

In re: Jackson County –Cashiers Hillside Project

**REVISED AFFIDAVIT OF GERALD GREEN**

The undersigned, Gerald Green, being first duly sworn, certifies as follows:

1. I am over the age of 18 and give this affidavit upon my own personal knowledge.
2. I am a certified planner accredited through the American Institute of Certified Planners working with the local firm of J.M. Teague Engineering and Planning. I have worked in the land use planning profession in various positions for over 40 years. I have vast experience in land use planning in Western North Carolina and other locations throughout the southeastern United States. The experience has included drafting of land use development regulations; preparation of comprehensive, corridor, and small area plans; review of countless development proposals; preparation of development site plans; drafting of zoning ordinance updates; and preparation of greenway, pedestrian, and bicycle plans. My employers/clients have included cities/towns, counties, planning agencies, corporations, and private developers. A true and accurate copy of my resume is attached as Exhibit "1".
3. I am the land use planner of record for the Cashiers Hillside Project as identified and described on its application for a special use permit to Jackson County ("Project"), which permit request is being presented for hearing on November 16, 2020 before the County's Community Planning Council ("Board"). For this development and its special use permit application, I have reviewed the requirements for a special use permit as set forth in the Jackson County Unified Development Ordinance ("Ordinance") and analyzed the Cashiers Hillside development plans for compliance with these requirements. As planner for the Project, I am very familiar with the Project.
4. I thoroughly read the Cashiers Small Area Plan and analyzed the Cashiers Hillside development plans for consistency with the Cashiers Small

Area Plan. A report setting forth the conclusions of this analysis is attached as Exhibit "2".

5. I have reviewed the standards for a special use permit in Section 3.7.15(vi) of the County's Ordinance. Based upon my review of the Project, including my Exhibit "2" report, and my many years of experience as a land use planner, I am of the opinion that:

- The proposed use or development of the land will not materially endanger the public health or safety as specified in Section 3.7.15(vi)(1)(a).
- 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 as specified in Section 3.7.15(vi)(1)(b).
- The proposed use or development of the land will be in harmony with the scale, bulk, coverage, density and character of the community as specified in Section 3.7.15(vi)(1)(d).
- The proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities as specified in Section 3.7.15(vi)(1)(e).

FURTHER AFFLIANT SAYETH NAUGHT.

This the 22 day of January, 2021.

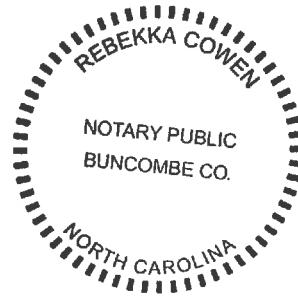
  
Gerald Green

SWORN TO AND SUBSCRIBED before me this 22 day of January, 2021.

  
Notary Public

Print Name: Rebekka Cowen

My Commission Expires: 2/4/2021



# EXHIBIT 1

# GERALD GREEN, AICP

8 Pelzer Street Asheville, NC 28804 · 828.216.6819

[geraldgreen0614@gmail.com](mailto:geraldgreen0614@gmail.com)

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Experienced planner with 40 years of experience working with the people of western North Carolina and east Tennessee to create strong, sustainable communities.

## AREAS OF EXPERTISE

- Comprehensive master plans
- Neighborhood and corridor plans
- Comprehensive land development regulations
- Land development regulation updates and amendments
- Unified Development Ordinances
- Downtown plans and redevelopment studies
- Visioning and public participation
- Planning office management
- Expert Witness

## AFFILIATIONS

- American Institute of Certified Planners
- American Planning Association – North Carolina and Tennessee Chapters
- North Carolina Chapter American Planning Association
- Treasurer 1996 – 1998
- Chair, Awards Committee 1998 – 2003
- Member, Executive Committee, 1996 – 2003
- MUSE Children’s Science Museum Board of Directors 2016 – 2020
- Legacy Parks Land Conservation Committee 2016 - 2020
- Boys and Girls Club of the Plateau Board of Directors 2012 – 2015
- Western Carolina University MPA Program Advisory Council 2012 – 2015
- YMCA of Western North Carolina Board of Directors 2000 – 2008
- Meals on Wheels of Asheville and Buncombe County Board of Directors 1995 – 1999
- Mountain Sports Festival Board of Directors 2004 -2009, Chair 2007 – 2008
- Neighborhood Housing Services Board of Directors 2002 – 2008
- Asheville Sister Cities Board of Directors 1993 – 1996
- Historic Montford Neighborhood Association President 1992 – 1994
- French Broad River Foundation Board of Directors 1985 – 1991
- Transylvania County Arts Council Board of Directors 1986 – 1989

## BIO

Gerald brings more than 40 years of professional land use planning experience to his role as Executive Planner with JMTE. His expertise is in working with communities to craft master planning documents that are aspirational and achievable; partnering with local governments to draft land use regulations that recognize the value of good development and that implement plans and policies; coordinating with private developers in creating development plans that address community needs and securing entitlement for the plans; and leading communities and their citizens in visioning exercises. Gerald’s

experience managing local planning offices and programs has enabled him to attain expertise in planning office management. In his role as Executive Planner at JMTE, Gerald will be working with JMTE staff and clients on a number of planning tasks. These include preparing comprehensive plans, corridor and small area plans, and bicycle and pedestrian plans; drafting new land development ordinances and amendments and updates to existing ordinances; assisting private clients with the crafting of site development plans and reviewing them for compliance with local codes and regulations; and facilitating meetings and community visioning sessions.

Prior to joining JMTE, Gerald served as Executive Director of Knoxville-Knox County Planning where he managed 40 staff engaged in land use and transportation planning and development review for a growing metropolitan area. Before working in Knoxville, Gerald was Director of the Brevard-Transylvania County Planning Department and was Jackson County Planning Director. He also worked with the City of Asheville Planning Department for 14 years, first as Senior Planner and then as Chief Planner for the City. Gerald's experience in the private sector includes 8 years as owner and principal of GreenPlan, a firm that provided land planning and design services and project management assistance to private and public clients. He began his professional career with the East Tennessee Development District, where he worked as a planner while completing his master's thesis.

## **EDUCATION**

Certificate in County Administration, UNC-Chapel Hill School of Government  
Recipient of Edwin Gill Outstanding Student Award

Master of Science in City Planning, University of Tennessee

Bachelor of Science in Urban Affairs, Virginia Tech  
Rugby Club, Student Government Association Senate, Dean's Advisory Council

## **REPRESENTATIVE PROJECT EXPERIENCE**

### **City of Knoxville Zoning Ordinance**

Gerald managed a multi-departmental team and consultants in the comprehensive rewriting of the City's zoning ordinance. The goal of this two-year effort was to craft regulations that would implement City policies and plans, protecting community assets while encouraging development and redevelopment in the City. Gerald took a lead role in all aspects of the project particularly community outreach, attending more than 90 meetings. The result was adoption of the City's first new zoning ordinance in 50 years; an ordinance that addresses 21<sup>st</sup> century opportunities and challenges.

