Community Appearance Commission

Regular Meeting

~ Agenda ~

,
http://www.townofboone.net/

Jane Shook
828-268-6960

Tuesday, October 26, 2021 **5:30 PM** **WebEx**

This meeting will be held remotely using video conferencing software (WebEx). For information on how to watch, listen and/or participate in the meeting, please see the WebEx Video Conferencing information at the end of this agenda.

I. Call to Order

II. Adoption of Agenda

III. Approval of Minutes

March 31, 2021 Special Meeting Minutes

April 20, 2021 Joint Meeting Minutes

IV. Downtown Planning Projects Update

V. Upcoming Assignments

VI. Other Matters by Board Members or Staff

VII. Adjournment

To watch the meeting: Anyone can view the meeting live at: https://townofboone.net.viebit.com/index.php

Note: To preserve bandwidth and ensure an orderly meeting, individuals who wish to view the meeting but not speak in it should view the livestream at this link. Only individuals who wish to participate should use the WebEx link described below: To participate in the meeting: Individuals who wish to participate may do so through WebEx, a video conferencing software, either online (by computer or smartphone) or by telephone.

To do so, please email Jane Shook, Director of Planning & Inspections at: jane.shook@townofboone.net or call in at 828-268-6960 and you will be provided with an email invitation to the meeting. All requests for participating must be completed by 5:00 p.m. on the day of the meeting.

TOWN OF BOONE
SPECIAL COMMUNITY APPEARANCE COMMISSION
MEETING MINUTES
TUESDAY, MARCH 31, 2021 6:00 P.M.

COMMISSION MEMBERS PRESENT:	Chairperson Brian Williams and Vice-Chairperson Sarah Davis Cagle and Maggie Trumpower
TOWN COUNCIL LIASION MEMBERS PRESENT:	Sam Furgiuele, Dustin Hicks
STUDENT MEMBER:	Samuel Gass
STAFF MEMBERS PRESENT:	Jane Shook, Director of Planning and Inspections, Brian Johnson, Matt McGregor, P & I Dept. Intern and Marlene Crosby, Board Secretary
OTHERS PRESENT:	HPC Chairperson Eric Plaag

CALL TO ORDER

Chairperson Williams called to order the special meeting of the Boone Community Appearance Commission, held in the Planning and Inspections Department – Upstairs Conference Room located at 680 W. King Street on Tuesday, March 31, 2021 at 6:20 p.m.

ADOPTION OF AGENDA

Chairperson Williams made a motion, seconded by Vice-Chairperson Cagle to adopt the agenda as written.

Vote:

Aye – All
Nay – None
The motion passed.

Chairperson Williams made a role call for the following board members: Chairperson Williams, Vice-Chairperson Cagle, Member Trumpower and Samuel Gass.

APPROVAL OF MINUTES

Chairperson Williams made a motion, seconded by Vice-Chairperson Cagle to approve the September 22, 2020, November 24, 2020 and March 23, 2021 meeting minutes as written.

Vote:

Aye – All
Nay – None
The motion passed.

Chairperson Williams made a role call for the following board members: Chairperson Williams, Vice-Chairperson Cagle, Member Trumpower and Samuel Gass.

DOWNTOWN EXPANSION UPDATE

Ms. Jane Shook, Director of Planning & Inspections informed the board members that Council had scheduled a special joint meeting for April 20, 2021 at 6 p.m. with the Community Appearance Commission, Historic Preservation Commission and the Planning Commission and the Town Council. She said the Town Attorney has completed her final review of the Community Appearance Commission text amendment and has reviewed some other ordinance changes related to the Historic Preservation Commission documents. She noted that the Planning Staff has about 21 more items; they need to work on related to other ordinance changes and the Historic Preservation documents. She said that Historic Preservation Commission

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Chairperson Eric Plaag is attending this meeting to help with information on the Historic Preservation documents and the Rooftop Additions agenda topic.

Ms. Shook talked about keeping the boards updated on the Town meeting discussions regarding the Downtown projects. She talked about asking the Chairpersons and Vice-Chairpersons of the boards to consider attending the Town meetings regarding the Downtown projects so there is additional continuity other than, the Planning Staff updates to the board members. She said that she would also ask the Historic Preservation Commission Chairperson and the Planning Commission Chairperson to do the same thing.

Chairperson Williams pointed out that Planning Commission Member Frank Veno was attending this meeting because he showed some interest in trying to get a little more up to date on discussions as they relate to the Downtown projects.

Ms. Shook talked about the Planning Staff having to modify the ordinance because of changes made by the State legislature over a year ago to combine the city and county Planning & Development regulations into one chapter. She explained that there is no 168 for cities and 153 A for counties. She said it is now 160-D and the municipalities have until July 1 to bring their ordinances up to date. She said while she was working on bringing the ordinance up to date with 160-D, she reformatted the CAC's proposed text. She said that each zoning district does not get its own article; but they got a section within a larger article. She further explained that the Planning Staff has combined Articles 14, a portion of Article 15, all of Article 16, 17, 18 and 27 into one Article 14. She explained to make things work in the ordinance to allow for these proposed changes the document had to be re-formatted. She said the text does not change just the formatting and numbers of the text change.

