



Town of Blowing Rock

Date: **Tuesday, April 9, 2019**

Time: **6:00 p.m.**

Location: **Town Hall, 1036 Main Street,
Blowing Rock, NC 28605**

Agenda

<i>Item</i>		<i>Present & Participants</i>
I.	CALL TO ORDER	Mayor Charles Sellers
II.	PLEDGE OF ALLEGIANCE	Mayor Charles Sellers
III.	CONSENT & REGULAR AGENDA ADOPTION	Mayor & Council
IV.	MINUTE APPROVAL: 1. March 5, 2019 Special Meeting (Open& Closed) 2. March 8, 2019 Special Meeting 3. March 12, 2019 Regular Meeting (Open & Closed) 4. March 16, 2019 Special Meeting (Open & Closed) 5. March 18, 2019 Special Meeting (Open & Closed)	Mayor & Council
V.	PUBLIC COMMENTS... <i>comments shall be limited to three (3) minutes</i>	Public
VI.	PUBLIC HEARING... QIASI-JUDICIAL): CUP 2019-01 RAINY LODGE HEARING	Planning Director Kevin Rothrock, Mayor & Council
VII.	BUSINESS MATTERS: 2. Public Art Display Requests A. ASU Rosen Sculpture Program – Articulated History Sculpture Display B. Chetola Resort – Share the Whirled Sculptured Display 3. Financials: Monthly Report 4. Downtown Vision & Hwy 321 Bypass/Valley Blvd: Ad Hoc Committee Composition	P & R Director Jennifer Brown P & R Director Jennifer Brown Finance Officer Nicole Norman Council Member Sue Sweeting
IX.	ADJOURNMENT/RECESS... <i>Mayor Charles Sellers entertains a motion and second to adjourn or recess the meeting.</i>	



Town of Blowing Rock

Agenda Communiqué

To: Charles Sellers, Mayor
Town Council Members
Allen Mosley, Town Attorney

From: Jim Freeman, Interim Manager
Hilari Huber, Town Clerk

CC: Department Heads

Date: 9 April 2019

Re: Council Agenda Meeting – 6:00 pm, Tuesday, 9 April 2019

I. CALL TO ORDER:

Mayor Charles Sellers will call the meeting to order.

II. PLEDGE OF ALLEGIANCE:

Mayor Charles Sellers will either lead or call upon another in reciting the Pledge of Allegiance to the Flag.

"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

III. CONSENT & REGULAR AGENDA ADOPTION:

The Town Clerk respectfully submits to Council, the Regular Agenda and the below Consent Agenda Item Exhibits, of which the Council is thought to be in general agreement and garner little public interest and/or controversy. These items may be voted on as a single group without Council discussion or, "if so desired", Council may vote to remove any item(s) from the consent agenda and place same on the regular agenda for discussion and consideration.

Consent Item #A	Utility Service Company (Suez) 20 July 2001 Contract: 90-Day Anniversary Date Termination Notification and authorization to utilize an engineer firm if so needed.
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Consent Item #B	BRAHM August Event Request: Town Parking Deck Area
Consent Item #C	Interlocal 1 July 2012 Governmental Agreement Watauga Co. and Town of Blowing Rock Consolidation of 9-1-1 Dispatch Services 12 Month Termination Notice

Action: Either as a group motion or individually, a Council member motion and second are being sought as to approving the following agenda matters:

- A. Unless Council desires to remove a consent agenda item and place on regular agenda, a Council member motion and second to approve of all the consent agenda items (**Exhibit Items #A - #C**) without discussion; and
- B. A Council member motion and second to approve this evening's Regular Agenda Items.

Town Manager's Opinion: Council may by majority vote add items to or subtract items from both the proposed consent and regular agenda. As of this writing, the manager understands that the presented consent agenda items are routine and therefore concurs with adopting the presented consent agenda.

IV. MINUTE APPROVAL:

The Town Clerk respectfully submits to Council the below listed regular, special and/or closed meeting minutes for Council consideration:

Minutes Item #D	March 5, 2019 Special Council Meeting Open and Closed Minutes
Minutes Item #E	March 8, 2019 Special Council Meeting Minutes
Minutes Item #F	March 12, 2019 Regular Council Meeting Open and Closed Minutes
Minutes Item #G	March 16, 2019 Special Council Meeting Open and Closed Minutes
Minutes Item #H	March 18, 2019 Special Council Meeting Open and Closed Minutes

Action: Either as a group motion or individually, a Council member motion and second are being sought as to approving the Town Clerk's presented Minutes as is or as may be amended.

Town Manager's Opinion: Per NCGS 160A-72, "Full and accurate minutes of council proceedings..." generally do not need to be verbatim unless Council conducts a "quasi-judicial" (legal) proceeding. The minutes must record the full text of the motion (incl. resolutions and ordinances) along with each governing body's vote and any condition that is required before an action is validated.

V. PUBLIC COMMENTS:

If any citizen wishes to address the Town of Blowing Rock Council during this “Public Comments” segment of this meeting, they may do so by signing up prior to the beginning of the meeting. The Town Clerk shall provide the sign-up sheet, which lists the name and address. It should be noted that comments shall be limited to three (3) minutes. Speakers for Public Hearing matters do not need to sign up. Council reserves the right not to act on requests first presented this evening during public comments.

VI. PUBLIC HEARING (QUASI-JUDICIAL): CUP 2019-01 RAINY LODGE

Item #1. CUP 2019-01 Rainey Lodge Hearing

Referencing the Planning Staff’s report (**Exhibit #1A**), please find provided the Planning Board’s review recommendation regarding the Rainey Lodge Conditional Use Permit (CUP) Application 2019-01. After both staff research and March 21st Planning Board review, the Planning Board recommends said CUP permit approval with a condition. *“That condition being that the architectural plan complies with the 50% window/door area as required by the Land Use Code and it is consistent with the NC Building Code.”*

Generally, Grand Dakota Development, LLC is requesting a conditional use permit to construct a 40-room hotel with restaurant, bar and surface parking. The property is located at 159 & 167 Rainey Street, but is also located off Hwy 221 and Morningside Drive. The property is zoned CB, Central Business. Much of the subject property is in the WS-IV-PA water supply watershed. The property is further identified by Watauga County PINs 2807-98-0716-000, 2807-98-1850-000 and 2807-98-0826-000.

In preparation of the hearing, all Council members received the full application and staff research on April 4th. Also, Planning Director Kevin Rothrock provides background information and related attachments on this presented CUP application.

Request:

- (a) Prior to formally opening this “quasi-judicial” hearing and pursuant to NCGS 160A-388(e)(2), Mayor Sellers provides an opportunity for governing body members to disclosure if they gathered/received prior information/conversation regarding the subject hearing matter being consider; and
- (b) Upon opening the hearing, Mayor Sellers is to announce that speakers are to first to take an oath, administered by the Town Clerk before testifying on this evening’s hearing matter; and
- (c) Mayor Sellers will then call (under oath) upon Planning Director Kevin Rothrock and/or applicant to present said hearing subject matter, along with responding to Council questions; and
- (d) Mayor Sellers is to open the floor for public comments with the applicant being invited first to comment; and
- (e) Upon receiving no further public comments, Mayor Sellers is to close the formal public hearing procedure; and

- (f) Solicit comments from the Council and refer any legal questions to the Town Attorney; and thereafter,
- (g) Based upon hearing presentation testimony and conditional use permit conditions set forth in the ordinance, a Council motion and second is sought as to considering if the presented application satisfies conditions of the CUP (approve) or not (Exhibits #1B).

City Manager's Opinion: Per conference with the Town Attorney, the scheduled public hearing process for this “quasi-judicial” is in order and Council may proceed with said public hearing. Being a “quasi-judicial” evidence gathering hearing, the interim manager does not provide an opinion as of this writing.

VII. BUSINESS ITEMS:

Item #2. Public Art Display Requests

A. ASU Rosen Sculpture Program – Articulated History Sculpture Display

Please reference Blowing Rock Art and History Museum Director Lee Carol Giduz Public Art Application to display an art sculpture in front of BRAHM's Museum building (**Exhibit #2A.1**). The sculpture was awarded to BRAHM for 2019 through the Rosen Sculpture Program at ASU and if Council approved be displayed for one (1) year.

The Blowing Rock Appearance Advisory Commission (BRAAC) met on April 2nd and agreed in submitting an approval recommendation to Council. As part of such recommendation, BRACC requests that BRAHM install a sign to discourage people that may attempt to climb the sculpture.

Request: A Council motion and second is requested to either approve or disapprove of BRAAC's presented recommendation to display the Articulated History Sculpture on Town property in front of the Museum (**Exhibit #2A.2**)

Town Manager's Opinion: The requirements of the Town's Art Policy have been met. The Interim Manager recognizes it is in Council's authority to either approve or disapprove of the request. Thereby, offers no opinion.

B. Chetola Resort – Share the Whirled Sculpture Display

Please reference Chetola Resort Owner Kent Tarbutton Public Art Application to display an art sculpture along the Main Street right-of-way close to Chetola Lake (**Exhibit #2B.1**). As aware, NCDOT allows the Town to regulate Art displays along their rights-of-way in Town limits. If Council approved, the loaned display be displayed for one (1) year.

The Blowing Rock Appearance Advisory Commission (BRAAC) met on April 2nd and agreed in submitting an approval recommendation to Council.

Request: A Council motion and second is requested to either approve or disapprove of BRAAC's presented recommendation to display the Share the Wind Sculpture (**Exhibit #2A.2**).

Town Manager's Opinion: The requirements of the Town's Art Policy have been met. The Interim Manager recognizes it is in Council's authority to either approve or disapprove of the request. Thereby, offers no opinion.

Item #3. Financials: Monthly Financial Report

Finance Director Nicole Norman shall appear before Council this evening to present the closed-out March 2019 Budgeted General and Utility Fund monthly financial report (**Exhibit #3A**). Please find noted in the Financial Report narrative, staff is engaged in on-going discussions with the Town's Bond Council and Financial Advisor. While no action is necessary at this time, the Board's questions and comments are solicited and welcomed.

Request: No action necessary.

City Manager's Opinion: The interim manager concurs with the financial report as presented.

Item #4. Downtown & Hwy 321 Visioning: Ad Hoc Committee Composition

Per Council's March 12th meeting direction (**Exhibit #4A**), appointed Chairperson/Council Member Sue Sweeting solicited for Ad Hoc committee candidates (**Exhibit #4B**). Generally, it was understood that said committee's purpose is to develop a scope of services to pursue consultant services for a Downtown and Hwy 321 Vision Plan. The results of the solicitation are being presented for Council's consideration at this evening's meeting. Also, Chairperson Sweeting suggests that said committee should not exceed seven (7) members.

Request: A motion and second is requested by Council to approve of presented individual named candidates to serve on the (*Recommendation or Decision*) created Downtown and Hwy 321 Vision Ad Hoc Committee.

Town Manager's Opinion: Referencing in part a February 24, 2010 NC School of Government posted Blog on Answers to Questions About Committees: "*These groups may be given a range of tasks, from simply studying issues, to making recommendations, to developing policies or plans, and even in some cases, taking final action on matters, as authorized by the board or as provided by law.*" Regardless that one elected would serve as ex-officio facilitator, three (3) elected are being proposed and said committee is considered a public decision-making body. Whereby, the committee would be able to act on behalf of the full Council and subject to the Open Meetings Law. Granted, such is not illegal if the Open Meetings Law and related Town Code/Policies are followed. Thereby, it is the Interim Manager's opinion, that Council should clarify its intent and/or authority of said created Ad Hoc Committee. Will the committee simply be to provide recommendation only to full Council or have authority to expend funds, engage agreement services (i.e. consultants) or make decisions that normally be presented at Council meetings?

VIII. OFFICIALS REPORTS & COMMENTS

- a. Mayor: At this time, Mayor Charles Sellers may report/comment on items of the Town of Blowing Rock's interest.

- b.** Council Members: At this time, Mayor Sellers shall call upon Council members who would like to report on any related Town interest.
- c.** Town Attorney: At this time, Town Attorney Allen Mosley is provided an opportunity to report on any related Town business matters.
- d.** Town Manager: At this time, Interim Town Manager Jim Freeman may be called upon for a report or be asked for Departments response to questions noted in their submitted Department Reports

IX. ADJOURNMENT/RECESS

Mayor Charles Sellers entertains a motion and second to adjourn or recess this evening's meeting.

Town of Blowing Rock
Request for Council Action

FROM: Jim Freeman, Interim Town Manager
SUBJECT: Water Tank Maintenance Contract
TO: Mayor and Council
DATE: April 9, 2019
REQUESTED BY:

Public Hearing Yes No Not required NA
Properly Advertised Yes No Not required NA

BACKGROUND:

The past 18 years we have used this company for our inspections and maintenance. It is now time the Town reassess our contracted facility maintenance needs and determine how best to handle in the future. Upon cancellation, in the interim staff would utilize the services of an engineering firm if so needed.

ATTACHMENTS:

Draft Letter to Utility Service Co., INC
Utility Service Co., INC Contract

STAFF RECOMMENDATION:

Cancel current contract.

DRAFT

April __, 2019

Utility Service Co., Inc.
Suez Environment
535 Courtney Hodges Blvd.
PO Box 1350
Perry, Georgia 31069

Re: Town of Blowing Rock, NC
Water Tank Maintenance Contract: July 20, 2001
500,000 Gallon Clearwell Tank

Dear Sir:

Referencing the above subject matter, please be notified of the Town of Blowing Rock, North Carolina intent to cancel said contract on July 20, 2001. This notification is being provided at least ninety (90) days prior to the July 20th anniversary date of the contract and by way of registered mail.

We appreciated many of the past eighteen (18) years of service with Utility Service Co. However, it is now time that we reassess our contracted facility maintenance needs and determine how best to handle in the future.

Sincerely,

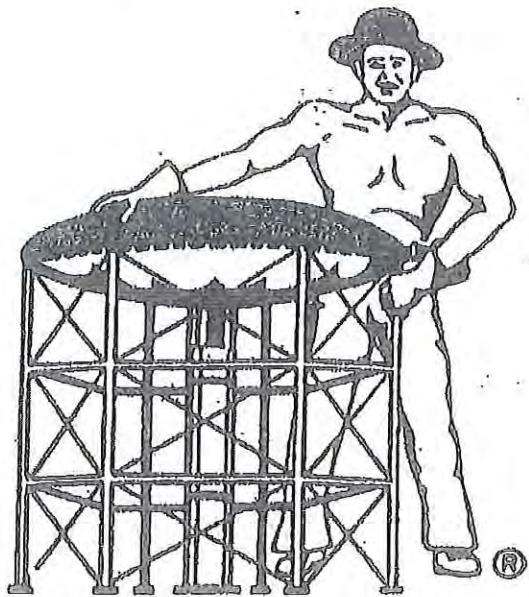
Jim Freeman
Interim Town Manager

Cc: Governing Body
Matt Blackburn, Interim Public Works Director
Douglas "Toby" Lee, Operator Responsible in Charge (ORC)

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#2976

ORIGINAL

UTILITY SERVICE CO., INC.
LIMITED
**WATER TANK MAINTENANCE
CONTRACT**



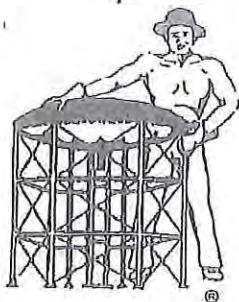
Owner TOWN OF BLOWING ROCK, NORTH CAROLINA

Tank Size 500,000 GALLON (CONCRETE G.S.T.)

Location CLEARWELL TANK

Date July 20, 2001

Attach #2A



UTILITY SERVICE CO., INC.

535 Courtney Hodges Blvd.
P.O. Box 1354 • Perry, GA 31069

Phone (478) 987-0303 Fax (478) 987-2991
(800) 223-3695 www.utilityservice.com

WATER TANK MAINTENANCE CONTRACT

This agreement entered into by and between TOWN OF BLOWING ROCK, NORTH CAROLINA hereinafter known as the Owner, and Utility Service Co., Inc. hereinafter known as the Company.

The Owner agrees to employ the Company to provide the professional service needed to maintain its 500,000 gallon water storage tank located at CLEARWELL TANK.

This agreement binds the Company to total responsibility for the care and maintenance of the above described water storage tank. Care and maintenance shall include but not be limited to the following:

The Company will annually inspect and service the tank beginning in the year 2001. The tank and tower will be thoroughly inspected to assure that the structure is in a sound water tight condition.

Biennially, beginning with the first washout/inspection in 2001, the tank will be completely drained and cleaned to remove all mud, silt, and other accumulations that might be harmful to the tank or its contents. This cleaning will utilize high pressure equipment with chemical injection. After cleaning is completed, the interior will be thoroughly inspected and disinfected prior to returning to service.

The Company will clean and repaint the exterior of the tank at such time as complete repainting is needed. The need for exterior painting to be determined by the appearance and protective condition of the existing paint.

When painting is needed, all products and procedures will be equal to, or exceed the requirements of the STATE OF NORTH CAROLINA, the American Water Works Association, and the Steel Structures Painting Council as to surface preparation, coating materials, and disinfection.

At the time the exterior requires painting, the Company agrees to utilize a coating system which best suits the site conditions, environment, and general location of the tank.

The Company will install an anti-climb device on the access ladder to prevent unauthorized persons from climbing the tower.

A lock will be installed on the roof hatch of the tank to prevent any unauthorized entry to the water tank. Keys to the tank will be retained by the Owner and the Company.

The Company will provide emergency service to handle any problems with the tank at no additional cost to the Owner. Reasonable travel time must be allowed for the repair unit to reach the tank site.

The Company will furnish relief valves, if needed, to install in the water system so the Owner can pump direct and maintain water pressure while the tank is being serviced.

The Company will furnish current certificates of insurance coverage to the Owner at the time any work is performed, or upon renewal of any policy.

The Owner shall have the right to continue this contract for an indefinite period of time providing the annual fee is paid in accordance with the terms of payment. A base fee of \$ 5,460.00 has been established for this tank. THIS BASE FEE BEGINS IN THE YEAR 2004.

SEE ADDENDUM NO. 1 FOR YEARS 2001, 2002, AND 2003.

In year 2007 and each third year thereafter, the annual fee will be adjusted to reflect the current cost of service. The adjustments, either up or down, shall be limited to a maximum of 5% annually.

It is agreed that future mandated environmental, health, or safety requirements which cause significant changes in the cost of tank maintenance will be just cause for modification of this agreement. The Company is accepting tank under program based upon existing structure and components [ANY MODIFICATIONS, INCLUDING ANTENNA INSTALLATIONS, MUST BE PRE-APPROVED BY UTILITY SERVICE CO., INC.] This contract does not include the cost for containment or disposal of any hazardous waste materials, nor resolution to operational problems due to cold weather, Acts of God, or other conditions which are beyond the Owners and Company control.

This contract is subject to cancellation by the Owner only if intent to cancel is received by Company ninety [90] days prior to the anniversary date. Notice of Cancellation to be delivered by registered mail and signed by the Town Manager or authorized party.

This Agreement signed this 20th day of July, 2001.

OWNER:

TOWN OF BLOWING ROCK, NC

Don E. Howcross

by Don E. Howcross, Town Mgr.
title

witness Barbara G. Beach

UTILITY SERVICE CO., INC.

Carl Cummings

by CARL S. CUMMINGS, PRESIDENT
title

witness Regina J. Arthur

seal:

seal:

Addendums to Contract Number 500,000 CONCRETE GST, Dated 7-20-01

No. 1

This tank shall receive an exterior renovation and washout in the Year 2001. The annual fee for Year 2001 is \$16,707.00. The annual fee for Years 2002 and 2003 is \$8,845.00 per year. Beginning in Year 2004, this tank shall be placed under limited program at the established base fee of \$5,460.00.

Utility Service Co., Inc.
by Carl Stevens
date 7-19-01
witness Regina J. Arthur

Owner Town of Blowing Rock, NC
by Don E. Holyocean
date 7-20-01
witness Barbara G. Beach

No. 2

PAYMENT TERMS: The first year's annual fee for this tank is due and payable December 1, 2001. Thereafter, the annual fee is due December 1 of each consecutive year.

Utility Service Co., Inc.
by Carl Stevens
date 7-19-01
witness Regina J. Arthur

Owner Town of Blowing Rock, NC
by Don E. Holyocean
date 7-20-01
witness Barbara G. Beach

No. 3

Should the Town of Blowing Rock, North Carolina elect to cancel this agreement prior to remitting the first three [3] annual fees, then the balance of the first three [3] annual fees shall be due and payable within thirty [30] days of notice to cancel.

Utility Service Co., Inc.
by Carl Stevens
date 7-19-01
witness Regina J. Arthur

Owner Town of Blowing Rock, NC
by Don E. Holyocean
date 7-20-01
witness Barbara G. Beach

Addendums to Contract Number 500,000 CONCRETE EST, Dated 7-20-01

No. 4

As a result of this vessel being a concrete structure, this agreement excludes interior renovations and structural repairs. During interior washout/inspections, the Town of Blowing Rock will be furnished with a detailed report on conditions. If conditions warrant, Utility Service Co., Inc. shall submit a proposal for structural repair or renovation. The Town of Blowing Rock is under no obligation to accept this proposal as part of this agreement.

Utility Service Co., Inc.
by Cal Hennings
date 7-19-01
witness Regina J. Arthur

Owner Town of Blowing Rock, NC
by Don E. Holycross
date 7-20-01
witness Barbara G. Beach

No. 5

Exhibit "A" is hereby incorporated and made a part of this contract.

Utility Service Co., Inc.
by Cal Hennings
date 7-19-01
witness Regina J. Arthur

Owner Town of Blowing Rock, NC
by Don E. Holycross
date 7-20-01
witness Barbara G. Beach

No. 6

Exterior paint color for this tank must be approved by the Blue Ridge Parkway and the Town of Blowing Rock, North Carolina.

Utility Service Co., Inc.
by Cal Hennings
date 7-19-01
witness Regina J. Arthur

Owner Town of Blowing Rock, NC
by Don E. Holycross
date 7-20-01
witness Barbara G. Beach

EXHIBIT "A"

INTERIOR WASHOUT INSPECTION AND REPORT (2001)

1. The interior of each tank will be cleaned using a pressure washer to remove all mud, silt, and foreign sediment.
2. The tank will then be inspected on the interior surfaces to determine the exact condition.
3. Photographs documenting all findings shall be taken and submitted for the Owner's records.
4. After all inspection work is completed, the interior surfaces shall be disinfected per A.W.W.A. Spray Method No. 2 (200 PPM).
5. The tank will then be sealed and made ready for service.
6. A written report will be submitted detailing the condition of the tank. A representative of Utility Service Co., Inc. will schedule a date with Officials to go over the report and findings.

EXTERIOR (2001)

1. The complete exterior shall be fully pressure washed utilizing 4,000 to 5,000 PSI pressure washers.
2. One [1] full intermediate coat of Themec-Crete shall be applied to the complete exterior surfaces [100%].
3. One [1] full finish coat of Themec-Crete shall be applied to the complete exterior surfaces [100%].

REPAIRS (2001)

1. Repair all spalling on exterior surfaces of the tank.

Town of Blowing Rock

Request for Council Action

FROM: Jennifer Brown, Director of Parks & Recreation

SUBJECT: BRAHM Special Event Request

TO: Town Council

DATE: April 9, 2019

REQUESTED BY: Blowing Rock Art & History Museum

Public Hearing Yes No Not required NA

Properly Advertised Yes No Not required NA

BACKGROUND:

The Blowing Rock Art & History is requesting to temporarily install a tent on the top of the parking deck next to their building on August 1st for their event on August 2nd. The event on the parking deck requires the public to purchase tickets to attend and there will be food and unamplified music. The event will be over by 10:00 p.m. and the tent would be removed the morning of August 3rd.

BRAHM has coordinated with Rumple Memorial Church and St. Mary's for additional parking during their event.

ATTACHMENTS:

1. Draft Authorization Letter
2. Letter Request

STAFF RECOMMENDATION:

Recommend that BRAHM be allowed to install a tent on top of the parking deck adjacent to their building from August 1st to the morning of August 3rd for their event.

DRAFT

March __, 2019

Blowing Rock Art & History Museum
Lee Carol Giduz, Executive Director
P.O. Box 828
Blowing Rock, North Carolina 28605

Re: August 2019 BRAHM Event
Town Parking Deck Site Area Request

Dear Lee,

Referencing Blowing Rock Art & History Museum's (BRAHM) February 7, 2018 request on the above subject matter, all Town Departments reported that BRAHM satisfied their concerns/conditions for utilization of said property. Therefore, subject to BRAHM applying/receiving a required building permit for its tent installation onto the parking deck, the Town's approval will be issued. Preferably, such Planning Department building permit application should be submitted at least three (3) weeks prior to installation of the tent.

Thank you for working with our staff and we sincerely wish BRAHM much success in their upcoming event.

Sincerely,

Jim Freeman
Interim Town Manager

Cc: Charlie Sellers, Mayor
Council Members
Department Heads

BRAHM

Blowing Rock Art & History Museum



Jim Freeman
Town Manager
Town of Blowing Rock
PO Box 47
Blowing Rock, NC 28605

February 7, 2019

Dear Jim:

Thanks for our meeting the other day. It was a pleasure to meet you and to show you around the museum.

This letter follows up on our conversation and is the official request from BRAHM to the Town of Blowing Rock for permission to use the upper parking deck adjacent to the museum for a special event in August 2019.

This fall, BRAHM will be hosting its most significant exhibition to date. As many people are aware, Etta and Claribel Cone collected one of the most significant collections of Modern Art ever collected. They also had strong ties to Blowing Rock with their brother, Moses, having his home Flat Top here. The sisters were close to Moses and Etta in particular spent much time here. In honor of the sisters' connection to Blowing Rock and to North Carolina, BRAHM is hosting an exhibition of some of their collected works. This includes works on loan from the Baltimore Museum of Art and the Weatherspoon Museum of Art. We will have paintings and sculptures by Matisse and other modern masters on display.

To launch this signature exhibition, BRAHM is hosting a gala and preview party for the exhibition. One of the conditions of the loan of the artworks is that food and drink may not be in the galleries. This significantly limits what events we can host in the building and how many people. We are hoping for 200 people at the opening gala and respectfully ask permission to hold our event on the upper parking deck. This space will need to be tented. Our request is for use of that space August 1 – 3, 2019. The tent would be installed the afternoon of the 1st and de-installed the morning of the 3rd. It is our intent to block that space as short a period as possible.

In preparation for this request, Kent Graham has met with the tent rental company and determined what size tent we can put on the space and meet all fire codes and requirements. He has approved the set-up we have selected and the installation method for the tent. We have also submitted the request to Kevin Rothrock to confirm there are no issues from his perspective. We have been led by all parties to believe this can be safely managed.

We have also spoken to the town about insurance and liability. Since the museum is located on town property, the town is already named as additionally insured in our insurance policy and our

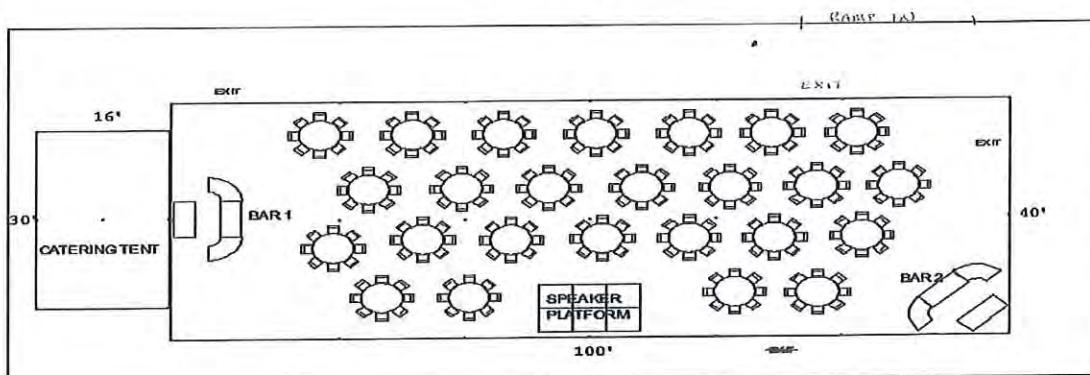
P.O. Box 828, Blowing Rock, NC 28605 • 828.295.9099 • www.blowingrockmuseum.org

liability limits meet or exceed the limits required by the town. This will be provided, in writing, to the town.

We are very excited about this exhibition and the interest and attention it will bring to Blowing Rock. We are also very appreciative of the strong partnership we have with the Town of Blowing Rock. Thank you for your consideration of this special request. Please let me know if you need additional information from us.

Fondly,

Lee Carol Giduz
Executive Director

BLOWING ROCK ART & HISTORY MUSEUM GALA
AUGUST 2, 2019

40'X 100' TENT = 4000 SQ.FT.
SEATING = 25- 60" RND TABLES W/8 SEATS EACH = 200
200 GUESTS @ 15 SQ.FT. PER PERSON = 3000 SQ.FT.

SAMPLE DIAGRAM

Date: 08/02/19
Project: BRAHMS
Owner: GAE
Designer: RUM

Jennifer Brown
Town of Blowing Rock
PO Box 47
Blowing Rock, NC 28065

January 19, 2019

Dear Jennifer,

This letter is a follow-up to the meeting you and I had with Aaron Miller about BRAHM's request to use the upper parking deck for our Gala on August 2, 2019.

BRAHM is requesting permission to place a tent on the upper parking deck for our Gala on August 2nd, 2019.

- The tent would be installed on August 1 and would be removed the morning of August 3rd.
- Kent Graham met with the tent provider and approved the tent size being requested and the anchoring plan for that tent from a fire safety stand point.
- John Warren and Kevin Rothrock have been sent the diagrams for the layout on the parking deck.
- The Town Manager, Mayor and several Council Members have been told of the request and have given approval to proceed with the request.
- The Town is already listed as additionally insured on our insurance policy since BRAHM is on town property. A copy of that will be remitted to the town.
- BRAHM has all ABC licenses and a special one-time use permit will be submitted to extend our permit to the parking deck area.
- We will have volunteer stationed at all exits to insure that no alcohol leaves the premises.
- The event is a \$250 per person catered dinner. It will begin at 7 and run to 9:30.
- Music will be provided by a small ensemble, 2-4 musicians and likely will be classical or a small French gypsy jazz ensemble. The music is background to the meal and will be kept at a lower volume to allow for conversation. They will play, with breaks, from 7 - 9:30 at the latest. There will be a welcome to the guests and thanks to sponsors and that will require a microphone for those speakers.
- Lighting in the tent will be up-lights on the poles and 3 chandeliers in the tent. We are working with Blue Ridge Energy and the tent rental company to determine the power needs and where to best pull the power.
- Parking will be in the lower parking deck, Rumple, and St. Mary's. The museum will have several golf carts to shuttle guests and will have valet parkers.
- The museum asks the town to block off the upper deck prior to the tent set up, maintain clean restrooms on the deck area, blow off the upper deck and handicap ramp the week of

- the event, have the grounds mowed and in good order the week of the event, and to collect trash at the earliest convenience after the event. Most of this happens regularly as is.
- BRAHM agrees to leave the upper deck as clean or cleaner than before the event.

This covers all aspects of the event that we have thought of. Please let me know if you need additional information or if I need to fill out any forms or paperwork.

Sincerely,
Lee Carol Giduz
Director, BRAHM

Town of Blowing Rock

Request for Council Action

FROM: Interim Police Chief Aaron Miller
SUBJECT: Communications Request
TO: Mayor and Council
DATE: April 9, 2019
REQUESTED BY:

Public Hearing Yes No Not required NA
Properly Advertised Yes No Not required NA

BACKGROUND:

Blowing Rock Police Department recently expressed the importance of restructuring our communications system to improve the services that we provide to our community. This restructuring was discussed at the Council retreat on January 21st and again at the meeting on March 18th. The primary goal of restructuring is returning personnel to Blowing Rock Police Department during times when services are most needed. Other benefits would include improving customer service and access to technologies. The first step to any restructuring of communications is to give notice to Watauga County of our intention to withdraw for the current communications agreement, as required in the contract. This notice must be given prior to June 30, 2019 for the withdrawal to be effective July 1, 2020. Per conversations with Council, a letter stating the Town's intent to withdrawal is presented for approval by Council.

ATTACHMENTS:

Draft letter
Interlocal Governmental Agreement Regarding Consolidation of 911 Dispatch Services

STAFF RECOMMENDATION:

Submitting letter to Watauga County.

DRAFT ONLY

Town of Blowing April 10, 2019
Rock
Charlie Sellers, Mayor
PO Box 47
Blowing Rock, NC 28605

Watauga County
Deron Geouque, Manager
814 West King Street
Suite 205
Boone, NC 28607

Re: Interlocal 1 July 2012 Governmental Agreement
Watauga Co. and Town of Blowing Rock Consolidation of 9-1-1 Dispatch Services

Dear Mr. Geouque,

Referencing the above subject matter and in accordance to Section 12 of said agreement, please find provided the Town of Blowing Rock's advanced twelve (12) month intent to withdraw on June 30, 2020. In submitting this notice, the Town of Blowing Rock remains open to negotiate/discuss an earlier agreement termination date if Watauga County so desires.

Generally, our Town experienced benefits and some unintended consequences during this dispatch merger period. Granted there has been some financial Town savings. However, a most noticeable issue relates to the staffing absence in the Police Department, during evening hours and on busy weekends, to handle the various citizen/visitor non-emergency tasks and services.

Thereby after hearing citizen and visitor concerns, Blowing Rock's Town Council approved at their April 9th meeting to pursue changes to our communication system, which includes returning Police Department staff during certain hours. We realize that applying such changes to our current communication system requires withdrawal from the current above referenced agreement and potential negotiation of another agreement with Watauga County or another service provider.

The Town of Blowing Rock appreciates the service that has been provided by Watauga County. We look forward to discussing a plan to move forward in our efforts to provide the best possible service to all our citizens.

