

Planning and Zoning Board

Minutes

Thursday, December 20, 2007

7:00 p.m.

The Blowing Rock Planning and Zoning Board met on Thursday, December 20, 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, Sue Sweeting, Web Alexander and Jim Steele. Staff members present were Planning Director Kevin Rothrock, Town Manager Scott Hildebran, Town Engineer Doug Chapman Town Attorney Allen Moseley and Administrative Assistant Sherrie Pitts.

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

Items of Business

CUP 2007-12 First Citizens Bank

Mr. Rothrock gave the staff report to the board in reference to CUP # 2007-12. First Citizens Bank is requesting a conditional use permit for additions and renovations at the existing bank location at 1021 Main Street. The additions will be on the front facing Main Street and on the south side facing the Capel Rug Building. The expansions will provide additional office space and the proposed materials will blend in with the existing building. Additional landscaping is proposed as part of the overall plan.

The existing 1880 square foot building will be enlarged by 589 square feet. The addition to the front of the building will encroach into the standard 15-foot street setback, but will meet the 10-foot minimum setback. The remainder of the building will meet the 15-foot setback.

The existing river birch between the building and the street will be removed and replaced with a specimen sugar maple tree. Two honey locust trees will be added between the proposed addition and the public sidewalk along Main Street. Some of the diseased trees in the rear parking will be replaced with healthy trees along the drive-thru area. Three parking spaces in the northeast corner of the parking lot will be removed and the area will be landscaped to offset the increase in impervious areas from the building additions.

The proposed building size of 2469 square feet requires 12 parking spaces. When the parking lot improvements are completed the bank will have 25 spaces.

The overhead phone line across the rear parking lot will be placed underground.

The architect is preparing an alternative design for the ATM windbreak. The alternative design will try to blend the windbreak with the building architecture.

Mr. Alexander asked about removing parking spaces in the back. Mr. Rothrock responded that it was consistent with the storm water requirements.

Mr. Steele asked if the parallel parking spaces in the drive would be removed. Mr. Rothrock advised that the ATM spaces would stay.

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

Jeff Parlier, representative of First Citizens Bank, commented on the plans and stated that he was looking forward to making the improvements to the bank property. He commented that he would be glad to answer any questions.

Chairman West asked if they had any information on the windbreak yet. Mr. Parlier said that he did not have any plans at this time, but the current windows were clouded and they wanted to create a clear more blending appearance for the windbreak.

With no other questions of the applicant the floor was open to the public and closed with no comment or questions.

Mr. Steele made a motion to approve the CUP amendment with the provision that staff reviews the plans and that the appearance of the new windbreak be in accordance with the Code. Ms. Sweeting seconded the motion. All members voted in favor of the motion.

Cup # 2007-04 Main Street Village

Mr. Rothrock gave the staff report to the board in reference to CUP # 2007-04. Chetola Severn Partners LLC is requesting a conditional use permit for a multi-phase project that includes a 72-room hotel, 2 restaurants, 21,000 SF of retail mixed with 16,000 SF of office space and 36 condominium units. The proposed project is planned for the 7.28 acres vacant parcel along Main Street across from Boxwood Lodge. A new access road will be provided through the site between Main Street and Hill Street. The project will include 2 levels of underground parking and surface parking to serve the hotel, restaurant and retail/office uses. The property is zoned CB, Central Business.

The street setback in the CB zoning district is 15 feet. The side and rear setbacks on lots over one acre are 15 feet as well. The proposed project meets the setback standards.

The maximum allowable building height varies across the property. The maximum building height is 30 feet for buildings proposed along Main Street meeting the minimum 15-foot setback.

This project is located in the WS-IV watershed area. Up to 70% of the commercial portion of the site may be impervious with a Special Intensity Allocation. Up to 24% of the residential portion of the property may be impervious. The plans exceed the 70% commercial impervious limit and the applicant is requesting a waiver and transfer of off-site impervious allowances.

The proposed landscaping appears to meet the standards in the ordinance, except the buffer along the rear of the property should be a 16-foot opaque instead of semi-opaque. Based on further review of a tree save program, it may be possible to save several medium and large trees on site to offset and supplement the proposed landscaping.

The retaining walls along Main Street are specified to be stacked stone to match walls in the downtown. The brick walls shown are not compatible with downtown. The walls along Main Street shall not be greater than 4 feet in height.

The applicant is proposing to convey all of the storm water generating from this site directly to the Middle Fork New River in an area that serves as a fore bay for Chetola Lake. According to the plans and calculations provided, the lake would serve as the storm water detention basin for the project.

