

TO: Mayor Charlie Sellers and the Blowing Rock Town Council
FROM: Kevin Rothrock, Planning Director
SUBJECT: CZ 2018-01 Conditional Rezoning from TC to CZ-TC
APPLICANT: Cardinal West Builders, LLC
DATE: June 27, 2018

REQUEST

Cardinal West Building Company, LLC is requesting a conditional rezoning of the former Blowing Rock Realty property from Town Center to Conditional Zoning – Town Center (CZ-TC). The 0.337-acre property is located at 1150 Main Street. The Applicant is proposing to demolish the former Blowing Rock Realty building and construct 2 retail or restaurant spaces and 6 condominium and/or townhome units. The property is further identified by Watauga County PINs 2807-87-9410-000.

SITE PLAN

General

The Town Center zoning district allows up to 5 units per acre for multi-family uses. The Applicant is requesting a residential density of up to 17.8 units per acre (0.337 ac on site) for a total of 6 units for the project. Allowing 17.8 units per acre would require a waiver of the residential density requirements in Section 16-12.2.3 of the Land Use Code. The 2014 Comprehensive Plan supports an increase in residential density of at least 8 units per acre in the most intensive residential zoning district. Town Center and the downtown area would be comparable areas of the most intensive residential zoning including R-6M, GB, and CB.

The Applicant has also revised the rezoning application to have the option to convert a portion of the planned retail area to a restaurant. If a restaurant is added, any additional required parking for building square footage or outdoor seating must be provided by satellite parking or payment into the parking fund.

Setbacks

The applicable street setbacks for Town Center is 15 feet and is measured from the back of the existing/proposed sidewalk along each street.

- Half of the proposed building front is in compliance with the 15-foot setback, while the other half encroaches into the setback. The ordinance allows for the buildings to be offset and encroach into the setback no closer than 10 feet to provide visual depth.
- Along Pine Street, the proposed buildings meet the required 15-foot setback, but a covered pergola extends into the setback and will be about 5 feet from the back of the sidewalk.

Since the pergola is supported by posts to the ground, a setback waiver will be needed to approve the design as submitted.

- All other side and rear setbacks are being met.

Building Height

The maximum building height is 30 feet from the finished sidewalk elevations. The proposed building height is shown at 34 feet above the sidewalk elevation. The increase in roof height is partially due to the 6/12 roof slope requirements. The proposed building height is comparable to the adjacent Village Shoppes buildings and the Town Tavern.

Architectural Design

There have been several proposed building designs with various materials shown at the neighborhood meeting, to the Blowing Rock Historical Society, and other groups. The final design proposed received 33% of the favorable votes from the Blowing Rock Historical Society. All of the designs have elements of the mountain resort style materials found in many commercial and residential structures in Blowing Rock. The materials include a dark gray taupe metal roof, sage green cedar shingles, burgundy window trim and architectural stone veneer.

Parking/Access

The Blowing Rock Realty building is credited with 9 parking spaces based on the existing square footage.

The proposed project requires 19 parking spaces, 12 for the residential units and 7 for the retail space. With the credit of 9 spaces, 10 parking spaces are required and the applicant is providing 10 spaces in the parking garage.

If a different use is allowed for the retail portion in the future that would require more parking, the applicant would have to secure satellite parking or pay into the parking fund at the prevailing rate.

Storm Water

The storm water runoff from the site will be conveyed to an onsite detention system and released to Pine Street.

Utilities

Sewer will be connected to Pine Street.

All electrical service will be provided underground.

Garbage Collection

Garbage collection will be through roll-out containers which will be placed by tenants on the edge of Pine Street for collection.

Landscaping

All of the trees on site, including the large pines along Main Street will be removed. A general landscape plan has been submitted for review. Once construction plans are finalized, a detailed landscape plan will be produced. All landscape materials shown on the final plans will meet the Land Use Code standards for species and size. At least three (3) shade/over story trees are proposed for the front of the building along Main Street, and two (2) along Pine Street.

Attached is an arborist report from Tony Hunter of Hunter's Tree Service.

Applicant Proposed Conditions

1. Density – Density to be modified to allow 6 residential units for the project. Since the project is in the Town Center (urban core) it is thought that a higher density is warranted. (Based on lot acreage, 0.337, and current ordinance maximum of 5 units per acre, only two residential units would be allowed.)
2. Height – To accommodate a full level of both commercial and residential uses with a peaked roof meeting the Town's 6/12 slope requirements, it is requested that the ridge line of Building A be allowed to be 34' (4' above the 30' maximum allowed.) The peak of the roof at the adjacent Village Shoppes appears to be almost 40' high and the Town Tavern approximately 32' high.
3. Parking – Although the proposed development can provide the required parking on-site, if additional parking is required to support any use such as restaurants, the Applicant will pay into the parking fund at the prevailing rate or provide satellite parking.
4. Green/Open Space – In spirit with the Town's new streetscape, the project would like to create more pedestrian space and therefore request a reduction of the required greenspace. (Planters will be raised 18" to 20" to provide seating and brick pavers added that match the Town's streetscape.)
5. Encroachment Agreement – There is a recorded easement for both water and sewer service from Village Shoppes across the subject property. Once the location is confirmed it is requested that we work with The Village Shoppes and Town personnel to locate in an appropriate area that does not impede the proposed development.
6. Trellises – The proposed trellis along Pine Street, the roof overhangs at entries and the two balconies facing Main Street are transitional elements between the busy streets and the businesses inside. These features reduce the scale from the big outdoors to a more intimate pedestrian friendly level and offer screening from the sun and some protection from the weather. Section 16-21.4.4 of the Ordinance encourages the use of these architectural elements.

NEIGHBORHOOD MEETING

A neighborhood meeting was held at Town Hall on February 27, 2018. Approximately 30-35 neighbors and other citizens attended the meeting. The Applicant shared with the group their vision for the property, and the historical nature of the property.

WAIVERS REQUESTED

For this project to be approved, the following waivers must be granted:

1. Residential density increased from 5 units/acre to 17.8 dwelling units per acre.
2. Street setback reduced from 15 feet from the back of the proposed sidewalk on Pine Street to allow construction of a covered pergola on the front half of the main building.
3. Building heights increased from 30 feet to not more than 34 feet measured from the sidewalk elevation on Main Street.
4. Reduction in green space area between the sidewalk and building to allow for more pavers/sidewalks and raised planters for pedestrians.

PLANNING BOARD RECOMMENDATION

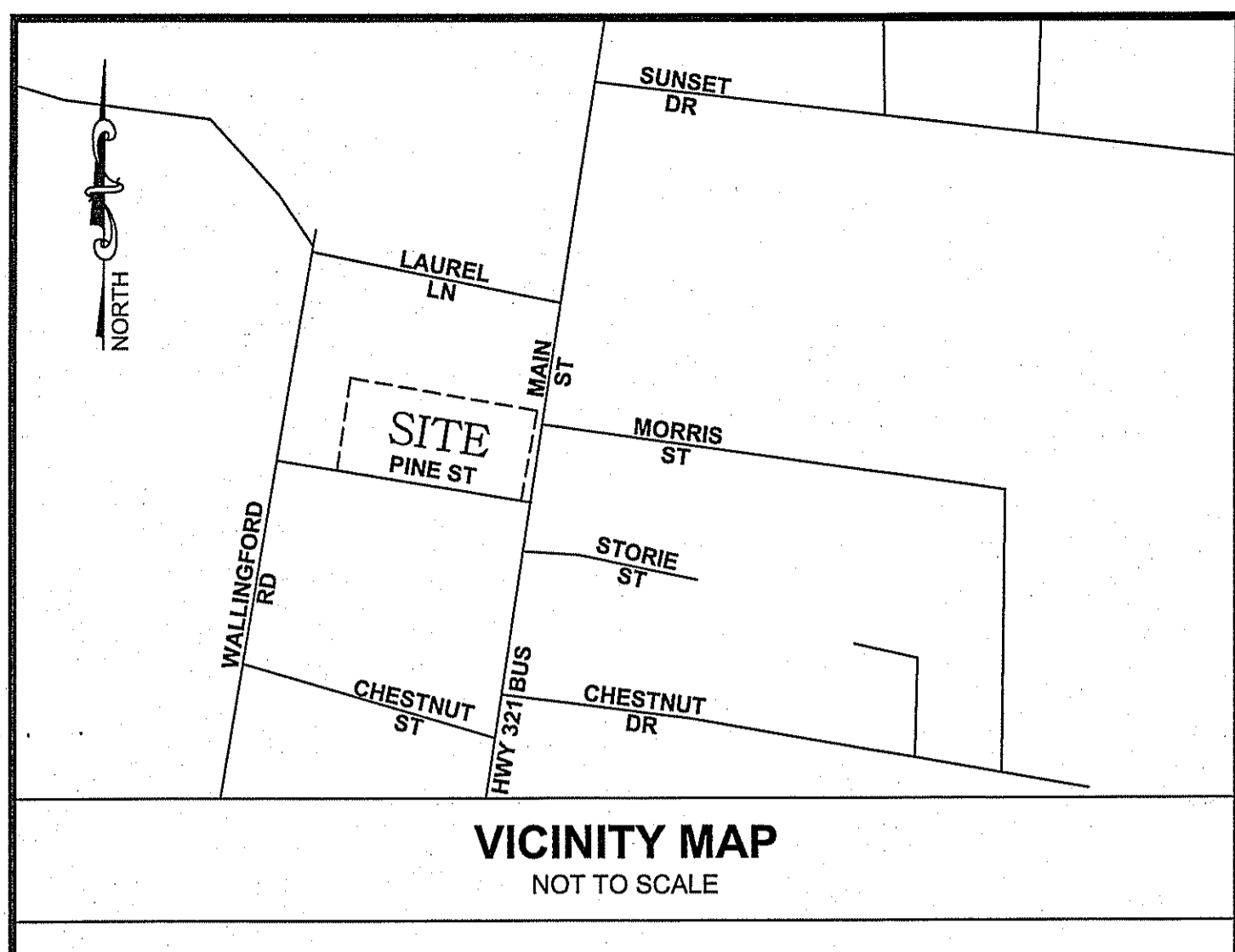
At the April 19, 2018 meeting, the Planning Board recommended approval of the conditional rezoning request as submitted with the applicant's proposed conditions.

