

John Jeleniewski

From: ktdms66@gmail.com
Sent: Tuesday, June 2, 2020 4:55 PM
To: 'John Jeleniewski'
Subject: RE: Cashiers Updated Renderings

Thank you!

Katie Adams Nicholson
Cell: (828) 399-1824

From: John Jeleniewski <johnjeleniewski@jacksonnc.org>
Sent: Tuesday, June 2, 2020 9:57 AM
To: Katie Adams <ktdms66@gmail.com>
Subject: Re: Cashiers Updated Renderings

Hey Katie,

The attached is a concept plan and my staff report for a project in Cullowhee that was recently reviewed by the Cullowhee Planning Council and Jackson County Planning Board. The Cullowhee ordinance is very similar to Cashiers so in the report you'll notice that I applied their ordinance followed by applying the subdivision ordinance which the Planning Board reviews. This would be the same process for your client and as follows:

- Submit a "Special Use Application" for the proposed development which should include a concept site plan, narrative and any other supporting documentation.
- I will review by applying the Cashiers and Subdivision ordinance standards and produce a staff report similar to the attached.
- We will put on the agenda for the Cashiers Planning Council to review and I will present my report and the application; the applicant can also present.
- Next, we will put on the agenda for the County Planning Board to review and I will present my report and the application; the applicant can also present.
- If all goes well, both the Council and Board will approve with conditions from staff and any other reasonable conditions established by the Council or Board.
- I will work with the applicant and team regarding final site construction plans to ensure compliance with the ordinances.

It is recommended that the applicant and their team speak to the items I sent to you previously as those are the established standards/requirements they (Council/Board) must answer in the affirmative. Please feel free to contact me with any questions.

Regards,

John Jeleniewski, CZO, CET, CST

Senior Planner

Jackson County Planning Department

email: johnjeleniewski@jacksonnc.org

website: <https://www.planning.jacksonnc.org>

Phone: 828-631-2282

On Mon, Jun 1, 2020 at 10:45 AM John Jeleniewski <johnjeleniewski@jacksonnc.org> wrote:

Hey Katie,

Yep, feel free to call anytime, if i'm not on another call, I'll pick up.

Regards,

John Jeleniewski, CZO, CET, CST

Senior Planner

Jackson County Planning Department

email: johnjeleniewski@jacksonnc.org

website: <https://www.planning.jacksonnc.org>

Phone: 828-631-2282

On Mon, Jun 1, 2020 at 9:44 AM Katie Adams <ktdms66@gmail.com> wrote:

Morning! Do you have 10 or 15 min to chat today?? I just want to ask a few more questions about the process.

Katie Adams Nicholson
828.399.1824

On May 21, 2020, at 11:28 AM, John Jeleniewski <johnjeleniewski@jacksonnc.org> wrote:

Hey Katie and Ken,
Here you go!

(vi)

Special Use Permit Review Standards (Regulated Districts) .

1)

The Community Planning Council shall not approve the special use permit application and site plan unless and until it makes the following findings, based on the evidence and testimony presented at the public hearing or otherwise appearing in the record of the case:

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.

Regards,

John Jeleniewski, CZO, CET, CST

Senior Planner

Jackson County Planning Department

email: johnjeleniewski@jacksonnc.org

website: <https://www.planning.jacksonnc.org>

Phone: 828-631-2282

On Thu, May 21, 2020 at 11:19 AM Katie Adams <ktdms66@gmail.com> wrote:

This is my personal email

Katie Adams Nicholson
828.399.1824

On May 19, 2020, at 4:43 PM, Ken Fernandez <ken@oldcashiersrealty.com> wrote:

Hi John,

Attached below is the latest site plan and renderings for the Cashiers project.

We look forward to our conversation on Thursday 5/21/20 at 11:00.

Be safe,

Ken Fernandez

Sent via the Samsung Galaxy S9+, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: readycloud@netgear.com

Date: 5/12/20 4:04 PM (GMT-05:00)

To: Stephen Macauley <stephen@shm100.com>

Cc: john@lewoliverinc.com

Subject: Shared ReadyCLOUD files

<ATT00002.png>

<ATT00003.png>

Hello,

John C Neas Jr shared the following file on ReadyCLOUD with you

Stephen, below is a link to the file "Cashier Downtown_Book with additional info_May 12.pdf" with te to the buildings. This is the book with all the info.

[<ATT00001.jpg>](#)

[Cas... 12.pdf \(42.8 MB\)](#)

Click the link to download file

Thank you,

The NETGEAR ReadyCLOUD team
<ATT00004.png>

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Total Control Panel

To: ken@oldcashiersrealty.com

[Remove](#) this sender from my allow list

From: stephen@shm100.com

You received this message because the sender is on your allow list.

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized county official.

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized county official.



CASHIERS

MACAULEY

LEW OLIVER, INC.
WHOLE TOWN SOLUTIONS

5.12.2020

RESIDENTIAL TYPE	STORIES	NO. OF UNITS	AVG. SF/UNIT	TOTAL SF
VILLAS	3	7	4,500	31,500
CONDO'S	3	146	1,600	233,600
TOWNHOMES	3	57	1,800	102,600
FIRE SHOPS	2	175	2,400	417,000
WORKSPACE BAY/TA	3	146	850	124,100
TOWER HOUSE	3	3	1,000	3,000
GATE HOUSE	2	4	1,000	4,000
TOTALS		622		986,700

COMMERCIAL	SQUARE FEET
A	10,000
B	100,000
C	130,000
D	10,000
E	12,000
TOTAL	262,000



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WHOLE TOWN SOLUTIONS

5.12.2020

"THE PLAN IS DESIGNED TO ALLOW RESIDENTIAL USES TO FLEX WITH MARKET DEMAND WHILE RETAINING BOTH ITS STRUCTURE AND THE ARCHITECTURAL INTEGRITY"

