37pm and asked everyone that was going to make public comment as part of the Hearing to come forward to be sworn in. (William Ratchford, Susan Clark, Terri Clark, Sherry Morgan, Barbara Henry, Terry Lipham, Marty Stiles, Garland Tom Jones, Byron Hickox, Elizabeth Teague) came forward to be sworn in.

Land Use Administrator Byron Hickox presented the staff report this project called, "Haven of Lake Junaluska." The property is located within the Raccoon Creek Neighborhood Residential district (RC-NR) and is a vacant unaddressed 10.41-acre lot located on Howell Mill Road, near the intersection of Asheville Highway. Base density in this district is 10 units per acre with a possible density of 16 units per acre with a special use permit. Developers are proposing a density of 14.4 units per acre, requiring this quasi-judicial hearing for a special use permit. He reviewed the criteria for Special Use Permits.

Mr. Hickox stated that the proposed project consists of seven multi-family buildings, a clubhouse with a pool, and three detached garage buildings. Each building is three stories and range in height from approximately 42 feet to 47 feet above the surrounding grade. Two entry drives off Howell Mill Road are provided with parking lots located at the interior of the development is proposed. The use is consistent with the Neighborhood Residential (NR) zoning, and the purpose and intent of the RC-NR District which he read for the Board.

The 2035 Comprehensive Land Use Plan identifies this lot and the surrounding area as Regional Mixed-Use and was recently rezoned from Commercial Industrial to the Raccoon Creek Neighborhood Residential District. The project meets the Comprehensive Land Use Plan goals to continue smart growth principles by creating walkable and attractive neighborhoods and commercial centers, and encouraging infill, mixed use and context-sensitive development. Additionally, it creates housing opportunities and choices with new rental housing inside Waynesville's city limits and ETJ.

Mr. Hickox explained the proposed buildings met all required dimensional setbacks from the fronting thoroughfare and property lines. The building frontages are three stories in height and have sloped roofs with all roof-top equipment screened from public view, meeting Town standards. Three freestanding detached garages are included in the site plan. Facades that face a street lot line must have windows or main entrance doors of fifteen percent of the area. Primary elevations and elevations facing a public street or open space should have architectural features on all elevations as appropriate for the building type. The proposed primary elevations on buildings number 6 and 7 and the clubhouse incorporate gables, recessed entries, eaves, window trim and balconies, meet LDS standards. The clubhouse has a side facade along Howell Mill Road that includes window trim, gables, a tower element, eaves and offsets in the façade. The buildings are primarily clad in brick and board and batten siding roof is clad in architectural shingle. All building material design standards are met.

The town has capacity to provide water and sewer to serve the development. Utilities will be installed underground, and a sprinkler-based fire suppression system will be required for each building. The developer proposes replacement of the existing 5-foot sidewalk along Howell Mill Rd frontage of this property with a 10-foot multi use asphalt path to accommodate the Town's planned greenway path which continues on to Asheville highway.

A dog park, swimming pool and playground area are included in the proposed site plan, and the project will designate .62-acre tree preservation area along the south property line. Mr. Hickox reviewed site plan map with the Board and explained Section 8.6.1 (A) and the requirements for landscaping and placement of trees and screening. No dumpster locations are indicated on the site plan. He said once the locations are determined, required screening must be installed in accordance with Land Development Standards.

The developer has proposed 272 parking spaces which exceeds the minimum requirement of 225 auto spaces and includes 20 bicycle spaces, meeting all parking requirements. Driveways connecting the development to Howell Mill Road are 24 feet wide and spaced 430 feet apart which meets driveway standards and fire and emergency vehicle access requirements. Because Howell Mill Road is maintained by NCDOT the driveway connection must have their approval.

Pedestrian pathways within parking lots must be provided with different paving materials, striping, or similar methods. Additional pedestrian crosswalks are needed within the development across the northeast of Building five and northwest of building two and northeast of the clubhouse. Defined crosswalks should also be shown across the two main driveway entrances. There should be a designated pedestrian pathway to the civic space located in the southeast corner of the development.

A lighting plan will be required for approval by Town staff and must comply with all lighting standards for the RC-NR District. Full cut off light fixtures and directed architectural lighting for buildings and walkways will be required.