Sincerely,

STATE OF NORTH CAROLINA

WATAUGA COUNTY

**INTERLOCAL GOVERNMENTAL AGREEMENT
REGARDING CONSOLIDATION OF 9-1-1 DISPATCH SERVICES FOR
WATAUGA COUNTY AND THE TOWN OF BLOWING ROCK**

THIS AGREEMENT is made and entered into this 1st day of July, 2012, by and between WATAUGA COUNTY,(hereinafter referred to as "COUNTY") and the TOWN OF BLOWING ROCK, (hereinafter referred to as "TOWN") for the purpose of consolidating 9-1-1 dispatch services.

WITNESSETH:

WHEREAS, Watauga County and the Town of Blowing Rock are political subdivisions of the State of North Carolina, both having the power and authority to enter into this agreementwith the signatories hereto having been authorized to execute this document on behalf of the Watauga County Board of Commissioners and the Blowing Rock Town Council; and

WHEREAS, the jurisdictions and residents of Watauga County would benefit in terms of life, safety and efficiency of service from a consolidated 9-1-1 Public Safety Answering Point (PSAP) providing services to the County and the municipalities and fire protection departments within the County; and

WHEREAS, the undersigned governmental jurisdictions wish to agree to the establishment and maintenance of a consolidated PSAP, to be hereinafter known as "Watauga County Consolidated 9-1-1 Center"; and

WHEREAS, the establishment of such PSAP will provide improved police, fire, and emergency medical service communications within the boundaries of the participating jurisdictions, together with such other jurisdictions as may hereafter contract with the undersigned for 9-1-1 dispatch services; and

WHEREAS, the COUNTY is willing to provide police, fire, and emergency medical service communications with the combined dispatching operations to be located at the Watauga County Law Enforcement Center, 184 Hodges Gap Road, Boone NC 28607, which will serve as the central location for citizens to make and receive calls for public safety needs, subject to the execution of this Agreement.

NOW, THEREFORE in consideration of the mutual terms, covenants and conditions set forth herein, it is hereby agreed and covenanted among the undersigned as follows:

1. The effective date of this agreement and contract shall be 12:01 AM on July 1, 2012, and the agreement shall continue in effect until terminated by the consent of the undersigned parties, subject to the termination processes and procedures noted herein.
2. The COUNTY agrees to assume all operational and financial responsibility for emergency services dispatch.
3. The COUNTY and TOWN mutually agree that the combined dispatching operations will be managed by the County Manager, with input provided through the appointment of a County 9-1-1 Advisory Committee in which the TOWN will have representation.

4. The COUNTY and TOWN agree that the Blowing Rock emergency communications services will be consolidated into and assumed by the Watauga County Consolidated 9-1-1 Center and, in connection therewith, two Blowing Rock dispatchers will be transferred to and become County employees, all as set forth herein.
5. Transferred dispatchers becoming County employees hereunder will be subject to the provisions of the Watauga County Personnel Ordinance and the County's administrative policies, as well as all future amendments thereto, effective on the date of the transfer to the County. In addition, such employees will be entitled to all County benefits afforded to regular County employees.
6. The TOWN shall pay the COUNTY, as compensation for the dispatch services, the initial amount of \$165,015 for the initial year for the services described herein. Said compensation amount shall be subject to a percentage increase for each subsequent year. The percentage increase will be based on the annual Consumer Price Index percentage increase as published by the United States Department of Labor for South Urban CPopulation 50,000 to 1,500,000 (see Exhibit A) for the period ending December 31. In the event the CPI produces a negative adjustment the subsidy amount will remain at the current level. Prior to May 1 of each year during which this Agreement is in effect, the County Manager shall notify the Town Manager of the projected compensation cost associated with this Agreement. The TOWN shall include such amount in its annual budget for the fiscal year commencing on July 1. The COUNTY shall invoice the TOWN quarterly, with payments due September 30, December 31, March 31, and June 30.
7. The CPI increase will commence in July 2013, with the CPI increase for the first year to be calculated based on the percentage change from December 2011 to December 2012. Each year's CPI calculation will begin with the prior year's subsidy amount.
8. The COUNTY agrees to train all dispatchers to handle fire, emergency medical service, rescue squad, emergency management and law enforcement calls and to require all dispatchers to obtain, in a timely manner, any certifications necessary to allow said personnel to handle all emergency services calls.
9. The COUNTY agrees to establish the 9-1-1 Advisory Committee with representation from the TOWN to provide input and make recommendations regarding the combined dispatching operation.
10. Additional jurisdictions may become participants by written addendum to this Agreement, with the approval of the COUNTY and upon recommendation of the 9-1-1 Advisory Committee.
11. This agreement is subject to, and shall be construed in accordance with, the laws of North Carolina and has been duly approved by both the TOWN and the COUNTY.
12. In the event that any party desires to withdraw from or terminate this Agreement, said party must give 12 months' advance written notice to the other parties, and the withdrawal shall take effect only as of the beginning of the succeeding fiscal year of the COUNTY, unless otherwise mutually agreed between the parties. By way of example, and not in limitation of, if notice is delivered later than the end of business on June 30 of a given year, the Agreement shall continue until the end of the following fiscal year, (e.g. notice given July 1, 2013, or later in that same fiscal year, equates to withdrawal on June 30, 2015). Upon such termination, each party will be responsible for providing dispatch to their respective jurisdictions and the COUNTY shall retain all equipment, supplies, furniture and all other related property.
13. Any notice to be given by either party to the other under this Agreement shall be in writing and shall be deemed to have been sufficiently given if delivered by hand, with written acknowledgement of

receipt, or mailed by certified mail, with return receipt requested, to the other party. Notice must be delivered as indicated to the following address or such other address as either party may, from time to time, designate in writing for the receipt of notice:

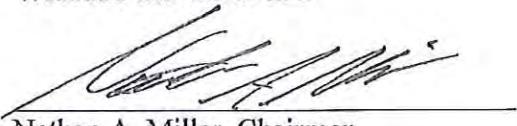
COUNTY:
County Manager
814 West King Street
Suite 205
Boone, NC 28607

TOWN:
Town Manager
1036 Main Street
P.O. Box 47
Blowing Rock, NC 28605

14. The parties may only amend this Agreement in writing with the approval of both governing Boards and with the subsequent signatures of the respective duly authorized representatives.

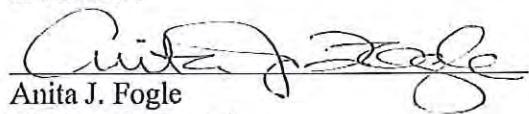
IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year as written above.

WATAUGA COUNTY



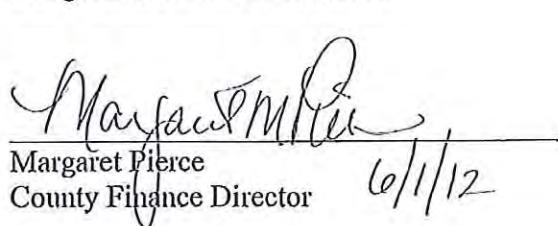
Nathan A. Miller, Chairman

ATTEST:

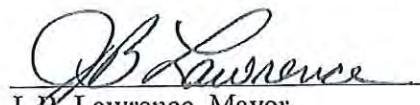


Anita J. Fogle
Clerk to the Board

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.


Margaret Pierce
County Finance Director
6/1/12

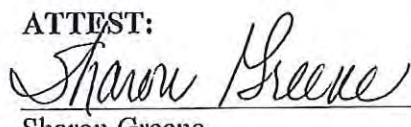
TOWN OF BLOWING ROCK



J.B. Lawrence, Mayor

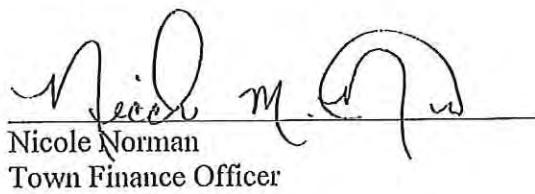


ATTEST:



Sharon Greene
Town Clerk

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.


Nicole Norman
Town Finance Officer

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DRAFT
MINUTES
Town of Blowing Rock
Town Council Special Meeting
March 5, 2019

The Town of Blowing Rock Board of Commissioners held a special meeting on Tuesday, March 5, 2019 at 1:00 p.m. The meeting took place at Town Hall located at 1036 Main Street, Blowing Rock. Present were Mayor Charlie Sellers, Mayor Pro-Tem Albert Yount, Council Members Jim Steele, Sue Sweeting, Doug Matheson and Virginia Powell. Others in attendance were Interim Town Manager Jim Freeman, HR Administrator Tonda Spear and Town Clerk Hilari Hubner, whom recorded the minutes.

Mayor Sellers called the meeting to order and reviewed a resolution in support of the ABC Board. Mayor Pro-Tem Yount made a motion to adopt the resolution, seconded by Council Member Powell. Unanimously approved. At 1:10 p.m. Council Member Matheson made a motion to go into Closed Session, seconded by Council Member Powell. Unanimously approved. The motion was pursuant to NC General Statute 143-318.11. (a) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee. At 3:15 p.m. returned to open session. With no further business to be discuss Council Member Steele made a motion to adjourn, seconded by Council Member Sweeting. Unanimously approved.

MAYOR _____
Charlie Sellers

ATTEST _____
Hilari Hubner, Town Clerk

DRAFT
MINUTES
Town of Blowing Rock
Town Council Special Meeting
March 8, 2019

The Town of Blowing Rock Board of Commissioners held a special meeting on Monday, March 8, 2019 at 5:00 p.m. The meeting took place at Town Hall located at 1036 Main Street, Blowing Rock. Present were Mayor Charlie Sellers, Mayor Pro-Tem Albert Yount (left at 5:40 p.m.), Council Members Jim Steele (arrived at 6:00 p.m.), Sue Sweeting, Doug Matheson and Virginia Powell. Others in attendance were Fire Chief Kent Graham and Town Clerk Hilari Hubner, whom recorded the minutes.

Mayor Sellers called the meeting to order and welcomed everyone. The purpose of the meeting was an informal meeting to discuss a few important Legislative matters with Senator Deanna Ballard and Representative Ray Russell that could potentially have a direct effect on the Town of Blowing Rock.

Items discussed were:

- SB 87 & HB 91 ABC System Laws Modernization/PED Study
- SB 170 & HB 278 – Unfunded mandate issue
- Sales Tax Distribution
- County/Blowing Rock EMS Service Response Time Concerns
- Utility Providers State Oversight
- High Speed Internet and Utilities & Underground Utilities
- Bass Lake Sidewalk Project
- Blowing Rock Recreation Capital Improvements

With no further business to discuss the meeting was adjourned at 7:10 p.m. Following the meeting, citizens were given the opportunity for an informal networking opportunity with Senator Ballard and Representative Russell.

MAYOR Charlie Sellers

ATTEST _____

Draft
MINUTES
Town of Blowing Rock
Town Council Meeting
March 12, 2019

7 The Town of Blowing Rock Town Council met in regular session on Tuesday, March 12,
8 2019, at 6:00 p.m. The meeting took place at Town Hall located at 1036 Main Street,
9 Blowing Rock, N.C. Present were Mayor Charlie Sellers, Mayor Pro-tem Albert Yount and
10 Council Members Jim Steele, Sue Sweeting, Doug Matheson and Virginia Powell. Others
11 in attendance were Interim Town Manager Jim Freeman, Town Attorney Allen Moseley,
12 Town Engineer Doug Chapman from McGill Associates, Finance Officer Nicole Norman,
13 Interim Public Works and Utilities Director Matt Blackburn, Fire Chief Kent Graham,
14 Interim Police Chief Aaron Miller, Planning Director Kevin Rothrock, Building Inspector
15 John Warren, Parks & Recreation Director Jennifer Brown and Town Clerk Hilari Hubner,
16 who recorded the minutes.

CALL TO ORDER

CALL TO ORDER Mayor Sellers called the meeting to order at 6:00 p.m. and welcomed everyone.

The Pledge of Allegiance

ADOPTION OF AGENDA

Council Member Sweeting made a motion to adopt the agenda, seconded by Council Member Steele. Unanimously approved.

SPEAKERS FROM THE FLOOR

None

SPECIAL RECOGNITION

Town Volunteer Board Members were recognized for their years of service to the Town of Blowing Rock Boards; Genie Starnes Planning Board (6 years), Bob Miller ABC Board (13 years), Rob Dyer TDA Board (10 years), and Lorry Mulhern TDA Board (3 years).

APPROVAL OF MINUTES

Council Member Sweeting made a motion to approve the minutes for the regular meeting held on March 12, 2019 with the following changes: line 215 add a "T" to Dr. Davant's name, line 342 the following amendment to the motion: Council Member Sweeting also requested Council look at the vision for downtown and the vision for 321 Bypass and consider asking experts to help with the vision and line 481 – 483 update the Manager report. Council Member Matheson asked for clarification that the word is "consider" hiring an expert, Council Member Sweeting advised that was correct. Council Member Matheson seconded the motion, unanimously approved.

47 Mayor Pro-Tem Yount made a motion to approve the open and closed minutes for the
48 special meeting held on February 18, 2019, seconded by Council Member Powell.
49 Unanimously approved.

50

51 **CONSENT AGENDA**

52

53 **1. Tax Release and Refund**

54 Various tax adjustments over time become apparent and present themselves in the form
55 of requests for releases (adjustments and refund). One release and refund totaling
56 \$2,262.84 has been identified for Council approval. **Tax Release and Refund (Hess**
57 **#2018-09 and #2018-01) – Attachment A**

58 **2. Tax Fee Release**

59 Various tax adjustments over time become apparent and present themselves in the form
60 of requests for releases (adjustments). One release totaling \$430.48 has been
61 identified for Council approval. **Tax Release – (Abbato – #2018-10) Attachment B**

62 **3. Delinquent Tax Advertisement Date Approval – April 18, 2019**

63 Tax Collector Hilari Hubner requested Council approval to advertise delinquent taxes for
64 2018 taxes on April 18, 2019.

65 **4. AppaCart 2019 Service Agreement**

66 Approval of the AppaCart contract. **AppaCart Service Agreement - Attachment C**

67 **5. Opposing Resolution of SB 179 and HB 278: Unfunded First Responders**
68 **Retirement Mandate.**

69 NC League recommendation to adopt a Resolution oposing SB 179 and HB 278.
70 **Resolution in Opposition of Senate Bill 179 and House Bill 278 Parity for First**
71 **Responders - Attachment D**

72 Mayor Pro-tem Yount made a motion to approve consent agenda as presented, seconded
73 by Council Member Steele. Unanimously approved.

74 **Agenda Items:**

75 **1. New River Conservancy Presentation – Middle Fork New River Restoration**

76 New River Conservancy Board President George Santucci introduced to Council an
77 upcoming Clean Water Management Trust Fund grant application that could be beneficial
78 to the Town and Middle Fork Greenway. The sought-after grant funding activities would
79 be for a topographic survey, geomorphic assessment and engineer plan development for
80 securing restoration permits.

81 Mr. Santucci advised they are asking for Blowing Rock to consider a change to the deed
82 reflecting the buffer around that stream will never be altered or touched. He explained
83 for clean water to fund a project like this they need assurance from the Town. Mr.
84 Santucci further advised a letter of intent is an easy way for the Town to show it supports

93 the project and that it will put the deed restrictions in place with that is necessary when
94 the time comes.

95
96 Council Member Sweeting asked how much land they were looking at restricting around
97 the bank. Mr. Santucci stated essentially 50 ft. (less than an acre).

98
99 Mayor Sellers advised the best way to handle this is, if Council wishes, make a motion to
100 support and endorse the project. In doing so, that by no means puts the Town under
101 contract because there isn't a contract to be signed. All the Town is stating is approval
102 of support, and it gives the New River Conservancy the ammo to go forth to help get
103 grants.

104
105 Mr. Santucci stated he had a letter of intent, for supporting, but was not a legally binding
106 document.

107
108 Town Attorney Moseley reviewed the letter of intent and advised it was indeed a letter of
109 support but was not a legally binding document.

110
111 Council Member Yount made a motion to approve and sign a letter of intent supporting
112 the project, seconded by Council Member Powell. Unanimously approved.

113
2. Monthly Financial Report

114 Finance Officer Nicole Norman provided a monthly financial overview for the month end
115 February 2019. Council had no questions or concerns and thanked Ms. Norman for her
116 presentation.

117
3. FY Audit Firm Proposal and Contract

118 Finance Officer Nicole Norman advised per Council direction, she had researched and
119 contacted several local government audit firms. Ms. Norman advised staff's
120 recommendation was to accept a three (3) year agreement with Martin Starnes &
121 Associates, CPAs, P.A. Their proposed cost for a three (3) year agreement would be
122 \$23,500 for FY 2019, \$23,500 for FY 2020 and \$24,175 for FY 2021.

123
124 Council Member Sweeting made a motion to approve the three (3) year contract with
125 Martin Starnes & Associates, seconded by Council Member Steele. Unanimously
126 approved.

127
128 Mayor Pro-Tem Yount stated he felt it should be noted that Martin Starnes & Associates
129 audits around 70% of the North Carolina counties.

130
4. Septic Tank Truck Bid – Lely Tank

131 Interim Public Works Director Matt Blackburn advised per Council's direction at the
132 January 8th meeting, staff received formal bids for the septic tank truck. The low bidder
133 was Lely Tank for \$144,024.

138 Mayor Sellers gave a brief history of the reason behind Council's initial decision to pursue
139 the purchase of the Town's own septic tank truck.

140
141 Council discussed the original amount budgeted was \$220,000 with an estimated cost
142 savings of \$76,000. Finance Officer Nicole Norman noted this savings was part of the
143 loan package and would be loan savings, not dollar savings.

144
145 Council Member Steele asked if Mr. Blackburn if he foreseen any contingency's on top of
146 the \$144,024 for the truck. Mr. Blackburn advised he did not, the truck will be turn key
147 ready when it is received.

148
149 Mayor Pro-tem Yount made a motion to approve the purchase from the low bidder, Lely
150 Tank at a cost of \$144,024, seconded by Council Member Steele. Unanimously
151 approved.

152
153 **5. Downtown Vision and HWY 321 Bypass/Valley Blvd.**

154 Council Member Sweeting stated she felt what had came out of the ordinance concerns
155 and changes was Town Council's need to create a vision of what they want the downtown
156 and Valley Boulevard to look like. Council Member Sweeting further stated there are
157 currently over ten (10) properties on Valley Boulevard for sale that could be developed.
158 She explained her concern is for Council to get ahead of the game and know what they
159 would like for those two areas to look like. She further explained she knew other people
160 in the community share the concern and that's why she brought it up.

161
162 Council Member Sweeting advised one way would be to form a Ad Hoc committee, she
163 recommended that any Council Members who would like to be on it and three (3)
164 Members of the community that Council picks. Council Member Sweeting explained what
165 may come out of the committee is the desire to protect our Town in some other way
166 through other ordinances which would go to Planning Board for consideration.

167
168 Council Member Sweeting asked Planning Director Rothrock if he had spoken with any
169 of the names he had recommended. He advised he hadn't he just provided them per
170 request. Council Member Sweeting advised some people were concerned about the
171 financial aspect and some ideas she had for that were; possibly a grant, unused Town
172 revenue or put it in the upcoming budget. She stated those were some ideas she had
173 was just throwing out for Council to think about.

174
175 Mayor Sellers stated everyone is rightfully concerned about these areas. He explained
176 the Town has the comprehensive plan that was developed in 2014, that some very
177 knowledgeable people worked on. Mayor Sellers advised it may not be a bad idea to do
178 this committee but would also like to see the Chamber and a few of the individuals whom
179 originally worked on the Comprehensive Plan be involved and let them come up with
180 recommendations for Planning Board and for Planning Board to make their
181 recommendations to Council. He stated he thought Council Member Sweeting has the
182 right idea, but this was just his take on it.

184 Council Member Matheson stated he wanted to take it a step further, the Town has been
185 doing a Comprehensive Plan update every five (5) years, which the Town is now due for
186 the next update. His thought was to combine this in with the update and stress to
187 whomever helps the two areas of concern. He explained he felt this would be a good
188 time to do this.

189
190 Council Member Powell stated she liked Council Member Sweeting's idea of a Ad Hoc
191 committee. She asked Interim Manager Freeman for his opinion on how best to facilitate
192 doing that.

193
194 Interim Manager Freeman suggested Council come up with some names and would
195 suggest bringing back to discuss at the next meeting.

196
197 Council Member Steele stated he felt it would be best to start off with a small group and
198 develop a plan for the scope of the work and then if it comes to going with a consultant a
199 plan would be started.

200
201 Mayor Pro-Tem Yount advised he was concerned since this was now out to the public
202 with a developer coming in and buying real estate to start developing. He further asked
203 Town Attorney Allen Moseley if that was a ligament concern. Mr. Moseley stated he
204 wasn't concerned with that happened. He explained that takes time, effort and money
205 and he didn't feel that is something that could happen so quickly.

206
207 Mayor Sellers asked Council Member Sweeting to come up with some ideas of
208 individuals, he stated he would like Planning Director Rothrock on that committee.
209 Council Member Sweeting agreed he would be the staff representative and further asked
210 if any Council Members would like to be on the committee as well. Council Member
211 Steele and Mayor Pro-Tem Yount advised they would like to be. Mayor Pro-tem Yount
212 asked for BRAAC and Planning Board to be represented as well. Mayor Sellers asked
213 Council Member Sweeting to put some names together and bring back to Council and go
214 from there. Council Member Sweeting stated she would involve some of the other Council
215 Members to get suggestions. Interim Manager Freeman advised Council needs to sit
216 down, get the names and get a game plan together first. Council Member Sweeting stated
217 she would spearhead getting started and come back to Council at the next meeting with
218 some ideas.

219
220 **OTHER BUSINESS**

221 Mayor Sellers briefed Council on the following:

- 222 • He read a letter he received from Girl Scout Troop 10004 requesting the sidewalk
223 be repaired on Morris Street near the school. The information has been passed
224 along to staff to look into the matter.
- 225 • He advised Rita Moretz from Appalachian Ski Mountain asked the Town to write
226 a Proclamation for Jim Cottrell. Mayer Sellers read the Proclamation and
227 advised he would present it to Mr. Cottrell on behalf of the Town.

228 Interim Manager Freeman briefed Council on the following:

- 229 • Legacy Trail Stairs: Street Access & Railing.....This past March 5th, the Interim
230 Manager and staff met with a number of citizens who were requesting the
231 opening of the closed Legacy Trail Stairs access onto Main Street. After much
232 citizen discussion, the Interim Manager relayed that he will be meeting with the
233 Town's engineer firm on March 7th to assess how best to provide a safe, non-risk
234 access...how best to provide a safe, non-risk access...referencing NCLM
235 Insurance Risk Management February 8th email...anticipate a relocation cost
236 recommendation. Meanwhile, the Interim Manager reported to the citizens that
237 unless NCLM's risks could be mitigated, said present access would remain
238 closed under his tenure.
- 239 • One Stop Blowing Rock Election Site Proposal...Please reference County Board
240 of Elections Director Matthew Snyder's email referencing upcoming elections
241 cost for budget purposes and inquiry of adding an additional election site in
242 Town. Per last week's telephone conversation with Director Snyder, he indicated
243 that the former manager conveyed not including another early one stop election
244 site...American Legion & Town Hall. Reasoning due to the length of time such
245 site areas are tied up and American Legion rental/revenue loss. Therefore, he is
246 just again inquiring if the Town would like to reconsider. If so, the site areas
247 would be utilized from October 14th to November 6th. The Interim Manager
248 mentioned he would ask Council. Note Council advised they were not interested
249 in adding an additional One Stop Voting site.
- 250 • Wastewater Plant Technical Assistance...Per information and as requested by
251 the Town's ORC, the Town received results/recommendations of a February 21st
252 Technical Assistance Visit. These recommendations are being implemented.
- 253 • Sunset Streetscape Project Status...Per information, project contract documents
254 have been executed and a pre-construction meeting is scheduled for tomorrow
255 (Wednesday) morning...engineer, contractor date to actually mobilize/start could
256 be established and later relayed to Council.

257 **EXECUTIVE SESSION**

259 At 7:35 Council Member Powell made a motion to go into Closed Session pursuant to
260 NCGS 143-318.10 (a) (5), seconded by Council Member Steele. Unanimously approved.

261 **ADJOURNMENT**

263 There being no further business to discuss, Council Member Sweeting made a motion to
264 adjourn at 8:15 p.m., seconded by Council Member Steele. Unanimously approved.

265
266
267 **MAYOR** _____
268 Charlie Sellers

ATTEST _____
269 Hilari Hubner, Town Clerk
270

271

272

273 **ATTACHMENTS**

274 **Tax Release and Refund (Hess #2018-09 and #2018-01) – Attachment A**

275 **Tax Release – (Abbato – #2018-10) Attachment B**

276 **AppalCart Service Agreement - Attachment C**

277 **Resolution in Opposition of Senate Bill 179 and House Bill 278 Parity for First**

278 **Responders - Attachment D**

279 **Proclamation for Jim Cottrell – Attachment E**

DRAFT
MINUTES
Town of Blowing Rock
Town Council Special Meeting
March 16, 2019

7 The Town of Blowing Rock Board of Commissioners held a special meeting on
8 Saturday, March 16, 2019 at 9:00 a.m. The meetings took place at Town Hall located at
9 1036 Main Street, Blowing Rock. Present were Mayor Charlie Sellers, Mayor Pro-Tem
10 Albert Yount, Council Members Jim Steele, Sue Sweeting, Doug Matheson and Virginia
11 Powell. Others in attendance were HR Administrator Tonda Spear and Fire Chief Kent
12 Graham.

14 Mayor Sellers called the meeting to order and immediately Council Member Matheson
15 made a motion to go into Closed Session, seconded by Council Member Powell.
16 Unanimously approved. The motion was pursuant to NC General Statute 143-318.11.
17 (a) (6) to consider the qualifications, competence, performance, character, fitness,
18 conditions of appointment, or conditions of initial employment of an individual public
19 officer or employee or prospective public officer or employee. At 5:00 p.m. returned to
20 open session. With no further business to be discuss Council Member Steele made a
21 motion to adjourn, seconded by Council Member Sweeting. Unanimously approved.

MAYOR _____

ATTEST _____

DRAFT
MINUTES
Town of Blowing Rock
Town Council Special Meeting
March 18, 2019

The Town of Blowing Rock Board of Commissioners held a special meeting on Monday, March 18, 2019 at 12:00 p.m. The meeting took place at Town Hall located at 1036 Main Street, Blowing Rock. Present were Mayor Charlie Sellers, Mayor Pro-Tem Albert Yount, Council Members Jim Steele, Sue Sweeting, Doug Matheson and Virginia Powell. Others in attendance were HR Administrator Tonda Spear.

Mayor Sellers called the meeting to order and immediately Council Member Steele made a motion to go into Closed Session, seconded by Council Member Sweeting. Unanimously approved. The motion was pursuant to NC General Statute 143-318.11. (a) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee.

At 1:00 p.m. Council returned to open session. Present were Mayor Charlie Sellers, Mayor Pro Tem Albert Yount, Council Members Jim Steele, Sue Sweeting, Doug Matheson and Virginia Powell. Others in attendance were TDA Executive Director Tracy Brown, Fire Chief Kent Graham, Interim Police Chief Aaron Miller, Parks and Recreation Director Jennifer Brown, Planning Director Kevin Rothrock, Interim Public Works Director Matt Blackburn, Finance Officer Nicole Norman and Town Clerk Hilari Hubner, whom recorded the minutes.

Mayor and Council met with each Department Head to discuss upcoming needs pertaining to their department for planning purposes for FY 2019 - 2020 budget.

The meeting was adjourned at 6:40 p.m.

MAYOR _____

ATTEST _____

STAFF REPORT

TO: Mayor Charlie Sellers and the Blowing Rock Town Council
FROM: Kevin Rothrock, Planning Director
SUBJECT: CUP 2019-01 Rainey Lodge
APPLICANT: Grand Dakota Development, LLC
DATE: April 3, 2019

REQUEST

Grand Dakota Development, LLC is requesting a conditional use permit to construct a 40-room hotel with restaurant, bar and surface parking. The property is located at 159 & 167 Rainey Street, but is also located off Hwy 221 and Morningside Drive. The property is zoned CB, Central Business. The majority of the subject property is in the WS-IV-PA water supply watershed. The property is further identified by Watauga County PINs 2807-98-0716-000, 2807-98-1850-000 and 2807-98-0826-000.

General

Adjacent Zoning/Land Uses

- North – R-10S, Single-family - single-family residences
- South – TC, Town Center – Hwy 221 and Ridgeway hotel
- East – CB, Central Business – Speckled Trout restaurant and Hartley's Interiors
- West – R-10S and R-6M – Single-family and multi-family uses

Setbacks

The street setback in the Central Business zoning district is 15 feet. The rear setbacks on lots less than one acre is 5 feet. The proposed project meets the setback standards.

Building Height

Since the hotel is setback 55 feet from the proposed Morningside Drive sidewalk, the maximum building height of 38 feet measured at the finished grade of the primary entrance. The other walls of the hotel are also limited to a maximum height of 40 feet measured along the average finished grade along that wall to the peak of the roof. The hotel meets the applicable building height standards provided in Section 16-12.6.5.4 of the Land Use Code.

Site Access

Primary access to the site will be through a driveway cut on Morningside Drive and a second driveway onto Rainey Street. Direct access to Hwy 221 is not possible due to the severity of the slope on the lot.

During discussion at the Planning Board meeting, some expressed concern about the narrow street widths of both Morningside and Rainey. Staff measured pavement width on Morningside from Hwy 221

to Rainey and found no place where the street was less than 18 feet wide. Staff also measured pavement width on Rainey from Morningside to the curve just past the site. The pavement width was at least 18.5 feet and some places 23 feet wide. The only place that measured 17.5 feet in width was just past the site in the curve near the sewer manhole. Staff recommends the applicant provide curb and gutter and enough street pavement width to maintain at least 20 feet of width from the edge of pavement on the opposite side of Rainey and Morningside to the face of the curb on the project side of the street.

The Applicant has recommended signage at the driveways restricting right turns from the parking area to minimize hotel traffic from traveling East on Rainey and North on Morningside.

Parking

The proposed restaurant is 1750 square feet with 36 additional outdoor seats. According to the Land Use Code, the 40 hotels and restaurant use require 53 parking spaces. Fifty-three (53) spaces are provided on site.

Storm Water

Storm water will be collected and detained in a detention system under the parking area. From the detention system, the storm water will be directed to a new drainage system in Hwy 221. Since the project is at 58% impervious and is subject to a Special Intensity Allocation, storm water detention storage is required at 13,600 cubic feet per acre of the total site.

Utilities

An existing sewer line is routed through the property. A new public sewer line will be redirected through the site to Morningside Drive.

All overhead utility service to the site will be placed underground. Other existing above ground services along the streets will remain overhead.

Site Lighting

All exterior lighting in the Project shall use the same coach-style lights selected as the lighting standard for the Town, and shall otherwise be consistent with the Town's Land Use Code Section 16-21.8. Any diffused or otherwise visible light emanating from the Project on adjoining properties shall not be more than one foot-candle at the common lot line separating the properties. As an alternative, the Applicant may also install the new LED full cut-off style fixture that has been installed on the Hwy 321 Bypass.

Sidewalks

The Applicant is providing public sidewalk on Morningside Drive and Rainey Street. The Town is constructing sidewalk along Hwy 221 with the Sidewalk to Bass Lake project. Staff recommends the Applicant pay for the portion of sidewalk along the portion of their property that fronts Hwy 221.

Landscaping

The proposed landscape plan appears to meet the Land Use Code requirements for street trees, buffers/screening and parking lot shading. The buffer along the east side of the property is required to be

a 4-foot wide broken screen. An 8-foot wide semi-opaque buffer is required along each street yard. An extensive detailed landscape plan will be reviewed with the submission of construction drawings.

All retaining walls in the Project shall be constructed with or faced with stone, rock or simulated stone or rock products. All retaining walls constructed in the Project shall be subject to the approval of the Zoning Administrator for compliance with the Land Use Code and this CUP.

Dumpster/Loading Zone

A dumpster for the hotel is located in the northeast corner of the parking lot. All screening requirements in the Land Use Ordinance for the dumpster enclosure will be met. In addition, the draft CUP limits collection of garbage and recycling to the hours of 8:00 am to 7:00 pm.

A 12' x 55' loading zone is provided on the east side of the parking area for hotel and restaurant deliveries.

Architectural Plans

All exterior materials on the Project shall consist of; wood or simulated wood products; stone, rock or simulated stone or rock products; and glass for windows. Other exterior materials and colors shall be permitted upon approval of the Town staff consistent with the renderings and elevations submitted for the hotel building. Final exterior colors shall be approved by the Zoning Administrator, unless specifically approved by the Town Council.

All ground-level floors of the building that face a street shall have at least 50% of the wall area constructed with windows or doors or false windows consistent with Section 16-21.4.4 of the Land Use Code unless the Town Council approves a variable design.

PLANNING BOARD RECOMMENDATION

At their March 21, 2019 meeting and after the application review, the Planning Board made a recommendation to approve the CUP with a condition. That condition being that the architectural plan complies with the 50% window/door area as required by the Land Use Code and it is consistent with the NC Building Code.