Ms. Shook reviewed the timeline for various topics. She noted that the deadline for 160-D to be adopted is July 1, 2021. She said the goal to present 160-D to Council is in April of 2021 and schedule the public hearings for it. She noted that 160-D would be presented to Council before the B-1 projects.

Ms. Shook asked the CAC if they would allow her to do the reformatting and make the proposed text changes, which include the ten proposed changes made by the Town Attorney. She said that the Planning Staff could present these proposed changes to everyone at the same time. She pointed out that the CAC had previously noted that they wanted to discuss the Rooftop Additions and making possible changes to them.

Discussion ensued on the Town Attorneys comments on the CAC's proposed text. Chairperson Williams asked about the proposed 21 changes that were made and if they were substantive changes to the proposed language. Ms. Shook said there were some suggestions to change some of the wording like defining project costs and proposed changes to non-conforming situations in Article 7, some recommendations for district name changes for all districts for example, take the word design out of the name.

Ms. Shook said if the CAC agreed to allow the CAC Chairperson and CAC Vice-Chairperson to at least be invited to attend the said meetings regarding the Downtown projects, she would recommend that the CAC make a motion and vote to approve it.

Motion and Vote:
Chairperson Williams made a motion, seconded by Vice-Chairperson Cagle for the Community Appearance Commission Chairperson or Vice-Chairperson to attend Historic Preservation Commission meetings or Planning Commission meetings as needed throughout the course of the Downtown Planning Projects.

Vote:

Aye – All

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Nay – None
The motion passed.

Chairperson Williams made a role call for the following board members: Chairperson Williams, Vice-Chairperson Cagle, Member Trumpower and Samuel Gass.

Rooftop Additions

Chairperson Williams said that generally rooftop additions should not be more than one story in height and less than three stories and are more compatible on buildings that are adjacent to taller buildings or dense urban environments. He said because of the narrow street situation in Downtown Boone, it might be easier to meet the guidelines, if an addition was placed near the rear of the building and have the patio of the rooftop more near the front of the building. Ms. Shook pointed out that the ordinance does currently allow limited rooftop structures to enable the recreational use of open rooftops and they are exempt from the height requirements. She said there are two portions of the ordinance that the CAC should review.

Chairperson Williams said in the Downtown Core we are going to see less ability to allow rooftop additions because of the height restrictions outside of the CAC guidelines and in other current sections of the Unified Development Ordinance.

Chairperson Williams talked about considering rooftop additions in the Interface Area probably more because there is less height restriction. Ms. Shook said currently height in the Downtown area is not based upon the zoning district you are in; it is reviewed by location, with a set of standards for everything that is in an area where the core is. She said the Downtown B-1 Interface allows up to three stories and a parapet for a total of 33 feet, depending on the plan and engineering with a parapet for a total of 33 feet. Chairperson Williams confirmed that, a limited rooftop addition could be added as well.

Discussion ensued on Rooftop Additions and Interpreting The Secretary of the Interior's Standards for Rehabilitation. Chairperson Williams referred to page 46 in the meeting packet regarding Application II (Compatible Treatments). He explained that he thought the photo in the middle of said page would be a compatible treatment for a rooftop addition. Historic Preservation Commission Chairperson Plaag joined the meeting and noted that on a portion of a four-story building that is visible from the side of the building does not have any fenestration, no windows that is an important element of making the addition blend into the existing building. HPC Chairperson Plaag noted that these types of things are not appropriate for a historic building.

Chairperson Williams and HPC Chairperson Plaag talked about the rooftop addition on the Horton Hotel and Howard Street Station. HPC Chairperson Plaag noted the different colors of brick on the Horton Hotel and the fact that it looks like the building has a hat on top of it. HPC Chairperson Plaag agreed with Chairperson Williams regarding a rooftop addition should be set back from the front of the building and color, style and materials should be similar. HPC Chairperson Plaag said all of these things help keep from distracting from the significant historic components of a building that sits up. Ms., Shook pointed out that the current UDO requirements that limits the rooftop additions is what created the hat look on the Horton Hotel. She said that proposed changes could be made to the section of the UDO in the B-1 zoning district on height for rooftop additions.

Discussion ensued on the current UDO text on limited rooftop additions. Ms. Shook asked HPC Chairperson Plaag if the current limited rooftop addition text discourages compatibility. He said yes it does encourage things to be put in the front of the building like in the Horton Hotel rooftop addition. He said that rooftop addition could have been done better if they had taken advantage of the parapets on the front and sides of the building and bring the outdoor seating forward and put the elevator and bar area to the back of the

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building would have made the Horton Building more compatible with its architecture. Ms. Shook said a section needs to be added for rooftop additions in the ordinance regarding the exceptions to the building height from those limited rooftop structures to help encourage compatible development.

Chairperson Williams agreed with HPC Chairperson Plaag and suggested adding specific text that states that the seating should be in the front and the elevators, bars or kitchens should be in the back of the building on the rooftop and not visible from the front of the building. Chairperson Williams said the additional text should also include that a compatible treatment of material and style and fenestration pattern has to be used to what is existing on the building.