The east boundary of the proposed development is adjacent to Racoon Creek and its associated floodplain. Only a few feet of the floodplain obtrude onto the property and all development will take place outside of the floodplain. The developer must obtain a permit and follow the prescriptions of a North Carolina Erosion and Sedimentation Control Plan from the NC Department of Environmental Quality. The developer has provided a Conceptual Stormwater Management Plan showing three underground detention systems as stormwater control measures. The developer will be required to submit engineered stormwater plans to be reviewed by a third-party engineer firm for compliance with the LDS standards.

On behalf of the Town Mr. Hickox entered the following items as Evidence:

1. Staff Report
2. Transmittal Cover Sheet from WGLA Engineering
3. Application for Special Use Permit
4. Narrative Description of Project from Southwood Realty Company
5. Authorization for William Ratchford of Southwood Realty Company to apply to the Town of Waynesville Planning Board for a Special Use Permit
6. Submitted Plans for Have at Lake Junaluska (11 Pages)
7. Estimated Water and Sewer Demand for Proposed Project
8. Statement of Water and Sewer availability from Jeff Stines, Director of Waynesville Public Services
9. Zoning Map of Surrounding Area
10. Town of Waynesville Land Development Standards by Reference
11. Photographs of Public Notice Signs Posted on Property
12. Public Notice Letter sent to Adjacent landowners
13. Public Notice Published in the Mountaineer Paper

The Board thanked Mr. Hickox for his presentation and invited the applicant to come forward to start his presentation.

William Ratchford, Vice president of Southwood Realty Company introduced himself and stated that he has an undergrad degree in civil engineering and is licensed in the state of North Carolina. He is a licensed building contractor for North Carolina, South Carolina, Georgia, and Louisiana. He is the heir to the company that his father and Uncle own fifty percent of Southwood Realty based in Gastonia North Carolina. The company currently owns and manages twenty-one thousand units and typically builds a thousand to twelve hundred units a year including the Palisades at Plott Creek in Waynesville. This project is a sister plan to Palisades with the same floor plans. The Triangle/Southwood Realty have been around for over forty years and have never declared bankruptcy and has never had a property go back to the bank. He said there is a severe shortage of housing in Waynesville, and that it is not getting better.

Mr. Ratchford stated his agreement to all of the landscaping screen walls and the pedestrian pathways suggested in the staff report. The compactor was not labeled on the site plan but was included behind building five beside the dog park and would be a fully bricked enclosure with iron gates to match the brick. He introduced Mr. Tom Jones, engineer for the project, and asked him to come forward to speak.

Engineer Garland Tom Jones, with WGLA Engineering, gave a history of his education and work history and stated he has a degree in civil engineering. He complimented Mr. Hickox on the staff presentation and said Mr. Ratchford has agreed to the additional landscaping and crosswalks recommended in the staff report. He said the required five percent civic space would be .53 acres which is being met and almost doubled with the 1.02 acres the developer is providing. He went over the map of the site plan and showed the Board that the dumpsters were on the site plan, but they were not marked but would be added.

The driveways on Howell Mill Road are at the existing locations of curb cuts. He stated that they have gone back to the exact spots NCDOT marked for entrances when the road was widened and designed the site around those existing entrances. NCDOT will need to review those again and give approval for the driveway permit. He stated that there are several more permits that need to happen after this meeting, including storm water, water sewer extensions and third-party review as mentioned in staff report.

Mr. Jones addressed the residents by saying he would ask them to imagine what this site could have become with its previous industrial zoning. He then went over the findings of fact worksheet for SUP criteria and stated that:

- The project conforms the character of the neighborhood with the building height of no more than three stories and that there are minimal existing trees there now, but that the plan and proposed landscaping will transition between single family residential and the industrial zoning across Howell Mill.
- Existing NCDOT access are being used to minimize traffic hazards and to minimize traffic congestion. The town has an existing ten-inch water line to the southwest corner of the property and there is an existing twelve-inch sewer line to the north east corner at the highway 23 business location. So, there are adequate utilities and infrastructure to support the use.
- The project will provide drainage in accordance with Town standards. Unlike possible industrial uses prior to rezoning, the proposed project will not be an ongoing source of vibration, odor, dust, smoke or gas. Any noise will be minimal and similar to residential and commercial areas.