RESIDENTIAL TYPE	STORIES	NO. OF UNITS	AVG. SF/UNIT	TOTAL SF
VILLAS	3	7	4,500	31,500
CONDO	3	144	1,600	244,800
TOWNHOUSE	2	37	1,800	102,600
FEB SHALE	2	173	2,900	412,300
WOMEN'S RENTAL	2	188	800	159,800
TOWER HOUSE	2	5	1,000	5,000
GATE HOUSE	2	4	1,000	4,000
TOTALS		602		986,000

COMMERCIAL	SQUARE FEET
A	10,000
B	108,000
C	120,000
D	10,000
E	22,000
TOTAL	260,000



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5.12.2020

"THE PLAN IS DESIGNED TO ALLOW RESIDENTIAL USES TO FLEX WITH MARKET DEMAND WHILE RETAINING BOTH ITS STRUCTURE AND THE ARCHITECTURAL INTEGRITY"

COMMERCIAL - A
10,000 SF
GARDEN CENTER

COMMERCIAL - E
12,000 SF
COOKING SCHOOL
WELLNESS

COMMERCIAL - D
COMMERCIAL 10,000 SF
CHILD CARE
EMS

COMMERCIAL - B
HOTEL - 43,000 SF
SPA - 10,000 SF
ALT +- 40,000 SF
RESTAURANT - 5,000 SF
EVENT HALL - 10,000 SF

COMMERCIAL - C
120,000 SF
(2) 10,000 SF ANCHORS

"THE PLAN IS DESIGNED TO ALLOW RESIDENTIAL USES TO FLEX WITH MARKET DEMAND WHILE RETAINING BOTH ITS STRUCTURE AND THE ARCHITECTURAL INTEGRITY"

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5.12.2020

- A. ARTIST MARKET & ARCADE
- B. BLACK BOX THEATRE
- C. CHAPEL
- D. CHILD CARE
- E. CHILDREN'S PLAY AREA
- F. COOKING SCHOOL
- G. EMS
- H. EVENT HALL / ALT +
- I. FOUNTAINS
- J. HILLOP PLAZA
- K. MARKET LOGGIA
- L. ORCHARD
- M. ORGANIC TARA
- N. OUTDOOR MARKET & PARKING
- O. OVERLOOK PLAZA
- P. PEDESTRIAN WAY
- Q. RESTAURANT
- R. RETENTION
- S. SPA NATATORIUM W/ BOUTIQUE HOTEL ABOVE
- T. WELLNESS
- U. 300 SPACE PARKING DECK
- V. 107 ROOM HOTEL



"THE PLAN IS DESIGNED TO ALLOW RESIDENTIAL USES TO FLEX WITH MARKET DEMAND WHILE RETAINING BOTH ITS STRUCTURE AND THE ARCHITECTURAL INTEGRITY"

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1. BRANDED CONDOS

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2. SPA HOTEL

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3. ARTIST HAMLET

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4. LOGGIA COURT

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Cullowhee Community Planning Council
Staff Report – November 18, 2019

Project: Elevate – Planned Development
Applicant: University Property Group, LLC
Location: Lyle Wilson Road; Cullowhee; PIN's 7558-28-2984, 7558-18-8604 and 7558-18-9344
District Zone: Single Family Residential and Single Family Residential Manufactured Home Districts with Planned Development overlay

Summary:

The applicant is proposing the construction of a planned development consisting of 27 single family detached homes (3-4 bedrooms each) and 23 duplex units (4 bedrooms per unit). This property is in the *Single Family Residential – (SF) District* and the *Single Family Residential – Manufactured Home (SF-MF) District* of the Cullowhee Community Planning Area jurisdiction. These districts allow for *Planned Developments* as an allowed use with approval from the *Cullowhee Community Planning Council*. The subject properties (PIN's 7558-28-2984, 7558-18-8604 and 7558-18-9344) are located on the northerly side of Lyle Wilson Road (S.R. 1545) and the three properties total 27.23 acres in area. Approximately 5.31 acres of the total 27.23 acres will be impervious area with the remaining property, 21.92 acres+/- being common area, open space or preserved wetland. The average slope of the total property (all three PIN's) is 20%; compliance with the Mountain and Hillside Development Ordinance will not be required, however, site grading (cut and fill) will be moderate for infrastructure improvements and retaining walls are proposed (maximum of 10' in height) to minimize grading impacts. The residential clusters will be connected by interior paved roadways that will be a minimum 14' wide with 2' shoulders and maximum of 20' wide with 3' shoulders. The proposed structures will be single family detached and duplex units (all individual ownership) and there will be a Home Owners Association in place for this planned development which will govern interior appearance, maintenance issues and have ownership of the preserved wetland/open space/common areas. The applicant is proposing an elevated wetland/wildlife boardwalk for viewing and potential educational purposes as well as a reserved easement for a future County Greenway link. Existing perimeter vegetation and interior trees will be preserved as much as possible; however, all new landscaping will meet or exceed the *Cullowhee Community Planning Area Development Standards* for species and buffering. The ingress/egress access of this neighborhood will be from Lyle Wilson Road (S.R. 1545) which is located off of Highway 107 and the interior subdivision roadways and parking will meet design standards set forth in the *Cullowhee Community Planning Area Development Ordinance* and *Jackson County Subdivision Ordinance*. A portion of this property is located within a designated flood hazard area (100-year floodplain) and the proposed residential structures in this zone will be built in accordance with state and federal regulations. The immediate surrounding properties are private residential and Cullowhee Valley Elementary School is located to the southeast of this project and across Cullowhee Creek. This proposed planned development will be served by Tuckaseegee Water and Sewer Authority for water and sewer. The applicant met with Jackson County Planning staff October 15, 2019 for a pre-application meeting to discuss this proposed project. The applicant submitted the completed Special Use application, concept site plan and supporting documentation on November 4, 2019.

This proposed Planned Development/Subdivision was reviewed November 18, 2019 applying both the *Cullowhee Community Planning Ordinance* and the *Jackson County Subdivision ordinance*. The below review comments from staff are indicated in **Blue**.

