

Draft

Planning and Zoning Board

Minutes

Thursday, June 19, 2014

5:30 p.m.

The Blowing Rock Planning and Zoning Board met on Thursday, June 19, 2014 for their regularly scheduled meeting. Chairman West called the meeting to order at 5:30 pm. Members present were David Laughter, Alice Roess, David Harwood, Lisa Stripling, Rich Scheurer, Wes Carter, and Genie Starnes. Member Natalie Bovino was absent. Staff members present were Town Manager Scott Fogleman, Planning Director Kevin Rothrock, Administrative Assistant Tammy Bentley, and Town Engineer Doug Chapman.

Chairman West asked if there were any changes to the minutes. There were none.

Ms. Starnes made a motion to approve the minutes. The motion was seconded by Mr. Laughter. All members were in favor of the motion.

Chairman West asked if there were any changes to the agenda.

Mr. Carter made a motion to move the Comprehensive Plan to first and Mountainleaf to second on the agenda, seconded by Ms. Roess. All members were in favor of the motion.

Comprehensive Plan

Mr. Rothrock gave the staff report. Mr. Jason Epley thanked the Board for the opportunity to assist with the Comprehensive Plan. He stated that there had been no changes to the plan since the last meeting. Chairman West said if there were no changes to the Plan that it would be presented to the Town Council at the July 8, 2014 meeting.

Mr. David Laughter made a motion to present the Comprehensive Plan to Town Council at the July 8, 2014 meeting, seconded by Mr. Carter. All members were in favor of the motion.

CUP 2014 – 03 Mountainleaf

Mr. Rothrock gave the staff report. Catellus Group, LLC is requesting a conditional use permit to construct a mixed-use project on a 7.359 acre parcel located on the corner of Hill Street and Main Street. The Applicant is proposing construction of a 112 room hotel with conference space, restaurant and spa, and up to 26,000 additional square feet of retail space, twenty condominiums

and related parking spaces. The subject property is zoned Central Business and is bordered by one property zoned R-15 and three properties zoned CB. Mr. Rothrock said that he began meeting with the group in late 2013 to understand what they proposed. He added that it would be hard not to compare this project with the previous plan for this site, but to remember that the two projects are separate.

Chairman West asked if the Traffic Impact Analysis (TIA) provided for the previously approved project would be updated. Mr. Rothrock replied that there would be a new TIA. Chairman West asked that the new TIA include weekend traffic counts for our resort community.

Mr. Scheurer said if the sidewalk continues along Main Street in front of Southern Comforts and Speckled Trout that this would create a dangerous situation due to cars backing out of those parking lots. Mr. Rothrock said that the sidewalk would dead-end at the lower end of Southern Comforts parking lot.

The Board discussed the building heights and the impact of same on adjacent properties. Ms. Roess was concerned with the developers having full funding to prevent work stopping mid-project.

Chairman West turned the meeting over to Mr. Walter Fields, Planner for the project. Mr. Fields told the Board that he appreciated the opportunity to appear before them and the time and talent of the town staff, as well. He added that the several meetings with the various Department Heads had made the process much easier.

Mr. Stephen Barker, Chief Executive Office of Catellus Group thanked the Board for their time. He stated that their company started in Michigan in 1978 and they relocated to Charlotte in 1986. In that that time they were involved in many projects and that they now focus on bringing community properties back to viability. He added that they had achieved good success with a hotel in North Dakota and they wanted to replicate that here while integrating what Blowing Rock "is" into this project and site.

Mr. Harwood asked Mr. Barker if his group runs hotels. Mr. Barker responded that they let professional managers do that.

Mr. Richard Petersheim with LandDesign, Inc said that the site has a 60' grade change from the top to the lower section and that they are trying to preserve the trees and filter the view of the development. He added that the back of the buildings feel like fronts and that the retail buildings will be smaller and very similar to surrounding buildings.