- The project will not be in any way detrimental to or endanger the public health, safety and general welfare. He thanked the Board for their time and the consideration for approval.

Mr. Jones answered questions the Board had and went over the site plan map. Mr. Ratchford added that they have worked out an agreement with Evergreen packaging to ensure that the developer and residents will not interfere with Evergreen Operations. It is understood that Evergreen is an industrial use and will continue to be industrial use and important to the Town. We will not object to any of their industrial uses. Mr. Jones and Mr. Ratchford referenced the site plan and answered additional questions from the Board.

Ms. Hain stated the name Haven at Lake Junaluska was a lovely name, but that Lake Junaluska was actually down the road, and they may want to reconsider another name.

Mr. Shelton stated that he would like to know about security. He stated that they have prepared a good case, but whether they are doing the right thing is another question.

Mr. Ratchford said he could not promise one hundred percent security, just as Mr. Shelton could not promise one hundred percent security on his land or anyone else's land. However, Mr. Ratchford explained, we check our applicants' credit and do a full criminal search based on a third-party blind study. We do not rent to murderers and child molesters, nor petty crimes, and drugs. He continued, "we typically have a courtesy officer that lives on property and receives reduced rent and is allowed to run tag numbers. With the rents in the \$1300 - \$1500s, it is typically not our residents who create issues." Our manager works on site, and we have security cameras. We share our camera activity with the police, and the police may enter at any time without a warrant as long as they can tell us it is a matter of safety for our residents. We have an ungated six-foot fence around the property so we can maintain and get a good view with security cameras.

Ms. Hain called for public comment.

Harry Lipham
2782 Old Asheville Road
Waynesville

Mr. Lipham showed the Board on the map where his property was located. He said that two years ago, DOT took two acres of my land and dumped all the field dirt and rock and dumped it in the flood plain. It is no longer in the flood plain. I am opposed to this project because of safety. Any time I am leaving my driveway in the morning, especially around the time Tuscola lets out, cars are coming around the corner very quickly. We also have Junaluska Elementary School around the corner. Right now, we are already planning a multi-apartment complex conversion of the old hospital which is three quarters of a mile from there resulting in more cars on the road. There is another development going in at the end of raccoon road which I hear is 110 houses. All of this will feed directly into this area through that traffic circle and pass this property. Who knows maybe one of these days an apartment of 40 or 50 units may be a reasonable thing? But 150 units you are putting on a highway that already has a lot of very fast traffic. With the other developments starting at the same time, I think the timing of this is very poor. After we see what affects these other developments are going to have that have already been approved. I think it would be reasonable to consider more apartments at that point in time. Right now, I think it is a wrong and unsafe move.

Marti Stiles
60 Monte Vista Drive
Waynesville

Ms. Stiles said she was concerned about the quantity of units that are going to be going in. The area is not that big for 150 units. The traffic is another safety factor. There is a train that comes in the middle of the night and clanks cars. She asked what type of siding was on the outside of the buildings.

Mr. Ratchford clarified it would be cement board siding.

Ms. Stiles said the Haven of Lake Junaluska name sounded like a cemetery. She asked if the entrance to these buildings were locked or would they be open all day long. Would there be any place for homeless people to enter. Who would be allowed to enter the pool area?

Mr. Ratchford clarified there were open breezeways with no trespassing signs. The pool is to be used by residents only. He stated that there will be a maintenance man on the site who will maintain grounds and the pool area.

Barbara Henry
142 Monte Vista Drive
Waynesville

Ms. Henry said we live in one of the most special communities in Haywood County. Most all the people are retired. This is going to be very close to us, and we don't want all the noise. This not only hurts our community; it hurts the whole town of Waynesville as people come in to shop in Waynesville and see these big monster things standing in the air. If the 10 acres had a few houses on it with a club house and a pool and it was fixed like some of the other, it would be nice but not big apartment houses. She thinks people from out of town should not come in here and do whatever they want, it is ruining our little Town. It is going to look like Asheville. We would like to keep a nice quiet community.

Mr. Ratchford located Ms. Henry address and confirmed it on the map, and said it was hundreds of feet away from the location of the project.

