

**DRAFT**

**Planning and Zoning Board**

**Minutes**

**Thursday, November 21, 2019**

**5:30 p.m.**

The Blowing Rock Planning and Zoning Board met on Thursday, November 21, 2019 for their regularly scheduled meeting. Vice-Chairman Carter called the meeting to order at 5:30 pm. Members present were Don Hubble, Kim Hartley, Sam Glover, Pete Gherini, Mike Page, Joe Papa and Harrison Herbst. Staff members present were Town Manager Shane Fox, Planning Director Kevin Rothrock and Planning and Zoning Support Specialist Tammy Bentley.

Past Chairman David Harwood addressed the Board. Mr. Harwood said it had been a joy to serve on the Planning Board and that he had learned so much from the Board members and Mr. Rothrock. Mr. Harwood said his hope, as a newly elected Town Commissioner, is that the Planning Board and Town Council can work together more collaboratively in the future. Mr. Harwood added that he would love to hear from each member and thanked everyone for serving.

Vice-Chairman Carter asked if there were any changes to the agenda. *Mr. Hubble made a motion to approve the agenda, seconded by Ms. Hartley.* **All members were in favor of the motion.**

Vice-Chairman Carter asked if there were any changes to the October 28, 2019 meeting minutes. Mr. Gherini noted that Mr. Page was not at the October meeting, did not second the motion to recuse Chairman Harwood, and asked that this be corrected. *Mr. Gherini made a motion to approve the minutes as corrected, seconded by Mr. Papa.* **All members were in favor of the motion.**

**CZ 2019 – 03 Conditional Rezoning 2019 – 03 (GB CZ-GB) – The Blue Ridge Hotel**

Mr. Rothrock gave the staff report. John Winkler is requesting a conditional rezoning of the former Blue Ridge Motor Court property from Central Business to Conditional Zoning – Central Business (CZ-CB). The .44-acre tract is located on Main Street and is identified by Watauga County PIN 2807-98-6873. The Applicant is seeking the conditional rezoning to construct a 12-room hotel on the former Blue Ridge Motel property. The applicant is not proposing any conditions.

The setback on Main Street is 15 feet from back of the proposed sidewalk and the setback off Sunflower Lane is 15 feet from the edge of the road. The side setbacks on the property are 5 feet. The proposed hotel meets all setback requirements as the building is shown at 54 feet from the back of the sidewalk to the closest point of the building.

All building materials as proposed on the hotel appear to meet the commercial design standards. The overall height of the building is now 37 feet from the grade at the primary entrance. The overall height includes a parapet to screen HVAC equipment. To allow the

building height as shown, the front southwest corner of the building will need to be moved back one (1) foot.

Access to the site will be a revised and relocated driveway entrance off Main Street. The previous driveway was through the middle of the site and the new access will be moved slightly west and to the left of the property frontage. No access will be provided to Sunflower Lane. The proposed hotel requires 12 spaces and 15 spaces are shown on the site plan.

The storm water runoff from the site will be conveyed to an onsite detention system under the parking area and released to the storm drainage system on Main Street, consistent with the Land Use Ordinance.

Garbage collection will be through roll-out containers and will be picked up by the owner or a private service.

A landscape plan shows some large shade trees to be planted and will meet the screening requirements. The buffer on the northwest corner of the site needs to be increased from 4 to 8 feet but there is enough room to accommodate. There are 2 or 3 large shade trees along Sunflower Lane that can be retained to enhance the rear street yard.

Mr. Hubble asked Mr. Rothrock if the sidewalk will extend beyond this building. Mr. Rothrock advised that not now, but the long-term plan is to have the sidewalk to extend beyond the building.

Ms. Amber Winkler advised the Board that her father, Mr. John Winkler was recovering from surgery and could not be here. Ms. Winkler expressed their gratitude for being here and added that the Winkler family is local and are Blowing Rock property owners. Ms. Winkler that they care about Blowing Rock and are developing the Inn on Cornish and that they have been impressed in working with the Town and the community.

