

**Cashiers Planning Council
Special Use Permit
Staff Report – January 12, 2023**

Project: The Wormy Chestnut Shops
Applicant: Cashiers Properties of Jax, LLC
Location: 95 US Highway 64 West; Cashiers; PIN 7572-31-3478
District Zone: Village Center

Summary:

The applicant is proposing the construction of four new commercial structures, 1,484 s.f. each in floor space with the existing 1,480 s.f. building remaining for a grand total of 7,080 s.f. The location of this proposed project is on the south side of Highway 64 West and approximately 600 ft west from the intersection of the Highway 107/Highway 64. The total area of this property is 2.38 acres and has an average slope of less than 1.0%. The proposed structures exterior will be traditional lap siding (wood/cement board) and architectural shingles or alternate metal roofing; the proposed architectural features will be in harmony with the existing structure that will be remaining. All new perimeter and interior landscaping will meet or exceed the Cashiers Development Ordinance regulations for species and buffering. Setbacks from jurisdiction wetlands and waterways will be reviewed by the appropriate agency (USACE, NC Fish and Wildlife, NCDEQ) prior to construction. The ingress/egress access to this property will be from Highway 64 and a driveway permit is required from the NCDOT prior to construction. The immediate surrounding properties are a mix of commercial and community (The Village Green) uses. This proposed commercial development will have shared parking on-site. Utility services will be provided by Tuckaseegee Water & Sewer Authority for sanitary sewer and a private well for potable water. Fire protection will be provided by the Cashiers Fire Department.

Jackson County Unified Development Ordinance

Article IX – Regulated District Standards

Section 9.3 – Cashiers Commercial Area

Section 9.3.4.vii – Traffic Impact Analysis

Purpose. The purpose of this section is to ensure that applicants for major new construction and/or changes of use consider and mitigate the traffic of the development on the existing and/or proposed roadway system. While the State of North Carolina has built and maintains a public transportation system that meets typical needs, project applicants may need to assist in improving transportation facilities in order to maintain the existing level of service by accommodating additional traffic generated by the development. These transportation facilities involve pedestrian, non-motorized vehicular traffic and motorized vehicular traffic. The Transportation Impact Analysis (TIA) is a specialized study that evaluates the effects of a development's traffic on the surrounding transportation infrastructure. The TIA helps identify where the development may have a significant impact on safety, traffic, and transportation operations, and provides a means for the developer and government agencies to mitigate these impacts. Ultimately, the TIA can be used to evaluate whether the scale of development is appropriate for a particular site and what improvements may be necessary, on and off the site, to provide safe and efficient access and traffic flow. Single family developments typically will not require a TIA.

The Applicant has submitted documentation regarding the findings of their preliminary traffic study. Also included in the submittal package is a letter from the NCDOT stating that a TIA is required for this project.

Section 9.3.5 – Site and Building Design Standards

Building Architecture:

(a) Building Architecture

- (i) Building design and architecture are critical components for quality development. Building and architecture design standards are intended to promote compatibility within a development and throughout the Cashiers Commercial Area, allow creativity and diversity of design, protect property values and neighborhood quality, and provide a safe and attractive environment for residents and visitors alike to uses in the community.

(b) Building Materials and Color

(i) Materials.

- 1) All buildings shall be constructed of stone, exposed timber, fiber cement siding, wood siding, shingle siding, or other high-quality material, as approved by the Design Review Committee. No building shall be covered with sheet or corrugated metal or with vinyl siding.

*The proposed exterior siding material will be traditional lap siding (wood/cement board).
The siding materials will continue to a masonry foundation.*

- 2) Exterior building materials shall be continued to finished grade of any elevation in accordance with minimum manufacture specifications.

The siding materials will continue to a masonry foundation.

- 3) Cornices shall be constructed of brick, stone, wood, pre-cast concrete, or other high quality, long-lasting material.

The proposed building materials comply with this standard.

- 4) Architectural accent materials located above the roof line shall be constructed of brick, stone, wood, pre-cast concrete, architectural quality steel, fiber cement siding or other high quality, long-lasting material.

N/A

(ii) Colors.

- 1) Color schemes used for buildings shall aesthetically integrate building elements together, relate separate (free-standing) buildings on the same lot or parcel to each other, and be used to enhance the architectural form of the building.

