

STAFF REPORT

TO: Mayor J.B. Lawrence and the Blowing Rock Town Council

FROM: Kevin Rothrock, Planning Director

SUBJECT: CUP 2015-02 Moody Building Renovation – Minor Amendment

APPLICANT: RWL 1, LLC

DATE: September 6, 2017

REQUEST

RWL 1, LLC requesting an amendment to the conditional use permit that was approved in 2015 and amended in 2016 to convert the old Moody Furniture building to a restaurant/retail establishment. The applicant is planning to reduce the project scope and reduce the building additions from the original plan. The project site is a combination of 125 Sunset Drive and 127 Sunset Drive. The properties are zoned CB, Central Business and are located in the WS-IV-PA water supply watershed. The properties are further identified by Watauga County PINs 2807-98-3020-000 and 2807-98-3068-000.

SITE PLAN

Setbacks

The applicable street setback along Sunset Drive is 15 feet, and the side and rear setback is 5 feet. The front of the existing building, including the porch, currently encroaches into the street setback. The front porch will remain in its current footprint but the new decks on each side of the building will encroach into the 15-foot street setback by approximately four feet. A setback waiver was approved with the original plans and application.

Building Layout

The original plans showed a kitchen added behind the proposed terrace on the east side of the building and an addition on the west side of the building designed for new bathrooms. The only addition on the revised proposal is a deck on the east side of the building and an extension of the front porch.

Parking/Access

The previous parking lot layout showed 20 parking spaces with 2 golf cart spaces. By altering the building plans, the revised parking layout provides 22 parking spaces and 1 golf cart space.

The traffic flow remains the same with vehicles entering from Sunset and leaving through the rear of the property onto the Maple Street parking lot.

Landscaping

The Code requires a four (4) foot buffer between the site and the adjacent properties and shade trees in and around the parking lot perimeter. The original landscape plan is attached for review.

A four-foot buffer waiver along the western property line was approved with the original and amended CUP. The revised site/landscape plan provides more lawn/greenspace behind the building and on the west side of the building.

Architectural

The applicant proposes to use materials that are complimentary to the Moody building including a hardi plank siding board with a 12 inch profile to closely match the existing siding. The applicant is also attempting to match the metal roofing as close as possible with a new metal roof since the current roof is leaking.

The only significant change in building materials is the proposed split face block retaining walls and foundation walls on all four sides of the building. The previous materials was a combination of lattice and vertical hardi-board panels to cover the piers and foundation structure.

ATTACHMENTS

1. Original CUP approved 10-13-2015
2. Amended CUP approved 6-14-2016
3. Plans from 2016 approved 6-14-2016
4. Revised site, architectural and landscape plans dated 8-29-2017

Attachment F

Moody Building Renovation

CUP No. 2015-04

NORTH CAROLINA

WATAUGA COUNTY

TOWN OF BLOWING ROCK CONDITIONAL USE PERMIT
Moody Building Renovation
CUP No. 2015-04

On the date listed below the Town Council of the Town of Blowing Rock met and held a public hearing to consider the following application:

Applicant: RWL 1, LLC

Project Name: Moody Building Renovation

Property Location: 125 Sunset Drive

Tax Parcel No.: 2807-98-3020-000 and 2807-98-3068-000

Property Owners of Record: RWL 1, LLC

Proposed Use of Property: Restaurant and Retail mixed-use with outdoor dining

Current Zoning Classification of Property: CB, Central Business

Meeting Date: October 13, 2015

Having heard all of the evidence and arguments presented at the above-referenced meeting, the Town Council finds that the application complies with all applicable requirements of the Code of Ordinances of the Town of Blowing Rock, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable conditions of the Land Use Code and the following additional conditions:

1. The Applicant shall complete the development of the subject property in accordance with the site/grading plans (dated 9/1/15) and architectural plans (dated 8/30/15) submitted and approved by the Town Council, except as amended by the following conditions. Where said plans are in conflict with the provisions of the Land Use Code, the provisions of the Land Use Code shall prevail, except as specifically provided herein. Copies of said plans are made a part hereof as if fully rewritten herein, and shall be maintained in the Conditional Use Permit file in the Town Clerk's office. Any deviations from or changes in the plans must be pointed out to the Administrator in writing and specific written approval must be obtained as provided in the Blowing Rock Land Use Code.

2. Consistent with Section 16-4.10.3 of the Land Use Ordinance, the Town Council finds:

- a. The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.
- b. The use or development complies with all required regulations and standards of the Land Use Ordinance or with variances thereto, if any, and with all other applicable regulations.
- c. The use or development is located, designed, and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.
- d. The use or development will not substantially injure the value of adjoining or abutting property.
- e. The use or development conforms with the general plans for the physical development of the Town as embodied in this Ordinance, the Town of Blowing Rock 2014 Comprehensive Plan Update, and any other duly adopted plans of the Town.

3. The Applicant has made a request to reduce the street setback on Sunset Drive from 15 feet to 7 feet from the back of the existing sidewalk in order to construct a full public entry access and extend the existing deck to meet the NC Building Code. The Town Council hereby approves the street setback waiver based on approval of the following findings of fact:

The setback waiver as proposed;

- a. Will not materially endanger the public health or safety in that it will, as proposed, provide access that meets the NC Building Code;
- b. Will not substantially injure the value of adjoining or abutting property,
- c. Will be in harmony with the area in which it is to be located, as other nearby buildings along Sunset Drive are currently closer than the 15-foot setback;
- d. Will be in general conformity with the 2014 Comprehensive Plan Update or other plan officially adopted by the Board; and
- e. Will be in substantial conformity with the intent of the regulations contained in this Article, as the building will provide code-compliant access to a building that has existed for several decades in its current condition.

