



# TOWN OF WAYNESVILLE

## Planning Board

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

Development Services  
Director  
Elizabeth Teague

Chairman  
Patrick McDowell  
Planning Board Members  
Anthony Sutton (Vice Chair)  
Marty Prevost  
Robert Herrmann  
H.P. Dykes, Jr.  
Don McGowan  
Ginger Hain  
Jason Rogers  
Susan Teas Smith

### Regular Meeting

**Town Hall, 9 South Main Street, Waynesville, NC 28786**  
**Monday, June 15, 2020, 5:30 PM**

#### A. CALL TO ORDER

1. Welcome/Calendar/Announcements
2. Adoption of Minutes
  - *Motion to approve Minutes from the Special Called Meeting of Monday, February 10, 2020 (as presented or as amended).*

#### B. BUSINESS

1. Public hearing to consider a Conditional District map amendment at 856 Russ Avenue (PINs 8616-22-9503 and 8616-33-7082), 135 Barber Boulevard (PIN 8616-32-2336), 259 Barber Boulevard (PIN 8616-32-8401) and outparcels (PINs 8616-32-4011 and 8616-21-8928), and 75 Barber Boulevard (PIN 8616-22-6393) to expand and amend the Russ Avenue Regional Center Conditional District (RARC-CD).
2. Recommendation to The Board of Aldermen to adopt the Waynesville 2035 Comprehensive Land Use Plan

#### C. PUBLIC COMMENT/CALL ON THE AUDIENCE

#### D. ADJOURN



## TOWN OF WAYNESVILLE Planning Board

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### Chairman

Patrick McDowell (Chairman)

### Planning Board Members

Marty Prevost

Robert Herrmann

Jason Rogers

H.P. Dykes, Jr.

Don McGowan

Ginger Hain

Susan Teas Smith

Robert M Blackburn

### Development Services

Director

Elizabeth Teague

## MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

### Special-Called Meeting

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

2/10/2020

THE WAYNESVILLE PLANNING BOARD held a special-called meeting on February 10, 2020, at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC.

### A. CALL TO ORDER

Chairman Patrick McDowell called the meeting to order at 5:30 p.m.

The following members were present:

Patrick McDowell (Chairman)

Marty Prevost

Robert Herrmann

Ginger Hain

Susan Teas Smith

H.P. Dykes, Jr.

Don McGowan

Robert M Blackburn

The following members were absent:

Jason Rogers

The following staff members were present:

Elizabeth Teague, Development Services Director

Jesse Fowler, Planner

Chelle Baker, Administrative Assistant

## 1. Welcome/Calendar/Announcements

Chairman Patrick McDowell welcomed everyone and asked Ms. Elizabeth Teague, Director of Development Services, to go over any announcements and calendar changes. Ms. Teague informed the Board that the administrative assistant, Ms. Baker, would be leaving before the end of the month and Development Services was currently seeking a replacement clerk. Staff and Planning Board gave her best wishes.

Ms. Teague suggested seeing how far through the Comprehensive Draft Plan the Board gets and then at the end of the meeting working out a schedule based on what they have left to accomplish. She advised there is a potential for a public hearing site plan for the March 16<sup>th</sup> meeting, but no application has been turned in yet. Ms. Teague informed that she would be out of the office in April and part of May.

Chairman McDowell advised there was a new Planning Board Member and asked Mr. Blackburn to introduce himself. Mr. Blackburn stated he is known as either Robert or Michael Blackburn, as his Dad's name is Robert as well. He shared that his Dad was a Methodist Minister, serving in Waynesville, from 93-98. Mr. Blackburn stated he is a Tuscola and Appalachian State graduate. He worked on various non-profits and has been the First Methodist youth pastor since 2003. Chairman McDowell informed the Board that Mr. Blackburn was also on the Land Use Steering Committee and volunteers in many other roles for the First Methodist Church. Each Board member introduced themselves to Mr. Blackburn.

Chairman McDowell addressed the Board that he is an ETJ representative of the Board and advised them that he was relocating his residence from the ETJ to the Town. He stated that as of Thursday he will no longer live in the ETJ, and he spoke with the County regarding the situation. The County advised him that they would prefer to allow him to be the County ETJ representative on the Waynesville Planning Board until the end of his term on June 30<sup>th</sup> since there are only a couple of months left. Chairman McDowell informed he contacted Ms. Teague, who verified with the Town of Waynesville administration, and the Town stated it was in concurrence that the County could continue to let Mr. McDowell serve until the end of his term as well. Therefore, Chairman McDowell advised he will continue to the end of his term on June 30<sup>th</sup> to continue to represent the County.

## 2. Election of Vice Chair

Chairman McDowell opened nominations for Vice Chair.

***A motion was made by Chairman Patrick McDowell, seconded by Board Member Ginger Hain, to nominate Board Member Susan Teas Smith as Vice-Chair of the Planning Board. There being no other nominations, Chairman McDowell closed nominations. The motion passed unanimously (8-0).***

Chairman McDowell advised by acclamation that Board Member Susan Smith was elected Vice Chair.



### 3. Adoption of Minutes

*A motion was made by Board Member Susan Smith, seconded by Board Member Bob Herrmann, to approve the minutes of the December 16, 2019 board meeting with the following corrections: Page One, under Planning Board Members: remove Pratik Shah and add Don McGowan and members present remove Pratik Shah and add Don McGowan. The motion passed unanimously (8-0).*

## B. BUSINESS

### 1. Continuation of Board Discussion on the Comprehensive Land Use Plan Update Draft, "Chapter 5: Recommendations" and Chapter 6: Action Plan."

Mr. Jesse Fowler, Planner, handed out and reviewed with the Planning Board two packets:

- Future Land Use Map Railroad Overlays
- Future Land Use Map Small Area Changes

Discussion took place of these updated maps. Mr. Fowler asked for suggestions on the RR Overlay. The Board replied with what they would like to see such as light industrial/ mixed use, some residential could be acceptable. It was determined that Mr. Fowler would bring two samples of the Howell Mill Community Mixed Use Map back at the next meeting with the overlay following the parcels in two different ways. The Planning Board also recommended to include the 52 Killian parcel in the Frog Level Industrial overlay map.

Ms. Elizabeth Teague, Director of Development Services, began the continuation of the discussion with the Board on the review of the Comprehensive Land Use Plan Update Draft beginning with pg. 108, Chapter 5: Recommendations and also review Chapter 6: 2035 Action Plan.

Staff made notes from the Boards comments and suggestions so that the staff could make revisions based on the recommendations and discussion. Once the suggestions are reviewed, a revised draft will be presented to the Planning Board for additional comments or changes.

- **Civic Space/Open Space-** There was much discussion from the Board about civic space and open space. They discussed clarifying the current definition of civic space and what does "public" mean. Incentivizing the civic space requirement to be less programmed. They asked questions to review such as, is it ok to have natural land as part of your 5-10% of dedicated open space-undeveloped woodlands. They spoke about keeping land open-passive recreation space. They discussed when open land gets developed how to protect some of the open space, making sure the preservation of natural undeveloped space was important. They talked about ideas of conservation for sub-division design and determining acceptable open/civic space in order to promote percentage of undisturbed property as part of a major subdivision plans could possibly count towards the civic space requirements by way of incentivizing. Discussion about separating the difference of designating recreational space for anybody in the community versus open space in order to protect the appearance of the Town and the Community. Planning Board members discussed ideas of incentivizing credit such as land given towards completion of the Greenway counting as double credit to move towards achieving a complete Greenway project.



- Public Art or Historical Markers- Mr. Fowler spoke on behalf of the Public Art Commission having an idea of an incentive of public art in lieu of a civic space percentage requirement. The Planning Board discussed and agreed that allowing Public Art and Historical Markers as an option to the civic space requirement as part of the new development within the RR overlays, Industrial Districts and Gateway areas.
- Pg. 112 Discussion of Gateways. The Board discussed along Gateway corridors instead of traditional rectangular lots, clustering the buildings together and having open space surrounding a possible major subdivision allowing the view along those corridors, which would retain the appearance but allow the development. Therefore, allowing higher density in areas by clustering.
- Chapter 6 Pgs. 123 and 124 fix the side Goals 1 and 2- they read the same. Goal 2 should be "Protect and Enhance Waynesville's Natural Resources"
- Pg. 123 Action #3- Update Code- change "code" to LDS (Land Development Standards) so it is not mistaken for terminology "Building Code"
- Pg. 124 Action #5 add in Low income housing partnership bullets- Smoky Mountain Housing Partnership and Housing Authority
- Pg. 124 Action #6 adding Town Home Definition Bullet where it talks about conceptual design
- Recognize the Master Plan – Neighborhood Parks by name
- Pg. 128 Lead Agency # 22 – Should include Mountain Projects

## 2. Discussion on process and timing of comprehensive plan draft recommendation.

Ms. Teague advised that all the Planning Board's comments and suggestions would be forwarded to the consultant, and a revised draft will be presented back to the Planning Board for additional review. Once the Planning Board is comfortable with the draft, she suggests that it be presented to the Board of Aldermen and the public for public comment, allowing a 30 day review before making a formal recommendation and asking the Board of Aldermen to schedule a public hearing and to consider adoption.

The Board agreed to have meetings on the upcoming dates:

- Monday, March 16, 2020 Regular Scheduled Meeting
- Monday, March 30, 2020 Special-Called Meeting to review and discuss the Revised New Draft of the 2035 Comprehensive Plan.

## C. PUBLIC COMMENT /CALL ON THE AUDIENCE

No one spoke

**D. ADJOURN**

*With no further business, a motion was made by Board Member Marty Prevost, seconded by Board Member Bob Herrmann to adjourn the meeting at 7:30 p.m. The motion passed unanimously (8-0).*

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Chelle Baker, Administrative Assistant

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Patrick McDowell, Chairman

DRAFT



## Planning Board Staff Report

### Ingles Russ Avenue Regional Center Conditional District Map amendment (Rezoning) Application June 15, 2020

**Project:** Ingles Shopping Center at Russ Avenue  
**Location:** 856 Russ Avenue (PINs 8616-22-9503 and 8616-33-7082),  
 135 Barber Boulevard (PIN 8616-32-2336),  
 259 Barber Boulevard (PIN 8616-32-8401),  
 outparcels (PINs 8616-32-4011 and 8616-21-8928), and  
 75 Barber Boulevard (PIN 8616-22-6393)  
**District:** Russ Avenue Regional Center Commercial District (RA-RC)  
**Applicant:** Ingles Markets, Inc.,  
 Represented by Preston Kendall, Construction Project Manager for Ingles Markets  
 John Cox, P.E. Land Planning Associates  
 Martha Bradley, Attorney, Hall Booth Smith, P.C.

#### **Background:**

This project will expand the Ingles Shopping Center within the existing footprint of their conditional district designation and increase it by adding the former Barber residence and orchard property. This request also includes a pylon sign within an easement on the property currently holding Chick-Fil-A and owned by Swannanoa Valley LLC. If approved, the Ingles Russ Avenue Regional Center Conditional District (RC-CD) would be expanded and amended specifically to the proposed Master Plan.

According to the Town of Waynesville's Land Development Standards, Section 15.15:

"Conditional Districts (Section 2.6) are districts with conditions voluntarily added by the applicant and approved in a legislative procedure by the Board of Aldermen in accordance with G.S. 160A-382. Conditional Districts provide for orderly and flexible development under the general policies of this Ordinance without the constraints of some of the prescribed standards guiding by-right development."

Conditional Districts are handled in the same way as a text and map amendment in which the Planning Board holds a hearing and determines if the request is consistent with the Comprehensive Land Use Plan and is reasonable and in the public interest. The Planning Board makes a recommendation to the Board of Aldermen, who then hold a second public hearing, have to adopt a statement of consistency, and then approve, deny, or approve with conditions the application.

The Planning Board's recommendation should consider:

- If the proposed use is compatible with surrounding properties,
- Area impacts and adequate facilities, infrastructure, etc.
- Building and site design, and
- Compatibility to the immediate context.

If approved, the site plan and CD designation replaces any conflicting regulations which would otherwise apply. The board may therefore recommend "reasonable and appropriate conditions including, but not limited to the location, nature, hours of operation and extent of the proposed use." Such conditions or additional standards of the Board "shall be limited to improving conformance with the existing ordinance and/or addressing expected impacts generated by the development and use of the site." The applicant will have a reasonable opportunity to consider and respond prior to final action by the Board.

Plan was reviewed by the Technical Review committee on January 29, 2019 and revised plans and complete application were submitted February 26, 2020. Notification of this hearing was scheduled for advertisement in the Mountaineer on March 4 and March 11, 2020 letters were sent to property owners within 500 feet of the project site on March 5-6, 2020, and the property was posted March 5, 2020.

### **Conditional District Application and Ordinance Request:**

The project will cover 35.44 acres, of which 23.89 is already part of the Conditional District Master Plan, expanding the shopping center toward the Garrett-Hillcrest cemetery. The applicant has provided an environmental survey, a master plan and elevations in accordance with the major site plan application requirements, a map amendment application, proof of unified control over the property, a project narrative and a completed Statement of Consistency Worksheet indicating belief in the project's reasonableness and consistency with the Land Use Plan.

The application and plan covers the extent of the conditions and requests being submitted as part of the design and the text amendments as would apply to the area of the Master Plan, including:

1. Section 5.10.3.C.2 – Applicant requests building glazing spacing of more than 20' for RETAIL #2, #3 and #4.
2. Section 8.6.2.B – Applicant requests alternative compliance to allow interior parking lot plantings greater than 40' of each parking space to allow for underground retention. Applicant has agreed to supplement additional plantings in existing landscaped islands and along the boundary with the cemetery.
3. Section 9.3 – regulates the Permitted Parking Locations on new development or redevelopment. And the applicant is using the Conditional District Rezoning request instead of applying for a Special Use Permit in order to allow parking to be located in the front of the buildings to be consistent with what has already been permitted.
4. Section 11.6.1 and 11.7.1.E – Applicant requests allowance for an additional Regional Center Ground Sign exceeding 48 s.f. in area, 8' in height, and the limit of one sign per street frontage.

### **Zoning Compliance:**

The subject property lies within the Russ Avenue Regional Center District (RA-RC), which has the following purpose and intent statement (**LDS 2.3.7 C.**)

The **Russ Avenue Regional Center District (RA-RC)** is a gateway for the community and often defines the first image a visitor has of the town. This district shall be a setting for high intensity land uses addressing the needs of the Waynesville community and surrounding areas. The Russ Avenue Town Center is envisioned as supporting dense development options due to the ample infrastructure in place and the proximity to downtown and the other municipalities in the county. The past emphasis in the Russ Avenue area on automobile traffic only shall be reduced by changing the nature of the district to make the area comfortable for other modes of transit including pedestrian, bicycle and mass transportation options. Central to this transformation is the redesign of Russ Avenue -- turning the existing middle lane into a tree-lined landscaped median. The standards for future development along this corridor will also be important to this transformation, incorporating principles designed to manage access along Russ Avenue. The development of an accessway connecting the rear portions of lots fronting on Russ Avenue will further reduce traffic congestion along the Russ Avenue corridor. Building development in the area is designed to create a comfortable streetscape and public realm by bringing buildings closer to the street, providing sidewalks and street trees and providing access between development and public areas. The mixture of residential and commercial uses is



encouraged. Development sensitive to the appearance of the corridor is essential. The highway bridge forms a gateway into the area (and town) and future designs should be sensitive to this fact.

