

BANNER ELK PLANNING BOARD MEETING
MONDAY, 01 MAY 2017
MINUTES

Members Present: Allen Bolick, BR Hoffman, Meredith Olan, Joel Owen, Penny VonCanon

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

Chairman Joel Owen called the meeting to order at 6:05 pm. The Chairman opened with the pledge of allegiance to the flag and noted that there was a quorum present.

Consideration of the February 2017 Minutes

Penny VonCanon motioned to approve the February 2017 minutes as submitted. Meredith Olan seconded. The vote was unanimous and the motion carried.

Remodel and Addition to the Lauritsen Building – Lees-McRae College (LMC)

Zoning Administrator Cheryl Buchanan began by explaining that Mike Thomas had approached her on behalf of LMC for approval of a remodel of The Lauritsen Building. Previously the building had been used as offices for the Theatre Curriculum, but since the new theatre offices had been constructed, the space was empty. The college decided to move the Bookstore to this space and to add a small coffee bar. The first rendering was not acceptable as the wall adjacent to the street was solid glass. Ms. Buchanan told Mr. Thomas that this was not in harmony with the Town's idea of a small mountain community and that the ordinance dictates breaking up long walls of glass. She asked Mr. Thomas to go back to the College to see what could be done. LMC hired a new architect, who visited with Ms. Buchanan before submitting the conceptual drawings before the Board now. Although large windows are being proposed, the glass has been broken up by rock columns, which much improved the look and feel of the property. A board with the proposed colors was shown to the Board and it was stated by Ms. Buchanan that these colors were on the Town's color chart. Mr. Thomas said the idea was to make this building look like the Nursing Center to help it fit in with the campus and the Town. Ms. Buchanan reviewed the small addition that will be added to the entrance that will be used for restroom space.

Penny VonCanon asked what the back wall would look like. Mr. Thomas had a set of plans and was able to produce a drawing of the wall that will run parallel with Banner Road. Meredith Olan asked about landscaping and buffering. Ms. Buchanan stated that there were no buffer requirements that needed to be met, but confirmed with Mr. Thomas that planters would be used as the property meets the current Town Streetscape for that section of Town and that there is no property that would be dug up for planting. Joel Owen asked if the building would remain The Lauritsen Building. Mr. Thomas confirmed it would.

Penny VonCanon motioned to approve the remodel with a small addition to The Lauritsen Building. BR Hoffman seconded. The vote was unanimous and the motion carried.

Ordinance Amendment – Heliports

Zoning Administrator Buchanan said this topic came up because a helicopter landed at the Historic Banner Elk School property. Someone had told the pilot that he could simply land there as he was coming into Town. The use of helicopters has increased in the past few years and there is no ordinance that could regulate their use in Banner Elk. Clearly the approval to land on Town property would come from Town Council, but were private citizens to request permission to land on their own property, the Town has nothing in place to protect the residents from potential nuisances. Chairman Joel Owen noted that he has been approached by citizens who are interested in having their own heliport before this topic came up tonight.

Meredith Olan said she was concerned about noise in the Heritage Overlay District (HOD). Angelo Accetturo, a private citizen who owns his own helicopter, participated in the discussion of flight paths and what constitutes the choice of where the aircraft flies. Meredith Olan read an excerpt from the FAA regarding altitude and the importance this plays in the flight paths of a helicopter. Ms. Buchanan said she was not interested in having to rush outside every time she hears a helicopter and then try to determine if the craft is flying too low per our ordinance. Angelo Accetturo said that if there are concerns over a pilot, then a simple report to the FAA would begin an investigation and he assured the Board that no one wants to be under investigation by the FAA. Meredith Olan said that it is also very difficult to tell what the identifying numbers are on the helicopter when they fly over.

Mr. Accetturo said that there are heliports in the area. He identified one at Elk River, one at Diamond Creek, one at the Banner Elk Winery, one at Eagles Nest and one at Linville Ridge. Mr. Accetturo said that a pilot can vary their flight paths and that they tend to lose altitude after they come across Beech Mountain because the helicopter is easier to fly at a lower altitude. Penny VonCanon motioned to table this topic until next month. Meredith Olan seconded. The vote was unanimous and the motion carried.

