

TOWN OF WAYNESVILLE

Planning Board

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

Development Services
Director
Elizabeth Teague

Chairman

Patrick McDowell

Planning Board Members

Danny Wingate (Vice)

Anthony Sutton

Marty Prevost

Robert Herrmann

H.P. Dykes, Jr.

Pratik Shah

Ginger Hain

Jason Rogers

Regular Meeting

Town Hall, 9 South Main Street, Waynesville, NC 28786

Monday, July 16, 2018, 5:30 PM

A. CALL TO ORDER

1. Welcome/Calendar/Announcements
 - Reminder of Special Called Meeting set for July 30, 2018, 5:30pm at Haywood County Courthouse
 - Update on the Comprehensive Land Use Plan process

B. BUSINESS

1. Continuation of Public Hearing and consideration of a Preliminary Subdivision Plat at Buchanan Drive, PIN 8604-94-0656 (AC-NR District) (*Quasi-judicial Proceeding*)
2. Public Hearing and consideration of a request to rezone 140 Broadview and adjacent undeveloped property, PINs 8615-69-9255 and 8615-69-8390 from East Waynesville Urban Residential to North Main Street Neighborhood Center. (*Legislative Proceeding*)
3. Public hearing for proposed text amendment to add two new use types, Neighborhood Commercial and Neighborhood Restaurant, to Mixed Use Overlay Districts. (*Legislative Proceeding*)
4. Site Plan/Design Review for 131 Shiloh Trail, PIN 8604-48-7954, of major non-residential development. (*Quasi-judicial Proceeding*)

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

D. ADJOURN

Planning Board Staff Report – Continuation of Hearing

Subject: Major Subdivision of 26 lots (now 25 lots)
 Ordinance Section: LDS Chapter 15 Administration; 15.9.2 Major Subdivisions
 Applicant: Greg Wishart, on behalf of Browning Branch LLC
 Meeting Date: June 18, 2017

Summary Information:

Application Date: 6/6/18
 Technical Review: 2/28/18 and 5/23/18
 Pre-application Meeting: 2/9/18, 5/4/18
 Project Location: Buchanan Drive, PIN 8604-94-0656
 Property Owner: Browning Branch, LLC
 Acreage of site: 7.04 acres
 Zoning District: Allen's Creek Neighborhood Residential (10 units/acre)
 Existing Development: Open Land

At the June 18, 2018 Meeting the Planning Board considered an application for a Major Subdivision proposal. The Planning Board continued the hearing and requested the developer provide additional information on the following:

1. The connection to Allens Creek Road (NCSR 1147), including a schematic indicating the Allens Creek and Access Road intersection and how the road will intersect with Buchanan Drive. Applicant will need to show that NCDOT will approve a connection onto the roadway.
2. A calculation and drawing indicating land area designated as civic space for public use to meet the 5% requirement, in which delineated wetlands are not counted toward the civic space requirement for compliance with LDS Chapter 7. Trails must be 6-14ft in width per LDS 6.8.2.
3. Redesign of driveway locations for compliance with LDS Chapter 9.

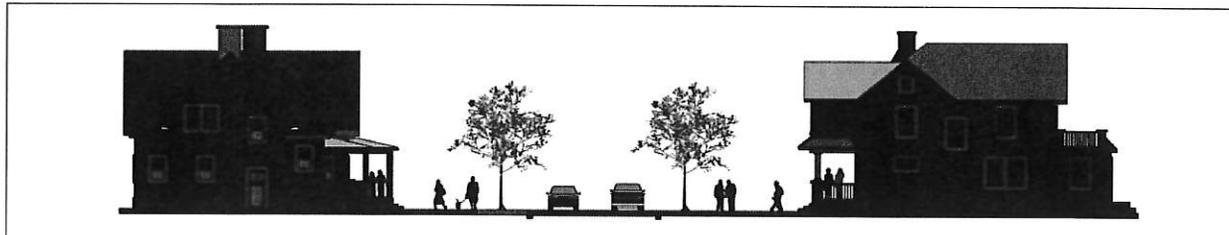
Based on comments and concerns at the meeting, staff recommends that additional discussion and evidence be provided or entered into the record on the following:

4. That the applicant enter the engineer's report on stormwater and floodplain development (attached) into the record. This document was handed out at the June 18 meeting but not entered into the record or presented by the applicant.
5. In response to the issue of sink holes, staff confirmed that the Town's Building Inspections Division reviews soil compaction and inspect footers as part of all new construction. If there are credible reports of unstable soil conditions, then building inspectors can request additional testing and engineering to ensure proper footings for a proposed building.
6. The Town asks that the preliminary plat be re-drawn to accommodate plan adjustments (the reduction of one lot) and requirements (above) and to address any new or residual deficiencies related to ordinance compliance with lot dimensional standards prior to Board action.

- 7. In regards to concerns related to Road Design and LDS Chapter 6:
 - Street Network:
 - original concept included bringing Buchanan Drive up to standards; attempts to work with or contact neighbors were rejected and confirmed by testimony.
 - designed as “low speed, low volume street” with block lengths less than 500’ (longest “straight away” is 520’).
 - does not meet “stub prioritization” criteria and streets are not adjacent to or part of any adopted transportation or land use plan with a street connection.
 - Pedestrian/Bicycle Connections:
 - 5’ concrete sidewalk provided on one side of roadway.
 - Development does not meet threshold for public transit connections.
 - Development does not abut existing, new, future thoroughfare in an adopted Thoroughfare Plan.
 - Staff believes that a lane design is appropriate in-lieu of a residential street design, but is requiring a 20’ paved surface to comply with state Fire Codes. A 20’ paved surface is also the minimum requirement for a residential street.



6.6.2.D Residential Street Streets serve as the primary transportation network in the community. Generally, they are two (2) to six (6) blocks in length.	1. Right-of-Way Width	50 ft (Curb & Gutter), 60 ft (Swale)
	2. Pavement Widths	20-26 ft
	3. Median Width	n/a
	4. Design Speed	20 mph
	5. Traffic Lanes	2 lanes
	6. Parking Lanes	Informal, one side only
	7. Curb Radius	15 ft (See Section 6.7.6)
	8. Walkway Type	5 ft sidewalk both sides
	9. Planter Type	Continuous planting strip 5 ft (Curb) or 8 ft (Swale)
	10. Pedestrian Facilities	n/a
	11. Curb Type	Vertical curb & gutter or LID
	12. Landscape Type	1 per 40 ft of street frontage (See also 8.5.1)
	13. Bicycle Facilities	Informal



<p>6.6.2.E Lane Lanes are small traveled ways intended to provide direct access to the front of a limited number of single-family structures. Lanes are limited in the number of lots served. Generally, they are very short; often less than four hundred (400) feet. Items including, but not limited to, traffic carrying capacity, topography and connectivity, shall be a consideration when permitting a lane in lieu of a street.</p>	1. Right-of-Way Width	40 ft (Curb & Gutter) or 50 ft (Open Drainage)
	2. Pavement Width	16 ft (Curb & Gutter) or 18 ft (Open Drainage)
	3. Design Speed	20 mph
	4. Traffic Lanes	2 lanes
	5. Parking Lanes	Informal, one side only
	6. Curb Radius	15 ft (See Section 6.7.6)
	7. Walkway Type	5 ft sidewalk one side only (For R and SR Districts See 6.8.1)
	8. Planter Type	Continuous planting strip 5 ft (Curb) or 8 ft (Swale)
	9. Pedestrian Facilities	n/a
	10. Curb Type	Vertical curb & gutter or LID or Swale (Additional right-of-way may be required for natural drainage sections)
	11. Landscape Type	1 per 40 ft of street frontage (See also 8.5.1)
	12. Bicycle Facilities	Informal
	13. Maximum Length	800 ft unless approved by the Administrator

- Engineering of all streets, drainages sidewalks, and utilities must meet Town engineering standards and be approved by the Town Engineer and the Public Works Director.

8. In regards to comments about access road connection between development property and Allens Creek Road, the LDS does not clearly specify a design standard for areas off-premise of the development unless specifically determined by a Traffic Impact Study. However, Building and fire safety codes do ask for a 20' paved surface unless structures are sprinkled. LDS Section 9.8.2 and 9.8.3 related to driveway permits and standards states that NCDOT is required to review and permit all connections to state system streets. The access standard width for a two way connection for NCDOT is 20', and the access standard for a two-way driveway from the Town is 18' minimum and 24' maximum. "Where a conflict arises with respect to these standards, the more restrictive access standard shall apply," which in this case would be the NCDOT wider minimum standard.
9. Building and fire inspectors have determined (since the original hearing), that the for fire access, there should be a secondary point of access for developments of over 30 units in case the primary entrance is blocked. This access does not need to be paved but must be able to accommodate an emergency vehicle.

HERRON

ASSOCIATES

June 15, 2018

Browning Branch, LLC
via email: gm868808@gmail.com

ATTN: **Greg Wishart**

RE: **Browning Branch, LLC**
Preliminary Site Plan
Waynesville, NC

SUBJECT: **Preliminary Site Plan**
Herron Associates Project No. 07-11-6B

Mr. Wishart,

Concerning your questions associated with the Preliminary Site Plan prepared by Mountain Heritage Land Surveying and dated May 02, 2018 I will offer the following:

1 – Storm Drainage, the six Bio-Retention Basins shown have a surface area of 21,690 square feet, based on a depth of 3.0 feet they would have a storage capacity of approximately 54,000 cubic feet. The site has an impervious (roof tops, streets, drives and sidewalks) surface area of 4.2 acres with a runoff coefficient of 0.95 and a pervious (grass, woodlands and wetlands) area of 2.84 acres with a runoff coefficient of 0.40. Based on a preliminary review, all the stormwater would be mitigated on site. The final design documents for stormwater drainage and erosion control will have all the supporting calculations and design data, as required for approval by the State of North Carolina’s Department of Environmental Quality, prior to any construction activity. It should be noted that for the stream buffer zones and wetland areas no construction activities will be permitted within these areas.

2 – Construction within the 1% Annual Chance Floodplain (commonly referred to as the 100-year floodplain) area would require that all of the buildings finished floor elevations to be a minimum of 1.0 foot above the corresponding base flood elevation. Final design documents for the grading plan will have all the supporting calculations and design data, as required for approval by the State of North Carolina prior to any construction activity.

At this stage of this project the site plan is a preliminary drawing. Before any construction activity could begin, final design documents would have to be submitted and approved by the State of North Carolina for Grading, Stormwater Drainage, Erosion Control, Sanitary Sewer and Water.

Engineering • Surveying • Planning

Herron Associates, P.A. • P.O. Box 1265 • 721 Main Street • Bryson City, NC 28713
Phone: 828-488-8949 • FAX: 828-488-8758 • Toll Free 888-475-7300
a North Carolina Professional Corporation • License No. C-1932

www.herronassociates.com

S I N C E 1 9 5 9

The U.S. Army Corp of Engineers will need to issue a permit for the repair and restoration of the damaged culvert within the site.

If I can be of additional assistance, please do not hesitate to call me at (828) 488-8949. Thank you for your business.

Sincerely,
Herron Associates



Digitally signed by
Jeff L. Herron, PE
Date: 2018.06.15
12:18:33 -04'00'



Jeffrey L. Herron, PE, CFM
President

jeff@herronassociates.com

cc: file

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S I N C E 1 9 5 9

Planning Board Staff Report

Subject: Map Amendment Request from East Waynesville Urban Residential to North Main Neighborhood Center at 140 Broadview and at 122 Broadview Rd undeveloped adjacent lot, PINs 8615-69-9255 and 8615-69-8390

Ordinance Section: Chapter 2; Section 15.1417.3

Applicant: Cookie2LLC

Meeting Date: July 16, 2018

Background:

The owners of two properties located along Broadview Road would like to sell their pre-existing insurance office to a hair salon. The insurance business has been there since 2008, the year the building was built. However, an insurance office falls under the use definition of “professional services,” but a “hair salon” falls under the use definition of personal services and are therefore distinct uses within the Table of Permitted Uses that assigns uses to zoning districts. The properties are within the East Waynesville Urban Residential District, but across the street from the North Main Neighborhood Center District. The applicant is seeking a rezoning in order to allow the sale of the property for the future use as a salon.

Attached are photos of the surrounding area and the property itself from a street view. The two zoning designations are divided by the centerline of the road. This means that on one side of Broadview, mixed-use commercial is allowed, but on the other, it is strictly residential. At the last meeting, the Planning Board gave preliminary feedback that included:

- Broadview is an example of the concern that arises when district boundaries follow the centerline of streets, in that property on one side of the street is not given the same development rights as property on the other side of the street;
- There is a topographical change along the rear property lines of those properties on the same side of the property in question and facing Broadview and the rear property lines in that area could be a more appropriate zoning boundary;
- This side of Broadview could be a possible overlay district that would allow limited commercial uses, but that would involve additional properties and be a text *and* a zoning map amendment;
- The property has historically been commercial as a professional office;
- There is not a great difference in land use impact between a “professional office” and “personal services,” but there remains concern about the encroachment of other types of commercial zoning into a residential area;
- There is concern that even though the rezoning would accommodate the hair salon which would seem an appropriate re-use of the existing office building, the rezoning would allow/introduce other types of commercial uses (see permitted Table List) which might be negative to the adjacent residential properties.

- There is a desire to work with this applicant to allow the real estate transaction, but to revisit this area as an overlay district as part of comprehensive land use plan updates.

Subsequent research of Haywood County land records shows that this particular area has a “pre-existing non-conforming” history. Along this side of Broadview, from the two properties in question to the intersection of North Main and Summit, a total of 7 lots, the county tax records indicate: “land desc. Commercial Secondary” (see attached chart and map). It would appear that at one time, this side of Broadview may have allowed commercial uses. This would make sense because in addition to the insurance office at 140 Broadview, there are two other commercial office buildings at 20 and 62, which were built in 1958 and 1959 respectively. According to the applicants, the two residential dwellings in-between were actually built by Mr. Cook. Even these structures which are designated as “dwellings” in land records, also have the “commercial secondary” identifier in the “land description” line of the county land records.

Because they already have multiple commercial uses and their land records description and history, these lots may together be a good area for a mixed-use overlay designation. If the overlay designation were put in place, the allowance of Professional Business and Professional service could be permitted, recognizing the existing businesses and past land use. This would also prevent other, more impactful types of commercial uses that are allowed in the North Main Street Neighborhood Center District, into this area. It would also not change any of the other dimensional requirements or other requirements of the underlying residential district. Per the LDS:

2.6.2 Mixed-Use Overlay District

- A. Purpose:** The Mixed-Use Overlay District (MX-O) is a zoning overlay district established to permit certain limited mixed-uses within residential neighborhoods.
- B. Applicability:** The frontage of locations or blocks shall be identified on the Land Development Map to permit certain non-residential uses as permitted in the Use Table in Section 2.5.3. Such locations are noted as either PC (permitted on any Corner Lot located at the intersection of two publicly-maintained streets) or PL (Permitted in Designated Locations on the Land Development Map).

Purpose and Intent Statement for the Zoning Districts in Question:

2.3.4 Urban Residential Districts (UR) Purpose and Intent

- A.** The **East Waynesville Urban Residential District (EW-UR)** is an urban neighborhood of mostly medium to high density residential development bordering the Waynesville town center. Higher density development is encouraged closer to town with lesser densities found as the district approaches areas with steeper slopes. A number of public spaces are found in this district including the East Street and Vance Street parks. It will be important as new development and redevelopment occurs for connections to be made to such public spaces and throughout the district.

2.3.5 Neighborhood Center Districts (NC) Purpose and Intent

- A.** The **North Main Street Neighborhood Center District (NM-NC)** is a mixed use district that forms the gateway into town from the northeast. The setting of this district is important as it frames Eagles Nest Mountain at the apex of the hill on North Main and forms a forced

perspective to the "center" of the district -- the intersection of Walnut and Main Streets. As a result, maintaining inviting vistas down Main Street and creating an attractive public realm are the objective of many of the standards set forth for this district. Street walls, boulevard trees and sign control will all be important in meeting these objectives as the street is redesigned. Working to keep traffic congestion to a minimum in this area will require the use of rear access drives, side street entrances and shared driveway connections. The uses found in the North Main Street Boulevard District serve not only the surrounding neighborhoods, but all of the Waynesville community and are varied in nature.

Consistency with the 2020 Comprehensive Land Development Plan

In the Waynesville: Our Heritage, Our Future, 2020 Land Development Plan, the stated Land Use Goal is:

"Promote the orderly growth, development and enhanced land values of the Town of Waynesville by preserving and improving Waynesville's existing neighborhoods, creating more attractive commercial centers, maintaining a strong downtown area, taking steps to reduce urban sprawl and protecting the natural beauty of the community." (2020 LDP, p. 4-2)

Objectives under this goal include:

- "Designate appropriate amounts of land to reflect desired development patterns and to accommodate the projected residential, commercial, industrial, institutional and recreational needs of the Town of Waynesville over the next twenty years." (Page 4-2)
- "Promote infill development in the Town of Waynesville as an alternative to continued outward expansion." (Page 4-4)
- "Work to preserve the important character and scale of each unique area within the larger Waynesville community by building on those elements identified as important to defining each area." (Page 4-5)

Another key goal of the Land Use Plan is to "Maintain and strengthen a broad-based economy in Waynesville comprised of a vibrant and expanding manufacturing, retail, agricultural, services, governmental and construction sectors." (Page 4-19) An Objective under this goal includes:

- Designate and support the development of appropriate amounts of land to meet the needs of the different sectors of the economy. (Page 4-19)

I believe this is a case in which you could argue consistency in either direction....we want to encourage mixed-use in some areas and promote the re-use of land and the economy, but we also want to maintain the integrity of the zoning districts that were established in order to reserve certain amounts of land for certain purposes, including residential. Furthermore, the lots in question together with the other 5 lots that follow Broadview to North Main would seem to be a good candidate area for a Mixed-Use Overlay.

Staff Recommendation

As a stand-alone request, this amendment would allow the sale of a property for a business at hand to re-use the building as it exists now based on several facts:

1. This side of Broadview has allowed professional services and there are already office buildings and commercial uses in existence along with residential. Therefore, this side of Broadview is already mixed-use to some degree, and this property itself is already commercial since it has been an insurance office since 2008.
2. Property tax records indicate that these lots, and adjacent lots to North Main Street all have a history of commercial use or designation.
3. This structure was built as a commercial office in 2008 and faces an automotive service center and warehouse, which is not conducive to the property returning to a residential use.
4. These properties could also be part of a future re-zoning and re-designation of a mixed-use overlay which could involve additional properties.

I believe there are some cases in which the rights of the property owner to use their property, and the context of a particular lot should be considered in the land use decision. As a stand alone action, this map amendment would not be detrimental to the surrounding area as long as the property remained a hair salon.

However, because of other uses allowed in the North Main Neighborhood Center District, I would recommend the Board follow up quickly to consider these lots and possibly others as part of a mixed-use overlay with limits on the types of commercial uses allowed. For example, the Town could establish the overlay and only allow (as a "PL" in the Table of Permitted Uses) professional services and professional offices as the allowable uses. This could have the added benefit of eliminating the pre-existing non-conforming status of the other office buildings along Broadview if those properties were also part of the overlay district. With that in mind, staff asks for the Planning Board direction.



