

**Cashiers Area Community Planning Council**  
**Minutes**  
**August 27<sup>th</sup>, 2018**  
**5:00 p.m.**  
**Cashiers/Glenville Recreation Center**

Members	Present	Absent	Members	Present	Absent	Members	Present	Absent
David Bond	X		Robin Ashmore	X		Michael Cox	X	
Bob Dews	X		Mark Letson	X		Deborah Townsend Stewart	X	
Glenn Ubertino	X							

**Staff Present**

Michael Poston- Planning Director  
 John Jeleniewski- Senior Planner  
 Caroline Edmonds- Planner 1  
 Heather Baker- County Attorney  
 Allison Kelley- Administrative Assistant

**Others Present**

Jeff Sikes, Tiny Homes-Cashiers, LLC  
 Michael Benitez, Elevated Partners, LLC

**Call to Order**

Chairman Michael Cox called the meeting to order at 5:05 p.m. and a quorum was present.

**Additions to Agenda**

Deborah Townsend Stewart made a motion to approve the agenda. Mark Letson seconded the motion, and it passed unanimously.

**Approval of the Minutes**

Glenn Ubertino made a motion to approve the June 25<sup>th</sup>, 2018 minutes presented to the Council. Robin Ashmore seconded the motion, and it passed unanimously.

**Public Comment- Sign-up sheet- 3 minutes per speaker**

Kitty Eden informed the council she has lived in Cashiers for 15 years and the town has been kept beautiful. She stated that the Tiny Homes were unattractive and that they may reflect on Cashiers. She was unsure of why the design was approved in the first place. She knows that Tiny Homes comes in many different forms and there are some very attractive ones, however she feels that they have the unattractive ones.

Susan SanSouci from The Designers Market asked the council for a date for her appeal for a signage issue. Mike Poston answered that staff will discuss by the end of the meeting.

Sara Conway felt astounded when she saw the lot with the Tiny Homes that led her to question what was going on. She felt things were being pushed through rapidly without public comment,

and that the council should be more transparent and take the time to think before decisions are made.

The public comment portion of the meeting was closed by Chairman Michael Cox at 5:13 p.m.

### New Business

#### a) **Conditional Use Permit- Tiny Homes Sale**

Chairman Michael Cox opened the Quasi-Judicial hearing for the modification for the approval to the Tiny Homes Sale office. All applicants, and Planning staff were sworn into the Quasi-Judicial hearing.

John Jeleniewski presented the staff report for the modification to the previous approval for six modular units by the Council. Tiny Home Model Center is located at 395 US Highway 64 West in Cashiers. The proposed project is a modification to the unit type by the applicant Tiny Homes Cashiers, LLC (Jeff Sikes). The applicant is proposing construction and development of a modular and "RV park model" tiny home model center on a property of 1.27 acres. Structures will be manufactured by the Clayton Home Building Group, dimensions of approximately 12.5' x 42' (maximum) and each unit will be up to approximately 525 square feet living area (heated). The applicant is requesting that the three proposed "RV park model" units (3, 4 and 5) be used for lodging. In addition, the applicant is proposing a 15'x20' "sales office" with ADA compliant bathrooms.

Staff recommendation was to approve the proposed Tiny Home Model Center project and issue the modified conditional use permit subject to the following conditions:

- The owner/developer shall work with Planning Department staff in the final building design, site design, site construction, stormwater and landscaping of the overall project.
- All modular units designated for offices, public space, etc. will be required to meet the NC State Building Code.
- RV Park model units must comply with the "NC Department of Insurance – Manufactured Building" requirements, the Manufacturers requirements for set-up and NC Building Code for utility "hook-ups".
- RV park model units are required to have the wheels and axels attached at all times. Unattached screening with a deck, lattice, etc. would be acceptable.
- At no time shall desks, patios, stairs or any accessory structure be attached to the RV park model units.
- RV park models must be set-up in accordance with the manufacturers' specifications, "NC Department of Insurance – Manufactured Building" requirements and any other requirements set forth by an agency with jurisdiction.
- The units used for lodging are considered "transient lodging" as defined by the NC Fire Code and 30 days would be the maximum length of stay for each patron.

Chairman Michael Cox asked the council if there are any disclosures to be made. The Chairman informed the council that he visited the site and looked around the homes that were existing and met with Mr. Bennett. About a month ago, he made an offer on behalf of Jeff Sikes on a site that he had listed for another client. However, nothing came of that offer and the site is under contract to another party. Therefore, Michael Cox felt that he

had no conflict of interest in regards to the applicant. In addition, David Bond informed the council that he no longer has a conflict of interest with the applicant.

The applicant, Jeff Sikes, presented to the council posters of the modular models and the RV park models. The proposed sales office does comply with ADA standards with a compliant bathroom. The applicant is working on architectural features that may include an outdoor fireplace, and television to create the experience that comes from having a designer cottage. Both the modular and RV park models are built to the appropriate standard. A modular home becomes real property when it is set, which allows it to be mortgaged for 30 years. The RV park model must have the axels set under to allow for relocation to another property, however the axels can be enclosed to hide the wheels.

Chairman Michael Cox asked if there was anyone without standing would like to make a comment on the RV park model. The council is made aware that whomever speaks is neither an expert and do not have standing as an adjourner.

Kitty Eden stated that she does not see the need for modular homes and RV park models with wheels as they are not going any place in Cashiers.

Sara Conway, a physician, posed a question regarding rules of how many people are allowed to stay in a Tiny Home. She also raised concern to keep the taste of the town and that it is never a good idea to do anything in haste. She encouraged the council to take the time to think about the proposed project and maybe they need time to adjust the request. She stated "haste makes waste" and that she felt from her impression that it was being jammed down their throats. Again, how many people can live in one and what are the rules, how are we going to regulate garbage to keep the area clean, and who is going to police the area to keep it safe from drug users and crime?

