

Planning and Zoning Board

Minutes

Thursday, July 18, 2019

5:30 p.m.

The Blowing Rock Planning and Zoning Board met on Thursday, July 18, 2019 for their regularly scheduled meeting. Chairman Harwood called the meeting to order at 5:30 pm. Members present were Wes Carter, Don Hubble, Mike Page and Pete Gherini. Members Kim Hartley, Sam Glover, Joe Papa and Harrison Herbst were absent. Staff members present were Town Manager Shane Fox, Planning Director Kevin Rothrock and Planning and Zoning Support Specialist Tammy Bentley.

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

Chairman Harwood asked if there were any changes to the June 26, 2019 meeting minutes. There were none. *Mr. Hubble made a motion to approve the minutes, seconded by Mr. Page. All members were in favor of the motion.*

CZ 2019 – 01 Conditional Rezoning from R-15 to CZ -R6M, with STR Overlay

Mr. Rothrock gave the staff report and Powerpoint presentation. Lisa Harris, Paul Armbruster, Patsy Ebert, Cherry Point Properties, Dennis Dagenhardt and Andrew Allison are requesting a conditional rezoning of their five properties from R-15, Single-family to CZ-R-6M, Multi-family with a Short-term Overlay District. The properties are located at 8836, 8850, 8860, 8866, and 8874 Valley Blvd, and are further identified by Caldwell County PINs 2817-23-2226, 2817-23-3243, 2817-23-4253, 2817-23-5249-000, and 2817-23-6244-000. Mr. Rothrock said the location of these properties and the adjoining properties makes this situation unique.

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.

At the June Planning Board meeting, only 4 of the properties (3 contiguous) had signed on to the rezoning application. Now all 5 contiguous properties are requesting conditional rezoning.

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

Mr. Hubble asked if the old application had been withdrawn. Mr. Rothrock said it had not been withdrawn, that the application has been amended to include all 5 properties. Mr. Rothrock advised that the Cherry Point Property did not sign onto the original application but have now decided to join. Mr. Carter noted this does not replace the request heard last

month; that this request is adding one property. Mr. Rothrock said two properties are being added, Cherry Point and Dagenhardt. Mr. Rothrock advised that the Dagenhardt property signed onto the original request, but Cherry Point did not. Mr. Rothrock advised that the Dagenhardt property was not included originally because it was not contiguous to the other 3 properties.

Mr. Paul Armbruster of 8866 Valley Boulevard said he is happy that everyone is on board and thinks this will be good for the neighborhood.

Mr. Hubble asked that the minutes reflect that the following.

1. The property below and to the south is not easily developed,
2. That commercial property lies to the east,
3. That NCDOT owns the property to the west, and
4. That these 5 properties front a four-lane highway.

Mr. Gherini asked the minutes reflect that the fact that at the June meeting Mr. Hubble and Mr. Page said this will not set a precedent; that each application stands on its own. Mr. Rothrock agreed, adding that these properties are uniquely located, and the applicant is imposing limitations on the requested use.

Mr. Carter asked why the property below is not easily developed. Mr. Rothrock said that it is extremely steep. Mr. Carter asked who the owner is. Mr. Rothrock advised Globe Land Company. Mr. Carter asked if there were any comments from neighbors. Mr. Rothrock said there were not. Mr. Hubble noted that none spoke against the request at the June meeting.

Chairman Harwood opened the public comment.

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

Mr. Page made a motion to recommend to Town Council as presented. The Board discussed the motion.

Mr. Carter said the property in question must be unique in order to make such a change and this property is absolutely unique. Chairman Harwood said he did not vote to approve last month because not all properties were included. Chairman Harwood thanked the applicant for their tenacity.

*Mr. Gherini reiterated Mr. Page's motion to recommend to Town Council as presented, seconded by Mr. Page. **All members were in favor of the motion.***

Other Business

Mr. Gherini shared information from Mr. E.B. Springs regarding short-term rental legislation before the NC Legislature. Mr. Fox advised that both bills were withdrawn within committee. Mr. Fox said he thinks it will come back a third time.

Mr. Gherini asked Mr. Fox if he and the Town Attorney will look at ramifications of any enacted legislation. Mr. Fox said they would. Mr. Carter asked Mr. Fox if the Town has an opinion. Mr. Fox advised that the Town wants no new legislation and wants to amend ordinances without a grandfather clause. Mr. Fox added that the passing a budget is holding everything up now in Raleigh.

Chairman Harwood thanked Mr. Fox for the update.

The Board discussed occupancy tax, the remittance thereof and how best to ensure taxes due are remitted.

Mr. Hubble asked when the Planning Board will receive formal recommendations from the ad hoc committee. Mr. Rothrock said he did not think there is anything in the Planning Board's purview. Mr. Gherini confirmed. Mr. Rothrock advised that the focus is on Valley Boulevard, adding the committee is looking for direction and looking into hiring an urban planner.

Mr. Gherini asked for an update on 1150 Main Street. Mr. Rothrock said the building permit application has been received and he is working with the engineer on the site plan and running the sewer up Pine Street. Mr. Rothrock added that the building permit application is for the front building only.

Mr. Gherini asked for an update on Rainey Lodge. Mr. Rothrock advised the letter of decision was issued within two weeks of the Town Council decision. Mr. Rothrock said he anticipates an appeal.

Mr. Hubble asked for an update on the Bass Lake sidewalk. Mr. Rothrock advised we are trying to track down an easement and when that is done, we will contact NCDOT. He added that we are also working with the Middle Fork Greenway and had met with them this week. Mr. Rothrock said they hope to start next year.

*Mr. Gherini made a motion to adjourn, seconded by Chairman Harwood. **All members were in favor of the motion.***

Chairman Harwood adjourned the meeting at 6:10 p.m.

Chairman David Harwood

Tammy Bentley
Planning & Zoning Support Specialist