ATTACHMENTS

1. Site, grading, utility, and landscape plans
2. Architectural elevations and floor plans
3. Arborist Report from Hunter's Tree Service
4. Map and Summary of Historical Properties from Annie Laurie McDonald of NC State Historic Preservation Office

1150 MAIN ST
MIXED USE
BLOWING ROCK, NC

COVER SHEET



VICINITY MAP
NOT TO SCALE

INDEX OF DRAWINGS		
DWG. NO.	DESCRIPTION	DWG. NO.
C-1	COVER SHEET	1 OF 4
C-2	EXISTING CONDITIONS	2 OF 4
C-3	SITE PLAN	3 OF 4
A-1	FLOOR PLANS	1 OF 3
A-2	ELEVATIONS	2 OF 3
A-3	PRELIMINARY LANDSCAPE/ STREETScape PLAN	3 OF 3

1150 MAIN ST MIXED USE BLOWING ROCK, NC PROJECT NO. B17032.1

△ APPLICANT:
CARDINAL WEST
BUILDING COMPANY LLC
PO BOX 455
CARRBORO NC 27510
(919)-998-9015

△ CIVIL ENGINEER:
MUNICIPAL ENGINEERING
SERVICES COMPANY, PA
PO BOX 349
671 WEST KING STREET
BOONE, NC 28607
(828) 262-1767

△ ARCHITECT:
APPALACHIAN ARCHITECTURE
703 W. KING STREET, SUITE 201
BOONE, NC 28607
(828) 265-2406

△ SURVEYOR:
APPALACHIAN PROFESSIONAL LAND
SURVEYORS & CONSULTANTS, PA
1480 US HIGHWAY 421S
BOONE, NC 28607
(828) 264-0290

Municipal Engineering Services Company, P.A.
Boone, N.C. Garner, N.C.

PRELIMINARY
FOR REGULATORY REVIEW ONLY

By: _____
Professional Engineer

LEGEND	LINETYPES	LAND USE INTENSITY RATIOS	STORMWATER MANAGEMENT/ WATERSHED																																										
<ul style="list-style-type: none"> PROPOSED WATERMAIN PROPOSED CONTOURS EXISTING CONTOURS STREAM OR CREEK DITCH OR SWALE STREAM OR CREEK TOP OF BANK STREAM BUFFER TROUT BUFFER EXISTING WETLANDS PROPOSED DRAINAGE PIPE EXISTING STORM DRAINAGE PROPOSED SANITARY SEWER MAIN CENTERLINE FENCES EXISTING WATERLINE RIGHT-OF-WAY LINE EASEMENTS EXISTING WATERSHED EXISTING FLOOD ZONE AE LIMIT EXISTING SANITARY SEWER PERMANENT DIVERSION TEMPORARY BERM DITCH SILT FENCE EXISTING WOODS LINE EXISTING OVERHEAD POWERLINE UNDERGROUND GAS LINE UNDERGROUND FIBER OPTIC LINE UNDERGROUND POWERLINE UNDERGROUND TELEPHONE LINE UNDERGROUND CABLE LINE 	<ul style="list-style-type: none"> EX. POWER POLE EX. SS MANHOLE EX. SS CLEANOUT EX. GATE VALVE EX. FIRE HYDRANT EX. LIGHT POLE EX. CATCH BASIN EX. DROP INLET EX. WATER METER EX. GUY WIRE EX. TEST PIT EX. DRAINAGE MANHOLE EX. GAS MARKER EX. WELL EX. TREE EX. BUSH EX. SIGN EX. TELEPHONE PEDESTAL EX. FIBER OPTIC MARKER TEMPORARY WATTLE TEMPORARY ROCK PIPE INLET PROTECTION TEMPORARY HARDWARE CLOTH & GRAVEL INLET PROTECTION 	<p style="text-align: center;"><u>SITE ZONED: TC (TOWN CENTER)</u> △ PIN: 2807-87-9410-000</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 10%;"></th> <th style="width: 20%; text-align: center;"><u>PROVIDED:</u></th> <th style="width: 10%;"></th> <th style="width: 20%; text-align: center;"><u>ALLOWED:</u></th> <th style="width: 10%;"></th> </tr> </thead> <tbody> <tr> <td>LOT AREA</td> <td>=</td> <td style="text-align: center;">17,680</td> <td>></td> <td style="text-align: center;">= 6,000 FT²</td> <td style="text-align: center;">MIN</td> </tr> <tr> <td>LOT WIDTH</td> <td>=</td> <td style="text-align: center;">70 FT</td> <td>></td> <td style="text-align: center;">= 60 FT</td> <td style="text-align: center;">MIN</td> </tr> <tr> <td>OPEN SPACE</td> <td>=</td> <td style="text-align: center;">6661 FT²</td> <td></td> <td></td> <td></td> </tr> <tr> <td>BUILDING HEIGHT</td> <td>=</td> <td style="text-align: center;">34' (BUILDING A) 30' (BUILDING B)</td> <td>></td> <td style="text-align: center;">= 30' = 30'</td> <td style="text-align: center;">MAX MAX</td> </tr> <tr> <td>EAVE HEIGHT</td> <td>=</td> <td style="text-align: center;">24' (BUILDING A) 22' (BUILDING B)</td> <td><</td> <td style="text-align: center;">= 24' = 24'</td> <td style="text-align: center;">MAX MAX</td> </tr> <tr> <td>NUMBER OF UNITS</td> <td>=</td> <td style="text-align: center;">2971 SF OF RETAIL & 6 RESIDENTIAL UNITS (17.8/AC)</td> <td>=</td> <td style="text-align: center;">5 UNITS/AC</td> <td style="text-align: center;">MAX</td> </tr> </tbody> </table> <p>△ <u>SETBACKS</u></p> <p style="margin-left: 40px;">15' ALONG STREET FRONTS 5' ALONG ADJOINING LOTS</p>			<u>PROVIDED:</u>		<u>ALLOWED:</u>		LOT AREA	=	17,680	>	= 6,000 FT ²	MIN	LOT WIDTH	=	70 FT	>	= 60 FT	MIN	OPEN SPACE	=	6661 FT ²				BUILDING HEIGHT	=	34' (BUILDING A) 30' (BUILDING B)	>	= 30' = 30'	MAX MAX	EAVE HEIGHT	=	24' (BUILDING A) 22' (BUILDING B)	<	= 24' = 24'	MAX MAX	NUMBER OF UNITS	=	2971 SF OF RETAIL & 6 RESIDENTIAL UNITS (17.8/AC)	=	5 UNITS/AC	MAX	<p>1. NEW DEVELOPMENT WILL PROVIDE UNDERGROUND STORMWATER DETENTION IN ACCORDANCE WITH THE TOWN'S ORDINANCE.</p> <p>2. A SMALL PORTION OF THE PROPERTY IS WITHIN THE WATERSHED BUT CONTAINED WITHIN THE RIGHT-OF-WAY OF US 321. NO DEVELOPMENT OR ADDITIONAL IMPERVIOUS IS PLANNED WITHIN WATERSHED</p> <p style="text-align: right;">EXISTING IMPERVIOUS SURFACE AREA = 6705 FT² PROPOSED IMPERVIOUS SURFACE AREA = 10478 FT²</p>
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		RESIDENTIAL (6 UNITS) 3-1 BEDROOM @ 1 1/2 /BEDROOM = 4 1/2 1-2 BEDROOM @ 2/BEDROOM = 2 2-3 BEDROOM @ 2 1/2 /BEDROOM = 5 1 EXTRA FOR EVERY 4 UNITS = 1	12	10																																									
		△ CREDIT	-9																																										
		TOTAL	10	10																																									

DATE	BY	REV.	MPT	SETBACKS, PIN # AND CONTACTS ADDED, PARKING ADJUSTED TO REFLECT CREDIT	DESCRIPTION
04-17-18	MPT				
SCALE: AS SHOWN DATE: 05-17-18 DRWN. BY: SGJ CHKD. BY: MPT PROJECT NUMBER B17032.1 DRAWING NO. SHEET NO. C-1 1 OF 3					

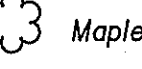
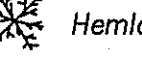
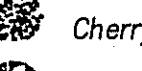

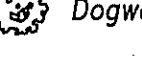
THE VILLAGE SHOPPES
 HAYES DEV. JOINT VENTURE)
 DB: 007
 PG: 031
 PID: 2807879515000
 ZONED TC

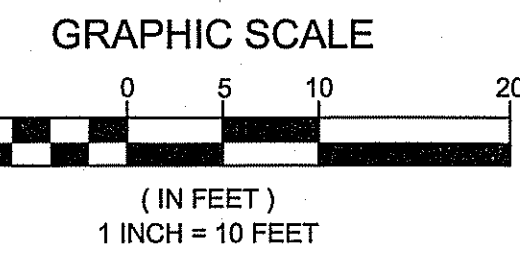
HAFAM NC 144 LLC
 DB: 1544
 PG: 219
 PID: 2807877474000
 ZONED CB

0.337 Acres
 Zoned TC
 Existing Impervious = 14,244 SF
 OLD BLOWING ROCK REALTY

TOWN TAVERN
 BILLANDAL LLC
 DB: 549
 PG: 641
 PID: 2807878390000
 ZONED TC

GENERAL NOTES:
 1. RIGHT OF WAY ALONG PINE STREET IS AREA BETWEEN PROPERTY LINES.

