

MINUTES

Blowing Rock Board of Commissioners

Tuesday, July 10, 2001

The Mayor and Board of Commissioners for the Town of Blowing Rock met in regular session on Tuesday, July 10, 2001 at 7:00 p.m. Present were Mayor J. B. Lawrence, Commissioners Barbara Ball, Terry Lentz, Michael Sweeting, Charles Travis, and Rita Wiseman. Also present were Town Manager Don Holycross, Town Attorney Allen Moseley, Town Engineer Marion Rothrock and Town Clerk Barbara Beach. Other staff members attending the meeting were Director of Public Works Johnny Lentz, Police Chief Owen Tolbert, Building Inspector John Warren, and Sonya Long, Zoning Administrative Assistant.

Approval of Minutes:

Mr. Travis made a motion that the minutes of June 12 and June 27 meetings are adopted as submitted. Mrs. Ball seconded the motion, and it was approved unanimously.

Public Hearings:

1. Rezoning Request - .414 Acre Parcel, Chetola Lake Drive

Mayor Lawrence opened a public hearing to receive comment concerning the request from Mr. Kent Tarbutton of Chetola Resort to rezone a .414 acre parcel from R-6M Multi-family Residential to Central Business. Mr. Tarbutton requests the change to allow for a hotel expansion to the existing Chetola Lodge, and he spoke to the assembly to explain the development of the Chetola Planned Unit Development. Several property owners of the Chetola Resort area were also sworn to speak and urged the Town Council to deny the rezoning request. After time was allowed for all to have an opportunity to speak, Ms. Wiseman moved that the public hearing be closed. Mr. Sweeting seconded the motion, and it was unanimously approved.

Mr. Sweeting then made a motion that the request for rezoning is denied. Mr. Lentz seconded the motion, and all members voted in favor of the motion.

Mayor Lawrence called for a five-minute recess, and then he reconvened the meeting at

8:00 p.m.

July 10, 2001

Page two

2. Cup No. 2001-08– Expansion for Telephone Switching Station

Mayor Lawrence opened a public hearing for comment concerning the proposed expansion of the telephone switching station on Maple Street. Mr. John Farabow, architect for the BellSouth project, was present to request

a conditional use permit be granted due to the growth of the Blowing Rock area, and the greater need for more telephone lines. Mr. Farabow reviewed the plan in detail and explained that BellSouth is requesting that the detained stormwater be allowed to drain across the Post Office parking lot in the natural flow that currently exists. After questions and discussion, Mrs. Ball moved that the public hearing be closed, Ms. Wiseman seconded the motion, and it was unanimously approved.

Mrs. Ball made motion that the plans and draft CUP be adopted as presented, with these exceptions: 1) the deletion of the last paragraph of Item number 5 of the draft that would require the installation of an underground storm sewer pipe on Maple Street to discharge stormwater, 2) the addition of another coach light on the west side of the building, and 3) change the language of item number 14 of the draft CUP to approve an impervious area not to exceed 46% unless otherwise approved by the Planning Board. Ms. Wiseman seconded the motion, and the Board began discussion of the draft.

Mr. Lentz believed that BellSouth should have to obtain an easement across the Post Office property to pipe the stormwater underground because he was concerned that the flow of stormwater would cause additional winter icing of the Post Office parking lot. In response to concerns raised by this view, Council members discussed the draft conditions pertaining to stormwater drainage. Mr. Sweeting asked Mr. Rothrock to express his opinion. Mr. Rothrock stated that he believes that the stormwater detention would have to be an improvement in the water flow across the parking lot because there is no existing stormwater detention. Mr. Travis is of the opinion that the applicant should be required to pipe the stormwater to be discharged into a public right of way or natural waterway, as the Town has mandated for other applicants.

Mayor Lawrence called for the vote. Voting in favor of the motion: Ball, Wiseman, and Sweeting. Voting against the motion: Lentz, Travis. The motion was approved.

CUP No. 2001-008 Attached as Exhibit A

July 10, 2001

Page three

New Business:

1. Text Amendment for Hospital/Medical Complex Zoning District

Mayor Lawrence introduced this item of business, and then turned the gavel over to Mayor Pro-tem Travis to conduct this portion of the meeting, citing a possible conflict of interest because he is on the Board of Directors of Blowing Rock Hospital. Mr. Holycross advised the Council that Blowing Rock Hospital has applied for a conditional use permit for the construction of up to 60 units of independent living housing. However, it is the opinion of the Town Attorney that a text amendment to the zoning code would be required before the proposed units could be constructed in the Hospital/Medical Complex district.

