

BANNER ELK PLANNING BOARD MEETING
MONDAY, 07 MARCH 2016
MINUTES

Members Present: Allen Bolick, Martha Laura Miller, Meredith Olan, Joel Owen, Penny VonCanon

Staff Present: Zoning Administrator Cheryl Buchanan

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 1, 2016 Minutes

Chairman Owen asked if anyone had changes to the minutes from January 2016. Penny VonCanon moved to approve the minutes as submitted. BR Hoffman seconded. The vote was unanimous and the motion carried.

Sign Application – Lees McRae College

Zoning Administrator Cheryl Buchanan reviewed the request for a sign application. The proposal is for a sign structure made of brick to match the Hayes Auditorium, where the sign is located. Within the brick will be a section for changeable copy enclosed in a glass case to prevent anyone from moving the letters around. Along the top will be a portion that states Lees-McRae College. This section and the changeable copy portion will be sandblasted and is being made by Bill Dicks.

Penny VonCanon moved to approve the sign as submitted. Martha Laura Miller seconded. The vote was unanimous and the motion carried.

Rezoning Request from the Banner Elk Presbyterian Church

Cheryl Buchanan reviewed the application submitted by the church. She explained that they had recently acquired an adjoining lot and desperately needed more parking. They plan to remove some trees as needed, but are not planning on clear cutting. Ms. Buchanan explained that she had sent out an e-mail last week letting everyone know that they were removing some very large trees that had grown into the power lines and were along the existing sidewalk of Banner Road. Tony Hunter did a great job and the area looks much cleaner. The Presbyterian Church plans to add some parking at the top and then a second lot at the bottom. There will also be a small green area with a bench for resting and reflection. The bottom lot will be open to the public when the church doesn't need it for a special occasion; for example a funeral. The property PIN is 1858-05-19-9758 with 1.66 acres in the R-2 zoning district. A parking lot is not allowed in the R-2 zoning district and the Zoning Administrator suggested that the lot be rezoned to CZD. The Planning Board agreed and Penny VonCanon moved to recommend Town Council call for a

Public Hearing for the rezoning. Martha Laura Miller seconded. The vote was unanimous and the motion carried.

Conceptual Plan – Elk Creek

Cheryl Buchanan noted that this is only a concept plan and is not accompanied by a lot of detailed drawings and engineering plans. The Developer, Angelo Accetturo, has come back with fewer units than prior submittals. Ms. Buchanan noted that the development has received approval for their 401 and 404 permits from the State. Impact fees have already been paid for 36 units.

Angelo Accetturo was present to answer questions and stated that the 1-bedroom units are a misprint, that all the units are 2-bedrooms, most of them with one car garages. Allen Bolick, Martha Laura Miller and Meredith Olan all commented that they liked the “community feel” of the project and were pleased with the reduced number of units. Joel Owen said he liked this plan much better as well. BR Hoffman stated that she was concerned with run-off into Bear Run as experienced earlier when the project was abandoned.

Heather Bender, resident of Mariposa asked if she could speak. Chairman Owen recognized her and she read a prepared statement. Her concerns were:

1. The Elk Creek project might be abandoned again;
2. More flooding in her backyard. She stated that when she first moved here they had no flooding, but once the previous developer came in and then left; they have experienced a lot of flooding;
3. Concerns that the boulder retaining wall will not be adequate;
4. Density of the units and the fact that they are backed up against her backyard. She stated that she enjoyed peace and quiet for many years but can hear every sound made by the occupants of the four duplex units when they are on their porches;
5. Parking – identified her back yard as becoming a parking lot;
6. Property values – She is concerned that another abandoned project will make their property values go down again;
7. The Developer of this project has been known to abandon other projects and she fears this might happen again. She wanted to know who would be responsible if this project is abandoned in future;
8. One and two bedroom cottages, who would they attract. She feels skiers have enough rental property to choose from and the Town of Banner Elk does not need more;
9. Expressed worry over zoning plans that are not adhered to and are not built according to the plans.

Missing Board member Will Mauney had also sent an e-mail of his concerns to the Board. Ms. Buchanan provided everyone with a copy. Angelo Accetturo was asked how much the cost of the units might be. Mr. Accetturo replied that they would run anywhere from \$250,000 to \$300,000. Mr. Accetturo said he would be happy to meet with anyone and answer any questions or concerns at any time.

Review of the Draft Sign Ordinance, Section 600

Zoning Administrator Cheryl Buchanan told the Board that while they had decided on how to handle temporary signs, she had also been working on some other major issues with the ordinance. Ms. Buchanan said she had submitted her rewrite to Four Eggers and he had provided feedback. The copy they were furnished has the rewrites but not markups. Ms. Buchanan wanted to get some feedback on what they thought of this version.

There was quite a bit of discussion about how signs could be handled without making the decision or describing a sign using a content based nature. Martha Laura Miller had a question with the wording of “same sign” in the definition of temporary signs. Mrs. Miller asked that we get a better understanding from Attorney Eggers. There was also a suggestion that the Town not change the ordinance at all until we met with a circumstance that required us to. Although the Zoning Administrator liked that idea, she conveyed that the Attorney had told her the ordinance needed to be changed.

Martha Laura Miller said this was a lot to digest and she'd like to go home and think some more before voting on any changes. Cheryl Buchanan said it is a lot to digest and she agreed that perhaps they should table it until next month. Everyone was in agreement.

Arbor Day

Cheryl Buchanan said that the Planning Board was asked to help plan an activity to celebrate Arbor Day. Town Manager Rick Owen said that the Planning Board is also the Tree Board and this was one of the functions of that Board. Several ideas were tossed out and it was agreed that early May would be a better timeframe considering the weather in the area. Firm plans will be discussed at the next meeting or with the Town Manager in the next few weeks.

With no further discussion, Martha Laura Miller moved to adjourn. Meredith Olan seconded. All were in agreement and the meeting came to a close at 8:00 pm.

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