

## Planning and Zoning Board

### Minutes

**Thursday, December 15, 2005**

The Blowing Rock Planning and Zoning Board met on Thursday, December 15, 2005. Chairman Jim West called the meeting to order at 7:00 p.m. Members present were Cullie Tarleton, Nelda Miller, Doug Drury, Sue Sweeting and Albert Yount. Staff members present were Planning Director Kevin Rothrock and Sherrie Pitts Administrative Assistant. Members absent were Jim Steele, Ron Mace and Dennis Quinn

*Ms. Sweeting made a motion to approve the minutes. Mr. Drury seconded the motion. All members voted in favor of the motion.*

#### **Jazzy Joe's Restaurant CUP # 2005-13**

Mr. Rothrock gave the staff report to the board in reference to Conditional Use Permit # 2005-13. The request is to renovate the former Los Arcoiris building and open a new restaurant. The Applicant proposes to make exterior upgrades to the building including a new gabled entrance and new outdoor seating areas on both sides of the building. Additional landscape improvements are also planned. The subject property is located at 8036 Valley Blvd. and is zoned General Business. The existing parking lot will be used but a few changes are proposed to the parking layout. The existing compact spaces will be re-striped to standard spaces. The existing driveways will be limited to one-way traffic with vehicles entering the site from the north driveway and exiting from the south driveway. This revised traffic pattern will have to be approved by NCDOT, but the staff recommendation is shown on the site plan submitted. The applicable 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 proposed 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. The proposed north side entrance and vestibule will encroach 1.5 feet into the 20-foot setback. A five-foot public sidewalk along the full length of Valley Blvd. right-of-way will be required prior to issuance of a Certificate of Occupancy. The Applicant must coordinate with NCDOT on the placement of the sidewalk. The proposed restaurant including the outdoor seating requires 40 parking spaces. Forty-Three spaces will be provided. According to the site plan, no additional impervious areas are proposed. In fact, 530 square feet of net pervious area will be added. No other storm water improvements are proposed. Along the southern property line, most all of the existing white pines will be removed as most of them are dead or dying. A privacy fence and new shrubbery will be placed within this buffer.

The Applicant is requesting a street setback waiver to construct the gabled main entrance and side entrance vestibule.

Staff has 2 recommendations that were not included on the revised plans:

- 1- That a shed/hip roof be constructed over the existing outside freezer.
- 2- That grills be required on all the new and existing windows as was previously shown on the original plans.

With no questions the floor was opened to the Applicant.

Bill Dixon, of Appalachian Architecture, was present to speak for the Applicant and was available to answer any questions. Mr. Dixon commented that there was no problem putting the grills back in the windows. Putting a roof over the freezer will be awkward. The roof pitch probably will not meet minimum standard recommended in the Town Code.

Mr. Yount, board member, asked if the Applicant would be agreeable to the addition of a roof. Mr. Dixon responded that they would be as long as the slope was waived. Mr. Yount also asked if NCDOT was agreeable with the plan. Mr. Dixon answered that he believed they would be, that with another plan for this location DOT had preferred one way in - one way out.

With no further questions of the Applicant, Chairman Jim West opened the floor to the public and closed with no question or comments.

Mr. Tarleton commented that he was delighted with the plan and with respect to the staff recommendation he did not see the need for a hip roof over the cooler. If it was new construction it would be understandable, however the freezer is not visible from the road.

*Mr. Tarleton made a motion to approve the Applicant's request with the revision of grills in the windows.  
Mr. Drury seconded the motion.*

Ms. Sweeting stated that she had a problem with the encroachment as she had stated with the last Applicant on the property. Mr. Yount commented that he agreed with Ms. Sweeting and asked if approved could it be written so that people would not think that this would apply to all properties allowing setback encroachment.

Mr. Rothrock commented that there are 5 findings that may permit deviation from the ordinance requirements if the Board concludes, based upon the information submitted at the hearing, that the project with the approved deviations:

1. Will not materially endanger health or safety;
2. Will not substantially injure the value of adjoining or abutting property;
3. Will be in harmony with the area in which it is to be located;

4. Will be in general conformity with the Master Plan or other plan officially adopted by the Board and;
5. Will be in substantial conformity with the intent of the regulations contained in this Article.

Mr. Tarleton commented that everyone agrees when an existing building is adapted for reuse everyone wants it to be an attractive change. This is an old Hardee's that already sits on dirt. The plan shows an attractive building.

Chairman Jim West asked how far out the extension would be from the current roof edge. Mr. Dixon advised approximately 8 feet or less. Ms. Sweeting commented that Mr. Dixon had said they would be willing to use 4 feet instead of 7 feet requested. Mr. Dixon replied that they would.