Tony diSanti, attorney for the hospital, urged the Council to refer the text amendment to the Planning Board for their review.

After discussion, Mr. Sweeting moved that the matter be sent to the Planning Board as a proposed text amendment for their review and recommendation. Mr. Lentz seconded the motion and it was unanimously approved.

Mayor Lawrence recessed the meeting for five minutes, and called it to order again at 9:00 p.m.

2. North Main Street Sidewalk

Mr. Holycross reported that he and Mr. Rothrock had met with Sam Erby and Carl McCann of NC Department of Transportation and requested an additional amount of funding for the North Main sidewalk project. It was agreed that they would authorize an additional amount of \$50,000, for a total NCDOT contribution of \$130,000.

Council discussed differing views of the priority of a sidewalk in this area, and the possibility of stopping construction of the sidewalk at the Chetola Dam, due to the high costs of constructing retaining walls from the dam to the Highway 321/321A stoplight. However, Chief Tolbert expressed his view that this is the most dangerous area for pedestrians, and that if a sidewalk were constructed, this would be the most important component.

Ms. Wiseman made motion that the Town proceed with plans for the project with the following distribution of funding for the project: NCDOT \$130,000, Tanger Shoppes on the Parkway \$50,000, and the Town, the balance of \$147,000.

July 10, 2001

Page four

Mr. Lentz seconded the motion. Mr. Sweeting stated he has serious reservations about the project. Mrs. Ball agreed, saying the construction of a sidewalk in this area does not make sense to her. Mayor Lawrence called for the vote. Voting for the motion: Travis, Wiseman, and Lentz. Voting against the motion: Sweeting and Ball. The motion was approved.

Ms. Wiseman then made motion that would authorize Mr. Lawrence to sign the Construction/Enhancement Agreement with NCDOT on behalf of the Town. Mr. Lentz seconded. Voting for the motion: Travis, Wiseman, and Lentz. Voting against the motion: Sweeting and Ball. The motion was approved.

Municipal Construction/Enhancement Agreement Attached as Exhibit B

3. Petition for Short Term Rental Overlay District – Royal Oak Condo

Association

Jenkins Realtors has submitted a petition for the creation of a short-term rental overlay district for Royal Oak Condominiums. The minimum requirements for submission of a request have been met, including a majority vote of the unit owners to endorse the petition. The subject property is zoned R-6M.

By motion of Mr. Sweeting, second by Ms. Wiseman, the Council voted unanimously to refer the request to the Planning Board for their review and recommendation, and to schedule a public hearing on the matter for the August 14 meeting of the Council.

4. Petition for Short Term Rental Overlay District – Damon Mallatere - Green

Street

Damon Mallatere has requested a short-term rental overlay be created for his two-unit dwelling at 303 Green Street. Council discussed whether the application is in compliance with some of the mandatory provisions of the Code. Some members felt the subject property is not a complex since it has only two units. However, Mr. Sweeting believed that the Planning Board should discuss these questions, and he made a motion that it be referred to them for their review and recommendation. Mr. Travis seconded the motion, and it was unanimously approved.

5. Resolution: If All of Watauga Read the Same Book

Mr. Holycross advised the Council that a coalition of community leaders have requested approval of a resolution urging Watauga County residents to share a learning experience by reading Ernest Gaines's book, *A Lesson Before Dying*. Mr. Gaines will visit Boone in the fall and many events will complement this opportunity for personal growth.

July 10, 2001

Page five

Mayor Lawrence stated that he has read this book and added his recommendation to those requesting ratification of the resolution. Upon motion of Mr. Sweeting, second by Mrs. Ball, the Council voted unanimously to approve the resolution.

Resolution 2001-05 Attached as Exhibit C

6. Lights for Thirtle Walkway

Jim Thirtle was present to request permission to install "New Orleans style" hanging lights to illuminate the new walkway between Neaco and Winterfire Gallery on Main Street. The style differs from the usual coach lights that are mandated by the Town Commercial Design Standards. Ms. Wiseman made motion that the lights be approved if it is in compliance with Town Code. Mr. Lentz seconded the motion, and it was unanimously approved.

7. Closed Session

Mrs. Ball moved that Council convene in closed session by authority of NCGS 143-318.11(3) to consult with the Town Attorney. Ms. Wiseman seconded the motion, and Council members voted unanimously to agree.

Adjournment

Upon reconvening, there was no further business, and Mayor Lawrence adjourned the meeting at 10:50 p.m.

J. B. Lawrence,
Mayor

Barbara Beach, Town Clerk