TOWN OF WAYNESVILLE
Development Services Department
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Waynesville, NC 28786
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Application for Land Development Standards Map Amendment

Application is hereby made on May 25th, 20 18 to the Town of Waynesville for the following map amendment:

Property owner of record: Cookie 2, LLC
Address/location of property: 140 Broadview with adjoining property
Parcel identification number(s): 8615-69-9255
Deed/Plat Book/Page, (attach legal description): _____
The property contains 38 acres.
Current district: East Waynesville Urban Residential
Requested district: North Main Street Neighborhood Center

The property is best suited for the requested change for the following reason(s), (attach additional sheets if necessary):

We are requesting to be re-zoned to the district across the street, for purpose of a hair salon.

Applicant Contact Information

Applicant Name (Printed): William Keith Cook
Mailing Address: 360 Lenwood Drive Waynesville, NC 28785
Phone(s): 828-545-2411 or 828-246-2133
Email: jc36090@yahoo.com

Signature of Property Owner(s) of Record Authorizing Application:

William Keith Cook

Note: Map Amendment Requests require a fee based on the size and number of lots being requested for amendment. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Development Services Department, 9 South Main Street, Waynesville, NC 28786.

Parcel Report For 8615-69-9255

COOKIE 2 LLC
140 BROADVIEW RD
WAYNESVILLE, NC 28786

Account Information

PIN: 8615-69-9255
Legal Ref: 728/565

Add Ref:

Site Information

BROOKMONT
OFFICE; GENERAL
COMMERCIAL USE
140 BROADVIEW RD

Heated Area:

Year Built:

0.3803

Total Acreage:

TOWN OF WAYNESVILLE

Site Value Information

Land Value:	\$57,000
Building Value:	\$209,300
Market Value:	\$266,300
Deferred Value:	\$0
Assessed Value:	\$266,300
Sale Price:	\$41,000
Sale Date:	1202428800000
Tax Bill 1:	\$1,557.86
Tax Bill 2:	\$1,463.37



1 inch = 50 feet

June 13, 2018

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.



Haywood County



June 13, 2018

County Tax Rate 69
Way 48.57

Cross Property Client Full w/photos

140 Broadview Road, Waynesville NC 28786-3322

MLS#: 3231190
Status: Active
Project Name
Zoning: EW-ND
Road Front: 101
Legal Desc: Deed Book 728, Page 565, Parcel 8615-69-9255
Comm Loc:

Category: Commercial
Tax Location: Haywood
Tax Value: \$258,500

Parcel ID: 8615-69-9255
County: Haywood
Zoning Desc: Commercial
Deed Reference: 728
Cross Street: GALLOWAY STREET

List Price: \$350,000

Elevation: 1500-2000 ft. Elev.



General Information

Type: Office
Secondary Type: Showroom/Office
Documents: Aerial Photo
Restrictions: Use

Listing Information

Trans Type: For Sale
Sale/Lease Incl: Building, Land
In City: Yes
\$/Acre: \$921,053
Potential Income:

Restrictions Rmks: OFFICE

Bldg Information

New Const: No
Builder:
Year Built: 2008
Construct Status: Complete
Construction Type: Site Built
of Bldgs: 1
of Units:
of Rentals:
of Stories: 1
Baths Total:

Square Footage

Total: 3,200
Min Sqft Avail: 1,570
Max Sqft Avail: 3,200
Min Lse\$/Sqft: \$0.00
Max Lse\$/Sqft: \$0.00
Office Sqft:
Warehouse Sqft:

Additional Information

Prop Fin: Cash/Only, Conventional
Assumable:
Ownership: Seller owned for at least one year
Special Conditions: None
Publicly Maint Rd: Yes

Recent: 11/14/2016 : NEWS : ->ACT

		Features	
Total Parking:	# of Docks:	# Drive In Doors:	Rail Service: N/A
# Bays:		Flooring:	Tile, Wall-to-wall Carpet, Wood
Sprinkler: N/A		Floor Rvalue:	
Fixtures Exceptions: No		Wall Rvalue:	
Foundation: Slab			
Construction: Wood			
Miscellaneous: Handicap Access, Security System			
Roofing: Architectural Shingle			
Access: City Street			

		Utilities	
Heating: Central		Cooling: Central	
Utilities: Cable, City Sewer, City Water, Electricity			

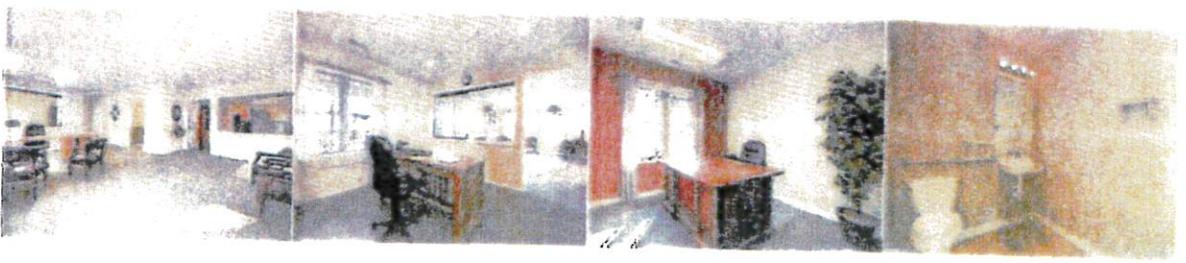
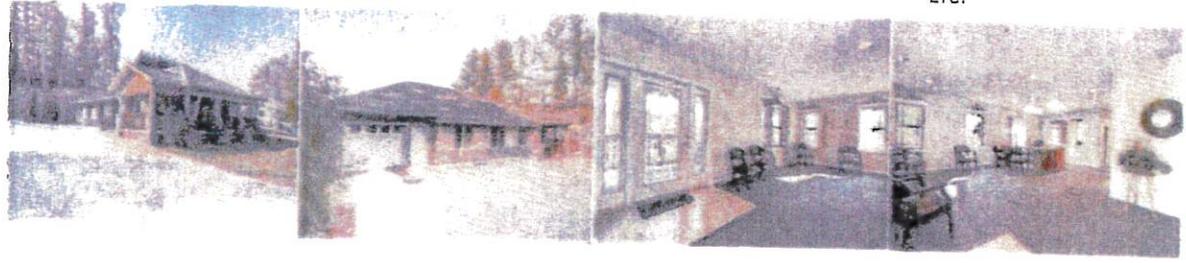
		Land Information	
Approx Acres: 0.38	Flood Plain: N/A	Approx Lot Dim: 101X147X103X146	

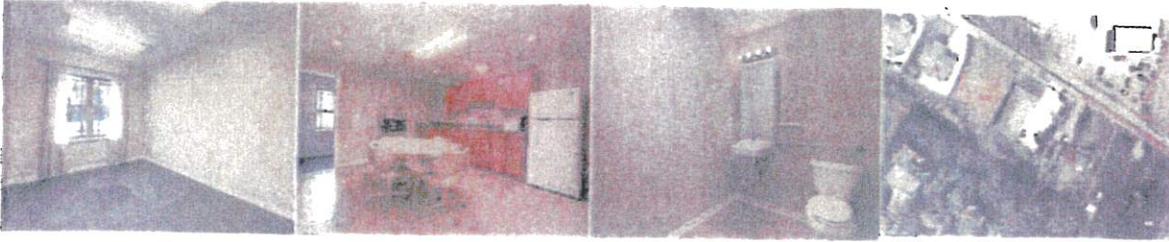
		Association Information	
Subject To HOA:		Subject to CCRs: No	
Confirm Spcl Assess: No		Proposed Spcl Assess: No	

Public Remarks: **Luxury commercial building, centrally located in beautiful Waynesville, less than one-half mile from award-winning Main Street. The building was a former insurance business and would make a beautiful attorney's office, real estate office, retail space, salon or spa. The lot next door is available to expand the parking lot, if needed. Handicapped accessible. Nice attached garage.**

Directions: **Russ Avenue to Walnut Street to right on Broadview to 140 on the right.**

		Listing Information	
DOM: 9	CDOM: 183	Closed Dt:	Sr Contr:
UC Dt:	DDP-End Date:	Closed Price:	LTC:





Prepared By: Anastasia Irby

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TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

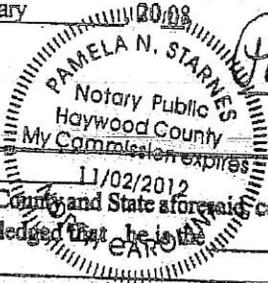
(Entity Name)
By:
Title:
By:
Title:
By:
Title:

Donald Thomas Buckner, Jr. (SEAL)
Jennifer Hawk Buckner (SEAL)
(SEAL)

State of North Carolina - County of Haywood

I, the undersigned Notary Public of the County and State aforesaid, certify that Donald Thomas Buckner, Jr. and wife, Jennifer Hawk Buckner personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 5th day of February

My Commission Expires: 11-2-2012



Pamela N. Starves
Notary Public

State of North Carolina - County of

I, the undersigned Notary Public of the County and State aforesaid, certify that personally came before me this day and acknowledged that he is the of corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this day of , 20.

My Commission Expires:

Notary Public

State of North Carolina - County of

I, the undersigned Notary Public of the County and State aforesaid, certify that

Witness my hand and Notarial stamp or seal, this day of , 20.

My Commission Expires:

Notary Public

The foregoing Certificate(s) of is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Register of Deeds for County
By: Deputy/Assistant - Register of Deeds

EXHIBIT A

BEING Lots 87, 88, 89 and 90 in Block E, Brookmont, as recorded in Plat Book D, Page 6, Haywood County Registry, and further described on plat of survey by Peterson Engineering & Surveying, dated May 21 & 23, 1996, bearing Drawing No. 566.

SUBJECT TO a 40-foot right of way for Broadview Road as shown and described on survey by Peterson Engineering & Surveying dated May 21 & 23, 1996, bearing Drawing No. 566.

BEING a portion of the property conveyed to Donald Thomas Buckner, Jr. and wife, Jennifer Hawk Buckner by deed dated June 3, 1996, recorded in Deed Book 453, page 452, Haywood County Registry.

One of the sources of contributions to the fund is the administration fees which our firm is paid by home warranty companies for originating warranty sales. We contribute 100% of those fees to the Neal Hanks, Sr. Memorial Community Assistance Fund.

Sales Associates receive no fees from any of these services.

There are other service providers available with similar services. You are free to shop around and determine that you are receiving the best services and the best rate for these services. You are under no obligation to use any of the companies listed above. Beverly-Hanks & Associates or its Owners, does not have ownership or financial interest in any real estate service provider other than those listed above.

ACKNOWLEDGEMENT

I/we have read this disclosure form. I/we understand that Beverly-Hanks & Associates is referring me/us to Cardinal Title Center, LLC for the purchase of the above-described title service and Beverly-Hanks & Associates may receive financial or other benefit as a result of this referral.

140 Broadview Road, Waynesville, NC 28786

Property Address

Amanda Cook Williams dotloop verified 11/09/16 8:04AM EST FW59-TK0G-AUP9-ISSI

Buyer/ Seller Name Printed/Signature Amanda Cook Williams Date

Jessica Cook Nicholson dotloop verified 11/10/16 10:09AM EST 6Z0Y-RXBB-NAFV-JRHE

Buyer/ Seller Name Printed/Signature Jessica Cook Nicholson Date

Entity Buyer: Cookie 2 LLC

(Name of LLC/Corporation/Partnership/Trust/etc.)

By: *William Keith Cook* dotloop verified 11/11/16 10:38PM EST MAEG-WSEM-IXXG-MRHX

Name: William Keith Cook Title:

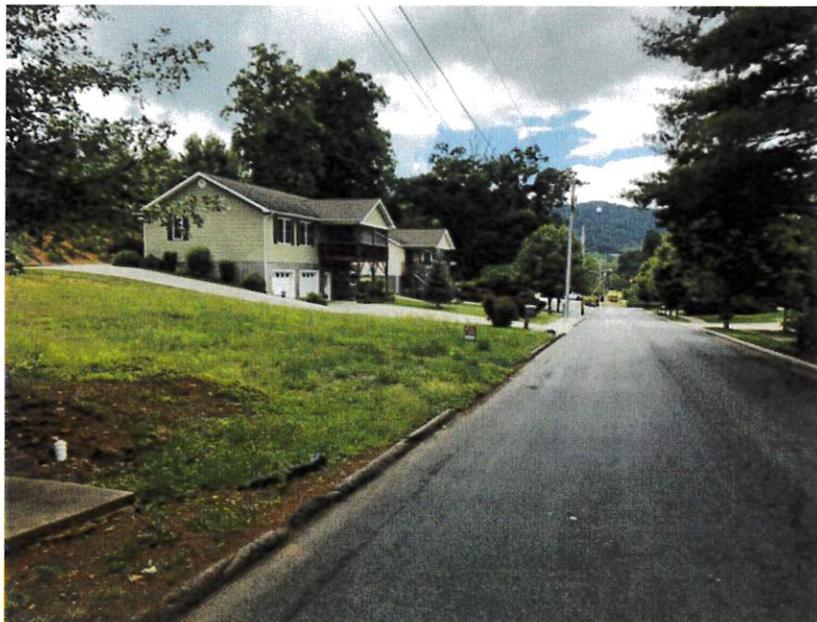
Other properties on Broadview:



140 Broadview:



140 Broadview adjacent Lot:



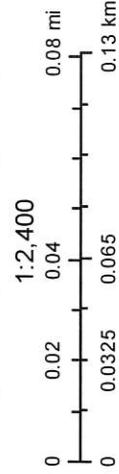
View from 140 Broadview:



Broadview Potential Overlay Area



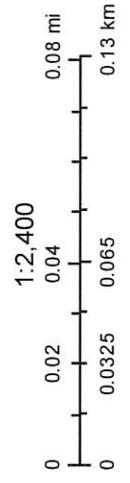
July 11, 2018



Broadview Area with Zoning



July 11, 2018



Planning Board Staff Report

Subject: Proposal to Create Additional Use Categories – Neighborhood Commercial and/or Neighborhood Restaurant
 Ordinance Section: 2.5.3 and 17.3
 Applicant: Planning Board-Initiated
 Meeting Date: July 16, 2018

Background

The owners of four properties located along Dellwood City Road approached the Development Services staff about locating a restaurant or general commercial (retail) use on one or more of the properties. The current zoning is Love Lane Neighborhood Residential Mixed-Use Overlay. This particular zoning designation would not permit the establishment of either restaurants or general commercial. Therefore, the property owners submitted formal application for map amendment to rezone the four subject properties to Russ Avenue Regional Center. The Planning Board did not approve this request for map amendment, but the related discussion led to an interest in the creation of additional use categories that might designate retail establishments or restaurants at a scale that would be appropriate to Mixed-Use Overlays.

The Land Development Standards describes a Mixed-Use Overlay District as:

“a zoning overlay district established to permit certain limited mixed uses within residential neighborhoods.” LDS 2.6.2(A)

Based on the Planning Board’s discussion, it recommended further investigation of the possible creation of smaller scale commercial and restaurant uses that would be more suited to the character and scale of the town’s mixed-use overlay districts.

Consistency with the 2020 Comprehensive Land Development Plan

In the Waynesville: Our Heritage, Our Future, 2020 Land Development Plan, the stated Land Use Goal is:

“Promote the orderly growth, development and enhanced land values of the Town of Waynesville by preserving and improving Waynesville's existing neighborhoods, creating more attractive commercial centers, maintaining a strong downtown area, taking steps to reduce urban sprawl and protecting the natural beauty of the community.” (2020 LDP, p. 4-2)

Objectives under this goal include:

“Designate appropriate amounts of land to reflect desired development patterns and to accommodate the projected residential, commercial, industrial, institutional and recreational needs of the Town of Waynesville over the next twenty years.” (Page 4-2)

“Promote infill development in the Town of Waynesville as an alternative to continued outward expansion.” (Page 4-4)

“Work to preserve the important character and scale of each unique area within the larger Waynesville community by building on those elements identified as important to defining each area.” (Page 4-5)

Another key goal of the Land Use Plan is to:

“Maintain and strengthen a broad-based economy in Waynesville comprised of a vibrant and expanding manufacturing, retail, agricultural, services, governmental and construction sectors.” (Page 4-19)

An Objective under this goal includes:

“Designate and support the development of appropriate amounts of land to meet the needs of the different sectors of the economy.” (Page 4-19)

Mixed-Use Overlay Districts

The Town of Waynesville’s jurisdiction contains nine mixed-use overlay districts, described as follows:

Dellwood Residential Medium Density MXO – A 1,000-foot wide corridor centered on Russ Avenue from U.S. Highway 23/74 to Jule Noland Drive and Dayton Drive.

Francis Cove Residential Low Density MXO – A corridor consisting of properties along Pigeon Road from Old School Road to Bluegrass Lane.

Hazelwood Urban Residential MXO – A corridor consisting of properties located on the west side of South Main Street from Virginia Avenue to Mississippi Avenue.

Love Lane Neighborhood Residential MXO – A corridor consisting of most of the properties that front Dellwood City Road from Chestnut Park Drive to Arnold Heights with three additional properties north of Paralee Lane.

Main Street Neighborhood Residential MXO – Two properties located at the corner of Richland Street and Goodyear Street.

Ninevah Neighborhood Residential MXO – A corridor consisting of properties located at the corner of Country Club Drive/Crymes Cove Road and Oakdale Road.

Raccoon Creek Neighborhood Residential MXO – A corridor consisting of the properties north of Asheville Highway from Piccadilly Drive to Hillside Terrace.

South Waynesville Residential Medium Density MXO – A corridor consisting of properties along Old Balsam Road from 120 Old Balsam Road to Skyland Road (the westernmost portion of the town's jurisdiction along this road) and an additional property located on the Great Smoky Mountains Expressway.

Walnut Street Neighborhood Residential MXO – Multiple corridors consisting of properties along several streets, including Walnut Street, West Marshall Street, North Main Street, Nelson Park Drive, Woolsey Heights, and Wall Street.

Maps of each of these mixed-use overlay districts and photographs of some of their prominent non-residential uses are attached.

Staff Recommendation

Mixed-use overlay districts are designed to promote limited commercial uses along corridors adjacent to residential districts. The compromise approach of permitting some additional non-residential uses at a scale that is more appropriate to the scale of such residential districts would allow limited infill development that could serve to promote walkability within neighborhoods and can provide goods, services, and jobs to those neighborhoods. The mixed-use overlays within the town have historically been home to a diverse mix of single-family dwellings, duplexes, offices, mixed-uses, and general commercial uses. These areas are often corridors that serve as transition areas between commercial and residential districts. The historic pattern of uses along these corridors served as the rationale for the creation of the town's mixed-use overlays.