ATTACHMENTS:

1. Draft CUP
2. CUP Application
3. Site plan package with site survey of existing conditions, grading plan, utilities, and landscaping
4. Building renderings
5. Building elevations
6. Traffic Impact Analysis
7. Planning Board draft minutes from March 21, 2019

NORTH CAROLINA
WATAUGA COUNTY

TOWN OF BLOWING ROCK CONDITIONAL USE PERMIT

**Rainey Lodge
CUP No. 2019-01**

On the date(s) listed below the Board of Commissioners of the Town of Blowing Rock met and held a public hearing to consider the following application:

Applicant: Catellus Group, LLC

Project Name: Rainey Lodge (“Project”)

Property: Corner of Hwy 221, Morningside Drive, and 159 and 167 Rainey Street (“Property”)

Tax Parcel Nos.: 2807-98-0716-000, 2807-98-1850-000 and 2807-98-0826-000

Property Owners of Record: Grand Dakota Development, LLC

Proposed Use of Property: Hotel and Restaurant

Current Zoning Classification of Property: CB, Central Business

Public Hearing Date(s): April 9, 2019

Date of Decision: _____

Having heard all of the evidence and arguments presented at the above-referenced hearing, the Board finds that the application complies with all applicable requirements of the Code of Ordinances of the Town of Blowing Rock, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable conditions of the Land Use Code and the following additional conditions:

1. Compliance with Approved Plans.

The Applicant shall complete the development of the subject property in accordance with the plans submitted and approved by this Board, which civil plans are originally dated February 25, 2019, amended March 14, 2019, and amended April 2, 2019, architectural elevations originally dated February 22, 2019, amended March 14, 2019 and March 28, 2019, and architectural renderings originally dated February 22, 2019, amended March 14, 2019 and March 28, 2019, except as amended by the following conditions. Where said plans are in conflict with the provisions of the Land Use Code, the provisions of the Land Use Code shall prevail, except as specifically provided herein. Copies of said plans are made a part hereof as if fully rewritten herein and shall be maintained in the Conditional Use Permit file in the Town Clerk’s office. Any deviations from or changes in the plans must be pointed out to the Administrator in writing and specific written approval must be obtained as provided in the Blowing Rock Land Use Code.

2. Town Costs and Fees.

Unless otherwise expressly set forth in this Conditional Use Permit, all costs and fees required to be paid by the Applicant to the Town shall be in accordance with the Town's standard fee schedule effective at the time the payment is due. Specific payments of fees include:

- (a) Payment of concrete material costs associated with the curb and gutter and sidewalk along the portion of the property along Hwy 221 (approximately 200 feet), prior to issuance of a building permit for the Project.
- (b) Payment of applicable water and sewer availability fees when building permit application is submitted.

3. Permitted Uses.**(a) Specific uses allowed.**

The specific uses allowed on the property include a hotel with 40 rooms, a restaurant use of 1750 square feet with outdoor dining not to exceed 36 outdoor seats.

(b) Changes in Use.

Changes in occupancy shall be subject to the review and approval of the Town Zoning Administrator and approval of Town Council to ensure compliance with this Conditional Use Permit, the North Carolina State Building Code and the Land Use Ordinance. In addition to the foregoing, any change of use that would cause a change in the parking requirements for the new use must be reviewed by staff and approved by the Town Council and processed as a minor amendment to this CUP.

4. Architecture and Design.**(a) Building Height.**

Consistent with Section 16-12.6.5.4, the building height shall not exceed 38 feet as measured from the finished grade at the primary entrance (lobby entrance facing Morningside Drive) to the top of the roof. The allowable height limit is established from the 58-foot setback from the sidewalk along Morningside Drive. In addition, no other building height will exceed 40 feet as measured along the average finished grade of that wall to the top of the roof.

(b) Exterior Materials.

- (i) All exterior materials on the Project shall consist of; wood or simulated wood products; stone, rock or simulated stone or rock products; and glass for windows. Metallic or metal sided exterior walls shall not be permitted. Other exterior

materials shall be permitted upon approval of the Town staff consistent with the renderings and elevations submitted for the hotel building. Final exterior colors shall be approved by the Zoning Administrator, unless specifically approved by the Town Council.

- (ii) All retaining walls in the Project shall be constructed with or faced with stone, rock or simulated stone or rock products. All retaining walls constructed in the Project shall be subject to the approval of the Zoning Administrator for compliance with the Land Use Code and this CUP.
- (iii) All ground-level floors of the building that face a street shall have at least 50% of the wall area constructed with windows or doors or false windows consistent with Section 16-21.4.4 of the Land Use Code unless the Town Council approves a variable design.

(c) Roof Design.

The minimum roof pitch will be at least 6:12.

(d) Signage.

All signage in the Project shall conform to the requirements of the Town's Sign Code as set forth in the Land Use Ordinance.

(e) Major and Minor Changes.

Minor changes and deviations are defined in Section 16-4.17 of the Land Use Ordinance. All other changes in the Approved Plans shall be deemed to be major changes.

5. Findings of Fact.

Consistent with Section 16-4.10.3 of the Land Use Ordinance, the Board of Commissioners finds:

- (a) The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.
- (b) The use or development complies with all required regulations and standards of the Land Use Ordinance or with variances thereto, if any, and with all other applicable regulations.
- (c) The use or development is located, designed, and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.
- (d) The use or development will not substantially injure the value of adjoining or abutting property.

- (e) The use or development conforms with the general plans for the physical development of the Town as embodied in this Ordinance, the Town of Blowing Rock Comprehensive Plan, and any other duly adopted plans of the Town.

6. Sewer and Water.

(a) Sewer.

- (i) The rerouting of the public sewer system through the Project shall be designed to the Town's standard specifications and subject to the Town's standard connection and/or availability fee as that fee may change from time to time. The sizing and location of all sewer lines constructed in connection with the Project shall be subject to the approval of the Town's engineering staff. A sewer easement must be provided to the Town prior to issuance of a Certificate of Occupancy for the portion of the sewer system installed through the Project.

(b) Water.

- (i) The Project's water systems shall be subject to the Town's standard connection and/or availability fee, as that fee may change from time to time.

- (iii) Compliance with Other Laws.

All public water connections shall comply with all local and state rules or regulations in effect at the time of application for connection.

7. Transportation Improvements.

The Applicant shall install the following off-site improvements:

- a) Morningside Drive – construct new 30" curb and gutter and 5-foot sidewalk along Morningside Drive from Hwy 221 to Rainey Street with a minimum street width of 20 feet from the edge of pavement on the west side of Morningside Drive to the face of curb on the east side along the subject property.
- b) Rainey Street – construct new 30" curb and gutter and 5-foot sidewalk along Rainey Street, for the full length of the subject property to a minimum width of 20 feet from the edge of pavement on the north side of Rainey Street to the face of curb on the south side along the subject property.

8. Parking.

- (a) General Requirements.

Parking for the development shall be as depicted on the submitted and approved site plan. Pursuant to the submitted and approved site plan, the Project requires 53 parking spaces (40 for the hotel and 13 for the proposed restaurant) under existing Land Use Ordinance requirements and 53 parking spaces are provided. The outdoor dining is limited to 36 outdoor seats. ADA space dimensions and number of spaces shall be required consistent with the NC Building Code.

(b) Loading and Unloading.

A freight loading/unloading area for the Project shall be provided and clearly marked on the construction Plans for the Project and shall be perpetually maintained for delivery of restaurant and hotel supplies and service, all in accordance with the Land Use Ordinance. No restaurant or hotel deliveries will be permitted by which delivery vehicles are parked or stopped on the public streets or Hwy 221. Violators of this subsection will be subject to civil penalties in Section 6-35 of the Town Code.

9. Access.

The primary entrance to the Project shall be on Morningside Drive. The secondary access to the Project shall be on Rainey Street. Both parking lot access driveways shall have appropriate signage installed prohibiting right turns onto Rainey Street and Morningside Drive. Turn radii for both driveways shall meet the Land Use Ordinance.

10. Lighting.

All exterior lighting in the Project shall use the same coach-style lights selected as the lighting standard for the Town and shall otherwise be consistent with the Town's Land Use Code Section 16-21.8. Any diffused or otherwise visible light emanating from the Project on adjoining properties shall not be more than one foot-candle at the common lot line separating the properties. As an alternative, the Applicant may also install the new LED full cut-off style fixture that has been installed on the Hwy 321 Bypass.

11. Landscaping.

(a) Conformity with Plans.

The Applicant shall landscape the Project consistent with Article 22 of the Land Use Ordinance. To verify Project consistency, the Applicant shall submit a complete landscape plan for review and approval by the Zoning Administrator prior to issuance of any building or grading permit for the Project.

The Applicant shall plant an eight-foot wide semi-opaque buffer between the sidewalk along Morningside Drive and Rainey Street and the parking area. If the Applicant is required to widen either street with pavement and curb and gutter to accommodate a specified minimum street width, the eight-foot wide semi-opaque buffer may be reduced in those areas. If the buffer width is reduced for additional road width, the plant material

must be increased by 30%. The rear buffer along the east property line shall be at least 4 feet wide and contain a “broken” screen as defined in the Land Use Ordinance.

(b) Maintenance.

All trees, plants and landscaping required for the Project under this Conditional Use Permit shall be perpetually maintained by the Applicant, and any dead, unhealthy or missing vegetation, or any vegetation disfigured by severe pruning, shall be replaced with new vegetation consistent with the Land Use Ordinance. If vegetation is damaged by the Applicant’s actions or inactions, it shall be replaced consistent with the Land Use Ordinance, within six (6) months during ideal planting conditions.

12. Utilities.

(a) General.

The Applicant shall install all utilities within the Project underground as required by the Land Use Ordinance, at the Applicant’s expense. All materials used for utilities to be dedicated to the Town shall be subject to approval by the Town Engineer and the Director of Public Works, prior to issuance of any certificate of occupancy. No building may be constructed over a dedicated public utility easement within the Project.

(b) Underground Placement.

All new electric, cable, and phone utilities for the Project shall be placed underground.

13. Storm water and Land Disturbance.

(a) General Construction Standards.

All storm water drainage and materials shall meet the Town or NCDOT standards as appropriate. All storm water drainage leaving the detention system will connect to the storm water pipe system along Hwy 221 being installed by the Town with the EFLAP Sidewalk to Bass Lake project. An encroachment agreement with NCODT is required for the connection.

(a) Detention.

Storm water detention to serve the Property shall be designed to be held underground in a detention system on the Property. The Town engineer will review and approve the detention system prior to issuance of the grading plan.

According to the plans provided, this project is at 58% new impervious surfaces which requires a Special Intensity Allocation, not to exceed 70% new impervious surfaces consistent with Section 16-16.38.3.2 (c) of the Land Use Code.

Section 16-16.31.3.5 specifies that the detention for the project is calculated at 13,600 cubic feet per acre of the total site.

(c) Maximum Densities and Impervious Surfaces.

The maximum density of the Project for purposes of calculating permissible impervious surface areas shall be the lesser of: (a) the density shown on the Approved Construction Plans (58%); or (b) up to 70% built-upon area as approved by a Special Intensity Allocation for the Project.

14. Solid Waste /Recycling Collection.

The Project shall include a trash-containment area and/or moveable trash containers adequate in size and function to serve the needs of the Project. All businesses shall comply with the recycling requirements of the Town Code and provide containers accordingly for collection. All recycling/trash containment areas shall be screened. The size and location of the trash-containment area shall be subject to the approval of the Zoning Administrator and the Public Works Director consistent with the Land Use Ordinance. Trash and delivery service will be allowed only between the hours of 8:00 a.m. and 7:00 p.m.

15. Development Phasing.

(a) Prior to the commencement of any land-disturbing activity:

- (i) The Applicant shall submit to the Town Engineer for approval a grading plan and storm water management plan that satisfies the requirements of Section 16-16.31 of the Land Use Ordinance and includes a soil erosion control plan approved by the Town Engineer, and approved by Watauga County, if applicable. No work shall be performed on the Property until all applicable erosion control measures have been installed, with the exception of specific work that may be required to complete the installation of the erosion control measures.
- (ii) The Applicant shall provide a performance bond or payment to the Town to cover 125% of the Applicant's estimated cost of the installation of full site-stabilization, the proposed Project landscaping and the restoration of all excavated areas to pre-disturbance grade level. With the approval of the Town Zoning Administrator and the Town Council, the Applicant may reduce the amount of the bond or letter of credit to reflect the completion of one or more of the above tasks, or to reflect the fact that some or all of the financial assurance is no longer necessary or feasible given the progress of the Project. The amount of the bond shall be subject to the reasonable approval of the Town Engineer, taking into consideration only all hard bids and associated costs provided by the Applicant. Any insufficiencies in the amount of the bond or letter of credit shall become a lien against the Property.

- (iii) The Applicant shall submit to the Zoning Administrator a final, revised site plan that incorporates the terms and conditions of this approved Conditional Use Permit, consistent with Section 16-4.4.2 of the Land Use Ordinance.
- (iv) The Applicant is hereby granted a 2-year vesting for the project as provided for in GS. 160A-385.1. In addition, the Project is eligible for up to two (2) six-month extensions of the vesting period upon application and approval of the Town Council as currently provided for in Section 16-4.14.1 of the Land Use Code.

16. Miscellaneous.

- (a) Town Reimbursements.

An additional fee shall be charged for each additional review of a site plan in excess of two site plan reviews. The Applicant shall reimburse the Town all reasonable costs for the Town Engineer's review of storm water management plans, water supply plans, erosion control plans, grading plans or other detailed plans (except for the site plan) and for all on-site inspections conducted by the Town Engineer.

- (b) Construction Staging.

All construction staging shall be contained completely on the Property or on an adjoining property not in use or utilizing the parking for current uses as approved by that respective property owner, provided no adjoining or nearby streets shall be used to park equipment, construction vehicles, contractors' vehicles or employees' vehicles.

- (c) Invalid Provisions.

If any provision of this Conditional Use Permit is judicially determined to be unlawful, void or of no effect, such determination shall not affect the validity of the remaining conditions of this Conditional Use Permit.

Failure to comply with any provision herein shall subject the Applicant to forfeiture of the Permit, consistent with Section 16-7.5 of the Land Use Ordinance, and a stop work order on any further construction.

IN WITNESS WHEREOF, the Town of Blowing Rock has caused this Permit to be issued in its name and the undersigned being property owner(s) and/or agent(s) of the property owner(s) does hereby accept this Conditional Use Permit, together will all of its conditions as binding upon them and their successors in interest.

TOWN OF BLOWING ROCK

By _____
Charlie Sellers, Mayor

ATTESTED BY:

Hilari H. Hubner, Town Clerk

APPLICATION FOR CONDITIONAL USE PERMIT

1. Applicant Name: Grand Dakota Development, LLC

Address: 501 East Boulevard, Charlotte, NC 28203

Phone: 704-332-0866 (Office), 704-906-3400 (Cell), Fax: 704-332-1829

2. Is Applicant a corporation? Yes X No

If yes, list the name of the president of the corporation: _____

If yes, list the name of the secretary of the corporation: _____

3. Is Applicant a limited liability corporation (LLC)? X Yes No

If yes, list the name of the manager of the corporation: Cibix Management Inc.

4. Is Applicant a partnership? Yes X No

If yes, list the names of the partners: _____

5. Is Applicant a proprietorship? Yes X No

If yes, list the name(s) of the proprietor(s): _____

6. Tax Parcel Number(s): 2807-98-0716-000, 2807-98-1850-000, 2807-98-0826-000

2807

2807

Owner(s) of Record: Grand Dakota Development, LLC

Deed Book and Page Number: 1) Book 1696, Page 348, 2.) Book 1402 Page 352

7. Location of property: 159 & 167 Rainey Street, Blowing Rock, NC,

TOWN OF BLOWING ROCK
APPLICATION FOR CONDITIONAL USE PERMIT

8. Current zoning classification of subject property: CB

Proposed zoning classification of subject property, if applicable: _____

9. Is property located in protected watershed? X Yes _____ No

If yes, classification of protected watershed: X Class IV _____ Class II

10. Size of property: See Attached Drawings and Notes.

11. Gross floor area of existing buildings: See Attached Drawings and Notes.

Gross floor area of proposed buildings: See Attached Drawings and Notes.

12. A Conditional Use Permit is requested for the following: Construction of a new 40 room hotel with restaurant and bar and surface parking

13. If single-family residential development:

Proposed name of subdivision: Not Applicable

Number of lots proposed to be created: _____

Is development proposed to be a "cluster development"? _____ Yes _____ No

Smallest lot: _____ square feet. Average lot: _____ square feet.

14. If multi-family residential development:

Proposed name of development: Not Applicable

Number of one-bedroom units: _____ Number of two-bedroom units: _____

Number of three-bedroom units: _____ Number of four-bedroom units: _____

15. Percentage of impervious surface (if applicable): 70 %. (Note: impervious area calculations are not applicable to single family residential developments. The density in a single family residential development located in a protected watershed area is limited to one unit per gross half acre.)

Impervious Surface Area Calculations

TOWN OF BLOWING ROCK
APPLICATION FOR CONDITIONAL USE PERMIT

The following calculations should also be shown on the site plan and preliminary subdivision plans. These calculations are essential in the consideration of the request for a Conditional Use Permit:

Total Area (Square Feet of Subject Property)	39,422
<u>Minus</u> Impervious Area in Square Feet Existing Prior to September 15, 1993 (Date of Ordinance)	-18,819
Equals Net Area of Subject Property	
<u>Times</u> Percent of Impervious Area Allowed (See Permitted Allowances Listed Below)	14,438
[Multi-family residential: <u>24%</u> impervious area (up to <u>34%</u> with variance) <u>Non-residential development:</u> <u>24%</u> impervious area in locations that have curb and gutter (up to <u>70%</u> if approved as Special Intensity Allocation) <u>Non-residential development:</u> <u>36%</u> impervious area in locations without curb and gutter (up to <u>70%</u> if approved as Special Intensity Allocation)]	
<u>Minus</u> Impervious Area (in Square Feet) Added After September 15, 1993	-
Equals Net Impervious Allowance	33,257
<u>Proposed</u> Impervious Area to Be Added as Part of Proposed Development (Must Be Less Than Net Impervious Area Allowance)	30,842

Name of Engineer: GEOSCIENCE GROUP, INC.

Address: 500-K Clanton Road, Charlotte, NC 28217

Phone: (704) 941-2252

Name of Surveyor: GEOSCIENCE GROUP, INC.

Address: 500-K Clanton Road, Charlotte, NC 28217

Phone: (704) 941-2252

Name of Land Planner: GEOSCIENCE GROUP, INC.

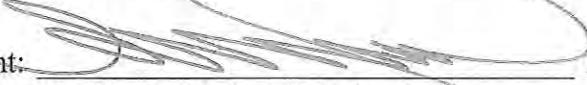
Address: 500-K Clanton Road, Charlotte, NC 28217

Phone: (704) 941-2252

Attached is a site plan showing all existing and proposed improvements as required by the Blowing Rock Land Use Code. Where said plans are in conflict with the provisions of the Land Use Code, I acknowledge that the provisions of the Land Use Code shall prevail, except as specifically provided in any Conditional Use Permit that may be issued by the Town Council. Any deviations from or changes in the plans after submission must be pointed out to the Administrator in writing and specific written approval must be obtained as provided in the Blowing Rock Land Use Code.

TOWN OF BLOWING ROCK
APPLICATION FOR CONDITIONAL USE PERMIT

Grand Dakota Development, LLC
By: Cibix Management Inc. Manager Member

Signature of Applicant: 

Stephen D. Barker, President

Date: February 25, 2019

Representing: Grand Dakota Development, LLC

Grand Dakota Development, LLC
By: Cibix Management Inc. Manager Member

Signature of Property Owner: 

Stephen D. Barker, President

Date: February 25, 2019

For Staff Use Only

Date Application Was Received: 2-26-19 Initials: KR

Date Paid: 2-28-19 Amount Paid: 500.00 Case Number: 2019-01

BASIC REQUIREMENTS FOR PLAN PREPARATION AND SUBMITTAL:

1. Plans shall be submitted to the Administrator by the first business day of any month in order to be considered for the Planning Board agenda for the following month.
2. Initial submittal should include 3 paper copies and pdf file for review by the Administrator.
3. Plan details:
 - a. A location map that shows the location of the project in the broad context of the Town or planning jurisdiction.
 - b. On the first page of the plans, the following information shall be shown:
 - (1) Name of applicant.
 - (2) Name of development (if any).
 - (3) North arrow
 - (4) Legend
 - (5) Scale

SYMBOL LEGEND

- CONCRETE MASTIC PASTE
- CONCRETE MASTIC SET
- CON FM POLAR
- CON FM SET (100 KG)
- GRANITE MARL PASTE
- GRANITE MARL SET
- COMPUTER POINT
- LIGHT POLE
- SHANTY SHED MANGAL
- SHANTY KENI LINE
- WATER LINE
- WATER VALVE
- WATER METER
- FREE PREDATOR
- MOUNTAIN HILL
- GAS LINE
- UTILITY POLE
- OVERHEAD UTILITY
- TRANSFORMERS

RAINEY STREET
RIGHT OF WAY UNKNOWN

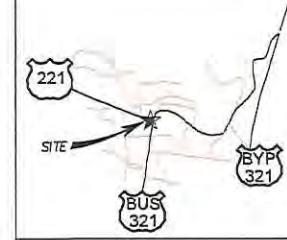
N/P
Dec
Parc

MORNINGSIDE DRIVE
RIGHT OF WAY UNKNOWN

U.S. HIGHWAY 221 / YONAHLOSSEE ROAD
RIGHT OF WAY UNKNOWN

N

Vicinity Map



SCIENCE
SCHOOL

BLLOWING ROCK RAINY LODGE
BLLOWING ROCK, NC

XISTING CONDITIONS
& TREE SURVEY

CO



KEY NOTES

- ① NEW 1'-6" CURB AND GUTTER SEE DETAIL
- ② NEW 2'-0" CURB AND GUTTER, DONE BY BLOWING ROCK/NC DOT
- ③ NEW ACCESSIBLE CONC. SIDEWALK WIDTH VARIES. MAX 5% LONGITUDINAL SLOPE, MAX 2% CROSS SLOPE. SEE DETAIL
- ④ NEW ACCESSIBLE 4' WIDE CONC. SIDEWALK. MAX 5% LONGITUDINAL SLOPE, MAX 2% CROSS SLOPE. SEE DETAIL
- ⑤ NEW ACCESSIBLE 5' WIDE CONC. SIDEWALK. MAX 5% LONGITUDINAL SLOPE, MAX 2% CROSS SLOPE. SEE DETAIL
- ⑥ PERVIOUS PAVERS
- ⑦ OPAQUE DUMPSTER ENCLOSURE. SEE ARCHITECTURAL PLANS FOR SPECS
- ADA SIGNAGE
- ⑧ PLANTING STRIP
- ⑨ 8' HIGH RETAINING WALL
- OUTDOOR DINING/PATIO
- 10'X10' SIGHT TRIANGLE

ZONING CODE SUMMARY

PROJECT NAME: RAINY LODGE
PROJECT ADDRESS: NOT ASSIGNED YET
OWNER: GRAND DAKOTA DEVELOPMENT, LLC
901 S. BROADWAY, SUITE 100
CHARLOTTE, NORTH CAROLINA 28203
PHONE: 704.332.7632
PLANS PREPARED BY: CECOSCIENCE GROUP, INC.
PHONE: 704.525.2867
TAX MAP NUMBER: 28-00-005-0716-000, 2807-59-0822-000 & 2807-59-1830-000
ZONING: C-1 COMMERCIAL BUSINESS DISTRICT
PROPOSED USE: HOTEL
SITE AREA: 19,675 AC
BLDG SIZE: 23,400 SF (3 STORYS)
46 KEYS
SETBACKS:
FRONT: 15' BACK OF SIDEWALK (211)
SIDE: 15' BACK OF SIDEWALK (RAINY AND MORNINGSIDE)
SIDE: 3' (EAST SIDE OF THE PROPERTY)

BUFFERS: SEMI-OPAQUE SCREEN "3'-6" CB ZONING REDUCES IT DOWN TO 4'
(EAST SIDE OF THE PROPERTY)

IMPERVIOUS SURFACE AREA CALCULATIONS:
TOTAL AREA OF PROPERTY: 19,675 SF
IMPERVIOUS AREA PROPERTY: 19,625 SF
NEW AREAS OF PROPERTY: 19,625 SF
70% ALLOWABLE IMPERVIOUS AREA: 14,138 SF
TOTAL "ALLOWABLE" IMPERVIOUS AREA: 13,257 SF
PROPOSED IMPERVIOUS AREA: 10,542 SF

PARKING REQUIRED: 1 SPACE PER ROOM (40) = 40 SPACES
1 SPACE PER 250 SF OF RESTAURANT
1,750 SF/250 = 7 SPACES
OUTDOOR DINING (60 CHAIRS) = 6 SPACES
TOTAL REQD = 53 SPACES
PARKING PROVIDED: 53 SPACES

Rainy Lodge Site Plan Conditions

General Requirements

1. Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Blowing Rock Land Use Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design, development and construction phases.
2. Throughout this Conditional Use Permit application, the terms "Owner", "Operator", "Developer" or "Tenants", "Applicant" should, with respect to the Site, be deemed to include the hotel, lessees, partners, representatives, successors in interest and nominees of the owner or lessee of the Site who may be involved in the development from time to time.

Purpose

The purpose of this Conditional Use Permit application is to provide for the development of a 40 room hotel with necessary restaurant and outdoor parking.

Site Characteristics

1. The site will have access to Morningside Drive and to Rainey Street as generally depicted on the concept plan for the site.
2. Parking areas are indicated on the concept plan for the site.
3. Driveway Fronts for all driveway connections will meet NC DOT or Town of Blowing Rock standards, which have not yet been established.
4. The area along U.S. Highway 221 that borders the site will be improved with landscaping and improved pedestrian access to the site in conjunction with the curb, gutter and sidewalks being installed by the Town and NC DOT.
5. The Applicant reserves the right to make minor modifications to the specific building amounts and colors as long as the character and general look and feel of the architecture is maintained.
6. The Applicant will install site landscaping as generally depicted on the concept plan. The exact configuration and material colors or plants to be installed along the U.S. 221 frontage will be determined, reviewed, and approved during the design and development process prior to the issuance of construction permits for vertical construction. Any trees proposed to be planted in the right-of-way will require the design and development approval.
7. The Applicant will install signage in that vehicles exiting the site onto Rainey will be directed to turn left only and vehicles exiting the site onto Morningside will be directed to turn left only.

Additional Site Plan and Development Conditions

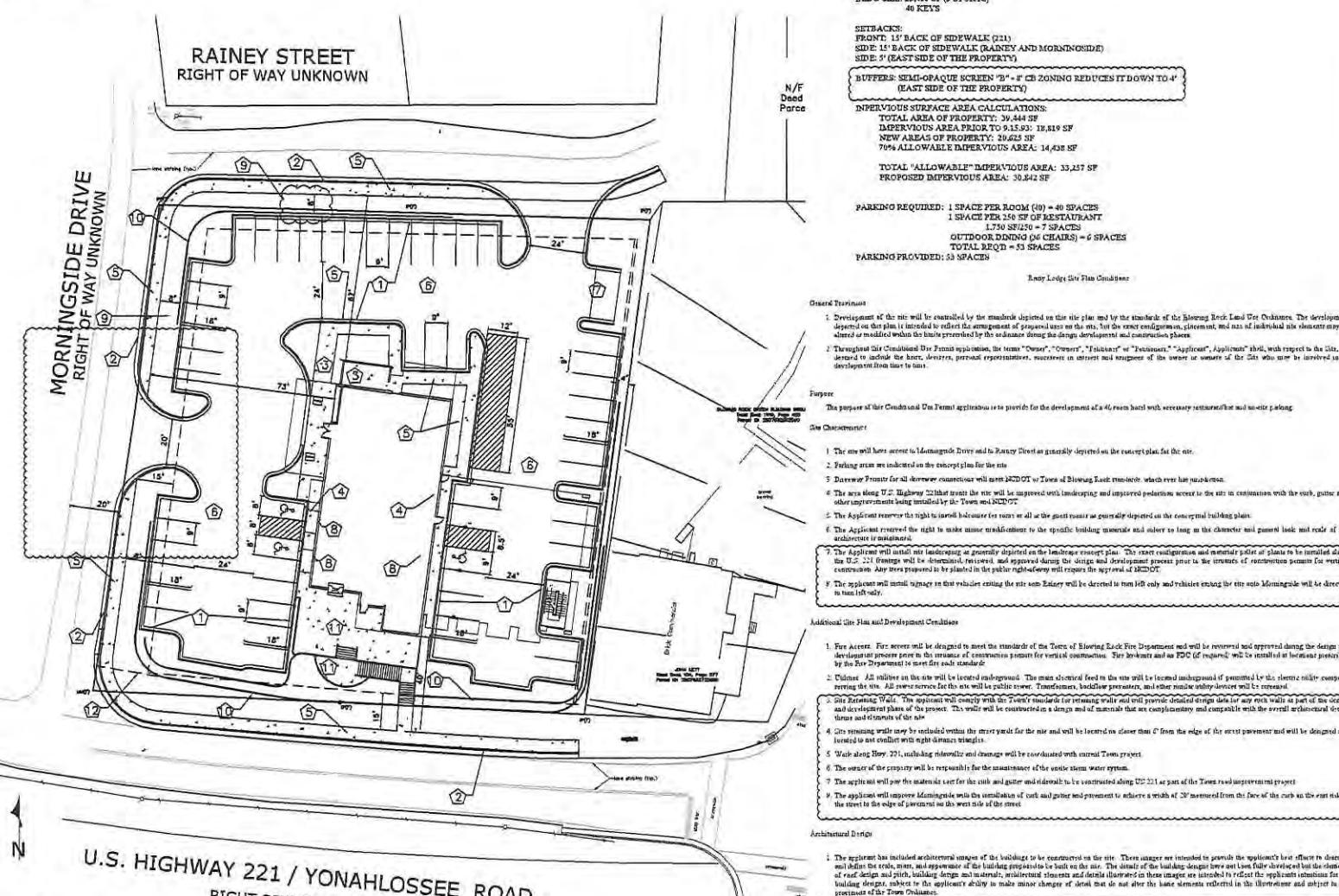
1. Fire Access: Fire access will be designed to meet the standards of the Town of Blowing Rock Fire Department and will be reviewed and approved during the design and development process prior to the issuance of construction permits for vertical construction. Fire hydrants and an FDC (if required) will be installed at locations presented by the Fire Department to meet fire standards.
2. Utilities: All utilities on the site will be located underground. The main electrical feed to the site will be located underground if permitted by the electric utility company serving the area. All utility lines will be located in public areas. Telecommunications, building plenums, and other media underground lines will be required.
3. Site Retention: The applicant will comply with the Town's standards for retaining walls and will provide detailed design data for any such walls as part of the design and development plans, which will be submitted to the Town for review.
4. Site retaining walls may be installed within the street grid for the site and will be located no closer than 6' from the edge of the street pavement and will be designed and located to not conflict with any drainage systems.
5. Walk along Hwy 221, including sidewalks and drainage will be coordinated with current Town project.
6. The owner of the property will be responsible for the maintenance of the utility storm water system.
7. The owner will use the materials, color for the curb and gutter and drainage to be constructed along Hwy 221 as part of the Town road improvement project.
8. The applicant will improve Morningside with the installation of curb and gutter and pavement to achieve a width of 30' measured from the face of the curb on the east side of the street to the edge of pavement on the west side of the street.

Architectural Design

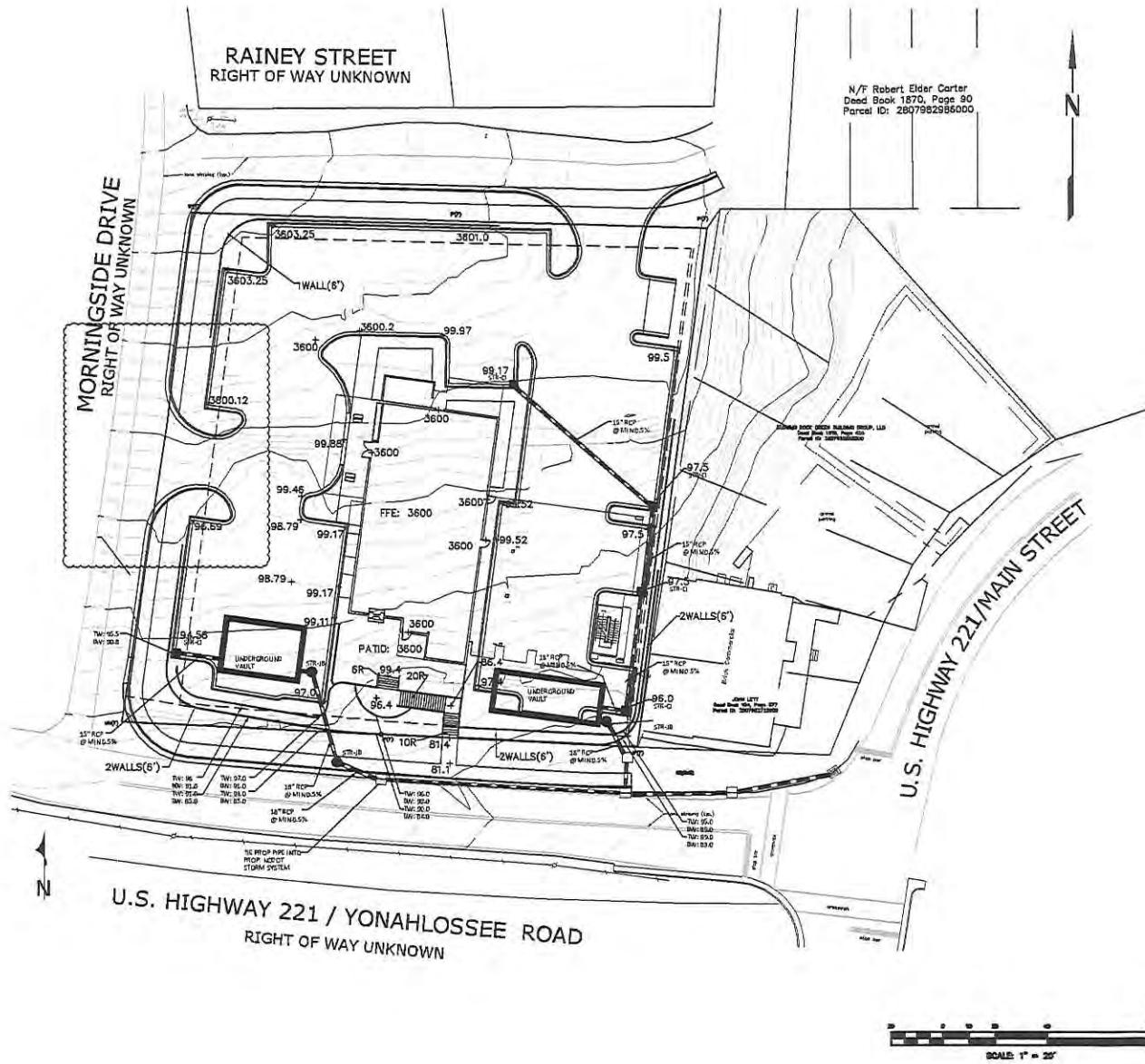
1. The applicant has included architectural images of the building to be constructed on the site. These images are intended to provide the applicant's best effort to depict and define the style, mass, and appearance of the building proposed to be built on the site. The details of the building designs have not been fully developed but the elements of road design and pitch, building design and interior, architectural elements and details illustrated in these images are intended to reflect the applicant's intentions for the building design, subject to the applicant's ability to make minor changes of detail that do not alter the basic elements reflected in the illustrations and subject to the planning department's review.
2. The exact height for the building(s) will be determined and approved as part of the design and development review process. In all cases the building heights will comply with the applicable provisions of the Code and will not exceed 40'.

