

1
Town of Maggie Valley
Regularly Scheduled Planning Board Meeting
November 12, 2015
MINUTES

Members Present: Chairman Billy Case, Connie Dennis Jim Heffron, Kivanc Senocak, and Duane Vanhook
Staff Present: Town Planner Andrew Bowen and Town Clerk Vickie Best
Others Present: David Angel, Jim Blyth, Jeff Lee, and Allan Alsbrooks

Opening

Chairman Case called the meeting to order at 5:30 p.m. on Thursday November 12, 2015 in the Maggie Valley Town Hall Boardroom.

Approval of Minutes: October 15, 2015

After no corrections were made, Chairman Case declared the minutes of October 15, 2015 approved.

Review of Special Exception Case for 3732 Soco Road

Staff Review

Special Exception Definition

A use that would not be appropriate generally or without restriction throughout the zoning district, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. The uses may be permitted in a zoning district as special exceptions, if specific provision for the special exceptions is made in this chapter.

Granting Special Exception § 154.172:

Inquiries:

Within 90 days of being granted a special exception or a variance, a building permit must be obtained if a building permit is required.

- Mr. Angel is scheduled to close on this property in Dec. Inasmuch, Mr. Angel has expressed that he will start renovating the building soon after closing, in order to start the distilling process. For board confidence though, this criterion shall be met before any final zoning conformance letter is granted by the Town.

The granting of the special exception will not adversely affect the public interest.

- The proposed distillery property is zoned C1, which denotes that its highest and best use has been indicated as that of a commercial use.
- Tourism and amenities that support said market segment, have long been vital to the stability of Maggie Valley's economy. That being said, the key to having a successful local economy is diversification, as simply put, the more there is to do within an area, the larger the economic drag net a community has. Upon speaking with the applicant and reviewing his business plan Mr. Angel believes that his manufacturing business in cooperation with a retail based tasting room will serve as an economic magnet for the

Town of Maggie Valley
 Regularly Scheduled Planning Board Meeting
 November 12, 2015
 MINUTES

valley. This idea is stated directly in his executive summary seen on page 3 of his business summary and can also be seen below:

- “Elevated Mountain will be Maggie Valley’s first manufacturing industry creating greater economic diversity and strength. Every bottle sold locally and distributed nationwide will include origination from Maggie Valley NC in the labelling.”
 - “Elevated Mountain will be major tourist attractions providing a whiskey experience tour, tastings, and retails sales. Our projection is 16,000 tourists initially with a minimum 10% growth rate. A significant number of tourists will be destination specific due to interest in distilleries and as followers of the NC Craft Distillery Trail. Elevated Mountain will provide economic growth across Maggie Valley.”
- Outside of opinion, Mr. Angel has offered the Town a comprehensive financial analysis of his assumed net liabilities and net gains.

Elevated Mtn. Distilling Co. will be a tourist attraction in the Maggie Valley, NC area

“We will fully leverage the local tourist trade brought in by legalized gaming in nearby Cherokee, The Great Smoky Mountain National Park (10.1M visitors in 2014. 9.7M visitors in 2012 spending \$741M in boundary communities), and The Blue Ridge Parkway.”

Key statistics specific to Maggie Valley

- Ghost Town in the Sky annual visitors in 2008 = 320,000 (\$24.95/ Adult ticket)
- Wheels Through Time annual visitors 2014 = 150,000 (\$12.00/ Adult ticket)
- Cataloochee Ski Area annual visitors 2013 = 100,000 (\$24.00/ Adult night lift ticket)
- Elevated Mountain Distilling Co. will leverage this existing tourist base and social media to generate our own traffic

Elevated Mountain’s targeted annual visitors = 16,000 year one with an annual 10% growth minimum

Tour Specifics

- Tickets = \$10.00 and include a shot glass for tastings that will retail in our store for \$5.00.
- Coupons will be available online offering \$1.00 off the entry fee.
- Upon completing a tour, customers will be able to sample up to six products and purchase one bottle on an annual basis.

3
Town of Maggie Valley
Regularly Scheduled Planning Board Meeting
November 12, 2015
MINUTES

- i) Mr. Angel and Mike Odom, the Pastor of Maggie Valley First Baptist Church have spoken about the project and the inner workings of the distillery's processes.
- ii) As is a state requirement, the distillery can not be within 50 feet (door-to-door) from a religious institution. Upon inspection this application meets said requirement as the door to door measurement from the closest church building is 212 feet. As for the sanctuary, the proposed site is 450 feet away.

There is proper ingress and egress to the property with particular reference to automotive and pedestrian safety, convenience, traffic flow and control, and access in case of fire or catastrophe.

- As stated above, this building was built with ample parking as it was an entertainment venue. While Mr. Angel does plan to have retail, tours, and a tasting room, the transportation and parking capacity requirements for his business are far less than that of the previous use. With this statement, this criterion has been met.

Refuse and service areas must meet all Town adopted guidelines.

- This criterion has been met, as is required of all businesses along the Soco Road corridor, no refuse storage areas shall be kept in the front of the property and said area will be screened from public view.