However, not all mixed-use overlays have the same scale and character. For instance, some are in close proximity or adjacent to much more intensively zoned and developed areas, such as Neighborhood Center, Regional Center, or Business Districts. Others are located within medium or low density districts and are somewhat far removed from more intensive non-residential development.

Staff submits that the introduction of small-scale retail and restaurants would be appropriate within several mixed-use overlay districts and would be consistent with the Land Use Plan. This would add another option onto the Table of Permitted Uses to allow for infill and re-

development of properties along major corridors. These new use types would be listed on the Table of Permitted Uses (2.5.3) as PL – Permitted in Designated Locations and would be defined in Section 17.3 of the Land Development Standards.

Staff recommends a text amendment defining two smaller scale commercial use types, to be named Neighborhood Commercial and Neighborhood Restaurant, each limited to 3,000 gross square feet. This would distinguish a neighborhood scale use from the larger General Commercial and Restaurant scale uses currently provided in the ordinance:

Neighborhood Commercial – A place of business limited to 3,000 gross square feet that provides the sale of goods directly to the consumer, with goods available for immediate purchase and removal from the premises by the purchaser.

Neighborhood Restaurant – A place of business limited to 3,000 gross square feet that sells ready-to-eat food and/or beverages for on or off-premise consumption. Customers may be served from an ordering counter (cafeteria or limited service restaurant), at their tables (full-service restaurant), and/or at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter, but not from drive-thru windows.

Secondly, staff asks that the Planning Board recommend where to assign these new uses - specifically, in which overlay districts would these uses make sense. In making such assignments, the Planning Board should consider the scale and character of each of the town's mixed-use overlays and determine which would be appropriate to the inclusion of these two new use types.

Attachments

Maps of Mixed-Use Overlay Districts

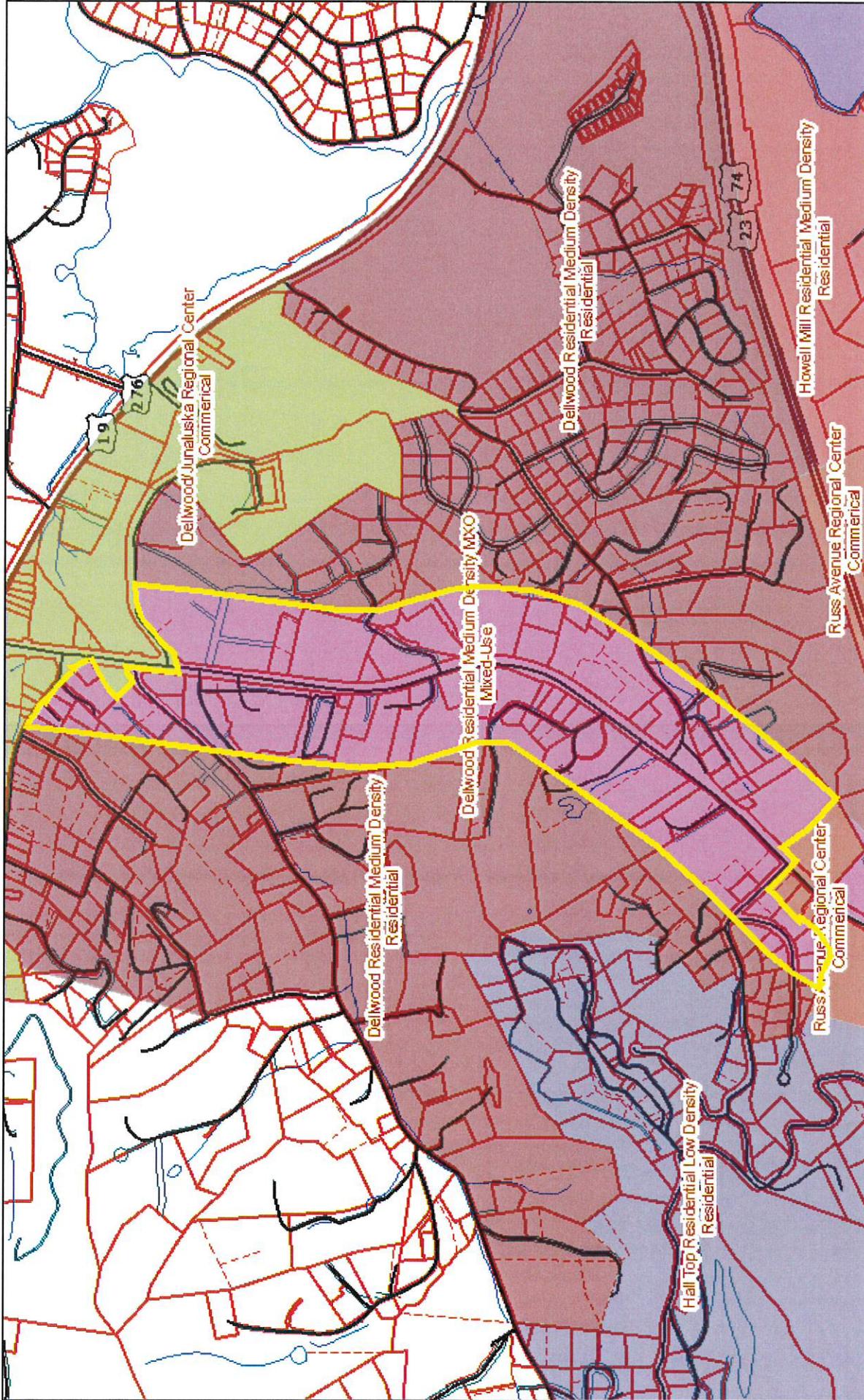
Photographs of Various Non-residential Uses in Mixed-Use Overlay Districts

Suggested Actions

1. Motion to find the creation and placement of neighborhood scale uses within designated overlay districts as consistent with the Comprehensive Land Use Plan;
2. Motion to recommend the adoption of a text amendment to Section 17.3 (Use Type Definitions) to create two new use types, Neighborhood Commercial and Neighborhood Restaurant, as defined in this staff report.

3. Motion to recommend the adoption of a text amendment to Section 2.5.3 (Table of Permitted Uses) to add two new use types, Neighborhood Commercial and Neighborhood Restaurant, to the mixed-use overlay districts that are determined by the Planning Board to be appropriate locations for these particular uses.

Haywood County



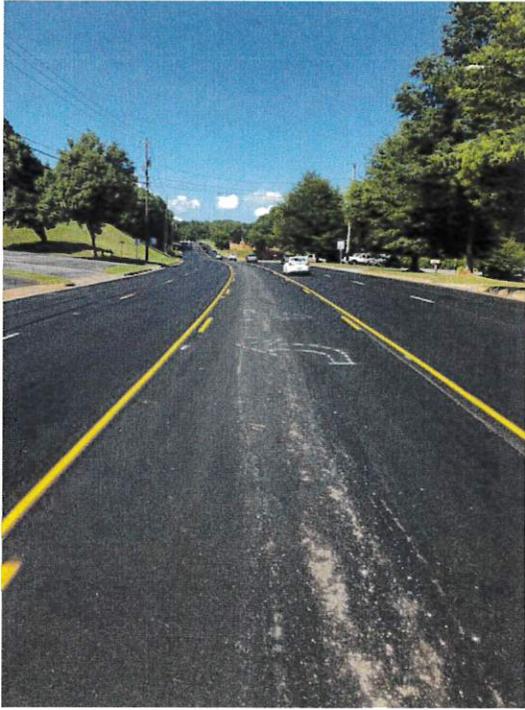
July 10, 2018

Dellwood Residential Medium Density MXO

1:10,800



Dellwood MXO



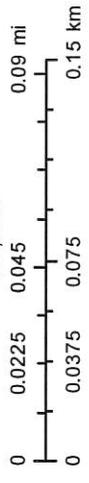
Haywood County



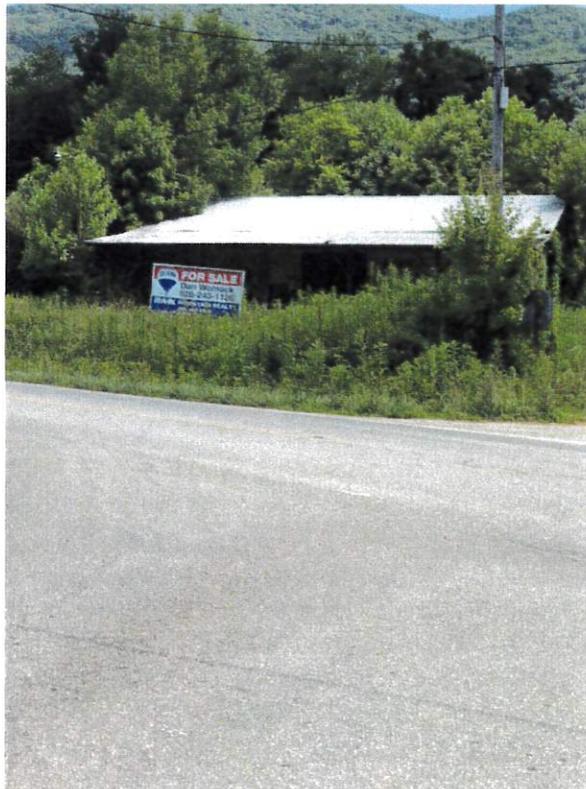
July 10, 2018

Francis Cove Residential Low Density MXO

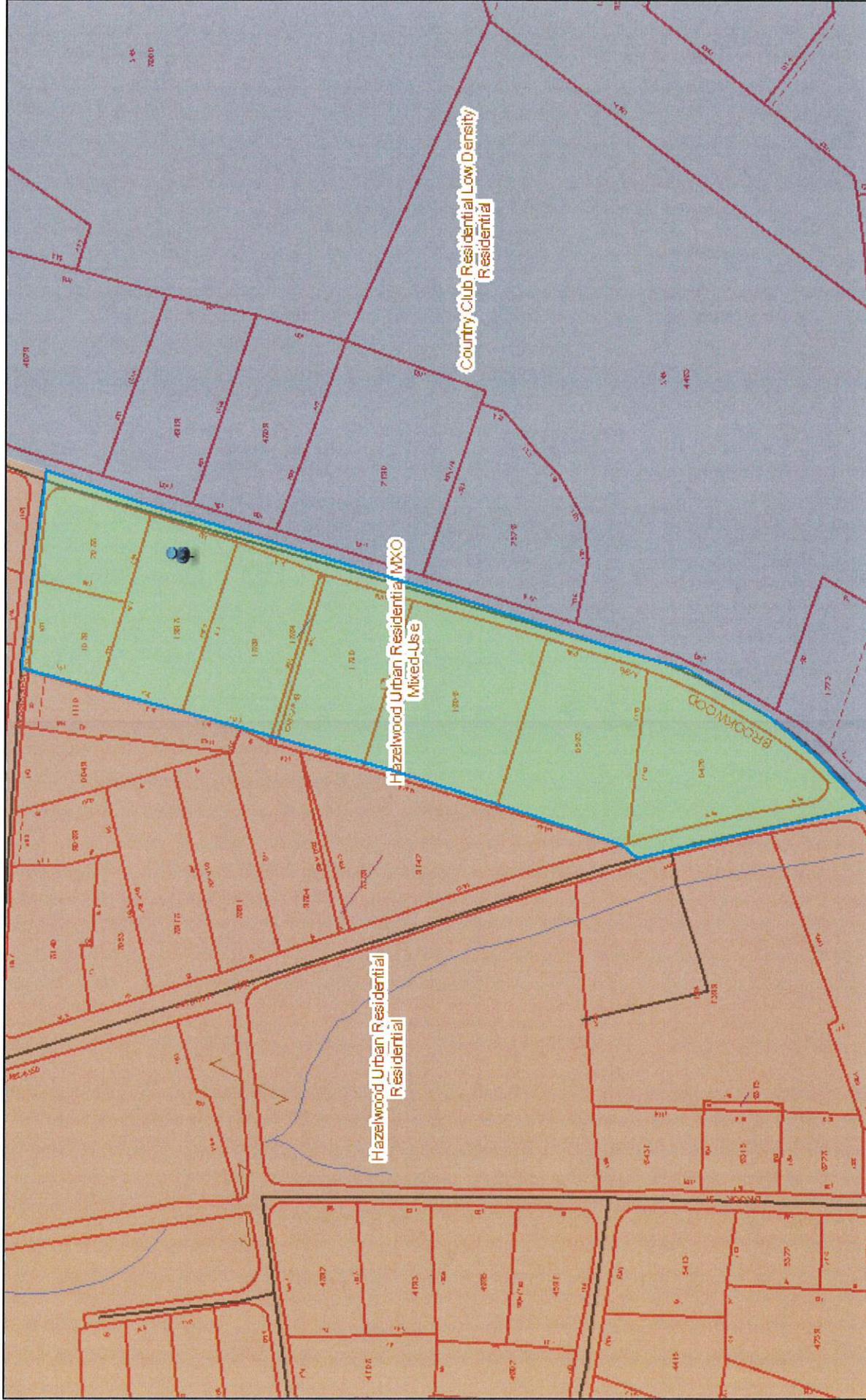
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Francis Cove MXO

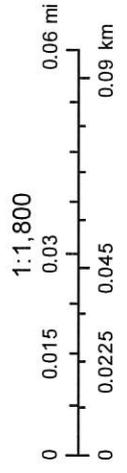


Haywood County

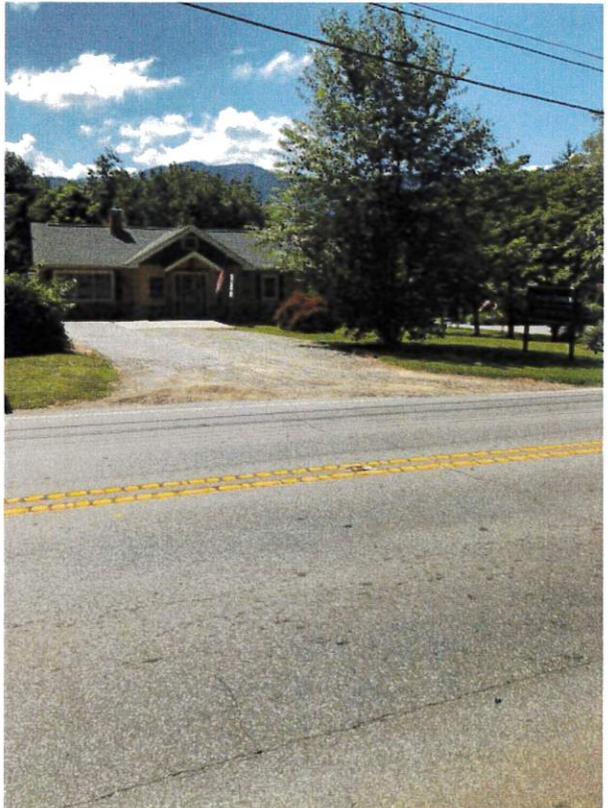
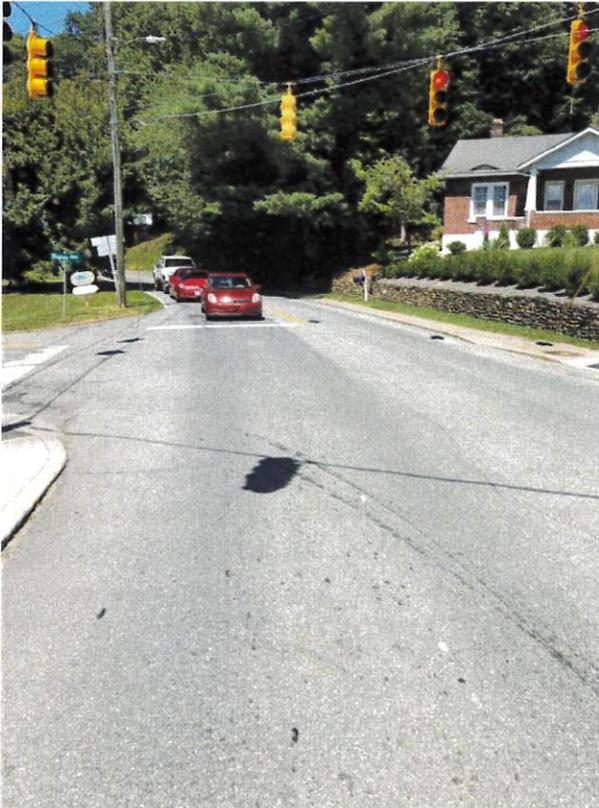