Discussion ensued on the story map. Chairperson Williams said that he looked at the buildings in the Downtown Core and outside of the Downtown Core in story map. He noted that the HPC would be reviewing the proposed rooftop additions in the Downtown Core. HPC Chairperson Plaag talked about the Howard Street Station rooftop addition being an inappropriate rooftop addition from an architectural style and materials perspective that is noticeable, when viewed from the south side of the building.

Chairperson Williams felt like materials have been included in the general additions guidelines. He suggested adding text about matching fenestrations on rooftop additions.

Ms. Shook asked if rooftop additions get a different treatment than an addition to the side of the building. HPC Chairperson Plaag explained that he feels that there is more flexibility, when you are adding on horizontally as opposed to going up vertically. Ms. Shook suggested creating a section for text and regulations for vertical and horizontal additions. Ms. Shook said the additional text for limited rooftop structures and rooftop additions would have similar guidance as far as location and building materials. She said there would be a distinction between the Downtown Core and Interface Area.

Chairperson Williams explained that if a property is not historic, we are less concerned about what is done to the building. He said on the Earthfare building are we as concerned with the building materials and if an additional story is added on top of it. Mr. Brian Johnson, Urban Design Specialist talked about historic preservation manuals, ordinance and guidelines. He said these documents say that non-historic buildings should follow the main recommendations in the core area. He talked about where you would assess the visibility from below a building. He said that the visibility of the completely historic district should be taken into consideration and not just from the sidewalk from across the street of a building. Chairperson Williams said if a building is historic or not historic, the building materials should be compatible with the materials on the existing building.

Ms. Shook talked about the unintended consequences of not allowing someone who has a single-story structure do a rooftop addition. She said would this cause some property owners to want to tear down their buildings and build a two-story building. She said this would be difficult in the Historic District but not in the Interface Area. He said he thought it was possible to have incentives for a property owner to tear down a building because they cannot add on, particularly in the Interface Area where there is not protection from the ordinance and the HPC review.

Ms. Shook asked the CAC for direction on how the Planning Staff should draft the proposed text, she said the Planning Staff could prepare the text and have it ready for the April 2021 joint meeting.

Discussion ensued on the limited structures. Ms. Shook said in Article 16.08.08 a limited structure is to enable recreation uses of open rooftops. As used in this provision, “limited structure” does not include areas that are simply decking to be used for standing or sitting. She said that a bathroom, small kitchen areas for food service, mechanical room to support the limited structure. Ms. Shook read Article 16.08 regarding

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limited structures. She said the CAC added the proposed text that reads, limited structures to enable recreation uses of open rooftops.

HPC Chairperson Plaag asked Ms. Shook if the HPC had discussed rooftop additions in the Historic District Design Standards for the Historic District. He said that this same text from the CAC could be helpful in addressing buildings in the Downtown core that are not in the proposed Historic District. Ms. Shook said that rooftop additions were included by the HPC and she read from Section 7.6.: rooftop additions to existing commercial block buildings, including that it is intended to accommodate elevator shafts or solar arrays are never appropriate if any portion of the addition is visible from the street level right of ways adjacent to the primary and secondary elevations. A particular concern is the addition of rooftop decks, bars and social areas, which not only will destroy the historical integrity of the building will also create numerous nuisances for adjacent property owners that would not have been associated with a building originally, including noise pollution, boiling trash, graffiti, and vandalism as a result of the increased ease of roof access. She pointed out that the text says that it has to be not be visible from the primary and secondary elevations. She noted that some of the buildings do not have the correct width to allow for a rooftop addition over the limited structure. HPC Chairperson Plaag said that this area could be discussed again to talk about placement and to help facilitate those types of rooftop additions while also meeting the guidance from the National Park Service.

Planning Commission Member Frank Veno talked about his concerns for rooftop additions. He was concerned with the requirements for rooftop access as it is related to handicap-accessibility, noise and light pollution. He noted that he has not had problems with noise or light pollution from the Horton Hotel from his Downtown residence. He showed concern for when there are possibly two or three rooftop additions and the possible noise pollution from them including the rooftop entertainment. Chairperson Williams noted that ADA regulations would be required for rooftop access. Ms. Shook noted that it was a requirement for the Horton Hotel to have an elevator and a staircase on the back of the building leading to the ground level. She also pointed out that the occupancy number is limited based on what they can provide as far as the type of egress they can provide. Planning Commission Member Veno also showed concern for rooftop space on new construction in the Downtown area and thought that there should be proposed text included to cover it.

Ms. Shook noted that the Planning and Inspections Department has noticed an interest in not necessarily rooftop additions but in outdoor dining and she thinks the desire for outdoor dining will continue to stay here. She said a lot of proposed projects Downtown are talking about incorporating some sort of outdoor element into their projects. She noted that in the Downtown area you are just limited to dining space because of the sideline-to-sideline construction.

