

# 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

### Planning Board Members

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

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

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### A. CALL TO ORDER

#### 1. Welcome/Calendar/Announcements

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

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

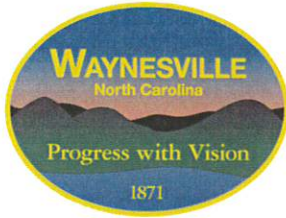
- January 9, 2023 Special Called Meeting
- January 30, 2023 Special Called Meeting

### B. BUSINESS

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

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

### D. ADJOURN



# TOWN OF WAYNESVILLE

## Planning Board

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Waynesville, NC 28786  
Phone (828) 456-8647 • Fax (828) 452-1492

Susan Teas Smith (Chairman)  
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Jan Grossman  
Peggy Hannah  
Tommy Thomas  
Barbara Thomas

Development Services  
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### MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

#### Special Called Meeting

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

Monday January 9<sup>th</sup>, 2023

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

#### A. CALL TO ORDER

##### 1. Welcome/Calendar/Announcements

The following members were present:

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

The following staff members were present:

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

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

**Greg Au**  
**Maggie Valley, NC**

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

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

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

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

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

## **B. BUSINESS**

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

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

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

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

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

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

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

**Evan Boyer**  
Waynesville, NC

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

Chairman Susan Smith Closed the hearing at 6:34.

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

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

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



## 2. Update on Railroad Corridor Committee

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

## C. PUBLIC COMMENT/CALL ON THE AUDIENCE

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

**Frank Queen**  
**Waynesville, NC**

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

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

## D. ADJOURN

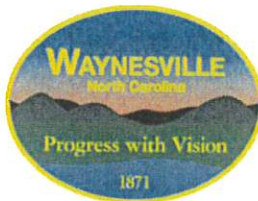
*A motion was made by Board Member Jan Grossman, seconded by Board Member Barbra Thomas to adjourn the meeting at 7:04pm. The motion carried unanimously.*

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Susan Smith, Chairman

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Esther Coulter, Administrative Assistant



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

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

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

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

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

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


Goal 5: Create opportunities for a sustainable economy.

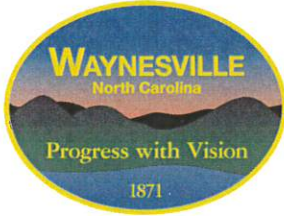
- Encourage creatively designed, mixed-use, walkable centers and commercial districts that appeal to residents and visitors.

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

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

  
\_\_\_\_\_  
Susan Smith, Planning Board Chair      Date

 2-7-23  
\_\_\_\_\_  
Esther Coulter, Administrative Assistant      Date



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Development Services  
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Elizabeth Teague

### MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

#### Special Called Meeting

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

Monday January 30<sup>th</sup>, 2023

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

#### A. CALL TO ORDER

##### 1. Welcome/Calendar/Announcements

The following members were present:

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

The following staff members were absent:

Michael Blackburn  
Peggy Hannah

The following staff members were present:

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

Planning Board Attorney, Ron Sneed was present

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

Special Called Planning Board Minutes  
January 30<sup>th</sup>, 2023

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

## B. BUSINESS

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

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

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

**Greg Au**  
**Maggie Valley, NC**

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

### **C. ADJOURN**

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

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Susan Smith, Chairman

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Esther Coulter Administrative Assistant



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

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

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

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

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

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

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

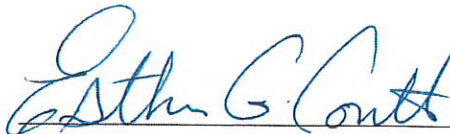
Goal 5: Create opportunities for a sustainable economy.

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

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

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

  
Susan Smith, Planning Board Chair Date

 2-7-23  
Esther Coulter, Administrative Assistant Date

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

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

**Background:**

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

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

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

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

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

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

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

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

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

#### **Staff Review Comments:**

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

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

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

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

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

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

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

### **Zoning District (LDS Chapter 2):**

This property is within the Hyatt Creek Regional Center District.