Article IX - Cullowhee Community Planning District (UDO)

Section 9.4.4 Additional Standards: Special Uses

Section 9.4.4.c Planned Developments

- i. The goal of the Planned Development provisions is to encourage flexibility in the development of land and to provide tools and incentives for achieving this flexibility. Use of the Planned Development option will result in the more efficient and economical use of land and resources. A mixture of uses and building types is permitted in Planned Developments, subject to limitations noted below. Incentives are provided to achieve goals related to the more efficient use of resources. The Planned Development provisions allow greater flexibility in design but may have conditions attached during the approval process. Approval of planned developments by the Cullowhee Community Planning Council in accordance with the procedure set forth below is required.
- ii. *Permitted Use:*
 - 1) Planned Developments in nonresidential districts — any use identified as a permitted use in any district in the Cullowhee Planning Area with the exception of single family homes.
N/A
 - 2) Planned Developments in residential districts - any use identified as a permitted use in any district in the Cullowhee Planning Area provided that the gross square footage of all nonresidential uses shall not exceed 15 percent of the total gross square footage of all uses.
This proposed planned development will be located in the Single Family Residential and Single Family Residential Manufactured Home Districts. "Non-residential" uses are not proposed.
- iii. Minimum lot size. The minimum lot size for a planned development shall be one acre. Within the planned development there shall be no minimum lot size for individual structures.
Overall, the combined properties will be 27.23 acres; Planned Developments do not require minimum lot sizes for individual structures within the proposed development. The applicant intends to sell the individual unit footprints and remaining areas to be preserved wetland/open space/common areas.

iv. *Density:*

The base residential density shall be 125 percent of the residential density of the district in which the planned development is proposed. Residential density may be increased above the permitted base residential density in accordance with the incentives identified below.

- 1) Open space exceeds the requirements of this ordinance — see section 9.4.4(c)(xi).
- 2) Best management practices, such as bio-retention and rain gardens, are used to manage stormwater quality — density increase of five percent.
- 3) No grading or development of areas with a slope in excess of 30 percent - density increase of five percent.
- 4) All residential, commercial, and/or mixed use buildings in the planned development achieve an energy star rating — density increase of five percent.
- 5) Landscaping of parking areas exceeds the requirement by 50 percent — density increase of five percent.

The density standard set forth in the both the Single Family Residential (SF) and Single Family Residential Manufactured Home (SF-MH) Districts where public water and sewer is provided can be up to 5 dwelling units per acre. This planned development would be allowed 136 units (5 dwelling units x 27.23 acres = 136.15 dwelling units), however, the applicant is proposing a total of 73 dwelling units (27 single family and 23 duplex). The applicant is not seeking density incentives as both districts density standard is adequate for the proposed planned development.

v. *Building Height:*

The base building height in a Planned Development shall be 40 feet. The Planning Council may approve a building height of up to 80 feet provided that the increased height is compatible with the surrounding neighborhood and does not adversely impact adjacent uses.

The applicant is not requesting an increase of building height above the base height of 40 feet.

vi. *Setbacks:*

The perimeter setbacks for the Planned Development shall be the setbacks for the district in which the development is located. Within the Planned Development there shall be no setbacks other than those required by building and/or fire code standards.

This planned development will comply with the setbacks set forth in the SF and SF-MH districts:

front – 20' from property lines

Side – 10' from property lines

Rear – 10' from property lines

vii. *Impervious Surface:*

The Planned Development shall comply with the impervious surface limits of the district in which it is located. Impervious surfaces may be increased if best management practices (i.e. non-structural stormwater controls such as grassed swales and rain gardens) are used to manage and retain stormwater. The permitted increase in impervious surfaces shall be on a 2:1 ratio basis.

The SF and SF-MF districts require that the proposed impervious surface comply with the Jackson County Water Recharge Ordinance. This proposed planned development shall not exceed 70% impervious surface. The overall combined property area of this planned development is 27.23 acres and the proposed impervious surface area is estimated to be 5.31 acres or 19.5% impervious surface for the project ($5.31/27.23 = .1950$).

viii. Landscaping and buffering. The Planned Development shall be buffered from abutting properties as required by the landscaping standards set forth in Section 9.4.5 (g). The type of buffering required shall be determined by the use within the Planned Development that is adjacent to the abutting property. Within the Planned Development parking lots shall be landscaped and street trees provided as required by Section 9.4.5 (g). Dissimilar uses within the Planned Development shall be buffered from each other as required by the buffering requirements of Section 9.4.5 (g).

This proposed planned development will comply with the "landscape and buffering standards" set forth in section 9.4.5(g) of the Cullowhee Community Planning Area Ordinance for landscape buffers, interior parking and screening. All proposed plantings shall be selected from the recommended species list provided in the ordinance and a "Landscape Plan" shall be provided at the time of final review/approval of the project site construction plans.

ix. Parking and loading. Parking and loading areas shall be provided as required by Section 9.4.6. ***This planned development project is proposing single detached and duplex units which are considered single family residential structures, therefore parking is not required, however, the applicant is providing driveways with a minimum of 2 parking stalls per unit and remote parking of 113 stalls.***

x. *Pedestrian Facilities:*

A sidewalk or approved pedestrian trail shall be provided along all streets abutting the property on which the Planned Development is located. Sidewalks and/or approved pedestrian trails shall connect all uses within the Planned Development. Within parking areas constructed as part of a Planned Development, pedestrian connections shall be provided to allow the safe movement of pedestrians through the parking area. Pedestrian connections shall be provided from any sidewalk or pedestrian facility abutting a street or road to the main entrance of any nonresidential building, mixed use building, and/or any multi-family residential building.

This planned development is proposing a sidewalk along Lyle Wilson Road (S.R. 1545), adjacent to the proposed interior roadways and parking areas. Additionally, an elevated wetland/wildlife boardwalk for viewing and potential educational purposes is proposed in the northerly section of the wetland area. The applicant is also providing a dedicated easement for a future link of the County Greenway.

x. *Open Space:*

A minimum of 15 percent of the total land area of the Planned Development shall be set aside as open space. Density bonuses shall be provided for the provision of open space exceeding the minimum amount as follows:

Amount of site provided as open space	Density Bonus
20%—25%	5%
26%—35%	10%
36%—45%	15%
> 45%	20%

The open space for this proposed planned development is estimated to be 80%, however, the applicant is not requesting a density bonus.

x. *Approval Process:*

Planned Developments shall be considered a special use and shall be subject to the approval process for special uses set forth in Section 3.7.15 of this ordinance.