-  Maple Tree
-  Hemlock Tree
-  Cherry Tree
-  Pine Tree
-  Dogwood Tree



PRELIMINARY
 FOR REGULATORY REVIEW ONLY

Engineering Company, P.A.
Municipal Services
 P.O. BOX 349 BOONE, N.C. 28607
 P.O. BOX 87 GARNER, N.C. 27529
 (819) 725-5883
 LICENSE NUMBER: C-0281

**1150 MAIN ST
 MIXED USE
 BLOWING ROCK, NC**

DATE	BY	REV.	DESCRIPTION
04-17-18	MPT		NOTES ADDED, IMPERVIOUS SHOWN - SEE A

EXISTING CONDITIONS

SCALE:	AS SHOWN
DATE:	05-17-18
DRWN. BY:	SGJ
CHKD. BY:	MPT
PROJECT NUMBER:	B17032.1
DRAWING NO.:	C-2
SHEET NO.:	2 OF 3

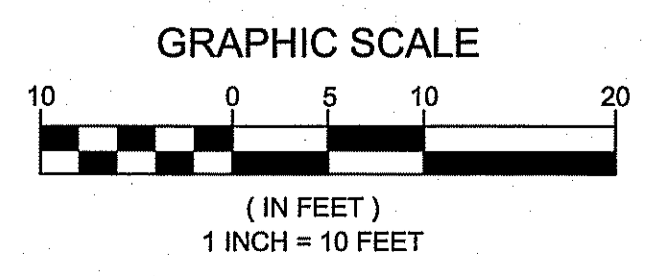
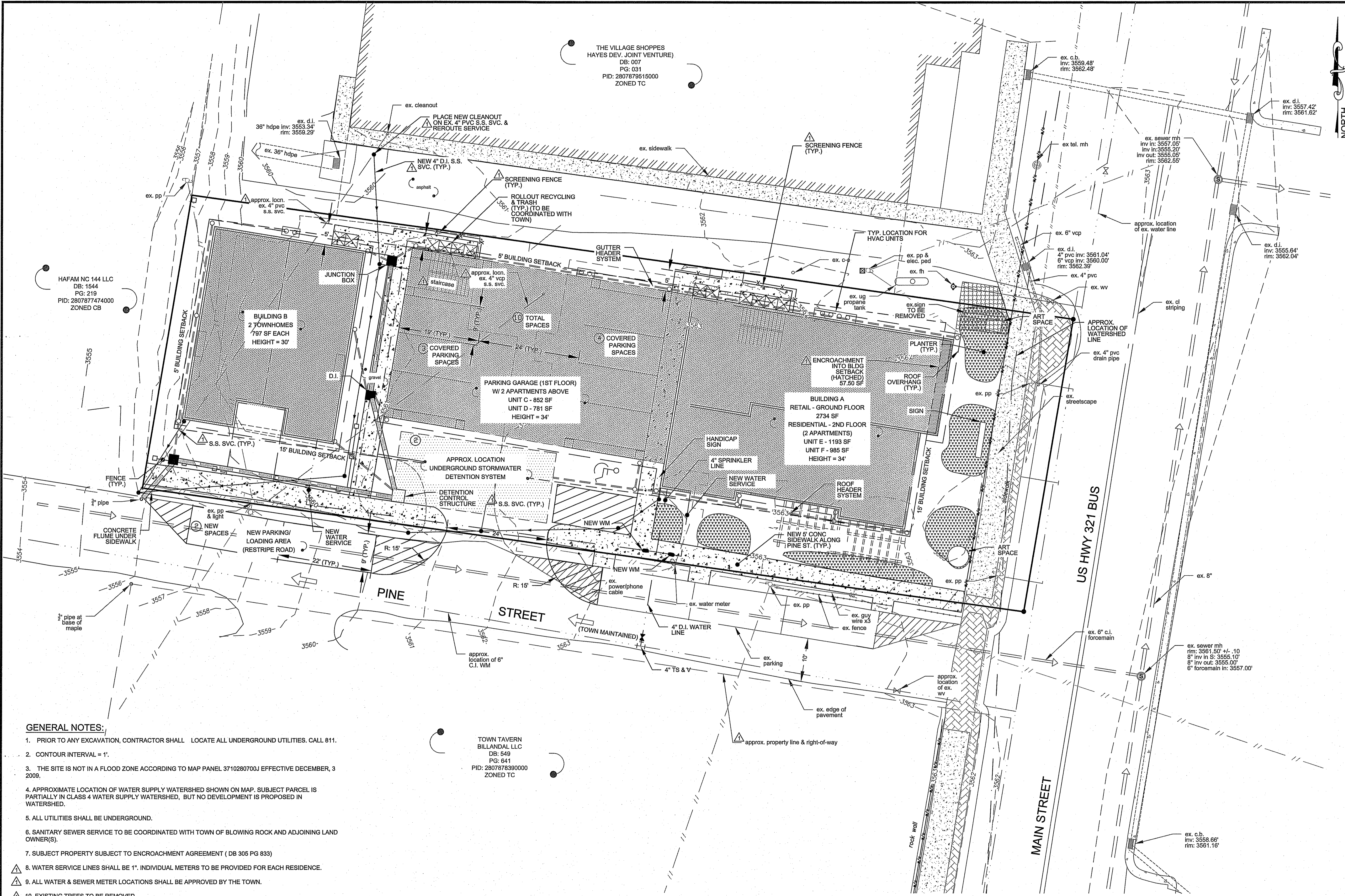
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DB: 549
PG: 641
PID: 2807878390000
ZONED TC

GENERAL NOTES:

- PRIOR TO ANY EXCAVATION, CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES. CALL 811.
- CONTOUR INTERVAL = 1'.
- THE SITE IS NOT IN A FLOOD ZONE ACCORDING TO MAP PANEL 3710280700J EFFECTIVE DECEMBER, 3 2009.
- APPROXIMATE LOCATION OF WATER SUPPLY WATERSHED SHOWN ON MAP. SUBJECT PARCEL IS PARTIALLY IN CLASS 4 WATER SUPPLY WATERSHED, BUT NO DEVELOPMENT IS PROPOSED IN WATERSHED.
- ALL UTILITIES SHALL BE UNDERGROUND.
- SANITARY SEWER SERVICE TO BE COORDINATED WITH TOWN OF BLOWING ROCK AND ADJOINING LAND OWNER(S).
- SUBJECT PROPERTY SUBJECT TO ENCROACHMENT AGREEMENT (DB 305 PG 833)
- WATER SERVICE LINES SHALL BE 1". INDIVIDUAL METERS TO BE PROVIDED FOR EACH RESIDENCE.
- ALL WATER & SEWER METER LOCATIONS SHALL BE APPROVED BY THE TOWN.
- EXISTING TREES TO BE REMOVED.
- RESIDENTS AND BUSINESS OWNERS TO PLACE THEIR ROLLOUT TRASH AND RECYCLING CONTAINERS TO THE EDGE OF PINE STREET ON TRASH DAY AND RETURN TO SCREENED AREA BEHIND BUILDING ONCE TRASH HAS BEEN COLLECTED.
- RIGHT-OF-WAY ALONG PINE STREET IS THE AREA BETWEEN PROPERTY LINES AND IS APPROXIMATELY 22.5'
- PROPOSED SIGNAGE TO BE PERMITTED SEPARATELY.



PRELIMINARY
FOR REGULATORY REVIEW ONLY

Engineering Company, P.A.
Municipal Services
P.O. BOX 97 GARNER, N.C. 27829
(626) 262-1767
LICENSE NUMBER: C-0281

1150 MAIN ST
MIXED USE
BLOWING ROCK, NC

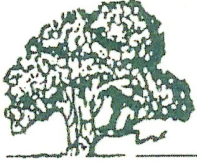
SITE PLAN

DATE	BY	REV.	DESCRIPTION
05-17-18	MPT		ENCROACHMENTS FOR TRASH ROLL-OUT & NOTE REVISIONS
04-17-18	MPT		SCREENING FENCE, SETBACK ENCROACHMENT & NOTES ADDED - SEE A

SCALE: AS SHOWN
DATE: 05-17-18
DRWN. BY: SGJ
CHKD. BY: MPT
PROJECT NUMBER: B17032.1
DRAWING NO.: C-3
SHEET NO.: 3 OF 3




FRONT ELEVATION (MAIN ST.)
 3/16" = 1'-0"



Hunter's Tree Service, Inc.

Tony Hunter, *President*

P.O. Box 1674 • Banner Elk, NC 28604

Phone (828) 733-3320

Fax (828) 733-0023



June 11, 2018

To whom it may concern,

In my professional opinion as a certified arborist who has been in business over 38 years, I recommend removal of these white pine trees for the following reasons:

WHITE PINE #1 and WHITE PINE #2

- 1) The trees are weighted very heavy on opposing sides meaning that the majority of the limbs are on one side of the tree because they grew next to each other.
- 2) White pine trees are highly susceptible to storm damage and are especially affected by ice and wind. This breaks the tops out of trees and can also uproot the them. Because these pine trees are very tall (approximately 80 feet), their height makes them even more susceptible to storm damage.
- 3) The large limbs have weak attachments known as V-forks in the main trunk.
- 4) If the trees fell, they would do extreme damage to the neighboring buildings.
- 5) The trees are past maturity.
- 6) The trees have a large root zone and construction would have a major impact on the trees' health by damaging the roots.

