

**Cashiers Area Community Planning Council**  
**Minutes**  
**February 25, 2020**  
**4:00 p.m.**  
**Albert Carlton Community Library, Community Room**

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 LaFrienier- Planner II  
 Allison Kelley- Administrative Assistant

**Others Present**

Michael Benitez, Grouse Point LLC

**Call to Order**

Chairman Michael Cox called the meeting to order at 4:07 p.m. and a quorum was present.

**Additions to Agenda**

Mr. Cox requested to add agenda item letter c “Census 2020” under “New Business” Glen Ubertino made a motion to approve the agenda with the addition of letter c. Robin Ashmore seconded the motion, and it carried unanimously.

**Approval of the Minutes**

Bob Dews made a motion to approve the January 27th, 2020 minutes presented to the Council. Mark Letson seconded the motion, and it carried unanimously.

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

Rand Kramer: Stated he is a full time resident on Lake Glenville. He read the small area plan and asked the council if there was any consideration of putting in a dog park. They have 3 small dogs and one large, in Asheville they had dog parks when they lived there it was a great way to meet people and for the animals to have social interactions. They walk their dogs and are in a remote area where he cannot let them off the leash much due to predators (coyotes, bob cats, and bears). Would be a good asset to the community and asked the council for suggestions and direction on who to contact to help get this process started.

**New Business**

- a) **Conditional Use Permit: Grouse Point Professional Office (Phase 2)**  
*Chairman Cox opened the Public Hearing at 4:11 p.m.*

The Council had no disclosures regarding the proposed project; both Planning staff and applicant were sworn into the Quasi-Judicial Hearing.

John Jeleniewski presented the staff report to the Council for the proposed project Grouse Point (Phase 2) by the applicant Elevated Partners, LLC located in the Village Center District at 188 Burns Street, Cashiers NC 28717 (PIN 7572-40-0752). He stated the applicant is proposing the construction of an approximately 2,534 square foot (2,152 s.f. first floor, 382 s.f. second floor) professional office building on the subject property. The location of this proposed project is on the north side of Frank Allen Road near the Frank Allen Road/Burns Street intersection and approximately 462 linear feet west of the Highway 107. The total area of this property is 0.71 acres and has an average slope of less than 1.0%. The proposed structure exterior will be traditional lap siding and architectural shingles; the proposed architectural features will be in harmony with the existing, newly constructed professional office on the adjacent property. 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 will use the existing shared parking on-site as the applicant owns the adjacent parcel. Utilities service will be provided by Tuckaseegee Water & Sewer Authority (sewer) and Jackson County (water). Fire protection will be provided by the Cashiers Fire Department.

Mr. Jeleniewski stated the Council recently recommended the proposed architecture text amendment and has been adopted by the County Commissioners. He stated, the applicant has informed staff that the exterior colors for the proposed structure would be traditional colors suggested such as historic whites, grays, browns or colors from a rustic color palette.

Staff review is the proposed use and structure appear to meet the standards set forth in Section 9.3.5-Site and Building Design Standards of the Cashiers Commercial Area Regulated District. Staff's recommendation is to approve the proposed Grouse Point Phase 2 project and issue the Special Use Permit with 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 construction plans must show this design standard and the applicant must coordinate permits with the NCDOT.

Mr. Jeleniewski informed the Council the applicant had been trying to connect globally with projects in the immediate area for sidewalk construction, which has not transpired as quickly as they would have preferred. In addition, he has been coordinating with the applicant on the design plan for the required sidewalk on Frank Allen Road. Both projects Grouse Point (Phase 1 and Phase 2) would have a shared driveway, and a Three-Party Right Of Way Encroachment Agreement required by the NCDOT, County Manager and the applicant. This agreement states the applicant is allowing the county to maintain the sidewalk, and the NCDOT would allow the sidewalk in the right-of-way.

Glenn Ubertino asked staff if the sidewalk would not remove the existing tree on the property. Mr. Jeleniewski stated there would be curb and gutter to the driveway access, and then the sidewalk would be pushed back to go around the existing tree to preserve the tree at the root system and not force a curb and gutter section. Mr. Cox inquired if the applicant would be required to have the street trees written into the *Cashiers Commercial Area Ordinance*. Mr. Jeleniewski stated staff would review those requirements, and they would be submitted with final site construction plans.

Bob Dews stated they have their winter underground car wash outside of his property, he asked the applicant if they looked into that if it would affect or be eliminated. Mike Benitez stated the current owner of the lake property is in a year of permitting to dredge the channel and upper part of lake, they believe once this takes place it will elevate major storm and flooding. He stated they had an engineer review the site and are not worried about flooding. They hope in the next year, the dredging process will occur to not only benefit them but the entire community. Debi Stewart inquired if they plan to have a lot of green plants. Mr. Benitez stated if they look at the building that is currently been constructed in phase 1, large permitter trees, 30 ft tall maple trees.