### **Knox County Planned Development Ordinance**

Developers and citizens in Knox County requested a process that would encourage creativity on the part of developers and provide flexibility to review and approval bodies while encouraging projects that benefitted the community. Providing opportunities for public review and input during the review of development plans also was a needed outcome. Gerald worked with a stakeholder committee and the Planning Commission to draft an ordinance amendment that achieved the goals and that was adopted unanimously by the Knox County Commission.

### **East Knox County Community Plan**

East Knox County is blessed with prime farmland, the French Broad River corridor, and an abundance of scenic beauty. These qualities also make the area attractive for development. Residents, the Planning Board, and the County Commission requested a plan that identified areas to be preserved, areas

appropriate for development, and a strategy for achieving the desired development scenario. Gerald led the planning effort that emphasized public participation. The community plan was adopted and recommendations of the plan have been implemented.

#### **John Sevier Scenic Highway Corridor Plan**

Residents and property owners expressed concern about incompatible development along the state designated scenic highway. Gerald directed the planning effort, which involved key stakeholders and a broad cross section of the community. A key recommendation of the adopted plan was the drafting of a corridor overlay development ordinance that would provide design standards for commercial structures and sign and landscape standards. The overlay ordinance is being drafted with community input and support.

#### **Cullowhee Community Plan**

The expansion of Western Carolina University and the proliferation of student housing development concerned residents of the unincorporated community of Cullowhee. At the direction of the County Commission, Gerald led the community planning effort that resulted in a community-based vision for Cullowhee.

#### **Cullowhee Community Zoning Ordinance**

Using the adopted Cullowhee Community Plan as the guide, Gerald worked with community residents and property owners to draft development regulations for Cullowhee. The effort included the identification of the community planning boundaries, the drafting of development standards, and community outreach to ensure support for the regulation of land use. The ordinance was adopted and Gerald worked with the community planning council on its implementation.

#### **441 Corridor Zoning Ordinance Update**

The 441 Corridor Zoning Ordinance dictated urban development standards for this rural, auto-oriented corridor. Working with the Corridor Planning Council and property owners, Gerald drafted revised standards that acknowledged the character of the corridor while staying true to the goals of the original ordinance. The revisions were adopted and guide development of this gateway corridor to Cherokee.

#### **Jackson County Steep Slope Ordinance Update**

The steep topography of Jackson County creates a beautiful landscape, but development of steep slopes can result in environmental challenges. The County's steep slope ordinance was drafted to better regulate development of these sensitive areas. Unclear language and spotty enforcement resulted in concerns regarding the effectiveness of the ordinance. Gerald worked with the Planning Board and citizens to draft clearer and more consistent language, resulting in an ordinance that better achieved the goals of the County in protecting its steep slopes.

#### **Cashiers Commercial Area Zoning Ordinance**

As an unincorporated community with no development regulations but a deep desire to maintain its unique character, Cashiers was in search of a way to ensure that new development was compatible with the community. Gerald worked with community stakeholders to draft a zoning ordinance for the core area of the community. The adopted ordinance was the first zoning of an unincorporated area in North Carolina west of Buncombe County.

#### **Town of Jamestown Land Development Ordinance**

A smaller town located between Greensboro and High Point, Jamestown desired an updated development ordinance that reflected community desires and that would consolidate all its land development regulations, promote downtown development, enhance pedestrian activity, and protect residential neighborhoods. Gerald led the GreenPlan team in working with Town staff to draft an ordinance that achieved these goals. The adopted plan was awarded an NCAPA Small Community planning award.

#### **Town of Woodfin Greenway, Bikeway, and Pedestrian Plan**

The Town requested a plan that would identify approaches, both short term and long term, for providing opportunities for walkers and bicyclists in the community and that would identify potential

connections to regional greenways and bikeways. Gerald led GreenPlan's work to draft a plan that built upon existing sidewalks and trails, identified connections among activity areas, and outlined a long-range strategy for enhancing pedestrian and bicycle facilities. The adopted plan was referenced in a successful application for a Safe Routes to School grant that funded the construction of a mile of new sidewalk.

#### **Town of Woodfin Comprehensive Plan**

With increasing development pressures, the Town of Woodfin needed a plan that would set out a community supported vision for the community and serve as a guide for developers as they implemented projects in the Town. Working with the Board of Aldermen, the Planning Board, and stakeholders, and incorporating the results of community outreach, Gerald led the GreenPlan team in the drafting of the Town's first comprehensive plan. The plan was unanimously adopted by the Board of Aldermen.

#### **French Broad River Greenway Master Plan**

GreenPlan was the lead on the project to identify a proposed route for greenway from the City of Asheville to the Buncombe/Madison County line, roughly following the French Broad River. Outreach to property owners along the greenway corridor was an important element of the plan. The plan identified a preferred route, provided design treatments for different parts of the greenway, and provided cost estimates. The adopted plan serves as the guide for detailed greenway planning along the corridor.

#### **Grove Park Inn Resort and Spa Master Plan**

GreenPlan served as the team lead and project manager for the preparation of a master plan to guide the use of the Inn's property for a 10 year period. The goals of the effort were to increase the value of the Inn, use the Inn's property efficiently without diminishing the character/quality of the Inn, and take advantage of the Inn's infrastructure without overloading it. Obtaining community support was a key element as the plan required approval by the Asheville City Council. Gerald developed and led the community outreach efforts. The approved plan continues to guide development and redevelopment of the Inn's property.

#### **State Street Cottages**

GreenPlan provided site planning, project management, and community outreach for this project, the first courtyard cottage/pocket neighborhood development in Asheville. Conditional zoning approval was required for the project. The development served as the model for an amendment to the City of Asheville zoning ordinance permitting courtyard cottage development.

#### **City of Asheville Unified Development Ordinance**

Gerald served as project manager and led the City of Asheville staff team in the comprehensive overhaul of the City's land development ordinances. The goal of the effort was to draft development standards that would enable the City to transition from a mid-20<sup>th</sup> century development template to a 21<sup>st</sup> century template. Adoption of the UDO brought many innovative standards, including bicycle parking requirements, a true hierarchy of commercial zones, sidewalk requirements, and enhanced landscaping requirements.

#### **City of Asheville Comprehensive Plan**

Gerald played a key role in the update of the City's Comprehensive Plan, with heavy involvement in community outreach. The goal of the update was to create a vision for a revitalized City with a strong downtown, vital mixed-use corridors, and healthy neighborhoods. The adopted plan guided development plan approval and City policies.