The Regional Center District has no maximum density, building footprint, or lot standards. Plan exceeds the minimum set back requirements (10' side setbacks, 6' rear, and 6' between buildings). Closest buildings to a property line are Retail #16 which is 80' from boundary with the cemetery, and the existing gas express which is approximately 55' from the existing Home Trust Bank. Building height is limited to 4-5 stories. Project proposes single-story, commercial uses only. **(LDS 2.4.1)**

Project proposes general commercial uses, specifically retail, personal services, and a car wash which are all permitted in the RA-RC District. The car wash meets the supplemental standard that it be greater than 75' from boundary lines of any adjoining residential property. The development will require a Transportation Impact Analysis (TIA) and developer submitted a letter from a qualified traffic engineering firm and committed to implementing the requirements of those results. **(LDS Sections 2.5.3 and Supplemental Standards 3.5.6 and 3.5.9, 6.10)**

### **Connectivity and Infrastructure**

Buildings address an internal roadway system of Barber Boulevard, Frazier Street interior drives and parking lots. Interior driveway widths range from 20' to 25' and provide access to parking areas and to accommodate emergency vehicles. Proposed buildings will be served by expansions of existing parking lot and two newly created parking lots coming off of Frazier Street. **(LDS 4.3.1)**

Sidewalk is provided along the frontages of proposed new buildings with connecting sidewalk running between the driveways at Barber Boulevard and Frazier Street. Additional connecting sidewalk segments should be supplemented to connect RETAIL #3 and #4, to Frazier Street. **(LDS 6.8 and 9.4.4)**

A transit stop is already provided and Haywood Transit stops at the Ingles store on daily routes. The development team has agreed to locate a second transit stop to serve the RETAIL #3, #4, #15, and #16 in coordination with Haywood County Transit. **(LDS 6.4.3)**

As part of the NCDOT Russ Avenue improvement project, existing sidewalk along Russ Avenue will be replaced and the width of Frazier Street will be widened to include an additional turn lane. The proposal uses the existing three access points to Russ Avenue (Frazier Street, the access Road between the bank and Chick-Fil-A, and Barber Boulevard) and the existing Barber Boulevard access at Howell Mill Road. Since Russ Avenue and Howell Mill are state rights-of-way, the developer must submit a Traffic Impact Analysis to NCDOT to evaluate if any additional traffic control requirements are needed for these access points to accommodate the expanded use of the site.

The Russ Avenue project will also take a portion of the out-parcel now holding the Ingles current monument sign. Ingles' team has met with NCDOT to address changes to the Russ Avenue right-of-way and their proposal reflects the NCDOT project changes along the right-of-way. The Russ Avenue improvement project is currently scheduled to let in May of 2021.

All major development must place utilities underground and meet Duke Energy's standards. Site is served by Town water and sewer. There are 4 existing hydrants on site (3 that are within the current Ingles Shopping Center plan and 1 that is inactive on the Barber property and which the Town is re-activating) and the developer has agreed to add more in the area of RETAIL #3 and #4. Additional hydrants may be required by the Fire Chief as part of building permits. **(LDS 6.11.1-5)**



Development will require a State Land Disturbance Permit and will have to comply with the Town's Stormwater Ordinance. Stormwater will be managed by existing management measures already in place within the Shopping Center, which include two retention pond facilities, and are planned within new proposed parking lots. The stormwater management plan and facilities shall be submitted to the Town Engineer for review and approval. **(LDS 6.11.6, 12.4 and 12.5)**

### **Design Guidelines**

The project is laid out to expand usage of the existing parking areas and site lay out originally permitted as part of the Conditional District Plan approved in 2011 and then revised in 2017. Elevations reflect a continuation of the architecture style to create a consistent look with the buildings and storefronts that exist currently.

Commercial buildings are an allowable building type within the RA-RC District and are described by **LDS Section 5.5.6** as follows:

The commercial building type provides convenient automobile access from the fronting thoroughfare, while minimizing impacts of parking lots on an active pedestrian realm. The uses permitted within the building are determined by the District in which it is located. The Commercial Building typically has four yards (front yard; two side yards; and rear yard) and can accommodate a limited amount of parking in the front yard with the remainder to the side and rear of the building.

The proposed buildings appear to meet the Commercial Building Design Guidelines. Materials are primarily standard brick, stacked stone, and cementitious fiber board. Concrete masonry units (CMU) and exterior insulation finishing systems (EIFS) are used as secondary building materials. The heavier materials are placed below the lighter materials as required. **(LDS 5.10)**

The buildings seem to meet and exceed the transparency zone standard, which requires that at least 50% of the length of the building's street side be designed with glazing. But, the LDS prohibits blank walls or windowless spaces facing streets or public civic spaces such as parking lots in expanses greater than 20 feet in length. Buildings 1, 2, 3, and 4 appear to have sections of windowless walls greater than 20 feet. However, these particular building facades will be facing interior parking areas and are portions of building facades that appear to exceed the overall 50% requirement for transparent glazing. Additionally, on the side Barber Boulevard side of Buildings #3 and #4, the site plan indicates a row of shops breaking up the frontage of the "old Belk building" to create multiple store fronts that eliminate current non-conformity of the existing building. Additionally, the development introduces a secondary frontage to that building where now there are now openings. **(LDS 5.10.3)**

### **Landscaping**

In compliance with the LDS, the developer is proposing a landscaped parking lot screen along the northern boundary of the development. This screen consists of a dense evergreen hedge and canopy trees planted with a maximum spacing of 30' on center. This landscaping is intended to screen adjacent properties from car lights and glare.

Interior parking lot planting standards require that no parking space be located more than 40 feet from a shade tree. There are 308 proposed spaces in the new parking areas. Of these 308 spaces, 70 spaces are further than 40 feet from a shade tree. However, in some areas of the parking lots, this is because of



underground retention areas that capture stormwater and existing utilities. The applicant is seeking alternative compliance to the landscaping ordinance in order to have flexibility in the location of shade trees relative to parking spaces. Staff has asked that in lieu of meeting the performance standard of all parking spaces being within 40' of a parking space, the developer should provide additional plantings in other locations such as along entryways and on other landscaped islands where feasible. Applicant is preserving some of the existing tree line between the development and the abutting cemetery and additional trees are desirable within this area as well. All landscaped islands within the parking areas are curbed. **(LDS 8.2.4 and 8.6)**

### **Parking and Driveways**

The required parking standard is one space for every 600 square feet of general commercial space. Project proposes a total of 798 spaces of which 603 are already existing. This comes to a parking ratio of 1 space for every 325 square feet, exceeding the requirement. **(LDS 9.2)**

Parking is located at the interior of the project and over 200' from the right-of-way of Russ Avenue and is arranged to provide 6 distinct parking lot areas connected by internal drive aisles and driveways that provide circulation connecting to Frazier Street and Barber Boulevard. Parking spaces and layout meets the requirements for layout and circulation. **(LDS 9.4.2)**

Parking areas include sidewalks and crosswalks that generally meet Town requirements for internal pedestrian circulation and staff has asked for additional internal crosswalks and connections to ADA parking spaces. **(LDS 9.4.4)**

Additionally, one bicycle parking space is required per 20 auto spaces. With 308 new auto spaces proposed, 14 bicycle spaces are required. These bicycle spaces are not shown on the current plan, but should be added when best rack locations are determined. **(LDS 9.5)**

Lighting for the parking lots, buildings, and driveway entrances shall be submitted to Town staff for approval and must comply with the town's Land Development Standards **(LDS 10)**.

### **Signage**

Because of the size, scale, and number of new businesses proposed within this new development, the applicant is proposing a large monument sign 194.2 square feet in area and 22 feet 11 inches tall to be located at the intersection of Russ Avenue and Frazier Street. The proposed sign does not meet the location or size standards for the following reasons: (1) Off-premise signs are prohibited. This sign would be located on the existing Chick-Fil-A property and would contain signage for several business located on separate parcels. (2) The maximum size for a master development sign for developments 5 acres or greater is 160 square feet and 25 feet tall. As previously noted, at 194.2 square feet, the proposed sign exceeds this maximum area by 34.2 square feet. Additionally, only one master development sign is permitted per street frontage. Therefore, even if the Chick-Fil-A parcel was combined with the others to create one large lot, this proposed sign would be the second master development sign located along the Russ Avenue frontage.

The developer's proposal contends that:

- this particular sign design will provide wayfinding information to potential customers and is needed because of the increase in the number of businesses within the expanded development.

- Many of the new buildings will be obscured by the existing bank, Chick-fil-a and Ingles Gas/mini Mart. their buildings and will not be visible from Russ Avenue.
- This sign will serve the businesses associated with the Frazier Street entrance and on the expanded Conditional District area which is on a separate lot.
- The proposed sign at Frazier Street would be approximately 500 linear feet from the current sign location at the other entrance at Barber Boulevard with Home Trust Bank and Chick-fil-A in between.
- This signage request is a unique allowance as part of the Conditional District Ordinance and is necessary to accommodate the scale of the overall development and the number of businesses it will hold.

### **Environmental**

The proposed development is not located within any flood hazard area. **(LDS 12.3)**

There are two known streams on the development site. One is spring-fed and runs along the eastern property line. The second flows through a 72" underground concrete pipe connected to the Russ Avenue stormwater system. There are no known streams that flow through the area of proposed construction.

The site has no known endangered species.

The site has no known wetlands.

The total proposed impervious area is 21.83 acres or 61.4% of the total site, of which 18.86 acres is already built upon. 13.71 acres or 38% of the site at build out will remain pervious. To compensate for this substantial change, stormwater retention is required. Stormwater systems must be designed to meet the standards of the North Carolina Department of Environmental Quality and the Town of Waynesville. **(LDS 12.5)**

### **Consistency with the 2020 Land Development Plan**

Staff submits that this Conditional District request is consistent with the Town of Waynesville's 2020 Land Development Plan in that the proposed development:

- "Concentrates commercial with residential development along transportation corridors allowing for a mix of uses..." (p. 4-3)

### **Consistency with the 2020 Land Development Plan**

Staff submits that this Conditional District request could be considered as consistent with the Town of Waynesville's 2020 Land Development Plan in that it:

- Re-uses and improves an existing commercial site promoting the "orderly growth, development and enhanced land values of the Town" (4-2 Land Use).
- Is considered "infill development in the Town of Waynesville as an alternative to continued outward expansion." (4-4)



- “Concentrates commercial development with residential development along transportation corridors...” (4-3 Land Use)
- “Develops alternative transportation opportunities” (4-9 Transportation)
- “Promotes the reuse of vacant or under-utilized industrial and commercial sites through the use of incentives ...” (4-19 Economic Vitality).

Staff suggests that this project is reasonable and in the public good in that it:

- Builds out an existing shopping center
- Re-uses the Barber residence and orchard site, cleaning out an area that is currently blighted and a source of policing concerns
- Creates new economic opportunities that will create jobs and additional tax revenue for the Town
- Focuses high intensity development near access to the Expressway and on a major transportation corridor.

Planning Board should make their own determination of findings using the work sheet attached.

**Requested Action:**

1. Motion to adopt a Consistency Statement showing how the project is reasonable and consistent with the 2020 Land Development Plan. (worksheet attached)
2. Motion to recommend (approval/denial/approval with conditions) to the Board of Aldermen.



To: Town of Waynesville Board of Aldermen  
From: Town of Waynesville Planning Board  
Date: June 15, 2020  
Subject: Text/Map Amendment Statement of Consistency  
Description: Ingles LLC Conditional District Request  
Address: Town of Waynesville Planning Department ("Development Services Department")

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

☐ The zoning amendment **is approved and is consistent with the Town's comprehensive land use plan** because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The zoning amendment **and is reasonable and in the public interest** because:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ The zoning amendment **is rejected because it is inconsistent with the Town's comprehensive land plan and is not reasonable and in the public interest** because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town's comprehensive land use plan**. The change in conditions taken into account in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

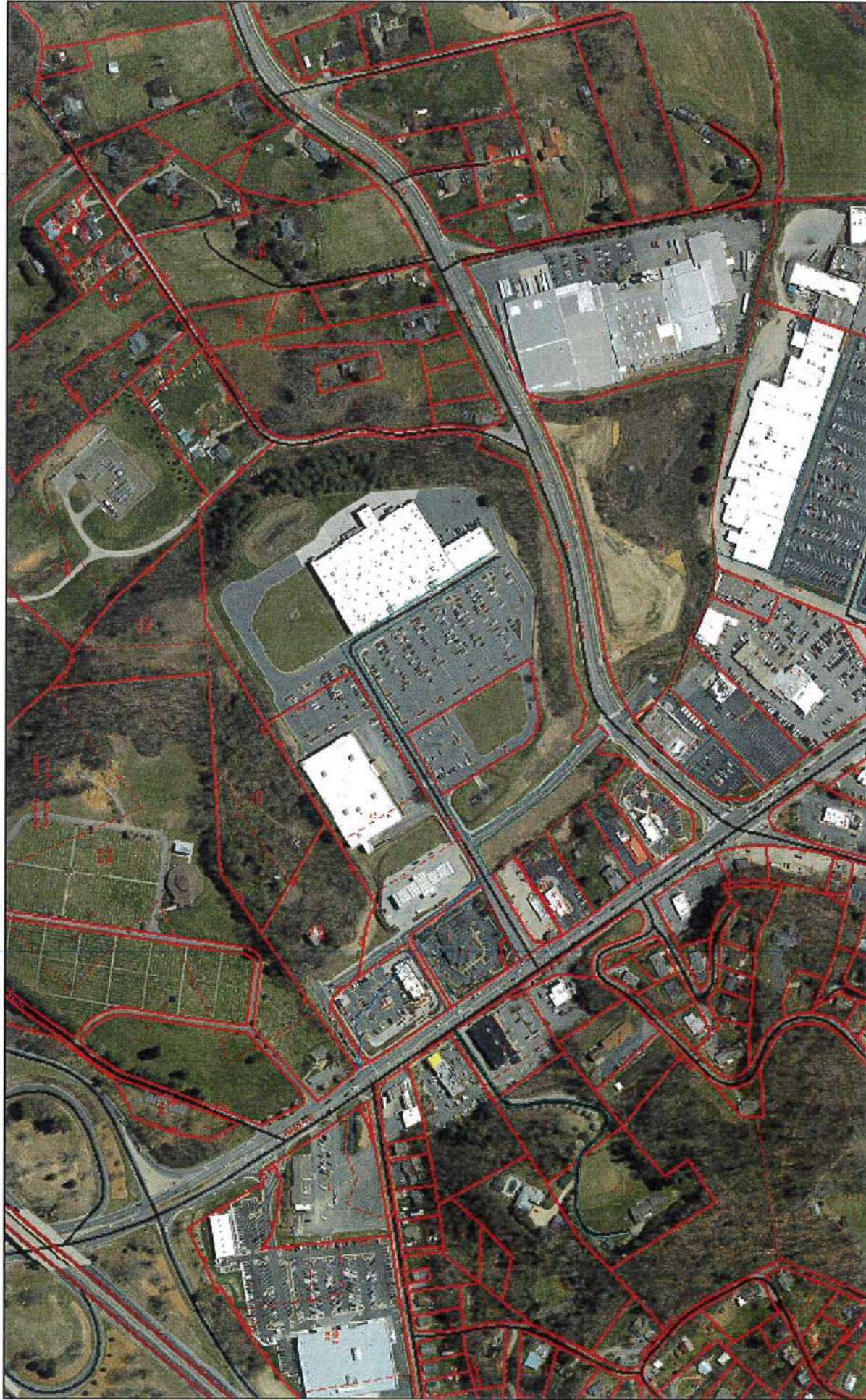
Planning Board Member \_\_\_\_\_, made a motion, seconded by \_\_\_\_\_

The motion passed \_\_\_\_\_. (*unanimously or vote results here*)

\_\_\_\_\_  
Patrick McDowell, Planning Board Chair, Date

\_\_\_\_\_  
Eddie Ward, Town Clerk, Date





March 5, 2020

1:4,800  
0 0.04 0.08 0.1 0.16 mi  
0 0.05 0.1 0.2 km





# Proposed Russ Avenue Regional Center Conditional District Proximity Zoning





## TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

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

[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

FOR IMMEDIATE PUBLICATION

May 29, 2020

Contact: Byron Hickox, 828-456-8647

### **Notice of Public Hearing for a Map Amendment (Rezoning)**

#### **Town of Waynesville Planning Board**

The Town of Waynesville Planning Board will hold a public hearing on June 15, 2020 at 5:30 pm, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC to consider a Conditional District map amendment at 856 Russ Avenue (PINs 8616-22-9503 and 8616-33-7082), 135 Barber Boulevard (PIN 8616-32-2336), 259 Barber Boulevard (PIN 8616-32-8401) and outparcels (PINs 8616-32-4011 and 8616-21-8928), and 75 Barber Boulevard (PIN 8616-22-6393) to expand and amend the Russ Avenue Regional Center Conditional District (RARC-CD).