July 10, 2018

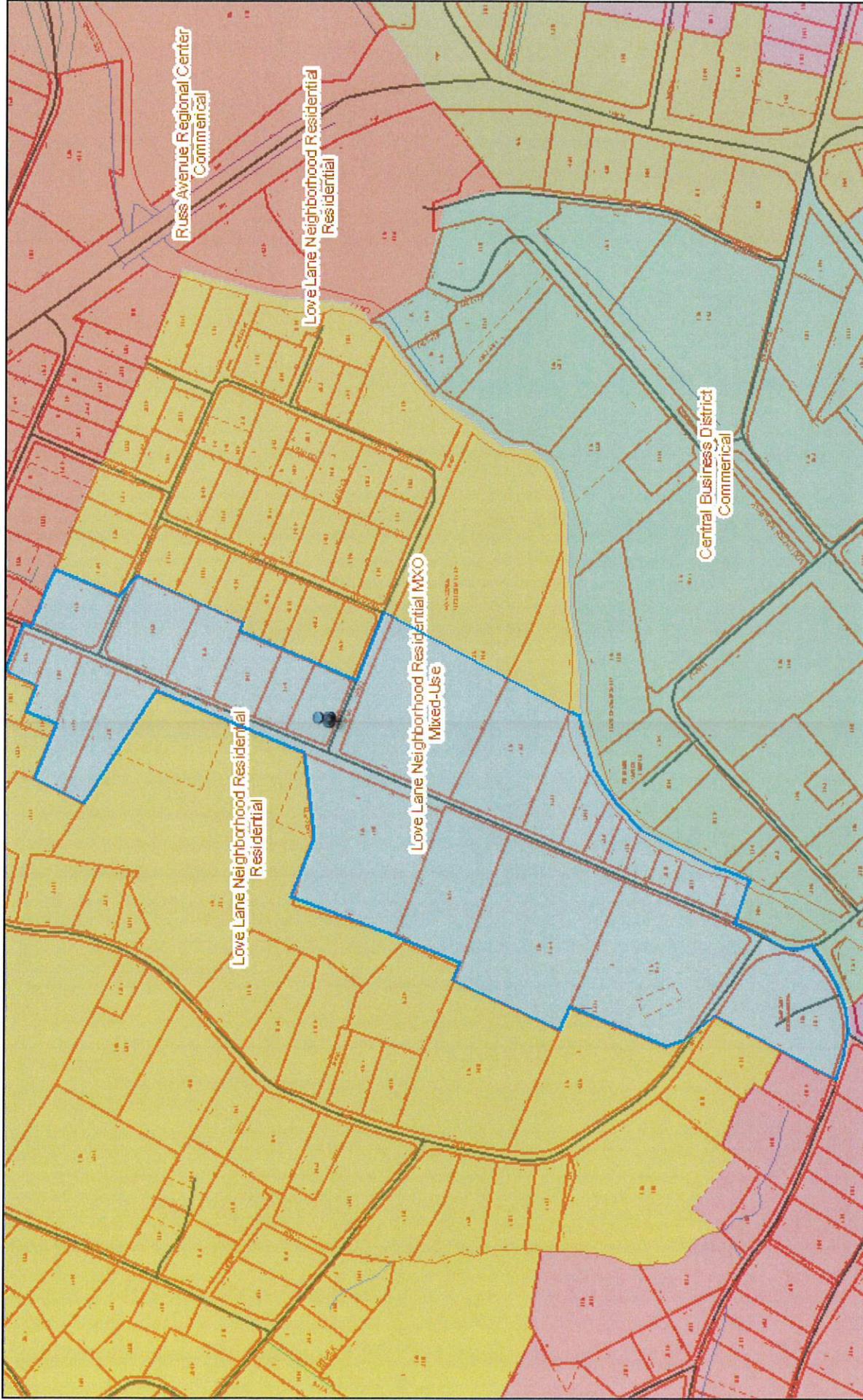
Hazelwood Urban Residential MXO



Hazelwood MXO



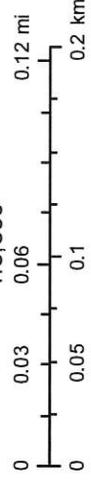
Haywood County



July 10, 2018

Love Lane Neighborhood Residential MXO

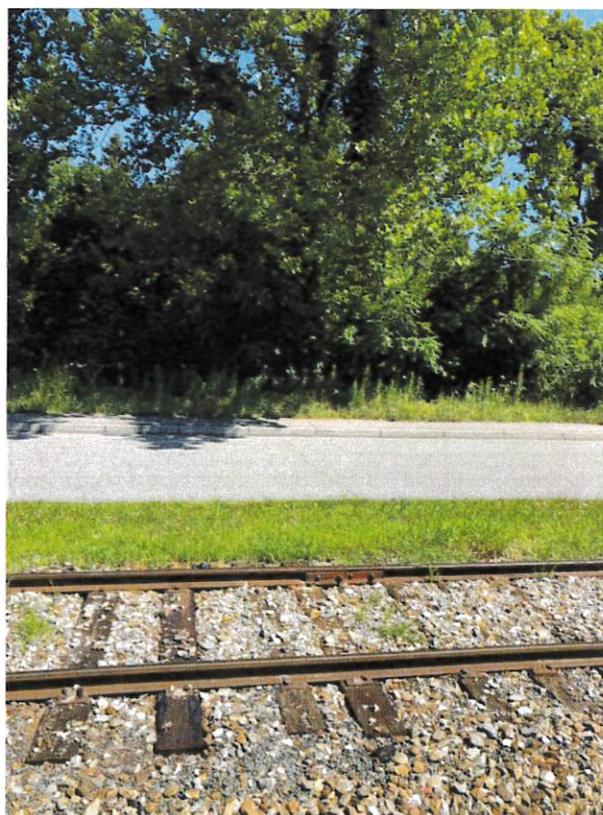
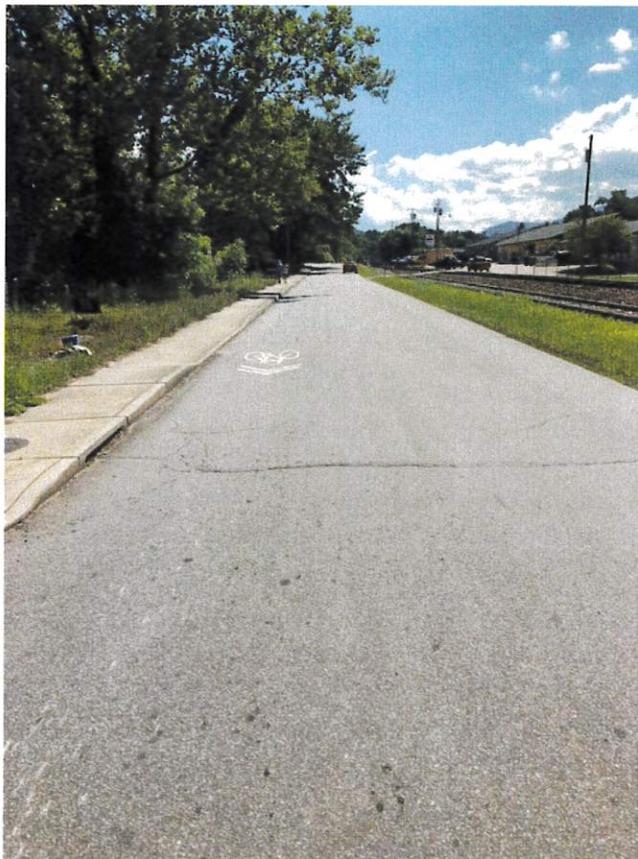
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Love Lane MXO



Main Street MXO



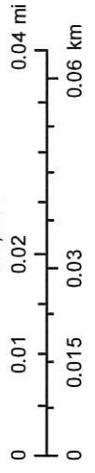
Haywood County



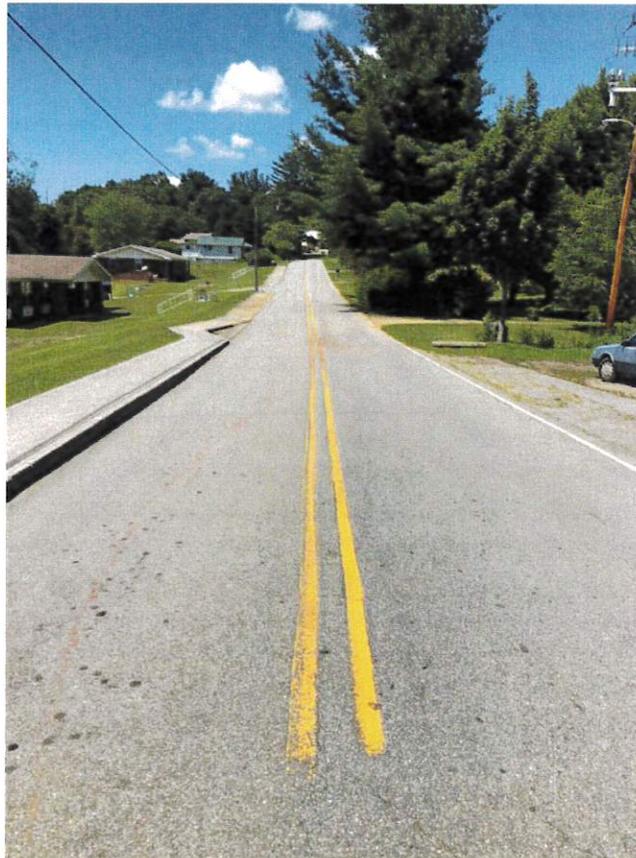
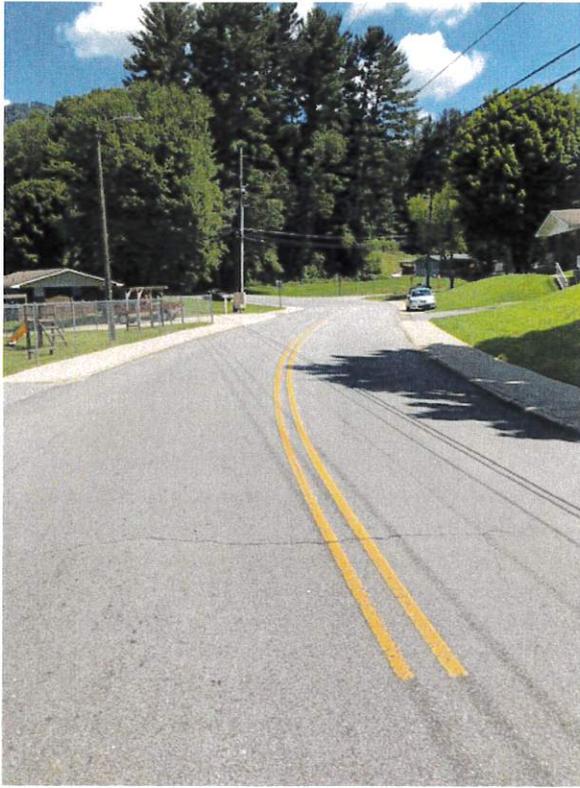
July 10, 2018

Ninevah Neighborhood Residential MXO

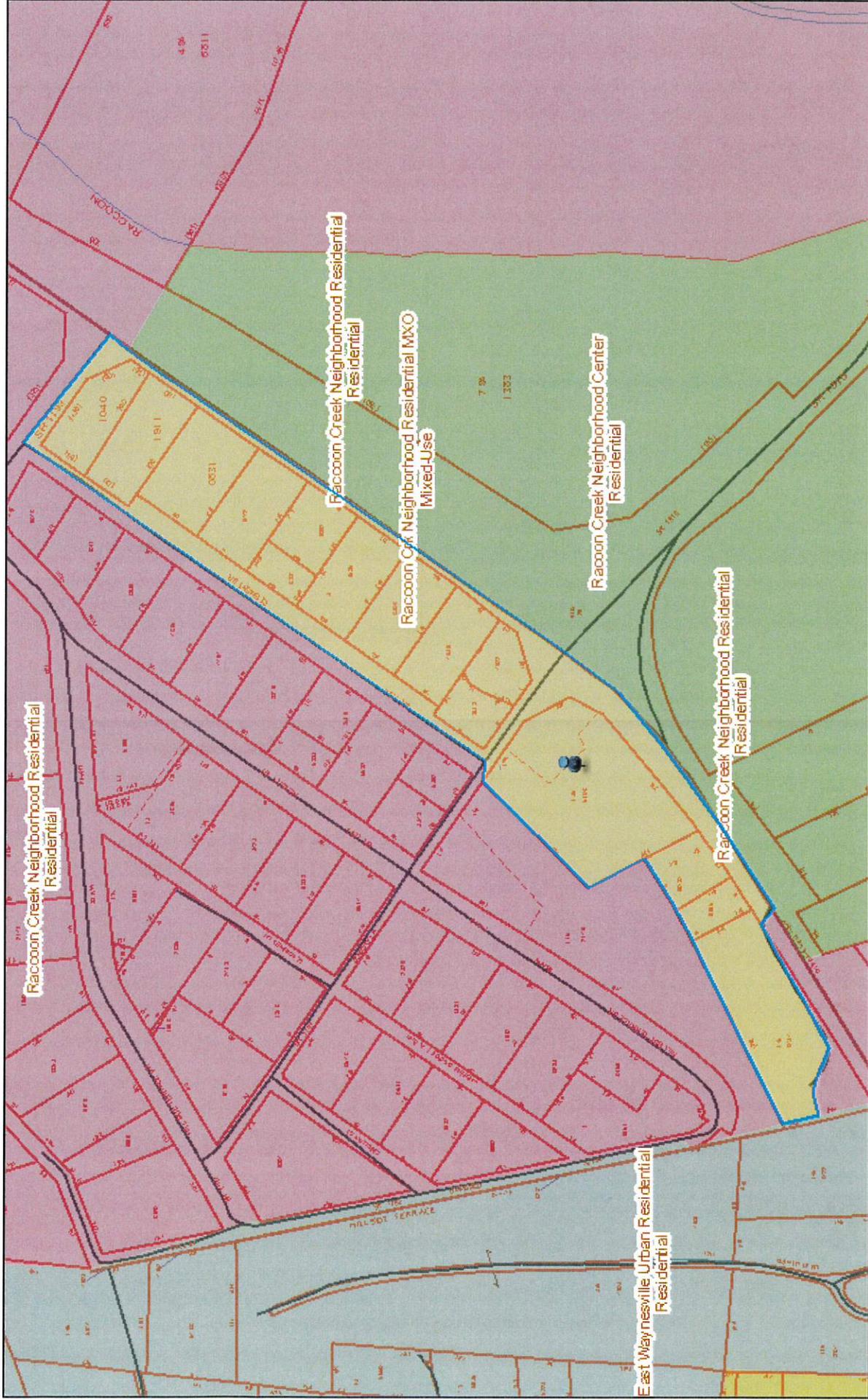
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Ninevah MXO

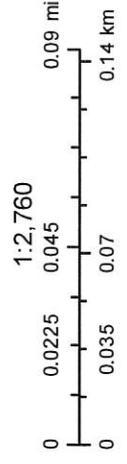


Haywood County

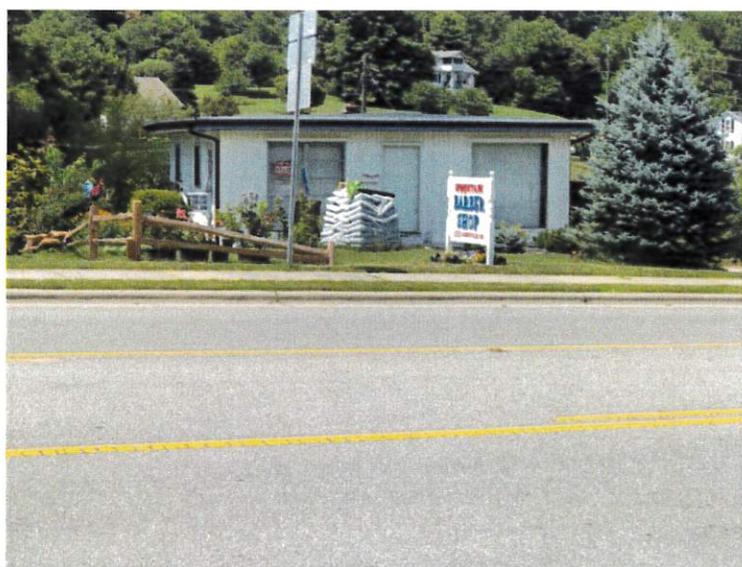
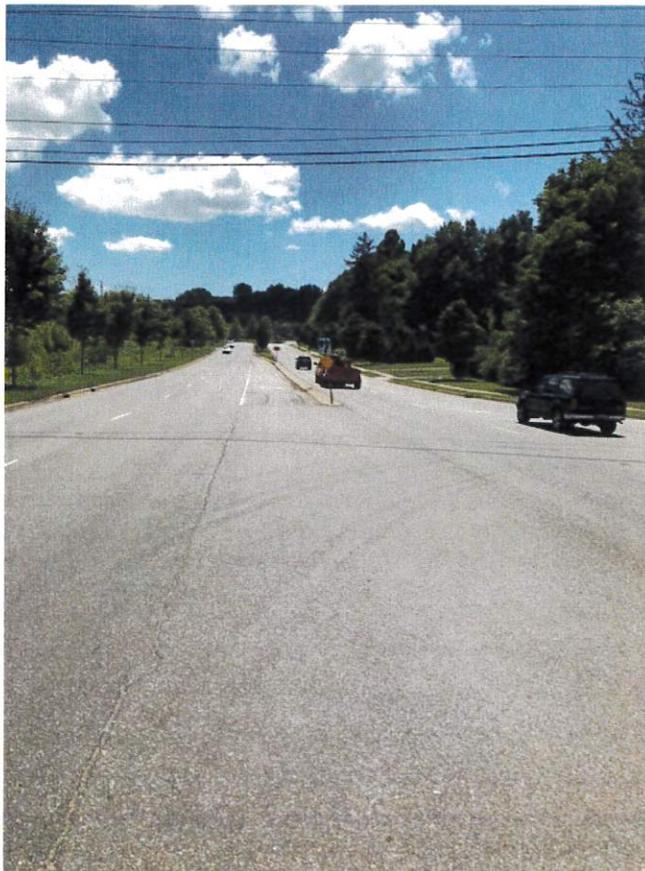


July 10, 2018

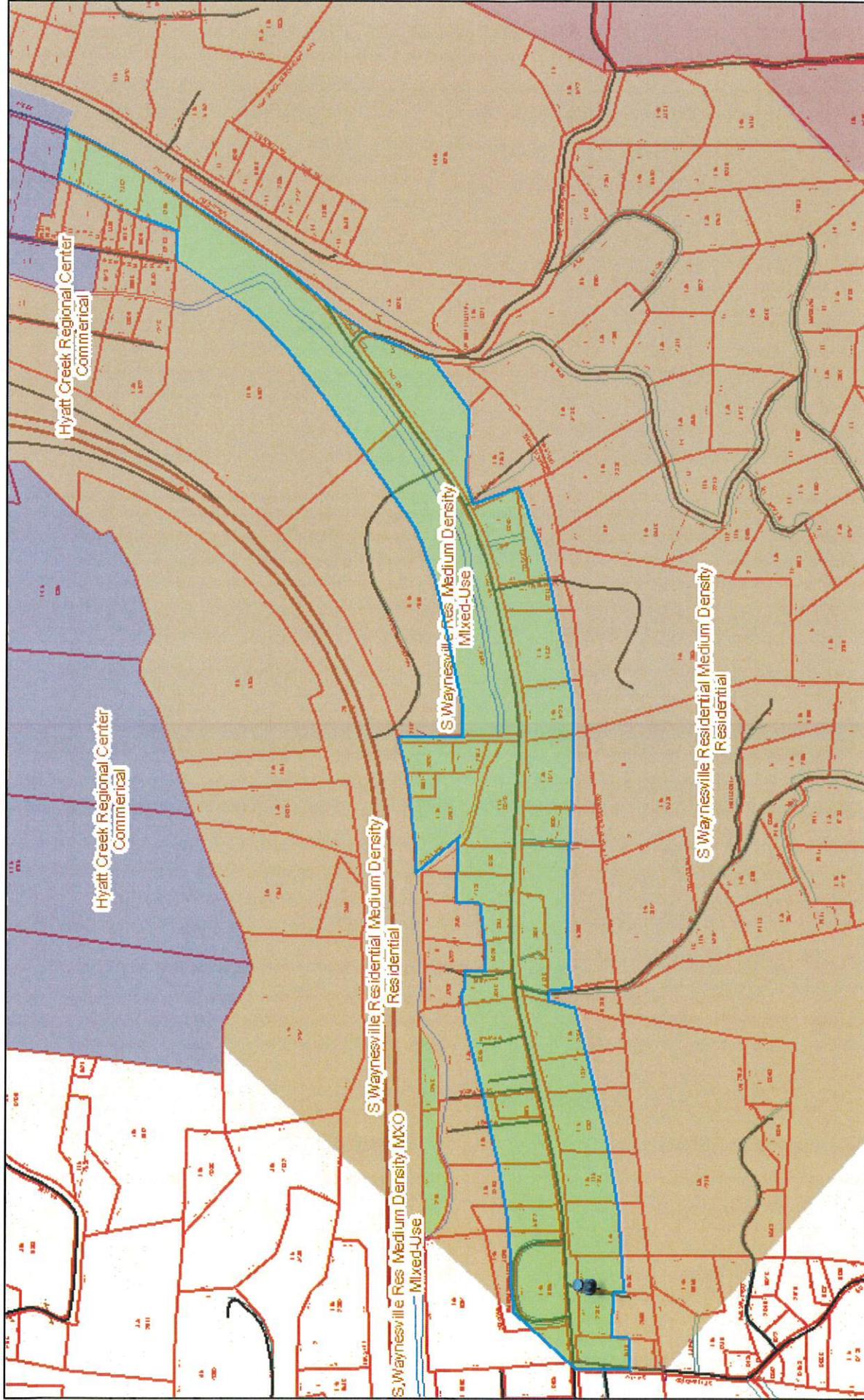
Raccoon Creek Neighborhood Residential MXO



