

Citing costs, county sidelines Cullowhee apartment sidewalk

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Citing exorbitant costs, county planning officials will not require an apartment complex in Cullowhee to construct additional sidewalks along a busy section of Little Savannah Road.

Cullowhee Planning Council members said on Monday they wish they could have had a say in the decision.

Broadstreet Partners, a commercial real-estate firm based in Greenville, South Carolina, received permission last year to construct 19 residential buildings near the intersection of Little Savannah and Blackhawk roads. Each will be about 25 feet in height, for a total of 80 bedrooms.

Council member Jim Lewis said he's concerned about the lack of sidewalks on the State Employees Credit Union side of Little Savannah. Students walking to class – particularly those heading toward Western Carolina University's Millennial Campus – will have to cross traffic, he said.

"That's a 35 miles-per-hour road, in which not many students go 35 mph," he said. "Every time you send a kid across that road, you're putting a kid out there in front of a car. I think we need to do what we can to make sure there are sidewalks on both sides."

Planning Director Mike Poston said his department spoke with transportation officials about sidewalks for this development and discovered the roadway would need to be expanded for curb and gutter.

A decision was made to instead build a crosswalk to the other side of Little Savannah, where pedestrian facilities already exist.

"We collaborate with N.C. Department of Transportation officials and try to work with them on solutions to these issues as they come up," Poston said. "I think we tried to come up with the best solution to provide pedestrian mobility. Eventually, somebody is going to cross the street in a crosswalk, and folks that are driving are going to have to be aware of the laws, and there's going to have to be enforcement."

"To DOT's credit, they have talked to us about how they can make it a visible crosswalk, instead of just merely a painted crosswalk," he said.

Council member Joel Setzer, a former DOT engineer, said the transportation group never would have explicitly told the county a sidewalk isn't possible at that location.

"DOT never said to the county that you can't have a sidewalk there," he said. "They said if you have a sidewalk there, there needs to be additional width and curb and gutter. Someone believed that was too much of a burden on the developer and decided some workarounds needed to be developed."

Council member Mike Wade, owner of the adjacent apartment complex, Rabbit Ridge Apartments, said the lay of the land likely played a role in the decision.

“That bank in there is pretty tight – I’m talking about it falls off,” he said. “I don’t know how much you’d have to spend in order to put a sidewalk in that spot.”

Scott Baker, chairman of the Cullowhee council, said he believes it’s a question of what’s equitable for developers.

“From what Joel is saying, DOT isn’t going to come and say this can’t be done, but an accommodation would have to be made to widen the road,” he said. “Then we’d have to say, for this developer up here it may only cost \$30,000 to build a sidewalk, but for this one right here it’s going to cost \$250,000.

“I’m just putting those numbers out there, but is that fair to say to this developer, ‘You have to shell out this much more money to do it.’”

For council member Lewis, the answer is “yes.”

“I’m not anti-developer, but I would say to put the sidewalk in,” he said. “If I have property up the road, and you’re telling me I have to build a sidewalk, and so-and-so down below got permission not to build one, I would say, ‘What’s going on here?’”

“It could be fair to ask them, but then they could say, ‘I think that’s going to be a little too steep for us,’” Baker said. “And then we have to sit here and say, ‘Well, that’s another housing development that’s not going to happen.’”

“It’s a give and take,” Baker said.

“I guess what I’m saying is, that was a controversial decision (to let the developer avoid building a sidewalk), was it not?” Lewis asked. “Why not bring it to us?”

Council member Jack Debnam, who also is a member of the N.C. Board of Transportation, said the group supported a set of plans for this development four months ago.

“It didn’t have a sidewalk then, and every one of us voted to approve,” he said.

“I did too,” Lewis responded. “I wish somebody would have said, ‘This is controversial.’”

Poston clarified that the Cullowhee Planning Council’s vote was only about the architectural standards, or how the buildings would look. It wasn’t the council’s decision to address sidewalks at that time, he said.

“When that developer came and negotiated the sidewalks away, right or wrong, procedurally, was it getting a variance in the county’s adopted ordinance that this body should have weighed in on?” Setzer asked. “That’s my question from a procedure perspective.”

“We can take a look at that,” Poston said.

“They have a right to develop within the parameters the laws give them,” Setzer said. “If they’re going outside those parameters, then they have a process to go through, and if that process should have brought to this council, I would agree this council missed an opportunity to have that discussion.

“If it shouldn’t have been brought to this council, it wasn’t really our job to start with,” he said.

In a follow-up interview, Poston said the Cullowhee ordinance requires developers build sidewalks along the frontage of their property.

For this project, sidewalks are required along Blackhawk Road, he said.

During administrative review, planning staff members looked at additional requirements for Little Savannah Road, but they decided it wasn’t going to be a reasonable request, Poston said.

Issues discussed in the administrative review process aren’t typically brought to the Cullowhee Planning Council, he said.