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

Special Called Meeting
Haywood County Historic Courthouse
215 N. Main Street, Waynesville, NC 28786
Monday, July 30, 2018, 5:30 PM

A. CALL TO ORDER

B. BUSINESS

1. Public Hearing on a Major Site Plan/Design Review, for a multi-family development, at Plott Creek Road, PIN 8605-42-0093. (Quasi-judicial Proceeding)

C. PUBLIC COMMENT/CALL ON THE AUDIENCE

D. ADJOURN
Planning Board Staff Report

Subject: Major Site Plan Review – Multi-Family Development at Plott Creek
Ordinance Section: Multiple
Applicant: Triangle Real Estate of Gastonia, Inc.
Meeting Date: July 30, 2018

Summary Information:

Proposed Location: Plott Creek Road, PIN 8605-42-0093
Property Owner: Triangle Real Estate of Gastonia, Inc.
Acreage of site: 41.15 acres
Zoning District: Plott Creek Neighborhood Residential (PC-NR)
Existing Development: Undeveloped Lot

Background:

The subject property is an unaddressed, 41.15 acre lot located on Plott Creek Road (State Road 1173), just opposite the intersection with Will Hyatt Road (State Road 1175), and west of Hazelwood Elementary School. The property is located within the Plott Creek Neighborhood Residential District (PC-NR) district. Because this is a multi-family development of greater than 8 units, the Land Development Standards require that the Planning Board provide “Site Plan/Design Review (Major)” in accordance with Section 15.8.2 as part of a quasi-judicial procedure:

“Following the public hearing the commission may approve, deny or approve with conditions the application for a Major Site Plan. No Major Site Plan shall be granted unless it complies with the following findings of fact:
1. The plan is consistent with the adopted plans and policies of the Town;
2. The plan complies with all applicable requirements of this ordinance;
3. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed;
4. The proposed plan conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site; and
5. The application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.”

Required application materials for a “site plan review” are an environmental survey, a master plan, and building elevations. Construction documents are to be submitted after Planning Board approval. This will include engineered stormwater plans, utility infrastructure, and architectural plans; all of which will be reviewed for compliance with the Town’s Land development standards prior to construction.
Attached for reference is the following property information:

- Parcel Report (note: county land records has not adjusted ownership of record, but a copy of the deed has been provided with the submittal to verify ownership);
- Zoning map;
- 2012 Floodplain data indicating the location of the 100 year floodplain (in green) within the parcel (floodway, or non-encroachment area in red and within parcel);
- Area topography at 5’ contours with elevations of 2,900’ and 2,780’; and
- Aerial indicating existing tree-lines and stream locations.

**Proposed Development Consistency**

The proposed development is a 200 unit multi-family development on 41.15 acres, consisting of eight multi-family buildings, a clubhouse building with a pool, and three detached, garage buildings. The residential building heights range from 46 feet to 59 feet above the adjacent grades. The development will be served by a single point of entry drive and parking lots located at the interior of the development. The use is consistent with the Neighborhood Residential (NR) zoning, and the purpose and intent of the PC-NR District:

**2.3.3 Neighborhood Residential Districts (NR) Purpose and Intent**

While it is semi-rural currently, as the Plott Creek Neighborhood District (PC-NR) develops it should do so in a manner which compliments its location near the Hazelwood Town Center, and the Hazelwood Elementary School which is within its boundaries. Infrastructure should be well connected and networked (including sidewalks, streets, water/sewer, etc.) and other infrastructure needs should be addressed (such as recreational opportunities) as the area develops. Special care should be taken to enhance the natural features of the area, such as the mountain slopes and the creek, so that they become an integral part of the community. Connections (roads, trails, etc.) to other districts, such as Hyatt Creek area and to the large mountain tracts at the end of Plott Creek, are also important and must be considered as the area develops.

The future land use map in the **Town of Waynesville: 2020 Land development Plan** identifies the Plott Creek NR District as “medium to high” density. This designation meets the Land Use Plan objective to, “limit urban sprawl through the establishment of a planned growth area for the Town of Waynesville, (LUP 4-3)” that is within the Town’s Urban Services Boundary.