4. Any rooftop mechanical and electrical equipment shall be screened from the view of streets and adjacent property. This may include “in the field” building alterations that will screen certain rooftop equipment and apparatus which dimensions are currently unknown. Any other ground-mounted HVAC must be reasonably shielded from adjacent properties by landscaping. Any propane tanks greater than 120 gallons shall be buried.
5. Access to the site will be provided through a new driveway cut on Sunset Drive. This driveway will be one-way only from Sunset into the site and vehicles will exit through the rear of the property and through the Maple Street public parking lot.
6. Two parking spaces will be lost on Sunset Drive as a result of the proposed site access driveway. Two (2) parking spaces within the proposed site parking area shall be reserved as public spaces.
7. Based on the proposed uses, the building square footage and any parking credits calculated on previous property uses, seven (7) parking spaces are required for this project. There are seven (7) parking spaces required for this project. The Applicant is considering reservation of up to six (6) spaces for off-site parking needs. The Applicant is proposing 21 parking spaces in the new parking area with one (1) being an ADA van-accessible space. With the seven (7) required parking spaces, two (2) reserved parking spaces, and up to six (6) spaces reserved for off-site needs, there would be up to six (6) excess parking spaces on site.
8. The garbage and recycling area and related screening shall meet the Land Use Code requirements and shall be coordinated with the Public Works Director for compliance.
9. The Applicant shall have a soil erosion control plan approved by Watauga County and Blowing Rock prior to the commencement of any grading activities on the property. No work shall be permitted on the property until all erosion control measures have been installed, with the exception of specific work that may be required in order to complete the installation of the erosion control measures.
10. Exterior lighting for the site shall use the same coach-style lights that have been selected as the lighting standard for the Town.
11. The Applicant shall be responsible for reconstruction of the existing sidewalk along Sunset Drive and shall add curb and gutter as necessary and as recommended by the Town Engineer in coordination with plans for streetscape improvements along Sunset Drive.
12. All new utilities on site shall be underground, including the electrical service lines.
13. Water and sewer availability fees shall be calculated upon submittal of a building permit application. Any increase in applicable fees from the previous use shall be paid prior to issuance of a building permit.
14. The site landscaping shall be installed consistent with the approved landscape plan or otherwise consistent with the landscape standards in the Land Use Code. Consistent with Section 16-22.9 of the Land Use Ordinance, the Town Council hereby waives the 4-foot landscape buffer along the western property line from the rear parking lot to the front of the

building. By approving the landscape waiver, the Town Council acknowledges the limited space to install both a 4-foot wide buffer and an access sidewalk within this area.

15. The Applicant shall be responsible for the perpetual maintenance of all trees, plants and landscaping required herein. Any dead, unhealthy, or missing vegetation, or any vegetation disfigured by severe pruning, shall be replaced with new vegetation.

16. Full design plans for storm water detention shall be submitted to and approved by the Town Engineer prior to commencement of land-disturbing activities. The storm water detention must collect parking lot and building drainage and ultimately convey it to a public storm system in Sunset Drive. The Applicant is responsible for all costs and installation of storm water drainage improvements and connections in Sunset Drive.

17. Prior to construction, a plat shall be submitted, reviewed, approved, and recorded that combines the two (2) lots of the subject site into one (1) property.

18. Before any building permit is issued, the Applicant shall submit a revised site plan, in such form as shall be required by the Zoning Officer, that incorporates the terms and conditions of this Conditional Use Permit.

19. Failure to comply with any provision herein shall subject the Applicant to forfeiture of the Permit and a stop work order on any further construction.

20. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this Permit shall be void and of no effect.

IN WITNESS WHEREOF, the Town of Blowing Rock has caused this Permit to be issued in its name and the undersigned being property owner(s) and/or agent(s) of the property owner(s) does hereby accept this Conditional Use Permit, together with all of its conditions as binding upon them and their successors in interest.

TOWN OF BLOWING ROCK

By: _____
J.B. Lawrence, Mayor

ATTEST: _____
Sharon H. Greene, Town Clerk

(CORPORATE SEAL)

Attachment D

Moody Building Renovation - Amendment

CUP No. 2015-04

NORTH CAROLINA

WATAUGA COUNTY

AMENDMENT TO TOWN OF BLOWING ROCK CONDITIONAL USE PERMIT
Moody Building Renovation
CUP No. 2015-04

On the date listed below, the Board of Commissioners of the Town of Blowing Rock met to review and consider a request to amend the Conditional Use Permit that was previously approved for the Moody Building Renovation project. The original Conditional Use Permit was approved on October 13, 2015.

Applicant: RWL 1, LLC

Project Name: Moody Building Renovation

Property Location: 125 Sunset Drive

Tax Parcel No.: 2807-98-3020-000 and 2807-98-3068-000

Property Owners of Record: RWL 1, LLC

Proposed Use of Property: Restaurant and Retail mixed-use with outdoor dining

Current Zoning Classification of Property: CB, Central Business

Meeting Date: June 14, 2016

Having heard all of the evidence and arguments presented at the above-referenced meeting, the Town Council finds that the application for CUP amendment complies with all applicable requirements of the Code of Ordinances of the Town of Blowing Rock, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby

approved, subject to all applicable conditions of the Land Use Code and the following additional conditions:

1. The Applicant shall complete the development of the subject property in accordance with the site/grading plans (dated May 2016) and architectural plans (dated May 2016) submitted and approved by the Town Council, except as amended by the following conditions. Where said plans are in conflict with the provisions of the Land Use Code, the provisions of the Land Use Code shall prevail, except as specifically provided herein. Copies of said plans are made a part hereof as if fully rewritten herein, and shall be maintained in the Conditional Use Permit file in the Town Clerk's office. Any deviations from or changes in the plans must be pointed out to the Administrator in writing and specific written approval must be obtained as provided in the Blowing Rock Land Use Code.
2. Consistent with Section 16-4.10.3 of the Land Use Ordinance, the Town Council finds:
 - a. The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.
 - b. The use or development complies with all required regulations and standards of the Land Use Ordinance or with variances thereto, if any, and with all other applicable regulations.
 - c. The use or development is located, designed, and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.
 - d. The use or development will not substantially injure the value of adjoining or abutting property.
 - e. The use or development conforms with the general plans for the physical development of the Town as embodied in this Ordinance, the Town of Blowing Rock 2014 Comprehensive Plan Update, and any other duly adopted plans of the Town.
3. The Applicant has made a request to reduce the street setback on Sunset Drive from 15 feet to 11 feet from the back of the existing sidewalk in order to construct a full public entry access and extend the existing deck to meet the NC Building Code. This encroachment is less than the previous waiver approved with the original plans. The Town Council hereby approves the street setback waiver based on approval of the following findings of fact:

The setback waiver as proposed;

- a. Will not materially endanger the public health or safety in that it will, as proposed, provide access that meets the NC Building Code;
- b. Will not substantially injure the value of adjoining or abutting property,
- c. Will be in harmony with the area in which it is to be located, as other nearby buildings along Sunset Drive are currently closer than the 15-foot setback;
- d. Will be in general conformity with the 2014 Comprehensive Plan Update or other plan officially adopted by the Board; and

- e. Will be in substantial conformity with the intent of the regulations contained in this Article, as the building will provide code-compliant access to a building that has existed for several decades in its current condition.
4. Access to the site will be provided through a new driveway cut on Sunset Drive. This driveway will be one-way only from Sunset into the site and vehicles will exit through the rear of the property and through the Maple Street public parking lot.
5. Based on the proposed uses, the building square footage and any parking credits calculated on previous property uses, seven (7) parking spaces are required for this project. There are seven (7) parking spaces required for this project. The Applicant is considering reservation of up to six (6) spaces for off-site parking needs. The Applicant is proposing 20 parking spaces in the new parking area with one (1) being an ADA van-accessible space. With the seven (7) required parking spaces, two (2) reserved parking spaces, and up to six (6) spaces reserved for off-site needs, there would be up to six (6) excess parking spaces on site.
6. The site landscaping shall be installed consistent with a revised landscape plan that matches the revised site plan or otherwise consistent with the landscape standards in the Land Use Code. Consistent with Section 16-22.9 of the Land Use Ordinance, the Town Council hereby waives the 4-foot landscape buffer along the western property line from the rear parking lot to the front of the building. By approving the landscape waiver, the Town Council acknowledges the limited space to install both a 4-foot wide buffer and an access sidewalk within this area.
7. Before any building permit is issued, the Applicant shall submit a revised site plan, in such form as shall be required by the Zoning Officer, that incorporates the terms and conditions of the original Conditional Use Permit and this amendment.
8. Failure to comply with any provision herein shall subject the Applicant to forfeiture of the Permit and a stop work order on any further construction.
9. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this Permit shall be void and of no effect.
10. Except as expressly modified herein, all other terms and conditions of the original Conditional Use Permit approved by the Board of Commissioners for the Moody Building Renovations on October 13, 2015, and recorded at Book of Records 1846, Page 334 of the Watauga County Public Registry shall remain unchanged.

IN WITNESS WHEREOF, the Town of Blowing Rock has caused this Permit to be issued in its name and the undersigned being property owner(s) and/or agent(s) of the property owner(s) does hereby accept this Conditional Use Permit, together with all of its conditions as binding upon them and their successors in interest.

The traffic flow remains the same with vehicles entering from Sunset and leaving through the rear of the property onto the Maple Street parking lot.

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The Code requires a four (4) foot buffer between the site and the adjacent properties and shade trees in and around the parking lot perimeter. The original landscape plan is attached for review.

A four-foot buffer waiver along the western property line was approved with the original and amended CUP. The revised site/landscape plan provides more lawn/greenspace behind the building and on the west side of the building.

