



# TOWN OF SYLVA BOARD OF COMMISSIONERS REGULAR MEETING

Thursday, October 12, 2023 at 5:30 PM  
Board Room, 83 Allen Street Sylva, North Carolina

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## AGENDA

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### CALL TO ORDER

### APPROVAL OF AGENDA

*All items listed and adopted are for discussion or possible action*

### APPROVAL OF CONSENT AGENDA

1. [October 12, 2023 Consent Agenda](#)

### PUBLIC COMMENTS

### REPORTS

2. Mayor's Report
3. Commissioner's Report
4. Manager's Report
5. Planning Board Report

### PUBLIC HEARING

6. [Zoning Map Amendment Request](#)

### NEW BUSINESS

7. Zoning Map Amendment Request
8. [TWSA Board Appointment](#)
9. [Downtown Public Restroom Project](#)
  - A. Budget Amendment
  - B. Project Ordinance Amendment
  - C. Resolution Authorizing Mayor to Sign Contract

## ADJOURNMENT

Town of Sylva  
**CONSENT AGENDA**  
October 12, 2023

**1- APPROVE MINUTES:** September 14, 2023, **Regular Board Meeting**; September 28, 2023, **Regular Board Meeting**

**2- BUDGET AMENDMENTS:**

**# 9 Amended**

10-367-0400 Miscellaneous Grant \$ 4,000 C  
10-510-7103 PD GSH Foundation 4,000 D

**REF: On the 9/14/23 Consent Agenda this amendment was for \$5,000 for the Great Smokies Health Foundation Grant; however, the final approved budget by the GSH Foundation allowed for \$4,000.**

**#10**

24-399-0000 FC Non-Water Quality Fund Balance \$ 14,500 C  
24-420-3600 FC Maintenance 14,500 D

**REF: Accounting to reflect Board approved amendment from Non-Water Quality Fisher Creek Fund Balance to contract with Michael Baker International to perform a non-native invasive plant control study. Board approved on 9/14/23.**

**#11**

10-399-0000 GF Fund Balance Appropriation \$ 30,000 C  
10-420-0200 ADM Salary 21,600 D  
10-420-0500 FICA 1,653 D  
10-420-1900 Mileage/Hotel/Misc. 6,747 D

**REF: Accounting to reflect the approved budget for the interim manager's contract. Contract was Board approved on 9/14/23.**

**#12**

10-399-0000 Fund Balance Appropriation \$ 3,500 C  
10-510-4200 PD Equitable Sharing 3,500 D

**REF: To appropriate Equitable Sharing Funds into the Police Department Budget to cover k-9 training.**

**3- REPORTS:**

- 1-Business Registration ~ **September 2023**
- 2-Vehicle Tax Report as of **August 31, 2023**
- 3-Ad Valorem Tax Report as of **August 31, 2023**
- 4-Statement of Revenues, Expenditures, Changes in Fund Balance as of **August 31, 2023**

# Business Registration Permit Application September 2023

Item 1.

<u>Date Submitted</u>	<u>Business Name</u>	<u>Business Location</u>	<u>Owner</u>
9/24/2023	Strickland Brothers 10 Minute Oil Change	415 E Main St	GTY Auto Service
9/24/2023	Strickland Brothers 10 Minute Oil Change	1585 E Main St	GTY Auto Service

\*\*These are change of owner for Snappy Lube locations.



JACKSON COUNTY ACTIVITY TOTALS REPORT  
 ACTIVITY FROM 8/1/23 THRU 8/31/23

Tax Year 2022	Levy	Penalty	Subtotal	Charges	Interest	Subtotal	Total
SGR Sylva Gross Receipts			0.00	593.39		593.39	593.39
<b>Totals For Year 2022</b>			<b>0.00</b>	<b>593.39</b>		<b>593.39</b>	<b>593.39</b>

Grand Totals	Levy	Penalty	Subtotal	Charges	Interest	Subtotal	Total
			0.00	593.39		593.39	593.39

Tax Summary  
as of August 31, 2023

(10-301-XX)	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012	Total	Current Year	TOTALS
<b>Starting Balances</b>	54618.14	19247.75	14712.84	6778.87	5795.32	5182.1	2905.81	1924.22	1452.88	3,447.23	1,085.10	117,154.26	\$2,197,834.50	10-281-0000
July	-1498.16	-496.62	-43.35	-101.49	-102.25	-102.25	-102.25	-101.74	-101.74	-101.74	-101.74	-2,038.13		-2,038.13
August	-1256.79	-134.46	-328.37	-101.49	-102.25	-102.25	-102.25	-101.74	-101.74	-101.74	-101.74	-2,534.82	-14,662.01	-17,196.83
September												0.00		0.00
October												0.00		0.00
November												0.00		0.00
December												0.00		0.00
January												0.00		0.00
February												0.00		0.00
March												0.00		0.00
April												0.00		0.00
May												0.00		0.00
June												0.00		0.00
July - June Totals	-2754.95	-631.08	-371.72	-101.49	-102.25	-102.25	-102.25	-101.74	-101.74	-101.74	-101.74	-4,572.95	-14,662.01	-19,234.96
Releases												0.00		0.00
Add to Original Levy												0.00		0.00
Under Appeal												0.00		0.00
Bankruptcy												0.00		0.00
Refund/Adj												0.00		0.00
Subtotals	-2,754.95	-631.08	-371.72	-101.49	-102.25	-102.25	-102.25	-101.74	-101.74	-101.74	-101.74	-4,572.95	-14,662.01	-19,234.96
EOY Adjustment														
(10-110-XX) Balance	\$51,863.19	\$18,616.67	\$14,341.12	\$6,677.38	\$5,697.07	\$5,079.85	\$2,803.56	\$1,822.48	\$1,351.14	\$3,345.49	\$983.36	112,581.31	\$2,183,172.49	\$2,295,753.80
Interest	105.39	37.1	0.33	33.19	41.97	51.09	60.21	68.90	78.02	87.14	96.26	142.82		142.82
August	50.45	192.96	39.68	33.19	41.97	51.09	60.21	68.90	78.02	87.14	96.26	799.87		799.87
September														
October														
November														
December														
January														
February														
March														
April														
May														
June														
Interest Collected	\$230.06	\$40.01	\$40.01	\$33.19	\$41.97	\$51.09	\$60.21	\$68.90	\$78.02	\$87.14	\$96.26	\$942.69	\$0.00	\$942.69
Submitted by: Amanda Murajda, Tax Collector													Collection Rate	0.6671%

Top 10 Delinquent Accounts (2022 & prior)

Name	Balance 8/31/2023
Angela George	\$ 14,842.85
Joe Wilson	\$ 5,322.68
Dorothy Worley	\$ 4,699.90
Marjorie Herbert Smith	\$ 3,711.35
5 Grindstaff Cove (Nantahala Brewing)	\$ 3,674.84
David George Howell	\$ 3,493.57
Teena Marie Woodard	\$ 3,479.61
Joyce Straton	\$ 2,968.64
Janina Beck	\$ 2,885.07
fm Realty LLC	

General Fund  
Statement of Revenues, Expenditures, and Changes in Fund Balances  
8/31/2023

	General Fund				2022-2023 Budget Balance	Actual to Budget Percent	Statement Period 2	Variance
	2022-2023	Previously	2022-2023	Current				
	Budgeted	Reported	YTD Actual	Month				
<b>Revenues:</b>								
Ad valorem taxes	\$ 2,318,925	\$ 12,867.79	\$ 38,965.46	\$ 26,097.67	\$ 2,279,959.54	1.68%	16.67%	-14.99% *
Other taxes and licenses	\$ 6,200	1,245.00	4,075.00	\$ 2,830.00	\$ 2,125.00	65.73%	16.67%	49.06%
Unrestricted intergovernmental	\$ 2,847,272	278,739.96	467,674.30	\$ 188,934.34	\$ 2,379,597.70	16.43%	16.67%	-0.24% *
Permits and Fees	\$ 18,000	1,411.20	2,878.81	\$ 1,467.61	\$ 15,121.19	15.99%	16.67%	-0.67% *
Restricted intergovernmental	\$ 147,485	-	20,596.19	\$ 20,596.19	\$ 126,888.81	13.96%	16.67%	-2.70% *
Investment earnings	\$ 68,590	22,612.16	45,499.70	\$ 22,887.54	\$ 23,090.30	66.34%	16.67%	49.67%
Other revenues	\$ 35,782	2,589.60	6,122.41	\$ 3,532.81	\$ 29,659.59	17.11%	16.67%	0.44% *
<b>Total revenues</b>	<b>\$ 5,442,254</b>	<b>319,465.71</b>	<b>585,811.87</b>	<b>266,346.16</b>	<b>\$ 4,856,442.13</b>	<b>10.76%</b>	<b>16.67%</b>	<b>-5.90%</b>
<b>Expenditures:</b>								
<b>General Government</b>	<b>\$ 979,966</b>	<b>133,979.49</b>	<b>258,757.52</b>	<b>124,778.03</b>	<b>721,208.48</b>	<b>26.40%</b>	<b>16.67%</b>	<b>-9.74% **</b>
Salaries & Benefits	\$ 403,525	28,622.07	73,084.12	44,462.05				
Capital outlay	\$ 26,000	-	26,000.00	26,000.00				
All other expenditures	\$ 550,441	105,357.42	159,673.40	54,315.98				
<b>Public Safety</b>	<b>\$ 3,260,942</b>	<b>334,407.55</b>	<b>595,038.81</b>	<b>260,631.26</b>	<b>2,665,903.19</b>	<b>18.25%</b>	<b>16.67%</b>	<b>-1.58% ***</b>
Salaries & Benefits	\$ 1,813,587	121,091.20	297,160.73	176,069.53				
Capital outlay	\$ 127,993	45,822.39	45,822.39	-				
All other expenditures	\$ 1,319,362	28,773.70	28,773.70	84,561.73				
<b>Culture and Recreation</b>	<b>\$ 111,090</b>	<b>7,233.23</b>	<b>16,840.27</b>	<b>9,607.04</b>	<b>94,249.73</b>	<b>15.16%</b>	<b>16.67%</b>	<b>1.51%</b>
Salaries & Benefits	\$ 31,990	1,771.39	1,771.39	1,771.39				
Capital outlay	\$ 7,000	-	-	-				
All other expenditures	\$ 72,100	5,461.84	15,068.88	7,835.65				
<b>Transportation</b>	<b>\$ 831,751</b>	<b>81,568.09</b>	<b>191,125.26</b>	<b>109,557.17</b>	<b>640,625.74</b>	<b>22.98%</b>	<b>16.67%</b>	<b>-6.31% ***</b>
Salaries & Benefits	\$ 350,246	24,992.59	53,975.24	43,920.05				
Capital outlay	\$ 122,284	10,055.19	10,055.19	10,055.19				
All other expenditures	\$ 359,221	46,520.31	127,094.83	55,581.93				
<b>Economic and Physical Development</b>	<b>\$ -</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>
Salaries & Benefits	\$ -	-	-	-				
Capital outlay	\$ -	-	-	-				
All other expenditures	\$ -	-	-	-				
<b>Environmental Protection</b>	<b>\$ 209,581</b>	<b>21,809.12</b>	<b>41,343.09</b>	<b>19,533.97</b>	<b>168,237.91</b>	<b>19.73%</b>	<b>16.67%</b>	<b>-3.06% ****</b>
Salaries & Benefits	\$ 92,154	6,642.65	20,568.59	5,402.12				
Capital outlay	\$ -	-	-	-				
All other expenditures	\$ 117,427	15,166.47	20,774.50	14,131.85				
<b>Total expenditures</b>	<b>\$ 5,393,330</b>	<b>578,997.48</b>	<b>1,103,104.95</b>	<b>524,107.47</b>	<b>4,290,225.05</b>	<b>20.45%</b>	<b>16.67%</b>	<b>-3.79%</b>
<b>Revenues over expenditures</b>	<b>\$ 48,924</b>	<b>(259,531.77)</b>	<b>(517,293.08)</b>	<b>(257,761.31)</b>	<b>566,217.08</b>	<b>10.50%</b>		
<b>Other financing sources (uses):</b>								
Transfers in	\$ 423,085	-	-	-				
Appropriated fund balance	\$ 23,500	-	-	-				
PB Appropriated fund balance	\$ 35,000	-	-	-				
Fund Balance rollover	\$ 33,307	-	-	-				
Contributed Capital	\$ -	-	-	-				
Sale of Assets	\$ 20,000	-	3,400.00	-				
Loan Proceeds	\$ -	-	-	-				
	\$ 534,892	-	3,400.00	-				
Transfers to other funds:								
Contributed to GF fund balance	\$ -	-	-	-				
Transfers out	\$ 548,085	-	-	-				
Transfer to Capital Reserve	\$ 35,731	-	-	-				
	\$ 583,816	-	-	-				
<b>Total other financing sources (uses)</b>	<b>\$ (48,924)</b>	<b>-</b>	<b>3,400.00</b>	<b>-</b>	<b>-</b>			
<b>Revenues and other sources over expenditures and other uses</b>	<b>\$ -</b>	<b>(259,531.77)</b>	<b>(513,893.08)</b>	<b>(257,761.31)</b>	<b>566,217.08</b>			

