

# DRAFT

## Planning and Zoning Board

### Minutes

Thursday, May 19, 2005

The Blowing Rock Planning and Zoning Board met on Thursday, May 19, 2005. Chairman Jim West called the meeting to order at 7:00 p.m. Members present were Jim Steele, Dennis Quinn, Sue Sweeting, Cullie Tarleton, Doug Drury, Nelda Miller, Albert Yount and Ron Mace. Staff members present were Kevin Rothrock, Planning Director, Doug Chapman, Town Engineer and Sherrie Pitts, Administrative Assistant.

*Mr. Tarleton made a motion to approve the minutes seconded by Ms. Sweeting. All were in favor of the motion.*

#### **Churchill Coffee CUP #2005-06**

Mr. Yount, board member, wanted it noted for the record that he has worked for Mr. Snyder on residential appraisals in the past.

Mr. Rothrock presented the staff report to the board in reference to the conditional use permit # 2005-06. The request is to renovate the former Los Arcoiris building and open a new drive-thru restaurant and coffee shop. Mr. Snyder proposes to add cultured stone to the building, a new gabled entrance on the building front, and a new drive-thru on the south side of the building. The existing parking lot will be used but a few changes are proposed. A new drive-thru lane will be added around the building with enough space for six or more vehicles. The traffic pattern will be changed to allow access to the site by the north driveway entrance only. The street setback for this property is 20 feet from the edge of the right-of-way. The existing building eave is approximately 9 feet from the edge of the right-of-way. The gabled entrance facing Valley Blvd. will extend 7 feet from the existing building. After construction, the proposed building will have a setback of approximately 2 feet. A new five-foot wide sidewalk along the Valley Blvd. right-of-way will be required prior to the issuance of a Certificate of Occupancy. The Applicant must coordinate with NCDOT on the placement of the sidewalk. The proposed restaurant and drive-thru require a total of 29 parking spaces. Currently there are 37 spaces on site. No additional parking spaces are required. To avoid ingress and egress problems, the Applicant proposes to limit entry to the site through the north driveway and exit through the south driveway. No additional impervious areas are proposed. Adding landscaping will reduce some of the existing impervious areas. No other stormwater improvements are proposed. Along the southern property line, all of the existing white pines will be removed, as most of them are dead or dying. New shrubbery will be placed within this buffer. New landscaping will be placed along the edge of the building and in the new island along the drive-thru lane.

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

Mr. Tony di Santi, attorney representing ARN, LLC, made comments on the proposed aesthetics and that he believed it would be an asset to the Town.

Bill Dixon, with Appalachian Architecture, addressed the waiver request and that it would allow the gabled roof front.

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

Mr. Yount, board member, asked if the Town engineer had any comments or conflicts with the plans. Mr. Chapman, Town engineer, commented he did not see any problems at this time.

*Mr. Tarleton made a motion to approve the CUP as submitted. Mr. Drury seconded the motion. All members voted in favor of the motion.*

### **Rumple Memorial Presbyterian Church CUP #2005-08**

Mr. Tarleton stated that he had a conflict, he is a member of the church. All members voted for Mr. Tarleton to step down on this CUP.

Mr. Rothrock presented the staff report to the board in reference to the conditional use permit # 2005-08. The request is to renovate the exterior of the education building, add a covered handicap ramp, pave a gravel parking lot and add landscaping. Behind the education building there is a gravel parking lot that was built after an old apartment building was demolished. This parking lot will be paved and striped with 18 angled spaces. A 3-foot high retaining wall will be built along the northern edge of the parking lot to support the existing upper parking lot. Rockwood retaining block will be used. New shade trees will be added to the new parking lot islands and new shrubbery will be added to the perimeter of the lot. No additional impervious areas are proposed. Storm water pipes will be installed to improve the drainage of the new parking lot.

The following exterior changes are proposed to the east elevation of the education building:

1. A shed roof added to the covered walkway. Slate shingles will be added to match the existing sanctuary.
2. A new stone veneer to match the existing sanctuary.
3. Replacement of the double-hung upper floor windows with arched cottage-style windows.
4. A new stone entrance added to match the existing sanctuary.

The following exterior changes are proposed to the west elevation of the education building:

1. A new covered walkway built over the new handicap ramp with "weathered wood" asphalt shingles.
2. New double-hung windows.

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

Mr. Charles Travis, applicant, commented on the plans and the visual affect of the changes requested. Mr. Drury, board member, asked if the façade was cultured stone, Mr. Travis responded that it was not.