This project also meets the goal to, “provide an attractive range of housing opportunities and neighborhoods for all residents of Waynesville (LUP, 4-6)”, and to, “encourage a variety of housing types for various income, age and ethnic groups throughout the planning area promoting housing alternatives in addition to the traditional single and multi family dwelling options (LUP 4-7).”

The project will “provide pedestrian access in conjunction with new developments (LUP 4-9) and connect to the planned sidewalk linking Hazelwood Elementary and downtown Hazelwood, also meeting the goal of the 2010 Comprehensive Pedestrian Plan.”
Proposed Development Compliance:

Dimensional Standards – Table 2.4.1

1. The PC-NR district permits a maximum density of 10 units per acre. With a total acreage of 41.15 acres on the site, this standard is met at a density of 5 units/acre. The total area of the proposed development is only on just under half of the site (20 acres), and the density standard is also met for just the project area at 10 units per acre.

2. The proposed buildings meet all required setbacks from the fronting thoroughfare and from property lines (10’ minimum front, 10’ minimum side, and 6’ minimum rear). The closest building to the Plott Creek roadway is the Clubhouse which is located 25’ from the back edge of the proposed sidewalk. The closest multi-family buildings to Plott Creek Road are Building #1 and Building #4 which are 390’ and 380’ from the roadway respectively. The closest multi-family building to a side boundary is Building #5 which is 15’ from the side boundary at one corner. The other buildings are 30-50’ from the side boundary lines.

3. The proposed residential buildings front along the parking and vehicular use areas. On these frontages the building heights are 2 and 3 stories which meet the dimensional standard for PC-NR, which is given as “3 stories.” Along the rear frontages of Buildings #6 and #8, however, and making up about 50% of the building floor space, there is a fourth story below grade at the buildings’ rear. Section 4.4. Measurement of Height in the LDS states the following regarding how building height is measured:

4.4.1 Story.
A story is a habitable level within a building of no more than 14 feet in height from finished floor to finished ceiling. Unoccupied attics less than 7 feet in height and raised basements less than 6 feet in height (as measured from the average grade of the fronting sidewalk) are not considered stories for the purposes of determining building height. A mezzanine shall be considered a story if it is contiguous with at least 60% of the building’s front façade, is designed to be occupiable, and maintains an average depth of at least 16 feet. A penthouse shall be considered a story if it exceeds one-third of the area of the roof. The under-roof area with dormers does not count as a story.

4.4.2 Dimensional Height Standards.
Where a specific dimension is used in the calculation of height it shall be measured from the highest ground level at the structure foundation to the highest point of the structure excluding chimneys and antennas.

4.4.3 Items Not Included in Height Calculations.

The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, water towers, mechanical penthouses (provided they are set back 20 feet from the front elevation), observation towers, transmission towers, chimneys, smokestacks, conveyors, flagpoles, masts and antennas (provided evidence from appropriate authorities is submitted to the effect that such building or buildings will not interfere with any airport zones or flight patterns).

Buildings #6 and #8 meet the height standards at their front, at the highest ground level at the structures’ foundation - three stories, with each story being less than 14’, plus 16’ to the rooflines at their highest points. The buildings then follow the grade downward creating a partial bottom floor or fourth story that is below the front grade. Staff submits that the stories below the highest grade do not count toward the building height maximums, but request Planning Board concurrence or feedback on that interpretation.

House/Townhouse/Apartment Residential Building Design Guidelines – Section 5.8

1. Buildings shall have sloped roofs. All rooftop equipment shall be screened from view from the public right-of-way. These standards are met.

2. To provide privacy, all residential entrances within 25 feet of the interior sidewalk shall be raised from the finished grade (at the building line) a minimum of 1.5 feet. For proposed buildings located within 25 feet of the fronting sidewalk, the grade at entrances will have to rise 1.5 feet and elevations would be verified with construction documents.

3. Section 5.8.4(E) states that all garages with more than two bays shall be turned such that no more than two bays are visible from the street. Since the interior vehicular use areas are not considered streets, this standard does not apply.

