

JACKSON COUNTY PLANNING BOARD

MINUTES

Date: March 14, 2019								
Time Begin: 6:02 p.m.								
Time End: 7:20 p.m.								
Location: Jackson County Department on Aging, Heritage Room								
Members	Present	Absent		Present	Absent		Present	Absent
Bonnie Claxton	X		Tamera Crisp	X		Scott Ogle	X	
Sandy Davis	X		Ken Brown	X		Steven Johannessen	X	
Jeremy Hyatt		X	Mark Letson		X	Tommy White		X
Kirk Shufelt	X		Mary Sue Casey		X			

Staff Present:

Michael Poston- Planning Director
 John Jeleniewski- Senior Planner
 Heather Baker- County Attorney
 Allison Kelley- Administrative Assistant

Others Present:

Ashley Hill, Prospect Speedwell LLC (Cloverleaf Group)

Call to Order and Quorum Check

Vice Chair Bonnie Claxton called the meeting to order at 6:02 p.m. and a quorum was present.

Public Comment

There were no public comments.

Approval of the Agenda

Steven Johannessen made a motion to approve the agenda as written. Tamera Crisp seconded the motion, and it passed unanimously.

Approval of the Minutes

Steven Johannessen made a motion to approve the minutes from February 21st, 2019. Tamera Crisp seconded the motion, and it passed unanimously.

New Business

a. Public Hearing: Unified Development Ordinance (UDO) Adoption

Chairman Bonnie Claxton opened the public hearing at 6:05 p.m.

Mike Poston presented to the Board one additional update. He stated, during a slope analysis staff, may exclude of the property that are not proposed for development (conservation easement) areas when determining the average slope at the property owners request. He stated the Tax Department informed staff they were having a difficult time

identifying a conservation easement for tax purposes. Mr. Poston stated the language had changed at the state level of what is allowed to be used for tax purposes of a conservation easement. Staff has modified and changed the name internally from Conservation Easement to Non-Buildable Protected Areas to give the Tax Department a better understanding when applying rules and regulations. In addition staff incorporated activities prohibited in the Non-Buildable Protected Areas.

The activities that are prohibited in the Non-Buildable Protected Areas are as follows:

- 1) The construction or placing of buildings
- 2) Signs, billboards or other advertising
- 3) Dumping of soil or other substance or materials as a landfill
- 4) Dumping or placement of trash, waste or unsightly or offensive materials
- 5) Removal or destruction of trees, shrubs or other vegetation
- 6) Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other mineral substance
- 7) Utilities such as wells and septic systems
- 8) Surface uses except for agriculture, farming, forest or outdoor recreational uses
- 9) Activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation

Chairman Claxton closed the public hearing at 6:27 p.m.

Steven Johanneson made a motion to adopt the Unified Development Ordinance and that it is consistent with the Jackson County 2040 Land Use Plan. Ken Brown seconded the motion, and it passed unanimously.

b. Major Subdivision Review: Prospect Speedwell

John Jeleniewski presented the staff report to the Board. The proposed project is Prospect Speedwell, by applicant Prospect Speedwell, LLC (Cloverleaf Group). The proposed multi-family development will be located on a property of 5.24 acres located on Speedwell Road in Cullowhee (PIN 7558-38-3553) and approximately 500 linear feet north of the Highway 107/Speedwell Road intersection. The vacant property is located within the Cullowhee Community Planning Area and is located in the Commercial District (C District). Access to the development will be from Speedwell Road, which has an average pavement width of approximately 16.5'. Speedwell Road currently provides access to single family detached homes, multi-family apartments (student housing), commercial properties and the WCU Campus. The proposed development will consist of 22 residential buildings (11 – 4 bedroom cottages, 11 - 5 bedroom cottages); 2 – multi-family buildings (12 – 4 bedroom units, 12 – 3 bedroom units) for a total of 46 dwelling units and 183 bedrooms overall. Site amenities will include a clubhouse with open sitting area, coffee bar, study room, computer room and covered patio. Site grading (cut and fill) will be minimal as the existing topographic features of this property are relatively flat; the average slope of this property is 8% and compliance with the Mountain and Hillside Development Ordinance will not be required. Stormwater treatment measures will be achieved in an engineered collection system (above ground detention, structures and pipe). Water and wastewater services will be provided by TWSA and these utility plans

will be reviewed by TWSA when final construction plans are submitted to their office. A site plan has been provided to the NCDOT for review and they will be coordinating their requirements with the project engineer of record (Victor Lofquist) for encroachment and driveway connection permits. Fire protection will be provided by the Cullowhee Fire Department and the local Chief has reviewed preliminary site plans for access. The property is not located within a designated flood hazard area.

