

## Planning and Zoning Board

### Minutes

**Thursday, April 17, 2003**

The Blowing Rock Planning and Zoning Board met for the regular scheduled meeting on Thursday, April 17, 2003. The Board met at 6:30 p.m. at Twig's Restaurant to look at signs that are below the highway grade. Chairperson Susie Greene called the meeting to order at 7:00 p.m. when they returned from their site visit. Members present were Bill Parker, Dennis Quinn, Ron Oberle, Jim West, George Snyder, Albert Yount, and new member Ron Mace. Absent were Cobb Milner and Paul Peterson. Staff present was Scott Hildebran, Town Manager, Marion Rothrock, Town Engineer, Kevin Rothrock, Planning Director and Sonya Long, Administrative Assistant.

Chairperson Greene stated that Mr. Ron Mace would be the new Extra Territorial Jurisdiction member. Ms. Long swore in Mr. Mace.

*Mr. Parker made a motion to approve the minutes as submitted, seconded by Mr. Quinn. All were in favor of the motion.*

### **Business**

#### **Conditional Use Permit #2002-02 - Carolina West Wireless**

Mr. Rothrock reported that Carolina West made a mockup of the proposed antenna structure on the top of the Dollar General at the Blowing Rock Shopping Center on April 15<sup>th</sup>. Several Board members did attend.

Mr. Rothrock reported that Carolina West has submitted a revised plan for a 13-foot alternative tower structure on the roof of the Dollar General Store in the Blowing Rock Shopping Center located at 7533 Valley Blvd. The property is zoned General Business. The Town Council asked that Carolina West look at other possible sites for a cell tower location and then re-submit a tower proposal using stealth technology. The Town Council reviewed a revised proposal on April 8, 2003 and referred it to the Planning Board for review and recommendation.

Mr. Rothrock stated the equipment building is proposed to house the electronics for the antenna and is proposed to match the ATM building that is located in the shopping center parking lot. The applicant should provide a landscape plan that provides some screening of the equipment building similar to the ATM building.

Mr. John McMillian, General Manager of Carolina West Wireless was present. He stated that Carolina West Wireless attempted to honor the request of the Town Council from previous meetings. Mr. McMillian pointed out that the proposal would be less visible and smaller in size. The proposal would hide the antennas behind some type of structure with a chimney type appearance. This same concept has also been done in Boone using a black cylinder to hide the antennas. Mr. McMillian showed several examples.

Mr. Snyder asked about the coverage maps and how they were generated. Mr. McMillian stated they were computer generated and not 100% accurate but about 95% accurate. He also pointed out that there would not be room for other providers but they could locate on the same roof.

Mr. Parker stated the new proposal seems to meet the location and design standards but the health concerns were still not addressed. Mr. McMillian stated that the engineering firm takes the antenna's uses and comes up the calculations that are required by the FCC to make sure they fall in their guidelines.

Mr. Al Rapp, adjoining property owner to the Blowing Rock Shopping Center spoke next. He stated that the Federal Act is very clear that you can not deny Carolina West the permit for health reasons, no matter what the people think.

Mr. Rankhorn also with Carolina West stated the electronic building would be a standard building with a small gravel stone finish. Mr. Rothrock explained that it was discussed on site that the structure on top of the building have the same exterior look (stone) as the pillars on the front of the building. Mr. Oberle stated that it was also discussed on site that the same wood siding as is on the shopping center building be used.

*Mr. Snyder stated he would like to see the project go forward as presented with the square chimney look and the same exterior with a painted finish to match the shopping center and the electronic building exterior to match the ATM building, and therefore made that his motion, seconded by Mr. Parker.*

Mr. Rapp had several questions for the applicant. Mr. McMillian stated that there would be both digital and analog antennas, with a total of four (4) antennas. He explained there would not be enough room for additional antennas. He explained the antennas would point in the direction of the Blowing Rock Hospital and towards Shoppes on the Parkway. Mr. Rapp seemed to be satisfied with the answers to his questions.

Mr. Quinn stated that the black chimney blended in better and was less intrusive with Mr. Parker and Mr. Mace agreeing.

Chairperson Greene stated that Mr. Snyder had a motion on the floor. **All were in favor of the motion.**

#### **Conditional Use Permit #99-04 – Major Amendment - Blowing Rock Community Arts Center**

Mr. Rothrock stated that the Blowing Rock Community Arts Center was requesting a major amendment to their conditional use permit for the proposed Community Arts Center building. The request is to increase the overall height of the stage house from 58 feet to 64 feet, to modify the exterior architectural features of the building, and to remove the proposed porte-cochere at the building entrance. Mr. Rothrock reported that there had been a balloon test done on April 17<sup>th</sup> to show the height of the building.