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

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

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

### **Dimensional Requirements (LDS Chapters 2-4):**

#### **LDS 2.4.1 Dimensional Standards for RC :**

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



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

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

**LDS 4 General Provisions for All Districts:**

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

**Building Design Guidelines (LDS Chapter 5.8):**

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

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

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

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

### Infrastructure (LDS Chapter 6):

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

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

### Landscape (LDS Chapter 8):

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

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

### **Parking and Driveways (LDS Chapter 9):**

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

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

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

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

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

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

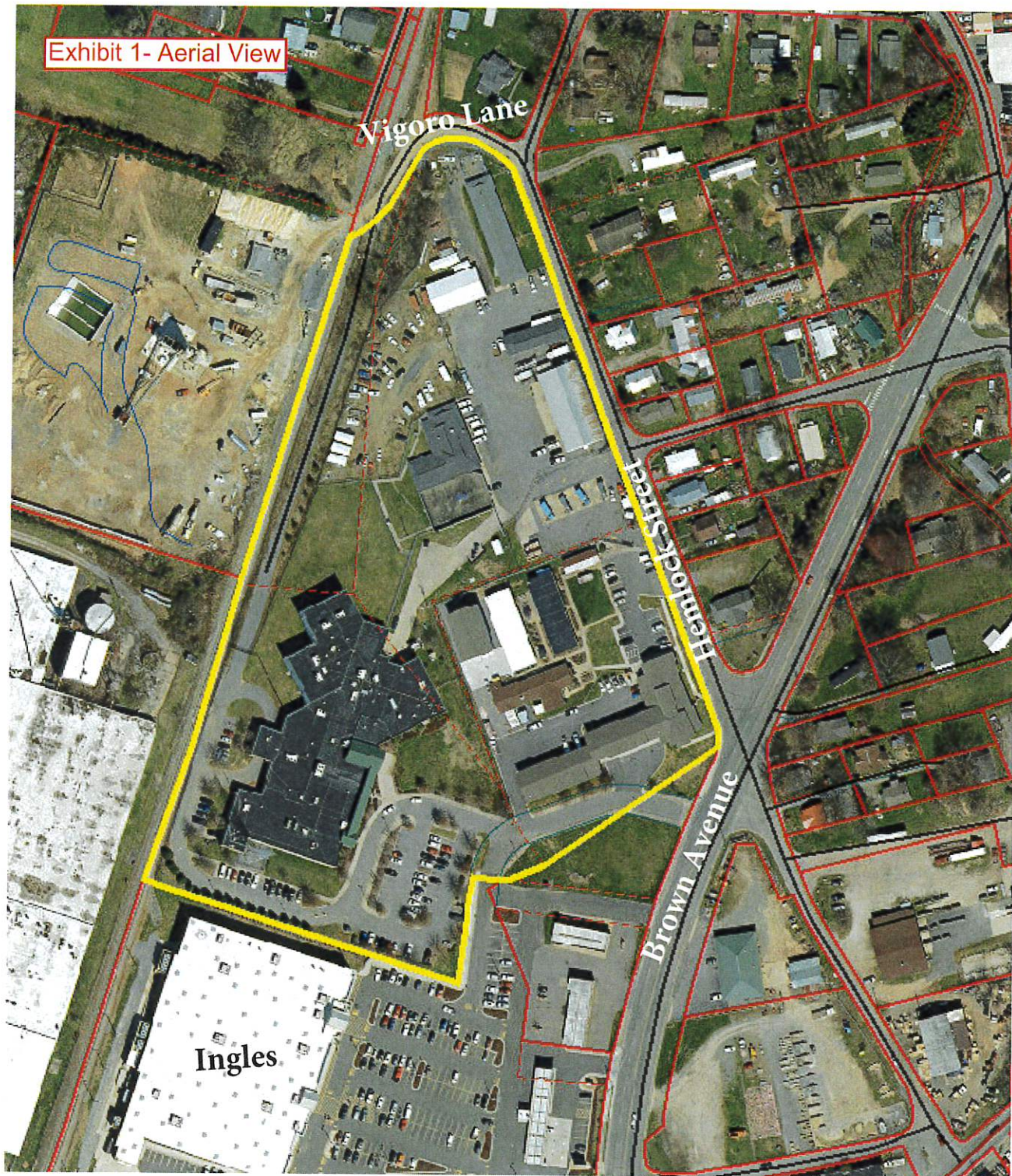
**Staff Recommendation:**

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

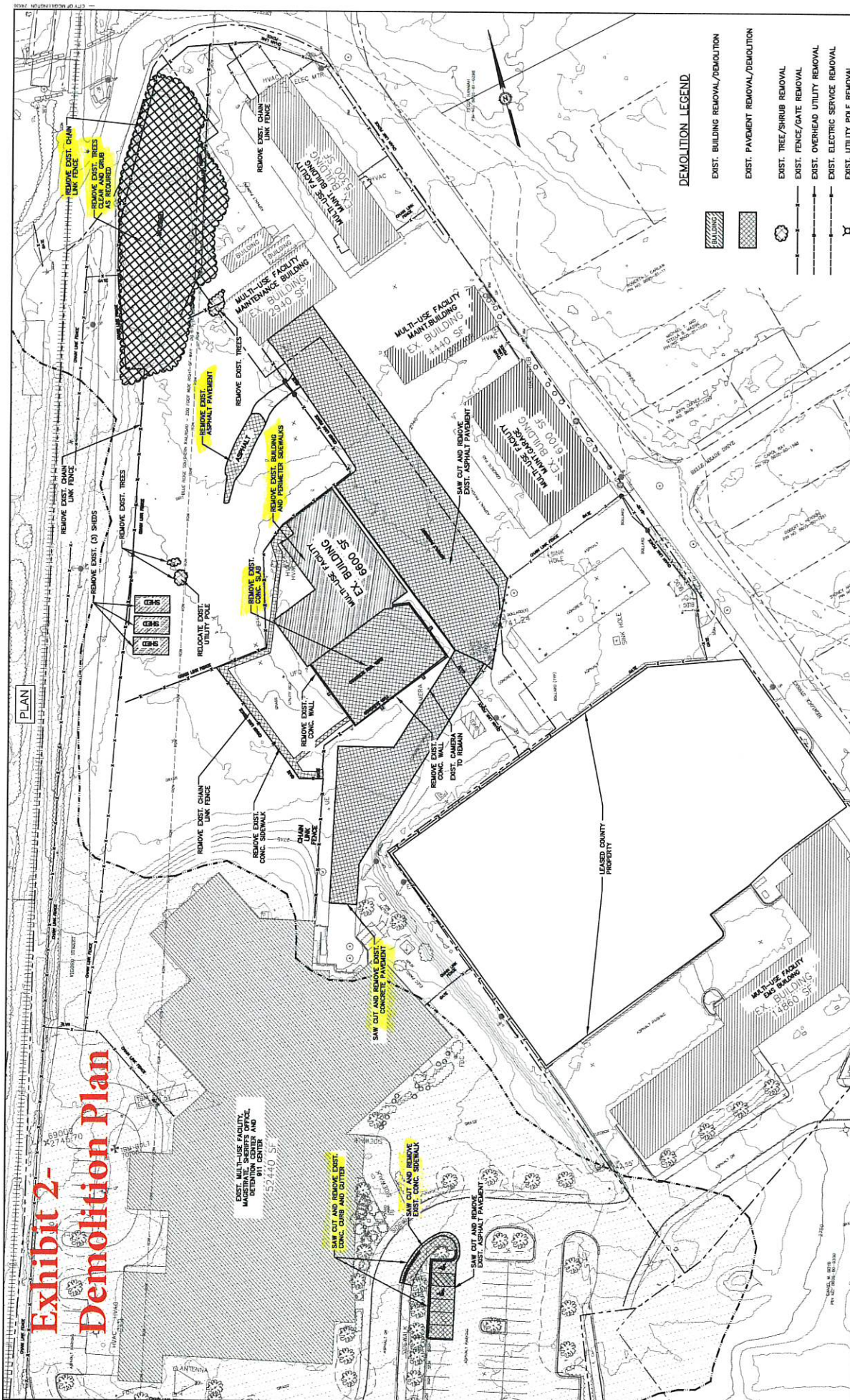
1. The proposed Major Site Plan is consistent with the 2035 Comprehensive Land Use Plan, Goal 1 to "promote smart use principles in land use planning and zoning."
2. The plan complies with all applicable requirements of the ordinance, as specified above.
3. The plan has infrastructure as required by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




