

Planning and Zoning Board

Minutes

Thursday, January 21, 2021

5:30 p.m.

The Blowing Rock Planning and Zoning Board met on Thursday, January 21, 2021 for their regularly scheduled meeting via Zoom. Chairman Gherini called the meeting to order at 5:30 pm. Members present were Harrison Herbst, Wes Carter, Mike Page, Pete Page, Bill McCarter, Joe Papa and Sam Glover. Member Kim Hartley was absent. Staff members present were Planning Director Kevin Rothrock and Planning and Zoning Support Specialist Tammy Bentley.

Chairman Gherini asked if there were any changes to the agenda. *Mr. Mike Page made a motion to approve the agenda, seconded by Mr. McCarter. All members were in favor of the motion.*

Chairman Gherini asked if there were any changes to the December 17, 2020 minutes. Mr. Mike Page noted, on the fourth page that Mr. McCarter is not revising NCGS 160-D; that he is revising the Land Use Code to conform with NCGS 106-D. *Mr. Mike Page made a motion to approve the minutes as amended, seconded by Mr. Pete Page. All members were in favor of the motion.*

1. CUP 2020-02 – Green Hill Subdivision

Mr. Rothrock presented the staff report and Powerpoint Presentation. John Winkler is requesting a conditional use permit for an 8-lot single-family subdivision and a new public street. The 4.715-acre subject property fronts Green Hill Rd and Hwy 321 and was formerly part of the old No. 6 hole at the Blowing Rock Golf Course. The property is zoned R-15, Single-family. The subject property is not in a water supply watershed. The property is in Watauga County and Caldwell County and further identified by NC PIN 2817-52-1239, 2817-42-9326, 2817-52-1317, and 2817-52-2501.

The subject property is mainly a field and was the old No. 6 hole at Blowing Rock Country Club. The larger extent of the subject property is 6 lots that is still owned by Blowing Rock Country Club. The applicant plans to recombine the current 6 lots into 5 lots with the largest lot of 4.7 acres being the proposed subdivision and proposed street.

Lot No. 8 fronts on Hwy 321, however, access will be through a driveway to the new street.

The proposed road access will connect to Green Hill Road just north of the intersection of Tarry Acres Circle. The road connection is situated at the apex of a curve that provides the most sight distance for both directions on Green Hill Road.

The new road as shown has a total length just over 400 feet to the center of the cul-de-sac. The road will be built to Town standards with a maximum grade of 15%, 18 feet of

pavement, and 24-inch curb and gutter. The total width of the street from face of curb to face of curb is 21 feet. The applicant intends to offer the road for public dedication upon completion and the Town will be responsible for street maintenance and snow removal.

The remaining 4 lots will front Green Hill Road with three (3) of those lots relatively unchanged from their current configuration. Each lot meets the minimum size requirement of 15,000 sq feet and minimum lot width of 100 feet.

Storm water detention is required due to the increased impervious areas being generated by the proposed road. The storm water drainage system will be designed to accept runoff from the proposed roadway and convey it through a detention system before releasing to the NCDOT drainage easement and the creek below the property. As shown on the preliminary plan, it appears that the storm water design will meet the Land Use Code standards.

The proposed subdivision requires street trees be planted or retained an average of every 30 feet on each side of the street.

A 6-inch water line with two (2) hydrants along the new street is proposed. An additional hydrant is to be located at the south corner of Green Hill Road and the proposed street.

The proposed sewer will be a low-pressure sewer system and will connect to the gravity sewer main in Green Hill Road. Staff and the Town Engineer will approve water and sewer systems to meet the Town Code.

Staff also recommends a 20-foot rear/side setback and undisturbed buffer along the perimeter of lots 5, 6, and 8 where the subdivision backs up to existing homes. The current setback is 12 feet.

Chairman Gherini asked the source of the high-density light. Mr. Winkler deferred to Mr. Jason Gaston, Engineer. Mr. Gaston said the tree plan has the streetlight locations and these are the standard lights that already meet Town requirements. Mr. Rothrock said the Town is moving to LED lighting along 321 and in town; that these are more of a pedestrian light than a streetlight.

Chairman Gherini asked the location of the buffers. Mr. Rothrock said on lots 5, 6 and 8 that the setback is currently 12', but staff recommends 20'.

Mr. Glover asked how lot 8 is accessed. Mr. Rothrock said via a driveway easement between lots 6 and 7, adding that a shared driveway between lots 6 and 7 makes more sense and that can be worked out in the subdivision plat.

Mr. McCarter asked if a non-access easement along 321 should be required. Mr. Rothrock said that driveway access off 321 is not reasonable.

