

US 441 GATEWAY DISTRICT PLANNING COUNCIL

MINUTES

Date: May 30, 2019					
Time Begin: 6:10 pm					
Time End: 7:08 pm					
Location: Qualla Community Center					
Members	Present	Absent	Members	Present	Absent
Dora Robinson	X		Mary Moody	X	
Myra Cloer	X				
Debby Cowan	X				
Lyna Ferguson		X			

Staff Present:

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

Others Present:

Zeke Cooper, Dreamcatcher Hotel
 Vince Hyatt, EBCI Attorney
 Jay Gallagher, EBCI Attorney
 Sharon Bradley, Golf Board Member
 Elizabeth Cooper, Jackson County Board of Education

Call to Order and Quorum Check:

Chairman Debby Cowan called the meeting to order at 6:10 p.m. and a quorum was present.

Approval of the Agenda:

Dora Robinson made a motion to approve the agenda as written, and it passed unanimously.

Approval of Minutes:

Dora Robinson made a motion to approve the minutes from February 28th, 2019. Myra Cloer seconded the motion, and it passed unanimously.

Public Comment: (3 minutes)

Elizabeth Cooper (resident): Inquired if there was a noise ordinance for specific zoned jurisdictions. She stated the new construction of the casino garage has several concrete trucks that travel the road multiple times a day. Ms. Cooper stated she had been in places that have signs on the roads indicating trucks are prohibited or are only allowed access for certain times of the day. She inquired if the county has the ability to enforce travel on particular roads. In addition, she asked if the county enforced helicopter routes as they have changed pattern and is now flying over houses.

Mr. Poston stated the county does not own roads and right-of-way, it is either privately maintained or by the NCDOT. He stated the county does not have the ability to pass those types of ordinances or regulations, and he does not expect the NCDOT to adopt those regulations on any corridors in or around the county. Mr. Poston stated staff would look into the requirements to see if helicopter routes are enforced within the ordinance.

New Business

a) Informal Discussion

Mike Poston informed the Council staff would potentially have a forthcoming text amendment for the Council to review and consider. The tribe is considering a potential project on the Sequoyah Golf Course property that would require a building height that exceeds the current allowed permitted height in the Golf Course District. Mr. Poston stated staff wanted to have an informal discussion with the Council to get more feedback about the project, ask questions, and understand the impact of the potential outcome for the zoned district.

John Jeleniewski presented the 441 Corridor zoned map, and map of the Golf Course Community District with boundary lines, and identified the number of properties within the community (20 total). Mr. Jeleniewski stated the applicant's options are to propose a text amendment modification to the Golf Course District, or consider a Special Use Standard process in regards to the structure height requirements.

Mr. Jeleniewski stated the amendment would change the entire Golf Course District, and each property could be affected in the future by potential taller buildings on any of the properties within the district. In addition, most of the properties are relatively small and the increase of structure height affects the footprint, landscaping, parking, etc. Even if the properties were combined together in the district, there is no potential to offer a bigger footprint as there is already existing and permitted uses. The text amendment would be for a project that is approximately a 7 story hotel, 75 feet in height. He stated, there has been no official plans submitted for staff to review, this is an informal discussion with the applicant here to answer any questions or concerns. If a Special Use Standard process is considered, the applicant would bring in a more detailed site plans for the Council to review and determine if it meets the standards.

Zeke Cooper from Dream Catchers Hotels stated the high-end boutique hotel would have approximately 125 rooms. There will be a meeting space of approximately twenty-five hundred square feet, three meal restaurants, and roof-top terrace bar. The hotel would be independent and branded by the tribe. The intent for building a hotel on the golf course is to help drive revenue and market the course and surrounding area. Mr. Cooper stated the tribe is ready to move forward and had approved the proposed project, and funds internally.

Chair Cowan inquired about the process as both options would be a formal procedure to amend the ordinance. She stated the Council would review the amendment and consider approval, followed by the Planning Board, and the Board of Commissioners for adoption. Chair Cowan stated when the Council set up the districts to preserve the natural beauty of the area, and avoid buildings block the sightline of the mountains. She stated the potential exceeding building height, traffic, and safety concerns would be a point for discussion. Mr. Cooper stated he had spoken with NCDOT about the project, and asked if there were any processes to go through. He stated the NCDOT would most likely require a turning lane into the property, and it may trigger the requirement for another light signal. The existing signal is only used in the mornings and afternoon for school.

Mr. Poston asked the Council to consider the text amendment as a big picture outlook of what would potentially happen in the district if scale of building height was increased. Mary Moody inquired what the adjacent property owner's thoughts were on this potential project. Mr. Poston stated the Council would have a public hearing process for community members to express their thoughts and opinions on the text amendments. Chair Cowan inquired if the hotel was allowed in the Golf Course District. Mr. Jeleniewski stated hotels are a use-by-right in the district.

Mr. Cooper stated they have developed other buildings within Cherokee and have driven revenue to that location. In addition, from these developments Jackson County has benefited by creating more jobs. There is no occupancy tax paid from Cherokee on their own properties. However, in this case, this property will be subjected to an occupancy tax that the county will use to market tourism. In addition, they plan to connect to Tuckaseige Water and Sewer Authority (TWSA) Whittier plan as they have plenty of capacity and need customers.

Mr. Jeleniewski inquired if the Council was considering a Special Use Standard process and review plans on a case-by-case basis. The Council unanimously asked staff to review the Special Use Standard process in regards to the impact of building height and potential effects of the surrounding area.

b) Planning Updates

Mike Poston informed the Council the Board of Commissioners plan to hold a Public Hearing for the adoption of the Unified Development Ordinance (UDO) on August 8th, 2019.

In addition, Mr. Poston stated staff had been in contact with the property owners off of North US Highway 441 (PIN 7614-43-0901) located in the Gateway Corridor zoned area that had parked tractor trailers, and structures on the property. He stated, the property owner plans to start moving them off the property this week. Staff will monitor and ensure the structures are being removed from the property and if they are not they will proceed levying fines.

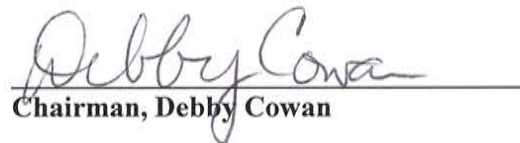
Adjournment:

With no further business, Chairman Debby Cowan adjourned the meeting at 7:08 p.m.

Submitted By:


Allison Kelley, Administrative Assistant

Approved By:


Chairman, Debby Cowan