Exhibit 1- Aerial View







**cgil**  
55 Broad Street  
Asheville, NC 28801  
828.252.0575  
NC Firm License # C-0458  
[mcgillassociates.com](http://mcgillassociates.com)



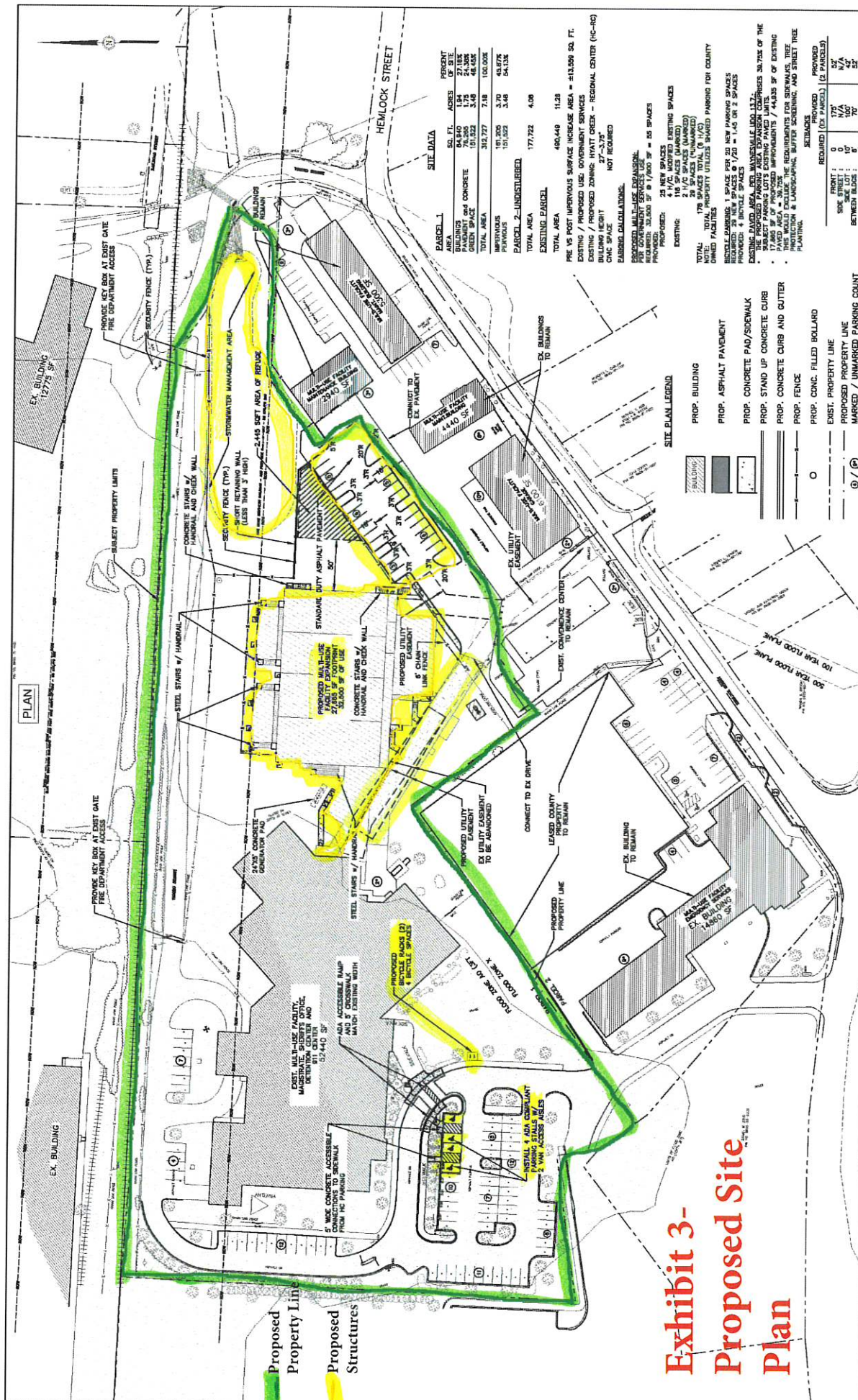
HAYWOOD COUNTY MULTI-USE FACILITY  
SITE PLAN  
HAYWOOD COUNTY  
WAYNESVILLE, NORTH CAROLINA

**ABOVE GROUND SITE  
DEMOLITION PLAN**

SHEET

CD-101



[illegible]





