

# **Town of Blowing Rock**

## **Planning Board**

### Agenda

Wednesday, June 26, 2019

5:30 p.m.

#### **Call to Order**

#### **Approval of Agenda**

#### **Approval of Minutes**

#### **Business**

- 1. CUP 2019 – 02 Conditional Use Permit – Moody Building 125 Sunset Drive**
- 2. Conditional Rezoning (R-15 to CZ-R-6M, Multi-family) – Multiple properties on Valley Boulevard**
- 3. CUP 2019 – 03 Ron and Diane Cambria – Amendment to CUP**

#### **Other Business**

#### **Adjournment**

**Draft**

**Planning and Zoning Board**

**Minutes**

**Thursday, May 16, 2019**

**4:30 p.m.**

The Blowing Rock Planning and Zoning Board met on Thursday, May 16, 2019 for their regularly scheduled meeting. Chairman Harwood called the meeting to order at 4:30 pm. Members present were Joe Papa, Don Hubble, Mike Page, Wes Carter, Pete Gherini, Kim Hartley, Sam Glover and Harrison Herbst. Staff members present were Planning Director Kevin Rothrock, Planning, Zoning Support Specialist Tammy Bentley, and Town Engineer Doug Chapman.

Chairman Harwood asked if there were any changes to the agenda. *Mr. Gherini made a motion to approve the agenda, seconded by Mr. Carter.* **All members were in favor of the motion.**

Chairman Harwood asked if there were any changes to the March 21, 2019 meeting minutes. There were none. *Mr. Page made a motion to approve the minutes, seconded by Mr. Herbst.* **All members were in favor of the motion.**

**Conditional Use Permit 2019 – 02 Moody Building**

Mr. Rothrock gave the staff report and Powerpoint presentation. RWL 1, LLC is requesting a conditional use permit to convert the old Moody Furniture building to a restaurant/retail establishment and add a surface parking lot. The subject property is located at 125 Sunset Drive, zoned CB, Central Business, located in the WS-IV-PA water supply watershed and is further identified by Watauga County PINs 2807-98-3020-000 and 2807-98-3068-000.

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, encroaches into the street setback. The front porch will be extended along the left front of the building to provide ADA access to meet the NC Building Code. An elevated patio area will be added to the west side of the building. The patio, front porch extension and handicap access will encroach into the 15-foot street setback and will be located approximately 6 feet from the back of the sidewalk.

Based on the proposed uses, the building square footage and any parking credits calculated on previous property uses, 7 parking spaces are required for this project. Restaurant use was used to calculate the parking. If retail is the ultimate use of the property, the parking will be more than enough to meet the Land Use Code.

The applicant is proposing 24 parking spaces, one (1) being an ADA van-accessible space. The applicant is reserving parking spaces for off-site apartments and off-site retail within the excess spaces in the parking lot.

The parking lot access will be from Sunset Drive and is shown with a two-way driveway. In addition, there is a one-way exit to the Maple Street lot at the back of the parking lot.

Currently the site plan shows 2 public spaces being removed along Sunset Drive. However, to provide adequate site distance, additional existing spaces on Sunset may have to be removed.

Any lighting for the site will be provided by the coach light standard common to other projects in Town.

Storm water will be collected in the parking lot and directed to an underground detention system designed to meet Town Code standards. The drainage from storm events will be detained and released to a new drainage system in Sunset Drive that will be installed from the parking lot to Sunset Drive.

Much of the storm water and utility work has been completed as part of the Sunset Streetscape project. The Applicant has reimbursed the Town for the 2" water line, the 4" sewer line, 18" storm drain, sidewalk and curb and gutter.

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 current site and landscape plan show the rear buffer being less than 4 feet along the property line. As designed, the project will require a waiver of the rear buffer yard width, or an adjustment in the site plan to maintain the minimum 4-foot buffer.

The west side of the property will have a sidewalk from the rear parking area to the front of the building and Sunset Drive. This sidewalk connection is proposed directly along the property line. Any buffers along this property line can be provided in the landscape area adjacent to the west side of the building.

Most of the changes to the exterior of the building have been completed in the past several months to secure and stabilize the building doors, windows, and roofing. The Applicant is proposing a garage door on the west side of the building that will serve as access to the patio.

The applicant is requesting a waiver of nine (9) feet of the street setback along Sunset Drive to allow expansion of the existing porch and the addition of a dining patio. A recommendation from Planning Board specific to this setback waiver request is required.

Chairman Harwood asked if there were any questions for the staff.

Mr. Papa asked about the potential of losing 4 parking spaces on Sunset Drive. Mr. Rothrock advised that 2 spaces would be lost, but it could be 4. The Board discussed how loss of spaces on Sunset will affect public parking.

Chairman Harwood asked if using the Maple Street lot is possible. Mr. Rothrock advised that use of it is planned. Mr. Papa asked if there will be signage indicating the exit onto the Maple Street lot. Mr. Rothrock said that can be controlled.

Mr. Gherini suggested reviewing the access used for the Brown's property and how that would work. Mr. Rothrock said that access is via a 10-foot alley. Dr. Brown said it is from 10 to 15 feet. Mr. Rothrock advised the Board that the alley has nothing to do with this project.

Mr. Hubble asked if spaces across the street benefit this building. Mr. Rothrock said that there are 2 rentals above Final Touches that would have designated parking spaces in the Moody Building lot. Mr. Hubble noted that this is no different than New Public House traffic exiting onto Sunset. Mr. Rothrock confirmed, adding this is a new access.

Mr. Page asked the status of the prior approval. Mr. Rothrock said that conditional use permit expired last summer, adding this is a brand new but similar project. Mr. Page said that returning to one-way traffic would cut down on the loss of parking on Sunset. Mr. Page asked who makes this determination. Mr. Rothrock said the Planning Board does after the Applicant has addressed the Board.

Mr. Carter asked if the spaces are the same size and if they meet minimum requirements. Mr. Rothrock confirmed.

Mr. Hubble asked if any changes will bring the building closer to Sunset. Mr. Rothrock said the steps are closer to Sunset.

Mr. Hubble asked if there is a sign above the patio in the elevation. Mr. Rothrock said yes. Mr. Hubble asked if the sign was part of this approval. Mr. Rothrock said the sign is not part of this process.

Mr. Carter asked if this project takes the streetscape project into consideration. Mr. Rothrock confirmed.

Mr. Chapman noted that the New Public House does not have any parallel spaces in front. Mr. Herbst said there is a speed hump in front of the New Public House. Mr. Rothrock advised that it is being removed. Mr. Carter said spaces on Sunset could be reserved for motorcycles or golf carts, improving the line-of-sight when accessing Sunset.

The Board discussed other properties that have the same or similar setback concerns on Sunset. Ms. Hartley noted that the wine shop's steps extend to the sidewalk. Mr. Papa asked if approved, could someone add a deck later that could extend to the sidewalk. Mr. Rothrock said they could not.

Mr. Harrison asked why the steps were being moved to the sidewalk. Mr. Rothrock said the existing steps are being extended to connect to the handicap ramp on the west side of the building.

Mr. Bob Lovern, Applicant, addressed the Board.

Chairman Harwood welcomed Mr. Lovern back. Mr. Lovern thanked Chairman Harwood and said he thinks this is a good project, good for the town and good for Sunset. Mr. Lovern told the Board the front deck needs area for handicap accessibility and to have visibility from Main Street.

Mr. Lovern said he plans to have an agreement with the Town regarding egress from his lot onto the Maple Street lot during special events only and added that egress will be blocked

at all other times. Mr. Lovern said that if this is always open his lot would become part of the public parking lot.

Mr. Lovern said he has the right to enter and exit his property from Sunset even if public parking spaces are lost. Mr. Lovern said he did not see any property on Main Street or Sunset that does not have a line-of-sight issue. Mr. Lovern said if Kilwin's added parking behind their building that would free up public spaces on Main Street, adding that this proposal also frees up public spaces. Mr. Hubble said the problem is taking up public spaces and that Blowing Rock has a serious parking problem. Mr. Hubble said there are plenty of private lots in town, but this proposal will reduce public spaces by two. Mr. Lovern said this is the same loss as before. Mr. Hubble said he thinks this is a great project, but the loss of public parking spaces is an issue. Mr. Lovern said he sees his customers not taking up public spaces on Main Street. Mr. Rothrock said that there is no ongoing use on the site and therefore no net parking gain. Mr. Rothrock said this is different from Kilwin's, in that they have no private parking. Mr. Rothrock added that having 4 spaces designated for public use would be great. Mr. Lovern said he can't do that; that he would not do that before and feels the same way now.

Mr. Gherini asked if one-way access is a hardship. Mr. Lovern said yes and asked where to exit. Mr. Gherini said at the back, onto the Maple Street lot. Mr. Lovern said he doesn't want to exit that way; that doing so would make his lot public parking and there is no way to control that.

Mr. Carter asked what the special agreement with the Town entails. Mr. Lovern said that he would open the exit onto the Maple Street lot for Town events only. He added this would not become a new traffic pattern. Mr. Carter said this was agreed to in the original conditional use permit. Mr. Lovern said he did not agree to it, adding that Mr. Carter is correct. Mr. Lovern said having had time to think about it, he realized that his parking lot would become an extension of public parking. Mr. Carter asked if his concern is that his lot will become a public lot. Mr. Lovern confirmed. Mr. Carter said he likes the original one-way and diagonal parking better than this one. Mr. Carter said he is concerned with traffic back-ups on Sunset at the light onto Main Street. Mr. Carter added that as a patron, he would prefer to exit onto Maple Street lot. Mr. Lovern said it will be tempting for people to take the first parking space they see and disregard a private versus public lot.

Mr. Rothrock asked Mr. Lovern if there is no access onto the Maple Street lot, is there also no public parking in his lot. Mr. Lovern said there would be no public parking in his lot. Mr. Rothrock said if there is no signage on his lot, people would park there. Mr. Lovern said access to the Maple Street lot would need more enforcement and be a bigger problem. Mr. Herbst said that one-way, no entrance signage would stop him from entering.

Mr. Glover asked what would cause the loss of 2 parking spaces. Mr. Rothrock said the sight-triangle. Mr. Glover asked when that would happen. Mr. Rothrock and Mr. Carter said that happens now. Mr. Lovern said there are no compliant sight-triangles on Main Street now. Mr. Rothrock said this is required now because this is a new development and it should not be a bad development.

Mr. Page asked if the driveway is a matter of right. Mr. Rothrock said the Applicant has access, but we are trying to find the best access. Mr. Rothrock added that we are not saying that traffic cannot exit onto Sunset.

The Board discussed the ingress and egress of the lot and the potential loss of parking spaces on Sunset.

Chairman Harwood asked if the Maple Street lot access was not the Applicant's request. Mr. Lovern said it was not his request, that the Town requested this. Chairman Harwood asked Mr. Lovern if his preference is to not have his lot connect to the Maple Street lot. Mr. Lovern said he thinks he has the right to legal access. Mr. Hubble said he has access, but the Town is suggesting the best way to enter/exit his property.

Mr. Rothrock said in the restriping process, 3 public spaces will be lost. He asked Mr. Lovern if he can provide 2 to 3 spaces in his lot for public parking. Mr. Lovern said he cannot provide public parking on his property. Mr. Lovern said he is willing to pay \$7500 to the public parking fund.

Chairman Harwood opened the meeting to public comment.

Dr. James Brown, owner of the vacant lot next to the old Capel Rug building, addressed the Board. Dr. Brown said when this issue was originally addressed Mr. Lovern offered 3 additional feet on the west side of the property to facilitate entering, then exiting to the rear. Dr. Brown said he has this in writing, but that Mr. Lovern changed his mind. Dr. Brown asked why the sidewalk does not have the meet the setback, adding that the sidewalk will create a water drainage issue. Dr. Brown said building a retaining wall will also make water drainage worse. Dr. Brown asked that no parking be allowed in the easement; that it should be kept open. He added that Mr. Lovern's employees park in the easement now. Chairman Harwood asked who owns the alleyway now. Dr. Brown said he has researched this back to the 1850s when it was granted to the Town and that the easement was owned by everyone. Dr. Brown said that 10 feet was granted many years ago and that Mr. Moody's father granted an additional 5 feet.

Mr. Tim Gupton, of 235 Meadow Lane, said he is here as an observer. Mr. Gupton said that paying into the parking fund must meet state statute, as he reads it, and is not an actual solution. Mr. Gupton also said that if 2 to 4 spaces are lost, they need to be deducted from the ledger that Mr. Rothrock keeps of the 'credited spaces' (based on previous use of the building) for which the the Applicant is being credited.

Mr. Lee Rocamora, of 412 Laurel Park Road said the Board of Adjustments deals strictly with variances and there are variances requested for this project. Mr. Rocamora explained this process to the Planning Board, saying granting variances are based on finding of facts as outlined in section 16-5.2.1 Appeals, Variances, Interpretations of the Land Use Code. Mr. Rocamora highlighted Items F and G and said these are not facts that could result in granting a variance. Mr. Hubble asked Mr. Rocamora if he thinks this section precludes granting a variance or if he knows it precludes it. Mr. Rocomora said he knows it.

Ms. Hartley left the meeting at 5:40 p.m.

Mr. Rothrock addressed Mr. Rocamora's comments regarding the granting of variances. Mr. Rothrock referenced Section 16-12.8 Flexibility in Applying the Standards Contained in this Article in the Land Use Code, which deals with setback issues that are part of a conditional use permit. Mr. Rothrock advised the Board that they can recommend deviations from the strict requirements of this Article and the Town Council can approve such in accordance with Section 16-12.8.