Discussion ensued on recommendations for rooftop additions. Chairperson Williams recommended to mirror the compatible materials, fenestration in particular where you can view the tops of buildings from afar and setting the limited rooftop structures to the back of the building. He also talked about the secondary elevations that could really stop a rooftop addition from being added. He said he wondered if in the Interface Area if some of these requirements for having the rooftop additions not be visible maybe not necessarily in the limited structures but at least in the additions allow them to be more visible, particularly for non-historic properties. He noted that increased development could increase the population and the amount of people walking to places rather than driving to places for dining and entertainment.

Council Liaison Sam Furgiuele agreed that the aesthetic part of the Interface Area is not as critical as it is in the Downtown Core, although it is with some of the older buildings. He said he does not think you can necessarily define the standards and it seemed to him that you have to look to process for it. He agreed that the Interface Area is more of a problem than the Downtown Core because of potential impacts. He said that

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you might have to have either transitional zones or just mandate, if you are going to do limited structures or rooftop additions. He added that the rooftop additions or limited structures have to be approved through a conditional district zoning process because there is a forum for the community to weigh in as well as the CAC and HPC on what can happen in an indoor or outdoor activity or space. He said he also thought that additionally, there has to be regulations to provide the guidance to lay out what we want to see aesthetically and historically and explain how the transitional zones are applied and how you look at the impacts and how the impacts are going to be mitigated.

Council Liaison Furgiuele pointed out that one of the impacts of the limited structure of the Horton Hotel is it hides the view of the mountains. He noted that we should make sure to maintain setbacks and a view of the mountains, when looking at rooftop structures.

Chairperson Williams asked Ms. Shook if rooftop additions or limited structure additions are listed in the Table of Permissible Uses as an accessory use. Ms. Shook said no they are not in the said table at this time. Council Liaison Furguiele agreed with Chairperson Williams that if it is an accessory use, it would trigger the transitional zone process.

Discussion ensued on the COA and Conditional District Approval process. Ms. Shook explained that the COA approval is necessary before building and zoning permit approval. Then, she asked HPC Chairperson Plaag, if in the Downtown Core is it required to get a COA before the project goes to Council. HPC Chairperson Plaag said that they are two separate processes. He explained that the COA process is specifically related to the zoning overlay for the historic district and all of other zoning requirements have to be met even if something is being done to a historic property. He said if the property is located in the historic district both processes have to be followed for whatever underlying zoning requirements there are. He explained that there has not been a lot of discussion on this topic and he is not sure what the sequence is in that instance. He pointed out that the applicant might want to know that the zoning can be approved before they dealt with the COA process.

Ms. Shook talked about the possible conflict between the Council, Planning Commission and the Historic Preservation Commission regarding the review of a rooftop addition. She suggested that more discussion needs to occur on the process of the said topic with HPC Chairperson Plaag and the Town Attorney.

HPC Chairperson Plaag said when it becomes an accessory use; a way to perhaps handle the accessory use is to set an occupancy limit for rooftop use if there is going to be an occupancy limit beyond a certain point. He said then it would become an accessory use of the rooftop. He said this allows tenants of apartments who have access to the roof to go out onto the roof, which is different from a rooftop having a lot of people and loud music. He said there might be a way of having certain rooftop uses by right and others be more intensive to the CD process. Council Liaison Furgiuele said that he thought it made sense to have some type of demarcation for rooftops, which should include uses in the Historic District versus uses that are not in the Historic District. He also noted that if there is a rooftop use in the Historic District the HPC should have the final say on the review of it. He said the Council should first confirm the mitigation factors but anything the Council does is conditioned upon approval, accepted by the developer, and approved by the HPC. He said the final arbiter is Council with the opportunity for the HPC to weigh in on it. Ms. Shook noted that we would just say 50 years is the number. Ms. Shook pointed out that the Planning Staff would make sure that they have the authority to regulate occupancy before they draft text that addresses the process and the actual addition itself.

HPC Chairperson Plaag said he would be hesitant to adopt a standard that would box in existing buildings with rooftops that are in a good position to have a rooftop space and he referred to the Dancing Moon building rooftop, which has a parapet with windows that makes it a good example for a rooftop space. He

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suggested creating a standard that includes some of the National Park Service language and tweak it as needed to get the compatibility of materials, color and design as opposed to saying, "no you cannot do a rooftop addition on any building under four stories".

Ms. Shook said the Planning Staff would try to draft text based on the discussions at this meeting and have it ready to present at the April 20, 2021 joint meeting.

Discussion ensued on disseminating the project meeting notes to each of the boards involved in the Downtown Projects. Ms. Shook explained that she could email an update after each meeting to the CAC, HPC, Planning Commission and the Council after each meeting to help keep everyone up-to-date on the discussions in each meeting. Chairperson Williams said he could work with Ms. Shook on putting the meeting notes together. The CAC agreed to Chairperson Williams working with Ms. Shook on said topic. Ms. Shook told HPC Chairperson Plaag that at the April 13, 2021 HPC meeting, she would ask the HPC to approve HPC Chairperson Plaag to work with her on the Downtown Project communications. HPC Chairperson Plaag agreed with Ms. Shook.

