

US 441 GATEWAY DISTRICT PLANNING COUNCIL

MINUTES

Date: June 2, 2022					
Time Begin 6:00 pm					
Time End: 6:13 pm					
Location: Qualla Community Center, Whittier					
Members	Present	Absent	Members	Present	Absent
Dora Robinson	X		Kathy Davis		X
Myra Cloer	X		<i>Vacant</i>		
Debby Cowan	X		<i>Vacant</i>		
Susan Kinsland	X				

Staff Present:

John Jeleniewski, Senior Planner
 Anna Harkins, Planner I
 Allison Kelley, Administrative Assistant III
 Avery Grice, Planning Intern

Others Present:

Greg Wasik, Applicant

Call to Order and Quorum Check:

Chairman Debby Cowan called the meeting to order at 6:00 p.m. and a quorum present.

Approval of the Agenda:

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

Approval of the Minutes:

Dora Robinson made a motion to approve August 10, 2021 and May 9, 2022 minutes. Myra Cloer seconded the motion, and it passed unanimously.

Public Comment: (3 minutes)

There was no public comment.

New Business

- a) **Public Hearing: Text Amendments request to the Unified Development Ordinance Article IX, Section 9.5, Table 9.5.4 to allow micro-brewery/brewery to the Gateway and Industrial Districts table of uses**

Debby Cowan opened the public hearing at 6:03 p.m.

Ms. Harkins presented the staff report for the proposed text amendment as follows:

Applicant: Greg Wasik

Unified Development Ordinance Section for which the Text Amendment is requested: Article IX Regulated Districts- Section 9.4.5 US 441 Gateway District: Table of Permitted Uses

Description of Request:

The Planning Department has received a text amendment request from Greg Wasik for Article IX Regulated Districts- Section 9.4.5 US 441 Gateway District: Table of Permitted Uses.

The applicant has requested that "Brewery/Microbrewery" be added to the table of uses and be permitted within the Gateway District (GW). While the applicant only requests for the new use to be permitted in the Gateway District, the Planning Department would also suggest that this use be permitted in the Industrial (IN) District.

The Planning Department has found the amendment to be consistent the Jackson County Comprehensive Plan and the US 441 Small Area Plan. The Statement of Consistency is attached for your review. The Jackson County Planning Department is requesting you consider recommending the text amendment and Statement of Consistency to the Board of Commissioners.

Staff Findings:

- The requested text amendment is consistent with the Jackson County Comprehensive Plan
- The requested text amendment is consistent with the US 441 Small Area Plan

Ms. Kinsland stated it appears there is no size limitation, so can it be small or large. Mr. Jeleniewski stated it can be, however there are other development standards in the ordinance that are managed by parking, landscaping standards, stormwater, etc. In addition, he stated it is not going to be as big as a Walmart because we do not have those types of properties, but all of the other development standards will keep a development honest.

Ms. Cowan inquired if across the County microbrewery/brewery are being approved. Mr. Jeleniewski stated if they are not in a zoned jurisdiction they would be permitted as a use by right, and in the other County zoned jurisdictions they are permitted in some form in Cashiers and Cullowhee. In addition, he stated their use tables are a little different than the US 441 Gateway District which is 13 years old and has not evolved regularly like some of the other jurisdictions that we deal with based on the growth that we are seeing in Cullowhee and Cashiers. Mr. Jeleniewski stated it is not uncommon that an ordinance should be updated or reviewed approximately every five years, and this one just does not we just kind of take it as it comes.

Ms. Cowan inquired if there were any thing that are built into these two districts that would limit what they are having to do, in addition she inquired if this met the applicants needs. Mr. Wasik stated absolutely, there are a lot of different sizes of breweries and a microbrewery is basically 10,000 barrels or less in size. In addition, he stated a microbrewery is a small place and we are also a microbrewery/tap room and they have a three and a half barrel or five barrel system going in which is not 100 gallons at a time, manufactured very small. The building that they are leasing is the old country manor hotel restaurant or the old Arnold's restaurant. Mr. Wasik stated it is going to be a 98 seat with no food as we will have food trucks in the parking lot, and they have 50 parking spaces there which leaves a lot of room for parking and they already kind of meet all of the criteria for it. He stated his wife Sharon and he designed, built and opened up a microbrewery in Murphy in 2014 and that was the first one in Cherokee County, North Carolina. Mr. Wasik stated they have been through these things and meetings, we met all of the standards and they did serve food there as they had an actual kitchen in that building which made it a little bit smoother going through with the state licensing. In addition, he stated breweries under state licensing are so easy to go through now because we are not considered a bar, we do not have spirits or liquor and they are serving their own alcohol and it is still very low cost because it is beer, a tap room and a place for people to go and get online, etc. Mr. Wasik stated they have the experience as they have built, designed and ran themselves before. In addition, he stated as far as opening a business here with 18,000 cars a day going past that to the Casino, they have been trying to get this building for four years.

Mr. Jeleniewski stated this amendment is not specific to a business or their business as it is going to be for the whole Gateway District and the Industrial District and anyone can do a

taproom in the future within those districts. In addition, he stated they would still have to go through a zoning permit approval process for the business use and sign approval process that is required for any new business moving into the jurisdiction, along with an ABC permit with the state.

Debby Cowan closed the public hearing at 6:11 p.m.

Susan Kinsland made a motion to approve the text amendment to the Unified Development Ordinance Article IX, Section 9.5, Table 9.5.4 to allow micro-brewery/brewery to the Gateway and Industrial Districts table of uses. The motion also included the it is consistent with the Jackson County Land Use Plan 2040 and the US 441 Small Area Plan and to adopt the consistency statement. Dora Robinson second the motion, and it passed unanimously.


Adjournment:

With no further business, Chair Debby Cowan made a motion to adjourn and the meeting adjourned at 6:13 p.m.

Submitted By:


Allison Kelley, Administrative Assistant

Approved By:


Chairman, Debby Cowan