*Mr. Gherini made a motion to close the public comment, seconded by Mr. Carter. **All members were in favor of the motion.***

*Mr. Gherini made a motion to continue the proceeding to the next Planning Board meeting, so the Board can look into and understand issues surfaced today. Mr. Page seconded the motion.*

The Board discussed the motion. Mr. Hubble said the Board must pay attention to the loss of public parking and thinks this needs to be addressed before proceeding. Mr. Page said he is unsure if the Applicant is intending to block access to the Maple Street lot. Mr. Page asked if the Applicant does intend to block this access, and if so he thinks is unsatisfactory.

Dr. Brown said he had another comment. Chairman Harwood said the public comment period was closed to further comment. Dr. Brown insisted that his comment be heard. Chairman Harwood explained why he could not be heard at this time, adding that he may be able to respond based on the vote on the pending motion.

Chairman Harwood asked the Board to vote on Mr. Gherini's motion to continue this request to the next Planning Board meeting. **All members were in favor of the motion, except Chairman Harwood. Motion passed.**

Chairman Harwood said this would be continued at the next Planning Board meeting, the date of which is to be determined. Chairman Harwood said that Dr. Brown could make comment at the next meeting if a public comment period is offered.

Mr. Lovern told the Board he was withdrawing his application.

Dr. Brown asked again to make a comment. Chairman Harwood reiterated that the public comment period has been closed.

Mr. Rothrock advised the Board that he would confirm with Mr. Lovern that he does intend to withdraw his application. Chairman Harwood said until he hears differently from Mr. Rothrock this would be continued to the next meeting.

Chairman Harwood asked the Board members to maintain no ex-parté communication regarding this request, until the Board has officially been notified that the request is withdrawn. Chairman Harwood said no that communication outside this meeting, including email communication is allowed. Mr. Carter asked if this is a requirement. Chairman Harwood confirmed.

Mr. Hubble asked Chairman Harwood why he is asking the Board not to say anything about the proceeding, as members of the public are present. Chairman Harwood this is a requirement of the conditional use process. Mr. Carter confirmed.

Mr. Rocamora, said per the Town Code, this is not correct. Mr. Gupton said that it is a requirement for the Town Council, but not the Planning Board. Mr. Rothrock advised the Board not to discuss this with anyone outside the meeting, adding that this Board is not held strictly to quasi-judicial standards, but since they are advisory it is best to maintain no ex-parté communication.

## Other Business

Mr. Rothrock advised the Board there is a lot of progress on Sunset Drive. He also advised that the landscaping on Highway 321 is going well.

Mr. Gherini asked if the Sunset Streetscape contractor can water down the dust resulting from the construction. Mr. Rothrock advised they will be taking care of that.

Mr. Rothrock advised there is a Conditional Rezoning request, which the Board can discuss openly, for 3 properties on Valley Boulevard. Mr. Rothrock said the neighborhood meeting will be held on May 23, 2019 at 5 p.m. at Town Hall and the request is for a Conditional Rezoning from R-15 to CZ R – 6M, Multi-Family with a Short-Term Overlay District.

*Mr. Carter made a motion to close the public comment, seconded by Mr. Herbst. **All members were in favor of the motion.***

Chairman Harwood adjourned the meeting at 5:50 p.m.

---

Chairman David Harwood

---

Tammy Bentley  
Planning & Zoning Support Specialist



## Blowing Rock Planning Board

### STAFF REPORT

**Project:** CUP 2019-02 Moody Building Renovation  
**Meeting Date:** May 16, 2019  
**Applicant:** RWL 1, LLC  
**Staff:** Kevin Rothrock, Planning Director

### REQUEST

RWL 1, LLC requesting conditional use permit to convert the old Moody Furniture building to a restaurant/retail establishment and add a surface parking lot. The subject property is located at 125 Sunset Drive, zoned CB, Central Business and 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, encroaches into the street setback. The front porch will be extended along the left front of the building to provide access ADA access to meet the NC Building Code. An elevated patio area will be added to the west side of the building. Both the patio and front porch extension and access will encroach into the 15-foot street setback and be located approximately 6 feet from the back of the sidewalk.

#### *Parking/Access*

Based on the proposed uses, the building square footage and any parking credits calculated on previous property uses, 7 parking spaces are required for this project. Restaurant use was used to calculate the parking. If retail is the ultimate use of the property, the parking will be more than sufficient to meet the Land Use Code.

The applicant is proposing 24 parking spaces, one (1) being an ADA van-accessible space. The applicant is reserving parking spaces for off-site apartments and off-site retail within the excess spaces in the parking lot.

The parking lot access will be from Sunset Drive and is shown with a two-way driveway. In addition, there is a one-way exit to the Maple Street lot at the back of the parking lot.

Currently the site plan shows 2 public spaces being removed along Sunset Drive. However, to provide adequate site distance, additional existing spaces on Sunset may have to be removed.

### ***Utilities/Storm Water***

Any lighting for the site will be provided by the coach light standard common to other projects in Town.

Storm water will be collected in the parking lot and directed to underground detention system designed to meet Town Code standards. The drainage from storm events will be detained and released to a new drainage system in Sunset Drive that will be installed from the parking lot, down Sunset Drive to the Maple Street intersection.

### ***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 current site and landscape plan shows the rear buffer being less than 4 feet along the property line. As designed, the project will require a waiver of the rear buffer yard width, or an adjustment in the site plan to maintain the minimum 4-foot buffer.

The west side of the property will have sidewalk from the rear parking area to the front of the building and Sunset Drive. This sidewalk connection is proposed directly along the property line. Any buffers along this property line can be provided in the landscape area adjacent to the west side of the building.

### **ARCHITECTURAL**

The majority of the changes to the exterior of the building have been completed in the past several months in an effort to secure and stabilize the building doors, windows, and roofing. The Applicant is proposing a garage door on the west side of the building that will serve as access to the patio.

Some entry way awnings are also being proposed at the rear entrance and new west side entrance.

### **WAIVERS REQUESTED**

The applicant is requesting a waiver of nine (9) feet of the street setback along Sunset Drive to allow expansion of the existing porch and the addition of a dining patio. A recommendation from Planning Board specific to this setback waiver request is required.

### **ATTACHMENTS**

1. Site/grading/landscape plans
2. Architectural elevations

**DEMOLITION NOTES:**

- 1.) THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING THE DEMOLITION PERMIT AND COORDINATING WITH THE TOWN OF BLOWING ROCK FOR DEMOLITION AND CONSTRUCTION ACTIVITIES.
- 2.) THE CONTRACTOR SHALL NOT DEVIATE FROM THESE PLANS AND SPECIFICATIONS WITHOUT THE PRIOR WRITTEN CONSENT OF THE ENGINEER.
- 3.) ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY WORK INCLUDING DEMOLITION.
- 4.) ALL CONSTRUCTION RELATED PERMITS DURING THE CONSTRUCTION PHASE OF THIS PROJECT ARE THE RESPONSIBILITY OF THE CONTRACTOR.
- 5.) REMOVE SHRUBS AND TREES AS NOTED. GRUB OUT ROOTS AND STUMPS AND LEGALLY DISPOSE OF DEBRIS.
- 6.) ALL NEW WORK SHOWN IN THESE SHEETS SHALL COMPLY WITH APPLICABLE STATE, FEDERAL, AND LOCAL BUILDING AND UTILITY INSTALLATION CODES.
- 7.) ALL MATERIALS AND CONSTRUCTION METHODS SHALL BE IN ACCORDANCE WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES EXCEPT IN CASES WHERE, WITHIN THE TOWN OF BLOWING ROCK JURISDICTION, THE TOWN'S STANDARD SPECIFICATIONS ARE MORE STRINGENT.
- 8.) THE CONTRACTOR SHALL CONTACT THE UTILITIES PROTECTION CENTER PRIOR TO ANY EXCAVATION, AS THERE MAY BE ADDITIONAL UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR LOCATIONS SHOWN, AND IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF CONSTRUCTION AND TO NOTIFY THE OWNER IN CASE OF DISCREPANCIES THAT AFFECT THE CONSTRUCTION PROJECT.
- 9.) THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE TOWN OF BLOWING ROCK AND ALL EXISTING UTILITY PROVIDERS BEFORE REMOVING AND/OR RELOCATING ANY/ALL UTILITIES FROM THEIR EXISTING LOCATIONS ON THE SITE. THE CONTRACTOR SHALL PERFORM ALL UTILITY DEMOLITION OR RELOCATION ACTIVITIES IN ACCORDANCE WITH THE EXISTING UTILITIES SPECIFICATIONS, MATERIALS, AND REQUIREMENTS.
- 10.) CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE THAT MAY OCCUR TO ANY ADJACENT STRUCTURES OR PROPERTY, OR ANY EXISTING STRUCTURES WITHIN LIMITS OF CONSTRUCTION THAT ARE DESIGNATED ON THE PLANS TO REMAIN, AND SHALL REPAIR OR REPLACE SUCH DAMAGED PROPERTY TO THE PROPERTY OWNER'S SATISFACTION AT NO COST TO THE OWNER.
- 11.) THE CONTRACTOR SHALL SEQUENCE THE WORK AND PROVIDE TEMPORARY MEASURES AS NECESSARY TO MAINTAIN ACCESS TO THE SITE THROUGH ALL ENTRANCES AT ALL TIMES DURING CONSTRUCTION. TEMPORARY PROVISIONS MAY INCLUDE, BUT ARE NOT LIMITED TO: BARRICADES, FLASHING LIGHTS, FLAGMAN, TEMPORARY PAVEMENT, AND DIRECTIONAL SIGNAGE AS NECESSARY TO ACCOMPLISH THE WORK.
- 12.) CONTRACTOR SHALL CONSIDER COORDINATION ASPECTS OF CRANES AND CONSTRUCTION EQUIPMENT OPERATIONS DURING DEMOLITION ACTIVITY.
- 13.) CONTRACTOR EQUIPMENT SHALL NOT BE PARKED IN COUNTY, CITY OR STATE RIGHT-OF-WAY, AND MUST BE STORED WITHIN SITE.
- 14.) APPROVAL OF THESE PLANS DOES NOT CONSTITUTE APPROVAL BY THE TOWN OF BLOWING ROCK OF ANY LAND DISTURBING ACTIVITIES WITHIN WETLAND AREAS. IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER TO CONTACT THE APPROPRIATE REGULATORY AGENCY FOR APPROVAL OF ANY WETLAND AREA DISTURBANCE.
- 15.) ALL BUFFERS AND SAVE AREAS SHALL BE CLEARLY IDENTIFIED BY FLAGGING AND/OR FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
- 16.) THE CONTRACTOR SHALL DISPOSE OF ANY HAZARDOUS MATERIALS IN STRICT ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL LAWS.

LEGEND	
	BUILDING/CONCRETE TO BE REMOVED
	ASPHALT/GRAVEL/CURB & GUTTER TO BE REMOVED
	TREE PROTECTION FENCE
	PROPERTY LINE
	EXISTING TREE TO BE REMOVED



**PROJECT:**

# Moody Furniture Building

*A Commercial Development*

**ADDRESS:**

Near 110 Sunset Drive  
Blowing Rock, NC

**DEVELOPER:**

## Bob Lovern

629 Idlewyld Drive  
Fort Lauderdale, FL

**ENGINEER:**

215 Boone Heights Drive, Ste. 107  
Boone, NC 28607  
828-262-9807  
www.valorengineering.com

**SEAL:**

REVISIONS	DATE

**PROJECT MANAGER:** JEG  
**DRAWING BY:** JEG  
**JURISDICTION:** TOWN OF BLOWING ROCK  
**DATE:** 04/22/19  
**SHEET TITLE:**

**DEMOLITION PLAN**

**SHEET NUMBER:** C-0

**SCALE:** 1" = 10'

**FILE NUMBER:** 057-001



**GENERAL NOTES:**

- 1.) ALL PROPOSED DIMENSIONS USED TO SHOW THE GEOMETRIC LAYOUT OF THE PROPOSED PARKING LOT ARE SHOWN AT THE FACE OF CURB. ALL PROPOSED DIMENSIONS USED TO SHOW THE GEOMETRIC LAYOUT OF THE PROPOSED BUILDING LOCATION ARE GIVEN AT THE OUTSIDE FACE OF THE BUILDING CORNERS. ALL CURB RADII ARE GIVEN AT THE FACE OF CURB.
- 2.) CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES BETWEEN THE EXISTING CONDITIONS IN THE FIELD AND THE SURVEY SHOWN ON THE PLANS BEFORE PROCEEDING WITH ANY NEW CONSTRUCTION.
- 3.) CONTRACTOR IS RESPONSIBLE FOR CORRECT HORIZONTAL AND VERTICAL ALIGNMENT OF ALL TIES BETWEEN PROPOSED AND EXISTING PAVEMENTS, CURB AND GUTTER, SIDEWALKS, WALLS, AND UTILITIES.
- 4.) ALL NEW UTILITIES SHALL BE UNDERGROUND.