WHITE PINES #3, 4, 5, and 6

- 1) The trees lean toward Main Street (US Highway 221). The trees are tall enough that if they broke off near the base of the tree or were uprooted, they would fall across both lanes of Main Street taking out the utility lines and damaging the buildings across the street.
- 2) The trees have less foliage in their upper sections than typical white pine trees which indicates stress.
- 3) Some of the trees have sustained previous storm damage that weakens portions of the trees that hang over power, cable, and phone lines along the sidewalk.
- 4) The trees are past maturity.
- 5) The trees have a large root zone and construction would have a major impact on the trees' health by damaging the roots.

Please call me on my cell phone at (828)387-1401 if you have any questions.

Sincerely,



Tony Y. Hunter (Certified Arborist #SO-0680) Hunter's Tree Service, Inc.

P.O. Box 1674

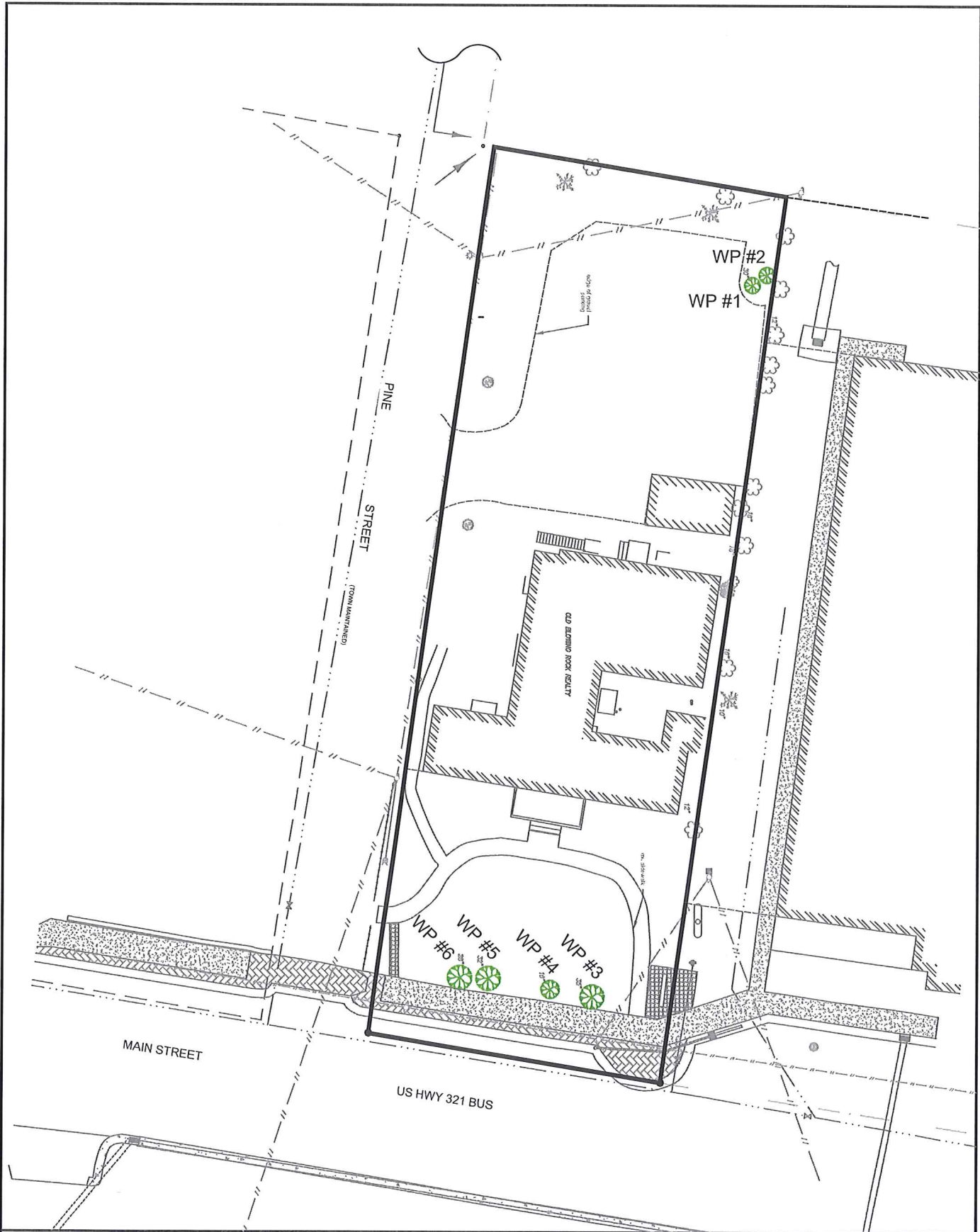
Banner Elk, NC 28604

phone (828)733-3320

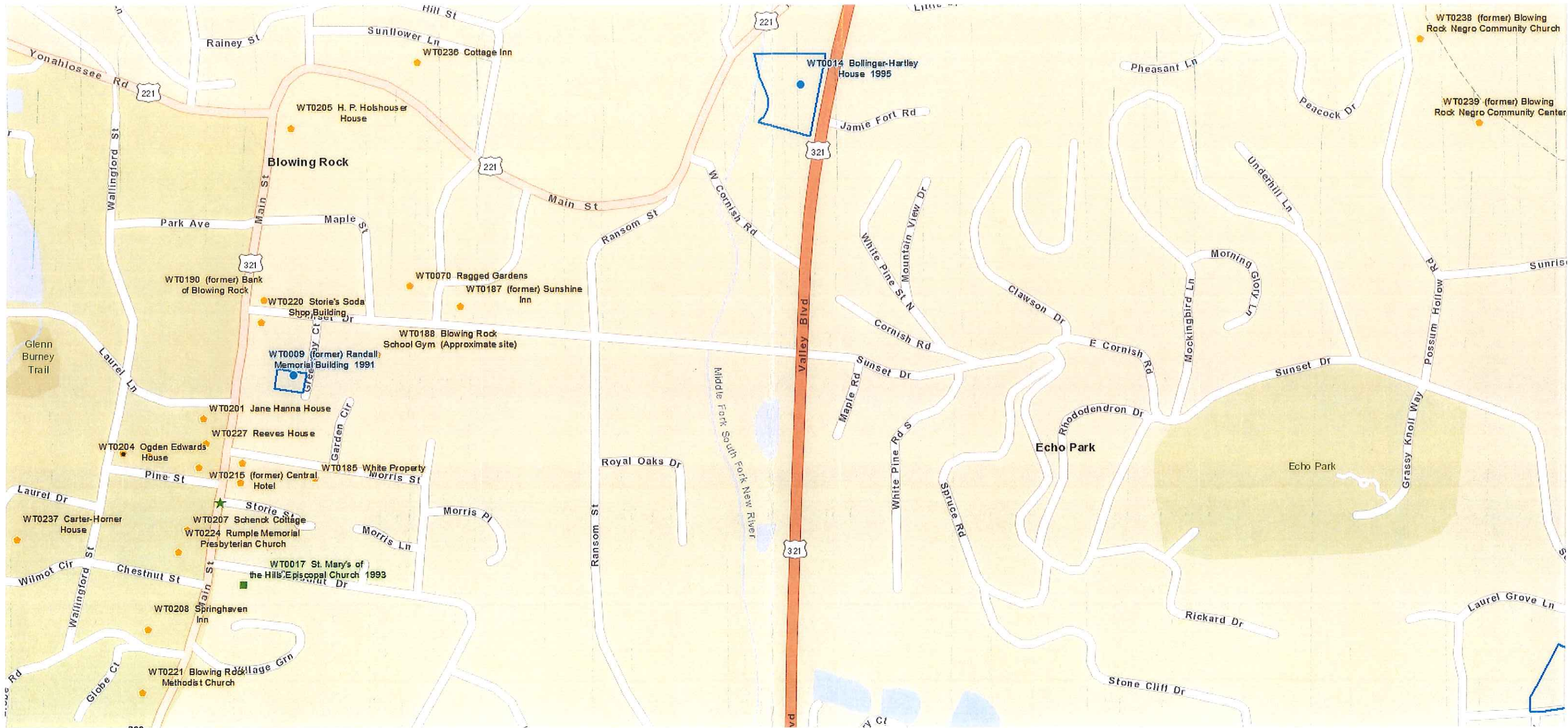
fax (828)733-0023

trees@htsinc.biz

www.hunterstreeserviceinc.com

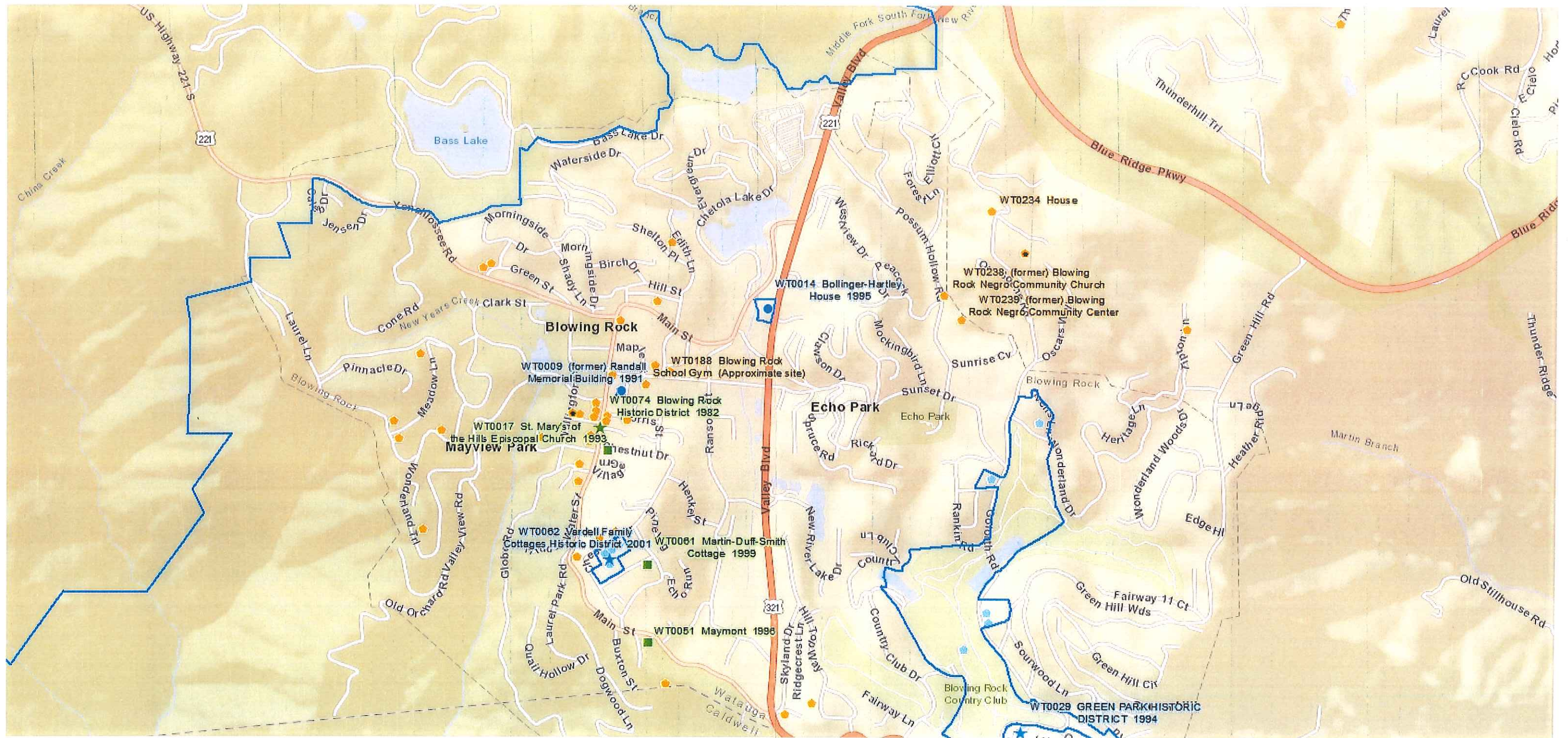


ARBORIST REPORT MAP
1150 MAIN ST, BLOWING ROCK



Available at: www.hpo.ncdcr.gov

- Listed in the National Register of Historic Places
- Listed in North Carolina's National Register Study List
- Surveyed-Only (no designation)



Available at: www.hpo.ncdcr.gov

- Listed in the National Register of Historic Places
- Listed in North Carolina's National Register Study List
- Surveyed-Only (no designation)

THE STATEWIDE ARCHITECTURAL SURVEY

For four decades, the State Historic Preservation Office in the Office of Archives and History has conducted North Carolina's statewide architectural survey program. The Preservation Office sponsors and co-sponsors, assists and guides dozens of local and regional architectural surveys throughout the state--all part of the statewide program whose mission is to identify, record, and encourage the preservation of North Carolina's rich and varied historic and architectural heritage.

For each community and county, as for the state and nation as a whole, creating a photographic and written record of historic places is the first, crucial step in recognizing, valuing, and preserving the heritage of the past for the benefit of the present and the future. Each survey project provides a local base of information about community history and architecture. Ideally the surveyor and the survey serve as a prism--gathering information from many different residents and many different places, then reflecting that knowledge back to the community in a way that offers residents and others new understanding of the whole and its parts.

Benefits of Architectural Surveys: The bedrock of preservation planning and actions, a thorough local survey forms the basis for many preservation decisions. Survey reports, files, and maps are maintained as a permanent record with many long-term benefits: they permit evaluation of properties for nomination to the [National Register of Historic Places](#); facilitate decision-making about the potential impact of government funded or licensed projects on historic properties; benefit protection of local districts and properties by [local preservation commissions](#); and boost private investment in renovation and preservation of historic buildings for new uses. Over the years, architectural surveys in town after town and county after county have provided the first step toward preservation success stories--directing new attention to familiar sights and encouraging citizens to rescue long neglected houses, rejuvenate traditional neighborhoods, and focus new investment in the economy and quality of life in historic town centers.

Architectural Survey Status: County surveys have been completed in 76 of the state's 100 counties and regional overview surveys have recorded selected properties in an additional 21 counties. Municipal surveys have been completed in about 65 communities. Several thematic surveys encompass specific types of places statewide, such as truss bridges, county courthouses, and Rosenwald schools. Cumulatively, these surveys compose an important record of North Carolina's historic architecture.

Architectural Survey Records: Survey files, containing written materials and photographs and organized by county, are maintained at the Survey and National Register Branch, State Historic Preservation Office, in Raleigh and at the Western Office of the Office of Archives and History, along with survey project reports and detailed maps showing the location of every recorded property. The survey database is organized by county, property name, and site number. The extensive collection of survey files, maps, photographs, and reports constitutes a research and reference source on the state's architecture and history, as well as providing private citizens, preservation organizations, and government agencies with a guide to the historic places that merit recognition and protection. All designated properties and districts and most surveyed properties have been mapped in a Geographic Information System (GIS) which is available to the public online at <http://gis.ncdcr.gov/hpoweb/>. Survey records are also available in local repositories.