For more information please contact Byron Hickox of the Waynesville Development Services Department at (828) 456-8647, by email at [bhickox@waynesvillenc.gov](mailto:bhickox@waynesvillenc.gov), or by mail at 9 South Main Street, Suite 110, Waynesville, NC 28786.



## TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

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

[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

### Notice of Public Hearing for a Map Amendment (Rezoning) Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold a public hearing on June 15, 2020 at 5:30 pm, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC to consider a Conditional District map amendment at 856 Russ Avenue (PINs 8616-22-9503 and 8616-33-7082), 135 Barber Boulevard (PIN 8616-32-2336), 259 Barber Boulevard (PIN 8616-32-8401) and outparcels (PINs 8616-32-4011 and 8616-21-8928), and 75 Barber Boulevard (PIN 8616-22-6393) to expand and amend the Russ Avenue Regional Center Conditional District (RARC-CD).

For more information please contact Byron Hickox of the Waynesville Development Services Department at (828) 456-8647, by email at [bhickox@waynesvillenc.gov](mailto:bhickox@waynesvillenc.gov), or by mail at 9 South Main Street, Suite 110, Waynesville, NC 28786.





June 15, 2020 Planning Board Public Hearing Postings  
Conditional District Zoning Request











HALL BOOTH SMITH, P.C.  
ATTORNEYS AT LAW

Martha S. Bradley  
Phone: (828) 232-4481  
mbradley@hallboothsmith.com

Hall Booth Smith, PC  
72 Patton Avenue  
Asheville, NC 28801

Office: (828) 232-4481  
www.hallboothsmith.com

## CONDITIONAL DISTRICT AMENDMENT APPLICATION

### INGLES MARKETS #23 – WAYNESVILLE, NC

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ASHEVILLE, NC

ALABAMA | FLORIDA | GEORGIA | NEW JERSEY | NEW YORK | NORTH CAROLINA | SOUTH CAROLINA | TENNESSEE



**TOWN OF WAYNESVILLE**  
Development Services Department  
PO Box 100  
9 South Main Street  
Waynesville, NC 28786  
Phone (828) 456-8647 • Fax (828) 452-1492  
[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

**Application for Land Development Standards Map Amendment**

Application is hereby made on February 26, 2020 to the Town of Waynesville for the following map amendment:

Property owner of record: Ingles Markets, Inc.  
Address/location of property: Russ Avenue / Barber Blvd.  
Parcel identification number(s): 8616-32-8401, 8616-32-4011, 8616-32-2336, 8616-21-8928, 8616-22-9503, 8616-33-7082  
Deed/Plat Book/Page, (attach legal description): DB 430, Pg 646 & DB 931, Pg 2493  
The property contains 35.44 acres.  
Current district: Ingles Markets Conditional District (Ord. No. 2-11)  
Requested district: Amended Ingles Markets Conditional District

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

**Applicant Contact Information**

Applicant Name (Printed): Preston Kendall, Construction Project Manager for Ingles Markets  
Mailing Address: 2913 Hwy 70 West, Black Mountain, NC 28711  
Phone(s): (828) 669-2941, ext. 384  
Email: pkendall@ingles-markets.com  
Signature of Property Owner(s) of Record Authorizing Application:

Preston Kendall / INGLES MARKETS  
Note: Map Amendment Requests require a fee based on the size and number of lots being requested. 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.

*This institution is an equal opportunity provider*





HALL BOOTH SMITH, P.C.  
ATTORNEYS AT LAW

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Hall Booth Smith, PC  
72 Patton Avenue  
Asheville, NC 28801

Office: (828) 232-4481  
www.hallboothsmith.com

February 27, 2020

**VIA E-MAIL**

Ms. Elizabeth Teague, AICP, CTP, CFM  
Development Services Director  
Town of Waynesville, NC  
9 S. Main Street  
P.O. Box 100  
Waynesville, NC 28786  
[eteague@waynesvillenc.gov](mailto:eteague@waynesvillenc.gov)

RE: Conditional District Amendment Application for Ingles Markets

Dear Ms. Teague:

Enclosed are the Conditional District Amendment Application and supporting materials submitted by Ingles Markets for their property located along the Russ Avenue corridor. The address of the flagship storefront in this commercial development is 201 Barber Boulevard, Waynesville, North Carolina 28786. The project will involve significant redevelopment of approximately 35 acres and result in nearly 100,000 square feet of new commercial space. The development team has tentatively named the project "Waynesville Village" as a placeholder until final branding concepts and design are completed. Please accept this accompanying narrative as a summary of the proposal and its benefits to the community.

**THE PROPERTY**

The property consists of 35.44 acres, as shown on the enclosed Master Plan (Tab 8), which reflects the existing gas station, grocery store, and retail shops (roughly 10,000 square feet). Ingles Markets, at 98,377 square feet, will continue to be the largest retail space in the development.

Waynesville Village will remain consistent with the current use by maximizing underutilized acreage with the construction of 16 new retail spaces and a drive-thru car wash facility. The retail spaces range in size from approximately 2,000 square feet up to 24,760 square feet. As a result, Waynesville Village will be able to accommodate a variety of small, medium, and large businesses, creating a diversified commercial center that can meet the needs of a broad cross-section of the community.

ASHEVILLE, NC

HALL BOOTH SMITH, P.C.

Ms. E. Teague  
Town of Waynesville  
February 27, 2020  
Page 2

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The old Belk's building will be divided into two large spaces, and an addition will be constructed over the old main entrance, creating eight new small storefronts. A secondary access point will be added by extending Frazier Street around the northwestern edge of the property (behind the old Belk's building) to connect with the current grocery store parking lot. The car wash facility will be constructed adjacent to the existing gas station.

### CURRENT ZONING

Waynesville Village is currently zoned as the Ingles Market Conditional District, Ord. No. 2-11, within the Russ Avenue Regional Center District. (Tab 6) The purpose of this zoning district is to create a gateway for the community. At its inception, it was envisioned as supporting dense development options due to the ample infrastructure in place, the proximity to downtown, and access to the other municipalities in the county via easy access to the interstate system.

The majority of the neighboring properties are also zoned Russ Avenue Regional Center District. The properties to the north and east of Waynesville Village are part of the Howell Mill Road residential communities. These neighborhoods will not experience any negative impacts from the increased use on the opposite side of the Waynesville Village property, as the existing dense tree and slope buffers will not change.

### SIGNAGE

Because of the size, scale, and number of new businesses Waynesville Village will attract, the applicant requests a variance from the Town's sign ordinance to place an off-premises monument sign (Tab 9) at the main intersection of Barber Boulevard and Russ Avenue. This design will enable shoppers and passersby to easily identify the entrance to the shopping center and the retail options located there. Additionally, the view of some of the larger storefronts at the rear of the property could be obscured or blocked by other buildings between them and Russ Avenue. As a result, a sign of this nature is essential to efficient wayfinding for potential customers.

### CONSISTENCY

The proposed development and amendments requested are coherent with the current character and nature of the Russ Avenue corridor, which is a high-density commercial area of fast food chains and high-volume retail centers. Waynesville Village is also consistent with the Town's comprehensive land use plan in that it will:



Ms. E. Teague  
Town of Waynesville  
February 27, 2020  
Page 3

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- promote the orderly growth, development, and enhanced land values of the Town of Waynesville by improving existing neighborhoods, creating more attractive commercial centers, and reducing urban sprawl;
- limit "urban sprawl" through concentrated growth, infill, and redevelopment; and
- promote infill development in the Town of Waynesville as an alternative to continued outward expansion.

Waynesville Village, by increasing the density of the use of this parcel, will promote smart growth by efficiently providing a greater variety of retail options to the Waynesville community without decreasing the amount of space available for other, lower density uses. The plan also improves an existing neighborhood by redeveloping the old Belk's building, which has been vacant for many years, and providing spaces for multiple new business to take its place. With the amount of land available for new development within the Town in short supply, the infill strategy employed in the design of Waynesville Village is an efficient use of one of our rarest resources – buildable land – and provides a more sustainable alternative to outward expansion.

### CONCLUSION

Waynesville Village is an exciting and attractive commercial venture on a scale that the Town has not seen in over a decade. It represents exactly the kind of opportunity sought by up-market national retail brands. These national retailers look at Waynesville as their opportunity to tap into the far western communities for whom Asheville is too big, too far away, or both. Also, because of the variety of retail space, it could also provide an opportunity for small, local business to establish themselves in a great location with high visibility and high traffic.

Thank you for your service to the business community. We look forward to working with you to bring this vision to life.

Sincerely,



Martha S. Bradley

Enclosures

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

The undersigned Owner or Party with a contract or option to purchase that real property located at Russ Avenue / 201 Barber Blvd in Waynesville or the ETJ area of Waynesville, North Carolina, has submitted an application which is to be heard in a quasi-judicial or legislative proceeding by the Planning Board and/or Board of Aldermen of Waynesville, North Carolina. I hereby authorize the following named individual to present my application and case, as my agent at such hearing.

Name of Authorized Agent: Martha S. Bradley, Esq.

Title and Company: Attorney at Law, Hall Booth Smith, P.C.

Address: 72 Patton Ave., Asheville, NC 28801

Phone and email: (828) 417-6500 / mbradley@hallboothsmith.com

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

This the 27<sup>th</sup> day of FEBRUARY, 2018.

 / INGIES MARKETS  
Owner or Party with Contractual Interest in Property





To: Town of Waynesville Planning Board  
 From: Elizabeth Teague, Planning Director  
 Date:  
 Subject: Text/Map Amendment Statement of Consistency  
 Description:  
 Address: Town of Waynesville Planning Department ("Development Services Department")

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



The zoning amendment **is approved and is consistent with the Town's comprehensive land use plan** because: the project will increase density by constructing new retail space on underutilised land within an appropriately designated commercial center; it is consistent with the existing character and use of the surrounding parcels; it will promote the orderly growth, development, and enhanced land values of the Town by improving existing neighborhoods, creating more attractive commercial centers, and reduces urban sprawl; it will limit urban sprawl through concentrated growth, infill, and redevelopment; and it will promote infill development as an alternative to outward expansion.

The zoning amendment **is reasonable and in the public interest because:**  
it will provide new commercial space for a variety of small, medium, and large business, providing previously unavailable products and services to the community, creating new jobs, and increasing the property tax base through improving an underutilized shopping center.



The zoning amendment **is rejected because it is inconsistent with the Town's comprehensive land plan and is not reasonable and in the public interest** because \_\_\_\_\_



In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town's comprehensive land use plan.** The change in conditions taken into account in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: the changes are not a substantial deviation from the character of the surrounding properties; it will improve an aging, vacant property, and it allow for the growth of new services and goods available to the community.

Planning Board Member \_\_\_\_\_, made a motion, seconded by \_\_\_\_\_

The motion passed \_\_\_\_\_. (*unanimously or vote results here*)

\_\_\_\_\_  
 Patrick McDowell, Planning Board Chair, Date

\_\_\_\_\_  
 Michelle Baker, Deputy Clerk, Date

TRANSFER MADE ON TAX RECORD  
DATE 10/2/92 BY CBS

116-VMD/23

REGISTERED  
BOOK 430 PAGE 476  
92 OCT -2 PM 1:38 # 10348

Excise Tax 11,448.00 Recording Time, Book and Page

Tax Lot No. \_\_\_\_\_ Parcel Identifier Haywood Co. N.C.  
Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day  
of \_\_\_\_\_, 1992, by \_\_\_\_\_

Mail after recording to: Altman, Kritzer & Levick, P.C.  
6400 Powers Ferry Road, N.W., Suite 224  
Atlanta, Georgia 30339

This instrument was prepared by: Ephraim Spielman, Esq.

Brief description for the Index:

NORTH CAROLINA NON-WARRANTY DEED

THIS DEED made this 1st day of October, 1992, by and between Grantor, IRT PROPERTY COMPANY, a Georgia corporation, 200 Galleria Parkway, N.W., Suite 1400, Atlanta, Georgia 30339; and Grantee, INGLES MARKETS, INCORPORATED, a North Carolina corporation, P. O. Box 6676, Asheville, North Carolina 28816,

THE designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Haywood County, North Carolina, and more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof.

THE property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 376, Page 575, Register of Deeds, Haywood County, North Carolina.

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.

GRANTOR makes no warranty, express or implied, as to title to the property herein described.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

STATE OF NORTH CAROLINA  
HAYWOOD COUNTY  
OCT-2-92  
Real Estate Excise Tax  
999.00  
999.00

IRT PROPERTY COMPANY  
By: Donald W. MacLeod, President  
Attest: Lee A. Harris, Secretary

(CORPORATE SEAL)

(ACKNOWLEDGMENT ON NEXT PAGE)

STATE OF NORTH CAROLINA  
HAYWOOD COUNTY  
OCT-2-92  
Real Estate Excise Tax  
999.00  
999.00

(Rev. on next page)



STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

I, a Notary Public of the County and State aforesaid, certify that Lee A. Harris, personally came before me this day and acknowledged that he is Secretary of IRT Property Company, a Georgia corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by Lee A. Harris, as its Secretary.

Witness my hand and official stamp or seal, this 1st day of October, 1992.

My Commission Expires: Kathleen Holt Notary Public  
4-15-95

SEAL-STAMP

The foregoing Certificate(s) of Kathleen Holt

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.