**Analysis:**  
 \* Timing of Revenues  
 \*\* Postage  
 \*\*\* Capital Outlay  
 \*\*\*\* Liability Insurance/WC





## TOWN OF SYLVA BOARD OF COMMISSIONERS REGULAR MEETING

Thursday, September 14, 2023 at 5:30 PM  
Board Room, 83 Allen Street Sylva, North Carolina

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### MINUTES

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**PRESENT:** Mary Gelbaugh, Mayor Pro-Tem  
Ben Guiney, Commissioner  
Greg McPherson, Commissioner  
David Nestler, Mayor  
Natalie Newman, Commissioner

Paige Dowling, Town Manager  
Amanda Murajda, Town Clerk  
Eric Ridenour, Town Attorney

**ABSENT:** Brad Waldrop, Commissioner

#### CALL TO ORDER

Mayor Nestler called the meeting to order at 5:30 p.m.

**STAFF PRESENT:** Chris Hatton (Police Chief) and Jake Scott (Public Works Director).

**VISITORS:** Luther Jones, Shannon Queen, Rachel Huffman and Mardy Ashe.

#### APPROVAL OF AGENDA

Commissioner Guiney made a motion to add a discussion on the Pinnacle Park Invasive and Exotic Plant Removal Contract. The motion carried with a unanimous vote. Commissioner Newman made a motion to amend the agenda and add an item to announce a meet-and-greet of candidates for the upcoming election. The motion carried with a unanimous vote. Commissioner Guiney made a motion to approve the agenda as amended. The motion carried with a unanimous vote.

#### APPROVAL OF CONSENT AGENDA

Commissioner McPherson made a motion to approve the consent agenda. The motion carried with a unanimous vote.

#### PUBLIC COMMENTS

Luther Jones addressed the board and advised them that NCDOT was making updates to the Highway 107 construction plans. He also discussed graffiti that has appeared in several locations in town and suggested using artists like this to make a public graffiti wall.

#### MAYOR'S REPORT

Mayor Nestler reminded everyone of the Pinnacle Park survey now accepting responses. The Pinnacle Park recreational needs survey is open until October 18<sup>th</sup>. The survey can be found on our website.

#### COMMISSIONER'S REPORT

Commissioner Gelbaugh questioned the lack of updates for the Highway 107 project and what the Town is doing to mitigate location issues. She would like updates on the project from NCDOT. Commissioner Guiney attended a training burn with the Sylva Fire Department. He also thanked all who helped with the 3<sup>rd</sup> Sylva Pride event. Commissioner McPherson also thanked all who helped with Sylva Pride.

**MANAGER'S REPORT:** Manager Dowling reported the following:

- There is still a Maintenance Technician position open in Public Works.
- This contract is scheduled to come before the Board October 12<sup>th</sup> for approval. We hope to be under construction mid-November.
- I attended the Western North Carolina Managers' Association meeting Friday in Cullowhee. It was great to host the city and county managers from the western part of the state in Jackson County.
- Our audit fieldwork was completed last week.

- Jake Scott gave a project update:
  - Allen Street: Walls are complete and grading will continue. The Bryson Park wall will begin shortly. Stormwater and sewer installation will begin in the near future. The project is currently on schedule.
  - Downtown bathroom: This project is currently out for bid. A pre-bid meeting will be held on September 18<sup>th</sup> and is required for all who wish to bid. The bid opening will be October 10<sup>th</sup> and the plan is to be under contract by October 20<sup>th</sup>.
  - Bridge Park Green Infrastructure: Equinox is finalizing the bid package for Bridge Park. The bid ad will be issued September 22<sup>nd</sup> and will be opened October 26<sup>th</sup>. ARF is removing their building and facilities now. This project will begin following the pottery festival in November.

**PLANNING BOARD REPORT:** Manager Dowling reported that the Planning Board reviewed the lighting ordinance. The September meeting will need to be moved to October 2, 2023.

**NEW BUSINESS**

**PROCLAMATION FOR CONSTITUTION WEEK:** Mardy Ashe addressed the board and gave a history of the Constitution. She requested the Town adopt a proclamation declaring September 17-23, 2023, Constitution Week. This request is made on behalf of the local DAR chapter. *Commissioner Gelbaugh made a motion to approve the proclamation. The motion carried with a unanimous vote.*

**NC GOVERNOR’S HIGHWAY SAFETY PROGRAM—LOCAL GOVERNMENT GRANT:** Shannon Queen explained that the Governor’s Highway Safety Grant for the current year is now accepting applications. This will be a \$30,000 grant for FY 2023-2024. The Town can apply for the grant for traffic-related expenses. For FY 2022-2023, the Town received \$25,000 from the same grant. *Commissioner Guiney made a motion to approve the NC Governor’s Highway Safety Program agreement of conditions and contract for federal funding for traffic safety in the amount of \$30,000 and approve the resolution authorizing Shannon Queen to file on behalf of the Town of Sylva, the application contract. The motion carried with a unanimous vote.*

**SAFE HAVEN BOX DISCUSSION:** Commissioner Newman introduced Rachel Huffman, an advocate for Safe Haven Boxes. Rachel Huffman addressed the board about the possibility of installing a safe haven box in the city limits of Sylva. She explained that safe haven boxes give mothers in crisis a safe place to leave a newborn if the mother is unable to care for the child. She added that there is a need for confidential women’s care in Western North Carolina. She encouraged the board to research the idea of adding a safe haven box in the city limits. This would require a town ordinance allowing the safe haven box. As of current, the State of North Carolina does not have regulations allowing such. *No action was taken.*

**RESOLUTION OF INTENT: ORDINANCE AMENDMENT SECTION 36: TRAFFIC:**

This Resolution of Intent is for the Board to consider amending Sec. 36-10 and 36-11 following a public hearing October 12<sup>th</sup>.

- The proposed amendment to 36-10 clarifies that persons cannot ride roller skates and coasters on roads in the section title. Skateboards are also added in case it was not clear already as a roller skate or coaster.
- The proposed amendment to 36-11 clarifies the section is for sidewalks. Motorcycles are replaced with wheeled conveyances in the title. This amendment adds that skateboards, roller skates, and wheeled conveyances cannot be used on sidewalks. In the current ordinance, bicycles are only allowed on the sidewalk on NC 107, but the proposed amendment clarifies that bicycles are allowed on the 107 sidewalk until a bike lane is erected.

After discussion, the Town Board was of the consensus to take no action.

**EVENT STREET CLOSURE RESOLUTIONS:**

- (A) **EVENT RESOLUTION—TREAT STREET:** A request has been made by the Main Street Sylva Association to close Main Street for the purpose of having a “Treat Street” festival for Halloween on October 31, 2023.
- (B) **EVENT RESOLUTION—WCU HOMECOMING PARADE:** A request has been made by Western Carolina University to close Main Street for the purpose of having a homecoming parade on October 27, 2023.
- (C) **PARADE RESOLUTION—VETERAN’ DAY PARADE:** A request has been made by the Jackson County Veterans office to close Main Street for the purpose of having a parade on November 11, 2023

- (D) PARADE RESOLUTION—CHRISTMAS PARADE:** A request has been made by the Main Street Sylva Association to close Main Street for the purpose of having a Christmas parade on December 3, 2023.
- (E) EVENT RESOLUTION—GREENING UP THE MOUNTAINS:** A request has been made by the Main Street Sylva Association to close Main Street for the purpose of having the Greening Up the Mountains festival on April 27, 2024.
- (F) EVENT RESOLUTION—INDEPENDENCE DAY CELEBRATION:** A request has been made by the Main Street Sylva Association to close certain streets in the Downtown area for the purpose of having an Independence Day celebration on July 4, 2024.