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

*Ms. Sweeting made a motion to approve CUP as presented. Mr. Quinn made a second to the motion. All members voted in favor of the motion.*

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### **Brookside Inn Minor Amendment CUP #2003-02**

Mr. Rothrock presented the staff report to the board in reference to the conditional use permit # 2003-02. The request is for a minor amendment to the conditional use permit for the former Brookside Inn, now named the Village Inn. Brookside Inn received a conditional use permit in March for multiple exterior modifications. One of those modifications included adding a gabled roof extended in front of the lodge area of the inn. During construction, the owner liked the appearance of the heavy timber frame construction of the roof and wanted to leave it unfinished.

Mr. Greene has provided several drawings for review:

1. Shows how the roof would look if finished as originally proposed and approved.
2. Shows the roof as it exists today.
3. Shows the proposed roof with optional wood shingles or copper roofing with the bark siding installed directly behind the timber framing.

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

Mr. Jim Smith, representing Charming Inns of Blowing Rock, advised that they were trying to create a mountain lodge effect. The exposed beams help create that affect and it does follow through into the interior of the lodge. Chairman West asked if they wanted to amend the CUP to leave the beams as is. Mr. Smith explained that they would like to put plexiglas on the underside of the cedar beams to allow cover for weather conditions.

Larry Greene, Greene Architecture representing Charming Inns of Blowing Rock, stated that the water would shed just like a standard roof.

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

Mr. Phillip Pickett, owner of the Boxwood Lodge and Blowing Rock Inn, commented that he liked the beams and he thought it was finished.

Ms. Susan Freshcorn, director of the Tourism Development Authority, commented that she liked the beams and she thought it was finished.

With no further questions or comment Chairman West closed the floor to the public.

*Mr. Tarleton made a motion to approve the amendment with the plexiglas panels. Mr. Mace seconded the motion. Mr. Drury wanted it to be clear that the plexiglas would pass the building code.*

**The motion passed 8 to 1, with Ms. Sweeting dissenting.**

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

Mr. Rothrock presented the staff report to the board. The zoning subcommittee met on two separate occasions to study and discuss ETJ land uses and zoning, and to answer questions of the residents in the proposed ETJ

area. The residents provided useful information on the current uses of their property and assisted the subcommittee in assigning appropriate zoning designations. After much discussion, the zoning subcommittee submits the following recommendations for zoning districts in the ETJ.

- Rocky Glen Subdivision off Goforth Rd.(R-10S)
- Area west of Goforth Rd. except for Sunrise Cove/ Sunrise Terrace (R-10S)
- 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. to existing town limits (R-A)
- Areas east of Green Hill Road on properties partially in town limits (R15)

Mr. Quinn questioned the R-A district and if this allows a daycare facility or franchise. Mr. Rothrock gave the definition of daycare and advised it would be allowable with a CUP.

Mr. Yount advised that he had met with Joe Furman, Watauga County Planning Director, about comments that had been made in the last subcommittee meeting. The property in discussion belongs to Mr. Richard Turk. The issue is about a subdivision that had been platted and certified exempt status. If Mr. Turk went to Watauga County tomorrow he could be given 4 building permits. Any issue the Town may have would be road access and Mr. Rothrock can address that issue. Mr. Rothrock stated that if the subdivision or lot lines were not changed nothing had to be done with the road. If it is developed and the road was not passable or substandard we may ask that the road be brought up to some minimum basic standard. If the developer did not own the land on either side outside of the road they would not be required to purchase more land. To build you would have to meet the setback requirements. Mr. Rothrock advised that if the lot lines were changed then the developer would have to follow the standards of the subdivisions in the Town Land Use Code.

Mr. Yount asked if it was a fair statement that nothing would be taken from Mr. Turk if or when the ETJ is in place. Mr. Rothrock stated that that would be correct.

Mr. Richard Turk, property owner, asked if he was told to upgrade his road and he chose not to what would happen. Mr. Turk requested definitions to his questions in writing from the town attorney. Mr. Rothrock stated that if what was asked of the developer was reasonable but he disagreed then he, the developer, would have the right to appeal the decision with the Board of Adjustment. Mr. Rothrock stated that if he had specific questions on these issues to take to the town attorney that he could and would get answers for those questions.

Chairman West asked whether or not the board could say no to someone requesting a permit if they could not meet all the zoning standards including roads.