#### **Haywood Road Corridor Plan**

Gerald saw potential along Haywood Road when the sidewalks were crowded with used appliances and West Asheville was known as Worst Asheville. Gerald led the corridor planning effort, which reimagined the area as a dynamic mixed-use corridor that complemented and strengthened the adjacent neighborhoods. In addition to creating a new image for Haywood Road, the planning effort also revitalized the West Asheville Business Alliance.



### **West End – Clingman Avenue Neighborhood Plan**

This neighborhood between downtown Asheville (Patton Avenue) and the French Broad River (River Arts District) suffered from neglect but had a core group of residents and property owners who were committed to improving the area. Gerald worked with the neighborhood group and City staff in the preparation of a plan that reimagined the area as a vital residential area and that identified key actions to achieve this vision. The adopted plan guided public and private investments in the neighborhood.

### **Charlotte Street Corridor Plan**

The four lanes of Charlotte Street resulted in traffic speeds that were not compatible with the small scale uses that abutted the street and that were particularly challenging for pedestrians and bicyclists. Gerald led a planning effort that involved stakeholders in the challenge of reimagining the street. Overcoming the opposition of property owners who liked things the way they were presented the greatest challenge. Almost 20 years after the plan was completed, Charlotte Street was reconfigured as recommended by the plan.

### **Sayles Bleachery Development Standards**

The presence of an abandoned industrial site contaminated with hazardous waste created adverse impacts for adjacent neighborhoods and the City as a whole. Gerald worked with community leaders, property owners, and developers to craft zoning and design standards that enabled the development of a successful mixed-use center anchored by a WalMart whose design pays homage to the industrial history of the site.

### **Urban Village Development Ordinance**

The denial of approval by the Asheville City Council of plans for a WalMart on a former baby food processing plant in south Asheville created a challenge for the developer, who had purchased the property. Gerald worked with the developer and their team to reimagine the site as a mixed-use hub for south Asheville. After successfully reimagining how the site could be developed, Gerald then drafted an ordinance amendment establishing standards for the redevelopment of the site. The mixed-use development is now an asset to south Asheville and to the entire City.

### **Transylvania County Pre-Development Review Ordinance**

Prior to adoption of subdivision regulations by Transylvania County, no review of proposed residential subdivisions was required. Subdivisions were developed with inadequate roads that made emergency vehicle access difficult or impossible and lots sometimes were not able to accommodate wells and individual septic systems. In an effort to ensure that new residential lots could be safely developed, the County Commission directed Gerald to craft a review process for new development that would not require adoption of subdivision regulations. Working with stakeholders, Gerald drafted a pre-development review ordinance that would mandate review of proposed developments for compliance with local requirements. After obtaining support of stakeholders, the Planning Board, and County Commissioners, Gerald worked with the local legislative delegation in the adoption of state legislation enabling the adoption and enforcement of the ordinance. The model ordinance was used by other counties prior to their adoption of subdivision regulations.



# EXHIBIT 2

**Cashiers Hillside**  
***Consistency with Small Area Plan and***  
***Compliance with Zoning and Special Use Permit Requirements***  
**January 24, 2021**

This report details the consistency of Cashiers Hillside development plans with the vision for Cashiers as described in the Cashiers Small Area Plan, with the development standards for Cashiers as detailed in the Jackson County Unified Development Ordinance, and with the requirements for issuance of a Special Use Permit as set forth in the Jackson County Unified Development Ordinance for the Cashiers Commercial Area. As the goals and recommendations of the Cashiers Small Area Plan served as the guide for the preparation of the development plans for Cashiers Hillside, the consistency of the development with the Small Area Plan will be addressed first followed by a review of the Cashiers Hillside’s compliance with the zoning and Special Use Permit requirements.

The Cashiers Small Area Plan, adopted in 2019, identifies goals and recommendations for Cashiers designed to create a more vibrant and sustainable Cashiers community. Many of the Small Area Plan’s goals have guided the preparation of the master plan for the Cashiers Hillside development. Cashiers Hillside is proposed for the Village Center and Transition character areas as defined in the Small Area Plan. In the preparation of the Cashiers Hillside master development plan, the goals and recommendations in the Small Area Plan for these two character areas were given particular attention, with the Small Area Plan’s overall goals and recommendations also guiding the drafting of the master plan for the Cashiers Hillside development.

The Cashiers Hillside development presents a unique opportunity for Cashiers to achieve many of the goals set forth in the Cashiers Small Area Plan. The attainment of goals identified in a plan is typically dependent upon the actions of a variety of public and private entities who may or may not support the goals of the plan. Implementation of a plan’s goals often takes 10 or 20 years, if achieved at all. Community plans often sit on a shelf and are never implemented. With the proposed Cashiers Hillside development, Cashiers has the opportunity to accomplish significant community goals as identified by the Cashiers Small Area Plan and endorsed by residents, stakeholders, and public bodies. The adherence to the goals and objectives of the Cashiers Small Area Plan by the Cashiers Hillside master plan will enable the Small Area Plan’s vision for Cashiers to be realized.

The Cashiers Commercial Area Zoning Ordinance, adopted in 2004, codifies the standards for new development and redevelopment in the Village of Cashiers. The zoning standards define the character and the scale of Cashiers, addressing land uses, building height, setbacks, architecture, and related physical aspects of development. Compliance with the Cashiers Commercial Area

Zoning Ordinance ensures that new development is compatible with the character and scale of the Village.

## **Project Overview**

Cashiers Hillside is proposed to be developed on a site of approximately 55 acres located at the intersection of US 64 and NC 107 in the Village of Cashiers. Primary access to the development will be from NC 107, with secondary access from US 64. The Master Site Plan depicts 581 residential dwelling units in a mix of multi-family buildings, townhomes, and single-family homes, 158,557 square feet of retail/commercial space, and 188 hotel rooms. Structured parking and surface lots will provide for the parking needs of residents and visitors. More than 20% of the land area will be open space. Landscaping will be provided in gardens, along streets, and in buffers adjacent to neighboring properties. The Master Site Plan is attached as Attachment 1.

## **Consistency with the Small Area Plan**

General goals as set forth in the Cashiers Small Area Plan include:

### **CREATE A YEAR-ROUND VIBRANT VILLAGE**

- Create a destination by increasing activity, growth and density in key areas.
- Encourage workforce development, commerce and industry that extends the shoulder season (time before Memorial Day and after Labor Day for seasonal residents) and contributes to the local economy.
- Increase housing diversity to appeal to a broader demographic including young families and older adults.
- New development should connect people to nature, the outdoors and respect the natural environment.
- Improve transportation connectivity to benefit motorists, emergency response and support a healthy, active lifestyle.