The Cullowhee Community Planning Council shall review this proposed planned development for compliance of the standards set forth in Section 3.7.15 of the Jackson County UDO (Special Use Permits).

Review Process:

This proposed planned development is permitted in the Single Family Residential – (SF) District and the Single Family Residential – Manufactured Home (SF-MF) District with approval from the Cullowhee Community Planning Council for a Special Use Permit as set forth in the Cullowhee Community Planning Area Ordinance (see above). The Cullowhee Community Planning Council must find that the proposed project complies with the standards set forth in Section 9.4.4 (Planned Development Standards) and Section 3.7.15 (Special Use Standards) of the Jackson County UDO and must make the following findings:

1. That the proposed use or development of the land will not materially endanger the public health or safety;
2. 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;
3. That the proposed use or development of the land will not substantially injure the value of adjoining or abutting properties;

4. That the proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the Cullowhee Community;
5. That the proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities; and
6. That the proposed use will not cause undue traffic congestion or create a traffic hazard.

Staff Review:

The proposed use and structures appear to meet the Special Use standards set forth in Section 9.4.4. Approval of the use and the design is recommended with the following conditions:

- The owner shall work with Planning Department staff in the final design, construction, and landscaping of the overall project.

Staff Recommendation:

Approve the proposed *Elevate Planned Development* and issue the Special Use Permit subject to the conditions identified above and any reasonable conditions requested by the Cullowhee Community Planning Council and Jackson County Planning Board.

Article IV – Subdivisions (UDO)

- **Section 4.3.5.c Street Standards – Private Roads:**

(i) Design Criteria

- 1) Private subdivision roads shall connect to an existing state-maintained road and shall be constructed in accordance with the standards contained in the North Carolina Department of Transportation's most recent version of Subdivision Roads Minimum Construction Standards.

This proposed neighborhood will have a total of 73 lots/units and this ordinance standard would not apply.

- 2) Roads that are not required to be constructed to state standards will be privately maintained, and maintenance responsibilities shall be noted on the final plat. Regardless of the designation of the road, every lot shall have access to a road that is sufficient to provide a means of ingress and egress for emergency vehicles as well as all those likely to need or desire access to the property for its intended use.

The proposed roadways within this subdivision will be constructed per the standards set forth in this article.

- 3) Roads shall be designed by a registered professional engineer or professional land surveyor licensed to work in North Carolina, as provided for by NCGS 89C-3. Prior to approval of a final plat for a subdivision the engineer or land surveyor who designed the roads shall certify

that the roads have been constructed in accordance with the approved plans. If a surety bond or other financial guarantee is provided in lieu of constructing roads prior to approval of the final plat, the financial guarantee shall not be considered to be satisfied until the engineer or land surveyor who designed the roads has certified that the roads have been constructed in accordance with the approved plans.

The submitted concept plan has been completed by a NC registered civil engineer, Victor Lofquist of Lofquist & Associates, Inc. and is the Engineer of record. Final site construction plans will need to meet or exceed the minimum roadway standards of this article.

- 4) Minimum Private roads proposed to serve lots and/or home sites in subdivisions shall comply with the following minimum design standards in Table 4.2.

This proposed Planned Development will consist of 73 subdivided lots/units. The roadways required for this project would be a minimum of a 14' wide "Minor Residential" road up to a 20' wide "Collector" road.

- 5) Turnouts. The turnouts must be a minimum of 50 feet long and provide for a total travelway width of 18 feet with an additional three feet width cleared of trees, brush, and undergrowth. If the turnout is located on the fill side of the road, it shall have a total travelway width of 20 feet with an additional three feet width cleared of trees, brush, and undergrowth. The location of turnouts on shared drives and minor residential roads shall be approved by the Planning Board. Items to be considered in the review of turnout locations shall include the road grade, slope of the bank (if turnout to be located on fill side of the road), width of the turnout, vertical and horizontal curves, and compaction of the subsoil and base as set forth in Table 4.3.

Turnouts will not be required for this subdivision.

- 6) The maximum length for road types shall be as follows.

The proposed roadways for this development will meet or exceed the minimum ordinance standard for maximum lengths and widths.

- 7) Maximum cut slope: 1:1; maximum fill slope: 1½:1. Steeper slopes may be permitted if certified by a professional engineer and approved by the Subdivision Ordinance Enforcement Officer. A bench with a minimum width of 5 feet shall be provided at the toe of all fill slopes greater than 10 feet in vertical height. All cut and fill slopes greater than 20 feet in vertical height shall have a bench with a minimum width of 5 feet for every 10 feet in vertical height. An illustration depicting the benching of cut and fill slopes is available on the County Planning Department website <https://www.planning.jacksonnc.org/> and from the Planning Department office.

The proposed "cut" and "fill" grading for this project meets or exceeds these minimum standards. Steeper slopes will be designed by a qualified Geotechnical Engineer.

- 8) Development access roads in subdivisions with more than 100 lots and/or dwelling units proposed and sections of roads within a subdivision providing access to more than 100 lots shall be constructed to NC DOT subdivision roads minimum construction standards.

This proposed subdivision will have a total of 73 lots/units and this ordinance standard would not apply.