Terri Clark
11 Atkins Street
Waynesville

Mr. Clark stated he was opposed to this proposal. This would impact the welfare of the community. Waynesville is a very special community. He and his wife moved here in March from Dallas where they saw a small town changed slowly. A lot of that had to do with Zoning changes, allowing dense population, renting neighborhoods verses households where people invest in the property. They bought a house that was built in 1920 and are restoring it. You want citizens that are invested in the community and pay their fair share of taxes and want what is best for the long-term growth. The argument is more around profitability instead of what is best for the Town. We left the town we came from for that reason, apartments started to sprout up. You have seen what happened to Asheville. Things can go negatively pretty quickly if we don't take measures to protect things. My request again is to not allow the zoning

change. I drove by the Plott creek development and there is nothing special about it. That one is 4 units per acre and here they want to go to 14 units per acre. Its just going to be more of an eye sore. He thanked the Board for their time.

Mr. Ratchford asked Mr. Clark to state how close his house is to the proposed development.

Mr. Clark stated he lived in the town of Waynesville and comments were about not wanting to impact the Town of Waynesville.

Susan Clark
11 Atkins Street
Waynesville

Ms. Clark said they are not really close to this property but that she feels it is “our town and we will be impacted as we drive down these roads. We are here as concerned citizens and here to support our neighbors that do live in the area.” I am a new resident and committed to being part of the community. Our choice was to buy an existing home here and make it better. We live in town and decided not to build in the mountains because we want to look at them. Progress and development are not the same things. I am opposed to this project; apartments do not necessarily bring in citizens that are long term. It takes a lot of city services without taxpayers necessarily. This is a project about making money. The most important thing about making more is so there could be more money coming in not because it is a good idea for this community. This is a quality-of-life issue. We moved to Waynesville to live in a small town. And that’s what we hoped to do. I read in the mountaineer there is almost 800 apartments being built in two years. That seems excessive to me. Many of the residents are opposed to this. She said she was not a zoning expert, but they have shop here. She opposes huge development and lots of departments. Its ok to stay small. Housing shortage is a relative term. We don’t have to house everyone in the world this is a beautiful town, and she hopes they do things well and will consider this. She opposes the project.

Allan Shelton
Monte vista drive
Waynesville

Mr. Shelton spoke on his opposition to the project and said he was not aware the rezoning had been done. He pleaded with the Town of Waynesville to stand with the citizens. The zoning was done, and his property joined it, and he doesn’t know how that happened. He questioned how (the project) got as far along as it has, and the citizens didn’t know what was coming. The citizens of Waynesville do not want to see this on that property coming into town. He said it states in the Comprehensive Land Use Plan the goal is to keep Waynesville a small aesthetically pleasing place. He stated it would be better for a business or company that employs people that will keep the money here in Waynesville or Haywood County. He mentioned security. You must be very careful walking around because of all the needles. You cannot plan enough to keep the drugs out of these apartment buildings. He said Mr. Ratchford cannot screen it because he does not live in this area. He asked the Board to look out for the citizens. He has lived in this community all his life and it is concerning that we would even consider putting that many units on this property.

Mr. Jones responded and said a lot of people want to live in Waynesville, and it would be nice if things didn’t have to change. He was born in Asheville and raised in Henderson County. This is 150 units of

apartments we are talking about. What if the same 150 people-built homes on half acre lots. That would be 300 acres of development. With this project, people can live in Waynesville without so much development impact. This would be a benefit verses single family dwelling. Change is hard but people are going to come anyway. Why not let them live closer together, verses spread out in a development?

Mr. Ratchford also rose to respond. He said his family has spent twenty-six million dollars in the Town of Waynesville and is committed in this Town. He stated that his company just put a twenty-year loan on Plott Creek and are a taxpayer of the Town. He stated that he has been to more planning board meetings than most of the people in the audience and is committed to this town. As this is a Quasi-Judicial board, you must take matter of fact from professionals in their field. This hearing is not about denying an apartment complex, it is a hearing on the number of apartments that are allowed to be built. The number of apartments will help us with security and with creating more community. We want our projects to be places where renters stay longer, and it is more profitable to us. We want to be good stewards in the apartment industry. The number of units makes it feasible to do this type of development. We would move on to another project if it is not feasible. However, we know that Waynesville needs apartments. Our project at the Palisades of Plott Creek would have filled up in four months if the weather had not been a factor, and we now have a waiting list.