Mr. Glover asked about the connection between the Inn on Cornish and this project. Ms. Winkler said she does not know the answer yet and added the two will be owned by different entities.

Mr. Glover asked if there is common area. Mr. Jason Gaston, Engineer, said the sidewalks and open courtyard are the only common areas.

Mr. Glover asked how guests will check-in and check-out. Ms. Winkler said guests will use a keypad to enter the units, adding there will not be a structured lobby.

Mr. Gherini asked if the access will be different than what is there now. Mr. Gaston said the access will move up the hill towards El Rincon.

Mr. Hubble asked if on-site management is a requirement, as with short-term rental. Mr. Rothrock said it is not in the Land Use Code. Mr. Hubble asked if it is presumed that someone will be on-site. Mr. Rothrock said that may be a Health Department requirement.

Mr. Gherini mentioned that Mr. Winkler used the term 'condotel' during the neighborhood meeting and asked if these will be sold as condos later. Ms. Winkler advised that Mr. Winkler does not plan to sell them; that there is more benefit to holding the property. Mr. Gaston advised that it must always be a hotel, regardless of ownership.

Vice-Chair Carter asked if such a change would have to be reviewed by the Planning Board and Town Council. Mr. Rothrock confirmed.

Mr. Page asked how to rooms would be rented. Ms. Winkler said via the internet and other multiple means, adding that they are looking at this now. Mr. Page asked if they had looked at models for this booking method. Mr. Gaston said Airbnb and VRBO are examples of many successful online booking models.

*Mr. Gherini made a motion to open Public Comment, seconded by Mr. Page. **All members were in favor of the motion.***

Mr. Tim Gupton of 235 Meadow Lane and Blowing Rock Civic Association (BRCA) President addressed the Board. Mr. Gupton said he sent the Board an email on November 14, then distributed printed copies of the email to the Board. Mr. Gupton gave the background on the past BRCA informal process and the current formalized process. Mr. Gupton said this process consists of a review of facts and formal documentation of the review comments for significant projects. Mr. Gupton added that BRCA is specifically commenting on the facts and rendering an opinion on whether a project complies with the Comprehensive Plan and BRCA's internal advocacy plan, which had been shared with the public. Mr. Gupton said this project is straight forward, which allowed him and Mr. Sealey to easily review it. Mr. Gupton thanked Mr. Rothrock for his assistance in understanding the project.

Mr. Gupton said he wants to focus on two items. The first regards the use of the property. Mr. Gupton referred to the term 'condotel' and noted that this term is not in the Land Use Code. Mr. Gupton noted that the parking requirements for hotel and short-term rental use is different, with short-term rental use being double of that for a hotel. Mr. Gupton said it needs to be clear that this property is a hotel and must be managed as a hotel, even if the ownership model changes. Mr. Gupton said the second item is Land Use Code Section 16-12.6.2.1, which requires 75% in the front of the building to be green space. Mr. Gupton said staff has interpreted this as not applicable to this project. Mr. Gupton said this has been a source of confusion in the past and continues to be a source of confusion. Mr. Gupton said BRCA's recommendation is to have the Planning Board to look at this and clarify the wording of the ordinance, so it is apparent to which properties in Central Business this applies. Mr. Gupton added that this needs to be addressed separately and not as a condition of approving this project.

*Mr. Page made a motion to close Public Comment, seconded by Ms. Hartley. **All members were in favor of the motion.***

Mr. Page asked if approved for hotel use, is there a necessity to restrict to hotel use by the Town Council or is approval for a hotel sufficient. Mr. Page noted that any other use would have to come before the Planning Board and Town Council. Mr. Rothrock confirmed. Mr. Rothrock said it is wise to include language in the draft ordinance that the it is hotel use only. Mr. Page asked if this is acceptable to the applicant. Mr. Gaston confirmed.

