



**MINUTES OF THE SPECIAL MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, DECEMBER 15, 2015, 6:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

PRESENT: Mayor Bob Keith
Commissioner John W. Moore
Commissioner Mary Ann Silvey
Commissioner Bob Cameron
Commissioner Stephen M. Webber

Christopher Braund, Town Manager
J. Christopher Callahan, Town Attorney

ABSENT: N/A

CALL TO ORDER

Mayor Bob Keith called the meeting to order at 6:00 p.m.

INVOCATION

Attorney Chris Callahan gave the invocation.

PLEDGE OF ALLEGIANCE

Council members led the pledge of allegiance.

APPROVE THE AGENDA

Commissioner Bob Cameron made a motion to approve the agenda as presented.
Commissioner John Moore seconded the motion and the vote of approval was unanimous.

OPENING COMMENTS

Town Manager Chris Braund gave a welcome and explained the expectations of the meeting.

NEW BUSINESS:

**DISCUSSION OF CRZ-2015002 CONDITIONAL DISTRICT RE-ZONING
APPLICATION FROM THE LODGE ON LAKE LURE:**

Applicant presentation- Sharon Decker, senior vice president for strategic initiatives for Tryon Equestrian Center, overviewed the objectives of the proposed Lodge on Lake Lure project and introduced Frank Kelsch, Dave Odom and Mark Teague. Mr. Kelsch presented the proposed project. Mr. Odom gave an overview of the proposed utilities for the project. Mark Teague of JMT Engineering presented a preliminary traffic analysis relating to the project.

Attorney presentation- Community Development Attorney Mike Egan stated that he has been asked if town council has the authority, under the current zoning regulations, to modify the design standards. Mr. Egan read portions of § 92.019 paragraphs A(1) and A(2) of the town's zoning regulations concerning conditional districts and stated that the town does have the authority to grant modifications to the development standards when certain requirements are met.

Board members discussed the authority to modify the design standard for conditional districts, and the rezoning processes.

Mr. Egan stated that there has been some discussion of a protest petition and explained that as of August 1, 2015, protest petitions no longer exist in North Carolina. However, Mr. Egan further stated that citizens are allowed to share their opinions with the law makers.

Zoning & Planning Board report – Zoning Administrator Sheila Spicer presented a report from the town's Zoning & Planning Board and read a recommendation from the Zoning and Planning Board.

Council members discussed obligations to make sure requests comply with the comprehensive plan.

Mr. Egan explained that comprehensive plans are complex and it is not unusual for projects to have consistencies and inconsistencies with a comprehensive plan and council must determine if it is more consist or inconsistent.

Commissioner Moore pointed out that the town is being asked to share the cost of proposed road improvements. Mr. Odom explained that the road is already in need improvements. Ms. Decker stated the Lodge team is committed to working with the town and \$45,000 has been set aside for immediate road upgrades. Council discussed funding of road improvements.

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Public input – Mayor Bob Keith invited citizens to speak concerning the proposed conditional districts and asked that comments be limited to 3 minutes and that the audience give everyone a chance to speak without interruption.

Town Manager Chris Braund set context for the for the public comment portion of the meeting explaining that all perspectives are valid and asked that everyone be respectful of others views. The following people requested to speak:

1. Linda Ward of 385 Cut Away Drive, expressed her support of the proposed Lodge on Lake Lure project stating that she welcomes the tax and utility revenue the project will generate and potentially alleviate some of the cost burden to town residents. Ms. Ward stated that she lives off of Boys Camp Road which is a busy, narrow road similar to many roads in town and that everyone has to use caution on these roads as they should on Charlotte Drive.
2. Kat Canant of 162 Winding Creek Court asked council to support the expansion of the Lodge on Lake Lure in an effort to aid the town in moving forward with economic growth.
3. Kevin Cooley of 135 Downy Place, president of the Hickory Nut Gorge Chamber of Commerce, reported that the Hickory Nut Gorge board of directors voted unanimously to support the proposed Lodge on Lake Lure updates and stated that the chamber board does recognize that there are valid concerns from citizens, most of which have been addressed. Mr. Cooley stated that they believe the project will yield economic development without distracting from the natural integrity of the community, promote visitation, stimulate other business growth and enhance the lives of citizens.
4. Jim Proctor of 328 Boys Camp Road, former mayor and Zoning and Planning Board vice-chair, explained that he feels there is deceit relating to what the conditional zoning is intended for and stated that it was originally presented as a way that a developer could be allowed some uses of a specific zoning district without having all the rights for the given district. Mr. Proctor described the project proposed by the applicant as an outrageous project being compromise to a less outrageous project. Mr. Proctor also stated that the narrative for the project does not contain what it should. Mr. Proctor stated that he thinks the existing restaurant should be expanded and open to the public as long as it fits in the current zoning regulations, but that the proposal destroys the historical part of the Lodge. Mr. Proctor asked council to deny the request being presented.
5. Carol Pritchett of 177 Firefly Cove explained that she believes it is important to look at the economic develop potential provided by the proposed project and explained that when she was working with a group to update the comprehensive plan citizen expressed a desire for more economic development (more jobs for people who live in Lake Lure). Ms. Pritchett explained that the request has been thoroughly reviewed by town boards and staff and that the work of the group making the request is reputable based on the

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recent projects in Tryon. Ms. Pritchett asked that council support and embrace the proposed project.