4. Primary elevations and elevations facing a public street or open space shall use at least five of the following architectural features on all elevations as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):
   - Dormers
   - Gables
   - Recessed entries
   - Covered porch or stoop entries
   - Cupolas or towers
   - Pillars or posts
   - Eaves (minimum 10-inch projection which may include gutter)
   - Off-sets in building face or roof (minimum 16 inches)
   - Window trim (minimum 4 inches wide)
- Bay windows
- Balconies
- Decorative patterns on exterior finish (e.g. scales/shingles, wainscoting, ornamentation, and similar features)

The proposed primary elevations of the residential buildings, although not fronting a public street, incorporate: gables, recessed entries, cupolas, eaves, window trim, and balconies. The clubhouse has a side façade along Plott Creek Road that includes a covered porch with pillars, window trim, and a decorative pattern on the exterior finish of brick and wood, meeting the design guidelines.

5. According to the LDS, building walls shall be primarily clad in wood clapboard, cementitious fiber board, wood shingle, wood drop siding, primed board, wood board and batten, brick, stone, stucco, or synthetic materials similar and/or superior in appearance and durability. Vinyl may only be used on buildings that are no closer than 20 feet from the next closest building and that do not contain mixed occupancy or multi-family dwelling units. The proposed buildings are primarily clad in brick and board and batten siding. The roof is clad in architectural shingles. The building material design standards are met.

Chapter 6 Infrastructure

6.3 and 6.11: Water and sewer infrastructure is available to the site and has been reviewed and approved for capacity by the Town’s water and sewer division to the number of units and a sprinkling system for each building for fire protection. Utilities will be buried within the development and all infrastructure must be built to the Town of Waynesville’s specification manual and engineering standards.

6.4 - 6.8 Access driveway into the development and parking areas are not planned or proposed as part of the Town’s Street network, bicycle or greenway plan, or any future thoroughfare plan, and will be restricted by a gate. The development is not designed for future expansion or connection to adjacent tracts (however future connectivity is possible at several locations if this was a feasibility). Sidewalk is required and shown along frontage of Plott Creek Road. This sidewalk will connect to an approved NCDOT sidewalk construction project from Hazelwood Avenue at the bridge over Richland Creek to the property line of the development.

The Town required the applicant to complete a traffic impact analysis (TIA) in order to identify roadway capacity or improvement needs that are necessary to accommodate the impact of what is being proposed. The TIA has been completed and shared with the NC Department of Transportation to inform the design and approval requirements of the NCDOT driveway permit. The TIA indicates that no additional traffic control measures or roadway improvements are warranted based on the existing level of service and capacity of Plott Creek Road. However, line-of-site distance, topography change and alignment of the access point with Will Hyatt drive are issues that have been brought forward to NCDOT as concerns for the design of the access as part of the NCDOT permitting process.
Chapter 7 Civic Space

The development provides multiple areas of programmed civic space, including a proposed "village green" of 0.8 acres, a playground of 0.11 acres, a dog park of 0.08 acres, and a pool area of 0.1 acre. The Clubhouse itself will also provide recreational and gathering space for residents but is not being counted as civic space. Additionally, the project provides for 20.96 acres of preserved woodland area for passive recreational use on the upper half of the property. These areas are in addition to required stream buffers, designated wetland areas, and existing, wooded areas that are being preserved.

Chapter 8 Landscaping

Preservation of existing tree stands has been provided and supplemented along the side yard where Building 8 comes within 20' of side boundary. Shade trees within parking area have been provided to comply with the 40' radius requirement of the ordinance. The parking lot adjacent to Plott Creek Road will have screening between the lot and the sidewalk.

Chapter 9 Parking and Driveways

Parking exceeds the Town standard of 1.5 spaces per unit, by providing 374 surface spaces and 18 garage spaces. 20 spaces of bicycle parking are also being provided. Parking lots and interior pedestrian connectivity will be constructed to Town standards.

The driveway into the Clubhouse building is less than 75' away from the intersection with Plott Creek Road but is pulled back to the greatest extent possible (45') in order to avoid encroachment into a wetland area. This driveway location is also sited to allow for left hand turns coming from within the development, into the Clubhouse parking lot. A reduction of driveway separation distance up to 30' (40%) is being requested.

