

**TOWN OF BOONE
HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
MARCH 12, 2024, 3:00 p.m.
Planning & Inspections Department & WebEx Video Conferencing**

Historic Preservation Commission Members in Attendance:

Vardell Smyth-Chair, Bettie Bond-Vice-Chair, and Krystal Carter

Council Liaison:

Town Staff in Attendance:

Jane Shook-Director of Planning & Inspections, Jessica Mitchell-Advanced Planning Specialist, Mike James-Commercial Zoning Administrator, and Marlene Crosby Board Secretary

Others in Attendance: Allison Meade-Town Attorney, Appalachian Architecture-Bill Dixon and Leigh Blevins

CALL TO ORDER

Chair Smyth called the Boone Historic Preservation Commission meeting via WebEx and in person to order at 3:02 p.m. and welcomed everyone to the first HPC pre-application workshop.

ADOPTION OF AGENDA

Vice-Chair Bond made a motion, seconded by Commission Member Carter, to adopt the agenda as presented.

Vote: Aye – All
Nay – None

The motion passed.

PUBLIC COMMENT

No individuals requested the opportunity to speak during public comment.

174 S. DEPOT STREET – HPC PRE-APPLICATION WORKSHOP

Mr. Mike James, Commercial Zoning Administrator, introduced the proposed project at the location of the former Haircut 101 building. He stated that the new owner of that building would like to demolish and build a new structure. He stated that this proposal would require the HPC to review a Certificate of Appropriateness (COA). He added that the proposed new structure would be higher than the existing building, and it would trigger a conditional district process where the applicant would attend a public hearing and Town Council meeting. He stated that once the proposal met Council approval, the zoning review would begin, and upon approval, the demolition application could be submitted for approval.

Ms. Allison Meade, Town Attorney added that the pre-application process is a voluntary, informal, and non-binding procedure being done as a courtesy for the applicant and the applicant's representative. She stated that the discussion in this meeting should not come up in the quasi-judicial meeting because it is not relevant.

Ms. Meade informed the HPC that there would be two distinct issues that would come before the HPC in this meeting. She said these issues are the request to demolish the building and the new construction. She noted that the request to demolish the building was irrelevant for today's discussion. She said the property owner would be able to demolish after a twelve-month waiting period but the HPC may allow

the property owner to demolish sooner if the HPC finds certain facts and justification to do so. She said the discussion for this meeting would be regarding the approach to the new construction.

Chair Smyth asked Ms. Meade if the HPC had an issue with the demolition of this historic building, would they state their issues with it in this meeting. Ms. Meade responded that would not be appropriate for this advisory workshop because that type of issue would be based on the facts of whether it is an architecturally significant building. He clarified that this process was to receive feedback about the regulations for renovations and new construction.

Chair Smyth clarified his question to Ms. Meade and asked if the HPC would have a role in a structure being demolished or not. Ms. Meade responded that this is a key role for the HPC to review the potential demolition of a structure. She added that this topic should not be an issue for the HPC in this workshop.

Mr. Bill Dixon from Appalachian Architecture asked Mr. James about the COA process and asked if the demolition COA would come first and then the new construction COA. Ms. Meade confirmed with Mr. James that it is a combined process and the HPC approval is required before the case goes to public hearing or Town Council. Mr. Dixon asked if there has to be a public hearing because of the height of the new structure. Mr. James said an increase in the building height of the new structure would require a conditional district process. Mr. Dixon clarified that even though the building height is within the 35-foot height limit, it would still require the conditional district process; Mr. James said yes. Ms. Jane Shook, Director of Planning and Inspections, confirmed that it is still a requirement for the applicant to follow the conditional district process for increased building height for a new structure.

Mr. Dixon presented the information in the meeting packet for the pre-application workshop for 174 S. Depot Street on behalf of the property owners, Mr. Michael and Esther Thaler, who purchased the former Haircut 101 building approximately four years ago. Mr. Dixon stated that he believed going through the pre-application process would help the COA review be a smoother and quicker process. He said the pre-application process was particularly important with the proposal of new buildings and designs.

Mr. Dixon pointed out that the proposed project is located beside Boone Creek and there are numerous regulations that would affect what can be done on this property, including the trout stream buffer. He explained that the original base floor level was maybe three or four feet below the existing base flood elevation. He concluded that everything that is constructed there will need to be floodproofed. He pointed out that in the 1940's there was a utility easement that allowed the Greenhouse property (164 S. Depot St.) access to the northern property line and it has been amended in the past year. The utility easement now goes down the northern property line to Boone Creek. He explained that the current easement because of sewer lines from the Crae Morton building (158 S. Depot St.) on the corner and the water from the Greenhouse property drains onto the former Haircut 101 property. He stated that the current owner, Mr. Michael Thaler, has worked approximately one year on the utility easements, and he gave up some of his property to get the utility easements for the Greenhouse property.