Mr. Mike Page asked about the morning and evening traffic increase on Green Hill Road in the traffic study. Mr. Rothrock deferred to Mr. Gaston. Mr. Gaston said that the study shows 13 trips per hour during peak time, which is one trip every 4.5 minutes. Mr. Gaston said the average daily traffic will be lower. Mr. Rothrock asked if these numbers were based on the subdivision being fully built out. Mr. Gaston confirmed.

Mr. Mike Page noted that three of the lots are not included in the subdivision and are not part of the Boards consideration. Mr. Gaston confirmed.

Chairman Gherini asked Mr. Winkler if the infrastructure will be completed prior to selling the lots. Mr. Winkler confirmed and added that he may have to build a spec house or two; that the lots will be heavily restricted. Chairman Gherini asked if there will be a homeowners' association. Mr. Winkler said yes that the Town requires this. Mr. Rothrock confirmed. Mr. Rothrock said all infrastructure must be completed before the final plat can be recorded and then the lots can be sold.

Mr. Herbst asked if the covenants are recorded. Mr. Rothrock said the final plat is subject to the terms and conditions in the CUP and will be incorporated in the restrictive covenants.

Mr. Rothrock advised that properties within a 150' buffer of the subject properties generally have standing, that traditionally all parties are allowed to speak. Mr. Rothrock a list was generated as of 1 p.m. today and the people on the list can speak tonight.

Chairman Gherini advised that speakers would have the floor for up to three minutes and asked a Board member to act as the time keeper. Mr. Herbst volunteered.

Ms. Carolyn Howe spoke. Ms. Howe said her parents have lived at 239 Green Hill Road for 40 years and that she was raised in Blowing Rock. Ms. Howe said they are concerned with the impact on traffic, safety, the environment, and optics. Ms. Howe said that many people may not be aware of this hearing since it is being held in the dead of winter. Ms. Howe said 12 homes on five acres will wreck the environment and will mar the optics of this entrance to town. Ms. Howe said that this will eliminate the green space that she has known all her life.

Ms. Sandy Burkes Campbell said it is hard to walk along Green Hill Road now and traffic is a big concern; that Green Hill Road is too small for twelve lots. Ms. Campbell said that Mr. Winkler has a subdivision on Rankin Road that is only five lots and asked if he could scale this down. She also asked if there is a way to slow this process down to allow all to participate.

Ms. Anne Bernhardt said she had no comments.

Mr. Alex Bernhardt said he had no comments.

Ms. Lee Harper Vason said she had lived here her entire life and that her parents had owned a house on old hole number six. Ms. Vason said she and Mr. Vason own property at Gideon Ridge and at the Village at Green Park. Ms. Vason said her concerns are the same as those addressed by Ms. Howe and Ms. Campbell. Ms. Vason said this would eliminate the green space on both sides of 321 here. Ms. Vason said the current buffer and plan may be in agreement with Blowing Rock and asked if this could be extended if this goes forward. Ms. Vason said that walking and driving on Green Hill Road is dangerous now and that they need a current average daily traffic study for Green Hill Road.

Ms. Betty Howe said she was not speaking.

Mr. Tom Medlin of 163 Gideon Ridge Road said he bought the property in November 2019. Mr. Medlin said his concern is what his view will be and traffic. Mr. Medlin asked Mr. Rothrock if duplexes will be allowed. Mr. Rothrock said only single-family residential will be allowed. Mr. Medlin asked Mr. Winkler if he can add a square footage restriction in the restrictive

covenants and he wants to hear more about those. Mr. Medlin said that the additional traffic at Green Hill Road and Rock Road on 321 will be dangerous, adding that there have been numerous accidents in this area. Mr. Medlin asked for support going forward and said he plans to speak with NCDOT regarding a warning light. Mr. Rothrock said that the Town cannot impose architectural design on one- and two-family dwellings, that Mr. Winkler can do that in private restrictions, but those are not enforced by the Town. Mr. Rothrock said changes to the intersection at Green Hill Road and Rock Road on 321 must go through NCDOT.

Mr. Glenn Sigmon of 267 Gideon Ridge Road asked if increased tourist traffic from the Blowing Rock attraction had been considered. Mr. Sigmon asked if the lower homes will have gravity sewer to avoid a lift station requiring blasting in the Yadkin River Headwaters. Mr. Sigmon asked Mr. Rothrock if this is in the Green Park Historic District. Mr. Rothrock confirmed and advised this is a national district with no review requirements. Mr. Sigmon wondered if this runs askew of the character of the area.

Mr. Rothrock advised that the traffic study is for the trips generated by the traffic entering and exiting the subdivision onto Green Hill Road. Mr. Rothrock advised that the sewer will be a low-pressure gravity system and asked Mr. Gaston to advise further. Mr. Gaston advised the sewer line will be a 2-inch forced main buried 3 feet deep, that it can be trenched and there will be no need to blast. Mr. Rothrock said there have been very few times that blasting has been required in Blowing Rock.

