

**Town of Blowing Rock**

**Planning Board**

**Minutes**

**April 18<sup>th</sup>, 2024**

The Blowing Rock Planning and Zoning Board met on Thursday, April 18<sup>th</sup>, 2024 for their regularly scheduled meeting. Members present were Chairman Bill McCarter, Tom Barrett, Chris Squires, Brooks Mayson, Lindsay Cook, Gregg Bergstrom, GK Naquin, Steven Cohen and Woody Hubbard.

Meeting called to order at 5:30 pm.

**APPROVAL OF AGENDA**

The first order of business was approval of the agenda. Motion to approve by Tom Barret, seconded by Lindsay Cook. **All members in favor.**

The second order of business was swearing in new members of the planning board. Taylor Miller swore in all 3 new members, Mr. Gasper "GK" Naquin, Mr. Steven Cohen, and Mr. Joseph "Woody" Hubbard.

The board then elected Chairman and Vice Chairman for 2024.

Member Chris Squires made a motion to nominate Mr. Bill McCarter, seconded by Steven Cohen. **All members in favor.**

Member Lindsay Cook nominated Mr. Chris Squires as Vice Chairman, seconded by Mr. Bill McCarter. **All members in favor.**

**1. Special Use Permit 2024 – 01 – Arbor Village**

Interim Planning Director Brian Johnson presented the staff report for the Special Use Permit of Arbor Village. He explained that the applicant went through the recommendation process with the Planning Board in January of 2024. They ended up taking a step back and revising their plans and are back again for recommendation to Town Council. Josh Cash, Cash Custom Homes is the applicant. His engineer is Jason Gaston.

Mr. Johnson gave a brief history of the previous special use permit. The previous permit has no bearing on the new application. They are proposing a multi-family project of townhouses on one lot. There are four two-family type buildings, eight units total. Three bedrooms in each unit, 24 bedrooms for the whole project. The property will front on 321 and runs all the way down to Main Street in front of Chetola. Located in the Watershed IV water supply. The difference between this project and the old project is the question of short-term rentals. They have changed the new project to try and comply with the short-term rental requirements. They will be adding some parking on the Main Street side to make up for the needed parking for short-term rentals.

With this property being in the watershed, the ordinance limits them to seven units. They are requesting an extra unit (the eighth unit) to be allowed on the property in the watershed. The ordinance allows the Board of

Commissioners to review the project and decide if an extra unit should be allowed. There are limitations on the area that can be built upon in the watershed. The applicant has provided information on the plans that shows they are meeting that requirement by breaking out the watershed calculations and are under the 24% built upon area that is allowed.

The multi-family use requires 21 spaces for parking. To short-term rent, they need one space per bedroom which would mean they need 24 spaces.

Main access will be off 321. The secondary access will be off Main Street to the newly proposed parking area. There will be a walkway from that parking area to the back of the units with access inside the units from the basement level.

Chairman Bill McCarter asked if the parking area is a private driveway. Mr. Johnson said the private driveway is an easement on this property. It serves two homes.

Mr. Johnson stated that any commercial property is required to provide a curb, gutter and sidewalk. The applicant has provided that. Mr. Naquin asked why they would be required to provide a sidewalk that doesn't connect to anything. Mr. Johnson replied that at some point, we want to make a connection. New sidewalks move with development as projects come in.

Mr. Johnson discussed their storm water management plan.

Utilities will come from the back of the building and connect on Main Street.

Mr. Johnson said the pictures in the staff report are ideas of what kind of materials they are considering using. The applicant is open to materials and colors for the project.

As part of the site work, they are proposing several retaining walls. There are three on one side and one on the other side. Our ordinance requires a maximum of 12-foot in height on a retaining wall. They have separated the walls and allowed 8 feet between the walls to help buffer and knock the height of the wall down. They are subject to certain wall materials. The applicant is willing to be flexible on what to use and try to find something close to what is native to the area.

They are required to provide a street yard on the 321 side. They are required to have a 16-foot buffer on each side of the property and if they don't meet that buffer, they will need to supplement with other vegetation. The applicant is trying to save as much vegetation as possible. There is a 30-inch tree on the property that requires Town Council's approval to remove.

If the project is approved, the applicant will need to submit a lighting and erosion control plan.