The applicant is requesting a Special Intensity Allocation to exceed the standard built upon areas of the commercial portion of the project. The commercial portion 4.52 acres will need an additional 1.465 offsite acreage to meet the 70% impervious limit. Chetola agreed to assign a .86 density credit acre for part of the pervious area. An additional .605 has been volunteered to transfer perpetual use of the stream bank of the fore bay to account for the balance of pervious area needed for the project. The Planning Board and Town Council must agree that the area around the fore bay can be transferred to the proposed project in order to meet the 70% impervious limitation.

An accurate tree survey had just been presented and was not available for the packet and has not been studied at this time. The most recent survey was posted on the bulletin board.

The proposed parking requires 412 parking spaces based on the proposed uses. The applicant has provided 370 spaces.

Access to the site is provided through a driveway connection onto Main Street just south of the entrance to Chetola Resort, and a driveway connection onto Hill Street. The proposed driveway onto Main Street is only 200 feet from the drive into Chetola and does not meet the Land Use Ordinance. Kimley-Horn and Associates have provided a traffic impact analysis. The report states this is the best location for safety and site distance from the curve on Main Street near Ransom Street. Staff agrees this is the safest driveway location, but has concerns with its proximity to the Chetola driveway.

Due to the State moratorium on public water line extensions in Blowing Rock the entire project is not eligible for public water service at this time. The proposed buildings that would front on Main Street and Hill Street will be allowed water.

The applicant is requesting that a "concept plan" be approved that would require detailed designs of each building to be submitted for review and approval by the Planning Board and Town Council prior to construction. This request is a change from the standard procedure that the boards have adopted. Regardless of the process to approve the building designs, staff notes several design elements that are inconsistent with the ordinance such as flat roofs, window designs, pergolas. The building designs do not reflect the mountain resort character or local architecture.

In summary, the waivers needed for this project include:

1- storm water detention, 2- impervious surfaces, 3- tree survey, 4- tree protection, 5- landscaping, 6- parking, 7- access, 8- water availability, 9- design review process and commercial design

The Comprehensive Plan policies and Vision Statement to be considered in reviewing this project were included in the Board packets.

Chairman West commented that in the Land Use Code the roof pitch wording is "strongly recommend".

Mr. Steele asked why would storm water runoff set a precedent. Mr. Rothrock said that other projects since 1991 had been required to provide on-site detention.

Mr. Mace wanted to know if in reference to the pervious land a trade off had ever been used before. Mr. Rothrock said not to his knowledge.

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

Mr. Tony diSanti, attorney representing the applicant, introduced the Chetola Severn LLC partners, Douglas Wilkins, Patrick McPharr, Dan Moore, Lou Dessaint and Kent Tarbutton. Mr. diSanti also introduced Tom Griffin an attorney with Harper, Poe, Adams & Bernstein with expertise in storm water issues; Mike Linker with Cooper Carry, the design firm for the project; Josh Bellam of S, M & E engineering for the storm water engineering plans; Richard Franklin of Atlantic Plan engineering, Tony Hunter of Hunter Tree service, and Adam Novack and Claire Brinkley of Kimley-Horn for the traffic study.

Mr. diSanti commented on the project size and designs. He stated that the property owners have ties to the area and did not want this project to be detrimental to the area but enhance and bring in added commerce. Mr. diSanti addressed concerns stated in the staff report and advised that setbacks and building heights would all meet Town Codes. He advised board members that they were not actually approving the buildings but a project concept. Before buildings would be constructed, each plan would come before the Planning Board and Town Council for approval.

In addressing the parking concerns Mr. diSanti talked about the Comprehensive Plan and that shared driveways and parking are discussed. Using a formula from the Urban Land Institute, the parking areas requires 350 spaces. The project proposes 370 spaces. The buffering presented was semi-opaque which according to the code would work with residential backing up to residential. All retaining walls are according to code at four feet. The access for the project according to the study done by Kimley-Horn show two locations that would be best suited for visibility. The group is aware of the water accessibility issues. Mr. diSanti commented on the storm water issue and on the Town Code design for detention.

Mr. Tom Griffin stated that there was no legal reason to prevent the use of the lake for water detention. There are detention areas within the project planned to filter oils and grease before it reaches the lake. There was a meeting on site with the project planners and the Corp of Engineers and NCDENR. They both agreed it would be a good idea to manage the storm water in this way. Information submitted show the use of the lake and the calculations will work for this project. The property owners will be responsible for maintaining the lake.

Mr. Alexander, board member, asked to be shown on the plans how the water leaves the project and reaches the lake. Mr. Tarbutton explained the location at the northeast corner of the property. The storm flow would go underground across Chetola property to the fore bay (stream).

Mr. Josh Bellam, of S, M & E engineering, explained that there are catch basin inserts that will filter the oil, grease and hydrocarbons throughout the project site.