## Exhibit 4: Environmental Summary

Shaping Communities Together

### MEMORANDUM

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

---

#### **INTRODUCTION**

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

#### **SOIL CONDITIONS AND SOIL TYPES**

##### **NRCS Web Soil Survey**

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

#### **EXISTING VEGETATIVE AREAS AND FOREST COVER**

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

#### **GEOLOGIC FEATURES**

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

## **TOPOGRAPHY**

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

## **JURISDICTIONAL WETLANDS**

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

## **PERENNIAL AND INTERMITTENT STREAMS**

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

## **FLOODPLAINS**

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

## **CONSERVATION AREAS**

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



## **BUFFERS AND SETBACKS**

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

## **FEDERALLY THREATENED AND ENDANGERED SPECIES**

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

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

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

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

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



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

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

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

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

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

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

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

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

### **SUMMARY OF FINDINGS AND RECOMMENDATIONS**

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

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

### **LIST OF ATTACHMENTS**

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





## TOWN OF WAYNESVILLE

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

### Exhibit 5

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

### NOTICE OF ZONING DECISION

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

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

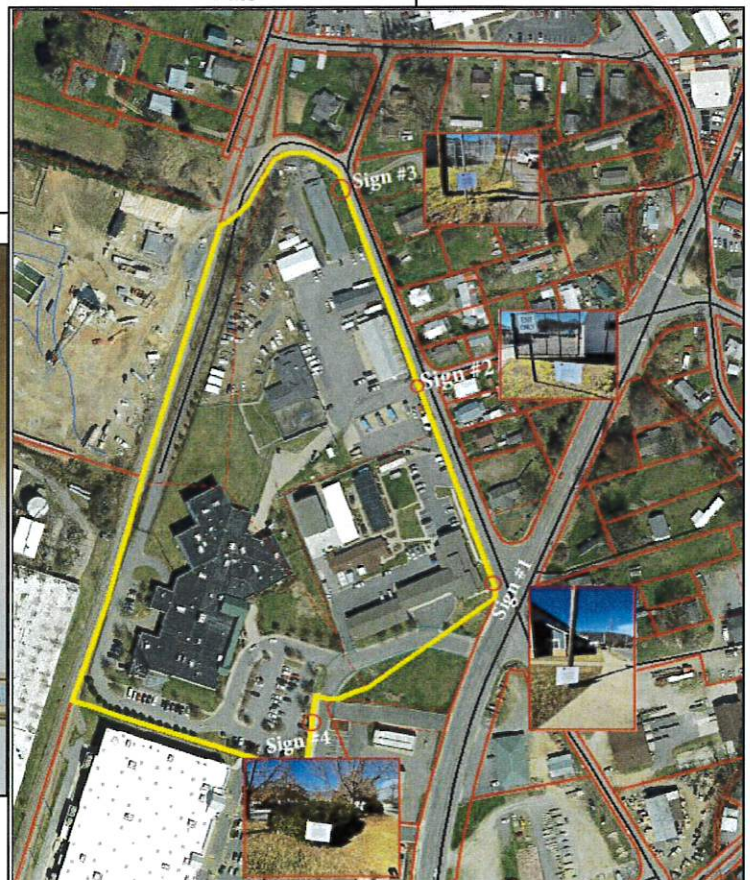
This includes the property uses of the county 911 center, communications tower, the Sheriff's Department offices and detention facilities, Magistrate, a solid waste and recycling transfer station, storage facilities, county garage and maintenance, an impound lot, and personnel and public parking.

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

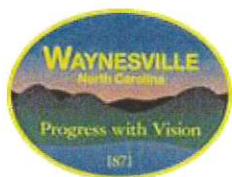
  
Elizabeth Teague, Waynesville Development Services Director

January 6, 2023  
Date

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







## TOWN OF WAYNESVILLE

### Development Services Department

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

## Exhibit 5

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

Date: January 30, 2023

### Notice of Public Hearing Town of Waynesville Planning Board

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



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

## TOWN OF WAYNESVILLE

### Development Services Department

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

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

Date: January 23, 2023

Contact: Olga Grooman, (828) 356-1172

### Notice of Public Hearing Town of Waynesville Planning Board

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

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



### Exhibit 5

Public Hearing Notices posted on site on January 30, 2023



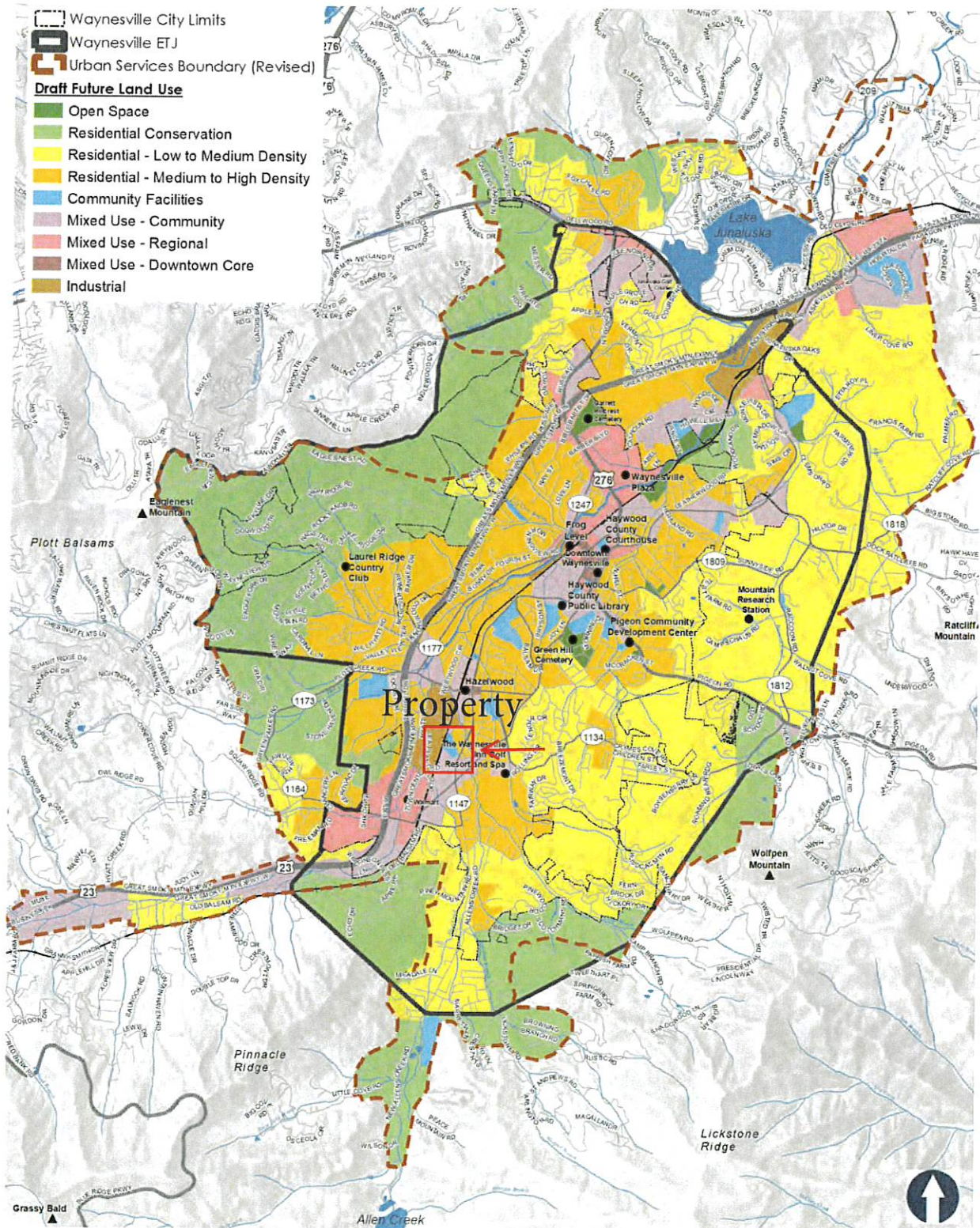
**THE TOWN OF WAYNESVILLE**  
**PLANNING BOARD**  
 WILL HOLD A  
**PUBLIC HEARING ON**  
**FEBRUARY 20, 2023 AT 5:30 PM**  
 IN THE TOWN HALL BOARD ROOM AT  
**9 SOUTH MAIN ST.**  
**TO CONSIDER A MAJOR SITE PLAN**  
 CONTACT THE DEVELOPMENT SERVICES DEPARTMENT  
**828-456-8647**