Helen J Davis REGISTER OF DEEDS FOR Haywood COUNTY  
By \_\_\_\_\_ Deputy/Assistant-Register of Deeds

<p>STATE OF NORTH CAROLINA</p> <p>OCT-2-92</p> <p>Real Estate Excise Tax</p> <p>999.00</p> <p>999.00</p> <p>No</p>	<p>STATE OF NORTH CAROLINA</p> <p>OCT-2-92</p> <p>Real Estate Excise Tax</p> <p>999.00</p> <p>999.00</p> <p>No</p>
<p>STATE OF NORTH CAROLINA</p> <p>OCT-2-92</p> <p>Real Estate Excise Tax</p> <p>999.00</p> <p>999.00</p> <p>No</p>	<p>STATE OF NORTH CAROLINA</p> <p>OCT-2-92</p> <p>Real Estate Excise Tax</p> <p>999.00</p> <p>999.00</p> <p>No</p>
<p>STATE OF NORTH CAROLINA</p> <p>OCT-2-92</p> <p>Real Estate Excise Tax</p> <p>999.00</p> <p>999.00</p> <p>No</p>	<p>STATE OF NORTH CAROLINA</p> <p>OCT-2-92</p> <p>Real Estate Excise Tax</p> <p>999.00</p> <p>999.00</p> <p>No</p>
<p>STATE OF NORTH CAROLINA</p> <p>OCT-2-92</p> <p>Real Estate Excise Tax</p> <p>999.00</p> <p>999.00</p> <p>No</p>	<p>STATE OF NORTH CAROLINA</p> <p>OCT-2-92</p> <p>Real Estate Excise Tax</p> <p>850.00</p> <p>950.00</p> <p>No</p>
<p>STATE OF NORTH CAROLINA</p> <p>OCT-2-92</p> <p>Real Estate Excise Tax</p> <p>999.00</p> <p>999.00</p> <p>No</p>	<p>STATE OF NORTH CAROLINA</p> <p>OCT-2-92</p> <p>Real Estate Excise Tax</p> <p>608.00</p> <p>608.00</p> <p>No</p>

Index 823-NC/PARCEL 1

All that tract or parcel of land lying and being in Waynesville Township, Haywood County, North Carolina and being more particularly described as follows:

To find the Point of Beginning, commence at an iron pin located in the Northeasterly right-of-way line of Russ Avenue, said iron pin being South 29° 19' 05" East, 48.98 feet from a right-of-way monument, and said iron pin being also the corner of Barber property pursuant to instrument recorded in Book O, Page 552, Probate records, Haywood County Registry; thence leaving the Northeasterly right-of-way of Russ Avenue, and with the Barber line, run North 22° 21' 35" East a distance of 36.04 feet to a point; thence North 53° 52' 50" East a distance of 149.18 feet to the centerline of a 10-foot soil road as described in Deed Book 345, Page 459, Haywood County Registry; thence with the Barber line and the centerline of said soil road, run the following courses and distances:

South 85° 05' 08" East a distance of 21.87 feet to a point;  
Along the arc of a curve to the right having a radius of 60.00 feet an arc distance of 51.53 feet (said arc being subtended by a chord bearing South 60° 28' 54" East, 49.96 feet) to a point;  
South 35° 52' 56" East a distance of 42.05 feet to a point;  
Along the arc of a curve to the left having a radius of 61.99 feet an arc distance of 51.52 feet (said arc being subtended by a chord bearing South 59° 41' 30" East, 50.05 feet) to a point;  
South 83° 29' 40" East a distance of 102.90 feet to a point;  
Along the arc of a curve to the right having a radius of 158.01 feet an arc distance of 81.96 feet (said arc being subtended by a chord bearing South 68° 38' 32" East, 81.05 feet) to an iron pin;

thence leaving the centerline of said soil road and continuing with the Barber line, run North 57° 41' 30" East a distance of 210.00 feet to a point and the POINT OF BEGINNING; from the Point of Beginning as thus established and running in part with the Barber line as aforesaid and in part with the McCleskey property line as described in Deed Book 312, Page 650, Haywood County Registry run North 57° 41' 30" East a distance of 759.26 feet to an iron pin located at the corner of the McCleskey property, said iron pin being in the line of Barber property, as described in Deed Book 344, Page 799, aforesaid records; thence with said Barber line, run North 84° 48' 10" East, and passing an iron pin 286.81 feet, a distance of 304.16 feet to a point in the centerline of a 12-foot soil road; thence with the centerline of said soil road, South 48° 31' 35" East a distance of 92.78 feet to a point; thence continuing with said centerline South 44° 27' 30" East a distance of 208.00 feet to a point in the centerline of Old Howell Mill Road (NCSR 1185); thence with the centerline of Old Howell Mill Road, the following courses and distances:

South 09° 38' 45" West a distance of 48.99 feet to a point;  
Along the arc of a curve to the left having a radius of 195.00 feet, an arc distance of 95.68 feet (said arc being subtended by a chord bearing South 04° 24' 41" East, 94.72 feet) to a point;  
South 18° 28' 05" East a distance of 55.06 feet to a point;  
Along the arc of a curve to the right having a radius of 190.13 feet, an arc distance of 93.66 feet (said arc being subtended by a chord bearing South 04° 21' 24" East, 92.72) feet to a point;  
South 09° 45' 20" West a distance of 50.53 feet to a point;  
Along the arc of a curve to the left having a radius of 203.00 feet, an arc distance of 69.30 feet (said arc being subtended by a chord bearing South 00° 01' 23" East, 68.96 feet) to a point;  
South 09° 48' 10" East a distance of 91.31 feet to a point;

00648



Along the arc of a curve to the right having a radius of 280.16 feet, an arc distance of 222.39 feet (said arc being subtended by a chord bearing South 12° 56' 19" West, 216.60 feet) to a point;

South 35° 40' 45" West a distance of 70.07 feet

to a point in the centerline of Howell Mill Road (NCSR 1184); thence leaving the centerline of Old Howell Mill Road (NCSR 1185) and running with the centerline of Howell Mill Road (NCSR 1184), run the following five courses and distances:

South 69° 12' 45" West a distance of 240.79 feet to a point;

Along the arc of a curve to the right having a radius of 802.00 feet, an arc distance of 155.92 feet (said arc being subtended by a chord bearing South 74° 46' 55" West, 155.67 feet) to a point;

South 80° 21' 05" West a distance of 221.86 feet to a point;

Along the arc of a curve to the left having a radius of 263.00 feet, an arc distance of 178.85 feet (said arc being subtended by a chord bearing South 60° 52' 09" West, 175.42 feet) to a point;

South 41° 23' 15" West a distance of 53.55 feet to a point;

thence leaving the centerline of Howell Mill Road (NCSR 1184) and running North 75° 14' 20" West a distance of 19.95 feet to a point; thence South 85° 49' 10" West a distance of 41.00 feet to a point; thence North 54° 53' 20" West a distance of 41.88 feet to a point; thence North 47° 01' 40" West a distance of 27.15 feet to a point; thence North 40° 15' 05" West a distance of 160.73 feet to a point; thence North 26° 17' 20" West a distance of 38.25 feet to a point; thence North 49° 58' 20" West a distance of 48.15 feet to a point; thence North 39° 58' 40" West a distance of 112.74 feet to a point; thence South 57° 41' 30" West and passing an iron pin at 10.00 feet, a distance of 246.93 feet to an iron pin located on the Northeasterly right-of-way of Russ Avenue; thence along the Northeasterly right-of-way of Russ Avenue, North 35° 18' 30" West a distance of 11.41 feet to a right-of-way monument; thence continuing with said right-of-way, North 35° 18' 30" West a distance of 153.77 feet to a point; thence leaving said right-of-way and running South 58° 25' 16" East a distance of 12.05 feet to a point; thence North 88° 04' 47" East a distance of 14.96 feet to a point; thence North 84° 32' 33" East a distance of 14.12 feet to a point; thence North 58° 13' 02" East a distance of 95.05 feet to a point; thence North 63° 04' 15" East a distance of 209.47 feet to a point; thence North 56° 54' 39" East a distance of 226.23 feet to a point; thence North 32° 18' 30" West a distance of 295.02 feet to a point and the Point of Beginning.

#### LESS AND EXCEPT:

All that tract or parcel of land lying and being in Waynesville Township, Haywood County, North Carolina and being more particularly described as follows:

To find the Point of Beginning, commence at an iron pin located in the Northeasterly right-of-way line of Russ Avenue, said iron pin being South 29° 19' 05" East, 48.98 feet from a right-of-way monument, and said iron pin being also the corner of Barber property pursuant to instrument recorded in Book O, Page 552, Probate records, Haywood County Registry; thence leaving the Northeasterly right-of-way of Russ Avenue, and with the Barber line, run North 22° 21' 35" East a distance of 36.04 feet to a point; thence North 53° 52' 50" East a distance of 149.18 feet to the centerline of a 10-foot soil road as described in Deed Book 345, Page 459, Haywood County Registry; thence with the Barber line and the centerline of said soil road, run the following courses and distances:

South 85° 05' 08" East a distance of 21.87 feet to a point;

Along the arc of a curve to the right having a radius of 60.00 feet an arc distance of 51.53 feet (said arc being subtended by a chord bearing South 60° 28' 54" East, 49.96 feet) to a point;

South 35° 52' 56" East a distance of 42.05 feet to a point;  
 Along the arc of a curve to the left having a radius of 61.99  
 feet an arc distance of 51.52 feet (said arc being subtended  
 by a chord bearing South 59° 41' 30" East, 50.05 feet) to a  
 point;  
 South 83° 29' 40" East a distance of 102.90 feet to a point;  
 Along the arc of a curve to the right having a radius of 158.01  
 feet an arc distance of 81.96 feet (said arc being subtended  
 by a chord bearing South 68° 38' 32" East, 81.05 feet) to an  
 iron pin;

thence leaving the centerline of said soil road and continuing with  
 the Barber line, run North 57° 41' 30" East a distance of 210.00  
 feet to a point; thence South 32° 18' 30" East a distance of 295.02  
 feet to a point; thence South 16° 51' 11" West a distance of 49.16  
 feet to a point and the POINT OF BEGINNING, from the Point of  
 Beginning as thus established, run North 57° 32' 35" East a distance  
 of 202.30 feet to a point; thence South 32° 18' 30" East a distance  
 of 419.59 feet to a point; thence South 79° 52' 46" West a distance  
 of 151.58 feet to a point; thence along the arc of a curve to the  
 right having a radius of 97.00 feet, an arc distance of 114.24 feet  
 (said arc being subtended by a chord bearing North 66° 22' 48" West,  
 107.75 feet) to a point; thence North 32° 38' 22" West a distance of  
 272.57 feet to a point and the Point of Beginning, containing 1.731  
 acres and designated Parcel 3 on Survey for Ingles Markets, Inc.,  
 prepared by James T. Herron, Registered Land Surveyor No. L907,  
 dated May 6, 1986, last revised December 10, 1986.

The above described tract (after excepting the 1.731 acre tract  
 designated Parcel 3 therefrom as aforesaid) containing 24.304 acres  
 and being designated Parcel 1 on Survey for Ingles Markets, Inc.,  
 prepared by James T. Herron, Registered Land Surveyor No. L907,  
 dated May 6, 1986, last revised December 10, 1986.

BEING a portion of the property conveyed to Ingles Markets, Inc., by  
 Deed recorded in Deed Book 345, Page 459, Haywood County Registry.

PAGE 3 OF 3

EXHIBIT "A"

0-59-000



PENDING REVIEW FOR TAX LISTING

DATE 7-7-17 BY mm

## HAYWOOD COUNTY TAX CERTIFICATION

There are no delinquent taxes due that are a lien

against parcel number(s) 8616 22 8448  
8616 33 6071

Mike Matthews, Haywood County Tax Collector

Date: 7-7-17 By: ell**2017006135**HAYWOOD CO, NC FEE \$26.00  
STATE OF NC REAL ESTATE EXT  
**\$1050.00**

PRESENTED &amp; RECORDED

07-07-2017 04:16:16 PM

SHERRI C. ROGERS

REGISTER OF DEEDS

BY: JANE NICKERSON

DEPUTY

**BK: RB 931****PG: 2493-2495**

Excise Tax: \$1050.00

Tax Lot No. \_\_\_\_\_ Parcel Identifier No. 8616-22-8448; 8616-33-6071; 8616-32-7975  
Verified By \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.  
by \_\_\_\_\_Mail after recording to: Burton C. Smith, Jr., P.C., 675 N. Main Street, Waynesville, NC 28786This instrument was prepared by: LEONARD & MOORE, PLLC 274 Merrimon Avenue, Asheville, NC 28801

(Stephen C. Moore)

Brief description for the Index: Russ Avenue

## NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 29 day of JUNE, 2017, by and between

## GRANTOR

Barber Land Company, LLC, a Georgia Limited  
Liability Company,1827 Leiden Ct.  
DUNWOODY, GA 30338

## GRANTEE

Ingles Markets, Incorporated, a North Carolina  
CorporationAddress: PO Box 6676Asheville, NC 28816Attn: Real Estate Department

Enter in appropriate block for each party, name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all of the Grantor's interest in that certain lot or parcel of land situated in the City of Waynesville, \_\_\_\_\_ Township, Haywood County, North Carolina and more particularly described as follows:

See Legal Description Attached Hereto &amp; Incorporated Herein

NO TITLE EXAMINATION BY PREPARER - PREPARATION OF DEED ONLY

**This instrument was prepared by Stephen C. Moore, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.**

*All, or a portion of the property herein conveyed, \_\_\_ includes, or X does not include the primary residence of at least one of the Grantors. (N.C.G.S. §105-317.2)*

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 796, at Page 314 and Deed Book 446, at Page 619, Haywood County Registry.

A map showing the above described property is recorded in Plat Cabinet \_\_\_\_\_, at Page \_\_\_\_\_, Haywood County Registry.

**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 has done nothing to impair such title as Grantor received, and that Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions: **Easements, restrictions, rights of way of record and ad valorem taxes not yet due and payable.**

**IN WITNESS WHEREOF**, the Grantor(s) has/have hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

**Barber Land Company, LLC, a Georgia Limited Liability Company**

 (SEAL)  
By: **Richard N. Cobb, member/manager**

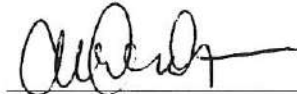
STATE OF GEORGIA, DeKalb COUNTY.

I, a Notary Public, do hereby certify that Richard N. Cobb, personally appeared before me this day and acknowledged that he is the member/manager of Barber Land Company, LLC, a Georgia Limited Liability Company and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name for the purposes expressed herein.

WITNESS my hand and official stamp or seal, this 29 day of June, 2017.

My Commission Expires:

15 Sept 18



NOTARY PUBLIC

Carla Anderson

Notary's Name Printed or Typed





**Exhibit A**

**Legal Description for Barber Land Company, LLC, a GA Limited Liability Company  
to**

**Ingles Markets, Incorporated, a NC Corporation**

**BEING all of Grantor's interest in and to all of that real property designated as Parcel 1 and Parcel II (First and Second Tracts) as described in that deed recorded in Deed Book 796, at Page 314, Haywood County Registry, reference to which is hereby made for a more particular description of said parcels.**

trees will enhance both the driving conditions and walkability of this area. A high priority shall be given to a high quality streetscape along South Main Street. The scale of development in the district will be flexible but articulated to the scale of the pedestrian. Housing mixed in with other uses is strongly encouraged.