Trisha Chambers inquired if there is not any stipulation to have a sales office how is one going to know who is staying there and keep records on the duration of the customers stay. She questioned if they are going to allow those that participate in illegal activities in the homes.

Justin Allman raised a question of the sales office building 15'x20' what are the rules for hotel laws and does there need to be a staff member on the premises.

Nancy Townsend inquired if there would be any limit to the number of cars that would be parked by the cabins. In addition, what vision of Cashiers would something like this present particularly to those coming to spend time at a 5 start resort on 107 South. Nancy questioned the council if their vote is binding or does it have to go through Jackson County.

Mike Poston informed the council and public that for a Quasi-Judicial hearing the Cashiers Planning Council acts as the deciding body. The decision is appealed through Superior Court by party withstanding.

*David Bond made a motion to approve the Tiny Home Sale modification with staff's five conditions and that Landscape and Sidewalks be completed by December 1, 2018 or within 30 days of NCDOT approval. Mark Letson seconded the motion, and it passed unanimously.*

The public hearing for Tiny Homes Sales was closed at 6:01 p.m. by Chairman Michael Cox.

**b) Conditional Use Permit- Grouse Point Professional Office**

Chairman Michael Cox asked if the council had any disclosures to share in regards to the applicant. He shared that it was his firm that was the selling agent of the property, but he was not the selling broker and did not personally benefit from the sale. He had no knowledge of what use Michael Benitez would make of the property until after he closed, therefore he believes that does not meet the requirements for recusal. The council agreed. Chairman Michael Cox opened up the Quasi-Judicial hearing of Grouse Point Professional Office at 6:02 p.m. All applicants, adjoiners and Planning staff were sworn into the Quasi-Judicial hearing.

John Jeleniewski presented the staff report for the proposed project Grouse Point Professional Office. The applicant is Elevated Partners, LLC (Michael Benitez). The proposed project is located at 196 Frank Allen Road in Cashiers. The applicant is proposing the construction of a 2,101 square foot (1,356 s.f. first floor, 745 s.f. second floor) professional office building on the subject property after the demolition of the existing structure. The total area of this property is 0.20 acres and has an average slope of less than 1.0%. All new perimeter and interior landscaping will meet or exceed the Cashiers Development Ordinance regulations for species and buffering. The ingress/egress access to this property will be from Frank Allen Road and Burns Street. The immediate surrounding properties are a mix of commercial, residential and community (library, post office, rec. center, The Village Green) uses. This proposed professional office would require 7 parking stalls which are provided. In addition, the applicant owns the adjacent parcel which will offer "shared" parking. Utility service will be provided by Tuckasegee Water & Sewer Authority (sewer) and Jackson County (water). Fire protection will be provided by the Cashiers Fire Department.

Staff's recommendation was to approve the proposed Grouse Point project and issue the conditional use permit subject to the following conditions:

- The owner/developer shall work with Planning Department staff in the final building design, site design, site construction, stormwater and landscaping of the overall project.
- This project will require sidewalk construction along Frank Allen Road. Final site construction plans must show this design standard and the applicant must coordinate permits with the NCDOT.

Chairman Michael Cox asked if there were any parties with standing that would like to speak. Joe Thompson, Chairman of the Village Green, asked how many cars would expect to be parking outside of the Grouse Point Professional Office building. Mike Benitez answered most likely no more than approximately 3 to 5 on a normal day. There could be a larger meeting and there could be 8 or 10 cars. Joe Thompson followed up with a question regarding what the applicant's plans for the second building, as he was curious how many cars would be parked there to enter the building. The Village Green has parking next door, and they are currently in the process of building an event center and are concerned of how it will affect their parking.

John Jeleniewski answered that this is not part of the Grouse Point permit. However, the ordinance does allow for shared parking and remote parking. Depending on if the

Planning Department received a submittal, the applicant would have the autonomy to look elsewhere for parking. Mike Poston explained that without knowing the use of the building, staff could not give a definite answer. However, the ordinance requires 7 parking spaces for that building size, and they do provide the minimum requirement for that use.

Mike Benitez had a final comment that he had discussed at length with Planning staff about potential future usage of other portions of the property and he is sensitive to the future usage of parking needs. The Planning staff and Mike Benitez ran multiple scenarios on different potential uses and he feels confident whatever they decide to do with the building in the back will comply with the parking needs that the county would set forth.

Chairman Michael Cox closed the Quasi-Judicial public hearing at 6:17 p.m.

*Mark Letson made a motion to approve the Grouse Point Professional Office with the conditions recommended by the Planning staff. Glenn Ubertino seconded the motion, and it passed unanimously.*

**c) UDO Update**


Mike Poston informed the council that in Article III, a Development Review Procedures table was created as a reference guide. The table identifies the type of permit process, the responsible staff, who makes the final decision and the body that hears appeals. The updated draft ordinance now includes more graphics and a flow chart on how the board meetings are pulled for those involved in review procedures.

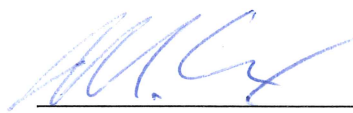
The Planning staff reorganized Article IV to better fit how design professionals design subdivisions. In addition, it clarified the definition of a major and minor subdivision. A major subdivision is when a property is divided into more than eight lots, while a minor subdivision is eight lots or less.

**Adjournment**

Without any further business, Deborah Townsend Stewart made a motion to adjourn the meeting at 6:36 p.m. Robin Ashmore seconded the motion, and it passed unanimously.

Respectfully Submitted,

  
Administrative Assistant

  
Michael Cox, Chairman