- 9) All lots in a residential subdivision shall abut an access road meeting one of the classifications identified in the Table 4.2: Subdivision Road Requirements.
The access roads proposed for this project meet or exceed the required road type for the number of subdivided lots served.
- 10) Subdivisions shall abut and be accessed from a public road or have a deeded right-of-way (minimum width of 45 feet) to a public road. If access is provided by a deeded right-of-way, an access road meeting the road construction standards for the number of lots served shall be constructed within the deeded right-of-way.
The access to this subdivision will have legal ingress/egress to Lyle Wilson Road (S.R. 1545) and to Highway 107.
- 11) Sections of road, including shared drives, with a grade in excess of 15 percent shall be paved, with the pavement extending 100 feet from the section of road with a grade in excess of 15 percent. The length of road sections with a grade greater than 15 percent shall not exceed 300 feet in length, and a leveling area shall be provided at each end of the road segment with a grade exceeding 15 percent. The grade of the leveling area shall not exceed 12 percent and shall be at least 100 feet in length.
The proposed roadways for this subdivision will be paved. Maximum roadway grades and leveling areas will need to meet or exceed this ordinance standard on the final site construction plans.
- 12) The grade of residential roads and major residential roads may be increased up to a grade of 20 percent upon approval of the Planning Board in order to minimize grading and/or vegetation removal. The section of road with a grade in excess of 15 percent shall be paved, shall not exceed 300 feet in length, and a leveling area shall be provided at each end of the road segment with a grade exceeding 15 percent. The grade of the leveling area shall not exceed 12 percent and it shall be at least 100 feet in length.
The proposed roadways for this subdivision will be paved. Maximum roadway grades and leveling areas will need to meet or exceed this ordinance standard on the final site construction plans.
- 13) The grade of collector roads may be increased up to a grade of 18 percent upon approval of the Planning Board in order to minimize grading and/or vegetation removal. The section of road with a grade in excess of 15 percent shall be paved, shall not exceed 300 feet in length, and a leveling area shall be provided at each end of the road segment with a grade exceeding 15 percent. The grade of the leveling area shall not exceed 12 percent and it shall be at least 100 feet in length.
The proposed roadways for this subdivision will be paved. Maximum roadway grades and leveling areas will need to meet or exceed this ordinance standard on the final site construction plans.
- 14) A two-foot wide shoulder shall be provided on each side of shared driveways, minor residential, and residential roads. A three-foot-wide shoulder shall be provided on each side of major residential and collector roads. The shoulder shall be at approximately the same finish grade as the road bed and shall be compacted to a minimum compaction rating of 95 proctor. Shoulders may be grassed, graveled, or paved.

The proposed roadway shoulders will need to meet or exceed this ordinance standard and will be reviewed at the time of final site construction plan submittal.

- 15) The travelway width for all roads except collector and development access roads may be reduced to one lane (minimum width nine feet) in areas with steep slopes to reduce grading and preserve existing vegetation upon approval of the Planning Board. The maximum length of the one lane segment shall be 1,000 feet and a pull out(s) meeting the standards set forth above shall be provided. A road shoulder with a minimum width of two feet shall be maintained on each side of the one lane road segments.

N/A

- 16) Leveling areas must be provided for all roads at all intersections. The leveling area shall have a maximum grade of five percent extending 50 feet from the intersection.

The internal neighborhood intersections will need to meet or exceed this ordinance standard and will be reviewed at the time of final site construction plan submittal.

- 17) The travelway width shall be increased when the road centerline radius is less than 90 feet. For centerline radii between 90 feet and 70 feet, the travelway width shall be increased 25 percent; for centerline radii between 70 feet and 60 feet, increase the travelway width 35 percent; for centerline radii between 60 feet and 50 feet, increase the travelway width 45 percent; and for centerline radii less than 50 feet, increase the travelway width 50 percent.

All centerline radii for this proposed project meet or exceed this standard.

- 18) The width of the corridor cleared/graded for road construction shall not exceed 90 feet for 80 percent of the length of the road. For 20 percent of the length of the road, the corridor may be cleared/graded to a maximum width of 135 feet for the road construction. The maximum height of the corridor (combined cut and fill slopes) shall be 60 feet.

The maximum cleared/graded corridor for this project is approximately 45' in width and 10' in height for all roadways.

- 19) An overhead clearance of 14 feet shall be provided on all roads.

Due to proposed grading, it appears that this ordinance standard would be met.

- 20) Alternatives and modifications to these standards that reduce land disturbance and vegetation removal, such as one-way roads and loop roads, and/or that are necessitated by the natural physical features of the property and not otherwise provided for in these standards may be approved by the Planning Board. The request for such alternative or modification shall be submitted by the property owner/developer to the planning department for review and conveyance to the Planning Board.

The applicant is not seeking a modification to any of the ordinance standards.

- 21) Vertical Curves. Formula for determination of length of vertical curve required to provide minimum sight distances.

Vertical curves for this subdivision will need to meet or exceed this ordinance standard and will be reviewed at the time of final site construction plan submittal.

- 22) Minimum private roads proposed to serve lots and/or home sites in subdivisions shall comply with the following minimum construction standards:

Road Type	Base Course	Pavement Surface
Shared Drive	4" ABC ¹ or STBC ²	Not required unless grade > 15%
Minor Residential	6" ABC or STBC	AST ³
Residential	6" ABC or STBC	1 ½" SF9.5A ⁴ or S9.5B ⁵
Major Residential	8" ABC or STBC	1 ½" SF9.5A or S9.5B
	Or 6" ABC or STBC	2" SF9.5 or S9.5B
Collector	8" ABC or STBC	2" SF9.5A or S9.5B

Table 4.6: Private and Subdivision Road Construction Standards

¹ ABC Aggregate Base Course

² STBC Soil Type Base Course

³ AST Asphalt Surface Treatment, Mix design to be approved by Planning Board

⁴ SF9.5A Asphalt Concrete Surface Treatment, Type SF9.5A

⁵ S9.5B Asphalt Concrete Surface Course, Type S9.5B

All roadways proposed for this subdivision phase will be paved.

- 23) Approved pervious paving materials are encouraged to be used in lieu of the paving materials listed above. Pervious paving materials shall be approved by the Planning Board.

N/A

- 24) Base and subsoil shall be compacted to a minimum rating of 95% proctor.

All paved sections of this project will meet or exceed the specifications set forth by the engineer of record.