Jason Gaston presented for the applicant. He mentioned one of the differences is that these are townhomes. They made multi-family property because you will own to your outside walls and the POA will be responsible for everything else. They originally proposed 4-bedroom, 3.5-bathroom units. Then the discussion of short-term rentals came up and that's why they changed bedroom numbers and added parking spaces. He said everything else is really the same.

Mr. Gaston mentioned the path from the parking area to the back of the units has a substantial grade increase which is why the path has a switch back in it to get up to that elevation. The easiest path to downtown is from the front of the units out on to the 321 sidewalk, down Sunset Drive.

Mr. Gaston talked about the proposed storm water system.

Mr. Cohen asked about a deceleration lane to turn into the property. Mr. Gaston noted that DOT does not require the deceleration lane. The traffic out of the property ended up being something like 8 trips per hour which does not warrant a deceleration lane.

Mr. Chris Squires asked what kind of commitment to appearance there is to the backside of the property. Mr. Gaston said one of the ways to address the backside of the property from an appearance standpoint is to step down the footers so it's more wood material as opposed to concrete. Mr. Squires stated his question again. Josh Cash then spoke and stated that the designs in the packet are not a final design. They plan to reach out to a local architect firm who will sketch the final designs for the outside. They want to use siding material instead of stucco or masonry. The decks will also draw your eye. Overhangs and changes of material that they plan to strive for in the final appearance. They want colors that fit with surrounding businesses and homes. Some of the pictures in the packet are references to other projects that are even taller than this project will be. One shows a mixture of siding, cedar shake, different paint colors, stone, etc. They want stuff that adds dimension and doesn't look like a big box. They need to produce something that will sell, and people will want to see the Blowing Rock charm.

Member Lindsay Cook asked how you get into the units from the path from the parking area on Main Street. Mr. Cash said there will be a door that enters the crawlspace and a staircase inside the crawlspace. This is so there aren't any huge staircases on the outside of the building. Mrs. Cook also asked what type of material they will use on the walkway. Jason said they weren't sure what to use yet. They've considered gravel or stone but have not decided. The material does have to be suitable per section 16-14.12.5. Mrs. Cook asked if any handrails would be required with the grade. Mr. Johnson noted they would discuss that with the building inspector.

Mr. Brooks Mayson asked if stairs would be more reasonable for the walkway from the parking area. Mr. Gaston said that the stairs would look rather awful with as many landings as you must include for the number of stairs they would have. He also mentioned they could be more dangerous. He said that was his judgement call and can review it if need be. He said the trail was longer, but it felt like a better design than stairs.

Mr. Mayson asked about the width of the path. Mr. Gaston said 3 feet was what they proposed but they could go wider in they needed to.

Mr. Mayson stated he thinks this property could qualify as a property that needed to be ADA accessible. He asked if the trail would be ADA accessible. Mr. Gaston said no.

Mr. Mayson asked if the town needs to take a closer look at this. Mr. Johnson said that in talking to the building inspector, the number of units is what triggers a property to need to be ADA accessible. This property does not trigger that based on the numbers. Mr. Mayson asked if there would be any liability on the town if they issue a permit and they are not ADA accessible. Mr. Johnson said he didn't think so, the building code will take care of anything regarding ADA accessibility.

Mr. Bergstrom asked what kind of price point they are looking at. Mr. Cash stated they aren't there yet and really aren't sure. They would like to keep it south of a million dollars.

Mr. Cash talked about the extra parking on Main Street. He said they re-evaluated that aspect of it and realized that even without the short-term, rental parking requirements, having extra parking in general would be beneficial to owners. With only two parking spaces per unit previously, it did not allow guests to come and stay and have anywhere to park.

Mr. Brooks Mayson asked about the retaining walls between the units. Two walls are 12-feet and one is 7-feet. He wants to know how visible they will be, whether they should be screened, what kind of materials they will be using? Mr. Gaston said they want to preserve as much natural buffer as possible, so they want to use as much existing vegetation as possible. As far as type of block, they are open to using anything. He mentioned Mr. Rothrock

sent a picture of an example of rock that would look good, Mr. Gaston said he agreed with the sample Mr. Rothrock sent. Mr. Gaston also said they would add screening if they needed to if the natural vegetation was not enough.