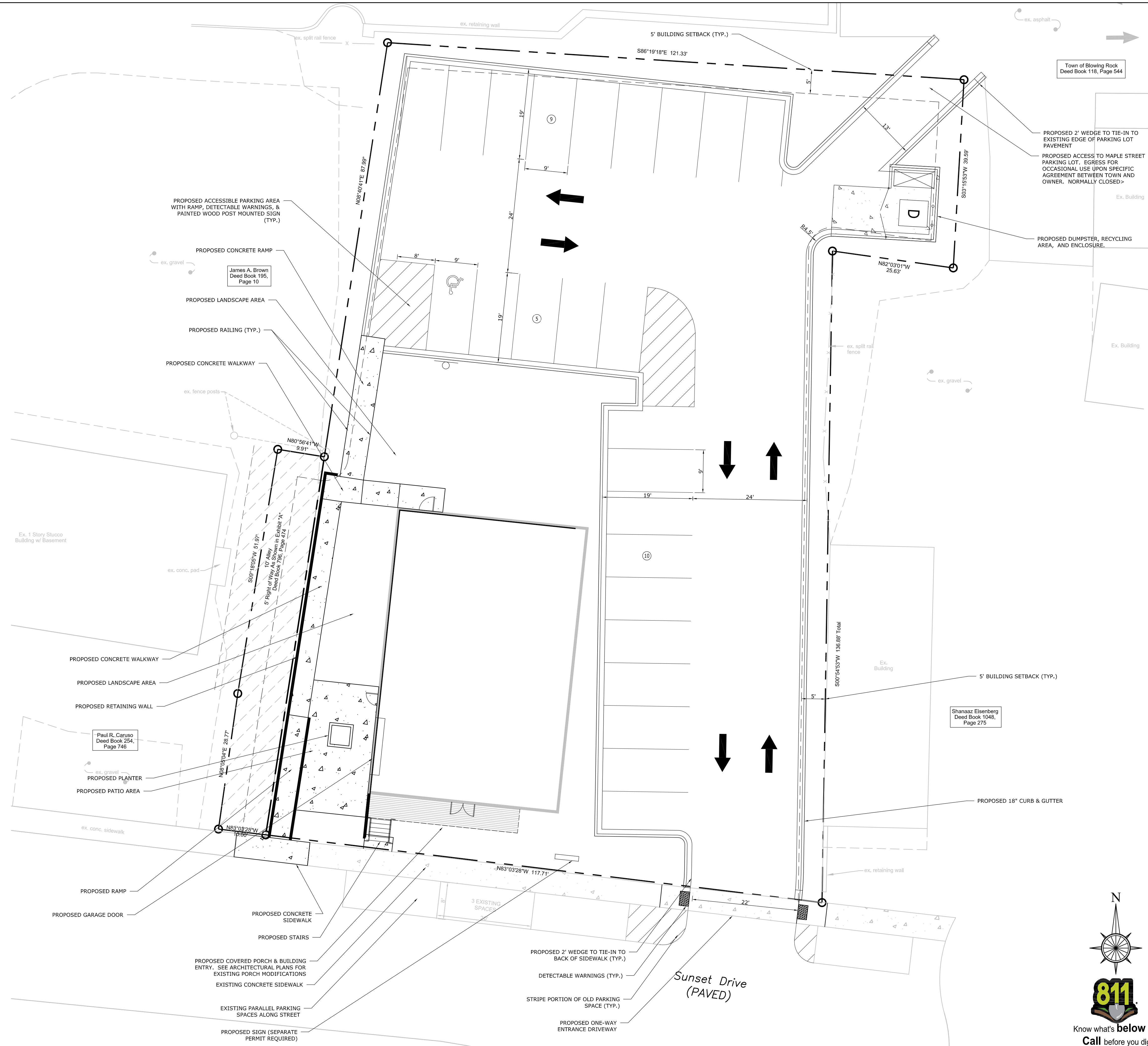
**SITE NOTES:**

- 1.) TRACT IS ZONED CB, CENTRAL BUSINESS.
- 2.) SEE ARCHITECTURAL PLANS FOR BUILDING FLOOR PLAN DIMENSIONS, DOOR LOCATIONS, SITE LIGHTING PLAN, AND OTHER ARCHITECTURAL DETAILS.
- 3.) NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED ON THE SITE.
- 4.) HIGH INTENSITY LIGHTING FACILITIES SHALL BE SO ARRANGED THAT THE SOURCE OF ANY LIGHT IS CONCEALED FROM THE PUBLIC VIEW AND DOES NOT INTERFERE WITH TRAFFIC. (SEE PHOTOMETRICS PLAN IN ARCH. PLANS).
- 5.) ALL BUFFERS, TREE SAVE AREAS, AND UNDISTURBED AREAS SHALL BE CLEARLY IDENTIFIED BY FLAGGING AND/OR FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
- 6.) NO OUTSIDE STORAGE IS PROPOSED. THIS INCLUDES SUPPLIES, VEHICLE, EQUIPMENT, PRODUCTS, ETC.
- 7.) SIGNS (LOCATION, NUMBER, AND SIZE) ARE NOT APPROVED UNDER THIS DEVELOPMENT PERMIT. A SEPARATE PERMIT IS REQUIRED FOR ON-SITE SIGNAGE.
- 8.) ALL PAVEMENT MARKING WITHIN NCDOT R/W SHALL BE CONSTRUCTED ACCORDING TO NCDOT SPECIFICATIONS.
- 9.) ALL CONSTRUCTION RELATED PERMITS DURING THE CONSTRUCTION PHASE OF THIS PROJECT ARE THE RESPONSIBILITY OF THE OWNER, HOWEVER A CONTRACTOR/DEVELOPER CAN DO PERMITTING WITH AGENT AUTHORIZATION.
- 10.) CONSTRUCTION TRAILERS ARE TO BE PERMITTED THROUGH THE ZONING DIVISION OF DEVELOPMENT SERVICES.
- 11.) ALL EROSION, SEDIMENT CONTROL AND TREE PROTECTION MEASURES SHALL BE INSTALLED PRIOR TO ANY GRADING.
- 12.) THE JURISDICTION ACCEPTS NO RESPONSIBILITY FOR THE AMERICANS WITH DISABILITIES ACT (ADA), EXCEPT FOR NOTIFICATION REQUIREMENT. THE OWNER/DEVELOPER IS SOLELY RESPONSIBLE FOR COMPLIANCE FOR SAID ACT.
- 13.) DUMPSTER AND RECYCLING ENCLOSURES SHALL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING BY PAINTING THE ENCLOSURE THE SAME COLOR AS THE BUILDING SIDING.
- 14.) 24 HOUR CONTACT: JASON GASTON, P.E., 770-722-9178

WATERSHED CALCULATIONS		
	SF	Acres
A1 Area of Parcel:	19,947	0.46
A2 Existing Impervious Prior to 9/15/93	7,761	0.18
A3 Net Property Subject to Watershed:	12,186	0.28
A4 Allowable % Impervious in Watershed:	70%	N/A
A5 Net Property Allowable Impervious:	8,530	0.20
A6 Impervious Area added after 9/15/93:	-	0
A7 Total Net Property Allowable Impervious:	8,530	0.20
A8 TOTAL ALLOWABLE IMPERVIOUS AREA (A2+A5+A6)	<b>16,291</b>	<b>0.37</b>
A9 TOTAL PROPOSED IMPERVIOUS AREA:	<b>15,682</b>	<b>0.36</b>

PARKING CALCULATIONS	
PROPOSED RESTAURANT (USE 8.200)	
MIN. PARKING REQUIREMENT =	1/250 SF
MIN. PARKING REQUIREMENT =	1/6 OUTDOOR SEATS
PROPOSED SF =	3,916 SF
PROPOSED OUTDOOR SEATS =	10 SEATS
MIN. PARKING REQUIRED =	18 SPACES
PARKING CREDITED FOR PREVIOUS USE:	12 SPACES
PARKING DISPLACED BY NEW ENTRANCE	2 SPACES
TOTAL PARKING REQUIRED =	8 SPACES
TOTAL PARKING PROVIDED =	24 SPACES

LEGEND	
	PROPOSED CONCRETE
	PROPOSED OUTDOOR PORCH AREA
	PARKING COUNT
	PROPOSED SIGN
	PROPERTY LINE
	ADJACENT PROPERTY LINES
	PROPOSED GUARD/FENCE
	PROPOSED RAILING
	PROPOSED RETAINING WALL