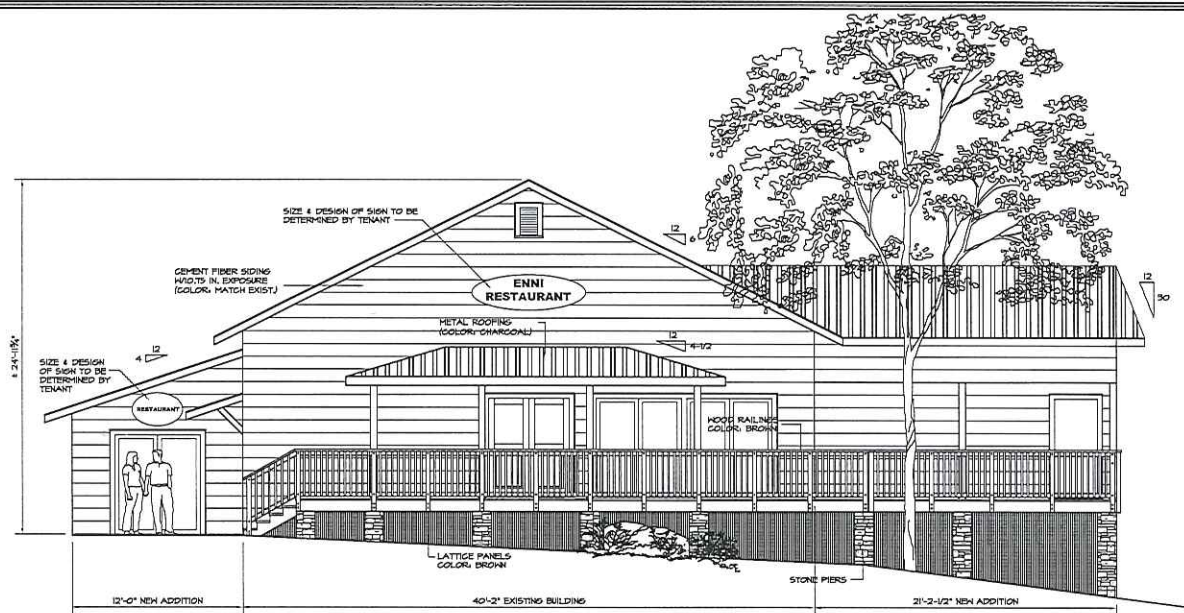
Architectural

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ATTACHMENTS

1. Original CUP approved 10-13-2015
2. Amended CUP approved 6-14-2016
3. Plans from 2016 approved 6-14-2016
4. Revised site, architectural and landscape plans dated 8-29-2017



Original
Approved
2015

1 APPROVED SOUTH (SUNSET STREET) ELEVATION

SCALE: 3/4" = 1'-0"



Revised
Approved
2016

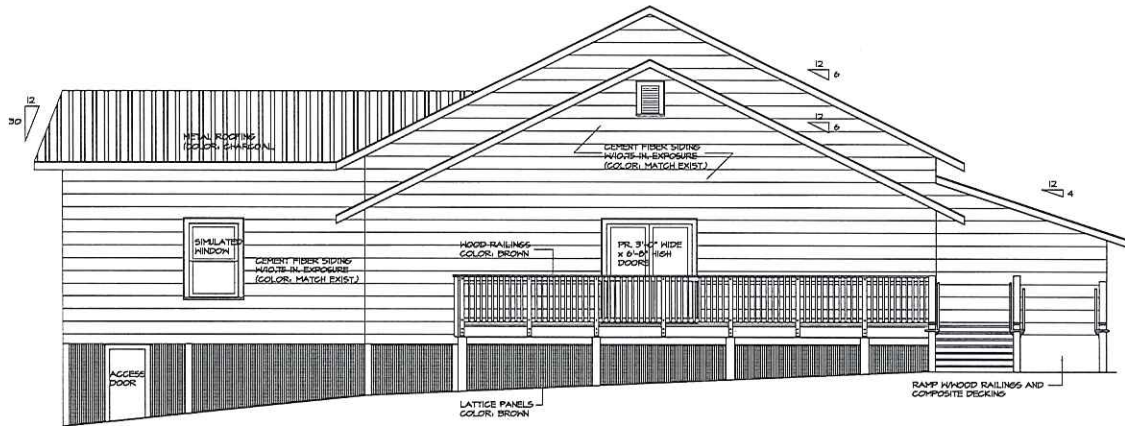
2 PROPOSED SOUTH (SUNSET STREET) ELEVATION

SCALE: 3/4" = 1'-0"

ALTERATIONS & ADDITIONS TO
THE MOODY BUILDING
125 SUNSET DRIVE
BLOWING ROCK, NORTH CAROLINA 28605

No.	Revision	Date
1	06.06.2015	
2	06.16.2015	
3	08.30.2015	
4	01.14.2016	

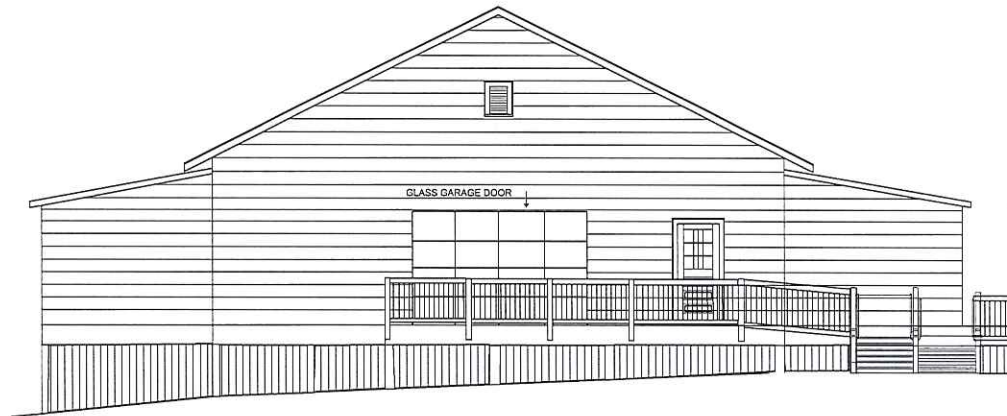
Sheet
A1.2
Project No. 041301



Original
Approved
2015

1 APPROVED NORTH ELEVATION

SCALE: 1/4" = 1'-0"