Mr. Mayson asked about the three retaining walls on the north end of the property. Two are 12-feet tall and one is seven-feet tall with 8-feet between each wall. He wants to know if there has been any discussion about changing the distance between the walls – pushing the bottom wall out and moving the other walls. He also asked if they could change the type of trees suggested in the plan. The suggested tree is arborvitae and he wants that to be reconsidered to something more native to the area. The applicant said they would be open to changing the types of trees.

Mr. Mayson asked if they would be open to doing the same type of screening wall on 321 on the retaining walls. The pressed stoned look. Mr. Gaston said they'd looked at different types of blocks to use that will look like stone, like the sample Mr. Rothrock sent. He said he would prefer to not do the pressed stone like the privacy wall on 321 because it doesn't quite look like anything natural to this area, in his opinion. Mr. Cash also stated that the pressed concrete is a specialty contractor, and they could face difficulties finding someone who could do it. Mr. Brian Johnson stated they just wanted them to stay away from a commercial modular block and thought they could find something a little more natural looking because there are so many options out there.

Mr. Mayson asked if the removal of the unit on the north end would mean the removal of the retaining walls. Mr. Gaston said there will still be parking in that general area even if the unit is gone so they would still need two walls but maybe not the third wall.

Chairman McCarter asked if the seven-building requirement in the watershed was a Blowing Rock requirement or a state requirement? Mr. Brian Johnson said it is a Blowing Rock requirement based on the watershed.

Mr. Mayson asked about the storm water system. He asked if there is any concern about run off flowing to the south and if there is anything they can do to slow the drainage to protect the creek. Mr. Gaston stated the best way for any storm water to drain is sheet flow through a natural buffer and that's what they have done. He said they construct a bio-swell or put in something else, but it would defeat the purpose of the natural buffer for sheet flow.

Mr. Gaston noted that the parking spaces on Main Street will be paved. It was originally proposed gravel but was told they had to be paved.

Mr. Mayson asked about landscaping on 321. He stated staff recommended earthen berms along 321 and he was curious about why that is preferable. Mr. Johnson referenced section 16-21 of the Land Use Code. He said staff feels like berm will help with protection, so a combination of earthen berm is suggested. Mr. Mayson asked about a knee-high rock wall instead. Mr. Johnson said that's a possibility, but we will have to be conscious of site visibility for vehicles pulling out and coming in.

Mrs. Cook asked about trash collection. Mr. Gaston said it would be valet style. They did not want trash cans located outside the building on the side of 321 due to high visibility.

Mr. Johnson said he would like to note that a few neighbors are present.

Mr. Fred Berry spoke. He is from Reidsville, North Carolina. He is there on behalf of the two homes down the driveway that would be affected by the new parking area. He told some of the history of the property and how long it has been there. His home is located at 423 Main Street. They have renovated and updated the home since living in it. They know they don't own the driveway but the property means a lot to them. He said the house may be one of the last nuggets of history in the town and now they will have to drive out of their property to a paved parking lot at the end of it. He said the pathway that people will be walking to the units and the lighting needed will not be nice. He asked that the Planning Board deny recommendation of the Special Use Permit to the Town Council.

Mr. Squires confirmed the two objections he heard were the parking area straddling the driveway and the lights on the walkway to the units. Mr. Berry said yes. Mr. Squires asked if any development would be an issue or if just the stuff on the back of this property is the issue. Mr. Berry stated he knows they can't say "no development" but this is too much.

Mr. Bergstrom asked if any screening would help. Mr. Berry said it would help but he doesn't know how the project is going to turn out so he can't say for sure.

Chairman McCarter stated they need to address two different things for the recommendation. One is for the deviation of the additional unit and the other is for the deviation from the maximum 12-foot retaining wall height.

Mr. Bergstrom said he wanted screening for the adjacent property owners to help protect their property. Extensive screening along the property line.

Mr. Mayson said he would like to replace the arbor vitae with something from the native plant section in the code, E10-E16.

Mr. Mayson said he would also like to vary the distance of the retaining walls on the north end of the property. He would also like to screen the retaining walls between the units that are visible.

Mr. Squires said there is one part of Mr. Mayson's suggestion that he did not agree with. He does not think any of the retaining walls should be moved closer to Main Street. Mr. Squires stated one of the saving graces of the site is the natural vegetation is there and moving the walls closer to Main Street and destroying that vegetation would not be a good idea. Mr. Mayson stated he just wants the idea to be explored and to vary the vegetation between the walls. Mr. Squires said varying the walls is fine, but the bottom wall should not be moved.