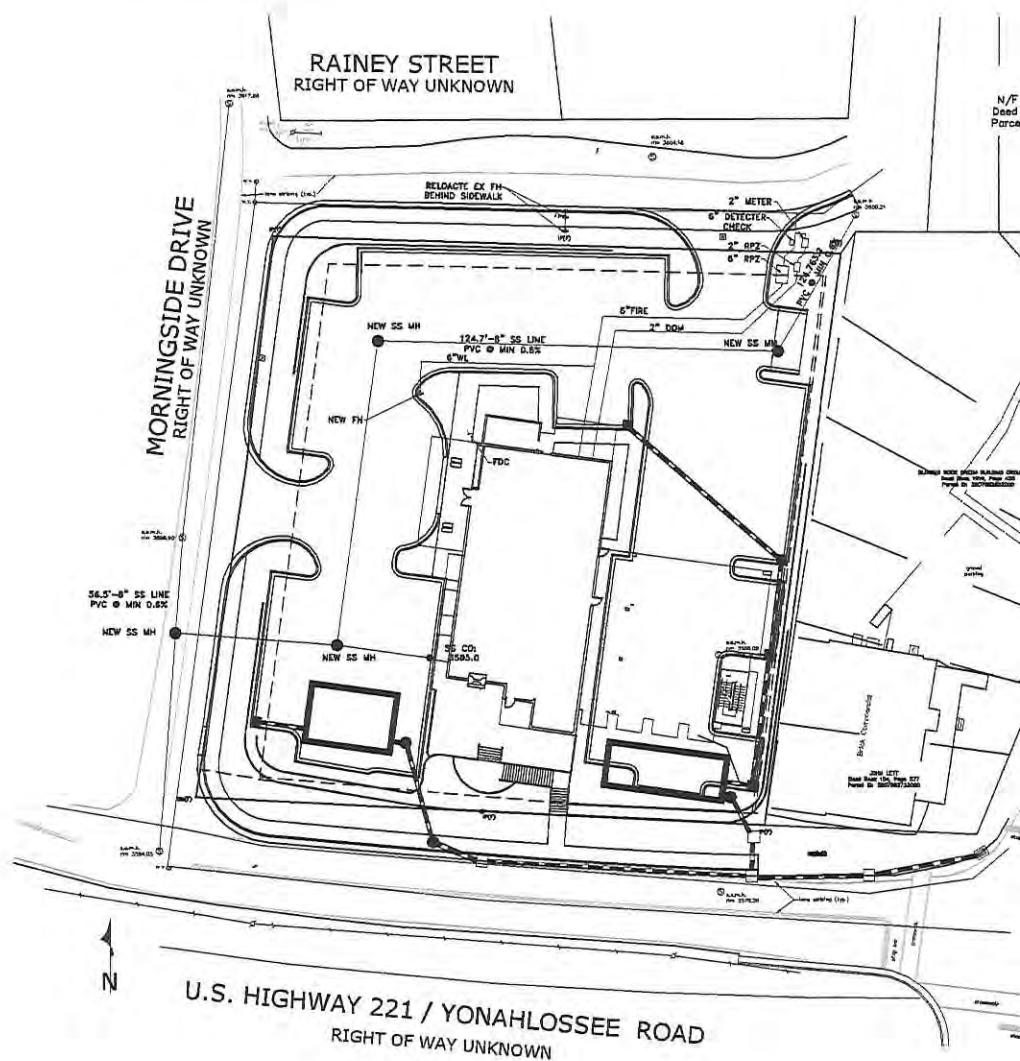
Initial Submittal: February 25, 2019, 1:11
Amended per staff comment: March 14, 2019, 1:12
Modified per staff and Planning Board meeting, April 2, 2019, 1:15

SITE PLAN
C1.1



STORM WATER TO BE HANDLED BY A UNDERGROUND VAULT OR A PERVIOUS PAVER SYSTEM





SCALE: 1" = 20'

56

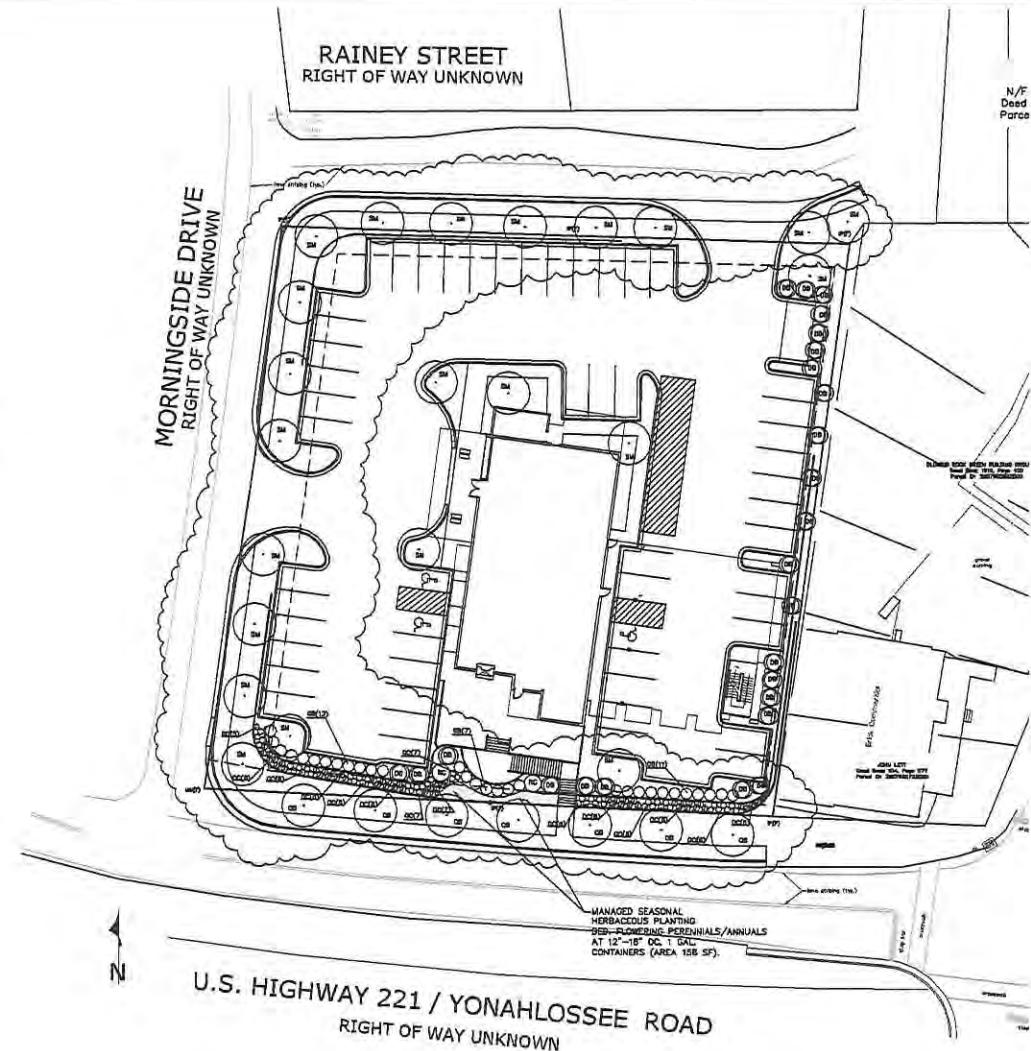
C3.1

TENNYSON

BLLOWING ROCK RAINIEY LODGE
BLLOWING ROCK, NC

NAME	ADDRESS	PHONE	EXC
John Doe	123 Main St	555-1234	11.10
Jane Doe	456 Elm St	555-2345	
John Doe	123 Main St	555-1234	
Jane Doe	456 Elm St	555-2345	

NAME	ADDRESS	PHONE	TYPE	EXPIRE
John Doe	123 Main St	555-1234	Resident	11/18
Jane Doe	123 Main St	555-1234	Resident	11/18
John Doe	123 Main St	555-1234	Resident	11/18
Jane Doe	123 Main St	555-1234	Resident	11/18



PLANTING SCHEDULE					
SYM.	CITY	BOTANICAL NAME	COMMON NAME	ROOT/CONTAINER	HEIGHT/SIZE
SM	18	ACER SACCHARINUM X BARTONII 'SANDERSVILLE'	HARVEST MOON SUGAR MAPLE	3" CAL. B.	3" CAL. B.
SP	7	QUERCUS SHARONII 'PARADISE'	SHARON OAK	3" CAL. B.	3" CAL. B.
SP	26	LEX IPICA DELLA BRAEY	TELLA BRAEY AMERICAN HOLLY	3" CAL. B.	3" CAL. B.
SP	34	LAMPROPHYLLUM 'SWEET'	SHRIMP PLANT	3" CAL. B.	3" CAL. B.
OC	33	THYRSOCODON FLAMMEUS 'TODDADA'	EDMONDIA	3 GALL.	12" WIDTH x 3' OC
OC	42	JAFFEWS VIRENSA 'GREY ONE'	GREY ONE JUNIPER	3 GALL.	12" WIDTH x 2' OC
OC	30	RAEUM SEPPENWOLDE VIRENSA 'BLAUY'	RAEUM BLAUY AMERICAN BIRCH	3 GALL.	12" WIDTH x 2' OC

0 10 20 30 40 50 60 70 80 90 100

SCALE: 1" = 20'

L1.1
LANDSCAPE PLAN

BLOWING ROCK RAINY LODGE
BLOWING ROCK, NC

EXCERPT CROSS	
PRELIMINARY NOT PP CONSTRUCTION	<input type="checkbox"/>
ISSUED FOR BONDING	<input type="checkbox"/>
ISSUED FOR PERMIT	<input type="checkbox"/>
ISSUED FOR CONSTRUCTION	<input type="checkbox"/>



BLOWING ROCK - RAINY LODGE

BLOWING ROCK, NC

28 MARCH 2019

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BLOWING ROCK - RAINY LODGE

BLOWING ROCK, NC

28 MARCH 2019

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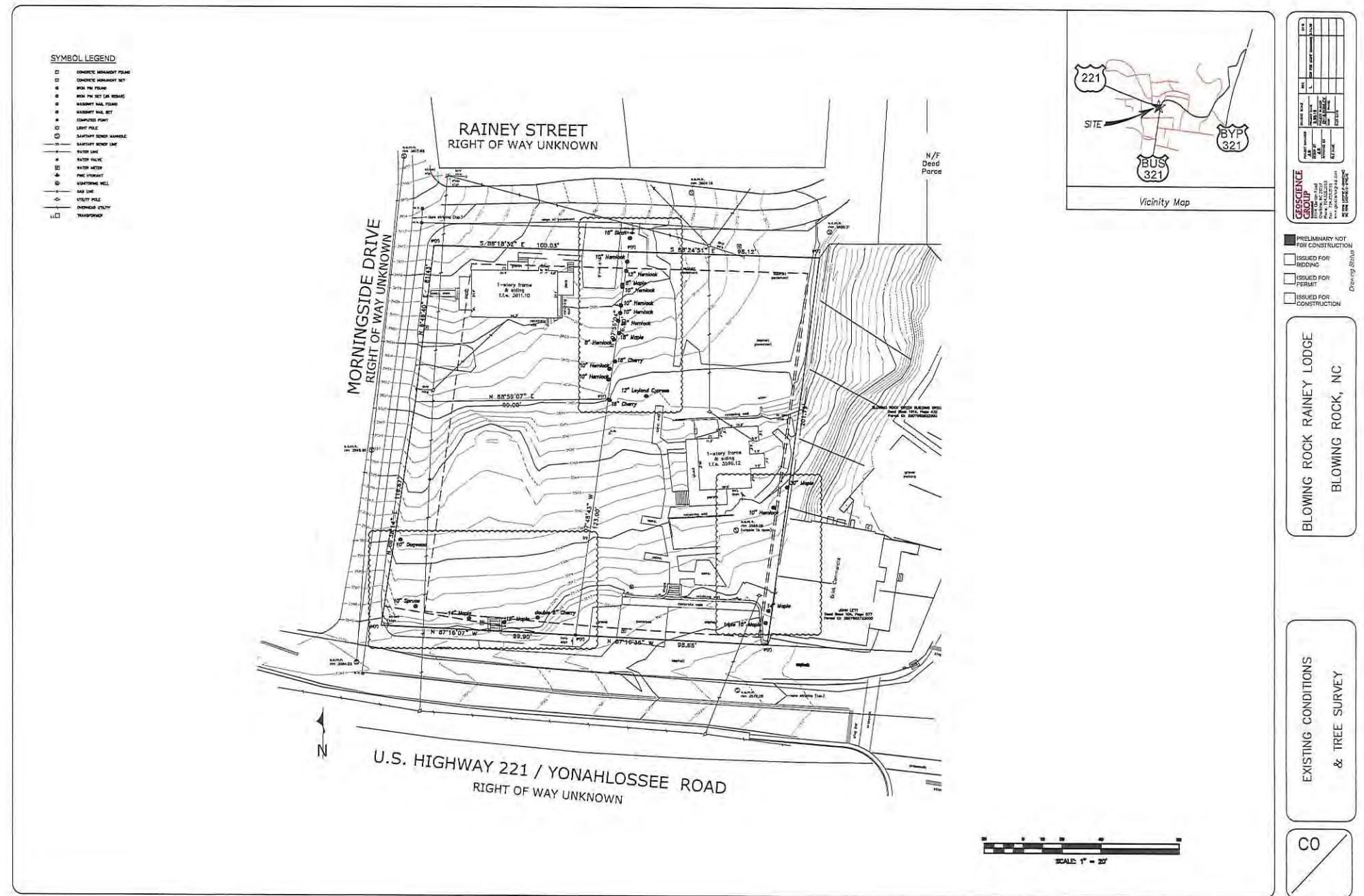
BLOWING ROCK - RAINY LODGE

BLOWING ROCK, NC

28 MARCH 2019

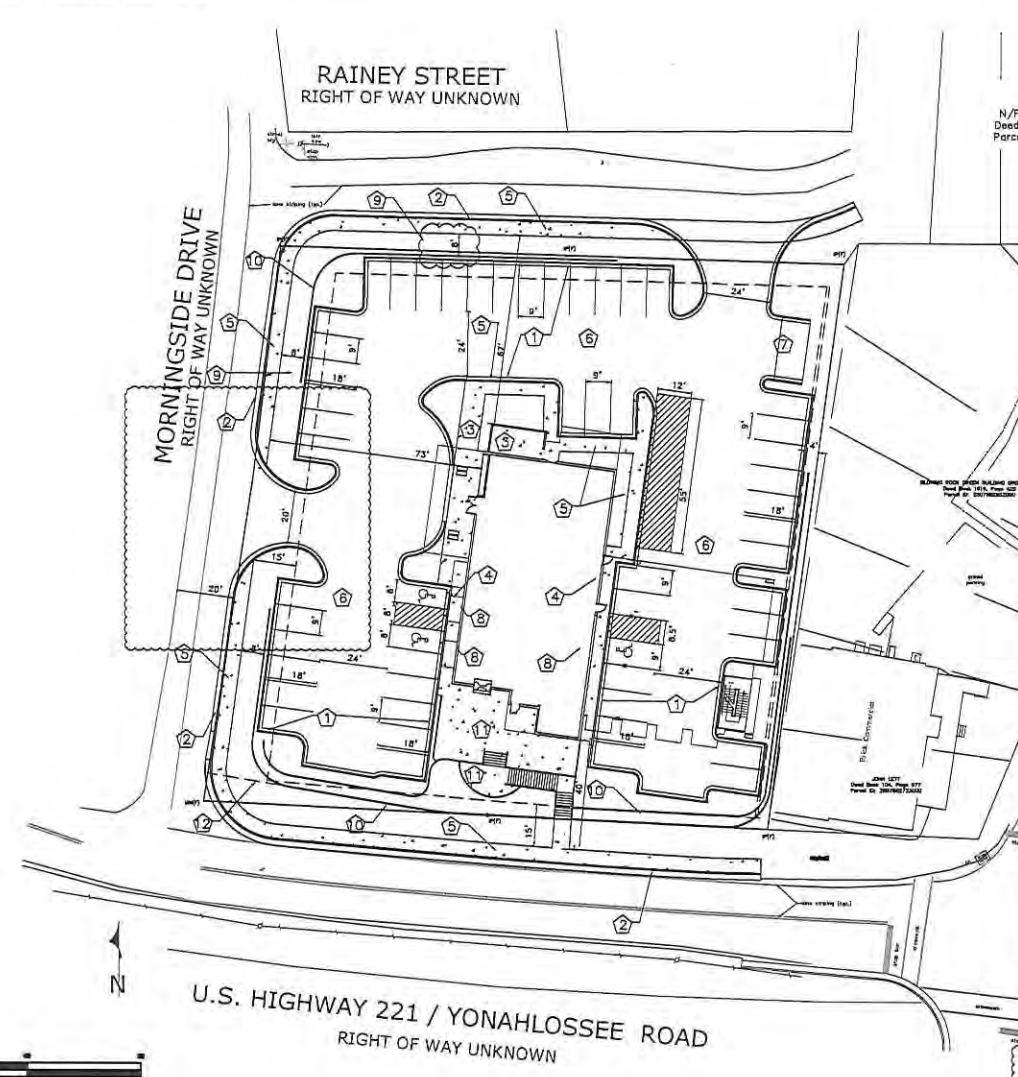
www.oda.us.com Overcash Demmitt Architects





KEY NOTES

- ① NEW 1'-6" CURB AND GUTTER SEE DETAIL
- ② NEW 2'-0" CURB AND GUTTER, DONE BY BLOWING ROCK/NCDDT
- ③ NEW ACCESSIBLE CONC. SIDEWALK WIDTH VARIES, MAX 5% LONGITUDINAL SLOPE, MAX 2% CROSS SLOPE, SEE DETAIL
- ④ NEW ACCESSIBLE 4' WIDE CONC. SIDEWALK, MAX 5% LONGITUDINAL SLOPE, MAX 2% CROSS SLOPE, SEE DETAIL
- ⑤ NEW ACCESSIBLE 5' WIDE CONC. SIDEWALK, MAX 5% LONGITUDINAL SLOPE, MAX 2% CROSS SLOPE, SEE DETAIL
- ⑥ PERVIOUS PAVING
- ⑦ OPAQUE DUMPSTER ENCLOSURE, SEE ARCHITECTURAL PLANS FOR SPECS
- ⑧ ADA SIGNAGE
- ⑨ 8' PLANTING STRIP
- ⑩ 8' HIGH RETAINING WALL
- ⑪ OUTDOOR DINING/PATIO
- ⑫ 10'X70' SIGHT TRIANGLE



ZONING CODE SUMMARY

PROJECT NAME: RAINY LODGE
PROJECT ADDRESS: NOT ASSIGNED YET
OWNER: GRAND DAKOTA DEVELOPMENT, LLC
501 EAST BLVD
CHARLOTTE, NORTH CAROLINA 28203
PHONE: 704.332.7023
PLANS PREPARED BY: GEOSCIENCE GROUP, INC.
PHONE: 704.524.1000
TAX PARCELS: 280-509-0716-006, 2807-96-0026-000 & 2807-96-1850-000
ZONING: CB-CENTRAL BUSINESS DISTRICT
PROPOSED USE: HOTEL
SITE AREA: 32.48 AC
BLDG SIZE: 23,480 SF (3 STORIES)
40 KEYS

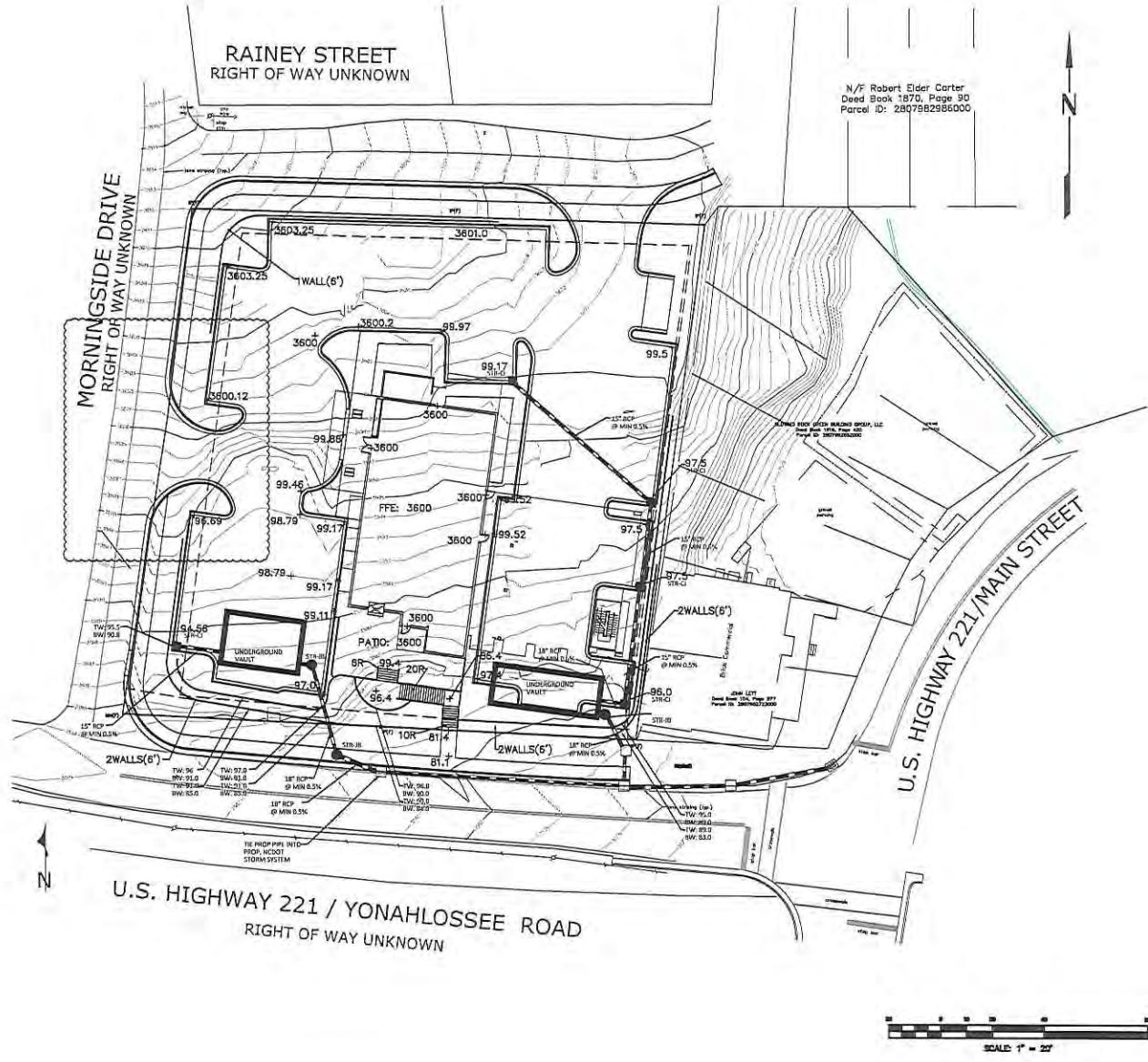
GEOSCIENCE GROUP	
ISSUED FOR	CONSTRUCTION
ISSUED FOR	BIDDING
ISSUED FOR	PERMIT
ISSUED FOR	CONSTRUCTION

BLOWING ROCK RAINY LODGE
BLOWING ROCK, NC

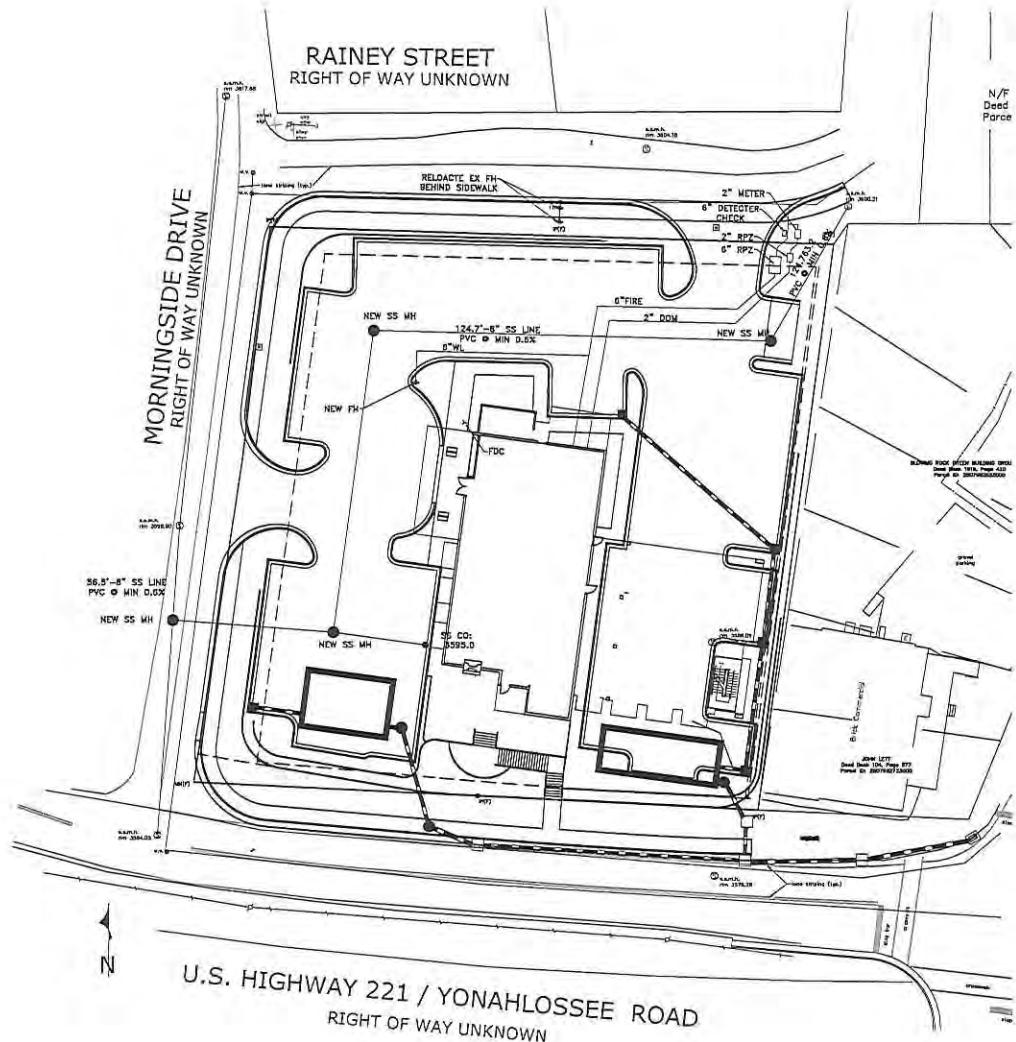
SITE PLAN

C1.1

STORM WATER TO BE HANDLED BY A UNDERGROUND VAULT OR A PERVERS PAVER SYSTEM



63



UTILITY PLAN

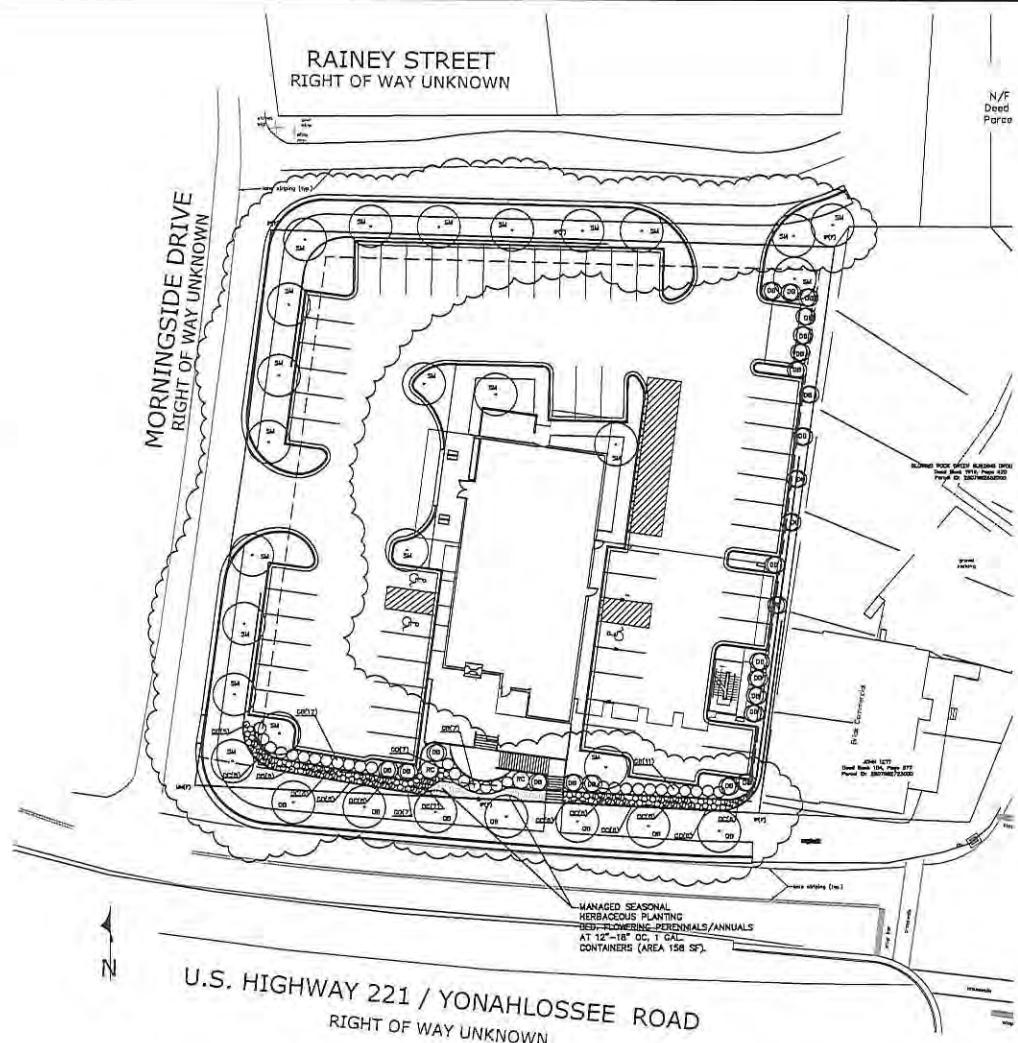
C3.1

BLLOWING ROCK RAINIEY LODGE
BLLOWING ROCK, NC

BLLOWING ROCK, NC

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प्राचीन वाला	वाला	वाला	वाला

**GEOSCIENCE
GROUP**
SaskTel Building
1000 - 11th Street
Regina, SK S4P 2A3
Tel: 306.587.2511
Fax: 306.587.2511
E-mail: gsg@sk.sympatico.ca



STREET TREES:
1 TREE PER 30' OF STREET FRONTAGE
TOTAL STREET FRONTAGE: 594.81' / 30' = 20 TREES
22 TREES PROVIDED

SHADE TREE REQUIREMENT:
ACCOMMODATION AREA: 20,545 SF
20,545(0.2) = 4,109 SF
4,109 / 707 = 5.8 TREES REQUIRED
6 TREES PROVIDED

LANDSCAPE PLAN

L1.1

PLANTING SCHEDULE

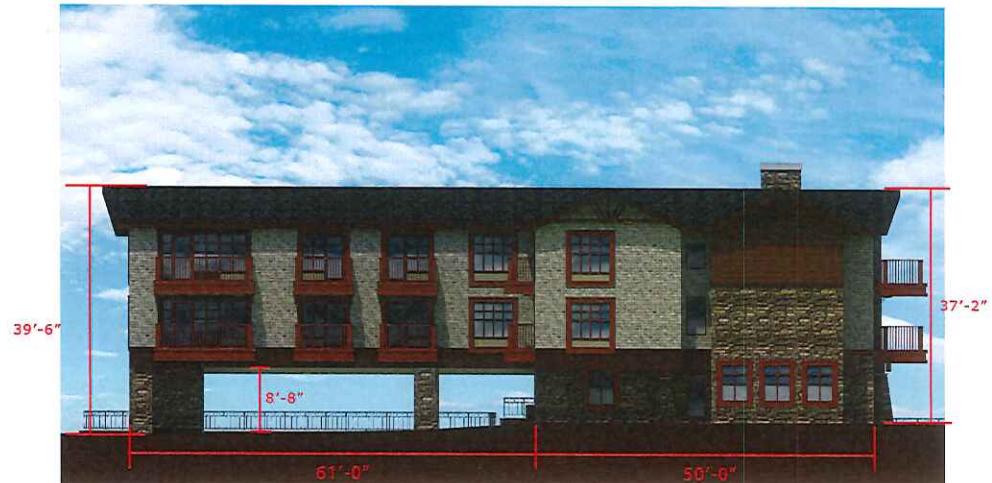
QUANTITIES ARE FOR DOWNSIDE ONLY. CONSULTOR IS RESPONSIBLE FOR ACTUAL PLANT MATERIAL, SHIPS OR PLANTS.						
SYN.	QTY.	BOTANICAL NAME	CORONN NAME	ROD/CONTAINER	HEIGHT/SIZE	COMMENTS
SH	15	ACER SACCHARINUM X BARTONII 'SANDERSVILLE'	MAPLE 'MOUNT MOON' SUGAR MAPLE	8' # 8	3" CAL. WIL. #	
SH	7	ACER SACCHARINUM X BARTONII 'SANDERSVILLE'	MAPLE 'MOUNT MOON' SUGAR MAPLE	8' # 8	3" CAL. WIL. #	TREE
SH	15	ACER SACCHARINUM X BARTONII 'SANDERSVILLE'	MAPLE 'MOUNT MOON' SUGAR MAPLE	8' # 8	3" CAL. WIL. #	TREE
SH	15	ALNUS INCANA 'SILVER BIRCH'	BIRCH 'SILVER' SILVER BIRCH	8' # 8	3" CAL. WIL. #	SHRUB
DC	33	BACCHARIS FLAVICOMA 'TECHNE' 'AZALEA'	DECIDUE AZALEA	3 GAL	18"X36"-18"-18" DE	PLANT HIGH IN AMERICAN ADOLE. SOIL
DC	42	JAFFRUS VIRGINIANA 'SWEET' 'OMS'	SWEET OM'S. JAFFRUS	3 GAL	18"X36"-18"-18" DE	SHRUB
SH	20	JAFFRUS VIRGINIANA 'SWEET' 'OMS'	SWEET OM'S. JAFFRUS	3 GAL	18"X36"-18"-18" DE	SHRUB



BLLOWING ROCK RAINY LODGE
BLLOWING ROCK, NC

GEOLIGIC GROUP	
<input checked="" type="checkbox"/>	PRELIMINARY NOT FOR CONSTRUCTION
<input type="checkbox"/>	ISSUED FOR RIDGELINE
<input type="checkbox"/>	ISSUED FOR PERMIT
<input type="checkbox"/>	ISSUED FOR CONSTRUCTION

Divide Status



*The exact dimension for the building heights will be reviewed and approved as part of the design and development review process. In all cases the building heights will comply with the applicable provisions of the Code and will not exceed 40'.