Raccoon Creek MXO



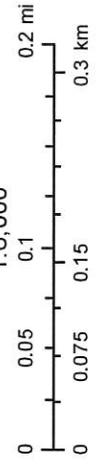
Haywood County



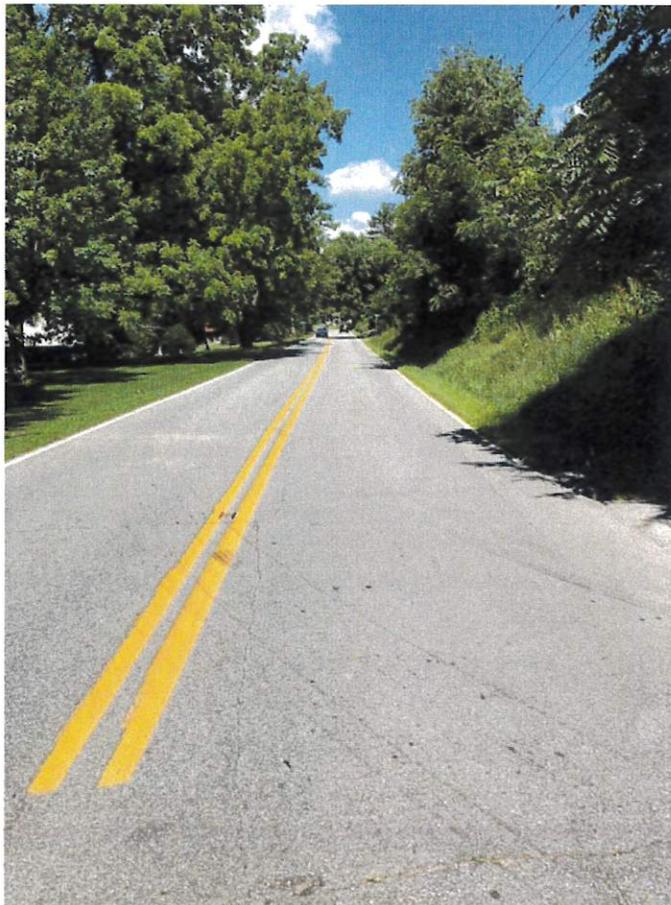
July 10, 2018

South Waynesville Residential Medium Density MXO

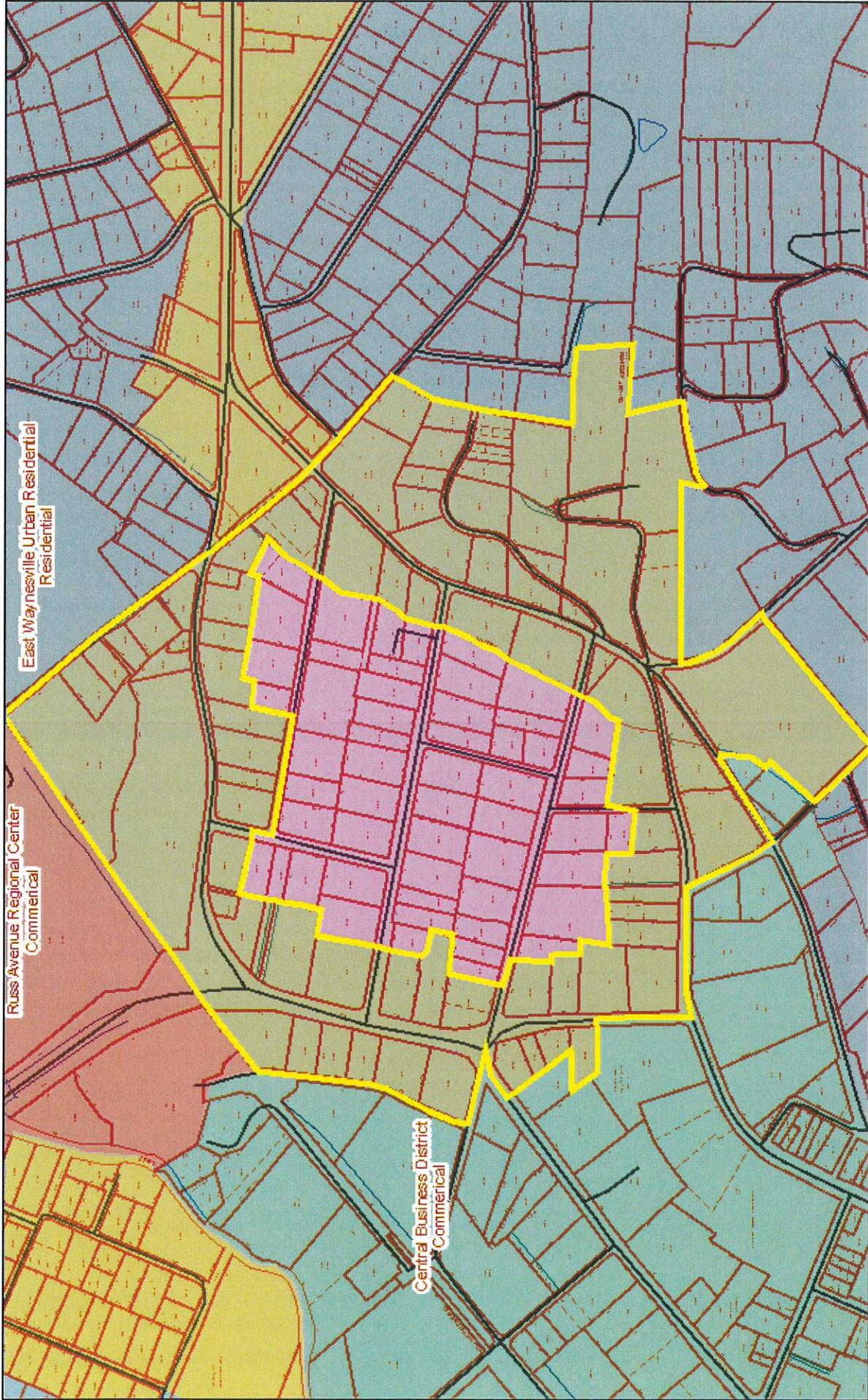
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South Waynesville MXO



Haywood County

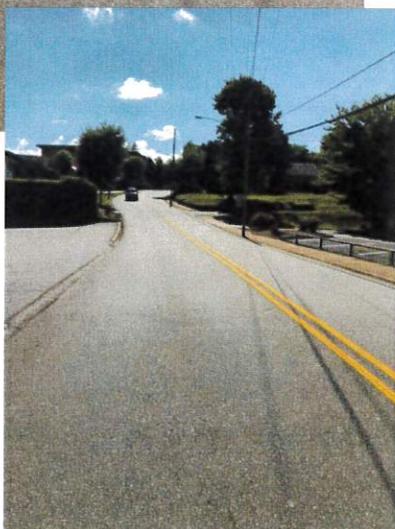


July 10, 2018

Walnut Street Neighborhood Residential MXO



Walnut Street MXO



Walnut Street MXO



Planning Board Staff Report

Subject: Major Site Plan Review – Hotel Development at 131 Shiloh Trail
 Ordinance Section: Multiple
 Applicant: Seva Investments, LLC
 Meeting Date: July 16, 2018

Summary Information:

Proposed Location: 131 Shiloh Trail – PIN 8604-48-7954
 Property Owner: Seva Investments, LLC
 Acreage of site: 2.59 acres
 Zoning District: Hyatt Creek Regional Center
 Existing Development: Undeveloped Lot

Background:

The subject property is a 2.59-acre lot located at 131 Shiloh Trail, approximately 300 feet from Hyatt Creek Road and approximately 600 feet from U.S. Highway 23/74 (Great Smoky Mountains Expressway). The property is currently undeveloped and is partially wooded. The elevation of the property ranges from 2,915 feet at its highest point along the northwest corner to 2,800 feet at the property's southernmost point. The applicant is proposing the construction of a 65-room hotel on the property. The property is located within the Hyatt Creek Regional Center District, in which hotels are permitted as a use-by-right.

The purpose and intent of the Hyatt Creek Regional Center district, as established by the Land Development Standards, Section 2.3.7(B) states:

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.

Surrounding Land Use/Zoning Patterns:

The surrounding land use is vacant, undeveloped land to the north, a 58-room hotel and an automotive dealership to the east, agricultural land to the south, and vacant, undeveloped land to the west. The land to the north, east, and south is located within the same zoning district at the subject property. However, the land to the west is not located within the Town of Waynesville's jurisdiction, but is unincorporated and within Haywood County's jurisdiction.

Proposed Development:

The proposed development is a 65-room hotel with a building footprint of approximately 14,000 square feet and a total interior floor area of 48,215 square feet. The building has four floors and a total height of 57'3". The development's adherence to the Land Development Standards is detailed as follows:

Dimensional Standards – Table 2.4.2

1. The HC-RC district has no requirements for maximum density, maximum building footprint, lot area, or lot width.
2. The proposed building meets all required setbacks from the fronting thoroughfare and from property lines.
3. The proposed building meets the standard for building height.

Mixed-Use/Commercial Building Design Guidelines – Section 5.10

The LDS defines façade as "That portion of any exterior building extending from grade to top or parapet, wall or eaves and the entire width of the building elevation." The façade of the proposed building that fronts Shiloh Trail consists of a porte-cochere that extends from the main building which has a total frontage of 190 feet. However 60' of that length actually fronts the private driveways of the hotel itself and that of the Quality Inn and not the public right-of-way and will be screened by landscaping. Additionally, topography limits how much the rest of the frontage will actually be visible from the public right-of-way of Shiloh Trail. The building does not front U.S. Highway 23/74 and is obscured from that roadway view by another lot, the adjacent automotive dealership, and topography.

1. **Façade Materials:** According to the LDS, "commercial building walls visible from a public street or civic space shall be primarily standard brick, stacked stone, stone or stone masonry units, wood clapboard, cementitious fiber board, or exposed heavy

timber. Decorative concrete masonry units (CMU) and exterior insulation finishing systems (EIFS) may be used on facades not facing a public street or civic space or as a secondary building material only (less than 25% of the wall area) on primary frontage facades. When two or more materials are used on a façade, the heavier material shall be placed below the lighter material to give a sense of support and grounding.”

The first floor is of the “heavier material” of brick to a height of 12’ and contains the front doors and windows into the lobby. The top floors of the building consist of EIFS painted with 4 contrasting and complementary colors and which frame balconies that face out toward the right-of-way. The balconies constitute 70% of the façade of the upper 3 floors so that the EIFS material is a secondary building material at less than 25% of the total facade area (counting all 4 floors). Staff submits that the building meets Section 5.10.2 façade materials.

2. The LDS requires that commercial buildings have “**ground level detailing**” and minimize blank walls (portions of a façade that do not contain transparent windows or doors). Blank walls facing streets or civic spaces may not exceed 20’ in length and at least 50% of the length of the first floor of a building along a street should consist of transparent glazing.

The three upper floors of the building, which is the portion of the building that would be most visible from public streets and highways, consist of 70% transparent glazing. On the first floor of the building, there is 104’ of the 130’ frontage along the public right-of-way, that consists of the main entrance and windows going into the lobby. On either side of that area there are sections of the brick façade without windows and on one side the section is longer than 20’. If you count all 190’ of the front façade (not just that portion facing the right-of-way or parking lot), then there is 40’ on one side of the entrance and 28’ on the other of uninterrupted brick wall. Therefore, the spirit of the transparency standards appears to be met, but the Board would be justified in asking for additional glazing on either side of the lobby entrance along the first floor if desired.

3. The LDS requires that “any **rooftop equipment will be screened** from view to the extent practical given the varied topography in Waynesville” and that no wall mounted building utility service equipment shall be placed on the public right-of-way side of the building. Staff submits that this is achieved by the proposed design that contains a parapet along the roofline.
4. The LDS standards for **façade articulation** apply to any façade visible from a public street or civic space. For buildings set back more than 200 feet from the street, these standards apply only to the primary façade facing the street. As a reminder, the proposed building will be set back 100’ from Shiloh Trail and will difficult to see

from the Shiloh Trail right of way because of topography. The building is more than 300 feet from Hyatt Creek Road, and more than 600 feet from U.S. Highway 23/74.

The LDS also requires that the façade shall have a clearly discernable base, body, and cap. The proposed building meets this standard with a brick first floor, three floors of contrasting material, and a parapet.

The LDS requires that the frontage of buildings be divided into architecturally distinct sections or bays with each section taller than it is wide. Sections or bays shall be visually established by architectural features such as columns, ribs, pilasters or piers, changes in plane, or an equivalent element that otherwise visually subdivides the wall through at least 50% of its height. The proposed building meets this standard. (Note that in an accompanying table, additional articulation requirements are detailed. In this table, buildings are divided into three categories: less than 60 feet wide, 60-120 feet wide, and uses greater than 100,000 square feet. The proposed building does not fall into any of these three categories. The portion of the building that fronts Shiloh Trail and the private driveways is 272 feet wide and the total square footage is 48,215 square feet. Therefore, it is not precisely clear which, if any, of these standards to apply).

The LDS requires that entries shall be marked by architectural features that emphasize their importance, such as tall building features, projecting overhangs, special lighting, awnings, and signage. The building features a prominent porte-cochere which meets this standard as it extends 52' from the main building and is 39' wide (over 20% of the total width of the front façade or 30% of the façade facing the right-of-way).

Street Tree Plantings – Section 8.5

1. Street trees are required at a rate of one canopy tree for every 40 feet of street frontage. This property has 280 feet of street frontage and shows Trident Maple (5) and Pin Oaks (2) at less than or at least 40' increments. Additionally, the plan shows 330 of frontage along its private driveway in which 6 additional Trident Maples are shown at 40' increments.
2. Street tree planter strips are required between the sidewalk and the street and should be of the same species. However, on the landscape plan, the sidewalk is shown between the street and the street tree planter strip. Staff submits that this approach is being used because of the topography and the desire to retain the natural slope with landscaping to the greatest extent possible and is therefore an acceptable "Alternative Compliance" (Section 8.2.4).

Parking Lot Landscaping – Section 8.6

1. Parking lots shall be screened from sidewalks and streets by a semi-opaque screen that incorporates a low screen from the ground to at least a height of 3.5 feet along with canopy trees planted with a maximum spacing of 30 feet on-center for screening of car lights and glare. Effective screening devices may include solid decorative brick walls, wood fences, earth berms, architectural features, and tight evergreen hedges which shall reach the required height within two years of planting, or any combination of the above. There is only one parking area on the proposed plan that is on the street side of the development (13 spaces located at the southern end of the property). Due to the topography of the site, this parking area is located approximately 40 feet above the portion of the road that passes closest to it and is further separated from the street by the street trees proposed in the plan. Staff submits that this is a reasonable “alternative compliance” approach in that 1) there is screening provided at the street level, and 2) the topographical difference and distance between the street and the parking lot.
2. No parking space shall be more than 40 feet from the base of a canopy tree. The proposed parking lot landscaping meets this standard.

Screening of Dumpsters and Utility Structures – Section 8.7

1. All dumpsters, loading docks, or utility structures visible from a public street or adjacent property line shall be screened unless already screened by an intervening buffer yard. Screening may be created through the use of a continuous hedge of evergreen and/or densely twigged deciduous shrubs or by a fence or wall. The storage building and dumpster pad located at the northwest corner of the development appear to be screened by a fence or wall. Additional information regarding the height and materials used for screening will be required at the time of the building permit.

Required Parking Standards – Section 9.2

1. For lodging uses, a minimum of one auto space is required per guest room with one bicycle parking space required per 50 auto spaces. The proposed hotel has 65 rooms with 62 standard auto spaces, 3 ADA accessible auto spaces, 6 motorcycle spaces, and 3 bicycle parking spaces. The required parking standard is met.

Permitted Parking Locations – Section 9.3

1. For a commercial use located within a Regional Center District, parking in front of the principal building is limited to one drive aisle with one bay of parking. With only one portion of a parking bay of nine spaces, plus 3 ADA spaces adjacent to the front entrance shown on the plan, this standard is met.

Staff Recommendations:

Staff believes that the building elevation drawings, landscape plan, and site plan for the proposed hotel development at 131 Shiloh Trail meet the requirements of the Land Development Standards for a commercial development of this scale. Any needed changes to the final plans that the Board feels is necessary for compliance (such as the additional glazing on either side of the entrance) are minor and can be reviewed and approved by the planning staff. Staff recommends approval of this proposed development contingent upon receipt of amended plans showing any necessary changes to ensure compliance with the LDS.

Attachments:

Site Location Map

Site Plan

Building Elevations Drawings

Landscape Plan

Other Submitted Application Materials

Suggested Actions:

Motion to recommend approval of the proposed hotel development at 131 Shiloh Trail (PIN 8604-48-7954) with the condition that the planning staff receives amended plans showing any corrections of noncompliant elements determined by the Planning Board or as referenced in this staff report.



FORRESTFIRM

July 2, 2018

Mr. Byron Hickox
Land Development Administrator
Town of Waynesville
9 S. Main St.
Waynesville, NC 28786

RE: Site Plan Approval for 131 Shiloh Trail

Dear Mr. Hickox:

Please accept this letter and packet of materials as the application for site plan approval for a proposed hotel construction project by Seva Investments, LLC. The developers have a long history in the local business community spanning over 25 years. As you know, the Town of Waynesville and Haywood County are in dire need of upper midscale hotel guestrooms, and we submit this packet as part of the process of attaining the final site approvals.

The site of the proposed project is located at 131 Shiloh Trail, Waynesville, North Carolina 28786 (PIN 8604-48-7954). The parcel on Shiloh Trail is ideal for serving the traveling public through this area as it is easily accessible to the interstate. This property is adjacent to Waynesville Automotive dealerships, Best Western Smoky Mountain Inn, a barn, and an empty land parcel. Access to Shiloh Trail is located on Hyatt Creek Road which is maintained by the North Carolina Department of Transportation. Also, it is located just across the interstate from Waynesville's South Main Street shopping district, including Wal-Mart, Belks, Best Buy, PetSmart, and several other retail and dining businesses. The site was carefully chosen due to its proximity to the interstate and to other commercial properties, with a goal of minimizing any potential adverse impact on local residents.

Key considerations in selecting the site for this project were the impact to our neighbors and preserving the natural features of the property. Given the existing zoning as Hyatt Creek Regional Center District, we believe this parcel is an ideal location to add an upper midscale hotel to the community with minimal impact to local residents or to the environment but simultaneously maximizing positive impact to the local economy.