Mr. Stephen Overcash, Architect for the project, said that a mixed-use development is more sustainable and they want the buildings to look like they have been here for a long time. Mr. Petersheim described the architectural details and presented a video depicting traveling through the project and said that parking would be heavily screened.

Mr. Fields added that no buildings loom over the street and that there will be a lot of excavation to respect the scale and lower the project towards Main Street. He also said that they had spent

much time on the parking and there is some duplication with this project. He said that hotel guests would park and walk to amenities within the project. In referencing the TIA, he said that this project is much less intense than the previously approved project and that it may be possible to update the previous TIA with a technical memorandum. He added that they would still have to go through NCDOT's process, but may avoid congestion management. Mr. Fields said that they want to participate in adding the sidewalk along Main Street, but does not know what they are being asked to do. He also said they would be glad to contribute to a sidewalk fund, but does not know what the amount would be.

Chairman West referred to Ms. Roess' question about financing the project. Ms. Roess asked where they stand. Mr. Barker replied that they have lots of interest in help with financing and that Catellus Group would also be contributing. He added that they are moving towards financing, but do not have it today. Ms. Roess asked the amount of the overall budget. Mr. Barker said that they do not have that at this point as the plans are too preliminary. Mr. Barker said that the development would probably be built in two phases, with the hotel being first. Ms. Roess asked if the finished development would be turned over to a management team. Mr. Barker said that they would hire a team for the hotel, spa but not for the residential and retail spaces. He added that they have 3 well credentialed companies vying to manage the hotel.

Chairman West asked if there would be any under-building parking. Mr. Barker said not for the retail spaces, but that the condo units would have garage parking. He also said that they plan to limit the number of restaurants allowed in the retail buildings to help balance parking.

Mr. Harwood asked if they plan to build the hotel first. Mr. Barker said yes, but that could change. Mr. Harwood asked how that would change the site development. Mr. Barker said it would have no effect, as 90% of the site development would be completed.

Mr. Laughter asked if all entrances were one lane in and one lane out. Mr. Fields responded yes. Mr. Laughter said cars turning left from Hill Street onto Main Street could get backed-up. Mr. Fields said that the site development will improve visibility to the north. Mr. Laughter said he sees this as a choking point. Chairman West asked about a traffic signal. Mr. Fields said that's the last thing that DOT wants to do and there have been no conversations regarding traffic signals.

Mr. Scheurer asked if the TIA completed in 2008 included Hill Street and how much parking is on the upper level. Mr. Fields responded that there are 75 to 80 spaces on that deck and that the TIA included Hill Street.

Chairman West asked how they plan to deal with the rock on the site. Mr. Fields said he and Kevin Vogel, with LandDesign, had discussed how to preserve the rock and added that as they encounter rock they will have to deal with it. Chairman West noted that the Town has a blasting ordinance and they would need to be prepared.

Ms. Roess asked what trees would be used. Mr. Petersheim said they had not decided on the trees yet, but they plan to use native plants and try to fit in with the surrounding areas. He added that they hope to leave Hill Street to Main Street mostly intact and tidy up the edges.

Mr. Carter asked about the traffic on Hill Street and the height of the retaining wall along Main Street. Mr. Petersheim said the height of the retaining wall varies from 5 feet to 9 feet. Mr. Carter asked how the elevation would differ from Cornish Road. Mr. Petersheim said it would be about the same.

Ms. Starnes asked if the dumpsters would be enclosed. Mr. Petersheim said yes and they would not be visible from Main Street.

Mr. Harwood asked if the HVAC units would be roof-top mounted. Mr. Overcash said the HVAC units will be screened and hidden. Mr. Harwood asked how the permitting would work. Mr. Rothrock said that detailed plans would be submitted to the Planning Board and the Town Council for each building or group of buildings before building permits applications could be submitted.

