

## Planning and Zoning Board

### Minutes

Thursday, July 20, 2006

7:00 p.m.

The Blowing Rock Planning and Zoning Board met on Thursday, July 20, 2006 for their regular scheduled meeting. Chairman Jim West called the meeting to order at 7:00 p.m. Members present were Ron Mace, Nelda Miller, Cullie Tarleton, Jim Steele, Albert Yount and Webb Alexander. Absent members were Sue Sweeting and Dennis Quinn. Staff members present were Kevin Rothrock, Planning Director, Scott Hildebran, Town Manager, Doug Chapman, McGill Associates, and Sherrie Pitts, Administrative Assistant.

*Mr. Yount made a motion to approve the minutes, seconded by Mr. Alexander. **All members were in favor of the motion.***

### Old Business

#### **Glenmoore Subdivision – Conditional Use Permit # 2006-10**

Mr. Rothrock presented the staff report to the Board in reference to Conditional Use Permit # 2006-10. At the June meeting, the motion to table the project included conditions:

- a. evidence that access right-of-way is available to the applicant through Rocky Glen Lane, and
- b. that the detention ponds are sized to handle the proposed road, driveways and houses.

There was also an earlier motion that requested the road not be closer than 30 feet from the rear property line. That motion failed.

The applicant's engineer has submitted revised plans that show the proposed road 12 feet from the rear property line. The redesigned road also increased the curve radius from 45 feet to 75 feet, more compatible with the ordinance standards. The storm water design has been re-evaluated to determine the pre-development and post-development runoff conditions. According to the engineer's calculations, the post-development runoff for the entire site will not exceed pre-development levels.

Mr. Tarleton, board member, asked if staff had any concerns with this project.

Mr. Rothrock pointed out the contours and how the water drainage would be directed.

With no further questions of staff the floor was opened to the applicant.

Mr. Kevin Donovan, representing Celtic Building Co., Inc would like to point out that the project plans meet all of the requirements of the Town Ordinance. He also commented on the lot sizes and how the ordinance would allow 7 houses per property size but they plan to build only 5. Mr. Donovan explained how the water would drain from each of the houses planned. The one house, to the north, seems to be the only one that could impact the Hillwinds property. Mr. Donovan proposes to put downspouts on each corner of the house to carry the water down and disperse in a more natural flow.

Michael Trew, engineer for the applicant, commented on changes they had made from the last meeting one was moving the roadway back six more feet to total 12 feet, they plan to add trees. Mr. Trew discussed calculations for the ditch in a 25-year storm the depth would be three inches, for a 50-year storm the depth would be three and a quarter inches. The ditch is designed to be one foot deep, there is not much of a chance for the ditch to overflow.

Mr. Tarleton had questions about the location of the utility easement on the plan and the relation to the detention pond. Mr. Trew responded that a shallow pond was unlikely to interfere with the utilities. There is a water and sewer line easement through the area the detention pond is planned.

Mr. Yount, board member, asked if the proposed street was to be dedicated to the Town. Mr. Trew responded that was correct.

With no other questions of the applicant, the floor was open to the public.

Mr. Jim Cherry, property owner, commented that he owned four lots in Hillwinds. Mr. Cherry was concerned about the water and problems water runoff could have on the Hillwinds properties.

Mr. Bud Walker, property owner, commented on the water runoff and requested the number of houses to be built be reduced.

With no other questions or comments, Mr. Donovan offered rebuttal to the comments posed. Mr. Donovan stated that they have addressed issues concerning water they have made changes to the original plans. He pointed out that the Town Code allows seven houses, but they are only proposing five with larger lots.

Mr. Donovan commented that he did not have copies to hand out of the deed easement, but he read from the deed easement that allowed access to the subject property from Rocky Glen Lane.

Mr. Tarleton asked after an unusually heavy rain how long would the water stand in the detention pond. Mr. Trew stated that calculating water from the road and houses it could take four to eight hours to drain.

Mr. Tarleton asked if there could be more screening around the pond that would be behind Mr. Walker's property. Mr. Donovan commented that they did plan to do heavy landscaping around the pond. Mr. Tarleton asked if Mr. Donovan, after the last meeting, had attempted to contact any of the residents of Hillwinds and talk with them one on one. Mr. Donovan said that he had not. Mr. Donovan commented that he had done some research on lot sizes in Hillwinds and they are much smaller than he is proposing on his project.

Mr. Yount requested to hear from the Town Engineer. Mr. Yount asked would the Town take responsibility for the road and storm water, when the property is annexed into the Town? Mr. Chapman responded that the Town

could not take responsibility for water created off private properties. It is possible when the subdivision is built the Town may or may not annex the property, but not take the street for maintenance. The new street would not be contiguous with Town streets. Mr. Chapman commented that the total water generated from the site, if contained long enough at the detention pond, may be less than there is now. The Town Ordinance does not require catching the water from houses, it requires catching water from roadways.