*Commissioner Newman made a motion to approve all of the event street closure resolutions. The motion carried with a unanimous vote.*

**RESCHEDULE SEPTEMBER PLANNING BOARD MEETING TO OCTOBER 2, 2023, 5:00 P.M.:** *Commissioner Newman made a motion to reschedule the September Planning Board meeting to October 2, 2023 at 5:00 P.M. The motion carried with a unanimous vote.*

**PINNACLE PARK—CONTRACT FOR INVASIVE AND EXOTIC SPECIES REMOVAL:** The Pinnacle Park Foundation received 2 bids for the invasive species removal contract. The recommendation was for a contract in the amount of \$14,500 with Michael Baker International out of Asheville. The board will need to approve a budget amendment to move the amount from the non-water quality funds of the Fisher Creek fund to the maintenance line of the Fisher Creek budget. *Commissioner McPherson made a motion to approve the budget amendment to move \$14, 500 from Fisher Creek non-water quality funds to the maintenance line of the Fisher Creek budget. The motion carried with a unanimous vote.*

**SCHEDULE MEET-AND-GREET:** There will be a candidate meet-and-greet for the upcoming election held by Commissioners Guiney, McPherson, Newman and Waldrop on October 26, 2023, 6:00-8:00 p.m. at Innovation of Sylva. The purpose of the schedule is to announce the possibility of a quorum of the Board of Commissioners present. *Commissioner Newman made a motion to schedule the meet-and-greet. The motion carried with a unanimous vote.*

**CLOSED SESSION:** *Commissioner Gelbaugh made a motion to enter closed session pursuant to NCGS. 143-318-11(a)(3) to consult with the town attorney and (5) for contract purposes at 6:46 p.m. The motion carried with a unanimous vote.*

*Commissioner McPherson made a motion to come out of closed session. The motion carried with a unanimous vote and the Board entered into regular session at 7:12 p.m. No action was taken during closed session.*

**AMEND AGENDA:** *Commissioner McPherson made a motion to add an item for approval of an interim manager’s contract and an item for approval of amendments to the Town Manager’s contract. The motion carried with a unanimous vote.*

**APPROVAL OF INTERIM MANAGER CONTRACT:** *Commissioner McPherson made a motion to appropriate \$30,000 from fund balance and approve the Interim Manager’s contract. The motion carried with a unanimous vote.*

**APPROVAL OF AMENDMENTS TO TOWN MANAGER CONTRACT:** *Commissioner McPherson made a motion to approve amendments to the Town Manager’s contract. The motion carried with a unanimous vote.*

**ADJOURNMENT:** *Commissioner Guiney made a motion to adjourn the meeting at 7:16 p.m. The motion carried with a unanimous vote.*

\_\_\_\_\_  
David Nestler  
Mayor

\_\_\_\_\_  
Amanda W. Murajda  
Town Clerk



## TOWN OF SYLVA BOARD OF COMMISSIONERS MEETING

Thursday, September 28, 2023 at 9:00 AM  
Board Room, 83 Allen Street Sylva, North Carolina

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### MINUTES

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**PRESENT:** Mary Gelbaugh, Mayor Pro-Tem  
Ben Guiney, Commissioner  
Greg McPherson, Commissioner  
David Nestler, Mayor  
Natalie Newman, Commissioner  
Brad Waldrop, Commissioner

Paige Dowling, Town Manager  
Amanda Murajda, Town Clerk  
Eric Ridenour, Town Attorney

**ABSENT:**

#### CALL TO ORDER

*Mayor Nestler called the meeting to order at 9:00 a.m.*

**STAFF PRESENT:** Jake Scott (Public Works Director), Bernadette Peters (Main Street Director), Mike Beck (Fire Chief) and Chris Hatton (Police Chief).

**VISITORS:** Luther Jones, Marie Cochran and Faustine McDonald.

#### APPROVAL OF AGENDA

*Commissioner Gelbaugh made a motion to approve the agenda. The motion carried with a unanimous vote.*

#### PUBLIC COMMENTS

None.

#### MAYOR'S REPORT

None.

#### COMMISSIONER'S REPORT

Commissioner Guiney reported that he attended the Outdoor Economy Conference. He also thanked the Sylva Fire Department for their work on a recent fire at a building owned by the hospital. Guiney thanked Jake Scott for being proactive and putting out notice that Keener Street would be closed for repair. Commissioner McPherson noted that the new WCU flags on Main Street looked great. He attended a HERE meeting recently and reiterated the importance of working with homelessness. Commissioner Newman asked the board for thoughts on installing a plaque in memory of Dan Schaeffer at Bridge Park. Manager Dowling suggested a plaque to match those already in place. The board was of the consensus to have a plaque installed.

**MANAGER'S REPORT:** Manager Dowling reported the following:

- Employment Update: John Crisco was hired to fill the Maintenance Technician position in Public Works. Also, Officer Cody Ruckart will be transferring to a job with the Haywood County Sheriff's Office.
- Richard Hicks (Interim Manager) will visit Sylva on October 10<sup>th</sup>.
- The public restroom bid opening is October 10<sup>th</sup>. The Board will need to approve an amended project ordinance on October 12<sup>th</sup> along with a resolution authorizing the contract.
- The Bridge Park Expansion Project bid advertisement is out. The bid opening will be Oct. 25<sup>th</sup>. The board will need to approve the contract Nov. 12<sup>th</sup>.
- The new Skyland Drive sidewalk completion date is March 23, 2024.
- An update from NCDOT on the R-5600/NC 107 project update has been requested.



**PUBLIC WORKS DEPARTMENT REPORT:** Jake Scott reported the following:

- Scott gave an update on Allen Street repairs.
- Downtown restroom bid questions are complete; there were 4 bidders at meeting at the pre-bid meeting.
- Working with Equinox on Pinnacle Park master plan.
- Pre-bid meeting for Bridge Park project will be October 6<sup>th</sup>.
- NCDOT is conducting bridge inspections on Allen Street and Harold Street.
- Selected contractor for invasive removal and waiting on approval from the NC Division of Land and Water.
- Traffic striping will be next week.

**POLICE DEPARTMENT REPORT:** None.

**FIRE DEPARTMENT REPORT:** Mike Beck reported on the following:

- Training burns will continue on 10/2/2023.
- 1047 calls so far for 2023 which is up 20% from this time last year.
- Increase in Narcan use in the last month.
- The fire department had a 4-minute response time to a call for a fire on Eastgate Drive.

**MAIN STREET REPORT:** Bernadette Peters reported the following:

- Outdoor economy conference was a good success.
- Jennifer Kathy from the Mainstreet Historic Preservation Office visited 2 properties on Main Street who will potentially apply for historic tax credits.
- The Main Street team, along with the Chamber of Commerce and TDA has helped 19 businesses relocate as a result of the NC Highway 107 project. 15 of those have remained in the city limits of Sylva.

**TWSA BOARD REPORT:** None.

**PINNACLE BOARD REPORT:** Mayor Nestler reported the following:

- Invasive removal contract work will get underway soon.
- A public input session will be held at the Library Community Room on Oct. 23<sup>rd</sup> for the public to give input on wishes for Pinnacle Park.

**NEW BUSINESS**

**PUBLIC ART PROPOSAL—AFFRILACHIAN ARTIST PROJECT:** Marie Cochran and Faustine McDonald addressed the board about an art proposal to install a figurative sculpture to honor the life and legacy of Victoria Casey-McDonald. Victoria Casey-McDonald was born and raised in Jackson County. She was a grassroots oral historian and that made her a regional treasure for the black community.

**REQUEST FROM WATR—LETTER OF SUPPORT FOR WATER QUALITY MANAGEMENT PLANNING GRANT FUNDING:** WATR is requesting the Board provide a support letter for a water quality management planning grant the Southwestern Commission is helping them apply for. Commissioner McPherson extended sincere thanks to Ken Brown for working with WATR on water quality. *Commissioner McPherson made a motion to approve the letter of support. The motion carried with a unanimous vote.*

**SCHEDULE A BOARD OF ADJUSTMENT MEETING—OCTOBER 12, 2023:** Manager Dowling explained that the Town had received a request for a variance for property on Keener Street that would require a Board of Adjustment meeting. *Commissioner Newman made a motion to schedule the Board of Adjustment meeting on October 12, 2023. The motion carried with a unanimous vote.*

**ADJOURNMENT:** *Commissioner Guiney made a motion to adjourn the meeting at 10:01 a.m. The motion carried with a unanimous vote.*

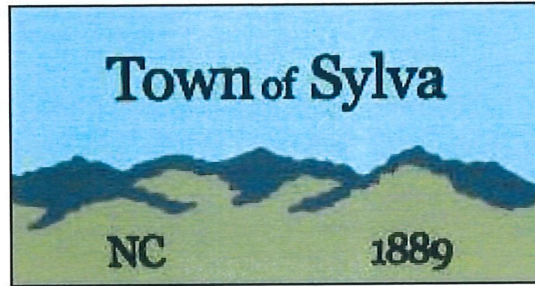
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David Nestler  
Mayor

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Amanda W. Murajda  
Town Clerk





83 Allen Street, Sylva, NC 28779

## **APPLICATION FOR ZONING TEXT OR MAP AMENDMENT**

Submit this completed application and all supporting documentation that may be helpful in the review process. In order to ensure that the proposed text amendment or map amendment complies with the Town of Sylva's regulations, we recommend that the applicant review the Town of Sylva Zoning Ordinance prior to application submittal. The request for a Zoning text or Zoning Map amendment may only be initiated by the Town Board of Commissioners, the Town Planning Board, Planning Staff, the owner of property in the Town of Sylva or a citizen of the Town of Sylva.

All responses in this application must be legible and filled out completely. Illegible and/or incomplete applications will be returned to the applicant. The application fee for a text amendment or map amendment is set forth in the Town of Sylva's fee schedule, is non-refundable and must be submitted with the completed application. For map amendment requests, a current survey prepared and sealed by an NC Registered Surveyor will be required. Applications are not accepted via facsimile or email. Please submit application, fees and supporting documentation to the Town of Sylva, 83 Allen Street, Sylva, NC 28779 via hand delivery or U.S. Mail.

Application deadlines are 30 days prior to the Town of Sylva's Planning Board next scheduled meeting. The applicant will be notified of scheduled hearing dates and times. The average text or map amendment petition timeline is 45 days from date of application to Town Hall. Depending on the complexity of the request, it is not unusual for a petition to take up to 6 months to be considered before the Town Board of Commissioners. Hearing schedules are not guaranteed and subject to change.

**Conditional Zoning Districts (CD)** are a zoning tool, permitted in accordance with NCGS 160D-703.b., which may be utilized to create new unique, site-specific districts for uses or developments that may have particular benefits and/or impacts on both the immediate area and the community as a whole. The development of these uses may require deviation of the general district standards. The applicant must provide an initial Master Site Plan and zoning proposal that includes all proposed uses and standards for the conditional zoning district being proposed. It is not the intention of Conditional Zoning to circumvent, reduce, or eliminate particular regulations as they would normally be applied to any particular district or use but rather provide flexibility and design standards unique to the subject property and use.