**PROJECT:**

# Moody Furniture Building

*A Commercial Development*

**ADDRESS:**

Near 110 Sunset Drive  
Blowing Rock, NC

**DEVELOPER:**

## Bob Lovern

629 Idlewyld Drive  
Fort Lauderdale, FL

**ENGINEER:**

215 Boone Heights Drive, Ste. 107  
Boone, NC 28607  
828-262-9807  
www.valorengineering.com

**SEAL:**

REVISIONS	DATE

**PROJECT MANAGER:** JEG  
**DRAWING BY:** JEG  
**JURISDICTION:** TOWN OF BLOWING ROCK  
**DATE:** 04/22/19

**SHEET TITLE:**

## SITE PLAN

**SHEET NUMBER:** C-1

**SCALE:** 1" = 10'

**FILE NUMBER:** 057-001



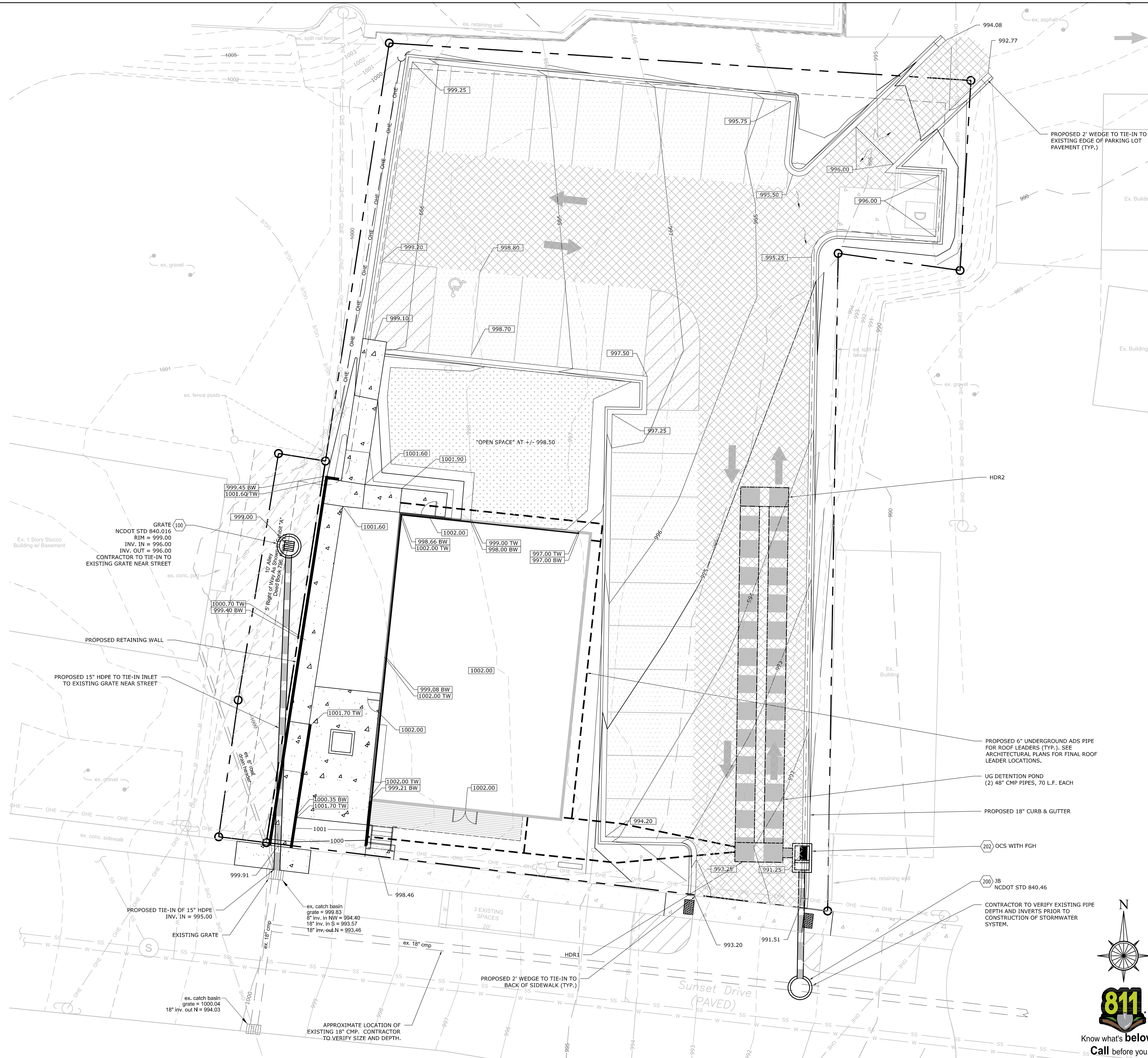
**GRADING NOTES:**

- ALL SPOT ELEVATIONS SHOWN ARE @ THE EOP UNLESS OTHERWISE NOTED.
- ALL PROPOSED SIDEWALKS SHALL BE BUILT WITH A 2% CROSS-SLOPE AWAY FROM THE BUILDING.
- THE CONTRACTOR SHALL CLEAN OUT ACCUMULATED SILT IN STORM WATER CONVEYANCE CHANNELS AND PIPES AT END OF CONSTRUCTION WHEN DISTURBED AREAS HAVE BEEN STABILIZED.
- COORDINATE WITH THE TOWN OF BLOWING ROCK INSPECTIONS DURING CONSTRUCTION.
- NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED.
- CONSTRUCT EROSION CONTROL BARRIERS PER THE TOWN OF BLOWING ROCK INSPECTOR AND MAINTAIN UNTIL PERMANENT VEGETATION IS ESTABLISHED.
- THE CONTRACTOR SHALL RE-ESTABLISH ALL RIGHT OF WAY AREA WHICH IS DAMAGED OR DISTURBED TO ORIGINAL CONDITIONS OR BETTER DURING AUTHORIZED WORK. ALL WORK IN NCDOT RIGHT OF WAY SHALL COMPLY WITH NCDOT SPECIFICATIONS.
- ALL CURBED ISLANDS SHALL BE FILLED TO TOP OF CURB WITH TOPSOIL AND SEED.
- MAXIMUM CUT SLOPE IS 1.5:1 AND MAXIMUM FILL SLOPE IS 2:1.
- ALL BUFFERS, TREE SAVE AREAS, AND UNDISTURBED AREAS SHALL BE CLEARLY IDENTIFIED BY FLAGGING AND/OR FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
- ALL HDPE STORM PIPE SHOWN ON THIS PLAN SHALL BE WRAPPED WITH LOCATION WIRE AND TAPE.
- IN ALL AREAS OF FILL OR OTHERWISE DISTURBANCE OF EXISTING CONDITIONS, UNLESS OTHERWISE NOTED, THE CONTRACTOR SHALL FULLY AND COMPLETELY REMOVE AND LEGALLY DISPOSE OFF-SITE, ALL PLANT MATERIALS INCLUDING BUT NOT LIMITED TO ROOT SYSTEMS, CONCRETE, REINFORCED CONCRETE, ASPHALT DEBRIS, UNDERBRUSH, TOPSOIL, AND OTHER DELETERIOUS MATERIAL. THE SUBGRADE TO REMAIN SHALL BE COMPACTED TO 95% STANDARD PROCTOR MAXIMUM DRY DENSITY FOLLOWING FULL REMOVAL OF THESE MATERIALS.
- ALL SUBGRADE PREP AND AREAS OF THE SITE TO RECEIVE FILL SHALL BE COMPLETED IN STRICT CONFORMANCE WITH THE RECOMMENDATIONS PROVIDED BY THE PROJECT GEOTECHNICAL ENGINEER. THE CONTRACTOR SHALL HAVE THIS REPORT ON THE JOB SITE FOR REFERENCE AT ALL TIMES. THE CONTRACTOR SHALL PROVIDE EARTHWORK OPERATIONS AND CONSTRUCTION PHASE MONITORING TO ENSURE THAT ALL COMPACTION IS COMPLETED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT. THE CONTRACTOR SHALL PROVIDE TESTING REPORTS TO THE OWNER REGARDING COMPACTION TESTING PER THE TESTING PROTOCOL IN THE GEOTECHNICAL REPORT.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN QUALIFIED PROFESSIONAL ADVICE WHEN QUESTIONS ARISE CONCERNING DESIGN AND EFFECTIVENESS OF EROSION CONTROL DEVICES. 24 HR. CONTACT: MR. JASON GASTON (770) 722-9178
- A PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA PER PANEL 3710281800J, DATED 12/3/09. HOWEVER, NO PORTION OF THE BUILDING SHALL BE LOCATED INSIDE THE FLOOD HAZARD AREA, AND NO PORTION OF THE FLOODWAY SHALL BE IMPACTED.
- STORMWATER MANAGEMENT FACILITIES AND EROSION CONTROL MEASURES ARE TO BE ACCOMPLISHED PRIOR TO ANY OTHER CONSTRUCTION ON THE SITE AND MAINTAINED UNTIL PERMANENT GROUND COVER IS ESTABLISHED. STORM WATER MANAGEMENT SHALL BE IN ACCORDANCE WITH COUNTY, STATE, AND OTHER APPROPRIATE ORDINANCES AND REGULATIONS IN EFFECT AT TIME OF CONSTRUCTION PLAN APPROVAL.
- EXTREME CAUTION SHALL BE USED WHEN WORKING WITHIN THE VICINITY OF THE EXISTING OVERHEAD POWER LINES. CONTRACTORS SHALL NOTIFY/COORDINATE WITH NEW RIVER LIGHT AND POWER COMPANY PRIOR TO CONSTRUCTION.
- ALL PUBLICLY MAINTAINED SIDEWALK SHALL BE BUILT WITH 5,000 PSI CONCRETE WITH FIBER 4" THICK AND 4" WASHED STONE UNDERNEATH. SIDEWALK TO BE SEALED WITH CONCRETE SEALER. ALL DRIVEWAYS SHALL BE 6" WASH STONE AND 6" 5,000 PSI CONCRETE WITH FIBER AND SEALED. ALL PROPOSED SIDEWALKS SHALL BE BUILT WITH A 2% CROSS-SLOPE AWAY FROM THE BUILDING.
- ANY EXISTING MATERIAL (SIDEWALK, ASPHALT, ETC.) THAT IS DAMAGED FOR THE PURPOSES OF STORM DRAINAGE TIE-IN WORK SHALL BE REPLACED IN KIND AS SOON AS INSTALLATION WORK IS COMPLETED. ANY EXISTING DRIVEWAYS SHALL BE KEPT IN SERVICE DURING BUSINESS HOURS OF THE ASSOCIATED PROPERTY.

LEGEND	
	CONCRETE SIDEWALK AND PAVING
	STANDARD DUTY ASPHALT PAVING
	HEAVY DUTY ASPHALT PAVING
XXX.XX	EXISTING SPOT ELEVATION
XXX.XX	PROPOSED SPOT ELEVATION
XXXX	EXISTING CONTOURS
XXXX	PROPOSED CONTOURS
	PROPOSED RETAINING WALL

EARTHWORK CALCULATIONS	
REQ'D CUT =	+ 100 CY
REQ'D FILL =	- 475 CY
ADDITIONAL REQ'D FILL FOR SHRINKAGE, ETC. =	- 75 CY
ADDITIONAL CUT FROM PAVEMENT BASE =	+ 150 CY
BALANCE:	- 300 CY

- EARTHWORK NOTES:**
- A SHRINKAGE OF 15% WAS TO ACCOUNT FOR REMOVAL OF TOPSOIL, COMPACTION, ETC.
  - REQ'D CUT IS IN SITU CUT.
  - ANY SOIL MATERIAL TO BE TRANSPORTED OFFSITE SHALL BE EXPORTED TO A SPOIL SITE APPROVED BY THE GOVERNING JURISDICTION.
  - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL QUANTITIES AND BID NUMBERS. THESE CALCULATIONS ARE PROVIDED FOR REFERENCE ONLY.



**PROJECT:**

# Moody Furniture Building

*A Commercial Development*

**ADDRESS:**

Near 110 Sunset Drive  
Blowing Rock, NC

**DEVELOPER:**

## Bob Lovern

629 Idlewyld Drive  
Fort Lauderdale, FL

**ENGINEER:**

**VALOR ENGINEERING**

215 Boone Heights Drive, Ste. 107  
Boone, NC 28607  
828-262-9807  
www.valorengineering.com

**SEAL:**

REVISIONS	DATE

**PROJECT MANAGER:** JEG  
**DRAWING BY:** JEG  
**JURISDICTION:** TOWN OF BLOWING ROCK  
**DATE:** 04/22/19  
**SHEET TITLE:**

**PAVING, GRADING, & DRAINAGE PLAN**

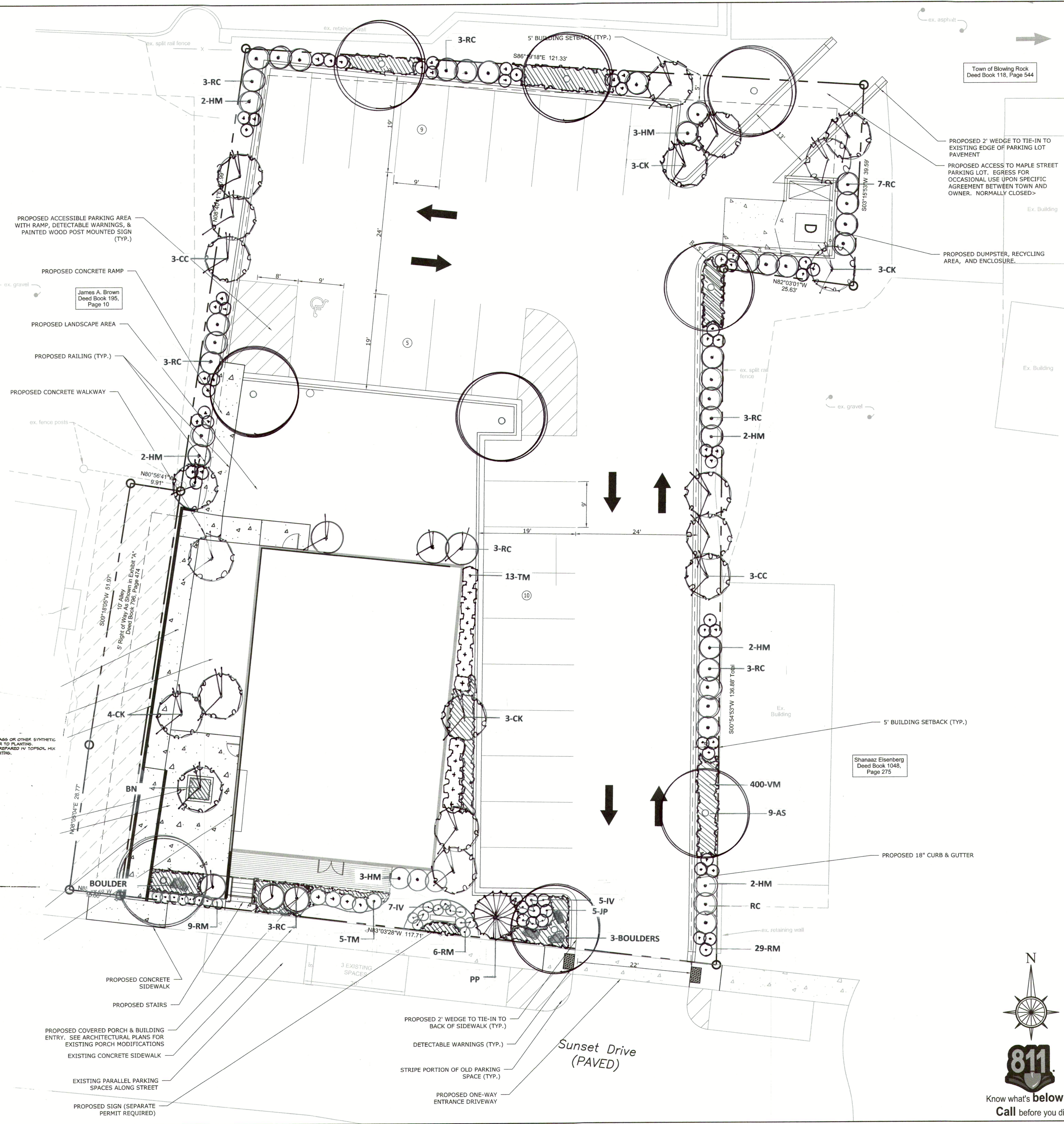
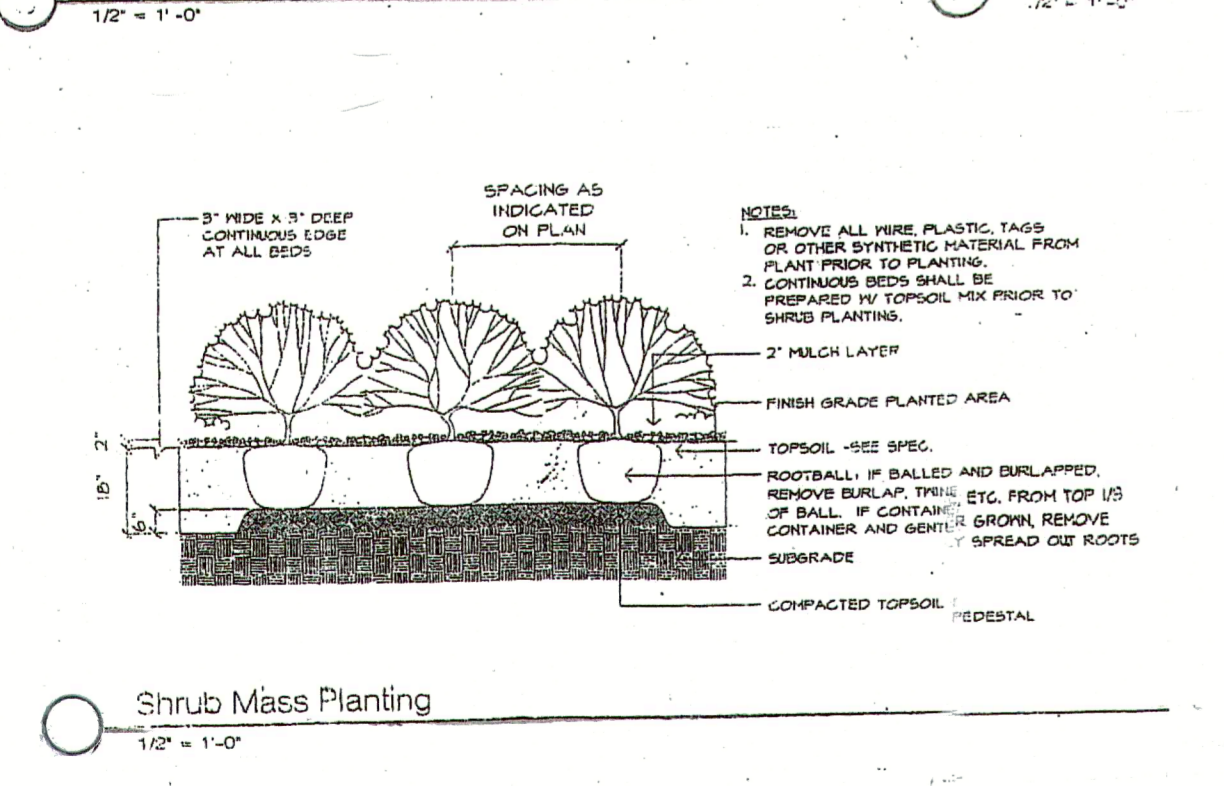
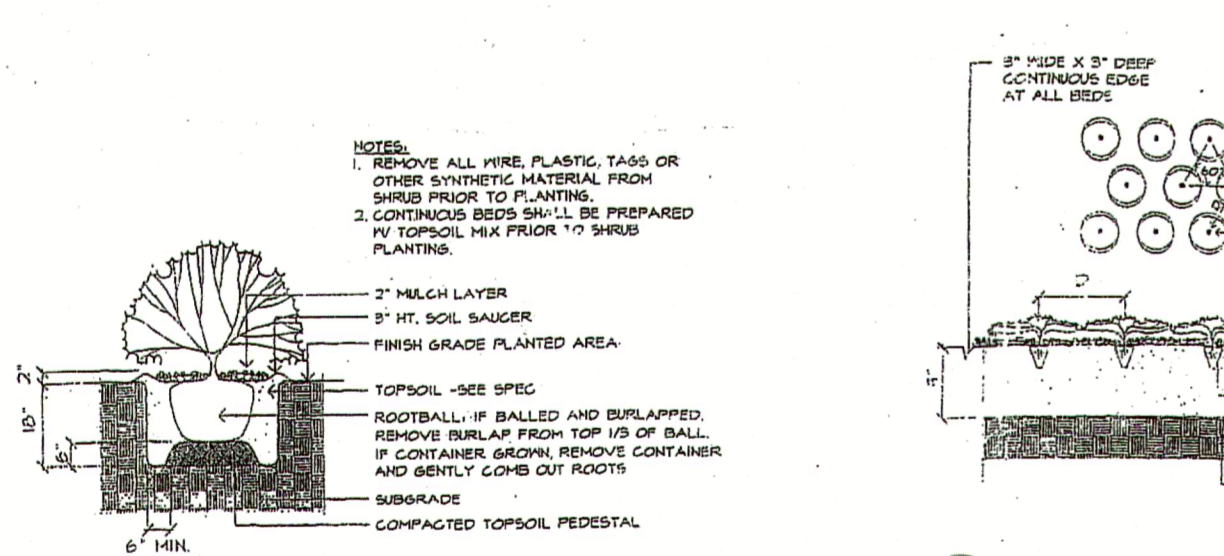
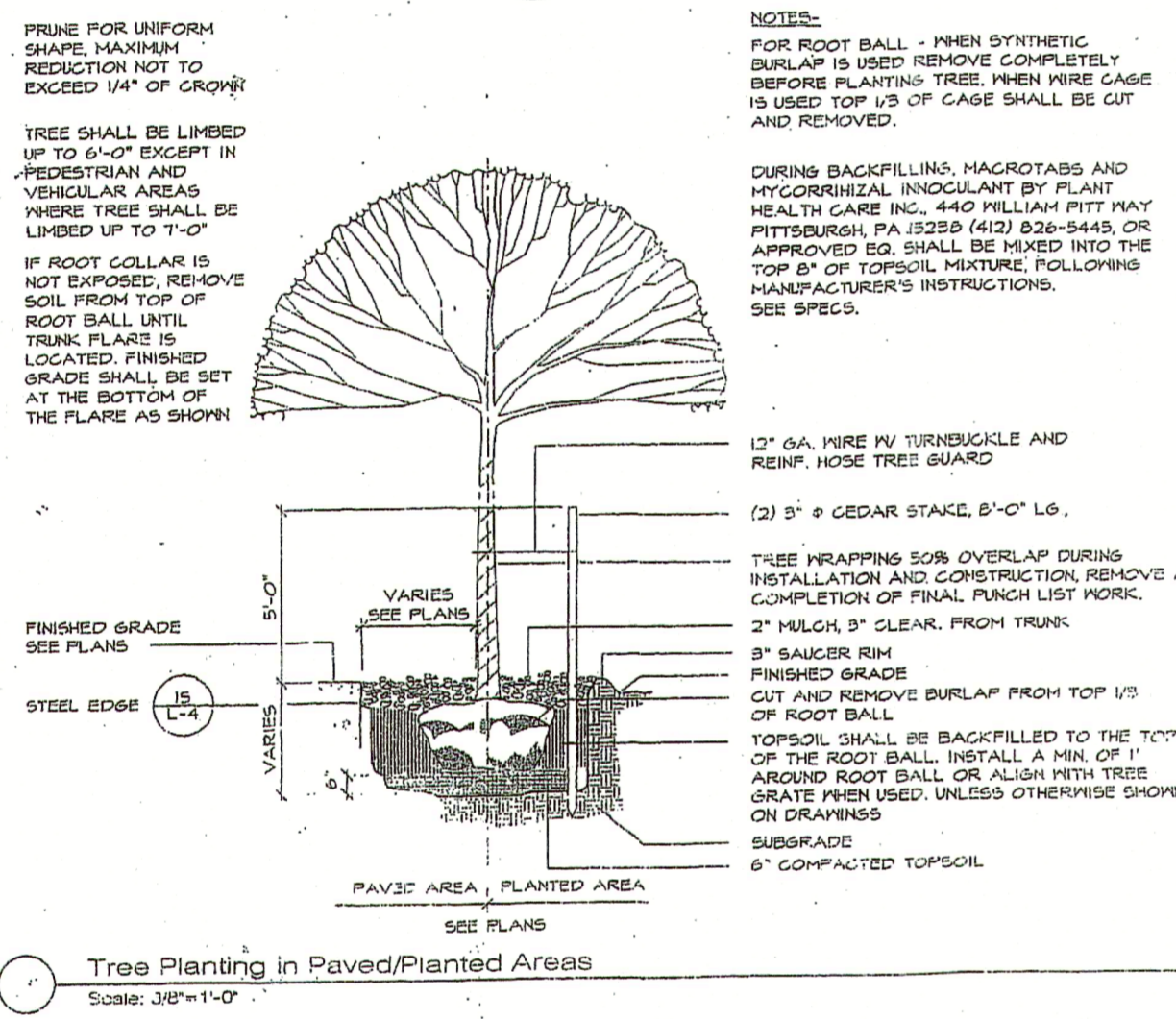
**SHEET NUMBER:** C-2

