

**DRAFT**

**Planning and Zoning Board**

**Minutes**

**Thursday, April 21, 2005**

The Blowing Rock Planning and Zoning Board met on Thursday, April 21, 2005. Chairman West called the meeting to order at 7:00 p.m. Members present were Jim Steele, Sue Sweeting, Albert Yount, Doug Drury, Nelda Miller, Dennis Quinn and Cullie Tarleton. Staff members present were Kevin Rothrock, Planning Director, Scott Hildebran, Town Manager and Sherrie Pitts, Administrative Assistant.

*Mr. Quinn made a motion to approve the minutes seconded by Mr. Tarleton. Chairman West asked to add that property owners would be notified of the meeting time for the subcommittee discussing the Northeast ETJ. All were in favor of the motion.*

**Sledgehammer Charlie's CUP #2005-05**

Mr. Rothrock presented the staff report to the board in reference to the conditional use permit # 2005-05. The request is to renovate the former Pizza Hut building and open a new restaurant. Mr. Luddeke proposes to add cultured stone to the building base, a new gabled entrance on the building front, and a new deck on the north side of the building. The existing parking lot will be used with a few changes being proposed. A four-foot landscape buffer would be installed between the subject property and the former Pearl China Restaurant. A five-foot sidewalk would be added across the front of the building leading to the new front entrance. The new deck for outside dining will eliminate three existing parking spaces. A new five-foot public sidewalk will be required along Valley Blvd when the road is widened or when other sidewalks are built in the area. Currently there are six compact parking spaces, which will be re-stripped into standard spaces. The required parking spaces for the new restaurant would be 32, 30 are proposed, not including 7 existing spaces located in the NCDOT right-of-way. The applicant is requesting a waiver of two spaces with the justification that seven are available indefinitely as the road widening project begins in the next few years. No net impervious area is being added to the site. With landscape buffer being added along the southern property line, the total impervious surfaces should be reduced.

Mr. Quinn, board member asked if the sidewalk at the front of the building would be connected to the sidewalk that would be along Valley Blvd when the road is widened. Mr. Rothrock stated that he did not believe it was in the plan.

Mr. Yount, board member asked staff perspective on waiver of parking spaces. Mr. Rothrock commented that he was glad the compact spaces would be turned into standard spacing.

With no further question of staff, Chairman West opened the floor to the applicant.

Mr. Chuck Luddeke, with Harvest Moon Enterprises, advised their plans were to renovate and improve the vacant building. The colors they have chosen would go well with the stone they had picked. The changes planned would hopefully remove the Pizza Hut look of the building. Mr.

Drury, board member, asked if they had future plans to cover the deck. Mr. Luddeke responded that there were no plans that it would take away from the deck to cover it. If they would do anything it would be more like a

trellis. With recent roofing work the roof shakes are different colors and with the work they would be doing would create another color. Mr. Luddeke requested to stain the roof so that it would all be one solid color.

Chairman West asked about a septic holding tank and dumpster pad, at the back of the property on the south side, and if it belonged to the subject property. Eric Tomley, of Municipal Engineering, commented that it was his understanding that it belonged to the restaurant next door. Chairman West asked if both the restaurant buildings were on town sewer and if the tank was defunct. Michael Trew, municipal engineering commented that sewer lines did run behind the buildings and that the tank probably was defunct.

With no further questions of the applicant Chairman West opened the floor to the public. The floor closed with no question from the citizens.

*Mr. Quinn made a motion to approve with one change, that when DOT placed the sidewalk, a connector to the applicant's sidewalk would be put in. Mr. Steele seconded the motion. Mr. Yount asked about the staining of the roof. Mr. Quinn added to the motion to have staff approve of the staining color of the roof. All members voted in favor of the motion.*

### **Carl Underwood Fill CUP #2005-07**

Mr. Rothrock presented the staff report to the board in reference to the conditional use permit # 2005-07. The request is to remove the existing house from his property beside the Tanawha Realty and fill the property to the level of Hwy 321. Mr. Underwood plans to deposit 5700 cubic yards of fill dirt on the site, compact the soil, and stabilize the surface with grass. A 30-foot stream buffer would remain undisturbed between the two stream culverts on the south end of the property. The fill dirt would be deposited in lifts to insure proper soil compaction for any future building projects on the site. The entire site will be stabilized with grass and six street trees will be installed along the Hwy 321 right-of-way.

Ms. Sweeting asked if the Army Corps of Engineers would be involved because of the stream. Mr. Rothrock stated that the stream was not touched since there was a 30-foot buffer between the stream and the fill area.

Mr. Tarleton asked if it had been considered to extend the culvert from Hwy 321 back to the bridged section. Mr. Rothrock said that last year Curtis Deem had extended the culvert through the Army Corps of Engineers because of extreme erosion. A couple of years ago Mr. Underwood was approached about enclosing the stream and further back moving the stream closer to the mountain base. It is understood this would be mitigation. Mr. Rothrock commented that if Mr. Underwood could encase the stream the property would be level all the way across.