This negotiated approach between the applicant and the Town through a legislative decision allows maximum flexibility to tailor regulations to a particular site and project. Special restrictions have been placed on Conditional zoning. Conditional Zoning Districts occur at the owner's request and conditions cannot be imposed without the owner's agreement. The individual conditions and site-specific standards that can be imposed are limited to those that are needed to bring a project into compliance with town ordinances and adopted plans and to those addressing the impacts reasonably expected to be generated by the use of the site. The town must assure that all of the factors defining reasonable spot zoning are fully considered and that the public hearing record reflects that consideration.

Conditional Zoning shall be subject to the specific procedural rules located in Articles 3 and 5.

**PLEASE COMPLETE ALL SECTIONS OF THE APPLICATION;  
INCOMPLETE APPLICATIONS WILL BE RETURNED TO THE APPLICANT;  
INDICATE "NOT APPLICABLE" OR "N/A" WHERE APPROPRIATE**

## **APPLICATION REQUIREMENTS:**

All written materials and photographs must be a minimum of 8½"x11" paper; maps, surveys and plans must be submitted on a minimum 11"x17" paper. For the first level of review with the Town of Sylva Planning Board, the applicant must supply one (1) original and ten (10) copies of the completed application, supporting documents, photographs and materials. For Clerk advertisement and Board of Commissioners consideration, the Planning Staff may request additional documents as necessary. Please plan to attend all meetings and be prepared to answer questions or present information as necessary to the Planning Board or Town Board of Commissioners. Failure to attend may result in a delay or denial of your application.

1. **Legal description and property survey:** For a Major map amendment or if the applicant is seeking to subdivide a property to amend, attach a complete legal description (metes and bounds) of the property. Provide an existing survey of the property, with a scale indicating dimensions. If the applicant is seeking a text amendment, please attach a tax map with PIN number.
2. **Requested zoning change and use:** Indicate the current zoning classification and the proposed zoning classification being requested.
3. **Adjacent property zoning and land use:** Provide the current zoning and land use for the parcels immediately adjacent to the subject property (include all directions – north, south, east and west). Do not include right-of-way when considering adjacent uses.
4. **Land use and future development:** Describe how land use and future development conditions have changed that make the existing zoning designation unsuitable; include detail as to why a rezoning would be compatible with the character of the area.
5. **Public need:** Indicate the perceived need for the additional land to be zoned to the requested classification stated above.
6. **Community impact:** Describe the impact the proposed rezoning would generate on the adjacent properties and the surrounding neighborhoods/communities/businesses. Include in your discussion: transportation, utilities, storm water management, fire, public safety, open space, topography, density, property access and economic development. Provide in detail why or why not (and if so, how) the proposed rezoning will affect the surrounding properties.
7. **Infrastructure demand:** Describe the impact the proposed rezoning would have on public services, facilities and infrastructure (e.g. schools, parks, recreational services, roads, senior services, etc.). Provide in detail estimated demand for existing and/or new services based upon build-out and population projections.
8. **Zoning Ordinance and Comprehensive Plan compliance:** Explain how the proposed rezoning or development will be in compliance with Town's Land Use Plan and/or Comprehensive Plan.

**Contact Information:**Applicant/Agent: Ina Sams

(This person will be the contact person and will receive all mailings)

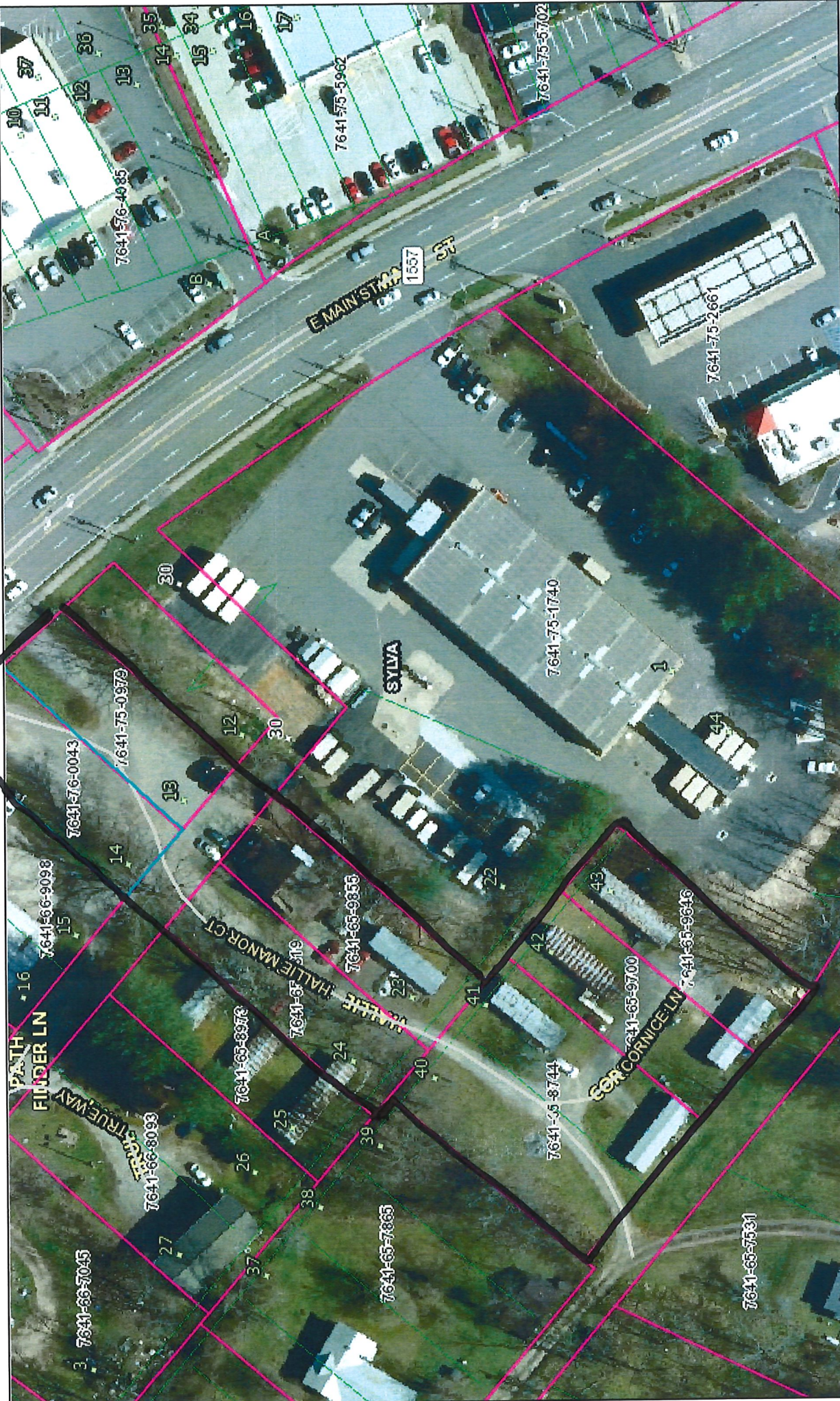
Address: 23 Hensley Circle, Sylva, NC 28779Phone: 828-269-1904 Fax: 828-477-4345Email: ina@ncmountainrealestate.netProperty Owner(s): Alvin N. Kinkaid Trust / Virginia H. Kinkaid Trustee

(If the owner is different than the applicant)

Address: 842 Bethus Creek Rd., Sylva, NC 28779Phone: 828-506-7515 Fax: noneEmail: sons\_email\_yelrah172710@gmail.com**Property Information:**Property Location/Address(es): 628 E Main Street, Lot 13 & 14 East Main St,48, 56, 64, 65, 78 Hallie Manor Ct, 5, 8, 15, 18, 21 Cordice LaneTax Parcel Identification Number(s): PARCE / numbers combination of  
PARCE / upon the sale of the property. See Attached SURVEY Plat 25/684Current Use of Property(ies): Used to be a RESTAURANT / TRAILER PARKAcreage to be Rezoned: 1.636Deed Book: 6668 Page: 401-408 Lot / Tract Size: 1.636 (acres)Property Street Frontage / Width: 100.11' Property Depth: 460.86'Flood Plain: Not in the Flood zone FIRM Panel: Flood Map Attached**Zoning Information:**Current Zoning District(s): HWY 107 GB and Sylva HDRRequested Zoning District(s): ENTIRE PARCEL Hwy 107 GBPurpose of Zoning Change (optional): Buyer trying to relocate <sup>his</sup> a business  
BEING REMOVED by DOT Condemnation on Hwy 107. The single  
wides ARE FROM 1945-1990's and a 2000. Buyer would  
agree to renting singlewides for a couple of years.  
Singlewides are in poor condition



# Custom Jackson County, NC Property Map

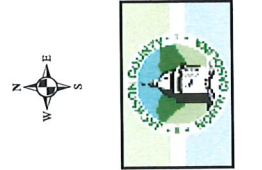


0 0.005 0.01 0.02 mi

W E  
N S

**Item 6.**

**WARNING: THIS IS NOT A SURVEY!**  
This map is prepared for inventory of real property within Jackson County and is not to be used for legal purposes. It is based on recorded deeds, plats, and other public records. Users of this map are advised that the aforementioned information should be consulted with Jackson County or any Court of Record for the content. The County assumes no legal responsibility for the content.



