

BANNER ELK PLANNING BOARD MEETING
MONDAY, 03 NOVEMBER 2014
MINUTES

Members Present: Allen Bolick, BR Hoffman, Will Mauney, Martha Laura Miller, Meredith Olan, and Penny VonCanon

Staff Present: Zoning Administrator Cheryl Buchanan, Town Manager Rick Owen

Others Present: Rebecca Bolick, Justin Curtis, Charles VonCanon, Jr

In the absence of the Chairman, Vice-Chairman Penny VonCanon called the meeting to order at 6:00 pm. The Vice-Chairman noted that there was a quorum present.

Consideration of the October 2014 Minutes

Vice-Chairman VonCanon asked if anyone had changes to the minutes from October 06, 2014. None were noted and Allen Bolick moved to approve the minutes as submitted. BR Hoffman seconded the motion. The vote was unanimous and the minutes were approved.

Request for a Conditional Use Permit (CUP) for Harmony Hostel, Inc.

Vice-Chairman VonCanon began with the Zoning Administrators review of the CUP request for a hostel in Banner Elk. Although “hostel” is not a term used in Section 200’s definitions, the definition matches exactly that of an inn, which is provided in Section 200. With that in mind, Zoning Administrator Cheryl Buchanan applied Section 912 of the ordinance as a guideline for this request as it is a conditional use in the C-2. Vice Chairman VonCanon noted the Zoning Administrator’s review and asked if there were any additional thoughts for this request. Several members weighed in on this being a good idea and a new venture in Banner Elk. Further discussion led to ideas for the types of people the business owner would have to draw for this business to be a success. There were many suggestions of organizations that could be contacted that could benefit from this type of lodging and it was also mentioned that the shuttle parking for Ski Beech is adjacent to this property, making it an ideal location. Penny VonCanon asked about ADA accessibility and the ability to get from the parking space to the lower level for a wheel chair and was the entry way wide enough. Ms. Buchanan stated that she was sure that Avery County would require that as part of meeting the building code and that she would pass along the Board’s concern.

Meredith Olan noted that this should meet requirements for tourism for the next generation. Some examples used were hikers, especially with the close proximity to the Appalachian Trail, mountain bikers, scouts, and college students. Allen Bolick asked if this would be subject to the same occupancy tax as all other lodging in Banner Elk. Ms. Buchanan answered yes.

Martha Laura Miller moved to recommend approval of the CUP to the Board of Adjustments with the following conditions:

1. ADA accessibility to be addressed as exactly how this will be built,
2. A letter from the Avery County Health Department approving the project to be provided to the BOA,
3. That a letter of support is provided by the Banner Elk Volunteer Fire Department to the BOA,
4. Fence in back of property needs to be repaired where it is falling down.

Martha Laura Miller moved to recommend approval to the BOA for Harmony Hostel, Inc. with the above conditions. BR Hoffman seconded the motion. The vote was unanimous and the motion carried.

Update from Attendees of the Planning and Zoning Conference in Burlington

At this point Martha Laura Miller asked to be recognized by the Chair. Mrs. Miller, Meredith Olan, and Penny VonCanon attended a one day planning and zoning conference in Burlington and Mrs. Miller thought it might be nice to share with the other Board Members some of the items discussed. The conference focused on North Carolina Trends and Growth, the Planning Board's Role and Authority, and Zoning and Consistency Statements. Mrs. Miller stated that the one item that stood out to her the most was the need for a consistency statement when the Planning Board is making a recommendation to the BOA or Town Council and how this can provide clarification to the courts should a matter be challenged. The consistency statement tells the other group why the Planning Board is making a recommendation. This statement should be based on specifics in the plan that is referenced. Mrs. Miller also asked the ZA to get a copy of Mr. Lovelady's presentation for the Planning Board. Mrs. Miller was specifically interested in the growth figures for the state and how they might compare with our area.

Penny VonCanon said that those figures reflected that the population is aging, that we need to plan for retirees, that they are downsizing and how we need to be looking into this trend. She noted that two manufacturing jobs that are increasing are service jobs and solar energy. North Carolina is second and third in the nation in technology. Meredith Olan mentioned weather trends and how they affect slopes in our area. Martha Laura said that Mr. Lovelady had spoken about Forsyth County's comprehensive plan, the way in which it is laid out and that it had won several awards. Martha Laura Miller suggested that it could be found online and that we might try to get a copy of it. Penny remembered that it was called the Legacy 2030 Plan. Allen Bolick said he thought the Avery County Comprehensive Transportation Plan that the Council just adopted is a part of that. Another item that Penny VonCanon said she wasn't aware of was "exparte" communication. Anytime that a Planning Board Member is approached by someone outside of a meeting about a matter before the Board, then that member has to report back to the other members of the Board during a meeting. Penny VonCanon said that another suggestion is to include more pictures into your zoning ordinance book.

With this discussion, Martha Laura Miller decided to try to amend her previous motion for the CUP with a consistency statement included. She moved to amend recommending approval of the CUP for a hostel in the C-2 zoning district with the listed conditions consistent with Section

912 of the Banner Elk Zoning Ordinance. BR Hoffman seconded the amended motion. The vote was unanimous and the motion carried, again.

Section 500 – Architectural Review Standards

Key items that came from this discussion were:

1. Add “or” to the statement “exempt unless Section 503 and/or 504 apply.”
2. Define sensitive natural areas for clarification,
3. Under Section 501.2(h), change “can” to “should”,
4. Add Penny’s information on Lumens to the definitions,
5. Check with Town’s Attorney to see if 501.7 (B) (3) is legal. If so, move to the end of number one in the same section.

At this point the Board decided to table the remaining review until the next meeting.

With no further discussion, Martha Laura Miller moved to adjourn. BR Hoffman seconded. All were in agreement and the meeting came to a close.

Respectfully submitted,

Cheryl Buchanan
Zoning Administrator, Town of Banner Elk