### 2.3.7 Regional Center (RC) Districts Purpose and Intent.

- A. The **Dellwood/Junaluska Regional Center District (DJ-RC)** will develop in the future into a hub for retail, service and employment uses serving Waynesville and the region. It is envisioned that such uses be concentrated here in order to limit sprawling strip commercial development in the area. The vision for the district is that of a well-defined area, but one designed to accommodate large-scale development. Development should encourage the intermixture of uses and provide for residential uses in addition to those uses heavily dependent on the automobile. Transportation improvements made in this district will form a network of roads and pedestrian ways and provide accommodations for all modes of travel. An improved Russ Avenue with a landscaped median should enhance the traffic situation in the area. Rear accessways connecting adjacent development shall be required to provide access between development supplementary to the public streets. The outdoor auditorium at Lake Junaluska will serve as the town center for this area.
- B. 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.
- C. The **Russ Avenue Regional Center District (RA-RC)** is a gateway for the community and often defines the first image a visitor has of the town. This district shall be a setting for high intensity land uses addressing the needs of the Waynesville community and surrounding areas. The Russ Avenue Town Center is envisioned as supporting dense development options due to the ample infrastructure in place and the proximity to downtown and the other municipalities in the county. The past emphasis in the Russ Avenue area on automobile traffic only shall be reduced by changing the nature of the district to make the area comfortable for other modes of transit including pedestrian, bicycle and mass transportation options. Central to this transformation is the redesign of Russ Avenue — turning the existing middle lane into a tree-lined landscaped median. The standards for future development along this corridor will also be important to this transformation, incorporating principles designed to manage access along Russ Avenue. The development of an accessway connecting the rear portions of lots fronting on Russ Avenue will further reduce traffic congestion along the Russ Avenue corridor. Building development in the area is designed to create a comfortable streetscape and public realm by bringing buildings closer to the street, providing sidewalks and street trees and providing access between development and public areas. The mixture of residential and commercial uses is encouraged. Development sensitive to the appearance of the corridor is essential within this district. The highway bridge forms a gateway into the area (and the town) and any future designs should be sensitive to this fact.

### 2.3.8 Commercial Industrial Districts Purpose and Intent.

- A. The **Commercial Industrial District (CI)** is an area designed to accommodate research and development, industrial and manufacturing uses, administrative facilities and limited supporting commercial services. While a broad mixture of uses is permitted, the principal focus in this area shall be on industrial development. High design and performance standards will be important for future development as this district is highly visible not only from a usage standpoint but also because of its location at one of the major entrances into Waynesville. Connectivity within the district is required to create an industrial campus feel within this area.



**ORDINANCE NO. 2-11**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE  
TOWN OF WAYNESVILLE; CREATING THE INGLES MARKETS  
CONDITIONAL DISTRICT**

**WHEREAS**, the Town of Waynesville has the authority, pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

**WHEREAS**, this Ordinance is consistent with the Town's 2020 Land Development Plan for the reasons set out herein; and

**WHEREAS**, this Ordinance is neither consistent with nor inconsistent with other official plans of the Town of Waynesville; and

**WHEREAS**, the Town of Waynesville Planning Board has reviewed the proposed ordinance and recommends its enactment by the Board of Aldermen

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING.**

**Section One.** Upon petition of Ingles Markets, Inc., the Official Zoning Map of the Town of Waynesville is hereby amended to create the Ingles Markets Conditional District as more particularly set forth herein.

**Section Two.** This Ordinance is found to be consistent with the Town of Waynesville 2020 Land Development Plan, in particular with the Land Use Goal contained therein which states the following:

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.

Ord. No. 2-11

Page 2

This Ordinance is further found to be consistent with the Town of Waynesville 2020 Land Development Plan by virtue of the following land use objective:

Promote infill development in the Town of Waynesville as an alternative to continued outward expansion.

**Section Three.** The zoning classification of that certain real property described in Exhibit A, attached hereto and made a part hereof, is hereby changed from RA-TC to RA-TC CD. Said property is also identified on Haywood County tax maps by means of the following PIN numbers: 8616-22-7311; 8616-32-3480; 8616-32-8401; 8616-32-4011.

**Section Four.** The Ingles Markets Conditional District is a conditional zoning district established pursuant to the Land Development Standards of the Town of Waynesville by means of authority granted by the North Carolina General Statutes. Future development and use of lands situated within the Ingles Markets Conditional District, and the processing of applications to develop and use such lands, shall comply with the conditions set forth on the document entitled, Ingles Markets Conditional District: List of Standards & Conditions, which is attached to this ordinance as Exhibit B and incorporated herein. The aforementioned List of Standards & Conditions, including the Master Plan made a part thereof, shall run with the land and shall be binding on Ingles Markets, Inc., its heirs and assigns.

**Section Five.** Pursuant to §154.095.2 the Town of Waynesville Land Development Standards, the Master Plan replaces all conflicting development regulations set forth in the Land Development Standards, and such development regulations are varied to the extent they conflict with the Master Plan and List of Standards & Conditions.

**Section Six.** Enactment of this Ordinance constitutes the approval of a site-specific development plan resulting in the establishment of a vested right, pursuant to N.C.G.S. 160A-385.1, to undertake and complete the development and use of the property under the terms and conditions specified in the Master Plan and the List of Standards & Conditions. Such vested right shall have a term of two years from the date of adoption of this Ordinance.

**Section Seven.** The Office of the Zoning Administrator is hereby authorized and directed to modify the Town's Official Zoning Map consistent with this Ordinance.



Ord. No. 2-11

Page 3

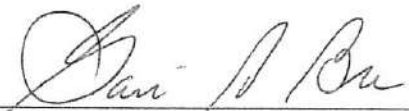
**Section Eight.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

**Section Nine.** All ordinances or portions thereof in conflict herewith are hereby repealed to the extent of such conflict.

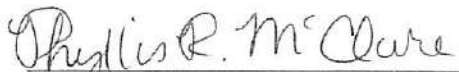
**Section Ten.** This ordinance shall be in full force and effect from and after the date of adoption.

Adopted this 8<sup>th</sup> day of February, 2011.

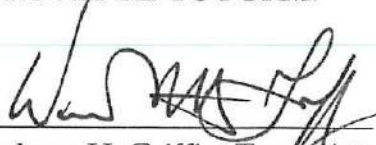
TOWN OF WAYNESVILLE

  
Gavin A. Brown, Mayor

ATTEST:

  
Phyllis R. McClure, Town Clerk

APPROVED AS TO FORM:

  
Woodrow H. Griffin, Town Attorney



## ATTACHMENT "B"

Pg. 1

**INGLES MARKETS CONDITIONAL DISTRICT:  
LIST OF STANDARDS & CONDITIONS**

REVISED: 2 FEBRUARY 2011

1. **Definitions.** Within this List of Standards & Conditions the following terms shall have the meanings articulated:
  - a. "District" refers to the Ingles Markets Conditional District, as depicted on the Master Plan, which is created by the Ordinance to which this List of Standards & Conditions is attached.
  - b. "Master Plan" refers to the documents submitted by Ingles Markets, Inc., as part of the Conditional District, entitled "Ingles Markets Conditional District Master Plan".
  - c. "LDS" refers to the Town of Waynesville Land Development Standards.
2. **Future Development.** Future development within the District shall comply with the Master Plan, a copy of which is attached hereto and incorporated herein by reference, and with this List of Standards & Conditions. Development review shall be governed by the provisions of §154.095.3 of the LDS.
3. **Land Uses.** Except as modified herein, land uses for the District shall be those permitted in the RA-TC Russ Avenue Town Center Zoning District. The following uses, which are either permitted uses, permitted uses subject to special requirements, or conditional uses within the RA-TC District shall not be permitted within the District:

Agricultural Uses  
 Country Clubs  
 Land fill - Demolition and Insert Debris  
 Adult Establishments  
 Cemeteries, Columbariums and Mausoleums  
 Kennels  
 Recycling Collection Stations  
 Truck Washes  
 Warehouses, Self-Storage



- 41.
4. **Development Standards.** As provided in §154.095.2 of the LDS, the Master Plan replaces all conflicting development regulations set forth in the LDS which would otherwise apply. Development standards which are not modified by the Master Plan or this List of Standards & Conditions shall be those contained in the RA-TC Russ Avenue Town Center Zoning District. Land Development Standards are varied to the extent they conflict with the Master Plan and this List of Standards & Conditions. These include, without limitation, the following:
- a. **Parking.** Parking and vehicular use areas need not be located to the side or rear of the principal structure on the site as required by §154.256(5)(a) of the LDS.
  - b. **Landscaping and Buffering.** Landscaping and buffering depicted and noted on the Master Plan is deemed to constitute Alternative Compliance pursuant to §154.303(A)(4) of the LDS.
  - c. **Maximum Building Height.** The maximum height of any building in the District shall not exceed 47 feet as noted on the Master Plan.
5. **Dedications & Construction of Public Improvements.** Within one year of the enactment of the Ordinance creating the Ingles Markets Conditional District, Ingles Markets, Inc., shall make the following dedications to the Town:
- a. That portion of the right-of-way for the extension of Frazier Street situated on lands owned by Ingles Markets, Inc., as depicted on the Master Plan.
  - b. An additional easement, as necessary, for the relocation of a storm sewer line currently situated on or beneath lands owned by Ingles Markets, Inc., within the District.

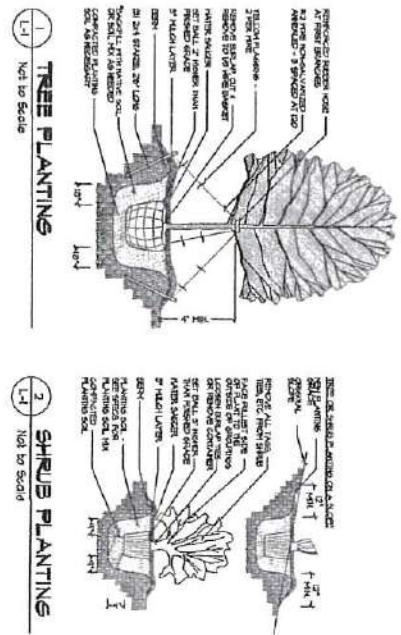
Furthermore, prior to the completion of the improvements authorized by the Master Plan, Ingles Markets, Inc., shall, at its sole expense, relocate and replace the existing storm sewer line as depicted on the Master Plan.

MASTER PLAN (NORTH)	C-107	STORY 23 MATTHEWSVILLE NORTH CAROLINA
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**PLANTING SCHEDULE**

ITEM	DESCRIPTION	QUANTITY	PLANT SPECIES	PLANT SIZE	PLANTING DATE
1	Small Tree (e.g., Dogwood)	10	DOGWOOD	10' DBH	2024
2	Medium Tree (e.g., Oak)	5	OAK	12' DBH	2024
3	Large Tree (e.g., Maple)	3	MAPLE	18' DBH	2024
4	Shrub (e.g., Hydrangea)	20	HYDRANGEA	6' DBH	2024
5	Shrub (e.g., Rose)	15	ROSE	4' DBH	2024
6	Shrub (e.g., Forsythia)	10	FORSYTHIA	3' DBH	2024
7	Shrub (e.g., Lilac)	5	LILAC	2' DBH	2024
8	Shrub (e.g., Juniper)	5	JUNIPER	1' DBH	2024
9	Shrub (e.g., Boxwood)	5	BOXWOOD	1' DBH	2024
10	Shrub (e.g., Yew)	5	YEW	1' DBH	2024
11	Shrub (e.g., Privet)	5	PRIVET	1' DBH	2024
12	Shrub (e.g., Spirea)	5	SPIREA	1' DBH	2024
13	Shrub (e.g., Viburnum)	5	VIBURNUM	1' DBH	2024
14	Shrub (e.g., Nandina)	5	NANDINA	1' DBH	2024
15	Shrub (e.g., Ligustrum)	5	LIGUSTRUM	1' DBH	2024
16	Shrub (e.g., Euonymus)	5	EUONYMUS	1' DBH	2024
17	Shrub (e.g., Mahonia)	5	MAHONIA	1' DBH	2024
18	Shrub (e.g., Pieris)	5	PIERIS	1' DBH	2024
19	Shrub (e.g., Camellia)	5	CAMELLIA	1' DBH	2024
20	Shrub (e.g., Azalea)	5	AZALEA	1' DBH	2024

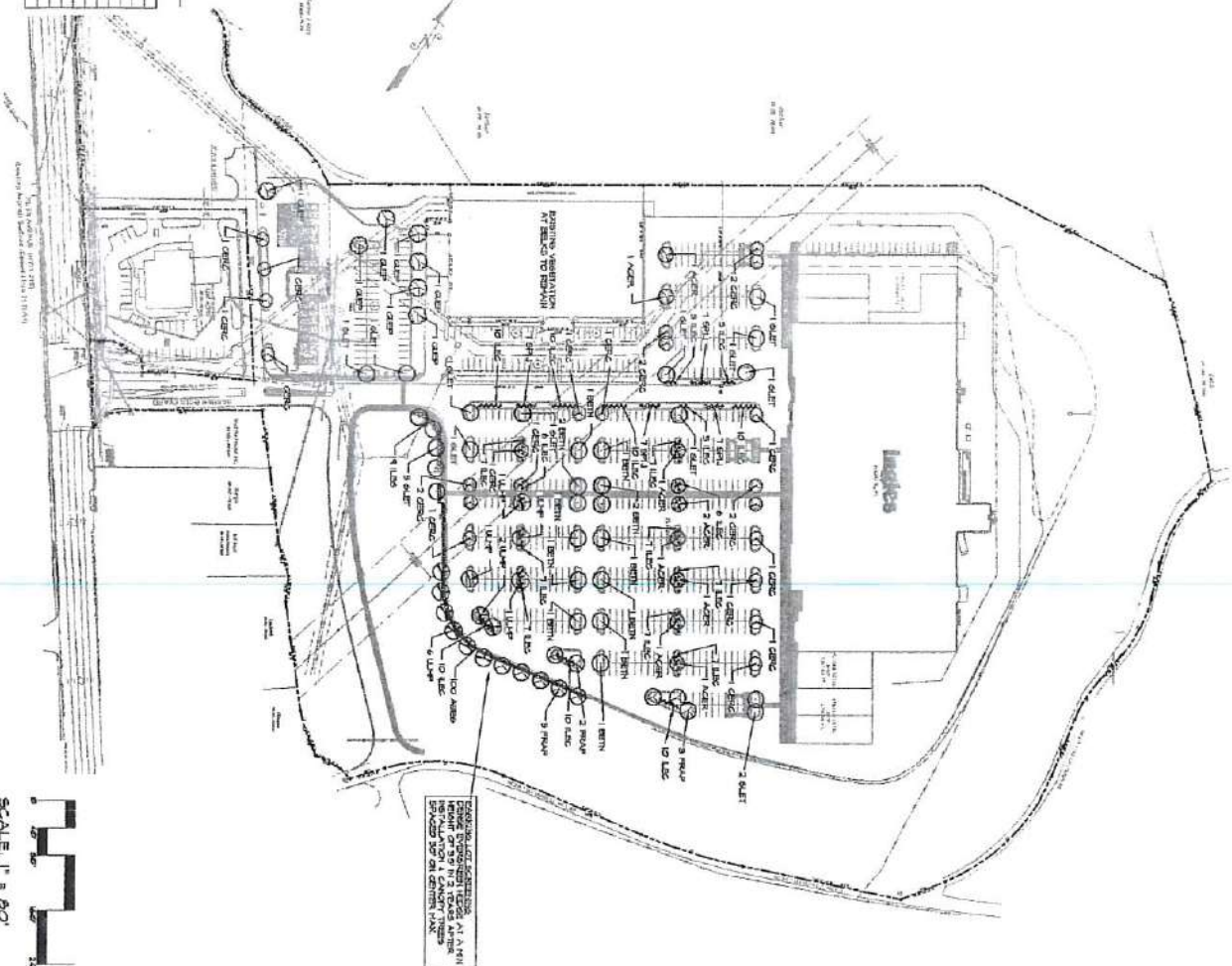







EXHIBIT 1 1 OF 1	Sheet No.: WAYNEVILLE NORTH CAROLINA	 <b>LAND PLANNING ASSOCIATES, INC.</b> ENGINEERING & SURVEYING	Designed: JDC Drawn: JDC Checked: PMR Reviewed: PMR Scale: AS NOTED Date: 02/02/11
	Project No.: 10.027 Drawing Title: RIGHT OF WAY EXHIBIT		Project No.: 10.027 Drawing Title: RIGHT OF WAY EXHIBIT

## Ingles Store # 23 Waynesville, NC Environmental Survey

The purpose of this survey is to identify items on the site that could impact possible stands of trees, wetlands, floodplains, perennial streams, endangered species, etc.