BLOWING ROCK - RAINY LODGE

BLOWING ROCK, NC

28 MARC2H 2019

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TRAFFIC IMPACT ANALYSIS

BLOWING ROCK HOTEL

Yonahlossee Road (US 221) & Morningside Drive
Blowing Rock, North Carolina



for

Grand Dakota Development, LLC

March 2019

794-001 (C-2165)



2459 Wilkinson Boulevard, Suite 200
Charlotte, NC 28208

o 704.343.0608
w www.drgroup.com



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EXECUTIVE SUMMARY

Grand Dakota Development, LLC proposes to re-zone and construct a 40 room hotel that includes a small scale quality restaurant, which is to be located on the northeast quadrant of Yonahlossee Road (US 221) and Morningside Drive in Blowing Rock, NC (see Figure 1). The project is expected to be developed in 2020.

This report provides analysis of the traffic operations within the area of influence during four requested peak hours. The peak hours analyzed include weekday AM & PM peaks, Friday PM seasonal peak, and Saturday special event PM peak. It provides intersection improvements needed (if required) for mitigating traffic impacts. This study evaluates the following scenarios:

- 2018 Existing Conditions
- 2020 No Build
- 2020 Build

The area of influence of the study site includes the following two existing intersections and two proposed access locations:

1. Yonahlossee Road (US 221) & Morningside Drive (unsignalized)
2. Yonahlossee Road (US 221) & Main Street (US 321 Business (signalized)
3. Morningside Drive & Proposed Access "A"
4. Rainey Street & Proposed Access "B"

Proposed access to the site will occur via the following:

- Proposed Access "A" – A full movement access located approximately 115 feet north of Yonahlossee Road (US 221)
- Proposed Access "B" – A restricted movement access that will only allow right-ingress and left-egress located on Rainey Street approximately 160 feet east of Morningside Drive Road

The proposed site buildout trip generation results indicate that the project is expected to generate 16 Weekday AM peak hour trips, 18 Weekday PM peak hour trips and 42 Saturday peak hour trips.

Currently, the existing study intersections operate at a LOS "B" or better during all four peak hours. Typically, an intersection is said to be operating at capacity at a volume-to-capacity (v/c) ratio of 1.00 and acceptable at a LOS "D" or better.

With the results of our analyses (specifics are described in the Traffic Analysis section of this report) no roadway improvements were deemed necessary at the existing study intersections. In addition, the suggested proposed access configurations include:



Morningside Drive Facing North Near US 221



3. Morningside Drive & Proposed Full Movement Access "A" (unsignalized)

- One ingress lane and one egress lane on Proposed Access "A"

4. Morningside Drive & Proposed Right-In/Left-Out only Access "B" (unsignalized)

- One ingress lane and one egress lane on Proposed Access "B"
- MUTCD standard turn restriction signing (R3-1 and R3-2) should be provided at the driveway and on Rainey Street to further enforce turn-restrictions.

In summary, the minor amount of traffic associated with the proposed hotel and restaurant development that is expected to be added to the roadways will not impact the nearby roadways and study intersections and in our professional opinion will not materially endanger the public health or safety of the citizens or visitors of Blowing Rock, NC.

PROPOSED DEVELOPMENT

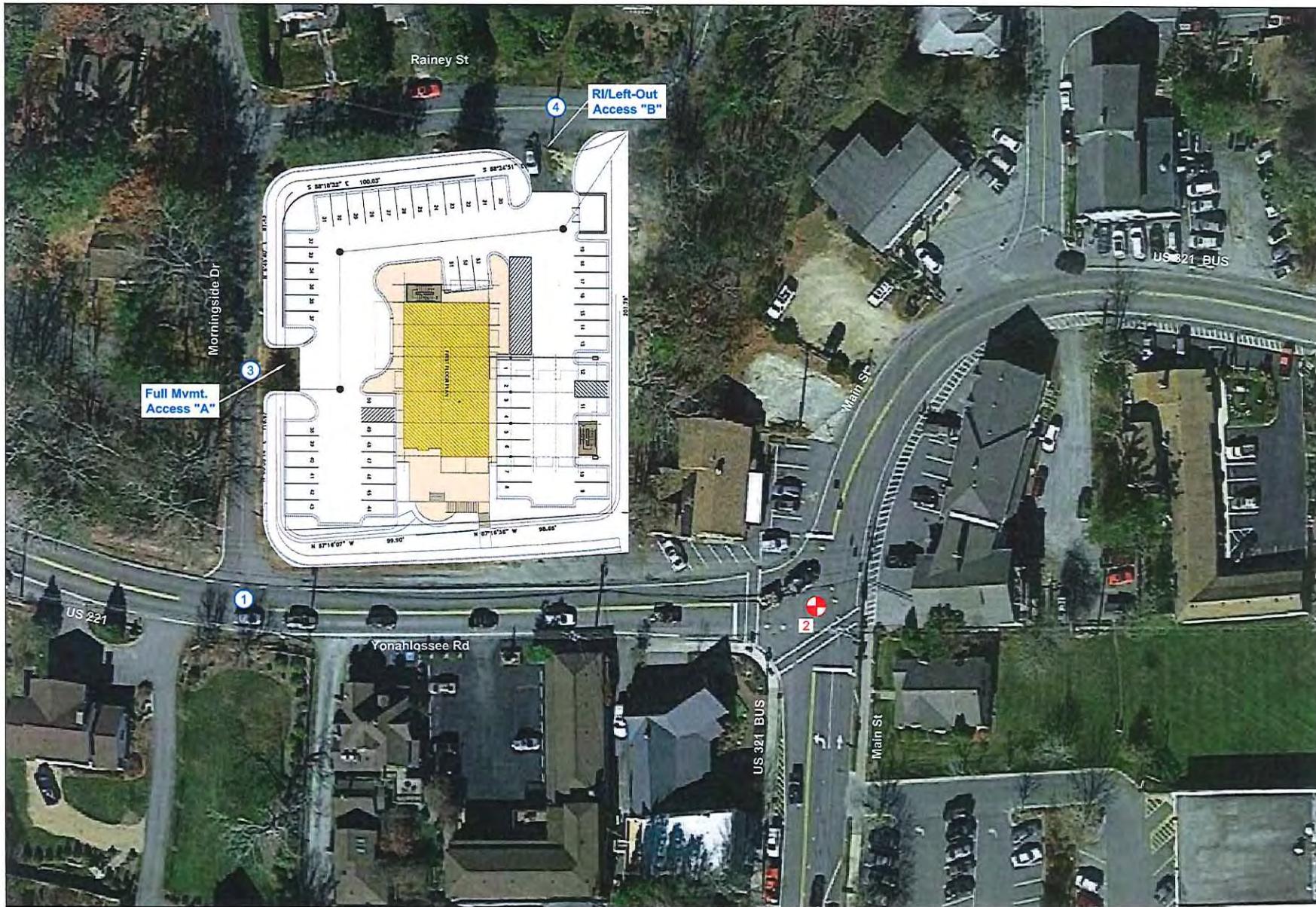
Grand Dakota Development, LLC proposes to re-zone and construct a 40 room hotel that includes a small scale quality restaurant, which is located on the northeast quadrant of Yonahlassee Road (US 221) and Morningside Drive in Blowing Rock, NC (see Figure 1). The project is expected to be developed in 2020.

Per the development plan (see Site Plan), access to the site is expected to occur via two locations:

- Proposed Access "A" – A full movement access located approximately 115 feet north of Yonahlossee Road (US 221)
- Proposed Access "B" – A restricted movement access that will only allow right-ingress and left-egress located on Rainey Street approximately 160 feet east of Morningside Drive Road



Morningside Drive Facing North Near US 221



LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

2459 Wilkinson Blvd, Ste 200, Charlotte, NC 28208
704.343.0008
www.drg.com

BLLOWING ROCK HOTEL TIA

GRAND DAKOTA DEVELOPMENT, LLC
BLOWING ROCK, NC
217 E. TREMONT AVENUE
CHARLOTTE, NC 28223

AREA OF INFLUENCE

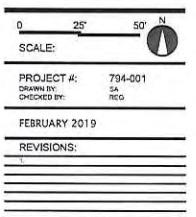
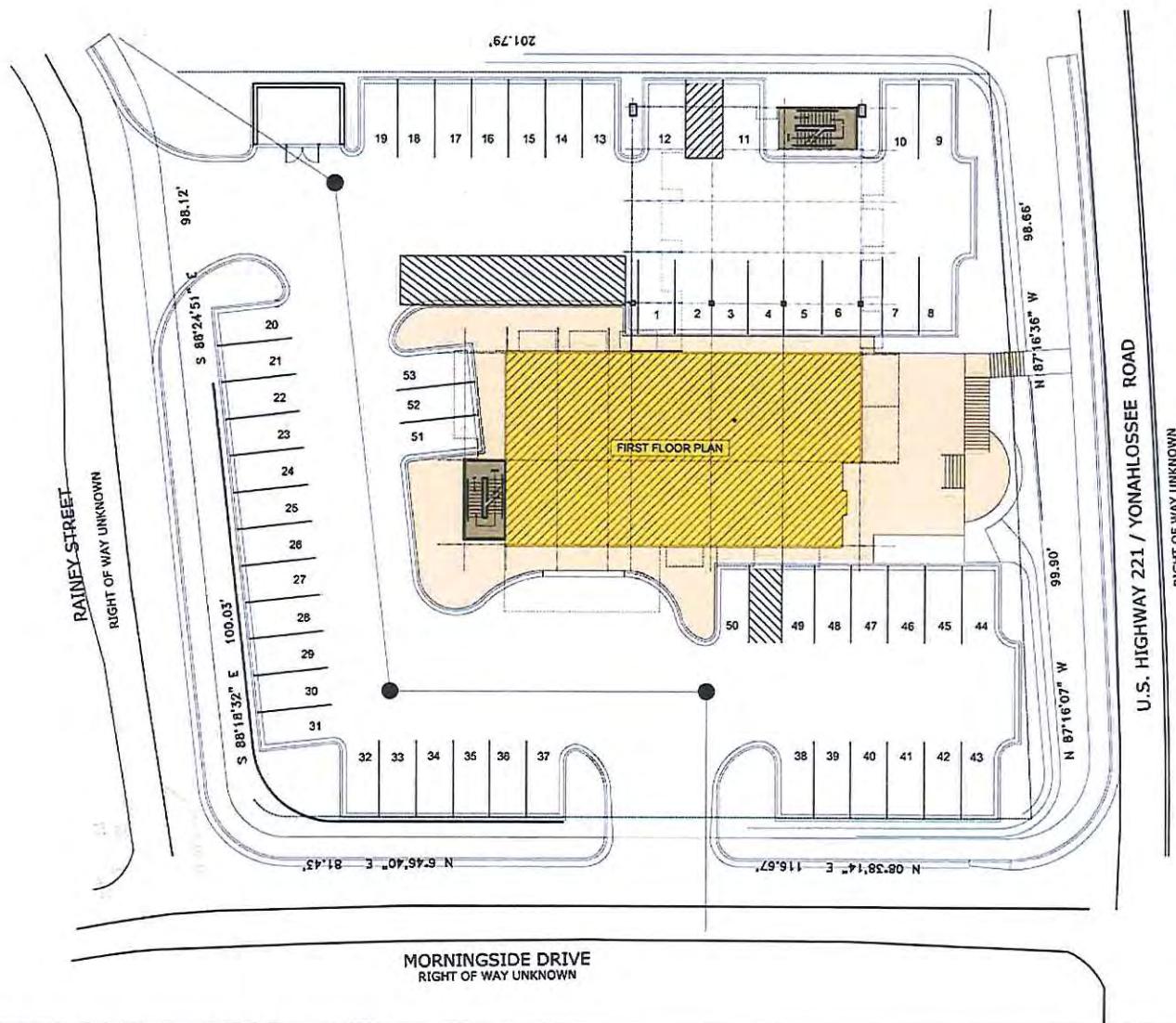


Figure 1



HOTEL DATA:

TOTAL KEYS : 40

STANDARD KING : 30 KEYS
STUDIO QQ : 6 KEYS
SUITE : 2 KEYS
1 BED R. SUITE : 2 KEYS

PARKING REQUIREMENT:
TOTAL 53 SPACES

PROVIDED FOR :

- 40 GUEST ROOMS = 40 PARKING SPACES
- RESTAURANT 1,750 SF. / 250 = 7 PARKING SPACES
- OUTDOOR DINING 36 CHAIRS = 6 PARKING SPACES
- 4 EXTRA SEATS = FREE TABLE

TOTAL AREA : +/- 22,600 SF.

BLOWING ROCK - RAINY LODGE
BLOWING ROCK, NC

02 II 2018

SITE PLAN

CATELLUS
GROUP



Overcash Demmitt Architects • www.oda.us.com

AREA CONDITIONS

The area of influence of the study site includes the following two existing intersections and two proposed access locations:

1. Yonahlossee Road (US 221) & Morningside Drive (unsignalized)
2. Yonahlossee Road (US 221) & Main Street (US 321 Business) (signalized)
3. Morningside Drive & Proposed Access "A"
4. Rainey Street & Proposed Access "B"



Yonahlossee Rd Facing East Towards
Main St



Main St Facing West Towards
Yonahlossee Rd

As indicated on NCDOT's functional classification for roadways, Yonahlossee Road (US 221) is a major collector, with a posted speed limit of 35 mph (located on the south side of the site). Yonahlossee Road (US 221) is a two-lane roadway (one lane in each direction); no bike lanes, curb/gutter, planting strip, or sidewalk is present.

Main Street (US 321 Business) is also a major collector, with a posted speed limit of 35 mph (located on the east side of the site). It is a two-lane roadway (one lane in each direction) with a designated northbound left-turn lane at the intersection of US 221. Curb/gutter and sidewalk is present on both northbound and southbound movements.

Town of Blowing Rock is working to further improve connectivity and pedestrian safety in the area with sidewalk/drainage improvements along the US 221 corridor from Bass Lake to Main St (US 321 Business) (see Plan Sheet C-105 located in the Appendix).

Weekday AM (7:00-9:00 AM) and PM (4:00-6:00 PM) peak period turning movement counts were conducted at the two existing intersections on Tuesday November 20, 2018. Furthermore, turning movement counts were collected on November 23, 2018 (2:00-5:00PM) and November 24, 2018 (10:00 AM-1:00 PM) to account for Friday seasonal peak and Saturday special event peak periods, respectively.

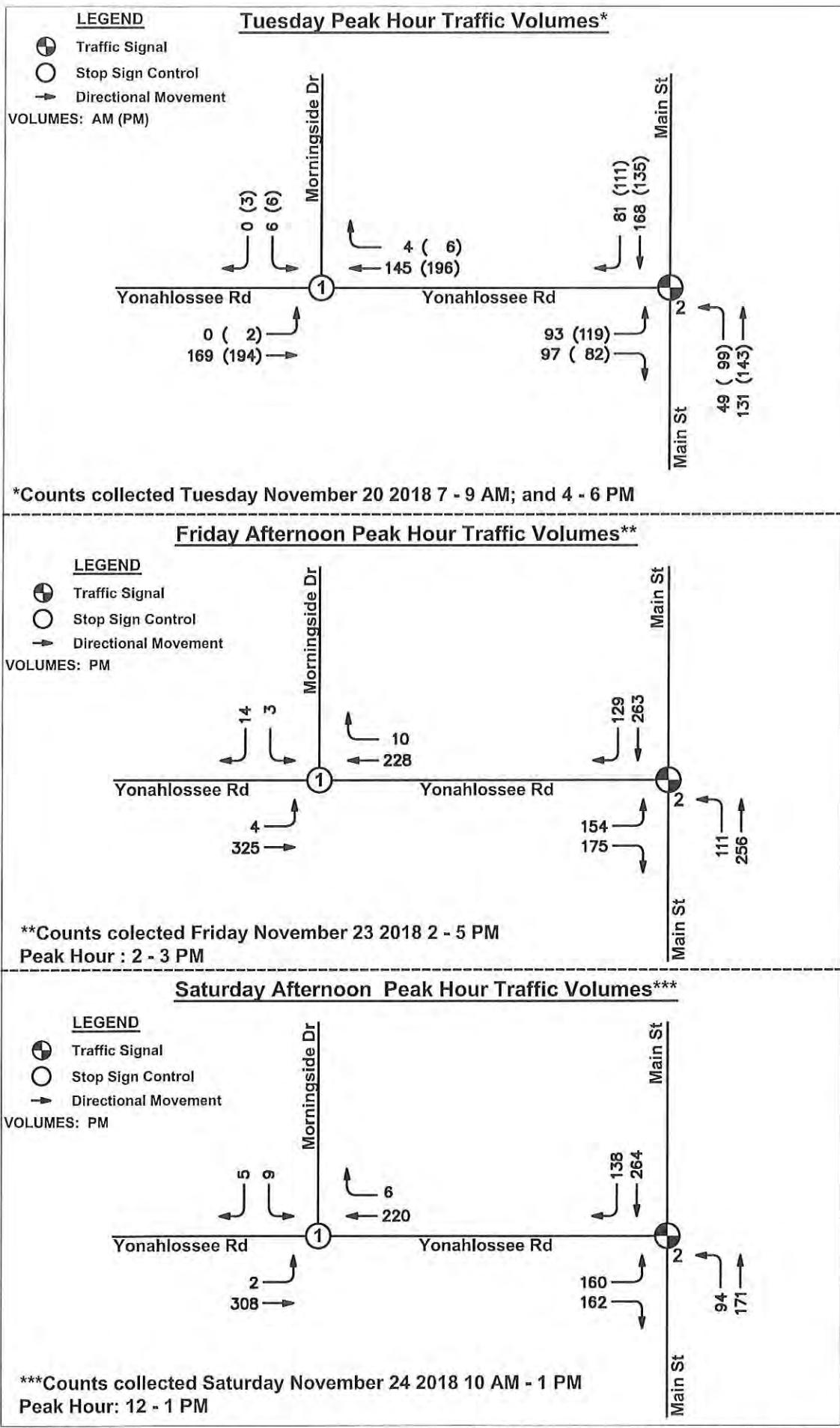
In addition to the intersection turning movement counts, NCDOT is the source for average annual two-way daily traffic (AADT) volumes within the area of influence see Table 1.

Table 1: Average Annual Daily Traffic Volumes (veh. per day)

Roadway	AADT (Year)
Yonahlossee Rd west of Morningside Dr	3,200 (2017)
Main Street north of Yonahlossee Rd	4,300 (2017)
Main Street south of Yonahlossee Rd	4,800 (2017)

NCDOT crash frequency by location displays 5 crashes occurring between 2014-2018 at the intersection of Yonahlossee Rd & Main St.

Figure 2 shows the existing traffic volumes for the Weekday AM peak, Weekday PM peak, Friday PM peak and Saturday PM peak hours.



PROJECTED TRAFFIC

The projected background traffic volumes used in the analyses were developed from existing peak-hour-turning-movement-count data. Traffic counts were collected for weekday AM and PM peaks on Tuesday November 20, 2018; Friday PM on Friday November 23, 2018; and Saturday PM Saturday November 24, 2018. A compounded annual growth rate of 2% was applied to the turning movement counts to account for future 2020 No Build traffic volumes.

The daily and peak-hour-trip-generation data for the site is presented in Table 1. The values for the trips generated by the land uses are obtained from the Institute of Transportation Engineers, Trip Generation Manual, 10th Edition, 2017.

Table 1: Site Trip Generation

Land Use [ITE Code]	Daily	AM Peak Hour			PM Peak Hour			Saturday Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Proposed Development										
Hotel [310]	40	Rms.	25	9	6	15	2	2	4	18
Quality Restaurant [931]	1,750	SF	147	1	0	1	9	5	14	6
Total Proposed Trips	172		10	6	16		11	7	18	24
										42

References:

Trip Generation, 10th Edition, Institute of Transportation Engineers, Washington, DC. 2017.

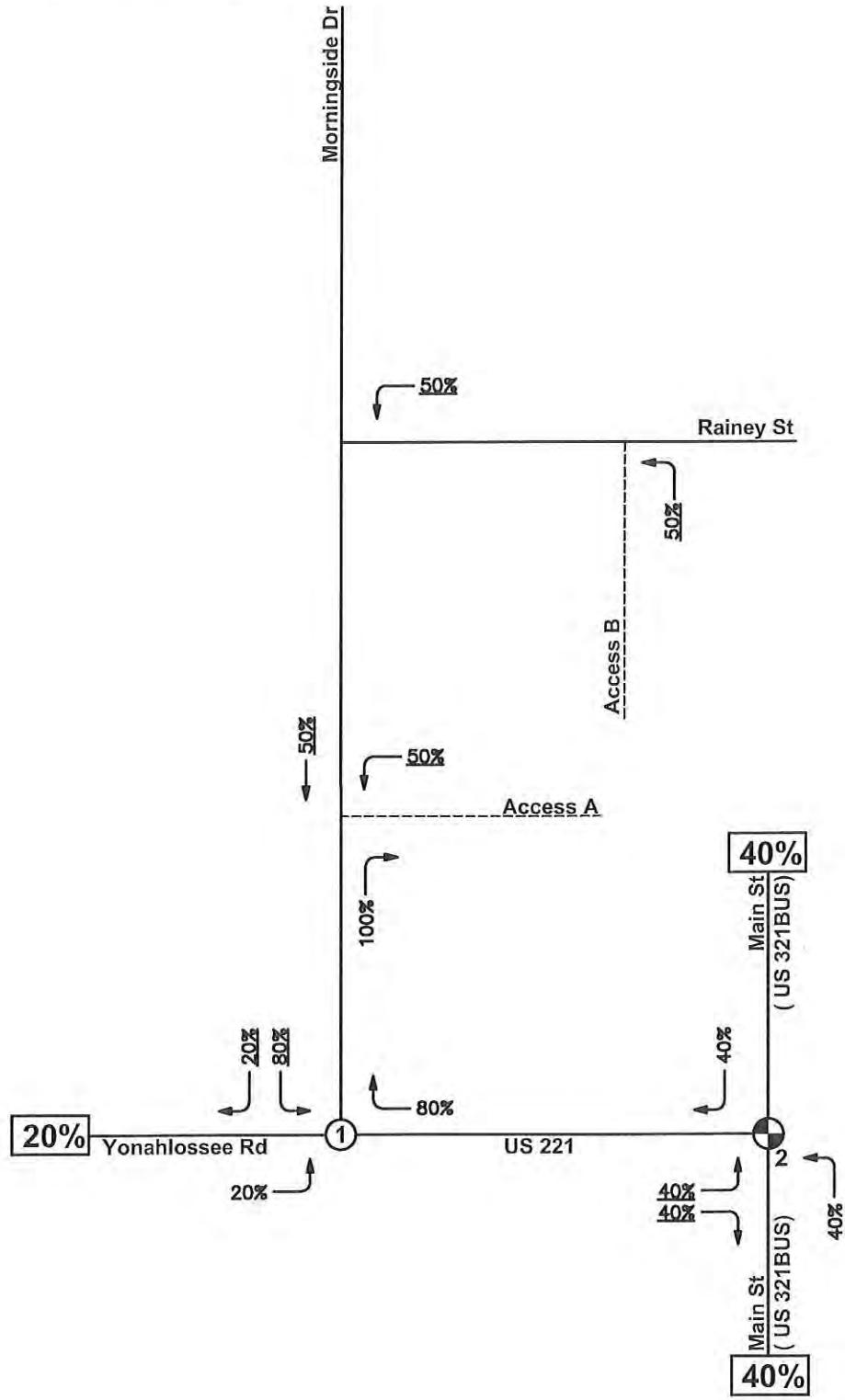
The proposed site buildout trip generation results indicate that the project is expected to generate 16 Weekday AM peak hour trips, 18 Weekday PM peak hour trips and 42 Saturday peak hour trips.

The site directional trip distribution (approved by Town of Blowing Rock on February 18, 2019) is provided in Figure 3. The trip assignments for the 2020 peak hour traffic volumes are presented from Figure 4 to Figure 8 (depending on scenario). The background traffic is indicated to the far left of the movement arrows, followed by the site traffic in parentheses. The two volumes are added to obtain the projected total traffic for that movement:

Background + (Site) = Total.

LEGEND

- Traffic Signal
- Stop Sign Control
- Directional Movement
- xx% / xx% Enter/Exit Dist. %



drG
DESIGN
RESOURCE
GROUP

LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
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BLOWING ROCK HOTEL TIA

BLOWING ROCK, NC

GRAND DAKOTA DEVELOPMENT, LLC

217 E. TREMONT AVENUE
CHARLOTTE, NC 28023

SITE DIRECTIONAL DISTRIBUTION

0 NTS N
SCALE: NTS

PROJECT #: 794-001
DRAWN BY: SA
CHECKED BY: REG

FEBRUARY 2019

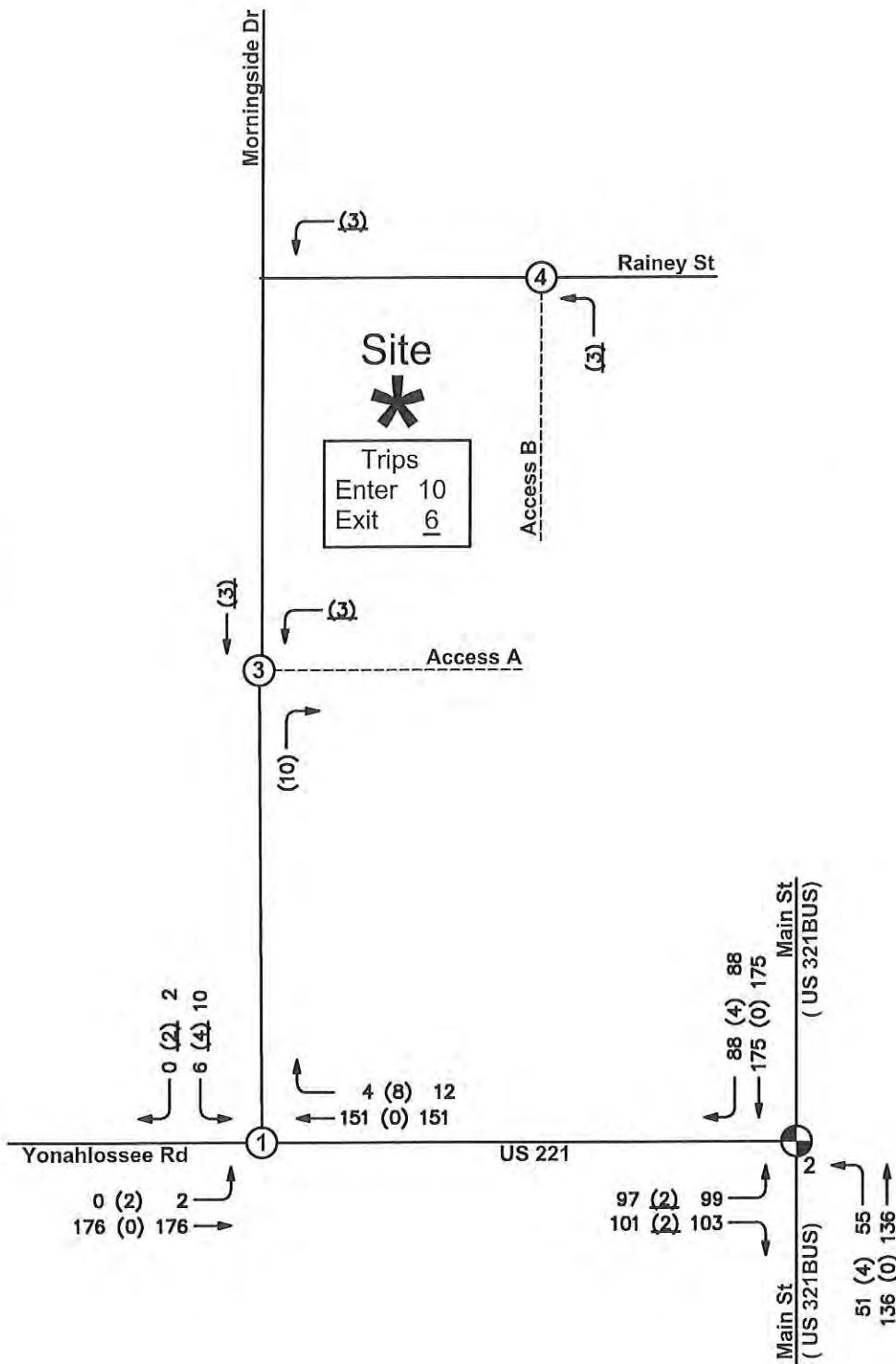
REVISIONS:

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LEGEND

- Traffic Signal
- Stop Sign Control
- Directional Movement

VOLUMES: Bkgd. (Site) Total



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BLOWING ROCK HOTEL TIA

BLLOWING ROCK, NC

GRAND DAKOTA DEVELOPMENT, LLC
217 E. TREMONT AVENUE
CHARLOTTE, NC 28023

2020 BUILD
TUESDAY AM PEAK
HOUR TRAFFIC
VOLUMES

0 NTS
SCALE: NTS

PROJECT #: 794-001
DRAWN BY: SA
CHECKED BY: MW

FEBRUARY 2019

REVISIONS:

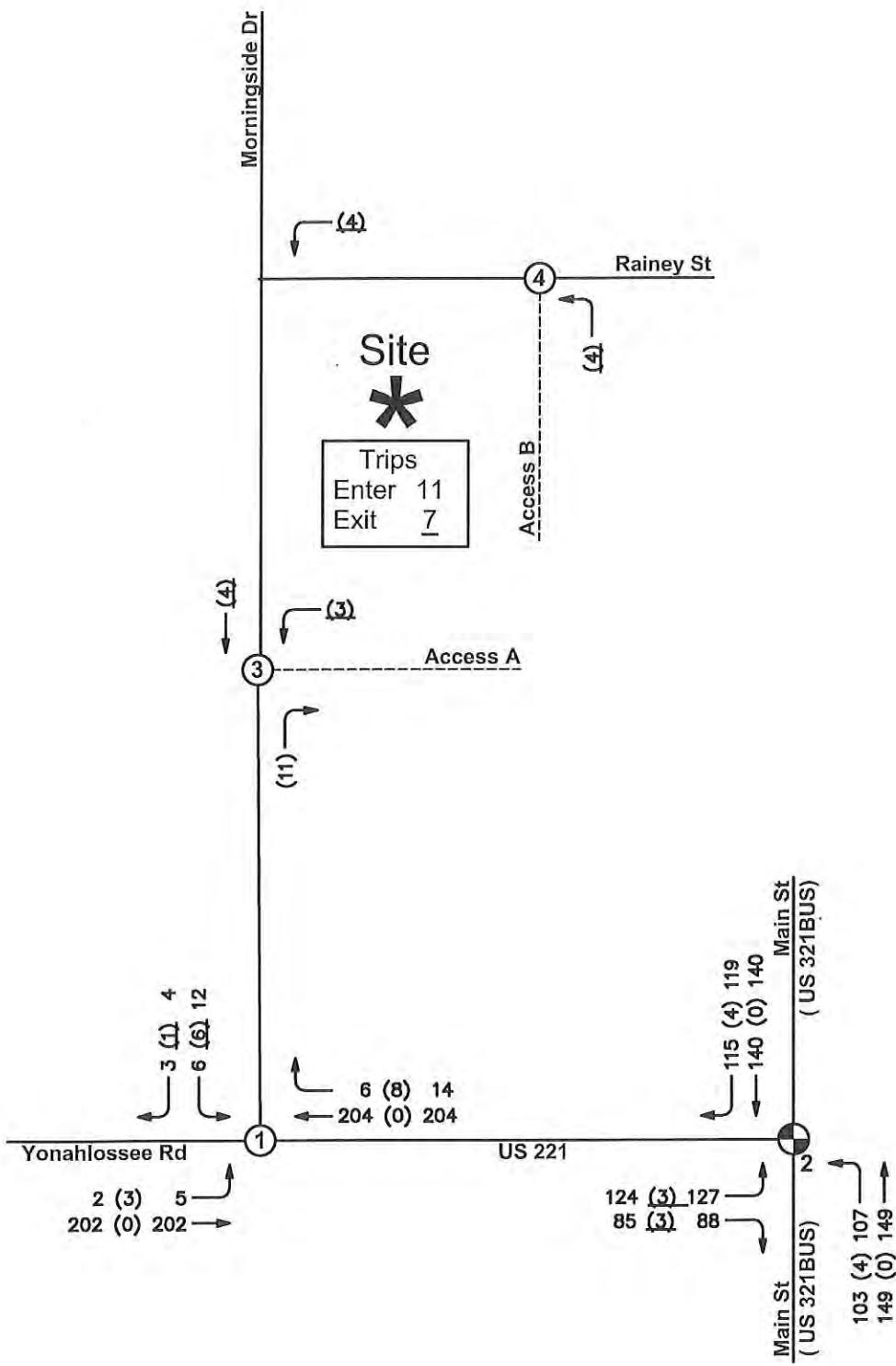
1.

