

BANNER ELK PLANNING BOARD MEETING  
MONDAY APRIL 4, 2022  
MINUTES

Members Present: Aaron Barlow, Melinda Eggers, Joel Owen, Penny VonCanon

Staff Present and Participating: Town Manager Rick Owen, Zoning Administrator Riley Pudney

Due to the Covid-19 Pandemic and the restrictions placed on the State of North Carolina in conducting public meetings, the Planning Board meeting for April 2022 was conducted via in person and Zoom audio and video. Chairman Joel Owen called the meeting to order at 6:00 pm; noting that Jackie Lecka was absent, and all other members were present. A quorum was established, the Pledge of Allegiance was conducted, and the meeting was called to order.

**Consideration of March 2022 Minutes**

Chairman Joel Owen asked the Board to look at the March minutes and see if any adjustments need to be made. Without any adjustments needed Penny VonCanon motioned to approve the minutes with a second by Aaron Barlow. The vote was:

Aaron Barlow-Yea

Melinda Eggers-Yea

Joel Owen-Yea

Penny VonCanon-Yea. The motion carried with a 5 to 0 vote in favor.

**New Business**

**Rezoning Request for Parcel 1859-1830-1511**

Zoning Administrator Riley Pudney informed the Board that the above parcel is currently zoned C-1P and is being requested to be rezoned to CZD for the Banner Elk Fire Department new station. CZD allows for a larger impervious surface so a bigger building can be utilized. She also stated that that zoning only allowed government owned or public service uses to be allowed. Chairman Joel Owen asked the Fire Chief how the plans were coming along. The Fire Chief informed the Board that the plans are still in the works, and they will need sufficient funding. He also let the Board know that the primary exit for the vehicles will be on Main Street and that they plan on having a few rooms for staff to sleep in while on shift. Chairman Joel Owen and Penny VonCanon agree that this parcel is the perfect spot for the station, and they are extremely excited for it to go there. The Fire Chief informed the Board that they own the building the current station is in and will eventually sell it to help with fundraising. The Board commented on the current use of the lot for festival parking and believed that it can continue until building had begun. With no further comments or questions Penny VonCanon motioned to recommend the rezoning to the Town Council with a second by Melinda Eggers. The vote was:

Aaron Barlow-Yea

Melinda Eggers-Yea

Joel Owen-Yea

Penny VonCanon-Yea. The motion carried with a 4 to 0 vote in favor.

### **Special Use Permit Building Supply Showroom- Jim Frye**

Zoning Administrator Riley Pudney explained to the Board that Mr. Frye is wanting to change the use of the Trax business on Beech Mountain Parkway to a building supply showroom for windows and doors. Nothing on the exterior will be changing except for a new sign. She informed the Board that a SUP was required because it is a change of use from the originally allowed permit. Chairman Joel Owen asked Mr. Frye if the RC track equipment will be removed from the property. Mr. Frye said yes that it has been donated to the Girl's and Boy's Club and should be picked up this coming Thursday. Mr. Frye told the Board that no materials will be stored there, it would be used as a showroom to showcase a few exterior entry doors. Mr. Frye explained that he also wants to sell metal artwork, sculpture, and wood carvings. Zoning Administrator Riley Pudney informed Mr. Frye and the Board that the metal works and extra uses were not included in the original permit. The Board showed concern for the possibility of the extra "product" littering the side of the road or congesting the parking lot. Mr. Frye told the Board that he will keep the sculptures off the road and if possible, will amend the application to meet the requirements of the ordinance. Zoning Administrator Riley Pudney informed Mr. Frye that the products he intends to sell can change the use and permit needed and that it needs to be well defined.

Chairman Joel Owen informed Mr. Frye that he can proceed with the windows and door sales process and come back in the future for an accessory use special use permit for the remaining "sales". Mr. Frye told the Board that he should be able to sell anything on the inside of building and that it shouldn't matter to the Board. The Board informed Mr. Frye that what is sold does pertain to the Board due to the nature of the permits needed for that zoning area. The Board agreed to only recommend what is in the application and any subsequent use will be a new permit. With no further discussion, Chairman Joel Owen motioned to recommend to the Board with a second by Aaron Barlow. The vote was:

Aaron Barlow-Yea

Melinda Eggers-Yea

Joel Owen-Yea

Penny VonCanon-Yea. The motion carried with a 4 to 0 vote in favor.

### **Architectural Review-Lees McRae Project**

Zoning Administrator Riley Pudney informed the Board of Lees McRae's extensive remodel and addition to the campus. The remodel and addition meet the requirements of the ordinance and is only being reviewed for the architectural standards being used. Cameron Bolin explained to the Board that they are restoring the historical aspects of the buildings on the interior and exterior. The front of the buildings will have the stone restored and matched where needed. This project is for the Historic Commons, meaning the dorms and the Pinnacle will be remodeled completely. There is a courtyard being added as well. Chairman Joel Owen and Penny VonCanon explained that the presentation of the project by the College in the fall was very in depth and they felt comfortable with the project. With no further comments or questions, the Board approved their architectural renderings and gave the green light to proceed with the project.

### **Planning Board Update**

Zoning Administrator Riley Pudney provided a handout to the Board on past and upcoming projects. The report contained information on Town Council decisions and Board of Adjustment meetings. Zoning Administrator Riley Pudney told the Board to come to her with any questions or additions they would like to see for next month's report.

### **Land Use Update with Phil Trew**

Phil Trew provided the Board with an update on the Land Use Plan. Tonight, he will be reviewing proposed recommendations and maps that were provided to the Board. The maps that were provided were:

- Banner Elk Surface Water Classifications and Wetlands
- Banner Elk Slope and Flood Elevation Areas
- Town of Banner Elk Annual Average Daily Traffic
- Avery County Comprehensive Transportation Plan
- Town of Banner Elk Water Systems
- Town of Banner Elk Sewer System
- Banner Elk Zoning
- Town of Banner Elk Land Use

Phil continued to present the maps and provide possible recommendations for the Land Use Plan. Those recommendations included:

- All subdivisions should be built to require minimum DOT requirements rather than just developments using Town water and sewer.
- Define in one complete map the Well Overlay so that it is more easily found in the ordinance.
- Alter the subjective language in the Architectural Review Standards to make it more defined.
- Changes to the Heritage/Historic Overlay district to have the correct wording and clarification in the ordinance. There is discretion between the mention of a historic district and how it relates to the Heritage Overlay district. Phil Trew mentioned to the Board to consider reducing the size of the Heritage Overlay district since it exceeds well beyond the "downtown" limits. The Board and Town Manager Rick Owen discussed the requirement of building a sidewalk in this district and what the purpose of the rules were. It was agreed upon that an adequate review of the section was required.
- Update/delete or change the Viewshed guidelines so that the language is not as subjective and could be more useable/enforceable in relation to projects. It is also recommended to set a geographical area for where the viewshed lays. There was discussion on what exactly a viewshed is. Penny VonCanon and Chairman Joel Owen discussed the difference between a viewshed and a buffer/screening. The Board unanimously agreed that the Viewshed needs to be changed. Zoning Administrator Riley Pudney told the Board that she would gather different viewshed guidelines from surrounding areas to help draft ideas on how to improve the Town's guidelines.

Phil Trew informed the Board to review the information he provided and to come to a consensus so that next meeting they can focus on drafting the recommendations.

With no further business, Aaron Barlow motioned to adjourn at 7:30 pm with a second by Melinda Eggers.

Respectfully Submitted,

Riley Pudney, Zoning Administrator