The driveway onto Plott Creek Road must be approved by NCDOT. Sight visibility and traffic movement as it impacts Plott Creek Road and the intersection of Will Hyatt Drive will have to be addressed as part of the NCDOT approval of design. The entrance drive is approximately 450' long into the first tier of parking lot, with an 18-20' paved surface, curb and gutter, and sidewalk along one side which ties into an internal pedestrian network with crosswalks.

Chapter 10 Lighting

A lighting plan will be required for approval by the Town Engineer and must comply with the Town’s design standards for the NR District. This will require cut-off lighting that is under 25’ for parking areas and directed architectural lighting for buildings and walkways.
Chapter 12 Environmental Standards

The area of the property adjacent to Plott Creek is within the Special Flood Hazard Area (“100 year”) floodplain. A 140-150’ area along Plott Creek containing the required buffer and identified wetlands has been preserved within the floodplain. All construction within the SFHA must comply with the Flood Damage Prevention Ordinance, including driveways, parking lots, retaining walls and Buildings #1, #2, #3, #4 and garages A and B.

Stream crossings are proposed as open-bottom culverts so as not to disturb stream beds, and the US Army Corps of Engineers will review and must approve these structures. A Land Disturbance plan and permit will be required by the State of North Carolina Department of Environmental Quality.

Upon approval of Master Plan, the applicant will be required to submit engineered stormwater plan in compliance with the Town design standards (LDS 12.5.7). The engineered Plan will be reviewed by a third party engineering firm for compliance with the ordinance.

A portion of the lot has a natural elevation above 2,900 mean sea level. The average slope on the parcel is 21.86%, below the 25% slope which defines a “steep slope area,” in LDS 12.6.2. The highest and steepest portions of the lot are in the un-disturbed 20 acre area to the south.

Project Infrastructure

The project is adjacent to Plott Creek Road, and opposite to Will Hyatt Road, both of which are maintained by the NCDOT. The project is also approximately 1/3 of a mile from the Great Smoky Mountains Expressway (23/74).

The Town of Waynesville Public Services Department has provided verification of water and sewer capacity to serve the project (attached). Duke Power provides service within the Plott Creek Valley area.

Surrounding Land Use/Zoning Patterns and Character and Project Impact:

The property lies on the western boundary of the Town of Waynesville’s Municipal jurisdiction. To the east along Plott Creek Road are a single family home, the Hazelwood Elementary School, and then the zoning changes to “Hazelwood Business District,” with commercial uses of Blue Ridge Glass and Smoky Mountain Indian Motorcycle retail, and then the 23/74 access ramps. Across Plott Creek Road to the north are single family homes and a townhome development along Will Hyatt Road that are part of the Eagles Nest Low Density District, and unincorporated area of the county. To the south, the property rises to a ridge that abuts an existing mobile home park and the Chancery Lane subdivision.
The land to the west is unincorporated and within Haywood County’s jurisdiction. It is primarily rural in character, consisting of open land, woodland, and large estate lots. The Town and Planning Board have received feedback from neighbors up the valley expressing concern that this development will damage the area’s rural character. However, as the last lot within the Town of Waynesville’s jurisdiction on Plott Creek Road, its location within our urban services boundary, and its proximity to the Expressway and Hazelwood, staff submits that this project is appropriate to the location and land use within the Waynesville Land Use Plan.

Staff submits that the Planning Board has enough evidence to find the project compliant with the Town’s plans and ordinances, has adequate infrastructure and is consistent with the Town’s planned growth as envisioned in the 2020 Comprehensive Land Use Plan, and will not be detrimental to the surrounding area. The one concern that does stand out however, is the safety of the driveway access onto Plott Creek Road and the increase in traffic pattern along Will Hyatt and Plott Creek, especially considering the peak traffic generation in the morning caused by Hazelwood Elementary. These are, however, NCDOT issues that the Town is committed to working on cooperatively with NCDOT into the future.
July 26, 2018

Elizabeth Teague
Development Services Director

RE: Palisades at Plott Creek Utilities

Elizabeth,

Per our conversation, Public Services staff have reviewed the plans submitted for the Palisades at Plott Creek project. Based on the submitted plans, the Town can serve the proposed development with both water and sewer.