- Centerlines
- Hydro
- Parcel Annotation
- Dimension
- Easement
- State
- Sub
- Miscellaneous Parcel Lines
- Road
- Hooks
- Leader Line
- Lot Line
- Easement
- ROW
- Parcels



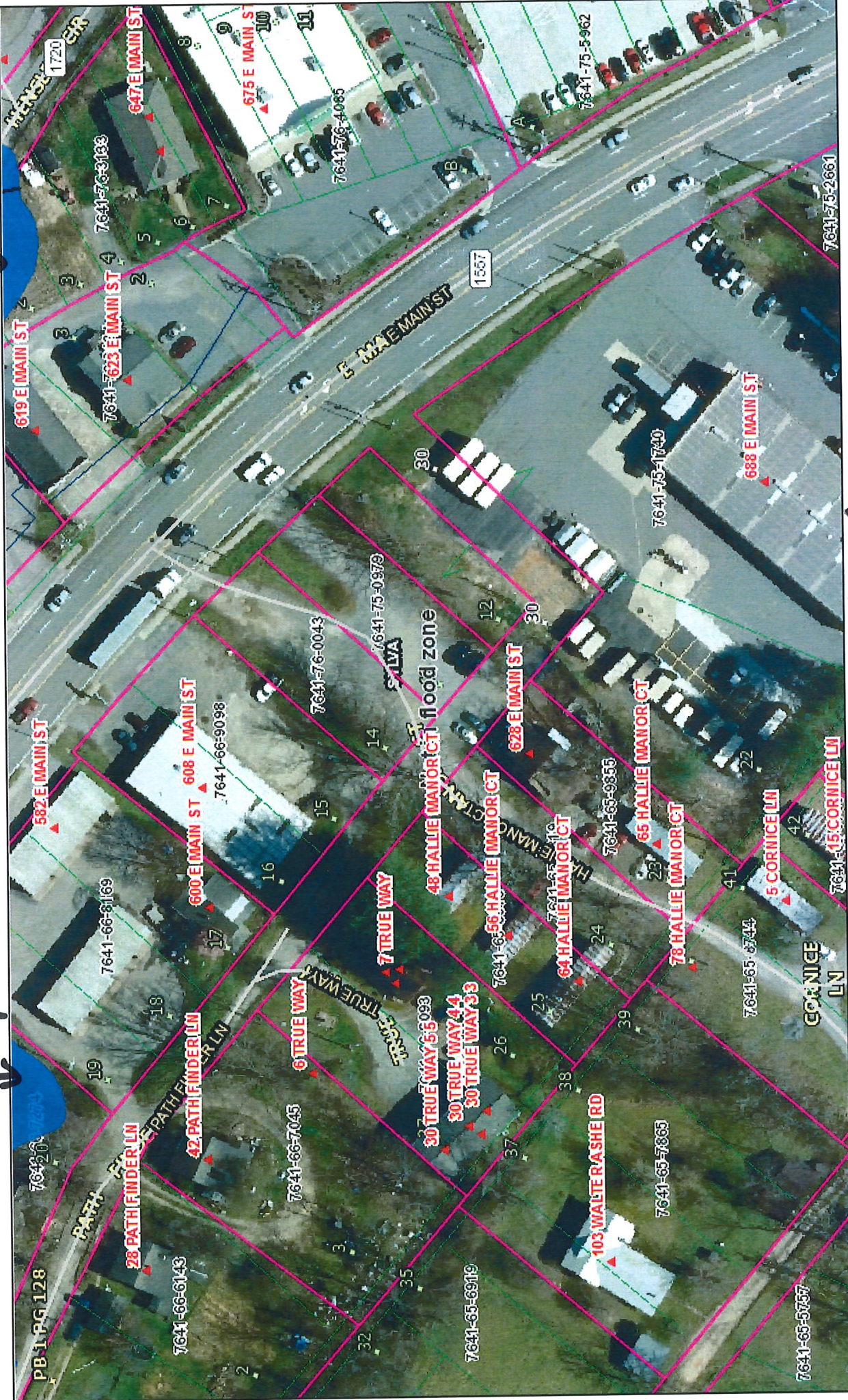
1. Legal Description and property survey. Attached new survey. Current Pin#s – 7641-75-0979, 7641-76-0043, 7641-65-9855, 7641-65-9819, 7641-65-8973, 7641-65-9646, 7641-65-9700 A combination of pin numbers at the time of the sale of the property. Deed also attached.
2. Request zoning change and use: Current zoning district: Hwy 107 Commercial General Business and Sylva HDR. The proposed zoning classification would be for the entire parcel of 1.64+/- acres changed to Hwy 107 Commercial General Business.
3. Adjacent zoning properties. North: Hwy 107 Commercial General Business. East: Hwy 107 Commercial General Business. South Hwy 107 Commercial General Business and Sylva HDR. West: Sylva HDR
4. The location of the Soul Infusion Restaurant was never zoned GB District but has also been a beauty shop and a Real Estate Company. The buyer would continue to use Singlewides in the back for 2 years. The condition and age of the Singlewides date back from 1945, the 1990's and 1 at 2000. Removal of homes would be inevitable. Since the buyer has a business on HWY 107 that has been purchased by DOT Hwy 107 Condemnation <sup>this</sup> it would <sup>allow</sup> a way for this business to remain in the Corridor. A new gas station will be on one side that is relocating from the Hot Spot gas station and UPS Business on the other side. However, to have room for parking and the Town of Sylva Ordinances the entire property would need to be zoned Commercial – General Business.
5. Public need: The need for the additional land to be zoned General Business is for jobs in our area, tax base at a higher amount than its current use and replacing a previous business due to condemnation.
6. Community impact: Where once was a restaurant that could be again a place for the adjoining properties to walk to from UPS

employees and the High-Density Residential properties of the community. TWSA is already in place for water and sewer and Duke Energy for electrical. WCU and SCC students and Travel and Tourism would appreciate the business as well as our local community. In line for a stop at a gas station for gas, an eating establishment and then drop or pick up from UPS.

7. Infrastructure demand. The removal of this business and placing it back on HWY 107 enroute to WCU, SCC and Council on Aging etc. with the utilities in place with the population growth is a much-needed replacement.
8. Zoning Ordinance and Comprehensive Plan Compliance: The new owner of this property is familiar with the Towns Land Use Plan and has had businesses in the Town of Sylva for many years. He has worked with the Planning Department and abiding by all regulations. Therefore, rezoning with the new owner of this property will be compliant with Town's Land Use Plan. With the entire parcel being rezoned the space for the vegetation, parking, sidewalks etc.. is in recognition of the purpose of the rezoning.



# GIS Flood Map Custom Jackson County, NC Property Map



**Legend**

- Address Points
- Base Flood Elevations
- Floodway
- Flood Hazard
  - Not in Flood Zone
  - 500 Year Flood Zone
  - 100 Year Flood Zone
- Centerlines
- Parcel Annotation
- Dimension
- Easement
- Hydro
- Lot Number
- Miscellaneous
- 100 Year Flood Zone
- State
- Sub
- Subdivision
- ROW
- Parcels
- Leader Line
- Easement
- Hooks
- Leader Line
- Parcel Lines
- Road
- Lot Line

**NOT IN Flood Zone**

Scale: 0 0.005 0.01 0.02 mi

North Arrow

Logo: Jackson County, NC

Item 6

**WARNING: THIS IS NOT A SURVEY!**  
This map is prepared for inventory of real property within Jackson County from recorded deeds, plats, and other public records. Users of this map are notified that the aforementioned public sources should be consulted for verification. Jackson County or any Court assumes no legal responsibility for the content.



**Notification:**

All property and business owners within 100 feet of the property being considered for a text or map amendment must be mailed an Adjacent Property Owner Notification a minimum 10 days prior to the Town of Sylva Planning Board and Town Board of Commissioners meetings. The applicant is responsible for supplying a list of the names and mailing address for these properties and businesses affected by the possible text or map amendment change. In addition, the applicant must supply two (2) set of stamped, addressed #10 envelopes for each property and business owner within a 100' radius. The return address should read:

Town of Sylva  
83 Allen Street  
Sylva, NC 28779

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**SPOT ZONING****SPOT ZONING DEFINED:**

"A zoning ordinance, or amendment, which singles out and reclassifies a relatively small tract owned by a single person and surrounded by a much larger area uniformly zoned, so as to impose upon the smaller tract greater restrictions than those imposed upon the larger area, or so as to relieve the small tract from restrictions to which the rest of the area is subjected, is called spot zoning."

**How to determine whether a particular rezoning is spot zoning when a relatively small tract of land is:**

- o Zoned differently from the surrounding area
- o Not taking into account the larger community context
- o Not in accordance with the comprehensive plan

**Factors to Consider:****1. Size of Rezoning Area**

The smaller the area/tract the more likely the rezoning can be considered a spot zoning. The size of the tract must be looked at in context for the larger area.

**2. Compatibility with the Plan**

How consistent is the rezoning with the Land Use Plan(s). Relationship of the Town's Land use policies and objectives. Is the land suitable for the following:

- o Development (e.g., topography, soil types, wetland locations, and flood areas)
- o Availability of Services (e.g., water, sewer, roads)
- o Existing and Needed Land Uses.

**3. Benefits & Detriments**

Look at who will benefit and be harmed (if anyone) from the result of the rezoning (e.g. owner, adjacent owners & community at large).

**4. Relationships of Uses**

The relationship of the proposed uses versus the current uses on adjacent land.



### Authorization:

**Note: If the person requesting of The Town of Sylva, to take action on a particular piece of property is not the owner of the property, or under contract to purchase, then the actual owner of the land must complete this form with his/her signature notarized. If the property owner is the applicant please complete the section below and sign as indicated.**

**Fax, Scan or Copied images of the original document will not be accepted.**

I, Virginia H Kirkaid (Land owner name) am the owner of the property located in the Town of Sylva Zoning Jurisdiction at:  
Lt 13 + 14 E Main St. 48, 56, 64, 65, 78 Hallie Manor  
Street address: 628 E Main, 58, 15, 18, 21 Property PIN: 7641-75-8919, 7641-76-0043, 65-9640, 7641-65-9855, 7641-65-9819, CORNICE LN / 7641-65-8973, 7641-65-8744, 7641-65-9700

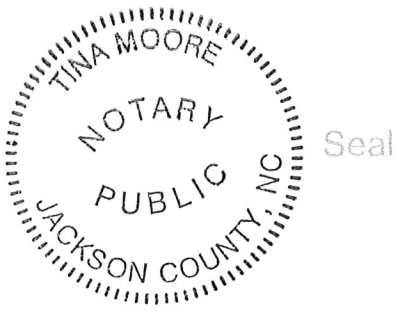
I hereby authorize Ina SAMS (owner or applicant's name) to appear with my consent before the Town of Sylva Planning Board and Board of Commissioners in order to request a rezoning for the above noted location. I authorize the Town of Sylva to advertise and the applicant to present this matter in my name as the owner of the property. I hereby authorize the Town Officials to enter my property to conduct relevant site inspections as deemed necessary to process the application. All information submitted and required as part of the approval process shall become public records. I, as the land owner, hereby CERTIFY THAT THE INFORMATION CONTAINED HERIN IS TRUE TO THE BEST OF MY KNOWLEDGE; AND BY ACCEPTING THIS REZONING, if approved, shall in every respect conform to the terms of this application and to provisions of the Statutes and Ordinances regulating development in the Town of Sylva. Any VIOLATION of the terms above stated and/or Town Ordinances or Regulations will result in civil penalties. If there are any questions, you may contact me at:

Street Address: 842 Bethus Creek Rd, Sylva  
City / State / Zip Code: Sylva, NC 28779  
Phone Number: 828-506-7515  
Email Address: velrah172710@gmail.com  
Owners Signature: Virginia H. Kirkaid

Sworn to and subscribed before me, this the 30 day of June, 2023

Tina Moore  
Notary Public

My commission expires: Jan 30 2025



**Town of Sylva, North Carolina  
Zoning Map Amendment Request  
Staff Report – August 15, 2023**

**Applicant:** Alvin and Virginia Trust – Property Owners

**Property Location:** Off East Main Street, Sylva NC 28779; PIN's 7641-65-8973, 7641-65-9819, 7641-65-9855, 7641-65-8744, 7641-65-9700 and 7641-65-9646.