**SCALE:** 1" = 10'

**FILE NUMBER:** 057-001



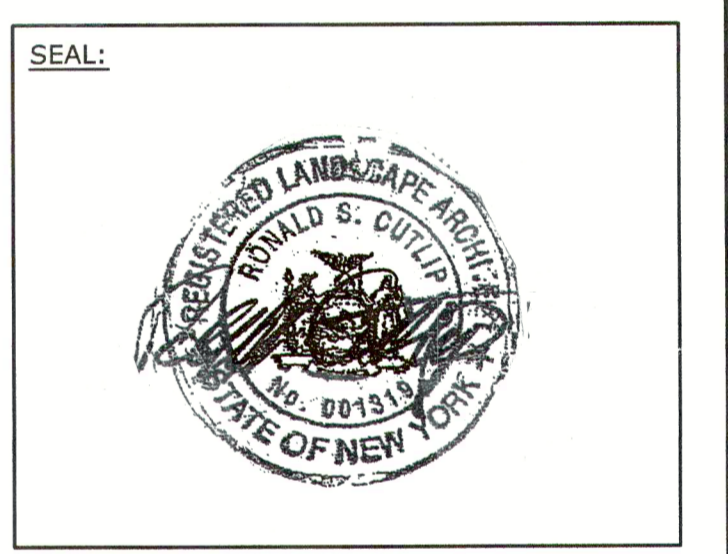
Plant List					
Trees					
Key	Latin Name	Common Name	Qty	Size	Comments
AS	Acer saccharum	Sugar maple	9	8'-10' hgt	3" caliper min.
CK	Cornus kousa	Dogwood	15	6'-8' hgt	1 1/2" caliper min.
PP	Picea pungans	Blue spruce	1	6'-8' hgt	b&b
BN	Betula nigra	River birch	1	8'-10' hgt	3 trunks/b&b
CC	Cercis canadensis	Eastern Redbud	6	6'-8' hgt	1 1/2" caliper
Shrubs					
HM	Hydrangea macrophylla	Hydrangea	14	2'-3' hgt	cont./blue
IV	Ilex verticillata	Winterberry holly	12	4'-5' hgt	container
JP	Juniperus procumbens nana	Dwarf	5	1 gal.	container
RC	Rhododendron catawbiense	Rhododendron	24	3' hgt	container
RM	Rosa megalpa	Red drift rose	44	1 gal.	container
TM	Taxus media wardi	Dwarf yew	18	1'-2' hgt	container
VM	Vinca minor	Vinca	400	6" Runners	Pots



**PROJECT:**  
**Moody Furniture Building**  
*A Commercial Development*  
**ADDRESS:**  
 Near 110 Sunset Drive  
 Blowing Rock, NC

**DEVELOPER:**  
**Bob Lovern**  
 629 Idlewyld Drive  
 Fort Lauderdale, FL

**Ronald S. Cutlip**  
 LANDSCAPE ARCHITECT  
 LAND PLANNER  
 (646) 765-5540  
 www.ronaldscutlip.com  
 ron@cutlipdesign.com



REVISIONS	DATE

**PROJECT MANAGER:**  
**JURISDICTION:** TOWN OF BLOWING ROCK  
**DATE:** 04/22/19  
**SHEET TITLE:**

**LANDSCAPE PLANTING PLAN**  
**SHEET NUMBER:** C-1  
**SCALE:** 1" = 10'  
**FILE NUMBER:** 057-001



THIS DRAWING IS AN INSTRUMENT OF SERVICE AND IS TO BE USED FOR THIS SPECIFIC PROJECT ONLY. THE DRAWING SHALL NOT BE REPRODUCED IN WHOLE OR PART WITHOUT WRITTEN PERMISSION FROM CASH CUSTOM HOMES, LLC

REVISIONS:	BY:



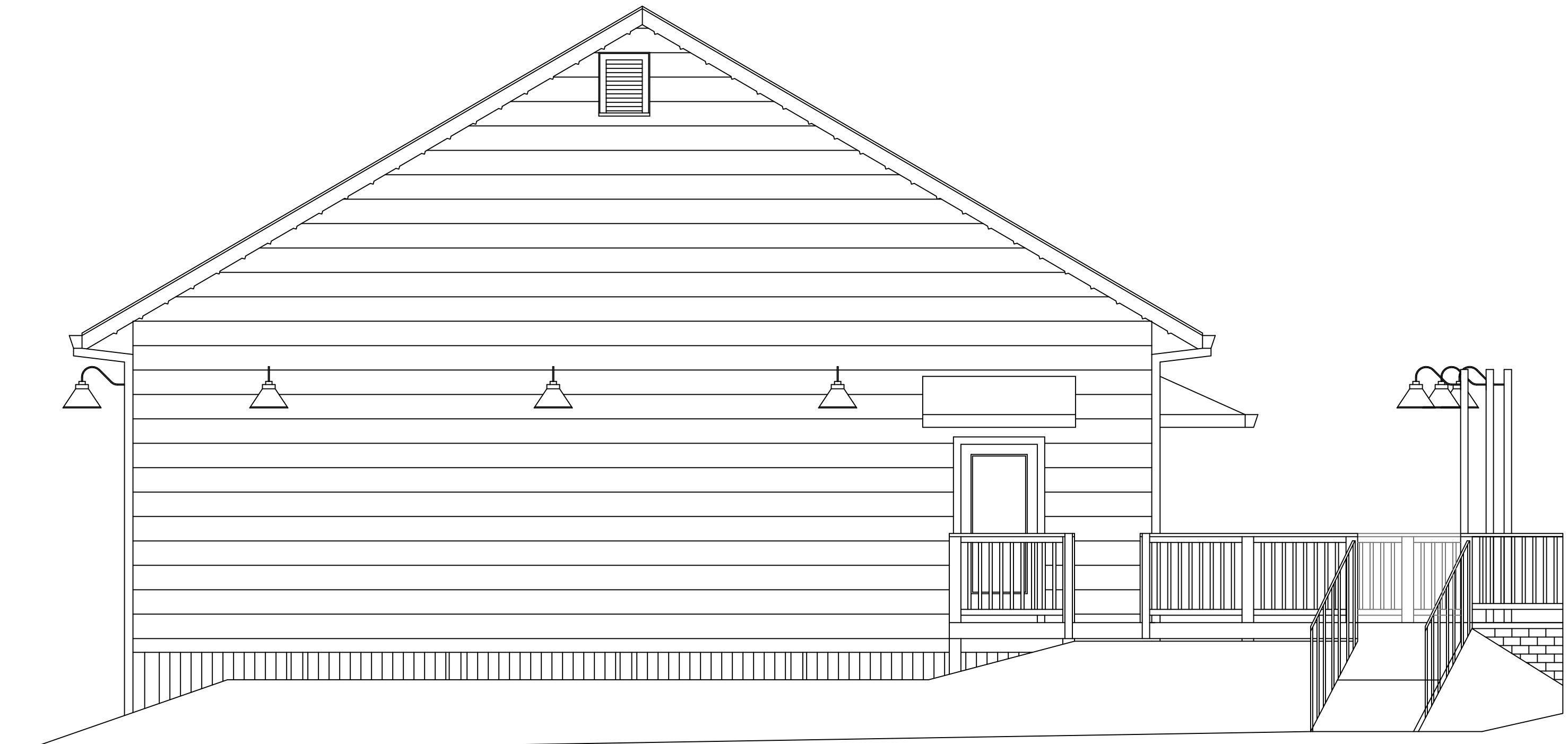
EXISTING SOUTH ELEVATION



EXISTING NORTH ELEVATION



PROPOSED SOUTH ELEVATION



PROPOSED NORTH ELEVATION

CASH CUSTOM HOMES  
 OFFICE 828-297-5555  
 872 HWY 105 BY PASS  
 BOONE, N.C. 28607  
 FAX 828-297-5350  
 WWW.CASHCUSTOMHOMES.COM