Known as the "Gateway to the Smokies" with convenient access to Asheville on Interstate 40, the Blue Ridge Parkway, Harrah's Cherokee Casino, multiple ski resorts, Lake Junaluska, and Great Smoky Mountain National Park, Waynesville is a popular tourist and commercial destination. The demand for accommodations and meetings places remains high throughout the year, and it often exceeds the number of available guest rooms. As a result, travelers may be forced to choose accommodations outside of our community due to an inability to find vacant rooms.

Page 2 of 2
Mr. Byron Hickox
July 2, 2018

We have worked closely with the Town of Waynesville Development Services staff to adhere to all necessary building codes, storm water drainage requirements, and other related regulations. Development Services staff have provisionally confirmed we are in compliance with all zoning and land development standards pending approval by the Town of Waynesville Planning Board. As designed this project is permitted outright within Hyatt Creek Regional Center District zoning.

Provisional approval from the Town of Waynesville staff indicates compliance with local and North Carolina State Building and Safety Codes, as well as compliance with Town standards for parking, sidewalks, stormwater management, and other development requirements. We have also received a North Carolina State Sedimentation and Erosion Control Permit which allows commencement of grading and site work according to the approved plans. Furthermore, the Town of Waynesville Public Services Department and Town Engineer has confirmed the utility system has enough capacity to meet the building's demands for water and sewer service. Also, other reports confirm that this project will not adversely affect any endangered species, that there are no topographical challenges on the site, and that the project will not impact any wetlands nor is it located in the floodway.

To ensure the design of the building does not disrupt the beauty of the surrounding landscape, the parking lot is located behind the building. Also, the building is shaped to maximize the views of our Smoky Mountains. This design is extremely unique for this type of project and required special approval by our partner entities. However, this additional effort was worthwhile as we are dedicated to the long-term success of this project and the potential value added to the community. The design aims to seamlessly incorporate this building into its surroundings and minimize its environmental impact. We are optimistic about potential opportunities to connect to future greenways under development in the Town and throughout Haywood County.

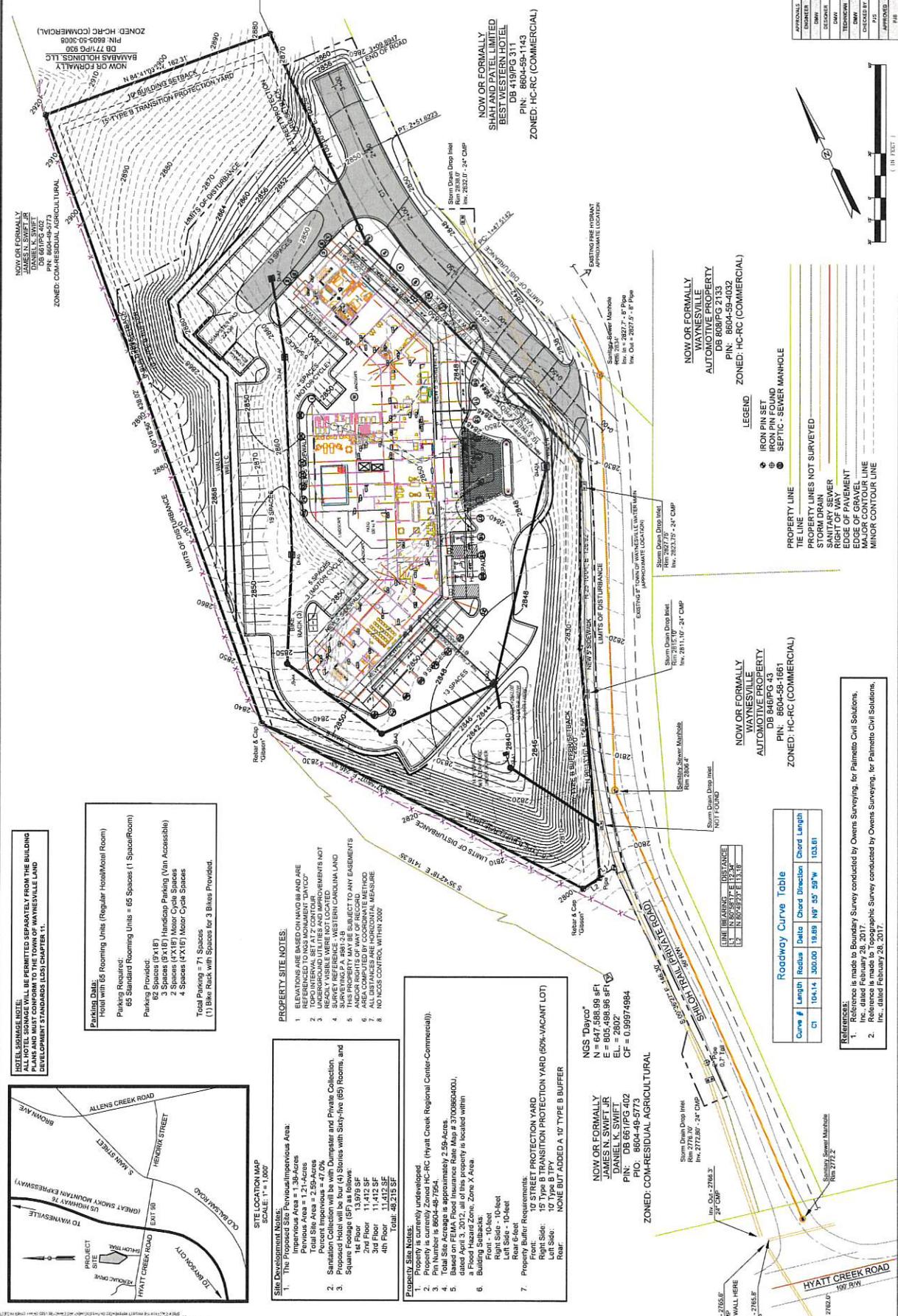
Again, on behalf of Seva Investments, we look forward to answering any concerns the Town or the Planning Board have about this project or the information provided in the packet. Thank you very much for your consideration.

Sincerely,

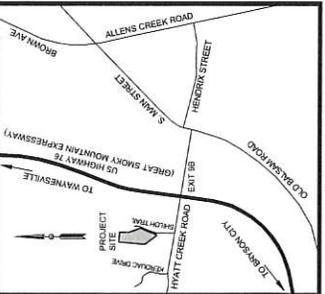
/s/ Martha S. Bradley

Martha S. Bradley
Attorney

Palmetto CIVIL SOLUTIONS INCORPORATED
 15101-NC-15101-NC
 PROJECT NO. 15101-NC-15101-NC
 SHEET 14 OF 14
 DWG NO. 15101-NC-15101-NC
 DATE: MAY 5, 2017
 SCALE: 1"=30'
 PROJECT TITLE: NEW HOTEL ON SHILOH ROAD, WAYNESVILLE, NORTH CAROLINA
 PROJECT TITLE: FINAL GRADING PLAN
 Palmetto Civil Solutions, Inc.
 Post Office Box 648, Blythewood, SC 29016-0648
 Telephone: (803) 834-1104 - Fax: (803) 834-4124



Hotel Information:
 Hotel with 65 Rooming Units (Regular Hotel/Motel Room)
 65 Standard Rooming Units = 65 Spaces (1 Space/Room)
 Parking Provided:
 3 Spaces (9x12) Handicap Parking (Van Accessible)
 2 Spaces (4x16) Motor Cycle Spaces
 4 Spaces (4x15) Motor Cycle Spaces
 Total Parking = 71 Spaces
 (1) Bike Rack with Spaces for 3 Bikes Provided.



PROPERTY SITE NOTES:
 1. REFER TO ALL NOTES, PLANS AND SPECIFICATIONS FOR THIS PROJECT.
 2. TOP/INTERVAL SET AT Z CONTOUR.
 3. SURVEY REFERENCE - WESTERN CAROLINA LAND SURVEYING, INC. (WCLS) 2017.
 4. THIS PROPERTY MAY BE SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES.
 5. ALL DISTANCES ARE HORIZONTAL MEASUREMENTS.
 6. NO NEIGHBOR CONTROL WITHIN 2000'.

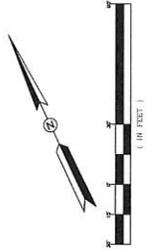
PROPERTY SITE NOTES:
 1. Property is currently undeveloped.
 2. Pin Number is 804-48-7564.
 3. Total Site Acreage is approximately 2.59-Acres.
 4. Based on FEMA Flood Insurance Rate Map # 3700660401.
 5. Flood Hazard Zone: Zone V-A-Ace.
 6. Building Setbacks:
 Front - 10-feet
 Side - 10-feet
 Rear - 10-feet
 7. Property Buffer Requirements:
 Front Side: 10' Type B TYPY
 Left Side: 10' Type B TYPY
 Right Side: 10' Type B TYPY
 Rear: NONE BUT ADDED A 10' TYPE B BUFFER

NGS 'Dayco'
 N = 647,586.99 sft
 E = 805,498.96 sft
 EL = 2802'
 PIN: DB 66-17PG 402
 CF = 0.99974864

Roadway Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
01	104.14	300.00	19.09	N 55° 59' W	103.61

REFERENCES:
 1. Reference is made to Boundary Survey conducted by Owens Surveying, for Palmetto Civil Solutions, Inc., dated February 28, 2017.
 2. Reference is made to Topographic Survey conducted by Owens Surveying, for Palmetto Civil Solutions, Inc., dated February 28, 2017.



LEGEND
 IRON PIN SET
 IRON PIN FOUND
 SEPTIC - SEWER MANHOLE
 PROPERTY LINES NOT SURVEYED
 TIE LINE
 PROPERTY LINES SURVEYED
 SANITARY SEWER
 STORM DRAIN
 EDGE OF PAVEMENT
 MAJOR CONTOUR LINE
 MINOR CONTOUR LINE



PALMETTO CIVIL SOLUTIONS
INCORPORATED

Palmetto Civil Solutions, Inc.
Post Office Box 648 Brynwood, SC 29016-0648
Telephone: (803) 634-4104 - Fax: (803) 634-4124

PROJECT TITLE: **NEW HOTEL ON SHILOH ROAD WAYNESVILLE NORTH CAROLINA**

PROJECT NO: 181047-NC

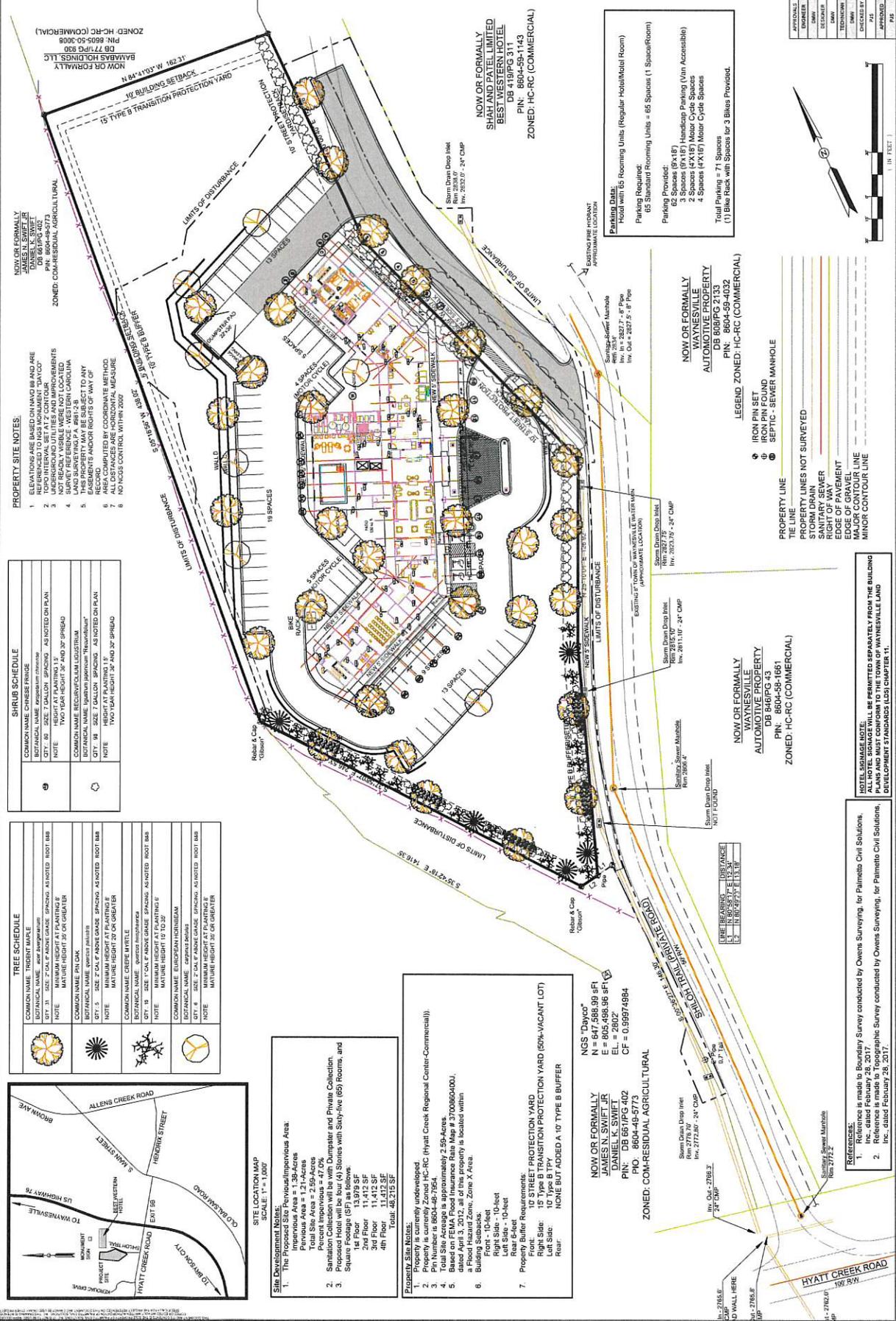
SHEET 1 OF 2

DATE: MAY 5, 2017

SCALE: 1"=30'

DATE: MAY 5, 2017

SCALE: 1"=30'



PROPERTY SITE NOTES:

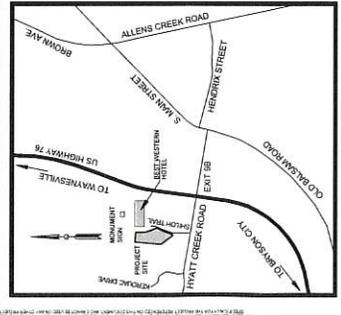
- ELEVATIONS ARE BASED ON NAVD 83 AND ARE NOT TO BE USED FOR CONSTRUCTION.
- TOP OF FINISH GRADE (TOFG) IS SHOWN AT 10' INTERVALS SET AT 7' CONTOUR.
- UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN AS NOTED ON PLAN.
- SURVEY REFERENCE - WESTERN CAROLINA UNIVERSITY SURVEY.
- THIS PROJECT IS A REDEVELOPMENT OF AN EXISTING SITE.
- EASEMENTS AND RIGHTS OF WAY OF ANY KIND ARE SHOWN AS NOTED ON PLAN.
- AREA COMPUTED BY COORDINATE METHOD.
- ALL DISTANCES ARE HORIZONTAL MEASURE.
- NO FOCUS CONTROL WITHIN 2000'

SHRUBS SCHEDULE

COMMON NAME	SCIENTIFIC NAME	SIZE	HEIGHT AT PLANTING	NOTE
1	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	
2	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	
3	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	
4	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	
5	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	
6	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	
7	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	
8	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	

TREE SCHEDULE

COMMON NAME	SCIENTIFIC NAME	SIZE	HEIGHT AT PLANTING	NOTE
1	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	
2	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	
3	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	
4	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	
5	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	
6	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	
7	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	
8	DOGWOOD	3" GAL. SPACING	AS NOTED ON PLAN	



Site Development Notes:

- The Proposed Site Previous Impervious Area is 1.21-Acres. Total Site Area = 2.59-Acres. Total Impervious Area = 47.0% Computer and Private Collection. Proposed Hotel will be four (4) Stories with Sixty-five (65) Rooms, and Square Footage (SF) as follows:
2nd Floor 13,975 SF
3rd Floor 11,413 SF
4th Floor 11,413 SF
Total: 46,801 SF

Property Site Notes:

- Property is currently undeveloped.
- Property is currently zoned HC-RC (Hyatt Creek Regional Center-Commercial).
- Pin Number is 8604-48-7554.
- Total Site Acreage is approximately 2.59-Acres.
- Based on FEMA Flood Insurance Rate Map # 370066040D, the property is located within a Flood Hazard Zone, Zone V-A-A.
- Building Setbacks:
Front - 10-feet
Side - 10-feet
Rear - 10-feet
- Property Buffer Requirements:
Right Side: 10' Type B TYPY
Left Side: 10' Type B TYPY
Rear: NONE BUT ADDED A 10' TYPE B BUFFER

NGS "Dayvo"
N = 647,588.99 SFI
E = 805,498.96 SFI
EL. = 2802'
CF = 0.99974864

NOW OR FORMALLY
JAMES N. SWIFT JR
DANIEL K. SWIFT
PIN: DB 6617PG 402
PIN: 8604-58-4032
ZONED: COM-RESIDENTIAL AGRICULTURAL

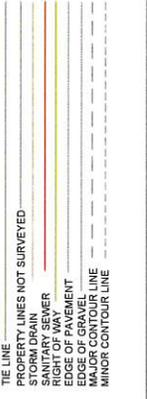
LEGEND:

- PROPERTY LINE
- PROPERTY LINES NOT SURVEYED
- RIGHT OF WAY
- EDGE OF PAVEMENT
- MAJOR CONTOUR LINE
- MINOR CONTOUR LINE
- IRON PIN SET
- SEPTIC - SEWER MANHOLE

NOTE: SHADING WILL BE PERMITTED SEPARATELY FROM THE BUILDING PLANS AND MUST CONFORM TO THE TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS (LDS) CHAPTER 11.

