

# US 441 GATEWAY DISTRICT PLANNING COUNCIL

## MINUTES

<b>Date:</b> November 14, 2024					
<b>Time Begin</b> 6:00 pm					
<b>Time End:</b> 6:39 pm					
<b>Location:</b> 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:**

Michael Poston, Planning Director  
 Ashley Clapsaddle, Planner I  
 Allison Kelley, Administrative Assistant III

**Others Present:**

Michael Hopkins, Jackson County Parks & Recreation Director

**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 June 2, 2022 minutes. Myra Cloer seconded the motion, and it passed unanimously.

**Public Comment: (3 minutes)**

There was no public comment.

**New Business**

**a) Qualla Park Discussion**

Mr. Poston introduced Michael Hopkins, the new director of the Parks and Recreation Department and he has been with the Department for 27 years. Staff noticed that when the Council last made some amendments a few years ago to the use table to allow greenways and trails to go through most every property. However, reviewing the table of permitted uses they did not allow parks in any other district. Currently, in the table of permitted uses "Recreation uses, government" is only allowed in the Recreation (RC) District and not in any residential districts. Mr. Poston stated from a planning perspective, he is unsure why the ordinance was set up that way, because parks are consistent with residential neighborhoods. He is bringing this discussion to the Council to allow this use within the Rural Living (RL) District to make this correction to the table of permitted use. In addition, he wanted to see if the Council had any other thoughts on if they wanted to allow this use type in all districts as a permitted use or only

a few districts. Mr. Poston stated staff is making a recommendation to the Council that we allow this use within our residential districts and is leaving the discussion for the Council to determine if they want to add within any of the other districts.

Mr. Hopkins stated the proposed plan for the Qualla Park has been in the works for two years now and was part of their 10 year master plan. Completing the Qualla Park and a park in Cashiers are two of the last objects they need to complete other than the Cullowhee indoor pool facility within their master plan. The Qualla Park project has been slowed down a little bit by the well that was on the property as it was originally said that we would be able to use that as our water source for the property. However, they found out from testing the source that it failed and they had to find another way to bring a water source to the park. Mr. Hopkins stated they aligned with TWSA or the Cherokee water system to provide sewer and water. The next step was routing the infrastructure to that property, and the total parcel is roughly 19 acres. Routing the infrastructure did slow down the process as they were trying to determine how to route the water and sewer to the park. The lower eight acres of the property they wanted to leave vacant next to the school in case they decided to expand as they did not want to put anything in that they would have to remove later on down the road.

Mr. Hopkins stated currently, the Qualla Park project is out for bids and those are due next Thursday at 2:00 p.m. Previously, they had put out the Qualla Park project for bid one time before, however they only had received two qualifying bids and they had to receive three bids so they were unable to open those to see what prices came in at that time. The hope is to have whoever receives the bid to be mobilized in December or January at the latest, and then they would have a year from that date to get the park done.

The Qualla Park amenities include elements from feedback they received from their surveys of community members wanting to have a safe place to walk. Those amenities include ADA accessibility, paved and concrete trails throughout the park, a pavilion picnic shelter that would roughly hold eight picnic tables that are eight foot long to hold approximately 64 people. In addition, this project also includes a playground will have a poured-in-place surface on it, which is a rubberized material that will last longer and is safer for the kids, and handicap parking spaces. The project would also include some passive areas throughout the park that would be mulch trails with picnic tables, and natural nature play areas such as climbing walls, rocks, etc. The old house on the property they will have to tear down because he believes it has some asbestos in it. However, they wanted to keep something on the property that was historical and therefore they decided to keep the old can house that is on the property and implement that into a slide. There will also be an overlook area, swings and other playground equipment and they plan to landscape the park to the activities. There will be a restroom facility on the property with handicap accessibility and the Parks and Recreation staff park attendants to clean the facility daily. On the acres that they are preserving and not building on they anticipate expanding the trail system in those areas.

Ms. Cowan inquired if there were any plans for future connectivity to the Greenway. Mr. Poston stated our Jackson County Walks plan was mostly predicated on 441 mobility, and they have some ability to think about the school and connecting into the future networks. However, when that plan was created they did not have this property identified as a potential recreation facility and there was no ability to think about how we would connect into it. Going forward, they can continue to look for opportunities to grow walkability in the 441 corridor. In addition, he stated he believed the corridor would grow at some point in time, but he is unsure when. Rural transportation is changing a lot and the way that they fund transportation projects are changing. There may be a future opportunity for more options for people to have in the community to exercise and have the choice to walk or bike and typically those start around population centers where development occurs. The County will continue to work on connectivity in the 441 corridor and especially in places of interest, and the school. Mr. Poston



stated if they are able to add more trail systems closer to the school, that may give the school an opportunity to have a gate where they could allow students to use.

There was discussion that there was approximately 25 parking spaces and the park would be accessed off of Sunset Farm Road. The road would be widened to for the entrance to be more of a 90 degree type of intersection to allow for better visibility, and there would be some retaining walls.