The existing site consists of approximately 35.4 acres of a developed retail center that includes Ingles grocery store, Belk's clothing store, a Chick-fil-a, and a number of miscellaneous retail shop spaces. The site also consists of other ancillary items such as parking, stormwater facilities, and utilities that currently serve the site. This 35.4 acres also includes an 8.47 acre piece behind the Belk's building that was formerly owned by the Barber Family.

Based on a site visit and assessment of the site the following items have been examined and conclusions given for each item.

**Forest Stands/ Tree Lines-** On this site, the majority of the property was developed during a previous project that was completed in February of 2017. Since the completion of that project, Ingles has purchased the Barber property north of the Belk's building and intends to develop a portion of this property. Currently there are two residential houses and two barns in the space. In this area there are larger maturing trees, however the majority of the larger mature trees are in close proximity to the two residential vacant houses. The remaining trees on the property consist of the remnants of the previous apple orchard that the Barber Family operated. The area where the orchard once existed consists primarily of small mature trees and are in poor shape of low value.

**Existing Watercourses/ Perennial Streams-** Currently onsite there are two known streams onsite, one spring fed that runs alongside the eastern border and one underground 72" reinforced concrete piped stream coming from stormwater piping under Russ Avenue. Currently there are no known streams running through the portion of the Barber property to be developed.

**Endangered Species-** Based on the Department of Fish and Wildlife, all of the endangered species within Haywood County are interrelated to the Pigeon River. Also, since the site had been previously developed, the quality of the existing habitat is poor. This site has no known endangered species.

**Floodplains-** As can be seen on the attached map, the floodplain does not encumber any of the property for this survey.

**Wetlands-** Based on visual inspection of the site no known wetlands exist. The previous development graded the entire property and no areas that would be conducive to wetlands formation exists. No known wetlands exist on the barber property.

**Stormwater-** Currently, the majority of the Barber Property sits pervious. In the proposed, most of the same area will be impervious. To make up for this change, water quality devices will be placed before underground detention ponds to ensure that the water leaving the site is clean and the quantity less than the predeveloped state. Stormwater systems will be designed to the NCDEQ and Town of Waynesville standard.

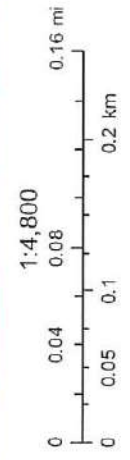
After an evaluation of the above items no items onsite need to be protected or conserved as part of the future development.



# Haywood County - Ingles #23



February 14, 2020

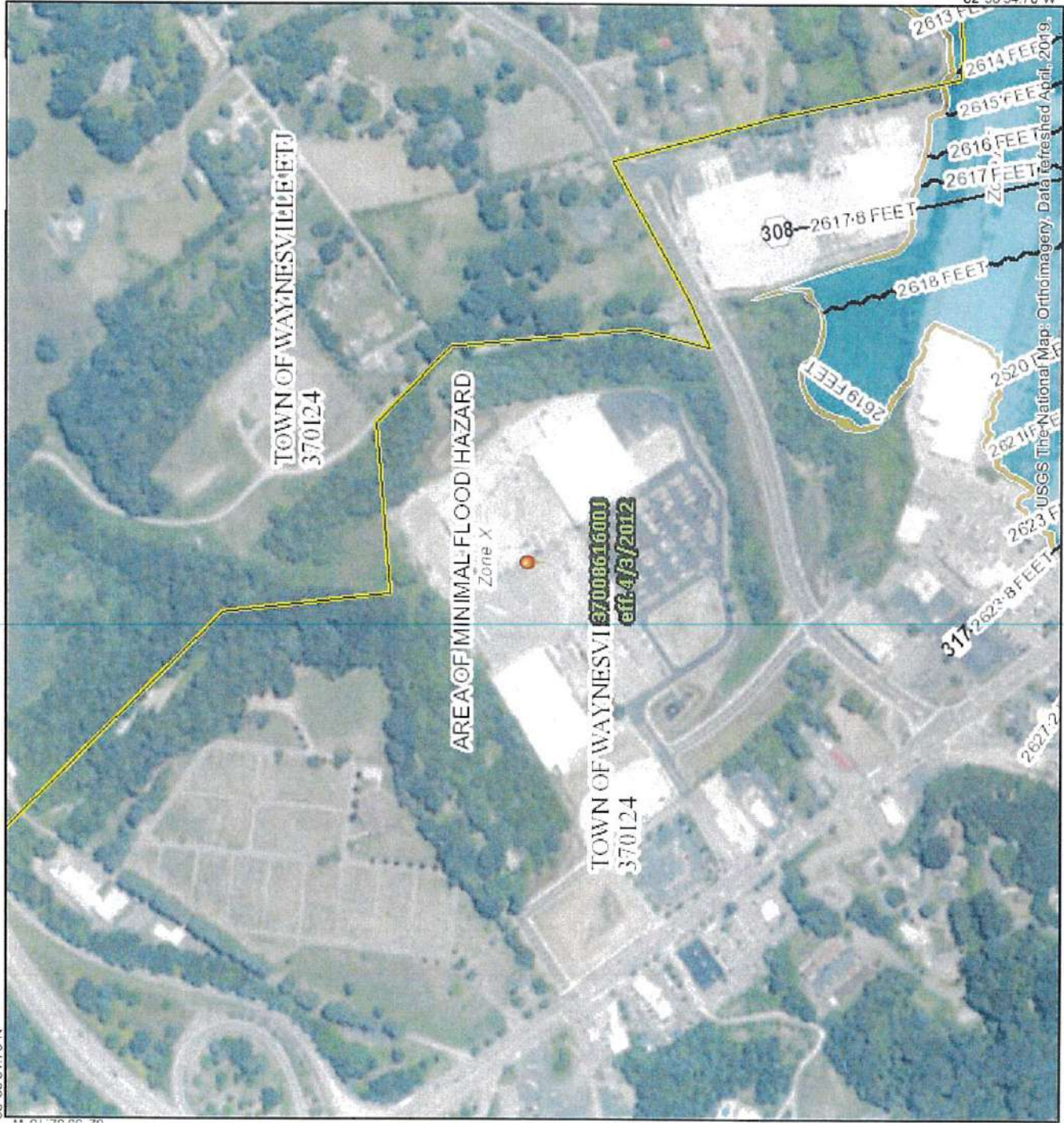




# National Flood Hazard Layer FIRMMette



35°30'31.73"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE) Zone A, V, AE, AH, VE, AR
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee, See Notes, Zone X
- Area with Flood Risk due to Levee Zone D

**OTHER AREAS**

- Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone

**GENERAL STRUCTURES**

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

**OTHER FEATURES**

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

**MAP PANELS**

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

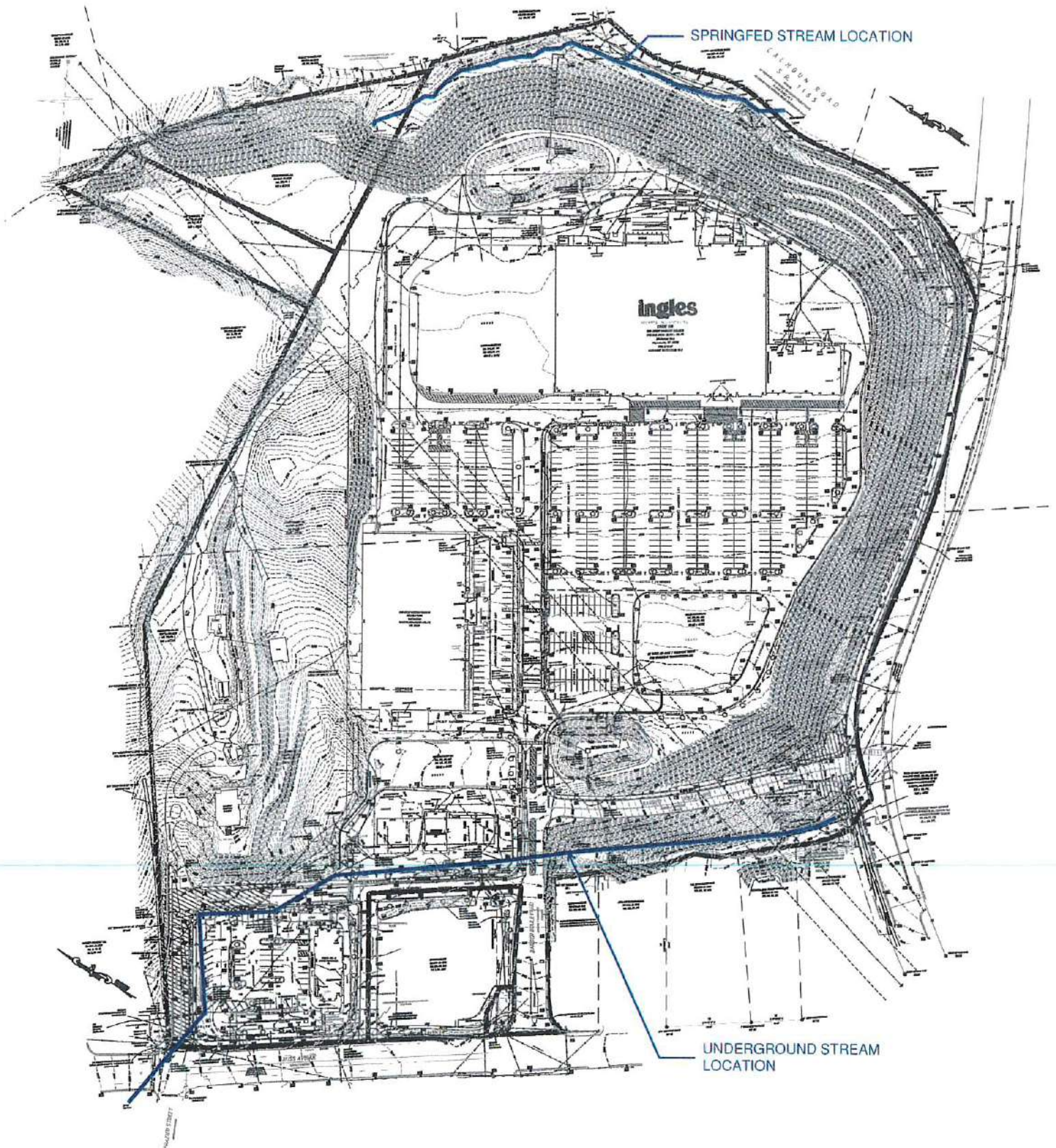
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/5/2020 at 9:36:10 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