The development of Cashiers Hillside, as envisioned by the development's master plan, will achieve the overall goal of creating a year-round vibrant village and further the attainment of many of the recommendations listed above. The range of housing types proposed in the master plan for Cashiers Hillside, the proposed transportation system that accommodates both motorists and pedestrians, and the opportunity for a variety of year-round businesses will advance some of the key recommendations of the Small Area Plan.

## **Character Areas**

The Cashiers Small Area Plan identifies five (5) Character Areas for the Village. Cashiers Hillside will be located in the Village Core and Transition character areas. The Small Area Plan describes these character areas as follows:

*Village Core* - This area is meant to be the heart of Cashiers. Small to medium-scale building footprints with active street fronts hold a variety of uses that include retail,

restaurants, residential, lodging, and civic. Short block lengths, connected pedestrian paths and shared parking lots serve businesses. A mix of residential housing is framed by green space.

*Transition* - Transition areas occur between the Village Core, Gateways and Residential areas. They add visual consistency to the main corridors and have small to medium-size buildings that are compatible with adjacent development.

Development of Cashiers Hillside will create a true Village Center in Cashiers as envisioned in the Small Area Plan's description of the Village Core character area. Cashiers Hillside will provide a mix of uses, ranging from retail businesses to housing to public plazas, in the Village Core character area. The Village Center envisioned in the Cashiers Small Area Plan will become a reality with the development of Cashiers Hillside.

Cashiers Hillside aligns with the following recommendation for building orientation as set forth in the Cashiers Small Area Plan for the Character Areas:

- Buildings should be oriented to the street or a pedestrian path to encourage walkability.

Highlights from the Character Area framework plan recommendations that guided the drafting of the Cashiers Hillside master plan include:

- A land use framework plan that builds on the vision of a year-round mixed-use village core and logical transitions.
- Transportation recommendations that include key connections and the creation of an active transportation network.
- Infrastructure strategies to address current needs and provide a solid foundation for the future.
- Recommendations for increasing the diversity of housing types to accommodate a variety of lifestyles.

Recommendations set forth in the Small Area Plan for the Village Core character area that will be implemented by Cashiers Hillside include:

- LU-1: Activate and expand the Village Core.
  - Allow for a broad range of activities and land uses to help create a vibrant center.
  - Encourage businesses to partner and develop shared parking solutions.
  - Encourage new residential development in the Village Core that includes cottage homes, multi-story mixed use buildings with residential above active uses and townhomes and condos on well located sites.
- LU-2: Encourage a compact form of development in the Village Core.
  - Buffers and screening should be required only between dissimilar uses.

- Encourage short blocks, small building footprints, and pedestrian pathways in new development.
- Encourage multiple stories in new buildings.
- LU-3: Encourage pedestrian oriented design.
  - Orient buildings to the street and pedestrian facilities.
  - Require pedestrian connections between compatible uses.
  - Consider modifications to road standards; private roads may be supportive of this strategy. Alleys, on-street parking and small curb radii contribute to pedestrian safety and comfort.
  - Consider reducing parking requirements.
- LU-5: Create activity on the street and sidewalk level.
  - Encourage active uses on the ground floor of buildings including retail and restaurants, while encouraging offices and residential on second floors.
  - Encourage patio dining, plazas and common areas.
  - Consider opportunities for pedestrian scale art installations.

Statements emphasized in the Small Area Plan also guided the master plan for Cashiers Hillside, particularly the following:

- *Embracing the need for Cashiers to function as an economic and social center for the greater region and creating opportunities for people to live, shop, and recreate in the center will be key.*
- *New development in the Village Core should emphasize multi-story buildings, landscaped pedestrian walks and active store fronts.*

The goals and recommendations for the Transition character area that guided the planning for the portion of Cashiers Hillside abutting the Village Core are:

- LU-7: Encourage development design in the Transition areas that adds visual consistency to the main corridors and provides a transition between the Village Core, Residential Areas and Gateways.
  - Allow for slightly larger setbacks than the Village Core, but discourage suburban-style setbacks with large parking lots in the front of buildings.
  - Standardize landscaping and/or tree preservation requirements.
  - Building footprint size, massing and height should be compatible with existing adjacent development.

The Cashiers Hillside plan does propose some more concentrated uses in what may appear to be the Transition character area than some may anticipate, but these uses are appropriately located within the development and with relation to the existing adjacent development. They contribute to the character of Cashiers Hillside and remain true to the goal of the Transition character area. More intense uses within Cashiers Hillside are located along the NC 107 corridor. The intent of the Transition character area is realized through the softening of uses at the edges of Cashiers Hillside, transitioning to smaller structures, open space, and landscaping to ensure compatibility

with adjacent uses. Also, the character area boundaries as noted in the Cashiers Small Area Plan are not firm but are bubble diagrams. By using this approach to define character area boundaries, the drafters of the Small Area Plan acknowledged that the boundaries must be flexible to accommodate the opportunities afforded by development of these areas. The Cashiers Hillside master plan adheres to the goal of the Transition character area by ensuring that the scale and the uses in the development are compatible with existing adjacent uses.

## **Housing**

The Cashiers Small Area Plan's section on housing recommends increasing the diversity of housing in the Village. Development of Cashiers Hillside as envisioned in the master plan will further this goal by providing a variety of housing types that expands the range of housing types currently found in the Village. By expanding the diversity of housing in Cashiers, Cashiers Hillside will provide housing options for younger families and for older adults as recommended by the Small Area Plan.

## **Parks and Open Space**

Recommendations for parks and open space are set forth in the Small Area Plan, calling for new development to incorporate nature into the built environment. Cashiers Hillside does this through the numerous plazas, open spaces, and landscaping proposed for the community. Gardens, located throughout the development, will be a defining feature of Cashiers Hillside. The plazas, gardens, and open spaces in Cashiers Hillside will be accessible to all, providing amenities that can be enjoyed by residents and visitors. Connections to the Ramble will be provided in Cashiers Hillside, enabling all Cashiers residents and visitors to access the amenities that will be part of the development. The Cashiers Hillside master plan recognizes and accentuates the close relationship between Cashiers and the natural environment. This relationship is acknowledged and strengthened by the open spaces, gardens, and landscaping that are an integral part of the plan for Cashiers Hillside.

## **Other Attributes**

Although the Cashiers Small Area Plan does not explicitly mention Arts and Culture, the Plan does make many references to the role Arts and Culture plays in defining the character of Cashiers. The Cashiers Hillside master plan recognizes the importance of Arts and Culture in Cashiers and strengthens this role by providing art installations and sculptures throughout the development. The art installations and sculptures can be enjoyed by all and will continue the tradition of Arts and Culture in defining the character of Cashiers.