The applicant has stated that the exterior colors for the proposed structure will be traditional colors suggested such as historic whites, grays, browns or colors from a rustic color palette.

- 2) Exterior colors for new buildings and structures, including roofs, should be the predominant colors of the historic Cashiers Summer resort traditions, historic whites, grays, browns or colors from a rustic color palette are recommended, along with white or black pronounced trim colors. Fluorescent colors shall be avoided.

The applicant has stated that the exterior colors for the proposed structure will be traditional colors suggested such as historic whites, grays, browns or colors from a rustic color palette.

- 3) All building projections, including, but not limited to, chimneys, flues, vents, and gutters, shall match or complement in color the permanent color of the surface from which they project.

The applicant has stated that the exterior colors for the proposed structure will be traditional colors suggested such as historic whites, grays, browns or colors from a rustic color palette.

(c) Building Massing and Configuration

- (i) Building scale. Buildings shall be small in scale and shall not exceed 45 feet in height. Buildings located on steep areas shall conform to hillside topography by stepping or staggering the mass of the proposed structure up or down the slope.

This proposed structures will not exceed 35 vertical feet in height.

- (ii) Visibility. Buildings with visibility from the public right-of-way or public street or pedestrian walkway in the Cashiers Commercial District shall be designed with the following specific limitations:

- a) Building masses shall maintain a balance of scale and proportion using design components which are harmonious with natural landforms and landscaping.

The property where the proposed structures will be constructed is relatively flat. It appears that these buildings would comply with this standard.

- b) Proposed structures shall not be sited atop peaks or silhouetted against the sky when viewed from any designated public right-of-way.

The property where the proposed structures will be constructed is relatively flat. It appears that these buildings would comply with this standard.

- c) Retaining walls visible from the valley floor shall not exceed ten feet in height as measured from grade at face to top of wall. Multiple "stepped" retaining walls whose total height exceeds ten feet must each be offset by at least six horizontal feet. Visible walls shall be colored and textured to complement the background land and vegetation.

N/A

(d) Building Façade Character

- (i) Elements of articulation shall be employed on any building visible from the public right-of-way or public street or pedestrian walkway to reduce the apparent bulk and uniform appearance of large buildings, provide visual interest and variety, and reinforce local architecture.

- (ii) Building scale. At least four of the following elements must comprise 50 percent of front façade length and at least two of the following elements must comprise 30 percent of any façade length fronting a major public street and/or parking lot:

- (a) Trellises with vegetation.
- (b) Balconies.
- (c) Cornices.
- (d) Covered porches.
- (e) Roofline offsets.
- (f) Doors.
- (g) Window hoods.
- (h) Transoms.
- (i) Bulkheads.
- (j) Awnings or canopies.
- (k) Arcades.
- (l) Arches.
- (m) Outdoor patios.
- (n) Planters or wing walls that incorporate landscape areas or places for sitting

- (o) Ribs or columns.
- (p) Changes in texture or masonry.
- (q) Mansard Roofs or Parapet walls designed to meet the minimum requirements set forth of Section 9.3.5 (e) below .
- (r) Shutters

The proposed structures include at least four of the elements listed

(iii) Windows. Front building façade must be comprised of a minimum of 30 percent window or glazed area.

The front façade of the proposed structures include at least 30% glazed area.

- 1) All sides of the building shall include articulation, materials, and design characteristics consistent with those on the primary front façade in terms of quality and detail, unless the public's view of a rear or side building elevation from a public right-of-way or private street or pedestrian walkway is blocked by intervening buildings, topography, a solid screen wall at least six feet high built using materials consistent with the building, or landscaping measuring at least 15 feet in height at maturity.

The proposed structures comply with this ordinance standard.

(e) Roof Form and Articulation

(i) The roof of any building shall present a distinctive profile and add interest to larger buildings and complement the character of other buildings included on the same lot or parcel.

The proposed structures comply with this ordinance standard.

- 1) Flat roof buildings.
 - a) The roof of any building with a flat roof shall include parapets to conceal the roof and roof-top equipment from public view. The average height of such parapets shall not exceed 15 percent of the height of the supporting wall, unless required for in Section 9.3.5 (f) Rooftop Equipment Screening, and such parapets shall not at any point exceed one-third of the height of the supporting wall.