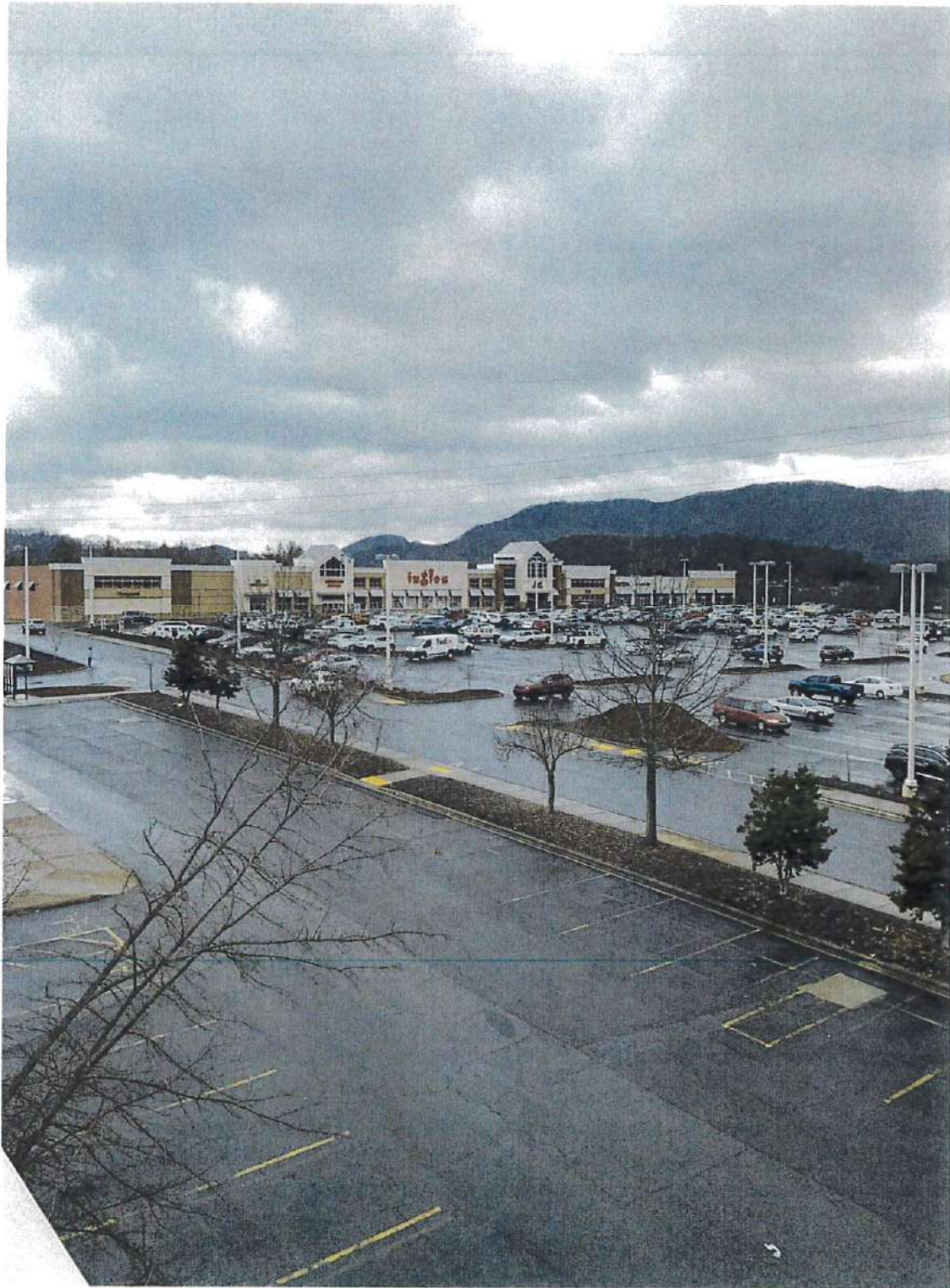


# Exhibit A: Stream Locations

49





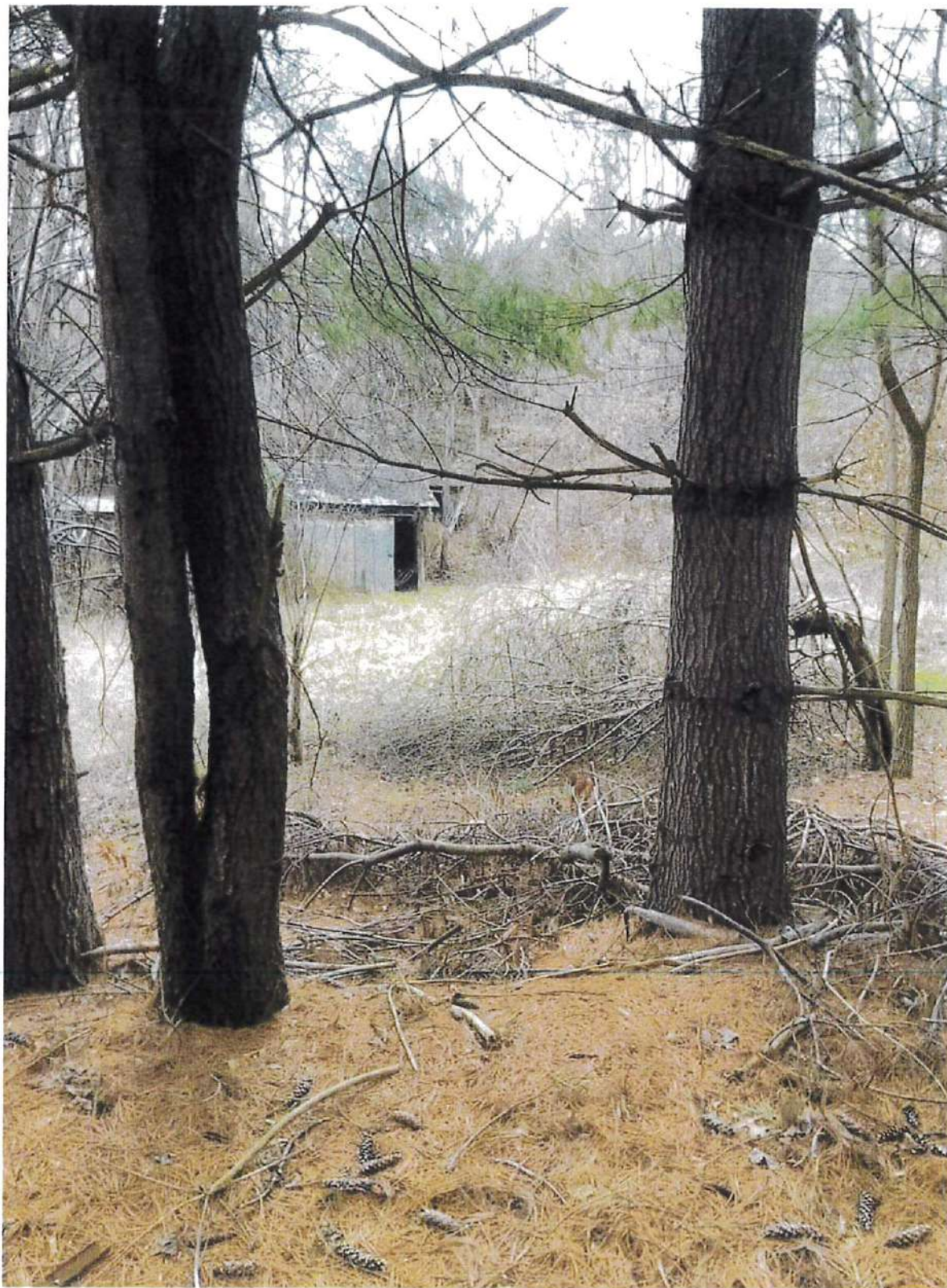










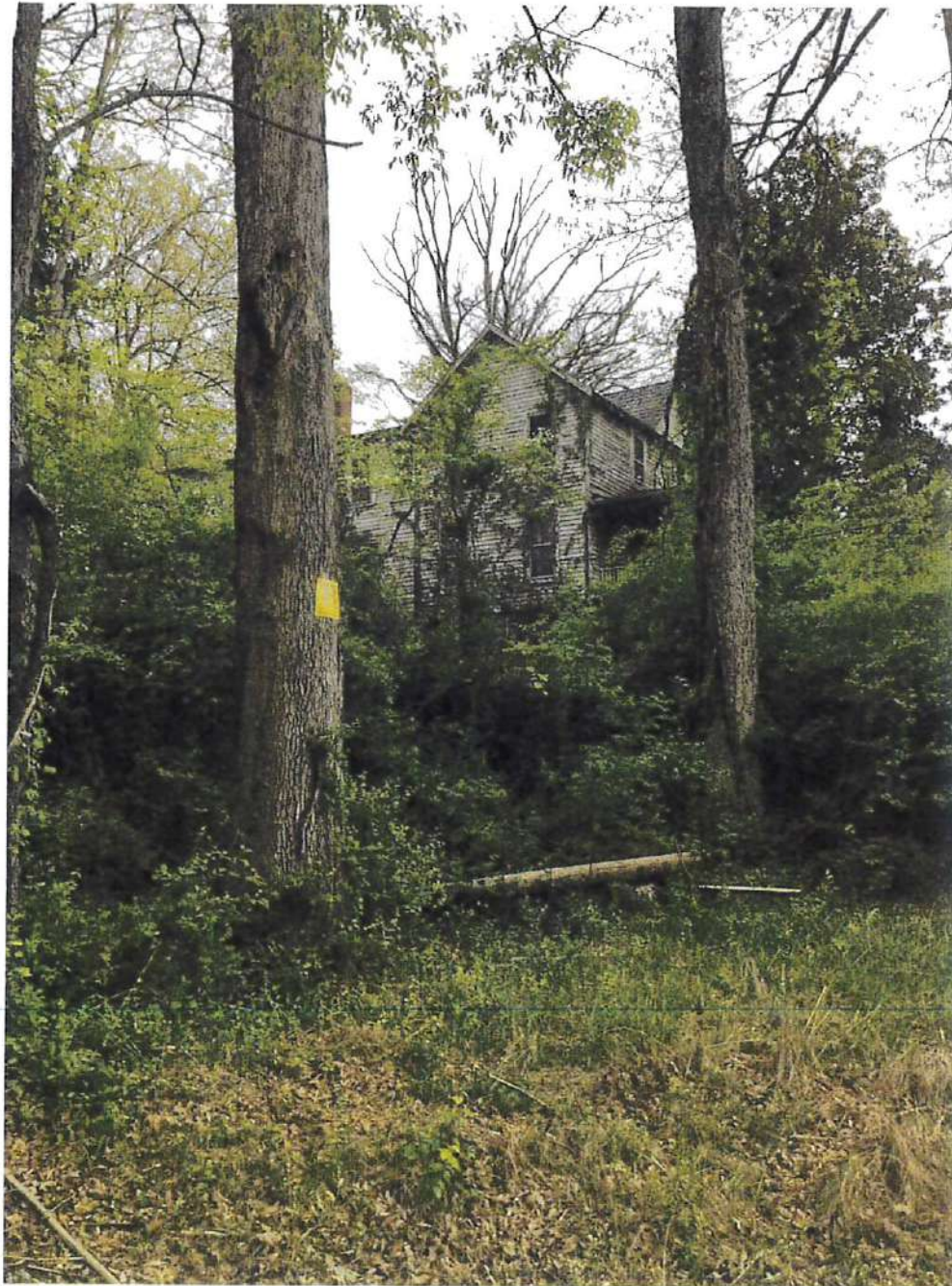










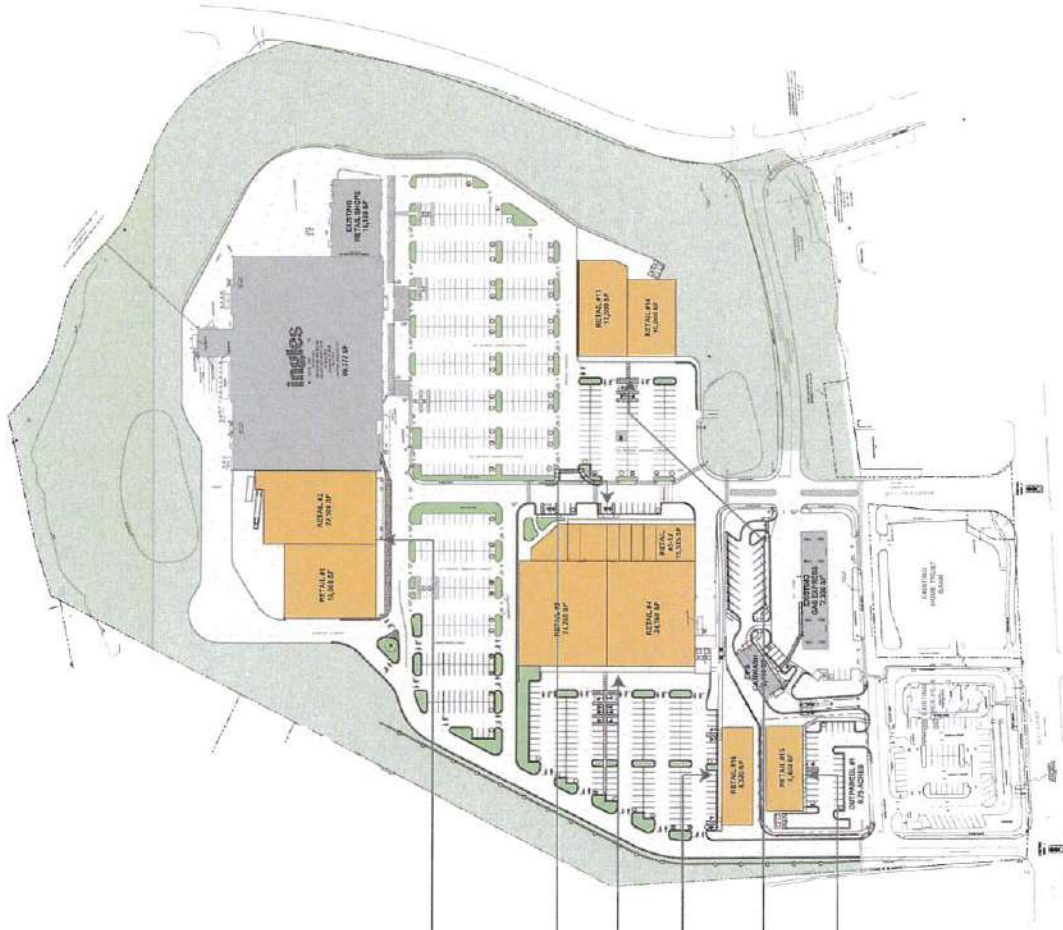












SITE PLAN

RETAIL 1 & 2

RETAIL 5-12

RETAIL 3 & 4

RETAIL 16

RETAIL 13 & 14

RETAIL 15

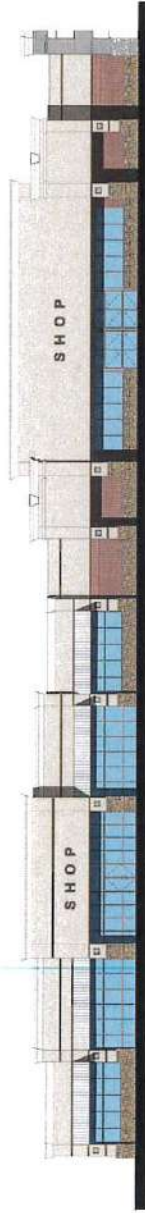
# SHOPS AT INGLES #23

Russ Avenue, Waynesville, NC

PRELIMINARY ELEVATIONS  
02/25/2020 • 16.257



ROBERTSON LOIA ROOF  
ARCHITECTS & ENGINEERS



RETAIL 1 & 2



RETAIL 5-12



RETAIL 3-4

**NOTE:**  
SHOPS SIGNAGE SQUARE FOOTAGE WILL MEET CODE REQUIREMENTS

## SHOPS AT INGLES #23

Russ Avenue, Waynesville, NC

PRELIMINARY ELEVATIONS  
02/25/2020 • 16.257



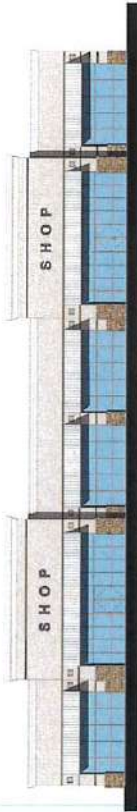
**ROBERTSON LOIA ROOF**  
ARCHITECTS & ENGINEERS