**Current Property Zoning:** High Density Residential - HDR

**Ordinance Section for which the Text Amendment is requested:** Article 3 - Procedures - Section 3.9.B – Zoning and Map Amendments

**Description of Request:**

The applicant is requesting a map amendment that would designate the subject properties as General Business (GB) District.

**Background:**

The General Business District (GB) is the largest district within Sylva's commercially zoned jurisdiction. The GB District offers a broad range of permitted (use-by-right) and special uses (SUP) such as lodging, retail/commercial, restaurants, public/civil and recreational uses. Property improvements in this district are subject to development standards as set forth in the zoning ordinance including building setbacks, landscaping, architectural standards, sidewalk construction, parking, storm water treatment, etc.

The subject properties are located on the south side of Highway 107 approximately 582 lf east of the Highway 107/Cope Creek Road intersection. These properties total 1.19 acres in land area with 9 existing residential dwellings (manufactured homes) and a vacant restaurant (former Soul Infusions Tea House). Access to these properties are from the public right-of-way of Highway 107 and a private access road known as Path Finder Lane. These properties are adjacent to properties to the east that are in the GB District and are not located within the 100-year flood plain. These properties are or can be served by Tuckasegee Water & Sewer Authority for public utilities.

**Application Response:**

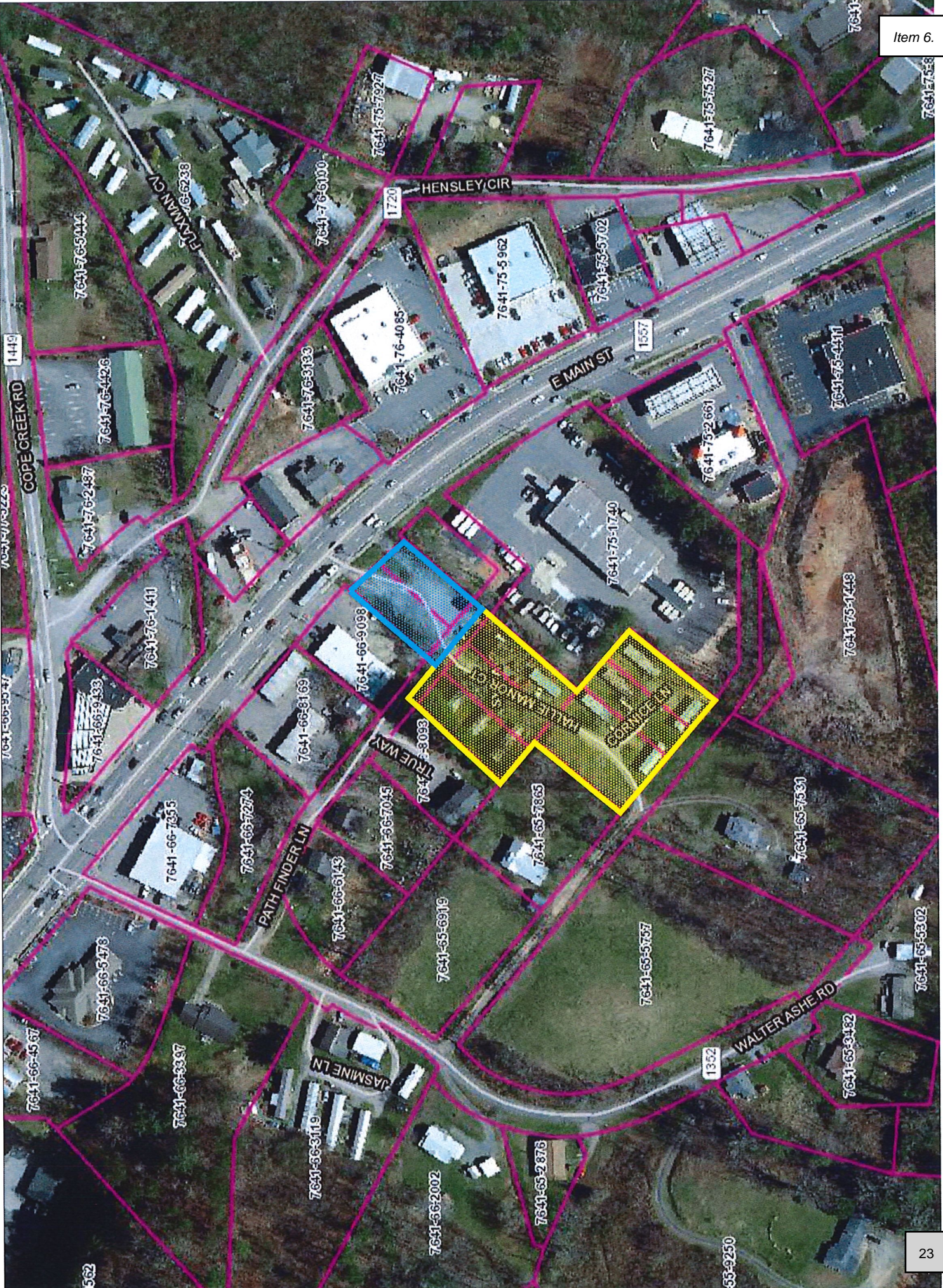
The applicant is requesting that the existing Town of Sylva Zoning Map be amended to designate the six subject properties (1.19 acres) to the General Business District.

**Staff Findings:**

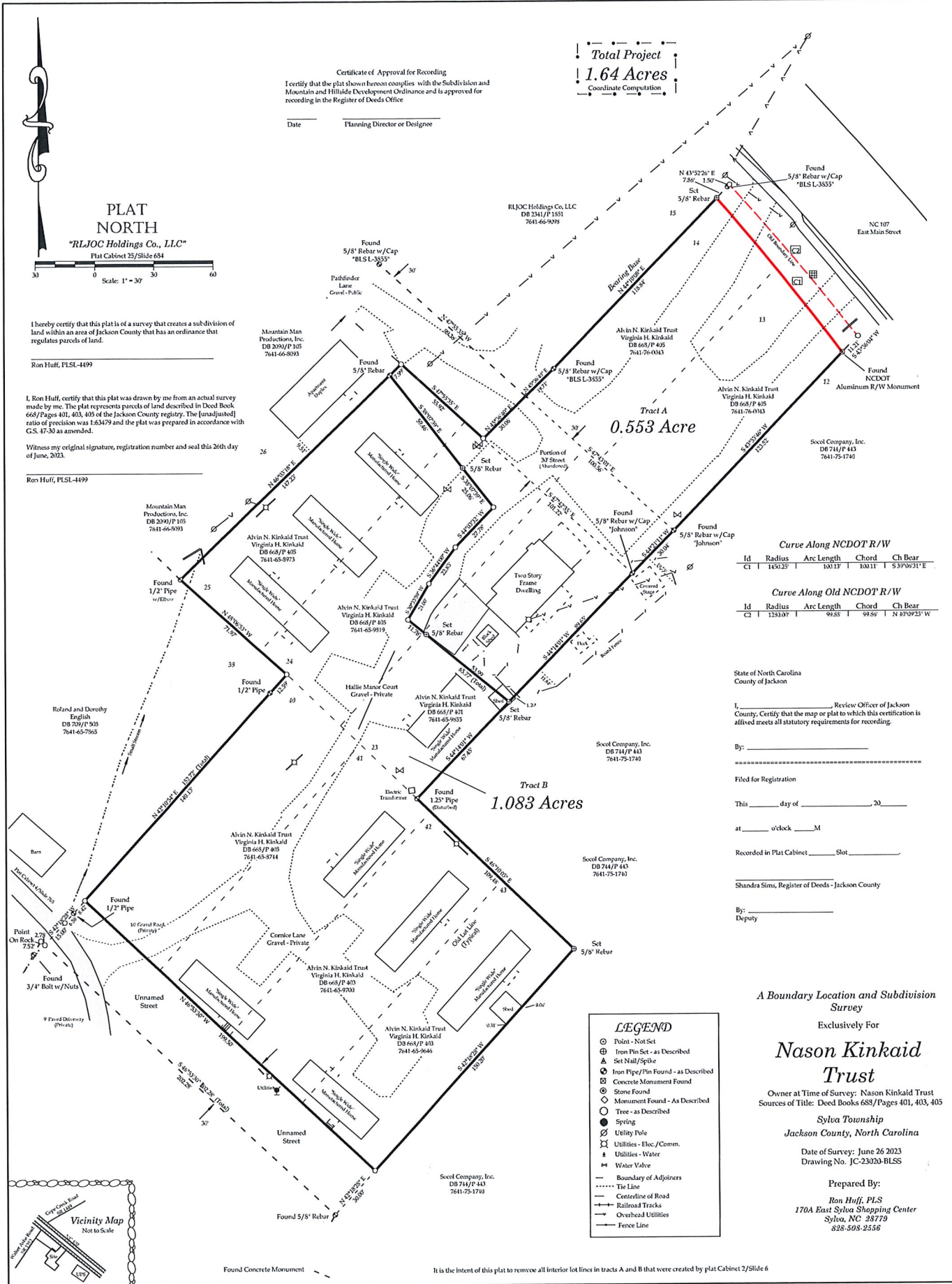
The requested map amendment would not constitute "spot zoning" as the properties to the east are zoned GB District.

The Town's adopted Land Use Plan for 2040 establishes that these properties will be in the future *Urban Neighborhood District*. The encouraged land uses for this future district include: primarily residential: small lot single family, townhome residential, two-, three- or four-family units, and multifamily; civic and educational uses that support community residents, live-work units, small scale in-home businesses and small scale public open space (e.g. active pocket parks, passive open space, greenways). However, if the map amendment request is approved, these properties will be in the future *Community Corridors District* with encouraged land uses for this district being mixed-use buildings, institutional uses, walkable neighborhood commercial (retail, office, personal services), large scale commercial, business centers, community services and civic/educational services. In addition, this requested map amendment will create available property and opportunity in the GB District that may be needed to serve the community during/after the proposed Highway 107 improvement project.









Certificate of Approval for Recording  
 I certify that the plat shown hereon complies with the Subdivision and Mountain and Hillside Development Ordinance and is approved for recording in the Register of Deeds Office

Total Project  
**1.64 Acres**  
 Coordinate Computation

Date \_\_\_\_\_ Planning Director or Designer \_\_\_\_\_

**PLAT NORTH**  
 "RLJOC Holdings Co., LLC"  
 Plat Cabinet 25/Slide 684  
 Scale: 1" = 30'

I, Ron Huff, certify that this plat is of a survey that creates a subdivision of land within an area of Jackson County that has an ordinance that regulates parcels of land.