*Mr. Gherini made a motion to approve with the additional condition that the property use must remain a hotel, seconded by Mr. Page. **All members were in favor of the motion.***

## **New Business**

Mr. Hubble said the Planning Board subcommittee, and the entire Board, put much effort into reviewing the Land Use Code and these efforts were dismissed by the Town Council. Mr.

Hubble thinks this needs to be addressed again. Mr. Gherini asked if this will be addressed at the Town Council retreat.

Mr. Rothrock said the Comprehensive Plan is at the mid-point and added that there is a lot of work to be done on the Land Use Code, some of which is to comply with state statutes. Mr. Rothrock reiterated that a draft ordinance for the downtown Central Business district was presented, but not approved. Mr. Rothrock said that draft ordinance suggested the 75% green space requirement be reduced to 40% because 75% can be difficult to achieve. Mr. Rothrock said his interpretation of the 75% green space requirement is because he was part of the process when the ordinance was written and understands the intent. Mr. Rothrock emphasized that this language does need to be clarified.

Mr. Hubble asked who takes the lead on this, noting that the Town Council dismissed the last revision. Mr. Gherini asked Mr. Rothrock if this and the Comprehensive Plan will be discussed at the Town Council retreat. Mr. Hubble said, with all due respect, there is too much going on at the retreat for this to be addressed. Mr. Hubble said perhaps this should be the purview of the Town Council and not the Planning Board. Mr. Rothrock said that both the Planning Board and the Town Council should look for 'holes' in the Land Use Code, adding there are several things that need to be addressed and things that must be addressed to meet state statutes.

Mr. Page said, for the people here tonight, that it is not hard to imagine the frustration of the sub-committee to develop code revisions that were dismissed, without an option to work on the revisions, by the Town Council. Mr. Page added these efforts included walking Main Street, taking pictures and having Mr. Rothrock go through buildings with them to try to grapple with the 75% rule and where it was applicable, where it was not applicable and why. Mr. Page said that they came up with something that was at least an approach to the problem, and rather than having that approach to the problem worked with or massaged, it was simply stated that it was not being pursued. Mr. Page said he thinks that the Planning Board and Town Council have to, as Mr. Harwood suggested, work together more closely because simply slamming the door on the work that was done by a lot of people makes it difficult for this Planning Board to take on that responsibility again.

Mr. Hubble said that parking and building height both need clarification. Mr. Rothrock confirmed and stated both need to be very plainly spelled out. Mr. Page noted that 'grandfathered' parking spaces needs to be addressed as well. Mr. Rothrock concurred.

Mr. Hubble suggested asking the Town Council if they want the Planning Board to undertake an exhaustive review of the Land Use Code. Mr. Page suggested that the Planning Board ask the Town Council to be specific in what they would like the Planning Board to do and give parameters so that when the Planning Board goes back to the Town Council there is a pretty clear understanding of what the Planning Board was supposed to do, so that in some sort of synergistic way they can work together.

Mr. Gherini echoed Mr. Page's comments about the process being frustrating after months of work and then see it go nowhere. Mr. Gherini asked Mr. Harwood and Commissioner Yount to give this some thought so that the Planning Board is not spinning its wheels. Mr. Page said when the Town Council did not adopt the revised ordinance, he felt like the door was closed without much feedback from the Town Council. Mr. Page said that feedback would have been helpful in this process.

**Other Business**

Mr. Gherini said he wanted the Winkler family to know they are thinking of them and Mr. Winkler and wishing good health to Mr. Winkler. Ms. Jan Winkler thanked Mr. Gherini and said that Mr. Winkler was doing well.

Mr. Rothrock updated the Board on the nearly complete Sunset Drive streetscape project. Mr. Rothrock said the pavement would be striped next week and the project will be completed on time.

*Mr. Page made a motion to adjourn, seconded by Vice Chairman Carter. **All members were in favor of the motion.***

Vice Chairman Carter adjourned the meeting at 6:15 p.m.

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Vice-Chairman Wes Carter

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Tammy Bentley  
Planning & Zoning Support Specialist