Sherry Morgan
437 Boundary Street
Waynesville

Ms. Morgan said she and her husband moved from a sub-division. She said her husband was a lifelong resident of Haywood County and is a retired fire chief. They renovated a Victorian house on Boundary Street with the idea of retirement. She said they have read in the Mountaineer that about 780 proposed households would be added over the next two years. Currently we have ten thousand people in our town and when you add 780 more households, the Town will increase by at least 1500 people and possibly up to 3000 people if each family has children. Ms. Morgan expressed concern on the toll this growth would take on the water system. She said we already supply water to the fire hydrants in Maggie Valley and now Canton is proposing a shared water system. The Towns treatment plant has a permitted capacity of eight million gallons a day. We are currently at half capacity. She stated the Town needs economic development. She said there were only two department stores and three grocery stores that are constantly packed, and now we are having to wait at the gas pumps. There must be a balance in preserving what makes Waynesville special and controlled growth. The Town of Waynesville web sit states the goal is to engage the public in future decision making that protects property values, preserves the historic character of Waynesville and promotes progress with a vision. She asked the Board to consider the impact on the Town.

Eileen Lipham
278 Asheville Road
Waynesville

Ms. Lipham said she has lived here four years. She said the Board was here for service and what is best for the community, safety, and managed growth. She appealed to the Board to make this a measured decision on the balance of service and profit. What do we want people to see when they drive into

Waynesville? Is this what we want people to see when they drive into our community? I think it is an issue on public safety.

Board member Stuart Bass asked if there were a standard for traffic impact analysis for new development.

Ms. Teague said in the Town of Waynesville regulations state that any development that would have to generate 3000 cars per day, in order to be required to do a traffic impact analysis. The Town would look at the analysis to determine any road improvements as part of the new development. This project falls below the 3000-trip threshold.

Mr. Shelton asked staff if there had been another project approved for more apartment units across from Sonoco Plastics Plant.

Ms. Teague said there had been an approval for an 84-unit apartment complex.

Mr. Shelton asked if there had been a traffic study done combining both projects.

Ms. Teague stated the Town could not make one developer responsible for the impact of another developer. With improvements made on Howell Mill Road by DOT, the road has more than enough capacity to handle both developments. The Howell Mill corridor has the potential of new growth.

Mr. Shelton asked if the Town was looking at opening a way into the plaza. Ms. Teague said the Waynesville Plaza is an area that could redevelop and there is potential to tie a secondary entrance in to Howell Mill Road that would line up with the secondary entrance to Ingles. A secondary entrance into the plaza would help with traffic back up at the intersection of Howell Mill Road and Russ Avenue. She noted that the location of the project in question allows future residents a choice to take Asheville Highway or Howell Mill Road and that traffic going or leaving the site would be diffused in many directions.

Mr. Shelton asked how traffic would be forecasted with all the growth. Ms. Teague said the traffic forecast on the Russ Avenue side has been conducted by DOT as part of the Russ Avenue improvement project. She stated for the record she has an advanced certification in transportation planning.

Mr. Jones said Evergreen had also done a traffic study and have determined the traffic would not have a negative impact on them.

Mr. Shelton thanked his neighbors for stepping up and he pleaded with the Board to do what was right for the Town and really listen to the citizens.

Mr. Ratchford said apartments are already a given right to this site. He asked the neighbors to consider how long this parcel of land has been vacant. We conceive the best use for the property is multi-family. In a neighborhood, you cannot choose your neighbors. Neighbors look out for each other. The Clubhouse is a one-story building seventy feet below Mr. Shelton's house. We are trying to be a good neighbor and are in it for the long haul. My family is involved in day-to-day operations of all of our properties. Every part of this is a family business.

Mr. Shelton spoke on the history of the property and named multiple developments with apartments already underway and asked to board to please reconsider and vote no on this project.

Ms. Hain asked the Board if there were any question.

A motion was made by Board member Michael Blackburn, seconded by Don McGowan to close the public hearing at 8:32 pm. The motion carried unanimously. (6-0)

Ms. Hain dismissed at 8:32 pm for a break. The meeting reconvened at 8:42 pm.