Ron Huff, PLSL-4499

I, Ron Huff, certify that this plat was drawn by me from an actual survey made by me. The plat represents parcels of land described in Deed Book 668/Pages 401, 403, 405 of the Jackson County registry. The [unadjusted] ratio of precision was 1:63479 and the plat was prepared in accordance with G.S. 47-30 as amended.

Witness my original signature, registration number and seal this 26th day of June, 2023.

Ron Huff, PLSL-4499

Curve Along NCDOT R/W

Id	Radius	Arc Length	Chord	Ch Bear
C1	1450.25'	100.13'	100.11'	S 37°06'31" E

Curve Along Old NCDOT R/W

Id	Radius	Arc Length	Chord	Ch Bear
C2	1251.04'	99.85'	99.56'	N 47°09'23" W

State of North Carolina  
 County of Jackson

I, \_\_\_\_\_ Review Officer of Jackson County, Certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

By: \_\_\_\_\_

Filed for Registration

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M

Recorded in Plat Cabinet \_\_\_\_\_ Slot \_\_\_\_\_

Shandra Sims, Register of Deeds - Jackson County

By: \_\_\_\_\_  
 Deputy

A Boundary Location and Subdivision Survey

Exclusively For

**Nason Kinkaid Trust**

Owner at Time of Survey: Nason Kinkaid Trust  
 Sources of Title: Deed Books 688/Pages 401, 403, 405

Sylva Township  
 Jackson County, North Carolina

Date of Survey: June 26 2023  
 Drawing No. JC-23020-BLSS

Prepared By:

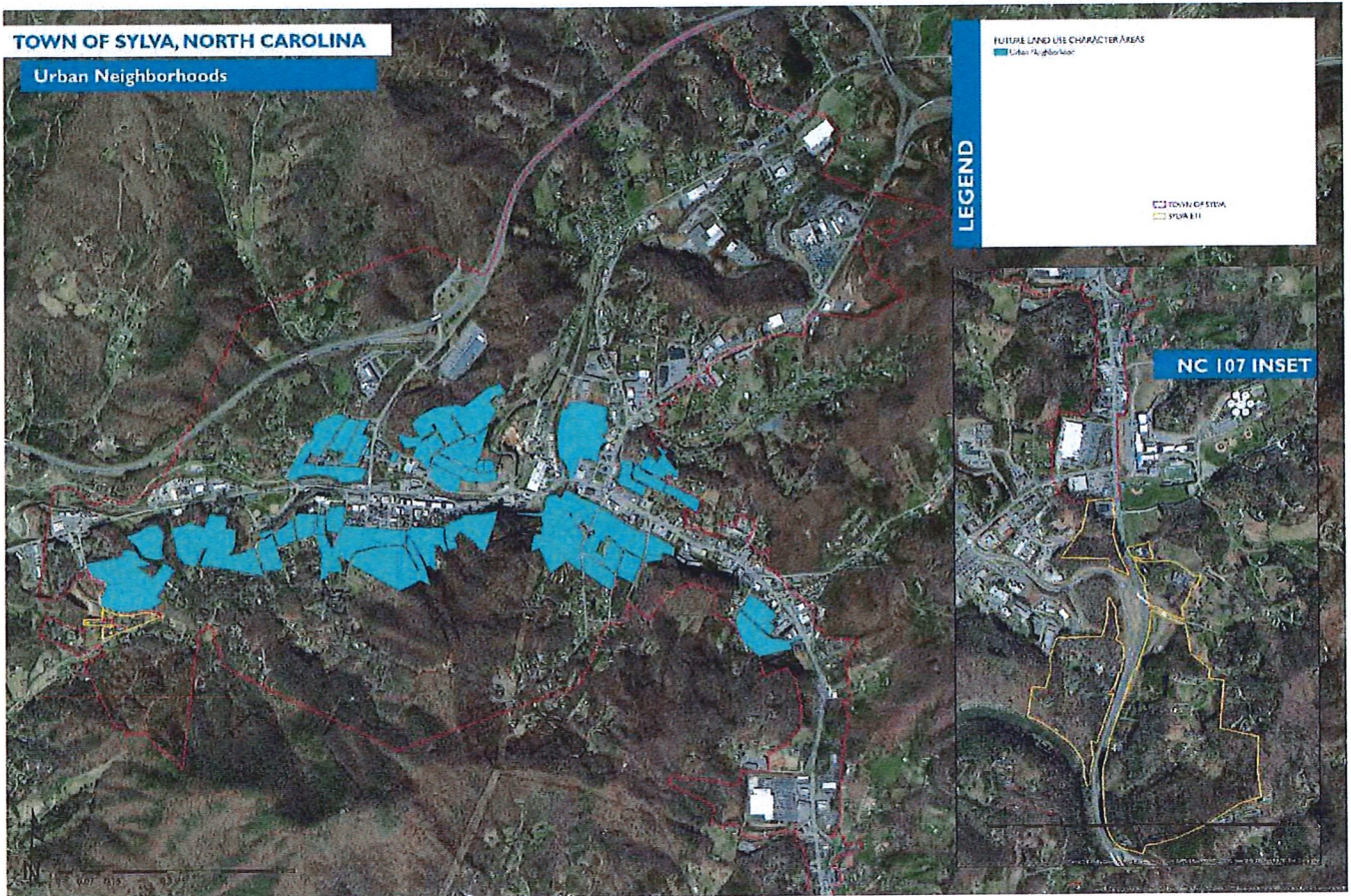
Ron Huff, PLS  
 170A East Sylva Shopping Center  
 Sylva, NC 28779  
 828-508-2556

**LEGEND**

- ⊙ Point - Not Set
- ⊙ Iron Pin Set - as Described
- ▲ Set Nail/Spike
- ⊙ Iron Pipe/Pin Found - as Described
- ⊠ Concrete Monument Found
- ⊙ Stone Found
- ⊙ Monument Found - As Described
- ⊙ Tree - as Described
- ⊙ Spring
- ⊙ Utility Pole
- ⊙ Utilities - Elec./Comm.
- ⊙ Utilities - Water
- ⊙ Water Valve
- Boundary of Adjoiners
- ..... Tie Line
- Centeline of Road
- Railroad Tracks
- Overhead Utilities
- Fence Line

It is the intent of this plat to remove all interior lot lines in tracts A and B that were created by plat Cabinet 25/Slide 6





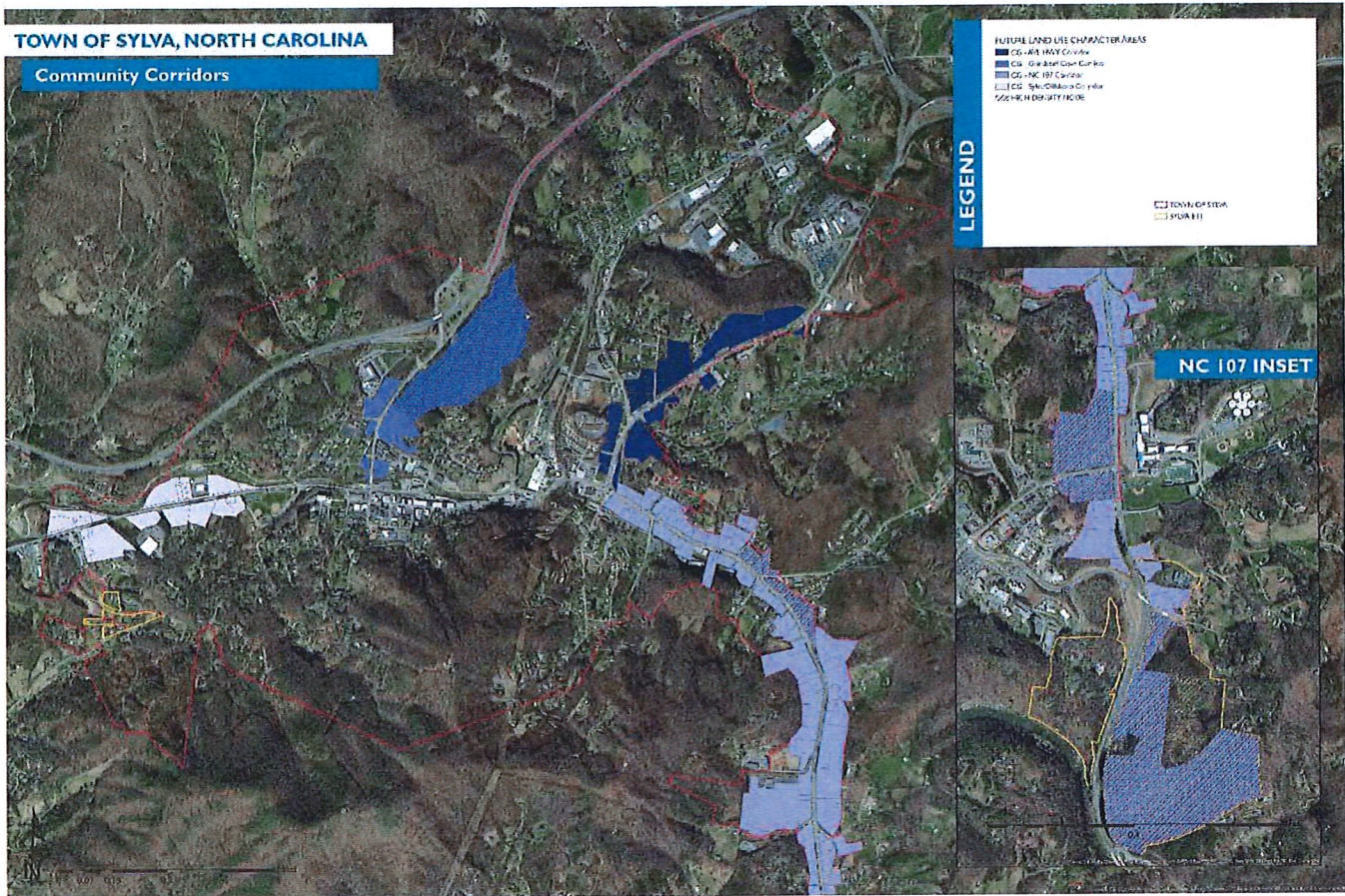
## Urban Neighborhoods

The Urban Neighborhood character area includes existing residential and new areas where it is envisioned that reinvestment in the community can and will occur, with a focus on providing a variety of housing options that are walkable to Downtown Sylva and the Town's other commercial areas. Higher-density residential uses (**greater than 12 units per acre**), including multifamily residential, small-lot single-family residential, higher-density townhomes, condominiums, and du-, tri-, and quadruplexes are appropriate for and encouraged within this character area. Building heights should fall into the 3 to 4 story range.