Architectural Survey Reports: An important component of every architectural survey is the report that is prepared at the end of the project. The survey report describes and analyzes the historic architecture of the survey area within relevant historic contexts. Over the many years of the State Historic Preservation Office's survey program, the reports have taken a number of forms. Some of the reports have separate sections on the survey area's architecture and history while other blend the discussions of the area's historical and architectural development. From the mid-1980s into the first decade of the twenty-first century, most of the reports were prepared as a Multiple Property Documentation Form (MPDF), a National Park Service "cover" report that presents an area's historic contexts and property types in a manner that simplifies the future preparation of National Register of Historic Places nominations for properties identified by the survey as potentially eligible for National Register listing. All of the reports are on file at the State Historic Preservation Office. Reports that were prepared in a digital format (from ca. 2004 to the present) and have not been published are posted on this web site; earlier reports for unpublished surveys, including those prepared as

(see other side)

MPDFs, are being scanned and posted as time permits. (Click [here to access PDFs of survey reports](#) posted thus far; click [here to access PDFs of MPDFs](#) posted thus far.)

Architectural Survey Publications: A hallmark of North Carolina's statewide preservation program is the publication of local architectural surveys. Because of the lasting public value of survey publications as popular, accessible sources of knowledge about each community's unique heritage, the statewide survey program emphasizes publication as a primary goal of any survey project. To date, 53 county surveys and 37 municipal surveys have been published. (Click [here](#) to see a list of publications.)

Most of these are books of several hundred pages offering a fully illustrated overview of local history and architectural development plus a catalog depicting and describing significant individual properties and neighborhoods. Thematic studies of courthouses, industrial complexes, truss bridges, early twentieth-century suburbs, and other topics have been published. In addition, several major books by HPO staff have grown out of the statewide survey, including *North Carolina Architecture* (1990), *A Guide to the Historic Architecture of Eastern North Carolina* (1996), *A Guide to the Historic Architecture of Western North Carolina* (1999), and *A Guide to the Historic Architecture of Piedmont North Carolina* (2003). A number of these publications have won national prizes for excellence.

Development of Architectural Survey Program: To meet the basic goals of creating a lasting record of North Carolina's historic places and encouraging their preservation, the statewide survey program has changed and developed over the years. Working with communities, counties, and regional organizations, with private preservation and historical societies as well as government bodies--and often in public-private partnerships--the statewide survey program has proceeded in a variety of ways. Initial funding for recording selected historic places in 1967 was granted by the Richardson Foundation, and further funds for the survey were obtained from state and federal sources. This first phase of inventory developed as part of North Carolinians' and Americans' growing concern for historic preservation in the decades after World War II, but it built upon the accomplishments of earlier generations, particularly such work of the 1930s as the Historic American Buildings Survey and *The North Carolina Guide*. During the late 1960s and into the early and mid-1970s, Survey and Planning Branch staff members conducted surveys of several counties' most prominent historic sites with assistance from local preservationists and historians.

Beginning in the late 1970s, a program of [matching grants](#) to interested county and town sponsors generated a series of more comprehensive surveys that encompassed a full range of architecturally and historically significant properties. State funds have provided a strong basis for the statewide survey, both as direct funding to local survey projects and in support of the statewide program. Each year the Office is required by federal law to pass through ten percent of its national preservation funding as matching grants to [certified local governments](#), and most of these grants are for architectural surveys or survey publications. In other cases, localities have used local public and private funds for projects that are part of the statewide survey program. In some years, other sources of federal funding have facilitated a number of county surveys.

As understanding of the richness of North Carolina's heritage and the complexity of its architecture and history has expanded, survey projects have broadened to address the diverse places that make each community itself--from the earliest and most imposing buildings of the distant past to the more typical farmhouses and landscapes, neighborhoods, and town centers of the late 19th century and the 20th century. These strong local studies have enhanced knowledge of local and regional history and the relationship to national and state currents. They offer new understanding of the state's architectural traditions--both the familiar vernacular patterns of the rural landscape and the accomplishments of the architectural profession in growing towns and cities. At the same time these state and local studies, together with others conducted throughout the nation, are building a national body of fieldwork that is yielding new insights into American social and architectural history.