Ms. Hain said the Board will not be voting on rezoning or approving an application for apartments. She said the Board would be considering a special use permit that would allow a 150-unit apartment complex at this density. Apartments are already allowed and that is not the discussion of this meeting.

There was much discussion as the Board went through the Planning Board Worksheet. The Board spent a lot of time determining the neighborhood context of the development, given its location on two major roadways, the industrial uses across Howell Mill Road, the proximity of Junaluska Elementary school, and surrounding residential uses.

A motion was made by Board member Don McGowan, seconded by Board member Michael Blackburn that adequate measures are being taken to provide Ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads because there was no traffic study required, one expert testified that the location where traffic will be diffused and curb cutouts that will be determined by DOT. The motion carried unanimously. (6-0)

A motion was made by Board member Don McGowan, seconded Board member Gregory Wheeler that the town has adequate capacity for utilities (water, sewer, drainage, electric, etc.) are available based on a written statement from Public Services Director. The motion carried unanimously. (6-0)

A motion was made by Board member Michael Blackburn, seconded by Don McGowan that the proposed use will not be noxious or offensive by reasons of vibration, noise, odor, dust, smoke or gas because it is a residential development. The motion carried unanimously. (6-0)

A motion was made by Board member Barbara Thomas, seconded by Stuart Bass that the establishment of the proposed use will not impede the orderly development and improvement of surrounding property for uses permitted based on the current variety of uses in the surrounding properties. The motion carried unanimously. (6-0)

A motion was made by Board member Don McGowan, seconded by Board member Michael Blackburn that the establishment maintenance or operation of the proposed use will not be determined to or endanger the public health, safety or general welfare because of the security measures employed of the resources of management in oversight, and screening of applicants. The motion carried unanimously. (6-0)

A motion was made by Board member Stuart Bass, seconded by Board member Michael Blackburn to place conditions on the special use permit to include the landscaping street walls, dumpsters and pedestrian mark path to be included in the final site plan.

A motion was made by Barbara Thomas, seconded by Board member Michael Blackburn that the proposed special use conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on site because of existing uses. Ginger Hain (yes), Barbara Thomas (yes), Stuart Bass (yes), Michael Blackburn (yes), Gregory Wheeler (no), Don McGowan (no).

Ms. Hain asked if anyone had public comment.

Monroe Miller
2200 Camp Branch Road
Waynesville

Mr. Miller said three years ago this Board approved the Browning Branch development contingent upon NCDOT approving the driveway access permit application. Chris Lee, the NCDOT district engineer gave an approval on October 15, 2018. The application listed Mr. Ross as the developer, not Mark Hevier who was discovered later to be the real developer. He said Elizabeth Teague knew full well who the real developer was. I have filed a complaint against Chris Lee for approving a knowing false application and brought this matter before the DA's office. NCDOT has two levels of approval for a driveway access permit application. The first original application by Chris Lee as was the case with Browning Branch. Second the final approval based on final construction drawings also as is the case with Browning Branch. On October 1, 2021, Wanda Austin, division Engineer said the driveway permit is still open and has not been accepted at the time of this E-mail. The department will investigate the construction of the driveway and make any suggestions or conditions. A public records request from NCDOT reveals that no information as of 10-14-2021 has been supplied to NCDOT since the first application for the Browning Branch development. Browning Branch does not have final approval.

Mr. Miller continued, "turning our attention to the Queen subdivision or Sunnyside development," he has three requests for public information open, two are with the Town of Waynesville. First for Elizabeth Teague and Byron Hickox for all their e-mails dealing with the Queen subdivision or Sunnyside development, to determine the identity of the real developer. Second for NCDOT for the Queen subdivision or Sunnyside development driveway access permit application to determine if the name on the application matches that supplied by Elizabeth Teague. Thirdly, the approved NCDOT driveway permit and affidavit that Elizabeth Teague says she has from Patrick Bradshaw, Civil Design Concepts. He said when he receives this information, he will come before the Board again to review his findings. He would like it recorded into the record that he has correspondence with Wanda Austin. He thanked the Board for allowing him to speak

C. ADJOURN

A motion was made by Board member Michael Blackburn, seconded by Don McGowan to adjourn the meeting at 9:42 pm.

Ginger Hain, Vice Chairman

Kathy Johnson, Deputy Clerk