6. Jack Zinselmeier of 157 Blue Bird Road asked that the town live up to what he retired to in 1994 stating that he wanted to live in a retirement community with rules being enforced. Mr. Zinselmeier described the project as a lot of work proposed on a small lot. Mr. Zinselmeier pointed out that he would have major concerns if he was an adjacent R1 property owner and urged council to make the proper decision concerning the improvements to the Lodge since he believes a precedent will likely be set by council's decision.
7. Bill Frykberg of 154 Downing Place stated that he has been involved with the town's comprehensive plan, a business owner and part of the economic development commission in Rutherford County and that he has been supportive of a conference center and restaurant in Lake Lure but he believes the site is too small for the proposed project. Mr. Frykberg stated that the conference center must be large and expressed concerns about parking (he doesn't see enough parking for the proposed). Mr. Frykberg was also concerned about access, stating that there needs to be a two lane road and that there are plenty of other sites in town, including the golf course property, that would be a better fit for the proposed project.
8. Barbara Bagwell of 339 Holmes Road stated that she believes that a lot of what is being proposed will be good, but that she is concerned about lighting and noise. Ms. Bagwell further stated that the restaurant on the lake is too much and that there is too much crowding associated with the proposed project.
9. Steve Eisenbrown of 456 Holmes Road presented a protest petition and stated that the recent legislative change concerning protest petitions doesn't change the reason for the petition and encouraged citizens to continue to sign it. Mr. Eisenbrown stated that the building will look huge and cited noise and light as the primary concerns. Mr. Eisenbrown asked who is going to enforce the noise ordinance and suggested that the number of boat slips for the project be reduced. Mr. Eisenbrown suggest that the project team rethink the proposal and bring back something that is R3 compatible without variances.
10. Craig Justus, representing Protect Lake Lure, stated that he would like to get all the issues on the table, but that he does not feel that the three minutes allotted for each speaker would allow him to go so. Mr. Justus agreed to write a letter outlining his clients' concerns.

Bee Jones asked to give her allotted three minutes to Mr. Justus. Mr. Justus asked what the right-of-way is on Charlotte Drive. Mr. Justus also asked questions concerning the right of way for the proposed water line.

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Betty Johnson asked to give her allotted three minutes to Mr. Justus. Mr. Justus questioned how much of the trout buffer will be undisturbed and expressed concern about the proposed zero lot line being allowed with no hardship being shown. Mr. Justus stated that he believes neighbors would be better off with the property being zoned R-3 as opposed to the proposed conditional district.

11. Ed Dittmer of 1036 Memorial Highway stated that he and his wife have lived in the area, near Larkins and Camp Lure Crest commercial operations describing the project as a catalyst for further economic development. Mr. Dittmer showed support for the proposed project and stated that he trusts council to make the decisions best for the entire community.
12. Kaye Dittmer of 1036 Memorial Highway asked council to look ahead to the year 2050 and cited improvement that will need to be made to the town by that time pointing out the need for increased revenue. Ms. Dittmer showed support for the proposed project as a source for economic development.
13. Kathy Morgan of 180 Sung Harbor Circle complimented Tryon Partners for the series of amendments the original proposal but stated that is was so “over the top” to start with that the original plan may have initiated the animosity. Ms. Morgan recognized that the town needs the economic development, but she believes the site is too small for the proposal. Ms. Morgan pointed out that the proposal involves several large variances, stating that she had to get a variance from the town because her home was built one foot too close to the road. Mr. Morgan stated that she understands that we all must compromise and it is up to council to decide what is best for the town and address the economic needs. Ms. Morgan stated that she believes the proposed plan needs more attention and that she hopes for a better compromise.
14. Mike Boff of 238 Snug Harbor Circle thanked council and staff for their work for the town and thanked the equestrian center for the recent changes that have been made to the Lodge citing it as historical and in need of preservation. Mr. Boff stated that economic development is critically important and that the applicant is willing to financially support the project and potentially bring in additional economic opportunities that could help provide funds that the town needs.
15. Charlie Yelton of 199 Deerwood Drive stated that his mother owns property adjoining the Lodge and stated that he is in favor of the proposed project as presented and that he trusts council handle the details.

Council discussion- Council members discussed concerns that were presented by citizens and presented their questions and concerns to staff and members of the Lodge team for discussion.



ADJOURN THE MEETING

With no further items of discussion, Commissioner Bob Cameron made a motion to adjourn the meeting 10:35p.m. Commissioner Mary Ann Silvey seconded the motion and the vote of approval was unanimous.

ATTEST:

Andrea H. Calvert

Mayor Bob Keith