Chairman West commented that it is required by the Land Use Ordinance to allow flexibility for parking, but it is up to the project personnel to make the case in regard to parking requirements.

Mike Linker, architect with Cooper Carry, advised that the Urban Land Institute had created analysis software by entering data by business type, number of employees, and times of day using shared parking spaces.

Ms. Sweeting, board member, asked if calculations for the restaurant would be for three meals, and if they knew if the restaurants would actually be open for three meals daily. She also asked if the spa would be open to the public or for hotel guests only.

Mr. Linker responded that the three meals daily for restaurants was factored in. He commented that the spa was probably for guest only but would be at the hotel management discretion, but the calculations on the spa was considered retail.

Mr. diSanti stated that his clients did not want to allow the parking issues to cause a conflict for the project; therefore they will provide enough parking by the Land Use Ordinance or pay into the parking fund.

Mr. Steele asked if each of the buildings would be coming back to the boards for a conditional use permit. Mr. diSanti explained that what was before the Planning Board at this time was the Conditional Use Permit request for the property in a concept plan but each building to be constructed with completed architectural plans and material list will be presented to the boards for approval.

Chairman West commented on the exhaust fumes from the underground parking and asked the location of the venting shafts and how this might impact to the residential areas.

Mr. Linker explained the four areas planned for venting and commented that these areas could be located to best suit the issues of exhaust.

Ms. Webster, board member, asked about the water availability problems. Mr. diSanti stated that the moratorium was on adding new town lines. Buildings along Main St. and Hill St. do have access to water at this time. Most of the residential units could not be built. Mr. diSanti explained that a loop system might be possible to create pressure for fire fighting capability.

Chairman West asked about the building pad areas not developed. Mr. Wilkins advised that the pads would be graded and seeded to hold until development occurred.

Mr. Doug Chapman, town engineer, explained that the town was restricted in adding new lines, but asked the state if lines could be placed and "looped only" within the project. Only the legitimate buildings along existing water lines would be allowed to tap the water system at this time.

Chairman West asked about the sidewalks shown and the accessibility issues.

Mr. diSanti commented on the sidewalk and advised if it was a requirement to be deeded as public sidewalk that would not be an issue.

Mr. Wilkins explained the sidewalk along the eastern side of the project and confirmed that there were steps in that location, but there was access near the hotel to allow wheelchairs to maneuver around the stairs.

Mr. Alexander asked if all of the town homes were going to look alike. Mr. Wilkins advised with each building plans would be presented to the boards. They all would have similar elements and would tie into the mountain surroundings.

Ms. Sweeting commented on the ingress and egress on Hill St., and that there may be an issue with the fire and rescue vehicles because of the grade of the street.

Mr. Wilkins stated that the property was not gated and emergency vehicles should be able to move straight through the property.

Ms. Sweeting asked about dumpsters and handling of refuse. Mr. Wilkins said that it would be handled through a private company and the dumpsters would be part of the buildings and would be screened.

Mr. Steele asked if the owners were willing to create the opaque buffer on the northern boundary of the property. Mr. Tarbutton acknowledged they would plant an opaque buffer.

At 9:15 Chairman West called for a 15-minute break, and returned at 9:30.

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

Mr. Wayne Green, former zoning officer for Blowing Rock, stated that in 1999-2000 people were encouraged to create and use offsite storm water detention. The idea was that it would create more green space.

Mr. Richard Washer, resident, commented that the project looks good. He talked about the traffic currently on Main St. and how the proposed project would create a much larger traffic problem.

Mr. David Mallatere, resident, stated that he was here on behalf of Ronnie Wren, owner of the Green Park Inn. He said that the impact of a project this size with a 72-room hotel would probably close Green Park Inn.

With no other questions or comments the floor was closed to public comment.

Adam Novack, of Kimley-Horn, advised the first traffic study was done in January of 2007. A second study was done in April and a driveway recommendation was given. He explained calculations and percentages used for the information handed out. They used a 5% growth increase instead of the standard 3% in the calculation. The typical time frames used for calculation is a standard weekday AM peak hour and a PM peak hour.

Chairman West asked if a deceleration/acceleration lane had ever come into discussion. Mr. Novack commented that it had been discussed but DOT did not believe enough volume was generated to require extra lanes.

Chairman West stated that the driveway appeared to be only 200 feet from Chetola's entrance and the Land Use Code requires 400 feet. Mr. Novack advised he did have a letter from DOT agreeing with the driveway location.