N/A

- b) Parapets used to conceal the roof and roof-top equipment for any building shall not extend a constant height for more than 100 feet in length.

N/A

- 2) Slope roof buildings. The roof of any building with a slope roof shall include the following to maintain proportional building architecture:
 - a) Overhanging eaves, extending no less than one foot past the supporting wall;
 - b) Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to 5/12 pitch (5 inches of horizontal rise, 12 inches horizontal run). This would not apply to shed roofs or covered walkways.

The proposed structures comply with this ordinance standard.

- 3) Additional requirements.
 - a) Consistent roof treatments, whether flat or sloping, shall be provided on all sides of the building.
- b) The back side of all cornices, parapets, and roofline that are visible from an adjacent public right-of-way shall be finished with materials consistent with the associated building.

N/A

(f) Rooftop Equipment Screening

- (i) Screen requirements. All rooftop mechanical equipment and vents greater than eight inches in diameter shall be:
 - 1) Screened from the line of sight of public rights-of-way, private roads, parking lots, public sidewalks, greenways, and internal pedestrian ways except for instances where site topography precludes reasonable compliance with the minimum screening requirement;
N/A
 - 2) Screened by either a parapet wall along the building edge or a freestanding screen wall on the roof of a material, color, and design architecturally compatible with the building, that is at least as high as the equipment and vents for which the screening is designed to hide.
N/A

(g) Franchise Architecture

- (i) To maintain the unique character of the Cashiers District, buildings shall not be constructed or renovated using franchise architecture. Franchise or national chains may be permitted in the Cashiers District but must follow the standards of this section to create a building that is compatible with the Cashiers District.
N/A

(h) Architectural Unity

- (i) All buildings within the same lot or parcel shall be architecturally unified. Architectural unity means that buildings shall be related and compatible in style, color, scheme, quality, and type of exterior building materials.
The proposed structures will be architecturally similar to the existing structure that is remaining. All proposed structures will maintain the same style, building materials and colors.

Review Process:

This proposed building for this project will exceed the 4,000 square foot threshold for staff approval and must be reviewed by the Planning Council for a Special Use Permit. In order to issue the special use permit, the Planning Council must find that the proposed design complies with the design standards set forth in *Section 9.3.5 – Site and Building Design Standards (Cashiers Commercial Area Regulated District)* in the *Jackson County Unified Development Ordinance* and must make the following findings:

Jackson County Unified Development Ordinance

Article III – Permits and Procedures

Section 3.7.15 – Special Use Permit

Vi - Special Use Permit Review Standards (Regulated Districts).

- a) That the proposed use or development of the land will not materially endanger the public health or safety.
- b) That the proposed use or development of the land is reasonably compatible with significant natural and topographic features on the site and within the immediate vicinity of the site given the proposed site design and any mitigation techniques or measures proposed by the applicant.
- c) That the proposed use or development of the land will not substantially injure the value of adjoining or abutting properties.
- d) That the proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the community.

- e) That the proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities.
- f) That the proposed use will not cause undue traffic congestion or create a traffic hazard.

Staff Review:

As required by the *Cashiers Commercial Area Ordinance Section 9.3.2.b*, the applicant scheduled and completed a *Community Meeting* on November 15, 2022 at 3 p.m. This meeting was advertised in the local paper and notices were mailed to property owners within 1,500 feet of the property boundary.

Notice of the *Special Use Permit* hearing was advertised in the local paper January 11 and 18, 2023, Planning Staff posted notice of the hearing the property on January 9, 2023 and hearing notices were mailed to adjacent property owners January 9, 2023.

The proposed use and structures appear to meet the standards set forth in *Section 9.3.5 – Site and Building Design Standards* of the *Cashiers Commercial Area Regulated District*; Approval of the use and the design is recommended 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.
- That the applicant receive approval/permits from any other agency that has jurisdiction in the development of this property/project including the NCDOT, Army Corps of Engineers, NC Fish and Wildlife, NC Department of Environmental Quality, etc.
- This project will require sidewalk construction along US Highway 64 West. Final site construction plans must show this design standard and the applicant must coordinate permits with the NCDOT.

Staff Recommendation:

Approve the proposed Wormy Chestnut Shops project and issue the Special Use Permit subject to the conditions identified above.