Mr. Tom Barrett stated the look of Main Street is going to completely change and we need to make sure we screen as much as we can. Changing the look of Main Street completely is one of the concerns he had from the beginning.

Mr. Naquin stated that from what the applicants have presented, it seems like they are going to try and dress the back of the property up as much as they can to make sure the appearance from Main Street is decent looking. He said the reality is that what they have planned is pretty good if we keep some of the natural and existing vegetation. He noted something will end up being built there so we better make sure we look at what we're given and try to protect the city from something else being built. He said if they protect the vegetation and make the walls look good, it will be good. People have issues with walls in the city, but he noted we've had rock walls in this city long before any of the board members were born. It may change the look, but we have all had change in this city. At least we can try to keep it classy.

Mr. Squires asked about the paving for the parking lot on Main Street and asked if it could be gravel for aesthetic purposes. Mr. Rothrock said they could certainly make a recommendation for it to be gravel, staff had suggested it be paved for consistency purposes. Mr. Squires felt like paving it would be inviting an enforcement problem in that parking area. He thinks gravel will be better in that area. Mr. Johnson said they originally discouraged the pervious material because it's hard to maintain here – we don't want it to turn into an eye sore.

Mr. Naquin asked about the designated driveway and then the two parking areas on either side. He asked if the whole thing would be paved or just the parking spaces. Mr. Johnson said his understanding is that the whole thing would be paved. There will be a concrete apron on Main Street in the parking area and then it would end at the end of the parking area and turn back into gravel for the driveway to the homes.

*Mr. Chris Squires made a motion to recommend approval of the 8 units, the retaining walls with additional conditions of substantial landscaping and screening on the buffers of the north and south end property lines and allow the neighbors to have input on the south end buffer, encouraging the applicant to look at varying the distances and heights of the retaining walls as long as the bottom wall does not move any closer to Main Street,*

*encourage the applicant to replace the arborvitae with something native to the area, encourage the applicant to look at gravel paving as opposed to asphalt paving for the parking area, ask the applicant to not put lighting on the walkway from the parking area to the back of the units unless necessary to protect the neighbors. Motion seconded by Mr. Steven Cohen.*

Mr. Berry stood up to say he wanted it to be clear that he does not want any parking at all on Main Street by their driveway. Mr. Rothrock informed the board they could go as far saying no parking at all on Main Street as a recommendation to Town Council if they wanted to. Mr. Bergstrom said he would like to see the parking eliminated altogether. Mr. Naquin thinks eliminating the parking area would be a problem. He says our biggest asset to have in development in Blowing Rock is for the developers to provide parking so people do not have to drive downtown to park and would eliminate the pressure there. If we have eight extra spaces, abused or not abused, like it or not like it, it's eight extra spaces that are not being pressured downtown.

Mrs. Cook asked if they eliminate the parking, would that eliminate the path to the back of the units. Mr. Rothrock said it would be a good idea to keep it so people can walk down to Main Street.

Mr. Mayson asked if not here, where for short-term rentals? It's allowed in General Business.

Mr. Rothrock reiterated that it is an allowed use in General Business.

*Chairman McCarter noted there is a motion by Chris Squires on the floor and a second from Steven Cohen. Chairman McCarter called for a vote. **Eight members in favor, one opposed.***

*Subsequent motion made by Lindsay Cook to eliminate eight parking spaces on Main Street, seconded by Gregg Bergstrom. **Motion received two votes in favor, seven votes opposed. Motion failed.***

Mr. Johnson stated that the applicant is nervous about what is considered substantial for the buffering requirements. We want to make sure we define what is substantial or what that looks like so the applicant can apply it to the project. Mr. McCarter pointed out that the first and second walls seem to have substantial buffering planned but the third wall needs more buffering. Maybe tighten up the evergreens to achieve more of a hedge look.

*Motion made by Gregg Bergstrom to provide additional screening on the south side to screen the property next to it from this development. Seconded by Tom Barrett. **All members in favor.***

Mr. Brian Johnson mentioned the potential for Planning Board training in the future. All members seemed interested.

*Motion to adjourn meeting by Steven Cohen. Seconded by GK Naquin. **All members in favor.***

Meeting adjourned at 7:51 pm.

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Chairman Bill McCarter

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Planning Specialist, Taylor Miller