Currently in North Carolina, most municipal and county surveys are supported by state and Federal grants matched with local funds. They are conducted by professional architectural historians employed by the community and working under the auspices of both the State Historic Preservation Office and the community. The strength of the North Carolina survey program has drawn from the combination of state and local commitment to preservation, and the professional knowledge and energy of the surveyors who have created a lasting record of the heritage of towns and counties throughout the state.

FOR MORE INFORMATION on the Architectural Survey Program contact the Architectural Survey Coordinator (919/807-6573); for information on Survey Grants contact the Grants Administrator (919-807-6582), both at the State Historic Preservation Office, Office of Archives and History, 4617 Mail Service Center, Raleigh, NC 27699-4617.

**THE "STUDY LIST" AND
THE NATIONAL REGISTER OF HISTORIC PLACES
IN NORTH CAROLINA**

The use of a Study List as a preliminary step in the review of potential nominations to the National Register of Historic Places is not a requirement under federal program regulations. In practice, most state preservation offices employ some sort of early screening mechanism to remove consideration of properties that are clearly not eligible for the National Register. This screening is usually done by the State Historic Preservation Officer or his or her staff. North Carolina may be unique in that this process is codified in the state administrative code and that the National Register Advisory Committee (NRAC) is directly involved. (Subchapter 4R, section .0304 of the administrative code.) The Study List has been part of North Carolina's National Register program since the first nominations were reviewed and submitted from the state in 1969.

Over the years the Study List has proved to be a useful mechanism in the following ways:

1. The Study List screens out properties that are clearly not eligible or that are highly unlikely to be eligible for the National Register, saving time and effort on the part of the properties' sponsors and the State Historic Preservation Office (HPO) staff in preparing and reviewing unproductive nominations.

Sponsors of a property that has been rejected by the NRAC for the Study List may nevertheless later submit a formal nomination for review by the NRAC. If the property is rejected again by the NRAC, and if the State Historic Preservation Officer concurs in the rejection, the sponsors may appeal directly to the Keeper of the National Register. This has occurred once in almost fifty years of National Register program operations in North Carolina.

2. By the same token, the Study List identifies properties and districts that are likely to be eligible for the National Register, giving the green light to sponsors and staff to proceed with a formal nomination with reasonable assurance that the property can be successfully nominated. Out of more than 2,900 nominations submitted from North Carolina since 1969, less than fifteen have been rejected outright by the National Register as not eligible.

Inclusion in the Study List is not an absolute guarantee of eligibility. Over time properties may require reevaluation due to changes or deterioration. Also, properties once considered not eligible may later become eligible with the passage of time or with additional knowledge about the historical themes they may represent. Nevertheless, the success rate of North Carolina's National Register nominations is an indication of the utility of the Study List as a screening mechanism.

3. The Study List is a useful tool for local preservation planning. A comprehensive county or community survey provides a broad perspective on principal themes in local history and identifies properties and districts that appear likely to be eligible for the National Register. The Study List acknowledges the potential significance of properties and districts long before they can be formally nominated to the National Register and may help stimulate preservation activity at the local level. This may include follow-up multiple property nominations and/or the establishment of local preservation commissions on the strength of interest generated by the survey. In addition, a Study List presentation following a survey is the first exposure many historic property owners have to the National Register and preservation programs. This exposure sometimes generates privately sponsored nominations and preservation initiatives.
4. The Study List has no official role in environmental review procedures, but it does have a practical role. Under federal law, all federal actions are reviewed for their potential effects on properties and districts that are listed in *or eligible for listing in* the National Register. Where no previous survey or identification of National Register eligibility has taken place, this may require time-consuming and expensive field surveys and evaluations. An official "determination of eligibility" (DOE) is made either (1) through concurrence of the HPO and the applicant agency that properties or districts affected by the project are eligible or (2) by formal determination by the Keeper of the National Register if the HPO and the applicant agency do not concur.

Environmental review is streamlined in counties and communities where comprehensive surveys have been conducted and where professional evaluation of potential eligibility has been made by staff and the NRAC in advance of project planning. HPO staff can review project papers quickly with reasonable assurance that potentially significant properties within impact areas have been identified. Project applicants are more likely to concur with decisions made by the NRAC under neutral circumstances and less likely to perceive such judgments as bureaucratic road blocks set up by HPO staff. Thus the Study List can help avoid conflict and lead to early mitigation of impacts on significant properties.

Applicant agencies are not required to accept Study List status as "proof" of eligibility, however, and may choose to go through the formal DOE process. Also, the passage of time and changing circumstances of properties require the reevaluation of eligibility of Study List and other properties within an impact area at the time of project review. But the Study List does provide a positive step in federal review. It does not make environmental review more complex or more expensive, and in fact facilitates review activities.

State law does not provide protection for properties that are determined eligible but not listed in the National Register. Thus neither placement on the Study List nor a formal determination of eligibility by the Keeper of the National Register has an official role in state environmental review procedures.

NATIONAL REGISTER FACT SHEET **1**

WHAT IS THE NATIONAL REGISTER OF HISTORIC PLACES?

The National Register of Historic Places is the nation's official list of buildings, structures, objects, sites, and districts worthy of preservation for their significance in American history, architecture, archaeology, and culture. The National Register was established by the [National Historic Preservation Act of 1966](#). The purpose of the Act is to ensure that as a matter of public policy, properties significant in national, state, and local history are considered in the planning of federal undertakings, and to encourage historic preservation initiatives by state and local governments and the private sector.

What the National Register Means for the Private Property Owner

The listing of a property in the National Register places no obligation or restriction on a private owner using private resources to maintain or alter the property. Over the years, various federal incentives have been introduced to assist private preservation initiatives. A private owner of a National Register property becomes obligated to follow federal preservation standards only if federal funding or licensing is used in work on the property, or if the owner seeks and receives a special benefit that derives from National Register designation, such as a grant or a tax credit described below.

When a National Register nomination is prepared, all buildings, objects, structures and sites on each property must be categorized as contributing or noncontributing. Contributing resources are those constructed during the period of significance which substantially convey their appearance from that period. Noncontributing resources are those that do not date from the period of significance or date from the period of significance and have been substantially altered.

National Register listing should not be confused with [local historic property and historic district designations](#). These designations are made by a local governing board on the recommendation of a local historic preservation commission. This program of local designations is an option available to local governments under North Carolina enabling legislation (G.S. 160A-400). Properties and districts listed in the National Register sometimes also receive local designation in jurisdictions where local preservation commissions have been established according to the state enabling legislation, but there is no direct correlation between National Register listing and local designation.

National Register listing means the following:

1. Consideration and Protection in Public Planning:

All properties and districts listed in or eligible for listing in the National Register are considered in the planning of federal undertakings such as highway construction and Community Development Block Grant projects. "Federal undertakings" also include activities sponsored by state or local governments or private entities if they are licensed or partially funded by the federal government. "Federal undertakings" do not include federal farm subsidies or loans made by banks insured by the FDIC.

National Register listing does not provide absolute protection from federal actions that may affect the property. It means that if a federal undertaking is in conflict with the preservation of a National Register property, the North Carolina Historic Preservation Office will negotiate with the responsible federal agency in an effort to eliminate or minimize the effect on the historic property. This review procedure applies to properties that are determined eligible for the National Register in the day-to-day environmental review process as well as those actually listed in the National Register.

Similarly, North Carolina law (G.S. 121-12a) provides for consideration of National Register properties in undertakings funded or licensed by the state. Where a state undertaking is in conflict with the preservation of a National Register property, the North Carolina Historical Commission is given the opportunity to review the case and make recommendations to the state agency responsible for the undertaking. The commission's recommendations to the state agency are advisory.

2. Incentives for the Preservation of National Register Properties:

Tax Benefits. Under the federal Tax Reform Act of 1986, a privately owned building that is listed in the National Register or is a contributing building in a National Register historic district may be eligible for a 20% federal income investment tax credit claimed against the costs of a qualified rehabilitation of the building. The federal credit applies only to income-producing, depreciable properties, including rental residential properties. The federal credit does not apply to owner-occupied residential properties. The cost of the rehabilitation must exceed the adjusted basis of the building. Plans for the rehabilitation are reviewed by the North Carolina Historic Preservation Office and the National Park Service, and work on the building must meet the *Secretary of the Interior's Standards for Rehabilitation*.

Please note that the former North Carolina State Historic Credit program expired for rehabilitation expenses incurred after December 31, 2014. New state historic tax credit programs go into effect on January 1, 2016 for both income-producing properties and non-income-producing properties, including private residences.

This new program allows taxpayers who receive the federal income tax credit for rehabilitating certified historic structures to take a state credit against North Carolina income taxes on income-producing properties. Also these new North Carolina tax credits provide a state income tax credit for non-income-producing properties listed in the National Register or as a contributing building in a National Register historic district, including private residences. For more information and applications, contact the Tax Credit Coordinator at the address given below, or call 919/807-6585 for income-producing projects or 919/807-6574 for non-income-producing projects.

The Tax Treatment Extension Act of 1980 provides federal tax deductions for charitable contributions of partial interests (easements) in historically significant properties for conservation purposes. Interested individuals should consult legal counsel or the local Internal Revenue Service office for assistance in determining the tax consequences of the provisions of this act.

Grants and Loans. A limited program of matching grants for the rehabilitation of National Register properties, including those that are privately owned, was authorized by the National Historic Preservation Act of 1966, but has not been funded to a significant degree since the early 1980s. A loan program authorized by the Act has never been funded.