Off-street parking and loading areas where required with particular attention to the items in (a) above and to the economic, noise, glare or odor effects of the special exception on adjoining properties and generally in the district.

- In his proposed site plan Mr. Angel does plan to build a loading dock on the side of the building adjacent to Subway. This would mean that said area would be off of Soco Road, which will increase public safety, as no truck will have to park in the center lane of Soco Road.

Utilities, with reference to location, availability and compatibility. City Water, City Sewer, City Trash Collection.

- As this is an existing site, there is no burden on the Town, the Sanitary District, or utility companies to provide all of the services that Mr. Angel will need.

Screening and buffering, with reference to type, dimensions and character.

- This criteria is not applicable to this type of use.

Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.

- As of yet, I have not received any plans for signage for Mr. Angel's distillery. When the time comes, said signage will have to fully comply with the Town's adopted sign ordinance.

4
Town of Maggie Valley
Regularly Scheduled Planning Board Meeting
November 12, 2015
MINUTES

General compatibility with adjacent property and other property in the district.

- As stated before, the proposed site is situated within an area of mixed use that ranges from residential to religious institutional. As for properties located adjacent to the side of the building, both of those structures are commercial. In looking holistically at the district, this property again is zoned C1 commercial, which designates this area for business enterprise. It is for these reasons that based on New Urbanism/Mixed Use Planning Principals, this criterion has been met.

Applicant Presentation

Mr. David Angel began his presentation by providing the history of his family and the strong ties he and his family have to Haywood County.

Mr. Angel explained that he has been pursuing this idea for the past year and a half. The plan is to provide tours of the distillery and to have a small retail/tasting room. State law allows a distillery to give ¼ ounce for tasting. State law allows one person to purchase one bottle per year. ABC Stores will be allowed to sale the spirits by their own guidelines and laws.

Mr. Angel had displays of the bottle labels, the current and the future design of the building, what the 800 gallon still will look like, and the proposed names of the spirits. The names of the different spirits will be named after local places in Haywood County. Pictures were displayed of the 800 gallon still.

Mr. Angel hopes to employ ten to fifteen people by the second year of business. The goal is to start producing and selling the spirits in North Carolina and then go up the east coast. The distillery will be open-all-year-long.

Distilleries have become a destination i.e. Distillery Trail similar to the Quilt Trail. There are approximately 30 distilleries in North Carolina today.

Public access to Jonathan Creek is also located on the property. Mr. Angel desires to improve that access and is pleased the access is there. There will be no more semi-truck traffic than would be at a large restaurant or hotel.

If approved, Mr. Angel will host a soft opening and then a grand opening.

Public Comment

Jim Blyth, resident of 212 Campbell Creek Road, stated that he and the late Mayor DeSimone spent a lot of time talking about how they could bring businesses to Maggie Valley. A distillery is perfect for the area because of Maggie Valley's abundance of pristine water. Mr. Blyth stated that he was in full support of the Special Exception.

Planning Board Discussion

Town of Maggie Valley
Regularly Scheduled Planning Board Meeting
November 12, 2015

MINUTES

Planner Bowen stated that staff is recommending a positive recommendation from the Planning Board to the Board of Aldermen.

Mr. Senocak concurred, adding that the distillery will be a positive benefit for Maggie Valley and the additional employment opportunities will benefit all. Mr. Senocak suggested emphasizing the public fishing located behind the structure. "Sell the idea."

Mr. Angel agreed, and would support fly fishing lessons being held at the location. Mr. Angel added that he would like to improve the access to Jonathan Creek and will seek assistance from Haywood Waterways.

Ms. Dennis responded that due to the spirits being named after popular places within Haywood County, the distillery will help people connect to the region.

Mr. Heffron hoped that the distillery will draw more manufacturing to Maggie Valley. The distillery will provide more opportunities for visitors during the winter season.

Mr. Vanhook, with his experience in Soil and Water Conservation, felt there is a market there for the local farmers.

Chairman Case questioned what would be in place in the event of a fire.

There will be vents in the floor so that all product would drain into the basement. The floors in the building are sloped so the product would run into the vents and be fully contained in the basement so that there would be no spillage into Jonathan Creek. Also the sprinkler system will be geared toward high flammables.

A security system will be installed. The storage area will not be heated nor air conditioned.

MR. HEFFRON MADE A MOTION TO MAKE A POSITIVE RECOMMENDATION FOR THE SPECIAL EXCEPTION TO BE GRANTED FOR ELEVATED MOUNTAIN DISTILLERY. MS. DENNIS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Chairman Case commended the late Mayor DeSimone for finding a business that fits the building; adding that Maggie Valley needs an economic development recruiter. Chairman Case credited the late mayor for this business opportunity.

If approved, the permitting process for a distillery through the State takes about five months.

The tasting room will have a retail component selling shot glasses, flasks, T-shirts as well as regional products such as Hazelwood Coffee, etc.

6
Town of Maggie Valley
Regularly Scheduled Planning Board Meeting
November 12, 2015
MINUTES

Meeting Adjournment

CHAIRMAN CASE ADJOURNED THE MEETING AT 6:53 P.M.

Chairman Billy Case

Vickie Best, CMC, Town Clerk