M & C DESIGNS CO., INC.  
 P.O. BOX 242  
 MONTEZUMA, N.C. 28653  
 CELL 828-773-2883  
 CELL 828-260-6270

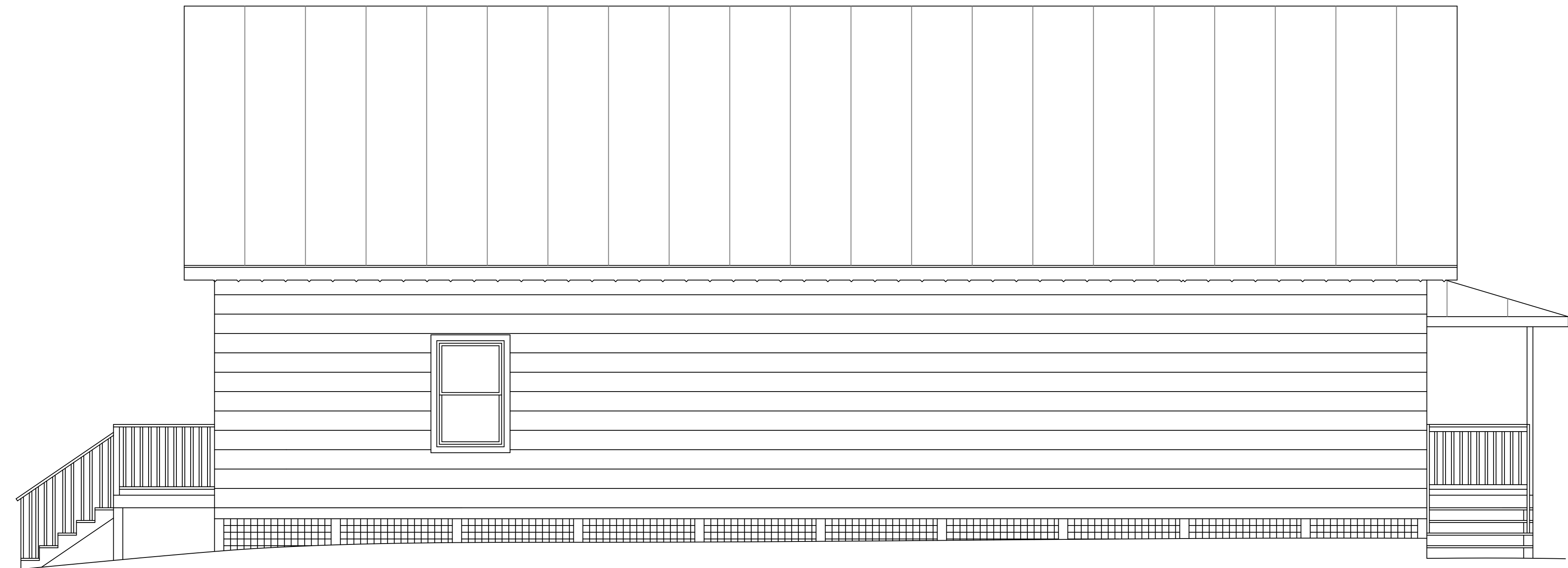
CASH CUSTOM HOMES  
 THE MOODY BUILDING  
 BLOWING ROCK

SCALE:	1/4" = 1'-0"
DATE:	4/19/19
DRAWN:	MS
FILE:	MOODY1
DWG:	
SHEET:	1
OF	3

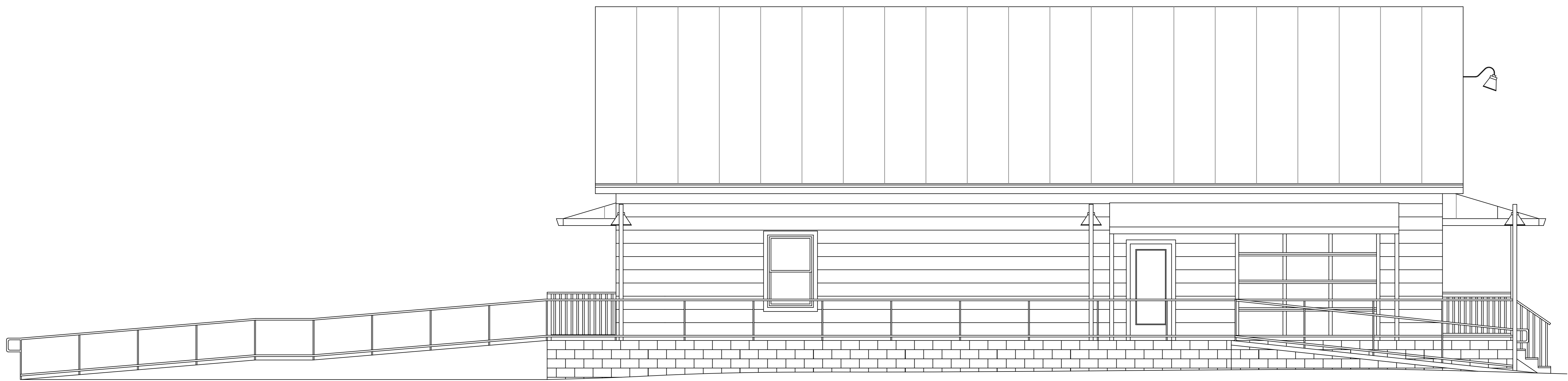


THIS DRAWING IS AN INSTRUMENT OF SERVICE AND IS TO BE USED FOR THIS SPECIFIC PROJECT ONLY. THE DRAWING SHALL NOT BE REPRODUCED IN WHOLE OR PART WITHOUT WRITTEN PERMISSION FROM CASH CUSTOM HOMES, LLC

REVISIONS:	BY:



EXISTING WEST ELEVATION



PROPOSED WEST ELEVATION

CASH CUSTOM HOMES  
 OFFICE 828-297-5555  
 872 HWY 105 BY PASS  
 BOONE, N.C. 28607  
 FAX 828-297-5350  
 WWW.CASHCUSTOMHOMES.COM

M & C DESIGNS CO., INC.  
 P.O. BOX 242  
 MONTEZUMA, N.C. 28653  
 CELL 828-773-2883  
 CELL 828-260-6270

CASH CUSTOM HOMES  
 THE MOODY BUILDING  
 BLOWING ROCK

SCALE:	1/4" = 1'-0"
DATE:	4/19/19
DRAWN:	MS
FILE:	MOODY2
DWG:	
SHEET:	2
OF	3



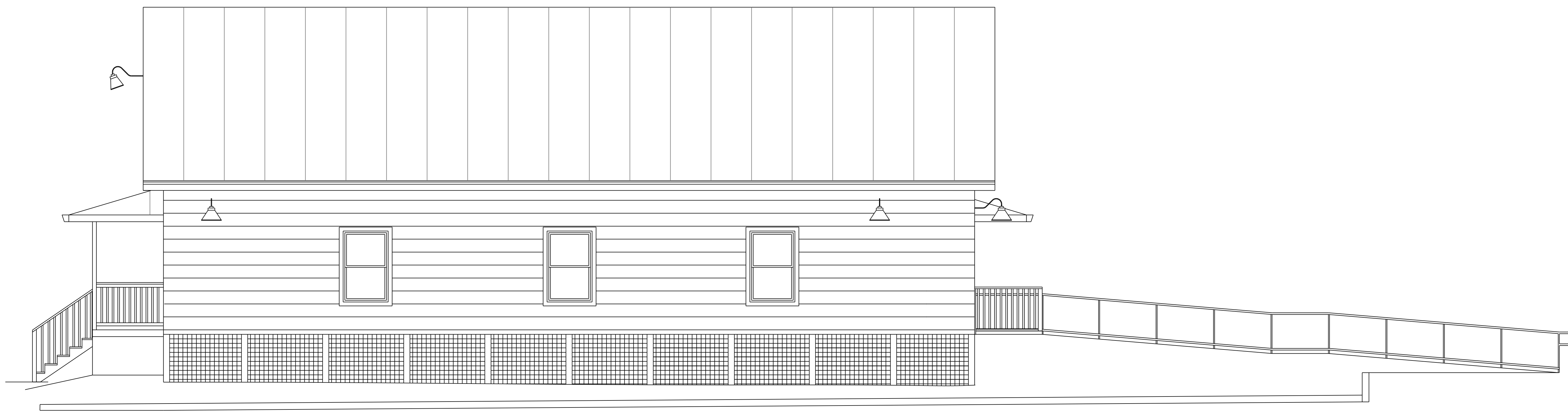


THIS DRAWING IS AN INSTRUMENT OF SERVICE AND IS TO BE USED FOR THIS SPECIFIC PROJECT ONLY. THE DRAWING SHALL NOT BE REPRODUCED IN WHOLE OR PART WITHOUT WRITTEN PERMISSION FROM CASH CUSTOM HOMES, LLC

REVISIONS:	BY:



EXISTING EAST ELEVATION



EXISTING EAST ELEVATION

CASH CUSTOM HOMES  
 OFFICE 828-297-5555  
 872 HWY 105 BY PASS  
 BOONE, N.C. 28607  
 FAX 828-297-5350  
 WWW.CASHCUSTOMHOMES.COM

M & C DESIGNS CO., INC.  
 P.O. BOX 242  
 MONTEZUMA, N.C. 28653  
 CELL 828-773-2883  
 CELL 828-260-6270

CASH CUSTOM HOMES  
 THE MOODY BUILDING  
 BLOWING ROCK

SCALE:	1/4" = 1'-0"
DATE:	4/19/19
DRAWN:	MS
FILE:	MOODYB
DWG:	
SHEET:	3
OF	3



## Blowing Rock Planning Board

### STAFF REPORT

**Project:** CZ 2019-01 Conditional Rezoning from R-15 to CZ- R6M, with STR Overlay  
**Meeting Date:** June 26, 2019  
**Applicant:** Lisa Harris, Paul Armbruster, Patsy Ebert, and Andrew Allison  
**Staff:** Kevin Rothrock, Planning Director

### REQUEST

Lisa Harris, Paul Armbruster, Patsy Ebert, and Andrew Allison are requesting a conditional rezoning of their three properties from R-15, Single-family to CZ-R-6M, Multi-family with a Short-term Overlay District. The properties are located at 8860, 8866, and 8874 Valley Blvd. The Applicants are requesting the zoning change with the overlay district to allow short-term rental. The properties are further identified by Caldwell County PINs 2817-23-4253-000, 2817-23-5249-000, and 2817-23-6244-000.

### BACKGROUND

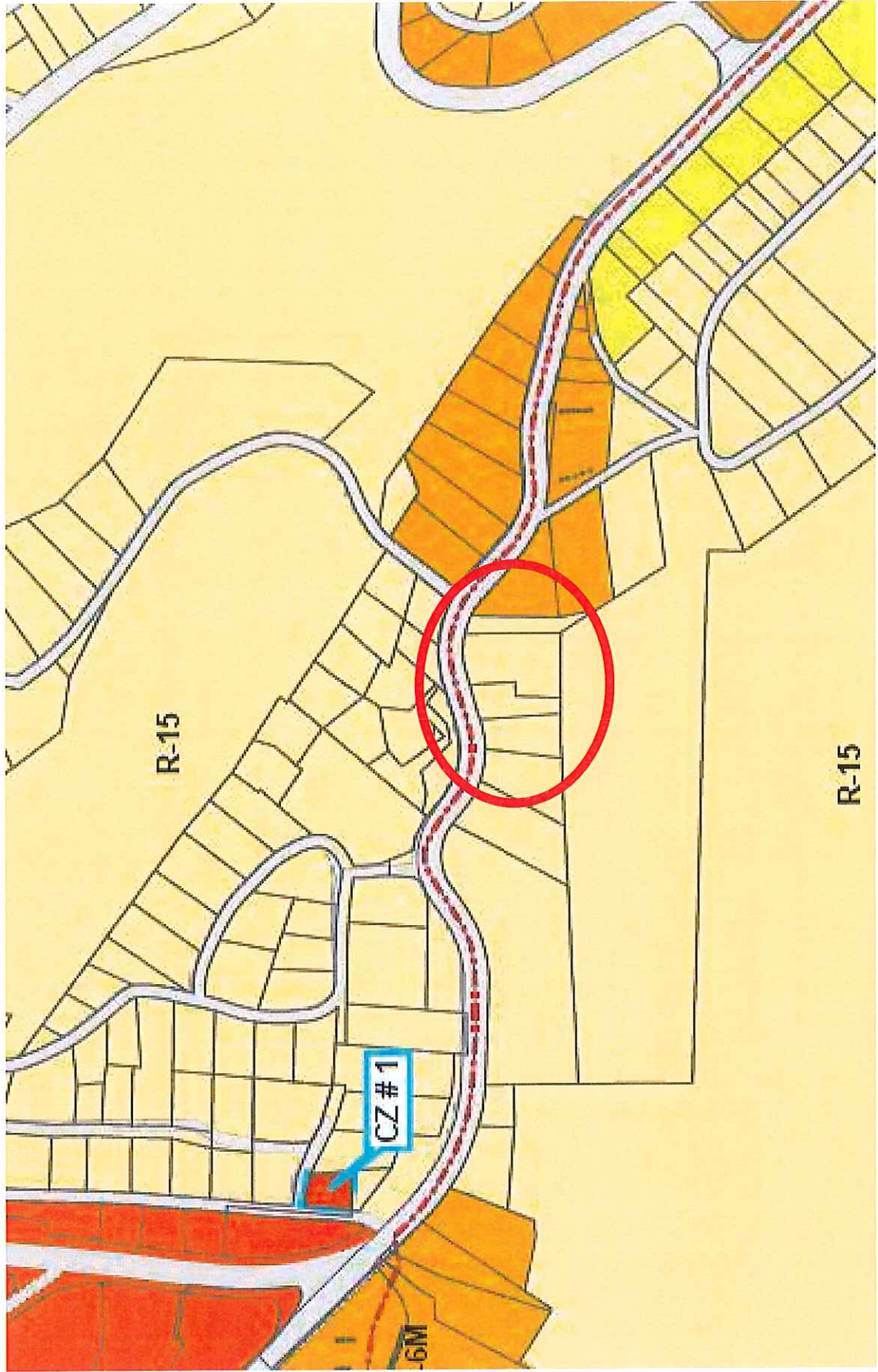
The Applicants are requesting the rezoning to allow short-term rental at their residences. The conditions of the rezoning would limit the property to single-family uses only, prohibiting duplex or multi-family construction. Any short-term rentals would be compliant with the Town Land Use Code and the STR permit application.