Revised
Approved
2016

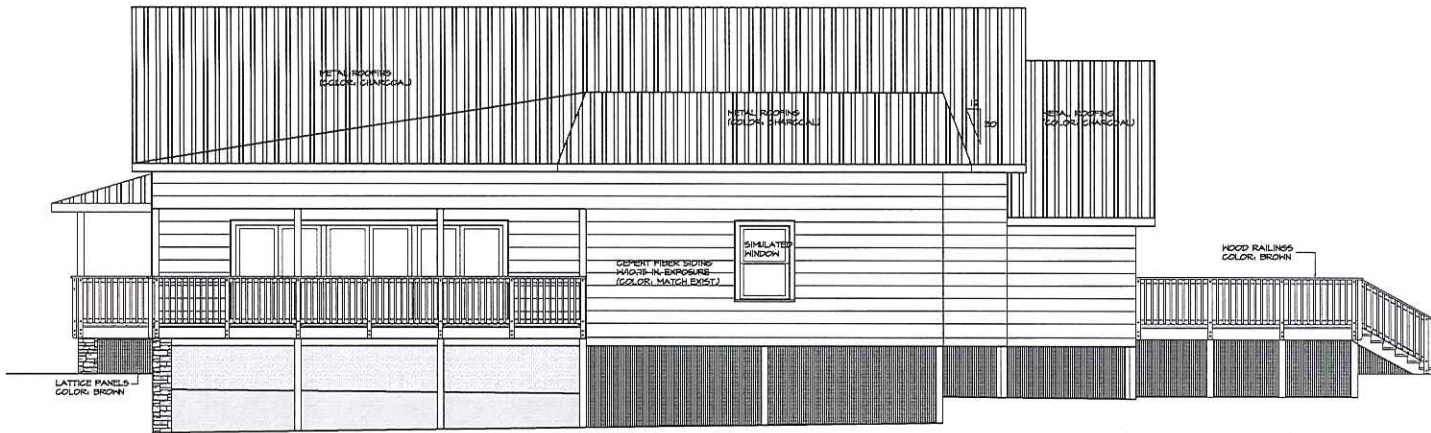
2 PROPOSED NORTH ELEVATION

SCALE: 1/4" = 1'-0"

ALTERATIONS & ADDITIONS TO
THE MOODY BUILDING
125 SUNSET DRIVE
BLOWING ROCK, NORTH CAROLINA 28605

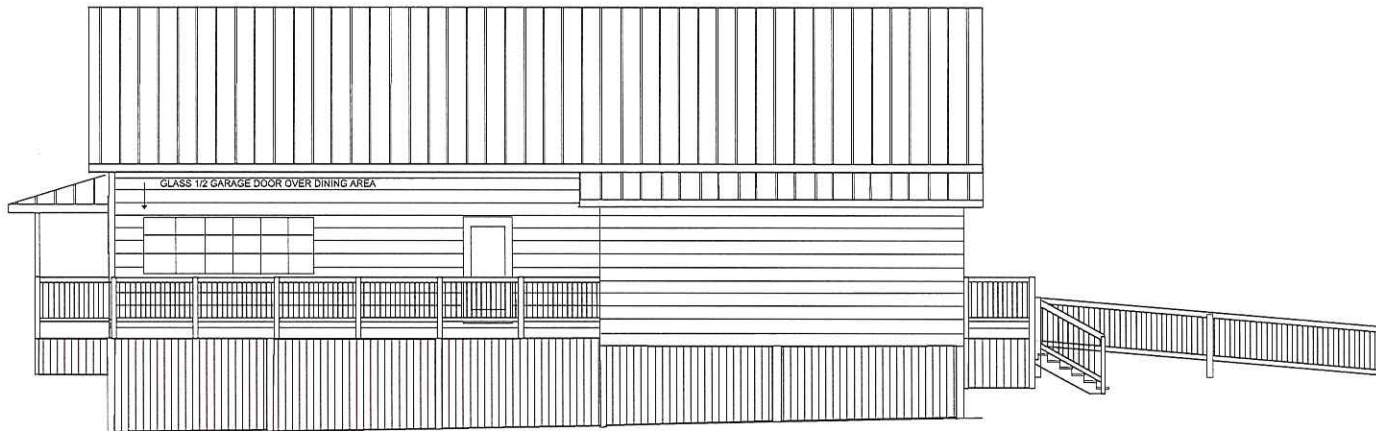
No.	Revision	Date
1	07.14.2015	
2	08.26.2015	
3	08.31.2015	
4	09.30.2015	