The project is in the jurisdiction of the *Cullowhee Planning Area* and standards set forth in this ordinance will regulate site improvements including, sidewalk construction, landscaping, parking requirements, stormwater collection/treatment, building setbacks, impervious surfaces, open space standards, signage and architectural standards. Staff will be applying the Cullowhee Ordinance during the review of the final site construction plans. Mr. Jeleniewski stated the Cullowhee Planning Council had reviewed and approved this proposed project on March 4th, 2019.

The development is also subject to review under the county's subdivision ordinance as a major subdivision and this ordinance defines a major subdivision by including a development with 9 or more lots/structures or, 60 or more bedrooms. The role of the Planning Board in this review is to assure the submitted concept plan complies with the standards established in the subdivision ordinance. The subdivision ordinance establishes standards for road design and construction, site grading, storm water management, provision of water and wastewater treatment, and other matters related to the proposed development. Other County ordinances, notably the erosion and sediment control and water recharge ordinances. Staff will assure these standards are met with plans meeting specifications established by Jackson County ordinances having to be approved prior to commencement of construction activities. The Planning Board will be kept informed of the status of approval of the plans, and schedule for construction activities.

Staff's recommendation was to approve the Prospect-Speedwell project under the conditions that final site construction plans comply fully with the Cullowhee Community Planning Area and Jackson County Subdivision ordinances, and with the conditions as follows:

- The applicant will need to receive NCDOT approval of permits for the driveway connection to Speedwell Road and encroachment (grading/drainage) improvements.
- The applicant will need to coordinate any building code, fire safety and emergency access issues with the Jackson County Building Inspections Department and local Fire Chief.
- The applicant will need to receive approval from Tuckaseegee Water and Sewer Authority for the water and wastewater services (utility plans).
- The applicant must also receive "Special Use Permit" approval from the Cullowhee Planning Council for this Multi-Family development.

Mr. Jeleniewski stated, due to grading and safety concerns, the entrance to the property is set back off of Speedwell Road. In addition, if the entrance was in the right-of-way, the NCDOT would require a third party encroachment agreement.

Kirk Shufelt inquired from staff the process the applicant would go through once the Board had approved the major subdivision. Heather Baker stated staff must receive,

review, and approve the full set of construction and engineering plans before the applicant can pull a building permit.

Sandy Davis asked if there was access to the sidewalk all the way to the University. Mr. Jeleniewski stated the sidewalks end at the property line, however the applicant had been in contact with property owners adjacent to the property to extend the sidewalk. Ms. Davis believes the sidewalk would be an asset to Speedwell Road, however she still believes it is a hazardous road due it being very narrow.

In addition, Ms. Davis stated for the record in accordance to The Sylva Herald story that was released when she was out of the country. Ms. Davis stated she did not say she held "speedy student drivers responsible," as the individual that hit her was a parent who was tardy taking their kid to school. She stated the individuals she was concerned about was the students trying to get to class.

Mr. Poston stated in the Comprehensive Transportation Plan, staff has recommended Speedwell Road to be modernized. The topography would come into effect, and would be referenced in how to achieve the road to be modernized. Speedwell Road is complex and there is the question of how to get a turning radius as there are driveways that come off a grade and up a grade. The Council has had discussions regarding the safety of Speedwell Road

The applicant, Ashley Hill presented to the Board. There was discussion of placing the entrance near the HWY 107 intersection, however, NCDOT did not agree due to safety concerns and being considered a controlled access. Mr. Hill stated he got feedback of the concerns from the community within the area, and realized there was no alternative path for pedestrian traffic. In addition, Mr. Hill spoke with Mike Byers and other property owners about the connectivity of sidewalks on Derby Road to campus. He stated he wants to be a part of the solution of connectivity from the proposed project to allow resident's access to Western Carolina University.

Ken Brown made a motion to approve Prospect Speedwell with staff's conditions. Steven Johannessen seconded the motion, and the motion passed unanimously.

Adjournment

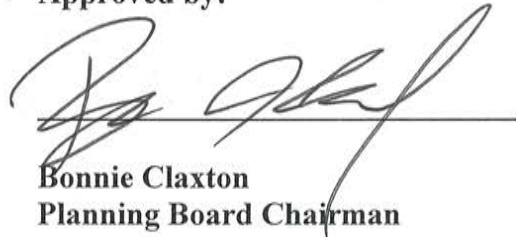
With no further business, the meeting adjourned by Board consensus at 7:20 p.m.

Submitted by:



Allison Kelley
Administrative Assistant – Planning

Approved by:



Bonnie Claxton
Planning Board Chairman