We have been in contact with the developer, and are in the process of sorting out the specific route of the future connections. All proposed infrastructure will be installed and constructed to Town standards.

Please let me know if you need any additional information, or if we can be of further assistance.

Sincerely,

[Signature]

David Foster
Public Services Director

EC: Rob Hites, Town Manager
Amie Owens, Assistant Town Manager
Preston Gregg, Town Engineer
Jeff Stines, Water and Sewer Superintendent
Parcel Report For 8605-42-0093

LEATHERWOOD, MICHAEL F
LEATHERWOOD, JUDY K
502 SHELTON ST
WAYNESVILLE, NC 28786

Account Information
PIN: 8605-42-0093
Legal Ref: 693/1825
Add Ref: 699/2059

Site Information
PLOTT CREEK RD
Heated Area: 0
Year Built: 0
Total Acreage: 41.15
Township: TOWN OF WAYNESVILLE

Site Value Information
Land Value: $253,700
Building Value: $0
Market Value: $253,700
Deferred Value: $0
Assessed Value: $253,700
Sale Price: $90,500
Sale Date: 1/22/2007
Tax Bill 1: $72.09
Tax Bill 2: $69.01

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.
Parcel Report For 8605-42-0093

LEATHERWOOD, MICHAEL F
LEATHERWOOD, JUDY K
502 SHELTON ST
WAYNESVILLE, NC 28786

Account Information
PIN: 8605-42-0093
Legal Ref: 693/1825
Add Ref: 689/2059

Site Information

PLOTT CREEK RD
Heated Area: 0
Year Built: 0
Total Acreage: 41.15
Township: TOWN OF WAYNESVILLE

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Mr. Patrick McDowell, Chairman  
Waynesville Planning Board  
16 South Main Street  
P.O. Box 100  
Waynesville, NC 28786

Dear Mr. McDowell,

The Plott Creek apartment development site plan will have a public hearing next Monday, July 30. I am one of the ETJ residents who vigorously protested the text amendment recently. Among our concerns were the environmental impact and the potential negative effect on quality of life. The site plan does nothing to address these concerns.

- A portion of the development will be built on “existing wetlands.” I assume that these wetlands will no longer remain if this development is built.
- Four of the buildings are within the 100-year flood plain.
- Two proposed arch culverts are planned, one in Plott Creek and the other in one of the unnamed tributaries. The purpose of the culverts is to contain the flow of water – the wetlands will disappear.
- There is 6.16 acres of planned impervious area – buildings, parking lots, driveways, and sidewalks. Water runoff from roofs and asphalt pavement will run into Plott Creek, polluted and warmed.
- The development plans include a civic space – .8 acres. This is equivalent three or four front yards along Hazelwood Avenue near the Post Office. Considering this is the civic space for an estimated 740 residents, it seems inadequate.
- The development with its 3-floor buildings (at least 140 feet wide) containing as many as 42 units will march across a creek and up the slope toward the 2900-foot line. Existing oak trees will come down and tons of dirt will be moved.
- The community will gain over 700 new residents (and their cars). Some of these folks will NOT work in Haywood County. Apparently, both the university in Cullowee and the casino in Cherokee are desperate for employee housing.
- The Hazelwood “town center” that is proposed in the current strategic plan is not necessarily improved by this apartment development. The presence of a 4-lane divided expressway with limited access provides a significant barrier. It’s possible that the residents of this apartment community with its gated entry will take advantage of the expressway to head west to Sylva and east to Asheville, not south to Hazelwood and Waynesville.

Many of the residents of the Plott Creek Neighborhood District have owned their homes for many years. The Plott Family has been there for generations. Newer residents, especially those who live in the ETJ, were drawn by the peace and beauty of the valley. The majority of them have no desire to see this happen. We will all stand as witnesses to this action that is neither wise nor prudent.