Sheet
A1.3
Project No: GA1501



Original
Approved
2015

1 APPROVED EAST ELEVATION
SCALE: 1/8" = 1'-0"



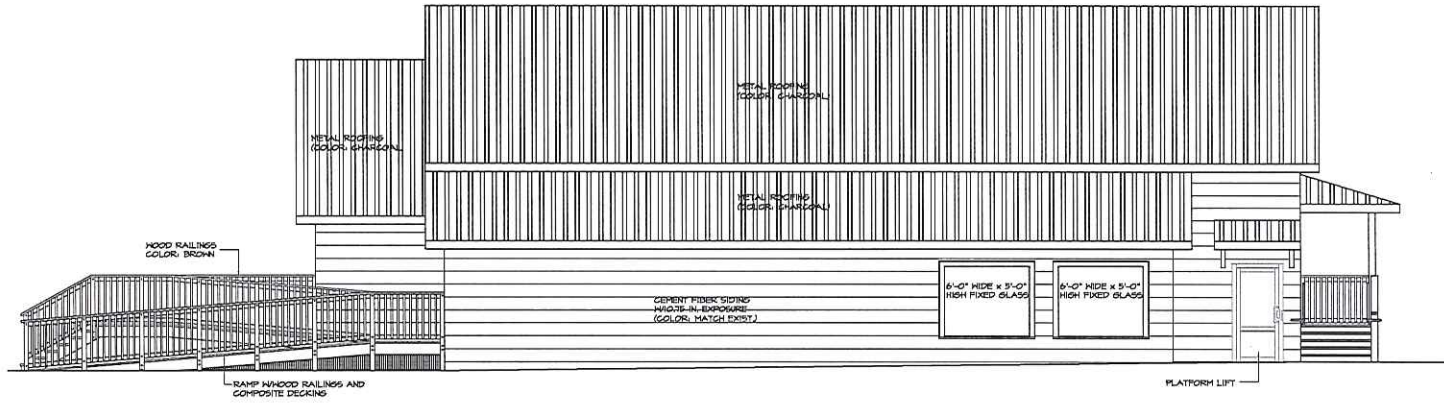
Revised
Approved
2016

2 PROPOSED EAST ELEVATION
SCALE: 1/8" = 1'-0"

ALTERATIONS & ADDITIONS TO
THE MOODY BUILDING
125 SUNSET DRIVE
BLOWING ROCK, NORTH CAROLINA 28605

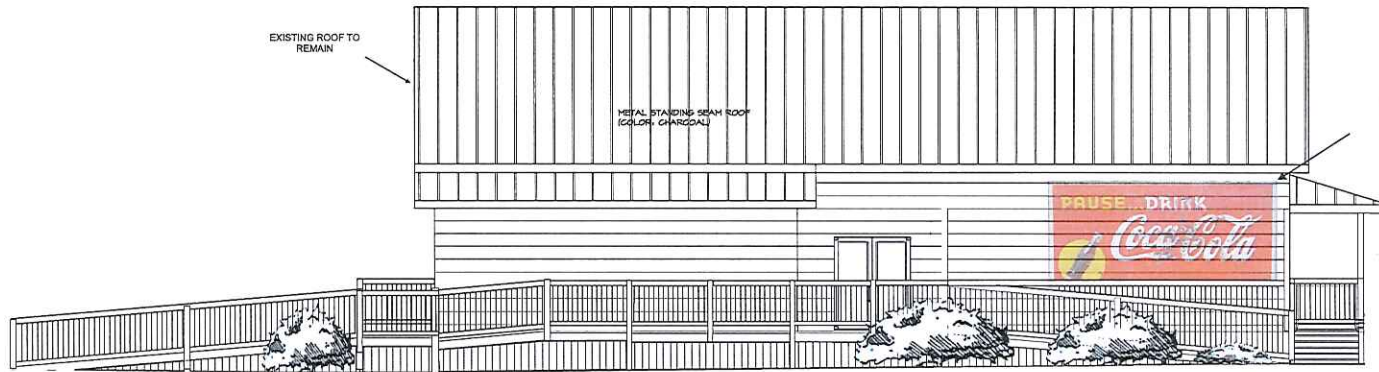
No.	Revision Date
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2	06.14.2015
3	08.20.2015
4	09.14.2015

Sheet
A1.2
Project No: GA1501



Original
Approved
2015

1 APPROVED WEST ELEVATION
SCALE: 1/4" = 1'-0"



Revised
Approved
2016

Mural Location Approval
(final copy and design
by separate approval)

2 PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"

ALTERATIONS & ADDITIONS TO
THE MOODY BUILDING
125 SUNSET DRIVE
BLOWING ROCK, NORTH CAROLINA 28605

Date	Revision	Date
06.25.2015	1	06.06.2015
	2	06.14.2015
	3	06.25.2015
	4	07.14.2015

Sheet
A1.2
Project No: GA501



*Revised
Approved
2016*

PROJECT:
Moody Furniture Building
 A Commercial Development
ADDRESS:
 Sunset Drive in Blowing Rock, NC

DEVELOPER:
Bob Lovern
 629 Idlewyld Drive
 Fort Lauderdale, FL

SEAL:

CUP PROPOSED SITE PLAN

REVISIONS	DATE

PROJECT MANAGER:
DRAWING BY:
JURISDICTION: TOWN OF BLOWING ROCK
DATE:
SHEET TITLE:



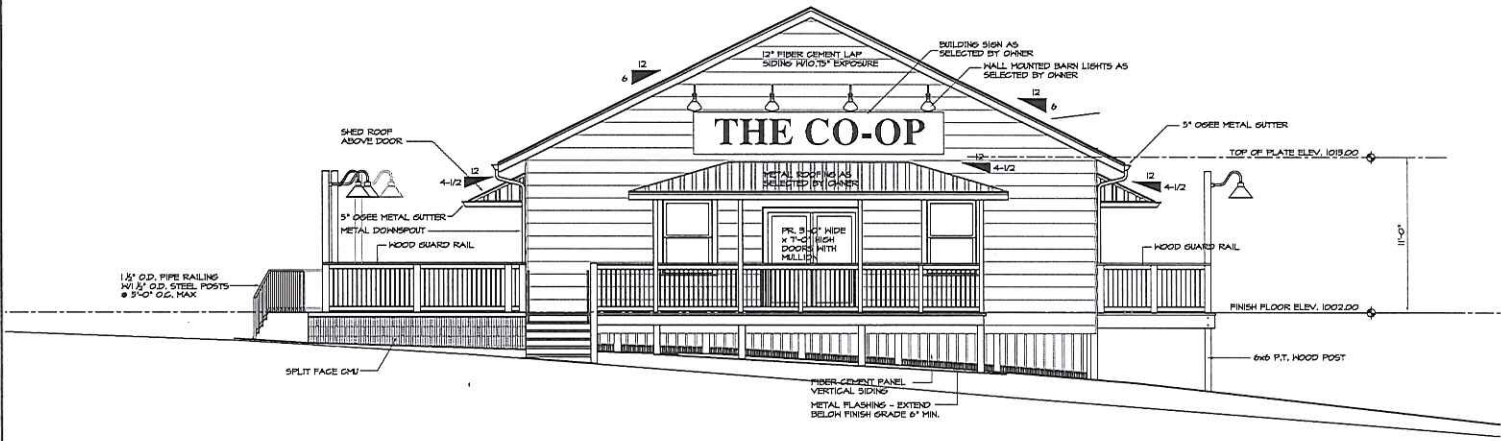
SITE PLAN

SHEET NUMBER:

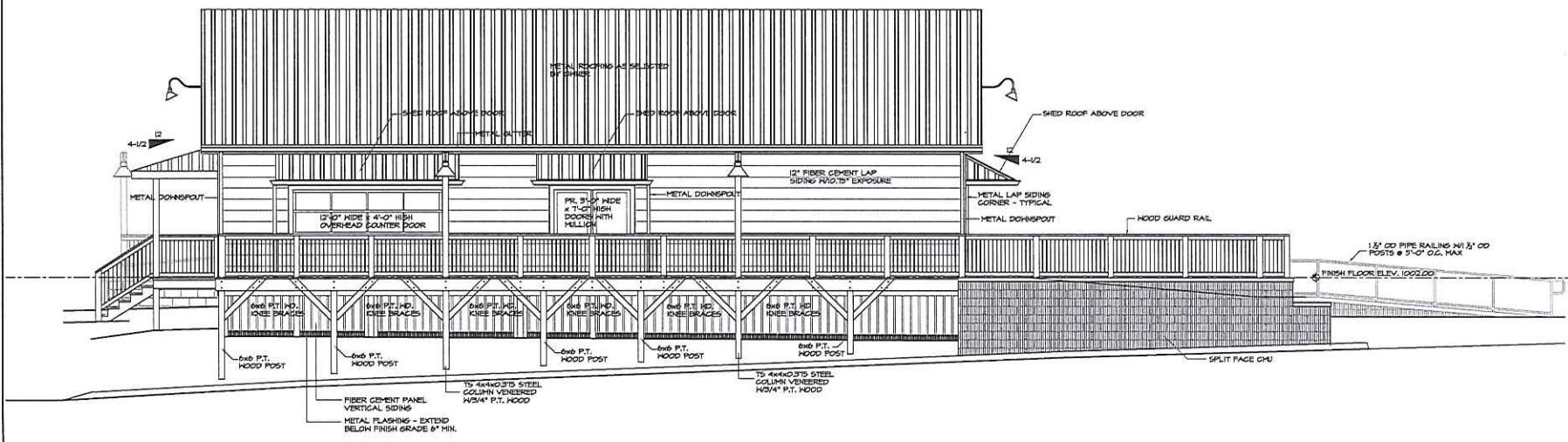
SCALE: 1" = 10'

SCALE IN FEET

Proposed
2017



1 SOUTH (SUNSET STREET) ELEVATION
SCALE: 3/4" = 1'-0"



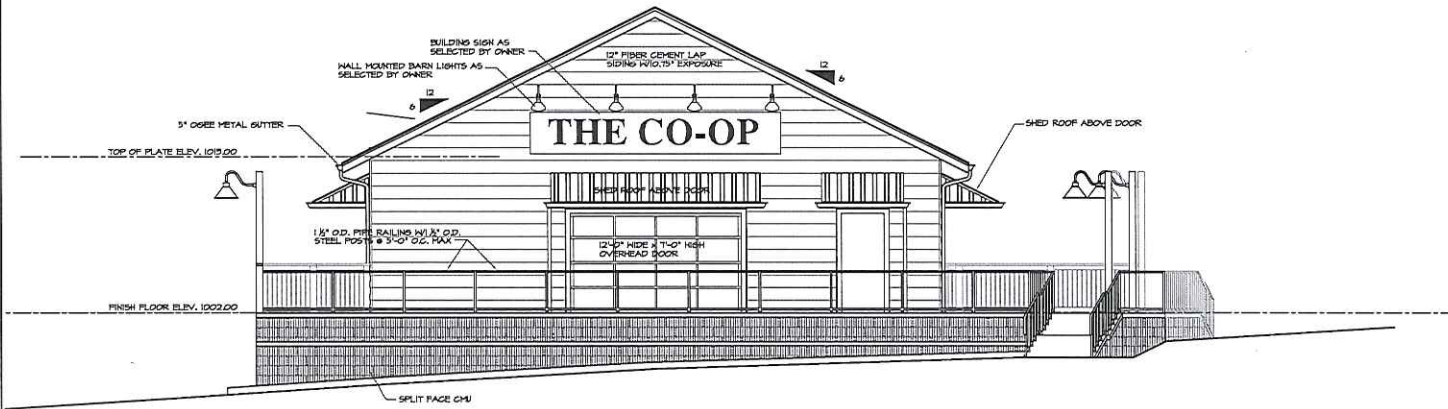
2 EAST ELEVATION
SCALE: 3/4" = 1'-0"



GREENE ARCHITECTURE
 POST OFFICE BOX 711, 1311-2 MORRIS STREET
 BOONE, N.C. 28605
 PHONE: 828-295-9192 FAX: 828-295-9193

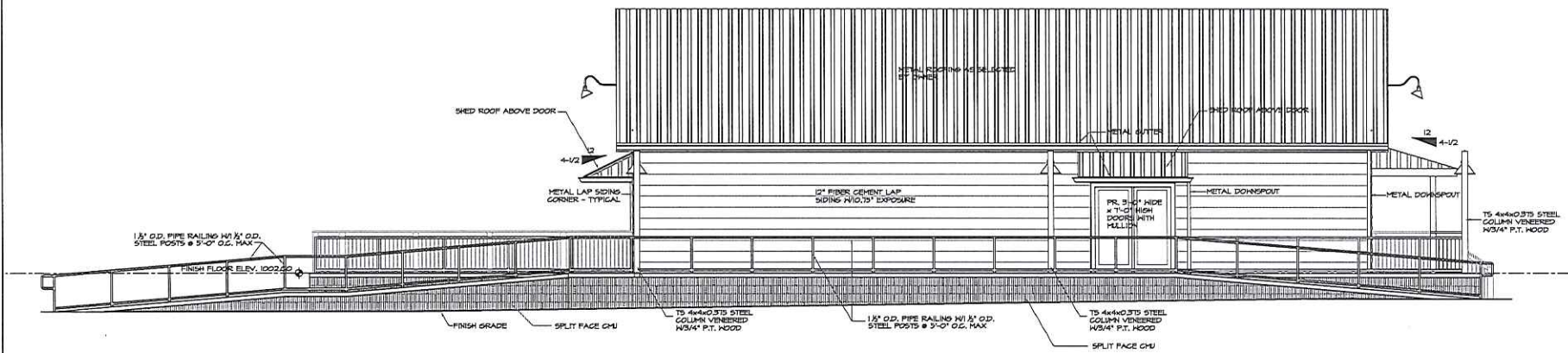
ALTERATIONS & ADDITIONS TO
THE MOODY BUILDING
 125 SUNSET DRIVE
 BLOWING ROCK, NORTH CAROLINA 28605