Figure 5

LEGEND

- Traffic Signal
- Stop Sign Control
- Directional Movement

VOLUMES: Bkgd. (Site) Total



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BLOWING ROCK HOTEL TIA

BLOWING ROCK, NC

GRAND DAKOTA DEVELOPMENT, LLC
217 E. TREMONT AVENUE
CHARLOTTE, NC 28023

2020 BUILD TUESDAY PM PEAK HOUR TRAFFIC VOLUMES

0 NTS N
SCALE: NTS

PROJECT #: 794-001
DRAWN BY: SA
CHECKED BY: RW

FEBRUARY 2019

REVISIONS:

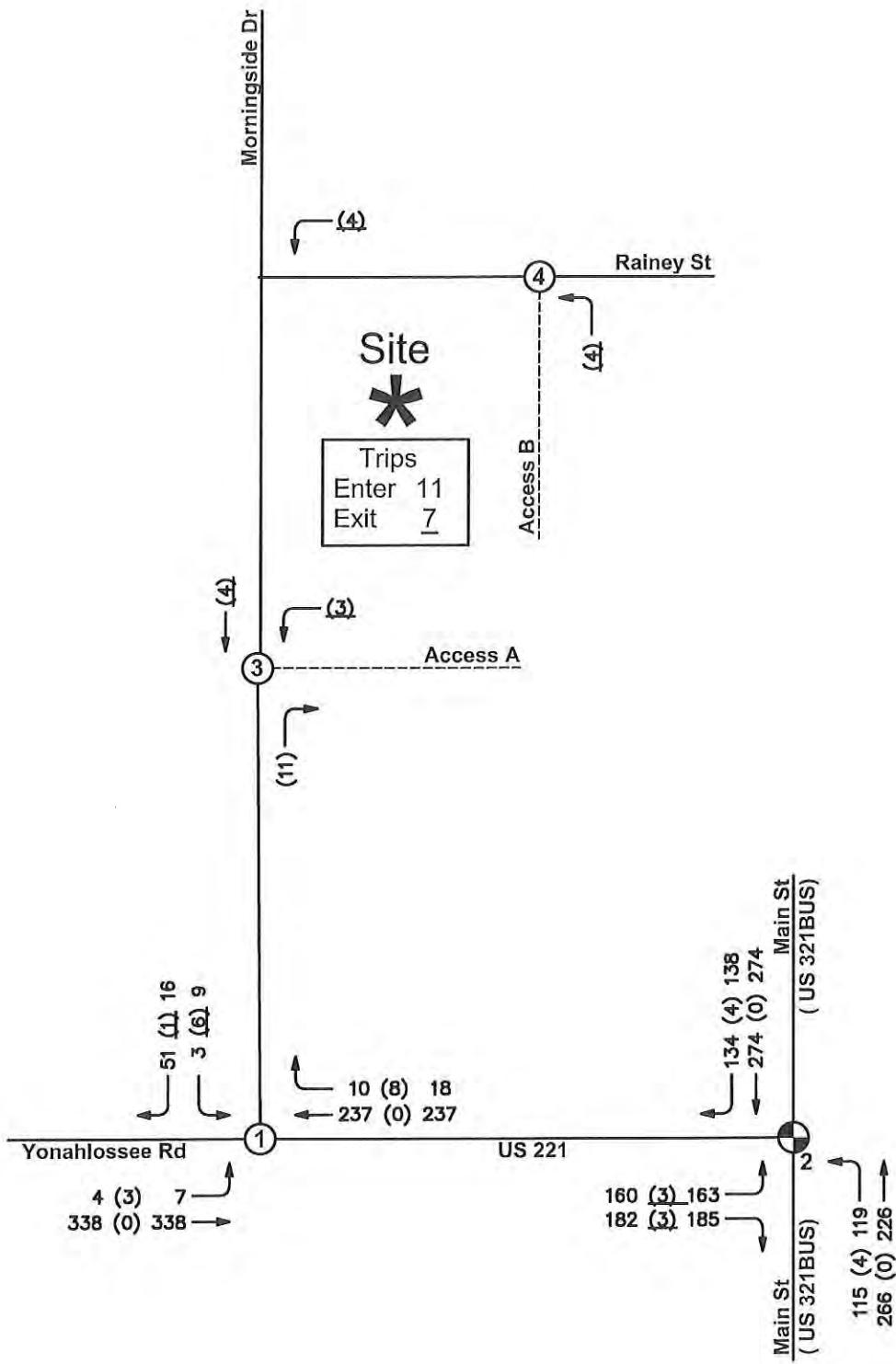
1.

Figure 6

LEGEND

- Traffic Signal
- Stop Sign Control
- Directional Movement

VOLUMES: Bkgd. (Site) Total



dr
DESIGN
RESOURCE
GROUP

LANDSCAPE ARCHITECTURE
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BLOWING ROCK HOTEL TIA

BLLOWING ROCK, NC

GRAND DAKOTA DEVELOPMENT, LLC
217 E. TREMONT AVENUE
CHARLOTTE, NC 28023

2020 BUILD FRIDAY PM PEAK HOUR TRAFFIC VOLUMES

SCALE: NTS

PROJECT #: 794-001
DRAWN BY: SA
CHECKED BY: MW

FEBRUARY 2019

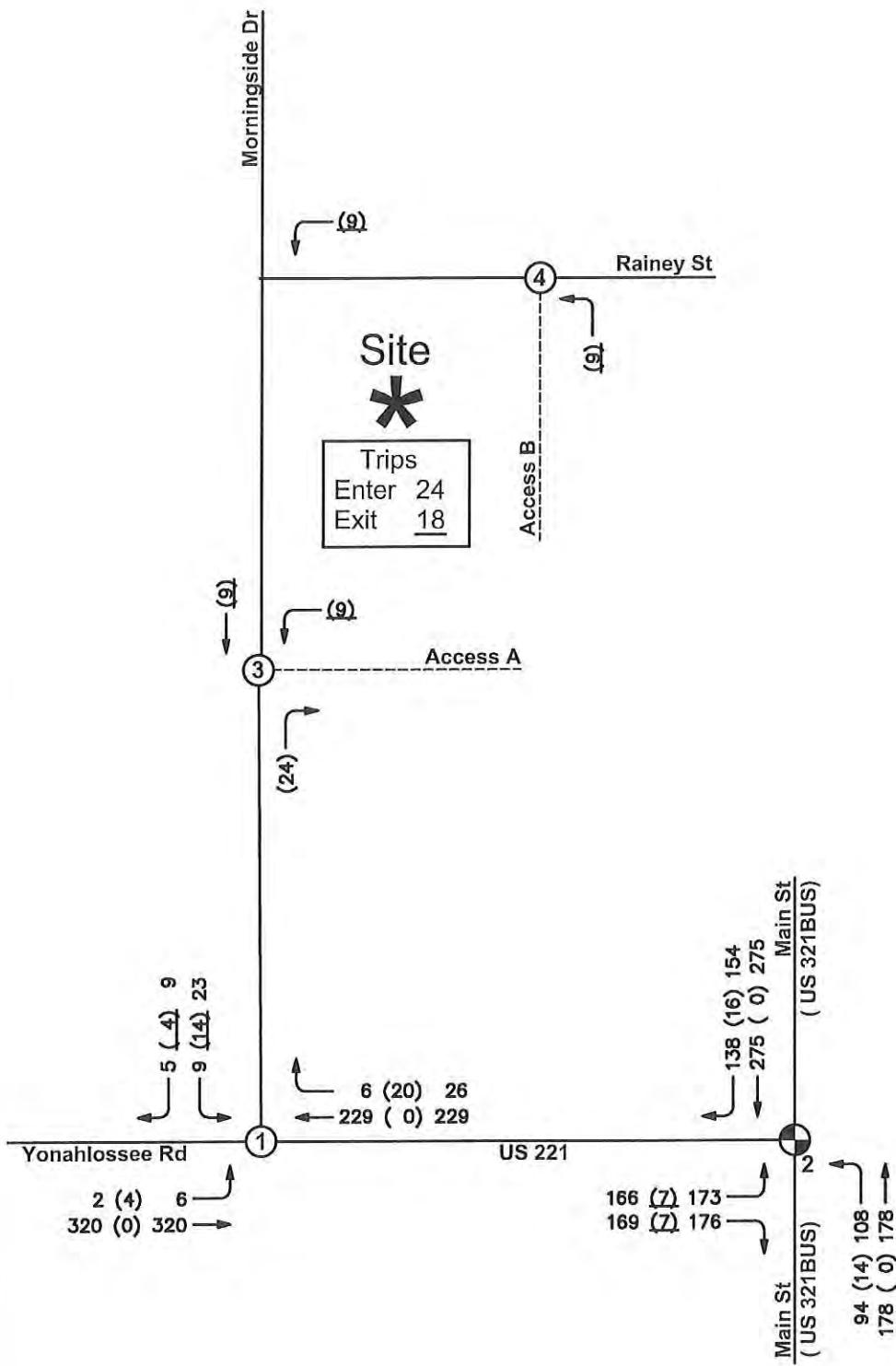
REVISIONS:

1.

LEGEND

- Traffic Signal
- Stop Sign Control
- Directional Movement

VOLUMES: Bkgd. (Site) Total



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GROUP

LANDSCAPE ARCHITECTURE
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BLOWING ROCK HOTEL TIA

BLLOWING ROCK, NC

GRAND DAKOTA DEVELOPMENT, LLC
217 E. TREMONT AVENUE
CHARLOTTE, NC 28023

2020 BUILD
SATURDAY PM
PEAK HOUR
TRAFFIC VOLUMES

0 NTS N
SCALE: NTS

PROJECT #: 794-001
DRAWN BY: SA
CHECKED BY: MW

FEBRUARY 2019

REVISIONS:

1.

Figure 8

TRAFFIC ANALYSIS

The intersection identified within the area of influence was analyzed to identify the traffic impact that the site development has under the 2023 build scenario. The traffic analysis is based on the LOS analysis at the identified intersections.

LOS is a qualitative measurement of traffic operations. It is a measure of delay time. The Transportation Research Board's Highway Capacity Manual¹ (HCM) defines six levels of service for intersections with LOS "A" representing the best operating condition and LOS "F" the worst. The table below gives the criteria for both signalized and unsignalized intersections.

Intersection LOS	Signalized Intersection Control Delay per Vehicle (sec/vehicle)	Unsignalized Intersection Control Delay per Vehicle (sec/vehicle)
A	<10.0	< 10.0
B	> 10.0 and < 20.0	> 10.0 and < 15.0
C	> 20.0 and < 35.0	> 15.0 and < 25.0
D	> 35.0 and < 55.0	> 25.0 and < 35.0
E	> 55.0 and < 80.0	> 35.0 and < 50.0
F	>80.0	> 50.0

SYNCHRO 10.3 was the software tool used in determining the delay, capacity and corresponding level of service at the study intersection. The intersection worksheet reports are provided in the Appendix.

For the analysis of unsignalized intersections, the vehicular movements that must stop at the intersection experience delay (i.e. the minor leg of the intersection). For descriptive purposes:

- LOS results between "A" and "C" for the side (minor) street approach are assumed to represent short vehicle delays
- LOS results between "D" and "E" for the side (minor) street approach are assumed to represent moderate delays
- LOS results of "F" for the side (minor) street approach is assumed to represent long delays.

It should be noted that stop sign controlled streets/driveways intersecting major streets typically experience long delays during peak hours, while the majority of the traffic moving through the intersection on the major street experiences little or no delay.

This report provides analysis of the traffic operations within the area of influence during four requested peak hours. The peak hours analyzed include weekday AM & PM peaks, Friday PM peak, and Saturday PM peak. It provides intersection improvements needed (if required) for mitigating traffic impacts. This study evaluates the following scenarios:

- 2019 Existing Conditions
- 2020 No Build
- 2020 Build

¹ National Research Council. Transportation Research Board. Highway Capacity Manual 6th Ed., Washington, DC. 2016.

Currently, the existing study intersections operate at a LOS "B" or better during all four peak hours. Typically, an intersection is said to be operating at capacity at a volume-to-capacity (v/c) ratio of 1.00 and acceptable at a LOS "D" or better. The results of the analysis scenarios are presented in Tables 3 and 4.

Table 3: Levels of Service Results (Weekday AM and PM Peaks)

Intersection	Intersection/ Approach	Weekday AM Peak			Weekday PM Peak		
		Delay (sec/veh)	Capacity (v/c)	LOS	Delay (sec/veh)	Capacity (v/c)	LOS
2018 Existing Conditions							
1. Yonahlossee Rd & Morningside Dr	<i>Intersection</i>	0.2	0.01	A	0.3	0.017	A
	Southbound	10.6	0.01	B	11.2	0.017	B
	Eastbound	0.0	0.0	A	0.1	0.002	A
	Westbound	0.0	0.0	A	0.0	0.0	A
2. Yonahlossee Rd & Main St	<i>Intersection</i>	9.6	0.44	A	11.0	0.52	B
	Northbound	5.8	0.14	A	6.3	0.16	A
	Southbound	10.7	0.33	B	11.8	0.41	B
	Eastbound	11.8	0.44	B	15.7	0.52	B
2020 No Build Conditions							
1. Yonahlossee Rd & Morningside Dr	<i>Intersection</i>	0.2	0.01	A	0.3	0.02	A
	Southbound	10.7	0.01	B	11.3	0.02	B
	Eastbound	0.0	0.0	A	0.1	0.01	A
	Westbound	0.0	0.0	A	0.0	0.00	A
2. Yonahlossee Rd & Main St	<i>Intersection</i>	10.3	0.47	B	11.3	0.54	B
	Northbound	6.0	0.17	A	6.5	0.17	A
	Southbound	11.5	0.41	B	12.2	0.42	B
	Eastbound	12.6	0.47	B	16.2	0.54	B
2020 Build Conditions							
1. Yonahlossee Rd & Morningside Dr	<i>Intersection</i>	0.4	0.02	A	0.5	0.03	A
	Southbound	10.6	0.02	B	11.8	0.03	B
	Eastbound	0.1	0.002	A	0.2	0.01	A
	Westbound	0.0	0.0	A	0.0	0.00	A
2. Yonahlossee Rd & Main St	<i>Intersection</i>	10.3	0.48	B	12.1	0.57	B
	Northbound	6.0	0.17	A	6.4	0.16	A
	Southbound	11.6	0.41	B	13.2	0.46	B
	Eastbound	12.8	0.48	B	17.7	0.57	B
3. Morningside Dr & Access A	<i>Intersection</i>	1.6	0.00	A	1.4	0.00	A
	Northbound	0.0	0.00	A	0.0	0.00	A
	Southbound	0.0	0.00	A	0.0	0.00	A
	Westbound	8.6	0.00	A	8.6	0.00	A
4. Rainey St & Access B	<i>Intersection</i>	5.1	0.00	A	5.7	0.00	A
	Northbound	8.5	0.00	A	8.5	0.00	A
	Eastbound	0.0	0.00	A	0.0	0.00	A
	Westbound	0.0	0.00	A	0.0	0.00	A

Table 4: Levels of Service Levels of Service Results (Friday PM and Saturday PM Peaks)

Intersection	Intersection/ Approach	Friday PM Peak			Saturday PM Peak		
		Delay (sec/veh)	Capacity (v/c)	LOS	Delay (sec/veh)	Capacity (v/c)	LOS
2018 Existing Conditions							
1. Yonahlossee Rd & Morningside Dr	<i>Intersection</i>	0.4	0.03	A	0.3	0.03	A
	Southbound	10.3	0.03	B	11.7	0.03	B
	Eastbound	0.1	0.00	A	0.0	0.00	A
	Westbound	0.0	0.00	A	0.0	0.00	A
2. Yonahlossee Rd & Main St	<i>Intersection</i>	16.6	0.70	B	17.7	0.70	B
	Northbound	7.9	0.30	A	7.4	0.20	A
	Southbound	21.2	0.70	C	21.5	0.70	C
	Eastbound	20.8	0.70	C	21.4	0.70	C
2020 No Build Conditions							
1. Yonahlossee Rd & Morningside Dr	<i>Intersection</i>	0.4	0.03	A	0.3	0.03	A
	Southbound	10.4	0.03	B	11.9	0.03	B
	Eastbound	0.1	0.01	A	0.0	0.00	A
	Westbound	0.0	0.00	A	0	0.00	A
2. Yonahlossee Rd & Main St	<i>Intersection</i>	17.4	0.72	B	18.6	0.73	B
	Northbound	8.2	0.31	A	7.6	0.21	A
	Southbound	22.3	0.72	C	22.9	0.73	C
	Eastbound	21.8	0.72	C	22.3	0.72	C
2020 Build Conditions							
1. Yonahlossee Rd & Morningside Dr	<i>Intersection</i>	0.6	0.05	A	0.7	0.07	A
	Southbound	11.3	0.05	B	12.7	0.07	B
	Eastbound	0.2	0.01	A	0.10	0.01	A
	Westbound	0.0	0.00	A	0.00	0.00	A
2. Yonahlossee Rd & Main St	<i>Intersection</i>	17.7	0.73	B	19.4	0.75	B
	Northbound	8.3	0.31	A	7.9	0.21	A
	Southbound	22.7	0.72	C	23.8	0.75	C
	Eastbound	22.2	0.73	C	23.4	0.73	C
3. Morningside Dr & Access A	<i>Intersection</i>	1.4	0.00	A	2.2	0.01	A
	Northbound	0.0	0.00	A	0.0	0.00	A
	Southbound	0.0	0.00	A	0.0	0.00	A
	Westbound	8.6	0.00	A	8.6	0.01	A
4. Rainey St & Access B	<i>Intersection</i>	5.7	0.00	A	7.0	0.01	A
	Northbound	0.0	0.00	A	0.0	0.00	A
	Eastbound	0.0	0.00	A	0.0	0.00	A
	Westbound	8.5	0.00	A	8.6	0.01	A

Tables 3 shows the 2020 Build maximum queue lengths calculated by SimTraffic 10.3, a traffic simulation software application for unsignalized and signalized intersections, or the calculated 95th % queue in Synchro 9, - whichever produced the higher length.

Table 5: 2020 Vehicle Queue Lengths (Weekday AM and PM Peaks)

Intersection/Approach	Exist./(Future/Sug.) Storage	Weekday AM Peak Queue Length (ft)			Weekday PM Peak Queue Length (ft)			
		Left	Right	Left	Thru	Right	Left	Thru
2020 No Build Conditions								
1. Yonahlossee Rd & Morningside Dr	SB	-	-		37'			49'
	EB	-	-		0'			14'
	WB	-	-		0'			0'
2. Yonahlossee Rd & Main St	NB	50'	-	52'	80'	-	73'	86'
	SB	-	-	-	116		-	114'
	EB	-	-		111'			137'
2020 Build Conditions								
1. Yonahlossee Rd & Morningside Dr	SB	-	-		31'			55'
	EB	-	-		0'			68'
	WB	-	-		0'			0'
2. Yonahlossee Rd & Main St	NB	50'	-	47'	82'	-	87'	110'
	SB	-	-	-	115'		-	121'
	EB	-	-		112'			141'
3. Morningside Dr & Access A	SB	-	-		0'			0'
	EB	-	-		0'			0'
	WB	-	-		30'			30'
4. Rainey St & Access B	NB	-	-		29'			29'
	SB	-	-		0'			0'
	EB	-	-		0'			0'

Table 6: 2020 Vehicle Queue Lengths (Friday PM and Saturday PM Peaks)

Intersection/Approach	Exist./(Future/Sug.) Storage	Friday PM Peak Queue Length (ft)			Saturday PM Peak Queue Length (ft)			
		Left	Right	Left	Thru	Right	Left	Thru
2020 No Build Conditions								
1. Yonahlossee Rd & Morningside Dr	SB	-	-		37'			31'
	EB	-	-		34'			20'
	WB	-	-		0'			0'
2. Yonahlossee Rd & Main St	NB	50'	-	91'	121'	-	74'	99'
	SB	-	-	-	107'		-	107'
	EB	-	-		166'			173'
2020 Build Conditions								
1. Yonahlossee Rd & Morningside Dr	SB	-	-		32'			48'
	EB	-	-		49'			45'
	WB	-	-		0'			0'
2. Yonahlossee Rd & Main St	NB	50'	-	87'	131'	-	93'	107'
	SB	-	-	-	107'		-	107'
	EB	-	-		197'			210'
3. Morningside Dr & Access A	SB	-	-		0'			0'
	EB	-	-		0'			0'
	WB	-	-		30'			30'
4. Rainey St & Access B	NB	-	-		22'			29'
	SB	-	-		0'			0'
	EB	-	-		0'			0'



NCDOT ANALYSIS REQUIREMENTS - In order to determine the mitigation responsibility of the developer, this study compares 2022 Build results to the 2022 No Build results (see Tables 4 and 5).

Chapter 5, Section J of the *July 2003 NCDOT Policy on Street and Driveway Access to North Carolina Highways*, the applicant shall be required to identify mitigation improvements to the roadway network if at least one of the following conditions exists when comparing base network conditions to project conditions:

- *The total average delay at an intersection or an individual approach increases by 25% or greater, while maintaining the same level of service,*
- *The Level of Service (LOS) degrades by at least one level at an intersection or an individual approach,*
- *Or the Level of Service is "F" for an intersection or an individual approach.*

This section of the access policy also states that, *mitigation improvements shall be identified when the analysis indicates that the 95th percentile queue exceeds the storage capacity of the existing lane.*

2020 No Build Results:

1. Yonahlossee Road (US 221) & Morningside Drive (unsignalized)

The worst leg of the intersection (southbound – Morningside Drive) operates with a LOS "B" in all four analyzed peak hours.

2. Yonahlossee Road (US 221) & Main Street (US 321 Business) (signalized)

The intersection operates with a LOS "B" in all four analyzed peak hours.

2020 Build Results:

1. Yonahlossee Road (US 221) & Morningside Drive (unsignalized)

When comparing the impact of the 2020 Buildout to the 2020 No Build conditions the LOS of the worst leg of the intersection remains a "B" during all four analyzed peak hours. The increase in intersection vehicle delay at the worst leg of the intersection is 9% or less in all four analyzed peak hours. In addition, all approaches are within the allowed parameters in the all four analyzed peak hours. **Therefore, no roadway improvements should be deemed necessary.**

2. Yonahlossee Road (US 221) & Main Street (US 321 Business) (signalized)

When comparing the impact of the 2020 Buildout to the 2020 No Build conditions the intersection LOS remains a "B" in all four analyzed peak hours. The increase in intersection vehicle delay at the worst leg of the intersection is 7% or less in all four analyzed peak hours. In addition, all approaches are within the allowed parameters in the all four analyzed peak hours. **Therefore, no roadway improvements should be deemed necessary.**



3. Morningside Drive & Proposed Full Movement Access "A" (unsignalized)

All approaches of the intersection operate with a LOS "A" in all four analyzed peak hours with the following intersection configuration:

- One ingress lane and one egress lane on Proposed Access "A"

4. Morningside Drive & Proposed Right-In/Left-Out only Access "B" (unsignalized)

All approaches of the intersection operate with a LOS "A" in all four analyzed peak hours with the following intersection configuration:

- One ingress lane and one egress lane on Proposed Access "B"
- MUTCD standard turn restriction signing (R3-1 and R3-2) should be provided at the driveway and on Rainey St to further enforce turn-restrictions.

The existing and suggested laneage is shown on Figure 9.

**EXISTING AND
SUGGESTED
LANEAGE**

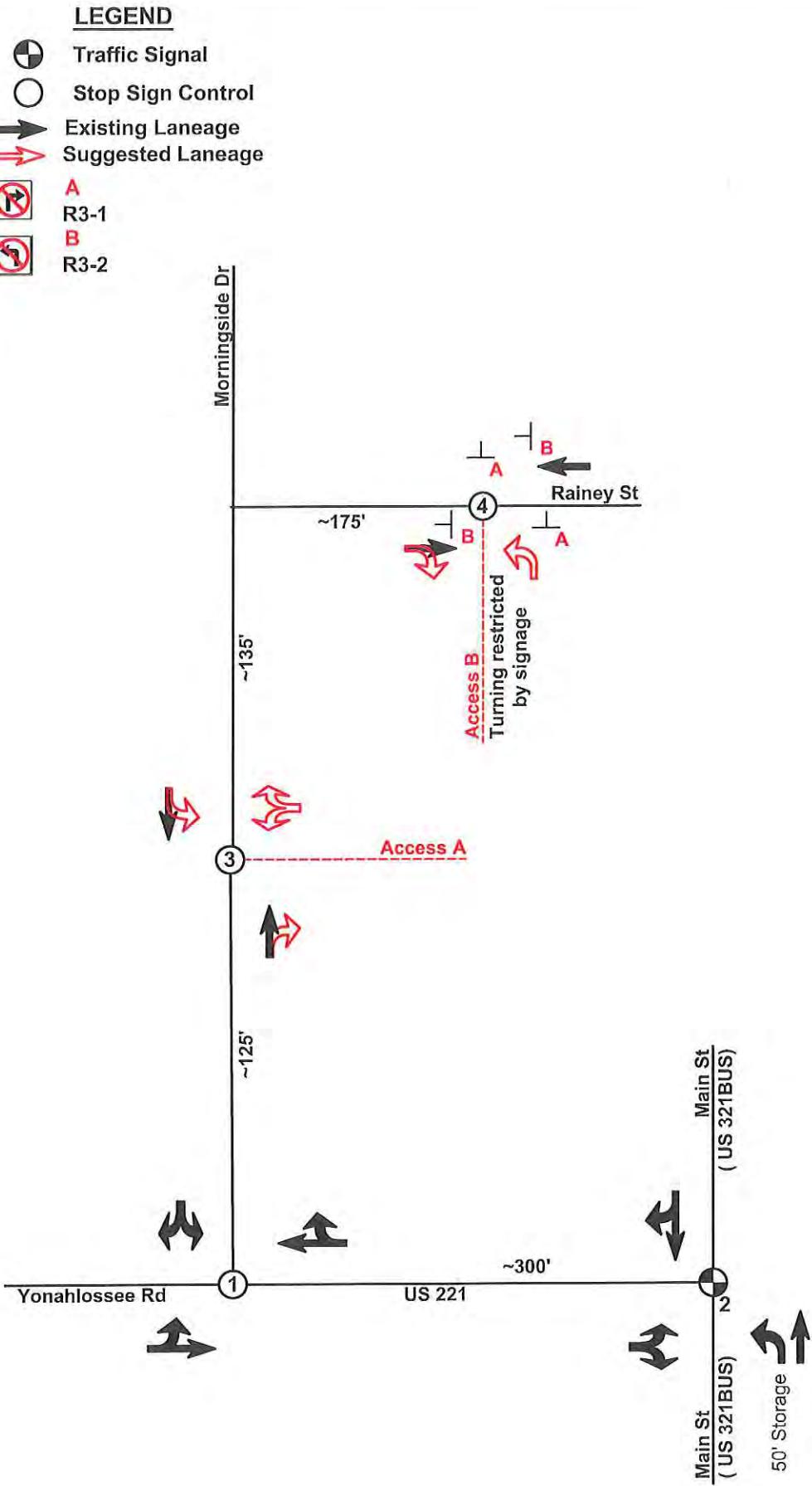
0 NTS N
SCALE: NTS

PROJECT #: 794-001
DRAWN BY: SA
CHECKED BY: MW

FEBRUARY 2019

REVISIONS:

1.





CONCLUSION

In summary, the minor amount of traffic associated with the proposed hotel and restaurant development that is expected to be added to the roadways will not impact the nearby roadways and study intersections and in our professional opinion will not materially endanger the public health or safety of the citizens or visitors of Blowing Rock, NC.



APPENDIX

Draft

Planning and Zoning Board

Minutes

Thursday, March 21, 2019

5:30 p.m.

The Blowing Rock Planning and Zoning Board met on Thursday, March 21, 2019 for their regularly scheduled meeting. Chairman Harwood called the meeting to order at 5:30 pm. Members present were Joe Papa, Don Hubble, Mike Page, Wes Carter, Pete Gherini and Harrison Herbst. Staff members present were Planning Director Kevin Rothrock, and Planning & Zoning Support Specialist Tammy Bentley.

Chairman Harwood asked if there were any changes to the agenda. Chairman Harwood made a motion to move item #3, Selection of Subcommittees, to Other Business, seconded by Mr. Hubble. **All members were in favor of the motion.**

Chairman Harwood asked if there were any changes to the December 20, 2018 meeting minutes. There were none. Mr. Hubble made a motion to approve the minutes, seconded by Chairman Harwood. **All members were in favor of the motion.**

Chairman Harwood thanked Ms. Genie Starnes for her service to the Board. New Board member, Sam Glover, was sworn to the Board.

Chairman Harwood asked if there were any nominations for Chair and Vice-Chair. Mr. Page made a motion to nominate the current slate of officers for another term. Chairman Harwood and Mr. Carter agreed to serve. Mr. Herbst seconded the motion. **All members were in favor of the motion.**

Conditional Use Permit 2019 – 01 Rainey Lodge

Mr. Carter asked to be recused as his son owns property contiguous to the subject property. Mr. Hubble made a motion to grant Mr. Carter's request to recuse, seconded by Mr. Gherini. **All members were in favor of the motion.**

Mr. Rothrock gave the staff report and PowerPoint presentation. Grand Dakota Development, LLC is requesting a conditional use permit to construct a 40-room hotel with restaurant, bar and surface parking. The property is located at 159 & 167 Rainey Street, but is also located off Hwy 221 and Morningside Drive. The property is zoned CB, Central Business. Most of the subject property is in the WS-IV-PA water supply watershed. The property is further identified by Watauga County PINs 2807-98-0716-000, 2807-98-1850-000 and 2807-98-0826-000.

The proposed project meets the setback standards, building height and parking requirement of 53 spaces. Primary access for the project is through a driveway cut on

Morningside Drive as well as Rainey Street. The site topography prohibits direct access to Highway 221.

Although not required, the Applicant has recommended signage at the driveways restricting right turns from the parking area to minimize hotel traffic from traveling East on Rainey and North on Morningside.

Storm water will be collected and detained in a detention system under the parking area. From the detention system, the storm water will be directed to a new drainage system in Hwy 221. An existing sewer line is routed through the property. A new public sewer line will be redirected through the site to Morningside Drive.

The Applicant is providing public sidewalk on Morningside Drive and Rainey Street. The Town is constructing sidewalk along Hwy 221 with the Sidewalk to Bass Lake project. Staff recommends the Applicant pay for the portion of sidewalk along the portion of their property that fronts Hwy 221.

The proposed landscape plan appears to meet the Land Use Code requirements for street trees, buffers/screening and parking lot shading. The buffer along the east side of the property is required to be a 4-foot wide broken screen. An 8-foot wide semi-opaque buffer is required along each street yard. An extensive detailed landscape plan will be reviewed with the submission of construction drawings.

A dumpster for the hotel is situated in the northeast corner of the parking lot. All screening requirements will be met. A 12' x 55' loading zone is provided on the east side of the parking area for hotel deliveries.

Mr. Hubble asked how food purveyors and others will access the loading zone. Mr. Rothrock said via the side street. Mr. Hubble asked if deliveries will be made in 40' trucks. Mr. Rothrock said probably not; the trucks will be smaller. Mr. Papa said he thinks delivery trucks will park on Highway 221 and hand-truck supplies to the site. Mr. Rothrock said no, deliveries will enter from Morningside Drive or Rainey Street.

Ms. Chelsea Garrett, attorney for the applicant, introduced herself and the development team: Mr. Stephen Barker, Developer, Mr. Walter Fields, Planner, Mr. Stephen Overcash, Architect and Mr. Kevin Caldwell, Engineer. Ms. Garrett said she was glad the model is available for preview adding that landscaping elements have been added to it since the community meeting. Ms. Garrett noted that this site had a restaurant previously, Cheeseburgers in Paradise, and that the parking along Highway 221 serves as overflow parking. Ms. Garrett said the previous townhome project needed several waivers, but this project does not; that they designed this project to meet all code standards. Ms. Garrett said that past studies have indicated a need for high-end hotel rooms in Blowing Rock. She added that this meets that need, including a restaurant, is walkable to Main Street and would be an asset to Blowing Rock.

Mr. Fields said he was part of the townhome team and that project required a zoning change and other waivers. Mr. Fields said this use is allowed in this zoning district. Mr. Fields advised that the site is not flat and a challenge when meeting code requirements. Mr. Fields said that placing the building in the center allows for parking on the property edge and for greater building height. Mr. Fields said that all parking and loading is on-site, with one wing of the building elevated to allow for parking beneath. Mr. Fields said that food purveyors

use different size deliver trucks and the establishment can stipulate the size. Mr. Fields added that they had worked hard to address the concerns surfaced at the community meeting.