## Exhibit 6- Land Use Map

### Future Land Use Map





# Report For

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

## Account Information

PIN: 8605-70-8724

Legal Ref: 842/1201

579/2174

Add Ref: 961/1718

958/1675

## Site Information

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

Heated Area: 5940

Year Built: 1950

Total Acreage: 11.4

Township: Town of Waynesville

## Site Value Information

Land Value: \$2,409,300

Building Value: \$12,396,000

Market Value: \$14,805,300

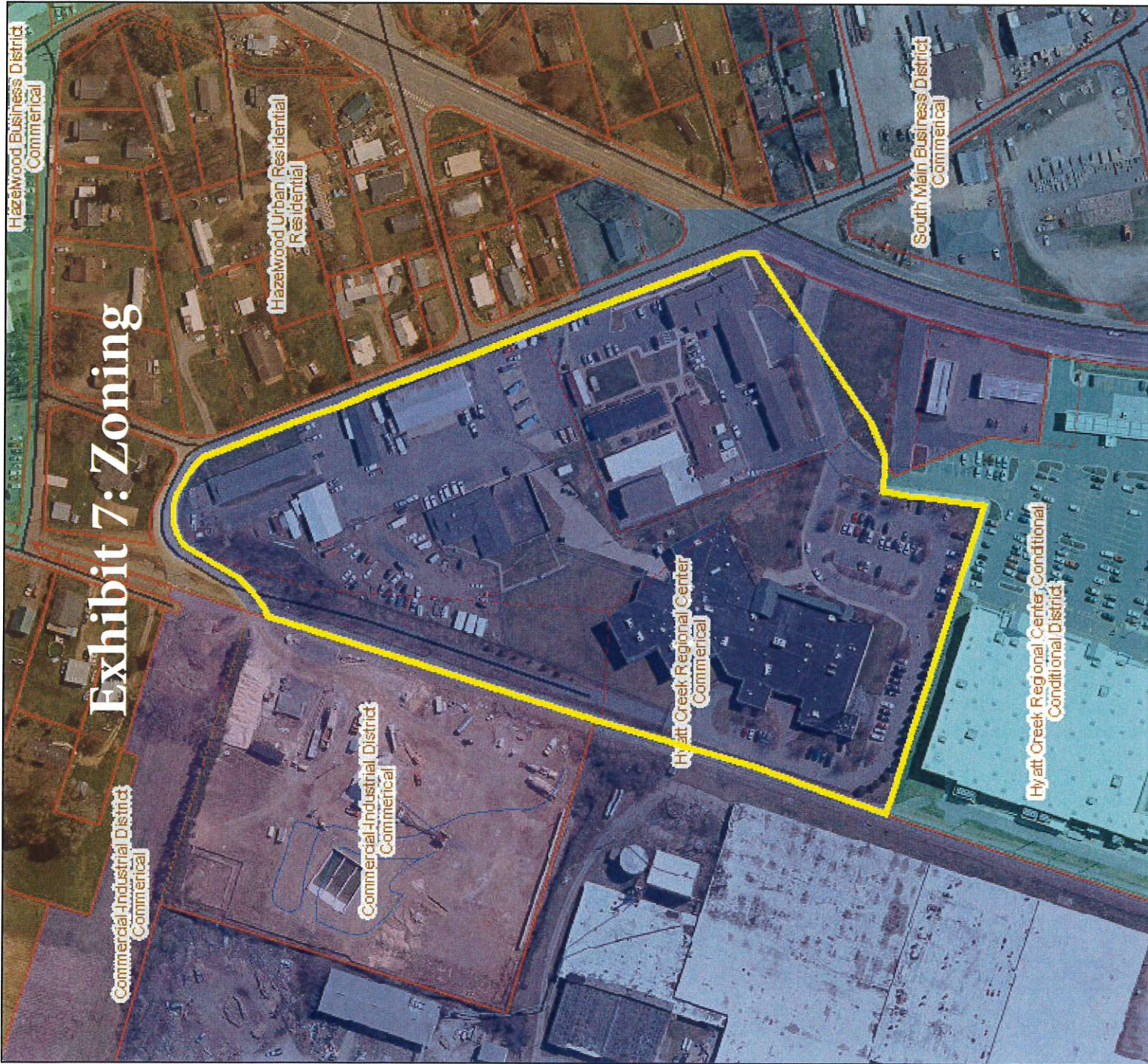
Deferred Value: \$0

Assessed Value: \$14,805,300

Sale Price: \$0

Sale Date: 3/11/2013

## Exhibit 7: Zoning



1 inch = 200 feet

December 19, 2022

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification or any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.