Ms. Davis inquired if there would be a light at Sunset Farm Road and 441. Mr. Poston stated DOT has a process for stoplights and would have to do a warrant study that tells them if a light is warranted, and usually it has to do with crash rates. He stated he would reach out to the DOT District Engineer Cody Weddle to discuss Sunset Farm Road, that intersection and area.

Ms. Davis inquired if the walking paths would be accessible to bicycles. Mr. Hopkins stated yes, they would be. Ms. Davis stated a few years ago, when they discussed this pocket park, they talked about a basketball court and pickleball courts. Mr. Hopkins stated he was not involved with those meetings as it was under the previous director and he believes that based on the community input this plan was what Equinox was about to come up with based on their budgetary constraints. Ms. Davis stated the tribe is putting in at the golf course a walking system trail and pickleball courts.

Mr. Poston inquired from the Council if they wanted to keep public parks as a permitted use only in the residential districts or if they would like to see them any of the other districts within the corridor. Currently, public parks are only allowed in the recreation district (RC) and staff believes this use type should have been permitted in the residential district, which is the Rural Living (RL) district. Staff is asking the Council to consider permitting the use within the RL district, and asked for feedback on if they want to have this use permitted within any of the other districts. Allowing recreation uses, government in the other districts would permit the County the ability to do recreation uses in other areas of the corridor.

The consensus of the Council was to only allow recreation uses, government in the Rural Living (RL) district. In addition, for future other districts that would like to have recreation uses, government as a permitted use, they would like for the requests to come back before this Council.

Mr. Poston stated the DOT paid for a pedestrian plan for the County, and in that plan most of what is identified in this area is traditional sidewalk. However, outside of the corridor they identified opportunities to think about more trail connectivity not just within the colored area, but in the greater area by connection into the Drexel area where in the future they may find parking and trail heads. In addition, he stated there is a term called rails to trails, where they take old trail beds and then turn them into railroads, but that will not happen in Jackson County as we do not have any abandoned rail lines. There is also a concept called rails by trails, where some railroads have had some comfort level with putting trails within their right-of-way, which tends to be much bigger than their actual train track. Mr. Poston stated he believes that a lot of what we are going to see in the future is a lot more of linear trails, which is the greenways and connecting those pieces to the recreational resources within the community. Mr. Hopkins stated there has been public discussion from officials regarding rails by trails from the Drexel plant to potentially go back towards Barker's Creek, which is potentially up to three miles of a greenway space in that area along the river.

Ms. Davis inquired what was the right-of-way for the train. Mr. Poston stated he believed they usually claim 100 feet and in some places 150 feet from the center as they are mostly concerned about structures being put in there. In addition, he stated regarding those trail lines and easements, that legislation is hundreds of years old and there has been some individuals around the state that have successfully widdled that down because of development practice. If those regulations were followed, the Town of Sylva and Town of Dillsboro would not



exist, because all those buildings are right up on the train tracks. Mr. Hopkins stated there is a bigger liability with active rail lines and having recreational places next to it.

Ms. Cowan stated they should take note that on the other side of the river there is also access there, and it would be great to have a loop up to Barkers Creek.

*Chair Debby Cowan called for a public hearing to be set on Thursday, December 12, 2024 at 5:30 p.m.*

**b) Staff Updates**

Mr. Poston provided an update to the Council that the County is currently in the process of rewriting the entire section of code for the Cashiers zoned jurisdiction. During the ordinance rewrite we have identified some changes in other parts of the ordinance that may impact the US 441 Gateway Corridor and the planning council indirectly. Those changes are in the process and procedure section regarding timelines and how people apply for certain types of approvals such as special use permits, etc. In addition, the ordinance rewrite does not change any of your specific rules, and those changes would be brought before the Council for review and to be informed of those changes. Staff hopes after those changes are reviewed by the County attorneys they would bring them before the Council at the beginning of 2025 and they would have to hold a public hearing to approve those changes.

Mr. Poston stated the County is moving away from the special use permit process, that requires a quasi-judicial legalistic version of hearings that acts as a court of law for approval of these permits. The state has changed some of those regulations and statutes over time that has made that more problematic for counties to administer, and if we are challenged on it and we lose at the court level, we have to pay out attorney's fees. The Cashiers zoned jurisdiction is moving to a new process called conditional zoning, which is similar to a rezoning process where they change the designation of the property, but it allows us to put conditions on certain types of larger developments. The conditional zoning process is currently not an option in the US 441 Gateway Corridor ordinance, but as we start to develop this tool in other communities, staff may bring that back to the Council as an option. Moving to a conditional zoning process requires approval or recommendation from this Council. Staff would bring these concepts to the Council in the future as they have not had any new special use requests since the Sequoyah Golf Course hotel that triggered that process because of the building height.

Mr. Poston introduced Ashley Clapsaddle who is the new Planner I that joined the department six weeks ago. Ms. Clapsaddle has been with the County for a few years and has experience in Environmental Health and Health Education.


**Adjournment:**

With no further business, Chair Debby Cowan made a motion to adjourn and the meeting adjourned at 6:39 p.m.

**Submitted By:**

  
Allison Kelley, Administrative Assistant

**Approved By:**

  
Chairman, Debby Cowan