Chairman West stated that if Mr. Turk would submit his questions that they would attempt to get as clear an answer as possible before the next planning board meeting.

Mr. Rich Jacobs, resident of Rocky Glen, comments that he believes the R-10S would restrict ideas he has for property that he owns in the area. Mr. Jacobs stated that he would like to see the area zoned R-6M. Mr. Rothrock advised that R-6M density would not be allowed because water and sewer were not available and the property was within the watershed. Mr. Jacobs stated that he would prefer R-10D to R-10S, at least this would allow a duplex on 15,000 SQ. FT. lot size.

Mr. Wayne Green, representing residents in the proposed ETJ area, had comments on the expansion of the ETJ and the concern of some of the residents and how it would affect them. Mr. Green said that they prefer no zoning and not to be included in the ETJ.

Mr. Green had three requests to think about and advise to council:

1. The ETJ not be established until the residents can vote.
2. Rescind the present ETJ until those residents can vote.
3. If the Parkway at Green Hill Rd. is not crossed by the ETJ it should not cross the Parkway on the 321 corridor with ETJ.

Mr. David Greene, resident, commented that he had not received a notice. Mr. Greene also stated that his property was zoned R-15 and he believes the surrounding property should likewise be zoned R-15.

Ms. Sweeting, board member, asked if the area shown as OI could be zoned residential with the current use grandfathered in. The board discussed possible uses in OI district and that this district was inside a residential area.

Mr. James Craig, resident, stated that to be fair to everyone the ETJ should encompass a full mile around the city limits.

Sue Glenn, resident, had comments on the R-10 district proposed and stated they would prefer R-6M as this would provide a greater flexibility to the property. David Cox, resident, commented how heavy the traffic had become since the Assembly Grounds had become a conference center. He commented that he liked the R-10.

Terry Storie, resident, speaking for himself and his father Hershel Storie, mentioned that they both were concerned about the nonconforming use on their accessory apartments and short-term rentals.

Lonnie Webster, resident, commented on his property on Goforth Rd. and advised that it is used as short term rental. He would like to be annexed into the town limits and be able to have the benefits provided as a town resident.

Sue Glenn commented on the larger tracts in the area and possible usage of those properties.

With no further comments, Chairman West closed the public comment.

Mr. Steele posed a question to the audience to see how the citizens felt about the ETJ. The audience was split 50/50.

Sharon Smoskie asked about the possibility of a retirement facility on a large tract of land on Goforth Rd. and if it could get water and sewer. Mr. Rothrock advised that the property would probably have to be zoned HMC.

Mr. Yount, board member, responded to the comment on a complete mile around the town limits. A full mile is too large for staff to handle, the topo is not favorable, and a large portion is federal property and Pisgah Forest. The reason for ETJ of 321 corridor is because it was commercial, not zoned, therefore unprotected. Chairman West had comments on the reasons for ETJ boundaries.

Mr. Tarleton asked if this could be referred back to subcommittee with comments from tonight. Ms. Sweeting stated that she was not comfortable sending it forward as it was. Mr. Quinn also asked if it should go back to

subcommittee. Mr. Rothrock said that the board should try not to create a large number of nonconforming uses. Chairman West thought it should be discussed further as a whole board not sent back to subcommittee. Mr. Drury recommended it be sent to council as is and allow them to hear from the residents. Mr. Chapman, town engineer, stated that instead of adjourning the board could recess the issue to continue at a later date.

*Mr. Tarleton motioned to table ETJ discussion until staff and Chairman West can set a date for full board discussion. Mr. Yount seconded the motion. All members were in favor of the motion.*

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

Mr. Rothrock presented the staff report to the board. The zoning subcommittee was asked to further study the proposed requirements for single-family structures in the Central Business District. The Board specifically asked the subcommittee to study the \$25.00 application fee for color changes only. The subcommittee decided to leave the \$25.00 application fee and further defined what minor changes to a single-family structure could be changed at the administrative level. A draft ordinance was presented with originally proposed text underlined and recommendations by the subcommittee noted in bold.

Mr. Tarleton stated that he still disagreed with the \$25.00 fee.

Mr. Wayne Green, interested party, stated that if it was important enough to go through a CUP the neighbors should be notified.

*Ms. Sweeting made a motion to accept as is. Mr. Yount seconded the motion. All members were in favor.*

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

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### **Adjourn**

With no further business, the Planning Board adjourned at 10:08 P.M.

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Jim West, Chair Sherrie Pitts, Administrative Assistant