Ms. Shook also told the CAC that HPC Chairperson Plaag is helping her with the Town website and working with the program Squarespace to be able to include public input on the Downtown Projects.

INFORMAL DISCUSSION/OTHER MATTERS

There were no other topics discussed at this meeting.

PUBLIC COMMENT

No individuals requested the opportunity to speak during public comment.

ADJOURNMENT

Chairperson Williams made a motion, seconded by Vice-Chairperson Cagle to adjourn the meeting at 7:53 p.m.

Vote:

Aye – All
Nay – None
The motion passed.

Chairperson Williams made a role call for the following board members: Chairperson Williams, Vice-Chairperson Cagle, Member Trumpower and Samuel Gass.

Brian Williams, Chairperson

Marlene Crosby, Board Secretary

TOWN OF BOONE
TOWN COUNCIL, COMMUNITY APPEARANCE COMMISSION, HISTORIC PRESERVATION COMMISSION & PLANNING COMMISSION
JOINT MEETING MINUTES
TUESDAY, APRIL 20, 2021 at 6:00 P.M.

COUNCIL MEMBERS:	Mayor Rennie Brantz, Mayor Pro Tem Connie Ulmer, Nancy LaPlaca, Virginia Roseman, Sam Furgiuele and Dustin Hicks
CAC MEMBERS PRESENT:	Chairperson Brian Williams, Vice-Chairperson Sarah-Davis Cagle and Maggie Trumpower
HPC MEMBERS:	Chairperson Eric Plaag, Bettie Bond, and Chuck Watkins
PLANNING COMMISSION MEMBERS:	Chairperson Elizabeth Shay, John Tippett, Frank Veno, Amanda Halbert, Adam Zebzda and Christine Behrend
STAFF MEMBERS PRESENT:	Jane Shook, Director of Planning and Inspections, Brian Johnson, Urban Design Specialist, Christy Turner, Senior Planner, Mike James, Senior Planner, Brenda Henson, Administrative Support Specialist, Stacey Miller, Chief Building Inspector, Matt McGregor Staff Intern and Marlene Crosby, Board Secretary
OTHERS PRESENT:	John Ward, Town Manager, Allison Meade, Town Attorney, Lane Moody, Downtown Boone Development Coordinator, Chris Miller, GIS Specialist and Kayla Lasure, Watauga Democrat

CALL TO ORDER

Mayor Rennie Brantz called the joint meeting with the Community Appearance Commission, Historic Preservation Commission, Planning Commission and the Town Council to order held via WebEx, a video conferencing software on April 20, 2021 at 6:05 p.m.

PUBLIC COMMENT

Mayor Brantz opened the floor for public comment.

Ms. Jane Shook, Director of Planning and Inspections noted that she had received a request from Mr. David Jackson, President and CEO of the Boone Chamber stating that he wanted an invitation to attend this virtual meeting. She explained that it was not clear, if he wanted to sign up for public comment or that he just wanted to listen in to the meeting. She noted that it did not appear that Mr. Jackson was attending this virtual meeting.

Mayor Brantz opened the floor for public comment.

No individuals requested the opportunity to speak during public comment.

Mayor Brantz closed the floor for public comment.

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DOWNTOWN PLANNING PROJECTS UPDATE

Ms. Shook began discussion on the agenda topic and noted that the Planning Commission had reviewed the preliminary Downtown Planning Projects document and recommended that the Planning Staff move forward with the public input sessions.

Ms. Shook said the Historic Preservation Commission at their last meeting approved the final draft District Designation Report and recommended that it be presented to Council for their review. She said the HPC also reviewed and approved the draft language for Rooftop Additions.

Ms. Shook said in this joint meeting the Planning Staff will present information related to the public input sessions and discuss the next steps for the Downtown Planning Projects.

Ms. Shook reviewed Downtown Planning Projects, Public Input Communications/Planning Calendar (permanently on file). She described the different communication types, cost and the dates. She pointed out the options for in person appointments for those unable to participate virtually.

Ms. Shook reviewed the May and June 2021 calendar dates pointing out the dates for the rolling out of the website, postcards and the scheduling of the individual appointments. She pointed out a suggested range of dates to be discussed for the public input sessions.

Ms. Shook explained that there are four ways for the Town to receive public input information and those ways are through the mail, through the Downtown Planning Projects website under, "What's Your View", Public Input sessions and the individual appointments with the Planning Staff.

Discussion ensued on the postcards. Ms. Shook explained the purpose of the postcard mailer in detail and asked for feedback on it. Planning Commission Member Frank Veno said that he liked the postcard mailer and he believed that the public would pay attention to it. He asked Ms. Shook about the options for receiving public input. Ms. Shook said she would like to use all of the options that she presented and she would like to have feedback on them. Mr. John Ward, Town Manager asked Ms. Shook if the postcard mailer would capture the Downtown Business owners. Ms. Shook said she hoped that the Downtown Business owners would be captured through the emails from the Downtown Boone Development Association. Ms. Shook pointed out that the said emails would contain the same information as the postcard mailers. Ms. Shook talked about the tenants receiving the information and that every tenant in 230 properties in the district would need to receive the postcard mailer information. Mayor Pro Tem Connie Ulmer suggested putting the postcard information in the local newspaper. Ms. Shook confirmed that a press release could be sent to the local newspaper. Ms. Kayla Lasure from the Watauga Democrat confirmed that a press release can be done. Planning Commission Member Adam Zebzda suggested sending the postcard information to "The Appalachian". Ms. Shook confirmed that the information can be send to a variety of sources. Ms. Lane Moody, Downtown Boone Development Coordinator said that she is working on the DBDA newsletters and she can possibly include a copy of the postcard into the newsletter. She noted this would be in addition to the emailing of the information to the DBDA.

