

Planning and Zoning Board

Minutes

Thursday, May 17, 2007

7:00 p.m.

The Blowing Rock Planning and Zoning Board met on Thursday, May 17, 2007 for their regular scheduled meeting. Chairman West called the meeting to order at 7:00 p.m. Members present were Ron Mace, Ada Webster, Nelda Miller, Albert Yount, Sue Sweeting, Web Alexander and Jim Steele. Doug Drury was absent. Staff members present were Planning Director Kevin Rothrock, Town Engineer Doug Chapman and Administrative Assistant Sherrie Pitts.

Ms. Sweeting made a motion to approve the minutes as presented, seconded by Mr. Alexander. All members were in favor of the motion.

Chairman West advised the board that Dr. Hill was a client and he would remove himself from the board for this item.

Mr. Steele made a motion to accept Chairman West's conflict and removal. Ms. Sweeting seconded the motion. **All members were in favor of the motion.**

Items of Business

CUP # 2007-05 Dr. Hill Dentist Office

Mr. Rothrock gave the staff report to the board in reference to CUP # 2007-05. Dr. Adam Hill is requesting a Conditional Use Permit to renovate and convert an existing single-family residence to a new dentist office. A new parking lot will be constructed to serve the development. The subject property is zoned GB, General Business and is located just off Little Springs Rd adjacent to the Food Lion parking lot. The footprint of the existing house will remain with most of the improvements being interior structural modifications. Much of the mature vegetation will remain undisturbed to provide adequate site buffering. The current septic system is inadequate. The applicant will be required to connect to Town sewer with an easement through the Food Lion parking lot. The proposed office requires 15 parking spaces. Fourteen standard spaces will be provided in a new parking lot to the east of the existing building, and one ADA accessible space will be provided in front of the building. A storm water detention pond will be constructed on the lower side of the existing building to handle impervious surfaces run-off. A portion of the creek behind the building will be piped to accommodate

the proposed parking lot. Army Corps approval has been obtained for the in-stream work. Much of the vegetation on the eastern portion of the property will be lost during parking lot construction. There will be sufficient vegetation remaining to satisfy buffering requirements. Three street trees will be planted along the frontage road that serves the shopping center. A new roof, vinyl slate or architectural shingle, will be added. Cultured stone veneer at the building entry is planned. The featheredge siding will remain and be painted. A new gabled entryway and new windows will be added.

Mr. Steele, board member, asked if the interior was ADA compliant.

Mr. Rothrock commented that it would be. No interior plans have been presented at this time.

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

Michael Trew, engineer for the project, advised that he was open for questions. Per Dr. Hill he has been advised they have received Army Corp approval to culvert the creek. At this time they plan to keep the architectural shingles.

Ms. Sweeting, board member, asked if it was the plan to bury the utilities on site.

Mr. Trew advised that they did plan to bury the utilities.

Ms. Sweeting wanted to know the procedure planned to handle the medical waste. She asked if it was a private contractor.

Dr. Hill stated that it was a private contractor.

Derald West, architect for the project, commented that he would answer any questions.

With no other questions of applicant the floor was closed, opened to the public and closed with no question or comments.

Ms. Sweeting made a motion to approve as submitted provided utilities were underground. Mr. Alexander seconded the motion. All members were in favor of the motion.

Chairman West returned to the board.

Magazine and Newspaper Stands

Mr. Rothrock gave the staff report to the board in reference to the regulation of newspaper and magazine racks. The Planning Board received in their packets two revised draft ordinances for review. A letter from Brad Gross was received and has been added to board packets for review.

One ordinance regulates the placement of news racks on public sidewalks in downtown. The draft language would be placed in Chapter 7 of the Town Code. The second ordinance would be included in Article XVIII (B) – Commercial Design of the Land Use Ordinance to regulate placement of news racks on private property in the downtown. Both ordinances require the units to be manufactured black or painted black and maintained by the owner. At this time only one location was found suitable for placement on the public sidewalk. That location is along the building wall between Wachovia and Vincent Properties where several news racks exist now. Other locations may be available in the future and can be evaluated for compliance.