## MOSELEY ARCHITECTS



## BUILDING ELEVATION KEYNOTES

KEYNOTES FOR ELEVATION 11

REPRESENTED BY 11

1. FACE BRICK - COLOR: 1. WHITE GLAZE	15. EXTERIOR GUTTER, GALVALUME
2. FACE BRICK COLOR: 1. WHITE GLAZE	16. INSOLATION FIBER INS 2
3. EXTERIOR BUILDING	17. INSOLATION EQUIPMENT - TYPICAL
4. 4"X6" JOIST, REF TO MECH DWGS	18. ROOF TO ROOF LASTER
5. SOLIDFIBER CONCRETE - COLOR 1	19. EXTERIOR GUTTER (TYPICAL)
6. INTERLACE	20. ROOF TO ROOF PLASTER
7. GRAVEL/FACE COI	21. ROOF TO ROOF INSULATION REPORT LEVEL
8. INTERLACE	22. 2"X4" 2"X6" JOIST SYSTEM
9. INTERLACE	23. SHEDDING AT ROOF PAVEMENT 175%
10. INTERLACE	
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12. INTERLACE	
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[illegible]

HAYWOOD COUNTY DETENTION CENTER EXPANSION

[illegible]BUILDING  
ELEVATIONS

## A4.1

## Exhibit 9: Detention Units Regulation

### NC Division of Health Service Regulation

#### Jails and Detention Unit

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

Regulations include:

#### *SECTION .1200 - STANDARDS FOR NEW JAIL DESIGN AND CONSTRUCTION*

##### *10A NCAC 14J .1203 COMPLIANCE REVIEW AND APPROVAL*

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

##### *10A NCAC 14J .1204 SPECIFIC CONSTRUCTION REQUIREMENTS*

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

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

##### *10A NCAC 14J .1214 WINDOWS AND GLAZING*

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

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

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

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

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

##### *10A NCAC 14J .1504 WINDOWS AND SECURITY SCREENING*

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

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

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





## Exhibit 10: Utilities

February 1, 2023

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

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

Dear Ms. Teague:

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

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

Sincerely,

**MCGILL ASSOCIATES, P.A.**

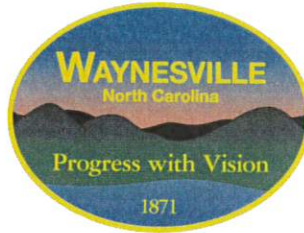
A handwritten signature in blue ink, reading "Joel L. Storrow".

**JOEL L. STORROW, P.E.**  
Senior Principal

Cc: Jeff Stines



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



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

## Exhibit 10: Utilities

February 1, 2023

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

To whom it may concern:

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

Sincerely,

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



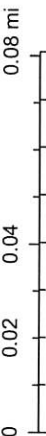
Electric, Water & Sewer Map

Exhibit 10: Utilities



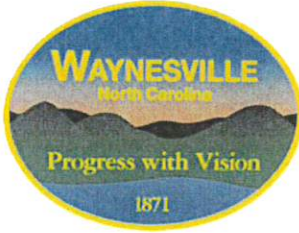
1/25/2023

1:3,062



NC CGIA, Maxar, Microsoft, State of North Carolina DOT, Esri, HERE, Garmin, iPC





## TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

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

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

### Exhibit 10: Utilities

**Date:** 1/24/2023

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

**Comments:**

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

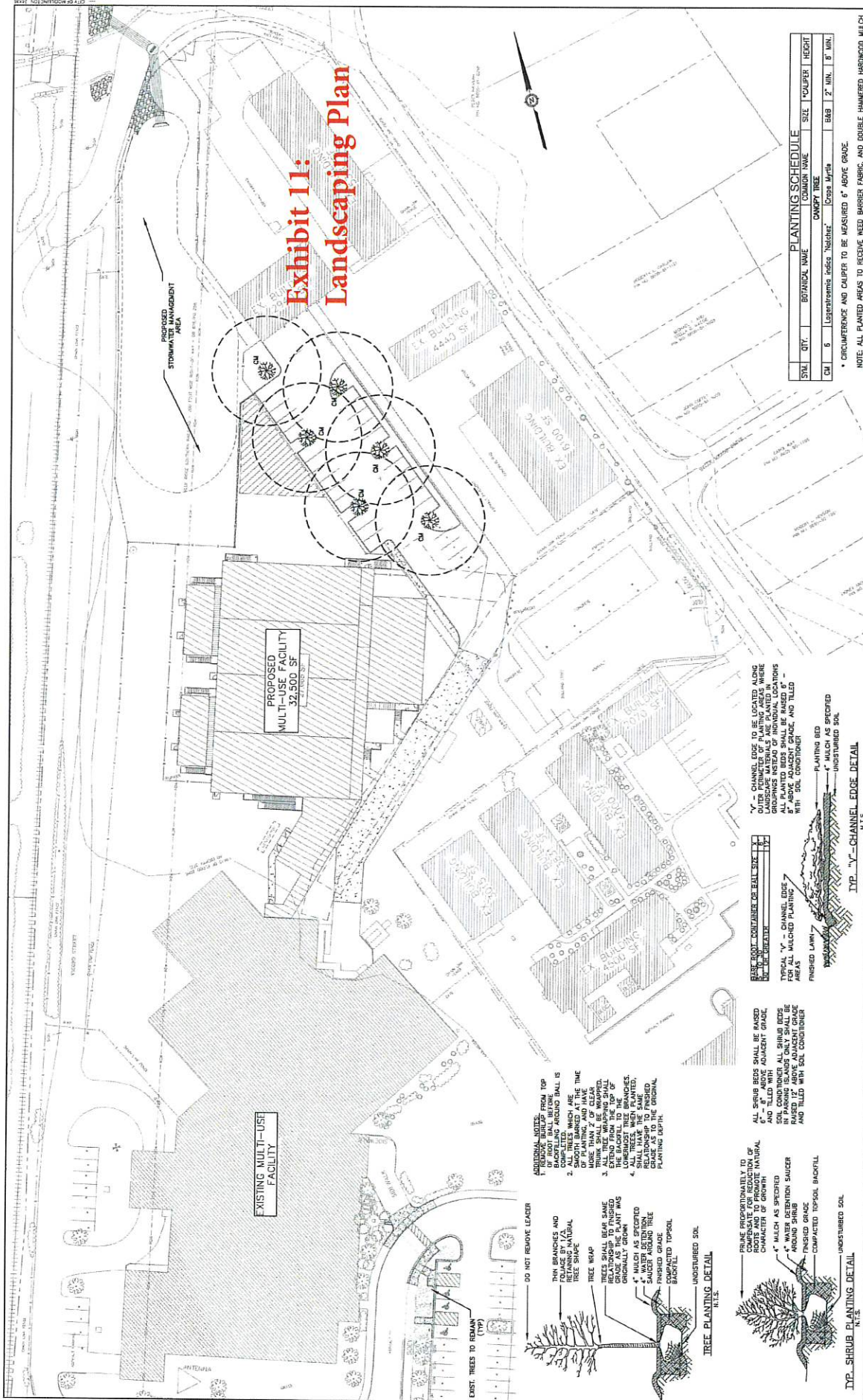
**Fire prevention for fire apparatus access, fire hydrant locations and fire prevention for site access are approved.**