- **Section 4.3.5.d – Dead End Roads:**

- (i) Dead end roads shall provide a turnaround at the end of the road to permit general traffic, emergency vehicles, and general service vehicles to turn. If a bulb turnaround is provided, the turnaround shall meet the following standards:

- 1) Minimum ROW radius: 45 feet.

- 2) Minimum pavement radius: 30 feet.

- 3) T-turnarounds and hammerhead turnarounds may be used in lieu of a bulb turnaround on dead end roads. The minimum length of the maneuvering segment shall be 45 feet and the minimum width shall be 18 feet.

"T-turnarounds" are provided for this project and meet these minimum design standards.

- **Section 4.3.5.e – Driveways:**

- (i) Curb cuts, where provided in the subdivision, shall begin not less than three feet from lot lines as projected to meet the line of the pavement edge. Design and construction of portions of driveways within rights-of-way shall be constructed in accordance with the requirements of the NCDOT. The approving authority may permit the establishment of shared driveways on property lines provided that mutual access easements are delineated upon the subdivision plat and all relevant deeds.

"Curb-cuts" (driveway aprons) will be constructed in accordance with this standard.

- (ii) If extraordinary surface or subsurface conditions, terrain, the general drainage pattern in the area, existing or probable development in the vicinity, or other circumstances

exist or occur, the Planning Director, upon making supporting written findings, may establish greater requirements in particular cases.

N/A

- **Section 4.3.5.f – Access to Public Lands:**

- (i) Cemeteries and gravesites shall be identified during the application process and protected during development of subdivisions by a 20-foot buffer, and family members shall be assured reasonable access thereto during development and thereafter. Anyone subdividing properties containing roads, trails and other travel ways which have historically provided public access to national forests and other public lands is encouraged to provide for continued public access thereto.

N/A

- **Section 4.3.5.g – Traffic Control:**

- (i) All subdivision road intersections including those with existing state maintained roadways shall be constructed using traffic control standards as designated in the "Manual on Uniform Traffic Control Devices" (MUTCD), "North Carolina Supplement to the Manual on Uniform Traffic Control Devices." All signage shall meet the requirements of the MUTCD.

MUTCD standards (stop signs, stop bars, etc.) will be used at the interior neighborhood intersections.

- **Section 4.3.5.h – Intersections:**

- (i) The most desirable intersections are those with angles of 75 to 90 degrees. Intersections with angles from 60 to 75 degrees are acceptable under extreme conditions.

The proposed interior intersections for this project have angles of approximately 75 degrees or greater.

- (ii) Minimum sight triangle for stop condition when connecting new local residential roads or residential collector roads to existing state maintained roads is 70 feet along the existing road right-of-way and 10 feet along the new road right-of-way.

Sight triangles at the proposed intersections will meet this regulation.

- (iii) All internal intersections shall have minimum 20 feet radii.

All internal intersections indicate 20' radii at the edge of pavement.

- **Section 4.3.5.i – Sidewalks and Ramps:**

- (i) General. Sidewalks may be provided for all major subdivisions to access a pedestrian destination point, such as a school, park, etc., and may constitute part of the open space requirements.

- (ii) All sidewalks shall meet requirements of the "Americans with Disabilities Act." In accordance with G.S. 136-44.14, all street curbs in the state being constructed or reconstructed for maintenance procedures, traffic operations, repairs, correction of utilities or altered for any reason after September 1, 1973, shall provide wheel chair ramps for the physically handicapped at all intersections where curb and gutter is provided and at other major points of pedestrian flow. Wheel chair ramps and depressed curbs shall be constructed in accordance with details contained in the department of transportation, division of highways' publication entitled, Guidelines, Curb Cuts and Ramps for Handicapped Persons.

Sidewalks are proposed for this subdivision and in accordance with the standards set forth with the Cullowhee Community Planning District Ordinance.

- **Section 4.4.a Stormwater Drainage Standards – General Requirements:**

- (i) Drainage systems shall be designed utilizing low-impact design to limit disruption of natural water flows by eliminating stormwater runoff, increasing on-site infiltration and eliminating contaminants.

The proposed stormwater system for this project will be designed in accordance with the standards set forth with the Cullowhee Community Planning District Ordinance and reviewed at the time of final site construction plan submittal.

- (ii) This system design shall be rendered in a drainage plan, which is a written or graphic concept plan of the proposed post-development stormwater management system. The drainage plan shall, at a minimum, include the following: preliminary selection and location of proposed structural stormwater controls; low impact design elements; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; location of flood plain/floodway limits; relationship of site to upstream and downstream properties and drainages; and preliminary location of proposed stream channel modifications, such as bridge or culvert crossings.

The proposed stormwater system for this project will be designed in accordance with the standards set forth with the Cullowhee Community Planning District Ordinance and reviewed at the time of final site construction plan submittal.

- (iii) The approval of the drainage plan of any subdivision shall require an enforceable restriction on property usage that runs with the land, such as recorded deed restrictions or protective covenants, to ensure that future development and redevelopment maintains the site consistent with the approved project plans.

The applicant will be establishing an "HOA" which will be responsible for maintaining the stormwater system (swales, pipes, structures, etc.) for this subdivision.

- (iv) Where major new drainage ways are required in a subdivision, they shall be coordinated with existing and proposed general drainage systems and designed with due regard for safety, appearance and geological effects.

The proposed stormwater system will be designed by the Engineer of record (Victor Lofquist) and in accordance with the standards set forth with the Cullowhee Community Planning District Ordinance.

- (v) Aboveground drainage ways shall be:

- 1) Located and constructed to maintain a natural appearance;
- 2) Limited to safe water depths in easily accessible areas; and
- 3) Designed to avoid excessive rates of flow, erosion, or overflow into developed areas subject to damage.

The proposed stormwater system will be designed by the Engineer of record (Victor Lofquist) and in accordance with the standards set forth with the Cullowhee Community Planning District Ordinance.

- (vi) Watercourses and natural water areas downstream, from any land disturbing activity shall be protected from increased degradation by accelerated erosion caused by increased velocity of runoff from the land disturbing activity in accordance with the County sediment control provision. In circumstances where the impact of new drainage would be likely to damage or destroy significant existing natural water areas, such drainage shall not be discharged through or into such areas.