With request from the public for further comments *Ms. Webster made a motion to reopen the floor to public comment. Mr. Steele seconded the motion. All members were in favor of the motion.*

Mr. Washer had comments after looking at the traffic analysis. He advised that numbers based on a study in 2005 shows vehicles per day at 6,900. Mr. Washer said that he had done several studies himself the traffic was much heavier than portrayed in the study probably by 50% more. Mr. Washer said that the project was a nice looking project but the traffic was not a realistic model.

Mr. Jimmy Crippen, owner of Crippens Restaurant, commented that this looks like a good project. He stated that it is up to business owners to be responsible for attracting customers to their own properties.

Mr. David Wray, business owner, stated that he thought it was a good project. It would extend the shopping area across Main Street.

Mr. Rothrock had a few points to reiterate. He commented that with regard to the parking not enough information had been provided to determine whether the 412 parking spaces was the exact amount of parking required. Pending further information more or less could be required. The opaque buffer is required between the two different uses of multi-family and single-family. The board does have some flexibility here with the buffering they could require more or less. There is a rock outcropping on Hill Street that can hopefully be left to create visual interest below the driveway to the project. There is also a rock of interest on Main Street across from Cornish Road. In reference to the storm water filtering devices we need more technical information on what will be installed in the catch basins. How will it be maintained and who will maintain it? As far as trees being saved, there is good opportunity to save groupings of trees to enhance the streetscape and other areas around the property boundaries.

With no other questions or comments public comment closed.

Mr. Tony diSanti made a closing statement. He believes the applicant is willing to make a significant effort in developing a high quality mixed use development for this town and hopefully create a larger year round business economy and residential dwellings for this area.

Chairman West commented that there are some waiver requests, concept plan issues and changes in policy discussed here tonight.

Ms. Sweeting stated that it looks like a good project. It would create a high-density development; therefore she would like to see a scaled model showing proposed building heights with current surrounding buildings. She would like more information on the storm water detention and filtering system and information on the impervious waiver. Ms. Sweeting would like more information to better calculate the parking need because parking can not be shifted if several uses are working at the same time when the proposed spaces were to be shared. She wants to see an opaque buffer along the north boundary of the property. There are several large rhododendron thickets she would like saved if possible. Ms. Sweeting is also concerned about the ingress and egress. If there was a lane for turning it would help with traffic flow because traffic is going to be heavily congested. If Hill Street is being used it does need cleanup because there is not good visibility for traffic coming out.

Mr. Alexander commented on the traffic during peak season was congested, but he did not believe the project would make it any worse.

Mr. Steele commented on the traffic issues and adding construction traffic will create heavier congestion. He believes most of the questions have been answered. In regard to the tree survey and saving trees, not enough information had been given before the meeting. The water retention plan can be handled the way it has been outlined as long as the information given and the facts on the filters work as proposed. Mr. Steele said at this time with questions not resolved and needing more information he does not feel comfortable sending this project forward. It does appear to be a good project.

Mr. Mace is in agreement with Mr. Steele's comments that there are questions needing answers. This does appear to be a nice looking project.

Ms. Webster commented this is a beautiful project, but in agreement with Mr. Steele there are questions that need answers.

Mr. Alexander made a motion to approve the concept and footprint; that all building plans come back to Planning Board and to Town Council; all building heights strictly meet the Land Use Code; the storm water detention is allowed to access the Chetola property; the impervious area is allowed to count the Chetola property; all retaining walls are stone; as many tree and large native rhododendron as possible are saved; landscaping contiguous to residential properties are opaque; the parking meets the 412 spaces per Land use Code calculation or owners pay into the parking fund; the access is at the recommended location on Main Street and that all fire trucks and emergency vehicles in case of a large emergency can access both entrances; that the design of the entire complex is structured with the mountain theme. Mr. Steele seconded the motion.

Ms. Sweeting believes there are too many questions and it needs to be cleaned up before going to Town Council. Mr. Mace agreed with Ms. Sweeting that there are items that need to be addressed.

Mr. Alexander wanted to add to the motion that the storm water filtration will need to be approved. Mr. Steele agreed with this change.

In favor of the motion were Mr. Mace, Ms. Webster, Mr. Alexander and Mr. Steele. Opposed to the motion were Chairman West, Ms. Sweeting and Ms. Miller. **Motion carried.**

Mr. diSanti stated that the applicant would like to postpone their hearing to the February Council meeting in order to prepare the information requested.

Other Business

Ms. Sweeting presented and discussed information from the comprehensive plan subcommittee.

With no other business, questions or comments.

Adjourn

Mr. Mace made a motion to adjourn. Ms. Webster seconded the motion. All members were in favor of the motion.

With no further business the Planning Board adjourned at 11:03 PM.

Jim West, Chairman

Sherrie Pitts, Administrative Assistant