X

David Kelley

Code Enforcement Official





**Exhibit 11:  
Landscaping Plan**

PLANTING SCHEDULE				
SYM.	QTY.	BRAND/NAME	COMMON NAME	SIZE
CM	6	Loganberry's Tree	CMPT. TREE	8'4" x 2' MIN. 1' 8" MIN.

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

NOTE: ALL PLANTED AREAS TO RECEIVE WEED BARRIER FABRIC, AND DOUBLE HAMMERED HARDWOOD MULCH.

GRAPHIC SCALE  
0 10 20 30  
FEET

DATE: JANUARY 23, 2023

PROJECT: 21.0014

DESIGNER: T. MANNING

REVIEWER: B. HILLENBRAND

OFFICE: HAYWOOD COUNTY

SHEET  
**L-101**

SITE LANDSCAPE  
PLAN

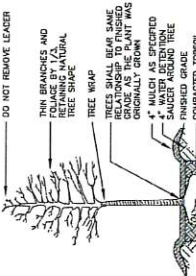
HAYWOOD COUNTY MULTI-USE FACILITY  
SITE PLAN  
**HAYWOOD COUNTY**  
WAYNESVILLE, NORTH CAROLINA

Y - CHANNEL EDGE TO BE LOCATED ALONG  
OUTER PERIMETER OF PLANTING AREAS WHERE  
POSSIBLE. ALL PLANTED AREAS SHALL BE RAISED 6" -  
8" ABOVE GRADE. ALL PLANTED AREAS SHALL BE  
RAISED 12" ABOVE ADJACENT GRADE AND FILL  
WITH SOIL CONDITIONER.



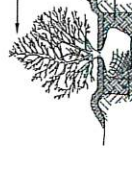
TYP. Y-CHANNEL EDGE DETAIL  
N.T.S.

- ADDITIONAL NOTES:**
1. ALL TREES SHALL BE PLANTED FROM TOP OF ROOT BALL TO TOP OF TRUNK.
  2. ALL TREES WHICH ARE THE SAME SPECIES AND SIZE SHALL BE PLANTED TOGETHER.
  3. ALL TREES WHICH ARE THE SAME SPECIES AND SIZE SHALL BE PLANTED TOGETHER.
  4. ALL TREES WHICH ARE THE SAME SPECIES AND SIZE SHALL BE PLANTED TOGETHER.



TREE PLANTING DETAIL  
N.T.S.

- ADDITIONAL NOTES:**
1. ALL SHRUB BEDS SHALL BE BASED ON THE CHARACTER OF THE NATURAL SOIL AND FILL WITH SOIL CONDITIONER.
  2. ALL SHRUB BEDS SHALL BE BASED ON THE CHARACTER OF THE NATURAL SOIL AND FILL WITH SOIL CONDITIONER.
  3. ALL SHRUB BEDS SHALL BE BASED ON THE CHARACTER OF THE NATURAL SOIL AND FILL WITH SOIL CONDITIONER.
  4. ALL SHRUB BEDS SHALL BE BASED ON THE CHARACTER OF THE NATURAL SOIL AND FILL WITH SOIL CONDITIONER.



TYP. SHRUB PLANTING DETAIL  
N.T.S.