Chairman West explained that public comment was welcome and if approved the draft ordinance would go to a public hearing at the Town Council meeting.

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

Mr. Brad Gross, managing editor of The Real Estate Book, said he would be glad to answer any questions regarding his letter. He commented that he would continue looking for other locations for racks and hoped the board would also. He stated that he would be losing a large amount of the distribution of his publication if he had to remove most of the racks on Main St. Mr. Gross asked for clarification on rack location within five feet of doors and if it was a state requirement.

Ms Sweeting, board member, stated that it is a state code requirement of five feet from door entrances.

Mr. Alexander, board member, asked if Mr. Gross could use larger racks for his magazines. Mr. Gross said that he had looked into larger boxes, but it would change the shape of the box to go larger. It would not look like a house if he went to the larger box.

Mr. Yount, board member, asked if Mr. Gross had a business license to operate in Blowing Rock city limits. Mr. Gross advised that he did not have a business license and was unaware that one was needed. Mr. Yount gave a copy of the Town Code addressing business licensing.

Ms. Karen Brown, publisher of Homes and Land of the High South, commented on the color black and that there are variations of black. In painting the racks they would be more apt to peel and hold dirt and dust. She agreed with Mr. Gross and hopes everyone will keep looking for alternate locations.

Mr. Mace, board member, commented that a paint product called Krylon Fusion was made for use on plastics and worked very well.

Ms. Webster commented that she thought the reason for these changes in rack requirements was to create unity. Pictures from prior meetings looked nice and uniform. She is concerned that the businesses have to incur the cost to convert when the town is requiring the changes.

Ms Carol Horne had a comment on the black color. She stated that black is very hard to keep clean, she cleans the Town trash container in front of her business and watches how easily and quickly it shows dirt. Ms. Horne asked if the color be changed to possibly be a more neutral tone.

Mr. Earle Horne believed black would fade more quickly and if it were a flat black it would attract and hold dust and dirt. Mr. Horne had comments about the only location presented for the racks and would like the board to reconsider other locations.

Mr. Gross explained the process on coloring and plastic process and if the color was not approved he needed to stop the order he had placed.

Mr. Rothrock, advised that the ordinance was not approved or in place. He would not recommend any ordering at this time.

Ms. Brown expressed that it would be good to have at least two guaranteed locations for racks.

Mr. Alexander, board member, expressed appreciation for everyone's thoughts and comments; he also commented that there were a lot of racks around town at this time that truly looked terrible.

Mr. Steele explained that in recent past a survey was taken on how people want the Town to look. They basically wanted it to remain visually as it is. Over the years the boxes have grown out of control, the residents have complained and want it addressed.

Mr. Yount spoke with a rack maker in Alabama. The cost of a uniform rack 4 wide and 4 high was about \$1,800.00. He also talked with the Charlotte Observer distribution manager who was not aware of the rack issue, but was not surprised. He commented that it was changing all over the country.

Mr. Steele asked if other rack locations are found is the ordinance worded to allow the placement in the new locations.

Chairman West questioned if someone makes a case for code revision would it go to Planning Board or Town Council.

Mr. Rothrock advised if it was Town Code it would go to Town Council, if it were a Land Use Code it would go to Planning Board.

Mr. Mace made a motion to approve the both ordinances as written. Mr. Yount seconded the motion. All members voted in favor of the motion.

Mr. Yount made a motion to adjourn.

Mr. Alexander asked about the Wind Energy ordinance and confirmed that Town Council had voted it down. He wanted to see if the Planning Board needed to do anything else on this issue.

Mr. Rothrock advised that the Town Council wanted to see the original ordinance prohibiting wind energy systems.

Ms. Miller seconded the motion to adjourn. All members were in favor of the motion.

Adjourn

With no further business the Planning Board adjourned at 8:38 PM.

Jim West, Chairman

Sherrie Pitts, Administrative Assistant