With no other questions or comments public comment was closed

Mr. Hildebran, Town Manager, commented on street maintenance and that until such time all the roadway comes into city limits it would be up to a property owner association to maintain the roadway.

*Mr. Mace made a motion for approval of the proposed subdivision and annexation of the property into the Town limits as submitted. Mr. Tarleton seconded the motion and made a substitute motion to approve the plans with the following conditions to; a) install two silt fences on the property during construction, b) that the trees and vegetation be retained between the proposed detention ponds and Hillwinds Estates, c) that proposed houses have multiple downspouts that terminate onto splash blocks to maximize runoff dissipation and infiltration. Mr. Steele made a second to the motion. Mr. Tarleton added that all vegetation to the west of the development be left up to staff review. Members in favor of the motion Chairman West, Mr. Steele, Mr. Tarleton, Mrs. Miller, Mr. Mace. Members against the motion are Mr. Alexander and Mr. Yount. **Motion passed.***

## New Business

### **Martin House – Major Amendment CUP #2006-08**

Mr. Rothrock presented the staff report to the Board in reference to Conditional Use Permit #2006-08. Mr. Greg Clark of Subway Restaurants, is requesting a conditional use permit major amendment to add a satellite Subway sandwich shop at the Martin House Properties. The subject property is zoned Central Business. This request was first presented to the Town Council on April 11<sup>th</sup> as a minor amendment. At the meeting, the Town Council referred this application to the Planning Board for further review since exclusive take-out restaurants were not allowed in the Central Business District. The Land Use Code was recently amended to allow exclusive take-out restaurants in the Central Business District. The proposed satellite Subway sandwich shop will be located in one of the vacant retail spaces adjacent to the Inspirations retail shop. The proposed space is 290 square feet and does not include any seating. The sandwich shop will be for walk-in customers for pick-up only. There are currently two concrete picnic tables located in the Martin House courtyard where customers could eat

sandwiches. Mr. Clark stated that the restaurant will prepare sandwiches and salads on premises, but the bread baking and food prep will be completed at the restaurant on 321. Based on the size of the building the existing retail space requires one parking space, while a restaurant requires two parking spaces. The applicant is responsible for providing one additional parking space on site, in a satellite parking lot, or must pay \$10,000 to the parking fund in lieu of the required space. Based on a review of the plans and according to the NC Building Code, a handicap-accessible restroom is required for the proposed restaurant.

Chairman West asked if the applicant was aware of the handicap restroom requirement. Mr. Rothrock advised that the applicant was aware of this requirement.

With no other questions of staff the floor was opened to the applicant.

Mr. Greg Clark, applicant, thanked the Planning Board for the recommendation to change the ordinance for take-out restaurants. Mr. Clark explained that Sharon Moore, owner of the Martin House, has agreed that a restroom is necessary and Martin House will absorb the cost of the installation of the restroom. The floor plan shown may be modified slightly. Mr. Clark advised he would attempt to find a satellite parking space or he would pay into the parking fund if one could not be located.

Mr. Rothrock recommended that upon approval, before going to Town Council, a site plan with elevations be submitted showing that the bathroom would match the building.

With no questions or comments for the applicant, the floor was opened to the public and closed with no comment.

Mr. Yount made a motion to approve with the intent of the board that the bathroom is built in conjunction with the approval of this amendment. Mr. Tarleton seconded the motion.

**All members voted in favor of the motion.**

## **Draft Ordinance to Regulate Downtown Truck Traffic**

Mr. Rothrock presented the staff report to the board in reference to downtown truck traffic.

Complaints have been presented to the Planning and Inspections office in reference to large delivery and construction trucks traveling on inadequate town streets. Some instances resulted in personal property damage or other traffic conflicts. Many residential streets are too narrow, curvy, or steep for truck drivers to navigate. Attached is draft ordinance language that would prohibit vehicles with more than two axles unless the destination is located on the designated “no-thru truck” street. Even if the vehicle is exempt, all drivers should use caution and are liable for damages. The Town Code would have to be amended to include this proposed ordinance. Regulating the number of axles is easier than regulating weight limits.

Morris Street – from Blowing Rock School to Chestnut Drive

Lower Chestnut Drive – from Main Street to Blowing Rock Hospital

Pine Street – from Main Street to Wallingford Street

Wonderland Trail – from Laurel Lane to Laurel Lane

Ransom Street – from Sunset Drive to Valley Blvd.

*Mr. Yount made a motion to approve the Ordinance with the addition of Morningside Drive – from Green Street to US 221. Mr. Tarleton seconded the motion. **All members were in favor of the motion.***

Mr. Rothrock requested the subcommittee set up a meeting to look at and define a driveway and the number of residences allowed to access a single driveway.

### **Adjourn**

*With no further business, Mr. Steele made a motion to adjourn at 8:35 p.m., seconded by Mr. Yount. **All members were in favor of the motion.***

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Jim West, Chairman

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Sherrie Pitts, Administrative Assistant