Sincerely,
Mary Thomas  
152 Sherman Way  
Waynesville, NC 28786

Cc: Elizabeth Teague, Development Services Director
July 13, 2018

Elizabeth Teague
Town of Waynesville
9 S Main St #110,
Waynesville, NC 28786

Re: Palisades at Plott Creek

Dear Ms. Teague:

Triangle Real Estate of Gastonia, Inc. recently purchased a 40 acre +/- tract located along Plott Creek Road in the Town of Waynesville. The PIN # for the parcel is 8605-42-0093. It is our intent to construct 200 apartment units on the property.

It is our understanding that our proposal will be reviewed pursuant to the Town’s Major Site Plan Review process, outlined in Section 15.8.2, et seq., of the Town’s Land Development Standards.

Enclosed for your review and approval please find plans for the above referenced project. The plans include Environmental Survey, Master Plan, Preliminary Landscape Plan, and Building Elevations.

Please accept the plans along with this letter as our application for Site Plan approval. We understand detailed construction drawings will be required if the Planning Board approves the Site Plan. Please let us know if you have any questions or need any additional information at this time.

We understand that there is no formal application for Site Plan Review. Please accept this letter and the enclosed documents in lieu of a formal application.

Sincerely,

[Signature]

William Ratchford, VP
Triangle Real Estate / Southwood Realty
HAYWOOD COUNTY TAX CERTIFICATION

There are no delinquent taxes due that are a lien against parcel number(s) 8605-42-0093

Mike Matthews, Haywood County Tax Collector

Date: 6/7/18

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: $3,100.00

Parcel Identifier No. 8605-42-0093 Verified by County on the ___ day of ________, 20___

By:

Mail/Box to: Goosmann Rose Colvard & Cramer, 77 Central Avenue, #H, Asheville, NC 28801

This instrument was prepared by: Joel R. Weaver, PA, 41 Woodland Drive, Waynesville, NC 28786

Brief description for the Index:

THIS DEED made this 6th day of June, 2018, by and between

GRANTOR

Michael F. Leatherwood and wife,
Judy K. Leatherwood
502 Shelton Street
Waynesville, NC 28786

GRANTEE

Triangle Real Estate of Gastonia, Inc., a North Carolina Corporation
175 S. York Street
Gastonia, NC 28053

Enter in appropriate block for each Grantor and Grantee: name, mailing 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 that certain lot, parcel of land or condominium unit situated in the City of Waynesville, Township, Haywood County, North Carolina and more particularly described as follows:

See Attached Exhibit "A"

The property hereinafore described was acquired by Grantor by instrument recorded in Book _____ page _____

All or a portion of the property herein conveyed ___ includes or ___ does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book ________ page __________.
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

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

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

________________________________________________________________________
By: ____________________________________________________________ (Entity Name)
Print/Type Name: Michael F. Leatherwood (SEAL)
Print/Type Name & Title: ________________________________________________________________________________
By: ____________________________________________________________
Print/Type Name: Judy K. Leatherwood (SEAL)
Print/Type Name & Title: ________________________________________________________________________________
By: ____________________________________________________________
Print/Type Name: __________________________ (SEAL)
Print/Type Name & Title: ________________________________________________________________________________
State of North Carolina - County or City of Haywood
I, the undersigned Notary Public of the County or City of Haywood and State aforesaid, certify that Michael F. Leatherwood and wife, Judy K. Leatherwood, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this ______ day of June, 20____.

Joel R. Weaver
Notary Public
Haywood County, North Carolina
My Comm. Expires May 11, 2020
My Commission Expires: ____________________________ Notary Public
(Affix Seal) Notary’s Printed or Typed Name

State of ______________________ - County or City of ______________________
I, the undersigned Notary Public of the County or City of ______________________ and State aforesaid, certify that ______________________ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this ______ day of __________, 20____.