The applicant provided a cross section of the building to explain the need for the increase in the overall height. The porte-cochere has been replaced with a second floor for actor dressing rooms. The architectural features of wood siding with the overhang brackets and stone work have been retained to match the original approved building. A balloon test to evaluate the additional roof height from surrounding properties was done on Thursday, April 17, 2003 and those pictures were shown on the bulletin board.

Chip Williamson, president of the Board of Directors spoke on behalf of the group. He explained that the first architect was hired to design a 26,000 square foot building and was designed over budget. The Board then decided to hire a group out of Charlotte with the hopes of getting the building back on budget. In doing that, they moved the second stage to the front to cut cost and removed the porte-cochere. In the latest revision, they tried to keep the architectural features that were proposed in the first proposal.

Mr. Parker stated that he did not have a problem with the height request because it is so small compared to the overall size of the building. Mr. Oberle agreed.

Mr. Quinn questioned if they could place some of the building underground so that it is not such an impact on the property. Mr. Williamson stated that there was too much rock on that property and the cost of the project would increase considerably. Mr. Terry Lenzie, architect for the project stated that currently the detention and the basement were underground and to go down further would cost up to a million dollars. Ms. Kim Johnson, Board of Directors, stated they had gone down 19 feet from the original grade.

*Mr. Parker made a motion to recommend approval of the amendment as presented, seconded by Mr. Snyder.*

Ms. Mariann Clawson, adjoining property owner, stated that the value of her property would be decreased because of the height and size of the building.

*With no further comments, the motion was voted upon. In favor of the motion were Mr. Parker, Mr. Snyder, Mr. Oberle, Mr. West, Mr. Mace, and Mr. Yount. Against the motion was Mr. Quinn. **Motion carried.***

### **Sign Ordinance Amendments**

Mr. Mace excused himself from discussion due to conflict of interest. *Mr. Parker made a motion to excuse Ron Mace from discussion, seconded by Mr. West. **All were in favor.***

The Board was all in favor of Mr. Mace excusing himself from discussion.

Mr. Rothrock stated that the first ordinance proposes to increase the allowable overall height of column freestanding signs to compensate for the difference in the elevation of the subject property and the elevation of Highway 321 by-pass. This ordinance discussion was tabled from the March meeting. Mr. Rothrock pointed out the chart that was included in their packets, which would help determine the maximum allowable height in column signs.

The Board discussed the chart which showed how much the sign could be increased where the average ground elevation of the proposed sign location is 10 feet below the road elevation of Highway 321 by-pass.

*With no further discussion, Mr. Yount made a motion to forward the first Sign Ordinance Amendment to Town Council as written, seconded by Mr. West.*

*The Board asked that in paragraph (a) the "10 feet" be omitted and add the word "edge" before elevation.*

**All were in favor of Mr. Yount's motion.**

Mr. Rothrock reported that the second ordinance proposal would be to increase the allowable size of freestanding signs in the General Business District along Highway 321 and Highway 321 by-pass. Where the posted speed limit is greater than 35 mph, the allowable size may be increased to 60 square feet. The maximum size for freestanding signs in the General Business District is currently 45 square feet.

*With little discussion, Mr. Snyder made a motion to forward the second Sign Ordinance Amendment to Town Council as written, seconded by Mr. Parker. **All were in favor of the motion.***

Mr. Rothrock explained that in Section 16 (282) (B) of the Blowing Rock Town Code the appropriate sign materials, colors, and message are listed. The Town has consistently approved signs that utilize sign foam and other wood-like materials. The Town Hall sign is made of sign foam. These materials look like sandblasted wood and usually last longer. He also added that we allow some signs to have a metal structure to hold the sign if it meets the character of the code.

Mr. Rothrock proposed to add to that section the following "as well as other materials that have the appearance of sandblasted or carved wood and individual letters including high-density sign foam and similar materials" and "Other sign and structure materials considered consistent with the mountain resort character may be approved specifically by the Administrator."

Mr. Parker was concerned with the last added sentence. He stated that it was too flexible and how could someone determine if it met the mountain resort character. Mr. Oberle suggested that sentence be deleted. Mr. Rothrock stated that most of the code is up to interpretation.

*Mr. Parker made a motion to forward the third Sign Ordinance Amendment to Town Council but to delete the last sentence, seconded by Mr. Oberle. All were in favor of the motion.*

Mr. Yount asked staff to see if the Town could decide where drink machines could go and if they could be included in the enforcement. Mr. Hildebran stated staff was checking into it.

### **Draft Amendment to Cellular Tower Ordinance**

Mr. Rothrock stated that Town Council asked the Planning Staff to draft an ordinance amendment that would require any new commercial telecommunication towers or antennas demonstrate improved cellular service coverage to areas within the Town's corporate limits or Extra Territorial Jurisdiction area. This proposed amendment would be condition of approval as outlined in Section 16-289.06 Tower Approval Standards.