Ms. Shook explained in detail the things that are included in the Downtown Planning Projects website which includes the history, B-1 Expansion, story maps, Unified Development Ordinance text amendments and zoning map amendments, existing zoning and the public input sessions and individual appointments with the Planning Staff, section for frequently asked questions and section for Downtown Business owners testimonials.

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Ms. Shook talked about the draft documents that the Planning Staff will share with the public. She explained that the text has been modified in CASE PL03370-112019 for the B1 Expansion project. She said all other text to be modified has been moved to the text amendment where the Town is addressing compliance with the General Statute 160D. She said the text that is highlighted in yellow on page 5 of the meeting packet shows the framework for said statute. She explained that the UDO had to be reformatted as a result of this change.

Ms. Shook talked about a change in Article 14.19 from B1 Central Business District to Downtown Core and B1 Downtown Interface Districts. Mr. Brian Johnson, Urban Design Specialist reviewed the proposed changes highlighted in green and blue found on packet pages 28, 35, 36, 41 and 42.

Mr. Johnson talked about exceptions for prohibited materials found on packet page 52. HPC Chairperson Plaag asked Mr. Johnson if historical material was defined somewhere in the ordinance. Mr. Johnson said that was a good question and he would check on it. Ms. Allison Meade, Town Attorney pointed out that she thought that the general definition of historical was defined in the UDO as basically being older than fifty years. Ms. Shook agreed. Ms. Meade said that if there is a need to define the said definition in other documents, then it should be separately defined. Mr. Johnson clarified that in Article 14.19 06. 6 B that any building or building material that is 50 years old as of May 1, 2018 is defined as historical. He also noted that if the Planning Staff needs to further define this topic, they can do it.

Mr. Johnson talked about the revising of text on shed and roof canopies found on packet page 44 in a.3 and b.3. and on packet page 48. Ms. Shook clarified that the proposed text changes under Colors and Field Materials on packet page 43 was to make the proposed text more clear and easier to understand as a result of the Town Attorney's review of it.

Mr. Johnson explained the adding of proposed text on packet page 50, under K. 1. and 5.

Discussion ensued on the Downtown Streetscape Plan. Mr. Johnson explained the changes to the proposed text on packet page 52 under L. 1.A Downtown Streetscape Plan. Ms. Shook pointed out that this section is highlighted not because it was changed but because the Town Attorney had a question on the Downtown Streetscape Plan. Ms. Shook explained that at one time the Planning Staff had created a Downtown Streetscape Plan. Ms. Shook asked Mr. Ward if the plantings were added to said plan by a former Downtown Boone Development Coordinator. Mr. Ward said he would need to review his records to recall the landscaping portion of the plan. Ms. Shook explained that before this Downtown Streetscape Plan information is presented to the public, we need to make sure that there is an adopted Downtown Streetscape Plan.

Discussion ensued on Rooftop Additions and Limited Structures. Mr. Johnson referred to packet page 45 under 8.d. Ms. Shook pointed out that the Historic Preservation Commission adopted the proposed text on this topic. Ms. Shook said that a new use A-27 had been added on packet page 19 for limited structures that enable the recreation use on rooftops. She said these new requirements will address the location of the rooftop addition but they do not change how the addition is permitted. She noted that the Planning Staff did not populate the Table of Permissible Uses because the Planning Staff wanted to have a discussion on the limited structures. Ms. Shook said the new use will be tied back to packet page 45. Mr. Johnson read the standards that are on packet page 45, Section d.i.ii.iii. found under the Addition section and said, they would apply to the B1-Downtown Core or Interface. HPC Chairperson Plaag made a suggestion to change to proposed text at the end of Section d.i.i., he suggested making the text read, "closest to the non-primary, non-secondary façade area of the existing building. Ms. Shook noted that the Planning Staff needs to make a proposed text change to solar arrays, she said she thought solar arrays should be regulated in another

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section of the UDO. Mr. Ward asked if anyone had completed rooftop triangular calculations to see if it would allow rooftop use. HPC Chairperson Plaag pointed out that the Griff Gilbert rooftop addition is good example to go by on said topic. Ms. Shook noted that she and Mr. Johnson had discussed where the calculations would be performed either along the right-of-way or directly in front of the building. Ms. Shook said in the National Park Service Rooftop Additions Guidance material, it gave an example of the sides of a building being built out and additional brick was added to it. Ms. Shook asked if there are differences in the types of additions and what the requirements should be. HPC Chairperson Plaag said the requirements should include the size of the building and the compatible building materials. He also said that generally the expectation is when you are standing in the front of the building on either side of the street of the right of way, you should not be able to see any part of the addition. Council Member Furgiuele suggested identifying what the vantage point range should be. Mr. Ward agreed with Council Member Furgiuele and Mr. Ward noted that his main concern is how it is measured and replicated moving forward. HPC Chairperson Plaag suggested using the five-feet six inches to six-feet range above any portion of the right of way measurement from an observer's viewpoint because it includes the sidewalks. Council Member Furgiuele agreed with HPC Chairperson Plaag.