Mr. Rothrock said that the widening of the road would mostly be taking place on the opposite side of the road. There is yard frontage, but it is all in the right-of-way.

Chairman Jim West stated that the Board has several choices. It can vote on the motion or propose an amendment. Mr. Yount asked if the Board could vote on each issue of the findings. Mr. Rothrock advised that they should.

Chairman Jim West advised there was a motion on the floor and there is a request to divide the issue. Mr. Yount asked that the Board be read each finding and vote on each one as it pertains to the issue. The first deviation requested is a 1.5 foot extension for the north side vestibule.

1. All voted in agreement.

2. All voted in agreement.

3. All voted in agreement.

4. Mr. Tarleton, Ms. Miller, Mr. Drury, Chairman Jim West and Mr. Yount agree, Ms. Sweeting disagreed.

5. Mr. Tarleton, Ms. Miller, Mr. Drury, Chairman Jim West and Mr. Yount agree, Ms. Sweeting disagreed.

Mr. Tarleton stated that there was a motion on the floor that was never voted on. Chairman West stated that was correct, there was a request to split the vote.

*Mr. Yount made a motion to split the vote. Ms. Sweeting seconded the motion. Mr. Yount, Ms. Sweeting, Chairman West and Ms. Miller voted for the motion. Mr. Drury and Mr. Tarleton voted against the motion.*

**The motion passed.**

Chairman Jim West stated that the first deviation has been voted on. The second deviation is on a seven-foot extension on the front of the building.

1. All voted in agreement.
2. All voted in agreement.
3. All voted in agreement.
4. Mr. Tarleton, Ms. Miller, Mr. Drury, Chairman Jim West and Mr. Yount agree, Ms. Sweeting disagreed.
5. Mr. Tarleton, Ms. Miller, Mr. Drury, Chairman Jim West and Mr. Yount agree, Ms. Sweeting disagreed.

**All members voted in favor of the motion to approve the Applicant's request with the stipulation that grills be placed in the windows.**

**Minor Amendment to Blowing Rock Hospital CUP # 2002-06**

Mr. Rothrock gave the staff report to the Board in reference to a request from Blowing Rock Hospital for a minor modification to the main entrance of the hospital. The changes will include installation of automatic doors and construction of rock columns and other rock accents on the building entrance. The property is zoned HMC, Hospital Medical Complex. The proposed modifications will make the entrance more ADA accessible and architecturally compatible with the entrance on the emergency room wing.

Chairman Jim West advised that there was no conflict on this issue, even though Derald West, his father, is the architect for this project. They were not within the same household and Chairman Jim West has had no contact or assisted in the project.

With no questions of staff Chairman Jim West opened the floor to the Applicant.

Alice Salthouse, manager for the hospital, explained that they wanted to update the exterior of the hospital for appearance and accessibility to wheelchairs and persons with walkers. Management also wants to place a sign on the wall over the entrance

Derald West, architect for the hospital, commented that the plan is to create more accessibility at the entrance of the hospital. The aluminum frame windows will be removed and some parts will be reused, some brick will be removed and rockwork added.

With no questions of the applicants and no question from the public the floor was closed.

*Mr. Drury made a motion to approve the application including signage, provided it meets regulations, as presented. Ms. Sweeting seconded the motion. All members voted in favor of the motion.*

## Big Box Ordinance Update

Mr. Rothrock gave the staff report to the board in reference to the big box update. The zoning subcommittee met on December 6<sup>th</sup> to discuss big box development standards. The subcommittee has not yet finalized its recommendations, but has given staff some direction for study. The subcommittee recommended establishing a range of commercial/retail building square footages for the CB and GB zoning districts that would trigger additional requirements as shown in the table in the staff report. Also as suggested from the Planning Board, a maximum building size is recommended. Although not finalized, the cap is currently set 45,000 SF in the General Business District and 20,000 SF in the Central Business District.

Mr. Rothrock commented that Town Council did not want to create a moratorium. They thought the Planning Board would have something prepared for them to look over at the Council retreat.

Ms. Sweeting asked if in General Business District something should be written in the ordinance to have a maintenance or demolition bond. It can be added for study.

With no other comments or questions the floor closed.

## Comprehensive Plan Action Agenda for 2006

Mr. Rothrock discussed the Action Plan and accomplishments for this past year, with a handout for the Board to view. He also discussed the tasks scheduled for the coming year.

Chairman Jim West commented that there were three members at the end of their terms on the Board. Each member should think about and advise if they would like to return to the Board in 2006.

With no other questions or comments, Mr. Tarleton made a motion to adjourn. Mr. Yount seconded the motion. **All members voted in favor of the motion.**

## Adjourn

With no further business, the Planning Board adjourned at 8:00 P.M.

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Jim West, Chair

Sherrie Pitts, Administrative Assistant