Parking is mentioned several times in the Cashiers Small Area Plan in recognition of the role parking plays in the success of retail establishments in the Village. The Cashiers Hillside master plan acknowledges the importance of parking but does not make it the dominant use of the land in the development. Parking is either provided in small lots tucked behind buildings or provided in parking structures that incorporate other uses. In acknowledgement of the need for parking

to serve all of Cashiers, parking will be available to all and not restricted to visitors and residents of Cashiers Hillside.

The drafters of the Cashiers Small Area Plan envisioned a dynamic and diverse community that respected the character of the existing community of Cashiers. The Small Area Plan provides the framework and guidelines for future development that will enhance those things that make Cashiers special. While the existing character of Cashiers provided the foundation for the Cashiers Hillside plan, the Small Area Plan served as the guide for the community that Cashiers Hillside will achieve. Cashiers Hillside implements the vision set forth in the Small Area Plan, achieving many of the goals of the plan. The attainment of the goals of the Small Area Plan likely was envisioned by the drafters of the plan as actions by a disparate group of actors working over an extended period of time with limited coordination among the actors. With the Cashiers Hillside master plan, the community has the opportunity to realize much of its vision. This is an opportunity afforded to very few communities.

### **Compliance with Zoning Standards**

As noted in the introduction, the Cashiers Commercial Zoning Ordinance establishes standards for new development and redevelopment in the Village of Cashiers. Addressing building height, setbacks, parking, landscaping, lighting, and building architecture, the development standards ensure that new development and redevelopment is compatible with the character and scale of Cashiers. The plans for Cashiers Hillside comply with all standards set forth in the Cashiers Commercial Area Zoning Ordinance, and therefore the development is compatible with the character and scale of the Village as dictated by the zoning ordinance.

The majority of the proposed Cashiers Hillside development is located within the Village Center zoning district (see Attachment 2). The Village Center district is described by the zoning ordinance as an area “in which a variety of retail, office, and residential uses are permitted at a density that will preserve and enhance the central commercial area of Cashiers”. The zoning ordinance anticipates relatively dense mixed-use development in the Village Center district, as the standards allow taller structures (45 feet), minimal setbacks, and unlimited residential density. To help ensure a denser development template in the Village Center district, the district’s zoning standards encourage ease of access between businesses and the sharing of parking.

The Cashiers Commercial Area Zoning Ordinance sets forth architectural standards for new development in section 9.3.5. These standards were amended in December 2019 to ensure new construction is compatible with the character of Cashiers. The architectural standards address building materials and color, building massing and configuration, building façade character, roof form and articulation, rooftop equipment screening, and architectural unity. In preparing the preliminary architectural designs for the structures proposed in Cashiers Hillside, the architectural standards in the Cashiers Ordinance were used to guide design decisions. Building elevations included as Attachment 3 of this report depict the compliance of the proposed architecture with the standards set forth in the Cashiers Zoning Ordinance. Materials, color, building massing, building facade character, and roof form adhere to the architectural



standards set forth in the zoning ordinance. Special attention has been paid to the architectural unity of the development, with the architecture creating a sense of place for the proposed development and setting a new standard for Cashiers. The Cashiers Hillside site development plans and building design comply with the zoning standards, proposing a mix of uses at a scale and density that will enhance the central commercial area of Cashiers, and that will be compatible with the existing and desired character of the Village.

### **Adherence to Special Use Permit Requirements**

The proposed use or development of the land will not materially endanger the public health or safety as specified in Section 3.7.15(vi)(1)(a) of the Jackson County Unified Development Ordinance. No noxious emissions, fumes, loud noise, or chemical waste will be generated by the Cashiers Hillside development. The proposed mixed-use development will safely accommodate all modes of transportation on a well-planned network of low speed streets. Enhancements to the road/street network are proposed to address transportation impacts resulting from the development. A Traffic Impact Analysis has been prepared that identifies and evaluates transportation impacts, and details actions to mitigate the impacts. Sidewalks will be provided along all streets and pedestrian connections will be provided to existing streets and pedestrian facilities, creating a safer environment for walkers and thereby encouraging healthy activity. The Centers for Disease Control and Prevention has drawn connections between active transportation, including walking, and a reduction in obesity, diabetes, osteoporosis, pulmonary and cardiac diseases, and even cancer. Water pressure and storage will enable fire protection for the proposed development and will improve fire protection for some adjacent properties. The mixed-use concept of the proposed development, with residences located throughout Cashiers Hillside, will provide “eyes on the street” day and night. This has been proven to reduce any potential criminal activity. Given the various measures being taken to address public health and safety, it is my conclusion that the proposed development will not materially endanger the public health or safety.

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 as specified in Section 3.7.15(vi)(1)(b) of the Unified Development Ordinance. Careful attention has been paid to the placement of buildings and streets in an effort to minimize grading of the site and maintain the existing significant natural and topographic features. Buildings will be designed and constructed to accommodate the transitions in the site elevation and to reduce the required grading. Access to buildings will be provided on different floor levels as needed to minimize grading. Using this traditional method for building construction will reduce the need to create level pads for buildings, thus reducing the site grading required. In areas that will require graded slopes and/or site retaining walls, the North Carolina Building Code dictates strict requirements for the design, construction, and inspection of these structures to ensure their long-term stability and overall safety. Similar to the Building Code requirements that ensure the safety of buildings, the Code also governs site grading, slope construction, and retaining walls. These elements must be constructed in accordance with

Appendix J of the Code, as well as Chapter 17 of the Code. Chapter 17 Special Inspections and Tests requires an elevated level of oversight and certification for graded slopes, building pads, and retaining walls during construction. In addition to the site planning considerations described above, the mitigation measures proposed for this project also include close involvement by the geotechnical engineer with the design team during the specific site and building designs, as well as thorough oversight by the geotechnical engineer or their representative during construction. In accordance with the Code requirements, formal geotechnical investigations will be performed within all constructed slope areas, retaining walls, and building foundation areas to support the proper design of these elements. The global stability of slopes and retaining walls will be analyzed by the geotechnical engineer to ensure adequate factors of safety are achieved. Streets have been located so as to follow the topography to the greatest extent possible, reducing the required grading. Streets must meet the standards set forth in Section 4.3.5 of the Jackson County Unified Development Ordinance. These standards address not only the design and construction of streets but also the slope and stability of cut and fill sections required for street construction. All project streets shall be designed and constructed in compliance with these standards. Stormwater generated by the development will be addressed through the installation of stormwater mitigation BMP's around the property to control the release of storm water runoff and to remove oils, suspended solids, and trash from frequent rainfall events. This will protect the downstream wetlands and Cashiers Lake. Given the proposed site design, the efforts to minimize grading of the site, and the measures to address stormwater, it is my conclusion 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.