Mr. David Rogers had no questions.

Mr. Marshall Sealey had no questions.

Ms. Mary McLeod said she was representing her brother and sister. Ms. McLeod said her father, who passed away on January 5, 2021, owned 108 George Blagg Lane. Ms. McLeod said that the historic house has views on a dark night included lights from three towns. Ms. McLeod said she is concerned with light pollution and the building height of the proposed homes. Ms. McLeod said she can testify to the heavy traffic on Green Hill Road which was made worse when the Goforth Road access was closed.

Mr. Tim Gupton yielded his time.

Mr. Edgar Miller, Yadkin Riverkeeper Executive Director, said it is very fortunate that much of the headwater is protected by conservation lands. Mr. Miller referenced the urban legend of the headwaters coming out of the Green Park Inn parking lot, adding that there are many, many headwaters. Mr. Miller said he is more interested in potential impact. Mr. Miller said there are some tracts in the area that have been identified for conservation, adding that green space is at a premium and they would want to know that run off will be properly managed. Mr. Miller said that this particular subbasin is ranked 121 out of 127 above High Rock Lake and the higher ranking means it is more pristine.

Mr. Rothrock advised that there will only be about four to five total streetlights. Mr. Rothrock also advised that building height is limited to 35 feet maximum from grade at the front door of the dwelling.

Ms. Pat Coley of 237 Green Hill Road said many of her concerns had been addressed. Ms. Coley said her father set up his medical practice in Lenoir due to the proximity to Blowing Rock. Ms. Coley said they have lived here for 50 years and the Green Hill Road traffic is not

a 'local occupant' problem, that the problem is other traffic. Ms. Coley said that large trucks are a problem, that the truck axle sign is missing and that the traffic is probably four times as much since the 2016 study.

Mr. Terry of 354 Green Hill Road asked the cost of the lots and estimated value of the houses. Mr. Winkler said the lots would be around \$200,000 to \$300,000 and the lots and homes together would be million-dollar homes. Mr. Terry noted that to be economically viable, the homes can't be inexpensive. Mr. Winkler agreed and added the lots can't be inexpensive either. Mr. Terry asked if restrictions would be in place and if the Town has restrictions as well. Mr. Rothrock advised not on residential.

Ms. Sandra Burkes Campbell spoke for Ms. Sandra Lester. She conveyed Ms. Lester's concerns about traffic and that seasonal residents should be part of this process.

Ms. McDonald had no further comment as all her concerns had been addressed by others.

Mr. Bob Green said he heard the development will meet the criteria to have access to 321 from the bottom of the property and asked if there can be a restriction against that access. Mr. Green said this would add another dangerous intersection to the area. Mr. Rothrock advised that a condition prohibiting access to 321 could be added.

Ms. Susan Little was not able to join in.

Ms. Dinny Harper Addison said seasonal and summer owners are not able to give input which is unfortunate and needs to be rectified. Ms. Addison said the green space at the entrance is a terrible loss and wished the developer would give thought to a buffer and green space. Ms. Addison said she would love to talk with the developer to see if there is an alternate plan.

Mr. John Gaul was not on.

Chairman Gherini asked if Mr. Rothrock could reach out to people not present.

Mr. Zhang said he is new to Blowing Rock and he loves the natural beauty. Mr. Zhang said he is very concerned with similar developments and how long they project to take to complete, the noise and construction traffic.

Ms. Lorrie Mulhern asked if she could speak and said she understood if she can't. Mr. Rothrock said that she did not sign up, was not on the list and she cannot speak.

Mr. Rothrock advised that the developer has two years vested rights to start the road construction and that the Conditional Use Permit will expire after 2 years if the road construction is not commenced. Mr. Winkler said they will start immediately but they can't project the build-out date.

Mr. Winkler said he has the Manor and Cottages on Main Street, Blowing Rock and that he has done much development in Boone. Mr. Winkler said he has a home on Rankin Road at the 7th hole on six acres. Mr. Winkler added that he thinks the lots will be bought by seasonal residents.

Mr. Gaston said there is only one zoning district that has less density than R-15, R-A, and that outside the watershed allows up to three units per acre. Mr. Gaston said they are proposing

1.86 units per acre, less than half of what is allowed. Mr. Gaston said per the Department of Environmental Quality, low density development is no more than 24% built upon, or no more than 2 units per acre. Mr. Gaston said they did not include Green Hill Road in the traffic study, that the traffic study shows increased traffic generated by the subdivision. Mr. Gaston said the storm water retention will comply with Town code for subdivisions.