The proposed stormwater system for this project is designed in accordance with local and State standards for erosion control measures (BMP's) and for future conveyance of stormwater run-off from impervious surfaces. During final erosion control/stormwater review, the applicant will be required to provide supporting calculations regarding basin areas, run-off, pipe sizing, etc. The preserved wetlands adjacent to this subdivision will have approved protection devices in place prior to the commencement of construction.

- (vii) The development area of any lot shall conform with subsection (iii) of this section.

The applicant will be establishing an "HOA" which will be responsible for maintaining the stormwater system (swales, pipes, structures, etc.) for this subdivision. Specific site/home development of individual properties will be required to have an approved building permit and proper erosion control measures installed during construction activities.

- **Section 4.4.b Stormwater Drainage Standards – Low Density Projects:**

- (i) Stormwater runoff from the development area shall be transported from the development by vegetated conveyances to the maximum extent practicable.

The proposed stormwater system will be designed by the Engineer of record (Victor Lofquist) and in accordance with the standards set forth with the Cullowhee Community Planning District Ordinance.

- **Section 4.4.c Stormwater Drainage Standards – High Density Projects:**

- (i) The measures shall control and treat the difference in stormwater runoff volume leaving the development area between the pre- and post-development conditions for, at a minimum, the ten-year, 24-hour storm. This standard refers to the surface runoff resulting from a 24-hour rainfall of an intensity expected to be equaled or exceeded, on average, once in ten years. Runoff volume drawdown time shall be a minimum of 24 hours, but not more than 120 hours.

The density standard set forth in the both the Single Family Residential (SF) and Single Family Residential Manufactured Home (SF-MH) Districts of the Cullowhee Ordinance where public water and sewer is provided can be up to 5 dwelling units per acre. This planned development would be allowed 136 units (5 dwelling units x 27.23 acres = 136.15 dwelling units), however, the applicant is proposing a total of 73 dwelling units (27 single family and 23 duplex) or 0.37 units per acre. The proposed stormwater system will be designed by the Engineer of record (Victor Lofquist) and in accordance with the standards set forth with the Cullowhee Community Planning District Ordinance.

- (ii) All structural stormwater treatment systems used to meet the requirements of this section shall be designed to have a minimum of 85 percent average annual removal for total suspended solids (TSS).

The proposed stormwater system will be designed by the Engineer of record (Victor Lafquist) and in accordance with the standards set forth with the Cullowhee Community Planning District Ordinance. State and local standards require average 85% removal of suspended solids and supporting documentation will be submitted for the final erosion control plan review.

- **Section 4.4.d Stormwater Drainage Standards – Stormwater Drainage Facilities:**

- (i) The application shall be accompanied by a description of the proposed method of providing stormwater drainage. The subdivider shall provide a drainage system that diverts stormwater runoff away from surface waters and incorporates best management practices to minimize water quality impacts. Consistent with Section 5.3.9 (Stormwater Provisions), subdivisions qualifying for the special intensity allocation shall provide non-structural methods of managing stormwater runoff.

The proposed stormwater system for this project will be designed in accordance with local and State standards for erosion control measures (BMP's) and for future conveyance of stormwater run-off from impervious surfaces. During final erosion control/stormwater review, the applicant will be required to provide supporting calculations regarding basin areas, run-off, pipe sizing, etc.

- **Section 4.4.e Stormwater Drainage Standards – Erosion and Sedimentation Control:**

- (i) The application shall, where required, be accompanied by a written statement that a sedimentation and erosion control plan has been submitted to and approved by the State Division of Land Quality.

The final site construction plans will comply with this standard if required.

- **Section 4.4.f Stormwater Drainage Standards – Critical Areas and Watershed Buffer Areas:**

- (i) Where possible, roads should be located outside of critical areas and watershed buffer areas. Roads constructed within these areas shall be designed and constructed so to minimize their impact on water quality.

The submitted concept plan indicates that the proposed development/disturbed areas are located outside critical areas and watershed buffer areas.

- **Section 4.4.g Stormwater Drainage Standards – Erosion Protection of topsoil/vegetation:**

- (i) In general, during the preparation of the subdivision and installation of improvements, appropriate measures shall be taken to prevent erosion and damaging siltation on the property and on adjoining land or water areas in accord with the Article V, Section 5.3, Erosion and Sedimentation Control.

The proposed stormwater system for this project is designed by an NC registered engineer, in accordance with local and State standards for erosion control measures (BMP's) and for future conveyance of stormwater run-off from impervious surfaces.

- (ii) In any grading or filling operations, desirable topsoil shall be conserved and redistributed as such, particularly to cover exposed subsoils.

This practice is common for site construction operations.

- (iii) Trees, shrubs and ground cover existing at the beginning of development operations shall be preserved to the maximum extent reasonably feasible where they are of species and in locations likely to add amenity to the completed development.

The applicant is committed to preserving as much existing/native vegetation as possible due to the natural setting of the overall existing property.

- (iv) Ground cover. All land within the subdivision right-of-way which is not used for structures, vehicular or pedestrian traffic, or for other approved landscaping shall be provided with grass or other ground cover, appropriately installed, and consistent with the requirements of the County sediment control regulations. Ground cover may include appropriate plant materials preserved in place.

State and local erosion control standards require ground cover for all disturbed areas during and after construction.

- (v) The Planning Director may require preservation of specified trees or other vegetation in connection with a particular development, except upon findings that such preservation is not feasible in view of the requirements for the installation of public utilities and facilities.

At this time, Planning Staff is not requesting any additional specific preservation requirements.

- (vi) The Planning Director may grant a conditional approval of a preliminary subdivision plat, provided that an erosion control plan approval letter is submitted to the Planning Department within 90 days and prior to commencement of site preparation or other land-disturbing activities.