McGill  
2500 E. 10th Street  
Greenville, SC 29615  
864.252.0275  
mcfirm@mcgill.com

T. MANNING  
Professional Engineer  
State of North Carolina  
License No. 210014



# Exhibit 12- Floodplain Map

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

## Account Information

PIN: 8605-70-8724

Legal Ref: 842/1201

579/2174

Add Ref: 961/1718

958/1675

## Site Information

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

Heated Area: 5940

Year Built: 1950

Total Acreage: 11.3953

Township: Town of Waynesville

## Site Value Information

Land Value: \$2,409,300

Building Value: \$12,396,000

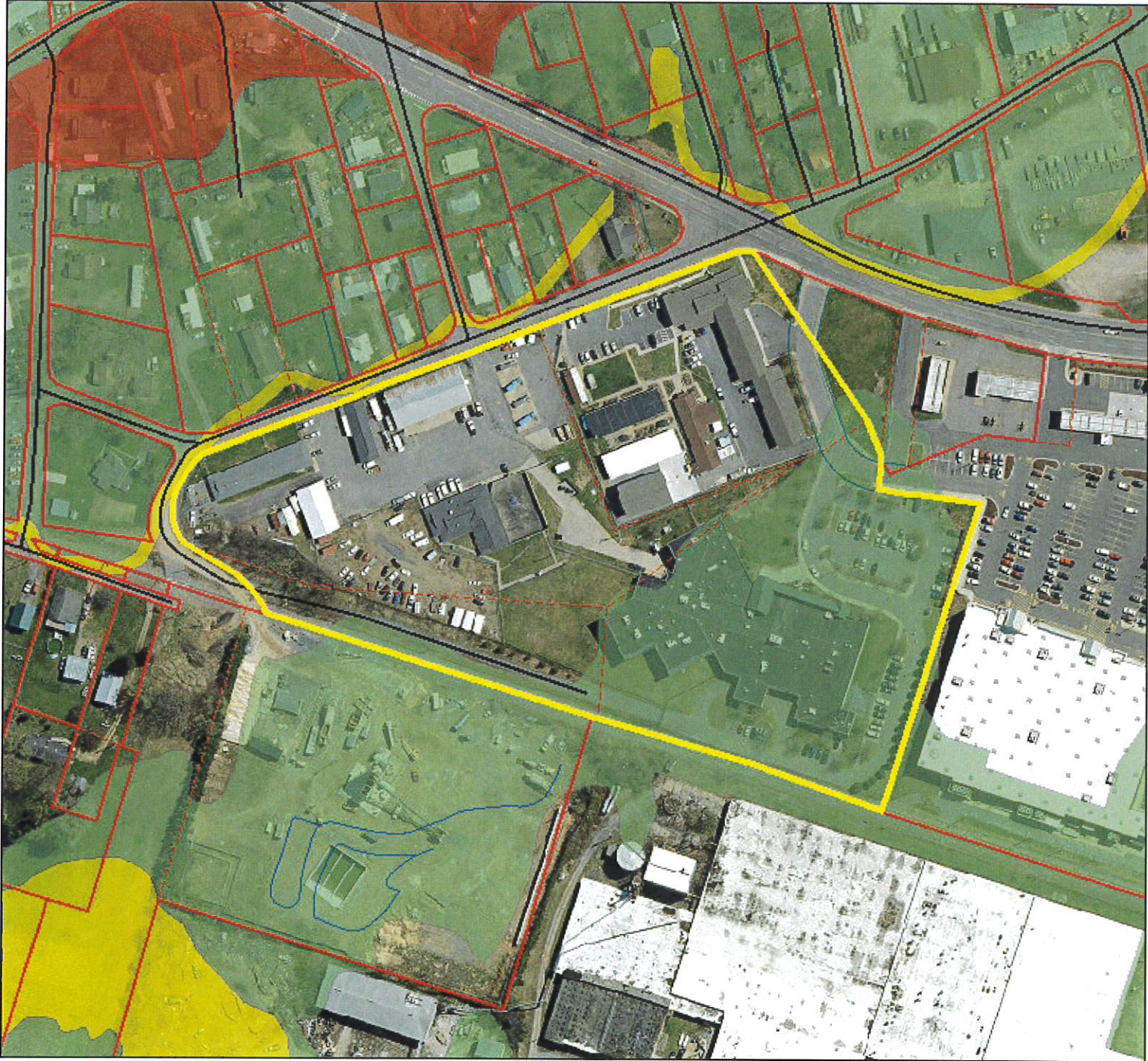
Market Value: \$14,805,300

Deferred Value: \$0

Assessed Value: \$14,805,300

Sale Price: \$0

Sale Date: 03/10/2013



1 inch = 200 feet

January 26, 2023

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.





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

## Exhibit 13- Application Forms

### APPLICATION FOR MAJOR SUBDIVISION OR SITE PLAN

#### DESCRIPTION OF PROPERTY

PROPERTY OWNER(S) OF RECORD: Haywood County

PARENT PARCEL IDENTIFICATION NUMBER(S): 8605-70-8724

PROPERTY LOCATION: 1620 Brown Avenue, Waynesville, NC

ZONING: Regional Center - Hyatt Creek

LAND USE AT TIME OF APPLICATION: Institutional: Jail, Office, Garage, Convenience Center

APPLICANT (IF DIFFERENT FROM OWNER): \_\_\_\_\_

*Note: Authorization to apply form must be submitted with the application if applicant is different from owner.*

MAILING ADDRESS: 215 N Main Street, Waynesville, NC 28786

PHONE NUMBER: 828.452.6625

RELATIONSHIP TO PROPERTY OWNER: \_\_\_\_\_

#### DESCRIPTION OF PROJECT

NUMBER OF ORIGINAL LOTS: 1 NUMBER OF PROPOSED LOTS: 1

NUMBER OF UNITS/DENSITY: N/A; Institutional Use

REGISTERED LAND SURVEYOR/DRAWING NUMBER: \_\_\_\_\_

APPLICATION COMPLETENESS (See LDS Section 15.9):

☒ ENVIRONMENTAL SURVEY

☒ MASTER PLAN OR PRELIMINARY PLAT

☒ OTHER INFORMATION / PROJECT DESCRIPTION (attach sheets as necessary):

#### SIGNATURE OF APPLICANT:

*J. R. Red* Assistant County Manager

DATE: 1/3/23

*This institution is an equal opportunity provider*



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

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

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

Title and Company: Project Manager, McGill Associates PA


Address: 55 Broad Street, Asheville NC 28801

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

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

This the 3rd day of January, 20 23

Owner or Party with Contractual Interest in Property:

 Assistant County Manager

Address and phone number:

215 N. Main Street

Waynesville, NC 28786

828.452.6625