Mr. Winkler said that he took several photos of the site from 321 and the only time it will be seen is from Gideon Ridge. Mr. Gaston shared the photos and Mr. Winkler showed the visual impact from the site on 321 south heading into Blowing Rock. Mr. Winkler said he is planning a buffer; that it will not be visible from 321 but he thinks it will be visible from Gideon Ridge.

Mr. John Gaul said that he is concerned with density and traffic on Green Hill Road. Mr. Gaul said that Green Hill Road is very curvy, narrow and that the houses are very close to the street. Mr. Gaul said the Town spends a fair amount of time repairing the road due to erosion caused by heavy traffic. Mr. Gaul said that Green Hill Road is a neighborhood road and a thoroughfare and that police have a time with speeders on the road.

*Mr. Herbst made a motion to close the public comment, seconded by Mr. Glover. **All members in favor of the motion.***

Mr. Rothrock advised that staff recommends a 20' buffer along the James, Little and McGuire properties and no access from the development to 321.

Chairman Gherini asked each Board member their thoughts.

Mr. Mike Page asked Mr. Rothrock if there are any plans to study traffic on Green Hill Road. Mr. Rothrock said not currently; that there was some discussion of an additional stop sign at Fairway 11 Court. Mr. Rothrock advised that per the BRPD there had been five traffic accidents on Green Hill Road in the last 20 years, four single vehicle accidents and one multi-vehicle accident. Mr. Page noted that the other Green Hill Road traffic is not before the Board tonight as part of this project. Mr. Page noted that the 2014 Comprehensive Plan noted that R-15 is designed for lower density. Mr. Rothrock advised that about 80% of the Town is zoned R-15 and R-A in the ETJ is also low density. Mr. Rothrock advised that most developable property is in the watershed and this is not. Mr. Page said that he shared the concern that the town remain as beautiful as possible. Mr. Page said he shares the concern of the green space as part of a conservation easement but realizes that the Board does not have the power to designate green space.

Mr. Pete Page said that the concerns are mostly traffic and the view across 321 and that he sees no reason not to recommend.

Mr. Papa said he walked the land and there is more space that appears. Mr. Papa asked Mr. Rothrock if there is any opportunity for short-term rentals. Mr. Rothrock said no. Mr. Papa said then he is good. Mr. Papa asked what county the property is situated in. Mr. Rothrock said both Caldwell and Watauga.

Mr. Glover asked if the Board could recommend a buffer along 321 as part of approval. Mr. Glover said he is not clear on the Yadkin River concern. Mr. Rothrock said that the Board can require as a recommendation some screening on the lower side of lots 4 and 7.

Mr. McCarter said he likes the buffer.

Mr. Herbst said the recommends a buffer along the 321 edge and along the Jaynes, McGuire and Little properties and no access to 321. Mr. Rothrock said the intent is to buffer at the upper edge of the permanent easement on lots 4 and 7.

Mr. Carter said he wants a buffer on the drainage easement as a condition. Mr. Carter asked Mr. Rothrock if there is anything that does not meet the existing land use code. Mr. Rothrock said no. Mr. Carter asked if the low-pressure sewer system will have above ground pumps, boxes. Mr. Rothrock said no. Mr. Gaston said each house will have its own individual grinder pumps and added the stormwater detention will be in the cul-de-sac. Mr. Rothrock confirmed.

Mr. McCarter noted that the land use code requires open space if more than 20 lots are being created. Mr. Rothrock confirmed.

Chairman Gherini said he agrees with Mr. Mike Page and it was very enlightening to hear from all the speakers. Chairman Gherini said he is a bit conflicted.

*Mr. Herbst made a motion to forward with the following conditions, no access to Highway 321, an evergreen buffer on lots 4 and 7, and the staff recommendation of an evergreen buffer along the Jaynes, McGuire and Little properties, seconded by Mr. McCarter. **All members, except Chairman Gherini, were in favor of the motion. Motion carried.***

Chairman thanked everyone for their time including Mr. Rothrock and Ms. Bentley.

Mr. Rothrock advised he will mail the public notices for the Town Council meeting in a couple of days and get the public notice in the paper.

Mr. Mike Page said, regarding seasonal residents, that The Blowing Rock Civic Association has those addresses. Mr. Page asked if there is anything the Board can do to help. Mr. Rothrock advised that having the meetings via Zoom has afforded the opportunity to many more participants than in the past. Mr. Rothrock also advised that the property was posted.

*Having no further business Mr. Mike Page made a motion to adjourn, seconded by Mr. Papa. **All members in favor of the motion.***

Chairman Gherini adjourned the meeting at 7:35 p.m.

Chairman Gherini

Tammy Bentley
Planning & Zoning Support Specialist