The proposed use or development of the land will be in harmony with the scale, bulk, coverage, density and character of the community as specified in Section 3.7.15(vi)(1)(d) of the Jackson County Unified Development Ordinance. The scale, bulk, coverage, density and character of a community is defined not only by the existing development in the community, but also by the community's zoning ordinance and its adopted plans and policy documents. The initial part of this report has detailed the consistency of the proposed plan with the adopted Cashiers Small Area Plan. Through the creation of a Village Center within the Village Core character area, as identified in the Small Area Plan, Cashiers Hillside ensures harmony with the character of the community as enunciated in the Small Area Plan. Cashiers Hillside will implement the community vision, or character, as described in the Cashiers Small Area Plan. As noted previously in this report, the Cashiers Commercial Area zoning ordinance mandates standards that dictate the scale, bulk, coverage, density, and character of the community. The proposed plans for Cashiers Hillside comply with all the zoning standards. All buildings will comply with the maximum height of 45 feet as set forth in the zoning ordinance. Open space provided in Cashiers Hillside exceeds the amount of open space required by the subdivision standards of the Unified Development Ordinance. The architecture envisioned for Cashiers Hillside reflects the architecture of existing buildings in Cashiers and will comply with the zoning ordinance's architectural standards. Architectural renderings provided as Attachment 3 of this report depict the proposed building architecture and verify that the proposed architecture will be compatible

with the community character. Building materials proposed for Cashiers Hillside are those commonly found in Cashiers. Significant landscaping, including gardens, street trees, and buffers, is planned for Cashiers Hillside in order to ensure the proposed development reflects the character of Cashiers. The site plan included as Attachment 3 of this report shows the landscaping that will be a part of the development. In addition to street trees along the internal and peripheral streets, gardens will be planted throughout the development. Buffers consisting of preserved existing trees supplemented by new plantings will be provided where Cashiers Hillside abuts neighboring properties. The preservation of existing trees in the buffers and the planting of new trees throughout the development will result in Cashiers Hillside having a significant tree canopy. The tree canopy that will be provided within Cashiers Hillside will ensure the development's compatibility with the character of Cashiers. To ensure harmonious transitions to adjacent properties, commercial uses will be located internally and along NC 107, smaller scale residential uses will be located on the periphery of the site, and landscape buffers will be maintained or planted. Another aspect of the proposed project that will aid in ensuring its compatibility with the character and scale of the Cashiers community is the phasing of the project. The project is planned to be developed in two phases. Buildout of the first phase is anticipated to occur in 5 to 7 years, with completion of the second phase expected in 10 to 12 years. The proposed phasing is depicted in the phasing plan included as Attachment 5 of this report. While the proposed development may seem "too much too soon" for some, when viewed realistically as a phased project that will take more than a decade to complete, the compatibility of Cashiers Hillside with the character and scale of Cashiers is apparent. A concern voiced by some is that Cashiers Hillside will negatively impact the small town character of Cashiers. The Town of Highlands is considered a small town and has a strong sense of place and local economy closely tied to its small town character. Aerial images of downtown Highlands and of the village center (downtown) of Cashiers are provided as Attachment 6 of this report. These images indicate that even with the development of Cashiers Hillside, the Village of Cashiers will continue to be a scale of a small town, with less developed area than the Town of Highlands. Maintaining the small town character of Cashiers has been one of the principles guiding the planning and design of Cashiers Hillside. Careful attention to details in the planning of Cashiers Hillside, from landscaping to phasing, will ensure it is compatible with the community. Due to these efforts, it is my opinion that the proposed development of the land will be in harmony with the scale, bulk, coverage, density and character of the community.

The proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities as specified in Section 3.7.15(vi)(e) of the Jackson County Unified Development Ordinance. It must be noted that the finding states that the "proposed use is appropriately located" with respect to various infrastructure. The standard is not that the infrastructure is currently available to meet the demands of the proposed use. It is the responsibility of the applicant to show that the proposed use is "appropriately located" so that the services and facilities, with any enhancements that may be required, can meet the future demands of the proposed use. Cashiers Hillside is proposed to be located in the center of Cashiers, where the Cashiers Commercial Area zoning ordinance and the Cashiers Small Area Plan propose a Village Center. The zoning ordinance and the small area plan, both adopted by the Jackson County Board of Commissioners, identify the

project site as the site for the village center because facilities are appropriately located to serve the type of development proposed by Cashiers Hillside. Transportation facilities are appropriately located to serve the proposed use. Primary access to Cashiers Hillside will be provided from NC 107, with secondary access to US 64 via Monte Vista Road. Improvements to the proposed access point intersections, as identified in the Traffic Impact Analysis prepared by JM Teague Engineering & Planning, will ensure safety at these intersections. Internal streets will be constructed to North Carolina Department of Transportation standards and must be approved by Jackson County. Water supply will be provided by a combination of private wells located off site and a water allocation from the CWS community water system. Access to the private wells will be secured and the flow tested to assure it is adequate to meet the needs of Cashiers Hillside. The water system will be developed as a community water system subject to regulation and approval by the NC Department of Environmental Quality. Detailed plans for the water supply and distribution system must be approved by state regulatory agencies prior to the issuance of construction permits for the project. Water storage adequate to meet the needs of the development will be provided on site. Fire protection is provided by the Cashiers-Glenville Volunteer Fire Department, which has a station less than a ½ mile from the project site. Fire protection in Cashiers Hillside will be enhanced by the location of fire hydrants throughout the development, on-site water storage, and the incorporation of sprinklers in building construction. The water system will have adequate storage and pressure for fire protection. Wastewater disposal will be accommodated by a combination of public and private treatment facilities. Cashiers Hillside will be located in the TWASA service area and a portion of the wastewater demand will be accommodated by the public utility. Private wastewater treatment facilities must be approved by the NC Department of Environmental Quality, thus ensuring they meet public health and safety standards. Detailed plans for the wastewater collection and treatment system must be reviewed and approved by state and local regulatory agencies prior to the issuance of construction permits for the project. The mandated review and approval of utility system plans will ensure that the proposed water and wastewater systems are adequate to accommodate the needs of the Cashiers Hillside development. Police protection will be provided by the Jackson County Sheriff's Department, which has deputies assigned to Cashiers and a station in the Village. The mixed-use concept of the proposed development, with residences located throughout Cashiers Hillside, will provide "eyes on the street" day and night. This has been proven to reduce any potential criminal activity. Garbage service will be provided by private contractors retained for that service, as is done throughout Cashiers. Given the availability of facilities and public services in the identified village center of Cashiers and the measures being taken to ensure the adequacy of infrastructure serving Cashiers Hillside, it is my opinion that the proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities.

