

# US 441 GATEWAY DISTRICT PLANNING COUNCIL

## MINUTES

<b>Date:</b> October 22, 2019					
<b>Time Begin:</b> 6:02 pm					
<b>Time End:</b> 6:53 pm					
<b>Location:</b> Qualla Community Center					
Members	Present	Absent	Members	Present	Absent
Dora Robinson	X		Mary Moody		X
Myra Cloer	X				
Debby Cowan	X				
Lyna Ferguson		X			

**Staff Present:**

John Jeleniewski, Senior Planner  
 Allison Kelley, Administrative Assistant

**Others Present:**

Zeke Cooper, Dreamcatcher Hotel  
 Vince Hyatt, EBCI Attorney  
 Jay Gallagher, EBCI Attorney  
 Rich Price, Economic Development Director

**Call to Order and Quorum Check:**

Chairman Debby Cowan called the meeting to order at 6:02 p.m. and a quorum was 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 Minutes:**

Myra Cloer made a motion to approve the minutes from May 30<sup>th</sup>, 2019. Dora Robinson seconded the motion, and it passed unanimously.

**Public Comment: (3 minutes)**

There was no public comment.

**New Business**

- a) **Public Hearing: Ordinance Amendment for Conditional Use Standards for structure height for hotels/motels in the Golf Course Community District**

*Chairman Debby Cowan opened the Public Hearing at 6:05 p.m.*

John Jeleniewski presented the staff report for the proposed text amendment to Article 9-Regulated Districts; Section 9.5 U.S. 441 Gateway District; Section 9.5.5 Character Areas, Golf Course Community District.

Mr. Jeleniewski presented background information regarding the zoned Golf Course Community (GC) District. The GC District is a golf course community that includes a golf course and clubhouse; with surrounding residential home sites available for sale or lease. Commercial activities supportive of golf course operations may also exist. The permitted uses in the GC District are as follows; Adult day-care homes, Barber shop or Salon, Child day-care homes, Community center, Golf Course, Health Spa, Hotels/motels, Bed and Breakfast Inn, Multi-Family

Dwelling Units, Place of worship, Police/fire/rescue station, Post office, Restaurant, Sporting good sales, Single family attached dwelling unit, and Single family detached dwelling unit. In addition, the Golf Course Community "Special Uses" include as follows; Pre-School, Primary-secondary school, Convenience Store (<10,000 s.f.), and Grocery Store.

The applicant (Sequoyah National Golf Club, LLC) is requesting a text amendment to the entire Golf Course Community District (GC) that would require a "Special Use Permit" for Hotel/Motels in excess of 35' in structure height. With the additional standards as follows:

- Property land area shall be a minimum of 100 acres (one owner).
- Dumpster locations shall be screened and comply with Section 9.5.6 of this article.
- All outdoor activities shall conclude by 10:00 p.m. Sunday-Thursday and by 11:30 p.m. Friday-Saturday.
- All outdoor lighting shall comply with the Jackson County Lighting Ordinance.

Any building that is over 35' in structure height would a plan submission is required and staff would apply the ordinance standards of the proposed project. The US 441 Gateway District Planning Council would then review and consider approval.

Mr. Jeleniewski stated staff findings is the requested text amendment would not constitute "spot zoning" as the request would allow the proposed special use through the entire GC District. In addition, the proposed amendment of "Hotel/motels with a maximum primary structure height greater than 35 feet" to the "Special Use" section of the GC District would be subject to special standards (as described) and all other relative ordinances, regulations and design standards set forth by the US 441 Development Ordinance as well as any applicable Jackson County Ordinances.

Chairman Cowan asked staff for clarity of the conditions the Council reviews for approval. Mr. Jeleniewski stated there is adjacent property value, public health and safety welfare, and others that would be reviewed during a Quasi-Judicial Public Hearing after a proposed plan had been submitted. He asked the Council to consider approval, deny or table the decision of the proposed text amendment. In addition, there has been no submitted plans for any project as this request is strictly an ordinance text amendment.

Zeke Cooper informed to Council that Dreamcatcher Hotel is currently working with the Eastern Band of Cherokee Indians (EBCI) with the expansion of the casino hotel. He stated there is currently an opportunity for the EBCI to consider potentially adding a hotel within the GC District and there is no current official plans submitted to staff. He stated the hotel would not exceed much past the 35' in structure height due to high-rise code requirements and finances.

Mr. Jeleniewski informed the Council other municipalities within the county (Sylva, Dillsboro, Webster, Forest Hills, Cullowhee, Cashiers) are in need of housing. He stated they would begin to see more multi-family housing in non-traditional parts of the county as land acquisition is an issue. In addition, it is more affordable to build vertical than horizontal, and land in the county is Premium Real Estate.

Mr. Price stated there is a lot of interest in the 441 Corridor due to Harrah's Cherokee Casino Resort with their recruitment of employees that need homes. Acquisition costs are the number one reason for growth throughout the county with construction costs being second. Mr. Price stated while there is demand for houses and developers in the market to access those needs, there is a fine balance between what is economically feasible.

*Chairman Debby Cowan closed the Public Hearing at 6:49 p.m.*

The Council requested to remove the following additional standard "Property land area shall be a minimum of 100 acres (one owner)" and add the standard to require a balloon test to identify the proposed structure height along with photo simulation of the structure.

*Myra Cloer made a motion to approve the text amendment with the following special standards and the statement of consistency. Dora Robinson seconded the motion, and it carried unanimously.*



**Adjournment:**

With no further business, Chairman Debby Cowan adjourned the meeting at 6:53 p.m.

**Submitted By:**

  
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Allison Kelley, Administrative Assistant

**Approved By:**

  
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Chairman, Debby Cowan