Mr. Dixon stated that other regulations that affected this proposed project are the development regulations including the building code, fire district requirements, Unified Development Ordinance, and HPC approval of the COA for demolition and new construction.

Mr. Dixon referred to UDO Section 14. New Construction of Commercial Buildings within the District. He explained that in the meeting packet, he had included and marked the standards that were applicable or not applicable to this proposed project.

Mr. Dixon pointed out on packet page 11 that the former Haircut 101 building was the Brendell's Garage Building and on packet page 14 the photograph shows that a Honda Sales and Service business used to be in that building. He noted that this building has a second floor with a loft that contains Honda parts from

30 years ago. He said in the back of the building there is a storage area with painting supplies and a woodworking shop.

Mr. Dixon stated that Mr. Thaler was proposing a two-story mixed-use project, including residential on the second floor and commercial on the first floor. He presented three options for the proposed new building that he and Mr. Thaler thought were appropriate for the Town of Boone. He asked the HPC to give him some direction on which option they would like to see in this location.

Mr. Dixon explained that during this process, he and Ms. Leigh Blevins, from Appalachian Architecture, had done approximately 15 different facade studies. He said that Mr. Thaler preferred option three with the bay windows. The HPC did not support the appearance of the bay windows. Discussion on bay windows included that the only one existing in Downtown Boone is next to the Appalachian Theatre. He explained that option two presents a balcony with two of the bedrooms exiting to them. He said to accomplish this option the building would have to be set back on the second floor in order for the balconies to not hang over the Town of Boone sidewalk. Also, in option two the commercial entrances are set back because the doors cannot open out onto the sidewalk. The first floor can be either one tenant or two tenants. He referred to packet page 26, First Floor Plan, which showed the retail space, hallway easement, elevator, sprinkler, and electrical area. He referred to the utility diagram and pointed out the property that Mr. Thaler gave up to allow the roof drainage down to Boone Creek. He said the new structure would be built back to the same building footprint on the ground floor.

Mr. Dixon explained there is a small amount of property behind the building but because of the flood plain there is no construction that can occur there. Vice-Chair Bond asked if there was an entrance into the green area from behind the building and if it could be turned into a garden. Mr. Dixon responded there are three doors at the back of the building one with access to the elevator and one to the commercial spaces.

Mr. Dixon explained that in option two, the second-floor level has four apartments with a total of six bedrooms. He said that Mr. Thaler is aware that he will have to provide parking to have a residential use.

Chair Smyth asked Mr. Dixon if the proposed new structure took away the alleyway. Mr. Dixon replied no and explained that the Town owns the alleyway, and Mr. Thaler's property butts against it, Boone Creek, the Burton Moomaw Acupuncture property, and the Greenhouse property. Mr. Dixon added that the surveyor said the property lines are within the walls of the Burton Moomaw Acupuncture property and the Greenhouse property. He stated that the new construction would be within the property lines in the walls.

Mr. Dixon reviewed the site elevations. He said both the north and south side walls would be visible because they have one-story buildings to the left and the right. He stated they would be building to zero lot lines and the building and fire district codes would not allow for openings on either of the walls.

Mr. Dixon reviewed the outside building material stating they would use native rock, like on the Greenhouse building, along with red brick and the same brick reveals without mimicking the old.

Mr. Dixon noted that option one does not have balconies on the front of the building and the option one elevation is not much different than the other options on the sides of the building. He pointed out that the balconies on the back of the building in all the options are on Mr. Thaler's property, and they are cantilevered because of the floodplain they cannot build into the dirt.

Mr. Dixon stated that he would be coming back to the HPC on behalf of the property owner with a COA for a demolition plan and new construction plan for their review. Mr. Dixon added that the pre-application process would be very beneficial to an architect working in the Downtown area.

Ms. Meade stated that it is important to distinguish between the primary, secondary, and tertiary facades for this type of feature. She pointed out that the back of the Portofino Hotel although it faces Howard Street, it is not on Howard Street nor is it the primary facade of that hotel. She said features are permitted on the tertiary facade that are not intended to be permitted on the primary facade. Mr. Dixon stated that understood and agreed with Ms. Meade on the facades. Mr. Dixon pointed out that the Portofino Hotel balconies are Juliet balconies, whereas true balconies are being proposed in option two for Mr. Thaler's building.

Chair Smyth stated that Mr. Dixon was familiar with the requirements for awnings, and Mr. Dixon noted that awnings would require an easement from the Town because of the sidewalk. Chair Smyth asked what material would be used for the awning, and Mr. Dixon replied black metal.

