

Minutes

Blowing Rock Board of Commissioners

June 14, 2005

The Town of Blowing Rock Board of Commissioners met in regular session on Tuesday, June 14, meeting began at 7:00 p.m. Members present were Mayor J.B. Lawrence, Commissioners, Terry Lentz, Keith Tester, Rita Wiseman, and David Wray. Barbara Ball was absent. Town Attorney Allen Moseley, Town Manager Scott Hildebran and Deputy Town Clerk Sonya Long were also present. Other staff members in attendance were Police Chief Owen Tolbert, Planning Director Kevin Rothrock, Building Inspector John Warren, Public Works Director Johnny Lentz, Parks and Recreation Assistant Director Amy Fleig, and Consulting Engineer Andy Lovingood of McGill Associates.

Call to Order

Mayor Lawrence called the meeting to order and welcomed the assembled citizens and advised that Commissioner Ball was out of town.

Approval of Minutes

Commissioner Wiseman made a motion to approve the minutes as submitted with one correction in the May 17, 2005 minutes. Under Discussion Items, paragraph two, change the word "reserved" to "funded." Commissioner Lentz seconded motion. All were in favor of the motion.

Public Hearings

1. Ordinance #2005-02 – Single Family Projects in Central Business District

Mayor Lawrence called the public hearing to order.

Planning Director, Kevin Rothrock stated at the March 2005 Town Council meeting, the Board of Commissioners discussed the recommendation by the Planning Board to require a conditional use permit for single-family homes in the Central Business District. The recommendation also required single-family structures to meet the commercial design standards found in the Land Use Code. The Planning Board was asked to again review the draft ordinance, but to come up with an alternative to the Conditional Use Permit process and fees. After further review by the Planning Board and the zoning subcommittee, a new draft had been submitted to the Town Council. Some of the changes were; defining what minor changes to a single-family structure could be changed at the administrative level, and requiring a Zoning Permit instead of a Conditional Use Permit.

Commissioner Tester questioned what the ordinance would cover. Mr. Rothrock stated it would cover design, exterior lines, rooflines, materials, and landscaping. Commissioner Tester asked about converting single family structures to a business. Mr. Rothrock explained that would be a change in use and would require a conditional use permit and would have to meet all sections of the Land Use Code. Commissioner Tester suggested adding, "Should single-family use be converted to a business, all other sections of the Land Use Code could apply to this application." to Section 16-304 - Applicability.

Mr. Wayne Greene made several comments regarding the ordinance. He stated that if the applicant wanted to appeal a decision that the Town Council made, where would the appeal go to next? If you allow the Zoning Officer to make these decisions, the appeal process is already in place. He suggested allowing the Zoning Officer to make the decision if the applicant should go to the Town Council with

the request or approval by the Zoning Officer. He also asked if this ordinance would be extended into other zoning districts.

Commissioner Wiseman made a motion to close the public hearing, seconded by Commissioner Lentz. All were in favor.

Mr. Moseley suggested the Town Council look at the possibility of allowing Mr. Rothrock to decide if the applicant needed a Zoning Permit or go before the Town Council. If the Town Council denied a conditional use permit, the applicant would appeal to the Superior Court.

Commissioner Wiseman pointed out that several residents had asked that the process be simplified. Mr. Rothrock stated the only difference between this process and the typical conditional use permit process would be the deadline is shorter for this request. The applicant would still go before the Planning Board and the Town Council.

Commissioner Tester stated there were still many questions and issues with the draft ordinance. *With that, Commissioner Tester made a motion to send the draft ordinance back to the Planning Director to work with the Town Attorney, seconded by Commissioner Lentz. All were in favor of the motion.*

- 2. CUP #2005-08 – Churchill Coffee – (Withdrawn)**
- 3. CUP #2005-08 – Rumple Memorial Presbyterian Church**

Mayor Lawrence called the public hearing to order.

Commissioner Wray asked that he and Commissioner Lentz be excused from this item due to conflict of interest.

Commissioner Wiseman made a motion to excuse Commissioner Wray and Commissioner Lentz from this item on the agenda, seconded by Commissioner Tester. All were in favor.

Sworn to speak regarding the proposed conditional use permit were Kevin Rothrock, Planning Director and Charlie Travis, representative for Rumple Memorial Presbyterian Church.

Mr. Rothrock stated Charlie Travis was present representing Rumple Memorial Presbyterian Church and would be able to answer questions from the Board. Mr. Rothrock explained that the Church requested a conditional use permit to renovate the exterior of the education building, add a covered handicap ramp, pave a gravel parking lot, and add landscaping. The property is located at 1218 Main Street and is zoned Central Business and Office Institutional. He added that the current gravel parking lot would be paved and striped and a three-foot high retaining wall would need to be constructed along the northern edge of the parking lot to support the existing upper parking lot. A recommendation to approve the conditional use permit was passed at the May Planning Board meeting.