In some years, the North Carolina General Assembly has made funds for preservation projects available to local governments and nonprofit groups through one-time discretionary appropriations. Such appropriations may or may not be repeated in coming years. The only private properties that have received state appropriations are those owned by non-profit organizations. Listing in the National Register has not been a precondition for receipt of a state grant.

Owner Consent: A privately owned individual property may not be listed in the National Register over the objection of its owner or, in the case of a property with multiple owners, over the objection of a majority of owners. A district may not be listed in the National Register over the objection of a majority of owners of private property within the proposed district. For a complete description of procedures for objecting to a National Register nomination, see [National Register Fact Sheet 5: "Procedure for Supporting or Objecting to National Register Listing."](#)

See also the following numbered *National Register Fact Sheets*:

- 2: "[National Register Criteria for Evaluation](#)"
- 3: "[How Historic Properties Are Listed in the National Register of Historic Places](#)"
- 4: "[The National Register of Historic Places in North Carolina: Facts and Figures](#)"

See the handout entitled "[A Comparison of the National Register of Historic Places With Local Historic Landmark and District Designations](#)" for a review of the differences between these two programs.

FOR MORE INFORMATION:

Historic Preservation Office website at <http://www.hpo.ncdcr.gov>

Historic structures and the National Register: [Survey and National Register Branch](#), 919/807-6570

Archaeological sites and the National Register: [Office of State Archaeology](#), 919/807-6554

Preservation tax credits and technical restoration assistance: [Restoration Services Branch](#), 919/807-6570

Environmental protection and planning: [Environmental Review Branch](#), 919/807-6570

Written inquiries to each of these branches may be sent to the State Historic Preservation Office, 4617 Mail Service Center, Raleigh, North Carolina 27699-4617.

The National Register program is governed by the following federal and state rules and regulations: 36CFR Part 60 (interim rule), 36CFR Part 61 (final rule), and North Carolina Administrative Code T07: 04R .0300.

NATIONAL REGISTER FACT SHEET 4

THE NATIONAL REGISTER OF HISTORIC PLACES IN NORTH CAROLINA: FACTS AND FIGURES

- There are more than 90,000 listings of historic buildings, structures, sites, objects, and districts in the National Register across the United States and its territories.
- The first nominations from North Carolina were submitted in 1969. Today there are approximately 2,900 National Register listings in the state. In recent years the state has submitted an average of 35 new nominations per year to the National Register. Most nominations are prepared by private consultants working for local governments or for private property owners. Nominations are carefully prepared and screened in the review process, and 99% of all nominations from North Carolina have been successfully listed. A list of all National Register entries in North Carolina arranged alphabetically by county and giving name, town or vicinity, and date listed plus a link to the complete nomination, is available on the State Historic Preservation Office web site at <http://www.hpo.ncdcr.gov/NR-PDFs.html>. A similar list may be accessed at the National Register web site, <http://www.cr.nps.gov/nr/research/>
- Of the approximately 2,900 total listings in North Carolina, about 540 are historic districts, some of which contain hundreds of contributing historic buildings or sites. Types of districts include residential neighborhoods, commercial districts, prehistoric and historic archaeological districts, industrial complexes, mill villages, and rural farming districts. Since the first historic district nominations did not include complete lists of all properties within district boundaries, it is not possible to determine the precise number of historic properties in North Carolina that are listed in the National Register. The National Park Service estimates that more than 75,000 historic resources in North Carolina are listed in the National Register either as individual listings or as contributing properties within districts. Properties within districts that contribute to the historic character of the district are eligible for federal environmental protections and benefits to the same extent as if they were individually listed.
- Of all North Carolina properties listed in the National Register, approximately 85% are privately owned and 15% publicly owned. About 70% are listed at a local level of significance, 25% at a statewide level, and 5% at a national level of significance. The level of significance at which a property or district is listed does not affect its eligibility for benefits or the consideration it receives in environmental review processes.
- North Carolina's National Register listings reflect the whole spectrum of the state's human experience through its long history: prehistoric Indian sites; shipwreck sites; modest log houses of settlers and slaves; houses and outbuildings of ordinary farmers and townspeople; the mansions of wealthy planters and merchants; churches of all sizes and denominations; courthouses, schools and other public buildings; commercial buildings of many types; and industrial and transportation buildings and sites. Listings vary from 10,000-year-old archaeological sites to the 1953 Dorton Arena at the State Fairgrounds. What all these places have in common is that they reveal in a tangible way some important aspect of past life in North Carolina and its diverse communities.
- The State Historic Preservation Office reviews approximately 3,000 federal and state actions annually to determine their potential effects on properties listed in or eligible for listing in the National Register. Where a federal or state undertaking is in conflict with the preservation of a National Register property, the State Historic Preservation Office will negotiate with the responsible agency in

an attempt to eliminate or minimize the effect under procedures prescribed by federal law (Section 106 of the National Historic Preservation Act of 1966) or state law (G.S. 121-12a).

- From 1976 through December of 2014, 1,398 National Register properties in North Carolina were rehabilitated under state and federal historic preservation income-producing tax incentive programs, representing an investment of over \$1.69 billion in National Register properties in the state. From 1998 through December 2014, completed rehabilitation projects of 1,750 owner-occupied residences, representing \$272.25 million in investment, were reviewed for certification under a North Carolina historic preservation tax incentive program.
- The Restoration Branch of the State Historic Preservation Office offers technical restoration consultation services to owners of historic properties, including municipal and county governments, churches, businesses, and private property owners. Restoration Branch staff provides consultation services to more than 2,000 historic properties in a typical year. Restoration staff is located in Raleigh (919/807-6590), Asheville (828/296-7230), and Greenville (252/830-6580).
- Since the mid-1970s three-quarters of North Carolina's 100 counties and scores of municipalities have participated in survey and planning grant projects co-sponsored with the State Historic Preservation Office to conduct comprehensive surveys of historic properties and prepare nominations of properties and districts to the National Register of Historic Places. Many other counties have participated in regional reconnaissance surveys. The Survey and National Register Branch maintains an estimated 100,000 survey files with photographs and information about historic structures. The Office of State Archaeology maintains information concerning the approximately 41,000 prehistoric and historic archaeological sites recorded in the state. Fifty-three counties and thirty-seven municipalities have published historic architecture survey catalogues, many of which are still in print and available for purchase from the State Historic Preservation Office.

For information about why the National Register was created and what listing means to a property owner, see [NATIONAL REGISTER FACT SHEET 1, "WHAT IS THE NATIONAL REGISTER OF HISTORIC PLACES?"](#)

For an explanation of National Register criteria for evaluation, see [NATIONAL REGISTER FACT SHEET 2, "NATIONAL REGISTER CRITERIA FOR EVALUATION."](#)

For information about how properties and districts are listed in the National Register, see [NATIONAL REGISTER FACT SHEET 3, "HOW HISTORIC PROPERTIES ARE LISTED IN THE NATIONAL REGISTER OF HISTORIC PLACES."](#)

See the handout titled "A COMPARISON OF THE NATIONAL REGISTER OF HISTORIC PLACES WITH LOCAL HISTORIC LANDMARK AND DISTRICT DESIGNATIONS" for an explanation of the differences between the two programs.

FOR MORE INFORMATION:

Please Also See The Historic Preservation Office website at <http://www.hpo.ncdcr.gov>

Historic structures and the National Register: [Survey and National Register Branch](#), 4617 Mail Service Center, Raleigh, NC 27699-4617; phone 919/807-6570.

Archaeological sites and the National Register: [Office of State Archaeology](#), 4619 Mail Service Center, Raleigh, NC 27699-4619; phone 919/807-6554.

Preservation tax credits and technical restoration assistance: [Restoration Branch](#), 4617 Mail Service Center, Raleigh, NC 27699-4617; phone 919/807-6590.

[Grants](#) to local governments and organizations for historic property surveys and National Register nominations: Grants Coordinator, [Administration Branch](#), 4617 Mail Service Center, Raleigh, NC 27699-4617; phone 919/807-6582.

The National Register program is governed by the following federal and state rules and regulations: 36CFR Part 60 (interim rule), 36CFR Part 61 (final rule), and North Carolina Administrative Code T07: 04R .0300.

ORDINANCE NO. 2018-09**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE
TOWN OF BLOWING ROCK;
CREATING THE CARDINAL WEST BUILDERS
CONDITIONAL ZONING DISTRICT (CZ-TC)**

WHEREAS, the Town of Blowing Rock has the authority, pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, this Ordinance is consistent with NC General Statutes 160A-381, establishing conditional zoning districts in local zoning jurisdictions; and

WHEREAS, this Ordinance is consistent with the Town's 2014 Comprehensive Plan Update for the reasons set out herein; and

WHEREAS, the Town of Blowing Rock has reviewed the proposed ordinance and recommends its enactment by the Board of Commissioners;

NOW, THEREFORE, THE TOWN OF BLOWING ROCK BOARD OF COMMISSIONERS, MEETING IN REGULAR SESSION AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, HEREBY ORDAINS THE FOLLOWING.

Section One. Upon petition of the Cardinal West Builders, LLC, the Official Zoning Map of the Town of Blowing Rock is hereby amended to create the Blowing Rock Townhomes, Conditional Zoning District (CZ-TC) as more particularly set forth herein.

Section Two. This Ordinance is found to be consistent with the Town of Blowing Rock 2014 Comprehensive Plan Update, particularly with the following policies contained therein:

- LC-1 Refocus growth on Blowing Rock's core through policies and actions that encourage both infill development and the redevelopment of properties that are not being utilized for their highest and best use.
- H-2: The architectural design of new development on the site will reinforce the western NC vernacular and respect the character of the town and surrounding neighborhoods.
- LC-3.1: Amend the Land Use Code to increase the density allowed in the most intensive residential zoning district to allow at least 8 multi-family dwelling units per acre by-right.