Discussion ensued regarding the administrative process for Rooftop Additions. Ms. Shook explained that the building would be permitted the way the use is permitted but the limited structure is what is put into the Table of Permissible Uses under A-27 because it will facilitate the recreation use of the open rooftop. Council Member Furgiuele noted that in his view, the rooftop addition could go through a transitional zone process in the B1 Downtown Core and B-1 Interface Area. He said this because in certain neighborhoods next to the B1 Downtown Core the homes are close enough to hear the sound as it travels from the rooftops. He also pointed out that the transitional zone process will also address how the impacts will be mitigated. He said in the historic district that the conditional district zoning process should be followed because this process would address the impacts which would include noise. Council Member Roseman supported the transitional zone process. HPC Chairperson Plaag suggested that any rooftop proposal include the transitional zone process throughout the Town.

Ms. Shook noted that in the R-3 zoning district for flat roofs, it is required to use one-half of the roof for livability space. She also noted that we have to be aware of all the consequences in all the districts and further analysis might be needed for some properties.

Ms. Shook asked if we are looking at the same distance to be followed in the transitional zone process. HPC Chairperson Plaag suggested 200 feet for the transitional zone process.

Discussion ensued on mitigating the noise impacts from Rooftop Additions. Mayor Pro Tem Connie Ulmer noted that she likes to hear noise when she walks in the Downtown area. Council Member Virginia Roseman said that she would suggest some type of sound barrier to push the volume of the sound in the proper direction and still allow the people living in the Downtown area have a voice and protect their way of living. Mayor Pro Tem Ulmer agreed with Council Member Roseman. Community Appearance Commission Chairperson Brian Williams said that he lives about a block away from the B-1 Downtown Core and he agrees with Mayor Pro Tem Ulmer noting that he bought his home in the Downtown area because he likes the vibrancy that you get from a Downtown area. He suggested not over mitigating the noise impacts in the Downtown area. HPC Member Bond noted that there is a noise ordinance that helps to regulate the noise impacts in the Town.

Ms. Shook pointed out that the Planning Staff is seeing more interest in outdoor spaces and making recreational use of rooftop spaces. She said this helps to expand the square footage of the building which adds an attraction to the building. She noted that the space is limited for outdoor construction. She said that

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in the public input sessions there will be comments on these types of things. She said in the past, when the Planning Staff had met with developers regarding larger renovations the use of the outdoor space is usually discussed.

Mr. Ward explained that with the real estate prices going higher that people want to use every bit of their space in their building whether it be the basement or the rooftop. He said another thing that is driving the use of outdoor space is the pandemic and the businesses with the outdoor spaces have been more successful.

Ms. Shook noted that the Planning Staff will make the changes to the proposed text that were discussed in this meeting which will include the adding of the transitional zone T-300 feet in the reference column of the table. She said after all of the public input sessions, there will be proposed text that will cover all of the zoning districts.

Planning Commission Member Frank Veno asked if solar panels affect building height on downtown buildings. Ms. Shook said there are general statutes that regulate solar collectors on residential buildings and on other buildings. She further explained that the Town went through a Sole Smart designation that reviews the Town's regulatory framework to see how clean and energy friendly the Town is and what kind of practices that the town has in place. She said that Council has already authorized the Town to move forward with the Sole Smart suggested changes. She said the changes will clearly state where the solar collectors can be placed on a structure. She said it is important that the Town move forward with the Sole Smart suggested changes. She said the Town has contacted Tesla and they want to install a super charger for Tesla owners in the Town. She said there are a lot of energy related uses that need to be addressed in the UDO. She pointed out that in the historic district the solar uses can be different.

Council Member LaPlaca pointed out that no one is going to install solar in Boone as long as you have to sell every kilowatt to New River Light and Power for two cents. She said in Asheville, North Carolina you see a lot of solar installation but in the Boone area you do not see them. She said as long as NRLP does not want net-metering and only pays two cents, when you pay them ten cents. She pointed out that at some point there will be solar batteries available but it will take longer to get them. She said at some point in time the commercial application for solar plus batteries which will be much more economical for businesses, before they work for residences because of the way that the rates are structured.

Ms. Shook referred to packet page 55 and she began discussion on the proposed text changes to the following document entitled, "Downtown Boone Local District Design Standards and Handbook, the last revision date was April 20, 2021. Ms. Shook noted that she has created a "Table of Contents" for the said document. She turned the meeting over to Ms. Christy Turner, Senior Planner to review the changes in the said document.