My Commission Expires: ____________________________ Notary Public
(Affix Seal) Notary’s Printed or Typed Name

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

My Commission Expires: ____________________________ Notary Public
(Affix Seal) Notary’s Printed or Typed Name

Printed by Agreement with the NC Bar Association – 1981

Page 2 of 2
This standard form has been approved by:
North Carolina Bar Association – NC Bar Form No. 3
EXHIBIT "A"

BEGINNING at a point in the center of Plott Creek Road (NCSR 1173) which point is further located S. 87° 15 minutes 33 seconds W. 1729.61 feet from N.C.G.S. "Louise" (N = 65372.19, E = 806177.5, NAD 83), the Northwestern corner of the Plott tract described in Deed Book 467, page 754 and runs thence with the Plott line, S. 2° 48 minutes 16 seconds W. (passing a point at the southern edge of the pavement for Plott Creek Road at 7.89 feet, an iron found at 18.09 feet and an iron set at 1,027.13 feet) 1,870.50 feet; thence continuing with the Plott line, S. 23° 39 minutes 42 seconds E. 915.17 feet to a point in the line of Vaughn Rhinehart (Deed Book 210, page 200); thence with the Rhinehart lines, 3 calls: S. 67° 00 minutes 00 seconds W. 453.04 feet, S. 19° 3 minutes 9 seconds W. 434.54 feet and S. 34° 55 minutes 14 seconds W. 240.46 feet to a point at the corner with Blanco (Deed Book 618, page 990); thence with the Blanco line North 85° 24 minutes 50 seconds W. 297.62 feet to a point at a corner with Morgan (Deed Book 627, page 391); thence with the Morgan line and later the Johnny Plott line (Deed Book 470, page 1072) N. 5 deg. 1' 3" E. (passing an iron set at 2,329.96 feet and an iron found at 3,268.70 feet) 3,294.69 feet to a point in the center line of Plott Creek Road; thence with the center of Plott Creek Road, 10 calls: North 52° 21 minutes 33 seconds E. 43.72 feet, North 52° 56 minutes 7 seconds E. 45.86 feet, North 54° 39 minutes 00 seconds E. 53.33 feet, North 56° 32 minutes 50 seconds E. 60.50 feet, North 59° 44 minutes 40 seconds E. 49.06 feet, North 63° 50 minutes 35 seconds E. 52.96 feet, North 70° 56 minutes 53 seconds E. 43.32 feet, North 80° 55 minutes 15 seconds E. 31.97 feet, North 87° 22 minutes 15 seconds E. 45.47 feet and S. 87° 37 minutes 13 seconds E. 56.28 feet to the BEGINNING, containing 41.26 acres, more or less, as shown on the survey of J. Randy Herron, PLS, dated May 22, 2006 entitled "Judy K. and Michael F. Leatherwood - petitioners, Mary Frances Britt and Jack Britt - Respondents," drawing number 3035 -- 672 -- A.

AND BEING the same property conveyed to Michael F. Leatherwood and wife, Judy K. Leatherwood by Deed recorded on January 22, 2007 in Deed Book 693, Page 1825, Haywood County Registry.
SITE PLAN SUBMITTAL for PLANNING BOARD REVIEW

PALISADES at PLOTT CREEK

Town of Waynesville

HAYWOOD COUNTY
NORTH CAROLINA

SITE PLANS

<table>
<thead>
<tr>
<th>SHEET NO.</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>C-100</td>
<td>ENVIRONMENTAL SURVEY</td>
</tr>
<tr>
<td>C-101</td>
<td>MASTER PLAN</td>
</tr>
<tr>
<td>C-102</td>
<td>PRELIMINARY LANDSCAPE PLAN</td>
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MILLER ARCHITECTURE - BUILDING ELEVATIONS

G2000: COVER
G2001: ONE BEDROOM (42 UNIT) TYPE A ILLUSTRATIVE ELEVATIONS
G2002: ONE-TWO BEDROOM (18 UNIT) ILLUSTRATIVE ELEVATIONS
G2003: ONE-TWO BEDROOM (30 UNIT) ILLUSTRATIVE ELEVATIONS
G2004: TWO-THREE BEDROOM (24 UNIT) ILLUSTRATIVE ELEVATIONS
G2005: THREE BEDROOM (10 UNIT) TYPE B ILLUSTRATIVE ELEVATIONS
G2006: THREE BEDROOM 112 UNIT TYPE C ILLUSTRATIVE ELEVATIONS
G2007: CLUBHOUSE, MAINTENANCE, OUTDOOR SHED/STORAGE & GARAGE ILLUSTRATIVE ELEVATIONS