APPROVALS:

APPROVAL	DATE
OWNER	
DESIGNED BY	
DRAWN	
TECHNICAL	
CHECKED BY	
DATE	

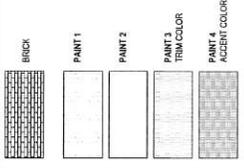




BUILDING SIGNAGE

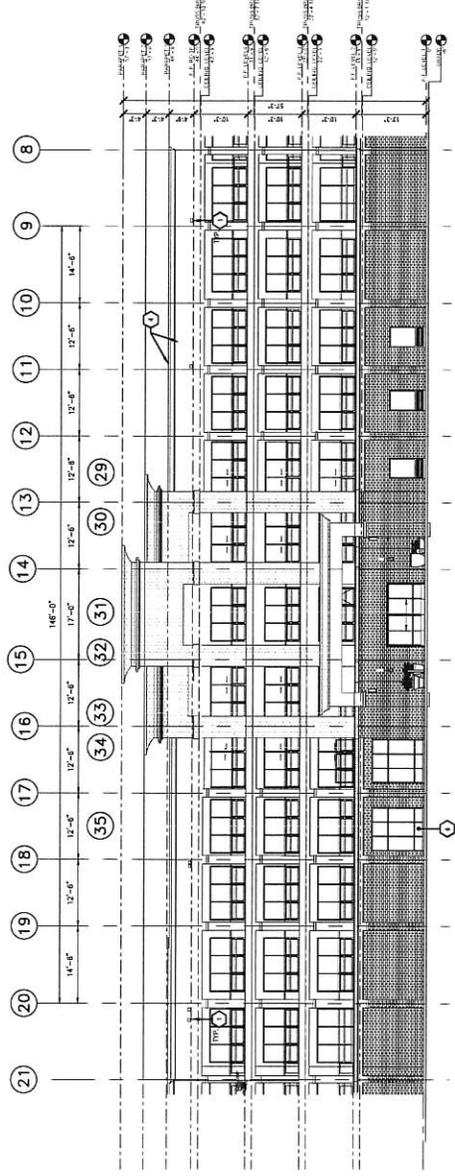
1. ALL SIGNAGE INDICATED FOR ILLUSTRATIVE PURPOSES ONLY. LOCATION, SIZE, ETC. TO BE DETERMINED ON AN AS-BUILT BASIS.
2. MINIMUM 3/4" PLYWOOD BACKBOARD REQUIRED AT SIGN LOCATIONS. AREA SHOULD COVER ENTIRE SIGN AND HEIGHT OF TAGS OR SPACE AVAILABLE FOR SIGN.
3. ELECTRICAL AND FINAL CONNECTION BY CONTRACTOR. ELECTRICAL REQUIREMENTS MAY BE OBTAINED FROM THE LOCAL ELECTRICAL INSPECTOR.
4. PERMANENT ACCESS DOORS TO INTERIOR OF ALL SIGNAGE ARE TO BE PROVIDED BY CONTRACTOR. CONTRACTOR TO FURNISH AND CONNECT PRIMARY ELECTRICAL SERVICE INSIDE SIGNAGE.
5. PARAPET WALLS FOR SIGNAGES WITH SIGNAGE ON EXTERIOR WALLS MUST HAVE ELECTRICAL PREVENTION AND/OR REMOTE TRANSFORMERS INSTALLED AND INSTALLED PRIOR TO CLOSING UP THE WALL. PREVENTION MUST NOT BE OBTAINED FROM SIGN COMPANY.

COLOR & FINISH LEGEND

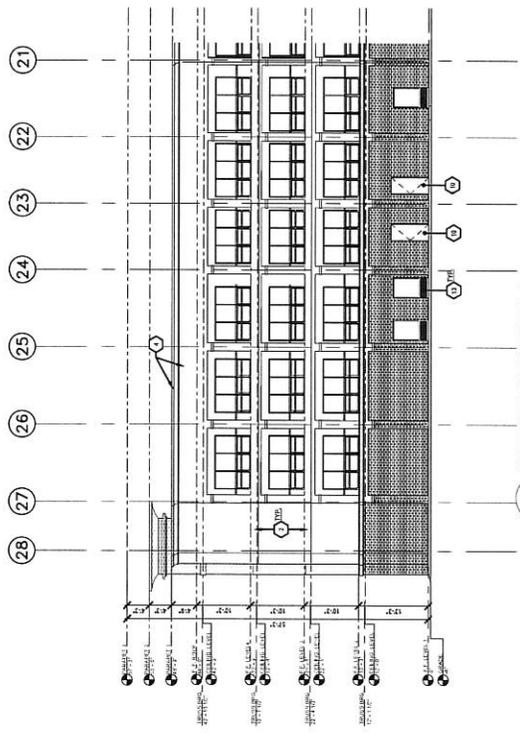


KEY NOTES

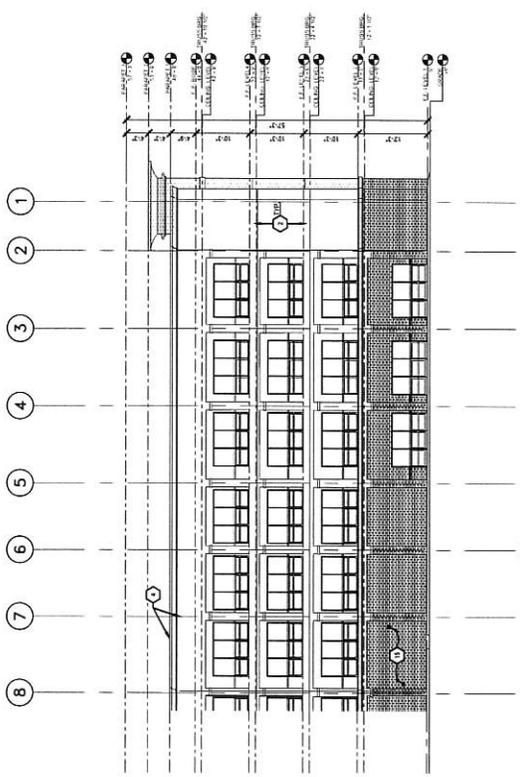
1. ROOF SCUPPER
2. CONTROL JOINT
3. TERMINATE ELECTRICAL REQUIREMENTS AS NEEDED - REFER TO BUILDING SIGNAGE BELOW
4. EXTERIOR INSULATION FINISH SYSTEM
5. 1/2" POLYSTYRENE INSULATION BOARD, GYPSUM, THERMALLY BROKEN FRAME, KYNAR 500 FINISH
6. ALUMINUM STOREFRONT, THERMALLY BROKEN FRAME, KYNAR 500 FINISH
7. ALUMINUM STOREFRONT, THERMALLY BROKEN FRAME, KYNAR 500 FINISH
8. AUTOMATIC SLIDING DOORS
9. ISOLATED HOLLOW METAL DOOR AND FRAME
10. CLEARANCE SIGN
11. SLOPE DRIVE (AS MARKED OR RECOMMENDED) TO DRAIN AWAY FROM SIGNAGE
12. PROVIDE EXTERIOR LOUVERS TO MATCH LOOK OF FRAMED WINDOWS. PROVIDE INSULATED PANEL.
13. GUEST LAUNDRY THROUGH WALL VENT FOR OPTIONAL LAUNDRY IF USED
14. HARD SURFACE BASE MATERIAL (MASONRY/TILE) TO BE PROVIDED BY CONTRACTOR
15. WELCOME SIGNAGE



1 FRONT ELEVATION
 SCALE 3/32" = 1'-0"



3 FRONT ELEVATION 1
 SCALE 3/32" = 1'-0"



2 FRONT ELEVATION 2
 SCALE 3/32" = 1'-0"

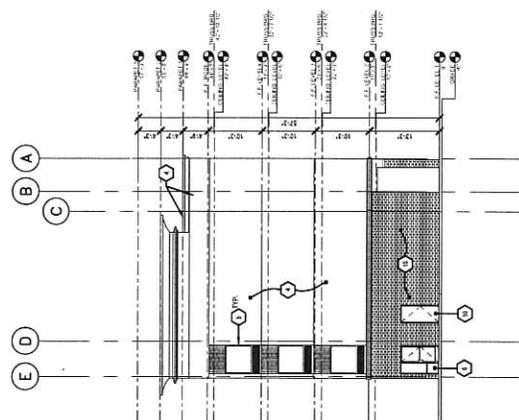


- KEY NOTES**
1. ROOF SCUPPER
 2. CONTROL JOINT
 3. FINISH MATERIALS ELECTRICAL RISERS/BOYS AS NOTED, REFER TO BUILDING SIGNAGE BELOW
 4. EXTERIOR INSULATION FINISH SYSTEM
 5. PRE-FINISHED ALUMINUM WINDOWS AND LOADERS
 6. ALUMINUM STOREFRONT, THERMALLY BROKEN FRAME
 7. KYNAR 500 FINISH
 8. AUTOMATIC SLIDING DOORS
 9. EXTERIOR WALL SOURCE
 10. CLEARANCE SIGN
 11. SLOPE DRAIN 1/8" MAX (1/4" RECOMMENDED) TO DRAIN
 12. PROVIDE EXTERIOR LOADERS TO MATCH LOOK OF BEHIND LOUVER AT NON-TYPICAL LOCATIONS
 13. LAUNDRY FEED USED
 14. HARD SURFACE BASE MATERIAL (MASONRY/TILE)
 15. PROVIDE FINISH SIGNING AREA
 16. WELCOME SIGNAGE

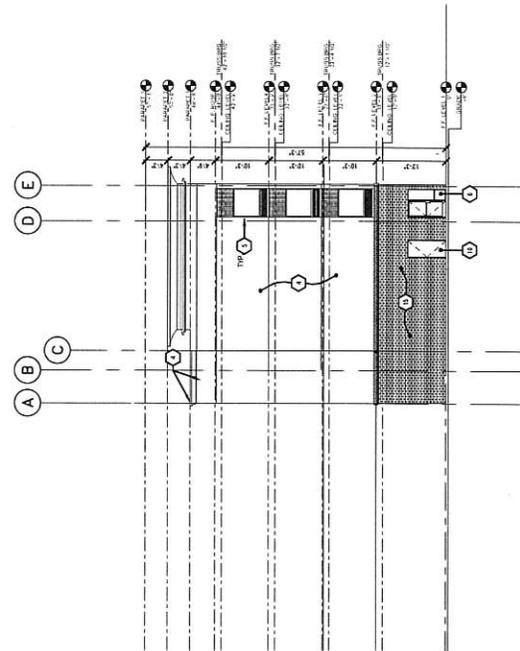
- BUILDING SIGNAGE**
1. ALL SIGNAGE INDICATED FOR ILLUSTRATIVE PURPOSES ONLY. LOCATION, SIZE, ETC. TO BE DETERMINED ON AN AS-BUILT BASIS.
 2. MINIMUM 1/4" X 3/8" BACKER BOARD REQUIRED AT SIGN LOCATIONS. AREA SHOULD COVER ENTIRE LENGTH AND HEIGHT OF FASCIA OR SPACE AVAILABLE.
 3. ELECTRICAL AND FINAL CONNECTION BY CONTRACTOR. ALL ELECTRICAL WIRING TO BE CONCEALED IN PERMANENT ACCESS DOORS TO INTERIOR OF ALL PARTS WHERE SIGNS ARE LOCATED TO BE PERMITTED AND CONNECT TO PRIMARY ELECTRICAL SERVICE INSIDE.
 4. PARAPET WALLS, SIGNING SPACES WITH SIGNAGE ON EXTERIOR WALLS MUST HAVE ELECTRICAL PENETRATIONS AND/OR REMOTE TRANSFORMERS COORDINATED AND/OR INSTALLED PRIOR TO CLOSING UP. SIGNAGE INSTALLATION OUTLET MAY BE OBTAINED FROM SIGN COMPANY.

COLOR & FINISH LEGEND

	BRICK
	PAINT 1
	PAINT 2
	PAINT 3 TRIM COLOR
	PAINT 4 ACCENT COLOR



1
 RIGHT ELEVATION
 SCALE: 3/32" = 1'-0"



2
 LEFT ELEVATION
 SCALE: 3/32" = 1'-0"

ENVIRONMENTAL REPORT FOR USDA RURAL DEVELOPMENT


2.59 Acres on Shiloh Trail
Waynesville, North Carolina

May 18, 2018

Logic Project L172-02

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SECTION 1 INTRODUCTION

1.1 PROJECT DESCRIPTION

The proposed project involves the construction [REDACTED] [REDACTED] on an approximately 2.59-acre parcel of undeveloped land located on the west side of Shiloh Trail, just over 275 feet north of its intersection with Hyatt Creek Road. (See attached maps included in Appendix 1.) The site is currently owned by SEVA Investments, LLC. A site plan included in the attached maps shows that approximately one-half acre at the north end of the site will be undisturbed by the construction activities. The project site currently consists largely of hardwoods and vines. Based on historical aerial photographs, about half of the project site was cleared during the development of the east adjacent hotel in the 1980s. About one-half acre at the center of the site remains mostly grassy and free of trees due to this historic partial clearing of the site. Shiloh Road is paved along the site's southeast boundary and tapers off into a grassy path that extends onto the site's northeast portion. The site has a rolling topography with an elevation range between approximately 2,800 and 2,900 feet above mean sea level (amsl).

The hotel will be constructed near the center of the project site and will front to the southeast. The highest point of the proposed hotel will be approximately 60 feet tall, with a footprint of approximately 11,500 square feet. The hotel will include 65 rooms and a total area of approximately 46,000 square feet. The grassy, on-site portion of Shiloh Road will be paved during the project and paved parking lots will extend from this portion of Shiloh Road, surrounding the hotel building. [REDACTED] [REDACTED] SEVA Investments, LLC, construction of the hotel is expected to be completed within approximately 18 months.

LOGIC's environmental review of the proposed project began in February 2018 and was put on hold in March 2018. By the end of April 2018, all correspondence from state and federal agencies had been received. Some brush-clearing activities were initiated on the grassy, historically cleared portion of the site in May 2018. However, [REDACTED] [REDACTED] approached LOGIC about completing the environmental review, he was advised to immediately cease any work on the project site until the USDA's environmental process was completed. The wooded portions of the site have not been cleared. Pictures depicting the site's conditions, both during LOGIC's site visit (February 2018) and at the time of completion of this report (May 2018), are included in Appendix 2. Land clearing activities will resume following the USDA's approval of the project.

1.2 PURPOSE AND NEED

According to [REDACTED] [REDACTED], the project area is in need of a new hotel for the increasing number of visitors to the area. The proposed hotel will help support tourism in Waynesville and will increase local revenue by attracting visitors of nearby sights, such as the Great Smoky Mountains National Park to the northwest and the Pisgah and Nantahala National Forests, to the northeast and southwest, respectively. The hotel will also bring new jobs to the area and will have an overall positive effect on the community and economy.

SECTION 2 AFFECTED ENVIRONMENT

2.1 CULTURAL, HISTORICAL & SOCIOECONOMIC RESOURCES

2.1.1 HISTORIC PRESERVATION

Consistent with the National Historic Preservation Act of 1966 and the Advisory Council on Historic Preservation's implementing regulation, 36 CFR Part 800, the potential effect of this project on historic properties listed or eligible for listing on the National Register of Historic Places (NRHP) must be considered. A map of sites listed on the NRHP has been included in Appendix 1 of this report. A review of the project by the North Carolina State Historic Preservation Office (SHPO) was requested via the North Carolina State Clearinghouse. A copy of the SHPO's response is contained in Appendix 3 of this report. The SHPO did not identify any historic resources which are listed or may be eligible for listing on the NRHP and which are likely to be affected by this project. Based on the absence of historic resources at the project site, no environmental consequences to this resource are expected.

Additionally, a review of the project by the relevant Tribal Historic Preservation Officers (THPOs) was requested. According to the U.S. Department of Housing and Urban Development's Tribal Directory Assessment Tool, the tribes which may have an interest in Haywood County include the Catawba Indian Nation, the Eastern Band of Cherokee Indians and the Muscogee (Creek) Nation. Copies of correspondence with the THPOs of these tribes are contained in Appendix 3 of this report. Since the THPOs which chose to comment did not identify any historical or tribal resources at the project site, no environmental consequences to this resource are expected.

2.1.2 ENVIRONMENTAL JUSTICE

The proposed project site is located in a moderately developed area near an exit off of a busy highway (Highway 74, also known as Great Smoky Mountains Expressway). Properties adjacent to the project site include a farm, wooded land, a hotel and two car dealerships. The project site is vacant wooded land and, as such, the project will not displace any low income or minority populations. The creation of new jobs and expected increase in local revenue associated with this proposed project will have a positive impact on the Waynesville community. Based on this information, the project is not likely to adversely affect low income or minority

populations in the larger area. An Environmental Justice and Civil Rights Impact Analysis (Form RD 2006-38) is included in Appendix 1.

2.2 BIOLOGICAL & NATURAL RESOURCES

2.2.1 ENDANGERED SPECIES & CRITICAL HABITATS

Since 1973, the Endangered Species Act has strived to conserve and protect threatened and endangered species of plants and animals in the U.S. and to preserve their natural habitats. According to the United States Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) resource list, the Carolina Northern flying squirrel (*Glaucomys sabrinus coloratus*), the gray bat (*Myotis grisescens*), the Indiana bat (*Myotis sodalis*), the Northern long-eared bat (*Myotis septentrionalis*), the Appalachian elktoe (*Alasmidonta raveneliana*), the Spruce-fir moss spider (*Microhexura montivaga*), the small whorled pogonia (*Isotria medeoloides*), spreading avens (*Geum radiatum*) and the rock gnome lichen (*Gymnoderma lineare*) were identified as potentially occurring at the project site.

Since the project site does not support any water bodies or wetlands, the project is determined to have **no effect** on the Appalachian elktoe. According to the North Carolina Bat Working Group and the USFWS, the gray bat inhabits caves year round. As no caves are located on the site, the project is determined to have **no effect** on the gray bat. According to the North Carolina Wildlife Resource Commission's information profile for the Carolina Northern flying squirrel, the Raleigh Ecological Services Field Office's profile for the spreading avens and the USFWS's article on the spruce-fir moss spider, these three species inhabit cool forests at an elevation of 4,000 feet amsl or higher. Based on the elevation of the site, the project was determined to have **no effect** on the Carolina Northern flying squirrel, the spruce-fir moss spider and the spreading avens. According to a 2017 population estimate of the Indiana bat, no individuals of this species were observed in North Carolina in 2017. Additionally, the site is located outside the final critical habitat which has been established for the Indiana bat. Based on this information, the project is determined to have **no effect** on the Indiana bat.

The small whorled pogonia, a small orchid with green-yellow flowers, is found in older hardwood stands with an open understory and acidic soils. Since portions of the site meets some of these conditions, LOGIC reached out to the USFWS for further consultation regarding the suitability of the site's habitat for this species. According to a letter from USFWS, dated March 12, 2018, and included in Appendix 3, given the current conditions and the apparent land use

history at the site, suitable habitat for this species is not located within the subject site. Based on the lack of suitable habitat for the small whorled pogonia at the site, the project is determined to have **no effect** on this species.

Northern long-eared bats spend winters hibernating in caves and summers roosting in forests. The Center for Biological Diversity states that Northern long-eared bats prefer older forests with trees over 100 years old. The project site was mostly cleared for farming, with scattered trees, up until the late 1980s when, as mentioned in the project description above, about half of the project site was cleared during the development of the east adjacent hotel property in 1989. The site began regrowing in the early 1990s and, as such, the majority of trees on the site are young (under 30 years) and small. Based on the age and size of trees on the site, this project area does not appear to be ideal for the Northern long-eared bat. Although tree removal may affect potential habitat for the northern long-eared bat, based on the project's location greater than one-quarter mile from a known hibernaculum, any incidental take of this species would be exempt under the 4(d) rule. Based on this information, we have determined that the project **may affect, but is not likely to adversely affect** the Northern long-eared bat. The USFWS's concurrence with this determination is included in Appendix 3.