Ms. Meade asked Mr. Dixon if, other than the balconies on the back of the Portofino Hotel, there are other examples of balcony-type features in the Downtown area. Mr. Dixon said there are no historic balconies that he knew of except maybe the Daniel Boone Condos, if those are considered balconies.

Ms. Meade pointed out that the HPC reviews building features that exist, do not mimic other buildings, and are sensitive to architectural structures. She recommended to staff that for the next workshop, they provide some photos that cover a number of buildings in a block of the historic district, so the applicants can have a visual to review and think about the proposed project. Chair Smyth agreed with Ms. Meade's suggestion for the staff to provide photos at the next workshop.

Mr. Dixon asked the HPC if they had an opinion on bay windows. Vice-Chair Bond said she loved bay windows, but they are not appropriate for the street in the historic district. Chair Smyth agreed bay windows were not appropriate.

Mr. Dixon asked the HPC for their feedback on option one. Chair Smyth asked Mr. Dixon about the length of the awning, and why it was extended over the stone face. Mr. Dixon responded that the awning could easily be shortened to the center part, as shown in option two.

Vice-Chair Bond stated that she liked the appearance of option two with the balcony instead of it being flush to the front of the building. She liked the appearance of the windows presented in this option. Chair Smyth added that the windows have to be congruous with the historic district. Mr. Dixon noted that historically there may not have been full-height windows. Chair Smyth could not remember other buildings in town that have balconies on the front of them within the period of significance. Mr. Dixon stated that in 50 years that might change for balconies.

Vice-Chair Bond noted that she wished the bus depot was still there, and she liked the appearance of the stone at that location.

Mr. Dixon said that he and Ms. Blevins looked at cornices on buildings in the downtown area. Ms. Blevins stated that they used medallions on the building.

Chair Smyth referred to the building materials and commented that it is always desirable to see stone breaking up a mass wall of brick. Mr. Dixon added along with the brick reveals in the facade every six or eight courses would give the facade some texture.

Mr. Dixon referred to the standards for new construction regarding proportions and height should be cognizant of the buildings' facade. He said to make the numbers work and to do what Mr. Thaler wants is why it is proposed as a two-story building. Ms. Blevins noted that the second floor is higher because of the vertical dimension on the easement that has to be respected below.

Vice-Chair Bond asked if the trees were part of the demolition area. Mr. Dixon responded that one of the trees next to the telephone pole in the alleyway can be saved and the rest of that area is within the zero lot line.

Mr. Dixon referred to the second story and asked, even though the proposal for height is under the 35-foot limitation, if the applicant is still required to go through the conditional district zoning process. Ms. Meade told Mr. Dixon that was a staff decision and not an HPC decision about the CD zoning process. Mr. Dixon confirmed with Ms. Meade that this change to the UDO has not happened, but she and Ms. Shook had discussed it. She added that the thought was to protect the Downtown before the adoption of the HPC standards. She said now that the HPC standards are in place, there is justification to propose a change to the UDO although it has not been done. Mr. Dixon asked if it was possible to get this proposed change on the next public hearing agenda. Ms. Meade indicated to Mr. Dixon that the next public hearing is full, and it would be summer before it could be on the Town Council's agenda. Mr. Dixon asked Ms. Meade if the applicant waited, could they skip the whole CD zoning process, assuming it is approved by the HPC. Ms. Shook informed Mr. Dixon that he could appear before the Town Council to make this request. She said the earliest public hearing agenda that this topic could be placed on would be in May 2024, if the Town Council wants to process it. Mr. Dixon replied that he would let the applicant decide what he wanted to do. He asked Ms. Shook if the proposed UDO change would be pursued this year, and Ms. Shook indicated that it was on the staff's work list, which is a full list. She reiterated that Ms. Meade had explained that the March and April agendas are full.

Chair Smyth asked Mr. Dixon if the numbers would work if a single-story building was proposed and Mr. Dixon replied no because Mr. Thaler needs the income from the apartments to make the financing work.

Ms. Meade left the meeting at approximately 3:46 p.m.

OTHER DISCUSSION

Ms. Jessica Mitchell, Advanced Planning Specialist, let the HPC know to reserve April 24, 2024, at 6 p.m. for the Town Council meeting date which is where the resolution for Former Commission Member Chuck Watkins will be presented.

Chair Smyth stated that sometime in April 2024, he would have to be out of town.

ADJOURNMENT

Vice-Chair Bond made a motion, seconded by Commission Member Carter, to adjourn the meeting at 3:48 p.m.

Vote: Aye – All
Nay – None

The motion passed.

Vardell Smyth, Chair

Marlene Crosby, Board Secretary