Mr. Fields said the model is to scale horizontally and vertically and that the final finish colors will be Town approved. Mr. Fields said that the retaining walls and landscaping, which will be Town approved, was changed due to concerns at the community meeting.

Mr. Fields said they had commissioned a full traffic study, which is not required, and as a result turning restrictions were added to the plans. The new plans indicate no right turns onto Rainey Street or Morningside will be allowed. Mr. Fields said the traffic engineer could not attend this meeting adding that Mr. Rothrock had the study.

Ms. Garrett said the combination of walls and landscaping will comply with Town code. Ms. Garrett said a neighbor had concerns with the line of site along Highway 221 and Morningside Drive. Ms. Garrett said the retaining walls are several feet off Highway 221. Mr. Fields said they would not build in the site distance triangle.

Chairman Harwood said the broken screening should be type B. Mr. Rothrock said it is semi-opaque along Rainey and Morningside, and is type C, broken screening along Speckled Trout.

Chairman Harwood said his setback height measurement for the building was 73 feet. Mr. Rothrock said it is actually 58 feet to the overhang.

Mr. Gherini asked how the pad would be created. Mr. Caldwell said cut and fill along Speckled Trout. Mr. Gherini asked if fill would be created from the site. Mr. Caldwell said yes. Mr. Herbst asked if there would be any fill on the right side of the site. Mr. Caldwell said there would be some fill there.

Chairman Harwood asked if the final exterior finish selections would be available for the Town Council. Mr. Overcash said yes and that the finishes will meet Town code. Mr. Rothrock asked what the exterior finishes would be. Mr. Overcash said natural stone, shakes, and painted wood siding.

Mr. Hubble asked if the traffic study included traffic counts. Mr. Rothrock said yes during the Thanksgiving parade. Mr. Hubble asked if the Board should ask for more such studies. Chairman Harwood said this is not required.

Chairman Harwood asked Mr. Overcash about the roof pitch. Mr. Overcash said it absolutely meets the minimum slope.

Chairman Harwood asked if the stone would be natural or cultured. Mr. Rothrock said cultured. The Board discussed whether the stone must be natural, or if cultured is allowed. Mr. Rothrock advised that the code language 'or other equivalent material' allows for cultured stone. Chairman Harwood asked if this must be approved by the Planning Board and Town Council. Mr. Rothrock confirmed. Mr. Page asked if there is a problem if natural stone must be used. Mr. Fields said no, that they are here to comply with the code.

The meeting was opened to public comment.

An unidentified man asked the width of Morningside Drive and if any improvements are planned on the west side of Morningside.

Ms. June Turner, of 132 Rainey Street, expressed concern with food deliveries, stating that trucks can't make the curve on Rainey Street. Ms. Turner said she is concerned with the location of the dumpster adding that she does not want to look at a dumpster. Ms. Turner also said she was concerned with an entrance to the site being in the curve on Rainey Street. Mr. Rothrock pointed out that the entrance is to the west of the curve. Mr. Turner said her property has been in her family for 100 years and they really need to watch out for the curve.

Mr. Larry Lawrence, of Morningside Drive, asked if the entrance on Morningside is across from Shady Lane. Mr. Lawrence said there is a house under construction on Morningside which will also increase traffic.

Mr. Marshall Sealey, of 268 Norwood Circle, was asked by the Blowing Rock Civic Association (BRCA) to make comments on the project. Mr. Sealey distributed a document to the Board members, staff, and applicant. Mr. Sealey said the dates on the plans were inconsistent; that he did not know which plans were the most recent. Mr. Sealey also said the plans are clearly marked as 'preliminary-not for construction' and said that the Board should not be permitting projects with preliminary construction plans. Ms. Garrett said this is not the building permitting process. Mr. Rothrock said that in 18 years he has never had a fully finished set of plans submitted for this process. Mr. Sealey said to Mr. Rothrock that it is his responsibility to ensure that all plans comply before projects are permitted. Mr. Rothrock confirmed. Mr. Sealey said he was hoping to preview the plans prior to the meeting. Chairman Harwood asked Mr. Sealey to please address the Board. Mr. Sealey told the Board that BRCA likes what they see, but the package is incomplete. Mr. Hubble said that BRCA had made an inconsistent representation on another project. Mr. Sealey disagreed. Mr. Page asked Mr. Sealey what additional information is suggested. Mr. Sealey said that is in the document he distributed. Mr. Page said the Board had not had time to look it over. Mr. Page said the project meets the code and that Mr. Rothrock will ensure that the final project and all plans meet code. Mr. Sealey said he had years of construction experience and noted that there is no scale on the building elevations.

Mr. Sealey noted that the landscaping is in process and that there is no parking included for employees or extra guests attending receptions or other functions. Mr. Sealey asked if the building height is measured off Morningside or 221. Mr. Rothrock said from grade at the building entrance. Mr. Sealey said neighbors are concerned with traffic and asked if it is appropriate to have NCDOT look at the study. He concluded by saying that BRCA is not opposed to the project, but they feel that more information is needed.

Mr. Hubble asked if BRCA is not opposed why are they in seeming opposition. Mr. Hubble said this satisfies the code, but BRCA wants more information.

Mr. Page asked Mr. Rothrock if he would make sure that the project meets all codes. Mr. Rothrock confirmed adding that this is done through the plan review process.

Ms. Anna Miller, of 671 Morningside Drive, said traffic does back up in July and asked how the no right turns will be enforced. Ms. Miller also said she is concerned that delivery trucks will park on Morningside Drive and wants delivery restrictions to be legal and enforceable. Ms. Miller asked Mr. Barker if he will be operating the hotel and restaurant and if the

promises made today will transfer to new owners. Ms. Miller added that many residents are concerned about increased traffic and that the study was not done at the right time of year.

Mr. Lee Rocamora, of Laurel Park Road, read code Section 16-12.2.1 regarding open space and green space. Mr. Rocamora said this section indicates a minimum 75% green space, between the back of the sidewalk and the building, is required.

Ms. Lorry Mulhern, of White Pine Road, asked the definition of a high-end hotel; is it room size, room price. Ms. Mulhern asked if the corner units (with no bathrooms on the plans) would be 2 bedrooms which would require additional parking. She also said she did not know if it is possible to demand that certain size delivery trucks be used and asked how they will navigate the turns to access the site.

Mr. Mark Crumpler, 30-year resident of 215 Morningside Drive, said that he is also speaking for the Johnsons and Brownings. Mr. Crumpler said that ingress and egress can be dangerous. Mr. Crumpler said when town is busy it can take 5 minutes to get onto 221 from Morningside. Mr. Crumpler also questioned parking for employees. Mr. Crumpler said he is opposed to the project due to property values and the impact on an already dangerous traffic situation.

Mr. Rocamora asked Mr. Rothrock to confirm that the building fronts Morningside and not 221. Mr. Rothrock confirmed. Mr. Crumpler said that an entrance off 221 would eliminate a lot of problems.

Ms. Mulhern urged the Planning Board to nail down the delivery truck scenario.

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

Mr. Fields spoke to the concerns surfaced during public comment. He said the scope of the traffic study was approved by the Town and NCDOT. Mr. Fields said no floorplans have been submitted and he is not sure from where this information came. Mr. Fields said the size of and price of the rooms is not yet known. In responding to Mr. Sealey's comments Mr. Fields said all information is on file in the Planning and Inspections Department. Mr. Fields added that no one submits 75 to 95% complete plans at this point; it's no good to approve renderings that can't be constructed. Regarding the truck, Mr. Fields said there is room for a small tractor-trailer to turn around on the site and that it is big enough for a fire truck, which is a code requirement.

Chairman Harwood asked the width of Morningside Drive. Mr. Rothrock said it is from 18 to 20 feet of pavement and added that Rainey Street is fairly wide but narrows at the curve. Chairman Harwood asked if all of Morningside should be 20 feet wide. Mr. Rothrock advised that most residential streets have 18 feet in pavement width. Mr. Rothrock said the curb and gutter may affect the width. Mr. Caldwell said they can consider a minimum paved surface width.

Mr. Page spoke to Mr. Rocamora's comment and stated that he reads the ordinance as not applying to this property, that it applies to properties on Main Street and buildings close to the sidewalk. The Board discussed the setback from each street and which street is considered the primary street, in determining the amount of green space required. Mr.

Rothrock said this section does not apply as the building is setback 40 feet. Ms. Garrett said that meeting this requirement would be impossible, and it is non-sensical to require so much green space. Ms. Garrett said the code is meant to be read in context.

The Board discussed this section and the applicability to this project. Mr. Rothrock said that this is not the intent of this section of the code, that this is intended for properties on Main Street. Chairman Harwood said he would refer to Mr. Rothrock's determination.

Mr. Hubble asked if it is in the Planning Board's purview to initiate action for the Town Council's consideration, referencing some issues with this project. Chairman Harwood read the ordinance defining the Planning Boards duties and said they can absolutely take that on. He added that their role now is to evaluate this project with the codes in place.

Mr. Glover asked how the primary entrance is determined. Mr. Fields said entry can be from any street, but that the primary entrance is where people check-in. Mr. Fields said the entrance is driven by the operating plan for the hotel. Mr. Fields said there are no meeting rooms or banquet halls in the hotel. Mr. Glover noted there could be small parties or events there. Mr. Glover asked who will be operating the hotel in the future.

Mr. Barker addressed concerns raised during the public comment. Mr. Barker said he appreciated the staff and Board's time and effort. Mr. Barker advised that it is very difficult to make this site work. Mr. Barker said that a professional management company will take over operations of the hotel and restaurant. Mr. Barker advised that it would be dangerous to have an entrance from 221, adding that NCDOT would probably not allow it due to the proximity to the intersection of Main Street and 221. Mr. Barker said they are trying to make the site safer by eliminating the parking along 221.

Ms. Garrett said NCDOT will not allow driveways to be too close together. She added that the side is a pedestrian entrance. Mr. Barker said the front is a walkable area and added that having a walkable area on 221 is safer for pedestrians.

Mr. Gherini asked Mr. Rothrock if the existing sewer system can handle this project. Mr. Rothrock confirmed. Mr. Gherini asked Mr. Fields the number of hotel rooms. Mr. Fields said that is a level of detail not yet available. Mr. Gherini asked the final value of the project. Mr. Rothrock said he did not know. Mr. Barker said there is significant cost in the site improvements alone and added that he does not have a final number yet.

The Board discussed requiring a performance bond to ensure completion. Mr. Rothrock advised a public improvement bond and site restoration bond could be required if the project was started and then was not finished.

The Board discussed how the building height is determined and if the 50% door/window ratio applies to all sides of the building or just to the side fronting Morningside Drive. Mr. Rothrock said he thinks the ratio applies to the entire building, adding there is a stairwell that fronts Rainey Street. Chairman Harwood asked Mr. Overcash if he was aware of the 50% ratio. Mr. Overcash said no, adding that he understands the purpose is to engage people on the street. Chairman Harwood said he understands that this building is 50 feet from the street. Mr. Rothrock said the intent is to not have a building with a blank wall that fronts on Main Street.

Mr. Page said to Mr. Sealey that many issues were discussed, but not all solved. He said the BRCA document will be passed along to Town Council.

Mr. Hubble suggest tabling the project until the BRCA document could be studied. Mr. Page said the Council could be asked to take it under advisement. Mr. Gherini said to Mr. Sealey that the document contained good information, but it is unfair to drop a 20-page document onto the Board members with 5 minutes to read it. Mr. Gherini added that the pages should be numbered. Mr. Sealey agreed, saying he just received the document at noon today and he presented it as it was received. Mr. Page said Mr. Rothrock can speak to some issues in the document, but here is not time to do that now.

Mr. Hubble asked if the project, as presented, meets all codes. Chairman Harwood said no, that the screening should be 'B' and not 'C'. Mr. Rothrock said he does think it meets code as presented. Ms. Garrett said the landscaping plans can be corrected to reflect the correct screening requirements.

The Board and applicant discussed the 50% door/window ratio. Chairman Harwood said he was fine with the appearance as presented. The consensus was to have an average of 50% door/window ratio if possible, considering building code limitations.

Chairman Harwood asked if the open space/green space was resolved. Mr. Rothrock said yes. Mr. Glover asked if the additional outdoor space is included in the required parking. Mr. Rothrock confirmed.

Chairman Harwood said he was a fan of the townhome project proposed for this site and felt it would have a lesser impact than this project. He added it is interesting how we got here and that this project can be built by right. He thanked Mr. Barker for continuing to come back and trying to improve the Town, adding he appreciates his continued efforts.

Mr. Page made a motion to approve and forward to Town Council as presented, with the proviso that the applicant comply with the screening and 50% door/window ratio requirements. Mr. Hubble seconded the motion.

The Board discussed the motion. Mr. Rothrock suggested the Board could recommend with conditions.

With no more discussion, Chairman Harwood asked the Board to vote on Mr. Page's motion. **All members were in favor of the motion.**

Mr. Carter returned to his seat on the Board.

Other Business

The Board discussed their role and responsibility in reviewing Town ordinances and recommending changes to the Town Council. Mr. Hubble noted that the Planning Board has a responsibility to initiate action. Chairman Harwood concurred. Mr. Page noted that the Towns Council doesn't always follow their recommendation. Mr. Hubble said he does not appreciate the Planning Board being circumvented by an ad-hoc committee.

Chairman Harwood said the Board could ask for representation on the ad-hoc committee proposed by the Town Council.

Mr. Hubble made a motion to have a Planning Board member on the ad-hoc committee appointed by the Town Council, seconded by Mr. Carter. **All members were in favor of the motion.**

Subcommittee Selection

Planning Subcommittee

Don Hubble
Kim Hartley
Joe Papa
David Harwood

Zoning Subcommittee

Pete Gherini
Mike Page
Wes Carter
Sam Glover

Mr. Hubble made a motion to approve the subcommittee selections, seconded by Mr. Carter. **All members were in favor of the motion.**

Mr. Gherini asked to distribute a letter from attorneys representing BRCA. Mr. Rothrock said he had responded to the letter and an updated Land Use Code was posted on the Town's website two days prior. No members asked to see the letter.

All members were in favor of the adjourning the meeting.

Chairman Harwood adjourned the meeting at 8:15 pm.

Chairman David Harwood

Tammy Bentley
Planning & Zoning Support Specialist

Town of Blowing Rock

Request for Council Action

FROM: Jennifer Brown, Director of Parks & Recreation
SUBJECT: Public Art Request 2019-1
TO: Town Council
DATE: April 9, 2019
REQUESTED BY: Blowing Rock Appearance Advisory Commission

Public Hearing Yes No Not required NA
Properly Advertised Yes No Not required NA

BACKGROUND:

The Blowing Rock Art and History Museum is requesting to install a piece of art in front of their building in place of the current art piece that will be removed in May. They currently work with the Rosen Sculpture Program at ASU which picks the piece to be displayed for a year. The new piece of art will be installed around the first of June.

BRAAC made the recommendation during their April 2, 2019 meeting to approve the art piece for one year; however, requesting that BRAHM put up signage to discourage people trying to climb on it.

ATTACHMENTS:

1. Public Art Policy
2. Public Art Application with Pictures

STAFF RECOMMENDATION:

Recommends that the proposed public art, Articulate History, be approved for installation for one year at BRAHM's cost and liability.

Town of Blowing Rock

Public Art Application

Applicant Information

Contact Name: Lee Carol Giduz

Contact Address: 159 Ginny Stevens Lane

Contact Phone Number: **828-295-9099 x3008**

Contact Email Address: **brahmdirector@gmail.com**

Artwork Information

Title of Artwork: **Articulated History**

Artist Contact (Please attach bio if available)

Name: **Derek Chalfant**

Address: 401 Euclid Avenue
Elmira, NY 14905, United States

Phone Number: **607-215-3496**

Email Address: **dchalfant@elmira.edu**

Artwork Type: sculpture

Dimensions: **11'8" x 18 x 7'6"**

Media: Stainless steel, bronze

Acknowledgment plaque: Yes

Desired Location:

Please attach the following documentation to the application:

1. Photographs and drawings which fully illustrate the proposed artwork – sent in separate e-mail
2. Proposed location map – sculpture pad on Main Street side of BRAHM where 2018 Rosen sculpture is now
3. Proposed site plan – Sculpture pad is in place and artwork will be installed on this pad
4. Photos of the proposed site – Same site as has been used the last two years for the Rosen installation
5. Proposed landscape plan – area is already landscaped and landscape is maintained by the town
6. Proposed lighting plan if applicable – current lighting will be used, two permanently installed up-lights.
7. Description of site preparation including grading, landscaping, seating, lighting, signage, etc. – no preparation needed, site will be used as is. New signage will be same size and location as current signage.
8. Any proposed budget items that will not be funded by the project itself N/A
9. Proposal to maintain the art project and any landscaping, lighting, signage, etc. for the life of the proposed art piece – Piece will be on location for one year. No maintenance should be needed in that time. Landscaping is regularly maintained by the town.

Exclusion Of Liability:

The Town of Blowing Rock shall not be held liable to any parties, including but not limited to artists or donors for any losses, claims, injuries or damages from theft, damage, vandalism or bodily injury arising out of or in any way related to a public art project. The Town will require that all donors or artists sign a waiver and release which evidences this understanding and agreement.

I have read the Exclusion of Liability above and agree to the terms.

Signature Lee Carol Giduz
Date 3/27/19



RESOLUTION ESTABLISHING A PUBLIC ART POLICY

WHEREAS, the Town Council of Blowing Rock believes that that a public art policy is important to the social, cultural and economic health and vitality of the Town of Blowing Rock;

WHEREAS, the Town Council wishes to create and establish a policy which will encourage the creation and installation of public art in Blowing Rock, through both public and private initiatives;

WHEREAS, the 2014 Comprehensive Plan Update prioritized the development of a "plan for the installation of public art throughout the community, with a particular emphasis in areas along major corridors through town and in the downtown area";

WHEREAS, approximately 500 state, county and municipal public art programs have been adopted in the United States, including multiple programs throughout North Carolina; and

WHEREAS, a transparent policy for administering the public art process, including procedures for the review and selection of public art works by qualified members of the community, and the recommendation of such works to the Town Council, will foster quality public art installations in Blowing Rock;

NOW THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Blowing Rock does hereby adopt the following Public Art Policy:

1. DEFINITIONS.

- A. "Public Art" is hereby defined as:
 - i. single edition, original visual art including, but not limited to, sculptures, murals, photographic renderings, and mosaics, installed on a permanent basis in spaces which are visible from public streets and pedestrian walkways, free of any admission fee; and
 - ii. single edition, original visual art installed on a temporary basis, for a period of not less than three months, nor more than eighteen months, in public spaces designated as public art exhibition areas for temporary installations, free of any admission fee.
- B. Designated spaces for public art installations generally shall include Memorial Park, Broyhill Park, Annie Cannon Park, the Main Street corridor, the Laurel Lane corridor, the Sunset corridor, the Valley Boulevard corridor, areas adjacent to BRAHM, areas adjacent to the American Legion building, and such other areas as may be designated, from time to time, by the Town Council. Specific locations for public art, within these general areas, shall be recommended by the Blowing Rock Appearance Advisory Commission (BRAAC) as part of its recommendations, from time to time, of specific public art works to the Town Council.
- C. Recommendations of BRAAC to the Town Council shall provide whether the recommended public art work shall be considered temporary (as defined above), or permanent. Permanent is hereby defined as the expected useful life of the structure comprising the public art work. If the work does not have a structure, permanent shall mean 25 years.

2. PROGRAM ADMINISTRATION.

- A. The Town Council shall appoint BRAAC members who shall administer the Public Art Policy and make recommendations to the Town Council, regarding proposed public art works.
- B. In the event a member of BRAAC shall desire to submit a public art work created by such member, then, prior to such submission, such member shall abstain from input on the decision.
- C. BRAAC shall have the following responsibilities, in addition to other responsibilities designated, from time to time, by the Town Council:
 - i. to solicit proposals for public art works for Blowing Rock from qualified artists, utilizing established public art processes;
 - ii. to review and consider all public art works proposed by any individuals or entities which are to be located in Blowing Rock, taking into consideration (a) the qualifications and reputation of the submitting artist; (b) the proposed location for the proposed art (if any); (c) the visual aspects and artistic quality of the proposed art; (d) the proposed method of payment for the proposed art; (e) the identity of the donor and conditions of the donation of the proposed art if it is to be donated; (f) the maintenance and upkeep cost of the proposed art; (g) the proposed ownership of the proposed art; (h) any educational or historical aspects of the proposed art; (i) any structural integrity or any special risk or safety issues; (j) insurance requirements for the proposed art; and (k) all other considerations deemed relevant to BRAAC.
 - iii. to solicit, encourage and receive public input on proposed public art works; and
 - iv. to make detailed recommendations to the Town Council with respect to any public art proposal approved by BRAAC.
- D. The Town Manager shall develop detailed procedures, informational materials and application documents necessary or appropriate for the administration of this public arts policy by BRAAC and the Town Council. Such materials shall include procedures for the oversight of installation and maintenance of public art approved by the Town Council.
- E. All public art works to be located in the Town of Blowing Rock on public property or on private property leased or licensed for public art exhibition, shall be subject to the approval of the Town Council, based on the recommendations of BRAAC.

F. PRIVATE DEVELOPMENT.

The Town of Blowing Rock shall encourage voluntary participation in the public art process by developers of projects on private land. Developers may participate in the public art process through on-site installations and through donations to fund Public Art. Developers shall be encouraged, with respect to on-site installations, to submit the proposed art work for review by BRAAC under this Public Art Policy.

3. EFFECTIVE DATE.

This Resolution establishing a Public Art Policy shall be effective upon approval by the Town Council.

Guidelines for Implementing Public Art Policy

The purpose of this policy is to provide guidelines on the review, location and maintenance of public art to be located on Town owned property and/or other government owned property or within Town owned facilities.

The goals of the policy are to support the Town's desire to:

- A. Enhance the beauty of Blowing Rock's community by placing quality art in highly accessible and visible public places for residents and guests to enjoy.
- B. Provide an efficient and effective process for approving, placing and maintaining public art on Town owned property and/or other government owned property or within Town owned facilities.
- C. Ensure ongoing maintenance and sustainability of public art pieces located on Town owned property and/or other government owned property or within Town owned facilities.

I. Public Art Administration

- 1). All public art pieces will be submitted to the Blowing Rock Appearance Advisory Commission through the application process to be reviewed, discussed and detailed recommendations made to the Blowing Rock Town Council with respect to any approved art pieces.
- 2). In the event a member of the Blowing Rock Appearance Advisory Commission is submitting a piece of art work for review or has a part in the funding of a piece of art work being reviewed, prior to submission that member must recuse themselves.
- 3). The Parks and Recreation Department will maintain records on all public art projects in Blowing Rock. Such records must contain the following information:
 - a) application
 - b) site plans
 - c) design drawings
 - d) models
 - e) minutes of public meetings related to the project
 - f) parties involved with the project
 - g) artist biography

II. Selection Criteria for Public Artwork

- 1). *Style and Nature* - the proposed public art should be compatible in style, scale, material, form and content and should form an overall relationship with the proposed location.
- 2). *Quality and Elements of Design* - the proposed public art piece should not be reviewed only on aesthetics, but also if the piece complements and enhances the proposed location and the purpose of the proposed public art project.
- 3). *Durability* - the proposed public art piece will be reviewed for it's durability in the environment of it's proposed location. The structure and surface should be sound, and it should be resistant to theft, vandalism and weathering.
- 4). *Installation / Maintenance Cost* - when reviewing a proposed piece of public art, the plans need to contain a financial statement covering all the costs of installation and maintenance of the project in order for it to be considered.
- 5). *Public Liability* - public art pieces that create unsafe conditions or contain other factors that may result in public liability will not be approved.

III. Public Art Fund

For those individuals wanting to participate in the Public Art program through donations, the Parks and Recreation Department will accept donations into a Public Art Fund. The Public Art Fund will be used for the following purposes:

- 1). To help financially fund future public art projects.
- 2). To help financially fund installation of future public art projects.
- 3). To help maintain existing public art projects.

IV. Private Outdoor Art

The Town of Blowing Rock has no opinion on private art which for the purpose of this policy will be art funded privately and not located on property owned by the Town and/or other government property, and not located within the Central Business or Town Center zones or within Town owned facilities.

Outdoor Art in Central Business and Town Center Zones

The Town of Blowing Rock encourages proposed outdoor art projects funded privately and located on private property in the zones of central business and town center that will have high visibility to both residents and visitors to go through the following process:

- 1). Submit a rendering of the proposed art project to the Blowing Rock Appearance Advisory Commission, the Parks and Recreation Department head, the Planning and Zoning Department head and the Town Manager.
- 2). Meet with the Blowing Rock Appearance Advisory Commission at their next schedule meeting. All bordering owners of the property with proposed art project will be invited to discuss the project.
- 3). It is the hope of the Town of Blowing Rock that the project would move forward in the direction suggested by the Blowing Rock Appearance Advisory Commission. Their suggestions would be based on the following:
 - a). Discussions from their meeting with bordering property owners
 - b). Suggestions and recommendation from the Parks and Recreation Department head, the Planning and Zoning Department head and the Town Manager
 - c). The criteria used for public art in Town

V. Exclusion of Liability

The Town of Blowing Rock shall not be held liable to any parties, including but not limited to artists or donors for any losses, claims, injuries or damages from theft, damage, vandalism or bodily injury arising out of or in any way related to a public art project. The Town will require that all donors or artists sign a waiver and release which evidences this understanding and agreement.

Town of Blowing Rock

Request for Council Action

FROM: Jennifer Brown, Director of Parks & Recreation
SUBJECT: Public Art Request 2019-02
TO: Town Council
DATE: April 9, 2019
REQUESTED BY: Blowing Rock Appearance Advisory Commission

Public Hearing Yes No Not required NA
Properly Advertised Yes No Not required NA

BACKGROUND:

Chetola Resort is requesting to install a piece of art along Main Street which is next to the sidewalk, facing their lake, that runs from Valley boulevard to Chetola's entrance (see attached map and location). They are planning to have a four-day art walk around their lake around the first of June that will be open to the public; however, the proposed piece along Main Street would remain up for one year. The art pieces along the lake will be able to be purchased; however, the art piece on Main Street will remain up for one year.

BRAAC made the recommendation during their April 2, 2019 meeting to approve the art piece for one year; however, requesting that if the piece is sold it remain up for the one-year time period before it can be removed.

ATTACHMENTS:

1. Public Art Policy
2. Public Art Application 2019-02

STAFF RECOMMENDATION:

Recommend that the "Shared the Whirled" art piece be installed along Main Street, in front of Chetola lake, for one year at Chetola's cost and liability.

Town of Blowing Rock

Public Art Application

Applicant Information

Contact Name: **Kent Tarbutton**

Contact Address: **Chetola Resort Box 17, Blowing Rock, NC 28605**

Contact Phone Number: **828.264.0986**

Contact Email Address: **kentt@chetola.com**

Artwork Information

Title of Artwork: **“ Share the Whirled” – 1 year loan to Chetola**

Artist Contact (Please attach bio if available)

Name: **Mike Roig**

Address: 100 Hillsboro Road, Carrboro, NC 27510

Phone Number: **919.929.3535**

Email Address: **mroig@mindspring.com**

Artwork Type: **Public Art Sculpture**

Dimensions: **5' upper (kinetic) diameter. Base 27" x 33" x 13' height**

Media: *Recycled structural steel in the base (Ibeams and 1/4 inch wall rectangular tubing), repurposed wheel hub and bearings supporting the kinetic element which is made from stainless steel.*

Acknowledgment plaque Y N -

Desired Location: **Chetola Property**

Please attach the following documentation to the application:

1. Photographs and drawings which fully illustrate the proposed artwork

Exhibit A

2. Proposed location map

Exhibit B

3. Proposed site plan

Exhibit C

4. Photos of the proposed site

Exhibit D

5. Proposed landscape plan **NA**

6. Proposed lighting plan if applicable **NA**

7. Description of site preparation including grading, landscaping, seating, lighting, signage, etc.

Exhibit E

8. Any proposed budget items that will not be funded by the project itself.

NA

9. Proposal to maintain the art project and any landscaping, lighting, signage, etc. for the life of the proposed art piece

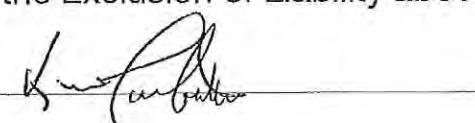
Exhibit E

Exclusion Of Liability:

The Town of Blowing Rock shall not be held liable to any parties, including but not limited to artists or donors for any losses, claims, injuries or damages from theft, damage, vandalism or bodily injury arising out of or in any way related to a public art project. The Town will require that all donors or artists sign a waiver and release which evidences this understanding and agreement.

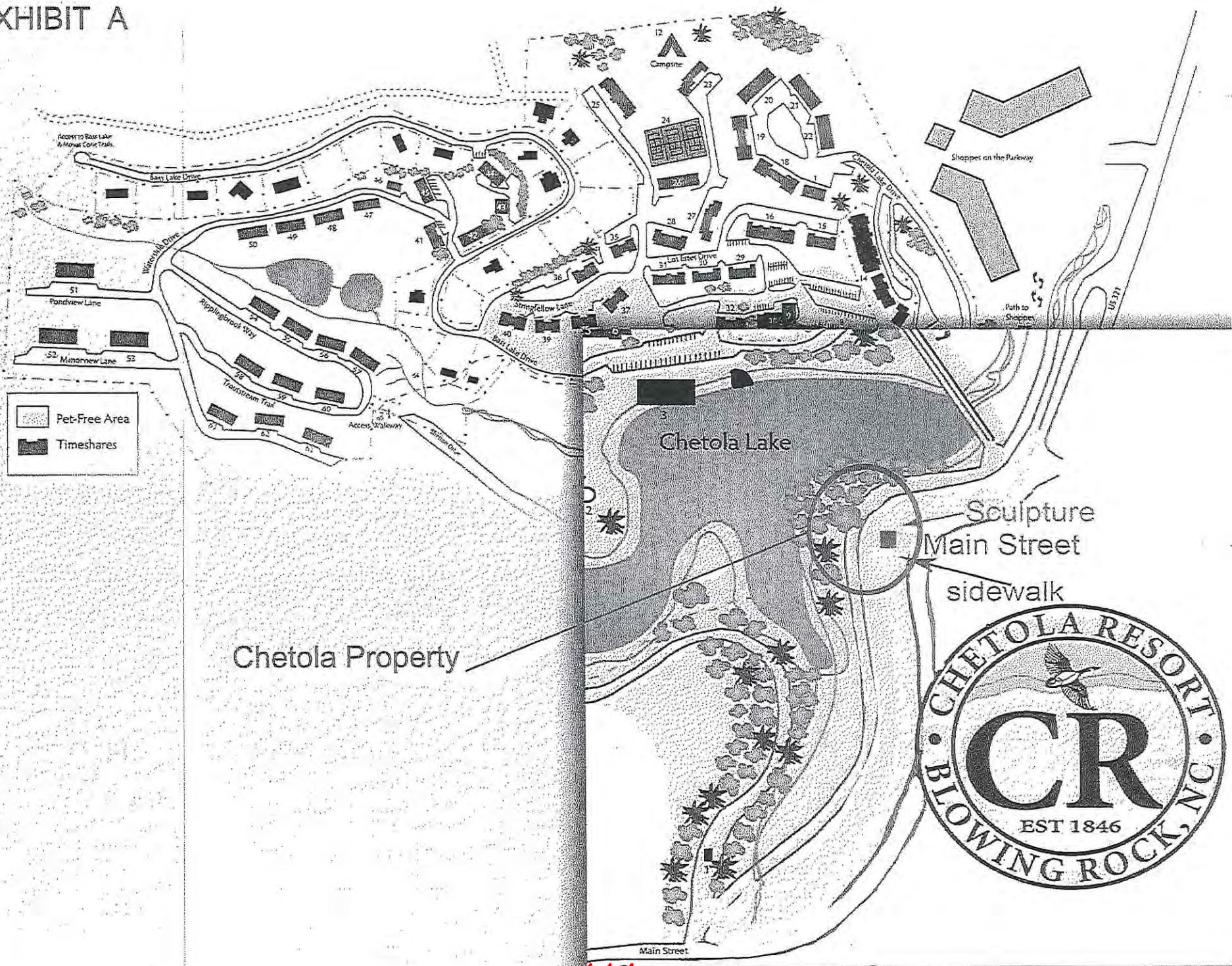
I have read the Exclusion of Liability above and agree to the terms.

Signature



Date 3-27-19

EXHIBIT A







Proposed Engineered Sculpture-
Kinetic - revolves on base
5' Diameter rotation x 13' Height
Stainless steel anchors
Guaranteed Maintenance by Mike Roig- Sculptor

Chetola Resort

Exhibit D

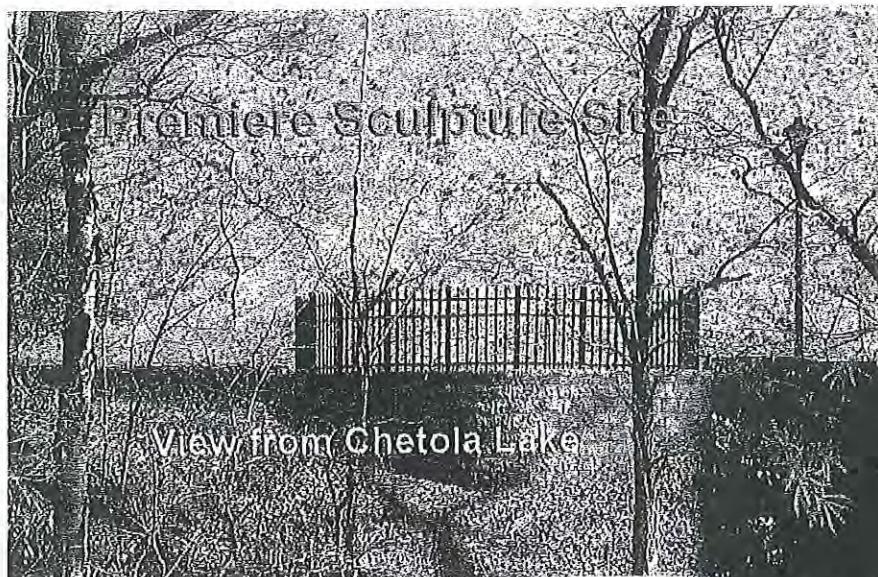


Exhibit E

"Share My Whirled" Public Art Sculpture- *1 year loan

Preparation of site will be the responsibility of Art Consulant and Chetola.