*Chairman Cox submitted the staff report and findings into evidence.*

Mr. Benitez stated he met with the NCDOT last year and explained the situation with the tree in the sidewalk area. Through multiple correspondence and phone calls they met him on site and would not give anything in writing to say he could go around the tree. He stated he then began working with Vision Cashiers who is working on a greater massive plan to get the sidewalks completed, with Mr. Jeleniewski they have been able to gain traction to not place the curb and gutter as they were told by several people in the landscaping business that if they place a sidewalk on one side and curb and gutter on the other they would most likely kill the tree. Believes they will get to a sensible solution with NCDOT to not tear the tree down and make the sidewalk go around.

*Deborah Stewart made a motion to approve Grouse Point Phase 2 with staff's recommended conditions, and for staff to prepare the order on findings of facts based on the staff report and evidence presented. Robin Ashmore seconded the motion, and it carried unanimously.*

*Chairman Cox closed the Public Hearing at 4:34 p.m.*

**b) Special Uses-Buildings over 1500 SF Review Discussion**

Mr. Poston stated staff has discussed prior with the Council what triggers a Quasi-Judicial Conditional or Special Use Permit process, and the method of addressing buildings over 1,500 square feet. Staff has made many modifications to the *Cashiers Commercial Area Ordinance* in terms of Architectural Standards, Setback Standards, Landscaping and Buffering Standards to fit into the character of the Cashiers area. These components along with findings of facts, and staff report are included within a Quasi-Judicial Hearing, and a Design Review process. Mr. Poston stated currently a Conditional Use Permit process for buildings over 1,500 square feet includes a staff report with the architectural features to eliminate a separate meeting for the Design Review Committee. If a building is below 1,500 square feet it would still be reviewed by the Design Review Committee and Architectural Standards would still apply. He asked the Council if it was valuable to go through the Quasi-Judicial process when a building triggers the ordinance, or if they were comfortable to amend the ordinance to allow the building to be a permitted use. However, any new building or major redesign would still have to go through the Council with the Design Review process to evaluate if they meet the standards within the ordinance.

Mr. Cox stated within a staff report, staff has reviewed the ordinance and agreed each component has met the standards within the ordinance. In a Quasi-Judicial Hearing if the Council finds a reason to disagree with the staff report they are being opened up to liability and potentially having their decision over turned. He stated other Planning Council's in the county conduct a Design Review Process as opposed to a Quasi-Judicial

setting except when reviewing the type of “use” of the building. Mr. Poston stated in Cullowhee Community Planning District there are both permitted and special uses that are dictated by the “use” of the building. He stated the Cullowhee Planning Council is the Design Review Committee and reviews the staff report on projects to determine if they met the Architectural Standards, and can recommend considerations for the applicant to consider during the process. Mr. Poston informed the Council that staff corresponds with the applicant prior to bringing the plans to the Council to ensure they meet the minimum ordinance standards. In addition, both staff and Council have been discussing creating new zoning districts within the current Cashiers zoned area with prohibited uses, and special uses that would trigger the land use of the parcel and not the size of the building. In Cullowhee, there is Planned Unit Development that is a special use that allows for flexibility with lot sizes by allowing zero lot line development within the boundary of the property by mixing commercial and residential. Mr. Poston stated as the new zoning districts are created, both staff and Council would consider special uses for each district. The Council would still review the architectural elements of the property but it would be further into the process, and staff would update the Council when a new building is beginning to be constructed. The Council unanimously agreed to hold a Public Hearing to delete the special use permit for buildings over 1,500 square feet in their April regular scheduled meeting. Mr. Poston informed the Council staff would begin gathering information and outline of each new zoning district ordinance over the next couple of months.

**c) Census 2020**

Chuck Megown works for the United States Census Bureau and his job is to go to local communities to educate about the 2020 Census. He stated he hopes to inspire all residents in Jackson County to self-respond when the invitations for the Census questionnaire that are mailed out. In addition, approximately \$675 billion dollars in federal aid is distributed based on Census data, and it is important for the community that they respond. Mr. Megown stated they have been working with the Planning Department to ensure they address the needs that are specific to Jackson County, and there is an accurate population count to get the federal funding dollars needed to provide the communities vital services.

**Adjournment**

With no further business to discuss, Bob Dews made a motion to adjourn. Robin Ashmore seconded the motion, and the meeting adjourned at 4:57 p.m.

**Respectfully Submitted,**

  
Allison Kelley  
Administrative Assistant

  
Michael Cox  
Cashiers Planning Council Chairman