2.2.2 WETLANDS

Wetlands are areas defined by the presence of hydric soils, wetland plants and evidence of hydrology. Prior to construction, on-site wetlands must be identified in order to determine if permits regarding wetlands must be obtained before initiating construction. A Natural Resources Conservation Service (NRCS) Soil Survey map showed the site is underlain with Evard-Cowee complex and Hayesville clay loam. Per the Web Soil Survey's information on these soil types, both are well drained and are not considered hydric. No wetland indicators were observed at the subject site and no wetlands were identified on the site on a National Wetlands Inventory Map. The NRCS Soil Survey and the National Wetlands Inventory maps are included in Appendix 1. Based on the apparent absence of wetlands at the project site, no environmental consequences to this resource are expected.

2.2.3 FLOODPLAINS

Floodplains are low-lying areas adjacent to streams or rivers which are subject to flooding. A Flood Insurance Rate Map (FIRM) shows that no portion of the site is located within

a floodplain. Therefore, no negative impacts to floodplains are expected to be associated with the proposed project.

2.2.4 COASTAL AREAS

Coastal resources include coastal zones and barrier systems. According to NOAA's Office of Coastal Management, North Carolina's coastal zone includes the 20 counties that border the Atlantic Ocean or any coastal sounds. The site is not located in the state's coastal zone, nor is it located within a Coastal Barrier Resource Area (CBRA). As the proposed site is not located within a coastal area, no impact to coastal resources or coral reef ecosystems is indicated.

2.2.5 IMPORTANT FARMLAND

The project area has been evaluated for land use, important farmland and formally classified lands in order to avoid excessive and/or unnecessary conversion of farm, range and forest land from existing uses. The Natural Resources Conservation Service's (NRCS) Farmland Classification Map indicated that the Hayesville clay loam which underlays approximately one acre of the site is considered "farmland of local importance". However, since the project site is located within an incorporated area and is not currently used for farming, the development of the property will have an insignificant effect on important farmland.

2.3 ADDITIONAL RESOURCES

2.3.1 TRANSPORTATION

The transportation corridor which could be affected by the proposed project includes Shiloh Road, east of the site. The area immediately surrounding the site is relatively developed with established traffic patterns and travelers. Although the proposed project will likely alter the volume of vehicular traffic in the area, the increase in traffic patterns is not likely to be significant.

2.3.2 AIR QUALITY

According to the EPA Green Book, the subject site is not located within a non-attainment area. No air quality issues are expected to be associated with the proposed construction activities or the operation of the hotel.

SECTION 3

ENVIRONMENTAL RISK MANAGEMENT

A Phase I Environmental Site Assessment performed by LOGIC in March 2018 did not identify any hazardous substances or hazardous waste generation on the project site. The proposed project is not expected to generate any hazardous waste outside of normal construction wastes. Best management practices will be in place during the construction portion of the project to ensure that any chemicals used in the process will not be discharged to local waterways. The operation of the proposed hotel building is not expected to generate hazardous waste, as chemicals typically associated with hotel operations are limited to household and maintenance chemicals. No application or notification for the generation of hazardous waste had been submitted to the North Carolina Department of Environmental Quality for the proposed project at the time of this report. Overall, no threat to the proposed project site from hazardous waste generation is indicated.

SECTION 4 CONCLUSION

No adverse impacts to the project site's cultural, historical, socioeconomic, biological or natural resources are indicated. As such, LOGIC concludes that the [REDACTED] construction project in Waynesville, North Carolina qualifies for Categorical Exclusion.

PHASE I ENVIRONMENTAL SITE ASSESSMENT



[REDACTED]

[REDACTED]

WAYNESVILLE, HAYWOOD COUNTY, NORTH CAROLINA
ECS PROJECT NO. 49-1055

[REDACTED]

[REDACTED]

JANUARY 19, 2016





ECS Carolinas, LLP

"Setting the Standard for Service"

Geotechnical • Construction Materials • Environmental • Facilities

January 19, 2016



Waynesville, North Carolina, 28786

ECS Project No. 49-1055

Reference: Phase I Environmental Site Assessment Report, [REDACTED], 130 Shiloh Trail, Waynesville, Haywood County, North Carolina

[REDACTED]:

ECS Carolinas, LLP (ECS) is pleased to provide you with the results of our Phase I Environmental Site Assessment (ESA) for the referenced site. ECS services were provided in general accordance with ECS Proposal No. 31-4390-P authorized on January 06, 2016 and generally meet the requirements of ASTM E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process and EPA Standards and Practices for All Appropriate Inquiry contained in 40 CFR Part 312.

If there are questions regarding this report, or a need for further information, please contact the undersigned.

ECS Carolinas, LLP

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Project Summary



Report Section	No Further Action	REC	CREC	HREC	Other Environmental Considerations	Recommended Action
4.0 User Provided Information	✓					
6.0 Historical Use Information	✓					
7.0 Site and Area Reconnaissance	✓					
8.1 Non-Scope Issues	✓					
9.0 Interviews	✓					



ENVIRONMENTAL PROFESSIONAL STATEMENT

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in § 312.10 of 40 CFR 312. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



Amy Conchas, REM
Regional Project Manager
January 19, 2016

1.0 EXECUTIVE SUMMARY

ECS Carolinas, LLP was contracted [REDACTED] to perform an ASTM E1527-13, Phase I Environmental Site Assessment (ESA) of the [REDACTED] Property located at [REDACTED] in Waynesville, Haywood County, North Carolina (i.e. subject property). This Executive Summary is an integral part of the Phase I ESA report.

The subject property is identified by the Haywood County Geographical Information System (GIS) as Parcel Identification Number (PIN) 8604-48-7954 [REDACTED]. The approximate 2.59-acre subject property consists of undeveloped, wooded and cleared land. Water and sewer services are available in the vicinity of the subject property through the Town of Waynesville. Evidence of structures associated with the subject property was not noted. The subject property slopes from northwest to southeast. A gravel access road affords access to the subject property and runs from east to north along the northeastern boarder of the subject property. A barbed wire fence runs along the entire western border of the subject property. A small water filled depression was observe several feet to the west of the gravel access road on the subject property. The depression appeared to be naturally occurring through runoff from the northern portion of the subject property.

The subject property is located in a commercial and residential area of Waynesville. The subject property is bound on the north by undeveloped wooded land. The subject property is bound on the east by Shiloh Road followed by Best Western Smokey Mountain Inn, Waynesville Chevrolet, and Waynesville Chrysler, Dodge, Jeep, and Ram. The subject property is bound on the south by a residential property. The subject property is bound on the west by undeveloped wooded land and agricultural land.

Based on the records search, site reconnaissance and interviews, prior to the 1970s it appears that the subject property was undeveloped wooded land with portions of agricultural land. The subject property has been vacant and undeveloped wooded land since at least the late 1970s. Historical records prior to 1956 were not reasonably ascertainable for the subject property.

Our review of historical information for adjoining or nearby properties identified the area as originally residential, agricultural, or undeveloped properties that transitioned to commercial properties in the 1990s.

A regulatory database search report was provided by EDR. The database search involves researching a series of Federal, State, Local, and other databases for facilities and properties that are located within specified minimum search distances from the subject property. The report did not identify the subject property on the databases researched. The EDR report identified several off-site properties within the minimum ASTM search distances. Based on our review of available public records and/or interviews with regulatory agents, none of the listings represent a recognized environmental condition (REC) for the subject site.

ASTM E1527-13 defines a "data gap" as: "a lack of or inability to obtain information required by this practice despite good faith efforts by the environmental professional to gather such information". Data gaps which would be expected to impact our ability to render a professional opinion concerning the subject property were not identified.



The subject property was historically used as agricultural land. Such use of the subject property may have included the storage and use of beneficial agricultural products such as fungicides, herbicides, and/or fertilizers. The legal use (i.e., in accordance with the manufacturer's specifications and customary practices) of such substances, in the course of standard operational practices does not constitute a "release to the environment." Further, reasonably ascertainable information was not observed during the source of our assessment, including historical records review, or site reconnaissance observations regarding past site history, that a past release of such substances had occurred. Therefore, the mere presence of this historical land use does not meet the definition of a REC.

We have performed a Phase I Environmental Site Assessment in general conformance with the scope and limitations of ASTM E1527-13 of the [REDACTED] Property located at [REDACTED] in Waynesville, Haywood County, North Carolina. Exceptions to, or deletions from, this practice are described in Section 2.6 of this report. This assessment has revealed no evidence of recognized environmental conditions in connection with the property.



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NC Registered Engineering Firm F-1078

February 23, 2016



Waynesville, North Carolina 28803

Reference: Report of Preliminary Geotechnical Evaluation

Shiloh Trail
Waynesville, North Carolina
ECS Project Number 31-3043-A



As requested, ECS Carolinas, LLP (ECS) has completed a preliminary geotechnical evaluation at the above-referenced property. This report summarizes the results of the exploration and presents our preliminary recommendations regarding development at the project site.

PROJECT INFORMATION

Our understanding of the project is based upon discussions between Mark Brooks, P.E., with Brooks Engineering Associates (BEA), and our Scott Sawyer, E.I. BEA also provided ECS with three images indicating preliminary grading concepts and an approximate building location. The project consists of developing an approximate 2.59-acre parcel located at the western side of Shiloh Trail in Waynesville, Haywood County, North Carolina. The site is identified on the Haywood County GIS with Parcel Identification Number (PIN) 8604-48-7954.

Based on the preliminary grading concepts, we understand the site will require maximum cuts on the order of 12½ feet and maximum fills on the order 13½ feet. It appears that the approximate northern two-thirds of the approximate hotel footprint provided to us will be constructed at or near existing grades, and the approximate southern one-third will be constructed over new engineered fill. The maximum depth of the new fill for the southern portion of the building will be approximately 10 feet.

The site is currently undeveloped. The site appears to have been historically used as a borrow soil source. There are two notable cut banks with two level terraced areas on the property. The northern boundary of the property is primarily an apparent natural upslope. Please note ECS performed site clearing and benching activities with a bulldozer in order to access the soil test boring locations.

The purpose of this preliminary study was to explore the general subsurface conditions at the site and evaluate those conditions with respect to potential construction of a multi-story hotel building, pavements, and utilities at the site. The exploration included drilling soil test borings, performing engineering evaluations, and developing this report of our findings and preliminary recommendations.

SUBSURFACE EXPLORATION

Mechanized Soil Borings

Five (5) soil test borings, denoted B-1 through B-5, were drilled at the approximate locations shown on the Boring Location Plan in the Appendix. The borings were advanced to depths of about 20 feet below the existing ground surface. The boring locations were selected by ECS to provide a preliminary and general characterization of the soils at the site. The boring locations indicated on the Boring Location Plan are for illustrative purposes only and should be considered approximate.

Drilling was performed by a CME 45C trailer-mounted drill rig using continuous-flight hollow stem augers. Soil samples were obtained by means of the split-barrel sampling procedures in general accordance with ASTM D1586. In the split-barrel sampling procedure, a 2-inch O.D., split-barrel sampler is driven into the soil a distance of 18 inches by means of a 140-pound hammer falling 30 inches. The number of blows required to drive the sampler through a 12-inch interval is termed the Standard Penetration Test (SPT) value and is indicated for each sample on the boring logs. This value can be used to provide a qualitative indication of the in-place relative density of cohesionless soils. In a less reliable way, it also indicates the consistency of cohesive soils. This indication is qualitative, since many factors can significantly affect the SPT value and prevent a direct correlation between drill crews, drill rigs, drilling procedures, and hammer-rod-sampler assemblies.

Representative soil samples obtained during our field exploration were selected and tested in our laboratory to verify field classifications (ASTM D 2487) and to help estimate pertinent engineering properties of the site soils. The geotechnical laboratory testing included natural moisture content determinations (ASTM D 2216) and percentage of material in soils finer than the No. 200 sieve (ASTM D 1140). The laboratory test results are attached on the Laboratory Testing Summary. Additional information from each soil boring is provided on the attached individual soil test boring logs.

SITE AND SUBSURFACE CONDITIONS

Prior to performing soil test borings, the ground surface was disturbed with a bulldozer in order to create level benches. The estimated topsoil depth at each boring location prior to clearing ranged between approximately 2 to 4 inches. Below the surficial material, natural residual soils were encountered to the termination depth of each boring. The residuum consisted of silty fine sand (SM) with mica. Standard Penetration Test N-values in the residuum ranged from 3 to 50 blows per foot (bpf) with typical values in the range of 10 to 50 bpf.

Groundwater was not encountered at the boring locations within the termination depths at the time of our exploration. Groundwater elevations should be expected to vary depending on seasonal fluctuations in precipitation, surface water absorption characteristics, and other factors.

The above paragraphs provide a general summary of the subsurface conditions encountered at specific boring locations at the time of our exploration. The Boring Logs included in the Appendix contain more detailed information regarding the subsurface conditions encountered at

each boring location. These Boring Logs represent our visual classification of the samples retrieved during the field exploration. The stratification lines on the Boring Logs designate approximate boundaries between various subsurface strata, and the actual in-situ transitions are expected to be more gradual. Subsurface conditions intermediate of the actual boring locations may vary.

Each split spoon sample was visually classified in general accordance with the Unified Soil Classification System. Select samples were tested in our laboratory to assist with classification and evaluating engineering parameters. The natural moisture contents ranged from 22.4 to 32.5 percent for the samples tested. The percent finer than No. 200 sieve ranged from 35.3 to 45.3 percent, indicating silty fine sand (SM).

The complete laboratory testing results are provided on the Laboratory Testing Summary in the Appendix. Natural moisture content results are also provided on the individual Boring Logs.

CONCLUSIONS AND PRELIMINARY RECOMMENDATIONS

Based on the subsurface conditions encountered during this preliminary evaluation, we offer the following preliminary geotechnical recommendations to help guide the early site planning and preliminary architectural and structural designs for this project:

- The soil conditions at the site are generally favorable for the planned developments. The underlying residual soils are suitable for support of a low to mid-rise, multi-story hotel structure on conventional shallow foundations depending on the design foundation loading conditions. The soils appear to be generally suitable for support of conventional on-grade pavements. It should be noted that lower consistency (very loose) soils were encountered to a depth of approximately 7½ feet below the ground surface at Boring B-1. We anticipate these lower consistency soils will be removed as the proposed grading plan shows cut on the order of 10 feet below the existing ground surface in this area. Please note that if the proposed grading plan changes in this area, improvement of the soil or removal and replacement may be required.
- The structure may be supported by conventional shallow foundations bearing on approved residual soils, or properly placed and compacted new engineered fill. We assume that the soils on the northern hotel foundation will bear at or near existing grades and transition into a fill condition at the southern end of the building. The foundation at the southern end of the building will bear in a maximum of about 10 feet of fill. We emphasize that the disparity of bearing conditions across the building footprint from footings bearing in cut to footings bearing on fill could create differential settlement conditions across the building. We feel that the differential settlement can be managed through proper sizing of footings and proper compaction control of the fill. Nevertheless, this should be an important consideration in the foundation design and earthwork specifications.
- Foundation elements that bear in the medium dense residual soil may be sized for *net* allowable bearing pressures on the order of 3,000 to 4,000 psf. Foundation elements that bear in new properly placed and compacted fill may be sized for net allowable bearing pressures on the order of 2,000 to 3,000 psf. The *net* allowable bearing

pressure is that pressure which may be transmitted to the foundation bearing soil in excess of the surrounding overburden pressure. Depending on the final foundation layout, it may be appropriate to size footings for different bearing pressures depending on whether they bear in residual cut soil or in compacted fill. This would be intended to reduce the amount of differential settlement and the associated effects on the new construction.

- If lower consistency soils similar to those encountered within Boring B-1 are present within the building footprint or pavement areas, subgrade stabilization activities may be required. Remedial activities may include shallow undercutting, stabilization with geosynthetics, or some combination thereof. ECS can make onsite recommendations at the time of construction, if conditions are encountered.
- Mass excavation on the order of 10 to 15 feet required to achieve the planned site grades should be able to be performed using conventional earth moving equipment such as trackhoes, backhoes, loaders, and/or bulldozers. Partially weathered rock (PWR) was not encountered within upper 20 feet of our soil borings. Please note that due to the variable nature of PWR, it is possible for PWR to be encountered at shallow depths in areas beyond and between our soil test borings. We do not anticipate that groundwater will be encountered within the typical depths of excavation for conventional footings and shallow utilities.
- Based upon the results of our visual classification and laboratory testing, it appears that the majority of the site soils are suitable for re-use as engineered fill and backfill, provided organics and/or large rocks, if encountered, are removed. Underground utilities should be able to be installed using conventional trenching equipment, and the excavated soils can be used as utility trench backfill given proper moisture conditioning and compaction.
- Final engineered slopes should typically be inclined no steeper than 1.5H:1V (Horizontal: Vertical) for cut slopes and 2H:1V for fill slopes to maintain a suitable long-term factor of safety. Fill slopes shall not be constructed using organic strippings, topsoil or other deleterious materials, and should be over-built and cut back to the required inclination in order to properly compact the slope face and to help enhance their long-term stability. Slopes should be properly vegetated to prevent erosion and shallow surficial sloughing which could lead to other instabilities. Slopes at the inclinations shown above will likely require permanent matting on the face to maintain proper vegetative cover.

We emphasize that this preliminary study included a very limited number of widely-spaced borings and was intended to provide a general evaluation of the site with respect to the planned construction and to guide early site planning and conceptual design. Once the site layout has been finalized and the structural loads have been determined, ECS should perform a design-level geotechnical evaluation to develop the specific site preparation and foundation design criteria for this project. The design-level evaluation should include additional subsurface exploration as deemed appropriate by the ECS Geotechnical Engineer and the project Structural Engineer and may consist of additional soil test borings, rock coring, test pit excavations, pressuremeter testing, and laboratory testing as necessary.

Structural Engineer and may consist of additional soil test borings, rock coring, test pit excavations, pressuremeter testing, and laboratory testing as necessary.

GENERAL COMMENTS AND CLOSURE

The conclusions and preliminary recommendations provided in this report are based upon the information provided to us at the time of this report, the results of the subsurface exploration, and our experience with similar projects and subsurface conditions. If any of the information or assumptions presented in this report is not accurate, ECS should be notified to review our recommendations and address any discrepancy.

This study was intended to be preliminary in nature and should not be solely relied upon for final design or construction. Once the locations, sizes, and types of the planned developments have been defined, a design-level geotechnical evaluation should be performed in order to further evaluate the specific subsurface conditions at the development locations and develop specific engineering recommendations to guide the final design and construction. The design-level exploration should consist of additional soil test borings, test pit excavations, rock coring, pressuremeter testing, laboratory testing, and engineering evaluations as deemed necessary by the ECS Geotechnical Engineer and the project Structural Engineer.

We appreciate the opportunity to be of service to you on this project. If you have any questions concerning the information presented in this report, or if we can be of further assistance, please contact us at 828-665-2307.

Respectfully,

ECS CAROLINAS, LLP represented by;



Scott W. Sawyer, E.I.
 Geotechnical Project Manager

Attachments: Site Location Diagram
 Boring Location Plan
 Unified Soil Classification System
 Reference Notes for Boring Logs
 Boring Logs (B-1 through B-5)
 Laboratory Testing Summary



David G. Marsh, P.E.
 Principal Engineer
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