N/A

- **Section 4.4.h Stormwater Drainage Standards – Adequacy:**

- (i) All storm drainage shall be adequate so that the road may be maintained without excessive cost, and not cause flooding on private property from storm runoff of the design frequency. The minimum design frequency shall be as follows:
 - 1) Storm sewer collector and lateral ditches: ten years.
 - 2) Cross drainage: 25 years.
 - 3) Minimum cross pipe diameter is 18 inches; minimum driveway pipe diameter is 15 inches.
 - 4) All drainage shall be consistent with criteria found in NCDOT Guidelines for Drainage Studies and Hydraulic Design.
 - 5) In areas where ditch grades or quantities of flow make it impracticable to establish and maintain vegetation, an erosive resistant lining such as paving, matting or rip rap shall be required. Subsurface drainage shall be adequate to maintain a stable subgrade.

The proposed stormwater system for this project is designed by an NC registered engineer, in accordance with local and State standards for erosion control measures (BMP's) and for future conveyance of stormwater run-off from impervious surfaces.

- **Section 4.4.h Stormwater Drainage Standards – Structures:**

- (i) Design, construction, and installation of culverts, dams, and retaining walls shall comply with NCDOT standards as set forth in NCDOT Subdivision Roads Minimum Construction Standards, unless other standards are approved by the planning board. Bridges shall have a

travelway width equal to that required for the road type (including required shoulder width) and shall comply with the requirements of the U.S. Army Corps of Engineers and other permitting agencies. All bridge designs shall be prepared and/or approved by a licensed professional engineer registered in the state. The planning board shall review permit documentation for bridges to assure that all required approvals have been obtained prior to construction.

All storm water structures, pipe, etc. are engineered for traffic bearing capacities.

The proposed roadways and bridges are not intended to be conveyed to the NCDOT.

- **Section 4.5.a Utility and Infrastructure Standards:**

- (i) Subdivision development shall comply with the standards established by the utility company or agency providing the utility service and with the standards of the NCDOT as set forth in NCDOT's Subdivision Roads Minimum Construction Standards (latest edition).

Water and sewer service to the proposed lots/units will be provided by Tuckaseegee Water and Sewer Authority.

- **Section 4.5.b Utility and Infrastructure Standards – Above Ground Utilities:**

- (i) Poles and other above-ground utilities which are to remain inside the right-of-way shall be located at or as near as practical to the right-of-way line. As a minimum, above-ground utilities shall be located outside the shoulder/ditch for the road section involved.

This practice is common for site construction and utility operations.

- (ii) Where there are curbed sections, above-ground utilities should be located as far as practical behind sidewalks. There is no single minimum dimension for setback of poles, fire hydrants, etc., behind curbs; however, where there are curbed sections and no sidewalks, six feet will be used as a design safety concept guide. Where dimensional or other characteristics of such land are such that they could not be used for other purposes under the zoning applying in the district, the plan shall indicate and restrict use to easement or substation purposes, and requirements generally applicable to access, dimensions or other characteristics of that land shall not apply. Departmental reports in such cases shall include findings as to the effect of the proposed location in adjacent uses, preservation of areas of major ecological importance, and as to whether sites for substations, if involved, are adequate to provide required screening.

This practice is common for site construction and utility operations.

- **Section 4.5.c Utility and Infrastructure Standards – Public Water Supply:**

- (i) Public water supply is required in a subdivision as follows:

- 1) Any subdivision, including estate, family, minor and major, which has public water system lines available shall be required to extend the public water system throughout the subdivision to each lot located therein.
 - 2) All required water line extensions shall include appropriate valves, hydrants, taps and service to the property line of each lot as required by the standards of the provider of the service.
 - 3) For subdivisions located within the jurisdiction of this section, the term "available" shall mean that there is an existing water line of adequate size and water flow and/or pressure, as determined by the water provider, abutting the property and/or right-of-way, provided there are no legal or documented topographic constraints which prevent the subdivider from connecting onto and extending the existing system to the subdivision.

- 4) Every lot in a major subdivision shall be served by a permitted public or community water system or served by individual wells approved by the County division of environmental health.

Water service to the proposed lots/units will be provided by Tuckasegee Water and Sewer Authority.

• **Section 4.5.d Utility and Infrastructure Standards – Public Sanitary Sewer:**

- (i) Public sanitary sewer is required as follows:

- 1) Any subdivision, including estate, family, minor and major subdivisions, which has public sewer system lines available shall be required to extend the public sewer system throughout the subdivision to each lot located therein.
- 2) All required sewer line extensions shall include appropriate manholes, lift stations, pumps, cleanouts, taps and service to the property line of each lot as required by the standards of the provider of the service.
- 3) For subdivisions located within the jurisdiction of this section, the term "available" shall mean that there is an existing sewer line of adequate size and flow, as determined by the utility provider, abutting the property and/or right-of-way, provided there are no legal or topographic constraints which prevent the subdivider from connection onto and extending the existing system to the subdivision.

Wastewater collection service to the proposed lots/units will be provided by Tuckasegee Water and Sewer Authority.

- (ii) Every lot in a major subdivision shall be served by a public sewer or, where public sewer is not required, by a permitted community sewer system or an individual on-site septic system approved by the County Public Health Department.

N/A

• **Section 4.5.e Utility and Infrastructure Standards – Exceptions:**

- (i) Where subdivisions are proposed, and no public or community sewer is available, the applicant should review a soils map of the property and be knowledgeable of the suitability of ground absorption systems for the development.

N/A

• **Section 4.5.f Utility and Infrastructure Standards – Fire Protections:**

- (i) All lots served by a municipal public water supply system in a subdivision shall also be afforded fire protection by means of hydrants, installed under uniform standards and specifications. Final plats shall indicate that any qualified water ponds shall be made available to emergency personnel for the purpose of pumping water.

This property will not be served by Tuckasegee Water and Sewer Authority. Fire protection will be provided by the Cullowhee Volunteer Fire Department.

Staff Recommendation:

Approve the *Elevate Planned Development* project under the condition that all proposed site construction be in accordance the *Jackson County Unified Development Ordinance*, the *Cullowhee Community Planning District Ordinance*, all other applicable County ordinances and the final site construction plans.