#### *Applicant Proposed Conditions*

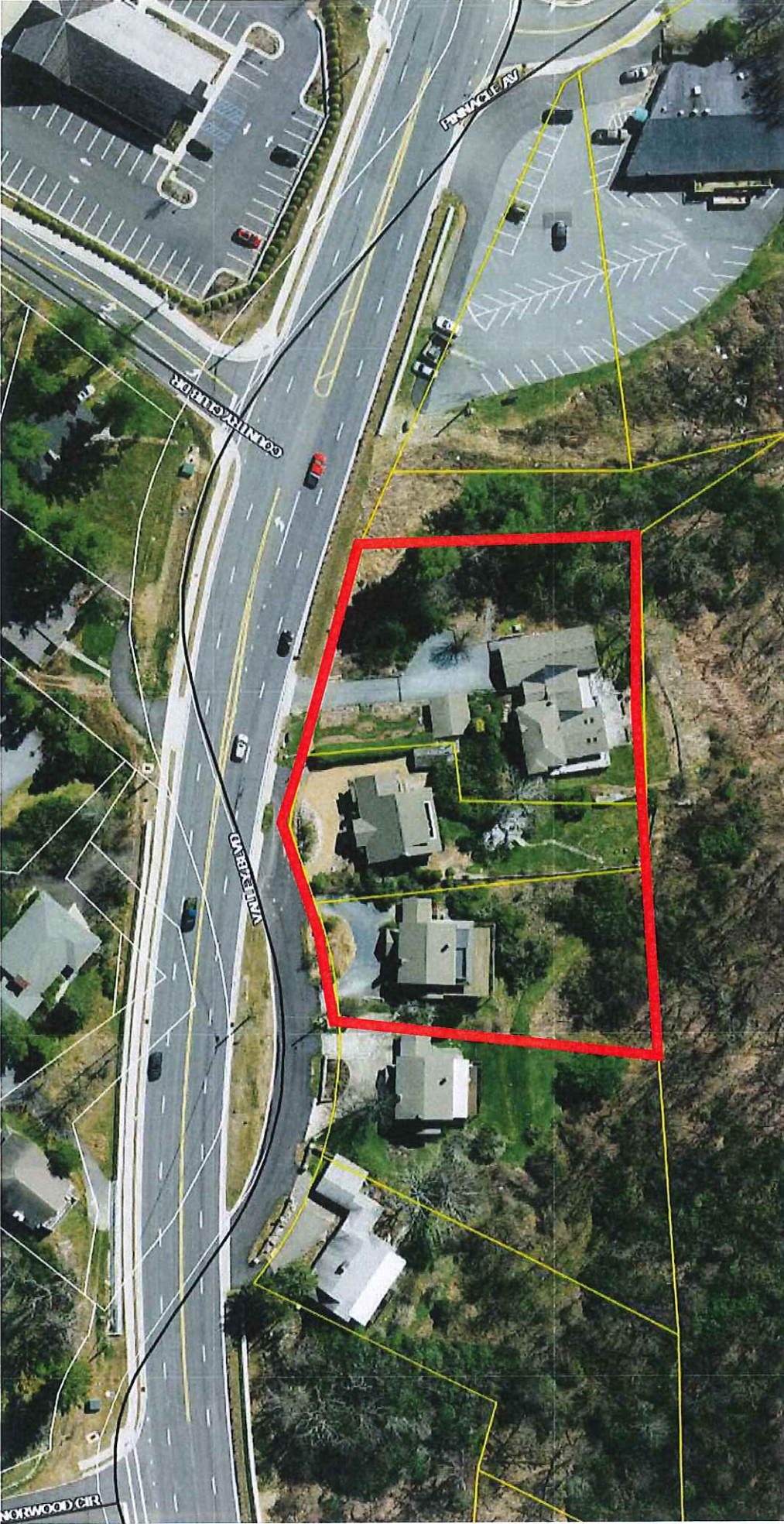
The Applicant has provided conditions and stipulations for short-term rentals that would be conditions of the rezoning if approved.

### ATTACHMENTS

1. Zoning Map
2. Aerial Map
3. Photos of subject properties
4. Hybrid zoning proposal – Lisa Harris and Paul Armbruster
5. “Our Commitment to You” – Lisa Harris and Paul Armbruster
6. Short-term Rental ordinance
7. Short-term Overlay ordinance



CZ 2019-01 Harris – R-15 to CZ R6M, Multi-family with STR Overlay District



- 8860 Valley Blvd – Ebert - PIN # 2817-23-6244
- 8866 Valley Blvd – Allison – PIN # 2817-23-4253
- 8874 Valley Blvd – Harris – PIN # 2817-23-5249



Hybrid Zoning Proposal  
8866 Valley Blvd.  
Blowing Rock NC 28605

1

We are asking your advice and input concerning the Conditional Zoning of our property on 8866 Valley Blvd., Blowing Rock NC 28605. We are exploring and requesting the Town Council and the Planning and Inspection Department of Blowing Rock consider allowing a new Conditional Hybrid Zoning designation for the Caldwell County side of the 321 bypass which connects to the General Business and By Pass areas.

This zone is located in Caldwell County beside the Ridgeline restaurant and across the street from the Blowing Rock Country Club. The Green Park Inn and several condominiums are in this zone as well. The area is a mixed business zone/residential area.

We are asking for a conditional map amendment to include a new Conditional Hybrid Zone that is both residential and allows for 7 night or weekly rentals in a limited capacity. We are asking for your input on how best to structure the conditions in which Blowing Rock, as a tourist destination town, and the residents in this area can best be served. The following are some of the standards that could be applied for this new Zoning ordinance.

a) A zoning permit must be initially obtained for each dwelling unit that is to be rented for a minimum weekly or 7 night period. The zoning permit for Hybrid medium term (7 night) rental must be renewed annually through the Planning and Inspections office by paying any required fee and requesting and inspection. The permit is not valid until a satisfactory inspection is completed.

b) A local contact person and/or management company must be listed and available to respond to complaints or emergencies within two hours.

c) Sufficient off street parking must be provided for each bedroom to be rented. The parking space must meet the minimum dimensional requirements in Section 16-20.6

d) Adequate trash and recycling containers must be provided. Collection containers should be kept in a discreet location or in an enclosure bin. The bin must meet minimum design standards defined in the Town code (ex. placed in opaque screening bins at least four feet high etc. Because of the sensitive nature of the Hybrid Zone which includes residential residences, trash must necessarily be removed after each tenant or on a weekly basis if tenants are staying more than 7 days. In addition it is recommended that guests are aware that they can call for additional trash removal if needed by contacting the owner/property manager by phone or text. This would be a private trash pick up and not the responsibility of the regular Town trash pick up.

e) The dwelling unit must be equipped with operable smoke and carbon monoxide detectors consistent with the NC Building Code. Fire extinguishers must be placed in a obvious location near each kitchen, fireplace or wood stove and on each floor of the residence.

f) The 911 address must be posted on the front of the house of dwelling unit with 3.5 inch reflective numbers (6 inch reflective number if commercial or multi-family) or on the property according to Section 7-17 of the Town Code. The 911 addresses must be clearly posted in the interior of the dwelling unit to notify tenants in case of emergency. Other emergency numbers for the various emergency responders must be clearly posted in the same area such as the fire department and police.

g) Permits may be revoked upon repeated substantiated complaints resulting in violations of the Town Code rented as to noise, trash, pets, parking etc. If the Town receives three (3) complaints within one year that lead to violations of the Town Code, the permit may be revoked for a period of one (1) year.

h) Occupancy taxes must be paid in a timely manner on a monthly basis and are due by the 20th of each month after the occupancy by the tenants.

i) No parties, excessive noise or events of any kind are allowed.

j) In order to maintain property values the new Conditional Hybrid Zone medium term rental has to be kept and maintained to the highest condition in terms of maintenance of the property both inside and out.

h) Maximum occupancy will be determined by the amount of bedrooms and is not to exceed the number of tenants that can be housed in beds/ sofa beds. No additional temporary bedding including air mattresses etc., are allowed. "Pack and Plays" provided by the guests are permitted for toddlers or infants to provide temporary sleeping arrangements.

i) Damage insurance including property and liability insurance must be maintained on the property for the safety of both tenants and landlord.

j) A signed lease agreement will be obtained for each tenant, as well as guests background information such as drivers license and current status/ratings as provided by VRBO.

k) Minimum rental age is 27 years.

Paul Armbruster and Lisa Harris

October 29, 2018

## Our Commitment to You

1. To be good stewards of the Village and add tourism dollars into the community by providing a highly maintained, 5 star rated experience for the community and our clientele.
2. We promise to keep in open and close communication with our neighbors and strive to keep the property in a well maintained state at all times. We will remove all trash after each rental, and maintain the yard regularly. We intend to continue to be good partners with our neighbors when trees and bushes need to be trimmed, cut or added.
3. We will be available to discuss any concerns and strive to resolve any problems or issues whenever possible.
4. We will maintain high nightly rates that are competitive but that ensure the highest clientele worthy of our neighborhood. We will encourage and be a partner to our closet retail partners by providing a service and experience for our guests from out of town that may be involved with the country club during tournaments or other special activities in the area.
5. We understand the importance of maintaining the property values of the neighborhood and have a proven track record of enhancing the property values in other areas such as in Hickory NC where we enhanced the value of our lake home by providing documentation of the investment potential to our buyers resulting in a 61k over asking price valuation in this current year of 2018.
5. We will maintain a 7 night minimum to support the peace of our neighborhood by minimizing the disruption due to check in/out times and cleaning and maintenance support.
6. We require that all of our guests be vetted through VRBO and have high ratings by other owners. They must be a least 27 years old and we do not allow events or parties at any time! We require the purchase of damage insurance policy and maintain our own special "Lords of London" CBIZ property insurance created exclusively for vacation properties to ensure coverage for damage and liability.
7. We only allow 6 Adults maximum in the house. There are only 3 bedrooms in the house so this allows for 2 per bed or sofa bed. "Pack and Plays" are allowed for infants and toddlers (provided by the guests) and provide temporary sleeping arrangements for them.
8. We have local emergency numbers posted in the house and keep the fire extinguishers and Fire and Carbon monoxide alert systems up to date.
9. We intend to retire in this beautiful home and desire currently to supplement our income and cover some of the expenses.



**Section 16-10.11 More Specific Use Controls.** Whenever a development could fall within more than one use classification in the *Table of Permissible Uses*, the classification that most closely and most specifically describes the development controls. For example, a small doctor's office or clinic clearly falls within the 3.110 classification (Office and service operations conducted entirely indoors and designed to attract customers or clients to the premises). However, classification 3.130, "Physicians and dentists offices and clinics occupying not more than 10,000 square feet of gross floor area" more specifically covers this use and therefore is controlling.

**Section 16-10.12 Short-Term Rentals.** The Board finds that short-term rentals (STRs) are an appropriate use given the residential/resort character of Blowing Rock's planning jurisdiction, provided that specific controls are in place to regulate parking, trash, noise, tenant safety, and other related effects thereby protecting neighborhood property values, and the health, safety, and the general welfare of Town citizens and visitors.

Short-term rentals are defined as the rental, lease, or use of an attached or detached residential dwelling unit for a duration that is less than 28 consecutive days. Rental agreements and contracts for less than 28 days are not permitted in zoning districts where short-term rentals are not allowed. The following standards shall apply to all short-term rentals with the Town's planning and zoning jurisdiction:

- a) A zoning permit must be initially obtained for each dwelling unit that is to be rented for a period of less than 28 days. The zoning permit for short-term rental must be renewed annually through the Planning and Inspections office by paying any required fee and requesting an inspection. The permit is not valid until a satisfactory inspection is completed.
- b) A local contact person or management company must be listed and available to respond to complaints or emergencies within two (2) hours.
- c) Sufficient off-street parking must be provided for each bedroom to be rented. The parking space must meet the minimum dimensional requirements in Section 16-20.6. Short-term rental units that exist on July 1, 2018 are grandfathered with respect to parking, but each bedroom added after this date requires an additional parking space.
- d) Adequate trash and recycling containers must be provided. If collection containers are kept in an enclosure bin, the bin must meet minimum design standards defined in the Town Code (ex. Placed within 6 to 12 feet of the edge of the street, opaque screening at least four feet high, etc.).
- e) The dwelling unit must be equipped with operable smoke detectors and carbon monoxide detectors consistent with the NC Building Code.
- f) The 911 address must be posted on the front of the house or dwelling unit with 3.5-inch reflective numbers (6-inch reflective number if commercial or multi-family) or on the property according to Section 7-17 of the Town Code. The 911 address must

be clearly posted on the interior of the dwelling unit to notify tenants in case of emergency.

- g) Permits may be revoked upon repeated substantiated complaints resulting in violations of the Town Code related to noise, trash, pets, parking, etc. If the Town receives three (3) complaints within one (1) year that lead to violations of the Town Code, the permit may be revoked for a period of one (1) year.