Chairman West confirmed with Mr. Fields that the cap on restaurants is 8000 square feet. Mr. Carter said he was concerned with screening on Main Street across from Cornish. Mr. Petersheim replied that these buildings would be about 35 feet off Main Street.

Mr. Rothrock asked Mr. Petersheim if a right turn lane is required would that space come off the site. Mr. Petersheim confirmed. Mr. Rothrock noted that this area would have to be landscaped. Mr. Fields responded that they would work with the right-of-way, but any additional right-of-way would come out of the site.

Ms. Roess asked if they had factored in traffic on north Main Street accessing the site. Mr. Fields said he did not know if DOT would want a right turn lane, but they would iron that out with DOT and the Town. He added that the closeness of the Chetola and Mountainleaf entrances would be a factor. Mr. Rothrock said that the previous project did not require a right turn lane, but did require a left turn lane.

Mr. Carter asked if DOT would look at Hill Street. Mr. Fields said that the TIA looks at all street connections to the site and that the driveway permit from DOT would focus on Main Street and the Town would approve the design of the connection to Hill Street.

Chairman West opened the meeting to public comment.

Mr. Robert Schafer, of 183 Hill Street, said that Hill Street was too narrow for his horse trailer and that the ditch is very deep. He asked how access would be possible from this narrow road and he also asked if he would hear dumpsters being emptied.

Ms. Adrienne Washer of Ransom Street said she was concerned with dumpsters right across from her house and with the loss of plantings.

Ms. Andrea Schafer, wife of Robert Schafer, said that it makes more sense to have the entrance to the upper parking lot from within the development as opposed to having it from within the development then onto Hill Street and back into the development.

Mr. Kent Tarbutton, Chair of the Tourism Development Authority and owner of Chetola Resort, said he was part of the old design. Speaking as the TDA Chair he said that the Town needs more meeting space and additional rooms. He said he likes the overall project but is concerned with the retaining wall heights and internal sidewalk. Mr. Tarbutton then spoke as the owner of Chetola and said that he is concerned with the storm water management as Chetola Lake is full of dirt and will be very costly to dig out. He urged the Board to be sure that proper storm water management is done. He added that he felt this is a good plan and proposal.

Mr. David Rogers with Blowing Rock News asked if sidewalk compensation was related to parking variances requested. Mr. Rothrock said no, that the project would encourage pedestrian traffic to connect to the sidewalk. He added that Staff feels that a sidewalk on north Main Street is necessary. Chairman West responded that the parking falls under flexibility, not a variance.

Ms. Karen Herterich, owner of South Marke, asked if 25 residential units are planned. Mr. Petersheim confirmed that 20 units are planned. She then commented that each unit has one parking space and asked how much residential parking would go into other parking.

Ms. Schafer asked if the property will be pet friendly.

Mr. Fields responded to the Schafers that Hill Street would be improved with widening and curb and gutter and that the deep ditch will be gone. He also said they would have to deal with the dumpsters; they will be pushed into naturally screened areas and the one closest to Ransom Street will be completely enclosed and they can manage collection times. He said that the landscaping at the edge of Main Street depends on the design of the turn lane and that they want to keep as much vegetation as possible. He added that the public would have the chance to review subsequent plans as they are present to the Planning Board and Town Council for approval.

Mr. Fields responded to Mr. Tarbutton that they are very aware of their downstream neighbor and that the storm water will be managed as an amenity as well as a necessity. He added that it will be an extraordinary feature of the property.

To Mr. Rogers, Mr. Fields responded that the sidewalk is not a trade-off and no developer can get a sidewalk from Hill Street to Southern Comforts, but they want to be part of the process.

Mr. Barker addressed Ms. Heretrich regarding residential parking. He said the current trend is for smaller, more urban living spaces and each unit has garage parking under the building and that additional parking is incorporated into the plan. Mr. Fields responded that the 2 bedroom units have under-building garage parking and a pad space outside. Ms. Heretrich asked if the buildings would have elevators. Mr. Fields confirmed. Chairman West noted that 1.5 parking spaces per bedroom are required. Mr. Fields responded that it is all in there.