New Signs in the HOD, Base Camp of BE and Ramble Juice

Zoning Administrator Cheryl Buchanan told the Board that these are not on the agenda but asked that they be added as they were late submittals and she was out of town last week. The Base Camp of BE is going to be an outdoor consignment shop located at the Caboose on Shawneehaw Avenue. The signs will be routed high density foam board and a colored rendition has been offered for the Board's approval. Ms. Buchanan noted that the colors are from the Town's approved color chart. Meredith Olan moved to approve the sign request as submitted. Penny VonCanon seconded. The vote was unanimous and the motion carried.

The second request is for two signs for Ramble Juice Bar and Ice Cream to be located at The Village Shoppes. The signs will be sandblasted and one will be a wall mount and the other will be added to the combined development sign at the Shawneehaw Avenue entrance. The dimensions are within the ordinance's parameters. BR Hoffman moved to approve the request as submitted. Allen Bolick seconded. The vote was unanimous and the motion carried.

Mr. Accetturo also asked to approach the Planning Board about a new sign concept. He had previously requested lettering for the new addition to Sorrentos and this was approved. Lighting the lettering is proving difficult and he felt that spotlights shooting up in the night sky was not what the Town would want. He is proposing “backlit” lights. This is not to be confused with internally light lights, but is proposing that a light would outline the letters from behind. The light would be LED and he could not answer as to how bright this backlit lettering would be. The Board agreed that if Mr. Accetturo would bring a sample, they would look at it and render a decision.

Jacki Lecka – New In-Town Volunteer Board Member

Ms. Buchanan introduced Jacki Lecka to the Planning Board and mentioned that most of them probably know her already. The members were given a copy of her bio and she will be on the agenda for Town Council next week.

Pop-Up Sales/Mobile Sales

A question of mobile sales came up and Ms. Buchanan realized that the ordinance does not address this scenario specifically. She wanted to get some feedback from the Planning Board. Ms. Buchanan said that basically there are three different scenarios that manage uses in the Table of Uses. These are permitted, conditional, or not allowed. Ms. Buchanan said she would like to see this as a permitted use or not allowed as opposed to a conditional use, which requires a Board of Adjustment review as well as the Planning Board. Ms. Buchanan suggested that this be a permitted use in the C-2 and that it requires the property owner’s permission. She explained that this use differs from those who would come along and set up a place where they would sell their own belongings like a yard sale. This type of activity is protected by the State as long as the items being sold are your own belongings. Retail or rental use would/could present some problems such as signs and parking.

Meredith Olan motioned to amend the zoning ordinance to allow mobile sales/rentals in the C-2 zoning district with a permit issued by the Town of Banner Elk, to include a fee of \$25.00 and that said permit would be good for one year from the date of issuance, and that parking be available in addition to any parking requirements of a permanent business if there is one at the proposed location. Signage must meet the ordinance requirements and must be attached to the trailer or be in the form of a sandwich board sign. All merchandise and signs are to be secured by the COB of each day. Penny VonCanon seconded. The vote was unanimous and the motion carried.

Old Business

Sandwich Board Signs – Permanent or Not

Zoning Administrator Cheryl Buchanan mentioned that the temporary sandwich board sign ordinance was set to expire the last day of May 2017. Joel Owen asked if it could be extended an additional 6 months. Town Manager Rick Owen said he did not think the Town’s Attorney would be in favor of an additional 6 months of extension time, since the trial ordinance had already been through a summer cycle. Joel Owen said he could not really tell that there had been any big problems and asked the Zoning Administrator to confirm this. Ms. Buchanan replied that she had

a few, but that usually a phone call corrected the problem, but also noted that not that many businesses had used them and that it had not been the make or break scenario the Board had been led to believe it was. The Board agreed that they would like to look at the existing ordinance before making a recommendation to Town Council. Ms. Buchanan said she would e-mail them all a copy for review. Chairman Owen did comment that he would like to see the colors remain the neutral colors that the Town requires for signs but that the plastic could be acceptable as long as the colors did not get out of hand.

With no further business, Allen Bolick moved to adjourn. BR Hoffman seconded. The vote was unanimous and the meeting came to an end at 8:17 pm.

Respectfully submitted,
Cheryl Buchanan, Zoning Administrator, Town of Banner Elk