**16-10.12.1** In addition to those areas zoned to allow short-term rentals (CB, TC, GB, OI), there are other areas where short-term rentals are permissible including Chetola Resort and Royals Oaks Condominiums (Overlay District). There are other properties that were previously operating short-term rentals or had permitted vested rights through Watauga or Caldwell County prior to being annexed or added to the Extraterritorial Jurisdiction. These properties have a legal nonconforming status that provides the opportunity for short-term rental. Each property owner that applies for a zoning permit for short-term rental use in areas not permitted by right or listed herein must provide historical documentation that the nonconformity has been legally obtained or a vested right has been legally established.

- activities, including offices, schools, churches, libraries, clubs and lodges, and government buildings.
- d) The HMC district is designed to accommodate the hospital and related offices and facilities that are designed to provide a continuum of care, including facilities that provide independent living, assisted living/CCRC, home health care, adult day care, intermediate care, skilled nursing care, and acute care.
  - e) The HSG district is designed to accommodate equestrian activities such as horse shows.
  - f) The PGS district is designed to accommodate public and private outdoor recreational facilities, including parks, trails, athletic fields, golf courses, tennis courts, swimming pools, etc.
  - g) The TC district is designed to accommodate a wide variety of commercial activities (particularly those that are pedestrian oriented) that will result in the most intensive and attractive use of the town's central business district, while protecting the historic character of the downtown core primarily along Main Street.

### Section 16-9.3 Overlay Districts.

**16-9.3.1 Short-Term Rental Overlay District.** The purpose of the short-term rental overlay district is to provide areas within the underlying multi-family residential zoning districts that are appropriate for short-term residential rental uses. As an overlay district, the Short Term Rental Overlay District does not replace or restrict the range of uses allowed in the underlying zoning district, but allows for additional uses within the boundaries of the overlay district.

- a) *Designation of Overlay District.* Following approval by the Board of Commissioners of an area to be included in the Short-Term Rental Overlay District, the area so designated shall be labeled as "STR" on the Official Zoning Map.
- b) *Permitted Uses.* In addition to the uses permitted within the underlying zoning district, short-term rental of a dwelling unit is allowed within the Short-Term Rental Overlay District.
- c) *Adoption Criteria.* A Short-Term Rental Overlay District may be established if the proposed map amendment application meets the following standards, criteria, and conditions:
  - 1) The map amendment may only be initiated by the Board of Commissioners, the Planning Board, the Town Administration, or an owner of property located within the proposed district. Unless a map amendment is Town-initiated (by the Board of Commissioners, the Planning Board, or the Town Administration), an application for a map amendment must be endorsed by a majority of the property owners of all lots, parcels, and units to be included within the boundary area of the proposed map amendment. The public notice, public hearing, and procedural requirements for the map amendment shall be as provided in Article 23.
  - 2) The area proposed for the short-term rental district must be located within an

existing R-10M or R-6M zoning district.

- 3) The area proposed for the short-term rental district may only include an existing or proposed multi-family residential complex that has a homeowner's or property owner's association with the authority to regulate or manage short-term rental uses within the complex.
- 4) The proposed short-term rental use must be compatible with established land uses in the immediate vicinity of the lots or parcels to be designated STR.
- 5) The proposed short-term rental use will not result in so many additional vehicle trips that adverse traffic impacts will be felt upon the streets and within the neighborhoods bordering the proposed STR district.
- 6) In addition to the requirements contained in Article 22 (Screening and Trees), the Council may require that the STR district be screened from any other adjacent residential use if it finds that any existing screening is inadequate or that there is insufficient separation between the proposed STR district and the adjacent residential uses.

**16-9.3.2 Floodplain and Floodway Districts.** The floodplain and floodway districts are hereby established as "overlay" districts, meaning that the following districts are overlaid upon other districts and the land so encumbered may be used in a manner permitted in the underlying district only if and to the extent such use is also permitted in the applicable overlay district. The floodplain and floodway districts are further described in Section 16-16 of this chapter.

**Section 16-9.4 Official Zoning Map.** There shall be a map known and designated as the Official Zoning Map, which shall show the boundaries of all zoning districts within the city's planning jurisdiction. This map shall be drawn on acetate or other durable material from which prints can be made, shall be dated, and shall be kept in the office of the land use administrator. A copy of the zoning map shall also be filed in the Office of the Register of Deeds for Watauga County and Caldwell County.

Should the Official Zoning Map be lost, destroyed, or damaged, the administrator may have a new map drawn on acetate or other durable material from which prints can be made. No further Board authorization or action is required so long as no district boundaries are changed in this process.

**Section 16-9.5 Amendments to Official Zoning Map.** Amendments to the Official Zoning Map are accomplished using the same procedures that apply to other amendments to this chapter, as set forth in Article 23.

**16-9.5.1** The administrator shall update the Official Zoning Map as soon as possible after amendments to it are adopted by the Board. Upon entering any such amendment on the map, the administrator shall change the date of the map to indicate its latest revision. New prints of the updated map may then be issued, and a copy of the updated map shall be

## Blowing Rock Planning Board

### STAFF REPORT

**Project:** CUP 2019-02 Cambria Car Lot -Amendment to CUP 1996-02  
**Meeting Date:** June 26, 2019  
**Applicant:** Ron and Diane Cambria  
**Staff:** Kevin Rothrock, Planning Director

### REQUEST

Ron and Diane Cambria are requesting an amendment of their CUP 1996-02 for the Mountain Motors car lot to expand the potential uses of the property from vehicle sales to retail sales, office, and restaurant. The subject property is located at 7855 Valley Blvd, zoned GB, General Business and located in the WS-IV-PA water supply watershed. The property is further identified by Watauga County PINs 2817-17-3703-000.

### Background

The original CUP was approved in 1996 which allowed for motor vehicle sales. The property has been used for that purpose since the CUP was approved, but over the past several years it has been used less and less. The most recent use was for moped sales, rental and service. The applicant would like to have more flexibility and have additional uses permitted for the property. The Applicant has requested retail sales, office use, and restaurant sales.

The building is approximately 400 square feet after adding a bathroom in 2018 to comply with the NC Building Code.

### *Parking/Access*

Access to the property is through a driveway cut on Hwy 321 and a driveway on Sunset Drive. There is also a small driveway connection through the back of the property onto Maple Drive.

There are 9 parking spaces on site including an ADA van-accessible space added in 2019. Based on the available parking and the building square footage of 400 square feet, all of the proposed uses could be permitted and the Land Use Code would be satisfied with parking.

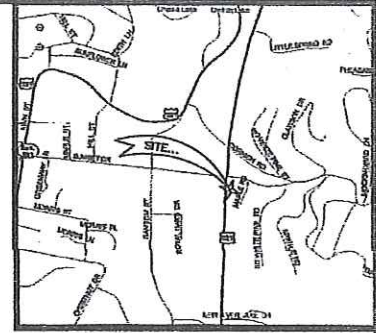
### ATTACHMENTS

1. Site survey
2. Aerial photo

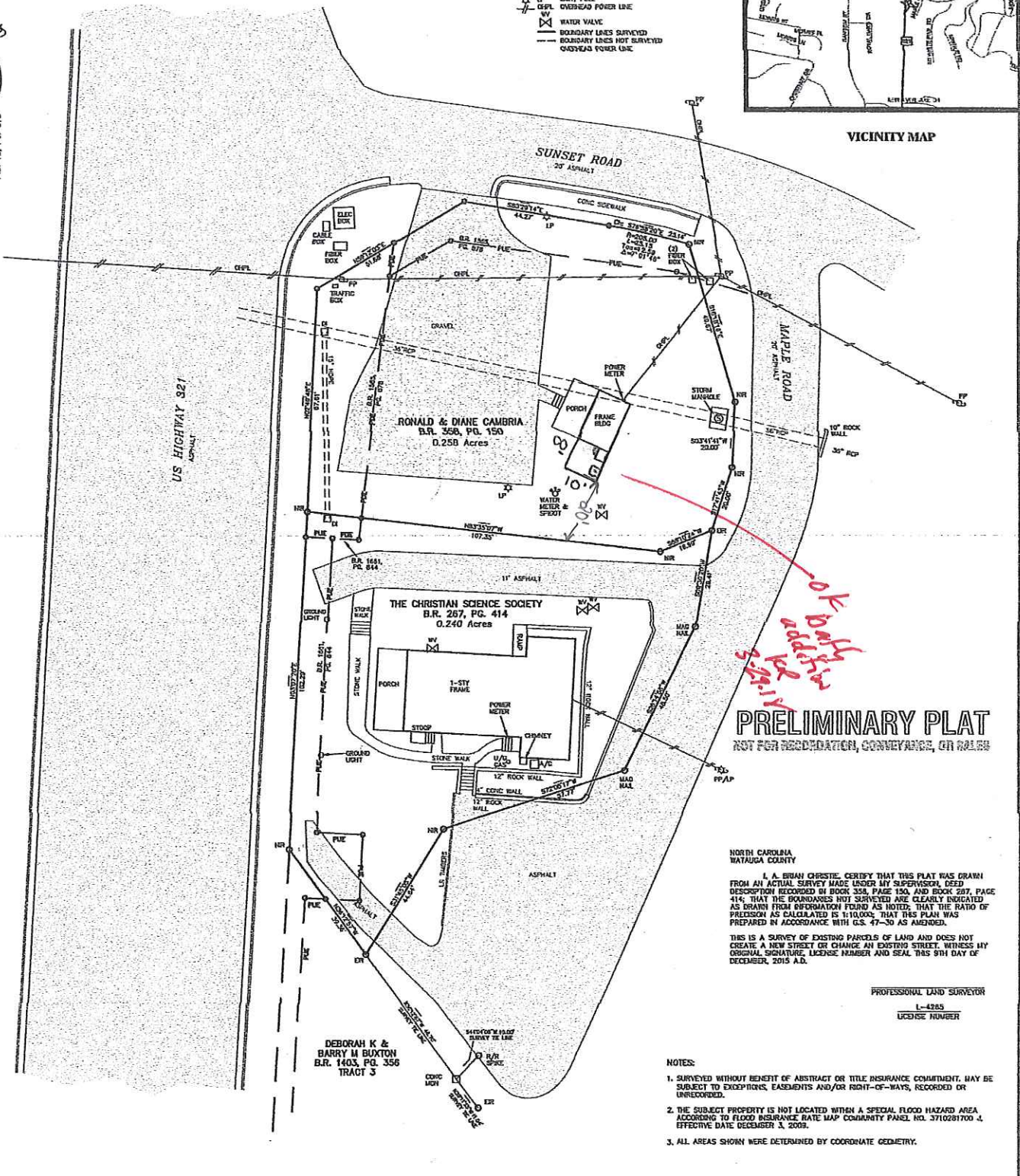
P.B. 15, PG. 373

**LEGEND**

- NR 0 NEW IRON ROD SET
- ER 0 EXISTING IRON ROD
- EP 0 EXISTING IRON PIPE
- CP 0 COMPUTED POINT
- DL 0 DEED BOOK
- DR 0 BOOK OF RECORDS
- PL 0 PLAT BOOK
- R/W 0 RIGHT-OF-WAY
- RC 0 REINFORCED CONCRETE CURB
- PU 0 PERMANENT UTILITY EASEMENT
- PE 0 PERMANENT EASEMENT
- DF 0 DROP BLEET
- PF 0 POWER POLE
- LP 0 LIGHT POLE
- OP 0 OVERHEAD POWER LINE
- WV 0 WATER VALVE
- BL 0 BOUNDARY LINES SURVEYED
- NBL 0 BOUNDARY LINES NOT SURVEYED
- OP 0 OVERHEAD POWER LINE



VICINITY MAP



**PRELIMINARY PLAT**  
NOT FOR RECORDATION, CONVEYANCE, OR RELEASE

NORTH CAROLINA  
WATAUGA COUNTY

I, A. BRIAN CHRISTIE, CERTIFY THAT THIS PLAT WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DEED DESCRIPTION RECORDED IN BOOK 355, PAGE 150, AND BOOK 207, PAGE 414; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND AS NOTED; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

THIS IS A SURVEY OF EXISTING PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 9TH DAY OF DECEMBER, 2015 A.D.

PROFESSIONAL LAND SURVEYOR  
L-4265  
LICIDISE NUMBER

- NOTES:
1. SURVEYED WITHOUT BENEFIT OF ABSTRACT OR TITLE INSURANCE COMMITMENT, MAY BE SUBJECT TO EXCEPTIONS, EASEMENTS AND/OR RIGHT-OF-WAYS, RECORDED OR UNRECORDED.
  2. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARDED AREA ACCORDING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 3710281700 J, EFFECTIVE DATE DECEMBER 3, 2009.
  3. ALL AREAS SHOWN WERE DETERMINED BY COORDINATE GEOMETRY.

REVISIONS		<b>BOUNDARY SURVEY FOR RONALD &amp; DIANE CAMBRIA AND THE CHRISTIAN SCIENCE SOCIETY</b>		<b>ABC</b> A. B. CHRISTIE SURVEYORS TEL 828-283-8005 PO BOX 629 - WOODWAY, NC 28387	
		TOWNSHIP: BLOWING ROCK	COUNTY: WATAUGA	DATE: 12/9/15	SURVEYED BY: JC/TW
		TOWN: BLOWING ROCK	STATE: N.C.	ZONE: GB	DRAWN BY: LM
		CHECKED & CLOSURE BY: A. BRIAN CHRISTIE, PLS.		TAX MAP: 2817173703, 2817172684	FIRM LICENSE NO. C-2452
					DRAWING NO. 15092-1