Mr. Fields asked Mr. Barker to address Ms. Schafer's pet friendly question. Mr. Barker said they did not know if the property would be pet friendly; it's too early in the process to decide.

Mr. Carter asked if rentals would be allowed in the residential units. Mr. Rothrock responded yes, that daily rentals are allowed in this zoning district.

Mr. Rothrock told the Board that access to the secondary parking lot had been discussed at length and the grade and necessary fire access make getting access from within the project difficult.

Chairman West asked if the property, excluding the hotel, would be pet friendly. Mr. Barker said he did not know. Mr. Rothrock asked if the sidewalk would be pet friendly as it would be for public use. Mr. Fields said the expectations for this sidewalk would be the same as for the other sidewalks in town. Mr. Carter asked if the interior sidewalk is public. Chairman West noted that there is precedent for public access over private property. Mr. Doug Chapman, Town Engineer, said the sidewalk would be the same as the street; both are maintained by the developer, but are available for public use.

Mr. Carter asked Mr. Chapman if the water and sewer systems would have to be upgraded for the proposed project. Mr. Chapman said that neither would need to be upgraded. Mr. Carter asked if his answer includes the Chestnut Ridge facility. Mr. Chapman confirmed.

Chairman West adjourned the meeting for a 5 minute break. Upon reconvening the meeting Chairman West asked for discussion on tabling the last agenda item. With no discussion the Board returned to the Mountainleaf request.

Mr. Carter suggested the following conditions for the request:

1. Improve and widen Hill Street
2. Provide public access to the sidewalk within the development
3. Escrow funds for public sidewalk
4. Provide public toilet facilities
5. All parking areas will be accessed from within the site.
6. If the number of parking spaces are reduced, then Applicant must pay into parking fund

The Board discussed the conditions.

Mr. Laughter made a motion to approve the request with the following conditions:

1. Widen Hill Street to 18 feet of asphalt and add curb and gutter
2. All parking areas shall be accessed from within the site
3. Applicant shall provide escrow funds for sidewalk installation from south corner of Hill Street (at Main Street) to Southern Comforts
4. All access to sidewalk within the site will be available to the public
5. Provide public restrooms on the site
6. Payment into the parking fund for the shortfall of parking spaces (13 spaces short)

Ms. Starnes seconded.

The Board discussed the motion. Mr. Harwood said that requiring the Applicant to provide access from within the site to all parking areas would eliminate more parking spaces from the plan. He suggested elimination of either or both conditions number 2 and 6. Mr. Carter asked if the parking fund fees are always assessed. Mr. Rothrock said that each request is unique and that they must look at the use. He continued that the Applicant asserted the spa will be used primarily by people already on site. He added that the number of proposed spaces does not include any outdoor dining. Mr. Harwood said that he sees where the use could allow flexibility.

Ms. Stripling asked how much would have to be escrowed for the public sidewalk from Hill Street to Southern Comforts. Mr. Rothrock said there is no number now; that DOT may not have right-of-way, and we don't want to tear down old retaining walls to get a sidewalk. He said the cost could be based on linear foot of sidewalk or cost plus 25%, but it would have to be investigated first to see if it is feasible.

Chairman West addressed Mr. Harwood's concern with the Applicant losing spaces by providing interior access. Mr. Carter said the thought interior access is doable. Mr. Scheurer said that he didn't think the Applicant should be doubly penalized and suggested that the number of spaces to be paid into the fund be reduced by half. Mr. Carter said that condition number 6 could be eliminated.

Mr. Laughter motioned to approve the amended request, eliminating condition number 6, and send it to Town Council, seconded by Ms. Starnes.

All members were in favor of the motion.