RETAIL 16



RETAIL 13 & 14



RETAIL 15



NOTE:  
SHOPS SIGNAGE SQUARE FOOTAGE WILL MEET CODE REQUIREMENTS

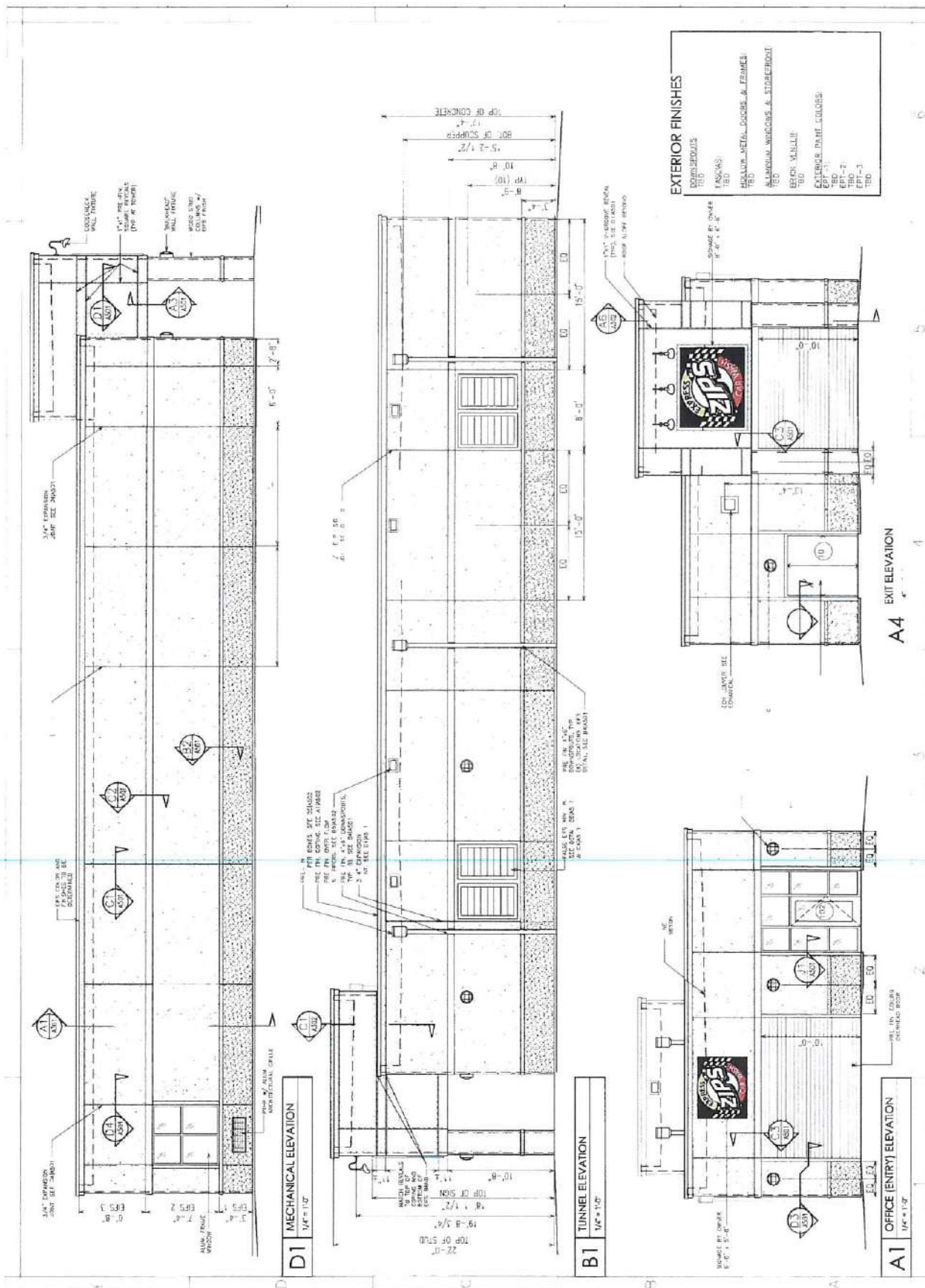
# SHOPS AT INGLES #23

Russ Avenue, Waynesville, NC

PRELIMINARY ELEVATIONS  
02/25/2020 • 16.257



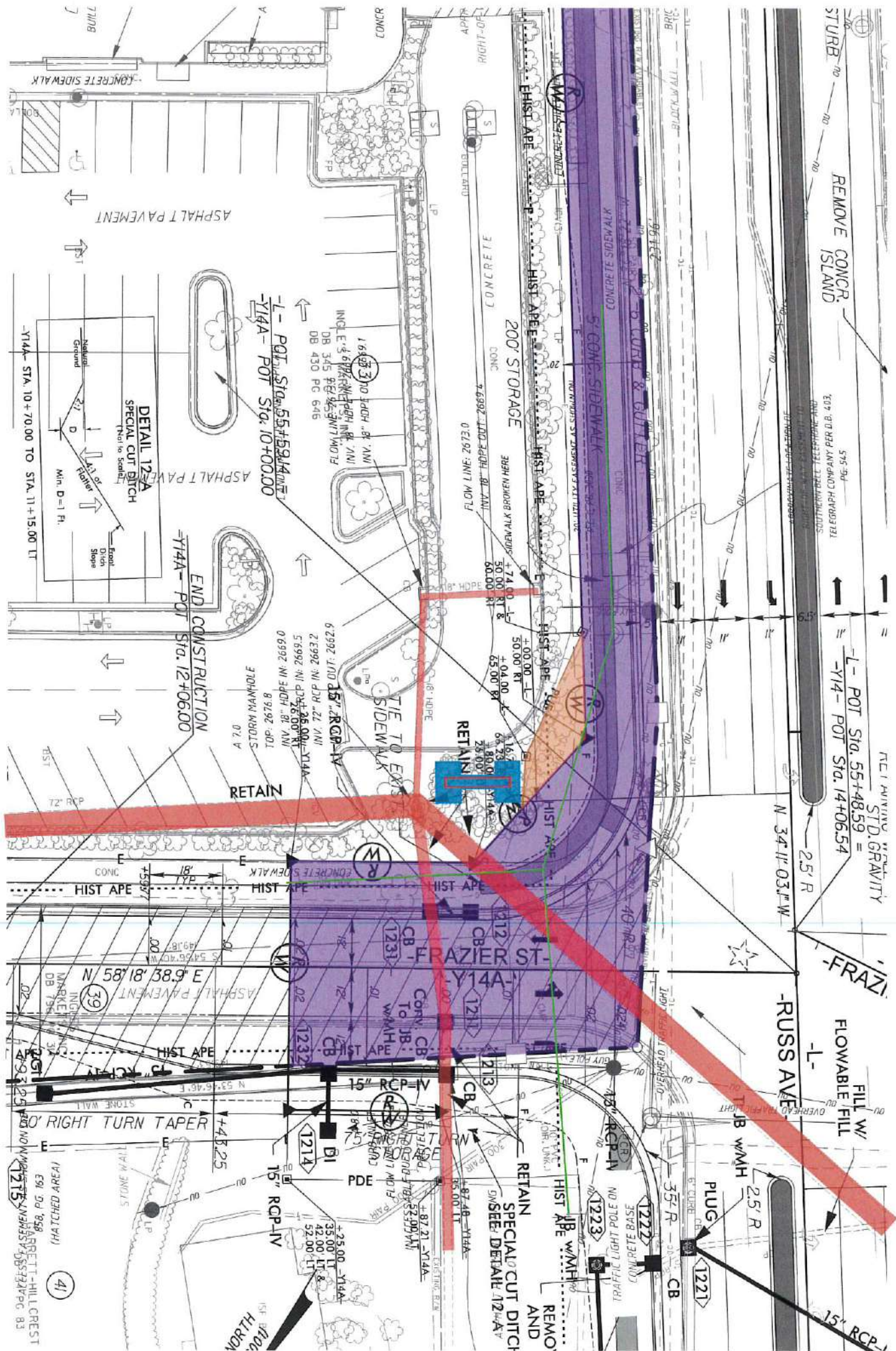
ROBERISON LOIA ROOF  
ARCHITECTS & ENGINEERS













65

Michael S. Agee  
Steven A. Campbell  
Randy W. Beckner  
Bradley C. Craig  
Wm. Thomas Austin  
David P. Wilson  
James B. Voso  
Randy L. Dodson  
Chad M. Thomas  
Jason A. Carder



Edwin K. Mattern, Jr. (1949-1982)  
Gene R. Cress (1935-2014)  
Sam H. McGhee, III (1940-2018)  
Stewart W. Hubbell (Retired)  
J. Wayne Craig (Retired)

February 24, 2020

Elizabeth Teague  
Development Services Director  
Town of Waynesville  
16 South Main Street  
Waynesville, NC 28786

Re: Ingles #23 Shopping Center Expansion  
Traffic Engineering Assistance  
M&C Commission Number: 2602

Dear Ms. Teague:

Mattern & Craig is assisting Ingles Markets and Land Planning Associates with the development of the Ingles Store #23 Shopping Center Expansion Project located at 201 Barber Boulevard in Waynesville, NC. Mattern & Craig has been asked by Ingles (the developer) and Land Planning Associates (the site civil engineer) to provide any traffic engineering services deemed necessary as a result of the proposed expansion. Mattern & Craig is an NCDOT-prequalified traffic engineering firm located in Asheville, NC and has assisted Ingles Markets with similar services on previous projects in North Carolina in the past.

As you are aware, the existing Ingles shopping center has multiple access points to US 276 (Russ Avenue), a state-maintained multi-lane facility that is scheduled for some improvements/upgrades in the near future as a result of NCDOT TIP Project U-5839.

The Policy on Street and Driveway Access to North Carolina Highways (the Driveway Manual) that is published by the North Carolina Department of Transportation indicates that a traffic impact study (TIS) is required for developments with an estimated trip generation of 3,000 vehicles per day or greater during an average weekday based on a five day national average as defined in the Institute of Transportation's (ITE) Trip Generation Manual. Preliminary trip generation numbers on the currently proposed site plan exceed the 3,000 trips per day threshold set by NCDOT and site traffic is expected to utilize US 276 (Russ Avenue). As a result, the developer is aware that a traffic impact study will need to be prepared in accordance with NCDOT guidelines and standards as the project moves forward. This study will need to be produced, reviewed and approved by NCDOT before any driveway permits will be issued by the Department. Mattern & Craig will be reaching out to the appropriate NCDOT personnel to begin the TIS process and will keep the Town informed of its progress.

Elizabeth Teague  
Ingles #23 Expansion  
February 24, 2020  
Page 2 of 2

Furthermore, the developer of this project understands and agrees that they will be responsible for any mitigation improvements that are identified in the Study as being the responsibility of the developing party and are endorsed by NCDOT.

If any additional information is needed on this subject or if I can be of any further assistance, please feel free to contact me directly by email at [jbvoso@matternandcraig.com](mailto:jbvoso@matternandcraig.com) or by telephone at (828) 254-2201.

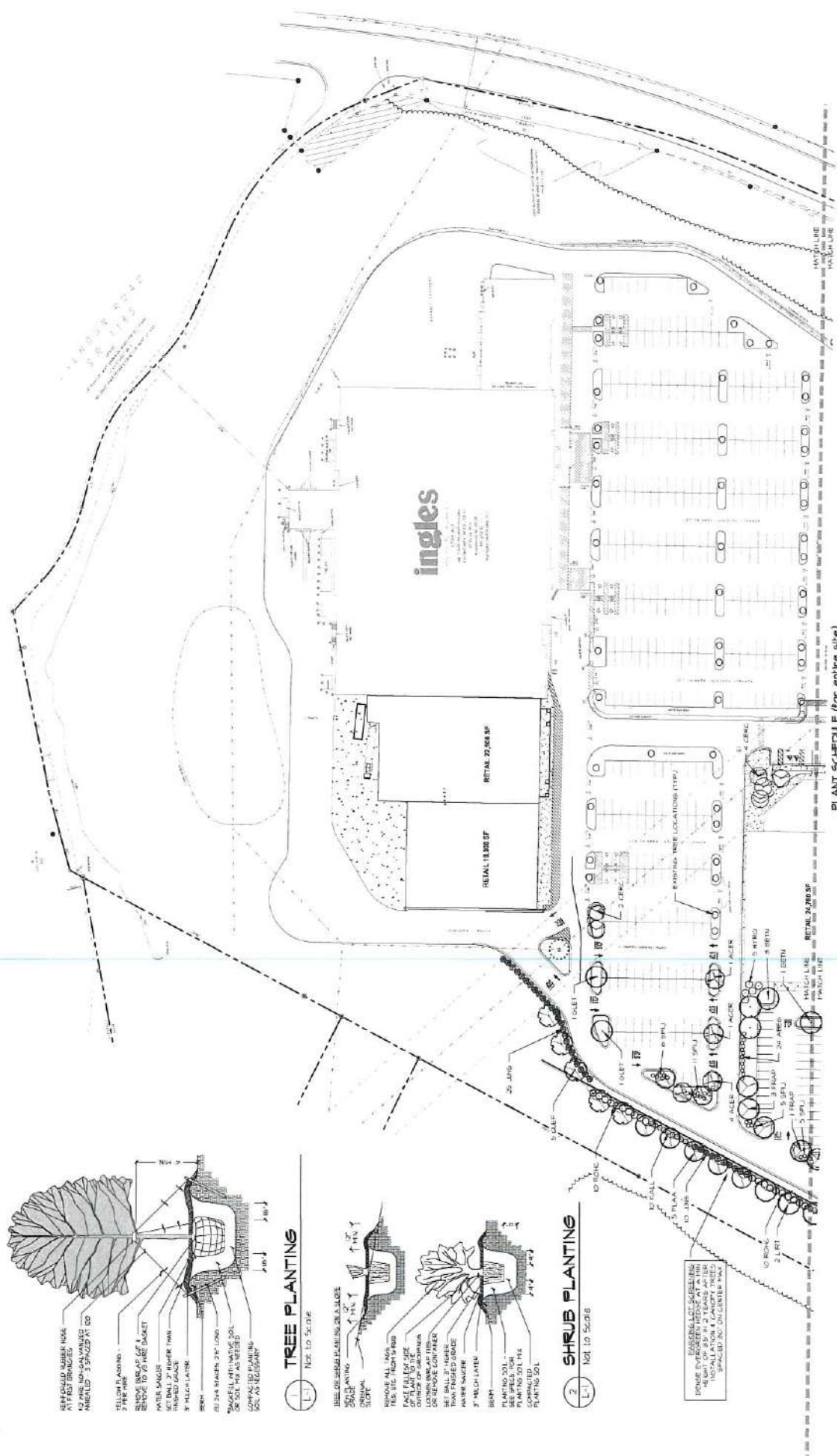
Sincerely,

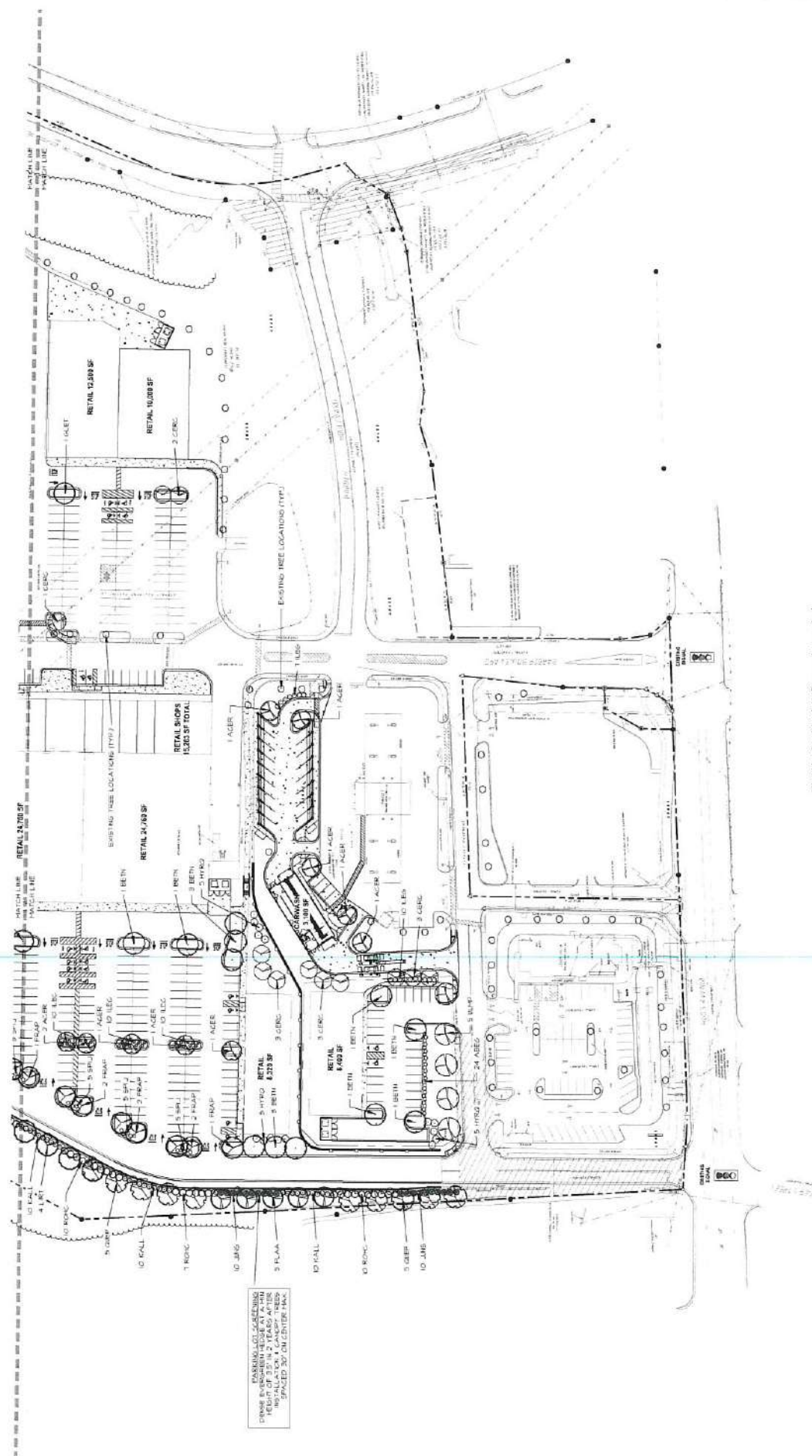
MATTERN & CRAIG, INC.

DocuSigned by:  
*James Voso*  
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James Voso, PE  
Traffic Engineer



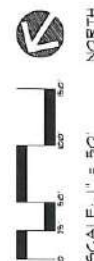




PLANT SCHEDULE (for entire site)

[illegible]

**PLANTING SUMMARY**  
**1) PARKING LOT LANDSCAPING**  
 1 CANOPY TREE PER 12 PARKING SPACES  
 1 CASE PARKING SPACES = 46 TREES REQUIRED  
 1 CANOPY TREES REQUIRED = 46  
 1 CANOPY TREES PROVIDED IN PARKING LOT PLANS = 52



SCALE: 1" = 50'