- LC-6.4: Encourage the use of the Conditional Zoning process to address situations where rezoning to an existing base zoning district would not be compatible with surrounding development in the absence of conditions tailored to the particular nature of the proposed use or development.

Section Three. The zoning classification of that certain real property shown on the aerial photo map, attached hereto as **Exhibit A** and made a part hereof, is hereby changed from TC, Town Center to CZ-TC, Conditional Zoning-Town Center. Said property is also identified on Watauga County PINs 2807-87-9410-000,

Section Four. The Cardinal West Builders Conditional Zoning District is a conditional zoning district established pursuant to the Land Use Ordinance of the Town of Blowing Rock by means of authority granted by the North Carolina General Statutes. Future development and use of lands situated within the Cardinal West Builders Conditional Zoning District, and the processing of applications to develop and use such lands, shall comply with the conditions set forth on the document entitled, Cardinal West Builders Conditional Zoning District: List of Standards & Conditions, which is attached to this ordinance as **Exhibit B** and incorporated herein. The aforementioned List of Standards & Conditions, made a part thereof, shall run with the land and shall be binding on Cardinal West Builders, LLC, its heirs and assigns.

Section Five. Pursuant to Section 16-9.6 of the Town of Blowing Rock Land Use Ordinance, the Master Plan replaces all conflicting development regulations set forth in the Land Development Standards, and such development regulations are varied to the extent they conflict with the Master Plan and List of Standards & Conditions. The Master Plan specifically includes the architectural plans and civil engineering and site plans submitted to Town Council on May 17, 2018 and subsequent construction drawings revised as a result of additional conditions imposed by Town Council after the July 10, 2018 public hearing. Construction drawings include at a minimum: site plan, utility plan, grading plan, landscape plan, and architectural plan and elevations. Any substantial change to the Master Plan as noted below shall be reviewed by the Planning Board and approved or denied by the Town Council as an amended conditional zoning district. The following changes to the Master plan shall require approval by the Town Council:

- (a) Land area being added or removed from the conditional district.
- (b) Modification of special performance criteria, design standards, or other requirements specified by the enacting ordinance.
- (c) A change in land use or development type beyond that permitted by the approved master plan.
- (d) When there is introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access.
- (e) Hours of operation and/or delivery hours.

All other changes to the Master plan shall receive approval by the Administrator. However, if in the judgment of the Administrator, the requested changes alter the basic development concept of the Conditional Zoning District, the Administrator may require concurrent approval by the Town Council.

Section Six. Enactment of this Ordinance constitutes the approval of a site-specific development plan resulting in the establishment of a vested right, pursuant to N.C.G.S. 160A-385.1, to undertake and complete the development and use of the property under the terms and conditions specified in the Master Plan and the List of Standards & Conditions. Such vested right shall have a term of two years from the date of adoption of this Ordinance.

Section Seven. The Office of the Zoning Administrator is hereby authorized and directed to modify the Town’s Official Zoning Map consistent with this Ordinance.

Section Eight. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

Section Nine. All ordinances or portions thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section Ten. This ordinance shall be in full force and effect from and after the date of adoption.

Adopted this _____ day of _____, 2018.

Mayor

ATTEST:

Town Clerk

RZ 2018-01 Cardinal West Builders Rezoning TC to CZ-TC

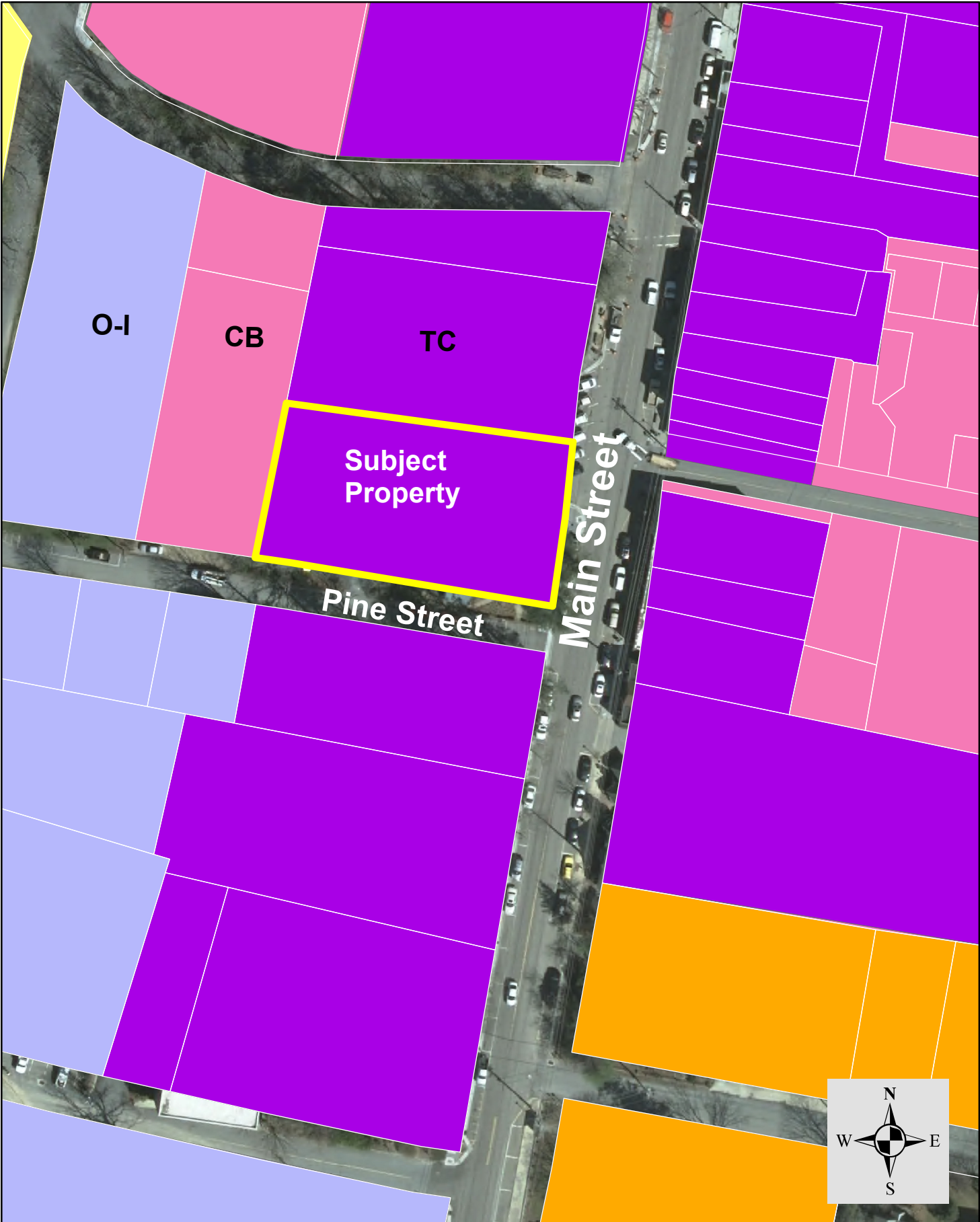


EXHIBIT A

Exhibit B

Ordinance No. 2018-09
Cardinal West Builders Conditional Zoning District
Conditional Zoning – TC
PINs 2807-87-9410
1150 Main Street

List of Standards & Conditions

Waivers from Land Use Code Standards

1. Residential density increased from 5 units/acre to 17.8 dwelling units per acre.
2. Street setback reduced from 15 feet from the back of the proposed sidewalk on Pine Street to allow construction of a covered pergola on the front half of the main building.
3. Building heights increased from 30 feet to not more than 34 feet measured from the sidewalk elevation on Main Street.
4. Reduction in green space area between the sidewalk and building to allow for more pavers/sidewalks and raised planters for pedestrians.

Applicant Proposed Conditions

1. Density – Density to be modified to allow 6 residential units for the project. Since the project is in the Town Center (urban core) it is thought that a higher density is warranted. (Based on lot acreage, 0.337, and current ordinance maximum of 5 units per acre, only two residential units would be allowed.)
2. Height – To accommodate a full level of both commercial and residential uses with a peaked roof meeting the Town's 6/12 slope requirements, it is requested that the ridge line of Building A be allowed to be 34' (4' above the 30' maximum allowed.) The peak of the roof at the adjacent Village Shoppes appears to be almost 40' high and the Town Tavern approximately 32' high.
3. Parking – Although the proposed development can provide the required parking on-site, if additional parking is required to support any use such as restaurants, the Applicant will pay into the parking fund at the prevailing rate or provide satellite parking.
4. Green/Open Space – In spirit with the Town's new streetscape, the project would like to create more pedestrian space and therefore request a reduction of the required greenspace. (Planters will be raised 18" to 20" to provide seating and brick pavers added that match the Town's streetscape.)
5. Encroachment Agreement – There is a recorded easement for both water and sewer service from Village Shoppes across the subject property. Once the location is confirmed it is requested that we work with The Village Shoppes and Town personnel to locate in an appropriate area that does not impede the proposed development.
6. Trellises – The proposed trellis along Pine Street, the roof overhangs at entries and the two balconies facing Main Street are transitional elements between the busy streets and the businesses inside. These features reduce the scale from the big outdoors to a more intimate pedestrian friendly level and offer screening from the sun and some protection from the weather. Section 16-21.4.4 of the Ordinance encourages the use of these architectural elements.