*With little discussion, Mr. West made a motion to recommend approval of the draft ordinance as written but to insert the word "in" and delete "of" before "Blowing Rock", seconded by Mr. Parker.*

Mr. Oberle commented that to him this ordinance meant nothing unless some type of standards was included. Mr. West stated that would be up to the applicant to prove.

*Mr. West amended his motion to included "substantial" after "provide" in the proposed text. Mr. Parker seconded the amendment. All were in favor of the motion.*

### **Discussion of Off Premise Signs**

Mr. Rothrock stated that there has been some discussion regarding off premise signs and the enforcement of the removal of those signs. Mr. Rothrock used Possum Hollow Antiques as an example. He stated Mr. Klutz had to remove that sign since it was off premise. This sign was located on the corner of Highway 321 and Possum Hollow. The Planning Staff is looking into asking the Department of Transportation about allowing some type of sign in the right of way where Mr. Klutz's sign was before. Mr. Rothrock stated that the DOT currently has a program called "Tourist Oriented Directional Signs", which are a lot like the directional signs on interstate exit ramps.

Mr. Klutz stated that he put his sign up in 1975 and it originally had four businesses on the sign. He explained because he is out of the city limits he had not received a letter from the Planning office regarding the grandfather period. Because of his business being off the main highway he didn't get the same exposure that other businesses in Blowing Rock get. Mr. Klutz stated he had read the Town's Sign Ordinance and there is no solution to his particular situation.

Mr. West suggested the Town propose to D.O.T the same town sign's we currently have on the street corners that identify the businesses on that street. Mr. Rothrock stated that is what is being proposed. Mr. Hildebran added that D.O.T had sent out a letter stating they would be taking down all signs that are in the D.O.T right of way and the Town Council was considering removing the signs on the street corners.

Mr. Klutz stated he had spoken with D.O.T about their new program and was on the list. He would be allowed four different signs and if approved those signs would not fit into the character of the town and he really didn't want to do that if the town could help find a solution.

Chairperson Greene recommended staff continue their discussions with the Department of Transportation and notify Mr. Klutz as to what can be done. Mr. West also suggested pursuing off premise Town business directional sign in the D.O.T right of way.

### **Real Estate and Restaurant Information/Message Boards**

Mr. Rothrock stated that at the last Town Council meeting this issue was addressed. The proposal in the packet is a little different than what Town Council proposed. Town Council proposed including the new text in the Commercial Design Standards. Mr. Rothrock showed the Board examples of what might be allowed.

Councilman Wray was present and stated that Town Council asked staff to propose that real estate and restaurant signs be included in the outside display section of the code. He used Blowing Rock Realty as an example stating they could potentially put in 40 square feet of window space in her building and display pictures of real estate. That would change the character of that building.

Councilman Tester was also present stating the minutes from the last Town Council meeting would show that the motion was to take the display boards out of the sign ordinance because they are not signs, they are boards to display a product that is for sale. We asked that this be put in the commercial design ordinance and define the specs in that part of the ordinance.

Ms. Glenn with Blowing Rock Realty stated that message boards have different characteristic than signs, no name of the business on them therefore shouldn't be regulated as a sign.

Mr. Tester suggested the Planning Board review the minutes from the Town Council meeting and then make a recommendation.

*Mr. Oberle made a motion to table this discussion until next month, seconded by Mr. Quinn. All were in favor of the motion.*

### **Comprehensive Plan Discussion and Update**

Mr. Rothrock pointed out that the Mission Statement for Transportation had been revised. The last two statements for the Board's review are Regional Cooperation and Plan Implementation and Management. The Board agreed to accept the new Mission Statement.

### **Regional Cooperation**

Chairperson Greene recommended that #2 should be deleted since #1 and #3 covered it.

*Mr. Parker made a motion to include #1 and #3 and delete #2 under Regional Cooperation. All were in favor of Mr. Parker's motion.*

### **Plan Implementation and Management**

*Mr. West recommended deleting numbers 1 and 4, make it ten (10) years in #7 and changing the word "radically" in #5 to "significantly", seconded by Mr. Snyder. All were in favor of the motion.*

Mr. Rothrock pointed out that each of these items would have a Mission Statement included.

*Mr. Oberle made a motion to leave #8 and #9. All were in favor of the recommendation.*

## **B. Financial Support**

*Mr. Quinn recommended keeping the first sentence and deleting the rest of the paragraph, seconded by Mr. Parker. All were in favor of the recommendation.*

## **Other Business**

Chairperson Greene stated she would not be at the next meeting. She would contact Mr. Peterson on chairing the next meeting. Mr. Yount agreed to chair if Mr. Peterson was not able to.

## **Adjourn**

With no further business, the Board adjourned at 9:45 p.m.

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Susie Greene, Chairperson

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Sonya Long, Administrative Assistant