Mr. Yount asked if the town engineer had an opinion. Mr. Doug Chapman, with McGill Associates, commented that it is important that the site not be disturbed and then left incomplete for erosion to take place. The project should be monitored to make sure the site is stabilized and seeded so it would not erode into the stream. If crews were off site 15 days or more the site should be seeded.

With no further questions of staff, Chairman West opened the floor to the applicant.

Mr. Carl Underwood commented that his engineer was working with Army Corps of Engineers to have the stream totally encased. He did believe the project would be complete within three months. Mr. Underwood had no problem with seeding the project if it was to be left uncompleted for 15 days.

With no other questions of the applicant, Chairman West opened the floor to public comment, with no comments the floor closed to the public.

*Mr. Drury made a motion to approve with the condition that if the site was incomplete and abandoned for 15 working days it would be seeded, silt fence maintained and drains installed. Ms. Sweeting seconded the motion. Mr. Tarleton requested to add to strongly encourage pursuit of encasement of the stream. All members were in favor of the motion.*

### **Discussion of ETJ Northeast Proposed Zoning Districts**

Mr. Rothrock presented the staff report to the board on initial zoning classifications for the ETJ northeast area.

- Rocky Glen Subdivision off Goforth Rd.(R-15)
- Area west of Goforth Rd. except for Sunrise Cove/ Sunrise Terrace (R-15)
- Sunrise Cove/ Sunrise Terrace (R-10S)
- Blowing Rock Assembly Grounds (O-I)
- East of the BR Assembly Grounds and west of Green Hill Rd. (R-A)
- All areas east of Green Hill Rd. (R-15)

Mr. Quinn asked about the zoning on Green Hill Rd. that was labeled R-A, and if there was a new subdivision going in that area. Mr. Rothrock stated that it could be zoned R-15. Ms. Sweeting questioned differences in R-A and R-15. Mr. Rothrock replied that R-A had more allowable uses.

Chairman West opened the floor for public comment.

Mr. James Craig stated that he wanted to be notified of meetings. He had not been notified in the past on issues in his area. Mr. Craig also commented that he thought the ETJ should encompass a full mile surrounding the town limits. Mr. Rothrock assured Mr. Craig that he was on the list of property owners and that he would be notified. Mr. Rothrock remarked that there were 147 property owners in the area. Mr. Yount advised that he wanted property owners to be notified of the subcommittee meetings.

Mr. Tarleton made a motion to move the ETJ discussion to subcommittee, seconded by Mr. Quinn. Mr. Steele asked about meeting times that would be convenient to property owners. A meeting was set for Monday May 2<sup>nd</sup> at 6 PM.

### **Single-Family Development in Central Business**

Mr. Rothrock presented the staff report to the board in reference to design regulations for single-family residences in the Central Business District. Mr. Rothrock stated that at the Town Council meeting there was discussion on the recommendation by the Planning Board to require a conditional use permit for single-family homes in the Central Business District. This recommendation also required single-family structures to meet the commercial design standards in the Land Use Code. At the meeting, several property owners in the downtown area spoke against the proposed ordinance. Those speaking against the ordinance agreed with the concept of proper house design and color consistent with the character of Blowing Rock. However, they disagreed with the CUP process and the fee requirements. Town Council has asked the Planning Board to again review the possibility of regulating single-family in the Central Business District, but to come up with an alternative to the CUP process and the CUP fees. Staff gave recommendations for an alternative process, and a draft ordinance that would address the issues.

Mr. Tarleton asked why there was a \$25 fee to change the paint color. Mr. Rothrock advised that was the way the fee schedules had been set up.

*Mr. Tarleton made a motion to approve with the \$25 fee eliminated; Ms. Sweeting made a second to the motion.*

Mr. Earle Horne, resident, had comments on the fees and the process time, which at a minimum would be 30 days. This process still puts an undue burden on property owners.

Chairman West invited Mr. Rothrock to explain the process and what could be done in-house by staff and what had to be sent before the Planning Board then the Town Council.

*Ms. Sweeting made a substitute motion to send the single-family in Central Business back to subcommittee. Mr. Drury seconded the motion. **All members were in favor of the motion.***

### **Other Business**

Mr. Rothrock had comments on a Big Box Ordinance in anticipation that this issue needs to be addressed and defined. Mr. Quinn commented that the zoning subcommittee has a full agenda at this time and asked if a separate subcommittee could be created for this study.

Chairman West opened the floor for seat nominations for the Planning Board. *Mr. Tarleton made a motion to re-instate Chairman West and Vice-Chairman Yount for another term. Mr. Drury seconded the motion. **All members were in favor of the motion.***

*Mr. Drury made a motion to adjourn. Mr. Quinn seconded the motion. **All members were in favor of the motion.***

-

### **Adjourn**

With no further business, the Planning Board adjourned at 9:05 P.M.

---

Jim West, Chair Sherrie Pitts, Administrative Assistant