Sculpture Components: Recycled sculptural steel in the base. IBEAMS and $\frac{1}{4}$ " wall rectangular tubing, repurposed wheel hub and stainless bearings supporting the "kinetic" Element which is fabricated form Stainless Steel.

Manner of Attachment: (4) 5/8" stainless steel (rust-proof) wedge anchors secured by drilling and epoxy.

Level with stainless steel steel shims. These "best practices" are utilized by the professional sculptor and professional installers consistent with exterior grade code compliance.

Sculpture Footprint: The base measures 27" x 33 $\frac{1}{4}$ ". The low profile does not increase trip hazard in public area.

Sculpture Provenance: Sculpture was previously shown in Raleigh, NC Public Park and Town of Knoxville-(Percent for Art Program).

Special Request: On or about June 1st, (proposed Installation date) we request the TOWN assist in traffic monitoring stop/detour (south bound traffic) for Main street adjacent to the sculpture site.

Section of R.O.W designated for small boom truck - $\frac{1}{2}$ sidewalk, $\frac{1}{2}$ main street

Time allotment- 45 minutes to 1 hour

Safety cone placement

Flagman may be needed

**The Sculptor and his team promise to maintain the sculpture for the duration of the agreed term of 1 Year.*

EDUCATION

Bachelor of Arts, Summa Cum Laude, University of Maryland, 1985, Major in Studio Art; Concentrations in drawing, sculpture and printmaking

PUBLIC SCULPTURE

I have been fortunate in recent years to have this section of my resume take prominence. To see images of many of these sculptures go to the Public Sculpture link.

City of Mebane - *Winged*, Permanent Collection, Mebane, NC. 2017.

City of High Point - *Beautiful Whirled*, Chalice, and *Passionatus*, Permanent Collection, High Point, NC. 2017.

Brenau University - *Luminary 830*, Permanent Collection, Gainesville, Ga. 2017

Georgia Tech - *Watchtower*, Arranged by ConsultArt, Inc. Atlanta, Georgia. 2017.

Rex Hospital - *Eurythmy*, Arranged by The Mahler Fine Art, Raleigh, NC. 2017.

Harford Community College - *Beta Wave*, Permanent Collection, Bel Air, Md. 2016

City of Statesville - *Top of the Whirled*, Inaugural Sculpture for downtown sculpture park, Statesville, NC, 2016.

2015 Holocaust Speakers Bureau – *Remember*, Holocaust Memorial at Maplewood Cemetery, Durham, NC

Hickory Chamber of Commerce – *Two Whirleds Two*, Hickory, NC 2015

Durham County – *Twist of Fate*, Durham, NC 2015

Hilton of Hickory – *Odyssey Redux*, Hickory, NC 2015

Caldwell Arts Council – *Air Waves*, Broyhill Walking Park, Lenoir, NC 2015

Caldwell Arts Council – *Aquamarine*, Purchase Award at Sculpture Celebration, Lenoir, NC 2015

Alamance Arts Council – *Moby*, Purchase Award from Willow Walk Sculpture exhibition, Graham, NC

2014

City of Hickory – *Zahra's Whirled*, Zahra Baker Park, Hickory, NC 2014

Arbor Acres Retirement Community – *Cloud Lasso*, Winston Salem, NC 2013

North Carolina Zoological Park – *Otters in the Mist*, Asheboro, NC 2013

North Carolina Zoological Park – *Murmuration*, Asheboro, NC 2013

University of Kansas Hospital - *Triune*, Kansas City, Kansas 2012

City of Knoxville - *Flow Mojo*, Knoxville, Tn. 2010

City of Kingsport - *The Answer, My Friend*, Kingsport, Tn. 2010

The Community Church of Chapel Hill - *Who has Seen the Wind*, Chapel Hill, NC, 2009.

City of Kingsport - *Yo-Yo's Muse*, Purchased for permanent, public installation, Kingsport, Tn, 2007.

City of Raleigh - *Glimpses of the Promised Land*, sculpture commissioned for the City

by the Raleigh Arts Commission, Chavis Park, Raleigh, NC, 2006.

City of Charlottesville - *Whirled Peace*, sculpture purchased by the city for permanent, public installation, Charlottesville, Va. 2005.

Onondaga Community College - *Here Comes the Sun* and *Whirled Peace, Improved*, sculptures purchased for the permanent collection at the campus, Syracuse, NY, 2005.

SELECTED SHOWINGS

I have cultivated a regular cycle of shows that I participate in annually. These include:

Sculpture Exhibitions Sponsored by the Chapel Hill Arts Commision, Chapel Hill, NC

Participation since 2000

Sculpture Visions, 2016-2018 (extended installation) "Nested"
Sculpture Visions, 2013-2015 (extended installation) "Beautiful Whirled"
Sculpture Visions, 2013-2014 "Two Whirleds Two"
Sculpture Visions, 20011-2012 "The Watchtower"
Sculpture Visions, 20010-2011 "Oulaire"
Sculpture Visions, 2008-2010 (extended installation) "Cloud Lasso"
Summer Select, 2002 "Contraposto"
Merit Award, 2001 "Out to Sea," 2nd Annual Sculpture on the Green
Summer Select, 2001 "Out to Sea"
Merit Award, 2000 "Generator No. 1," Sculpture on the Green

Sculpture Celebration, The Caldwell Arts Council, Lenoir, NC
Participation since 1996

3d Place Award, 2017, The Wind Blows Where It Will
4th Place Award, 2012, *Mirthology*,
Norma Suddreth Merit Award, 2009 "The Answer, My Friend", and "Hypnotica"
Best in Show, 2005 "Air Guitar"
Purchase Award, 2004 "Etude"
Patron's Purchase Award, 2003 "Norma's Flora"
Judge's Merit Award, 2002 "Inner Whirled"
Judge's Merit Award, 2000 "Tuning Fork"
Patron's Purchase Award, 1997 "Dancing Altar"
Michaux-Sturgis Award, 1996 "Raven Runes"
Patron's Purchase Award, 1996 "Double Helix Fountain"

Sculpture In The Garden, The North Carolina Botanical Garden, Chapel Hill, NC
Participation since 1997

Merit Award, 2007 "Atmospherics I"
Best In Show, 2006 "Skylines"
First Place, 2005 "The Watchtower"
First Place, 2004 "Yo-Yo's Muse"
Merit Award, 2003 "Whirled Peace"
First Place, 2002 "Fisher King"
Best In Show, 2000 "Voluptuary"

Art In The Gardens, The Sandhills Horticultural Society, Pinehurst, NC
Participation since 1998

First Prize, 2011 "What In the Whirled"
Purchase for the Permanent Collection, 2005 "Three Ring Cirrus"
People's Choice Award, 2004 "Fisher King"
Purchase for the Permanent Collection, 2004 "Axis of Agape"
People's Choice Award, 2001 "Whirlybird"
Artist's Choice Award, 1998 "Luna"

Orange County and Chatham County Open Studio Tours, Chapel Hill, NC
Participation since 1995

Through the years I have been part of these annual tours,
depending on where I have lived. Through these shows literally

hundreds of my sculptures have found homes in area private collections.

SELECTED GRANTS, other AWARDS, other SHOWS

2016-2017 Sculptures in Highpoint, a year long exhibition of three major pieces: *Passionatus*, *Chalice*, and *Beautiful Whirled*, High Point, NC

2016 Art In Public Places, Best in Show, *Undulation*, Knoxville, Tn.

2015-2016 Sculpture Invitational, *Nested*, Bascom Arts Center, Highlands, NC

2015 Chatham Artists Guild, Guest Artist at the Open Studio Tour, Pittsboro, NC

2013 Biennial Sculpture Invitational Exhibition, *The Watchtower*, Cashiers, NC

2012 Cary Outdoor Sculpture Exhibition, *Two Whirleds Two*, Cary, NC

2011 Sculpture Invitational, *Let the Great Whirled Spin*, Mount Union College, Alliance, Ohio

2010 Dogwoods Arts Festival, Best in Show, *Flow Mojo*, Knoxville, Tn.

2010 4th Biennial Sculpture Exhibition, *Air Guitar*, Chattanooga, Tn.

2010 Sculpture Walk IV, *Portal*, Kingsport, Tn.

2009 A Couple of Artists, Two person Show with Clay Carmichael, author/illustrator and wife, The Community Church of Chapel Hill, Chapel Hill, NC.

2008 Creative Wilmington Downtown Solo Exhibit, "Four Sculptures by Mike Roig," Wilmington, NC.

2008 Cary Visual Art's Temporary Outdoor Sculpture Exhibition, "Air Guitar," winner of the grand prize, Cary, NC.

2008 Dogwood Festival Downtown Sculpture Exhibition, Knoxville, Tn.

2007 Dogwood Festival Downtown Sculpture Exhibition, Knoxville, Tn.

2007 Kingsport Walking Tour of Sculpture, "Yo-Yo's Muse" purchased from show for permanent city collection, Kingsport, Tn.

2007 Jackson Union Sculpture Tour, Jackson, Tn.

2007 Festival Park Sculpture, Fayetteville Museum of Art, Fayetteville, NC.

2006 2nd International Juried Exhibition, Pyramid Hill Sculpture Park and Museum, Hamilton, Ohio.

2005 19th Rosen Sculpture Competition, Rosen Award Winner for "Yo-Yo's Muse," Appalachian State University, Boone, NC.

2005 Fayetteville Museum of Art, 33d Annual Competition, First Prize for "Cloud Lasso," Fayetteville, NC

2004 Art In Place, Great Eastern Management Prize for "Whirled Peace," Charlottesville, Virginia

2004 Carolina Quarterly, featured visual artist in University of North Carolina's literature publication, Chapel Hill, NC

2002 Art/Spirit/Art, The James Johnston Center for Undergraduate Excellence at the University of North Carolina at Chapel Hill.

2002 5000 Flowers, Memorializing 9/11, Chapel Hill Museum, Chapel Hill, NC

2000 Seeds Community Arts Project, Seeds Community Garden, Durham, NC

2000 For the Birds, Niche Gardens, Chapel Hill, NC

1999 Metall.Mettle Two-Artist Show, Bradiggin's Arts Gallery, Hillsborough NC

1999 One Man Show, Art Center Gallery, Carrboro, NC

1999 Sculpture from Recycled Landfill Materials, Orange County Recycling and the
Orange County Arts Commission, Chapel Hill, NC
1998 Figures and Fauna, Horace Williams House, Chapel Hill, NC
1998 Purchase Award, for "Pressure Release," Public Gallery of Carrboro, Carrboro,
NC
1997 Men At Work, Forum and Function Gallery, Raleigh, NC
1996-97 Emerging Artists Grant, Durham Arts Council, Durham, NC

SELECTED PUBLIC SCULPTURE

University of Kansas Hospital - "Triune," Kansas City, Kansas 2011
City of Knoxville - "Flow Mojo," Knoxville, Tn: 2010
City of Kingsport - "The Answer, My Friend," Kingsport, Tn. 2010
The Community Church of Chapel Hill - "Got My Mojo Working," Chapel Hill, NC, 2009.
City of Kingsport - "Yo-Yo's Muse," Kingsport, Tn. 2008
City of Raleigh - "Glimpses of the Promised Land," sculpture commissioned for the City
by the Raleigh Arts Commission, Chavis Park, Raleigh, NC, 2006.

City of Charlottesville - "Whirled Peace," sculpture purchased by the city for permanent,
public installation, Charlottesville, Va. 2005.
Onandaga Community College - "Here Comes the Sun," sculpture purchased for the
permanent collection at the campus, Syracuse, NY, 2005.
Onandaga Community College - "Whirled Peace, Improved," sculpture purchased for the
permanent collection at the campus, Syracuse, NY, 2005.
Sandhills Community College - "Three Ring Cirrus," Campus Collection, Pinehurst,
NC, 2005.
Sandhills Community College - "Bob Dylan's Oracle," Campus Collection, Pinehurst,
NC, 2004.
Residential Services - "Turn, Turn, Turn," Greeting sculptural gong and chimes for their
sponsored retirement home people with special needs, Durham, NC, 2004.
Sandhills Horticultural Society - "Axis of Agape," Visiter's Center Grounds, Pinehurst,
NC, 2004.
Public/Private Partnership: City of Lenoir, Caldwell Arts Council, Private Donors -
"West Wind Sentinel," GatewaySculpture to the City, Highway 321, Lenoir, NC,
2003.
Town of Chapel Hill - "Promethean Honor Guard," Inaugural project for Chapel Hill's
percent for art program. Firehouse No. 5 Chapel Hill, NC, 2002
The Public Gallery of Carrboro - "Tintinnabulation," Public Sculpture, Weaver Street,
Carrboro, NC, 2001
The Chapel Hill Zen Group - Ceremonial Bell Installation, Chapel Hill, NC, 2000.
The Arts Center - Entry figures for new signage, Carrboro, NC, 1999.
Weaver Street Market - "Pressure Release," purchased from the exhibition "Art on
Weaver Street" and installed in custom built fountain basin, Carrboro, NC, 1998.
Refitted with cascading spillway and unified into one cohesive sculptural fountain,
2000.
Shepherd House - Commission for illuminated sculpture at the entry for elder housing,
Carrboro, NC, 1998.
Chapel Hill Unitarian Universalistic Fellowship - Sculpture commission for central
altarpiece, Chapel Hill, NC, 1996.
Moore County Office Park - Sculpture commission, Pinehurst, NC, 1990.

**FINANCIAL REPORT
AS OF MARCH 31, 2019**

Financial Overview

Please find reported, we are 75% into fiscal year 2018-2019. Collections of 2018 property taxes total \$4,185,968 or 100% (this is less than 5% more collected at this point in the fiscal year than last year at this time and 1% above budget pace compared to last year) of budget at this time. With collections being one month in arrears, we have collected eight months of motor vehicle taxes for the new fiscal year, with collections at \$62,814 or 78% (this is 6% more collected at this point in the fiscal year than last year at this time) of budget.

Sales tax revenues are collected two months in arrears, with \$1,113,210 or 62% (this is 3% higher compared to last year) of budget collected at this time. Building permit collections are at \$54,076 or 77% of budget, and zoning fees are at \$7,109 or 71%, these numbers are in line with budget pace at this time and though lower than last year at this time. As mentioned previously, last year's spikes in building permit fee revenue was due to new developments such as the Chestnut Development Partners project on Chestnut Dr., while zoning fee increases were associated with the spike in new home applications seen during last fiscal year and conditional zoning application fees.

The fifth utility billing of the new fiscal year will occur in late April, billings for the current fiscal year are at \$602,255 or 64% and \$504,607 or 68% for water and sewer charges respectively. This is 3% below last year's budget pace for Water and in line with budget pace for Sewer charges. Water and sewer connection fees collected to date are at \$23,550 or 139% and \$38,964 or 244% respectively. While lower than last year's collections, these fees are still well above budget due to remaining fees associated with the Chestnut Ridge Development Partners project on Chestnut Dr. being collected this year as previously noted.

Overall expenditures for the General Fund are at 70% (2% above last year at this time) and 57% (remaining moderately higher than last year at this time due to the AMI project funding being allocated in the FY 2017-18 budget, but the project not approved for moving forward, when compared to a more typical year of spending it is approximately 6% below budget pace for this time of year) for the Water/Sewer Fund. Overall revenue for the General Fund is at 82% (1% below last year at this time) and 57% (7% up this year compared to last year, due to AMI budgeted revenues not being charged as planned-and 6% below a more typical budget year) for the Water/Sewer Fund. Since many of our revenues are collected in arrears, these totals are somewhat expected at this point in the fiscal year. As previously mentioned, debt service payments are related to the elevation seen in the Public Building department but the overall budget for this department is not anticipated to be over budget at the end of the year based on projections at this time. All other department expenditures are in line with budget at this time. See the attached report for departmental breakdowns.

Department Activity Notes

Bond funding conversations have continued with the Town's Bond Council and Financial Advisor and it has been recommended that the Town fund the third phase of bond projects (primarily Streetscape related funding) through a bank placement vs public sale. It is expected that while the rate attained may be slightly higher, it would be recovered in funding cost differences associated with the full bond sale process vs the more expedited process of bank placement. Flexibility of borrowing date is also a heavily weighted factor in this recommendation as we are making all efforts to expend as much funding we have on hand now before we issue more debt. We have communicated to our Bond Council and Financial Advisor we agree that would be the best method of funding for this phase of borrowing and plan at this time to proceed in this way.

Budget work continues with a first draft basic budget draft nearing completion and departmental meetings with the Town Manager and myself to come in the next week.

Thank you,

Nicole M. Norman
Finance Officer

TOWN OF BLOWING ROCK
FINANCIAL SUMMARY REPORT
As of March 31, 2019, 75% of Fiscal Year 2018-2019

GENERAL FUND			
	Annual Budget	Actual to Date	% Collected- Projected
REVENUES			
Current Year Levy of Property Taxes	\$ 4,194,204	\$ 4,185,968	99.80%
Motor Vehicle Taxes	80,030	62,814	78.49%
Utilities Franchise Taxes	366,165	204,358	55.81%
Local Option Sales Taxes	1,806,900	1,113,210	61.61%
Fund Balance Appropriated	-	-	0.00%
All Other Revenues	1,870,647	1,246,337	66.63%
	<u>\$ 8,317,946</u>	<u>\$ 6,812,688</u>	<u>81.90%</u>
EXPENDITURES			Y-T-D % Spent
Governing Board	\$ 53,068	\$ 35,557	67.00%
Central Government	1,926,570	1,070,986	55.59%
Public Buildings	649,445	542,288	83.50%
Administrative/Finance	420,101	305,518	72.72%
Police	1,332,596	962,304	72.21%
Emergency Services	1,100,314	799,092	72.62%
Planning and Inspections	310,319	229,078	73.82%
Street	1,193,846	917,577	76.86%
Sanitation	434,074	324,960	74.86%
Parks and Rec/Landscaping	897,613	597,442	66.56%
	<u>\$ 8,317,946</u>	<u>\$ 5,784,801</u>	<u>69.55%</u>
Y-T-D FUND BALANCE INCREASE (DECREASE)	<u><u>\$ -</u></u>	<u><u>\$ 1,027,887</u></u>	

Property Tax Collection As a Percentage of Total Levy (Motor Vehicles Not Included)	FY 2019	FY 2018	FY 2017	FY 2016
	97.98%	98.49%	99.13%	99.02%

WATER AND SEWER FUND			
	Annual Budget	Actual to Date	Y-T-D % Collected
REVENUES			
Water Revenue	\$ 938,716	\$ 602,255	64.16%
Sewer Revenue	743,716	504,606	67.85%
Connection Fees	33,000	62,514	189.44%
All Other Revenues	388,412	29,219	7.52%
	<u>\$ 2,103,844</u>	<u>\$ 1,198,594</u>	<u>56.97%</u>
EXPENDITURES			Y-T-D % Spent
Administrative	\$ 639,138	\$ 270,922	42.39%
Plant Operations	935,896	616,144	65.83%
Field Operations	393,175	254,815	64.81%
Transfer to Capital Projects	135,635	-	0.00%
	<u>\$ 2,103,844</u>	<u>\$ 1,141,881</u>	<u>54.28%</u>
Y-T-D FUND BALANCE INCREASE (DECREASE)	<u><u>\$ -</u></u>	<u><u>\$ 56,713</u></u>	

Excerpt from the March 12, 2019 Meeting

Mayor Sellers asked Council Member Sweeting to come up with some ideas of individuals, he stated he would like Planning Director Rothrock on that committee. Council Member Sweeting agreed he would be the staff representative and further asked if any Council Members would like to be on the committee as well. Council Member Steele and Mayor Pro-Tem Yount advised they would like to be. Mayor Pro-tem Yount asked for BRAAC and Planning Board to be represented as well. Mayor Sellers asked Council Member Sweeting to put some names together and bring back to Council and go from there. Council Member Sweeting stated she would involve some of the other Council Members to get suggestions. Interim Manager Freeman advised Council needs to sit down, get the names and get a game plan together first. Council Member Sweeting stated she would spearhead getting started and come back to Council at the next meeting with some ideas.

----- Original message-----

From: Sue Sweeting
Date: Fri, Mar 22, 2019 1:30 PM
To: Albert Yount; Jim Steele; Doug Matheson; Virginia Powell;
Cc: Charlie Sellers; Jim Freeman; Sue Sweeting;
Subject: Ad hoc committee

I need Council input into members for the adhoc committee on land use. In order for the committee to be a working committee, the total number of members should not exceed 7. I expect that we will meet 1-2 times a month for as long as is needed. The initial meeting of the committee will be to develop, define and design the process for orderly land use development in Downtown Blowing Rock and the 321 Bypass/Valley Blvd.

I am asking each of you to send me one name of someone you would like to serve on the committee. Make sure you get their permission before submitting their name.

Because of Council concerns, I need one other Council member to work on the committee with me.

Please send me the name of your representative by the end of next week. I suspect, at a later date, input regarding land use development, will be requested, from residents, tourists, The Chamber and business owners.

Sue

From: Sue Sweeting
Sent: Wednesday, April 03, 2019 6:24 AM
To: Hilari Hubner <clerk@townofblowingrocknc.gov>
Cc: Jim Freeman <jfreeman@tobr.us>
Subject: Re: Question for upcoming Agenda

I realized I forgot to include Council names.

Council participants would be Jim Steele and Al Yount.

I will be an ex-officio facilitator/chair with no vote.

Thanks for all you do.

Sue

From: Sue Sweeting
Sent: Tuesday, April 02, 2019 5:18 PM
To: Hilari Hubner <clerk@townofblowingrocknc.gov>
Cc: Jim Freeman <jfreeman@tobr.us>
Subject: Re: Question for upcoming Agenda

Will do.

Spike Bachman
John Aldridge
Keith Tester
Joe Bogdahn

Pete Gherini

*4/4/19
JF*

Sue

From: Sue Sweeting
Sent: Wednesday, April 03, 2019 6:24 AM
To: Hilari Hubner <clerk@townofblowingrocknc.gov>
Cc: Jim Freeman <jfreeman@tobr.us>
Subject: Re: Question for upcoming Agenda

I realized I forgot to include Council names.

Council participants would be Jim Steele and Al Yount.

I will be an ex-officio facilitator/chair with no vote.

Thanks for all you do.

Sue

On Apr 2, 2019, at 4:53 PM, Hilari Hubner <clerk@townofblowingrocknc.gov> wrote:

Good Afternoon,

Mr. Freeman and I are working on the upcoming Agenda Packet and have a question. In regards to the Ad Hoc committee we need to know if you want us to include the candidates' names for the committee in the packet or are you planning on presenting the names at the meeting? If you do want us to include them could you please submit them to us.

Thanks

General Information

Council General Information Section

Actors In City Government And What They Do

ACTOR	FUNCTIONS			
	VISION	STRATEGY	OPERATIONS	TACTICS
COUNCIL OR COMMISSION	HAS	APPROVES	EVALUATES	REVIEWS
MAYOR	HAS	FORMULATES	EVALUATES	REVIEWS
CITY MANAGER OR CHIEF ADMINISTRATOR	UNDERSTANDS	PROPOSES	MANAGES	REVIEWS
DEPARTMENT HEADS	UNDERSTAND	FOLLOW	ESTABLISH	PRESCRIBE
OTHER EMPLOYEES	UNDERSTAND	FOLLOW	EXECUTE	PARTICIPATE
CITIZENS	AGREE	OBSERVE	FEEL RESULTS	SEE RESULTS

Towers Perrin



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

LINDA CULPEPPER
Interim Director

February 23, 2019

Jim Freeman
Interim Town Manager
Town of Blowing Rock
P.O. Box 47
Blowing Rock, NC 28605

Subject: Technical Assistance Visit
NPDES Permit NC0027286
Town of Blowing Rock WWTP
Watauga County

Dear Mr. Freeman,

On Thursday, February 21, 2019, I met with Town of Blowing Rock staff for a Technical Assistance visit at the Town of Blowing Rock Wastewater Treatment Plant located on Highway 321 North of Blowing Rock. The visit was at the request of James Townsend, ORC concerning some higher than normal amounts of pin floc in the clarifiers and effluent. My observations, and highlights of our conversation are listed below for your review.

Although nothing conclusive was found to be the cause of the pin floc problems, the following remedial actions were discussed:

- During my visit, Mr. Townsend said that the only process control testing done by plant staff was a daily 30-minute settleometer test. He said that the 30-minute reading had been running at 80% and higher. When I mentioned old, glutted, backed up sludge he acknowledged that he knew that was the case as he is limited to the amount of sludge that he can waste. The Town's staff told me that they were in the process of purchasing a \$150,000.00 tanker truck to haul their own sludge to Lenoir and would be able to immediately bring down the solids level in the plant. It is my understanding that purchasing the tanker truck should be approved in the March Town Council meeting.





Town of Blowing Rock

1036 Main Street ★ Post Office Box 47 ★ Blowing Rock, North Carolina 28605

March 21, 2019

Deron T. Geouque
Watauga County Manager
Administration Building
814 West King Street, Suite 205
Boone, North Carolina 28607

Note: EMS/Fire Capital
Vehicle request are
to be presented by
Kent to Fire District
BD (Watauga & Caldwell)

Re: County FY 2019/2020 Budget Request
Town of Blowing Rock

Dear County Manager Geouque:

Referencing your March 11th correspondence regarding the above subject matter, please find submitted the Town of Blowing Rock's below requests for Watauga County's consideration:

1. School Resource Officer (SRO) – At a cost of \$64,770 per year, the Town provides a School Resource Officer for the County's Elementary and Middle School located in Blowing Rock. A breakdown of such cost follows:

a. Salary plus benefits...	\$52,770
b. Vehicle...	\$10,000
c. Uniforms and equipment...	<u>\$ 2,000</u>
Total...	<u>\$64,700</u>

Noting most of the students reside outside the Town and attend said school, the Town respectfully requests Watauga County and/or Board of Education to cost share/contribute in the provision of the SRO services. As for determined "fair" amount, we are open to a developed pro-rata cost share methodology or another methodology acceptable by the County Commissioners.

2. Parks and Recreation -The Town of Blowing Rock is appreciative of Watauga County's last fiscal year contribution of \$14,000. Your contribution was applied towards the provision of recreational programs/services for both County and Town citizens. Based upon the enclosed Town's 2018 calendar year, it is apparent that most County citizens residing outside the corporate limits continue to make up the majority of our program participants. Thereby, the Town submits the below budget contribution requests:

a. Recreational Operations and Services...	\$17,500
b. Davant Restroom Upgrades...	\$70,000
c. Swimming Pool Maintenance/Repairs and Materials...	<u>\$20,000</u>



Memo

To: Jim Freeman, Manager

CC:

From: Aaron Miller, Captain

Date: March 12, 2019

Reference: Speeding

On March 5th, I met with Ray Parsons. Mr. Parsons lives at 1500 Greenhill Road. Mr. Parsons is concerned about vehicles speeding on Greenhill Road. He has suggested adding a three-way stop at the intersection of Greenhill Road and Wonderland Drive as a traffic calming measure.

A check of records found that there has only been one traffic accident reported at that intersection in the past 5 years. That reported accident resulted in no injuries, no property damage and no report was taken.

Since there is no history of traffic accidents or visibility issues at the intersection adding a three-way stop would normally not be warranted. The research that I have read so far, seems unanimous, that stop signs are not effective as traffic calming measures and sometimes result in more aggressive driving.

Speeding continues to be a topic for citizens on Greenhill. Perhaps the prudent thing to do at this point is to consult a traffic engineer to look at traffic calming measures that might be helpful on Greenhill, including the possibility of a mini traffic circle at the intersection of Wonderland Drive.

Let me know your thoughts.

From: Tim C. Melton <tcm500@gmail.com>
Sent: Sunday, March 31, 2019 8:15 AM
To: Ed Evans
Subject: police officers

Dear Town Manager and Chief of Police,

Blowing Rock has been special to me and my family for the last twenty years. The beautiful scenery and the cool, crisp mountain air offers a luxury not afforded to folks in Washington, North Carolina, our home, which lies 305 miles east south-east of Blowing Rock. The local townsfolk have always made us feel welcome. On Saturday, March 30th, after hiking several miles on the Glenn Burney Trail, my family and I returned to our vehicle exhausted only to find that our keys were locked in the vehicle. After an hour of unsuccessfully attempting to enter our vehicle, I decided to walk over to the Blowing Rock Police Department. As suggested, I called the number and reached communications. A gentleman answered my call and I informed him of our dilemma.

Shortly thereafter, Officer Canton and Officer Byrd showed up and rendered assistance. Both officers were extremely professional and courteous. The kindness they extended to my family and me was top-notch! Too often today, law enforcement officers are painted in a bad way, especially by the media. Please pass on our gratitude to Officer Canton and Officer Byrd. May both of them have safe, rewarding careers. Thanks to the gentleman working communications and thank you to the Town of Blowing Rock for making us feel welcome in our second home.

Sincerely,

Tim C. Melton

(252) 944-7600

From: Matt Blackburn
Sent: Thursday, March 14, 2019 7:57 AM
To: Jim Freeman <jfreeman@tobr.us>
Subject: RE: Speed bump

Jim,

Last Thursday I met with Curtis and Doug on Rhododendron Drive to look at the water diversion berm. It is their opinion that the berm in question should stay in place. They believe that if the berm were to be removed it would allow storm water runoff to flow onto the property located at 142 Rhododendron, potentially creating the same problem which existed before.

If you have any question please let me know.

Thanks

Matt Blackburn
Public Works and Utilities Superintendent
Town of Blowing Rock

From: Linda Dunlap <ldunlap43@yahoo.com>
Date: March 4, 2019 at 9:14:31 AM EST
To: "jfreeman@tobr.us" <jfreeman@tobr.us>
Cc: Jim Steele <jfsteele88@att.net>, Anne Meade <ameade48@gmail.com>, Katie Henry <katiephenny@gmail.com>, Aaron Miller <amiller@townofblowingrocknc.gov>, Matt Blackburn <pwsuperintendent@townofblowingrocknc.gov>
Subject: Re: Speed bump

Jim Freeman,
Approximately a month ago I sent the email below requesting the removal of a needless speed bump on our road. We received an email from you indicating that your would contact the necessary people to evaluate the situation and get back to us. I also sent another email 2 weeks ago with still no reply. This street is very short with only 2 full time residents and the amount of strain put upon our vehicles is irritating.

We ask once again for some action to be taken and would alappreciate a responce.
Howard Dunlap

From: Linda Dunlap <ldunlap43@yahoo.com>
Sent: Thursday, February 07, 2019 7:07 PM
To: Ed Evans <eevans@tobr.us>
Cc: Jim Steele <jfsteele88@att.net>; Anne Meade <ameade48@gmail.com>; Katie Henry <katiephenny@gmail.com>
Subject: Speed bump

Howard Dunlap

142 Rhododendron Drive

295.6285

FCC takes aim at city planners, HOAs, landlords with new wireless preemptions

02 April 2019, by Steve Blum • [fcc](#), [otard](#), [public policy](#), [small cells](#)

More federal preemptions of property ownership and local oversight of permits for wireless facilities are on the way. The Federal Communications Commission is scheduled to vote later this month on starting the process of [rewriting its interpretation of federal law regarding home antennas](#).

The rule in question is inelegantly known as OTARD – over the air reception devices. The law behind the rules was originally intended to allow homeowners and renters to install small satellite dishes for, say, DirecTV or DISH. Over the years, it expanded to include other consumer gear such as broadcast TV and fixed wireless broadband antennas.

Now the FCC wants to turn the rule inside out, and make it apply to property occupied by mobile carriers and wireless broadband providers, and to equipment that's not normally reckoned to be consumer devices. In other words, take a law and a rule that was written to allow consumers latitude to install (relatively) small antennas on their homes, and use it to give wireless companies a free pass to install anything they want within the one meter limit, anywhere they want, so long as they're already own or, more commonly, are leasing the site.

The FCC's [draft notice of proposed rule making](#) falsely spins the changes as correcting an earlier misinterpretation...

Should the Commission clarify that it will interpret "antenna user" to include fixed wireless service providers? For example, if a fixed wireless service provider leases space for a hub antenna on private property, should the Commission clarify that the service provider becomes the "antenna user" with respect to that property? Would doing so be necessary to ensure that fixed wireless providers are able to take advantage of an expanded OTARD rule?...Should the Commission revise this provision to delete the word "customer"? Is doing so necessary to ensure that the rule applies to hub and relay antennas?

The way it works now, if a homeowner wants to install a satellite, broadcast or broadband receiving antenna there's no need to get a permit or ask permission from a city planning department or a homeowners association, so long as it's no more than one meter across. Some regulations, such as electrical and safety codes and minimal concealment requirements might still apply, but the right to install a dish or other antenna is sacrosanct. The same privileges apply to a renter: a landlord might be able to dicker about placement, but can't ban dishes or other types of antennas.

On the other hand, wireless companies generally need permits to install cell sites – small or large – and other network infrastructure on private property. It's also common for leases to include specifications for what's to be installed. That's a particular concern when a wireless company leases space on top of a roof or at a mountaintop site which hosts many providers' equipment.

Any new rules are still months away. Before anything is finalized, there will be ample opportunity to file comments. But on the evidence of two recent and contentious rulings – [net neutrality](#) and [preemption of public agency ownership of poles](#) – the republican majority at the FCC has already made up its mind and is simply giving notice of its intent.

L. S. (Rusty) Monroe
Wake Forest, NC 27587