Ms. Turner explained that the term "guidelines" was changed to "standards" throughout the "Downtown Boone Local District Design Standards and Handbook" because of a requirement of 160-D. Ms. Shook said the Planning Staff added a section in the said document that stated that the Historic Preservation has the right to consult with the National Park Service or the State Historic Preservation Office as needed. Ms. Shook said there was one small change under the draft designs standards that the HPC had originally created two processes which are the COA for minor and major work. She said the minor work does not go through the quasi-judicial process through the HPC but it is a Planning Staff level approval. Ms. Shook explained that the COA process is defined in general statutes. Ms. Shook said the COA application has been changed to a "Statement of Conformity" for a minor change due to 160-D, and is still a Certificate of Appropriateness for a major change.

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Ms. Shook explained that the Planning Staff had met with the State Historic Preservation Office and they had suggested to designate the district using the Secretary of Interior Standards as the guidelines for the regulations in the district for the HPC to act upon and not use the guidelines that the HPC had drafted. Ms. Shook said after discussing this information with the Town Attorney and the HPC the result was to use the design standards that the HPC has worked on and present them during the public input sessions.

HPC Chairperson Plaag explained the difference between the Secretary of the Interior Standards and the standards that the HPC has worked on for about five years. He said the HPC's work included consulting with other districts and how they handled similar types of architecture in their Downtown areas and reviewing the National Park Service guidelines. He further explained that often when a Town wants to designate a district, they will adopt the ten general standards as a place holder until the specifics are worked out. He said that he had discussed with Ms. Meade and Ms. Shook about letting the property owners know what specific standards will apply to their properties and give them the opportunity to provide feedback on it. He said the next step would be to approve a set of design standards that are fairly specific so that property owners know what to expect.

Ms. Meade agreed with HPC Chairperson Plaag on moving forward and using the Boone standards and she noted that it will be a steep learning curve for the Planning Staff and the HPC as the Certificate of Appropriateness process begins.

Ms. Turner reviewed the proposed changes to Rooftop Additions found on packet page 141 in 7.6.A, 7.6.B, 7.6.C, 7.6.D, 7.6.E. Ms. Turner clarified that Rooftop Additions must be approved through the Conditional District Zoning process prior to being considered for the Certificate of Appropriateness process associated with these standards.

Ms. Shook explained the documents that will be available for information at the public input sessions for the Downtown Boone Local Historic District will include: Comprehensive Architectural Survey of the Downtown Boone area, District Designation Report, Design Standards and a Zoning Map Overlay. She said these documents will be on the Town of Boone website for the public to review.

Ms. Shook explained that the following documents need to have proposed changes made to them: B-1 Expansion Text and Design Standards. She explained that she would like to make the changes as they were discussed in this meeting and ask the CAC Chairperson and HPC Chairperson and Town Attorney to review those proposed changes. She said after the said documents had been reviewed, they would be published for the public input sessions. She confirmed that there was consensus from the Council for the Planning Staff to move forward with the proposed changes to the said documents.

Discussion ensued on the ways to publicize the proposed documents. Ms. Shook asked if everyone was in agreement with the proposed ways to publicize the said documents as the Planning Staff has outlined under the Communication Type on the proposed meeting calendar found on page of two of the meeting packet. She confirmed that there was consensus from the Council on said agreement.

Discussion ensued on the public input session dates in the proposed meeting calendar provided by the Planning Staff. Ms. Shook asked the Council for direction on how they would like for the Planning Staff to move forward with the scheduling of the public input sessions. Council Member Roseman suggested having possibly two input sessions with one session on the week of May 10 and another session on the week of May 17. HPC Chairperson Plaag suggested having one of the sessions during the day time. Ms. Shook noted that the Planning Staff would prefer that the Council be present at the public input sessions. HPC Chairperson

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Plaag suggested having an evening meeting on Tuesday, May 11, 2021 at 6 p.m. after the HPC meeting. As a result, Ms. Shook said the Planning Staff would schedule the public input sessions on the following dates and times: Tuesday, May 11, 2021 at 6 p.m., Wednesday, May 19, 2021 at 9 a.m. and on Thursday, May 27, 2021 at 6 p.m.

Discussion ensued on the date for the joint meeting with Council, CAC and HPC to review and discuss the information received from the public input sessions. Ms. Shook had suggested Wednesday, June 9, 2021at 6 p.m. for the joint meeting. As a result, Ms. Shook confirmed that based on this discussion the said date and time would work for the joint meeting.

Mayor Pro Tem Ulmer showed her appreciation for all of the hard work that has occurred on the two work products by the CAC and HPC and the Planning Staff. Ms. Shook voiced her appreciation to the Council, CAC, HPC, and the Town Attorney for all of their work.

ADJOURNMENT

With no other topics to discuss, Council Member LaPlaca made a motion, seconded by Mayor Pro Tem Connie Ulmer to adjourn the meeting at 8:27 p.m.

VOTE: Aye – All
Nay – None
The motion passed.

Rennie Brantz, Mayor	**Brian Williams, CAC Chairperson**
Eric Plaag, HPC Chairperson	**Marlene Crosby, Board Secretary**