Draft Ordinance -- Sandwich Boards and Outside Displays

Mr. Rothrock gave the staff report and presented a slide show of sidewalk displays and sandwich boards in town. After the draft ordinance was presented to the Town Council, the Town Council had some questions and returned the ordinance to the Planning Board for additional study and simultaneous consideration of how outside display could be regulated, especially on public sidewalks.

Ms. Starnes asked if there is an ordinance for displays of merchandise on the streets. Mr. Rothrock said no. Ms. Roess asked if someone were injured on Main Street due to merchandise on the sidewalk, who would be liable.

Mr. Carter asked Mr. Rothrock if the intent of the Town Council is to eliminate outdoor displays. Mr. Rothrock said he did not think so. Mr. Fogleman said that the Town Council's intent was to decide while thinking about displays and sandwich boards together.

Chairman West said that a minimum distance of open sidewalk must be enforced. Mr. Scheurer suggested that "outdoor displays" be included in item c of the proposed sandwich board ordinance. Mr. Rothrock responded that outside displays are not signage and would need to be addressed separately.

Mr. Harwood asked if it is safe to assume that all sidewalks are public. Mr. Rothrock said no.

Mr. Rothrock said that the Town Council wants specifics about the sandwich boards that would be available; to give a list of choices.

Chairman West opened the meeting to public comment.

Ms. Patra Wansley of the Gilded Lily told the Board that she thinks retail enhances Blowing Rock and wants to keep her outside display as it helps her business. She also said that merchants need to capitalize on good weather and asked who will police what. She added that she would not use a sandwich board.

Ms. Janet Calhoun of Bolick Pottery said she is a long-term retailer and understands that a lot of merchandise can be overwhelming. She said that she has 13 feet of storefront and that is about 6 steps to glance into her store. She also said she wanted to be able to display merchandise and would not use a sandwich board.

Ms. Karen Heretrich said that she advocates outdoor displays, but there must be some teeth to enforcement. She also said that there are twice as many signs on Saturday as on Wednesday and it is vital to a business' success to have them. She added that while she personally dislikes sandwich boards some businesses off Main Street need them.

Ms. Sherry Furman of Take Heart said that her biggest concern is outdoor lighting. She said that she appreciates safety concerns and tries to create atmosphere at her shop. She also asked the Board to please consider the contribution of merchants to the Town.

Ms. Susan Vrikkis of Final Touches said that she was confused as she did not think sandwich boards were allowed. She said that she would not use a sandwich board. She added that lots of tourists want to shop in Blowing Rock and we need to look unique. She said that perhaps there should be a merchant committee to work on it.

Ms. Sherry Whelan of Sister Act asked if there ever been an injury due to merchandise outside and commented that there was more risk of being injured in front of Kilwins.

Ms. Starnes noted that no one here wants a sandwich board sign.

Ms. Heretrich said that Mr. Charles Hardin, Director of the Blowing Rock Chamber of Commerce could not be at the meeting but had asked her to let the Board know that the Chamber is very much in favor of outdoor displays.

Ms. Roess asked if, considering the time, this issue could be tabled.

Mr. Scheurer suggested that sandwich boards could be an extension of the outdoor displays as long as a four foot clearance was maintained. Mr. Laughter said the sandwich board size needs to be a perfect 2 foot square. Mr. Scheurer said they should be chalkboards and be a homogenous as possible.

Mr. Rothrock suggested that Chairman West close the public comment.

Chairman West closed the meeting to public comment.

Mr. Rothrock suggested that the zoning subcommittee study the ordinance further.

Ms. Starnes confirmed with Mr. Rothrock that merchants would be able to keep their outside displays. Chairman West said that the Planning Board is not against outdoor displays.

Mr. Laughter made a motion to table and send to the zoning subcommittee for further discussion, seconded by Mr. Laughter.

All members were in favor of the motion.

The entire Board unanimously agreed to adjourn the meeting.

Chairman West ended the meeting at 10:15 pm.

Chairman Jim West

Tammy Bentley, Administrative Assistant