Mr. Travis passed around artist renderings of the additions to the church. He pointed out that landscaping would screen the existing trash area. Commissioners discussed the retaining wall material and asked that they make it look like real stone as much as possible.

With no more comments or discussion, Commissioner Wiseman made a motion to close the Public Hearing, seconded by Commissioner Tester. All were in favor.

Commissioner Tester made a motion to approve the Conditional Use Permit as submitted, seconded by Commissioner Wiseman. All were in favor of the motion.

(Conditional Use Permit #2005-08 – Exhibit A)

4. FY 2005-2006 Budget Ordinance (Ordinance #2005-03)

Mr. Hildebran stated the proposed FY 2005-2006 Budget had been submitted as previously discussed last month and in work sessions. He pointed out that all fees are remaining the same with the exception of commercial solid waste fees. Watauga County landfill tipping fees have increased therefore requiring the Town of Blowing Rock to raise the rates. The tax rate will remain at .0295 per \$100 valuation.

With no further comments, Commissioner Wiseman made a motion to close the Public Hearing, seconded by Commissioner Wray. All were in favor of the motion.

Commissioner Wray moved to approve the FY 2005-2006 Budget as submitted, seconded by Commissioner Wiseman. All were in favor.

Mayor Lawrence thanked Town Manager and his staff for the hard work put into the budget.

(Ordinance #2005-03 – Exhibit B)

New Business

1. CUP #2005-02 – (Minor Amendment) – Brookside Inn (Village Inn)

Mr. Rothrock reported Mr. Larry Greene, architect representing Charming Inns of Blowing Rock requested a minor amendment to the Conditional Use Permit for the former Brookside Inn, now Village Inn. They had received a conditional use permit in March for multiple exterior modifications. One of those modifications included adding a gabled roof extended from the front of the lodge area. During construction, the owner approved the heavy timber frame construction and wanted it left unfinished. The applicant submitted several options for the Town Council to review. The applicant preferred to leave the timbers and install Plexiglas panels between the timbers.

Mr. Larry Greene, stated the Plexiglas would protect the customers from the weather as they entered the Inn. Commissioner Tester questioned the Plexiglas as an approved material. Mr. Rothrock read the code and stated it was not in the Town Code as an approved material. The Commissioners agreed that the project looked unfinished.

Commissioner Lentz pointed out the Town Council had approved the plans and it was not constructed according to the plans approved. Now the applicant was asking for a minor amendment after the fact.

With no further discussion, Commissioner Wray made a motion to approve the drawing SD4, which was also submitted and approved by the Planning Board, seconded by Commissioner Wiseman.

Commissioner Lentz stated the gabled roof material doesn't match any other material on the inn and they changed the plans without approval. Commissioner Tester stated the Town Council should not be asked to pick from different designs after they had already approved the project. He called for question.

Against the motion were Commissioners Wray, Lentz, and Tester. For the motion was Commissioner Wiseman. Motion failed.

Commissioner Tester made a motion to deny the request for a minor amendment, seconded by Commissioner Lentz. All were in favor of the motion.

5. Chamber of Commerce – Cruise-in Jam-in Event Request

Mr. Hildebran reported the Chamber of Commerce had requested approval to hold a Cruise-in/Jam-in Event in downtown Blowing Rock. The proposed dates are August 19 and October 7, 2005, 6:00-9:00 p.m. Cars would be parked along Park Avenue and would require the closing of the street. Pam Vines, president of the Chamber of Commerce was present to answer questions.

Mrs. Vines handed out the proposal to the Town Council. She stated they would also be using some of Wallingford Street and the American Legion area. They would also like permission to use the gazebo in Memorial Park for music.

Commissioner Lentz made a motion to approve the request as presented, seconded by Commissioner Wiseman. All were in favor of the motion.

Chief Tolbert requested that signs to block off Park Avenue and Wallingford Street be placed out earlier than the previous time. This would allow people that are parking along those streets enough time to move their cars and alert others that the roads would be closing.

(Exhibit C)

6. Budget Amendment

Mr. Hildebran reported the amendment recognizes the proceeds from the Blowing Rock Fire District for the new Emergency Services Building, additional revenue from the Powell Bill allocation, and transfers Parks and Recreation capital monies for tennis court renovation to the General Capital Projects Fund.

With no discussion, Commissioner Wiseman made a motion to approve the Budget Amendment as submitted, seconded by Commissioner Lentz. All were in favor of the motion.

(Exhibit D)

Adjournment

There being no further business to discuss Mayor Lawrence adjourned the meeting at 7:50 p.m.

Mayor: _____

J. B. Lawrence

Attest: _____

Sonya Long, Deputy Town Clerk