## **Conclusion**

Based upon my review of the plans for Cashiers Hillside and of the architectural renderings for buildings to be constructed in the development; my review and analysis of the Cashiers Small Area Plan as described above; my review of the Jackson County Unified Development Ordinance,

specifically the Cashiers Commercial Area Zoning Ordinance; my familiarity with the Cashiers community; and my years of experience as a land use planner, it is my conclusion that the Cashiers Hillside development will be in harmony with the community in which it will be located. It also is my opinion that adequate facilities and services will be available to meet the needs of the proposed use. The development will comply with all Jackson County zoning requirements and the project is an allowable use in the Cashiers Commercial zoned area pursuant to a special use permit process.

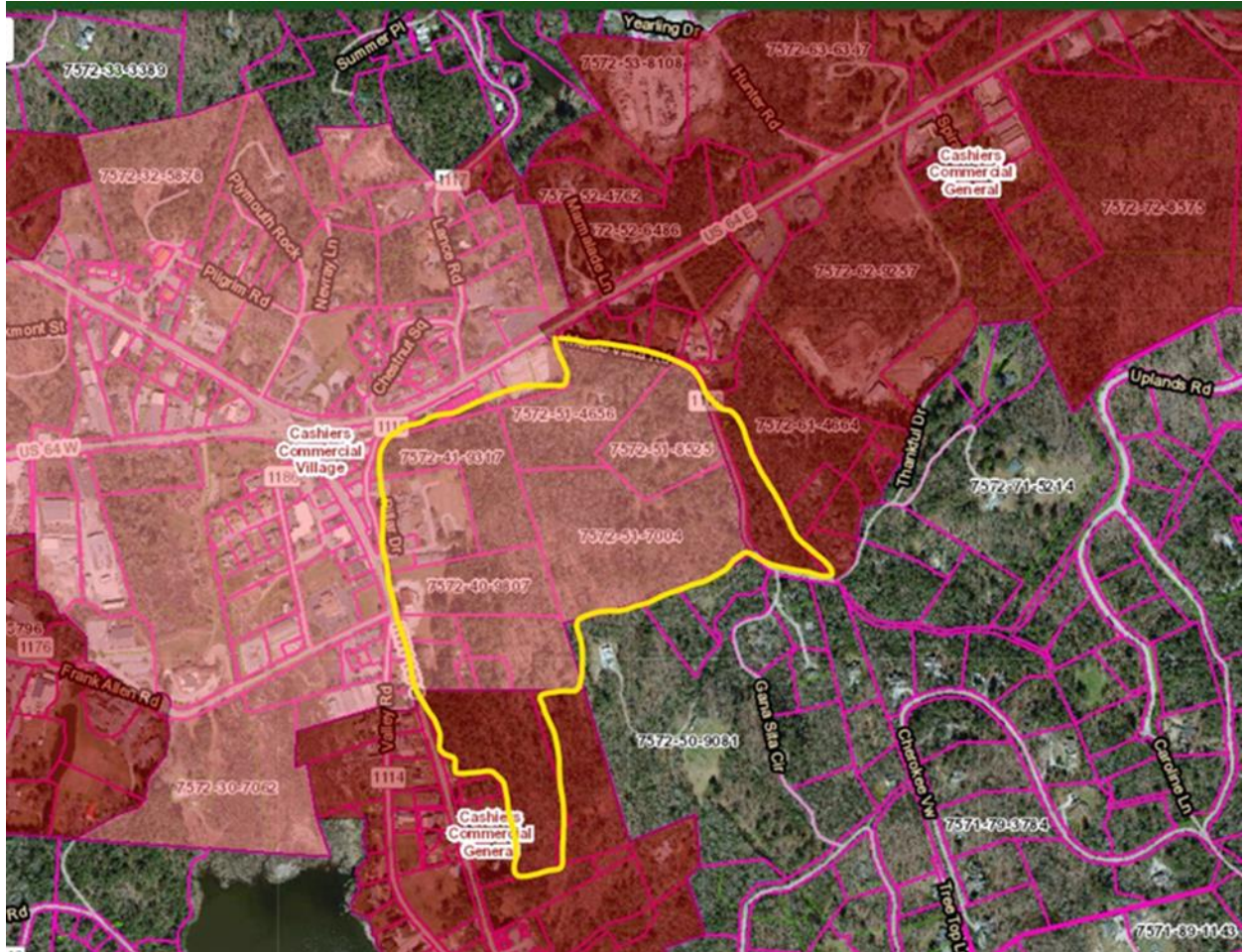
**ATTACHMENT 1**  
**MASTER SITE PLAN**



**ATTACHMENT 2**

**CASHIERS ZONING MAP WITH PROJECT SITE IDENTIFIED**





Cashiers Zoning Map with Project Site Highlighted

**ATTACHMENT 3**  
**ARCHITECTURAL RENDERINGS**

# CASHIERS



## SPA CONDOS

LEW OLIVER  
INC  
WHOLE TOWN SOLUTIONS

CASHIERS



MARKET HOTEL WITH RETAIL ON PLAZA

LEW  
OLIVER  
INC  
WHOLE TOWN SOLUTIONS

# CASHIERS



# HOUSING

LEW  
OLIVER  
INC  
WHOLE TOWN SOLUTIONS

**ATTACHMENT 4**  
**CASHIERS HILLSIDE SITE PLAN**





**Attachment 5**

**Cashiers Hillside Phasing Plan**

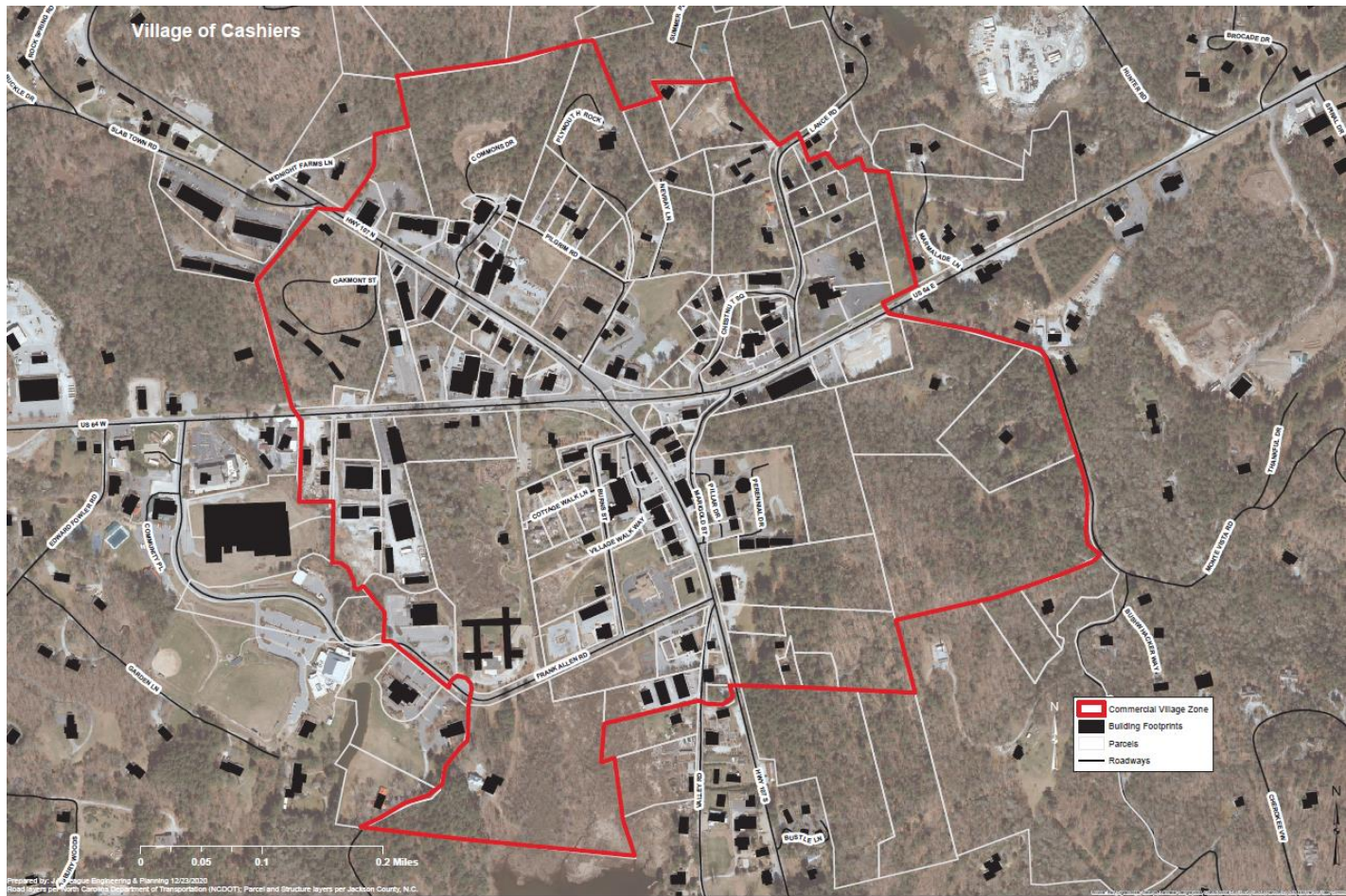




Cashiers Hillside Phasing Plan

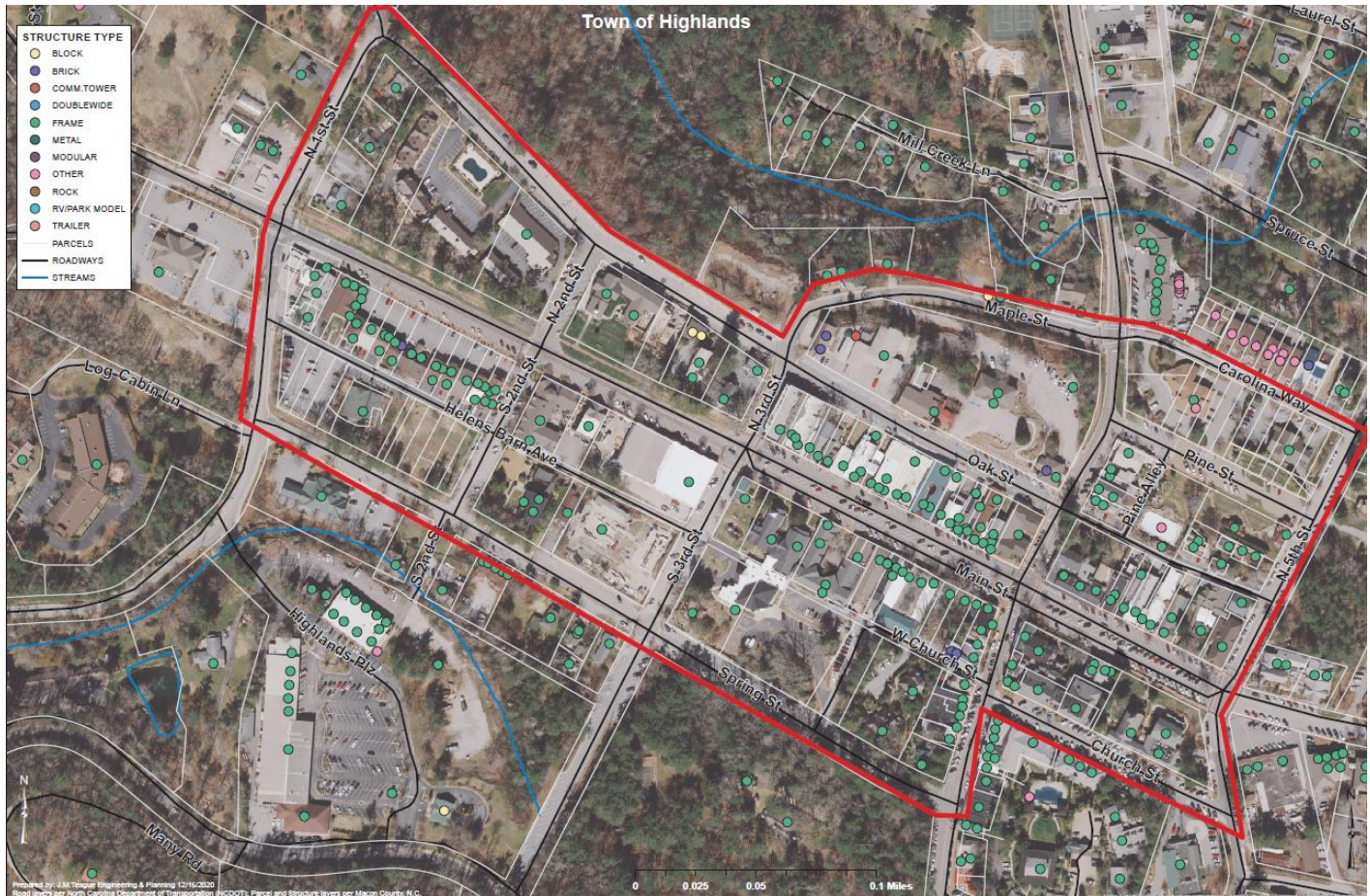
## **Attachment 6**

### **Aerial Images – Downtown Cashiers and Downtown Highlands**



**Aerial Image – Downtown Cashiers**





**Aerial Image – Downtown Highlands**