### Encouraged Land Uses:

- Primarily residential: small lot single family, townhome residential, two-, three- or four-family units, and multifamily
- Civic and educational uses that support community residents
- Live-work units
- Small scale in-home businesses
- Small scale public open space (e.g. active pocket parks, passive open space, greenways)
- Areas that currently allow manufacture housing will continue to allow for this land use





### Community Corridors

The intent of the Community Corridor character areas is to create an authentic “Sylva Look and Feel” for the town’s entryways. Community Corridors will be the town’s “workhorse” corridors – connecting commercial areas to residential neighborhoods while providing a major transportation link between job centers and areas outside of Sylva. The key to success is redevelopment that incorporates a mix of land uses in compact development patterns, links downtown and neighborhoods, and provides additional housing options, neighborhood amenities, and job opportunities. With some exceptions, the form the uses take is more important than land use. The corridors also include high-density nodes which are the points along the corridors that are most appropriate for high density mixed-use development.

#### Encouraged Land Uses:

- Mixed use buildings and mixed-use projects (including residential, office and ground-floor retail/commercial)
- Institutional uses
- Commercial uses (see the list of Generator types in the Existing Land Use section)
  - Neighborhood commercial: retail, office, or personal services intended to serve surrounding neighborhoods, consume are 4-5 acres of land, should be walkable from nearby residential neighborhoods
  - Community commercial: Commercial uses with 125,000 to 400,000 leasable square feet, often with one or more anchor tenants, commercial uses serve a large portion of the community; focus on multimodal access
- Light industrial & Office / Business centers: with the right development standards in place, light industrial uses can be appropriate along the community corridors, particularly where the corridors are further away from Downtown Sylva.
- Community services
- Civic and educational uses that support community residents



October 2, 2023

TOWN OF SYLVA PLANNING BOARD

**Statement of Consistency pursuant to G.S. 160D**

Re: Proposed zoning map amendment from High-Density Residential to General Business for parcels identified by PIN#s 7641-65-8973, 7641-65-9819, 7641-65-9855, 7641-65-8744, 7641-65-9700 and 7641-65-9646.

The Town of Sylva Planning Board has found the zoning map amendment to parcels identified by PIN#s 7641-65-8973, 7641-65-9819, 7641-65-9855, 7641-65-8744, 7641-65-9700 and 7641-65-9646 to be supported by the Town of Sylva 2040 Land Use Plan.

We find the proposed amendment to be consistent with the key drivers for The Plan for Sylva identified on page 29 and 32 of the Town of Sylva 2040 Land Use Plan. The term driver refers to a top planning consideration that shapes The Plan for Sylva. More specifically:

- Urban Neighborhoods: The Urban Neighborhood character area includes existing residential and new areas where it is envisioned that reinvestment in the community can and will occur, with a focus on providing a variety of housing options that are walkable to Downtown Sylva and the Town's other commercial areas.
- Community Corridors: The intent of the Community Corridor character areas is to create an authentic "Sylva Look and Feel" for the town's entryways. Community Corridors will be the town's "workhorse" corridors – connecting commercial areas to residential neighborhoods while providing a major transportation link between job centers and areas outside of Sylva. The key to success is redevelopment that incorporates a mix of land uses in compact development patterns, links downtown and neighborhoods, and provides additional housing options, neighborhood amenities, and job opportunities. With some exceptions, the form the uses take is more important than land use.

We therefore consider the proposed zoning map amendment to be reasonable and in the public interest.

Signed: 

Melissa Madrona, Chairman, Town of Sylva Planning Board



October 12, 2023

TOWN OF SYLVA BOARD OF COMMISSIONERS

**Statement of Consistency pursuant to G.S. 160D**

Re: Proposed zoning map amendment from High-Density Residential to General Business for parcels identified by PIN#s 7641-65-8973, 7641-65-9819, 7641-65-9855, 7641-65-8744, 7641-65-9700 and 7641-65-9646.

The Town of Sylva Planning Board has found the zoning map amendment to parcels identified by PIN#s 7641-65-8973, 7641-65-9819, 7641-65-9855, 7641-65-8744, 7641-65-9700 and 7641-65-9646 to be supported by the Town of Sylva 2040 Land Use Plan.

We find the proposed amendment to be consistent with the key drivers for The Plan for Sylva identified on page 29 and 32 of the Town of Sylva 2040 Land Use Plan. The term driver refers to a top planning consideration that shapes The Plan for Sylva. More specifically:

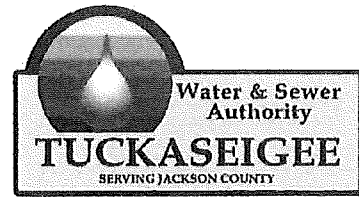
- **Urban Neighborhoods:** The Urban Neighborhood character area includes existing residential and new areas where it is envisioned that reinvestment in the community can and will occur, with a focus on providing a variety of housing options that are walkable to Downtown Sylva and the Town’s other commercial areas.
- **Community Corridors:** The intent of the Community Corridor character areas is to create an authentic “Sylva Look and Feel” for the town’s entryways. Community Corridors will be the town’s “workhorse” corridors – connecting commercial areas to residential neighborhoods while providing a major transportation link between job centers and areas outside of Sylva. The key to success is redevelopment that incorporates a mix of land uses in compact development patterns, links downtown and neighborhoods, and provides additional housing options, neighborhood amenities, and job opportunities. With some exceptions, the form the uses take is more important than land use.

We therefore consider the proposed zoning map amendment to be reasonable and in the public interest.

Signed: \_\_\_\_\_

David Nestler, Mayor, Town of Sylva Board of Commissioners





1246 West Main Street  
Sylva, NC 28779

September 28, 2023

Paige Dowling, Town Manager  
Town of Sylva  
83 Allen Street  
Sylva, NC 28779

Dear Ms. Dowling,

Tuckaseegee Water and Sewer Authority (TWSA) swears in new or reappointed Board Members at the January Business Meeting. David Nestler's term expires on December 31, 2023. This term will conclude David's time on the TWSA Board. Please provide the Town's appointment for this seat in the near future so we can prepare for the January meeting.

TWSA is very appreciative of the time, energy and dedication the Board of Directors contribute.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Manring". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Daniel Manring  
Executive Director

**AMENDED  
TOWN OF SYLVA  
PUBLIC RESTROOMS GRANT PROJECT ORDINANCE**

**BE IT ORDAINED** by the Governing Board of the Town of Sylva, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statues of North Carolina, the following grant project is adopted:

**Section 1.** The project authorized is the for the engineering and construction of public restrooms downtown.

**Section 2.** The project may be funded by financing through debt, grant funding, fund balance reserves, earmarked monies or other revenue sources that are applicable.

**Section 3.** The officers of this unit are hereby directed to proceed with the grant project within the budget contained herein.

**Section 4.** The following amounts are appropriated for the project:

<b>Revenues:</b>	
State Capital and Infrastructure Grant Fund (SCIF #11611)	250,000
State Capital and Infrastructure Grant Fund (SCIF #11613)	100,000
Southwestern Commission Council of Government (SCIF)	40,000
<b>Interest (SCIF #11611 and SCIF#11613)</b>	<b>6,876</b>
<b>Town of Sylva ARPA Related Funds</b>	<b><u>211,797</u></b>
	<b>\$ 608,673</b>
 <b>Expenditures:</b>	
Professional Services	32,500
Construction (\$22,000 Contingency)	<b>507,423</b>
<b>Utility Relocation</b>	<b>5,000</b>
Property Lease	10,000
<b>Misc. Supplies and Expense</b>	<b>3,000</b>
<b>Sales Tax</b>	<b>2,000</b>
<b>Landscape/Tables/Benches</b>	<b>20,000</b>
<b>Contingency</b>	<b><u>28,750</u></b>
	<b>\$ 608,673</b>

**Section 6.** The Finance Officer is hereby directed to maintain within the grant project ordinance sufficient detailed accounting records to satisfy the requirements of a grantor agency and any federal regulations if applicable.

**Section 7.** If needed, funds may be advanced from the General Fund Balance for the purpose of making payments due. Any funds appropriated from Fund Balance will be approved by the Board of Commissioners.

**Section 8.** The Finance Officer is directed to report on a quarterly basis the financial status of each project element in Section 4.

**Section 9.** Copies of this grant capital project ordinance shall be furnished to the Clerk of the Governing Board and the Finance Officer for direction in carrying out this project.

**Section 10. Fund 30** (Public Restroom Grant Project Ordinance) will account for the bookkeeping records of this project.

**Section 11.** Per SCIF Grant and Southwestern Commission of Government Grant requirements, investment earnings received from grant monies must be used for the same purpose as the authorized uses.

**Section 12.** Per SCIF Grant requirements, monies will not revert until the end of the project.

**Section 13.** Per SCIF Grant and Southwestern Commission of Government Grant requirements, all records related to the grant project must be retained at least five years after the close of the project.

Adopted this the 12th day of October 2023.

\_\_\_\_\_  
David Nestler, Mayor

ATTEST:

\_\_\_\_\_  
Amanda Murajda, Town Clerk

**Downtown Public Restroom  
Resolution Authorizing the Town of Sylva Board of Commissioners to Award the  
Contract and Authorizing the Town Mayor to Execute the Contract with Cinderella  
Partners**

**Whereas**, the Town of Sylva is a diverse community for travel and tourism where many visitors visit each year; and

**Whereas**, the Town of Sylva is host to many public festivals and events throughout the year; and

**Whereas**, it is the desire of the Town of Sylva to construct a downtown public restroom in the area of Railroad Avenue known as the Depot to serve residents and visitors of the Town; and

**Whereas**, requests for sealed bids were solicited from interested companies who attended a pre-bid conference; and

**Whereas**, on October 10, 2023, the Town of Sylva received and opened sealed bids from four (4) agencies and Cinderella Partners' proposal was selected and recommended for approval; and

**Whereas**, the Town of Sylva will enter into an agreement pending a final reference check and recommendation from staff; and

**Whereas**, the Town of Sylva will be entering into an agreement in the amount not to exceed \$507,423 to complete construction of a public restroom; and

**Now Therefore Be it Resolved**, the Town of Sylva Board of Commissioners awards the contract to Cinderella Partners and authorizes the Town of Sylva Mayor to enter into a contract with Cinderella Partners in the amount not to exceed \$507,423 to complete the comprehensive construction of a downtown public restroom. Furthermore, funding for the contract will come from a combination of Fund Balance using funds set aside for ARPA related projects and State Capital and Infrastructure Grant Funds (SCIF Grant funds).

Approved this the 12<sup>th</sup> day of October 2023.

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David Nestler, Mayor

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Amanda W. Murajda, Town Clerk