Date:	06.24.2017
No.:	Revision Date
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3	
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6	
7	
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9	
10	
Sheet	A1.3
Project No.	GA1501

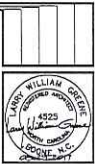


Proposed
2017

1 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



2 WEST ELEVATION
SCALE: 1/4" = 1'-0"

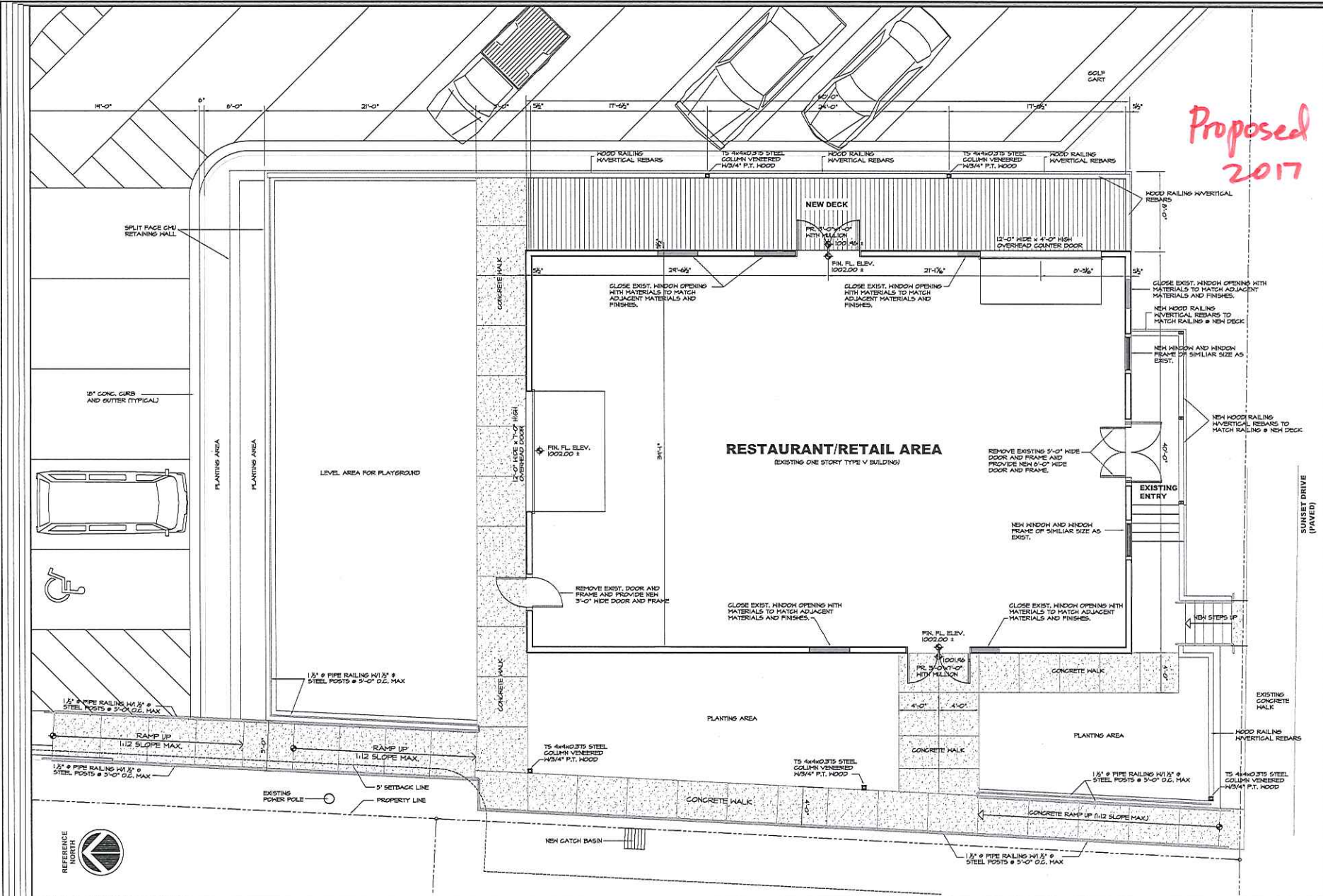


GREENE ARCHITECTURE
 POST OFFICE BOX 715 131-2 MONROE STREET
 BLOWING ROCK, N.C. 28605
 PHONE: 828-295-9192 FAX: 828-295-9193

ALTERATIONS & ADDITIONS TO
THE MOODY BUILDING
 125 SUNSET DRIVE
 BLOWING ROCK, NORTH CAROLINA 28605

Date:	05.24.2011
By:	Revision Date:

Sheet
A1.4
 Project No: GA501



Proposed
2017



GREENE ARCHITECTURE

OFFICE: 222 MORRIS STREET
BOONE, N.C. 28604
PHONE: 828-295-9103
FAX: 828-295-9103

ALTERATIONS & ADDITIONS TO
THE MOODY BUILDING

125 SUNSET DRIVE
BLOWING ROCK, NORTH CAROLINA 28605

Date:	08.21.2011
No.:	Revision
1	1
2	2
3	3
4	4

Sheet
A1.2

Project No: GA1001

1 PROPOSED FLOOR PLAN



SCALE: 1/8" = 1'-0"

